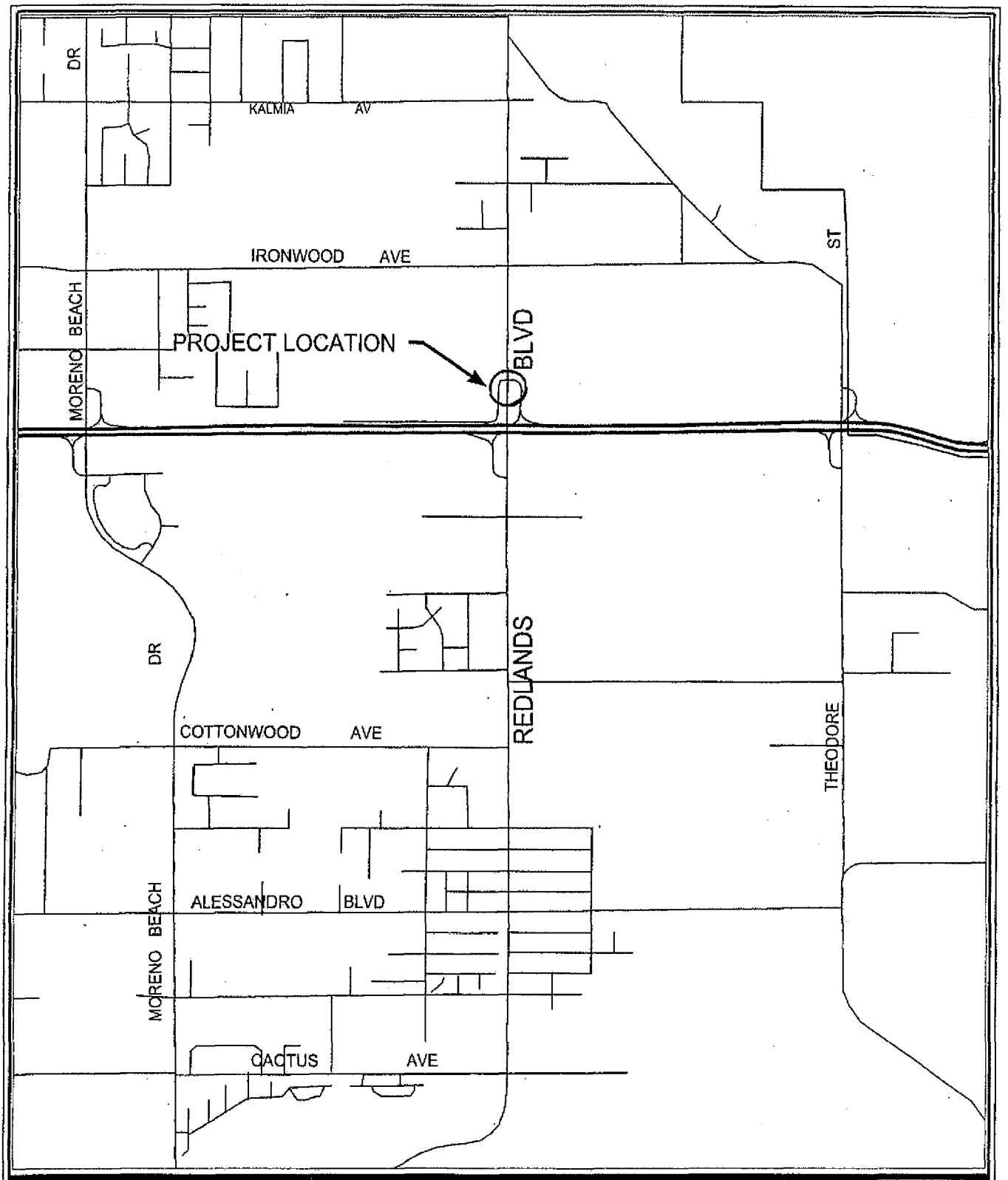

Public Works Department Capital Projects Division	LOCATION MAP
CITY OF MORENO VALLEY DECEMBER 3, 1984	Scale: None Attachment "A"
	PROJECT NO. 08-12566927 TRAFFIC SIGNAL IMPROVEMENTS ON REDLANDS BLVD AT THE RTE 60 WESTBOUND RAMPS

Mitigated Negative Declaration
and
Initial Study

Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project
Moreno Valley, California

Lead Agency:

City of Moreno Valley
Community Development Department
14177 Frederick Street
P. O. Box 88005
Moreno Valley, California 92552

Prepared By:

Blodgett/Baylosis Associates, Inc.
P. O. Box 844
Whittier, California 90608

January 2009

Attachment "B"

MV00047753

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MV00047754

Mitigated Negative Declaration

City of Moreno Valley
Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project

MV00047755

MITIGATED NEGATIVE DECLARATION

Project Name: Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project

Project Address: Redlands Boulevard segment north of SR-60 Freeway to westbound ramp connection (north of freeway).

City and County: Moreno Valley, Riverside County

Project: The proposed project, if approved, involves a widening of a segment of Redlands Boulevard located north of the SR-60 Freeway continuing north to the westbound freeway on-ramp. The widening will provide a dedicated right turn lane for vehicles going northbound on Redlands Boulevard to access the freeway ramp. The project will also involve the installation of a new traffic signal at the intersection of Spruce Street and Redlands Boulevard.

Findings: On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure(s) based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Chris Ormsby
Signed

2/16/10
Date

MV00047756

Initial Study

City of Moreno Valley
Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project

MV00047757

1.0 Introduction

1.1 Introduction & Purpose

The City of Moreno Valley Community Development Department (referred to hereinafter as the lead agency) is reviewing a proposal to improve a segment of Redlands Boulevard located to the north of the SR-60 Freeway. The proposed project involves the widening of a segment of Redlands Boulevard north of the SR-60 Freeway continuing north to the westbound freeway ramp, new drainage works along both sides of the aforementioned roadway segment, and a new traffic signal at the intersection of Redlands Boulevard and Spruce Street. The City of Moreno Valley is the project sponsor and is also the designated lead agency for the proposed project. In its capacity as lead agency for the proposed project, the City has determined that the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA).

The purpose of this Initial Study is to ascertain whether the proposed roadway improvement project will have the potential for significant adverse impacts on the environment. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for the proposed project;
- To facilitate the project's environmental assessment early in the design and development of the project and to eliminate unnecessary EIRs; and,
- To determine the nature and extent of any new impacts associated with the proposed project.

1.2 Review of Initial Study

The Initial Study and the Mitigated Negative Declaration will be distributed to all pertinent responsible and trustee agencies. Copies of the documents will be made available at the City of Moreno Community Development Department, Planning Division (14177 Frederick Street, Moreno Valley).

Any written comments regarding this initial study should be sent to the attention of:

City of Moreno Valley
Community Development Dept., Planning Division
14177 Frederick Street, P. O. Box 88005
Moreno Valley, California 92552

1.3 Initial Study's Organization

The following is an annotated outline summarizing the contents of this initial study:

- *Section 1.0, Introduction,* provides the procedural context surrounding this Initial Study's preparation and insight into its composition. The *Initial Study Checklist* is also provided at the end of this section.
- *Section 2.0, Project Description,* provides an overview of the proposed Redlands Boulevard Project along with the project objectives and the requested discretionary actions.
- *Section 3.0, Environmental Analysis,* contains a discussion of the existing conditions and an analysis of the potential impacts associated with the proposed project's construction. Where a potentially significant is identified, mitigation measures have been identified.
- *Section 4.0, Findings,* provides a discussion of how the proposed project may yield or have the potential for significant effects on the issue areas analyzed herein. This section also includes a mitigation monitoring program.
- *Section 5.0, References,* contains a list of preparers and references consulted in the preparation of this Initial Study.

The analysis herein considers the proposed project's impact on a wide range of environmental issues and, where appropriate, recommends measures that will be effective in reducing or eliminating a potential impact.

1.4 Initial Study Checklist

The environmental analysis provided in Section 3 of this initial study indicates that the proposed project will not result in any significant adverse impacts with the incorporation of the mitigation measures identified herein. The following findings may be made based on the analysis contained herein:

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- The implementation of the proposed project *will not* have the potential to degrade the quality of the environment, with the implementation of the recommended mitigation measures included herein.

- The implementation of the proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.

- The implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable, for the majority of the issues considered.

- The implementation of the proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.

The findings of this Initial Study are summarized in Table 1 provided on the following pages.

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Aesthetic Impacts: *Would the project:*				
a) Have a substantial adverse affect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantial degradation to the existing visual character or quality of the City and its surroundings?				X
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
Agriculture Resources: *Would the project:*				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use?				X
Air Quality Impacts: *Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		

MV00047759

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
Biological Resources Impacts: *Would the project have a substantial adverse effect:*				
a) Either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
b) On any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) On federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) In interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				X
e) In conflicting with any local policies or ordinances, protecting biological resources, such as a tree preservation policy or ordinance?				X
f) By conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	
Cultural Resources Impacts: *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?				X

MV00047760

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
e) Have the potential to cause a physical change that would affect unique ethnic cultural values?				X
f) Restrict existing religious or sacred uses within the potential impact area?				X
Geology and Soil Resources Impacts: *Would the project result in or expose people to potential impacts involving:*				
a) The risk of loss or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault rupture?				X
b) Substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction?				X
c) Substantial soil erosion or the loss of topsoil?				X
d) Location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
e) Location on expansive soil, as defined in California Building Code, creating substantial risks to life or property?				X
f) Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
g) Unique geologic or physical features?				X
Hazards & Hazardous Materials Impacts: *Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

MV00047761

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or the environment?				X
e) Be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury, or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
Hydrology & Water Quality Impacts: *Would the project:*				
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on-or off-site?				X
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Substantially degrade water quality?				X

MV00047762

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of flooding because of dam or levee failure?				X
j) Result in inundation by seiche, tsunami, or mudflow?				X
k) Potentially impact storm water runoff from construction activities?		X		
l) Potentially impact storm water runoff from post-construction activities?				X
m) Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?				X
n) Result in the potential for discharge or storm water to affect the beneficial uses of the receiving waters?				X
o) Create the potential for significant change in the flow velocity or volume of storm water runoff to cause environmental harm?				X
p) Create significant increases in erosion of the project site or surrounding areas?				X
Land Use & Planning Impacts: *Would the project:*				
a) Physically divide an established community, or otherwise result in an incompatible land use?				X
b) Conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation or natural community conservation plan?				X
Mineral Resources & Energy Impacts: *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

MV00047763

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
c) Conflict with adopted energy conservation plans?				X
d) Use non-renewable resources in a wasteful and inefficient manner?				X
Noise Impacts: *Would the project result in:*				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of people to or generation of excessive ground-borne noise levels?				X
c) Substantial permanent increase in ambient noise levels in the project vicinity above noise levels existing without the project?				X
d) Substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
Population & Housing Impacts: *Would the project:*				
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

MV00047764

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Public Services Impacts: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas:*				
a) Fire protection services?				X
b) Police protection services?				X
c) School services?				X
d) Library facilities?				X
e) Other governmental services?				X
Recreation Impacts: *Would the project:*				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Affect existing recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X
Transportation & Circulation Impacts. *Would the project:*				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?				X
c) Substantially increase hazards due to the design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X
e) Result in inadequate parking capacity?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
g) Result in waterborne or air traffic impacts?				X

MV00047765

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
h) Result in hazards or barriers for pedestrians or bicyclists?				X
Utilities Impacts: *Would the project:*				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
h) Result in a need for new systems, or substantial alterations in power or natural gas facilities?				X
i) Result in a need for new systems, or substantial alterations in communication systems?				X

MV00047766

2.0 Project Description

2.1 Project Location

The proposed project site is located is the eastern portion of the City of Moreno Valley. The City is located in the western portion of Riverside County. Moreno Valley is bounded by the City of Riverside on the west, the City of Perris on the south, and unincorporated Riverside County areas on the north and east. The most direct regional access to the site is provided by State Route (SR) 60 Freeway. A regional location map is provided in Exhibit 1.

The project site includes that segment of Redlands Boulevard located just north of the SR-60 Freeway continuing north up to the SR-60 westbound freeway ramp. The project will involve the widening of this roadway segment along the east side to accommodate a dedicated right-turn lane for vehicles entering the westbound freeway ramp. The project site's location in the city is shown in Exhibit 2. A vicinity map is provided in Exhibit 3.

2.2 Environmental Setting

The proposed project involves a number of improvements to a 650 foot segment of Redlands Boulevard. The affected roadway segment is located just north of the SR-60 Freeway continuing northerly to the west-bound ramp of the aforementioned freeway.

The area in which the proposed project is located is largely rural in nature with agricultural activities being the dominant land use in the area. A number of small businesses are located west of the Redlands Boulevard along to north side of Spruce Street. A number of homes are located north of the project site (north of the west-bound ramp) along the east side of Redlands Boulevard. The remainder of the surrounding area is agriculture. An aerial photograph of the site is provided in Exhibit 4. Photographs of the site and the surrounding area are shown in Exhibits 5 and 6.

2.3 Project Description

The proposed project, if approved, will provide a dedicated right-turn lane for vehicles entering the west-bound SR-60 Freeway ramp.

The key elements of the proposed project include the following:

- The primary element of the proposed project involves the widening of an approximately 650 foot segment of Redlands Boulevard north of the SR-60 Freeway continuing north to the west-bound ramp. This widening will occur along the east side of the roadway to accommodate north bound vehicles wishing to access the west-bound SR-60 travel lanes.

- A new traffic signal will be installed at the intersection of the Spruce Street/SR-60 west-bound ramp and Redlands Boulevard. This intersection is currently controlled by stop signs at the exit of the SR-60 ramp and Spruce Street.

- The drainage culverts located to the north of the aforementioned new signalized intersection may require some modification to accommodate the new signal.

The proposed site plan is provided in Exhibit 7.

2.4 Objectives of the Project & Discretionary Actions

For this project, the City of Moreno Valley seeks to accomplish the following objectives:

- To provide for increased traffic capacity along that segment of the Redlands Boulevard located in the vicinity of the SR-60 Freeway;

- To ensure that vehicles using the affected roadways may travel in a safe and efficient manner; and

- To ensure that future travel demand resulting from development in the surrounding area may be accommodated.

As part of the proposed project's implementation, the City will consider the following discretionary approvals:

- The approval of the Mitigated Negative Declaration; and,

- A determination of project's conformity to the City's General Plan and Zoning Ordinance.

MV00047767

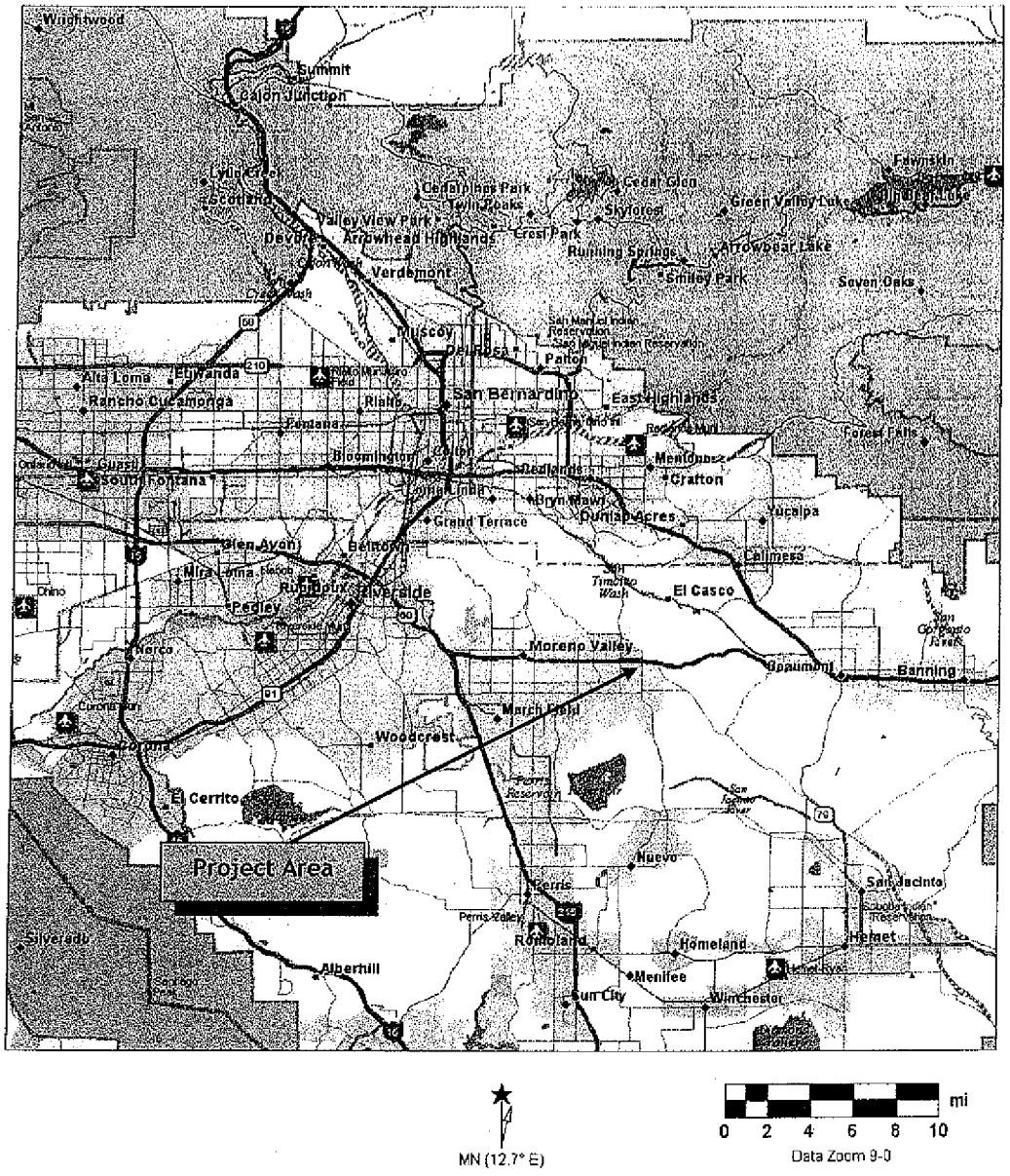

Exhibit 1
Regional Location
Source: Deforme Street Atlas USA. 2005

MV00047768

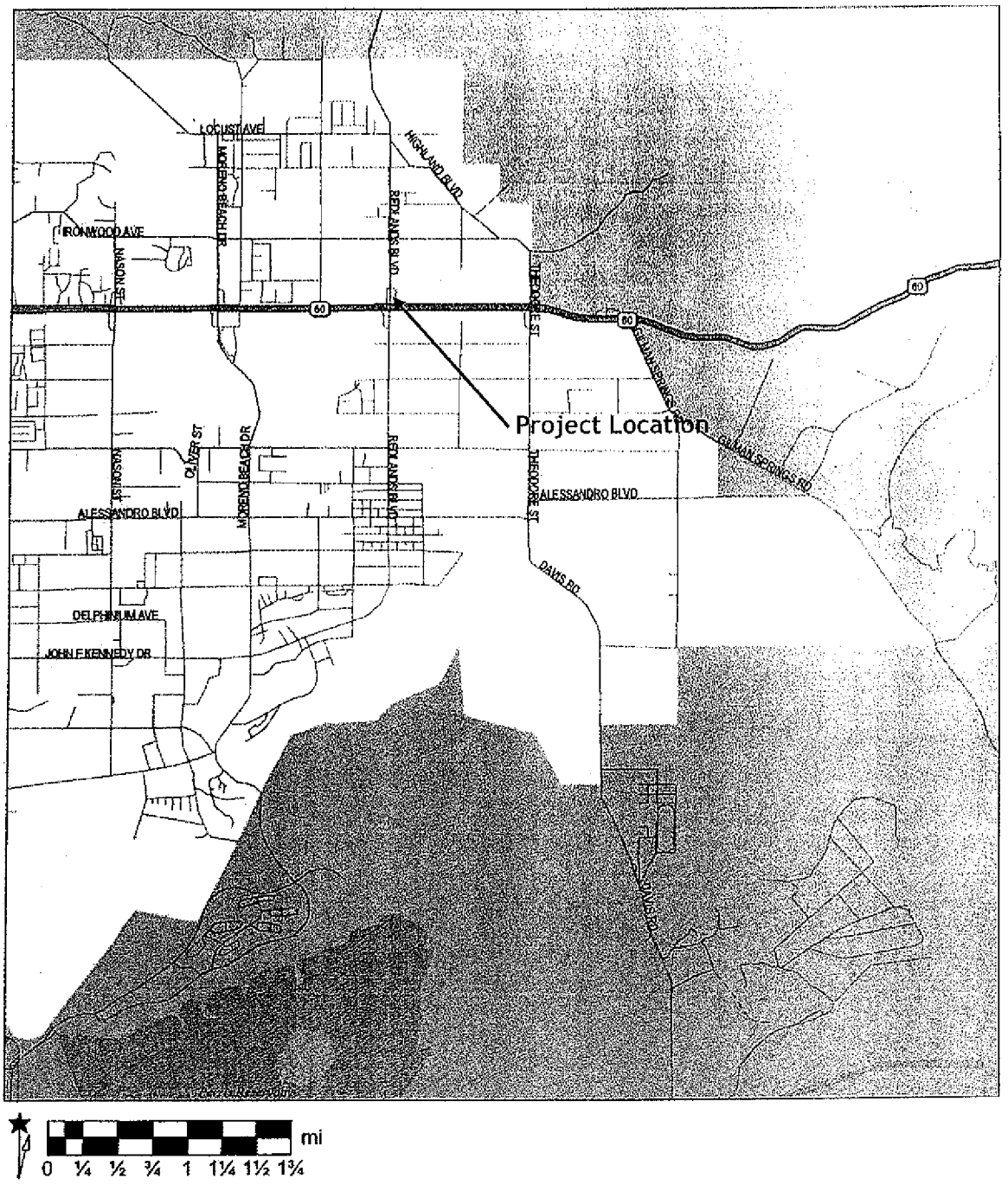

Exhibit 2
Location in City of Moreno Valley
Source: Delorme Street Atlas USA. 2005

MV00047769

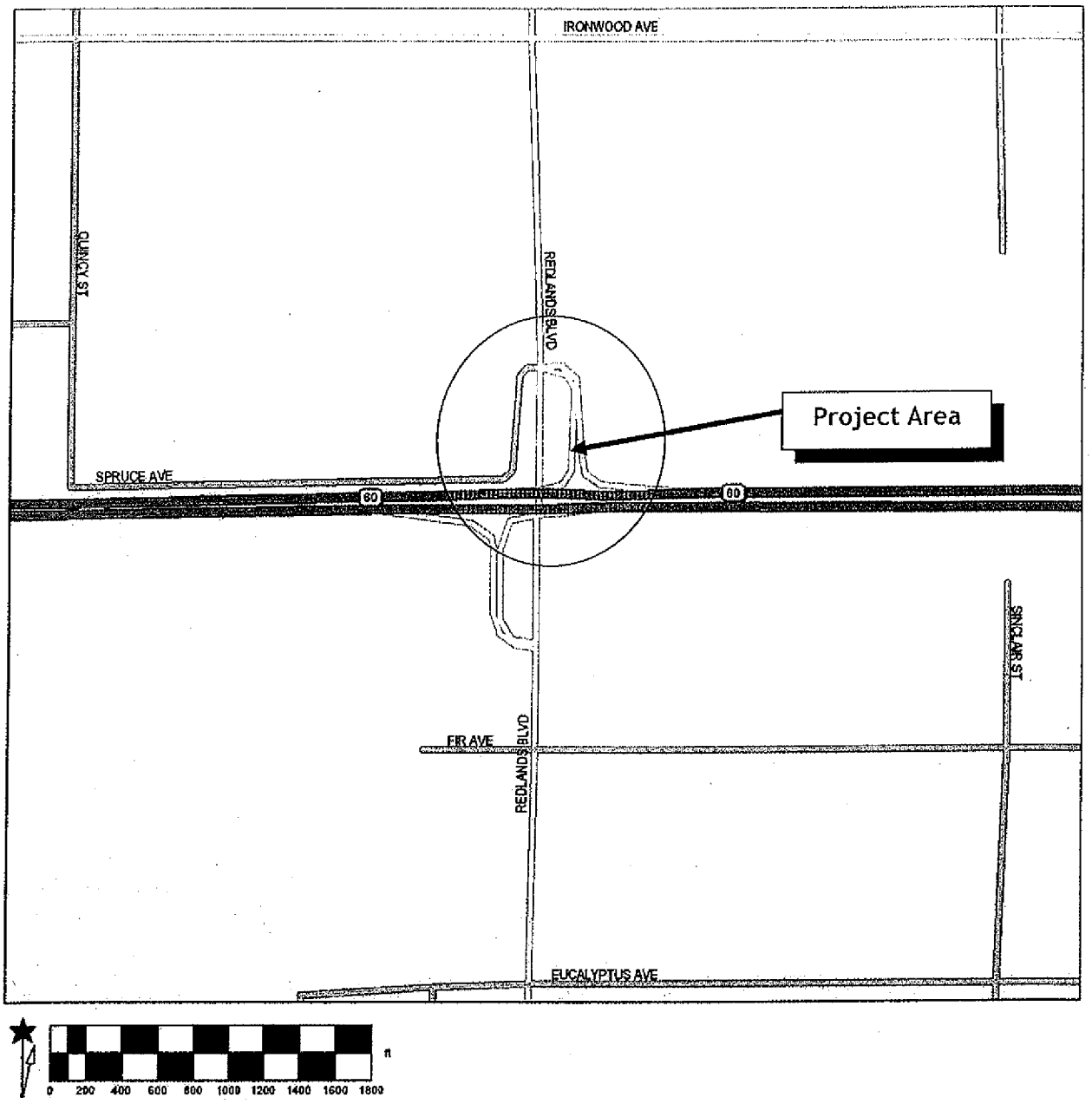

Exhibit 3
Vicinity Map
Source: Delorme Street Atlas USA. 2005

MV00047770

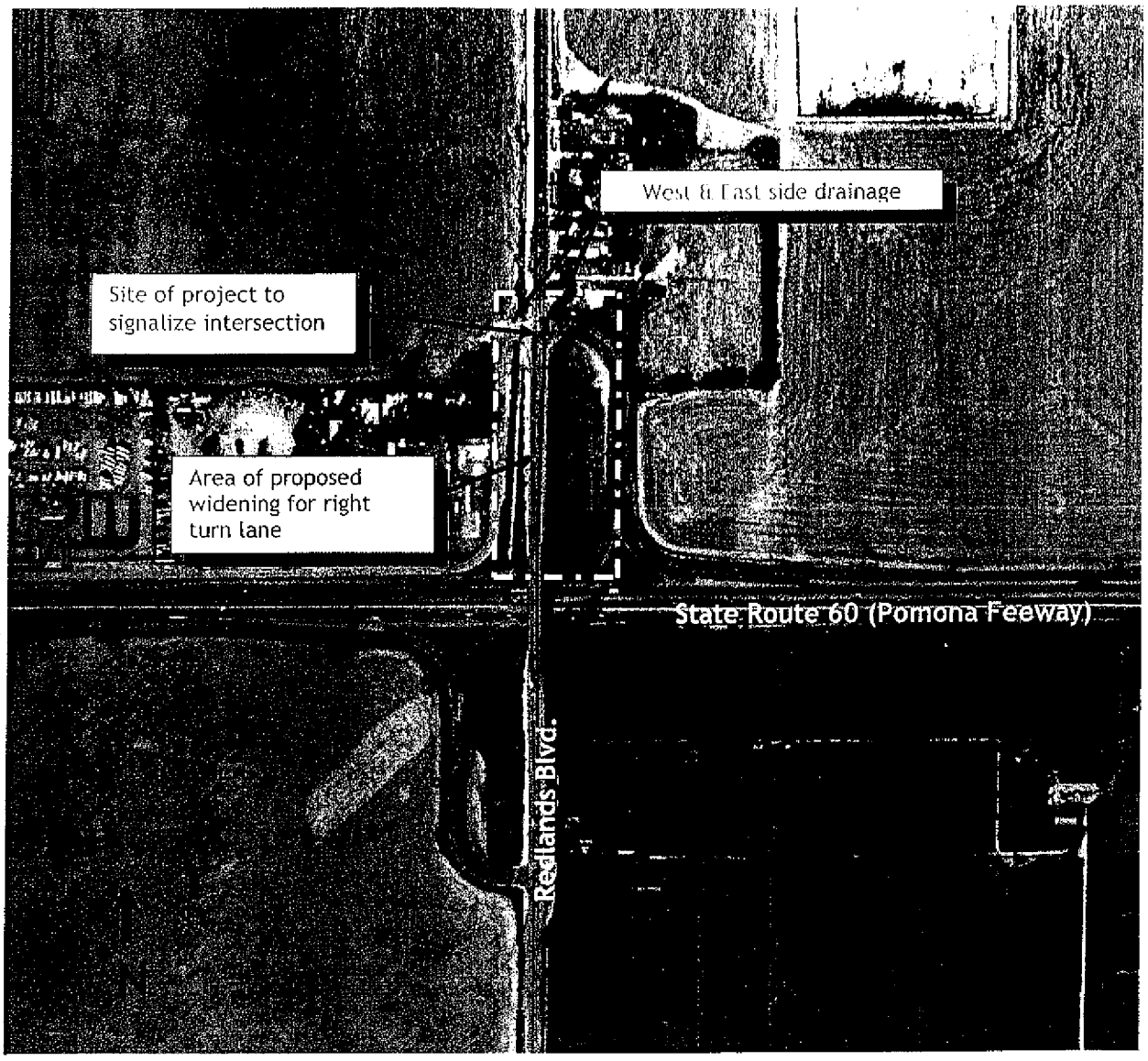

Exhibit 4
Aerial Photograph of Affected Area
Source: TerraServer, USA

MV00047771

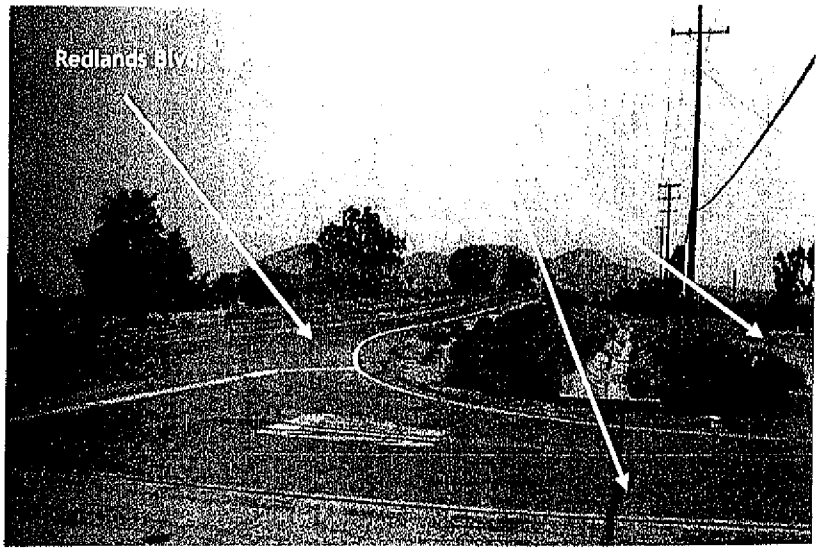

View looking south towards the freeway. Spruce Street is visible in the foreground.

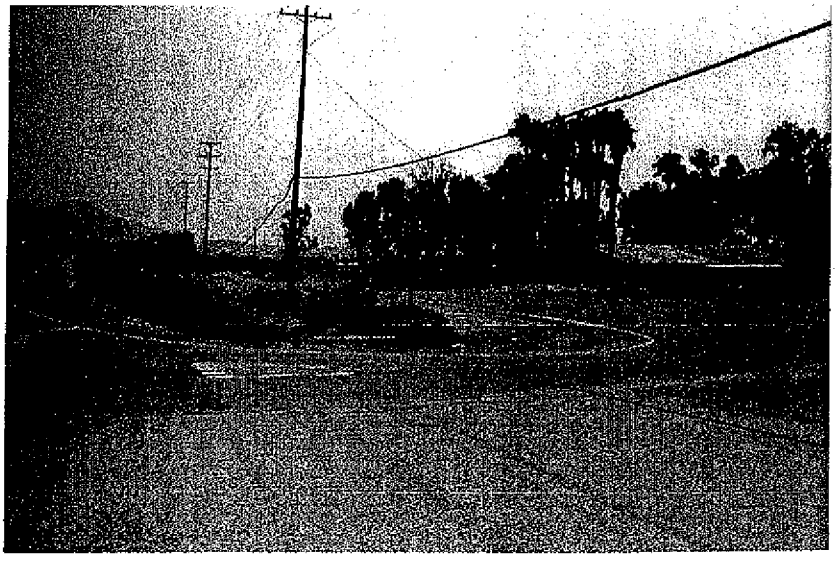

View looking towards the south. Commercial uses along Spruce Street frontage are visible.

Exhibit 5
Photographs of the Project Area
Source: Blodgett/Baylosis Associates

MV00047772

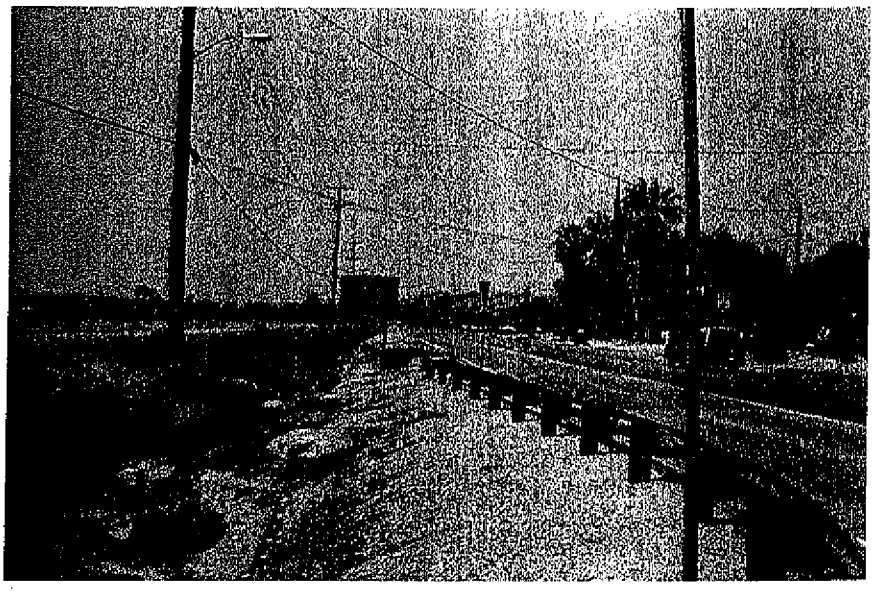

View looking north. Redlands Blvd. is in the foreground.

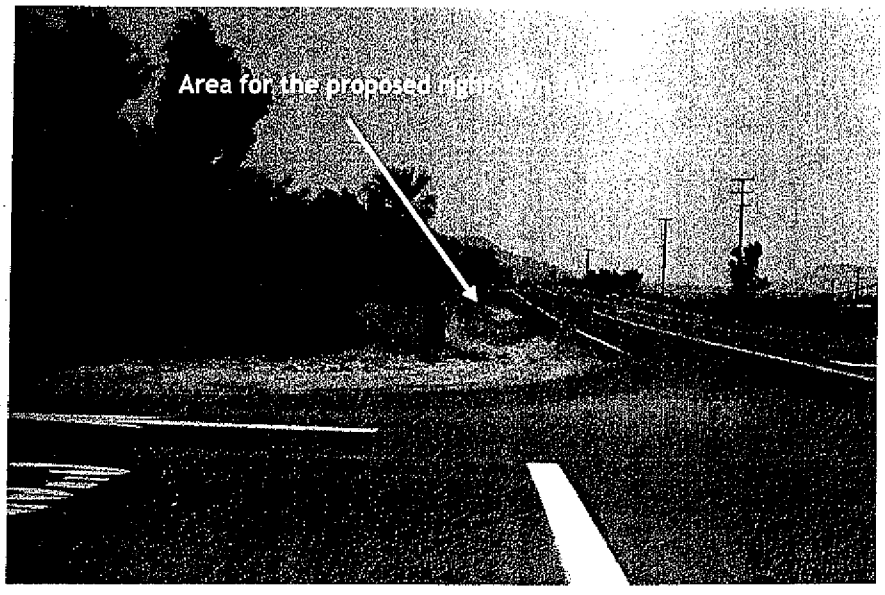

View looking towards the southwest.

Exhibit 6
Photographs of the Project Area
Source: Blodgett/Baylosis Associates

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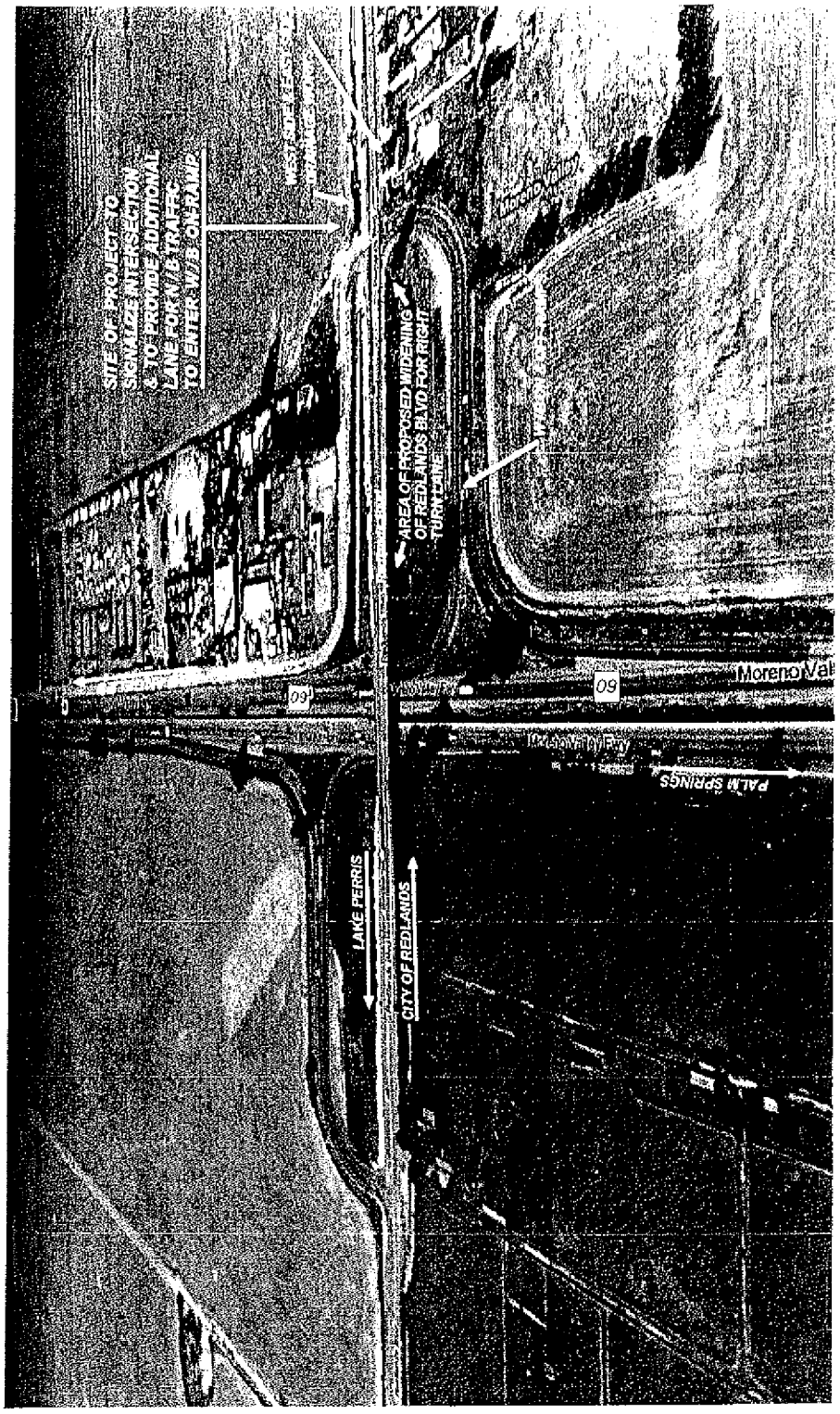

Exhibit 7
Project concept
Source: AAE, 2008

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3.0 Environmental Analysis

This section of the Initial Study analyzes the potential environmental impacts that may result from the construction and subsequent operation of the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics (Section 3.1);
- Agricultural Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Geology and Soils (Section 3.6);
- Hazards and Hazardous Materials (Section 3.7);
- Hydrology and Water Quality (Section 3.8);
- Land Use and Planning (Section 3.9);
- Mineral Resources (Section 3.10);
- Noise (Section 3.11);
- Population and Housing (Section 3.12);
- Public Services (Section 3.13);
- Recreation (Section 3.14);
- Transportation (Section 3.15); and,
- Utilities (Section 3.16);

The environmental analysis contained in this section reflects the Initial Study checklist format used by the City of Moreno Valley in its environmental review process. The analysis of environmental effects will assist the City in making a determination as to whether there is a potential for significant or adverse impacts on the environment associated with the approval and subsequent implementation of the proposed development as it was described in Section 2. For the evaluation of potential impacts, questions are stated and an answer is provided according to the analysis undertaken as part of this Initial Study's preparation. To each question, there are four possible responses:

- *No Impact*. The proposed project will not have any measurable environmental impact on the environment.

- *Less Than Significant Impact*. The proposed project may have the potential for affecting the environment, although these impacts are likely to be below levels or thresholds that the City or other responsible agencies consider significant.

- *Potentially Significant Impact Unless Mitigated.* The proposed project may have the potential to generate impacts that are considered to represent a significant impact on the environment. However, the level of impact may be reduced to levels that are considered less than significant with the implementation of the mitigation measures.

- *Potentially Significant Impact*. The proposed project may, or is known to represent impacts, which are considered significant.

Before the findings of the environmental analysis are discussed, specific thresholds of significance are indicated. These thresholds include criteria and standards used by the City to evaluate potentially significant effects. An explanation of the response is provided for each issue evaluated. Sources are identified using footnotes. Additional references consulted as part of this Initial Study's preparation are listed in Section 5.2.

3.1 Aesthetic Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant aesthetic impact if it results in any of the following:

- An adverse effect on a scenic vista;

- Substantial damage to scenic resources;

- Substantial degradation to the existing visual character or quality of the City and its surroundings; or,

- A new source of substantial light and glare that would adversely affect day or nighttime views in the area.

Analysis of Environmental Impacts

A. *Would the project affect a scenic vista? No Impact.*

According to the Moreno Valley General Plan, protected scenic views within the City include the Box Springs Mountains and the Reche Canyon area to the north, the Badlands area located to the east of the city, and the Mount Russell area located in the southerly portion of the city (refer to Exhibit 8).[1] The proposed Redlands Boulevard improvement project will not obstruct any significant views or view sheds in the area. As a result, no significant adverse aesthetic impacts are anticipated as part of the proposed project's implementation.

[1] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element, Figure 7.2 Major Scenic Resources.* July 11, 2006.

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B. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? No Impact.*

The proposed project site, in its entirety, is located within the Redlands Boulevard right-of-way. The City of Moreno Valley General Plan has designated Gilman Springs Road and the SR-60 Freeway as the two designated scenic routes in the City. The General Plan identified the major scenic resources in the City and these are noted in Exhibit 8. The project will not alter views from the westbound lanes of the SR-60 Freeway.[2] The project site does not contain any trees, rock outcroppings, historic buildings of significance, or other features that have been identified as a scenic resource by either the City or the State of California. As a result, no significant adverse aesthetic impacts will result from the proposed project's implementation.

C. *Would the project create a substantial degradation to the existing visual character or quality of the City and its surroundings?*

The proposed project site, in its entirety, is located within the Redlands Boulevard right-of-way. The City of Moreno Valley General Plan has designated Gilman Springs Road and the SR-60 Freeway as the two designated scenic routes in the City. The General Plan identified the major scenic resources in the City and these are noted in Exhibit 8. The project will not alter views from the westbound lanes of the SR-60 Freeway.[3] As a result, no impacts are anticipated.

D. *Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? Less Than Significant Impact.*

The only potential source of new lighting in the area will be related to the operation of the new traffic signal. There are homes located along the east side of Redlands Boulevard north of the project area. The homes are currently subject to lighting impacts from vehicles traveling along Redlands Boulevard. The potential light and glare impacts are considered to be less than significant and no mitigation is required.

[2] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element, Figure 7.2 Major Scenic Resources.* July 11, 2006.

[3] Ibid.

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are considered to be site specific. As a result, no cumulative aesthetic impacts are anticipated.

Mitigation Measures

The analysis determined than the proposed project would not result in any significant adverse aesthetic impacts. As a result, no mitigation is required.

3.2 Agriculture Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on agricultural resources if it results in any of the following:

- The conversion of prime farmland, unique farmland or farmland of statewide importance;
- A conflict with existing zoning for agricultural use or a Williamson Act contract; or,
- Changes to the existing environment that due to their location or nature may result in the conversion of farmland to non-agricultural uses.

Analysis of Environmental Impacts

A. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? No Impact.*

The proposed project site is relatively small in terms of land area and is included within the existing Redlands Boulevard right-of-way. The applicable general plan designation for the surrounding properties provide for low density residential uses and agriculture uses. The land area that is included within the project boundaries are not suitable for any farming use (this area is included in the Redlands Boulevard right-of-way). As a result, no significant farmland impacts will result from the proposed project's implementation.

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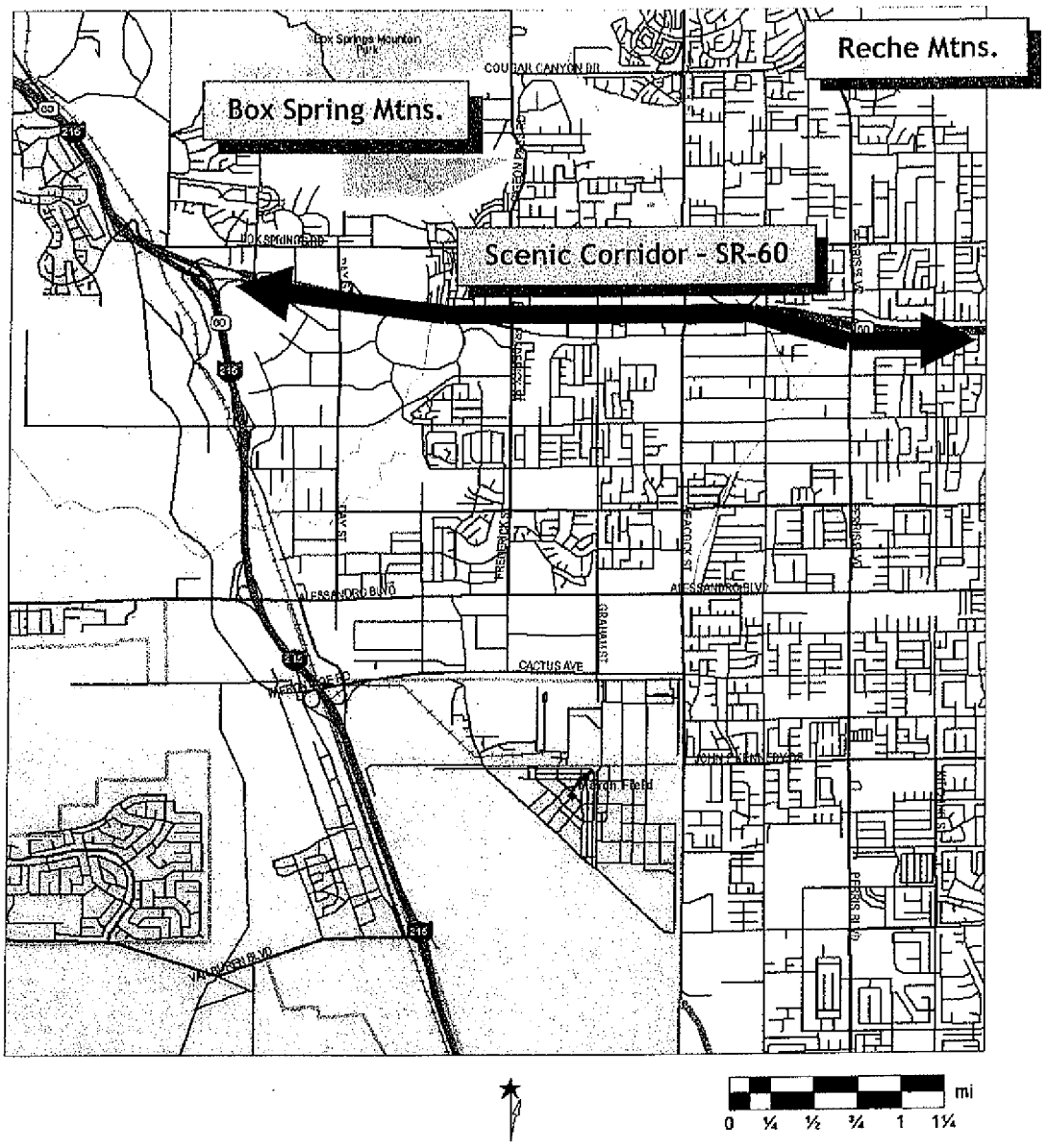

Exhibit 8
Scenic Resources in the Area
Source: City of Moreno Valley General Plan

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B. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact.*

The applicable land use designations (both general plan and zoning) have designated the surrounding area as low density residential and agricultural. While surrounding parcels are in agricultural production, the affected area is entirely confined to the Redlands Boulevard right-of-way. As a result, the project site is not subject to a Williamson Act contract. The nearest site under a Williamson Act contract is located outside the City's corporate boundaries on the south side of Gilman Springs Road, and east of Jack Rabbit Trail.[4] As a result, no impacts on existing or future Williamson Act contracts will result from the approval and subsequent construction of the proposed roadway improvement project.

C. *Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use? No Impact.*

The proposed project site is relatively small in terms of land area and is located within the Redlands Boulevard right-of-way.[5] The approval and subsequent implementation of the proposed project will not result in the conversion of any neighboring farmland area to urban uses. As a result, no farmland conversion impacts will result from the proposed project's implementation.

Cumulative Impacts

The potential impacts related to agricultural resources are site specific. Furthermore, the analysis determined that the proposed project would not result in any significant adverse impacts on agricultural resources. As a result, no cumulative impacts will occur.

Mitigation Measures

The analysis of agriculture resources impacts indicated that the potential impacts of the proposed project on agricultural resources would be less than significant. As a result, no mitigation is required.

[4] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element.* July 11, 2006. (Page 7-11)

[5] City of Moreno Valley. *City of Moreno Valley General Plan, Adopted Land Use Map.* July 11, 2006.

3.3 Air Quality Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant air quality impact if it results in any of the following:

- A conflict with, or obstructs the implementation of, the applicable air quality plan;
- A violation of an air quality standard or contribute substantially to an existing or projected air quality violation;
- A cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard;
- The exposure of sensitive receptors to substantial pollutant concentrations;
- The creation of objectionable odors affecting a substantial number of people; or,
- The alteration of air movement, moisture, temperature or cause any change in climate.

The South Coast Air Quality Management District (SCAQMD) has also established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following pollutants that include the following:

- *Ozone (O_2)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation. O_2 is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon monoxide (CO)*, a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain, is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust.
- *Nitrogen dioxide (NO_2)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_2 is formed when nitric oxide (a pollutant from burning processes) combines with oxygen.

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- PM_{10} refers to particulate matter less than ten microns in diameter. PM_{10} causes a greater health risk than larger-sized particles, since fine particles can more easily cause irritation.

Analysis of Environmental Impacts

A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? No Impact.*

The South Coast Air Quality Management District (SCAQMD) is the agency charged with the implementation of local air quality regulations. As indicated in Table 2, the proposed project will not lead to any non-conformity with the SCAQMD's adopted AQMP. Furthermore, the proposed project is not considered by the SCAQMD to be a regionally significant project.

Table 2
Air Quality Conformity Criteria

Criteria (Description)	Findings
Criteria #1. Will the project result in an increase in the frequency or severity of an existing air quality violation or in the continuation of a violation?	The project's emissions are below SCAQMD thresholds of significance.
Criteria #2. Will the project exceed the assumptions included in the AQMP or other regional growth projections relevant to them?	The project will not result in an exceedance of regional or local growth projections. No long-term employment is anticipated.
Criteria Pollutants. The SCAQMD indicates the daily emissions levels that will constitute a significant adverse impact.	Following development, the proposed project will not generate mobile or stationary emissions.

Source: South Coast Air Quality Management District. CEQA Air Quality Handbook. 2008

The project will not affect any regional population, housing, and employment projections prepared for the city by the SCAG (refer to the analysis in Section 3.13) and the proposed project is consistent with the Growth Management Plan (since it will not result in any exceedance of adopted population, housing, or employment projections applicable to the City of Moreno Valley). Finally, the project will not be subject to the requirements of the Air Quality Management Plan's PM_{10} Program, which is limited to the desert portions of the South Coast Air Basin. As a result, the proposed roadway improvement project would not be in conflict with or result in an obstruction of an applicable air quality plan and no adverse impacts are anticipated.

B. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? Potentially Significant Impact Unless Mitigated.*

The potential air emissions from the proposed project may be placed into the following two categories: short-term (construction-related) emissions and long-term (operational) emissions. Short-term construction emissions will be limited to the construction phases of development. The proposed project, once operational, will facilitate traffic circulation from the Redlands Boulevard travel lanes to the west-bound ramp and travel lanes of the SR-60 Freeway. This project is not a trip generator per se. As a result, no long term operational emissions would result from the proposed project's implementation. Table 3 outlines the estimated short-term and long-term emissions.

Table 3
Short-term and Long-Term Emissions (lbs/day)

Source	CO	ROG	PM_{10}	NO_x
Average Short-term (Construction) Emissions				
Grading	2	5	11	40
Construction	7	9	2	14
Thresholds	550	75	150	100

Source: Blodgett/Baylosis Associates, 2008.

As shown in Table 3, the proposed project will result in daily emissions that will be less than significant since they will be below the SCAQMD's daily thresholds. However, the following measures are required as a means to further reduce the potential construction emissions.

- The grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing, any pertinent best available control measures. The contractor(s) will be required to submit a fugitive dust control plan that must be approved by the project engineer. The contractors shall only be permitted to conduct construction activities between the

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hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.[6]

- The contractors must adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.

The aforementioned mitigation measures will reduce the potential air quality impacts to levels that are less than significant.

C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? Less Than Significant Impact.

As indicated in the previous section, the proposed project will result in short-term (construction) emissions. The project's construction emissions will be below the SCAQMD's thresholds (refer to Table 3) that are considered to represent a significant adverse impact. As a result, the cumulative air quality impacts are considered to be less than significant.

D. Would the project expose sensitive receptors to substantial pollutant concentrations? No Impact.

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. The nearest sensitive receptors are located north of the west-bound ramps on the east side of Redlands Boulevard. Based on Table 6-3 in the SCAQMD CEQA Air Quality Handbook, the size of the project will not result in emissions that exceed SCAQMD thresholds for construction or operation. This is confirmed by the analysis summarized in Table 3. Mitigation measures have been recommended in Subsection B as a means to further reduce construction emissions. As a result, no significant adverse impacts are anticipated.

E. Would the project create objectionable odors affecting a substantial number of people? No Impact.

The SCAQMD has identified those land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills.[7] Given the proposed use, no odor impacts are anticipated.

Cumulative Impacts

As indicated in the preceding section, the proposed project will result in short-term (construction) emissions. These emissions will be below the SCAQMD's thresholds (refer to Table 3) that are considered to represent a significant adverse impact. As a result, the cumulative air quality impacts are considered to be less than significant.

Mitigation Measures

The following mitigation measures will be effective in reducing potential air emissions related to grading and construction activities:

Mitigation Measure 1 (Construction Emissions). The grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing any pertinent Best Available Control Measures. The contractor(s) will be required to submit a fugitive dust control plan that must be approved by the project engineer. The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.

Mitigation Measure 2 (Construction Emissions). The contractors must adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.

[6] South Coast Air Quality Management District. Table 1 Best Available Control Measures (Applicable to All Construction Activity Sources). Rule 403, As Amended, April 2, 2004.

[7] South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993.

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3.4 Biological Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on biological resources if it results in any of the following:

- A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;
- A substantial adverse effect on any riparian habitat or other sensitive natural plant community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- A substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;
- A substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites;
- A conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or,
- A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis of Environmental Impacts

A. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Less Than Significant Impact.*

The project site is located within the Redlands Boulevard right-of-way. The vacant parcels remaining to be developed in the area have been disturbed as part of ongoing agricultural activities.[8] The City of Moreno Valley General Plan divided the City and the designated sphere of influence into planning areas as a means to better understand the biological significance of those lands included in the City. The project site is located in the eastern portion of Moreno Valley.

The parcel is identified as cropland in the City of Moreno Valley General Plan (refer to Exhibit 9).[9] Land cover categorized as field/croplands do not typically contain substantial native vegetation and as in the case of the proposed project site, no natural and/or native vegetation remain. As indicated previously, the project site is located entirely within the Redlands Boulevard right-of-way.

Four regionally sensitive habitats are identified within the City and its designated sphere of influence. These four habitat types include riparian habitats and wetlands (including open water and marsh areas, coastal sage scrub/Riversidean alluvial fan sage scrub, raptor foraging and wintering habitat, and core reserves including designated critical habitat. None of these habitat types are present in the area that is subject to the proposed improvements.

Several areas of the city have been set-aside as a means to preserve sensitive habitats. The *Stephens' Kangaroo Rat Habitat Conservation Plan Core Reserve* areas consist of the *San Jacinto-Lake Perris Core Reserve* and *Potrero Area of Critical Concern (ACEC) Core Reserve*. Both core reserves occur partially within and adjacent to Moreno Valley and are considered to be sensitive habitat areas. The San Jacinto-Lake Perris Core Reserve encompasses 10,932 acres located south of central Moreno Valley and north of the Ramona Expressway. Most of the

[8] Blodgett/Baylosis Associates. *Site Survey*. February 2008

[9] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR, Chapter 9, Figure 5.9-2 Planning Area Vegetation Community*. July 2006. (Page 5.9-8)

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Stephens' kangaroo rat occupied habitat in this reserve occurs west of Davis Road and northeast of the Lake Perris reservoir in the State Recreation Area. Critical habitat areas for the Riverside Fairy Shrimp, Arroyo Toad, California Red-legged Frog, Southwestern Willow Flycatcher, and Least Bell's Vireo are located outside of Moreno Valley. No critical habitat areas for these species are found within the City. The critical habitat designation for the California Gnatcatcher and the proposed designation for the San Bernardino kangaroo rat include habitat within and/or immediately adjacent to Moreno Valley. The project area is also located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The croplands located around the project site are identified by the MSHCP as being located near a Survey Area for the burrowing owl.[10] The Western Riverside County Regional Conservation Authority was contacted to ascertain the site's status. Ms. Sharon Stewart at the Authority provided an exhibit (refer to Exhibit 9) that indicated that the area where the proposed roadway improvements are contemplated is located outside an area where a burrowing owl survey is required.

The MSHCP indicates that public and private development, including public infrastructure improvements within the MSHCP planning area located outside of the *Criteria Area* are permitted under the Plan though consistency with MSHCP policies must be demonstrated.[11] In addition, certain roadway improvement activities undertaken for *safety purposes* are permitted within Public/Quasi-Public Lands. These permitted activities that are relevant to the proposed roadway improvement project include the following:

- New signage;
- The installation of traffic control devices;
- Guardrails and fences;
- Pavement repairs;
- The grading of roadway shoulders (up to 12 feet from the edge of paved or unpaved roadways);
- Culverts and drop structures;
- Curbs, gutters, and sidewalks; and,
- Roadway widenings.

Furthermore, the affected area is located within the Redlands Boulevard right-of-way which is disturbed. As a result, the proposed project's environmental impacts on any species identified as a candidate, sensitive, or special status species are considered to be less than significant.

B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? No Impact.*

The proposed project will not result in any potentially significant adverse environmental effects upon the existing natural communities, resources, or any individual component. There is no native or natural riparian vegetation located within the affected area (refer to Exhibit 9). The project site is disturbed and is located in the Redlands boulevard right-of-way. Furthermore, the proposed project does not contain any wetland or surface water, including intermittent streams. No riparian habitat is found within the project or on adjacent properties. As a result, no significant adverse impacts will result from the removal of the on-site cropland vegetation.

C. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No Impact.*

The project site does not contain any wetland habitat. No natural blue line streams are identified within the project site. The croplands located around the project site are identified by the MSHCP as being located near a Public/Quasi-Public survey area for the burrowing owl. The proposed project will not impact this, or any other, blue-line stream and no impacts will result.

[10] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6, Figure 6-4.

[11] The term *Criteria Area* refers to the area comprised of Cells depicted on *Figure 3-1* of the *MSHCP, Volume I.*

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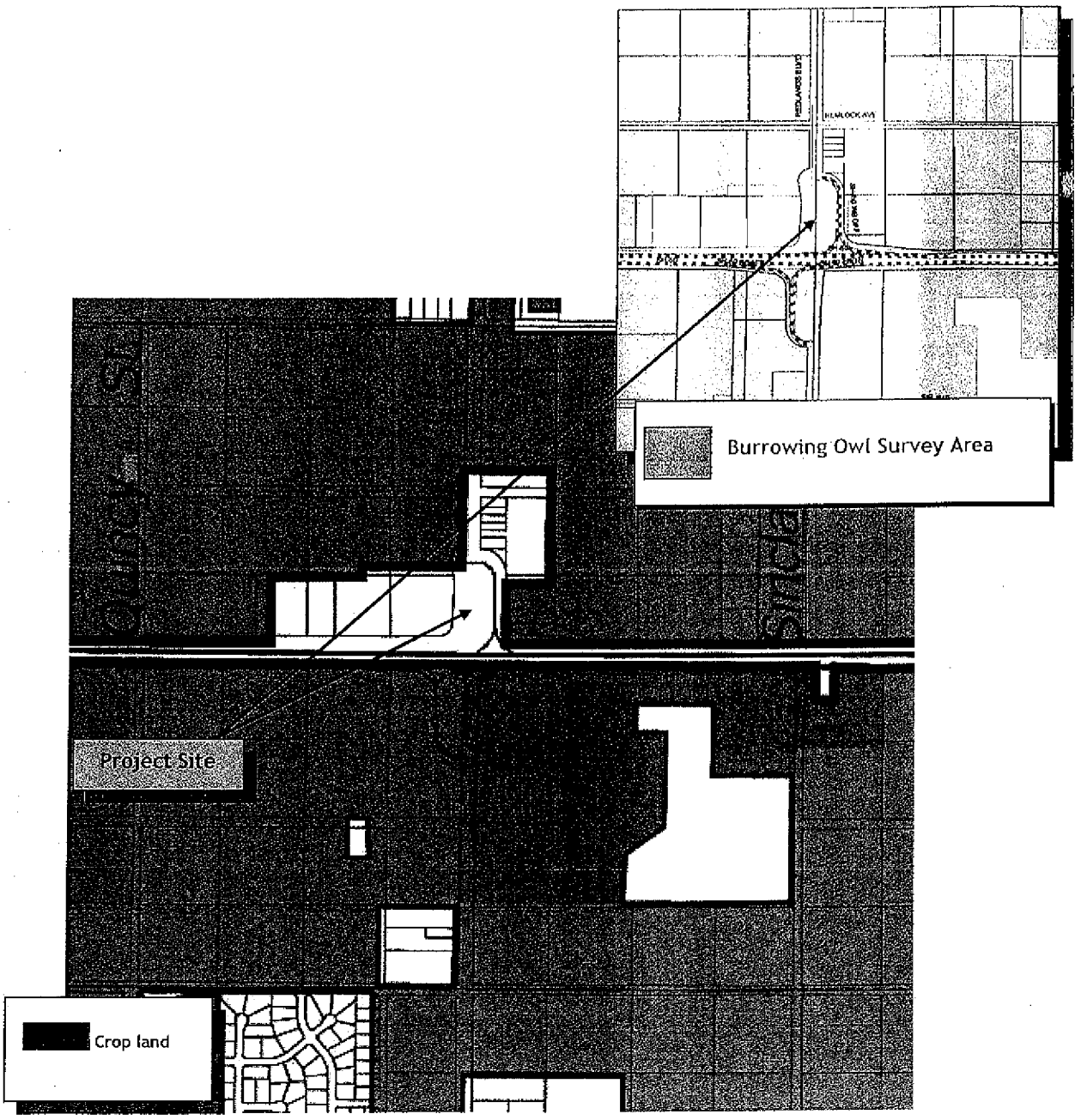

Exhibit 9
Biological Resources in the Area
Source: City of Moreno Valley General Plan EIR

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D. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? No Impact.*

The project site is located within the Redlands Boulevard right-of-way. The immediate area has undergone development with commercial and residential uses located to the north and west of the area. The vacant parcels remaining to be developed in the area have been disturbed as part of ongoing agricultural activities.[14] Due to this past disturbance and development in the area, there are no wildlife corridors found in the area. Thus, the proposed project will not affect wildlife migration in the area.

E. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? No Impact.*

The project site does not include any locally protected plant species and there are no trees found within the area that will be improved. Some trees are located within the Caltrans property located between the west-bound ramp travel lanes and Redlands Boulevard. Thus, no impacts on designated species are anticipated as part of the proposed project's implementation.

F. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? Less Than Significant Impact.*

As indicated previously, the project site is located within an urbanized setting, and no natural habitats are found within the site or in adjacent areas. The project area is located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) that focuses on the conservation of species and their associated habitats in the Western Riverside County region. The MSHCP is one of several large, multi-jurisdictional habitat-planning efforts being undertaken in Southern California with the overall goal of maintaining biological and ecological diversity within the rapidly urbanizing region. The successful implementation of the MSHCP will permit Riverside County and the cities located within western Riverside County to better control local land-use decisions while addressing the requirements of the state and federal Endangered Species Acts.[15] The proposed roadway improvement project is consistent with the objectives and policies of the MSHCP as indicated in Section 3.4.A. As a result, no significant adverse impacts on local, regional or state habitat conservation plans will result from the proposed project's implementation.

Cumulative Impacts

The potential project impacts on biological resources are typically site specific. However, the proposed project will not create a loss of protected habitat that would result in an incremental loss or degradation of those protected habitats found in the Southern California region. As a result, no cumulative impacts on biological resources will be associated with the proposed project's implementation.

Mitigation Measures

No significant adverse impacts on biological resources were identified. As a result, no mitigation is required.

3.5 Cultural Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on cultural resources if it results in any of the following:

- A substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines;
- A substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines;
- The direct or indirect destruction of a unique paleontological resource, site or unique geologic feature;
- The disturbance of any human remains, including those interred outside of formal cemeteries;

[14] Blodgett/Baylosis Associates. *Site Survey*. July 2008

[15] Western Riverside County Multiple Species Habitat Conservation Plan. Section 1. Introduction.

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- A physical change that would affect unique ethnic cultural values; or,
- The restriction of an existing religious or sacred uses within the potential impact area.

Analysis of Environmental Impacts

A. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines? No Impact.*

There are no sites within the study area listed as a state landmark, nor are there any sites on the National Register of Historic Places.[16] In the 1980's, the State of California Department of Parks and Recreation conducted an inventory of historic resources in Moreno Valley. The inventory identified 26 structures of historical interest. Most of the structures were residences.[17] The project site is located entirely within the Redlands Boulevard Corridor. There are no prehistoric or historic structures or objects readily visible within the proposed project site or in the adjacent parcels.[18] As a result, the proposed project will not have an adverse impact on any historic site or other historic structures in the city.

B. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines? No Impact.*

In 1987, the Archaeological Research Unit of the University of California conducted an inventory of archaeological sites within the City of Moreno Valley. A total of 168-recorded sites were identified as part of the survey with the majority of the sites located in the hillside areas. A number of rock art sites and the remains of an adobe structure were identified as well.[19] The project area was previously disturbed as part of past construction of both the SR-60 Freeway and Redlands Boulevard no archaeological resources were reported. Furthermore, the project site is not known to be historically or culturally significant. No archaeological or historical resources are expected to be found buried on-site due to past site disturbance. The proposed project will not impact any known or suspected culturally or historically significant sites. As a result, no impacts are anticipated.

C. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? No Impact.*

The Archaeological Research Unit also prepared a report and a map of paleontological sensitivity. The sedimentary formations of the Badlands area located to the east of the City were determined to have high potential of containing vertebrate fossils.[20] The project site is located entirely within the Redlands Boulevard right-of-way. The potential for paleontological resources in the area is considered low, since the proposed project will involve limited excavation. Thus, the proposed project will not disturb any paleontological resources on-site.

D. *Would the project disturb any human remains, including those interred outside of formal cemeteries? No Impact.*

There are no cemeteries located in the immediate area that would be affected by the proposed project. In addition, the project site does not contain any religious or sacred structure. The proposed project will not impact any existing cemeteries and no impacts will result.

E. *Would the project have the potential to cause a physical change that would affect unique ethnic cultural values? No Impact.*

The project site does not represent any known historic or cultural significance to any ethnic or cultural group.[21] The project site is located within the Redlands Boulevard right-of-way. No impact on ethnic cultural values is expected with the construction and operation of the proposed project.

F. *Would the project restrict existing religious or sacred uses within the potential impact area? No Impact.*

The project site does not contain any religious or sacred structure.[22] There are no churches that will be displaced or demolished as part of the proposed

[16] Office of Historic Preservation, California Department of Parks and Recreation. *California State Historical Landmarks.* (www.ceres.ca.gov.)

[17] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element.* July 11, 2006. (Page 7-5)

[18] Blodgett/Baylosis Associates, *Site Survey*, July 2008.

[19] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element.* July 11, 2006. (Page 7-5)

[20] Ibid. (page 7-7)

[21] Blodgett/Baylosis Associates, *Site Survey*, July 2008

[22] Ibid.

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project's implementation. As a result, no significant adverse impacts are anticipated.

Cumulative Impacts

The potential impacts related to cultural resources are site specific. Furthermore, the analysis herein also determined that the proposed project would not result in any impacts on cultural resources. As a result, no cumulative impacts will occur.

Mitigation Measures

The analysis determined that the proposed project would not impact cultural resources. As a result, no mitigation is required at this time.

3.6 Geology & Soil Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on geology and soil resources if it results in any of the following:

- The exposure of people or structures to potential substantial adverse effects, including the risk of loss, or death related to fault rupture from a known earthquake fault;
- Substantial soil erosion resulting in the loss of topsoil;
- Locating within a geologic or soils unit that is unstable, or that would become unstable as a result of the project, potentially resulting in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- Locating on an expansive soil, creating substantial risks to life or property;
- Locating on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater;
- Locating in, or exposing people to potential impacts, including soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or,
- Exposing people to potential impacts, including unique geologic or physical features.

Analysis of Environmental Impacts

A. *Would the project result in or expose people to potential impacts, including the risk of loss or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault rupture? No Impact.*

The only major active fault found within the City and its designated sphere of influence is the San Jacinto Fault Zone. This fault has been classified as an *active fault* since it has been active in relatively recent geological times (since the Pleistocene). Because this fault has been classified as an active fault, it has been included within an Alquist-Priolo Special Studies Zone. Other faults in the area include the Casa Loma Fault and the Claremont Fault. The Casa Loma fault is actually a fault strand of the San Jacinto Fault and is located approximately 1 ½ miles to the southwest of the San Jacinto Fault in the southeast corner of the City's sphere of influence. The Claremont Fault is located to the northeast of the Casa Loma Fault.[23]

The project site is not located within an area designated as an Alquist-Priolo Special Studies Zone and no known fault rupture hazard is present (*fault rupture* refers to the actual vertical or lateral displacement that may occur along a fault trace in the event of an earthquake).[24] As a result, there are no fault rupture hazards that are anticipated to impact the proposed project site. Faults in the area are shown in Exhibit 10.

[23] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR*. July 2006. (Page 5.6-4)

[24] Ibid. (Page 5.6-4)
[27] Blodgett/Baylosis Associates. *Site Survey*. July 2008.

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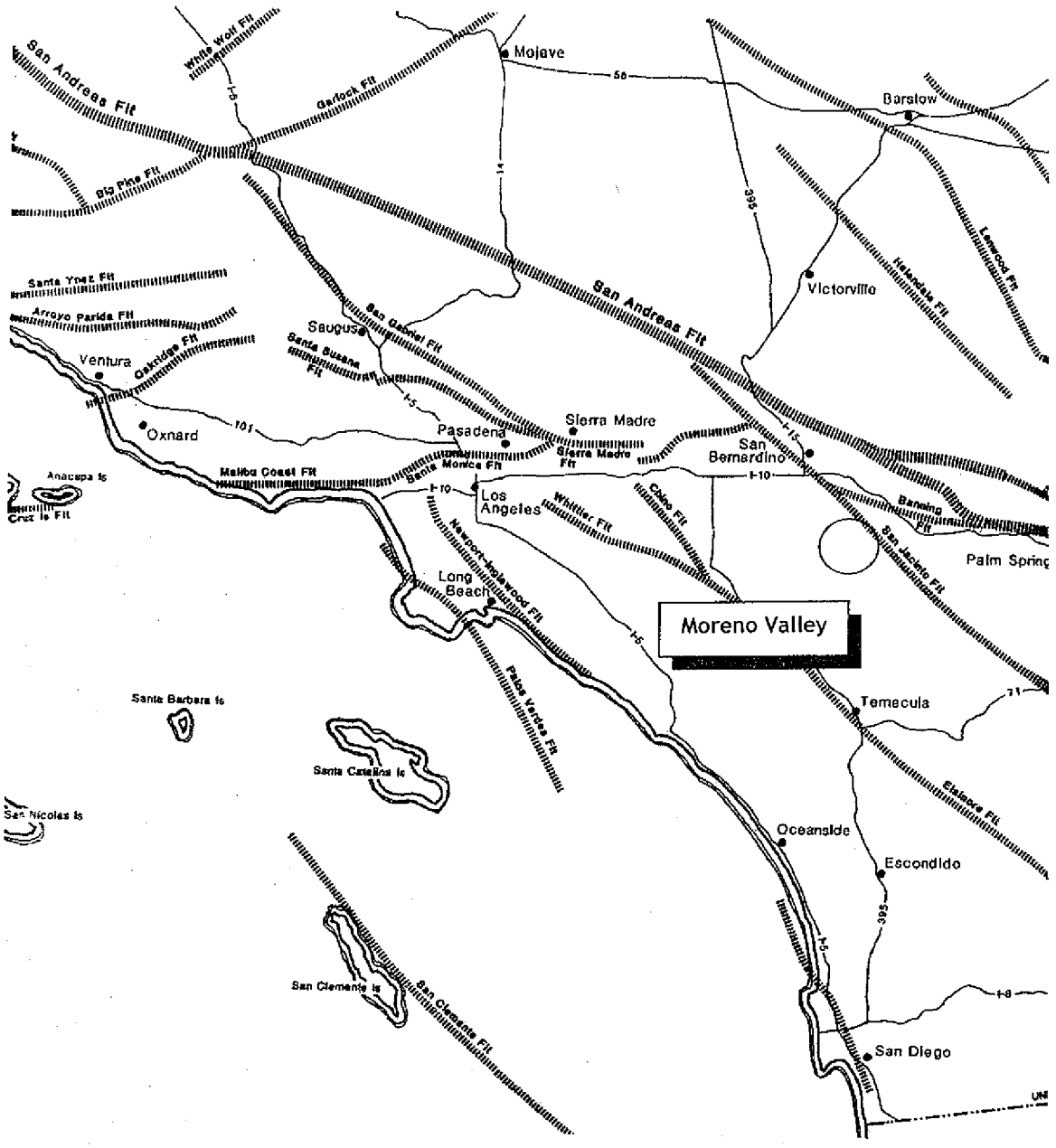

Exhibit 10
Faults in the Southern California Region
Source: United States Geological Survey/California Geological Survey

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B. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction? Less Than Significant Impact.*

No unstable earth conditions or changes in geologic substructures are anticipated to occur with the construction of the proposed roadway improvements. The site is considered to be geologically stable, inasmuch as landslides or active faults are not present. The project site is located just inside an area identified as having a potential liquefaction risk (refer to Exhibit 11). The potential risk is considered to be less than significant due to the nature of the project and the current development requirements that govern construction in Southern California.

C. *Would the project expose people or structures to potential substantial adverse effects, including substantial soil erosion or the loss of topsoil? No Impact*

The project site's topography is generally level.[27] There is an embankment along the east-facing side of that portion of Redlands Boulevard that is subject to the proposed building. The proposed project's implementation will not result in any additional soil erosion or loss of topsoil since the existing pervious surface will be paved. Landscaping will be provided along the frontages located along the site's east facing slope. As a result, no significant adverse impacts related to soil erosion are anticipated.

D. *Would the project expose people or structures to potential substantial adverse effects, including location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? No Impact.*

The site is located just inside a designated liquefaction risk area (refer to Exhibit 11).[28] The potential risk is considered to be low due to the nature of the roadway improvement project and the current development requirements that govern construction in Southern California. In addition, the site is not located within a hillside that would be subject to slope failure in the event of an earthquake. As a result, no impacts are anticipated.

E. *Would the project result in or expose people to potential impacts, including location on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property? No Impact.*

The soils that underlie the project site do not represent a constraint to development, as evidenced by existing development found in the adjacent parcels. The site's soils do not exhibit any unique shrink-swell characteristics. As a result, no expansive soil impacts will result from the proposed project's implementation

F. *Would the project result in or expose people to potential impacts, including soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? No Impact.*

No septic tanks will be used as part of the proposed roadway improvement project. As a result, no impacts associated with the use of septic tanks will result from the proposed project.

G. *Would the project result in or expose people to potential impacts, including unique geologic or physical features? No Impact.*

The project area is located entirely within the Redlands Boulevard right-of-way. The roadway segment located to the north of the SR-60 Freeway sits on top of an embankment though this feature is man-made to facilitate the grade separation of Redlands Boulevard and the SR-60. In addition, there are no unique landforms or geologic features in the area.[29] As a result, the proposed roadway improvement project will not result in any significant adverse impacts to natural or unique geologic features.

Cumulative Impacts

The potential impacts related to earth and geology is typically site specific. Furthermore, the analysis herein determined that the proposed roadway improvement project would not result in significant adverse impacts related to landform modification, grading, or the destruction of a geologically significant landform or feature. As a result, no cumulative impacts on earth and geology will occur.

[28] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR. Figure 5.6-2 Seismic Hazards.* July 2006. (Page 5.6-4)

[29] Blodgett/Baylosis Associates. *Site Survey.* July 2008.

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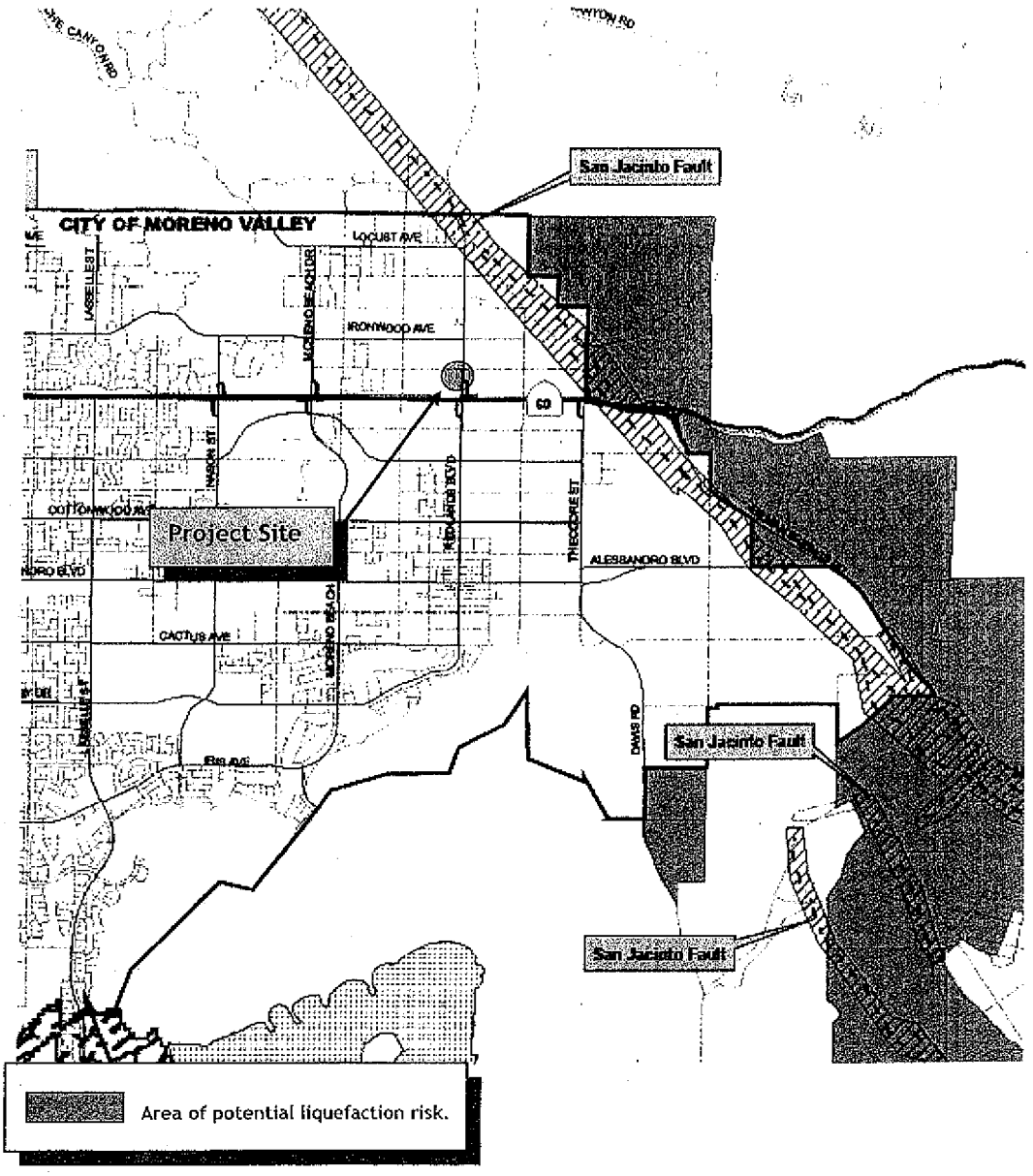

Exhibit 11
Potential Liquefaction and Seismic Risk
Source: City of Moreno Valley General Plan

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Mitigation Measures

The analysis determined that the proposed project would not result in any significant adverse impacts on earth resources and geology. As a result, no mitigation is required at this time.

3.7 Hazardous Materials Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact related to hazardous materials if it results in any of the following:

- The creation of a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials;
- The creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- The generation of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school;
- Locating on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 resulting in a significant hazard to the public or the environment;
- Locating within an area governed by an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport;
- Locating in the vicinity of a private airstrip that would result in a safety hazard for people residing or working in the project area;
- The impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan; or,
- The exposure of people or structures to a significant risk of loss, injury or death involving wild land fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.

Analysis of Environmental Impacts

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? No Impact.*

The Environmental Protection Agency's (EPA's) Environfacts Database was consulted to identify EPA-regulated facilities within the project area.[31] The site is not included on this list. As a result, no impacts are anticipated.

B. *Would the project create a significant hazard to the public or the environment, or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? No Impact.*

The proposed project is a roadway improvement that provides an additional right-turn travel lane on the east side of Redlands Boulevard and a new traffic signal.[32] No hazardous materials will be stored on-site. As a result, no impacts are anticipated.

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact.*

Because of the nature of the proposed use, no hazardous or acutely hazardous materials will be emitted that may affect a school site. The proposed use will not involve the storage, handling, or transport of any hazardous materials. Furthermore, there are no schools located within ¼ mile of the site. As a result, no impacts are anticipated.

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[31] Environmental Protection Agency. *Environfacts Database*. 2008.

[32] AAE. *Site Plan*. July 2008.

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D. *Would the project be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment? No Impact.*

The proposed project site is not included on a hazardous sites list compiled pursuant to Government Code Section 65962.5 (the Cortese list). No significant adverse impacts related to the storage, use, or disposal of hazardous materials are anticipated with this project.

E. *Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

The project site is not located within two miles of an operational public airport. Furthermore, the proposed project will not involve the construction of any structures that would interfere with aircraft operations. As a result, the proposed project will not present a safety hazard related to aircraft or airport operations at a public use airport.

F. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

The project site is not located within two miles of an operational public airport. No private airstrips are located in the area. As a result, the proposed project will not present a safety hazard related to aircraft or airport operations at a private use airport.

G. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? No Impact.*

At no time will any local roads that may be used as emergency routes (such as Redlands Boulevard) be closed to traffic during the construction phases. In addition, access to the adjacent parcels will be maintained at all times. Thus, no impacts on emergency response or evacuation plans will result from the project's construction.

H. *Would the project expose people or structures to a significant risk of loss, injury or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? No Impact.*

The site is located within an urbanizing area and the surrounding properties are either developed or maintained as row crops. No natural fire climax vegetation such as chaparral is located in the surrounding area. As a result, there is no risk of wild fire associated with natural vegetation.[33]

Cumulative Impacts

The potential impact related to hazardous materials is site specific. Furthermore, the analysis herein also determined that the proposed project would not result in any significant unmitigable impacts related to hazards and/or hazardous materials. As a result, no cumulative impacts related to hazards or hazardous materials will result from the proposed project's implementation.

Mitigation Measures

The analysis determined that the proposed project would not result in any significant adverse impacts. As a result, no mitigation is required at this time.

3.8 Hydrology & Water Quality Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on hydrology and water quality if it results in any of the following:

- A violation of any water quality standards or waste discharge requirements;
- A substantial depletion of groundwater supplies or interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- A substantial alteration of the existing drainage pattern of the site or area through the alteration of the course of a stream or river in a

[33] Blodgett/Baylosis Associates. *Site Survey*. July 2008.

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manner that would result in substantial erosion or siltation on or off-site;

- A substantial alteration of the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on or off-site;
- The creation or contribution of water runoff that would exceed the capacity of existing or planned storm water drainage systems or the generation of substantial additional sources of polluted runoff;
- The substantial degradation of water quality;
- The placement of housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map;
- The placement of structures within 100-year flood hazard areas that would impede or redirect flood flows;
- The exposure of people or structures to a significant risk of flooding as a result of dam or levee failure; or,
- The exposure of a project to inundation by seiche, tsunami or mudflow.
- The potential of storm water runoff from construction activities;
- The potential for the discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas;
- The potential for storm water runoff from post-construction activities;
- The potential for the discharge or storm water to affect the beneficial uses of the receiving waters;
- The creation of a potential for significant change in the flow velocity or volume of storm water runoff to cause environmental harm; or,
- The creation of significant increases in erosion of the project site or surrounding areas.

Analysis of Environmental Impacts

A. *Would the project violate any water quality standards or waste discharge requirements? Potentially Significant Impact Unless Mitigated.*

The project area is currently located entirely within the Redlands Boulevard right-of-way. Following development, the majority of the site will be paved for the additional travel lane. In the absence of mitigation, the proposed impervious surfaces could lead to the presence of debris, leaves, soils, oil/grease, and other pollutants. These pollutants may enter the storm drain system during periods of rainfall. As a result, the proposed project will be required to implement all pertinent storm water pollution control measures and to obtain storm water runoff permits pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements as outlined below:

- The contractors shall be required to submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.

With the aforementioned mitigation, the impacts will be less than significant.

B. *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of a pre-existing nearby well would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? No Impact.*

Within the City, there are two hydrological groundwater basins: the Perris Basin located in the westerly portion of the city and the San Jacinto Basin on easterly side.[34] The proposed project will not involve any excavations that would limit ground

[34] City of Moreno Valley. *City of Moreno Valley General Plan, Chapter 7, Conservation Element.* July 11, 2006. (Page 7-8)

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water movement and/or extraction. No wells are located within the area where the roadway improvement project is located. As a result, no significant adverse impacts are anticipated.

C. *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? No Impact.*

No natural drainage or riparian areas remain within the project site or the surrounding area due to previous land disturbance. In addition, no streams or rivers are located within the project site (refer to Exhibit 12). As a result, no impacts on streams or natural hydrology are anticipated to occur with the proposed roadway improvement project.

D. *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in flooding on-or off-site? No Impact.*

There are no lakes or streams within the project site. The project site is located within a designated 500-year flood hazard area as identified by the Federal Emergency Management Agency (FEMA). However, the project involves a roadway widening to accommodate a right-turn lane. As a result, no flood-related impacts will result from the proposed project's implementation.

E. *Would the project create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? Less Than Significant Impact.*

No significant change in the amount of surface runoff volumes from the project site is anticipated due to the relatively small size of the project area. The Clean Water Act and other regulations require that all runoff be impounded on-site. The final engineering review will involve the preparation of a grading plan and hydrology study to ensure that runoff during both before and after construction does not impact the adjacent properties.

F. *Would the project otherwise substantially degrade water quality? No Impact.*

The proposed use will be required to implement storm water pollution control measures during construction pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements. With adherence to the NPDES requirements, the construction and potential erosion impacts from the proposed project will be less than significant. Once operational, the future uses will also need to comply with all pertinent regulations governing water runoff. Adherence to the standard regulations governing storm water runoff will mitigate potential impacts.

G. *Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No Impact.*

The proposed project site is located within a designated 500 year flood hazard area as identified by the Federal Emergency Management Agency (FEMA). The proposed project does not involve the construction of any housing. As a result, the proposed project will not impede or redirect the flows of potential floodwater and no impacts are associated with the proposed project's implementation.

H. *Would the project place within a 100-year flood hazard area, structures that would impede or redirect flood flows? No Impact.*

The project site is not located within a designated flood hazard area as defined by FEMA.[35] The proposed project will not impede or redirect the flows of potential floodwater since the site is not located within a flood hazard area. Therefore, no flood-related impacts are associated with the proposed project's implementation.

I. *Would the project expose people or structures to a significant risk of flooding as a result of dam or levee failure? No Impact.*

The project site is not located within an area that would be subject to flows from a potential dam or levee failure. No major flood control facilities are located within or adjacent to the project site. The potential inundation area from the Lake Perris Dam is located in the southernmost portion of the City. [36]No inundation hazards will impact the project site and no impacts are anticipated.

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[35] City of Moreno Valley. *City of Moreno Valley General Plan, Chapter 7, Conservation Element.* July 11, 2006. (Page 7-8)

[36] Ibid.

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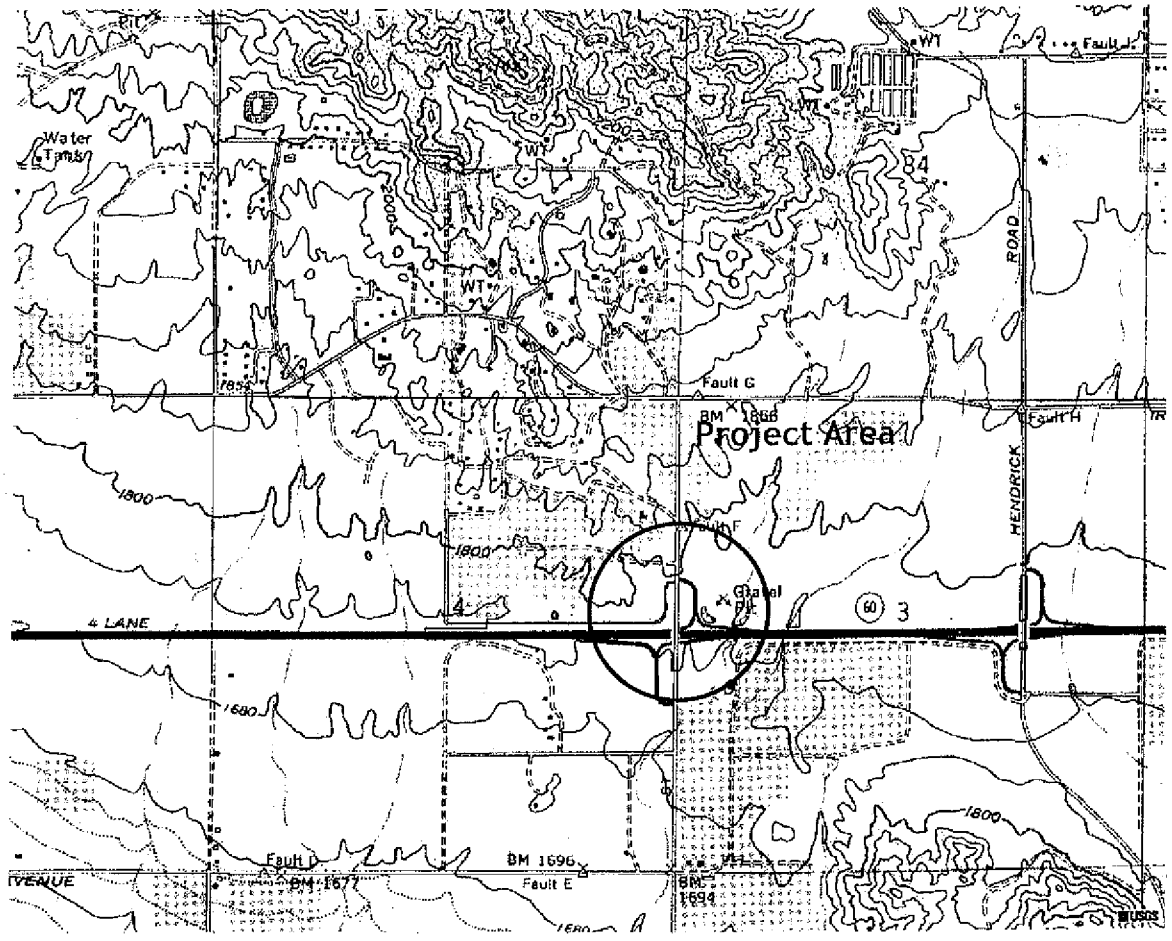

Exhibit 12
Topography and Hydrology
Source: United States Geological Survey

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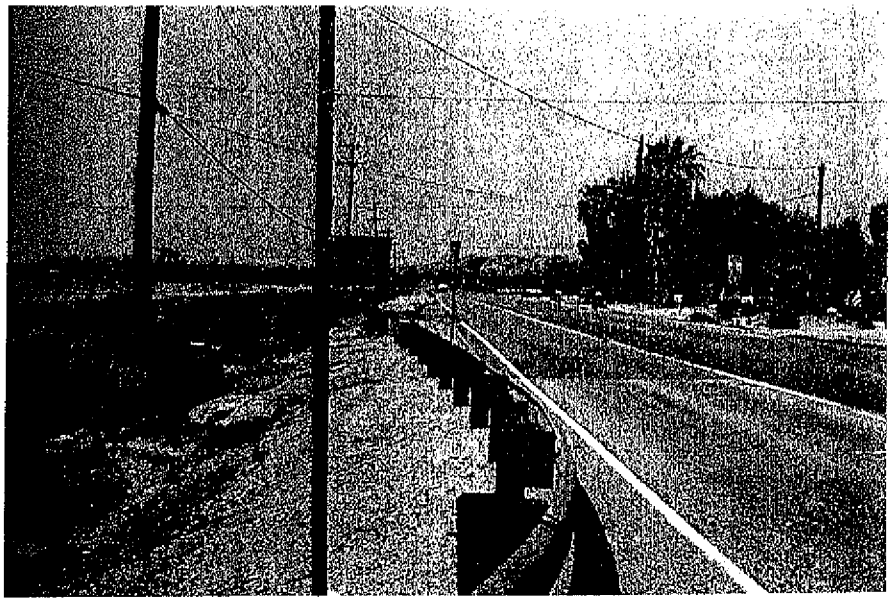

Drainage channel along the west side of Highland Avenue (north of project area).

Drainage channel located along the west side of Highland Avenue (south of project area).

Exhibit 13
Photographs of Drainage Culverts along Redlands Blvd.
Source: Blodgett, Baylosis Associates

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J. Would the project result in inundation by seiche, tsunami, or mudflow? No Impact.

The City of Moreno Valley is located inland approximately 45 miles from the Pacific Ocean, and thus, the project area would not be exposed to the effects of a tsunami. No dams, reservoirs or volcanoes are located near the site that would present seiche or volcanic hazards. The potential inundation area from the Lake Perris Dam is located in the southernmost portion of the City. In addition, there are no surface water bodies in the immediate area of the project site that would result in seiche hazards. As a result, no impacts related to seiche, tsunami, or mudflows are associated with the implementation of the proposed project.

K. Would the project potentially impact storm water runoff from construction activities? Potentially Significant Impact Unless Mitigated.

The site's topography is relatively level. The development site is located within an urbanizing area. The majority of the site will be covered over with impervious surfaces that include the additional roadway travel lanes. Surface runoff will continue to be conveyed to curbs and gutters located on either side of Redlands Boulevard. In the absence of mitigation, there is a potential that debris and soil may be diverted during watering and grading activities during construction phases. As a result, the following mitigation is required as a means to mitigate potential impacts to the fullest extent possible:

- The contractors shall be required submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.

The above mitigation will reduce the potential impacts to levels that are less than significant.

L. Would the project potentially impact storm water runoff from post-construction activities? No Impact.

No significant change in the amount of surface runoff volumes from the project site is anticipated due to the nature and extent of the existing impervious surfaces. No surface water bodies are found within the project site or in the immediate vicinity that would be affected by the proposed project. The nature and extent of storm water runoff ultimately discharged into the existing storm drain system will not substantially change from the existing levels due to the affected area's small size. In addition, no wells are planned as part of any of the future improvements to the site and no changes in the direction of groundwater movement anticipated. As a result, no impacts will result from the proposed project.

M. Would the project result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? No Impact.

The development site is located entirely within the Redlands Boulevard right-of-way. Potential pollutant sources will be limited to that commonly found within a roadway travel lane. The aforementioned mitigation will address potential storm water runoff impacts. As a result, no significant adverse or unique impacts will result from the proposed project with respect to the potential discharge of pollutants into the storm drain system.

N. Would the project result in the potential for discharge or storm water to affect the beneficial uses of the receiving waters? No Impact.

The affected segment of Redlands Boulevard does not serve as a watershed or retention basin for any off-site receiving waters. No natural streams or drainage are located on-site. As a result, no impacts are anticipated.

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O. *Would the project create the potential for significant change in the flow velocity or volume of storm water runoff to cause environmental harm? No Impact.*

No substantial alteration of the project area's topography or drainage characteristics are proposed that would alter water runoff direction or velocity. As a result, no impacts are anticipated.

P. *Would the project create significant increases in erosion of the project site or surrounding areas? No Impact.*

The site's topography will not be substantially altered during site development. The recommended mitigation identified previously will be effective in eliminating the potential for off-site erosion. As a result, no impacts are anticipated.

Cumulative Impacts

The proposed project will contribute a small increment of additional runoff to the local curb and gutters though no substantial net increase is anticipated over the amount that previously existed. As a result, no cumulative impacts are anticipated.

Mitigation Measures

The following mitigation measures will be implemented as a means to further control pollutants entering the storm drain system:

Mitigation Measure 3 (Storm Water Runoff). The contractors shall be to required submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.

3.9 Land Use & Planning Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant land use impact if it results in any of the following:

- The disruption or division of the physical arrangement of an established community;
- A conflict with an applicable land use plan, policy or regulation of the agency with jurisdiction over the project; and,
- A conflict with any applicable conservation plan or natural community conservation plan.

Analysis of Environmental Impacts

A. *Would the project physically divide or disrupt an established community or otherwise result in an incompatible land use? No Impact.*

The proposed project site is located entirely within the Redlands Boulevard right-of-way. The area surrounding the project site has only undergone development in recent years. The proposed project will not result in any division or obstruction within an existing residential neighborhood. As a result, no significant adverse impacts will result.

B. *Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? No Impact.*

The project area will be confined to the existing Redlands Boulevard right-of-way. Generalized land use and development patterns are shown in Exhibit 14. Exhibit 15 indicates the City of Moreno Valley General Plan land use designations for the site and the surrounding area. No amendment to the Moreno Valley General Plan will be required to accommodate the proposed improvements to Redlands Boulevard. In addition, no change in zoning will be required to accommodate the proposed roadway improvement project.

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The project area is located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The croplands located around the project site are identified by the MSHCP as being located near a Survey Area for the burrowing owl.[39] The Western Riverside County Regional Conservation Authority was contacted to ascertain the site's status with respect to the need for a burrowing owl survey. Ms. Sharon Stewart at the Authority provided an exhibit (refer to Exhibit 9) that indicated that the area where the proposed roadway improvements are contemplated is located outside of the designated Burrowing Owl Survey Area.[40] Furthermore, the affected area is located within the Redlands Boulevard right-of-way which is disturbed. As a result, no significant adverse impacts are anticipated.

C. *Will the project conflict with any applicable habitat conservation plan or natural community conservation plan? No Impact.*

Several areas of the City have been set-aside as a means to preserve sensitive habitats. The *Stephens' Kangaroo Rat Habitat Conservation Plan Core Reserve* areas consist of the *San Jacinto-Lake Perris Core Reserve* and *Potrero Area of Critical Concern (ACEC) Core Reserve*. Both core reserves occur partially within and adjacent to Moreno Valley and are considered to be sensitive habitat areas. The project site is not located in either area.[42] Critical habitat areas for the Riverside Fairy Shrimp, Arroyo Toad, California Red-legged Frog, Southwestern Willow Flycatcher, and Least Bell's Vireo are located outside of Moreno Valley. No critical habitat areas for these species are found within the City. The critical habitat designation for the California Gnatcatcher and the proposed designation for the San Bernardino kangaroo rat include habitat within and/or immediately adjacent to Moreno Valley.[43]

[39] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[40] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[42] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR, Chapter 9.* July 2006. (Page 5.9-27).

[43] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR, Chapter 9.* July 2006.

The project area is located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As indicated previously, the croplands located around the project site are identified by the MSHCP as being located near a Survey Area for the burrowing owl.[44] According to the Western Riverside County Regional Conservation Authority (refer to Exhibit 9), the area where the proposed roadway improvements are contemplated is located outside an area where a burrowing owl survey is required.

The MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) that focuses on the conservation of species and their associated habitats in the Western Riverside County region. The MSHCP is one of several large, multi-jurisdictional habitat-planning efforts being undertaken in Southern California with the overall goal of maintaining biological and ecological diversity within the rapidly urbanizing region.[45] The proposed roadway improvement project is consistent with the objectives and policies of the MSHCP as indicated in Section 3.4.A. As a result, no significant adverse impacts will result from the proposed project's implementation.

Cumulative Impacts

The proposed project involves the construction of a new travel lane on Redlands Boulevard. The proposed project is designed to accommodate and facilitate access and travel in this area of Redlands Boulevard and does not represent a significant adverse cumulative land use impact.

Mitigation Measures

The analysis of land use and development impacts indicated that no significant adverse impacts would result from the approval and subsequent implementation of the proposed project. As a result, no mitigation is required.

[44] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[45] Western Riverside County Multiple Species Habitat Conservation Plan. Section 1. Introduction.
[47] California Department of Conservation, Mineral Land Classification of Riverside County, 1987.

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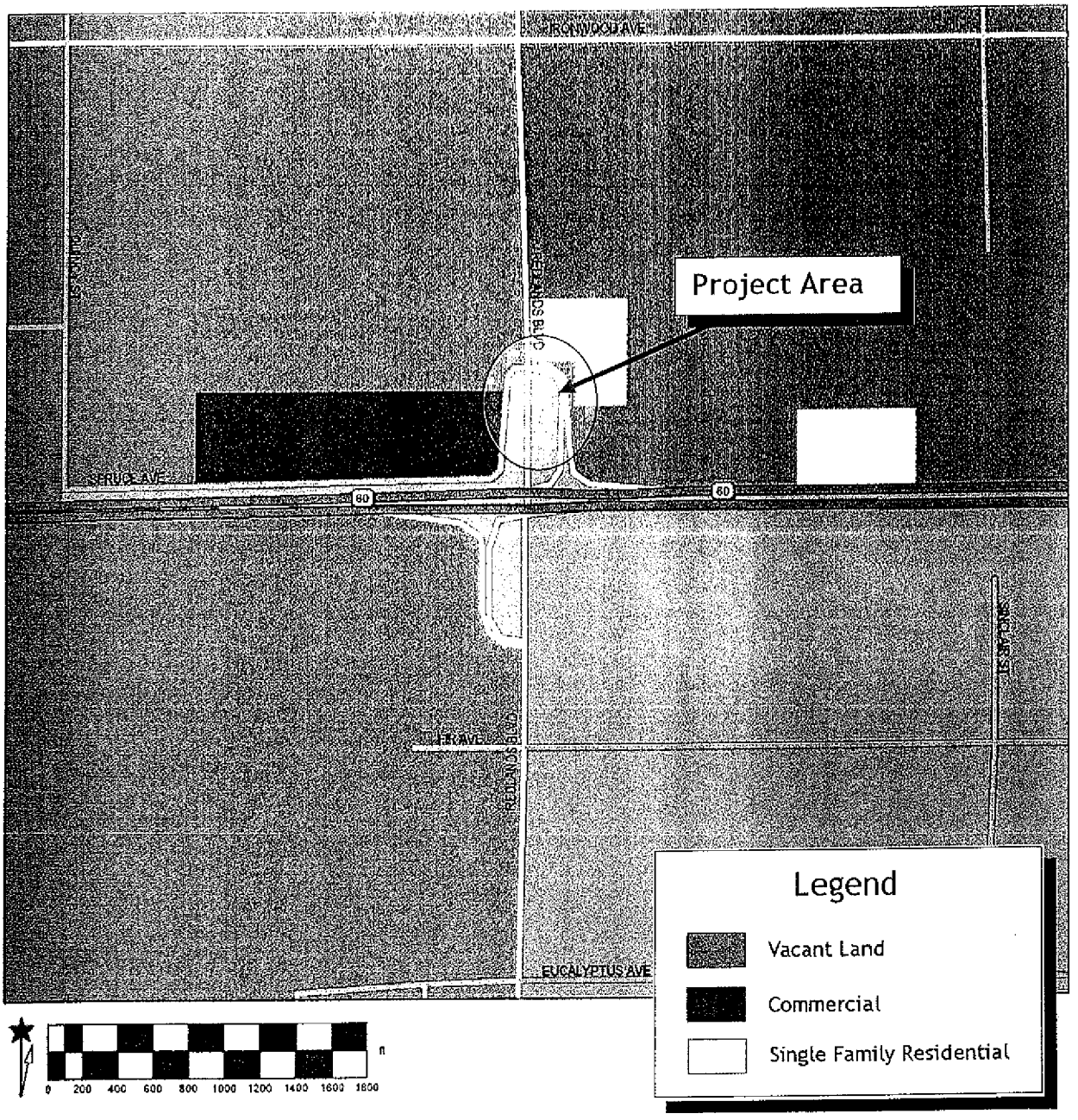

Exhibit 14
Generalized Land Uses
Source: Blodgett/Baylosis Associates

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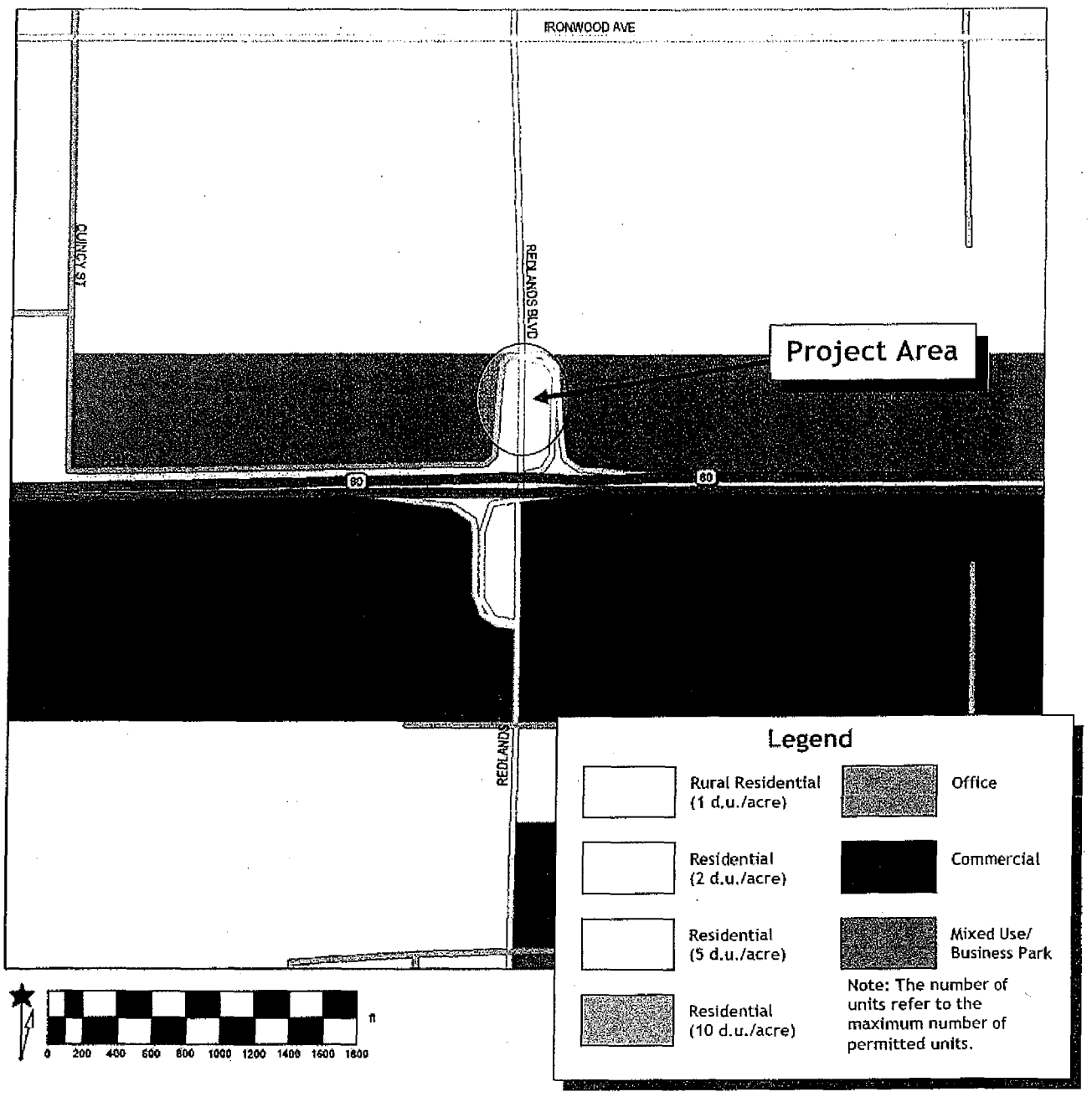

Exhibit 15
General Plan Land Use Designations
Source: City of Moreno Valley

MV00047800

3.10 Mineral Resources & Energy Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on mineral resources and energy if it results in any of the following:

- The loss of availability of a known mineral resource that would be of value to the region and the residents of the state;
- The loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan;
- A conflict with adopted energy conservation plans; or,
- The use of non-renewable resources in a wasteful and inefficient manner.

Analysis of Environmental Impacts

A. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents or the state? No Impact.*

Natural resources that would be utilized by the proposed project include sand and gravel, aggregate energy, and other resources used for construction and operation. According to the State of California Department of Conservation Regional Wildcat Map (October 1991), the project site is not located over any oil field. There are no oil wells located in, or immediately adjacent to, the proposed project area. The project area is not located within a Significant Mineral Aggregate Resource Area nor is it located in an area with active mineral extraction activities.[47] As a result, no impacts on existing mineral resources will result from the proposed project's implementation.

B. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No Impact.*

There are no mineral, oil, or energy extraction and/or energy generating activities located within the project area or in the adjacent parcels. The site is currently undeveloped. Review of maps provided by the State Department of Conservation indicates there are no wells located within the vicinity of the project site. The resources and materials used in the construction of the proposed roadway improvement project will not include any materials that are considered rare or unique. Thus, the proposed project will not result in any significant adverse effects on mineral resources in the region.

C. *Would the project conflict with adopted energy conservation plans? No Impact.*

The project site does not contain mineral or timber resources or natural resource extraction activities. The project site is not located within a Significant Mineral Aggregate Resource Area, nor is it located in an area with active mineral extraction activities.[48] Natural resources that may be utilized by the proposed project include resources typically used in construction. The construction of the proposed project will not involve any activities that would preclude energy conservation. As a result, no significant adverse impacts are anticipated.

D. *Would the project use non-renewable resources in a wasteful and inefficient manner? No Impact.*

The proposed project will not involve any construction activities requiring significant amounts of energy for construction and operation, nor is the project expected to consume energy or other non-renewable resources in a wasteful manner. As a result, no significant adverse impacts are anticipated.

Cumulative Impacts

The potential cumulative mineral resources impacts are site specific. Furthermore, the analysis herein also determined that the proposed project would not result in any impacts on mineral resources. As a result, no cumulative impacts on mineral resources will occur.

Mitigation Measures

The analysis of mineral resources and energy impacts indicated that no significant adverse impacts on land use and development would result from the approval and subsequent implementation of the proposed project. As a result, no mitigation is required.

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[48] State of California Dept. of Conservation Division of Oil, Gas, and Geothermal Resources. Regional Wildcat Map 101. 1990.

MV00047801

3.11 Noise Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant noise impact if it results in any of the following:

- The exposure of persons to, or the generation of, noise levels in excess of standards established in the local general plan, noise ordinance or applicable standards of other agencies;
- The exposure of people to, or generation of, excessive ground-borne noise levels;
- A substantial permanent increase in ambient noise levels in the vicinity of the project above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- Locating within an area governed by an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or private use airport, where the project would expose people to excessive noise levels; or,
- Locating within the vicinity of a private airstrip that would result in the exposure of people residing or working in the project area to excessive noise levels.

Analysis of Environmental Impacts

A. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? No Impact.*

The current noise environment within the area is dominated by traffic noise emanating from nearby SR-60 Freeway. The proposed project will not involve any uses or activities that will result in stationary noise sources. As a result, the potential noise impacts are considered to be less than significant.

B. *Would the project result in exposure of people to or generation of excessive ground-borne noise levels? No Impact.*

Construction noise will occur as a result of the development of the proposed project. Although construction noise represents a short-term impact on ambient noise levels, noise generated by construction equipment and construction activities can reach high levels (between 70 dBA and 90 dBA) 50 feet from the noise source (to assist in the understanding of the decibel or dB noise metric, noise levels associated with everyday activities have been identified in Exhibit 16).

Construction equipment noise comes under the control of the EPA's Noise Control Program (Part 204 of Title 40, Code of Federal Regulations). Noise levels associated with various types of construction equipment are noted in Exhibit 17. While the potential construction noise impacts are not anticipated to be significant, the construction activities will be required to comply with the noise control requirements of the City. Furthermore, the mitigation measures outlined in Subsection D, will further reduce the noise impacts to levels that will be less than significant.

C. *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? No Impact.*

The current noise environment within the area surrounding the project area is dominated by Freeway traffic. The proposed roadway improvement project will not involve any uses or activities that will result in stationary noise sources. As a result, no noise impacts are anticipated.

D. *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Potentially Significant Impact Unless Mitigated.*

The composite construction noise is best characterized by Bolt, Beranek, and Newman.[49] In this study, the noisiest phases of construction are anticipated to be 89 dBA as measured at a distance of 50 feet from the construction activity. This value takes into account both the number of pieces and spacing of the heavy equipment typically used in a construction effort.

[49] USEPA, Protective Noise Levels. 1971

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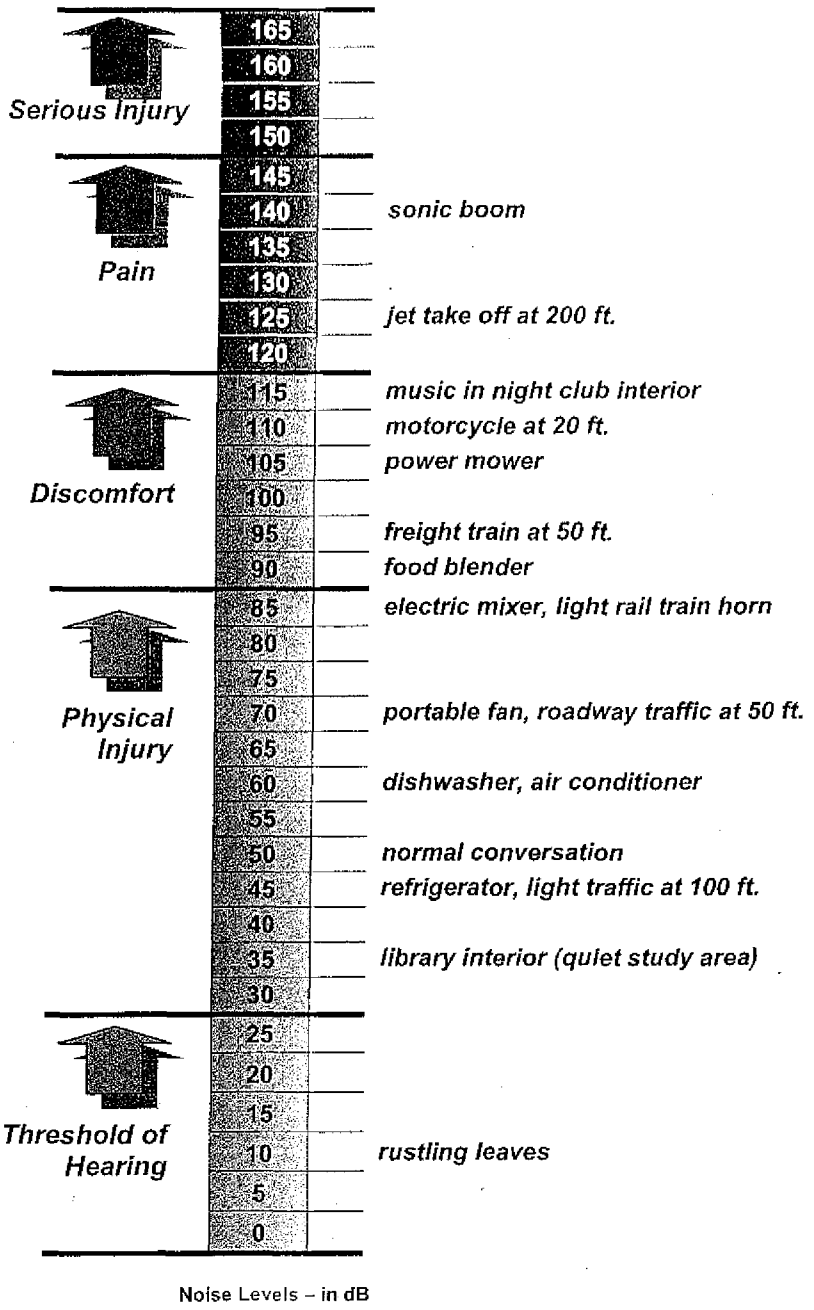

Exhibit 16
Noise Levels Associated with Typical Activities
Source: U. S. Environmental Protection Agency

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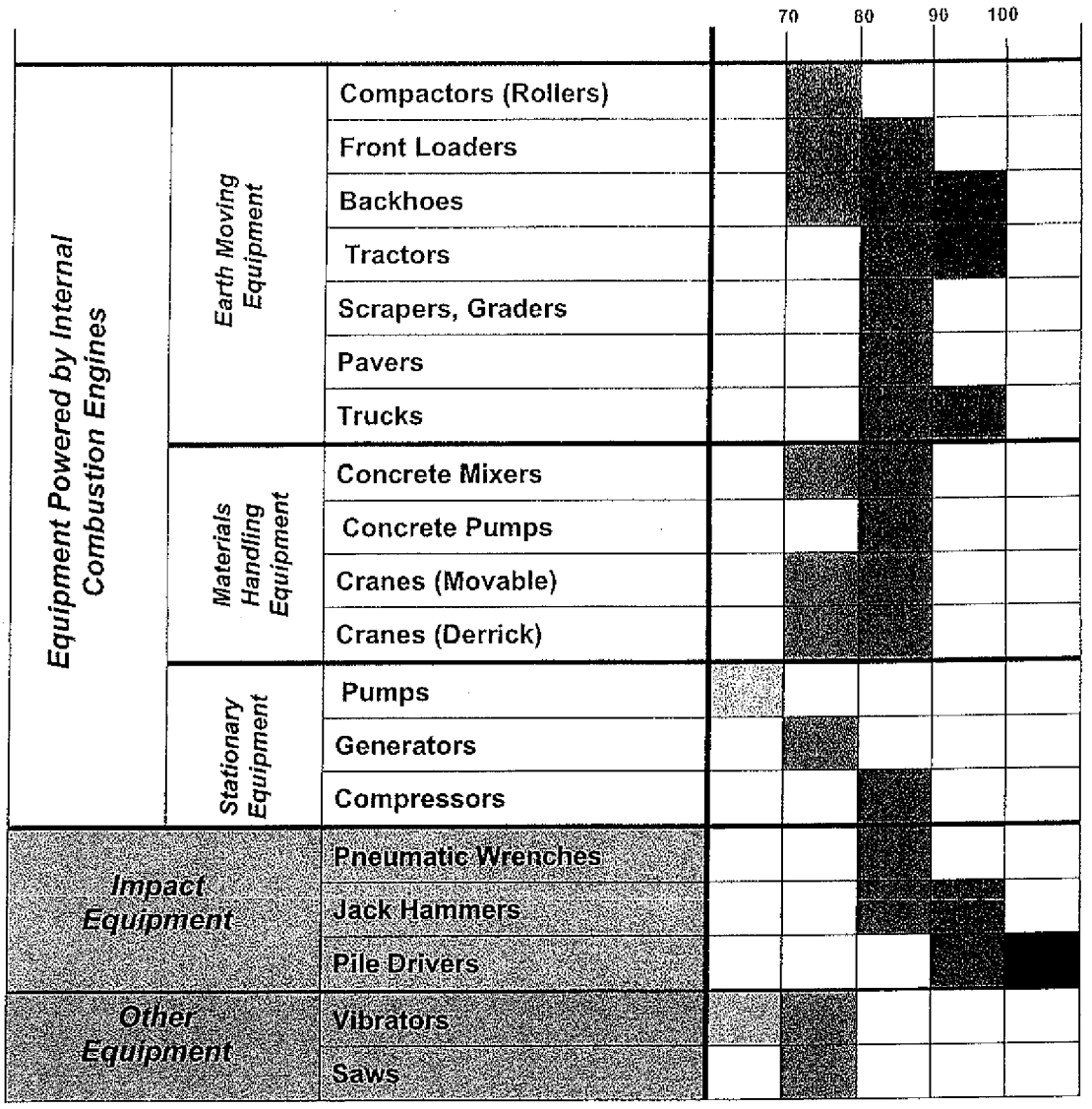

Exhibit 17
Construction Noise Levels
Source: Blodgett•Baylosis•Associates

MV00047804

In later phases of construction, noise levels are typically reduced from these values and the physical structures further break up line-of-sight noise. However, as a worst-case scenario the 89 dBA value was used as an average noise level for the construction effort. The construction activities related to site preparation and roadway construction may lead to relatively high noise levels during the construction period. As a means to reduce construction noise levels, the following mitigation measure is required.

- The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.[50]

The mitigation measure identified above will reduce the potential construction noise impacts to levels that are less than significant.

E. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? No Impact.*

The project site is not located within two miles of an operational public airport. The proposed use is not considered to be noise sensitive. As a result, the impacts related to the exposure of persons to aircraft noise from a public use airport are considered to be less than significant.

F. *Within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? No Impact.*

The project site is not located within two miles of an operational private airport. As a result, no impacts related to the exposure of persons to aircraft noise from a private-use airstrip will result from the proposed project.

[50] Caltrans may require alternate hours as a means to reduce traffic disruption.

Cumulative Impacts

The proposed project involves the widening of a relatively short segment of Redlands Boulevard to accommodate traffic moving on to the west-bound SR-60 ramp. No additional traffic will be added by the roadway improvement. The project is designed to accommodate existing and projected traffic volumes that use this ramp. As a result, no significant adverse cumulative noise impacts will occur.

Mitigation Measures

The following mitigation measures will ensure that construction-related noise does not significantly impact adjacent land uses in the area:

Mitigation Measure 4 (Short-Term Noise). The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.

3.12 Population & Housing Impacts

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, the proposed project may result in a significant impact on population and housing if it results in any of the following:

- A substantial growth in the population within an area, either directly or indirectly related to a project;
- The displacement of a substantial number of existing housing units, necessitating the construction of replacement housing; or,
- The displacement of substantial numbers of people, necessitating the construction of replacement housing.

MV00047805

Analysis of Environmental Impacts

A. *Would the project induce substantial population growth in an area, either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? No Impact.*

No housing units will be constructed as part of the proposed project nor will it involve any additional long-term employment. Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area, such as utilities, improved roadways, and expanded public services. The variables that typically contribute to growth-inducing impacts and the project's potential growth-inducing impacts, are identified in Table 4. As indicated in the table, the proposed roadway improvement project will not result in any growth inducing impacts and no impacts will result.

Table 4
Potential Growth-Inducing Impacts

Factor Contributing to Growth Inducement	Project's Potential Contribution	Basis for Determination
New development in an area presently undeveloped and economic factors which may influence development.	The proposed project will facilitate improved access to an existing freeway ramp.	The roadway improvement project is designed to accommodate future traffic demand.
Extension of roadways and other transportation facilities.	The proposed project will not involve the extension or modification of any existing roadways other than to improve access to the west-bound SR-60 west-bound ramp at Redlands boulevard.	The only off-site improvements are drainage channel along either side of the roadway where the signal will be installed.
Extension of infrastructure and other improvements.	No off-site water, sewer, and other critical infrastructure improvements are anticipated as part of the proposed project's implementation.	The only infrastructure improvements will involve connections to the proposed signal.
Major off-site public projects (treatment plants, etc).	No major facilities are proposed at this time.	No off-site facilities will be required to accommodate the projected demand for wastewater treatment or water.
Removal of housing requiring replacement housing elsewhere.	The project does not involve the removal or the replacement of existing housing.	No housing units will be removed as part of the proposed project's implementation.
Additional population growth leading to increased demand for goods and services.	The proposed project does not provide for additional employment growth.	No long-term permanent employment will be provided by the proposed roadway improvement project
Short-term growth inducing impacts related to the project's construction.	The new development may result in the creation of new construction employment.	Short-term increases in construction employment are not anticipated to result in significant growth-inducing impacts.

Source: Blodgett/Baylosis Associates. 2008.

MV00047806

B. *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No Impact.*

No residential units are located within the project site. As a result, no housing displacement impacts will occur with the proposed project's implementation.

C. *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? No Impact.*

As indicated previously, the proposed project will not result in any housing displacement. No housing units are located within the project site boundaries and no units are found on adjacent properties that will be physically displaced by the proposed project. No existing housing units will be removed. As a result, no population displacement impacts will occur with the proposed project's implementation.

Cumulative Impacts

The proposed project will not involve the displacement of any existing or planned housing units. As a result, no significant adverse cumulative population and housing impacts will occur.

Mitigation Measures

The analysis of housing and population impacts indicated that no significant adverse impacts would result from the proposed project's construction and subsequent operation. As a result, no mitigation, with respect to housing and population, is required.

3.13 Public Services Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on public services if it results in any of the following:

- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impact in order to maintain acceptable service ratios, response times or other performance objectives relative to fire protection services;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impact in order to maintain acceptable service ratios, response times or other performance objectives relative to police protection services;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impact in order to maintain acceptable service ratios, response times or other performance objectives relative to school services;
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impact in order to maintain acceptable service ratios, response times or other performance objectives relative to library services; or,
- A substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impact in order to maintain acceptable service ratios, response times or other performance objectives relative to other government services.

Analysis of Environmental Impacts

A. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: fire protection services? No Impact.*

The City of Moreno Valley contracts with the Riverside County Fire Department to provide fire protection, fire prevention and emergency services to its residents. The local facilities operated by the department include the Fire Prevention and Administration Bureau also housed in the Public Safety Building located near the project site at 22850 Calle San Juan de Los Lagos. The proposed roadway improvement project will not result in any additional demand on local fire protection services. As a result, no impacts will result.

MV00047807

B. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: Police protection? No Impact.*

Law enforcement services in Moreno Valley are provided by the Riverside County Sheriff's Department. The Sheriff's Department operates out of a facility (the Public Safety Building) located near the proposed project site at 22850 Calle San Juan de Los Lagos in the City of Moreno Valley's Civic Center complex. The proposed roadway improvement project will not place any demand on local law enforcement services. As a result, no significant adverse impacts are anticipated.

C. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: School services? No Impact.*

The Moreno Valley Unified School District (MVUSD) operates 19 elementary, six middle, and four high schools. The District also operates three learning centers. No residential units will be constructed as part of this roadway improvement project, which typically contribute to overall school enrollments. The proposed roadway will not result in any student generation or create an increased demand for educational facilities. As a result, no impacts are anticipated.

D. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: Library facilities? No Impact*

No residential units will be constructed as part of this project, which typically generate the demand in library services. As a result, no significant adverse impact of library facilities and/or services will occur.

E. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas: Other governmental services? No Impact.*

No new governmental services will be needed to serve the proposed project. As a result, the proposed development's impacts are considered to be less than significant with respect to existing governmental services.

Cumulative Impacts

As indicated in the preceding section, the roadway improvement project would not result in any significant adverse public service impacts. As a result, no cumulative public service impacts will result from the construction of the proposed improvements.

Mitigation Measures

The analysis determined that the proposed project would not result in any significant adverse impacts. As a result, no mitigation is required at this time.

3.14 Recreation Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on recreation services and facilities if it results in any of the following:

- The use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or,
- The construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

MV00047808

Analysis of Environmental Impacts

A. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? No Impact*

The City of Moreno Valley Parks and Recreation Department is responsible for maintaining and operating local recreational facilities and services in the city. There are no parks or recreational facilities that are located adjacent to or near the proposed project site. Due to the nature of the proposed use (roadway improvement project), no increased demand is anticipated and no impacts will result.

B. *Would the project affect existing recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? No Impact.*

The proposed project will not significantly affect existing park facilities in the City. The project site is not located adjacent to any existing park or recreational facility. The proposed roadway project will not involve any development that will physically alter an existing or planned park or recreational facility. As a result, no impacts are anticipated.

Cumulative Impacts

As indicated in the preceding section, the proposed roadway improvement project would not result in any significant adverse impacts on recreation facilities and services. As a result, no cumulative public service impacts will result from the construction of the proposed project.

Mitigation Measures

No mitigation is required or recommended since no impacts are identified with respect to parks and recreational facilities.

3.15 Transportation & Circulation Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on transportation and circulation if it results in any of the following:

- An increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);
- An increase in the level of service standard established by the county congestion management agency for designated roads or highways;
- An increase in hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- Inadequate emergency access;
- Inadequate parking capacity;
- A conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks);
- Waterborne or air traffic impacts; or,
- Hazards or barriers for pedestrians or bicyclists.

Analysis of Environmental Impacts

A. *Would the project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? No Impact.*

The proposed project involves a number of improvements to Redlands Boulevard to meet existing and projected traffic demand. The key improvements include the following:

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- The primary element of the proposed project involves the widening of a 550 foot segment of Redlands Boulevard north of the SR-60 Freeway continuing north to the west-bound ramp. This widening will occur along the east side of the roadway to accommodate north bound vehicles wishing to access the west-bound SR-50 travel lanes.

- A new traffic signal will be installed at the intersection of the Spruce Street/SR-60 west-bound ramp and Redlands Boulevard. This intersection is currently controlled by stop signs at the exit of the SR-60 ramp and Spruce Street.

- The drainage culverts located to the north of the aforementioned new signalized intersection may require some modification to accommodate the proposed signal.

The project will not involve any additional traffic generation. As a result, no significant adverse impacts are anticipated.

B. *Would the project exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? No Impact.*

Compliance with the Riverside County Congestion Management Plan (CMP) requirements will ensure the city's eligibility to compete for State gas tax funds for local transportation projects. The proposed project will not result in any direct traffic generation. As a result, the impact of the proposed project on designated CMP facilities is considered to be less than significant.

C. *Would the project substantially increase hazards due to the design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? No Impact.*

The proposed project is designed to enhance traffic safety in the area. The addition of a new traffic signal and dedicated right-turn lane will improve overall circulation in the area.

D. *Would the project result in inadequate emergency access? No Impact.*

The majority of the construction activities that will be undertaken will be confined to the Redlands Boulevard right-of-way. Thus, no closure of roadways or emergency access routes to the surrounding parcels is expected with the project. As a result, no impacts on emergency access will result.

E. *Would the project result in inadequate parking capacity? No Impact.*

The proposed project will not generate any demand for new parking nor will it eliminate any existing parking. As a result, no parking-related impacts will result.

F. *Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? No Impact.*

The project will not result in any additional demand for public transit. In addition, no bus stops will be impacted by the proposed construction. As a result, no impacts that would affect adopted policies regarding alternative modes of transportation would occur.

G. *Would the project result in waterborne or air traffic impacts? No Impact.*

The City of Moreno Valley is not located adjacent to a port or harbor facility. The nearest commercial ports are located in the Wilmington and Long Beach areas. The proposed project would not impact existing aircraft operations at the nearby March Air Reserve Base. Thus, no significant adverse impacts on waterborne or air traffic are anticipated.

H. *Would the project result in hazards or barriers for pedestrians or bicyclists? No Impact.*

The proposed project will not adversely impact surrounding public roads or sidewalks. As a result, no impacts on pedestrian or bike lane facilities are anticipated with the proposed roadway improvement project

Cumulative Impacts

The analysis determined that the proposed roadway improvement project would not result in any significant adverse traffic or circulation impacts. As a result, no significant adverse cumulative traffic impacts are anticipated.

MV00047810

Mitigation Measures

The analysis determined that the proposed roadway improvement project would not result in any significant adverse traffic or circulation impacts. As a result, no mitigation is required.

3.16 Utilities Impacts

Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, the proposed project may result in a significant impact on utilities if it results in any of the following:

- An exceedance of the wastewater treatment requirements of the applicable Regional Water Quality Control Board;
- The construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts;
- The construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- An overcapacity of the storm drain system causing area flooding;
- A determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand;
- The project will be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs;
- Non-compliance with federal, state, and local statutes and regulations relative to solid waste;
- A need for new systems, or substantial alterations in power or natural gas facilities; or,
- A need for new systems, or substantial alterations in communications systems.

Analysis of Environmental Impacts

A. *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? No Impact.*

The City of Moreno Valley is served by two water purveyors, the Eastern Municipal Water District, and the Box Springs Mutual Water Company. The Eastern Municipal Water District (EMWD) is the primary water purveyor, serving approximately 85% of the City, including the project site. Most of the city's water is imported via the California Aqueduct from northern California. The proposed roadway improvement project will not result in any water consumption. As a result, no significant adverse impacts are anticipated.

B. *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? No Impact.*

Wastewater service in Moreno Valley is provided by the Eastern Municipal Water District (EMWD), which serves most of the City, including the project site. The EMWD operates over 356 miles of sewer mains (12-inch and above) and six sewage lift stations to provide wastewater collection services within the planning area. All wastewater is collected and conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the city and has a capacity to treat 16 million gallons of wastewater per day (mgd) and a capacity to expand to 41 mgd. The proposed roadway improvement will not result in any effluent generation nor will any connections to existing sewer lines be required. As a result, no impacts are anticipated.

C. *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? No Impact.*

Regional flood control planning and facilities are under the jurisdiction of the Riverside County Flood Control and Water Conservation District (RCFCWCD). The City of Moreno Valley is responsible for the maintenance of local drainage facilities. Road curb and gutter and roadside ditches supplement the flood control system.

MV00047811

No significant change in the amount of surface runoff volumes from the project site is anticipated due to the relatively small size of the parcel. The Clean Water Act (CWA) and other regulations require that all runoff be impounded on-site. The final engineering review will involve the preparation of a grading plan and hydrology study to ensure that runoff during both before and after construction does not impact the adjacent properties. The proposed project will be required to comply with all pertinent CWA requirements. The project will also be required to comply with the City's storm water management guidelines. Furthermore, the existing storm drain facilities will be reconstructed. As a result, no impacts will result.

D. *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? No Impact.*

As indicated previously, water service is available in all neighboring streets. Domestic water service to the surrounding area is provided by Eastern Municipal Water District, and the Box Springs Mutual Water Company. As indicated previously, the proposed project would not result in any water consumption. As a result, no significant adverse impacts on water supplies or services are anticipated.

E. *Would the project result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? No Impact.*

The proposed project will not result in any effluent generation. No sewer lines or additional treatment capacity will be required to accommodate the proposed project. As a result, no impacts on wastewater infrastructure will result from the proposed project's implementation.

F. *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? No Impact.*

Waste Management of Inland Empire (WM) currently provides waste pickup service in the city. Solid waste generated within Moreno Valley is disposed of in the Riverside County Waste Management Department's (RCWMD) Badlands Landfill. As a result, no significant adverse impacts with respect to solid waste are anticipated.

G. *Will the project comply with federal, state, and local statutes and regulations related to solid waste? No Impact.*

The construction of the proposed roadway improvements, like all other development in the City, will be required to adhere to all pertinent ordinances related to waste reduction and recycling. As a result, no adverse impact on regulations pertaining to solid waste generation will result from the proposed project's implementation.

H. *Would the project result in a need for new systems, or substantial alterations in power or natural gas facilities? No Impact.*

The Southern California Edison (SCE) and the Southern California Gas (SCG) provide service upon demand, and early coordination with these utility companies will ensure adequate and timely service to the project. Both utilities currently serve the area. Thus, no impacts on power and natural gas services will result from the proposed project.

I. *Would the project result in a need for new systems, or substantial alterations in communications systems? No Impact.*

The proposed project will not require dedicated telephone service. The existing telephone lines in the area may be used to provide service to the project site. Thus, no impacts on communication systems are anticipated as part of the proposed project's implementation.

Cumulative Impacts

The analysis determined that the proposed project would not result in any significant adverse impacts on local utilities. As a result, no significant adverse cumulative traffic impacts are anticipated.

Mitigation Measures

The analysis determined that the proposed roadway improvement project would not result in any significant adverse impacts on utilities. As a result, no mitigation is required.

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4.0 Conclusions

4.1 Findings

The following findings can be made regarding the mandatory findings of significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

- The approval and subsequent implementation of the proposed project *will not* have the potential to degrade the quality of the environment, with the implementation of the required mitigation measures included herein.
- The approval and subsequent implementation of the proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals, with the implementation of the required mitigation measures included herein.
- The approval and subsequent implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity, with the implementation of the required mitigation measures included herein.
- The approval and subsequent implementation of the proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly, with the implementation of the required mitigation measures included herein.

In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Moreno Valley can make the following additional findings:

- A mitigation reporting or monitoring program will be required;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include the required mitigation measures and standard conditions; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigations adopted as part of the decision-maker's final determination.

4.2 Mitigation Measures

The following mitigation measures will be effective in reducing potential air emissions related to grading and construction activities:

Mitigation Measure 1 (Construction Emissions). The grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing any pertinent Best Available Control Measures. The contractor(s) will be required to submit a fugitive dust control plan that must be approved by the project engineer. The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.

Mitigation Measure 2 (Construction Emissions). The contractors must adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.

The following mitigation measures will be implemented as a means to further control pollutants entering the storm drain system:

Mitigation Measure 3 (Storm Water Runoff). The contractors shall submit a Storm Water Management Plan/Water Quality Management Plan to the city utilizing Best Management Practices to control or reduce the discharge of pollutants to the maximum extent practicable. The Storm Water Management Plan/Water Quality Management Plan shall be prepared by the contractors and submitted to the Public Works Director for approval in accordance with the city's approved Best Management Practices Ordinance prior to the issuance of a grading permit.

The following mitigation measures will ensure that both construction-related noise does not significantly impact adjacent land uses in the area:

Mitigation Measure 4 (Short-Term Noise). The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays. (note, Caltrans may require alternate hours as a means to reduce traffic disruption.)

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4.3 Mitigation Monitoring

The monitoring and reporting on the implementation of the required mitigation are identified in Table 4. The designated representatives (building contractors, soils engineers, etc.), shall be responsible for carrying out and ensuring the implementation of the required mitigation. The mitigation must be completed to the satisfaction of the City.

Table 15
Mitigation Monitoring Program

Required Mitigation	Enforcement Agency	Monitoring Phase
Mitigation Measure 1 (Construction Emissions). The grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing any pertinent Best Available Control Measures. The contractor(s) will be required to submit a fugitive dust control plan that must be approved by the project engineer. The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.	Public Works Department	During construction phases
Mitigation Measure 2 (Construction Emissions). The contractors must adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.	Public Works Department	During construction phases
Mitigation Measure 3 (Storm Water Runoff). The contractors shall be required to submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.	Public Works Department	Prior to the issuance of a grading permit.
Mitigation Measure 4 (Short-Term Noise). The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays. (note, time limits must be noted on contractor's specifications.)	Public Works Department	During construction phases

Source: Blodgett/Baylosis Associates, 2008

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5.0 References

5.1 Prepares

BLODGETT/BAYLOSIS ASSOCIATES
16388 Colima Road, Suite 206C
Hacienda Heights, California 91745
(626) 336-0033

Marc Blodgett, Project Manager

5.2 References

Bugliarello, et. al., *The Impact of Noise Pollution*, Chapter 127, 1975.

California Administrative Code, *Title 24, Energy Conservation*, 1990.

California Department of Conservation, *Mineral Land Classification of the Riverside County*, 1987.

California Department of Conservation, Division of Oil, Gas and Geothermal Resources, *Regional Wildcat Map 101*, 1990.

California Division of Mines and Geology, *Seismic Hazards Mapping Program*, 1999.

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California, State of California Public Resources Code Division 13, *The California Environmental Quality Act. Chapter 2.5, Section 21067 and Section 21069*.1998.

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Moreno Valley, City of. *Zoning Ordinance*. As amended 2008.

South Coast Air Quality Management District, *CEQA Air Quality Handbook*, 2004 (as amended).

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U.S. Bureau of the Census, *2000 U.S. Census*, 2001.

U.S. Geological Survey, *Evaluating Earthquake Hazards in the Los Angeles Region - An Earth Science Perspective, USGS Professional Paper 1360*, 1985.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: March 23, 2010

TITLE: AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION -- PROJECT NO. 11-43472527

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services.

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

BACKGROUND

The proposed fire station site, occupying approximately 1.5 acres, will be constructed at the northeast corner of Cottonwood Avenue and Morrison Street. This site was acquired through a land transfer between the City and the Moreno Valley Community Services District via City Council action on June 23, 2009.

On June 10, 2008, the City Council awarded an agreement for design professional consultant services for the Cottonwood Fire Station. The City Council also authorized the selected consultant to design future Fire Station Nos. 65 and 107 (Morrison Park) based on a qualification-based selection process subject to funding availability, fee negotiations with the preferred consultant, STK Architecture, Inc, and City Council approval.

In approving the FY 09/10 Capital Improvement Project (CIP) budget, the City Council reappropriated funding for various fire stations, allowing the Fire Department additional time to reanalyze its coverage area to size a fire station and locate it at the most effective location

On February 8, 2010, the Fire Chief presented a request to and received concurrence from the Public Safety Subcommittee for design and construction of the Morrison Park Fire Station.

DISCUSSION

On June 10, 2008, the City Council authorized the award of agreement for design professional consultant services for the Cottonwood Fire Station. In July 2008, City staff initiated the preliminary level design process and progressed through the design development phase (approximately 35% completion level) at an approximate cost of $139,000. That work was completed in October 2008, and further work was deferred to allow the Fire Department to perform a revised response time coverage analysis. The design documents have been archived for future use. The general floor layout of a three-bay fire station is such that it can be reused at different locations. The Cottonwood Fire Station floor plan is considered acceptable generic design for a typical three-bay fire station and can be adopted for two-bay fire station with minor modifications.

The Morrison Park Fire Station will be a two-bay fire station and, therefore, will use a modified floor plan layout. In addition the design consultant will reduce sleeping quarters by two rooms and add a sleeping room attached to the Battalion Chief's office, including examining the possibility of relocating the Battalion Chief's office and sleeping quarter to the left of apparatus bay towards front of the building as recommended by the Fire Chief. The design will develop low maintenance landscaping to curtail future maintenance costs.

Funding for the Morrison Park Fire Station was made possible through the issuance of Redevelopment Tax Allocation Bonds in November 2007. On January 13, 2009 City

Council approved the reprioritization of projects as presented by the Economic Development Director in his report entitled "Reprioritization of Capital Projects to be Funded by the 2007 RDA Bonds" wherein a request was made to build the Morrison Park Fire station rather than the Cottonwood Fire station based on the revised response time coverage analysis performed by Fire Department. $6.5 million of RDA Series A tax exempt bond funds were reallocated from the Cottonwood Fire Station to the Morrison Park Fire Station. It was also recommended and concurred by Fire Chief that the Morrison Park Fire Station design work be deferred until the later part of FY 2009-10. Based on the anticipated schedule, this fire station will be ready to serve the surrounding community by September 2012. Operational funding for the fire station is anticipated to be available in FY 2012-13 and beyond.

City staff has negotiated the fee with the design consultant, STK Architecture, Inc., for architectural and engineering design (A&E) and construction contract administration services. The negotiated fee reflects appropriate cost savings for reuse of the design documents prepared for the Cottonwood Park Fire Station. The consultant's design documents will adopt, with minor site-specific modifications, the floor layout from Cottonwood Fire Station, elevations and other details, reducing the size of Morrison Park Fire Station from 10,595 sq. ft. to 9,750 sq. ft. The consultant will provide A&E and construction contract administration services during the design, bid and award period and the construction phase. They will also oversee the procurement and installation of furniture and furnishings, occupancy-related activities, inspection services, contract close-out activities, and the one-year warranty/guarantee walk and associated activities.

ALTERNATIVES

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services; authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. in the form attached hereto; authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91722; and authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney. *This alternative will facilitate the construction of needed facilities.*

2. Do not approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services; do not authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. in the form attached hereto; do not authorize the issuance of a Purchase

Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91722; and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney. *This alternative will result in the delay of needed facilities.*

FISCAL IMPACT

The project will be funded using 2007 Redevelopment Agency Tax Allocation Bond Series A proceeds (Fund 897) that were specifically allocated for the design and construction of the Morrison Park Fire Station. These funds must be used for their intended purpose and cannot be used for operational activities. There is no impact to the General Fund.

Approximately $345,000 will be utilized by the design consultant to complete the construction bid documents as part of the design phase. The remaining $351,000 will be utilized for support during the construction and project closeout phases.

AVAILABLEBUDGET

Fiscal Year 2009/2010 (Fund 897.91729)	$6,349,000
Total Funding	**$6,349,000**

ESTIMATED PROJECT COSTS

Final Design/Environmental Assessment/Const. Administration Services (including 10% contingency)	$ 766,000
Inspection, Testing, Geotechnical, and Survey services	$ 177,000
Communications (Riverside County IT services)	$ 50,000
Construction (including furniture and furnishings)	$5,200,000
Administrative Costs (permits, utility fees, Plan Check staff, misc.)	$ 156,000
Total Estimated Project Cost	**$6,349,000**

PRELIMINARY PROJECT SCHEDULE

Design Phase	April 2010 - March 2011
Bid and Award	April 2011 – June 2011
Notice of Construction Award	July 2011
Begin Construction	August 2011
Complete Construction	August 2012
Occupancy	September 2012

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Staff recommends the City Council approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. for Morrison Park Fire Station and authorize the issuance of a purchase order in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties for final design and construction- and occupancy-related activities.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for Design Professional Consultant Services

Prepared By:
Jack Shah, R.A., M.S. (Civil)
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/
City Engineer

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

Concurred By:
Steve Curley
Fire Chief

Concurred By:
Barry Foster
Economic Development Director

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

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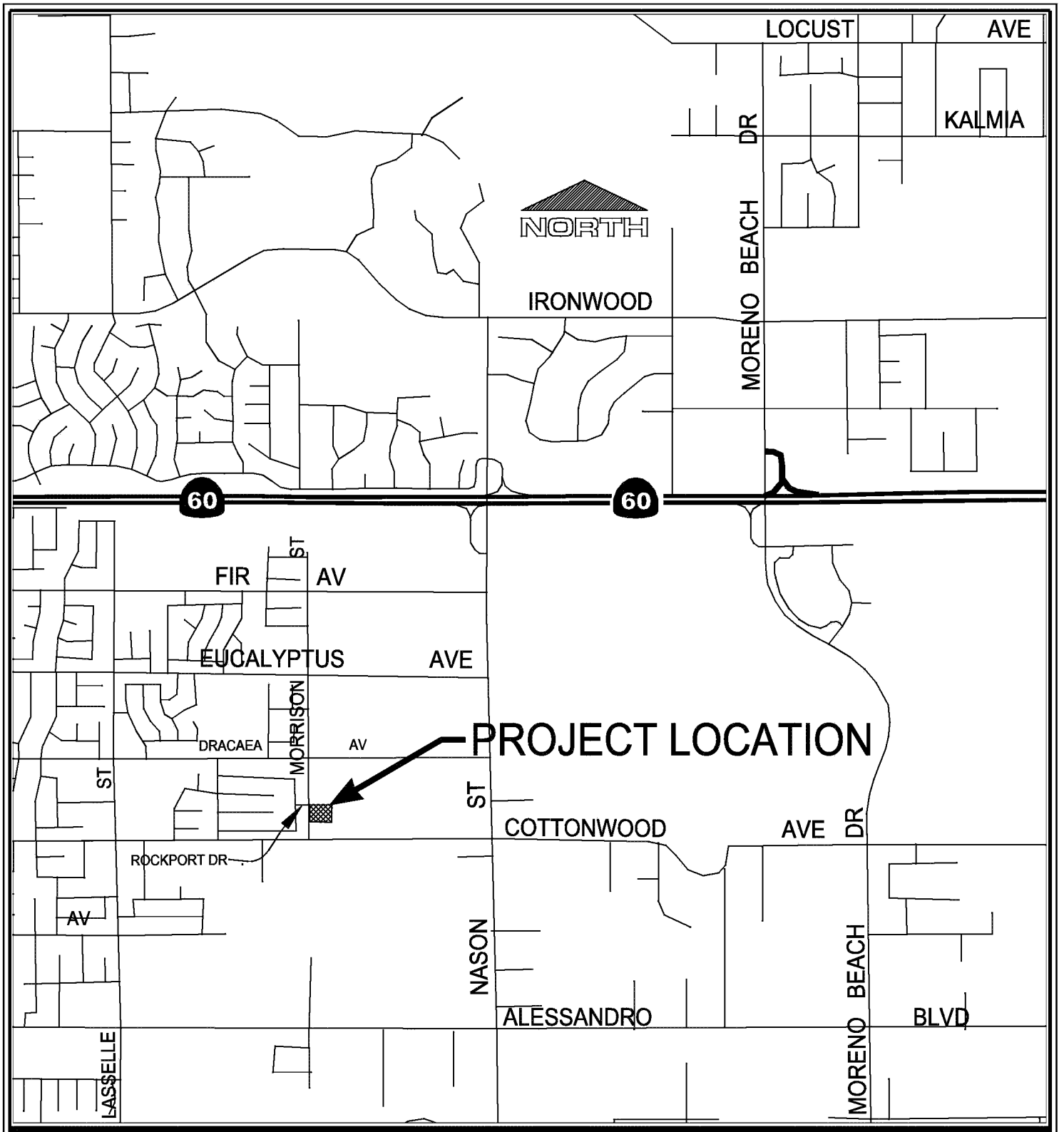

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

Morrison Park Fire Station

MV00047822

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 11-43472527

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and STK Architecture, Inc., a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 11-43472527

DESCRIPTION OF PROJECT

1. The Project is described as professional consultant project management, design, and construction contract administration services for:

Morrison Park Fire Station

Project No. 11-43472527

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $696,273 in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **October 30, 2013** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10 (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the

Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with all applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant,

its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA and CDS, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or

employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

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	General Liability
Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property

Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

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(g) The City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Community Redevelopment Agency, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are legally employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his/her designated representative, immediately upon request in both hard copy and electronic format, all documents, drawings, models, presentation materials, renderings, calculations, specifications, permits and permit-related documents, surveys,

materials tests, geotechnical reports, etc., if available, developed to date for the City's project and any other City-provided documents, which shall become the property of the City. The Consultant may retain for its files, at its expense, copies of any and all materials, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project. The City reserves the right to ask for a hard copy and/or an electronic copy of the documents developed to date at any time during the period of this agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any, for professional services related to the City's project.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without cause on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not

intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his/her designated representative, in both hard copy and electronic format, all documents, drawings, models, presentation materials, renderings, calculations, specifications, permits and permit-related documents, surveys, materials tests, geotechnical reports, etc., if available, developed to date for the City's project and any other City-provided documents, which shall become the property of the City. The Consultant may retain for its files, at its expense, copies of any and all materials, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any, for professional services related to the City's project.

(d) The City agrees to hold the Consultant harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours

upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. Subject to the provisions of Section 19 (a) above, all plans, drawings, specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon demand by the City, be delivered to and become the property of the City for the limited use as set out above, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 11-43472527

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

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

STK Architecture, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments:
Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

REQUEST FOR PROPOSAL (RFP)

FOR PROJECT MANAGEMENT, ARCHITECTURAL AND ENGINEERING (A&E) DESIGN AND CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR A) FIRE STATION No. 110; B) NEIGHBORHOOD PARK; PROJECT NUMBERS ARE: A) 897.91722; B) 897.91723;

AND

REQUEST FOR QUALIFICATIONS (RFQ) FOR A 3 BAY (TYPICAL) FIRE STATION FACILITY FOR THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION

I. INVITATION

You are invited to submit Proposals for:

1) Fire Station 110 and Neighborhood Park

The Consultant shall provide a separate detail work proposal for Fire Station 110 and Neighborhood Park (both be located at the northeast corner of Indian Street and Cottonwood Avenue) which includes, but not limited to, in the following sections:

A) **Project management services** during Design Phase

B) **Design services** including preparation of Plans, Specifications, and Estimate (PS&E) - a complete Bid documents set (one bid document set for each facility, independent of each other and self supportive such that it can be advertised for construction, separately, at different times (if preferred by the City) for the construction of the facilities. Include design support during advertisement activities for each of the facilities to receive competitive bids and Design Support during Construction Phase

C) **Construction Management (CM) services.**
Consultants may propose for the facilities A and B or either one of the facility. Project management, Design services, and CM services segments, described above, for each of the facility may not be separated. Consultant will be required to prepare separate bid documents for the construction of facilities "A" and "B" construction contracts.

2) Request for Qualifications (RFQ) for a 3-bay Fire Station/s

Since no specific site/s for the additional 3-bay Fire Station/s has been established, the consultant shall provide a detailed description of their qualifications. The qualification shall include the consultant/s ability to provide section a, b and c services described above.

Exhibit "A"

An optional pre-proposal meeting will be held on Monday, March 17, 2008, from 10:00 a.m. to 11:00 a.m. in the Council Chambers at the Moreno Valley City Hall, 14177 Frederick Street, Moreno Valley, CA 92552-0805.

Seven (7) copies (one of the copies shall be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk) of your "Proposal" and Seven (7) copies of the "Qualifications" shall be submitted no later than **5:00 p.m., March 24, 2008** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: **Jack Shah, R.A., M.S. (Civil), Consultant Project/Program Manager.**

II. GENERAL PROJECT DESCRIPTION

1) RFPs:

The Consultant shall provide Project Management, A&E Design and Construction Management Services for the facilities A and B. Facilities A and B work includes, but not limited to, the Plans, Specifications, and Estimate (PS&E) - a complete Bid documents set (one bid document set for each facility, independent of each other and self supportive such that it can be advertised for construction, separately, at different times (if preferred by the City) for the construction of the facilities. The proposal must include design support during advertisement, bidding and construction contract award period for each of the facilities and Design Support during Construction Phase and Construction Management (CM) services.

The contract award will be separated for the Facilities A and B. Release of work effort will take place in the following segments: a) Design Services -PS&E work; b) Design Support During advertisement, bidding and construction contract award, c) Construction Management, and Design Support during Construction and preparation of As-Built documents and d) efforts associated with Warranty/Guaranty period. Deliverables will be further subdivided into several phases. They are, Phase 1- Conceptual Design Level – approximately 15% completed design, Phase 2 – approximately 35% completed design, Phase 3 – approximately 65% completed design, Phase 4- approximately 95% completed design, and Phase 5 – 100% completed bid documents including completed plan check and ready for bidding. The consultant will prepare a schedule to meet the above stated deliverables. The City will release payments only upon successful completion of the above phases of work. The consultant will not be allowed to invoice the City for components of work outlined in the later stages of the PS&E phase in the preceding phase.

The City has no obligation to award Facilities A and B concurrently or to the same consultant. In addition the City reserves the right to cancel this contract after completing

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work authorized within a particular segment (enumerated above) or Phase and advertise and/or award the contract to other consultant to continue the design and/or CM contract activities.

A Fee Proposal and the Resource Allocation Matrix are NOT REQUIRED with the initial RFP submittal. The short listed consultants will be asked to visit the other similar project sites prior to the interview. A fee proposal along with the Resource Allocation Matrix, from the first two highest ranked consultants, will be required within two working days after the interview, ranking, and notification to the consultants. The fee proposal and the resource allocation matrix shall be delivered to the City's Consultant Project Manager in a sealed envelop and shall be separated for the Facilities A and B. **It is imperative that the consultant fees for the Facilities A and B are separated for a) Design Services - PS&E work; b) Design Support During advertisement, bidding and construction contract award, c) Construction Management, and Design Support during Construction and preparation of As-Built documents and d) efforts associated with Warranty/Guaranty period. Fee for this effort should be per hour cost efforts.**

2) RFQ:

The qualification shall include the consultant/s ability to provide Project Management, A&E Design and Construction Management Consultant Services. The consultant shall have experience in designing fire stations and ability to manage, concurrently, more than one fire stations project management, design and/or construction management. To qualify for consideration of future contract award/s, the consultant must have designed a minimum of two (2) Fire Stations in last five years and a minimum of five (5) Fire Stations in the last fifteen (15) years. The Consultant must have a minimum of three (3) Fire Stations (from total of seven (7) enumerated above), been designed and constructed in the State of California.

Since no specific site/s for the additional 3 bay Fire Station/s has been established, the consultant shall provide a detailed description of their qualifications. The qualification shall include the consultant/s ability to provide segments i, ii, and iii services described above (identified under "Invitation".

No fee proposal is required for the above activity but the consultant shall be asked to submit a fee proposal, in future, when the City determines to proceed with the one or more project.

The selection of the "Qualified firm/firms (one or more but no greater than three) consultant will be valid for five years from the date of selection. The consultants will not be ranked. The City reserves the right to select any one of the three consultants for the Project Management, Architectural and Engineering (A&E) Design and design and Construction Management consultant services for one or more Fire Station projects.

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III. PROJECT BUDGET AND SCHEDULE

BUDGET

The City of Moreno Valley has Lease Revenue Bonds funds for the design and construction of the facilities A and B. The City has not established funding for the 3 Bay Fire Station/s. The Bond fund mandates specific funding constraints in forms of milestones for invoicing and expenditures of funds.

SCHEDULE

The Consultant shall be required to meet or exceed the following schedule for these projects:

Facility A:

Bid Documents ready for advertisement for a competitive construction bids for the Facility A – Fire Station 110 must be completed within twelve (12) months of contract award date. A typical Bid and Award Phase is approximately four (4) months and the construction is anticipated to be completed within fourteen (14) months of contract award date.

Facility B:

Bid documents ready for advertisement for a competitive construction bids for the Facility B – Neighborhood Park must be completed within nine (9) months of contract award date. A typical Bid and Award Phase is approximately four (4) months and the construction is anticipated to be completed within eight (8) months of contract award date.

Facility A

Notice to Proceed:	May/June, 2008
Bid documents ready for Advertisement:	July, 2009
Advertisement and receipt of bids:	Sept., 2009
Construction Contract Award:	Nov., 2009
Construction:	Nov., 2009 to Jan., 2011

Facility B

Notice to Proceed:	May/June, 2008
Bid documents ready for Advertisement:	April, 2009
Advertisement and receipt of bids:	June, 2009
Construction Contract Award:	July, 2009
Construction:	Aug., 2009 to April, 2010

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IV. SCOPE OF SERVICES

The City is requesting firms to provide Project Management, A&E Design, and Construction Management Consultant Services for the facilities A and B.

The facilities A & B will be located at the City owned parcel at NE corner of Cottonwood Avenue and Indian Street. Detailed sub-division of the parcel of these two facilities is included in the project scope. Consultant shall work with the City to sub-divide the lot for Facilities A and B. The Consultant will be required to prepare periodic reports for Council Study Sessions during the course of the design development and Staff Reports for the Council Meetings for approval of the construction contract awards. A Council Study Sessions are scheduled 3rd Tuesday of each month except in the months of July and August and Council Meetings are scheduled 2nd and 4th Tuesday of every month.

IV.1 Facility A: Fire Station No. 110

1) GENERAL INFORMATION

A Draft Architectural Program/Space Plan has been developed by the City and has formed the base-line intent for the function of the new facility. (A sample site layout and Fire Station Building layout are attached for information only – please see Exhibit "B" and "C" attached):

FIRE STATION

Reception/Dispatch Office
Office
Dormitory
Restrooms (Men's and Women's)
Kitchen
Dine/Lounge
Shop/Storage
Apparatus Room
Halls/Circulation
Lockers, equipment at Apparatus
Public Restroom(s)
Conference and/or Training Room

The following are presented as minimum requirements. The requirements will be reviewed at initial design meetings and during design development phase.

Plans shall be prepared showing all details and notes required to provide the contractor with sufficient clarification and information to construct the project to the intended design. Specifications shall be in accordance with City standards with all referenced building standards defined in a supplemental manual.

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Any items specified in this outline shall be confirmed to be locally available within the specified project construction schedule. Any long lead items need to be clearly identified as such and duly noted in the contract documents.

a) Station Area: Fire Station #110

Fire Station #110 as well typical Fire Station shall be a three bay, 16 personnel, approximately 9,000 sq. ft. building.

b) Crew Size

Fire Station will accommodate a crew of 16 personnel, including, but not limited to, the following:

i) One Fire Captain
ii) One Fire Engineer
iii) Four Fire Fighters
iv) Two Medics / paramedics
v) One Battalion Chief

c) Fire Apparatus Vehicles

The following fire apparatus/vehicles will be typically assigned to a Fire Station.

i) One Triple Combination Pumper:

Length:	30.5 Feet
Width:	10.0 Feet
Turning Radius:	52.0 Feet
Weight	40,000 (approx.) Pounds

One Aerial Ladder Truck

Length:	40.0 Feet
Width:	10.0 Feet
Height:	12.0 Feet
Turning Radius:	Varies on Apparatus, up to 65' radius
Weight	60,000 (approx.) Pounds

ii) Two miscellaneous vehicles (e.g., BC vehicle, ambulance, brush rig, or utility vehicles).
iii) Approaches and driveways shall not exceed 5% grade.

d) Communications and Paging System.

i) Two-horn type paging speakers located on both sides of the Apparatus floor.

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ii) Speakers in all rooms, Restroom, and showers.
iii) An in-house telephone paging system meets the requirements of the Communications and Electrical Division.

iv) A quick dial 9-1-1 horn. Phone housed in an ADA approved and positioned red weather box, with "EMERGENCY 911" noted on the exterior of the box located on the exterior of the station, near the public entrance.

e) Security

i) Security fencing/wall and an electrically operated rolling gate at a minimum of 6' above grade.
ii) Electrically operated rolling gates with key pad and remote switch capability in station using Delta III controller-receiver and a metal guidance track, mounted in concrete, that will guide the gate to its predetermined closure point every operation and safety loops.

2) FIRE STATION – INTERIOR

a) Lighting

i) General illumination, energy efficient office type lighting. Extreme Performance T-8 fluorescent fixtures, with electronic ballast system; with cool white bulbs or new generation energy efficient systems approved by the fire department.

ii) Natural lighting, including windows and skylights, whenever possible.

iii) Energy efficient lighting systems designed according to location and use, such as Apparatus area, Kitchen and Sleeping areas.

iv) Night lighting system in hallways and Apparatus Room.

b) Doors and Windows

i) Exterior windows shall be high quality, noise-reducing, dual glaze, temperature efficient designs, and UV protected. Windows shall be operable.

ii) Exterior doors shall be 3' x 7', metal and hang on metal frames.

iii) Interior doors shall be an exterior grade, solid wood-staved core, Birch skinned, 3' x 7', and swing in the direction of the Apparatus floor area, except all doors entering into a hall will open in.

iv) Panic hardware required on interior doors leading directly into the Apparatus area.

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v) Locks and latch sets are NOT to be utilized on interior doors that lead to sleeping areas (except as may be required by code).

vi) Lock sets shall have 7 (seven) pin Best cores on all locking doors.

vii) Doors leading to Restrooms, Apparatus Room, and the exterior of the station shall have mechanical closures.

viii) Stainless steel push plates and kick plates on all doors.

c) Floor and Window Coverings

i) Commercial grade carpeting for Officers' Room(s), Sleeping areas, Hallways, and Day Rooms. Carpet shall be Lee's Faculty IV or equal, 26 oz yarn weight and 77 oz total carpet weight, with uni-bond backing.

ii) Kitchen and Restrooms shall be tiled.

iii) Watch Rooms and Dining areas may be tiled or industrial vinyl.

iv) Exterior windows are provided with vertical blinds or 1" metal mini-blinds.

d) Walls and Ceiling Surfaces

i) Restrooms, Kitchen, Storage Rooms, Weight Room, Work Room, Communication Room, and Apparatus Room are painted with 100% acrylic semi-gloss finish.

ii) Ceiling are drywall at Restrooms, Kitchen, and Apparatus Room, other areas may have drop ceiling as appropriate. Apparatus ceiling shall be enclosed with drywall and insulated.

iii) All outside hall corners with corner guards installed with clear plastic, and use of stainless steel guards in Apparatus Room.

e) Central Air Conditioning/Forced Air Heating

Central air conditioning and forced air heating (ground mounted) in living areas to maintain 68-72 degrees temperature.

f) Fire, Smoke, Carbon Dioxide Detectors and Sprinkler System

i) Fire, smoke, and carbon dioxide detectors as required by the Uniform Building Code for Group B occupancies.

ii) Complete automatic fire sprinkler system per existing code.

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iii) Sprinkler alarm is capable of being connected to a central monitoring station.

g) Cable TV Wiring

Fire Stations will be wired and connected with cable television. Outlets located in the Day Room, Kitchen, Personnel Dorm Rooms, and Weight Room.

3) FIRE STATION – EXTERIOR

a) Exterior design, materials selection, and features are to be designed to match and reflect architectural style of the neighborhood and surrounding community. Consultant shall develop the design and the architectural style which must be reviewed and approved by the City's Planning Department, City's Planning Commission and the Council.

b) No landscaping within 3' of the exterior of the Fire Station. Positive drainage away from the station.

c) Exterior 3' X 7' metal doors with metal frames, except front entry door, which may be storefront type or patio doors if approved by Fire Department.

d) Lock sets with 7 (seven) pin removable cores.

e) Doorbells that ring in Day Room, Dormitory, Hallway, and Apparatus Rooms are installed on both front and rear exterior doors, with different tones for each.

f) The exterior are finished in stucco, with expansion joints and reveals to meet or exceed code and detailed on drawings. The stucco finish shall not have a heavy texture. After color coat, the building is to receive a fog coat in uniform color and finish and a stucco sealer.

g) Flat roofs are NOT acceptable.

h) Sloped roofs can be standing metal; seam systems, or concrete tile.

i) Rain gutters, a separate unit and independent of the other roof systems. Rain gutters must be able to be removed and replaced without compromising the integrity of the roofing, flashing, or building finishes. Gutters shall be designed, sized, and installed in manner to catch water shed. Internal roof drains are not acceptable.

j) Hose bibs provided at each side of the Apparatus Room, the Patio, and at each corner of the building as needed, at 75' intervals and at the trash enclosure.

k) Hose drying ramp, 6' x 50' sloped at ¼" per foot. Ramp to be surrounded on all sides with a 3' walk.

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l) Private Vehicle Parking Areas Driveways, and Security Fencing

i) A private parking area for two (2) parking spaces per assigned crew.

ii) Employee parking area with a 6 ft high vinyl-coated fence or concrete block wall. The gate shall be a rolling type, electronically controlled by code pad and Linear remote.

iii) An unfenced visitor parking for two visitor spaces, and one ADA compliant space near the front door.

m) All outside paved areas shall be of 8 inch, 4,000 psi concrete, designed to accommodate heavy equipment. All concrete shall be positively sloped for drainage and catch basins.

n) Outside Lighting

i) Outside lighting, with a timer, as needed to illuminate the general surrounding area of the Fire Station.

ii) Crew parking area with energy efficient fixtures, with cost-effective replacement bulbs, controlled by photocell in series with a switching ability.

iii) Working lights at the front and rear of the Apparatus Room. The fixtures are controlled with individual switches.

iv) A red light located near the entrance of the Fire Station. The light is controlled with a photocell.

v) Two lights to illuminate the flagpole. These are controlled by a photocell, in series with a switch.

o) Landscaping:

i) Low maintenance, drought-tolerant landscaping, with irrigation systems and automatic timers.

ii) Irrigation with a separate meter.

iii) Landscaped areas with drainage away from the building and off the lot.

p) Fire Station Signs: The Fire Station signs to be approved by the Fire Department.

q) Address characters are minimum of 6" high, visible from the street, and illuminated.

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r) Flagpole: 30' ground-mounted aluminum flagpole, capable of accommodating a 4' x 6' flag.

s) Mailbox: Mailbox in accordance with Postal Service requirements. When a mail slot is provided in a door or through an exterior wall, the access door cover must cover the entire mail slot opening and open outwardly. If require by Postal Service to be located on the street, box shall be lockable and watertight.

t) Fire Hydrant: Fire super hydrant shall be positioned near the driveway at the front of the Fire Station.

4) APPARATUS ROOM:

i) Apparatus Room shall have drive-through stalls and shall provide 3 (three) bays as required by size of crews and will be defined in design development. Bays shall be a minimum 70' in length unless otherwise approved.

ii) Apparatus area shall be capable of housing 3-6 vehicles, including any combination of the following:

(2) Triple Combination Pumpers (1 for front line, 1 reverse)
(1) Aerial Ladder Truck
(1) Brush Rig
(1) Ambulance
(1) Battalion Vehicle
(1) Utility Vehicle

iii) Apparatus Room shall be provided with passive ad positive ventilation.

iv) Apparatus room shall be constructed without columns in the open space area.

b) Overhead doors shall be provided at the front and at the rear of the Apparatus area, for each bay.

i) Doors are to be individual for each Apparatus – One single large door shall NOT to be used.

ii) Apparatus door dimensions are: 14' H x 14' W.

iii) Apparatus doors are overhead coiling and electrically-operated type. Each door shall have a separate electric eye and pneumatic safety device to prevent contact with fire apparatus.

iv) Doors are to be able to be operated with push buttons located by each door, and radio-controlled with a controller receiver on or about the door.

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v) Buttons shall have open, stop, and close positions.

vi) All doors shall be wired to the emergency electrical circuit to facilitate continuous operation.

vii) Doors are to be factory finished, with powder coating.

viii) Apparatus door shall have a manual override, enabling the door to be opened manually in 1.5 minutes.

c) Apparatus Room floor is to be 8", 4,000 psi reinforced concrete.

d) Apparatus Area Walls/ Wall Space

i) 10' x 10' smooth finished wall surface shall be provided for a district map. Two 4' fixtures in line fluorescent light with two tubes shall be provided over the map area, and switched next to the map.

e) Exhaust Extraction System

i) Adequate separation between the Apparatus Room and the living area shall be provided to prevent the transmission of Apparatus exhaust from the Apparatus area to the living areas of the station.

ii) Mechanical ventilation shall be provided for the Apparatus area with direct hookups to the Apparatus exhaust pipe removing 100% of engine exhaust to the outside of the station.

iii) Ventilation system shall be automatically actuated and have the ability to provide drive through or back in operation.

iv) Ventilation System shall be Plymovent or approved equal System.

f) Lighting shall be provided between each stall. Fire Department selected lights shall remain on at all times. Remaining lights to be switched on or automatically come on when the paging alert system actuated.

g) Drop cords shall be provided on the driver's side of each vehicle. Each drop is to be on its own circuit.

h) Electrical outlets along all walls spaced at 12' intervals, on walls between Apparatus doors.

i) A compressor capable of 150 psi, Ingersol-Rand 2475N5 with starter or approved equal), shall be installed and plumbed to provide access to designated areas of the Apparatus Room.

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5) SPECIALIZED ROOMS/AREAS (WASH ROOM, WORK ROOM, ELECTRICAL ROOM, MECHANICAL ROOM, LOCKER ROOM WEIGHT ROOM AND COMMUNICATION ROOMS)

a) Wash Room shall contain a washer and dryer, deep sink, shower area, and hose bibs.

i) Wash Room finish shall be tiled with a central floor drain.

ii) Wall-mounted deep sink is to be provided in this area.

iii) Washer and dryer area shall have hot and cold water and a drain for a residential washer. The dryer area shall be capable of being gas or electric and be vented to the exterior.

b) Work Room

i) Work Room shall be directly adjacent to the Apparatus area.

ii) 30" x 8' work bench constructed with a solid, 1½" hardwood top shall be provided. A storage base cabinet and drawers on heavy duty glides be provided below the work bench. Upper cabinets shall be provided. A space shall be allowed for mounting a vise on work bench top.

iii) Work Room must be large enough to allow for vertical storage of two 55 gallon drums.

iv) Floor drain is to be installed in this area.

c) Water Room: Commercial quality separate area for water heater system to be provided.

d) Electrical Room: An electrical room to be located such to allow access by SCE and the phone company.

e) Offices:

(1)	Battalion Chief	15' x 14'
(1)	Office	15' x 14'

Additional Offices, if needed and requested by the Fire Dept.:

(1)	Chief	12' x 12'
(1)	Hazmat	12' x 12'
(1)	Prevention	12' x 12'
(1)	Investigation	12' x 12'
(1)	Staff Analyst	12' x 12'

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Training Room

i) 17' W x 25' L for 20 personnel.

ii) 8' x 8' Projection wall.

f) Locker Room: A Locker Room shall be provided to house the required number of lockers for the crew size. The room shall be vented to the exterior and enclosed with doors.

i) 33 lockers for 11 crew members or 36 lockers for 21 crew members.

ii) Lockers, without legs, are to be installed on concrete housekeeping pads.

iii) Lockers are to be heavy duty, non-rusting, 45% ventilated metal lockers, 18" x 21" x 72"; 16 gauge steel, flat tops, bottoms and sides; 14 gauge steel doors with recessed handles with padlock attachment, and space for name tag. The lockers shall have a shelf at the top and three (3) each paired hooks, one on each side and one on the back.

6) FIRE STATION LIVING AREA

a) Watch Room/Reception Area: The watch Room to be approximately 10' x 15', large enough to provide for the following:

i) Two built-in standard 30" x 60" desks, with two swivel chairs.

ii) Counter space for a computer terminal 23" W x 15" D, a printer 4.7" H x 15½" W x 12" D, and a facsimile machine 12" x 18".

iii) Space for three legal size 5-drawer built–in file cabinets.

iv) Built-in wall mounted 48" x 36" four shelf lockable bookcase/storage spaces.

v) Electrical outlets for computer, printer, fax machine, and table top cable grommets in locations near work stations.

vi) 1.5" conduit for four (4) phone/data lines; two (2) phones, one for a computer, and one for a fax.

vii) Counter near the front entry.

viii)Window for Public.

b) Main Entry Door: Main entry door and entry area located next to the Watch Room/Office with an ADA accessible Restroom adjacent to this area.

c) Day Room: Day Room with large chairs for total crew assigned to the station.

i) 4' X8' Wall mounted Dry-Erase Board with a bottom shelf.

ii) 3' X 6' Wall mounted Bulletin Board.

iii) 4" X 6' built-in bookcase. Shelves with 1 ¼" adjustable edge facing on the front.

iv) Built-in cabinet with a space for a 52" TV and video cassette recorder, with access to a double duplex outlet. Unit to be designed with the book shelving.

v) Carpeted floor area.

d) Kitchen and Dining Area

i) Kitchen and Dining Rooms may be designed together or considered separate. The dining area shall be 15' -20' x 20-25' and the Kitchen shall be 14-16' x 16-20'. If the two are to be open to each other, sufficient wall space be considered to allow adequate cabinets for storage.

ii) Porcelain tiled flooring.

iii) Cabinet Space/Storage Space:

(1) Cabinets shall be WIC custom grade.

(2) Sides, bottoms, backs, and doors are to be ¾" exterior glue plywood Formica laminated on all exposed sides. The top is to be plastic laminate counter top. Shelves shall be ¾" exterior rated ply covered on both sides with laminate, edge faced with 1¼" banding and be adjustable. No particle board with melamine.

(3) Doors are to be installed with SS Rockford Process Control hinges, 851 overlay brushed stainless steel. Pulls are to be stainless steel wire pull type.

(4) Cabinets exposed surfaces shall be plastic laminated material.

(5) Three separate pantries, 2' x 2' x 8' with adjustable shelves and individual lock and key for each.

(6) Cabinets with 12" deep shelving and electric microwave including electric hook-up over the Kitchen counter for dishes and food.

(7) 37.5" Counter tops with drawers on heavy duty glides.

(8) 18" X18" X 10" deep double sinks with 3-holes for faucet, spray accessory and filtered water spigot. Electrical outlets with stainless steel cover plates. Heavy duty (minimum ¾ horsepower) stainless steel garbage disposal.

(9) Electric and water lines for dishwasher.

iv) Wall and Floor Surfaces

(1) Semi-gloss 100% acrylic painted walls surfaces.

(2) 22 gauge type 304 brushed stainless steel wall surface adjacent to the range cooking surface, including the sides of the cabinets.

(3) Porcelain tiled flooring.

v) Refrigerators: Space, water supply, and electrical outlets and ventilation for three (3) 36" wide refrigerators.

vi) Gas Range and Oven: Space for a 48" wide heavy duty gas range and oven. The adjacent cabinets and rear wall to be covered in stainless steel.

vii) Range Hood:

(1) Stainless steel residential hood sized to extend 6" beyond each stove edge. 48" range with the hood compatible with BTU output of the provided range.

(2) Range hood to include two (2) lights; a two-speed, roof-mounted exhaust fan with a ¾ hp motor capable of proper DFM; and removable washable stainless steel filter screens. It shall conform to Health Code, UBC, UMC, and NEC as adopted by the City and County.

viii) Cabinet space and electrical outlet for a 1.5 cubic foot microwave over.

7) SLEEPING AREAS: All dimensions are in the clear.

a) The Battalion Chiefs' quarters are providing a 10' x 10' office separate from a 10' x 12' dorm area with an attached Restroom.

b) The Captain's Room is to be 10' x 12'.

c) The firefighters and medics are to have 10' x 10' room in the clear.

d) Sleeping areas shall be located to minimize disturbance when one crew is called to respond. Each room shall be insulated and have sound battens on adjoining walls.

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e) Lockers are to be provided in each Dorm Room.

i) Three lockers shall be located in each room.

ii) Provide a padlock key set master 60.

f) Lighting

i) Provide fluorescent wall-mount lighting above each bed, with individual control.

ii) The overhead lighting fixture is to be individually controlled from within each room.

iii) Provide an exterior window (when possible) to provide natural light.

iv) Wall-mounted adjustable television brackets shall be placed in each Dorm Room, with cable and electrical outlets provided.

8) BATHROOMS

a) Bathrooms will be provided that will accommodate separate male and female occupancy.

b) Provide a shower, a sink, and a water closet per each three (3) firefighters/medics (4 totals).

c) The showers shall be 36" x 40" minimum, in the clear, with individual drying enclosures which will be contiguous with their respective showers. The enclosure will have a folding seat and stainless steel frame, as Bobrick B5191, a double SS hook and a 24" towel bar, Bobrick B205. A shower rod, Bobrick B6047, with SS curtain hooks and shower curtain, Bobrick B204-2, will be installed. Showers are to be hot mopped. The tile at the shower area is to be epoxy grouted.

d) Lavatory sinks are to be mounted on 37½" cabinets, specified to match the Kitchen in quality, and to be epoxy grouted tiles on sealed wonder board or equal. The mirror will be constructed with a SS frame, as Bobrick B290; callout varies with size, minimum 2' x 2'. A liquid soap dispenser and paper towel holder as Waxie 850120-6301, a 24" SS towel bar will be installed, and SS shelf will be provided.

e) Floors are to have floor drains and be finished in tile. The walls are to have tile wainscot to 4'.

9) EXERCISE/PHYSICAL CONDITIONING AREA: An Exercise Room or Physical Conditioning area shall be provided in the Fire Station. This room shall be a minimum

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of 18' x 20" and be provided with a window (if possible), and have HVAC. The floors shall be covered with rubber matting.

10) STORAGE ROOMS: Provide two (2) mini storage rooms, both are to be 3' x 4'. One is to have a lock fitted door for medical supplies.

11) PATIO: Provide a private patio with a gas outlet and electrical outlet for a barbeque.

12) FUEL DISPENSING SYSTEM:

    a) Above ground 1,000 gallon fuel tank and pump shall be provided and shall comply with all current Federal, State, and County requirements.

    b) The fuel dispenser shall be located in a place with minimum visibility and access to the public.

    c) Provide a 20' retractable hose, which connects from the nozzle to the fuel dispenser. The nozzle shall have an automatic shut off feature.

    d) Provide an emergency shutoff switch in an approved location, clearly visible from the refueling area.

    e) Outside lighting shall be provided in the refueling area.

13) STAND-BY GENERATOR

    a) A diesel fueled standby generator shall be provided for continuous standby service and sized at 60 KW or other designated size by the fire Department.

    b) Fuel tank shall be integrated with the generator and have remote fill capability. Tank will be sized to provide 48 hours of operating run time and shall meet all applicable codes and regulations.

    c) A trickle charge shall be installed to maintain proper charge of generator batteries.

    d) The standby generator shall operate the following location as a minimum, overhead doors, all communications equipment including phones, alert monitors with amplifiers, kitchen appliance and refrigerators, minimum selected lighting throughout the station, fuel dispensing systems, various selected outlets throughout the station (emergency outlets shall be color-coded red and there will be a minimum of one per room), exhaust extraction system.

    e) The generator and its engine shall meet the most current Federal, State, County, and Local laws, regulations, standards, and codes. The engine shall be certified, and meet all State and Local EPA standards.

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14) GENERAL PLUMBING

a) Toilets shall be floor mounted, with water saving flush valves.

b) The Kitchen and Restrooms shall have floor drains with trap primers, Primers are to be solid brass or bronze, no plastic parts, and are accessed via inspection panels.

c) Hose bibbs on the building shall be installed with box housing and by key controlled type.

d) Plumbing walls should have 2" x 6" studs.

e) All hot water pipes are to be insulated.

f) Shower valves are to be Moen; posi-temp, Model L2382 and shower heads are to be Moen adjustable spray head.

g) Kitchen faucet is to be Chicago, hot and cold single wing handles, swing spout with hose and spray, Model 1102, or approved equal.

h) Lavatory faucets are to be single handle, Moen L4721.

15) GENERAL ELECTRIC

a) All exterior lights shall be energy conserving and time clock controlled.

b) Cost of replacement bubs will be considered in selection of fixtures.

c) Flexible conduit should only be used to connect motors and for layout of fixtures.

d) All receptacles ad switch boxes shall be 4" x 4" x 1½" mud rings.

e) Telephone systems; computer systems; radio communications; and cable television systems; shall be designed in the building development using conduit.

f) Computer systems shall be on dedicated circuits.

g) Use stranded conductors for all feeders and branch circuits.

h) All wall switches shall be commercial grade, heavy duty, 20 amp, 120v/277v; and duplex receptacles shall be commercial grade, heavy duty, 15-20 amp 120v/277v

i) Wall plates shall be non-breakable nylon or stainless steel.

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j) Use T-8 and other energy efficient fluorescent light systems wherever possible. No incandescent lamps.

k) Provide a wire marker on each connector in the pull panel, pull boxes, and junctions boxes. Label the inside of all cover plates and the junction boxes with the circuit number.

l) Connect all wiring device grounding terminals to an outlet box with bonding jumper.

m) Provide source protector (surge protection) for power entering the building.

16) TRASH ENCLOSURE: Adequate enclosed space shall be provided for trash and garbage containers. The enclosure dimensions shall be consistent with the latest development and water quality standards. The enclosure shall allow for regular and recycled trash bins.

IV.2 Facility B: Neighborhood Park

The following describes minimum project requirements for the Neighborhood Park Facility. City recommends that proposing Consultants may visit City's Celebration Park (a similar in design and features) located at Oliver Street and John F. Kennedy Drive. In addition, attached is Exhibit 'D' of the City's Rock Ridge Park as a sample design. City's expectations will be discussed during scoping meeting:

1) Entrance Structure (lumber and CMU) with open sides with a roof pergola.
2) 24-30 ft. wide driveway entrance gate, 6 ft. in height of tubular steel, galvanized, painted or power coated finish. Two piece gate on tracks and locking provisions. Walkway entrance gate of tubular steel. Design appropriate to neighborhood culture and community needs.
3) Tubular steel and CMU fencing.
4) Minimum 50 Vehicle Parking area with lighting and landscaping.
5) Children Play Area. Separate playground areas for children groups 2 to 5 and 5 to 12. Detailed design requirements to be provided during initial planning phase.
6) Water feature provided funding is available.
7) Walking trail – 10 ft. wide of either concrete or asphalt with appropriate lighting.
8) Male and Female restroom facility along with maintenance storage area, utilities equipment room, and cleaning supplies equipment room. Minimum two stalls each side. Electronic opening/locking device for restroom.
9) 2 – 36 ft. gazebos including concrete tables and benches.
10) Concrete benches.
11) Grassy knolls.
12) Landscaping of approved plant/tree/other landscape materials.
13) Possible pad and/or grassy knoll area for future Community Building.
14) Future plumbing, sewage, and electrical requirements for future Community

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Building.

15) The consultant will conduct neighborhood meetings to solicit input from the neighbors and incorporate context sensitive design elements in the plans and specifications.

PROJECT MANAGEMENT AND DESIGN CONSULTANT SERVICES

Project Management (PM) Services

The designated Consultant Project Manager, under the general direction of the City's Program Manager, shall be responsible for overseeing and coordinating all aspects of project development through bid documents preparation, bid and award, and Construction Management (CM) of the projects for the Facility A, and B.

Typical Project Management Services shall include, but are not limited to:

1. Prepare and maintain a project schedule (Base and follow-on updates) including identifying the critical path for expeditious project completion. Develop Recovery Schedule, if project is falling behind schedule.
2. Prepare and maintain a spending plan on deliverable as well as monthly basis.
3. Identify project over runs/short falls in a timely manner and develop recovery action plan.
4. Conduct and attend design kick-off meeting with all stakeholders.
5. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.
6. Schedule, facilitate, and attend public meetings as necessary.
7. Provide progress reports at a minimum of a monthly basis.
8. Compose all correspondence to keep the project on schedule.
9. Attend and present the project to City Council as required.
10. Prepare staff reports to City Council for authorization of agreements, amendments, Closed Session action items, etc.
11. Prepare agreements and Purchase Orders.
12. Coordinate with and prepare inter-agency agreements, if required.
13. Coordinate with funding agencies and prepare reports, updates, funding reports, and grant applications as necessary for project funding, if required/requested by the City.
14. Prepare project update write-ups.
15. Prepare annual Capital Improvement Program (CIP) budget update.

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16. Prepare annual project estimate and budget for project (City Green Sheet).
17. Issue all necessary Notices to Proceed (NTP).
18. Review and process all invoices (City staff will approve).
19. Compose Requests for Proposals (RFP), Notices Inviting Proposals (NIP), and Scopes of Services to retain other related design services, services of specialty Consultants/Contractors needed during construction, such as Surveying, Inspection, Geotechnical, Material Testing, etc.; coordinate and schedule these services; and review proposals as necessary.
20. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City's Program Manager.
21. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local regulations and requirements.
22. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.
23. Report directly to the City's Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.
24. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff or outside sub-consultant, including, but not limited to Project Report, Geotechnical Report, Traffic Study (if required), Environmental Documents (if required), 15%, 35%, 65%, 95%, 100% and Bid documents, SWPPP Plan (if required), Appraisal Reports (if required), Legal and Plats (if required), and all documents related to right-of-way acquisition (if required).
25. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City's Program Manager. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:
    a. Various City Council Staff Reports.
    b. Utility correspondence letters and e-mails.
    c. Federal, State and local correspondence.
    d. Federal, State and local documentation required for the project.
    e. Right-of-way related documents and correspondence.
    f. Necessary communication and reports to the funding agencies.

26. Arrange and participate in a detailed independent review of the PS&E package, with in-depth field review and Biddability, constructability, and claim avoidance emphasis.
27. Coordinate and ensure that all stakeholders and City Divisions and Departments complete plan check of all appropriate project documents.
28. Provide plan check summary update at each plan check level and meet with the City's Program Manager to review appropriate plan check redlines/comments.
29. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Design Services

The scope of work for the Design Services consists of preparation of bid (PS&E) documents, providing design support services during the Bid and Award phase, and design support during construction and all close out activities including warrantee and guarantee activities.

The design team shall coordinate, cooperate, and work with state and city agencies/departments, utility companies, other community groups, and any other entity involved in the design/construction of the . The selected consultant shall work under the direction of the City's Program Manager.

The design team shall prepare bid documents, including all specifications, calculations, estimates, materials selections, renderings, FF&E documents, etc.

Submit all documents such as files, drawings, QA/QC reports, other reports, calculations, specifications, presentation materials, contracts, permits, etc., related to this project of Part 1 and Part 2 work at the conclusion of each work activity or any earlier stage (of the PS&E work) requested by the City's Consultant Program Manager.

(a) GENERAL REQUIREMENTS

1. Prepare detailed design schedule individually for Facilities A, and B separately, including identifiable milestones for City review and approval. The initial design schedule with identifiable milestones shall be prepared within fifteen (15) working days after Notice to Proceed (NTP). Schedule updates shall be prepared and submitted once a month or earlier, if necessary, showing progress and necessary adjustments. The schedule shall establish and identify a "Base Line Schedule" and all updates shall relate to the Base Line Schedule. Prepare design recovery schedule, if the project is falling behind schedule.

2. The schedule shall identify a Conceptual Level (approximately 15% complete) Preliminary Level (approximately 30% complete), In-Progress Level

(approximately 65% complete), Pre-final Level (approximately 95% complete), and Bid Document Level (100% complete and ready for advertisement) Submittals as milestones. The design documents will be reviewed by the City and all affected parties at the Preliminary, In-Progress, and Pre-Final levels, while final drawings will be checked against incorporation of all comments made at the Pre-Final level.

3. Develop and submit, within fifteen (15) calendar days, a QA/QC plan for the City's review and approval. QA/QC plan shall include, as minimum, design review and checking process, intra and inter disciplinary reviews and coordination at every milestone levels and comments resolution methodology.

4. Job walk by all involved discipline design team member is essential after Preliminary Level design and Pre-Final Design level reviews to establish that the drawings depict the latest existing site conditions accurately.

5. Submit a cost estimate at the Preliminary, In-Progress, and Pre-Final levels of the submittals. The Final estimate and Engineer's estimate shall be submitted at Bid Document submittal level and a day before the bid opening date.

6. Engineer's estimate Identified as the confirmed estimate submitted by the consultant one day prior to an official bid opening for the construction contract) shall fall within 10% of the lowest bid. If it falls outside the 10% margin, then, the consultant shall prepare, at their own cost, necessary revised design documents to bring the project within 10% level of the new bid. All bidding cycles must adhere to these requirements. Design revisions must be concurred and approved by the City Program manager.

7. Schedule/hold/attend/manage monthly Project Development Team (PDT) meetings. Invite City staff and other agencies (such as utility companies) as appropriate.

8. Prepare and distribute meeting agendas and minutes for all meetings. The minutes shall include a list of attendees with phone numbers and e-mail addresses, a synopsis of discussion items, any pertinent information, action items, and all of the follow-up action items.

9. Ensure that bid documents receive approval from all approving authorities.

10. Coordinate with all associated and involved City personnel and other participating entities, including all utility companies, etc. to ensure review, participation, input and resolution of issues related to design, schedule, and costs.

11. **Secure approval and permits (except those permits required to be secured by the Construction Contractor) from all applicable utility entities and any**

other agency having jurisdiction over this project in a timely manner so that the project schedule is not negatively affected.

12. Investigate and advise the City of the cost benefit for the use of Solar Energy for the project. Justify use or non use of Solar Energy on the basis of Life Cycle cost analysis.

13. Attend and participate in public meetings.

14. Attend and present the project to the City Council, Committee, Commission, and/or any task force meetings.

15. Ensure that the documents meet all applicable standards and codes.

16. Perform value analysis of the design, construction materials and methods and recommend changes.

17. Develop and prepare budget and funding controls to ensure the project is completed within the available budget.

18. Assist in preparation and/or compliance of project funding documentation, if required.

19. If requested, prepare all necessary paperwork, including coordination related to environmental clearances for the approval of bid package by all involved regulatory agencies. This activity will be considered as an additive alternative and will be negotiated separately when and if needed.

20. Prepare the General and Special Provisions sections of the specifications.

21. Compile and complete bid packages for the advertisement for construction by the City.

22. Perform a Constructability Review.

23. Perform a Biddability Review.

24. Perform a Claim Avoidance Review.

25. Coordinate and ensure the City Building Department and utility agencies complete plan checks of all construction drawings for compliance with Building and all other applicable codes are performed in timely manner as stipulated in the City approved design schedule.

26. Assist in obtaining all required permits.

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(b) BID (PS&E) – DOCUMENTS REQUIREMENTS

Bid documents include, but are not limited to, architectural floor plans, elevations, sections, renderings, design and calculations related to structural, civil, mechanical, HVAC, and Fire/Life/Safety systems, power, electrical lighting, utilities, computer-related wiring and/or special arrangements and fixtures, all floor landscape layouts, fixed furniture and equipment layouts, wall elevations showing furnishings and equipment, landscaping and irrigation, site (Park) structures such as toilet facilities, maintenance building/shade, entrance, children play areas, water features, gazebos, benches, entrance gate/s, site lighting and security, parameter fencing, surveying, geotechnical investigation information provided by the independent consultant, specifications, cost estimating, and site and street improvements, etc. The Consultant shall develop bid documents with necessary and required coordination with all affected parties. The bid documents shall meet all the necessary requirements to obtain all necessary and available permits (those which are available prior to construction NTP) to perform the construction. The design shall meet ADA requirements, local, state and federal applicable codes and criteria. Following is a general description of the scope of work:

1. Architectural design services to include architectural site and buildings plans, sections, elevations, details, building systems, renderings (total of three: one interior look, one at street-level look, and one bird's eye-view), a study model, specifications and estimates. Presentations to the City Council of the design renderings and/or models and/or materials boards may be necessary for approval.

2. Investigate and advise what LEED level can be achieved with cost benefit analysis and then advise City for their consideration and approval for additional design activities to support LEED accreditation. **City desires to achieve a LEED Certification level fire station buildings but not necessarily securing the certification.**

3. Geotechnical and Survey work will be provided by the selected Consultant or their sub-consultant.

4. Structural design services to include structural site and buildings plans, sections, elevations, details and all buildings structural components, including associated calculations, materials, systems, specifications, and estimates.

5. Mechanical, HVAC and Fire/Life/Safety design services to include site and buildings plans, sections, elevations, details, design for energy conservation, heating, and ventilation, air conditioning, plumbing and fire protection systems, calculations, drawings, specifications, and estimates.

6. Electrical design services to include site and buildings plans, sections, elevations, details of power systems, electrical material, lighting, voice/data systems, UPS services for computer systems, alarms, security systems, conduit

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runs and any special electrical requirements deemed necessary for the , calculations, drawings, specifications, and estimates.

Design of Emergency power and generators including coordination, approvals, applying for and receiving all necessary permits from agencies (such as AQMD) having jurisdiction to issue such permits.

7. Civil design services to include surveying, site plans, sections, elevations, details, on/off-site utility systems, fire protection system, site drainage and paving, parking lot layout including related details, calculations, drawings, specifications, and estimates.

   Survey services to include land survey as needed in support of PS&E.

   Utilities work shall include investigation and review of all existing utilities. All tie-in of utilities shall be examined and loads calculated to ensure the ultimate facility needs. All utility connections shall be new connections and no tie-ins to the City's existing utilities may be considered.

8. Landscape design services to include site planting and irrigation system plans, sections, elevations, details, specifications, and estimate.

9. Architectural/engineering design for the interior design services (fixed and selection and procurement of free standing furniture and equipment included) to include plans, sections, elevations, details, perspectives, equipment schedules, specifications and estimate of furnishings based on recommendations provided by the City staff. Interior design work shall also include floor plans indicating the location of furniture, furniture systems, furnishings, artwork, any statuary, fountains or water features, or other items to be incorporated into the .

   Develop interior design layouts including fixed and non-fixed (furniture) items. Provide matrix, specifications, and cost estimate. City will purchase the fixtures, furniture, and Equipments (FF&E) and the selected consultant shall monitor, coordinate and support all activities associated with selection, procurement, and installation.

10. Specifications to follow latest CSI format. The City will provide General Conditions (GCs) while the consultant shall develop Special Conditions (SCs), technical specifications, and liquidated damages calculations.
11. Estimates to include quantities, schedule of values and any other assumptions in support of the estimates. Estimates to reflect mid-point of construction.
12. Value analysis of site, building materials, systems, and interior elements to ensure the best value for the City's investment. This analysis shall be carried out to ensure that the facility is being built within the available budget.

13. Biddability, Constructability, and Claim Avoidance reviews.

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14. Presentations, as deemed necessary (up to three), to the City Council and/or City staff.

(i) FORMAT FOR PLANS AND SPECIFICATIONS

1. The PS&E must conform to the City of Moreno Valley's standards and format. The Consultant shall provide clear, concise, and complete plans which shall include, where applicable, the title sheet, General Notes and Abbreviations, Civil, Geotechnical, Survey, Grading and Drainage, Architectural, Utilities, structural, HVAC, Mechanical, Electrical Lighting and Power, Plumbing, Landscaping, Irrigation and other appropriate and necessary disciplines. The scales for the plans are 1" = 4' or 8' (as necessary) and 1" = 20' or 1" = 40' for site civil, or utilities plan sheets, if desired. The City of Moreno Valley's standard title block shall be used for all sheets.

   The Consultant shall indicate on the plans the stationing of all intersections, beginning and end of curves, and breaks in alignment. Survey monuments and monument wells shall be noted on the plans for preservation. Missing monuments shall be installed per City Standards. Monuments are to be placed in all street intersections, public and private. The setting or marking of the actual monuments shall be done under the direction of a licensed land surveyor at the end of construction, and a Record of Survey shall be filed with the County and copy shall be submitted to the City. These items must be quantified and shown in the PS&E. The Consultant shall note that the Contractor shall be responsible for replacing disturbed monuments or ties after construction is completed.

2. The Title Sheet shall include, but not be limited to: Project title, vicinity (location) map, title block, north arrow, scales, general notes, telephone numbers of utilities, and other affected agencies and businesses, sheet index, and other required notes and information.

3. Traffic Control Plans shall address handling of traffic, long-term closures, and representative construction signage for the major elements in logical stages of the project construction and shall be in accordance with the latest California Manual on Uniform Traffic Control Devices (MUCTD) and/or Work Area Traffic Control Handbook (WATCH) Manual, as appropriate.

4. Detail Plans shall be provided where standard plans are not available or where specific dimensioning cannot be readily shown on the improvement plans or provided by description in the project specifications or as needed to insure project constructability.

5. All drawings shall be prepared with AutoCAD Land Development software or design software that is compatible with the Land Development software approved by the City. The design shall be plotted using permanent drafting ink on Mylar, and drafted on twenty-four inch by thirty-six inch (24" x 36"). The Consultant is required to put hanging file tabs on all Mylar sheets. The final Plans shall be signed by a Civil Engineer registered in the state of California. No "stick-ons" will be allowed.

   The originals and the electronic data of these drawings are to be considered to be the property of the City at all times, and shall be submitted to the City, along with a CD-RW disk in AutoCAD Land Development format, upon completion or as otherwise directed by the City. The electronic data shall also include all survey data and point information.

6. Specifications - The Consultant shall be responsible for compiling the project Specifications, in the manner established in **CSI format**, signed by a Registered Architect or Engineer (as appropriate in their discipline specialty) registered in the State of California, which is complete and ready for bidding purposes. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) may be used on the project, except for traffic signals, striping, and traffic signs. The technical portion of the Caltrans Standard Specifications shall be used for the traffic signals, striping, and traffic signs.

(ii) GENERAL DESIGN SUBMISSION REQUIREMENTS

The City has established criteria/requirements for design submittals at Preliminary Level (approximately 30% complete), In-Progress Level (approximately 65% complete), Pre-final Level (approximately 90% complete), Final Level (100% complete) completion for project reviews and payment purposes. A description of "General Design Submission Requirements" is attached as Exhibit "A".

(iii) SUBMITTALS REQUIREMENTS FOR THE CITY, AGENCIES, UTILITIES, ETC.

1. The Consultant shall submit six (6) sets of bound copies of the design drawings, specifications and estimate with each submittal for checking to the City, along with the previous redlined check prints. At 15%, Conceptual level Design, submit only concept plans, sketches, renderings (if any) and colored design set for City Council Study Session review and concurrence/approval. At 35% submittal, submit only Index Sheet of the specifications and estimate appropriate to the completion of the design development. At 65% submittal, submit only technical and special

provisions of the specifications and estimate appropriate to the level of design development. At 95% completion, complete set of specifications, including general conditions, City's Boiler Plate (modified as appropriate), technical specifications, and special provisions including liquidated damage calculations. In addition the estimate shall be complete. It shall include quantities and bid item list. The design drawings shall be as complete, accurate, and error-free as possible before plan checking is considered, in order to reduce the number of plan checks required and related costs therefore to the City and Consultant. Incomplete submittals may be rejected.

2. The Consultant shall submit four (4) sets of any reports, such as geotechnical and/or quantity calculations with each submittal for checking to the City, along with the previously checked reports. All reports and calculations shall be signed by a State of California Registered Engineer in their appropriate discipline.

3. The Consultant shall, at no cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the plan checking process.

4. The City shall receive a copy of all transmittals, submittals, and letters sent to utilities and agencies regarding the project.

(iv) ESTIMATE OF QUANTITIES AND COST

The estimated quantities shall itemize all new, remodeled, reconstructed, relocated improvements. The estimated quantities shall be arranged in chronological order of construction and shall contain all the information necessary to prepare the Engineer's Estimate in the format specified by the City or associated agencies. The Engineer's Estimate and bid schedule shall be broken out by funding source or as otherwise directed by the City Program Manager.

Computations showing estimated quantities, costs, and sum totals shall be submitted to the City for review. Submission of computations does not relieve the Consultant's responsibility of submitting an accurate estimate of quantities. The Consultant shall, at the 35%, 65%, 95%, 100%, and Final Plan stages, submit estimated quantities calculated and listed by plan sheet, for review by the City. The Consultant's final construction cost estimate shall be based upon, and in agreement with, the final estimate of quantities.

The final cost estimate must be within the 5% of the City's construction cost budget.

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The consultant shall submit an "Engineer's Estimate" a day before the bid opening day in a sealed envelop. This estimate will be opened along with bids. If the lowest responsive and responsible bid is 10% higher than the Engineer's Estimate and if the City decides to re-advertise the project then the consultant shall revise the bid documents, at their own cost, for re-advertisement and bring in the bid within the 10% range.

(v) STORM WATER POLLUTION PREVENTION PLAN (SWPPP) (if needed)

The Consultant shall prepare a Storm Water Pollution Prevention Plan, if required for this project, in accordance with either the San Jacinto Construction Activity Permit or the General Construction Activity Permit depending on the permit area of coverage. The Consultant shall prepare the Notice of Intent (NOI) and process the SWPPP for approval through the Regional Water Quality Control Board and other appropriate authorities and agencies.

(vi) COPIES OF CONTRACT DOCUMENT PACKAGE

The Consultant shall make one full size and two half size sets of the bid documents for City files and shall submit the bid documents in electronic format so that it can be reproduced in electronic medium for distribution to all potential bidders.

The consultant shall provide the documents and copies for distribution to the contractor. The City shall reimburse the cost as direct reimbursable expenses. Consultant shall budget $15,000 in their proposal for this reimbursable cost.

(vii) OWNER OF ORIGINAL DRAWINGS, DOCUMENTS, AND OTHER INFORMATION

The City will be the owner of all original drawings, documents, and digital information. All digital and or computer generated drawings shall be the property of the City and a copy shall be submitted to the City on a CD-RW disk.

(viii) PROJECT SCHEDULE

The Consultant shall prepare a project schedule and provide hard copies for reports and staff usage. The project schedule shall be updated regularly and handed out during the PDT meetings.

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The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion. The schedule shall include, but is not limited to, three design stages, final plan check, bid document preparation, advertising, construction, and any other applicable tasks. All the required time for project reviews and processing and associated agency and utility contacts and coordination shall be shown.

(c) DESIGN SUPPORT SERVICES DURING CONSTRUCTION (AS PART OF DESIGN SERVICES – PERFORMED BY THE DESIGN TEAM) REQUIREMENTS

During the construction phase, the Consultant's Design Team services shall include, but are not limited to, support activities associated with the following:

1. Assistance to the City in procurement of furniture and furniture systems shall include, but is not limited to, coordinating with vendors, manufacturers and suppliers to verify lead times and ensure proper delivery dates for placement/installation.

2. Management and coordination for the processing of submittals, including receipt, review of, and appropriate action on Shop Drawings, Product Data, Samples and other submittals required by the Contract Documents.

3. Review, analyses, and development of independent cost estimate(s) and savings to the City of all Value Engineering Proposals (VEPs) provided by the Contractor.

4. Construction Field Observation services consisting of visits to the site (no more than 15 visits) at intervals appropriate to the stage of construction to review and report the progress and quality of the work and to determine in general if the work is proceeding in accordance with the intended design goals and objectives.

5. Preparation, reproduction and distribution of drawings and specifications, in electronic medium if feasible, to describe work to be added, deleted or modified. Preparation of drawings (including calculations) for design work associated with change orders, review of proposals from Contractor(s) for reasonableness of quantities and materials.

6. Assistance in change order negotiations with Contractor(s) on the relative costs of work proposed to be added, deleted, or modified.

7. Preparation of as-built drawings based on red-lined documents received from the field.

PART 2: CONSTRUCTION MANAGEMENT CONSULTANT SERVICES

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The Construction Management Services shall include assisting the City Program Manager with general project management activities and full-service construction management during the construction phase of the project.

The Construction Management Services may also include Inspection Services. If more than one inspector is required to oversee the work, it is the responsibility of the Construction Manager to anticipate the need and to provide for the additional services required. The City Program Manager will make the final decision with regard to selecting the included Inspection Services, or to select an Inspector through the City's on-call selection process or other accepted means.

(a) GENERAL CONSTRUCTION MANAGEMENT SERVICES REQUIREMENTS

General Construction Management Services shall include, but are not be limited to:

1. Prepare and maintain a project schedule identifying the critical path for expeditious project completion.
2. Schedule and conduct the pre-construction meeting with all stakeholders, including preparations of agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.
3. Schedule, facilitate, and attend public meetings as necessary.
4. Attend and present the project to City Council as required.
5. Check all contract documents to ensure compliance with the Caltrans LAPM and funding requirements, as required.
6. Prepare all submittals to Caltrans Local Assistance in accordance with the LAPM and other Caltrans requirements, as required.
7. Prepare reimbursement requests and invoices for Caltrans and other funding agencies.
8. Prepare agreements and Purchase Orders.
9. Issue all necessary Notices to Proceed (NTP).
10. Review and process all invoices (City staff will approve).
11. Compose RFQ's, RFP's, NIP's, and Scopes of Services to retain other related design services, services of specialty Consultants/Contractors needed during construction, such as Design Review, Surveying, Inspection, Geotechnical, Material Testing, etc.; coordinate and schedule these services; and review proposals as necessary. Assist City in hiring/terminating contracts for any of these specialty consultant and once retained manage and supervise their work and personnel in support of the construction of the project.
12. Review, and approve reports, invoices, etc. of the specialty consultants and recommend their payment from the City. Negotiate and recommend

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change orders for addition/deletion of their work scope and associated contract amendments for City review and approval.

13. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.
14. Maintain consistent communication (daily or weekly, depending on project activity/complexity) with the City Program Manager.
15. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.
16. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.
17. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

(b) SUPPORT DURING BID AND AWARD PERIOD SERVICES REQUIREMENTS

The Project Manager shall be responsible for administrating the advertising for construction bids and attending the bid opening of the project according to the California Contracting Code for Municipal Agencies and shall provide support during bidding and construction. The required Design and Project Management Consultant Services shall include, but not be limited to:

1. Prepare and coordinate to have bid notices advertised and posted at various trade publications and on the City's website.
2. Prepare bid packages (in electronic medium).
3. Provide an FTP website and post the project bid package for prospective bidders to download.
4. Maintain plan holder's list.
5. Schedule and conduct pre-bid meetings, if held.
6. Conduct pre-bid site visits if required.
7. Provide responses to bidders' questions.
8. Prepare and issue addenda if required.
9. Attend the construction bid opening at the City Clerk's Office. Evaluate and check all bids per established contract law.
10. Evaluate bid results.
11. Check references and licenses of bidders.

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11. Select lowest, responsive, responsible, and qualified bidder.
12. Draft City Council Staff Report for award of construction contract and process the contract agreement with the lowest responsible bidder.
13. Attend the City Council meeting for award of the contract, available to answer questions, and defend the project.
14. Prepare, coordinate, and process Notice of Award, Agreements, and Purchase Order.
15. Review insurance, bonding, and other required documents.
16. Answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during bidding process and pre-construction meeting. The Consultant shall assist the Construction Manager, at no additional charge, in preparation of addenda necessary due to omissions or conflicts in the design.
17. Be available to answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the construction, and assist the Construction Manager in issuing Contract Change Orders (CCO) required, due to omissions or conflicts in the design, at no additional charge to the City.
18. Incorporate all red-line comments prepared by the Contractor and project inspector and prepare final ink on Mylar "as-built" record plans. The as-built drawings shall be provided to the Construction Manager and approved prior to the release of the final progress payment.
19. Prepare and submit GASB 34 documentation in the City's format along with the as-built drawings.

(c) CONSTRUCTION MANAGEMENT SERVICES, DURING CONSTRUCTION PHASE, REQUIREMENTS

Typical Construction Management services shall include, but not be limited to:

1. Provide contract administration for the project and coordinate with other construction, as required.

2. Conduct an independent, complete, and in-depth review of the 95% PS&E package with field reviews with biddability/constructability/claims avoidance emphasis.

3. Coordinate and participate in pre-construction contract award activities, including conducting pre-construction meeting, and issuance of Notice to Proceed in accordance with the City's procedures.

4. Establish and maintain project controls and provide administrative,

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management, and related services necessary to coordinate the work of the Contractor and all sub-contractors in order to facilitate timely completion of the project in accordance with contract documents and City objectives.

5. Assist the Contractor in obtaining all building, grading, and other construction permits necessary for the project.

6. Provide, manage, coordinate, and ensure timely completion/approvals in response to all Requests for Information (RFI), shop drawings, product data samples, submittals, Change Notices, Intend to File Change Notices, and Construction Change Orders (CCO), as well as review, negotiations and issuance of the CCO to the Contractor.

   Follow the established City procedures in processing CCO. Following is a brief outline of the City's procedures:

   a. Review requests for CCO received from the Contractor.
   b. Recommend necessary or desirable project changes to the City with Design Consultant's concurrence.
   c. Assist the City with concurrence of the Design Consultant in CCO negotiations.
   d. Submit recommendations to the City relative to change order requests.
   e. Prepare the CCO, obtain project designer's concurrence, and obtain Contractor and Design Consultant's signature on the CCO forms for the City's consideration, review, and approval.
   f. Prepare staff report(s) for City Council approval of CCO, if necessary.

7. Ensure that contractor's daily work effort is documented.

8. Prepare agenda, conduct weekly construction progress meetings and distribute minutes within three (3) working days.

9. Ensure adequate inspection coverage for the project, coordinate and oversee project inspector(s).

10. Schedule Building and Safety inspection of Electrical Service/Cabinets, footings, specialty retaining walls, or as otherwise required.

11. Coordinate and schedule SCE service for the irrigation controller cabinets.

12. Coordinate and schedule telephone service with the City's Telecommunications Engineer.

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13. Coordinate and schedule needed water service, water meter(s), and re-location of water line etc. with the local water surveyor as necessary for the project.

14. Schedule with the City's Traffic Operations Supervisor to inspect new and modified traffic signals. The Consultant shall be responsible to document all work, including the Traffic Supervisor's inspection in the Consultant's Daily Diary.

15. Provide administrative, management, and related services as required to coordinate work and to complete the project in accordance with the City's objectives for cost, time, and quality. The Consultant shall provide sufficient qualified personnel and management to carry out the requirements of the Project.

16. Schedule and conduct pre-construction and construction progress meetings to discuss such matters as procedures, progress, problems, scheduling, and coordination and other project related items. General construction progress meetings may be required on a weekly basis until the project is completed. Primary attendees will include: Utilities, Agencies, the City of Moreno Valley, and the Contractor. Prepare meeting agendas, and minutes for all meetings. The minutes shall be prepared and distributed to all attendees within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

17. Obtain building permits and special permits for the improvements. The Consultant shall verify that the applicable fees and assessments have been paid, and shall assist in obtaining approvals from authorities having jurisdiction over the permits.

18. Maintain continuous 24-hour telephone accessibility during construction activity for emergency use.

19. Maintain the record copies of the following:

    a. Plans, specifications, and contract documents with all changes and modifications.
    b. Permits.
    c. Addenda(s), change order(s), shop drawings, product data, submittals, and samples.
    d. Progress payments, inventories, and applicable codes.
    e. Contractor's reports, correspondence, certified payrolls, and accident reports.

f. Survey and layout data and certifications, photographs of as-built locations and depths.

g. List of addresses, telephone and license numbers of General Contractor, all sub-contractors, material suppliers, and utility agencies.

20. Determine whether the work of the Contractor is being performed in accordance with the requirements of the contract documents, and endeavor to guard the City against defects and deficiencies in such work. The Consultant shall make recommendations to the Engineer regarding special inspection or testing of work not in accordance with the provisions of the contract documents whether or not such work is then fabricated, installed or completed. The Consultant shall also inform the City of work that does not conform to the requirements of the contract documents. The Consultant shall review the Contractor's recommendations for corrective action on observed non-conforming work.

21. Consult with the Design Consultant and City Program Manager if any contractor requests interpretations of the meaning and intent of the PS&E, and shall assist in the resolution of questions which may arise.

22. Identify and report potential contractor claims and recommend resolution.

23. Prepare the weekly statement of working days and send to the Contractor on a weekly basis.

24. Conduct interviews with the Contractor's and subcontractor's employees to ensure labor compliance as described in the Caltrans LAPM.

25. Compare Certified Payrolls with Inspection Reports, employee interview forms, and the Prevailing Wage Rates, and verify proper payment in compliance with the project Specifications.

26. The Consultant does not have authority to make changes or deviations from the Plans and Specifications, except as authorized by the Design Consultant and City Program Manager.

27. Incorporate approved changes as they occur.

28. Review, comment and recommend processing of invoices for progress and final payments.

29. Endeavor to achieve satisfactory performance from ~~each of~~ all players involved in the project, including FF&E vendors, utility companies, permitting agencies, testing entities, and the contractors and recommend courses of action to the Engineer when requirements of a contract are not being fulfilled and the non-performing party will not take satisfactory corrective action from the Consultant or Engineer.

30. Provide regular monitoring of the approved estimates of Total Construction Cost, showing actual costs for activities in progress, and estimates for uncompleted tasks. The Consultant shall identify variances between actual and budgeted or estimated costs, and inform the City Program Manager whenever Project costs exceed budgets or estimates.

31. Maintain cost accounting records on authorized work performed under unit costs, additional work performed on the basis of actual costs of labor and materials, or other work requiring accounting records.

32. Ensure that safety programs are developed by the Contractor as required by their contract documents, and coordinate the safety programs for the project.

33. The Consultant shall not be responsible for the construction means, methods, techniques, sequences, safety and procedures employed by the Contractor or to coordinate and direct the subcontractors of the Contractor in performance of their contract with the City. The Consultant shall also not be responsible for the failure of the Contractor to carry out their work in accordance with the contract documents. The Consultant shall be responsible, however, for any reports, advice or information provided to the Design Consultant regarding the Project and the work of the Contractor, including any information regarding the compliance of their work with the contract documents.

34. The Consultant shall provide documentation (e.g. memorandum, letter, email, etc.) to the Contractor, City Program Manager, etc., regarding all important issues, decisions, and discussions within three (3) working days.

35. The Consultant shall be required to document and submit weekly written progress reports to the Engineer on multiple construction phases of the project, which shall include information on the Contractor and the Contractor's work, as well as the entire Project. The Consultant shall also keep a daily log containing a record of weather, the Contractor, work on the site, number of workers, craft or trades, equipment, subcontractors, work accomplished, problems encountered, and other similar relevant data as the Design Consultant may require. The Consultant shall make the log available to the City.

36. Observe the Contractor's check-out of utilities, operational systems and equipment for readiness, and assist in their initial start-up and testing.

37. Determine when the Contractor's work or a designated portion thereof is complete. The Consultant shall prepare a list of incomplete or unsatisfactory items (punch list) and a schedule for their completion. The Consultant shall coordinate the correction and completion of the Work.

38. Evaluate the completion of the work of the Contractor and make recommendations to the City Program Manager when work is ready for final inspection. The Consultant shall assist the City Program Manager in conducting final inspections and shall secure and transmit to the City Program Manager required guarantees, affidavits, releases, and waivers. The Consultant shall also deliver keys, manuals, and record drawings to the City.

39. Perform any necessary management services during the warranty period of the construction contract.

40. Address any business owner's and property owner's concerns and inquiries.

41. Coordinate close-out of the project; obtain necessary operation manuals, warranties, guarantees, and other applicable necessary information. Provide all documentation in a well-organized (binders, folders, CDs, etc.) manner in both electronic and hard copies.

42. Obtain all releases and warranty bonds from the Contractor and sub-contractors. Provide all documentation in a well organized (binders, folders, CDs, etc.) manner in electronic and hard copies.

43. Deliver a final completed project to the City which is in compliance with the PS&E package, and all applicable codes, standards and requirements.

44. Provide a redline set of as-built plans to the Design Consultant to place as-built information on the Mylars.

45. Prepare status report for project close-out, prepare Staff Report for project acceptance and assist with filing of Notice of Completion.

46. Present the City with a complete project close-out file.

47. Perform such other project related duties as may be required by the City.

48. Perform warranty walk within one (1) year of the Notice of Completion.

49. The extent of the duties, responsibilities, and limitations of authority of Consultant as a representative of the City during the construction shall not be modified or extended without the written consent of the City Program Manager.

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(i) INSPECTION SERVICES

In general, the Consultant Inspector shall have the necessary experience and know-how of construction equipment, materials, methods, and workmanship for the specific work to be performed on the projects. The Consultant Inspector shall be able to understand and interpret Plans and Specifications and shall be familiar with the Greenbook (Standard Specifications for Public Works Construction), Caltrans Standard Specifications, City Standards, and OSHA Construction Safety Orders. The Consultant Inspector shall be able to interact professionally with contractors, engineers, property owners, business owners, and the public at large; coordinate with other City personnel; promote quality customer service; and respond promptly and courteously to requests. The Consultant Inspector shall be able to follow verbal and written instructions, communicate clearly and concisely, both orally and in writing.

Typical Consultant Inspection services shall include, but not be limited to:

1. Review the Plans and Specifications thoroughly prior to the pre-construction meeting.

2. Establish effective communications with the Contractor, other agencies, utilities, and business and property owners.

3. Ensure compliance with the Plans, Specifications, and other requirements, such as, but not limited to, the Contract, Traffic Control, Cal/OSHA Standards, CCO, Permits, Standard Plans, checking line, grade, size, elevation, and location of improvements.

4. Monitor extra work.

5. Perform project oversight for the monitoring of traffic control, damage to infrastructure, and replacement of infrastructure to City Standards.

6. Attend the weekly construction meetings.

7. Keep daily dairies (log), fill out Incident (accident) Reports, and take pictures of the project. A daily Inspection Report identifying work done by the Contractor shall be submitted to the Consultant Project Manager on the next business day for review and filing.

8. Document all Contractor delays, reasons for delay, length of time for delay, and Phases of work.

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9. Monitor and provide supporting documentation on the personnel and equipment that is involved with any extra work performed by the Contractor.

10. During the course of inspection and monitoring of the work, if the Consultant Inspector observes an unsafe situation, he shall notify the Contractor of the violation and provide written notification of such infraction to the Contractor. If the Contractor refuses to comply, the Consultant Inspector shall notify the City and Cal OSHA.

11. Measure and tabulate contract quantities.

12. Review the Contractor's invoices, verify completed work, and approve all quantities.

13. Prepare a list of items for correction (punch list) and prepare redlined as-built plans.

14. The Consultant Inspector does not have the authority to allow deviations from the Contract Plans and Specifications.

15. Possess a digital camera, and shall provide digital images of the project to the City of Moreno Valley in "jpg" format.

16. Possess a vehicle and a mobile phone for immediate contact by the City, show proof of a valid California's driver's license, and insurance.

17. Normal working hours are from 7:00 a.m. to 3:30 p.m. with a 1 hour lunch break; however, the Contractor may be allowed to start earlier to minimize disruption to business and intersection work may be performed at night with written authorization from the City.

18. Perform other related duties as required.

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 50 pages, for both Professional Design and Project Management Consultant Services ***and*** for Construction Management Services. The page limits exclude a cover letter of up to two pages, resumes up to two pages per person, dividers, certificates, and appendices. Resumes, billing rates, project schedule, resource matrix, certificates, and other required forms shall be attached in the appendices. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the Request for Proposal will not be given further consideration.

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At a minimum, the Proposal shall include the following sections:

A. **Project Understanding:** This section should clearly convey clear understanding of the nature of the work, identification of major project issues, and proposed solutions thereof, from both the Consultant and the sub-consultants (consultant team).

B. **Approach and Management Plan:** This section provides the consultant team's proposed approach and management plan for providing services. Include an organization chart showing proposed relationship among consultant team/staff as well as any other parties that may have significant role in the delivery of this project.

C. **Qualifications and Experience:** Provide qualifications and experience of the team for this project. Emphasize the specific qualifications and experience from projects similar to this project for the key team members including references. Identify and provide in-depth information for the proposed project manager's qualifications, track record and relevant experience.

D. **Staffing Plan:** Discuss staffing plan, the workload, both current and anticipated, for all key team members, and their capacity to perform the requested services according to the proposed schedule. Discuss the firm/team's approach for completing the services required for this project within budget and schedule.

E. **Work Plan and Schedule:** Include a description of how each task of the project will be conducted, identification of deliverables for each task and implementation schedule. The work plan should include sufficient detail to demonstrate a clear understanding of the project. Discuss the consultant team's approach for completing the project.

F. **Quality Control and Assurance:** Discuss QA/QC proposed for each phase/deliverable for this project, including various independent plan check reviews and 95% plan Biddability/constructability/claims avoidance reviews.

G. **Additional Relevant Information:** Provide additional relevant information that may be helpful in the selection process (not to exceed two pages).

The Consultant's Proposal shall include the following statements:

1. A statement that this Request for Proposal (RFP) shall be incorporated in its entirety as a part of the Consultant's Proposal. The Price Proposal along with resource allocation matrix, submitted at a later date, will also become an attachment to the Consultant RFP.

2. A statement that this Request for Proposal and the Consultant's Proposal (along with the Price Proposal) will jointly become part of the Agreement

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for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley.

3. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

4. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this Request for Proposal for Professional Consultant Services. **EXCEPTIONS TO THE INDEMNIFICATION/ LIABILITIES/ TERMINATION FOR CONVENIENCE OF THE CITY CLAUSES OF "THE CITY'S STANDARD CONTRACT AGREEMENT" SHALL NOT BE ACCEPTABLE. AN EXCEPTION TO THIS CLAUSE SHALL DISQUALIFY THE CONSULTANT PROPOSAL FROM FURTHER CONSIDERATION.**

   A Sample Agreement is attached for your reference. Exceptions/ Changes to the Agreement are not acceptable.

5. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

6. A resource allocation matrix *must* be submitted by the selected firm(s) (and only after the interviews) along with Price Proposal (to be submitted after the interview and from the selected firm/s). The resource allocation matrix must list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, will be included in adjacent columns. The resource allocation matrix and the project design schedule are required of both the primary consultant, as well as any sub-consultant. Failure to do so will result in the Consultant's Price Proposal being deemed incomplete.

   The resource allocation matrix, in addition to any tasks the Consultant chooses to list, shall include but not be limited to meetings, Traffic Studies,

Hydrology/Hydraulics Studies, Storm Water Pollution Prevention Plans, right-of-way investigations, As-Built Drawings, and GASB 34 documentation.

7. A rate schedule *must* be submitted with the Price Proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedule is part of the Consultant's Price Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City.

8. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

   A statement that the Consultant acknowledges and understands that the Consultant will not be allowed to change the sub-consultant without written permission from the City.

9. A statement that all charges for Consultant services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

10. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

11. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

    A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request for Proposal. **A Fee Proposal and the Resource Allocation Matrix are <u>NOT REQUIRED</u> with the initial RFP submittal. The selected 1st and 2nd ranked consultants will be requested for the Price Proposal and Resource Allocation Matrix.**

12. All extra work will require prior approval from the City.

13. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

14. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

15. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

16. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

17. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

18. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

19. This Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

    DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business

Enterprises in Department of Transportation Financial Assistance Programs"). The Proposer should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The Proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Pursuant to recently released Race-Neutral DBE policy directives issued by the U.S. DOT in response to the Ninth Circuit U.S. Court of Appeals decision in *Western States Paving Co. v. Washington State Department of Transportation*, ***the City has implemented a wholly Race-Neutral DBE Program***.

A Race-Neutral DBE Program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race-Neutral Program utilizes measures that can assist a wide variety of small businesses including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime Consultants to subcontract portions of work that they might, otherwise, perform with their own forces). However, under a Race-Neutral DBE Program, the City may no longer advertise DOT-assisted contracts containing numeric race-conscious goals or require a Proposer to utilize DBEs as a condition of award. Race-neutral DBE participation includes any time a DBE obtains a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal.

20. Complete "Disclosure of Lobbying Activities" (see attached Exhibit "E").

21. Complete "List of Subconsultants" (see Exhibit "F").

22. Complete "Proposer's List of Subconsultants (DBE and Non-DBE) - Parts I and II (see attached Exhibit "G").

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b)

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(5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms (attached) with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fee" which shall be the sum of all tasks by Part, phase, and milestone.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These Milestones are (all percentages are approximate):

1. 15% Level (Conceptual) complete
2. 35% Level (Preliminary) complete.
3. 65% Level (In-Progress) complete.
4. 95% Level (Pre-Final) complete.
5. 100% Level (Final – Bid documents ready for advertisement) complete.
6. Project Bidding and Construction Support complete.
7. Construction Management/Inspection/Testing/Geotechnical (as appropriate) Services on a monthly basis.
8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. The city reserves the right to add new, revise, change, or delete milestones from the above list.

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E. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task. But payments will only be made when specific identified milestones have been accomplished.

F. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, etc. are to be included in the "Not-to-Exceed Fee."

G. All tasks including labor and reimbursable costs such as printing, postage, delivery, etc. shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 500,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts as will fully comply with the laws of the State of California.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

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"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all Subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way *and* affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City. It is the Consultant's responsibility to ensure that all Subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

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X. INDEMNIFICATION - CITY WILL NOT ACCEPT ANY EXCEPTION TO THIS CLAUSE OF THE CONTRACT/AGREEMENT.

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA and CDS, their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY - CITY WILL NOT ACCEPT ANY EXCEPTION TO THIS CLAUSE OF THE CONTRACT/AGREEMENT.

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written

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notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing the said Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the "Agreement for Design Professional Consultant Services" (see Exhibit "H"), City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

   The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and

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all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

It is the City's intent to select and utilize the Professional Services in the following scenarios:

A. Proposers for Facilities A and B will be interviewed at the same time and in the same interview. They shall be rated independent of each other for better evaluation. If the Proposer is the same for the facilities A and B, then only one evaluation form will be used.

CRITERIA	MAXIMUM POINTS
The Firm's General Experience and Qualification Information – Information about the company (and all sub-consultants) including: 1. Details about comparable projects completed by the firm (9 pts) 2. Local experience of firm on comparable projects (7 pts) 3. Ability to provide the required services (4 pts) **Comments:**	**20**
4. Experience of Project/Program Manager in managing design/CM combined projects (5 pts) 5. Experience of the Design Project Manager (15 pts) 6. Experience of the Construction Project manager (10 pts) 7. Local experience of key personnel on comparable projects (10 pts) **Comments:**	**40**
8. Project Approach/Understanding (10 pts) 9. Discussion of major issues identified on the project (10 pts) 10. How the consultant team plans to address them (8 pts) 11. Management approach and organization necessary to complete the specific project (7 pts) 12. Quality control measures to ensure delivery of a quality product on time and within budget (5 pts) **Comments:**	**40**
TOTAL:	**100**

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Exhibit "A"

General Design Submission Requirements

The following typical elements of the General Design Submission Requirements are representative of the specific completion levels, but not necessarily all-inclusive.

1. 15% (Conceptual Design) Level Completion:

Complete Conceptual level design plans, concurred and approved by the City's Consultant Project Manager, approved by the Planning Commission, and reviewed and concurred by the City Council through Study Session.

- Programming complete and conceptual design established. Over all foot print and areas are agreed, building architecture style selected and basic building materials and structural system discussed and agreed in principal.
- Initial contacts are made and basic data gathered from by all city departments, utility companies, and other associated agencies.

2. 35% (Preliminary) Level Completion:

Complete supporting plans and estimates; complete Special (Technical) Provisions outline; complete Geotechnical Report; complete Hydrology and Hydraulic reports; and complete 35% level estimate

- Basis for design are established and preliminary level design (foot print) is frozen. There are either few or no more basic design changes.
- Initial plan review by all city departments, utility companies, and other associated agencies is complete.
- As necessary, public meetings have taken place and the concept is established and approved.
- City client departments have signed-off on the design.
- City's Drawing standards are to be used.
- Conceptual work is complete and the design is ready to proceed in to PS&E documentation phase.
- Surveys are completed and boundaries established on plans.
- Special (Technical) Provisions outline is established and is based on City's boiler format.
- Preliminary Engineer's Estimate is compared to project budget – perform a reality check.
- Design Schedule, with required critical path, is approved.
- Inter-/Intra-discipline Quality Assurance/Quality Control check is performed.
- Geotechnical Report is complete.
- Hydrology and Hydraulic reports are complete and approved.

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- Utilities initial investigation is complete and tracked using a utility response matrix.
- First meeting with utility companies has taken place and all are on-board.
- Proposed utilities' connections/improvements, etc., are essentially agreed upon.
- Existing utilities to be relocated, to be abandoned, and/or re-routed are established and agreed upon.
- Meeting with all other interested parties, such as fire and police, etc., have taken place.
- All preliminary right-of-way and easement needs are shown and analyzed, and ownership is investigated.
- Required environmental form or Environmental Document is complete and approved.
- Site plan is complete. {STRUCTURES ONLY}
- Preliminary grading plan is complete. {STRUCTURES ONLY}
- Floor plans are established and accepted. {STRUCTURES ONLY}
- Basic elevations massing is shown and agreed upon. {STRUCTURES ONLY}
- Basic materials selection is made. {STRUCTURES ONLY}
- HVAC systems are selected. {STRUCTURES ONLY}
- Building type is established. {STRUCTURES ONLY}
- Electrical service point is established. {STRUCTURES ONLY}
- Structural system along with footing and foundation system is established. {STRUCTURES ONLY}
- Basic structural design and foundation methodology is established. {STRUCTURES ONLY}

3. **65 % (In-Progress) Level Completion:**

Complete project specific plans improvements.

- Overall Design progress must be at a level that was established in the critical path.
- Grading Plan is complete.
- Horizontal and Vertical alignments are complete.
- Draft Specifications, including General Provisions and Special Provisions, are complete.
- Complete Engineer's Estimate reflecting 65% complete level design work effort.
- 2nd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
- Must include a set of drawings and a comments matrix with responses proving that all comments made at 35% have been addressed.
- Follow-up meetings with utility companies, if necessary, have taken place.
- All existing utility conflicts are addressed and resolved, and tracked using a utility response matrix.
- Proposed utilities plan is essentially complete.

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- All right-of-way and easement needs are shown and finalized, and ownership is confirmed, if necessary, with Title Reports.
- All structural calculations of the major component are complete. {STRUCTURES ONLY}
- Architectural design drawings are at approximately 75% completion level. {STRUCTURES ONLY}
- All structural design drawings at approximately 75% completion level. {STRUCTURES ONLY}
- All plumbing drawings are at approximately 70% completion level. {STRUCTURES ONLY}
- All plumbing fixtures are identified. {STRUCTURES ONLY}
- HVAC design drawings are at approximately 60% completion level. {STRUCTURES ONLY}
- Electrical design drawings are at approximately 55% completion level. {STRUCTURES ONLY}

4. <u>95% (Pre-Final) Level Completion:</u>

Complete plans, specifications, and estimates and submit for final review and comments.

- All design documents (PS&E) are essentially complete as if ready to bid.
- PS&E is ready to submit for review.
- Specifications document includes General Provisions and Special Provisions and shall be complete in every manner.
- Liquidated damage calculation is complete.
- 100% Engineer's Estimate is complete. It shall be at or 10% (maximum) below the construction budget amount provided by the City.
- 3rd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
- Must include a set of drawings and a comments matrix with responses proving that all comments made at 65% have been addressed.
- Ready for Biddability, claim avoidance, and constructability reviews.
- All right-of-way and easement documents have been obtained, or are in the final process of being obtained.

5. <u>100 % (Final – Bid Documents) Level Completion:</u>

Final detail to plans, specifications and estimates ready for signatures.

- PS&E is ready for signature.
- Must include a set of drawings and a comments matrix with responses proving that all comments made at 95% have been addressed.
- Project is ready for advertisement.
- All available and applicable permits have been received.

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- Sign-off has been obtained from all entities having jurisdiction on approving the PS&E documents, including sign-off by the City's required departments or divisions.
- All right-of-way and easement documents have been obtained.

W:\CapProj\CapProj\PROJECTS\Viren - 10-89791722 - Fire Station #110\RFP\Combined - RFP\Final RFP 03-06-08 (with STK changes approved by City Attorney).doc

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STK
ARCHITECTURE, INC.

January 28, 2010

Jack Shah
CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92553

RE: REQUEST FOR PROPOSAL – MORRISON PARK FIRE STATION
MORENO VALLEY, CALIFORNIA

Dear Mr. Shah,

We appreciate the opportunity to submit a Proposal for Consultant Services for the Morrison Park Fire Station project. This Proposal is for Project Management, Architectural and Engineering Design (A&E) and Construction Contract Administration Services. Based on our negotiations on January 6, 2010, we are happy to submit the following:

The Fee stated below reflects the following assumptions:

1. STK began design of the Cottonwood Fire Station in July 2008 and were asked to stop in January 2009. STK completed thirty percent (30%) of our design services, which included the site plan, floor plan, exterior elevations and building section. The floor plan, elevations and sections will be used for the Morrison Park Fire Station, but the site plan will need to be redesigned for this site.

2. Services include Bidding & Negotiation and Construction Administration Phases. During the construction phase (13 months), STK will attend a total of 52 site visits (one site meeting per week), plus one site visit to develop a punch list, and one site visit for final walk. As-builts will be provided on disc in ACAD and a set of Mylar originals.

   STK's Construction Administration services will include the following:

   A - Weekly site visits and meetings to document the construction. STK will prepare all meeting minutes and distribute to City Project Manager, document the status of RFIs, Change Orders, Construction Schedule, etc

   B - Shop drawing review/approval.

   C - Pay application review/approval.

   D - Change order review/approval.

Exhibit "B"

ARCHITECTURE INTERIOR DESIGN PLANNING
42095 Zevo Drive, Suite A15, Temecula, California 92590-3780 Phone: 951/296-9110 Fax: 951/296-6079 E-Mail: stk@stkinc.com

E - Review contractor daily reports.

F - Coordinate STK's consultants.

G - Coordinate with City Departments and City Project Manager.

3. Consultants provided within scope would include Landscape Architect, Geotechnical Engineer/Material Testing, Construction Contract Administration, Civil Engineer, Structural, Mechanical, Electrical Engineering and Surveying (proposal enclosed). The scope of services for STK's consultants is stated in their Proposals on an hourly basis.

4. Our site plan scope of work is to develop a design incorporating the Fire Station, and a 576 s.f. storage building, access (ingress and egress), parking, trash enclosure, fuel storage tank and hose drying ramp.

5. Included are anticipated meetings between the Architect, the City of Moreno Valley and the Fire Department (6 – two hour meetings).

6. STK will coordinate all drawings through City Departments for permitting.

7. It is anticipated that all the construction period will be 365 calendar days; the Proposal is based on this time commitment. If however, the contractor overruns this time by 10% or more, STK, Inc. will be entitled to negotiate appropriate extra compensation for the overrun in time.

8. STK will coordinate all drawings with utility agencies.

9. The Proposed Fee does <u>not</u> include the cost to design a traffic light/Opticon System, processing fees or rendering.

10. Reimbursables are to include all printing, mileage/travel costs and Mylars. Receipts will be provided for all reimbursables and will be billed on a monthly basis. STK estimates this project will require approximately $30,000.

11. STK to provide a WQMP and SWPPP plan/detail manual and N.O.I (Notice of Intent) to the State.

12. The construction of the adjacent Park is not a part of this proposal.

13. Additional services will be billed on an hourly basis per the attached hourly rate schedules.

14. The scope of services for the Geotechnical Engineer includes (see attached Proposal):

    A - Preliminary Soils Investigation
    B - Infiltration Testing
    C - Phase I – Environmental Site Assessment
    D - Construction Testing Services

15. The Total Fixed Fee is **$696,273**.

16. STK will provide a One-Year Job Walk Review, meeting minutes and coordination with the City and Contractor.

17. The Preliminary Project Schedule is based on the following:

    A - Design Phase – April 2010 to March 2011
    B - Bid and Award Phase – April 2011 to June 2011
    C - Notice of Construction Award – July 2011
    D - Begin Construction – August 2011
    E - Complete Construction – August 2012
    F - Occupancy – September 2012

We assume the standard City of Moreno Valley contract would be used and approved by the City Council. As part of the project requirements, we would provide Professional Liability coverage of $2,000,000 in addition to that carried by our consultants.

If you have any question regarding the Proposal or wish to discuss specifics in detail, please do not hesitate to call me.

Sincerely,

STK Architecture, Inc.

G.V. Salts, Architect/Owner

Enc. Fee Proposal
Fee Proposal Detail
Consultant Proposals
Hourly Rates

City of Moreno Valley Morrison Park Fire Station (Use 30% design from Cottonwood Park and adapt Site Plan)	STK ARCHITECTURE, INC. Architecture/Design Project Management	STK ARCHITECTURE, INC. Construction Contract Admin.	DMC DESIGN GROUP Civil Engineering	INLAND FOUNDATION ENGINEERING Geotechnical Engineering	AECOM CONSULTANTS Landscape Architecture	**TOTAL**
Design Project Management	$40,000					$40,000
Design Phase I 15% Site Assessment	$5,000		$10,400	$14,900		$30,300
Design Phase II 35% Plot Plan	$7,000		$14,000			$21,000
Design Phase III 65% Design Development	$88,305		$23,400			$111,705
Design Phase IV 95% Construction Docs	$88,305		$4,000			$92,305
Design Phase V 100% Const Docs.	$24,719		$3,500		$12,000	$40,219
Reimbursables- based on actual cost	$10,000					$10,000
SUBTOTAL (Design Phase)	**$263,329**	**$0**	**$55,300**	**$14,900**	**$12,000**	$345,529
Bid/Construction Admin. Phase	$105,000	$93,100	$21,000	$81,308	$2,300	**$302,708**
+ STK Consultant Coordinate			$11,460	$14,431	$2,145	$28,036
Reimbursables	$20,000					$20,000
SUB TOTAL – (Bid/Const. Admin. Phase)	**$125,000**	**$93,100**	**$32,460**	**$95,739**	**$4,445**	**$350,744**
Grand Total (Design and Bid/Const./ Admin. Phases)	**$388,329**	**$93,100**	**$87,760**	**$110,639**	**$16,445**	**$696,273**

January 28, 2010

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STK ARCHITECTURE, INC

HOURLY AND REIMBURSABLE RATES

January 2010

Partner	$ 185/Hr
Associate	135/Hr
Project Manager	115/Hr
Senior Draftsman	85/Hr
Junior Draftsman	70/Hr
Clerical	48/Hr
Consultants	Cost x 1.15
Reimbursables	Cost x 1.00
Reimb. Agency Fees	Cost x 1.05

MORRISON PARK FIRE STATION
FOR
CITY OF MORENO VALLEY

STK'S
Sub-consultant Agreements

INDEX

A - Inland Foundation Engineering, Inc.
Geotechnical Engineering and Material Testing

B - AECOM
Landscape Architecture

C - DMC Design Group
Civil Engineering and Surveying

D - Raskin Engineering
Structural Engineering

E - T-Squared Professional Engineers, Inc.
Mechanical, Plumbing and Electrical Engineering

INLAND FOUNDATION ENGINEERING, INC.
Consulting Geotechnical Engineers
1310 South Santa Fe Avenue
San Jacinto, California 92583-4638
(951) 654-1555
FAX (951) 654-0551

January 7, 2010

Attention: G.V. Salts
STK ARCHITECTURE, INC.
42095 Zevo Drive, Suite A15
Temecula, California 92590

Re: Revised Proposal for Preliminary Geotechnical Exploration, Infiltration Testing, Soils & Materials Testing Services and Phase I Environmental Site Assessment, Proposed Fire Station, NEC Cottonwood Avenue and Morrison Street, Moreno Valley, California

Dear Mr. Salts:

At your request, we have prepared this revised proposal and cost estimate for conducting preliminary geotechnical Exploration and soils and materials testing during construction for the referenced project.

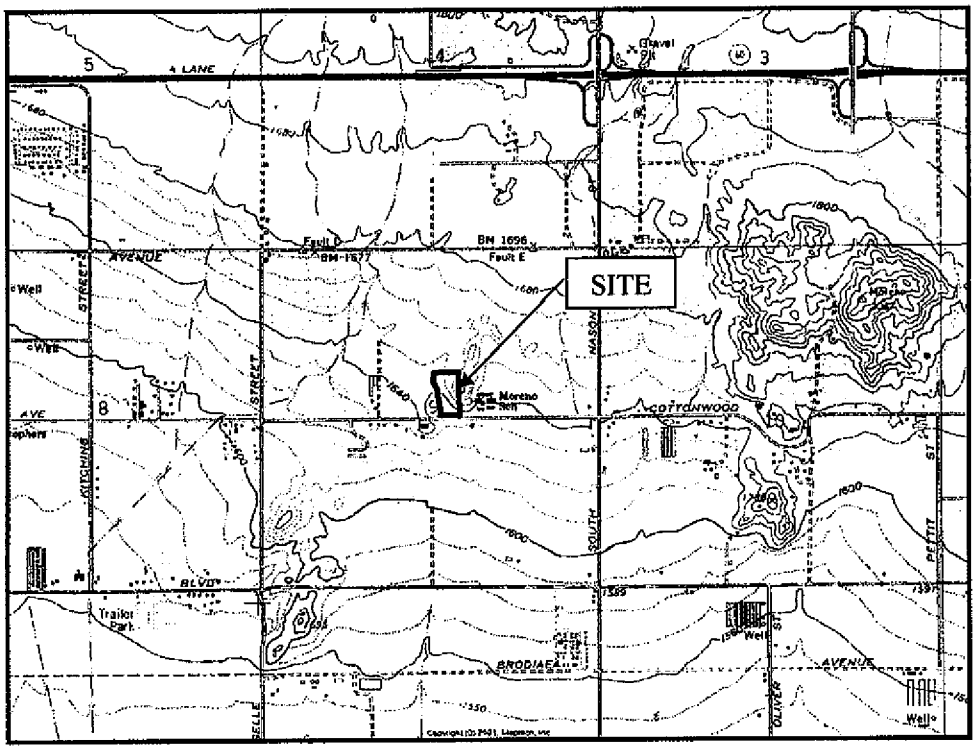

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The proposal and cost estimate is made in response to discussions we have had with STK Architecture, Inc. and previous experience of projects of this nature.

The project under consideration consists of the construction of a heavy urban Fire Station. We understand the facility will include associated parking and concrete driveway areas, fuel tanks, and trash enclosure. This project is considered an *Essential Services Building*, requiring an engineering geology review. The following paragraphs present a discussion of our project approach and methodology that will be utilized during this study.

PROJECT APPROACH

GEOTECHNICAL EXPLORATION - The subsurface geotechnical exploration will be performed at the site for the purpose of developing general preliminary design and grading recommendations for future site improvements. This study will be initiated immediately after the notice to proceed has been granted. The following paragraphs present a discussion of our project approach and methodology that will be utilized during this study.

ENGINEERING GEOLOGY - A Certified Engineering Geologist (CEG) will perform the seismic hazards evaluation and report for this project. For this evaluation, the following items will be addressed:

- Review of available geologic data pertinent to the site
- Photogeologic analysis of stereo pairs of aerial photographs
- Field reconnaissance by an Engineering Geologist
- Perform a site specific, computer-aided geoseismic analysis
- Preparation of a formal report presenting the findings, conclusions and recommendations.

Our initial review indicates that the site does not lie within a mapped State of California Alquist-Priolo Earthquake Fault Zone, or within a mapped County of Riverside Fault Zone. Our work will not include detailed trenching for determining the presence of active faulting on the site.

In accordance with State mandated criteria for essential services structures, the engineering geology review will be conducted in accordance with California CGS guidelines. Following is a copy of the CGS Note 48 Checklist that will be used as a guideline during the engineering geology review:

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California Geological Survey - Note 48

Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and Essential Services Buildings
October 2007

Note 48 is used by the California Geological Survey (CGS) to review the geology, seismology, and geologic hazards evaluated in reports that are prepared under California Code of Regulations (CCR), Title 24, California Building Code. CCR Title 24 applies to California Public Schools, Hospitals, Skilled Nursing Facilities, and Essential Services Buildings. The Building Official for public schools is the Division of the State Architect (DSA). Hospitals and Skilled Nursing Facilities in California are under the jurisdiction of the Office of Statewide Health Planning & Development (OSHPD). The California Geological Survey serves under contract with these two state agencies.

Project Name: _____ Location: _____

OSHPD or DSA File #: _____ Reviewed By: _____

Date Reviewed: _____ California Certified Engineering Geologist #: _____

Checklist Item or Topic Within Consulting Report NA = not applicable NR = not addressed by consultant and therefore not reviewed at this time	Adequately Described: Satisfactory	Additional Data Needed: Not Satisfactory
Project Location		
1. Site Location Map, Street Address, County Name: Correctly plot site on a 7½-minute USGS quadrangle base-map.		
2. Plot Plan with Exploration Data with Building Footprint: 1 boring or exploration shaft per 5000 ft², with minimum of 2 for any one building. Exploratory trench locations.		
3. Site Coordinates: (Latitude & Longitude)		
Engineering Geology/Site Characterization		
4. Regional Geology and Regional Fault Maps: Concise page-sized illustrations with site plotted.		
5. Geologic Map of Site: Detailed (large-scale) geologic map with proper symbols and geologic legend.		
6. Subsurface Geology: Engineering geology description summarized from boreholes or trench logs. Summarize ground water conditions.		
7. Geologic Cross Sections: Two or more detailed geologic sections with pertinent foundations and site grading.		
8. Active Faulting & Coseismic Deformation Across Site: Prepare page-sized extract map of Alquist-Priolo Earthquake Fault Zones and/or any potential fault rupture hazard identified from the Safety Element of the local agency (city or county); show location of fault investigation trenches; 50-foot setbacks perpendicular from fault plane and proposed building footprints.		
9. Geologic Hazard Zones (Liquefaction & Landslides): *(If applicable)* Prepare page-sized extract of CGS official map showing zones of required investigation for liquefaction and landslide, and/or any pertinent geologic map from the Safety Element of the local agency (city or county).		
10. Geotechnical Testing of Representative Samples: Broad suite of appropriate geotechnical tests.		
11. Geologic Consideration of Grading Plans and Foundation Plans: *(If applicable)* Discussion of engineering geologic aspects of excavation/grading/fill activities, foundation and support structures, and deep foundations. Include geologic and geotechnical inspections and problems anticipated during grading. Special design and construction provisions for footings or foundations founded on expansive soils. Consideration of seismic compression of fills; cut/fill differential settlement.		
Seismology & Calculation of Earthquake Ground Motion		
12. Evaluation of Historical Seismicity: Prepare a short description of how historical earthquakes have affected the site.		
13. Mapped Spectral Acceleration Parameters: S_S, S_1. Maps found at http://earthquake.usgs.gov/research/hazmaps/design/ recommended for establishing design values.		
14. Classify the Geologic Subgrade (Site Class): 2007 CBC Table 1613A.5.2 and Section 1613A.5.5.		
15. Site Coefficients and Adjusted Maximum Considered Earthquake (MCE) Spectral Response Acceleration Parameters: F_a, F_v and S_{MS}, S_{M1}.		
16. Design Spectral Acceleration Parameters: S_{DS} and S_{D1}.		

Checklist Item or Topic Within Consulting Report NA = not applicable NR = not addressed by consultant and therefore not reviewed at this time	Adequately Described; Satisfactory	Additional Data Needed; Not Satisfactory
17. Seismic Design Category: Report if $S_1 > 0.75$.		
18. Deaggregated Seismic Source Parameters: (*If applicable*) Provide modal magnitude (M_w), and modal distance (km) to fault.		
19. Site-Specific Ground Motion Analysis: (*If applicable*) Required for sites where conditions described in 2007 CBC § 1614A.1.2 apply. Provide probabilistic MCE, deterministic MCE and deterministic lower limit, and design response spectra. Justify analytical choices.		
20. Time-Histories of Earthquake Ground Motion: (*If applicable*) Compute target spectra, justify selected earthquake records, scale to target, and show initial and scaled records.		

Liquefaction/Seismic Settlement Analysis

21. Geologic Setting for Occurrence of Seismically Induced Liquefaction: Perform screening analysis to exclude areas where liquefaction investigation not required. ♦ applicable where ground water surface <50 ft. depth; use historical high ground water for calculations. ♦ low-density, non-plastic alluvium, typically *SPT* $(N_1)_{60}$<30.		
22. Liquefaction Calculations: Based on several detailed geologic cross-sections. Provide calculations (no estimates) including all input parameters.		
23. Seismic Settlement of Entire Soil Column: For two or more locations within the site, evaluate both saturated and unsaturated layers of the entire soil column. Provide calculations (no estimates) including all input parameters. Evaluated with peak ground acceleration based on site-specific study or peak ground acceleration equal to $S_{DS}/2.5$.		
24. Potential for Lateral Spreading		
25. Mitigation Options for Liquefaction: Discuss effectiveness of options to mitigate liquefaction effects. Acceptance criteria for ground-improvement schemes.		

Slope Stability Analyses

26. Landslide Mapping: Characterize the potential for landsliding both on and off-site affecting proposed project.		
27. Determination of Static And Dynamic Strength Parameters: Conduct appropriate laboratory tests to determine material strength considering both static and dynamic conditions.		
28. Determination of Pseudo-Static Coefficient (K_{eq}): Recommended procedure available from http://www.scec.org/resources/catalog/hazardmitigation.html.		
29. Identify Critical Slip Surfaces for Static and Dynamic Analyses: Failure surfaces should be modeled to include existing slip surfaces, discontinuities, geologic structure and stratigraphy; include appropriate ground water conditions.		
30. Dynamic Site Conditions: Site response analysis and topographic effects should be considered, if appropriate.		
31. Mitigation Options for Landsliding/Other Slope Failure: Discuss effectiveness of options to mitigate landsliding/slope failure effects. Acceptance criteria for ground-improvement schemes.		

Other Geologic Hazards or Adverse Site Conditions

These exceptional geologic hazards do not occur statewide. However, they may be pertinent to a particular site. Use prudent analysis to avoid predicaments and expensive delays in construction. This list will help to avoid misunderstandings and back-checks when additional information is required by the reviewing agency.

32. Expansive Soils		
33. Corrosive/Reactive Geochemistry of Geologic Subgrade: Soluble sulfates and corrosive soils.		
34. Conditional Geologic Assessment: Including but not limited to - **A. Hazardous materials** (methane gas, hydrogen-sulfide gas, tar seeps); **B. Volcanic eruption**; **C. Flooding** FEMA FIRM's for 100-year flood, is the site protected by a levee; **D. Tsunami and seiche inundation**; **E. Radon-222 gas** (typically within organic-rich marine-shale of the California Coast Ranges); **F. Naturally occurring asbestos** (in geologic formations associated with serpentine; refer to CGS SP 124); **G. Hydrocollapse** of alluvial fan soils due to anthropic use of water; **H. Regional subsidence**; **I. Clays and cyclic softening.**		

Report Documentation

35. Geology, Seismology, and Geotechnical References		
36. Certified Engineering Geologist: (2007 CBC § 1802.7.2)		
37. Registered Geotechnical Engineer: (2007 CBC § 1802.8.1)		

FIELD EXPLORATION - For our field exploration, we propose to drill four exploratory borings at the proposed fire station site. The depth of the borings will range in depths between 15 to 50 feet beneath the existing surface, or to refusal, whichever is first encountered. A Staff Geologist will make continuous logs of the materials encountered during drilling on the site. Representative undisturbed samples will be obtained within our borings by driving a thin-walled steel penetration sampler with successive 30-inch drops of a 140-pound hammer. The number of blows required to achieve each six inches of penetration will be recorded on our boring logs and used for estimating the relative consistencies of the subsoils. The sampler types to be used include one carrying brass sample rings having inner diameters of 2.417 inches and a Standard Penetration Test Sampler (SPT). Undisturbed samples will be removed from the sampler and placed in moisture sealed containers in order to preserve the natural soil moisture content. They will then be transported to our laboratory for further observations and testing. Representative bulk soil samples will also be obtained in the field and transported to our laboratory.

Underground Service Alert will be contacted prior to any subsurface drilling.

LABORATORY TESTING - Laboratory testing will be performed on representative undisturbed and bulk soil samples. Undisturbed samples will be weighed and measured in order to determine their unit weights and moisture contents. This will allow us to estimate the Relative Compaction of the in-situ materials. Representative bulk soil samples will be tested in order to determine the corresponding maximum dry densities-optimum moisture contents, general engineering classifications, and other pertinent engineering characteristics. On the basis of this initial testing, undisturbed samples will be selected for consolidation testing. This testing will provide data useful in estimating the load-settlement characteristics of the undisturbed soil. In addition, samples will be selected for direct or triaxial shear testing, and expansion testing. These tests are useful in developing parameters for foundation design, lateral design, and for developing expansive soil design criteria.

ENGINEERING ANALYSIS AND REPORT PREPARATION - On the basis of our field and laboratory investigation, we will develop conclusions and preliminary engineering recommendations, which may be applied to the preliminary design of the proposed facility. These conclusions and recommendations will be presented in a formal report. Specific recommendations will be developed for:

- Allowable Soil Bearing Capacity for Spread Footings
- Passive Earth Pressures
- Active/At-rest Earth Pressures
- Coefficient of Friction
- Soil Liquefaction
- 2007 California Building Code Seismic Design Parameters
- Expansive Soils
- Concrete Slabs-On-Grade
- Water Soluble Sulfates
- Tentative Pavement Design
- Shrinkage and Subsidence
- General Site Grading

Also included in our formal report will be the results of our field and laboratory investigation. Field data will be presented in a *gINT*® Format. These logs will provide a written description of the subsurface materials and a graphic or symbolic presentation. The written description will also include any pertinent observations made during drilling such as encountering artificial fill, groundwater, gas or other unusual or relevant subsurface features. The logs will also indicate the number of blows obtained during penetration (SPT) testing.

Laboratory test data will be presented in an appendix, which will also describe the specific test methods. The test data itself will be presented in a *gINT*® Format. Normally, this is a graphical presentation, which indicates each data point. All field and laboratory test data will be presented on reproducible sheets, which will also indicate the project name and firm identification. A plan will also be submitted indicating the locations of our exploratory borings. This plan may also be used to indicate any areas where unsuitable or unusual subsurface conditions may exist.

INFILTRATION TESTING – The infiltration testing will be conducted for the purpose of providing rates to the designers for their use in designing a subsurface infiltration system. The anticipated depth of the system is on the order of 30 inches.

We propose to excavate two test pits along the westerly portion of the site, ranging in depths between approximately 2 and 4 feet. Our testing will be conducted in accordance with the *ASTM Standard Test for Infiltration Rate of Soils in Field Using Double Ring Infiltrometer* (ASTM D3385-03) test method. A staff geologist will conduct the actual infiltration testing with equipment manufactured to meet the specifications of the ASTM Test Method.

Because the infiltration rate of the soil may be affected by compaction, the test pits will be backfilled in an uncompactive manner. The backhoe operator will wheel roll the upper portion of the backfill to avoid voids occurring at the surface. No compaction testing of the backfilled material will be provided. The soil will be placed back to adjacent surface grade.

Based on the testing, rates will be provided with units of centimeters per hour. The design engineer should consider several factors in his design of the infiltration systems. Over the lifetime of the systems, these rates will be affected by adverse factors such as biological activity and silt build-up. Other factors that should be considered in the design include the nature of the influent, and long-term maintenance practices.

PHASE I ENVIRONMENTAL SITE ASSESSMENT - Comprehensive due diligence is essential to the establishment of the "innocent landowner" defense under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This act mandated that "a defendant must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability. A portion of appropriate inquiry should include a Phase I Environmental Site Assessment that appraises a property's environmental liabilities, environmental management practices of all past and present operations on the property and

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adjacent properties, and a review of records, files and permits. The Phase I assessment should include a historical and factual study which encompasses both legal and technical assessments of contamination on the property. A purchaser or lender cannot ignore obvious signs of contamination, (e.g. adjacent property uses, staining, stressed vegetation, historic uses, etc.). If contamination is suspected and additional testing is not conducted, the new owner/operator, or under certain circumstances, the lender could be held liable for cleanup if contamination is found to exist.

A Phase I ESA is a service whose basic elements are determined by the standard of care prevailing at the time the service was rendered in the area where it was rendered. Inland Foundation Engineering, Inc. expresses to STK Architecture, Inc. and the City of Moreno Valley that by definition, standards set forth minimums. Additional services and service enhancements in addition to the Phase I Environmental Site Assessment could be authorized to reduce uncertainty and STK Architecture, Inc.'s and the City of Moreno Valley's attendant risks.

The Phase I Site Assessment of the subject property, will be conducted by Inland Foundation Engineering, Inc. (IFE) in general accordance to the "Standards and Practices for All Appropriate Inquiries" (40 Code of Federal Regulations, Section 312)/ASTM 1557-05 and will include the following sequence of events:

1. Identify Data Sources - At the commencement of the investigation, IFE will obtain and review available data regarding the site and surrounding properties. This information will include:

a. A site map showing legal property boundaries,

b. A review of regulatory lists: local, state and federal. An environmental disclosure report will be prepared by an environmental reporting service which will identify listed sites within the ASTM mandated search radius' of the subject property,

c. As part of the investigation, historical data will be reviewed. This will include a review of various maps of the area and a review of historical aerial photographs. A Chain-of-Title or environmental lien search will be conducted by EDR and examined by Inland Foundation Engineering, Inc. We will be requesting any title information available from the client.

d. A review of previous reports and site records. Previous records or reports pertinent to the Phase I ESA may be available. This information and other available records will be reviewed,

e. An off-site review will be conducted. This will consist of contacting several governmental agencies concerning but not limited to the following:

- permits to use and/or store hazardous material,
- recorded and/or known hazardous material spills or leaks,
- hazardous material cleanups, and
- other land permits.

2. Arrange Site Visits - A site reconnaissance will be performed by IFE in order to evaluate the study area and visually observe the site for evidence of contamination. During the site visits, the Assessor will compile data checklists which are a valuable method for ensuring that the site visit characterizes and documents the current conditions adequately.

3. Interviews - Interviews with local agencies, property owners, and other persons familiar with the history of the project area will be conducted. This will be useful in obtaining uses and historical physical characteristics of the site. Interviews with adjacent property owners may also be conducted in order to obtain further insight of the property. Notes taken during interviews will be used as reference documents.

4. Evaluation of Data - Once all of the available data has been compiled, a primary list of recognized environmental conditions will be constructed. An evaluation of all information obtained in the Phase I Environmental Site Assessment will be made. Our conclusions will largely be based on the records research, site reconnaissance and other information collected during the study.

5. Preparation of the Phase I Site Assessment Report - The report will summarize the investigation of any conclusions about recognized environmental conditions on the subject property. The Phase I Environmental Site Assessment report will be formatted to contain the following typical sections:

1.0 SUMMARY

2.0 INTRODUCTION
- 2.1. Purpose
- 2.2. Detailed Scope-of-Services
- 2.3. Significant Assumptions
- 2.4. Limitations and Exceptions
- 2.5. Special Terms and Conditions
- 2.6. User Reliance

3.0 SITE DESCRIPTION
- 3.1. Location and Legal Description
- 3.2. Site and Vicinity General Characteristics
- 3.3. Current Use of the Property
- 3.4. Structures, Roads and Other Improvements on the Site
- 3.5 Geologic Setting
- 3.6 Current Use of Adjoining Properties

4.0 USER PROVIDED INFORMATION
- 4.1. Title Records
- 4.2. Environmental Liens or Activity Use Limitations
- 4.3. Specialized Knowledge
- 4.4. Commonly Known or Reasonably Ascertainable Information
- 4.5. Valuation Reduction for Environmental Issues
- 4.6. Owner, Property Manager, and Occupant Information
- 4.7. Reason for Performing Phase I ESA

5.0 RECORDS REVIEW
- 5.1. Standard Environmental Record Sources
- 5.1.1. Government Agencies
- 5.1.2. Environmental Disclosure Report
- 5.1.3. City Directories and Sanborn Fire Insurance Maps
- 5.2. Physical Setting Sources
- 5.2.1. Aerial Photograph Review
- 5.2.2. Topographic Review
- 5.3. Historical Use Information on the Property
- 5.4. Historical Use Information on Adjoining Properties

6.0 SITE RECONNAISSANCE

7.0 INTERVIEWS

8.0 FINDINGS
- 8.1. Discussion
- 8.2. Summary of Findings

9.0 OPINION

10.0 CONCLUSIONS

11.0 DEVIATIONS

12.0 REFERENCES

13.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

14.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

15.0 APPENDICES

No subsurface sampling or analysis will be conducted as part of the Phase I ESA. If suspected contaminants are indicated in the Phase I study, additional exploration and testing would be

recommended. This work (Phase II) would be conducted under a separate proposal and Agreement.

CONSTRUCTION SERVICES - At this time, a construction schedule or duration has not been developed. Our services during the construction phase will include compaction testing for on-site fills, utility trenches, pavement areas and overexcavation for the proposed facility. Compression testing of on-site concrete is also anticipated for site concrete. Masonry inspection will also be required for this project. Anticipated laboratory testing will include maximum density/optimum moisture determinations, sieve analysis, Sand Equivalent testing, R-Value testing and expansion testing. For this project, field density testing will be performed in accordance with ASTM D1556-07 or ASTM 6938-07b. Maximum density determinations will be performed in accordance with ASTM D1557 methodology.

PROJECT ORGANIZATION

The Project Manager/Engineer will be Lawrence E. Strahm, a Registered Geotechnical/Civil Engineer who is also President and founder of Inland Foundation Engineering. Mr. Strahm will oversee the field and laboratory portions of the investigation. The Certified Engineering Geologist will be Daniel R. Lind and/or Donn Schwartzkopf. Mr. Lind has over 19 years experience in performing environmental assessments and is Registered Environmental Assessor, Level II. A Staff Geologist will conduct the field investigation while our trained field laboratory technicians will conduct the testing during the construction phase. Our services will be conducted in accordance with contemporary geotechnical engineering principles and practice.

FEE PROPOSAL

Preliminary Exploration: Our fee for the Preliminary Geotechnical Exploration and Preparation of the Geotechnical Report is $8,300.00. These costs include the engineering geology study, field exploration, laboratory testing, engineering analysis and geotechnical review.

Infiltration Testing: Our estimated fee for conducting this investigation will be $4,000.00. This fee includes backhoe equipment costs for the services described and backfilling of the test pits to adjacent surface grades. If observed infiltration rates and/or soil types vary significantly between the two test pits, additional testing may be required to define the limits of each soil type. If additional work is required, (due to failing infiltration tests, adverse site conditions, etc.), additional costs (including engineering and backhoe services) will be billed on an hourly basis.

Phase I Environmental Site Assessment: Our fee for conducting the Phase I Environmental Site Assessment of the subject property will be $2,600.00. This fee includes all costs incurred during the assessment as described in this proposal and the final report. If suspected contaminants are indicated in the Phase I study, additional exploration and testing would be recommended. These services (Phase II) would be conducted under a separate proposal and Agreement.

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Construction Testing Services: At this time, we have not been provided with an outlined construction schedule indicating the duration of each phase of the project. Based on our experience with projects of this nature, we have made the following cost estimates for the construction testing services for the proposed fire station:

PROJECT TASK – Construction Phase - Fire Station Site	FEE ESTIMATE
Site Grading (Based on estimated 14 Work Days - 8 hours per day @ $92.15 per hour and travel/mileage costs)	$12,736.00
Parking Area and Street Subgrade and Base Preparation (Based on estimated 8 Work Days - 8 hours per day @ $92.15 per hour and travel/mileage costs)	7,278.00
Utilities and Miscellaneous Testing, e.g. light poles, etc. (Based on estimated 12 Work Days - 8 hours per day @ $88.30 per hour and travel/mileage costs)	10,916.00
Concrete Testing (based on fabrication of 30 sets of cylinders during estimated 50 hours @ $94.15 per hour and travel/mileage costs. With compression tests at 7 and 28 day intervals and cylinder pickup)	7,918.00
Masonry Inspection (based on estimated 140 hours of ICC Special Inspector @ $94.15/hr.)	13,181.00
Welding Inspection (based on estimated 110 hours of ICC/AWS Special Inspector @ $94.15/hr.)	10,356.00
Epoxy Bolt Inspection (based on estimated 18 hours of ICC Special Inspector @ $94.15/hr.)	1,695.00
Rebar Inspection (based on estimated 12 hours of ICC Special Inspector @ $94.15/hr.)	1,130.00
Laboratory Testing (Based on 6 Maximum Density/Optimum Moisture Content Determinations (soil), 2 Maximum Density/Optimum Moisture Content Determinations (Class II Base), 8 Sieve Analysis Tests, 8 Sand Equivalent Tests, 4 R-Value Tests, 6 Expansion Tests, 6 Sulfate Tests, 3 Asphalt Concrete Density Tests)	4,298.00
Project Engineering and Reporting	1,800.00
Contingency Fee for Miscellaneous Testing/Inspection	$10,000.00
ESTIMATED PROJECT COSTS (CONSTRUCTION TESTING)	**$81,308.00**

Inland Foundation Engineering, Inc. adheres to SB 1999 prevailing wage requirements for public works projects. We propose to perform the work on a time charge basis, as the actual work performed will be dependent on the construction methods and progress. Therefore, the actual scope of services and corresponding fees may vary significantly. Our schedule of fees is attached.

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INSURANCE & INDEMNIFICATION Inland Foundation Engineering, Inc. carries general liability insurance coverage in the amounts of $1 million per occurrence and $2 million aggregate. IFE also carries auto liability and Workers' Compensation & Employer Liability insurance coverage. We also carry professional errors and omissions liability. Our current coverage for professional liability is for $1,000,000 and $3,000,000 aggregate.

We appreciate the opportunity of working with you on this project. If there are any questions, please contact our office.

Sincerely,
INLAND FOUNDATION ENGINEERING, INC.

Daniel R. Lind, Project Geologist
P.G. 7681/C.E.G. 2451

Lawrence E. Strahm, President
R.C.E. 26409/G.E. 959

DRL:LES:drl
Addressee (1)

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AECOM

AECOM
999 Town and Country Road
4th Floor
Orange, CA 92868
www.aecom.com

714.567.2400 tel
714.953.6989 fax

Date: 1/4/2010

STK Architecture
42095 Zevo Drive, suite A-15
Temecula, CA. 9250

Attention: G.V. Salts Architect

Regarding: Proposal for Landscape Architecture Services for Fire Station located in the City f Moreno Valley, CA.

Dear Mr. Salts,

AECOM is pleased to present this proposal for landscape architectural services for the above referenced project. AECOM has reviewed the site and knows the submittal requirements for the City of Moreno Valley. The following is an outline of services necessary to properly complete this project per your request.

Scope of Services:

- Prepare conceptual color illustrative landscape plan depicting building and hardscape layout, project limits and layout of conceptual landscaping depicting exact locations of all plant material and specification of tree and plant types and spacing.
- Prepare base sheet information and format into working Cadd / graphic file to create construction documents.
- Prepare landscape planting plans depicting specific plant materials and exact locations for placement of all materials. Provide all necessary notes and details necessary to properly construct the project.
- Prepare landscape irrigation plans designing an automatic irrigation system that provides 100% coverage of landscape areas and meets the City of Moreno Valley's design requirements. Provide all necessary notes and details to properly construct the project.
- Provide water consumption calculations per County and State's guidelines
- Prepare landscape construction specifications.
- Provide landscape architectural site observation of landscape construction installation to ensure compliance with the approved construction drawings. Proposal includes two site visits and reports and certification letter that site was installed in substantial compliance with the approved plans. Additional requested site visits will be billed at $500 each.

Fee: Shall be Lump – Sum $14, 500 (Fourteen Thousand Five Hundred Dollars)

Extra Services and Reimbursable Expenses:

1) All requested reproduction services shall be invoiced at our cost plus 10% handling or set-up through Owner's separate account.

2) Requested extra services will be billed at our below hourly rates or as mutually agreed by Owner and AECOM's Project Manager. See below staff hourly rates below.

3) All mileage to and from the site from our main office for meetings and site visits will be billed and invoiced at 58 cents a mile.

All requested extra services and or change orders shall be billed and invoiced at the following staff rates:

Additional Services Billing Rates

Project Manager	$156/Hr.
Landscape Designer	$95/Hr
Designer	$85/Hr

Please review and approve the above referenced scope of services and fees and sign below authorizing approval and notice to proceed. Please give me a call if you have questions or comments.

Harry Clarke
Project Manager
P&D Consultants, Inc.

GV Salts 1-7-10
Architect / Owner
STK Architecture

DMC Design Group, Inc.
Maple Centre
140 N. Maple St., Suite 104
Corona, CA 92880

(951) 549-8100 Fax (951) 549-8102

January 12, 2009

GV Salts, Architect
STK Architecture, Inc.
42095 Zevo DR. Ste. A-15
Temecula, Ca. 92590

RE Survey and Civil Engineering Proposal – Civil Improvements for Fire Station Northeast Corner of Morrison Street and Cottonwood Avenue in the City of Moreno Valley, CA

Dear Mr. Salts:

On January 6, 2008, DMC Design Group, Inc. received project related documents from STK Architects, Inc., of Temecula, CA. pertaining to the proposed Fire Station No. 107 Improvement Project to be constructed on the westerly half of a single 8-acre parcel (APN 487-370-013) located at the northeast corner of Morrison Street and Cottonwood Avenue in the City of Moreno Valley, Ca. DMC Design Group, Inc. has been asked to submit a proposal for survey and engineering services required to design and prepare construction documents for civil improvements for the proposed Fire Station No. 107 Project Improvement. DMC Design Group, Inc. was also asked to submit a proposal for construction support, including required construction staking.

Project Understanding

Based upon additional discussions with the Project Architect, City officials and a site visit conducted January 8, 2008, the proposed fire station is to be constructed on the westerly 4 acres portion of parcel APN 487-370-013. The site is currently 10 feet to 20 feet above adjacent street grades and generally slopes from the northwest to the southeast. Full street improvements, including a traffic signal, have already been constructed immediately adjacent to the site; therefore, the only offsite street improvements anticipated for this project are at two (2) driveway approaches and minor sidewalk replacements. A major drainage structure facility currently exists north of the proposed project site on a parcel adjacent to the northerly edge of the project. Improvements to this facility are not anticipated. It is understood that water, sewer and drainage facilities adjacent to the project site are adequately sized to support the proposed Fire Station improvement. Finally, it is understood a lot division of the existing 8 acre site is not anticipated at this time.

Scope of Services

Based our current understanding of the project, DMC Design Group, Inc. offers the following survey, engineering and construction support Scope of Services:

Phase 1 – Concept Development	
Task 1.01 Meetings with Architect/City (4)	$1,200
Task 1.02 Research	$1,200
Task 1.03 Topographic Survey/Map	$5,000
Task 1.04 Boundary Survey/ Map	$3,000

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Task 1.05 Complete Site Hydrology Analysis/Preliminary Drainage Report	$4,000
Task 1.06 Prepare Preliminary Water Quality Management Plan	$4,000
Task 1.07 Prepare Grading and Drainage Concept Plans	$4,000
Task 1.08 Prepare Preliminary Construction Cost Estimate of Civil Improvements	$2,000
Total Phase 1	**$24,400**
Phase 2 – Final Construction Documents	
Task 2.01 Meetings with Architect/City (8)	$2,400
Task 2.02 Prepare NOI Application/Submit to State/Obtain WDID No. for Project	$1,000
Task 2.02 Prepare Final Precise Grading/Paving/Drainage Sheets (4 Sheets)	$8,000
Task 2.03 Prepare Off-Site Street Improvement Plan (1 Plan Sheet)	$1,500
Task 2.04 Prepare Wet Utility (Water/Sewer) Extension Plans (2 Plan Sheets)	$3,000
Task 2.05 Prepare Final Estimate of Quantities	$1,500
Task 2.06 Finalize Special Studies (Drainage/WQMP)	$2,000
Task 2.07 Prepare/Submit Encroachment Permit Application to City For Street Imp.	$2,000
Task 2.08 Prepare/Submit Grading Permit Application to City	$2,000
Task 2.09 Coordinate Approval with City Fire Department	$2,000
Task 2.09 Prepare/ Submit Application for Utility Connections (Potable Water/Fire Water/Sewer)	$2,000
Task 2.10 Review Technical Provisions Prepared By Others	$1,500
Total Phase 2	**$28,900**
Phase 3 – Bid/Construction Support	
Task 3.01 Bid Support (Provide Written Responses to RFI/Attend Pre-proposal Meeting)	$2,000
Task 3.02 Construction Support (Attend Construction Kick-Off Meeting/Address Questions)	$2,000
Task 3.03 Construction Staking	$750
Construction Control (Rough Grade/Blue Tops, Bldg. Corners, Grade Verification)	$5,200
Utilities(Sanitary Sewer/Water Mains/Storm Drains)	$3,300
Civil Improvements (Curbs/Gutter/Walkways/Driveways/Walls/Fences/Light Poles)	$5,900
Fine Grade Verification	$225
Office Calculations	$1,225
Task 3.04 Prepare As-Built Plans Of Civil Improvements)	$2,500
Total Phase 3	**$23,100**
Total All Phases	**$76,400**

All Direct Costs will be billed at cost plus 15%. A schedule of hourly rates is attached.

Schedule:
To start the project, DMC will require possession of the following:

- An executed agreement with DMC for services outlined above;
- a written notice to proceed;
- data prepared by others, as outlined below.

The following information shall be provided to DMC Design Group, Inc. by others:

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- A geotechnical investigation of the site shall be completed and the finding/recommendation of the investigation summarized into a report. The report shall provide soil infiltration rates, pavement sections for parking lots and roadways, grading requirements and wall foundation design requirements. A copy of the report will be provided to DMC Design Group, Inc;
- Recent Preliminary Title Report of the project site;
- Site Plan of the Proposed Fire Station in AutoCadd format approved by DMC Design Group, Inc.

Phase 1 will be completed by DMC Design Group, Inc. and copies of the concept plans/estimates/studies delivered to the Architect/City for initial review within 30 working days after starting on the project.

DMC will proceed with Phase 2 upon receiving Final Conditions of Approvals and the redline comments of the plans/studies from the Architect/City. DMC will revise the plans/studies, prepare required permit applications and submit to the Architect/City within 20 working days for review.

It is anticipated that two (2) plan reviews of these documents will be required by the Architect/City prior to final approval of plans. Additional plan checks will be completed by DMC Design Group, Inc. on a time and material basis.

Exclusions/Clarifications
The following work items are excluded from this contract. In the event that engineering services are needed for any of the following items, a scope of service covering the work will be submitted for approval under a separate proposal. Work will not proceed on the additional services until a written authorization is received by DMC.

- Composite Utility Plan, Joint Utility Trench or Utility Pot Holing.
- Property Line Monuments, Record of Survey, A.L.T.A. Maps.
- Parcel Maps/Subdivision Maps.
- Geotechnical, Environmental, Archeological, Biological, Traffic, or Noise Attenuation Studies.
- Retaining Wall Design/Plans.
- Assessment District Engineering or Specific Plans.
- Zone Change, General Plan Amendment or Conditional Use Permit.
- Preliminary Title Reports (To be provided by others).
- All fees, including application fees, processing fees and plan review fees.

Should our proposal meet with your approval, I can have an agreement for our services prepared and sent to you for signature or we can enter into an acceptable agreement prepared by STK Architects, Inc. Once I have received a fully executed copy of the Agreement, the data to be provided by others outlined above and a written notice to proceed, we will immediately proceed with this project. Thank you for providing DMC Design Group, Inc. this opportunity. We look forward to working with STK Architects, Inc. and the City of Moreno Valley on this project. Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,
DMC Design Group, Inc.

David M. Cosper, P.E.
Principal Engineer

SCHEDULE OF HOURLY BILLING RATES

OFFICE PERSONNEL

Principal Civil Engineer	$195.00/hr
Principal Traffic Engineer	$175.00/hr
Project Manager	$165.00/hr
Project Engineer	$150.00/hr
Senior Project Manager	$145.00/hr
Senior Associate	$140.00/hr
Lead Designer	$135.00/hr
Associate	$130.00/hr
Designer	$125.00/hr
CADD Manager	$120.00/hr
Traffic Project Coordinator	$115.00/hr
Acquisitions/Relocations Specialist	$110.00/hr
CADD Designer	$100.00/hr
Traffic Analyst	$95.00/hr
Utility Coordinator	$85.00/hr
Right-of-Way Administrative Support	$80.00/hr
Technician	$75.00/hr
Word Processor	$60.00/hr

FIELD PERSONNEL

Construction Manager	$155.00/hr
Survey Manager	$125.00/hr
Two-Man Survey Party w/ Vehicle & Equipment	$225.00/hr
Three-Man Survey Party w/ Vehicle & Equipment	$340.00/hr
Public Works Inspector	$125.00/hr
Field Technician	$90.00/hr

Outside services, sub-consultants and direct costs are billed at cost plus 15% for administration, coordination and handling. Scheduled overtime will be billed at 150%. Terms are net thirty (30) days with 1.5% per month interest charges. The above schedule is for straight time hours.

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RASKIN ENGINEERING
INCORPORATED

11030 ARROW ROUTE, #211
RANCHO CUCAMONGA, CA 91730
PHONE: (909) 980-8898
FAX: (909) 980-8838
E-MAIL: raskineng@earthlink.net

January 13, 2010

RE: Moreno Vally Morrison Park Fire Station, Moreno Valley, CA – PROPOSAL for Structural Engineering

Mr. G.V. Salts
STK Architecture, Inc.
42095 Zevo Dr. Ste. A-15
Temecula, Ca 92590
Phone (951) 296-9110
Fax (951) 296-6079

Dear Mr. Salts,

Thank you for the opportunity to submit this proposal for Structural Engineering services on the above referenced project. The *Scope of Services* lists the services we can provide to assist you in obtaining building department approval and structural permit for the approximately 10,595 sq.ft., 3-Bay Fire Station at the above project. This letter is a proposal for performing the services described below. This letter will also serve as a contractual agreement to perform the services if signed and returned to our office.

Scope of Services

- Provide Structural Construction Notes.
- Provide design for miscellaneous structures typical of this type of project.
- Provide foundation plan drawings for a typical shallow foundation design.
- Provide a wall layout plan showing lateral resisting elements.
- Provide roof-framing plan.
- Provide sufficient building sections and wall elevations to convey the intent of the structural design.
- Provide structural details.
- Provide structural calculations.
- Provide up to 3 structural observations by Raskin Engineering staff.
- Provide Record Drawings (commonly referred to as "as-builts") & associated CAD files.
- Up to (16) Hours for RFI's, submittal reviews and shop drawing reviews.

The cost for these services will be $33,000.
This fee is based on your verbal description of the project through this date and an estimate of probable construction costs of $4,513,000.

Additional work, which is over and above our normal services, as described in the *Scope of Services*, entitles this office to bill for an extra fee. Work that is considered to be over and above our normal services includes, but is not limited to the following:

1) Any construction shoring or site work not specifically included.
2) RFI's, Shop drawing or contractor submittal reviews in excess of that allocated above.
3) Drawing or design prepared for alternative bids.
4) Revisions to drawings that vary with your previous approval or instructions. These client-owner changes will be listed in a written change order. The change order will be authorized and signed by the client-owner before work on the revision commences.
5) Professional services made necessary by the default of the contractor or by major defects in the contractors' work.
6) Any off premises meetings or inspections required by the build ing department, contractor or owner in excess of that allocated.
7) Providing C.A.D. electronic files of our details.

RASKIN ENGINEERING
INCORPORATED

11030 ARROW ROUTE, #211
RANCHO CUCAMONGA, CA 91730
PHONE: (909) 980-8898
FAX: (909) 980-8838
E-MAIL: raskineng@earthlink.net

The following list of items is not provided by RASKIN ENGINEERING, INC. and is not included in the *Scope of Services:*

1) Any services not normally provided by a structural engineering firm.
2) Any construction detailing, cut-lists or material takeoffs.
3) Detailing required for water proofing and thermal insulation.
4) Soils investigation report.
5) Grading and utility plans.
6) Any services normally provided by an architect including Title 24 requirements and fire rating requirements.
7) Any services normally provided by mechanical or electrical engineers.
8) Fees for governing agencies.
9) Blueprinting and reproduction services. (Blueprinting required in addition to that provided are addressed under *Outside Services.)*

Hourly Billing Rates
Time and material services will be billed at our then current rates. Hourly time includes office time, research time, field time, transportation time and telephone and consultation time. Transportation time is determined from portal to portal excluding meal time.

Outside Services
A 15% handling fee will be charged in addition to the invoice cost on all outside services provided by additional consultants, professional services or technical support. The handling charge covers coordination and consultation with the outside service. If the outside service is included in the *Scope of Services*, no handling charge will be incurred.

Renderings, photographs, computer tools, blueprints and reproductions will be billed at invoice cost plus 15% handling charge. In house plotting for client will be billed at $1.20 per square foot for the first set & $0.15 per square foot for additional copies requested at the same time.

Billing and Payments
Invoicing will be based on progress and follow the percentage breakdown consistent with the prime contract with the City.

Payment of any invoices, including progress invoices, additional approved services and reimbursable expenses will be considered past due 30 days after the invoice date. Any additional, approved services or reimbursable expenses in excess of $1000 per item not included in this proposal/contract will be governed by a separate, addendum agreement.

Any late payments give RASKIN ENGINEERING, INC. the right to terminate work on the above project. Delinquent payments past 60 days will bear 1.5% interest per month from the original invoice date. Any payments beyond 90 days delinquent will force RASKIN ENGINEERING, INC. to pull our status as Engineer ofRecord and our structural plans from the city file.

Payment of invoices is not contingent on the client's ability to obtain permits as limited by other consultants. In addition, payment is not contingent on funding of construction loans or payments from parties not a part of this contract.

We reserve the right to amend this proposal if it not signed within thirty (30) days of today's date or work is postponed at any point by the actions of the client or owner for more than thirty (30) total days. Any and all services or support from this office that extends 1-year beyond the date of structural approval by the building department give this office the right to bill at our then current hourly rates.

Either party of the contract may institute legal proceedings by the result of alleged failure by the other party to perform in accordance with the terms. In the event of any litigation arising from or related to this Agreement or the services provided under this Agreement, the prevailing party shall be entitled to recover from the nonprevailing party all reasonable costs incurred, including staff time, court costs, attorneys' fees and all other related expenses of such litigation. To the maximum extent permitted by law, the Client and anyone claiming by, through or under the Client agrees to limit the Design Professional's liability for any and all claims of any nature whatsoever arising out of or in

RASKIN ENGINEERING
INCORPORATED

11030 ARROW ROUTE, #211
RANCHO CUCAMONGA, CA 91730
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E-MAIL: raskineng@earthlink.net

any way related to this Project or this Agreement to the sum of $250,000 or the Design Professional's fee, whichever is greater. In addition, the Design Professional's liability shall be limited to items that the Design Professional is proven to be solely at fault. These limitations shall apply regardless of the cause of action or legal theory pled or asserted.

We truly appreciate the opportunity to work with you and believe the results of our joint effort will satisfy your needs in a successful and creative manner. If the foregoing meets with your approval, please sign and return a copy of this agreement, along with any required retainer, to serve as our authorization to proceed with the work.

Respectfully yours,

Anthony Juniel, P.E.
Project Manager

By signing below, you are acknowledging that you have read and understand the above proposal/contract. Additionally, you accept that any documents that we provide, physical or electronic and the information provided within, are the property of RASKIN ENGINEERING, INC. and unauthorized copying, disclosure or other unauthorized uses are strictly prohibited.

Approved by:_____ Date: _____

Authorized signers printed name:_____
Please sign and return a copy to our office with any retainers so that we may begin work on the project promptly.

T-SQUARED
PROFESSIONAL ENGINEERS, INC.

T-SQUARED Professional Engineers, Inc.
CONSULTING MECHANICAL & ELECTRICAL ENGINEERS

1340 Specialty Drive • Suite E
Vista, CA 92081

Tel (760) 560-0100
Fax (760) 560-0101

www.tsqeng.com

January 12, 2010

Mr. G.V. Salts
STK, INC.
42095 Zevo Drive, Suite A15
Temecula, CA 92590

RE: MECHANICAL/ELECTRICAL/PLUMBING ENGINEERING SERVICES FOR
MORRISON PARK FIRE STATION
MORENO VALLEY, CA

Mr. Salts:

Thank you for considering T-SQUARED PROFESSIONAL ENGINEERS, INC. as consultants for the above project. Based on the information received from you, the following is a list of our proposed services along with the respective fees:

Original Proposal for the FS 110:	**$47,000.00**
Payments Received:	**$17,560.00**
New contract amount:	**$29,440.00**

The above fee is fixed and is based on reusing the plans developed for the Moreno Valley fire Station 110. This proposal includes 2 site visits during construction.

Upon your approval a letter of contract will supercede this proposal. Thank you again for your consideration. We look forward to working with you.

Sincerely,

Farzad Tadayon, P.E., C.I.P.E., N.C.E.E.S.
LEED Accredited Professional
President

EXHIBIT C

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT C

EXHIBIT D

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed $696,273.
2. The consultant will submit an invoice to the City once a month for work completed based on milestones completed and accepted by the City, which documentation evidencing milestones completed to date (refer to milestones identified in Section VIII, Payment to Consultant in Exhibit "A" – City's Request for Proposal). At no time will the City pay for more services than have been satisfactorily completed, and the City Engineer's (or his/her representative's) determination of the amount due for any progress payment shall be final.
3. The Consultant's invoice shall include all subconsultant invoices for the same period as the Consultant's invoice.
4. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of completing the referenced milestones as determined by the City.

W:\CapProj\CapProj\PROJECTS\Jack - 11-43472527 - Morrison Park Fire Station\Design Phase\Consultant - Design\Agreement\ Agreement - Design Professional-CM Services - STK.doc

January 28, 2010

PRELIMINARY PROJECT SCHEDULE

To: CITY OF MORENO VALLEY

For: MORRISON PARK FIRE STATION

A)	Design Phase	April 2010 to March 2011
B)	Bid and Award Phase	April 2011 to June 2011
C)	Notice of Construction Award	July 2011
D)	Begin Construction	August 2011
E)	Complete Construction	August 2012
F)	Occupancy	September 2012

Exhibit "E"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: March 23, 2010

TITLE: Approve Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor Regarding the Relocation of an Existing Outdoor Advertising Display Sign to Facilitate the I215/SR60 Connector Project

RECOMMENDED ACTION

Staff recommends that the City Council authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor (Attachment 1).

BACKGROUND

The Riverside County Transportation Commission (RCTC) is pursuing the construction of the I215/SR60 Connector project to ease congestion occurring at the merger of these two freeways. As part of this project, RCTC acquired additional right of way on the north side of the connector. A portion of an existing outdoor advertising display sign, owned by Lamar Central Outdoor, overhangs the acquired right of way (Attachment 2). Since removal of the sign would require RCTC to acquire the balance of a long term lease, a very costly proposition, RCTC proposes to compensate Lamar for the relocation of sign out of the right of way.

DISCUSSION

The City of Moreno Valley Municipal Code prohibits the construction or reconstruction of outdoor advertising display signs ("billboards"). Regardless, the California Outdoor Advertising Act, Business and Professions Code, Section 5200, et seq, encourages local entities and display owners to enter into relocation agreements regarding existing non-conforming outdoor advertising display signs which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the

continued maintenance of private investment and a medium of public communications. Such an agreement would allow the City to permit the reconstruction of subject sign on the same property and outside of the RCTC right of way without compromising the Municipal Code prohibitions relating to such signs. Of foremost importance, the agreement would facilitate the RCTC I215/SR60 Connector project in a timely and cost effective manner. If approved, Lamar would be required to submit the necessary sign and building permits to the City for review and approval to ensure that the relocated sign complies with the agreement and relevant building codes.

ALTERNATIVES

The City Council could take any of the following actions:

1. Approve the proposed agreement as drafted. This action is the staff recommendation.
2. Approve the proposed agreement with modifications.
3. Deny the proposed agreement. This action would results in delays and/or substantial additional costs to implement the RCTC I215/SR60 Connector project. This action is not recommended.

FISCAL IMPACT

There would be no direct financial impact on the City of Moreno Valley from approving the agreement.

CITY COUNCIL GOALS

Approval of the agreement would facilitate the City Council goal:

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

NOTIFICATION

Notification of this item was accomplished through listing on the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Billboard Relocation and Reconstruction Agreement.
2. Pictures and Site Map for Existing Sign.

Prepared By:
John C. Terell AICP
Planning Official

Department Head Approval:
Kyle A. Kollar
Interim Community Development Director

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

BILLBOARD RELOCATION

AND

RECONSTRUCTION AGREEMENT

THIS BILLBOARD RELOCATION AGREEMENT ("Agreement") is entered into as of this _____ day of _____, 2010 (the "Effective Date"), by and between the CITY OF MORENO VALLEY, a public body, corporate and politic ("City"), and LAMAR CENTRAL OUTDOOR, a Delaware limited liability company ("Company"). Hereafter City and Company are sometimes referred to as "Party" or collectively as "Parties."

RECITALS

WHEREAS, Company owns and operates numerous legal non-conforming billboard advertising structures within the city limits of City (each a "Billboard" and collectively the "Billboards");

WHEREAS, Company desires to relocate one existing Billboard, that is located within proposed public right-of-way needed for construction of improvements to SR-60;

WHEREAS, the California Outdoor Advertising Act, Business and Professions Code, Section 5200, et. seq, encourages local entities and display owners to enter into relocation agreements which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the continued maintenance of private investment and a medium of public communications;

WHEREAS, City desires to accommodate the relocation of the Billboard to prevent unnecessary expenditure of public funds;

WHEREAS, City and Company now wish to enter into an agreement to memorialize the terms and conditions upon which Company will have the right to relocate its existing Billboard.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the foregoing Recitals, which Recitals are incorporated herein by reference, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and consideration of the mutual covenants set forth herein, the Parties hereby agree as follows:

1. Term of Agreement. Unless terminated earlier as provided in this Agreement, this Agreement shall continue in full force and effect for so long as any obligation is owed by either Party pursuant to the terms of this Agreement.

2. Billboard Relocation and Reconstruction. Company currently owns a Billboard located north of SR-60, west of the I-215/SR-60 interchange, on APN 291-02-0029 within proposed public right-of-way ("Relocated Billboard"). Company shall be entitled to relocate the Relocated Billboard to a location outside of the public right-of-way. Company shall be entitled to construct the Relocated Billboard with a two-panel advertising display, that shall not exceed display dimensions of 14' x 48'. The Relocated Billboard shall be essentially the same design, materials and dimensions as the existing structure and shall not result in any increase in non-conformity with the City of Moreno Valley Municipal Code relative to structure design or

ATTACHMENT 1

placement. The Relocated Billboard advertising display shall be limited to fixed copy advertising only.

The City Council has found that this Agreement is in the public interest of the City and its residents. Adopting this Agreement constitutes a present exercise of the City's police power, and this Agreement is consistent with the City's General Plan.

3. City Approvals. Company shall submit a sign permit application to the City Planning Department for the development of the Relocated Billboard. Company's ability to construct and install the Relocated Billboard is expressly conditioned upon approval of sign permits by the City Planning Director. Company acknowledges that, in addition to sign permits, Company must obtain building permits from City prior to construction and installation of the Relocated Billboard.

4. Indemnity. Company, as a material part of the consideration to be rendered to City under this Agreement, shall indemnify the City, agents and employees and any successors or assigns to the City's rights under this Agreement (collectively "City Parties") and shall hold and save them and each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities, (hereinafter "Indemnified Claims and Liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the use and maintenance of the Relocated Billboard by Company, its officers, agents and employees (collectively "Company Parties"), but only to the extent any such Indemnified Claims and Liabilities arise from (a) the failure of the Company to keep the Billboard in good condition and repair, (b) the negligent acts or omissions of the Company hereunder, or (c) the Company's negligent performance of or failure to perform any term or covenant of this Agreement, and in connection with the foregoing indemnity:

a. Company shall defend any action or actions filed in connection with any of said Indemnified Claims and Liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith;

b. Company shall promptly pay any judgment rendered against the City and the City Parties for any such Indemnified Claims and Liabilities; and Company shall save and hold the City and the City Parties harmless therefrom; and

c. In the event the City Parties are made a party to any action or proceeding filed or prosecuted against the Company Parties for such Indemnified Claims and Liabilities, Company shall pay to the City any and all costs and expenses incurred by the City Parties in such action or proceeding, including but not limited to, legal costs and attorneys' fees.

Company and City further acknowledge that Company shall not indemnify the City Parties for any Indemnified Claims and Liabilities caused by or arising out of the gross negligence or willful misconduct of the City Parties.

5. Lamar's Advertising Policy. The Parties acknowledge that public advertising is an important form of public communication. City desires to preserve this type of communication while preserving the character of the community and prevent exposure of its residents to advertising which City's residents might find offensive. Accordingly, Lamar shall be prohibited from displaying such offensive advertising material including, but not limited to, advertising for adult businesses, cabarets, and strip clubs or lingerie.

6. General Provisions.

a. Assignment. Company may only assign or otherwise transfer this Agreement to any other person, firm, or entity, upon presentation to the City of an assignment and assumption agreement in a form reasonably acceptable to the City Attorney and receipt of the City's written approval of such assignment or transfer by the City Manager; provided, however, that Company may, from time to time and one or more times, assign this Agreement to one or more persons or entities without City approval, but with written notice to the City, as long as Lamar Central Outdoor, or entities owned or controlled by it have and maintain at least a twenty percent (25%) ownership interest in such entities who are the assignees or transferees. After a transfer or assignment as permitted by this Section, the City shall look solely to such assignee or transferee for compliance with the provisions of this Agreement which have been assigned or transferred.

b. Waiver. The waiver by any Party of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of any other term, covenant or condition, or of any subsequent breach of the same term, covenant or condition.

c. Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be sent by: (a) certified or registered mail, postage pre-paid, return receipt requested, (b) personal delivery, or (c) a recognized overnight carrier that provides proof of delivery, and shall be addressed as follows:

If to Company:	If to City:
Lamar Central Outdoor 24541 Redlands Boulevard Loma Linda, CA 92354	City of Moreno Valley Attn: Planning Director 14177 Frederick Street Moreno Valley, CA 92553
With a Copy to:	With a Copy to:
Gresham Savage Nolan & Tilden Attn: Donovan C. Collier, Esq. 550 E. Hospitality Lane, Suite 300 San Bernardino, California 92408-4205	City of Moreno Valley Attn: City Manager 14177 Frederick Street Moreno Valley, CA 92553

Notices shall be deemed effective upon receipt or rejection only.

d. Authority to Enter Agreement. All Parties have the requisite power and authority to execute, deliver and perform the Agreement. All Parties warrant that the individuals who have signed the Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

e. Amendment/Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by all Parties.

f. Attorneys' Fees. In the event of litigation between the Parties arising out of this License, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and other costs and expenses incurred, including attorneys' fees on appeal, and all other reasonable costs and expenses for investigation of such action, including the conducting of discovery, in addition to whatever other relief to which it may be entitled.

g. Time is of the Essence. Time is of the essence of each and every provision of this Agreement.

h. Miscellaneous. This Agreement embodies the entire Agreement between the Parties and supersedes any prior or contemporaneous understandings between the Parties related to the Agreement. In the event of a dispute between the Parties hereto, the prevailing Party shall be entitled to recover its attorney's fees and other costs and expenses incurred in connection therewith, whether or not suit is filed or is pursued to judgment, and including any such fees or costs incurred in connection with any appeal, or any bankruptcy proceeding. If any provision of this Agreement is held to be invalid, the balance shall remain binding upon the Parties. This Agreement shall be interpreted in accordance with its plain meaning, and not in favor of or against either Party. This Agreement shall be construed according to the laws of the State of California.

i. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the date set forth below.

"CITY":

CITY OF MORENO VALLEY

By: _____
City Manager

APPROVED AS TO FORM:

_____

By: _____
City Attorney

"COMPANY"

LAMAR CENTRAL OUTDOOR

By: _____
By: _____
Its: _____

By: _____
By: _____
Its: _____

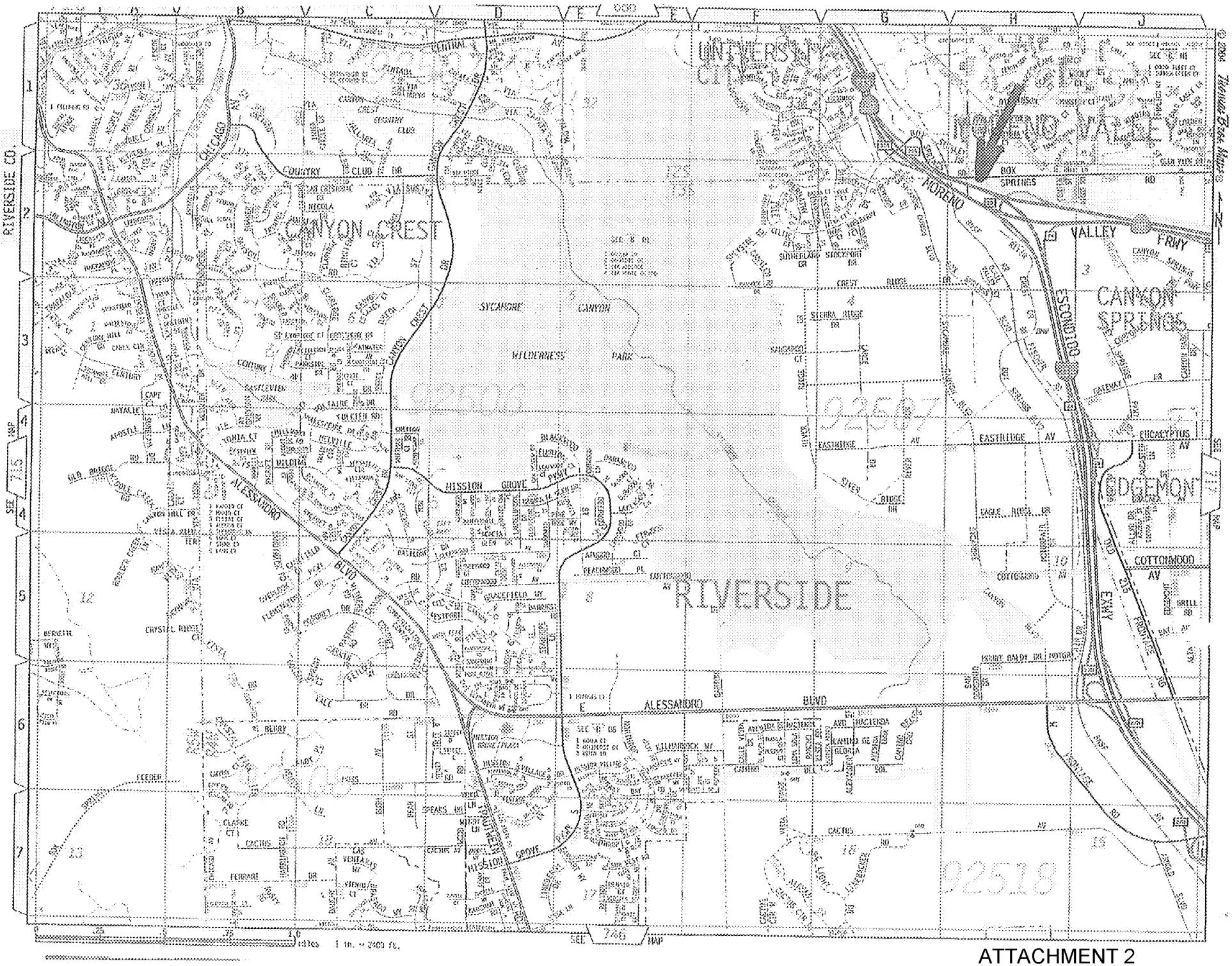

ATTACHMENT 2

MV00047932

Boatwright Rd & Mandalay Rd

MV00047934

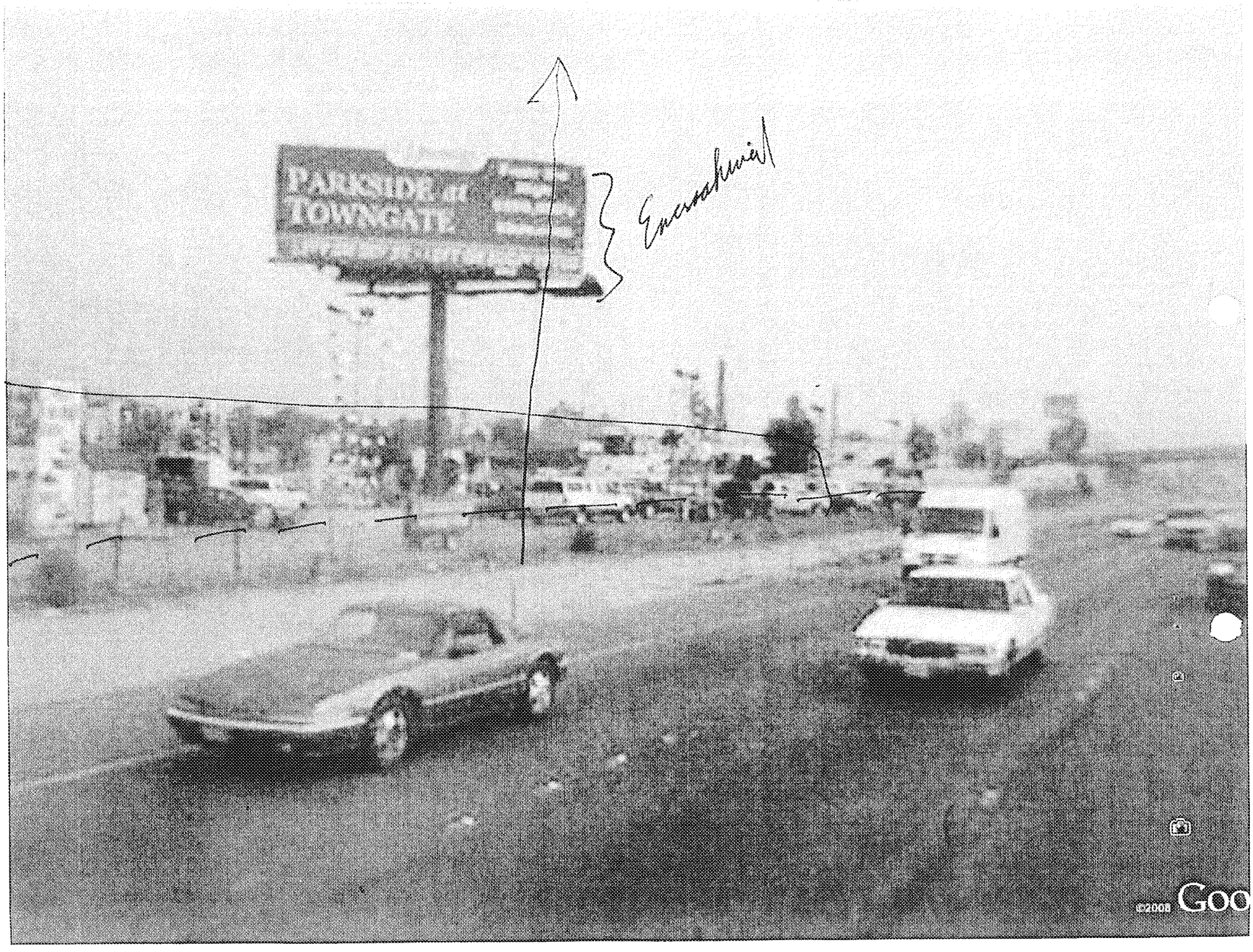

MV00047935

MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: March 23, 2010

TITLE: A public hearing regarding PA07-0007, a proposal to amend Title 9 of the Municipal Code regarding: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, and (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of the code amendment approved on September 22, 2009.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **RECOGNIZE** that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its January 28, 2010, meeting approved Planning Commission Resolution 2010-02, recommending by a 7-0 vote that the City Council recognize that PA07-0007 (Municipal Code Amendment) qualifies as an exemption in accordance with CEQA Guidelines, Section15061 (Minor Alterations in Land Use Limitation) as defined by Section 15378, and approve PA07-0007 (Municipal Code Amendment).

BACKGROUND

The proposed changes were the result of issues and concerns that have arisen over the past few years. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

DISCUSSION

ANALYSIS

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning:

1. Trash enclosures:

   Revisions have been made to remove conflicting standards, and to defer to recently created Public Works standards. Trash enclosures are regulated by the Public Works Department to ensure compliance with water quality management standards. Planning review will continue to focus on aesthetics and placement of the enclosures.

2. Parking standards for nail salons and hotels:

   Revisions have been made to better address the standard parking requirement for hotels and nail salons. Hotel parking has been change from 1.25 to 1 parking space per room, as determined by parking studies for recently approved hotels. Nail Salon parking standard has been added 1 parking space for every 2 work stations to reflect the higher parking demand of such uses as compared to standard retail and service uses.

3. On street parking standards for cul-de-sac lots, and flag lot width standards:

   Revisions have been made to increase to 50 foot minimum cul-de-sac frontage per lot for the R1 through R5 lots. The R10 cul-de-sac lot width was increased to 45 feet. Both increases will facilitate the provision of sufficient on-street parking in residential subdivisions. Flag lot width standards will be reduced to a 20 foot minimum, and this will help facilitate the design and improvements on future subdivisions.

4. Service station design:

   Revisions have been made in order to address the Public Works standards, new landscape standards, and update service station regulations in general to match current design and operational standards for this type of facility.

5. Retaining walls:

   Text revisions and wall exhibits have been added, in order to make it easier to understand and interpret the fence and wall standards.

6. Consolidate the parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements:

   Revisions to Chapters 9.16 and 9.11 have been made in order to make it easier to find parking code regulations, and in addition eliminating code items that are called out twice, once in each chapter.

7. Parking lot planter islands:

   Revisions have been made to clarify that finger planters are required every twelve spaces along any row of parking. The current text does not clearly indicate that finger planters are required in the interior of a parking lot.

8. Add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required:

   Revisions have been made in order to call out the number of trailer parking required, and provide a dimension for trailer parking stalls. Currently this is not called out in the Municipal Code. The trailer parking and dimensions match the requirements from the Industrial Area Specific Plan 208.

9. Permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones:

   Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors) have been added as permitted uses in the OC and BPX zones. Allowing personal services in these two zones will not intensify or change the original intended purpose for these two zones.

10. Residential Site Development Standards.

    This section was inadvertently left out of the September 22, 2009 Code Amendment, and have been added back into the Code.

    Section 9.03.040 (E): "Special Single-Family Residential Development Standards"

    7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

    And added to:

    Section 9.03.040 (F): "Special Multiple-Family Residential Development Standards"

    3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

ALTERNATIVES

1. Approve the proposal as submitted.

2. Approve the proposal with modifications to address City Council concerns.

3. Refer the proposal back to the Planning Commission.

4. Deny the proposal.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The proposed amendment to the City of Moreno Valley Municipal Section 9.17 would provide a comprehensive document addressing (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, and (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of the code amendment approved on September 22, 2009.

Details of the specific code amendment changes are referenced in the attached Planning Commission Staff report.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance No. 808 with proposed revisions
3. Planning Commission Staff Report dated January 28, 2010
4. Planning Commission Minutes for January 28, 2010

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

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

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA07-0007) FOR THE AMENDMENT OF THE MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The proposed Municipal Code Amendment (PA07-0007) modifies various provisions listed above. The modifications eliminate conflicts and clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, March 23, 2010
6:30 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

ATTACHMENT 1

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. **ATTACHMENT 2**

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

Ordinance No. ____
Date Adopted:

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

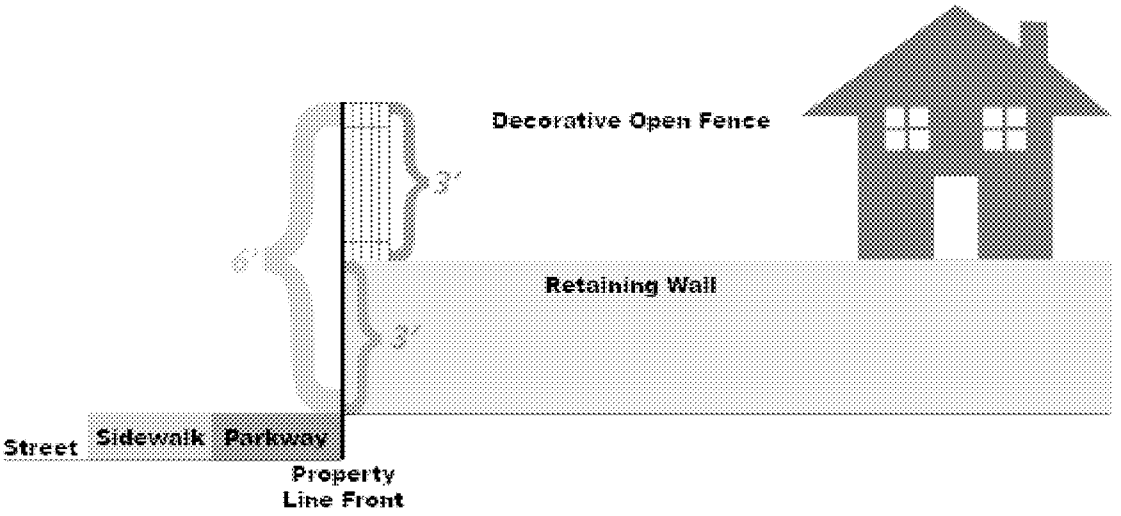

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

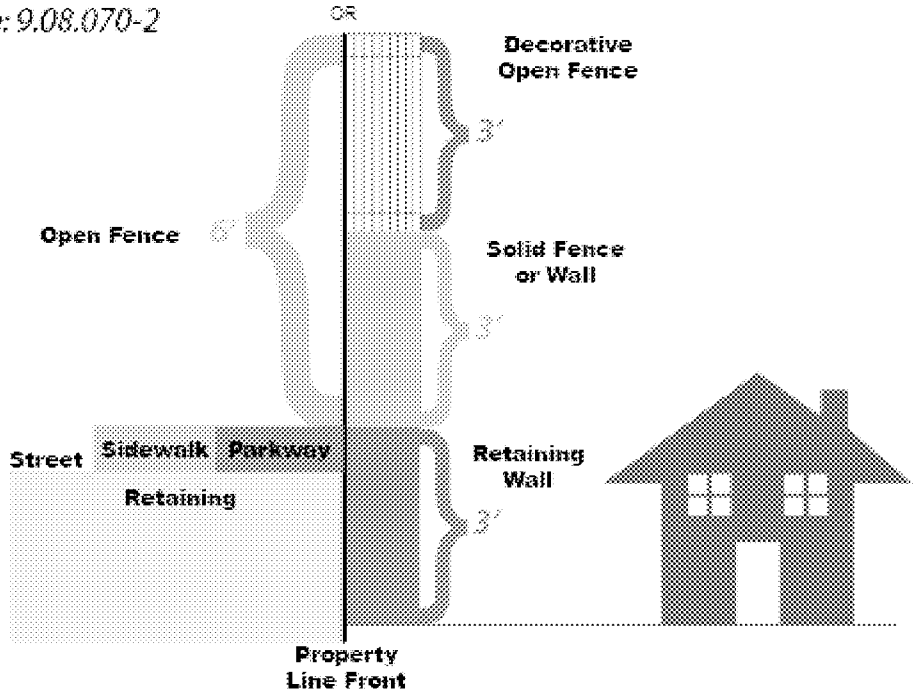

** Retaining wall that faces the interior of property.*

Ordinance No. ____
Date Adopted:

Figure: 9.08.070-3

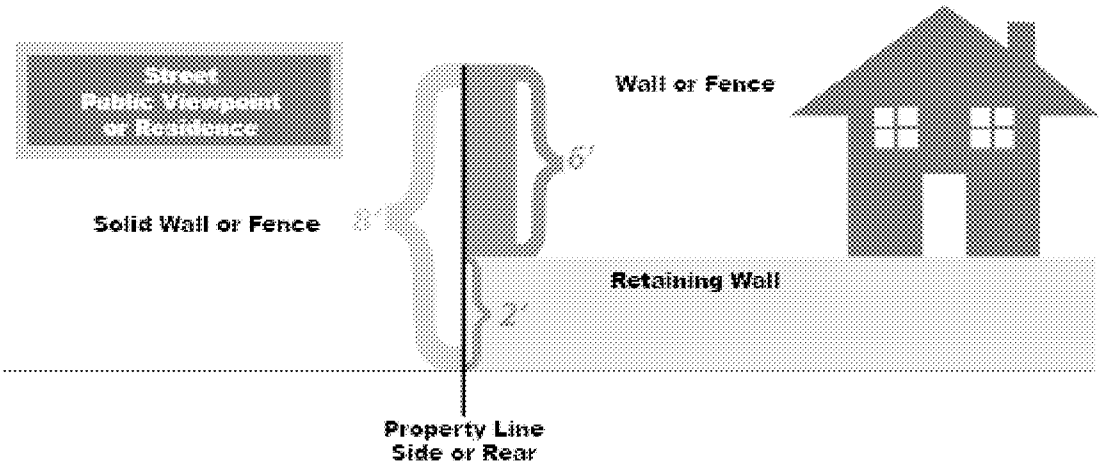

Figure: 9.08.070-4

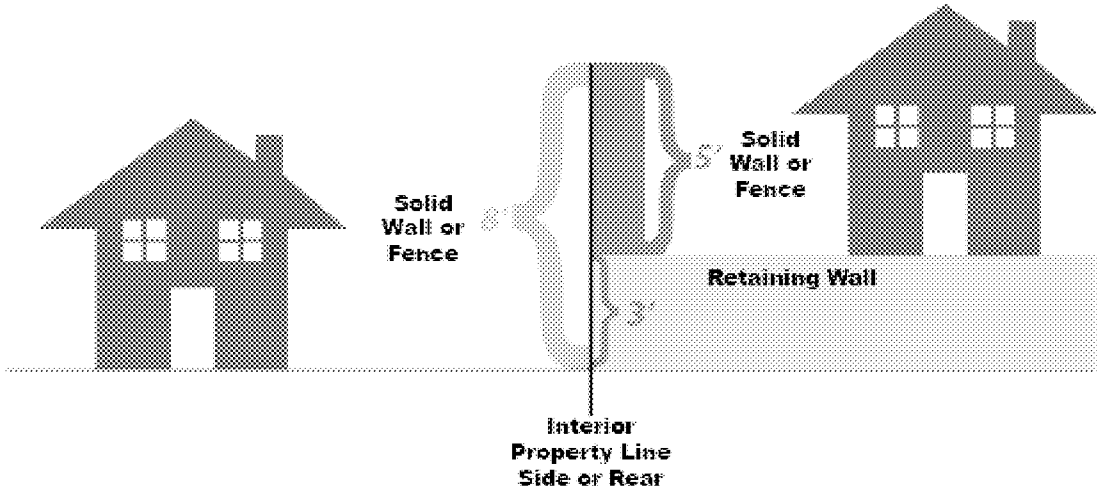

Figure: 9.08.070-5

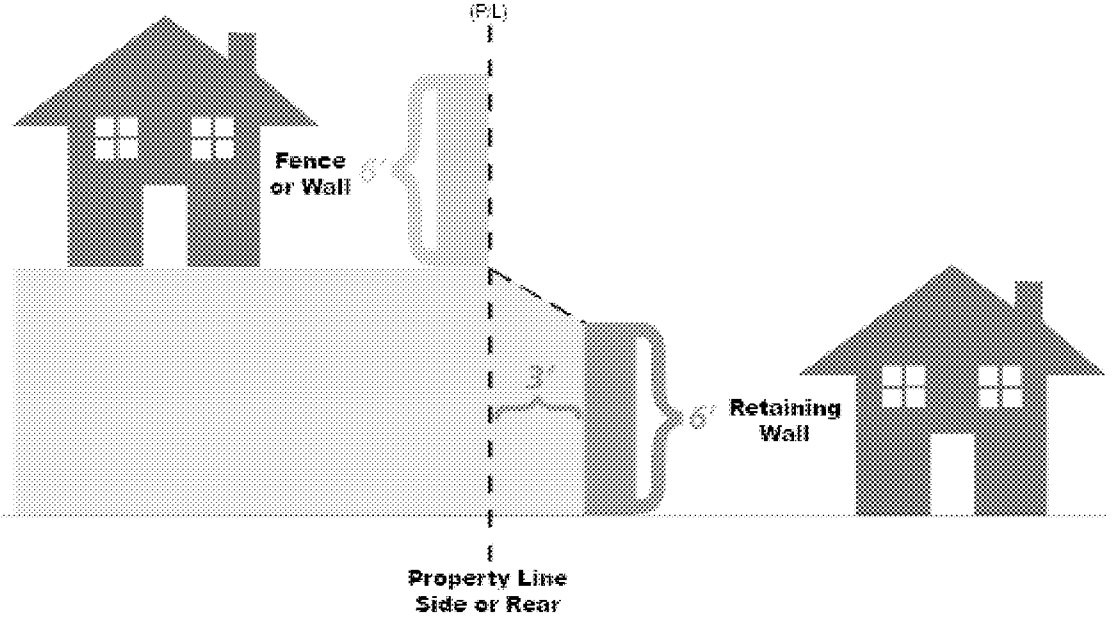

Figure: 9.08.070-6

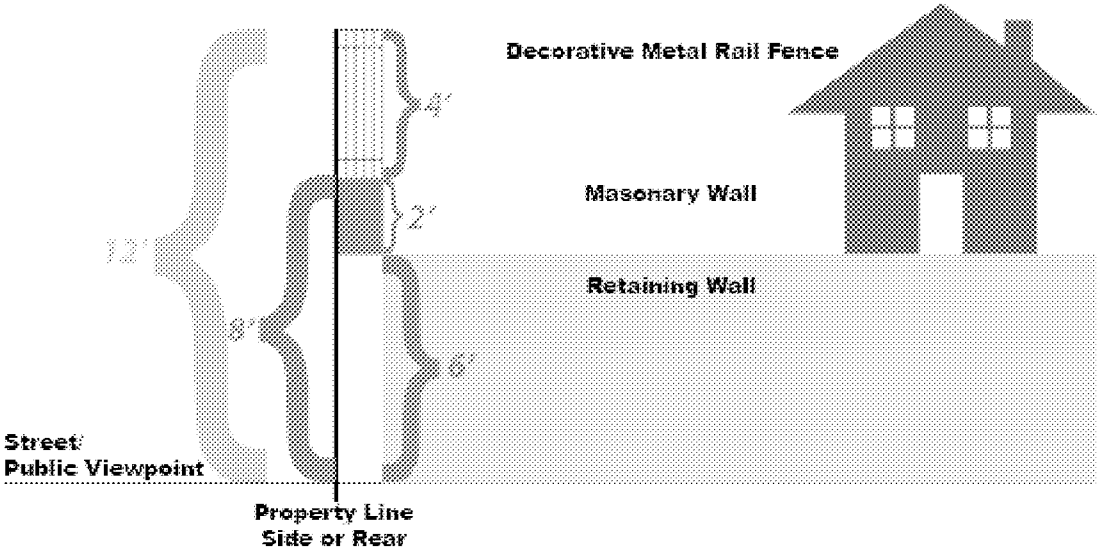

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

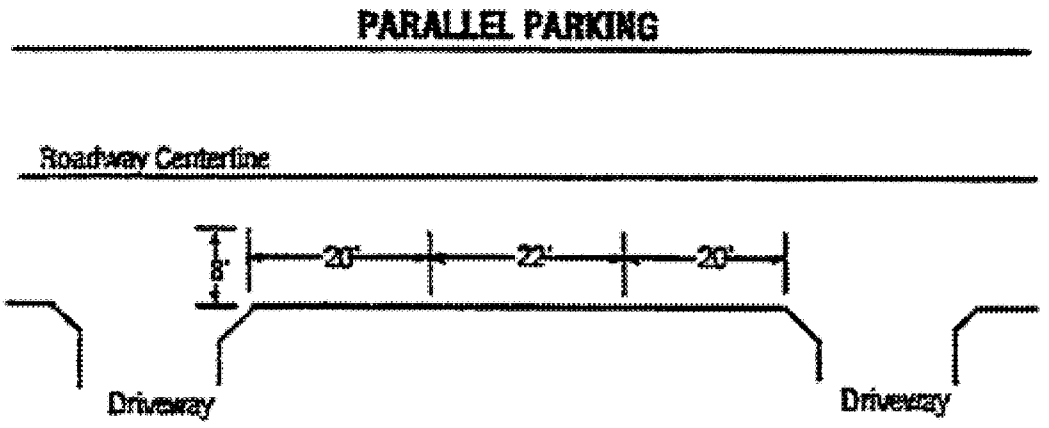

Figure 9.11.080-5
Nonparallel Parking Spaces

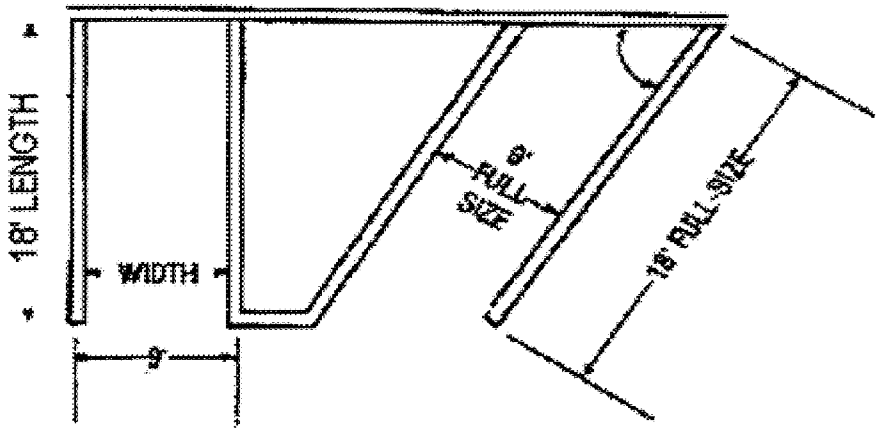

Ordinance No. ____
Date Adopted:

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

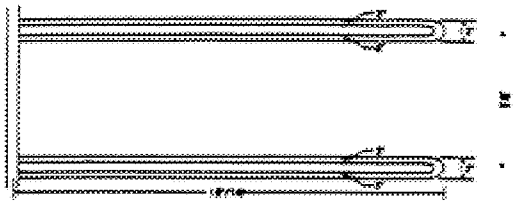

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0007 (Municipal Code Amendment)
Date:	January 28, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	City-wide
Proposal:	To amend the municipal code regulations regarding: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, (10) landscape setback for Commercial Zones.
Redevelopment Area:	Yes
Recommendation:	Approval

SUMMARY

This is a proposal to amend a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code as identified in the report title above. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

ATTACHMENT 3

PROJECT DESCRIPTION

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate the parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, (10) landscape setback for Commercial Zones. Proposed deletions are shown as stricken text and additions are underlined. The wall drawings provided in Issue 5 will be updated and reproduced by the City's Graphics Department, after Planning Commission review.

ANALYSIS

Issue 1. Trash enclosures.

Section 9.08.150 of the Municipal Code, addresses screening requirements for trash enclosures.

Revisions to Section 9.08.150 have been made to remove conflicting standards, and to defer to recently created Public Works standards No. 627A thru 627E. Trash enclosures are regulated by the Public Works Department to ensure compliance with water quality management standards. Planning review will continue to focus on aesthetics and placement of the enclosures.

Staff recommends amending by changing subscript C, 2, renumbering, adding subscript 3 and deleting Figure 9.08.150-3 as follows:

C. Screening of Refuse Storage Areas ~~(Trash Enclosure)~~. Trash/waste enclosure design standards are found in ~~subsection B (Screening and Storage Areas) of this section~~ the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and ~~shall~~ accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

~~3~~4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

~~Figure 9.08.150-3 Trash Enclosure Standards~~

Figure 9.08.150-3

Trash Enclosure Standards

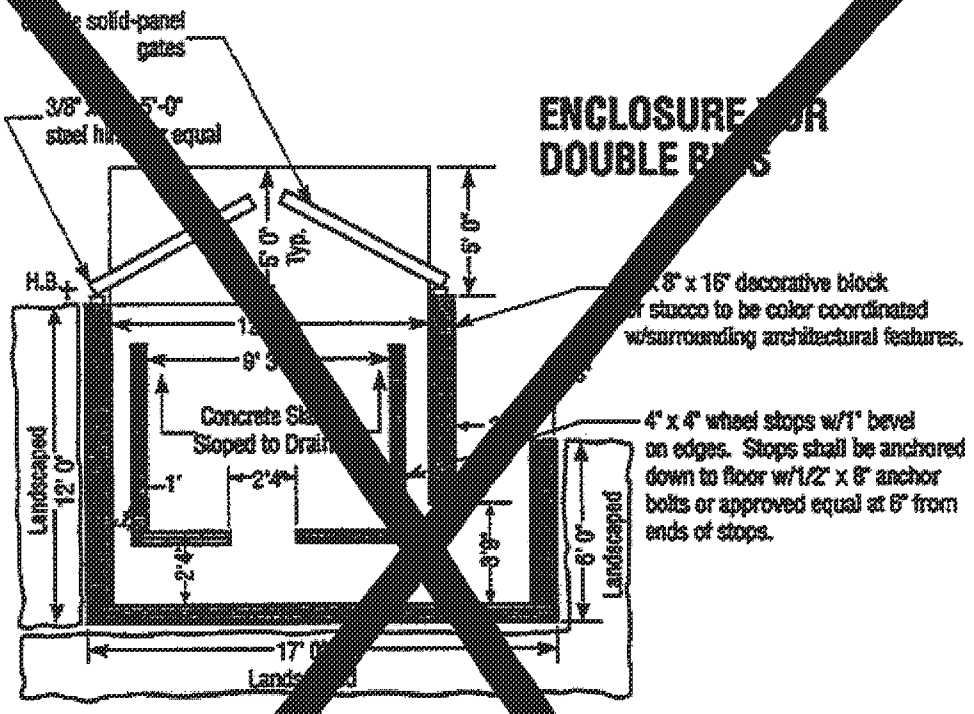

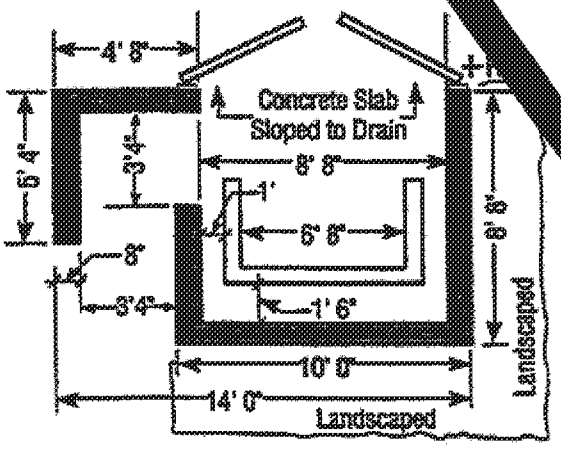

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Figure 9.08.150-3

Trash Enclosure Standards (Continued)

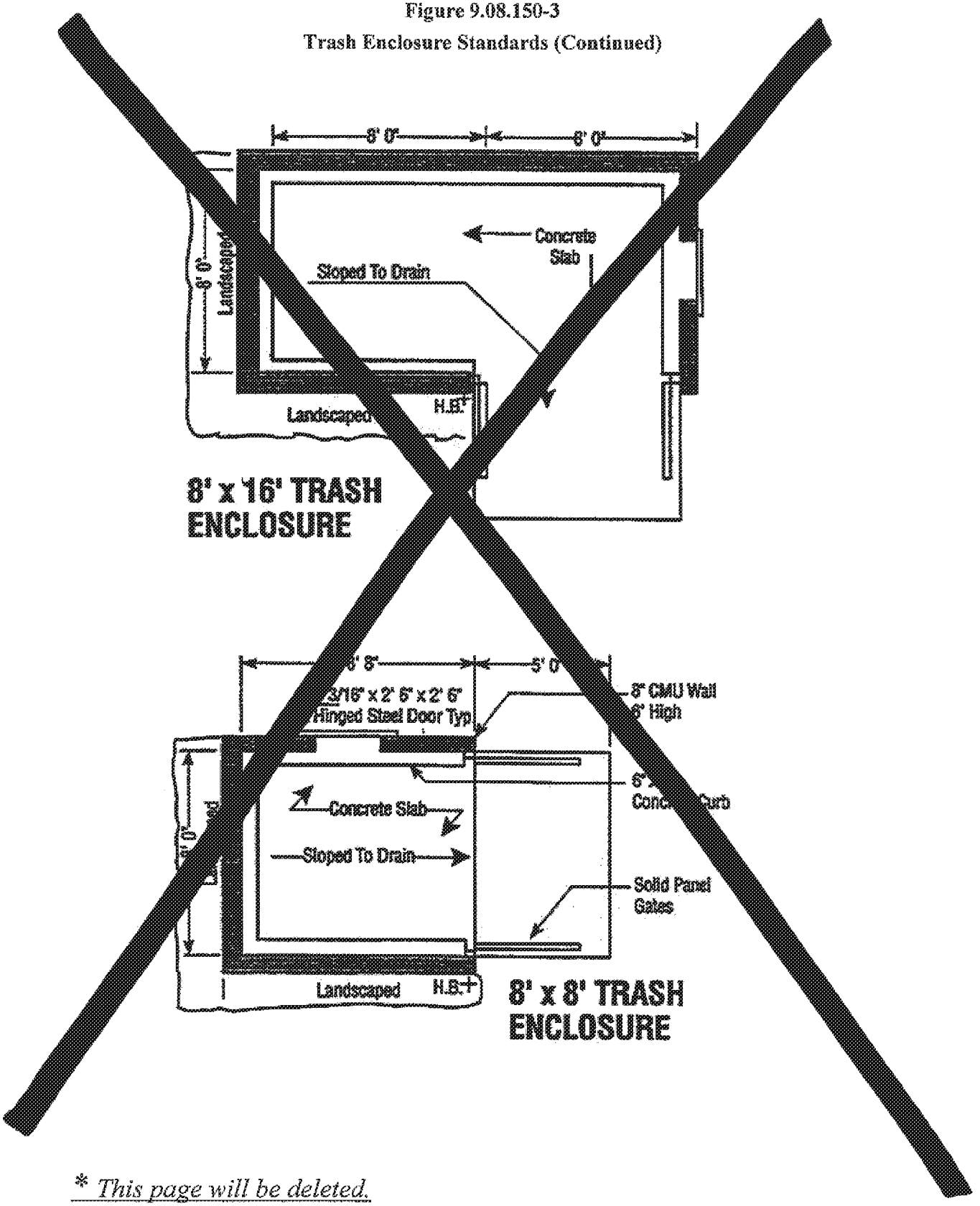

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Figure 9.08.150-3
Trash Enclosure Standards (Continued)

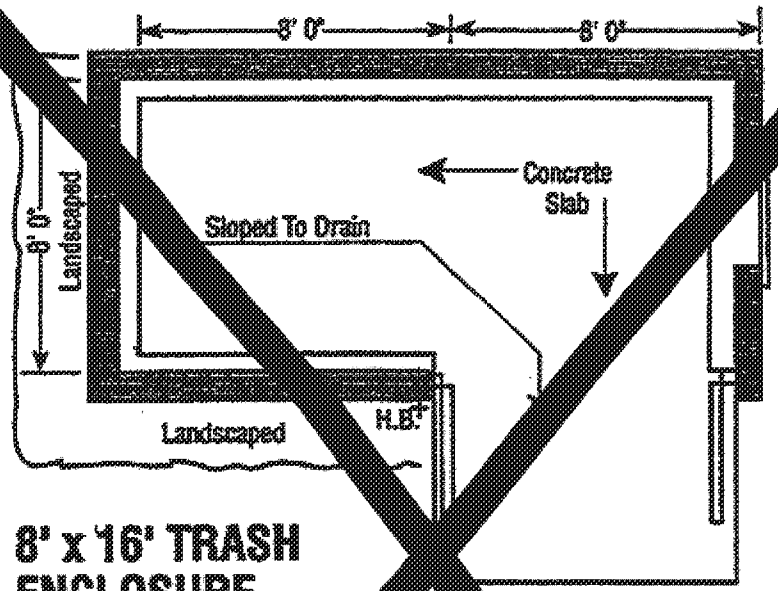

8' x 16' TRASH ENCLOSURE

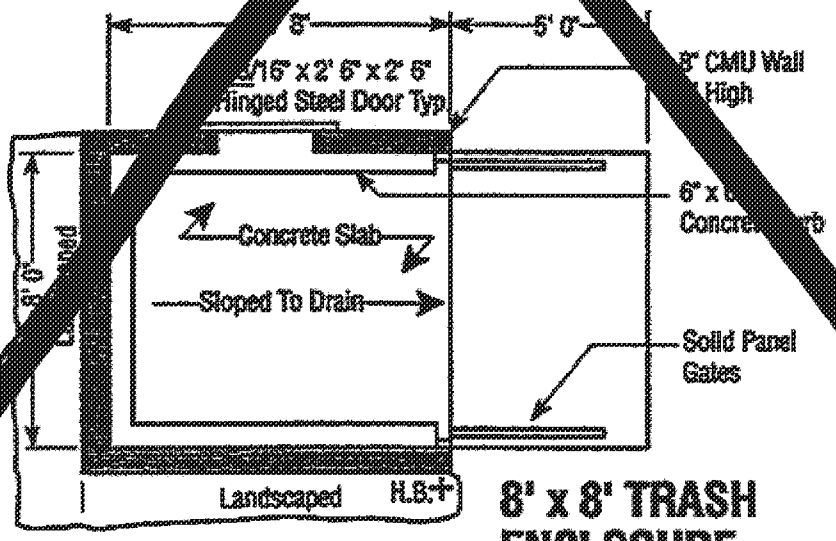

8' x 8' TRASH ENCLOSURE

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Issue 2. Parking Standards for Nail Salons and Hotels.

Section 9.11.040 of the Municipal Code, addresses Off-street parking requirements.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for hotels. There have been recent hotel proposals that have submitted parking studies to support a 1 parking space per guest room, and those hotel projects have been approved by the Planning Commission. There are also a number of local jurisdictions that have a 1 parking space per guest room parking requirement.

Currently an administrative plot plan is required for nail salons since newer nail salons have a much higher number of work stations, and the potential to create parking issues in retail centers. The administrative plot plan is reviewed by Planning Staff. The plot plan includes a floor plan that indicates the area, the number of work stations within a suite, and floor layout. In the past nail salons were parked at general retail parking requirement which is 1 parking space for every 225 square feet of gross floor area, with the emergence of newer nail salons with more work stations within the suite, this has triggered a change in the parking calculation for nail salons. The proposed parking for nail salons is 1 parking space per every 2 work stations which is typically a more stringent requirement than the 1 per 225 square feet of gross floor area. For example a recently approved nail salon that has an area of 1,923 square feet would have required 9 parking spaces under general retail. This same 1,923 square foot nail salon contains a total of 21 work stations, and under the new parking standard 21 work stations will require 11 parking spaces.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for hotel parking and adding subscript for nail salons as follows:

Use	Minimum Requirement	Notes
Commercial Uses		
Hotel, motel	~~1.25~~ 1/guest room	For facilities with (100+) parking spaces, 2-12 × 36 through stalls for RV parking are required. These spaces may be counted as 4 auto parking stalls.
Nail Salons	1 space for every 2 work stations	

Issue 3. On Street Parking for Cul-de-sac Lots and Flag Lot Width Standards.

Section 9.03.040 of the Municipal Code, addresses residential site development standards, and Section 9.14.020 of the Municipal Code, addresses Standards of Land Division.

Revisions to Section 9.03.040 have been made in order to address the potential lack of parking on cul-de-sac streets, in response to Planning Commission concerns expressed during past subdivision reviews. Planning has worked with the Transportation Engineering Division to come up with a 50 foot minimum cul-de-sac frontage per lot as measured at the right of way line. The 50 foot frontage only applies to R1 through R5 lots. The R10 cul-de-sac lot width was increased to 45 feet to match the existing small lot width requirement. The 50 foot frontage will accommodate a minimum of 1 on-street parking space per lot. The 50 foot

frontage also takes into consideration the required standard driveway approach. As proposed the new minimum cul-de-sac frontage requirements will provide a minimum of one 20 foot on-street parking space per cul-de-sac lot with the approval of this code amendment.

Revisions to Section 9.14.020 have been made in order to set a minimum flag lot width for emergency Fire access. Section 9.14.020 currently sets the minimum width requirement at 35 feet, but the minimum width required for emergency access is only 20 feet. The proposed change will reduce the minimum width requirement to 20 feet, and help facilitate the design and improvements on future subdivisions.

Staff recommends amending by changing R1 through R5 in subscript 3 in table 9.03.040-6 and R10 in subscript 3 in the (continued) table 9.03.040-6 of section 9.03.040, and subscript 5 and 7 in section 9.14.020 as follows:

Table 9.03.040-6

Residential Site Development Standards

Requirement	R1	R2	RA2	R3	R5
3. Minimum lot width, in feet	150	100	100	90	70
Cul-de-sac/knuckle lot frontage	~~35~~ 50	~~35~~ 50	~~35~~ 50	~~35~~ 50	~~35~~ 50

Table 9.03.040-6

Residential Site Development Standards (continued)

Requirement	RS10	R10	R15	R20
2. Minimum lot size (net area in sq. ft.)	4,500	See Section 9.03.040(E)(8)		
3. Minimum lot width in feet	45			
Cul-de-sac or knuckle lot frontage	~~35~~ 45			

9.14.020 Standards of land division.

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be ~~thirty-five (35)~~ fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot ~~frontage~~ width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than ~~thirty-five (35)~~ twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

Issue 4. Service Station Design Standards.

Section 9.09.170 of the Municipal Code, addresses Service Station Design Standards.

Revisions to Section 9.09.170 have been made in order to address the Public Works standards, new landscape standards, and update service stations in general to match current design and operational standards for this type of facility.

Staff recommends amending by changing subscript C by adding, deleting, and, renumbering, subscript as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and ~~shall be attached to and~~ architecturally ~~integrated~~ compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. ~~These areas incorporate a xeriscape design utilizing the community development department director approved plant palette, or approved equal.~~ Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways. ~~Planter strip width is exclusive of curb widths. Permanent opaque landscaping or berming is provided and maintained in the planters at a height of not more than three feet above the average adjacent grade. Appropriate irrigation will be supplied for all landscaped areas ensuring that no (spray) sprinkler is nearer than five feet of any building or structure.~~

b. ~~A~~ll minimum of one hundred ~~and~~ fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner. ~~This area incorporates a xeriscape design utilizing the community development department director plant palette, or approved equal.~~

~~c. All landscaped areas are properly maintained in a neat, orderly and safe manner. Such landscaping and maintenance includes, but is not limited to, the installation and use of an automatic irrigation system, permanently and completely installed which delivers water directly to all landscaped areas. However, no sprinkler is nearer than five feet of any building or structure.~~

11. Not more than one driveway with a maximum width of ~~thirty-five (35)~~ forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway~~s shall not be located closer than one hundred (100) feet from the beginning of curb return of a street intersection, twenty five (25) feet from a residential property line or alley, nor as to otherwise interfere with the movement and safety of vehicular and pedestrian traffic.~~ locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

~~b~~ 12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

~~12~~ 13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

~~13~~ 14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

~~14. At least one public telephone shall be provided at each service station in a location that is easily visible by the employees of the business.~~

~~15~~ 15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

~~16~~ 17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

~~17~~ 18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or ~~permanently disabled, junked or wrecked~~ inoperable vehicles may be stored outside of the main building.

~~18. Rental of equipment such as trailers and trucks shall be permitted subject to the following restrictions:~~

~~a. The rental equipment does not occupy or interfere with the required parking for the automobile service station;~~

~~b. The rental of the equipment is clearly incidental and secondary to the main activity on the site;~~

~~c. Rental equipment shall not obstruct vehicle or pedestrian access or line of sight.~~

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

~~21. Pump-first, pay after type operations for obtaining gasoline shall not be permitted, unless employees personally wait on the customers at the pump island(s).~~

~~22~~ 21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

Issue 5. 9.08.070 Fences and walls.

Section 9.08.070 of the Municipal Code, addresses fences and walls.

Revisions to Section 9.08.070 have been made in order to make it easier to understand the fence and wall standards.

Staff recommends amending by changing subscript B, adding exhibits, and adding, deleting, and renumbering subscript as follows:

9.08.070 Fences and walls.

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. ~~No two retaining walls on a given slope shall be closer to each other than the height of the taller wall.~~ A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. ~~A nonretaining fence or nonretaining wall may be erected adjacent to or directly on top of a retaining wall that does not face a street or other public viewpoint.~~ No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed ~~six~~ eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a ~~six~~ four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall~~;~~ (See Figure 9.08.070-6). ~~and a fence consisting of three feet of decorative metal rail and three feet of masonry may be placed above a three-foot retaining wall. If the combined solid surfaces exceed six feet in height, a minimum horizontal separation of six feet shall be required between the retaining wall and the nonretaining fence or nonretaining wall.~~

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the ~~c~~Community ~~d~~Development ~~d~~Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the ~~c~~Community ~~d~~Development ~~d~~Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, ~~O~~open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the ~~c~~Community ~~d~~Development ~~d~~Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

Figure: 9.08.070-1

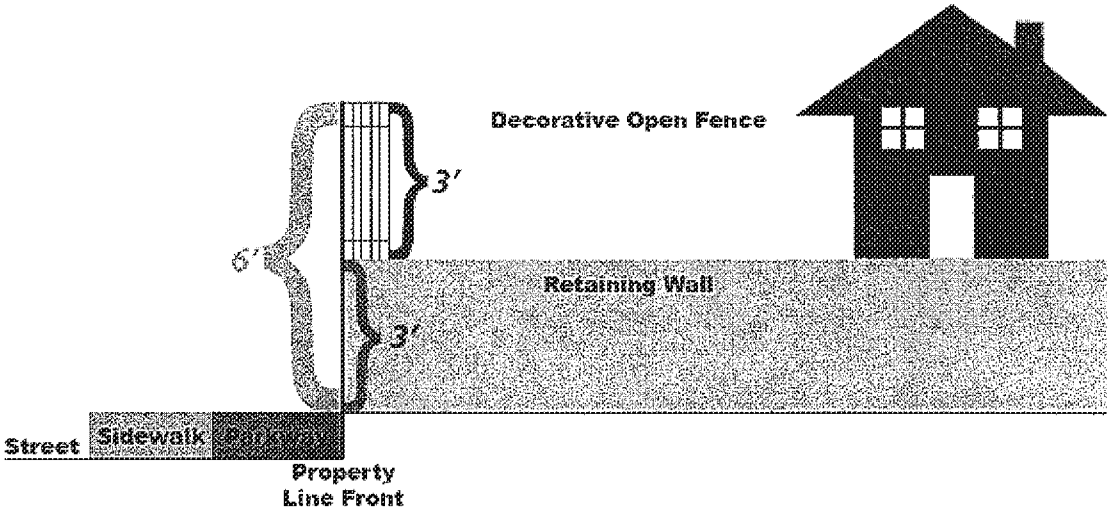

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

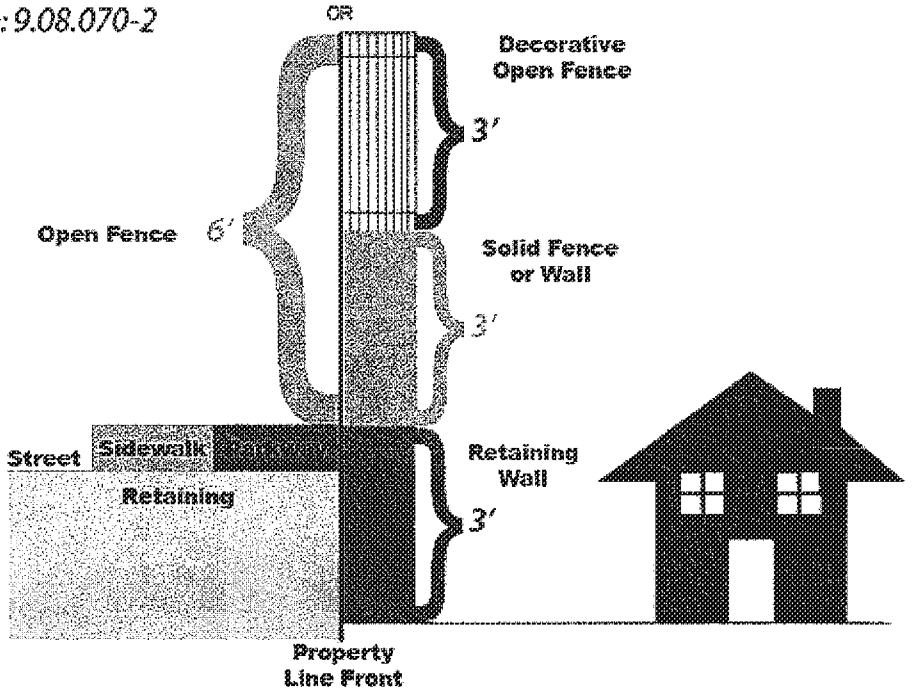

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

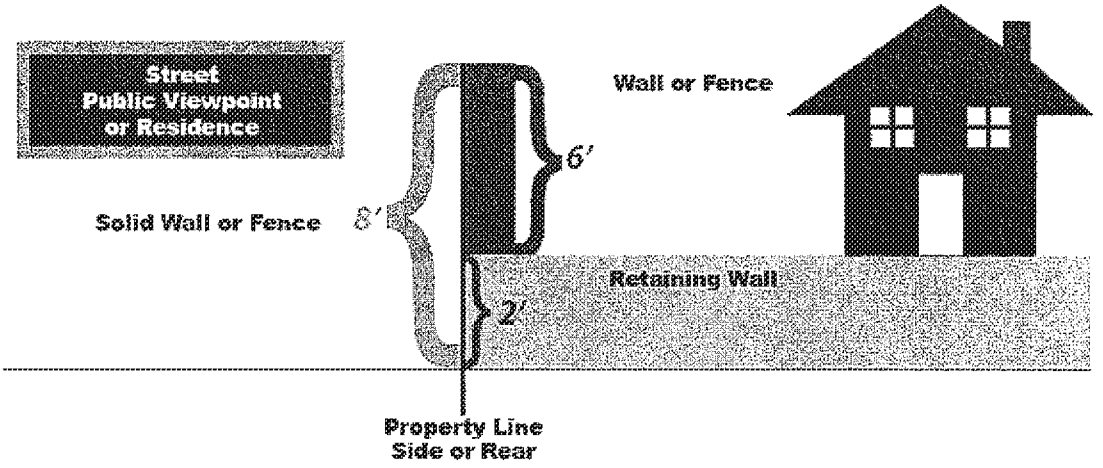

Figure: 9.08.070-4

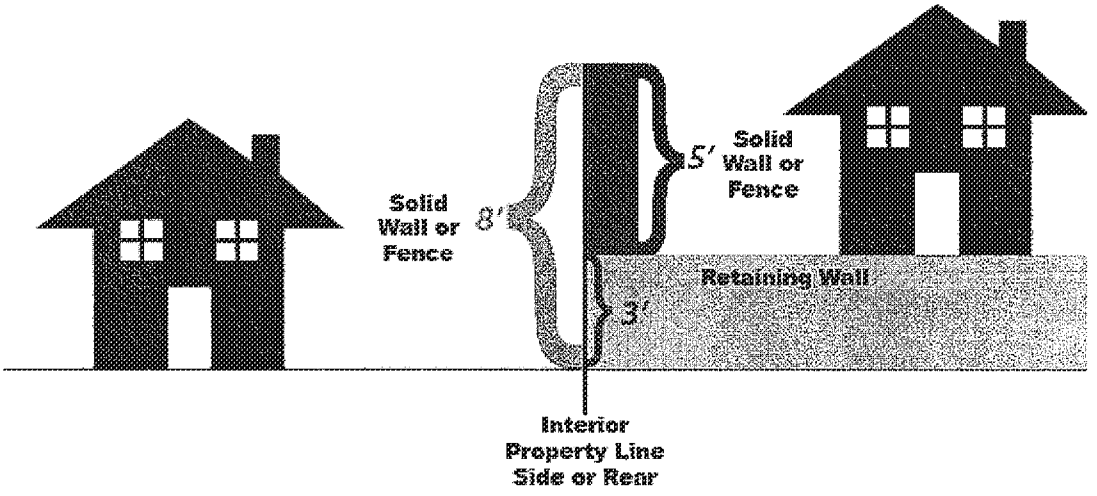

Figure: 9.08.070-5

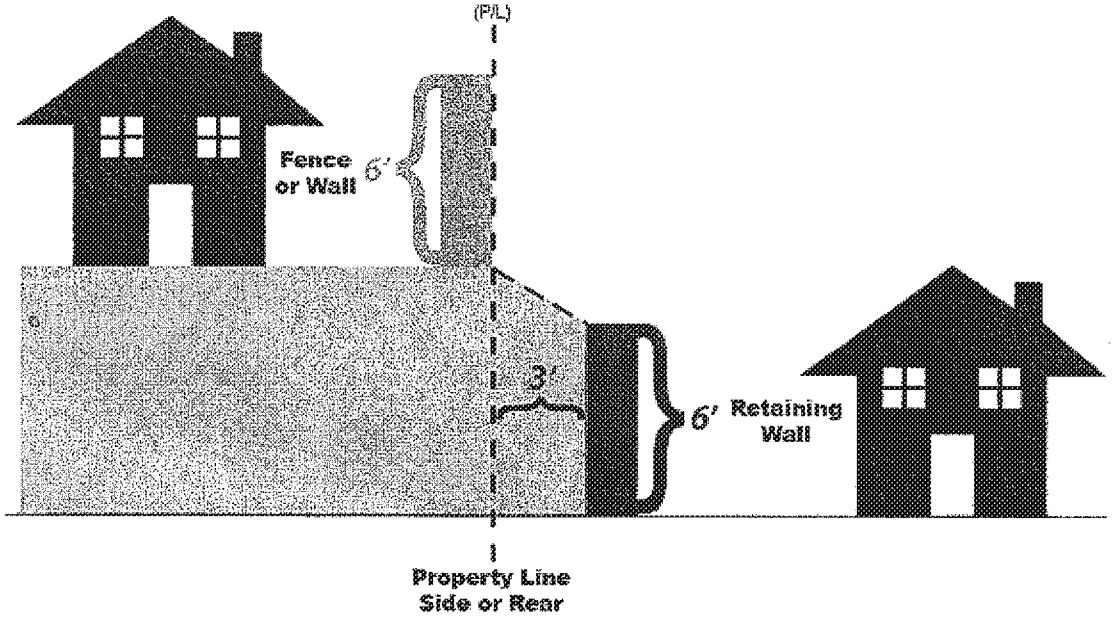

Figure: 9.08.070-6

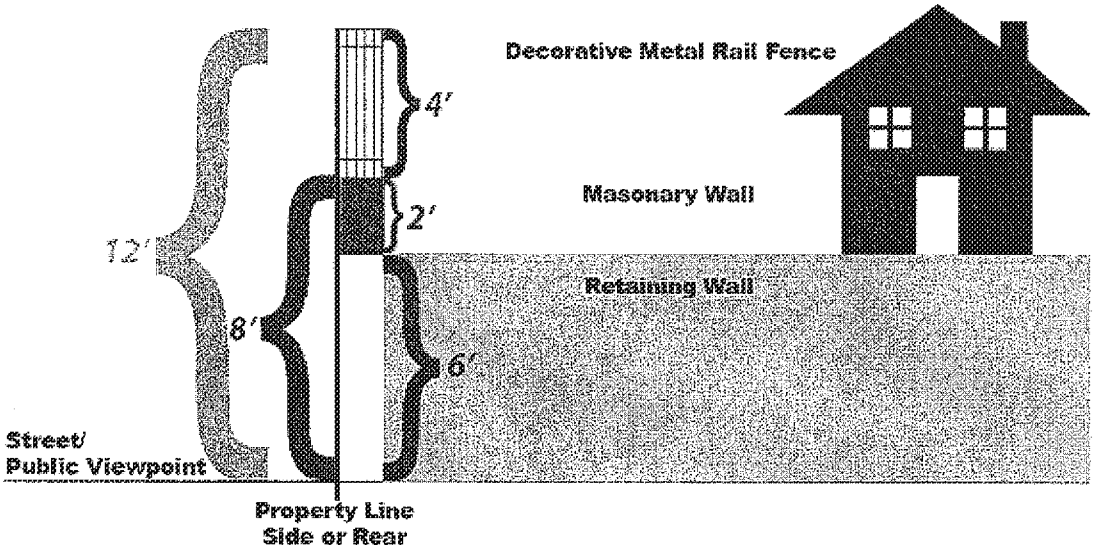

Issue 6. Consolidate parking and circulation section of design guidelines Chapter 9.16 into Chapter 9.11 parking and loading requirements.

Chapter 9.16 Article V. of the Municipal Code addresses applications for Circulation and Parking, and Chapter 9.11 of the Municipal Code addresses parking and loading requirements.

Revisions to Chapters 9.16 and 9.11 have been made in order to make it easier to find parking code regulations and in addition eliminating code items that are called out twice, once in each chapter. Chapter 9.16 Article V has been deleted; Article V. Applications for Circulation and Parking contains sections 9.16.240 General, 9.16.250 Circulation-Vehicular, and 9.16.260 Circulation-Pedestrian. Section 9.16.240 General was deleted due to it being very general and already called out in Chapter 9.11 Parking and Loading Requirements. Section 9.16.250 was incorporated into Chapter 9.11 Parking and Loading Requirements Section 9.11.080 Design Standards. Section 9.16.260 was moved from Chapter 9.16 Article V and became section 9.11.100 in Chapter 9.11.

Staff recommends deleting Article V of Chapter 9.16 amending Article VI and Article VII by renumbering, subscript as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II Principles of Design
Article III Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
~~**Article V. Applications for Circulation and Parking**~~
Article VI Applications for Signs
Article VII. Applications for Lighting

~~**Article V. Applications for Circulation and Parking**~~

~~**9.16.240 Generally.**~~
~~**9.16.250 Circulation—Vehicular.**~~
~~**9.16.260 Circulation—Pedestrian.**~~

~~**9.16.240 Generally.**~~

~~These guidelines suggest design solutions and standards to help parking and circulation facilities be compatible with their surroundings, to improve safety on both public rights-of-way and private property, to separate and enhance both vehicular and pedestrian traffic and to reduce the amount of traffic on neighborhood streets. (Ord. 359 (Attach. 2 (part)), 1992)~~

~~**9.16.250 Circulation—Vehicular.**~~

~~1. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.~~

~~2. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or per-golas to identify pedestrian pathways through parking areas and along buildings.~~

~~3. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.~~

~~4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.~~

~~5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.~~

~~6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet.~~

~~7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles.~~

~~8. Drive aisles should make a loop around the structures and avoid dead-end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.~~

~~9. Parking areas shall be screened from streets through a combination of mounding, landscaping, low profile walls and/or grade separations as suggested in the landscape guidelines, Ordinance No. 247.~~

~~10. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.~~

~~11. Internal roadways shall be designed so that direct access is available to all structures visible from a particular parking area.~~

~~12. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.~~

~~13. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers and flexible work shifts.~~

~~14. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from street grade, within the limited use area described in the landscape development guidelines and specifications. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.~~

~~15. Trash enclosures shall not impair visibility.~~

~~16. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.~~

~~17. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.~~

~~18. Fire lanes, if required, shall be installed to the specification of the city of Moreno Valley fire chief, including red curbing and posting with signs.~~

~~19. Driveways shall be designed so entering vehicles do not interfere with the exiting vehicles. Main driveways shall employ entry medians.~~

~~20. Drive lanes and parking lot drives should not exceed five percent slope.~~

~~21. Streets should intersect others on outside rather than inside horizontal curves.~~

~~22. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.~~

~~23. Intersections should be offset a minimum of one hundred fifty (150) feet.~~

~~24. Deceleration lanes shall be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred fifty (150) foot turn lane.~~

~~25. Parking areas shall not be used for loading or unloading.~~

~~26. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty five (25) mph design speed).~~

~~27. The first parking stall perpendicular to a driveway or first aisle juncture should be at least sixty (60) feet back from the property line, providing sufficient queueing for exiting vehicles.~~

~~28. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.~~

~~29. In commercial developments, parking aisles shall be oriented perpendicular to the major tenant's front entrance, facilitating pedestrian movement.~~

~~30. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.~~

~~31. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.~~

~~32. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving no greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.~~

~~33. The following criteria and dimensions may be modified by the city engineer:~~

~~Table 9.16.250A~~

~~Street Classification~~	~~Distance from a Driveway to an Intersection~~	~~Spacing Between Adjacent Driveways~~
~~Expressway 134' ROW~~	~~Restricted* **~~	~~1/2 mile~~
~~Divided Major/ Modified Major~~	~~Limited Access* **~~	~~Limited Access~~
~~Divided Arterial~~	~~Minimum 450 feet~~	~~Minimum 450 feet~~
~~134' ROW/120' ROW~~	-	~~One driveway per parcel~~
~~Divided Arterial~~	~~Limited Access* **~~	~~Minimum 250 feet~~
~~110' ROW~~	~~Minimum 350 feet~~	-
~~Arterial/Minor Arterial/ Industrial Collector~~	-	-
~~100'/88'/78' ROW~~	~~Limited Access* **~~	~~Minimum 150 feet~~
-	~~Minimum 250 feet~~	-
-	~~Full Access 350 feet~~	-
~~Collector /66' ROW~~	~~Minimum 200 feet* ***~~	~~Minimum 100 feet or one driveway per parcel~~
~~Local Street~~	~~Minimum 100 feet* ***~~	~~Minimum 100 feet or one driveway per parcel~~

~~* Access may be limited to the minimum movements necessary to safely expedite traffic~~

~~** Access may be restricted by medians~~

~~*** For residential development~~

~~(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)~~

~~**9.16.260 Circulation—Pedestrian.**~~

~~A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.~~

~~B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.~~

~~C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.~~

~~D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.~~

~~E. Amenities including, but not limited to, enriched paving, street furniture and raised planters should be provided to enhance the pedestrian experience.~~

~~F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)~~

Staff recommends amending 9.11.080 by changing subscript A, C, and H, and adding, deleting, and, renumbering, subscript as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

~~2~~ 6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

~~3~~ 7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

~~4~~ 8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

~~5~~ 9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

~~6~~ 11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

~~7~~ 13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

~~8~~ 14. Trash enclosures shall not impair visibility.

~~9~~ 15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

~~10~~ 16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

~~11~~ 17. Driveways shall ~~not~~ be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

~~12~~ 18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

~~13~~ 19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

~~14~~ 20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

~~15~~ 21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the eCity of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

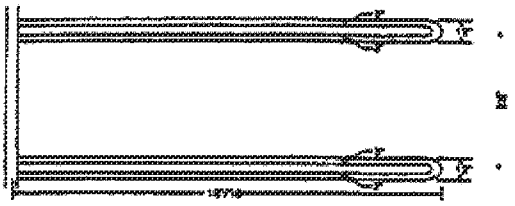

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.16.250A

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134' ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134' ROW/120' ROW	-	One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110' ROW	Minimum 350 feet	-
Arterial/Minor Arterial/ Industrial Collector	-	-

100'/88'/78' ROW	Limited Access* **	Minimum 150 feet
-	Minimum 250 feet	-
-	Full Access 350 feet	-
Collector /66' ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

-

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

~~3~~ 4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

~~4~~ 5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

Issue 7. Parking lot planter islands

Section 9.17.050 of the Municipal Code, addresses parking and drive-through landscape areas.

Revisions to Section 9.17.050 have been made in order to make it easier to clarify that finger planters are required every twelve spaces along any row of parking. The current text does not clearly indicate that finger planters are required interior to a parking lot.

Staff recommends amending by changing subscript B by adding and deleting subscript as follows:

9.17.050 Parking and drive-through landscape areas.

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. ~~the perimeter of the parking lot and the perimeter of the building.~~ Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

Issue 8. Add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required.

Section 9.11.080 of the Municipal Code, addresses design standards for parking and loading requirements, and Section 9.11.040 of the Municipal Code, addresses off-street parking requirements.

Revisions to Section 9.11.080 and 9.11.040 have been made in order to call out the number of trailer parking required and provide a dimension for trailer parking stalls. Both required trailer parking and trailer parking stall dimensions are not currently called out in the Municipal Code. Planning has been using the trailer parking and dimensions requirements from the Industrial Area Specific Plan 208 and is incorporating these requirements into the Municipal Code.

Staff recommends amending by changing subscript B of section 9.11.080 and changing table 9.11.040C-12 of section 9.11.080, by adding and renumbering subscript as follows:

9.11.080 Design Standards.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

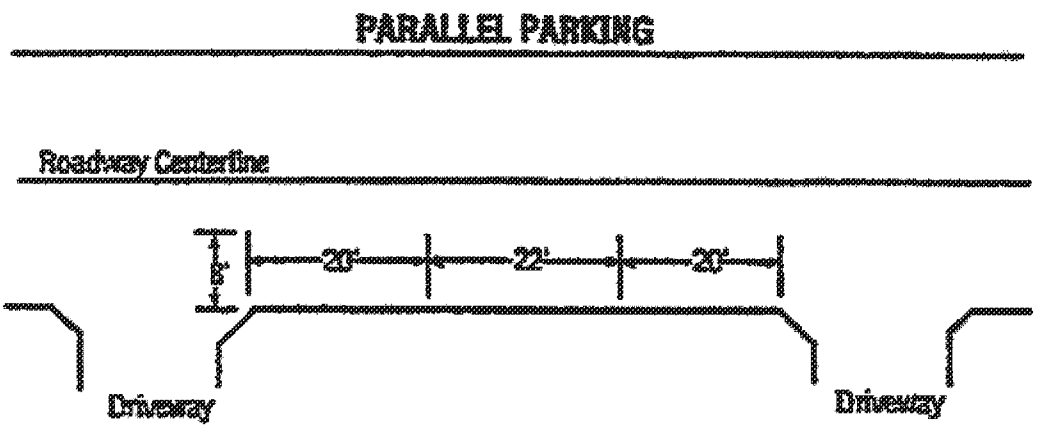

Figure 9.11.080-5
Nonparallel Parking Spaces

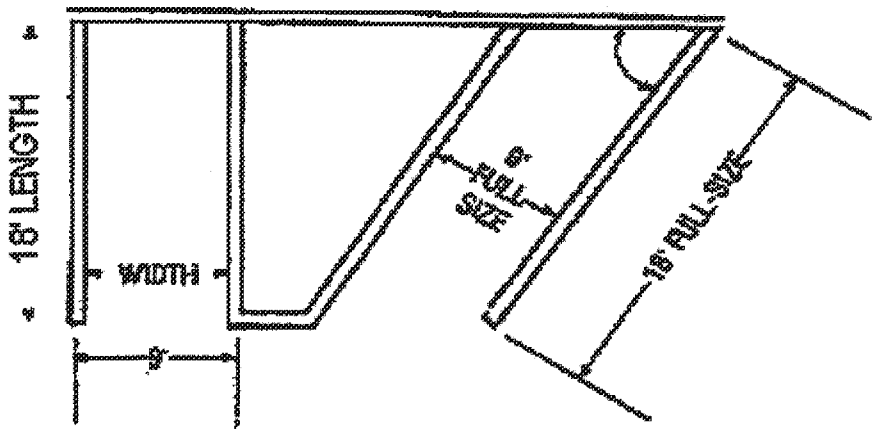

~~4.~~ 5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

Issue 9. Permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones.

Section 9.02.020 of the Municipal Code, addresses Permitted Uses.

Revisions to Section 9.02.020 have been made to allow Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors) in the OC and BPX zones. The Planning Department has had recent community interest for personal services to be located in the OC and BPX zones. Allowing personal services in these two zones will not intensify or change the original intended purpose for these two zones. Personal services do fall within the purpose and intent of both the OC and BPX zones to allow commercial services that are supportive to the other allowable uses within the zone. Additionally similar uses are already allowed in the OC and BPX zones.

Staff recommends amending by adding subscript X to Figure 9.02.020-1 as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	◆	◆							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												◆	◆									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	X	X	◆	◆	C

MV00048004

Issue 10. Landscape setbacks for Commercial and Industrial Zones.

Section 9.04.040 of the Municipal Code, addresses Commercial site development standards.

In the past the Planning Commission has asked staff to review other Cities setbacks requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. The City of Moreno Valley has the same setback requirements for both Community Commercial and Neighborhood Commercial zones. Other local cities that have been researched differentiate setback requirements between the CC and NC zones.

From the research it seems that typically the NC zone has a greater setback requirement than the CC zone. Typically what would be developed in the NC zone are smaller scale commercial buildings that cater to the local neighborhoods, and the greater setbacks help create a more residential character by providing more landscaping. The CC zone is typically a regional commercial zone where retailers draw people from throughout the community and other communities. The CC zone tends to be more of a destination for shoppers and typically has your big box retailers; therefore the shopping center is typically bigger than the NC shopping center in most cases, and the lesser setbacks help create a more urban character with buildings closer to the street.

For either zone, parking could be permitted closer or further away from the front property line. The Village Commercial Residential zone along Sunnymead Boulevard currently allows for buildings to come closer to the front property line while keeping parking at the twenty foot setback to allow for the creation of a more pedestrian downtown feel to that area long term. Attached is staff's research of local cities' NC and CC setback requirements (Attachment 3). This information is being provided to allow for elicit Planning Commission discussion of the issue. Staff does not have a specific recommendation.

ENVIRONMENTAL

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

STAFF RECOMMENDATION

1. **RECOGNIZE** that PA07-0007 (Municipal Code Amendment) qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

2. **APPROVE** Planning Commission Resolution No. 2010-02, recommending that the City Council approve PA07-0007.

Planning Commission Staff Report
PA07-0007

Prepared by:

Gabriel Diaz
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice.
2. Planning Commission Resolution No. 2010-02.
3. Issue 10, local cities NC and CC setbacks.

NOTICE OF PLANNING COMMISSION PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA07-0007) FOR THE AMENDMENT OF THE MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) LANDSCAPE SETBACK FOR COMMERCIAL ZONES.

The proposed Municipal Code Amendment (PA07-0007) modifies various provisions listed above. The modifications eliminate conflicts and clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Thursday, January 28, 2010
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. 2010-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA07-0007 (MUNICIPAL CODE AMENDMENT) TO THE CITY COUNCIL, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) LANDSCAPE SETBACK FOR COMMERCIAL ZONES.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA07-0007 (Municipal Code Amendment), as described in the title of this Resolution.

WHEREAS, on January 28, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

   FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3)

on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, (10) landscape setback for Commercial Zones.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

   FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purpose and intent of Title 9.

   FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2010-02, recommending that the City Council approve PA07-0007 (Municipal Code Amendment), thereby amending the Municipal Code as described in the title of this resolution.

APPROVED this 28th day of January, 2010.

_____
Maria Marzoeki
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

MV00048009

Considered Landscape Setbacks

City of Moreno Valley		
	(CC) Community Commercial	**(NC) Neighborhood Commercial**
Front	20 feet	20 feet
Street Side	20 feet	20 feet
Side	0 feet	0 feet
Rear	0 feet	0 feet
*Note * Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.*		

ATTACHMENT 3

MV00048010

City of Riverside			
	(CR) Commercial Retail Zone	**(CG) Commercial General Zone**	**Notes**
Front	0 feet	0 feet	Front yard setback shall be increased by 2 1/2 feet per story for any story over the second story.
Street Side	0 feet	0 feet	Side yard setback shall be increased by 2 1/2 feet per story for any story over the second story.
Side	0 feet	0 feet	Side yard setback shall be increased by 2 1/2 feet per story for any story over the second story.
Rear	0 feet	0 feet	
Landscape Setback	20 or fewer parking spaces: A minimum 10 foot wide landscape setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas.		
	21 or greater parking spaces: A minimum 15 foot wide landscape setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas.		
	When adjacent to a residentially zoned or residentially used lot: A minimum 5 foot wide landscape setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas in conjunction with the required 6 foot high masonry wall.		

MV00048011

City of Temecula		
	(CC) Community Commercial	**(NC) Neighborhood Commercial**
For Developments within Planned Shopping Centers or Industrial/Business Parks		
Front	Arterial = 20 feet, Collector = 15 feet, Local = 10 feet.	Arterial = 25 feet, Collector = 20 feet, Local = 15 feet.
Yard adjacent to residentially zoned property	25 feet	25 feet
Interior side yard	0 feet	0 feet
Rear yard	10 feet	15 feet
For Developments on a Separate Lot		
Yard area adjacent to street	Arterial = 15 feet, Collector = 10 feet, Local = 10 feet.	Arterial = 25 feet, Collector = 25 feet, Local = 15 feet.
Yard adjacent to residentially zoned property	25 feet	25 feet
Interior side yard	0 feet	0 feet
Rear yard	10 feet	15 Feet

MV00048012

City of Perris			
	(CC) Commercial Community	(CN) Commercial Neighborhood	Notes
Front	Local and Collector Streets = 5 feet	Local and Collector Streets = 5 feet	Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
	Secondary and Primary Arterials = 10 feet	Secondary and Primary Arterials = 10 feet	
	Expressway and Freeway = 15 feet	Expressway and Freeway = 15 feet	
Street Side	See requirments for front yard.	See requirments for front yard.	
Side	None. If adjoining a residential zone the setback shall not be less than 10 feet. If loading and unloading are provided the setback shall be not less than 25 feet.	None. If adjoining a residential zone the setback shall not be less than 10 feet. If loading and unloading are provided the setback shall be not less than 25 feet.	
Rear	None. If adjoining a residential zone the setback shall be the same as the Side Yard requirements.	None. If adjoining a residential zone the setback shall be the same as the Side Yard requirements.	

MV00048013

City of Ontario				
	(NC) Neighborhood Commercial	(C1) Shopping Center	(C2) Central Business	(C3) Commercial Service District
Front	20 feet	20 feet	15 feet	20 feet
Street Side	0 feet	20 feet	15 feet	20 feet
Side	10 feet	5 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 20 feet
Rear	10 feet	10 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 20 feet

City of Redlands				
	(C-1) Neighborhood Stores	(C-2) Neighborhood Convenience Center	(C-3) General Commercial	(C-4) Highway Commercial
Front	40 feet	50 feet	0 feet	0 feet
Street Side	40 feet	50 feet	10 feet	10 feet
Side	25 feet	50 feet	0 feet - Adjacent to R = 10 feet	0 feet - Adjacent to R = 10 feet
Rear	25 feet	50 feet	0 feet	0 feet

MV00048014

City of San Bernardino			
	(CN) Commercial Neighborhood	(CG-1) Commercial General	(CR-1) Commercial Regional-Malls
Front	15 feet	10 feet	0 feet
Street side	10 feet	10 feet	0 feet
Side	10 feet	0 feet - Adjacent to R district = 10 feet	0 feet
Rear	10 feet	0 feet - Adjacent to R district = 10 feet	0 feet

MV00048015

City of Rancho Cucamonga

(NC) Neighborhood Commercial and (GC) General Commercial

	Building	Parking	Landscape
1. Street yard setback (Measured from face of the ultimate curb location)			
a. Major/Special Boulevard	45 feet	30 feet	45-foot average, not less than 30 feet
b. Secondary Collector Streets/Local Streets	35 feet	25 feet	35-foot average, not less than 25 feet
2. Rear property line setback			
a. Adjacent to existing or planned residential development	20 feet	10 feet	10 feet
b. Adjacent to other existing or planned commercial or industrial development	0 feet	0 feet	0 feet
3. Interior side property line setback			
a. Adjacent to existing or planned residential development	20 feet	10 feet	10 feet
b. Adjacent to other existing or planned commercial or industrial development	5 feet	5 feet	5 feet

MV00048016

730

PA07-0007 Municipal Code Amendment

ASSOCIATE PLANNER DIAZ – Thank you Chairman and Commissioners. My name is Gabriel Diaz, Associate Planner for the City and I'm here to talk about Case Number PA07-0007, a Municipal Code Amendment and the Applicant is the City of Moreno Valley.

The proposed Amendment would modify the various provisions of the Municipal Code. There are ten that we are proposing. The tenth one is for the Planning Commission comments or review for recommendations.

The first one that we are amending is trash enclosures. Revisions have been made to remove conflicting standards and to defer to recently created Public Works standards recently I think two years ago. Trash enclosures are regulated by the Public Works Department to ensure compliance with Water Quality Management Standards. Planning will still review the aesthetics and placement of trash enclosures.

Number 2 is parking standards for nail salons and hotels. Revisions have been made to better address the standards. Parking requirements for hotels and nail salons… Hotel parking has been changed from 1.2 parking spaces to one parking space per room. We have had previous hotels brought to the Planning Commission that had parking studies supporting the one parking space per room ratio. The other one is that nail salon parking standards have been added at one parking space for every two work stations. They had previously been parked at general retail, so the one parking space for every two work stations is more stringent.

Number 3 is on-street parking standards for cul-de-sac lots and flag lot width standards. Planning has worked with the Transportation Department to come up with a 50 foot minimum for cul-de-sac frontage for the R1 through R5 lots and in the R10 cul-de-sac lot width would be increased to 45 feet. Flag lot width standards have been reduced to 20 feet and this will help us facilitate the design and improvements of future subdivisions. The previous requirement for all three was 35 feet.

Service Station design revisions have been made in order to address the Public Works standards, new landscape standards and update Service Stations in general to match current design and operational standards for this type of facility. A lot of the information in this section was outdated.

Retaining walls is Number 5. Revisions have been made in order to make it easier to understand the fence and wall standards. Exhibits were added.

ATTACHMENT 4

MV00048017

Number 6 is to consolidate the circulation section of design guidelines into Chapter 9.11 Parking and Loading requirements. Revisions to Chapter 9.16 and 9.11 have been made to make it easier to find parking code regulations and in addition eliminate code items that are called out twice; once in each Chapter. There is a lot of crossing out in between the two.

Number 7 is Parking Lot Planter Islands. Revisions have been made to clarify that finger planters are required at every 12 spaces along any row of parking. The current text does not clearly indicate that finger planters are required in the interior part of the parking lot.

Number 8 is to add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required. Revisions have been made in order to call out the number of trailer parking required and provide a dimension for trailer parking stalls. Currently this is not called out in the Municipal Code. Planning has been using trailer parking standards and dimension requirements from the Industrial Specific Plan Area 208.

Number 9 is permitting personal service in the OC (Office Commercial) and BPX (Business Park) Mixed Use Zones. Personal services are nail salon, massage establishments, barber and beauty shops and tattoo parlors. Those are the type of establishments within defined personal services. Allowing personal services in these two zones will not intensify or change the original intent or purpose for these two zones and these types of uses are helpful to the people that work in the Office Commercial and Business Park Mixed Use Zones.

Number 10 is landscape setbacks for commercial zones. In the past the Planning Commission has asked Staff to review other city setback requirements in the Community Commercial and Neighborhood Commercial Zones. The City of Moreno Valley has the same setback requirements for both Commercial, Community Commercial and Neighborhood Commercial Zones. Other local cities that have been researched differentiate setback requirements between the CC and NC Zones. From the research it seems that typically the Neighborhood Commercial Zone has a greater setback than that of the Community Commercial Zone. This information is being provided to allow for illicit Planning Commission discussions. Of the issue Staff does not have a specific recommendation.

A 1/8th page public notification was published in the local newspaper and I have not received any inquiries, calls and it doesn't look like anybody is here to speak on it.

COMMISSIONER GELLER – Unless they're invisible

ASSOCIATE PLANNER DIAZ – Environmentally, the project is exempt from California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The Amendment does not have the potential to cause a significant impact on the environment. Staff recommends that the Planning Commission take the following actions.

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1. **RECOGNIZE** that PA07-0007 Municipal Code Amendment qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

2. **APPROVE** Planning Commission Resolution No. 2010-02, recommending that the City Council approve PA07-0007.

That concludes Staff's presentation and do you have any questions.

CHAIR MARZOEKI – Do we have any questions of Staff?

COMMISSIONER DE JONG – Gabriel I have just two questions. On issue number 4, the service station design standards; on item number 7, it states canopies shall be at least 10 feet from the property line and shall be architecturally integrated with the main structure. Does that mean they need to be physically attached to the structure or can they be separated and it be designed like the main structure.

ASSOCIATE PLANNER DIAZ – We took the attachment out. I think as long as it looks architecturally integrated; I think most service stations are not attached.

COMMISSIONER DE JONG – My suggestion is that the word integrated really sounds like it's trying… you're suggesting connection.

PLANNING OFFICIAL TERELL – Yes, I mean a suggestion might be compatible rather than integrated.

COMMISSIONER DE JONG – I would agree

PLANNING OFFICIAL TERELL – Okay

COMMISSIONER DE JONG – It sounds like it's connected that way and my other question was on item issue number 2 regarding. You're talking about minimum spaces for nail salons and hotels. Is that including the required accessible parking minimums or is that above those?

PLANNING OFFICIAL TERELL – The parking requirement includes accessible parking because typically…well in a… so it includes that and just to point out that for hotels I think it's implied but I'll just state it clearly, if a hotel had a restaurant or banquet facility or extensive meeting rooms, that would require parking in addition to the standard. This is only meant to be a standard hotel that has maybe a few small meeting rooms. It is not intended to be any hotel and as Gabriel said it is supported by a number of…. I think a parking standard on every single hotel that has been approved in the last few years basically justified that, so we thought it would be easier to put it in the Code rather than have them do a study each time.

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COMMISSIONER DE JONG – Yes I would agree. Good, thank you.

CHAIR MARZOEKI – Thank you. Are there any other questions of Staff?

VICE CHAIR RIECHERS – I've got a bunch. I have too much time on my hands…

CHAIR MARZOEKI – You must have, yes.

VICE CHAIR RIECHERS – Issue 3 – items 5 and 6; leave it unclear to me exactly where the widths will be measured.

PLANNING OFFICIAL TERELL – On 5 and 6?

VICE CHAIR RIECHERS – Yes

PLANNING OFFICIAL TERELL – Yes that would be measured from the front property line

VICE CHAIR RIECHERS - Okay

PLANNING OFFICIAL TERELL – We have two… when we measure lots, the frontage which we measure from the front property line and then there is the width; a minimum width of a residential lot and that we measure from the midpoint, so say for an R5, it's required to be a minimum of 70 feet wide and that's measured from the middle of the lot, but under this proposal the frontage would be a minimum of 50. So it goes from 50 to 70 to 90 to make up in order to meet that standard typically.

VICE CHAIR RIECHERS – Okay, then I'm confused as to why item 6 is in there? On a long curvilinear street you can measure it on the building setback line.

PLANNING OFFICIAL TERELL – I see your point. That should probably still have the 50 foot, because that's really the width where really and I would probably suggest… It's always funny when you look at the Code and it's always been that way but on this I'd probably recommend that we change that to lot width.

VICE CHAIR RIECHERS – Okay, rather than frontage

PLANNING OFFICIAL TERELL – Rather than frontage yes, because we don't want less than the 50 foot.

VICE CHAIR RIECHERS – Right, okay, on the next page at the bottom; page 9; item b; about the lube bays and wash racks, I would suggest that should be a new number rather than item b, since item 11 specifically refers to driveways.

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PLANNING OFFICIAL TERELL – So basically change it to 12 and then 12 becomes 13 and 13 becomes 14

VICE CHAIR RIECHERS – Right

PLANNING OFFICIAL TERELL – That seems reasonable

VICE CHAIR RIECHERS – The next one will be issue 5 on page 12, down on item c and roman numeral two; I believe we need after the inserted "except where the Community Development Director determines that screening is needed" should be comma, lower case o… I believe

ASSOCIATE PLANNER DIAZ – What was that?

VICE CHAIR RIECHERS – We inserted just a clause; need a comma and a lower case o…

PLANNING OFFICIAL TERELL – Right, at the end basically it would be needed comma open walls

VICE CHAIR RIECHERS – Yes. Now all the way back to page 24… design standards (a) 3 hyphen pergolas (?)… Take the hyphen out there

PLANNING OFFICIAL TERELL – Well pergolas (?) is very important. We often do things by them.

VICE CHAIR RIECHERS – A question on the next page about the intent. On item 10, page 25… item 10; do we intend that loading and unloading would include service vehicles? For example, the trucks that deliver the beer and the chips and the stuff to the mini marts and the…

PLANNING OFFICIAL TERELL – The intent is to use a designated delivery spot; not that others aren't used but the intent of the parking spaces is to meet a parking demand. It is not meant to meet a loading zone demand, not that they can't use it and obviously certain times of the days when it is both convenient and very reasonable.

VICE CHAIR RIECHERS – Yes I was just wondering because for example on the market that we approved this evening, I don't think we designated a stall for delivery vehicles did we?

PLANNING OFFICIAL TERELL – Yes there is not a designated stall, but the area just to the north of the building is a loading zone.

VICE CHAIR RIECHERS – Okay, good, okay. On Item 17 is a double negative?

PLANNING OFFICIAL TERELL – Yes, we need to take out the do not

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VICE CHAIR RIECHERS – Yes, take out the first not

PLANNING OFFICIAL TERELL – Yes, either way

VICE CHAIR RIECHERS – And that I believe all the pages that I have

PLANNING OFFICIAL TERELL – Right, thank you for taking the time to do that

COMMISSIONER DE JONG – I have another comment. On issue number 4, item 17c; I have a little problem with the last sentence with the word permanently disabled, junked or wrecked vehicles. I could see the argument easily being made by somebody that this vehicle is not permanently damaged; we're going to fix it next year.

PLANNING OFFICIAL TERELL – Yes I think we took that out of another part of the Code. We can clarify it but it is meant that there is a certain period of time, but certainly we could put disabled and I think most people know that if your car breaks down at the auto supply store, you can't leave it there for an extended period of time.

COMMISSIONER DE JONG – I think our Code so as far as to state no car is in obvious disrepair it could even be parked in front of a house.

PLANNING OFFICIAL TERELL – Yes, is that coming close to home?

COMMISSIONER DE JONG – No it's not, not at all… Cars with missing wheels are cited and that type of thing

ATTORNEY ERLY – Elsewhere in the Code we use the term inoperable

COMMISSIONER DE JONG – Yes that's a good word

PLANNING OFFICIAL TERELL – Inoperable…So we would just put inoperable rather than permanently disabled, junked or wrecked… that seems reasonable

COMMISSIONER DE JONG – Good, thank you

CHAIR MARZOEKI – Are there any others?

COMMISSIONER DE JONG – No, thank you

PLANNING OFFICIAL TERELL – The other thing and certainly we encourage you to talk about is issue number 10 and whether you want us to… that would not be part of what goes forward at this point in time to City Council. It would be for your input and direction and we can go back and look at it further and add it to the next round of coaching. Again we and I think I should have called up Bruce Springer and had him come down here, because I believe this was his issue. In most communities there is a distinction between a Neighborhood Commercial

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setback and a Community Commercial or a heavier commercial setback that's usually lower in a commercial district than it is in a residential district and ours is the same, so we just wanted to put that forward and see if you wanted us to pursue that further.

COMMISSIONER DOZIER – I would like to just ask a question. Did they give rationale? I know you did the research and found out that it was different, but was there an overwhelming rationale?

PLANNING OFFICIAL TERELL – The general… I'm harkening back to Planning School and not to… the intent is not clearly stated in most codes. Generally in a residential district its more you call it I guess and therefore the greater setbacks provide a more suburban look to a neighborhood shopping center in the middle of a residential neighborhood it's kind of got the same similar setbacks to the adjacent residential. In a heavy commercial area it is generally more urban and therefore the lesser setbacks provide for a greater efficiency of the use of the land, so that's the general rationale why there is distinction between them. One is considered a more urban district and neighborhood is within a neighborhood so that's lesser.

COMMISSIONER DOZIER – Thank you

COMMISSIONER DE JONG – Okay, I have one more comment…just a general comment. We see this type of thing again. You included three sheets of crossed out drawings for the trash enclosure that are not going to be included but it would have been helpful to see what was going to be included, even though it is not going to change anything this time.

PLANNING OFFICIAL TERELL – Okay we could have showed… there is an existing section of the Public Works Standards, so there won't be anything in Title 9. There won't be any drawings in Title 9, they'll be referred over to the Public Works Standard which is actually not in the Municipal Code it is a separate document. We can certainly provide that information just so you know.

COMMISSIONER DE JONG – We don't need it now but just something in the future; if you are removing something it might be helpful you know visually to see.

PLANNING OFFICIAL TERELL – Agreed and you know reliance of other regulations, so it's helpful. Yes we can certainly do that.

COMMISSIONER DE JONG – Thank you. Now I'm done

CHAIR MARZOEKI – Okay thank you. I don't know if anybody has comments on the landscape setbacks.

COMMISSIONER BAKER – I've got one question here John. On the existing cul-de-sacs in the City now, how many of them would have a 50 foot frontage. I mean I know in my neighborhood there is about six or eight cul-de-sacs and I

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don't think there is a 50 foot frontage on any of them; maybe not even a 35. I don't know how that's going to work for developers to develop those cul-de-sacs out.

PLANNING OFFICIAL TERELL – Probably a good example of a cul-de-sac which I'm almost certain has at least 50 foot minimums… well I'll tell you I know one because I used to live on it; Quailness Road up in Sunnymead Ranch; that the cul-de-sac extended to a community trail and the cul-de-sac lots were actually… my lot up there I think was 100 feet wide; the frontage was 100 foot wide because it wrapped around the edge of the cul-de-sac, so most likely in order to comply with this what will happen is that the roads will be a little bit longer and a lot of the subdivisions that have been approved and some have actually been built; there is one south of Valley View High School which is a good example where the cul-de-sacs were extended in order to provide pedestrian access directly to Nason I think in that case so that people didn't have to walk half a mile to go to the corner of their subdivision. Those have wider cul-de-sac lots just because the cul-de-sac was extended in order to provide that pedestrian access and there is a number of projects that have been approved with that, but the old standard, which I think brought the Commissions concern about this is where you have a cul-de-sac with five houses at the end and there is no on street parking, so that was to try to avoid kind of what often results in a sea of concrete because all you see at the end of the street is driveways, so it is meant to soften it. What the solution is really to extend the cul-de-sac a little bit so that the lots at the end kind of wrap around the end rather than being splayed out at the end.

COMMISSIONER BAKER – Okay, thank you

CHAIR MARZOEKI – Are there any other questions or comments? So are there any recommendations from Staff about the landscaping setbacks?

PLANNING OFFICIAL TERELL – Not really. Basically either way it is fine. I think the idea is if we wanted to distinguish between our commercial districts we'd probably recommend you look into it further or have us look into it further and make some recommendations.

CHAIR MARZOEKI – Okay, why don't we do that?

PLANNING OFFICIAL TERELL – Okay, I thought we were headed that way. I mean we do have a district that does have the reduced standards which is the Village Commercial Residential and there have been two or three projects approved but none have been built yet, so that's something to look at and also the mixed use districts have a proposal to have a reduced setbacks also and one of the things you may want us to consider and I'm marking that we'll look at it is where the parking is. In the Village Commercial Residential there is a requirement; there is a setback for buildings which is less than a setback for a parking lots, so it provides more of an urban look because the buildings are closer but you don't have the parking lot closer, so we can provide some examples like that for your future consideration.

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CHAIR MARZOEKI – Okay that sounds great

PLANNING OFFICIAL TERELL – And anything else you might want to suggest that we look at.

CHAIR MARZOEKI – I think everybody is tired. Oh Vice Chair Riechers has another question.

VICE CHAIR RIECHERS – I just have question and that's whether Council had a lot of heartburn over the mattress store and Farmer Boy's on up Pigeon Pass; had as much heartburn over that as much as I did when the mattress store went in there and couldn't finish their north wall because Farmer Boy's would not let them come onto their property to paint their wall because of their zero rear setback and Farmer Boy's wouldn't let them onto their property because the mattress store was in there and was blocking the view of Farmer Boy's and all of that.

PLANNING OFFICIAL TERELL – Well I think there was a lot of concern at Council level and Staff level and certainly at the Planning Commission level about that project which is certainly not what we'd be suggesting to replicate, but it was a property that was… it's one of the properties that I think Commissioner Geller; you know one of the reasons for his concern because it was an orphan parcel that there were no provisions to have joint access between those two properties. I think if that property were to develop today at least we'd have addressed the issue of reciprocal access between the two centers and it's very narrow so they had a variance approved, but yes I think there were concerns; maybe not on the part of the Council that approved it but certainly other people that have come since.

COMMISSIONER GELLER - There were a lot of political issues on that project. It's much more complicated, but we need not discuss it now, but there were a lot of things that went into that and it wasn't good planning.

COMMISSIONER DE JONG – I think there is a pretty significant grade change there between parking lots is there?

PLANNING OFFICIAL TERELL – Yes but it could have been worked out. I think the reason… even a plan showed how it could be worked out, but as Commissioner said there were other considerations afoot on that project.

VICE CHAIR RIECHERS – I mean even that issue would not be directly applicable to what we are discussing here tonight. You know we're not addressing any change in zero setbacks in the rear of any zones, but I was just curious as to whether that zero setbacks caused any heartburn to any people in Council.

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PLANNING OFFICIAL TERELL – Yes I don't know it was so much the zero setbacks on the back as the front and the sides and the lack of connection between those two centers. The rear… 99 tenths of a hundred is that two property owners together and that's not a problem. That wasn't one of them. That was the one.

VICE CHAIR RIECHERS – Right, okay

CHAIR MARZOEKI – Okay are there any other questions? Do I need to open up the Public Testimony portion of this and then reclose it right away because it's an item? Yes I'm going to open it up. Does anybody want to speak on this item? Seeing no one, I will close the Public Testimony Portion of this and open it up to any Commissioner Comments or a motion.

COMMISSIONER GELLER – I'll make a motion. I'd like to make a motion that we:

1. **RECOGNIZE** that PA07-0007 Municipal Code Amendment qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378; and,
2. **APPROVE** Planning Commission Resolution No. 2010-02 recommending that the City Council approve PA07-0007 as amended.

COMMISSIONER SALAS – I'll second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries 7 – 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action and that will probably be in March I believe

MV00048026

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: March 23, 2010

TITLE: FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11, and
2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

BACKGROUND

Every year the Department of Housing and Urban Development (HUD) allocates federal grant monies to the City of Moreno Valley for use in programs that provide decent housing and/or expand employment opportunities for low to moderate income persons (see Attachment A for the 2009 Income Limit table). These grant programs are known as Community Development Block Grant and the HOME Investment Partnership Program.

Grants are provided on an annual basis to Entitlement Cities (eligible, selected cities with a population exceeding 50,000 - Moreno Valley is classified by HUD as an Entitlement City), with allocation amounts varying each year based on a formula that considers the extent of poverty, population, housing overcrowding, the age of housing and the population growth lag in relationship to other metropolitan areas.

HUD requires that Entitlement Cities (including Moreno Valley) prepare a Consolidated Plan that directs CDBG activities for a five year period. FY 2010/11 marks the third year of the City's FY 2008-2013 Consolidated Plan. Each year, Entitlement Cities must also adopt Annual Action Plan updates of the Consolidated Plan. The Annual Action Plan more specifically identifies how the City will allocate both CDBG and HOME funds for the upcoming program year. The Annual Action Plan for FY 2010/11 must be received by HUD no later than May 13, 2010 (after it has complied with the required public notifications and hearings).

In accordance with HUD requirements, CDBG Target Areas must be established so that Entitlement Cities may concentrate their programs in areas determined to contain at least 51% of residents earning low and moderate incomes. For a map of the CDBG Target Areas see Attachment B.

Eligible CDBG grant activities can range from social services to capital improvements to economic development programs. HOME funds must be used toward the development of affordable housing projects. Attachment C details eligible and ineligible activities for both programs.

In past years, the City of Moreno Valley has used CDBG to fund a variety of eligible programs including capital improvement projects, code enforcement activities, social service programs, and economic development activities. A listing of eligible and ineligible activities for CDBG and HOME funding can be found in Attachment C. CDBG regulations allow Entitlement Cities to dedicate up to a maximum 15% of their annual CDBG allocation to the provision of social services, which can include, but are not limited to the following:

- Fair Housing Services\Foreclosure Prevention Programs (Mandated by HUD)
- Career Development and Mid-Career Retraining
- Youth Programs
- Homeless Services
- Crime Prevention Programs

Social services can be provided directly by the Entitlement City or CDBG social service funds can be granted to certified non-profit organizations (known as subrecipients) to provide the desired services or programs.

DISCUSSION

2010/11 CDBG – AVAILABLE FUNDING

The City's FY 2010/11 Community Development Block Grant allocation is estimated at $1,793,000 (HUD has not yet released the final allocations so we are using last year's allocation). For FY 2010/11, the City estimates that $268,950 (15% of the total estimated CDBG allocation) will be available for social services. Table 1, below, details

the total estimated amount of CDBG dollars available in FY 2010/11 including savings realized in past years projects. HUD limits expenditures for certain categories, such as social services and CDBG program administration. The limits or maximum allocations are outlined below.

Table 1

FY 2010/11 CDBG ESTIMATED AVAILABLE FUNDING	
Funding Category	Funding Allocation
2010/11 CDBG Estimated Allocation	**$1,793,000**
Previous year savings*	**$505,000**
TOTAL ESTIMATED CDBG FUNDS	**$2,298,000**
Program Administration (20% maximum of annual grant)	$358,600
Public Social Services (15% maximum of annual grant)	$268,950
Code Enforcement	$366,407
Economic Development	$719,043
Facilities	$80,000
TOTAL PLANNED CDBG EXPENDITURES	**$1,793,000**

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Project and $55,000 in projected savings from 2009/10 administrative activities

APPLICATION PROCESS

The City must notify the public of available social service funding opportunities and conduct a public hearing to solicit public input regarding the proposed projects. In compliance, a Notice of Funding Availability for CDBG and HOME was published in the Press-Enterprise on January 14, 2010. CDBG and HOME social service applications were available at the City Hall and were mailed directly to interested parties. Applications were due on February 4, 2010.

Consistent with past years, a CDBG/HOME Technical Review Committee (TRC), comprised of City staff from various departments, was formed to review the CDBG Public Service applications received from potential subrecipients. Prior to making recommendations, the TRC interviewed and evaluated the potential subrecipient applications based on: (1) conformance with federal requirements and City guidelines, (2) community needs identified in the City's Consolidated Plan, (3) priorities established

by the City Council at the January 12, 2010 meeting, and (4) available funding resources.

Federal Requirements
HUD requires that at least 70% of the annual CDBG funds be allocated to projects that benefit low and moderate income persons. HUD also requires that CDBG projects meet at least one of three national objectives: (1) benefit persons of low and moderate income; (2) improve slum or blighted conditions; or (3) respond to an emergency or urgent need.

City Guidelines
On a local level, the City Council has previously adopted guidelines for evaluating social service applications, including:

- Local providers will be given priority over those organizations providing equivalent services outside the city.
- The minimum grant level is generally $5,000 for the CDBG Program and $25,000 for the HOME Program (the Council may approve lesser grant amounts).
- Programs should have other funding sources.
- Fair housing services, homeless services, social services, and youth career development, and crime protection programs shall be given funding priority.
- City projects will be given priority.

2010/11 RECOMMENDED CDBG PROJECTS AND PROGRAMS

All recommended CDBG projects and programs fall into one of the following categories:

- Program Administration
- Public Social Services
- Public Facilities and Improvements
- Code Enforcement
- Economic Development

Attachment D provides recommendations for CDBG social service funding in FY 10/11. It includes a list of all CDBG social service applications received, the requested funding, and amount of funding recommended by the TRC.

1) CDBG PROGRAM ADMINISTRATION

HUD limits program administration costs to twenty percent (20%) of the annual CDBG allocation. The FY 2010/11 cap estimated for program administration is $358,600 (based on a total CDBG allocation similar to last year). Funding under this category provides for Economic Development Department staffing, along with the mandatory funding of Fair Housing Services (required by HUD). The Fair Housing Services include education regarding fair housing rights and responsibilities, investigation of discriminatory practices, and landlord/tenant mediation.

2) PUBLIC SOCIAL SERVICES

Social services are subject to a fifteen percent (15% maximum) limit of the annual CDBG allocation. The maximum social service cap for 2010/11 is estimated at $268,950. Staff and the TRC reviewed a total of thirty-two public service applications, which were received from City departments, service providers, and non-profit organizations. The TRC conducted comprehensive interviews with applicants and provided a funding recommendation.

The projects recommended by the TRC reflect the community priorities adopted by the City Council on January 12, 2010. Social Service applications recommended for CDBG funding in FY 2010/11 encompass a wide range of programs and services including: 1) public safety services; 2) emergency and transitional shelter for homeless families; 3) youth, elderly, and disabled adult services; 4)crisis counseling; and 5) emergency food distribution. Attachment F provides detailed information on each of the social service applications, the categories under which proposed programs are classified, funding recommendations, and other useful information.

Please note in addition to recommending most of the programs the City Council previously funded, the TRC is also recommending funding three new programs: Community Neighborhood Clean-ups, ARC of Riverside County - Disabled Adult Day Care Facility, and the Salvation Army - Food Program.

3) PUBLIC FACILITIES

In partnership with Family Services Association (and with the support of Moreno Valley Unified School District), the City participated in a grant application to the County of Riverside to establish a Youth Opportunity Center (YOC) in the City's CDBG Target Area. The Center would require approximately 2,000 sq. ft. of space where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. If the YOC $800,000 grant application is successful, the proposed CDBG monies would serve as the required matching funds. The proposed $80,000 in CDBG

funding could be used for help in acquiring a building or for needed tenant improvements, in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.

4) CODE ENFORCEMENT

City code enforcement is an important service partially funded by CDBG. The Code Compliance officers provide proactive code compliance within the established CDBG- Target Areas. Code compliance efforts reduce blight and substandard housing conditions as well as promote improved property and building maintenance within the target areas. Staff is recommending maintaining Code Enforcement at same level as last fiscal year in order to continue to assist with foreclosure enforcement efforts on bank-owned properties in the CDBG Target Areas.

5) ECONOMIC DEVELOPMENT

a. Small Business Counseling Services

As described in Attachment F, funding is recommended for Small Business Counseling Services. The Inland Empire Small Business Development Center (SBDC) provides one-on-one counseling services, workshops and seminars free of charge to Moreno Valley businesses. Included in the service are some office hours in Moreno Vallley in addition to the SBDC office in Riverside.

A funding increase of $10,000 is recommended to supplement the training opportunities that SBDC provides. In the current economic climate, small business owners are becoming increasingly more aware of the need for better bookkeeping and accounts payable/receivable management practices. SBDC will provide more sessions of QuickBooks training to Moreno Valley's small businesses free of charge.

b. Employment Resource Center

Last year, the City partnered with Riverside County Workforce Development to create a local Employment Resource Center (ERC) in Moreno Valley dedicated to providing unemployed or under-employed Moreno Valley residents with a convenient place where they could utilize computers and other standard office equipment, access the internet to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment free of charge. The ERC is very active and in just five months of operation has had over 13,300 visits (average of over 180 per day). It also has been used by new businesses

(such as Burlington Coat Factory and O'Reilly Automotive) to conduct employee recruitments.

Staff is recommending $115,000 to continue providing this valuable service to the community, plus $30,000 for expansion of the ERC into the available adjacent 1,424 sq. ft. suite. Partnering with the County of Riverside, staff is proposing the expansion to allow for an increased number of computer workstations, along with the addition of career coaching and job services to be provided by county workforce development staff. Another user of this program - IHerb is scheduled to open its new distribution facility in June with 140 estimated employees.

c. Moreno Valley New Business Incentive Program

Funding is recommended for the continuation of the New Business Incentive Program intended to incentivize the attraction of major employers to locate in the vacant space in the TownGate area, Centerpointe Business Park, and the Moreno Valley Industrial Area Specific Plan areas of the community, thereby creating new employment opportunities for low and moderate income residents. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues. During its first year, this program incentivized Burlington Coat Factory, which created 76 new jobs out of which 57 are Moreno Valley residents.

10/11 HOME PROGRAM – AVAILABLE FUNDING

The estimated FY 2010/11 HOME allocation is $666,000. The HOME Program generally funds city-sponsored programs. Program administration has a cap of 10% (or $66,600) of the total HOME allocation. In addition, a minimum of 15% (or $99,900) of the funds must be used by a Community Housing Development Organization (CHDO) to increase the supply of affordable housing for low-income families. Staff is recommending FY 2010/11 HOME funding as outlined in Table 2.

Table 2

FY 2010/11 ESTIMATED HOME ALLOCATION	
2010/11 HOME Estimated Allocation	**$666,000**
Previous Year Un-used and Available Funds*	$23,000
Total Estimated HOME Funds	**$689,000**
Program Administration (maximum 10% of allocation)	$66,600
FY 10/11 Community Housing Development Organization (or CHDO, requires 15% of allocation)	$99,900
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,000
Total Planned HOME Expenditures	**$688,500**

* $23,000 in projected savings from 2009/10 administrative activities

2010/11 RECOMMENDED HOME PROJECTS AND PROGRAMS

Attachment E provides program recommendations for HOME funding in FY 2010/11. Attachment F provides detailed information on each of the outside agency applications for HOME funding, the categories under which proposed programs are classified, funding recommendations, and other useful information.

1) HOME PROGRAM ADMINISTRATION

Program Administration costs are subject to a ten percent (10%) cap. Grant funding under this category provides for Economic Development Housing program staffing.

2) COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-A-SIDE

HUD mandates that a minimum of 15% of HOME funds be allocated toward affordable housing projects to be undertaken by qualified CHDOs. Over FY 10/11 an estimated $99,900 must be allocated to a CHDO for potential affordable housing projects.

3) HOME IMPROVEMENT LOAN PROGRAM (HILP)

The HILP program provides 3% deferred loans for homeowners-occupants to rehabilitate single-family homes. The purpose is to eliminate substandard

housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.

4) MOBILE HOME GRANT

The City's Mobile Home Grant program provides a $10,000 maximum grant to rehabilitate income-eligible owner-occupied mobilehomes that are located in an established Moreno Valley mobilehome park from which a space is being rented. Staff is recommending an increase in funding from $80,000 to $100,000. The $10,000 per home maximum grant is increasingly inadequate to address significant damage/life-safety issues found in some aging manufactured homes.

Staff proposes the creation of a $20,000 contingency from which funds beyond the established $10,000 per house limit may be drawn, on a case-by case basis at the Economic Development Director's discretion, for homes in serious need of additional rehabilitation.

5) MULTI-FAMILY AFFORDABLE HOUSING

Funding is being reserved for future multifamily affordable housing project opportunities that may arise during FY 10/11.

ALTERNATIVES

Alternative 1 - The City Council may conduct a public hearing and select social service programs and projects for funding as recommended by staff and the TRC. **Staff recommends this alternative because it adheres to HUD program requirements.**

Alternative 2 - The City Council may decline to conduct a public hearing and may choose not to fund any projects as recommended. ***Staff does not recommend this alternative because it could delay preparation, approval and submission of Consolidated/Annual Action Plan to HUD.***

Alternative 3 – The City Council may increase or decrease the recommended levels of funding for specific programs/projects for which the City received an application. ***Use of this alternative can only be utilized if any funding changes meet HUD requirements and conform to overall funding capability.***

FISCAL IMPACT

The estimated CDBG funding allocation for FY 2010/11 is $1,793,000. The estimated HOME funding allocation is $666,000. Both of these allocations are preliminary estimates and subject to the actual release of fund allocations from HUD. Together,

these grants will provide funding for a number of important projects and services. Please note that CDBG and HOME is a restricted funding source that must adhere to HUD requirements.

CDBG Accounts		$1,793,000
282	73918 CDBG Programs	
283	73828 CDBG Administration	
283	74018 Code and Neighborhood Enforcement	
176	77110 HOME	$666,000

The proposed program funding selections have NO impact on the City's General Fund. CDBG funding must be used in Target Areas that contain at least 51% of residents earning low to moderate incomes. Eligible programs or projects must meet one of three HUD national objectives, in accordance with City Council adopted community priorities.

CITY COUNCIL GOALS

1. **REVENUE DIVERSIFICATION & PRESERVATION**
   By utilizing CDBG and HOME funds the City will enhance its ability to create a stable revenue base and fiscal policies that will support essential City improvement services.

2. **PUBLIC SAFETY**
   Many of the proposed CDBG and HOME programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. **POSITIVE ENVIRONMENT**
   The variety of community-based CDBG and HOME programs help develop a positive environment in the community.

4. **COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS**
   CDBG and HOME programs such as: Code Enforcement, Neighborhood Policing, and Housing Rehabilitation will help to preserve, rehabilitate, and improve Moreno Valley's neighborhoods.

SUMMARY

HUD will allocate to the City of Moreno Valley a grant amounts to administer its Community Development Block Grant (CDBG) programs and HOME Investment Partnership (HOME) programs over the FY 2010/11 program year. CDBG funding is available to address the needs of low-income persons/areas within the City. HOME funds are available to address affordable housing related needs.

Staff issued a Notice of Available Funding and as a result collected thirty-two applications (29 CDBG public service, 3 Non-Public Service, and 1 HOME application) requesting funding. This report reviews public social service, affordable housing, and economic development programs recommended for funding by City staff and the Technical Review Committee. City Council selected CDBG and HOME programs will be incorporated into the FY 2010/11 Annual Action Plan.

NOTIFICATION

Notice of this meeting was published in the local edition of the Press-Enterprise newspaper on March 10, 2010.

ATTACHMENTS/EXHIBITS

ATTACHMENT A	Income Limits
ATTACHMENT B	CDBG Target Area Map
ATTACHMENT C	Eligible/Ineligible Activities
ATTACHMENT D	CDBG Funding Recommendations
ATTACHMENT E	HOME Funding Recommendations
ATTACHMENT F	CDBG and HOME Proposed Project Detailed Descriptions

Prepared By:
Isa Rojas
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

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

W:\NeighborPres\CDBG\StaffReports\2010-2011\3 23 10 STAFF REPORT.doc

ATTACHMENT A

2009 INCOME LIMITS

Effective April 2, 2009 – Revised Annually

Neighborhood Preservation Division

Annual Income Level	% of Area Median	Number of Persons In Household							
		1	2	3	4	5	6	7	8
Extremely Low Income	30%	$14,000	$16,000	$18,000	$20,000	$21,600	$23,200	$24,800	$26,400
Very Low Income	50%	$23,300	$26,650	$29,950	$33,300	$35,950	$38,650	$41,300	$43,950
60% Limits (HOME)	60%	$27,960	$31,980	$35,940	$39,960	$43,140	$46,380	$49,560	$52,740
Low Income	80%	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350
Median Income	100%	$45,150	$51,600	$58,050	**$64,500**	$69,650	$74,800	$80,000	$85,150
Moderate Income	120%	$54,200	$61,900	$69,650	$77,400	$83,600	$89,800	$96,000	$102,150

ATTACHMENT B

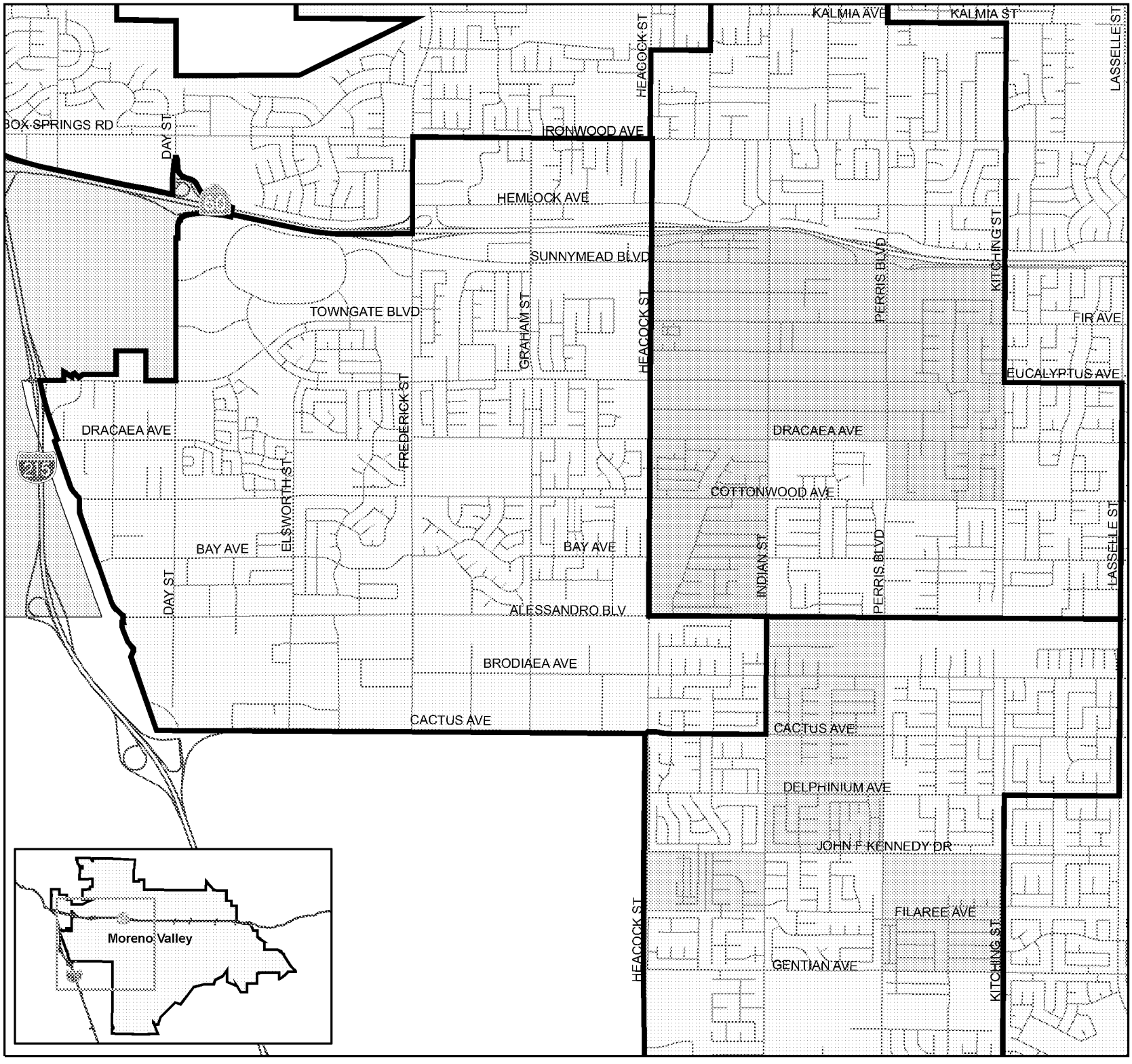

City of Moreno Valley CDBG Target Areas

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY
WHERE DREAMS SOAR

MV00048039

ATTACHMENT C

Eligible CDBG Activities

- Acquisition, design, construction, rehabilitation, or installation of certain publicly owned facilities such as:

  - Parks, playgrounds and recreational facilities.
  - Senior centers, except 24-hour care facilities.
  - Neighborhood facilities.
  - Fire protection facilities and equipment.
  - Parking facilities.
  - Street improvements.
  - Flood, drainage, or sewer facilities.
  - Other improvements vital to a community's development.

- Acquisition of property that is: of historic value; appropriate for beautification or conservation of open spaces; appropriate for low or moderate income housing.
- Clearance and demolition of buildings and land which may be a health hazard to the community. Interim assistance or temporary help to alleviate harmful or dangerous conditions.
- Removal of architectural barriers which restrict the mobility of handicapped persons.
- Rehabilitation and preservation of buildings and improvements, both publicly and privately owned.
- Code enforcement in designated target areas.
- Historic preservation activities.
- Eligible economic development activities.
- Eligible planning and environmental design costs.
- Public services including, but not limited to: fair housing activities, public safety services, homeless services, senior citizen services, educational programs, youth services, drug abuse counseling & treatment and recreation programs.

Ineligible CDBG Activities

- Buildings for the general conduct of government, such as city halls, courthouses, and police stations.
- Stadiums, sports arenas, auditoriums, museums and central libraries
  (Note: branch libraries may be built in CDBG Target Areas).
- Purchase of equipment such as construction equipment, fire protection equipment, furnishings, and personal property.
- Schools
- Airports, subways, bus or other stations.
- Hospitals, nursing homes, and other medical facilities.
- Treatment works for liquid industrial wastes or sewage.
- Expenses of general government for operation and maintenance of public facilities.
- Political activities.

- Direct income payments to residents.

MV00048040

Eligible HOME Activities

- Incentives provided by Participating Jurisdictions (the City of Moreno Valley is a Participating Jurisdiction) to develop and support affordable rental housing and homeownership affordability through acquisition, new construction, reconstruction, or rehabilitation of non-luxury housing (including manufactured housing).
- Operating expenses and capacity building costs for eligible Community Housing Development Organizations (CHDO).
- Eligible administrative and planning costs.

Ineligible HOME Activities

- Project reserve accounts or operating subsidies.
- Tenant-based rental assistance for the special purposes of the Section 8 program.
- To provide non-federal matching contributions.
- To provide assistance to annual contributions for the operation of public housing.
- Modernization of public housing.
- Prepayment of low-income housing mortgages.
- Assistance to a project previously assisted with HOME funds during the period of affordability.

MV00048041

	A	B	C
1	ATTACHMENT D - CDBG PROPOSED PROGRAMS		
2	CDBG - FY 2010/11 (PROGRAM YEAR XXIII) - Total Estimated Available Funding $1,793,000		
3	ACTIVITY		FY 2009/10 ALLOCATION
4	A.	ADMINISTRATION (20% CAP - $358,600)	
5	0	Administrative Staffing	$313,600
6	1	Fair Housing Council of Riverside County (Fair Housing)	$45,000
7		Subtotal	$358,600
8	B.	PUBLIC SERVICES (15% CAP - $268,950)	
9	2	Community Foreclosure Prevention Workshops	$5,103
10	3	Community Assistance Program (CAP) Food Program	$30,600
11	4	Friends of the Moreno Valley Senior Center (MoVan) Transportation	$30,000
12	5	Problem Orienting Community Policing (POP) Team	$35,000
13	6	Fair Housing Council of Riverside - Foreclosure Prevention/Mitigation	$15,000
14	7	Lutheran Social Services (MARB) Homeless Shelter	$15,000
15	8	Path of Life Transitional Family Shelter (MARB)	$15,000
16	9	PW Enhancement Center - Emergency Services Outreach	$15,000
17	10	Neighborhood Clean-ups	n/a
18	11	Assistance League of Riverside - Operation School Bell	$10,000
19	12	CASA for Riverside County Foster Youth Program	$10,000
20	13	God's Helping Hand Ministries - Food Bank	$5,000
21	14	Operation Safehouse Shelter for Youth	$8,000
22	15	Alternatives to Domestic Violence Emergency Shelter & Services	$10,000
23	16	Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
24	17	Moreno Valley Community Educators - Tutoring Program	$6,400
25	18	ARC of Riverside - Disabled Adult Day Care Facility	n/a
26	19	Salvation Army -Food Program	n/a
27	20	Assisting Needy Families	n/a
28	21	Catholic Charities	n/a
29	22	Christian Center - Outreach Programs	n/a
30	23	CVHC - Afterschool/Computer Program	n/a
31	24	FHCRC 1st Time Homebuyer Program	n/a
32	25	FSA - Housing Counseling Program	n/a
33	26	Olive Branch -Community Garden	n/a
34	27	Olive Crest Treatment Centers - Indep. Living Skills Foster Youth	$5,000
35	28	US Vets - Job Training Program	n/a
36	29	USA Help - Housing Counseling	n/a
37	30	Volunteer Ctr. Senior Ombudsman Program	n/a
38	31	Volunteer Ctr. '211' Telephone Referral Service	n/a
39	32	YMCA -Childcare at Sugarhill	n/a
40		Subtotal	$939,803
41	C.	FACILITIES	
42	33	Youth Opportunities Center - Tenant Improvements\Bldg. Acquisition	$80,000
43		Subtotal	$80,000
44	D.	CODE ENFORCEMENT	
45	34	Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
46	35	Code Enforcement - Foreclosure 'Strike Team'	$103,017
47	36	Fire Inspection 'Improvement Task Force' Program	n/a
48		Subtotal	$263,390
49	E.	ECONOMIC DEVELOPMENT	
50	37	MV New Business Incentive Program	$525,000
51	38	Employment Resource Center includ. expansion	$308,498
52	39	Small Business Development Center	$40,000
53		Subtotal	$873,498
54		GRAND TOTAL	
55	■ New program ■ Organization serving homeless population ■ Recommended funding changes over previous year		
56	* Estimated amount is based off actual 2009/10 allotment of $1,793,000		
57			
58	¹ In 09/10 POP was in the final phase of funding, if CDBG funding is continued partial funding not to exceed $25,000 is recommended.		
59			
60			

	D	E	F	G	H
1					
2					
3	FY 2010/11 Request	Staff Recommendation	City Council Recommendation		
4				1794025	
5	$313,600	$313,600		81288	
6	$49,453	$45,000		1875313	
7	**$363,053**	**$358,600**		358805	882
8				269103.75	.6235 professional services: printing
9	$ 44,000	$44,000			
10	$ 34,220	**$30,000**			
11	$ 30,000	$30,000			
12	$ –	$25,000			
13	$ 25,000	$15,000			
14	$ 51,362	$15,000			
15	$ 125,100	$15,000			
16	$ 35,000	$15,000			
17	$ 13,350	**$13,350**			
18	$ 15,000	**$10,000**			
19	$ 32,568	$10,000			
20	$ 9,000	**$9,000**			
21	$ 8,000	$8,000			
22	$ 15,000	**$7,500**			
23	$ 7,500	$7,500			
24	$ 17,995	$5,000			
25	$ 10,000	$5,000			
26	$ 10,900	$4,600			
27	$ 20,000	$0			
28	$ 35,000	$0			
29	$ 20,000	$0			
30	$ 50,000	$0			
31	$ 14,600	$0			
32	$ 45,000	$0			
33	$ 14,600	$0			
34	$ 10,000	**$0**			
35	$ 25,000	$0			
36	$ 144,000	$0			
37	$ 20,000	$0			
38	$ 25,000	$0			
39	$37,310	$0			
40	**$ 1,633,301**	**$268,950**			
41					
42	$80,000	$80,000			
43	**$80,000**	**$80,000**			
44					
45	$263,390	$263,390			
46	$103,017	$103,017			
47	$30,000				
48	**$396,407**	**$366,407**			
49					
50	$525,000	$525,000			
51	$115,000	$144,043			
52	$50,000	$50,000			
53	**$690,000**	**$719,043**			
54		**$1,793,000**			
55					
56					
57					
58					
59					
60		$1,875,313			

	A	B
1	ATTACHMENT E	
2	HOME - FY 2010/11 (PROGRAM YEAR XXIII) - Total Estimated Available Funding $689,000*	
3	ACTIVITY	
4	A.	ADMINISTRATION
5		Administrative Staffing (10% CAP - $66,600)
6		Subtotal
7	B.	CHDO (MANDATORY)
8		(15% CAP - $99,900)
9		Subtotal
10	C.	APPLICATIONS
11		Family Service Association - Olive wood Child Development Center
12		Family Service Association - Building Families Housing Program
13		Habitat for Humanity - Helping Hands Mobilehome Grant Program
14		Subtotal
15	D.	HOUSING REHABILITATION
16	1	City Home Improvement Loan Program
17	2	City Mobilehome Grant Program
18		Subtotal
19	E.	MULTI FAMILY HOUSING
20	3	Reserve for Multi-family Affordable Housing Projects
21		
22		GRAND TOTAL
23	New program Recommended funding changes over previous year level	
24	* Available funds are based on 2009/10 allotment of $666,000 + $23,000 in estimated previous year savings	
25		
26		

	C	D	E	F
1				
2				
3	FY 2009/10 ALLOCATION	FY 2010/11 Request	Staff Recomendation	City Council Approval
4				
5	$59,961	$66,600	$66,600	
6	**$59,961**	**$66,600**	**$66,600**	
7				
8	$89,940	$99,900	$99,900	
9	**$89,940**	**$ 99,900**	**$99,900**	
10				
11	n/a	$300,000		
12	n/a	$250,000		
13	n/a	$30,000		
14	**$0**	**$580,000**		
15				
16	$160,000	$240,000	$240,000	
17	$80,000	$100,000	**$100,000**	
18	**$240,000**	**$340,000**	**$340,000**	
19				
20	$297,229	$182,000	**$182,000**	
21				
22			**$688,500**	
23				
24				
25				
26				

ATTACHMENT F

PROGRAM YEAR XXI
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and
HOME INVESTMENT PARTNERSHIP PROGRAM
PROJECT DESCRIPTIONS, ELIGIBILITY AND RECOMMENDATIONS
FY 2010/11

The following pages are descriptions of the applications requesting CDBG funding for Fiscal Year 2009/10. Included is information on the project's eligibility, national objectives, prior CDBG funding from the City of Moreno Valley, and the recommendations of the City's Technical Review Committee (TRC). Also listed below are definitions of the regulations used by the Department of Housing and Urban Development (HUD) that appear in the program descriptions. More detailed information is available from the Economic Development Department, if needed.

Examples of Basic Eligible Activities (by Code):

570.201(a) Acquisition
570.201(c) Public facilities and improvements
570.201(e) Public Services

- The amount of CDBG funds used for public services shall not exceed 15% of the total CDBG grant allocated to the City.
- A public service must be either a new service, or a quantifiable increase in the level of service above that which has been provided by or on behalf of the unit of general local government (through funds raised by such unit, or received by such unit from the State in which it is located) in the twelve calendar months prior to the submission of the statement.
- Specific public services include food distribution, homeless programs, crime prevention, childcare, specialty counseling and domestic violence services.

570.202(c) Code Enforcement
570.203 Economic Development
570.206(c) Fair Housing Activities

Criteria for National Objectives:

570.208(a) Activities benefiting low and moderate income persons.

1). Area Benefit Activities

(i). An activity, the benefits of which are available to all the residents in a particular area, where at least 51% of the residents are low and moderate-income persons. An activity that serves an area that is not primarily residential in character shall not qualify under this criterion.

2). Limited Clientele Activities

(i). An activity which benefits a limited clientele, at least 51% of whom are low and moderate-income persons.

(ii). A special project directed to removal of material and architectural barriers, which restrict the mobility, and accessibility of elderly or handicapped persons to publicly owned and privately owned non-residential buildings, facilities and improvements and the common areas of residential structures containing more than one dwelling unit.

570.208(b) Activities which aid in the prevention or elimination of slums or blight.

570.208(c) Activities designed to meet community development needs having a particular urgency.

PROGRAM ADMINISTRATION APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: FAIR HOUSING & LANDLORD/TENANT MEDIATION SERVICES

Applicant/Agency Name	Fair Housing Council of Riverside County	**#1**
Applicant Address/Phone	3933 Mission Inn Avenue Riverside, CA 92501 (951) 682-6581	
Contact Person and Title	Rose Mayes, Executive Director	

Project Name	**FAIR HOUSING SERVICES AND LANDLORD/TENANT MEDIATION PROGRAM**
Project Location	23890 Alessandro #A1, Moreno Valley, CA 92553
Project Description	Provides a full range of fair housing services that promote fair housing rights and obligations. The primary goal is to give impetus to, and actualize activities that affirmatively further fair housing in the City of Moreno Valley through the three basic areas of education, training and technical assistance, and enforcement. Comprehensive Tenant/Landlord mediation services to include education, training and technical assistance, and enforcement efforts to resolve rental conflicts and disputes. Handles an estimated 400 phone calls monthly for information on tenant rights/responsibilities and dispute resolution.
Eligibility and National Objective	Fair Housing Activities 570. Service 570.201(e) Limited Clientele 570.208(a)(2)
Prior CDBG Funding	FY 09-10 - $45,000 FY 08-09 - $40,000 FY 03-04 - $33,000 FY 07-08 - $40,000 FY 02-03 - $25,500 FY 06-07 - $40,000 FY 01-02 - $25,160 FY 05-06 - $37,374 FY 00-01 - $25,915 FY 04-05 - $33,000 FY 99-00 - $25,915
Track Record	The Fair Housing Council meets all stated goals and submits accurate reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding. Program will provide a community service required by HUD and provides services locally in Moreno Valley.***
Amount Requested	$49,453
Amount Recommended	$40,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: HOUSING SERVICES

Applicant/Agency Name	City of Moreno Valley - Economic Development Dept. (951) 413-3460	**# 2**
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**Community Foreclosure Prevention Workshops**
Project Location	14177 Frederick St. Moreno Valley, CA 92552
Project Description	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The City is expected to partner with agencies such as: the Riverside County Fair Housing Council, Springboard Consumer Credit Counselors, Employment Development Department, the County Tax Assessors Office, HUD, the IRS, and others to administer a complete and comprehensive program. The seven workshops held over 09/10 attracted approximately 600 struggling homeowners.
Eligibility and National Objective	Public Services 570.201(e) 570.208(a) Low – Moderate Income
Prior CDBG Funding	FY 09/10 - $12,603 FY 08/09 - $7,500
Track Record	Acceptable
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$44,000
Amount Recommended	$44,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: FOOD DISTRIBUTION

Applicant/Agency Name	Community Assistance Program (CAP)	**# 3**
Applicant Address/Phone	24594 Sunnymead Boulevard, Suite W Moreno Valley, CA 92553 (951) 485-7792	
Contact Person and Title	Jerry Casillas, Director	

Project Name	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
Project Location	24594 Sunnymead Boulevard, Ste W, Moreno Valley, CA
Project Description	Provides emergency food, hygiene items and clothing to needy families from Moreno Valley, as well as utility payment assistance and social services referrals. CAP anticipates assisting 14,000-16,000 individuals in the program year. Funds are being requested for supplies, rent, insurance, salaries and utilities.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(C)
Prior CDBG Funding	FY 09-10 - $30,600 FY 08-09 - $30,821 FY 07-08 – $24,590 FY 06-07 – $11,219 FY 05-06 - $5,000 FY 04-05 - $11,238 FY 03-04 - $19,000 FY 02-03 - $5,750 FY 01-02 - $11,325 FY 00-01 - $10,000 FY 99-00 - $11,250 FY 98-99 - $10,000 FY 97-98 - $10,000 FY 96-97 - $9,810 FY 95-96 - $10,000 FY 94-95 - $10,000 FY 93-94 - $10,000 FY 92-93 - $5,000
Track Record	CAP keeps all required records and submits reports in a timely manner. 100% of services are provided to Moreno Valley residents only.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$34,220
Amount Recommended	$30,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: SENIOR SERVICES

Applicant/Agency Name	Friends of the Moreno Valley Senior Center	**#4**
Applicant Address/Phone	25075 Fir Avenue Moreno Valley, CA 92553 (951) 243-6890	
Contact Person and Title	Dorothy Grzeskowiak, President	

Project Name	**THE MOVAN SENIOR VAN TRANSPORTATION PROGRAM**
Project Location	Moreno Valley
Project Description	The Friends of the Moreno Valley Senior Center own and operate the MoVan, a 17-passenger bus with two wheel chair tie-downs, used to transport the elderly and adult handicapped to medical appointments and other needed destinations. The MoVan operates 7 hours per day/5 days per week. If able to pay, fares are .25 each way within the City, $3.00 outside of City limits. Program year funds are being requested for driver contract costs.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10- $30,000 FY 08-09 - $30,000 FY 07-08 - $25,000 FY 06-07 - $20,000 FY 05-06 - $12,500 FY 04-05 - $12,500 FY 03-04 - $20,000 FY 02-03 - $5,750 FY 01-02 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $5,000 FY 96-97 - $4,905 FY 94-95 - $6,000 FY 93-94 - $7,500 FY 92-93 - $5,000 FY 91-92 - $5,000 FY 90-91 - $5,000
Track Record	Friends of the Senior Center keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$30,000
Amount Recommended	$30,000

PUBLIC SERVICE APPLICATIONS – CITY DEPARTMENTS
TYPE OF APPLICATION: CRIME PREVENTION/PUBLIC SAFETY

Applicant/Agency Name	City of Moreno Valley Police Department	**# 5**
Applicant Address/Phone	22850 Calle San Juan De Los Lagos Moreno Valley, CA 92553 (951) 486-6920	
Contact Person and Title	Ralph Rico	

Project Name	**PROBLEM ORIENTED POLICING (POP) PROGRAM**	
Project Location	CDBG Target Area Neighborhoods	
Project Description	Police Officers will be assigned to CDBG Target Areas for the purposes of continuing the Community Based Problem Oriented Policing Program. The program is designed to reduce crime, promote neighborhood pride, establish Neighborhood Watch and bring law enforcement to a personal community level. The specific purpose of the project includes: the reduction of crime within the designated areas and the improvement/removal of blight. Needs were identified through community meetings in the affected areas.	
Eligibility and National Objective	Public Service 570.201(e) Area Benefit 570.208(a)(1)	
Prior CDBG Funding	FY 09-10 - $35,000 FY 08-09 - $60,871 FY 07-08 - $121,742 FY 06-07 - $182,613 FY 05-06 - $243,484 FY 04-05 - $247,000 FY 03-04 – $215,000 FY 02-03 - $180,900	FY 01-02 - $180,875 FY 00-01 - $157,500 FY 99-00 - $150,000 FY 98-99 - $151,550 FY 97-98 - $150,000 FY 96-97 - $143,255 FY 95-96 - $137,805 FY 93-94 - $85,000
Track Record	City Sponsored	
TRC Project Recommendation	***Project recommended for funding. Crime awareness & prevention are high priority community needs.***	
Amount Requested	$0	
Amount Recommended	$25,000	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: FORECLOSURE PREVENTION AND MITIGATION

Applicant/Agency Name	Fair Housing Council of Riverside County	**# 6**
Applicant Address/Phone	**Main Office:** 3933 Mission Inn Avenue Riverside, CA 92501 (951) 682-6581	**Local Office:** 23890 Alessandro Blvd., Ste. A1 Moreno Valley, CA 92553 (951) 653-8314
Contact Person and Title	Rose Mayes, Executive Director	

Project Name	**FORECLOSURE PREVENTION & MITIGATION PROGRAM**
Project Location	Local office: 23890 Alessandro Blvd. MV, CA 92553
Project Description	Project provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. Program also offers budget management, financial assessments, mortgage education and training to potential homebuyers, and referral services. Due to increasing demand for these services, this year's program estimated assisting 440 Moreno Valley homeowners to avoid foreclosure.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)
Prior CDBG Funding	FY 09/10- $15,000 FY 08/09 - $15,000
Track Record	Program has operated for one year and during that time submitted all reports and records in a timely manner.
Staff Project Recommendation	***Project recommended for funding***
Amount Requested	$25,000
Amount Recommended	$15,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: HOMELESS AND EMERGENCY SERVICES

Applicant/Agency Name	Lutheran Social Services of Southern California	**# 7**
Applicant Address/Phone	23310 Meyer Drive Riverside, CA 92518 (951) 656-6020	
Contact Person and Title	Helen Ross, Program Manager	

Project Name	**TRANSITIONAL LIVING PROGRAM**
Project Location	March Air Reserve Base
Project Description	Provides assistance to homeless women and children through transitional living program. While in the program, participants develop a "Strategic Family Plan" in order to attain independent living. Counseling, education assessments, and other services are provided to assist participants with gaining independence. The organization estimates that it will serve 55 persons in Moreno Valley during the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10- $15,000 FY 08-09 - $10,000 FY 07-08 - $5,000 FY 06-07 - $10,000 FY 05-06 - $5,000 FY 04-05 - $8,800 FY 03-04 - $15,000 FY 02-03 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 96-97 - $9,320 FY 95-96 - $9,000 FY 94-95 - $9,500 FY 93-94 - $7,000 FY 92-93 - $7,000 FY 91-92 - $9,175 FY 90-91 - $10,500 FY 89-90 - $5,000
Track Record	Submits timely and accurate reporting of persons served.
Staff Project Recommendation	***Project recommended for funding. Program meets priority community need of assisting homeless.***
Amount Requested	$51,362
Amount Recommended	$15,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOMELESS AND EMERGENCY SERVICES

Applicant/Agency Name	Path of Life Ministries	**# 8**
Applicant Address/Phone	3340 Durhart St. Riverside, CA 92507 (951) 786-9048	
Contact Person and Title	Tracy Fitzsimmons, Administrator	

Project Name	**King Hall Transitional Shelter**
Project Location	March Air Reserve Base
Project Description	The program will serve as a transitional homeless shelter for families (including men) and single mothers with children. Clients can stay in the transitional program for a maximum of 2 years with the goal of financial stabilization and attainment of affordable housing. Shelter serves a maximum of 54 families.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10- $15,000 FY 08-09 - $15,000 FY 07-08 - $10,000
Track Record	Path of Life keeps appropriate records and submits reports in a timely manner.
Staff Project Recommendation	**Project recommended for funding**
Amount Requested	$125,100
Amount Recommended	$15,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOMELESS AND EMERGENCY SERVICES

Applicant/Agency Name	Prayer Warriors (PW) Enhancement Team	**#9**
Applicant Address/Phone	24490 Sunnymead Blvd., Ste 107 Moreno Valley, CA 92553 (951) 242-7001	
Contact Person and Title	Rochelle Lewis, Executive Director	

Project Name	**PW ENHANCEMENT CENTER**	
Project Location	24490 Sunnymead Blvd., Moreno Valley, CA 92553	
Project Description	Provides emergency and supportive services to needy households including rental assistance, food distribution, budgeting and money management, job preparedness, child development and counseling. Program year funds would be used for salaries, space rent, and supportive costs for the Motel Voucher Program and the Rental Assistance Program. Project estimates assisting 100 low income Moreno Valley individuals.	
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(B)	
Prior CDBG Funding	FY 09-10- $15,000 FY 08-09 - $10,000 FY 07-08 - $8,000 FY 06-07 - $8,000	FY 05-06 - $5,000 FY 04-05 - $5,000 FY 03-04 - $5,000
Track Record	Prayer Warriors Enhancement Team keeps all required records and submits reports in a timely manner.	
Staff Project Recommendation	***Project recommended for priority funding to assist homeless persons.***	
Amount Requested	$35,000	
Amount Recommended	$15,000	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOUSING SERVICES

Applicant/Agency Name	City of Moreno Valley - Economic Development Dept. (951) 413-3460	**# 10**
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**Neighborhood Clean-up Program**	
Project Location	14177 Frederick St. Moreno Valley, CA 92552	
Project Description	In a collaborative effort with City Code Enforcement and Street Maintenance staff, Waste Management, and the Problem Oriented Police, Neighborhood Preservation proposes to provide lead coordination of three large scale clean-ups to be held in select neighborhoods within the CDBG Target Areas identified by Code Compliance as the 'most distressed.' The clean-ups will utilize industrial size dumpsters and skip loaders and will provide residents with a convenient way to dispose of large trash items. The objective is to eliminate blight, prevent deterioration of properties, and remove conditions that negatively impact health, safety, or public welfare. On average each event benefits approximately 100 residences.	
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)	
Prior CDBG Funding	FY 01/02 - $7,500 FY 00/01 - $5,000 FY 99/00 - $6,000 FY 98/99 - $6,000 FY 97/98 - $4,595 FY 96/97 - $4,880	FY 95/96 - $9,595 FY 94/95 – $5,000 FY 93/94 - $5,000 FY 92/93 - $15,500 FY 91/92 - $15,500 FY 90/91 – $15,500
Track Record	City Sponsored.	
Staff Project Recommendation	***Recommended for funding.***	
Amount Requested	$13,350	
Amount Recommended	$13,350	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Assistance League of Riverside	**# 11**
Applicant Address/Phone	3707 Sunnyside Drive Riverside, CA 92506 (951) 682-3445	
Contact Person and Title	Valerie Found, President	

Project Name	**OPERATION SCHOOL BELL**
Project Location	3707 Sunnyside Drive, Riverside, CA 92506
Project Description	The project will provide new school clothing to over 280 needy Moreno Valley children. Children are referred by Moreno Valley Unified School District staff. Grant monies are used for the purchase of clothing and shoe vouchers. Each child referred receives 6 pairs of socks and underwear, 2 pairs of pants, 3 shirts, 1 sweatshirt, 1 jacket, 1 shoe voucher, 1 backpack, 1 new reading book, 1 used book, and a personal hygiene kit.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09/10 - $10,000 FY 08/09 - $5,000
Track Record	Timely submission of reports.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$15,000
Amount Recommended	$10,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	**CASA (Court Appointed Special Advocates) for Riverside County**
Applicant Address/Phone	44-199 Monroe St. Ste. D **# 12** Indio, CA 92202 (760) 346-2497
Contact Person and Title	Deborah Sutton, Executive Director

Project Name	**Advocacy for Abused and Neglected Children in Moreno Valley**
Project Location	Southwest Justice Center, 30755 D. Auld Rd., Ste 1226 Murrieta, CA 92563
Project Description	CASA offers court appointed monitoring services to foster youth. A CASA volunteer consistently monitors the foster child, advocates for their best interest, and follows their progress for a minimum of 18 months regardless of a change in foster family. The CASA volunteer (advocate) reports to court on the child's behalf assisting to ensure the child is placed in a safe, permanent home with hope for a positive future. CDBG funds will be used for salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09/10 - $10,000 FY 03/04 - $5,600
Track Record	Timely submission of reports.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$32,568
Amount Recommended	$10,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: FOOD DISTRIBUTION

Applicant/Agency Name	God's Helping Hand Ministries	**# 13**
Applicant Address/Phone	13958 Highway 215 Moreno Valley, CA 92553 (951) 653-2529	
Contact Person and Title	Garland B. Gauthier, Jr., Administrative Director	

Project Name	**GOD'S HELPING HAND FOOD PROGRAM**
Project Location	13958 Highway 215, Moreno Valley, CA 92553
Project Description	Provides food baskets (containing three meals a day for five days) to low-income Moreno Valley residents. Also provides social services referrals and emergency clothing. The organization anticipates assisting 8,750 Moreno Valley residents in the program year. Program year funds would be used toward space rent and utilities.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(C)
Prior CDBG Funding	FY 09-10 - $9,000 FY 08-09 - $5,000 FY 07-08 - $5,000 FY 06-07 - $5,000 FY 05-06 - $5,000 FY 04-05 - $5,000 FY 03-04 - $7,500 FY 02-03 - $0 FY 01-02 - $0 FY 00-01 - $4,135 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $6,000 FY 96-97 - $4,905 FY 95-96 - $5,000 FY 93-94 - $10,000 FY 92-93 - $5,000
Track Record	God's Helping Hand keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding. Provides assistance to Moreno Valley residents only.***
Amount Requested	$9,000
Amount Recommended	$9,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Operation Safehouse	**#14**
Applicant Address/Phone	9685 Hayes Street Riverside, CA 92503 (951) 351-4418	
Contact Person and Title	Kathy McAdara, Executive Director	

Project Name	**OPERATION SAFEHOUSE**
Project Location	9685 Hayes Street, Riverside, CA 92503
Project Description	Operation Safehouse is the County's only youth shelter providing food, counseling, clothing and support services for runaway/throwaway children ages 11-17. Operation Safehouse is a 17 bed facility that's staffed 24 hours per day and located in a residential neighborhood thereby providing a safe and supervised environment. The program estimates it will serve 65 homeless and runaway youth from Moreno Valley during the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $8,000 FY 08-09 - $8,000 FY 07-08 - $8,000 FY 06-07 - $8,000 FY 05-06 - $5,000 FY 04-05 - $5,000 FY 03-04 - $5,000 FY 02-03 - $5,000 FY 01-02 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $5,000 FY 96-97 - $5,890 FY 95-96 - $6,000 FY 94-95 - $5,000
Track Record	Operation Safehouse keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding. Program meets priority community need of assisting homeless youth & is the only local program of its kind.***
Amount Requested	$8,000
Amount Recommended	$8,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES

Type of Application: DOMESTIC VIOLENCE SERVICES

Applicant/Agency Name	Alternatives to Domestic Violence (ADV)	**#15**
Applicant Address/Phone	P.O. Box 910 Riverside, CA 92502 (909) 320-1370	
Contact Person and Title	Eliza Daniely-Woolfolk, Executive Director	

Project Name	**COMPREHENSIVE DOMESTIC VIOLENCE SERVICES**
Project Location	Counseling services available at service sites throughout the County; most Moreno Valley clients seen at the main office in Riverside. New 60-bed emergency shelter opened in 2005 and is located in southwest Riverside County.
Project Description	Provides services to victims of violent crimes (battered women and their children). An estimated 890 Moreno Valley residents will be served by this program annually. These services include an Outreach Counseling center which offers a 24-hour crisis line, counseling, support groups, court advocacy, ongoing monitoring of child cases, and an emergency shelter for battered women and abused children. In addition ADV provides awareness in service training and presentations to law enforcement, legal professionals, medical personnel, social service providers, clergy, school and employees throughout the County.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $10,000 FY 08-09 - $7,500 FY 07-08 - $8,000 FY 06-07 - $8,000 FY 05-06 - $5,000 FY 04-05 - $5,500 FY 03-04 - $10,000 FY 02-03 - $3,500 FY 01-02 - $4,500 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $10,000 FY 96-97 - $9,810 FY 95-96 - $10,000 FY 94-95 - $5,000 FY 93-94 - $10,000 FY 92-93 - $15,000 FY 91-92 - $15,000 FY 90-91 - $15,000 FY 89-90 - $15,000
Track Record	ADV keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$10,000
Amount Recommended	$7,500

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SPECIALTY COUNSELING SERVICES

Applicant/Agency Name	Riverside Area Rape Crisis Center	**#16**
Applicant Address/Phone	1845 Chicago Ave., Ste. A Riverside, CA 92507 (951) 686-7273	
Contact Person and Title	Larry McAdara, Executive Director	

Project Name	**CHILD ABUSE PREVENTION PROJECT**
Project Location	Schools throughout Moreno Valley
Project Description	Child abuse prevention program designed to provide education and prevention programs via Moreno Valley schools to youth grades K-12, including special education students, bilingual students, teen support groups, and (faculty) adults. Provides counseling and support services to abuse victims and their families. The Rape Crisis Center estimates 5,500 persons will receive abuse education and prevention presentations in the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $7,500 FY 08-09 - $7,500 FY 07-08 - $7,500 FY 06-07 - $7,500 FY 05-06 - $5,500 FY 04-05 - $5,500 FY 03-04 - $10,000 FY 02-03 - $3,500 FY 01-02 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $5,000 FY 96-97 - $4,905 FY 95-96 - $5,000 FY 93-94 - $8,250 FY 92-93 - $4,000 FY 91-92 - $3,500
Track Record	Serves all the Moreno Valley schools. Submits timely and accurate reporting of persons served.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$7,500
Amount Recommended	$7,500

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	**Moreno Valley Community Educators (MVCEC)**	**#17**
Applicant Address/Phone	23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552 (951) 653-8631	
Contact Person and Title	Dr. Beverly Crockett, Executive Director	

Project Name	**Moreno Valley Community Educators**
Project Location	23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552
Project Description	The program offers low income, 'at risk' children ages 5-18 free tutoring (all subjects), mentoring, standardized test preparation, and computer literacy from 4:30 pm to 6:30 pm 3 nights per week. It also includes programs for young adults such as GED preparation, parenting, resume writing, interview skills and other workforce development skills. CDBG funding will allow the center to pay rent and utilities and expand its hours by one additional weeknight.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	FY 08-09 - $6,400
Track Record	Acceptable
Staff Project Recommendation	***Project NOT recommended for funding.***
Amount Requested	$17,995
Amount Recommended	$5,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SPECIAL NEEDS SERVICES

Applicant/Agency Name	The ARC of Riverside County	**# 18**
Applicant Address/Phone	8138 Mar Vista Court Riverside, CA 92504 (951) 688-5141	
Contact Person and Title	Mark Cloud, Director of Communication	

Project Name	Moreno Valley Resource Center
Project Location	12199 Heacock St., Ste. 5, Moreno Valley 92557
Project Description	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to on-site LVN, and to help continue other existing services.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	FY 99-00 - $2,500 FY 95-96 - $10,000 FY 98-99 - $2,500 FY 93-94 - $10,000
-Track Record	New Program
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$10,000
Amount Recommended	$5,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: FOOD DISTRIBUTION

Applicant/Agency Name	The Salvation Army Moreno Valley Corps Center	**# 19**
Applicant Address/Phone	14068 Graham Street Moreno Valley, CA 92533 (951) 653-9131	
Contact Person and Title	Captain Julius Murphy, Corps Officer	

Project Name	**FOOD PANTRY**
Project Location	14068 Graham Street, Moreno Valley, CA 92553
Project Description	The Food Pantry offers needy residents emergency food on Mondays and Tuesdays from 8:30 a.m.-12:30 p.m. Funding allows for the hire of a much needed part-time driver to pick up food from their collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons this coming year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$10,900
Amount Recommended	$5,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: JOB TRAINING

Applicant/Agency Name	Assisting Needy Families	**# 20**
Applicant Address/Phone	24337 Fig Drive Moreno Valley, CA 92551 (951) 732-4749	
Contact Person and Title	Nadine Martin Tobias, President	

Project Name	Assisting Needy Families
Project Location	Not yet determined at time of application
Project Description	The project would establish a low cost clothing retail store that would employ 'at risk' youth primarily serving 2 main purposes: (1) job training/experience for the youth and (2) providing affordable clothing to Moreno Valley residents.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$20,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: EMERGENCY SERVICES

Applicant/Agency Name	**Catholic Charities**	**# 21**
Applicant Address/Phone	1450 North D St. San Bernardino, CA 92405 (951) 388-1239	
Contact Person and Title	Belinda Marquez, Director – Family and Community Services	

Project Name	Emergency Services and Referrals
Project Location	23623 Sunnymead, Ste. E, Moreno Valley, CA 92553 951-924-9964
Project Description	Sought funding for full salary of outreach worker to conduct various support services to low income families and those at-risk of homelessness such as motel vouchers, rental assistance, emergency assistance.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	FY 97-98 - $5,000 FY 94-95 - $5,400 FY 92-93 - $4,300
Track Record	Acceptable.
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$35,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL SERVICES

Applicant/Agency Name	**Christian Center Sinai Community Service Agency**	**# 22**
Applicant Address/Phone	12880 Heacock Street Moreno Valley, CA 92553 (951) 656-6940	
Contact Person and Title	Esther Quintero Arcy, Director/Administrator	

Project Name	**Project Impact**
Project Location	11135 Indian Street, Moreno Valley, CA
Project Description	The project will offer Moreno Valley's low income youth and families a variety of services from food distribution, referrals, job coaching, to after school tutoring and homework assistance.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended due to limited funding and availability of other similar programs.***
Amount Requested	$20,000
Amount Recommended	$0

NON PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Coachella Valley Housing Coalition After School Program	**# 23**
Applicant Address/Phone	45701 Monroe Street, Suite G Indio, CA 92201 (960) 347-3157	
Contact Person and Title	Emmanuel Martinez, Community Services Funding Specialist	

Project Name	Casitas del Valle After School Program
Project Location	Moreno Valley
Project Description	This proposed after school program would provide homework help, tutoring, access to computers, organized physical play activities to 25-30 low income students living in the complex. The program would operate 45 weeks / year including summer. The grant request to cover portion of salary costs for on-site YMCA personnel.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	N/A
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and availability of similar program.***
Amount Requested	$10,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOUSING COUNSELING SERVICES

Applicant/Agency Name	Fair Housing Council of Riverside County	**#24**
Applicant Address/Phone	3933 Mission Inn Avenue Riverside, CA 92501 (951) 682-6581	
Contact Person and Title	Rose Mayes, Executive Director	

Project Name	**FIRST TIME HOMEBUYER PROGRAM**
Project Location	23890 Alessandro #A1, Moreno Valley, CA 92553
Project Description	Proposed program to provide free, comprehensive first time homebuyer education to local residents with the goal having them become thoroughly informed on mortgage loans and the purchase process thereby mitigating potential foreclosure situation in the future. The grant request would help partially fund the salary of a housing counselor and other operating costs.
Eligibility and National Objective	Fair Housing Activities 570. Service 570.201(e) Limited Clientele 570.208(a)(2)
Prior CDBG Funding	New Program
Track Record	The Fair Housing Council meets all stated goals and submits accurate reports in a timely manner.
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and similar services being offered by other local agencies.***
Amount Requested	$25,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES

Type of Application: HOUSING COUNSELING PROGRAMS

Applicant/Agency Name	Family Service Association of Western Riverside County	**# 25**
Applicant Address/Phone	21250 Box Springs Rd, Ste 212 Moreno Valley, CA 92557 (951) 686-1096	
Contact Person and Title	Dom Betro, President/CEO	

Project Name	**Housing Counseling Education Program**
Project Location	21250 Box Springs Rd,. Ste 212, Moreno Valley, CA
Project Description	The goal of the program is to provide resources, support and education that will assist individuals in their efforts to retain their homes that are in jeopardy of foreclosure or to purchase or rent a home. Education will be provided in the areas of credit/debt management, budgeting, tenant rights, referrals to housing programs, etc.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$45,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL PUBLIC SERVICES

Applicant/Agency Name	Olive Branch Ministries	**# 26**
Applicant Address/Phone	24897 Bayleaf Street Moreno Valley, CA 92553 (951) 243-0566	
Contact Person and Title	Jerry Casillas, Director	

Project Name	**Moreno Valley Community Garden**
Project Location	2 acres at SWC Cottonwood and Nason Streets, Moreno Valley
Project Description	The Community Garden project will provide individuals or groups with plots of land within a community garden that may be utilized for the growing of fruits and vegetables. The items can be grown for personal use with a percentage donated to local food programs. The participant will be required to maintain and cultivate their specified plot. Requested CDBG grant to be used toward land rent.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$15,100
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Olive Crest Treatment Centers	**# 27**
Applicant Address/Phone	3050 Chicago Avenue Riverside, CA 92507 (951) 686-8500	
Contact Person and Title	Gina Johnson, Regional Director of Development, Inland Empire	

Project Name	**Independent Living Skills Program for Foster Youth**
Project Location	20051 Vista Del Lago, Perris, CA 92570
Project Description	Program provides independent living skills to foster and emancipated youth (ages 13-18) critical to the development of personal and practical skills needed for successful adjustment to independent living after being released from the state foster care system. Along with classroom time, group therapy, and creation of a customized individual 'future plan', the youth must complete workbooks featuring subjects such as: job/career, money/credit management, housing, government/legal system, health/nutrition, safety, etc.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $10,000 FY 08-09- $5,000
Track Record	Submits reports in a timely manner.
Staff Project Recommendation	***Project NOT recommended for funding due to very limited number of Moreno Valley youth served in 09/10.***
Amount Requested	$10,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOMELESS SERVICES

Applicant/Agency Name	**US Veterans Initiative**	**# 28**
Applicant Address/Phone	15105 6th St. Riverside, CA 92518 (909) 987-2477	
Contact Person and Title	Gina Vaughn-Mays, Site Director	

Project Name	**VIP Job Training Program**
Project Location	March Air Reserve Base
Project Description	Program designed to help 50 Moreno Valley veterans to move from homelessness to employment by developing individual responsibility through case management, relapse prevention/residential support, training, and job placement assistance. Grant request to supplement existing services.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$25,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL PUBLIC SERVICES

Applicant/Agency Name	**USA HELP, INC.**	**# 29**
Applicant Address/Phone	41995 Calle Cedral Temecula, CA 92592 (888) 723-7099	
Contact Person and Title	Christine Chappell, Program Manager	

Project Name	**THE HELP PROGRAM**
Project Location	Moreno Valley, CA
Project Description	Under the program provider to conduct approximately 8 education workshops on foreclosure, short sales, loan modifications, and homebuyer assistance. The program is anticipated to assist a minimum of 250 low and moderate income Moreno Valley residents.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and similar services being offered by other local agencies.***
Amount Requested	$14,400
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES

Type of Application: GENERAL PUBLIC SERVICES

Applicant/Agency Name	Volunteer Center of Riverside County	**#30**
Applicant Address/Phone	2060 University Avenue, Ste 212 Riverside, CA 92507 (951) 686-4402	
Contact Person and Title	Roberta Neff, CEO	

Project Name	**211 Riverside County**
Project Location	Available to all residents of Moreno Valley
Project Description	211 Riverside is an on going phone system that provides 24 hour, 7 days a week information and referrals for social service programs. Due to the economy, it is anticipated that calls to 211 will increase by 7%. Funding is requested to cover staffing costs to deal with increased call loads.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$25,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES

Type of Application: SENIOR SERVICES

Applicant/Agency Name	Volunteer Center of Riverside County	**# 31**
Applicant Address/Phone	2060 University Avenue, Ste 212 Riverside, CA 92507 (951) 686-4402	
Contact Person and Title	Roberta Neff, CEO	

Project Name	**Senior Long Term Care Ombudsmen Program**
Project Location	Assisted living facilities within Moreno Valley
Project Description	The program provides mandatory evaluations of senior care facilities as well as the investigation of complaints of abuse. The Ombudsmen program aims to prevent abuse by providing a regular presence at the facilities. Grant dollars would allow the Volunteer Center to increase visits to Moreno Valley's 40+ facilities from quarterly to monthly.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$20,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SPECIAL NEEDS/CHILDREN'S SERVICES

Applicant/Agency Name	**YMCA Childcare**	**# 32**
Applicant Address/Phone	4020 Jefferson St. Riverside, CA 92504 (951) 685-5241	
Contact Person and Title	Christina Moore, Director of Childcare Operations	

Project Name	YMCA Childcare at Sugarhill Elementary
Project Location	YMCA Site\Modular Classroom located at Sugerhill Elementary 24455 Old Country Rd. Moreno Valley, CA 92557
Project Description	The YMCA will provide licensed before and after school care to 15 low-income children for the 10 month school year including select days that the schools are normally closed. Program includes transportation from other local elementary schools. All proposed services would be free to qualified families.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and availability of similar programs.***
Amount Requested	$37,310
Amount Recommended	$0

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: YOUTH SERVICES

Applicant/Agency Name	City of Moreno Valley	**#33**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**YOUTH OPPORTUNITIES CENTER**
Project Location	CDBG Target Neighborhoods
Project Description	In partnership with Family Services Association (and support of the Moreno Valley Unified School District), the City participated in a grant application to the County of Riverside to establish a Youth Opportunity Center (YOC) in the City's CDBG Target Area. The Center would require approx. 2,000 sq. ft. of space where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. If the YOC $800,000 grant application is successful, the proposed CDBG monies would serve as the required matching funds that would eventually be used for the building acquisition or for needed tenant improvements in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.
Eligibility and National Objective	Public Facilities and Improvements 570.201 (c) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	New Program
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$80,000
Amount Recommended	$80,000

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: NEIGHBORHOOD CODE ENFORCEMENT

Applicant/Agency Name	City of Moreno Valley, Community Development Department	**#34**
Applicant Address/Phone	Code & Neighborhood Enforcement Division 14177 Frederick Street Moreno Valley, CA 92553 (909) 413-3335	
Contact Person and Title	Al Brady, Code and Neighborhood Services Official	

Project Name	**CODE & NEIGHBORHOOD ENFORCEMENT PROGRAM**	
Project Location	CDBG Target Neighborhoods	
Project Description	Through effective code compliance activities the program will reduce blight and substandard housing conditions, promote improved property and building maintenance habits of the property owners and tenants within the CDBG target areas. Officers will conduct code enforcement on a proactive basis as well as in response to citizen complaints. Through the promotion of neighborhood participation and voluntary compliance, Officers work with property owners and residents, educating them and encouraging them to get involved with the improvement of their neighborhoods.	
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)	
Prior CDBG Funding	FY 09-10 - $263,390 FY 08-09 - $255,000 FY 07-08 - $255,000 FY 06-07 - $253,401 FY 05-06 - $241,056 FY 04-05 - $252,629	FY 03-04 - $215,029 FY 02-03 - $178,600 FY 01-02 - $169,425 FY 00-01 - $166,320 FY 99-00 - $166,320 FY 98-99 - $169,015
Track Record	City Sponsored.	
Staff Project Recommendation	***Recommended for funding.***	
Amount Requested	$263,390	
Amount Recommended	$263,390	

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: NEIGHBORHOOD CODE ENFORCEMENT

Applicant/Agency Name	City of Moreno Valley, Community Development Department	**#35**
Applicant Address/Phone	Code & Neighborhood Enforcement Division 14177 Frederick Street Moreno Valley, CA 92553 (909) 413-3335	
Contact Person and Title	Al Brady, Code and Neighborhood Services Official	

Project Name	**CITY FORECLOSURE STRIKE TEAM**
Project Location	CDBG Target Neighborhoods
Project Description	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)
Prior CDBG Funding	NA
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$103,017
Amount Recommended	$103,017

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: NEIGHBORHOOD CODE ENFORCEMENT – FIRE PREVENTION

Applicant/Agency Name	City of Moreno Valley, Fire Department	**#36**
Applicant Address/Phone	Fire Prevention Division 14177 Frederick Street Moreno Valley, CA 92553 (951) 486-6783	
Contact Person and Title	Steve Curley, Fire Chief	

Project Name	**NEIGHBORHOOD IMPROVEMENT TASK FORCE**
Project Location	CDBG Target Neighborhoods
Project Description	This Task Force proposes to conduct internal and external inspections to address fire safety violations in various apartment homes in the CDBG target area. The objective is to identify fire and life safety violations and substandard conditions can be documented and corrective action sought with the landlords of these properties. The Task Force proposes to complete over 200 inspections per year and work cooperatively with Building and Safety and/ or Neighborhood Code Services to obtain full code compliance in these properties.
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)
Prior CDBG Funding	NA
Track Record	City Sponsored.
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$30,000
Amount Recommended	$30,000

PUBLIC SERVICE APPLICATIONS – CITY DEPARTMENTS
Type of Application: Economic Development

Applicant/Agency Name	City of Moreno Valley	**#37**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**Moreno Valley New Business Incentive Program**
Project Location	14177 Frederick St. Moreno Valley
Project Description	The economic downtown has lead to job loss for many residents. As of January 2010, the City's unemployment rate exceeded 15%. Funding is recommended for the continuation of a New Business Incentive Program intended to attract major employers to locate in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues.
Eligibility and National Objective	Area Benefit 570.208(a)(1) Economic Development 570.203
Prior CDBG Funding	FY 09-10 - $525,000
Track Record	City Sponsored
TRC Project Recommendation	***Project recommended for funding.***
Amount Requested	$525,000
Amount Recommended	$525,000

PUBLIC SERVICE APPLICATIONS – CITY DEPARTMENTS
Type of Application: Economic Development

Applicant/Agency Name	City of Moreno Valley	**#38**
Applicant Address/Phone	Economic Development Department 14177 Frederick Street Moreno Valley, CA 92553 (909) 413-3335	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**EMPLOYMENT RESOURCE CENTER**
Project Location	12625 Frederick Street Moreno Valley
Project Description	The economic downtown has lead to job loss for many residents. As of January 2010, the City's estimated unemployment rate exceeded 15%. The Center will continue to provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost. The site has also been used to conduct job training as well as employee recruitments. During the first year of operation, the Center had over 13,000 patrons visit the site.
Eligibility and National Objective	Public Service 570.201(e) Area Benefit 570.208(a)(1)
Prior CDBG Funding	FY 09-10 - $290,074
Track Record	City Sponsored.
TRC Project Recommendation	***Project recommended for funding.***
Amount Requested	$144,043
Amount Recommended	$144,043

OUTSIDE AGENCY APPLICATIONS
Type of Application: ECONOMIC DEVELOPMENT

Applicant/Agency Name	Inland Empire Small Business Development Center	**# 39**
Applicant Address/Phone	1201 Resource Park Drive, Ste. 100 Riverside, CA 92507 (951) 781-2345	
Contact Person and Title	Al Gohary, Business Consultant	

Project Name	**Business Counseling Services**
Project Location	City of Moreno Valley Businesses
Project Description	The Inland Empire Small Business Development Center (SBDC) provides one-on-one business counseling services, workshops and seminars free of charge to Moreno Valley businesses. A funding increase was requested this year and would allow for SBDC to offer 'Quickbooks' training. This training addresses the rising demand by small business to learn better bookkeeping methods and accounts payable/receivable management.
Eligibility and National Objective	Economic Development 570.201(o)(2)(iii) Area Benefit 570.208(a)(1)(i)
Prior CDBG Funding	FY 09-10 - $40,000 FY 08-09 - $40,000 FY 07-08 - $40,000 FY 06-07 - $40,000 FY 05-06 - $30,000 FY 04-05 - $30,000 FY 03-04 - $30,000
Track Record	Good.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$50,000
Amount Recommended	$50,000

HOME PROGRAM – CITY
Type of Application: HOME IMPROVEMENT LOAN PROGRAM (HILP)

Applicant/Agency Name	City of Moreno Valley	**#1**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	Home Improvement Loan Program (HILP)
Project Location	Moreno Valley
Project Description	This program provides eligible, low-income homeowners (up to 80% area median income) with assistance toward rehabilitation of their Moreno Valley home. Assistance is in the form of a $40,000 maximum loan with 3% annual interest. Payments are deferred for 20 years or until the owner sells or ceases to occupy the home. Emphasis is placed on completion of repairs that bring the home into compliance with the area's health and safety codes, such as roofing, plumbing, structural, or electrical.
Eligibility and National Objective	Area Benefit 570.208(a)(1)(i)
Prior HOME Funding	$160,000
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$240,000
Amount Recommended	$240,000

HOME PROGRAM – CITY
Type of Application: MOBILEHOME GRANT PROGRAM (MGP)

Applicant/Agency Name	City of Moreno Valley	**#2**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	Mobile home Grant Program (MGP)
Project Location	Moreno Valley
Project Description	This program provides very low-income households (up to 50% of the area median income) with assistance toward rehabilitation of their Moreno Valley mobile homes. Assistance is in the form of a $10,000 (maximum) grant. Eligible improvements include health and safety items such as roofing, flooring, structural, or electrical.
Eligibility and National Objective	Area Benefit 570.208(a)(1)(i)
Prior HOME Funding	$80,000
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$100,000
Amount Recommended	$100,000

HOME PROGRAM – CITY
Type of Application: MULTI-FAMILY AFFORDABLE HOUSING PROGRAMS

Applicant/Agency Name	City of Moreno Valley	**#3**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	Multi-Family Affordable Housing Program
Project Location	Moreno Valley, CDBG Target Area
Project Description	Funding will be utilized toward an affordable multi-family housing project located in the CDBG Target Area. Multi-family housing projects either rehabilitate or construct safe, decent affordable housing that are tied to long term rent restrictions to ensure low-income occupants. The goal is to provide quality, housing for the low-income persons while contributing to the revitalization of the entire neighborhood.
Eligibility and National Objective	Area Benefit 570.208(a)(1)(i)
Prior HOME Funding	$237,104
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$182,000
Amount Recommended	$182,000

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: March 23, 2010

TITLE: Approval of the Moreno Valley Parks, Recreation, and Open Space Comprehensive Master Plan

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council, acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 11, 2007 the City Council awarded a contract for Professional Consultant Design Services for the Parks, Recreation, and Open Space Comprehensive Master Plan to RGW Design Group, Inc., in the amount not to exceed $175,000. This contract was to provide the City of Moreno Valley with a plan that would help identify park acreage shortages and locate deficiencies or redundancies in services, which is vital to being a proactive community. Part of the process was to include intensive public outreach, which would help obtain a sense of community needs and create a working document that better addresses parks and recreation deficiencies that may exist in Moreno Valley.

DISCUSSION

RGW Design Group, Inc., has produced a comprehensive, public involved, strategic document, that included conducting numerous community meetings and workshops, meeting with staff on a regular basis, administering sessions with all local athletic groups, attending Parks and Recreation Commission meetings, visiting all sections of the community, and researching all aspects of the parks and recreation field as it relates to Moreno Valley.

RGW provided a PowerPoint presentation that detailed the entire Parks, Recreation, and Open Space Comprehensive Master Plan, which was reviewed by the City Council on August 18, 2009. This project was completed within the allocated budget amount of $175,000 and includes a complete analysis of the March Air Reserve Base property.

At the August 18, 2009 City Council Study Session, staff was given direction to address various issues prior to Council adoption of the Parks, Recreation, and Open Space Comprehensive Master Plan. These issues, which have now been addressed in the document, included:

- Addition of the cities of Perris and Riverside to the comparison chart in Chapters 5 and 6.
- Addition of verbiage regarding upholding the importance of "ongoing" graffiti maintenance within the 12 City goals.
- Listing the Moreno Valley Equestrian Center as a possibility for a future community center.
- Reasons why Box Springs Park (environmental, habitat, and open space conservation issues) is not an optimal location for sports facility.
- Utilizing the 40 acres off Perris Boulevard purchased with park funds for a community park area. (RGW does list this area as a possible site in the future.)
- Did not accurately depict the city regarding homelessness and youth problems (information received from school district).
- Conversation should begin between Parks and Community Services and the local AYSO organization regarding construction of the March Field Park sports complex (conversations underway).
- Change the name listed in report of Sheila Park to the correct name of Patriot Park.
- Make changes in exhibit 7.8 (removal of F4).
- Requested an exhibit which depicts the Council districts and where the parks fall within these areas.

All City departments had the opportunity to review the proposed Parks, Recreation, and Open Space Comprehensive Master Plan and provided RGW with their recommendations, which were all addressed.

ALTERNATIVES

1. Approve the Parks, Recreation, and Open Space Comprehensive Master Plan completed by RGW Design Group, Inc., as presented.

2. Not accept document as presented and provide direction to staff on how to proceed.

FISCAL IMPACT

The budget of $200,000, which has been carried over from fiscal year budget 2005/2006, is in fund account 00461.68925.7200. The purchase order for the consultant is $175,000.

CITY COUNCIL GOALS

This project meets the City Council goals by ensuring that needed public facilities are constructed and maintained; and by creating a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Parks, Recreation, and Open Space Comprehensive Master Plan Final Document

Prepared By:
Michael McCarty
Director of Parks and Community Services

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

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

City of Moreno Valley

Parks, Recreation and Open Space Comprehensive Master Plan

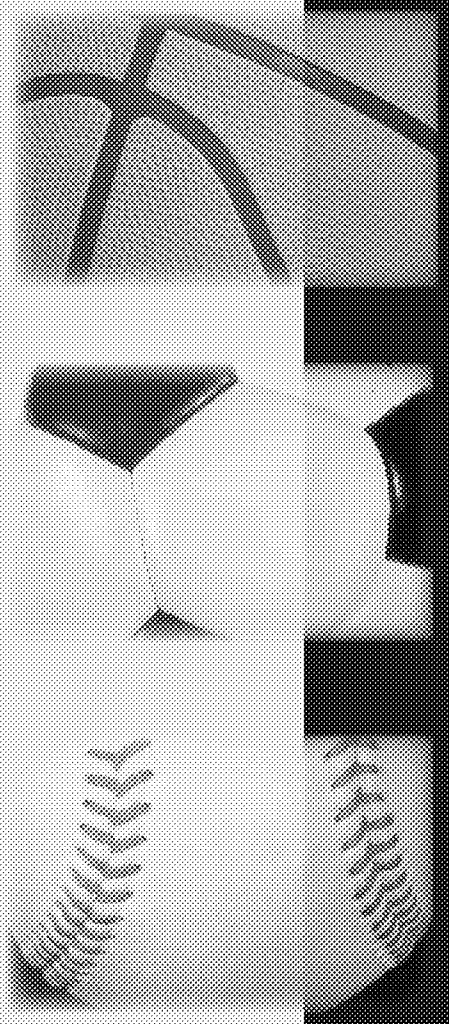

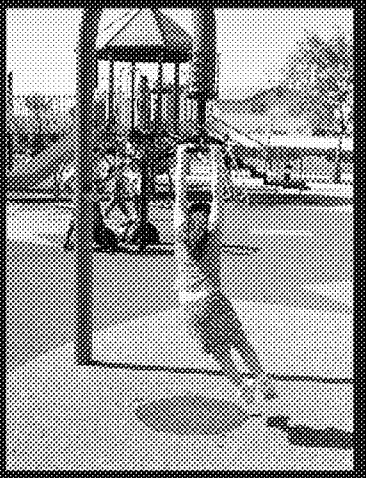

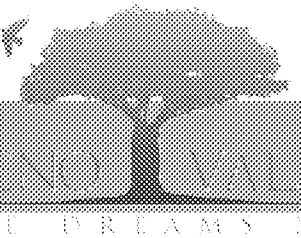

RGW DESIGN GROUP
407 W. Imperial Hwy Suite H #214
Brea, California 92821
www.rgwdesigngroup.com

WHERE DREAMS SOAR

February 2010

MV00048095

ACKNOWLEDGEMENTS

CITY COUNCIL

Bonnie Flickinger, Mayor
Robin N. Hastings, Mayor Pro-Tem
Richard A. Stewart, Council Member
William H. Batey II, Council Member
Jesse L. Molina, Council Member

PARKS AND RECREATION COMMISSION

Stuart Swan, Chairperson
James C. Baker II, Vice Chairperson
Juanita Barnes, Commissioner
James Lucha, Commissioner
Ron Crothers, Commissioner
Charles Van Dusen, Commissioner
Bil Alvarez, Commissioner
Virgil Chancey, Commissioner
Capri Jefferson, Commissioner

CITY STAFF

CITY MANAGER (Interm)
William Bopf

CITY STAFF TEAM
Mike McCarty, Director of Parks & Community Services
Steve Kupsak, Parks Maintenance Division Manager
Tony Hetherman, Parks Projects Coordinator

CONSULTANT TEAM

Blake Warner, ASLA, RGW Design Group, Inc., Prime Consultant
Monika Robinson, RGW Design Group, Inc., Prime Consultant
Ron Hagan, Public Enterprise Group, Planning Consultant
Pamela Wooldridge, Research Network LTD., Telephone Survey Consultant

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SECTION 1 INTRODUCTION AND PURPOSE

INTRODUCTION

SCOPE AND PURPOSE

PLANNING PROCESS

RESEARCH AND ANALYSIS

COMMUNITY NEEDS ASSESSMENT

PUBLIC INVOLVEMENT

REPORT ORGANIZATION

MASTER PLAN GOALS

MASTER PLAN RELATIONSHIP TO OTHER CITY DOCUMENTS

1.0 INTRODUCTION

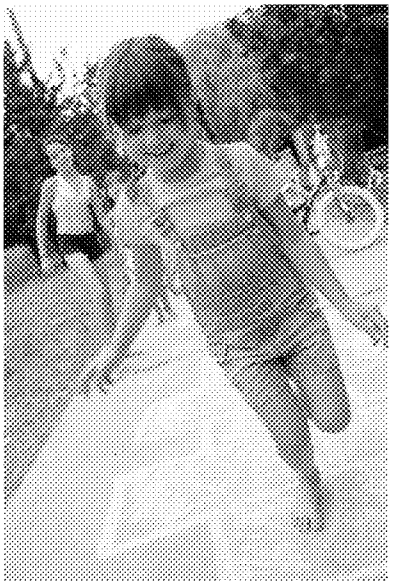

Recreation and leisure time facilities are an important and valued resource for every city. They promote community by providing safe and healthy outdoor spaces and strengthen community image and sense of place by responding to the natural environment and providing for the needs and desires of the residents. The availability of developed park land for leisure outdoor activities enriches lives and contributes to the quality of life for all residents.

A Parks, Recreation and Open Space Comprehensive Master Plan provides guidelines and strategies for implementing the Parks, Recreation and Open Space element of the City's General Plan. The preparation of this document is the culmination of the research and analysis of existing recreation facilities and services, an assessment of community needs and desires, and a review of maintenance and funding requirements to continue to provide residents with a successful parks and recreation system.

The document captures the community's shared vision and establishes a roadmap that guides the development of future recreation facilities and services.

1.1 SCOPE AND PURPOSE

The purpose of the Parks, Recreation and Open Space Comprehensive Master plan, as stated by the City of Moreno Valley, is to provide a framework for decision-making over the next 25 years. The plan will analyze changing demographics, identify future park site locations, park and facility development, recreation programs, and maintenance operational standards. Due to the extensive influx of new residential housing, the identification and acquisition of future park sites is a high priority.

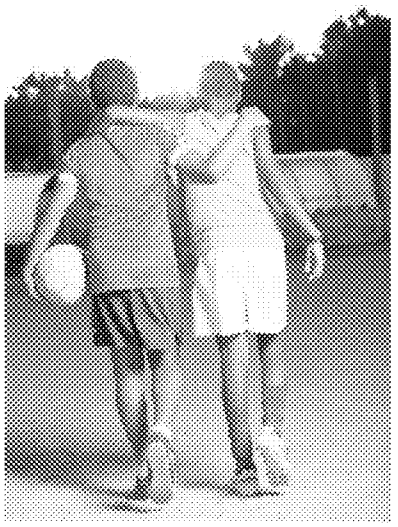

Additional goals include providing a long-range vision for parks, recreation and open space; matching community needs with parks, recreation services; and identifying potential locations for future neighborhood, community and regional parks and facilities.

1.2 PLANNING PROCESS

The Consultant Team and City Staff embraced a collaborative approach to the development of this document. Staff provided valuable insight and extensive current and historical data for use by the planning team including a current facility inventory, current program inventory, organizational history, trends, values and mandates, identification of core programs and services, identification of current issues requiring resolution, current and projected breakdown of community demographics, maps, plans, aerial photos, trails, joint use agreements and future park plans. These items provided a solid basis for the planning process.

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1.3 RESEARCH AND ANALYSIS

The Consultant Team worked very closely with staff throughout the master planning process. We met with staff to discuss potential issues, develop a list of contacts, research reports and strategies, and to review past relevant studies. We reviewed the master planning process, time line and coordinated our efforts with staff, special interest groups and community organizations.

The Consultant Team gained an understanding of the staff's perceptions of the community's recreational programming & park facility needs, future housing growth, the arrangement with shared facilities, the joint use relationship with school districts and organized groups, proposed dedication of land, private recreation opportunities, revenue development alternatives, the current and future budgets, open space, park dedication and in-lieu fee ordinances and City policy objectives.

The Consultant Team reviewed all the data collected by staff including existing park master plans, current facility inventory, current program inventory, athletic field supply/demand analysis, organizational history, trends, values and mandates, identification of core programs and services, identification of current issues requiring resolution, current and projected breakdown of community demographics, maps, plans, aerial photos, studies, trails, joint use agreements, future park plans, etc. and we developed a complete current inventory of existing and proposed parkland which is contained in Section 3.

The Consultant Team toured existing parks, open space, and recreation facilities owned and/or operated by the City of Moreno Valley, County of Riverside, local school districts and other government entities and reviewed current programming practices. We obtained base sheet information on all park sites that display existing conditions and improvements. We gathered information on all proposed improvements and master plans, including information presented in upcoming specific plans, and we reviewed the City's plan to meet the Americans with Disabilities Act requirements.

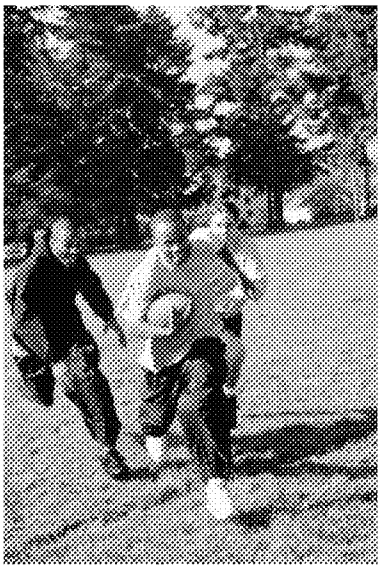

1.4 COMMUNITY NEEDS ASSESSMENT

The purpose of a Needs Assessment is to quantify and understand both the facility and recreational program needs of the community. In order for the Moreno Valley Community Services, Parks and Recreation Department to develop a long range plan for providing the right recreational facilities and programs, it must understand the nature of the community, its recreational desires, its actual needs, and its ability to provide the services that are determined necessary through the Needs Assessment.

Demand and Needs are sometimes difficult to quantify. A numerical standard may not reflect the makeup of a community, its economic situation, history, traditional recreation uses, or political environment. This report assesses the recreational programming and park facilities needs of the City of Moreno Valley starting with national and state trends, past levels of service, public involvement, comparison with other similar agencies and identified community demands and desires.

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1.5 PUBLIC INVOLVEMENT

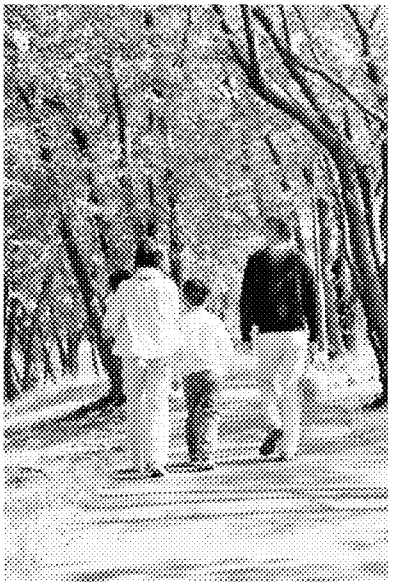

The Consultant Team, working with the City, utilized a number of input tools to conduct public outreach to solicit the public's opinions and requests about recreation program needs and facility desires, as well as their special insights into the operation of Parks and Recreation programs and services.

The public outreach tools used by the consultant team included:

- ✓ A General Public Input Workshop
- ✓ Focus Workshop for Sports Groups
- ✓ Focus Workshop for Cultural Groups
- ✓ Focus Group Workshop for Human Services
- ✓ Stakeholder Interviews
- ✓ Community Phone Survey
- ✓ Sports Group Questionnaire
- ✓ Focus Group Workshop for Trails
- ✓ Community Services Staff Interviews
- ✓ E-Mails and Letters from the Community
- ✓ Park Site and Facility Visit Intercepts

Public involvement is a critical component in establishing the needs and desires of the community. Input from a broad cross section of the community was accomplished through the following information gathering resources:

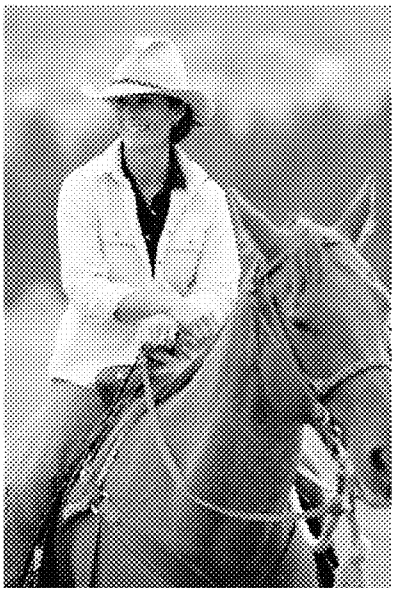

Sports Organization Survey – The survey provides valuable information regarding facility usage, team size, recreation seasonality, and player volume. A survey with questions relevant to the usage of City recreation facilities by sports organizations within the City was distributed to each sports group. The results have been tabulated and used to verify and update the participation rates in these sports and was used in the development of the demand analysis.

Community Input Workshops – Three community input workshops were conducted to provide a "reality check" on the research and analysis phase of the project. The first workshop was geared for the general community while the second and third workshops included focus sports groups and trails groups. The outcome of the workshop sessions provides important input into prioritization of the future of parks and recreation development within the City.

Stakeholder Interviews – Personnel from City Staff, community organizations, sports groups and key community stakeholders were interviewed to review recreation programs. Input from this group will be used to identify any "gaps" in the current recreation program and will receive special attention during the demand analysis. Both private and public facilities used to provide programs and services are analyzed to determine their ability to meet future recreation and human services program needs.

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Telephone Survey – Research Network Ltd. was retained to conduct the Community Phone Survey. A random sample telephone survey was conducted to provide a statistically reliable method to generate unbiased, detailed and accurate data regarding the true current demand for recreation facilities and programs specific to the City of Moreno Valley.

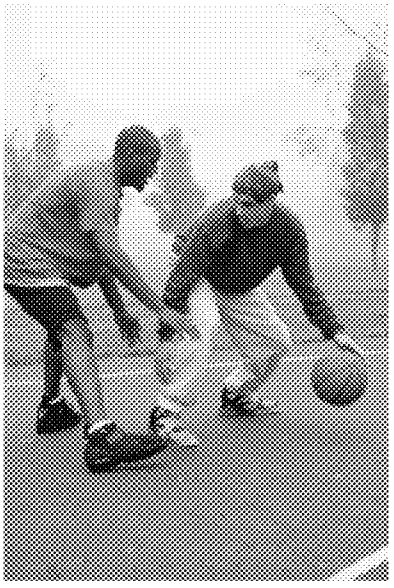

On-Site Interviews - Intercepting people to talk to at City parks and facilities while doing the park and facility inventories was particularly helpful in gaining insight into how residents perceive the City's park and recreation programs and services and what they would like to see the City provide in the future.

The information gained from all of these input tools was analyzed and then summarized and incorporated into the document in Section 5 and then used as a means of determining the recommendations and action items contained in Chapters 6 and 7 upon which the City can set and reach attainable goals for its delivery of a successful parks, recreation and open space system.

1.6 REPORT ORGANIZATION

The Parks, Recreation and Open Space Comprehensive Master Plan is organized in eight sections.

Section 1 – Introduction and Purpose

Section 1 presents an overview of the purpose for the Park, Recreation and Open Space Comprehensive Master Plan and describes the process used to complete the project.

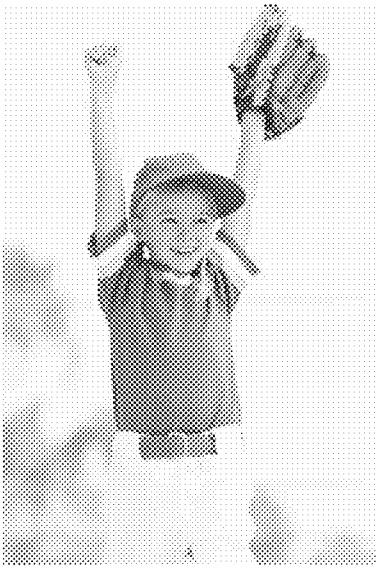

Section 2 – Planning Context

Section 2 describes Moreno Valley and the regions surrounding its location. This section also details the demographics and planning issues that affect Moreno Valley and its ability to deliver a successful park, recreation and open space system.

Section 3 – Existing Parks and Facilities

Section 3 contains a current inventory of existing parks and facilities in Moreno Valley. The Park and Facilities Inventory details the amenities contained at each park site in Moreno Valley and provides comments on existing conditions.

Section 4 – Recreation Programs and Services

Section 4 presents an inventory of Recreation Programs and Services currently provided by the Parks and Community Services Department. It also explains how services are provided and analyzes the types of programs and activities by age groups.

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Section 5 – Needs Assessment / Community Input

Section 5 contains the Needs Assessment and Demand Analysis which was generated from the various community outreach tools and public input processes used for the Master Plan.

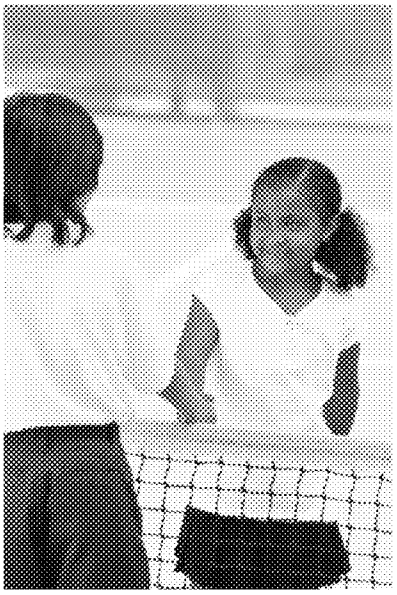

Section 6 – Park Land Dedication and Impact Fees

Section 6 contains an analysis of the City's existing Park Dedication and In-Lieu Fee Ordinance (Quimby), the Park Impact Fees and Community Services District Fees that support Park Maintenance and Facility Operations. This section also contains an analysis of the impact that commercial/industrial/retail developers have on the Park and Recreation system and defines the feasibility of establishing park impact fees on future commercial development.

Section 7 – Policy Recommendations and Guidelines

Section 7 presents an overview of community concerns that will affect the City's ability to provide a successful Park and Recreation delivery system. It also contains the consultant teams "12 Goals for Success" and the recommended actions to accomplish the goals.

Section 8 – Recommendations and Implementation Strategies

Section 8 provides cost estimates for the recommendations formulated in Section 7 and presents implementation strategies the City could consider for accomplishing the recommendations. Projects are listed in order of recommended priorities and a capital improvement program is included so that the City can plan its work program for capital improvements in the future.

1.6 MASTER PLAN GOALS

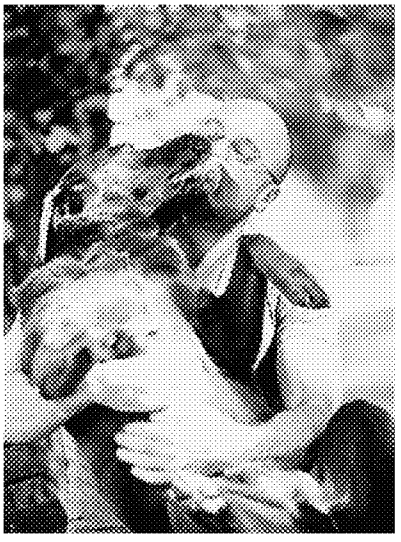

The Consultant Team, along with staff, developed several master plan goals to guide the master plan process. It was agreed that the Parks, Recreation and Open Space Comprehensive Master Plan needed to do the following in order to be a document the Parks and Community Services Department could use to guide its facility and program development in the future:

- Describe current and future demographic projections and regional context;
- Examine the current conditions of parks and facilities;
- Study and analyze current public demand and needs for parks, recreation and cultural facilities and programs;
- Develop goals based on future needs expressed by the staff and the community;
- Recommend improvements of existing parks and facilities;
- Examine and analyze current policy documents;

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- Propose future recreation, parks and cultural facilities locations and developments; and
- Describe financing strategies and funding actions to enable the City to reach the "12 Goals for Success" set by this document.

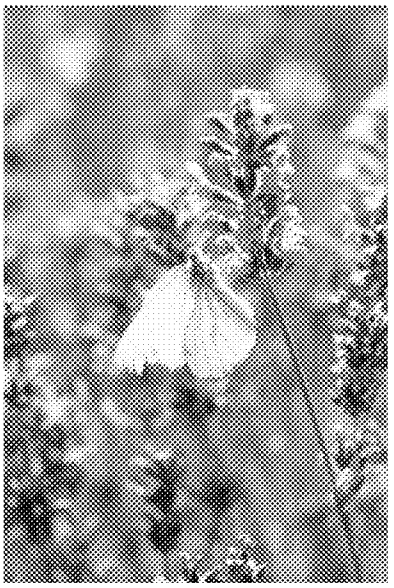

1.7 MASTER PLAN RELATIONSHIP TO OTHER CITY DOCUMENTS

CITY OF MORENO VALLEY GENERAL PLAN

State law requires each city and county to adopt a General Plan policy document which acts as the "constitution" for the physical development of a city. General Plans include mandatory elements for land use, circulation and transportation, housing, conservation, noise, safety, and open space.

This Parks, Recreation and Open Space Comprehensive Master Plan will build on the findings of Chapter 4 – Parks, Recreation and Open Space Element of the City General Plan updated July 11, 2006.

CITY OF MORENO VALLEY DEVELOPMENT CODE

The City of Moreno Valley Development Code establishes standards, guidelines, and procedures to protect and promote the public health, safety, convenience, and welfare of present and future citizens of Moreno Valley. The Code implements the goals, objectives, policies and programs of the General Plan. All land, buildings, and structures within the incorporated portions of the City are developed according to the provisions of the Code.

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SECTION 2 PLANNING CONTEXT

INTRODUCTION

REGIONAL CONTEXT

SERVICE AREA

DEMOGRAPHIC CHARACTERISTICS

KEY FINDINGS / PLANNING ISSUES

2.0 INTRODUCTION

This section provides an overview of the planning context for which the Master Plan was prepared. It includes a look at both the local and regional context the City of Moreno Valley is located in, and it describes the service area for the Parks and Community Services Department. It is important to understand the demographic profile of the community in order to plan for future parks, recreation and open space needs. Knowing the City's population and age demographics, income distribution and ethnic composition is an important component in the analysis of needs and demands for facilities, programs, and services within the community. This section provides this basic background and gives the reader a foundation for where Moreno Valley is located, who it serves, and what key demographic issues affect the delivery of Park and Recreation services.

2.1 REGIONAL CONTEXT

The City of Moreno Valley was incorporated as a general law city in 1984. The incorporation merged together the separate communities of Moreno, Sunnymead, and Edgemont. The City is located in the western portion of Riverside County and consists of 50 square miles, making it one of the larger California cities in geographic area. The City of Moreno Valley borders the cities of Riverside and Perris, and is adjacent to the March Air Reserve Base and Lake Perris. The average elevation in the area is 1,650 feet. The moderate climate of the area allows for outdoor play in all four seasons.

SETTING

The City is governed by a five member elected City Council. There are a number of appointed Commissions and Committees including a Park and Recreation Commission, Senior Citizens Board, Arts Commission and a Recreational Trails Board. The City has received numerous awards and was voted "Number one in Riverside County for family recreation" by The Press-Enterprise Newspaper. The City has 34 parks or joint use facilities with 400.12 acres of developed park land. In addition, the City has over 6,000 acres of open space including Lake Perris which is a destination attraction for boating and water sports. The City is known for its excellent recreational, medical, educational, and quality housing at affordable prices. In recent years there has been a concentrated effort on development of retail centers, industrial developments, and social/cultural facilities.

Two public school districts serve the Moreno Valley area including Moreno Valley Unified School District which has 23 elementary schools, six middle schools, four high schools, Charter school, adult school, continuation high school, community day school, pre-school head start facility, and an academic center. In the 2007-2008 academic year there were a little over 37,000 students enrolled in the Moreno Valley Unified School District.

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The second school district serving Moreno Valley is the Val Verde Unified School District which also serves areas of Perris and Mead Valley. Val Verde Unified School District includes one pre-school, thirteen elementary schools, four middle schools, two comprehensive high schools, and one continuation high school. In the 2007-2008 academic year approximately 20,000 students were enrolled in the Val Verde Unified School District.

Riverside Community College District has a campus in Moreno Valley that serves approximately 9,000 students. In addition to the Lake Perris State Recreation Area which borders the southern boundary of Moreno Valley, the City is also adjacent to the San Jacinto Wildlife area, the Norton Younglove Reserve, and Box Springs Mountain Regional Park which is located on the far northwest portion of the City. The City has a number of trails that connect with Regional trails and State trails as well as a Master Plan to implement more multiuse trails and trail head sites in the future.

AREA MAP

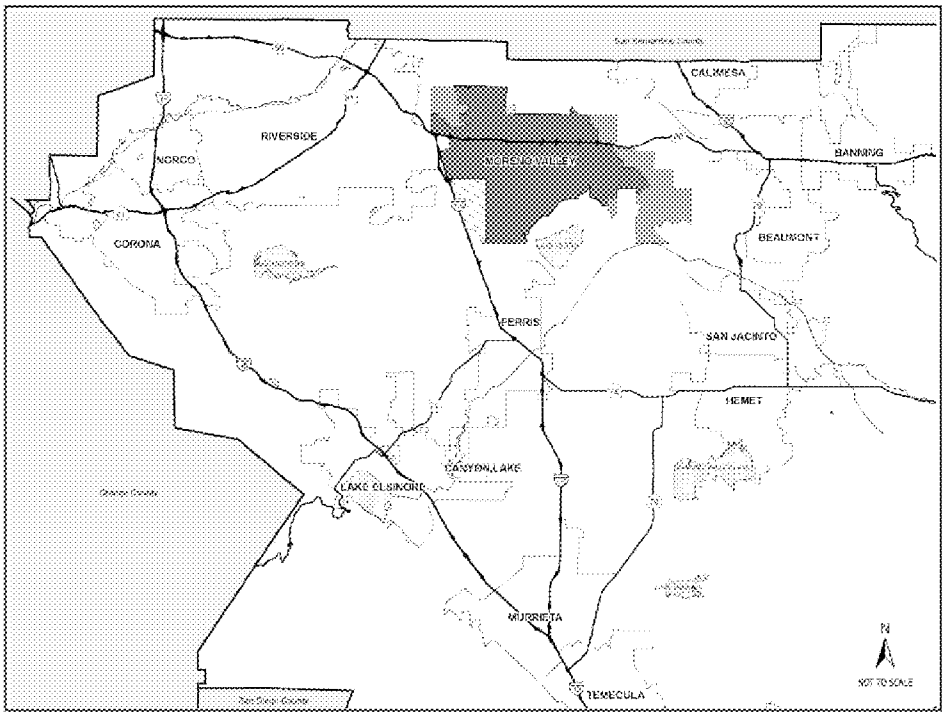

Map 2.1 – Moreno Valley Area Map

2.2 SERVICE AREA

The service area for Parks and Community Services is actually larger than the City limits. The Department receives State funding through the Department of Education to provide programs in adjacent areas to Moreno Valley. In addition, because of the excellent golf courses, Lake Perris State Recreation Area, and various commercial recreation opportunities within Moreno Valley, the City is a destination attraction for people throughout Riverside County.

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SPHERE OF INFLUENCE

The following map shows the sphere of influence for the City of Moreno Valley and possible areas of future expansion.

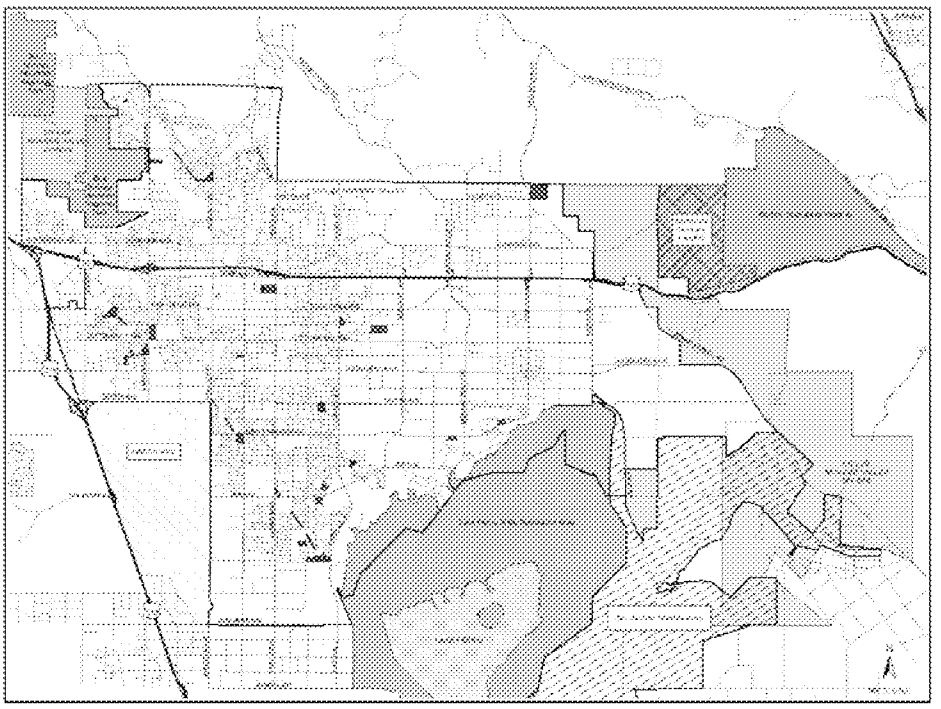

Map 2.2 – Moreno Valley Sphere of Influence

2.3 DEMOGRAPHIC CHARACTERISTICS

The following demographic characteristics provide an overview of the City in terms of its demographic profile. It is important to know the character and culture of the population the City is trying to serve in order to better understand their diverse needs.

POPULATION DATA

The current population estimate from the State of California Department of Finance of approximately 184,000 makes Moreno Valley the second most populous city in Riverside County. Moreno Valley has been one of the fastest growing cities in California particularly for young families.

New residential development has slowed considerably during 2008 and is projected to continue in a slow growth pattern through 2010. Population projections that the City will reach 220,000 by the year 2012 are likely optimistic in the current environment. However, it is expected that the City will see residential growth and reach the 200,000 population figure within the next five years.

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AGE AND ETHNICITY CHARACTERISTICS

According to American Fact Finder as of 2007, of the total population in Moreno Valley approximately 48% are male and 51% are female. In the senior population of 55 years and older, the distribution is 64% female and 36% male.

The medium age in Moreno Valley is 28 years. This means the City is younger than the national average of 37 years. Approximately 10% or 18,000 are five years of age or younger.

American Fact Finder reports that in 2007 the school age population (between six and seventeen years of age) is approximately 34,000 or 18.5% of the total population. The majority of the City's population is between 18 – 64 years of age and comprises 65% of the population or about 120,000 persons.

The senior population of 65 or older accounts for about 12,000 persons or 6.5% of the population.

According to the most recent US Census data:

- Approximately 60,000 of Moreno Valley's population classifies itself as Caucasian
- Approximately 31,000 classify themselves as black or African American
- Approximately 11,000 classify themselves as Asian
- Approximately 92,000 classify themselves as Hispanic or Latino

About 10,000 classified themselves as mixed race or more than one race, which accounts for the difference in population figures.

According to the Riverside County Office on Aging Moreno Valley has some rather unique senior citizen population characteristics that need to be taken into consideration including:

- Approximately two thirds of senior citizens in Moreno Valley are living with their children or their grandchildren or their children or grandchildren are living with them.
- The senior citizen ethnic population distribution is significantly different than the overall ethnic population distribution in that only 35% of seniors classify themselves as white while 45% are Hispanic and 20% are Black or African American.
- 55% of seniors in Moreno Valley are employed in the labor force, mostly part time.

As one can see, Moreno Valley is an ethnically diverse community with many different cultural influences.

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HOUSING TYPES AND VALUES

Moreno Valley has a wide range of housing options including high end executive homes, affordable single family homes, family friendly condominiums, and a wide range of apartment and mobile home opportunities.

As noted above, the City is mostly young families consisting of 3.79 persons per household per unit. According to the City's Planning Department, the total number of current housing units within Moreno Valley is approximately 56,000.

Per the Riverside County Realtors Association the 2008 average new home value was $510,000 while the average existing home value was $308,000. Given the downturn in the economy and the impact of foreclosed homes on the market, these values probably have decreased in 2009. The average household income in 2008 reported by the State Department of Finance was $67,000.

EDUCATION AND ECONOMIC CHARACTERISTICS (American Fact Finder 2007)

Slightly over 80% of the population in Moreno Valley who are 25 years of age or older are high school graduates or higher, and approximately 15% of those 25 years and older have a college degree or higher.

Of those residents 18 years and older, approximately 10,000 are veterans. Approximately 11% or 20,000 of the population have disability status and are authorized to carry handicap parking stickers.

Approximately 45,000 Moreno Valley residents are foreign born and have attended schools outside the United States. About 65,000 or 40% of the population speak a language other than English at home.

In terms of marital status, 52% of the population is married while 48% of the population is single. This includes those less than 18 years of age.

Approximately 65% of the population are employed in the labor force, and the medium household income is $67,000 per year. Approximately 12% of the population is below the national poverty level.

The average travel time to work in minutes of workers 16 years and older is 36 minutes, which means the average person spends over an hour a day commuting to and from work.

2.4 KEY FINDINGS / PLANNING ISSUES

Understanding the demographic context of Moreno Valley is an important component of recreation facility and program planning. Demographic characteristics such as age, presence of children, ethnicity, and income have been demonstrated in past research to have a relationship to recreation patterns

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and program needs. For these reasons, an overview of changes and emerging trends of the resident population is important as the community plans its preferred future.

The key findings with regards to the demographic issues affecting the planning for Moreno Valley's Park, Recreation and Open Space Comprehensive Master Plan needs include:

- Population Size – The population size in Moreno Valley is expected to continue to grow along with the rest of Southern California reaching approximately 200,000 residents within the next five to ten years. It is important to understand the population size and the expected growth in order to anticipate and plan for the appropriate number of recreation facilities.

- Age – Current population projections by age group indicates that the majority of the population is made up of families, and this type of growth will continue in the future. There will also be a significant increase in those 65 years and older within the next five to ten years.

- Ethnicity – It is anticipated that Moreno Valley will continue to increase in ethnic diversity. Increase in diversity among the senior citizen population will continue to be significant. Determining the ethnic characteristics of Moreno Valley is necessary to account for changes in recreation demand based on cultural heritage.

- Household Type – Projected residential growth will continue to see family oriented residential development; however, there is likely to be some shift in household composition in coming years as the aging of parents, increasing property values, and the traditions of ethnic cultures in the region may give rise to more extended family situations. Trends in household types help us to understand more about future population size and density. These trends affect how and where Moreno Valley residents will meet their Park and Recreation needs. Residential development also affects funding and revenue streams for future recreation facilities.

- Economic Makeup – There is diversity in the economic makeup of the community, ranging from a rather significant number of people at or below the poverty level to a significant population of upper middle class professional level households. The community can definitely support fee based programs; however, accommodation must be made to provide ways of including those who cannot afford to pay for programs.

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SECTION 3 EXISTING PARKS, FACILITIES AND OPEN SPACE RESOURCES

INTRODUCTION

PARKLAND DEFINITIONS

PARKLAND INVENTORY AND ANALYSIS

OPEN SPACE ANALYSIS

REGIONAL FACILITIES

SCHOOL SITES

PRIVATE RECREATIONAL FACILITIES

3.0 INTRODUCTION

The residents of Moreno Valley represent a diverse group with a variety of recreation interests. The City has provided a range of recreational opportunities in response to community desires including active and passive park facilities, community centers and trails. In addition to City provided facilities, the residents of Moreno Valley enjoy a number of regional facilities located adjacent or near Moreno Valley.

This section of the Comprehensive Plan provides an overview of recreation resources in and around Moreno Valley.

3.1 PARK LAND DEFINITIONS

For planning purposes, parks are classified by type based on the size, use, and physical characteristics of the land. The City of Moreno Valley General Plan identifies Local Park and Recreation Facilities owned and operated by the City as Community Parks and Neighborhood Parks. This plan will expand park classifications to include Mini Neighborhood Parks, Greenways and Specialty Parks, each of which provide unique recreational opportunities.

COMMUNITY PARKS

Community Parks are larger parks intended to serve a wide variety of active and passive recreation activities community-wide. The amenities programmed into a Community Park are focused on meeting the needs of several neighborhoods or large sections of the community. They allow for group activities and recreational opportunities that may not be feasible in neighborhood parks.

Optimally, from 20 to 50 acres in size, Community Parks serve several neighborhoods within a radius of 3 miles of the park. Where Community Parks are located in residential neighborhoods, they serve both the needs of the Community Park service radius and Neighborhood Park service radius.

Amenities typically programmed into a Community Park include; informal open play areas, children's play apparatus, family and group picnic areas with overhead shelters, barbecues, lighted sports fields, basketball courts, tennis courts, public restrooms, concession building, maintenance building and on-site parking. Community Buildings are important features in Community Parks and can include a Performing Arts Center, Senior Center, Gymnasium, Community Center, Historical Museum, Cultural Center, Interpretive Center for Community Parks located in Natural Areas, and Teen Center. Specialty sports facilities can also be located in Community Parks including: Aquatics Complex, Skate Park, Arena Soccer and Roller Hockey Facility.

NEIGHBORHOOD PARKS

Neighborhood Parks are the basic unit of the park system. Typically ranging from 5 to 20 acres in size, Neighborhood Parks are geared specifically for those living within a 3/4 mile radius of the park. Ease of access and walking distance are critical factors in locating a neighborhood park.

Amenities typically programmed into a Neighborhood Park include: informal open play areas, children's play apparatus, picnic tables, picnic shelters, barbeques, practice sports fields, basketball, tennis and volleyball courts, public restrooms and on-site parking.

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MINI NEIGHBORHOOD PARKS

Mini Neighborhood Parks are the smallest park classification ranging in size from ¼ to 5 acres in size. They are best used to meet limited or specialized recreational needs. Mini Neighborhood Parks can provide landscaped public use areas in industrial and commercial areas, scenic overlooks, linkage to the community pathway system, and facilities to serve a concentrated or limited population or group such as tots or senior citizens.

Site amenities for a mini neighborhood park can include both active and passive features including; children's play apparatus, picnic areas and sitting areas. Due to the limited amenities included in Mini Neighborhood Parks, they are typically not included in the service radius analysis.

GREENWAYS

Greenways provide an important function in the overall park system. They provide uninterrupted and safe pedestrian movement through the City and can tie park components together to form a cohesive park, recreation and open space system and provide residents with a resource based outdoor recreational opportunity and experience.

Greenways generally fall into two categories: "Natural" greenways typically follow suitable natural resources and "man-made" greenways are built as part of development projects or renovation of older development areas. Man-made greenways are often located in residential subdivisions, abandoned rail corridors, power line corridors, storm drain easements and collector parkway rights-of-way. Greenways provide a preferred method of pedestrian transportation to parks. Wherever possible they should be incorporated into the overall City trail system with connections to parks and schools.

The width criteria for Greenways vary with resource availability and opportunity. A Greenway corridor can be as little as 25 feet wide through a subdivision; however, 50 feet should be considered the minimum. Widths over 200 feet are considered optimal.

SPECIALTY PARKS

Specialty Parks typically provide a single use or activity. These parks generally possess a unique character or function. Specialty Parks can include equestrian centers, trail head parks, community buildings, aquatic centers, and sport complexes. Since these facilities typically do not include the full range of amenities included in a neighborhood or community park, they are not included in service radius analysis.

3.2 PARK LAND INVENTORY AND EVALUATION

The City of Moreno Valley offers a variety of recreational opportunities throughout the current park system. The community utilizes the well maintained parks for social interaction and active recreation. The current park system includes seven Community Parks, 16 Neighborhood Parks, three Mini Neighborhood Parks, two Specialty Parks, four Trail Heads and two Greenways.

This section includes a map of the City's existing park sites (Map 3.1 – Existing Parks and Community Facilities), an overall inventory of existing park amenities (Table 3.1-Moreno Valley Parks) and an overall evaluation of each park in the park system. The individual park inventories include a table of amenities typically found in parks for each park classification and identifies the park amenities included for each park.

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In general the parks are very will maintained. The City has done an excellent job of updating the amenities of older parks to maintain a comparable level of service throughout the park system.

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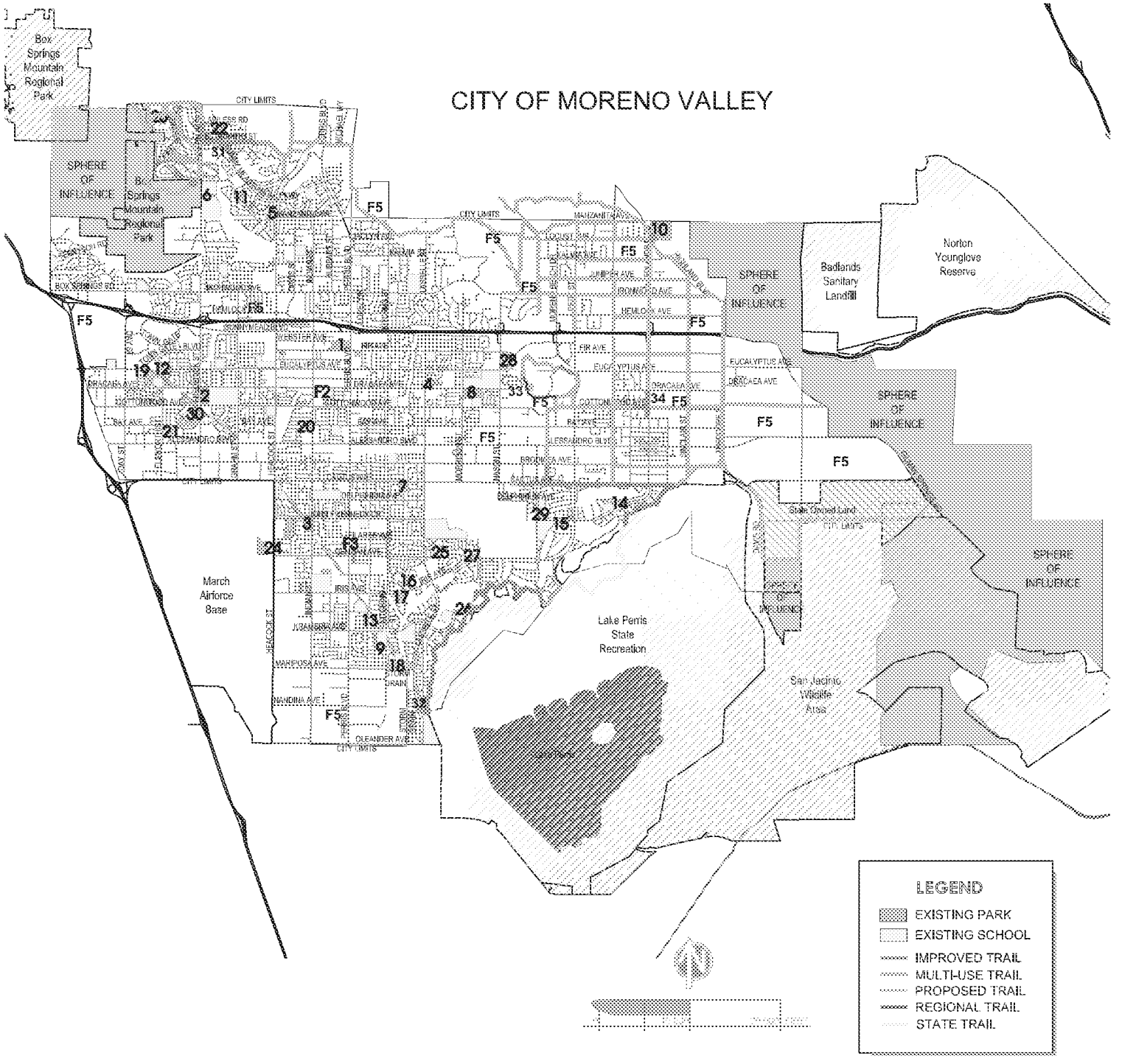

EXISTING PARKS

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
3 JOHN F. KENNEDY MEMORIAL PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
8 MORRISON PARK
9 BETHUNE PARK
10 MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUADUCT LINEAR PARK
13 CALIFORNIA AQUADUCT LINEAR PARK
14 RIDGECREST PARK
15 FAIRWAY PARK
16 VICTOIANO PARK
17 PEDRORENA PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
20 BAYSIDE PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
25 PARQUE AMISTAD
26 COLLEGE PARK
27 VISTA LOMAS PARK
28 ROCK RIDGE PARK
29 CELEBRATION PARK
30 COTTONWOOD GOLF CENTER
31 SUNNYMEAD EQUESTRIAN STATION
32 RANCHO VERDE EQUESTRIAN STAGING
33 COLD CREEK TRAIL HEAD
34 COTTONWOOD EQUESTRIAN STATION

EXISTING COMMUNITY FACILITIES

C1 SENIOR COMMUNITY CENTER
C2 ALESSANDRO GYMNASIUM
C3 MORENO VALLEY CONFERENCE AND RECREATION CENTER
C4 MARCH FIELD PARK COMMUNITY CENTER
C5 MARCH MOUNTAIN HIGH SCHOOL GYMNASIUM
C6 TOWNGATE COMMUNITY CENTER
C7 CANYON SPRINGS HIGH SCHOOL SWIMMING POOL
C8 MORENO VALLEY HIGH SCHOOL SWIMMING POOL
C9 VALLEY VIEW HIGH SCHOOL SWIMMING POOL

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING COMMUNITY PARKS

Map 3.1 - Ex. Parks and Community Facilities

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MORENO VALLEY PARKS		Site Acreage	Developed Acreage	Field Sports					Hard Court Sports									Additional Sports Facilities												Play Equip.
				BASEBALL FIELDS	SOFTBALL FIELD	SOCCER FIELD	FOOTBALL FIELDS	MULTI-PURPOSE FIELD	TENNIS COURTS	BASKETBALL COURTS - FULL	BASKETBALL COURTS - HALF	VOLLEYBALL - SAND	VOLLEYBALL - HARDCOURT	ROLLER HOCKEY	TETHERBALL	BALL WALL	PLAYGROUND PAINTED GAME MARKINGS	SKATE PARK	POOL	SPLASH PARK	WALKING TRAIL - CONCRETE	MULTI-USE TRAIL - HARD SURFACE	MULTI-USE TRAIL - D.G.	BIKE TRAIL	FITNESS PAR COURSE	HORSESHOE PITS	EQUESTRIAN FACILITY	DOG PARK	GOLF COURSE	TRACK & FIELD	TOT LOT 2-12 YEARS
COMMUNITY PARKS																														
March Field Park	6th St.	93.32	10.00		2-GL									1-L				1-L												0
College Park	16130 Lasselle St.	25.00	18.00			2-G																								1
Towngate Memorial Park	13051 Elsworth St.	16.97	16.97		1-GL	1-O		✓																✓						3
Moreno Valley Community Park	13380 Frederick St.	15.58	15.58			4-GL																								2
Sunnymead Park	12655 Perris Blvd.	15.53	15.53	1-GL	3-GL																✓									1
El Potrero Park	16901 Lasselle St.	15.00	15.00			4-O															✓									1
Morrison Park	26667 Dracaea Ave.	14.01	14.01		4-GL																✓		✓							
NEIGHBORHOOD PARKS																														
Shadow Mountain Park	23239 Presidio Hills Dr.	10.00	10.00		2-G	1-O		✓													✓									
Woodland Park	25750 Cactus Ave.	9.11	9.11		1-GL				4-L		4-L										✓									2
John F. Kennedy Park	15115 Indian St.	7.69	7.69		1-GL				4-L												✓									1
Gateway Park	23975 Manzanita Ave.	7.67	7.67																		✓									1
Hidden Springs Park - Phase 1	9675 Hidden Springs Dr.	7.00	7.00		2-O			✓																						1
Celebration Park	14965 Morgan Ave.	6.65	6.65								1									1										2
Bethune Park	16745 Kitching St.	6.00	6.00		2-O				2-L											1	✓									1
Fairway Park	27891 John F. Kennedy Dr.	5.50	5.50			1-O						1									✓									
Pedrorena Park	16009 Rancho Del Lago	5.50	5.50		1-O	1-O	1-O	✓	4	1											✓									1
Westbluff Park	10750 Pigeon Pass Rd.	5.00	5.00		1-G																									1
Ridge Crest Park	28506 John F. Kennedy Dr.	5.00	5.00		1-O	1-O		✓													✓									1
Victoriano Park	25730 Los Cabos Dr.	5.00	5.00			1-O		✓													✓									
Adrienne Mitchell Memorial Pk.	22631 Bay Ave.	4.43	4.43			1-O					4-L										✓					2				2
Parque Amistad Park	26160 Gentian Ave.	4.24	4.24		2-O						2-L																			1
Weston Park	13170 Lasselle St.	4.14	4.14		1-O	1-O		✓																						1
Vista Lomas Park	26700 Iris Ave.	4.00	4.00		1-O						2																			2
MINI NEIGHBORHOOD PARKS																														
Bayside Park	24435 Bay Ave.	2.04	2.04								1										✓					1				1
Patriot Park	15310 Perris Blvd	0.50	0.50																											1
Rock Ridge Park	27119 Waterford Way	1.93	1.93																											1
SPECIALTY PARKS																														
Moreno Valley Equestrian & Nature Center	11150 Redlands Blvd.	45.00	10.00																			✓					1			
Cottonwood Golf Center	13671 Frederick St.	15.83	15.83																										9-HOLE	
TRAIL HEADS																														
Sunnymead Equestrian Station		0.50	0.50																											
Rancho Verde Equestrian Staging	17478 Kentucky Derby Dr	1.30	1.30																								1			
Cold Creek Trail Head	27334 Cold Creek Ct	0.64	0.64																											
Cottonwood Equestrian Station	28590 Cottonwood Ave	0.40	0.40																											
GREENWAYS																														
Sunnymead Ranch Linear Park	Village Rd. & Old Lake Rd.	5.5	5.5																			✓								
Aqueduct Bike Trail		27.46	22.48																		✓									
COMMUNITY BUILDINGS																														
Senior Community Center	25075 Fir Ave.	1.75	1.75																							1				
Moreno Valley Conference & Recreation Center	14075 Frederick St.	10.00	10.00																											
TOTALS		393.44	274.89	1	25	18	1	-	14	2	14	1	0	1	0	0	0	1	0	2	-	-	-	0	0	4	1	1	1	0	28

LEGEND	
G = Game Field	O = Overlay Field
P = Practice Field	L = Lighted Field
Multi-use field - A softball field with a soccer field overlay in the outfield	

TABLE 3.1

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MV00048131

MORENO VALLEY PARKS		Site Acreage	Developed Acreage	Park Amenities													Buildings & Structures																Parking Lot/Park	
				BBQ'S	BIKE RACKS	PLAZA	LAKE	OPEN GREEN SPACE	COMMUNITY GARDEN	ROSE GARDEN	VETRANS MEMORIAL	TELEPHONE	VENDING MACINE	BANNERS/KIOSKS	PICNIC TABLES	DRINKING FOUNTAINS	RESTROOM	CONCESSION STAND	COMMUNITY BUILDING	SENIORS CENTER	TEEN CENTER	INTERPRETIVE CENTER	THEATER	GROUP PICNIC SHELTER	PICNIC SHELTER	AMPHITHEATER	GYMNASIUM	POOL BUILDING	TICKET BOOTH	MAINTENANCE YARD BUILDING	EQUIPMENT BUILDING	TRASH ENCLOSURE	PORTABLE STORAGE BINS	PARKING LOT	SECURITY LIGHTING
COMMUNITY PARKS																																		
March Field Park	6th St.	93.32	10.00			✓							✓				1	1															✓	✓
College Park	16130 Lasselle St.	25.00	18.00					✓																									✓	✓
Towngate Memorial Park	13051 Elsworth St.	16.97	16.97	✓				✓					✓		✓	✓	1		1					2	1	1					✓	✓		✓	✓
Moreno Valley Community Park	13380 Frederick St.	15.58	15.58	✓				✓					✓		✓	✓	1	1							4							✓		✓	✓
Sunnymead Park	12655 Perris Blvd.	15.53	15.53	✓		✓		✓					✓		✓	✓	1	1													✓			✓	✓
El Potrero Park	16901 Lasselle St.	15.00	15.00	✓				✓							✓	✓	2							1	1									✓	✓
Morrison Park	26667 Dracaea Ave.	14.01	14.01	✓				✓							✓	✓	1	1						1	2						✓	✓		✓	✓
NEIGHBORHOOD PARKS																																		
Shadow Mountain Park	23239 Presidio Hills Dr.	10.00	10.00	✓				✓							✓	✓								1										✓	✓
Woodland Park	25750 Cactus Ave.	9.11	9.11	✓				✓					✓		✓	✓	1							2											✓
John F. Kennedy Park	15115 Indian St.	7.69	7.69	✓				✓			✓				✓	✓	1							2										✓	✓
Gateway Park	23975 Manzanita Ave.	7.67	7.67	✓				✓		✓					✓	✓	1								6									✓	✓
Hidden Springs Park - Phase 1	9675 Hidden Springs Dr.	7.00	7.00					✓							✓										1										
Celebration Park	14965 Morgan Ave.	6.65	6.65	✓				✓					✓		✓	✓	1							1	2							✓		✓	✓
Bethune Park	16745 Kitching St.	6.00	6.00	✓				✓					✓		✓	✓	1	1						4										✓	✓
Fairway Park	27891 John F. Kennedy Dr.	5.50	5.50	✓				✓							✓	✓	1																		
Pedrorena Park	16009 Rancho Del Lago	5.50	5.50	✓				✓					✓		✓	✓	1								2									✓	✓
Westbluff Park	10750 Pigeon Pass Rd.	5.00	5.00	✓				✓							✓	✓	1								1									✓	✓
Ridge Crest Park	28506 John F. Kennedy Dr.	5.00	5.00	✓				✓							✓	✓	1							2	1									✓	✓
Victoriano Park	25730 Los Cabos Dr.	5.00	5.00	✓				✓					✓		✓		1								1										✓
Adrienne Mitchell Memorial Pk.	22631 Bay Ave.	4.43	4.43	✓				✓							✓	✓								1											✓
Parque Amistad Park	26160 Gentian Ave.	4.24	4.24	✓				✓							✓	✓								1											✓
Weston Park	13170 Lasselle St.	4.14	4.14	✓				✓					✓		✓	✓	1								4										✓
Vista Lomas Park	26700 Iris Ave.	4.00	4.00	✓				✓							✓	✓								1								✓		✓	✓
MINI NEIGHBORHOOD PARKS																																		
Bayside Park	24435 Bay Ave.	2.04	2.04	✓				✓							✓	✓									1										✓
Patriot Park	15310 Perris Blvd	0.50	0.50																															
Rock Ridge Park	27119 Waterford Way	1.93	1.93	✓											✓	✓									2										
SPECIALTY PARKS																																		
Moreno Valley Equestrian & Nature Center	11150 Redlands Blvd.	45.00	10.00																														✓	
Cottonwood Golf Center	13671 Frederick St.	15.83	15.83																1														✓	✓
TRAIL HEADS																																		
Sunnymead Equestrian Station		0.50	0.50												✓	✓																		
Rancho Verde Equestrian Staging	17478 Kentucky Derby Dr	1.30	1.30													✓																	✓	✓
Cold Creek Trail Head	27334 Cold Creek Ct	0.64	0.64																															
Cottonwood Equestrian Station	28590 Cottonwood Ave	0.40	0.40												✓	✓								1										
GREENWAYS																																		
Sunnymead Ranch Linear Park	Village Rd. & Old Lake Rd.	5.5	5.5					✓																										
Aqueduct Bike Trail		27.46	22.48					✓																										
COMMUNITY BUILDINGS																																		
Senior Community Center	25075 Fir Ave.	1.75	1.75		✓								✓			✓	2			1				1								✓		✓	✓
Moreno Valley Conference & Recreation Center	14075 Frederick St.	10.00	10.00		✓	✓		✓		✓	✓		✓			✓	2		1				✓				✓					✓		✓	✓
TOTALS		393.44	274.89	-	-	-	-	-	-	-	-	-	-	-	-	-	22	5	3	1	0	0	1	21	29	1	1	0	0	0	-	-	-	-	-

TABLE 3.1

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PARK LAND INVENTORY – COMMUNITY PARKS

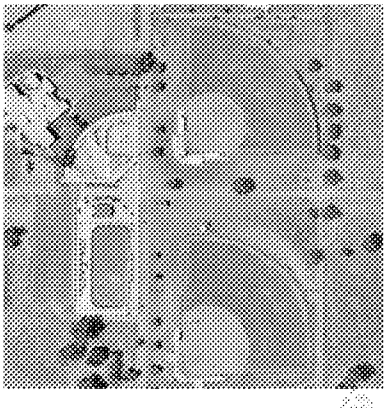

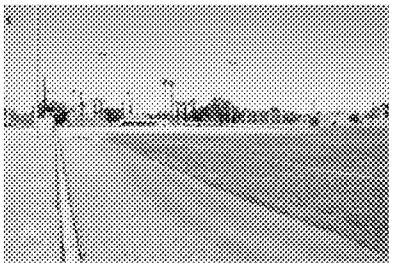

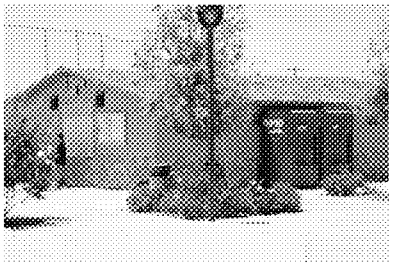

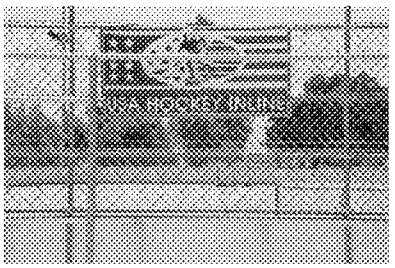

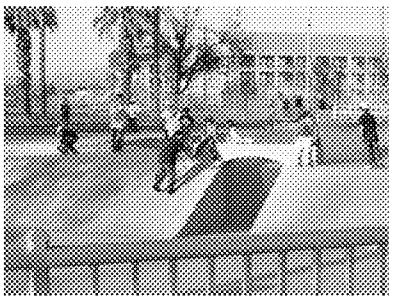

MARCH FIELD PARK

6th St. 100.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	1
Softball Fields	2	Bike Racks		Concession Stand	1
Soccer Fields		Plaza	✔	Community Building	1
Football Fields		Open Green Space		Seniors Center	
Rugby Fields		Community Garden		Teen Center	
Multi-purpose Field		Paved Walking Trails		Interpretive Center	
Sports and Play Facilities		Telephone		Theater	
		Vending Machines	✔	Amphitheater	
Tennis Courts		Banners/Kiosks		Gymnasium	
Basketball Courts	1	Picnic Tables		Pool Building	
Volleyball Courts		ADA accessible		Ticket Booth	
Roller Hockey	1	Drinking Fountains	✔	Maintenance Bldg.	
Skate Park	1	ADA Accessible	yes	Equipment Bldg.	
Pool		**Parking**		Group Picnic Shelter	
Fitness Par Course				Family Picnic Shelter	
Lawn Bowling		Onsite Parking	✔	Trash Enclosure	
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✔		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot	✔		
		Security Lighting	Yes		

Softball Field #1 & #2		Roller Hockey Rink		Basketball Court	
Game Field	✔	Lighted	✔	Full Court	✔
Lighted	Yes			Lighted	No
Scoreboard	Yes	**Skate Park**		**Children's Play Equipment**	
Pitchers Mound	No			Equipment for Ages 5-12	
Brickdust Infield	Yes	Lighted	✔	Wood chip surface	
Field Condition	Good				

Comments:

The amenities and acreage currently utilized are a fraction of the one hundred acre park. A Master Plan for future park improvements includes additional soccer and baseball fields. Currently, the March Field Park is known as: March Field Park (softball fields) and Valley Skate Park.

Both softball fields are in good condition and maintain infield and turf areas. The sport field lighting is functional but dated and inferior to newer park field lights.

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PARK LAND INVENTORY – COMMUNITY PARKS

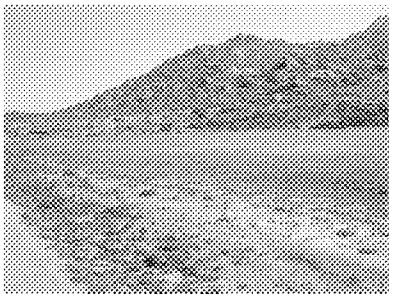

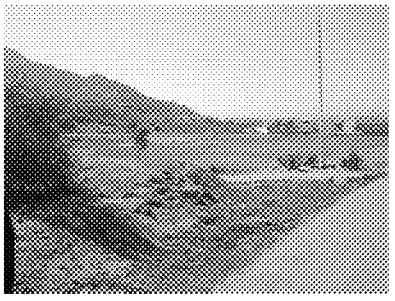

COLLEGE PARK
16130 Lasselle St. 25.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures
Baseball Fields		BBQ's		Restroom
Softball Fields		Bike Racks		Concession Stand
Soccer Fields	2	Plaza		Community Building
Football Fields		Open Green Space	✓	Seniors Center
Rugby Fields		Paved Walking Trail		Teen Center
Multi-purpose Field		Community Garden		Interpretive Center
Sports and Play Facilities		Telephone		Theater
Tennis Courts		Vending Machines		Amphitheater
Basketball Courts		Banners/Kiosks		Gymnasium
Volleyball Courts		Picnic Tables		Pool Building
Roller Hockey		ADA accessible		Ticket Booth
Skate Park		Drinking Fountains		Maintenance Bldg.
Pool		ADA Accessible		Equipment Bldg.
Fitness Par Course		**Parking**		Group Picnic Shelter
Lawn Bowling				Family Picnic Shelter
Horseshoe Pits		Onsite Parking	No	Trash Enclosure
Equestrian Facilities		Parking Surface:		
Fishing Lake		Asphalt		
Children's Play Equip.	1	Concrete		
		Dirt Lot		
		Security Lighting		

Soccer Fields #1 and #2		Children's Play Equipment
Game Field	✓	Equipment for Ages 5-12
Lighted	No	Wood chip surface with a concrete ramp for ADA accessibility.
Scoreboard	No	
Field Condition	Fair-Poor	

Comments:

College Park is located adjacent Riverside Community College. Construction of the College Park Master Plan is incomplete. The lack of parking and accessibility to the soccer fields limit the amount of play that can take place on the fields in their current condition.

The children's play equipment is in good condition. The level of wood chips should be raised to maintain ADA accessibility.

MV00048136

MV00048137

PARK LAND INVENTORY – COMMUNITY PARKS

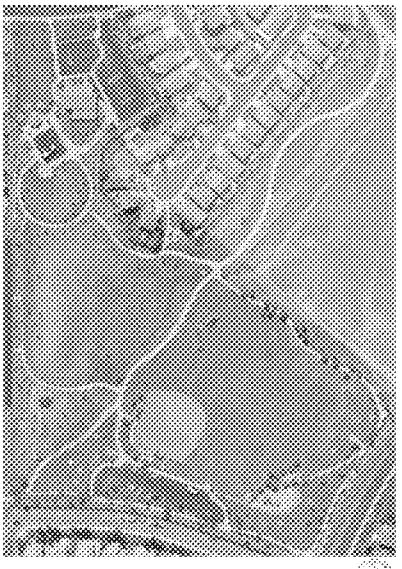

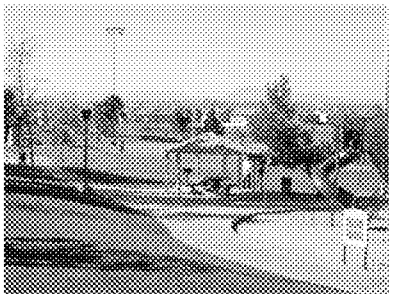

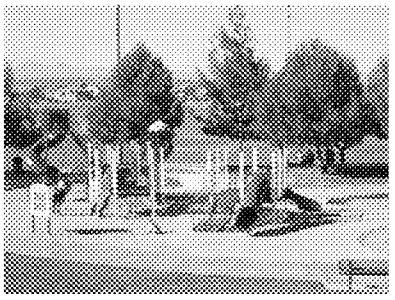

TOWNGATE MEMORIAL PARK
13051 Elsworth St. 16.97 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields	1	Bike Racks		Concession Stand	
Soccer Fields	1	Plaza		Community Building	1
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
Sports and Play Facilities		Telephone		Theater	
Tennis Courts		Vending Machines	✓	Amphitheater	1
Basketball Courts		Banners/Kiosks		Gymnasium	
Volleyball Courts		Picnic Tables	✓	Pool Building	
Roller Hockey		ADA accessible yes		Ticket Booth	
Skate Park		Drinking Fountains	✓	Maintenance Bldg.	
Pool		ADA Accessible yes		Equipment Bldg.	1
Fitness Par Course		**Parking**		Group Picnic Shelter	2
Lawn Bowling		Onsite Parking	✓	Family Picnic Shelter	1
Horseshoe Pits		Parking Surface:		Trash Enclosure	1
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	2	Dirt Lot			
		Security Lighting	Yes		

Softball Field #1		Soccer Field		Children's Play Equipment
Game Field	✓	Soccer Overlay	✓	Area 1 at Community Center
Lighted	Yes	Field Condition	Good	Equipment for Ages 2-5 and Ages 5-12
Scoreboard	No	**Amphitheater**		Sand Surface with resilient rubber ADA access areas
Pitchers Mound	No	Small performance area located adjacent the Community Center		Area 2 at Park
Brickdust Infield	Yes			Equipment for Ages 5-12
Field Condition	Good			Resilient rubber surface

Comments:

Towngate Memorial Park is located north of Towngate Elementary School and does not share amenities with the school. The park offers a full variety of Community Park amenities. The park and ballfields are well maintained.

The soccer overlay is located in the outfield of the softball field. The large turf area south of the softball field has a slope too steep to be useful for field sports.

The California Aqueduct Bikeway passes through Towngate Park.

MV00048138

PARK LAND INVENTORY – COMMUNITY PARKS

MORENO VALLEY COMMUNITY PARK

13380 Frederick St. 15.58 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields		Bike Racks		Concession Stand	1
Soccer Fields	4	Plaza		Community Building	
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
		Telephone		Theater	
Sports and Play Facilities		Vending Machines	✓	Amphitheater	
		Banners/Kiosks		Gymnasium	
Tennis Courts		Picnic Tables	✓	Pool Building	
Basketball Courts	1	ADA accessible yes		Ticket Booth	
Volleyball Courts		Drinking Fountains	✓	Maintenance Bldg.	
Roller Hockey		ADA Accessible yes		Equipment Bldg.	
Skate Park				Group Picnic Shelter	
Pool		**Parking**		Family Picnic Shelter	4
Fitness Par Course				Trash Enclosure	
Lawn Bowling		Onsite Parking	✓		
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot			
		Security Lighting	✓		

Soccer Fields #1 - #4		Basketball Court		Children's Play Equipment
Game Field	✓	Lighted	✓	Equipment for Ages 2-5 and Ages 5-12
Lighted	Yes	*Currently Under Construction		Sand Surface with resilient rubber ADA access areas
Scoreboard	unknown			
Field Condition	Under construction			

Comments:

Moreno Valley Community Park is located adjacent Moreno Valley High School. The two facilities do not share common facilities.

The park has recently undergone renovation. The park upgrade included four new lighted synthetic turf soccer fields.

MV00048140

PARK LAND INVENTORY – COMMUNITY PARKS

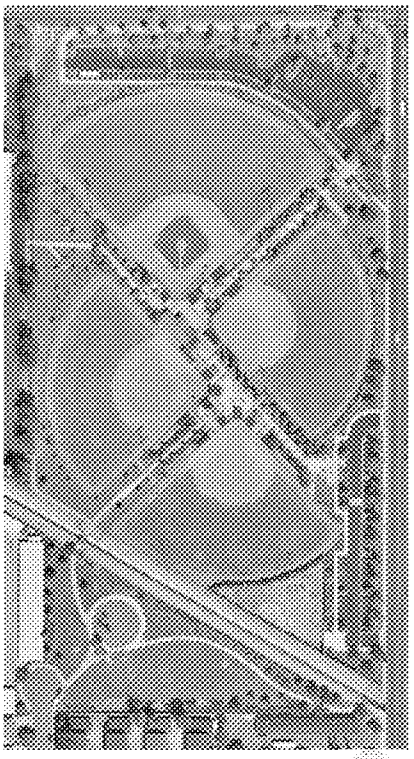

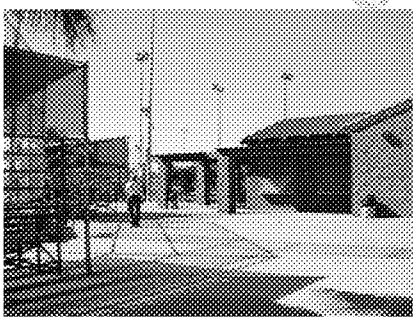

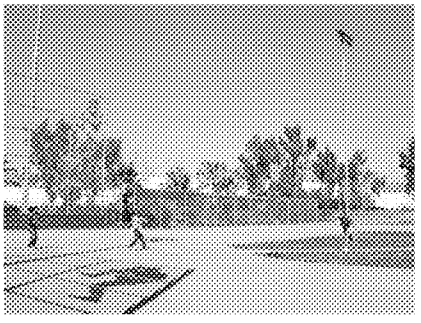

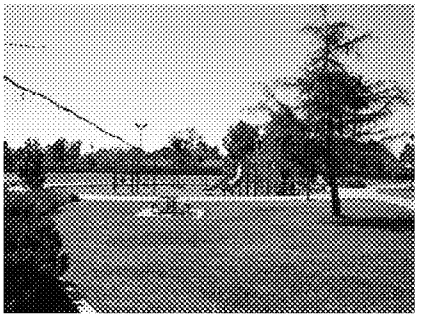

SUNNYMEAD PARK

12655 Perris Blvd. 15.53 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields	1	BBQ's	✓	Restroom	1
Softball Fields	3	Bike Racks		Concession Stand	1
Soccer Fields		Plaza	✓	Community Building	
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
		Telephone		Theater	
Sports and Play Facilities		Vending Machines	✓	Amphitheater	
		Banners/Kiosks		Gymnasium	
Tennis Courts		Picnic Tables	✓	Pool Building	
Basketball Courts		ADA accessible yes		Ticket Booth	
Volleyball Courts		Drinking Fountains	✓	Maintenance Bldg.	
Roller Hockey		ADA Accessible yes		Equipment Bldg.	1
Skate Park				Group Picnic Shelter	
Pool		**Parking**		Family Picnic Shelter	
Fitness Par Course				Trash Enclosure	
Lawn Bowling		Onsite Parking	✓		
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot			
		Security Lighting	✓		

Softball Fields #1 - #3		Baseball Field		Children's Play Equipment
Game Field	✓	Game Field	✓	Equipment for Ages 5-12 Wood chip surface with a concrete ramp for ADA accessibility.
Lighted	Yes	Lighted	Yes	
Scoreboard	Yes	Scoreboard	Yes	
Pitchers Mound	No	Pitchers Mound	Yes	
Brickdust Infield	Yes	Brickdust Infield	No	
Field Condition	Good	Field Condition	Good	

Comments:

The dissection of Sunnymead Park by the storm channel results in the park functioning like a small Neighborhood Park adjacent a special interest sports park.

The ballfield area is in good condition and is well maintained.

The park recreation area would benefit from additional site amenities; such as group and family picnic shelters, barbeques, and shaded areas.

MV00048142

MV00048143

PARK LAND INVENTORY – COMMUNITY PARKS

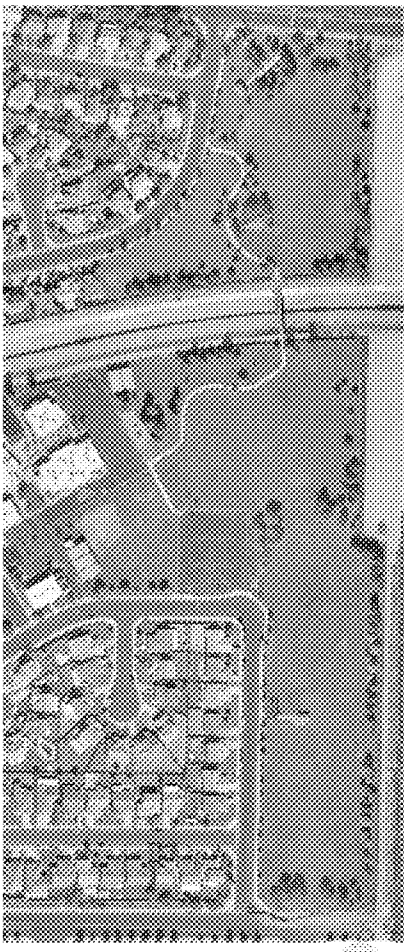

EL POTRERO PARK
16901 Lasselle St. 15.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	2
Softball Fields		Bike Racks		Concession Stand	
Soccer Fields	4	Plaza		Community Building	
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
		Telephone		Theater	
Sports and Play Facilities		Vending Machines		Amphitheater	
		Banners/Kiosks		Gymnasium	
Tennis Courts		Picnic Tables	✓	Pool Building	
Basketball Courts		ADA accessible yes		Ticket Booth	
Volleyball Courts		Drinking Fountains	✓	Maintenance Bldg.	
Roller Hockey		ADA Accessible yes		Equipment Bldg.	
Skate Park				Group Picnic Shelter	1
Pool		**Parking**		Family Picnic Shelter	1
Fitness Par Course				Trash Enclosure	
Lawn Bowling		Onsite Parking	✓		
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot			
		Security Lighting	✓		

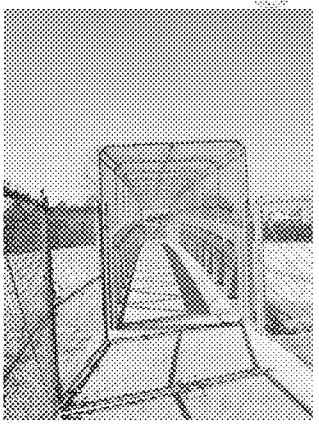

Soccer Fields #1 - #4		Children's Play Equipment
Overlay Field	✓	Equipment for Ages 5-12
Lighted	No	With resilient rubber
Scoreboard	No	surface
Field Condition	Fair	

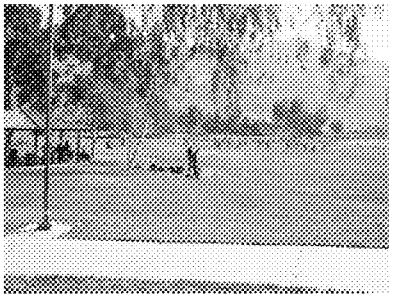

Comments:

The dissection of El Potrero Park by the storm channel results in the park functioning like two separate parks – one to the east and one to the west. The larger west side accommodates three soccer field overlays. Although there is a parking lot on the west side, street parking appeared to be the preferred parking area. The smaller east side accommodates one soccer overlay field.

Both areas would benefit from additional park amenities, especially group picnic shelters and children's play area on the west side. The surfacing at the children's play area on the west side is showing wear.

There are restrooms on both the east and west side of the park. The roof on the west side restroom has evidence of deferred maintenance, including missing roof tiles.

MV00048144

MV00048145

PARK LAND INVENTORY – COMMUNITY PARKS

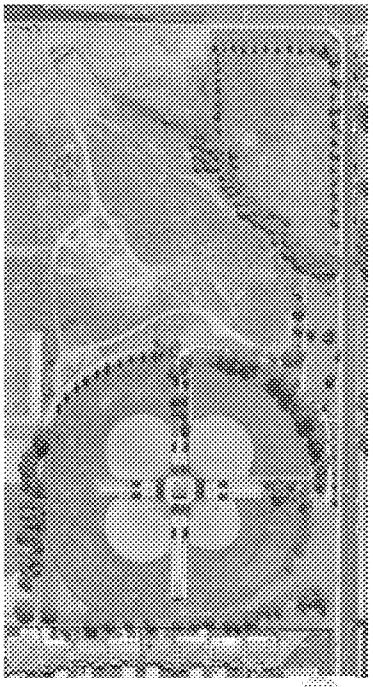

MORRISON PARK
26667 Dracaea Ave. 14.01 acres

Sports Fields	
Baseball Fields	
Softball Fields	4
Soccer Fields	
Football Fields	
Rugby Fields	
Multi-purpose Field	

Sports and Play Facilities	
Tennis Courts	
Basketball Courts	
Volleyball Courts	
Roller Hockey	
Skate Park	
Pool	
Fitness Par Course	
Lawn Bowling	
Horseshoe Pits	
Equestrian Facilities	
Fishing Lake	
Children's Play Equip	

Park Amenities	
BBQ's	✔
Bike Racks	
Plaza	
Open Green Space	✔
Paved Walking Trail	✔
Community Garden	
Telephone	
Vending Machines	
Banners/Kiosks	
Picnic Tables	✔
ADA accessible yes	
Drinking Fountains	✔
ADA Accessible yes	

Parking	
Onsite Parking	✔
Parking Surface:	
Asphalt	✔
Concrete	
Dirt Lot	
Security Lighting	✔

Park Buildings & Structures	
Restroom	1
Concession Stand	1
Community Building	
Seniors Center	
Teen Center	
Interpretive Center	
Theater	
Amphitheater	
Gymnasium	
Pool Building	
Ticket Booth	
Maintenance Bldg.	
Equipment Bldg.	1
Group Picnic Shelter	2
Family Picnic Shelter	1
Trash Enclosure	1

Softball Fields #1 - #4	
Game Field	✔
Lighted	Yes
Scoreboard	Yes
Pitchers Mound	No
Brickdust Infield	Yes
Field Condition	Good

Comments:

In its current configuration, Morrison Park acts more as a specialty sport park than a Community Park. However, the area west of the softball park presents the opportunity to add additional site features that will enhance the service potential of the park.

The land parcel to the west of Morrison Park is identified as the future YMCA facility.

Morrison Park is located directly south of Valley View High School, south of Mountain View Middle School and directly north of Moreno Elementary School. The facilities do not share common facilities. The high school is currently heavily used for soccer game play.

MV00048146

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

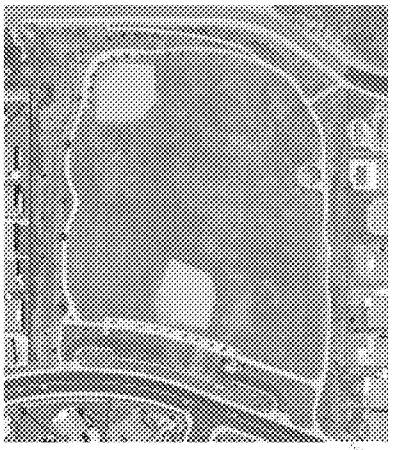

SHADOW MOUNTAIN PARK

23239 Presidio Hills Drive — 10.00 acres

Sports Fields	
Baseball Fields	
Softball Fields	2
Soccer Fields	2
Football Fields	
Rugby Fields	
Multi-purpose Field	

Sports and Play Facilities	
Tennis Courts	
Basketball Courts	
Volleyball Courts	
Roller Hockey	
Skate Park	
Splash Park	
Fitness Par Course	
Lawn Bowling	
Horseshoe Pits	
Children's Play Equip.	

Park Amenities	
BBQ's	✔
Bike Racks	
Plaza	
Open Green Space	✔
Community Garden	
Paved Walking Trails	✔
Telephone	
Vending Machines	
Banners/Kiosks	
Picnic Tables	✔
ADA accessible yes	
Drinking Fountains	✔
ADA Accessible yes	

Park Buildings & Structures	
Restroom	
Group Picnic Shelter	1
Family Picnic Shelter	
Trash Enclosure	

Parking	
Onsite Parking	Yes
Parking Surface:	
Asphalt	✔
Concrete	
Dirt Lot	
Security Lighting	✔

Softball Fields #1 & #2	
Game Field	✔
Lighted	No
Scoreboard	No
Pitchers Mound	No
Brickdust Infield	Yes
Field Condition	Good

Soccer Field	
Overlay Field	✔
Lighted	No
Field Condition	Good

Overlay occurs in softball field outfield area

Comments:

Construction of Shadow Mountain Park is to take place in phases. The current park configuration includes minimal park amenities. Sports field lighting is currently under design for this park.

The condition of the ballfields and limited amenities are very good.

MV00048148

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

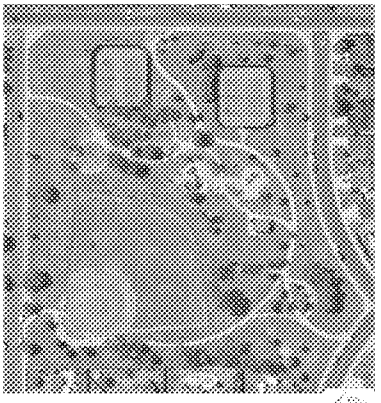

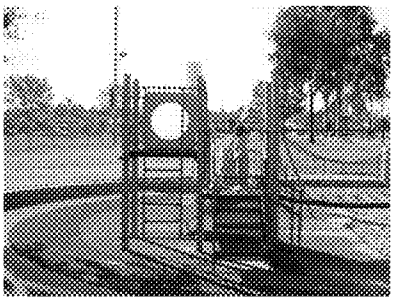

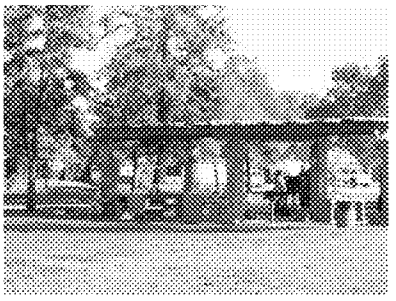

WOODLAND PARK
25750 Cactus Ave. 9.11 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	2
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✔	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✔		
		Telephone			
Sports and Play Facilities		Vending Machines	✔		
Tennis Courts	4	Banners/Kiosks			
Basketball Courts	4	Picnic Tables	✔		
Volleyball Courts		ADA accessible yes			
Roller Hockey		Drinking Fountains	✔	**Parking**	
Skate Park		ADA Accessible yes		Onsite Parking	No
Splash Park				Parking Surface:	
Fitness Par Course				Asphalt	
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.				Security Lighting	

Softball Field #1		Tennis Courts		Children's Play Equipment
Game Field	Yes	Lighted	Yes	Equipment for Ages 2-5
Lighted	Yes			Sand Surface – no ADA access
Scoreboard	Yes	**Basketball**		Equipment for Ages 5-12
Pitchers Mound	No	4 – half courts		Sand Surface with resilient rubber ADA access areas
Brickdust Infield	Yes	Lighted	No	
Field Condition	Good			

Comments:

Woodland Park is a well appointed Neighborhood Park. The overall condition of the park is very good.

The ballfield area is in good condition.

MV00048150

MV00048151

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

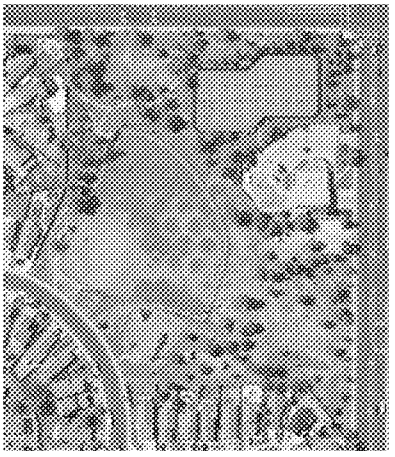

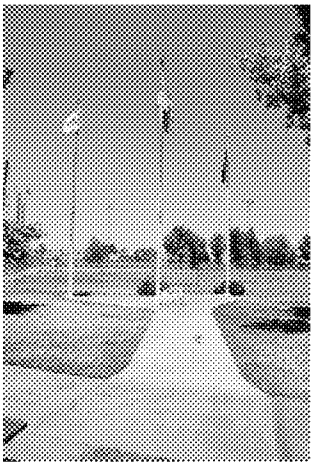

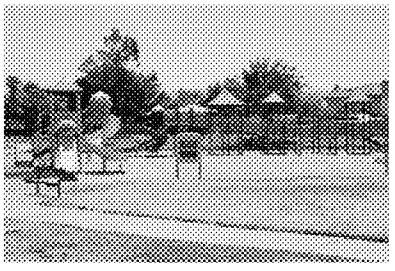

JOHN F. KENNEDY MEMORIAL PARK

15115 Indian St. 7.69 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	2
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts	4	Vending Machines			
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains		**Parking**	
Splash Park		ADA Accessible		Onsite Parking	✓
Fitness Par Course		Other: War Memorial		Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	no

Softball Field #1 & #2		Tennis Courts		Children's Play Equipment
Game Field	✓	Lighted	✓	Equipment for Ages 5-12 Wood chip surface with resilient rubber ADA access areas
Lighted	Yes			
Scoreboard	Yes			
Pitchers Mound	No			
Brickdust Infield	Yes			
Field Condition	Good			

Comments:

The park shares the park site with a fire station. The John F. Kennedy Memorial Park is a well appointed and well used Neighborhood Park site. As a result, the turf is worn in several areas and could use refurbishing.

MV00048152

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

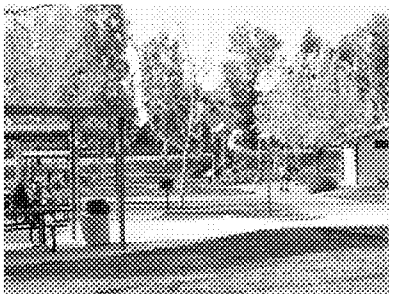

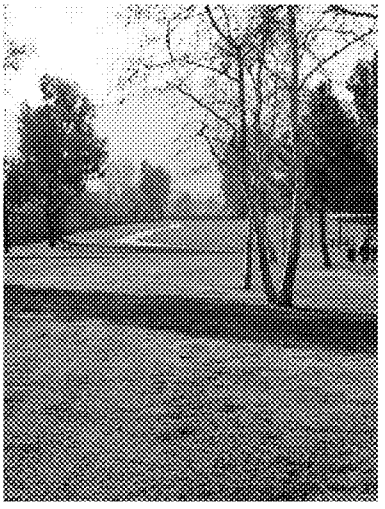

GATEWAY PARK
23975 Manzanita Ave. 7.67 acres

Sports Fields	Park Amenities	Park Buildings & Structures
Baseball Fields Softball Fields Soccer Fields Football Fields Rugby Fields Multi-purpose Field	BBQ's Bike Racks Plaza Open Green Space ✓ Rose Garden ✓ Paved Walking Trails ✓ Telephone Vending Machines Banners/Kiosks Picnic Tables ✓ ADA accessible yes Drinking Fountains ✓ ADA Accessible yes	Restroom 1 Group Picnic Shelter Family Picnic Shelter 6 Trash Enclosure
Sports and Play Facilities		**Parking**
Tennis Courts Basketball Courts Volleyball Courts Roller Hockey Skate Park Splash Park Fitness Par Course Lawn Bowling Horseshoe Pits Children's Play Equip. 1		Onsite Parking ✓ Parking Surface: Asphalt ✓ Concrete Dirt Lot Security Lighting Yes

Children's Play Equipment

Equipment for Ages 5-12
Wood Chip Surface with resilient
rubber ADA access areas

Comments:

Gateway Park is unique in the fact that the park connects to the Sunnymead Ranch Linear Park – a valuable community trail feature.

The park includes a large open turf space, however, the slope of the center open space is excessive for field sports.

The park is in good condition and is well maintained. The restrooms and shade structures are older structures.

MV00048154

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

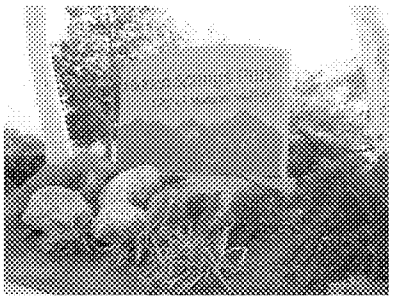

HIDDEN SPRINGS PARK-PH 1

9675 Hidden Springs Dr. 7.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	
Softball Fields	2	Bike Racks		Group Picnic Shelter	
Soccer Fields		Plaza		Family Picnic Shelter	1
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines			
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes	**Parking**	
Skate Park		Drinking Fountains		Onsite Parking	Yes
Splash Park		ADA Accessible		Parking Surface:	
Fitness Par Course				Asphalt	✓
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.	1			Security Lighting	Yes

Softball Field #1 & #2		Children's Play Equipment
Overlay Field	✓	Equipment for Ages 5-12
Lighted	No	Wood chip surface
Scoreboard	No	
Pitchers Mound	No	
Brickdust Infield	No	
Field Condition	Good	

Comments:

Hidden Springs Park is located to the north of Hidden Springs Elementary School. The two sites share a common parking lot.

The park has minimal park amenities and appears to serve primarily as a practice softball park. One of the softball overlay fields has an excessive slope which limits its use as a softball practice field.

Phase II park amenities will include trails, trailhead, passive landscaping and natural areas. The development of Phase II improvements will increase the park acreage by 17 acres.

MV00048156

MV00048157

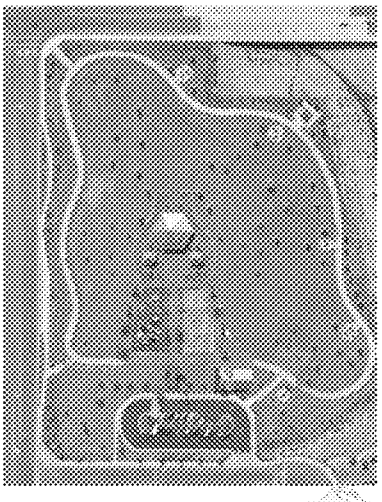

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

CELEBRATION PARK
14965 Morgan Ave. 6.65 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields		Bike Racks		Group Picnic Shelter	1
Soccer Fields		Plaza		Family Picnic Shelter	2
Football Fields		Open Green Space	✓	Trash Enclosure	1
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines	✓		
Basketball Courts	1	Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes	**Parking**	
Skate Park		Drinking Fountains	✓	Onsite Parking	✓
Splash Park	1	ADA Accessible	yes	Parking Surface:	
Fitness Par Course				Asphalt	✓
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.	2			Security Lighting	No

Basketball Court		Children's Play Equipment
Half Court	✓	Equipment for Ages 2 – 5
Lighted	No	Resilient Surface
		Equipment for Ages 5-12
		Resilient Surface

Comments:

As one of the newer parks in the Moreno Valley Park system, Celebration Park is a well appointed, well maintained, Neighborhood Park.

It was noted that the spray park is being utilized as a skate plaza during the winter months. The youth skating in the area were respectful of the space and blended well with the other park patrons. However, city ordinance prohibits skating in the City Parks except in designated areas. When asked why they were using this facility to skate, they replied that they needed a place to skate on the east side of town and preferred a no-fee skate facility.

MV00048158

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

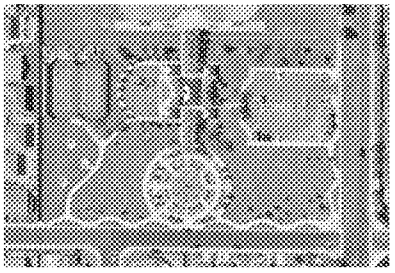

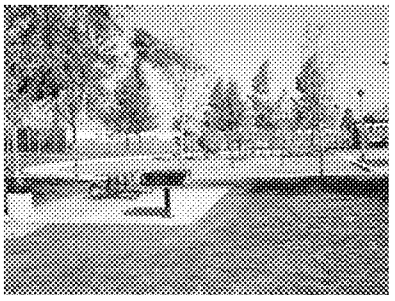

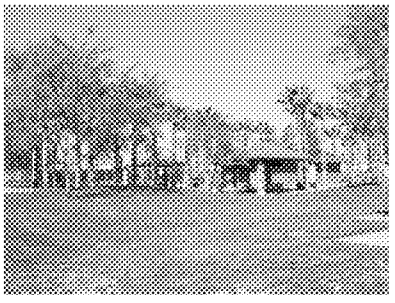

BETHUNE PARK
16745 Kitching St. 6.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields		Bike Racks		Concession Stand	1
Soccer Fields		Plaza		Group Picnic Shelter	4
Football Fields		Open Green Space	✔	Family Picnic Shelter	
Rugby Fields		Community Garden		Trash Enclosure	
Multi-purpose Field		Paved Walking Trails	✔		
Sports and Play Facilities		Telephone			
Tennis Courts	2	Vending Machines	✔		
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✔		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains	✔	**Parking**	
Splash Park	1	ADA Accessible	yes	Onsite Parking	✔
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✔
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	Yes

Tennis Courts		Children's Play Equipment
Lighted	Yes	Equipment for Ages 5-12 Wood chip surface with Resilient Rubber entrance

Comments:

Bethune Park is located adjacent to Bethune Middle School and does not share facilities with the school. Bethune is a well appointed neighborhood park.

The overall park maintenance is good; however, there are a few areas in need of attention. The turf areas are in need of general maintenance repair. Plant material at the splash park is in poor condition and in need of replacement. The resilient rubber entrance to the play area is showing wear.

The splash park area would benefit from additional shaded areas for spectators.

MV00048160

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

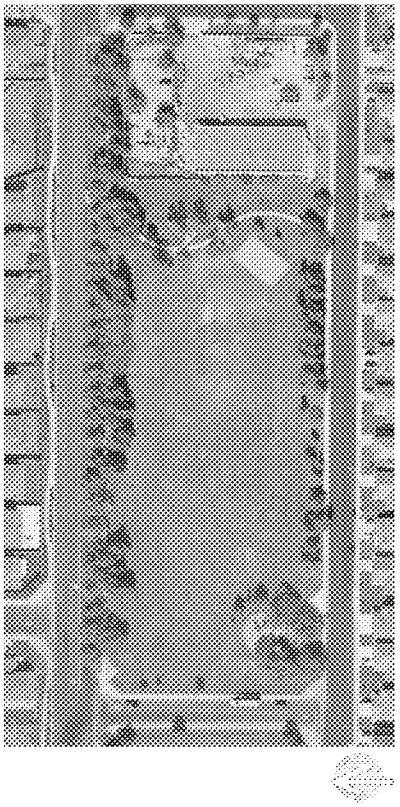

FAIRWAY PARK
27891 John F. Kennedy Dr. 5.50 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields		Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts		Picnic Tables	✓		
Volleyball Courts	1	ADA accessible	yes	**Parking**	
Roller Hockey		Drinking Fountains	✓		
Skate Park		ADA Accessible	yes	Onsite Parking	No
Splash Park				Parking Surface:	
Fitness Par Course				Asphalt	
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.	1			Security Lighting	

Soccer Field #1		Volleyball Court		Children's Play Equipment
Overlay Field	✓	Hard Surface		Equipment for Ages 5-12
Lighted	No	Sand	✓	Sand Surface with resilient
Scoreboard	No	Lighted	No	rubber ADA access areas
Field Condition	Fair			

Comments:

Fairway Park is located adjacent to Landmark Middle School. The two facilities do not share common amenities. The park is also located in very close vicinity to Celebration Park.

In its current configuration, the park offers limited park amenities. The existing volleyball court is in poor condition.

MV00048162

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

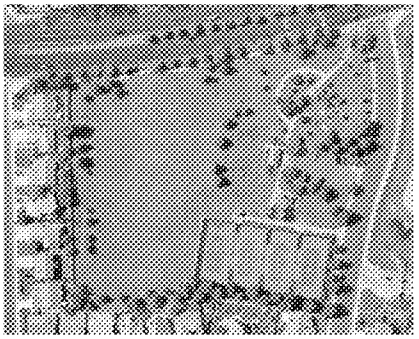

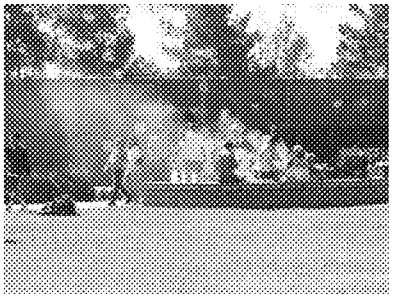

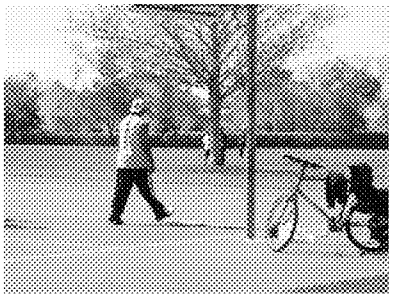

PEDRORENA PARK

16009 Rancho Del Lago — 5.50 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	2
Football Fields	1	Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts	4	Vending Machines	✓		
Basketball Courts	1	Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains	✓	**Parking**	
Splash Park		ADA Accessible	yes	Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	No

Softball / Soccer Field		Tennis Courts		Children's Play Equipment
Overlay Field	✓	Lighted	Yes	Equipment for Ages 5-12
Lighted	No	**Basketball Court**		Wood chip surface
Scoreboard	No	Full Court	Yes	
Field Condition	Good	Lighted	No	
The Soccer Overlay occurs in softball field outfield area				

Comments:

Pedrorena Park is a well appointed Neighborhood Park. The multi-use softball/soccer field is in good condition.

The picnic shelters are wooden trellis structures.

The tennis court area would benefit from additional site amenities, including a group picnic shelter and barbeques.

MV00048164

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

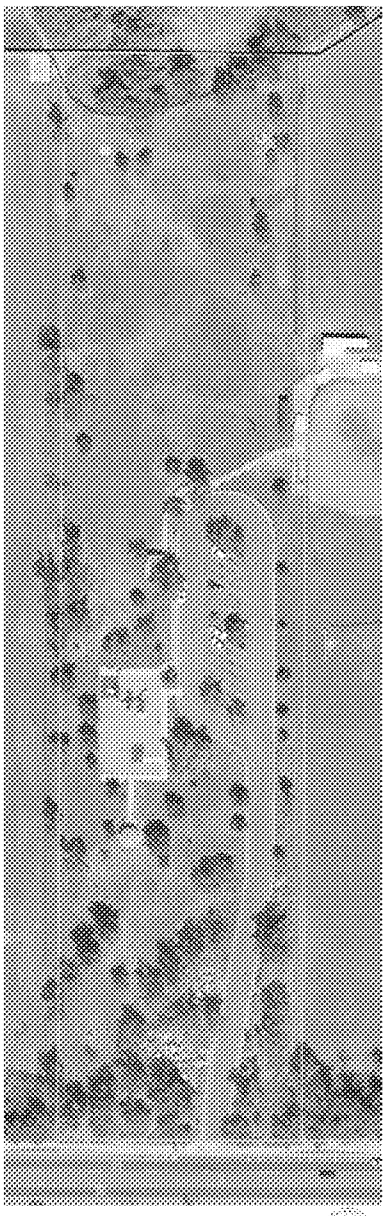

WESTBLUFF PARK

10750 Pigeon Pass Rd. 5.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	
Soccer Fields		Plaza		Family Picnic Shelter	1
Football Fields		Open Green Space	✔	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts		Picnic Tables	✔		
Volleyball Courts		ADA accessible	yes		
Roller Hockey		Drinking Fountains	✔	**Parking**	
Skate Park		ADA Accessible	yes		
Splash Park				Onsite Parking	Yes
Fitness Par Course				Parking Surface:	✔
Lawn Bowling				Asphalt	
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	Yes

Multi-Purpose Field		Children's Play Equipment
Game Field	No	Equipment for Ages 5-12
Lighted	No	Sand surface with Resilient
Scoreboard	No	Rubber ADA access
Field Condition	Fair	

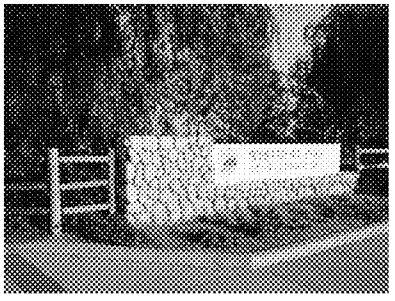

Comments:

Westbluff Park is a unique park site. The natural rock outcrop located at the east end of the park near the entrance provides a visual and recreational experience that ties the park to the natural environment. Westbluff Park is sandwiched between Vista Heights Middle School and Canyon Springs High School. This condition acts as both a benefit and hindrance to the park. The lack of a fence barrier between the park site and the high school provides additional recreation facilities for the park; however, the existing park parking lot is inadequate to serve both the park site and the school sports fields on the weekends.

The park multi-purpose field is in good condition.

MV00048166

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

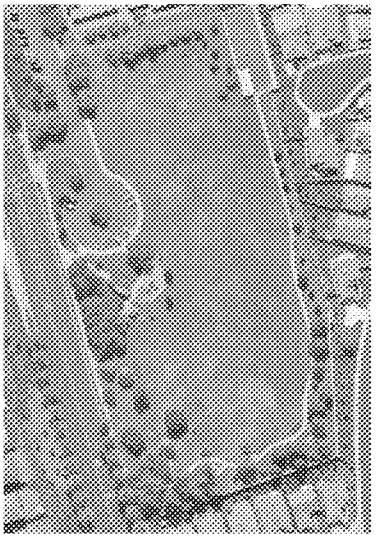

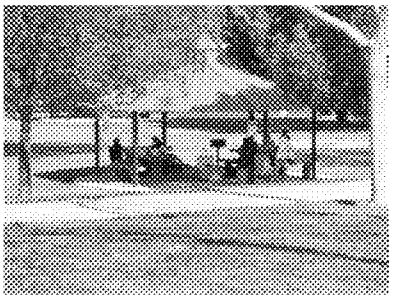

RIDGE CREST PARK
28506 John F. Kennedy Dr. 5.00 acres

Sports Fields	
Baseball Fields	
Softball Fields	1
Soccer Fields	1
Football Fields	
Rugby Fields	
Multi-purpose Field	

Sports and Play Facilities	
Tennis Courts	
Basketball Courts	
Volleyball Courts	
Roller Hockey	
Skate Park	
Splash Park	
Fitness Par Course	
Lawn Bowling	
Horseshoe Pits	
Children's Play Equip.	1

Park Amenities	
BBQ's	✔
Bike Racks	
Plaza	
Open Green Space	✔
Community Garden	
Paved Walking Trails	✔
Telephone	
Vending Machines	
Banners/Kiosks	
Picnic Tables	✔
ADA accessible yes	
Drinking Fountains	✔
ADA Accessible yes	

Park Buildings & Structures	
Restroom	1
Group Picnic Shelter	2
Family Picnic Shelter	1
Trash Enclosure	

Parking	
Onsite Parking	Yes
Parking Surface:	
Asphalt	✔
Concrete	
Dirt Lot	
Security Lighting	Yes

Softball Field #1 & #2	
Overlay Field	✔
Lighted	No
Scoreboard	No
Pitchers Mound	No
Brickdust Infield	No
Field Condition	Fair

Soccer Field #1	
Overlay Field	✔
Lighted	No
Scoreboard	No
Field Condition	Fair

Children's Play Equipment
Equipment for Ages 5-12 Sand surface with Resilient Rubber Surface for ADA accessibility

Comments:

Ridge Crest Park is located adjacent to Ridge Crest Elementary. The park and school site share a common parking lot. The softball fields are located on school property, but are not fenced from the park space.

The overall condition of the park is good.

MV00048168

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

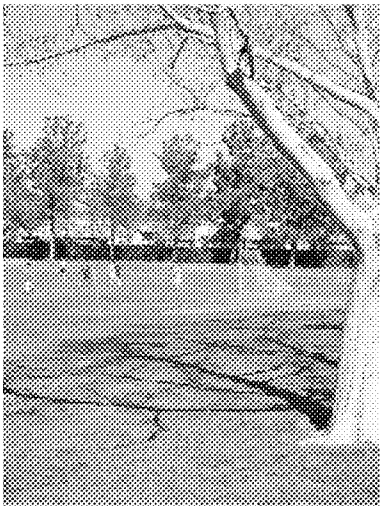

VICTORIANO PARK
25730 Los Cabos Dr. 5.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields		Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	1
Football Fields		Open Green Space	✔	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✔		
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines	✔		
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✔		
Roller Hockey		ADA accessible	✔		
Skate Park		Drinking Fountains		**Parking**	
Splash Park		ADA Accessible		Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✔
Horseshoe Pits				Concrete	
Children's Play Equip.				Dirt Lot	
				Security Lighting	Yes

Softball Field #1 & #2		Soccer Field #1	
Practice Field	✔	Overlay Field s	✔
Lighted	No	Lighted	No
Scoreboard	No	Scoreboard	No
Pitchers Mound	No	Field Condition	Good
Brickdust Infield	No		
Field Condition	Fair		

Comments:

Victoriano Park is located adjacent to Victoriano Elementary School. The two facilities share a common parking lot. The two softball fields are located on school property; however, they are not fenced from the park site.

The picnic shelter is a wood trellis structure.

MV00048170

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

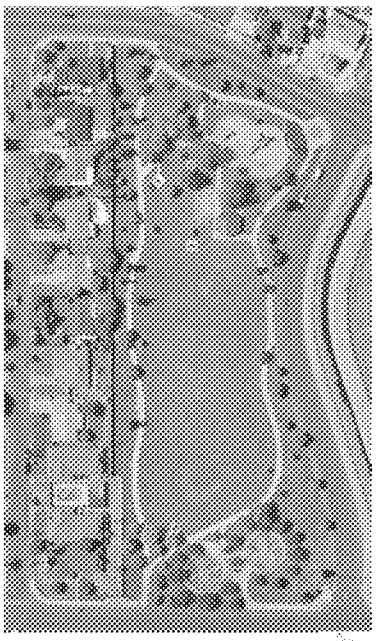

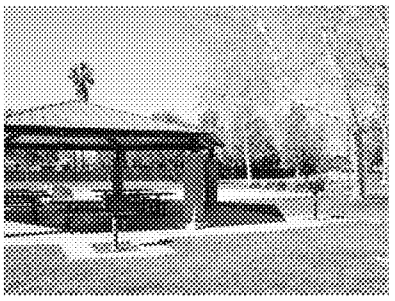

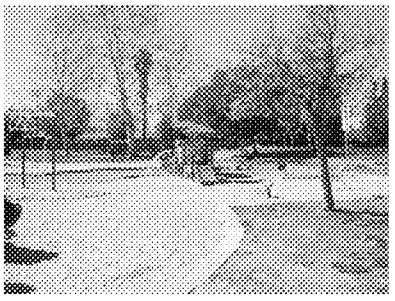

ADRIENNE MITCHELL MEMORIAL PARK
22631 Bay Ave. 4.43 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	
Softball Fields		Bike Racks		Group Picnic Shelter	1
Soccer Fields	1	Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines			
Basketball Courts	4	Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible yes			
Skate Park		Drinking Fountains	✓	**Parking**	
Splash Park		ADA Accessible yes		Onsite Parking	No
Fitness Par Course		Other: Memorial to Adrienne Mitchell. She died in Operation Desert Storm. Adrienne was a private in the U.S. Army.		Parking Surface:	
Lawn Bowling				Asphalt	
Horseshoe Pits	2			Concrete	
Children's Play Equip.	2			Dirt Lot	
				Security Lighting	

Soccer Field		Basketball Courts		Children's Play Equipment
Overlay Field	✓	Half Courts	✓	Equipment for Ages 2-5 Sand Surface – with resilient rubber ADA access areas
Lighted	No	Lighted	Yes	Equipment for Ages 5-12 Sand Surface with resilient rubber ADA access areas
Field Condition	Fair			

Comments:

Adrienne Mitchell Memorial Park is a well appointed Neighborhood Park.

The overall condition of the park is good. The turf has a few worn areas in need of refurbishing.

MV00048172

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

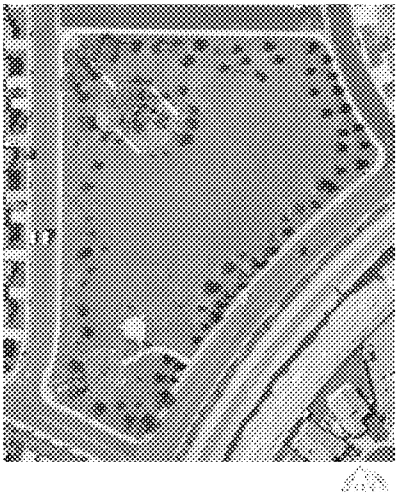

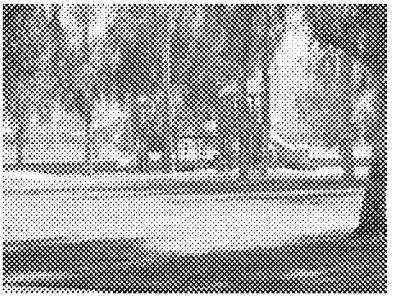

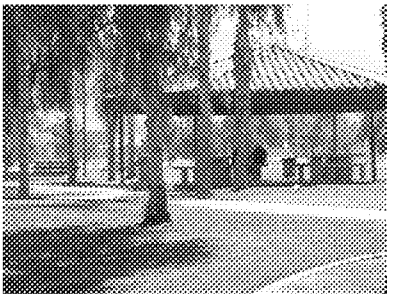

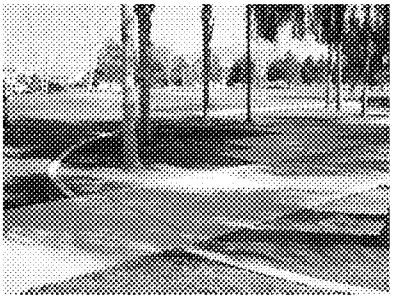

PARQUE AMISTAD PARK
26160 Gentian Ave. 4.24 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	
Softball Fields	2	Bike Racks		Group Picnic Shelter	1
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts	2	Picnic Tables	✓		
Volleyball Courts		ADA accessible	yes		
Roller Hockey		Drinking Fountains	✓	**Parking**	
Skate Park		ADA Accessible	yes		
Splash Park				Onsite Parking	No
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	

Softball Field #1 & #2		Basketball Courts		Children's Play Equipment
Overlay Field	✓	Half Courts	✓	Equipment for Ages 5-12
Lighted	No	Lighted	Yes	Wood chip surface with
Scoreboard	No			Resilient Rubber ADA
Pitchers Mound	No			Access area
Brickdust Infield	No			
Field Condition	Good			

Comments:

Parque Amistad is a well used, Neighborhood Park. The park recreation amenities are good. The park site would benefit from a restroom facility.

The overall maintenance and condition of the park is good. Shrubs in the planter adjacent to the play apparatus have failed. It is very difficult to maintain shrub material in areas accessible to foot traffic. Consider replacing the planted area with turf or unit pavers in this area.

MV00048174

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

WESTON PARK
13170 Lasselle St. 4.14 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	4
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines	✓		
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible yes			
Skate Park		Drinking Fountains	✓	**Parking**	
Splash Park		ADA Accessible yes		Onsite Parking	No
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	

Softball Field		Soccer Field		Children's Play Equipment
Overlay Field	✓	Overlay Field	✓	Equipment for Ages 5-12
Lighted	No	Lighted	No	Wood chip surface
Scoreboard	No	Scoreboard	No	
Pitchers Mound	No	Field Condition	Good	
Brickdust Infield	No			
Field Condition	Good	The soccer overlay is located in the outfield of the softball field		

Comments:

Weston Park is a well appointed Neighborhood Park.

The overall maintenance of the park is good. The children's play area equipment is in good condition; however, the level of wood chips could use some maintenance.

MV00048176

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

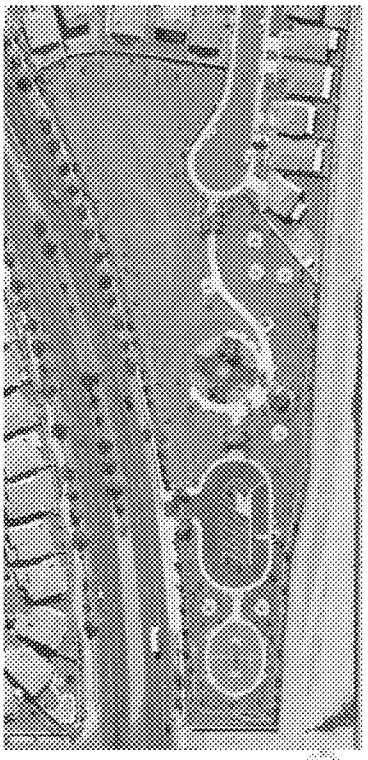

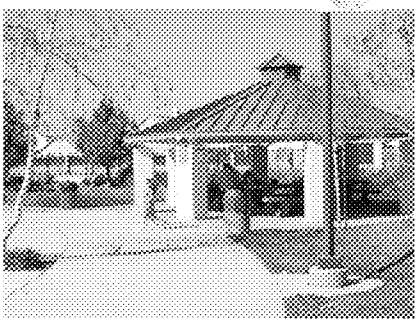

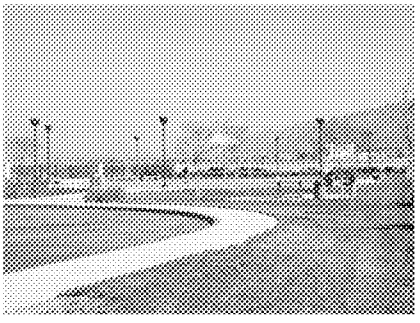

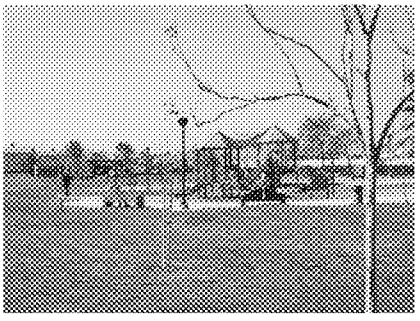

VISTA LOMAS PARK
26700 Iris Ave. 4.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	
Softball Fields	1	Bike Racks		Group Picnic Shelter	1
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	1
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts	2	Picnic Tables	✓		
Volleyball Courts		ADA accessible	yes		
Roller Hockey		Drinking Fountains		**Parking**	
Skate Park		ADA Accessible			
Splash Park				Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	2			Dirt Lot	
				Security Lighting	Yes

Softball Field #1		Basketball Courts		Children's Play Equipment
Overlay Field	✓	Half Courts	✓	Equipment for Ages 2-5
Lighted	No	Lighted	Yes	Resilient Rubber Surface
Scoreboard	No			Equipment for Ages 5-12
Pitchers Mound	No			Resilient Rubber Surface
Brickdust Infield	No			
Field Condition	Fair			

Comments:

Vista Lomas Park is a small Neighborhood Park with well appointed recreation facilities. The park would benefit from the addition of a small public restroom.

The overall maintenance of the park is good.

MV00048178

PARK LAND INVENTORY – MINI NEIGHBORHOOD PARKS

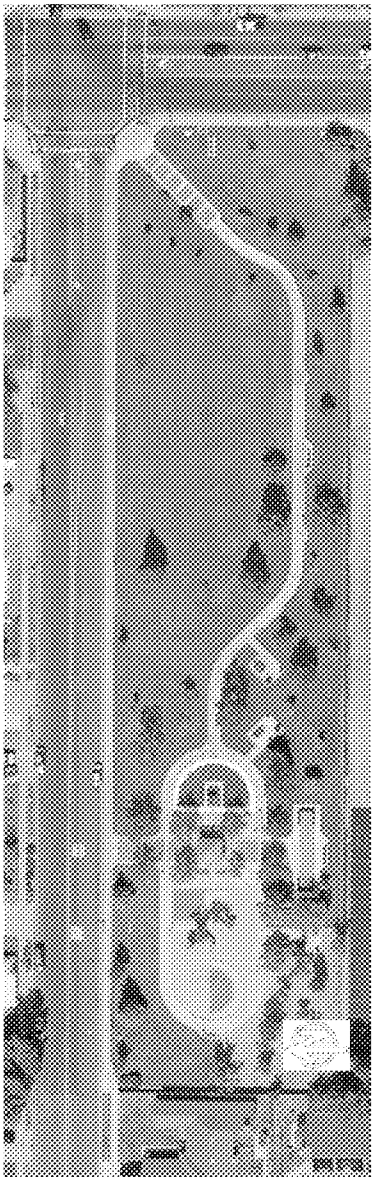

BAYSIDE PARK
24435 Bay Ave. 2.04 acres

Sports and Play Facilities		Park Amenities		Park Buildings & Structures	
Tennis Courts		BBQ's		Restroom	
Basketball Courts	1	Bike Racks		Group Picnic Shelter	
Volleyball Courts		Plaza		Family Picnic Shelter	1
Roller Hockey		Open Green Space	✓	Trash Enclosure	
Skate Park		Community Garden			
Splash Park		Paved Walking Trails		**Parking**	
Fitness Par Course		Telephone			
Lawn Bowling		Vending Machines		Onsite Parking	No
Horseshoe Pits	1	Banners/Kiosks		Parking Surface:	
Children's Play Equip.	1	Picnic Tables	✓	Asphalt	
		ADA accessible yes		Concrete	
		Drinking Fountains	✓	Dirt Lot	
		ADA Accessible yes		Security Lighting	

Basketball Court		Children's Play Equipment
Half Court	✓	Equipment for Ages 5-12
Lighted	No	Sand surface with Resilient Rubber ADA access areas

Comments:

Bayside Park is a well appointed Mini Neighborhood Park and provides excellent recreation opportunities in a limited amount of space.

The overall maintenance of the park is good.

MV00048180

PARK LAND INVENTORY – MINI NEIGHBORHOOD PARKS

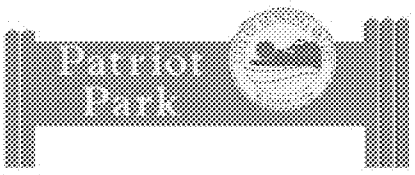

PATRIOT PARK
15310 Perris Blvd. .5 acres

Sports and Play Facilities	Park Amenities	Park Buildings & Structures
Tennis Courts	BBQ's	Restroom
Basketball Courts	Bike Racks	Group Picnic Shelter
Volleyball Courts	Plaza	Family Picnic Shelter
Roller Hockey	Open Green Space ✓	Trash Enclosure
Skate Park	Community Garden	
Splash Park	Paved Walking Trails	**Parking**
Fitness Par Course	Telephone	
Lawn Bowling	Vending Machines	Onsite Parking No
Horseshoe Pits	Banners/Kiosks	Parking Surface:
Children's Play Equip. 1	Picnic Tables ✓	Asphalt
	ADA accessible yes	Concrete
	Drinking Fountains ✓	Dirt Lot
	ADA Accessible yes	Security Lighting

Comments:
Patriot Park is currently under construction. Once completed Patriot Park will have a decomposed granite walking path around the park.

MV00048182

PARK LAND INVENTORY – MINI NEIGHBORHOOD PARKS

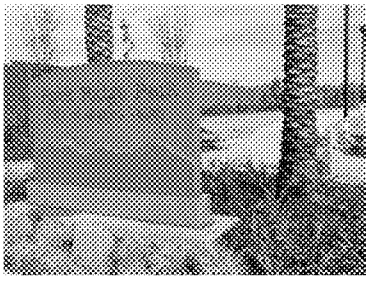

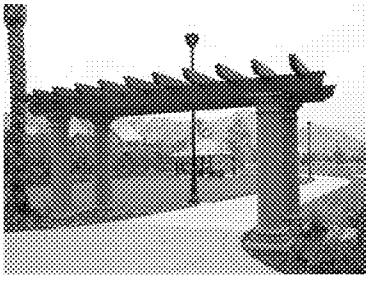

ROCK RIDGE PARK
27119 Waterford Way — 1.93 acres

Sports and Play Facilities		Park Amenities		Park Buildings & Structures	
Tennis Courts		BBQ's	✔	Restroom	
Basketball Courts		Bike Racks		Group Picnic Shelter	
Volleyball Courts		Plaza		Family Picnic Shelter	2
Roller Hockey		Open Green Space	✔	Trash Enclosure	
Skate Park		Community Garden			
Splash Park		Paved Walking Trails		**Parking**	
Fitness Par Course		Telephone			
Lawn Bowling		Vending Machines		Onsite Parking	No
Horseshoe Pits		Banners/Kiosks		Parking Surface:	
Children's Play Equip.	1	Picnic Tables	✔	Asphalt	
		ADA accessible yes		Concrete	
		Drinking Fountains	✔	Dirt Lot	
		ADA Accessible yes		Security Lighting	Yes

Children's Play Equipment

Equipment for Ages 5-12
Sand surface with Resilient Rubber ADA access areas

Comments:

Rock Ridge Park is the newest addition to the City of Moreno Valley's park system. Rock Ridge Park is a well appointed, well maintained park.

MV00048184

PARK LAND INVENTORY – SPECIALTY PARK

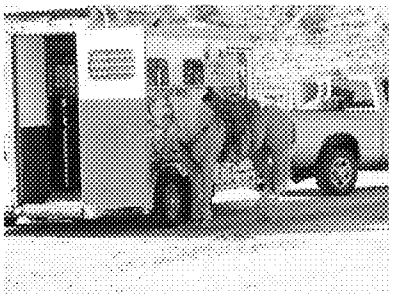

MORENO VALLEY EQUESTRIAN PARK & NATURE CENTER
11150 Redlands Blvd. 45.00 acres

Park Amenities	Park Buildings & Structures
BBQ's Bike Racks Open Green Space Paved Walking Trails Telephone Vending Machines Banners/Kiosks Picnic Tables ADA accessible Drinking Fountains ADA Accessible	Portable Restroom 1 Group Picnic Shelter Family Picnic Shelter Trash Enclosure
	Parking
	Onsite Parking Yes Parking Surface: Asphalt ✔ Concrete Dirt Lot ✔ Security Lighting No

Riding Ring #1		Riding Ring #1	
Fenced	Yes	Fenced	Yes
Lighted	Yes	Lighted	No

Comments:

The Equestrian Park and Nature Center appears to be a work in progress with improvements utilizing a fraction of the 45-acre park site.

The site is also home to the new Moreno Valley "Hound Town" dog park featuring two separate dog run areas.

MV00048186

PARK LAND INVENTORY – SPECIALTY PARK

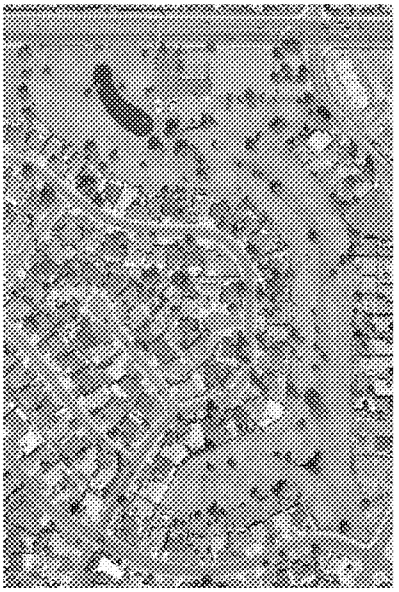

COTTONWOOD GOLF CENTER

13671 Frederick St. 15.83 acres

Park Amenities	Park Buildings & Structures	
BBQ's	Clubhouse	1
Bike Racks	Portable Restroom	
Plaza	Group Picnic Shelter	
Open Green Space	Family Picnic Shelter	
Paved Walking Trails	Trash Enclosure	
Telephone		
Vending Machines		
Banners/Kiosks		
Picnic Tables		
ADA accessible		
Drinking Fountains		
ADA Accessible		
	Parking	
	Onsite Parking	Yes
	Parking Surface:	
	Asphalt	✓
	Concrete	
	Dirt Lot	
	Security Lighting	No

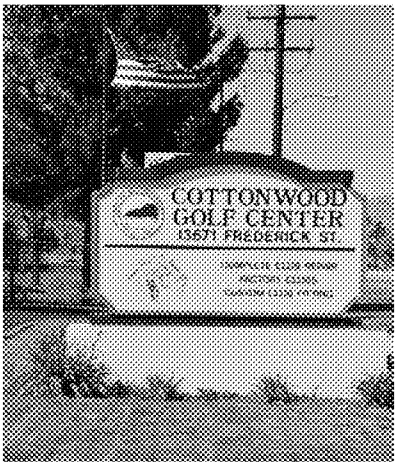

Golf Course		Basketball Court	
Holes	9	Full Court	Yes
		Lighted	Yes

Comments:

Cottonwood Golf Center is a 9-hole golf course.

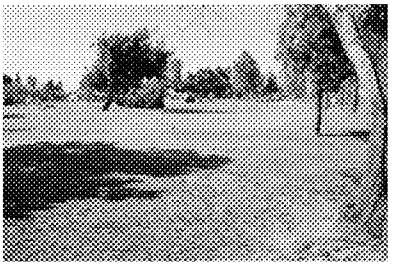

MV00048188

COLD CREEK TRAIL HEAD

27334 Cold Creek Ct. .64 acres

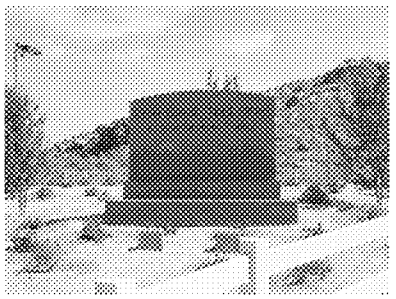

Amenities		Park Buildings & Structures
BBQ's		Restroom
Bike Racks		Group Picnic Shelter
Plaza		Family Picnic Shelter
Open Green Space		Trash Enclosure
Community Garden		
Paved Walking Trails		**Parking**
Telephone		
Vending Machines		Onsite Parking Yes
Banners/Kiosks		Parking Surface:
Picnic Tables	✓	Asphalt
ADA accessible yes		Concrete
Drinking Fountains	✓	Dirt Lot
ADA Accessible yes		Security Lighting

Comments:

The facility provides a place for visitors to tie and water horses. The Cold Creek Trail Head offers a rest stop along the "Automall Trail".

SUNNYMEAD EQUESTRIAN STAGING AREA

.5 acres

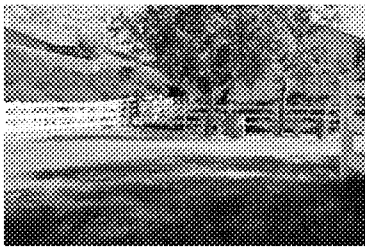

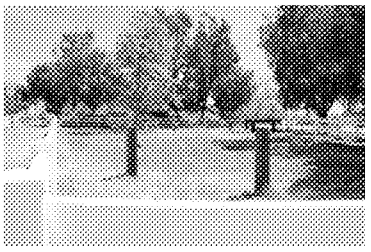

Amenities		Park Buildings & Structures
BBQ's		Restroom
Bike Racks		Group Picnic Shelter
Plaza		Family Picnic Shelter
Open Green Space		Trash Enclosure
Community Garden		
Paved Walking Trails		**Parking**
Telephone		
Vending Machines		Onsite Parking No
Banners/Kiosks		Parking Surface:
Picnic Tables	✓	Asphalt
ADA accessible yes		Concrete
Drinking Fountains	✓	Dirt Lot
ADA Accessible yes		Security Lighting

Comments:

The Sunnymead Equestrian Staging Area provides a rest stop along the trail on Sunnymead Ranch Road. The park amenities include facilities to tie and water horses.

MV00048192

PARK LAND INVENTORY – TRAIL HEAD

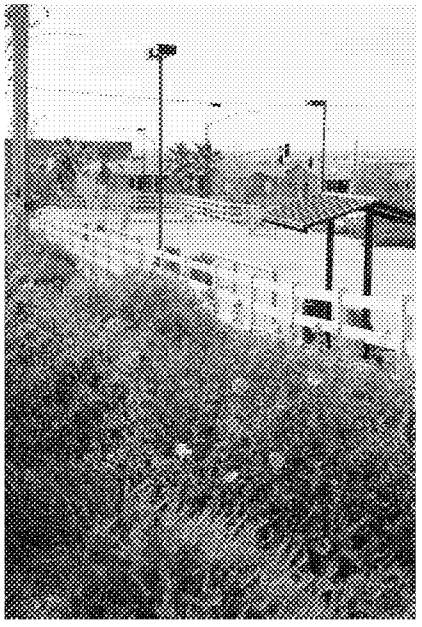

RANCHO VERDE EQUESTRIAN STAGING AREA
17478 Kentucky Derby Drive 1.3 acres

Park Amenities	Park Buildings & Structures
BBQ's Bike Racks Plaza Open Green Space Community Garden Paved Walking Trails Telephone Vending Machines Banners/Kiosks Picnic Tables ADA accessible yes Drinking Fountains ✓ ADA Accessible yes	Restroom Group Picnic Shelter Family Picnic Shelter Trash Enclosure **Parking** Onsite Parking Yes Parking Surface: Asphalt Concrete Dirt Lot ✓ Security Lighting

Comments:

The Rancho Verde Equestrian Station is located on at the corner of Lasselle and Kentucky Derby Drive in the southern end of the City near the western entrance to the Lake Perris Recreation Area. The park amenities include facilities to park horse trailers, tie and water horses.

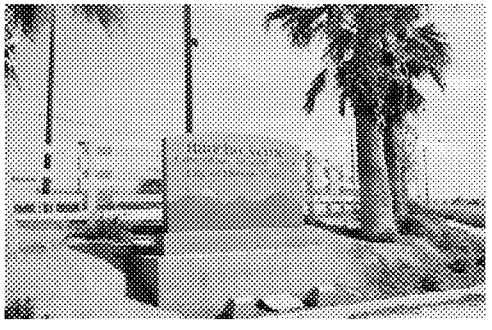

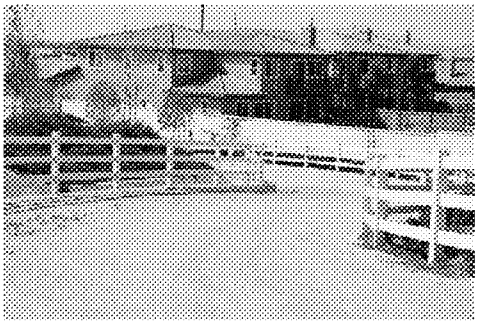

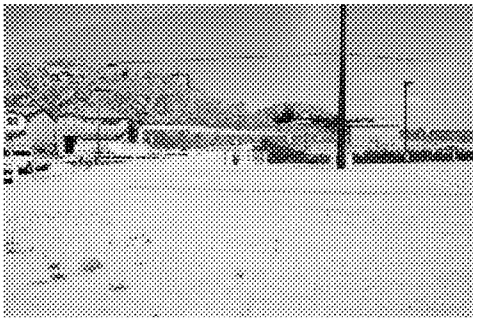

MV00048194

PARK LAND INVENTORY – TRAIL HEAD

COTTONWOOD EQUESTRIAN STATION
28590 Cottonwood Avenue .4 acres

Park Amenities		Park Buildings & Structures	
BBQ's		Restroom	
Bike Racks		Group Picnic Shelter	
Plaza		Family Picnic Shelter	1
Open Green Space		Trash Enclosure	
Community Garden			
Paved Walking Trails		**Parking**	
Telephone			
Vending Machines		Onsite Parking	No
Banners/Kiosks		Parking Surface:	
Picnic Tables	✓	Asphalt	
ADA accessible	yes	Concrete	
Drinking Fountains	✓	Dirt Lot	
ADA Accessible	yes	Security Lighting	
Horse Accessible	yes		

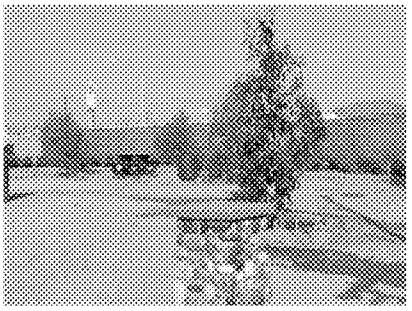

Comments:
The Cottonwood Equestrian Station is a new park amenity located on Cottonwood Ave. near the intersection with the storm channel trail link. The park amenities include facilities to tie and water horses.

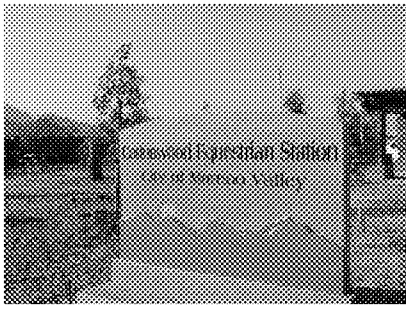

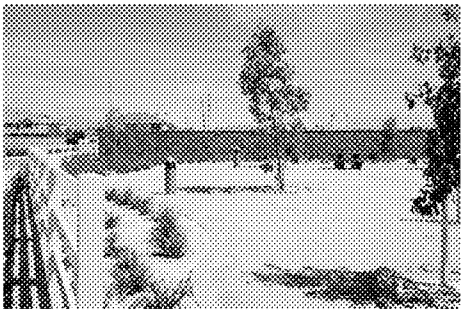

MV00048196

PARK LAND INVENTORY – GREENWAY

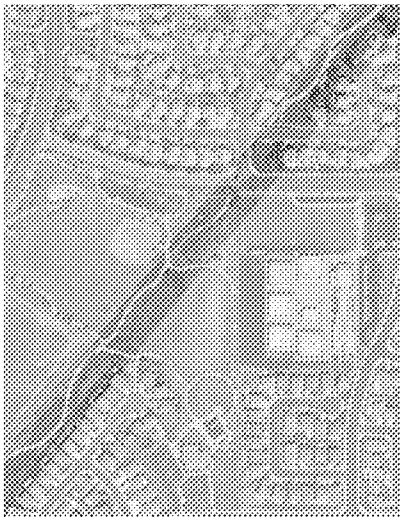

AQUEDUCT BIKE TRAIL

Balboa Street and Dracaea Ave.; Kitching Street and Krameria — 8.50 acres

Greenway Amenities

- BBQ's
- Bike Racks
- Plaza
- Open Green Space ✓
- Community Garden
- Paved Walking Trails ✓
- Telephone
- Vending Machines
- Banners/Kiosks
- Picnic Tables
  - ADA accessible
- Drinking Fountains
  - ADA Accessible

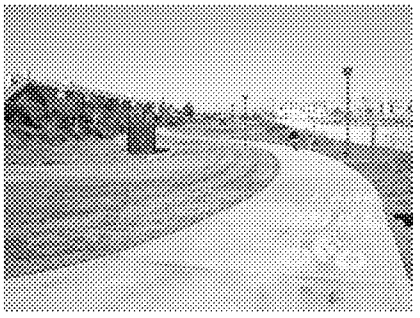

Comments:

The Aqueduct Bike Trail corridor is a valuable asset to the City's trail system. The linear park provides a multi-use trail and greenbelt corridor on the west side of the city, south of the 60 freeway running in a north/south direction with several connections to parks.

When the entire reach of the trail system is constructed, it will provide a north/south trail system with few interruptions.

MV00048198

PARK LAND INVENTORY – GREENWAY

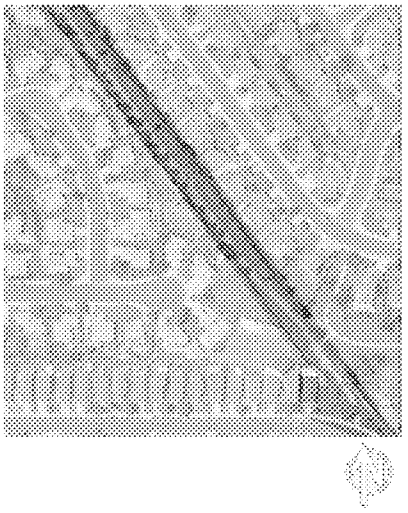

SUNNYMEAD RANCH LINEAR PARK

Village Road and Old Lake Road — 5.50 acres

Greenway Amenities

- BBQ's
- Bike Racks
- Plaza
- Open Green Space ✓
- Community Garden
- Paved Walking Trails ✓
- Telephone
- Vending Machines
- Banners/Kiosks
- Picnic Tables
  - ADA accessible
- Drinking Fountains
  - ADA Accessible

Comments:

The Sunnymead Ranch Linear Park corridor is a valuable asset to the City's trail system. The linear park provides a multi-use trail and greenbelt corridor on the west of the City, north of the 60 freeway running in a north/south direction with connections to school and park facilities.

MV00048200

MV00048201

3.3 OPEN SPACE ANALYSIS

Moreno Valley is a community rich in open space areas. Regional and State natural resources border the City on three sides, giving a unique character to the City. For the purpose of the Parks, Recreation and Open Space Comprehensive Master Plan, the open space analysis will be limited to outdoor recreation.

The City has experienced rapid growth since the 1980's. During this period the City has done an excellent job providing high quality recreational open space. The residents of Moreno Valley place a high value on living in a city that feels like a rural community. As the City continues to develop and becomes more urban, the City's dedication to recreational open space and trail connections north to south as well as connections to regional facilities will be critical to maintaining this community value.

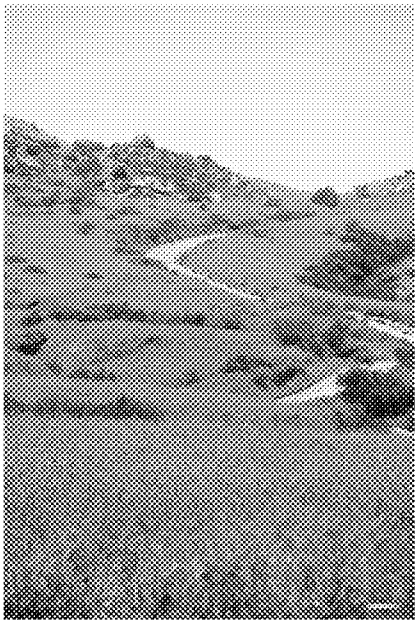

Box Springs Mountain Reserve

3.4 REGIONAL FACILITIES

Box Springs Mountain Reserve, located at the northwest corner of Moreno Valley, is owned and operated by the Riverside County Regional Park and Open Space District. The park includes both equestrian and hiking trails that link to the City trail system. The reserve is home to sixteen species of mammals and over eighty-five bird species.

San Timoteo Canyon Park is located north/east of Moreno Valley and is owned by the State of California. The 1,200 acre park serves as a valuable open space and wildlife corridor and contains fragile wetlands, riparian areas, oak groves and a diverse avian population.

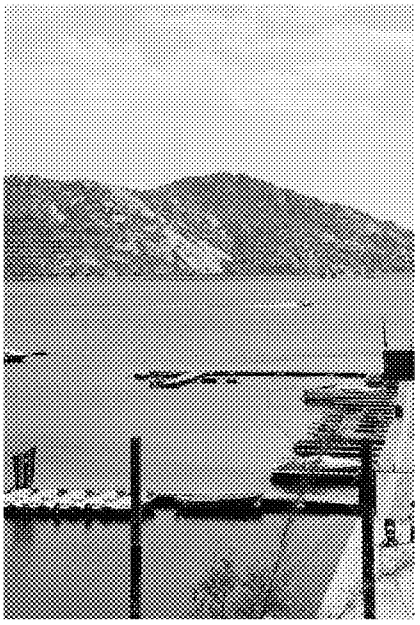

Lake Perris State Recreation Area

Lake Perris State Recreation Area is approximately 8,000 acres. Built in the early 1970's, the reservoir was built as part of the California Water Project to provide drinking water to Southern California residents. Located on the southern edge of the City, Lake Perris provides many recreational activities including: hiking, biking, water skiing, boating, jet skiing, fishing, swimming, horse back riding, camping and picnicking. The proposed Moreno Valley trail system links to the state trail system at the northern end of the park.

San Jacinto Wildlife area located on the southern edge of the City directly east of the Lake Perris State Recreation Area includes over 10,000 acres of land. The park offers wildlife viewing, hunting, field trips for school children, and a field trials area for dog training.

3.5 SCHOOL SITES

The City of Moreno Valley is served by two school districts, the Moreno Valley Unified School District and the Val Verde Unified School District. The City has an excellent relationship with both school districts and has been able to maximize active recreational facilities for the City through joint use agreements with the school districts.

The City and School Districts have done an excellent job of locating schools (Map 3.2 – Existing School Facilities) adjacent to parks and in many cases sharing common parking facilities.

Table 3.2 – Moreno Valley Schools provides an inventory of schools located in Moreno Valley.

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3.6 PRIVATE RECREATIONAL FACILITIES

Homeowners associations provide a number of private recreation facilities including: park areas, greenbelt areas, swimming pools, tennis courts and community centers. These recreation facilities are available for the exclusive use of the association's members and provide facilities for a limited number of residents in the community.

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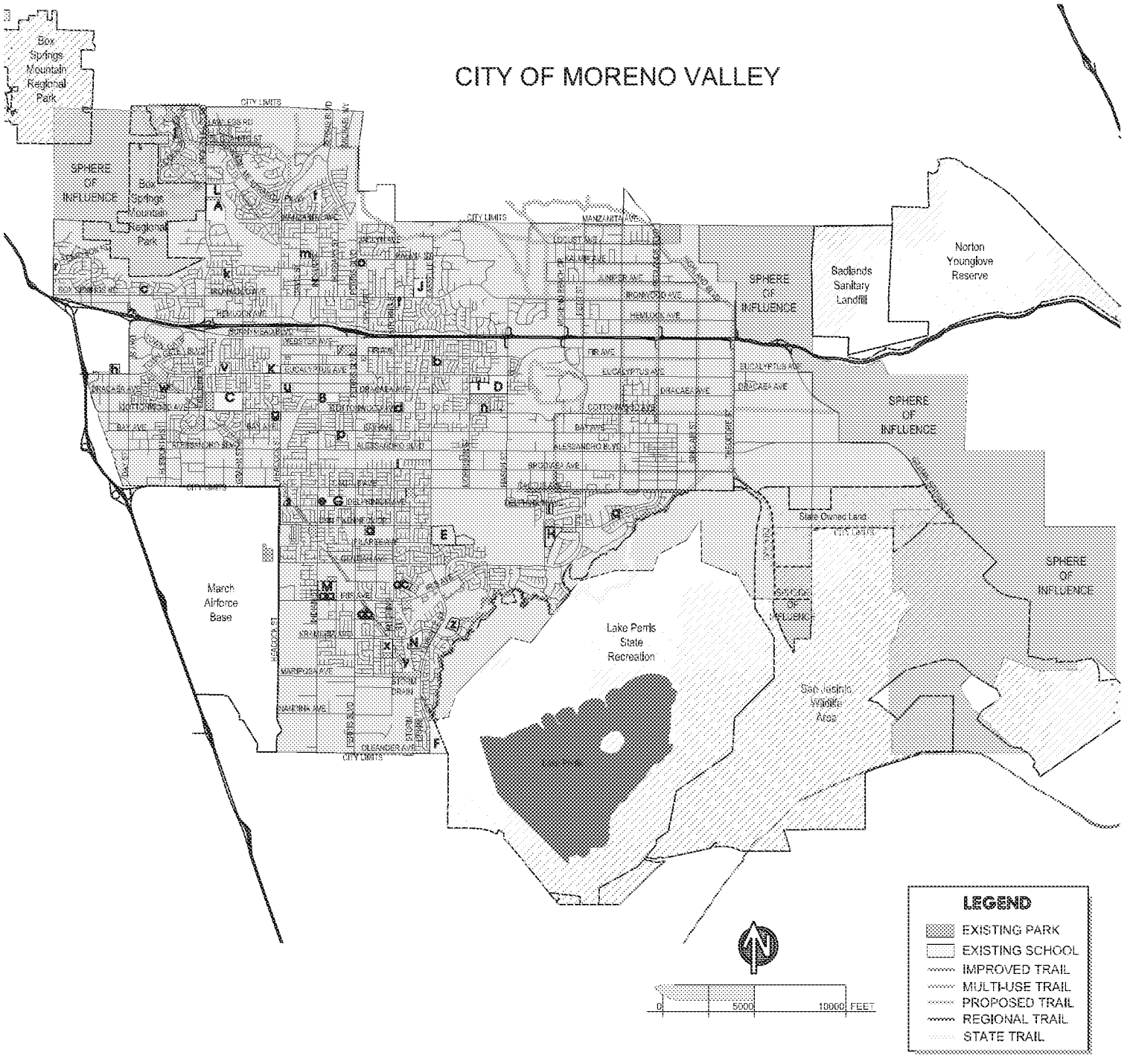

EXISTING SCHOOL FACILITIES

HIGH SCHOOLS
- A CANYON SPRINGS HIGH SCHOOL
- B MARCH MOUNTAIN HIGH SCHOOL
- C MORENO VALLEY HIGH SCHOOL
- D VALLEY VIEW HIGH SCHOOL
- E VISTA DEL LAGO HIGH SCHOOL
- F RANCHO VERDE HIGH SCHOOL

MIDDLE SCHOOLS
- G BADGER SPRINGS MIDDLE SCHOOL
- H LANDMARK MIDDLE SCHOOL
- I MOUNTAIN VIEW MIDDLE SCHOOL
- J PALM MIDDLE SCHOOL
- K SUNNYMEAD MIDDLE SCHOOL
- L VISTA HEIGHTS MIDDLE SCHOOL
- M MARCH MIDDLE SCHOOL
- N VISTA VERDE MIDDLE SCHOOL

ELEMENARY SCHOOLS
- a ARMADA ELEMENTARY SCHOOL
- b BEAR VALLEY ELEMENTARY
- c BOX SPRINGS ELEMENTARY
- d BUTTERFIELD ELEMENTARY
- e CHAPARRAL HILLS ELEMENTARY
- f CLOVERDALE ELEMENTARY
- g CREEKSIDE ELEMENTARY
- h EDGEMONT ELEMENTARY
- i HENDRICK RANCH ELEMENTARY
- j HIDDEN SPRINGS ELEMENTARY
- k HONEY HOLLOW ELEMENTARY
- l LA JOLLA ELEMENTARY
- m MIDLAND ELEMENTARY
- n MORENO ELEMENTARY
- o NORTH RIDGE ELEMENTARY
- p RAMONA ELEMENTARY
- q RIDGECREST ELEMENTARY
- r SENECA ELEMENTARY
- s SERRANO ELEMENTARY
- t SUGAR HILL ELEMENTARY
- u SUNYMEAD ELEMENTARY
- v SUNNYMEADOWS ELEMENTARY
- w TOWN GATE ELEMENTARY
- x BETHUNE ELEMENTARY
- y EL POTRERO ELEMENTARY
- z LASELLE ELEMENTARY
- aa RAINBOW RIDGE ELEMENTARY
- ab RED MAPLE ELEMENTARY
- ac VICTORIANO ELEMENTARY

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Parks, Recreation and Open Space
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EXISTING SCHOOL FACILITIES

Map 3.2 - Existing School Facilities

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MORENO VALLEY SCHOOLS			Outdoor Field Sports					Indoor / Outdoor Hard Court Sports										Additional Sports Facilities			Play Facilities		Cultural Facilities
		CAMPUS OPEN TO PEDESTRIANS	BASEBALL FIELDS	SOFTBALL FIELD	SOCCER FIELD	FOOTBALL FIELDS	MULTI-PURPOSE FIELD	TENNIS COURTS	BASKETBALL COURTS - INDOOR	BASKETBALL COURTS - FULL	BASKETBALL COURTS - HALF	VOLLEYBALL - SAND	VOLLEYBALL - HARDCOURT	ROLLER HOCKEY	TETHERBALL	BALL WALL	PLAYGROUND PAINTED GAME MARKINGS	POOL	GYMNASIUM	TRACK & FIELD	TOT LOT 2-5 YEARS	CHILDRENS PLAY AREA 5-12 YEARS	THEATER
HIGH SCHOOLS	**SCHOOL DISTRICT**																						
Canyon Springs High School	Moreno Valley Unified School District	✓	2G	2G		1G		8	2	5			3					1	1	1			200 seat
March Mountain High School	Moreno Valley Unified School District			2G		1P			1	8	1								1				
Moreno Valley High School	Moreno Valley Unified School District		2G	1G		1GL	1	5	1	5			6					2	1	1			
Valley View High School	Moreno Valley Unified School District		1G	1G		1GL	3	8	1	6	5		4					2	1	1			
Vista del Lago High School	Moreno Valley Unified School District		2G	1G		1GL		8	2	7									2	1			200 seat
Rancho Verde High School	Val Verde Unified School District		2G	2G		1G		4	4	4		1	3						2	1			200 seat
MIDDLE SCHOOLS																							
Badger Springs Middle School	Moreno Valley Unified School District			1P	2PL					3			3										
Landmark Middle School	Moreno Valley Unified School District	✓		2G			1			12													
Mountain View Middle School	Moreno Valley Unified School District			2P	1G 3P					10													
Palm Middle School	Moreno Valley Unified School District	✓		4P		1P	2			10										1			
Sunnymead Middle School	Moreno Valley Unified School District			2P			1			8					2	2							
Vista Heights Middle School	Moreno Valley Unified School District	✓		3P	2PL				1	12					3								
March Middle School	Val Verde Unified School District		1GL	1GL		1P	1		1	8		1							1	1			
Vista Verde Middle School	Val Verde Unified School District			2G		1P		4	1	8		1								1			
ELEMENTARY SCHOOLS																							
Armada Elementary	Moreno Valley Unified School District						2			2					6	2	✓					2	
Bear Valley Elementary	Moreno Valley Unified School District			3P	1O					4					3	2	✓					1	
Box Springs Elementary	Moreno Valley Unified School District	✓		1P			1			4					10	3	✓					3	
Butterfield Elementary	Moreno Valley Unified School District			1G 3P						6							✓					2	
Chaparral Hills Elementary	Moreno Valley Unified School District			2P						3					4	1	✓					2	
Cloverdale Elementary	Moreno Valley Unified School District			2P			1			4					5	2	✓					1	
Creekside Elementary	Moreno Valley Unified School District			2P			1			3					3	3	✓					3	
Edgemont Elementary	Moreno Valley Unified School District			1G			1			2					3	1	✓					3	
Hendrick Ranch	Moreno Valley Unified School District			3P						4			1		4	1	✓					2	
Hidden Springs	Moreno Valley Unified School District			2P			1				3				4	2	✓					2	
Honey Hollow	Moreno Valley Unified School District			3P						3	2				2	2	✓					2	
La Jolla Elementary	Moreno Valley Unified School District			2P						4					6	1	✓					2	
Midland Elementary	Moreno Valley Unified School District			2P							4					2	✓					3	
Moreno Elementary	Moreno Valley Unified School District	✓		2P						3		1			4	4	✓					3	
North Ridge Elementary	Moreno Valley Unified School District	✓		2P						8					6		✓					3	

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RGW DESIGN GROUP

MORENO VALLEY SCHOOLS			Outdoor Field Sports					Indoor / Outdoor Hard Court Sports										Additional Sports Facilities			Play Facilities		Cultural Facilities
		CAMPUS OPEN TO PEDESTRIANS	BASEBALL FIELDS	SOFTBALL FIELD	SOCCER FIELD	FOOTBALL FIELDS	MULTI-PURPOSE FIELD	TENNIS COURTS	BASKETBALL COURTS - INDOOR	BASKETBALL COURTS - FULL	BASKETBALL COURTS - HALF	VOLLEYBALL - SAND	VOLLEYBALL - HARDCOURT	ROLLER HOCKEY	TETHERBALL	BALL WALL	PLAYGROUND PAINTED GAME MARKINGS	POOL	GYMNASIUM	TRACK & FIELD	TOT LOT 2-5 YEARS	CHILDRENS PLAY AREA 5-12 YEARS	THEATER
Ramona Elementary	Moreno Valley Unified School District			2P						3					2	1	✓					2	
Ridge Crest Elementary	Moreno Valley Unified School District			2P						3					6	2	✓					2	
Seneca Elementary	Moreno Valley Unified School District			2P						4					4	2	✓					3	
Serrano Elementary	Moreno Valley Unified School District			3P						3					3	2	✓					2	
Sugar Hill Elementary	Moreno Valley Unified School District			2P						1	2				3	1	✓					2	
Sunnymead Elementary	Moreno Valley Unified School District						1			3						1	✓					2	
Sunnymeadows Elementary	Moreno Valley Unified School District			3P	1O					3					3	2	✓					2	
TownGate Elementary	Moreno Valley Unified School District						1			3					3	2	✓					2	
Bethune Elementary	Val Verde Unified School District			2P	1O					4					4	2	✓				1	2	
El Potrero Elementary	Val Verde Unified School District			1P						4						2	✓				1	2	
Lasselle Elementary	Val Verde Unified School District			2G			1			3					6	2	✓				1	2	
Rainbow Ridge Elementary	Val Verde Unified School District			1G			1			3					2	2	✓				1	2	
Red Maple Elementary	Val Verde Unified School District			2G			1			3					6	2	✓				1	2	
Victoriano Elementary	Val Verde Unified School District	✓		2P						4					6	2	✓				1	1	
SPECIAL SCHOOLS																							
Sunny Springs Special Ed																					2		
TOTALS		8	10	80	11	9	21	37		200	17	4	20	0	113	53	29	5	9	8	8	62	3

LEGEND
G = Game Field
P = Practice Field
O = Overlay Field
L = Lighted Field

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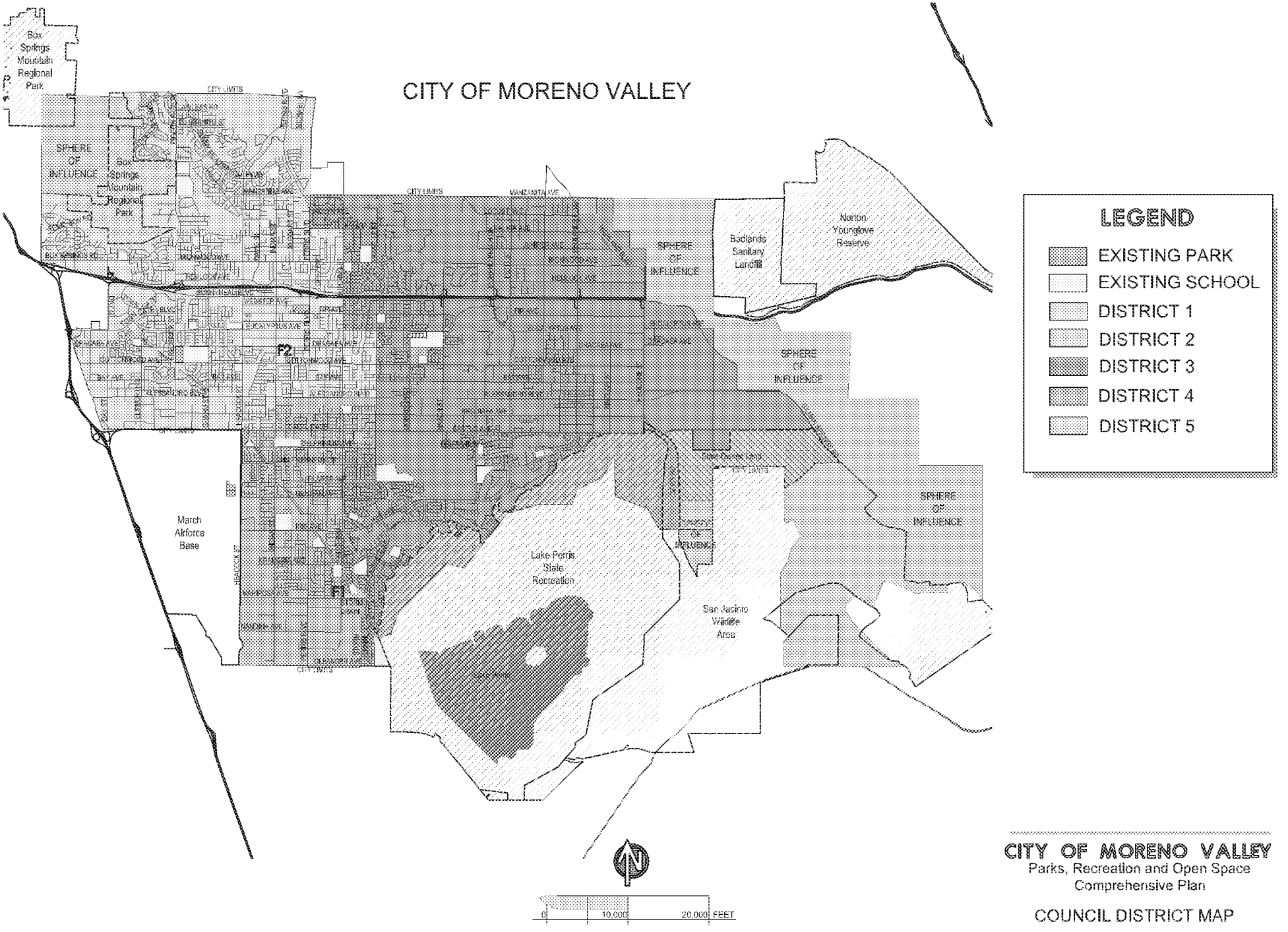

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

COUNCIL DISTRICT MAP

Map 3.3 - Council District Map

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SECTION 4 EXISTING RECREATION PROGRAMS AND SERVICES RESOURCES

INTRODUCTION

PROGRAMS INVENTORY

PROGRAMS ANALYSIS

KEY FINDINGS

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4.0 INTRODUCTION

Moreno Valley residents enjoy a variety of recreation activities, programs and services. The City along with various nonprofit organizations and community groups offer many recreation pursuits to the community. Neighboring areas provide regional recreation opportunities such as Lake Perris State Park and Box Springs Mountain Regional Park.

Towngate Community Center

Human and social services are offered through local nonprofits along with City, County and State offices.

In addition to access to recreation facilities, trails and open spaces, the residents have availability to a wide range of recreation programs, cultural activities and leisure opportunities which offer a major component to the quality of life in any community. Recreation programs benefit individuals, families, businesses, neighborhoods and households of all ages, income levels, and cultures. Programs and services that have been developed, designed and delivered effectively can provide the following benefits:

- Unique sense of place
- Sense of belonging
- Healthy lifestyles
- Advance lifelong learning
- Professional growth
- Safety and security
- Youth development
- Strong family units
- Cultural unity
- Economic development
- Environmental stewardship
- Fun and celebration

Recreation pursuits normally provided by public recreation agencies range from organized pursuits such as sports, classes, youth activities, family programming and community events, to more passive endeavors such as picnics, hiking, bicycling, and walking. Effective recreation programs promote the constructive use of leisure time and a lifelong commitment to a healthy lifestyle, personal development and a strong community.

This section summarizes the existing inventory of recreation programs and services; provides a program analysis based on the City's demographic profile and available facilities for delivering recreation services; and outlines key findings

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regarding the Parks and Community Services Department's recreation delivery system based on the list of desired benefits above.

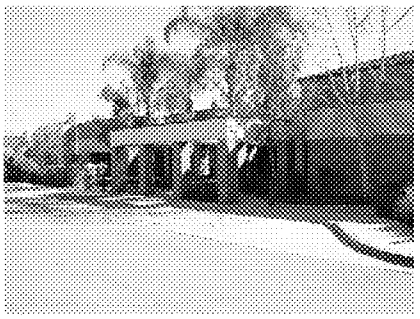

Moreno Valley Seniors Center

4.1 PROGRAM INVENTORY

During the community outreach effort, Moreno Valley residents identified the most important benefits of recreation programs and facilities that support the quality of life in Moreno Valley to be:

- Building stronger families and sense of community
- Promoting security and safety
- Involving people in the community
- Ensuring open space is maintained and increased
- Creating opportunities that increase fitness and wellness for all residents
- Programs for all age groups

The City of Moreno Valley is committed to the delivery of quality, affordable and accessible recreation programs. In general, the City sees its role as a direct provider of recreation programs and services. The City collaborates with local sports organizations to deliver a variety of outstanding, quality sports programs, leagues and tournament play. These non-profit sports organizations serve thousands of Moreno Valley and surrounding area children annually in sports, including soccer, Little League baseball, football, basketball, etc.

The opportunity to play a larger role as a facilitator or partner in the delivery of sports leagues and tournaments is somewhat limited as a result of the number of fields and facilities available for this purpose.

As is the case with most municipal recreation departments, Moreno Valley does employ the efficient and effective practice to provide many of their special interest classes through contractual arrangements with local instructors or private businesses, such as:

- ✓ Acting and singing for kids
- ✓ Children's ballet
- ✓ Beginning tumbling
- ✓ Youth boxing
- ✓ Cheerleading
- ✓ Various dance classes
- ✓ Music classes
- ✓ Self-defense classes
- ✓ Math wizards
- ✓ Photography
- ✓ Dog obedience
- ✓ Aerobics
- ✓ Yoga

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In addition to self help and instructional classes, the Department offers an array of sports opportunities in all age categories from youth through senior citizens. These include such activities as:

- ✓ Bowling classes and leagues
- ✓ Golf clinics and instruction
- ✓ Roller hockey leagues
- ✓ Skateboarding instruction
- ✓ Basketball leagues
- ✓ Volleyball leagues
- ✓ Middle school sports programs
- ✓ Open gym basketball
- ✓ Softball leagues
- ✓ Billiards for seniors
- ✓ Senior exercise and fitness activities

The Department also offers an array of special interest recreation activities including:

- ✓ Trips and tours for seniors
- ✓ Volunteer opportunities
- ✓ After school programs
- ✓ Organized hiking
- ✓ City-wide events

The Parks and Community Services Department does an outstanding job of coordinating with community service groups and non-profits to provide a variety of programs and services. The community and organizations and non-profits the City currently partners with or helps promote include:

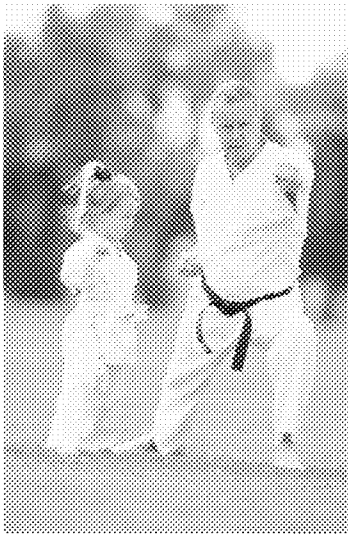

- ✓ Moreno Valley Aquatics
- ✓ American Youth Soccer Organization (AYSO)
- ✓ Moreno Valley Heat Soccer Club
- ✓ Pop Warner Football
- ✓ Moreno Valley Junior All American Football
- ✓ ASA Diamond Girl's Softball
- ✓ Moreno Valley Little League
- ✓ Moreno Valley Youth Federation
- ✓ Rockets Track Team
- ✓ Universal Striders Track Club
- ✓ National Junior Basketball Association
- ✓ Sports for Special Needs Bill's Special Kids
- ✓ Blue Crush Basketball Club
- ✓ Wilsonette's Cuties – Girl's Drill Team/Boy's Drum Squad
- ✓ California Youth Spirit
- ✓ Moreno Valley Men's Adult Soccer League
- ✓ Moreno Valley Golf Club
- ✓ American Red Cross
- ✓ Boy Scouts of America CA Inland Empire Council
- ✓ Civil Air Patrol Cadets
- ✓ Citizens Patrol
- ✓ California Emergency Response Team

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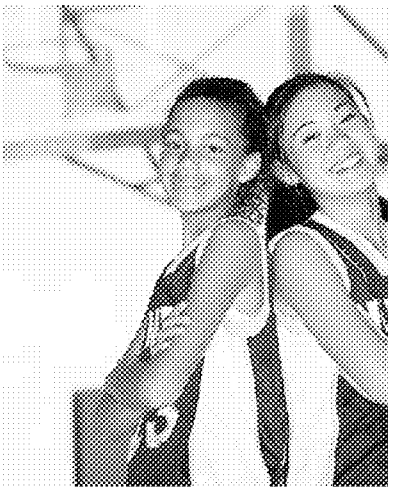

- Fire Explorers
- Fire Volunteers
- Girl Scouts of San Gorgonio
- Friends of the Moreno Valley Senior Center
- Moreno Valley Amateur Radio Association
- Moreno Valley Art's Association
- Moreno Valley Chamber of Commerce
- Moreno Valley Black Chamber of Commerce
- Moreno Valley Hispanic Chamber of Commerce
- Moreno Valley Community Band
- Moreno Valley Council PTSA
- Moreno Valley Cultural Arts Foundation
- Friends of the Library
- Moreno Valley Garden Club
- Moreno Valley Genealogical
- Moreno Valley Master Choral
- Moreno Valley Equestrian Riders
- Trail Seekers
- YMCA

The department has also established relationships with service clubs and organizations to help them provide community services and activities including:

- Moreno Valley Women's Club
- Moreno Valley Soroptimist
- Moreno Valley Morning Rotary
- Moreno Valley Noon Rotary
- Morning Optimist Club of Moreno Valley
- Radio Amateur Civil Emergency Services (RACES)
- Zonta Club of Riverside

Human Service Programs are provided by local and regional non-profits and public agencies and include:

- Catholic charities
- Child care programs
- C.A.P. Food Pantry
- Valley Service Association
- Helpline 24-Hour Crisis/Suicide Intervention
- Mom's Club of Moreno Valley
- Riverside County Family Child Care Association
- Riverside County Office of Education Children's Services
- Head-Start Pre School
- Volunteer Center of Greater Riverside County
- Youth Service Association

The types of recreation programs and activities offered by the Parks and Community Services Department are determined through customer interest; input from local users, residents and employees; and input from the Parks and Recreation Commission.

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Programs are currently provided for targeted age groups, from pre-school through active adults and seniors. They are designed to serve a wide variety of needs and interests, including the arts, physical fitness, health, sports, dance, computers, academic support, field trips, and special interest workshops. In addition, very popular community events are provided throughout the year, as are seasonal activities, trips, and tours.

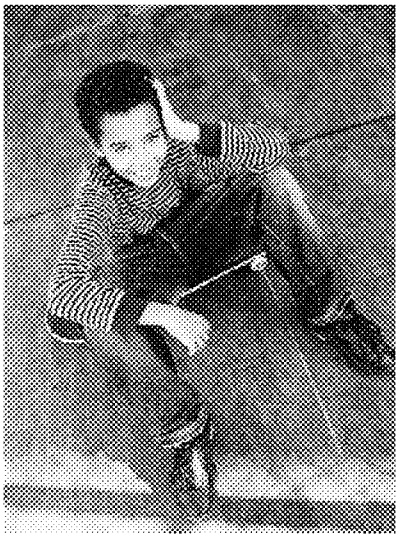

The Department provides most recreation activities and programs at the Conference and Recreation Center complex on Frederick Street,which is located in the southwestern area of the City, and at the Senior Community Center located on Fir Avenue in the center portion of the City. The Department operates an extensive after school program on local school sites in partnership with both school districts serving Moreno Valley. The after school programs are targeted towards low income families and are funded by a State Grant. The recent acquisition of former March Air Force Base property has enabled the Department to centralize the administration and logistical operations of the after school programs and increase their efficiency. The after school programs involve more that 3,000 children throughout the community, providing recreation, support and self esteem programs.

In addition to providing and coordinating recreation programs and services, the Department also operates an extensive facility rental program. Space is provided on a rental fee basis and facilities are heavily utilized by the community. The facility rental program includes the Conference Center, meeting rooms, group picnic shelters, gymnasiums, sports fields, Town Gate Community Center and Senior Center facilities.

A wide variety of experiences and opportunities are available to the community through the programs and services provided by the Recreation Division.

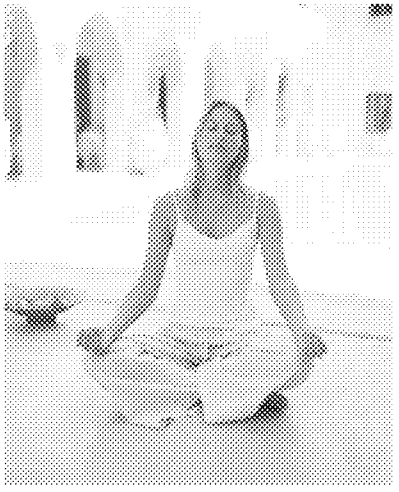

While all recreation programs are open and accessible to any interested participants, specific recreation opportunities for residents with disabilities are provided through the Developmentally Challenged Program, which is designed to provide social and recreational activities, such as, games, movies, parties, etc.

4.2 PROGRAM ANALYSIS

In reviewing the program offerings and analyzing their effectiveness to serve the Moreno Valley community the Project Team was impressed with both the dedication of the Community Services and Parks Staff to provide quality programming in the City and the high rate of approval from the community with regards to the program offerings. The Department tries very hard to offer programs and services that fit the needs of the community based on the community's demographic profile and are responsive to the community's request for specific types of programs and activities.

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The Department has a policy of soliciting continuous feedback from participants so that programs can be updated and responsive to current programming trends. The Department appears to make a concentrated effort to allocate its resources so that it ensures program offerings to all age groups in the community from pre-school through senior citizens. As an example of being adaptive to community needs, the Department recently instituted an open play arena soccer program. Arena soccer is played just like regular soccer, using the smaller dimensions and "off-the-boards" action of the hockey rink at Valley Skate Park on the March Field Park. The program is offered every Tuesday and Thursday evening from 5:00 to 7:00 p.m. for youth 17 and under, and from 7:00 to 9:00 p.m. for adults 18 and older. Activities are conducted on a drop-in basis, and games are played under the "pick-up" format. Soccer is a popular sport in the community and there was a lack of regular grass soccer fields to serve these age groups, so the Department adapted to the situation by providing supervision and an alternative program with a unique spin.

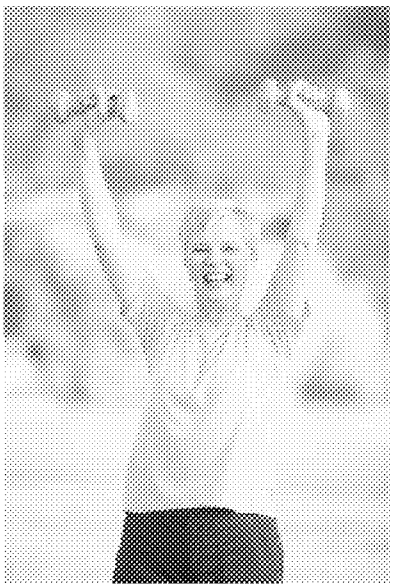

The requirement of administering the grant for after school programs places a heavy burden on the Department's administrative staff. In the future, the Department will be impacted even further as the need for after school programs increases and grant funding is reduced.

In summary, the Department appears to be doing an outstanding job with the resources they have available. The programs appear to meet the demographic needs of the community. There is high customer satisfaction with the types of programs, and the Department continually adapts to changing trends very efficiently.

4.3 KEY FINDINGS

In reviewing and analyzing the programs and services based on the criteria discussed above regarding the benefits of a well rounded recreation program delivery system, the Project Team identified the following key findings that the Parks and Community Services Department provides:

- It increases healthy lifestyles in the City by maintaining over 352 acres of parks, trails, and park facilities and operating over 195 programs and services for youth, adults and seniors.
- It supports youth development by maintaining and operating 32 parks/facilities; including 20 lighted sports fields and 4 lighted school district sports fields. These facilities serve an estimated 417,180 Moreno Valley youth annually for baseball, softball, and soccer play. The Department also supports youth by operating eight after-school middle school sports programs in the Moreno Valley and Val Verde Unified School Districts, serving an estimated 1,500 youth.
- It creates a unique sense of place, fun and celebration by coordinating special community events, including Youth Fest, the City's Easter Egg Hunt and the City's July 4th parade and Family Fun Fest, serving 35,000 participants.

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- It supports safety and security for youth by operating 46 after-school programs at 32 elementary and 9 middle schools.
- It promotes community partnerships by coordinating and scheduling sports facility reservations for 38 school sites.
- It assists Moreno Valley nonprofit sports organizations in hosting regional and national sports tournaments, resulting in a positive economic impact to Moreno Valley business.
- It operates Park Ranger Programs, providing for a safer recreational environment.
- It coordinates the production of the Moreno Valley Recreation Guide and City Newsletter which is delivered to Moreno Valley residents as well as incorporating a video element through MVTV-3. The Department also provides information on the City's Web site, providing comprehensive program information to Moreno Valley residents.
- It supports cultural unity and diversity through events, recreation classes and after-school child care programs.
- It provides opportunities for professional and personal growth by offering career and self improvement classes.

In conclusion, the inventory of current programs and services meets the community's expectations and are designed to meet the priorities for each age group given the demographic profile of the community. Determining new programs and services that are needed to meet future demands are addressed in Section 5 and recommendations for future programs and services are addressed in Section 8.

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SECTION 5 NEEDS ASSESSMENT / COMMUNITY INPUT

INTRODUCTION / METHODOLOGY

CURRENT NATIONAL AND STATE TRENDS IN PARKS AND RECREATION

COMMUNITY INPUT FROM PUBLIC OUTREACH

SUMMARY ANALYSIS OF PUBLIC OUTREACH

PARKLAND COMPARISON ANALYSIS

FACILITY COMPARISON ANALYSIS

KEY FINDINGS AND SUMMARY OF DEMAND ANALYSIS

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5.0 INTRODUCTION / METHODOLOGY

The purpose of a Needs Assessment is to quantify and understand both the facility and recreational program needs of the community. In order for the Moreno Valley Parks and Community Services Department to develop a long range plan for providing the right recreational facilities and programs, it must understand the nature of the community, its recreational desires, its actual needs, and its ability to provide the services that are determined necessary through the Needs Assessment.

Demand and Needs are sometimes difficult to quantify. A numerical standard may not reflect the makeup of a community, its economic situation, history, traditional recreation uses, or political environment. This report assesses the recreational programming and park facilities needs of the City of Moreno Valley starting with national and state trends, past levels of service, public involvement, comparison with other similar agencies and identified community demands and desires.

5.1 CURRENT NATIONAL AND STATE TRENDS IN PARKS AND RECREATION

In the coming years, national trends in the perception of the environment, socio-economics, technology, and in urban development will affect the need for and use of recreation and park facilities. In 2004 the National Recreation and Park Association (NRPA) developed a list of trends which will cause the greatest impact on local agencies planning for recreational facilities through the year 2020. The NRPA's list of pertinent trends that will affect Moreno Valley's planning efforts for developing recreation facilities and programs are as follows:

- A greater need for walking and biking on trails, sidewalks, within parks and along streets, and utility corridors.
- Collaboration between parks and schools to share construction, development, and use of lands and facilities.
- Preventive recreation, that is, recreation as an antidote for social problems.
- Recreation for groups limited by income, physical disability, language, or cultural barriers.
- Collaboration among program and facility providers, partnering and cooperation between public, private, and non-profit sectors, especially cultural organizations.
- Family recreation centers (Intergenerational Campuses) that offer a variety of services for each family member.
- Pressure to increase park capacity and infrastructure of existing parks and concern for adequate maintenance.
- Community volunteering opportunities, such as adopt a park projects, friends of the parks groups, and park watch programs.

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- Increased demand for tiny-tot and pre-school programs and activities.
- Protective measures for open space.
- Provision for aquatics programs and water safety instruction.
- Provision for senior citizen programs and activities.
- The need for financial sustainability in order to deliver quality recreation services and facilities.

Every one of these trends and issues describe the situation in Moreno Valley and must be taken into consideration, along with the demographic profile of the City, when the City sets its priorities for the future development and operation of its park and recreation delivery system.

5.2 COMMUNITY INPUT FROM PUBLIC OUTREACH

The Consultant Team, working with the City, utilized a number of input tools to conduct public outreach to solicit the public's opinions and requests about recreation program needs and facility desires, as well as their special insights into the operation of Parks and Recreation programs and services.

The public outreach tools used by the RGW Consultant Team included:

- ✓ A General Public Input Workshop
- ✓ Focus Workshop for Sports Groups
- ✓ Focus Workshop for Cultural Groups
- ✓ Focus Group Workshop for Human Services
- ✓ Stakeholder Interviews
- ✓ Community Phone Survey
- ✓ Sports Group Questionnaire
- ✓ Focus Group Workshop for Trails
- ✓ Community Services Staff Interviews
- ✓ E-mails and letters from the community
- ✓ Park Site and Facility Visit Intercepts

Intercepting people to talk to at City parks and facilities while doing the park and facility inventories was particularly helpful in gaining insight into how residents perceive the City's park and recreation programs and services and what they would like to see the City provide in the future.

Research Network Ltd. was retained to conduct the Community Phone Survey. The purpose of the survey was to obtain statistically valid, community-wide input on a variety of issues related to the Parks, Recreation and Open Space Comprehensive Master Plan.

The information gained from all of these input tools was analyzed and then summarized and incorporated into the document in the following sections and then used as a means of determining the policy recommendations and action items contained in Chapters 6 and 7 upon which the City can set and reach attainable

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goals for its delivery of a successful Parks, Recreation and Community Services system.

SUMMARY RESULTS OF STAKEHOLDER INTERVIEWS

The Consultant Team conducted in-person interviews with representatives of a number of stakeholder groups in the community that are involved in the delivery of programs and services to Moreno Valley residents. This was done to gain a perspective on the views and attitudes of a wide range of organizations and their leadership personnel to what they felt was important for the City to address in the Parks, Recreation and Open Space Comprehensive Master Plan. Since these people are involved on a daily basis in providing services and partnering with the City, it was important to seek their knowledge about issues, concerns and needs of the community in order to develop a big picture of what the Plan should address.

The stakeholder groups the Consultant Team interviewed included:

- ✓ AYSO Region 187
- ✓ Canyon Springs Little League
- ✓ Diamond Girls Softball Association
- ✓ Moreno Valley Youth Federation
- ✓ Moreno Valley Junior All American Football
- ✓ Moreno Valley Little League
- ✓ Val Verde Unified School District
- ✓ Moreno Valley USD
- ✓ Parks and Recreation Commission
- ✓ Moreno Valley Chamber of Commerce
- ✓ Moreno Valley Black Chamber of Commerce
- ✓ Moreno Valley Hispanic Chamber of Commerce
- ✓ Boy Scouts of America
- ✓ YMCA
- ✓ ACCESS to the Future
- ✓ Family Services Association
- ✓ Senior Citizens Club
- ✓ Morning Optimist Club of Moreno Valley
- ✓ Trailseekers
- ✓ Senior Citizens Board
- ✓ Moreno Valley Arts Commission
- ✓ Riverside Community College
- ✓ Master Chorale

These interviews provided valuable insight into community issues, how these organizations operate and deliver services, their facility and operational needs, their relationship with the City, their future plans, their funding methods, and their ability to be a part of future recommendations for meeting community demands.

In analyzing the comments and input from the interviews, it was apparent that there was a consensus of opinion on the major issues that are facing Moreno Valley in the future when it comes to delivering programs and services to the community. The major issues expressed were:

- Lack of facilities to deliver programs and services
- Lack of funding
- A culturally diverse community
- A high poverty rate in the community
- Lack of transportation services
- The disparity between upper income and lower income families
- Future growth
- The need to coordinate services and join forces
- Problems with gangs and juvenile crime

The strengths of Moreno Valley, and thus opportunities, they identified were:

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- High level of community talent
- Community spirit
- Open space
- Willingness of people to volunteer
- Cultural diversity
- Convenient location to all of Southern California

In each of the interviews, participants being interviewed were asked the question, "What do you think are the priorities for Moreno Valley that should be addressed in the Parks, Recreation and Open Space Comprehensive Master Plan?" There was a wide range of responses and opinions as to what the priorities for parks and facilities in Moreno Valley should be. All of those interviewed were very passionate about what they believe to be the priorities for Moreno Valley. The following is the list compiled from the interviews not in any priority order, just the priorities they wanted addressed in the Master Plan:

- Meeting room space for community groups
- Soccer and football fields
- Amphitheater for concerts and community events
- Gymnasium for basketball, volleyball & gymnastics
- Aquatic center
- Tennis facility
- Expanded Senior Center with outdoor facilities for shuffle board, bocce ball, and entertainment
- Teen/Youth center
- Human Services Center for a continuum of services
- Pocket parks for densely populated neighborhoods
- Music and dance studios
- Community events area
- Performing arts center
- More trails and bike lanes
- Local transportation system
- Graffiti removal and vandalism repair programs
- Lights on school fields
- More practice fields located in neighborhoods
- More room for after school programs at school sites
- Sports complex at March Field
- New library
- Additional park restrooms
- More park rangers
- More cultural diversity events
- Facility to showcase local talent
- Family fun center
- More skateboard parks
- Art fairs and a venue to showcase local artists
- Preservation of hillsides and open space
- New YMCA with fitness center, gym, and pool
- More neighborhood and community parks

The community issues, strengths and opportunities articulated in the interviews, along with the list of priorities expressed was one of the community outreach tools used to determine the recommendations from the demand and needs analysis. The other community outreach tools used follow in the subsequent sections.

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SUMMARY RESULTS OF THE COMMUNITY TELEPHONE SURVEY

Research Network Ltd. was retained to design and implement a resident telephone survey among current households of the City of Moreno Valley to assess resident attitudes and opinions relevant to the Parks, Recreation and Open Space Comprehensive Master Plan. You can review the entire **Telephone Survey Report** in **Appendix A**.

The subject areas of interest within the resident telephone survey included:

- One Feature that Makes Moreno Valley Desirable
- Recreation Information Sources Used
- Recreation Benefits Desired
- Frequency of Recreation Facility Usage
- Park Most Often Used in Last Year
- School Facility Most Often Used for Recreation
- Recreation Activities Participation
- Participation in Employer-Based Recreation
- Indoor Recreation Facility Use
- Rating City Recreation Facilities Maintenance
- One New Recreation Facility Desired
- Probable Use of Potential Future Facilities
- Age Distribution of Population
- Employment in Moreno Valley
- Ethnicity
- Household Composition
- Household Income

Sample Design: A total of 300 interviews were completed with adult household heads living in the City of Moreno Valley. These respondents were contacted through the use of a random digit dial sample. This sample methodology compensates for the incidence of unlisted telephone numbers.

When contact was made with a respondent, the interviewer confirmed eligibility for participation in the survey with a question confirming that their home was located within one of the zip codes present in the City of Moreno Valley (92551, 92553, 92555, 92557).

These ten-minute interviews were conducted via telephone by professional interviewers during the April 2008 fielding of the resident telephone survey using direct-entry computer technology. Skilled supervisors of the field organization edited all interviews conducted among Moreno Valley residents and 10% were validated for accuracy.

Margin of Error: A random sample survey is designed to interview a fraction of the households in a community with the desired outcome being that this survey group represents the opinions of those who were not surveyed. Such a random sample may, however, produce results that differ from those responses that would have been received if all households were interviewed. These differences are primarily

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generated as a result of what is known as "sample error." The degree of sample error is primarily determined by:

- The total number of completed interviews
- The number of possible responses to each question
- The distribution of responses to each question

The sample error for a sample size of 300 ranges from ± 2.5% (for a question with two response categories, distributed 5%/95%) to ± 5.8% (for a question with two response categories, distributed 50%/50%) at the 95% confidence level. This means that if we were to survey every household in Moreno Valley, we are confident that, 95% of the time, the results for a question (with two potential responses and a 50%/50% response distribution) would differ by less than 5.8 percentage points from the results derived from this sample.

The margin of error accrues to produce an answer range. For example, if a question derives a "blue" response from 50% of those asked the question, a random sample assumes that, 95% of the time, the actual percent of the entire population from which the sample is taken who would respond "blue" is between 44.2% and 55.8%.

It should be kept in mind that the margin of error may increase when subgroups of the full sample are being considered. This becomes important when comparing data for population subgroups based on categories such as sub-area, age, presence of children, or income. For example, the 95% confidence interval for a subgroup of 100 respondents yields an error range from ± 4.4% to ± 10%. Results for subgroups are only highlighted when we have a high degree of confidence that the differences that distinguish a subgroup from the overall sample are statistically reliable.

Questionnaire Design: The objectives of the design of the questionnaire not only accommodated those subject areas discussed previously, the questionnaire design included question wording and question order or rotation to mitigate bias in the inquiries. For example, the order of questions in a series can influence the responses given. To mitigate this, the order or position of such questions in a series was rotated.

All responses collected during the interviews were computer-processed and tabulations between question answers and selected subgroups were made. These tabulations, along with the entire phone survey results are included in **Appendix A**.

After a careful review of the responses to the Moreno Valley resident survey, Research Network Ltd. has gleaned the following highlights.

One Desirable Feature - More than one of every ten residents polled (12%) identified "Affordable Housing" as the one feature while an additional 8% reported "Close to Work." An equal share of 6% cited "Quality of Life" as well as "Growing Area." An additional 5% of households polled volunteered each of the following features: "Small Town Atmosphere," "Climate," "Location," "Quiet," and "Proximity to Shopping." Less than one of every twenty respondents (4%) volunteered the responses "Lack of Crime," "Open Space," and "Nothing Desirable."

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Recreation Benefits- More than one-third of the households polled (37%) stated that they seek physical fitness, health and well being benefits from their recreation choices. An additional one-third (33%) of respondents replied that opportunities to gather and socialize with others is the primary benefit they seek from recreation. Together, these two benefits were identified by 70% of those polled. The benefit of learning opportunities for hobby, self-improvement or career development was cited by 18% of those polled while the benefit from recreational opportunities to give back to the community through volunteer work was a priority for 12% of the City's responding residents.

Recreation Sources- Nearly one of every four residents polled (23%) stated that they get their recreation program and facility information from the City of Moreno Valley programs brochure while an additional 19% reported the Internet as their information source and 15% reported obtaining information from the City of Moreno Valley. More than one in ten respondents (11%) stated they obtain their information from the City of Moreno Valley website and an equal share use postings at recreation sites. Less than one of every ten respondents (9%) reported use of the newspaper while 6% stated they find their information in the telephone book. An additional 6% stated they use the "booklet/brochure" which likely refers to the City programs brochure, resulting in a total mention of 29%. "Word of mouth" or "school" was reportedly used as an information source by 5% of respondents each, while 3% of those polled stated their information was obtained by watching Channel 3.

Recreation Facility Use - More than one of every three households surveyed (38%) described themselves as a "frequent user" of parks and recreation facilities (patrons of facilities at least three times per month). A comparable share (36%) was identified as a "moderate user" (patrons of facilities at least two to twenty-four times annually) of recreation facilities during the past year. The remainder (26%) was labeled "light/non users" (patrons of facilities once per year and non-users).

Most Used Recreation Facility- The recreation facilities reportedly most often used by households polled included the Lake Perris State Recreation Area (7%), Morrison Park (5%), Moreno Valley Community Park (5%), Towngate Memorial Park (4%), John F. Kennedy Memorial Park (4%), Moreno Valley Conference and Recreation Center (4%), Celebration Park (4%), Woodland Park (4%), Sunnymead Park (3%), and Box Springs Regional Park (3%).

Most Used School - The most often received response was "none" (53%) indicating that no school facilities were used for neighborhood park types of activities. The school facilities reportedly most often used by households polled for recreation or cultural activities included Valley View High School (6%), Canyon Springs High School (4%), Moreno Valley High School (4%), Vista del Lago High School (3%), Edgemont Elementary (2%), Ridge Crest Elementary (2%), Riverside Community College (2%), and Armada Elementary (2%).

Employee Recreation - One in three households polled (34%) reported having a member employed in Moreno Valley who participated in employer-sponsored recreation at a location in Moreno Valley. The remainder of residents interviewed

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(66%), reported one or more members employed in the City who did not participate in such employer-sponsored recreation.

Recreation Activities - The tested activities cited as being undertaken by the largest portion of Moreno Valley residents surveyed were walking/jogging/running for recreation or fitness (75%), passive use of open grass/lawn areas in parks or recreation facilities (54%), and picnicking in developed sites (54%). bicycling for recreation/fitness was reported by 45% of those residents polled while three in ten polled households (31%) reported use of play equipment, tot lots. One in five households (27%) stated that one or more household members had played organized basketball games for youth or adults and a comparable share (26%) reported use of wet playground/spray play facilities. The activities reported next most often included skateboarding (23%), organized softball games for youth or adults (18%), golf (17%), organized league soccer games for adults (16%), organized football games for youth (15%), organized league soccer games for youth (15%), and organized league baseball games for youth (15%), use of a dog park (15%), and tennis (12%).

Indoor Facility Use - When asked about frequency of indoor recreation facility use, 23% of the sample of telephone respondents described themselves as a "frequent user" of indoor recreation facilities (patrons of indoor facilities at least three times per month). Less than one of every four residents (23%) was a "moderate user" (patrons at least two to twenty-four times annually) of indoor recreation facilities during the past year. The remainder (55%) was labeled "light/non users" (patrons of indoor facilities once per year and non-users).

Facilities Maintenance - When asked to rate the maintenance of recreation and parks facilities in the City of Moreno Valley, 81% of households polled rated parks maintenance as either "excellent" or "good."

One Desired Facility - The response most often reported was a desire for no additional new recreation facilities, volunteered by more than one of every five respondents (22%). The recreation facilities cited as most desired by Moreno Valley residents surveyed were swimming pool for recreation or lessons (10%), dog park (5%), playgrounds/tot lots (4%), skateboard park (4%), and walking/running/jogging paths (4%). The next most often mentioned facilities (each at 3%) included bike paths/trails, soccer fields, water games/water park, and baseball fields.

One Desired Program - The response most often reported was a desire for no new recreation programs, volunteered by nearly one of every three respondents (29%). The recreation program types most often mentioned included dance instruction or classes (7%), wwimming lessons (6%), aerobics, spinning, or fitness instruction or classes (5%), arts or crafts instruction or lessons (4%), reading, language, spelling or writing instruction or classes (4%), personal development or business instruction or classes (4%), martial arts classes (3%), cooking instruction or classes (2%), music instruction or classes (2%), early childhood development classes (2%), gymnastics instruction or classes (2%), and yoga, meditation, or stress relief instruction or classes (2%).

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Cultural Facility Needs **-** Households polled reported high likelihood of using all of the tested types of facilities, with the highest share of residents (80%) stating they would use a performing arts center and the smallest share (71%) stating they would visit art galleries, art festivals and events.

Demography **-** Key demographic characteristics (household composition and ethnicity) of households interviewed were compiled and reviewed against comparable benchmark data from the 2000 Census and/or the 2006 American Community Survey to conclude that the sample of respondents polled is a statistically reliable representation of the City of Moreno Valley as a whole.

Key Findings **-** In analyzing the above data from the resident phone survey, the Consultant Team prepared a list of pertinent facts that, along with the other community outreach tools, were used in determining the key findings from the demand and needs analysis. These facts include:

- 74% of population uses Moreno Valley park and recreation facilities/programs once a month or more
- 34% of the population use park facilities and/or programs through their work
- 45% of the population use indoor recreation facilities
- 81% of the population approve of the level of park maintenance provided by the City
- 80% of the population desires a performing arts center in the City
- 71% of the population want more cultural events
- People tend to use parks in their neighborhood the most
- The top 8 new recreation facilities desired by those surveyed were:
    - ✓ Aquatic center
    - ✓ Dog park
    - ✓ Tot lots
    - ✓ Skate parks
    - ✓ Trails
    - ✓ Soccer fields
    - ✓ Water splash/play areas
    - ✓ Softball/baseball fields
- Almost half of the population said they use indoor recreation facilities, yet the most requested new facilities are all outdoor facilities
- A high percentage of people use park and recreation through their work which is justification for considering a park impact fee on commercial/retail/industrial development
- A new performing arts center and more cultural programming is a high community demand

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- There was a high desire for neighborhood parks that are conveniently located and contain water play, dog park, skate park, trails, tot lots and sports fields. However, in the interviews and workshops people indicated these types of facilities should be centralized in large community facilities
- With such a high approval rate of park maintenance levels there doesn't appear to be a need to change the level of service, just to find funding to continue to provide at least the same level of service in the future

The input gained from the resident phone survey provided additional and significantly different input then that of the stakeholder interview public outreach process. This is why the consultant team uses a variety of public outreach tools to ensure all segments of the community are able to give their input.

ORGANIZED SPORTS GROUPS' QUESTIONNAIRE

There are a number of non-profit sports groups in Moreno Valley that provide sports programs for youth and adults in addition to the sports programs the City provides directly. The Moreno Valley Parks and Community Services Department provides field allocation and scheduling for all of these groups and meets with them on a regular basis to resolve conflicts.

In addition to a Focus Group meeting with the various youth and adult sport's organizations serving Moreno Valley, the Consultant Team prepared a written questionnaire for each group to fill out and submit so the current field usage and projected demand for fields could be determined.

A copy of the questionnaire is contained in **Appendix A**. From the data obtained the Consultant Team identified some key points affecting the sports groups:

- Lack of a centralized sport's complex with sufficient number of fields to host local and regional tournaments
- More lights are needed on school fields to increase available practice time
- The softball fields at March Field Park need improvements, especially new lights
- Open informal turf areas are needed in neighborhood parks for soccer and football practices
- It appears the number of softball and baseball fields currently available meet the current demand, however, there is a lack of soccer fields to meet the demand for soccer programs
- The sport's organizations are pleased with the City's scheduling and allocation of field space process
- There is satisfaction with field maintenance on City parks, except for fields at El Potrero Park; however, all groups sited a lack of proper maintenance on school fields

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- All sports groups want to expand tournament offerings and year around clubs and clinics

A summary of the results from the questionnaires received from the sports groups is contained in **Table 5.2.A – Summary Results from Sports Group Questionnaires**. The results show that these non-profit sports groups serve over 6,600 participants in the City. It also shows that most sports groups are going to year around programs, which is resulting in field use conflicts. Most sports groups show significant growth projections if new fields for both practice and games can be developed. All sports groups want more lights on fields to make available more practice time. Finally, there is demand and support for the development of a centralized sports complex in Moreno Valley for local and regional tournaments.

COMMUNITY INPUT WORKSHIPS

As part of the public outreach process to determine the needs and demands of the greater community with regards to parks, facilities, and recreation programs, the Consultant Team, along with city staff, conducted a number of community input workshops. A general community workshop was held where the public was invited to give their input on park and recreation needs and four focus workshops were conducted to gain input on specific issues dealing with sports groups, cultural arts groups, trails and human services agencies. The following is a summary and analysis of the key points brought out in each of the community input workshops:

General Community Workshop -
This workshop was held at the Conference and Recreation Center in the evening and about 50 people attended to give their input. The process used for the workshop included a public education program on the Master Plan process by RGW Consultants, which explained:

- ✓ Why are we doing a Park, Recreation and Open Space Comprehensive Master Plan?
- ✓ How does the process work?
- ✓ What tools are used to get public input?
- ✓ What results are we looking for?

RGW Design Group Consultants presented answers to these questions in order to inform and educate the attendees on the Master Plan process and show them how important their participation was to a successful Master Plan.

The Consultants then conducted two exercises for the people attending. The first exercise divided the room up into groups and each group was given a large tablet and asked to determine and list the three most important facilities the City of Moreno Valley is lacking or that they would like to see the City develop in the next five years; and the five most important recreation/cultural/social service programs the City should be offering to the community in the next five years. The group had to come to consensus and then present its priorities to the room.

The second exercise consisted of passing out a survey form that lists park and recreation facilities and programs down the left side of the form with a rating scale of 1 to 5 across the top. Each participant was asked to rank their priority for each facility

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and program from 1 to 5, one (1) being the highest priority for the City to provide to the community and 5 being the lowest priority for the City to provide.

The following are the results of the two exercises.

Group Exercise – In this exercise the room was divided into groups of 4-6 participants who work together to define the three most needed facilities in the next five years for the City of Moreno Valley and the five more important programs that they would like to see offered by the City. A summary of each group's consensus is as follows:

Group One:

Three most needed facilities:
1. Indoor sports facilities for volleyball, basketball, and indoor soccer
2. Performing arts center for visual and performing arts
3. Football fields

Five most needed programs:
1. Girl's sports
2. Teen programs and teen center
3. Tutoring and homework programs
4. Ice skating and roller skating programs
5. Homemaking classes including; sewing, cooking, etc.

Group Two:

Three most needed facilities:
1. Sports complex
2. More riparian areas and trails
3. Large central park with lots of amenities for children and families

Five most needed programs:
1. Programs and activities for kids
2. Cultural and fine arts programs
3. Childcare programs
4. Passive parks and nature programs
5. After-school programs

Group Three:

Three most needed facilities:
1. Bike paths
2. Transportation services
3. Expanded senior center

Five most needed programs:
1. Senior programs
2. Fitness programs
3. Anti-graffiti programs
4. Transportation services
5. Better information on existing programs

Group Four:

Three most needed facilities:
1. Performing arts center
2. Music and dance studios
3. Bike paths

Five most needed programs:
1. Music classes for youth, teens and adults
2. Dance classes and dances for teens
3. Family bike events
4. After-school programs
5. More sports programs

Group Five:

Three most needed facilities:
1. Major sports complex
2. Neighborhood parks
3. Performing arts center

Five most needed programs:
1. More youth activities
2. More senior activities
3. More City festivals and events
4. Music and dance classes
5. Programs for families

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Group Six:

Three most needed facilities:
1. Library / media center
2. Performing arts center
3. City zoo

Five most needed programs:
1. Journalism and writing programs
2. Performing arts classes
3. Computer instruction
4. Living skills for youth classes
5. Swim classes

Group Seven:

Three most needed facilities:
1. Aquatic complex
2. Roller and ice skating rink
3. Gymnasium

Five most needed programs:
1. Swim programs
2. More variety of contract classes
3. Performing arts classes
4. Band activities
5. Baseball

Group Eight:

Three most needed facilities:
1. Performing arts center
2. Museum
3. Lighted soccer fields

Five most needed programs:
1. Better way to advertise program information
2. Music and dance classes
3. Youth sports
4. Art and photo classes
5. Anti-graffiti programs

Individual Exercise:

Each individual attending the community workshop was given four colored dots, red, green, blue, and yellow. They were asked to proceed to a board located at the head of the room and place their dots next to a list of 70 types of park and recreation facilities and programs. Each participant only had four dots to place on what they felt was the most needed facility and programs for Moreno Valley. **Exhibit 5.2.A – Community Input Workshop – Individual Exercise Results** is a graphic of how the group placed their dots. The individual exercise produced different results for the most needed facilities and programs from the group exercise.

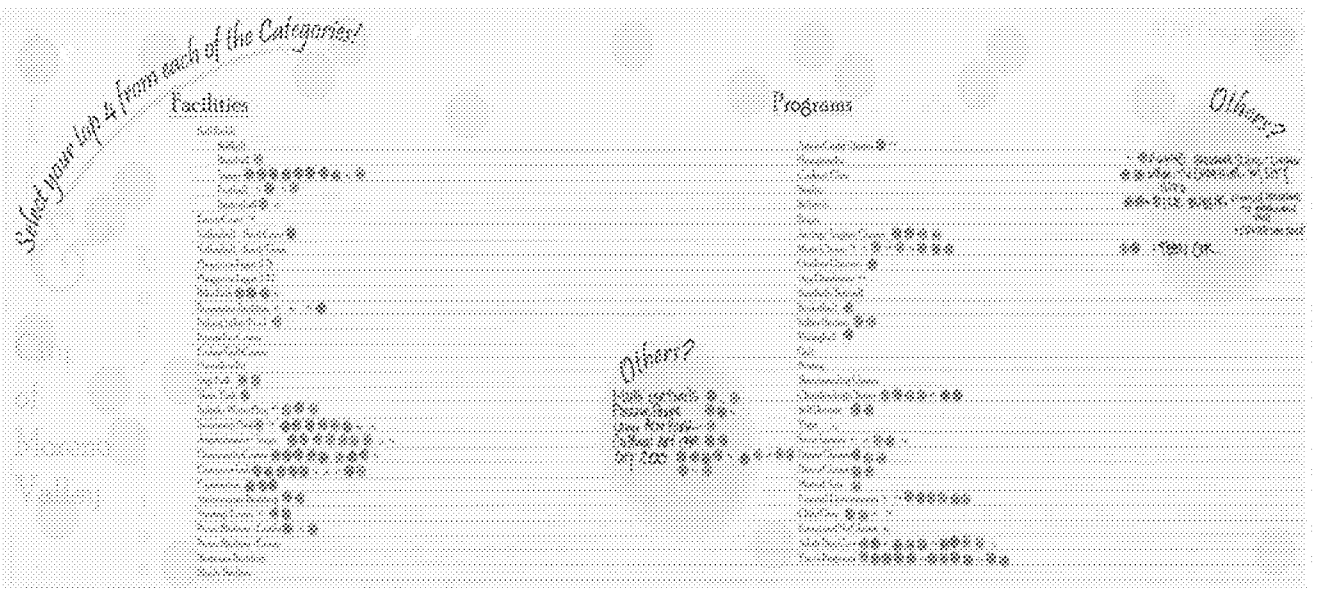

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Exhibit 5.2.A – Community Input Workshop - Individual Exercise Results

PRIORITIES FOR FACILITIES
- ✓ Soccer fields
- ✓ Aquatic center / swimming pool
- ✓ Amphitheater / stage
- ✓ Community center
- ✓ Computer lab
- ✓ City Zoo

PRIORITIES FOR PROGRAMS
- ✓ Youth and teen programs
- ✓ Adult day care
- ✓ Personal development programs
- ✓ Cheerleading classes
- ✓ Music classes
- ✓ Swim lessons

The participants attending the general public workshop presented a wide range of requests for facilities and programs. Several themes emerged from the workshop including:

- Need for youth and teen facilities and programs
- Shift from traditional recreation programs to education, self improvement, career path programs and performing arts activities
- Emphasis on family recreation
- Popularity of cultural programs and facilities

Arts Commission Community Workshop -
RGW Design Group Consultants and City staff attended the Saturday morning focus group workshop hosted by the Moreno Valley Arts Commission. The purpose of the workshop was to invite and gain input from a wide variety of community arts groups and artists as to what the cultural arts needs are in the city and how the City can work with community arts groups and artists to meet those needs.

About 30 people attended the workshop representing over 20 community arts groups and organizations and several individual artists in Moreno Valley. **Exhibit 5.2.B – Cultural Groups Assessment** is a spread sheet showing some of the cultural groups who attended and their contact information and requested future needs. Each agency or group attending was given the chance to assess the current facilities and art program offerings in Moreno Valley and express their desires for facilities and programs for the future.

The following is a summary of their input:

- There are several local dance groups in Moreno valley that need a place to perform
- City should talk to new management at the Mall to provide a venue for arts programs
- There needs to be more public awareness and public relations about cultural offerings in Moreno Valley

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- There should be a local publication for the arts with a calendar and information about cultural programs in Moreno Valley
- The internet should be used as a way to broadcast local performances.
- Recent growth has created a local audience so the City needs more venues for arts programming
- There needs to be a partnership developed between the Press Enterprise newspaper and the MV Arts Commission to inform and educate the community on arts and culture
- The City needs venues to display art work, particularly student art work and emerging artists who do not have private gallery connections
- There is a critical need for a new performing arts center with a proper stage and theater. Existing stages and theaters at the high schools are over used and are deteriorating due to lack of maintenance and improvements. While the Conference and Recreation Center stage is utilized by several groups, it is not a proper theatrical stage and theater
- If Moreno Valley had a performing arts center residents would not have to travel to Riverside, San Bernardino and Orange County for cultural activities
- The community wants more cultural events, and there should be a signature event to stimulate interest and support for the arts
- The current rental fees for parks and City facilities are too high for struggling non-profit arts groups. The City needs to provide an enticement to local arts groups by providing a lower fee for cultural programming by community arts groups
- The Arts Commission should look into developing a vehicle for local arts groups to get sponsorships from service clubs, businesses and help in grant writing
- There is a need for more cultural diversity events in the parks to bring people together and promote cultural understanding
- Mural programs are popular and should be looked into to reduce graffiti, provide artistic outlets, preserve history and beautify the community
- Need to work with and involve the schools in performing and visual arts programs
- There is a demand for studio space for dance and music. More classes for teens and youth are especially important

All of the attendees, as well as the Arts Commission, supported the concept of pursuing the development of a performing arts center in Moreno Valley. Some of the conceptual ideas included combining the performing arts center with a new library

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and sharing reception, conference room, restroom, and parking space. Adding a display gallery and studios and classrooms was also suggested. Other suggestions included a dual purpose performing arts center with two stages, one for concerts and music and one for theatrical productions. The consensus from the participants was that the Master Plan should address the need for a performing arts center and art venues throughout the City.

Focus Workshop for Sports Groups -
In addition to the sports groups questionnaire detailed above, the Consultants and staff conducted a focus group workshop for all of the groups who conduct youth and adult sports programs in Moreno Valley. The focus group workshop gave each of the sports groups an opportunity to give input into both what their specific needs for the future are and what they would like to see in the way of sports facilities developed in Moreno Valley. The key findings from this focus workshop include:

- There is a need for more lighted fields to extend practice time
- More school fields need to be developed for sports groups' use
- A centralized community sports complex is needed for both league games and to host local and regional tournaments
- The growth of most organizations is limited by the lack of available fields and practice facilities
- Sports groups are willing to pay field use fees to cover direct costs; however, fees must be reasonable or the non-profit groups will not be able to provide programs
- The City's process for allocating fields and scheduling between the various user demands works well and all of the groups appreciate the City's efforts.

Focus Group Workshop on Human Services -
RGW Consultants attended a Human Services Workshop sponsored by the Moreno Valley Unified School District where over 60 people representing 30 agencies that deliver social and human service programs to Moreno Valley residents attended. The main purpose of the workshop was to form a collaboration to provide a continuum of service between agencies and thus provide a more effective social and human services network to serve the community. The City of Moreno Valley plays a vital role in the delivery of social and human services to children, families and seniors. By collaborating with school districts for after-school day care programs, public safety on gang prevention and youth programs, and other public and non-profit agencies for senior citizen services, the City plays a key role in the social services network for Moreno Valley.

Focus Group Workshop for Trails –
RGW Consultants, along with staff, conducted a focus group workshop sponsored by the Moreno Valley Recreational Trails Board where the committee and interested citizens gave their input regarding the trails issues that should be addressed in the

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Parks, Recreation and Open Space Comprehensive Master Plan. It should be noted that the City does have a separate Trails Master Plan, and it is not in the scope of the Park, Recreation and Open Space Comprehensive Master Plan process to update the Trails Master Plan. However, trails are a recreation facility that a large segment of the population spends their leisure time on, and as such, it is important for the Parks, Recreation and Open Space Comprehensive Master Plan to address the demand and need for trails and consider trail issues in preparation of the Plan.

While the majority of discussion at the focus workshop on trails was on the need for the City to implement the Trails Master Plan, there were a number of comments and public input regarding several trail issues. A summary of the comments and issues includes:

- There is a need for trailheads and trail connections, example; Hidden Springs Paseo connects to Box Springs Park
- Brodiaea connection trail head would be a great one to do very soon, as it is an excellent area to park/ride and use as a starting point for bikes and or hiking
- Trails should be multi-use, not just for equestrians
- There needs to be trail connections to Perris Lake
- Currently motorized vehicles are not permitted. This is good! Trail policy suggestions:
    - ✓ Blocking or limiting of motorized vehicles to segways and power chairs used by non-mobile persons
    - ✓ Trails/connections that are horse friendly
    - ✓ Trails do not have to maintain urban feel could be rural
    - ✓ Crosswalk buttons should be located at a height for horse riders
    - ✓ Possibly integrating trails and horse trails into golf courses
    - ✓ Preservation of topography of Moreno Valley
- Currently users feel they are being limited on their options and choices due to the City and County's maternal approach
- Trails could possibly be located on flood channels? At Sunnymead Park and Perris there is an existing flood channel; there was talk of adding a trail here but it did not go through due to vandalism
- Development of industrial area is a possibility of multi use trails, although it seems that trails are the first thing to go when budgets get tight. City should require industrial builders to install trails as part of their ability to build within Moreno Valley
- When a developer comes in and a proposed trail or existing one is affected, the possibility of relocating the trail rather than not putting one in at all would be an equitable solution

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- March AFB is a great opportunity to provide connections to and from Moreno Valley via multiuse trails
- Need and want of more horse trails on the south side of the freeway
- Equestrian Center located above the freeway makes it hard for connections
- Sinclair crossing is very important ingress/egress

5.3 SUMMARY ANALYSIS OF PUBLIC OUTREACH

As stated above a total of eleven different public outreach tools were used to gather the above public input for the Parks, Recreation and Open Space Comprehensive Master Plan. **Exhibit 5.3.A – Summary Results of Public Outreach** is an analysis of the programs and facilities requested during all of the public outreach tools. The Consultant Team kept track of every request made for a program or facility while conducting each of the public outreach tools. All of the requests are listed in **Exhibit 5.3.A – Summary Results of Public Outreach** and a value was given to each request for each outreach tool it was requested in. The number of requests was then divided by the number of outreach tools to get a "Request Rating" which is an indication of the popularity of the request when all outreach tools are considered.

The results of this analysis, while not scientific, does give a relative comparison of programs and facilities requested by the public so that the City can see the demand or requests made for programs and facilities in light of demand or requests made for other programs and facilities. The "Request Rating Percentage" represents the popularity of the program/facility category relative to the other program/facility categories. The ratings were used as one tool to determine priorities for recommendations for programs and facilities in Chapter's 6 and 7.

Theoretically, if the Moreno Valley Parks and Community Services Department would provide all of the programs and facilities listed, it would meet all of the needs and demands requested by the public during the public outreach process. In reality, the City may or may not be able to address or provide all of the programs and facilities listed; so there needs to be a way to determine what the greatest demand from the public outreach is and then make decisions accordingly. The Request Rating is an attempt to provide a perspective as to the level of demand for each program/facility category. The following is a summary of the Request Ratings:

Request Rating for Sports Facilities	59%
Request Rating for Teen Programs	55%
Request Rating for Adult Programs	52%
Request Rating for Senior Programs	48%
Request Rating for Cultural Programs	45%

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Request Rating for Aquatics	42%
Request Rating for Youth Programs	34%
Request Rating for Special Interest Programs	32%
Request Rating for Community Events	31%
Request Rating for Special Use Activities	15%
Request Rating for Extreme Sports	14%

This analysis shows that requests for sports programs and facilities scored the highest during the public outreach process. Requests for adult, teen, senior, cultural and aquatic programs also scored very high. While the other program and facility categories were less requested, they still represent needs and desires of the community and should be addressed if resources allow.

5.4 PARKLAND COMPARISON ANALYSIS

The following table compares parkland and park standards of Moreno Valley with those of cities with similar populations and demographics. The cities chosen for comparison are the same cities Moreno Valley uses to compare itself with for wage determination and city fee ordinances.

Moreno Valley has three parks less than the comparison average for number of parks, and it has 70 less acres of parkland than the comparison average. In terms of parkland per thousand of population, Moreno Valley is about 3/4 acre per thousand of population less than the comparison average. The fact that Moreno Valley is above the comparison average in population and below the comparison average in parkland per 100 population means there is less park space per resident in Moreno Valley than in the comparison cities. However, Moreno Valley's Box Springs County Regional Park and Lake Perris State Park gives Moreno Valley residents additional park space that is not shown in the comparisons. Still, there is a future need to increase the acreage of neighborhood and community parkland in Moreno Valley.

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Comparison Average	Moreno Valley
# of Parks	34	36	15	54	36	35	34
Total Acres	440	310	111.4	931.52	351	428	393
Population	147,500	188,500	51,397	311,575	101,000	159,994	184,000
Ac/1000 Pop	2.98	1.64	2.16	2.99	3.47	2.65	2.14
GP Std	3.5	5	3	3	5		3
Surplus / (Deficiency)	(.52)	(3.36)	(.84)	(.1)	(1.53)	(1.27)	(.86)

Table 5.4.A – Parkland Acreage Comparison Analysis

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5.5 FACILITY COMPARISON ANALYSIS

This next table compares the nine most requested new recreation facilities identified in the citywide resident phone survey and community workshops with the number of like facilities in the comparison cities used for parkland comparisons. Some of the trends or key findings include:

- 4 of the 5 cities surveyed have developed aquatic centers, which Moreno Valley does not have
- Only 2 of the 5 cities have dog parks, which Moreno Valley does have
- Moreno Valley has a few less tot lots than the other cities
- 3 of the 5 cities have skate parks, as does Moreno Valley
- All 5 cities have developed a community sports complex, which Moreno Valley has plans to do
- 4 of the 5 cities have a park with a splash/water feature, as does Moreno Valley
- 4 of the 5 cities have a dedicated teen center, which Moreno Valley does not
- All cities have a dedicated senior center including Moreno Valley
- The cities that have all of the requested facilities are Fontana, Riverside and Temecula

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Moreno Valley
Aquatic Center	No	Yes	No	Yes	Yes	No
Dog Park	No	Yes	No	Yes	Yes	Yes
Tot Lots	30	37	7	61	28	27
Skate Parks	No	Yes	No	Yes	Yes	Yes
Trails	Yes	Yes	No	Yes	Yes	Yes
Sports Complex	Yes	Yes	No	Yes	Yes	No
Water Feature	Yes	Yes	No	Yes	Yes	Yes
Teen Center	No	Yes	No	Yes	Yes	No
Senior Center	Yes	Yes	Yes	Yes	Yes	Yes

Table 5.5.A – Facility Comparison Analysis

The next table compares the number of cultural facilities most requested during the public outreach process with the number of cultural facilities available to residents of the comparison cities.

Some key findings include:

- Three cities including Fontana, Riverside and Temecula have all the cultural facilities requested for Moreno Valley
- Three of the cities have a performing arts center, which was the most requested cultural facility for Moreno Valley

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- All of the survey cities have a community amphitheater/stage and offer a wide variety of community events at the amphitheater site
- All of the cities have at least one museum, as does Moreno Valley
- Three of the five cities have public gallery space for local artists to display

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Moreno Valley
Performing Arts Center	No	Yes	Yes	Yes	Yes	No
Dance & Music Studios	Yes	Yes	No	Yes	Yes	No
Library	Yes	Yes	Yes	Yes	Yes	Yes
Amphitheater with Stage	Yes	Yes	Yes	Yes	Yes	No
Museum	Yes	Yes	Yes	Yes	Yes	Yes
Art Gallery	No	Yes	No	Yes	Yes	No

Table 5.5.B – Programs Comparison Analysis

5.6 KEY FINDINGS AND SUMMARY OF DEMAND ANALYSIS

The public outreach tools provide a wide range of input into what the community would like to have for its parks, facilities, recreation and cultural programs. The types of facilities and programs requested during the input process followed along the lines of the national and state trends explained in Section 5.2. Moreno Valley residents are concerned with and want facilities and programs that address fitness, preventive recreation as an antidote for social problems, family recreation and cultural opportunities, volunteering, protecting open space, places to perform, indoor recreation, sports facilities and aquatic programs. This is what they perceive as a successful park and recreation delivery system.

Sports facilities and sports programs were the most requested recreation category. This is due to the public's desire for youth and adult programs that promote fitness and exercise, involve people in positive activities, offer opportunities for volunteering, and bridge ethnic barriers. They perceive sports programs as antidote for social problems by providing positive use of leisure time and a chance for self growth and confidence. It was clear during the public input that sports facilities and programs are important to Moreno Valley residents.

Another important category to Moreno Valley residents was cultural facilities and programs. Again, there were numerous comments about cultural programs being the solution to social problems. Creative outlets, chances to socialize in a productive way, promotion of ethnic understanding and chances to learn were all mentioned as the benefits of including cultural facilities and programs in the park and recreation delivery system.

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Aquatic facilities and programs received a high request rate, especially from the general public in the resident phone survey. Making kids water safe, opportunities to cool down in the summer, year round swim fitness programs, competition swimming, mommy and me and family recreation opportunities were all comments received as to why aquatic programs were important to residents.

Participating in recreational activities through their work and place of business was indicated by a high percentage of Moreno Valley residents. Companies and businesses realize that fit, healthy and happy employees are more productive and reduce health care costs and reduce office gossip and social problems. Encouraging employees to recreate together also builds team work and creates a family atmosphere at work. A successful park and recreation system in a community also acts as a recruiting tool for business.

Just as people want to live in a city that a multitude of recreation and leisure time opportunities are available, people want to work in areas where they can recreate before or after work, or during their lunch hour. Being able to walk for fitness in a secure, safe and attractive environment was the biggest response for the type of recreation people participated in at work. Lunch time basketball programs, fitness classes and workout equipment were also high on the list of comments of how people recreate while at work. Participating in team sports, especially softball and volleyball leagues with follow employees was also sited as a work benefit.

Finally, people said they enjoyed and felt a part of the community when their business or company participated in community events and supported good causes in the community.

Targeted activities for specific age groups were a common theme in each of the public outreach tools. While family recreation was identified as being necessary for a successful park and recreation system, specific programs appealing to youth, teens, adults and seniors were repeated as desirable in each of the public input tools conducted.

There seems to be a wide variety of opinions as to what facilities are needed in Moreno Valley in the future to meet community needs for recreation and cultural activities. There were very ambitious requests for facilities like a City zoo to provide education and attract tourists and requests for a large central park like Mile Square Park in Orange County that would contain lots of recreation amenities for both locals and tourists.

Cultural facilities, especially a performing arts center, were eluted to as being necessary in almost every public outreach tool used to gain public input into what Moreno Valley needs in the future. Several suggested that a multi-purpose performing arts center with studio and classroom space, as well as, gallery space would benefit and serve the community. With Moreno Valley's diverse culture and abundance of local talent that needs places to create and perform a performing arts center is highly desirable. Some suggested that a performing arts center should be

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incorporated into a new library/media center to build community support for both facilities and share land and costs for development.

While most participants acknowledged that these ambitious projects would be nice to have in Moreno Valley and should be considered as desirable in the parks and recreation master plan, most were more concerned with the City's ability to meet basic recreation needs for neighborhood parks and community parks that contained the types of facilities that would allow the City and community groups to deliver a comprehensive parks and recreation system of programs for youth through senior citizens.

After analyzing all of the community input the Consultant Team put together the following list of facility and program needs identified in the input process that should be addressed in the parks and recreation master plan so that recommendations and implementation strategies can be developed for City consideration.

The list is divided into categories matching those in **Table 5.3.A – Summary Results of Public Outreach**.

Sports Facilities

- Need more lights for school fields to increase practice time
- Need for a sports complex for league and tournament play with multi-sized soccer fields that can also accommodate football
- Inclusion of sports fields in future neighborhood and community park development
- Need to replace the lighting system on the softball fields at March Field Park
- Utilization of the existing roller hockey arena for more teen and family programming
- Including multi-purpose exercise rooms in future community centers
- Finding ways to partner with schools to open more school fields for community sports groups
- More sports programming for seniors

Teen Programs

- A way to provide a dedicated center for teen activities that would include homework/tutoring assistance, media center, entertainment, and supervised sports programming
- Need to involve teens in environmental programs

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- Need to promote and provide meeting room space for scouting and other positive specialized programs for teens
- Offering more contract classes aimed at teens, such as cheerleading, drill team, dance lessons, roller skating, skateboarding, golf, music, acting, singing, etc
- Looking at ways to implement a teen mentoring program
- Addressing teen transportation needs
- Incorporating more activities specifically for teens at community events and concerts, such as talent shows, places to exhibit artwork, extreme sports exhibitions, and special competitions

Adult Programs

- More fitness and wellness facilities and classes
- Need for more self-improvement classes and activities
- Address the need for more meeting room space for clubs, organizations, parties, etc
- More soccer fields for adult soccer programs
- Need more before and after work program offerings and lunch hour fitness programs
- Recruitment and training of adult volunteers

Senior Programs

- Need to expand Senior Center with more classroom space, outdoor activity space and entertainment areas
- More socializing programs like holiday events, dances, themed parties and entertainment events
- Need for more Adult Day Care facilities
- Need to address needs of minority seniors and implement programs to attract them to the center
- Increased sports and fitness offerings for seniors

Cultural Programs

- Address the need for the community's desire for a multi-purpose performing arts center

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- Need places for local talent to perform, both indoors and outdoors
- More culturally oriented community events
- Places for local artists to display
- More performing, music, dance and other fine arts classes and activity offerings
- Supporting and expanding museums for education and destination attraction
- Development of an amphitheater/stage for outdoor entertainment and community festivals
- Better vehicle for providing community information on cultural activities
- Address the need for a new library/media center
- Exploring the opportunities to partner a new library/media center with a performing arts center

Aquatics

- Year round swim lessons, parent and child classes and water safety instruction
- An aquatics complex that is financially sustainable offering recreational swim, competitions, rentals, concessions, swim fitness and therapy programs
- Splash/water play features in local neighborhood and community parks

Youth Programs

- Continuing and expanding offerings for after school programs
- Working with schools for dedicated facilities for after school programs
- More fitness programs for youth
- The need for child care facilities
- More children's tot lots and play equipment
- Working with non-profits to increase program offerings and youth activities to the community

Special Interest Activities

- Address the need for more bike paths

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- More areas for walking and jogging
- Need for family and group picnic shelters
- Expanding equestrian facilities/trails
- Consider an Adopt-A-Park program
- Consider options for a possible City zoo
- Consider options for a nature center/environmental park

Community Events

- Look for financial ways to do more community festivals, concerts and holiday events
- Address the need for an area to host art fairs, farmers markets, expositions, promoter events, memorial programs, and other targeted audience events
- Include event areas in the design for new community parks
- Include more fitness activities in community events

Special Use Activities

- Explore ways to develop hiking trails and hiking programs
- Look at possibilities for a large central park that could be developed over the years to provide lots of recreation amenities for locals and visitors
- Include dog parks in future neighborhood park developments
- Include water features in future community park development
- Include park restrooms whenever a sports field is included in a park design
- Look for ways to increase off-site parking at existing parks and facilities and include adequate off-site parking in new park designs
- Look at options for including required paths/walkways/trails in new business and industrial development
- Include pads for inflatable toys or other birthday amenities when designing neighborhood parks
- Explore options for attracting a commercial family fun center to the City

Extreme Sports

- Consider expanding skate parks

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- Explore options for indoor or outdoor rock climbing opportunities
- Look for areas to add par-courses to the trail system
- Explore ways to include extreme sports in community events

Conclusion

Taking into consideration the national and state recreational trends, the Consultant Team feels the key issues listed above are the priority needs and demands to be addressed in the Parks, Recreation and Open Space Comprehensive Master Plan that will provide the basis for the Consultant Team's recommendations for facilities and development policies contained in Section 6 and Section 7.

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Table 5.2 A - Summary Results of Sports Group Questionnaires

Name of Organization	# of Fields Used	Total Participants	Projected Growth in 5 Years	Age Group Served	Do You Need Additional Fields? *	Does Your Field Use Conflict with Another Sport?	Sports Season	Future Needs?
MV Jr. All American Football	2	300	40%	5 - 15	G, P, L	Soccer	Fall-Winter	Concession, Lights, Goal Posts
Diamond Girls' Softball	17	500	50%	5 - 16	P, L	Baseball, Soccer	Fall-Spring	4 Fields, Lights, Dirt Infields
F.C.M.V. Soccer	2	200	10% +	8 - 16	P, L	No	All Year	Better Field Maint, 4 Lighted Fields
Inland United Soccer Club	2	300	60%	5 - 18	G, P, L	Football, AYSO	All Year	6 Tournament Fields
Inland United Brasil	5	270	50% +	8 - 18	G, P, L	All other sports	All Year	6 Tournament Fields
RB Jr. All American Football	2	200	10% +	5 - 15	G, P, L	Soccer	Fall-Winter	Lights, Practice Fields
MV Soccer League	5	1000	50% +	Adult	G, P, L	Football, AYSO	All Year	Game & Practice Fields, Lights
MV Pop Warner Football	2	260	10% +	5 - 15	P, L	Soccer	Fall-Winter	Practice Fields, Lights
MV AYSO	14	2700	50%	5 -18	G, P, L	Football	All Year	6 Tournament Fields, Lights
Canyon Springs Little League	10	450	5%	5 - 18	P, L	No	Winter-Summer	Improved School Fields
Moreno Valley Little League	10	460	5%	5 - 18	P, L	No	Winter-Summer	Improved School Fields
Total Participants		6,640						

(Does not include those participating in Moreno Valley Parks and Community Services Sports Programs)

* Note: G = Game Fields, P = Practice Fields, L = Lights

Exhibit 5.2.B - Cultural Groups Assessment

Group/Artist	Riverside Youth Theatre	Hula Pikake	Patricia Korzec	MuscArk and Moreno Valley Cultural Art Foundation	Dancing Images
Contact	Debbie Wolgemuth	Virgil Chancy		Cary Eatmon	Suzi Zuppardo
Phone	(951) 756-4240	(760) 217-8077	(951) 347-4555	(951) 656-4728	(951) 247-6858
Address	24200 Shady Ridge Circle	PO Box 7818	27439 Laural Court	22918 Pahute Drive	24594 Sunnymead Boulevard, Suite R
City	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley
Zip	92557	92552	92555	92553	92553
Email	RiversideYouthTheatre@msn.com	vichancy@yahoo.com	pskorzec@aol.com	caryeatmon@yahoo.com	didcenter@cs.com
Website	www.RiversideYouthTheatre.org				
Specialty	Theatre	Hawaiian dance	Painting	Recording/video website	Dance
# of Years	9 years	5 years	4 years	8 years	29 years
Private or 501C	501C	Private	Private	501C	Private
Annual Budget	$89,100			$200,000	$90,000/$45,000
Funding	Donations (5%); Dues (29%); Tickets (60%), Other (6%)			Fundraisers ($20,000)	Fundraisers, dues, tickets
Venues	Churches, Colleges	Luaus, parties, City		Website	Schools
Upcoming Performances	Elton John & Tim Rice's Aida 5/08; Disney's Aristocats and Andrew Lloyd Webbers Cats (8/08); Fiddler on the Roof (1/09); Wallace Theatre, California Baptist University	City of Riverside (6/08)		Short film contests	Annual concert 8/08, Colony HS
Greatest Need	Own facility	Funding for families that have shown commitment	Place to hang art in City	Sound stage for film and broadcasting	Local venues to perform; help setting up 501C; grant assistance

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Group/Artist	Moreno Valley Art Assoc - DISBANDING	Moreno Valley Community Band	Agustin Equihua-Ortiz	Don Phillips	Minister Sandts Rountree
Contact	Lauretta Phillips	Robert Miller			
Phone	(951) 247-4848	(951) 485-2344	(951) 743-3274	(951) 247-4848	(951) 314-7801
Address	14703 Grandview Drive	23920 Pine Field Drive	13061 Ninebark Street	14703 Grandview Drive	PO Box 7423
City	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley
Zip	92553	92557	92553	92553	92552
Email	ritaiorob@roadrunner.com	chapuys@adi.com	equihua357@yahoo.com	dondovie@adelphia.net	jmr4him@yahoo.com, srountree@mvusd.k12.ca.us
Website					
Specialty		Concert/swing bands	Visual arts	Writing	Choral, instrumental
# of Years	27 years	15 years	17 years		15 years
Private or 501C	501C	501C	Private	Private	Private
Annual Budget	Covers overhead	$20,000			$75,000
Funding	Donations, dues	Grants ($5,000); Donations ($15,000); Fundraisers ($1,000)	Commissions		Lesson fees
Venues	Edgemont Women's Club	Landis Auditorium, Moreno Valley CRC			Churches, schools
Upcoming Performances		"British are Coming" 4/24/08 CRC; "Sounds of Freedom" 6/5/08 CRC	Art show in Los Angeles; group shows; commissions; art classes in Redlands		Gospel concert 9/08; Mountain View Middle School Festival of Arts
Greatest Need	Places to show		Public art; art workshop for youth; funding and venues for display	He is starting a writers group open to all writers.	A place to teach for my business with equipment, keyboard, guitars, secure place to store.

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Group/Artist	Sharon Clements	Anna Christian	Moreno Valley Master Chorale	Emily Paul	Canyon Springs HS	Canyon Springs HS
Contact			Tim Caszatt and Marcus Van Hala		Elizabeth Bega	Dave Torbert
Phone	(951) 653-0945	(951) 247-2519	(951) 247-9261 (Caszatt); (951) 485-8414 (Van Hala)	(951) 242-7752	(951) 230-2189	(951) 571-4760
Address	13534 Pan Am Blvd.	PO Box 1266	PO Box 1221	26482 Prairie Lane	23100 Cougar Canyon Drive	23100 Cougar Canyon Drive
City	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley
Zip	92553	92556-1266	92556	92555	92557	92557
Email	psments1@aol.com	gema118@hotmail.com	cazmit@roadrunner.com	EJPShultz@aol.com		dtorbert@mvusd.k12.ca.us
Website						
Specialty	Theatre, storytelling	Writing, singing	Choral music	Music - piano	Painting	Drawing and painting
# of Years			22 years	50 years	8 years	50 yers
Private or 501C			501C	Private		District
Annual Budget			$15,000- $20,000			Varies
Funding			Grants ($5,000); donations (under $1,000); dues ($4,000) tickets (under $1,000)			District funding
Venues			Churches, school, CRC, Loma Linda Campus Church, Palm Springs Adventist Church; parades, ribbon cuttings, festivals, outdoor gatherings	Churches	Canyon Springs Art Show 5/08	Schools - Displays/Shows 5/08
Upcoming Performances			Loma Linda 3/08; Shepherd of the Valley 3/08; Vista Del Lago HS 6/08		Money for supplies and field trips where students can have experiences that they wouldn't otherwise get.	Venue to show student art outside of school with ability to sell work.
Greatest Need	Interested in participation in theatre arts, storytelling, arts & crafts.Interested in signature event.		400-500 seat performance center in safe area; consistent advertising in Press Enterprise; marquee advertising City arts events outside CRC; grand piano on site; affordable center for 501C; events posted on City website; posters/flyers displayed at CRC			

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TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Aquatics												
Swim Lessons	1	1		1	1	1	1		1		1	8
Recreational Swim	1	1		1	1	1	1		1		1	8
Competitive Swim	1	1			1	1				1		5
Lap Swimming	1									1		2
Water Polo	1				1							2
Mommy & Me Swim	1				1	1				1	1	5
Water Exercise	1			1						1		3
Aquatic Birthday Parties	1									1		2
Therapy Pool	1											1
Zero Depth Entry Pool	1	1			1	1						4
Splash/Water Play Pool	1	1			1	1						4
Senior Citizen Water Exercise Classes	1			1								2
Request Rating for Aquatics												**42%**
Sports Facilities												
Youth Soccer	1	1		1	1	1	1			1	1	8
Adult Soccer	1	1		1	1	1	1			1	1	8
Youth Football	1	1			1	1	1					5
Basketball	1	1		1	1	1	1			1	1	8
Boxing	1			1							1	3
Baseball	1	1			1	1	1					5
Softball	1	1			1	1	1					5
Golf	1	1								1	1	4
Gymnastics	1				1					1		3
Track	1				1							2
Cross Country	1				1							2
Volleyball	1	1								1	1	4
Horseshoes	1											1
Shuffleboard	1											1
Lawn Bowling	1											1
Frisbee Golf	1											1
Ice Skating/Roller Skating	1											1
Tennis	1				1	1						3
Request Rating for Sports Facilities												**59%**

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TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Extreme Sports												
Skateboarding	1			1	1	1					1	5
BMX											1	1
Rock Climbing	1										1	2
Paint Ball											1	1
Laser Tag											1	1
Par Course/Obstacle Fitness Course	1							1	1		1	4
Off Road Vehicle Park	1											1
Request Rating for Extreme Sports												**14%**
Community Events												
Festivals	1		1	1	1	1				1	1	7
Concerts	1		1	1	1	1			1	1	1	8
Holiday Events	1		1									2
Art Fairs	1		1		1							3
Farmers Market	1		1		1							3
Expositions	1		1	1	1							4
Environmental Events	1		1									2
Outdoor Movie Nights	1					1					1	3
Memorial Programs	1		1									2
Request Rating for Community Events												**31%**
Youth Programs												
Tiny Tots Pre School Program	1			1	1	1				1		5
Church Youth Programs				1							1	2
Parent & Baby Exercise Classes					1							1
Kids Craft Classes	1		1		1	1						4
Kids Dance Classes	1		1		1	1					1	5
Kids Gymnastics	1											1
Youth Fitness Programs	1	1		1	1	1						5
After School Programs	1	1	1	1	1	1				1	1	8
Child Care	1			1	1	1						4
Children's Play Equipment	1				1							2
Request Rating for Youth Programs												**34%**

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TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Teen Programs												
Academic/Homework Assistance	1			1	1	1						4
Computer Lab	1			1								2
After School Drop In Programs	1			1								2
Teen Dances	1		1	1	1	1						5
Teen Dance Lessons	1		1			1						3
Teen Talent Shows			1									1
Teen Environmental Activities	1				1							2
Gang Diversion Programs	1	1	1	1	1							5
Teen Fitness Programs	1	1			1							3
Scouting	1					1						2
Equestrian Activities	1							1				2
Special Needs Programs	1				1							2
Community Center	1			1		1					1	4
Gymnasium	1	1								1		3
Cheerleading	1											1
Teen Concerts	1		1									2
Teen Employment Help Programs	1			1	1							3
Safe Place for Teens to Hang Out	1		1	1	1	1				1		6
Teen Transportation	1	1	1	1	1	1		1		1	1	9
Request Rating for Teen Programs												**55%**
Adult Programs												
Aerobic Classes	1					1						2
Yoga Classes	1					1						2
Wellness Programs	1			1		1						3
Fitness Programs	1	1			1	1				1		5
Dance Lessons	1		1			1						3
Cooking Classes	1					1						2
Arts & Crafts Classes	1		1		1	1						4
Golf Lessons	1					1						2
Hiking	1				1			1			1	4
Jogging	1					1					1	3
Bicycling	1				1	1		1				4
Off Road Activities											1	1
Sewing Classes			1									1
Self Improvement Classes	1			1		1						3
Meeting Room Space/Clubs/Organizations	1	1	1	1	1	1				1	1	8
Self Defense for Women						1						1
Music Lessons	1		1			1						3

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TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Adult Programs (cont.)												
Acting & Singing Lessons	1		1									2
Photography			1									1
Scrapbooking			1									1
T'ai Chi											1	1
Pilates											1	1
Request Rating for Adult Programs												**52%**
Senior Citizen Programs												
Meals/Nutrition	1			1								2
Financial/Retirement/Investing Counseling				1								1
Exercise Classes	1				1	1						3
Cards						1						1
Pool Table						1					1	2
Dances	1		1			1					1	4
Senior Employment Services	1											1
Senior Transportation	1		1		1						1	4
Socializing Programs	1			1								2
Holiday Parties	1										1	2
Excursions	1										1	2
Dance Classes	1		1			1						3
Music Classes	1		1			1						3
Arts & Crafts Classes	1		1			1						3
Computer Training	1											1
Support Groups				1								1
Discussion Groups				1								1
Adult Day Care	1			1	1							3
Singles Outings											1	1
Weekly Movies											1	1
Bingo	1											1
Self Improvement Classes	1											1
Indoor & Outdoor Lounge/Relaxing Area	1			1	1						1	4
Lawn Bowling											1	1
Guest Speakers											1	1
Flu Shots				1								1
Senior Expo				1								1
Game Room	1											1
Crafts Studio	1											1
Request Rating for Senior Programs												**48%**

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TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Special Use Activities												
Hiking Programs	1							1				2
Nature Trails	1				1	1		1				4
Equestrian Competition/Boarding								1				1
Trail Rides								1				1
Dog Parks	1				1	1			1	1	1	6
5K/10K Runs	1				1	1						3
Request Rating for Special Use Activities												**15%**
Cultural Programs												0
Museum Programs	1		1			1						3
Library Programs	1		1	1	1	1				1	1	7
Outdoor Education	1				1	1		1				4
Performing Arts	1		1	1	1	1			1	1	1	8
Ampitheater/Stage	1		1									2
Visual Arts	1		1		1							3
Art in Public Places	1		1		1					1	1	5
Science Programs	1		1								1	3
Places to Perform	1		1		1	1				1	1	6
Places to Display	1		1									2
Concerts	1		1		1	1				1	1	6
Request Rating for Cultural Programs												**45%**
Special Interest Activities												
Bike Paths	1				1			1				3
Equestrian Facilities	1							1				2
Fishing Lake/Pond	1											1
Meeting Rooms	1	1	1	1	1	1					1	7
Picnic Shelters	1										1	2
Park Restrooms	1	1					1				1	4
City Zoo	1											1
Transportation Services	1		1	1								3
Opportunities to Volunteer	1	1	1	1	1	1		1		1	1	9
Adopt-A-Park Program	1			1						1		3
Request Rating for Special Interest Programs												**32%**

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SECTION 6 PARK LAND DEDICATION AND IMPACT FEES

INTRODUCTION / METHODOLOGY

EVALUATION OF EXISTING FEE ORDINANCES

ESTABLISHING A BUSINESS COMMUNITY SERVICES DISTRICT

OVERVIEW OF FUNDING / FINANCING PARKS AND RECREATION

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6.0 INTRODUCTION/METHODOLOGY

Park standards are generally established through an acreage requirement or facility requirement per 1,000 residents. The Subdivision Map Act and the Quimby Act (Section 66477 of the Government Code) relating to parkland dedication allows cities whose general plan contains policies and standards for park and recreation facilities to adopt by ordinance a parkland dedication requirement or in-lieu fees on residential subdivisions.

The Moreno Valley General Plan calls for a park standard of 3 acres per 1,000 of population which is the minimum parkland dedication allowed by the Quimby Act for residential subdivisions.

The way cities determine their park acreage varies among agencies. Some cities only count city owned parkland in their calculation of total parkland acres. Others count city owned parkland and parkland that the city has access to for park purposes by agreement with other agencies, such as schools, county or state facilities or other public agency land like BLM land.

The methodology used by the Consultant Team for calculating Moreno Valley's parkland acreage in order to measure Moreno Valley against other comparable cities was to only count the City of Moreno Valley owned park acreage. The same calculation method was used for the comparison cities. The following chart shows this assessment.

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Comparison Average	Moreno Valley
# of Parks	34	36	15	54	36	35	34
Total Acres	440	310	111.4	931.52	351	428	393
Population	147,500	188,500	51,397	311,575	101,000	159,994	184,000
Ac/1000 Pop	2.98	1.64	2.16	2.99	3.47	2.65	2.14
GP Std	3.5	5	3	3	5		3
Surplus / (Deficiency)	(.52)	(3.36)	(.84)	(.1)	(1.53)	(1.27)	(.86)

Table 6.0.1 – Chart of Comparison Cities

When calculating parkland with this methodology one can see that Fontana has the lowest park acreage per thousand population, in this study. None of the comparable cities meet their General Plan Park Standard, including Moreno Valley, although the City of Riverside comes very close.

Looking at just city owned parkland is a bit misleading, because in reality the City of Moreno Valley makes up for a lack of city owned parkland by utilizing school fields and facilities for park and recreation purposes. The City is heavily dependent on school fields and facilities to meet the demand for sports fields, after school recreation programs and cultural programs.

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The following chart illustrates how the City meets its parkland standard by using schools.

City of Moreno Valley	Analysis of Current and Future Park Acreage Requirements	
	Current	Projected 2020
Population	184,000	225,000
General Plan Recommend Park Standard	3 Acres/1,000	3 Acres/1,000
Acres Required to meet GP standard	552	675
Park Acres w/o counting school fields	393	493
Park Acres w/ counting school fields	608	733
Surplus (Deficiency) w/o schools	(159)	(182)
Surplus (Deficiency) w/ schools	56	58

Table 6.0.2 – Analysis of Current and Future Park Acreage Requirements

The contributing factors causing the parkland deficit include prior residential development that took place before incorporation which was not subject to parkland dedication requirements and smaller residential developments where in-lieu fees were paid instead of parkland dedication.

While trying to reach the General Plan Goal of 3 acres of parkland per 1,000 of population is important, it is only one measurement of how the City is providing a comprehensive park and recreation system. The total parkland acreage available counting schools used for park and recreation purposes, regional parks and state recreation areas within the City's sphere of influence should also be taken into consideration when assessing the amount of parkland available to Moreno Valley residents.

The National Recreation and Park Association recommends that urban cities strive to reach a goal of 10 acres per 1,000 of population counting local, regional and state/federal parkland and facilities within the agencies sphere of influence. The following chart shows how well Moreno Valley is doing in reaching this goal:

	Moreno Valley Parkland	School District Land	County Regional Parkland	State Park Recreation Area	Total Parkland Available	Desired Park Ratio Per 1000	MV Ratio Per 1000	MV Surplus (+) Deficit (-)
Total Acres	393	215	1,155	1,821	3,584	10	19	+9

Table 6.03 – Current Moreno Valley Parkland Surplus / Deficit

Moreno Valley does very well when schools, county regional parks and state recreation areas are added into the equation for available parkland for Moreno Valley residents.

However, the county regional parks and state recreation areas are special use facilities, and while offering recreational opportunities to Moreno Valley residents they

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don't provide community recreation facilities such as sports fields, community centers, gymnasiums, tot lots, and other typical neighborhood/community park amenities. They do provide trails for hiking, jogging, biking and horseback riding; along with swimming, camping, passive recreation and cultural museums.

The regional facilities available to residents certainly make Moreno Valley a desirable place to live, work and recreate. But the City also must provide neighborhood and community park facilities to really deliver a successful park and recreation system. Neighborhood and community parks are provided by parkland dedication and in-lieu fee requirements and park impact fee requirements. The following section discusses and analyzes Moreno Valley's Parkland Dedication and In-Lieu Fee Ordinance and its Park Impact Fee Ordinances.

6.1 EVALUATION OF EXISTING FEE ORDINANCES

QUIMBY ORDINANCE

Park standards are generally established through an acreage requirement or facility requirement per 1,000 residents. The Subdivision Map Act and the Quimby Act (Section 66477 of the Government Code) relating to parkland dedication allows cities whose General Plan contains policies and standards for park and recreation facilities to adopt by ordinance a parkland dedication requirement or in-lieu fees on residential subdivisions. It also allows cities who have made the proper findings and determinations to extend the parkland dedication or in-lieu fee requirement to non-subdivision residential development.

The Quimby Act sets a minimum of three (3) acres per 1,000 of population, but allows cities to require a greater amount of parkland dedication if the city can demonstrate the need for a greater amount of parkland dedication and show that it does indeed provide more than three (3) acres per 1,000 of population.

A city can also choose not use the Quimby Act authority for parkland dedication and adopt its own Parkland Dedication and In-Lieu Fee Ordinance. Cities that desire to have a park dedication standard more than the Quimby standard, and do not currently meet the Quimby standard, use this approach to increase their General Plan standard and require a greater parkland dedication by local ordinance.

Many cities have General Plan Goals and have adopted ordinances requiring five (5) acres of parkland dedication for all residential development; however, Moreno Valley's General Plan contains a goal of three (3) acres per 1,000 of population. As mentioned above, the City augments its parkland dedication requirement with regional parks and use of school property for park and recreation purposes.

By doing this the City is able to reach a parkland ratio of 3.2 acres per 1,000 of population.

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Density is another factor that affects the amount of parkland dedication the City receives from residential development projects. When determining the amount of parkland dedication required from a specific development, the City uses the adopted ordinance ratio of three (3) acres per 1,000 of population and determines the projected population of the development project by the density of the proposed project.

In Moreno Valley the single family detached home density is 3.69. The State average is 3.54.

For example, in comparing Moreno Valley to another city with the same parkland dedication requirement, but an average density factor, shows the difference in required parkland dedication from the same number of units.

Example Project: 300 Single Family Detached Units

Moreno Valley

300 Units X 3.63 Density = 1,089 Population

Parkland ratio = 3 acres /1,000

Required Dedication = 3.26 Acres

Example Average Density City

300 Units X 3.54 Density = 1,062 Population

Parkland ratio = 3 acres /1,000

Required Parkland Dedication = 3.19 Acres

Even though the number of units to be developed is the same for both cities in the above example, Moreno Valley will receive almost 1/20 of an acre (2,178 square feet) more parkland for exactly the same development project.

The City's Parkland Dedication and In-Lieu Fee Ordinance allows the City, in most cases, to determine when to require parkland dedication and when to accept payment of in-lieu fees. In general the City accepts parkland dedication if the property to be dedicated is needed for park purposes, adjacent to a school or existing park, or contains a special feature such as open space or an historical site which the City wishes to preserve. The City, per the ordinance, must accept in-lieu fees for residential development of 50 units or less.

When in-lieu fees are paid instead of actual land dedication, the amount of the in-lieu fee is based on the fair market value of the number of acres that would have been required for dedication. In Moreno Valley's ordinance the fair market value is established by a resolution of the City Council updated annually based on market conditions.

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It is assumed that the property to be dedicated would be appraised with infrastructure in place, i.e. roads, curbs, sewers, water, and utilities to the site. However, this is not specifically spelled out in the ordinance. To avoid conflict the City should consider adding additional language explaining this requirement.

When there is a subdivision that proposes to provide private open space or park and recreational facilities the developer of that project may be partially credited against the parkland dedication requirement if the City determines that it is in the public interest to allow a 25% reduction of the parkland dedication requirement. To make this determination, the City takes into consideration if the private open space or park and recreational facilities are proposed for an area that is reasonably adapted for use as recreation or park purposes; the topography will allow for use of the proposed area for park and recreation purposes; the area is accessible from the proposed development; and the maintenance and provision of the private open space or park and recreational facilities is provided for by written agreement and restricted to open space, park and recreation uses by recorded covenants on the deed.

The theory behind this section of the ordinance is that homeowners within the development will be paying for the open space and park and recreation facilities and therefore will have less of an impact on the City's open space, park and recreation facilities. Thus, the City allows a 25% reduction in the parkland dedication or in-lieu fees if at the City's discretion the proposed development contains sufficient open space, park and recreation facilities to serve as a neighborhood park for the proposed development.

Yards, set-backs, median islands, drainage areas, hillsides, and other required open space for approval of the tract map cannot be considered as credit against the parkland dedication requirement.

The City's Quimby Parkland Dedication and In-Lieu Fee Ordinance allows for an alternative procedure that the City, at its discretion, may use to acquire parkland dedication of parkland not within the proposed residential development. For example, if a developer owns a parcel of property adjacent to an existing park, school, or regional park facility, that the City determines would benefit the City's park and recreation system, the City may allow the developer to dedicate that property instead of property within the proposed residential development. Again, the City must make a determination that the proposed property dedication is needed for park purposes and that the benefits of that property dedication will reasonably serve the proposed residential development.

This gives the City the flexibility it needs to acquire park parcels that benefit the park and recreation system rather than having to accept property within a specific residential development that would have less value to the over all park and recreation system.

In summary, Moreno Valley's Parkland Dedication and In-Lieu Fee Ordinance is consistent with the Quimby Act and similar to what other cities are doing with

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regards to requiring parkland dedication to mitigate residential impact on the park and recreation system.

Things the City could consider amending in the ordinance include:

- Increasing the parkland dedication requirement from three (3) acres per 1,000 of population to five (5) acres per 1,000 of population if future development warrants additional parkland dedication
- Adjusting the density factor for housing types when the 2010 census is completed
- Spelling out language in the ordinance that defines the park property to be dedicated be appraised with infrastructure in place, i.e. roads, curbs, sewers, water, and utilities to the site

PARK IMPACT FEE / DEVELOPMENT IMPACT FEE ORDINANCE

In addition to the parkland dedication requirement under the authority of the Quimby Act on residential subdivisions, the City also collects a Park Impact Fee as part of the overall "Development Impact Fee" (DIF) collected to offset traffic, public safety, parks, etc.

Quimby fees are designed to provide acquisition of additional parkland and development of new facilities to serve specific residential growth. "Development Impact Fees" are designed to offset the impact residential growth has on the existing park and recreation system.

The theory is that residents use both neighborhood parks and citywide park and recreation facilities, such as, community centers, sports fields, gymnasiums, performing arts centers, teen centers, senior centers, etc. Quimby will provide for the neighborhood parks and amenities and the DIF will provide for keeping citywide park and recreation facilities improved for the proposed residents of the new development to use.

The Moreno Valley DIF is a per unit fee established by the projected additional impact a residential development project will have on the City's existing systems. The fee is set annually by the City Council by fee resolution.

Although Parkland Dedication or In-Lieu Fees and Park Impact Fees are not applied to commercial and industrial development in Moreno Valley, this type of development has a significant impact on the City's park and recreation system.

In the citywide telephone survey 34% of the respondents said they participate in Moreno Valley parks and recreation programs through their work or place of business. Moreno Valley is located in the middle of a large urban area and provides for jobs and retail opportunities for persons living outside of Moreno Valley who use park and recreation facilities either through their place of

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business or while in Moreno Valley partaking of the City's commercial and entertainment opportunities.

The statically valid citywide telephone survey done as part of the Park and Recreation Master Plan has clearly established the nexus between providing park and recreation services and people using the park and recreation system through their work or place of business. Consequently, the City may wish to consider doing further study on this issue and look at establishing a Park Impact Fee for commercial/industrial development to offset the impact on the park and recreation system.

COMMUNITY SERVICES DISTRICT FEE ORDINANCE

The City has also established Community Services Districts to pay for maintenance and operations for such things as Parks, Recreation and Designed Median Maintenance; Street Lighting; Extensive Landscape Maintenance; and Commercial/Industrial Median Maintenance.

The Parks and Community Services District is known as Zone A , which is an entity of the CSD, and covers all parcels whether developed or not that pay property tax (residential, commercial and industrial) within the City limits. "Zone A" Community Services Department was established at City incorporation. Since 1992 the annual assessment per parcel has been $87.50, which equates to about $7.30 per month from each parcel to pay for the maintenance and operation of the City's entire park and recreation system.

Up until 1998 the fees collected from "Zone A" just about covered the City's cost to provide park and recreation maintenance and operations and required very little subsidy from the City's General Fund. However, over the last decade the City has taken on more parkland maintenance, built new park and recreation facilities and responded to community recreation needs without any increases in the "Zone A" fees to offset the associated costs to provide these services.

As a result, in the 2008/09 Adopted City Budget, the income from "Zone A" fees is $4,930,800, but the "Zone A" costs for parks and recreation maintenance and operations are $9,740,984. The $4.8 million difference is made up from grants, program fees and charges and subsidy from the City's General Fund.

There are a number of reasons why the "Zone A" fee has not been increased over the years to keep up with inflation and the addition of more parkland, median islands and new recreation facilities to maintain and operate including:

- The original ordinance establishing the Community Services District did not contain language to adjust the fee annually to account for inflation
- An increase in the base fee would require a vote of the people
- The City has chosen to offset the increased costs from other sources

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The CSD formed Community Facilities District #1 in 2003 in order to provide additional funding for new facilities. For FY 2009/10 $959,280 in special taxes were levied on property tax bills. The City has been able to maintain existing level of services while not raising the "Zone A" fee because it has experienced continual and significant growth over the past decade within "Zone A" which provided both new tax dollars and impact fees the City could use to make up the difference between the income generated from "Zone A" Community Services District and the actual costs for "Zone A". The City has also been successful in generating program revenue and applying for operating grants from the State and Department of Education to also contribute to making up the difference.

Zone "M" is an entity of the CSD which funds improved median maintenance and includes parcels that have approved the annual parcel charge including commercial, industrial and residential.

In the future, as growth slows and there is greater competition for allocation of General Fund tax dollars, the City may have to look to the voters for approval of additional "Zone A" fees and or "Zone M" fees if it is to maintain the current level of services for park and median maintenance and operations.

6.2 OVERVIEW OF FUNDING/FINANCING PARKS AND RECREATION

Sections 7 and 8 of the document contain recommendations for new parks and facilities and suggested implementation strategies for funding or financing the recommended capital improvement projects. The following section is an overview and explanation of various funding and financing methods available to municipal agencies from which some of the implementation strategies were derived.

This information is provided to inform the reader of options the City may consider when funding needed capital improvements.

USE OF BONDS

General Obligation Bonds make sense when a city has several different types of facilities it needs to develop and there is strong community support. For example, if a city wanted to build a new police station, community park and library, it may bundle all three into one General Obligation Bond. Hopefully this would create a wider voter support to get the two-thirds approval required by General Obligation Bonds. General Obligation Bonds usually do not succeed for special interest facilities. For example, a General Obligation Bond to build a new aquatics facility or sports complex would probably not receive the two-thirds voter approval necessary to issue the bonds.

Some cities that need to develop a number of recreation and park facilities have had success selling General Obligation Bonds to support the city's implementation of its Park, Recreation, and Open Space Comprehensive Master Plan for facility development. When voters know that the bonds will only go to a Park Master Plan that they have approved, they tend to support such initiatives.

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General Obligation Bonds are paid for out of the City's General Tax Allotment Fund. So the allocation of dollars to a General Obligation Bond for park purposes will compete with the City's needs for ongoing operations and other types of needed park improvements. Only cities with excess general fund capacity are really able to use General Obligation Bonds for park and facility development.

PAYING FOR BONDS

The most common method for implementing recreation and park facility development by the use of bonds is to gain voter approval for an additional property tax assessment to pay for the debt of the Park Bonds. The bond issuing method is the same as General Obligation Bonds; they require two-thirds voter approval. However, along with the voter approval to issue the bonds, the voters need to approve an additional annual tax assessment to pay for the debt service on the bonds.

This approach is successful if there is strong community support for park facilities and implementing the Master Plan. The key to a successful Park Bond and tax assessment approval campaign is to work with a community foundation to build support for the tax assessment and to educate the voters that the additional tax assessment can only be used for development of the approved park facilities.

Most cities have found that Park Bonds with a tax assessment are most successful when placed on a general election ballot rather than a special election ballot. It usually takes at least two years to develop a community support foundation, educate the voters, and develop enough community support to get two-thirds approval. Consequently, cities most likely will only be able to do a Park Bond with a tax assessment once every 10 to 20 years.

Before this financing approach should be undertaken, the City should allocate some resources to doing a statistically valid community survey on how the community perceives the adopted Parks, Recreation and Open Space Comprehensive Master Plan if they would be willing to pay additional taxes to implement it, and if so, how much additional taxes would be acceptable.

The public's perception of value is the most important element of generating a two-thirds voter approval. For example, the community may be willing to pay an additional $30 a year on their property taxes to implement a number of facilities they believe they will use, but not $100 a year. A statistically valid random phone survey is the only way to find out what the community's acceptance might be. This is absolutely necessary if the City wishes to finance park facility development by going to the voters for approval of a Park Bond with a tax assessment.

REVENUE BONDS

Revenue Bonds are a popular way for cities to finance capital improvements, especially recreation and park facilities, when the facility being developed will generate the necessary revenue to pay the debt service on the bonds. This method is common for development of sports arenas, convention centers, and other facilities

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that generate revenue through admission, concessions, and rentals. Revenue Bonds require the city to provide collateral equal to one and half times the value of the bond issue. A city must provide collateral in the form of property or properties it owns that have a market value of at least one and a half times the amount of Revenue Bond it wishes to issue.

Revenue Bonds do not require voter approval but do require a four-fifths vote of the City Council. Revenue Bonds are usually combined with the establishment of an Assessment District under AB1600 and Asset Management programs which are explained later in this section.

If the City can design capital improvements with revenue generating components so that the debt service and the cost of maintenance and operations do not impact the City's General Fund, Revenue Bonds are a good approach to funding facilities where there is strong City Council support and political motivation to develop the facilities.

CERTIFICATES OF PARTICIPATION (COPs)

Certificates of Participation (COPs) are similar to Revenue Bonds in that they do not require voter approval, just a four-fifths City Council vote. And they require the City to provide collateral in the form of property equity one and a half times the market value of the proposed issue. The advantage of COPs is that they are issued in script of $5,000 or $10,000 which allows for smaller investors to invest, and they are tax exempt, so interest rates are lower. Again, the key to this type of financing is to design the proposed facilities with revenue generating components and/or combine it with an AB1600 Assessment District so that there is no impact on the City's existing General Fund to issue the COPs.

ASSESSMENT METHODS

There are two main methods for establishing assessments to pay for recreation and park facility development. These are:

- Lighting and Landscape Assessment Districts,
- Mello-Roos, and other state legislation allowing cities and park districts to create assessment districts for capital improvements.

Each of these requires approval by the property owners who are within the district and are subject to paying the assessment. The City's CFD#1 is a form of Mello-Roos.

State law AB1600 allows local agencies to impose an assessment on properties within an improvement area when the agency can show a nexus that the improvements being made are a benefit to the properties being assessed. Under this method of assessment, the agency sends a direct mail ballot to the property owners, if fewer than 50% of the property owners vote "No", it could implement the assessment.

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Agencies typically use enabling legislation for assessment districts for facility improvements that impact or benefit the whole city or a specific area.

Some agencies have had some success using this legislation to fund large community or regional park developments where there is broad community support for the improvements. Newer agencies have had the most success in setting up assessment districts, because they can be established when only a few property owners are within the proposed assessment district.

Established agencies where there are thousands of property owners within the proposed assessment district have had trouble getting 50% approval. This legislation requires the agency to do an engineering study to determine the proportionate benefit each property within the proposed district receives.

AB1600 has several benefits over other assessment legislation in that it is an impact fee. Unlike the benefit assessment districts, the agency does not have to do an engineering study to proportion the cost according to benefit. The agency simply has to make a finding that there is a need for recreation and park facilities based on the impact of the proposed development, and the proposed development is not contributing to mitigate the impact. This is accomplished by preparing a nexus study showing the relationship between the defined impact and the facility or facilities the proposed development's impact.

For example, if the City wanted to use AB1600 to impose an impact fee on new commercial and industrial development, it would need to do nexus studies to determine if existing commercial and industrial properties have an impact on its recreation and park services and facilities. If the City finds that employees in commercial and industrial businesses use the City's recreation and park facilities, employers use the park system and/or recreation programs as recruiting tools, and as a result commercial and industrial property increases in value due to a well developed and maintained park system, the City could use the authority under AB1600 to impose a park fee on new commercial and industrial development within its jurisdiction.

If the nexus study shows that commercial and industrial development causes 15% of the impact on the Moreno Valley Park and Community Service services and facilities, then new commercial and industrial development should be charged for 15% of the amount needed for new facilities and upgrades of existing facilities within the city.

LEASE PURCHASE FINANCING

A newer concept in financing recreation and park improvements being used successfully by cities is a form of lease/purchase financing. Under the lease/purchase financing method, the City would contract with a financial institution that would put together an investment group. The City would then lease the proposed site and facility improvements to the investment group who would provide the funding for the development of the site and facility. The investment group then leases the site and

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facility back to the City at a lease rate equal to the cost of the financing the investment group provides to the City for the development of the site and facility.

The lease serves as the collateral for the financing, not other real property, as is the case in issuing revenue bonds or COP's. If the City defaults on the lease payments, the investment group would own the lease and could operate the facility or contract the operation of the facility to a third party.

The City owns the site throughout the lease purchase period, and at the end of the lease period, the City owns the improvements free and clear.

This form of financing currently has very attractive interest rates, is tax exempt for investors, and does not impact the City's bond indebtedness or credit rating.

This type of financing is best used for facility development whereby the facility generates revenue. Sports complexes with Asset Management Programs and concessions, municipal parking structures that charge for parking, and community centers with rental facilities are types of facilities that cities and other public agencies have been very successful in using this financing method.

It can be used for non-revenue producing facilities whereby the lease payments are paid from the General Fund; however, with competing needs it may be politically difficult to dedicate General Funds for lease payments. The term of the lease is set by the City and can be any length. Another attractive feature of this form of financing is the low cost of issuance compared to Bond issues.

The City could also use non-tax exempt lease purchase financing to acquire commercial or industrial property. As a lessee, the City could lease to a commercial recreation developer/operator for the development and operation of major commercial recreation facilities, such as batting cages, sports complexes, dance studios, fitness/health centers, community theatres, skateboard parks, and BMX courses.

GRANT PROGRAMS

The City of Moreno Valley has used state grant money in the past for both acquisition and development of parks. The City should continue to apply for and make use of both state and federal grant programs. Per capita grant programs such as Proposition 12, Proposition 40, and Roberti-Zeberg can provide the City with funding for both improvement of existing facilities and acquisition and development of new facilities. Most of these grant programs are based on a per capita distribution and some require matching funds by the local agency.

Federal grant programs such as Community Development Block Grants (CDBG) and Urban Recreation and Park Programs can provide funding for specialized facilities that meet the criteria for these particular grant programs.

The City could also consider combining several different grant programs for the development of a single project. For example, the City could apply for several different beautification grants, trails grants, storm drain improvement grants, urban

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park development grants, open space grants, and per capita grants to match a state grant to accomplish the funding necessary for one single project.

PUBLIC PRIVATE PARTNERSHIPS

Communities can sometimes meet their recreational needs by encouraging the development of private recreation facilities. This can be in the form of partnerships with pre-school and day-care centers, churches, non-profit organizations, schools, or commercial recreation companies.

For example, if the City has a need for recreational swim opportunities, it may be able to lease public property to a water park operator for a commercial water park to meet the community needs.

In today's political and economic climate, many cities are partnering with school districts for joint development and sharing of such facilities as sports fields, gymnasiums, swimming pools, skate parks, stadiums, theaters, and outdoor community event space. Partnering with non-profits such as the YMCA could also provide funding opportunities for facility development.

COMMUNITY FOUNDATIONS

A key element of funding recreation and park facilities is community support. Whether the funding method is bonds, assessment districts, asset management, or joint partnerships, it will be necessary to build community support in order to implement facility development. The best way to build community support for facility development is by establishing a non-profit community foundation made up of concerned volunteers to support the City's implementation of its Park, Recreation and Open Space Comprehensive Master Plan. In addition, a Community Foundation can also provide the following:

- An organization that can accept donations that are tax deductible to the contributor
- An organization that can apply for grants that are not eligible for government application
- An organization that can put on fundraising campaigns and recruit a large volunteer base to implement the campaigns
- An organization that can partner with other non-profits, such as churches, service clubs and organizations, and private companies to jointly develop recreation facilities

The key to developing a successful Community Recreation and Parks Foundation is in the development of by-laws establishing the foundation, recruitment of board members, and training of volunteers. The by-laws should be developed so that they are very specific about the role and duties of the foundation. Board members should

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represent all segments of the community and not be controlled by any one special interest group.

The above methods are typical ways municipalities fund parks and recreation capital projects. Strategies for specific projects may combine several of the methods. When exploring possible funding for a project, the City can refer back to this information to see if one or more of these methods might fit the proposed project to be funded.

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SECTION 7 "12 GOALS FOR SUCCESS"

POLICY RECOMMENDATIONS AND GUIDELINES

INTRODUCTION

COMMUNITY CHALLENGES AND ISSUES AFFECTING SERVICE DELIVERY

"12 GOALS FOR SUCCESS"

MASTER PLAN RECOMMENDATIONS

SUMMARY OF NEW FACILITY RECOMMENDATIONS

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7.0 INTRODUCTION

This section analyzes, summarizes and presents the issues and "Community Challenges" in Moreno Valley that were factored into formulating the Master Plan recommendations; the "12 Goals for Success" to provide a winning park and recreation system; and recommendations to achieve the "12 Goals for Success".

Estimated costs and projected required funding to implement the recommendations, along with strategies for implementation of the recommendations, are contained in Section 8.

In actuality, it is unrealistic to think the City will be able to secure all of the funding necessary to implement every capital project and program. However, by presenting all of the capital projects and programs desired and needed, the City has a complete awareness of what an ideal park and recreation system would look like. From there it can make its best efforts within the resources it is able to secure to implement that system.

Community Challenges

Important factors the City will have to understand and deal with in implementing the Parks and Recreation Master Plan:

Changes in Demographics

Graffiti and Vandalism

Funding

Access

Awareness

Crisis Intervention

Health and Wellness

Water Conservation and Energy Sustainability

7.1 COMMUNITY CHALLENGES AND ISSUES AFFECTING SERVICE DELIVERY

The Project Team has defined a number of Community Challenges facing Moreno Valley that were derived from the research and analysis done for Sections 2 through 5. These are very important factors that the Consultant Team feels the City will have to deal with if it is to deliver a successful park and recreation system.

The specific challenges that will affect the City's ability to implement the recommendations in the Master Plan are as follows:

1. CHANGE IN DEMOGRAPHICS

The long term change in demographics, especially the changes in the ethnic population make-up, income levels, and the level of education of the population in Moreno Valley, have had a profound effect on both the types of programs and the types of facilities that are needed to meet the community's current and projected demand for parks and recreation services. For example, when Moreno Valley was incorporated, the demographic profile of the City was completely different than the current and projected demographic profile. The City is now faced with providing services to a different demographic profile with different cultural and social needs from the community profile that existed when the City incorporated. The diversity in ethnic backgrounds and economic levels in the community will affect the policy decisions the City will be making in the future with regards to allocating resources to parks and recreation facilities and programs.

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As the community changes ethnically, families and youth may be caught between traditional cultural values and the values of being "American." Cross-cultural communication may also be a barrier to youth success.

2. GRAFFITI AND VANDALISM

Graffiti and vandalism are prevalent in today's society and Moreno Valley is not immune to this phenomena. Graffiti and vandalism in the park system causes maintenance problems and resident dissatisfaction with park facilities and the condition of the parks. The City has a very successful graffiti removal program and must continue to address the graffiti and vandalism problem because improving existing facilities and building new facilities will not satisfy the community if graffiti and vandalism prevails.

Funding Policies

Use resources as assets to generate new revenue to pay for desired service levels

Collaborate with other agencies to leverage resources

Expand fee-based programming and use of independent contract instructors

3. FUNDING

Funding for ongoing park and facility maintenance and for meeting programming demands will be a critical problem for the Community Services Department in the future. Moreno Valley is experiencing some new redevelopment and continued growth that will provide new revenue; however, the downturn in the economy, the state's budget problems, and the increased costs of goods and services will affect the City's ability to find funding from traditional sources to implement the recommendations in the Park, Recreation and Open Space Comprehensive Master Plan. It is going to be difficult in the short-term to maintain park maintenance levels, implement existing park improvements, build new parks and facilities, and provide programs and services desired by the community.

Consequently, the City will need to continue policy directions that will allow:

- Use of resources as assets to generate new revenue;
- Partnering with other public agencies, non-profits and commercial entities; and,
- Development of more fee based recreation programs.

These policies will be critical for the City in the future if it is to address the funding required to implement the programming and facility recommendations.

4. ACCESS

Transportation, or the lack thereof, affordability and service radius may be barriers for youth, seniors and their families to access services, programs, and facilities.

5. AWARENESS

A frequently documented response as to why youth and their families do not participate in programs is that they were not aware of available services, programs, and facilities.

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6. CRISIS INTERVENTION

Lack of services and/or awareness of services available for those youth experiencing emotional crisis will affect the City's ability to reach kids at risk.

7. HEALTH AND WELLNESS

Youth and adults experience high levels of stress due to performance anxiety today. Local and national trends indicate a growing and substantial concern regarding sedentary behavior, obesity, and poor eating habits of youth and their families.

8. WATER CONSERVATION AND ENERGY SUSTAINABILITY

When planning for future park facilities and improving existing facilities the City will need to be committed to incorporating as many Green Building technologies as possible into each park design project to assist in water conservation, energy sustainability, reducing energy consumption and lowering CO2 gas emissions including the following site planning techniques:

- Building locations that take advantage of site options for solar access
- Building shape, thermal mass and window location to minimize excess energy consumption
- Use of water permeable or "porous" paving
- On site storm water recharge
- Utilization of recycled building materials
- Protection of existing plants
- New plantings from diverse communities of plant species well adapted to the site
- The use of mulch in planted areas
- Water efficiencies through the grouping of plants with like water requirements
- Increased irrigation efficiencies through hydro zoning according to plant requirements and site microclimates, in addition to sensors to reduce over irrigation

Sustainability

Green Building Technologies

Water Conservation

Reduce Energy Consumption

Lower Gas Emissions

9. CONSISTENT WITH THE CITY'S GENERAL PLAN

Chapters 4 and 9 of the City's General Plan served as the basis for developing the Park and Recreation Master Plan. Chapter 4 of the General Plan is the "Parks, Recreation, and Open Space Element". The recommendations and "12 Goals for Success" found later in this section are consistent with the goals and policies of the Parks, Recreation, and Open Space Element which are:

- Open space for preservation of natural resources

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- Open space for public health and safety
- Open space for outdoor recreation
- Recreation services level standards

Chapter 9 of the General Plan contains the Goals and Objectives for parks, recreation, trails, and open space that were formulated in 2006. Section 9.4.3, item 4-1 of the General Plan called for the "Development of a parks and recreation facilities master plan to implement the Parks, Recreation and Open Space Element".

The Parks, Recreation and Open Space Comprehensive Master Plan presented herein accomplishes this item of the General Plan and is consistent with items 4-2 through 4-17 and the Goals and Objectives of Chapter 9.4.1 of the General Plan.

When the City implements the various recommendations contained in the Parks, Recreation and Open Space Master Plan, they should be reviewed to determine if any change in the City's General Plan is necessary and then update the General Plan accordingly.

SUMMARY OF COMMUNITY CHALLENGES

The following is a summary of the above issues and community challenges the Consultant Team believes will impact the City's ability to deliver a successful parks and recreation system in the future:

- Changes in demographics resulting in a wide diversity of ethnic cultures and income levels
- Ongoing need to address graffiti and vandalism
- The difficulty of funding facilities and programs in the future
- Transportation or the lack thereof
- Awareness of available services, programs, and facilities
- Lack of services and/or awareness of services available for those experiencing emotional crisis
- Growing and substantial concern regarding sedentary behavior, obesity, and poor eating habits
- Water conservation and energy reduction
- The impact commercial and industrial development will have on the park and recreation system

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In developing the recommendations and strategies in the following sections, the Consultant Team took each of these issues/community challenges into account.

7.2 "12 GOALS FOR SUCCESS"

"12 Goals for Success"

1. Recognize Park Maintenance as a budget priority.

2. Continue the successful graffiti removal program and immediate attention to vandalism programs.

3. Pursue development of March Field Park as a sports complex and family recreation facility.

4. Pursue development of cultural arts venues.

5. Increase recreation and social programs for teens.

6. Expand indoor and outdoor programs for seniors.

Taking into consideration the Community Challenges outlined above in Section 7.1, the Consultant Team has prepared "12 Goals for Success" for the Parks and Recreation Commission, City staff, and City Council to consider adopting. If these Goals are implemented, the City should accomplish the task of providing a parks and recreation system of facilities and programs that are relevant to the community, adequately funded, well maintained, and responsive to community needs.

The capital project recommendations, program recommendations and the implementation strategies that follow in Section 8 provide a roadmap of specific steps the City could proceed with to implement the "12 Goals for Success".

The "12 Goals for Success" are as follows:

Goal 1: Recognize park maintenance as a budget priority and move to establish a park maintenance level of service that continues to provide the community with safe, functional parks that are environmentally sensitive and esthetically pleasing.

Goal 2: Continue to allocate resources for the successful graffiti removal program and immediate attention to vandalism programs and continue the three-pronged approach of removal, enforcement and controlled access at public park facilities to control graffiti and vandalism.

Goal 3: Continuing exploring the development of March Field Park as a sports complex for either a youth and adult soccer, youth and adult softball and a family sports activity center; or a dedicated concession for baseball fields; while continuing to maintain and establish multi-purpose soccer and football fields at neighborhood and community parks for youth and adult soccer and football programs.

Goal 4: Pursue meeting the cultural needs of the community by working with the community college and school districts to develop a multi-use Performing Arts Center in Moreno Valley and include cultural venues in the design of new parks and community centers.

Goal 5: Establish dedicated programs for teens focusing on creative and performing arts, social activities, mentoring and education enhancement, extreme sports activities, and media/computer labs.

Goal 6: Address the future needs of senior citizens by expanding indoor and outdoor facilities and programs for seniors.

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Goal 7: Identify opportunities to provide neighborhood and community park facilities that are conveniently located to all areas of the city and meet the community's desire for neighborhood and community parks containing such amenities as picnic facilities, water play features, playgrounds, meeting room space, passive open space, practice fields, dog parks and fitness facilities.

"12 Goals, Continued"

7. Provide Neighborhood and Community Parks

8. Provide community events for celebration and design future parks to accommodate special events.

9. Address the need for aquatic activities and swim lessons.

10. Use park resources as assets to generate new revenue to deliver desired services.

11. Complete the Moreno Valley Trails Master Plan.

12. Adopt new park landscape standards that include "Sustainable Design Elements"

Goal 8: Continue the value the community's desire for special events and opportunities for socialization and celebration. Include the creation of multi-purpose community events areas in the design of future community parks that can accommodate a variety of cultural, social, and promotional special events.

Goal 9: Recognize the community's desire for aquatic activities and pursue the development of aquatic facilities that can accommodate swim lessons, swim competitions, water fitness programs, recreational swimming, and opportunities for parties and rentals through collaborations with schools, YMCA, or commercial and private development of aquatic amenities.

Goal 10: Pursue development of new revenue sources to fund the park and recreation system by using park and facility resources as assets to generate income; partnering with other public agencies, non-profits and commercial entities; and, continued growth of fee based recreation program delivery system.

Goal 11: Work to include trails for walking, jogging and biking in future park development and pursue completion of the Moreno Valley Trails Master Plan.

Goal 12: Ensure that the existing City of Moreno Valley Landscape Standards include "Sustainable Design Elements" into new park design and park rehabilitation projects to bring the opportunity to integrate new energy efficient technologies and water conservation into all park and facility development projects.

The project team believes that the above "12 Goals for Success" will take the City in the direction it needs to go to meet the demands of the community for an effective and relevant parks and recreation system for the next 20 years.

There may be a number of specific options and alternative projects and programs the City could pursue to implement the "12 Goals for Success"; however, the Consultant Team has developed what it thinks are the best project and program recommendations and strategies, which are presented, in the next two sections.

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7.3 MASTER PLAN RECOMMENDATIONS

Recommendations

Recommendations provide strategies for implementing the "12 Goals for Success".

Focusing resources on projects to accomplish the "12 Goals for Success" should be a priority.

All recommendations may be difficult to accomplish so setting priorities and going after diverse funding sources is important.

Some lower priority recommendations may come first because of dedicated funding sources.

The following recommendations are organized according to the "12 Goals for Success" presented above. They include the capital improvements needed for existing parks listed in the Park Inventory Analysis in Section 3, new recreation facilities that were defined as needed in Moreno Valley during the public outreach and Demand and Needs Analysis in Section 5; and program needs determined from the Program Analysis done in Section 4.

While the City may have to consider other project priorities over the following recommendations due to political issues, emergencies or specialized funding opportunities, the Consultant Team believes the City should focus its resources on the priority recommendations listed below to accomplish the "12 Goals for Success".

7.3.1 - GOAL 1: Recognize park maintenance as a budget priority and move to establish a park maintenance level of service that continues to provide the community with safe functional parks that are environmentally sensitive and attractive.

RECOMMENDATIONS

Park Maintenance

Community supports well-maintained parks.

Deferred maintenance leads to greater costs in the end.

Additional fields needed to reduce use on existing fields to allow for better maintenance conditions.

Use of artificial turf will increase time available for play and provide consistent quality field conditions.

Residents in Moreno Valley believe that the maintenance quality of parks and recreation areas is very important when deciding whether or not to recreate at such facilities. Current maintenance standards are well developed and consistent with the expectations of community residents. Overall, park and recreation areas and facilities in the City of Moreno Valley are in excellent condition and maintained at or above current standards. However, some athletic fields are so heavily utilized that additional maintenance inputs may not be sufficient to prevent deterioration of these areas, particularly natural turf. This supports the need for additional facilities to meet recreation demand and to enable maintenance staff to meet their maintenance standards for these areas.

The City of Moreno Valley should continue to follow its current maintenance standards and practices with new facilities and areas. Staff should monitor changes in technology and practices that may lower maintenance costs while continuing to meet or exceed standards. With the addition of new areas and facilities, staff should evaluate the feasibility of de-centralizing or zoning some maintenance functions by area. For example, athletic field maintenance might be more efficient as new facilities come on-line if that function is split into a west and east zone, thus reducing travel time between fields and permitting personnel to spend more time performing maintenance activities.

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Due to the timing of construction of most facilities in Moreno Valley, many will reach the end of their usable life at about the same time. This may place a heavy capital replacement burden on the City at that future date. One recommendation is that components of each area and facility (such as playgrounds, restrooms, etc.) be entered into an Asset Management database together with the current replacement costs, current facility or area conditions, and estimated remaining usable life (in years). Each subsequent year, information on conditions should be updated and the replacement costs adjusted based on the consumer price index (CPI) for construction in the economic region that includes Moreno Valley. This database should also include the maintenance cost information that is currently being tracked by maintenance managers. This practice will enable the City to conduct a cost-benefit analysis for repairing versus replacing each facility and/or component, as well as better estimate the fiscal year that each asset will need to be replaced.

7.3.2 - GOAL 2: Continue to allocate resources for the successful graffiti removal program and immediate attention to vandalism programs and continue the programs of removal, enforcement and controlled access at public park facilities to control graffiti and vandalism.

"Controlling Graffiti"

Controlling graffiti and vandalism requires that the City continue programs that include:

> Removal

> Enforcement

> Controlled Access

RECOMMENDATIONS

The City needs to continue to allocate the necessary resources to continue the successful graffiti removal program and the immediate attention to vandalism programs. Moreno Valley has been successful in doing this because it has programs that include removal, enforcement and controlled access:

REMOVAL

The City must continue its policy of removing graffiti and repairing vandalism as its first priority for maintenance and operation of the park system.

ENFORCEMENT

Catching and punishing taggers and vandals must be a high priority in order to reduce the occurrences of such incidents. The Parks and Community Services Department and Police Department should continue to work together to provide surveillance and investigation of incidents of graffiti and vandalism.

Portable surveillance cameras could be used to identify and catch taggers and vandals at high incident locations within the parks. Monetary reward systems, whereby Park and Community Services officials work with local businesses and service clubs to fund a $500 reward for information leading

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to the arrest and prosecution of taggers and vandals has been very successful. Studies show that an aggressive enforcement of graffiti and vandalism crimes also reduces other types of crimes, especially juvenile crimes.

CONTROLLED ACCESS

While it is impossible to completely control access to public parks and facilities, there are park design features and facility operation policies that can help make sure parks and recreation facilities are used by those who they were intended to serve. This is especially important in Moreno Valley where there is heavy use of Moreno Valley facilities by non Moreno Valley residents, rival gangs outside the City and a fairly substantial transient population in the region.

By designing parks and recreation facilities with specific access points and providing surveillance at those points, the City can reduce the undesirable element accessing the parks and facilities and help with enforcement and punishment of crimes committed in its parks and facilities. By providing concrete pathways wide enough for police and emergency vehicles to access through the parks, the City can increase the ease of surveillance and response to calls.

Designing parks with perimeter boundaries and designed entryways improves security and provides a sense of place and arrival, which tends to deter those not specifically going to the location for the purpose of using park amenities.

This technique is not new; you will find this throughout Europe, where for centuries parks were designed with gated entry points for this specific purpose.

In addition to adopting policies of park design to control and channel access to parks through specific entryways that can be monitored, the City should also consider a policy of moving to a membership oriented service delivery system for recreation programming. By requiring a Park and Community Services membership card to access programs at City facilities, the City can ensure that the facilities are being used by those that the facilities were attended for.

The City can offer both a resident card and a non-resident card and thereby give priority to Moreno Valley residents for classes, rentals and facility use. This may require some redesign of existing facilities, such as the Conference and Recreation Center and the Senior Community Center to create access directly to the reception/check in area.

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Creating a City Park and Community Services membership program will not only improve security, but also improve communication and publicity opportunities to promote programs and activities, develop a support base in the community for parks and recreation and provide constituents from which to recruit volunteers.

To obtain a successful park and recreation delivery system in the future, the City will need to make reducing graffiti and vandalism a budget priority. A policy commitment to continue current graffiti programs described above and cooperation between City departments is essential.

7.3.3 - GOAL 3: Continue exploring the development of March Field Park as a sports complex for either a youth and adult soccer, youth and adult softball and a family sports activity center or a dedicated baseball concession for youth and adult baseball programs, while continuing to improve and establish multi-purpose football and soccer fields at neighborhood and community parks.

RECOMMENDATIONS

The City of Moreno Valley received approximately 100 acres of the former March Air Force Base which contained existing softball fields, library, track and other recreation amenities. The City currently operates the softball fields for youth and adult softball and conducts after-school programs and summer camps at the former March Field Library.

The City also developed a skateboard park and a roller hockey arena at March Field Park which have been very successful. During the Demands and Needs Analysis it became evident that a high priority for the community is to establish a sports complex for youth soccer and to improve the softball fields at March Field Park. In addition, there were numerous requests for sports and social activities for families. There were also significant requests for more baseball fields in the city.

> **March Field Park**
>
> "March Field Park is the City's best opportunity for developing a sports complex and active family recreation venues."

Consequently, the Consultant Team has prepared a conceptual Master Plan to develop a sports complex for youth and adult soccer; youth and adult softball; and a family fun center (see **Exhibit 7.1**). City staff has had ongoing discussions with possible concessionaires to develop a dedicated baseball complex at the same site (see **Exhibit 7.2).** Both of these concept Master Plans accomplish a number of needs determined in Section 5, the Demands and Needs Analysis. They are:

~ Provides a centralized location for youth and adult sports leagues and tournaments

~ Offers support amenities needed to host regional sports tournaments

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~ Incorporates the existing roller hockey arena and skateboard park into a family fun center with additional tot lot and playground equipment, water feature, and food concessions

~ Makes available a perimeter walking and jogging trail for fitness activities

~ Increases the amenities available for the after-school and summer-camp programs held at the former March Field Library

~ Provides adequate on site parking so as not to affect adjacent activities

By adopting one of the new March Field Park Sports Complex and Family Activity Center Concept Master Plans and proceeding with its development, the City will also meet its projected field demands for youth and adult sports; thus taking the heavy use burden off existing fields and allowing for better maintenance and field conditions at existing neighborhood and community parks.

7.3.4 - GOAL 4: Pursue meeting the cultural needs of the community by working with the community college and school districts to obtain a multi-use performing arts center in Moreno Valley and include cultural venues in the design of new community parks and facilities.

Cultural Needs

More cultural venues needed in Moreno Valley

Arts, music and theater are important to Moreno Valley residents

Venues for outdoor performances should be included in new park development

Dance, music, singing, film and visual arts should be avenues to help teens succeed

Explore ways to obtain a performing arts center in Moreno Valley

RECOMMENDATIONS

Throughout the public input process and the Demands and Needs Analysis, there was a constant theme for the need for more cultural venues and activities in Moreno Valley. There are numerous musical groups, dance groups, entertainers, and performers in Moreno Valley that need venues to perform. There is also a community desire to use creative arts as a deterrent to anti-social behavior particularly among teens.

There are two options the City could pursue for a multi-use performing arts center in Moreno Valley that would offer a venue for music and theatre productions, visual art galleries, and studios for cultural classes.

The first option would be to collaborate with the Riverside Community College District to develop a performing arts center at the Community College. The College District has expressed interest in collaborating with the City on a number of community venues including a performing arts center. The future Master Plan for development of the College includes a conceptual plan for a performing arts facility.

Partnering with the Community College on the development of a Performing Arts Facility has several advantages including joint funding opportunities, building on existing land that doesn't have to be acquired, technical staff support from the College District, and a centralized location in the community. Now is the time to meet with the Community College District

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and discuss the partnership possibilities and possible financial commitments from the City, the College District, and the various non-profit performing organizations within the City that could benefit by such a venue.

The second option for a performing arts center is to expand the current footprint of the Civic Center Complex at Frederick and Alessandro to include a performing arts theater and gallery space. This will be the location of the new library and contains the existing Conference and Recreation Center, which is now used for performing arts. This location offers several advantages such as shared parking and shared administrative space. The community is already coming to the Conference and Recreation Center for cultural activities and the City owns the land, so this option may be the most cost effective way to pursue a performing arts facility in Moreno Valley.

In addition to a new centralized Performing Arts Center, there is also a need to meet the cultural programming needs of the various neighborhoods and communities in Moreno Valley. Using a decentralized approach, whereby existing community centers, high schools and future community centers are improved and designed with facilities for studios, workshops, and rehearsal space for a variety of music, dance, performance, and other creative art activities would meet these needs. This could be combined with developing an outdoor amphitheater to accommodate community performances along with smaller performance spaces within existing and future community parks. The advantages of pursuing this option include providing the community with a broader range of cultural venues to meet both individual and organization needs for facilities, greater flexibility in implementing fee based cultural classes, and providing cultural facilities throughout the City, which would be located conveniently to neighborhoods.

Pursuing both a new performing arts center and including cultural venues in existing and future neighborhood and community parks would provide the most comprehensive delivery system for cultural activities in Moreno Valley. The demand for cultural venues and activities for youth through seniors is a high priority to be addressed in future capital projects.

7.3.5 - GOAL 5: Establish dedicated programs for teens focusing on creative and performing arts, social activities, mentoring and education enhancement, extreme sports activities and media/computer labs.

RECOMMENDATIONS

Addressing the needs of teens, especially middle and high school ages, was a consistent theme throughout the public input process. Organized programs provide safe places for teens, reduce the incidents of juvenile crime, and encourage youth involvement in interacting in community life.

Teen Needs

Safe places for teens to hang out

Active programs for teen fitness and health

Creative activities for development of self-esteem

Places for sports and organized programs

Places for entertainment activities

Teen themed events

Programs for teens to volunteer

Creation of jobs for teens

Help with career choices

Family counseling

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Moreno Valley has a number of challenges in dealing with delivering services to teens. They include a higher than national average high school drop out rate, a higher than average number of teens living in foster and group care, and a higher than national average of teens living in families below the poverty level.

This age group is considered still at risk and one of the most important age groups to address in terms of programming and services, promoting healthy lifestyles and positive experiences that create lifelong skills and leisure pursuits.

Emphasis for services needs to be primarily on academic support, health and wellness, mentoring with an emphasis on college, career and job preparation, as well as civic and volunteer involvement. The following actions should be undertaken by the Parks and Community Services Department to address these issues:

~ Work closely with the educational community to monitor youth through the California Healthy Kids Surveys conducted every two years. Utilize data to align recreation programs to address any issues identified in this survey.

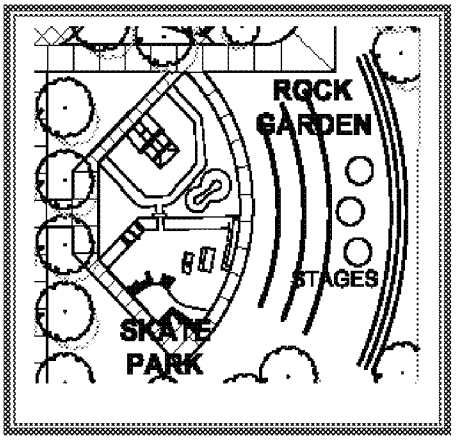

~ Explore, expand and establish opportunities for youth to participate in the ongoing identification, development and delivery of programs, services and events.

~ Expand programming to provide targeted volunteer opportunities for this age group to support their efforts in preparing for college entry requirements.

~ Strengthen existing or facilitate the development of a youth employment program that promotes skills in searching and maintaining employment. Program would promote academic success for long term career and/or employment planning as well as working closely with the business and educational community partnering for the long term success of youth.

~ Pursue the creation of "alternative" sports programming that is of interest to youth in this age group. Examples noted in the focus group included skating, BMX, laser tag and rock climbing.

~ Explore and work with proposed commercial and retail developments to include venues where middle and high school teens like to connect to friends such as food service courts, movie theatres, bowling alleys, etc.

~ Mentoring and volunteer programs that provide opportunities for youth to mentor youth, business mentoring youth, seniors mentoring youth and youth mentoring seniors.

~ Consider "Teen Nights" at the roller hockey arena at March Field Park with music, entertainment and roller-skating.

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~ Increase the contract class offerings for teens in the area of creative arts, like singing, dancing, acting, media, film making, and music production classes.

Explore the possibility of including a dedicated Teen Center (See **Exhibit 7.3** Prototypical Concept Master Plan for Multi - Generational Community Park) that would include a dance studio, a music room, a media/computer lab, multi-purpose room for social events, counseling rooms, outdoor activity area, and a gymnasium and food concession area.

Before proceeding with any capital project to develop facilities for teen programs, the City should establish a "Teen Center Advisory Committee" to help the City work through various options and to advise on the amenities and programs that should ultimately be included in development of a facility for teens.

7.3.6 - GOAL 6: Address the future needs of senior citizens by expanding facilities and programs for seniors.

RECOMMENDATIONS

All demographic reports for the region and state indicate the number of seniors will greatly increase with the aging of baby boomers. The public outreach process identified senior services as a very high priority. There are three types of improvements that are needed in the future at the Senior Community Center:

~ First, an outdoor space that can accommodate senior events, outdoor classes and activities, and a secure passive area for senior use.

~ Second, a senior exercise facility, such as a weight room and fitness center dedicated to seniors.

~ Third, more classroom and studio space for special interest activities.

There does not appear to be enough room at the existing Senior Community Center to add the above facilities, so the City may need to pursue development of another Senior Community Center in the future that would contain these amenities. Combining a new Senior Community Center in a multi-generational community center project (**See Exhibit 7.3** Prototypical Concept Master Plan for Multi - Generational Community Park) where the senior programming can take advantage of a swim complex, gymnasium and classroom space of adjacent facilities would be the most effective way of providing the three types of improvements needed.

When possible, the City should search out and create collaborative relationships to establish partnerships in the development of the senior services delivery system.

Senior Citizens

Growing population

Current senior center at capacity

Need outdoor activity space

More fitness and health facilities and programs

Expand classroom and studio space for special interest classes, clubs and activities

Address transportation needs

More programs for active seniors

Expand social service programs in areas of meals, health and life counseling

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Park Improvements

Tot Lots

Lighted Fields

Restrooms

Picnic Shelters

Tennis Courts

Water Play Features

Passive Open space

Trails for Walking

Community Centers

Cultural Venues

7.3.7 - GOAL 7: Identify opportunities to provide neighborhood and community park facilities that are conveniently located to all areas of the city and meet the community's desire for neighborhood and community parks containing such amenities as picnic facilities, water play features, playgrounds, meeting room space, passive open space, practice fields, dog parks and fitness facilities. The Parks and Community Services Department and Parks and Recreation Commission should strive to ensure they review development projects that directly abut or impact an existing or future General Plan identified park, trail or open space.

RECOMMENDATIONS

Community and neighborhood parks and centers are often considered the heart of the community, a place where the community and neighborhoods come together for recreation, learning, socializing, growing, and health.

Community parks should be located based on a 3 to 5 mile service radius and neighborhood/local parks based on a 3/4 to1 mile service radius to ensure even distribution of park facilities throughout the City. (See **Map 7.1 - 7.7** - Service Areas for Existing Parks, Future Parks and Schools).

The City should continue its practice of requiring new neighborhood parks and community parks be dedicated as part of new residential development. Section 3, the Park Facilities Inventory and Analysis shows what park amenities should be typically included in neighborhood and community parks and the City should strive to include as many of the recommended amenities as the size and cost of development will allow.

Special emphases should be placed on providing the most requested amenities from the public outreach and Demand and Needs Analysis, including tot lots, playgrounds, and water play features, meeting room space, passive open space and practice fields.

Improvements to existing neighborhood and community parks are needed to meet community demands and provide additional amenities requested during the public outreach sessions. These include the following:

Shadow Mountain Park – Tot lot play area (2-5 and 5-12), sports field lighting for 2 softball/soccer fields, restroom/concession stand, and group picnic shelter.

John F. Kennedy Park - Conversion of fire station to a recreation center when the fire station relocates to a new facility.

Bethune Park - Sport lighting at the adjacent school (Bethune Middle School) should be considered in the future.

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Fairway Park - Add active park amenities, such as basketball court, tennis court or skate park.

Pedrorena Park - Additional site amenities including a group picnic shelter near the tennis courts and barbeques.

Parque Amistad Park – Consider the addition of a restroom facility.

Weston Park – Look into the addition of a large group picnic shelter.

Sunnymead Equestrian Station – Add a covered shade area for the rest stop and horse-watering trough.

Moreno Valley Equestrian Park and Nature Center – This site requires master planning to determine best use and amenities.

Poormans Reservoir – Explore the possibility of this site for a nature area with trails.

As the eastern portion of the city develops, it will be critically important for the City to acquire and develop both neighborhood and community parks to serve the growth.

Designating possible park sites now will allow the City to plan for the growth and negotiate with potential developers for the dedication and development of neighborhood and community parks on this side of town when growth occurs.

The following park development standards should be adopted to ensure future park sites are designed to accomplish this goal:

PARK STANDARDS

- Provide and distribute parks and recreation facilities and services to meet the diverse needs of the community
- Coordinate the development of park facilities and trail systems throughout the community to provide safety, accessibility and compatibility between recreation facilities and residential areas
- Ensure all parks and facilities are adequately designed, landscaped and maintained. Provide parks and recreation facilities to meet the planning area's diverse needs.
- Supply neighborhood and community parks at a minimum of 3 acres per 1,000 persons throughout the city
- Strive to provide 10 acres of recreation and park space for each 1,000 persons for general regional recreation opportunity as a desirable goal.

Park Standards

A successful park system provides neighborhood, community and special interest parks that are conveniently located throughout the city

A minimum standard of 3 acres of parkland per 1,000 population

A desirability of 10 acres per 1,000 population of open space

A desirability of one mile of recreational trails per 10,000 population

Establish park development standards for neighborhood and community parks for future residential developments

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Recreational and park space includes neighborhood parks, community parks, school open space, county parks and state recreation areas.

Park Development Design

Environmental Sustainability

Financial Sustainability

Accessibility

Safety

Compatibility

- Establish one mile of recreational trails for each 10,000 persons as a desirable goal for developing trail systems
- Coordinate development of park facilities and trail systems throughout the plan area which enhance the community centers concept and complement unique visual or natural resources
- Ensure that all recreation and park facilities are adequately designed with "Sustainable Design Elements", landscaped, and maintained at levels acceptable to the community
- Require that the costs of recreation and park facilities and programs are borne by those who benefit from and contribute to additional demand
- Provide safety, accessibility, and compatibility between parks and adjacent residential areas through "good neighbor" park practices
- Encourage development and maintenance of regional parks and recreational facilities by the County of Riverside and the State of California Department of Parks and Recreation
- Whenever possible pursue parks as a component of proposed groundwater recharge areas
- Park access should be provided in close proximity to public transportation or make provisions for public transportation

COMMUNITY PARK STANDARDS

- Require proposed park locations to be reviewed by City staff and the Parks and Recreation Commission prior to City Council action on acquisition, dedication or acceptance of parkland, open space and trails
- Community parks should be located at the juncture of major and/or collector streets to provide for safe, efficient, and convenient vehicular access, and to allow for easy surveillance by law enforcement
- Locate community park-type athletic field complexes adjacent to major arterials
- Use community parks as focal points for community development. Locate community parks to be highly visible and easily accessible
- Consider community park locations adjacent to middle school sites

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when feasible

- Provide appropriate buffers between community parks and adjacent residential development to help minimize noise and glare from lighted fields
- Encourage the development of local non-profit organization's social and recreational facilities in those areas currently underserved by City community parks
- Locate community parks based on a 3 to 5 mile service radius to ensure even distribution of park facilities throughout the city
- Community parks should have full street improvements and utility connections including, but not limited to, curbs, gutters, grading, automatic irrigation systems (within rights-of-way), turf, walkways and walkway lighting, street paving, traffic control devices, street trees, and sidewalks
- Community parks should have fencing or walls, where appropriate, along the property line of that portion of the subdivision contiguous to the dedicated land
- Community park sites should have enhanced drainage systems with special consideration given to possible installation of subsurface drainage systems in the sports fields

NEIGHBORHOOD PARK STANDARDS

- Locate neighborhood/local parks based on a 3/4 mile service radius to ensure even distribution of neighborhood park facilities throughout the city
- Orient neighborhood and local parks to encourage convenient and safe pedestrian access
- Allow the formation of special park districts which provide higher park standards than the minimum stated above
- Continue to require developers to dedicate land, provide improvements and/or in-lieu fees to serve the needs of the population in newly developing areas
- Require developers of new subdivisions to show and adhere to park locations depicted in the Land Use Element of the General Plan and the Parks, Recreation and Open Space Master Plan

Park Locations

Community parks should be located within 3 to 5 miles of all residents

Neighborhood parks should be located within ¾ mile of all residents

Community parks can serve as neighborhood parks

Schools and school fields can serve as neighborhood parks

Regional parks can serve as community parks and special use parks

Design trails to connect the park system

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- Allow neighborhood park requirements to be met by community parks when such community parks are situated within, or at the boundaries of neighborhoods and when they provide equivalent facilities
- Encourage schools to make playgrounds and playfields available to local residents after normal school hours and on weekends as they provide neighborhood park uses
- Pursue acquisition or long term lease of publicly-owned lands and utility rights-of-way as recreational facilities including trails, fields and/or picnic/tot-lots

Commercial and Retail

The benefits of including open space, trail links, venues for events, entertainment uses and gathering places in commercial and retail developments include:

Increased pedestrian traffic

Satisfaction of shopping experience

Increased social interaction

Opportunities for community collaboration

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT IMPACT ON PARKS AND RECREATION

In future retail and commercial development projects, it would be desirable to see that places for community events, links to trails, passive open space, and commercial family recreation opportunities be included by developers. The benefits of including these items in retail and commercial developments are:

- Greater generation of pedestrian traffic to the commercial facility
- Increased satisfaction of the shopping experience
- Increased social interaction among the community
- Opportunities for events that bring the community together

7.3.8 - GOAL 8: Acknowledge the community's desire for special events and opportunities for socialization and celebration. Pursue the creation of multi-purpose community event areas that could accommodate a variety of cultural, social and promotional events in the future development of community parks.

RECOMMENDATIONS

The Parks and Community Services Department operates or coordinates a variety of many community and population specific special events. These events have promoted a strong sense of community and a family friendly environment that is enjoyed by Moreno Valley residents. Throughout the process, these events were pointed to with great pride.

Trends and surveys statewide indicate these events are extremely important in connecting people to their community, promoting safety and instilling a unique sense of place for residents. According to the California State Parks surveys done in 2002 and 2003 relative to outdoor participation rates of Californians, 82.6% had attended an outdoor cultural event during the prior year. The public outreach process indicated that residents consider these events a very high priority and are interested in expanding events.

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The City uses a variety of locations for citywide events including parks and schools. The Consultant Team believes that the City should plan for more events in the future and include dedicated areas in potential community parks with specialized facilities for events that could accommodate everything from art fairs to concerts in the parks.

The City currently is working with the Riverside Community College District in the design of an outdoor amphitheater to be located on the future campus of Moreno Valley Community College adjacent to the existing soccer fields the two agencies jointly developed. The development of the amphitheater should be pursued and the City should jointly program it in coordination with the Community College for entertainment events for the public.

By designing in some support amenities such as restrooms and controlled access, the City and the College District could create a destination attraction whereby the amphitheater could provide both a local and regional entertainment venue.

Meeting Aquatic Needs

Collaboration with schools

Partnership with YMCA

Commercial water park

City aquatic complex in a future community park

Water features in neighborhood parks

Encouragement of private swim clubs

7.3.9 - GOAL 9: Recognize the community's desire for aquatic activities and pursue the development of aquatic facilities that can accommodate swim lessons, swim competitions, water fitness programs, recreational swimming and opportunities for parties and rentals through collaborations with schools, YMCA or commercial and private development of aquatic amenities.

RECOMMENDATIONS

A swim complex for Moreno Valley was a high priority during the public input process and the Demand and Needs Analysis. The type of aquatic complex requested included a year-round aquatics facility consisting of a minimum of a 25 meter by 25 yard competitive pool, recreational swim/lap pool, zero depth tot pool, lounging area, meeting/training rooms, locker/changing rooms and administrative offices.

The City should work with the competitive swim organizations, schools, YMCA, and commercial and private aquatic operators to try to address this community demand.

Working with the schools to build more pools distributed throughout the city can be an effective way of containing costs and still providing for both school and community swim programs.

If the City pursues an aquatic complex, either a city-developed facility or a private commercial facility, it should be centrally located and preferably located in or near a community park with a large community center and sports complex in order to share parking and administration.

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The City may also wish to partner with the YMCA or other non-profit organization. If the City does not want to operate the aquatic complex directly then it could contract out the management and operation to a concessionaire. A combination commercial water park and aquatic center may be an option to consider. Working with the Riverside Community College District to develop an aquatic facility at the new campus of Moreno Valley College may also be an option.

The Consultant Team has prepared a Prototypical Concept Master Plan for a multi-generational community park (**See Exhibit 7.3**) that could include an aquatic complex, along with sports fields and possibly a multi-generational community center. When future development occurs in the east side of the city a multi-generational community park will be needed to serve that growth, so that would be an appropriate time to consider an aquatic complex.

An eastside community park would serve both existing residents and future residents as the east side of the City develops. This park would meet the future field demands, community center demands and the need for swim programs. Development may be 10 to 20 years away, however, the City should plan now for the development of a multi-generational community park somewhere on the east side of town and begin designating and acquiring property for this purpose.

The City does own some existing parcels in the northeast area of the city (Equestrian Center property) and a 40 acre parcel in the central area of the city that is slated for future medical use and could consider these parcels for a community park development project. The best location that provides access and enough space to build a community park on the east side of the city will have to be determined through specific plans for these areas.

7.3.10 - GOAL 10: Pursue development of new revenue sources to fund the parks and recreation system by using parks and facility resources as assets to generate income; partnering with other public agencies, non-profits and commercial entities; and, continued growth of fee based recreation program delivery system.

RECOMMENDATIONS

As stated in 7.2 above the City will need to continue policy directions that will allow it to:

~ Use its resources as assets to generate new revenue

~ Partner with other public agencies, non-profits and commercial entities

~ Continue to expand fee based recreation programs

New Revenue Sources

Use of resources as assets to generate new revenue

Collaborations with other public agencies

Expand fee-based programming

Allow concessions to run public facilities, such as the golf course and future sports complex and/or swim complex

Update Community Facilities District fees

Establish park maintenance assessment districts for all new development projects

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1. Asset Management

Moreno Valley has already begun to implement an Asset Management Plan to use its assets to generate revenue. The City has developed agreements for vending at community park sites, and has pursued cell tower leases to generate revenue to off set park maintenance costs at Hidden Springs Park, John F. Kennedy Park, Towngate Park, and Weston Park.

Moreno Valley park and recreation facilities have a history of being heavily used by the community. The Parks, Recreation and Open Space Comprehensive Master Plan recommends several new facilities including March Field Park sports complex; an aquatic center/community center and sports park; a performing arts center complex; and new community and neighborhood parks all with potential value for asset management programs.

Through the community input process and surveys, the consensus was that the community understood the need for revenue development and would be generally accepting of some commercialization of these proposed facilities in order to ensure quality programming and proper maintenance.

However, there was concern expressed regarding aesthetics and too much commercialization of public facilities.

Example of Telecommunication Tower in Flag Pole

The three components to developing an Asset Management Plan are:

1. Revenue from facility rentals, fees, and charges
2. Leases or licenses for private concessions
3. Advertising/vending/sponsorship opportunities

Based on the recommended future projects outlined in the Parks, Recreation and Open Space Comprehensive Master Plan the project team has developed the following list of advertising/vending/sponsorship opportunities for consideration by the City to help it generate additional revenue for which to use in operating and maintaining park facilities:

- Shade shelter advertising
- Information and advertising kiosks
- Trash receptacle advertising
- Telecommunication tower leases
- Naming rights and/or facility sponsorship
- Food and rental concessions

Several of these revenue categories are advertising programs and the potential revenue is dependant upon the number of impressions that can be generated on the proposed site. In advertising terms, there are two types of impressions: repeat impressions and one-time impressions.

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Repeat impressions are those exposures to the same people over and over and one-time impressions are those that people see passing by just once. Companies who are trying to establish a brand identity like to advertise at locations that provide repeat impressions, while established brands prefer one-time locations that provide for brand reinforcement.

The facilities proposed for Moreno Valley have the potential to offer both types of advertising locations. The value of these locations is determined by the number of visits and the amount of participation at each site. It is best to "bundle" the sites and offer potential contracts for each category at all sites.

The extent of advertising programs the City wishes to use to offset maintenance and operational costs will have to be a policy decision made by elected officials. The key is to design the facilities with these programs in mind so that they fit in and look a part of the environment instead of looking like after thoughts that stand out and are unsightly additions. They need to be attractive structures, located for maximum exposure and have control as to content, so as not to create public controversy or opposition. The extent of commercial advertising should not be offensive to visitors or participants or it will defeat the purpose and turn people away from using the facilities. These types of programs need to be reviewed in terms of existing City sign and advertising ordinances so that the City is not doing things it will not allow the private sector to do.

There are several factors that affect the ability and success of Asset Management Programs including:

- The economic makeup and image of the city
- The types of facilities, their projected use and attendance
- The community's perception and acceptance of commercialization
- Income levels, race, ethnicity, and age demographics
- The city's ordinances and regulations regarding signage, advertising, and use of public property for private commercial purposes
- The demand in the market place for commercial exposure in Moreno Valley
- The city's ability to manage Asset Management contracts
- The political environment for balancing the need for revenue versus commercialization of public facilities
- Aesthetics, logistics, and the cost versus revenue benefits of Asset Management Programs

Generating revenue from the use of public facilities is a business venture and thus requires good business decisions and good business practices

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Three column kiosk (KSK)

when implementing asset management programs. For example, an agency cannot decide to implement an information/advertising kiosk program at its parks and facilities but then decide to hide the kiosk in an obscure location because it doesn't want to appear that it is commercializing its facilities.

By designing the kiosk to be attractive and fit into the theme of the facility, the kiosks actually become an integral part of the facility environment and an essential amenity to provide information to site visitors.

It is recommended that when the City proceeds with the design of new facilities that the design process contains an analysis of potential asset management opportunities to generate revenue to offset operation and maintenance costs. By doing this the city can develop attractive quality new facilities that have financial sustainability in the future.

2. Partnering with other public agencies, non-profits and commercial entities

The City of Moreno Valley currently has several partnerships in place to deliver programs and services to the community. The most notable is the after-school program in coordination with the two school districts that serve Moreno Valley. In the past the City has also worked with the YMCA for delivery of after-school programs.

The City has jointly developed College Park in association with the Riverside Community College District and has plans to do more joint projects when the Community College Master Plan is implemented.

Additionally, the City works with several non-profit organizations to provide cultural programs, citywide special events, senior citizen programs, human service programs, and equestrian activities.

The City also works closely with the County of Riverside on regional trail systems and the State Department of Parks and Recreation with regards to the Lake Perris State Recreation Area.

The City will need to continue and expand its partnership programs in the future. Some specific examples to consider could be:

- Partnering with the YMCA when developing the future aquatic complex
- Partnering with the Community College for the development of a performing arts center and outdoor amphitheater
- Using a commercial entity to develop and operate the sports complex and family fun center at March Field Park
- Partnering with AYSO for development of soccer fields
- Partnering with Little League to light ball diamonds

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- Partnering with churches to utilize facilities for cultural programs
- Partnering with the school districts to light school fields

Looking for ways to expand partnerships will be vital in the future to enable the Parks and Community Services Department to act as a facilitator of programs rather than a direct provider.

3. Fee Based Recreation Programs

The Parks and Community Services Department currently offers a wide variety of fee-based programs and activities. Most of these are conducted with independent contractors as instructors. In order to meet the demand for future classes and activities to serve youth, teens, and adults, the Department will need to continue its practice of providing these types of activities on a fee basis.

If new community centers are built they should be designed with studios for dance, music, art, crafts, acting, and painting. There should also be multi-purpose rooms that can be used for meetings, workshops, and group classes in self improvement. Fitness activities such as yoga, karate, martial arts, etc. can be offered as fee based programs.

Expanding and adding to the current fee-based programs will help the Parks and Community Services Department meet the requests for a wide variety of instructional, self-improvement, and recreational classes in the future.

7.3.11 - Goal 11: Work to include trails for walking, jogging and biking in future park development and pursue completion of the Moreno Valley Trails Master Plan.

Trails

Provide transportation corridors

Connect points of interest

Opportunities for fitness

Family activity

Increase property values

RECOMMENDATIONS

During community outreach events, attendees expressed a strong desire to improve trails systems throughout the City.

The City has done an excellent job of developing a Trails Master Plan and Trails Standards to use when trails are developed. There are a number of issues the City will need to resolve with regards to local trail connections to regional trails, providing trail access across the 60 Freeway to connect north and south trail systems and with including future trails on the east side of the city when that area develops. The City should pursue the following policies:

~ Continue to implement the Moreno Valley Trails Master Plan

~ Ensure that the City's trail design standards are inhered to in future trail development

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~ Look for opportunities to include walkways and trails in the design of new commercial, industrial, and retail development projects

~ Pursue alternatives to complete trail connections over or under the 60 Freeway to make sure trail access is maintained north and south

~ Limit the use of motorized vehicles on trails to segways and power chairs/scooters used by persons with limited mobility and dedicate resources to enforce trail use to assure safe use of trails

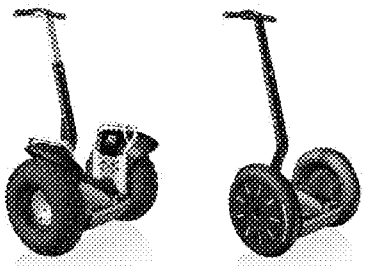

Typical Segways

7.3.12 - Goal 12: Continue to update the existing City of Moreno Valley Landscape Standards to include "Sustainable Design Elements" into new park design and park rehabilitation projects to bring the opportunity to integrate new energy efficient technologies and water conservation into all park and facility development projects. Expand the definition of sustainable design to the public park design process by building on the traditional approaches to environmental sensitivity so that parks and facilities have the ability to hold up over time and reduce their impact on the environment. This requires the integration of planning and design techniques to provide financial sustainability, environmental sensitivity, green building technologies, and water management procedures.

RECOMMENDATIONS

Park landscaping provides valuable services to our environment such as climate regulation, clean air and water, and improved quality of life. However, conventional land practices often limit, rather than enhance the ability of landscapes to provide these important services.

As new parks are developed and existing parks upgraded, it will be important to address sustainability practices in park design. The following key items should be addressed:

~ The use of drought tolerant and native plants

~ Utilizing Smart Irrigation Controllers to increase irrigation efficiencies through hydro zoning according to plant requirements and site microclimates, in addition to sensors to reduce over irrigation

~ On site storm water management practices

~ Facility locations that take advantage of site options for solar access

~ Building shape, thermal mass and window location to minimize excess energy consumption

~ The use of water permeable or "porous" paving

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~ On site storm water recharge

~ The use of recycled building materials

~ The protection of existing plants

~ Plantings from diverse communities of plant species well adapted to the site

~ The use of mulch in planted areas

~ Water efficiencies through the grouping of plants with like water requirements

7.4 SUMMARY OF NEW FACILITY RECOMMENDATIONS

The recommendations to accomplish the "12 Goals for Success" presented in 7.2 above include a number of new facilities for the city. The following is a summary of the new facility recommendations and a description of each one:

1. March Field Park Sports Complex

(Exhibit 7.1)

- Youth Soccer Complex with 8 fields
- Softball Complex with 4 fields
- Roller Hockey/Skating Facility
- Skateboard Facility
- Batting Cages
- Rock Climbing
- Children's Playground with Water Play
- Food and Rental Concessions
- Walking/Jogging Trail
- Passive Lawn Area
- Parking with RV Space for Tournament Visitors

(Exhibit 7.2)

- A dedicated multi-fields youth and adult baseball complex

2. Prototypical Concept Master Plan for Multi-Generational Community Park for future development in the eastern portion of the City (**Exhibit 7.3)**

- Aquatic complex
- Sports complex
- Multi-Generational complex containing:

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- Community center with studios and classrooms
- Senior community center with outdoor activity space
- Teen center with media lab and outdoor activity venue
- Walking and jogging trail, passive lawn area, children's play equipment, restrooms and parking
- Special events area

In summary, if over the next 20 years the city can implement these new master plan projects, make the recommended improvements to existing parks; and address the recommendations for programming for youth, teens, and seniors, the City will have accomplished a very successful park and recreation system consistent with the General Plan goals and objectives.

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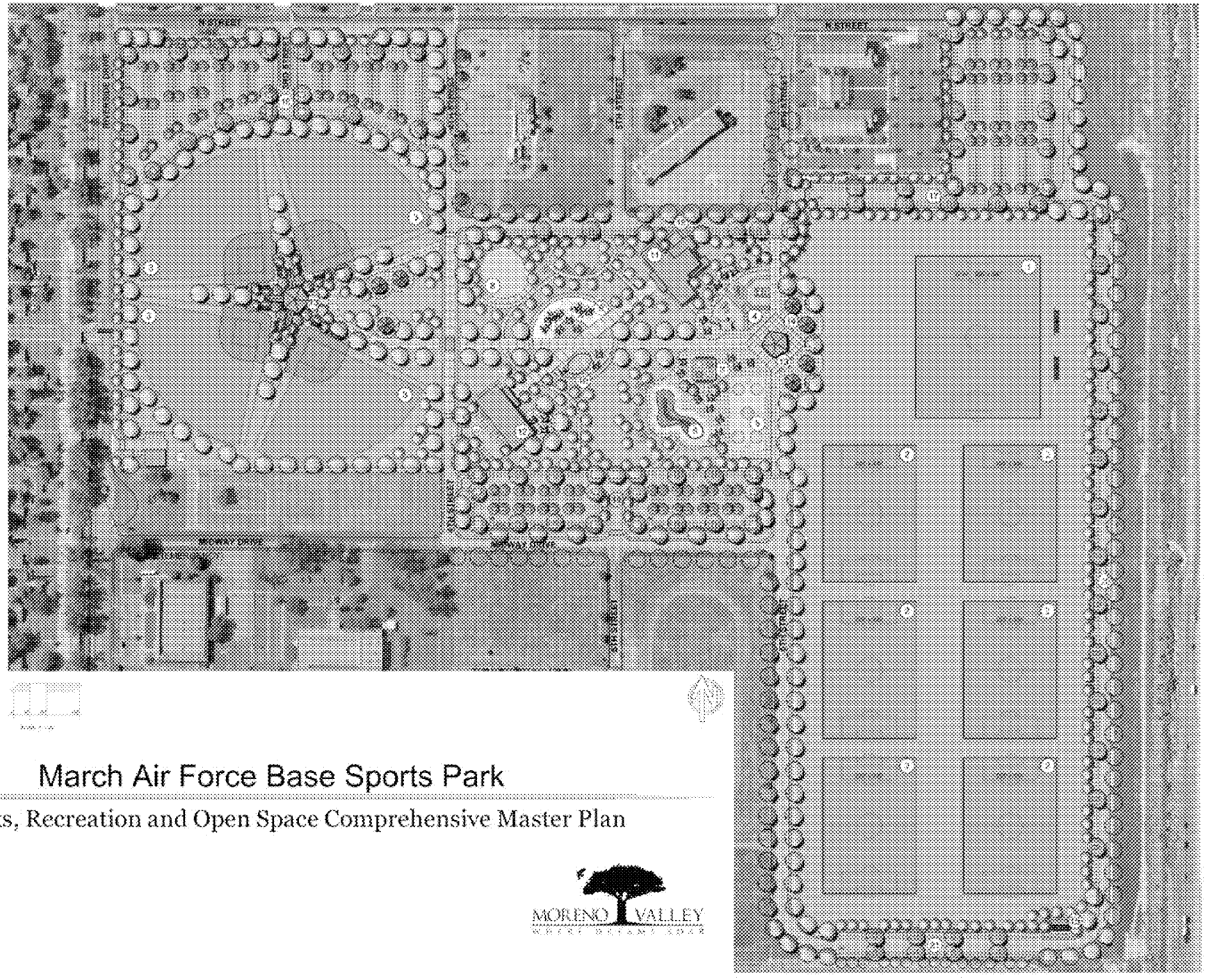
Legend
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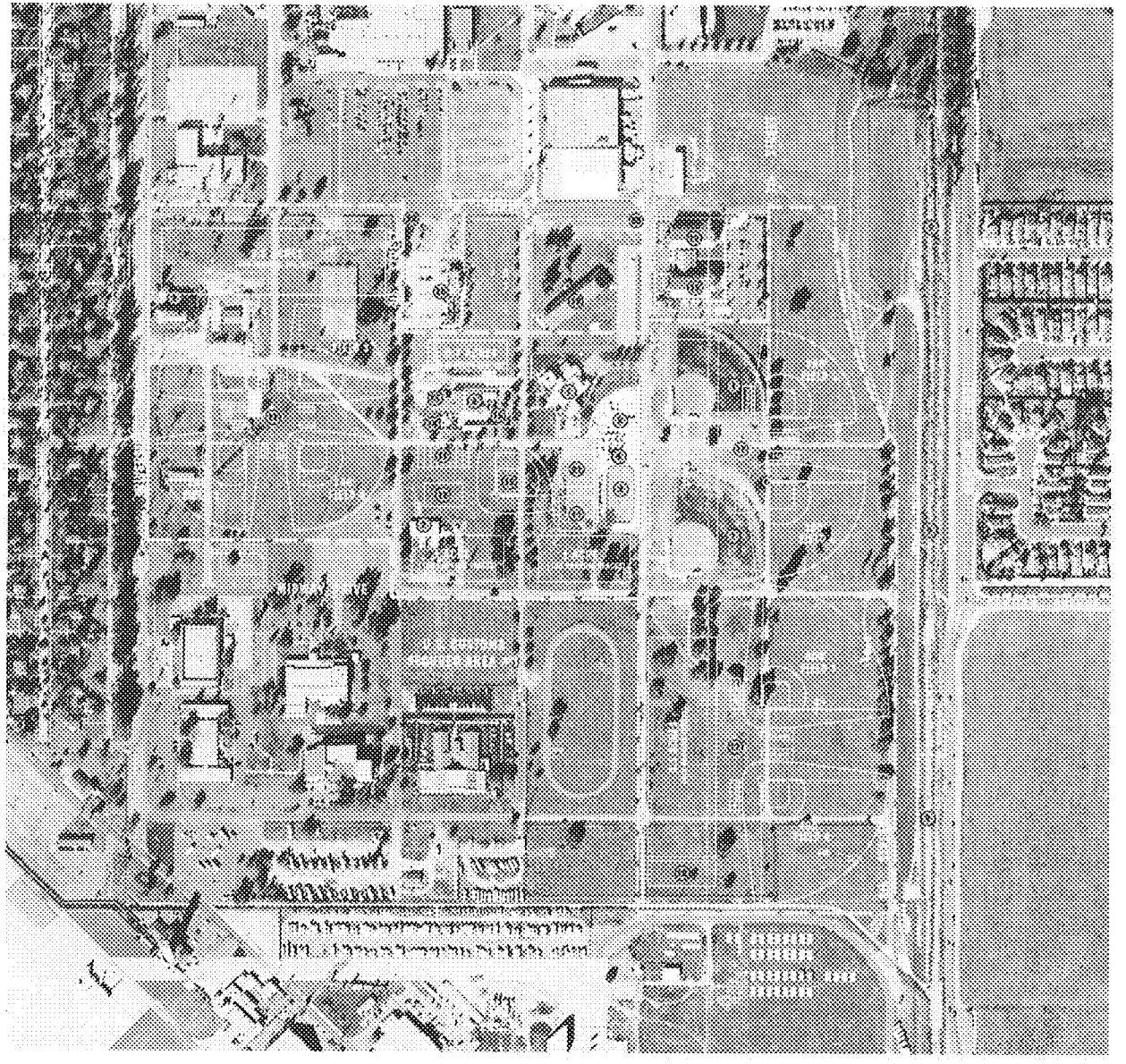

TOTAL SITE AREA: 72 acres

TOTAL DEVELOPED SITE AREA: 60 acres

LEGEND

1. EXISTING BALLFIELD TO BE REMOVED
2. EXISTING ROLLER HOCKEY RINK TO REMAIN
3. EXISTING SKATE PARK TO REMAIN
4. EXISTING RESTROOM - CONCESSION BUILDING TO REMAIN
5. EXISTING RECREATION CENTER TO REMAIN
6. EXISTING MAINTENANCE BUILDING TO BE REMOVED
   NEW MAINTENANCE BUILDING AND YARD TO BE CONSTRUCTED PER ITEM 18 BELOW
7. EXISTING "HEADSTART" CHILD CARE CENTER TO BE RELOCATED
8. EXISTING RED CROSS BUILDING COMPLEX TO BE REMOVED
9. DRAINAGE WASH AREA
10. 6-MAN BASEBALL "FIELD"
11. ROCK CLIMBING WALL AREA
12. COVERED INSTRUCTIONAL AREA
13. OUTDOOR INSTRUCTIONAL AREA
    SURROUNDED BY DENSE LANDSCAPE AND TREES
14. PICNIC SHELTER FOR +/-150 PEOPLE
15. (2) PICNIC SHELTERS FOR +/-40 PEOPLE
16. CHILDREN'S PLAY AREA
17. CONCESSION AND RESTROOM BUILDING
18. NEW MAINTENANCE BUILDING AND YARD
19. EXISTING DORMITORY BUILDING
20. EXISTING RESTAURANT
21. WATER PLAY / SPLASH PAD
22. INFORMATIONAL ENTRY KIOSK

Proposed Baseball Complex

Moreno Valley, California

Schematic Plan

November 2008

Exhibit 7.2

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MV00048309

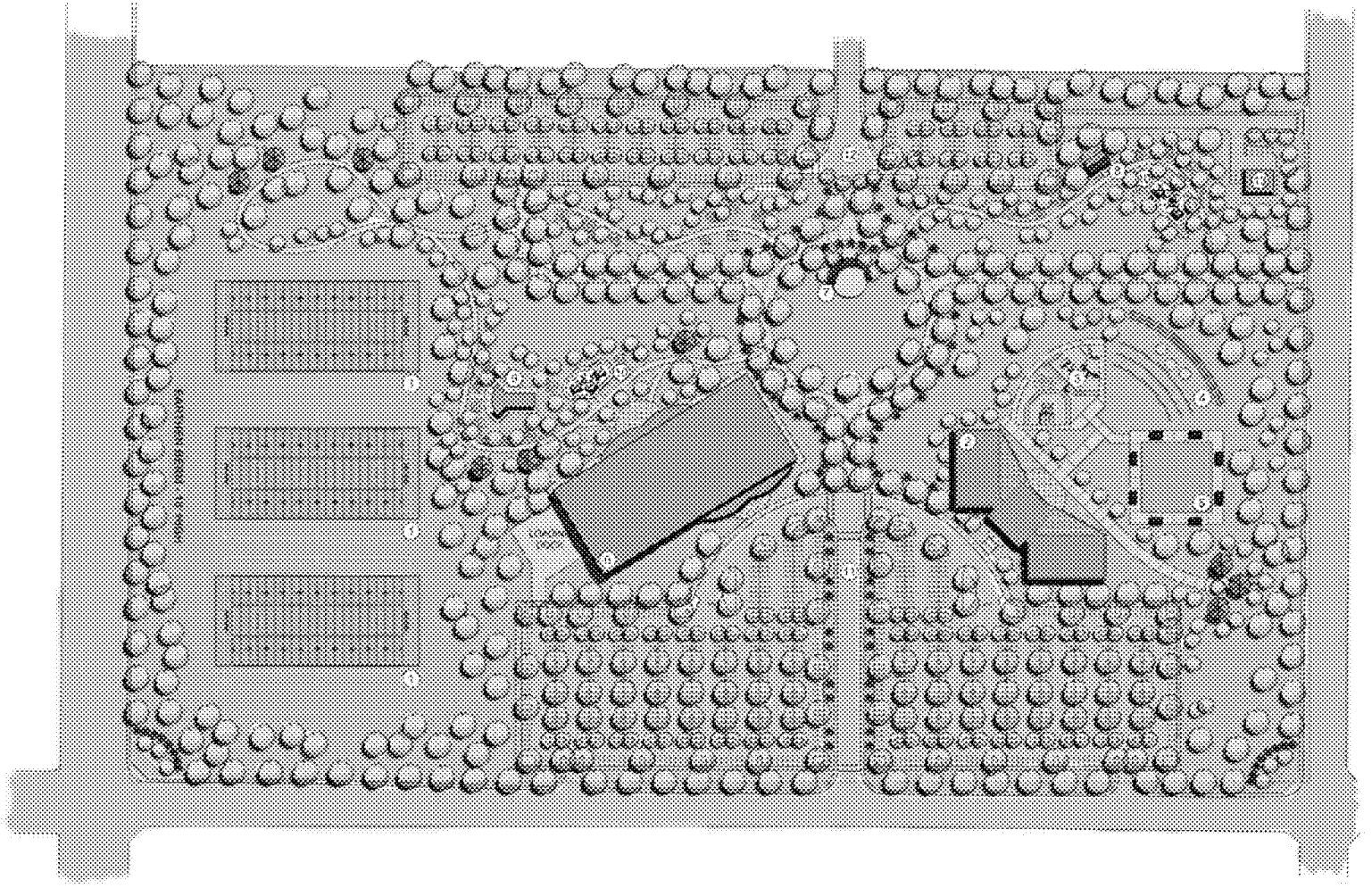

Prototypical Community Park

Parks, Recreation and Open Space Comprehensive Master Plan

MORENO VALLEY
WHERE DREAMS SOAR

Exhibit 7.3

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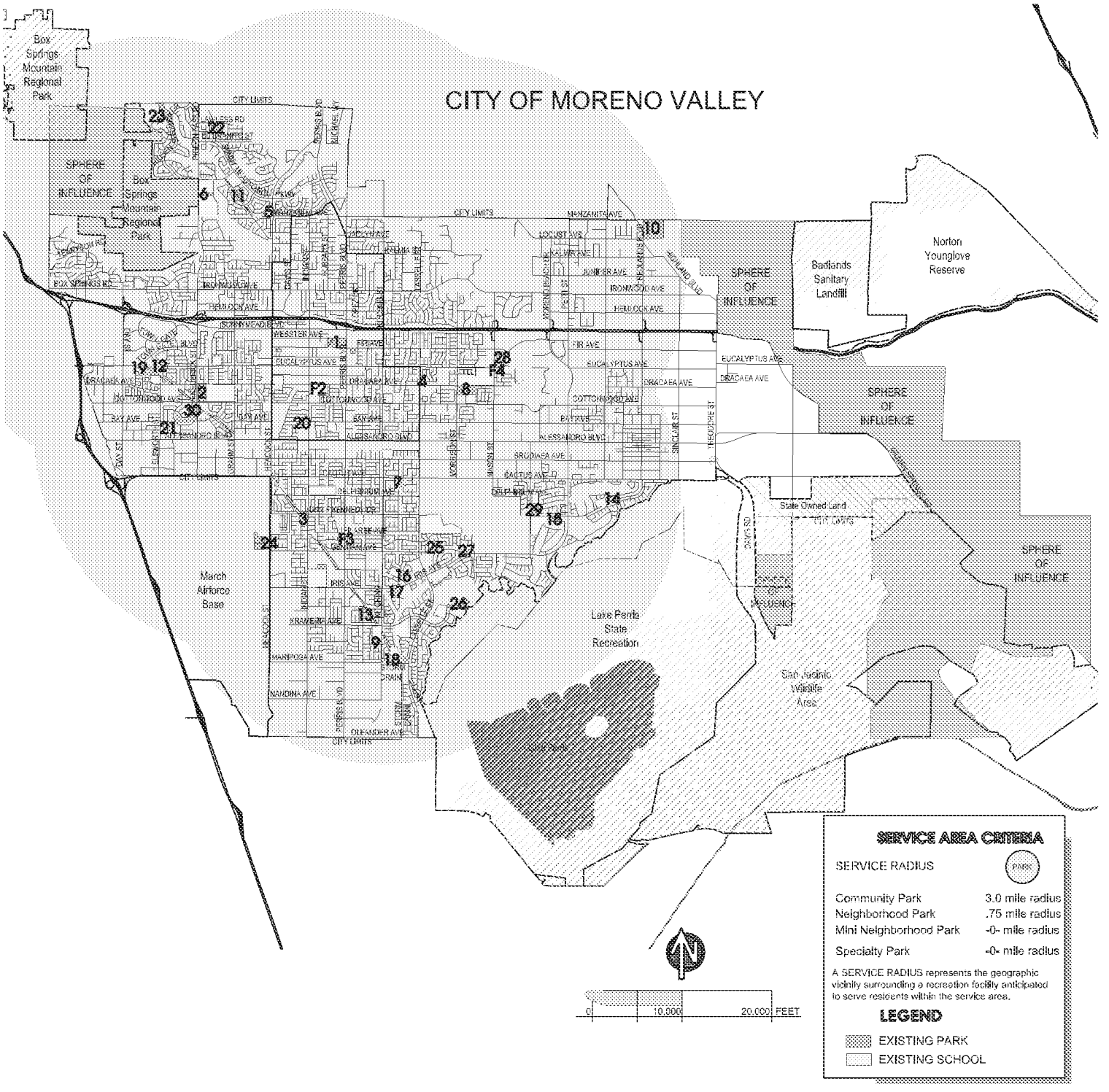

EXISTING COMMUNITY PARKS

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
8 MORRISON PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
26 COLLEGE PARK

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

SERVICE RADIUS MAP FOR
EXISTING COMMUNITY PARKS

Map 7.1 - Ex. Community Parks Service Radius Map

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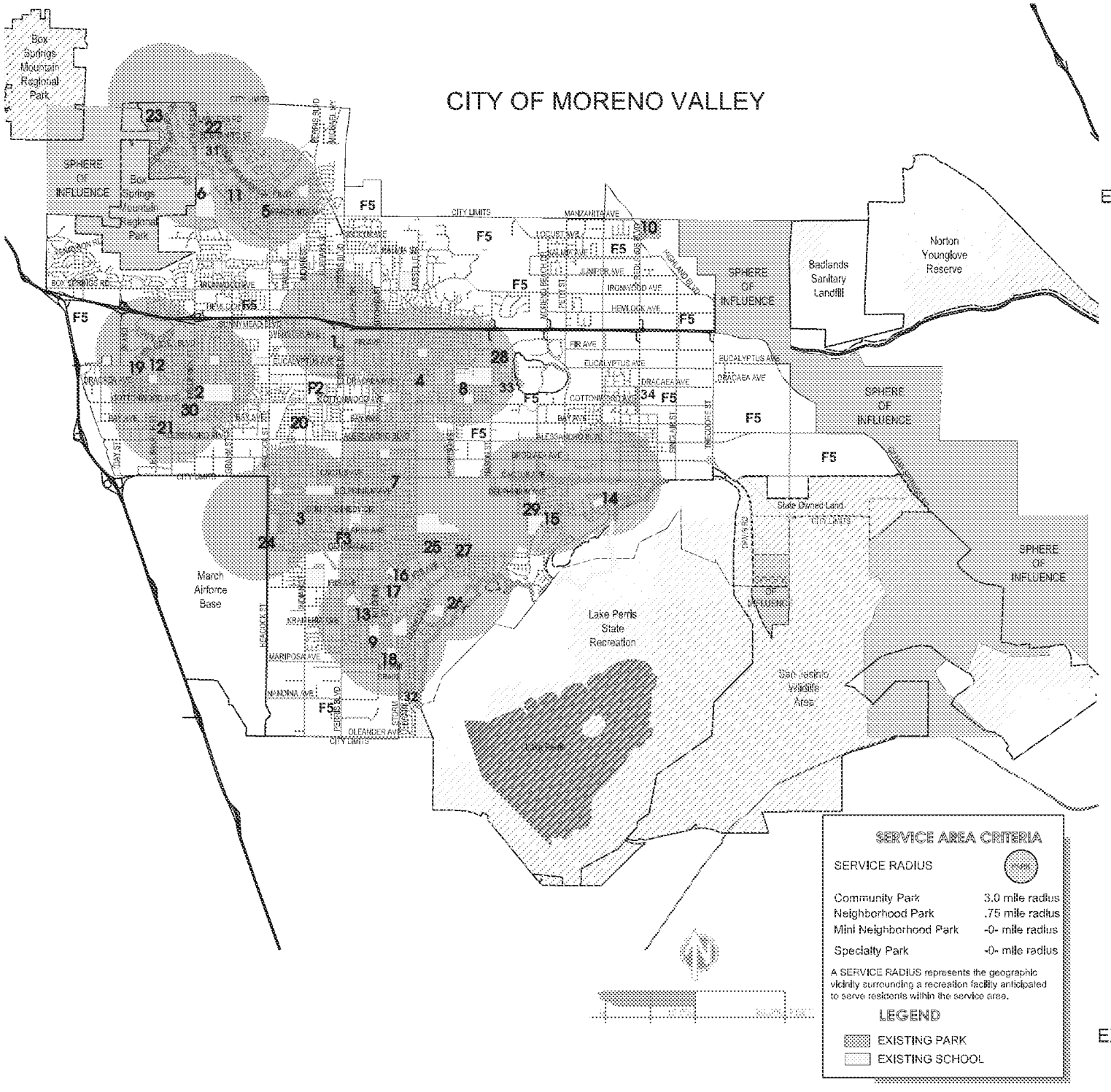

EXISTING COMMUNITY PARKS*

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
8 MORRISON PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
26 COLLEGE PARK

EXISTING NEIGHBORHOOD PARKS

3 JOHN F. KENNEDY PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
9 BETHUNE PARK
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUEDUCT LINEAR PARK
13 CALIFORNIA AQUEDUCT LINEAR PARK
14 RIDGE CREST PARK
15 FAIRWAY PARK
16 VICTORIANO PARK
17 PEDRORENA PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
25 PARQUE AMISTAD
27 VISTA LOMAS PARK
29 CELEBRATION PARK

EXISTING MINI-NEIGHBORHOOD PARKS

20 BAYSIDE PARK
28 ROCK RIDGE PARK

EXISTING SPECIALTY PARKS

10 MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER
30 COTTONWOOD GOLF CENTER
31 SUNNYMEAD EQUESTRIAN STATION
32 RANCHO VERDE EQUESTRIAN STAGING
33 COLD CREEK TRAIL HEAD
34 COTTONWOOD EQUESTRIAN STATION

*Where community parks are located in residential neighborhoods, they serve both the needs of the Community Park service radius and Neighborhood Park service radius.

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING NEIGHBORHOOD PARKS

Map 7.2 - Ex. Neighborhood Parks Service Radius Map

MV00048314

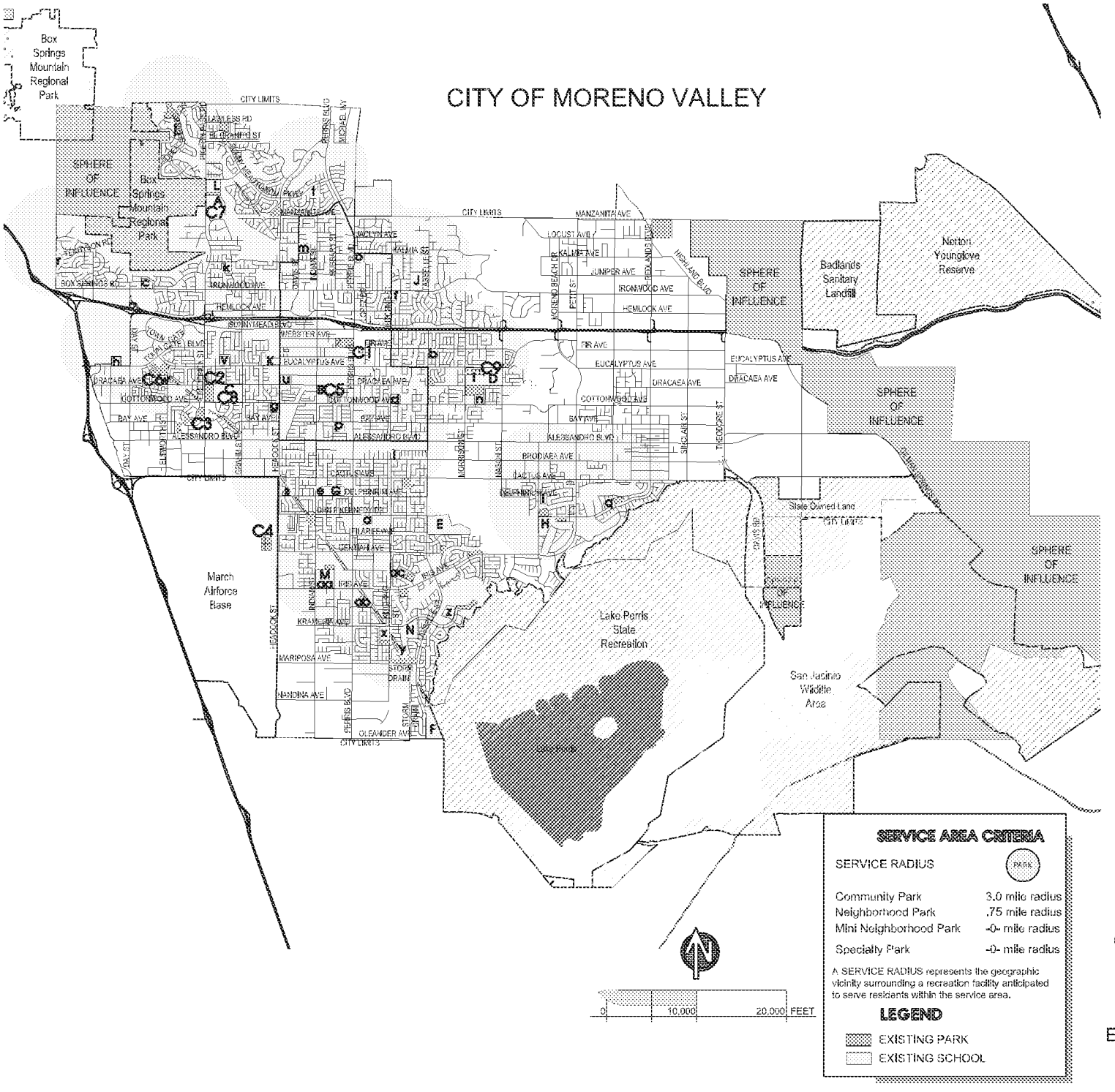

EXISTING SCHOOL FACILITIES

HIGH SCHOOLS
- A CANYON SPRINGS HIGH SCHOOL
- B MARCH MOUNTAIN HIGH SCHOOL
- C MORENO VALLEY HIGH SCHOOL
- D VALLEY VIEW HIGH SCHOOL
- E VISTA DEL LAGO HIGH SCHOOL
- F RANCHO VERDE HIGH SCHOOL

MIDDLE SCHOOLS
- G BADGER SPRINGS MIDDLE SCHOOL
- H LANDMARK MIDDLE SCHOOL
- I MOUNTAIN VIEW MIDDLE SCHOOL
- J PALM MIDDLE SCHOOL
- K SUNNYMEAD MIDDLE SCHOOL
- L VISTA HEIGHTS MIDDLE SCHOOL
- M MARCH MIDDLE SCHOOL
- N VISTA VERDE MIDDLE SCHOOL

ELEMENARY SCHOOLS
- a ARMADA ELEMENTARY SCHOOL
- b BEAR VALLEY ELEMENTARY
- c BOX SPRINGS ELEMENTARY
- d BUTTERFIELD ELEMENTARY
- e CHAPARRAL HILLS ELEMENTARY
- f CLOVERDALE ELEMENTARY
- g CREEKSIDE ELEMENTARY
- h EDGEMONT ELEMENTARY
- i HENDRICK RANCH ELEMENTARY
- j HIDDEN SPRINGS ELEMENTARY
- k HONEY HOLLOW ELEMENTARY
- l LA JOLLA ELEMENTARY
- m MIDLAND ELEMENTARY
- n MORENO ELEMENTARY
- o NORTH RIDGE ELEMENTARY
- p RAMONA ELEMENTARY
- q RIDGECREST ELEMENTARY
- r SENECA ELEMENTARY
- s SERRANO ELEMENTARY
- t SUGAR HILL ELEMENTARY
- u SUNYMEAD ELEMENTARY
- v SUNNYMEADOWS ELEMENTARY
- w TOWN GATE ELEMENTARY
- x BETHUNE ELEMENTARY
- y EL POTRERO ELEMENTARY
- z LASELLE ELEMENTARY
- aa RAINBOW RIDGE ELEMENTARY
- ab RED MAPLE ELEMENTARY
- ac VICTORIANO ELEMENTARY

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING MIDDLE SCHOOLS AND ELEMENTARY SCHOOLS

Map 7.3 - Ex. Middle and Elementary Schools Service Radius Map

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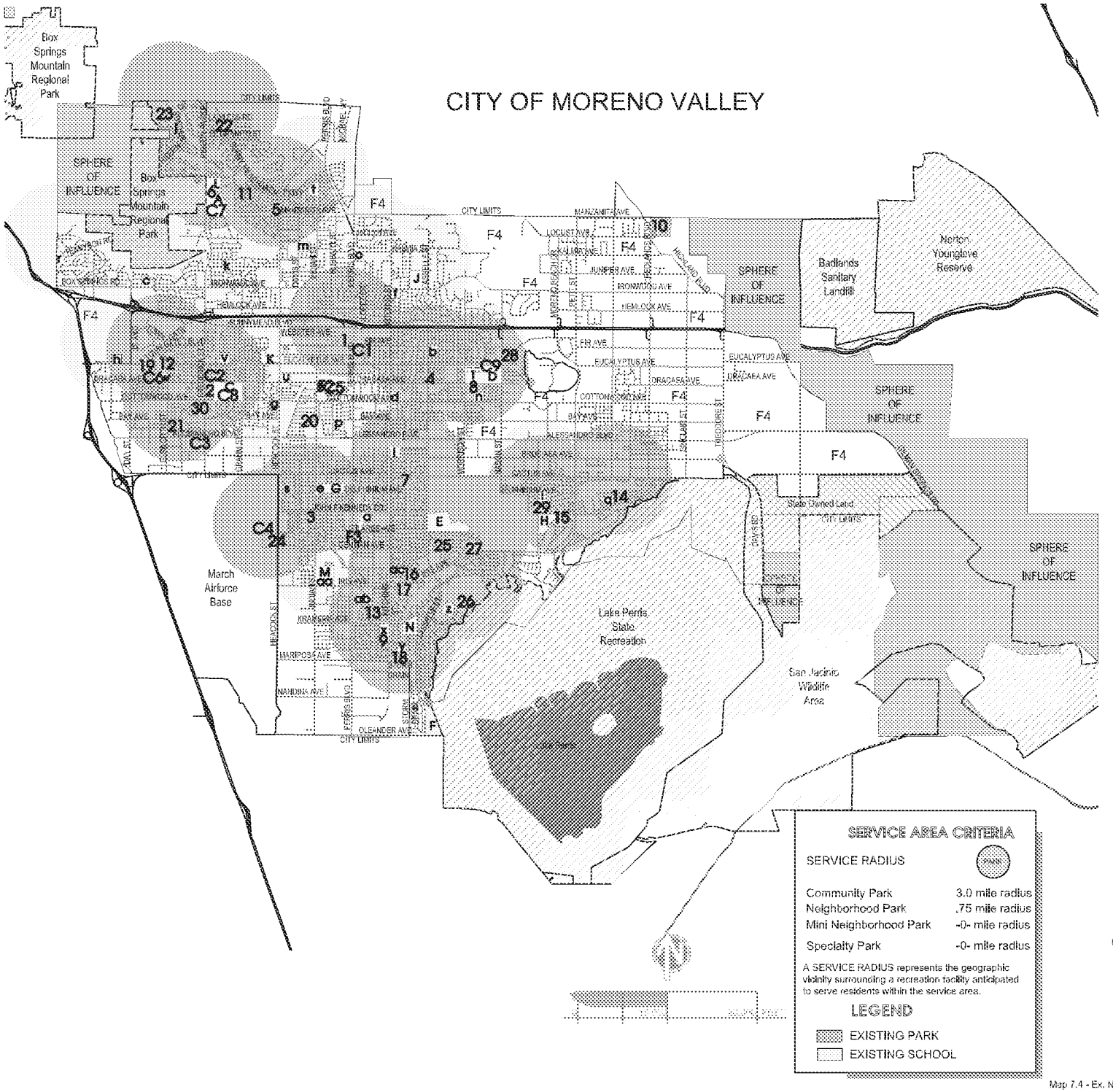

EXISTING NEIGHBORHOOD PARKS

3 JOHN F. KENNEDY PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
9 BETHUNE PARK
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUEDUCT LINEAR PARK
13 CALIFORNIA AQUEDUCT LINEAR PARK
14 RIDGE CREST PARK
15 FAIRWAY PARK
16 VICTORIANO PARK
17 PEDRORENA PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
25 PARQUE AMISTAD
27 VISTA LOMAS PARK
29 CELEBRATION PARK

EXISTING MIDDLE SCHOOLS

G BADGER SPRINGS MIDDLE SCHOOL
H LANDMARK MIDDLE SCHOOL
I MOUNTAIN VIEW MIDDLE SCHOOL
J PALM MIDDLE SCHOOL
K SUNNYMEAD MIDDLE SCHOOL
L VISTA HEIGHTS MIDDLE SCHOOL
M MARCH MIDDLE SCHOOL
N VISTA VERDE MIDDLE SCHOOL

EXISTING ELEMENARY SCHOOLS

a ARMADA ELEMENTARY SCHOOL
b BEAR VALLEY ELEMENTARY
c BOX SPRINGS ELEMENTARY
d BUTTERFIELD ELEMENTARY
e CHAPARRAL HILLS ELEMENTARY
f CLOVERDALE ELEMENTARY
g CREEKSIDE ELEMENTARY
h EDGEMONT ELEMENTARY
i HENDRICK RANCH ELEMENTARY
j HIDDEN SPRINGS ELEMENTARY
k HONEY HOLLOW ELEMENTARY
l LA JOLLA ELEMENTARY
m MIDLAND ELEMENTARY
n MORENO ELEMENTARY
o NORTH RIDGE ELEMENTARY
p RAMONA ELEMENTARY
q RIDGECREST ELEMENTARY
r SENECA ELEMENTARY
s SERRANO ELEMENTARY
t SUGAR HILL ELEMENTARY
u SUNYMEAD ELEMENTARY
v SUNNYMEADOWS ELEMENTARY
w TOWN GATE ELEMENTARY
x BETHUNE ELEMENTARY
y EL POTRERO ELEMENTARY
z LASELLE ELEMENTARY
aa RAINBOW RIDGE ELEMENTARY
ab RED MAPLE ELEMENTARY
ac VICTORIANO ELEMENTARY

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING NEIGHBORHOOD PARKS, MIDDLE SCHOOLS AND ELEMENTARY SCHOOLS

Map 7.4 - Ex. Neighborhood Park and Middle & Elementary Schools Service Radius Map

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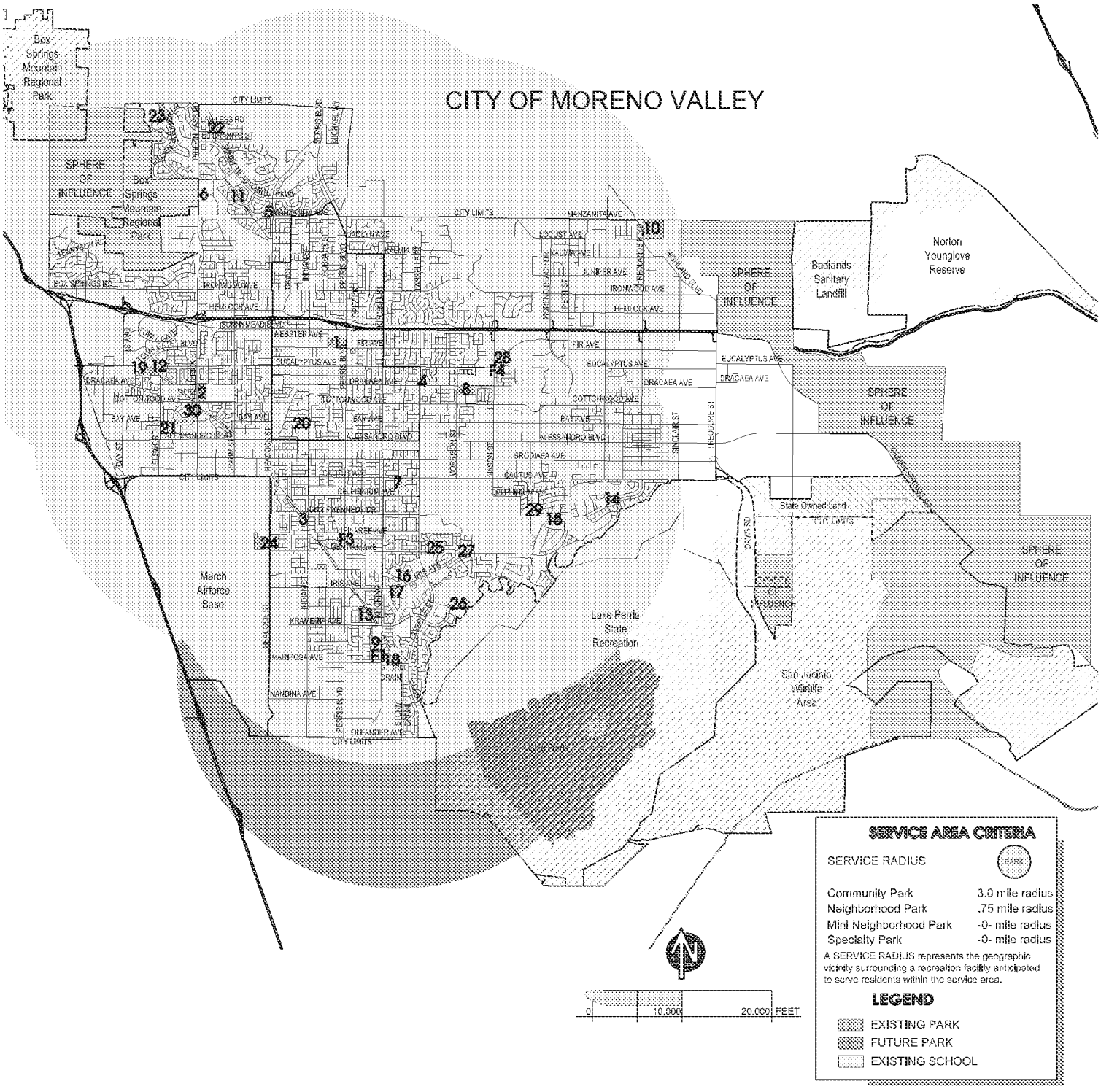

EXISTING COMMUNITY PARKS

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
8 MORRISON PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
26 COLLEGE PARK

FUTURE COMMUNITY PARKS

F1 LASELLE SPORTS PARK

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

SERVICE RADIUS MAP FOR
EXISTING & FUTURE
COMMUNITY PARKS

Map 7.5 - Ex. & Future Community Parks Service Radius Map

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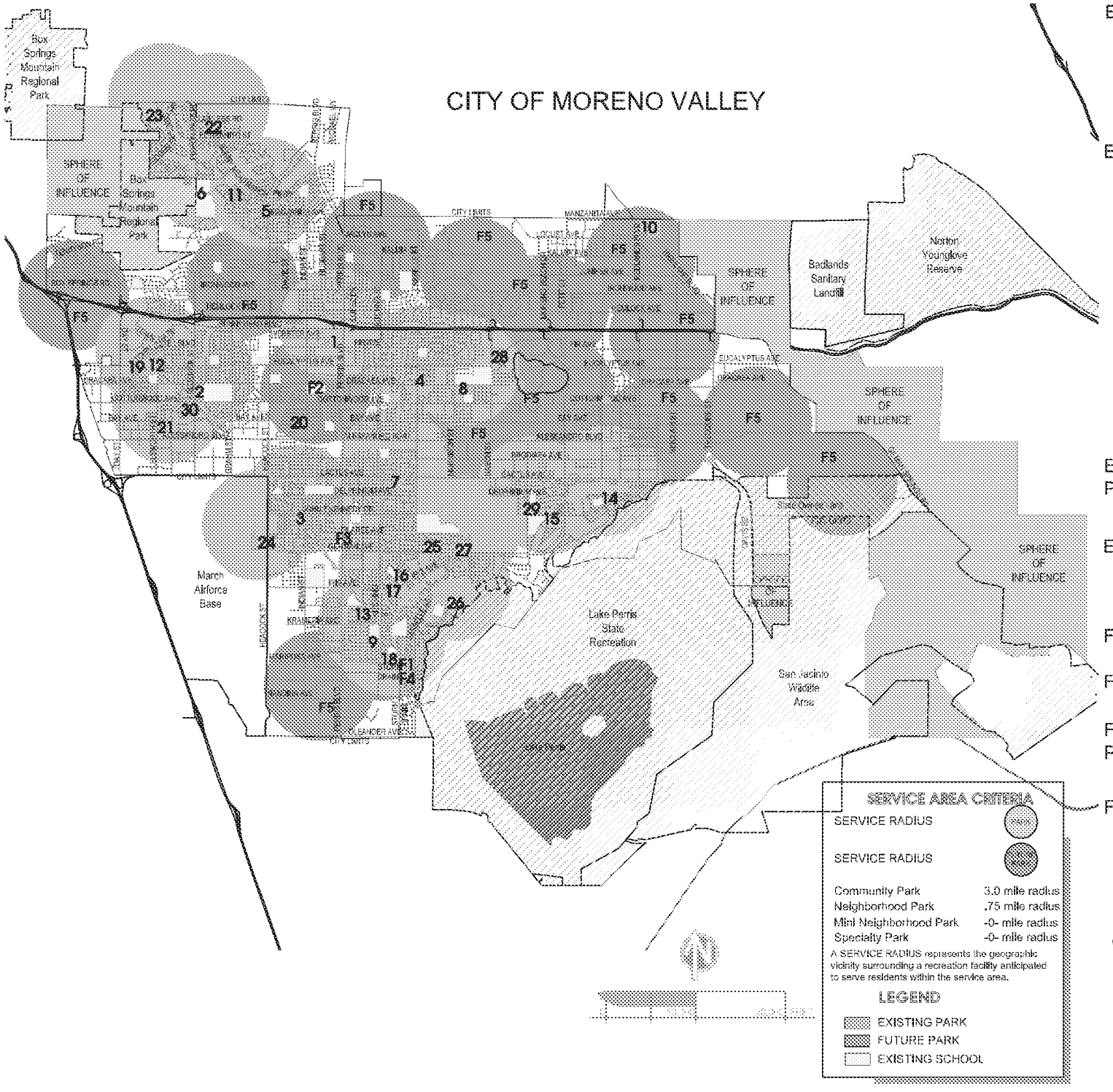

EXISTING COMMUNITY PARKS*

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EXISTING NEIGHBORHOOD PARKS

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25 PARQUE AMISTAD
27 VISTA LOMAS PARK
29 CELEBRATION PARK

EXISTING MINI-NEIGHBORHOOD PARKS

20 BAYSIDE PARK
28 ROCKRIDGE PARK

EXISTING SPECIALTY PARKS

10 MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER
30 COTTONWOOD GOLF CENTER

FUTURE COMMUNITY PARKS*

F1 LASELLE SPORTS PARK

FUTURE NEIGHBORHOOD PARKS

F2 COTTONWOOD PARK

FUTURE MINI-NEIGHBORHOOD PARKS

F3 PATRIOT PARK
F4 RANCHO VERDE PARK

FUTURE NEIGHBORHOOD PARKS

F5 FUTURE PARK TO BE LOCATED WITHIN SERVICE AREAS

*Where community parks are located in residential neighborhoods, they serve both the needs of the Community Park service radius and Neighborhood Park service radius.

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING AND FUTURE NEIGHBORHOOD PARKS

Map 7.6 - Ex and Future Neighborhood Parks Service Radius Map

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SECTION 8 IMPLEMENTATION STRATEGIES

CAPITAL IMPROVEMENT PROGRAM

INTRODUCTION

METHODOLOGY (Basis for Estimations)

PRELIMINARY COST ESTIMATES

IMPLEMENTATION STRATEGIES FOR EXISTING PARK IMPROVEMENTS

IMPLEMENTATION STRATEGIES FOR NEW PARKS AND FACILITIES

PRIORITY CAPITAL IMPROVEMENT PROGRAM

8.0 INTRODUCTION

This section presents options and strategies the City may wish to consider for implementing the recommendations contained in Section 7. The methodology for the basis for estimations of costs is provided, along with preliminary cost estimates the City can use to determine future funding requirements.

The implementation strategies are divided up by strategies for implementing existing park improvement recommendations, and strategies and options for implementing new parks and facilities.

Finally, this section presents a priority Capital Improvement Program based on the Project Team's analysis of needed improvements to existing parks and facilities, and needed new parks and facilities to meet current and future recreational demands in Moreno Valley.

The strategies presented are based on strategies used by other agencies to successfully fund, finance and implement similar types of facilities that are recommended for Moreno Valley. These options may or may not be right for Moreno Valley, but can at least provide ideas and development strategies the City can use as a basis for discussion to develop an implementation strategy that is right for Moreno Valley.

8.1 METHODOLOGY (Basis for Estimations)

The methods used by the Consulting Team to determine probable costs and funding requirements include looking at similar projects being done by other agencies, building industry cost estimates, inflation and economic factors, determining desired quality of construction, level of service needed to implement the recommendations and the types of funding sources that will be used to implement the proposed recommendations.

The organization of facility recommendations is according to key findings identified through the community outreach and needs analysis process. Year 2008-dollar amounts is used to calculate projected costs and required funding estimates for going "green" with "LEED Compliant" (Leadership in Energy and Environmental Design) construction. The cost estimates represent the following LEED compliance:

~ Sustainable sites
~ Water efficiency
~ Energy and atmosphere
~ Materials and resources
~ Indoor environmental quality
~ Innovation and design process

Although the cost estimates are for standard quality "green" construction for the recommendations, there are less expensive ways of implementing the recommended facilities if political and financial concerns limit the ability to be LEED compliant.

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In order for the City to develop costs estimates to determine potential funding needs for facility development, the following data published in July 2008 from the United States Office of Construction and Facilities Management (Los Angeles Area) pertaining to per square foot construction costs for the typical types of municipal facilities is provided:

Standard Community/Senior Center .....$409 Square Foot

Library .....$420 Square Foot

Performing Arts Center .....$529 Square Foot

ADA compliant vandal resistant park rest room .....$364 Square Foot

Artificial turf U14 soccer field $800,000

Natural turf U14 soccer field $600,000

Softball field with natural turf and 250' outfield $385,000

Baseball field with natural turf & 300' outfield $445,000

Artificial turf regulation football field $800,000

Natural turf regulation football field $550,000

ADA compliant standard 10,000 square foot tot lot $325,000

ADA compliant 2500 square foot water play/spray pool $285,000

Aquatic complex .....$524 Square Foot

Surface parking with asphalt and landscaping .....$1200 per space

Standard multi-level parking structure .....$8,800 per space

The construction market is subject to rapid changes brought on by natural disasters and global events. The cost estimates are for standard LEED compliant construction and could increase significantly if construction was in a Federal Flood Plain, on fill or slopes requiring pilings or retaining walls, or containing exotic architectural features. Adjustments may need to be made to cost estimates when specific plans are prepared for park and facility projects based on most current market surveys and industry reports.

8.2 PRELIMINARY COST ESTIMATES

The following cost estimates for each of the recommended park improvements outlined in Section 7 for existing parks and proposed new facilities are provided in order for the City to develop estimates of funding requirements so that budget requests and grant applications can be prepared. The cost estimates do not include preparation of plans and specifications, environmental remediation if necessary, cost of financing or any construction contingency the City requires for capital projects. As projects go through their final approval process, the cost estimates will need updating to reflect current conditions.

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PRELIMINARY COST ESTIMATES FOR EXISTING PARK IMPROVEMENTS

Shadow Mountain Park

Tot lot play area (2-5 and 5-12 age groups) $268,000

Ball field lighting for two softball fields $450,000

Restroom/concession stand – 1200 Sq Ft $528,000

Group picnic shelter $121,000

Dugout shelters.....$45,000

John F. Kennedy Park

Conversion of Fire Station to a Recreation Center $525,000

(Includes site furnishings)

Bethune Park

Sport lighting at the adjacent school $520,000
(Bethune Middle School)

Fairway Park

Tennis court (includes design and lighting) $320,000

Pedrorena Park

Group picnic shelter $121,000

Parque Amistad Park

Park restroom – 800 Sq Ft $510,000

Weston Park

Group picnic shelter $121,000

Sunnymead Equestrian Station

Covered shade area for the rest stop $39,000

Horse watering trough $23,000
(Includes access improvements)

Moreno Valley Equestrian Park and Nature Center

Equestrian Park and Nature Center Master Plan $75,000

Reservoir Park

Natural areas and trails .... $180,000 to $350,000 (Depending on design)

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PRELIMINARY COST ESTIMATES FOR NEW PARKS AND FACILITIES

March Field Park Family Sports Complex

Youth soccer complex with eight fields ..... $4.8 Million

Softball complex with four fields $1,140,000

Roller hockey/skating facility ..... Existing

Skateboard facility ..... Existing

Children's playground with water play $560,000

Food, rental, batting cages and rock climbing concessions .....Concessionaire

Walking/jogging trail $1,327,000

Lawn area $425,000

Parking lots – 974 spaces (Includes lighting).....$2,168,800

75 RV spaces for tournament visitors (includes hook-ups) $875,000

Site imp's (grading, roads, etc and 20% contingency) ..... $5.2 Million

Prototypical Concept Master Plan for Multi-Generational Community Park for future development

Aquatic complex – 30,000 Sq Ft $15,720, 000

Indoor sports complex – 80,000 Sq Ft $32,720,000

Multi-Generational complex containing:.....$4,908,000
community center with studios and classrooms – 12,000 Sq Ft

Senior community center with outdoor activity space – 10,000 Sq Ft $4,090,000

Teen center/media lab/outdoor activity venue - 10,000 Sq Ft $4,090,000

Walking/jogging trail $325,000

Passive lawn area $875,000

Children's play area $225,000

Restrooms $582,400

Special events area $1,235,000

Parking – 1,000 spaces (Includes lighting and design)..... $2.2 Million

Site imp's (grading, utilities, etc. and 20% contingency) - ..... $15.8 Million

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8.3 IMPLEMENTATION STRATEGIES FOR EXISTING PARK IMPROVEMENTS

The primary sources for funding improvements to existing parks is Park Impact Fees, Park In-Lieu Fees, City General Fund, Community Services District Fees and State Park Bond Grant Money. Sponsor donations or service clubs seeking to participate in community service projects could fund some recommended improvements, such as group picnic shelters.

Sports field lighting at Bethune Middle School and Shadow Mountain Park could be bundled into one lease-purchase financing package and the fees collected for field rentals could fund the lease payments. The number of years of the lease-purchase would depend on the projected annual income from rental fees and could range from five to 20 years so that the amount of annual lease payment is equal to the amount of annual revenue generated from user fees. At the end of the lease-purchase period, the City would own the lights. If the City were to default on the lease-purchase payment the investors would own the lights and could remove them from the two locations. Because the lights serve as the collateral for the lease purchase, the City's General Fund is not at risk.

The conversion of the Kennedy Fire Station into a community center project may be eligible for grant money from the Safe Places for Kids program or Anti-Gang grant money.

The City could consider allowing advertising on the shade shelter for the equestrian station rest stop. The income generated from the ad revenue could pay for both the installation and maintenance of the shade structure.

If the City moves ahead with the concept for an Equestrian Park and Nature Center, it should consider collaborating with an equestrian operator for the equestrian portion of the project and a nature conservatory to develop and operate the nature center. This would decrease the amount of funding needed from the City to implement this project.

The Equestrian Center property could also be considered as a site for a future community center with active sports uses and possibly an aquatics center, however, this could be controversial and would need extensive study and public input.

8.4 IMPLEMENTATION STRATEGIES FOR NEW PARKS AND FACILITIES

The recommendations to accomplish the "12 Goals for Success" presented in Chapter 7 include a number of new facilities for the City. The following is a summary of the new facility recommendations and a description of possible implementation strategies for each.

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1. March Field Park Family Sports Complex

There are two possible sports concession scenarios presented in this document. One is for a soccer/softball/family fun center **(see Exhibit 7.1)** and the other is for a dedicated baseball complex **(see Exhibit 7.2)**. The soccer/softball/family fun center concept design includes:

- Youth soccer complex with eight fields
- Softball complex with four fields
- Roller hockey/skating facility
- Skateboard facility
- Children's playground with water play
- Food, rental, batting cages and rock climbing concessions
- Walking/jogging trail
- Passive lawn area
- 964 parking spaces and 75 RV spaces for tournament visitors

The design of the facility has three component areas, a soccer complex, a softball complex and a family fun sports center. One or all of the component areas could be developed and operated by a sports concessionaire.

The City could also develop the site in phases by working with existing community organizations, like AYSO, to develop specific areas of the concept plan.

The dedicated baseball complex concept design includes:

- Youth and adult size baseball fields
- Restrooms and food concessions
- Parking
- Administrative and maintenance facilities

The dedicated baseball field's concept **(Exhibit 7.2)** could be built and operated by a concessionaire. There are considerations that affect the City's ability to concession the proposed amenities in the specific plan for this site. First, the City belongs to a Joint Powers Authority along with the City of Perris, County of Riverside and City of Riverside. The March Joint Powers Authority must approve all land use and concession agreements.

Since the County of Riverside is planning to concession the development of a Big League Dreams Sports Complex not to far from March Field Park, it could be against the City of Moreno Valley also developing a sports complex that would compete in the same proximity, and therefore not vote to approve the Moreno Valley plan. On the other hand, the County may agree that the Moreno Valley fields will primarily serve youth and adult sports organizations in Moreno Valley;

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and thus not compete for regional tournaments that Big League Dreams will be trying to attract. They could see the Moreno Valley facility as a feeder facility for tournaments and events at Big League Dreams and vote to approve Moreno Valley's project.

Due to provisions contained in the deed from the federal government to the Moreno Valley Community Services District, the National Parks Service must approve any improvements and concessions on March Field Park.

If the City does not want to concession one or more of the components of the specific plan, it could fund, develop and operate the facilities themselves. This option is complicated by the fact that the March Field Park property, although now owned by the Moreno Valley Community Services District is not actually within the city limits of Moreno Valley. Since March Field Park is currently outside the City's incorporated area, the City's ability for funding the recommended improvements may be limited to the use of park in-lieu fees (Quimby), park impact fees or Community Services District revenue, as long as the City or Community Services District maintains the park and provides its facilities for residents to use.

The City could use the proceeds from the sale of a park bond to perform improvements, if a two-thirds majority of the voters in Moreno Valley approve of such an action. Additionally, the City could also sell a revenue bond that could be reimbursed by the revenue generated from concessions on the site. March Joint Powers Authority and the National Park Service would need to approve such concessions. A revenue bond would not require voter approval, just a 4 out of 5 majority vote of the City Council.

Another strategy to consider might be to try to interest the other members of the March Joint Powers Authority to join with Moreno Valley and develop the site as a March Joint Powers Authority project, whereby all members of the Authority are given use of the facility for their constituents.

The percentage of use could be equal to the percentage of participation in funding the project. The March Joint Powers Authority could even consider establishing its own CFD (Community Facilities District) that would encompass the jurisdictions of each agency to fund the development and operation of the site.

Another option would be for the City to develop the site in phases. The middle portion of the site containing the family fun center could be developed first using grants and partnering with a commercial concession for the food service and rental portions of the development.

As a revenue stream develops from the concessions, the City could proceed with the other phases. This initial phase could be funded through a lease purchase financing arrangement as explained in Section 6 of the Master Plan.

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Prior to determining which of the above strategies may be best for Moreno Valley, the City needs to first proceed with presenting the specific plan for the March Field Park Family Sports Complex to the March Joint Powers Authority and the National Park Service for their review and comment.

If it appears that these agencies are in agreement with the plan then the City can develop a more specific funding and development plan with updated costs and pro-formas that will help it determine the best implementation option.

2. Prototypical Concept Master Plan for Multi-Generational Community Park when future development occurs in the east portions of the city

The recommended amenities for the Multi-Generational Community Park **(see Exhibit 7.3)** proposed for a future location on the eastern side of the city might include the following:

- Aquatic complex
- Sports complex
- Multi-Generational complex containing:
  - Community center with studios and classrooms
  - Senior community center with outdoor activity space
  - Teen center with media lab and outdoor activity venue
- Walking/jogging trail, passive lawn area, children's play equipment, restrooms and parking
- Special events area

The City will have to identify potential sites on the eastern portion of the city and then start the process of acquisition of the property for future development of the proposed Multi-Generational Community Park. There are plans for future residential developments in the eastern sections of the City whereby the City could work with the developers of these planned residential communities to obtain park dedication through the City's Quimby Ordinance.

It may be possible to combine park dedication requirements from several planned residential developments so that a single park parcel of 40-50 acres can be acquired to build the proposed Multi-Generational Community Park.

The City may also pursue accepting Park In-Lieu Fees for residential developments in the eastern area and then match the In-Lieu Fees with California State Park Grant money to acquire property that would be ideal for park purposes. There are several 20-40 acre rectangular parcels in the Eastern area of the City or within the proposed future annexation areas of the City that would be suitable for the prototypical Multi-General Community Park.

If the City were able to secure funding either through its park fund or grants, designation and acquisition of 40-60 acres in the eastern area of the city would

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be significantly less expensive now then it will be when the next housing boom begins and land values start to increase.

Actual development of the amenities could be done in phases as growth occurs. The City should definitely pursue the establishment of a Community Facilities District for all new development in the eastern portion of the city. Also, the City should consider the establishment of a Park Impact Fee for both new residential and new commercial/retail development in the eastern corridor to supplement the funding for capital improvements for whatever site the City designates and acquires for the future community park.

3. Cottonwood Golf Center

The City has been reviewing options for the Cottonwood Golf Center site in light of the annual subsidy ranging from $300,000 to $400,000 required by the City to keep the golf course operating. Securing a concessionaire to maintain and operate the golf course could reduce the City subsidy. To attract a successful golf operator the City would have to invest in remodeling and improving the banquet facility and the pro-shop food service area. **Exhibit 8.1a** is a concept site plan showing the expansion of the existing building to accommodate these improvements and provide additional parking.

The golf course site could be desirable location for a commercial indoor sports facility for basketball, volleyball and indoor soccer programs. It could also be a desirable site for housing and office or hospitality uses. Finally, it could be a desirable site for a soccer complex or a neighborhood park. Converting the golf course to another use will affect the surrounding residents so further community input will be needed if the City decides to pursue an alternative use.

If the City were unable to continue to subsidize the golf course operation, converting the site to soccer fields would provide needed soccer facilities and complement Moreno Valley Community Park just down the street when soccer organizations host tournaments. **Exhibit 8.1b** presents a conceptual layout of soccer fields on the golf course site. After the initial cost of the conversion to soccer fields, the cost to maintain soccer fields would be about half the cost to maintain the golf course in this location.

Exhibit 8.1c is a conceptual layout of an indoor sports facility with a sports medicine and rehabilitation center. Again, if the City is unable to continue to afford the golf course, it could solicit proposals from commercial recreation operators to lease the property to for development and operation of a commercial indoor sports facility.

Sports medicine and sports rehabilitation centers are needed facilities and the golf course location is a desirable location for leasing for such purposes. This type of facility could be included with either the soccer field concept or the indoor sports center concept.

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A commercial indoor sports facility would require a minimum of a 60,000 square foot building, which would generate a need for a minimum of 600 parking spaces. If the design included only surface parking, the parking would extend significantly into the dogleg portion of the golf course property. A parking structure containing 600 spaces would require a six story building on the site. Providing enough parking without affecting adjacent homes will be a problem to overcome if this option is pursued for the site.

The final option for the City to consider if it cannot continue to operate the golf course is to transform the golf course into a neighbor park with traditional tot lots, walkways, picnic facilities and passive open space. After the initial conversion cost, the cost to maintain the 15-acre site as a neighborhood park would be under $150,000 annually - about half the City's current cost to maintain the golf course.

The recommended strategy for reducing City cost in operating the golf course would be first to pursue a successful golf course concessionaire. Negotiating an operating agreement that would provide for improvements to the existing banquet, food service and pro-shop and then relieve the City from all operating costs would be the goal. If this approach proves unsuccessful, then the City could undertake a process to determine alternative uses that would be financially acceptable to the City and politically acceptable to the community.

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8.5 PRIORITY CAPITAL IMPROVEMENT PROGRAM

The Project Team has prioritized the recommended Capital Improvements into four categories:

1. First Priority Need – Should be accomplished in next 3 years
2. Second Priority Need – Should be accomplished in next 7 years
3. Future Need – Should be accomplished in next 20 years
4. Desired Improvements – Should be done when funding is available

Priority Capital Improvement Program

First Priority Need – Next 3 Years	Funding Needed
Shadow Mountain Park Field Lighting	$650,000
Equestrian Center Watering Trough	23,000
Equestrian Station Rest Stop Shade	39,000
Total Funding Needed	$712,000

Second Priority Need – Next 7 Years	Funding Needed
Shadow Mountain Park Tot Lot	$268,000
Kennedy Park Fire Station Conversion	525,000
Bethune School Sports Field Lighting	520,000
Pedrorena Park Group Picnic Shelter	121,000
Parque Amistad Park Restroom	510,000
Shadow Mountain Park Restroom/Concession	528,000
Weston Park Group Picnic Shelter	121,000
Shadow Mountain Park Group Picnic Shelter	121,000
Total Funding Needed	$2,714,000

Future Need – Next 20 Years	Funding Needed
March Field Park Family Sports Complex	$16,495,800
Multi-Generational Community Park	82,770,400
Total Funding Needed	$99,266,200

Desired – When Funding is Available	Funding Needed
Fairway Park Tennis Court	$320,000
Moreno Valley Equestrian Park and Nature Center Master Plan	75,000
Reservoir Park Nature Park and Trails	350,000
Total Funding Needed	$745,000

The funding needed amounts presented above reflect the estimated cost of the recommendations if the City were to fund and develop all of the recommendations itself. In actually, the City may collaborate with schools, non-profit agencies or other entities in the funding of projects, which would reduce the amount of funding needed by the City. The City may also concession some of the recommendations to private funding.

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The prioritized Capital Improvement Program is intended to give staff, Parks and Recreation Commission and City Council a sense of the funding required so that they may begin their planning efforts for the implementation of the recommendations knowing the financial resources that will be needed to implement the various projects. The estimated costs and needed funding amounts will need reviewing and updating on a project-by-project basis as each project moves forward in the implementation process.

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Legend

1. Enhanced Street Frontage
2. New parking lot with drop off - Approximately 84 spaces
3. New Proshop with banquet facilities
4. New water feature to enhance banquet facilities
5. Maintain entry for loading and unloading
6. New entry to site

Note: Overall Site 12 Acres

Drawing NOT TO SCALE

Cottonwood Golf Center

Expansion of Existing Facilities

Parks, Recreation and Open Space Master Plan

January 2009

Exhibit 8.1a

MV000048338

MV00048339

Legend

1. Soccer Field - Dimensions 225' x 330'
2. Neighborhood Pocket Park
   Children's Play Area
   Picnic Table
   .5 Acre
3. 10,000 sq ft Sports Medicine Rehab Center to possibly include Retail and/or Office Space
4. Programmable Open Space
   Warm Up Area for Soccer Games
   Event Location
5. Restroom
6. Group Shelter
7. Children's Play Area
8. Parking Lot - A 157 Spaces
9. Parking Lot - B 18 Spaces
10. Parking Lot - C 12 Spaces
11. Parking Lot - D 13 Spaces

Note: Overall site 12 Acres

Drawing NOT TO SCALE

Cottonwood Golf Center

Soccer Fields & Park

Parks, Recreation and Open Space Master Plan

January 2009

Exhibit B.1b

MV000048340

MV00048341

Legend

1. Future Private Development
   Approximately 3.6 Acres
2. New parking lot -approximately 561 spaces
3. Tree and Planting Buffer to separate spaces from existing residential
4. 10,000 sq ft Sports Medicine Rehab Center
5. 60,000 sq ft Sports Center
6. Enhanced street frontage along Frederick
7. Neighborhood Par Course or Pocket Park - .5 Acre

Note: Overall site 12 Acres

Drawing NOT TO SCALE

Cottonwood Golf Center

Future Sports Center

Parks, Recreation and Open Space Master Plan

February 2010

Exhibit 8.1c

MV000048342

MV00048343

APPENDICIES

APPENDIX A - COMMUNITY INPUT

Community Input Workshop
Sports Group Workshop
Trails Group Workshop
Telephone Survey Report and Tabulations

APPENDIX B - CITY DOCUMENTS

Standard Trail Plans

MV00048344

MV00048345

R G W
DESIGN GROUP

Community Input Workshop

Date: March 13, 2008 6:00 – 7:00 pm

Workshop Facilitator: Blake Warner, RGW Design Group

6:00 pm Introduction & Welcome

6:05 pm Public Education Program on the Master Plan Process by RGW Consultants

a. Why are we doing a Park, Recreation & Open Space Master Plan?
b. How does the process work?
c. What tools are used to get Public Input?
d. What results are we looking for?

RGW Design Group consultants will present the answers to these questions in order to inform and educate the attendees on the master plan process and show them how important their participation is to a successful master plan.

6:15 pm First Exercise: Each Table is provided with a note pad and pencil. The group will be asked to discuss and come to concensus on the following questions.:

1. What makes Moreno Valley a great place to LIVE / WORK / PLAY
2. What are the 3 most important facilities the City of Moreno Valley should consider developing in the next 5 years?
3. What are the 5 most important RECREATIONAL / CULTURAL / SOCIAL SERVICE PROGRAMS the City should be offer the community in the next 5 years?

One spokesperson from each table will report the tables finding to the room. The findings will be recorded on a large wall graphic.

6:35 pm Second Exercise: Pass out a survey form that lists park & recreation facilities and programs down the left side of the form with a rating scale of 1 to 5 across the top. Ask the attendees to rank their priority for each facility and program from 1 to 5, one (1) being the highest priority for the City to provide to the community and 5 being the lowest priority for the City to provide. We can then collect all of the surveys and use them to develop priority data for facilities and programs.

6:55 pm Final comments from the audience.

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Workshop Wall Input Graphics

R G W
DESIGN GROUP

Sports Group Input Workshop

Date: March 26, 2008 6:00 – 7:00 pm

Workshop Facilitator: Blake Warner, RGW Design Group

6:00 pm	Introduction & Welcome
6:05 pm	Overview of the Planning Process and collection of Sports Group Surveys
6:15 pm	First Exercise: Workshop participants will be invited to express their needs and/or recommendations for the City's Sports Facilities. The recommendations will be recorded on a large wall graphic.
6:35 pm	Second Exercise: As a group we will summarize and prioritize the needs and recommendations of the group.
6:55 pm	Final comments from the audience.

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Sports Groups Workshop Notes & Graphics

Inland United Brazil - Youth Soccer

- Field with lights
- Better maintained fields
- Keeping the fields' safe and user ready. There are current safety issues like pot holes which are hazards for the players
- Multi use fields in one location
- Larger facilities

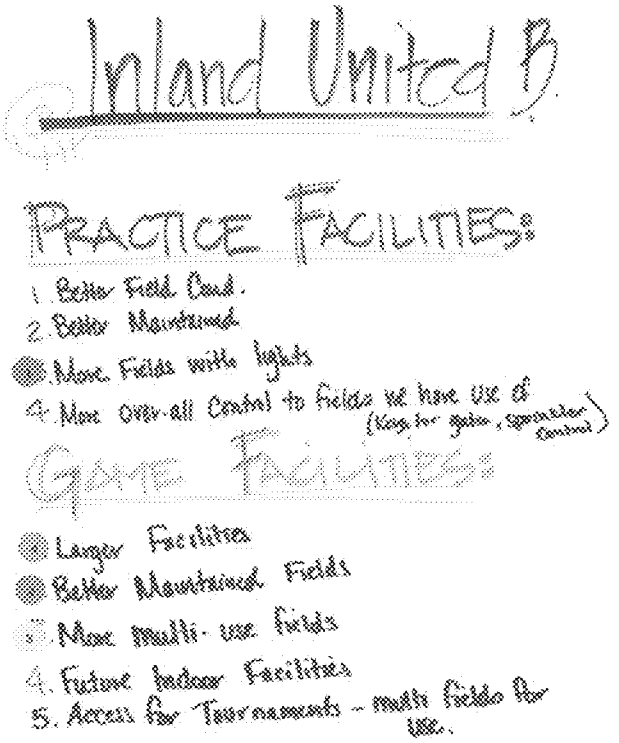

Diamond Girls

- Centralize
- Large complex with all of the fields in one location
- Snack bar for revenue opportunities for groups
- More fields in general
- More brick dust infield fields

  Currently all groups share all of the sites. There are not enough of the "good ones" to go around so there is always fighting over who gets what.

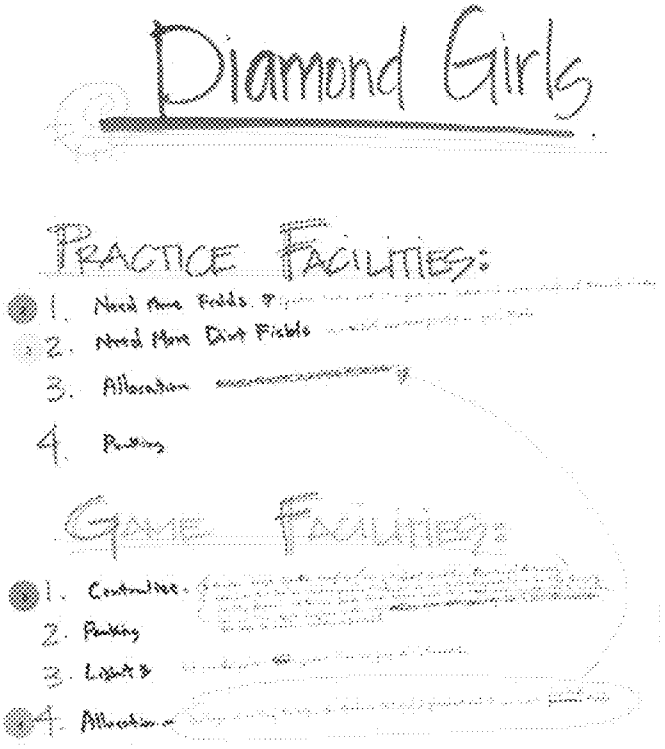

Pop Warner

- Lighted Fields
- Restrooms
- More Practice Fields

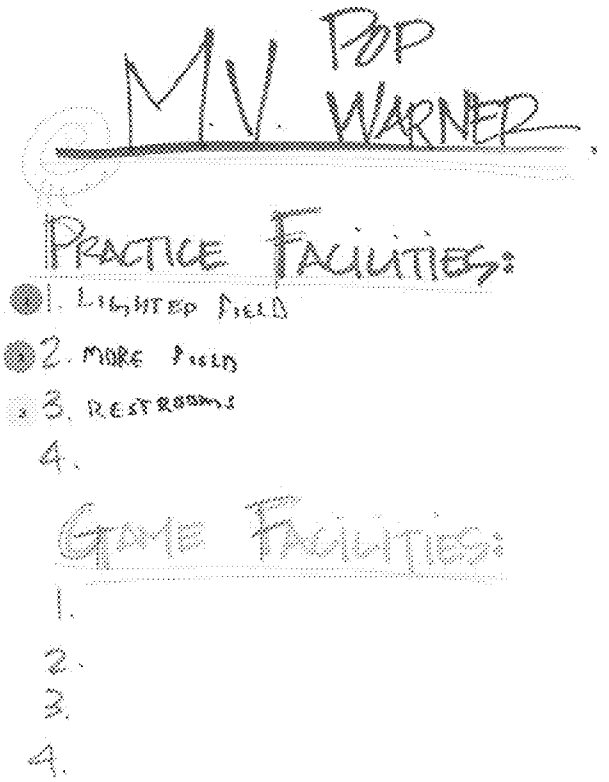

Junior All American Football and Cheer

- More field space
- Lighted fields
- Game fields
- Restrooms! Currently on some of the fields they have to bring in port potties to accommodate the participants and their families.

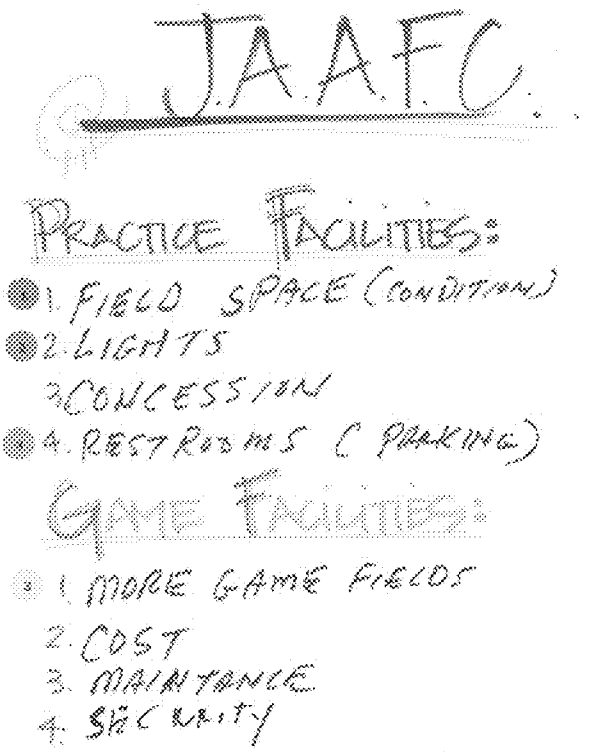

Rancho Bellago (Football)

- Lights
- Field Space
- Storage Area
- Snack bar
- Security

RBJAAF

PRACTICE FACILITIES:

1. lights (Vista Del 1990)
2. Need More Fields (Simca)
3. Security / RestRooms
4. Storage / Snack Bar

GAME FACILITIES:

1. Security
2.
3.
4.

Canyon Springs Little League

- Currently get charged from the City for the usage of lighting…very expensive!
- Fields with lights
- Restrooms
- Better access for disadvantaged players, ADA accessibility

CSLL

PRACTICE FACILITIES:

- FIELD W/ LIGHTS
- REST ROOM FACILITIES
- BETTER ACCESS FOR CHALLENGED PLAYERS
4.

GAME FACILITIES

1. FIELD STAFF
2. SNACK BAR EQUIPMENT
- LIGHT COST
4. SECURITY

AYSO

- Larger facilities
  - Centralized with lighting
- Parking
  - Many fields have no parking at all
- Schools are not always accessible due to the facilities being locked and unable to locate someone to open them for use. Players and coaches end up jumping the fences which could result in injury
- More fields
- Lights!!!

AYSO

PRACTICE FACILITIES:

1. Lights
2. Better Parking
3. ~~Safer Conditions~~ more open parks
4. Rest rooms

GAME FACILITIES:

1. Larger facilities
2. Lights
3. more fields
4. Smaller low-use Parking

Moreno Valley Soccer League

- Lighted Fields
- Parking
- Restrooms
- Maintenance
- A centrally located complex with multifields

MVSL

PRACTICE FACILITIES:

1. Restrooms
2. Complex
3. Snack bars
4. Parking lot control

GAME FACILITIES:

1. Parking lot
2. Maintenance
3. More lighted Fields
4. Security fields

Football Club Moreno Valley

- School district gating and locking fields
  - Keys are inaccessible
  - Kids and coaches jumping the fence
  - School district started locking fences and gates this past year
- Lights
- Maintenance
- Restrooms
  - Games start at 8 am
  - Restrooms don't open until 11-12ish

FCMV

PRACTICE FACILITIES:

1. Easy Acces to fields, and control
2. Lighted Fields
3. [redacted] Secured fields to practices
4. Rest rooms

GAME FACILITIES:

1. Maintenance
2. Parking
3. lights
4. Restrooms

General overview and comment section

- More facilities
- Large complex which houses multiple fields
- Football groups need practice fields
- Artificial Turf fields would be an option…groups not opposed to this
    - Help with maintenance cost
    - Worried that heat might be an issue
- Indoor gym would be nice to have
    - House basketball courts, volleyball etc
- Moreno Valley sports groups are YEAR ROUND
    - Lighted facilities the most important
        - Game fields
        - Practice fields
        - Youth 6-8pm
        - Adult 8-10pm
- Need to separate the age groups for safety
- Several school sites that have great fields but no lights
    - Mt View
    - Vista Heights
    - Paul Middle School

MV00048355

R G W
DESIGN GROUP

Trails Group Input Workshop

Date: March 26, 2008 7:30 – 8:30 pm

Workshop Facilitator: Blake Warner, RGW Design Group

6:00 pm Introduction & Welcome

6:05 pm Overview of the Planning Process

6:15 pm First Exercise: Group Discussion on recommendations and priorities for the trail system. The participants will be asked to explore a number of questions, including:

1. How will the community use the trail system
2. What types of trails should be installed
3. What facilities or areas should trails connect to
4. Who should maintain the trails
5. How can trail development be funded

The recommendations will be recorded on a large wall graphic.

6:55 pm Final comments from the audience.

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Trails Group

General overview and comment section

- Dan Clark a professor at RCC specializes in connections of trails etc. in Moreno Valley. He might be a good resource for RGW
- Hidden Springs paseo connects to Box Springs Park. Possible area for trails/ connections
- Rodea connection trail head would be a great one to do very soon.
  - ⇨ An excellent area to park/ride and use as a starting point for bikes and or hiking
  - ⇨ Multi use area
  - ⇨ Access to Perris Lake
  - ⇨ Currently motorized vehicles are not permitted. This is good!
- Policy suggestions:
  - ⇨ Blocking or limiting of motorized vehicles
  - ⇨ Land being scared due to detraction of land
  - ⇨ Eastern area of Mo Val
    - Trails/connections that are horse friendly
    - Does not have to maintain urban feel could be rural
    - Crosswalk buttons should be located at a height for horse riders
- Possibly integrating trails and horse trails into golf courses
- Preservation of topography of Mo Val
- Currently users feel they are being limited on their options and choices due to the City and County' maternal approach
- Snake Hill is an important land mark should be preserved
- Trails could possibly be located on flood channel?
- Currently a trails master plan was completed by the Trails group though not being followed
- Sunnymead Park and Perris there is an existing flood channel, there was talk of adding a trail here but did not go through due to vandalism
- Developer/industrial area possibility of multi use trails though it seems as though that is not considered. Trails are the first thing to go.
  - ⇨ Possibility of requiring industrial builders to install trails as part of their ability to build within Mo Val.
  - ⇨ When a developer comes in and a proposed trail or existing one is affected the possibility of either relocating the trail rather than not putting one in at all would be a GREAT solution
- March AFB is a great opportunity to provide connections to and from Mo Val via multiuse trails
- Need and want of more horse trails below the freeway
  - ⇨ Equestrian Center located above the freeway makes it hard for connections
- Sinclair crossing is very important Ingress/egress

Research Network Ltd

Facts for Business Decisions

RESIDENT TELEPHONE SURVEY
MORENO VALLEY, CALIFORNIA

APRIL, 2008

Prepared for:

The City of Moreno Valley

Prepared by:
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MV00048359

I. INTRODUCTION

Research Network Ltd. offers for your review the results of the resident survey conducted for The City of Moreno Valley, California. The resident survey was conducted as part of the Parks Recreation & Open Space Comprehensive Plan. The purpose of the survey was to obtain statistically valid, community-wide input on a variety of issues related to the Comprehensive Plan.

The resident survey is one of several methods being undertaken to involve the community in the Parks Recreation & Open Space Comprehensive Plan process. Other methods include public workshops, and interviews with community stakeholders and organized sports organizations. The purpose of gathering community input through a variety of methods is to ensure that the Parks Recreation & Open Space Comprehensive Plan is as inclusive as possible and that it reflects the views, preferences, and recreating patterns of Moreno Valley residents.

This document is presented in seven sections. Sections four through six include analysis and graphics for each of the following subject areas.

Executive Summary The Executive Summary includes a review of key findings from the survey.

Methodology The Methodology section details the methods used to design and implement the survey.

Recreation Use/Benefits The Recreation Facilities or Programs Usage section presents a detailed analysis of each survey inquiry. This discussion includes analysis and graphics for each of the following subject areas:

- One Feature that Makes Moreno Valley Desirable
- Recreation Benefits Desired
- Recreation Information Sources Used
- Frequency of Recreation Facility Usage
- Park Most Often Used in Last Year
- School Facility Most Often Used for Recreation
- Participation in Employer-Based Recreation
- Recreation Activities Participation
- Indoor Recreation Facility Use
- Rating City Recreation Facilities Maintenance

Recreation Needs

The Recreation Needs section presents a detailed analysis of each survey inquiry. This discussion includes analysis and graphics for each of the following subject areas:

- One New Recreation Facility Desired
- One New Recreation Program Desired
- Probable Use of Potential Future Facilities

Demography

The Respondent Demography section presents the results of the following demographic questions included in the survey:

- Age Distribution of Population
- Household Composition
- Employment in Moreno Valley
- Ethnicity
- Household Income

Appendices

Included in the Appendix to this report are two Appendices:

- The survey questionnaire
- The tabulations of the responses to the survey

II. EXECUTIVE SUMMARY

Highlights

After a careful review of the responses to the Moreno Valley resident survey, Research Network Ltd. has gleaned the following highlights.

One Desirable Feature More than one of every ten residents polled (12%) identified "Affordable Housing" as the one feature while an additional 8% reported "Close to Work." An equal share of 6% cited "Quality of Life" as well as "Growing Area." An additional 5% of households polled volunteered each of the following features: "Small Town Atmosphere," "Climate," "Location," "Quiet," and "Proximity to Shopping." Less than one of every twenty respondents (4%) volunteered the responses "Lack of Crime," "Open Space," and "Nothing Desirable."

Recreation Benefits More than one-third of the households polled (37%) stated that they seek physical fitness, health and well being benefits from their recreation choices. An additional one-third (33%) of respondents replied that opportunities to gather and socialize with others is the primary benefit they seek from recreation. Together, these two benefits were identified by 70% of those polled. The benefit of learning opportunities for hobby, self-improvement or career development was cited by 18% of those polled while the benefit from recreational opportunities to give back to the community through volunteer work was a priority for 12% of the City's responding residents.

Recreation Sources Nearly one of every four residents polled (23%) stated that they get their recreation program and facility information from the City of Moreno Valley Programs Brochure while an additional 19% reported the Internet as their information source and 15% reported obtaining information from The City of Moreno Valley. More than one in ten respondents (11%) stated they obtain their information from the City of Moreno Valley Website and an equal share use Postings at Recreation Sites. Less than one of every ten respondents (9%) reported use of the Newspaper while 6% stated they find their information in the Telephone Book. An additional 6% stated they use the "booklet/brochure" which likely refers to the City Programs Brochure, resulting in a total mention of 29%. "Word of Mouth" or "School" was reportedly used as an information source by 5% of respondents each while 3% of those polled stated their information was obtained by watching Channel 3.

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Recreation Facility Use More than one of every three households surveyed (38%) described themselves as a "Frequent User" of parks and recreation facilities (patrons of facilities at least three times per month). A comparable share (36%) was identified as a "Moderate User" (patrons of facilities at least two to twenty-four times annually) of recreation facilities during the past year. The remainder (26%) was labeled "Light/Non Users" (patrons of facilities once per year and non-users).

Most Used Rec Facility The recreation facilities reportedly most often used by households polled included the Lake Perris State Recreation Area (7%), Morrison Park (5%), Moreno Valley Community Park (5%), Towngate Memorial Park (4%), John F. Kennedy Park (4%), Moreno Valley Conference and Recreation Center (4%), Celebration Park (4%), Woodland Park (4%), Sunnymead Park (3%), and Box Springs Regional Park (3%).

Most Used School The most often received response was "none" (53%) indicating that no school facilities were used for the tested types of activities. The school facilities reportedly most often used by households polled for recreation or cultural activities included Valley View High School (6%), Canyon Springs High School (4%), Moreno Valley High School (4%), Vista del Lago High School (3%), Edgemont Elementary (2%), Ridge Crest Elementary (2%), Riverside Community College (2%), and Armada Elementary (2%).

Employee Recreation One in three households polled (34%) reported having a member employed in Moreno Valley who participated in employer-sponsored recreation at a location in Moreno Valley. The remainder of residents interviewed (66%), reported one or more members employed in the City who did not participate in such employer-sponsored recreation.

Recreation Activities The tested activities cited as being undertaken by the largest portion of Moreno Valley residents surveyed were Walking/Jogging/Running for Recreation or Fitness (75%), Passive Use of Open Grass/Lawn Areas in Parks or Recreation Facilities (54%), and Picnicking in Developed Sites (54%). Bicycling for Recreation/Fitness was reported by 45% of those residents polled while three in ten polled households (31%) reported Use of Play Equipment, Tot Lots. One in five households (27%) stated that one or more household members had played Organized Basketball Games for Youth or Adults and a comparable share (26%) reported use of Wet Playground/Spray Play Facilities. The activities reported next most often included Skateboarding (23%), Organized Softball Games for Youth or Adults (18%), Golf (17%), Organized League Soccer Games for Adults (16%), Organized Football Games for Youth (15%), Organized League Soccer Games for

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Youth (15%), and Organized League Baseball Games for Youth (15%), use of a Dog Park (15%), and Tennis (12%).

Indoor Facility Use When asked about frequency of indoor recreation facility use, 23% of the sample of telephone respondents described themselves as a "Frequent User" of indoor recreation facilities (patrons of indoor facilities at least three times per month). Less than one of every four residents (23%) was a "Moderate User" (patrons at least two to twenty-four times annually) of indoor recreation facilities during the past year. The remainder (55%) was labeled "Light/Non Users" (patrons of indoor facilities once per year and non-users).

Facilities Maintenance When asked to rate the maintenance of recreation and parks facilities in the City of Moreno Valley, 81% of households polled rated parks maintenance as either "excellent" or "good."

One Desired Facility The response most often reported was a desire for no additional new recreation facilities, volunteered by more than one of every five respondents (22%). The recreation facilities cited as most desired by Moreno Valley residents surveyed were Swimming Pool for Recreation or Lessons (10%), Dog Park (5%), Playgrounds/Tot Lots (4%), Skateboard Park (4%), and Walking/Running/Jogging Paths (4%). The next most often mentioned facilities (each at 3%) included Bike Paths/Trails, Soccer Fields, Water Games/Water Park, and Baseball Fields.

One Desired Program The response most often reported was a desire for no new recreation programs, volunteered by nearly one of every three respondents (29%). The recreation program types most often mentioned included Dance Instruction or Classes (7%), Swimming Lessons (6%), Aerobics, Spinning, or Fitness Instruction or Classes (5%), Arts or Crafts Instruction or Lessons (4%), Reading, Language, Spelling or Writing Instruction or Classes (4%), Personal Development or Business Instruction or Classes (4%), Martial Arts Classes (3%), Cooking Instruction or Classes (2%), Music Instruction or Classes (2%), Early Childhood Development Classes (2%), Gymnastics Instruction or Classes (2%), and Yoga, Meditation, or Stress Relief Instruction or Classes (2%).

Cultural Facility Needs Households polled reported high likelihood of using all of the tested types of facilities, with the highest share of residents (80%) stating they would use a Performing Arts Center and the smallest share (71%) stating they would visit Art Galleries, Art Festivals and Events.

Demography Key demographic characteristics (household composition and ethnicity) of households interviewed were compiled and reviewed against comparable benchmark data from the 2000

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Census and/or the 2006 American Community Survey to conclude that the sample of respondents polled is a statistically reliable representation of the City of Moreno Valley as a whole.

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III. METHODOLOGY

Purpose of the Survey

Research Network Ltd. was retained to design and implement a resident telephone survey among current households of The City of Moreno Valley to assess resident attitudes and opinions relevant to the Parks Recreation & Open Space Comprehensive Plan. The subject areas of interest within the resident telephone survey included:

- One Feature that Makes Moreno Valley Desirable
- Recreation Information Sources Used
- Recreation Benefits Desired
- Frequency of Recreation Facility Usage
- Park Most Often Used in Last Year
- School Facility Most Often Used for Recreation
- Recreation Activities Participation
- Participation in Employer-Based Recreation
- Indoor Recreation Facility Use
- Rating City Recreation Facilities Maintenance
- One New Recreation Facility Desired
- Probable Use of Potential Future Facilities
- Age Distribution of Population
- Employment in Moreno Valley
- Ethnicity
- Household Composition
- Household Income

Sample Design

A total of 300 interviews were completed with adult household heads living in the City of Moreno Valley. These respondents were contacted through the use of a random digit dial sample. This sample methodology compensates for the incidence of unlisted telephone numbers.

When contact was made with a respondent, the interviewer confirmed eligibility for participation in the survey with a question confirming that their home was located within one of the zip codes present in the City of Moreno Valley (92551, 92553, 92555, 92557.)

These ten-minute interviews were conducted via telephone by professional interviewers during the April 2008 fielding of the resident telephone survey using direct-entry computer technology. Skilled supervisors of the field organization edited all interviews conducted among Moreno Valley residents and 10% were validated for accuracy.

Margin of Error

A random sample survey is designed to interview a fraction of the households in a community with the desired outcome being that this survey group represents the opinions of those

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who were not surveyed. Such a random sample may, however, produce results that differ from those responses that would have been received if all households were interviewed. These differences are primarily generated as a result of what is known as "sample error." The degree of sample error is primarily determined by:

- The total number of completed interviews
- The number of possible responses to each question
- The distribution of responses to each question

The sample error for a sample size of 300 ranges from ± 2.5% (for a question with two response categories, distributed 5%/95%) to ± 5.8% (for a question with two response categories, distributed 50%/50%) at the 95% confidence level. This means that if we were to survey every household in Moreno Valley, we are confident that, 95% of the time, the results for a question (with two potential responses and a 50%/50% response distribution) would differ by less than 5.8 percentage points from the results derived from this sample.

The margin of error accrues to produce an answer range. For example, if a question derives a "blue" response from 50% of those asked the question, a random sample assumes that, 95% of the time, the actual percent of the entire population from which the sample is taken who would respond "blue" is between 44.2% and 55.8%.

It should be kept in mind that the margin of error may increase when subgroups of the full sample are being considered. This becomes important when comparing data for population subgroups based on categories such as sub-area, age, presence of children, or income. For example, the 95% confidence interval for a subgroup of 100 respondents yields an error range from ± 4.4% to ± 10%. Results for subgroups are only highlighted when we have a high degree of confidence that the differences that distinguish a subgroup from the overall sample are statistically reliable.

Questionnaire Design

The objectives of the design of the questionnaire not only accommodated those subject areas discussed previously, the questionnaire design included question wording and question order or rotation to mitigate bias in the inquiries. For example, the order of questions in a series can influence the responses given. To mitigate this, the order or position of such questions in a series was rotated.

All responses collected during the interviews were computer-processed and tabulations between question answers and selected subgroups were made. These tabulations are included in the Appendix to this report.

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Within the following analysis, the responses to each question by the entire sample of residents will be discussed and presented. In addition, the analysis will provide insight into those subgroups of the total sample that provided responses that differed significantly from the total sample. Only those subgroups with response differences that are deemed statistically significant will be highlighted.

IV. RECREATION FACILITIES OR PROGRAMS USE

ONE FEATURE THAT MAKES MORENO VALLEY DESIRABLE *(Appendix Table 8)*

To develop an understanding of the characteristics that residents value in Moreno Valley, respondents were asked to volunteer what one feature makes Moreno Valley a desirable place to live. No prelisted responses were provided. The response categories with the largest share of responses are presented in Figure 1.

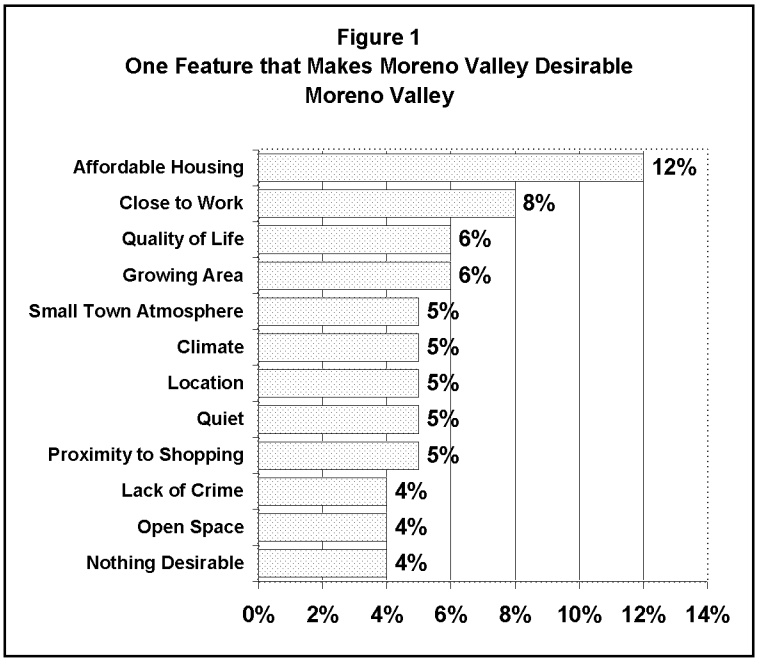

As Figure 1 reveals, more than one of every ten residents polled (12%) identified "Affordable Housing" as the one feature while an additional 8% reported "Close to Work." An equal share of 6% cited "Quality of Life" as well as "Growing Area." An additional 5% of households polled volunteered each of the following features: "Small Town Atmosphere," "Climate," "Location," "Quiet," and "Proximity to Shopping." Less than one of every twenty respondents (4%) volunteered the responses "Lack of Crime," "Open Space," and "Nothing Desirable." Remaining responses garnered less than a 4% response rate.

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RECREATION BENEFITS DESIRED *(Appendix Table 9)*

To amplify our understanding of recreating patterns in the City, a question was posed to identify the reasons residents choose the recreation activities they do. These reasons or benefits are aimed at understanding why the residents choose the recreation activities by identifying the benefits they seek from such activities. Moreno Valley residents polled were asked to identify which of the four prelisted benefits they felt is most important when they or their household members seek recreation or leisure opportunities. The four benefit categories and the share of responses each received are presented in Figure 2.

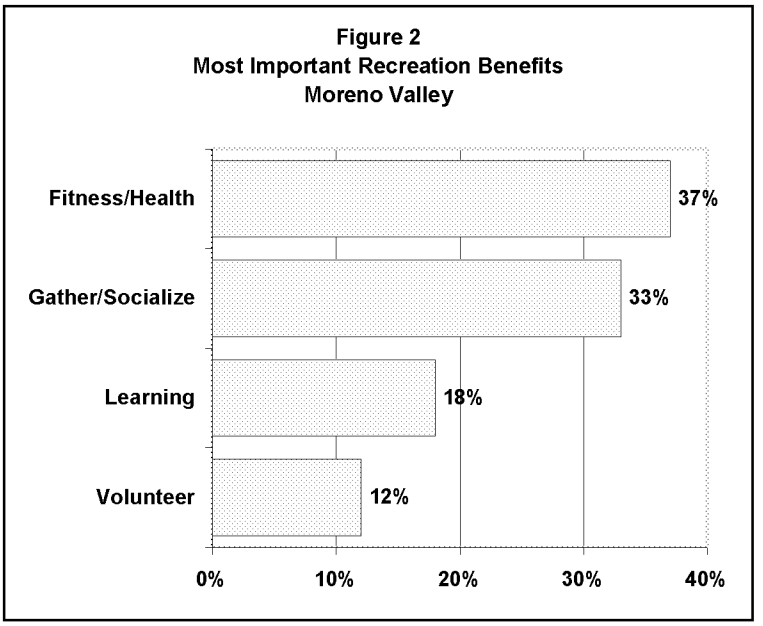

As Figure 2 reveals, more than one-third of the households polled (37%) stated that they seek physical fitness, health and well being benefits from their recreation choices. An additional one-third (33%) of respondents replied that opportunities to gather and socialize with others is the primary benefit they seek from recreation. Together, these two benefits were identified by 70% of those polled. The benefit of learning opportunities for hobby, self-improvement or career development was cited by 18% of those polled while the benefit from recreational opportunities to give back to the community through volunteer work was a priority for 12% of the City's responding residents.

The text table that follows compares these recreation benefit responses from Moreno Valley residents to statistics derived from seventeen other California municipalities where Research Network Ltd has conducted similar work.

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Most Important Benefits in Recreation Opportunities Moreno Valley vs. Seventeen Selected California Municipalities				
	Moreno Valley	Seventeen Selected California Municipalities		
		Lowest Response	Highest Response	Median
Health/Fitness	37%	31%	54%	46%
Gather/Socialize	33%	19%	36%	29%
Learning	18%	13%	28%	17%
Volunteer	12%	7%	16%	9%

As the table illustrates, the residents polled in Moreno Valley identified health and fitness benefits as most important to their recreation choices substantially less often than the average (37% vs. 46% on average among other cities surveyed.) The proportion of Moreno Valley respondents polled that cited opportunities to gather or socialize as their most important recreation benefit was above the norm of other cities polled on this subject (33% vs. 29% on average among other cities surveyed.) Moreno Valley residents interviewed were also more likely to seek opportunities to give back to the community through volunteer work than the average of other cities polled (12% vs. 9%). Moreno Valley residents seek learning opportunities for hobby, self-improvement or career development at a comparable rate to other cities (18% vs. 17% average).

RECREATION INFORMATION SOURCES *(Appendix Table 10)*

To document how residents obtain information about Moreno Valley recreation or parks programs or facilities, a question was posed to identify where they get that information. Respondents were required to volunteer a description of the information source that they use. No prelisted responses were provided. The response categories with the largest share of responses are presented in Figure 3.

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As Figure 3 reveals, nearly one of every four residents polled (23%) stated that they get their recreation program and facility information from the City of Moreno Valley Programs Brochure while an additional 19% reported the Internet as their information source and 15% reported obtaining information from The City of Moreno Valley. More than one in ten respondents (11%) stated they obtain their information from the City of Moreno Valley Website and an equal share use Postings at Recreation Sites. Less than one of every ten respondents (9%) reported use of the Newspaper while 6% stated they find their information in the Telephone Book. An additional 6% stated they use the "booklet/brochure" which likely refers to the City Programs Brochure, resulting in a total mention of 29%. "Word of Mouth" or "School" was reportedly used as an information source by 5% of respondents each while 3% of those polled stated their information was obtained by watching Channel 3. Remaining responses garnered less than a 3% response rate except for 8% of those polled who stated they "don't need" such sources of information.

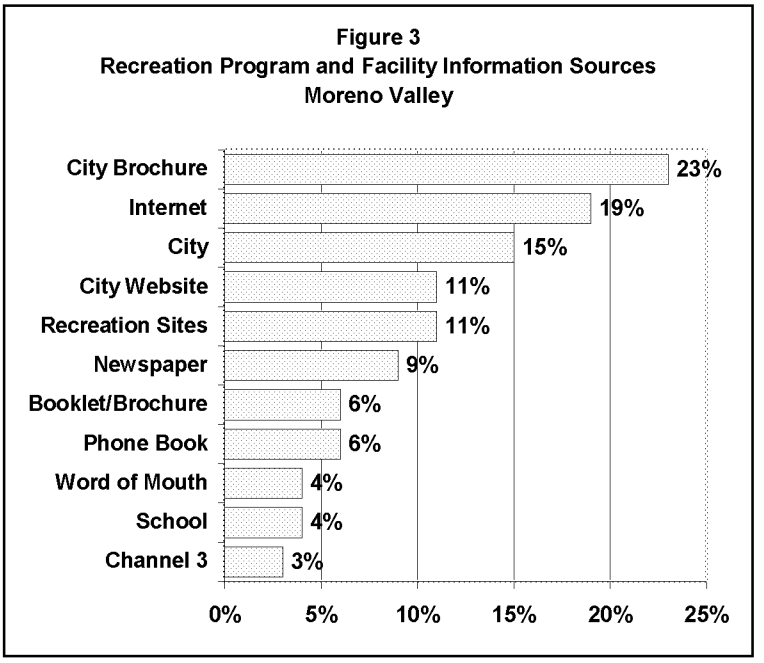

Examining these responses by selected subgroups of respondents, the following significant differences in response patterns were noted:

- ✓ The response category of the Internet was more often reported by those polled with a household head less than 60 years (23% vs. 5% among those with an older head.)

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RECREATION FACILITY USAGE

Frequency of Recreation Facility Usage *(Appendix Table 11)*

Parks and recreation facility usage characteristics were explored in a general framework in the resident telephone survey based upon a question probing overall facility usage in or outside of Moreno Valley. The recreation facility usage frequency of the total sample of respondents is presented in Figure 4.

Figure 4 illustrates that 38% of the sample of telephone respondents described themselves as a "Frequent User" of parks and recreation facilities (patrons of facilities at least three times per month; top two bars in Figure 4).

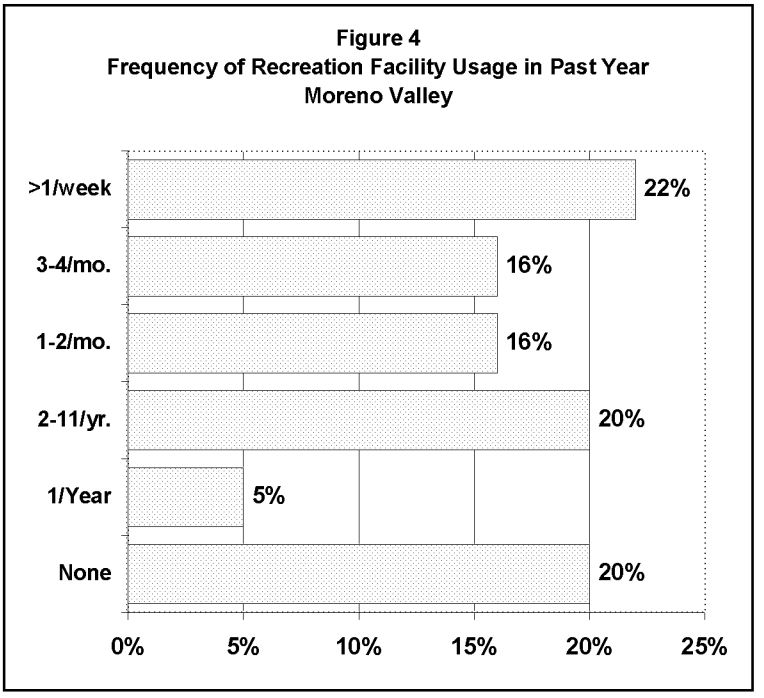

More than one of every three residents (36%) was a "Moderate User" (patrons of facilities at least two to twenty-four times annually) of recreation facilities during the past year. The remainder (26%) was labeled "Light/Non Users" (patrons of facilities once per year and non-users).

The following text table compares these current facility usage responses from Moreno Valley residents to statistics derived from thirty-three other surveys of California municipalities where Research Network Ltd performed similar work.

As the table illustrates, the share of residents polled in Moreno Valley identifying themselves to be frequent users of parks was below average (38% frequent users vs. 43% on average among other cities surveyed) while the share who reported no recreation facility use in the past year was above average (20% vs. 14%.)

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Frequency of Recreation Facility Usage Moreno Valley vs. Thirty-three Selected California Municipalities				
	Moreno Valley	Thirty-three Selected California Municipalities		
		Lowest Response	Highest Response	Median
Frequent Users	38%	19%	58%	43%
Never Use	20%	6%	40%	14%

An examination of reported recreation facility use among Moreno Valley residents revealed the following *statistically significant differences*[1] in the share of frequent users among examined subgroups of the total sample. Such frequent users were most often found among:

- ✓ Respondents reporting a head of household less than 40 years (53%),
- ✓ Households with children less than 18 years (49%),
- ✓ Those polled who described themselves as Hispanic (49%),
- ✓ Households reporting an annual income under $75,000 (43%).

One of every five resident households polled (20%) stated they did not use recreation facilities at all in the last year. Such non-users of recreation facilities were more likely to be found among:

- ✓ Respondents reporting a household head 60 years or over (36%),
- ✓ Households without children less than 18 years of age (34%),
- ✓ Those polled who described themselves as Non-Hispanic White (33%).

[1] This analysis compares the total sample of 300 households to subgroups of the total and highlights those differences in the response patterns that are statistically significant based upon the number of interviews in each subgroup analyzed.

Recreation Facility or Park Most Often Used in the Last Year *(Appendix Table 12)*

Moreno Valley residents polled were queried about the park or recreation facility that their household members most often used during the last year. The park names were not read to the respondents and respondents were asked to include facilities in or outside of Moreno Valley in their response. Figure 5 illustrates the ten recreation facilities most often cited by those polled, representing 44% of the responses received. The remaining parks mentioned that are not listed in Figure 5 each garnered less than 3% of the responses received.

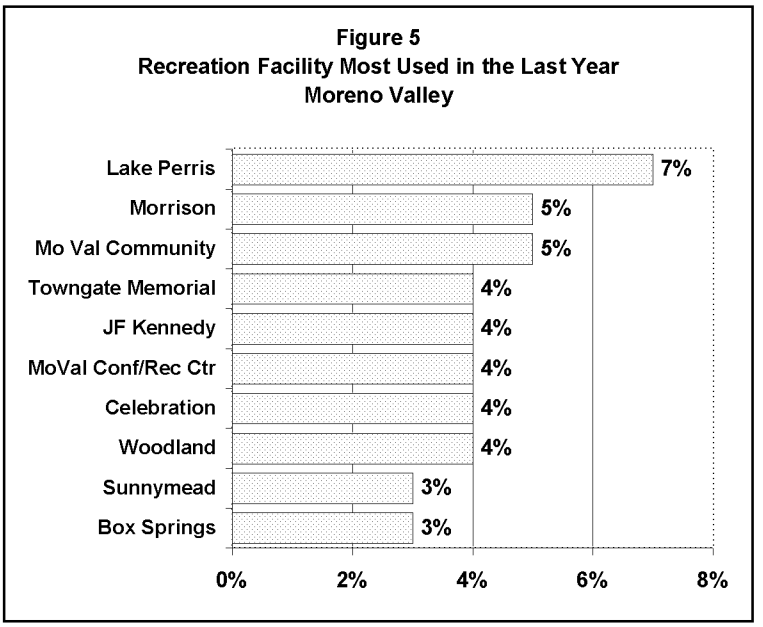

School Facility Most Often Used for Recreation or Cultural Activities in the Last Year *(Appendix Table 13)*

Moreno Valley residents polled were queried about the school facility that their household members most often used during the last year for recreation or cultural activities (not including education activities). The school names were not read to the respondents and respondents were asked to include facilities in or outside of Moreno Valley in their response. Figure 6 illustrates that the most often received response was "none" (53%) indicating that no school facilities were used for the tested types of activities. The eight

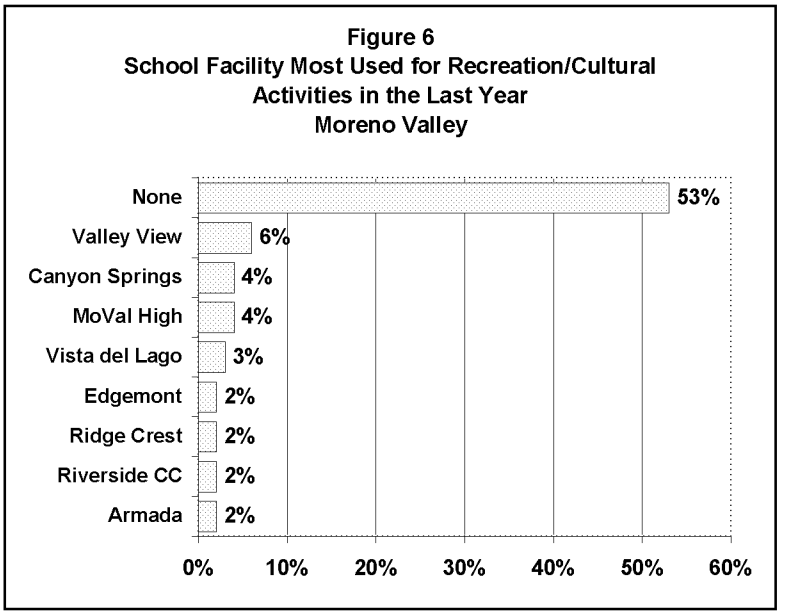

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school facilities most often cited by those polled, representing 26% of the responses received, are identified in Figure 6. The remaining schools mentioned that are not listed in Figure 6 each garnered less than 2% of the responses received.

An examination of reported school facility use among Moreno Valley residents revealed the following *statistically significant differences*[2] in the share of non-users among examined subgroups of the total sample. Such non-users were most often found among:

- ✓ Respondents reporting a household head 60 years or over (76%),
- ✓ Those polled who do not have children under 18 years (69%).

Employer-Sponsored Recreation *(Appendix Table 38)*

To amplify our understanding of recreating patterns in the City, a question was posed to identify the number of household members who both worked at a location in Moreno Valley and participated in recreation sponsored by their employer at a parks and recreation facility located in Moreno Valley. Figure 7 reveals the distribution of Moreno Valley households with or without members who participated in such recreation. As Figure 7 reveals, one in three households polled (34%) reported having a member employed in Moreno Valley who participated in employer-sponsored recreation at a location in Moreno Valley. The remainder of residents interviewed (66%), reported one or more members employed in the City who did not participate in such employer-sponsored recreation.

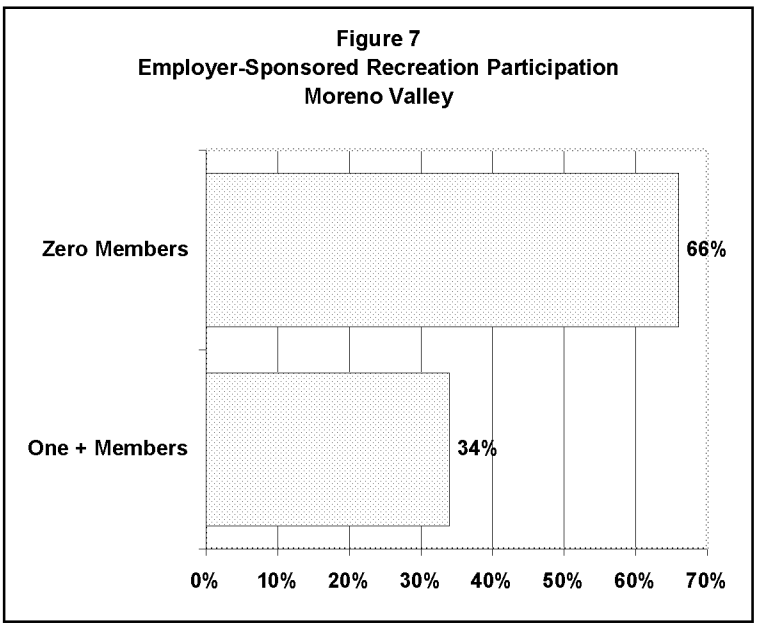

[2] This analysis compares the total sample of 300 households to subgroups of the total and highlights those differences in the response patterns that are statistically significant based upon the number of interviews in each subgroup analyzed.

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Recreation Activities Participation *(Appendix Tables 14 to 29)*

The resident telephone survey solicited household members' behavior in performing an array of sixteen recreation activities during the last year. Each respondent was queried regarding the number of members of their household who had conducted each activity during the past year.

The activities in Figure 8 are ranked by the share of the households surveyed who reported participation in each activity at least once in the last year. As Figure 8 reveals, the tested activities cited as being undertaken by the largest portion of Moreno Valley residents surveyed were Walking/Jogging/Running for Recreation or Fitness (75%), Passive Use of Open Grass/Lawn Areas in Parks or Recreation Facilities (54%), and Picnicking in Developed Sites (54%). Bicycling for Recreation/Fitness was reported by 45% of those residents polled while three in ten polled households (31%) reported Use of Play Equipment, Tot Lots. One in five households (27%) stated that one or more household members had played Organized Basketball Games for Youth or Adults and a comparable share (26%) reported use of Wet Playground/Spray Play Facilities. The activities reported next most often included Skateboarding (23%), Organized Softball Games for Youth or Adults (18%), Golf (17%), Organized League Soccer Games for Adults (16%), Organized Football Games for Youth (15%), Organized League Soccer Games for Youth (15%), and Organized League Baseball Games for Youth (15%), use of a Dog Park (15%), and Tennis (12%).

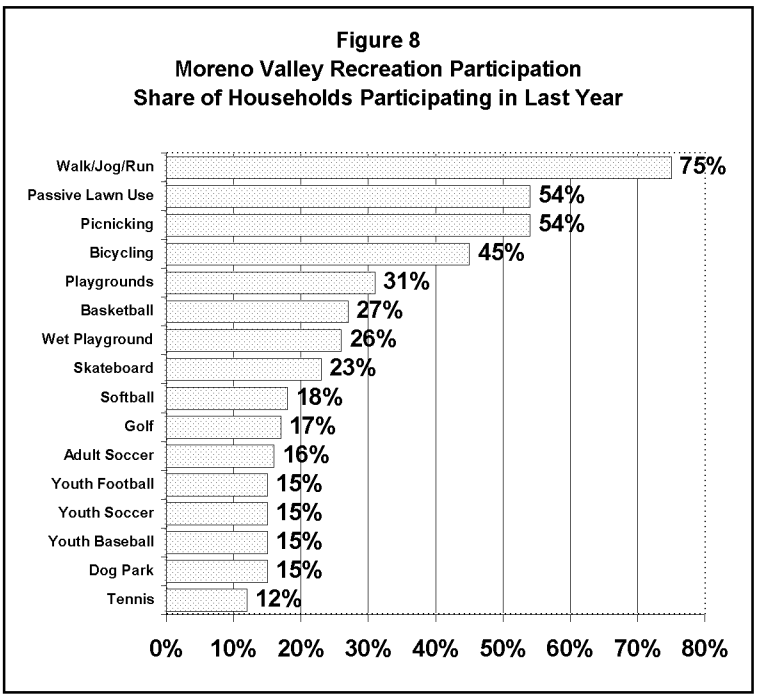

The data presented in Figure 8 may appear counter intuitive to representatives of organized sports leagues for youth and to elected officials who regularly host comments

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or testimony from them. To confirm the validity of the Figure 8 participation levels, it is important to recognize the demography of the City's population. Specifically, youth ages 5 to 14 (the prime ages for youth sports) constituted approximately 18% of the total City population as of the 2006 American Community Survey Estimate. Thus, if every child in this age group were enrolled in, for instance, organized league youth soccer, the percent of participation on Figure 8 would be at least 18%. However, not all children in this age group participate in all sports, some participate in none, and some outside of this age group also participate.

Examining the activities tested with the greatest participation in Figure 8 by subgroups of respondents, it was noted that:

- ✓ Walking/Jogging/Running/Hiking on Public Trails for Recreation or Fitness was most often reported by those polled with a head less than 40 years (85%), among respondents describing themselves as Hispanic (84%), and among respondents with children under 18 years (81%).
- ✓ Passive Use of Open Grass/Lawn Areas in Parks or Recreation Facilities was most often reported by those polled with a head less than 40 years (68%), among respondents describing themselves as Hispanic (65%), and among respondents with children under 18 years (65%).
- ✓ Picnicking was most often reported by respondents with children less than 18 years (65%), by those polled with a head under 40 years (64%), and among respondents describing themselves as Hispanic (62%).
- ✓ Bicycling for Recreation or Lessons was most often reported among respondents with children less than 18 years (61%), among respondents describing themselves as Hispanic (60%), and by those polled with a head less than 60 years (50%),
- ✓ Use of Play Equipment, Tot Lots was most often reported among households with children less than 18 years (56%) among those polled with a head less than 40 years (53%), and among respondents describing themselves as Hispanic (48%).

Frequency of Indoor Recreation Facility Usage *(Appendix Table 32)*

Indoor recreation facility usage characteristics were explored in a general framework in the resident telephone survey based upon a question probing overall usage in or outside

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of Moreno Valley. The usage frequency of the total sample of respondents is presented in Figure 9.

Figure 9 illustrates that 23% of the sample of telephone respondents described themselves as a "Frequent User" of indoor recreation facilities (patrons of indoor facilities at least three times per month; top two bars in Figure 9).

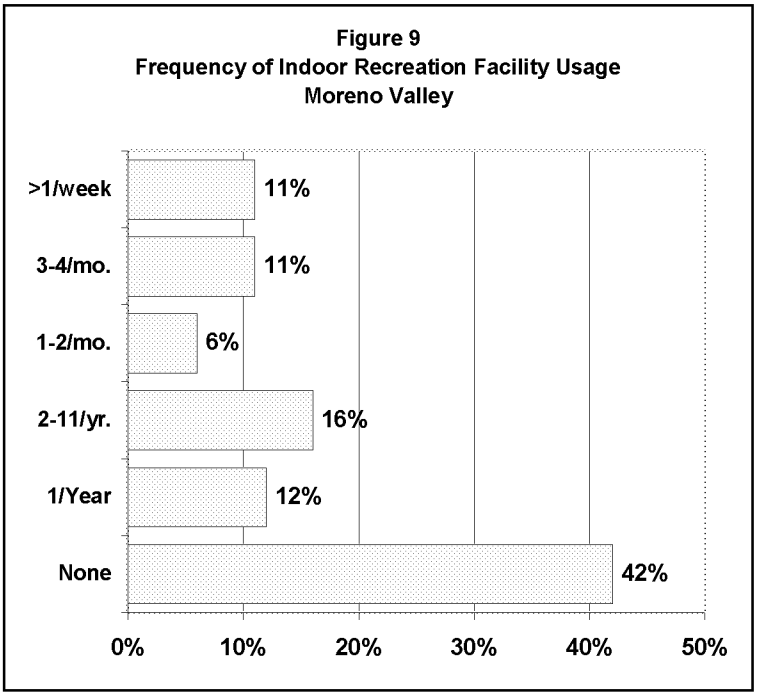

Less than one of every four residents (23%) was a "Moderate User" (patrons at least two to twenty-four times annually) of indoor recreation facilities during the past year. The remainder (55%) was labeled "Light/Non Users" (patrons of indoor facilities once per year and non-users).

The following text table compares these current indoor facility usage responses from Moreno Valley residents to statistics derived from five other surveys of California municipalities where Research Network Ltd performed similar work.

Frequency of Indoor Recreation Facility Usage Moreno Valley vs. Five Selected California Municipalities				
	Moreno Valley	Five Selected California Municipalities		
		Lowest Response	Highest Response	Median
Frequent Users	23%	17%	49%	26%
Never Use	42%	29%	52%	39%

As the table illustrates, the share of residents polled in Moreno Valley identifying themselves to be frequent users of indoor recreation facilities was below average (23%

frequent users vs. 26% on average among other cities surveyed) while the share who reported no recreation facility use in the past year was above average (42% vs. 39%).

An examination of reported indoor recreation facility use among Moreno Valley residents revealed the following *statistically significant differences*[3] in the share of frequent users among examined subgroups of the total sample. Such frequent users were most often found among:.

- ✓ Respondents describing themselves as Hispanic (33%),
- ✓ Those polled with a household head less than 40 years of age (29%),
- ✓ Households reporting household members less than 18 years of age (27%).

More than four of every ten resident households polled (42%) stated they did not use indoor recreation facilities at all in the last year. Such non-users of indoor recreation facilities were more likely to be found among:

- ✓ Households with a head 60 years or older (58% vs. 38% among those with a younger head),
- ✓ Respondents describing themselves as Non-Hispanic White (55% vs. 31% among Hispanic respondents),
- ✓ Those polled who reported no children under 18 years (52% vs. 34% among those with.)

[3] This analysis compares the total sample of 300 households to subgroups of the total and highlights those differences in the response patterns that are statistically significant based upon the number of interviews in each subgroup analyzed.

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Rating City Recreation Facilities Maintenance *(Appendix Table 30)*

Respondents polled were asked to rate the maintenance of recreation and parks facilities in the City of Moreno Valley using a scale of "Excellent," "Good," "Fair," or "Poor."

Figure 10 illustrates the fact that 81% of households polled rated parks maintenance as either "excellent" or "good."

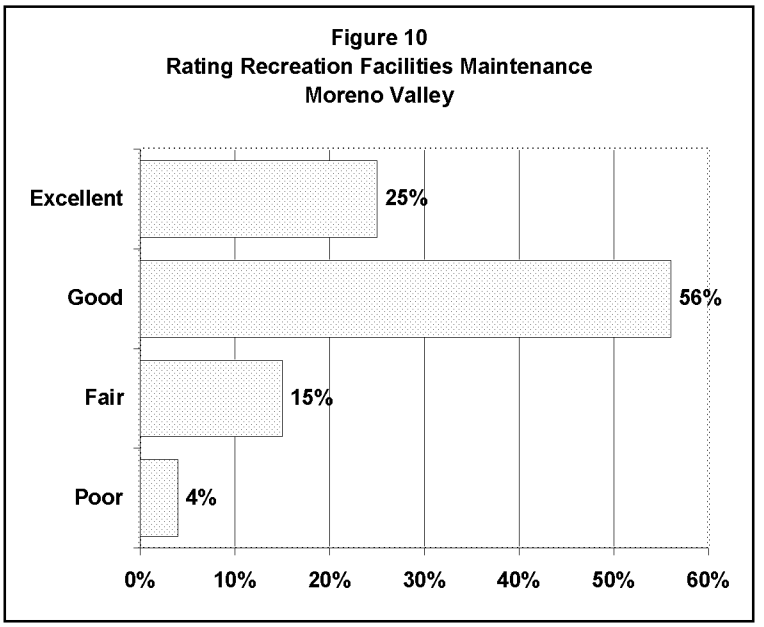

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V. RECREATION AND CULTURAL NEEDS

RECREATION FACILITY NEEDS

One Recreation Facility Respondents Want *(Appendix Table 31)*

Respondents were asked to volunteer **one** recreation facility their household would MOST like to see added in the City. This inquiry was asked in an unprompted form with all responses being volunteered by respondents and recorded verbatim. The intent of the question was not a referendum of priority on what recreation facilities should be added or improved. Rather, this probe was intended to confirm the importance of those sixteen existing recreation activities tested in the survey.

As Figure 11 reveals, the response most often reported was a desire for no additional new recreation facilities, volunteered by more than one of every five respondents (22%). These households with no desire for new facilities were more often found among households with a head 60 years or older (35% vs. 18% among those with a younger head), among households without children under 18 years present (31% vs. 15% among those with children), and among respondents describing themselves as Non-Hispanic White (28% vs. 10% among Hispanic respondents).

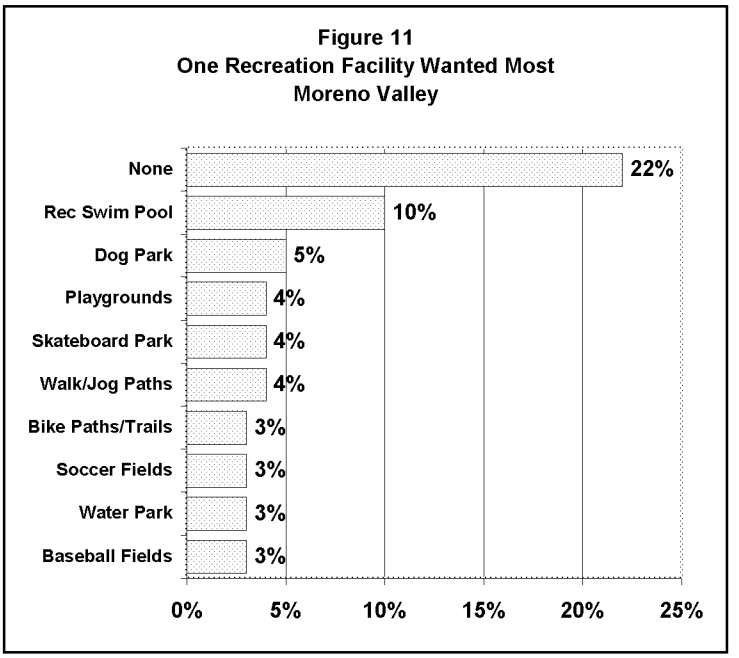

The recreation facilities cited as most desired by Moreno Valley residents surveyed were Swimming Pool for Recreation or Lessons (10%), Dog Park (5%), Playgrounds/Tot Lots (4%), Skateboard Park (4%), and Walking/Running/Jogging Paths (4%). The next most often mentioned facilities (each at 3%) included Bike Paths/Trails, Soccer Fields, Water Games/Water Park, and Baseball Fields. All remaining mentions received a response volume that was less than 3% of those polled.

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RECREATION PROGRAM NEEDS

One Recreation Program Respondents Want *(Appendix Table 33)*

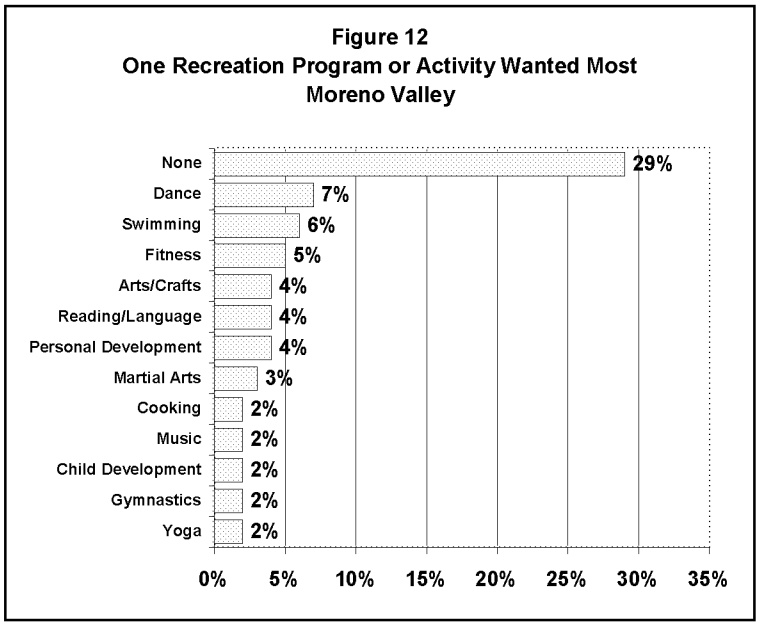

Respondents were asked to volunteer **one** recreation program their household would MOST like to see added in the City. This inquiry was asked in an unprompted form with all responses volunteered by respondents and recorded verbatim. The intent of the question was not a referendum of individual program priority on what recreation programs should be added or improved.

As Figure 12 reveals, the response most often reported was a desire for no new recreation programs, volunteered by nearly one of every three respondents (29%). These households with no desire for new facilities were more often found among households with a head 60 years or older (43% vs. 26% among those with a younger head), and among respondents describing themselves as Non-Hispanic White (39% vs. 19% among Hispanic respondents).

The recreation program types most often mentioned included Dance Instruction or Classes (7%), Swimming Lessons (6%), Aerobics, Spinning, or Fitness Instruction or Classes (5%), Arts or Crafts Instruction or Lessons (4%), Reading, Language, Spelling or Writing Instruction or Classes (4%), Personal Development or Business Instruction or Classes (4%), Martial Arts Classes (3%), Cooking Instruction or Classes (2%), Music Instruction or Classes (2%), Early Childhood Development Classes (2%), Gymnastics Instruction or Classes (2%), and Yoga, Meditation, or Stress Relief Instruction or Classes (2%). All other response categories garnered less than a 2% response rate.

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CULTURAL FACILITY NEEDS

Propensity to Use Proposed Cultural Facilities *(Appendix Tables 34 to 36)*

Respondents were asked a series of three questions probing their propensity to use cultural facilities that may be built in Moreno Valley. The three types of facilities tested were a Performing Arts Center (presenting music or theater events,) Art Galleries, Art Festivals and Events, and a new Museum or Interpretive Center.

As Figure 13 reveals, households polled reported high likelihood of using all of the tested types of facilities, with the highest share of residents (80%) stating they would use a Performing Arts Center and the smallest share (71%) stating they would visit Art Galleries, Art Festivals and Events.

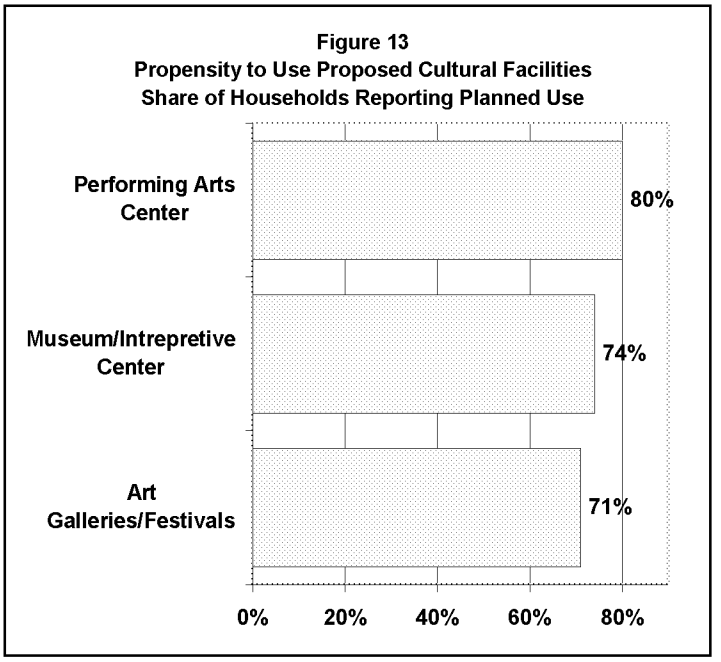

Reported non-use of Performing Arts Center facilities in Moreno Valley were most often reported by households without children under 18 years (26% vs. 14% among those with.) Similarly, households without children under 18 years were the most likely group to report no planned use of Art Galleries, Art Festivals and Events (35% vs. 24% among those with) along with respondents describing themselves as Non-Hispanic White (36% vs. 19% among Hispanic respondents.) Reported non-use of Museum or Interpretive Center facilities were most often reported by households with a head 60 years or older (38% vs. 23% among those with a younger head.)

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VI. RESPONDENT DEMOGRAPHY

A collection of related demographic inquiries was also included in this survey of Moreno Valley residents. The table on the following page presents selected demographic characteristics of Moreno Valley residents polled during this survey compared with 2000 Federal Census data or 2006 American Community Survey data, as available.

AGE DISTRIBUTION OF POPULATION *(Appendix Table 6)*

Through our historical project experience, we have documented the relationship between parks and recreation usage and age of the population. In the context of this Moreno Valley community-wide survey, we collected the age of each of the members of households polled to facilitate development of an understanding of recreation preferences in this community that might be attributable to age. Figure 14 presents the age distribution of residents of those Moreno Valley households interviewed.

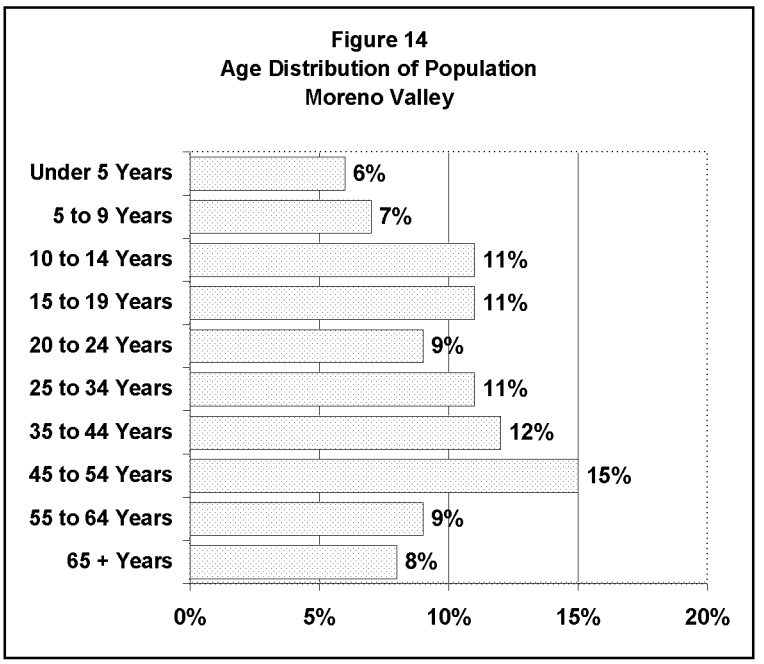

As Figure 14 reveals, residents of Moreno Valley of preschool age represent 6% of the population while youth ages 5 to 14 (the prime age group for organized sports) constituted 18% of the population. Adults age 20 to 54 comprised an additional 48% of the residents while one of every three residents (17%) are 55 years or older. Based on this survey, the average age of the population is 29 years. It is also noteworthy that the average age is higher among households without children under 18 years (51 years vs. 20 years among those with.)

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DEMOGRAPHIC CHARACTERISTICS RECREATION NEEDS ASSESSMENT SURVEY MORENO VALLEY				
	ACS/	CURRENT SURVEY		
	CENSUS	TOTAL	W/KIDS	W-O KIDS
Percent of Population by Age (2006 estimate):				
Under 5 years	9%	6%	9%	0%
5 to 9 years	9%	7%	10%	0%
10 to 14 years	9%	11%	16%	0%
15 to 19 years	8%	11%	14%	4%
20 to 24 years	9%	9%	7%	13%
25 to 34 years	18%	11%	12%	10%
35 to 44 years	14%	12%	15%	5%
45 to 54 years	12%	15%	12%	23%
55 to 64 years	6%	9%	3%	22%
65 years and over	6%	8%	3%	21%
Median Age	27.7	29.0	20.0	51.0
Household Description (2006 estimate):				
1 adult w-o children	15%	10%	0%	22%
2 or more adults w-o children	27%	35%	0%	78%
Subtotal Households w-o children	42%	45%	0%	100%
1 adult w/children	NA	6%	12%	0%
2 adults w/children	NA	27%	50%	0%
3 or more adults w/children	NA	21%	38%	0%
Subtotal Households w/children	58%	55%	100%	0%
Ethnicity (2000 Census data is for householders; survey data is for respondents):				
Non-Hispanic White	40%	42%	27%	61%
Hispanic/Latino	30%	36%	48%	21%
Non-Hispanic Black/African American	21%	18%	22%	13%
Non-Hispanic Asian/Pacific Islander	6%	2%	1%	3%
Non-Hispanic Other	3%	2%	2%	2%
Mean Household Size (2006 estimate):	3.77	3.60	4.60	2.40
Median Household Income (2006 estimate):	$52,426	$63,100	$61,400	$66,000

Source: U.S. Census Bureau, 2000/2006
Research Network Ltd., 4/08

MV00048386

HOUSEHOLD COMPOSITION *(Appendix Table 7)*

Through our historical project experience, we have documented the relationship between parks and recreation usage and age and number of members of the household. In the context of this Moreno Valley community-wide survey, we collected the age of each of the members of households polled to facilitate an understanding of recreation preferences in this community that might be attributable to the composition of the household. Figure 15 presents the distribution of households polled based upon the number and age of the household members.

As Figure 15 illustrates, 45% of Moreno Valley households polled reported having no children under the age of 18 years. On Figure 15, these "childless" households are presented as the first and fourth bars on the chart. The remaining three bars on the chart comprise the group of households who reported having children less than 18 years (55%).

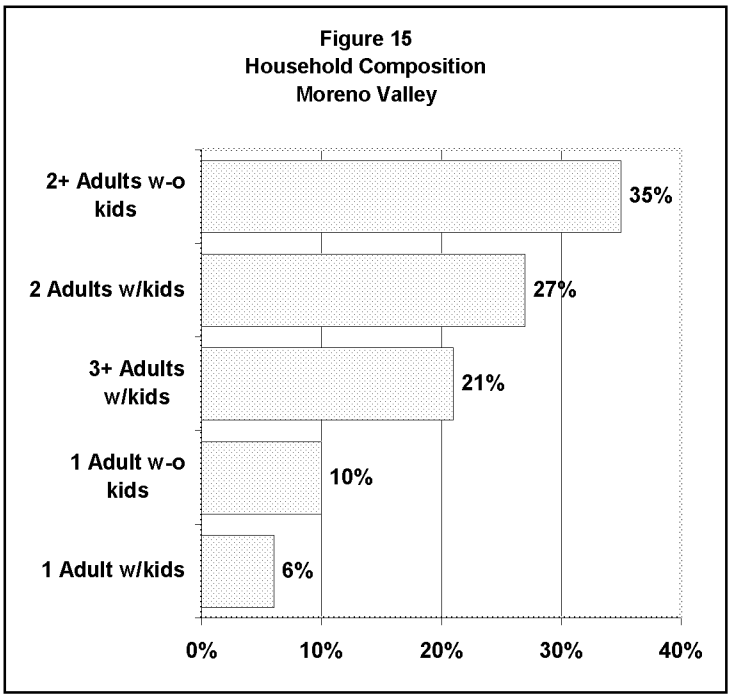

The distribution of households surveyed with and without children less than 18 years is comparable to the benchmark data from the 2006 American Community Survey, validating the representative nature of this sample of resident respondents.

The evaluation and analysis of these various segments of the Moreno Valley population further aids in an understanding of recreation facility and program needs, attitudes, and preferences.

MV00048387

EMPLOYMENT LOCATION *(Appendix Table 37)*

To amplify our understanding of the lifestyle dynamics of Moreno Valley, this survey asked a question to determine the share of employees in households polled who are employed in Moreno Valley vs. some other location. Figure 16 presents the summary of responses to that inquiry.

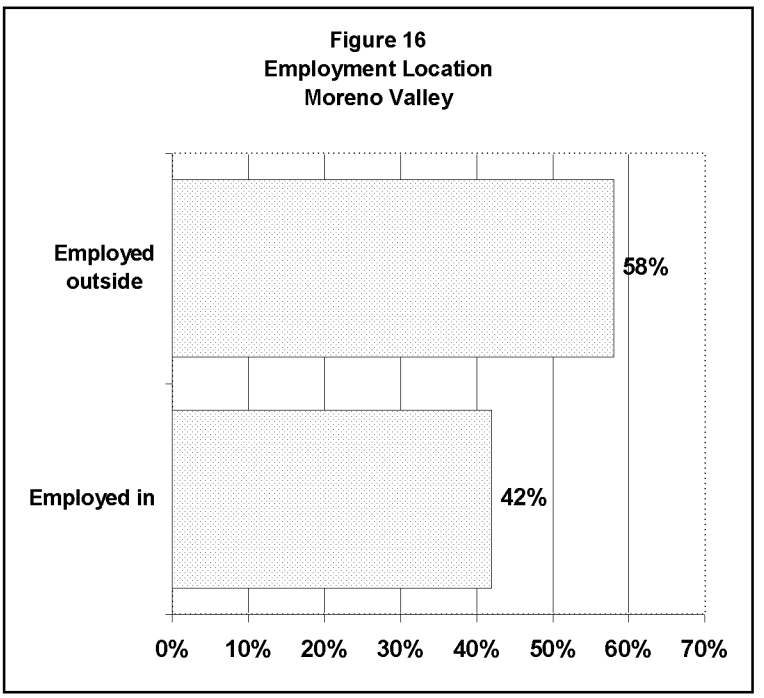

Figure 16 illustrates that 58% of the reported employees resident in households polled stated that they were employed at a location outside of Moreno Valley. Thus, the share of employees in households polled who had jobs in the City is 42%.

HOUSEHOLDER ETHNICITY *(Appendix Tables 39 to 41)*

Through our historical project experience, we have documented the relationship between parks and recreation usage and ethnicity of the population. In the context of this Moreno Valley community-wide survey, we collected the ethnicity of the respondent (or householder) for each of the households polled to

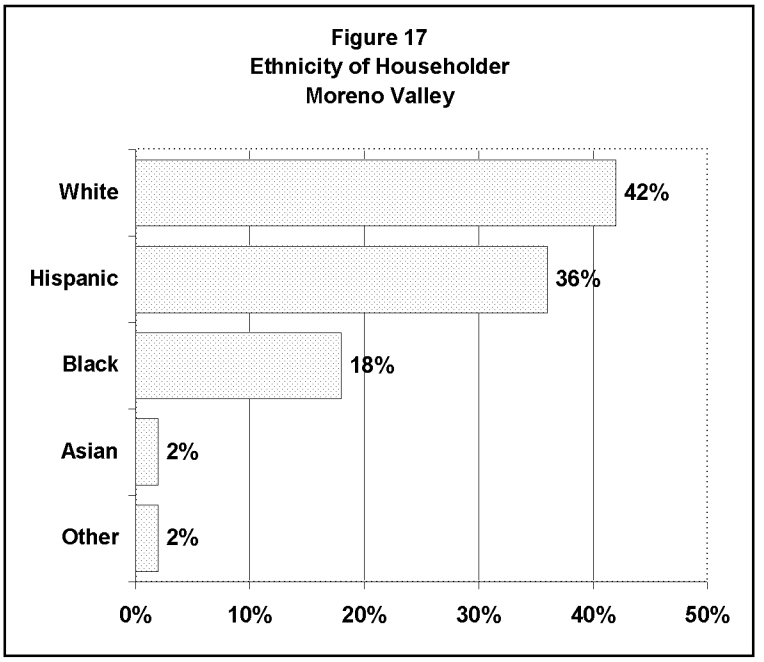

provide an understanding of recreation preferences in this community that might be attributable to ethnicity. Figure 17 presents the distribution of householders of those Moreno Valley households interviewed by the race or ethnic group they reported.

Figure 17 illustrates that four of every ten respondents (42%) described themselves as White while an additional 36% were Hispanic/Latino. Those polled who described themselves as Black/African American constituted 18% of the total and a 2% share of residents interviewed described themselves as Asian/Pacific Islander. A comparison of this distribution of ethnicity for resident respondents to benchmark data from the 2000 Census reveals comparable results, confirming the statistical reliability of the sample of respondents surveyed in Moreno Valley to be representative of the City as a whole.

HOUSEHOLD INCOME (*Appendix Table 42)*

We have documented in prior experience the relationship between parks and recreation usage and household income. In the context of this Moreno Valley community-wide survey, we collected the annual household income of households polled to provide an understanding of recreation preferences in this community that might be attributable to household income. Figure 18 presents the annual household income distribution of those Moreno Valley households interviewed. The median income calculated from the survey stood at $63,100, up substantially from the $51,792 median figure reported seven years earlier in the 2000 Census.

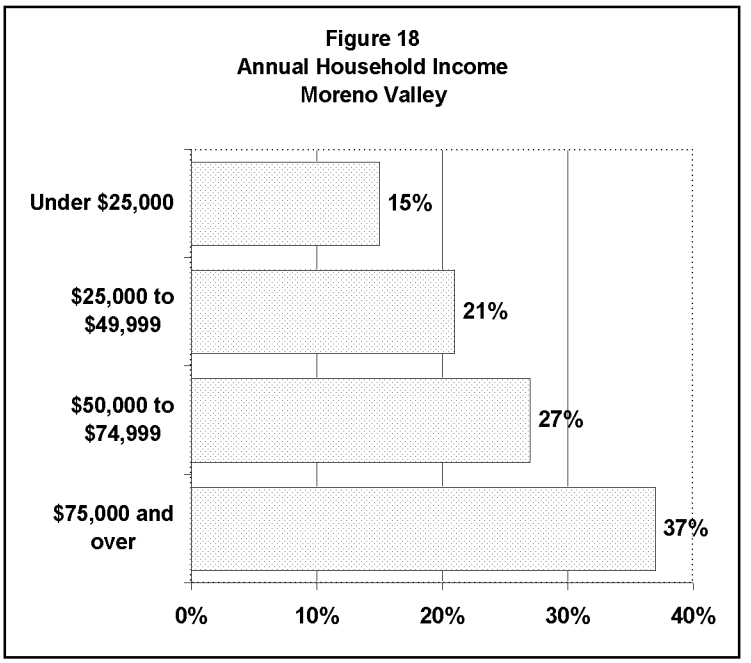

MV00048389

APPENDIX

MV00048390

RESEARCH NETWORK LTD.
906QUEST/APRIL 2008

VALIDATE:

FINAL

Moreno Valley Parks and Recreation Needs Assessment

Residential Telephone Survey

Hello. My name is _____ with Research Network Ltd., a consumer research firm. We are talking to residents, like your self, on behalf of the City of Moreno Valley. The City is extremely interested in your opinions for future planning of parks and recreation facilities and programs. We hope you will answer a few questions. May I talk with one of the heads of the household?

Record GENDER (Do not ask. Record by observation)
1 - FEMALE
2 - MALE

1. Please tell me your residence zip code. (DO NOT READ)

   1 - 92551
   2 - 92553
   3 - 92555
   4 - 92557
   5 - Other THANK RESPONDENT AND TERMINATE INTERVIEW
   6 - Don't Know THANK RESPONDENT AND TERMINATE INTERVIEW
   7 - Refused THANK RESPONDENT AND TERMINATE INTERVIEW

2. Do you live in Moreno Valley? (DO NOT READ)

   1 - Yes
   2 - No
   3 - Don't Know THANK RESPONDENT AND TERMINATE INTERVIEW
   4 - Refused THANK RESPONDENT AND TERMINATE INTERVIEW

3. How many people reside in your household, including yourself?

   Specify _____ Range = 1-998
   Don't Know/Refused = 9999

4. Beginning with yourself, please tell me the age of each resident living in your household.

	AGE	
Head of Household	___	Range = 18-998
Other Member	___	Range = 0-998 (0 = less than 1 year)
Other Member	___	Range = 0-998 (0 = less than 1 year)
Other Member	___	Range = 0-998 (0 = less than 1 year)
Other Member	___	Range = 0-998 (0 = less than 1 year)
Don't know/No answer/Refused	___	Range = 999 Thank and Terminate

5. Which of these categories best describes your household? (DO NOT READ - AUTOPUNCH)

-1 One adult without children under 18 years
-2 Two or more adults without children under 18 years
-3 One adult with children under 18 years
-4 Two adults with children under 18 years
-5 Three or more adults with children under 18 years
-6 Don't Know (DON'T READ)
-7 Refused (DON'T READ)

6. What is the ONE feature that makes Moreno Valley a desirable place to live? (DO NOT READ LIST, RECORD ONLY ONE)

1 - Access to Freeways
2 - Affordable housing.....
3 - Air Quality.....
4 - Arts and culture.....
5 - CC&R's..(Covenants, Conditions, and Restrictions)
6 - Childcare.....
7 - Climate.....
8 - Close to work.....
9 - Cost of Living Low.....
10 - Feeling A Part of Community
11 - Growing area.....
12 - Lack of crime.....
13 - No/low traffic
14 - Open Space .....
15 - Parks, Bike, Jog Trails...
16 - Proximity to Shopping
17 - Recreation/sports facilities…
18 - Quality education.....
19 - Quality of Life (Probe for specifics)
20 - Responsive City Government
21 - Senior services.....
22 - Small town atmosphere.....
23 - Other (specify): _____
24 - Refused
25 - Don't know

7. Reflecting upon the recreation patterns of those in your household, which of the following benefits do you feel is most important when you or the members of your household seek recreation or leisure opportunities? Would it be...? (ROTATE ORDER OF LIST. READ LIST RECORD ONLY ONE)

1 - Physical fitness, health and well-being
2 - Opportunities to gather and socialize with others
3 - Learning opportunities for hobby, self-improvement or career development
4 - Opportunities to give back to the community through volunteer work
5 - Refused (DNR)
6 - Don't know (DNR)

8. If you need information about Moreno Valley recreation or parks programs or facilities, where do you get that information? (DO NOT READ POTENTIAL RESPONSES. RECORD ALL THAT APPLY)

1 - City of Moreno Valley
2 - City of Moreno Valley website
3 - City of Moreno Valley programs brochure
4 - Information postings at recreation sites
5 - Newspaper
6 - Boys' & Girls' Club
7 - School
8 - Telephone book
9 - Internet
10 - Don't Need It
11 - Other (specify)_____
12 - Refused
13 - Don't know

9. Thinking about the past year, what best describes how often you or other members of your household used any parks and recreation facilities in or outside of Moreno Valley? (READ CHOICES AND RECORD BELOW. RECORD ONLY ONE ANSWER).

-1 More than once a week
-2 Once a week or 3 to 4 times per month
-3 Once or twice a month
-4 Several times a year
-5 Once a year
-6 No use (SKIP TO Q.11)
-7 Refused
-8 Don't know

10. During the last year, what park or recreation facility did you and your household most often use? Please include all types of recreation facilities whether located in Moreno Valley or not. Include public or private facilities. (DO NOT READ RESPONSES. RECORD ONLY ONE ANSWER.)

1 - Adrienne Mitchell Memorial Pk.	22631 Bay Ave.
2 - Armada Elementary	25201 John F. Kennedy Dr.
3 - Badger Springs Middle School	24750 Delphinium Ave.
4 - Bayside Park	24435 Bay Ave.
5 - Bear Valley Elementary	26125 Fir Ave.
6 - Bethune Elementary	25390 Krameria St.
7 - Bethune Park	16745 Kitching St.
8 - Box Springs Elementary	11900 Athens Dr.
9 - Box Springs Mountain Regional Park	Pigeon Pass Rd. off Hwy 60, Riverside County
10 - Butterfield Elementary	13400 Kitching St.
11 - California Aqueduct Linear Park	Balboa St. & Dracaea Ave.
12 - Canyon Springs High School	23100 Cougar Canyon Dr.
13 - Celebration Park	14965 Morgan Ave.
14 - Chaparral Hills Elementary	24850 Delphinium Ave.
15 - Cloverdale Elementary	12050 Kitching St.

16 - College Park	16130 Lasselle St.
17 - Cottonwood Golf Center	13671 Frederick St., Moreno Valley, CA
18- Creekside Elementary	13563 Heacock St.
19 - Edgemont Elementary	21790 Eucalyptus Ave.
20 - El Potrero Elementary	16820 Via Pamplona
21 - El Potrero Park	16901 Lasselle St.
22 - Fairway Park	27891 John F. Kennedy Dr.
23 - Gateway Park	23975 Manzanita Ave.
24 - General Old Golf Course	6104 Village Dr., Riverside, CA
25 - Hendrick Ranch	25570 Brodiaea Ave.
26 - Hidden Springs	9801 Hidden Springs Dr.
27 - Hidden Springs Park - Phase 1	9675 Hidden Springs Dr.
28 - Honey Hollow	11765 Honey Hollow St.
29 - Islander Park	3794 Mt. Vernon St., Riverside, CA
30 - John F. Kennedy Park	15115 Indian St.
31 - La Jolla Elementary	147450 Willowgrove Dr.
32 - Lake Perris State Recreaion Area	17801 Lake Dr., Perris, CA
33 - Landmark Middle School	15261 Legendary Dr.
34 - Lasselle Elementary	26446 Krameria Ave.
35 - March Air Force Museum	2250 Van Buren Blvd., Riverside, CA
36 - March Field Park	6th St.
37 - March Middle School	15800 Indian St.
38 - March Mountain High School	24551 Dracaea Ave.
39 - Midland Elementary	11440 Davis St.
40 - Moreno Elementary	26700 Cottonwood Ave.
41 - Moreno Valley Community Park	13380 Frederick St.
42 - Moreno Valley Conference & Recreation Center	14075 Frederick St.
43 - Moreno Valley Equestrian & Nature Center	11150 Redlands Blvd.
44 - Moreno Valley High School	23300 Cottonwood Ave.
45 - Moreno Valley Ranch Golf Club	28095 John F. Kennedy Dr., Moreno Valley, CA
46 - Morrison Park	26667 Dracaea Ave.
47 - Mountain View Middle School	13130 Morrison St.
48 - Mt. Vernon Park	Blaine St. / Mt. Vernon Ave., Riverside, CA
49 - North Ridge Elementary	25101 Kalmia Ave.
50 - Norton Younglove Reserve	
51 - Orange Empire Railway Museum	2201 S. "A" St., Perris, CA
52 - Orange Terrace Community Park	20010 Orange Terrace, Riverside, CA
53 - Palm Middle School	11900 Slawson Ave.
54 - Parque Amistad Park	26160 Gentian Ave.
55 - Pedrorena Park	16009 Rancho Del Lago
56 - Quail Run Open Space	
57 - Rainbow Ridge Elementary	15950 Indian St.
58 - Ramona Elementary	24801 Bay Ave.
59 - Rancho Verde High School	17750 Lasselle St.

60 - Red Maple Elementary	25100 Red Maple Ln.
61 - Ridge Crest Elementary	28500 John F. Kennedy Dr.
62 - Ridge Crest Park	28506 John F. Kennedy Dr.
63 - Seneca Elementary	11615 Wordsworth Rd.
64- Senior Community Center	25075 Fir Ave.
65 - Serrano Elementary	24100 Delphinium Ave.
66 - Shadow Mountain Park	23239 Presidio Hills Dr.
67 - Sugar Hill Elementary	24455 Old Country Road
68- Sunny Springs Special Ed	
69 - Sunnymead Elementary	24050 Dracaea Ave.
70 - Sunnymead Middle School	23996 Eucalyptus Ave.
71- Sunnymead Park	12655 Perris Blvd.
72 - Sunnymead Ranch Linear Park	Village Rd. & Old Lake Rd.
73 - Sunnymeadows Elementary	23200 Eucalyptus Ave.
74 - Sycamore Canyon Wilderness Park	400 Block of Central Ave., Riverside, CA
75 - Thunder Sky Park	20440 Thundersky Cir., Riverside, CA
76 - TownGate Elementary	24480 Dracaea Ave.
77 - Towngate Memorial Park	13051 Elsworth St.
78 - UCR Botanic Garden	University of CA, Riverside
79 - Valley View High School	13135 Nason St.
80 - Victoriano Elementary	25650 Los Cabos Dr.
81 - Victoriano Park	25730 Los Cabos Dr.
82 - Vista del Lago High School	12150 Lasselle St.
83 - Vista Heights Middle School	23409 Old Lake Dr.
84 - Vista Lomas Park	26700 Iris Ave.
85 - Vista Verde Middle School	25777 Krameria St.
86 - Westbluff Park	10750 Pigeon Pass Rd.
87 - Weston Park	13170 Lasselle St.
88 - Woodland Park	25750 Cactus Ave.

89 - NONE.....
90 - Other (specify) _____
91 - Refused
92 - Don't know

11. During the last year, what SCHOOL facility did you and your household most often use for recreation or cultural activities (not including education activities) whether located in Moreno Valley or not. Include public or private facilities. (DO NOT READ RESPONSES. RECORD ONLY ONE ANSWER.)

1 - Armada Elementary	25201 John F. Kennedy Dr.
2 - Badger Springs Middle School	24750 Delphinium Ave.
3 - Bear Valley Elementary	26125 Fir Ave.
4 - Bethune Elementary	25390 Krameria St.
5 - Box Springs Elementary	11900 Athens Dr.
6 - Butterfield Elementary	13400 Kitching St.

7 - Canyon Springs High School	23100 Cougar Canyon Dr.
8 - Chaparral Hills Elementary	24850 Delphinium Ave.
9 - Cloverdale Elementary	12050 Kitching St.
10 - Creekside Elementary	13563 Heacock St.
11 - Edgemont Elementary	21790 Eucalyptus Ave.
12 - El Potrero Elementary	16820 Via Pamplona
13 - Hendrick Ranch	25570 Brodiaea Ave.
14 - Hidden Springs	9801 Hidden Springs Dr.
15 - Honey Hollow	11765 Honey Hollow St.
16 - La Jolla Elementary	147450 Willowgrove Dr.
17 - Landmark Middle School	15261 Legendary Dr.
18 - Lasselle Elementary	26446 Krameria Ave.
19 - March Middle School	15800 Indian St.
20 - March Mountain High School	24551 Dracaea Ave.
21 - Midland Elementary	11440 Davis St.
22 - Moreno Elementary	26700 Cottonwood Ave.
23 - Moreno Valley High School	23300 Cottonwood Ave.
24 - Mountain View Middle School	13130 Morrison St.
25 - North Ridge Elementary	25101 Kalmia Ave.
26 - Palm Middle School	11900 Slawson Ave.
27 - Rainbow Ridge Elementary	15950 Indian St.
28 - Ramona Elementary	24801 Bay Ave.
29 - Rancho Verde High School	17750 Lasselle St.
30 - Red Maple Elementary	25100 Red Maple Ln.
31 - Ridge Crest Elementary	28500 John F. Kennedy Dr.
32 - Seneca Elementary	11615 Wordsworth Rd.
33 - Serrano Elementary	24100 Delphinium Ave.
34 - Sugar Hill Elementary	24455 Old Country Road
35 - Sunny Springs Special Ed	
36 - Sunnymead Elementary	24050 Dracaea Ave.
37 - Sunnymead Middle School	23996 Eucalyptus Ave.
38 - Sunnymeadows Elementary	23200 Eucalyptus Ave.
39- TownGate Elementary	24480 Dracaea Ave.
40 - Valley View High School	13135 Nason St.
41 - Victoriano Elementary	25650 Los Cabos Dr.
42 - Vista del Lago High School	12150 Lasselle St.
43 - Vista Heights Middle School	23409 Old Lake Dr.
44 - Vista Verde Middle School	25777 Krameria St.

45 - NONE.....
46 - Other (specify)_____
47 - Refused
48 - Don't know

12. I am going to read a list of recreational activities to you. Please tell me how many of the members of your household have participated in each activity in the past year, NOT including school-related activities. Include even those times when you participated for only a short period of time. Include activities conducted in or outside Moreno Valley. Include activities conducted in public or private facilities. (ROTATE LIST OF ACTIVITIES. DO NOT READ ANSWER LIST. RECORD ONLY ONE ANSWER)

[DO NOT ASK - A, D, E, F, and J if respondent does not have children under 18 in Q3]

1- One
2- Two
3- Three
4- Four
5- Five
6- Six or More
7- Zero
8- Refused
9- Don't Know

Activity:

A. USE OF PLAY EQUIPMENT, TOT LOTS

B. PICNICKING IN DEVELOPED SITES

C. SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

D. SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

E. BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

F. USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

G. WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

H. BASKETBALL: ORGANIZED LEAGUE GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

I. SOFTBALL: ORGANIZED LEAGUE GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

J. FOOTBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

K. TENNIS (NON-SCHOOL)

L. BICYCLING FOR RECREATION/FITNESS

M. SKATEBOARDING

N. GOLFING

O. DOG PARK USE

P. PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

13. How would you rate the maintenance of recreation and parks facilities in Moreno Valley? Would you say it is…(READ LIST)

4 - Excellent
3- Good
2 - Fair
1 - Poor
5 - Refused (DNR)
6 - Don't know (DNR)

14. Now that we have discussed many recreation possibilities, what is the ONE RECREATION FACILITY you would MOST like to see added in Moreno Valley to meet the needs of the members of your household? (DO NOT READ LIST. RECORD ONLY ONE ANSWER).

Outdoor Facilities
1 - Bandshell/Outdoor concert stage
2 - Baseball fields
3 - Bike Paths/Trails
4 - Dog Park
5 - Equestrian Facilities
6 - Football Fields
7 - Golf course/driving range
8 - Playgrounds/Tot lots
9 - Outdoor Basketball Courts
10 - Picnic/group facilities
11 - Roller hockey facilities
12 - Soccer Fields
13 - Softball fields
14 - Swimming Pool for Competitive Events
15 - Swimming Pool for Recreation or lessons
16 - Tennis Courts
17 – Volleyball
18 - Walking/Jogging Paths

Indoor Facilities
19 - Community Center for classes (dance, crafts, gymnastics, etc.)
20 - Fine Arts Center (art gallery, exhibitions)
21 - Fitness Center
22 - Gymnasium
23 - Indoor Basketball Courts
24 - Library
25 - Meeting facilities
26 - Performing Arts Center (theater for music, performing arts)
27 - Senior facilities and programs
28 - Teen and youth club facilities and programs (i.e. pool tables, electric games, craft room)

29 - NONE
30 - Other (specify)_____
31 - Refused
32 - Don't know

15. Thinking about the past year, what best describes how often you or other members of your household used indoor recreation facilities such as a recreation center, community center, indoor classes or lessons, etc. in or outside of Moreno Valley? (READ CHOICES AND RECORD BELOW. RECORD ONLY ONE ANSWER).

1 - More than once a week
2 - Once a week or 3 to 4 times per month
3 - Once or twice a month
4 - Several times a year
5 - Once a year
6 - No use (DNR)
7 - Refused (DNR)
8 - Don't know (DNR)

16. What is the ONE program, class, or activity your household would MOST like to see added in Moreno Valley to meet the needs of the members of your household? (DO NOT READ LIST – IF RESPONDENT PROVIDES A FACILITY RESPONSE, PROBE FOR PROGRAM RESPONSE. RECORD ONLY ONE ANSWER)

1 - Adult day care
2 - Aerobics, spinning, or fitness instruction or classes
3 - Arts or crafts instruction or classes
4 - Baseball or softball
5 - Basketball
6 - Before or after school day care
7 - Camps for school-age children during school recess or vacation periods
8 - Cooking instruction or classes
9 - Dance instruction or classes
10 - Drama instruction or classes
11 - Early childhood development classes
12 - Football
13 - Golf
14 - Gymnastics instruction or classes
15 - Holiday/seasonal celebrations or fairs
16 – Martial arts classes
17 - Music instruction or classes
18 - Outdoor concerts
19 - Parenting classes
20 - Personal development or business instruction or classes
21 - Plays
22 - Pre-school care
23 - Reading, language, spelling or writing instruction or classes
24 - Science or nature instruction or classes
25 - Soccer
26 - Swimming lessons
27 - Tennis
28 - Volleyball
29 - Yoga, meditation, or stress relief instruction or classes

30 - NONE
31 - Other (specify) _____
32 - Refused
33 - Don't know

17. I am going to read a list of possible future new facilities or services. Please tell me how many of the members of your household would probably use each facility or service if available in Moreno Valley. ROTATE LIST OF ACTIVITIES. DO NOT READ ANSWER LIST. RECORD ONLY ONE ANSWER)

1- One
2- Two
3- Three
4- Four
5- Five
6- Six or More
7- Zero
8- Refused
9 - Don't Know

A. PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

B. ART GALLERIES, ART FESTIVALS AND EVENTS

C. MUSEUM OR INTERPRETIVE CENTER

And now we just need to ask you a few questions about your household so we can understand the needs of different households in the community...

18. Are any of the adults living in your household employed outside the home at a location in Moreno Valley?

Yes
No (SKIP TO Q.20)
Refused (SKIP TO Q.20) (DNR)
Don't know (SKIP TO Q.20) (DNR)

19. Thinking about the past year, what best describes how many of those members of your household employed in Moreno Valley participated in employer-sponsored recreation at any parks and recreation facilities in Moreno Valley? (READ CHOICES AND RECORD BELOW).

1- One
2- Two
3- Three
4- Four
5- Five
6- Six or More
7- Zero
8- Refused (DNR)
9 - Don't Know (DNR)

20. Would you please tell me the ethnic category with which you identify? (DO NOT READ LIST. MULTI-ETHNIC RESPONSES SHOULD BE RECORDED IN OTHER)

1 - White.....
2 - Black or African American.....
3 - Asian/Pacific Islander.....
4 - (Hispanic/Mexican American: DO NOT READ. IF THEY SUGGEST, THEN CODE) SKIP TO Q22
5 - Other (specify) _____
6 - Refused
7 - Don't know

21. Please tell me if you are of Spanish/Hispanic origin or descent.

1 – Yes
2 -- No

22. Which of the following ranges includes your household's annual income before taxes? (READ LIST)

1- Under $25,000...
2 - $25,000 - $49,999...
3 - $50,000 - $74,999...
4 - $75,000 and above
5 - Refused (DNR)
6 - Don't know (DNR)

I WANT TO THANK YOU ON BEHALF OF THE CITY OF MORENO VALLEY.

Collect Respondent's First Name_____

Phone_____Interviewer_____Date_____

Table 1-1
GENDER

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
MALE	189	63	87	39	62	84	80	109	73	79	100	55	74	46	81	69	140	32
	63%	66%	63%	57%	68%	66%	59%	65%	69%	64%	64%	59%	65%	69%	65%	66%	63%	59%
FEMALE	113	33	50	30	29	44	56	57	32	45	57	38	40	21	44	35	83	22
	37%	34%	37%	43%	32%	34%	41%	35%	31%	36%	36%	41%	35%	31%	35%	34%	37%	41%

MV00048402

Table 2-1
Q.1 - ZIP CODE

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
92551	35	8	16	11	7	16	17	18	13	10	13	11	13	14	13	7	28	5
	12%	9%	12%	16%	8%	12%	13%	11%	12%	8%	8%	12%	11%	21%	11%	7%	12%	9%
92553	109	44	47	18	42	51	43	66	52	32	70	17	49	27	40	35	81	20
	36%	46%	35%	26%	45%	40%	32%	40%	50%	26%	45%	18%	43%	40%	32%	33%	37%	36%
92555	73	18	34	21	22	26	36	37	17	39	31	35	26	12	37	27	54	13
	24%	19%	25%	31%	24%	20%	27%	22%	16%	32%	20%	37%	23%	17%	29%	26%	24%	25%
92557	84	25	40	19	21	35	39	45	23	42	43	31	27	15	34	36	60	16
	28%	27%	29%	27%	23%	28%	29%	27%	22%	34%	27%	33%	23%	22%	28%	34%	27%	30%

MV00048403

Table 3-1

Q.2 - DO YOU LIVE IN MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
YES	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
NO	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

MV00048404

Table 4-1

Q.3 - HOW MANY PEOPLE RESIDE IN YOUR HOUSEHOLD, INCLUDING YOURSELF?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
1	31	2	7	22	1	1	30	1	6	22	21	7	6	5	5	6	21	5
	10%	2%	5%	32%	1%	1%	22%	1%	6%	18%	13%	7%	5%	7%	4%	6%	9%	9%
2	59	3	31	24	1	6	51	7	12	35	30	16	14	9	19	23	38	12
	19%	4%	23%	35%	1%	5%	38%	4%	12%	28%	19%	17%	12%	13%	15%	22%	17%	22%
3	64	19	35	9	13	22	29	34	15	34	28	24	25	10	22	21	46	11
	21%	20%	26%	13%	15%	17%	22%	21%	14%	27%	18%	25%	22%	14%	18%	20%	20%	21%
4	64	24	32	8	20	33	20	44	24	21	29	27	27	19	35	24	53	8
	21%	25%	23%	11%	21%	26%	14%	26%	23%	17%	18%	28%	24%	28%	28%	23%	24%	15%
5	47	26	21	1	28	33	5	43	30	4	26	13	23	13	23	19	37	11
	16%	27%	15%	1%	31%	26%	3%	26%	28%	4%	17%	14%	21%	20%	18%	18%	16%	19%
6	21	10	7	4	17	18	-	21	10	7	15	5	9	5	11	7	18	2
	7%	10%	5%	5%	19%	14%		13%	9%	6%	9%	5%	7%	7%	9%	7%	8%	5%
7	7	5	2	-	4	6	1	6	5	-	4	1	5	5	3	1	6	1
	2%	5%	1%		4%	5%	1%	4%	5%		2%	1%	4%	7%	3%	1%	3%	2%
8	6	5	1	-	6	5	-	6	4	1	2	1	4	1	4	4	2	4
	2%	5%	1%		7%	4%		4%	3%	1%	2%	1%	3%	2%	3%	4%	1%	7%
9	4	1	1	1	1	4	-	4	-	-	2	-	1	1	4	-	2	-
	1%	1%	1%	2%	1%	3%		2%			2%		1%	2%	3%		1%	
MEAN	3.6	4.5	3.5	2.4	4.9	4.7	2.4	4.6	4.2	2.8	3.6	3.5	4.0	4.1	4.1	3.7	3.7	3.7
MEDIAN	3	4	3	2	5	5	2	4	4	3	3	4	4	4	4	4	4	3

Continued

MV000048405

Table 4-1

Q.3 - HOW MANY PEOPLE RESIDE IN YOUR HOUSEHOLD, INCLUDING YOURSELF?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.7	1.6	1.4	1.4	1.5	1.6	1.1	1.5	1.6	1.3	1.8	1.4	1.7	1.8	1.7	1.6	1.6	1.7
STANDARD ERROR	0.10	0.17	0.12	0.17	0.17	0.16	0.09	0.13	0.17	0.11	0.14	0.14	0.16	0.22	0.15	0.15	0.11	0.23

MV00048406

Table 5-1
Q.4 - AGE OF HEAD OF HOUSEHOLD

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
15-19	6	6	-	-	1	5	1	5	4	-	1	1	4	3	3	2	4	1
	2%	6%			1%	4%	1%	3%	3%		*	1%	4%	5%	3%	2%	2%	2%
20-24	15	15	-	-	5	6	5	10	10	2	10	2	8	5	8	7	10	5
	5%	16%			5%	5%	4%	6%	9%	1%	6%	2%	7%	8%	7%	7%	4%	10%
25-34	46	46	-	-	28	24	8	38	25	11	30	8	23	10	17	15	37	8
	15%	48%			31%	19%	6%	23%	24%	9%	19%	8%	20%	14%	14%	15%	17%	15%
35-44	53	29	24	-	32	40	5	49	23	16	25	19	23	15	26	22	37	13
	18%	31%	18%		35%	31%	3%	29%	22%	13%	16%	20%	21%	23%	21%	21%	17%	24%
45-54	81	-	81	-	17	42	34	46	25	32	41	28	31	16	39	27	68	10
	27%		59%		19%	32%	25%	28%	24%	26%	26%	30%	27%	24%	31%	26%	30%	18%
55-64	54	-	32	22	6	5	45	10	11	32	24	23	11	8	23	20	37	9
	18%		24%	32%	7%	4%	33%	6%	11%	26%	15%	24%	10%	12%	18%	19%	17%	16%
65 AND OVER	47	-	-	47	2	6	39	9	7	31	27	13	12	10	9	11	30	8
	16%			68%	3%	5%	28%	5%	6%	25%	17%	14%	11%	14%	7%	11%	13%	16%
MEAN	48.5	30.6	50.1	70.1	39.3	41.6	57.2	41.3	41.6	55.0	48.1	50.7	43.8	45.6	45.6	46.6	47.8	46.4
MEDIAN	48	30	50	70	38	41	58	41	40	55	48	50	43	45	47	47	48	44
STANDARD DEVIATION	15.9	6.9	6.4	7.2	11.5	12.5	14.8	13.0	14.6	14.6	16.3	14.0	15.6	16.7	14.2	15.2	15.4	17.0
STANDARD ERROR	0.9	0.7	0.5	0.9	1.2	1.1	1.3	1.0	1.4	1.3	1.3	1.4	1.5	2.0	1.3	1.5	1.0	2.3

MV00048407

Table 6-1
Q.4 - AGE OF TOTAL HOUSEHOLD MEMBERS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: TOTAL RESPONSES	1089	442	481	166	457	610	326	763	452	349	572	331	458	277	507	387	825	200
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
UNDER 5	70	48	18	4	70	37	-	70	43	15	37	21	39	11	32	24	62	7
	6%	11%	4%	2%	15%	6%		9%	9%	4%	6%	6%	9%	4%	6%	6%	8%	4%
5-9	78	56	20	2	78	50	-	78	49	13	57	13	40	28	39	27	62	16
	7%	13%	4%	1%	17%	8%		10%	11%	4%	10%	4%	9%	10%	8%	7%	8%	8%
10-14	120	66	43	11	61	120	-	120	52	23	66	31	56	34	52	39	88	27
	11%	15%	9%	7%	13%	20%		16%	12%	7%	12%	9%	12%	12%	10%	10%	11%	13%
15-19	123	49	67	6	34	107	14	109	47	32	62	32	55	37	56	48	98	20
	11%	11%	14%	4%	7%	18%	4%	14%	10%	9%	11%	10%	12%	14%	11%	12%	12%	10%
20-24	94	30	51	13	21	38	44	50	37	30	50	32	42	27	53	35	68	21
	9%	7%	11%	8%	5%	6%	13%	7%	8%	9%	9%	10%	9%	10%	10%	9%	8%	11%
25-34	123	87	28	7	66	57	34	89	71	30	68	35	48	31	65	46	94	23
	11%	20%	6%	4%	14%	9%	10%	12%	16%	9%	12%	10%	10%	11%	13%	12%	11%	12%
35-44	132	68	55	9	66	95	17	115	55	40	67	46	63	39	63	46	97	24
	12%	15%	11%	6%	14%	16%	5%	15%	12%	11%	12%	14%	14%	14%	12%	12%	12%	12%
45-54	168	23	136	10	35	82	75	93	57	67	78	61	66	36	76	62	135	27
	15%	5%	28%	6%	8%	13%	23%	12%	13%	19%	14%	18%	14%	13%	15%	16%	16%	13%
55-64	94	10	50	34	16	11	73	21	23	50	39	39	22	15	47	36	65	18
	9%	2%	10%	21%	3%	2%	22%	3%	5%	14%	7%	12%	5%	5%	9%	9%	8%	9%
65 AND OVER	88	5	14	69	10	13	68	20	18	48	49	21	27	19	25	25	57	16
	8%	1%	3%	42%	2%	2%	21%	3%	4%	14%	9%	6%	6%	7%	5%	7%	7%	8%
MEAN	32.7	22.9	34.6	53.2	22.9	25.7	49.3	25.6	27.6	40.1	31.3	34.9	29.2	30.3	31.3	32.3	31.7	32.7

Continued

MV00048408

Table 6-1
Q.4 - AGE OF TOTAL HOUSEHOLD MEMBERS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
MEDIAN	29	20	37	60	17	19	51	20	24	42	27	35	24	25	28	29	28	29
STANDARD DEVIATION	21.2	15.8	18.8	23.8	18.3	17.2	18.8	17.9	19.2	22.0	21.4	20.4	20.1	20.1	19.8	20.6	20.9	20.9
STANDARD ERROR	0.6	0.7	0.9	1.9	0.9	0.7	1.0	0.6	0.9	1.2	0.9	1.1	0.9	1.2	0.9	1.0	0.7	1.5

MV00048409

Table 7-1

Q.5 - WHICH OF THESE CATEGORIES BEST DESCRIBES YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
HOUSEHOLDS WITHOUT CHILDREN UNDER 18 (SUBTOTAL)	136	14	63	59	-	-	136	-	28	81	64	46	34	24	53	45	88	30
	45%	15%	46%	86%			100%		27%	65%	41%	49%	30%	35%	42%	43%	39%	55%
ONE ADULT WITHOUT CHILDREN UNDER 18 YEARS	30	1	7	22	-	-	30	-	5	22	20	7	6	5	5	5	20	5
	10%	1%	5%	32%			22%		4%	18%	13%	7%	5%	7%	4%	4%	9%	9%
TWO OR MORE ADULTS WITHOUT CHILDREN UNDER 18 YEARS	106	13	56	37	-	-	106	-	23	59	45	39	28	19	48	40	68	25
	35%	13%	41%	54%			78%		22%	48%	28%	42%	24%	28%	39%	38%	30%	46%
HOUSEHOLDS WITH CHILDREN UNDER 18 (SUBTOTAL)	166	82	74	10	92	128	-	166	77	43	93	48	81	44	72	60	135	24
	55%	85%	54%	14%	100%	100%		100%	73%	35%	59%	51%	70%	65%	58%	57%	61%	45%
ONE ADULT WITH CHILDREN UNDER 18 YEARS	20	7	11	1	9	17	-	20	6	5	15	1	9	1	7	5	12	4
	6%	8%	8%	2%	9%	13%		12%	6%	4%	9%	1%	7%	2%	6%	5%	5%	7%
TWO ADULTS WITH CHILDREN UNDER 18 YEARS	83	50	29	4	51	60	-	83	35	27	42	27	42	21	29	29	71	11
	27%	52%	21%	5%	56%	47%		50%	34%	22%	26%	29%	36%	31%	23%	28%	32%	20%
THREE OR MORE ADULTS WITH CHILDREN UNDER 18 YEARS	63	24	34	5	32	51	-	63	35	11	37	20	31	22	35	26	52	10
	21%	25%	25%	7%	35%	40%		38%	34%	9%	23%	21%	27%	33%	28%	25%	24%	18%

MV00048410

Table 8-1

Q.6 - WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	57	12	27	18	7	21	35	22	12	28	23	22	15	8	16	20	31	12
	19%	13%	19%	26%	8%	16%	25%	13%	11%	23%	14%	24%	13%	12%	13%	19%	14%	22%
REFUSED	2	-	1	1	-	-	2	-	-	2	2	-	-	-	1	1	-	2
	1%		1%	2%			1%			2%	1%				1%	1%		4%
BASE: THOSE RESPONDING	244	84	110	50	84	107	99	144	93	94	133	71	100	59	108	84	192	40
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
AFFORDABLE HOUSING	29	12	15	2	11	16	9	20	11	12	11	11	13	8	14	12	19	10
	12%	15%	14%	4%	13%	15%	10%	14%	12%	13%	8%	15%	13%	14%	13%	14%	10%	25%
CLOSE TO WORK	19	6	9	4	9	7	8	11	5	9	13	5	10	6	10	9	16	2
	8%	7%	8%	9%	10%	7%	8%	8%	5%	10%	10%	7%	10%	9%	9%	11%	8%	5%
QUALITY OF LIFE	15	3	8	4	7	11	2	13	11	1	12	1	9	4	5	3	10	4
	6%	4%	7%	7%	9%	10%	2%	9%	11%	1%	9%	2%	9%	6%	5%	4%	5%	9%
GROWING AREA	14	4	9	1	4	7	6	9	5	5	9	2	6	6	5	4	12	2
	6%	4%	9%	2%	4%	7%	6%	6%	5%	5%	7%	2%	6%	10%	5%	5%	6%	4%
SMALL TOWN ATMOSPHERE	13	3	6	4	5	5	6	7	2	6	7	4	4	3	5	2	11	-
	5%	4%	5%	8%	6%	5%	6%	5%	3%	7%	5%	6%	4%	5%	4%	2%	6%	
CLIMATE	13	4	2	8	2	5	7	6	3	7	9	3	5	1	2	5	10	2
	5%	4%	1%	16%	3%	5%	7%	4%	3%	8%	7%	4%	5%	2%	2%	6%	5%	6%
CLOSE TO EVERYTHING/LOCATION (GENERAL)	13	1	10	2	1	6	7	6	3	7	8	3	7	6	5	3	10	-
	5%	1%	9%	4%	1%	6%	7%	4%	3%	7%	6%	4%	7%	10%	5%	3%	5%	
QUIET	13	7	4	2	4	6	5	7	7	3	7	3	3	3	6	6	9	3
	5%	8%	4%	3%	4%	6%	5%	5%	7%	3%	5%	5%	3%	5%	5%	7%	5%	8%
PROXIMITY TO SHOPPING	12	6	4	1	7	4	3	9	7	3	9	3	6	3	4	6	11	-
	5%	8%	4%	2%	9%	3%	3%	6%	7%	3%	7%	4%	6%	5%	4%	7%	6%	
LACK OF CRIME	11	8	3	-	5	7	2	9	7	1	4	2	5	2	6	4	8	3
	4%	10%	2%		6%	7%	2%	6%	7%	1%	3%	3%	5%	4%	6%	5%	4%	8%

Continued

MV00048411

Table 8-1

Q.6 - WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
OPEN SPACE	10	2	4	3	2	4	5	5	4	4	2	6	1	2	5	6	9	1
	4%	3%	4%	7%	3%	3%	5%	3%	4%	4%	2%	8%	1%	3%	4%	8%	5%	2%
ACCESS TO FREEWAYS	7	2	5	-	2	4	2	5	2	3	3	2	3	-	3	4	5	2
	3%	3%	4%		3%	3%	2%	3%	2%	3%	3%	3%	3%		3%	5%	3%	5%
COST OF LIVING LOW	7	6	-	1	4	2	1	6	3	2	4	3	2	2	4	3	6	1
	3%	7%		2%	4%	2%	1%	4%	3%	3%	3%	4%	2%	3%	3%	4%	3%	3%
ALWAYS LIVED HERE/LIVED HERE SO LONG	7	1	3	2	2	2	4	2	2	5	4	1	2	2	-	2	5	1
	3%	1%	3%	5%	3%	2%	4%	2%	2%	5%	3%	1%	2%	3%		2%	2%	3%
FRIENDS/FAMILY LIVE HERE	6	1	3	2	1	1	4	2	-	6	3	3	1	2	4	3	5	1
	3%	1%	2%	5%	1%	1%	4%	2%		7%	2%	4%	1%	4%	4%	4%	3%	2%
PARKS, BIKE, JOG TRAILS	5	1	1	3	-	1	4	1	-	3	3	1	2	-	3	1	4	1
	2%	1%	1%	6%		1%	4%	1%		3%	3%	1%	2%		3%	1%	2%	2%
NO/LOW TRAFFIC	4	4	1	-	2	4	1	4	4	-	2	1	4	2	2	-	4	-
	2%	4%	1%		3%	3%	1%	3%	4%		1%	2%	4%	3%	2%		2%	
QUALITY EDUCATION	3	1	1	1	-	1	2	1	1	2	-	2	1	-	1	1	3	-
	1%	1%	1%	2%		1%	2%	1%	1%	2%		3%	1%		1%	1%	1%	
RECREATION/SPORTS FACILITIES	3	1	1	1	-	-	3	-	-	2	3	-	2	1	1	1	3	-
	1%	1%	1%	2%			3%			2%	2%		2%	1%	1%	1%	1%	
EVERYTHING	2	-	2	-	1	2	-	2	1	-	-	1	2	2	1	-	2	-
	1%		2%		1%	2%		2%	1%			2%	2%	4%	1%		1%	
ETHNIC DIVERSITY	2	1	1	-	1	2	-	2	-	-	1	1	1	-	2	-	2	-
	1%	1%	1%		1%	2%		2%			1%	2%	1%		2%		1%	
FEELING A PART OF COMMUNITY	2	2	-	-	1	1	1	1	1	1	-	1	-	-	1	-	2	-
	1%	2%			1%	1%	1%	1%	1%	1%		1%			1%		1%	
SENIOR SERVICES	2	-	-	2	-	-	2	-	1	-	1	1	-	-	1	1	1	1
	1%			3%			2%		1%		1%	1%			1%	1%	*	2%
NOTHING DESIRABLE/WANT TO MOVE/DON'T LIKE IT	9	3	5	2	4	2	5	5	3	5	7	2	4	-	5	2	8	1
	4%	3%	5%	3%	4%	2%	5%	3%	3%	5%	5%	2%	4%		4%	3%	4%	2%

Continued

MV00048412

Table 8-1

Q.6 - WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME		FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS					EXCL/ GOOD	FAIR/ POOR
ALL OTHERS	22	4	13	5	7	5	13	10	12	7	9	11	6	5	13	6	16	6
	9%	5%	12%	11%	9%	5%	13%	7%	12%	7%	7%	16%	6%	8%	12%	7%	8%	15%

MV00048413

Table 9-1

Q.7 - REFLECTING UPON THE RECREATION PATTERNS OF THOSE IN YOUR HOUSEHOLD, WHICH OF THE FOLLOWING BENEFITS DO YOU FEEL IS MOST IMPORTANT WHEN YOU OR THE MEMBERS OF YOUR HOUSEHOLD SEEK RECREATION OR LEISURE OPPORTUNITIES?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	4	-	1	3	-	1	3	1	1	2	2	2	1	-	-	-	1	-
	1%		1%	4%		1%	2%	1%	1%	2%	1%	3%	1%				1%	
REFUSED	19	2	9	7	2	2	15	4	6	9	7	5	3	2	4	-	10	4
	6%	3%	7%	10%	3%	2%	11%	2%	6%	8%	5%	5%	3%	3%	3%		4%	8%
BASE: THOSE RESPONDING	279	93	127	59	89	125	118	161	98	112	148	86	110	65	121	105	212	50
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
PHYSICAL FITNESS, HEALTH AND WELL-BEING	105	37	48	19	35	45	45	60	43	41	54	33	41	23	43	105	77	21
	37%	39%	38%	33%	40%	36%	38%	37%	44%	37%	36%	39%	37%	35%	36%	100%	36%	42%
OPPORTUNITIES TO GATHER AND SOCIALIZE WITH OTHERS	91	30	39	22	27	37	41	50	29	40	50	22	34	26	40	-	73	10
	33%	32%	31%	38%	30%	29%	35%	31%	30%	36%	34%	26%	31%	40%	33%		34%	20%
LEARNING OPPORTUNITIES FOR HOBBY, SELF-IMPROVEMENT OR CAREER DEVELOPMENT	50	22	22	6	17	29	18	32	18	17	27	14	18	9	25	-	36	12
	18%	23%	17%	10%	19%	24%	15%	20%	19%	15%	18%	16%	17%	14%	21%		17%	24%
OPPORTUNITIES TO GIVE BACK TO THE COMMUNITY THROUGH VOLUNTEER WORK	34	5	18	11	10	13	15	20	7	14	17	17	16	7	13	-	27	7
	12%	6%	14%	18%	11%	11%	12%	12%	7%	12%	11%	20%	15%	11%	10%		13%	14%

MV00048414

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 10-1
Q.8 - IF YOU NEED INFORMATION ABOUT MORENO VALLEY RECREATION OR PARKS PROGRAMS OR FACILITIES, WHERE DO YOU GO TO GET THAT INFORMATION?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	14	7	3	4	6	6	8	6	5	7	5	2	6	4	3	3	9	1
	5%	7%	2%	6%	7%	5%	6%	4%	5%	6%	3%	2%	6%	6%	3%	3%	4%	2%
REFUSED	1	-	1	-	1	1	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%	1%		1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	287	89	133	65	84	121	128	159	99	116	151	92	108	62	121	102	213	53
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
CITY OF MORENO VALLEY PROGRAMS BROCHURE	65	19	32	14	17	28	31	34	17	33	33	24	25	18	23	23	54	9
	23%	21%	24%	21%	20%	23%	24%	22%	17%	28%	22%	26%	23%	29%	19%	23%	26%	16%
INTERNET	54	24	26	3	24	22	19	35	18	22	28	21	19	12	25	28	41	10
	19%	27%	20%	5%	29%	18%	14%	22%	18%	19%	19%	23%	17%	20%	21%	28%	19%	19%
CITY OF MORENO VALLEY	43	11	20	12	12	20	19	24	17	14	23	13	17	12	25	13	37	6
	15%	12%	15%	18%	14%	16%	14%	15%	17%	12%	15%	15%	16%	20%	21%	13%	17%	11%
CITY OF MORENO VALLEY WEBSITE	31	12	12	8	7	17	13	18	8	14	16	10	12	7	11	14	23	8
	11%	13%	9%	13%	9%	14%	10%	12%	8%	12%	10%	11%	11%	11%	9%	14%	11%	14%
INFORMATION POSTINGS AT RECREATION SITE	30	11	13	6	11	11	12	18	15	11	16	8	18	10	13	17	25	3
	11%	13%	10%	9%	13%	9%	9%	12%	15%	9%	11%	9%	16%	17%	11%	17%	12%	6%
NEWSPAPER	27	6	17	3	12	11	11	16	7	9	15	9	10	3	12	9	19	6
	9%	7%	13%	5%	14%	9%	9%	10%	7%	8%	10%	9%	10%	4%	10%	9%	9%	11%
BOOKLET/BROCHURE	17	2	8	7	6	7	7	10	7	5	12	4	8	3	9	4	12	3
	6%	3%	6%	10%	7%	6%	6%	6%	7%	4%	8%	5%	8%	5%	7%	4%	6%	7%
TELEPHONE BOOK	16	3	8	5	2	4	11	5	3	8	6	7	3	2	7	7	11	3
	6%	3%	6%	8%	3%	3%	9%	3%	3%	7%	4%	8%	3%	2%	6%	7%	5%	7%
WORD OF MOUTH/PEOPLE IN THE COMMUNITY	12	5	6	1	4	9	3	9	5	3	6	2	3	2	3	3	8	4
	4%	5%	4%	1%	4%	7%	2%	5%	5%	3%	4%	2%	3%	4%	3%	3%	4%	7%
SCHOOL	11	7	3	-	6	9	1	10	7	2	6	1	7	3	8	4	8	2
	4%	8%	2%		7%	7%	1%	6%	7%	2%	4%	1%	6%	5%	7%	4%	4%	5%

Continued

MV00048415

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008

Table 10-1

Q.8 - IF YOU NEED INFORMATION ABOUT MORENO VALLEY RECREATION OR PARKS PROGRAMS OR FACILITIES, WHERE DO YOU GO TO GET THAT INFORMATION?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
CHANNEL 3	8	3	2	2	2	2	3	5	3	1	6	2	4	2	3	-	6	2
	3%	4%	1%	4%	3%	2%	2%	3%	3%	1%	4%	2%	4%	4%	2%		3%	3%
CHAMBER OF COMMERCE	2	-	1	1	1	1	1	1	-	2	2	-	1	-	1	-	1	1
	1%		1%	2%	1%	1%	1%	1%		2%	2%		1%		1%		1%	2%
BOYS' & GIRLS' CLUB	1	1	-	-	1	1	-	1	-	-	-	-	1	-	1	1	1	-
	*	1%			1%	1%		1%					1%		1%	1%	1%	
ALL OTHERS	9	3	5	1	2	6	2	7	3	2	5	4	4	-	6	2	8	1
	3%	4%	4%	2%	3%	5%	1%	5%	3%	2%	3%	4%	3%		5%	2%	4%	2%
DON'T NEED IT	22	1	11	10	2	5	17	5	8	11	8	7	3	3	5	5	9	4
	8%	1%	8%	15%	3%	4%	13%	3%	8%	10%	5%	8%	3%	4%	4%	5%	4%	7%

MV00048416

Table 11-1

Q.9 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED ANY PARKS AND RECREATION FACILITIES IN OR OUTSIDE OF MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
REFUSED	3	-	-	3	-	-	3	-	-	3	2	-	-	1	1	-	2	-
	1%			4%			2%			2%	1%			2%	1%		1%	
BASE: THOSE RESPONDING	299	96	137	66	92	128	133	166	105	121	156	94	114	66	124	105	221	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
FREQUENT USERS (SUBTOTAL)	114	51	48	16	49	60	34	81	52	33	67	27	114	43	51	41	95	18
	38%	53%	35%	24%	53%	47%	25%	49%	49%	27%	43%	29%	100%	64%	41%	39%	43%	34%
MORE THAN ONCE A WEEK	67	32	28	7	31	35	19	48	29	20	37	16	67	25	30	25	55	12
	22%	33%	20%	11%	33%	28%	15%	29%	27%	17%	24%	18%	59%	37%	24%	24%	25%	22%
ONCE A WEEK OR 3 TO 4 TIMES PER MONTH	47	19	19	9	18	24	14	33	23	13	30	11	47	18	21	16	40	6
	16%	20%	14%	14%	20%	19%	11%	20%	22%	10%	19%	12%	41%	27%	17%	15%	18%	12%
MODERATE USERS (SUBTOTAL)	108	35	51	23	33	49	45	63	34	43	55	41	-	14	52	41	87	18
	36%	37%	37%	34%	36%	38%	34%	38%	32%	35%	35%	44%		21%	42%	39%	39%	33%
ONCE OR TWICE A MONTH	48	16	24	8	15	18	20	28	14	20	21	20	-	7	26	20	39	8
	16%	17%	17%	12%	16%	14%	15%	17%	14%	16%	13%	21%		11%	21%	19%	18%	15%
SEVERAL TIMES A YEAR	60	19	27	15	18	31	25	35	20	23	34	21	-	7	26	21	48	10
	20%	20%	19%	22%	20%	24%	19%	21%	19%	19%	22%	23%		11%	21%	20%	22%	18%
INFREQUENT USERS (SUBTOTAL)	77	10	39	27	10	20	55	22	19	46	33	25	-	9	21	23	39	18
	26%	10%	29%	42%	11%	15%	41%	13%	18%	38%	21%	27%		14%	17%	22%	18%	33%
ONCE A YEAR	16	3	9	3	4	5	9	6	9	6	7	5	-	1	4	9	11	2
	5%	3%	7%	5%	4%	4%	7%	4%	8%	5%	5%	6%		2%	3%	9%	5%	4%
NO USE	61	7	30	24	6	15	45	16	11	40	26	20	-	8	17	14	28	16
	20%	7%	22%	36%	7%	11%	34%	10%	10%	33%	17%	21%		12%	14%	13%	13%	29%

MV00048417

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 12-1
Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.
BASE: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	241	89	107	45	85	114	91	150	94	84	131	74	114	59	108	91	195	38
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	46	21	18	6	17	23	17	28	14	19	23	19	20	7	22	16	34	10
	19%	24%	17%	13%	20%	20%	19%	19%	15%	22%	17%	26%	17%	11%	21%	17%	17%	27%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	195	68	89	39	68	90	73	122	80	65	108	55	95	53	86	75	161	28
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
LAKE PERRIS STATE RECREATION AREA	14	2	10	2	2	7	5	9	4	7	9	3	4	1	7	3	12	2
	7%	4%	11%	4%	4%	8%	7%	7%	6%	10%	9%	6%	5%	2%	8%	4%	8%	5%
MORRISON PARK	11	2	9	-	1	5	6	5	3	4	6	2	6	1	5	3	7	3
	5%	3%	10%		2%	5%	8%	4%	4%	6%	5%	4%	6%	2%	6%	5%	5%	11%
MORENO VALLEY COMMUNITY PARK	10	6	2	2	6	4	4	6	7	2	7	2	6	6	7	6	9	1
	5%	9%	2%	6%	9%	4%	5%	5%	9%	2%	7%	3%	7%	11%	8%	8%	6%	3%
TOWNGATE MEMORIAL PARK	9	6	1	1	6	6	-	9	5	4	6	-	6	4	1	-	9	-
	4%	9%	1%	3%	9%	7%		7%	6%	6%	6%		6%	7%	1%		5%	
JOHN F. KENNEDY PARK	8	4	1	3	5	2	3	5	4	3	7	1	5	-	2	2	7	1
	4%	5%	1%	8%	7%	3%	4%	4%	5%	5%	6%	2%	5%		3%	3%	4%	4%
MORENO VALLEY CONFERENCE & RECREATION CENTER	7	5	2	-	4	4	1	6	2	-	4	4	5	2	5	2	7	-
	4%	7%	3%		5%	4%	2%	5%	3%		3%	7%	5%	5%	6%	3%	5%	
CELEBRATION PARK	7	2	4	1	2	5	2	5	2	2	2	3	3	1	6	2	5	2
	4%	4%	4%	2%	4%	5%	3%	4%	2%	3%	2%	6%	3%	1%	7%	3%	3%	7%
WOODLAND PARK	7	1	6	-	6	4	1	6	2	3	4	3	4	2	3	4	7	-
	4%	2%	6%		9%	4%	1%	5%	3%	5%	3%	6%	4%	4%	4%	6%	4%	
SUNNYMEAD PARK	7	4	1	2	1	5	2	5	5	1	4	2	2	1	-	5	7	-
	3%	5%	1%	5%	2%	5%	3%	4%	6%	1%	3%	4%	2%	1%		6%	4%	

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MV00048418

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 12-1
Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.
BASE: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
BOX SPRINGS MOUNTAIN REGIONAL PARK	5	-	4	1	-	1	4	1	1	4	2	3	3	1	3	3	4	1
	3%		5%	2%		1%	5%	1%	2%	6%	1%	6%	3%	2%	4%	5%	3%	3%
FAIRWAY PARK	4	2	1	1	4	1	1	4	2	1	3	-	2	-	1	1	4	-
	2%	4%	1%	2%	5%	1%	1%	3%	3%	2%	3%		3%		1%	2%	3%	
SHADOW MOUNTAIN PARK	4	1	3	-	1	2	1	4	1	3	1	3	2	2	2	2	4	-
	2%	2%	4%		2%	3%	1%	3%	2%	5%	1%	6%	2%	4%	3%	3%	3%	
BETHUNE PARK	4	3	1	-	2	2	2	2	2	-	2	1	1	2	1	1	3	1
	2%	5%	1%		4%	3%	2%	2%	2%		2%	1%	1%	4%	1%	1%	2%	3%
CREEKSIDE ELEMENTARY	4	4	-	-	1	4	-	4	2	-	2	-	2	2	-	-	4	-
	2%	5%			2%	4%		3%	3%		2%		3%	5%			2%	
GATEWAY PARK	3	-	2	1	-	2	1	2	1	-	3	-	2	1	2	-	2	-
	2%		2%	3%		3%	1%	2%	1%		3%		2%	2%	3%		1%	
ADRIENNE MITCHELL MEMORIAL PARK	3	1	2	-	-	1	2	1	1	1	2	1	3	-	-	1	3	-
	1%	2%	2%			1%	2%	1%	2%	1%	2%	1%	3%			1%	2%	
VISTA LOMAS PARK	3	-	3	-	1	1	2	1	1	1	1	2	2	-	1	1	3	-
	1%		3%		2%	1%	2%	1%	1%	1%	1%	4%	2%		1%	1%	2%	
COTTONWOOD GOLF CENTER	3	-	1	2	-	-	3	-	2	1	1	-	-	2	2	1	2	1
	1%		1%	5%			4%		2%	2%	1%			4%	2%	1%	1%	3%
LA JOLLA ELEMENTARY	2	-	2	-	1	2	-	2	1	-	-	1	-	1	1	2	2	-
	1%		3%		2%	3%		2%	2%			2%		2%	1%	3%	2%	
MORENO VALLEY RANCH GOLF CLUB	2	1	1	1	-	-	2	-	1	1	1	2	1	2	2	1	2	1
	1%	1%	1%	2%			3%		1%	1%	1%	3%	1%	3%	2%	1%	1%	3%
COLLEGE PARK	2	1	1	-	1	-	1	1	1	-	-	1	1	1	2	1	2	-
	1%	2%	1%		2%		1%	1%	2%			2%	1%	2%	2%	1%	1%	
EDGEMONT ELEMENTARY	2	1	-	1	1	-	1	1	1	1	1	-	1	-	-	-	2	-
	1%	2%		2%	2%		1%	1%	2%	1%	1%		1%				1%	

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MV00048419

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 12-1
Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.
BASE: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
MARCH AIR FORCE MUSEUM	2	1	-	1	1	1	1	1	1	-	-	1	1	1	1	2	2	-
	1%	2%		2%	2%	1%	1%	1%	1%			1%	1%	1%	1%	3%	1%	
PEDRORENA PARK	2	1	1	-	1	1	1	1	1	-	1	-	2	1	1	2	1	1
	1%	2%	1%		2%	1%	1%	1%	2%		1%		2%	1%	1%	3%	*	4%
SENIOR COMMUNITY CENTER	2	1	1	-	-	1	1	1	-	-	1	-	1	2	2	1	2	-
	1%	1%	1%			1%	1%	1%			1%		1%	4%	2%	1%	1%	
SUNNYMEAD RANCH LINEAR PARK	2	1	1	-	1	-	1	1	1	1	1	1	-	-	-	2	2	-
	1%	2%	1%		2%		1%	1%	2%	1%	1%	2%				3%	1%	
WESTBLUFF PARK	2	1	1	-	1	-	1	1	1	1	1	-	1	-	1	2	2	-
	1%	2%	1%		2%		1%	1%	2%	1%	1%		1%		1%	3%	1%	
WESTON PARK	2	1	-	1	1	-	1	1	2	-	1	1	-	1	1	2	1	1
	1%	2%		2%	2%		1%	1%	2%		1%	1%		1%	1%	3%	*	4%
CALIFORNIA AQUEDUCT LINEAR PARK	2	-	-	2	-	-	2	-	-	2	1	1	1	1	1	1	2	-
	1%			5%			3%			3%	1%	1%	1%	2%	1%	2%	1%	
BADGER SPRINGS MIDDLE SCHOOL	1	1	-	-	-	1	-	1	1	-	-	-	1	1	-	-	-	1
	1%	2%				1%		1%	2%				1%	2%				4%
BETHUNE ELEMENTARY	1	-	1	-	-	1	-	1	1	-	-	-	1	1	1	-	1	-
	1%		1%			1%		1%	2%				1%	2%	1%		1%	
CANYON SPRINGS HIGH SCHOOL	1	-	1	-	-	1	-	1	-	1	1	-	-	-	-	1	1	-
	1%		1%			1%		1%		2%	1%					2%	1%	
HIDDEN SPRINGS PARK - PHASE 1	1	-	-	1	-	1	-	1	-	-	1	-	-	-	-	-	1	-
	1%			3%		1%		1%			1%						1%	
MARCH FIELD PARK	1	-	1	-	-	1	-	1	-	1	1	-	1	-	-	-	1	-
	1%		1%			1%		1%		2%	1%		1%				1%	
MORENO ELEMENTARY	1	1	-	-	1	1	-	1	1	-	-	-	1	1	-	1	1	-
	1%	2%			2%	1%		1%	2%				1%	2%		2%	1%	

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MV00048420

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 12-1
Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.
BASE: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
MORENO VALLEY HIGH SCHOOL	1	1	-	-	1	-	-	1	1	-	1	-	1	-	1	1	1	-
	1%	2%			2%			1%	2%		1%		1%		1%	2%	1%	
MOUNTAIN VIEW MIDDLE SCHOOL	1	-	1	-	-	1	-	1	-	-	1	-	1	-	-	-	1	-
	1%		1%			1%		1%			1%		1%				1%	
SUNNYMEAD ELEMENTARY	1	-	1	-	-	1	-	1	-	-	-	1	-	-	-	-	1	-
	1%		1%			1%		1%				2%					1%	
SYCAMORE CANYON WILDERNESS PARK	1	-	1	-	-	1	-	1	-	1	1	-	1	-	1	1	1	-
	1%		1%			1%		1%		2%	1%		1%		1%	2%	1%	
VALLEY VIEW HIGH SCHOOL	1	-	1	-	1	1	-	1	1	-	1	-	1	1	1	-	-	1
	1%		1%		2%	1%		1%	2%		1%		1%	2%	1%			4%
LASELLE ELEMENTARY	1	-	-	1	-	-	1	-	-	1	1	-	-	-	1	-	1	-
	1%			3%			2%			2%	1%				1%		1%	
BAYSIDE PARK	1	-	1	-	-	-	1	-	-	1	1	-	1	1	1	1	1	-
	*		1%				1%			1%	1%		1%	1%	1%	1%	*	
EL POTRERO PARK	1	1	-	-	-	-	1	-	1	-	-	-	-	-	1	-	1	-
	*	1%					1%		1%						1%		*	
ISLANDER PARK	1	1	-	-	-	-	1	-	-	-	-	-	-	-	1	1	-	1
	*	1%					1%								1%	1%		3%
SUNNYMEADOWS ELEMENTARY	1	-	1	-	-	-	1	-	-	1	1	-	1	-	-	-	1	-
	*		1%				1%			1%	1%		1%				*	
ALL OTHERS	27	6	13	8	9	9	12	15	9	10	14	11	11	8	12	9	21	6
	14%	9%	15%	20%	13%	9%	17%	12%	11%	15%	13%	21%	12%	15%	14%	12%	13%	21%
NONE	16	2	6	8	2	6	9	7	6	8	10	4	5	1	3	6	7	5
	8%	4%	6%	21%	4%	7%	12%	6%	7%	12%	9%	7%	5%	2%	4%	8%	5%	17%

MV00048421

Table 13-1

Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	7	4	2	1	2	2	2	5	4	-	3	2	5	1	2	4	4	3
	2%	4%	1%	2%	3%	2%	1%	3%	4%		2%	3%	4%	2%	2%	4%	2%	6%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	295	92	135	68	89	126	134	161	101	124	154	91	110	66	123	100	220	51
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
VALLEY VIEW HIGH SCHOOL	18	4	12	2	4	12	5	13	7	8	10	7	10	7	8	9	15	3
	6%	5%	9%	3%	4%	10%	4%	8%	7%	7%	6%	8%	10%	11%	7%	9%	7%	6%
CANYON SPRINGS HIGH SCHOOL	13	4	10	-	2	9	3	10	4	8	10	3	6	2	5	7	11	2
	4%	4%	7%		3%	7%	3%	6%	4%	7%	7%	3%	5%	4%	4%	7%	5%	4%
MORENO VALLEY HIGH SCHOOL	12	6	4	1	6	9	2	10	7	1	7	-	6	4	7	4	10	2
	4%	7%	3%	2%	7%	7%	1%	6%	7%	1%	5%		6%	7%	6%	4%	4%	4%
VISTA DEL LAGO HIGH SCHOOL	10	4	6	-	5	6	2	9	5	2	4	4	7	3	6	3	8	2
	3%	4%	5%		5%	5%	1%	5%	5%	1%	3%	5%	7%	5%	5%	3%	4%	4%
EDGEMONT ELEMENTARY	6	5	1	-	4	5	-	6	5	1	6	-	4	2	1	-	4	2
	2%	5%	1%		4%	4%		4%	5%	1%	4%		3%	4%	1%		2%	5%
RIDGE CREST ELEMENTARY	6	4	2	-	5	5	-	6	1	1	4	-	2	-	2	1	6	-
	2%	4%	2%		5%	4%		4%	1%	1%	2%		2%		2%	1%	3%	
RIVERSIDE COMMUNITY COLLEGE	6	3	3	-	-	-	6	-	-	3	3	2	2	2	3	1	3	2
	2%	3%	2%				4%			2%	2%	2%	2%	3%	2%	1%	2%	3%
ARMADA ELEMENTARY	5	-	2	4	-	-	5	-	-	4	1	3	1	2	2	2	3	1
	2%		1%	6%			4%			3%	*	4%	1%	4%	2%	2%	1%	2%
SUNNYMEAD MIDDLE SCHOOL	4	2	2	-	1	4	1	4	2	1	3	-	3	3	1	2	4	-
	1%	3%	1%		1%	3%	1%	2%	2%	1%	2%		3%	5%	1%	2%	2%	

Continued

MV00048422

Table 13-1

Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
BUTTERFIELD ELEMENTARY	4	2	1	1	2	1	2	2	-	4	2	2	-	1	2	1	4	-
	1%	3%	1%	1%	3%	1%	1%	2%		3%	2%	2%		2%	1%	1%	2%	
CREEKSIDE ELEMENTARY	4	1	2	-	4	4	-	4	4	-	4	-	4	1	1	2	4	-
	1%	1%	2%		4%	3%		2%	4%		2%		3%	2%	1%	2%	2%	
RANCHO VERDE HIGH SCHOOL	4	-	2	1	1	2	-	4	2	1	1	1	2	2	2	-	4	-
	1%		2%	2%	1%	2%		2%	2%	1%	1%	1%	2%	4%	2%		2%	
SUNNYMEAD ELEMENTARY	4	2	1	-	4	2	-	4	2	1	2	-	2	1	2	1	4	-
	1%	3%	1%		4%	2%		2%	2%	1%	2%		2%	2%	2%	1%	2%	
MOUNTAIN VIEW MIDDLE SCHOOL	3	1	1	1	2	2	1	2	-	1	1	2	2	2	3	1	3	-
	1%	1%	1%	1%	3%	2%	1%	2%		1%	1%	2%	2%	3%	3%	1%	1%	
MARCH MIDDLE SCHOOL	2	1	1	-	2	2	-	2	1	-	1	-	-	1	2	-	2	-
	1%	1%	1%		3%	2%		2%	1%		1%			2%	2%		1%	
RAINBOW RIDGE ELEMENTARY	2	1	1	-	2	1	-	2	2	-	1	1	-	1	2	1	2	-
	1%	1%	1%		3%	1%		2%	2%		1%	1%		2%	2%	1%	1%	
TOWNGATE ELEMENTARY	2	2	-	-	2	1	-	2	1	1	1	-	2	2	2	-	2	-
	1%	3%			3%	1%		2%	1%	1%	1%		2%	4%	2%		1%	
PALM MIDDLE SCHOOL	2	-	1	1	-	1	1	1	-	2	-	-	-	1	-	1	-	1
	1%		1%	1%		1%	1%	1%		2%				1%		1%		1%
SUNNYMEADOWS ELEMENTARY	2	1	1	-	1	-	1	1	1	-	1	-	1	-	-	2	1	1
	1%	1%	1%		1%		1%	1%	1%		1%		1%			2%	1%	1%
VISTA VERDE MIDDLE SCHOOL	2	1	1	-	-	-	2	-	1	1	1	1	1	1	1	2	2	-
	1%	1%	1%				1%		1%	1%	*	1%	1%	1%	1%	2%	1%	
BADGER SPRINGS MIDDLE SCHOOL	1	1	-	-	-	1	-	1	1	-	-	-	1	1	-	-	-	1
	*	1%				1%		1%	1%				1%	2%				2%
BETHUNE ELEMENTARY	1	1	-	-	1	1	-	1	1	-	1	-	1	1	-	-	1	-
	*	1%			1%	1%		1%	1%		1%		1%	2%			1%	

Continued

MV00048423

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008

Table 13-1

Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
CLOVERDALE ELEMENTARY	1	-	-	1	1	1	-	1	1	-	1	-	-	-	-	-	1	-
	*			2%	1%	1%		1%	1%		1%						1%	
LANDMARK MIDDLE SCHOOL	1	-	1	-	-	1	-	1	-	1	1	-	-	-	1	1	1	-
	*		1%			1%		1%		1%	1%				1%	1%	1%	
MARCH MOUNTAIN HIGH SCHOOL	1	1	-	-	1	-	-	1	-	-	-	1	1	-	-	-	1	-
	*	1%			1%			1%				1%	1%				1%	
MORENO ELEMENTARY	1	1	-	-	1	1	-	1	1	-	1	-	1	1	1	1	1	-
	*	1%			1%	1%		1%	1%		1%		1%	2%	1%	1%	1%	
VISTA HEIGHTS MIDDLE SCHOOL	1	1	-	-	-	1	-	1	1	-	-	1	-	-	1	-	1	-
	*	1%				1%		1%	1%			1%			1%		1%	
BEAR VALLEY ELEMENTARY	1	-	-	1	-	-	1	-	-	1	1	-	-	1	-	-	1	-
	*			1%			1%			1%	*			1%			*	
HENDRICK RANCH	1	-	1	-	-	-	1	-	1	-	-	1	1	-	1	1	-	1
	*		1%				1%		1%			1%	1%		1%	1%		1%
HONEY HOLLOW	1	-	1	-	-	-	1	-	-	-	1	-	1	-	-	1	1	-
	*		1%				1%				*		1%			1%	*	
MIDLAND ELEMENTARY	1	-	1	-	-	-	1	-	-	1	1	-	-	1	1	1	-	-
	*		1%				1%			1%	*			1%	1%	1%		
RAMONA ELEMENTARY	1	-	1	-	-	-	1	-	-	1	-	1	-	-	-	-	1	-
	*		1%				1%			1%		1%					*	
VICTORIANO ELEMENTARY	1	-	1	-	-	-	1	-	1	-	-	1	1	1	1	-	1	-
	*		1%				1%		1%			1%	1%	1%	1%		*	
ALL OTHERS	15	6	5	4	6	2	8	7	4	8	7	7	7	4	8	5	12	2
	5%	7%	3%	6%	7%	2%	6%	5%	4%	7%	5%	7%	6%	6%	6%	5%	6%	4%
NONE	155	34	70	52	29	49	93	62	43	70	74	54	39	14	54	50	105	31
	53%	37%	52%	76%	33%	39%	69%	39%	43%	57%	48%	59%	36%	22%	44%	50%	48%	61%

MV00048424

Table 14-1

Q.12A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF PLAY EQUIPMENT, TOT LOTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	1	1	-	-	2	-	2	1	-	1	-	1	1	-	1	1	-
	1%	1%	1%			2%		1%	1%		1%		1%	2%		1%	1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	95	136	69	92	126	136	164	104	124	156	94	113	66	125	103	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	208	45	98	65	23	62	136	72	54	101	102	71	63	41	84	68	146	38
	69%	47%	72%	95%	25%	50%	100%	44%	52%	81%	66%	75%	56%	61%	67%	66%	66%	71%
ONE OR MORE (SUBTOTAL)	92	50	38	4	68	63	-	92	50	23	54	23	50	26	42	35	76	16
	31%	53%	28%	5%	75%	50%		56%	48%	19%	34%	25%	44%	39%	33%	34%	34%	29%
ONE	24	9	13	2	15	15	-	24	13	7	12	9	10	5	10	12	22	2
	8%	9%	10%	4%	16%	12%		15%	13%	6%	8%	9%	9%	7%	8%	12%	10%	5%
TWO	33	20	12	1	24	26	-	33	18	7	17	9	24	11	15	13	26	7
	11%	21%	9%	2%	27%	20%		20%	18%	6%	11%	9%	22%	17%	12%	13%	12%	14%
THREE	7	4	4	-	5	5	-	7	7	-	5	2	4	2	4	4	5	2
	2%	4%	3%		5%	4%		4%	7%		3%	3%	3%	4%	3%	4%	2%	5%
FOUR	11	6	5	-	11	10	-	11	4	4	7	2	5	2	6	2	10	1
	4%	6%	4%		12%	8%		7%	4%	3%	5%	3%	4%	4%	5%	2%	4%	2%
FIVE	4	2	1	-	4	2	-	4	2	-	2	-	2	-	4	1	4	-
	1%	3%	1%		4%	2%		2%	2%		2%		2%		3%	1%	2%	
SIX OR MORE	12	10	2	-	10	6	-	12	5	5	10	1	5	5	4	2	10	2
	4%	10%	2%		11%	5%		7%	5%	4%	6%	1%	4%	7%	3%	2%	4%	5%
MEAN	0.9	1.7	0.7	0.1	2.3	1.4	-	1.6	1.3	0.6	1.1	0.5	1.2	1.2	0.9	0.8	1.0	0.9
MEDIAN	0	1	0	0	2	1	0	1	0	0	0	0	0	C	0	0	0	0

Continued

MV00048425

Table 14-1

Q.12A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF PLAY EQUIPMENT, TOT LOTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.7	2.2	1.4	0.3	2.2	1.9	-	2.0	1.8	1.5	2.0	1.2	1.8	2.0	1.7	1.5	1.8	1.7
STANDARD ERROR	0.10	0.23	0.12	0.04	0.23	0.17	-	0.16	0.18	0.14	0.16	0.12	0.17	0.24	0.15	0.14	0.12	0.23

MV00048426

Table 15-1

Q.12B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PICNICKING IN DEVELOPED SITES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	-	1	1	-	2	-	2	-	-	2	-	-	-	1	-	-	-
	1%		1%	2%		2%		1%			2%				1%			
REFUSED	1	-	1	-	-	1	-	1	-	-	1	-	1	1	1	-	1	-
	*		1%			1%		1%			1%		1%	2%	1%		1%	
BASE: THOSE RESPONDING	298	96	135	68	92	125	136	162	105	124	153	94	113	66	123	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	138	34	63	41	24	48	80	57	40	73	62	45	42	24	48	41	91	26
	46%	36%	47%	60%	27%	38%	59%	35%	38%	59%	40%	48%	37%	36%	39%	39%	41%	48%
ONE OR MORE (SUBTOTAL)	161	62	72	27	67	77	56	105	65	51	91	49	71	42	75	63	131	28
	54%	64%	53%	40%	73%	62%	41%	65%	62%	41%	60%	52%	63%	64%	61%	61%	59%	52%
ONE	17	3	6	7	1	4	13	4	3	10	9	5	4	3	9	7	13	3
	6%	4%	5%	10%	1%	3%	10%	2%	3%	8%	6%	6%	4%	5%	7%	7%	6%	6%
TWO	29	5	15	9	4	5	22	7	5	16	20	7	12	6	13	15	23	6
	10%	5%	11%	14%	4%	4%	16%	5%	5%	13%	13%	7%	10%	10%	10%	15%	10%	12%
THREE	35	12	20	3	11	18	9	26	11	12	14	16	17	9	14	16	28	7
	12%	12%	15%	5%	12%	15%	7%	16%	11%	10%	9%	17%	15%	13%	12%	15%	13%	13%
FOUR	33	17	11	5	16	18	8	26	14	8	18	12	17	12	16	12	28	4
	11%	18%	8%	7%	17%	15%	6%	16%	14%	6%	12%	13%	15%	17%	13%	11%	13%	8%
FIVE	23	11	12	1	16	18	2	22	16	1	15	4	13	4	12	7	21	2
	8%	11%	9%	2%	17%	15%	1%	14%	15%	1%	10%	5%	11%	6%	10%	7%	9%	5%
SIX OR MORE	23	13	8	1	20	13	2	21	15	4	14	4	9	9	11	6	19	4
	8%	14%	6%	2%	21%	11%	2%	13%	14%	3%	9%	5%	8%	13%	9%	6%	8%	8%
MEAN	2.0	2.8	1.9	1.0	3.5	2.6	1.0	2.8	2.8	1.1	2.2	1.8	2.4	2.5	2.3	2.0	2.2	1.8
MEDIAN	1	3	1	0	4	3	0	3	3	0	2	1	2	2	2	2	2	1

Continued

MV00048427

Table 15-1

Q.12B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PICNICKING IN DEVELOPED SITES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.3	2.5	2.2	1.6	2.6	2.4	1.5	2.5	2.6	1.7	2.3	2.1	2.3	2.4	2.3	2.1	2.3	2.2
STANDARD ERROR	0.13	0.25	0.19	0.19	0.27	0.22	0.13	0.19	0.25	0.15	0.19	0.21	0.21	0.30	0.21	0.21	0.15	0.30

MV00048428

Table 16-1

Q.12C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	253	71	116	66	67	96	128	126	69	117	125	87	81	45	100	81	182	48
	84%	74%	86%	96%	73%	76%	94%	76%	66%	94%	80%	92%	71%	66%	80%	78%	82%	88%
ONE OR MORE (SUBTOTAL)	47	25	20	3	24	31	8	39	36	7	31	7	33	23	25	23	41	6
	16%	26%	14%	4%	27%	24%	6%	24%	34%	6%	20%	8%	29%	34%	20%	22%	18%	12%
ONE	19	10	8	1	9	12	3	16	16	2	11	5	14	7	11	13	17	2
	6%	10%	6%	2%	9%	10%	3%	10%	15%	1%	7%	5%	12%	11%	9%	12%	8%	4%
TWO	14	5	8	2	5	10	3	11	8	6	9	2	10	8	7	7	12	2
	5%	5%	6%	3%	5%	8%	3%	7%	7%	5%	6%	2%	8%	12%	6%	7%	6%	4%
THREE	4	4	-	-	2	4	-	4	2	-	2	-	4	2	2	1	2	1
	1%	4%			3%	3%		2%	2%		2%		3%	4%	2%	1%	1%	2%
FOUR	3	2	1	-	2	2	1	2	3	-	2	-	2	1	2	1	3	-
	1%	3%	1%		3%	2%	1%	1%	3%		1%		2%	2%	2%	1%	1%	
FIVE	1	-	1	-	-	-	1	-	1	-	1	-	1	-	-	-	1	-
	*		1%				1%		1%		*		1%				*	
SIX OR MORE	6	4	2	-	6	2	-	6	6	-	6	-	2	4	2	1	5	1
	2%	4%	2%		7%	2%		4%	6%		4%		2%	5%	2%	1%	2%	2%
MEAN	0.4	0.7	0.3	0.1	0.9	0.5	0.1	0.6	0.9	0.1	0.6	0.1	0.7	0.9	0.5	0.4	0.4	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048429

Table 16-1

Q.12C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME		FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS					EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.2	1.6	1.1	0.4	1.9	1.3	0.6	1.5	1.8	0.4	1.5	0.4	1.4	1.7	1.2	1.0	1.3	1.2
STANDARD ERROR	0.07	0.16	0.10	0.04	0.20	0.11	0.05	0.12	0.18	0.04	0.12	0.04	0.13	0.21	0.11	0.10	0.08	0.16

MV00048430

Table 17-1

Q.12D - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	254	70	115	69	57	92	136	118	71	118	127	87	80	47	102	83	182	49
	85%	73%	85%	100%	63%	72%	100%	72%	67%	95%	81%	92%	70%	69%	81%	79%	81%	91%
ONE OR MORE (SUBTOTAL)	46	26	21	-	34	35	-	46	34	6	29	7	34	21	23	22	42	5
	15%	27%	15%		37%	28%		28%	33%	5%	19%	8%	30%	31%	19%	21%	19%	9%
ONE	16	6	10	-	11	12	-	16	10	4	7	5	11	6	10	10	16	-
	5%	6%	7%		12%	10%		10%	9%	3%	5%	5%	10%	9%	8%	9%	7%	
TWO	10	5	5	-	6	7	-	10	6	1	6	2	9	5	5	5	7	2
	3%	5%	4%		7%	6%		6%	6%	1%	4%	3%	7%	7%	4%	5%	3%	5%
THREE	7	7	-	-	5	7	-	7	6	-	6	-	5	4	2	4	6	1
	2%	8%			5%	6%		4%	6%		4%		4%	5%	2%	4%	3%	2%
FOUR	5	2	2	-	4	5	-	5	4	1	2	-	5	2	2	1	5	-
	2%	3%	2%		4%	4%		3%	3%	1%	2%		4%	4%	2%	1%	2%	
FIVE	2	1	1	-	2	-	-	2	2	-	1	-	2	-	1	1	2	-
	1%	1%	1%		3%			1%	2%		1%		2%		1%	1%	1%	
SIX OR MORE	6	4	2	-	6	4	-	6	6	-	6	-	2	4	2	1	5	1
	2%	4%	2%		7%	3%		4%	6%		4%		2%	5%	2%	1%	2%	2%
MEAN	0.4	0.8	0.4	-	1.2	0.7	-	0.8	1.0	0.1	0.6	0.1	0.8	0.9	0.5	0.5	0.5	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048431

Table 17-1

Q.12D - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.3	1.7	1.2	-	2.0	1.5	-	1.7	1.9	0.5	1.6	0.4	1.5	1.8	1.3	1.2	1.4	1.2
STANDARD ERROR	0.07	0.17	0.10	-	0.21	0.14	-	0.13	0.19	0.04	0.13	0.04	0.14	0.22	0.12	0.12	0.09	0.16

MV00048432

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 18-1
Q.12E - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	254	73	117	65	66	93	136	118	82	118	128	82	83	49	99	90	183	48
	85%	76%	86%	95%	72%	73%	100%	72%	78%	95%	82%	87%	72%	73%	79%	86%	82%	89%
ONE OR MORE (SUBTOTAL)	46	23	20	4	26	34	-	46	23	6	28	12	32	18	26	15	40	6
	15%	24%	14%	5%	28%	27%		28%	22%	5%	18%	13%	28%	27%	21%	14%	18%	11%
ONE	17	7	9	1	10	11	-	17	10	2	9	7	11	6	12	5	13	4
	6%	8%	6%	2%	11%	9%		10%	9%	2%	5%	8%	10%	9%	10%	5%	6%	7%
TWO	17	7	9	1	7	15	-	17	6	4	12	4	12	6	6	4	16	1
	6%	8%	6%	2%	8%	12%		10%	6%	3%	8%	4%	11%	9%	5%	4%	7%	2%
THREE	6	5	-	1	5	5	-	6	4	-	5	-	4	1	2	4	6	-
	2%	5%		2%	5%	4%		4%	3%		3%		3%	2%	2%	4%	3%	
FOUR	2	2	-	-	1	2	-	2	2	-	1	-	2	2	1	2	2	-
	1%	3%			1%	2%		1%	2%		1%		2%	4%	1%	2%	1%	
FIVE	1	-	1	-	1	-	-	1	-	-	-	1	1	-	1	-	1	-
	*		1%		1%			1%				1%	1%		1%		1%	
SIX OR MORE	2	1	1	-	1	1	-	2	1	-	1	-	1	2	2	-	1	1
	1%	1%	1%		1%	1%		1%	1%		1%		1%	4%	2%		1%	2%
MEAN	0.3	0.6	0.3	0.1	0.6	0.6	-	0.6	0.5	0.1	0.4	0.2	0.6	0.7	0.5	0.3	0.4	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048433

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 18-1
Q.12E - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.0	1.2	0.9	0.5	1.3	1.2	-	1.3	1.2	0.4	1.0	0.7	1.2	1.6	1.3	0.9	1.0	1.1
STANDARD ERROR	0.06	0.13	0.08	0.06	0.14	0.10	-	0.10	0.11	0.03	0.08	0.07	0.12	0.19	0.11	0.09	0.07	0.15

MV00048434

Table 19-1

Q.12F - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	224	52	108	64	39	74	136	88	67	104	107	77	74	46	88	75	161	39
	74%	54%	79%	93%	43%	59%	100%	53%	64%	84%	69%	82%	65%	67%	71%	72%	72%	73%
ONE OR MORE (SUBTOTAL)	77	44	28	5	52	52	-	77	38	20	49	17	40	22	37	29	62	15
	26%	46%	21%	7%	57%	41%		47%	36%	16%	31%	18%	35%	33%	29%	28%	28%	27%
ONE	16	5	11	-	7	13	-	16	7	6	10	5	7	6	6	7	15	1
	5%	5%	8%		8%	11%		10%	7%	5%	6%	5%	6%	9%	5%	7%	7%	2%
TWO	21	11	5	5	12	13	-	21	9	5	10	6	12	4	7	7	17	4
	7%	11%	4%	7%	13%	11%		13%	8%	4%	6%	7%	11%	5%	6%	7%	8%	7%
THREE	16	10	6	-	11	12	-	16	9	4	11	4	6	4	9	6	11	5
	5%	10%	4%		12%	10%		10%	8%	3%	7%	4%	5%	5%	7%	6%	5%	9%
FOUR	9	7	1	-	6	5	-	9	4	2	6	1	7	2	5	4	7	1
	3%	8%	1%		7%	4%		5%	3%	2%	4%	1%	6%	4%	4%	4%	3%	2%
FIVE	6	4	2	-	6	4	-	6	4	-	4	1	5	1	5	1	4	2
	2%	4%	2%		7%	3%		4%	3%		2%	1%	4%	2%	4%	1%	2%	5%
SIX OR MORE	10	7	2	-	10	5	-	10	6	2	9	-	2	5	5	4	9	1
	3%	8%	2%		11%	4%		6%	6%	2%	5%		2%	7%	4%	4%	4%	2%
MEAN	0.8	1.6	0.5	0.1	2.1	1.2	-	1.4	1.2	0.4	1.1	0.4	1.1	1.1	1.0	0.8	0.8	0.9
MEDIAN	0	0	0	0	1	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048435

Table 19-1

Q.12F - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME		FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS					EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.7	2.2	1.3	0.5	2.3	1.8	-	2.0	2.0	1.3	1.9	1.0	1.7	2.0	1.8	1.7	1.7	1.7
STANDARD ERROR	0.10	0.22	0.12	0.06	0.24	0.16	-	0.16	0.19	0.11	0.15	0.10	0.16	0.25	0.17	0.16	0.11	0.23

MV00048436

Table 20-1

Q.12G - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	75	14	36	25	15	28	43	32	17	36	41	21	14	11	25	15	50	15
	25%	15%	26%	36%	16%	22%	32%	19%	16%	29%	26%	23%	12%	16%	20%	14%	22%	28%
ONE OR MORE (SUBTOTAL)	226	82	100	44	77	99	93	133	88	87	115	73	100	57	100	90	173	39
	75%	85%	74%	64%	84%	78%	68%	81%	84%	71%	74%	77%	88%	84%	80%	86%	78%	72%
ONE	57	11	30	16	10	13	37	20	11	31	32	16	18	7	23	22	43	7
	19%	12%	22%	23%	11%	11%	27%	12%	11%	25%	20%	17%	16%	10%	19%	21%	19%	13%
TWO	59	16	27	16	13	20	32	27	24	21	24	23	25	12	21	22	42	14
	19%	17%	20%	23%	15%	15%	23%	16%	23%	17%	16%	25%	22%	17%	17%	21%	19%	26%
THREE	30	10	17	3	7	13	10	20	12	11	12	12	14	8	19	14	23	5
	10%	10%	13%	4%	8%	11%	8%	12%	11%	9%	8%	13%	12%	11%	16%	14%	10%	10%
FOUR	37	18	14	5	18	28	5	32	17	11	23	10	22	16	19	17	30	6
	12%	19%	10%	7%	20%	22%	4%	19%	17%	9%	15%	11%	19%	23%	15%	16%	13%	12%
FIVE	12	7	4	1	10	10	-	12	9	2	4	6	5	4	6	6	12	-
	4%	8%	3%	2%	11%	8%		7%	8%	2%	2%	7%	4%	5%	5%	6%	5%	
SIX OR MORE	31	19	8	4	18	15	8	23	15	11	20	5	16	12	11	8	23	6
	10%	20%	6%	6%	20%	12%	6%	14%	14%	9%	13%	6%	14%	17%	9%	8%	10%	12%
MEAN	2.3	3.3	2.0	1.6	3.4	2.8	1.5	2.9	3.0	1.9	2.3	2.2	2.9	3.2	2.4	2.5	2.4	2.2
MEDIAN	2	3	2	1	4	3	1	3	3	1	2	2	2	3	2	2	2	2

Continued

MV00048437

Table 20-1

Q.12G - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.2	2.4	1.9	1.8	2.4	2.2	1.7	2.3	2.2	2.1	2.3	1.9	2.1	2.3	2.0	1.9	2.2	2.2
STANDARD ERROR	0.12	0.24	0.16	0.22	0.25	0.20	0.15	0.18	0.21	0.19	0.18	0.20	0.20	0.28	0.18	0.19	0.14	0.30

MV00048438

Table 21-1

Q.12H - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASKETBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	219	55	104	61	55	78	117	103	68	111	108	73	70	34	85	74	152	43
	73%	57%	76%	88%	60%	62%	86%	62%	65%	90%	69%	78%	61%	50%	68%	71%	68%	80%
ONE OR MORE (SUBTOTAL)	82	41	32	8	37	49	19	62	37	12	48	21	45	34	40	31	71	11
	27%	43%	24%	12%	40%	38%	14%	38%	35%	10%	31%	22%	39%	50%	32%	29%	32%	20%
ONE	33	16	15	2	12	20	9	23	10	7	19	10	15	11	17	9	27	6
	11%	17%	11%	2%	13%	15%	7%	14%	10%	6%	12%	11%	13%	16%	14%	9%	12%	11%
TWO	27	12	9	7	11	20	5	22	12	3	12	8	19	15	10	12	22	5
	9%	12%	6%	10%	12%	15%	4%	13%	11%	3%	8%	9%	16%	23%	8%	12%	10%	9%
THREE	5	4	1	-	2	2	2	4	4	-	4	1	3	2	3	2	5	-
	2%	5%	1%		3%	2%	1%	2%	4%		3%	1%	3%	3%	2%	2%	2%	
FOUR	11	7	3	-	7	5	2	9	7	2	9	1	6	2	7	7	11	-
	4%	8%	3%		8%	4%	2%	5%	7%	2%	6%	1%	5%	3%	6%	7%	5%	
FIVE	1	-	1	-	1	-	-	1	1	-	-	1	-	-	1	-	1	-
	*		1%		1%			1%	1%			1%			1%		1%	
SIX OR MORE	4	1	3	-	2	2	1	4	3	-	3	-	2	4	2	-	4	-
	1%	1%	2%		3%	2%	1%	2%	3%		2%		2%	5%	2%		2%	
MEAN	0.6	0.9	0.6	0.2	1.0	0.8	0.3	0.9	1.0	0.2	0.7	0.4	0.9	1.2	0.8	0.7	0.8	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048439

Table 21-1

Q.12H - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASKETBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.3	1.4	1.4	0.6	1.6	1.4	0.9	1.5	1.7	0.6	1.4	0.9	1.4	1.7	1.5	1.2	1.4	0.6
STANDARD ERROR	0.07	0.15	0.12	0.07	0.17	0.12	0.08	0.12	0.16	0.06	0.12	0.09	0.13	0.21	0.13	0.12	0.10	0.08

MV00048440

Table 22-1

Q.12I - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOFTBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	247	76	110	61	70	103	116	131	85	109	126	78	89	50	100	82	179	44
	82%	79%	81%	89%	76%	81%	86%	79%	81%	88%	81%	83%	78%	74%	80%	79%	80%	82%
ONE OR MORE (SUBTOTAL)	54	20	26	8	22	24	20	34	20	15	30	16	26	18	25	22	44	10
	18%	21%	19%	11%	24%	19%	14%	21%	19%	12%	19%	17%	22%	26%	20%	21%	20%	18%
ONE	23	7	14	2	7	10	9	13	7	8	13	9	12	6	7	11	17	6
	8%	7%	10%	3%	8%	8%	7%	8%	7%	6%	8%	9%	10%	8%	6%	10%	8%	11%
TWO	18	7	6	5	10	9	6	12	6	4	11	4	9	9	11	8	15	2
	6%	7%	4%	7%	11%	7%	4%	7%	6%	3%	7%	4%	8%	13%	9%	8%	7%	5%
THREE	7	2	3	1	2	2	3	4	4	2	3	3	1	1	5	3	7	-
	2%	3%	3%	1%	3%	2%	2%	2%	4%	1%	2%	3%	1%	1%	4%	3%	3%	
FOUR	2	1	1	-	1	1	1	1	2	-	2	-	1	-	1	1	2	-
	1%	1%	1%		1%	1%	1%	1%	2%		1%		1%		1%	1%	1%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	4	2	2	-	1	2	1	4	1	2	1	1	3	2	1	-	3	1
	1%	3%	1%		1%	2%	1%	2%	1%	2%	1%	1%	3%	4%	1%		1%	2%
MEAN	0.4	0.5	0.4	0.2	0.5	0.4	0.3	0.5	0.5	0.3	0.4	0.3	0.5	0.6	0.4	0.4	0.4	0.4
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

MV00048441

Table 22-1

Q.12I - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOFTBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.1	1.3	1.1	0.6	1.2	1.2	0.8	1.2	1.1	1.0	1.0	0.9	1.3	1.4	1.1	0.8	1.1	1.1
STANDARD ERROR	0.06	0.14	0.09	0.07	0.12	0.11	0.07	0.10	0.11	0.09	0.08	0.09	0.12	0.18	0.10	0.08	0.08	0.15

MV00048442

Table 23-1

Q.12J - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - FOOTBALL: ORGANIZED GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	254	69	120	65	62	90	136	118	78	118	129	85	83	48	97	87	184	48
	85%	72%	88%	95%	68%	71%	100%	72%	74%	95%	83%	91%	72%	71%	78%	84%	83%	89%
ONE OR MORE (SUBTOTAL)	46	27	16	4	29	37	-	46	27	6	27	9	32	20	28	17	39	6
	15%	28%	12%	5%	32%	29%		28%	26%	5%	17%	9%	28%	29%	22%	16%	17%	11%
ONE	22	11	10	1	11	17	-	22	12	2	11	6	11	10	13	9	20	1
	7%	11%	7%	2%	12%	13%		13%	12%	2%	7%	7%	10%	14%	11%	8%	9%	2%
TWO	11	6	2	2	9	9	-	11	5	-	5	2	10	4	7	1	7	4
	4%	6%	2%	4%	9%	7%		7%	5%		3%	3%	9%	5%	6%	1%	3%	7%
THREE	5	2	2	-	1	5	-	5	2	2	4	-	4	2	4	4	4	1
	2%	3%	2%		1%	4%		3%	2%	2%	2%		3%	4%	3%	4%	2%	2%
FOUR	6	5	1	-	6	5	-	6	5	1	5	-	6	2	4	2	6	-
	2%	5%	1%		7%	4%		4%	5%	1%	3%		5%	4%	3%	2%	3%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	2	2	-	-	2	1	-	2	2	-	2	-	1	1	-	1	2	-
	1%	3%			3%	1%		1%	2%		2%		1%	2%		1%	1%	
MEAN	0.3	0.7	0.2	0.1	0.8	0.6	-	0.6	0.6	0.1	0.4	0.1	0.7	0.6	0.4	0.4	0.4	0.2
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

MV00048443

Table 23-1

Q.12J - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - FOOTBALL: ORGANIZED GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.0	1.5	0.6	0.4	1.5	1.2	-	1.3	1.4	0.6	1.2	0.4	1.3	1.3	0.9	1.1	1.1	0.7
STANDARD ERROR	0.06	0.15	0.05	0.05	0.16	0.11	-	0.10	0.14	0.05	0.10	0.04	0.12	0.16	0.08	0.11	0.07	0.09

MV00048444

Table 24-1

Q.12K - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - TENNIS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	-	1	-	1	-	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%			1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	300	96	135	69	90	127	136	164	104	124	155	94	114	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	264	90	113	61	78	116	120	144	94	109	140	75	99	57	105	88	193	49
	88%	94%	84%	89%	86%	91%	88%	88%	91%	88%	91%	80%	87%	87%	85%	85%	87%	90%
ONE OR MORE (SUBTOTAL)	35	6	22	8	12	11	16	20	10	15	15	19	15	9	19	16	29	5
	12%	6%	16%	11%	14%	9%	12%	12%	9%	12%	9%	20%	13%	13%	15%	15%	13%	10%
ONE	14	-	10	4	2	4	8	6	2	6	5	7	4	2	8	2	11	3
	5%		7%	6%	3%	3%	6%	4%	2%	5%	3%	8%	4%	3%	6%	2%	5%	6%
TWO	16	4	8	3	9	5	6	10	4	8	6	10	8	5	9	11	14	2
	5%	5%	6%	5%	9%	4%	5%	6%	4%	6%	4%	11%	7%	7%	7%	10%	6%	3%
THREE	2	1	1	-	1	1	-	2	1	1	2	-	1	-	1	1	2	-
	1%	1%	1%		1%	1%		1%	1%	1%	2%		1%		1%	1%	1%	
FOUR	2	-	2	-	-	1	1	1	2	-	-	1	1	2	1	1	1	1
	1%		1%			1%	1%	1%	2%			1%	1%	3%	1%	1%	1%	1%
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	1	-	1	-	-	-	1	-	-	-	1	-	1	-	-	1	1	-
	*		1%				1%				*		1%			1%	*	
MEAN	0.2	0.1	0.3	0.2	0.3	0.2	0.2	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.4	0.3	0.2
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048445

Table 24-1

Q.12K - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - TENNIS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	0.7	0.5	0.9	0.5	0.7	0.6	0.8	0.7	0.7	0.6	0.7	0.8	0.9	0.8	0.7	1.0	0.8	0.6
STANDARD ERROR	0.04	0.05	0.08	0.06	0.07	0.06	0.06	0.05	0.07	0.05	0.06	0.08	0.08	0.10	0.06	0.10	0.05	0.08

MV00048446

Table 25-1

Q.12L - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BICYCLING FOR RECREATION/FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	167	47	70	50	27	50	103	63	42	88	86	47	48	26	57	52	115	31
	55%	49%	51%	73%	29%	39%	76%	39%	40%	71%	55%	50%	42%	39%	46%	50%	51%	57%
ONE OR MORE (SUBTOTAL)	134	49	66	19	65	77	33	101	63	36	70	47	66	41	68	53	109	23
	45%	51%	49%	27%	71%	61%	24%	61%	60%	29%	45%	50%	58%	61%	54%	50%	49%	43%
ONE	23	4	16	3	5	10	11	12	9	7	12	9	12	4	13	9	17	6
	8%	4%	12%	4%	5%	8%	8%	7%	9%	6%	7%	10%	10%	6%	10%	9%	8%	11%
TWO	40	9	25	6	12	18	16	24	15	15	22	12	18	13	20	20	34	6
	13%	9%	18%	9%	13%	14%	11%	15%	15%	12%	14%	13%	16%	19%	16%	19%	15%	11%
THREE	33	14	12	7	17	18	5	28	18	8	17	12	15	12	20	11	24	7
	11%	15%	9%	10%	19%	14%	4%	17%	17%	6%	11%	13%	13%	18%	16%	11%	11%	13%
FOUR	20	10	7	2	16	18	-	20	9	4	11	6	10	7	9	6	18	1
	6%	10%	5%	4%	17%	14%		12%	8%	3%	7%	7%	9%	11%	7%	6%	8%	2%
FIVE	10	7	2	-	7	6	-	10	6	1	2	5	5	2	5	2	9	1
	3%	8%	2%		8%	5%		6%	6%	1%	2%	5%	4%	4%	4%	2%	4%	2%
SIX OR MORE	9	5	4	-	7	6	2	7	6	1	6	2	6	2	2	3	7	2
	3%	5%	3%		8%	5%	1%	4%	6%	1%	4%	2%	6%	4%	2%	3%	3%	4%
MEAN	1.3	1.8	1.3	0.7	2.5	2.0	0.5	2.0	1.9	0.7	1.3	1.4	1.8	1.9	1.5	1.4	1.4	1.2
MEDIAN	0	1	0	0	3	2	0	2	2	0	0	0	1	2	1	1	0	0

Continued

MV00048447

Table 25-1

Q.12L - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BICYCLING FOR RECREATION/FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.8	2.1	1.7	1.2	2.1	2.0	1.1	2.0	2.1	1.3	1.8	1.8	2.0	1.9	1.7	1.7	1.8	1.7
STANDARD ERROR	0.10	0.22	0.14	0.14	0.22	0.18	0.09	0.15	0.20	0.12	0.14	0.18	0.19	0.23	0.15	0.17	0.12	0.24

MV00048448

Table 26-1

Q.12M - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SKATEBOARDING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	-	1	-	1	-	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%			1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	300	96	135	69	90	127	136	164	104	124	155	94	114	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	229	67	102	61	61	78	123	106	75	109	111	79	72	46	92	73	167	43
	77%	70%	75%	88%	68%	62%	91%	65%	72%	88%	72%	84%	63%	70%	74%	70%	75%	80%
ONE OR MORE (SUBTOTAL)	70	29	33	8	29	49	13	57	29	15	43	15	43	20	32	31	55	11
	23%	30%	25%	12%	32%	38%	9%	35%	28%	12%	28%	16%	37%	30%	26%	30%	25%	20%
ONE	38	11	23	4	13	28	5	33	12	8	23	9	22	11	21	16	31	3
	13%	11%	17%	6%	15%	22%	4%	20%	12%	7%	15%	10%	19%	16%	17%	15%	14%	6%
TWO	23	14	6	2	11	17	5	18	10	7	16	2	15	7	7	11	18	4
	8%	15%	5%	3%	12%	13%	4%	11%	10%	5%	10%	3%	13%	11%	6%	10%	8%	8%
THREE	4	2	1	-	2	2	-	4	2	-	1	1	4	-	2	1	2	1
	1%	3%	1%		3%	2%		2%	2%		1%	1%	3%		2%	1%	1%	2%
FOUR	2	1	-	1	1	-	1	1	1	-	1	1	-	1	-	2	1	1
	1%	1%		2%	1%		1%	1%	1%		1%	1%		2%		2%	1%	2%
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	3	-	3	-	1	1	2	1	3	-	2	1	2	1	2	1	2	1
	1%		2%		1%	1%	1%	1%	3%		1%	1%	1%	2%	2%	1%	1%	1%
MEAN	0.4	0.5	0.4	0.2	0.6	0.6	0.2	0.6	0.6	0.2	0.5	0.3	0.6	0.6	0.4	0.5	0.4	0.5
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

MV00048449

Table 26-1

Q.12M - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SKATEBOARDING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.0	0.9	1.1	0.7	1.2	1.0	0.9	1.0	1.3	0.5	1.1	0.9	1.1	1.2	1.1	1.0	1.0	1.2
STANDARD ERROR	0.06	0.09	0.10	0.08	0.12	0.09	0.08	0.08	0.13	0.05	0.09	0.09	0.10	0.15	0.10	0.10	0.06	0.16

MV00048450

Table 27-1

Q.12N - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - GOLFING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	-	1	-	1	-	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%			1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	300	96	135	69	90	127	136	164	104	124	155	94	114	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	248	80	109	59	74	114	109	139	91	95	134	69	90	59	99	82	177	47
	83%	84%	81%	86%	82%	89%	80%	85%	87%	76%	87%	73%	79%	90%	80%	78%	80%	87%
ONE OR MORE (SUBTOTAL)	52	16	26	10	16	13	27	24	13	29	20	25	24	7	25	23	45	7
	17%	16%	19%	14%	18%	11%	20%	15%	13%	24%	13%	27%	21%	10%	20%	22%	20%	13%
ONE	26	8	14	4	7	7	14	12	6	17	6	15	10	2	13	12	22	4
	9%	8%	11%	6%	8%	6%	10%	7%	6%	14%	4%	16%	9%	2%	10%	11%	10%	7%
TWO	14	2	6	5	2	2	9	5	2	7	5	8	5	3	7	8	11	2
	5%	3%	5%	7%	3%	2%	6%	3%	2%	6%	3%	8%	4%	5%	6%	8%	5%	4%
THREE	3	1	2	-	-	1	2	1	1	1	3	-	3	1	2	-	3	-
	1%	1%	1%			1%	1%	1%	1%	1%	2%		2%	1%	1%		1%	
FOUR	2	1	1	-	2	1	-	2	-	1	1	1	2	-	1	-	2	-
	1%	1%	1%		3%	1%		1%		1%	1%	1%	2%		1%		1%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	7	4	2	1	4	1	3	4	4	3	5	2	4	2	2	3	6	1
	2%	4%	2%	1%	4%	1%	2%	2%	4%	2%	3%	2%	4%	2%	1%	3%	3%	1%
MEAN	0.4	0.5	0.4	0.3	0.5	0.2	0.4	0.4	0.4	0.5	0.4	0.5	0.6	0.3	0.4	0.5	0.5	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048451

Table 27-1

Q.12N - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - GOLFING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.2	1.5	1.1	0.9	1.5	0.9	1.2	1.2	1.4	1.2	1.4	1.1	1.5	1.2	1.0	1.3	1.3	0.9
STANDARD ERROR	0.07	0.15	0.10	0.11	0.16	0.08	0.10	0.09	0.14	0.11	0.11	0.12	0.14	0.14	0.09	0.13	0.09	0.13

MV00048452

Table 28-1

Q.12O - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - DOG PARK USE

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	1	-	-	1	-	-	1	1	-	1	-	-	-	-	1	1	-
	*	1%			1%			1%	1%		1%					1%	1%	
BASE: THOSE RESPONDING	300	95	136	69	90	127	136	164	104	124	155	94	114	67	125	103	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	255	79	116	60	81	112	114	140	87	104	132	77	94	51	101	85	186	47
	85%	84%	85%	86%	89%	88%	84%	86%	84%	84%	85%	82%	82%	76%	81%	82%	84%	87%
ONE OR MORE (SUBTOTAL)	45	16	20	9	10	15	22	23	17	19	23	17	20	16	24	18	36	7
	15%	16%	15%	14%	11%	12%	16%	14%	16%	16%	15%	18%	18%	24%	19%	18%	16%	13%
ONE	18	5	10	3	4	5	9	9	6	8	8	7	6	6	9	6	13	4
	6%	5%	7%	5%	4%	4%	7%	5%	6%	6%	5%	8%	5%	9%	8%	6%	6%	7%
TWO	11	3	5	3	2	-	9	2	3	6	4	5	5	5	8	6	8	2
	4%	4%	4%	4%	3%		6%	1%	3%	5%	3%	5%	4%	8%	6%	6%	4%	4%
THREE	3	1	2	-	-	1	2	1	1	1	2	1	2	-	2	2	3	-
	1%	1%	1%			1%	1%	1%	1%	1%	1%	1%	1%		1%	2%	1%	
FOUR	4	-	1	2	1	2	-	4	1	2	1	2	2	1	1	2	4	-
	1%		1%	4%	1%	2%		2%	1%	2%	1%	3%	2%	2%	1%	2%	2%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	10	6	3	1	2	6	2	7	6	3	8	2	6	3	4	1	8	1
	3%	6%	2%	1%	3%	5%	2%	4%	5%	2%	5%	2%	5%	5%	4%	1%	4%	2%
MEAN	0.4	0.6	0.4	0.3	0.3	0.5	0.3	0.5	0.6	0.4	0.5	0.5	0.6	0.7	0.5	0.4	0.5	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0

Continued

MV00048453

Table 28-1

Q.12O - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - DOG PARK USE

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.4	1.8	1.1	1.1	1.3	1.6	1.1	1.6	1.7	1.2	1.6	1.3	1.7	1.6	1.4	1.1	1.5	1.1
STANDARD ERROR	0.08	0.18	0.10	0.13	0.13	0.14	0.09	0.12	0.16	0.11	0.13	0.13	0.16	0.2C	0.13	0.11	0.10	0.15

MV00048454

Table 29-1

Q.12P - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	-	2	-	-	2	-	2	-	-	2	-	1	1	1	-	1	-
	1%		2%			2%		1%			2%		1%	2%	1%		1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	96	135	69	92	126	136	164	105	124	155	94	113	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	139	31	64	45	27	51	81	57	37	67	69	41	28	19	43	40	89	28
	46%	32%	47%	65%	29%	41%	60%	35%	35%	54%	44%	44%	25%	28%	35%	38%	40%	52%
ONE OR MORE (SUBTOTAL)	161	65	71	24	65	74	55	106	68	57	86	53	85	47	81	65	133	26
	54%	68%	53%	35%	71%	59%	40%	65%	65%	46%	56%	56%	75%	72%	65%	62%	60%	48%
ONE	19	5	8	7	1	7	12	7	5	10	10	6	9	6	8	7	16	2
	6%	5%	6%	10%	1%	6%	9%	4%	5%	8%	7%	6%	8%	9%	7%	7%	7%	4%
TWO	29	5	14	10	4	7	21	9	10	11	17	7	12	6	13	19	23	5
	10%	5%	10%	15%	4%	6%	15%	5%	10%	9%	11%	7%	10%	9%	11%	18%	10%	10%
THREE	34	14	17	3	13	12	11	23	13	14	14	13	25	8	16	13	29	5
	11%	14%	13%	4%	15%	10%	8%	14%	13%	11%	9%	14%	22%	11%	13%	13%	13%	10%
FOUR	27	15	9	4	11	15	5	22	10	10	13	12	11	10	17	10	24	3
	9%	16%	6%	5%	12%	12%	4%	13%	9%	8%	9%	13%	10%	15%	14%	10%	11%	6%
FIVE	29	12	15	1	20	20	3	26	17	4	16	9	16	9	19	11	24	5
	10%	13%	11%	1%	21%	16%	2%	16%	17%	3%	10%	9%	14%	13%	15%	10%	11%	9%
SIX OR MORE	23	14	8	-	16	13	3	20	12	7	15	6	12	9	8	6	17	5
	8%	15%	6%		17%	11%	2%	12%	12%	6%	10%	7%	10%	13%	7%	5%	8%	10%
MEAN	2.0	2.9	1.9	0.8	3.3	2.5	1.0	2.7	2.7	1.5	2.1	2.1	2.8	2.8	2.4	2.1	2.2	1.9
MEDIAN	1	3	1	0	4	2	0	3	3	0	1	2	3	3	2	2	2	0

Continued

MV00048455

Table 29-1

Q.12P - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.3	2.5	2.2	1.3	2.5	2.5	1.6	2.4	2.4	2.0	2.4	2.2	2.2	2.4	2.2	2.1	2.3	2.4
STANDARD ERROR	0.13	0.25	0.19	0.15	0.26	0.22	0.14	0.19	0.24	0.18	0.19	0.23	0.21	0.30	0.20	0.20	0.15	0.32

MV00048456

Table 30-1

Q.13 - HOW WOULD YOU RATE THE MAINTENANCE OF RECREATION AND PARKS FACILITIES IN MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	24	1	12	11	-	6	18	6	2	17	11	7	1	-	5	6	-	-
	8%	1%	9%	16%		5%	13%	4%	1%	13%	7%	7%	1%		4%	6%		
REFUSED	1	-	1	-	-	-	1	-	-	1	1	-	-	1	1	1	-	-
	*		1%				1%			1%	*			1%	1%	1%		
BASE: THOSE RESPONDING	277	95	124	58	92	122	117	160	103	106	146	87	113	67	120	98	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
EXCELLENT/GOOD (NET)	223	74	102	47	79	100	88	135	86	87	124	68	95	56	97	77	223	-
	81%	78%	82%	80%	87%	82%	75%	85%	84%	82%	85%	78%	84%	84%	81%	79%	100%	
EXCELLENT	69	21	33	15	21	29	30	39	27	21	43	16	33	19	26	18	69	-
	25%	22%	26%	27%	23%	24%	26%	24%	26%	20%	30%	18%	29%	29%	22%	19%	31%	
GOOD	154	54	69	31	59	71	58	96	60	66	81	52	61	37	71	59	154	-
	56%	56%	56%	54%	64%	58%	49%	60%	58%	62%	56%	60%	54%	55%	59%	60%	69%	
FAIR	43	15	18	9	10	16	24	18	15	15	18	17	15	7	19	17	-	43
	15%	16%	15%	16%	11%	13%	21%	11%	14%	14%	12%	20%	13%	11%	16%	18%		79%
POOR	11	6	3	2	2	6	5	6	2	4	4	2	4	3	3	3	-	11
	4%	6%	3%	4%	3%	5%	5%	4%	2%	4%	3%	3%	3%	5%	3%	4%		21%
FAIR/POOR (NET)	54	21	22	12	12	22	30	24	17	19	22	19	18	11	23	21	-	54
	19%	22%	18%	20%	13%	18%	25%	15%	16%	18%	15%	22%	16%	16%	19%	21%		100%

MV00048457

Table 31-1

Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	32	8	12	13	9	11	17	15	10	19	20	7	8	5	13	12	24	5
	11%	8%	9%	18%	9%	9%	13%	9%	10%	15%	13%	8%	7%	7%	10%	12%	11%	9%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	270	88	125	56	83	117	119	151	95	105	137	87	106	63	112	92	200	49
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
OUTDOOR FACILITIES (NET)	142	55	63	24	60	77	45	98	67	44	76	42	71	40	71	56	114	24
	53%	63%	50%	43%	72%	66%	38%	65%	71%	42%	56%	48%	67%	64%	63%	61%	57%	49%
SWIMMING POOL FOR RECREATION OR LESSONS	26	14	6	5	11	16	8	18	16	4	14	6	14	11	12	8	22	4
	10%	16%	5%	10%	13%	14%	6%	12%	17%	4%	10%	7%	13%	17%	10%	8%	11%	8%
DOG PARK	13	3	8	2	4	5	5	7	4	6	7	4	6	3	5	6	8	2
	5%	4%	6%	3%	4%	4%	4%	5%	5%	6%	5%	5%	6%	4%	4%	6%	4%	4%
PLAYGROUNDS/TOT LOTS	11	6	3	2	5	7	2	9	6	2	6	4	4	-	3	4	4	6
	4%	6%	3%	4%	6%	6%	2%	6%	7%	2%	5%	5%	4%		3%	4%	2%	11%
SKATE PARK (SKATEBOARDING)	11	2	4	4	2	6	5	6	2	5	5	4	4	2	7	2	8	3
	4%	2%	4%	8%	3%	5%	4%	4%	2%	5%	4%	5%	4%	2%	6%	2%	4%	6%
WALKING/JOGGING PATHS	11	3	5	3	1	5	6	5	4	3	4	5	4	3	5	5	9	2
	4%	4%	4%	5%	1%	4%	5%	3%	4%	3%	3%	6%	3%	5%	5%	5%	4%	4%
BIKE PATHS/TRAILS	9	2	2	4	4	4	4	5	2	6	4	5	3	3	3	4	9	-
	3%	3%	2%	8%	4%	3%	3%	3%	3%	6%	3%	6%	3%	5%	3%	4%	4%	
SOCCER FIELDS	8	4	5	-	6	2	2	6	4	4	7	1	5	1	2	3	6	2
	3%	4%	4%		7%	2%	2%	4%	5%	4%	5%	1%	5%	1%	2%	3%	3%	4%
WATER GAMES/WATER PARK	7	5	2	-	7	6	-	7	6	1	2	1	7	2	6	4	6	1
	3%	6%	2%		9%	5%		5%	6%	1%	2%	1%	7%	4%	5%	4%	3%	2%

Continued

MV00048458

Table 31-1

Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
BASEBALL FIELDS	7	2	4	-	2	5	1	6	2	4	5	1	4	3	4	2	7	-
	3%	3%	4%		3%	4%	1%	4%	2%	3%	4%	1%	4%	5%	4%	3%	3%	
SWIMMING POOL FOR COMPETITIVE EVENTS	5	4	2	-	4	1	2	4	2	2	2	1	1	1	3	4	3	1
	2%	4%	1%		4%	1%	1%	2%	3%	1%	2%	1%	1%	1%	3%	4%	2%	2%
EQUESTRIAN FACILITIES	5	1	3	1	2	-	2	2	2	1	3	1	3	-	3	2	5	-
	2%	1%	2%	1%	3%		2%	2%	2%	1%	2%	1%	3%		3%	2%	2%	
ROLLER HOCKEY FACILITIES	4	1	3	-	1	4	1	4	-	1	2	1	1	2	4	1	3	1
	2%	1%	3%		1%	3%	1%	2%		1%	2%	1%	1%	4%	4%	1%	2%	2%
BMX, DIRT-BIKE OR OFF-ROAD PARK	4	1	4	-	-	4	1	4	1	2	1	4	2	1	2	2	4	-
	2%	1%	3%			3%	1%	2%	1%	2%	1%	4%	2%	2%	2%	3%	2%	
PICNIC/GROUP FACILITIES	3	2	1	-	1	2	1	2	3	-	3	-	-	-	-	3	2	1
	1%	3%	1%		1%	2%	1%	2%	3%		2%					3%	1%	2%
PARKS (GENERAL)	3	-	2	1	1	1	1	2	2	1	2	-	3	2	3	-	3	-
	1%		2%	2%	1%	1%	1%	2%	3%	1%	1%		3%	4%	3%		2%	
SWIMMING POOL (GENERAL)	3	-	2	1	1	1	2	1	-	1	1	1	-	-	1	1	2	1
	1%		2%	2%	1%	1%	2%	1%		1%	1%	1%			1%	1%	1%	2%
FOOTBALL FIELDS	2	1	1	-	1	2	-	2	2	-	1	-	2	2	-	1	2	-
	1%	1%	1%		1%	2%		2%	3%		1%		2%	4%		1%	1%	
TENNIS COURTS	2	1	1	-	1	1	-	2	1	1	1	1	2	-	1	1	2	-
	1%	1%	1%		1%	1%		2%	1%	1%	1%	1%	2%		1%	1%	1%	
SOFTBALL FIELDS	2	1	2	-	-	-	2	-	2	1	1	-	1	-	2	1	2	-
	1%	1%	1%				2%		2%	1%	1%		1%		1%	1%	1%	
GOLF COURSE/DRIVING RANGE	2	-	1	1	1	1	1	1	2	-	1	1	-	-	1	1	2	-
	1%		1%	1%	1%	1%	1%	1%	2%		1%	1%			1%	1%	1%	
VOLLEYBALL	2	-	2	-	1	1	1	1	2	-	2	-	1	2	1	1	1	1
	1%		2%		1%	1%	1%	1%	2%		1%		1%	3%	1%	1%	1%	2%

Continued

MV00048459

Table 31-1

Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
OUTDOOR BASKETBALL COURTS	1	1	-	-	1	1	-	1	-	-	1	-	1	1	1	1	1	-
	*	1%			1%	1%		1%			1%		1%	2%	1%	1%	1%	
INDOOR FACILITIES (NET)	36	10	19	7	5	11	22	13	8	16	18	13	8	4	10	10	27	7
	13%	11%	15%	13%	6%	9%	19%	9%	8%	15%	13%	15%	7%	7%	9%	11%	14%	13%
TEEN AND YOUTH CLUB FACILITIES AND PROGRAMS	6	-	5	1	1	2	3	2	2	2	3	2	2	-	1	-	5	-
	2%		4%	1%	1%	2%	3%	2%	2%	1%	2%	2%	2%		1%		2%	
ROLLER SKATING RINK	5	2	2	1	1	2	2	4	-	3	3	2	2	-	1	3	4	1
	2%	3%	2%	1%	1%	2%	1%	2%		3%	2%	3%	2%		1%	3%	2%	2%
GYMNASIUM	5	3	2	-	-	2	2	2	3	2	1	3	-	1	3	2	5	-
	2%	4%	1%			2%	2%	2%	3%	2%	1%	3%		1%	2%	2%	2%	
FITNESS CENTER	4	2	3	-	-	1	3	1	1	1	2	1	2	2	2	2	3	2
	2%	2%	2%			1%	3%	1%	1%	1%	2%	1%	1%	4%	1%	2%	1%	3%
PERFORMING ARTS CENTER	4	-	2	2	-	-	4	-	-	3	2	2	-	-	1	-	2	2
	1%		2%	3%			3%			3%	2%	2%			1%		1%	4%
SENIOR FACILITIES AND PROGRAMS	3	-	1	3	-	-	3	-	-	3	2	1	-	-	1	1	1	2
	1%		1%	5%			3%			3%	1%	1%			1%	1%	*	4%
ICE SKATING RINK	3	1	2	-	-	1	2	1	-	1	3	-	2	-	1	2	3	-
	1%	1%	1%			1%	1%	1%		1%	2%		1%		1%	2%	1%	
INDOOR BASKETBALL COURTS	2	1	-	1	1	-	1	1	-	1	2	-	-	-	-	-	2	-
	1%	1%		2%	1%		1%	1%		1%	2%						1%	
COMMUNITY CENTER FOR CLASSES	2	-	2	-	1	1	1	1	1	-	-	1	-	1	1	1	2	-
	1%		2%		1%	1%	1%	1%	1%			1%		2%	1%	1%	1%	
LIBRARY	2	-	2	-	-	-	2	-	1	1	-	2	1	-	1	-	2	-
	1%		1%				1%		1%	1%		2%	1%		1%		1%	
ALL OTHERS	33	14	13	5	6	13	15	18	10	16	15	11	10	8	12	9	22	9
	12%	16%	11%	10%	7%	11%	13%	12%	11%	15%	11%	12%	9%	14%	10%	10%	11%	19%

Continued

MV000048460

Table 31-1

Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
NONE	58	9	30	20	12	16	36	22	9	29	28	21	17	10	19	17	36	9
	22%	10%	24%	35%	15%	14%	31%	15%	10%	28%	20%	24%	16%	16%	17%	18%	18%	19%

MV00048461

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 32-1
Q.15 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED INDOOR RECREATICN FACILITIES SUCH AS A RECREATION CENTER, COMMUNITY CENTER, INDOOR CLASSES OR LESSONS, ETC. IN OR OUTSIDE OF MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	1	1	-	1	2	-	2	1	-	1	-	1	-	-	-	1	-
	1%	1%	1%		1%	2%		1%	1%		1%		1%				1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	95	136	69	90	126	136	164	104	124	156	94	113	67	125	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
FREQUENT USERS (SUBTOTAL)	67	28	26	14	24	37	24	44	34	16	31	22	43	67	35	23	56	11
	23%	29%	19%	20%	27%	29%	17%	27%	33%	13%	20%	23%	38%	100%	28%	22%	25%	20%
MORE THAN ONCE A WEEK	34	11	15	8	13	20	11	23	18	6	16	11	18	34	22	11	27	7
	11%	12%	11%	12%	15%	16%	8%	14%	17%	5%	10%	12%	16%	51%	17%	11%	12%	13%
ONCE A WEEK OR 3 TO 4 TIMES PER MONTH	33	16	11	6	11	17	12	21	16	10	16	11	25	33	14	12	29	3
	11%	17%	8%	9%	12%	14%	9%	13%	15%	8%	10%	11%	22%	49%	11%	11%	13%	6%
MODERATE USERS (SUBTOTAL)	68	29	28	11	27	31	22	45	25	25	36	25	27	-	28	22	54	12
	23%	31%	20%	16%	30%	24%	16%	28%	24%	20%	23%	27%	24%		22%	21%	25%	22%
ONCE OR TWICE A MONTH	19	10	7	2	10	6	6	12	8	7	10	5	11	-	7	5	14	4
	6%	11%	5%	3%	11%	5%	5%	7%	8%	5%	7%	6%	10%		6%	5%	6%	8%
SEVERAL TIMES A YEAR	49	19	21	9	17	24	16	33	17	18	26	20	16	-	21	18	40	8
	16%	20%	15%	13%	19%	19%	12%	20%	17%	15%	17%	21%	14%		16%	17%	18%	14%
INFREQUENT USERS (SUBTOTAL)	164	38	83	44	39	59	90	74	44	83	88	47	44	-	62	59	111	31
	55%	40%	61%	64%	43%	47%	66%	46%	43%	67%	57%	50%	39%		50%	57%	50%	58%
ONCE A YEAR	37	14	19	4	10	13	19	18	12	14	23	11	12	-	19	20	30	6
	12%	15%	14%	6%	11%	11%	14%	11%	12%	12%	15%	12%	10%		15%	19%	13%	11%
NO USE	127	24	63	40	29	45	71	56	32	68	65	36	32	-	43	40	82	26
	42%	25%	46%	58%	32%	36%	52%	34%	31%	55%	42%	39%	28%		34%	38%	37%	48%

MV00048462

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 33-1
Q.16 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	58	20	26	13	21	23	25	33	16	28	32	15	24	17	26	22	44	9
	19%	21%	19%	19%	23%	18%	19%	20%	16%	22%	20%	16%	21%	26%	21%	21%	20%	16%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	244	76	112	56	71	105	111	133	89	96	125	79	90	50	99	82	179	45
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DANCE INSTRUCTION OR CLASSES	16	7	5	4	5	11	4	12	5	4	10	4	11	8	10	8	12	3
	7%	9%	5%	8%	7%	10%	4%	9%	6%	4%	8%	5%	12%	15%	10%	10%	7%	6%
SWIMMING LESSONS	14	8	5	-	4	7	5	9	8	2	6	5	7	2	4	6	9	3
	6%	11%	5%		5%	7%	5%	6%	9%	2%	5%	6%	8%	4%	4%	8%	5%	7%
AEROBICS, SPINNING, OR FITNESS INSTRUCTION OR CLASSES	12	4	3	6	2	5	7	5	6	4	7	4	2	4	5	5	11	1
	5%	5%	2%	10%	3%	5%	7%	4%	6%	4%	6%	5%	3%	9%	5%	6%	6%	2%
ARTS OR CRAFTS INSTRUCTION OR CLASSES	11	2	8	1	4	6	5	6	2	5	7	3	4	3	7	-	8	1
	4%	3%	7%	1%	5%	6%	4%	5%	3%	5%	6%	4%	5%	6%	7%		4%	3%
READING, LANGUAGE, SPELLING OR WRITING INSTRUCTION OR CLASSES	10	3	6	-	4	6	3	6	6	2	6	1	4	1	2	3	6	4
	4%	4%	6%		5%	6%	3%	5%	7%	2%	5%	2%	5%	2%	2%	4%	3%	8%
PERSONAL DEVELOPMENT OR BUSINESS INSTRUCTION OR CLASSES	9	1	5	2	2	6	3	6	2	2	6	3	3	1	4	3	7	2
	4%	2%	5%	4%	3%	6%	2%	5%	2%	3%	4%	4%	3%	2%	4%	4%	4%	4%
MARTIAL ARTS CLASSES	8	5	3	-	5	5	2	6	5	2	6	3	2	1	5	4	8	1
	3%	7%	3%		7%	5%	2%	5%	6%	2%	5%	3%	2%	2%	5%	4%	4%	2%
COOKING INSTRUCTION OR CLASSES	6	4	2	1	4	4	2	4	4	2	2	1	4	4	3	3	6	-
	2%	5%	1%	1%	5%	3%	2%	3%	5%	2%	2%	1%	4%	7%	3%	4%	3%	
MUSIC INSTRUCTION OR CLASSES	5	2	1	2	1	1	3	2	2	2	4	-	3	1	2	1	5	-
	2%	3%	1%	4%	2%	1%	2%	2%	3%	2%	3%		4%	2%	2%	1%	3%	

Continued

MV00048463

Table 33-1

Q.16 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
EARLY CHILDHOOD DEVELOPMENT CLASSES	4 2%	1 2%	2 2%	1 1%	2 3%	1 1%	1 1%	4 3%	1 1%	2 3%	2 2%	2 3%	2 3%	-	1 1%	1 1%	4 2%	-
GYMNASTICS INSTRUCTION OR CLASSES	4 2%	3 4%	2 1%	-	1 2%	-	3 3%	1 1%	4 5%	-	2 2%	1 2%	2 2%	1 2%	2 2%	3 3%	3 2%	1 2%
YOGA, MEDITATION, OR STRESS RELIEF INSTRUCTION OR CLASSES	4 2%	1 2%	3 3%	-	1 2%	1 1%	3 3%	1 1%	2 2%	2 2%	3 3%	1 1%	2 2%	-	2 2%	3 4%	3 2%	2 3%
OUTDOOR CONCERTS	3 1%	-	2 2%	1 1%	-	1 1%	2 2%	1 1%	1 1%	2 2%	1 1%	2 3%	-	1 2%	-	1 1%	1 1%	1 3%
SCIENCE OR NATURE INSTRUCTION OR CLASSES	3 1%	-	2 2%	1 2%	1 2%	-	2 2%	1 1%	1 1%	1 1%	-	3 4%	2 3%	-	1 1%	1 1%	2 1%	1 2%
BASKETBALL	2 1%	1 2%	1 1%	-	-	2 2%	-	2 2%	1 1%	1 1%	1 1%	1 2%	1 1%	1 2%	-	-	2 1%	-
BEFORE OR AFTER SCHOOL DAY CARE	2 1%	1 2%	1 1%	-	2 3%	2 2%	-	2 2%	2 3%	-	2 2%	-	-	-	2 2%	1 1%	1 1%	1 3%
DRAMA INSTRUCTION OR CLASSES	2 1%	1 2%	1 1%	-	1 2%	2 2%	-	2 2%	1 1%	1 1%	2 2%	-	1 1%	-	1 1%	-	2 1%	-
SOCCER	2 1%	2 3%	-	-	2 3%	1 1%	-	2 2%	2 3%	-	1 1%	1 2%	1 1%	-	-	2 3%	2 1%	-
PLAYS	2 1%	-	1 1%	1 2%	-	-	2 2%	-	-	2 2%	2 2%	-	1 1%	-	-	1 1%	2 1%	-
BASEBALL OR SOFTBALL	1 1%	1 2%	-	-	1 2%	1 1%	-	1 1%	1 1%	-	-	-	1 1%	-	1 1%	1 1%	-	1 3%
PARENTING CLASSES	1 1%	1 2%	-	-	1 2%	-	-	1 1%	1 1%	-	-	-	1 1%	-	1 1%	-	1 1%	-
PRE-SCHOOL CARE	1 1%	-	-	1 2%	1 2%	1 1%	-	1 1%	1 1%	-	1 1%	-	-	-	-	-	1 1%	-

Continued

MV00048464

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 33-1
Q.16 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
CAMPS FOR SCHOOL-AGE CHILDREN DURING RECESS OR VACATION PERIODS	1 *	1 1%	-	-	-	-	1 1%	-	-	1 1%	1 1%	-	1 1%	-	1 1%	-	-	1 2%
GOLF	1 *	-	1 1%	-	-	-	1 1%	-	-	-	-	-	1 1%	-	1 1%	1 1%	1 *	-
TENNIS	1 *	-	-	1 1%	-	-	1 1%	-	-	-	1 1%	-	1 1%	-	-	-	1 *	-
VOLLEYBALL	1 *	-	1 1%	-	-	-	1 1%	-	-	-	-	1 1%	-	-	1 1%	-	1 *	-
ALL OTHERS	44 18%	12 15%	22 20%	10 18%	11 16%	15 14%	22 20%	22 17%	10 11%	22 23%	18 14%	18 23%	10 11%	10 20%	17 18%	11 13%	30 17%	10 23%
NONE	72 29%	14 18%	34 31%	24 43%	13 19%	24 23%	39 35%	33 25%	17 19%	37 39%	32 25%	24 30%	22 24%	12 24%	25 25%	23 28%	48 27%	13 29%

MV000048465

Table 34-1

Q.17A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	2	-	-	2	1	-	2	1	-	1	-	2	-	2	-	2	-
	1%	3%			3%	1%		1%	1%		1%		2%		2%		1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	93	137	69	89	127	136	164	104	124	156	94	112	67	123	105	221	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	59	16	24	18	12	17	36	23	19	26	29	11	13	9	25	17	34	11
	20%	18%	18%	27%	14%	13%	26%	14%	18%	21%	18%	12%	12%	13%	21%	16%	16%	21%
ONE OR MORE (SUBTOTAL)	240	77	113	50	77	110	100	140	85	98	127	83	99	58	97	88	186	43
	80%	82%	82%	73%	86%	87%	74%	86%	82%	79%	82%	88%	88%	87%	79%	84%	84%	79%
ONE	50	9	21	20	7	16	34	16	14	28	32	13	15	10	10	13	38	6
	17%	10%	15%	29%	8%	13%	25%	10%	14%	23%	21%	14%	13%	14%	8%	13%	17%	11%
TWO	72	21	35	16	16	21	39	33	21	33	35	26	27	16	30	34	58	13
	24%	23%	25%	24%	18%	16%	29%	20%	21%	27%	23%	27%	24%	23%	24%	33%	26%	23%
THREE	46	22	21	3	17	24	12	34	14	19	22	18	20	8	23	20	34	11
	15%	24%	15%	5%	19%	19%	9%	21%	13%	15%	14%	19%	18%	12%	19%	19%	15%	21%
FOUR	29	8	15	5	10	16	8	21	12	10	13	14	18	10	16	8	22	7
	10%	9%	11%	8%	11%	13%	6%	13%	12%	8%	8%	15%	16%	14%	13%	8%	10%	12%
FIVE	19	5	13	2	11	16	2	17	11	3	11	5	10	8	10	6	15	3
	6%	5%	9%	2%	12%	13%	2%	10%	10%	2%	7%	6%	9%	12%	8%	5%	7%	6%
SIX OR MORE	23	11	9	4	16	17	4	20	13	5	14	7	9	7	8	6	19	3
	8%	12%	6%	5%	18%	13%	3%	12%	12%	4%	9%	7%	8%	11%	7%	6%	9%	6%
MEAN	2.4	2.7	2.5	1.7	3.3	3.1	1.6	3.0	2.8	1.9	2.4	2.6	2.8	2.9	2.5	2.4	2.5	2.4
MEDIAN	2	2	2	1	3	3	1	3	2	2	2	2	3	2	2	2	2	2

Continued

MV00048466

Table 34-1

Q.17A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME		FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS					EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.0	2.1	1.9	1.8	2.3	2.2	1.5	2.1	2.2	1.7	2.0	1.8	1.9	2.1	1.9	1.8	2.0	1.9
STANDARD ERROR	0.11	0.21	0.16	0.21	0.24	0.19	0.13	0.16	0.22	0.15	0.16	0.19	0.18	0.25	0.17	0.17	0.13	0.25

MV00048467

Table 35-1

Q.17B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - ART GALLERIES, ART FESTIVALS AND EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	-	1	-	-	1	-	-	1	1	-	-	-	-	-	1	-
	*			2%			1%			1%	1%						1%	
REFUSED	1	1	-	-	1	1	-	1	1	-	-	-	1	1	-	1	1	-
	*	1%			1%	1%		1%	1%				1%	2%		1%	1%	
BASE: THOSE RESPONDING	300	95	137	68	90	127	135	165	104	123	156	94	113	66	125	103	221	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	86	27	35	23	18	29	47	39	20	44	43	23	24	16	36	28	53	18
	29%	29%	26%	34%	20%	23%	35%	24%	19%	36%	27%	24%	21%	24%	29%	27%	24%	33%
ONE OR MORE (SUBTOTAL)	214	67	102	45	72	98	88	126	84	79	113	71	89	51	89	75	168	36
	71%	71%	74%	66%	80%	77%	65%	76%	81%	64%	73%	76%	79%	76%	71%	73%	76%	67%
ONE	53	11	23	19	7	17	35	18	19	24	28	16	16	10	16	16	45	5
	18%	11%	17%	28%	8%	13%	26%	11%	18%	20%	18%	17%	14%	15%	13%	16%	21%	9%
TWO	64	15	34	16	16	22	32	32	19	29	35	24	28	14	24	29	52	10
	21%	16%	25%	23%	18%	17%	24%	19%	18%	24%	22%	25%	25%	21%	19%	28%	24%	19%
THREE	36	18	14	4	15	17	11	26	15	12	18	12	19	9	16	13	23	10
	12%	19%	10%	6%	16%	13%	8%	16%	15%	10%	12%	13%	17%	13%	13%	13%	11%	19%
FOUR	28	8	17	3	10	16	7	21	10	9	13	12	13	6	16	6	20	7
	9%	8%	13%	4%	11%	13%	5%	13%	9%	7%	8%	13%	12%	10%	12%	6%	9%	12%
FIVE	15	5	9	1	10	12	2	13	9	2	9	3	5	6	11	4	11	2
	5%	5%	7%	1%	11%	10%	1%	8%	9%	2%	5%	3%	4%	9%	8%	4%	5%	4%
SIX OR MORE	18	11	4	2	15	13	2	16	12	2	11	4	8	6	7	6	16	2
	6%	12%	3%	4%	16%	11%	1%	10%	11%	2%	7%	5%	7%	9%	5%	5%	7%	4%
MEAN	2.0	2.4	2.0	1.4	3.0	2.6	1.3	2.5	2.6	1.5	2.1	2.1	2.3	2.4	2.2	1.9	2.1	2.0
MEDIAN	2	2	2	1	3	2	1	2	2	1	2	2	2	2	2	2	2	2

Continued

MV000048468

Table 35-1

Q.17B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - ART GALLERIES, ART FESTIVALS AND EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.9	2.2	1.8	1.6	2.3	2.2	1.4	2.1	2.2	1.5	2.0	1.8	1.9	2.1	2.0	1.8	2.0	1.8
STANDARD ERROR	0.11	0.23	0.15	0.19	0.25	0.20	0.12	0.17	0.21	0.14	0.16	0.19	0.18	0.26	0.18	0.18	0.13	0.25

MV00048469

Table 36-1

Q.17C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - MUSEUM OR INTERPRETIVE CENTER

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	6	1	1	3	-	5	1	5	1	2	2	2	2	2	2	3	4	-
	2%	1%	1%	5%		4%	1%	3%	1%	2%	2%	2%	2%	4%	2%	3%	2%	
REFUSED	1	1	-	-	1	1	-	1	1	-	-	-	1	1	-	1	1	-
	*	1%			1%	1%		1%	1%				1%	2%		1%	1%	
BASE: THOSE RESPONDING	295	93	136	66	90	122	135	160	103	122	155	92	111	64	123	100	218	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	78	24	29	25	17	29	39	39	22	37	41	19	21	12	30	22	52	15
	26%	25%	22%	38%	19%	24%	29%	24%	21%	30%	26%	21%	19%	18%	24%	22%	24%	27%
ONE OR MORE (SUBTOTAL)	217	70	107	41	73	93	96	121	81	85	114	73	90	52	93	78	167	39
	74%	75%	78%	62%	81%	76%	71%	76%	79%	70%	74%	79%	81%	82%	76%	78%	76%	73%
ONE	41	5	19	16	2	7	33	7	11	24	21	14	14	7	14	11	31	4
	14%	6%	14%	25%	3%	6%	25%	5%	11%	19%	14%	15%	12%	11%	11%	11%	14%	7%
TWO	54	13	25	16	7	11	39	16	14	27	26	21	15	8	19	25	39	12
	18%	14%	19%	24%	8%	9%	28%	10%	14%	22%	17%	23%	14%	12%	15%	25%	18%	23%
THREE	37	17	18	2	12	21	10	27	10	16	19	10	16	8	16	9	30	7
	12%	19%	13%	2%	14%	17%	7%	17%	9%	13%	12%	11%	14%	12%	13%	9%	14%	13%
FOUR	43	13	25	5	18	23	11	32	16	13	25	15	26	14	24	16	34	6
	15%	14%	18%	7%	20%	19%	8%	20%	16%	11%	16%	16%	23%	22%	19%	16%	16%	11%
FIVE	26	13	13	-	21	20	1	26	20	1	15	7	11	8	13	12	20	7
	9%	14%	10%		23%	16%	1%	16%	20%	1%	9%	8%	10%	13%	11%	12%	9%	13%
SIX OR MORE	16	7	6	2	12	11	3	13	9	4	9	6	8	7	8	4	13	3
	5%	8%	5%	4%	14%	9%	2%	8%	9%	3%	6%	6%	7%	11%	6%	4%	6%	6%
MEAN	2.3	2.7	2.4	1.3	3.5	2.9	1.5	2.9	2.9	1.7	2.3	2.4	2.8	3.0	2.5	2.4	2.4	2.4
MEDIAN	2	3	2	1	4	3	1	3	3	2	2	2	3	3	2	2	2	2

Continued

MV00048470

Table 36-1

Q.17C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - MUSEUM OR INTERPRETIVE CENTER

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.0	2.1	1.9	1.6	2.2	2.2	1.5	2.2	2.2	1.7	2.0	1.9	2.0	2.2	2.1	1.9	2.0	2.0
STANDARD ERROR	0.12	0.22	0.16	0.20	0.23	0.20	0.13	0.17	0.22	0.15	0.16	0.20	0.19	0.27	0.19	0.19	0.14	0.28

MV00048471

Table 37-1

Q.18 - ARE ANY OF THE ADULTS LIVING IN YOUR HOUSEHOLD EMPLOYED OUTSIDE THE HOME AT A LOCATION IN MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	-	1	-	-	-	-	-	1	-	-	1	-	1
	*		1%				1%						1%			1%		1%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	137	69	92	128	135	166	105	124	157	94	114	67	125	104	223	53
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
YES	125	41	65	20	45	55	53	72	46	47	61	46	51	35	125	43	97	23
	42%	43%	47%	28%	49%	43%	39%	43%	43%	38%	39%	49%	45%	52%	100%	42%	43%	42%
NO	176	55	72	49	46	73	82	94	59	77	96	48	63	32	-	60	126	31
	58%	57%	53%	72%	51%	57%	61%	57%	57%	62%	61%	51%	55%	48%		58%	57%	58%

MV00048472

Table 38-1

Q.19 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW MANY OF THOSE MEMBERS OF YOUR HOUSEHOLD EMPLOYED IN MORENO VALLEY PARTICIPATED IN EMPLOYER-SPONSORED RECREATION AT ANY PARKS AND RECREATION FACILITIES IN MORENO VALLEY?

BASE: HOUSEHOLD MEMBERS EMPLOYED IN MORENO VALLEY

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	125	41	65	20	45	55	53	72	46	47	61	46	51	35	125	43	97	23
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	1	1	-	1	1	-	1	-	-	1	1	-	1	-
	1%		2%		3%	2%		2%	3%		2%			3%	1%		1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	124	41	63	20	44	54	53	71	44	47	60	46	51	34	124	43	96	23
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	82	23	44	15	27	33	39	43	28	39	37	36	31	19	82	32	61	16
	66%	56%	69%	76%	61%	61%	74%	60%	63%	83%	62%	78%	61%	57%	66%	74%	64%	70%
ONE OR MORE (SUBTOTAL)	42	18	19	5	17	21	14	28	16	8	23	10	20	15	42	11	35	7
	34%	44%	31%	24%	39%	39%	26%	40%	37%	17%	38%	22%	39%	43%	34%	26%	36%	30%
ONE	18	7	9	2	4	10	7	11	6	6	8	4	8	4	18	2	16	2
	15%	18%	14%	10%	8%	18%	14%	16%	13%	12%	14%	9%	16%	11%	15%	5%	17%	7%
TWO	19	9	8	3	11	9	6	13	9	2	12	5	7	9	19	8	16	4
	16%	22%	12%	14%	25%	16%	11%	19%	20%	5%	21%	11%	14%	27%	16%	18%	16%	17%
THREE	2	1	1	-	1	-	1	1	1	-	1	1	2	1	2	-	2	-
	2%	2%	2%		3%		1%	2%	2%		1%	3%	4%	2%	2%		2%	
FOUR	1	-	1	-	1	1	-	1	1	-	1	-	1	-	1	1	1	-
	1%		2%		3%	2%		2%	3%		2%		2%		1%	3%	1%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	1	1	-	-	-	1	-	1	-	-	-	-	1	1	1	-	-	1
	1%	3%				2%		2%					2%	4%	1%			5%
MEAN	0.6	0.9	0.5	0.4	0.8	0.8	0.4	0.8	0.7	0.2	0.7	0.4	0.8	1.0	0.6	0.5	0.6	0.8

Continued

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Table 38-1

Q.19 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW MANY OF THOSE MEMBERS OF YOUR HOUSEHOLD EMPLOYED IN MORENO VALLEY PARTICIPATED IN EMPLOYER-SPONSORED RECREATION AT ANY PARKS AND RECREATION FACILITIES IN MORENO VALLEY?

BASE: HOUSEHOLD MEMBERS EMPLOYED IN MORENO VALLEY

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	C	0	0	0	0
STANDARD DEVIATION	1.1	1.4	0.9	0.7	1.1	1.3	0.7	1.3	1.0	0.5	1.0	0.8	1.4	1.5	1.1	1.0	0.9	1.7
STANDARD ERROR	0.10	0.22	0.12	0.16	0.16	0.18	0.10	0.15	0.15	0.08	0.13	0.12	0.20	0.25	0.10	0.15	0.09	0.35

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RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 39-1
Q.20 - WOULD YOU PLEASE TELL ME THE ETHNIC CATEGORY WITH WHICH YOU IDENTIFY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	9	2	6	1	-	6	3	6	-	-	2	2	4	1	3	2	4	5
	3%	3%	4%	1%		5%	2%	4%			2%	2%	4%	2%	3%	1%	2%	9%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	293	93	131	68	92	122	133	160	105	124	155	92	110	66	122	103	219	49
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
WHITE	130	21	62	47	21	37	85	45	6	124	64	48	34	17	49	45	92	20
	44%	22%	48%	68%	23%	30%	64%	28%	6%	100%	42%	52%	31%	26%	40%	43%	42%	42%
HISPANIC/MEXICAN AMERICAN	92	47	36	9	49	49	22	71	92	-	51	23	46	33	40	37	76	15
	32%	50%	28%	14%	53%	40%	16%	44%	88%		33%	25%	41%	50%	33%	36%	35%	30%
BLACK OR AFRICAN-AMERICAN	56	21	24	11	20	32	19	37	3	-	31	16	23	15	27	15	41	11
	19%	22%	18%	17%	21%	26%	14%	23%	3%		20%	17%	21%	23%	22%	15%	19%	22%
ASIAN/PACIFIC ISLANDER	8	2	5	1	1	2	5	4	3	-	3	4	5	-	5	4	6	2
	3%	3%	4%	1%	1%	2%	3%	2%	3%		2%	4%	5%		4%	4%	3%	3%
OTHER	7	3	4	-	1	2	3	4	-	-	5	1	2	1	1	2	4	2
	2%	3%	3%		1%	2%	2%	2%			3%	1%	2%	1%	1%	2%	2%	3%

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Table 40-1
Q.21 - PLEASE TELL ME IF YOU ARE OF SPANISH/HISPANIC ORIGIN OR DESCENT
BASE: HISPANIC/MEXICAN AMERICAN NOT MENTIONED IN PREVIOUS QUESTION

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	210	49	101	59	43	79	114	95	13	124	106	71	69	34	85	68	147	39
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	8	3	3	2	-	4	5	4	-	-	3	1	4	2	4	2	3	5
	4%	7%	3%	3%		5%	4%	4%			3%	1%	6%	6%	5%	3%	2%	12%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	201	46	98	58	43	76	110	92	13	124	104	70	65	32	81	65	144	35
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
YES	13	5	5	2	5	5	6	6	13	-	6	7	6	1	5	7	10	2
	6%	11%	6%	4%	11%	6%	6%	7%	100%		6%	10%	10%	2%	6%	10%	7%	7%
NO	189	41	92	56	38	71	103	85	-	124	98	63	58	31	76	59	134	32
	94%	89%	94%	96%	89%	94%	94%	93%		100%	94%	90%	90%	98%	94%	90%	93%	93%

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Table 41-1
Q.20/21 - ETHNICITY

	TOTAL	AGE OF HEAD OF HOUSEHOLD: UNDER 40	40-59	60 OR OVER	CHILDREN IN HOUSEHOLD: CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	ETHNICITY: HISPANIC	NON-HISPANIC WHITE	INCOME: UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING: EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
REFUSED	9	2	6	1	-	6	3	6	-	-	2	2	4	1	3	2	4	5
	3%	3%	4%	1%		5%	2%	4%			2%	2%	4%	2%	3%	1%	2%	9%
DON'T KNOW	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	293	93	131	68	92	122	133	160	105	124	155	92	110	66	122	103	219	49
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
NON-HISPANIC WHITE	124	20	60	44	18	34	81	43	-	124	62	45	33	16	47	41	87	19
	42%	21%	45%	65%	20%	28%	61%	27%		100%	40%	49%	30%	25%	39%	40%	40%	38%
HISPANIC/MEXICAN AMERICAN	105	52	42	12	54	54	28	77	105	-	57	30	52	34	46	43	86	17
	36%	55%	32%	17%	59%	44%	21%	48%	100%		37%	32%	47%	51%	37%	42%	39%	35%
NON-HISPANIC BLACK OR AFRICAN-AMERICAN	52	19	22	11	18	31	17	35	-	-	28	16	21	15	26	14	37	11
	18%	21%	17%	17%	20%	25%	13%	22%			18%	17%	19%	23%	21%	14%	17%	22%
NON-HISPANIC ASIAN/PACIFIC ISLANDER	5	-	4	1	-	1	4	1	-	-	3	1	2	-	3	2	3	1
	2%		3%	1%		1%	3%	1%			2%	1%	2%		2%	2%	2%	2%
NON-HISPANIC OTHER	7	3	4	-	1	2	3	4	-	-	5	1	2	1	1	2	4	2
	2%	3%	3%		1%	2%	2%	2%			3%	1%	2%	1%	1%	2%	2%	3%

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RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 42-1
Q.22 - WHICH OF THE FOLLOWING RANGES INCLUDES YOUR HOUSEHOLD'S ANNUAL INCOME BEFORE TAXES?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	31	16	11	4	9	16	14	17	16	6	-	-	14	12	13	7	22	6
	10%	17%	8%	6%	9%	12%	10%	10%	15%	5%			13%	17%	10%	7%	10%	12%
REFUSED	20	6	10	4	2	7	11	9	3	11	-	-	5	3	5	10	9	7
	7%	6%	7%	5%	3%	6%	8%	5%	3%	9%			5%	4%	4%	9%	4%	12%
BASE: THOSE RESPONDING	251	73	116	61	81	105	111	140	86	106	157	94	95	53	107	87	192	41
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
UNDER $25,000	38	14	13	11	15	17	18	21	18	12	38	-	14	8	10	10	27	9
	15%	19%	11%	18%	18%	16%	16%	15%	21%	11%	24%		15%	16%	10%	11%	14%	21%
$25,000 - $49,999	52	16	20	16	18	24	21	31	19	16	52	-	24	12	23	9	38	9
	21%	22%	17%	26%	23%	23%	19%	22%	22%	15%	33%		25%	22%	22%	10%	20%	21%
$50,000 - $74,999	67	23	34	9	23	27	25	42	20	33	67	-	29	12	27	35	59	4
	27%	32%	29%	15%	29%	26%	23%	30%	23%	31%	43%		31%	22%	26%	40%	31%	11%
$75,000 AND ABOVE	94	20	49	25	24	37	46	48	30	45	-	94	27	22	46	33	68	19
	37%	27%	42%	41%	30%	35%	42%	34%	34%	42%		100%	29%	41%	43%	38%	35%	47%
MEAN	64.9	58.9	69.3	63.5	60.5	62.8	66.6	63.5	61.1	69.6	43.9	100.0	60.9	65.7	69.0	69.6	64.9	65.9
MEDIAN	63.1	56.9	68.4	59.5	57.9	60.2	66.0	61.4	57.9	68.6	44.3	100.0	58.1	64.3	68.0	67.7	63.1	68.1
STANDARD DEVIATION	30.4	29.2	29.3	32.6	29.9	30.5	31.3	29.6	31.6	29.0	17.3	-	28.8	31.4	29.5	27.4	29.5	34.1
STANDARD ERROR	1.9	3.4	2.7	4.2	3.3	3.0	3.0	2.5	3.4	2.8	1.4	-	3.0	4.3	2.9	2.9	2.1	5.3

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Table 1 GENDER

Table 2 Q.1 - ZIP CODE

Table 3 Q.2 - DO YOU LIVE IN MORENO VALLEY?

Table 4 Q.3 - HOW MANY PEOPLE RESIDE IN YOUR HOUSEHOLD, INCLUDING YOURSELF?

Table 5 Q.4 - AGE OF HEAD OF HOUSEHOLD

Table 6 Q.4 - AGE OF TOTAL HOUSEHOLD MEMBERS

Table 7 Q.5 - WHICH OF THESE CATEGORIES BEST DESCRIBES YOUR HOUSEHOLD?

Table 8 Q.6 - WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

Table 9 Q.7 - REFLECTING UPON THE RECREATION PATTERNS OF THOSE IN YOUR HOUSEHOLD, WHICH OF THE FOLLOWING BENEFITS DO YOU FEEL IS MOST IMPORTANT WHEN YOU OR THE MEMBERS OF YOUR HOUSEHOLD SEEK RECREATION OR LEISURE OPPORTUNITIES?

Table 10 Q.8 - IF YOU NEED INFORMATION ABOUT MORENO VALLEY RECREATION OR PARKS PROGRAMS OR FACILITIES, WHERE DO YOU GO TO GET THAT INFORMATION?

Table 11 Q.9 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED ANY PARKS AND RECREATION FACILITIES IN OR OUTSIDE OF MORENO VALLEY?

Table 12 Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.

Table 13 Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

Table 14 Q.12A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF PLAY EQUIPMENT, TOT LOTS

Table 15 Q.12B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PICNICKING IN DEVELOPED SITES

Table 16 Q.12C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

Table 17 Q.12D - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

Table 18 Q.12E - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

Table 19 Q.12F - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

Table 20 Q.12G - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

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Table 21 Q.12H - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASKETBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

Table 22 Q.12I - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOFTBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

Table 23 Q.12J - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - FOOTBALL: ORGANIZED GAMES FOR YOUTH (NON-SCHOOL)

Table 24 Q.12K - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - TENNIS (NON-SCHOOL)

Table 25 Q.12L - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BICYCLING FOR RECREATION/FITNESS

Table 26 Q.12M - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SKATEBOARDING

Table 27 Q.12N - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - GOLFING

Table 28 Q.12O - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - DOG PARK USE

Table 29 Q.12P - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

Table 30 Q.13 - HOW WOULD YOU RATE THE MAINTENANCE OF RECREATION AND PARKS FACILITIES IN MORENO VALLEY?

Table 31 Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

Table 32 Q.15 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED INDOOR RECREATION FACILITIES SUCH AS A RECREATION CENTER, COMMUNITY CENTER, INDOOR CLASSES OR LESSONS, ETC. IN OR OUTSIDE OF MORENO VALLEY?

Table 33 Q.16 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

Table 34 Q.17A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

Table 35 Q.17B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - ART GALLERIES, ART FESTIVALS AND EVENTS

Table 36 Q.17C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - MUSEUM OR INTERPRETIVE CENTER

Table 37 Q.18 - ARE ANY OF THE ADULTS LIVING IN YOUR HOUSEHOLD EMPLOYED OUTSIDE THE HOME AT A LOCATION IN MORENO VALLEY?

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Table 38 Q.19 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW MANY OF THOSE MEMBERS OF YOUR HOUSEHOLD EMPLOYED IN MORENO VALLEY PARTICIPATED IN EMPLOYER-SPONSORED RECREATION AT ANY PARKS AND RECREATION FACILITIES IN MORENO VALLEY?

Table 39 Q.20 - WOULD YOU PLEASE TELL ME THE ETHNIC CATEGORY WITH WHICH YOU IDENTIFY?

Table 40 Q.21 - PLEASE TELL ME IF YOU ARE OF SPANISH/HISPANIC ORIGIN OR DESCENT

Table 41 Q.20/21 - ETHNICITY

Table 42 Q.22 - WHICH OF THE FOLLOWING RANGES INCLUDES YOUR HOUSEHOLD'S ANNUAL INCOME BEFORE TAXES?

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Prior to referencing any details within the following section "City of Moreno Valley Standard Plans," confirm with the City of Moreno Valley as to which version is the most recent. It is the viewer's responsibility to ensure that the most recent details are being referenced within any documentation or design. These details are here for reference only.

MV00048483

CITY OF MORENO VALLEY STANDARD PLANS

JANUARY 2008 EDITION

Chris A. Vogt, P.E.
Director of Public Works / City Engineer

City of Moreno Valley • P.O. Box 88005, Moreno Valley, CA 92552-0805 • (951) 413-3100

FORWARD

THE ORIGINAL EDITION APPROVED IN 1994, OF THE CITY OF MORENO VALLEY STANDARD PLANS MARKED THE CULMINATION OF YEARS OF EFFORT BY CITY STAFF WORKING IN COOPERATION WITH ORGANIZATIONS SUCH AS THE SOUTHERN CALIFORNIA EDISON COMPANY, THE GAS COMPANY, VERIZON (FORMERLY GTE CALIFORNIA), AND EASTERN MUNICIPAL WATER DISTRICT, AS WELL AS PRIVATE MEMBERS OF THE CONSTRUCTION INDUSTRY.

SUBSEQUENT TO THE 1994 EDITION, CHANGES HAVE BEEN MADE OVER THE YEARS TO THE STANDARD PLANS TO KEEP UP WITH INDUSTRY STANDARDS AND MAINTAIN MINIMUM ACCEPTABLE STANDARDS FOR QUALITY DESIGN AND CONSTRUCTION WORK IN THE CITY OF MORENO VALLEY.

CHANGES TO THE FEBRUARY 2007 EDITION HAVE BEEN RESEARCHED AND APPROVED. THIS NEW JANUARY 2008 EDITION MAINTAINS A "LIVING" DOCUMENT OF THE CITY OF MORENO VALLEY STANDARD PLANS.

THESE STANDARD PLANS ANSWER THE NEED FOR UNIFORM DESIGN STANDARDS, AND WILL BENEFIT BOTH THE GENERAL PUBLIC AND PRIVATE CONTRACTING INDUSTRY BY ELIMINATING CONFLICTS AND CONFUSION, LOWERING CONSTRUCTION COSTS, AND ENCOURAGING MORE COMPETITIVE BIDDING BY PRIVATE CONTRACTORS.

ROBERT G. GUTIERREZ
CITY MANAGER

CHRIS A. VOGT
PUBLIC WORKS DIRECTOR / CITY ENGINEER

ADOPTED BY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

RESOLUTION NO. 2008-11

JANUARY 2008

City of Moreno Valley•P.O. Box 88005, Moreno Valley, CA 92552-0805•(951) 413-3100

City of Moreno Valley - Standard Plans
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STANDARD PLAN NUMBERS	SECTION 2: CURBS, GUTTERS, AND SIDEWALKS
200	Type 6 Integral Curb and Gutter
201	Type 8 Integral Curb and Gutter
202	Type 6A Curb
203	Type 8A Curb
204	Type D-1 Curb
205	Type C Rolled Curb
206	Curb Transition
207	Asphalt Concrete Curb
208	Property Line: Corner Cut-Back, Curb Return Radius
209	Cross Gutter and Spandrel
210	Sidewalk
211	Property Line Sidewalk
212	Meandering Sidewalk
213	Sidewalk Placement Around Obstructions
214A	Access Ramp: Type I
214B	Access Ramp: Type II
215	Alley Intersection
216	Two-Way Bike Path on Separate Right-of-Way
217A	Multi-Use Trail
217B	Multi-Use Trail
217C	Multi-Use Trail
217D	Multi-Use Trail
217E	Multi-Use Feeder Trail
217F	Multi-Use Trail
217G	Multi-Use Trail
217H	Multi-Use Trail
217I	Multi-Use Trail
217J	Multi-Use Trail
217K	Multi-Use Trail
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218	Riding and Hiking Trails
218A	Trailhead Ingress / Egress Gate Detail
218B	Single Trail Access Gate
218C	Double Trail Access Gate
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218F	Multi-Use Trail Specifications
218G	Multi-Use Trail Specifications
218H	Multi-Use Trail Specifications
218I	Concrete Walk/Slab/Approach Adjacent To Trail
218J	Parks and Recreation – General Notes
219	Parkway Improvement Spacing

CAPITAL PROJECTS DATE 1/08

APPROVED BY

PUBLIC WORKS DIRECTOR / CITY ENGINEER

DIVISION MANAGER INITIAL

CITY OF MORENO VALLEY

PREPARED BY CAPITAL PROJECTS

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City of Moreno Valley - Standard Plans
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STANDARD PLAN NUMBERS	SECTION 2: CURBS, GUTTERS, AND SIDEWALKS CONT.
220A	Tree Well: Type 1
220B	Tree Well: Type 2
220C	Tree Well: Type 3
220D	Tree Well: Type 4
220E	Tree Well Notes
221	Erosion Control Netting
222	Single Post Mailbox Installation
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CAPITAL PROJECTS	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR / CITY ENGINEER	DIVISION MANAGER INITIAL	TABLE OF CONTENTS
		4 of 12 NO. 2B

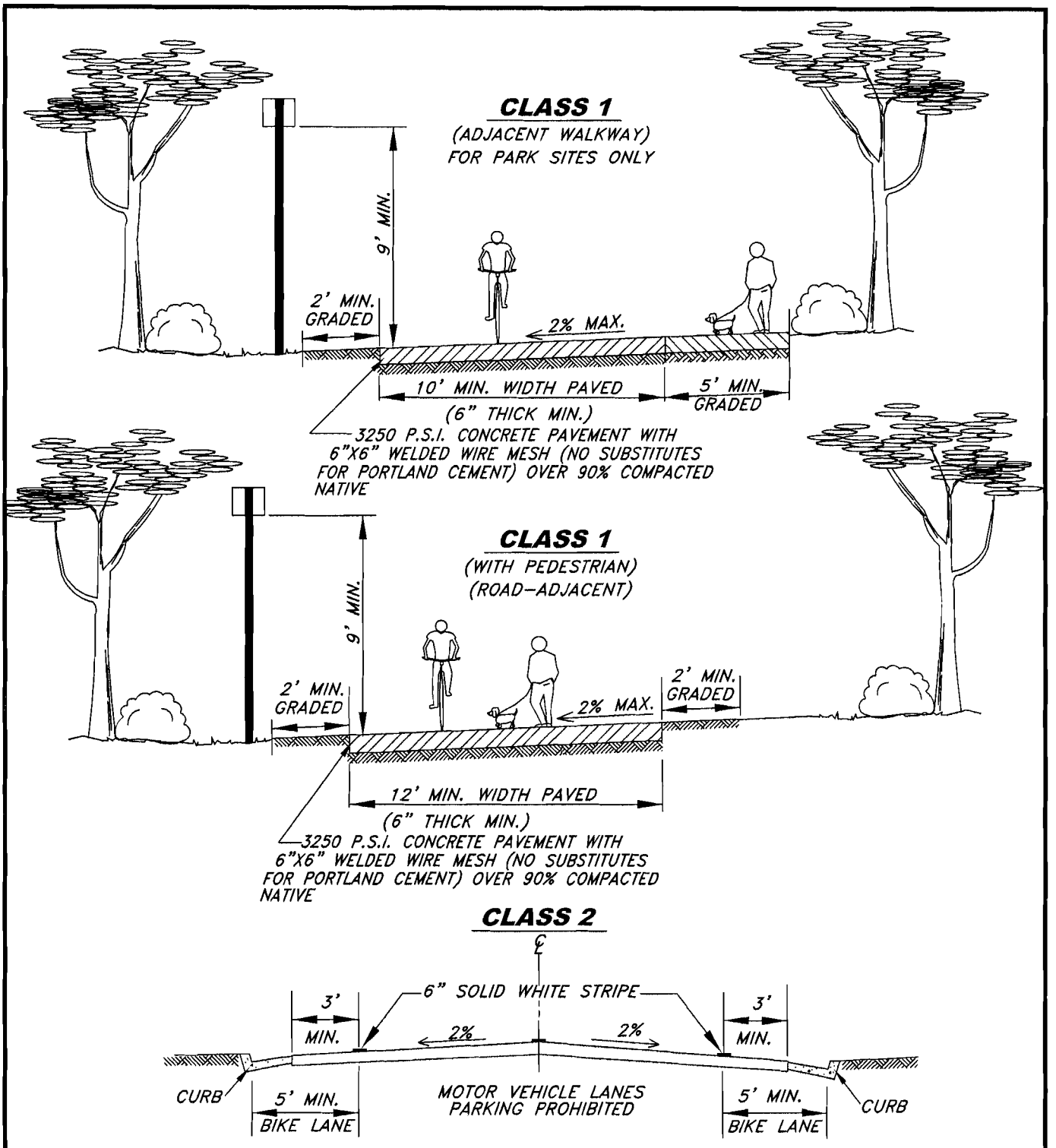

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREA'S.
2.) CLASS I & II BIKE ROUTES TO BE STRIPED AND DESIGNATED WITH SIGNAGE.
3.) CLASS III BIKE ROUTES DESIGNATED WITH SIGNAGE ONLY.

CAPITAL PROJECTS	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**TWO-WAY BIKE PATH ON SEPARATE RIGHT-OF-WAY**
		1 of 1 NO. **216**

MV00048488

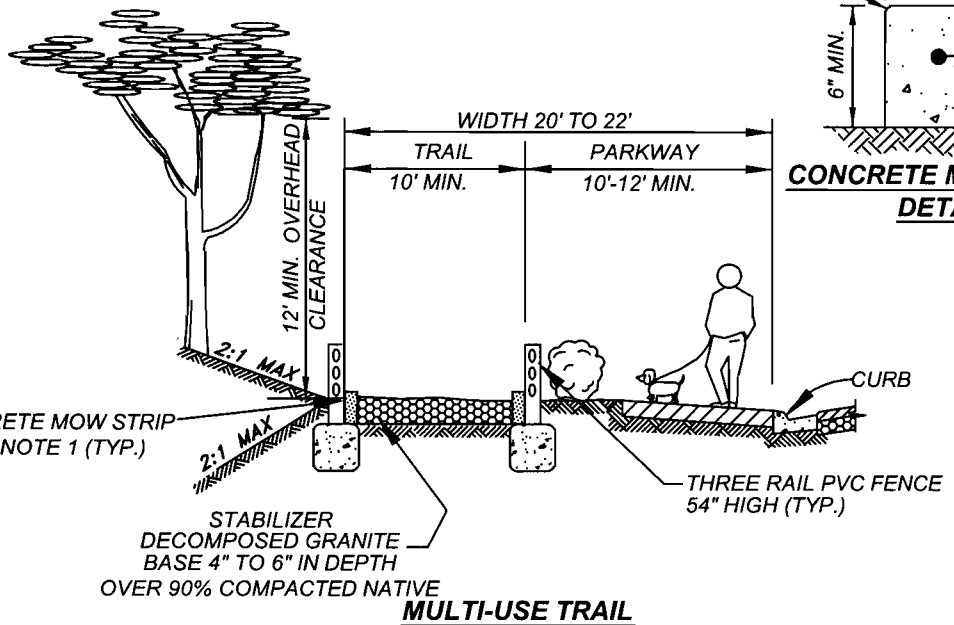

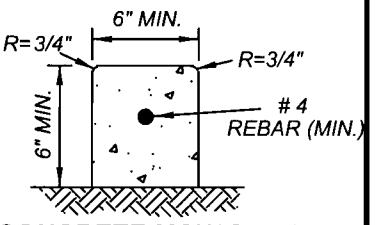

CONCRETE MOW STRIP DETAIL

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

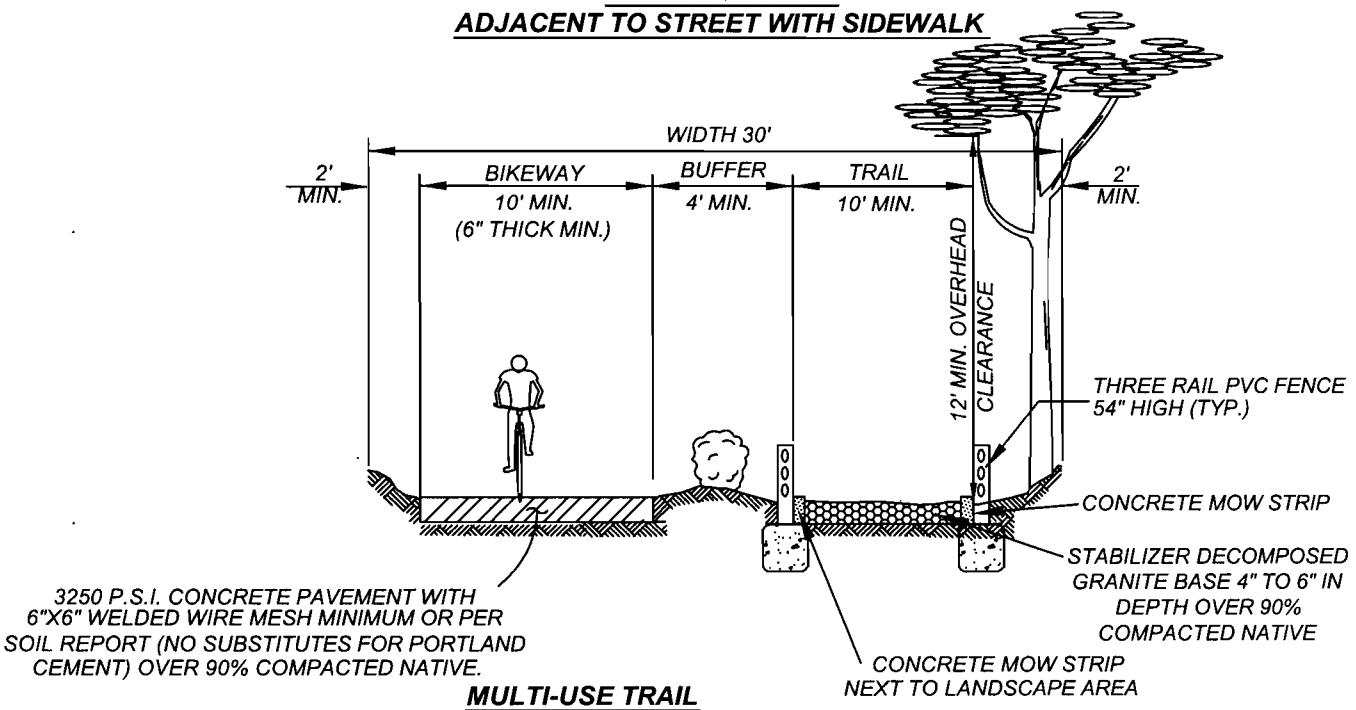

MULTI-USE TRAIL
TRAIL AND BIKEWAY COMBINATION

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREA'S.
2.) CLASS I & II BIKE ROUTES TO BE STRIPED AND DESIGNATED WITH SIGNAGE.
3.) CLASS III BIKE ROUTES DESIGNATED WITH SIGNAGE ONLY.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	1 of 12
		MULTI-USE TRAIL
		NO. **217A**

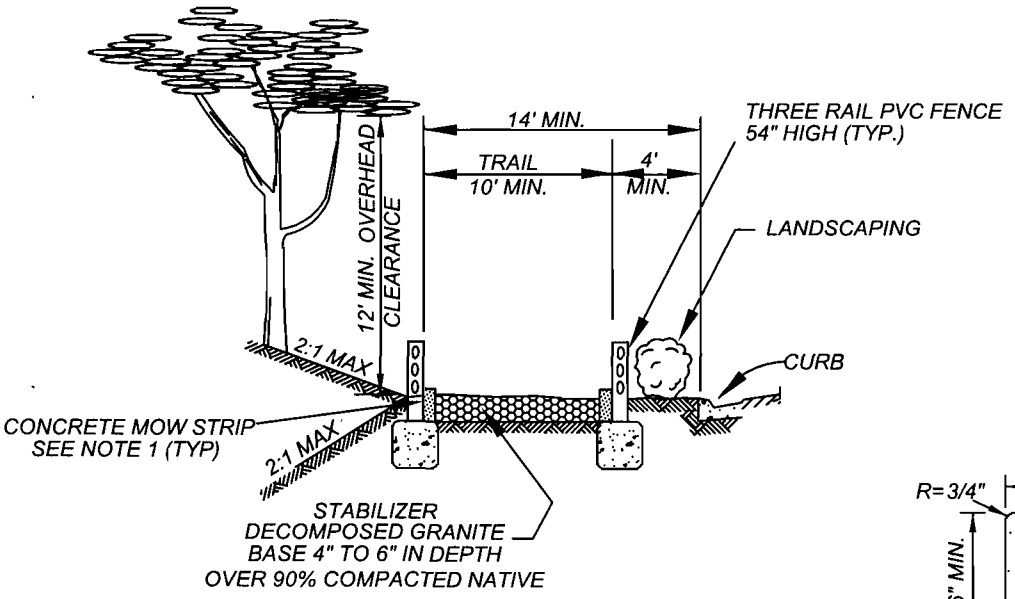

MULTI-USE TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

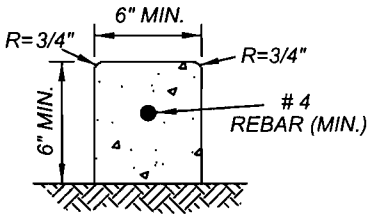

CONCRETE MOW STRIP
DETAIL

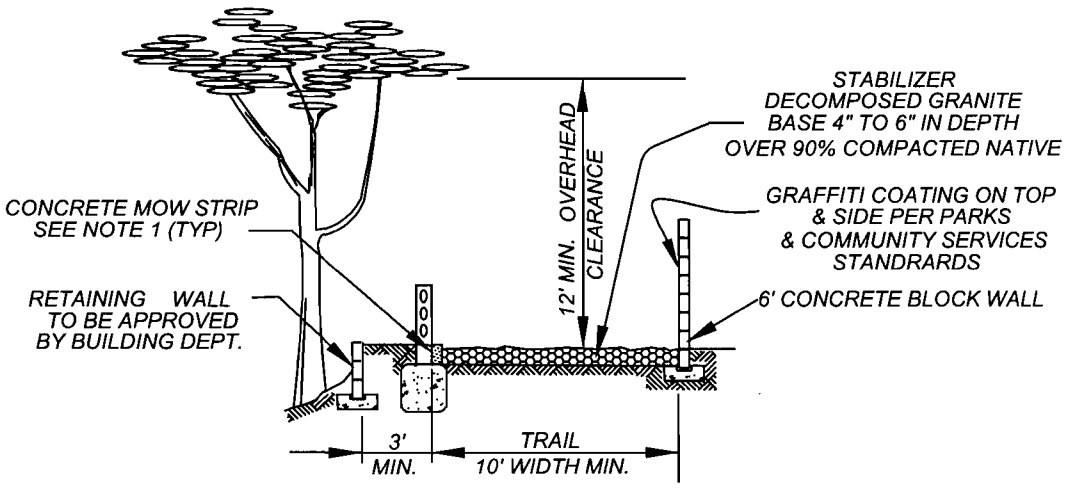

SECONDARY MULTI-USE TRAIL
ADJACENT TO FENCE, BLOCK WALL
OR RETAINING WALL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	2 of 12 **MULTI-USE TRAIL** NO. **217B**

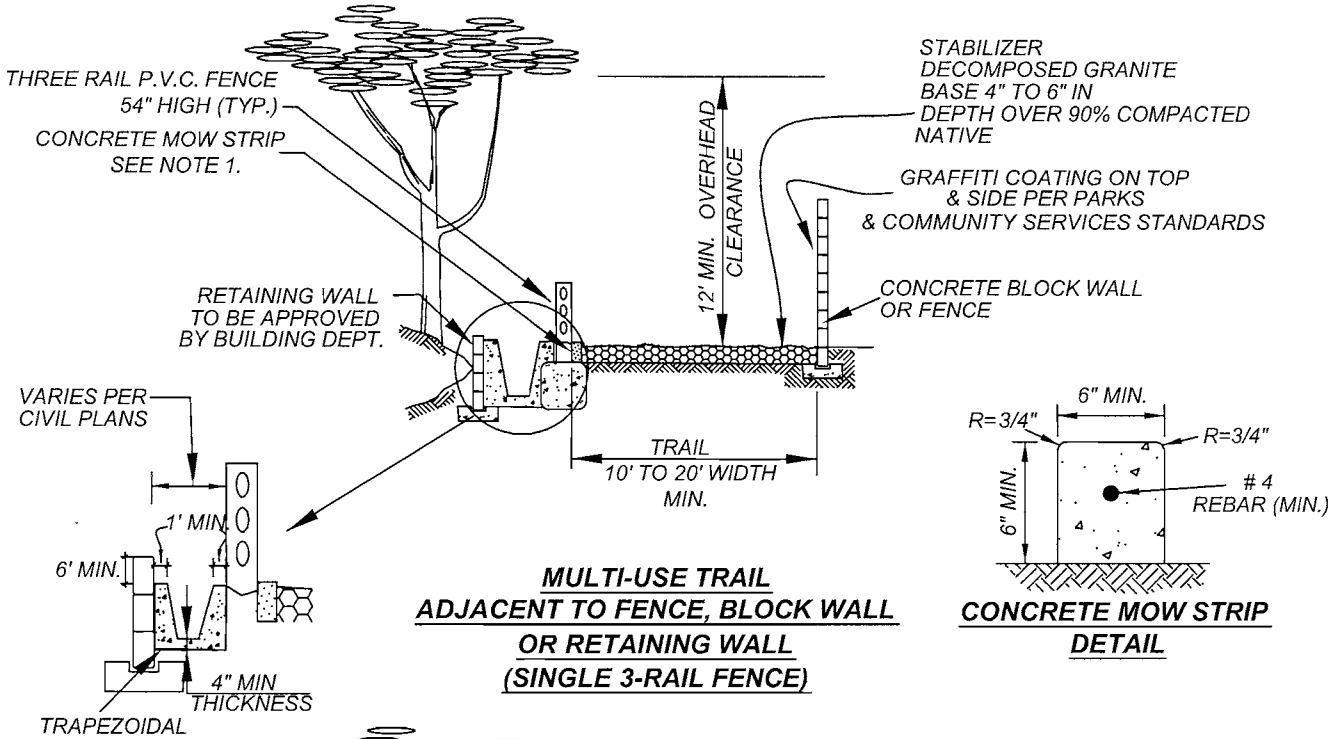

MULTI-USE TRAIL
ADJACENT TO FENCE, BLOCK WALL
OR RETAINING WALL
(SINGLE 3-RAIL FENCE)

CONCRETE MOW STRIP
DETAIL

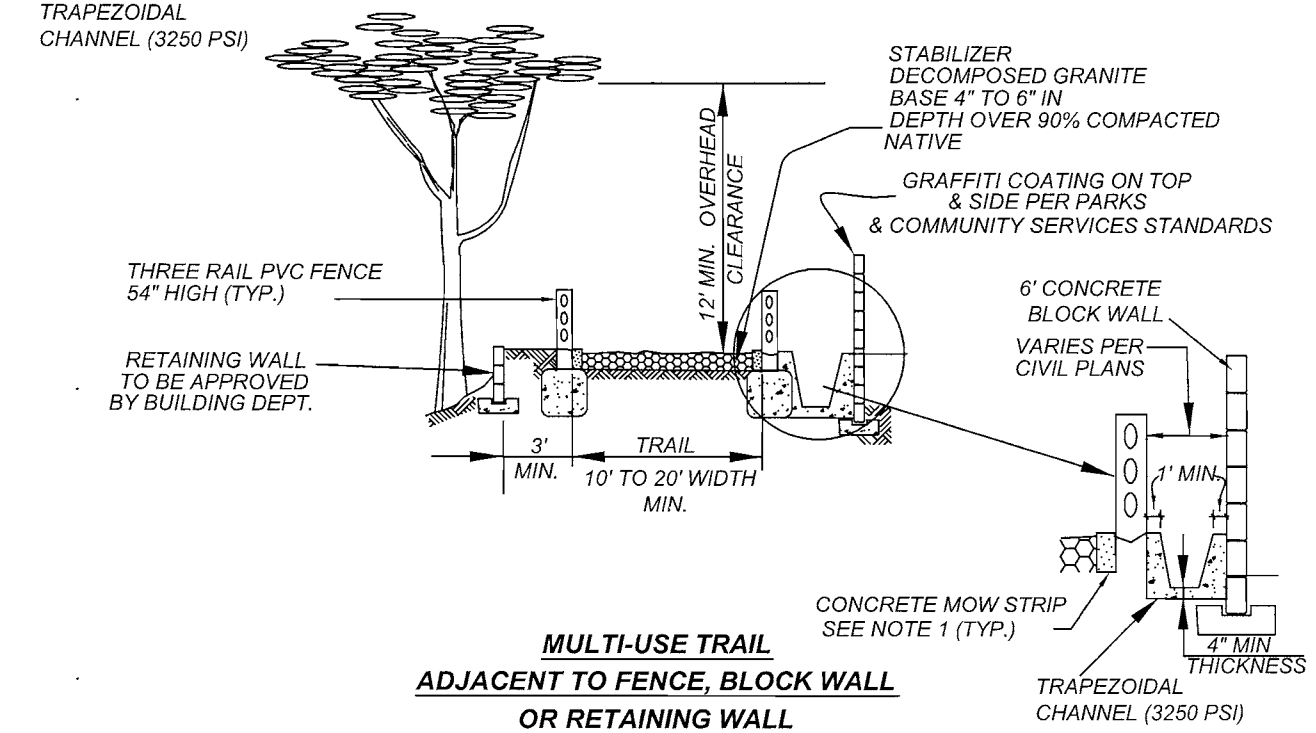

MULTI-USE TRAIL
ADJACENT TO FENCE, BLOCK WALL
OR RETAINING WALL
(DOUBLE 3-RAIL FENCE)

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) TRAIL SHALL BE PROTECTED WITH 3 - RAIL P.V.C. FENCE ADJACENT TO DRAINAGE TRAPEZOIDAL CHANNEL.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	3 of 12
		MULTI-USE TRAIL
		NO. **217C**

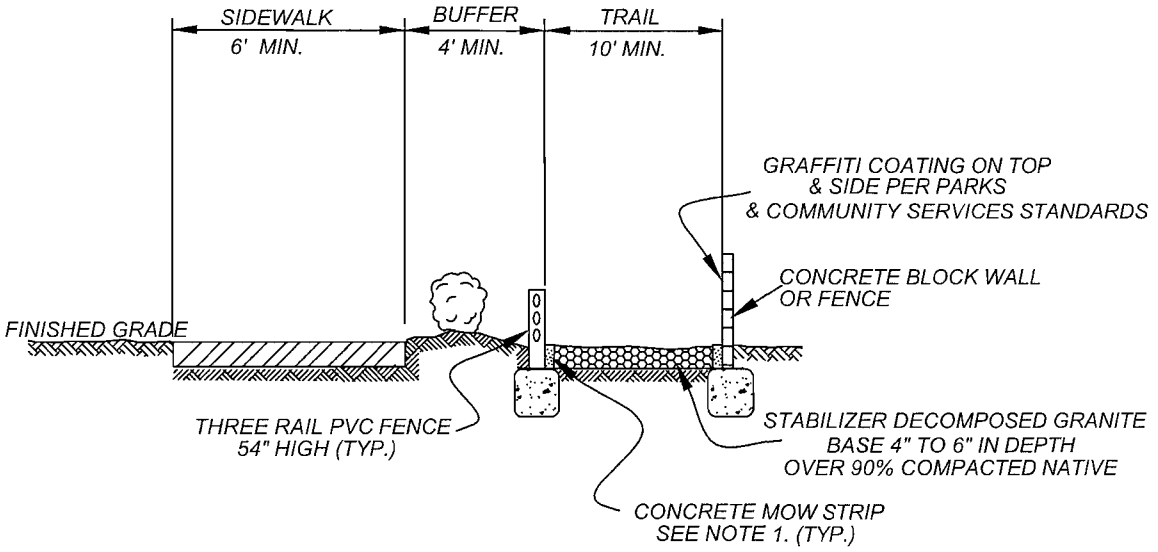

TRAIL AND SIDEWALK COMBINATION

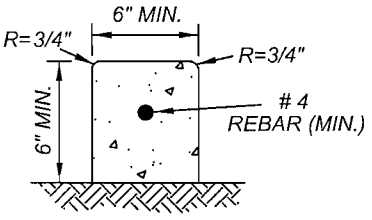

CONCRETE MOW STRIP DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	4 of 12 **MULTI-USE TRAIL** NO. **217D**

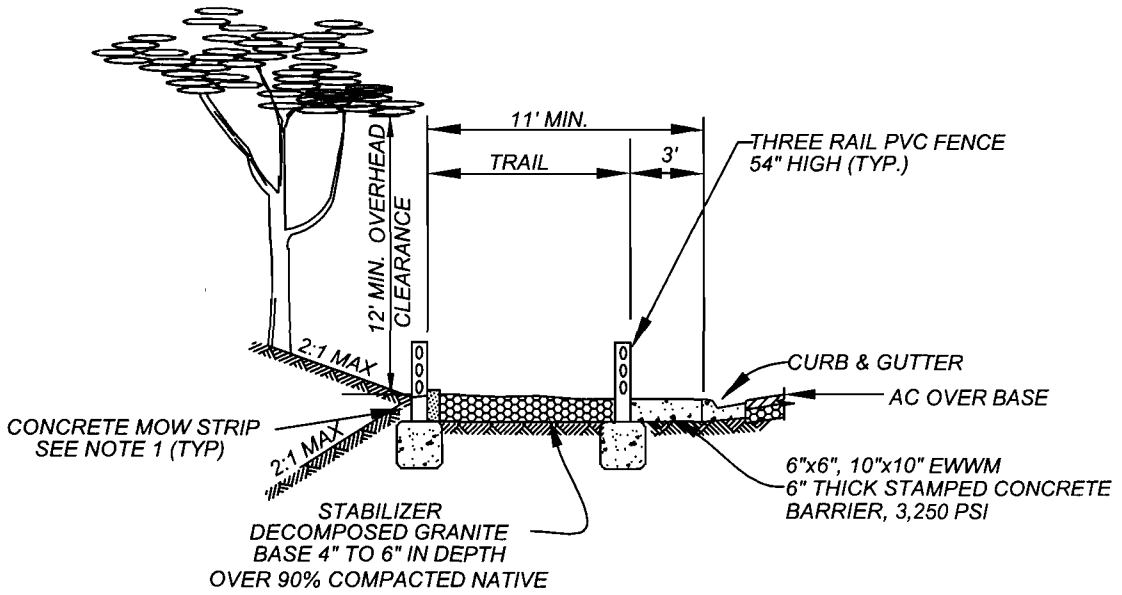

HOA MULTI-USE FEEDER TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

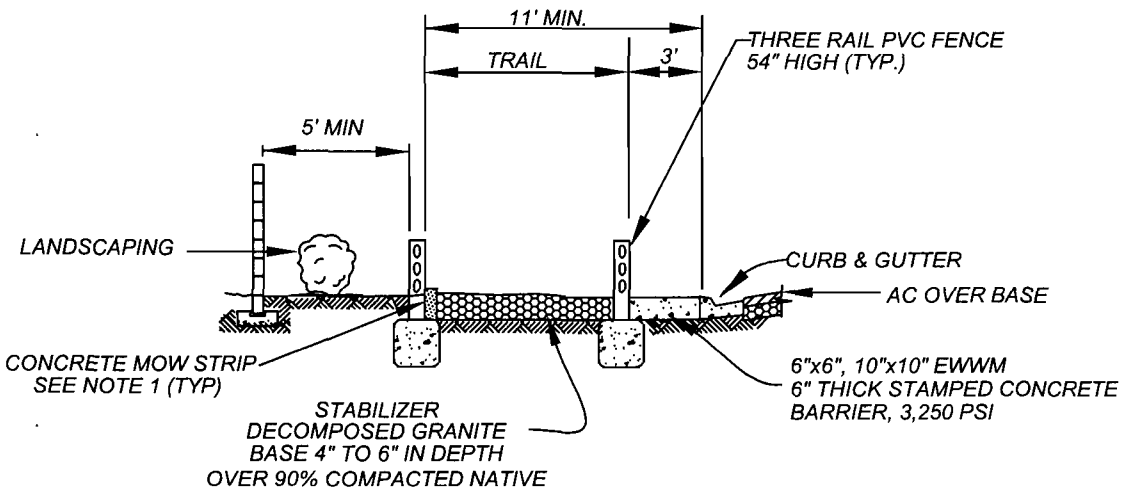

HOA SIDEYARD
MULTI-USE FEEDER TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

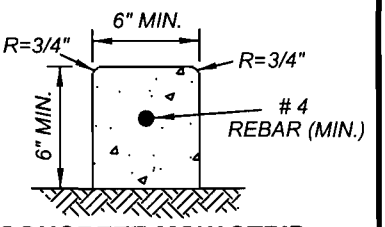

CONCRETE MOW STRIP DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) THE 3' WIDE STAMPED CONCRETE BARRIER SHALL BE COBBLESTONE RUNNING BOND PATTERN BY L. M. SCOFIELD WITH OMAHA TAN COLORING BY DAVIS COLORING OR APPROVED EQUALS .

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	MULTI-USE FEEDER TRAIL
		5 of 12 NO. 217E

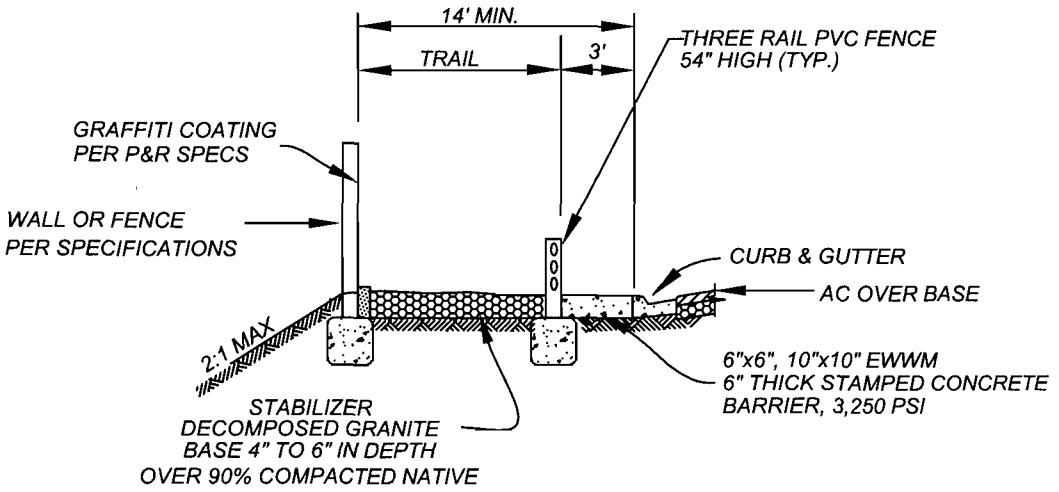

MULTI-USE TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

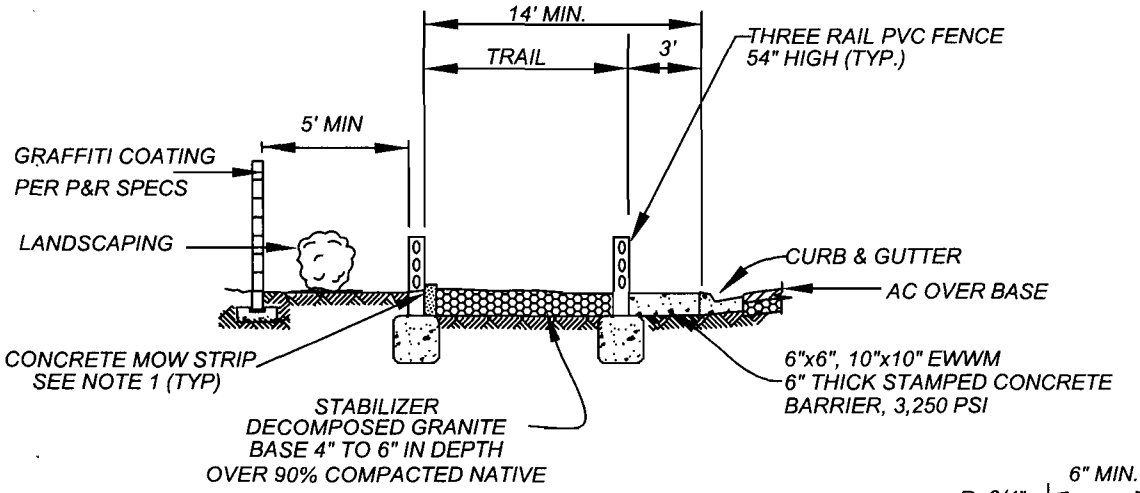

MULTI-USE TRAIL & PLANTER
ADJACENT TO STREET WITHOUT SIDEWALK

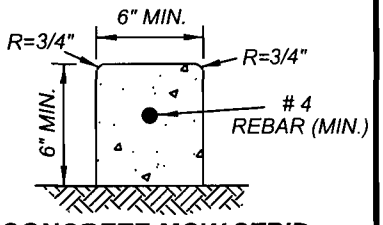

CONCRETE MOW STRIP DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) THE 3' WIDE STAMPED CONCRETE BARRIER SHALL BE COBBLESTONE RUNNING BOND PATTERN BY L. M. SCOFIELD WITH OMAHA TAN COLORING BY DAVIS COLORING OR APPROVED EQUALS .

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	6 of 12
	MULTI-USE TRAIL	NO. **217F**

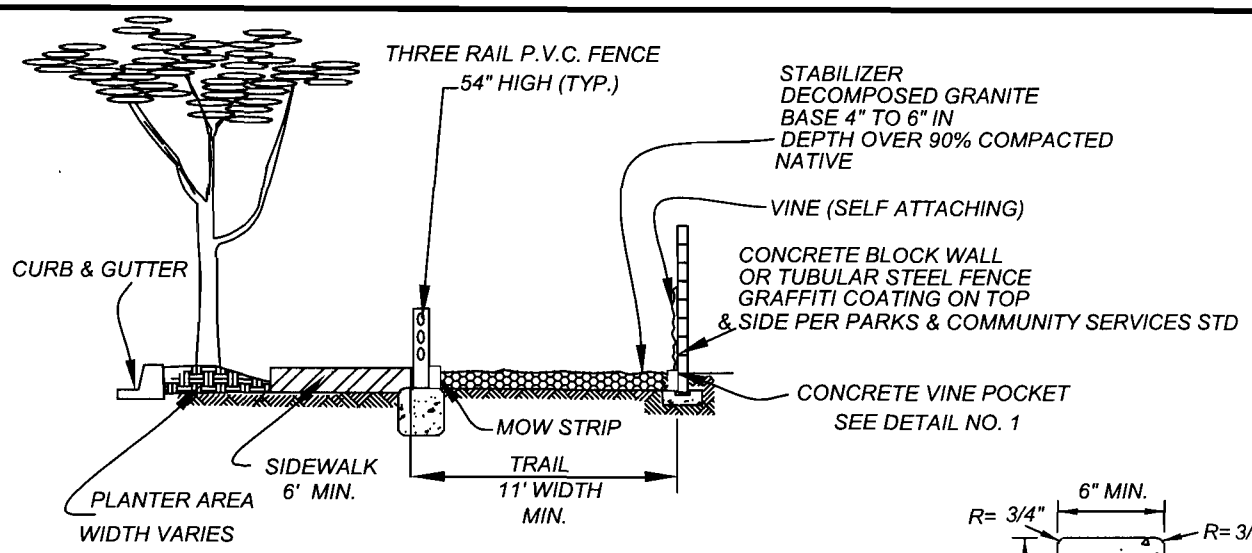

MULTI-USE TRAIL
ADJACENT TO SIDEWALK, FENCE/ BLOCK WALL
(SINGLE 3-RAIL FENCE)

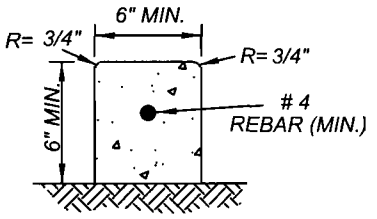

CONCRETE MOW STRIP DETAIL

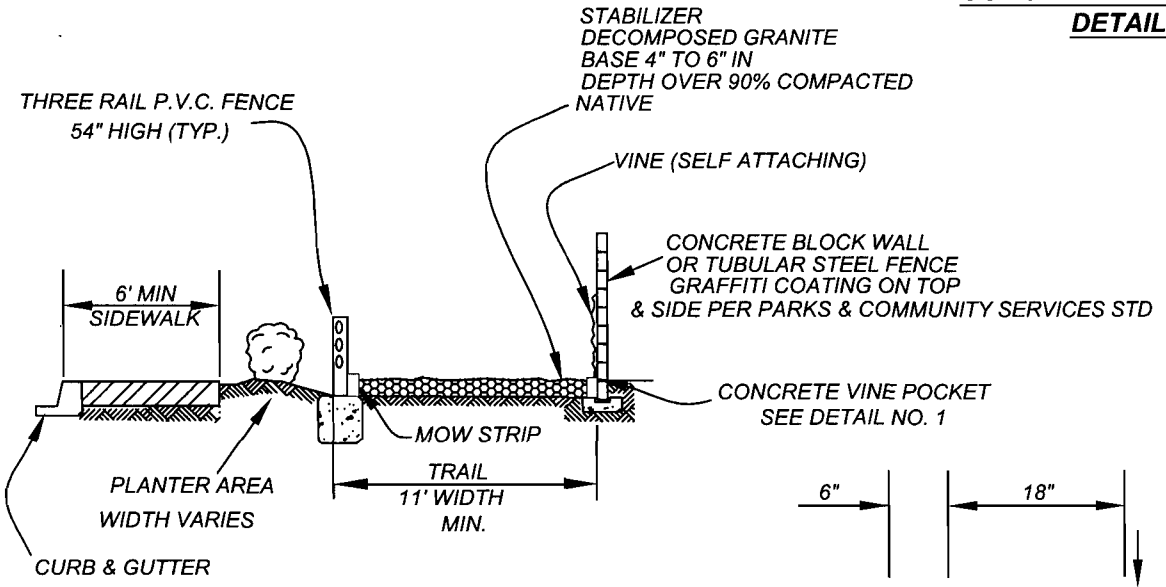

MULTI-USE TRAIL
ADJACENT TO PLANTER, FENCE/ BLOCK WALL
(SINGLE 3-RAIL FENCE)

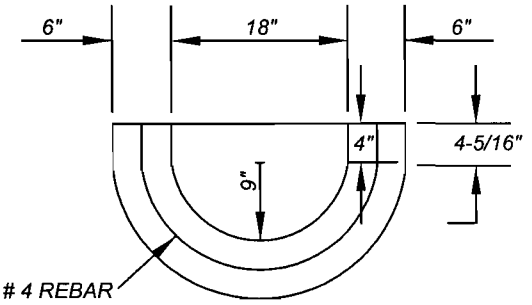

6" THICK CONCRETE VINE POCKET
DETAIL NO. 1

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) CONCRETE VINE POCKET REQUIRED TO PROTECT VINE.

PARKS & COMMUNITY SERVICES	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	7 of 12
		MULTI-USE TRAIL
		NO. **217G**

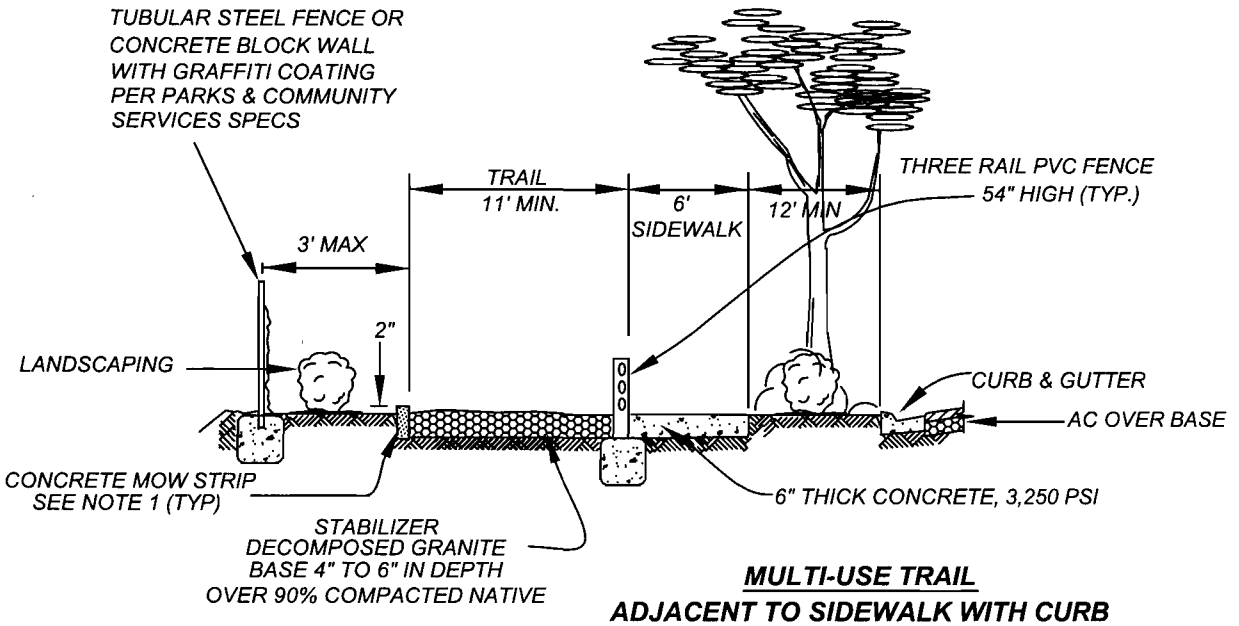

MULTI-USE TRAIL
ADJACENT TO SIDEWALK WITH CURB
ADJACENT PLANTER

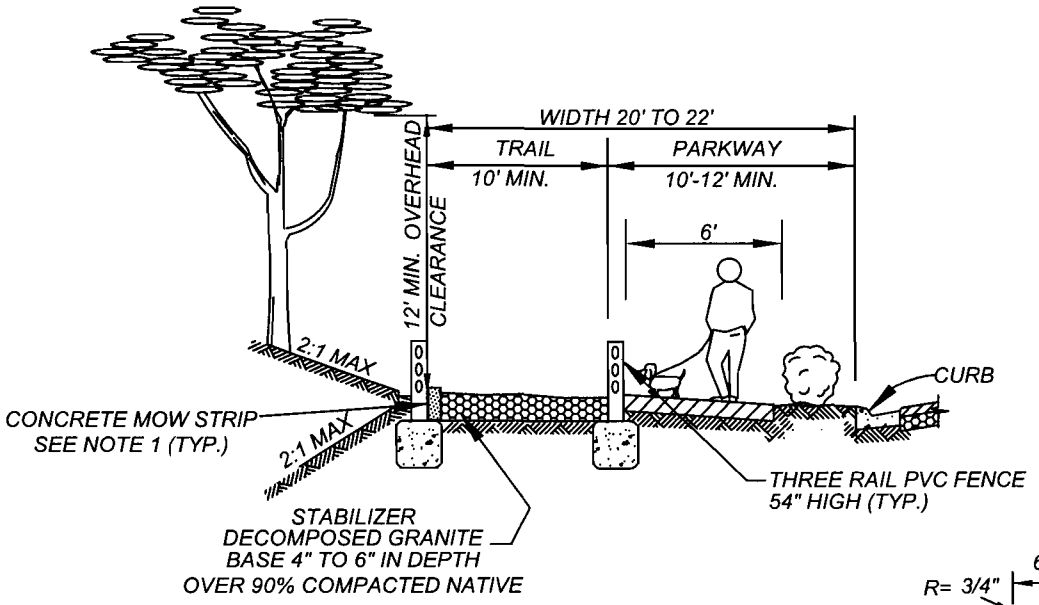

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

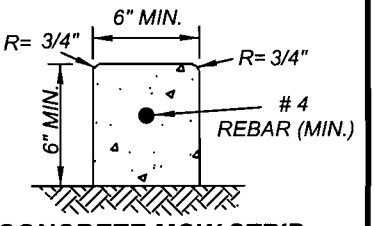

CONCRETE MOW STRIP
DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**MULTI-USE TRAIL**	8 of 12 NO. **217H**

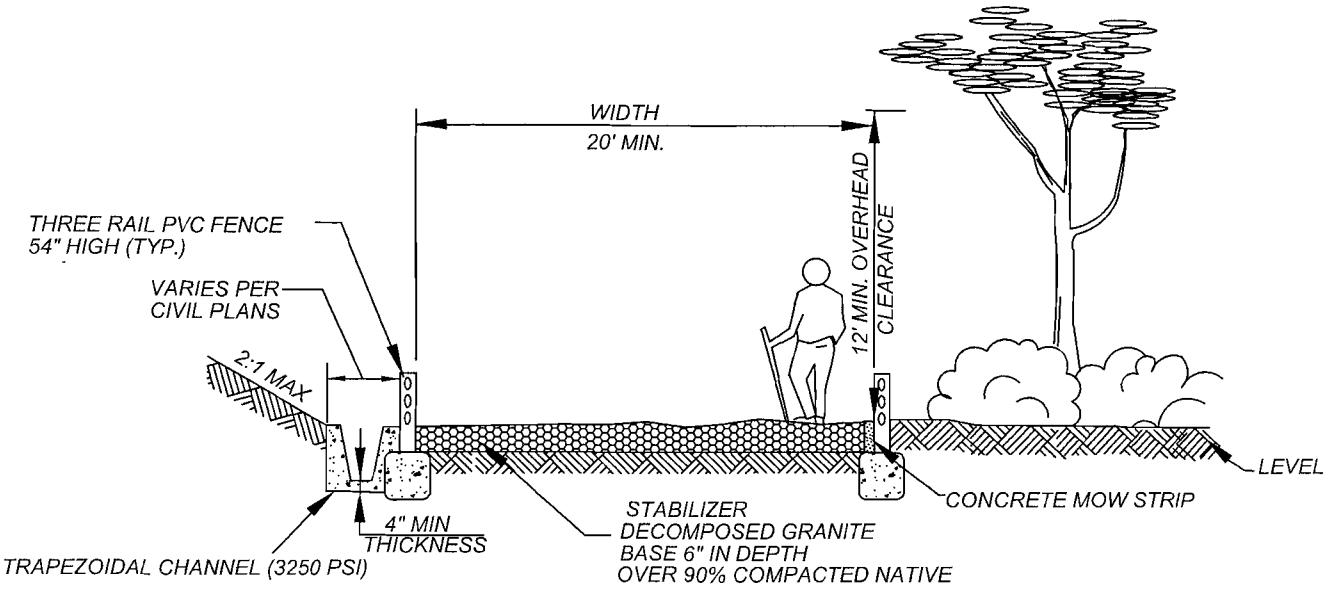

MULTI-USE TRAIL
WITH FIRE ACCESS

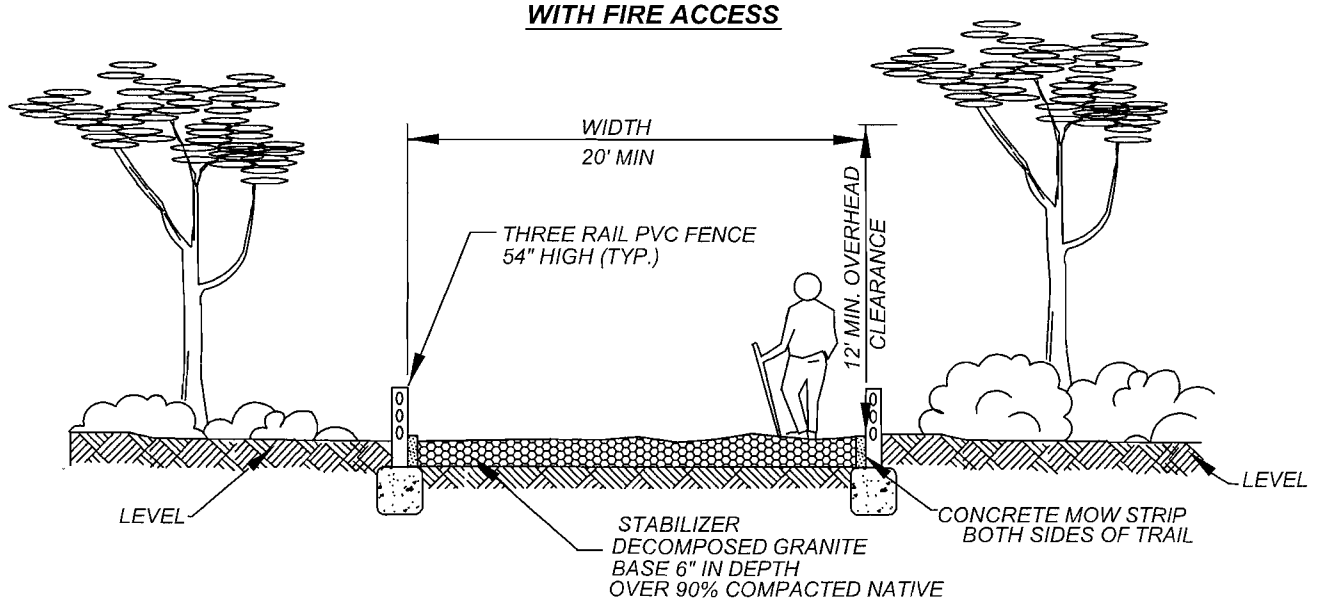

MULTI-USE TRAIL
WITH FIRE ACCESS

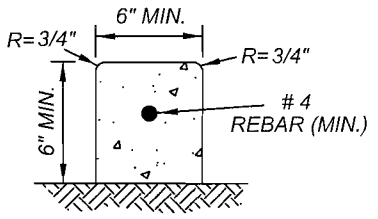

CONCRETE MOW STRIP
DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE & OPEN AREAS.

2.) ALL CONCRETE SHALL BE 560C-3250, DAVIS OMAHA TAN.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	9 of 12
	MULTI-USE TRAIL	NO. **217I**

MV00048497

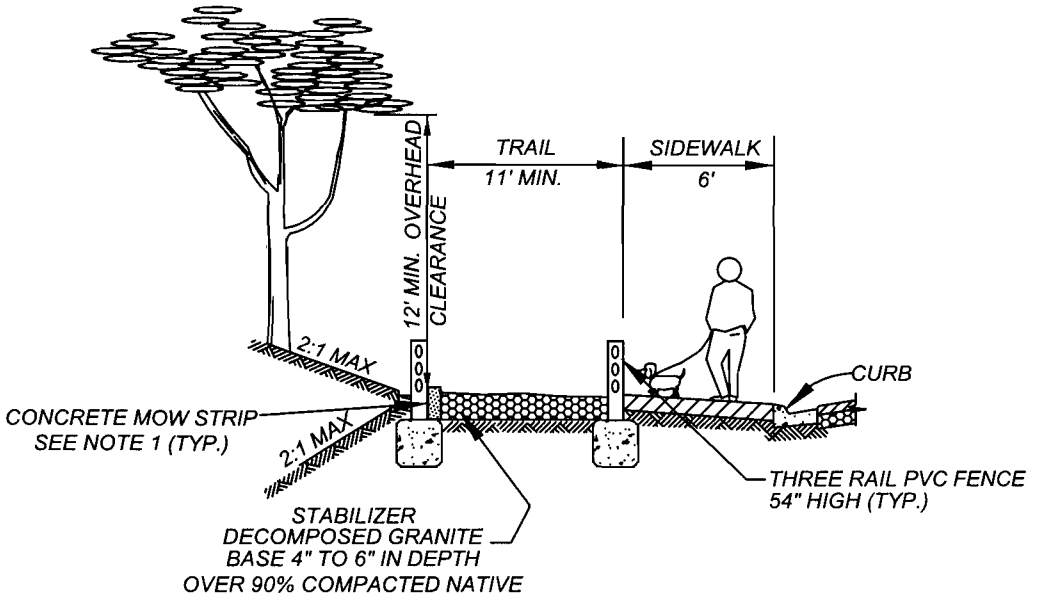

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

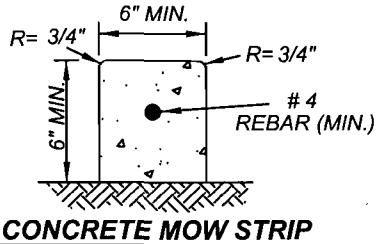

CONCRETE MOW STRIP
DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	10 of 12
	MULTI-USE TRAIL	NO. **217J**

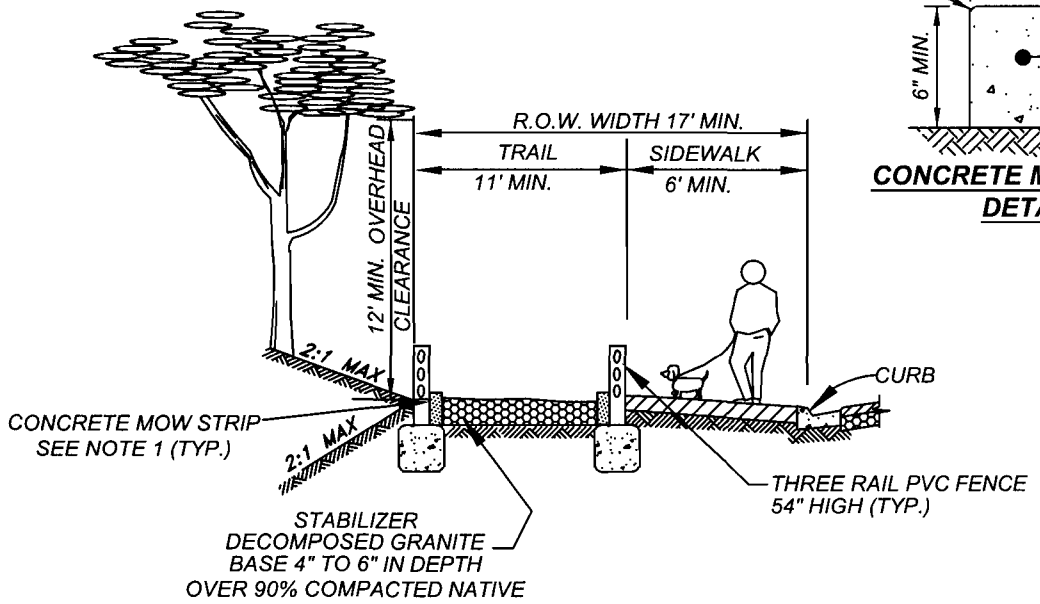

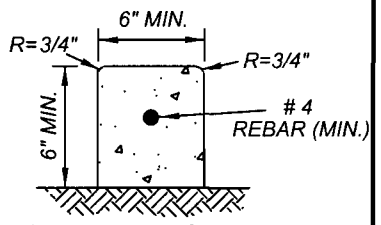

CONCRETE MOW STRIP DETAIL

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

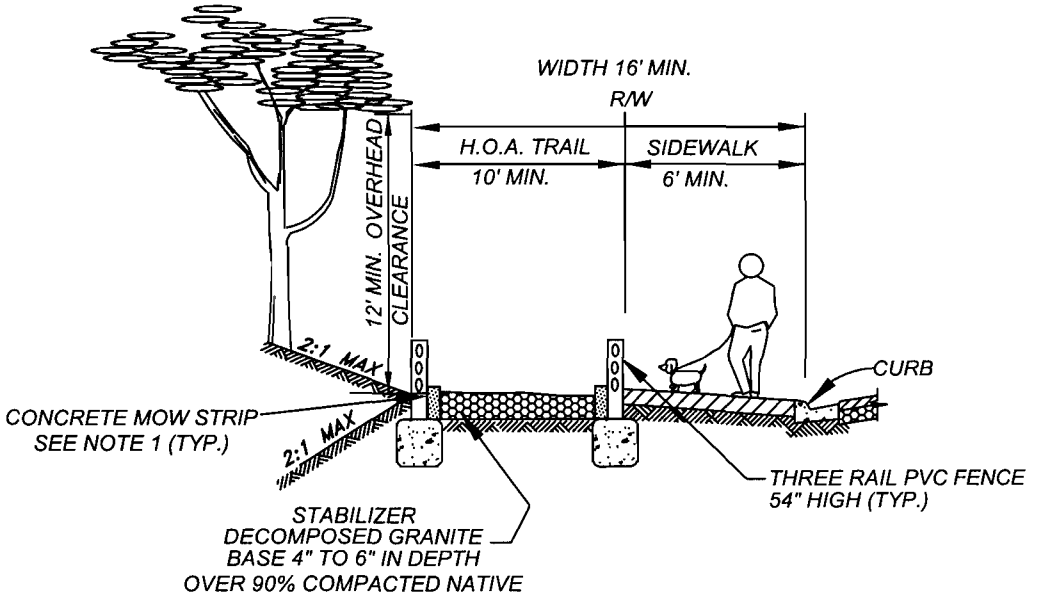

H.O.A. MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

NOTES:

1.) CONCRETE MOW STRIP, REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	11 of 12
	MULTI-USE TRAIL	NO. **217K**

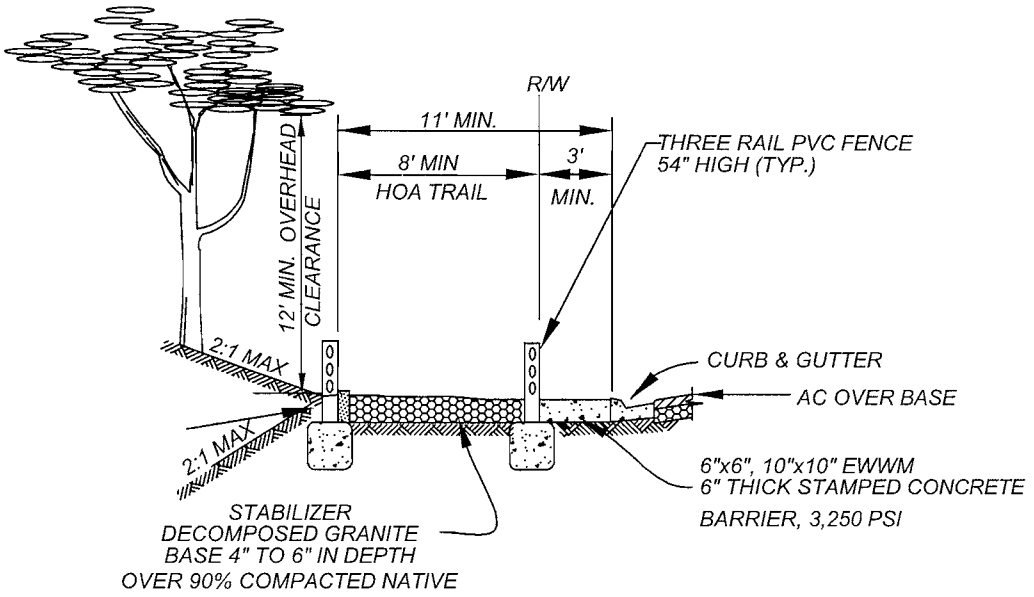

HOA MULTI-USE FEEDER TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

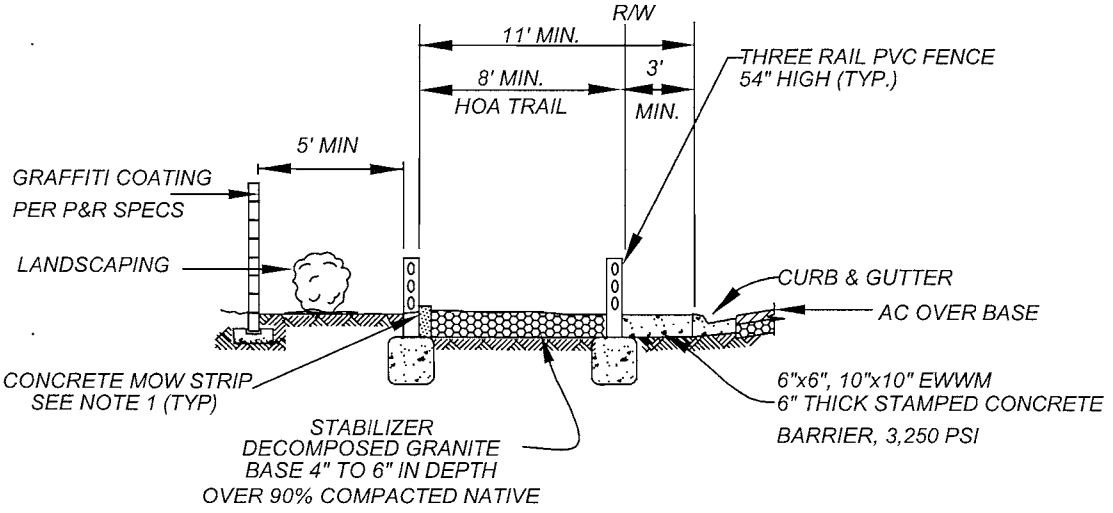

HOA MULTI-USE FEEDER TRAIL & PLANTER
ADJACENT TO STREET WITHOUT SIDEWALK

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) THE 3' WIDE STAMPED CONCRETE BARRIER SHALL BE COBBLESTONE RUNNING BOND PATTERN BY L. M. SCOFIELD WITH OMAHA TAN COLORING BY DAVIS COLORING OR APPROVED EQUAL.
3.) THE 3' STAMPED CONCRETE AREA BEHIND CURB IS DESIGNED TO BE FOR UTILITIY EASEMENTS.

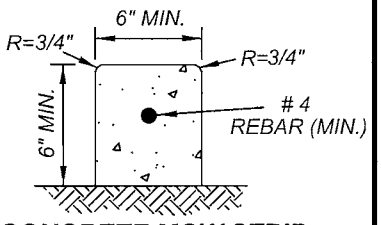

CONCRETE MOW STRIP DETAIL

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR / CITY ENGINEER	DIVISION MANAGER INITIAL	**MULTI-USE FEEDER TRAIL**
		12 of 12 NO. **217L**

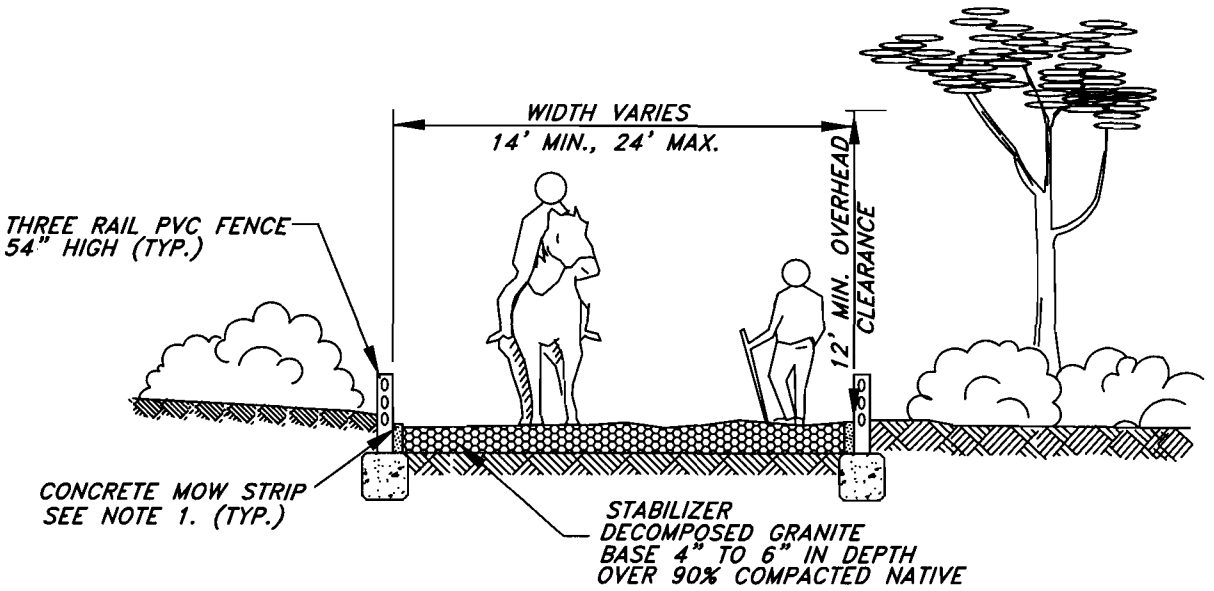

PRIMARY RIDING AND HIKING TRAIL
(STANDARD)

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREA'S.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**RIDING AND HIKING TRAILS**
		1 of 1 NO. **218**

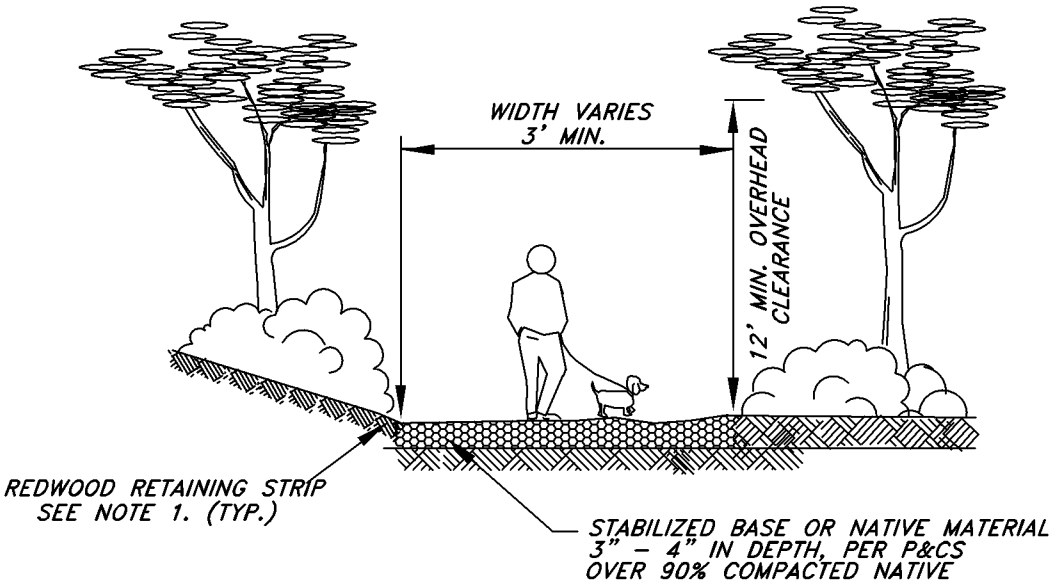

SECONDARY RIDING AND HIKING TRAIL

FOR HOA HILL SIDE AREAS

NOTES:

1.) 2" X 4" REDWOOD RETAINING STRIP AS REQUIRED NEXT TO LANDSCAPED AREAS AND SLOPES.

PARKS & RECREATION	DATE 07/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		**SECONDARY RIDING AND HIKING TRAIL** — 1 of 1 — NO.

'A'

MV00048502

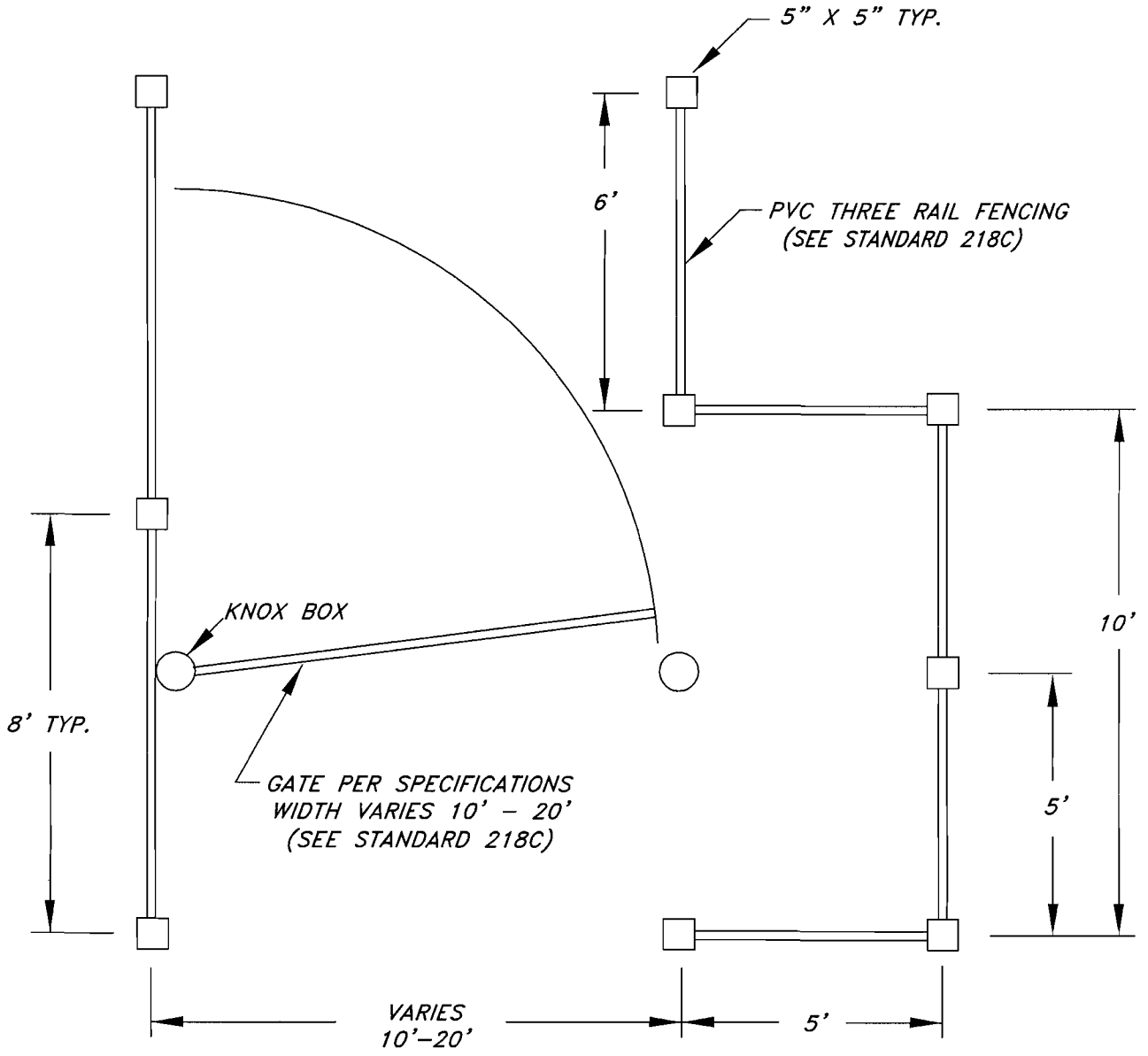

TRAIL HEAD

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**TRAILHEAD INGRESS / EGRESS GATE DETAIL**
		1 of 10 NO. **218A**

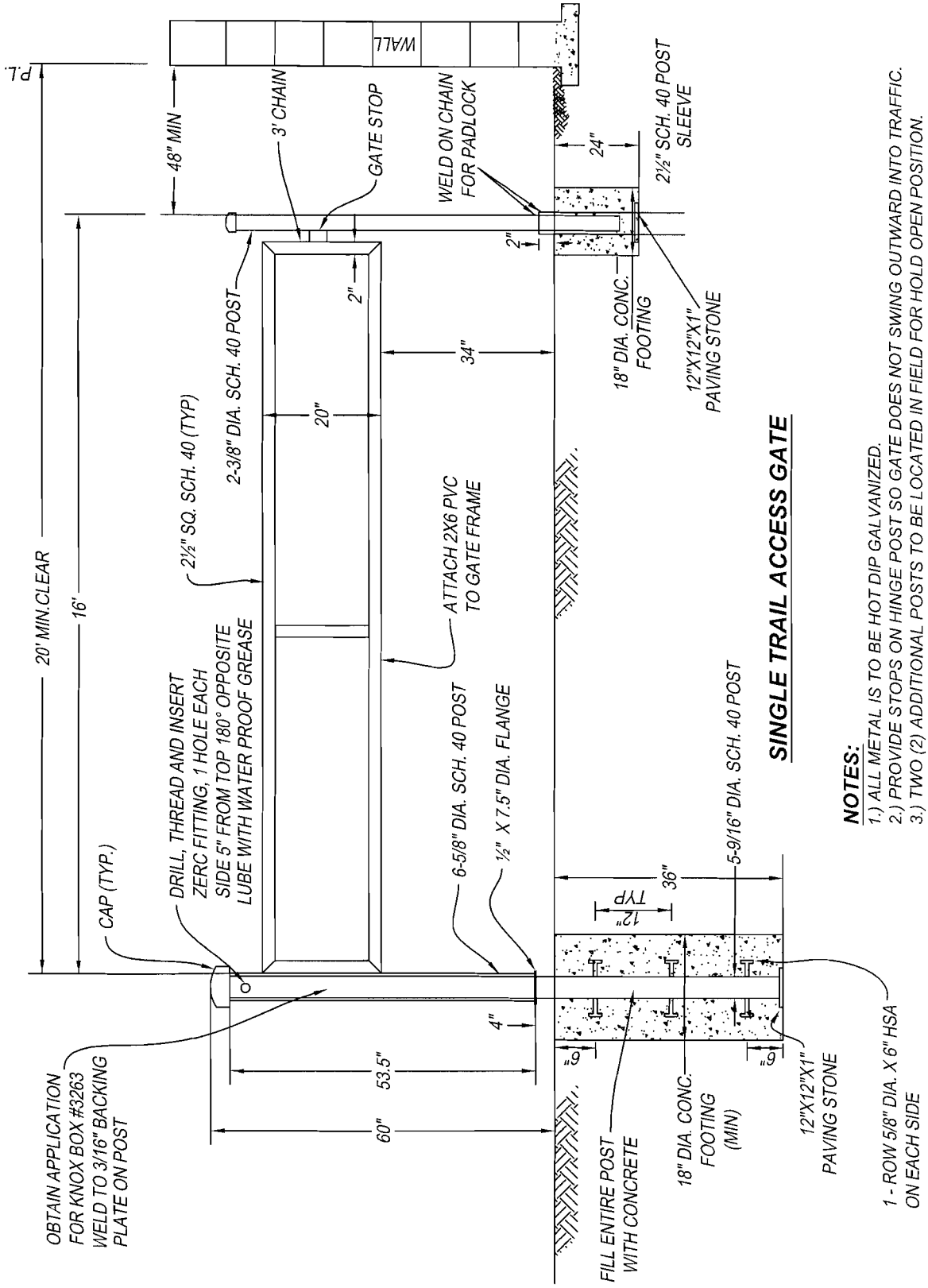

SINGLE TRAIL ACCESS GATE

NOTES:

1.) ALL METAL IS TO BE HOT DIP GALVANIZED.
2.) PROVIDE STOPS ON HINGE POST SO GATE DOES NOT SWING OUTWARD INTO TRAFFIC.
3.) TWO (2) ADDITIONAL POSTS TO BE LOCATED IN FIELD FOR HOLD OPEN POSITION.

PARKS & COMMUNITY SERVICES	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	2 of 10
		SINGLE TRAIL ACCESS GATE
		NO. **218B**

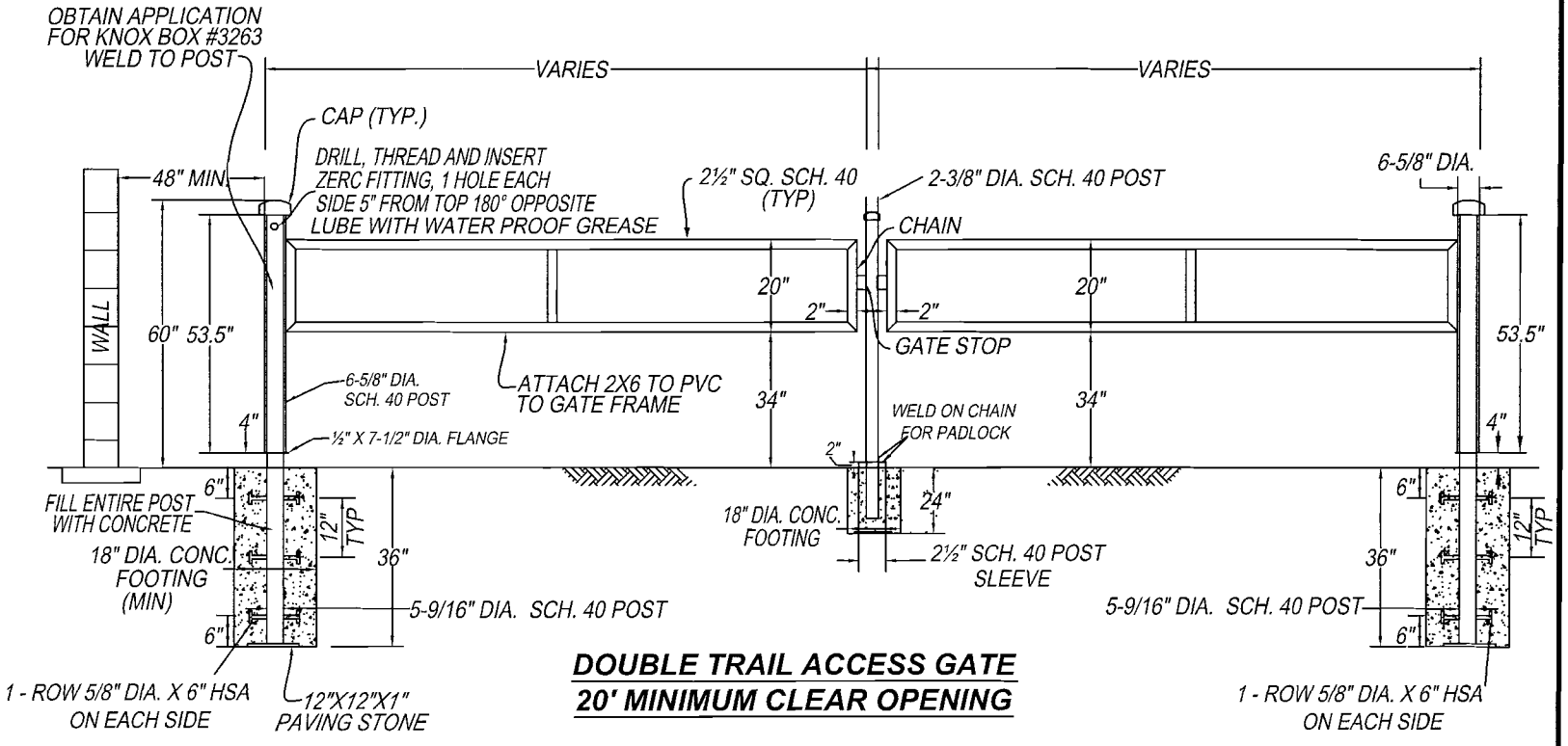

DOUBLE TRAIL ACCESS GATE
20' MINIMUM CLEAR OPENING

NOTES:

1.) ALL METAL IS TO BE HOT DIP GALVANIZED.
2.) PROVIDE STOPS ON HINGE POST SO GATE DOES NOT SWING OUTWARD INTO TRAFFIC.
3.) TWO (2) ADDITIONAL POSTS TO BE LOCATED IN FIELD FOR HOLD OPEN POSITION.

PARKS & COMMUNITY SERVICES

APPROVED BY

PUBLIC WORKS DIRECTOR/ CITY ENGINEER

DATE 1/08

DIVISION MANAGER INITIAL

CITY OF MORENO VALLEY

PREPARED BY CAPITAL PROJECTS

DOUBLE TRAIL ACCESS GATE

NO. **218C**

3 of 10

MV00048505

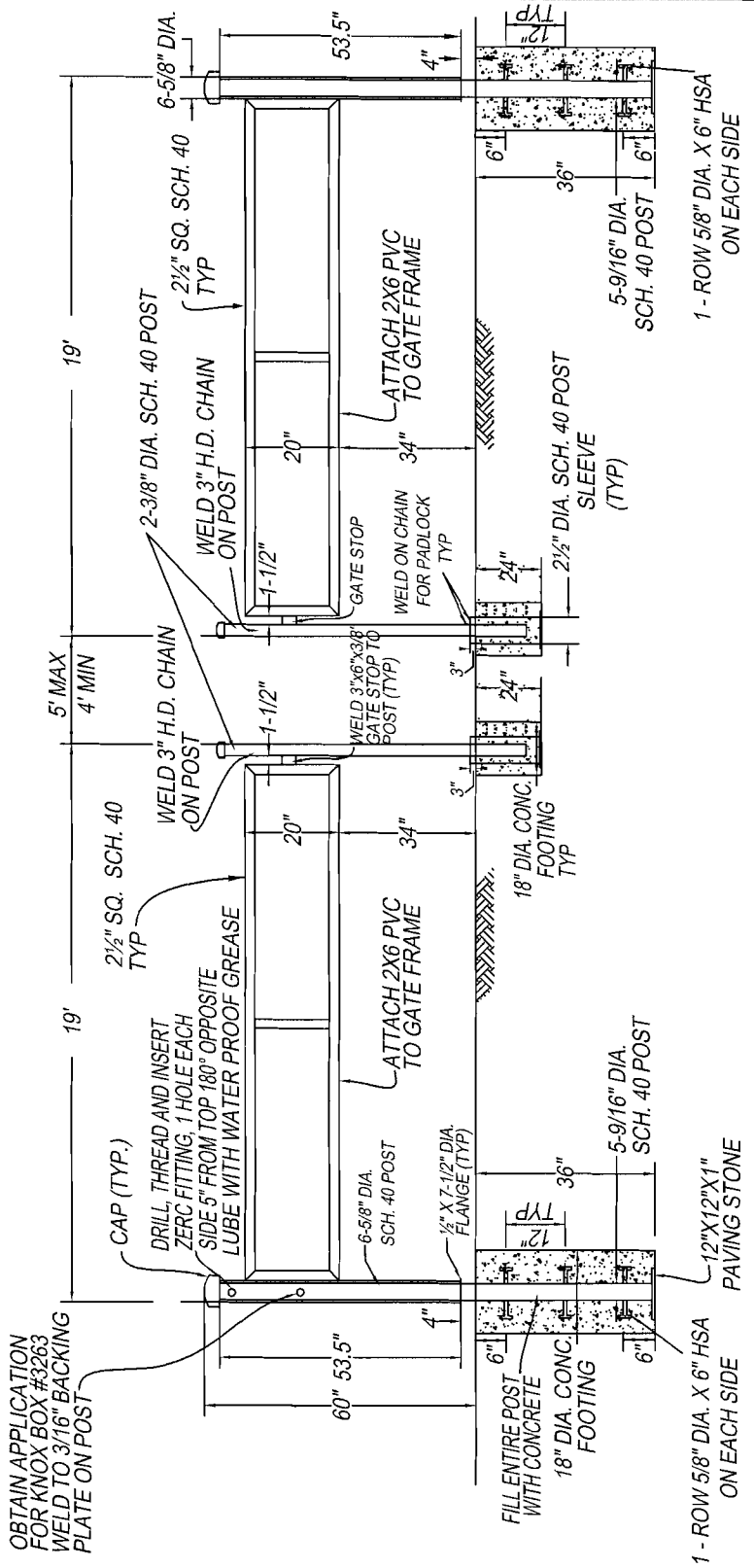

DOUBLE TRAIL ACCESS GATE WITH CENTER ACCESS

NOTES:

1.) ALL METAL IS TO BE HOT DIP GALVANIZED.
2.) PROVIDE STOPS ON HINGE POST SO GATE DOES NOT SWING OUTWARD INTO TRAFFIC.
3.) TWO (2) ADDITIONAL POSTS TO BE LOCATED IN FIELD FOR HOLD OPEN POSITION.

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**DOUBLE TRAIL ACCESS GATE WITH CENTER OPENING**	4 of 10 NO. **218D**

MV00048506

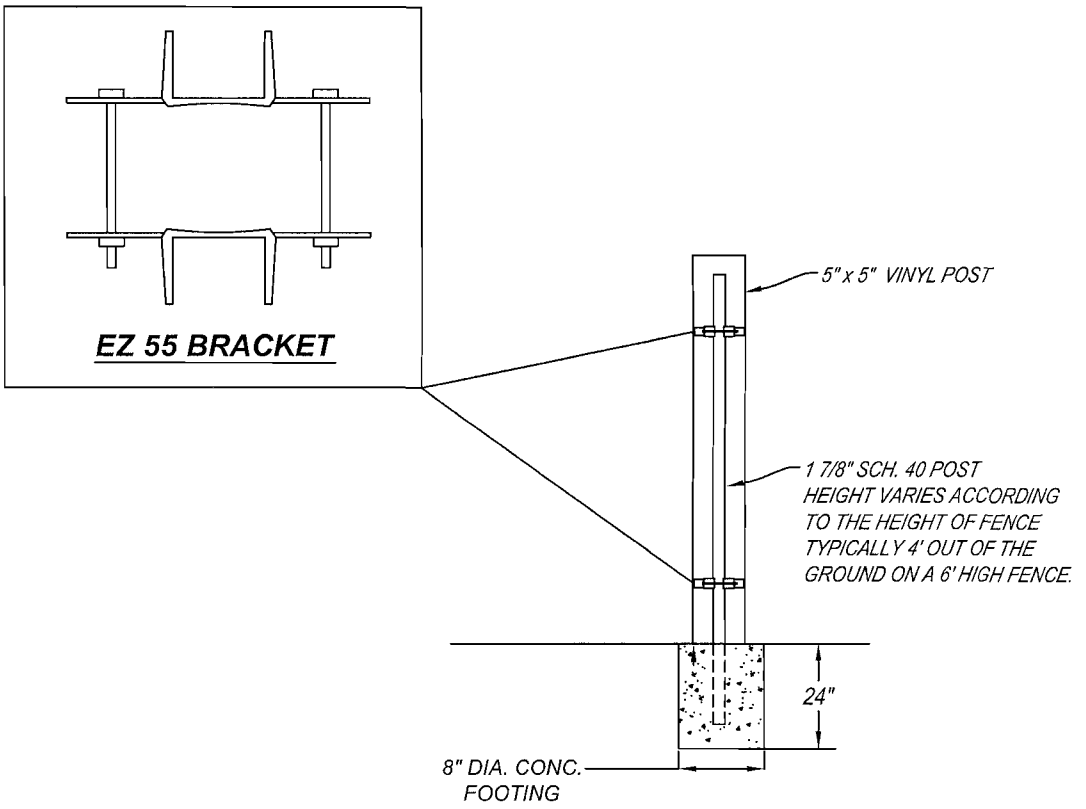

NOTE:
TO BE UTILIZED IN AREAS ADJACENT OR LOCATED IN CONCRETE, OR OTHERWISE REQUIRED.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**EZ 55 BRACKET WITH POST**
		5 of 10 NO. **218E**

FENCING TYPE / BRAND:

PVC, 3-RAIL ROUTED EQUESTRIAN FENCING. AVAILABLE FROM:
COUNTRY ESTATE FENCE, 1397 JEFFERSON STREET, ANAHEIM, CA 92807 PHONE (800) 286-0999.
ULTRA GUARD FENCE PRODUCTS, 3773 STATE ROAD, CUYAHOGA FALLS, OHIO 44223 PHONE (800) 457-1275
WEB: WWW.ULTRAGUARDVINYLFENCE.COM

- PVC FENCE COLOR SHALL BE ALMOND OR SAND COLOR, UNLESS INDICATED OTHERWISE.
- FENCING SHALL BE INSTALLED WITH A FINISHED HEIGHT OF 54" (TOP OF POST WITHOUT CAP)
- POSTS SHALL BE 5"x5" SQUARE AND HAVE INSET POST CAPS GLUED INTO PLACE WITH CLEAR SILICONE CEMENT.
- POST FOOTINGS SHALL BE 10" DIAMETER, 24" DEEP, SPACED 8'-0" ON CENTER WHERE APPLICABLE.
- POST SHALL BE INSTALLED ONTO EZ-55 BRACKETS AND STEEL POST, WHERE REQUIRED.
- 2000 lb. MINIMUM PSI CONCRETE SHALL BE POURED INTO POSTHOLE, THEN THE POST DRIVEN INTO THE CONCRETE. 'GREEN BOOK' STANDARDS SHALL BE IN AFFECT FOR ALL CONCRETE.
- POSTS SHALL BE INSTALLED PLUMB.
- POST ROUTING: FIRST HOLE SHALL BE 3" FROM THE TOP OF POST. MID RAIL IS TO BE SPACED 11" FROM BOTTOM OF TOP RAIL TO TOP OF MID RAIL. THIRD RAIL IS TO BE SPACED 11" FROM BOTTOM OF MID RAIL TO TOP OF THIRD RAIL. THIRD RAIL IS TO HAVE APPROXIMATELY 11" SPACING FROM BOTTOM OF THIRD RAIL TO FINISH GRADE. FINISH GRADE SHALL BE CALCULATED TO DECOMPOSED GRANITE PATH.
- RAILS SHALL BE 2"x6"X16' PVC WITH RAIL LOCKS ON EACH SECTION. NOMINAL SIZES ARE NOT ACCEPTABLE.
- MINIMUM TRAIL WIDTH SHALL BE 10' (INSIDE POSTS). WHERE FIRE DEPARTMENT ACCESS IS NECESSARY, TRAIL SHALL BE A MINIMUM OF 20' WIDE. TRAIL IS DEFINED AS MINIMUM SURFACE AREA WITHOUT OBSTRUCTIONS (FENCE POSTS, "V" DITCH, ETC.).
- EQUESTRIAN FENCING SHALL BE INSTALLED ON BOTH SIDES OF TRAIL, UNLESS A WALL OR OTHER APPROVED FENCING IS INSTALLED ON ONE SIDE.
- EQUESTRIAN TRAILHEADS SHALL BE UTILIZED WHEN A TRAIL TERMINATES AT PUBLIC STREET OR HIGHWAY, WHERE SPECIFIED. THE ROUGH DIMENSIONS FOR EQUESTRIAN SWITCHBACKS ARE 5'x10'. SEE STANDARD PLAN 218A AND INSTALL AS REQUIRED. A 'STOP' SIGN SHALL BE INSTALLED AT ALL LOCATIONS THAT EXIT ONTO A ROADWAY, WHERE REQUIRED. A CITY SUPPLIED TRAIL SIGN SHALL BE INSTALLED ON ALL TRAIL ENTRANCES. SIGN AND POST SPECIFICATIONS ARE TO ADHERE TO THE CITY'S STANDARD PLANS. ALL POSTS SHALL BE SUPPLIED BY THE CONTRACTOR.
- THE TRAIL AND FENCING SHALL CONNECT WITH ADJACENT TRAILS.
- THREE CABLE FENCING PER CALTRANS STANDARDS MAY BE REQUIRED IN SOME AREAS.
- GATES ARE REQUIRED IN LOCATIONS WHERE FIRE AND/OR MAINTENANCE ACCESS IS DESIGNATED. GATES FOR OPENINGS SHALL BE CONSTRUCTED OF HOT DIPPED GALVANIZED STEEL PIPE. SINGLE GATE WIDTH IS NOT TO EXCEED 16'. GATE OPENINGS IN EXCESS OF 16' SHALL BE EQUAL SIZED DOUBLE GATES WITH A SLEEVED REMOVABLE POST. THE GATES SHALL BE EQUIPPED WITH A HEAVY DUTY CHAIN (ADDITIONAL CHAIN SECTIONS REQUIRED WHERE MULTIPLE LOCKS ARE USED) AND A REMOVABLE LATCH POST WITH A GATE STOP. THE REMOVABLE LATCH POST SHALL HAVE A CHAIN WELDED TO BOTH THE POST AND THE SLEEVE FOR SECURING BY AN APPROVED PADLOCK. ADDITIONALLY, THE CENTER POST IS TO HAVE A DOMED CAP INSTALLED. ALL GATES ARE TO BE EQUIPPED WITH A PARKS AND COMMUNITY SERVICES APPROVED KNOX BOX. THESE ITEMS ARE TO BE WELDED TO FRAME ON A $\frac{1}{4}$" THICK GALVANIZED PLATE. ALL GATE POSTS, WITH THE EXCEPTION OF THE CENTER POST SHALL BE FILLED WITH CONCRETE AND DOME CAPPED. FRAMES SHALL HAVE MITERED CORNERS AND THE CENTER RAIL SHALL BE CUT TO FIT INTO THE FRAME. PVC FENCE MATERIAL SHALL BE SECURELY ATTACHED TO THE GATE FRAME AND RAILS.

MASONARY:

- THE SIDE OF THE TRAIL OR ACCESS POINTS THAT ARE ADJACENT TO RESIDENCES SHALL CONTAIN FENCING CONSTRUCTED OF DECORATIVE CONCRETE BLOCK OR DECORATIVE CONCRETE BLOCK / ORNAMANTAL IRON WITH A MINIMUM HEIGHT OF 72". SLUMP STONE AND SPLIT FACED BLOCK SHALL BE TAN MOTAR AND HAVE A PRECAST WALL CAP. ALL WALLS SHALL BE SOLID GROUTED. THE CONCRETE BLOCK DESIGN AND COLOR SHALL BE APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS / HER DESIGNEE. FENCING/WALLS SHALL BE INSTALLED ON RESIDENTS' OR HOMEOWNERS ASSOCIATION PROPERTY. RETAINING WALLS SHALL ADHERE TO THE SAME SPECIFICATIONS AS LISTED ABOVE.
- ALL DECORATIVE MASONARY WALLS ADJACENT TO TRAILS AND THEIR ENTRANCES SHALL BE GRAFFITI COATED WITH "VITROCEM HI-BUILD ANTI GRAFFITI GLAZED COATINGS", MANUFACTURED BY BITHEL INC @ (800) 277-1676. FOLLOW MANUFACTURER'S DIRECTIONS FOR APPLICATION. ANY REQUESTED PRODUCT DEVIANCES REQUIRE A PRODUCT SPECIFICATION SHEET AND A FINISHED SAMPLE OF THE PRODUCT AND THIRD PARTY TESTING. THEY SHALL BE SUBMITTED TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE FOR WRITTEN APPROVAL PRIOR TO INSTALLATION.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		MULTI-USE TRAIL SPECIFICATIONS — 6 of 10 — NO. 218F

CONCRETE:

- ALL CONCRETE SHALL BE IN ACCORDANCE TO "GREENBOOK" STANDARD SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION, SECTION 201. COPIES OF ALL LOAD TICKETS ARE REQUIRED TO BE SUBMITTED TO THE PARKS AND COMMUNITY SERVICES WEEKLY OR UPON IMMEDIATE REQUEST.
- ALL CONCRETE FOR TRAPEZOIDAL CHANNEL, 'V' OR BROW DITCHES, CATCH BASINS, SWALES, RETAINING WALLS, CHANNELS, DRIVE APPROACHES, AND OTHER FLAT WORK SHALL BE INTEGRALLY MIXED WITH DAVIS COLORS CONCENTRATED PIGMENTS AT THE RATE SPECIFIED BY THE MANUFACTURER. THE COLOR SHALL BE "OMAHA TAN". FINISHES SHALL BE PER PLAN. COLORED CONCRETE SHALL BE CURED WITH DAVIS W-1000 CLEAR SPRAY-ON MEMBRANE. ANY REQUESTED COLOR DEVIANCES REQUIRE A COLOR CHART SUBMITTAL, PRODUCT SPECIFICATION, AND A FINISHED SAMPLE OF THE PRODUCT SUBMITTED TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE FOR WRITTEN APPROVAL PRIOR TO ANY TRAIL CONSTRUCTION.
- TRAPEZOIDAL CHANNEL AND "V" OR BROW DITCH SHALL BE SEPARATED FROM THE TRAIL BY PVC OR CHAIN LINK FENCING (PER "GREENBOOK")
- CONCRETE DRIVEWAYS / APPROACHES TO TRAILS SHALL BE CONSTRUCTED 8"-THICK, 560C-3250 (3250 PSI), MAXIMUM 4" SLUMP, WITH #4 REBAR TIED 18" O.C. IF A PUMP CONCRETE MIX IS UTILIZED IT SHALL BE CLASS 660C-4000P (4000 PSI). THE FINISH SHALL BE RAKED NON-SLIP SURFACE; COLOR SHALL BE DAVIS COLORS "OMAHA TAN", UNLESS AUTHORIZED OTHERWISE IN WRITING BY PARKS AND COMMUNITY SERVICES. ALL JOINTS SHALL BE DEEP TROWEL.
- DRIVEWAYS SHALL BE LABELED 'NO PARKING FIRE LANE', 12" HIGH, WITH RED THERMOPLASTIC, AT MAXIMUM OF 12' FROM CURB FACE.

DRAWINGS AND INSPECTIONS:

- ALL CONSTRUCTION DRAWINGS MUST BE SUBMITTED TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE AND APPROVED BEFORE CONSTRUCTION BEGINS.
- ALL CHANGES SHALL BE "REDLINED" AND APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE AND THE ARCHITECT BEFORE THEY ARE MADE.
- MATERIAL SUBMITTALS SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE PRIOR TO COMMENCEMENT OF THE PROJECT.
- THE DEVELOPER / CONTRACTOR SHALL SUBMIT TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE SIX (6) FULL SETS OF "AS-BUILT" DRAWINGS AND ONE (1) MYLAR WITH HANGING TABS BEFORE THE PROJECT IS RELEASED. THE DESIGNING ARCHITECT SHALL COMPLETE THE DRAWINGS.
- INSPECTION NOTICES FOR ALL PARK AND COMMUNITY SERVICES DEPARTMENT RELATED CONSTRUCTION SHALL BE A MINIMUM OF 48 HOURS IN ADVANCE. INSPECTIONS SHALL BE COORDINATED UPON GRADING, FENCE INSTALLATION, CONCRETE INSTALLATION, DECOMPOSED GRANITE INSTALLATION, AND FINAL ACCEPTANCE. PHONE 951.413.3701.
- THE CONTRACTOR MAY OFFER ANY MATERIAL CONSIDERED TO BE EQUIVALENT TO THAT INDICATED. THE SUBSTANTIATION OF OFFERS SHALL BE SUBMITTED IN WRITING AND APPROVED IN WRITING BY THE PARKS AND COMMUNITY SERVICES DEPARTMENT.

TRAIL SURFACE:

- ALL PLAN DETAILS ARE REQUIRED TO SHOW CROSS SECTIONS OF THE TRAIL. THE TRAIL CROSS SECTIONS MUST REFLECT AND INDICATE THE VARIOUS GRADE CHANGES ALONG THE LENGHT OF THE TRAIL. TRAILS SHALL NOT EXCEED A 10% GRADE (UNLESS SPECIFICALLY APPROVED FOR 12%) IN ANY AREA AND HAVE A MAXIMUM 2% CROSS SLOPE. THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE SHALL APPROVE ANY GRADE CHANGES IN WRITING BEFORE PLANS ARE APPROVED AND CONSTRUCTION COMMENCES. ALL LANDINGS SHALL BE GRADUALLY INCORPORATED INTO THE GRADE, IN ORDER TO ALLOW LARGE VEHICLES EASY TRANSITION. ALL DETAILS AND GRADES FOR THE TRAIL SHALL BE REIVEWED AND APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE PRIOR TO ANY TRAIL CONSTRUCTION.
- WHERE TRAILS ARE ADJACENT AND LEVEL TO LANDSCAPE AREAS OR OPEN SPACE, THE STABILIZED DECOMPOSED GRANITE SHALL BE CONFINED IN TRAIL BY THE USE OF A 6"x6" (MINIMUM) CONCRETE HEADER WITH #4 REBAR REINFORCEMENT. THE CONCRETE SPECIFICATION SHALL BE "GREENBOOK" CLASS 560-C-3250 OR 660-C-4000P (PUMP MIX), WITH NO SUBSTITUTIONS FOR PORTLAND CEMENT. THE COLOR SHALL BE DAVIS OMAHA TAN. ADDITIONALLY, THIS SPECIFICATION PERTAINS TO VINE POCKETS.

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APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		MULTI-USE TRAIL SPECIFICATIONS — 7 of 10 — NO. 218G

STABILIZED DECOMPOSED GRANITE AND INSTALLATION PROCEDURES:

1. GREENBOOK FOR PUBLIC WORKS CONSTRUCTION COMPLIANCE: STANDARDS 400-2.3, 400-2.3.1, 400-2.3.2, 400-2.3.3
2. GRADATION: AS DETERMINED BY ASTM C 136 METHODOLOGY (CALTRANS 202)

SIEVE SIZE	PERCENT PASSING
$\frac{1}{2}$"	100
$\frac{3}{8}$"	90-100
NO. 4	50-100
NO. 30	25-55
NO. 100	10-20
NO. 200	5-18

3. SAND EQUIVALENT : AS DETERMINED BY ASTM D 2419 METHODOLOGY (CALTRANS 217): MINIMUM OF 30.
4. R-VALUE: AS DETERMINED BY ASTM D 2488 METHODOLOGY (CALTRANS 301): MINIMUM OF 70.
5. DECOMPOSED GRANITE AS SPECIFIED IN THE CITY STANDARD PLANS SHALL BE DERIVED FROM THE CRUSHING AND SCREENING OF NATURALLY FRIABLE GRANITE. THE BLENDING OF COURSE SAND WITH ROCK DUST IS NOT PERMITTED. THE GRANITE IS SCREENED TO INCLUDE STONE PARTICLES OF $\frac{1}{2}$" MINUS. THE PARTICLES THAT PASS THE 200 SCREEN MESH AS DETERMINED BY ASTM METHODOLOGY SHALL NOT EXCEED 18 PERCENT. THE SAND EQUIVALENT SHALL BE A MINIMUM OF 30 AND THE R-VALUE SHALL BE A MINIMUM OF 70.
6. STABILIZING ORGANIC BINDER SHALL HAVE A MINIMUM SWELL VOLUME OF 32 ML/GM AND BE APPROVED BY THE CITY. THE BINDER SHALL BE INCORPORATED WITH THE GRANITE FINES BY THE USE OF A PUG MILL THAT INCLUDES A WEIGHT BELT FEEDER THAT INSURES THE PROPER RATIO OF BINDER TO GRANITE FINES. BLENDING WITH THE USE OF A BUCKET LOADER OR SIMILAR IS NOT ACCEPTABLE. FOR TRAILS AND STAGING AREAS THE BINDER SHALL BE BLENDED AT THE RATE OF 14 lbs. PER TON OF GRANITE FINES. THE MIXING FACILITY AND MIXING METHOD SHALL BE AVAILABLE TO THE CITY FOR INSPECTION UPON REQUEST.
7. STABILIZED DECOMPOSED GRANITE SHALL BE PLACED TO A MINIMUM DEPTH OF 4"-6" COMPACTED, PER PLAN.
8. INSTALLATION: FOR EACH 2" LIFT EVENLY SPREAD THE MATERIAL OVER AREA ACCORDING TO PLANS. GRADE AND SMOOTH AS DIRECTED BY THE INSPECTOR. THOROUGHLY WATER ENTIRE AREA SO THAT THE ENTIRE DEPTH OF THE MATERIAL IS MOIST. A HIGH VOLUME WATER TRUCK IS RECOMMENDED. AFTER A PERIOD OF +/- 6 HOURS COMPACT THE FINAL LIFT WITH A 1000 - 3000 lb STATIC DRUM ROLLER. ALLOW FOR A SUFFICIENT CURING PERIOD OF +/- 4 DAYS PRIOR TO USE.
9. THIRD-PARTY TESTING OF MATERIALS AND/OR INSTALLATION MAYBE REQUESTED BY THE CITY. THE TESTING SHALL BE PERFORMED WITH NO COST TO THE CITY.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		MULTI-USE TRAIL SPECIFICATIONS — 8 of 10 — NO. 218H

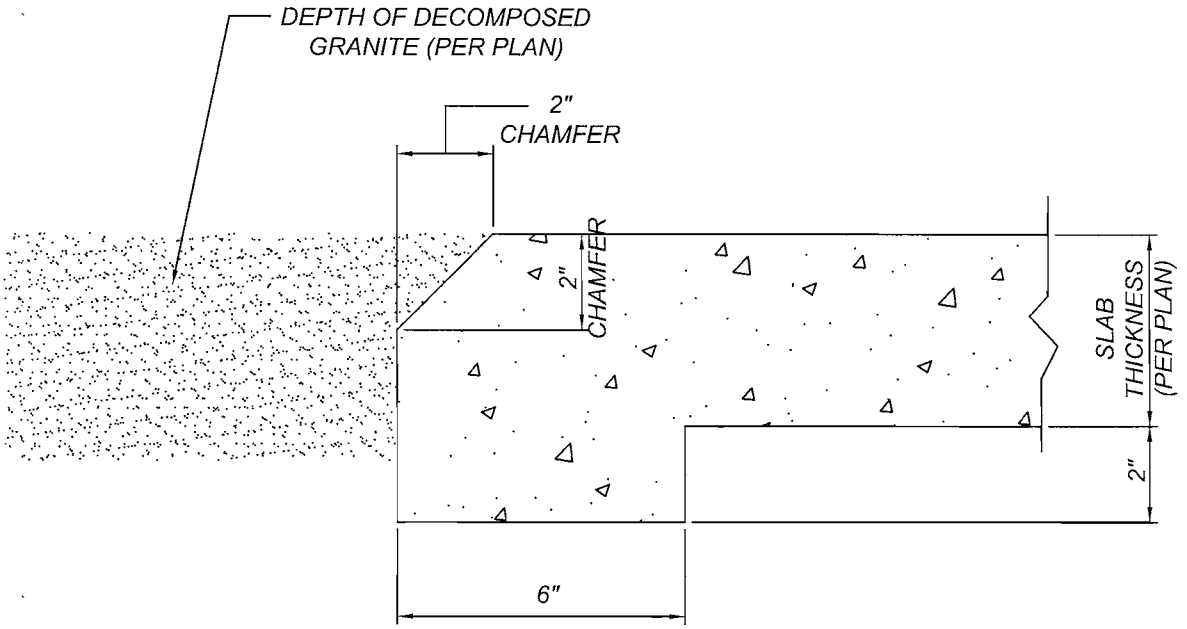

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**CONCRETE WALK / SLAB / APPROACH ADJACENT TO TRAIL**
		9 of 10 NO. **218I**

DEPARTMENT OF PARKS AND COMMUNITY SERVICES GENERAL NOTES:

A. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MOST RECENT VERSIONS (AT TIME OF CONSTRUCTION) OF : THE CITY OF MORENO VALLEY PARK AND COMMUNITY SERVICES LANDSCAPE DEVELOPMENT GUIDELINES, SPECIFICATIONS, DRAWINGS, GREENBOOK SPECIFICATIONS FOR PUBLIC WORKS PROJECTS, AND THE CALIFORNIA BUILDING CODE.

B. TURF AREAS SHALL HAVE A MAXIMUM DESIGN SLOPE OF 20% AND A MINIMUM DESIGN OF 1%.

C. ALL CONCRETE SHALL ADHERE TO THE "GREENBOOK" FOR ITS SPECIFIC TYPE OF APPLICATION. MINIMUM REQUIREMENTS ARE 3250 PSI WITH NO SUBSTITUTES FOR PORTLAND CEMENT. COLOR AND FINISH SAMPLES SHALL BE PROVIDED TO THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER FOR APPROVAL PRIOR TO INSTALLATION. PUMP MIXES SHALL BE 4000 PSI.

D. CONTRACTOR / DEVELOPER SHALL PROVIDE A 12", #4 REINFORCED CONCRETE MOW STRIP BETWEEN TURF AND GROUND COVER AND A 12" CONCRETE MOW STRIP BETWEEN TURF AND WALLS, UNLESS SPECIFICALLY AUTHORIZED OTHERWISE BY PARKS AND COMMUNITY SERVICES.

E. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING GRADING AND BUILDING PERMITS PRIOR TO COMMENCING CONSTRUCTION. PARKS AND COMMUNITY SERVICES WILL OBTAIN BUILDING PERMITS FOR CITY FUNDED PROJECTS.

F. THE CONTRACTOR MUST NOTIFY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER AND THE BUILDING AND SAFETY DIVISION A MINIMUM OF TWO (2) WORKING DAYS (MONDAY - FRIDAY, EXCLUDING HOLIDAYS) PRIOR TO COMMENCING CONSTRUCTION AND / OR INSPECTION.

G. ALL CONSTRUCTION WORK SHALL BE PERFORMED MONDAY THROUGH FRIDAY (EXCLUDING HOLIDAYS), BETWEEN THE HOURS OF 7 AM AND 4 PM. ANY EXCEPTIONS TO THIS SCHEDULE MUST BE APPROVED IN WRITING FROM PARKS AND COMMUNITY SERVICES.

H. LANDSCAPE OR IRRIGATION CONTRACTOR SHALL VERIFY EXISTING WATER PRESSURE AT THE JOB SITE PRIOR TO INSTALLING LANDSCAPE IRRIGATION SYSTEM. A GAUGE THAT RECORDS MAINLINE PRESSURE AND FLOW IS REQUIRED FOR 24 HOUR / 7 DAY PERIOD.

I. A MAINLINE TEST (IRRIGATION AND PORTABLE WATER) AT 150 PSI FOR 4 HOURS SHALL BE SCHEDULED WITH PARKS AND COMMUNITY SERVICES. IF WATER PRESSURE IS LESS THAN DESIGNED PRESSURE, THE CONTRACTOR WILL CONTACT THE ARCHITECT REGARDING THE FINDINGS AND WILL CEASE IRRIGATION WORK UNTIL A SOLUTION IS PROVIDED AND APPROVED IN WRITING BY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER.

J. THE CONTRACT IS RESPONSIBLE FOR INSTALLING AN IRRIGATION SYSTEM THAT PROVIDES COMPLETE COVERAGE TO PLANT MATERIAL IN A MATURE STAGE. IRRIGATION MODIFICATIONS MAY BE REQUIRED TO KEEP WATER OFF OF LIGHT FIXTURES, DRINKING FOUNTAINS, PLAY EQUIPMENT, PICNIC AREAS, STRUCTURES, FENCING, SIDEWALKS, ETC.

K. AT THE CONCLUSION OF ROUGH GRADING, AGRONOMIC SOILS TESTING SHALL BE PROVIDED FOR THE PUBLIC LANDSCAPED AREA AND AREAS THAT ARE ADJACENT TO PUBLIC RIGHT-OF-WAY AND THE RESULTS APPROVED BY PARKS AND COMMUNITY SERVICES, PRIOR TO ANY LANDSCAPE INSTALLATION.

L. A COMPREHENSIVE SOILS TEST IS REQUIRED PRIOR TO PLACING ANY CONCRETE (PCC OR AC) AND BACK FILLED TRENCHES. THIS WILL BE USED TO DETERMINE THE CONCRETE DESIGN AND NECESSITY OF ADDITIONAL BASE MATERIALS ABOVE THE DESIGN ON THE PLANS AND CITY STANDARDS. THE PLAN DESIGN AND CITY STANDARDS SHALL SET THE MINIMUM STANDARDS.

M. ALL LOAD TICKETS OR RECEIPTS SHALL BE PROVIDED TO PARKS AND COMMUNITY SERVICES WITHIN 24 HOURS OF RECEIPT OF PRODUCT. COPIES OF LOAD TICKETS / RECEIPTS INCLUDE BUT ARE NOT LIMITED TO CONCRETE; SOIL AND LANDSCAPE PRODUCTS; PLANT MATERIAL; FENCING AND BUILDING MATERIALS.

N. ALL 'SUBMITTALS' AND SHOP DRAWINGS SHALL BE PROVIDED TO PARKS AND COMMUNITY SERVICES WITHIN THE FIRST 30-DAYS OF THE AWARD OF CONTRACT.

O. ALL MATERIALS SHALL BE AS SPECIFIED WITHIN THE PLANS AND SPECIFICATIONS. 'EQUALS OR SUBSTITUTIONS' WILL ONLY BE CONSIDERED WITHIN THE FIRST 30-DAYS AFTER THE AWARD OF CONTRACT. THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER SHALL APPROVE IN WRITING ALL 'EQUALS OR SUBSTITUTIONS'. THE CONTRACTOR SHALL REPLACE AT HIS/HER COST ANY PRODUCT UTILIZED THAT HAS NOT BEEN APPROVED IN WRITING BY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER.

P. THE CONTRACTOR SHALL COORDINATE WITH AND NOTIFY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER OF THE REQUIRED PRE-CONSTRUCTION MEETING TO BE HELD ON SITE.

Q. THE CONTRACTOR OR DEVELOPER SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF ONE (1) YEAR AFTER PARKS AND COMMUNITY SERVICES ACCEPTS THE SITE IMPROVEMENTS.

R. THE CONTRACTOR OR DEVELOPER SHALL MAINTAIN ALL LANDSCAPING FOR A PERIOD OF ONE (1) YEAR AFTER THE PARKS AND COMMUNITY SERVICES HAS ACCEPTED ALL IMPROVEMENTS FOR MAINTENANCE WITHIN COMMUNITY SERVICES DISTRICTS. BOND'S SHALL BE REQUIRED IN THE AMOUNT TO COVER THE WORK. CITY FUNDED PROJECTS ARE EXEMPT FROM THIS REQUIREMENT.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		**PARKS AND COMMUNITY SERVICES GENERAL NOTES**
		10 of 10 NO. **218J**

MV00048513

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: March 23, 2010

TITLE: APPOINTMENT TO THE RECREATIONAL TRAILS BOARD

RECOMMENDED ACTION

Staff recommends that the City Council, after reviewing the ballot provided by the City Clerk:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the Recreational Trails Board. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

The Recreational Trails Board has two vacant positions with a term expiring June 30, 2011 and June 30, 2012. The City Clerk's Office received one application from Vivian Joneswhye-Brock.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Vivian Joneswhye-Brock, an applicant to the Recreational Trails Board, complied with this requirement.

ALTERNATIVES

The Recreational Trails Board members provide input on matters pertaining to single-use and multi-use recreational trails including bicycle, jogging and equestrian trails within or affecting the City. Choosing not to fill a vacancy on the above-mentioned board would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to applicant

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: March 23, 2010

TITLE: LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT

RECOMMENDED ACTION

Staff recommends that:

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project.

2. The Redevelopment Agency Board authorize the appropriation of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

BACKGROUND

On February 23, 2010, the Redevelopment Agency (RDA) adopted RDA Resolution 2010-01 affirming its intention to provide $4,750,000 in financial assistance to Palm Desert Development Company (PDDC) for Rancho Dorado South, the second phase of the Rancho Dorado Apartments affordable housing project. PDDC is currently preparing to submit an application for financing to the California Tax Credit Allocation Committee.

DISCUSSION

The Rancho Dorado South affordable housing project is the second phase of a 150-unit affordable apartment complex situated near the southeast corner of Perris Boulevard and John F. Kennedy Drive. Originally proposed as a project to be developed in its entirety, changes in the financial markets made it necessary to divide the project into two phases, allowing each phase of the project to better compete for 9% tax credit equity financing. Phase I of Rancho Dorado is fully funded and under construction. The RDA support for the Rancho Dorado project and will provide $4,750,000 of financial assistance to its second phase project.

While PDDC pursues tax credits for Phase II, RDA staff is recommending providing PDDC with a $1.3 million loan to help offset carrying cost of the 3.29-acre parcel and predevelopment expenditures. The loan will bear an interest rate of 3% and will become payable within 18 months with two options to extend (9 months each). The RDA will secure the loan with a Promissory Note and Deed of Trust. The value of the loan will be included in the RDA's total financial assistance of the project. Once tax credits have been realized and project financing has been secured, the Agency will enter into an Affordable Housing Agreement with PDDC.

The first phase of PDDC's Rancho Dorado Project is currently under construction. The first phase of the project contains 70 units restricted for low and very low income residents and one manager's unit. This phase also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project are being developed with the first phase. The second phase of Rancho Dorado will have 79 units and will be comprised of 54 two-bedroom units and 24 three-bedroom units that will also be rent-restricted for low and very low income residents. The second phase also contains a manager's unit.

PDDC will be submitting a tax credit financing application to the California Tax Credit Allocation Committee this month. However, due to the current economy and dimishing revenue generated by tax credits, the award process has become increasingly more competitive and difficult to secure tax credits. It is anticipated that it may take several rounds before the project will obtain the tax credits needed to proceed. Thus, the Loan Agreement was structured with two optional nine-month extension periods should additional time be necessary for future tax credit applications.

PDDC has proposed using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, together with a conventional loan. PDDC is in the process of securing financial commitments- including tax credits- from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	$ 2,498,233	13%
9% Tax Credit Equity	$10,974,951	57%
RDA Land Loan	$ 1,300,000	7%
RDA Funds	$ 3,450,000	18%
Affordable Housing Fee Reductions	$ 991,608	5%
General Partner Equity	$ 11,234	<1%
Total	$19,226,026	100%

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements are incorporated into the AHA.

The RDA's financial advisor, Seifel and Associates, previously reviewed PDDC's request and performed a financial pro forma analysis. The consultant's report indicates that the requested gap financing is appropriate and would be supported, based upon the additional financing provided through the other sources shown in the above table.

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project and authorize the appropriation of $1,300,000 from the RDA's 20% Housing Set Aside funds (Fund 894) for FY 2009-10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project. *Staff does not recommend this alternative because declining to approve the Land Loan Agreement will jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA fund a Loan Agreement in the amount of $1,300,000. Staff proposes providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10. Please note, there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$1,300,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted RDA Resolutions 2008–06 and 07 that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard, as shown on Attachment A. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. On February 23, 2010, the Board of Directors of the Community Redevelopment Agency reaffirmed its intention to provide financial support the project and adopted RDA Resolution 2010-01 approving the conditional financing of $4,750,000 assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds. RDA staff proposes to provide PDDC with a loan of $1,300,000 to offset costs due to the acquisition and pre-development expenditures associated with the project.

ATTACHMENTS

Attachment A – Loan Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

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

LOAN AGREEMENT

by and between the

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

and

MV RANCHO DORADO LIMITED PARTNERSHIP, a California Limited Partnership

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EXHIBIT A SITE MAP
EXHIBIT B PROMISSORY NOTE
EXHIBIT C DEED OF TRUST

LOAN AGREEMENT

THIS LOAN AGREEMENT (the "Agreement") is entered into as of March 1, 2010 (the "Date of Agreement"), by and among the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency") and **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (the "Borrower").

RECITALS

A. The Redevelopment Plan for the Moreno Valley Redevelopment Project, sometimes referred to as the Project (herein, the "Project") was adopted and approved by Ordinance No. 154 of the City of Moreno Valley (the "Redevelopment Plan"). The redevelopment project area for the Redevelopment Plan constitutes the "Project Area."

B. Pursuant to the Community Redevelopment Law, California Health and Safety Code Section 33000, *et seq.* (the "Community Redevelopment Law"), the Agency has established a low- and moderate-income housing fund (the "Housing Fund") the proceeds of which are available for affordable housing activities of the Agency, as determined from time to time by the Agency.

C. The Borrower is the owner of certain real property consisting of approximately 3.20 acres commonly referred to as 25105 John F. Kennedy Drive, Moreno Valley (the "Property") which is depicted on the Map of the Property attached hereto as Exhibit "A" and incorporated herein by reference (the "Map of the Property"), which Property is described more particularly in Exhibit A-1 attached hereto and made a part hereof.

D. The Borrower and its principals are experienced in the development and operation of affordable housing projects.

E. The Borrower has indicated to the Agency that the Borrower intends to plan, arrange financing for, construct and operate an affordable housing project to be constructed on the Property. The Borrower will apply for a preliminary reservation of housing tax credits in connection with the development of a housing project on the Property.

F. The Borrower has further indicated to the Agency that it desires to borrow the amount of the Agency Loan as set forth below, which would be used to defray costs associated with the acquisition of the Property by the Borrower.

G. The Agency Loan is to be funded using moneys from the Housing Fund.

NOW, THEREFORE, the parties hereto agree as follows:

1. Agency Loan. Subject to the terms and conditions of this Agreement, the Agency agrees to loan to Borrower (the "Agency Loan") the amount of up to One Million Three Hundred Thousand Dollars ($1,300,000.00) (the "Agency Loan Amount"). The disbursement of the Agency Loan Amount shall be accomplished in accordance with Section 4 of this Agreement.

2. Borrower Efforts Concerning Development of Affordable Housing Units on the Property. During the period the Agency Loan is outstanding, Borrower agrees to exercise diligent efforts to arrange for planning and financing of an affordable rental housing project to be located on

ATTACHMENT A

the Property. Given the experience of the Borrower and its principals, as well as the expressions by Borrower and its principals that Borrower expects to be able to arrange for the planning, financing and cause the construction of an affordable multifamily housing development on the Property, the Agency is prepared to make the Agency Loan under the terms set forth in this Agreement. The Borrower agrees and acknowledges that the circumstance that the Agency enters into this Agreement does not obligate the Agency to commit further resources in connection with the development of affordable dwelling units on the Property.

3. Loan Escrow. The Agency agrees to open an escrow for the conveyance of the Property (the "Escrow") with Stewart Title of California or another title insurer designated by the Agency (the "Title Company") or with another mutually agreeable escrow company (the "Escrow Agent"), for the Agency Loan within ten (10) days following approval of this Agreement by the Agency. The Escrow Agent shall accomplish the delivery of a promissory note in the form of Exhibit "B" hereto (the "Note") and the recordation of a deed of trust in the form of Exhibit "C" hereto (the "Deed of Trust") all as more particularly set forth herein. This Agreement constitutes the joint basic escrow instructions of the Agency and the Borrower for the Agency Loan, and a duplicate original of this Agreement shall be delivered to the Escrow Agent upon the opening of the Escrow. The Agency and the Borrower shall provide such additional escrow instructions as shall be necessary for and consistent with this Agreement in connection with the execution and delivery of the Note, the recording of the Deed of Trust and the delivery of a lender's policy of title insurance for the Agency as prescribed herein. The Escrow Agent is hereby empowered to act under this Agreement, and the Escrow Agent, upon indicating within five (5) days after the opening of the Escrow its acceptance of the provisions of this Section 3, in writing, delivered to the Agency and the Borrower, shall carry out its duties as Escrow Agent hereunder. Upon delivery of the Note and the Deed of Trust, the Escrow Agent shall record the Deed of Trust when it is prepared to issue its policy of title insurance for the Agency (as lender) in conformity with this Agreement and the Agency has confirmed to Escrow Holder that the conditions precedent to funding the Agency Loan have been satisfied.

The Borrower shall pay the premium for the lender's policy of title insurance and all escrow charges. The Escrow Agent is authorized to apply from the amount of the Agency Loan amounts sufficient to defray escrow charges and fees (including without limitation costs necessary to place title to the Property in condition to render title satisfactory to Agency for its Deed of Trust; cost of drawing documents, if any, and recording charges) and the premium for the Agency's lender's policy of title insurance in connection with the Agency Loan; provided that if Borrower provides cash for such purposes, the Escrow Agent will first apply such cash amounts for the premium for the title insurance to be paid by the Borrower. The Agency's title policy shall insure the Agency for the principal amount of the Agency Loan.

The Escrow Agent is authorized to:

(a) Pay, and charge the parties for any fees, charges and costs payable under this Section 3 of this Agreement. Before such payments or charges are made, the Escrow Agent shall notify the parties of its estimate of the fees, charges and costs necessary to conform title and close the Loan Escrow.

(b) Disburse the Agency Loan to Borrower, deliver the Note and, upon recordation, the Deed of Trust to the Agency when the conditions of this Escrow have been fulfilled by the Agency and the Borrower.

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All funds received in this Escrow shall be deposited by the Escrow Agent, with other escrow funds of the Escrow Agent in an interest earning general escrow account or accounts with any state or national bank doing business in the State of California. Such funds may be transferred to any other general escrow account or accounts. All disbursements shall be made by check or wire transfer of the Escrow Agent. All adjustments are to be made on the basis of a thirty (30) day month. Interest shall be applied for the benefit of the party depositing such funds.

If the Loan Escrow is not in condition to close on or before May 1, 2010, either party who then shall have fully performed the acts to be performed before the conveyance of title may, in writing, demand from the Escrow Agent the return of its money, papers or documents deposited with the Escrow Agent, with a copy to be concurrently transmitted by such party to the other party. No demand for return shall be recognized until ten (10) days after the Escrow Agent shall have mailed copies of such demand to the other party or parties at the address of its or their principal place or places of business. Objections, if any, shall be raised by written notice to the Escrow Agent and to the other party within the ten (10) day period, in which event the Escrow Agent is authorized to hold all money, papers and documents with respect to the Property until instructed by a mutual agreement of the parties or by a court of competent jurisdiction. If no such demands are made, the Loan Escrow shall be closed as soon as possible. The Escrow Agent shall not be obligated to return any such money, papers or documents except upon the written instructions of both the Agency and the Borrower or until the party entitled thereto has been determined by a final decision of a court of competent jurisdiction.

Any amendment to these Loan Escrow instructions shall be in writing and signed by both the Agency and the Borrower. At the time of any amendment, the Escrow Agent shall agree to carry out its duties as Escrow Agent under such amendment.

All communications from the Escrow Agent to the Agency or the Borrower shall be directed to the addresses and in the manner established in Section 22 of this Agreement for notices, demands and communications between the Agency and the Borrower.

The liability of the Escrow Agent under this Agreement insofar as Escrow Agent performs as an escrow holder and without limitation to performance by Escrow Agent in another capacity (such as title insurer) is limited to performance of the obligations imposed upon it under Section 3 of this Agreement.

Concurrently with recordation of the Deed of Trust, Stewart Title of California, or another title company designated by the Agency (the "Title Company") shall deliver to the Agency a lender's ALTA title insurance policy issued by the Title Company insuring the Deed of Trust for the original principal amount thereof. All costs for such policy of title insurance shall be borne by the Borrower.

4. Mechanics of Disbursement of Agency Loan. Subject to the prior satisfaction of the "Conditions to Disbursement" (as set forth in Section 5, below), all as determined by the Executive Director of the Agency (the "Executive Director") or his designee, the Agency shall disburse proceeds of the Agency Loan in one lump sum payment.

5. Conditions to Disbursement of Agency Loan. The obligation of the Agency to disburse the Agency Loan to Borrower, or on behalf of Borrower to the persons entitled to payment for the development costs of the Property, shall be subject to the prior satisfaction of the following

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conditions (a) to (e), inclusive (the "Conditions to Disbursement"), as determined to the reasonable satisfaction of the Executive Director or his designee:

(a) The Borrower shall have provided proof satisfactory to the Executive Director that all real property taxes and assessments levied with respect to the Property have been paid, and that no such taxes or assessments are delinquent.

(b) The Borrower shall have duly executed and delivered to the Agency the Promissory Note, and shall have executed, caused to be recorded and thereupon delivered to the Agency the Deed of Trust, with the Deed of Trust having been recorded with respect to the Property as a deed of trust which is a first deed of trust.

(c) The Title Company shall have committed to issue to the Agency a lender's policy of title insurance for the Deed of Trust (which, at Agency's discretion, will be an ALTA policy) insuring title in condition acceptable to the Agency in its sole discretion (as determined by the Executive Director) with the Deed of Trust in a first position.

(d) There shall exist no violation of the City of Moreno Valley Municipal Code (the "Municipal Code") on the Property.

(e) There shall exist no condition, event or act which would constitute an Event of Default (as hereinafter defined) hereunder or which, upon the giving of notice or the passage of time, or both, would constitute an Event of Default.

6. Promise to Repay Agency Loan. Borrower hereby agrees to execute a Promissory Note (the "Note") in the form attached hereto as Exhibit "B" and incorporated herein, by which Borrower shall agree to repay to the Agency in full the Agency Loan, on or before October 15, 2011 (the "Initial Scheduled Maturity Date"). Interest shall accrue at the rate of three percent (3%) per annum, simple interest, upon such obligation except in the event of: (i) a transfer or sale of the Property, or (ii) the occurrence of any Event of Default, in which event interest shall thereupon accrue at the rate of ten percent (10%) per annum (provided that in the event such interest rate exceeds the maximum interest which may be lawfully charged, then this Loan Agreement and the Promissory Note shall be deemed to instead provide for interest to be charged at the highest interest rate that may be charged pursuant to applicable laws). The Agency Loan Amount, together with any other amounts as may become due and payable to the Agency pursuant to the Promissory Note, shall be due and payable to the Agency upon the occurrence of any violation or failure of Borrower to perform under one or more of the provisions of this Agreement, including, without limitation the Exhibits hereto (an "Event of Default") which is not cured within the time set forth herein, or sooner upon the sale or other transfer of the Property, the transfer or sale of the Property, or the occurrence of any other Event of Default. The Borrower shall also execute and deliver to the Agency upon recordation a Deed of Trust encumbering the Property, in the form attached hereto as Exhibit "C" and incorporated herein, which shall secure the repayment of the Agency Loan.

In the event that Borrower is in compliance with all of the requirements of this Agreement, there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director determines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is exercising diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is

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making substantial progress in connection therewith, the Agency will extend the maturity of the Agency Loan for a period of nine (9) months to July 15, 2012 (the "First Alternate Maturity Date"). Thereafter, in the event there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director redetermines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is continuing to exercise diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is making substantial progress in connection therewith, the Agency will extend the maturity of the Note for a period of nine (9) months to April 15, 2013 (the "Second Alternate Maturity Date").

7. Maintenance. For so long as the Agency Loan is outstanding, the Borrower shall maintain the Property in good condition, free of debris, waste and graffiti, in a clean and presentable manner, and in compliance with the terms of the Redevelopment Plan and with all applicable provisions of the Municipal Code. Failure to so maintain the Property, following receipt of notice by the Agency specifically describing conditions contrary to this Section 7, shall constitute a default under this Agreement and shall constitute grounds for acceleration of the Note.

8. Insurance and Indemnity. A certificate of all such insurance policies required by this Agreement shall be delivered to the Executive Director prior to the commencement of any work on the Property. No such insurance shall be canceled or modified without thirty (30) days prior written notice to the Agency.

(a) Indemnification. Borrower hereby agrees to defend, indemnify and hold harmless the Agency, and its officers, employees, representatives and agents, from and against any and all liability, damages, costs, losses, claims and expenses, suits, actions, proceedings and judgments including attorney fees however caused, resulting directly or indirectly from or relating to: (i) this Agreement (including without limitation Sections 1 and 4 hereof); (ii) the disbursement of the Agency Loan amount; (iii) a claim, demand or cause of action that any person has or asserts against Borrower; (iv) any act or omission of Borrower, any contractor, subcontractor or material supplier, engineer, architect or other person hired by Borrower with respect to the Property; or (v) the ownership, occupancy or use of the Property. Notwithstanding the foregoing, Borrower shall not be obligted to indemnify the Agency with respect to the consequencs of any act of gross negligence or willful misconduct of the Agency.

(b) Workers' Compensation. Borrower shall comply with, and shall cause its contractors to comply with, all of the provisions of the Worker's Compensation Insurance and Safety Acts of the State of California, the applicable provisions of the California Government Code and all amendments thereto; and all similar state or federal acts or laws which are applicable; and shall indemnify, defend and hold harmless Agency and its agents, representatives, officers and employees from and against all claims, demands, payments, suits, actions, proceedings and judgments of every nature and description, including attorney's fees and costs presented, brought or recovered against Agency and its agents, officers, representatives and/or employees, for or on account of any liability under any of said acts which may be incurred by reason of any work to be performed by Borrower under this Agreement.

(c) Liability Insurance. In addition to the provisions of Sections 8(a) and 8(b) above, Borrower shall furnish to Agency and maintain in force during any period that improvements are being constructed on the Property a policy of comprehensive general liability insurance in which

the Agency and its officers, employees, agents and representatives are named as additional insureds. The policy shall indemnify the Agency, its officers, representatives, agents and employees, while acting within the scope of their duties, against any and all claims arising out of or in connection with the Property, the Improvements, and the Borrower's performance of this Agreement. The policy shall provide coverage for combined single limit bodily injury and/or property damage in an amount not less than One Million Dollars ($1,000,000) per occurrence. Such policy of insurance shall specifically provide that: (i) any other insurance coverage which may be applicable to the loss shall be deemed excess coverage and Borrower's insurance shall be primary; (ii) the Agency and the City and their officers, agents and employees, shall be additional insureds; and (iii) coverage may not be terminated or modified excepting upon 30-days prior written notice to the Executive Director.

9. [Reserved].

10. Assumption of Agency Loan. The Agency Loan is made to Borrower based upon Borrower's qualifications and is personal to the Borrower. It is because of those qualifications that the Agency has entered into this Agreement with the Borrower and has agreed to make its Agency Loan. Accordingly, the Borrower's rights and obligations under this Agreement, the Promissory Note and the Deed of Trust shall not be assignable or assumable by successors and assigns of Borrower, and no voluntary or involuntary successor in interest of the Borrower shall acquire any rights or powers under this Agreement, the Promissory Note or the Deed of Trust except as expressly set forth and/or permitted herein. Borrower agrees that any sale, transfer or use of the Property as collateral shall constitute an event of default and an event of acceleration under the Note.

11. Representations and Warranties. Borrower represents and warrants to Agency and the Agency enters into this Agreement in material reliance upon the following representations and warranties of the Borrower:

(a) No Conflict. Borrower's execution, delivery and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which the Borrower is a party or by which Borrower is bound.

(b) No Borrower Bankruptcy. Borrower is not the subject of a current or threatened bankruptcy proceeding.

(c) Authority. The Borrower has full right, power and legal authority to undertake all obligations as provided herein, and the execution, performance and delivery of this Agreement by Borrower has been fully authorized by all requisite actions on behalf of the Borrower.

(d) Litigation. To the best of Borrower's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings affecting the Property or any portion thereof, at law or in equity, before any court or governmental agency, domestic or foreign.

(e) Governmental Compliance. Borrower has not received any notice from any governmental agency or authority alleging that the Property is currently in violation of any law, ordinance, rule, regulation or requirement applicable to its use and operation.

(f) Ownership of the Property. The Borrower holds fee title to the Property.

Until the repayment in full of the Agency Loan, the Borrower shall, upon learning of any fact or condition which would cause any of the warranties and representations in this Section 11 not to be true, immediately give written notice of such fact or condition to the Agency.

12. Compliance With Laws. The Borrower shall operate and maintain the Property and any improvements thereon in conformity with all applicable laws, including all applicable state labor standards, the City zoning and development standards, building, plumbing, mechanical and electrical codes, and all other provisions of the Municipal Code, all applicable environmental laws, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.*, Government Code Section 4450, *et seq.*, Government Code Section 11135, *et seq.*, and the Unruh Civil Rights Act, Civil Code Section 51, *et seq*. No uses shall be conducted on the Property which are not permitted by applicable laws, including without limitation zoning as in effect from time to time.

The Agency will not require that, by virtue of the Agency Loan, the Borrower is obligated to pay prevailing wages for subsequent construction work on the Property by virtue of the restrictions to be recorded against the Property and described in Section 3 excepting to the extent payment of prevailing wages is required pursuant to California Labor Code Section 1720(c)(6)(E). Notwithstanding the foregoing, Borrower does hereby and shall indemnify and hold each of Agency and City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Agency or City with respect to or in any way arising from Borrower's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720.

13. Nondiscrimination. Borrower for itself and its successors and assigns, agrees that there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the leasing, subleasing, rental, transferring, use, occupancy, tenure, or enjoyment of the Property nor shall the Borrower or any person claiming under or through the Borrower establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, leases, sublessees, subtenants, contractors or vendees in the Property.

14. Conflicts of Interest. No member, officer or employee of the City or Agency, its designees or agents and no member, officer, employee or other public official of such locality or localities who exercise any functions or responsibilities with respect to the activities undertaken pursuant to this Agreement or to the program shall have any interest, direct or indirect, in this Agreement or in any contract, subcontract or the proceeds thereof, for work to be performed in connection with this Agreement.

15. Records. The Borrower shall maintain complete and accurate records pertaining to the Property, and shall permit any duly authorized representative of the Agency to inspect the books and records of the Borrower pertaining to the Property and other records necessary to determine compliance with this Agreement.

16. Defaults. Failure or delay by either party to perform any covenant, term or provision of this Agreement to be performed by such party within the time provided herein constitutes a default ("Event of Default") under this Agreement. The injured party shall give written notice of default to the party in default, specifying the default complained of by the injured party. The defaulting party

shall immediately commence to cure such default and shall complete such cure within thirty (30) days from the date of the notice or such longer period if the nature of the default is such that more than thirty (30) days is required to cure such default and the defaulting party immediately commences to cure and thereafter diligently pursues such cure to completion within a reasonable period of time. Except as required to protect against further damages, the injured party may not institute proceedings against the party in default until thirty (30) days after giving such notice. Any failure or delay by either party in giving such notice or in asserting any of its rights or remedies as to any default shall not change the times of such default nor shall it operate as a waiver of any default or of any such rights or remedies or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

17. Attorneys' Fees and Costs. In the event that any action is instituted pursuant to this Agreement, the parties agree that the non-prevailing party shall be responsible for and shall pay all costs and all attorneys' fees incurred by the prevailing party in enforcing this Agreement.

18. Legal Actions. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy authorized by law or equity consistent with the purpose of this Agreement and the Exhibits hereto. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

19. Applicable Law. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

20. Acceptance of Service of Process. In the event that any legal action is commenced by the Borrower against the Agency, service of process on the Agency shall be made by personal service on the Agency by personal service upon the Agency Secretary, or in such other manner as may be provided by law. In the event that any legal action is commenced by the Agency against the Borrower, service of process on the Borrower shall be made in such manner as may be provided by law, whether made within or outside the State of California.

21. Rights and Remedies are Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by either party or one or more of such rights or remedies shall not preclude the exercise by it, at the same time or different times, or any other rights or remedies for the same default or any other default by the other party.

22. Notices. Any notices, requests or approvals given under this Agreement from one party to another may be personally delivered or deposited with the United States Postal Service for mailing, postage prepaid, registered or certified mail, return receipt requested to the following addresses:

To Borrower: MV Rancho Dorado Limited Partnership
P.O. Box 3958
Palm Desert, California 92261
Telephone: (760) 568-1048
Fax: (760) 832-2932

To Agency: Economic Development Director
Community Redevelopment Agency of the City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Any written notice, request or approval shall be deemed received immediately if personally delivered and on the third day from the date it is postmarked if delivered by registered or certified mail.

23. Relationship of Agency and Borrower; City as Third Party Beneficiary. The relationship of Borrower and Agency pursuant to this Agreement is that debtor and creditor and shall not be, nor be construed to be a joint venture, partnership or other relationship. Agency shall not be construed to have any property interest in the Property, other than its interests pursuant to the Deed of Trust. The City shall be deemed to be a third party beneficiary of this Agreement (including without limitation the Exhibits hereto). Excepting for the City, there shall be no third party beneficiaries of this Agreement.

24. Miscellaneous. The Borrower has had an opportunity to review this Loan Agreement with legal counsel and other advisers of its choosing. The Borrower additionally acknowledges and agrees that the Borrower shall continue to be responsible for all property taxes and assessments imposed in respect to the Property and any improvements to be constructed thereon, and acknowledges that such taxes and assessments may increase due to such construction. The Agreement shall be interpreted as if prepared equally by both parties and in light of the beneficial terms under which the Agency has agreed to make available to the Borrower the Agency Loan Amount.

25. No Waiver. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

26. Modifications. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing and in each instance signed on behalf of each party.

27. Severability. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

28. Entire Agreement, Waivers and Amendments. This Agreement may be executed in duplicate originals, each of which shall be deemed to be an original. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and restates all other negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. Any waiver, modification, rescission or release of any provision of this Agreement must be in writing and signed by the appropriate authorities of the Agency and/or the Borrower, and all amendments hereto must be in writing and signed by the appropriate authorities of the Agency and the Borrower. The Executive Director of Agency may execute any documents, make any approvals,

enter into any amendments, or take any other actions as may be necessary or appropriate to carry out this Agreement on behalf of the Agency.

29. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as the date set forth above.

AGENCY:

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By:_____
William L. Bopf
Interim Executive Director

ATTEST:

_____
Jane Halstead
Agency Secretary

BORROWER:

MV RANCHO DORADO LIMITED PARTNERSHIP, a California limited partnership

By: PALM DESERT DEVELOPMENT COMPANY, a California corporation,its Administrative General Partner

By:_____
Danavon L. Horn, President

EXHIBIT "A"

MAP OF THE PROPERTY

DOCSOC/1394119v6/022810-0022

EXHIBIT "B"

PROMISSORY NOTE

$1,300,000 March __, 2010
Moreno Valley, California

FOR VALUE RECEIVED, MV RANCHO DORADO LIMITED PARTNERSHIP, a California Limited Partnership (the "Borrower") promises to pay to the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency"), or order at the Agency's office at 14177 Frederick Street, Moreno Valley, California 92552-0805, or such other place as the Agency may designate in writing, the principal sum of One Million Three Hundred Thousand Dollars ($1,300,000) (the "Note Amount"), or so much of such amount as has been disbursed pursuant to Section 3 of the Agreement (as defined herein), in currency of the United States of America, which at the time of payment is lawful for the payment of public and private debts.

1. Agreement. This Promissory Note (the "Note") is made in accordance with that certain Loan Agreement executed by the Agency and Borrower, dated as of March 1, 2010 (the "Agreement"). The rights and obligations of Borrower and the Agency under this Note shall be governed by the Agreement and by the additional terms set forth in this Note. The Note Amount shall be disbursed in such amounts and at such times as set forth in Section 2 of the Agreement. All capitalized terms used in this note not defined herein shall have the meaning as established therefor in the Agreement. The Agreement is on file with the Agency as a public record.

2. Interest. Interest shall accrue at the rate of three percent (3%) per annum, simple interest, upon such obligation except in the event of: (i) a transfer or sale of the Property, or (ii) the occurrence of any Event of Default, in which event interest shall thereupon accrue at the rate of ten percent (10%) per annum (provided that in the event such interest rate exceeds the maximum interest which may be lawfully charged, then this Loan Agreement and the Promissory Note shall be deemed to instead provide for interest to be charged at the highest interest rate that may be charged pursuant to applicable laws). The Agency Loan Amount, together with any other amounts as may become due and payable to the Agency pursuant to the Promissory Note, shall be due and payable to the Agency on October 15, 2011 (the "Initial Scheduled Maturity Date") or sooner upon the occurrence of any violation or failure of Borrower to perform under one or more of the provisions of this Agreement, including, without limitation the Exhibits hereto (an "Event of Default") which is not cured within the time set forth herein, or sooner upon the sale or other transfer of the Property, the transfer or sale of the Property contrary to Section 3 hereof, or the occurrence of any other Event of Default. The Borrower shall also execute and deliver to the Agency upon recordation a Deed of Trust encumbering the Property, in the form attached hereto as Exhibit "C" and incorporated herein, which shall secure the repayment of the Agency Loan.

In the event that Borrower is in compliance with all of the requirements of this Agreement, there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director determines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is exercising diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is

making substantial progress in connection therewith, the Agency will extend the maturity of the Agency Loan at no cost to the Borrower for a period of nine (9) months to July 15, 2012 (the "First Alternate Maturity Date"). Thereafter, in the event there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director redetermines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is continuing to exercise diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is making substantial progress in connection therewith, the Agency will extend the maturity of the Note at no cost to the Borrower for a period of nine (9) months to April 15, 2013 (the "Second Alternate Maturity Date").

3. Repayment of Note Amount. Payment shall become immediately due and payable upon the earlier to occur of the following:

(a) The sale, lease, exchange or other conveyance of the Property, as that term is defined in the Agreement; or

(b) A default by Borrower under the Agreement, the Deed of Trust securing this Note or this Note, which has not been cured within the period of time set forth in those documents; or

(c) A default by Borrower under any loan secured by the Property; or

(d) The occurrence of the Initial Scheduled Maturity Date (or, as applicable, the First Alternate Maturity Date or the Second Alternate Maturity Date) in the event that, after applying any applicable credit, there is a remaining balance.

Failure to declare such amounts due shall not constitute a waiver on the part of the Agency to declare them due subsequently.

4. Non-Recourse. This Note shall constitute a non-recourse obligation of the Borrower.

5. Security. This Note is secured by a deed of trust (the "Deed of Trust") dated concurrently herewith.

6. Waivers.

(a) Borrower expressly agrees that this Note or any payment hereunder may be extended from time to time at the Agency's sole discretion and that the Agency may accept security in consideration for any such extension or release any security for this Note at its sole discretion, all without in any way affecting the liability of Borrower.

(b) No extension of time for payment of this Note made by agreement by the Agency with any person now or hereafter liable for the payment of this Note shall operate to release, discharge, modify, change or affect the original liability of Borrower under this Note, either in whole or in part.

(c) The obligations of Borrower under this Note shall be absolute and Borrower waives any and all rights to offset, deduct or withhold any payments or charges due under this Note for any reasons whatsoever.

(d) Borrower waives presentment, demand, notice of protest and nonpayment, notice of default or delinquency, notice of acceleration, notice of costs, expenses or leases or interest thereon, notice of dishonor, diligence in collection or in proceeding against any of the rights of interests in or to properties securing of this Note, and the benefit of any exemption under any homestead exemption laws, if applicable.

(e) No previous waiver and no failure or delay by Agency in acting with respect to the terms of this Note or the Deed of Trust shall constitute a waiver of any breach, default, or failure or condition under this Note, the Deed of Trust or the obligations secured thereby. A waiver of any term of this Note, the Deed of Trust or of any of the obligations secured thereby must be made in writing and shall be limited to the express written terms of such waiver.

7. Attorneys' Fees and Costs. Borrower agrees that if any amounts due under this Note are not paid when due, to pay in addition, all costs and expenses of collection and reasonable attorneys' fees paid or incurred in connection with the collection or enforcement of this Note, whether or not suit is filed.

8. Amendments and Modifications. This Note may not be changed orally, but only by an amendment in writing signed by Borrower and by the Agency.

9. Agency May Assign. Agency may, at its option, assign its right to receive payment under this Note without necessity of obtaining the consent of the Borrower.

10. Borrower Assignment Prohibited. In no event shall Borrower assign or transfer any portion of this Note without the prior express written consent of the Agency, which consent may be given or withheld in the Agency's sole discretion.

11. Terms. Any terms not separately defined herein shall have the same meanings as set forth in the Agreement.

12. Acceleration and Other Remedies. Upon the occurrence of the events set forth in Section 3 hereof, Agency may, at Agency's option, declare the outstanding principal amount of this Note, together with the then accrued and unpaid interest thereon and other charges hereunder, and all other sums secured by the Deed of Trust, to be due and payable immediately, and upon such declaration, such principal and interest and other sums shall immediately become and be due and payable without demand or notice, all as further set forth in the Deed of Trust. All costs of collection, including, but not limited to, reasonable attorneys' fees and all expenses incurred in connection with protection of, or realization on, the security for this Note, may be added to the principal hereunder, and shall accrue interest as provided herein. Agency shall at all times have the right to proceed against any portion of the security for this Note in such order and in such manner as such Agency may consider appropriate, without waiving any rights with respect to any of the security. Any delay or omission on the part of the Agency in exercising any right hereunder, under the Agreement or under the Deed of Trust shall not operate as a waiver of such right, or of any other right. No single or partial exercise of any right or remedy hereunder or under the Agreement or any other document or agreement shall preclude other or further exercises thereof, or the exercise of any other right or remedy. The acceptance of payment of any sum payable hereunder, or part thereof, after the due date of such payment shall not be a waiver of Agency's right to either require prompt payment when due of all other sums payable hereunder or to declare an Event of Default for failure to make prompt or complete payment.

13. Consents. Borrower hereby consents to: (a) any renewal, extension or modification (whether one or more) of the terms of the Agreement or the terms or time of payment under this Note, (b) the release or surrender or exchange or substitution of all or any part of the security, whether real or personal, or direct or indirect, for the payment hereof, (c) the granting of any other indulgences to Borrower, and (d) the taking or releasing of other or additional parties primarily or contingently liable hereunder. Any such renewal, extension, modification, release, surrender, exchange or substitution may be made without notice to Borrower or to any endorser, guarantor or surety hereof, and without affecting the liability of said parties hereunder.

14. Successors and Assigns. Whenever "Agency" is referred to in this Note, such reference shall be deemed to include the Community Redevelopment Agency of the City of Moreno Valley and its successors and assigns, including, without limitation, any subsequent assignee or holder of this Note. All covenants, provisions and agreements by or on behalf of Borrower, and on behalf of any makers, endorsers, guarantors and sureties hereof which are contained herein shall inure to the benefit of the Agency and Agency's successors and assigns.

15. Usury. It is the intention of Borrower and Agency to conform strictly to the Interest Law, as defined below, applicable to this loan transaction. Accordingly, it is agreed that notwithstanding any provision to the contrary in this Note, or in any of the documents securing payment hereof or otherwise relating hereto, the aggregate of all interest and any other charges or consideration constituting interest under the applicable Interest Law that is taken, reserved, contracted for, charged or received under this Note, or under any of the other aforesaid agreements or otherwise in connection with this loan transaction, shall under no circumstances exceed the maximum amount of interest allowed by the Interest Law applicable to this loan transaction. If any excess of interest in such respect is provided for in this Note, or in any of the documents securing payment hereof or otherwise relating hereto, then, in such event:

(a) The provisions of this paragraph shall govern and control;

(b) Neither Borrower nor Borrower's heirs, legal representatives, successors or assigns shall be obligated to pay the amount of such interest to the extent that it is in excess of the maximum amount of interest allowed by the Interest Law applicable to this loan transaction;

(c) Any excess shall be deemed canceled automatically and, if theretofore paid, shall be credited on this Note by Agency or, if this Note shall have been paid in full, refunded to Borrower; and

(d) The effective rate of interest shall be automatically subject to reduction to the Maximum Legal Rate of Interest (as defined below), allowed under such Interest Law, as now or hereafter construed by courts of appropriate jurisdiction. To the extent permitted by the Interest Law applicable to this loan transaction, all sums paid or agreed to be paid to Agency for the use, forbearance or detention of the indebtedness evidenced hereby shall be amortized, prorated, allocated and spread throughout the full term of this Note. For purposes of this Note, "Interest Law" shall mean any present or future law of the State of California, the United States of America, or any other jurisdiction which has application to the interest and other charges under this Note. The "Maximum Legal Rate of Interest" shall mean the maximum rate of interest that Agency may from time to time charge Borrower, and under which Borrower would have no claim or defense of usury under the Interest Law.

16. Miscellaneous. Time is of the essence hereof. This Note shall be governed by and construed under the laws of the State of California except to the extent Federal laws preempt the laws of the State of California. Borrower irrevocably and unconditionally submits to the jurisdiction of the Superior Court of the State of California for the County of Riverside, in connection with any legal action or proceeding arising out of or relating to this Note. Borrower also waives any objection regarding personal or in rem jurisdiction or venue.

BORROWER:

MV RANCHO DORADO LIMITED PARTNERSHIP, a California limited partnership

By: PALM DESERT DEVELOPMENT COMPANY, a California corporation, its Administrative General Partner

By:_____
Danavon L. Horn, President

EXHIBIT "C"

DEED OF TRUST

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO: Community Redevelopment Agency of the City of Moreno Valley 14177 Frederick Street Moreno Valley, California 92552-0805 Attention: Executive Director	
APN: 486-070-007-4	This document is exempt from the payment of a recording fee pursuant to Government Code Section 6103 and 27383.

DEED OF TRUST AND ASSIGNMENT OF RENTS

This **DEED OF TRUST WITH ASSIGNMENT OF RENTS** (this "Deed of Trust"), is made as of _____, 2010, by and among **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (the "Trustor"), whose address is P.O. Box 3958, Palm Desert, California, **STEWART TITLE OF CALIFORNIA** (the "Trustee"), whose address is 2010 Main Street, Suite 2209, Irvine, California 92614, and the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Beneficiary"), whose address is 14177 Frederick Street, Moreno Valley, California.

WITNESSETH: that Trustor grants to Trustee in Trust, with Power of Sale, that property in the City of Moreno Valley, County of Riverside, State of California, that is described in Attachment No. 1, attached hereto and by this reference incorporated herein (the "Property");

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

For the purpose of securing (1) Payment of indebtedness in the principal amount of $1,300,000 together with interest thereon according to and as set forth in the certain Note from Trustor to Beneficiary of even date herewith (which repayment may be made by credit pursuant to the terms of such promissory note); (2) Payment of any sums advanced by Beneficiary to protect the Security pursuant to the terms and provisions of this Deed of Trust following a breach of Trustor's obligation to advance said sums and the expiration of any applicable cure period and upon fifteen (15) business days notice to the Trustor, with interest thereon as provided herein; (3) Payment of such additional sums and interest thereon which may hereafter be loaned to Trustor, or its successors or assigns, by Beneficiary, when evidenced by a promissory note or notes or other documents reciting that they are secured by this Deed of Trust; and (4) Performance of every material obligation, covenant or agreement of Trustor contained herein or the Note (and any amendments thereto).

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform

and be bound by each and all of the terms and provisions set forth in subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in subdivision B of the fictitious deed of trust recorded in Orange County August 17, 1964, in all other counties August 18, 1964, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, namely:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	1288	556	Orange	7182	18
Alpine	3	130-31	Placer	1028	379
Amador	133	438	Plumas	166	1307
Butte	1330	513	Riverside	3778	347
Calaveras	185	338	Sacramento	5039	124
Colusa	323	391	San Benito	300	405
Contra Costa	4684	1	San Bernardino	6213	768
Del Norte	101	549	San Francisco	A 804	596
El Dorado	704	635	San Joaquin	2855	283
Fresno	5052	623	San Louis Obispo	1311	137
Glenn	469	76	San Mateo	4778	175
Humboldt	801	83	Santa Barbara	2065	881
Imperial	1189	701	Santa Clara	6626	664
Inyo	165	672	Santa Cruz	1638	607
Kern	3756	690	Shasta	800	633
Kings	858	713	San Diego SERIES 5	1964	149774
Lake	437	110	Sierra	38	187
Lassen	192	367	Siskiyou	506	762
Los Angeles	T-3878	874	Solano	1287	621
Madera	911	136	Sonoma	2067	427
Marin	1849	122	Stanislaus	1970	56
Mariposa	90	453	Sutter	655	585
Mendocino	667	99	Tehama	457	183
Merced	1660	753	Trinity	108	595
Modoc	191	93	Tulare	2530	108
Mono	69	302	Tuolumne	177	160
Monterey	357	239	Ventura	2607	237
Napa	704	742	Yolo	769	16
Nevada	363	94	Yuba	398	693

shall inure to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivision A and B, (identical in all counties), are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed the maximum allowed by law. This Deed of Trust further includes Attachments No. 1 and 2 hereto, which are attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, Trustor has executed this Deed of Trust as of the day and year first above written.

TRUSTOR

MV RANCHO DORADO LIMITED PARTNERSHIP, a California limited partnership

By: **PALM DESERT DEVELOPMENT COMPANY,** a California corporation, its Administrative General Partner

By:_____
Danavon L. Horn, President

ATTACHMENT NO. 1 TO EXHIBIT "C"

LEGAL DESCRIPTION

Real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

PARCEL 2 OF PARCEL MAP NO. 36075, AS SHOWN BY PARCEL MAP ON FILE IN BOOK 228, PAGES 58 THROUGH 62, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

APN: 486-070-007-4

ATTACHMENT NO. 2 TO

DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS ATTACHMENT NO. 2 TO DEED OF TRUST WITH ASSIGNMENT OF RENTS is made a part of that certain Deed of Trust with Assignment of Rents (the "Deed of Trust") dated as of _____, 2010, executed by **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (collectively, the "Borrower") in favor of the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency").

1. Due on Sale, Transfer or Further Encumbrance. If the Property or any interest therein shall be sold, transferred (including, without limitation, through sale or transfer of a majority or controlling interest of the corporate stock of Trustor), mortgaged, assigned, further encumbered or leased, whether directly or indirectly, whether voluntarily, involuntarily or by operation of law, without the prior written consent of Beneficiary, then Beneficiary in its sole discretion may declare all Secured Obligations immediately due and payable. For the purposes of this provision, a transfer shall not include (a) residential leases of one (1) unit on the Property for no more than one (1) year to eligible households, or (b) conveyances or dedications ofland for utility purposes.

2. Hazardous Materials.

(a) Special Representations And Warranties. Without in any way limiting the other representations and warranties set forth in this Deed of Trust, and after reasonable investigation and inquiry, Trustor hereby specially represents and warrants to the best of Trustor's knowledge as of the date of this Deed of Trust as follows:

(i) Except as previously disclosed to Beneficiary the Property is not and has not been a site for the use, generation, manufacture, storage, treatment, release, threatened release, discharge, disposal, transportation or presence of any oil, flammable explosives, asbestos, urea formaldehyde insulation, radioactive materials, hazardous wastes, toxic or contaminated substances or similar materials, including, without limitation, any substances which are "hazardous substances," "hazardous wastes," "hazardous materials" or "toxic substances" under the Hazardous Materials Laws, as described below, and/or other applicable environmental laws, ordinances and regulations (collectively, the "Hazardous Materials"). "Hazardous Materials" shall not include commercially reasonable amounts of such materials used in the ordinary course of operation of the Property which are used and stored in accordance with all applicable environmental laws, ordinances and regulations.

(ii) The Property is in compliance with all laws, ordinances and regulations relating to Hazardous Materials ("Hazardous Materials Laws"), including, without limitation: enactments regulating any substance, material, or waste which is or becomes regulated by any local governmental authority, the County, the State of California, regional governmental authority, or the United States Government, including, but not limited to, any material or substance which is (i) defined as a "hazardous waste," "extremely hazardous waste," or "restricted hazardous waste" under Sections 25115, 25117 or 25122.7, or listed pursuant to Section 25140 of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law), (ii) defined as a "hazardous substance" under Section 25316 of the California Health and Safety Code, Division 20,

Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act), (iii) defined as a "hazardous material," "hazardous substance," or "hazardous waste" under Section 25501 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory), (iv) defined as a "hazardous substance" under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances), (v) petroleum, (vi) friable asbestos, (vii) polychlorinated biphenyls, (viii) listed under Article 9 or defined as "hazardous" or "extremely hazardous" pursuant to Article 11 of Title 22 of the California Administrative Code, Division 4, Chapter 20, (ix) designated as "hazardous substances" pursuant to Section 311 of the Clean Water Act (33 U.S.C. §1317), (x) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. (42 U.S.C. §6903) or (xi) defined as "hazardous substances" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §6901 et seq.

(iii) There are no claims or actions ("Hazardous Materials Claims") pending or threatened against Trustor or the Property by any governmental entity or agency or by any other person or entity relating to Hazardous Materials or pursuant to the Hazardous Materials Laws.

(iv) The Property has not been designated as Border Zone Property under the provisions of California Health and Safety Code, Sections 25220 *et seq.* and there has been no occurrence or condition on any real property adjoining or in the vicinity of the Property that could cause the Property or any part thereof to be designated as Border Zone Property.

(b) Hazardous Materials Covenants. Trustor agrees as follows:

(i) Trustor shall not cause or permit the Property to be used as a site for the use, generation, manufacture, storage, treatment, release, discharge, disposal, transportation or presence of any Hazardous Materials.

(ii) Trustor shall comply and cause the Property to comply with all Hazardous Materials Laws.

(iii) Trustor shall immediately notify Beneficiary in writing of: (i) the discovery of any Hazardous Materials on, under or about the Property; (ii) any knowledge by Trustor that the Property does not comply with any Hazardous Materials Laws; (iii) any Hazardous Materials Claims; an (iv) the discovery of any occurrence or condition on any real property adjoining or in the vicinity of the Property that could cause the Property or any part thereof to be designated as Border Zone Property.

(iv) In response to the presence of any Hazardous Materials on, under or about the Property, Trustor shall immediately take, at Trustor's sole expense, all remedial action required by any Hazardous Materials Laws or any judgment, consent decree, settlement or compromise in respect to any Hazardous Materials Claims.

(c) Inspection By Beneficiary. Upon reasonable prior notice to Trustor, Beneficiary, its employees and agents, may from time to time (whether before or after the commencement of a nonjudicial or judicial foreclosure proceeding) enter and inspect the Property for the purpose of determining the existence, location, nature and magnitude of any past or present release or threatened release of any hazardous substance into, onto, beneath or from the Property.

MV00048546

(d) Hazardous Materials Indemnity. Trustor hereby agrees to defend, indemnify and hold harmless Beneficiary, its employees, agents, successors and assigns from and against any and all losses, damages, liabilities, claims, actions, judgments, court costs and legal or other expenses (including, without limitation, attorneys' fees and expenses) which Beneficiary may incur as a direct or indirect consequence of the use, generation, manufacture, storage, disposal, threatened disposal, transportation or presence of Hazardous Materials in, on, under or about the Property. Trustor shall immediately pay to Beneficiary upon demand any amounts owing under this indemnity, together with interest at the rate of ten percent (10%) per annum. Trustor's duty and obligations to defend, indemnify and hold harmless Beneficiary shall survive the release, reconveyance or partial reconveyance of this Deed of Trust.

(e) Legal Effect Of Section. Trustor and Beneficiary agree that: (a) this Paragraph 2 is intended as Beneficiary's written request for information (and Trustor's response) concerning the environmental condition of the real property security as required by California Code of Civil Procedure §726.5; and (b) each provision in this Paragraph (together with any indemnity applicable to a breach of any such provision) with respect to the environmental condition of the real property security is intended by Beneficiary and Trustor to be an "environmental provision" for purposes of California Code of Civil Procedure §736, and as such it is expressly understood that Trustor's duty to indemnify Beneficiary hereunder shall survive: (a) any judicial or non-judicial foreclosure under this Deed of Trust, or transfer of the Property in lieu thereof, and (b) the release and reconveyance or cancellation of this Deed of Trust.

3. Restrictive Covenants. Trustor agrees that occupancy in at least forty percent (40%) of the units to be developed on the Property will be restricted to households with an income of no more than eighty percent (80%) of Area Median Income for at least twenty (20) years.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: March 23, 2010

TITLE: APPROVAL OF INVESTMENT POLICY REVISIONS

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed revisions to the City's Investment Policy.

ADVISORY BOARD/COMMISSION/COMMITTEE RECOMMENDATION

The Finance Sub-Committee reviewed the Investment Policy on March 8, 2010, and indicated their support for the proposed revisions.

BACKGROUND

The City updates its Investment Policy annually to reflect changes in legislation, as well as changes in market conditions that may impact the City's investment strategy. The last policy updates were approved by the City Council on February 24, 2009.

With the City Council's approval on January 26, 2010 to outsource the management of the investment portfolio to Chandler Asset Management (Chandler), other revisions to the Investment Policy are now needed to maximize Chandler's effectiveness in this capacity.

DISCUSSION

As part of its professional services to the City, Chandler was asked to assist in a comprehensive review of the City's Investment Policy. Following that review, a number of changes to the Investment Policy are being recommended based on two key factors:

1) The addition of outside, professional investment management enables the City to increase the return on its investments by changing from a "passive" (hold to maturity) investment strategy to an "active" (buy and sell based on market conditions) investment strategy while remaining within the City's risk profile.

2) Aligning the City's allowable investments with the appropriate California Government Code sections enables the City to maximize its investment returns within the boundaries established by the State of California. The City has previously managed its own investments within boundaries that are more restrictive than allowed by the State, in an effort to be more conservative. However, this conservative approach has constrained the potential investment earnings. With a professional asset manager now managing the City's investments, it is appropriate to align the City's allowable investments with the State Government Code to provide a greater range of investment options.

Following is a summary of the proposed revisions to the City's Investment Policy. The actual policy showing the proposed revisions is attached for the City Council's review.

<u>Sections Added:</u>

- Section IV(E) – Delegation of Authority
  - Added paragraph authorizing an external investment manager

- Section XI(G) – Safekeeping, Custody and Competitive Bids
  - Added sentence to require competitive bids on investment transactions whenever possible

- Sections XII(B) through (F) – Diversification and Credit Risk Management
  - Added paragraphs clarifying Diversification and establishing Credit Risk Management policies

- Section XIV(B) – Performance Standards
  - Added paragraph establishing the performance objective of the investment management program as earning a return that is superior to an indexed benchmark of similar securities

<u>Sections Modified:</u>

- Section I(D)(1) – Bond Proceeds
  - Simplified bond proceed investment language

- Section II(A) – Prudence
  - Replaced language defining a standard with language consistent with California Government Code Section 53600.3

- Section III(A) - Objectives
  - Removed cash flow reference from Liquidity paragraph since cash flow matching is a tool, not an objective

- Section VIII(C)(2) – Authorized Financial Dealers and Institutions
  - Requires banks selling securities to the City to be registered with the Securities and Exchange Commission and establishes a minimum rating

- Section VIII(D)(3) – Authorized Financial Dealers and Institutions
  - Replaced outdated National Association of Security Dealers (NASD) reference with updated Financial Industry Regulatory Authority (FINRA)

- Section IX(C) – Allowable Investments
  - This narrative section was replaced with a table that aligns with California Government Code Section 53600 et seq.; effectively loosening restrictions on investments while adopting the latest state law changes relating to local agency investments.

- Section IX(D) – Authorized and Suitable Investments
  - Clarified language about the investigations into Investment Pools prior to investing

- Section X(B)(2) - Collateralization
  - Replaced fixed limit of $100,000 with "maximum dollar amount" for Federal Deposit Insurance Corporation (FDIC) insured deposits

- Section XIII(B) – Maximum Maturities
  - Removed reference to cash flow as a factor in managing investment maturity dates

- Section XIV – Performance Standards
  - Deleted paragraphs referencing a passive investment strategy and using LAIF investment returns as the benchmark for achieving market rates

Approval of the proposed Investment Policy revisions, in conjunction with outsourcing of the investment portfolio management to a professional asset management company (Chandler Asset Management), will change the characteristics of the City's investment portfolio as depicted in the following table. The dollar amounts shown in the table are based on the January 2010 Investment Report, which was provided to the City Council on February 25, 2010.

Asset Category	**Current Allocation**		**New Allocation**	
	$ million	**%**	**$ million**	**%**
Local Agency Investment Fund (LAIF)	$94.9	43%	$45.0	20%
U.S. Treasury Securities	--	--	$26.3	12%
U.S. Government Agency Securities	$109.0	50%	$82.4	37%
FDIC-Insured Corporate Bonds/Notes	$5.0	2%	$36.8	17%
Uninsured Corporate Bonds/Notes	$7.0	3%	$29.8	14%
Bank Accounts/Money Market Funds	$4.4	2%	--	--
Total	**$220.3**	**100%**	**$220.3**	**100%**
Average Maturity	**1.49 years**		**2.65 years**	

As reflected in the previous table, the proposed Investment Policy revisions, in conjunction with utilization of Chandler Asset Management, will result in a reallocation of the City's investment portfolio. Significantly fewer funds will be invested in the State of California Local Agency Investment Fund (LAIF) and U.S. Government Agency securities, while investments in U.S. Treasury securities and corporate bonds/notes will increase. In concert with this reallocation, a greater number of longer-term investments (particularly in the corporate bonds/notes sector) will be purchased, which will increase the average maturity of the portfolio from the current 1.49 years to 2.65 years. The combination of portfolio reallocation and longer maturity will result in increased investment earnings for the City while remaining within an acceptable risk tolerance.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Approve the proposed revisions to the City's Investment Policy.

2. Do not approve the proposed revisions to the City's Investment Policy; provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The proposed revisions to the City's Investment Policy, in conjunction with outsourcing the investment portfolio management to Chandler Asset Management, is expected to increase the City's investment income by at least $50,000 through the remainder of FY 2009-10 and at least $120,000 in FY 2010-11. Upon the City Council's approval of the proposed revisions to the Investment Policy, the City's revenue projections for both fiscal years will be adjusted accordingly.

CITY COUNCIL GOALS

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

SUMMARY

The City updates its Investment Policy annually to reflect changes in legislation, as well as changes in market conditions that may impact the City's investment strategy. The last policy updates were approved by the City Council on February 24, 2009. With the City Council's approval on January 26, 2010 to outsource the management of the investment portfolio to Chandler Asset Management, other revisions to the Investment Policy are now needed to maximize Chandler's effectiveness in this capacity. The proposed Investment Policy revisions are hereby submitted for City Council's approval.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment: Investment Policy showing proposed revisions

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

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

INVESTMENT POLICY

PURPOSE: The City Council of the City of Moreno Valley (City) and its related authorities and agencies recognizes its responsibility to properly direct the investments of funds under its care. It is the purpose of this policy to provide guidelines for the prudent investment of unexpended funds in a manner which allows for maximum security, while at the same time providing the best investment return to meet the daily cash flow demands of the City, and conform to all applicable statutes pertaining to the investment of public funds. In instances in which the Policy is more restrictive than Federal or State law, the Policy supersedes.

I. Scope

A. Investments for the City and its related authorities and agencies will be made on a pooled basis including the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Moreno Valley Public Facilities Financing Corporation, the Moreno Valley Public Financing Authority, and the Moreno Valley Industrial Development Authority. These funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR) and include:

1. General Fund
2. Special Revenue Funds
3. Debt Service Funds
4. Capital Project Funds
5. Internal Service Funds
6. Agency Funds
7. Enterprise Funds

B. The City Council has the authority to allow investments that do not follow this policy as long as such investments are recommended by the City Manager and City Treasurer, and expressly authorized by the City Council.

C. At the time this policy is adopted, the portfolio may hold investments which were made in the past and in accordance with previous policies and existing State law, but do not meet the provisions of this policy. These past investments are grandfathered as permissible investments. The City may choose to hold these investments until maturity; however, their maturity cannot be extended without the expressed authorization of the City Council.

D. Funds excluded from this policy

1. **Bond Proceeds.** ~~Proceeds of debt issuance shall be invested in accordance with the City's general investment philosophy as set forth in this policy.~~ The overriding policy for the investment of bond proceeds will be dictated by the bond documents governing such funds as long as the documents are approved by the City Council or related governing board. ~~As a minimum standard for the investment of bond proceeds, the governing bond documents will have permitted investment language which follows guidelines used by one of the two largest bond insurers in the United States. This standard will also include investments permitted in this policy.~~

   ~~In addition the City may also invest bond proceeds in the State Local Agency Investment Fund (LAIF) bond proceeds program or municipally sponsored investment pools rated "Aam" or better with an average weighted maturity of 3 years or less. The investment of debt service reserve funds longer than 5 years is permitted by state law and is permitted, provided that the funds are readily available for bond payments or other bond purposes (refunding, defeasances, etc.). For defeasance escrows, the City may procure U.S. Treasury securities and State and Local Government Securities (SLGS) having a maturity longer than 5 years.~~

2. **Deferred Compensation Plans.** Investments related to the City's deferred compensation plans are not subject to this policy since third-party administrators manage them and the individual plan participant's direct investment and mutual fund selection. Deferred compensation plans must be approved by the City Council.

II. Prudence

~~Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.~~

~~The standard of prudence to be used by investment officials shall be the "prudent person" and/or "prudent investor" standard and shall be applied in the context of managing an overall portfolio.~~

A. Prudent Investor Standard: Management of the City's investments is governed by the Prudent Investor Standard as set forth in the California Government Code 53600.3:

> "...all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law."

B. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

III. Objectives

A. The City's investment philosophy sets the tone for its policies, practices, procedures and objectives that control the investment function. The investment of funds will be guided by the primary objectives of safety, liquidity and a reasonable market rate of return.

1. **Safety** – Safety of principal is the foremost objective of the investment program. The City will undertake investments in a manner that ensures the preservation of capital in the portfolio taken as a whole. ~~To attain this objective, the City will practice diversification by investing funds with different financial institutions and across various types of securities that offer independent returns.~~

2. **Liquidity** – The City will maintain sufficient cash and short-term investment instruments which, together with projected revenues, will provide sufficient liquidity so that the City will be able to meet all operating requirements which might be reasonably anticipated including an amount to cover reasonably estimated contingencies. ~~To the extent possible, the maturity of investments selected will match the City's projected cash requirements, including an amount to cover reasonably estimated contingencies.~~

3. **Reasonable market rate of return (Yield)** – The City's investment portfolio will be designed with the objective to attain a benchmark rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio.

B. The investment function will have the ongoing objectives of: assuring compliance with Federal, State and local laws governing the investment of public funds, maintaining reserves for long-term projects and contingencies, and establishing quality standards and limits related to the type of investments made and with which institutions investments are placed.

IV. Delegation of Authority

A. The City of Moreno Valley Municipal Code specifies that the City Council will appoint the City Treasurer. By resolution, the City Council has appointed the Financial & Administrative Services Director to serve as the City Treasurer. The Treasurer serves as the chief investment officer for the City and is authorized to invest or deposit the City's funds in accordance with this policy, California Government Code Sections 53600 and 53630 et seq., and all other related Federal and State laws. The City Treasurer also serves as the Treasurer for the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Public Financing Authority, the Moreno Valley Public Facilities Financing Corporation, the Moreno Valley Community Services District and other related City entities. In the absence of the City Treasurer, and unless otherwise delegated, the Treasury Operations Division Manager/Assistant City Treasurer will serve as the Acting Treasurer. The City Treasurer may appoint deputy treasurers to act on behalf of the City. The City Treasurer will provide written authorization in delegating any of his/her authority.

B. The City Manager will provide periodic oversight to the investment function which includes but is not limited to reviewing monthly investment reports issued by the City Treasurer.

C. The City Council's primary responsibilities over the investment function include approving the Investment Policy, annually reviewing such policy, reviewing monthly investment reports issued by the Treasurer, authorizing bond documents and other unique financing transactions, and authorizing any deviations from the City's investment policies.

D. The Finance Sub-Committee of the City Council will provide oversight to the investment function through the periodic review of the investment report at their committee meetings.

E. The City may engage the services of one or more external investment managers to assist in the management of the City's investment portfolio in a manner consistent with the City's objectives. Such external managers may be granted discretion to purchase and sell investment securities in accordance with this Investment Policy. Such managers must be registered under the Investment Advisers Act of 1940.

V. Investment Procedures

A. The City Treasurer shall establish internal procedures for the operation of the investment program consistent with this policy. These procedures shall include, but are not limited to, the following items:

1. Safekeeping
2. Master repurchase agreements
3. Wire transfer agreements
4. Collateral/Depository agreements
5. Broker/Dealer relationships

B. Cash handling and cash management are integral components of an effective investment management program. In keeping with the Administrative Policy on Cash Control, the aforementioned procedure manual shall include references to the following:

1. Cash collection practices
2. Depository practices
3. Cash flow issues
4. Cash flow projections
5. Anti-theft/Anti-fraud practices
6. Banking agreements
7. Accounting practices

C. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the City Treasurer.

D. Allocation of Pool Interest

1. All interest earnings related to the investment pool will be allocated to the General Fund unless specifically directed by Federal or State statute, City Council directive or contractual agreement.

2. The allocation methodology will be maintained by the City Treasurer.

VI. Ethics and Conflict of Interest

A. All officials, staff members and consultants, involved in the investment functions will refrain from personal business activity that could conflict with the execution of the investment function or which may impair their ability to make impartial investment decisions. Officials, staff members, and consultants, will disclose to the City Manager any financial interests with a financial institution, provider, dealer or broker that conducts business with the City.

B. Officials, staff members and consultants will further disclose any personal financial positions that could be related to the City's cash and investment portfolio.

C. All bond issue participants, including but not limited to, underwriters, bond counsel, financial advisors, brokers and dealers will disclose any fee sharing arrangements or fee splitting to the City Manager prior to the execution of any transactions. The providers must disclose the percentage share and approximate dollar amount share to the City prior to the execution of any transactions.

VII. Investment Controls

A. The City Manager shall oversee and ensure that the City Treasurer implements and maintains a system of internal investment controls and segregated responsibilities of the investment function in order to prevent the following:

1. Fraud
2. Theft
3. Loss of principal
4. Loss of control over funds
5. Inaccurate reporting
6. Negligence
7. Over-reliance on a single employee for investment decisions

B. Internal controls should include but are not limited to (for a more specific list of internal controls see the investment management plan):

1. Segregation of duties (e.g., the purchaser of investments is different than the person recording the transaction)
2. Reconciliation of investment report and cash balances
3. Dual authorization of transactions

C. An external auditor will review the investment program annually in order to provide reasonable assurance that policy and procedures are complied with.

VIII. Authorized Financial Dealers and Institutions

A. The City Treasurer will obtain financial information from qualified institutions to determine if the institution markets in securities appropriate to the City's needs, can assign qualified sales representatives, and can provide written agreement to abide by the conditions set forth in the City of Moreno Valley Investment Policy.

B. The City Treasurer will maintain a list of financial institutions and broker/dealers authorized to provide investment services to the City who are authorized to provide investment services in the State of California. An eligible designation does not guarantee that the City will do business with the firm or institution.

C. The following criteria will be used in determining investment providers

1. Broker/Dealers: The purchase by the City of any investment other than those purchased directly from the issuer shall be purchased from a broker/dealer firm designated as a "Primary Government Dealer" by the Federal Reserve Bank of New York or a regional dealer that qualifies under SEC Rule 15C3-1 (uniform net capital rule).

2. Banks: The City shall purchase securities from banks which ~~are~~ meet all of the following criteria:

   a. Nationally or State chartered banks
   b. Registered as investment securities dealers with the Securities and Exchange Commission
   c. ~~Ranked in the top 25% of its peer group as i~~Independently rated "A" or higher by two nationally recognized statistical ranking ~~service~~ organizations

3. Investment Bankers, Underwriters and Financial Advisors: The purchase by the City of any investments from these providers in the course of completing a bond transaction must be expressly authorized by the City Council after such a provider discloses their commission, spread or fee in approximate dollar amount. Otherwise, the acquisition of such investments must be procured from the broker/dealers customarily used by the City.

4. The Federal Reserve Bank: Direct purchases of Treasury bills, notes and bonds from the U.S. Federal Reserve Banks branches are allowed and are exempt from quality requirements.

D. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must provide the following information to the City Treasurer:

1. A completed City of Moreno Valley Broker/Dealer Questionnaire
2. Audited financial statements

3. Proof of Financial Industry Regulatory Authority (FINRA) ~~National Association of Security Dealers (NASD)~~ certification
4. Trading resolution
5. Proof of state registration
6. Certification of having read and willingness to comply with City's investment policy.

E. The City Treasurer will conduct an annual review of the financial condition and registrations of brokers/dealers on the City's approved list.

F. A current audited financial statement is required to be on file for each financial institution and broker/dealer in which or with which the City invests.

G. Certificates of deposit will not be placed with an institution once it has received a Cease and Desist order from any bank regulatory agency.

IX. Authorized and Suitable Investments (with quality and limitation guidelines)

A. The California Government Code sections 53600 et seq. governs the allowable investments into which a local government agency can enter. These Government Code sections also stipulate as to the portfolio percentage limits and investment quality standards for some but not all permitted investments. The Government Code sections provide a starting point for establishing the City quality standards, percentage limits and maturity levels. Should the Government Code become more restrictive than this policy, the Government Code restrictions shall prevail. ~~In present form, this policy exceeds the standards set forth by the State.~~

B. Whenever a maximum allowable percentage of the portfolio is stipulated for any type of security as detailed below, the limit or maximum allowable is determined by the portfolio size or composition at the close of the date on which the security is purchased.

C. Following is a table summarizing allowable investments for the City. This table is summarized from the California Debt & Investment Advisory Commission's Local Agency Investment Guidelines (CDIAC 09/09) and is consistent with California Government Code Sections 53600 and 53630 et seq. ~~(Allowable investments (for a more detailed description of these investment types and for the state limitations see the Investment Management Plan)~~

~~(Items presented in italics denote policy restrictions which are more restrictive than those dictated by state law.)~~

INVESTMENT POLICY

INVESTMENT TYPE	MAXIMUM MATURITY	MAXIMUM SPECIFIED % OF PORTFOLIO	MINIMUM QUALITY REQUIREMENTS
Local Agency Bonds	5 years	---- none ----	---- none ----
U.S. Treasury Obligations	5 years	---- none ----	---- none ----
State Obligations ---CA and Others	5 years	---- none ----	---- none ----
CA Local Agency Obligations	5 years	---- none ----	---- none ----
U S Agency Obligations	5 years	---- none ----	---- none ----
Bankers' Acceptances	180 days	40%	---- none ----
Commercial Paper ----Select Agencies	270 days	25% of the agency's invested funds	"A-1/P-1/F-1"; if the issuer has issued long-term debt it must be rated "A" without regard to modifiers
Commercial Paper ----Other Agencies	270 days	40% of the agency's invested funds	A-1/P-1/F-1"; if the issuer has issued long-term debt it must be rated "A" without regard to modifiers
Negotiable Certificates of Deposit	5 years	30%	---- none ----
CD Placement Service	5 years	30%	---- none ----
Repurchase Agreements	1 year	---- none ----	---- none ----
Reverse Repurchase Agreements and Securities Lending Agreements	92 days	20% of the base value of the portfolio	---- none ----
Medium-Term Notes	5 years	30%	"A" rating
Mutual Funds and Money Market Mutual Funds	n/a	20%	Multiple
Collateralized Bank Deposits	5 years	---- none ----	---- none ----
Mortgage Pass-Through Securities	5 years	20%	"AA" rating
Bank/Time Deposits	5 years	---- none ----	---- none ----
County Pooled Investment Funds	n/a	---- none ----	---- none ----
Joint Powers Authority Pool	n/a	---- none ----	Multiple
Local Agency Investment Fund (LAIF)	n/a	---- none ----	---- none ----

~~1. U.S. Treasury bills, notes and bonds~~
~~Quality: Equivalent to "AAA"~~
~~*Portion of Portfolio: not to exceed 70%*~~
~~Maturity Limit: 5 years~~

~~2. Government Sponsored Enterprises (GSE's) or U.S. Agencies~~
~~Quality: Equivalent to "AAA"~~
~~*Portion of Portfolio: not to exceed 70%*~~
~~*Issuer Limit: not to exceed 50%*~~
~~Maturity Limit: 5 years~~

~~3. California State Local Agency Investment Fund (LAIF)~~
~~Quality: Not Applicable~~
~~*Portion of Portfolio: not to exceed 50%*~~
~~Maturity Limit: Average maturity of fund must be less than 3 years~~

INVESTMENT POLICY

~~**4.** Bonds, notes or other indebtedness of the State of California~~
~~*Quality: rated "AA" or better*~~
~~*Portion of Portfolio: not to exceed 10%*~~
~~Maturity Limit: 5 years~~

~~**5.** Bonds, notes or other indebtedness of local agencies in California~~
~~*Quality: rated "AA" or better*~~
~~*Portion of Portfolio (not to exceed): 10%*~~
~~*Issuer Limit: not to exceed 5%*~~
~~Maturity Limit: 5 years or less~~

~~**6.** Bankers Acceptances~~
~~Quality: Only issuers deemed eligible for purchase by the Federal Reserve Bank~~
~~*Portion of Portfolio: not to exceed 10%*~~
~~*Issuer Limit: not to exceed 10%*~~
~~Maturity Limit: 180 days~~

~~**7.** Commercial Paper~~
~~Quality: "A1" (Standard and Poors) and "P1" (Moody's) *no split rating*~~
~~*Portion of Portfolio: not to exceed 15%*~~
~~*Issuer Limit: not to exceed 10% in combination with medium-term notes*~~
~~Maturity Limit: 270 days~~

~~**8.** Commercial Paper issued under the Temporary Liquidity Guarantee Program (TLGP)~~
~~Quality: "A1" (Standard and Poors) and "P1" (Moody's) *no split rating*~~
~~*Portion of Portfolio: not to exceed 15%*~~
~~*Issuer Limit: not to exceed 10% in combination with medium-term notes*~~
~~Maturity Limit: 270 days~~

~~**9.** Time Deposits and Non-negotiable Certificates of Deposit~~
~~*Quality: Deposits in excess of federal insurance programs must be with entities in the Top 25% of peer group as independently rated.*~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed: $500,000*~~
~~Collateral: Federally insured or 110% *in US Treasuries*~~
~~Maturity Limit: 2 years~~

~~**10.** Negotiable Certificates of Deposit~~
~~Quality: rated "A", "A-1", "P-1" or better~~
~~Portion of Portfolio: not to exceed 30%~~
~~*Issuer Limit: not to exceed 10%*~~
~~Maturity Limit: 5 years~~
~~Additional Requirement: Issued by national or state chartered bank, savings or federal association, state or federal credit unions or state licensed branch of foreign bank.~~

~~**11.** Repurchase Agreements~~
~~Quality: Not applicable~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~Counterparty Limit: not to exceed 5%~~
~~Collateral: 102% US Treasuries marked-to-market weekly~~
~~Maximum Term: 3 months~~
~~Additional Requirements: A Master Repurchase Agreement must be signed with the bank or broker/dealer who is selling the securities to the City.~~

~~12. Medium-term Notes (Corporate Obligations)~~
~~Quality: "AAA/Aaa" rated (with split ratings, the lower rating must meet the standard)~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed 10% in combination with* commercial *paper and notes issued under the TLGP*~~
~~Maturity Limit: 3 years~~

~~13. Medium-term Notes issued under the Temporary Liquidity Guarantee Program (TLGP)~~
~~Quality: "AAA" rated or better~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed 10% in combination with commercial paper and Medium-term Notes*~~
~~Maturity Limit: Must mature on or before June 30, 2012~~

~~14. Mutual Funds and Money Market Accounts~~
~~Quality: "AAA" or highest rating for its class~~
~~*Portion of Portfolio: not to exceed 15%*~~
~~*Issuer Limit: not to exceed 10%*~~
~~Other restrictions: No back load funds and all funds must be composed of instruments permitted by the Government Code.~~
~~Maturity Limit: 3 years average weighted maturity or less~~

~~15. Other State Government, Local Government or Joint Powers Authority Investment Pools~~
~~Quality: Equivalent to "AAAf/S1"~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed 10%*~~
~~Maturity Limit: 3 years average maturity or less~~

D. Investment Pools: ~~Mutual Funds, and Money Market Accounts:~~ A thorough investigation of an Investment Pool account is required prior to investing, and on a continual basis. The investigation must include information, if available, on the following items before investing: ~~A questionnaire shall be developed which will answer the following general questions:~~

1. A description of eligible investment securities, and a written statement of investment policy.
2. A description of interest calculations and distribution and how gains and losses will be treated.
3. A description of how the securities are safeguarded (including the settlement process), and how often the securities are priced and the program audited.
4. A description of who may invest in the program, how often and what is the allowable size of deposits and withdrawals, and any limitations as to number of transactions.
5. A schedule for receiving statements and portfolio listings.
6. Are reserves, retained earnings, etc. utilized by the pool?
7. Is the pool eligible for bond proceeds and/or will it accept such proceeds?

E. Repurchase Agreements are legal and authorized by policy. In order to invest in repurchase agreements the City must obtain a signed Master Repurchase Agreement from the participating bank or broker/dealer.

F. Prohibited Investment Transactions and Derivatives:

1. The Government Code specifically prohibits certain types of investment instruments for municipalities. In addition to those prohibitions, the following investments are not permitted:

   a. Reverse Repurchase Agreements

b. Financial futures or financial option contracts
c. Security lending

2. Additionally the City shall not invest in any security that could result in zero interest accrual if held to maturity.

3. Due to the complexity of the securities market and ever-changing market conditions, it is difficult to define derivatives and specifically prohibit their acquisition. Therefore, the City desires to limit the potential risk of derivatives by specifically prohibiting the most common types of derivatives with certain market exposures. These prohibited derivatives include but are not limited to: inverse floaters, interest only securities derived from mortgages, residual securities, structured notes, forward based derivatives, forward contracts, forward rate agreements, futures contracts, interest rate futures contracts, foreign currency futures contracts, option based derivatives, option contracts, interest rate caps, interest rate floors, swap contracts, interest rate swaps, interest rate collars, foreign currency swaps, cross currency exchange agreements, fixed rate currency swaps, basis swaps, equity swaps, fixed rate equity swaps, floating rate equity swaps and commodity swaps.

4. Leveraging

a. The City may not purchase investments on a margin or through a margin account.

b. The General Portfolio may not be leveraged by more than 30% through the issuance of tax and revenue anticipation notes (TRANS). The proceeds of any TRANS issue are to be invested in accordance with the guidelines in this policy, with investment maturities not to exceed the life of the TRANS.

c. The City may not leverage its investments through the use of reverse repurchase agreements.

X. Collateralization

A. Bank Deposits: Under provisions of the Government Code, California banks and savings and loan associations are required to secure the City's deposits by pledging government securities with a value of 110% of principal and accrued interest. State law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of the City's total deposits.

B. Certificates of deposit:

1. The market value of securities that underlay certificates of deposit shall be valued at 110% of the market value of principal and accrued interest.

2. The City Treasurer, at his/her discretion may waive the collateral requirement for deposits up to ~~$100,000~~ the maximum dollar amount which are covered by the Federal Deposit Insurance Corporation.

C. Repurchase Agreements

1. The market value of securities that underlay certificates of deposit shall be valued at 102% of the market value of principal and accrued interest.

2. The value shall be adjusted no less than weekly. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall

be in compliance if the value of the underlying securities is brought back to 102% no later than the next business day.

D. A clearly marked evidence of ownership, safekeeping receipt, must be supplied to the City and retained.

E. The City chooses to limit collateral to US Treasuries.

F. Collateral will always be held by an independent third-party with whom the entity has a current written custodial agreement.

G. The right of collateral substitution is granted based on the approval of the City Treasurer and City Manager.

XI. Safekeeping, and Custody and Competitive Bids

A. Third-party safekeeping is required for all investments. Securities may be maintained by a banking institution or a broker/dealer firm for safekeeping as long as the securities are held in the City's name.

B. Third-party safekeeping arrangements will be approved by the City Treasurer and will be corroborated by a written custodial agreement.

C. All investment transactions of the City will be conducted using standard delivery vs. payment (DVP) procedures.

D. All securities held by the safekeeping custodian on behalf of the City shall have the City of Moreno Valley as the registered owner, and all interest and principal payments and withdrawals shall indicate the City of Moreno Valley as the payee.

E. All bank deposits will be FDIC insured or deposited with institutions that comply with the State collateral requirements for public funds.

F. Securities used as collateral for repurchase agreements with a maturity from one to seven days can be held in safekeeping by a third party bank trust department or by the broker/dealer's safekeeping institution, acting as the agent for the City, under the terms of a custody agreement executed by the selling institution and by the City specifying the City's "perfected" ownership of the collateral.

G. All investment transactions shall be conducted on a competitive basis with quotes from a minimum of three brokers or financial institutions when possible.

XII. Diversification and Credit Risk Management

A. Investments contained within the portfolio will be diversified by security type, institution and maturity.

~~**B.** At no time shall the City increase the amount of funds kept with a financial institution or in a single type of investment instrument once its share of the general portfolio reaches 70%.~~

B. The diversification requirements included in Section IX are designed to mitigate credit risk in the portfolio.

C. No more than 5% of the total portfolio may be invested in securities of any single issuer, other than the US Government, its agencies and instrumentalities.

D. The City may elect to sell a security prior to its maturity and record a capital gain or loss in order to improve the quality, liquidity or yield of the portfolio in response to market conditions or City's risk preferences; and,

E. If securities owned by City are downgraded by any nationally recognized statistical ratings organization to a level below the quality required by this Investment Policy, it shall be the City's policy to review the credit situation and make a determination as to whether to sell or retain such securities in the portfolio.

1. If a security is downgraded, the City Treasurer will use discretion in determining whether to sell or hold the security based on its current maturity, the economic outlook for the issuer, and other relevant factors.

2. If a decision is made to retain a downgraded security in the portfolio, its presence in the portfolio will be monitored and reported monthly to the City Council.

XIII. Maximum Maturities

A. The City Treasurer will maintain sufficient liquidity in cash and short-term investments, which together with projected revenue receipts will meet the cash flow requirements of the City for the upcoming six months.

B. The City will not directly invest in securities maturing more than five years away from the settlement date. In any case, where a cash flow is matched with an investment which exceeds the five year limit, the investment must be approved by the City Council.

C. The average weighted maturity of the general portfolio shall not exceed 3 years. The general portfolio does not include bond proceeds or deferred compensation funds.

D. To the extent possible, longer-term investment maturities will be spaced so that a portion of such investments mature each year to cover unanticipated emergencies.

~~E. To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements.~~

XIV. Performance Standards

A. The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints~~ and cash flow needs~~.

~~B. The City employs a passive investment strategy. Given this strategy, the basis used to determine whether market yields are being achieved shall be the State of California's LAIF return rate.~~

~~C. While the City employs a passive investment strategy, the City Treasurer will make his/her best effort to observe, review and react to changing conditions that affect the portfolio.~~

B. The investment performance objective for the portfolio shall be to earn a total rate of return over a market cycle which is approximately equal to the return on a market benchmark index of similar securities, as determined by the City Treasurer.

INVESTMENT POLICY

XV. Reporting

A. The City Treasurer will provide a monthly report to the City Manager and City Council which will include the following information by security held at the end of the reporting period:

1. Investment Type
2. Issuer
3. Maturity Date
4. Par Value
5. Market Value
6. Book Value
7. Weighted Average Maturity
8. Source of Market Valuation
9. Monies maintained within the treasury
10. Funds, investments and loans that are under the management of contracted parties

B. Quarterly, and within 60 days of the completion of the quarter, the City Treasurer will submit a report to the City Council in open public meeting with the same investment information provided to the City Manager and City Council on a monthly basis with the addition of the following data:

1. A description of the compliance with the statement of investment policy, or manner in which the portfolio is not in compliance.

2. A statement denoting the ability of the City to meet cash flow requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

XVI. Investment Policy Adoption

A. Annually, the City Treasurer will render to the City Council a Statement of Investment Policy, including any changes or revisions, to be reviewed and approved at a public meeting.

XVII. Record Retention

A. The following investment or cash management documents will be maintained in accordance with Chapter 2.60 of Title 2 of the City of Moreno Valley Municipal Code:

1. Investment Reports and supporting documentation
2. Third-party statements of assets held
3. Investment permanent files
4. Market pricing documentation

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: March 23, 2010

TITLE: UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board"):

1. Authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees.

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program.

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For Conducting Mail Ballot Proceedings.

BACKGROUND

The CSD was formed simultaneously with the City's incorporation and zones of benefit were established, such as the CSD Zone B (Residential Street Lighting) program, to allocate the program costs to those parcels receiving benefit from the services provided by the CSD. The Zone B parcel charges fund the costs for approximately 8,500 streetlights along City maintained residential streets. Over the past few years, electrical

utility costs for streetlights have significantly increased and currently exceed the annual revenue for the CSD Zone B program.

To continue to provide the same level of residential street lighting services, a Proposition 218 mail ballot proceeding was conducted in June of 2009. The mail ballot provided property owners participating in the CSD Zone B program an opportunity to either approve or oppose an increase in their CSD Zone B charge from $23 or $24 per parcel, per year to $39 per parcel, per year. The proposed charge would have been subject to future inflation adjustments based on the greater of the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Electrical Price Index, as published by the Department of Labor's Bureau of Labor Statistics, or 5%. Of the 40,092 ballots mailed to property owners, 6,359 ballots (16%) were returned with 4,076 ballots marked as not approving, 2,025 ballots marked as approving, and 258 invalid. Based on the results of the mail ballot proceeding, the proposed increase in the CSD Zone B charge was not approved.

A presentation was given to the Board at the November 17, 2009 City Council Study Session, which included a number of potential alternatives for the Board's consideration. Staff was directed to bring this matter back before the Board for further discussion at a regular City Council meeting.

A second presentation was made at the February 23, 2010 City Council meeting, which included a number of alternatives such as hiring a public relations firm to assist with public education and outreach, reballoting property owners, and posting notification signs on designated streetlights that may be de-energized (turned off). The Board gave direction to have Fund 149 loan the CSD Zone B program the estimated shortfall of $198,000 for fiscal year (FY) 2009/10. Repayment of the loan shall come from future CSD Zone B parcel charges.

Discussions with the City's primary streetlight utility provider, Southern California Edison (SCE), have revealed that should it become necessary to de-energize (turn off) streetlights, the cost to turn off each individual light is $44. Based upon the total number of streetlights owned and operated by SCE located within the boundaries of CSD Zone B, the total cost to turn off streetlights would be approximately $338,000. In addition to the cost to turn off streetlights the City would continue to incur utility bills for streetlight lease and maintenance costs, which represents approximately 75% of the current utility bills. If lease and maintenance cost are not waived, the City would only realize a savings for the reduction in energy use of approximately $40 annually per streetlight. Additionally, should streetlights be re-energized (turned on) at a later date, the cost to have SCE turn on the streetlights would be $48 per light or approximately $369,000.

DISCUSSION

For FY 2010/11, the CSD Zone B program is projected to be underfunded by approximately $548,000, with annual shortfalls projected to continue in subsequent FYs. Given this projected shortfall, staff has commenced communication efforts to address the shortfall.

On January 8, 2010, City representatives met with State Assemblyman, Paul Cook, concerning the increase in electrical rates approved by the CPUC. As a result of this meeting, State Assemblyman Cook indicated that his office would endeavor to set up a meeting with the CPUC to explore potential regulatory relief regarding non-energy charges and develop communications with the CPUC and SCE in an effort to seek a financially viable option. Potential discussion points include a request for a reduction in the tariff rates for streetlight utility costs or allowing the turning off and/or removal of certain streetlights without excessive costs to the property owners. Assemblyman Cook's staff is in the process of scheduling a meeting with the CPUC, but has been unable to get a confirmed date as of the writing of this report.

Additionally, City staff has discussed the utility rate issues with the lobbying firm of Joe A. Gonsalves & Son on March 2, 2010. This firm is working to facilitate a meeting with the CPUC and the Manager of State Legislative Policy for SCE to seek potential solutions. The City Manager's office shall continue to diligently pursue actions to seek additional alternatives to resolve the current and future streetlight funding shortfalls.

In addition to working with the State Assembly and lobbying firm, since the City does not have sufficient funding to continue to support residential streetlight services, a request by the Mayor may be extended to SCE to waive all fees. This request shall include, but not be limited to, waiving the fees for turning off streetlights and to re-energize streetlights in the future should funding become available to support the cost for residential street lighting services.

With the projected FY 2010/11 shortfall and an undetermined timeline for a resolution through the State Legislature and the CPUC, in addition to requesting a reduction in the fees from SCE, staff developed a public outreach and education plan to coincide with a reballot effort for the CSD Zone B program. The additional costs for outreach, education, and reballot would be included in the loan from Fund 149.

For the prior CSD Zone B mail ballot proceeding, the Special Districts Division, working with the City's Media & Communications Division, performed the following public education and outreach efforts:

- "Questions & Answers" posted on City's Website
- Public Service Announcements (PSA) posted on MVTV 3
- Townhall Meetings (3)
- Meetings with Home Owner Associations
- Meeting with Community Watch Group
- Publication of Legal Notices (3)
- Bilingual Staff available for phone calls and meetings
- Mailed informational documents on services and costs to property owners
- Public Meeting & Public Hearing

To further enhance our communications with the property owners, the Special Districts Division is proposing to perform similar activities as mentioned above, along with the following proposed options:

1. Print advertisements in *The Press-Enterprise*

   Work with the City's Media & Communications Division to develop an informational advertisement regarding street lighting to run in the local newspaper. Advertising may run multiple days and in a size and layout that will draw the reader's attention. The total cost for the advertisements is estimated to be approximately $5,000 for publications on multiple days in *The Press-Enterprise.*

2. Print advertisements in *La Prensa*

   Work with the City's Media & Communications Division to develop an informational advertisement regarding street lighting to run in the local Hispanic newspaper. Advertising may run multiple days and in a size and layout that will draw the reader's attention. The total cost for the advertisements is estimated to be approximately $5,000 for publications on multiple days in *La Prensa*.

3. PSA Advertisements during movie theatre previews

   Work with the City's Media & Communications Division to develop digital and general slide informational advertisements to be played prior to feature films at the local theatres. This service will offer approximately 14,000 advertisement spots over a 12 week period of time and is estimated to reach more than 20,000 individuals per week for digital and analogue advertising. The total cost to present PSAs at the movie theatres is estimated to be approximately $5,200.

4. Post Temporary Notification Signs on Residential Streetlights Subject to Potential Turning Off and/or Removal

   As part of the public education and outreach efforts, signs may be posted temporarily on residential streetlights, which are funded through the CSD Zone B program, to provide advanced notification to the public that the identified streetlights may be subject to being turned off and/or removed. The postings could be limited to an estimated 47% of the residential streetlights within the CSD Zone B boundaries to reflect the amount necessary to offset the projected funding shortfall through FY 2010/11. The total cost to post signs temporarily on the streetlights is estimated to be approximately $14,000.

5. Special Districts will continue to pursue other ideas to provide public outreach.

A reballot may be initiated by direction from the Board, which shall allow property owners another opportunity to express either support or opposition to the proposed increase in the CSD Zone B annual charges for residential street lighting services. The cost of the reballot is estimated to be $35,000, which is primarily for printing and postage. If the proposed increase is approved, it would allow for an annual charge of $42 per parcel subject to future inflation adjustments based on the greater of the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Electrical Price Index, as published by the Department of Labor's Bureau of Labor Statistics, or 5%. For FY 2010/11 the ballot will

also include a one time charge of $2 per parcel, to contribute toward the loan repayment for the FY 2009/10 shortfall, county charges, and associated outreach and reballot costs.

In order to meet the County's requirements for submitting the charges on the FY 2010/11 property tax bills and to be compliant with Proposition 218, the following is the proposed timeline for the mail ballot proceeding:

April 1 - August 24	Public education and outreach
June 18 - July 8	Preparation and printing of Notices and Ballots
July 9	Mail Notice and Ballots to property owners
August 24	Public Meeting (City Council meeting)
Sept. 14	Public Hearing (City Council meeting)
Sept. 15 - 27	Ballot tabulation
Sept. 28	Certification of ballot results (City Council meeting)
Sept. 30	Last day to apply charges to the FY 2010/11 County tax bill

For FY 2010/11, if increased charges are not approved and applied to the property tax bills or service levels are reduced, the CSD Zone B annual shortfall for FY 2010/11 would be approximately $548,000 plus additional cost incurred from any actions directed by the Board.

ALTERNATIVES

1. Authorize the Mayor to send a letter to Southern California Edison requesting a waiver of all fees for the de-energization (turning off) of streetlights, the monthly cost for each de-energized streetlight pole (electric charges and maintenance charges), and the re-energization (turning on) of streetlights in the future. *This option shall allow the City to make a formal request to have the primary streetlight utility provider, SCE, waive charges for streetlight services that are not being received.*

2. Review and comment on the proposed public outreach and educational program and authorize staff to proceed with a mail ballot proceeding in accordance with the timeline as stated in this report to allow property owners an opportunity to approve or reject a reballot for the CSD Zone B (Residential Street Lighting) program. *This option shall make additional information available to the public concerning streetlight services as provided through CSD Zone B and allow property owners another opportunity to ballot on their services.*

3. Do not review and comment on the proposed public outreach and educational program efforts and do not authorize staff hold a mail ballot proceeding for the CSD Zone B (Residential Street Lighting) services. *This alternative shall not allow for proposed public outreach and educational efforts and will not authorize staff to proceed with conducting a mail ballot CSD Zone B.*

FISCAL IMPACT

There is currently no fiscal impact on the General Fund for the operation of the CSD Zone B program. For FY 2010/11, the Special Districts Administration Fund 149, which has a sufficient fund balance, shall loan approximately $198,000 to the CSD Zone B program to cover the shortfall. Additionally, outreach and educational efforts, including the cost of the mail ballot, shall be included in the loan. The estimate cost for all outreach efforts along with the mail ballot, and incidentals related to the cost of balloting are estimated at $65,000.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
The CSD Zone B program is a full cost recovery program which funds residential streetlight services.

Public Safety
Residential streetlights aid in the illumination of roadway and sidewalk areas.

SUMMARY

Funds received to support the CSD Zone B program are less than the cost to provide CSD Zone B services. City Staff has presented a number of alternatives for the Board's consideration, which include continued dialogue with the legislature, public education and outreach, and a proposal to reballot the property owners for an increase in the CSD Zone B charge.

NOTIFICATION

N/A

ATTACHMENTS/EXHIBITS

N/A

Prepared By:
Sharon Sharp
Senior Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By:
Sue Anne Maxinoski,
Special Districts Division Manager

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: March 23, 2010

TITLE: A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. ADOPT a Negative Declaration for application PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone). The project will not result in a significant effect on the environment; and

2. Adopt Resolution No 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A;

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

ADVISORY COMMITTEE ACTION

The Planning Commission, at its September 24, 2009, meeting approved Planning Commission Resolution No. 2009-28, recommending by 7-0 vote that the City Council adopt a Negative Declaration for PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone); and deny PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone). Per the City's Municipal Code, Planning Commission denials are not forwarded to the City Council unless an appeal is filed. On October 7, 2009, the applicant, Winchester Associates Inc. filed an appeal of the Commission's denial.

On January 26, 2010, a public hearing for the item was held and the City Council adopted a Negative Declaration and approved the request with a direction for staff to present a Resolution for the General Plan Amendment and the Ordinance for the Change of Zone.

BACKGROUND

The project PA08-0020 and PA08-0019 is a request for a General Plan Amendment from Office/Residential (R/O) to Community Commercial (CC), and a request for a Change of Zone from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC)

Based on the public hearing held on January 26, 2010, the City Council approved the General Plan Amendment and Change of Zone.

The General Plan land use designation of Community Commercial and the zoning of Neighborhood Commercial will be consistent with the surrounding land uses including office and residential, allowing flexibility for site development.

ALTERNATIVES

Not applicable

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Not applicable.

NOTIFICATION

Not applicable

ATTACHMENTS/EXHIBITS

1. Proposed Resolution for approval of PA08-0019, General Plan Amendment
2. Proposed Ordinance for approval of PA08-0020, Change of Zone

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

RESOLUTION NO. 2010-19

A RESOLUTION FOR AN APPROVAL OF A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

WHEREAS, the applicant, Winchester Associates Inc., has filed an application for the appeal of a Planning Commission denial of PA08-0020 and PA08-0019, requesting amendments to the General Plan Land Use and Zoning as described in the title of this resolution.

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0019 and PA08-0020 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment and Change of Zone, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on September 24, 2009, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA08-0020) and Change of Zone (PA08-0019). At said meeting, the Planning Commission recommended denial of General Plan Amendment (PA08-0020) and Change of Zone (PA08-0019) to the City Council, and;

WHEREAS, on October 7, 2009, an application was submitted to the City appealing the Planning Commission's action to deny the project to the City Council for their consideration.

WHEREAS, on January 26, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment and Change of Zone;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 1

MV00048576

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA08-0020 and PA08-0019:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project includes two applications, a General Plan Amendment and Change of Zone to change the existing land use for Assessor's Parcel Numbers 263-180-007 and 263-180-080. The proposed project is consistent with the current General Plan goals and objectives which was updated in 2006.

   The project proposes to change the existing Residential/Office (R/O) General Plan land use designation to Commercial.

   With respect to the addition of commercial acreage, the General Plan establishes a mix of designated land uses that is directed at providing a balance among various uses at build-out. The General Plan acknowledges designation of "more than enough" commercial land to accommodate the needs of the population at build out. However, the Community Commercial designation this location will assist the needs of the adjacent community.

   A traffic study for the project determined there would be a significant increase in trip traffic along Day Street however would not meet unacceptable service levels or negative impacts to the City's circulation system.

   The proposed General Plan land use designation of Commercial is consistent with surrounding uses including office and residential. Changing the Land Use designation and zone for these parcels will create a compatible use with the adjacent office commercial and residential lots to the south and west

   The proposed change would decrease the residential land use as the current Housing Element included this property to meet the future Regional Housing Needs within the City.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

MV00048577

FACT: The proposed General Plan Amendment and Change of Zone will not be detrimental to the public health, safety or welfare

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

FACT: The proposed General Plan Amendment conforms to the goals and objectives of the City's Redevelopment Plan.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA08-0020 General Plan Amendment, based on the findings contained in this resolution with no action on the environmental required and the revised General Plan map attached to the Resolution as Exhibit A.

APPROVED AND ADOPTED this 23rd day of March 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00048578

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00048579

GENERAL PLAN AMENDMENT

Application No. PA08-0020
Resolution No.

LEGEND

N

CC — **Community Commercial (From Residential/Office)**

EXHIBIT A

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

ATTACHMENT 2

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of , 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No.

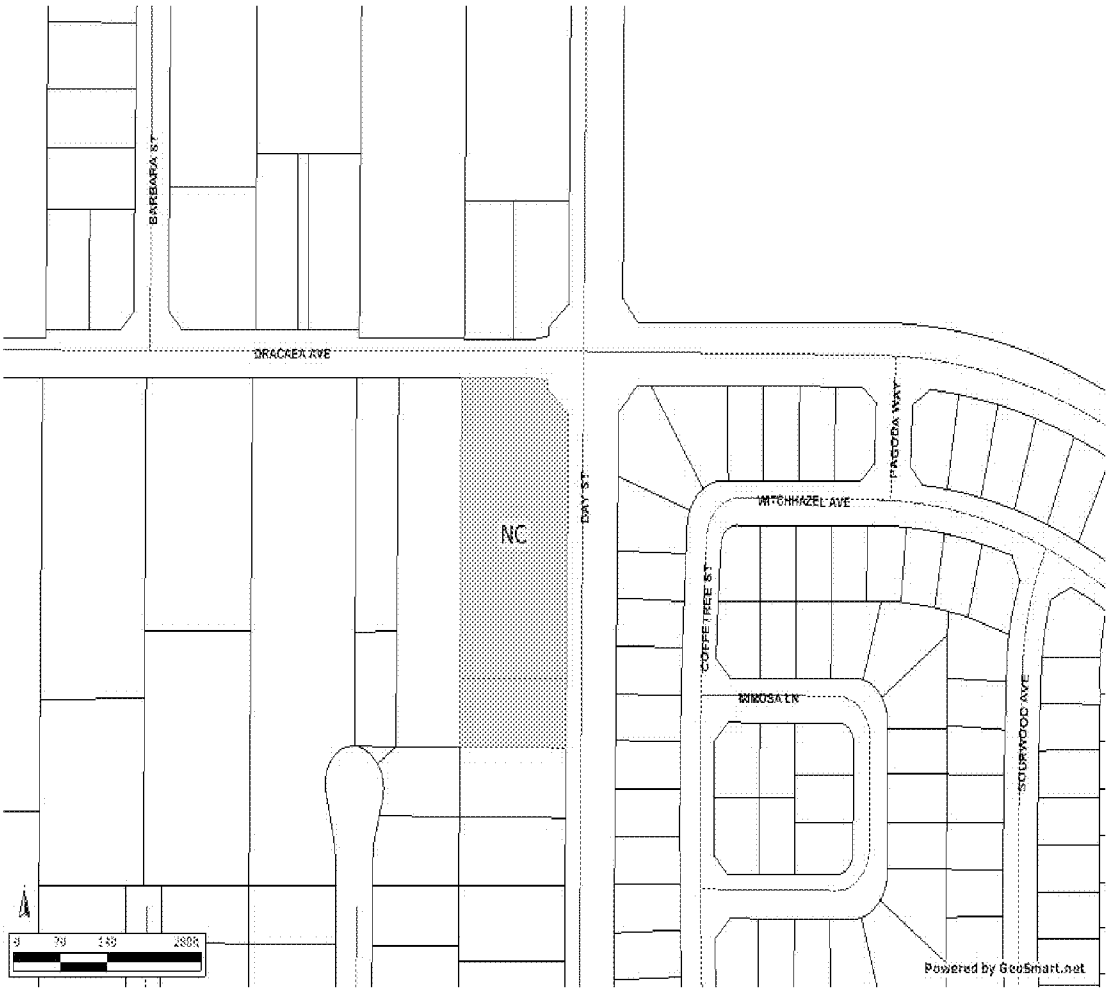

LEGEND

N

NC — **Neighborhood Commercial (From R15/Office Commercial)**

EXHIBIT A

MV00048585

*G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (Molina/Stewart)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: March 16, 2010

TITLE: Potential Neighborhood Identification Sign Program

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate.

BACKGROUND

This report arose from discussion at the January 26, 2010 Council Study Session (and previously) involving a proposal from Highland Fairview for a Rancho Belago Community Sign program. At that meeting, Council directed staff to 1) identify communities/neighborhoods throughout the City of Moreno Valley which exhibit potential for sign identification; and 2) explore ways that community/neighborhood signs might be paid for, with respect to both initial manufacture and installation, and on-going maintenance.

DISCUSSION

Staff has prepared an informal map (see attached) which depicts areas/neighborhoods which either already have existing identification signs or which exhibit features (such as local history, location, topography, development type, etc.) which provide a basis for 'place identity'. Examples of the former are Hidden Springs, Sunnymead Ranch, Towngate and Moreno Valley Ranch. Examples of the latter are Canyon Springs, Sunnymead, Edgemont, Old Moreno and the Moreno Valley Industrial Specific Plan Area.

There are two fundamental components to the issue of how community/neighborhood identification signs have been—or in the future could be—paid for: 1) manufacture and installation and 2) on-going maintenance.

Manufacture and Installation

The expense for manufacture and installation of community/neighborhood identification signs may be borne as follows:

a. Project Developer (e.g., Hidden Springs, Sunnymead Ranch, Moreno Valley Ranch, Towngate).
b. City General Fund.
c. Redevelopment Agency (RDA).
d. Community Facilities District (CFD).

It should be noted that utilization of RDA funds would be restricted to areas located within the boundaries of established redevelopment project areas. And while neighborhood identification signs could conceptually be paid for as a 'public improvement' under the financing umbrella of a CFD, the costs of forming CFDs are considerable, so typically that tool is used to finance millions—not thousands—of dollars of public infrastructure/improvements.

On-going Maintenance

The expense for on-going maintenance of community/neighborhood identification signs may be borne as follows:

a. Project Developer establishes through cash deposit with the City a 'perpetual maintenance' fund whose earned interest pays for on going maintenance.
b. Home Owners Association (HOA), as exampled by Sunnymead Ranch.
c. City General Fund.
d. Community Services District (CSD), established pursuant to the 1972 Calif. Landscape and Lighting Act, as exampled by Hidden Springs and Moreno Valley Ranch.

It should be underscored that the City's recent experience with property owners' reluctance to approve increased funding of existing CSD's (for landscaping and street lighting) draws into question the practical viability of this mechanism for paying for maintenance and replacement of future community/neighborhood identification signs.

FISCAL IMPACT

The specific fiscal impacts of the City's assuming General Fund responsibility for manufacture, installation and maintenance of community/neighborhood identification signs are indeterminate at this time. Costs would depend on such matters as sign design and material components, types and numbers of signs, location of installation and degree of maintenance. A more fine-grained framework addressing these matters would be necessary to allow reliable cost projections.

SUMMARY

There are a number of areas in the City which, for various reasons, might be considered a distinct 'community' or 'neighborhood'. Some of these are already identified by entry signs installed by a project developer and maintained by either a home owners association or a community services district.

Several alternatives exist for paying for the manufacture, installation and maintenance of community/neighborhood identification signs. These exhibit various degrees of practical application and viability.

ATTACHMENTS/EXHIBITS

1. Map of existing and potential communities/neighborhoods

Prepared By:
Kyle Kollar
Interim Director of Community Development

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

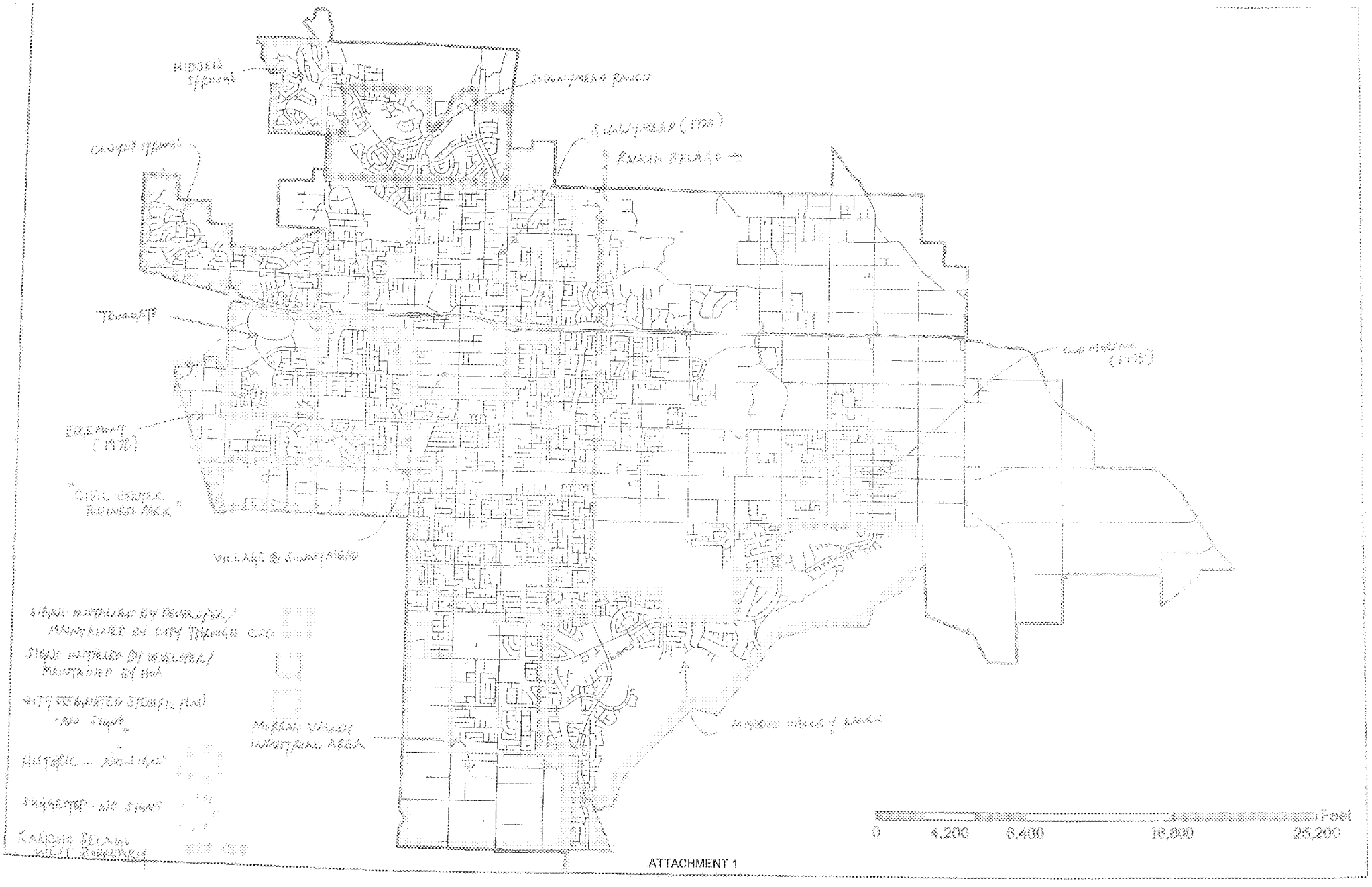

ATTACHMENT 1

MV000048590

APPROVALS	
CITY ATTORNEY	
FINANCE DIRECTOR	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: September 16, 2008

TITLE: Proposed Rancho Belago Community Sign Program

RECOMMENDED ACTION

Staff recommends that the City Council discuss the proposal and provide direction to staff regarding future action on the proposal.

BACKGROUND

On February 13, 2007, the City Council approved a resolution to designate a community name of Rancho Belago for a portion of eastern Moreno Valley.

On October 9, 2007, the Planning Division received an application for a sign program for the area from the Rancho Belago Economic Council. The application included a variety of community identification signs and banners on new and existing poles located in the public right of way (copy sent under separate cover). The proposed sign program has the stated purpose of providing a "sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within".

After staff review of the proposal, a letter was sent on December 19, 2007, providing comments and requesting information as to the proposed implementation of the program relative to installation and maintenance of the signs (see attached copy).

On February 27, 2008, the applicant provided a response letter agreeing with nearly all of the comments provided by staff (see attached copy). The letter also indicated their intent to share the cost of the installation and maintenance of the program with the City.

STUDY SESSION ITEM NO. 2.

Given the request for City participation, on March 26, 2008, staff sent a follow up letter requesting information on the projected cost to install and maintain the proposed signs (see attached copy). That information was provided in a series of e-mails.

The City currently has 21 painted simple metal entry signs mounted on signposts as well as major entryway signs at the western Alessandro Boulevard city limits. The metal signs cost approximately $275 to make and install. On occasion, the signs are replaced due to damage.

Most neighborhood/project identification signs are privately maintained. A limited number of signs are maintained by the City's Public Works Department in conjunction with adjacent street side landscapes with funding from Special District fees levied on benefiting property owners. A similar arrangement has been approved for Sunnymead Boulevard where identification signs and banners will be maintained by the City with funding from fees levied on adjacent property owners.

The proposed sign program would be most like the City entry identification signs or Sunnymead Boulevard signs as they would be in the public right of way and would identify a designated community rather than a specific private development.

DISCUSSION

The proposed signs evidence a high level of quality design and construction. The proposed sign program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles. Tentative locations for the one hundred fifteen (115) proposed signs are identified in the draft sign program. The program also proposes a new design for tract directional signs – these signs are installed by the Building Industry Association (BIA) pursuant to an agreement with the City. No specific locations are provided for these signs as they are located in response to builder requests for directional signs for their developments. Specific locations would require further technical review relative to the issues identified in staff's December 19, 2007, letter.

Information provided by the applicant indicates that the installation cost at $350,900 for forty nine (49) signs: twenty six (26) community identification signs and seven (7) community amenity signs mounted on new freestanding poles ($9,300 each) and sixteen (16) community identification signs on existing streetlight poles ($2,750 each). The cost of the signs reflects the high level of quality design and construction. The annual maintenance cost is identified as $21,350. The applicant's information is attached. Staff has not pursued independent verification of these cost figures. The cost of the proposed program is similar to that of the Redevelopment Agency funded Sunnymead Boulevard sign program.

The applicant has indicated that the remaining fifteen (15) community signs and all banner signs would be a future phase of the program. Therefore, no installation or maintenance costs were provided for these signs. The tract signs are identified as built and maintained by builder fees.

Given the unique nature of the applicant's request, staff is seeking input and direction from the City Council on future action on the proposal.

Potential areas for City Council discussion include the following issues:

Should a community identification program be permitted for the Rancho Belago community?

While several existing developments (e.g. Moreno Valley Ranch, TownGate, and Sunnymead Ranch) have identification signs, no informally designated communities (e.g. Moreno, Edgemont, Sunnymead) have such signs. Sunnymead Boulevard has an approved identification sign and banner program. A sign program for Rancho Belago would establish a precedent for identification programs for future designated communities.

Should a community identification program be permitted in the City's public rights of way?

Existing development identification signs are located on private property. Except for the existing BIA tract directional signs, private signs are not permitted in the public right of way. The tract signs are installed and maintained by the BIA pursuant to a formal agreement with the City and individual encroachment permits for each sign. As proposed by the applicant, the signs would be publicly owned and maintained and could be placed in the public right of way.

Should the City participate in the funding of the proposed sign program, and if so, to what extent?

To date, no general City monies have been used to fund the construction or maintenance of community identification signs. Redevelopment monies are being used to fund the construction of the Sunnymead Boulevard sign program. Only assessments on benefiting property owners have been used for maintenance of signs, and only in limited circumstances. Several mechanisms are available to assist in covering the costs of the proposed program, ranging from private contribution to community facility districts to use of City General Fund monies.

The questions posed above are intended to provide a framework for City Council discussion, and may not cover all potential policy or technical issues associated with the proposed sign program. The proposed sign program will likely undergo further refinement, based on City Council input and direction.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

If granted, the applicant's request for City participation in the sign program would require the approval of a budget appropriation.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Notification of this discussion was made by listing on the agenda. The applicant was advised directly of the meeting.

ATTACHMENTS/EXHIBITS

1. Rancho Belago Community Sign Design Submittal (provided under separate cover)
2. December 19, 2007, staff comment letter.
3. February 27, 2008, applicant response letter.
4. March 26, 2008, staff follow up letter.
5. Applicant's Rancho Belago Community Signs – Preliminary Budget

Prepared By:
John C. Terell
Planning Official

Department Head Approval:
Kyle Kollar
Community Development Director

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

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

*REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

March 23, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

***REVISED AGENDA**
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MV00048597

***REVISED AGENDA**
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MARCH 23, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00048598

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January, 2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S)

MV00048599

PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, Calfiornia, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

MV00048601

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

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2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside

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Council of Governments (WRCOG)

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

Recommendation: That the RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

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Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For Conducting Mail Ballot Proceedings.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Negative Declaration for application PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone). The project will not result in a significant effect on the environment;

2. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on

MV00048605

the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

*G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (Molina/Stewart)

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City

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Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

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

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

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

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

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b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

ADJOURNMENT

* Revision

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 9, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Officer of the Quarter Presentation to Officer Kevin Couch - canceled

2) Officer of the Year Presentation to Officer Kent Eckenrode - canceled

3) Proclamation Recognizing March 2010 as International Order of DeMolay Month

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 9, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:32 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina

INVOCATION - Bishop Randy Triplett, Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Bonnie Flickinger	Mayor
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Absent:

Robin N. Hastings	Mayor Pro Tem

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian

Mike McCarty Parks & Community Services Director

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Dave Willmon, representing League of California Cities (Item A7).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of February 17 - March 20, 2010.

A.4 APPROVAL OF RESOLUTION NO. 2010-14, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FISCAL YEAR 2010/2011 TRANSPORTATION PLANNING GRANT (Report of: Public Works Department)

Recommendation:

Approve the proposed resolution authorizing the City Manager to enter into contract with the State of California Department of Transportation (Caltrans) for Fiscal Year 2010/2011 Transportation Planning Grant application.

Resolution No. 2010-14

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Enter Into a Contract with

the State of California Department of Transportation (Caltrans) for the FY 2010/2011 Transportation Planning Grant

A.5 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-15 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2010-15

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.6 ACCEPTANCE OF DONATION IN THE AMOUNT OF $10,000 FOR THE MORENO VALLEY PUBLIC LIBRARY (Report of: Library Services Department)

Recommendation:

Accept a monetary donation from the Moreno Valley Friends of the Library in the amount of $10,000.

A.7 RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010 (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-16 in support of the League of California Cities ballot measure, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

Resolution No. 2010-16

A Resolution of the City Council of the City of Moreno Valley In Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1-D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

E. PUBLIC HEARINGS - NONE

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)
Council Member Stewart reported that at the last meeting the Commission

reviewed the deal points for March Healthcare Development between the developer and the agency and released them to the public and the Press; the Commission will vote on them at a later date; the developer is financing the infrastructure and demolition upfront; the agreement was also reviewed by the financial advisor and the Technical Advisory Committee and is considered a very good deal for the public; thousands of jobs will be created; more information may be obtained by calling the March Joint Powers at 951.656.7000; agreement is available for review and comments

b) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)
None

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

The City Manager announced the following:
1) While the economy is experiencing considerable stress, the City Council and staff have created employment opportunities adding almost 1,900 new jobs over last two years; in the coming year, it is anticipated that about 700 new jobs will be created; 15 approved projects will be ready when economy picks up
2) Had a meeting today to discuss a Sketcher project, which will bring about thousand jobs
3) A new program is being developed by the Economic Development Department and the City Manager's Office titled "Spotlight on MoVal Business" - at each regular council meeting, the council will shine a spotlight on a major company and a small business operating in the City. This presentation will give a well deserved recognition to current businesses and their contribution to the community and the total economy
4) The Parks and Community Services Department is very active; last year 46,000 persons participated in varies activities
5) The Arts Commission will hold a lively street fair on April 24 at the Stoneridge Towne Centre
6) Valley Kids Camp will open March 22 for children from kindergarten to seventh grade
7) William Batey Reading Contest will conclude March 19
8) Easter Egg Hunt is scheduled for March 27 at Sunnymead Park
9) 4th of July will be a two-day celebration (Saturday and Sunday) and will include a parade, two bands, Moreno Valley Idol competition and fireworks
10) Writers Launch Pad, a free workshop, scheduled on March 20 at March Field Air Museum will provide tips on writing and publishing materials; anybody interested must register by March 19

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Marcus Van Hala, representing Moreno Valley Master Chorale
1) Enhanced sound equipment at the Grand Valley Ballroom at the Conference and Recreation Center; proposed sound shell funded with private funding

Jim A. Wilson, Moreno Valley Master Chorale, director of Valley View Choral
1) Enhanced sound equipment at the Grand Valley Ballroom (sound shell)

Tom Jerele Sr.
1) Veterans banners on Sunnymead Blvd.
2) Political signs

Deanna Reeder
1) Procedures for public comments

Pete Bleckert
1) Streetlights
2) Condition of roads
3) Small businesses

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Burlington Coat Factory had a grand opening on March 5; it was a very well attended event; 99 Cents Only store will open on March 19; it's nice to see new companies, which provide job opportunities, coming in despite the economy; the economic development partnerships are beginning to pay off
2) Responded to a speaker's comments regarding street maintenance - because of reduced staffing caused by the economy, it will take longer to repair them

3) Reading contest is coming to an end; will meet with Harkins Theatre to select a movie that the top four reading classes will be able to watch

Council Member Stewart
1) Burlington Coat factory opening was fantastic, with long lines the first day of opening; commended staff for their effort to attract businesses in this downturn economy
2) Agreed with Ms. Reeder regarding timing speakers; exceptions are being made, when needed, to allow speakers to finish their presentation; rules should be applied equally to everybody
3) Responded to speaker's comments regarding streetlights - is not the cost of electricity; the way the fees are structured, turning off the streetligths for a short period of time would cost more than leaving them on and subsidizing them
4) Regarding street maintenance - it is hard to repair them in the rain; the City has a crack sealing program that works in conjunction with a slurry seal program; however, there is limited funding for staff and materials; more funding needs to be allocated to street maintenance, as this is one of the main responsibilities of government

Council Member Molina
1) Shopped at Burlington Coat Factory; other businesses are coming: March Medical Center, Frazee Paint, MVP Electrical Vehicles; inquired about the construction of Sketcher's facilities
2) Agreed with Mr. Jerele that banners recognizing our veterans should be placed on Sunnymead Blvd.
3) Reminded everybody that the Senior Center still needs used or new computers

Mayor Flickinger
1) Burlington Coat Factory offers a wide variety of merchandise; over 300 people waited for the door to open on Friday, the first day of opening
2) Sticky tape removal crew is growing; the crew is removing sticky tape residues from traffic signal posts; anyone interested to be a part of this volunteer group, may e-mail bonnie@moval.org
3) The celebration of accreditation of the Moreno Valley College will take place at 1:30 p.m. on March 19 on the college campus
4) A very important student election will be held on March 30 and March 31 - the ballot will ask the students whether they want to continue the program of free rides on the RTA buses; if the students don't vote to continue it, the program might be terminated
5) Residents can calculate how much money they can save by using the public transportation instead of driving a car by filling out a form available at www.publictransportation.org/contact/stories/calculator_08-asp
6) Another event that carries major financial implications for residents is the ongoing census - the forms will be arriving in the mail soon;

encouraged everyone to return the form; it is a very brief form and it takes about 10 minutes to fill it out; it's very important that everyone is being counted to secure federal funding for our community
7) The third round of foreclosure prevention workshops begins on April 26. For complete list of workshop, please call 413.3000
8) Regarding the streetlights - asked to agendize for the next Council meeting a discussion regarding sending a letter to Edison explaining the hardship the City would experience, seconded by Council Member Batey

There being no further business to conduct, the meeting was adjourned to Closed Session at 7:25 p.m. by unanimous informal consent.

CLOSED SESSION

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

The Closed Session was held in the City Manager's Conference Room pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:41 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: March 23, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

Reports on Reimbursable Activities March 3-16, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	3/12/10	Moreno Valley Chamber of Commerce Legislative Action Committee
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: March 23, 2010

TITLE: COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

BACKGROUND

The Comprehensive Annual Financial Report (CAFR) for Fiscal Year (FY) 2008-09 presents the audited results of the City's operations and financial position as of June 30, 2009. The submittal of the CAFR to the City Council is an established practice that signifies the completion of the City's annual financial audit and the distribution of the published annual financial report. The firm Mayer Hoffman McCann of Irvine, California, conducted the audit. This was their fourth year of performing the City's audit. It is the City's practice to change auditors no less than every five years to ensure independence of the audit function.

The June 30, 2009 CAFR reflects the City's seventh year of implementing the reporting model required by Governmental Accounting Standards Board Statement No. 34, more commonly referred to as "GASB 34". This statement established a new financial reporting model for state and local governments in an attempt to make annual financial reports more comprehensive and easier to understand and use. The requirements include a narrative introductory overview and analysis called "Management's Discussion and Analysis"; government-wide financial statements prepared on the full-accrual basis that are in addition to, not instead of, the traditional fund-based statements; and an expanded budget comparison that includes the adopted budget, final budget, and actual revenues and expenditures.

DISCUSSION

One of the most important items contained in the CAFR is the Independent Auditors' Report on the financial statements, which is also known as the "Opinion Letter". The auditors have provided the City with an "unqualified" audit opinion, which indicates that the City's financial statements fairly present the financial position of the City. Following is the pertinent text from the "Opinion Letter":

> ***"In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Moreno Valley, California, as of June 30, 2009, and the respective changes in financial position and cash flows, where applicable, and the respective budgetary comparison information for the general fund and major special revenue funds of the City of Moreno Valley, California for the year then ended in conformity with accounting principles generally accepted in the United States of America."***

The CAFR includes the financial results for all component units of the City, which include the Community Redevelopment Agency of the City of Moreno Valley and the Moreno Valley Community Services District. Separate sections of the CAFR are designated for the financial statements of these entities. A summary of the City's financial position as of June 30, 2009 is provided in Management's Discussion and Analysis beginning on page 3 of the CAFR.

In recognition of its financial reporting excellence, the Government Finance Officers Association of the United States and Canada (GFOA) has awarded a *Certificate of Achievement for Excellence in Financial Reporting* to the City of Moreno Valley for 11 consecutive years. This recognition represents the highest professional governmental accounting award possible. The *Certificate* is also advantageous to the City's reputation with bond rating agencies and to the financial markets overall. The CAFR for FY 2008-09 has been submitted to the GFOA and staff anticipates receiving the *Certificate* once again.

The Introductory section of the CAFR includes a listing of City Council Members and Executive Officers. This listing reflects the office holders as of June 30, 2009, which is the ending date of operations as reflected in the CAFR.

As is the case with most public agencies, there are differences between the City's budgetary and financial reporting presentations. For budgetary purposes, the General Fund, Development Services Fund, and Fire Services Fund are all aggregated as the *General Fund*. However, in the CAFR only the General Fund and the Development Services Fund are combined as the *General Fund*; the Fire Services Fund is reported as a separate fund. (Police services are included in the General Fund.) The following table presents budget-to-actual information from the CAFR for the General Fund and Fire Services Fund.

The CAFR reports all reserves and designations that comprise the equity of all funds. The City's FY 2009-10 Adopted Budget presents various General Fund reserves and designations with their anticipated beginning balances, activity, and ending balances. The following table compares the entire equity of the General Fund, including the Fire Services Fund, from the CAFR to the schedules found in the FY 2009-10 Adopted Budget book.

Reserve Designations as of June 30, 2009

	Budget	CAFR			
	Projected Balance 6/30/09	General Fund	Fire Services Fund	Actual Balance 6/30/09	Variances
Reserve Designation:					
Encumbrances	$ -	$ 254,440	$ -	$ 254,440	$ 254,440
Prepaid and Other Assets	-	33,969	50	34,019	34,019
Future Debt Service	1,000,000	1,000,000	-	1,000,000	-
Advances Receivable	28,899,000	28,899,289	-	28,899,289	289
Electric Utility Revolving Line of Credit	4,600,000	4,600,000	-	4,600,000	-
Continuing Appropriations	-	526,020	-	526,020	526,020
Emergency Equipment	-	-	184,674	184,674	184,674
Capital Expenditures	12,327,342	12,291,170	156,888	12,448,058	120,716
Development Services	2,300,000	2,300,000	-	2,300,000	-
Net Unrealized Investment Gain	-	1,829,693	-	1,829,693	1,829,693
Equipment for Building and Safety	-	-	-	-	-
Post-Employment Retirement Benefits	120,000	120,000	-	120,000	-
Total Reserve Designations	$ 49,246,342	$ 51,854,581	$ 341,612	$ 52,196,193	$ 2,949,851

General Fund reserves pledged for the Redevelopment Agency's 2007 Series B, Subordinate Tax Allocation Bonds in the amount of $22,500,000 are incorporated in the Advances Receivable category. This reservation of General Fund balance was approved by the City Council in October 2007, pledging the following General Fund reserves for the Redevelopment Bonds until such time as they are sold as public securities:

- General Contingency Reserve: $14,482,720
- Development Services Reserve: $5,300,000
- Capital Expenditures Reserve: $2,717,280

Total $22,500,000

The General Fund reserves pledged for the 2007 Tax Allocation Bonds, as shown above, will be addressed in conjunction with the FY 2010-11 budget, as some of these funds may be needed to help offset the projected General Fund deficit.

The variance in the net Unrealized Investment Gain represents the investments at fair value in the balance sheet at fiscal year-end, as required by Governmental Accounting Standards Board Statement No. 31, "Accounting and Financial Reporting for Certain Investments and for External Investment Pools." This statement establishes fair value standards for investments in: (a) participating interest-earning investment contracts; (b)

external investment pools; (c) open-end mutual funds; (d) debt securities; and (e) equity securities, option contracts, stock warrants, and stock rights that have readily determinable fair values. However, since unrealized gains/losses are not available for spending until they are realized, a designation of fund balance is made to indicate that the intent is not to liquidate investments to realize the reported gains/losses in the financial statements.

By policy, any Unreserved/Undesignated Fund Balance in the General Fund is applied to the Designation for Capital Expenditures.

ALTERNATIVES

Not applicable

FISCAL IMPACT

None

CITY COUNCIL GOALS

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

Like the City's budget, the CAFR contains vital financial information about the financial condition of the City, and is an important communications tool regarding City financial policies and practices. It is used by a multitude of financial institutions to understand the City's current financial position and to meet ongoing disclosure requirements relative to the City's long-term debt.

GFOA is the premier association of public sector finance professionals and is dedicated to providing high-quality support to state and local government finance officials. City staff has sought the prestigious GFOA *Certificate of Achievement for Excellence in Financial Reporting* primarily because it implies that the City adheres to the highest standards of financial disclosure and reporting.

SUMMARY

The Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2008-09 presents the results of the City's operations and financial position as of June 30, 2009, and is hereby submitted for the City Council's information. The CAFR incorporates all component units of the City including the Community Redevelopment Agency of the City of Moreno Valley and the Moreno Valley Community Services District. A summary

of the City's financial position as of June 30, 2009 is provided in Management's Discussion and Analysis (MD&A) beginning on page 3 of the CAFR. The City's financial statements have received an "unqualified" opinion from an independent auditor, indicating their accuracy and compliance with all applicable reporting requirements.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2009
(Document provided under separate cover.)

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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MV00048627

COMPREHENSIVE ANNUAL FINANCIAL REPORT

FISCAL YEAR ENDED JUNE 30, 2009

CITY OF MORENO VALLEY, CALIFORNIA

COMPREHENSIVE ANNUAL FINANCIAL REPORT

FISCAL YEAR ENDED JUNE 30, 2009

CITY OF MORENO VALLEY, CALIFORNIA

City of Moreno Valley
COMPREHENSIVE ANNUAL FINANCIAL REPORT
FISCAL YEAR ENDED JUNE 30, 2009

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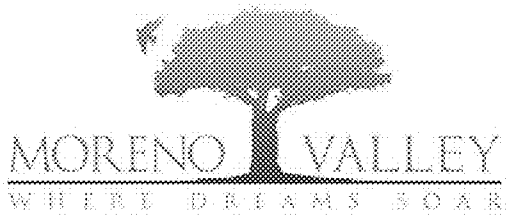

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MORENO VALLEY
WHERE DREAMS SOAR

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P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

January 20, 2010

To the Honorable Mayor, Members of the City Council and Citizens of the City of Moreno Valley:

It is our pleasure to submit the Comprehensive Annual Financial Report (CAFR) of the City of Moreno Valley (the City) for the fiscal year ended June 30, 2009.

The report consists of management's representations concerning the finances of the City. Consequently, management assumes full responsibility for the completeness and reliability of all the information presented in this report. To provide a reasonable basis for making these representations, management has established a comprehensive internal control framework that is designed to both protect the City's assets from loss, theft, or misuse and to compile sufficient reliable information for the preparation of the City's financial statements in conformity with generally accepted accounting principles (GAAP). Because the cost of internal controls should not outweigh their benefits, internal controls have been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

The City's financial statements have been audited by Mayer Hoffman McCann, P.C., a firm of certified public accountants. The independent auditor concluded, based on the audit, that there was a reasonable basis for rendering an unqualified opinion on the City's financial statements for the fiscal year ended June 30, 2009. The independent auditor's report is presented as the first component of the financial section of this report.

The independent audit of the financial statements of the City was part of a broader, federally mandated "Single Audit" designed to meet the special needs of federal grantor agencies. The standards governing the Single Audit engagements require the independent auditor to report not only on the fair presentation of the financial statements, but also on internal controls and compliance with legal requirements, with emphasis on those involving the administration of federal awards. These reports are available in the City's separately issued Single Audit Report.

Management has provided an overall analysis of the financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement MD&A and should be read in conjunction with it. The City's MD&A can be found immediately following the report of the independent auditors.

Profile of the City of Moreno Valley

The City of Moreno Valley was incorporated on December 3, 1984. It is centrally located in Southern California, 66 miles east of Los Angeles and 100 miles north of San Diego. The City encompasses approximately 50 square miles of land area in western Riverside County and with a population of 186,301, continues to be the second largest city in Riverside County. Though it has slowed because of the economy, the City' s population continues to grow.

The City operates under the council-manager form of government with a five-member council elected by district for four-year overlapping terms. Each year the council elects the mayor for a one-year term. The City Council is responsible for, among other things, passing ordinances, adopting the budget, appointing committees, and hiring the City Manager, City Attorney and City Clerk. The City Manager is responsible for carrying out the policies and ordinances of the Council, for overseeing the day-to-day operations of the City, and for appointing the heads of the various departments.

The City provides a wide range of services, which include general government, public safety (police, fire, code enforcement, animal control services, disaster preparedness, and school crossing guards), construction and maintenance of highways and streets, economic development, library, an electric utility which primarily serves the newly developed areas of the City, parks, and a wide range of recreation programs. In addition to general City activities, the Council is financially accountable for the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Moreno Valley Public Financing Authority, and the Moreno Valley Public Facilities Financing Corporation. These entities are included as an integral part of the City' s financial statements. Additional information on these legally separate entities can be found in Note 1 to the financial statements beginning on page 37.

The annual budget serves as the foundation for the City' s financial planning and control. The City Manager presents the proposed budget to the City Council for review in April/May of each year. The Council holds a series of public meetings on the proposed budget, and generally adopts a final budget no later than June 30th. The City' s fiscal year is July 1st through June 30th. The appropriated budget is prepared by fund, department and program and controlled at the department level. The City Manager can approve transfers between programs, departments or funds, provided that such transfers do not increase the overall budget. Appropriations that increase the budget require City Council approval. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an appropriated annual budget has been adopted. For the general fund, this comparison is presented on page 25 as part of the basic financial statements for the governmental funds. For governmental funds other than the general fund with appropriated annual budgets, this comparison is presented for the major funds on pages 26 to 28, and for the non-major funds this comparison is presented beginning on page 112.

Factors Affecting Financial Condition

The information presented in the financial statements is perhaps best understood when it is considered from the broader perspective of the specific environment within which the City of Moreno Valley operates.

Local economy. The City of Moreno Valley is located in the Inland Empire, which consists of Riverside and San Bernardino Counties. The Inland Empire has experienced a vibrant economic environment and for several years the City experienced strong residential and commercial growth. With the current economic situation, the growth rate has slowed considerably.

Over the past six years the City has experienced double-digit growth in many of the key factors that generate revenue for the City. During this six-year period assessed valuations of property increased by 136%. However, during fiscal year 2007-08 the City began to see the developing weakness in the economy that is now evident on a national basis. Assessed valuations of property decreased in Moreno Valley in FY 2008-09 and are expected to continue their decline through fiscal years 2009-10 and 2010-11. Taxable sales also declined as consumer spending showed dramatic slowing.

Long-term financial planning. Each year as part of the budget process, the City prepares a five-year financial plan for the general fund and updates the five-year capital improvement plan (CIP). The five-year financial plan includes the adopted budget plus four years of projections, which provides Council with the expected results of operations based on their budget policy decisions and assumptions about future revenues and expenditures. The five-year capital improvement plan includes all capital projects and identifies the timing of the project as well as the funding source. The first year of the CIP represents the capital expenditure budget for the City.

Cash management policies and practices. Cash temporarily idle during the year was invested principally in U.S. government agency securities and the State of California Local Agency Investment Fund (LAIF), and to a lesser extent in corporate bonds and notes. As required by state law and the City's Investment Policy, the maturities of the investments may not exceed five years, and at June 30, 2009 the average weighted maturity was 1.49 years. All securities were held in third-party safekeeping by Union Bank of California as agent for the City. All transactions originated and authorized by the City are transacted on a delivery versus payment (DVP) basis in order to perfect delivery. For FY 2008-09, the average yield on the investments was 3.49%.

Risk management. Risk exposures to the assets of the City are managed through a combination of self-insured retention and insurance coverage. The City believes that its current assets are adequate to cover the actuarially-determined liability for general liability and workers' compensation claims, including estimated claims incurred but not reported. The City maintains excess liability insurance to provide coverage beyond self-insured retentions of $250,000 and $300,000 per occurrence for general liability and workers' compensation, respectively.

Pension benefits. The City provides a defined benefit pension plan for all employees through a statewide plan managed by the California Public Employees' Retirement System (CalPERS). The plan provides retirement and disability benefits, annual cost of living adjustments and death benefits to plan members and beneficiaries. The City has no obligation in connection with employee benefits offered through this plan beyond its annual contractual payment to CalPERS. Additional information on the plan can be found in Note 8 to the financial statements beginning on page 62.

Other post employment benefits. In addition to pension benefits, the City provides a portion of medical benefits for qualifying retirees. In June 2009, the City established an irrevocable trust fund to administer these benefits through the California Public Employers' Retiree Benefit Trust (CERBT), which is administered by the California Public Employees' Retirement System (CalPERS). The City is currently contributing its Annual Required Contribution (ARC) as determined by actuarial valuation. As a result, the City has incurred no reportable liability for these benefits. Additional information on Other Post Employment Benefits can be found in Note 9 to the financial statements beginning on page 63.

Awards and Acknowledgements

The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Moreno Valley for its comprehensive annual financial report (CAFR) for the year ended June 30, 2008. This was the eleventh consecutive year that the City has

received this prestigious award. The City received the award for publishing an easily readable and efficiently organized CAFR that satisfied both GAAP and applicable legal requirements. A Certificate of Achievement is valid for a period of one year only. We believe that our CAFR continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

The preparation of this report would not have been possible without the efficient and dedicated services of the entire staff of the Financial Operations and Treasury Operations Divisions of the Financial & Administrative Services Department. We would like to express our appreciation to all members of these divisions who assisted and contributed to its preparation. Credit also must be given to other City departments for their assistance and the City Council for their continuous support for maintaining the highest standards of professionalism in the management of the City of Moreno Valley's finances.

Lastly, we would like to thank the City's independent auditors, Mayer Hoffman McCann, for their assistance in preparing this important financial document.

Respectfully submitted,

Steve Elam
Financial & Administrative Services Director

CITY OF MORENO VALLEY

MUNICIPAL OFFICIALS
June 30, 2009

CITY COUNCIL

Richard A. Stewart, Mayor
Bonnie Flickinger, Mayor Pro Tem
William H. Batey II, Council Member
Robin N. Hastings, Council Member
Jesse L. Molina, Council Member

EXECUTIVE OFFICERS

Robert G. Gutierrez, City Manager
Betsy Adams, Assistant City Manager
Rick Hartmann, Deputy City Manager
Robert L. Hansen, Interim City Attorney
Jane Halstead, City Clerk
Kyle Kollar, Community Development Director
Barry Foster, Economic Development Director
Steve Elam, Financial & Administrative Services Director
Steve Curley, Fire Chief
Chris Paxton, Human Resources Director
Becky Guillan, Library Services Manager
Michael McCarty, Parks & Community Services Director
John Anderson, Police Chief
Chris A. Vogt, Public Works Director/City Engineer

MORENO VALLEY
WHERE DREAMS SOAR

City Departments and Divisions

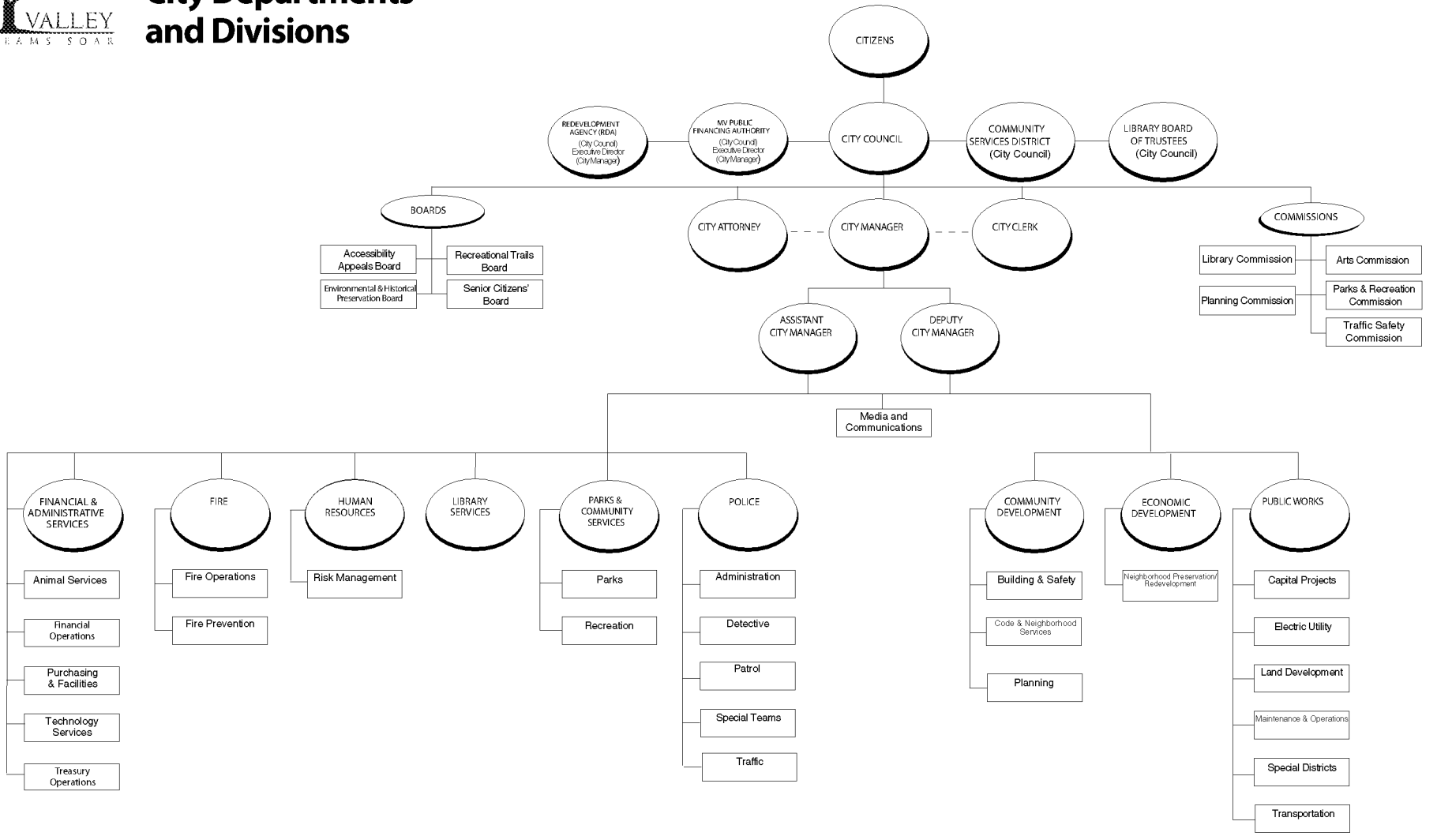

Item No. A.4

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Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Moreno Valley California

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended
June 30, 2008

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting.

President

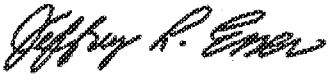

Executive Director

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Financial Section

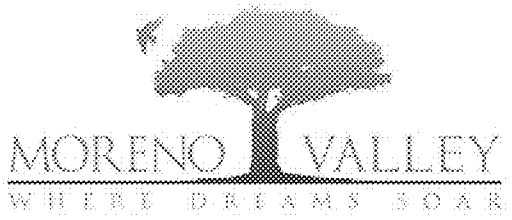

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Honorable Mayor and City Council
City of Moreno Valley
Moreno Valley, California

INDEPENDENT AUDITORS' REPORT

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Moreno Valley, California, as of and for the year ended June 30, 2009, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the management of the City of Moreno Valley. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Moreno Valley, California, as of June 30, 2009, and the respective changes in financial position and cash flows, where applicable, and the respective budgetary comparison information for the general fund and major special revenue funds of the City of Moreno Valley, California for the year then ended in conformity with accounting principles generally accepted in the United States of America.

As described further in Note 9 to the financial statements, the City changed its method of accounting for post employment benefits for fiscal years ending on or after June 30, 2009.

The information identified in the accompanying table of contents as *management's discussion and analysis* is not a required part of the basic financial statements, but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Honorable Mayor and City Council
City of Moreno Valley
Moreno Valley, California

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Moreno Valley's basic financial statements. The introductory section, combining and individual nonmajor fund financial statements and schedules and statistical tables are presented for purposes of additional analysis and are not a required part of the basic financial statements. The combining and individual nonmajor fund financial statements and schedules have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole. The introductory section and statistical tables have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on them.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 23, 2009 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Mayer Hoffman McCann P.C.

Irvine, California
December 23, 2009

Management' s Discussion and Analysis

As management of the City of Moreno Valley (the City), we offer this narrative overview and analysis of financial activities for the fiscal year ended June 30, 2009. We encourage readers to consider the information presented here in conjunction with additional information furnished in our letter of transmittal, which can be found on pages *i* through *iv* of this report. All amounts, unless otherwise indicated, are expressed in thousands of dollars.

Financial Highlights

- The assets of the City of Moreno Valley exceeded its liabilities at June 30, 2009 by $903.2 million (*net assets*). Of this amount, $65.7 million (*unrestricted net assets*) may be used to meet the City' s ongoing obligations to citizens and creditors.
- The City' s governmental activities' net assets increased by $27.2 million, which is largely attributable to an increase in capital assets, in particular infrastructure contributed by developers during the year.
- During the year, the City (which includes the Community Redevelopment Agency of the City of Moreno Valley and the City of Moreno Valley Community Services District) had revenues that were $25.5 million more than the $166.2 million expenses recorded by the City in its governmental and business-type activities.
- The total debt of the City showed a net decrease of $1.9 million (1.3%) during the current fiscal year. The decrease in debt was a result of normal maturity on existing debt.
- The General Fund had an end of year fund balance of $51.9 million. This was a decrease of $5.8 million and a decrease of 10.1% over FY 2007-08.

Overview of Financial Statements

This discussion and analysis is intended to serve as an introduction to the City' s basic financial statements, comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains certain supplementary information.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City' s finances, in a manner similar to a private-sector business.

The statement of net assets presents information on all of the City' s assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in the net assets may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The statement of activities presents information showing how the City' s net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows.* Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

The government-wide financial statements display functions of the City that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City include general government, public safety, community development, community and cultural, public works, and interest on long-term debt. The business-type activities of the City include the Electric Utility.

The government-wide financial statements include the City and its component units. The City' s component units are the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Community Services District, Moreno Valley Public Financing Authority, and the Moreno Valley Public Facilities Financing Corporation. Although legally separate, for all practical purposes these entities function as departments of the City and therefore have been blended as part of the primary government.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental, proprietary and fiduciary.

Governmental funds. *Governmental funds* are used to account for the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, government fund financial statements focus on *near-term inflows and outflows of spendable resources* as well as on balances of spendable resources available at the end of the fiscal year.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government' s near-term financing decisions. Both the governmental funds balance sheet and the governmental funds statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

Information regarding governmental funds is presented separately in the governmental funds balance sheet and in the governmental funds statement of revenues, expenditures and changes in fund balances for the General Fund; Fire Services, Community Services District Zones, and Development Impact Fees Special Revenue Funds; and the Redevelopment Agency Capital Projects Funds. All of these are considered to be major funds. Data from the other governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these non-major governmental funds is provided in the supplementary section of the report in the form of *combining statements.*

The City adopts an annual appropriated budget for its general fund. A budgetary comparison statement has been provided to demonstrate compliance with the budget.

Proprietary funds. The City maintains two different types of proprietary funds--enterprise and internal service funds. Enterprise funds are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The City uses an enterprise fund to account for its Electric Utility. *Internal service funds* are an accounting device used to accumulate and allocate costs internally among the City' s various functions. The City uses internal service funds to account for self-insured insurance programs, central services, technology services, facilities maintenance, equipment maintenance, and equipment replacement. Because these services predominantly benefit governmental rather than business-type functions, they have been included within *governmental activities* in the government-wide financial statements.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The Electric Utility, the City' s only enterprise fund, is included in the Basic Financial Statements. All internal service funds are combined into a single, aggregated presentation in the proprietary funds financial statements. Individual fund data for the internal service funds is provided in the form of *combining statements* in the supplementary section of the report.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the City. In these cases, the City has a fiduciary responsibility and is acting as *trustee*. The *Statement of Fiduciary Fund Assets and Liabilities,* included in the Basic Financial Statements, separately reports all of the City' s fiduciary activities. Detailed information of the fiduciary funds is in the Agency Funds section. Fiduciary funds are *not* reflected in the government-wide financial statements because the resources of those funds are *not* available to support the City' s own programs. However, the City is responsible for ensuring that the assets reported in these funds are used for their intended purposes. The accounting used for fiduciary funds is much like that used for proprietary funds.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Government-wide Financial Analysis

The following table presents a summarization of the City' s assets, liabilities and net assets for its governmental and business-type activities as of June 30, 2009.

Table 1
Net Assets
(in $000' s)

	Governmental Activities		Business-type Activities		Totals	
	2008	2009	2008	2009	2008	2009
Current and other assets	$ 319,431	$ 298,590	$ 13,659	$ 12,156	$ 333,090	$ 310,746
Capital assets	708,022	747,453	35,179	31,745	743,201	779,288
Total assets	1,027,453	1,046,133	48,838	43,901	1,076,291	1,090,034
Current Liabilities	40,335	33,253	4,921	5,455	45,256	38,708
Long-term liabilities	118,939	117,514	31,111	30,618	150,050	148,132
Total liabilities	159,274	150,767	36,032	36,073	195,306	186,840
Net assets:						
Invested in capital assets, net of related debt	622,102	704,988	14,110	9,994	636,212	714,982
Restricted for						
Community development projects	41,908	19,961	-	-	41,908	19,961
Community & cultural	8,259	8,591	-	-	8,259	8,591
Public safety	664	280	-	-	664	280
Public works	79,746	71,336	-	-	79,746	71,336
Debt service	7,291	17,373	-	-	7,291	17,373
Other programs	3,598	3,141	-	-	3,598	3,141
Permanent funds - nonexpendable	65	66	-	-	65	66
Regulatory contingencies	-	-	948	1,767	948	1,767
Unrestricted	104,546	69,630	(2,252)	(3,933)	102,294	65,697
Total net assets	$ 868,179	$ 895,366	$ 12,806	$ 7,828	$ 880,985	$ 903,194

As noted earlier, net assets may serve over time as a useful indicator of a government' s financial position. In the case of the City of Moreno Valley, assets exceeded liabilities by $903 million at June 30, 2009.

By far the largest portion of the City' s net assets (79%)is its investment in capital assets (e.g., land, buildings, machinery, and equipment) net of related debt. The City uses these capital assets to provide services to citizens; consequently, these assets are *not* available for future spending. Although the City' s investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

The following table presents a summarization of the changes in net assets of the City' s governmental and business-type activities, as of June 30, 2009.

Table 2
Changes in Net Assets
(in $000' s)

	Governmental Activities		Business-type Activities		Total	
	2008	2009	2008	2009	2008	2009
Revenues:						
Program Revenues:						
Charges for services	$ 44,539	$ 38,136	$ 10,311	$ 12,431	$ 54,850	$ 50,567
Operating contributions and grants	11,121	12,857	-	-	11,121	12,857
Capital contributions and grants	74,004	31,813	-	-	74,004	31,813
General Revenues:						
Property tax	30,351	28,316	-	-	30,351	28,316
Property tax in lieu	16,729	16,791	-	-	16,729	16,791
Transient occupancy tax	593	498	-	-	593	498
Sales tax	13,624	12,164	-	-	13,624	12,164
Franchise tax	4,382	4,876	-	-	4,382	4,876
Business license tax	1,111	1,052	-	-	1,111	1,052
Utility user's tax	15,187	15,081	-	-	15,187	15,081
Franchise in lieu tax	97	121	-	-	97	121
Documentary transfer tax	575	598	-	-	575	598
Other taxes	2,620	2,683	-	-	2,620	2,683
Intergovernmental	801	866	-	-	801	866
Use of money and property	16,380	9,381	-	131	16,380	9,512
Other	888	1,788	-	-	888	1,788
Total Revenues	233,002	177,021	10,311	12,562	243,313	189,583
Expenses:						
General government	14,417	14,949	-	-	14,417	14,949
Public safety	54,412	50,856	-	-	54,412	50,856
Community development	10,965	12,036	-	-	10,965	12,036
Community and cultural	33,717	27,905	-	-	33,717	27,905
Public works	29,248	36,096	-	-	29,248	36,096
Interest on long-term debt	12,082	10,335	-	-	12,082	10,335
Electric	-	-	12,282	14,067	12,282	14,067
Total Expenses	154,841	152,177	12,282	14,067	167,123	166,244
Change in net assets before transfers	78,161	24,844	(1,971)	(1,505)	76,190	23,339
Transfers	62	654	(62)	(654)	-	-
Change in Net Assets	78,223	25,498	(2,033)	(2,059)	76,190	23,339
Restatement of Net Assets	(1,788)	1,690	(262)	(2,819)	(2,050)	(1,129)
Net Assets Beginning, as restated	791,744	868,179	15,101	12,806	806,845	880,985
Net Assets Ending	$ 868,179	$ 895,367	$ 12,806	$ 7,828	$ 880,985	$ 903,195

Operating contributions and grants increased $1.7 million, 15.6%, over FY 2007-08. This increase was a result of increased operating grants from the State, in particular for traffic congestion relief.

Capital contributions and grants decreased $42.2 million, 57.0% over FY 2007-08. This decrease was a result of developer contributed assets declining by over $49 million, 66.3%, due to the economic recession.

Use of money and property decreased $6.9 million, 41.9% over FY 2007-08. This decline is a result of the annual average yield dropping from 4.57% in FY 2007-08 to 3.49% in FY 2008-09, combined with a decrease in cash and investments of $21.3 million over FY 2007-08.

Franchise in lieu of tax increased 24.7% over FY 2007-08. This increase is a result of increased electric utility billings generating this revenue.

Governmental Activities

The government' s net assets increased by $27.2 million, with total revenues of $177.0 million, total expenses of $152.2 million, and a restatement of previously over-reported net assets of $1.7 million, largely attributed to adjustments to correct loans receivable and the reporting of certain capital assets and accumulated depreciation. Program revenues were $82.8 million and general revenues were $94.2 million, funding the net difference between program revenues and expenses. The largest single category of revenue was charges for services at $38.1 million and is also program revenue. This revenue goes directly against expenses in recovering the costs of providing those services. This revenue category decreased by $6.4 million over FY 2007-08 primarily due to the economic recession. The second largest single revenue category was capital contributions and grants, at $31.8 million. This is program revenue and is primarily due to developer contributed infrastructure. This revenue category decreased by $42.2 million from FY 2007-08. The third largest single revenue category was property tax at $28.3 million, and is general revenue. Property tax in-lieu of vehicle license fees (VLF) was the fourth largest single revenue source at $16.8 million, and utility user' s tax was the fifth largest revenue source at $15.1 million. Graph 1 presents the revenues by source for governmental activities for the fiscal year ended June 30, 2009.

Graph 1
Revenues by Source – Governmental Activities

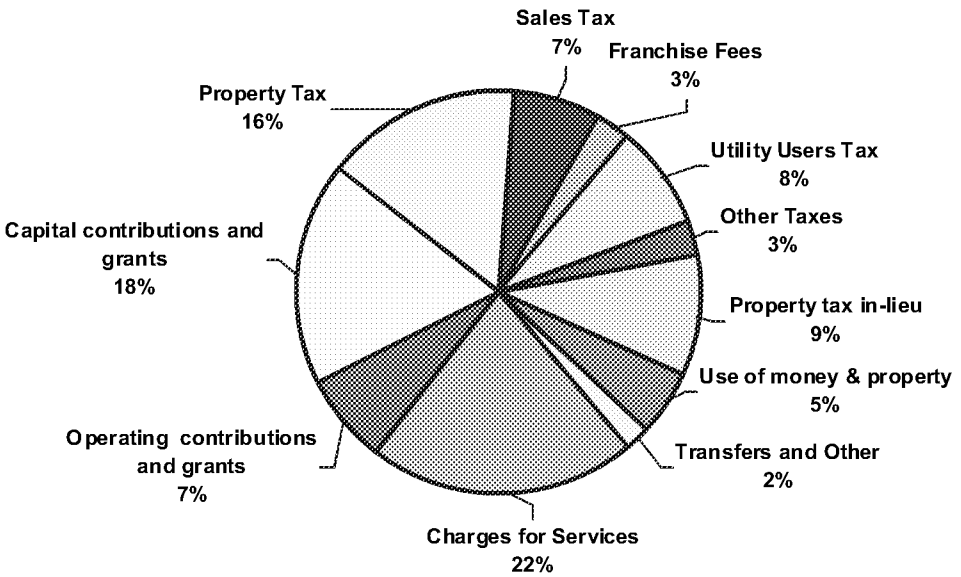

The single largest expense category was public safety at $50.9 million, accounting for 33.4% of total expenses. Public works was the second largest expense category at $36.1 million and 23.7% of total expenses. Community and cultural was the third largest expense category at $27.9 million. General government was the fourth largest expense category at $14.9 million, followed by community development at $12.0 million, the fifth largest expense category, and interest on long-term debt at $10.3 million, the sixth largest expense category.

Table 3 presents the cost of each of the six major program categories, and identifies each program' s *net cost* (total cost less revenues generated by the activities). The net cost is the financial burden that was placed on the City' s taxpayers by each of the activities.

Table 3
Governmental Activities - Net Cost of Services
For the year ended June 30, 2009

	Total Cost of Services	Net Cost of Services
General government	$ 14,948,629	$ (13,711,327)
Public safety	50,856,440	(43,911,428)
Community development	12,036,237	(1,886,996)
Community and cultural	27,904,884	(6,746,167)
Public works	36,095,949	7,220,166
Interest on long-term debt	10,334,932	(10,334,932)
TOTAL	$ 152,177,071	$ (69,370,684)

As illustrated in the above table, program revenues recovered $82.8 million of the cost of providing these services. The City paid for the remaining public benefit portion of these governmental activities with $69.4 million in taxes (some of which were restricted for certain programs) and with other revenues. This governmental activity cost/revenue relationship is further illustrated in the following graph.

Graph 2
Governmental Activities - Net Cost of Services
For the year ended June 30, 2009

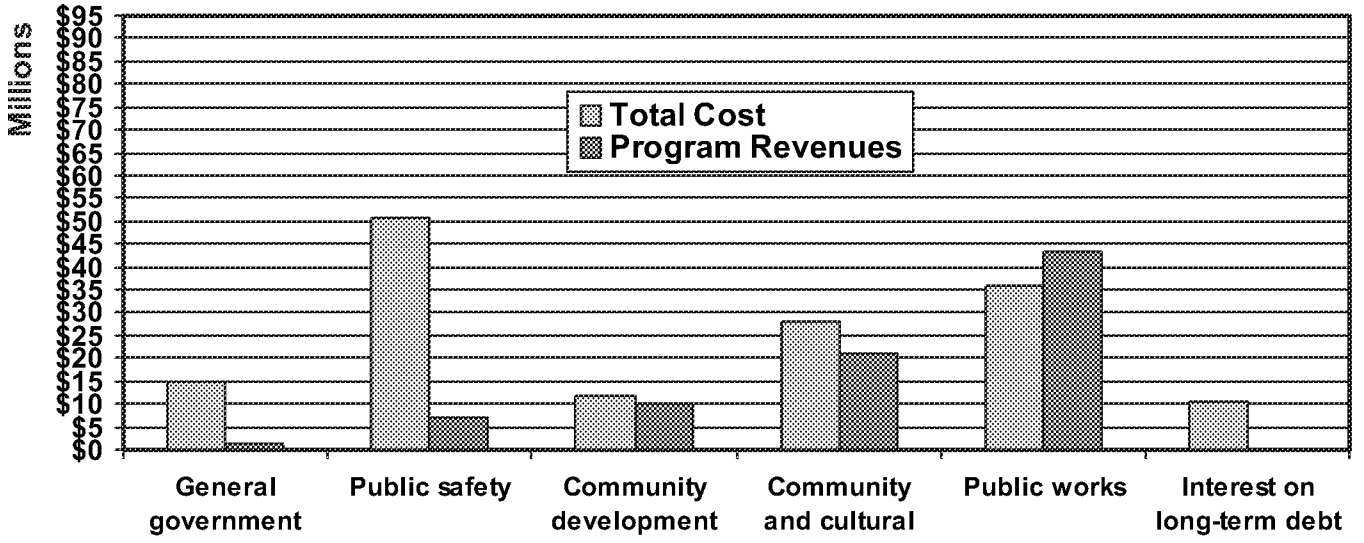

Business-Type Activities

The City' s business-type activities include the activities of the Electric Utility. The net assets of the City' s business-type activities decreased $5.0 million primarily due to lower than expected revenues, combined with more than expected operating expenses and a restatement of infrastructure (see note 10). The Electric Utility had total revenues of $12.4 million, total expenses of $14.1 million, transfers out of $653,000, and a restatement of previously overstated net assets of $2.8 million. The restatement of net assets corrects the amount of infrastructure previously reported.

THE CITY' S FUNDS

Total fund balances presented in the governmental funds balance sheet are $208.0 million, with the General Fund representing $51.9 million, or 24.9% of the total. The City' s General Fund fund balance has reserved $34.8 million for advances to other funds, encumbrances, and prepaid and other assets.

General Fund Financial Results

The General Fund fund balance decreased by $5.8 million over FY 2007-08. The original budget anticipated an $8 million increase. However, the City realized revenues were not performing as anticipated. Departments received direction to take aggressive action to reduce expenditures.

At fiscal year end, only four General Fund revenues met or exceeded the amended budget, exceeding budget by $718,000. Total revenues fell short of expectations by $7.2 million.

General Fund actual expenditures were $5.5 million less than the final amended budget. Major contributors to this result were in large part due to deferring some projects, delaying in hiring for open positions, and reduced program spending due to additional projected revenue shortfalls.

Other Major Fund Financial Results

The fund balance of the Fire Services Special Revenue Fund increased by $62,000 over the fiscal year. This fund accounts for the City' s fire services and is subsidized by the General Fund, and therefore does not accumulate additional fund balance. The General Fund subsidy increased by $933,000 over FY 2007-08. This is a result of less than expected property tax revenues due to the economic recession.

The fund balance of the Community Service District Zones Special Revenue Fund, after an adjustment to correct prior year accounts receivable, increased by $326,000 over FY 2007-08. This fund accounts for the administration, operations and maintenance of the City' s various service zones established by the Moreno Valley Community Services District. The increase in fund balance is primarily the result of a reduction of expenditures due to the expected decrease in property tax and charges for service revenues.

The fund balance of the Development Impact Fees Special Revenue Fund decreased by $5.5 million over FY 2007-08. This fund accounts for the developer impact fees one-time charges used to offset the additional public-service costs of new development. The decrease in fund balance is the result of less than expected revenues, combined with transfers to capital projects funds for projects that are either partially or totally funded by these restricted revenues.

The fund balance of the Community Redevelopment Agency Capital Projects Fund increased $29,000 over FY 2007-08. This fund accounts for the revenues and expenditures made for redevelopment operations. The increase

in fund balance is a result of less than expected redevelopment expenditures due to unexpected takeaways by the State in balancing their budget.

The net assets of the Electric Enterprise Fund, after an adjustment to correct prior year infrastructure, decreased by $2.2 million from FY 2007-08. This fund accounts for the operations of the City' s electric utility. The decrease is primarily the result of less than expected revenues due to the economic recession, combined with more than expected operating expenses.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets

At the end of 2009, the City' s governmental activities had $1.003 billion ($748 million net of depreciation) invested in a broad range of capital assets, including land, buildings and improvements, machinery and equipment, vehicles, park facilities, roads, highways and bridges. The increase of $62.1 million over FY 2007-08 is primarily attributed to the increase in infrastructure. Additionally, adjustments to certain capital assets and depreciation were made to correct prior year reporting.

At June 30, 2009, the City' s business-type activities had $34.0 million ($31.7 million net of depreciation) invested in capital assets, primarily utility infrastructure. The decrease of $2.6 million over FY 2007-08 is primarily due to an adjustment to infrastructure made to correct prior year reporting, combined with a minimal increase of new utility infrastructure projects during the year.

Table 4 presents the City' s capital assets by asset type.

Table 4
Capital Assets at Year End
(Net of Depreciation)
For the Year Ended June 30, 2009

	Governmental Activities	Business-type Activities
Land	$ 303,293,860	$ 1,237,459
Buildings and improvements	67,140,444	-
Machinery and equipment	2,029,469	-
Vehicles	4,027,931	-
Construction in progress	55,975,095	1,617,422
Infrastructure	315,076,441	28,889,641
Total	$ 747,543,240	$ 31,744,522

Additional information on the City' s capital assets can be found in Note 5 to the basic financial statements.

Long-Term Debt

At year-end, the City' s governmental activities had $117.5 million in bonds, certificates of participation, notes and accrued interest, leases and compensated absences, versus $118.9 million last year, a decrease of $1.4 million, or 1.2%. The decrease was the result of normal maturity on existing debt.

At June 30, 2009, the City' s business-type activities had $30.6 million in bonds and capital leases versus $31.1 million last year, a decrease of $493,000. The decrease was the result of normal maturity on existing debt.
The City was able to meet its current debt obligations in a timely manner. The City has an active Debt Management Committee and a City Council-approved Debt Management Policy. Table 5 provides the total long-term debt by category.

Table 5
Outstanding Debt at Year End
For the Year Ended June 30, 2009

	Governmental Activities	Business-type Activities
Special tax bonds	$ 17,265,000	$ -
Certificates of participation	5,470,000	-
Lease revenue bonds	45,205,000	30,468,539
Tax allocation bonds	42,725,000	-
Notes (plus accrued interest)	2,234,084	-
Capital leases	41,098	102,551
Compensated absences	4,574,305	47,100
Total	$ 117,514,487	$ 30,618,190

Additional information on the City' s long-term debt can be found in Note 6 to the basic financial statements.

ECONOMIC FACTORS AND OUTLOOK FOR FUTURE YEARS

Although the focus of this Annual Report is on the economic condition of the City in the fiscal year that ended June 30, 2009, it is important for the City' s financial management to report on current issues affecting the City and their economic impact on FY 2008-09 and future years.

Clearly the economic downturn has impacted Moreno Valley, as well as the Inland Region as a whole. Both Riverside and San Bernardino counties will likely see a delayed and much slower economic recovery period.

With a population of 186,301, Moreno Valley is still experiencing population growth, albeit at a slower rate because of the economic downturn impacting California. Moreno Valley remains the second largest city in Riverside County and is presently the fourth largest city in the Inland Region. For the past few years, Moreno Valley has been consistently ranked by the U.S. Census Bureau as one of the ' fastest growing cities in the U.S.' — ranking in the Top 25 of cities with a population over 100,000 for the past four years. Though it has slowed because of the economy, population growth continues in Moreno Valley because of its strategic location at the junction of Interstate I-215 and State Route 60, along with offering a wide array of quality housing options, a family oriented lifestyle and a variety of quality of life amenities.

New housing development opportunities have long been a mainstay of Moreno Valley' s growth and economic foundation. Over the years, the regional economy in the Inland Region of Riverside and San Bernardino counties has been heavily dependent on construction activity and specifically the new residential development industry. Moreno Valley was an active area for new home development and this industry peaked in FY 2004-05. Moreno Valley has not escaped the new housing construction decline that has hit the Inland Region especially hard, and residential building permit activity decreasing 90% in the City for the period from 2005 to 2009.

New housing developers continue to have confidence in the Moreno Valley market, but the economy must improve before new large scale housing development rebounds to a significant extent. Additional challenges to overcome before new housing rebounds in the Inland Region include improvement in the home foreclosure and unemployment rates.

The City' s assessed valuation has experienced a similar trend to that of the new housing development market. According to the Riverside County Assessor, for a six-year period from 2002 to 2008, the City of Moreno Valley' s assessed valuation grew an amazing 136% from $5.8 billion in 2002, to $13.7 billion in 2008. With the recession officially starting in fourth quarter of 2007, property assessed valuation decreased in Moreno Valley in FY 2008-09 and will likely continue to suffer for FY 2009-10 and FY 2010-11.

For several years Moreno Valley has experienced substantial non-residential growth including significant new commercial retail and industrial development. The economy has slowed commercial development in Southern California, but Moreno Valley continues to secure new business development opportunities. In FY 2008-09 several new commercial retail projects were completed including: 1) an expansion and renovation of the Moreno Valley Mall at TownGate, 2) an expansion of Costco, 3) the opening of Sports Authority, 4) the conversion of a Wal-Mart to a full-fledged SuperCenter and 5) the completion of two new neighborhood shopping centers—Moreno Marketplace and Iris Plaza. Moreno Valley is continuing to expand its hotel market with the spring 2009 opening of Hampton Inn along with two hotels presently under construction—Ayres Suites and LaQuinta Inn. Although new retail will slow in FY 2009-10, Burlington Coat Factory and 99 Cents Only will still open new Moreno Valley locations in spring 2010.

Creating employment opportunities and job growth is important to the continued development of the community. While new office and industrial development has slowed because of the economy and challenging financing market, Moreno Valley created more than 800 new jobs in FY 2008-09 through several major projects including: BAS Recycling, Ecolite Concrete, Philips Electronics and an expansion of the Ross Distribution Center. An estimated 750 additional jobs will come to Moreno Valley in FY 2009-10 through projects underway including: Frazee Paint, MVP EV, O' Reilly Automotive, and the further expansion of Ross. Once the economy recovers, Moreno Valley is well positioned for future business development opportunities with nearly 24 million square feet of industrial building projects approved, entitled or under development.

CONTACTING THE CITY' SFINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, investors and creditors with a general overview of the City' s finances and to show the City' s accountability for the money it receives. For component units that publish separate financial statements, those statements can be obtained from the City Clerk. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Financial & Administrative Services Director, City of Moreno Valley, 14177 Frederick Street, P.O. Box 88005, Moreno Valley, California 92552-0805.

Basic Financial Statements

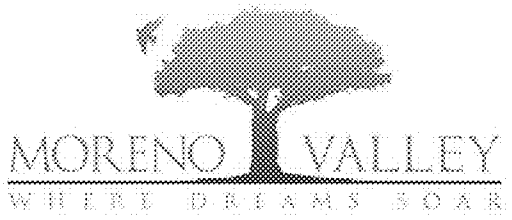

City of Moreno Valley
STATEMENT OF NET ASSETS
JUNE 30, 2009

	Primary Government		
	Governmental Activities	Business-Type Activities	Total
Assets:			
Pooled cash and investments (note 3)	$ 258,807,704	$ 12,362,780	$ 271,170,484
Receivables:			
Accounts	7,966,759	1,370,146	9,336,905
Notes and loans (note 4)	15,513,929	-	15,513,929
Accrued interest	1,906,045	-	1,906,045
Prepaid costs	74,664	3,013	77,677
Inventories	9,772	-	9,772
Due from other governments	8,790,548	-	8,790,548
Land held for redevelopment	3,916,126	-	3,916,126
Due from agency funds (note 7)	24,694	-	24,694
Advances to/from other funds (note 7)	1,579,698	(1,579,698)	-
Capital assets not being depreciated (note 5)	359,268,955	2,854,881	362,123,836
Capital assets, net of accumulated depreciation (note 5)	388,274,285	28,889,641	417,163,926
Total assets	1,046,133,179	43,900,763	1,090,033,942
Liabilities:			
Accounts payable	8,519,497	$ 1,374,054	9,893,551
Accrued liabilities	1,980,029	1,805,556	3,785,585
Accrued interest	1,387,605	277,860	1,665,465
Unearned revenue	976,445	929,779	1,906,224
Deposits payable	107,553	-	107,553
Due to other governments	16,748,053	-	16,748,053
Advances from developers	-	241,005	241,005
Advances from operator	-	826,612	826,612
Accrued claims and judgments	3,533,000	-	3,533,000
Noncurrent liabilities (note 6):			
Due within one year	6,469,862	603,247	7,073,109
Due in more than one year	111,044,625	30,014,943	141,059,568
Total liabilities	150,766,669	36,073,056	186,839,725
Net Assets:			
Invested in capital assets, net of related debt	704,987,685	9,993,679	714,981,364
Restricted for:		-	
Community development projects	19,960,752	-	19,960,752
Community & cultural	8,590,597	-	8,590,597
Public safety	280,107	-	280,107
Public works	71,335,816	-	71,335,816
Debt service	17,373,369	-	17,373,369
Other programs	3,141,167	-	3,141,167
Permanent funds-nonexpendable	66,436	-	66,436
Restricted for regulatory contingencies	-	1,767,402	1,767,402
Unrestricted	69,630,581	(3,933,374)	65,697,207
Total net assets	**$ 895,366,510**	**$ 7,827,707**	**$ 903,194,217**

See Notes to Basic Financial Statements.

City of Moreno Valley
STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2009

		Program Revenues	
	Expenses	Charges for Services	Operating Contributions and Grants
Functions/Programs			
Primary Government:			
Governmental Activities:			
General government	$ 14,948,629	$ 1,144,983	$ 92,319
Public safety	50,856,440	6,559,817	385,195
Community development	12,036,237	7,607,316	2,541,925
Community and cultural	27,904,884	14,982,931	5,936,040
Public works	36,095,949	7,840,754	3,901,583
Interest on long-term debt	10,334,932	-	-
Total Governmental Activities	**$ 152,177,071**	**$ 38,135,801**	**$ 12,857,062**
Business-Type Activities:			
Electric	14,067,086	12,430,482	-
Total Business-Type Activities	14,067,086	12,430,482	-
Total Primary Government	**$ 166,244,157**	**$ 50,566,283**	**$ 12,857,062**

General Revenues:
- Taxes:
  - Property taxes
  - Property taxes in lieu
  - Transient occupancy taxes
  - Sales taxes
  - Franchise taxes
  - Business licenses taxes
  - Utility users' tax
  - Other taxes
  - Franchise in lieu taxes
  - Documentary transfer tax
- Intergovernmental - motor vehicle in lieu, unrestricted
- Use of money and property
- Miscellaneous

Transfers (note 7)

Total General Revenues and Transfers

Change in Net Assets

Net Assets at Beginning of Year, As Restated (note 10)

Net Assets at End of Year

See Notes to Basic Financial Statements.

Capital Contributions and Grants	Net (Expenses) Revenues and Changes in Net Assets: Governmental Activities	Business-Type Activities	Total
$ -	$ (13,711,327)	$ -	$ (13,711,327)
-	(43,911,428)	-	(43,911,428)
-	(1,886,996)	-	(1,886,996)
239,746	(6,746,167)	-	(6,746,167)
31,573,778	7,220,166	-	7,220,166
-	(10,334,932)	-	(10,334,932)
$ 31,813,524	**$ (69,370,684)**	**$ -**	**$ (69,370,684)**
-	-	(1,636,604)	(1,636,604)
-	-	(1,636,604)	(1,636,604)
$ 31,813,524	**$ (69,370,684)**	**$ (1,636,604)**	**$ (71,007,288)**
	28,316,208	-	28,316,208
	16,791,078	-	16,791,078
	497,936	-	497,936
	12,163,719	-	12,163,719
	4,876,055	-	4,876,055
	1,051,702	-	1,051,702
	15,081,286	-	15,081,286
	2,683,193	-	2,683,193
	120,969	-	120,969
	598,084	-	598,084
	865,718	-	865,718
	9,381,199	131,033	9,512,232
	1,787,772	-	1,787,772
	653,554	(653,554)	-
	94,868,473	**(522,521)**	**94,345,952**
	25,497,789	(2,159,125)	23,338,664
	869,868,721	9,986,832	879,855,553
	$ 895,366,510	**$ 7,827,707**	**$ 903,194,217**

See Notes to Basic Financial Statements.

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MAJOR GOVERNMENTAL FUNDS

General Fund

This fund is used to account for all financial resources of the city traditionally associated with government which are not required legally or by sound financial management to be accounted for in another fund.

Fire Services Special Revenue Fund

This fund is used to account for the fire operations and fire prevention functions.

Community Services District (CSD) Zones Special Revenue Fund

This group of funds is used to account for the revenues expended on the various Community Services District (CSD) programs. There are eight Zones within the Community Services District providing services. Zone A-Parks and Recreation provides citywide park maintenance and recreation programming. Zone B-Residential Street Lighting provides residential subdivision street lighting. Zone C-Arterial Street Lighting provides citywide street lighting on major arterial streets. Zone D-Standard Landscaping provides landscaping for residential developments throughout the City. Zone E-Extensive Landscaping provides landscaping in major developments within the City. Zone L-Library Services provides library services to City residents. Zone M-Medians provides development and maintenance of median within the City. Community Facilities District (CFD) #1 provides maintenance of new neighborhood parks, trails and class 1 bikeways.

Development Impact Fees Special Revenue Fund

This group of funds is used to account for the restricted fees collected to provide funding for capital improvements related to the impact of development on various City services. The City collects fees for the following: arterial streets, traffic signals, fire facilities, police facilities, parkland facilities, Quimby in-lieu of parks, recreation facilities, library facilities, city hall facilities, corporate yard facilities, interchange improvements, maintenance equipment, and animal shelter facilities.

Community Redevelopment Agency Capital Projects Fund

This fund is used to account for the tax increment revenues collected by the Community Redevelopment Agency and used for administrative expenditures, agency debt service, capital projects within the redevelopment project area, and low and moderate income housing programs as required by law.

Other Governmental Funds

These funds constitute all other governmental funds that do not meet the criteria to be a major fund, which is 10% or more of assets, liabilities, revenues or expenditures for the governmental funds and 5% or more of total assets, liabilities, revenues or expenditures for the total governmental and enterprise funds combined. These funds include other Special Revenue Funds, other Capital Projects Funds, all Debt Service Funds and all Permanent Funds of the City.

City of Moreno Valley
GOVERNMENTAL FUNDS
BALANCE SHEET
JUNE 30, 2009

		Special Revenue Funds	
	General	Fire Services	CSD Zones
Assets:			
Pooled cash and investments (note 3)	$ 297,113	$ 2,351,869	$ 31,536,356
Receivables:			
Accounts	3,680,885	30,954	228,794
Notes & loans (note 4)	-	-	-
Interest	1,612,385	-	-
Prepaid costs	33,969	50	140
Due from other governments	3,080,665	865,951	1,724,960
Due from other funds (note 7)	27,161,366	-	-
Land held for redevelopment	-	-	-
Advances to other funds (note 7)	57,027,511	-	-
Inventories	2,976	-	-
Total Assets	**$ 92,896,870**	**$ 3,248,824**	**$ 33,490,250**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	$ 1,340,841	$ 89,226	$ 511,932
Accrued liabilities	940,222	35,949	343,087
Due to other funds (note 7)	17,666	-	23,732,567
Due to other governments	9,801,409	2,782,037	-
Deferred revenue	28,320,989	-	229,799
Unearned revenue	621,162	-	-
Advances from other funds (note 7)	-	-	-
Deposits payable	-	-	107,553
Total Liabilities	**41,042,289**	**2,907,212**	**24,924,938**
Fund Balances:			
Reserved:			
Reserved for encumbrances	254,440	-	55,811
Reserved for prepaid and other assets	33,969	50	140
Reserved for debt service	1,000,000	-	-
Reserved for long-term receivables	-	-	-
Reserved for advances to other funds	28,899,289	-	-
Reserved for revolving line of credit	4,600,000	-	-
Unreserved:			
Unreserved, reported in nonmajor:			
Special revenue funds	-	-	-
Capital projects funds	-	-	-
Permanent funds	-	-	-
Designated:			
Designated for continuing appropriations	526,020	-	348,924
Designated for emergency equipment	-	184,674	-
Designated for capital improvement projects	12,291,170	156,888	3,022,711
Designated for development services	2,300,000	-	-
Designated for contingencies	-	-	1,152,381
Designated for net unrealized investment gain	1,829,693	-	-
Designated for post-employment retirement benefits	120,000	-	-
Designated for developer credits and reimbursements	-	-	-
Undesignated	-	-	3,985,345
Total Fund Balances	**51,854,581**	**341,612**	**8,565,312**
Total Liabilities & Fund Balances	**$ 92,896,870**	**$ 3,248,824**	**$ 33,490,250**

See Notes to Basic Financial Statements.

Special Revenue Fund	Capital Projects Fund		
Development Impact Fees	Community Redevelopment Agency	Nonmajor Governmental Funds	Total Governmental Funds
$ 14,284,781	$ 87,392,466	$ 89,936,190	$ 225,798,775
-	-	4,024,662	7,965,295
-	12,115,790	3,398,139	15,513,929
-	140,482	153,178	1,906,045
-	-	32,097	66,256
-	205	3,118,767	8,790,548
3,807,745	4,500	17,666	30,991,277
-	3,916,126	-	3,916,126
-	256,499	580,657	57,864,667
-	-	-	2,976
$ 18,092,526	**$ 103,826,068**	**$ 101,261,356**	**$ 352,815,894**
$ -	$ 459,483	$ 5,824,473	$ 8,225,955
-	64,534	433,196	1,816,988
943,496	1,849,274	4,423,580	30,966,583
-	3,928,234	236,373	16,748,053
-	182,136	923,508	29,656,432
-	-	355,283	976,445
-	56,280,470	4,499	56,284,969
-	-	-	107,553
943,496	**62,764,131**	**12,200,912**	**144,782,978**
-	5,665,784	19,978,409	25,954,444
-	3,916,126	552,866	4,503,151
-	22,500,000	17,373,369	40,873,369
-	12,115,790	3,534,626	15,650,416
-	256,499	580,657	29,736,445
-	-	-	4,600,000
-	-	16,222,725	16,222,725
-	-	30,751,356	30,751,356
-	-	66,436	66,436
-	-	-	874,944
-	-	-	184,674
-	-	-	6,317,380
-	-	-	2,300,000
-	-	-	1,152,381
-	-	-	1,829,693
-	-	-	120,000
126,184	-	-	126,184
17,022,846	(3,392,262)	-	26,769,318
17,149,030	**41,061,937**	**89,060,444**	**208,032,916**
$ 18,092,526	**$ 103,826,068**	**$ 101,261,356**	**$ 352,815,894**

See Notes to Basic Financial Statements.

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City of Moreno Valley

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET ASSETS
JUNE 30, 2009

Fund balances of governmental funds	$ 208,032,916
Amounts reported for governmental activities in the statement of net assets are different because:	
Capital assets net of depreciation have not been included as financial resources in governmental fund activity (excludes internal service capital assets).	
Capital assets	983,943,082
Accumulated depreciation	(245,740,380)
Long-term debt and compensated absences that have not been included in the governmental fund activity:	
Long-term debt payable	(112,940,182)
Compensated absences (excludes internal service compensated absences)	(4,099,558)
Accrued interest payable for the current portion of interest due on long-term liabilities has not been reported in the governmental funds.	(1,387,605)
Certain items are reported as revenues in the statement of activities, but do not meet the revenue recognition criteria in order to be reported as revenues in the statement of revenues, expenditures and change in fund balances, and consequently, are reported as deferred revenue in the balance sheet of governmental funds.	29,656,432
Internal service funds are used by management to charge the costs of certain activites, such as equipment management and self-insurance, to individual funds. The assets and liabilities of the internal service funds must be added to the statement of net assets.	37,901,805
Net assets of governmental activities	$ 895,366,510

See Notes to Basic Financial Statements.

City of Moreno Valley
GOVERNMENTAL FUNDS
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES
YEAR ENDED JUNE 30, 2009

		Special Revenue Fund
	General	**Fire Services**
Revenues:		
Taxes:		
Property taxes	$ 6,388,412	$ 6,401,783
Property taxes in lieu	16,791,078	-
Utility taxes	15,081,286	-
Sales taxes	10,451,942	-
Other taxes	7,144,746	-
Licenses and permits	1,930,884	21
Intergovernmental	1,619,141	20,909
Charges for services	8,581,233	53,626
Use of money and property	4,671,999	53,708
Fines and forfeitures	1,206,711	-
Miscellaneous	512,985	6
Total Revenues	**74,380,417**	**6,530,053**
Expenditures:		
Current:		
General government	12,429,826	-
Public safety	42,609,565	14,648,137
Community development	7,286,897	-
Public works	5,352,134	-
Community and cultural	-	-
Debt service:		
Principal retirement	-	-
Interest and fiscal charges	-	-
Total Expenditures	**67,678,422**	**14,648,137**
Excess (Deficiency) of Revenue Over(Under) Expenditures	**6,701,995**	**(8,118,084)**
Other Financing Sources (Uses)		
Transfers in (note 7)	1,597,161	8,179,627
Transfers out (note 7)	(14,134,584)	-
Total Other Financing Sources (Uses)	**(12,537,423)**	**8,179,627**
Net Change in Fund Balances	**(5,835,428)**	**61,543**
Fund Balances, Beginning of Year, As Restated (note 10)	57,690,009	280,069
Fund Balances, End of Year	**$ 51,854,581**	**$ 341,612**

See Notes to Basic Financial Statements.

Special Revenue Funds		Capital Projects Fund		
CSD Zones	Development Impact Fees	Community Redevelopment Agency	Nonmajor Governmental Funds	TOTAL
$ 4,266,289		$ 11,250,461	$ 9,263	$ 28,316,208
-	-	-	-	16,791,078
-	-	-	-	15,081,286
-	-	862,963	848,814	12,163,719
1,017,266	-	-	1,665,927	9,827,939
-	-	-	-	1,930,905
110,643	-	-	30,891,461	32,642,154
11,016,851	725,672	-	1,499,007	21,876,389
612,496	403,591	2,314,780	1,324,625	9,381,199
56,001		-	-	1,262,712
218,735	1,507	565,990	$ 488,549	1,787,772
17,298,281	**1,130,770**	**14,994,194**	**36,727,646**	**151,061,361**
-	-	1,770,111	625,076	14,825,013
-	-	-	608,647	57,866,349
-	-	4,385,990	2,222,276	13,895,163
-	97,323	-	39,879,230	45,328,687
17,176,357	-	-	10,155,369	27,331,726
-	-	969,660	3,185,000	4,154,660
-	-	5,561,595	4,820,485	10,382,080
17,176,357	**97,323**	**12,687,356**	**61,496,083**	**173,783,678**
121,924	**1,033,447**	**2,306,838**	**(24,768,437)**	**(22,722,317)**
635,248	-	-	16,872,360	27,284,396
(431,041)	(6,557,840)	(2,277,726)	(1,525,319)	(24,926,510)
204,207	**(6,557,840)**	**(2,277,726)**	**15,347,041**	**2,357,886**
326,131	**(5,524,393)**	**29,112**	**(9,421,396)**	**(20,364,431)**
8,239,181	22,673,423	41,032,825	98,481,840	228,397,347
$ 8,565,312	**$ 17,149,030**	**$ 41,061,937**	**$ 89,060,444**	**$ 208,032,916**

See Notes to Basic Financial Statements.

City of Moreno Valley

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES YEAR ENDED JUNE 30, 2009

Net change in fund balances - total governmental funds	$ (20,364,431)
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the costs of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.	
Capital outlay	37,899,743
Depreciation expense	(22,239,423)
The net effect of various miscellaneous transactions involving capital assets (i.e., sales, trade-ins, and donations) is to decrease net assets.	(439,510)
Capital assets contributed by developers	24,068,862
Repayment of the principal of long-term debt is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net assets.	4,179,318
Accrued interest expense on long-term debt is reported on the government-wide statements, but does not require the use of current financial resources; therefore accrued interest is not reported as expenditures in the fund financial statements. This is the net change in accrued interest for the current period.	47,148
Compensated absences expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. This is the net change in compensated absences for the period.	(2,460,009)
Certain items are reported as revenues in the statement of activities, but do not meet the revenue recognition criteria in order to be reported as revenues in the statement of revenues, expenditures and changes in fund balances, and consequently, are reported as deferred revenue in the balance sheet of governmental funds.	1,891,083
Internal service funds are used by management to charge the costs of certain activities, such as equipment management and self-insurance, to individual funds. The net revenues (expenses) of the internal service funds is reported with governmental activities.	2,915,008
Change in net assets of governmental activities	$ 25,497,789

See Notes to Basic Financial Statements.

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
GENERAL FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Taxes:				
Property Taxes	$ 6,900,000	$ 6,900,000	$ 6,388,412	$ (511,588)
Property taxes in lieu	17,400,000	17,400,000	16,791,078	(608,922)
Utility Taxes	16,500,000	16,500,000	15,081,286	(1,418,714)
Sales Taxes	13,000,000	13,000,000	10,451,942	(2,548,058)
Other Taxes	7,000,000	7,000,000	7,144,746	144,746
Licenses and permits	1,976,256	1,976,256	1,930,884	(45,372)
Intergovernmental	1,511,000	1,511,000	1,619,141	108,141
Charges for services	10,193,408	10,667,507	8,581,233	(2,086,274)
Use of money and property	5,381,377	5,381,377	4,671,999	(709,378)
Fines and forfeitures	1,108,000	1,108,000	1,206,711	98,711
Miscellaneous	146,756	146,756	512,985	366,229
Total Revenues	**81,116,797**	**81,590,896**	**74,380,417**	**(7,210,479)**
Expenditures:				
Current:				
General government				
City Council	759,710	757,880	600,077	157,803
City Manager	2,196,797	1,939,208	1,611,851	327,357
City Clerk	962,111	958,638	675,502	283,136
City Attorney	1,236,342	1,382,692	1,231,971	150,721
Economic Development	929,368	942,055	643,617	298,438
Financial & Administrative Svcs	4,847,288	4,532,079	4,296,823	235,256
Human Resources	1,291,055	1,285,279	996,659	288,620
Non-Departmental	509,532	2,096,227	2,373,328	(277,101)
Public safety				
Police	39,829,942	39,903,612	38,370,806	1,532,806
Fire	533,479	533,348	440,322	93,026
Animal Control	2,810,460	2,693,362	2,507,528	185,834
Emergency Ops/Volunteer Svcs	734,822	774,067	658,130	115,937
Crossing Guards	670,516	669,906	632,775	37,131
Community development	8,411,387	8,138,077	7,286,897	851,180
Public works	6,628,641	6,556,876	5,352,136	1,204,740
Total Expenditures	**72,351,450**	**73,163,306**	**67,678,422**	**5,484,884**
Excess (Deficiency) of Revenue Over(Under) Expenditures	**8,765,347**	**8,427,590**	**6,701,995**	**(1,725,595)**
Other Financing Sources (Uses)				
Transfers in	173,045	1,347,005	1,597,161	250,156
Transfers out	(6,486,356)	(6,016,839)	(14,134,584)	(8,117,745)
Total Other Financing Sources (Uses)	**(6,313,311)**	**(4,669,834)**	**(12,537,423)**	**(7,867,589)**
Net Change in Fund Balances	**2,452,036**	**3,757,756**	**(5,835,428)**	**(9,593,184)**
Fund Balances, Beginning of Year	57,690,009	57,690,009	57,690,009	-
Fund Balances, End of Year	**$ 60,142,045**	**$ 61,447,765**	**$ 51,854,581**	**$ (9,593,184)**

See Notes to Basic Financial Statements.

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
FIRE SERVICES SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Taxes:				
Property Taxes	$ 7,400,000	$ 7,400,000	$ 6,401,783	$ (998,217)
Licenses and permits	-	-	21	21
Intergovernmental	28,000	28,000	20,909	(7,091)
Charges for services	17,600	17,600	53,626	36,026
Use of money and property	52,618	52,618	53,708	1,090
Miscellaneous	-	-	6	6
Total Revenues	**7,498,218**	**7,498,218**	**6,530,053**	**(968,165)**
Expenditures:				
Current:				
Public safety	16,954,011	16,978,700	14,648,137	2,330,563
Total Expenditures	**16,954,011**	**16,978,700**	**14,648,137**	**2,330,563**
Excess (Deficiency) of Revenue Over(Under) Expenditures	**(9,455,793)**	**(9,480,482)**	**(8,118,084)**	**1,362,398**
Other Financing Sources (Uses)				
Transfers in	-	-	8,179,627	8,179,627
Total Other Financing Sources (Uses)	**-**	**-**	**8,179,627**	**8,179,627**
Net Change in Fund Balances	**(9,455,793)**	**(9,480,482)**	**61,543**	**9,542,025**
Fund Balances, Beginning of Year	280,069	280,069	280,069	-
Fund Balances, End of Year	**$ (9,175,724)**	**$ (9,200,413)**	**$ 341,612**	**$ 9,542,025**

See Notes to Basic Financial Statements.

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CSD ZONES SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Taxes:				
Property Taxes	$ 4,621,700	$ 4,621,700	$ 4,266,289	$ (355,411)
Other Taxes	930,342	930,342	1,017,266	86,924
Intergovernmental	65,000	65,000	110,643	45,643
Charges for services	11,324,648	11,325,848	11,016,851	(308,997)
Use of money and property	686,281	709,081	612,496	(96,585)
Fines and forfeitures	50,000	50,000	56,001	6,001
Miscellaneous	38,580	38,580	218,735	180,155
Total Revenues	**17,716,551**	**17,740,551**	**17,298,281**	**(442,270)**
Expenditures:				
Current:				
Community and cultural	20,319,274	20,680,592	17,176,357	3,504,235
Total Expenditures	**20,319,274**	**20,680,592**	**17,176,357**	**3,504,235**
Excess (Deficiency) of Revenue Over(Under) Expenditures	**(2,602,723)**	**(2,940,041)**	**121,924**	**3,061,965**
Other Financing Sources (Uses)				
Transfers in	1,036,026	726,118	635,248	(90,870)
Transfers out	(20,500)	(420,500)	(431,041)	(10,541)
Total Other Financing Sources (Uses)	**1,015,526**	**305,618**	**204,207**	**(101,411)**
Net Change in Fund Balances	**(1,587,197)**	**(2,634,423)**	**326,131**	**2,960,554**
Fund Balances, Beginning of Year, As Restated	8,239,181	8,239,181	8,239,181	-
Fund Balances, End of Year	**$ 6,651,984**	**$ 5,604,758**	**$ 8,565,312**	**$ 2,960,554**

See Notes to Basic Financial Statements.

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
DEVELOPMENT IMPACT FEES SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Charges for services	$ 2,470,800	$ 2,470,800	$ 725,672	$ (1,745,128)
Use of money and property	1,329,200	1,329,200	403,591	(925,609)
Miscellaneous	-	-	1,507	1,507
Total Revenues	**3,800,000**	**3,800,000**	**1,130,770**	**(2,669,230)**
Expenditures:				
Current:				
Public works	-	-	97,323	(97,323)
Total Expenditures	**-**	**-**	**97,323**	**(97,323)**
Excess (Deficiency) of Revenue Over(Under) Expenditures	**3,800,000**	**3,800,000**	**1,033,447**	**(2,766,553)**
Other Financing Sources (Uses)				
Transfers out	(6,631,839)	(6,631,839)	(6,557,840)	(73,999)
Total Other Financing Sources (Uses)	**(6,631,839)**	**(6,631,839)**	**(6,557,840)**	**(73,999)**
Net Change in Fund Balances	**(2,831,839)**	**(2,831,839)**	**(5,524,393)**	**(2,840,552)**
Fund Balances, Beginning of Year	22,673,423	22,673,423	22,673,423	-
Fund Balances, End of Year	**$ 19,841,584**	**$ 19,841,584**	**$ 17,149,030**	**$ (2,840,552)**

See Notes to Basic Financial Statements.

ENTERPRISE FUND

Electric Fund

This fund is used to account for the operations of the City electric utility, with its basic purpose to purchase and distribute electricity to customers in the City' s newly developed areas under the " Greenfield" concept. The City began serving its first customers in February 2004.

City of Moreno Valley
STATEMENT OF FUND NET ASSETS
PROPRIETARY FUNDS
JUNE 30, 2009

	Enterprise Fund - Electric	Governmental Activities - Internal Service Funds
Assets:		
Current:		
Pooled cash and investments (note 3)	$ 12,362,780	$ 33,008,929
Receivables:		
Accounts	1,370,146	1,464
Prepaid expenses	3,013	8,408
Inventories	-	6,796
Total Current Assets	**13,735,939**	**33,025,597**
Noncurrent:		
Capital assets, net of accumulated depreciation (note 5)	31,744,522	9,340,552
Total Noncurrent Assets	**31,744,522**	**9,340,552**
Total Assets	**$ 45,480,461**	**$ 42,366,149**
Liabilities and Net Assets:		
Liabilities:		
Current:		
Accounts payable	$ 1,374,054	$ 293,542
Accrued liabilities	1,805,556	163,041
Interest payable	277,860	-
Deposits payable	929,779	-
Due to the other funds (note 7)	-	-
Compensated Absences - current (note 6)	47,100	-
Bonds, notes, and loans payable - current (note 6)	556,147	-
Total Current Liabilities	**4,990,496**	**456,583**
Noncurrent:		
Advances from other funds (note 7)	1,579,698	-
Advances from developers	241,005	-
Advances from operator	826,612	-
Self-insurance payable	-	3,533,000
Compensated Absences - noncurrent (note 6)	-	474,747
Bonds, notes and loans payable - noncurrent (note 6)	30,014,943	-
Total Noncurrent Liabilities	**32,662,258**	**4,007,747**
Total Liabilities	**37,652,754**	**4,464,330**
Net Assets:		
Invested in capital assets, net of related debt	9,993,679	9,340,552
Restricted for regulatory contingencies	1,767,402	-
Unrestricted	(3,933,374)	28,561,267
Total Net Assets	**7,827,707**	**37,901,819**
Total Liabilities and Net Assets	**$ 45,480,461**	**$ 42,366,149**

See Notes to Basic Financial Statements.

City of Moreno Valley
STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN FUND NET ASSETS
PROPRIETARY FUNDS
YEAR ENDED JUNE 30, 2009

	Enterprise Fund - Electric	Governmental Activities - Internal Service Funds
Operating Revenues:		
Sales and service charges	$ 11,835,128	$ 14,276,013
Miscellaneous	311,287	63,656
Total Operating Revenues	**12,146,415**	**14,339,669**
Operating Expenses:		
Electricity purchased	7,310,827	-
Services and supplies	2,755,685	-
Distribution Share	1,504,077	-
Cost of services	-	8,088,110
Self-insurance claims and charges	-	717,452
Depreciation	793,199	866,035
Total Operating Expenses	**12,363,788**	**9,671,597**
Operating Income (Loss)	(217,373)	4,668,072
Nonoperating Revenues (Expenses):		
Investment earnings	131,033	-
Interest expense	(1,703,298)	-
Engineering plan check fees	284,067	-
Gain (Loss) on sale of capital assets	-	(48,718)
Total Nonoperating Revenues (Expenses)	(1,288,198)	(48,718)
Income (Loss) Before Transfers	**(1,505,571)**	**4,619,354**
Transfers in (note 7)	112,731	-
Transfers out (note 7)	(766,285)	(1,704,332)
Changes in Net Assets	(2,159,125)	2,915,022
Net Assets:		
Beginning of fiscal year, as restated	9,986,832	34,986,797
Net assets at end of year	**$ 7,827,707**	**$ 37,901,819**

See Notes to Basic Financial Statements.

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City of Moreno Valley
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
YEAR ENDED JUNE 30, 2009

	Enterprise Fund - Electric	Governmental Activities - Internal Service Fund
Cash Flows from Operating Activities:		
Cash received from customers	$ 12,051,966	$ 14,276,673
Cash payments to suppliers for goods and services	(10,423,773)	(4,212,582)
Cash payments for claims	-	(995,452)
Cash payments to employees for services	(875,705)	(3,943,616)
Other operating revenues (expenses)	311,287	63,656
Net Cash Provided (Used) by Operating Activities	**1,063,775**	**5,188,679**
Cash Flows from Noncapital Financing Activities:		
Cash received from other funds	81,231	-
Cash paid to other funds	(766,285)	(1,704,332)
Advances received from operator	289,475	-
Net Cash Provided (Used) by Noncapital Financing Activities	**(395,579)**	**(1,704,332)**
Cash Flows from Capital and Related Financing Activities:		
Acquisition and construction of capital assets	(177,861)	(228,584)
Proceeds from disposal of capital assets	-	25,385
Engineering plan check fees	284,067	-
Advances repaid to developers	-	-
Capital contributions	-	-
Proceeds from capital-related debt	-	-
Principal paid on capital-related debt	(233,379)	-
Interest and fiscal charges on capital-related debt	(1,693,023)	-
Net Cash Provided (Used) by Capital and Related Financing Activities	**(1,820,196)**	**(203,199)**
Cash Flows from Investing Activities:		
Interest received	131,033	-
Net Cash Provided (Used) by Investing Activities	**131,033**	**-**
Net Increase (Decrease) in Cash and Investments	(1,020,967)	3,281,148
Cash and Cash Equivalents at Beginning of Year, as Restated	13,383,747	29,727,781
Cash and Cash Equivalents at End of Year	**$ 12,362,780**	**$ 33,008,929**
Reconciliation of Income (Loss) to Net Cash Provided (Used) by Operating Activities:		
Operating income (loss)	$ (217,373)	$ 4,668,071
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:		
Depreciation	793,199	866,035
Decrease (increase) in accounts receivable	198,965	661
Decrease (increase) in prepaid expenses	(3,013)	27,791
Decrease (increase) in inventories	-	14,408
Increase (decrease) in accounts payable	251,172	(91,374)
Increase (decrease) in accrued liabilities	(24,148)	(285,197)
Increase (decrease) in due to the City of Moreno Valley	-	(40,723)
Increase (decrease) in deposits payable	17,873	-
Increase (decrease) in liability payable from restricted assets	-	-
Increase (decrease) in compensated absences	47,100	307,007
Increase (decrease) in self-insurance payable	-	(278,000)
Total Adjustments	**1,281,148**	**520,608**
Net Cash Provided (Used) by Operating Activities	**$ 1,063,775**	**$ 5,188,679**

Schedule of Noncash Investing, Capital and Noncapital Financing Activities:

There were no significant noncash investing, capital and noncapital financing activities for the year ended June 30, 2009.

See Notes to Basic Financial Statements.

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City of Moreno Valley
STATEMENT OF FIDUCIARY FUND ASSETS AND LIABILITIES
FIDUCIARY FUNDS
JUNE 30, 2009

		Totals
Assets:		
Pooled cash and investments (note 3)	$	8,345,927
Receivables:		
Accounts		1,540
Interest		3
Due from other governments		28,799
Total Assets	**$**	**8,376,269**
Liabilities and Fund Balances:		
Liabilities:		
Accounts payable	$	118,444
Other accrued liabilities		1,919
Due to Moreno Valley (note 7)		24,694
Deposits payable		7,586,112
Payable to trustee		645,100
Total Liabilities	**$**	**8,376,269**

See Notes to Basic Financial Statements.

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Notes to Basic Financial Statements

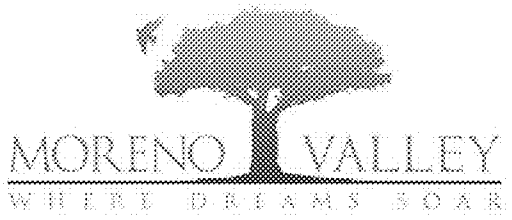

Note 1: Organization and Summary of Significant Accounting Policies

a. Description of the Reporting Entity

The City of Moreno Valley, California (the City), is located in the County of Riverside and was incorporated on December 3, 1984 under the general laws of the State of California. The City operates under an elected Council/City Manager form of government. The City's major operations include police and fire protection, public works, parks, recreation and certain social services and general administration services.

Reporting Entity

Accounting principles generally accepted in the United States of America require that these financial statements represent the City of Moreno Valley and its component units. A component unit is included in the primary government's financial statements if the governing body is substantively the same as that of the City or if the component unit provides services or other benefits almost entirely to the primary government. The component units discussed below are included in the City's reporting entity because of their operational significance or financial relationships with the City. These component units are controlled by common governing boards, which are substantively the same as the City's and are presented as blended component units for financial reporting purposes. The component units have the same fiscal year end as the City. For those that publish separate financial statements, those statements can be obtained from the City Clerk.

- The Community Redevelopment Agency of the City of Moreno Valley (the Agency) was established pursuant to the State of California Health and Safety Code, Section 53601, entitled Community Redevelopment Law. Its purpose is to prepare and carry out plans for the improvement, rehabilitation and redevelopment of blighted areas within the City of Moreno Valley.

- The Moreno Valley Community Services District (the District) was established pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982. Its purpose is to finance the acquisition and construction of certain major public capital infrastructure and improvements within the boundaries of the Community Facilities Districts.

- Community Facilities District No. 2 (Moreno Valley Auto Mall), Community Facilities District No. 3 (Auto Mall Refinancing), and Community Facilities District No. 87-1 and 87-1, IA#1 (Towngate) were established pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982. Their purpose is to finance the acquisition and construction of certain major public capital infrastructure and improvements within the boundaries of the Community Facilities Districts and they are governed by City Council.

- Moreno Valley Public Facilities Financing Corporation (MVPFFC) and the Moreno Valley Public Financing Authority (MVPFA) are nonprofit public benefit corporations, formed for the purpose of providing public facility financing to the City. The Corporations' Boards of Directors are each composed of the five elected City Council members. Both Corporations may acquire, construct, rehabilitate, remodel, improve, install and finance or lease various facilities, land and equipment for the benefit of the City.

- Industrial Development Authority (the Authority) was established pursuant to the "California Industrial Development Financing Act" of the California Government Code. The Authority was established for the purpose of financing the construction, acquisition and equipment of certain land and facilities within the City of Moreno Valley and is governed by the City Council. The Authority did not report any activity for the current year.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

a. Description of the Reporting Entity (continued)

The accounting policies of the City of Moreno Valley conform with generally accepted accounting principles as applicable to governments. The following is a summary of the significant policies.

b. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net assets and the statement of changes in net assets) report information on all of the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. The primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Certain indirect costs are included in the program expense reported for individual functions and activities. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Agency funds use the accrual basis of accounting. Agency funds are not considered to have a measurement focus for financial reporting purposes.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period, while grant revenues have an availability period of 120 days.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenue of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenue of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The City reports the following major governmental funds:

The General Fund is the government's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Fire Services Special Revenue Fund accounts for the City's portion of the structural fire tax revenue to be used for providing fire services.

The CSD Zones Special Revenue Fund accounts for the following:

- CSD Zone A - administration and maintenance of the parks and community service facilities and programs.
- CSD Zone B - operations necessary to process and administer the residential street lighting program.
- CSD Zone C - operations necessary to process and administer the arterial street lighting program.
- CSD Zone D - operations necessary to provide landscaping in and around residential developments.
- CSD Zone E - operations necessary to provide high-service level landscape maintenance in and around specific major residential developments.
- CSD Zone L - operations necessary to process and administer the library service program.
- CSD Zone M - operations necessary to provide orderly development and maintenance of medians within the City of Moreno Valley designated as Zone M.
- CFD #1 - provides funding for maintenance of new neighborhood parks, trails and Class-I bikeways.
- CSD Zone S – provides orderly development and maintenance of extensive landscape services for commercial sites on Sunnymead Boulevard.
- CFD #4M – provides for the maintenance and administation costs of the detention basins within Centerpointe Business Park.

The City has elected to report its Development Impact Fees fund as a major governmental type fund. The Development Impact Fees Special Revenue Fund accounts for the following developer impact fees:

- Arterial Street development impact fees
- Traffic Signal development impact fees
- Fire Facility development impact fees

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

- Police Facility development impact fees
- Park Land Facility development impact fees
- Quimby In-Lieu Park Fees
- Recreation Center development impact fees
- Libraries development impact fees
- City Hall development impact fees
- Corporate Yard development impact fees
- Interchange Improvements development impact fees
- Maintenance Equipment development impact fees
- Animal Shelter development impact fees

The Community Redevelopment Agency Capital Projects Fund accounts for the revenues received and expenditures made for redevelopment operations.

The City elected to report its enterprise fund as a major business-type fund.

- The Electric Fund accounts for the operations of the City's electric utility.

Additionally the government reports the following fund types:

Debt Service Funds account for the resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

Internal Service Funds account for financial transactions related to repair, replacement and maintenance of City-owned equipment, the City's self-insurance programs and the City's general information systems and telecommunications hardware and software. These services are provided to other departments or agencies of the City on a cost reimbursement basis.

The Agency Funds are used to report resources held by the City in a purely custodial capacity, which includes assets held on behalf of customers and trustees for the Assessment Districts, TUMF and MSHCP Trust funds.

Private-sector standards of accounting and financial reporting issued prior to December 1989 generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board. Governments also have the option of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The government has elected not to follow subsequent private-sector guidance.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the government's proprietary funds function and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Amounts reported as program revenues include: 1) charges to customers or applicants for goods, services or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Internal Service Funds are charges to customers for sales and services. Operating expenses for Internal Service Funds include the cost of sales and services, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first, then unrestricted resources as they are needed.

d. Assets, Liabilities and Net Assets or Equity

Deposits, Investments, Cash and Cash Equivalents

The City's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

Investments for the City, as well as for its component units, are reported at fair value except for investment contracts that are reported at cost because they are not transferable and they have terms that are not affected by changes in market interest rates. The City's policy is generally to hold investments until maturity or until market values equal or exceed cost. The State Treasurer's Investment Pool operates in accordance with appropriate state laws and regulations. The reported value of the pool is the same as the fair value of the pool shares.

Receivables and Payables

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds". Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "advances to/from from other funds".

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

All trade and property tax receivables are shown net of an allowance for uncollectibles.

Inventory and Prepaid Items

Inventories in the Central Services Internal Service Fund and the Equipment Maintenance Internal Service Fund are valued at cost using the first-in/first-out (FIFO) method. Inventory consists of expendable supplies held for consumption.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. The fund balances in the governmental fund types have been reserved for amounts equal to the prepaid items in the fund-level statements, since these amounts are not available for appropriation.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

d. Assets, Liabilities and Net Assets or Equity (Continued)

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than $5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings and Improvements	5 – 50
Furniture and Equipment	3 – 15
Vehicles	3 – 10
Infrastructure	25 – 50

Deferred Revenue and Unearned Revenue

The City reports deferred revenue in the fund-level statements. Deferred revenue arises when potential revenue does not meet both the "measurable" and "available" criteria for recognition in the current period. In subsequent periods, when both revenue recognition criteria are met, or when the City has a legal claim to the resources, the liability for deferred revenue is removed and revenue is recognized.

The City reports unearned revenue in the fund-level statements and in the Statement of Net Assets. Unearned revenue arises when the City receives resources before it has a legal claim to them, as when grant monies are received prior to the incurrence of qualifying expenditures.

Compensated Absences

It is the government's policy to permit employees to accumulate earned but unused annual leave benefits. The City records the annual leave liability using benefits earned by employees at the balance sheet date that will result in termination payments rather than compensated absences. The City records the annual leave liability using the dollar value of employees' rights to receive compensation attributable to services already rendered.

Long-Term Obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

d. Assets, Liabilities and Net Assets or Equity (Continued)

Long-Term Obligations (Continued)

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Fund Equity

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent tentative management plans that are subject to change.

Property Taxes

Property taxes attach as an enforceable lien on property as of January 1. Secured property taxes are payable in two installments with December 10 the last day to pay the first installment of secured property taxes without penalty, and April 10 the last day to pay the second installment of secured property taxes without penalty. Unsecured personal property taxes are due in a single installment on August 31. The County of Riverside bills and collects the property taxes and remits them to the City in installments during the year. Property taxes received within 60 days after the City's fiscal year end are considered "measurable" and "available" and are accrued in the City's financial statements.

Note 2: Stewardship, Compliance and Accountability

a. Budgetary Information

Budgets are legally adopted and formal budgetary integration is employed as a management control device during the year for all Governmental Fund types. The budget is prepared on a GAAP (Generally Accepted Accounting Principles) basis. From the effective date of the budget, the amounts stated therein as proposed expenditures become appropriations to the various City departments.

The City Council may amend the budget only during a regular meeting, providing that sufficient monies are available and that expenditures of proceeds of taxes will not be increased beyond the constitutional appropriation limit as imposed by Article XIIIB of the State Constitution.

The City's formal budgetary process begins at the operating program level. Departmental budgets are comprised of the various operating program budgets. Operating programs do not cross departmental lines. Individual fund budgets consist of the departmental budgets; departmental budgets may cross fund lines.

Individual fund budgets are, in all cases where appropriations are required, the same as the appropriation amounts. In the case of the Governmental Fund types, unexpended budgeted amounts, except for amounts relating to capital projects, lapse at the end of the budget year. Spending control (legal level) for most funds is established by the amount of expenditures budgeted at the departmental and fund levels. Accordingly, the General Fund expenditures are displayed in the supplementary schedules at the department level and the Special Revenue, Debt Service and Capital Projects Funds expenditures are displayed at the function level. Management control is exercised at the line item level in each operating program. Management can transfer budgeted amounts between operating programs, departments or funds, provided that such transfers do not increase the overall budget. Appropriations that increase the budget require City Council approval.

Note 3: Cash and Investments

As of June 30, 2009, cash and investments were reported in the accompanying financial statements as follows:

Governmental Activities:	
Governmental Funds	$ 225,798,775
Internal Service Funds	33,008,929
Business-Type Activities	12,362,780
Fiduciary Funds	8,345,927
Total Cash and Investments	$ 279,516,411

Cash and investments as of June 30, 2009 consist of the following:

Cash and Cash Equivalents:	
Petty cash and change boxes	$ 9,473
Demand deposit	1,785,152
Investments	249,130,261
Cash and Investments with fiscal agents	28,591,525
Total Cash and Investments	$ 279,516,411

The City follows the practice of pooling cash and investments of all funds, except for funds required to be held by fiscal agents under provisions of bond indentures. Interest income earned on pooled cash and investments is allocated monthly to the various funds based on monthly cash and investment balances. Interest income from cash and investments with fiscal agents is credited directly to the related fund.

Deposits

The California Government Code requires California banks and savings and loan associations to secure a City' s deposits by pledging government securities with a value of 110% of a City' s deposits. California law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of a City' s total deposits. The City Treasurer may waive the collateral requirement for deposits which are fully insured up to $250,000 by the FDIC. The collateral for deposits in federal and state chartered banks is held in safekeeping by an authorized Agent of Depository recognized by the State of California Department of Banking. The collateral for deposits with savings and loan associations is generally held in safekeeping by the Federal Home Loan Bank in San Francisco, California as an Agent of Depository. These securities are physically held in an undivided pool for all California public agency depositors. Under Government Code Section 53655, the placement of securities by a bank or savings and loan association with an " Agent of Depository" has the effect of perfecting the security interest in the name of the local government agency. Accordingly, all collateral held by the California Agents of Depository are considered to be held for, and in the name of, the local government agency.

Investments

Under provisions of the City' s investment policy, and in accordance with the California Government Code, the following investments are authorized:

- U.S. Treasury Bills, Notes and Bonds
- Government Sponsored Enterprises (GSE' s) or U.S. Agencies
- California State Local Agency Investment Fund (LAIF)
- Bonds, notes or other indebtedness of the State of California
- Bonds, notes or other indebtedness of local agencies in California
- Bankers Acceptances
- Commercial Paper
- Commercial Paper issued under the Temporary Liquidity Guarantee Program (TLGP)

Note 3: Cash and Investments (Continued)

Investments (Continued)

- Time Deposits and Non-negotiable Certificates of Deposit
- Negotiable Certificates of Deposit
- Repurchase Agreements
- Corporate Obligations (Medium-term Notes)
- Corporate Obligations (Medium-term Notes) issued under the Temporary Liquidity Guarantee Program (TLGP)
- Mutual Funds and Money Market Accounts
- Other Government Sponsored Investment Pools

Investments Authorized by Debt Agreements

The above investments do not address the investment of debt proceeds held by a bond trustee. Investments of debt proceeds held by a bond trustee are governed by provisions of the debt agreements, rather than the general provisions of the California Government Code or the City' s investment policy.

Investments in State Investment Pool

The City is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California. LAIF is overseen by the Local Agency Investment Advisory Board, which consists of five members, in accordance with State statute. The State Treasurer' s Office audits the fund annually. The fair value of the position in the investment pool is the same as the value of the pool shares.

GASB Statement No. 31

The City adopted GASB Statement No. 31, Accounting and Financial Reporting for Certain Investments and for External Investment Pools, as of July 1, 1997. GASB Statement No. 31 establishes fair value standards for investments in participating interest earning investment contracts, external investment pools, equity securities, option contracts, stock warrants and stock rights that have readily determinable fair values. Accordingly, the City reports its investments at fair value in the balance sheet. All investment income, including changes in the fair value of investments, is recognized as revenue in the operating statement.

Credit Risk

The City' s investment policy limits investments in medium term notes (MTN' s) to those rated in the top category by two of the three largest nationally recognized rating services at the time of purchase (with split ratings, the lower rating must meet the standard). As of June 30, 2009, the City' s investment in medium term notes consisted of investments with American General Finance Corp., Bank of America, Berkshire Hathaway, Citibank, Citigroup, Credit Suisse, General Electric Capital Corp., Goldman Sachs, HSBC Finance Corp., JP Morgan, Lehman Bros, Morgan Stanley, U.S. Bankcorp, and Wells Fargo Bank. At June 30, 2009, all MTN' s were rated " Aaa" or higher by Moody' s with the exception of American General Finance Corp., Citigroup, Credit Suisse, Goldman Sachs, HSBC Finance Corp., Lehman Bros, and Morgan Stanley. During the fiscal year, the City revised its investment policy to increase the quality level of MTN purchases from A1 to Aaa by Moody' s. The MTN' s below the " Aaa" rating were purchased prior to the change in the investment policy and all have a rating of A1 or higher. All securities were investment grade and legal under State and City law at their time of purchase. The City' s investment portfolio includes a $1 million corporate note from Washington Mutual and three (3) $1 million corporate notes from Lehman Brothers. Since both companies filed for Chapter 11 bankruptcy in September 2008, these investments totaling $4 million are at risk. The City continues to pursue recovery through various means, although the amount of recovery that will be ultimately realized from these two cases is unknown. Federal agency

Note 3: Cash and Investments (Continued)

Credit Risk (Continued)

securities are rated AAA. Investments in U.S. Treasury securities are not considered to have credit risk and, therefore, their credit quality is not disclosed. As of June 30, 2009, the City' s investments in external investment pools and investment agreements are unrated.

Custodial Credit Risk

The custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The carrying amount of the City' s demand deposits was $1,785,152 at June 30, 2009. Bank balances before reconciling items were $5,476,606 at that date, the total amount of which was collateralized or insured with securities held by the pledging financial institutions in the City' s name as discussed aboveunder " Deposits" . The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of investment or collateral securities that are in the possession of an outside party. In accordance with the City' s investment policy, all investments are held by third-party custodians for safekeeping, with the securities in the City' s name. This is the lowest level of custodial credit risk exposure.

Interest Rate Risk

The City' s investment policy limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. The City' s investment portfolio will not directly invest in securities maturing in more than five years. The City has elected to use the segmented time distribution method of disclosure for its interest rate risk.

Concentration of Credit Risk

The City' s investment policy imposes restrictions onthe maximum percentage and amount that can be invested in certain types of investments. These restrictions are as follows:

Investment Types	Maturity Limit	Maximum Portfolio Percentage	Maximum Investment in One Issuer
U.S. Treasury bills, notes and bonds	5 years	70%	None
GSE' s or U.S. Agencies	5 years	70%	50%
California State Local Agency Investment Fund	3 years	50%	None
Bonds, notes or other indebtedness of the State of California	5 years	10%	None
Bonds, notes or other indebtedness of local agencies in CA.	5 years	10%	5%
Bankers Acceptances	180 days	10%	10%
Commercial Paper	270 days	15%	10%*
Commercial Paper issued under TLGP	270 days	15%	10%*
Time Deposits and Non-negotiable Certificates of Deposit	2 years	20%	$500,000
Negotiable Certificates of Deposits	5 years	30%	10%
Repurchase Agreements	3 months	20%	None
Medium-term Notes (MTN' s)	3 years	20%	10%*
Medium-term Notes (MTN' s) issuedunder TLGP	June 30, 2012	20%	10%*
Mutual Funds and Money Market Accounts	3 years	15%	10%
Other Governmental Sponsored Investment Pools	3 years	20%	10%

*10% issuer limit in combination with commercial paper and Medium-term Notes

Note 3: Cash and Investments (Continued)

Concentration of Credit Risk (Continued)

As of June 30, 2009, the City is in compliance with the investment policy restriction.

The City has invested more than 5% of the total investment value with the following issuers:

California State Local Agency Investment Fund (LAIF)	41.252 %
Federal Farm Credit	6.989 %
Federal Home Loan Bank	11.330 %
Federal Home Loan Mortgage Corp	8.412 %
Federal National Mortgage Assn	11.991 %

As of June 30, 2009, the City had the following investments and original maturities:

Investment Type	6 months or less	6 months to 1 year	1 to 3 years	3 to 5 years	More than 5 years	Fair Value
Local Agency Investment Fund	$ 114,565,824	$ -	$ -	$ -	$ -	$114,565,824
Money Market Funds	3,078,917	-	-	-	-	3,078,917
Medium Term Notes	-	2,820,600	18,096,220	1,027,980	-	21,944,800
Federal Agricultural Mortgage Corp.	-	-	1,043,110	-	-	1,043,110
Federal Farm Credit Banks	2,026,880	2,053,120	4,147,820	11,220,020	-	19,447,840
Federal Farm Loan Banks	1,009,690	2,045,630	15,324,070	13,304,390	-	31,683,780
Federal Home Loan Mortgage Corp.	1,006,130		8,061,710	14,091,260	-	23,159,100
Federal National Mortgage Assn.	-		12,050,970	21,038,960	-	33,089,930
Tennesse Valley Authority	-		-	1,116,960	-	1,116,960
Held by Bond Trustee:						
Money Market Funds	28,591,525	-	-	-	-	28,591,525
Totals	$ 150,278,966	$ 6,919,350	$ 58,723,900	$ 61,799,570	$ -	$ 277,721,786

Note 4: Notes and Loans Receivables

Notes and loans receivables of $15,513,929 consist primarily of revolving home improvement loans and are due beyond one year.

A summary of amounts owed at June 30, 2009 follows:

	Community Redevelopment Agency Capital Projects Fund	Nonmajor Governmental Funds
Cottonwood Properties	$ 3,870,402	$ 2,050,000
Sheila Street Rehabilitation	2,651,875	-
RHDC Properties	1,911,764	796,189
CVHC	1,639,450	-
Crippled Children	824,917	-
Bay Family Apartments	755,000	-
Others	462,382	551,950
Totals	$ 12,115,790	$ 3,398,139

Note 5: Capital Assets

General government capital asset activity for the year ended June 30, 2009 follows:

	Balance July 1, 2008	Adjustments	Balance July 1, 2008 as Adjusted	Additions	Deletions	Balance June 30, 2009
Non-Depreciable Assets:						
Land	$ 303,283,370	$ -	$ 303,283,370	$ 450,000	$ (439,510)	$ 303,293,860
Construction In Progress	39,826,727	-	39,826,727	34,485,000	(18,336,632)	55,975,095
Subtotal: Non-Depreciable Assets	343,110,097	-	343,110,097	34,935,000	(18,776,142)	359,268,955
Depreciable Assets:						
Buildings & Improvements	94,395,300	900,000	95,295,300	6,542,264	-	101,837,564
Machinery & Equipment	10,663,239	31,376	10,694,615	366,545	(43,165)	11,017,995
Vehicles	9,755,332	-	9,755,332	595,575	(570,725)	9,780,182
Infrastructure	483,260,396	-	483,260,396	38,094,416	-	521,354,812
Subtotal: Depreciable Assets	598,074,267	931,376	599,005,643	45,598,800	(613,890)	643,990,553
Total Capital Assets	941,184,364	931,376	942,115,740	80,533,800	(19,390,032)	1,003,259,508
Less Accumulated Depreciation for:						
Buildings & Improvements	(31,584,997)	(9,000)	(31,593,997)	(3,103,123)	-	(34,697,120)
Machinery & Equipment	(8,145,918)	2	(8,145,916)	(874,478)	31,868	(8,988,526)
Vehicles	(5,213,015)	-	(5,213,015)	(1,047,155)	507,919	(5,752,251)
Infrastructure	(188,218,713)	21,030	(188,197,683)	(18,080,688)	-	(206,278,371)
Total Accumulated Depreciation	(233,162,643)	12,032	(233,150,611)	(23,105,444)	539,787	(255,716,268)
Total Net Capital Assets	$ 708,021,721	$ 943,408	$ 708,965,129	$ 57,428,356	$ (18,850,245)	$ 747,543,240

The adjustments are due to certain capital assets and depreciation not being properly reported in the prior year.

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities:	
General government	$ 71,735
Public safety	1,158,099
Community development	727,700
Community and cultural	2,004,285
Public works	18,277,604
Internal service funds	866,021
Total	$23,105,444

Note 5: Capital Assets (Continued)

Business-type capital asset activity for the year ended June 30, 2009 follows:

	Balance July 1, 2008	Adjustments	Balance July 1, 2008 as Adjusted	Additions	Deletions	Balance June 30, 2009
Non-Depreciable Assets:						
Land	$ 1,237,459	$ -	$ 1,237,459	$ -	$ -	$ 1,237,459
Construction In Progress	16,524,860	-	16,524,860	923,040	(15,830,478)	1,617,422
Subtotal: Non-Depreciable Assets	17,762,319	-	17,762,319	923,040	(15,830,478)	2,854,881
Depreciable Assets:						
Infrastructure	18,868,856	(2,819,209)	16,079,647	15,998,570	(913,271)	31,164,946
Subtotal: Depreciable Assets	18,868,856	(2,819,209)	16,079,647	15,998,570	(913,271)	31,164,946
Total Capital Assets	36,661,175	(2,819,209)	33,841,966	16,921,610	(16,743,749)	34,019,827
Less Accumulated Depreciation for:						
Infrastructure	(1,482,106)	-	(1,482,106)	(793,199)	-	(2,275,305)
Total Accumulated Depreciation	(1,482,106)	-	(1,482,106)	(793,199)	-	(2,275,305)
Total Net Capital Assets	$ 35,179,069	$ (2,819,209)	$ 32,359,860	$ 16,128,411	$ (16,743,749)	$ 31,744,522

The adjustments are due to certain capital assets not being properly reported in the prior year.

Depreciation expense for business-type activities was charged as follows:

Electric Utility	$ 793,199

Note 6: Long-Term Debt

Changes in Long-Term Debt - Governmental Activities

The following is a schedule of changes in long-term debt of the entity for the fiscal year ended June 30, 2009:

	Balance July 1, 2008	Additions	Deletions	Balance June 30, 2009	Due Within One Year
Towngate Community Facilities District No. 87-1:					
2007 Towngate Special Tax Refunding Bonds	$ 10,665,000	$ -	$ (575,000)	$ 10,090,000	$ 600,000
2007 Towngate Improvement Tax Refunding Bonds	4,075,000	-	(220,000)	3,855,000	190,000
Community Facilities District No. 3:					
Auto Mall Special Tax Bonds	4,185,000	-	(865,000)	3,320,000	950,000
Moreno Valley Public Facilities Financing Corporation:					
Refunding Certificates of Participation, Series 1997	6,040,000	-	(570,000)	5,470,000	595,000
Moreno Valley Public Financing Authority:					
Lease Revenue Bonds, 1997	4,085,000	-	(185,000)	3,900,000	195,000
Lease Revenue Bonds, 2005	42,075,000	-	(770,000)	41,305,000	805,000
City:					
Compensated Absences:					
Governmental Funds	1,639,547	5,431,417	(2,971,406)	4,099,558	2,705,162
Internal Service Funds	179,466	608,358	(313,077)	474,747	285,041
Child Development Portable Classrooms	65,756	-	(24,658)	41,098	24,659
Community Redevelopment Agency:					
Notes Payable, Price Company	2,433,744	-	(199,660)	2,234,084	-
RDA – 2007 Tax Allocation Bonds Series A	43,495,000	-	(770,000)	42,725,000	120,000
Totals	$ 118,938,513	$ 6,039,775	$ (7,463,801)	$ 117,514,487	$ 6,469,862

2007 Towngate Special Tax Refunding Bonds

Towngate CFD 87-1 2007 Special Tax Refunding Bonds in the original issue of $10,665,000 were issued in November 2007 to refund prior bonds currently outstanding, to fund a reserve for the bonds and to pay issuance costs. The bonds mature in serial fashion through December 1, 2021 and bear interest ranging from 3.50% to 5.00%. The bonds are subject to both optional and mandatory redemption prior to maturity beginning on December 1, 2017. The bonds are payable from and secured by a special tax levy against certain affected parcels within the District. Under an arrangement (Participation Agreement) involving the District, the City and the City's Redevelopment Agency, the required tax levy may be reduced in part by the reimbursable tax increment and utility reimbursements from the Agency. This refinancing decreased the aggregate debt service payments that were required on the Refunded Bonds by approximately $3,650,042. This refunding resulted in an economic gain of approximately $1,061,603.

2007 Towngate Improvement Tax Refunding Bonds

CFD 87-1 Improvement Area No. 1 Special Tax Refunding Bonds in the original issue of $4,075,000 were issued in November 2007 to refund prior bonds currently outstanding, to fund a reserve for the bonds and to pay issuance costs. The bonds mature in serial fashion through October 1, 2023 and bear interest ranging from 3.75% to 4.875%. The bonds are subject to both optional and mandatory redemption prior to maturity beginning on April 1, 2009. The bonds are payable from and secured by a special tax levy against certain affected parcels within the District. Under an arrangement (a Cooperation and Reimbursement Agreement) involving the District, the City and the City's Redevelopment Agency, the required tax levy may be reduced in part by a reimbursable tax increment from the Agency to a maximum of 70.3% of required debt service. This refinancing increased the aggregate debt service payments that were required on the Refunded Bonds by approximately $984,049. This refunding resulted in an economic gain of approximately $465,301.

Note 6: Long-Term Debt (Continued)

Auto Mall Special Tax Bonds

Community Facilities District No. 3, Auto Mall Special Tax Bonds 2000, Refinancing in March 2000, the Community Facilities District No. 3 of the City of Moreno Valley issued Special Tax Bonds 2000 (Refinancing Bonds) in the amount of $8,075,000 to refund on June 1, 2000 $7,828,258 of outstanding Auto Mall Special Tax Bonds (Refunded Bonds). The Refinancing Bonds mature in serial and term fashion through September 2030 and bear interest payable semi-annually at rates ranging from 5.25% to 7.50%. The bonds are subject to optional and mandatory redemption prior to maturity beginning September 1, 2010. The bonds are payable from and secured by a special tax levy against parcels within the District. Under an arrangement (Owner Participation Agreement) involving the parcel owners, the District, the City and the City's Redevelopment Agency, the required tax levy is to be offset by available property tax increment from the Agency. Should available increment be insufficient to offset the levy, available project sales tax collected by the City will be used. This refinancing increased the aggregate debt service payments that were required on the Refunded Bonds by approximately $3,100,000 and produced an economic loss (the excess of the present value of the new over old debt service payments) of approximately $418,000. The refinancing was undertaken to cure a debt service payment default that had occurred on the now refunded bonds. Special tax delinquencies were the primary cause of the default.

Refunding Certificates of Participation, Series 1997

Refunding Certificates of Participation (City Hall) Series 1997 in the original issue of $10,955,000, with a variable interest rate due through 2016, were issued to advance refund $10,180,000 of outstanding 1995 Certificates of Participation. The source of repayment for the Certificates is lease payments to be made by the Moreno Valley Public Facilities Financing Corporation whereby scheduled lease payments equal the amount of principal and interest due on the Certificates. The City has the option to convert the variable rate certificates at any time. The Refunding Certificates are subject to purchase on the demand of the holder while they are outstanding at a variable rate upon seven days notice. Payment of these demand certificates shall be made from the proceeds of the resale of such certificates by the City's remarketing agent. Should there be insufficient funds from this source, funds will be made available from an irrevocable bank letter of credit. The letter of credit is valid through the date the Certificates bear interest at a fixed rate or May 1, 2007. Repayment of the letter of credit shall occur from any available funds with the trustee of the issue, including the scheduled lease payments of the City.

Lease Revenue Bonds, 1997

Lease Revenue Bonds 1997 in the original issue amount of $5,300,000 were issued for the purpose of financing a portion of the cost of acquiring and constructing a public safety building for City use, to fund a reserve for the bonds and to pay issuance costs. The bonds mature in serial and term fashion through November 1, 2022 and bear interest ranging from 4.15% to 5.50%. The bonds are subject to both optional and mandatory redemption prior to maturity beginning on November 1, 2007. The bonds are payable from lease, payments made by the City under a project lease dated November 1, 1997 between the City and the MVPFA. The lease payments are equal to the principal and interest on the bonds and are made by the City for the rental use of the public safety building financed by this bond issue. This issue is fully insured in the event of nonpayment by the City.

Lease Revenue Bonds, 2005

Lease Revenue Bonds 2005 in the original issue amount of $48,205,000 were issued for the purpose of financing a portion of the cost of the expansion of the public safety building, electric utility infrastructure, construction of a fire station, various public works and redevelopment projects, to fund a reserve for the bonds and to pay issuance costs. Of the $48,205,000 originally issued, the portion for the electric utility infrastructure ($5,105,000) has been separated and is shown as long-term debt for business-type activities. The bonds mature

Note 6: Long-Term Debt (Continued)

Lease Revenue Bonds, 2005 (Continued)

in serial and term fashion through November 1, 2035 and bear interest ranging from 3% to 4.375%. The bonds are subject to both optional and mandatory redemption beginning November 1, 2006. The bonds are payable from lease payments made by the City under a project lease dated May 1, 1997, between the City and the MVPFA. The lease payments are equal to the principal and interest on the bonds and are made by the City as rent for use of the Public Safety Building and the City Hall. This issue is fully insured in the event of nonpayment by the City.

Compensated Absences

At June 30, 2009, the amount of compensated absences liability was $4,574,305. This amount consists of $4,099,558 for governmental funds, principally paid by the general fund, and $474,747 for internal service funds.

Portable Classroom Loans

In January 1999, the City entered into two agreements with the California Department of Education to finance the purchase and construction of two portable classrooms. Under the terms of the agreements, the City was granted two non-interest bearing loans totaling $246,585. The loans are payable in monthly installments of $2,055 beginning February 2001, for 10 years. The amount outstanding as of June 30, 2009 was $41,098.

Note Payable - Price Company

The Redevelopment Agency had recorded a long-term payable in the original amount of $2,433,744 under a development and disposition agreement and promissory note with Price Company for the reimbursement of costs of construction of a 130,000-square-foot retail store. The note bears interest at 8% per annum and is payable solely from 50% of site-generated sales tax. Any remainder payable after September 2015 will be forgiven. The amount outstanding as of June 30, 2009 was $2,237,083.

RDA 2007 Tax Allocation Bonds Series A

Redevelopment Agency 2007 Tax Allocation Bonds, Series A, in the original issue amount of $43,495,000 were issued in November 2007 for the purpose of financing various redevelopment activities and other undertakings permitted under the Redevelopment Law, to fund a reserve for the bonds and to pay issuance costs. The bonds mature in serial and term fashion through August 1, 2038 and bear interest ranging from 3.5% to 5.0%. The bonds are subject to both optional and mandatory redemption prior to maturity beginning on August 1, 2017. The bonds are payable solely from Tax Increment Revenues and other funds and amounts pledged therefore pursuant to the Indenture. This issue is fully insured in the event of nonpayment by the Agency.

Conduit Debt

The Moreno Valley Public Financing Authority issued $5,548,000 Assisted Living Housing Revenue Bonds, Series 2000A. The bonds and interest thereon are limited obligations of the issuer, payable solely from the revenues and the trust estate, which are assigned and pledged to such purposes. Consequently, no liability is reported in these accompanying financial statements. The outstanding balance at June 30, 2009 was $5,328,000.

Note 6: Long-Term Debt (Continued)

No-Commitment Debt

Assessment District No. 87-4, Limited Obligation Improvement Bonds, in the original issue amount of $6,858,539, were issued for the purpose of acquiring infrastructure improvements and financing landscaping for one of the City's districts. The bonds mature in serial fashion through September 2, 2009 and bear interest, payable semi-annually, at rates ranging from 6.4% to 7.8%. The bonds are subject to optional redemption prior to maturity for denominations greater than $5,000. The amount outstanding as of June 30, 2009 was $300,000. The City is no way liable for repayment but is only acting as an agent for the property owners in collecting the assessments and forwarding the collections to bondholders. The bonds final maturity date will be September 2, 2009.

The Community Facilities District No. 5 of the City of Moreno Valley 2007 Special Tax Bonds were issued to finance various public improvements needed to develop property located within the Community Facilities District No. 5 (" District"). Theoriginal issue amount was $5,870,000. The Bonds are special limited obligations of the District and are payable solely from revenues derived from certain annual Special Taxes to be levied on and collected from the owners of the taxable land within the District and from certain other funds pledged under the Fiscal Agent Agreement dated May 1, 2007 by and between the City for and on behalf of the District and Wells Fargo Bank, National Association, as fiscal agent. The Special Taxes are to be levied according to the rates and method of apportionment approved by the City Council, the legislative body of the District, and the qualified electors within the District. Except for the Special Taxes, no other taxes are pledged to the payment of the Bonds. The City is in no way liable for repayment but is acting as an agent for the property owners in collecting the assessments and forwarding the collections to bondholders. Interest on the Bonds will be payable on September 1, 2007 and semiannually thereafter on each March 1 and September 1 thru 2037. Interest rates range from 4.00% to 5.00%. Principal on the Bonds is due each September 1 beginning 2009 and ending 2037. The outstanding balance at June 30, 2009 was $5,870,000.

The annual maturities and the annual debt service requirements to amortize the outstanding debt as of June 30, 2009 are as follows:

	Moreno Valley Public Financing Authority		Community Facilities Districts	
	Principal	Interest	Principal	Interest
Year Ending June 30,				
2010	$ 1,000,000	$ 2,044,434	$ 1,740,000	$ 783,187
2011	1,045,000	1,995,207	1,870,000	678,895
2012	1,110,000	1,943,313	875,000	610,279
2013	1,145,000	1,888,992	905,000	577,338
2014	1,210,000	1,831,776	940,000	542,291
2015 – 2019	6,945,000	8,233,965	5,395,000	2,041,892
2020 – 2024	8,340,000	6,403,887	4,725,000	740,404
2025 – 2029	8,650,000	4,465,601	525,000	214,690
2030 – 2034	10,770,000	2,313,417	290,000	22,105
2035 – 2036	5,000,000	221,150	-	-
Totals	$ 5,205,000	$ 31,341,742	$ 17,265,000	$ 6,211,081

Note 6: Long-Term Debt (Continued)

Annual maturities and the annual debt service requirements (Continued):

	Moreno Valley Public Facilities Financing Authority		City of Moreno Valley	
	Principal	Interest	Principal	Interest
Year Ending June 30,				
2010	$ 595,000	$ 155,175	$ 24,659	$ -
2011	615,000	137,025	16,439	-
2012	645,000	118,125	-	-
2013	665,000	98,475	-	-
2014	695,000	78,075	-	-
2015 - 2017	2,255,000	103,125	-	-
Totals	$ 5,470,000	$ 690,000	$ 41,098	$ -

	Community Redevelopment Agency	
	Principal	Interest
Year Ending June 30,		
2010	$ 120,000	$ 2,055,284
2011	130,000	2,050,284
2012	210,000	2,043,484
2013	220,000	2,034,884
2014	230,000	2,025,884
2015 – 2019	1,220,000	9,996,704
2020 – 2024	3,510,000	9,641,114
2025 – 2029	9,185,000	8,101,814
2030 – 2034	12,085,000	5,547,125
2035 – 2039	15,815,000	2,054,380
Totals	$ 42,725,000	$ 45,550,957

The above schedules do not include the long-term debt for compensated absences nor maturities for the Community Redevelopment Agency Price Company Notes Payable, as fixed maturities have not been established.

Changes in Long-Term Debt - Business-Type Activities

The following is a schedule of changes in business-type activities long-term debt of the entity for the fiscal year ended June 30, 2009:

	Balance July 1, 2008	Additions	Deletions	Balance June 30, 2009	Due Within One Year
Electrical Cabinet Capital Leases	$ 240,930	$ -	$ (138,379)	$ 102,551	$ 66,147
Lease Revenue Bonds, 2005	5,105,000	-	(95,000)	5,010,000	100,000
Lease Revenue Bonds, 2007	25,765,000	-	-	25,765,000	390,000
Less Deferred Issuance	(317,406)	-	10,945	(306,461)	-
Long-term Compensated	-	127,572	(80,472)	47,100	47,100
Totals	$ 30,793,524	$ 127,572	$ (302,906)	$ 30,618,190	$ 603,247

Note 6: Long-Term Debt (Continued)

Electrical Cabinets Capital Lease

Between January 2004 and August 2006, the City entered into nine separate lease purchase agreements to lease electrical cabinets in the amount of $65,000 each. The term of each lease is for 60 months. The outstanding balance as of June 30, 2009 was $102,551.

Lease Revenue Bonds, 2005

Lease Revenue Bonds 2005 in the original issue amount of $48,205,000 were issued for the purpose of financing a portion of the cost of the expansion of the public safety building, electric utility infrastructure, construction gof a fire station, various public works and redevelopment projects, to fund a reserve for the bonds and to pay issuance costs. Of the $48,205,000 originally issued, the portion for the electric utility infrastructure ($5,105,000) has been separated and is shown as long-term debt for business-type activities. The bonds mature in serial and term fashion through November 1, 2035 and bear interest ranging from 3% to 4.375%. The bonds are subject to both optional and mandatory redemption beginning November 1, 2006. The bonds are payable from lease payments made by the City under a project lease dated May 1, 1997, between the City and the MVPFA. The lease payments are equal to the principal and interest on the bonds and are made by the City as rent for use of the Public Safety Building and the City Hall. This issue is fully insured in the event of nonpayment by the City.

Lease Revenue Bonds, 2007

Lease Revenue Bonds 2007 (Taxable) in the original issue amount of $25,765,000 were issued for the purpose of financing a City-owned 115kV to 12kV substation, a 115kV to 12kV switchyard adjacent to the substation, and other infrastructure improvements to support planned growth of the City-owned electrical distribution system. The bonds mature in serial and term fashion through May 1, 2038 and bear interest ranging from 5.084% to 5.75%. The bonds are subject to both optional and mandatory redemption beginning May 1, 2017. The bonds are payable from lease payments made by the City under a project lease dated May 1, 2007, between the City and the MVPFA. The lease payments are equal to the principal and interest on the bonds and are made by the City as rent for use of the 115kV to 12kV substation. This issue is fully insured in the event of nonpayment by the City.

Compensated Absences

At June 30, 2009, the amount of compensated absences liability totaled $47,100. Based on the current trend of usage, this entire amount is expected to be paid within one year.

The annual maturities and the annual debt service requirements to amortize the outstanding debt as of June 30, 2009 were as follows:

Year Ending June 30,	Principal	Interest
2010	$ 66,147	$ 3,853
2011	33,922	1,078
2012	2,482	18
Totals	$ 102,551	$ 4,949

Note 6: Long-Term Debt (Continued)

Annual maturities and the annual debt service requirements (Continued):

	Lease Revenue Bonds, 2005		Lease Revenue Bonds, 2007	
	Principal	Interest	Principal	Interest
Year Ending June 30,				
2010	$ 100,000	$ 222,962	$ 390,000	$ 1,441,801
2011	100,000	218,212	405,000	1,421,974
2012	105,000	213,337	430,000	1,401,383
2013	110,000	208,237	450,000	1,379,522
2014	120,000	202,762	475,000	1,356,644
2015 – 2019	675,000	926,660	2,750,000	6,394,672
2020 – 2024	840,000	756,590	3,585,000	5,559,375
2025 – 2029	1,050,000	541,540	4,700,000	4,445,921
2030 – 2034	1,305,000	280,041	6,205,000	2,943,425
2035 - 2039	605,000	26,807	6,375,000	941,851
Totals	$ 5,010,000	$ 3,597,148	$ 25,765,000	$ 27,286,568

These schedules do not include the long-term debt for compensated absences, as fixed maturities have not been established.

Note 7: Interfund Receivables, Payables and Transfers

a. Due To/From Other Funds

Funds	Interfund Receivables	Interfund Payables
Major Governmental Funds:		
General Fund	$ 27,161,366	$ 17,666
Special Revenue Funds:		
CSD Zones	-	23,732,567
Development Impact Fees Fund	3,087,745	943,496
Capital Projects Fund:		
Community Redevelopment Agency	4,500	1,849,274
Nonmajor Governmental Funds	17,666	4,423,580
Fiduciary Funds	-	24,694
Totals	$ 30,991,277	$ 30,991,277

The City of Moreno Valley utilizes the State of California Local Agency Investment Fund (LAIF) as a short-term investment tool. In June 2006, the General Fund LAIF account reached the LAIF threshold and as an alternative for investing, the remaining funds were loaned to CSD Zone A, in the CSD Zones Fund, and the Community Redevelopment Agency Capital Projects Fund for investment into LAIF. The amounts of the loans outstanding at June 30, 2009 were $23,732,567 and $1,849,274, respectively.

Note 7: Interfund Receivables, Payables and Transfers (Continued)

a. Due To/From Other Funds (Continued)

The General Fund has made short-term loans to the following funds to eliminate negative cash balances:

Development Impact Fees Fund	$ 943,496
Law Enforcement Fund	41,394
Community Development Block Grant Fund	146,118
Used Oil Recycling Fund	48,373
Storm Water Maintenance Fund	183,494
Beverage Container Recycling Fund	334
Emergency Management Preparedness Grant Fund	70,073
ASES Program Grant Fund	60,879
Box Springs EPA Water Grant Fund	51,577
TCA2-06-22 Local Gov' t Waste TI Fund	2,284
Neighborhood Stabilization Program Fund	198
FHWA Transmission Fund	6,297
Towngate Capital/Administration Fund	314
MSHCP Trust Fiduciary (Agency Fund)	24,694

Arterial Street Development Impact Fees, in the Development Impact Fees Fund, made a short-term loan of $3,807,745 to the TUMF Capital Projects Fund to eliminate negative cash.

The Community Redevelopment Agency Capital Projects Fund made a loan to the Warner Ranch Capital/Development Projects Fund to finance Warner Ranch alleyway improvements. The total outstanding loan is $8,999 of which the current portion is $4,500 and the long-term portion is $4,499. The loan was made in 1995-1996. Repayments are made annually and will be complete in 2010-2011.

The Special Districts Administration Fund made a short-term loan of $17,666 to the General Fund for administrative charges that were not yet paid as of year-end.

b. Advances To/From Other Funds

Funds	Advances Receivable	Advances Payable
Major Governmental Funds:		
General Fund	$ 57,027,511	$ -
Capital Projects Fund:		
Community Redevelopment Agency	256,499	56,280,470
Nonmajor Governmental Funds	580,657	4,499
Proprietary Fund:		
Electric	-	1,579,698
Totals	$ 57,864,667	$ 57,864,667

Note 7: Interfund Receivables, Payables and Transfers (Continued)

b. Advances To/From Other Funds (Continued)

The long-term payable to the General Fund from the Community Redevelopment Agency Capital Projects Fund includes $714,470 representing monies borrowed in prior fiscal years by the Agency to finance redevelopment activities. The monies loaned to the Agency bear an interest rate of 12%. Repayment of the long-term payable will be made when funds becomes available. At June 30, 2009, accrued interest amounts to $78,269.

The City purchased the Towngate Regional Mall - Department Store Parcel Acquisition Notes for $5,000,000. The notes, totaling $13,000,000, originate from a participation agreement (as amended) whereby the Community Redevelopment Agency acquired certain parcels within the mall for subsequent transfer to major tenants. The notes bear interest at 7.25% and are payable solely from available site-generated property tax increment and up to 50% of site-generated sales tax. Furthermore, the Community Redevelopment Agency has covenanted to use reasonable best efforts to refinance these notes with Tax Allocation Bonds, provided such financing is determined to be fiscally feasible. At June 30, 2009, accrued interest amounts to $4,082,277.

The Community Redevelopment Agency purchased improved property from the City – the Conference and Recreation Center. The purchase price was $14,203,946. The loan note is $11,474,822 after the initial payments of $2,700,000 and $29,124. The term is 20 years with 12% simple interest. The Agency will make interest only annual payments with a balloon payment due at the end of the term. At June 30, 2009, accrued interest amounts to $4,430,632.

Community Redevelopment Agency 2007 Series B, Subordinate Taxable Tax Allocation Bonds in the original issue amount of $22,500,000 were issued in November 2007. All of the bonds were purchased by the General Fund. The General Fund will make a reservation of fund balance for these bonds. The proceeds of the bonds will remain unspent pending the outcome of litigation between the Agency and the County of Riverside concerning the interpretation of a pass-through agreement between the Agency and the County. The Agency will pay interest only debt service payments to the General Fund. The interest rate is variable and is expected to approximate a rate of return the Agency achieves from investing the bond proceeds. During the year, the amount of interest earned and paid to the City was $721,949. If the Agency is successful in its litigation, it would begin receiving additional tax increment revenue to pay all or part of the debt service on the bonds. At that point, the bonds will be remarketed within five years and the proceeds used for the purpose of financing various redevelopment improvement projects. The bonds may be redeemed in total or in part at any time.

The General Fund has loaned $747,041 to the Electric Fund for start-up costs. The loan will be repaid when revenue becomes available.

The Community Redevelopment Agency Capital Projects Fund made a loan to the Warner Ranch Capital/Development Projects Fund to finance Warner Ranch alleyway improvements. The total outstanding loan is $8,999 of which the current portion is $4,500 and the long-term portion is $4,499. The loan was made in 1995-1996. Repayments are made annually and will be complete in 2010-11.

The Community Redevelopment Agency Capital Projects Fund advanced $300,000 to the Electric Fund for construction of electrical infrastructure. The loan has a ten year term and a five percent annual interest rate. The outstanding balance as of June 30, 2009 is $252,000.

The Special Districts Administration Fund has loaned $580,657 to the Electric Fund for start-up costs. The loan will be repaid when revenue becomes available.

Note 7: Interfund Receivables, Payables and Transfers (Continued)

c. Interfund Transfers

Funds	Transfers In	Transfers Out
Major Governmental Funds:		
General Fund	$ 1,597,161	$ 14,134,584
Special Revenue Funds:		
Fire Services	8,179,627	-
CSD Zones	635,248	431,041
Development Impact Fees Fund	-	6,557,840
Capital Projects Fund:		
Community Redevelopment Agency	-	2,227,726
Nonmajor Governmental Funds	16,872,360	1,525,319
Proprietary Funds:		
Electric	112,731	766,285
Internal Service Funds	-	1,704,332
Totals	$ 27,397,127	$ 27,397,127

The General Fund transferred a total of $10,814,261 to several funds to provide subsidies to cover the operating deficits.

The transfer amounts by fund are as follows:

Fire Services Fund	$ 7,991,016
State Gasoline Tax Fund	1,778,258
CSD Zone L Library Service	338,008
Public Education/Government Access Program Fund	368,404
Emergency Management Preparedness Grant Fund	111,090
Storm Water Maintenance Fund	227,485

The General Fund transferred $103,400 to CSD Zone M Median for median maintenance.

The General Fund transferred $107,834 to CSD Zone A Parks and Community Services in accordance with the Conference and Recreation Center financing agreement.

The General Fund transferred $137,175 to the NPDES CSA Fund to cover the expenditures for the year for the Regulatory Permits & Agreements Program.

The General Fund transferred $22,500 to the FHWA Transmission Fund for the grant' s matching requirement.

The General Fund transferred $2,511,992 to the City Hall Capital/Administration Fund to support the Emergency Operations Center project.

The General Fund transferred $185,000 to the Lease Revenue Bonds 2005 Capital Projects Fund to support the Fire Station # 58 replacement project.

The principal and interest payments for 2008-09 in the Public Safety Lease Revenue Bonds 1997 Debt Service Fund totaled $400,422. The General Fund transferred $250,422 and the Community Redevelopment Agency Capital Projects Fund transferred $150,000 to the Public Safety Lease Revenue Bonds 1997 Fund for these debt service payments.

Note 7: Interfund Receivables, Payables and Transfers (Continued)

c. Interfund Transfers (Continued)

The General Fund transferred an additional $2,000 to the Public Safety Lease Revenue Bonds 1997 Debt Service Fund for bond administration fees.

CSD Zone A Parks and Community Services transferred $400,000 to the General Fund for a budgeted commitment.

CSD Zone A Parks and Community Services transferred $31,041 to the Child Care Grant Fund to subsidized operating expenditures.

Arterial Street Development Impact Fees were transferred in the amount of $1,123,974 to the Lease Revenue Bonds 2005 Debt Service Fund for debt service for the fiscal year.

Fire Facility Development Impact Fees were transferred in the amount of $256,015 to the Lease Revenue Bonds 2005 Debt Service Fund for debt service for the fiscal year.

Police Facility Development Impact Fees were transferred in the amount of $675,005 to the Lease Revenue Bonds 2005 Debt Service Fund for debt service for the fiscal year.

During the 2008-2009 budget process and subsequently, Arterial Streets Development Impact Fees were committed to supporting several capital projects. Transfers totaling $4,216,228 were made to the DIF Capital Projects Fund for these commitments:

Reche Vista Realignment – Perris / Heacock North City Limits	$ 170,000
Permanent Frederick Street Median - CSJDLL to Alessandro	382,596
Pigeon Pass Road Widening - Climbing Rose to North City Limits	1,044,372
Perris Blvd Widening - Ironwood to Manzanita	203,760
Ironwood Avenue – Heacock Street to Perris Blvd	116,000
Lasselle / Bay Street Improvement Design	209,100
Iris Avenue Street Improvement – Indian to Perris	650,000
Lasselle / Cottonwood Street Improvement Design	233,600
Cottonwood / Elsworth Street Improvement Design	242,000
Kitching / Eucalyptus Street Improvement Design	133,800
Cactus Avenue East Bound 3rd Lane Improvement – Veterans Way to Heacock	431,000
Moreno Beach Widening – Cactus Avenue to Auto Mall	400,000

During the 2008-2009 budget process and subsequently, Traffic Signal Development Impact Fees were committed to supporting several capital projects. Transfers totaling $360,618 were made to the DIF Capital Projects Fund for these commitments:

Cottonwood Avenue / Elsworth Traffic Signal	$ 8,806
Lasselle / Cottonwood Traffic Signal	5,000
Heacock Avenue / Iris Street Traffic Signal	25,000
Perris Blvd. Traffic Signal Relocation – Ramona Expressway to Cactus	20,000
Elsworth/ Dracaea Modern Roundabout	50,000
Kitching Street / Eucalyptus Traffic Signal	5,000
Fir Avenue / Lasselle Street Traffic Signal	38,571
Lasselle / Bay Traffic Signal	5,000
Indian Street / Eucalyptus Avenue Traffic Signal	38,571
Oliver Street / John F Kennedy Traffic Signal	41,550
Transportation Management Center	123,120

Note 7: Interfund Receivables, Payables and Transfers (Continued)

c. Interfund Transfers (Continued)

The Parks and Recreation Capital Projects Fund transferred back $74,000 of Park Land Facility Development Fees as a reduction in the subsidy for support of projects.

The Community Redevelopment Agency Capital Projects Fund transferred a total of $2,127,726 to fund the following debt service obligations:

2007 Towngate Refunding Debt Service Fund	$ 1,152,574
2007 Towngate Improvement Refunding Debt Service Fund	281,153
Lease Revenue Bonds 2005 Debt Service Fund	590,973
Auto Mall Special Tax Bonds Debt Service Fund	103,026

The State Gasoline Tax Fund transferred $439,000 to the General Fund as a reduction in the Parkway Improvement Partnership subsidy.

The Lease Revenue Bonds 2005 Debt Service Fund transferred $112,731 to the Electric Fund for its portion of debt service during the fiscal year.

The 2007 Towngate Improvement Refunding Debt Service Fund transferred $3,700 to the Towngate Capital/Administration Fund for reimbursement of administrative charges for the fiscal year.

The 2007 Towngate Refunding Debt Service Fund transferred $392,244 to the Towngate Capital/Administration Fund for reimbursement of administrative and fiscal charges.

The Auto Mall Special Tax Bonds Debt Service Fund transferred $148,446 to the Auto Mall Capital/Administration Fund for a budgeted commitment.

The CFD# 5 Stoneridge Debt Service Fund transferred $50,000 to the Stoneridge Capital/Administration Fund for a budgeted commitment.

The City Hall Capital/Administration Fund transferred $67,040 to CSD Zone L Library Services to support the Library Master Plan project.

The Lease Revenue Bonds 2005 Capital Projects Fund transferred $309,120 to the Lease Revenue Bonds 2005 Debt Service Fund for arbitrage payments.

The Towngate Capital/Administration Fund transferred $3,038 to the 2007 Towngate Improvement Refunding Debt Service Fund for administrative charges.

The Electric Fund transferred $466,285 to the Lease Revenue Bonds 2005 Debt Service Fund for debt service for the fiscal year.

The Electric Fund transferred $300,000 to General Fund for a budgeted commitment.

The City Hall Facility Internal Service Fund transferred $645,569 to the City Hall COPs Series 1997 Debt Service Fund to fund the appropriated budget.

Note 7: Interfund Receivables, Payables and Transfers (Continued)

c. Interfund Transfers (Continued)

The Equipment Replacement Reserve Internal Service Fund transferred a total of $1,058,763 to several funds for the replacement of various equipment. The amounts transferred to these funds are as follows:

General Fund	$ 458,161
Fire Services Fund	188,611
CSD Zone A Parks and Community Services	18,966
Public Education/Government Access Program Fund	13,025
Storm Water Maintenance Fund	380,000

Note 8: Employee Pension Plan

Plan Description

The City's defined benefit pension plan, Public Employees Retirement System (PERS), provides retirement and disability benefits, annual cost-of-living adjustments and death benefits to plan members and beneficiaries. PERS is part of the Public Agency portion of the California Public Employees Retirement System (CalPERS), an agent multiple-employer plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California. A menu of benefit provisions, as well as other requirements, are established by state statutes within the Public Employees' Retirement Law. The City selects optional benefit provisions from the benefit menu by contract with CalPERS and adopts those benefits through local ordinance. CalPERS issues a separate comprehensive annual financial report. Copies of the CalPERS annual financial report may be obtained from the CalPERS Headquarters, 400 Q Street, Sacramento, California 95811.

Funding Policy

Active plan members in PERS are required to contribute 8.00% of their annual covered salary as of January 2007. The City is required to contribute the actuarially determined remaining amounts necessary to fund the benefits for its members. The actuarial methods and assumptions used are those adopted by the CalPERS Board of Administration. The required employer contribution rate is 14.898% for fiscal year 2008-2009. The contribution requirements of the plan members are established by state statute and the employer contribution rate is established and may be amended by CalPERS.

Annual Pension Cost

For fiscal year 2008-2009, the City's annual pension cost was $4,438,856. The City also contributed $2,389,723 on behalf of the employees for the employee contribution. The required contribution for the fiscal year 2008-2009 was determined as part of the June 30, 2006 actuarial valuation using the entry age normal actuarial cost method with the contributions determined as a percent of pay. The actuarial assumptions included: a) 7.75% investment rate of return (net of administrative expenses), b) projected salary increases for employees that vary by duration of service ranging from 3.25% to 14.45% for miscellaneous members, and c) 3.25% cost-of-living adjustment. Both a) and b) include an inflation component of 3.00%. The actuarial value of PERS assets was determined using a technique that smoothes the effect of short-term volatility in the market value of investments over a 15-year period. The PERS unfunded actuarial accrued liability (or excess assets) is being amortized as a level percentage of projected payroll on a closed basis. The remaining amortization period at June 30, 2009 was 21 years.

Note 8: Employee Pension Plan (Continued)

Annual Pension Cost (Continued)

Ended June 30,	Pension Cost (APC)	Percentage of APC Contributed	Pension Obligation
2007	$ 3,162,870	100 %	$ -
2008	4,374,893	100 %	-
2009	4,438,856	100 %	-

Required Supplementary Information – Funded Status of Plan

Latest Information Available

Valuation Date	Entry Age Normal Accrued Liability	Actuarial Value Of Assets	Unfunded Liability	Funded Ratio	Annual Covered Payroll	UAAL as Percent of Payroll
06/30/06	$ 61,187,066	$ 47,837,803	$ 13,349,263	78.2 %	$ 22,018,967	60.6%
06/30/07	75,316,003	58,733,315	16,582,688	78.0 %	26,023,541	63.7%
06/30/08	90,939,749	69,197,682	21,742,067	76.1 %	30,739,388	70.7%

The Funded Status of Plan schedule above shows the recent history of the actuarial value of assets, actuarial accrued liability, their relationship, and the relationship of the unfunded actuarial accrued liability to payroll. The Funded Status of Plan schedule, presented above, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

Note 9: Other Post Employment Benefits (OPEB)

Plan Description

The City's defined benefit postemployment healthcare plan provides a portion of certain health care for retired employees. In accordance with City policy, employees who retire directly from the City under CalPERS (age 50 and 5 years of CalPERS service or disability) and are not temporary employees, are eligible for these benefits. In June 2009, the City established an irrevocable trust fund to begin funding the City' s unfunded liability throughthe California Employers' Retiree Benefit Trust (CERBT), an agent multiple-employer plan administered by California Public Employees' Retirement System (CalPERS), which acts as a common investment and administrative agent for participating public employers within the State of California. A menu of benefit provisions, as well as other requirements, are established by state statutes within the Public Employees' Retirement Law. The City selects optional benefit provisions from the benefit menu by contract with CalPERS and adopts those benefits through local ordinance. CalPERS issues a separate comprehensive annual financial report. Copies of the CalPERS annual financial report may be obtained from the CalPERS Headquarters, 400 Q Street, Sacramento, California 95811.

Funding Policy

The contribution requirements of plan members and the City are established and may be amended by City Council. The City is required to contribute the Annual Required Contribution (ARC) of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period not to exceed thirty years. The current ARC rate is 7.75% of the annual covered payroll.

Note 9: Other Post Employment Benefits (OPEB) (Continued)

Annual OPEB Cost

For fiscal year 2008-2009, the City' s annual OPEB cost was $1,785,573 The required contribution for the fiscal year was determined as part of the June 30, 2008 actuarial valuation using the entry age normal actuarial cost method. The actuarial assumptions included: a) 7.75% investment rate of return (net of administrative expenses), and b) projected salary increases for employees of 3.25. Both a) and b) include an inflation component of 3.00%.

The following table shows the components of the City' s annual OPEB cost forthe year, the amount actually contributed to the plan, and changes in the City' s netOPEB obligation for these benefits:

Annual required contribution	$ 1,785,573
Interest on net OPEB obligation	-
Adjustment to annual required contribution	-
Annual OPEB cost (expense)	1,785,573
Contributions (including premiums/benefits paid)	(1,785,573)
Increase in net OPEB obligation	-
Net OPEB obligation – beginning of year	-
Net OPEB obligation - end of year	$ -

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information on the next page, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for the benefits.

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing the benefit costs between employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the efforts of short-term volatility in actuarial accrued liabilities and the actuarial assets, consistent with the long-term perspective of the calculations.

Note 9: Other Post Employment Benefits (OPEB) (Continued)

Annual OPEB Cost (Continued)

The City' s annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for the current and two preceding fiscal years were as follows:

Fiscal Year Ending	Annual OPEB Cost (AOC)	Percentage of OPEB Cost Contributed	Net OPEB Obligation
06/30/07	*	*	*
06/30/08	*	*	*
06/30/09	$ 1,785,573	100 %	-

* The information for the two preceding years is unavailable. GASB 45 was implemented in fiscal year 2008-2009.

Required Supplementary Information – Funded Status of Plan

Latest Information Available

Valuation Date	Actuarial Accrued Liability	Actuarial Value Of Assets	Unfunded Liability	Funded Ratio	Annual Covered Payroll	UAAL as Percent of Payroll
06/30/06	*	*	*	*	*	*
06/30/07	*	*	*	*	*	*
06/30/08	$ 9,338,000	-	$ 9,338,000	0 %	$ 29,794,978	31.3 %

Note 10: Prior Period Adjustments

(a) During the year ended June 30, 2009, the City discovered that in the Electric Enterprise Fund incorrectly overstated infrastructure by $2,819,209. To correct this oversight, an adjustment was made to reduce infrastructure and adjust beginning net assets.

(b) During the year ended June 30, 2009, the City discovered that a loan owed to the Housing Assistance Programs Fund in the amount of $795,000 had not been recorded. To correct this oversight, an adjustment was made to increase loans receivable, and adjust beginning net assets and fund balance.

(c) During the year ended June 30, 2009, the City discovered that in the Community Service District Zones Fund overstated accounts receivable by $20,000. To correct this oversight, an adjustment was made to reduce accounts receivable, and adjust beginning net assets and fund balance.

(d) During the year ended June 30, 2009, the City discovered that the Child Care Grant' s unearned revenue was understated by $28,708. To correct this oversight, an adjustment was made to increase unearned revenue, and adjust beginning net assets and fund balance.

Note 10: Prior Period Adjustments (Continued)

(e) During the year ended June 30, 2009, the City discovered that $317,406 of bond issuance discount had been incorrectly reported as a reduction in cash. To correct this oversight, cash and cash equivalents and long-term debt was reduced.

(f) During the year ended June 30, 2009, the City discovered that certain capital assets and accumulated depreciation were incorrectly reported. To correct this oversight, adjustments of $943,408 were made to the beginning net capital assets and the government-wide beginning net assets.

Government-wide Financial Statements:

	Governmental Activities	Business-Type Activities
Net assets at beginning of year, as previously reported	$ 868,179,021	$ 12,806,041
Adjustment (a)	-	(2,819,209)
Adjustment (b)	795,000	-
Adjustment (c)	(20,000)	-
Adjustment (d)	(28,708)	-
Adjustment (f)	943,408	-
Net assets at beginning of year, as restated	$ 869,868,721	$ 9,986,832

Fund Financial Statements:

Governmental Funds:	CSD Zones	Housing Assistance Programs	Child Care Grant
Net assets at beginning of year, as previously reported	$ 8,259,181	$ 2,871,438	$ (16,474)
Adjustment (b)	-	795,000	-
Adjustment (c)	(20,000)	-	-
Adjustment (d)	-	-	(28,708)
Net assets at beginning of year, as restated	$ 8,239,181	$ 3,666,438	$ (45,182)

Note 10: Prior Period Adjustments (Continued)

Proprietary Funds:

	Electric
Net assets at beginning of year, as previously reported	$ 12,806,041
Adjustment (a)	(2,819,209)
Net assets at beginning of year, as restated	$ 9,986,832

Proprietary Funds:

	Electric
Cash and Cash Equivalents at beginning of year, as previously reported	$ 13,701,153
Adjustment (e)	(317,406)
Cash and Cash Equivalents at beginning of year, as restated	$ 13,383,747

Note 11: Fund Deficits

The following funds contained a deficit fund balance as of June 30, 2009:

Non-Major Governmental Funds:

Special Revenue Funds:	
Child Care Grant Fund	$ 14,140
Beverage Container Recycling	1,136
Neighborhood Stabilization Program	321
Capital Projects Funds:	
Towngate Capital/Administration	371
TUMF Capital Projects	3,005,334

Note 12: Expenditures In Excess of Appropriation

Excess of expenditures over appropriations in departments of individual funds are as follows:

	Final Budget	Expenditures	Excess
General Fund:			
Nondepartmental	$ 2,096,227	$ 2,373,329	$ 277,102
Development Impact Fees Special Revenue Fund:			
Public works	-	97,323	97,323
ASES Program Grant Special Revenue Fund:			
Community and cultural	5,498,547	8,917,142	3,418,595
Neighborhood Stabilization Program Special Revenue Fund:			
Community development	-	321	321
Capital Improvements Capital Projects Fund:			
Public works	-	38,487	38,487
Towngate Capital/Administration Capital Projects Fund:			
Public works	-	4,071	4,071
Stoneridge Capital/Administration Capital Projects Fund:			
Public works	50,000	2,228,521	2,178,521
OPA Sales Tax Agreements Debt Service Fund:			
Interest and fiscal charges	320,000	394,359	74,359
Auto Mall Special Tax Bonds Debt Service Fund:			
Interest and fiscal charges	239,025	269,300	30,275
CFD #5 Stoneridge Debt Service Fund:			
Interest and fiscal charges	288,615	291,872	3,257
Certificates of Participation Series 1993 Debt Service Fund:			
Interest and fiscal charges	2,000	5,000	3,000
Public Safety Lease Revenue Bonds 1997 Debt Service Fund:			
Interest and fiscal charges	217,422	219,322	1,900

Note 13: Commitments and Contingencies

Riverside County Agreements

During December 1987, the City of Moreno Valley and the Community Redevelopment Agency (Agency) entered into an agreement (the " County Agreement") with the County ofRiverside which provided, in part, that the Agency make certain payments to the County. The County Agreement generally provides for the Agency to make payments to the County upon achievement by the Agency of $7 million annually of tax increment revenue. Once the $7 million threshold is reached, the County Agreement generally provides that the Agency will make payment to the County of an amount equal to tax increment revenues between $7 million annually and $12 million annually, and half of such revenues in excess of $12 million. The County Agreement further generally provides that when total tax increment paid to the County under this agreement from increments between $7 million and $12 million reaches $75 million, tax increment in excess of $7 million annually will be split equally between the Agency and County.

Note 13: Commitments and Contingencies (Continued)

Riverside County Agreements (Continued)

Beginning in 2003-2004 the Agency's tax increment exceeded $7 million. However, the County did not notify the Agency to such effect. In 2006-07, the Auditor Controller withheld a portion of the Agency' s 2006-07 tax increment in the amount of $1,092,287.59. The Agency disputes the authority of the County to withhold suchfunds and the matter, as well as other issues concerning the County Agreement, is currently the subject of litigation involving the County and the Agency.

During April 1988, the City of Moreno Valley and the Agency entered into an agreement (the " Flood Agreement") with the Riverside County Flood Control and Water Conservation District (District), which provides generally that the Agency shall receive 100% of the District' s share of the taxincrement until such time the total tax increment exceeds $12 million at which time the District shall receive at least 50% of its share. Under the Flood Agreement, the Agency is to demonstrate, as more particularly provided in the Flood Agreement, that the cumulative project costs paid by the Agency for the project improvements exceed the cumulative total of District share received by the Agency. To the extent that the cumulative project costs paid by the Agency exceed the cumulative total of District share received by the Agency, the Agency may retain the balance needed from the remaining 50% of the District share. Beginning in 2005-06, the Agency' s tax increment exceeded $12 million, with remittance not having been made of amounts to the District. The financial statements show the amount of $3,928,234 (the amount that was not remitted to the District) as Due to Other Governments.

Community Facilities District No. 3 Agreement

In conjunction with the issue of the Moreno Valley Auto Mall Special Tax Bonds Series 2000 (Auto Mall Refinancing), the Community Redevelopment Agency and the City are parties to an owner-participation agreement which provides that the Agency will transmit to the Community Facilities District No. 3 (District) the available property tax increment it receives on parcels within the District as a credit against the special parcel taxes that otherwise would be payable by the owners. Furthermore, the City has agreed to loan the Agency available sales tax generated within the District for payment directly to the parcel owners should the increment be insufficient to offset the special parcel taxes. In addition, the Agency has agreed to pay to the parcel owners, subject to certain restrictions, certain available surplus sales tax from within the District. The obligations to remit sales tax terminate by December 1, 2010.

This agreement replaces a previous arrangement involving these parcels when they were included in Community Facilities District No. 2.

The amounts remitted during the year under the replacement and previous agreement to parcel owners totaled $848,814.

Community Facilities District No. 87-1 Agreement

In connection with the issuance of the Community Facilities District No. 87-1 (CFD) Towngate 2007 Special Tax Refunding Bonds, the Community Redevelopment Agency entered into an owner participation agreement whereby the Agency has committed tax increment for the payment of debt service requirements for these Bonds.

Other Agreements

On May 10, 2005, the Community Redevelopment Agency and the Community Services District entered into a lease agreement for the Conference and Recreation Center. The Community Services District occupied the building during June 2005 although construction was still in progress. Upon completion of construction during

Note 13: Commitments and Contingencies (Continued)

Other Agreements (Continued)

fiscal year 2005-2006 the lease agreement became effective for a base rent of $1.00 per month. The Community Services District has responsibility for facility maintenance and provides programming that serves the residents of the Project Area.

Self-Insurance Pool

The City is a member of CSAC Excess Insurance Authority. The Authority is a member directed joint powers insurance pool, which has been operational since October of 1979. The purpose of the Authority is to arrange and administer programs for the pooling of self-insured losses, to purchase excess insurance or reinsurance, and to arrange for group-purchased insurance for property and other coverage.

The City participates in the excess workers' compensation and employer's liability programs of the Authority. For workers' compensation the City has a self-insured retention of $300,000 per occurrence. For employer's liability the City has a self-insured retention of $250,000 per occurrence. The City has a pooled retention of $5,000,000 each occurrence, a $45,000,000 reinsurance layer in excess of the $5,000,000 pooled retention per occurrence for workers' compensation claims, and a $5,000,000 employer's liability reinsurance layer per occurrence in excess of the $5,000,000 pooled retention.

During the past three fiscal years, none of the above programs of protection have had settlements or judgments that exceeded pooled or insured coverage. There has been no significant reduction in pooled or insured liability coverage from coverage in the prior year.

Self-Insurance Payable

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and injuries to employees. The City established two self-insurance funds (Internal Service Funds) to account for and finance its uninsured risks of loss. Under this program, the self-insurance funds provide coverage for up to a maximum of $300,000 for each workers' compensation claim and $250,000 for each general liability claim. The City purchases commercial insurance for claims in excess of coverage provided by the funds and for all other risks of loss. Settled claims have not exceeded this commercial coverage in any of the past three years. All funds of the City participate in the program and make payments to the self-insurance funds based on actuarial estimates of the amounts needed to pay prior and current year claims.

The fund establishes claims liabilities based on estimates of the ultimate cost of claims (including future claim adjustment expenses) that have been reported but not settled, and of claims that have been incurred but not reported. The City has accrued for its anticipated liability with respect to claims filed and claims incurred but not reported to the City as of year-end. The accruals are in the amounts of $2,315,000 and $1,218,000 for the workers' compensation claims and general liability claims, respectively, for a total of $3,533,000. Of these amounts, the current year's adjustment is a decrease of $278,000.

Note 13: Commitments and Contingencies (Continued)

Self-Insurance Payable (Continued)

A reconciliation of changes in aggregate liabilities for claims for the current fiscal year and the prior fiscal year is as follows:

	General Liability	Workers' Compensation	Total
Amount of accrued claims at June 30, 2007	$ 1,350,000	$ 1,825,000	$ 3,175,000
Incurred claims, representing the total of a provision for events for the current fiscal year and any changes (increase or decrease) in the provision for events of prior fiscal years and adjustments to estimates.	454,482	871,778	1,326,260
Payments on claims attributable to events of both the current fiscal year and prior fiscal years.	(320,482)	(369,778)	(690,260)
Amount of accrued claims at June 30, 2008	$ 1,484,000	$ 2,327,000	$ 3,811,000
Incurred claims, representing the total of a provision for events for the current fiscal year and any changes (increase or decrease) in the provision for events of prior fiscal years and adjustments to estimates.	(182,313)	203,912	21,599
Payments on claims attributable to events of both the current fiscal year and prior fiscal years.	(83,687)	(215,912)	(299,599)
Amount of accrued claims at June 30, 2009	$ 1,218,000	$ 2,315,000	$ 3,533,000

Litigation

There are several lawsuits pending against the City. The outcome and eventual liability of the City, if any, in these cases is not known at this time. Management estimates that the potential claims against the City, not covered by insurance or self-insurance reserves, resulting from such litigation would not materially affect the financial statements of the City.

Note 14: Subsequent Events

Subsequent events are those events and transactions that occur after the end of the fiscal period but prior to issuance of the financial statements that are important for readers of the financial statements to be aware of. The District does not have any subsequent events to report.

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Non-major Governmental Funds

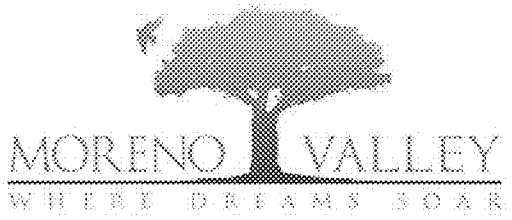

NONMAJOR GOVERNMENTAL FUNDS

SPECIAL REVENUE FUNDS:

State Gasoline Tax Fund

This fund is used to account for the City' s share of state gas tax revenue restricted for street improvement and maintenance. The revenue is apportioned under the Streets and Highway Code of the State of California.

Article 3 Transportation Fund

This fund is used to account for the City' s share of Article 3 revenue restricted for construction of pedestrian and bikeway projects.

Measure A Fund

This fund is used to account for the City' s share of the Riverside County half-cent sales tax restricted for transportation projects.

Law Enforcement Fund

This group of funds is used to account for revenue from several grants restricted for law enforcement. The grants include the ABC Police Grant Fund, the Local Law Enforcement Block Grant (LLEBG), Supplemental Law Enforcement Services Fund (SLESF), Office of Traffic Safety Grant (OTS), Edward Byrne Memorial Justice Assistance Grant (JAG), and the 2008 COPS Tech Program Grant Fund.

Public Education/Government Access Program Fund

This fund is used to account for the Public Education/Government Access (PEG) Grant revenue restricted for providing education and government access to the public. These funds are used to support the City' s cable television channel, MVTV-3.

Air Quality Management Fund

This fund is used to account for the City' s share of the State AB 2766 funds. The revenue is apportioned to cities by the South Coast Air Quality Management District and is restricted for programs to reduce air pollution from mobile sources pursuant to the California Clean Air Act of 1988.

Community Development Block Grant Fund

This fund is used to account for federal funds received from the U.S. Department of Housing and Urban Development – Community Development Block Program to be used for the development of suitable housing environment and expansion of economic opportunities for low and moderate income families.

Special Districts Administration Fund

This fund is used to account for the coordination and administration of all special assessments districts formed within the City for infrastructure improvements.

NPDES CSA Fund

This fund is used to account for the City' s National Pollutant Discharge Elimination System program.

SPECIAL REVENUE FUNDS (Continued):

Housing Assistance Programs Fund

This fund is used to account for federal funds received from the U.S. Department of Housing and Urban Development to be used to develop and implement programs that expand the supply of affordable housing for low and very low income families.

Child Care Grant Fund

This fund is used to account for the Child Care grant program which provides after-school day care for the City' s residents.

Parks and Community Services PAL Grant Fund

This fund is used to account for the Police Activities League (PAL) grant to promote the individual growth of the targeted youths and to provide positive alternatives for the participants. The Parks and Recreation Department administers the program through a collaborative effort with the Moreno Valley Police Department.

Used Oil Recycling Fund

This fund is used to account for the California Integrated Waste Management Board Used Oil Block Grant. The program provides public education and convenient used oil collection sites.

Storm Water Maintenance Fund

This fund is used to ensure the safety and cleanliness of our City streets and the City' s maintained storm drain system by cleaning all catch basins, connector pipes and culverts on an annual basis, and by providing emergency services, as needed.

Traffic Congestion Relief Fund

This fund is used to account for revenues and expenditures related to legally restricted funds obtained through grants from the State of California for traffic congestion relief.

Disaster Fund

This fund is used to account for unforeseeable disasters and emergency situations for which reimbursement may become available.

Beverage Container Recycling Fund

This fund is used to account for the Department of Conservation Beverage Container Recycling grant.

Emergency Management Preparedness Grant Fund

This fund is used to account for the receipt and disbursement of grant funds providing terrorism preparedness, an Emergency Operating Center (EOC), emergency planning and management of the Certified Emergency Response Team (CERT).

SPECIAL REVENUE FUNDS (Continued):

ASES Program Grant

This fund is used to account for the After School Education and Safety grant.

Box Springs Water EPA Grant

This fund is used to account for the Box Springs Water Environmental Protection Agency grant.

TCA2-06-22 Local Gov' t Waste Tire Clean & Amnesty Event Grant Program

This fund is used to account for the TCA2-06-22 Local Government Waste Tire Clean-up & Amnesty Event grant.

TRI16-06-1 Targeted Rubberized Asphalt Concrete Incentive Grant

This fund is used to account for the recycling grant from the California Integrated Waste Management Board, which essentially pays for the differential costs of an asphalt overlay project.

Prop 1B

This fund is used to account for the City' s share of Prop 1B revenue restricted for transportation programs.

Neighborhood Stabilization Program

This fund is used to account for the grant allocation received by the City from HUD to address the foreclosure crisis and implement a neighborhood stabilization program (NSP) aimed at assisting low- to moderate- income households, while targeting the areas of the City most affected by the foreclosures.

FHWA TRANSIMS

This fund is used to account for the financial transactions regarding the City' s contract with the U.S. Department of Transportation Federal Highway Administration. In accordance with the contract, the City will construct a new citywide traffic model using the TRANSIMS program and analyze impacts of land-use changes on the circulation system.

CAPITAL PROJECTS FUNDS:

City Hall Capital/Administration Fund

This fund is used to account for various general City Hall capital improvements and projects.

Capital Improvements Fund

This fund is used to account for revenues received to construct capital projects to mitigate the impact of new development on the City' s infrastructure.

CAPITAL PROJECTS FUNDS (Continued):

Public Works Capital Projects Fund

This fund is used to account for general City capital projects.

Traffic Signal Mitigation Fund

This fund is used to account for traffic signal projects funded by revenues received from traffic mitigation fees.

Fire Services Capital Projects Fund

This fund is used to account for capital projects specific to Fire Services, including construction of new fire stations.

Park Acquisition and Development Fund

This fund is used to account for parks acquisition and development projects funded by revenues received from developers on a dwelling unit basis in accordance with the Quimby Act, a 1965 provision in the State Subdivision Map Act for the dedication of park land.

Lease Revenue Bonds 2005 Capital Projects Fund

This fund is used to account for the construction of capital improvements funded by the 2005 Lease Revenue Bonds issued in July 2005.

Towngate Capital/Administration Fund

This fund is used to account for the acquisition and construction of capital facilities in the Towngate area financed through special tax bonds.

Centerpointe Capital/Administration Fund

This fund is used to account for the acquisition or construction of capital facilities in the Centerpointe area financed through special tax bonds.

Warner Ranch Capital/Development Fund

This fund is used to account for the acquisition or construction of capital facilities in the Warner Ranch area financed through special assessments.

Auto Mall Capital/Administration Fund

This fund is used to account for the acquisition or construction of capital facilities in the Auto Mall area financed through special tax bonds.

CAPITAL PROJECTS FUNDS (Continued):

Parks and Community Services Capital Projects Fund

This fund is used to account for general parks and recreation capital projects, the development of new parks and recreation facilities, community parks, neighborhood parks and sports facilities and for the major renovation of existing parks and facilities.

TUMF Capital Projects Fund

This fund is used to account for transportation capital projects funded by the City' s share of the Transportation Uniform Mitigation Fee (TUMF) which is a mandatory development impact fee program in Western Riverside County. This program, enacted by a two-thirds majority of voters in 2002, was designed to pay for major roads and interchange projects that are needed to serve communities as a result of new development. The Western Riverside Council of Governments (WRCOG) administers the program.

DIF Capital Projects Fund

This group of funds is used to account for construction of major capital improvements funded by the development impact fee (DIF) revenues charged to developers.

Stoneridge Capital/Administration Fund

This fund is used to account for the acquisition or construction of capital facilities in the Stoneridge area financed through special tax bonds.

DEBT SERVICE FUNDS:

OPA Sales Tax Agreements Fund

This fund is used to account for the accumulation of 50% of sales tax revenue for certain retail stores and for the payment of principal and interest related to the ownership participation agreements between the Community Redevelopment Agency and certain retail stores.

City Hall COPs Series 1997 Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the City Hall Refunding Certificates of Participation issued May 1, 1997.

Auto Mall Special Tax Bonds Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the Auto Mall Special Tax Bonds Series 2000 (Auto Mall Refinancing).

CFD # 5 Stoneridge Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the Community Facilities District # 5 special tax bonds.

DEBT SERVICE FUNDS (Continued):

Certificates of Participation Series 1993 Debt Service Fund

This fund was used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the now defeased Refunding Certificates of Participation issued October 1, 1993.

Public Safety Lease Revenue Bonds 1997 Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the Public Safety Lease Revenue Bonds issued November 1, 1997.

Lease Revenue Bonds 2005 Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the 2005 Lease Revenue Bonds issued in July 2005 to finance various City capital improvements.

2007 Towngate Improvement Refunding Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the Improvement Area No. 1 Special Tax Refunding Bonds issued November 29, 2007.

2007 Towngate Refunding Debt Service Fund

This fund is used to account for the accumulation of resources and for the payment of principal, interest, and trustee and administrative costs related to the Special Tax Refunding Bonds issued November 29, 2007.

PERMANENT FUNDS:

Celebration Park Endowment Fund

This fund is used to account for the endowment program for Celebration Park. The principal endowment amount was provided by a developer. The Parks and Community Services Department will use 85% of the interest earned each year to sponsor a community event at Celebration Park for the surrounding community to enhance community pride and involvement.

Equestrian Trail Endowment Fund

This fund is used to account for the endowment program for the Equestrian Trail. The principal endowment amount was provided by a developer. The interest earned will be used for the benefit of citywide trail use, maintenance, education and other trail-related costs.

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City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
June 30, 2009

	Special Revenue Funds		
	State Gasoline Tax	Article 3 Transportation	Measure A
Assets:			
Pooled cash and investments	$ 707,651	$ 362,102	$ 12,695,824
Receivables:			
Accounts	8,324	-	632,281
Notes & loans	-	-	-
Interest	-	-	-
Prepaid costs	-	-	-
Due from other governments	469,942	-	831,661
Due from other funds	-	-	-
Advances to other funds	-	-	-
Total Assets	**$ 1,185,917**	**$ 362,102**	**$ 14,159,766**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	57,701	-	952,565
Accrued liabilities	97,252	-	66,438
Due to other funds	-	-	-
Due to other governments	-	-	-
Deferred revenue	-	-	-
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**154,953**	**-**	**1,019,003**
Fund Balances:			
Reserved:			
Reserved for encumbrances	-	-	3,460,898
Reserved for prepaid and other assets	-	-	-
Reserved for debt service	-	-	-
Reserved for long-term receivables	-	-	-
Reserved for advances to other funds	-	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	-	5,000	6,149,045
Designated for capital improvement projects	-	-	-
Undesignated	1,030,964	357,102	3,530,820
Total Fund Balances	**1,030,964**	**362,102**	**13,140,763**
Total Liabilities & Fund Balances	**$ 1,185,917**	**$ 362,102**	**$ 14,159,766**

Special Revenue Funds			
Law Enforcement	Public Education/ Government Access Program	Air Quality Management	Community Development Block Grant
$ 651,119	$ 1,868,000	$ 447,716	$ 57,444
-	78,696	-	-
-	-	-	130,000
-	-	-	601
-	-	-	-
112,575	-	-	349,054
-	-	-	-
-	-	-	-
$ 763,694	**$ 1,946,696**	**$ 447,716**	**$ 537,099**
24,900	-	-	175,650
-	10,575	4,458	19,891
41,394	-	-	146,118
186,636	-	-	-
34,887	-	-	601
160,883	-	-	-
-	-	-	-
448,700	**10,575**	**4,458**	**342,260**
76,311	-	19,912	267,986
-	-	-	-
-	-	-	-
-	-	-	130,000
-	-	-	-
-	-	54,657	1,457,971
-	-	-	-
238,683	1,936,121	368,689	(1,661,118)
314,994	**1,936,121**	**443,258**	**194,839**
$ 763,694	**$ 1,946,696**	**$ 447,716**	**$ 537,099**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Special Revenue Funds		
	Special Districts Administration	NPDES CSA	Housing Assistance Programs
Assets:			
Pooled cash and investments	$ 748,515	$ 341,889	$ 490,683
Receivables:			
Accounts	44,863	51,645	-
Notes & loans	-	-	3,268,139
Interest	-	-	152,510
Prepaid costs	15,658	-	-
Due from other governments	-	57,957	16,144
Due from other funds	17,666	-	-
Advances to other funds	580,657	-	-
Total Assets	**$ 1,407,359**	**$ 451,491**	**$ 3,927,476**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	1,699	7,235	-
Accrued liabilities	29,996	26,187	1,657
Due to other funds	-	-	-
Due to other governments	-	-	-
Deferred revenue	-	-	152,511
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**31,695**	**33,422**	**154,168**
Fund Balances:			
Reserved:			
Reserved for encumbrances	9,950	59,340	697,000
Reserved for prepaid and other assets	15,658	520,769	-
Reserved for debt service	-	-	-
Reserved for long-term receivables	-	-	3,268,139
Reserved for advances to other funds	580,657	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	-	-	-
Designated for capital improvement projects	769,399	-	-
Undesignated	-	(162,040)	(191,831)
Total Fund Balances	**1,375,664**	**418,069**	**3,773,308**
Total Liabilities & Fund Balances	**$ 1,407,359**	**$ 451,491**	**$ 3,927,476**

Special Revenue Funds			
Child Care Grant	Parks and Community Services PAL Grant	Used Oil Recycling	Storm Water Maintenance
$ 200,384	$ 17,414	$ 369	$ 35,119
-	-	-	172,901
-	-	-	-
-	-	-	-
16,439	-	-	-
44,340	-	49,457	-
-	-	-	-
-	-	-	-
$ 261,163	**$ 17,414**	**$ 49,826**	**$ 208,020**
587	-	505	5,158
30,579	-	948	10,562
-	-	48,373	183,494
49,737	-	-	-
-	-	-	-
194,400	-	-	-
-	-	-	-
275,303	**-**	**49,826**	**199,214**
-	-	-	-
16,439	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
(30,579)	17,414	-	8,806
(14,140)	**17,414**	**-**	**8,806**
$ 261,163	**$ 17,414**	**$ 49,826**	**$ 208,020**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Special Revenue Funds		
	Traffic Congestion Relief	Disaster	Beverage Container Recycling
Assets:			
Pooled cash and investments	$ 942,612	$ 340,453	$ 1,268
Receivables:			
Accounts	-	-	-
Notes & loans	-	-	-
Interest	-	-	-
Prepaid costs	-	-	-
Due from other governments	375,432	-	-
Due from other funds	-	-	-
Advances to other funds	-	-	-
Total Assets	**$ 1,318,044**	**$ 340,453**	**$ 1,268**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	12,951	-	-
Accrued liabilities	96	-	2,070
Due to other funds	-	-	334
Due to other governments	-	-	-
Deferred revenue	-	-	-
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**13,047**	**-**	**2,404**
Fund Balances:			
Reserved:			
Reserved for encumbrances	29,273	-	-
Reserved for prepaid and other assets	-	-	-
Reserved for debt service	-	-	-
Reserved for long-term receivables	-	-	-
Reserved for advances to other funds	-	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	1,275,724	-	-
Designated for capital improvement projects	-	-	-
Undesignated	-	340,453	(1,136)
Total Fund Balances	**1,304,997**	**340,453**	**(1,136)**
Total Liabilities & Fund Balances	**$ 1,318,044**	**$ 340,453**	**$ 1,268**

Special Revenue Funds			
Emergency Management Preparedness Grant	ASES Program Grant	Box Springs Water EPA Grant	TCA2-06-22 Local Gov't Waste TI
$ 4,402	$ -	$ 1	$ -
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
73,641	399,966	124,540	2,284
-	-	-	-
-	-	-	-
$ 78,043	**$ 399,966**	**$ 124,541**	**$ 2,284**
-	24,038	72,617	-
3,568	63,239	133	-
70,073	60,879	51,577	2,284
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
73,641	**148,156**	**124,327**	**2,284**
16,798	-	46,258	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
(12,396)	251,810	(46,044)	-
4,402	**251,810**	**214**	**-**
$ 78,043	**$ 399,966**	**$ 124,541**	**$ 2,284**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Special Revenue Funds		
	TRI16-06-1 Targeted Rubberized	Prop 1B	Neighborhood Stabilization Program
Assets:			
Pooled cash and investments	$ -	$ 2,869,355	$ -
Receivables:			
Accounts	-	-	-
Notes & loans	-	-	-
Interest	-	-	-
Prepaid costs	-	-	-
Due from other governments	-	-	-
Due from other funds	-	-	-
Advances to other funds	-	-	-
Total Assets	**$ -**	**$ 2,869,355**	**$ -**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	-	448,121	-
Accrued liabilities	-	2,090	123
Due to other funds	-	-	198
Due to other governments	-	-	-
Deferred revenue	-	-	-
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**-**	**450,211**	**321**
Fund Balances:			
Reserved:			
Reserved for encumbrances	-	1,861,485	-
Reserved for prepaid and other assets	-	-	-
Reserved for debt service	-	-	-
Reserved for long-term receivables	-	-	-
Reserved for advances to other funds	-	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	-	557,659	-
Designated for capital improvement projects	-	-	-
Undesignated	-	-	(321)
Total Fund Balances	**-**	**2,419,144**	**(321)**
Total Liabilities & Fund Balances	**$ -**	**$ 2,869,355**	**$ -**

Special Revenue Fund	Capital Projects Funds		
FHWA TRANSIMS	City Hall Capital/ Administration	Capital Improvements	Public Works Capital Projects
$ -	$ 14,366,376	$ 176,852	$ 43,536
28,800	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
$ 28,800	**$ 14,366,376**	**$ 176,852**	**$ 43,536**
1,785	147,940	-	-
6,486	3,095	-	20
6,297	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
14,568	**151,035**	**-**	**20**
36,359	2,159,274	-	6,287
-	-	-	-
-	-	-	-
-	-	38,487	-
-	-	-	-
-	7,915,406	-	3,437
-	4,140,661	138,365	33,792
(22,127)	-	-	-
14,232	**14,215,341**	**176,852**	**43,516**
$ 28,800	**$ 14,366,376**	**$ 176,852**	**$ 43,536**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Capital Projects Funds		
	Traffic Signal Mitigation	Fire Services Capital Projects	Park Acquisition and Development
Assets:			
Pooled cash and investments	$ 137,578	$ 1,906,261	$ 230
Receivables:			
Accounts	-	-	-
Notes & loans	-	-	-
Interest	-	-	-
Prepaid costs	-	-	-
Due from other governments	-	-	-
Due from other funds	-	-	-
Advances to other funds	-	-	-
Total Assets	**$ 137,578**	**$ 1,906,261**	**$ 230**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	-	-	-
Accrued liabilities	-	-	-
Due to other funds	-	-	-
Due to other governments	-	-	-
Deferred revenue	-	-	-
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**-**	**-**	**-**
Fund Balances:			
Reserved:			
Reserved for encumbrances	-	10,000	-
Reserved for prepaid and other assets	-	-	-
Reserved for debt service	-	-	-
Reserved for long-term receivables	-	98,000	-
Reserved for advances to other funds	-	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	-	-	-
Designated for capital improvement projects	137,578	1,798,261	-
Undesignated	-	-	230
Total Fund Balances	**137,578**	**1,906,261**	**230**
Total Liabilities & Fund Balances	**$ 137,578**	**$ 1,906,261**	**$ 230**

Capital Projects Funds			
Lease Revenue Bonds 2005 Capital Projects	Towngate Capital/ Administration	Centerpointe Capital/ Administration	Warner Ranch Capital/ Development
$ 14,757,141	$ -	$ -	$ 11,083
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
$ 14,757,141	**$ -**	**$ -**	**$ 11,083**
1,771,255	57	-	-
28,518	-	-	-
-	314	-	4,500
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	4,499
1,799,773	**371**	**-**	**8,999**
9,602,378	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
3,354,990	-	-	-
-	-	-	-
-	(371)	-	2,084
12,957,368	**(371)**	**-**	**2,084**
$ 14,757,141	**$ -**	**$ -**	**$ 11,083**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Capital Projects Funds		
	Auto Mall Capital/ Administration	Parks and Community Services Capital Projects	TUMF Capital Projects
Assets:			
Pooled cash and investments	$ -	$ 6,391,532	$ -
Receivables:			
Accounts	-	-	3,006,089
Notes & loans	-	-	-
Interest	-	-	-
Prepaid costs	-	-	-
Due from other governments	-	208,086	-
Due from other funds	-	-	-
Advances to other funds	-	-	-
Total Assets	**$ -**	**$ 6,599,618**	**$ 3,006,089**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	-	31,144	1,457,162
Accrued liabilities	-	708	11,007
Due to other funds	-	-	3,807,745
Due to other governments	-	-	-
Deferred revenue	-	-	735,509
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**-**	**31,852**	**6,011,423**
Fund Balances:			
Reserved:			
Reserved for encumbrances	-	96,280	-
Reserved for prepaid and other assets	-	-	-
Reserved for debt service	-	-	-
Reserved for long-term receivables	-	-	-
Reserved for advances to other funds	-	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	-	6,471,486	-
Designated for capital improvement projects	-	-	-
Undesignated	-	-	(3,005,334)
Total Fund Balances	**-**	**6,567,766**	**(3,005,334)**
Total Liabilities & Fund Balances	**$ -**	**$ 6,599,618**	**$ 3,006,089**

Capital Projects Funds		Debt Service Funds	
DIF Capital Projects	Stoneridge Capital/ Administration	OPA Sales Tax Agreements	City Hall COPs Series 1997
$ 11,320,826	$ 457,457	$ 79,991	$ 752,714
-	1,063	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
$ 11,320,826	**$ 458,520**	**$ 79,991**	**$ 752,714**
481,392	1,063	79,991	-
13,500	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
494,892	**1,063**	**79,991**	**-**
1,522,620	-	-	-
-	-	-	-
-	-	-	752,714
-	-	-	-
-	-	-	-
3,205,392	-	-	-
6,097,922	-	-	-
-	457,457	-	-
10,825,934	**457,457**	**-**	**752,714**
$ 11,320,826	**$ 458,520**	**$ 79,991**	**$ 752,714**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Debt Service Funds		
	Auto Mall Special Tax Bonds	CFD # 5 Stoneridge	Certificates of Participation Series 1993
Assets:			
Pooled cash and investments	$ 2,240,200	$ 711,394	$ 425,209
Receivables:			
Accounts	-	-	-
Notes & loans	-	-	-
Interest	20	10	-
Prepaid costs	-	-	-
Due from other governments	18	2,875	-
Due from other funds	-	-	-
Advances to other funds	-	-	-
Total Assets	**$ 2,240,238**	**$ 714,279**	**$ 425,209**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	67,207	-	1,250
Accrued liabilities	-	-	-
Due to other funds	-	-	-
Due to other governments	-	-	-
Deferred revenue	-	-	-
Unearned revenue	-	-	-
Advances from other funds	-	-	-
Total Liabilities	**67,207**	**-**	**1,250**
Fund Balances:			
Reserved:			
Reserved for encumbrances	-	-	-
Reserved for prepaid and other assets	-	-	-
Reserved for debt service	2,173,031	714,279	423,959
Reserved for long-term receivables	-	-	-
Reserved for advances to other funds	-	-	-
Unreserved:			
Designated:			
Designated for continuing appropriations	-	-	-
Designated for capital improvement projects	-	-	-
Undesignated	-	-	-
Total Fund Balances	**2,173,031**	**714,279**	**423,959**
Total Liabilities & Fund Balances	**$ 2,240,238**	**$ 714,279**	**$ 425,209**

Debt Service Funds			
Public Safety Lease Revenue Bonds 1997	Lease Revenue Bonds 2005 Debt Service	2007 Towngate Improvement Refunding	2007 Towngate Refunding
$ 761,718	$ 8,791,841	$ 840,729	$ 2,914,766
-	-	-	-
-	-	-	-
-	-	7	30
-	-	-	-
-	-	795	-
-	-	-	-
-	-	-	-
$ 761,718	**$ 8,791,841**	**$ 841,531**	**$ 2,914,796**
250	250	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
250	**250**	**-**	**-**
-	-	-	-
-	-	-	-
761,468	8,791,591	841,531	2,914,796
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
761,468	**8,791,591**	**841,531**	**2,914,796**
$ 761,718	**$ 8,791,841**	**$ 841,531**	**$ 2,914,796**

(Continued)

City of Moreno Valley

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009
(Continued)

	Permanent Funds		
	Celebration Park Endowment	Equestrian Trail Endowment	Totals
Assets:			
Pooled cash and investments	$ 54,971	$ 11,465	$ 89,936,190
Receivables:			
Accounts	-	-	4,024,662
Notes & loans	-	-	3,398,139
Interest	-	-	153,178
Prepaid costs	-	-	32,097
Due from other governments	-	-	3,118,767
Due from other funds	-	-	17,666
Advances to other funds	-	-	580,657
Total Assets	**$ 54,971**	**$ 11,465**	**$ 101,261,356**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	-	-	5,824,473
Accrued liabilities	-	-	433,196
Due to other funds	-	-	4,423,580
Due to other governments	-	-	236,373
Deferred revenue	-	-	923,508
Unearned revenue	-	-	355,283
Advances from other funds	-	-	4,499
Total Liabilities	**-**	**-**	**12,200,912**
Fund Balances:			
Reserved:			
Reserved for encumbrances	-	-	19,978,409
Reserved for prepaid and other assets	-	-	552,866
Reserved for debt service	-	-	17,373,369
Reserved for long-term receivables	-	-	3,534,626
Reserved for advances to other funds	-	-	580,657
Unreserved:			
Designated:			
Designated for continuing appropriations	-	-	31,553,737
Designated for capital improvement projects	-	-	13,115,978
Undesignated	54,971	11,465	2,370,802
Total Fund Balances	**54,971**	**11,465**	**89,060,444**
Total Liabilities & Fund Balances	**$ 54,971**	**$ 11,465**	**$ 101,261,356**

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City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009

	Special Revenue Funds		
	State Gasoline Tax	Article 3 Transportation	Measure A
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	-	-	-
Other taxes	-	-	-
Intergovernmental	2,902,069	69,090	5,181,127
Charges for services	306	-	-
Use of money and property	7,124	8,916	374,032
Miscellaneous	20,922	1,903	6,728
Total Revenues	**2,930,421**	**79,909**	**5,561,887**
Expenditures:			
Current:			
General government	-	-	-
Public safety	-	-	-
Community development	-	-	-
Community and cultural	-	-	-
Public works	3,760,870	68,250	8,016,016
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total Expenditures	**3,760,870**	**68,250**	**8,016,016**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(830,449)**	**11,659**	**(2,454,129)**
Other Financing Sources (Uses)			
Transfers in	1,778,258	-	-
Transfers out	(439,000)	-	-
Total Other Financing Sources (Uses)	**1,339,258**	**-**	**-**
Net Change in Fund Balances	**508,809**	**11,659**	**(2,454,129)**
Fund Balances, Beginning of Year, as restated	522,155	350,443	15,594,892
Fund Balances, End of Year	**$ 1,030,964**	**$ 362,102**	**$ 13,140,763**

Special Revenue Funds			
Law Enforcement	Public Education/ Government Access Program	Air Quality Management	Community Development Block Grant
$ -	$ -	$ -	$ -
-	-	-	-
-	-	-	-
349,477	-	155,925	2,133,981
-	-	-	-
(2,843)	-	15,118	(2)
-	359,991	343	2,085
346,634	**359,991**	**171,386**	**2,136,064**
-	532,905	-	-
329,420	-	-	-
47,405	-	-	2,072,153
-	-	-	-
-	-	486,637	-
-	-	-	-
-	-	-	-
376,825	**532,905**	**486,637**	**2,072,153**
(30,191)	**(172,914)**	**(315,251)**	**63,911**
-	381,429	-	-
-	-	-	-
-	**381,429**	**-**	**-**
(30,191)	**208,515**	**(315,251)**	**63,911**
345,185	1,727,606	758,509	130,928
$ 314,994	**$ 1,936,121**	**$ 443,258**	**$ 194,839**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Special Revenue Funds		
	Special Districts Administration	NPDES CSA	Housing Assistance Program
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	-	-	-
Other taxes	-	-	-
Intergovernmental	-	117,565	198,921
Charges for services	888,566	522,336	-
Use of money and property	30,839	-	10,346
Miscellaneous	47,814	-	-
Total Revenues	**967,219**	**639,901**	**209,267**
Expenditures:			
Current:			
General government	-	-	-
Public safety	-	-	-
Community development	-	-	102,397
Community and cultural	-	-	-
Public works	1,269,256	791,844	-
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total Expenditures	**1,269,256**	**791,844**	**102,397**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(302,037)**	**(151,943)**	**106,870**
Other Financing Sources (Uses)			
Transfers in	-	137,175	-
Transfers out	-	-	-
Total Other Financing Sources (Uses)	**-**	**137,175**	**-**
Net Change in Fund Balances	**(302,037)**	**(14,768)**	**106,870**
Fund Balances, Beginning of Year, as restated	1,677,701	432,837	3,666,438
Fund Balances, End of Year	**$ 1,375,664**	**$ 418,069**	**$ 3,773,308**

Special Revenue Funds			
Child Care Grant	Parks and Community Services PAL Grant	Used Oil Recycling	Storm Water Maintenance
$ -	$ -	$ -	$ -
-	-	-	-
-	-	-	-
674,204	-	44,977	393,587
26,542	-	-	-
-	-	-	-
-	-	-	-
700,746	**-**	**44,977**	**393,587**
-	-	44,977	-
-	-	-	-
-	-	-	-
700,745	-	-	-
-	-	-	938,567
-	-	-	-
-	-	-	-
700,745	**-**	**44,977**	**938,567**
1	**-**	**-**	**(544,980)**
31,041	-	-	607,485
-	-	-	-
31,041	**-**	**-**	**607,485**
31,042	**-**	**-**	**62,505**
(45,182)	17,414	-	(53,699)
$ (14,140)	**$ 17,414**	**$ -**	**$ 8,806**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Special Revenue Funds		
	Traffic Congestion Relief	Disaster	Beverage Container Recycling
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	-	-	-
Other taxes	-	-	-
Intergovernmental	1,560,599	-	47,342
Charges for services	-	-	-
Use of money and property	24,080	-	-
Miscellaneous	-	-	-
Total Revenues	**1,584,679**	**-**	**47,342**
Expenditures:			
Current:			
General government	-	-	47,194
Public safety	-	-	-
Community development	-	-	-
Community and cultural	-	-	-
Public works	279,439	-	-
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total Expenditures	**279,439**	**-**	**47,194**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**1,305,240**	**-**	**148**
Other Financing Sources (Uses)			
Transfers in	-	-	-
Transfers out	-	-	-
Total Other Financing Sources (Uses)	**-**	**-**	**-**
Net Change in Fund Balances	**1,305,240**	**-**	**148**
Fund Balances, Beginning of Year, as restated	(243)	340,453	(1,284)
Fund Balances, End of Year	**$ 1,304,997**	**$ 340,453**	**$ (1,136)**

Special Revenue Funds			
Emergency Management Preparedness Grant	ASES Program Grant	Box Springs Water EPA Grant	TCA2-06-22 Local Gov't Waste TI
$ -	$ -	$ -	$ -
-	-	-	-
-	-	-	-
83,123	8,968,378	124,540	-
-	-	-	-
-	26,902	1,363	-
-	24,850	-	-
83,123	**9,020,130**	**125,903**	**-**
-	-	-	-
157,804	-	-	-
-	-	-	-
-	8,917,142	-	-
-	-	182,166	-
-	-	-	-
-	-	-	-
157,804	**8,917,142**	**182,166**	**-**
(74,681)	**102,988**	**(56,263)**	**-**
111,090	-	-	-
-	-	-	-
111,090	**-**	**-**	**-**
36,409	**102,988**	**(56,263)**	**-**
(32,007)	148,822	56,477	-
$ 4,402	**$ 251,810**	**$ 214**	**$ -**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Special Revenue Funds		
	TRI16-06-01 Target Rubberized	Prop 1B	Neighborhood Stabilization Program
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	-	-	-
Other taxes	-	-	-
Intergovernmental	47,950	-	-
Charges for services	-	-	-
Use of money and property	-	-	-
Miscellaneous	-	-	-
Total Revenues	**47,950**	-	-
Expenditures:			
Current:			
General government	-	-	-
Public safety	-	-	-
Community development	-	-	321
Community and cultural	-	-	-
Public works	47,950	483,529	-
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total Expenditures	**47,950**	**483,529**	**321**
Excess (Deficiency) of Revenue Over (Under) Expenditures	-	**(483,529)**	**(321)**
Other Financing Sources (Uses)			
Transfers in	-	-	-
Transfers out	-	-	-
Total Other Financing Sources (Uses)	-	-	-
Net Change in Fund Balances	-	**(483,529)**	**(321)**
Fund Balances, Beginning of Year, as restated	-	2,902,673	-
Fund Balances, End of Year	**$ -**	**$ 2,419,144**	**$ (321)**

Special Revenue Fund	Capital Projects Funds		
FHWA TRANSIMS	City Hall Capital/Administration	Capital Improvements	Public Works Capital Projects
$ -	$ -	$ -	$ -
-	-	-	-
-	-	-	-
93,944	-	-	-
-	-	-	-
-	-	-	-
-	-	-	1,100
93,944	**-**	**-**	**1,100**
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
102,212	445,457	38,487	289,447
-	-	-	-
-	-	-	-
102,212	**445,457**	**38,487**	**289,447**
(8,268)	**(445,457)**	**(38,487)**	**(288,347)**
22,500	2,511,992	-	-
-	(67,040)	-	-
22,500	**2,444,952**	**-**	**-**
14,232	**1,999,495**	**(38,487)**	**(288,347)**
-	12,215,846	215,339	331,863
$ 14,232	**$ 14,215,341**	**$ 176,852**	**$ 43,516**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Capital Projects Funds		
	Traffic Signal Mitigation	**Fire Services Capital Projects**	**Park Acquisition and Development**
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	-	-	-
Other taxes	-	-	-
Intergovernmental	-	-	-
Charges for services	-	-	-
Use of money and property	-	-	-
Miscellaneous	-	-	-
Total Revenues	-	-	-
Expenditures:			
Current:			
General government	-	-	-
Public safety	-	121,423	-
Community development	-	-	-
Community and cultural	-	-	-
Public works	-	-	-
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total Expenditures	-	**121,423**	-
Excess (Deficiency) of Revenue Over (Under) Expenditures	-	**(121,423)**	-
Other Financing Sources (Uses)			
Transfers in	-	-	-
Transfers out	-	-	-
Total Other Financing Sources (Uses)	-	-	-
Net Change in Fund Balances	-	**(121,423)**	-
Fund Balances, Beginning of Year, as restated	137,578	2,027,684	230
Fund Balances, End of Year	**$ 137,578**	**$ 1,906,261**	**$ 230**

Capital Projects Funds			
Lease Revenue Bonds 2005 Capital Projects	Towngate Capital / Administration	Centerpointe Capital / Administration	Warner Ranch Capital Development
$ -	$ -	$ -	$ 9,263
-	-	-	-
-	-	-	-
-	-	-	-
-	-	58,787	-
309,287	-	-	-
12,459	-	-	-
321,746	**-**	**58,787**	**9,263**
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
8,595,251	4,071	58,787	2,695
-	-	-	-
-	-	-	-
8,595,251	**4,071**	**58,787**	**2,695**
(8,273,505)	**(4,071)**	**-**	**6,568**
185,000	395,944	-	-
(309,120)	(3,038)	-	-
(124,120)	**392,906**	**-**	**-**
(8,397,625)	**388,835**	**-**	**6,568**
21,354,993	(389,206)	-	(4,484)
$ 12,957,368	**$ (371)**	**$ -**	**$ 2,084**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Capital Projects Funds		
	Auto Mall Capital Administration Fund	**Parks and Community Services Capital Projects**	**TUMF Capital Projects**
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	-	-	-
Other taxes	-	-	-
Intergovernmental	-	239,746	7,504,916
Charges for services	-	-	2,470
Use of money and property	-	-	1,532
Miscellaneous	-	204	6,633
Total Revenues	**-**	**239,950**	**7,515,551**
Expenditures:			
Current:			
General government	-	-	-
Public safety	-	-	-
Community development	-	-	-
Community and cultural	-	537,482	-
Public works	148,446	-	8,619,492
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total Expenditures	**148,446**	**537,482**	**8,619,492**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(148,446)**	**(297,532)**	**(1,103,941)**
Other Financing Sources (Uses)			
Transfers in	148,446	(74,000)	-
Transfers out	-	-	-
Total Other Financing Sources (Uses)	**148,446**	**(74,000)**	**-**
Net Change in Fund Balances	**-**	**(371,532)**	**(1,103,941)**
Fund Balances, Beginning of Year, as restated	-	6,939,298	(1,901,393)
Fund Balances, End of Year	**$ -**	**$ 6,567,766**	**$ (3,005,334)**

Capital Projects Funds		Debt Service Funds	
DIF Capital Projects	Stoneridge Capital / Administration	OPA Sales Tax Agreements	City Hall COPs Series 1997
$ -	$ -	$ -	$ -
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	22,768	394,359	-
3,517	-	-	-
3,517	**22,768**	**394,359**	**-**
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
3,021,840	2,228,521	-	-
-	-	-	570,000
-	-	394,359	125,960
3,021,840	**2,228,521**	**394,359**	**695,960**
(3,018,323)	**(2,205,753)**	**-**	**(695,960)**
4,576,846	50,000	-	645,569
-	-	-	-
4,576,846	**50,000**	**-**	**645,569**
1,558,523	**(2,155,753)**	**-**	**(50,391)**
9,267,411	2,613,210	-	803,105
$ 10,825,934	**$ 457,457**	**$ -**	**$ 752,714**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Debt Service Funds		
	Auto Mall Special Tax Bonds	CFD # 5 Stoneridge	Certificates of Participation Series 1993
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ -
Sales taxes	848,814	-	-
Other taxes	1,212,731	344,701	-
Intergovernmental	-	-	-
Charges for services	-	-	-
Use of money and property	11,711	344	-
Miscellaneous	-	-	-
Total Revenues	**2,073,256**	**345,045**	**-**
Expenditures:			
Current:			
General government	-	-	-
Public safety	-	-	-
Community development	-	-	-
Community and cultural	-	-	-
Public works	-	-	-
Debt service:			
Principal retirement	865,000	-	-
Interest and fiscal charges	1,118,114	291,872	5,000
Total Expenditures	**1,983,114**	**291,872**	**5,000**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**90,142**	**53,173**	**(5,000)**
Other Financing Sources (Uses)			
Transfers in	103,026	-	-
Transfers out	(148,446)	(50,000)	-
Total Other Financing Sources (Uses)	**(45,420)**	**(50,000)**	**-**
Net Change in Fund Balances	**44,722**	**3,173**	**(5,000)**
Fund Balances, Beginning of Year, as restated	2,128,309	711,106	428,959
Fund Balances, End of Year	**$ 2,173,031**	**$ 714,279**	**$ 423,959**

Debt Service Funds			
Public Safety Lease Revenue Bonds 1997	Lease Revenue Bonds 2005 Debt Service	2007 Towngate Improvement Refunding	2007 Towngate Refunding
$ -	$ -	$ -	$ -
-	-	-	-
-	-	108,495	-
-	-	-	-
-	-	-	-
3,804	59,700	4,908	18,593
-	-	-	-
3,804	**59,700**	**113,403**	**18,593**
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
185,000	770,000	220,000	575,000
219,322	1,881,338	210,359	574,161
404,322	**2,651,338**	**430,359**	**1,149,161**
(400,518)	**(2,591,638)**	**(316,956)**	**(1,130,568)**
402,422	3,421,372	284,191	1,152,574
-	(112,731)	(3,700)	(392,244)
402,422	**3,308,641**	**280,491**	**760,330**
1,904	**717,003**	**(36,465)**	**(370,238)**
759,564	8,074,588	877,996	3,285,034
$ 761,468	**$ 8,791,591**	**$ 841,531**	**$ 2,914,796**

(Continued)

City of Moreno Valley
COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Permanent Funds		
	Celebration Park Endowment	Equestrian Trail Endowment	TOTAL
Revenues:			
Taxes:			
Property taxes	$ -	$ -	$ 9,263
Sales taxes	-	-	848,814
Other taxes	-	-	1,665,927
Intergovernmental	-	-	30,891,461
Charges for services	-	-	1,499,007
Use of money and property	1,385	359	1,324,625
Miscellaneous	-	-	488,549
Total Revenues	**1,385**	**359**	**36,727,646**
Expenditures:			
Current:			
General government	-	-	625,076
Public safety	-	-	608,647
Community development	-	-	2,222,276
Community and cultural	-	-	10,155,369
Public works	-	-	39,879,230
Debt service:			
Principal retirement	-	-	3,185,000
Interest and fiscal charges	-	-	4,820,485
Total Expenditures	**-**	**-**	**61,496,083**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**1,385**	**359**	**(24,768,437)**
Other Financing Sources (Uses)			
Transfers in	-	-	16,872,360
Transfers out	-	-	(1,525,319)
Total Other Financing Sources (Uses)	**-**	**-**	**15,347,041**
Net Change in Fund Balances	**1,385**	**359**	**(9,421,396)**
Fund Balances, Beginning of Year, as restated	53,586	11,106	98,481,840
Fund Balances, End of Year	**$ 54,971**	**$ 11,465**	**$ 89,060,444**

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City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
STATE GASOLINE TAX SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 2,887,000	$ 2,887,000	$ 2,902,069	$ 15,069
Charges for services	-	-	306	306
Use of money and property	25,000	25,000	7,124	(17,876)
Miscellaneous	2,000	2,000	20,922	18,922
Total Revenues	**2,914,000**	**2,914,000**	**2,930,421**	**16,421**
Expenditures:				
Current:				
Public works	4,858,412	4,170,187	3,760,870	409,317
Total Expenditures	**4,858,412**	**4,170,187**	**3,760,870**	**409,317**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(1,944,412)**	**(1,256,187)**	**(830,449)**	**425,738**
Other Financing Sources (Uses)				
Transfers in	2,030,227	1,778,258	1,778,258	-
Transfers out	-	(439,000)	(439,000)	-
Total Other Financing Sources (Uses)	**2,030,227**	**1,339,258**	**1,339,258**	**-**
Net Change in Fund Balances	**85,815**	**83,071**	**508,809**	**425,738**
Fund Balances, Beginning of Year	522,155	522,155	522,155	-
Fund Balances, End of Year	**$ 607,970**	**$ 605,226**	**$ 1,030,964**	**$ 425,738**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
ARTICLE 3 TRANSPORTATION SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 102,050	$ 102,050	$ 69,090	$ (32,960)
Use of money and property	9,000	9,000	8,916	(84)
Miscellaneous	-	-	1,903	1,903
Total Revenues	**111,050**	**111,050**	**79,909**	**(31,141)**
Expenditures:				
Current:				
Public works	-	94,200	68,250	25,950
Total Expenditures	**-**	**94,200**	**68,250**	**25,950**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**111,050**	**16,850**	**11,659**	**(5,191)**
Net Change in Fund Balances	**111,050**	**16,850**	**11,659**	**(5,191)**
Fund Balances, Beginning of Year	350,443	350,443	350,443	-
Fund Balances, End of Year	**$ 461,493**	**$ 367,293**	**$ 362,102**	**$ (5,191)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
MEASURE A SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 6,769,174	$ 7,119,994	$ 5,181,127	$ (1,938,867)
Use of money and property	302,000	302,000	374,032	72,032
Miscellaneous	1,000	1,000	6,728	5,728
Total Revenues	**7,072,174**	**7,422,994**	**5,561,887**	**(1,861,107)**
Expenditures:				
Current:				
Public works	5,087,225	20,374,260	8,016,016	12,358,244
Total Expenditures	**5,087,225**	**20,374,260**	**8,016,016**	**12,358,244**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**1,984,949**	**(12,951,266)**	**(2,454,129)**	**10,497,137**
Net Change in Fund Balances	**1,984,949**	**(12,951,266)**	**(2,454,129)**	**10,497,137**
Fund Balances, Beginning of Year	15,594,892	15,594,892	15,594,892	-
Fund Balances, End of Year	**$ 17,579,841**	**$ 2,643,626**	**$ 13,140,763**	**$ 10,497,137**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
LAW ENFORCEMENT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
Revenues:				
Intergovernmental	$ 575,019	$ 798,252	$ 349,477	$ (448,775)
Use of money and property	5,700	5,700	(2,843)	(8,543)
Total Revenues	**580,719**	**803,952**	**346,634**	**(457,318)**
Expenditures:				
Current:				
Public safety	593,536	677,814	329,420	348,394
Community development	71,000	71,000	47,405	23,595
Total Expenditures	**664,536**	**748,814**	**376,825**	**371,989**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(83,817)**	**55,138**	**(30,191)**	**(85,329)**
Net Change in Fund Balances	**(83,817)**	**55,138**	**(30,191)**	**(85,329)**
Fund Balances, Beginning of Year	345,185	345,185	345,185	-
Fund Balances, End of Year	**$ 261,368**	**$ 400,323**	**$ 314,994**	**$ (85,329)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PUBLIC EDUCATION/GOVERNMENT ACCESS PROGRAM SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Miscellaneous	$ 300,000	$ 300,000	$ 359,991	$ 59,991
Total Revenues	**300,000**	**300,000**	**359,991**	**59,991**
Expenditures:				
Current:				
General government	688,666	688,408	532,905	155,503
Total Expenditures	**688,666**	**688,408**	**532,905**	**155,503**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(388,666)**	**(388,408)**	**(172,914)**	**215,494**
Other Financing Sources (Uses)				
Transfers in	404,429	381,429	381,429	-
Total Other Financing Sources (Uses)	**404,429**	**381,429**	**381,429**	**-**
Net Change in Fund Balances	**15,763**	**(6,979)**	**208,515**	**215,494**
Fund Balances, Beginning of Year	1,727,606	1,727,606	1,727,606	-
Fund Balances, End of Year	**$ 1,743,369**	**$ 1,720,627**	**$ 1,936,121**	**$ 215,494**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
AIR QUALITY MANAGEMENT FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 200,000	$ 200,000	$ 155,925	$ (44,075)
Use of money and property	5,000	5,000	15,118	10,118
Miscellaneous	-	-	343	343
Total Revenues	**205,000**	**205,000**	**171,386**	**(33,614)**
Expenditures:				
Current:				
Public works	75,300	579,415	486,637	92,778
Total Expenditures	**75,300**	**579,415**	**486,637**	**92,778**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**129,700**	**(374,415)**	**(315,251)**	**59,164**
Net Change in Fund Balances	**129,700**	**(374,415)**	**(315,251)**	**59,164**
Fund Balances, Beginning of Year	758,509	758,509	758,509	-
Fund Balances, End of Year	**$ 888,209**	**$ 384,094**	**$ 443,258**	**$ 59,164**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
COMMUNITY DEVELOPMENT BLOCK GRANT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 3,409,537	$ 3,888,829	$ 2,133,981	$ (1,754,848)
Use of money and property	-	-	(2)	(2)
Miscellaneous	-	-	2,085	2,085
Total Revenues	**3,409,537**	**3,888,829**	**2,136,064**	**(1,752,765)**
Expenditures:				
Current:				
Community development	3,363,203	4,381,649	2,072,153	2,309,496
Total Expenditures	**3,363,203**	**4,381,649**	**2,072,153**	**2,309,496**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**46,334**	**(492,820)**	**63,911**	**556,731**
Net Change in Fund Balances	**46,334**	**(492,820)**	**63,911**	**556,731**
Fund Balances, Beginning of Year	130,928	130,928	130,928	-
Fund Balances, End of Year	**$ 177,262**	**$ (361,892)**	**$ 194,839**	**$ 556,731**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
SPECIAL DISTRICTS ADMINISTRATION SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Charges for services	$ 953,771	$ 953,771	$ 888,566	$ (65,205)
Use of money and property	76,485	76,485	30,839	(45,646)
Miscellaneous	-	-	47,814	47,814
Total Revenues	**1,030,256**	**1,030,256**	**967,219**	**(63,037)**
Expenditures:				
Current:				
Public works	1,326,625	1,326,496	1,269,256	57,240
Total Expenditures	**1,326,625**	**1,326,496**	**1,269,256**	**57,240**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(296,369)**	**(296,240)**	**(302,037)**	**(5,797)**
Net Change in Fund Balances	**(296,369)**	**(296,240)**	**(302,037)**	**(5,797)**
Fund Balances, Beginning of Year	1,677,701	1,677,701	1,677,701	-
Fund Balances, End of Year	**$ 1,381,332**	**$ 1,381,461**	**$ 1,375,664**	**$ (5,797)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
NPDES CSA SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 128,955	$ 128,955	$ 117,565	$ (11,390)
Charges for services	951,306	951,306	522,336	(428,970)
Total Revenues	**1,080,261**	**1,080,261**	**639,901**	**(440,360)**
Expenditures:				
Current:				
Public works	1,073,803	1,148,704	791,844	356,860
Total Expenditures	**1,073,803**	**1,148,704**	**791,844**	**356,860**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**6,458**	**(68,443)**	**(151,943)**	**(83,500)**
Other Financing Sources (Uses)				
Transfers in	159,275	137,175	137,175	-
Total Other Financing Sources (Uses)	**159,275**	**137,175**	**137,175**	**-**
Net Change in Fund Balances	**165,733**	**68,732**	**(14,768)**	**(83,500)**
Fund Balances, Beginning of Year	432,837	432,837	432,837	-
Fund Balances, End of Year	**$ 598,570**	**$ 501,569**	**$ 418,069**	**$ (83,500)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
HOUSING ASSISTANCE PROGRAMS SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 1,216,988	$ 1,216,988	$ 198,921	$ (1,018,067)
Use of money and property	-	-	10,346	10,346
Total Revenues	**1,216,988**	**1,216,988**	**209,267**	**(1,007,721)**
Expenditures:				
Current:				
Community development	1,272,914	1,292,914	102,397	1,190,517
Total Expenditures	**1,272,914**	**1,292,914**	**102,397**	**1,190,517**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(55,926)**	**(75,926)**	**106,870**	**182,796**
Net Change in Fund Balances	**(55,926)**	**(75,926)**	**106,870**	**182,796**
Fund Balances, Beginning of Year, As restated	3,666,438	3,666,438	3,666,438	-
Fund Balances, End of Year	**$ 3,610,512**	**$ 3,590,512**	**$ 3,773,308**	**$ 182,796**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CHILD CARE GRANT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 708,092	$ 710,740	$ 674,204	$ (36,536)
Charges for services	31,380	31,380	26,542	(4,838)
Total Revenues	**739,472**	**742,120**	**700,746**	**(41,374)**
Expenditures:				
Current:				
Community and cultural	857,890	855,488	700,745	154,743
Total Expenditures	**857,890**	**855,488**	**700,745**	**154,743**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(118,418)**	**(113,368)**	**1**	**113,369**
Other Financing Sources (Uses)				
Transfers in	-	-	31,041	31,041
Total Other Financing Sources (Uses)	**-**	**-**	**31,041**	**31,041**
Net Change in Fund Balances	**(118,418)**	**(113,368)**	**31,042**	**144,410**
Fund Balances, Beginning of Year, as restated	(45,182)	(45,182)	(45,182)	-
Fund Balances, End of Year	**$ (163,600)**	**$ (158,550)**	**$ (14,140)**	**$ 144,410**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PARKS & COMMUNITY SERVICES PAL GRANT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Fund Balances, Beginning of Year	17,414	17,414	17,414	-
Fund Balances, End of Year	**$ 17,414**	**$ 17,414**	**$ 17,414**	**$ -**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
USED OIL RECYCLING SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 62,157	$ 62,157	$ 44,977	$ (17,180)
Total Revenues	**62,157**	**62,157**	**44,977**	**(17,180)**
Expenditures:				
Current:				
General government	63,475	63,475	44,977	18,498
Total Expenditures	**63,475**	**63,475**	**44,977**	**18,498**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(1,318)**	**(1,318)**	**-**	**1,318**
Net Change in Fund Balances	**(1,318)**	**(1,318)**	**-**	**1,318**
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	**$ (1,318)**	**$ (1,318)**	**$ -**	**$ 1,318**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
STORM WATER MAINTENANCE SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 412,800	$ 412,800	$ 393,587	$ (19,213)
Total Revenues	**412,800**	**412,800**	**393,587**	**(19,213)**
Expenditures:				
Current:				
Public works	635,283	967,869	938,567	29,302
Total Expenditures	**635,283**	**967,869**	**938,567**	**29,302**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(222,483)**	**(555,069)**	**(544,980)**	**10,089**
Other Financing Sources (Uses)				
Transfers in	227,485	607,485	607,485	-
Total Other Financing Sources (Uses)	**227,485**	**607,485**	**607,485**	**-**
Net Change in Fund Balances	**5,002**	**52,416**	**62,505**	**10,089**
Fund Balances, Beginning of Year	(53,699)	(53,699)	(53,699)	-
Fund Balances, End of Year	**$ (48,697)**	**$ (1,283)**	**$ 8,806**	**$ 10,089**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
TRAFFIC CONGESTION RELIEF SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 1,737,271	$ 1,737,271	$ 1,560,599	$ (176,672)
Use of money and property	90,000	90,000	24,080	(65,920)
Total Revenues	**1,827,271**	**1,827,271**	**1,584,679**	**(242,592)**
Expenditures:				
Current:				
Public works	2,235,000	3,799,728	279,439	3,520,289
Total Expenditures	**2,235,000**	**3,799,728**	**279,439**	**3,520,289**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(407,729)**	**(1,972,457)**	**1,305,240**	**3,277,697**
Net Change in Fund Balances	**(407,729)**	**(1,972,457)**	**1,305,240**	**3,277,697**
Fund Balances, Beginning of Year	(243)	(243)	(243)	-
Fund Balances, End of Year	**$ (407,972)**	**$ (1,972,700)**	**$ 1,304,997**	**$ 3,277,697**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
DISASTER SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Fund Balances, Beginning of Year	340,453	340,453	340,453	-
Fund Balances, End of Year	**$ 340,453**	**$ 340,453**	**$ 340,453**	**$ -**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
BEVERAGE CONTAINER RECYCLIG SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 47,342	$ 47,342	$ 47,342	$ -
Total Revenues	**47,342**	**47,342**	**47,342**	**-**
Expenditures:				
Current:				
General government	47,349	47,349	47,194	155
Total Expenditures	**47,349**	**47,349**	**47,194**	**155**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(7)**	**(7)**	**148**	**155**
Net Change in Fund Balances	**(7)**	**(7)**	**148**	**155**
Fund Balances, Beginning of Year	(1,284)	(1,284)	(1,284)	-
Fund Balances, End of Year	**$ (1,291)**	**$ (1,291)**	**$ (1,136)**	**$ 155**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
EMERGENCY MANAGEMENT PREPAREDNSS GRANT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 80,000	$ 80,000	$ 83,123	$ 3,123
Total Revenues	**80,000**	**80,000**	**83,123**	**3,123**
Expenditures:				
Current:				
Public safety	194,935	194,935	157,804	37,131
Total Expenditures	**194,935**	**194,935**	**157,804**	**37,131**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(114,935)**	**(114,935)**	**(74,681)**	**40,254**
Other Financing Sources (Uses)				
Transfers in	-	-	111,090	111,090
Total Other Financing Sources (Uses)	**-**	**-**	**111,090**	**111,090**
Net Change in Fund Balances	**(114,935)**	**(114,935)**	**36,409**	**151,344**
Fund Balances, Beginning of Year	(32,007)	(32,007)	(32,007)	-
Fund Balances, End of Year	**$ (146,942)**	**$ (146,942)**	**$ 4,402**	**$ 151,344**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
ASES PROGRAM GRANT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 5,274,324	$ 5,274,324	$ 8,968,378	$ 3,694,054
Use of money and property	-	-	26,902	26,902
Miscellaneous	-	-	24,850	24,850
Total Revenues	**5,274,324**	**5,274,324**	**9,020,130**	**3,745,806**
Expenditures:				
Current:				
Community and cultural	5,498,563	5,498,547	8,917,142	(3,418,595)
Total Expenditures	**5,498,563**	**5,498,547**	**8,917,142**	**(3,418,595)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(224,239)**	**(224,223)**	**102,988**	**327,211**
Net Change in Fund Balances	**(224,239)**	**(224,223)**	**102,988**	**327,211**
Fund Balances, Beginning of Year	148,822	148,822	148,822	-
Fund Balances, End of Year	**$ (75,417)**	**$ (75,401)**	**$ 251,810**	**$ 327,211**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
BOX SPRINGS WATER EPA GRANT SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ 149,854	$ 149,854	$ 124,540	$ (25,314)
Use of money and property	4,000	4,000	1,363	(2,637)
Total Revenues	**153,854**	**153,854**	**125,903**	**(27,951)**
Expenditures:				
Current:				
Public works	-	228,732	182,166	46,566
Total Expenditures	**-**	**228,732**	**182,166**	**46,566**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**153,854**	**(74,878)**	**(56,263)**	**18,615**
Net Change in Fund Balances	**153,854**	**(74,878)**	**(56,263)**	**18,615**
Fund Balances, Beginning of Year	56,477	56,477	56,477	-
Fund Balances, End of Year	**$ 210,331**	**$ (18,401)**	**$ 214**	**$ 18,615**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
TCA-06-22 LOCAL GOV'T WASTE TI SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Fund Balances, Beginning of Year	$ -	$ -	$ -	$ -
Fund Balances, End of Year	**$ -**	**$ -**	**$ -**	**$ -**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
TRI16-06-1 Target Rubberized Asphalt Concrete Incentive Grant
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ -	$ -	$ 47,950	$ -
Total Revenues	-	-	**47,950**	-
Expenditures:				
Current:				
Public works	-	-	47,950	-
Total Expenditures	-	-	**47,950**	-
Excess (Deficiency) of Revenue Over (Under) Expenditures	-	-	-	-
Net Change in Fund Balances	-	-	-	-
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	$ -	$ -	$ -	$ -

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PROPR 1B SPECIAL REVENUE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Current:				
Public works	$ 2,902,673	$ 2,902,673	$ 483,529	$ 2,419,144
Total Expenditures	**2,902,673**	**2,902,673**	**483,529**	**2,419,144**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(2,902,673)**	**(2,902,673)**	**(483,529)**	**2,419,144**
Net Change in Fund Balances	**(2,902,673)**	**(2,902,673)**	**(483,529)**	**2,419,144**
Fund Balances, Beginning of Year	2,902,673	2,902,673	2,902,673	-
Fund Balances, End of Year	**$ -**	**$ -**	**$ 2,419,144**	**$ 2,419,144**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
NEIGHBORHOOD STABILIZATION PROGRAM
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Current:				
Community development	$ -	$ -	$ 321	$ (321)
Total Expenditures	**-**	**-**	**321**	**(321)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**-**	**-**	**(321)**	**(321)**
Net Change in Fund Balances	**-**	**-**	**(321)**	**(321)**
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	**$ -**	**$ -**	**$ (321)**	**$ (321)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
FHWA TRANSIMS
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ -	$ 276,556	$ 93,944	$ (182,612)
Total Revenues	**-**	**276,556**	**93,944**	**(182,612)**
Expenditures:				
Current:				
Public works	-	299,056	102,212	196,844
Total Expenditures	**-**	**299,056**	**102,212**	**196,844**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**-**	**(22,500)**	**(8,268)**	**14,232**
Other Financing Sources (Uses)				
Transfers in	-	22,500	22,500	-
Total Other Financing Sources (Uses)	**-**	**22,500**	**22,500**	**-**
Net Change in Fund Balances	**-**	**-**	**14,232**	**14,232**
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	**$ -**	**$ -**	**$ 14,232**	**$ 14,232**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CITY HALL CAPITAL/ADMINISTRATION CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Miscellaneous	$ 320,000	$ 320,000	$ -	$ (320,000)
Total Revenues	**320,000**	**320,000**	**-**	**(320,000)**
Expenditures:				
Current:				
Public works	2,511,992	13,060,728	445,457	12,615,271
Total Expenditures	**2,511,992**	**13,060,728**	**445,457**	**12,615,271**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(2,191,992)**	**(12,740,728)**	**(445,457)**	**12,295,271**
Other Financing Sources (Uses)				
Transfers in	2,511,992	2,511,992	2,511,992	-
Transfers out	-	(67,040)	(67,040)	-
Total Other Financing Sources (Uses)	**2,511,992**	**2,444,952**	**2,444,952**	**-**
Net Change in Fund Balances	**320,000**	**(10,295,776)**	**1,999,495**	**12,295,271**
Fund Balances, Beginning of Year	12,215,846	12,215,846	12,215,846	-
Fund Balances, End of Year	**$ 12,535,846**	**$ 1,920,070**	**$ 14,215,341**	**$ 12,295,271**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CAPITAL IMPROVEMENTS CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Current:				
Public works	$ -	$ -	$ 38,487	$ (38,487)
Total Expenditures	**-**	**-**	**38,487**	**(38,487)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**-**	**-**	**(38,487)**	**(38,487)**
Net Change in Fund Balances	**-**	**-**	**(38,487)**	**(38,487)**
Fund Balances, Beginning of Year	215,339	215,339	215,339	-
Fund Balances, End of Year	**$ 215,339**	**$ 215,339**	**$ 176,852**	**$ (38,487)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PUBLIC WORKS CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Miscellaneous	$ -	$ -	$ 1,100	$ 1,100
Total Revenues	**-**	**-**	**1,100**	**1,100**
Expenditures:				
Current:				
Public works	-	299,171	289,447	9,724
Total Expenditures	**-**	**299,171**	**289,447**	**9,724**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**-**	**(299,171)**	**(288,347)**	**10,824**
Net Change in Fund Balances	**-**	**(299,171)**	**(288,347)**	**10,824**
Fund Balances, Beginning of Year	331,863	331,863	331,863	-
Fund Balances, End of Year	**$ 331,863**	**$ 32,692**	**$ 43,516**	**$ 10,824**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
TRAFFIC SIGNAL MITIGATION CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Fund Balances, Beginning of Year	$ 137,578	$ 137,578	$ 137,578	$ -
Fund Balances, End of Year	**$ 137,578**	**$ 137,578**	**$ 137,578**	**$ -**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
FIRE SERVICES CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Miscellaneous	$ 1,000	$ 1,000	$ -	$ (1,000)
Total Revenues	**1,000**	**1,000**	**-**	**(1,000)**
Expenditures:				
Current:				
Public safety	1,110,600	5,061,944	121,423	4,940,521
Total Expenditures	**1,110,600**	**5,061,944**	**121,423**	**4,940,521**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(1,109,600)**	**(5,060,944)**	**(121,423)**	**4,939,521**
Net Change in Fund Balances	**(1,109,600)**	**(5,060,944)**	**(121,423)**	**4,939,521**
Fund Balances, Beginning of Year	2,027,684	2,027,684	2,027,684	-
Fund Balances, End of Year	**$ 918,084**	**$ (3,033,260)**	**$ 1,906,261**	**$ 4,939,521**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PARK ACQUISITION AND DEVELOPMENT CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Fund Balances, Beginning of Year	$ 230	$ 230	$ 230	$ -
Fund Balances, End of Year	**$ 230**	**$ 230**	**$ 230**	**$ -**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
LEASE REVENUE BONDS 2005 CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 1,200,000	$ 1,200,000	$ 309,287	$ (890,713)
Miscellaneous	-	-	12,459	12,459
Total Revenues	**1,200,000**	**1,200,000**	**321,746**	**(878,254)**
Expenditures:				
Current:				
Public works	11,774,028	23,112,908	8,595,251	14,517,657
Total Expenditures	**11,774,028**	**23,112,908**	**8,595,251**	**14,517,657**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(10,574,028)**	**(21,912,908)**	**(8,273,505)**	**13,639,403**
Other Financing Sources (Uses)				
Transfers in	-	185,000	185,000	-
Transfers out	-	-	(309,120)	(309,120)
Total Other Financing Sources (Uses)	**-**	**185,000**	**(124,120)**	**(309,120)**
Net Change in Fund Balances	**(10,574,028)**	**(21,727,908)**	**(8,397,625)**	**13,330,283**
Fund Balances, Beginning of Year	21,354,993	21,354,993	21,354,993	-
Fund Balances, End of Year	**$ 10,780,965**	**$ (372,915)**	**$ 12,957,368**	**$ 13,330,283**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
TOWNGATE CAPITAL/ADMINISTRATION CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Current:				
Public works	$ -	$ -	$ 4,071	$ (4,071)
Total Expenditures	**-**	**-**	**4,071**	**(4,071)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**-**	**-**	**(4,071)**	**(4,071)**
Other Financing Sources (Uses)				
Transfers in	-	-	395,944	395,944
Transfers out	-	-	(3,038)	(3,038)
Total Other Financing Sources (Uses)	**-**	**-**	**392,906**	**392,906**
Net Change in Fund Balances	**-**	**-**	**388,835**	**388,835**
Fund Balances, Beginning of Year	(389,206)	(389,206)	(389,206)	-
Fund Balances, End of Year	**$ (389,206)**	**$ (389,206)**	**$ (371)**	**$ 388,835**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CENTERPOINTE CAPITAL/ADMINISTRATION CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Charges for services	$ -	$ -	$ 58,787	$ 58,787
Use of money and property	-	-	-	-
Fines and forfeitures	-	-	-	-
Miscellaneous	-	-	-	-
Total Revenues	**-**	**-**	**58,787**	**58,787**
Expenditures:				
Current:				
Public works	59,500	59,500	58,787	713
Total Expenditures	**59,500**	**59,500**	**58,787**	**713**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(59,500)**	**(59,500)**	**-**	**59,500**
Other Financing Sources (Uses)				
Transfers in	-	55,000	-	(55,000)
Total Other Financing Sources (Uses)	**-**	**55,000**	**-**	**(55,000)**
Net Change in Fund Balances	**(59,500)**	**(4,500)**	**-**	**4,500**
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	**$ (59,500)**	**$ (4,500)**	**$ -**	**$ 4,500**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
WARNER RANCH CAPITAL/DEVELOPMENT CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Taxes:				
Property Taxes	$ 8,300	$ 8,300	$ 9,263	$ 963
Total Revenues	**8,300**	**8,300**	**9,263**	**963**
Expenditures:				
Current:				
Public works	7,188	7,188	2,695	4,493
Total Expenditures	**7,188**	**7,188**	**2,695**	**4,493**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**1,112**	**1,112**	**6,568**	**5,456**
Net Change in Fund Balances	**1,112**	**1,112**	**6,568**	**5,456**
Fund Balances, Beginning of Year	(4,484)	(4,484)	(4,484)	-
Fund Balances, End of Year	**$ (3,372)**	**$ (3,372)**	**$ 2,084**	**$ 5,456**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
AUTO MALL CAPITAL/ADMINISTRATION FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Current:				
Public works	$ 153,440	$ 153,440	$ 148,446	$ 4,994
Total Expenditures	**153,440**	**153,440**	**148,446**	**4,994**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(153,440)**	**(153,440)**	**(148,446)**	**4,994**
Other Financing Sources (Uses)				
Transfers in	148,940	148,940	148,446	(494)
Total Other Financing Sources (Uses)	**148,940**	**148,940**	**148,446**	**(494)**
Net Change in Fund Balances	**(4,500)**	**(4,500)**	**-**	**4,500**
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	**$ (4,500)**	**$ (4,500)**	**$ -**	**$ 4,500**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PARKS & COMMUNITY SERVICES CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ -	$ -	$ 239,746	$ 239,746
Miscellaneous	-	-	204	204
Total Revenues	**-**	**-**	**239,950**	**239,950**
Expenditures:				
Current:				
Community and cultural	3,626,000	13,477,443	537,482	12,939,961
Total Expenditures	**3,626,000**	**13,477,443**	**537,482**	**12,939,961**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(3,626,000)**	**(13,477,443)**	**(297,532)**	**13,179,911**
Other Financing Sources (Uses)				
Transfers in	-	-	(74,000)	(74,000)
Total Other Financing Sources (Uses)	**-**	**-**	**(74,000)**	**(74,000)**
Net Change in Fund Balances	**(3,626,000)**	**(13,477,443)**	**(371,532)**	**13,105,911**
Fund Balances, Beginning of Year	6,939,298	6,939,298	6,939,298	-
Fund Balances, End of Year	**$ 3,313,298**	**$ (6,538,145)**	**$ 6,567,766**	**$ 13,105,911**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
TUMF CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Intergovernmental	$ -	$ 18,401,000	$ 7,504,916	$ (10,896,084)
Charges for services	-	-	2,470	2,470
Use of money and property	-	-	1,532	1,532
Miscellaneous	-	-	6,633	6,633
Total Revenues	**-**	**18,401,000**	**7,515,551**	**(10,885,449)**
Expenditures:				
Current:				
Public works	-	31,294,856	8,619,492	22,675,364
Total Expenditures	**-**	**31,294,856**	**8,619,492**	**22,675,364**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**-**	**(12,893,856)**	**(1,103,941)**	**11,789,915**
Net Change in Fund Balances	**-**	**(12,893,856)**	**(1,103,941)**	**11,789,915**
Fund Balances, Beginning of Year	(1,901,393)	(1,901,393)	(1,901,393)	-
Fund Balances, End of Year	**$ (1,901,393)**	**$ (14,795,249)**	**$ (3,005,334)**	**$ 11,789,915**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
DIF CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Miscellaneous	$ 2,000	$ 2,000	$ 3,517	$ 1,517
Total Revenues	**2,000**	**2,000**	**3,517**	**1,517**
Expenditures:				
Current:				
Public works	4,576,846	11,081,344	3,021,840	8,059,504
Total Expenditures	**4,576,846**	**11,081,344**	**3,021,840**	**8,059,504**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(4,574,846)**	**(11,079,344)**	**(3,018,323)**	**8,061,021**
Other Financing Sources (Uses)				
Transfers in	4,576,846	4,576,846	4,576,846	-
Total Other Financing Sources (Uses)	**4,576,846**	**4,576,846**	**4,576,846**	**-**
Net Change in Fund Balances	**2,000**	**(6,502,498)**	**1,558,523**	**8,061,021**
Fund Balances, Beginning of Year	9,267,411	9,267,411	9,267,411	-
Fund Balances, End of Year	**$ 9,269,411**	**$ 2,764,913**	**$ 10,825,934**	**$ 8,061,021**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
STONERIDGE CAPITAL ADMINISTRATION CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 100,000	$ 100,000	$ 22,768	$ (77,232)
Total Revenues	**100,000**	**100,000**	**22,768**	**(77,232)**
Expenditures:				
Current:				
Public works	50,000	50,000	2,228,521	(2,178,521)
Total Expenditures	**50,000**	**50,000**	**2,228,521**	**(2,178,521)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**50,000**	**50,000**	**(2,205,753)**	**(2,255,753)**
Other Financing Sources (Uses)				
Transfers in	50,000	50,000	50,000	-
Total Other Financing Sources (Uses)	**50,000**	**50,000**	**50,000**	**-**
Net Change in Fund Balances	**100,000**	**100,000**	**(2,155,753)**	**(2,255,753)**
Fund Balances, Beginning of Year	2,613,210	2,613,210	2,613,210	-
Fund Balances, End of Year	**$ 2,713,210**	**$ 2,713,210**	**$ 457,457**	**$ (2,255,753)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
OPA SALES TAX AGREEMENTS DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 320,000	$ 320,000	$ 394,359	$ 74,359
Total Revenues	**320,000**	**320,000**	**394,359**	**74,359**
Expenditures:				
Debt service:				
Principal retirement	-	-	-	-
Interest and fiscal charges	320,000	320,000	394,359	(74,359)
Total Expenditures	**320,000**	**320,000**	**394,359**	**(74,359)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	-	-	-	-
Net Change in Fund Balances	-	-	-	-
Fund Balances, Beginning of Year	-	-	-	-
Fund Balances, End of Year	**$ -**	**$ -**	**$ -**	**$ -**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CITY HALL COPS SERIES 1997 DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Debt service:				
Principal retirement	$ 570,000	$ 570,000	$ 570,000	$ -
Interest and fiscal charges	321,000	321,000	125,960	195,040
Total Expenditures	**891,000**	**891,000**	**695,960**	**195,040**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(891,000)**	**(891,000)**	**(695,960)**	**195,040**
Other Financing Sources (Uses)				
Transfers in	891,000	891,000	645,569	(245,431)
Total Other Financing Sources (Uses)	**891,000**	**891,000**	**645,569**	**(245,431)**
Net Change in Fund Balances	**-**	**-**	**(50,391)**	**(50,391)**
Fund Balances, Beginning of Year	803,105	803,105	803,105	-
Fund Balances, End of Year	**$ 803,105**	**$ 803,105**	**$ 752,714**	**$ (50,391)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
AUTO MALL SPECIAL TAX BONDS DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Taxes:				
Sales Taxes	$ 1,500,000	$ 1,500,000	$ 848,814	$ (651,186)
Other Taxes	1,189,025	1,189,025	1,212,731	23,706
Use of money and property	45,105	45,105	11,711	(33,394)
Total Revenues	**2,734,130**	**2,734,130**	**2,073,256**	**(660,874)**
Expenditures:				
Debt service:				
Principal retirement	2,139,025	2,139,025	865,000	1,274,025
Interest and fiscal charges	239,025	239,025	1,118,114	(879,089)
Total Expenditures	**2,378,050**	**2,378,050**	**1,983,114**	**394,936**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**356,080**	**356,080**	**90,142**	**(265,938)**
Other Financing Sources (Uses)				
Transfers in	215,651	215,651	103,026	(112,625)
Transfers out	(148,940)	(148,940)	(148,446)	494
Total Other Financing Sources (Uses)	**66,711**	**66,711**	**(45,420)**	**(112,131)**
Net Change in Fund Balances	**422,791**	**422,791**	**44,722**	**(378,069)**
Fund Balances, Beginning of Year	2,128,309	2,128,309	2,128,309	-
Fund Balances, End of Year	**$ 2,551,100**	**$ 2,551,100**	**$ 2,173,031**	**$ (378,069)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CFD# 5 STONERIDGE DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Taxes:				
Other Taxes	$ 353,615	$ 353,615	$ 344,701	$ (8,914)
Use of money and property	24,270	24,270	344	(23,926)
Total Revenues	**377,885**	**377,885**	**345,045**	**(32,840)**
Expenditures:				
Debt service:				
Principal retirement	15,000	15,000	-	15,000
Interest and fiscal charges	288,615	288,615	291,872	(3,257)
Total Expenditures	**303,615**	**303,615**	**291,872**	**11,743**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**74,270**	**74,270**	**53,173**	**(21,097)**
Other Financing Sources (Uses)				
Transfers out	(50,000)	(50,000)	(50,000)	-
Total Other Financing Sources (Uses)	**(50,000)**	**(50,000)**	**(50,000)**	**-**
Net Change in Fund Balances	**24,270**	**24,270**	**3,173**	**(21,097)**
Fund Balances, Beginning of Year	711,106	711,106	711,106	-
Fund Balances, End of Year	**$ 735,376**	**$ 735,376**	**$ 714,279**	**$ (21,097)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CERTIFICATE OF PARTICIPATION SERIES 1993 DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Expenditures:				
Debt service:				
Interest and fiscal charges	$ 2,000	$ 2,000	$ 5,000	$ (3,000)
Total Expenditures	**2,000**	**2,000**	**5,000**	**(3,000)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(2,000)**	**(2,000)**	**(5,000)**	**(3,000)**
Net Change in Fund Balances	**(2,000)**	**(2,000)**	**(5,000)**	**(3,000)**
Fund Balances, Beginning of Year	428,959	428,959	428,959	-
Fund Balances, End of Year	**$ 426,959**	**$ 426,959**	**$ 423,959**	**$ (3,000)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
PUBLIC SAFETY LEASE REVENUE BONDS 1997 DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 18,000	$ 18,000	$ 3,804	$ (14,196)
Total Revenues	**18,000**	**18,000**	**3,804**	**(14,196)**
Expenditures:				
Debt service:				
Principal retirement	185,000	185,000	185,000	-
Interest and fiscal charges	217,422	217,422	219,322	(1,900)
Total Expenditures	**402,422**	**402,422**	**404,322**	**(1,900)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(384,422)**	**(384,422)**	**(400,518)**	**(16,096)**
Other Financing Sources (Uses)				
Transfers in	402,422	402,422	402,422	-
Total Other Financing Sources (Uses)	**402,422**	**402,422**	**402,422**	**-**
Net Change in Fund Balances	**18,000**	**18,000**	**1,904**	**(16,096)**
Fund Balances, Beginning of Year	759,564	759,564	759,564	-
Fund Balances, End of Year	**$ 777,564**	**$ 777,564**	**$ 761,468**	**$ (16,096)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
LEASE REVENUE BONDS 2005 DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 155,000	$ 155,000	$ 59,700	$ (95,300)
Total Revenues	**155,000**	**155,000**	**59,700**	**(95,300)**
Expenditures:				
Debt service:				
Principal retirement	865,000	865,000	770,000	95,000
Interest and fiscal charges	2,106,065	2,106,215	1,881,338	224,877
Total Expenditures	**2,971,065**	**2,971,215**	**2,651,338**	**319,877**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(2,816,065)**	**(2,816,215)**	**(2,591,638)**	**224,577**
Other Financing Sources (Uses)				
Transfers in	2,645,966	2,645,966	3,421,372	775,406
Transfers out	-	-	(112,731)	(112,731)
Total Other Financing Sources (Uses)	**2,645,966**	**2,645,966**	**3,308,641**	**662,675**
Net Change in Fund Balances	**(170,099)**	**(170,249)**	**717,003**	**887,252**
Fund Balances, Beginning of Year	8,074,588	8,074,588	8,074,588	-
Fund Balances, End of Year	**$ 7,904,489**	**$ 7,904,339**	**$ 8,791,591**	**$ 887,252**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
2007 TOWNGATE IMPROVEMENT REFUNDING DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Other Taxes	$ 129,064	$ 129,064	$ 108,495	$ (20,569)
Use of money and property	7,000	7,000	4,908	(2,092)
Total Revenues	**136,064**	**136,064**	**113,403**	**(22,661)**
Expenditures:				
Debt service:				
Principal retirement	220,000	220,000	220,000	-
Interest and fiscal charges	214,559	214,559	210,359	4,200
Total Expenditures	**434,559**	**434,559**	**430,359**	**4,200**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(298,495)**	**(298,495)**	**(316,956)**	**(18,461)**
Other Financing Sources (Uses)				
Transfers in	305,495	305,495	284,191	(21,304)
Transfers out	-	-	(3,700)	(3,700)
Total Other Financing Sources (Uses)	**305,495**	**305,495**	**280,491**	**(25,004)**
Net Change in Fund Balances	**7,000**	**7,000**	**(36,465)**	**(43,465)**
Fund Balances, Beginning of Year	877,996	877,996	877,996	-
Fund Balances, End of Year	**$ 884,996**	**$ 884,996**	**$ 841,531**	**$ (43,465)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
2007 TOWNGATE IMPROVEMENT REFUNDING DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 55,000	$ 55,000	$ 18,593	$ (36,407)
Total Revenues	**55,000**	**55,000**	**18,593**	**(36,407)**
Expenditures:				
Debt service:				
Principal retirement	575,000	575,000	575,000	-
Interest and fiscal charges	574,756	574,756	574,161	595
Total Expenditures	**1,149,756**	**1,149,756**	**1,149,161**	**595**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**(1,094,756)**	**(1,094,756)**	**(1,130,568)**	**(35,812)**
Other Financing Sources (Uses)				
Transfers in	1,163,256	1,163,256	1,152,574	(10,682)
Transfers out	-	-	(392,244)	(392,244)
Total Other Financing Sources (Uses)	**1,163,256**	**1,163,256**	**760,330**	**(402,926)**
Net Change in Fund Balances	**68,500**	**68,500**	**(370,238)**	**(438,738)**
Fund Balances, Beginning of Year	3,285,034	3,285,034	3,285,034	-
Fund Balances, End of Year	**$ 3,353,534**	**$ 3,353,534**	**$ 2,914,796**	**$ (438,738)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
CELEBRATION PARK ENDOWMENT FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 2,000	$ 2,000	$ 1,385	$ (615)
Total Revenues	**2,000**	**2,000**	**1,385**	**(615)**
Excess (Deficiency) of Revenue Over (Under) Expenditures	**2,000**	**2,000**	**1,385**	**(615)**
Net Change in Fund Balances	**2,000**	**2,000**	**1,385**	**(615)**
Fund Balances, Beginning of Year	53,586	53,586	53,586	-
Fund Balances, End of Year	**$ 55,586**	**$ 55,586**	**$ 54,971**	**$ (615)**

City of Moreno Valley
BUDGETARY COMPARISON STATEMENT
EQUESTRIAN TRAIL ENDOWMENT FUND
YEAR ENDED JUNE 30, 2009

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual Amounts	Positive (Negative)
Revenues:				
Use of money and property	$ 400	$ 400	$ 359	$ (41)
Total Revenues	**400**	**400**	**359**	**(41)**
Excess (Deficiency) of Revenue Over(Under) Expenditures	**400**	**400**	**359**	**(41)**
Net Change in Fund Balances	**400**	**400**	**359**	**(41)**
Fund Balances, Beginning of Year	11,106	11,106	11,106	-
Fund Balances, End of Year	**$ 11,506**	**$ 11,506**	**$ 11,465**	**$ (41)**

Internal Service Funds

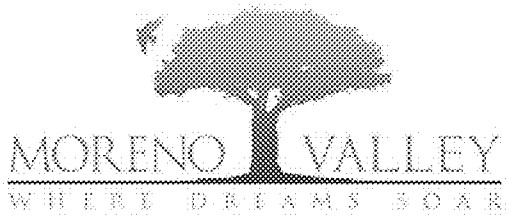

INTERNAL SERVICE FUNDS

General Liability Insurance Fund

This fund is used to account for the costs of maintaining the City' s general liability insurance program, on a reimbursement basis through charges to benefiting funds; and maintaining responsible reserves based on current actuarial assumptions.

Workers' Compensation Insurance Fund

This fund is used to account for the costs of maintaining the City workers' compensation insurance program, on a reimbursement basis through charges to benefiting funds; and maintaining responsible reserves based on current actuarial assumptions.

Technology Services Fund

This fund is used to account for the costs of maintaining and replacing the City' s information systems including major software, hardware, radios, telephones, and the City' s backbone telecommunications infrastructure. The fund recovers costs through charges to benefiting funds.

Central Services Fund

This fund is used to account for the costs of centralized receiving and distribution of mail and purchased goods. The fund recovers costs through charges to benefiting funds.

Facilities Maintenance Fund

This fund is used to account for the costs of maintaining all City-owned and leased buildings. Its user charges include the recovery of both depreciation on the City Hall building and debt service on the 1997 variable rate Certificates of Participation originally issued in 1995 to finance the acquisition of the building.

Equipment Maintenance Fund

This fund is used to account for the maintenance costs of the City' s inventory of vehicles and equipment, on a cost reimbursement basis through user charges to benefiting funds.

Equipment Replacement Reserve Fund

This fund is used to account for the accumulation of cash reserves to replace City vehicles and capital equipment, based on replacement cost and useful life. The reserve receives cash through user charges for each fund' s share of annual depreciation; and provides cash as a funding source to participating funds for capital replacement.

City of Moreno Valley
COMBINING STATEMENT OF NET ASSETS
INTERNAL SERVICE FUNDS
JUNE 30, 2009

	General Liability Insurance	Workers' Compensation Insurance	Technology Services
Assets:			
Current:			
Pooled cash and investments	$ 2,690,253	$ 4,193,983	$ 7,536,576
Receivables:			
Accounts	1,098	186	-
Prepaid costs	-	-	-
Inventories	-	-	-
Total Current Assets	**2,691,351**	**4,194,169**	**7,536,576**
Noncurrent:			
Capital assets - net of accumulated depreciation	-	-	988,157
Total Assets	**2,691,351**	**4,194,169**	**8,524,733**
Liabilities and Net Assets:			
Liabilities:			
Current:			
Accounts payable	$ 33,118	$ 6,053	$ 139,609
Accrued payroll liabilities	4,540	1,748	101,122
Total Current Liabilities	**37,658**	**7,801**	**240,731**
Long-Term:			
Compensated absences	14,002	6,622	328,371
Self-insurance payable	1,218,000	2,315,000	-
Total Long-Term Liabilities	**1,232,002**	**2,321,622**	**328,371**
Total Liabilities	**1,269,660**	**2,329,423**	**569,102**
Net Assets:			
Invested in capital assets	-	-	988,157
Unrestricted	1,421,691	1,864,746	6,967,474
Total Net Assets	**1,421,691**	**1,864,746**	**7,955,631**
Total Liabilities and Net Assets	**$ 2,691,351**	**$ 4,194,169**	**$ 8,524,733**

Central Services	Facilities Maintenance	Equipment Maintenance	Equipment Replacement Reserve	Totals
$ -	$ 4,681,299	$ 229,293	$ 13,677,525	$ 33,008,929
-	180	-	-	1,464
-	8,408	-	-	8,408
-	-	6,796	-	6,796
-	**4,689,887**	**236,089**	**13,677,525**	**33,025,597**
-	7,418,906	93,687	839,802	9,340,552
-	**12,108,793**	**329,776**	**14,517,327**	**42,366,149**
$ -	$ 92,820	$ 21,942	$ -	$ 293,542
-	40,966	14,665	-	163,041
-	**133,786**	**36,607**	**-**	**456,583**
-	112,192	13,560	-	474,747
-	-	-	-	3,533,000
-	**112,192**	**13,560**	**-**	**4,007,747**
-	**245,978**	**50,167**	**-**	**4,464,330**
-	7,418,906	93,687	839,802	9,340,552
-	4,443,909	185,922	13,677,525	28,561,267
-	**11,862,815**	**279,609**	**14,517,327**	**37,901,819**
$ -	**$ 12,108,793**	**$ 329,776**	**$ 14,517,327**	**$ 42,366,149**

City of Moreno Valley
COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS
INTERNAL SERVICE FUNDS
YEAR ENDED JUNE 30, 2009

	General Liability Insurance	Workers' Compensation Insurance	Technology Services
Operating Revenues:			
Sales and service charges	$ 1,289,728	$ 1,344,853	$ 3,873,741
Miscellaneous	2,746	-	52,373
Total Operating Revenues	**1,292,474**	**1,344,853**	**3,926,114**
Operating Expenses:			
Cost of services	300,414	165,894	3,662,824
Self-insurance claims and charges	360,518	356,934	-
Depreciation	-	-	303,435
Total Operating Expenses	**660,932**	**522,828**	**3,966,259**
Operating Income (Loss)	631,542	822,025	(40,145)
Nonoperating Revenues (Expenses):			
Gain (Loss) on sale of capital assets	-	-	-
Total Nonoperating Revenues (Expenses)	-	-	-
Income (Loss) Before Transfers	631,542	822,025	(40,145)
Transfers out	-	-	-
Change in Net Assets	631,542	822,025	(40,145)
Net Assets:			
Beginning of Fiscal Year, as restated	790,149	1,042,721	7,995,776
Net assets at end of year	**$ 1,421,691**	**$ 1,864,746**	**$ 7,955,631**

Central Services	Facilities Maintenance	Equipment Maintenance	Equipment Replacement Reserve	Totals
$ 36,731	$ 4,602,060	$ 822,229	$ 2,306,671	$ 14,276,013
-	4,792	3,745	-	63,656
36,731	**4,606,852**	**825,974**	**2,306,671**	**14,339,669**
-	3,173,863	785,115	-	8,088,110
-	-	-	-	717,452
-	237,060	36,416	289,124	866,035
-	**3,410,923**	**821,531**	**289,124**	**9,671,597**
36,731	1,195,929	4,443	2,017,547	4,668,072
(74,103)	-	-	25,385	(48,718)
(74,103)	**-**	**-**	**25,385**	**(48,718)**
(37,372)	1,195,929	4,443	2,042,932	4,619,354
-	(645,569)	-	(1,058,763)	(1,704,332)
(37,372)	550,360	4,443	984,169	2,915,022
37,372	11,312,455	275,166	13,533,158	34,986,797
$ -	**$ 11,862,815**	**$ 279,609**	**$ 14,517,327**	**$ 37,901,819**

City of Moreno Valley
COMBINING STATEMENT OF CASH FLOWS
INTERNAL SERVICE FUNDS
YEAR ENDED JUNE 30, 2009

	General Liability Insurance	Worker's Compensation Insurance	Technology Services
Cash Flows from Operating Activities:			
Cash received from customers	$ 1,289,005	$ 1,345,792	$ 3,873,771
Cash payments to suppliers for goods and services	(215,964)	(66,920)	(1,373,618)
Cash payments for claims	(626,518)	(368,934)	-
Cash payments to employees for services	(133,063)	(127,925)	(2,174,356)
Other operating revenues (expenses)	2,746	-	52,373
Net Cash Provided (Used) by Operating Activities	**316,206**	**782,013**	**378,170**
Cash Flows from Noncapital Financing Activities:			
Cash transfers to other funds	-	-	-
Net Cash Provided (Used) by Noncapital Financing Activities	**-**	**-**	**-**
Cash Flows from Capital and Related Financing Activities:			
Acquisition and construction of capital assets	-	-	(92,576)
Proceeds from disposal of capital assets	-	-	-
Net Cash Provided (Used) by Capital and Related Financing Activities	**-**	**-**	**(92,576)**
Net Increase (Decrease) in Cash and Cash Equivalents	316,206	782,013	285,594
Cash and Cash Equivalents at Beginning of Year	2,374,047	3,411,970	7,250,982
Cash and Cash Equivalents at End of Year	**$ 2,690,253**	**$ 4,193,983**	**$ 7,536,576**
Reconciliation of Change in Net Assets to Net Cash Provided (Used) by Operating Activities:			
Operating income (loss)	$ 631,542	$ 822,025	$ (40,145)
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Depreciation	-	-	303,435
(Increase) decrease in accounts receivable	(723)	939	30
(Increase) decrease in prepaids	-	-	1,258
(Increase) decrease in inventories	-	-	-
Increase (decrease) in accounts payable	(49,819)	3,526	59,180
Increase (decrease) in other accrued liabilities	(14,976)	(20,246)	(148,906)
Increase (decrease) in due to Moreno Valley	-	-	-
Increase (decrease) in compensated absences	16,182	(12,231)	203,318
Increase (decrease) in self-insurance payable	(266,000)	(12,000)	-
Total Adjustments	**(315,336)**	**(40,012)**	**418,315**
Net Cash Provided (Used) by Operating Activities	**$ 316,206**	**$ 782,013**	**$ 378,170**

Schedule of Noncash Investing, Capital and Noncapital Financing Activities:

There were no significant noncash investing, capital and noncapital financing activities for the year ended June 30, 2009.

Central Services	City Hall Facility	Equipment Maintenance	Equipment Replacement Reserve	Totals
$ 36,731	$ 4,602,059	$ 822,645	$ 2,306,670	$ 14,276,673
(25,730)	(2,121,112)	(409,238)	-	(4,212,582)
-	-	-	-	(995,452)
(11,001)	(1,112,713)	(384,558)	-	(3,943,616)
-	4,792	3,745	-	63,656
-	**1,373,026**	**32,594**	**2,306,670**	**5,188,679**
-	(645,569)	-	(1,058,763)	(1,704,332)
-	**(645,569)**	**-**	**(1,058,763)**	**(1,704,332)**
-	(136,008)	-	-	(228,584)
-	-	-	25,385	25,385
-	**(136,008)**	**-**	**25,385**	**(203,199)**
-	591,449	32,594	1,273,292	3,281,148
-	4,089,850	196,699	12,404,233	29,727,781
$ -	**$ 4,681,299**	**$ 229,293**	**$ 13,677,525**	**$ 33,008,929**
$ 36,731	$ 1,195,929	$ 4,443	$ 2,017,546	$ 4,668,071
-	237,060	36,416	289,124	866,035
-	(1)	416	-	661
27,449	(916)	-	-	27,791
4,657	-	9,751	-	14,408
(17,113)	(70,627)	(16,521)	-	(91,374)
(9,284)	(66,768)	(25,017)	-	(285,197)
(40,723)	-	-	-	(40,723)
(1,717)	78,349	23,106	-	307,007
-	-	-	-	(278,000)
(36,731)	**177,097**	**28,151**	**289,124**	**520,608**
$ -	**$ 1,373,026**	**$ 32,594**	**$ 2,306,670**	**$ 5,188,679**

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Agency Funds

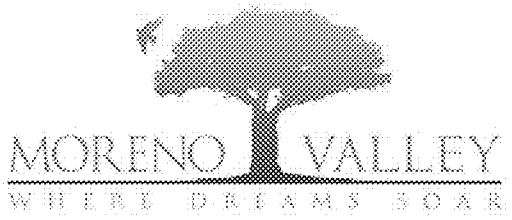

AGENCY FUNDS

AGENCY FUNDS:

Deposit Liability Fund

This fund is used to account for miscellaneous deposits collected by the City.

Assessment District 87-4 Fund

This fund is used to account for the receipt and remittance of special assessments for the Assessment District 87-4 Limited Obligation Improvement Bonds. The bonds are not secured by the general taxing power of the City, the State of California or any other political subdivision thereof, and neither the City nor the State, nor any potential subdivision thereof, has pledged its full faith and credit for the payment thereof.

Assessment District 98-1 Fund

This fund is used to account for the receipt and remittance of special assessments for the Assessment District 98-1 Limited Obligation Improvement Bonds. All property owners except one paid their fees upfront.

TUMF Trust Fund

This fund is used to account for the receipt of the Transportation Uniform Mitigation Fees (TUMF) and their remittance to the Western Riverside Council of Governments (WRCOG).

MSHCP Trust Fund

This fund is used to account for the receipt of the Multi-Species Habitat Conservation Plan (MSHCP) fees and their remittance to the Western Riverside County Regional Conservation Agency (WRCRCA).

Moreno Valley Employees Assistance Fund

This fund is used to account for employee donations to assist fellow employees who are in need of financial assistance.

Moreno Valley Foundation Donations Fund

This fund is being used on a temporary basis to account for the receipts and disbursements of the Moreno Valley Community Foundation until such time that the Foundation is officially cleared by the Internal Revenue Service to become operational as a tax-exempt 501 (c) 3 organization.

Arts Commission Fund

This fund is used to account for funds received to encourage, stimulate, promote and foster programs for the cultural enrichment of the City, thereby contributing to the quality of life of its residents. This fund also accounts for funding received to develop an awareness of the value of arts in Moreno Valley' s business community, local government and the general public.

City of Moreno Valley
COMBINING BALANCE SHEET
ALL AGENCY FUNDS
JUNE 30, 2009

	Deposit Liability	Assessment District 87-4	Assessment District 98-1
Assets:			
Pooled cash and investments	$ 7,474,418	$ 419,968	$ 3,817
Receivables:			
Accounts	1,540	-	-
Interest	-	3	-
Due from other governments	-	2,383	-
Total Assets	**$ 7,475,958**	**$ 422,354**	**$ 3,817**
Liabilities:			
Accounts payable	$ 113,909	$ -	$ 2,813
Other accrued liabilities	1,919	-	-
Due to Moreno Valley	-	-	-
Deposits payable	7,360,130	-	-
Payable to trustee	-	422,354	1,004
Total Liabilities	**7,475,958**	**422,354**	**3,817**

TUMF Trust	MSHCP Trust	Moreno Valley Employees Assistance	Moreno Valley Foundation Donations
$ 225,659	$ -	$ 323	$ 221,650
-	-	-	-
-	-	-	-
-	26,416	-	-
$ 225,659	**$ 26,416**	**$ 323**	**$ 221,650**
$ -	$ 1,722	$ -	$ -
-	-	-	-
-	24,694	-	-
225,659	-	323	-
-	-	-	221,650
225,659	**26,416**	**323**	**221,650**

(Continued)

City of Moreno Valley
COMBINING BALANCE SHEET
ALL AGENCY FUNDS
JUNE 30, 2009
(Continued)

	Arts Commission	Totals
Assets:		
Pooled cash and investments	$ 92	$ 8,345,927
Receivables:		
Accounts	-	1,540
Interest	-	3
Due from other governments	-	28,799
Total Assets	**$ 92**	**$ 8,376,269**
Liabilities:		
Accounts payable	$ -	$ 118,444
Other accrued liabilities	-	1,919
Due to Moreno Valley	-	24,694
Deposits payable	-	7,586,112
Payable to trustee	92	645,100
Total Liabilities	**92**	**8,376,269**

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City of Moreno Valley
COMBINING SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ALL AGENCY FUNDS
YEAR ENDED JUNE 30, 2009

	Balance July 1, 2008	Additions	Deletions	Balance June 30, 2009
Deposit Liability				
Assets:				
Cash and investments	$ 10,927,798	$ 16,533,535	$ 19,986,915	$ 7,474,418
Accounts receivable	14,142	181,540	194,142	1,540
Total Assets	**$ 10,941,940**	**$ 16,715,075**	**$ 20,181,057**	**$ 7,475,958**
Liabilities:				
Accounts payable	$ 13,969	$ 4,073,869	$ 3,973,929	$ 113,909
Other accrued liabilities	1,770	7,021	6,872	1,919
Due to Moreno Valley	8,028	-	8,028	-
Deposits payable	10,918,173	4,245,713	7,803,756	7,360,130
Total Liabilities	**$ 10,941,940**	**$ 8,326,603**	**$ 11,792,585**	**$ 7,475,958**
Assessment District 87-4				
Assets:				
Cash and investments	$ 31,092	$ 1,251,269	$ 1,227,187	$ 55,174
Cash and investments with fiscal agents	533,134	301,268	469,608	364,794
Interest receivable	800	3	800	3
Due from other governments	13,934	2,383	13,934	2,383
Total Assets	**$ 578,960**	**$ 1,554,923**	**$ 1,711,529**	**$ 422,354**
Liabilities:				
Accounts payable	$ -	$ 6,730	$ 6,730	$ -
Payable to trustee	578,960	1,561,653	1,718,259	422,354
Total Liabilities	**$ 578,960**	**$ 1,568,383**	**$ 1,724,989**	**$ 422,354**
Assessment District 98-1				
Assets:				
Cash and investments	$ -	$ 4,042	$ 225	$ 3,817
Due from other governments	175	-	175	-
Total Assets	**$ 175**	**$ 4,042**	**$ 400**	**$ 3,817**
Liabilities:				
Accounts payable	$ -	$ 2,813	$ -	$ 2,813
Due to Moreno Valley	175	-	175	-
Payable to trustee	-	4,217	3,213	1,004
Total Liabilities	**$ 175**	**$ 7,030**	**$ 3,388**	**$ 3,817**

City of Moreno Valley
COMBINING SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ALL AGENCY FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Balance July 1, 2008	Additions	Deletions	Balance June 30, 2009
TUMF Trust				
Assets:				
Cash and investments	$ 376,647	$ 1,890,681	$ 2,041,669	$ 225,659
Total Assets	**$ 376,647**	**$ 1,890,681**	**$ 2,041,669**	**$ 225,659**
Liabilities:				
Deposits payable	$ 376,647	$ 1,537,881	$ 1,688,869	$ 225,659
Total Liabilities	**$ 376,647**	**$ 1,537,881**	**$ 1,688,869**	**$ 225,659**
MSHCP Trust				
Assets:				
Cash and investments	$ 21,569	$ 207,654	$ 229,223	$ -
Due from other governments	26,416	-	-	26,416
Total Assets	**$ 47,985**	**$ 207,654**	**$ 229,223**	**$ 26,416**
Liabilities:				
Accounts payable	$ -	$ 230,945	$ 229,223	$ 1,722
Due to Moreno Valley	-	24,694	-	24,694
Deposits payable	47,985	353,524	401,509	-
Total Liabilities	**$ 47,985**	**$ 609,163**	**$ 630,732**	**$ 26,416**
Moreno Valley Employees Assistance				
Assets:				
Cash and investments	$ 646	$ -	$ 323	$ 323
Total Assets	**$ 646**	**$ -**	**$ 323**	**$ 323**
Liabilities:				
Accounts payable	$ -	$ 323	$ 323	$ -
Deposits payable	646	-	323	$ 323
Total Liabilities	**$ 646**	**$ 323**	**$ 646**	**$ 323**

City of Moreno Valley
COMBINING SCHEDULE OF CHANGES IN ASSETS AND LIABILITIES
ALL AGENCY FUNDS
YEAR ENDED JUNE 30, 2009
(Continued)

	Balance July 1, 2008	Additions	Deletions	Balance June 30, 2009
Moreno Valley Foundation Donations				
Assets:				
Cash and investments	$ 168,582	$ 10,321,097	$ 10,268,029	$ 221,650
Total Assets	**$ 168,582**	**$ 10,321,097**	**$ 10,268,029**	**$ 221,650**
Liabilities:				
Accounts payable	$ 1,523	$ 20,750	$ 22,273	$ -
Payable to trustee	167,059	10,343,370	10,288,779	221,650
Total Liabilities	**$ 168,582**	**$ 10,364,120**	**$ 10,311,052**	**$ 221,650**
Arts Commission				
Assets:				
Cash and investments	$ -	$ 12,224	$ 12,132	$ 92
Total Assets	**$ -**	**$ 12,224**	**$ 12,132**	**$ 92**
Liabilities:				
Accounts payable	$ -	$ 450	$ 450	$ -
Payable to trustee	-	12,224	12,132	92
Total Liabilities	**$ -**	**$ 12,674**	**$ 12,582**	**$ 92**
Totals - All Agency Funds				
Assets:				
Cash and investments	$ 11,526,334	$ 30,220,502	$ 33,765,703	$ 7,981,133
Cash and investments with fiscal agents	533,134	301,268	469,608	364,794
Accounts receivable	14,142	181,540	194,142	1,540
Interest receivable	800	3	800	3
Due from other governments	40,525	2,383	14,109	28,799
Total Assets	**$ 12,114,935**	**$ 30,705,696**	**$ 34,444,362**	**$ 8,376,269**
Liabilities:				
Accounts payable	$ 15,492	$ 4,335,880	$ 4,232,928	$ 118,444
Other accrued liabilities	1,770	7,021	6,872	1,919
Due to Moreno Valley	8,203	24,694	8,203	24,694
Deposits payable	11,343,451	6,137,118	9,894,457	7,586,112
Payable to trustee	746,019	11,921,464	12,022,383	645,100
Total Liabilities	**$ 12,114,935**	**$ 22,426,177**	**$ 26,164,843**	**$ 8,376,269**

Capital Assets

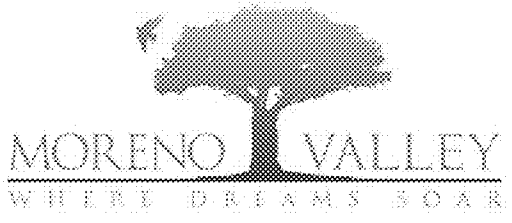

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City of Moreno Valley
SCHEDULE OF GENERAL CAPITAL ASSETS
BY FUNCTION AND ACTIVITY
JUNE 30, 2009

	Land	CIP	Buildings & Improvements
Function and Activity:			
General Government:			
Administrative & Policy	$ -	$ 309,148	$ -
City Attorney	-	-	-
Communications	-	-	-
Human Resources	-	-	-
Finance	-	-	-
Other- Unclassified	45,642,917	36,900	1,209,148
Total General Government	**45,642,917**	**346,048**	**1,209,148**
Public Safety:			
Police	137,173	-	8,094,911
Fire	893,270	-	17,017,353
Animal Control	590,127	-	3,040,333
Emergency Operations/Volunteer Services	-	-	15,937
Total Public Safety	**1,620,570**	**-**	**28,168,534**
Public Works	251,134,384	45,189,475	-
Community Development	-	-	272,787
Community Services District	-	146,225	49,973,475
Redevelopment Agency	4,895,989	9,752,966	12,191,837
Internal Service Funds	-	540,381	10,021,783
Totals	**256,030,373**	**55,629,047**	**72,459,882**
Grand Total	**$ 303,293,860**	**$ 55,975,095**	**$ 101,837,564**

Furniture & Equipment	Vehicles	Infrastructure	Totals
$ -	$ -	$ -	$ 309,148
12,068	-	-	12,068
203,255	84,428	-	287,683
16,467	-	-	16,467
23,534	62,805	-	86,339
21,832	-	-	46,910,797
277,156	**147,233**	**-**	**47,622,502**
952,569	1,070,234	-	10,254,887
853,925	2,100,719	-	20,865,267
93,064	314,556	-	4,038,080
40,906	170,667	-	227,510
1,940,464	**3,656,176**	**-**	**35,385,744**
857,354	2,504,184	520,003,713	819,689,110
364,889	388,770	-	1,026,446
1,250,323	503,398	-	51,873,421
352,837	-	1,152,231	28,345,860
5,974,972	2,580,421	198,868	19,316,425
8,800,375	**5,976,773**	**521,354,812**	**920,251,262**
$ 11,017,995	**$ 9,780,182**	**$ 521,354,812**	**$ 1,003,259,508**

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Statistical Section

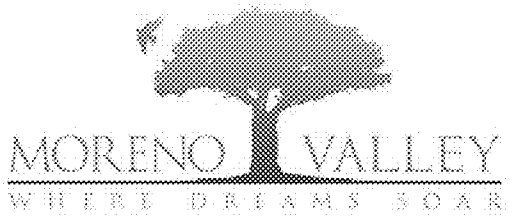

This part of the City of Moreno Valley's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

Contents **Page #**

Financial Trends

These schedules contain trend information to help the reader understand how the city's financial performance and well-being have changed over time. 184

Revenue Capacity

These schedules contain information to help the reader assess the factors affecting the city's ability to generate its key revenues 191

Debt Capacity

These schedules present information to help the reader assess the affordability of the city's current levels of outstanding debt and the city's ability to issue additional debt in the future 195

Demographic and Economic Information

These schedules offer demographic and economic indicators to help the reader understand the environment within which the city's financial activities take place and help make comparisons over time and with other governments. 200

Operating Information

These schedules contain information about the city's operations and resources to help the reader understand how the city's financial information relates to the services the city provides and the activities it performs. 203

Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year. The city implemented Statement 34 in 2003; schedules presenting government-wide information include information beginning in that year.

City of Moreno Valley
Net Assets by Component,
Last seven fiscal years
(accrual basis of accounting)

	Fiscal Year						
	2003	2004	2005	2006	2007	2008	2009
Governmental activities							
Invested in capital assets, net of related debt	$ 447,696,730	$ 465,542,271	$ 475,642,146	$ 523,083,597	$ 594,870,636	$ 622,102,140	$704,987,685
Restricted for:							
Community development projects	9,974,997	6,961,781	6,404,249	10,076,376	-	41,908,201	19,960,752
Community and cultural	-	-	-	-	-	8,259,181	-
Public safety	1,838,076	2,086,222	2,649,176	1,655,374	973,667	663,854	280,107
Capital projects	42,698,617	40,769,509	47,442,301	60,687,985	66,493,508	79,745,801	71,335,816
Debt service	10,972,696	23,966,889	21,673,132	12,985,998	12,538,629	7,291,425	17,373,369
Other Programs	-	-	-	-	14,863,573	3,598,110	11,731,764
Permanent funds-nonexpendable	-	-	-	59,359	62,537	64,692	66,436
Unrestricted	29,118,995	32,744,174	46,215,255	73,846,697	101,941,651	104,545,617	69,630,581
Total Governmental activities net assets	$ 542,300,111	$ 572,070,846	$ 600,026,259	$ 682,395,386	$ 791,744,201	$ 868,179,021	$ 895,366,510
Business-type activities							
Invested in capital assets, net of related debt	$ -	$ 709,310	$ 1,815,311	$ 18,151,135	$ 14,130,659	$ 14,110,399	$ 10,083,679
Restricted							
Regulatory contingencies	-	-	-	-	1,604,444	948,207	1,767,402
Unrestricted	-	(575,790)	(799,941)	(3,713,053)	(634,406)	(2,252,565)	(4,023,374)
Total Business-type activities net assets	$ -	$ 133,520	$ 1,015,370	$ 14,438,082	$ 15,100,697	$ 12,806,041	$ 7,827,707
Primary government							
Invested in capital assets, net of related debt	$ 447,696,730	$ 466,251,581	$ 477,457,457	$ 541,234,732	$ 609,001,295	$ 636,212,539	$ 715,071,364
Restricted for:	-	-	-	-	-	-	-
Community development projects	9,974,997	6,961,781	6,404,249	10,076,376	-	41,908,201	19,960,752
Community and cultural	-	-	-	-	-	8,259,181	-
Public safety	1,838,076	2,086,222	2,649,176	1,655,374	973,667	663,854	280,107
Capital projects	42,698,617	40,769,509	47,442,301	60,687,985	66,493,508	79,745,801	71,335,816
Debt service	10,972,696	23,966,889	21,673,132	12,985,998	12,538,629	7,291,425	17,373,369
Other Programs	-	-	-	-	14,863,573	3,598,110	11,731,764
Permanent funds-nonexpendable	-	-	-	59,359	62,537	64,692	66,436
Regulatory contingencies	-	-	-	-	1,604,444	948,207	1,767,402
Unrestricted	29,118,995	32,168,384	45,415,314	70,133,644	101,307,245	102,293,052	65,607,207
Total primary government net assets	$ 542,300,111	$ 572,204,366	$ 601,041,629	$ 696,833,468	$ 806,844,898	$ 880,985,062	$ 903,194,217

Note: The city implemented the GASB 34 reporting model in Fiscal Year 2003. Information prior to the implementation of GASB 34 is not available.

City of Moreno Valley
Change in Net Assets,
Last seven fiscal years
(accrual basis of accounting)

	Fiscal Year						
	2003	2004	2005	2006	2007	2008	2009
Expenses							
Governmental activities:							
General government	$ 11,792,961	$ 10,902,771	$ 18,583,987	$ 12,817,483	$ 10,796,963	$ 14,416,941	$ 14,948,628
Public safety	29,059,953	39,563,567	42,797,971	47,282,305	43,415,662	54,412,284	50,856,439
Community development	6,069,282	8,198,449	10,041,715	13,666,378	9,643,084	10,964,507	12,036,237
Community and cultural	7,112,868	13,789,758	14,132,146	15,999,800	21,181,096	33,717,135	27,904,884
Public works	11,097,843	10,287,806	11,352,870	10,273,707	30,750,411	29,247,892	36,095,949
Interest on long-term debt	5,243,788	5,869,952	5,514,358	8,079,935	8,724,134	12,081,884	10,334,932
Total Governmental activities expenses	70,376,695	88,612,303	102,423,047	108,119,608	124,511,350	154,840,643	152,177,069
Business-type activities:							
Electric	-	76,106	1,080,589	3,673,509	8,298,955	12,282,161	14,067,086
Total business-type activities expenses	-	76,106	1,080,589	3,673,509	8,298,955	12,282,161	14,067,086
Total primary government expenses	$ 70,376,695	$ 88,688,409	$ 103,503,636	$ 111,793,117	$ 132,810,305	$ 167,122,804	$ 166,244,155
Program revenues							
Governmental activities:							
Charges for services:							
General government	$ 1,855,048	$ 1,699,588	$ 1,855,342	$ 2,447,730	$ 2,994,550	$ 1,329,861	$ 1,144,983
Public safety	753,098	922,986	1,158,745	2,040,725	1,212,229	4,948,923	6,559,817
Community development	4,162,811	7,964,124	10,814,238	12,576,280	12,947,546	6,962,389	7,607,316
Community and cultural	7,884,845	8,397,842	9,012,514	10,067,509	10,963,716	12,163,575	14,982,931
Public works	9,957,309	16,113,736	14,639,669	20,523,959	10,612,170	19,134,172	7,840,754
Operating contributions and grants:							
General government	5,260,233	2,315,147	2,121,229	422,310	622,513	-	92,319
Public safety	774,529	973,642	773,875	838,921	931,062	704,324	385,195
Community development	1,018,351	866,940	1,586,824	3,252,611	4,023,295	2,873,752	2,541,925
Community and cultural	472,825	1,216	68,396	133,325	100,777	6,911,186	5,936,040
Public works	909,427	626,074	887,750	2,985,031	460,787	631,830	3,901,583
Capital contributions and grants							
Public safety	41,516	221,729	-	-	-	-	-
Community and cultural	-	-	-	-	-	-	239,746
Public works	2,257,121	1,157,085	2,160,498	24,442,306	74,752,980	74,004,139	31,573,778
Total governmental activities program revenues	35,347,113	41,260,109	45,079,080	79,730,707	119,621,625	129,664,151	82,806,387
Business-type activities:							
Charges for services							
Electric	-	319,135	1,356,555	11,445,287	8,712,097	10,311,654	12,430,482
Capital contributions and grants	-	-	-	-	1,604,577	-	-
Total business-type activities program revenues	-	319,135	1,356,555	11,445,287	10,316,674	10,311,654	12,430,482
Total primary government program revenues	35,347,113	41,579,244	46,435,635	91,175,994	129,938,299	139,975,805	95,236,869
							(Continued)
Net (Expense)/Revenue							

City of Moreno Valley
Change in Net Assets,
Last seven fiscal years
(accrual basis of accounting)

	Fiscal Year						
	2003	2004	2005	2006	2007	2008	2009
Governmental activities	(35,029,582)	(47,352,194)	(57,343,967)	(28,388,901)	(4,889,725)	(25,176,492)	(69,370,682)
Business-type activities	-	243,029	275,966	7,771,778	2,017,719	(1,970,507)	(1,636,604)
Total primary government net (expense)/revenue	$ (35,029,582)	$ (47,109,165)	$ (57,068,001)	$ (20,617,123)	$ (2,872,006)	$ (27,146,999)	$ (71,007,286)
General Revenues and Other Changes in Net Assets							
Governmental activities:							
Taxes:							
Property taxes	$ 10,950,053	$ 12,897,208	$ 19,678,253	$ 18,001,808	$ 23,379,735	$ 30,351,211	$ 28,316,208
Property taxes in lieu	-	-	8,644,834	12,068,070	14,150,000	16,728,600	16,791,078
Transient occupancy tax	358,530	455,009	519,193	582,307	586,383	593,009	497,936
Sales tax	13,547,375	15,469,300	18,054,078	12,275,626	15,701,460	13,623,654	12,163,719
Franchise taxes	3,253,708	3,599,486	3,791,547	4,099,859	4,349,870	4,381,882	4,876,055
Business license taxes	1,144,428	1,289,434	1,457,521	1,240,764	1,315,039	1,111,021	1,051,702
Utility users tax	9,718,667	10,980,848	12,527,514	13,811,740	15,463,291	15,186,616	15,081,286
Other taxes	7,359,328	7,963,160	4,497,323	5,448,829	6,320,978	2,620,059	2,683,193
Franchise in lieu taxes	-	-	9,699	42,788	78,573	96,816	120,969
Documentary transfer tax	599,128	1,055,205	1,391,199	1,548,205	972,995	575,003	598,084
Intergovernmental-motor vehicle in lieu, unrestricted	9,244,049	7,288,137	3,484,623	11,899,563	16,054,145	800,667	865,718
Use of property and money	3,192,284	1,608,126	5,295,415	6,959,412	13,467,580	16,380,462	9,381,199
Gain on sale of capital assets	-	-	-	-	-	2,575	-
Miscellaneous	3,287,271	14,427,133	5,435,103	1,820,976	405,679	885,602	1,787,772
Transfers	-	193,000	(16,857)	(1,257,370)	(75,851)	61,817	653,554
Total governmental activities	62,654,821	77,226,046	84,769,445	88,542,577	112,169,877	103,398,994	94,868,473
Business-type activities							
Other	-	83,491	589,027	-	-	-	131,033
Transfers	-	(193,000)	16,857	1,257,370	75,851	(61,817)	(653,554)
Total business-type activities	-	(109,509)	605,884	1,257,370	75,851	(61,817)	(522,521)
Total primary government	$ 62,654,821	$ 77,116,537	$ 85,375,329	$ 89,799,947	$ 112,245,728	$ 103,337,177	$ 94,345,952
Change in Net Assets							
Government activities	27,625,239	29,873,852	27,425,478	60,153,676	107,280,152	78,222,502	25,497,791
Business-type activities	-	133,520	881,850	9,029,148	2,093,570	(2,032,324)	(2,159,125)
Total primary government	$ 27,625,239	$ 30,007,372	$ 28,307,328	$ 69,182,824	$ 109,373,722	$ 76,190,178	$ 23,338,666

Note: The city implemented the GASB 34 reporting model in Fiscal Year 2003. Information prior to the implementation of GASB 34 is not available.

City of Moreno Valley
Fund Balances, Governmental Funds
Last seven fiscal years
(modified accrual basis of accounting)

	Fiscal Year						
	2003	2004	2005	2006	2007	2008	2009
General Fund							
Reserved	1,739,505	6,654,472	6,052,320	11,808,994	13,580,492	35,752,164	34,787,698
Unreserved	13,760,886	11,943,948	24,992,976	25,920,111	39,494,188	21,937,845	17,066,883
Total General Fund	15,500,391	18,598,420	31,045,296	37,729,105	53,074,680	57,690,009	51,854,581
All Other Funds							
Reserved	20,129,052	26,685,317	21,994,729	49,040,215	49,559,718	90,143,820	86,530,127
Unreserved reported in:							
Special revenue funds	26,948,201	37,493,168	44,049,195	47,464,569	48,534,518	50,516,963	42,222,678
Capital projects funds	18,703,575	(6,891,945)	(2,959,368)	27,383,018	36,453,807	29,300,262	27,359,094
Debt service funds	-	4,304,047	917,262	949,518	-	-	-
Permanent funds	-	-	-	59,359	-	-	66,436
Total all other funds	65,780,828	61,590,587	64,001,818	124,896,679	134,548,043	169,961,045	156,178,335

Note: The city implemented the GASB 34 reporting model in Fiscal Year 2003. Information prior to the implementation of GASB 34 is not available.

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City of Moreno Valley
Changes in Fund Balances, Governmental Funds
Last seven fiscal years
(modified accrual basis of accounting)

	Fiscal Year						
	2003	2004	2005	2006	2007	2008	2009
Revenue							
Taxes	$ 40,776,674	$ 46,216,887	$ 54,463,821	$ -	$ -	$ -	$ -
Property tax	-	-	-	14,342,099	26,854,009	30,351,211	28,316,208
Property taxes in lieu	-	-	-	12,068,070	14,150,000	16,728,600	16,791,078
Utility taxes	-	-	-	13,811,740	15,463,291	15,186,616	15,081,286
Sales taxes	-	-	-	12,275,627	15,701,460	13,623,654	12,163,719
Other taxes	-	-	-	16,622,460	9,637,850	9,377,790	9,827,939
Assessments	82,842	41,683	-	-	-		-
Licenses, fees and permits	4,945,682	8,868,460	12,159,692	13,041,187	13,552,983	2,650,530	1,930,905
Charges for services	19,933,502	26,874,096	25,755,085	18,574,210	25,046,576	24,745,073	21,876,389
Intergovernmental	26,201,103	20,164,244	27,037,053	33,213,048	16,703,254	31,497,898	32,642,154
Use of property and money	3,187,073	1,571,485	4,438,468	7,199,105	13,466,716	16,380,462	9,381,199
Fines and forfeitures	942,411	929,813	1,097,508	1,205,173	1,159,350	1,293,056	1,262,712
Miscellaneous	1,921,073	1,393,391	4,078,406	2,652,320	1,089,949	885,602	1,787,772
Total revenues	97,990,360	106,060,059	129,030,033	145,005,039	152,825,438	162,720,492	151,061,361
Expenditures							
General government	12,009,132	8,937,124	14,983,932	10,723,374	12,060,789	14,681,999	14,825,012
Public Safety	29,024,897	32,300,542	36,806,865	43,478,949	50,276,192	56,361,973	57,866,348
Community development	6,235,962	6,790,803	8,711,599	24,608,096	10,116,658	18,144,115	13,895,163
Community and cultural	7,761,494	11,492,361	12,331,683	14,889,677	19,286,807	32,683,219	27,331,726
Public works	11,826,893	8,724,368	9,999,497	21,262,923	31,391,248	34,616,617	45,328,685
Capital outlay	12,746,605	14,647,639	19,885,754	-	-	-	-
Debt service							
Principal retirement	3,770,781	20,472,246	2,723,847	2,896,585	3,095,000	18,538,387	4,154,660
Interest and fiscal charges	5,267,169	5,897,812	5,381,740	7,334,361	8,476,750	9,213,625	10,382,080
Bond issuance costs	-	-	-	664,638	326,385	2,413,464	-
Total expenditures	88,642,933	109,262,895	110,824,917	125,858,603	135,029,829	186,653,399	173,783,674
Excess of revenues over/ (under) expenditures	9,347,427	(3,202,836)	18,205,116	19,146,436	17,795,609	(23,932,907)	(22,722,313)
Other Financing Sources (Uses)							
Issuance of debt	-	-	-	48,205,000	5,870,000	58,412,429	-
Transfers in	15,442,256	13,058,959	24,871,852	37,201,043	33,422,242	38,016,856	27,284,397
Transfers out	(14,606,672)	(12,125,059)	(24,165,709)	(38,480,919)	(30,526,931)	(36,688,115)	(24,926,511)
Sale of capital assets	-	-	-	-	-	442,085	-
Premium on debt issued	-	-	-	570,840	-	-	-
Discount on debt issued	-	-	-	(385,640)	-	-	-
Payment to refunded bond escrow agents	-	-	(5,006,586)	-	-	-	-
Other debts issued	1,200,669	1,199,343	250,767	-	-	-	-
Total other financing sources (uses)	2,036,253	2,133,243	(4,049,676)	47,110,324	8,765,311	60,183,255	2,357,886
Net change in fund balances	11,383,680	(1,069,593)	14,155,440	66,256,760	26,560,920	36,250,348	(20,364,427)
Debt service as a percentage of noncapital expenditures	11.91%	27.87%	8.91%	10.54%	10.56%	19.40%	10.65%

Note: The city implemented the GASB 34 reporting model in Fiscal Year 2003. Information prior to the implementation of GASB 34 is not available.

City of Moreno Valley
Tax Revenues by Source, General and Fire Services Funds
(modified accrual basis of accounting)

Fiscal Year	Property	Property Tax In-Lieu of Vehicle License Fees	(2)	Utility Users	Sales & Use		Transient Occupancy	Franchise	Motor Vehicle In-Lieu		Business License Gross Receipt	Documentary Transfer		Total
2003	$ 5,710,105	$ -		$ 9,718,667	$ 8,171,861		$ 358,530	$ 3,253,708	$ 9,239,894		$ 806,462	$ 599,128		$ 37,858,355
2004	6,354,247	-		10,980,848	9,100,608		455,009	3,599,485	7,283,124	(1)	920,928	1,055,205		39,749,454
2005	7,230,082	8,644,834	(2)	12,527,514	11,753,794		519,193	3,791,546	3,478,877	(2)	1,059,009	1,391,200		50,396,049
2006	11,930,618	12,068,070		13,811,740	11,317,841	(4)	582,307	4,142,646	1,275,342		1,240,764	1,548,205		57,917,533
2007	14,022,135	14,150,000		15,463,291	13,116,271		586,383	4,349,870	943,313		1,315,039	972,995	(5)	64,919,297
2008	14,361,253	16,728,600		15,186,616	11,694,525		593,009	4,478,698	800,667		1,111,021	575,003		65,529,392
2009	12,790,196	16,791,078		15,081,286	10,202,384		497,936	4,997,024	865,718		1,051,701	598,084		62,875,407
Change														
2003 to 2009	**124.00%**	**100.00%**	(3)	**55.00%**	**25.00%**	(3)	**39.00%**	**54.00%**	**-91.00%**		**30.00%**	**0.00%**		**66.00%**

(1) In 2004 the State of California discontinued the back-fill of the Vehicle License Fee In-Lieu. At the same time the basis of the revenue stream was changed from a per capita calculation to the change in assessed valuations of property.

(2) In 2005 the governor instituted the "triple-flip" which changed the funding source for Vehicle License Fees to the ERAF fund and changed the allocation of funds to cities from a per capita computation to the change in the assessed valuation of property. The foundation of the fee is not based on the tax rates established by the city and as such is not considered to be property tax. Because this revenue is under the control of the state it would be considered a "shared" revenue rather than an "own-source" revenue.

(3) Property Tax, Property Tax In-Lieu of VLF, Utility Users Tax and Sales Tax revenues have experienced significant levels of growth due to the high level of development of both residential and commercial being experienced within the city.

(4) The decline in sales tax reported in FY 2006 is related to the implementation of the "Triple-Flip" and a take-back of revenues related to a change in the formula that was used to allocate funds to the cities. The amount of the take-back was $720,000.

(5) Documentary Transfer Tax has declined since FY 2006. This decline is due to the combination of a decrease in the number of properties that transferred ownership and the decline in the value of properties being transferred.

Source: City of Moreno Valley Finance Department

City of Moreno Valley
Key Revenues, General and Fire Services Funds
Last Ten Fiscal Years

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Utility Users Tax	$ 7,758,480	$ 8,755,772	$ 9,078,814	$ 9,718,667	$10,980,848	$12,527,514	$13,811,740	$ 15,463,291	$15,186,616	$15,081,286
Property Tax	4,714,663	5,098,438	5,192,833	5,710,105	6,354,247	7,230,082	11,930,618	14,022,135	14,361,253	12,790,196
Property Tax In-Lieu of VLF	-	-	-	-	-	8,644,834	12,068,070	14,150,000	16,728,600	16,791,078
Vehicle License In-Lieu Fees	7,061,247	7,879,602	8,459,660	9,239,894	7,283,124	3,478,877	1,275,342	943,313	800,667	865,718
Sales Tax	6,244,153	6,929,184	7,194,055	8,171,861	9,100,608	8,696,776	8,623,390	9,472,304	7,942,982	7,135,246
Property Tax In-Lieu of Sales Tax	-	-	-	-	-	3,057,018	2,694,451	3,643,967	3,751,543	3,067,138
Development Services	1,600,636	1,876,496	4,186,830	5,478,729	7,992,934	10,968,374	12,592,569	12,976,965	9,092,514	7,442,475

Notes:

In late FY 2003-04 due to budget constraints the State of California discountinued the back-fill of the Vehicle In-Lieu fees which accounted for approximately two-thirds of the total amount paid to local government. In 2005 this "gap" amount was repaid to local agencies which for the City of Moreno Valley amounted to $2,547,036.

The FY 2003-04 State of California budget withheld a portion of the Vehicle License Fee backfill owed to cities. Under the terms of the borrowing the Vehicle License Fee gap loan, as it was known, was to be repaid in FY 2006-07. The City of Moreno Valley, along with a number of other cities, sold the rights to the receivable to a third party, California Communities, in order to receive the cash on a more timely basis. The agreement resulted in the city receiving a discounted amount or $2,347,317 of the original receivable amount of $2,547,036 in FY2004-05.

In FY 2004-05 in order to provide collateral for the Budget Deficit Bonds the State of California began withholding twenty five percent of the city's sales tax and replaced it with a like amount from the ERAF fund. This switch was one of the components of the "Triple-flip" and unlike the switch of vehicle license fees, which is permanent, only lasts until the bonds are repaid or mature.

Source: City of Moreno Valley Finance Department

City of Moreno Valley
Assessed Value and Estimated Actual Value of Taxable Property
Last Ten Fiscal Years
(in thousands of dollars)

	City						Redevelopment Agency						
Fiscal Year Ended June 30,	Secured Value	Unsecured Value	Total Assessed and Estimated Full Value	Less: Exemptions	Taxable Assessed Value	Direct Tax Rate	Secured Value	Unsecured Value	Total Assessed and Estimated Full Value	Less: Exemptions	Taxable Assessed Value	Direct Tax Rate	Total Direct Tax Rate
2000	4,564,738	117,409	4,682,147	(42,922)	4,639,225	(1)						(1)	(1)
2001	4,792,266	133,185	4,925,451	(69,801)	4,855,650	(1)						(1)	(1)
2002	5,652,986	147,086	5,800,072	(96,346)	5,703,726	0.00133	1,073,616	91,783	1,165,399	(23,802)	1,141,597	0.00472	0.00189
2003	6,303,862	146,028	6,449,890	(102,466)	6,347,424	0.00131	1,205,730	81,997	1,287,727	(28,489)	1,259,238	0.00483	0.00189
2004	7,323,326	144,893	7,468,219	(94,858)	7,373,361	0.00124	1,382,232	86,290	1,468,522	(28,117)	1,440,405	0.00517	0.00188
2005	9,182,553	154,604	9,337,157	(109,759)	9,227,398	0.00116	1,643,835	82,341	1,726,176	(34,169)	1,692,007	0.00572	0.00187
2006	11,327,235	165,133	11,492,368	(118,051)	11,374,317	0.00131	2,028,330	85,608	2,113,938	(35,633)	2,078,305	0.00643	0.00210
2007	13,419,168	198,776	13,617,944	(147,891)	13,470,053	0.00140	2,546,327	109,685	2,656,012	(47,345)	2,608,667	0.00672	0.00226
2008	13,491,161	232,774	13,723,935	(194,693)	13,529,242	0.00143	2,788,876	137,206	2,926,082	(75,251)	2,850,831	0.00838	0.00264
2009	13,132,444	243,521	13,375,965	(154,973)	13,220,992	0.00131	2,229,290	117,596	2,346,886	(72,232)	2,274,654	0.01045	0.00265

Source: Riverside County Auditor/Controller

(1) The tax rate detail prior to FY 2001-02 is not readily available

Note: In 1978 the voters of the State of California passed Proposition 13 which limited property taxes to a maximum rate of 1% based upon the assessed value of the property being taxed. Each year, the assessed value of the property may be increased by an "inflation factor" (limited to a maximum increase of 2%). With few exceptions, property is only reassessed at the time that it is sold to a new owner. At that point, the new assessed value is reassessed at the purchase price of the property sold. The assessed valuation data shown above represents the only data currently available with respect to the actual market value of taxable property and is subject to the limitations described above.

Source: City of Moreno Valley Finance Department
County of Riverside Auditor-Controller

City of Moreno Valley
Property Tax Rates
Direct and Overlapping Governments
Last Six Fiscal Years
(per $100 of assessed value)

Fiscal Year	(1) 2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
City Direct Rates:	$0.00124	$0.00116	$0.00131	$0.00140	$0.00143	$0.00131
Redevelopment Agency Direct Rate:	0.00517	0.00572	0.00643	0.00672	0.00838	0.01045
Total City Direct Rate:	0.00188	0.00187	0.00210	0.00226	0.00264	0.00265
Eastern Municipal Water Imp Dist U-13	0.02900	0.03000	0.01400	0.00900	0.00800	0.00000
Metro Water Dist East-1301999	0.00610	0.05780	0.00520	0.00470	0.00450	0.00430
Moreno Valley Unified School District	0.00000	0.03395	0.00000	0.02271	0.03066	0.03081
Riverside Community College	0.00000	0.00000	0.01800	0.01800	0.01259	0.01254
Total Tax Rate	$0.03698	$0.12362	$0.03930	$0.05667	$0.05839	$0.05776

NOTE:
In 1978, California voters passed Proposition 13 which sets the property tax rate at a 1.00% fixed amount. This 1.00% is shared by all taxing agencies for which the subject property resides within. In addition to the 1.00% fixed amount, property owners are charged taxes as a percentage of assessed property values for the payment of the Metropolitan Water District bonds, the Eastern Municipal Water District bonds and the Riverside Community College bonds.

(1) The tax rate detail prior to FY 2001-02 is not readily available

Source: City of Moreno Valley Finance Department
County of Riverside Auditor-Controller

City of Moreno Valley
Principal Property Tax Payers
Current Year and Nine Years Ago

	Fiscal Year 2008/09			Fiscal Year 1999/2000		
Taxpayer	Taxable Assessed Value	Rank	Percent of Total City Taxable Assessed Value	Taxable Assessed Value	Rank	Percent of Total City Taxable Assessed Value
Walgreen Company	$ 137,065,344	1	1.01%	$ -		0.00%
Stonegate 552, LLC	111,780,000	2	0.83%	-		0.00%
Ridge Moreno Valley	100,490,106	3	0.74%	-		0.00%
Ross Dress for Less, Inc.	75,224,265	4	0.56%	-		0.00%
Moreno Valley Day St. Apartment	70,530,959	5	0.52%	-		0.00%
Homart Newco Two, Inc.	64,502,887	6	0.48%	44,648,678	1	0.97%
Moreno Valley Properties	61,781,741	7	0.46%	-		0.00%
WNRA Moreno Valley	56,591,246	8	0.42%	-		0.00%
Knickerbocker Properties, Inc.	48,450,000	9	0.36%	-		0.00%
SP4 Heacock LP	46,230,145	10	0.34%	-		0.00%
Secretary of Housing & Urban Development	-		0.00%	36,819,824	2	0.80%
TSC	-		0.00%	23,369,754	3	0.51%
Department of Veteran's Affairs	-		0.00%	23,097,748	4	0.51%
Atsugi Kokusai Kando USA, Inc.	-		0.00%	15,427,693	5	0.34%
Mervyns	-		0.00%	15,357,572	6	0.34%
TE3 Asset Corporation	-		0.00%	15,284,578	7	0.33%
Felicita Associates	-		0.00%	14,257,351	8	0.31%
May Department Stores Company	-		0.00%	13,152,476	9	0.29%
Price Company	-		0.00%	12,688,107	10	0.28%
	$ 772,646,693		5.72%	$ 214,103,781		4.68%

The amounts shown above include assessed value data for both the City and the Redevelopment Agency

Source: Hdl Coren & Cone

City of Moreno Valley
Property Tax Levies and Collections
Last Ten Fiscal Years

Fiscal Year Ended June 30,	Taxes Levied for the Fiscal Year	Collected within the Fiscal Year of Levy		Collections in Subsequent years	Total Collections to Date	
		Amount	Percent of Levy		Amount	Percent of Levy
2000	20,369,660	19,153,769	94.03%	1,435	19,155,204	94.04%
2001	19,628,161	19,816,928	100.96%	-	19,816,928	100.96%
2002	21,302,107	19,936,925	93.59%	11,514	19,948,439	93.65%
2003	22,594,477	22,876,331	101.25%	-	22,876,331	101.25%
2004	26,353,337	24,884,530	94.43%	11,609	24,896,139	94.47%
2005	28,865,321	26,775,299	92.76%	7,922	26,783,221	92.79%
2006	30,426,678	32,347,436	106.31%	37,812	32,385,248	106.44%
2007	35,606,935	39,141,295	109.93%	64,980	39,206,275	110.11%
2008	41,349,349	43,457,010	105.10%	104,898	43,561,908	105.35%
2009	51,812,334	41,165,168	79.45%	119,943	41,285,111	79.68%

The City began participating in the "Teeter Plan" in FY 1993-94 which resulted in a lower amount of subsequent delinquent tax collections.

Source: County of Riverside Auditor-Controller
City of Moreno Valley Finance Department

City of Moreno Valley
Direct and Overlapping Debt

Fiscal Year 2008/09 Assessed Valuation	$ 13,530,938,298
Redevelopment Incremental Valuation	2,424,631,119
Adjusted Assessed Valuation	$ 11,106,307,179

OVERLAPPING TAX AND ASSESSMENT DEBT	Total Debt 6/30/2009	% Applicable(1)	City's Share of Debt 6/30/09
Metropolitan Water District	$ 293,425,000	0.602%	$ 1,766,419
Eastern Municpal Water District I.D. No U-13	131,000	100.	131,000
Eastern Municpal Water District I.D. No U-22	3,028,000	100.	3,028,000
Riverside Community College District	141,316,109	16.580	23,430,211
Moreno Valley Unified School District	47,763,521	93.685	44,747,255
San Jacinto Unified School District	44,710,431	0.519	232,047
Val Verde Unified School District	30,000,000	43.365	13,009,500
Moreno Valley Unified School District Community Facilities District No. 88-1	12,765,000	100.	12,765,000
Moreno Valley Unified School District Community Facilities District No. 2002-1	8,295,000	100.	8,295,000
Moreno Valley Unified School District Community Facilities District No. 2003-1&2	10,945,000	100.	10,945,000
Moreno Valley Unified School District Community Facilities District No. 2004-1	3,125,000	100.	3,125,000
Moreno Valley Unified School District Community Facilities District No. 2004-2	5,535,000	100.	5,535,000
Moreno Valley Unified School District Community Facilities District No. 2004-3	3,980,000	100.	3,980,000
Moreno Valley Unified School District Community Facilities District No. 2004-5	4,985,000	100.	4,985,000
Moreno Valley Unified School District Community Facilities District No. 2004-6	27,765,000	100.	27,765,000
Moreno Valley Unified School District Community Facilities District No. 2005 2&3	15,435,000	100.	15,435,000
Val Verde Unified School District Community Facilities Disctrict No. 98-1	28,670,000	100.	28,670,000
Val Verde Unified School District Community Facilities Disctrict No. 2003-1	2,775,000	100.	2,775,000
Eastern Municpal Water District Community Facilities District	12,870,000	100.	12,870,000
City of Moreno Valley 1915 Act Bonds	300,000	100.	300,000
City of Moreno Valley Community Facilities District No. 3	3,320,000	100.	3,320,000
City of Moreno Valley Community Facilities District No. 5	5,870,000	100.	5,870,000
City of Moreno Valley Community Facilities District No. 87-1	10,090,000	100.	10,090,000
City of Moreno Valley Community Facilities District No. 87-1 and I.A. No. 1	3,855,000	100.	3,855,000
TOTAL GROSS OVERLAPPING TAX AND ASSESSMENT DEBT			$ 246,924,431
Less: Moreno Valley Community Facilities District No. 3 & 87-1 (100% self-supporting from tax increment revenues)			13,410,000
TOTAL NET OVERLAPPING TAX AND ASSESSMENT DEBT			$ 233,514,431
DIRECT AND OVERLAPPING GENERAL FUND DEBT:			
Riverside County General Fund Obligations	$ 760,794,659	6.420%	$ 48,843,017
Riverside County Pension Obligations	382,090,000	6.420	24,530,178
Riverside County Board of Education Certificates of Participation	8,270,000	6.420	530,934
Mt. San Jacinto Community College District General Fund Obligations	12,720,000	0.020	2,544
Moreno Valley Unified School District Certificates of Participation	22,225,000	93.685	20,821,491
San Jacinto Unified School District Certificates of Participation	45,895,000	0.519	238,195
Val Verde Unified School District Certificates of Participation	99,825,000	43.365	43,289,111
City of Moreno Valley General Fund Obligations	81,450,000	100.	81,450,000 (1)
TOTAL GROSS DIRECT AND OVERLAPPING GENERAL FUND DEBT			$ 219,705,471
Less: Riverside County self-supporting obligations			1,049,952
TOTAL NET DIRECT AND OVERLAPPING GENERAL FUND DEBT			$ 218,655,519
GROSS COMBINED TOTAL DEBT			$ 466,629,902 (2)
NET COMBINED DEBT			$ 452,169,950

Notes:

(1) Percentage of each overlapping agencies assessed valuation located within the boundaries of the city.

(2) Excludes tax and revenue anticipation notes, enterprise revenue, mortgage revenue and tax allocation bonds and non-bonded capital lease obligations

Ratios to FY 2008-09 Assessed Valuation:	
Total Gross Overlapping Tax and Assessment Debt	1.82%
Total Net Overlapping Tax and Assessment Debt	1.73%

Ratios to Adjusted Assessed Valuation:	
Combined Direct Debt ($81,450,000)	0.73%
Gross Combined Total Debt	4.20%
Net Combined Total Debt	4.07%

State School Building Aid Repayable as of 6/30/09	$ -
AB: ($425)	

Source: California Municipal Statistics

City of Moreno Valley
Legal Debt Margin
Last Five Fiscal Years
(dollars in thousands)

Legal Debt Margin Calculation for Fiscal Year 2008	
Assessed Value	$ 13,375,965
Debt Limit (15% of assessed value)	2,006,395
Debt applicable to limit:	
General Obligation Bonds	-
Less: Amount set aside for repayment of general obligation debt	-
Total net debt applicable to limit	$ -

	Fiscal Year (1)				
	2005	2006	2007	2008	2009
Assessed Valuation (in thousands)	$ 7,227,360	$ 9,075,495	$ 11,220,188	$13,374,229	$ 13,375,965
Conversion percentage	25%	25%	25%	25%	25%
Adjusted assessed valuation (in thousands)	$ 1,806,840	$ 2,268,874	$ 2,805,047	$ 3,343,557	$ 3,343,991
Debt limit percentage	15%	15%	15%	15%	15%
Debt Limit (in thousands)	$ 271,026	$ 340,331	$ 420,757	$ 501,534	$ 501,599
Total net debt applicable to limit	$ -	$ -	$ -	$ -	$ -
Legal debt margin (in thousands)	$ 271,026	$ 340,331	$ 420,757	$ 501,534	$ 501,599
Total net debt applicable to the limit as a percentage of the debt limit	$ -	$ -	$ -	$ -	$ -

1) GASB 44 allowed for the implementation of historical reporting on a prospective basis. The City has elected to report historical data in this manner.

Source: City of Moreno Valley Finance Department
County of Riverside Auditor-Controller

City of Moreno Valley
Ratios of Outstanding Debt by Type
Last Five Fiscal Years

	Governmental Activities					Business-type Activities			
Fiscal Year Ended June 30 (2)	Special Tax Bonds	Certificates of Participation	Lease Revenue Bonds	Notes and Other	Governmental Activities	Lease Revenue Bonds	Total Primary Government	Percentage of Personal Income 1	Debt per Capita 1
2005	$ 25,130,000	$ 7,625,000	$ 4,590,000	$ 4,660,558	$ 42,005,558	$ -	$ 42,005,558	1.40%	$ 254
2006	23,345,000	7,115,000	47,988,000	4,866,378	83,314,378	4,647,000	87,961,378	2.77%	504
2007	21,415,000	6,590,000	47,393,000	4,696,689	80,094,689	30,367,000	110,461,689	3.38%	612
2008	18,925,000	6,040,000	42,157,472	36,300,136	103,422,608	29,767,528	133,190,136	3.89%	724
2009	17,265,000	5,470,001	41,297,426	28,615,688	92,648,115	29,672,574	122,320,689	3.30%	657

Notes:
1) These ratios are calculated using personal income and population for the prior year.

2) GASB 44 allowed for the implementation of historical reporting on a prospective basis. The City has elected to report historical data in this manner.

Source: City of Moreno Valley Finance Department
City of Moreno Valley Economic Development Department
Riverside County Economic Development Agency

City of Moreno Valley
Ratio of Bonded Debt
Last Five Fiscal Years

Fiscal Year Ended June 30, (2)	Special Tax Bonds	Certificates of Participation	Lease Revenue Bonds	Total Governmental Activities	Percent of Assessed Value (1)	Per Capita
2005	$ 25,130,000	$ 7,625,000	$ 4,590,000	$ 37,345,000	0.52%	$ 226
2006	23,345,000	7,115,000	47,988,000	78,448,000	0.86%	449
2007	21,415,000	6,590,000	47,393,000	75,398,000	0.67%	418
2008	18,925,000	6,040,000	42,157,472	67,122,472	0.50%	365
2009	17,265,000	5,470,001	41,297,426	64,032,427	0.48%	344

General bonded debt is debt payable with governmental fund resources and general obligation bonds recorded in enterprise funds (of which the City has none).

1) Assessed value has been used because the actual value of taxable property is not readily available in the State of California

2) GASB 44 allowed for the implementation of historical reporting on a prospective basis. The City has elected to report historical data in this manner.

Data Source: City of Moreno Valley Finance Department

City of Moreno Valley
Pledged Revenue Coverage
Last Ten Years

Fiscal Year Ended June 30,	Community Facilities District No. 3, AutoMall Refinancing					Community Facilities District No. 5 of the City of Moreno Valley (Stoneridge)				Towngate Community Facilities District No. 87-1, 2007 Special Tax Refunding Bonds				Towngate Community Facilities District No. 87-1, Improvement No. 1 Special Tax Refunding Bonds			
	Special Tax Levy	Property Tax	Debt Service Principal	Debt Service Interest	Coverage	Special Tax Levy	Debt Service Principal	Debt Service Interest	Coverage	Property Tax Increment	Debt Service Principal	Debt Service Interest	Coverage	Special Tax Levy	Debt Service Principal	Debt Service Interest	Coverage
2000	$ -	$ -	$ -	$ -		$ -	$ -	$ -		$ -	$ -	$ -		$ -	$ -	$ -	
2001	751,542	129,858	200,000	561,400	1.16	-	-	-		-	-	-		-	-	-	
2002	1,029,290	135,550	465,000	550,900	1.15	-	-	-		-	-	-		-	-	-	
2003	1,074,499	114,766	515,000	525,325	1.14	-	-	-		-	-	-		-	-	-	
2004	1,067,950	145,265	575,000	489,275	1.14	-	-	-		-	-	-		-	-	-	
2005	1,121,094	116,871	640,000	449,025	1.14	-	-	-		-	-	-		-	-	-	
2006	1,189,465	73,700	710,000	404,225	1.13	-	-	-		-	-	-		-	-	-	
2007	1,179,479	108,986	785,000	354,525	1.13	-	-	-		-	-	-		-	-	-	
2008	1,088,427	190,425	865,000	299,575	1.10	198,306	-	217,261	0.91	-	-	-		-	-	-	
2009	1,212,713	103,026	865,000	269,300	1.16	-	-	288,613	0.00	2,072,568	575,000	435,881	2.05	281,153	220,000	175,859	0.71

Fiscal Year Ended June 30,	Community Redevelopment Agency 2007 Tax Allocation Bonds			
	Property Tax Increment	Debt Service Principal	Debt Service Interest	Coverage
2008	$23,890,555	$ -	$ 359,683	66.42
2009	$23,775,956	$ 770,000	$2,073,084	8.36

1) The interest payment related to the CFD 5 - Stoneridge was paid from the capitalized interest account but in future years this will be paid from the special tax

Data Source: City of Moreno Valley Finance Department
City of Moreno Valley Community Redevelopment Agency
City of MorenoValley Special Districts

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City of Moreno Valley
Demographic and Economic Statistics
Last five years

Calendar Year	Population (1)	Personal Income (in thousands) (2)	Per Capita Personal Income (2)	Unemployment Rate (2)
2005	165,328	2,998,568	18,137	5.30% (3),A
2006	174,565	3,176,449	18,196	4.90% (3),A
2007	180,466	3,264,593	17,257	5.34% B
2008	183,860	3,423,011	17,997	5.34% B
2009	186,301	3,702,458	18,898	5.31% B

Source: 1- California Department of Finance
2-City of Moreno Valley Economic Development Department
3-California Employment Development Department

A- This data is for the Riverside, San Bernardino, Ontario Metro area.
B- This data is for the Moreno Valley area.

City of Moreno Valley
Principal Employers
Current Year and Two Years Ago

			2009		2007	
Employer	Sector	Business Type	Number of Employees	Percent of Total Employment	Number of Employees	Percent of Total Employment
March Air Reserve Base	Military/Public Sector	Military Reserve Base	9,000	26.67%	8,482	24.71%
Moreno Valley Unified School District	Public Sector	Public Schools	3,752	11.12%	3,519	10.25%
Riverside County Regional Medical Center	Medical Facilities	County Hospital	2,215	6.56%	1,700	4.95%
Moreno Vally Mall/General Growth	Retail	Retail Mall	1,669	4.95%	1,669	4.86%
City of Moreno Valley/Police/Fire Depts	Public Sector	Municipal Government	1,183	3.51%	875	2.55%
Riverside Community College/Moreno Valley Campus	Public Sector	Higher Education	1,038	3.08%	1,038	3.02%
Val Verde Unified School District (MV only)	Public Sector	Public Schools	734	2.18%	721	2.10%
Walgreens Co.	Distribution	Retail Merchandise	650	1.93%	650	1.89%
Ross Dress For Less/ DD's Discounts	Distribution	Retail Merchandise	600	1.78%	-	-
Wal-Mart Super Center	Retail	Discount Dept. Store	465	1.38%	-	-

"Total Employment" as used above represents the total employment of all employers located within City limits.

Source: City of Moreno Valley Economic Development Department

City of Moreno Valley
Full-time and Part-time City Employees by Function
Past Five Years

Function	Fiscal Year (2) 2005	2006	2007	2008	2009
General Government	132	143	153	150	142
Public Works	118	126	134	141	151
Community Development	66	71	74	74	72
Parks and Community Services	119	123	184 (2)	240	238
Animal Services	21	24	26	27	29
Redevelopment Agency	16	17	17	18	16
Public Safety (1)	306	329	356	383	393
Total	778	833	944	1033	1041

This data represents a count of people employed by the City not the number of approved full time equivalents.

(1) The City contracts with the County of Riverside for Police and Fire services

2) GASB 44 allowed for the implementation of historical reporting on a prospective basis. The City has elected to report historical data in this manner.

Source: City of Moreno Valley Finance Department

(2) In 2007 the Parks and Community Services Department received a grant from the State of California related to the After School Education and Safety Grant. This grant resulted in an increase in staffing to achieve the grant growth objectives.

City of Moreno Valley
Capital Asset Statistics
Last Five Fiscal Years

	2005	2006	2007	2008	2009
Lane miles of streets	-	1,081	1,127	1,076	1,076
Number of street lights	9,771	10,041	10,710	11,027	11,037
Number of traffic signals	126	138	148	162	167
Fire protection:					
Number of stations	6	6	6	6	6
Police protection:					
Number of policing stations	3	3	3	5	5
Recreation and culture:					
Parks	29	32	36	38	39
Maintained acreage of parks	353	377	519.94	529.55	531.48
Parks under construction	2	1	6	7	6
Acreage of parks under construction	24	1.3	19.97	27.07	25.14
Multi-use athletic fields	21	21	21	21	21
Conference/Recreation centers	1	1	1	1	1
Square footage of recreation centers	42,413	42,413	42,413	42,413	42,413
Senior Centers	1	1	1	1	1
Square footage of senior centers	14,700	14,700	14,700	14,700	14,700
Equestrian centers	1	1	1	1	1
Maintained acreage of equestrian centers	45	45	45	45	45
Multi-use equestrian trails maintained	7 Miles	8 Miles	10 Miles	10 Miles	10 Miles
Community centers	4	4	4	4	4
Square footage of community centers	38,758	38,758	38,758	38,758	38,758
Sports courts	44	44	44	44	44
Skate parks/Roller hockey rinks	1	1	1	1	1
Square footage of skate parks	850	850	850	850	850
Nine-hole golf courses	1	1	1	1	1
Play apparatus	23	23	23	23	24
Water play features	2	2	2	2	2
Utilities:					
Residential utility meters	1,807	3,327	4,229	4,702	4,802
Commercial utility meters	67	279	383	499	565

1) GASB 44 allowed for the implementation of historical reporting on a prospective basis. The City has elected to report historical data in this manner.

City of Moreno Valley
Operating Indicators by Function
Last Five Fiscal Years

	2005	2006	2007	2008	2009
Square mileage of area	50	50	51	52	52
Fire protection:					
Provided by the County of Riverside in cooperation with the State Department of Forestry and Fire:					
Sworn personnel	71	73	70	85	81
Volunteers	50	30	30	25	25
Non-sworn personnel	7	7	11	10	7
Responses to emergency calls	12,162	12,155	12,525	13,011	12,971
Inspections and Permits	5,358	5,257	4,834	4,269	3,522
Plan checks	1,647	1,442	1,445	1,482	664
Counter/Public inquires	2,456	5,172	8,264	7,932	7,249
Police protection:					
Provided through contract with the County of Riverside Sheriff's Department:					
Sworn officers	147	162	174	211	185
Classified personnel	45.5	47.5	49.5	56	55
City support personnel	3.0	3.5	3.5	4	3
Volunteers	99	30	25	39	56
Responses to Calls:					
Priority 1	391	579	891	429	572
Priority 1A	949	1,095	1,210	1,271	1,110
Priority 2	23,662	24,774	25,046	24,819	24,967
Priority 3	24,673	23,613	25,295	24,859	26,466
Priority 4	15,311	16,869	17,304	16,932	17,592
Priority 5	103	38	276	2	91
Priority 6	0	0	0	0	0
Priority 7	0	0	0	0	0
Priority 8	0	0	0	0	0
Priority 9	25	10	76	174	248
Cancelled	6,185	5,628	6,826	5,983	5,359
Disp/Arr Time Missing	8,146	7,836	9,841	9,437	8,540
Same Disp/Arr Time	40,920	39,857	49,490	50,516	60,510
T. R. U. Calls	44	22	54	32	43
Building and Safety:					
Building permits issued	4,999	4,608	3,363	2,413	2,058
Counter requests for service	13,426	14,289	12,276	11,249	8,922
Planning:					
Planning applications processed	1,840	1,440	1,261	1,100	894
Counter requests for service	8,696	10,191	8,639	6,550	4,669
Recreation and culture:					
Rounds of golf played	17,027	17,453	14,008	12,000	6,123
Facility rentals	1,438	2,148	1,302	971	893
Participants in recreation programs	34,479	48,027	64,006	57,139	46,075
Utilities:					
Average residential daily consumption (kilowatt hours)	11.5	14.4	19.2	18	19.8
Average commercial daily consumption (kilowatt hours)	61.1	219.1	396.0	171	254.8
New residential connections	1,753	1,620	1,033	473	123
New commercial connections	64	215	78	118	65
Employees:					
Members of City Council	5	5	5	5	5
Members of the Planning Commission	7	7	7	7	7
Full-time career status (FTE)	325	360	388	406	324
Part-time career status (FTE)	18	16	15	18	14

3) GASB 44 allowed for the implementation of historical reporting on a prospective basis. The City has elected to report historical data in this manner.

Community Redevelopment Agency

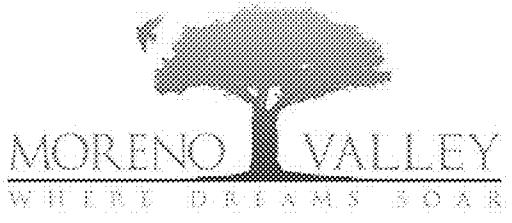

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA

FINANCIAL AND COMPLIANCE REPORT

YEAR ENDED JUNE 30, 2009
(With Independent Auditors' Report Thereon)

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COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

FINANCIAL AND COMPLIANCE REPORT

YEAR ENDED JUNE 30, 2009

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MV00048859

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Board of Directors
Community Redevelopment Agency of the City of Moreno Valley
Moreno Valley, California

INDEPENDENT AUDITORS' REPORT

We have audited the accompanying financial statements of the governmental activities and each major fund of the Community Redevelopment Agency of the City of Moreno Valley ("Agency"), a component unit of the City of Moreno Valley, California, as of and for the year ended June 30, 2009, which collectively comprise the Agency's basic financial statements, as listed in the accompanying table of contents. These financial statements are the responsibility of the management of the Community Redevelopment Agency of the City of Moreno Valley. Our responsibility is to express opinions on these component unit financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the component unit financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the component unit financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall component unit financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of governmental activities and each major fund of the Community Redevelopment Agency of the City of Moreno Valley at June 30, 2009, and the respective changes in financial position of the Agency for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

The Agency has not presented *Management's Discussion and Analysis* that the Governmental Accounting Standards Board has determined is necessary to supplement, although not required to be a part of, the basic financial statements.

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Community Redevelopment Agency of the City of Moreno Valley's basic financial statements. The supplementary schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. The supplementary schedules have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

In accordance with *Government Auditing Standards*, we have also issued a report dated December 23, 2009 on our consideration of the Community Redevelopment Agency of the City of Moreno Valley's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Mayer Hoffman McCann P.C.

Irvine, California
December 23, 2009

Exhibit A

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

STATEMENT OF NET ASSETS

JUNE 30, 2009

	Governmental Activities	
Assets:		
Cash and investments (note 3)		$ 87,392,466
Receivables:		
Interest	$ 140,482	
Loans (note 4)	12,115,790	
Total receivables		12,256,272
Due from the City of Moreno Valley		4,500
Due from other governments		205
Land held for redevelopment		3,916,126
Advances to the City of Moreno Valley		256,499
Capital assets not being depreciated (note 5):		14,198,954
Depreciable capital assets, net of accumulated depreciation (note 5)		11,663,394
Total Assets		**129,688,416**
Liabilities:		
Accounts payable and accrued expenses		459,483
Accrued interest		857,368
Due to the City of Moreno Valley		1,849,274
Due to other governments (note 7)		3,928,234
Other current liabilities		64,534
Long-term liabilities (note 6):		
Due within one year	409,819	
Due in more than one year	100,829,735	
Total long-term liabilities		101,239,554
Total Liabilities		**108,398,447**
Net Assets:		
Invested in capital assets, net of related debt		9,956,894
Restricted for:		
Low & Moderate Housing		26,063,774
Unrestricted (deficit)		(14,730,699)
Total Net Assets		**$ 21,289,969**

See Notes to the Basic Financial Statements

Exhibit B

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

STATEMENT OF ACTIVITIES

YEAR ENDED JUNE 30, 2009

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Contributions and Grants	Program Revenues: Contributions and Grants	Net (Expense) Revenues and Changes in Governmental Activities
Governmental Activities:					
General government	$ 1,770,111	$ -	$ -	$ -	$ (1,770,111)
Community development	1,405,500	-	-	-	(1,405,500)
Interest on long-term debt	5,722,802	-	-	-	(5,722,802)
Total Governmental Activities	**$ 8,898,413**	**$ -**	**$ -**	**$ -**	**(8,898,413)**

General Revenues:	
Taxes (net of pass-through payments)	12,113,424
Intergovernmental	24,156
Use of money and property	2,314,780
Miscellaneous revenue	126,480
Total General Revenues	**14,578,840**
Transfers to the City of Moreno Valley	(2,277,726)
Change in Net Assets	3,402,701
Net assets at beginning of year	17,887,268
Net Assets at End of Year	**$ 21,289,969**

See Notes to the Basic Financial Statements

Exhibit C

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
GOVERNMENTAL FUNDS
BALANCE SHEET

JUNE 30, 2009

	Moreno Valley Redevelopment Project Capital Projects		
	Project	Low and Moderate Housing	Total Governmental Funds
Cash and investments (note 3)	$ 77,491,581	$ 9,900,885	$ 87,392,466
Receivables:			
Interest	-	140,482	140,482
Loans (note 4)	-	12,115,790	12,115,790
Due from other governments	205	-	205
Due from the City of Moreno Valley	4,500	-	4,500
Land held for redevelopment	3,718,466	197,660	3,916,126
Advances to the City of Moreno Valley	256,499	-	256,499
Advances to other funds (note 6)	-	3,752,573	3,752,573
Total Assets	**$ 81,471,251**	**$ 26,107,390**	**$ 107,578,641**
Liabilities and Fund Balances:			
Liabilities:			
Accounts payable	$ 447,410	$ 12,073	$ 459,483
Due to other governments (note 7)	3,928,234	-	3,928,234
Due to City of Moreno Valley	1,849,274	-	1,849,274
Deferred revenue	12,000	170,136	182,136
Accrued payroll	32,991	31,543	64,534
Advances from other funds (note 6)	3,752,573	-	3,752,573
Total Liabilities	**10,022,482**	**213,752**	**10,236,234**
Fund Balances:			
Reserved:			
Encumbrances	1,964,659	3,701,125	5,665,784
Long term receivables	-	12,115,790	12,115,790
Land held for redevelopment	3,718,466	197,660	3,916,126
Advances to the City of Moreno Valley	256,499	-	256,499
Advances to other funds	-	3,752,573	3,752,573
Debt service	22,500,000	-	22,500,000
Unreserved:			
Designated:			
Continuing appropriations	36,027,579	4,402,217	40,429,796
Undesignated	6,981,566	1,724,273	8,705,839
Total Fund Balances	**71,448,769**	**25,893,638**	**97,342,407**
Total Liabilities and Fund Balances	**$ 81,471,251**	**$ 26,107,390**	**$ 107,578,641**

See Notes to the Basic Financial Statements

Exhibit D

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET ASSETS

JUNE 30, 2009

Fund balances of governmental funds	$ 97,342,407
Amounts reported for governmental activities in the Statement of Net Assets are different because:	
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported in the funds.	
Capital Assets	27,895,859
Accumulated Depreciation	(2,033,511)
Deferred revenue is presented in governmental fund financial statements to indicate that receivables are not available currently; however, in the Statement of Net Assets these deferrals are eliminated.	182,136
Acrrued interest payable for the current portion of interest due on long term debt has not been reported in the governmental funds.	(857,368)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds.	
Developer loans	(2,234,084)
Tax Allocation Bonds	(42,725,000)
Loans from City	(56,280,470)
Net assets of governmental activities	**$ 21,289,969**

See Notes to the Basic Financial Statements

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
GOVERNMENTAL FUNDS

STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES

YEAR ENDED JUNE 30, 2009

	Moreno Valley Redevelopment Project		
	Capital Projects		
	Project	Low and Moderate Housing	Total Governmental Funds
Revenues:			
Taxes and assessments:			
Tax increment	$ 19,229,318	$ 4,546,638	$ 23,775,956
Sales and use tax	862,963	-	862,963
Use of money and property	1,996,989	317,791	2,314,780
Intergovernmental	-	-	-
Other revenue	459,719	106,271	565,990
Total Revenues	**22,548,989**	**4,970,700**	**27,519,689**
Expenditures:			
Current:			
General government	1,116,418	653,693	1,770,111
Public Safety	-	-	-
Community development	824,215	-	824,215
Capital outlay	3,042,515	519,260	3,561,775
Debt service:			
Principal retirement	969,660	-	969,660
Interest and fiscal charges	3,913,828	-	3,913,828
Bond issuance costs	-	-	-
Total Expenditures	**9,866,636**	**1,172,953**	**11,039,589**
Excess (Deficiency) of Revenues Over (Under) Expenditures	**12,682,353**	**3,797,747**	**16,480,100**
Other Financing Sources (Uses):			
Transfers in	-	-	-
Transfers out	-	-	-
Proceeds from advances	-	-	-
Transfers to the City of Moreno Valley	(2,277,726)	-	(2,277,726)
Pass-through agreement payments	(12,525,495)	-	(12,525,495)
Sale of capital assets	-	-	-
Loss on sale of land held for redevelopment	-	-	-
Issuance of bonds	-	-	-
Issuance of advances from the City of Moreno Valley	-	-	-
Miscellaneous	-	-	-
Total Other Financing Sources (Uses)	**(14,803,221)**	**-**	**(14,803,221)**
Change in fund balance	(2,120,868)	3,797,747	1,676,879
Fund Balances:			
Fund Balances, Beginning of Year	73,569,637	22,095,891	95,665,528
Restatements	-	-	-
Beginning of Year, as restated	73,569,637	22,095,891	95,665,528
End of Year	**$ 71,448,769**	**$ 25,893,638**	**$ 97,342,407**

See Notes to the BasicFinancial Statements

Exhibit F

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES

YEAR ENDED JUNE 30, 2009

Net change in fund balances - total governmental funds	$ 1,676,879
different because:	
Governmental funds report sales of capital assets as revenue. However in the statement of activities, the revenue is reduced by the book value of the capitalized asset.	(439,510)
Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of activities.	
Principal retirement	969,660
Accrued interest expense on long-term debt is reported on the government-wide statements, but does not require the use of current financial resources; therefore, accrued interest is not reported as expenditures in the fund financial statements.	
Change in accrued interest on long-term debt	(1,808,974)
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.	
Capital Outlay	3,561,775
Depreciation Expense	(581,285)
Certain items are reported as revenues in the statement of activities, but do not meet the revenue recognition criteria in order to be reported as revenues in the statement of revenues, expenditures and changes in in fund balances, and consequently, are reported as deferred revenue in the balance sheet of governmental funds.	24,156
Changes in net assets of governmental activities	**$ 3,402,701**

See Notes to the Basic Financial Statements

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2009

Note 1: Organization and Summary of Significant Accounting Policies

a. Description of the Reporting Entity

The Community Redevelopment Agency of the City of Moreno Valley, California, is a component unit of a reporting entity that consists of the following primary and component units:

Reporting Entity:

Primary Government:

City of Moreno Valley

Component Units:

Community Redevelopment Agency of the City of Moreno Valley
Community Services District of the City of Moreno Valley
Community Facilities Districts No. 2 and No. 3
Towngate Community Facilities District No. 87-1
Moreno Valley Public Facilities Financing Corporation
Moreno Valley Public Financing Authority
Industrial Development Authority

The attached basic financial statements contain information relative only to the Community Redevelopment Agency of the City of Moreno Valley as one component unit, which is an integral part of the total reporting entity. They do not contain financial data relating to the other component units.

The Community Redevelopment Agency of the City of Moreno Valley (the Agency) was created by a City Council ordinance adopted on February 18, 1986. The Agency was established pursuant to the State of California Health and Safety Code, Section 33000, entitled Community Redevelopment Law. Its purpose is to prepare and carry out plans for the improvement, rehabilitation and redevelopment of blighted areas within the City of Moreno Valley (the City).

Governmental Accounting Standards define the reporting entity as the primary government and those component units for which the primary government is financially accountable. Financial accountability is defined as appointment of a voting majority of the component unit' s board, and either: a) the primary government has the ability to impose its will, or b) the possibility that the component unit will provide a financial benefit to or impose a financial burden on the primary government. Since the City Council of the City of Moreno Valley also

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

a. Description of the Reporting Entity (Continued)

serves as the Governing Board of the Agency, the City, in effect, has the ability to influence and control operations. Therefore, the City has oversight responsibility for the Agency. Accordingly, in applying the criteria of Governmental Accounting Standards, the financial statements of the Agency are included in the City' s Comprehensive Annual Financial Report. There are no other entities that are considered to be component units of the Agency. The Agency has the same fiscal year end as the City and its financial statements can be obtained from the City Clerk.

b. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net assets and the statement of changes in net assets) report information on all of the non-fiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenues. The primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Major individual governmental funds are reported as separate columns in the fund financial statements.

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period, while grant revenues have an availability period of 120 days. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The Agency reports the following major governmental funds:

The Project Fund accounts for the tax increment received, and the debt service and rehabilitation expenditures made by the Agency.

The Low and Moderate Housing Fund accounts for 20% of the tax increment that is set aside for low and moderate housing activities.

When both restricted and unrestricted resources are available for use, it is the government' s policy to use restricted resources first, and then unrestricted resources as they are needed.

d. Assets, Liabilities and Net Assets or Equity

1. Investments

Investments for the Agency are reported at fair value. The State Treasurer' s Investment Pool operates in accordance with appropriate state laws and regulations. The reported value of the pool is the same as the fair value of the pool shares.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

d. Assets, Liabilities and Net Assets or Equity (Continued)

2. Receivables and Payables

Activity between funds that is representative of lending/borrowing arrangements outstanding at the end of the fiscal year is referred to as either " due to/from other funds" (i.e., the current portion of interfund loans) or " advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as " due to/from other funds" .

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

All trade and property tax receivables are shown net of an allowance for uncollectibles.

Property tax revenue attach as an enforceable lien on property as of January 1. All secured personal property taxes and one-half of the taxes on real property are due November 1; the second installment is due February 1. All taxes are delinquent, if unpaid, on December 10 and April 10, respectively. Unsecured personal property taxes become due on the first of March each year and are delinquent on August 31. The County of Riverside bills and collects the property taxes, and remits them to the Agency in installments during the year. Property taxes received within 60 days after the Agency' s fiscal year end are considered " measureable" and " available" and are accrued in the Agency' s financial statements.

3. Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

4. Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the governmental activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial individual cost of more than $5,000 (amount not rounded) and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

d. Assets, Liabilities and Net Assets or Equity (Continued)

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings and Improvements	5 – 50
Furniture and Equipment	3 – 15
Vehicles	3 – 10
Infrastructure	25 – 50

In accordance with GASB Statement No. 34, the Agency is required to report general infrastructure assets.

Buildings are depreciated using the straight-line method over the estimated useful life of 50 years.

5. Deferred Revenue

The government reports unearned revenue on its combined balance sheet. Deferred revenue arises when potential revenue does not meet both the " measurable" and " available" criteria for recognition in the current period. In subsequent periods, when both revenue recognition criteria are met, the liability for deferred revenue is removed from the balance sheet and revenue is recognized.

6. Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities statement of net assets.

7. Salary Expenditures

The Agency does not employ any personnel and relies on the City of Moreno Valley (City) for administrative services. The financial statements include expenditures for salary and other benefits, which were allocated to the Agency by the City.

Note 1: Organization and Summary of Significant Accounting Policies (Continued)

d. Assets, Liabilities and Net Assets or Equity (Continued)

8. Fund Equity

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent tentative management plans that are subject to change.

Note 2: Stewardship, Compliance and Accountability

a. Budgetary Data

General Budget Policies

Budgets are legally adopted and formal budgetary integration is employed as a management control device during the year for all Governmental Fund types. From the effective date of the budget, the amounts stated therein as proposed expenditures become appropriations to the various Agency departments.

Reported budget amounts represent the original legally adopted budget as amended. The City Council, acting as the Agency Board, may approve amendments to the budget during a regular meeting, providing that sufficient monies are available and that expenditures of proceeds of taxes will not be increased beyond the constitutional appropriations limit as imposed by Article XIIIB of the State Constitution.

Individual fund budgets are, in all cases where appropriations are required, the same as the appropriation amounts. In the case of the Governmental Fund types, unexpended budgeted amounts, except for amounts relating to capital projects, lapse at the end of the budget year. Spending control for most funds is established by the amount of expenditures budgeted for each department within the fund, but management control is exercised at budgetary line item levels within the departments. Management can transfer budgeted amounts between operating programs, departments, or funds, provided that such transfers do not increase the overall budget. Appropriations that increase the budget require City Council, acting as the Agency Board, approval.

Encumbrances

Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of

Note 2: Stewardship, Compliance and Accountability (Continued)

b. Budgetary Data (Continued)

Encumbrances (Continued)

formal budgetary integration in the governmental funds. Unexpended and unencumbered appropriations of the governmental funds automatically lapse at the end of the fiscal year. Encumbrances at year-end are a portion of the reserved fund balance and are reappropriated the following year.

Budget Basis Accounting

Budgets for governmental funds are adopted on a basis consistent with generally accepted accounting principles (GAAP).

Note 3: Cash and Investments

Cash and investments reported in the accompanying financial statements consisted of the following:

Cash and investments pooled with the City	$87,392,466

The Agency' s funds are pooled with the City of Moreno Valley' s cash and investments in order to generate optimum interest income. The information required by GASB Statement No. 40 related to authorized investments, credit risk, etc. is available in the annual report of the City.

Note 4: Loans Receivable

Loans receivable of $12,115,790 consisted primarily of loans and advances to developers for various projects.

A summary of amounts owed to the Agency at June 30, 2009 follows:

Cottonwood Properties	$ 3,870,402
Sheila Street Rehabilitation	2,651,875
RHDC Properties	1,911,764
CVHC	1,639,450
Crippled Children	824,917
Bay Family Apartments	755,000
Others	462,382
Total	$ 12,115,790

Note 5: Capital Assets

A summary of changes in general capital assets follows:

Non-Depreciable Assets:	Balance at 7/1/08	Additions	Deletions	Balances 06/30/09
Land	$ 4,885,499		$ (439,510)	$ 4,445,989
Construction in Progress	$ 6,191,190	$ 3,561,775		$ 9,752,965
Total Non-Depreciable Assets	$ 11,076,689	$ 3,561,775	$ (439,510)	$ 14,198,954
Depreciable Assets:				
Buildings and Improvements	$ 12,191,837	$ -	$ -	$ 12,191,837
Furniture and Equipment	$ 352,837	$ -	$ -	$ 352,837
Infrastructure	$ 1,152,231		$ -	$ 1,152,231
Total Depreciable Assets	$ 13,696,905	$ -	$ -	$ 13,696,905
Accumulated Depreciation:				
Buildings and Improvements	$ (1,218,196)	$ (487,673)	$ -	$ (1,705,869)
Furniture and Equipment	$ (176,418)	$ (70,567)	$ -	$ (246,985)
Infrastructure	$ (57,612)	$ (23,045)	$ -	$ (80,657)
Total Accumlated Depreciation	$ (1,452,226)	$ (581,285)	$ -	$ (2,033,511)
Depreciable Assets, Net of Depreciation	$ 12,244,679	$ (581,285)	$ -	$ 11,663,394
Total Net Capital Assets	$ 23,321,368	$ 2,980,490	$ (439,510)	$ 25,862,348

Depreciation expense was charged to functions/programs of the Agency as follows:

Governmental Activities:
Community development $ 581,285

Note 6: Long-Term Liabilities

a. A description of the Agency' s long-term liabilities outstanding as of June 30, 2009 is as follows:

Note Payable, Price Company

The Agency has recorded a long-term payable in the amount of $2,334,084 under a development and disposition agreement and promissory note with Price Company for the reimbursement of costs of construction of a 130,000 square-foot-retail store. The note bears interest at 8% per annum and is payable solely from 50% of site-generated sales tax. Any remainder payable after September 2015 will be forgiven. The amount outstanding as of June 30, 2009 was $2,234,084.

Long-Term Liabilities to the City of Moreno Valley:

The Towngate Regional Mall notes (Sears Note), totaling $13,000,000, originated from a participation agreement (as amended) whereby the Agency acquired certain parcels within the mall for subsequent transfer to major tenants. The notes bear interest of 7.25% and are payable solely from available site-generated property tax increment and up to 50% of site-generated sales tax. Furthermore, the Agency had covenanted to use reasonable best efforts to refinance these notes with Tax Allocation Bonds, provided such financing is determined to be fiscally feasible. At June 30, 2009, accrued interest amounted to $4,082,277. During 2003-2004, the City purchased the rights to the notes from the holder. These amounts are now payable to the City and were previously reported in the Project Fund and are now reported as a long-term liability in the government-wide financial statements.

In 2005, the Agency purchased improved property from the City – the Conference and Recreation Center. The purchase price was $14,203,946. The loan note was $11,503,946 after the initial payment of $2,700,000. A subsequent principal payment of $29,124 was made in 2004-2005. The term is 20 years with 12% simple interest. The Agency will make partial interest only annual payments with a balloon payment due at the end of the term. At June 30, 2009, the outstanding principal and accrued interest balances are $11,474,822 and $4,430,632, respectively.

The Agency owes the City a total of $652,248 in future sales tax revenue for funds borrowed to finance redevelopment activities. $518,520 represents monies borrowed during 2006/07 by the Agency. $133,728 represents monies borrowed during 2007/08 by the Agency. The interest rate on the borrowings is 12% and repayment of the long-term payable is made when funds become available. At June 30, 2009, the outstanding accrued interest on these borrowings is $140,491.

Note 6: Long-Term Liabilities (Continued)

In December 2007, the Agency issued 2007 Series B, Subordinate Taxable Tax Allocation Bonds in the original issue amount of $22,500,000. These bonds were purchased by the City of Moreno Valley. The proceeds of the bonds will remain unspent pending the outcome of litigation between the Agency and the County of Riverside concerning the interpretation of a pass-through agreement between the Agency and the County. The Agency will pay monthly interest only debt service payments to the City of Moreno Valley. The interest rate is variable and is expected to approximate a rate of return the Agency achieves from investing the bond proceeds. During the year, the amount of interest earned and paid to the City was $721,949. If the Agency is successful in its litigation, it would begin receiving additional tax increment revenue to pay all or part of the debt service on the bonds. At that point, the bonds will be remarketed within five years and the proceeds used for the purpose of financing various redevelopment improvement projects. The bonds may be redeemed in total or in part at any time. At June 30, 2009, the outstanding principal balance is $22,500,000.

A summary of amounts owed to the City at June 30, 2009 follows:

Borrowing Purpose	Principal	Interest
Sears	$13,000,000	$4,082,277
Recreation Center	11,474,822	4,430,632
2007 TABs Series B	22,500,000	-
Redevelopment	652,248	140,491
Total	$47,627,070	$8,653,400

2007 Tax Allocation Bonds, Series A

In December 2007, the Agency issued 2007 Tax Allocation Bonds, Series A, in the original issue amount of $43,495,000 for the purpose of financing various redevelopment activities and other undertakings permitted under the Redevelopment Law, to fund a reserve for the bonds and to pay issuance costs. The bonds mature in serial and term fashion through August 1, 2038 and bear interest ranging from 3.5% to 4.625%. During the year, the amount of interest earned and paid to the City was $ 2,073,083.75. The bonds are subject to both optional and mandatory redemption prior to maturity beginning on August 1, 2017. The bonds are payable solely from Tax Revenues and other funds and amounts pledged therefore pursuant to the Indenture. This issue is fully insured in the event of nonpayment by the Agency.

Note 6: Long-Term Liabilities (Continued)

2007 Series A
Tax Allocation Bonds

Year Ending June 30	Principal	Interest
2010	$ 120,000	$ 2,055,284
2011	130,000	2,050,284
2012	210,000	2,043,484
2013	220,000	2,034,884
2014	230,000	2,025,884
2015-2019	1,220,000	9,996,706
2020-2024	3,510,000	9,641,116
2025-2029	9,185,000	8,101 816
2030-2034	12,085,000	5,547,125
2035-2039	15,815,000	2,054,375
	$ 42,725,000	$ 45,550,958

b. The following is a schedule of changes in long-term debt of the Agency for the fiscal year ended June 30, 2009:

	Balance July 1 ,2008	Additions	Repayments	Balance June 30, 2009	Due within One Year
Tax Allocation Bonds	$ 43,495,000	$ -	$ 770,000	$ 42,725,000	$ 120,000
City Loans - Principal	47,627,070	-	-	47,627,070	-
City Loans - Unpaid Interest	7,005,633	3,119,697	1,471,930	8,653,400	289,819
Price Company Note	2,433,744	-	199,660	2,234,084	-
Price Company matured interest	-	194,699	194,699	-	-
Total Long-Term debt	$ 100,561,447	$ 3,314,396	$ 2,636,289	$ 101,239,554	$ 409,819

Annual maturities for certain balances of long-term debt have not been presented, as fixed maturities have not been established.

c. Advances to / from other funds

In June 2007, the Low and Moderate Income Housing Fund advanced to the Capital Projects Fund $4,157,976 to finance the purchase of certain properties. Repayments will be made annually in an amount equal to 5% of the principal balance. Interest payments will be made annually based on the Agency' s approximate average investment returns on monies. During the year, the initial principal payment of $197,504 was made. The outstanding balance as of June 30, 2009 was $3,752,573.

Note 7: Commitments and Contingencies

Riverside County Agreement

During December 1987, the City of Moreno Valley and the Agency entered into an agreement with the County of Riverside to reimburse the County for the portion of tax increment the County would have been allocated and paid had there not been a redevelopment project adopted in the City. The Agency receives these amounts up to $7 million annually. The County will receive all annual tax increment in excess of $7 million until the total increment reaches $12 million and half of annual tax increment in excess of $12 million. When total tax increment paid to the County under this agreement from increments between $7 million and $12 million reaches $75 million, tax increment in excess of $7 million annually will be split equally between the Agency and County.

During April 1988, the City of Moreno Valley and the Agency entered into an agreement with the Riverside County Flood Control and Water Conservation District (District) which specifies that the Agency shall receive 100% of the District share of the tax increment until such time the total tax increment exceeds $12 million at which time the District shall receive at least 50% of its share.

The Agency must annually demonstrate, on a project by project basis, that the cumulative project costs paid by the Agency for the project improvements exceed the cumulative total of District share received by the Agency. To the extent that the cumulative project costs paid by the Agency exceed the cumulative total of District share received by the Agency, the Agency will receive the balance needed from the remaining 50% of the District share.

Beginning in 2004-2005 the Agency' s tax increment exceeded $12 million. The County deducts its proportionate share from the Agency' s remittances. The amount retained by the County is included in Other Financing Sources – Pass Through Agreement Payments in the financial statements. An additional amount of $3,928,234 for pass through agreements which have not yet been remitted is included in Due to Other Governments.

Community Facilities District No. 3 Agreement

In conjunction with the issuance of the Moreno Valley Auto Mall Special Tax Bonds Series 2000 (Auto Mall Refinancing), the Agency and the City are parties to an owner participation agreement which provides that the Agency will transmit to the District the available property tax increment it receives on parcels within the District as a credit against the special parcel taxes that otherwise would be payable by the owners. Furthermore, the City has agreed to loan the Agency available sales tax generated within the District for payment directly to the parcel owners should the increment be insufficient to offset the special parcel taxes. In addition, the Agency has agreed to pay to the parcel owners, subject to certain restrictions, certain available surplus sales tax from within the District. The obligations to remit sales tax terminate by December 1, 2010.

Note 7: Commitments and Contingencies (Continued)

This agreement replaces a previous arrangement involving these parcels when they were included in Community Facilities District No. 2.

The amounts remitted during the year under the replacement and previous agreement to parcel owners totaled $ 848,814.

Community Facilities District No. 87-1 Agreement

In connection with the issuance of the Community Facilities District No. 87-1 (CFD) Towngate 2007 Special Tax Refunding Bonds, the Agency entered into an owner participation agreement whereby the Agency has committed tax increment for the payment of debt service requirements for these Bonds.

Self-Insurance

The Agency is exposed to various risks of loss related to torts, theft of, damage to, and destruction of assets, errors and omissions, and injuries to employees. The City of Moreno Valley established two self-insurance funds (internal service funds) to account for and finance its uninsured risks of loss. Under this program, the self-insurance funds provide coverage for up to a maximum of $300,000 for each workers' compensation claim and $250,000 for each general liability claim. The City purchases commercial insurance for claims in excess of coverage provided by the funds and for all other risks of loss. Settled claims have not exceeded this commercial coverage in any of the past three years. All funds of the Agency participate in the program and make payments to the self-insurance funds based on actuarial estimates of the amounts needed to pay prior and current year claims.

ERAF Shift

When adopting its budget for fiscal year 2009-10, the State of California reflected in that budget a shift of a significant portion of tax increment revenue from redevelopment agencies to school districts for fiscal years 2009-10 and 2010-11. The California Redevelopment Association has filed a lawsuit challenging the legality of this tax shift. The outcome of that lawsuit is not certain at this time.

Note 8: Subsequent Events

Subsequent events are those events and transactions that occur after the end of the fiscal period but prior to issuance of the financial statements that are important for readers of the financial statements to be aware of. The District does not have any subsequent events to report.

Schedule 1

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

COMBINING PROJECT AREA BALANCE SHEET

JUNE 30, 2009

	Moreno Valley Redevelopment Project		
	Capital Projects		
		Low and Moderate	
ASSETS			
Cash and investments	$ 77,491,581	$ 9,900,885	$ 87,392,466
Receivables:			
Interest	-	140,482	140,482
Loans	-	12,115,790	12,115,790
Due from other governments	205	-	205
Due from the City of Moreno Valley	4,500	-	4,500
Land held for redevelopment	3,718,466	197,660	3,916,126
Advances to the City of Moreno Valley	256,499	-	256,499
Advances to other funds	-	3,752,573	3,752,573
Total Assets	**$ 81,471,251**	**$ 26,107,390**	**$ 107,578,641**
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	$ 447,410	$ 12,073	$ 459,483
Due to other governments	3,928,234	-	3,928,234
Due to the City of Moreno Valley	1,849,274	-	1,849,274
Deferred revenue	12,000	170,136	182,136
Accrued payroll	32,991	31,543	64,534
Advances from other funds	3,752,573	-	3,752,573
Total Liabilities	**10,022,482**	**213,752**	**10,236,234**
Fund Balances:			
Reserved:			
Encumbrances	1,964,659	3,701,125	5,665,784
Long term receivables	-	12,115,790	12,115,790
Land held for redevelopment	3,718,466	197,660	3,916,126
Advances to the City of Moreno Valley	256,499	-	256,499
Advances to other funds	-	3,752,573	3,752,573
Debt service	22,500,000	-	22,500,000
Unreserved:			
Designated:			
Continuing appropriations	36,027,579	4,402,217	40,429,796
Undesignated	6,981,566	1,724,273	8,705,839
Total Fund Balances	**71,448,769**	**25,893,638**	**97,342,407**
Total Liabilities and Fund Balances	**$ 81,471,251**	**$ 26,107,390**	**$ 107,578,641**

Schedule 2

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

COMBINING PROJECT AREA STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES

YEAR ENDED JUNE 30, 2009

	Moreno Valley Redevelopment Project		
	Capital Projects		TOTAL
	Project	Low and Moderate Housing	Capital Projects Funds
Revenues:			
Taxes and assessments:			
Tax increment	$ 19,229,318	$ 4,546,638	$ 23,775,956
Sales and use tax	862,963	-	862,963
Use of money and property:			
Interest income	1,996,989	317,791	2,314,780
Other revenue:			
Miscellaneous revenue	459,719	106,271	565,990
Total Revenues	**22,548,989**	**4,970,700**	**27,519,689**
Expenditures:			
Current:			
General government:			
Administrative costs	1,116,418	653,693	1,770,111
Community development:			
Project improvement costs	824,215	-	824,215
Capital outlay:	3,042,515	519,260	3,561,775
Debt service:			
Principal retirement	969,660	-	969,660
Interest expense	3,913,828	-	3,913,828
Bond issuance costs	-	-	-
Total Expenditures	**9,866,636**	**1,172,953**	**11,039,589**
Excess of Revenues over (under) Expenditures	**12,682,353**	**3,797,747**	**16,480,100**
Other Financing Sources (Uses)			
Transfers to the City of Moreno Valley	(2,277,726)	-	(2,277,726)
Pass through agreement payments	(12,525,495)	-	(12,525,495)
Total Other Financing Sources (Uses)	**(14,803,221)**	**-**	**(14,803,221)**
Change in fund balance	(2,120,868)	3,797,747	1,676,879
Fund Balances, Beginning of Year	73,569,637	22,095,891	95,665,528
Fund Balances, End of Year	**$ 71,448,769**	**$ 25,893,638**	**$ 97,342,407**

Schedule 3

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

COMPUTATION OF LOW AND MODERATE INCOME HOUSING FUNDS EXCESS/SURPLUS

	Low and Moderate Housing Funds - All Project Areas July 1, 2008		Low and Moderate Housing Funds - All Project Areas July 1, 2009	
Opening Fund Balance		$ 22,095,891		$ 25,893,638
Encumbrances (Section 33334.12 (g)(2))	(3,700,768)		(3,701,125)	
Rehabilitation loans	(11,813,830)		(12,115,790)	
Land held for redevelopment	(197,660)		(197,660)	
Long-term loans receivable	(3,950,077)		(3,752,573)	
		(19,662,335)		(19,767,148)
Available Low and Moderate Income Housing Funds		2,433,556		6,126,490
Limitation (greater of $1,000,000 or four years set-aside)				
Set-Aside for last four years:				
2008 - 2009	-		4,546,638	
2007 - 2008	4,583,576		4,583,576	
2006 - 2007	3,506,618		3,506,618	
2005 - 2006	2,673,012		2,673,012	
2004 - 2005	1,943,785		-	
Total	**$ 12,706,991**		**$ 15,309,844**	
Base Limitation	**$ 1,000,000**		**$ 1,000,000**	
Greater amount		12,706,991		15,309,844
Computed Excess/Surplus		**None**		**None**

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Board of Directors
Community Redevelopment Agency of the City of Moreno Valley
Moreno Valley, California

REPORT ON COMPLIANCE AND OTHER MATTERS AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

We have audited the accompanying financial statements of the governmental activities and each major fund, of the Community Redevelopment Agency of the City of Moreno Valley ("Agency") as of and for the year ended June 30, 2009, which collectively comprise the Agency's basic financial statements, and have issued our report thereon dated December 23, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free of material misstatements, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Such provisions included those provisions of laws and regulations identified in the *Guidelines for Compliance Audits of California Redevelopment Agencies*, issued by the State Controller and as interpreted in the *Suggested Auditing Procedures for Accomplishing Compliance Audits of California Redevelopment Agencies*, issued by the Governmental Accounting and Auditing Committee of the California Society of Certified Public Accountants. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instance of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Agency's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the Agency's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Agency's ability

to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Agency's financial statements that is more than inconsequential will not be prevented or detected by the Agency's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Agency's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily disclose all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

We noted other matters that we reported to the management of the City of Moreno Valley in a separate letter dated December 23, 2009.

This report is intended for the information of the Board of Directors, management of the Community Redevelopment Agency of the City of Moreno Valley, State Controller, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Mayer Hoffman McCann P.C.

Irvine, California
December 23, 2009

Community Services District

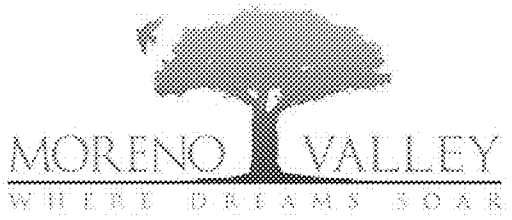

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

FINANCIAL STATEMENTS

YEAR ENDED JUNE 30, 2009
(With Independent Auditors' Report Thereon)

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CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

FINANCIAL STATEMENTS

YEAR ENDED JUNE 30, 2009

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CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

FINANCIAL STATEMENTS

(Continued)

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Board of Directors
City of Moreno Valley, California
Community Services District

INDEPENDENT AUDITORS' REPORT

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Moreno Valley, California, Community Services District ("District") as of and for the year ended June 30, 2009, which collectively comprise the District's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the management of the District. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the District as of June 30, 2009, and the respective changes in financial position and the respective budgetary comparison information for the major special revenue funds of the District for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

The District has not presented *Management's Discussion and Analysis* that the Governmental Accounting Standards Board has determined is necessary to supplement, although not required to be part of, the basic financial statements.

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Community Services District of the City of Moreno Valley's basic financial statements. The supplementary schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. The supplementary schedules have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

In accordance with *Government Auditing Standards*, we have also issued a report dated December 23, 2009 on our consideration of the District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Mayer Hoffman McCann P.C.

Irvine, California
December 23, 2009

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

STATEMENT OF NET ASSETS
JUNE 30, 2009

	Governmental Activities
Assets:	
Cash and investments (note 2)	$ 31,536,356
Receivables:	
Accounts	228,794
Prepaid Costs	140
Due from other governments	1,724,960
Capital assets not being depreciated (note 3)	596,225
Depreciable capital assets, net of accumulated depreciation: (note 3)	24,155,191
Total Assets	$ 58,241,666
Liabilities:	
Accounts payable	$ 511,932
Accrued liabilities	343,087
Deposits payable	107,553
Due to the City of Moreno Valley	23,732,567
Total Liabilities	24,695,139
Net Assets:	
Investment in capital assets	24,751,416
Restricted for special zones	8,795,111
Total Net Assets	$ 33,546,527

See Notes to Financial Statements

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CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2009

		Program Revenues			Net (Expense) Revenue and Changes in Net Assets
	Expenses	Charges for Services	Operating Contributions and Grants	Capital Contributions and Grants	Total
Governmental activities:					
Community and cultural	$ 19,059,112	$ 11,072,852	$ 118,208	$ 450,000	$ (7,418,052)
Total governmental activities	**$ 19,059,112**	**$ 11,072,852**	**$ 118,208**	**$ 450,000**	**(7,418,052)**

General Revenues and Transfers:	
Property taxes	4,266,289
Other taxes	1,017,266
Investment income	612,496
Miscellaneous	218,735
Transfers from the City of Moreno Valley	204,207
Total General Revenues and Transfers	6,318,993
Change in Net Assets	(1,099,059)
Net assets, beginning as restated (note 6)	34,645,586
Net assets, ending	**$ 33,546,527**

See Notes to Financial Statements.

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

GOVERNMENTAL FUNDS
BALANCE SHEET
JUNE 30, 2009

	Special Revenue Funds	
	Zone A Parks and Community Services	**Zone B Residential Street Lights Administration**
Assets:		
Cash and investments (note 2)	$ 24,877,467	$ 366,007
Receivables:		
Accounts	221,966	-
Prepaid costs	-	-
Due from other governments	838,371	116,011
Total Assets	**$ 25,937,804**	**$ 482,018**
Liabilities and Fund Balances:		
Liabilities:		
Accounts payable	$ 161,986	$ 94,804
Accrued liabilities	200,403	7,116
Deposits payable	107,553	-
Deferred revenue	229,799	-
Due to the City of Moreno Valley	23,732,567	-
Total Liabilities	**24,432,308**	**101,920**
Fund Balances:		
Reserved:		
Reserved for encumbrances	1,923	-
Reserved for prepaid costs	-	-
Unreserved:		
Designated for continuing appropriations	-	51,612
Designated for contingencies	1,152,381	-
Designated for capital improvement projects	-	-
Undesignated	351,192	328,486
Total Fund Balances	**1,505,496**	**380,098**
Total Liabilities and Fund Balances	**$ 25,937,804**	**$ 482,018**

See Notes to Financial Statements.

Zone E Extensive Landscaping Administration	Zone L Library Service Fund	Non-major Governmental Funds	Totals
$ 3,973,337	$ 218,192	$ 2,101,353	$ 31,536,356
1,776	1,096	3,956	228,794
70	-	70	140
247,479	240,330	282,769	1,724,960
$ 4,222,662	**$ 459,618**	**$ 2,388,148**	**$ 33,490,250**
$ 143,908	$ 4,849	$ 106,385	$ 511,932
31,190	69,961	34,417	343,087
-	-	-	107,553
-	-	-	229,799
-	-	-	23,732,567
175,098	**74,810**	**140,802**	**24,924,938**
825	30,888	22,175	55,811
70	-	70	140
267,312	30,000	-	348,924
-	-	-	1,152,381
2,799,332	-	223,379	3,022,711
980,025	323,920	2,001,722	3,985,345
4,047,564	**384,808**	**2,247,346**	**8,565,312**
$ 4,222,662	**$ 459,618**	**$ 2,388,148**	**$ 33,490,250**

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CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET ASSETS

June 30, 2009

Fund balances of governmental funds	$ 8,565,312
Amounts reported for governmental activities in the statement of net assets are different because:	
Capital assets, net of depreciation used in governmental activities are not financial resources and, therefore, are not reported in the funds.	
Capital assets	52,323,421
Accumulated depreciation	(27,572,005)
Certain items are reported as revenues in the statement of activities, but do not meet the revenue recognition criteria in order to be reported as revenues in the statement of revenues, expenditures and changes in fund balances, and consequently, are reported as deferred revenue in the balance sheet of governmental funds.	229,799
Net assets of governmental activities	**$ 33,546,527**

See Notes to the Basic Financial Statements

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

GOVERNMENTAL FUNDS
STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
YEAR ENDED JUNE 30, 2009

	Special Revenue Funds	
	Zone A Parks and Community Services	**Zone B Residential Street Lights Administration**
Revenues:		
Property taxes	$ 2,238,827	$ 114,516
Other taxes	-	-
Intergovernmental	-	-
Charges for services	5,874,456	932,416
Use of money and property	477,061	11,029
Fines and forfeitures	-	-
Miscellaneous	207,992	-
Total Revenues	8,798,336	1,057,961
Expenditures:		
Current:		
Community and cultural	8,299,602	1,460,256
Total Expenditures	8,299,602	1,460,256
Excess (Deficiency) of Revenues Over (Under) Expenditures	498,734	(402,295)
Other Financing Sources (Uses):		
Transfers in (note 4)	-	-
Transfers out (note 4)	-	-
Transfers from the City of Moreno Valley	126,800	-
Transfers to the City of Moreno Valley	(431,041)	-
Total Other Financing Sources (Uses)	(304,241)	-
Net Change in Fund Balances	194,493	(402,295)
Fund Balances, Beginning of Year, as restated (note 6)	1,311,003	782,393
Fund Balances, End of Year	$ 1,505,496	$ 380,098

See Notes to Financial Statements.

Zone E Extensive Landscaping Administration	Zone L Library Service Fund	Non-major Governmental Funds	Totals
$ -	$ 1,769,151	$ 143,795	$ 4,266,289
-	-	1,017,266	1,017,266
-	110,643	-	110,643
2,391,657	41,460	1,776,862	11,016,851
108,795	-	15,611	612,496
-	56,001	-	56,001
3,704	6,559	480	218,735
2,504,156	1,983,814	2,954,014	17,298,281
2,518,141	2,112,524	2,785,834	17,176,357
2,518,141	2,112,524	2,785,834	17,176,357
(13,985)	(128,710)	168,180	121,924
-	-	20,500	20,500
(20,500)	-	-	(20,500)
-	405,048	103,400	635,248
-	-	-	(431,041)
(20,500)	405,048	123,900	204,207
(34,485)	276,338	292,080	326,131
4,082,049	108,470	1,955,266	8,239,181
$ 4,047,564	$ 384,808	$ 2,247,346	$ 8,565,312

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES

YEAR ENDED JUNE 30, 2009

Net change in fund balances - total governmental funds	$ 326,131
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.	
Capital Outlay	121,529
Contributed Land	450,000
Depreciation expense	(2,004,284)
Certain items are reported as revenues in the statement of activities, but do not meet the revenue recognition criteria in order to be reported as revenues in the statement of revenues, expenditures and changes in fund balance.	7,565
Changes in net assets of governmental activities	**$ (1,099,059)**

See Notes to the Basic Financial Statements

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE A PARKS AND COMMUNITY SERVICES
YEAR ENDED JUNE 30, 2009

	Budget Amounts		Actual	Variance with Final Budget Positive
	Original	Final	Amounts	(Negative)
Revenues:				
Property taxes	$ 2,531,000	$ 2,531,000	$ 2,238,827	$ (292,173)
Charges for services	5,887,568	5,887,568	5,874,456	(13,112)
Use of money and property	432,769	455,569	477,061	21,492
Miscellaneous	36,080	36,080	207,992	171,912
Total Revenues	8,887,417	8,910,217	8,798,336	(111,881)
Expenditures:				
Current:				
Community and cultural	9,717,481	9,733,251	8,299,602	1,433,649
Total Expenditures	9,717,481	9,733,251	8,299,602	1,433,649
Excess (Deficiency) of Revenues Over (Under) Expenditures	(830,064)	(823,034)	498,734	1,321,768
Other Financing Sources (Uses):				
Transfers from the City of Moreno Valley	396,377	197,170	126,800	(70,370)
Transfers to the City of Moreno Valley	(400,000)	(400,000)	(431,041)	(31,041)
Total Other Financing Sources (Uses)	(3,623)	(202,830)	(304,241)	(101,411)
Net Change in Fund Balances	(833,687)	(1,025,864)	194,493	1,220,357
Fund Balances, Beginning of Year, as restated (note 6)	1,311,003	1,311,003	1,311,003	-
Fund Balances, End of Year	$ 477,316	$ 285,139	$ 1,505,496	$ 1,220,357

See Notes to Financial Statements.

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE B RESIDENTIAL STREET LIGHTS ADMINISTRATION
YEAR ENDED JUNE 30, 2009

	Budget Amounts		Actual	Variance with Final Budget Positive
	Original	Final	Amounts	(Negative)
Revenues:				
Property taxes	$ 109,200	$ 109,200	$ 114,516	$ 5,316
Charges for services	960,628	960,628	932,416	(28,212)
Use of money and property	40,000	40,000	11,029	(28,971)
Total Revenues	1,109,828	1,109,828	1,057,961	(51,867)
Expenditures:				
Current:				
Community and cultural	1,700,381	1,751,993	1,460,256	291,737
Total Expenditures	1,700,381	1,751,993	1,460,256	291,737
Excess (Deficiency) of Revenues Over (Under) Expenditures	(590,553)	(642,165)	(402,295)	239,870
Net Change in Fund Balances	(590,553)	(642,165)	(402,295)	239,870
Fund Balances, Beginning of Year	782,393	782,393	782,393	-
Fund Balances, End of Year	$ 191,840	$ 140,228	$ 380,098	$ 239,870

See Notes to Financial Statements.

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE E EXTENSIVE LANDSCAPING ADMINISTRATION
YEAR ENDED JUNE 30, 2009

	Budget Amounts		Actual	Variance with Final Budget Positive
	Original	Final	Amounts	(Negative)
Revenues:				
Charges for services	$ 2,544,605	$ 2,544,605	$ 2,391,657	$ (152,948)
Use of money and property	148,012	148,012	108,795	(39,217)
Miscellaneous	2,400	2,400	3,704	1,304
Total Revenues	2,695,017	2,695,017	2,504,156	(190,861)
Expenditures:				
Current:				
Community and cultural	3,064,038	3,376,943	2,518,141	858,802
Total Expenditures	3,064,038	3,376,943	2,518,141	858,802
Excess (Deficiency) of Revenues Over (Under) Expenditures	(369,021)	(681,926)	(13,985)	667,941
Other Financing Sources (Uses):				
Transfers out	(20,500)	(20,500)	(20,500)	-
Total Other Financing Sources (Uses)	(20,500)	(20,500)	(20,500)	-
Net Change in Fund Balances	(389,521)	(702,426)	(34,485)	667,941
Fund Balances, Beginning of Year	4,082,049	4,082,049	4,082,049	-
Fund Balances, End of Year	$ 3,692,528	$ 3,379,623	$ 4,047,564	$ 667,941

See Notes to Financial Statements.

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE L LIBRARY SERVICE FUND
YEAR ENDED JUNE 30, 2009

	Budget Amounts		Actual	Variance with Final Budget Positive
	Original	Final	Amounts	(Negative)
Revenues:				
Property taxes	$ 1,850,000	$ 1,850,000	$ 1,769,151	$ (80,849)
Intergovernmental	65,000	65,000	110,643	45,643
Charges for services	55,000	55,000	41,460	(13,540)
Fines and forfeitures	50,000	50,000	56,001	6,001
Miscellaneous	100	100	6,559	6,459
Total Revenues	2,020,100	2,020,100	1,983,814	(36,286)
Expenditures:				
Current:				
Community and cultural	2,459,816	2,365,847	2,112,524	253,323
Total Expenditures	2,459,816	2,365,847	2,112,524	253,323
Excess (Deficiency) of Revenues Over (Under) Expenditures	(439,716)	(345,747)	(128,710)	217,037
Other Financing Sources (Uses):				
Transfers in from the City of Moreno Valley	515,749	405,048	405,048	-
Total Other Financing Sources (Uses)	515,749	405,048	405,048	-
Net Change in Fund Balances	76,033	59,301	276,338	217,037
Fund Balances, Beginning of Year	108,470	108,470	108,470	-
Fund Balances, End of Year	$ 184,503	$ 167,771	$ 384,808	$ 217,037

See Notes to Financial Statements.

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

NOTES TO FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2009

Note 1: Reporting Entity, Description of Funds and Significant Accounting Policies

a. Reporting Entity

The City of Moreno Valley, California Community Services District (the District), was created by a City Council ordinance adopted on December 3, 1984. Its purpose is to act as a legal entity, separate and distinct from the City of Moreno Valley (the City), even though the City Council is currently serving as the District' s Governing Board. The District is broadly empowered to engage in the general maintenance and administration of the City' s community programs.

Governmental Accounting Standards define the reporting entity as the primary government and those component units for which the primary government is financially accountable. Financial accountability is defined as appointment of a voting majority of the component unit' s board, and either: a) the primary government has the ability to impose its will, or b) the possibility that the component unit will provide a financial benefit to, or impose a financial burden on the primary government. Since the City Council of the City of Moreno Valley also serves as the Governing Board of the District, the City, in effect, has the ability to influence and control operations. Therefore, the City has oversight responsibility for the District. Accordingly, in applying the criteria of Governmental Accounting Standards, the financial statements of the District are included in the City' s Comprehensive Annual Financial Report. The District has the same fiscal year end as the City and its financial statements can be obtained from the City Clerk.

b. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net assets and the statement of activities) report information on the component unit. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase,

Note 1: Reporting Entity, Description of Funds and Significant Accounting Policies (Continued)

use or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Major individual governmental funds are reported as separate columns in the fund financial statements.

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they have been levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Government fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers operating revenues to be available if they are collected within 60 days of the end of the current fiscal period, while grant revenues have an availability period of 150 days. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

Note 1: Reporting Entity, Description of Funds and Significant Accounting Policies (Continued)

The District reports the following major governmental funds:

Zone A Parks and Community Services accounts for the administration and maintenance of the parks and community services facilities and programs.

Zone B Residential Street Lights Administration accounts for the operations necessary to process and administer the residential street lighting program.

Zone E Extensive Landscaping Administration accounts for the operations necessary to provide high-service level landscape maintenance in and around specific major residential developments.

Zone L Library Service Fund accounts for the operations necessary to process and administer the library service program.

d. Budgetary Reporting

Budgets are legally adopted and formal budgetary integration is employed as a management control device during the year for the governmental activities. Budgets presented in this report for comparison to actual amounts are presented in accordance with generally accepted accounting principles (GAAP). From the effective date of the budget, the amounts stated therein as proposed expenditures become appropriations to the various District departments.

Reported budget amounts represent the original legally adopted budget as amended. The City Council may amend the budget only by a duly adopted minute resolution during a regular meeting, providing that sufficient monies are available and that expenditures of proceeds of taxes will not be increased beyond the constitutional appropriation limit as imposed by Article XIIIB of the State Constitution.

Individual fund budgets are, in all cases where appropriations are required, the same as the appropriation amounts. In the case of the Governmental Fund type, unexpended budgeted amounts, except for amounts relating to capital projects, lapse at the end of the budget year. Spending control for most funds is established by the amount of expenditures budgeted for each department within the fund, but management control is exercised at budgetary line item levels within the departments. Management can transfer budgeted amounts between line items within each department provided that they do not increase or decrease total department appropriations. Expenditures may not legally exceed budgeted appropriations at the department and fund levels.

Note 1: Reporting Entity, Description of Funds and Significant Accounting Policies (Continued)

e. Use of Restricted/Unrestricted Net Assets

When an expense is incurred for purposes for which both restricted and unrestricted net assets are available, the District' s policy is to apply restricted net assets first.

f. Deferred Revenue

In the government-wide financial statements, deferred revenue is recognized for transactions for which revenue has not yet been earned. Typical transactions recorded as deferred revenues in the government-wide financial statements are prepaid charges for services.

In the fund financial statements, deferred revenue is recorded when transactions have not yet met the revenue recognition criteria based on the modified accrual basis of accounting. The District records deferred revenue for transactions for which revenues have not been earned, or for which funds are not available to meet current financial obligations. Typical transactions for which deferred revenue is recorded are grants received but not yet earned or available, long-term loans receivables, and prepaid charges for services.

g. Fund Balance

Reservations of fund balance indicate those portions of fund balance unavailable for appropriation or amounts legally segregated for a specific future use. Designations of fund balance indicate tentative management plans for future uses of financial resources.

h. Net Assets

In the government-wide financial statements, net assets are classified in the following categories:

Investment in Capital Assets – This amount consists of capital assets net of accumulated depreciation and reduced by outstanding debt that is attributed to the acquisition, construction, or improvement of the assets. Currently, the District does not have any debt attributed to capital assets.

Restricted Net Assets – This amount is restricted by external creditors, grantors, contributors, or laws or regulations of other governments.

Note 1: Reporting Entity, Description of Funds and Significant Accounting Policies (Continued)

i. Encumbrances

Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of formal budgetary integration in the Governmental Fund type. Unexpended and unencumbered appropriations of the Governmental Fund automatically lapse at the end of the fiscal year. Encumbrances at year-end are a portion of the reserved fund balance and are reappropriated the following year.

j. Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of more than $5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings and Improvements	5 – 50
Furniture and Equipment	3 – 15
Vehicles	3 – 10
Infrastructure	25 – 50

k. Investments

The District records all investments at fair value. The current year' s changes in fair value are recognized in the statement of revenues, expenditures and changes in fund balances as use of money and property. *Use of money and property* includes interest earnings, changes in fair value, rental income and any gains or losses.

Note 1: Reporting Entity, Description of Funds and Significant Accounting Policies (Continued)

l. Salary Expenditures

The District does not employ any personnel and relies on the City for administrative services. The financial statements include expenditures for salary and other benefits, which were allocated to the District by the City.

m. Property Taxes

Property taxes attach as an enforceable lien on property as of January 1. Secured property taxes are levied on August 10 and are payable in two installments on November 1 and February 1. Unsecured personal property taxes are due in a single installment on July 1. The County of Riverside bills and collects the property taxes and remits them to the District in installments during the year. Property taxes received within 60 days after the District' s fiscal year-end are considered " measurable" and " available" and are accrued in the District' s financial statements.

n. Reconciliation of Government-Wide and Fund Financial Statements

Explanation of certain differences between the governmental fund statement of revenues, expenditures and changes in fund balances and the government-wide statement of activities:

> The governmental fund statement of revenues, expenditures and changes in fund balances includes a reconciliation between net changes in fund balances – of total governmental funds and changes in net assets of governmental activities as reported in the government-wide statement of activities. One element of that reconciliation explains that " Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense."

o. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the related reported amounts of revenues and expenditures during the reporting period. Actual results could differ from estimates.

Note 2: Cash and Investments

Cash and investments reported in the accompanying financial statements consisted of the following:

Cash and investments pooled with the City	$31,536,356

The District has no separate bank accounts or investments other than the District' s equity in the cash and investment pool managed by the City. The District is a voluntary participant in the City' s investment pool. This pool is governed by and under the regulatory oversight of the Investment Policy adopted by the City Council of the City. The District has not adopted an investment policy separate from that of the City. The fair value of the District' s investment in this pool is reported in the accompanying financial statements at amounts based upon the District' s pro-rata share of the fair value calculated by the City for the entire City portfolio. The balance available for withdrawal is based on the accounting records maintained by the City, which are recorded on an original cost basis.

Note 3: Capital Assets

	Balances* 6/30/08	Additions	Deletions	Balances 6/30/09
Non-depreciable Assets:				
Land	$ -	450,000	-	450,000
Construction in progress	101,457	44,768	-	146,225
Totals	101,457	494,768	-	596,225
Depreciable Assets:				
Buildings and improvements	$ 49,896,714	76,761	-	49,973,475
Machinery and equipment	1,250,323	-	-	1,250,323
Vehicles	503,398	-	-	503,398
Totals	51,650,435	76,761	-	51,727,196
Less Accumulated Depreciation for:				
Building and Improvements	(24,347,947)	(1,857,038)	-	(26,204,985)
Machinery and equipment	(928,028)	(79,115)	-	(1,007,143)
Vehicles	(291,746)	(68,131)	-	(359,877)
Total Accumulated Depreciation	(25,567,721)	(2,004,284)	-	(27,572,005)
Total Net Capital Assets	$ 26,184,171	(1,432,755)	-	24,751,416

* Beginning Capital Assets were restated, see explanation in note 6.

Note 4: Interfund Transfers

Transfers in and out for the year ended June 30, 2009 were as follows:

Funds	Transfers In	Transfers Out
Major Governmental Funds:		
Zone E Extensive Landscaping Administration Fund		$20,500
Nonmajor Funds:		
CFD# 1 Fund	$20,500	

CSD Zone E Extensive Landscaping Administration Fund transferred $20,500 to the CFD #1 Fund for that fund' s share of parcel fees collected and business unit charges.

Note 5: Commitments and Contingencies

The District is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and injuries to employees. The City of Moreno Valley established two Self-Insurance Funds (internal service funds) to account for and finance its uninsured risks of loss. Under this program, the self-insurance funds provide coverage for up to a maximum of $300,000 for each worker' s compensation claim and $250,000 for each general liability claim. The City purchases commercial insurance for claims in excess of coverage provided by the funds and for all other risks of loss. Settled claims have not exceeded this commercial coverage in any of the past three years. All funds of the District participate in the program and make payments to the Self-insurance Funds based on actuarial estimates of the amounts needed to pay prior and current year claims.

Note 6: Restatement of Beginning Net Assets

During the year ended June 30, 2009, the District discovered that accounts receivable had been overstated by $20,000 in Zone A Parks and Community Services. An adjustment was made to reduce the accounts receivable balance, which decreased the beginning fund balance and net assets for the fiscal year. In addition, certain capital assets and depreciation were not properly reported in the prior year. Adjustments were made to increase capital assets and increase depreciation.

Note 6: Restatement to Beginning Net Assets (Continued)

	Government-Wide	Zone A Parks and Community Services
Net assets at beginning of year, as previously reported	$33,774,586	$1,331,003
Adjustment to correct capital assets and depreciation	891,000	-
Adjustment to reduce accounts receivable	(20,000)	(20,000)
Net assets at beginning of year, as restated	$34,645,586	$ 1,311,003

Note 7: Subsequent Events

Subsequent events are those events and transactions that occur after the end of the fiscal period but prior to issuance of the financial statements that are important for readers of the financial statements to be aware of. The District does not have any subsequent events to report.

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2009

	Special Revenue Funds	
	Zone C Arterial Street Lights Administration	Zone D Standard Landscaping Administration
Assets:		
Cash and investments (note 2)	$ 637,586	$ 248,352
Receivables:		
Accounts	-	3,956
Prepaid costs	-	70
Due from other governments	67,459	127,157
Total Assets	**$ 705,045**	**$ 379,535**
Liabilities and Fund Balances:		
Liabilities:		
Accounts payable	$ 40,974	$ 36,578
Accrued liabilities	1,947	15,107
Total Liabilities	**42,921**	**51,685**
Fund Balances:		
Reserved:		
Reserved for encumbrances	-	-
Reserved for prepaid costs	-	70
Unreserved:		
Designated for capital improvement projects	223,379	-
Undesignated	438,745	327,780
Total Fund Balances	**662,124**	**327,850**
Total Liabilities and Fund Balances	**$ 705,045**	**$ 379,535**

Zone M Median Fund	CFD #1 Fund	Zone S Sunnymead Boulevard Maintenance	CFD #4M Fund	Total Non-major Funds
$ 208,608	$ 871,518	$ 73,709	$ 61,580	$ 2,101,353
-	-	-	-	3,956
-	-	-	-	70
5,941	80,492	1,720	-	282,769
$ 214,549	**$ 952,010**	**$ 75,429**	**$ 61,580**	**$ 2,388,148**
$ 5,259	$ 22,816	$ 758	$ -	$ 106,385
2,143	13,827	595	798	34,417
7,402	**36,643**	**1,353**	**798**	**140,802**
22,175	-	-	-	22,175
-	-	-	-	70
-	-	-	-	223,379
184,972	915,367	74,076	60,782	2,001,722
207,147	**915,367**	**74,076**	**60,782**	**2,247,346**
$ 214,549	**$ 952,010**	**$ 75,429**	**$ 61,580**	**$ 2,388,148**

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

COMBINING SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
NON-MAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2009

	Special Revenue Funds	
	Zone C Arterial Street Lights Administration	**Zone D Standard Landscaping Administration**
Revenues:		
Property taxes	$ 143,795	$ -
Other taxes	-	-
Charges for services	434,292	1,148,099
Use of money and property	18,534	(21,638)
Miscellaneous	-	480
Total Revenues	596,621	1,126,941
Expenditures:		
Current:		
Community and cultural	678,469	1,200,117
Total Expenditures	678,469	1,200,117
Excess (Deficiency) of Revenues Over (Under) Expenditures	(81,848)	(73,176)
Other Financing Sources (Uses):		
Transfers in	-	-
Transfers in from the City of Moreno Valley	-	-
Total Other Financing Sources (Uses)	-	-
Net Change in Fund Balances	(81,848)	(73,176)
Fund Balances, Beginning of Year	743,972	401,026
Fund Balances, End of Year	$ 662,124	$ 327,850

Zone M Median Fund	CFD #1 Fund	Zone S Sunnymead Boulevard Maintenance	CFD #4M Fund	Total Non-major Funds
$ -	$ -	$ -	$ -	$ 143,795
-	1,017,266	-	-	1,017,266
133,200	-	26,271	35,000	1,776,862
-	15,833	1,672	1,210	15,611
-	-	-	-	480
133,200	1,033,099	27,943	36,210	2,954,014
163,888	715,272	6,163	21,925	2,785,834
163,888	715,272	6,163	21,925	2,785,834
(30,688)	317,827	21,780	14,285	168,180
-	20,500	-	-	20,500
103,400	-	-	-	103,400
103,400	20,500	-	-	123,900
72,712	338,327	21,780	14,285	292,080
134,435	577,040	52,296	46,497	1,955,266
$ 207,147	$ 915,367	$ 74,076	$ 60,782	$ 2,247,346

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE C ARTERIAL STREET LIGHTS ADMINISTRATION
YEAR ENDED JUNE 30, 2009

	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues:			
Property taxes	$ 131,500	$ 143,795	$ 12,295
Charges for services	438,540	434,292	(4,248)
Use of money and property	33,500	18,534	(14,966)
Total Revenues	603,540	596,621	(6,919)
Expenditures:			
Current:			
Community and cultural	769,628	678,469	91,159
Total Expenditures	769,628	678,469	91,159
Excess (Deficiency) of Revenues Over (Under) Expenditures	(166,088)	(81,848)	84,240
Net Change in Fund Balances	(166,088)	(81,848)	84,240
Fund Balances, Beginning of Year	743,972	743,972	-
Fund Balances, End of Year	$ 577,884	$ 662,124	$ 84,240

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE D STANDARD LANDSCAPING ADMINISTRATION
YEAR ENDED JUNE 30, 2009

	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues:			
Charges for services	$ 1,238,475	$ 1,148,099	$ (90,376)
Use of money and property	12,000	(21,638)	(33,638)
Miscellaneous	-	480	480
Total Revenues	1,250,475	1,126,941	(123,534)
Expenditures:			
Current:			
Community and cultural	1,398,171	1,200,117	198,054
Total Expenditures	1,398,171	1,200,117	198,054
Excess (Deficiency) of Revenues Over (Under) Expenditures	(147,696)	(73,176)	74,520
Net Change in Fund Balances	(147,696)	(73,176)	74,520
Fund Balances, Beginning of Year	401,026	401,026	-
Fund Balances, End of Year	$ 253,330	$ 327,850	$ 74,520

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE M MEDIAN FUND
YEAR ENDED JUNE 30, 2009

	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues:			
Charges for services	$ 138,660	$ 133,200	$ (5,460)
Total Revenues	138,660	133,200	(5,460)
Expenditures:			
Current:			
Community and cultural	234,449	163,888	70,561
Total Expenditures	234,449	163,888	70,561
Excess (Deficiency) of Revenues Over (Under) Expenditures	(95,789)	(30,688)	65,101
Other Financing Sources (Uses):			
Transfers in from the City of Moreno Valley	103,400	103,400	-
Total Other Financing Sources (Uses)	103,400	103,400	-
Net Change in Fund Balances	7,611	72,712	65,101
Fund Balances, Beginning of Year	134,435	134,435	-
Fund Balances, End of Year	$ 142,046	$ 207,147	$ 65,101

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
CFD #1 FUND
YEAR ENDED JUNE 30, 2009

	Final Budget Amounts	Amounts	Variance with Final Budget Positive (Negative)
Revenues:			
Other taxes	$ 930,342	$ 1,017,266	$ 86,924
Use of money and property	20,000	15,833	(4,167)
Total Revenues	950,342	1,033,099	82,757
Expenditures:			
Current:			
Community and cultural	963,050	715,272	247,778
Total Expenditures	963,050	715,272	247,778
Excess (Deficiency) of Revenues Over (Under) Expenditures	(12,708)	317,827	330,535
Other Financing Sources (Uses):			
Transfers in	20,500	20,500	-
Total Other Financing Sources (Uses)	20,500	20,500	-
Net Change in Fund Balances	7,792	338,327	330,535
Fund Balances, Beginning of Year	577,040	577,040	-
Fund Balances, End of Year	$ 584,832	$ 915,367	$ 330,535

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
ZONE S SUNNYMEAD BOULEVARD MAINTENANCE
YEAR ENDED JUNE 30, 2009

	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues:			
Charges for services	$ 26,172	$ 26,271	$ 99
Use of money and property	-	1,672	1,672
Total Revenues	26,172	27,943	1,771
Expenditures:			
Current:			
Community and cultural	52,260	6,163	46,097
Total Expenditures	52,260	6,163	46,097
Net Change in Fund Balances	(26,088)	21,780	47,868
Fund Balances, Beginning of Year	52,296	52,296	-
Fund Balances, End of Year	$ 26,208	$ 74,076	$ 47,868

CITY OF MORENO VALLEY, CALIFORNIA
COMMUNITY SERVICES DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
CFD #4M FUND
YEAR ENDED JUNE 30, 2009

	Final Budget Amounts	Amounts	Variance with Final Budget Positive (Negative)
Revenues:			
Charges for services	35,000	35,000	-
Use of money and property	-	1,210	1,210
Total Revenues	35,000	36,210	1,210
Expenditures:			
Current:			
Community and cultural	35,000	21,925	13,075
Total Expenditures	35,000	21,925	13,075
Net Change in Fund Balances	-	14,285	14,285
Fund Balances, Beginning of Year	46,497	46,497	-
Fund Balances, End of Year	$ 46,497	$ 60,782	$ 14,285

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MHM

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Board of Directors
City of Moreno Valley, California
Community Services District

REPORT ON COMPLIANCE AND OTHER MATTERS AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Moreno Valley, California, Community Services District ("District") as of and for the year ended June 30, 2009, which collectively comprise the District's financial statements and have issued our report thereon dated December 23, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the District's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the District's financial statements that is more than inconsequential will not be prevented or detected by the District's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the District's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily disclose all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

We noted other matters that were reported to the management of the City of Moreno Valley in a separate letter dated December 23, 2009.

This report is intended solely for the information and use of the Board of Directors and District's management and is not intended to be and should not be used by anyone other than these specified parties.

Mayer Hoffman McCann P.C.

Irvine, California
December 23, 2009

MORENO VALLEY

WHERE DREAMS SOAR

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: March 23, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR JANUARY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-17
Check Register for Month of January, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

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

RESOLUTION NO. 2010-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JANUARY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period January 1, 2010 through January 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period January 1, 2010 through January 31, 2010, in the total amount of $12,733,166.62 is approved.

APPROVED AND ADOPTED this 23rd day of March, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
AFTERSCHOOL STORE.COM				
1/4/2010	199642	27,690.61		
			NOV-09 SNACKS-ASES	27,690.61
	Vendor Total	**27,690.61**		
FYTD for AFTERSCHOOL STORE.COM		**134,045.78**		
ALL AMERICAN ASPHALT, INC.				
1/25/2010	200099	48,153.20		
			2009 ANNL PAVEMNT RESURF PROJ	48,153.20
	Vendor Total	**48,153.20**		
FYTD for ALL AMERICAN ASPHALT, INC.		**843,562.58**		
BANK OF AMERICA				
1/13/2010	100104	88,508.63		
			ACQ & ESCROW 25241 TODD DR	88,508.63
1/5/2010	91227	68,934.04		
			ACQ & ESCROW 25909 PARSLEY AVE	68,934.04
1/7/2010	100103	51,796.09		
			ACQ & ESCROW 25106 FAY AVENUE	51,796.09
1/28/2010	100110	86,946.49		
			ACQ & ESCROW 22340 SONNET DR	86,946.49
	Vendor Total	**296,185.25**		
FYTD for BANK OF AMERICA		**1,441,966.16**		
CALPERS				
1/25/2010	200111	102,605.82		
			ARC PMT LESS PAYOUTS	135,916.66
			ARC PMT LESS PAYOUTS	-33,310.84
	Vendor Total	**102,605.82**		
FYTD for CALPERS		**553,869.29**		
CITIZENS BUSINESS BANK				
1/28/2010	100111	96,904.00		
			ACQ & ESCROW 11620 WARBLER WAY	96,904.00
1/28/2010	100112	82,930.00		
			ACQ & ESCROW 14917 EDELWEISS	82,930.00
	Vendor Total	**179,834.00**		
FYTD for CITIZENS BUSINESS BANK		**801,091.01**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CRITICAL SOLUTIONS					
	1/19/2010	199950	33,685.27		
				EMRGNCY OPS CTR PROJ SVCS	33,685.27
	Vendor Total		**33,685.27**		
FYTD for CRITICAL SOLUTIONS			**253,448.72**		
DATA TICKET, INC.					
	1/19/2010	199953	25,773.41		
				OCT-09 CITATION PRCSSNG	10,430.65
				NOV-09 CITATION PRCSSNG	15,342.76
	Vendor Total		**25,773.41**		
FYTD for DATA TICKET, INC.			**119,803.79**		
EMPLOYMENT DEVELOPMENT DEPARTMENT					
	1/4/2010	2558	31,175.99		
				DEP STATE INC TAX W/H 01/04/10	31,175.99
	1/15/2010	2567	55,424.16		
				DEP STATE INC TAX W/H 01/15/10	55,424.16
	1/29/2010	2575	35,213.53		
				DEP STATE INC TAX W/H 01/29/10	35,213.53
	Vendor Total		**121,813.68**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**793,039.72**		
ENCO UTILITY SERVICES MORENO VALLEY LLC					
	1/19/2010	199962	174,227.82		
				DISTRIBUTION CHRGS	162,932.50
				SPCL/TEMP CHRGS	6,850.00
				ONLINE UT SVCS	226.20
				JAN-10 CBNT LS-CTTNWD	64.35
				JAN-10 CBNT LS-CTTNWD	1,185.65
				JAN-10 CBNT LS-FREDERICK	11.95
				JAN-10 CBNT LS-FREDERICK	1,238.05
				JAN-10 CBNT LS-INDIAN	98.05
				JAN-10 CBNT LS-INDIAN	1,151.95
				JAN-10 CBNT LS-IRIS	114.53
				JAN-10 CBNT LS-IRIS	1,135.47
				BAD DEBT DEDUCTION	-780.88
	Vendor Total		**174,227.82**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**1,342,566.17**		
FULBRIGHT & JAWORSKI, L.L.P.					
	1/11/2010	199863	34,598.15		
				NOV-09 LEGAL SVC-UT	34,598.15
	Vendor Total		**34,598.15**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.			**149,364.05**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GONZALO PEREZ & LAW OFFICES OF					
	1/4/2010	199702	75,000.00		
				GEN LIAB SETTLEMENT	75,000.00
	Vendor Total		**75,000.00**		
FYTD for GONZALO PEREZ & LAW OFFICES OF			**75,000.00**		
HARRIS & ASSOCIATES, INC.					
	1/4/2010	199710	60,288.30		
				SUNNYMD BLVD REVIT PROJ SVCS	32,963.90
				SUNNYMD BLVD REVIT PROJ SVCS	27,324.40
	Vendor Total		**60,288.30**		
FYTD for HARRIS & ASSOCIATES, INC.			**269,443.82**		
IAC ENGINEERING, INC.					
	1/4/2010	199720	115,434.46		
				RETENTION RLS-PSB PARKING LOT	111,148.78
				RETENTION RLS-PSB PARKING LOT	4,285.68
	Vendor Total		**115,434.46**		
FYTD for IAC ENGINEERING, INC.			**132,371.40**		
ICMA RETIREMENT CORP 457					
	1/15/2010	2565	56,343.71		
				DEF COMP 457 01/15/10	56,343.71
	Vendor Total		**56,343.71**		
FYTD for ICMA RETIREMENT CORP 457			**215,726.74**		
INTERNAL REVENUE SERVICE					
	1/4/2010	2557	120,083.77		
				DEP FED TAX W/H 01/04/2010	120,083.77
	1/15/2010	2566	212,472.13		
				DEP FED TAX W/H 01/15/2010	212,472.13
	1/29/2010	2574	129,246.33		
				DEP FED TAX W/H 01/29/2010	129,246.33
	Vendor Total		**461,802.23**		
FYTD for INTERNAL REVENUE SERVICE			**2,348,863.94**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IRONMAN					
	1/11/2010	199872	73,800.90		
				VEHICLE ASSESSMENT	14,760.18
				VEHICLE ASSESSMENT	14,760.18
				VEHICLE ASSESSMENT	14,760.18
				VEHICLE ASSESSMENT	14,760.18
				VEHICLE ASSESSMENT	14,760.18
	1/25/2010	200134	29,520.36		
				VEHICLE ASSESSMENT	14,760.18
				VEHICLE ASSESSMENT	14,760.14
				VEHICLE ASSESSMENT	0.04
	Vendor Total		**103,321.26**		
FYTD for IRONMAN			**132,841.62**		
JOE HOWARD TEAGUE AND LAW OFFICES					
	1/4/2010	199727	125,000.00		
				GEN LIAB SETTLEMENT	125,000.00
	Vendor Total		**125,000.00**		
FYTD for JOE HOWARD TEAGUE AND LAW OFFICES			**125,000.00**		
KOA CORPORATION					
	1/11/2010	199877	31,257.85		
				RECHE VISTA DR REALIGNMNT PROJ	11,157.85
				RECHE VISTA DR REALIGNMNT PROJ	20,100.00
	Vendor Total		**31,257.85**		
FYTD for KOA CORPORATION			**150,811.97**		
LEAGUE OF CALIFORNIA CITIES					
	1/11/2010	199879	31,636.00		
				2010 MBRSHP DUES	31,636.00
	Vendor Total		**31,636.00**		
FYTD for LEAGUE OF CALIFORNIA CITIES			**31,636.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	1/19/2010	199999	45,804.78		
				IRONWOOD AVE-HEACOCK TO PERRIS	45,804.78
	Vendor Total		**45,804.78**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**428,148.38**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	1/19/2010	200012	400,000.00		
				SETTLEMNT AGREEMNT 12/09/09	400,000.00
	Vendor Total		**400,000.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**402,126.32**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	1/19/2010	200013	49,696.05		
				ELECTRICITY	134.67
				ELECTRICITY	893.44
				ELECTRICITY	223.24
				ELECTRICITY	2,020.11
				ELECTRICITY	9,766.35
				ELECTRICITY	9,163.51
				ELECTRICITY	2,838.02
				ELECTRICITY	4,343.25
				ELECTRICITY	777.58
				ELECTRICITY	1,412.85
				ELECTRICITY	12,116.56
				ELECTRICITY	5,219.55
				ELECTRICITY	167.75
				ELECTRICITY	130.07
				ELECTRICITY	83.56
				ELECTRICITY	62.67
				ELECTRICITY	62.67
				ELECTRICITY	125.19
				ELECTRICITY	55.86
				ELECTRIC SVC-UFO	99.15
	Vendor Total		**49,696.05**		
FYTD for MORENO VALLEY UTILITY			**472,570.71**		
NATIONWIDE RETIREMENT SOLUTIONS					
	1/15/2010	2562	49,500.00		
				DEF COMP 457 & 401(A) 01/15/10	49,500.00
	1/15/2010	2563	46,220.98		
				DEF COMP 457 & 401(A) 01/15/10	46,220.98
	Vendor Total		**95,720.98**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**548,836.71**		
PARSONS TRANSPORTATION GROUP, INC.					
	1/19/2010	200020	39,240.84		
				SR-60/MOR BCH DR INTRCHNG PROJ	39,240.84
	Vendor Total		**39,240.84**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**810,328.54**		
PERS HEALTH INSURANCE					
	1/6/2010	100102	203,963.20		
				EMPLOYEE HEALTH INSURANCE	203,963.20
	Vendor Total		**203,963.20**		
FYTD for PERS HEALTH INSURANCE			**1,337,854.45**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERS RETIREMENT					
	1/4/2010	199770	179,479.05		
				PERS RETIREMENT 12/25/09	179,479.05
	1/8/2010	2559	205,062.21		
				PERS RETIREMENT 12/25/09	205,062.21
	1/22/2010	2568	189,381.09		
				PERS RETIREMENT 01/08/10	189,381.09
	Vendor Total		**573,922.35**		
FYTD for PERS RETIREMENT			**3,356,601.90**		
POUK & STEINLE, INC.					
	1/25/2010	200153	25,766.62		
				TRAF SIG @ COTTONWD/PATTILYNN	25,766.62
	Vendor Total		**25,766.62**		
FYTD for POUK & STEINLE, INC.			**251,015.29**		
PSOMAS					
	1/19/2010	200027	31,533.36		
				LASSELLE ST WIDENING PROJ SVCS	31,533.36
	Vendor Total		**31,533.36**		
FYTD for PSOMAS			**151,828.68**		
RIVERSIDE COUNTY SHERIFF					
	1/28/2010	100107	2,574,016.58		
				CONTRACT LAW ENF BILL #06	2,574,016.58
	Vendor Total		**2,574,016.58**		
FYTD for RIVERSIDE COUNTY SHERIFF			**24,267,625.02**		
RIVERSIDE COUNTY SHERIFF'S DEPT.					
	1/25/2010	200160	34,961.22		
				JUL-OCT 2009 BOOKING FEES	34,961.22
	Vendor Total		**34,961.22**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**508,541.22**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	1/19/2010	200038	25,121.94		
				PUB SFTY BLDG CONVERSION PROJ	25,121.94
	Vendor Total		**25,121.94**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**108,759.44**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SEMPRA ENERGY SOLUTIONS					
	1/11/2010	199901	570,885.62		
				NOV-09 PURCHASED PWR	304,784.87
				NOV-09 PURCHASED PWR	266,100.75
	1/19/2010	200040	594,366.87		
				PURCHASED POWER	594,366.87
	Vendor Total		**1,165,252.49**		
FYTD for SEMPRA ENERGY SOLUTIONS			**5,061,602.97**		
SOCO GROUP, INC					
	1/4/2010	199789	25,604.47		
				FUEL PURCHASE	4,765.59
				FUEL PURCHASE	5,589.98
				FUEL PURCHASE	4,875.84
				FUEL PURCHASE	4,923.00
				FUEL PURCHASE	5,450.06
	Vendor Total		**25,604.47**		
FYTD for SOCO GROUP, INC			**81,027.23**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	1/19/2010	200050	135,346.88		
				ELECTRICITY	21.37
				ELECTRICITY	333.55
				ELECTRICITY	21.57
				ELECTRICITY	557.09
				ELECTRICITY	930.14
				ELECTRICITY	1,200.10
				ELECTRICITY	95,492.61
				ELECTRICITY	36,103.85
				ELECTRICITY	329.75
				ELECTRICITY	111.07
				ELECTRICITY	22.24
				ELECTRICITY	24.19
				ELECTRICITY	68.86
				ELECTRICITY	87.62
				ELECTRICITY	42.87
	1/25/2010	200172	30,393.99		
				ELECTRICITY	525.02
				ELECTRICITY	182.70
				ELECTRICITY	5,596.92
				ELECTRICITY	143.43
				ELECTRICITY	2,508.09
				ELECTRICITY	19.22
				ELECTRICITY	2,157.84
				ELECTRICITY	640.19
				ELECTRICITY	1,637.75
				ELECTRICITY	603.49
				ELECTRICITY	840.85
				ELECTRICITY	166.03
				ELECTRICITY	3,794.60
				ELECTRICITY	802.88
				ELECTRICITY	1,392.04
				ELECTRICITY	22.24
				ELECTRICITY	521.45
				ELECTRICITY	5,404.86
				ELECTRICITY	1,690.58
				ELECTRICITY	231.65
				ELECTRICITY	438.99
				ELECTRICITY	533.96
				ELECTRICITY	135.25
				ELECTRICITY	144.27
				ELECTRICITY	236.53
				ELECTRICITY	23.16
	Vendor Total		**165,740.87**		
FYTD for SOUTHERN CALIFORNIA EDISON			**5,772,264.71**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANDARD INSURANCE CO					
	1/11/2010	199906	30,679.17		
				LIFE & DISABILITY INSURANCE	11,560.97
				LIFE & DISABILITY INSURANCE	19,020.29
				LIFE & DISABILITY INSURANCE	97.91
	Vendor Total		**30,679.17**		
FYTD for STANDARD INSURANCE CO			**230,727.41**		
U.S. BANK/CALCARDS					
	1/13/2010	100105	38,070.05		
				CAL CARD PMT CYCLE END 1/07/10	38,070.05
	1/28/2010	100113	87,356.79		
				CAL CARD PMT CYCLE END 1/22/10	87,356.79
	Vendor Total		**125,426.84**		
FYTD for U.S. BANK/CALCARDS			**1,206,915.56**		
UNION BANK OF CALIFORNIA NA					
	1/5/2010	91217	1,000,000.00		
				FNMA 3.0% 01/05/2010	1,000,000.00
	1/13/2010	91218	1,000,000.00		
				FHLB 3.1% 01/13/2010	1,000,000.00
	Vendor Total		**2,000,000.00**		
FYTD for UNION BANK OF CALIFORNIA NA			**36,914,675.69**		
UNITED CONTRACTORS COMPANY INC.					
	1/25/2010	200183	431,050.50		
				EMRGNCY OPS CTR PROJ SVCS	431,050.50
	Vendor Total		**431,050.50**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,278,954.00**		
WELLS FARGO CORPORATE TRUST					
	1/28/2010	100109	1,026,439.98		
				INT PMT 2007 TABS SERIES A	1,026,439.98
	Vendor Total		**1,026,439.98**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,624,933.29**		
WHEELER PAVING, INC.					
	1/4/2010	199823	106,994.48		
				LASSELLE ST WIDENING PROJ SVCS	106,994.48
	1/25/2010	200199	87,096.96		
				LASSELLE ST WIDENING PROJ SVCS	87,096.96
	Vendor Total		**194,091.44**		
FYTD for WHEELER PAVING, INC.			**1,516,818.65**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN AND ASSOCIATES					
	1/4/2010	199825	35,361.89		
				MORENO BEACH DR WIDENING PROJ	27,974.64
				PLAN CHECK SVCS	7,387.25
	Vendor Total		**35,361.89**		
FYTD for WILLDAN AND ASSOCIATES			**183,035.31**		
WINZLER & KELLY CONSULTING ENGINEERS					
	1/25/2010	200201	31,680.00		
				TEMP STAFF SVCS FOR CAP PROJS	14,850.00
				TEMP STAFF SVCS FOR CAP PROJS	16,830.00
	Vendor Total		**31,680.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**253,136.23**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	1/19/2010	200090	186,428.00		
				RESIDENTIAL FEES CLLCTD	186,428.00
	Vendor Total		**186,428.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**1,071,097.42**		
WRCRCA					
	1/19/2010	200091	32,946.00		
				RESIDENTIAL FEES CLLCTD	32,946.00
	Vendor Total		**32,946.00**		
FYTD for WRCRCA			**172,090.00**		
	Subtotal		**11,655,100.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
4 U SMOKE SHOP & GIFTS				
1/25/2010	200096	120.00		
			REFUND-FALSE ALARM	120.00
Vendor Total		**120.00**		
FYTD for 4 U SMOKE SHOP & GIFTS		**120.00**		
A & I REPROGRAPHICS 2406362				
1/25/2010	200097	1,170.44		
			RPRGRPHC SVCS-DAY ST PROJ	91.96
			RPRGRPHC SVCS-PSB EXPANSION	1,007.98
			RPRGRPHC SVCS-SR60/MOR BCH PRJ	70.50
Vendor Total		**1,170.44**		
FYTD for A & I REPROGRAPHICS 2406362		**11,776.11**		
ACCESS SECURITY CONTROLS INT., INC.				
1/19/2010	199922	1,060.00		
			JAN-MAR SEC MNTRNG	75.00
			JAN-MAR SEC MNTRNG	75.00
			JAN-MAR SEC MNTRNG	75.00
			JAN-MAR SEC MNTRNG	75.00
			JAN-MAR SEC MNTRNG	760.00
Vendor Total		**1,060.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.		**12,122.59**		
ACOSTA, ANTONIO				
1/4/2010	199639	200.00		
			REFUND-CITATION FEE	200.00
Vendor Total		**200.00**		
FYTD for ACOSTA, ANTONIO		**200.00**		
ADAMS, MARK L.				
1/4/2010	199640	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.		**2,231.11**		
ADLERHORST INTERNATIONAL INC.				
1/19/2010	199923	141.67		
			DEC-09 CANINE TRNG-BLUE	141.67
1/25/2010	200098	283.34		
			DEC-09 CANINE TRNG-LEX	283.34
Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.		**3,392.90**		

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ADMINSURE					
	1/11/2010	199832	2,600.00		
				JAN-10 WRKMNS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**18,200.00**		
ADVANTAGE BUSINESS EQUIPMENT, INC					
	1/4/2010	199641	4,995.90		
				CHECK SIGNER	2,749.00
				CHECK SIGNER-SVC CONTRACT	489.30
				CHECK SIGNER-MICR LICENSE	400.00
				CHECK SIGNER-IMAGE MODULE	995.00
				CHECK SIGNER-SALES TAX	362.60
	Vendor Total		**4,995.90**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC			**4,995.90**		
AGA/ASSOC OF GOVERNMENT ACCOUNTANTS					
	1/19/2010	199924	435.00		
				2/10/10 AUDITING SEMINAR	145.00
				2/10/10 AUDITING SEMINAR	145.00
				2/10/10 AUDITING SEMINAR	145.00
	Vendor Total		**435.00**		
FYTD for AGA/ASSOC OF GOVERNMENT ACCOUNTANTS			**435.00**		
AKMAKJIAN, JACK					
	1/4/2010	199643	1,086.66		
				REFUND-WEED ABTMNT	1,086.66
	Vendor Total		**1,086.66**		
FYTD for AKMAKJIAN, JACK			**1,086.66**		
ALICEA, RICHARD					
	1/4/2010	199644	55.55		
				MILEAGE REIMBURSEMENT	55.55
	Vendor Total		**55.55**		
FYTD for ALICEA, RICHARD			**290.40**		
ALL AMERICAN ASPHALT, INC.					
	1/19/2010	199925	10,589.99		
				LASSELLE/COTTONWD ST IMPRVMNTS	10,589.99
	Vendor Total		**10,589.99**		
FYTD for ALL AMERICAN ASPHALT, INC.			**843,562.58**		

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ALLIANZ LIFE INSURANCE CO					
	1/19/2010	199926	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**525.00**		
AMEC EARTH & ENVIRONMENTAL, INC.					
	1/19/2010	199927	7,593.40		
				ANNL PAVEMNT RESURF PROJ SVCS	7,593.40
	Vendor Total		**7,593.40**		
FYTD for AMEC EARTH & ENVIRONMENTAL, INC.			**9,189.20**		
AMERICAN FORENSIC NURSES					
	1/4/2010	199645	943.40		
				BLOOD DRAWS	93.40
				BLOOD DRAWS	850.00
	1/11/2010	199833	748.00		
				BLOOD DRAWS	748.00
	1/19/2010	199928	1,092.90		
				BLOOD DRAWS	93.40
				BLOOD DRAWS	999.50
	1/25/2010	200100	46.70		
				BLOOD DRAWS	46.70
	Vendor Total		**2,831.00**		
FYTD for AMERICAN FORENSIC NURSES			**15,876.50**		
AMERICAN ROTARY BROOM CO.					
	1/4/2010	199646	3,156.13		
				STREET SWEEPING BROOM KITS	447.16
				STREET SWEEPING BROOM KITS	1,209.76
				STREET SWEEPING BROOM KITS	670.75
				STREET SWEEPING BROOM KITS	828.46
	1/25/2010	200101	1,433.34		
				STREET SWEEPING BROOM KITS	986.18
				STREET SWEEPING BROOM KITS	447.16
	Vendor Total		**4,589.47**		
FYTD for AMERICAN ROTARY BROOM CO.			**21,640.82**		
AMTECH ELEVATOR SERVICES					
	1/19/2010	199929	329.27		
				ELEVATOR SVC-SR CTR	210.90
				ELEVATOR SVC-CITY HALL	118.37
	Vendor Total		**329.27**		
FYTD for AMTECH ELEVATOR SERVICES			**1,250.39**		

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ANDERSON, GREG W.					
	1/19/2010	199930	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for ANDERSON, GREG W.			**50.00**		
ANIMAL HEALTH AND SANITARY SUPPLY					
	1/11/2010	199834	617.69		
				MISC SUPPLIES-ANML SHLTR	617.69
	Vendor Total		**617.69**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY			**5,546.65**		
ANIMAL PEST MANAGEMENT SERVICES, INC.					
	1/25/2010	200102	1,790.00		
				DEC-09 PEST CNTRL-PARKS	665.00
				DEC-09 PEST CNTRL-PARKS	255.00
				DEC-09 PEST CNTRL-MVEC	330.00
				DEC-09 PEST CNTRL-PAL	100.00
				DEC-09 PEST CNTRL-CFD #1	160.00
				DEC-09 PEST CNTRL-GLF CRS	180.00
				DEC-09 PEST CNTRL-STARS BLDG	100.00
	Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**13,230.00**		
ARCHIVE MANAGEMENT SERVICE					
	1/11/2010	199835	1,042.86		
				DEC-09 OFFSITE STORAGE FEE	1,042.86
	Vendor Total		**1,042.86**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**9,580.52**		

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ARROWHEAD WATER					
	1/11/2010	199836	175.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FAC ANNX	25.00
				WTR PURIF RNTL-CRC	25.00
	1/25/2010	200103	380.78		
				WTR PURIF RNTL-STARS BLDG	40.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-CITY TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**555.78**		
FYTD for ARROWHEAD WATER			**3,941.23**		
ASCAP					
	1/19/2010	199931	1,244.08		
				CITY MUSIC LICENSE	1,244.08
	Vendor Total		**1,244.08**		
FYTD for ASCAP			**1,244.08**		
ASG FACILITY					
	1/4/2010	199647	60.00		
				INSTRUCTOR SVCS-BOXING	60.00
	Vendor Total		**60.00**		
FYTD for ASG FACILITY			**572.00**		
ASSOCIATED REPRODUCTION SVC					
	1/11/2010	199837	399.55		
				LEGAL COPY SVCS	152.95
				LEGAL COPY SVCS	124.52
				LEGAL COPY SVCS	122.08
	Vendor Total		**399.55**		
FYTD for ASSOCIATED REPRODUCTION SVC			**600.75**		
AT&T/MCI					
	1/11/2010	199838	184.03		
				COMMUNICATION SVC-GTF	184.03
	Vendor Total		**184.03**		
FYTD for AT&T/MCI			**1,286.11**		

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AV GRAPHICS, INC.					
	1/19/2010	199932	571.58		
				NSNC ABTMNT NOTICES-CODE	571.58
	Vendor Total		**571.58**		
FYTD for AV GRAPHICS, INC.			**5,427.82**		
BACHER, GRACE					
	1/4/2010	199648	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**1,520.01**		
BANK OF AMERICA, N.A.					
	1/11/2010	199839	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for BANK OF AMERICA, N.A.			**67.50**		
BANNING VETERINARY HOSPITAL					
	1/25/2010	200104	48.51		
				MEDICATION FOR K-9 LEX	48.51
	Vendor Total		**48.51**		
FYTD for BANNING VETERINARY HOSPITAL			**239.96**		
BANUELOS, JOSE & VERONICA					
	1/19/2010	199933	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BANUELOS, JOSE & VERONICA			**20.00**		
BARNES, DARLENE					
	1/4/2010	199649	110.82		
				RETIREE MEDICAL BENEFIT	110.82
	Vendor Total		**110.82**		
FYTD for BARNES, DARLENE			**775.74**		
BARRIOS, SUZANNE RENEE					
	1/19/2010	199934	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BARRIOS, SUZANNE RENEE			**75.00**		

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BASIC BACKFLOW					
	1/25/2010	200105	394.65		
				BACKFLOW TESTING-PARKS	394.65
	Vendor Total		**394.65**		
FYTD for BASIC BACKFLOW			**934.65**		
BAYER APPRAISALS					
	1/4/2010	199650	1,500.00		
				APPRAISAL SVCS FOR NSP PRGM	375.00
				APPRAISAL SVCS FOR NSP PRGM	375.00
				APPRAISAL SVCS FOR NSP PRGM	375.00
				APPRAISAL SVCS FOR NSP PRGM	375.00
	Vendor Total		**1,500.00**		
FYTD for BAYER APPRAISALS			**1,500.00**		
BECK, ALBERT					
	1/4/2010	199651	590.54		
				REFUND-WEED ABTMNT	590.54
	Vendor Total		**590.54**		
FYTD for BECK, ALBERT			**590.54**		
BECK, BRUCE					
	1/4/2010	199652	590.54		
				REFUND-WEED ABTMNT	590.54
	Vendor Total		**590.54**		
FYTD for BECK, BRUCE			**590.54**		
BELL, ORROCK & WATASE, INC					
	1/19/2010	199935	680.85		
				LEGAL SVCS- 2007-23A	182.30
				LEGAL SVCS- 2008-30	498.55
	Vendor Total		**680.85**		
FYTD for BELL, ORROCK & WATASE, INC			**12,219.81**		

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BEMUS LANDSCAPE, INC.					
	1/19/2010	199936	1,461.25		
				PUB SFTY BLDG PARKING LOT PROJ	1,461.25
	1/25/2010	200106	13,848.14		
				DEC-09 LNDSCP MAINT-AQDCT A	850.50
				DEC-09 LNDSCP MAINT-AQDCT B	735.00
				DEC-09 LNDSCP MAINT-N AQDCT	525.00
				DEC-09 LNDSCP MAINT-SR CTR	262.50
				DEC-09 LNDSCP MAINT-EDSN/OLD	1,785.00
				DEC-09 LNDSCP MAINT-PAN AM SEC	600.00
				DEC-09 LNDSCP MAINT-ANML SHLTR	520.00
				DEC-09 LNDSCP MAINT-CITY HALL	992.56
				DEC-09 LNDSCP MAINT-VTRN MEM	250.00
				DEC-09 LNDSCP MAINT-CRC	1,900.00
				DEC-09 LNDSCP MAINT-ANNX #1	300.00
				DEC-09 LNDSCP MAINT-LIBRARY	520.00
				DEC-09 LNDSCP MAINT-PSB	1,197.58
				DEC-09 LNDSCP MAINT-STARS BLDG	300.00
				DEC-09 LNDSCP MAINT-AQDCT	1,900.00
				DEC-09 LNDSCP MAINT-MVU SUB	480.00
				DEC-09 LNDSCP MAINT-MVU	480.00
				DEC-09 LNDSCP MAINT-YARD	250.00
	Vendor Total		**15,309.39**		
FYTD for BEMUS LANDSCAPE, INC.			**224,951.55**		
BENESYST, INC.					
	1/11/2010	199840	444.31		
				FLEX ADMIN SVCS	444.31
	1/19/2010	100106	20.13		
				COBRA SUBSIDIES JAN 2010	20.13
	Vendor Total		**464.44**		
FYTD for BENESYST, INC.			**2,335.30**		
BENITEZ, ARMANDO					
	1/4/2010	199653	750.00		
				REFUND-RNTL DEP 12/14	750.00
	Vendor Total		**750.00**		
FYTD for BENITEZ, ARMANDO			**750.00**		
BEST, BEST & KRIEGER, LLP					
	1/11/2010	199841	232.94		
				NOV-09 LEGAL SVC-GENERAL	232.94
	Vendor Total		**232.94**		
FYTD for BEST, BEST & KRIEGER, LLP			**4,933.51**		

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BIO-TOX LABORATORIES					
	1/4/2010	199654	3,052.33		
				TOXICOLOGY TESTS	100.23
				TOXICOLOGY TESTS	605.77
				TOXICOLOGY TESTS	2,346.33
	Vendor Total		**3,052.33**		
FYTD for BIO-TOX LABORATORIES			**24,967.05**		
BIRG, CHARLES					
	1/19/2010	199937	50.00		
				REFUND-CITATION FEE	25.00
				REFUND-CITATION FEE	25.00
	Vendor Total		**50.00**		
FYTD for BIRG, CHARLES			**50.00**		
BLAIR, CHERYL					
	1/11/2010	199842	27.00		
				INSTRUCTOR SVC-BELLY DNCNG	27.00
	Vendor Total		**27.00**		
FYTD for BLAIR, CHERYL			**2,025.00**		
BOBO II, FELIX					
	1/19/2010	199938	94.60		
				MILEAGE REIMBURSEMENT	94.60
	Vendor Total		**94.60**		
FYTD for BOBO II, FELIX			**414.15**		
BORDEN, NANCY					
	1/4/2010	199655	921.00		
				REFUND-WEED ABTMNT	921.00
	Vendor Total		**921.00**		
FYTD for BORDEN, NANCY			**921.00**		
BOXER RESCUE					
	1/19/2010	199939	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BOXER RESCUE			**75.00**		
BSN SPORTS					
	1/25/2010	200107	1,055.23		
				YTH MIN GOALS-PARKS	899.98
				YTH MIN GOALS-TAX	78.75
				YTH MIN GOALS-SHIPPING	76.50
	Vendor Total		**1,055.23**		
FYTD for BSN SPORTS			**1,055.23**		

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BUCHHEIT,JOYCE					
	1/19/2010	199940	96.00		
				REFUND-CLASS REGIST	96.00
	Vendor Total		**96.00**		
FYTD for BUCHHEIT,JOYCE			**96.00**		
BUCKINGHAM, STAN					
	1/4/2010	199656	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**318.73**		
BURKE, WILLIAMS & SORENSEN, LLP.					
	1/19/2010	199941	51.90		
				LEGAL SVCS-JENNY INVESTMENT	51.90
	Vendor Total		**51.90**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**5,924.72**		
CAIN, GREGORY					
	1/4/2010	199657	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**1,593.66**		
CALAVERAS STANDARD MATERIALS					
	1/4/2010	199658	1,654.58		
				CEMENT PURCHASE	724.13
				PORTLAND CEMENT FOR PROM PROJS	552.12
				PORTLAND CEMENT FOR PROM PROJS	378.33
	1/25/2010	200108	544.75		
				PORTLAND CEMENT FOR PROM PROJS	544.75
	Vendor Total		**2,199.33**		
FYTD for CALAVERAS STANDARD MATERIALS			**17,517.36**		
CALIFORNIA BUILDING STANDARDS COMMISSION					
	1/11/2010	199843	700.20		
				FEES COLLECTED	700.20
	Vendor Total		**700.20**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION			**1,604.70**		

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CALIFORNIA INLAND EMPIRE COUNCIL					
	1/25/2010	200109	30.00		
				1/30/10 AWARDS DINNER	15.00
				1/30/10 AWARDS DINNER	15.00
	Vendor Total		**30.00**		
FYTD for CALIFORNIA INLAND EMPIRE COUNCIL			**30.00**		
CALIFORNIA TRANSCRIPTION, LLC					
	1/25/2010	200110	30.38		
				TRANSCRIPTION SVCS	30.38
	Vendor Total		**30.38**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC			**971.49**		
CAMPOS, ELENA					
	1/11/2010	199844	20.00		
				REFUND-FALSE ALARM	20.00
	Vendor Total		**20.00**		
FYTD for CAMPOS, ELENA			**20.00**		
CANNON, ANA M.					
	1/4/2010	199659	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**318.73**		
CANON FINANCIAL SERVICES, INC.					
	1/11/2010	199845	7,590.68		
				DEC-09 COPIER LEASE	7,059.29
				DEC-09 COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**53,134.76**		
Cargando, Ryan					
	1/4/2010	199660	750.00		
				REFUND-RNTL DEP 12/18	750.00
	Vendor Total		**750.00**		
FYTD for Cargando, Ryan			**750.00**		
CASKEY, DEBRA C.					
	1/4/2010	199661	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**1,593.66**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANCY, CHIZURU					
	1/4/2010	199662	210.60		
				INSTRUCTOR SVCS-HWWN DANCE	46.80
				INSTRUCTOR SVCS-HWWN DANCE	46.80
				INSTRUCTOR SVCS-HWWN DANCE	46.80
				INSTRUCTOR SVCS-HWWN DANCE	70.20
	Vendor Total		**210.60**		
FYTD for CHANCY, CHIZURU			**1,053.00**		
CHAPMAN, STEVE					
	1/4/2010	199663	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,231.11**		
CHAPPELL, ISAAC					
	1/4/2010	199664	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,231.11**		
CHAUHAN, SANJAY					
	1/4/2010	199665	3,635.50		
				REFUND-WEED ABTMNT	696.00
				REFUND-WEED ABTMNT	789.00
				REFUND-WEED ABTMNT	1,226.50
				REFUND-WEED ABTMNT	924.00
	Vendor Total		**3,635.50**		
FYTD for CHAUHAN, SANJAY			**3,635.50**		
CHERRY VALLEY FEED					
	1/4/2010	199666	167.43		
				MISC FOOD FOR K-9'S MAX/LEX	102.20
				MISC FOOD FOR K-9 BLUE	65.23
	1/19/2010	199942	70.65		
				DOG FOOD FOR K9 MAX	70.65
	Vendor Total		**238.08**		
FYTD for CHERRY VALLEY FEED			**1,160.83**		
CHRISTIAN BROTHERS HEATING & A/C, INC					
	1/25/2010	200112	63.00		
				REFUND-BUS LIC OVRPMT	63.00
	Vendor Total		**63.00**		
FYTD for CHRISTIAN BROTHERS HEATING & A/C, INC			**63.00**		

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CHRISTIAN, OWEN					
	1/4/2010	199667	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**1,637.17**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION				
1/4/2010	199669	364.77		
			UNIFORM RNTL SVC-PW GRAFFITI	8.37
			UNIFORM RNTL SVC-PW GRAFFITI	8.37
			UNIFORM RNTL SVC-PW GRAFFITI	8.37
			UNIFORM RNTL SVC-PW GRAFFITI	8.37
			UNIFORM RNTL SVC-PW VEH MAIN	11.79
			UNIFORM RNTL SVC-PW VEH MAIN	-4.41
			UNIFORM RNTL SVC-PW VEH MAIN	9.99
			UNIFORM RNTL SVC-PW VEH MAIN	9.99
			UNIFORM RNTL SVC-PW TREE MAI	8.37
			UNIFORM RNTL SVC-PW TREE MAI	8.37
			UNIFORM RNTL SVC-PW TREE MAI	8.37
			UNIFORM RNTL SVC-PW TREE MAI	8.37
			UNIFORM RNTL SVC-PW ST SWEEP	5.58
			UNIFORM RNTL SVC-PW ST SWEEP	5.58
			UNIFORM RNTL SVC-PW ST SWEEP	5.58
			UNIFORM RNTL SVC-PW ST SWEEP	5.58
			UNIFORM RNTL SVC-PW STORM DR	5.58
			UNIFORM RNTL SVC-PW STORM DR	5.58
			UNIFORM RNTL SVC-PW STORM DR	5.58
			UNIFORM RNTL SVC-PW STORM DR	5.58
			UNIFORM RNTL SVC-PW ST MAINT	106.47
			UNIFORM RNTL SVC-PW ST MAINT	-24.93
			UNIFORM RNTL SVC-PW ST MAINT	47.07
			UNIFORM RNTL SVC-PW ST MAINT	47.07
			UNIFORM RNTL SVC-PW CONCRETE	8.37
			UNIFORM RNTL SVC-PW CONCRETE	8.37
			UNIFORM RNTL SVC-PW CONCRETE	8.37
			UNIFORM RNTL SVC-PW CONCRETE	8.37
			UNIFORM RNTL SVC-FACILITIES	16.65
1/11/2010	199846	66.96		
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-FAC MAINT	16.65
1/19/2010	199943	165.77		
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PARKS MAINT	49.90
			UNIFORM RNTL SVC-PARKS MAINT	49.90
			UNIFORM SVC-PATCHES FOR UT SHI	39.15
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-CFD #1	10.98
1/25/2010	200114	513.86		
			UNIFORM RNTL SVC-TRAFFIC	11.23
			UNIFORM RNTL SVC-TRAFFIC	11.23
			UNIFORM RNTL SVC-TRAFFIC	11.23
			UNIFORM RNTL SVC-TRAFFIC	11.23
			UNIFORM RNTL SVC-TRAFFIC	13.85

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-TRAFFIC	13.85
			UNIFORM RNTL SVC-TRAFFIC	13.85
			UNIFORM RNTL SVC-TRAFFIC	13.85
			UNIFORM RNTL SVC-GRAFFITI	8.37
			UNIFORM RNTL SVC-GRAFFITI	8.37
			UNIFORM RNTL SVC-GRAFFITI	8.37
			UNIFORM RNTL SVC-MAINT	9.99
			UNIFORM RNTL SVC-MAINT	9.99
			UNIFORM RNTL SVC-MAINT	9.99
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-STRM DRN MAIN	5.58
			UNIFORM RNTL SVC-STRM DRN MAIN	2.79
			UNIFORM RNTL SVC-DRNG MAINT	2.79
			UNIFORM RNTL SVC-ST MAINT	47.07
			UNIFORM RNTL SVC-ST MAINT	47.07
			UNIFORM RNTL SVC-ST MAINT	47.07
			UNIFORM RNTL SVC-CNCRT MAINT	8.37
			UNIFORM RNTL SVC-CNCRT MAINT	8.37
			UNIFORM RNTL SVC-CNCRT MAINT	8.37
			UNIFORM RNTL SVC-PARK MAINT	49.90
			UNIFORM RNTL SVC-PARK MAINT	49.90
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC	16.65
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
	Vendor Total	**1,111.36**		
FYTD for CINTAS CORPORATION		**3,457.07**		
CITY OF ADELANTO				
1/11/2010	199847	50.00		
			ANIMAL SRVCS TRNG-JAN 21	25.00
			ANIMAL SRVCS TRNG-JAN 21	25.00
	Vendor Total	**50.00**		
FYTD for CITY OF ADELANTO		**50.00**		
CITY OF BANNING				
1/4/2010	199670	90.00		
			LLC MTG-CITY OF BANNING	90.00
1/7/2010	199831	180.00		
			LLC MTG-CITY OF BANNING	45.00
			LLC MTG-CITY OF BANNING	45.00
			LLC MTG-CITY OF BANNING	45.00
			LLC MTG-CITY OF BANNING	45.00
	Vendor Total	**270.00**		
FYTD for CITY OF BANNING		**270.00**		

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CITY OF MORENO VALLEY VEBA TRUST				
1/19/2010	199944	3,987.50		
			EXEMPT VEBA	-37.50
			EXEMPT VEBA	4,025.00
Vendor Total		**3,987.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**30,000.00**		
CLAPPIER, DORIS T.				
1/4/2010	199671	848.23		
			REFUND-WEED ABTMNT	848.23
Vendor Total		**848.23**		
FYTD for CLAPPIER, DORIS T.		**848.23**		
CLARKSON, MARIE				
1/4/2010	199672	571.54		
			REFUND-WEED ABTMNT	571.54
Vendor Total		**571.54**		
FYTD for CLARKSON, MARIE		**571.54**		
CMRTA - CA MUNICIPAL REVENUE & TAX ASSOC				
1/19/2010	199945	50.00		
			ANNUAL MEMBERSHIP	50.00
Vendor Total		**50.00**		
FYTD for CMRTA - CA MUNICIPAL REVENUE & TAX ASSOC		**50.00**		
CNOA REGION V				
1/25/2010	200115	135.00		
			2/4/10 CHASING PHONES COURSE	45.00
			2/4/10 CHASING PHONES COURSE	45.00
			2/4/10 CHASING PHONES COURSE	45.00
Vendor Total		**135.00**		
FYTD for CNOA REGION V		**135.00**		
COHEN & GOLDFRIED				
1/19/2010	199946	1,885.00		
			LEGAL SVCS-HR	1,885.00
Vendor Total		**1,885.00**		
FYTD for COHEN & GOLDFRIED		**7,897.50**		
COLANTUONO & LEVIN, PC				
1/19/2010	199947	53.90		
			PROF LEGAL SVCS	53.90
Vendor Total		**53.90**		
FYTD for COLANTUONO & LEVIN, PC		**53.90**		

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COLLIE COURT DEVELOPMENT, LLC				
1/11/2010	199848	5,000.00		
			RLS OF SECURITY	5,000.00
Vendor Total		**5,000.00**		
FYTD for COLLIE COURT DEVELOPMENT, LLC		**116,200.00**		
COLONIAL SUPPLEMENTAL INSURANCE				
1/11/2010	199849	6,252.44		
			SUPPLEMENTAL INSURANCE	6,252.44
Vendor Total		**6,252.44**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**50,503.26**		
COMMERCIAL WOOD PRODUCTS				
1/25/2010	200116	52.00		
			REFUND-BUS LIC OVRPMT	52.00
Vendor Total		**52.00**		
FYTD for COMMERCIAL WOOD PRODUCTS		**52.00**		
COMMUNITY BANK				
1/26/2010	100108	1,176.67		
			RET: LASSELLE & COTTONWD	1,176.67
Vendor Total		**1,176.67**		
FYTD for COMMUNITY BANK		**88,378.83**		
COMMUNITY HEALTH CHARITIES				
1/4/2010	199673	5.00		
			CHC CONTRIBUTIONS	5.00
1/4/2010	199674	320.50		
			CHC CONTRIBUTIONS	320.50
1/11/2010	199850	1,750.00		
			PROCEEDS FROM SPCL EVENTS	1,750.00
1/19/2010	199948	176.47		
			CHC CONTRIBUTIONS	176.47
Vendor Total		**2,251.97**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,664.47**		
COMPETITIVE STRIDE				
1/25/2010	200117	464.36		
			SPORTS AWARDS	365.40
			SPORTS AWARDS	98.96
Vendor Total		**464.36**		
FYTD for COMPETITIVE STRIDE		**2,323.83**		

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CONVERT-A-DOC					
	1/11/2010	199851	1,980.51		
				ELECTRNC ARCHIVING OF B&S DOCS	1,980.51
	Vendor Total		**1,980.51**		
FYTD for CONVERT-A-DOC			**15,381.61**		
COSTCO					
	1/4/2010	199675	2,265.96		
				MISC SUPPLIES-STARS	175.43
				MISC SUPPLIES-STARS	68.35
				MISC SUPPLIES-STARS	66.19
				MISC SUPPLIES-STARS	197.62
				MISC SUPPLIES-STARS	228.98
				MISC SUPPLIES-STARS	152.10
				MISC SUPPLIES-PARKS	91.47
				MISC SUPPLIES-PARKS	1,285.82
	1/25/2010	200118	1,209.04		
				MISC SUPPLIES-STARS	434.08
				MISC SUPPLIES-SKATE PK	765.33
				MISC SUPPLIES-EDD	9.63
	Vendor Total		**3,475.00**		
FYTD for COSTCO			**34,634.28**		
COUNSELING TEAM, THE					
	1/11/2010	199852	1,250.00		
				NOV-09 EMP CNSLNG SVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**7,500.00**		
COUNTRY SQUIRE ESTATES					
	1/25/2010	200119	91.92		
				REFUND-UT USER TAXES	42.44
				REFUND-UT USER TAXES	49.48
	Vendor Total		**91.92**		
FYTD for COUNTRY SQUIRE ESTATES			**380.25**		
COUNTY OF RIVERSIDE - RMAP					
	1/19/2010	199949	41.25		
				DEC-09 RECORDATION RQSTS	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**242.85**		
CSIP WR MORENO VALLEY					
	1/4/2010	199676	1,045.00		
				REFUND-WEED ABTMNT	1,045.00
	Vendor Total		**1,045.00**		
FYTD for CSIP WR MORENO VALLEY			**1,045.00**		

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CTAI PACIFIC GREENSCAPE					
	1/19/2010	199951	4,920.36		
				DEC-09 LNDSCP MAINT-DSG1W	4,897.13
				IRRIGATION REPAIRS	23.23
	Vendor Total		**4,920.36**		
FYTD for CTAI PACIFIC GREENSCAPE			**37,028.51**		
DALE, KATHLEEN					
	1/4/2010	199677	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,211.77**		
DARNELL, CHERISE					
	1/19/2010	199952	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for DARNELL, CHERISE			**20.00**		
DATA TICKET, INC.					
	1/11/2010	199853	401.79		
				NOV-09 CITATION PRCSSNG	401.79
	Vendor Total		**401.79**		
FYTD for DATA TICKET, INC.			**119,803.79**		
DATAQUICK CORPORATE HEADQUARTERS					
	1/4/2010	199678	130.50		
				NOV-09 ONLINE SVCS	130.50
	1/25/2010	200120	130.50		
				DEC-09 ONLINE SVCS	130.50
	Vendor Total		**261.00**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,813.50**		
DEL REY APPRAISAL SRVCS					
	1/4/2010	199679	2,000.00		
				APPRAISAL SVC-NSP	2,000.00
	Vendor Total		**2,000.00**		
FYTD for DEL REY APPRAISAL SRVCS			**2,000.00**		
DELTA DENTAL					
	1/11/2010	199854	11,082.48		
				EMPLOYEE DENTAL INSURANCE	11,082.48
	Vendor Total		**11,082.48**		
FYTD for DELTA DENTAL			**80,501.08**		

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DELTACARE USA					
	1/19/2010	199954	6,369.84		
				EMPLOYEE DENTAL INSURANCE	6,369.84
	Vendor Total		**6,369.84**		
FYTD for DELTACARE USA			**48,036.38**		
DEPARTMENT OF CONSERVATION					
	1/12/2010	199920	0.00		
				SMI FEES LESS RETAINAGE	1,602.67
				SMI FEES LESS RETAINAGE	-80.13
				SMI FEES LESS RETAINAGE	-1,602.67
				SMI FEES LESS RETAINAGE	80.13
	1/12/2010	199921	1,522.54		
				SMI FEES LESS RETAINAGE	1,602.67
				SMI FEES LESS RETAINAGE	-80.13
	Vendor Total		**1,522.54**		
FYTD for DEPARTMENT OF CONSERVATION			**3,130.78**		
DEPARTMENT OF INDUSTRIAL RELATIONS					
	1/11/2010	199855	4,021.71		
				2009/10 ASSESSMENTS	4,021.71
	Vendor Total		**4,021.71**		
FYTD for DEPARTMENT OF INDUSTRIAL RELATIONS			**4,021.71**		
DESIGN WORKS					
	1/19/2010	199955	776.47		
				PARKS SPORTS UNIFORMS	255.56
				YTH SPORTS UNIFORMS	520.91
	Vendor Total		**776.47**		
FYTD for DESIGN WORKS			**8,604.15**		
DFM ASSOCIATES					
	1/11/2010	199856	106.03		
				ELECTION CODE BKS-LOOSE LEAF	106.03
	Vendor Total		**106.03**		
FYTD for DFM ASSOCIATES			**106.03**		
DIAMOND RIVERSIDE LP					
	1/4/2010	199680	375.50		
				REFUND-WEED ABTMNT	375.50
	Vendor Total		**375.50**		
FYTD for DIAMOND RIVERSIDE LP			**375.50**		

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DICKINSON, MELANIE					
	1/19/2010	199956	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for DICKINSON, MELANIE			**75.00**		
DIGITAL TELECOMMUNICATIONS CORP.					
	1/19/2010	199957	22,727.63		
				AVST 2 YR MAINTENANCE	22,727.63
	Vendor Total		**22,727.63**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**87,974.17**		
DMC DESIGN GROUP, INC					
	1/11/2010	199857	3,737.58		
				ALESSANDRO BLVD IMPRVMNTS PROJ	3,737.58
	Vendor Total		**3,737.58**		
FYTD for DMC DESIGN GROUP, INC			**55,833.16**		
DORY, ALLEEN F.					
	1/4/2010	199681	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DORY, ALLEEN F.			**2,231.11**		
DOWNS, DONALD					
	1/4/2010	199682	584.82		
				REFUND-WEED ABTMNT	584.82
	Vendor Total		**584.82**		
FYTD for DOWNS, DONALD			**584.82**		
DUZON, MYRNA					
	1/19/2010	199958	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for DUZON, MYRNA			**20.00**		

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E.R. BLOCK PLUMBING & HEATING, INC.					
	1/11/2010	199858	2,617.23		
				BACKFLOW RPLCMNT-ZN M	512.56
				BACKFLOW RPLCMNT-ZN M	170.00
				BACKFLOW RPLCMNT-E3	287.79
				BACKFLOW RPLCMNT-E3	170.00
				BACKFLOW RPLCMNT-TR 19852	568.44
				BACKFLOW RPLCMNT-TR 19852	170.00
				BACKFLOW RPLCMNT-TR 27526	568.44
				BACKFLOW RPLCMNT-TR 27526	170.00
	1/19/2010	199959	461.50		
				BACKFLOW TESTING-E3	145.60
				BACKFLOW TESTING-E14	36.40
				BACKFLOW TESTING-ZN M	182.00
				PLUMBING RPRS-PSB	97.50
	Vendor Total		**3,078.73**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**18,275.57**		

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EASTERN MUNICIPAL WATER DISTRICT					
	1/4/2010	199683	14,961.89		
				WATER CHRGS FOR NOVEMBER	-68.41
				WATER CHRGS FOR NOVEMBER	813.08
				WATER CHRGS FOR DECEMBER	71.86
				WATER CHRGS FOR DECEMBER	208.99
				WATER CHRGS FOR DECEMBER	367.00
				WATER CHRGS FOR DECEMBER	3,489.87
				WATER CHRGS FOR DECEMBER	434.99
				WATER CHRGS FOR DECEMBER	315.23
				WATER CHRGS FOR DECEMBER	3,571.19
				WATER CHRGS FOR DECEMBER	2,240.70
				WATER CHRGS FOR DECEMBER	2,558.81
				WATER CHRGS FOR DECEMBER	36.82
				WATER CHRGS FOR DECEMBER	100.10
				WATER CHRGS FOR DECEMBER	377.81
				WATER CHRGS FOR DECEMBER	33.32
				WATER CHRGS-ST. SWEEPING PRGM	205.27
				WATER CHRGS-DRAIN MAINT PRGM	102.63
				WATER CHRGS-STREET MAINT PRGM	102.63
	1/11/2010	199859	1,370.77		
				WATER CHRGS FOR NOVEMBER	71.98
				WATER CHRGS FOR DECEMBER	300.88
				WATER CHRGS FOR DECEMBER	429.79
				WATER CHRGS FOR DECEMBER	139.65
				WATER CHRGS-DRAIN MAINT PRGM	98.08
				WATER CHRGS-ST. SWEEPING PRGM	95.50
				WATER CHRGS-ST. SWEEPING PRGM	110.99
				WATER CHRGS-STREET MAINT PRGM	123.90
	1/19/2010	199960	6,549.50		
				WATER CHRGS FOR DECEMBER	68.63
				WATER CHRGS FOR DECEMBER	620.16
				WATER CHRGS FOR DECEMBER	37.20
				WATER CHRGS FOR DECEMBER	1,176.64
				WATER CHRGS FOR DECEMBER	1,646.01
				WATER CHRGS FOR DECEMBER	2,013.06
				WATER CHRGS FOR DECEMBER	223.38
				WATER CHRGS FOR DECEMBER	42.50
				WATER CHRGS FOR DECEMBER	90.44
				WATER CHRGS FOR DECEMBER	54.40
				WATER CHRGS FOR DECEMBER	223.35
				WATER CHRGS FOR DECEMBER	129.41
				WATER CHRGS FOR DECEMBER	176.67
				WATER CHRGS FOR DECEMBER	47.65
	1/25/2010	200122	20,583.53		
				WATER CHRGS FOR DECEMBER	69.01
				WATER CHRGS FOR DECEMBER	698.45
				WATER CHRGS FOR DECEMBER	884.87
				WATER CHRGS FOR DECEMBER	309.88
				WATER CHRGS FOR DECEMBER	789.38
				WATER CHRGS FOR DECEMBER	126.42
				WATER CHRGS FOR DECEMBER	4,027.41
				WATER CHRGS FOR DECEMBER	851.94

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR DECEMBER	789.87
			WATER CHRGS FOR DECEMBER	1,900.51
			WATER CHRGS FOR DECEMBER	2,140.54
			WATER CHRGS FOR DECEMBER	1,131.69
			WATER CHRGS FOR DECEMBER	2,303.43
			WATER CHRGS FOR DECEMBER	644.23
			WATER CHRGS FOR DECEMBER	132.76
			WATER CHRGS FOR DECEMBER	37.17
			WATER CHRGS FOR DECEMBER	357.65
			WATER CHRGS FOR DECEMBER	581.46
			WATER CHRGS FOR DECEMBER	242.90
			WATER CHRGS FOR DECEMBER	177.51
			WATER CHRGS FOR DECEMBER	195.45
			WATER CHRGS FOR DECEMBER	79.22
			WATER CHRGS FOR DECEMBER	651.84
			WATER CHRGS FOR DECEMBER	357.06
			WATER CHRGS FOR DECEMBER	76.95
			WATER CHRGS FOR DECEMBER	19.80
			WATER CHRGS FOR DECEMBER	198.58
			WATER CHRGS FOR DECEMBER	201.34
			WATER CHRGS FOR DECEMBER	606.21
Vendor Total		**43,465.69**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**796,048.43**		
EDGELANE MOBILE PARK				
1/19/2010	199961	11.10		
			REFUND-UT USER TAXES	11.10
Vendor Total		**11.10**		
FYTD for EDGELANE MOBILE PARK		**61.77**		
EGGERSTEN, ANNE				
1/4/2010	199684	305.60		
			RETIREE MEDICAL BENEFIT	305.60
Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE		**1,921.43**		
ELAM, STEPHEN				
1/4/2010	199685	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for ELAM, STEPHEN		**318.73**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
1/4/2010	2551	500.00		
			DEP STATE INC TAX W/H 01/04/10	500.00
Vendor Total		**500.00**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**793,039.72**		

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ERVIN, NATHALYNN					
	1/19/2010	199963	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ERVIN, NATHALYNN			**20.00**		
EVANS ENGRAVING & AWARDS					
	1/4/2010	199686	60.90		
				PLAQUE ENGRAVING SVC	30.45
				PLAQUE ENGRAVING SVC	30.45
	1/11/2010	199860	35.88		
				PLAQUE ENGRAVING SVC	35.88
	1/25/2010	200123	43.50		
				PLAQUE ENGRAVING SVC	30.45
				NAMEPLATE	13.05
	Vendor Total		**140.28**		
FYTD for EVANS ENGRAVING & AWARDS			**1,389.86**		
EXCEL LANDSCAPE, INC					
	1/19/2010	199964	12,589.22		
				DEC-09 LNDSCP MAINT-E7	2,666.81
				DEC-09 LNDSCP MAINT-CELEB PK	1,070.36
				DEC-09 LNDSCP MAINT-PROM PK	1,501.98
				DEC-09 LNDSCP MAINT-E14	3,461.07
				DEC-09 LNDSCP MAINT-WQF	3,889.00
	Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC			**167,295.72**		
F & T GROUP					
	1/4/2010	199687	766.00		
				REFUND-WEED ABTMNT	766.00
	Vendor Total		**766.00**		
FYTD for F & T GROUP			**766.00**		
FEDERAL EXPRESS					
	1/11/2010	199861	5.93		
				EXPRESS MAILING-HR	5.93
	1/19/2010	199965	5.82		
				EXPRESS MAILING-HR	5.82
	Vendor Total		**11.75**		
FYTD for FEDERAL EXPRESS			**49.37**		

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FEENSTRA, JOHN					
	1/4/2010	199688	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**2,528.75**		
FILTER RECYCLING SERVICES, INC.					
	1/11/2010	199862	1,851.50		
				HAZMAT PICK UP	1,851.50
	Vendor Total		**1,851.50**		
FYTD for FILTER RECYCLING SERVICES, INC.			**1,851.50**		
FIRST AMERICAN CORE LOGIC, INC.					
	1/4/2010	199689	628.00		
				NOV-09 ONLINE PROP SVC-CODE	85.00
				NOV-09 ONLINE PROP SVC-CDD	367.00
				NOV-09 ONLINE PROP SVC-NSP	176.00
	Vendor Total		**628.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**2,232.00**		
FIRST CAL INDUSTRIAL, LLC					
	1/4/2010	199690	4,711.04		
				REFUND-WEED ABTMNT	719.02
				REFUND-WEED ABTMNT	719.02
				REFUND-WEED ABTMNT	1,070.00
				REFUND-WEED ABTMNT	828.00
				REFUND-WEED ABTMNT	735.00
				REFUND-WEED ABTMNT	640.00
	Vendor Total		**4,711.04**		
FYTD for FIRST CAL INDUSTRIAL, LLC			**4,711.04**		
FIRST CHOICE SERVICES					
	1/4/2010	199691	724.19		
				EMP PAID COFFEE SVCS	56.76
				EMP PAID COFFEE SVCS	46.80
				EMP PAID COFFEE SVCS	47.38
				EMP PAID COFFEE SVCS	169.66
				EMP PAID COFFEE SVCS	114.91
				EMP PAID COFFEE SVCS	139.31
				EMP PAID COFFEE SVCS	116.31
				EMP PAID COFFEE SVCS	33.06
	Vendor Total		**724.19**		
FYTD for FIRST CHOICE SERVICES			**5,422.76**		

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FIRST INDUSTRIAL, LP					
	1/4/2010	199692	1,836.00		
				REFUND-WEED ABTMNT	550.00
				REFUND-WEED ABTMNT	549.00
				REFUND-WEED ABTMNT	737.00
	Vendor Total		**1,836.00**		
FYTD for FIRST INDUSTRIAL, LP			**1,836.00**		
FLOTREE, MEGUMI					
	1/19/2010	199966	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for FLOTREE, MEGUMI			**20.00**		
FOCUS ESTATES, INC					
	1/25/2010	200124	9,000.00		
				MBL HOME GRANT-P OLSEN	9,000.00
	Vendor Total		**9,000.00**		
FYTD for FOCUS ESTATES, INC			**9,000.00**		
FORPRO INV. CORP.					
	1/4/2010	199693	797.00		
				REFUND-WEED ABTMNT	797.00
	Vendor Total		**797.00**		
FYTD for FORPRO INV. CORP.			**797.00**		
FOSTER, NANCY A.					
	1/4/2010	199694	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**318.73**		

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FRANCHISE TAX BOARD					
	1/4/2010	199695	1,201.55		
				GARNISHMENT	412.76
				GARNISHMENT	50.00
				GARNISHMENT	115.36
				GARNISHMENT	369.43
				GARNISHMENT	254.00
	1/4/2010	199696	52.54		
				GARNISHMENT	52.54
	1/19/2010	199967	1,018.44		
				GARNISHMENT	117.01
				GARNISHMENT	50.00
				GARNISHMENT	113.55
				GARNISHMENT	483.88
				GARNISHMENT	254.00
	Vendor Total		**2,272.53**		
FYTD for FRANCHISE TAX BOARD			**4,970.77**		
FRANKLIN, L. C.					
	1/4/2010	199697	171.60		
				MILEAGE REIMBURSEMENT	171.60
	Vendor Total		**171.60**		
FYTD for FRANKLIN, L. C.			**909.70**		
FRED'S GLASS & MIRROR, INC.					
	1/4/2010	199698	85.00		
				MISC REPAIR-LIBRARY	85.00
	Vendor Total		**85.00**		
FYTD for FRED'S GLASS & MIRROR, INC.			**85.00**		
FROST, JOAN CHENG					
	1/19/2010	199968	228.00		
				INSTRUCTION SVC-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for FROST, JOAN CHENG			**608.00**		
GARY G. COLLINS, PhD					
	1/11/2010	199864	400.00		
				PROF SVCS-HR	400.00
	Vendor Total		**400.00**		
FYTD for GARY G. COLLINS, PhD			**400.00**		

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GASTON, RICHARD					
	1/4/2010	199699	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,231.11**		
GENERAL SECURITY SERVICES, INC.					
	1/4/2010	199700	674.96		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-TWNGTE	230.10
				SECURITY SVCS-TWNGTE	138.06
	1/11/2010	199865	843.70		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	368.16
				SECURITY SVCS-CRC	230.10
	1/19/2010	199969	3,309.62		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-LIBRARY	241.61
				SECURITY SVCS-UT ANNX	122.72
				SECURITY SVCS-UT ANNX	153.40
				SECURITY SVCS-SR CTR	291.46
				SECURITY SVCS-SR CTR	245.44
				SECURITY SVCS-CRC	214.76
				SECURITY SVCS-SR CTR	268.46
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-CRC	69.03
				SECURITY SVCS-CRC	276.12
				SECURITY SVCS-TWNGTE	260.78
				SECURITY SVCS-CRC	92.04
	Vendor Total		**4,828.28**		
FYTD for GENERAL SECURITY SERVICES, INC.			**34,814.24**		
GFOA-GOVERNMENT FINANCE OFFICERS ASSOC.					
	1/25/2010	200125	580.00		
				FEE-CERT OF ACHVMNT PGRM	580.00
	Vendor Total		**580.00**		
FYTD for GFOA-GOVERNMENT FINANCE OFFICERS ASSOC.			**580.00**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
1/4/2010	199701	21,626.82		
			NOV-09 LEGAL SVC-GENERAL	997.50
			NOV-09 LEGAL SVC-EMPIRE LAND	18,459.11
			NOV-09 LEGAL SVC-EMPIRE LAND	2,170.21
1/11/2010	199866	2,987.67		
			OCT-09 LEGAL SVC-TOVEY SHULTZ	578.39
			OCT-09 LEGAL SVC-COMM PARK PRJ	2,409.28
	Vendor Total	**24,614.49**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**123,554.41**		
GILES, GREG				
1/11/2010	199867	1,530.00		
			AUDITING SVCS/DEC22-JAN6	1,530.00
1/26/2010	200205	1,700.00		
			AUDITING SVCS/JAN18-20	1,700.00
	Vendor Total	**3,230.00**		
FYTD for GILES, GREG		**18,572.50**		
GOZDECKI, DAN				
1/19/2010	199970	594.00		
			INSTRUCTOR SVC-KUNG FU	297.00
			INSTRUCTOR SVC-KUNG FU	297.00
	Vendor Total	**594.00**		
FYTD for GOZDECKI, DAN		**4,428.00**		
GRAVENBERG, ASHANDE				
1/19/2010	199971	3.85		
			REFUND-CHILDS PLC FEE	3.85
	Vendor Total	**3.85**		
FYTD for GRAVENBERG, ASHANDE		**3.85**		
GREINES, MARTIN, STEIN & RICHLAND, LLP				
1/11/2010	199868	2,962.74		
			NOV-09 LEGAL SVC-RISK MGT	2,962.74
	Vendor Total	**2,962.74**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP		**24,162.83**		
GREY, ETHEL				
1/19/2010	199972	32.00		
			REFUND-CLASS REGIST	32.00
	Vendor Total	**32.00**		
FYTD for GREY, ETHEL		**32.00**		

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GRIFFIN, MARLENE C					
	1/4/2010	199703	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**1,520.01**		
GRIMES, JOSEPH					
	1/19/2010	199973	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GRIMES, JOSEPH			**20.00**		
GROUP C MEDIA					
	1/19/2010	199974	4,000.00		
				DEC-09 ADVERTISING SVC-EDD	4,000.00
	Vendor Total		**4,000.00**		
FYTD for GROUP C MEDIA			**8,920.00**		
GUERRERO, JESUS					
	1/25/2010	200126	200.00		
				REFUND-RNTL DEP 1/2/10	200.00
	Vendor Total		**200.00**		
FYTD for GUERRERO, JESUS			**200.00**		
GUILLAN, REBECCA S.					
	1/4/2010	199704	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLAN, REBECCA S.			**318.73**		
GUILLIS, LINDA B.					
	1/4/2010	199705	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,231.11**		
GUTIERREZ, ROBERT					
	1/4/2010	199706	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**936.71**		

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GUZMAN, ALFONSO					
	1/19/2010	199976	3,586.70		
				REFUND-PERMIT FEE	1,693.50
				REFUND-PERMIT FEE	112.58
				REFUND-PERMIT FEE	94.40
				REFUND-PERMIT FEE	201.15
				REFUND-PERMIT FEE	28.38
				REFUND-PERMIT FEE	1,046.99
				REFUND-PERMIT FEE	140.63
				REFUND-PERMIT FEE	94.40
				REFUND-PERMIT FEE	160.16
				REFUND-PERMIT FEE	14.51
	Vendor Total		**3,586.70**		
FYTD for GUZMAN, ALFONSO			**3,586.70**		
GUZMAN'S CART SERVICE					
	1/19/2010	199975	4,049.00		
				DEC-09 CART RTRVL SVC	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**28,343.00**		
HAMLIN, WILLIAM R.					
	1/4/2010	199707	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,291.27**		
HANES, MARTIN D.					
	1/4/2010	199708	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,231.11**		
HANIGAN BUSINESS FORMS					
	1/25/2010	200127	1,598.19		
				PARKING CITATIONS-CODE	1,352.85
				PARKING CITATIONS-CODE	245.34
	Vendor Total		**1,598.19**		
FYTD for HANIGAN BUSINESS FORMS			**5,793.24**		
HARDING, JOHN S.					
	1/4/2010	199709	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,231.11**		

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HARRIS, SCOTT					
	1/25/2010	200128	240.00		
				INSTRUCTOR SVC-TENNIS	240.00
	Vendor Total		**240.00**		
FYTD for HARRIS, SCOTT			**2,256.00**		
HARTMANN, RICK					
	1/4/2010	199711	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**1,179.85**		
HATFIELD, CHARLES					
	1/4/2010	199712	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**1,593.66**		
HAUSER, ADRIANA					
	1/19/2010	199977	532.00		
				INSTRUCTION SVC-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for HAUSER, ADRIANA			**1,178.00**		
HDR ENGINEERING, INC.					
	1/25/2010	200129	12,527.92		
				PIGEON PASS RD WIDENING PROJ	12,527.92
	Vendor Total		**12,527.92**		
FYTD for HDR ENGINEERING, INC.			**21,046.19**		
HEFFLEY, ROSS W.					
	1/4/2010	199713	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**1,593.66**		
HERNANDEZ, CRUZ					
	1/19/2010	199978	21.00		
				REFUND-CHILDS PLC FEE	21.00
	Vendor Total		**21.00**		
FYTD for HERNANDEZ, CRUZ			**21.00**		

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HERRICK, ROBERT D.					
	1/4/2010	199714	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,231.11**		
HILL, ISACC					
	1/19/2010	199979	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for HILL, ISACC			**25.00**		
HOFFMAN INTERIORS, INC					
	1/4/2010	199715	54.00		
				REFUND-BUS LIC OVRPMT	54.00
	Vendor Total		**54.00**		
FYTD for HOFFMAN INTERIORS, INC			**54.00**		
HONG, DANIEL					
	1/4/2010	199716	2,129.00		
				REFUND-WEED ABTMNT	2,129.00
	Vendor Total		**2,129.00**		
FYTD for HONG, DANIEL			**2,129.00**		
HONG, STEPHEN					
	1/4/2010	199717	830.00		
				REFUND-WEED ABTMNT	830.00
	Vendor Total		**830.00**		
FYTD for HONG, STEPHEN			**830.00**		
HOUSER, EDITH E.					
	1/4/2010	199718	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,231.11**		
HSU, TZENREN TARO					
	1/4/2010	199719	1,024.00		
				REFUND-WEED ABTMNT	512.00
				REFUND-WEED ABTMNT	512.00
	Vendor Total		**1,024.00**		
FYTD for HSU, TZENREN TARO			**1,024.00**		

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HUDGINS, KRYSTAL					
	1/19/2010	199980	20.00		
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**20.00**		
FYTD for HUDGINS, KRYSTAL			**20.00**		
ICMA RETIREMENT CORP 457					
	1/29/2010	2573	10,164.54		
				DEF COMP 457 01/29/2010	10,164.54
	Vendor Total		**10,164.54**		
FYTD for ICMA RETIREMENT CORP 457			**215,726.74**		
IKEDA, MICHAEL DEAN					
	1/25/2010	200130	174.93		
				REFUND-PERMIT FEE	174.93
	Vendor Total		**174.93**		
FYTD for IKEDA, MICHAEL DEAN			**174.93**		
IL SORRENTO MOBILE PARK					
	1/11/2010	199869	158.35		
				REFUND-UT USER TAXES	158.35
	Vendor Total		**158.35**		
FYTD for IL SORRENTO MOBILE PARK			**1,115.16**		
INDIAN AVENUE LLC					
	1/4/2010	199721	2,853.50		
				REFUND-WEED ABTMNT	778.50
				REFUND-WEED ABTMNT	654.50
				REFUND-WEED ABTMNT	654.50
				REFUND-WEED ABTMNT	766.00
	Vendor Total		**2,853.50**		
FYTD for INDIAN AVENUE LLC			**2,853.50**		
INDIO SECURITY STORAGE, INC.					
	1/4/2010	199722	633.00		
				REFUND-WEED ABTMNT	633.00
	Vendor Total		**633.00**		
FYTD for INDIO SECURITY STORAGE, INC.			**633.00**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	1/19/2010	199981	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**3,325.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INLAND ASPHALT & COATINGS					
	1/25/2010	200131	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for INLAND ASPHALT & COATINGS			**69.00**		
INLAND BELLS, INC.					
	1/11/2010	199870	46.87		
				REFUND-FALSE ALARM	46.87
	Vendor Total		**46.87**		
FYTD for INLAND BELLS, INC.			**46.87**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST					
	1/25/2010	200132	367.75		
				NSNC ABTMNT-487482004	367.75
	Vendor Total		**367.75**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST			**6,580.81**		
INLAND EMPIRE MAGAZINE					
	1/19/2010	199982	1,295.00		
				JAN-10 ADVERTISING SVC-EDD	1,295.00
	Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE			**2,590.00**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER					
	1/11/2010	199871	10,000.00		
				JUL-SEP 2009 BUS CNSLNG SVCS	10,000.00
	Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER			**20,000.00**		
INNOVATION ADVERTISING, LLC					
	1/4/2010	199723	645.00		
				ADVERTISING-EMPLYMNT	645.00
	1/25/2010	200133	1,140.00		
				EMPLYMNT ADVERTISING	1,140.00
	Vendor Total		**1,785.00**		
FYTD for INNOVATION ADVERTISING, LLC			**2,234.00**		
INSIDE PLANTS, INC.					
	1/19/2010	199983	316.00		
				JAN-10 PLANT MAINT-CRC	316.00
	Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.			**2,212.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE					
	1/4/2010	83594	2,000.00		
				DEP FED TAX W/H 01/04/2010	2,000.00
	Vendor Total		**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE			**2,348,863.94**		
IRONMAN					
	1/4/2010	199724	14,760.18		
				VEHICLE ASSESSMENT	14,760.18
	1/19/2010	199984	14,760.18		
				VEHICLE ASSESSMENT	11,439.40
				VEHICLE ASSESSMENT	3,320.78
	Vendor Total		**29,520.36**		
FYTD for IRONMAN			**132,841.62**		
ISS SWEEPING, INC.					
	1/11/2010	199873	2,265.70		
				NOV-09 STREET SWEEPING SVC	772.85
				NOV-09 STREET SWEEPING SVC	720.00
				NOV-09 STREET SWEEPING SVC	772.85
	1/25/2010	200135	2,265.70		
				DEC-09 STREET SWEEPING SVCS	1,545.70
				DEC-09 STREET SWEEPING SVCS	720.00
	Vendor Total		**4,531.40**		
FYTD for ISS SWEEPING, INC.			**16,753.30**		
J.D.H. CONTRACTING					
	1/25/2010	200136	3,350.00		
				PARK SHELTER REPAIRS	2,615.00
				PARK SHELTER REPAIRS	735.00
	Vendor Total		**3,350.00**		
FYTD for J.D.H. CONTRACTING			**38,860.84**		
JACKIE M. BUZOFF					
	1/4/2010	199725	1,600.00		
				APPRAISAL SVC-11100 DAVIS ST	400.00
				APPRAISAL SVC-12703 SNNYMDWS	400.00
				APPRAISAL SVC-24747 BRODIAEA	400.00
				APPRAISAL SVC-11757 MENTZELIA	400.00
	Vendor Total		**1,600.00**		
FYTD for JACKIE M. BUZOFF			**1,600.00**		

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JAMS, INC.					
	1/19/2010	199985	2,941.66		
				MEDIATION FEES-2/10/10	2,941.66
	Vendor Total		**2,941.66**		
FYTD for JAMS, INC.			**2,941.66**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	1/19/2010	199986	308.00		
				LEGAL COURIER SVCS	79.00
				LEGAL COURIER SVCS	79.00
				JAN-10 RETAINER	150.00
	Vendor Total		**308.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,553.00**		
JDEDGE SOFTWARE, LLC					
	1/4/2010	199726	17,309.55		
				CONSULTING SVCS	5,965.00
				CONSULTING SVCS	531.60
				CONSULTING SVCS	10,812.95
	1/19/2010	199987	8,277.20		
				CONSULTING SVCS	7,930.00
				CONSULTING SVCS	347.20
	1/25/2010	200137	6,480.00		
				CONSULTING SVCS	163.52
				CONSULTING SVCS	6,316.48
	Vendor Total		**32,066.75**		
FYTD for JDEDGE SOFTWARE, LLC			**76,062.45**		
JH DESIGN & ASSOCIATES					
	1/19/2010	199988	3,375.00		
				PROJECT NAME PLAQUES	3,375.00
	Vendor Total		**3,375.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,525.00**		
JIMENEZ, REY					
	1/19/2010	199989	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JIMENEZ, REY			**20.00**		
JOBS AVAILABLE, INC.					
	1/11/2010	199874	210.00		
				EMPLYMNT ADVERTISING	210.00
	Vendor Total		**210.00**		
FYTD for JOBS AVAILABLE, INC.			**682.50**		

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JOE A. GONSALVES & SON					
	1/11/2010	199875	3,150.00		
				JAN-10 REPRESENTATION SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**22,050.00**		
JOHN DEERE/LANDSCAPE, INC.					
	1/19/2010	199990	4,471.85		
				BOX METER-PATRIOT PARK	4,112.05
				BOX METER-SALES TAX	359.80
	Vendor Total		**4,471.85**		
FYTD for JOHN DEERE/LANDSCAPE, INC.			**4,471.85**		
JONES III, JOSEPH					
	1/4/2010	199728	120.45		
				MILEAGE REIMBURSEMENT	48.40
				MILEAGE REIMBURSEMENT	34.10
				MILEAGE REIMBURSEMENT	37.95
	1/19/2010	199991	36.85		
				MILEAGE REIMBURSEMENT	36.85
	Vendor Total		**157.30**		
FYTD for JONES III, JOSEPH			**399.85**		
JONES, SUSAN					
	1/4/2010	199729	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,231.11**		
JP MORGAN CHASE					
	1/11/2010	199876	76.12		
				REFUND-FALSE ALARM	76.12
	Vendor Total		**76.12**		
FYTD for JP MORGAN CHASE			**76.12**		
JUBACK, RACHEL & MATT					
	1/25/2010	200138	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JUBACK, RACHEL & MATT			**20.00**		
JUNES, JACYLYN					
	1/19/2010	199992	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JUNES, JACYLYN			**20.00**		

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K & S DEVELOPMENT					
	1/4/2010	199730	610.04		
				REFUND-WEED ABTMNT	610.04
	Vendor Total		**610.04**		
FYTD for K & S DEVELOPMENT			**610.04**		
KAPITZ, STEVE					
	1/25/2010	200139	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KAPITZ, STEVE			**50.00**		
KING, PATRICIA A.					
	1/4/2010	199731	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**1,593.66**		
KOLB, CHARLES E.					
	1/4/2010	199732	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,231.11**		
KOLLAR, KYLE					
	1/4/2010	199733	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**318.73**		
KUMAR, PREM					
	1/19/2010	199993	500.00		
				REIMB AUTO INS DEDUCTIBLE	500.00
	Vendor Total		**500.00**		
FYTD for KUMAR, PREM			**500.00**		
KYLE, GARY M.					
	1/4/2010	199734	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**1,593.66**		

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LAFATA, JOSEPHINE					
	1/4/2010	199735	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,211.77**		
LANG, TRACEY					
	1/19/2010	199994	114.00		
				INSTRUCTION SVC-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for LANG, TRACEY			**304.00**		
LAPOINT, JOANNE					
	1/11/2010	199878	30.00		
				INSTRUCTOR SVCS-KIDDIE KABARET	30.00
	Vendor Total		**30.00**		
FYTD for LAPOINT, JOANNE			**30.00**		
LATITUDE 3 MEDIA GROUP					
	1/19/2010	199995	1,650.00		
				JAN-10 ADVERTISING SVC-EDD	1,650.00
	Vendor Total		**1,650.00**		
FYTD for LATITUDE 3 MEDIA GROUP			**1,650.00**		
LAUREL INSURANCE AGENCY					
	1/25/2010	200140	58.80		
				REFUND-BUS LIC OVRPMT	58.80
	Vendor Total		**58.80**		
FYTD for LAUREL INSURANCE AGENCY			**58.80**		
LAWN TECH EQUIPMENT					
	1/4/2010	199736	93.00		
				CHAIN SHARPENING SVC	74.50
				CHAIN SHARPENING SVC	18.50
	Vendor Total		**93.00**		
FYTD for LAWN TECH EQUIPMENT			**2,180.20**		
LCC - RIVERSIDE COUNTY DIVISION					
	1/19/2010	199996	100.00		
				ANNUAL MEMBERSHIP	100.00
	Vendor Total		**100.00**		
FYTD for LCC - RIVERSIDE COUNTY DIVISION			**100.00**		

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LE, DIEP					
	1/19/2010	199997	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for LE, DIEP			**54.50**		
LEIGHTON CONSULTING, INC.					
	1/19/2010	199998	4,530.00		
				LASSELLE ST WIDENING PROJ SVCS	4,530.00
	Vendor Total		**4,530.00**		
FYTD for LEIGHTON CONSULTING, INC.			**53,440.14**		
LEWIS, CAROLYN S.					
	1/4/2010	199737	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,208.53**		
LEXISNEXIS					
	1/25/2010	200141	1,480.00		
				DEC-09 LGL RESEARCH SVC	1,191.14
				DEC-09 LGL RESEARCH SVC	288.86
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**10,755.00**		
LIFE SIGNS, INC.					
	1/11/2010	199880	150.00		
				INTERPRETER SVC-PD	150.00
	Vendor Total		**150.00**		
FYTD for LIFE SIGNS, INC.			**280.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	1/19/2010	200000	16,237.80		
				PERRIS BL WIDENING FROM RAM XP	16,237.80
	Vendor Total		**16,237.80**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**428,148.38**		
LIM, KRYSTA					
	1/19/2010	200001	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LIM, KRYSTA			**20.00**		

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LINDO, HERMINA G.					
	1/4/2010	199738	742.65		
				RETIREE MEDICAL BENEFIT	742.65
	Vendor Total		**742.65**		
FYTD for LINDO, HERMINA G.			**1,785.25**		
LO CONTE PARTNERS, LLC					
	1/4/2010	199739	749.00		
				REFUND-WEED ABTMNT	749.00
	Vendor Total		**749.00**		
FYTD for LO CONTE PARTNERS, LLC			**749.00**		
LOGAN, CHARLES					
	1/4/2010	199740	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**1,452.42**		
LOOY, SUMMER D.					
	1/11/2010	199881	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for LOOY, SUMMER D.			**1,500.00**		
LUMLEY, ROBERT C.					
	1/4/2010	199741	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,231.11**		
LUNDBERG, GEORGINA					
	1/19/2010	200002	105.00		
				TUITION REIMBURSEMENT	105.00
	Vendor Total		**105.00**		
FYTD for LUNDBERG, GEORGINA			**105.00**		
MACIAS JR., ANTHONY					
	1/11/2010	199882	95.00		
				TUITION REIMBURSEMENT	95.00
	Vendor Total		**95.00**		
FYTD for MACIAS JR., ANTHONY			**169.00**		

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MADDOX, JOSEPH					
	1/25/2010	200142	75.00		
				INSTRUCTOR PAYMENT	75.00
	Vendor Total		**75.00**		
FYTD for MADDOX, JOSEPH			**75.00**		
MARCH JOINT POWERS AUTHORITY					
	1/25/2010	200143	11.56		
				GAS CHRGS-MF	9.44
				GAS CHRGS-MF	2.12
	Vendor Total		**11.56**		
FYTD for MARCH JOINT POWERS AUTHORITY			**39.93**		
MARTIAL ARTS INTERNATIONAL, USKO					
	1/19/2010	200003	56.00		
				INSTRUCTOR SVC-KICKBOXING	56.00
	Vendor Total		**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**336.00**		
MARTINEZ, ALICIA					
	1/19/2010	200004	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for MARTINEZ, ALICIA			**50.00**		
MARTINEZ, FRED					
	1/19/2010	200005	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for MARTINEZ, FRED			**50.00**		
MATHIS, NOLAN					
	1/4/2010	199742	288.60		
				RETIREE MEDICAL BENEFIT	288.60
	Vendor Total		**288.60**		
FYTD for MATHIS, NOLAN			**2,020.20**		
MAXINOSKI, SUE A.					
	1/4/2010	199743	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,231.11**		

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MAYER HOFFMAN MCCANN P.C.					
	1/11/2010	199883	22,195.00		
				AUDITING SVC-CITY	12,615.00
				AUDITING SVC-SINGLE	2,250.00
				AUDITING SVC-CHILDCARE	3,445.00
				AUDITING SVC-RDA	2,590.00
				AUDITING SVC-RDA	1,295.00
	Vendor Total		**22,195.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**37,994.00**		
MCCARTHY & BERLIN, LLP					
	1/19/2010	200006	297.85		
				NOV-09 LEGAL SVCS-MVU	297.85
	Vendor Total		**297.85**		
FYTD for MCCARTHY & BERLIN, LLP			**26,292.78**		
MCDONALD PARTNERS, INC.					
	1/19/2010	200007	5,875.00		
				CONSULTING SVCS	5,875.00
	Vendor Total		**5,875.00**		
FYTD for MCDONALD PARTNERS, INC.			**9,250.00**		
MCDONOUGH, HOLLAND & ALLEN					
	1/25/2010	200144	141.96		
				NOV-09 LGL SVCS-EDD	141.96
	Vendor Total		**141.96**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,148.73**		
MEDRANO, DAVID					
	1/11/2010	199884	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for MEDRANO, DAVID			**30.00**		
MELAD & ASSOCIATES					
	1/19/2010	200008	1,783.37		
				PLAN CHECK SVCS	1,783.37
	Vendor Total		**1,783.37**		
FYTD for MELAD & ASSOCIATES			**29,516.36**		
MENDOZA, ALICIA					
	1/19/2010	200009	57.50		
				REFUND-CITATION FEE	57.50
	Vendor Total		**57.50**		
FYTD for MENDOZA, ALICIA			**57.50**		

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MENGISTU, YESHIALEM					
	1/4/2010	199744	81.95		
				MILEAGE REIMBURSEMENT	81.95
	Vendor Total		**81.95**		
FYTD for MENGISTU, YESHIALEM			**644.05**		
MESSIN, LOUIS					
	1/4/2010	199745	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**1,593.66**		
MEYERS, ROBERT					
	1/19/2010	200010	168.00		
				INSTRUCTOR SVC-DRAWING	168.00
	Vendor Total		**168.00**		
FYTD for MEYERS, ROBERT			**1,701.00**		
MGT OF AMERICA, INC.					
	1/25/2010	200145	3,000.00		
				3RD QTR STATE MANDATED COST	3,000.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**9,000.00**		
MILES, ROBERT					
	1/4/2010	199746	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**1,637.17**		
MINARD, MARK E.					
	1/4/2010	199747	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,062.00**		
MIZERAK, ANNAMAE					
	1/4/2010	199748	750.00		
				REFUND-RNTL DEP 12/20	750.00
	Vendor Total		**750.00**		
FYTD for MIZERAK, ANNAMAE			**750.00**		

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MMASC					
	1/25/2010	200146	10.00		
				ATTND:ARIANA AYALA	10.00
	Vendor Total		**10.00**		
FYTD for MMASC			**10.00**		
MOLLICA, MIKE					
	1/4/2010	199749	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,007.11**		
MONREO VALLEY CHURCH OF CHRIST					
	1/4/2010	199750	595.72		
				REFUND-WEED ABTMNT	595.72
	Vendor Total		**595.72**		
FYTD for MONREO VALLEY CHURCH OF CHRIST			**595.72**		
MORA, PATRICIA A.					
	1/4/2010	199751	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**2,231.11**		
MORENO VALLEY CHAMBER OF COMMERCE					
	1/4/2010	199752	105.00		
				WAKE UP MTG-12/16/09	15.00
				WAKE UP MTG-12/16/09	15.00
				WAKE UP MTG-12/16/09	15.00
				WAKE UP MTG-12/16/09	15.00
				WAKE UP MTG-12/16/09	15.00
				WAKE UP MTG-12/16/09	15.00
				WAKE UP MTG-12/16/09	15.00
	1/11/2010	199885	375.00		
				PRGRM ATTND-5	75.00
				PRGRM ATTND-5	150.00
				PRGRM ATTND-5	75.00
				PRGRM ATTND-5	75.00
	Vendor Total		**480.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**15,640.00**		

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For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	1/15/2010	2564	1,579.00		
				MVCEA DUES 01/15/2010	1,579.00
	1/29/2010	2572	1,579.00		
				MVCEA DUES 01/29/2010	1,579.00
	Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**25,309.50**		
MORENO VALLEY GATEWAY, LLC					
	1/19/2010	200011	21,093.43		
				FEB-10 LEASE-FACILITIES ANNX	2,458.97
				FEB-10 LEASE-TECH SVC ANNX	5,475.90
				FEB-10 LEASE-SPCL DIST	13,158.56
	Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC			**147,654.01**		
MORENO VALLEY HISPANIC CHAMBER OF COMMER					
	1/25/2010	200147	1,500.00		
				BUSINESS SVCS	1,500.00
	Vendor Total		**1,500.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER OF COMMER			**4,950.00**		
MORGAN, LISA A.					
	1/4/2010	199753	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**2,231.11**		
MOSS SAN BERNARDINO PROP					
	1/4/2010	199754	521.00		
				REFUND-WEED ABTMNT	521.00
	Vendor Total		**521.00**		
FYTD for MOSS SAN BERNARDINO PROP			**521.00**		
MOTA, ADRIANA					
	1/19/2010	200014	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for MOTA, ADRIANA			**50.00**		
MSA INLAND EMPIRE/DESERT CHAPTER					
	1/4/2010	199755	150.00		
				MBRS:LEMON/MCDONEL/DURFEE	150.00
	Vendor Total		**150.00**		
FYTD for MSA INLAND EMPIRE/DESERT CHAPTER			**150.00**		

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NARA, LOWELON					
	1/19/2010	200015	80.85		
				MILEAGE REIMBURSEMENT	80.85
	Vendor Total		**80.85**		
FYTD for NARA, LOWELON			**259.05**		
NATIONWIDE RETIREMENT SOLUTIONS					
	1/15/2010	2561	1,886.99		
				PST DEF COMP FOR FICA 01/15/10	1,886.99
	1/29/2010	2570	9,485.11		
				DEF COMP FOR FICA	9,485.11
	1/29/2010	2571	21,726.46		
				DEF COMP 457 & 401(A) 01/29/10	21,726.46
	Vendor Total		**33,098.56**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**548,836.71**		
NAVARRETTE, RALPH					
	1/4/2010	199756	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**318.73**		
NAVARRO, ANTONIO					
	1/11/2010	199886	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for NAVARRO, ANTONIO			**30.00**		
NELSON, ROBERT					
	1/4/2010	199757	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**1,520.01**		
NELSON, RUTH L.					
	1/4/2010	199758	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,231.11**		
NEUSTAEDTER, CRAIG S					
	1/4/2010	199759	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,231.11**		

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NEW HORIZON MOBILE HOME PARK				
1/19/2010	200016	6.81		
			REFUND-UT USER TAXES	6.81
Vendor Total		**6.81**		
FYTD for NEW HORIZON MOBILE HOME PARK		**53.90**		
NIEBURGER, JUDITH A.				
1/4/2010	199760	401.42		
			RETIREE MEDICAL BENEFIT	401.42
Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.		**2,809.94**		
NINYO & MOORE GEOTECHNICAL				
1/11/2010	199887	8,539.00		
			EMRGNCY OPS CTR PROJ SVCS	8,539.00
1/19/2010	200017	5,668.50		
			EMRGNCY OPS CTR PROJ SVCS	5,668.50
Vendor Total		**14,207.50**		
FYTD for NINYO & MOORE GEOTECHNICAL		**65,350.62**		
NORTHEAST WISCONSIN TECHNICAL COLLEGE				
1/25/2010	200148	395.00		
			MAR22-23 TASER INSTRCTR COURSE	395.00
Vendor Total		**395.00**		
FYTD for NORTHEAST WISCONSIN TECHNICAL COLLEGE		**395.00**		
NOVAL, VICTORINO				
1/4/2010	199761	578.00		
			REFUND-WEED ABTMNT	578.00
Vendor Total		**578.00**		
FYTD for NOVAL, VICTORINO		**578.00**		
OAKS, MARY ANN				
1/25/2010	200149	75.00		
			INSTRUCTOR PAYMENT	75.00
Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN		**75.00**		
OLINGER RIVERSIDE LP				
1/4/2010	199762	365.50		
			REFUND-WEED ABTMNT	365.50
Vendor Total		**365.50**		
FYTD for OLINGER RIVERSIDE LP		**365.50**		

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OVERLAND PACIFIC & CUTLER, INC.				
1/4/2010	199763	7,455.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	7,455.00
1/25/2010	200150	5,040.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	5,040.00
	Vendor Total	**12,495.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**118,229.50**		
PACIFIC GREEN HORTICULTURAL SVC				
1/19/2010	200018	817.83		
			DEC-09 LNDSCP MAINT-E3	235.54
			DEC-09 LNDSCP MAINT-E4	433.49
			DEC-09 LNDSCP MAINT-E1	108.51
			DEC-09 LNDSCP MAINT-E7	40.29
	Vendor Total	**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**7,394.80**		
PACIFIC SAFETY COUNCIL				
1/11/2010	199888	26.10		
			SAFETY TRAINING VIDEO	8.70
			SAFETY TRAINING VIDEO	8.70
			SAFETY TRAINING VIDEO	8.70
1/19/2010	200019	500.00		
			CONSULTING SVCS-11/2/09	500.00
	Vendor Total	**526.10**		
FYTD for PACIFIC SAFETY COUNCIL		**3,764.74**		
PACIFIC TELEMANAGEMENT SERVICES				
1/11/2010	199889	313.20		
			PAYPHONE SRVC	313.20
	Vendor Total	**313.20**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**826.84**		
PATTERSON, ALFREY				
1/4/2010	199764	194.53		
			RETIREE MEDICAL BENEFIT	194.53
	Vendor Total	**194.53**		
FYTD for PATTERSON, ALFREY		**1,528.32**		
PEDLEY SQUARE VETERINARY CLINIC				
1/11/2010	199890	8,143.50		
			EMERG AND VETERINARY SVCS	8,143.50
	Vendor Total	**8,143.50**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC		**52,649.75**		

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PENA, IRIS					
	1/4/2010	199765	22.11		
				MILEAGE REIMBURSEMENT	22.11
	Vendor Total		**22.11**		
FYTD for PENA, IRIS			**113.24**		
PERRIS AT PENTECOSTAL LLC					
	1/4/2010	199766	580.00		
				REFUND-WEED ABTMNT	580.00
	Vendor Total		**580.00**		
FYTD for PERRIS AT PENTECOSTAL LLC			**580.00**		
PERRIS HOME LLC					
	1/4/2010	199767	1,016.73		
				REFUND-WEED ABTMNT	1,016.73
	Vendor Total		**1,016.73**		
FYTD for PERRIS HOME LLC			**1,016.73**		
PERRY, NORMA					
	1/4/2010	199768	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,231.11**		
PERS LONG TERM CARE PROGRAM					
	1/4/2010	199769	433.87		
				LONG TERM CARE INSURANCE	433.87
	1/19/2010	200021	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**8,250.44**		
PETERSON, CHRISTINE					
	1/4/2010	199771	34.65		
				MILEAGE REIMBURSEMENT	34.65
	Vendor Total		**34.65**		
FYTD for PETERSON, CHRISTINE			**96.05**		

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PETTY CASH - FINANCE					
	1/19/2010	200025	2,111.37		
				PETTY CASH FUND REPLENISHMENT	5.50
				PETTY CASH FUND REPLENISHMENT	3.85
				PETTY CASH FUND REPLENISHMENT	3.85
				PETTY CASH FUND REPLENISHMENT	7.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	1.25
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	23.85
				PETTY CASH FUND REPLENISHMENT	7.00
				PETTY CASH FUND REPLENISHMENT	72.60
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	30.80
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	30.80
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	12.93
				PETTY CASH FUND REPLENISHMENT	80.03
				PETTY CASH FUND REPLENISHMENT	16.00
				PETTY CASH FUND REPLENISHMENT	66.54
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	8.08
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	18.74
				PETTY CASH FUND REPLENISHMENT	7.60
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	82.50
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	19.00
				PETTY CASH FUND REPLENISHMENT	7.38
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	35.75
				PETTY CASH FUND REPLENISHMENT	47.30
				PETTY CASH FUND REPLENISHMENT	23.66
				PETTY CASH FUND REPLENISHMENT	40.00
				PETTY CASH FUND REPLENISHMENT	70.95
				PETTY CASH FUND REPLENISHMENT	9.00
				PETTY CASH FUND REPLENISHMENT	41.80
				PETTY CASH FUND REPLENISHMENT	52.72

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	3.26
			PETTY CASH FUND REPLENISHMENT	14.14
			PETTY CASH FUND REPLENISHMENT	17.00
			PETTY CASH FUND REPLENISHMENT	39.65
			PETTY CASH FUND REPLENISHMENT	57.75
			PETTY CASH FUND REPLENISHMENT	57.75
			PETTY CASH FUND REPLENISHMENT	28.05
			PETTY CASH FUND REPLENISHMENT	53.90
			PETTY CASH FUND REPLENISHMENT	85.80
			PETTY CASH FUND REPLENISHMENT	44.55
			PETTY CASH FUND REPLENISHMENT	46.20
			PETTY CASH FUND REPLENISHMENT	74.25
			PETTY CASH FUND REPLENISHMENT	26.73
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	10.59
			PETTY CASH FUND REPLENISHMENT	2.00
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	4.00
			PETTY CASH FUND REPLENISHMENT	11.90
			PETTY CASH FUND REPLENISHMENT	15.00
			PETTY CASH FUND REPLENISHMENT	18.45
			PETTY CASH FUND REPLENISHMENT	17.05
			PETTY CASH FUND REPLENISHMENT	15.97
			PETTY CASH FUND REPLENISHMENT	48.12
			PETTY CASH FUND REPLENISHMENT	95.10
			PETTY CASH FUND REPLENISHMENT	16.53
			PETTY CASH FUND REPLENISHMENT	77.12
			PETTY CASH FUND REPLENISHMENT	77.12
			PETTY CASH FUND REPLENISHMENT	11.91
	Vendor Total	**2,111.37**		
FYTD for PETTY CASH - FINANCE		**5,425.40**		
PHANHPRADITH, UNG				
1/25/2010	200151	95.00		
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	75.00
	Vendor Total	**95.00**		
FYTD for PHANHPRADITH, UNG		**95.00**		
POTTS, VALERIE & TIMOTHY				
1/25/2010	200152	30.00		
			REFUND-FALSE ALARM	30.00
	Vendor Total	**30.00**		
FYTD for POTTS, VALERIE & TIMOTHY		**30.00**		
POUNDS, NANCY				
1/4/2010	199772	209.00		
			TUITION REIMBURSEMENT	209.00
	Vendor Total	**209.00**		
FYTD for POUNDS, NANCY		**209.00**		

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POWNALL, ALICIA					
	1/11/2010	199891	145.21		
				MISC SUPPLIES FOR 12/3/09	145.21
	Vendor Total		**145.21**		
FYTD for POWNALL, ALICIA			**145.21**		
PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE					
	1/25/2010	200154	7,371.00		
				NOI LEGAL AD-MAIN LIBRARY PROJ	1,921.50
				AD PLACEMNTS FOR CAP PROJS	1,291.50
				AD PLACEMNTS FOR CAP PROJS	1,386.00
				AD PLACEMNTS FOR CAP PROJS	1,386.00
				AD PLACEMNTS FOR CAP PROJS	1,386.00
	Vendor Total		**7,371.00**		
FYTD for PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE			**7,371.00**		
PRICE, GEORGE E.					
	1/4/2010	199773	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,231.11**		
PROTECTION ONE, INC.					
	1/11/2010	199892	40.00		
				JAN-10 SEC MNTRNG SVC	20.00
				JAN-10 SEC MNTRNG SVC	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**280.00**		
PSOMAS					
	1/19/2010	200026	10,167.33		
				LASSELLE ST WIDENING PROJ SVCS	3,090.00
				2009 ANNL PAVEMNT RESURF PROJ	330.00
				TRAF SIG/SR-60 & REDLANDS BLVD	6,747.33
	Vendor Total		**10,167.33**		
FYTD for PSOMAS			**151,828.68**		
PULLIAM, TRENT D.					
	1/4/2010	199774	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,231.11**		

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PW ENHANCEMENT CENTER					
	1/25/2010	200155	14,486.59		
				PARTNERSHIP PRGRM	1,465.39
				FUNDED SVCS FOR PWEC	13,021.20
	Vendor Total		**14,486.59**		
FYTD for PW ENHANCEMENT CENTER			**80,117.62**		
QGUINN, DUANE K.					
	1/19/2010	200028	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for QGUINN, DUANE K.			**25.00**		
QUALITY CONSERVATION SERVICES, INC.					
	1/19/2010	200029	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for QUALITY CONSERVATION SERVICES, INC.			**97.60**		
QUOC, DINH HUNG & NGUYEN, KIM					
	1/19/2010	200030	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for QUOC, DINH HUNG & NGUYEN, KIM			**50.00**		
QURESHI, AYAZ A.					
	1/11/2010	199893	123.00		
				REFUND-PERMIT FEE	122.00
				REFUND-PERMIT FEE	0.90
				REFUND-PERMIT FEE	0.10
	Vendor Total		**123.00**		
FYTD for QURESHI, AYAZ A.			**123.00**		
R & S OVERHEAD DOORS, INC.					
	1/4/2010	199775	1,086.00		
				DOOR MAINT-FS #2	201.00
				DOOR MAINT-FS #6	201.00
				DOOR MAINT-FS #48	141.00
				DOOR MAINT-FS #58	201.00
				DOOR MAINT-FS #91	201.00
				DOOR MAINT-FS #65	141.00
	1/19/2010	200031	272.00		
				DOOR MAINT-PSB	272.00
	Vendor Total		**1,358.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**18,529.00**		

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RALPH'S GROCERY COMPANY					
	1/11/2010	199894	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for RALPH'S GROCERY COMPANY			**30.00**		
RANCHO MIRAGE, CITY OF					
	1/19/2010	200032	40.00		
				FEE-MICHELLE DAWSON	40.00
	Vendor Total		**40.00**		
FYTD for RANCHO MIRAGE, CITY OF			**80.00**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	1/25/2010	200156	12,420.00		
				RED LIGHT ENF SVC	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**86,940.00**		
RENZ, GRACE					
	1/19/2010	200033	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RENZ, GRACE			**20.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	1/4/2010	199776	150.00		
				SHADOW MTN PARK LIGHTING PROJ	150.00
	Vendor Total		**150.00**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**150.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	1/11/2010	199895	1,508.58		
				ENCRCHMNT PERMIT/ADDTL DEPOSIT	1,508.58
	Vendor Total		**1,508.58**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**29,579.85**		
RIVARD, TIMOTHY					
	1/4/2010	199777	609.00		
				REFUND-WEED ABTMNT	609.00
	Vendor Total		**609.00**		
FYTD for RIVARD, TIMOTHY			**609.00**		

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RIVERSIDE COUNTY ASSESSOR				
1/19/2010	200034	75.00		
			ASSESSOR MAP COPIES	18.75
			ASSESSOR MAP COPIES	18.75
			ASSESSOR MAP COPIES	18.75
			ASSESSOR MAP COPIES	18.75
	Vendor Total	**75.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**153.00**		
RIVERSIDE COUNTY CLERK				
1/25/2010	200157	2,074.25		
			ENVIR FEES-EDGEMONT WATER M.P.	2,074.25
	Vendor Total	**2,074.25**		
FYTD for RIVERSIDE COUNTY CLERK		**12,487.25**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
1/4/2010	199778	1,789.70		
			NOV-09 RADIO SVCS	1,789.70
1/11/2010	199896	231.01		
			NOV-09 RADIO SVCS	187.15
			NOV-09 RADIO SVCS	9.85
			NOV-09 RADIO SVCS	34.01
	Vendor Total	**2,020.71**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**14,569.50**		
RIVERSIDE COUNTY SHERIFF				
1/11/2010	199897	3,553.11		
			OCT-09 BOOKING FEES	3,553.11
	Vendor Total	**3,553.11**		
FYTD for RIVERSIDE COUNTY SHERIFF		**24,267,625.02**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
1/25/2010	200158	2,085.00		
			REG-CRIME SCENE INV. COURSE	46.00
			REG-CRIME SCENE INV. COURSE	46.00
			REG-CRIME SCENE INV. COURSE	46.00
			REG-CRIME SCENE INV. COURSE	46.00
			REG-CRIME SCENE INV. COURSE	46.00
			REG-CRIME SCENE INV. COURSE	46.00
			REG-CRIME SCENE INV. COURSE	46.00
			REG-TRAF COLL INV-ADV COURSE	417.00
			REG-FIELD TRNG OFFICER COURSE	77.00
			REG-TRAF COLL RECONSTR COURSE	423.00
			REG-TRAF COLL RECONSTR COURSE	423.00
			REG-TRAF COLL RECONSTR COURSE	423.00
	Vendor Total	**2,085.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**8,639.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
1/4/2010	199779	342.52		
			GARNISHMENT	342.52
1/19/2010	200035	402.80		
			GARNISHMENT	402.80
	Vendor Total	**745.32**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**5,630.92**		
RIVERSIDE COUNTY SHERIFF MV				
1/25/2010	200159	779.58		
			EXTRA DUTY -DUI CKPNT	779.58
	Vendor Total	**779.58**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**9,071.01**		
RIVERSIDE COUNTY TREASURER				
1/11/2010	199898	30.00		
			REFUND-FALSE ALARM	30.00
	Vendor Total	**30.00**		
FYTD for RIVERSIDE COUNTY TREASURER		**30.00**		
RIZZI, LINDA				
1/19/2010	200036	16.00		
			REFUND-ANML LIC FEE	16.00
	Vendor Total	**16.00**		
FYTD for RIZZI, LINDA		**16.00**		
RLZ ENGINEERING				
1/25/2010	200161	12,322.50		
			TEMP STAFF SVCS FOR CAP PROJS	12,322.50
	Vendor Total	**12,322.50**		
FYTD for RLZ ENGINEERING		**114,510.75**		
ROBINSON, MELEAH				
1/19/2010	200037	37.00		
			REFUND-CLASS REGIST	37.00
	Vendor Total	**37.00**		
FYTD for ROBINSON, MELEAH		**37.00**		
ROGERS, EUGENE				
1/4/2010	199780	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for ROGERS, EUGENE		**1,593.66**		

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ROSS, DAVID T.					
	1/4/2010	199781	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,231.11**		
ROSSON, LOUIS A.					
	1/4/2010	199782	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**1,889.99**		
ROTHSCHELL, DEBBIE					
	1/11/2010	199899	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for ROTHSCHELL, DEBBIE			**50.00**		
RUSSO, JOHN					
	1/4/2010	199783	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,231.11**		
SA ASSOCIATES					
	1/25/2010	200162	10,125.00		
				TEMP STAFF SVCS FOR CAP PROJS	10,125.00
	Vendor Total		**10,125.00**		
FYTD for SA ASSOCIATES			**78,262.50**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	1/11/2010	199900	294.39		
				FIRE EXTING SVC-LIBRARY	100.00
				FIRE EXTING SVC-LIBRARY	35.46
				FIRE EXTING SVC-SPCL DIST	75.00
				FIRE EXTING SVC-SPCL DIST	83.93
	1/19/2010	200039	25.00		
				FIRE EXTING SVC-PARKS	11.54
				FIRE EXTING SVC-PARKS	13.46
	1/25/2010	200163	25.00		
				FIRE EXTING SVC-UT	25.00
	Vendor Total		**344.39**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**6,473.51**		

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SANDERS APARTMENTS					
	1/25/2010	200164	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SANDERS APARTMENTS			**57.00**		
SECTRAN SECURITY, INC					
	1/4/2010	199784	463.50		
				DEC-09 TRNSPRT SVC-PARKS	154.50
				DEC-09 TRNSPRT SVC-TREASURY	154.50
				DEC-09 TRNSPRT SVC-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**2,781.00**		
SECURITY LOCK & KEY					
	1/25/2010	200165	71.84		
				RE-KEYED OFFICE-PARKS	71.84
	Vendor Total		**71.84**		
FYTD for SECURITY LOCK & KEY			**2,370.96**		
SERTA MATTRESS COMPANY					
	1/11/2010	199902	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for SERTA MATTRESS COMPANY			**30.00**		
SHAH, JAGDISH					
	1/19/2010	200041	19,440.00		
				DEC-09 TEMP STAFF SVCS-CAP PRJ	19,440.00
	Vendor Total		**19,440.00**		
FYTD for SHAH, JAGDISH			**130,200.00**		
SHARRETT, SHARON K.					
	1/4/2010	199785	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,268.32**		
SHELDON, STUART H.					
	1/4/2010	199786	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,231.11**		

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SHELL OIL CO.					
	1/25/2010	200166	1,244.15		
				FUEL PURCHASE-M&O TREE CREW	14.53
				FUEL PURCHASE-PD MTRCYCLES	1,229.62
	Vendor Total		**1,244.15**		
FYTD for SHELL OIL CO.			**12,504.12**		
SHURTLEFF, JEANNETTE L.					
	1/19/2010	200042	532.00		
				INSTRUCTION SVC-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**1,140.00**		
SIERRA PACIFIC ELECTRICAL CONTRACTING					
	1/25/2010	200167	11,020.00		
				TRAFFIC LOOP SVC	11,020.00
	Vendor Total		**11,020.00**		
FYTD for SIERRA PACIFIC ELECTRICAL CONTRACTING			**11,020.00**		
SINGER & COFFIN, APC					
	1/25/2010	200168	220.00		
				LEGAL SVCS-DAY ST IMPRVMNTS	220.00
	Vendor Total		**220.00**		
FYTD for SINGER & COFFIN, APC			**46,904.65**		
SKY TRAILS MOBILE VILLAGE					
	1/19/2010	200043	21.11		
				REFUND-UT USER TAXES	21.11
	Vendor Total		**21.11**		
FYTD for SKY TRAILS MOBILE VILLAGE			**153.40**		
SLAGERMAN, SUSAN A.					
	1/4/2010	199787	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**2,793.57**		
SLONIKER, VANESSA					
	1/19/2010	200044	217.00		
				PER DIEM-CONF ON CHILD/FAMILY	217.00
	Vendor Total		**217.00**		
FYTD for SLONIKER, VANESSA			**364.00**		

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SMITH, MARIA A.					
	1/4/2010	199788	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**599.33**		
SO. CALIF SCHOOL OF MUSIC					
	1/25/2010	200169	702.00		
				INSTRUCTOR SVC-PIANO	297.00
				INSTRUCTOR SVC-PIANO	108.00
				INSTRUCTOR SVC-PIANO	81.00
				INSTRUCTOR SVC-GUITAR	216.00
	Vendor Total		**702.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**6,657.00**		
SOCO GROUP, INC					
	1/25/2010	200170	13,970.49		
				FUEL PURCHASE	4,748.89
				FUEL PURCHASE	4,919.00
				FUEL PURCHASE	4,302.60
	Vendor Total		**13,970.49**		
FYTD for SOCO GROUP, INC			**81,027.23**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	1/11/2010	199903	77.40		
				INSTRUCTOR SVC-YOGA	77.40
	Vendor Total		**77.40**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**335.40**		
SOSA, JORGE					
	1/19/2010	200045	93.00		
				INSTRUCTOR SVC-KARATEDO	72.00
				INSTRUCTOR SVC-KOBUDO	21.00
	Vendor Total		**93.00**		
FYTD for SOSA, JORGE			**2,652.00**		

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SOUTH COAST AIR QUALITY MGMT DISTRICT				
1/19/2010	200046	86.69		
			ANNUAL OPERATING FEE-FS #2	86.69
1/19/2010	200047	109.00		
			EMISSIONS FEE-FS #2	109.00
1/19/2010	200048	379.90		
			ANNUAL OPERATING FEE-FS #91	379.90
1/19/2010	200049	109.00		
			EMISSIONS FEE-FS #91	109.00
	Vendor Total	**684.59**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		**3,212.96**		
SOUTHERN CALIFORNIA EDISON				
1/4/2010	199790	5,355.86		
			ELECTRICITY	61.97
			ELECTRICITY	21.57
			ELECTRICITY	949.42
			ELECTRICITY	1,359.18
			ELECTRICITY	135.60
			ELECTRICITY	201.15
			ELECTRICITY	393.94
			ELECTRICITY	808.93
			ELECTRICITY	135.51
			ELECTRICITY	992.43
			ELECTRICITY	179.16
			ELECTRICITY	74.40
			ELECTRICITY	42.60
1/11/2010	199904	6,149.25		
			ELECTRICITY	90.58
			ELECTRICITY	129.19
			ELECTRICITY	41.12
			ELECTRICITY	1,564.35
			ELECTRICITY	900.71
			ELECTRICITY	859.34
			ELECTRICITY	415.80
			ELECTRICITY	494.93
			ELECTRICITY	372.18
			ELECTRICITY	19.68
			ELECTRICITY	979.91
			ELECTRICITY	82.50
			ELECTRICITY	140.31
			ELECTRICITY	58.65
1/19/2010	200051	15,598.84		
			IFA CHARGES	1,099.13
			ELECTRIC CHRGS	352.98
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**27,103.95**		
FYTD for SOUTHERN CALIFORNIA EDISON		**5,772,264.71**		

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SOUTHERN CALIFORNIA GAS CO.					
	1/19/2010	200052	10,971.43		
				GAS CHARGES	83.84
				GAS CHARGES	1,329.60
				GAS CHARGES	3,502.18
				GAS CHARGES	126.37
				GAS CHARGES	187.82
				GAS CHARGES	1,061.99
				GAS CHARGES	393.20
				GAS CHARGES	209.37
				GAS CHARGES	1,713.06
				GAS CHARGES	470.88
				GAS CHARGES	271.17
				GAS CHARGES	355.64
				GAS CHARGES	324.31
				GAS CHARGES	477.41
				GAS CHARGES	464.59
	Vendor Total		**10,971.43**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**231,570.07**		
SPARKLETTS					
	1/4/2010	199791	24.50		
				WATER SVCS-EMERG OP	4.50
				WATER SVCS-CREEKSIDE ELEM	17.15
				WATER SVCS-ARMADA ELEM	2.85
	1/19/2010	200053	12.13		
				WATER SVC-SNNYMD ELEM	12.13
	1/25/2010	200173	5.75		
				WATER SVC-CREEKSIDE ELEM	5.75
	Vendor Total		**42.38**		
FYTD for SPARKLETTS			**331.91**		
SPECK, GARY B.					
	1/4/2010	199792	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**2,231.11**		
SPECTRUM CARE					
	1/19/2010	200054	12,333.33		
				DEC-09 LNDSCP MAINT-E1A	1,793.33
				DEC-09 LNDSCP MAINT-E1	10,540.00
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**73,999.98**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPENCER, MARTHA					
	1/4/2010	199793	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**1,637.17**		
SPORTS INNOVATORS					
	1/19/2010	200055	225.00		
				SPORT OFFICIATING SVCS	225.00
	Vendor Total		**225.00**		
FYTD for SPORTS INNOVATORS			**17,325.00**		
SPRINT/NEXTEL					
	1/11/2010	199905	33.17		
				CELL PHONE SVCS-GTF	33.17
	Vendor Total		**33.17**		
FYTD for SPRINT/NEXTEL			**485.48**		
STANDARD INSURANCE CO					
	1/11/2010	199907	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**230,727.41**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	1/4/2010	199794	299.85		
				JAN-MAR MNTRNG SVC-MF PARK	105.00
				JAN-MAR MNTRNG SVC-PSB	194.85
	1/19/2010	200056	166.85		
				JAN-MAR SEC MNTRNG-PARKS	166.85
	1/25/2010	200174	227.16		
				FEB-APR MNTRNG SVC-PARKS	227.16
	Vendor Total		**693.86**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**18,232.72**		
STATE BOARD OF EQUALIZATION					
	1/26/2010	200206	48.29		
				A/C# 58-001728 USER USE RETURN	48.29
	1/25/2010	200912	2,960.00		
				SALES & USE TAX 10/1-12/31/09	2,960.00
	Vendor Total		**3,008.29**		
FYTD for STATE BOARD OF EQUALIZATION			**25,145.29**		

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STATE DISBURSEMENT UNIT					
	1/1/2010	2552	1,743.67		
				CHILD SUPPORT W/H 01/01/2010	1,743.67
	1/21/2010	2560	1,775.99		
				CHILD SUPPORT W/H 01/21/2010	1,775.99
	Vendor Total		**3,519.66**		
FYTD for STATE DISBURSEMENT UNIT			**28,661.35**		
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	1/4/2010	199795	35.00		
				AUG-09 BLOOD ALCHL ANLYS-PD	35.00
	1/19/2010	200057	35.00		
				JUN-09 BLOOD ALCHL ANLYS	35.00
	1/25/2010	200175	1,220.00		
				NOV-09 FINGERPRINTING SVC	96.00
				NOV-09 FINGERPRINTING SVC	64.00
				NOV-09 FINGERPRINTING SVC	32.00
				NOV-09 FINGERPRINTING SVC	96.00
				NOV-09 FINGERPRINTING SVC	932.00
	Vendor Total		**1,290.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**32,314.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN					
	1/4/2010	199796	2,425.44		
				NOV-09 TRANSCRIPTION SVCS	2,425.44
	1/25/2010	200176	3,457.44		
				DEC-09 TRANSCRIPTION SVCS	3,457.44
	Vendor Total		**5,882.88**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN			**23,925.44**		
STEPPE, GREG					
	1/19/2010	200058	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for STEPPE, GREG			**50.00**		
STERICYCLE (BFI)					
	1/11/2010	199908	442.03		
				DEC-09 MED WASTE HAULING SVC	442.03
	Vendor Total		**442.03**		
FYTD for STERICYCLE (BFI)			**2,653.64**		

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STEWART, CLIFFORD					
	1/4/2010	199797	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,243.54**		
STITES, ROBERT					
	1/19/2010	200059	217.00		
				PER DIEM-CONF ON CHILD/FAMILY	217.00
	Vendor Total		**217.00**		
FYTD for STITES, ROBERT			**217.00**		
STK ARCHITECTURE, INC.					
	1/19/2010	200060	1,811.64		
				FIRE STATION EXHAUST SYSTEMS	1,811.64
	Vendor Total		**1,811.64**		
FYTD for STK ARCHITECTURE, INC.			**4,436.64**		
STRADLING, YOCCA, CARLSON & RAUTH					
	1/19/2010	200061	165.00		
				AUG-09 LEGAL SVCS-RADOS LAND	165.00
	1/25/2010	200177	5,946.91		
				NOV-09 LGL SVCS-EDD	712.36
				NOV-09 LGL SVCS-EDD	2,561.06
				NOV-09 LGL SVCS-EDD	148.49
				NOV-09 LGL SVCS-EDD	50.00
				NOV-09 LGL SVCS-EDD	1,475.00
				NOV-09 LGL SVCS-EDD	425.00
				NOV-09 LGL SVCS-EDD	75.00
				NOV-09 LGL SVCS-EDD	500.00
	Vendor Total		**6,111.91**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**73,453.39**		
STREICH, TERRY L.					
	1/4/2010	199798	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**489.32**		
STRICKLER II, JOHN W.					
	1/4/2010	199799	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**1,593.66**		

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STUCKEY, HARRIETTE					
	1/19/2010	200062	273.00		
				INSTRUCTOR SVC-DANCING	84.00
				INSTRUCTOR SVC-DANCING	84.00
				INSTRUCTOR SVC-DANCING	105.00
	Vendor Total		**273.00**		
FYTD for STUCKEY, HARRIETTE			**693.00**		
SUMERFORD, CHRISTINA					
	1/19/2010	200063	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for SUMERFORD, CHRISTINA			**266.00**		
SUNNYMEAD ACE HARDWARE					
	1/4/2010	199800	186.59		
				MISC SUPPLIES-PD	123.87
				MISC SUPPLIES-PD	21.64
				MISC SUPPLIES-PD	35.87
				MISC SUPPLIES-FIRE	5.21
	1/11/2010	199909	161.15		
				MISC SUPPLIES-PARKS	19.87
				MISC SUPPLIES-PD	21.48
				MISC SUPPLIES-PD	76.06
				MISC SUPPLIES-PD	8.68
				MISC SUPPLIES-PD	6.84
				MISC SUPPLIES-FIRE	8.69
				MISC SUPPLIES-FIRE	19.53
	1/19/2010	200064	36.37		
				MISC SUPPLIES-FIRE	36.37
	Vendor Total		**384.11**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,482.03**		
SWRCB/STATE WATER RESOURCE CONTROL BOARD					
	1/4/2010	199801	22,499.00		
				ANNUAL PERMIT-MV MS4	22,499.00
	Vendor Total		**22,499.00**		
FYTD for SWRCB/STATE WATER RESOURCE CONTROL BOARD			**22,499.00**		
TEAMAN, RAMIREZ & SMITH, INC.					
	1/19/2010	200065	1,200.00		
				ACCTG SVCS-RDA	1,200.00
	Vendor Total		**1,200.00**		
FYTD for TEAMAN, RAMIREZ & SMITH, INC.			**8,300.00**		

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THERMAL-COOL INC.					
	1/19/2010	200066	217.50		
				HVAC REPAIRS-FIRE	217.50
	Vendor Total		**217.50**		
FYTD for THERMAL-COOL INC.			**13,394.97**		
TRICHE, TARA					
	1/25/2010	200179	1,509.60		
				INSTRUCTOR SVCS-BALLET	310.80
				INSTRUCTOR SVCS-BALLET/ACRO	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	377.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	111.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-HIP HOP DANCE	266.40
				INSTRUCTOR SVCS-INTERMD BALLET	66.60
	Vendor Total		**1,509.60**		
FYTD for TRICHE, TARA			**13,830.60**		
TRI-CITY LINEN SUPPLY, INC.					
	1/4/2010	199802	82.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL	57.00
	1/11/2010	199910	50.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL-CRC	25.00
	1/25/2010	200178	50.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL-CRC	25.00
	Vendor Total		**182.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,224.70**		
TROPICAL PLAZA NURSERY, INC.					
	1/25/2010	200180	18,156.34		
				DEC-09 LNDSCP MAINT-ZONE E-2	15,700.00
				DEC-09 LNDSCP MAINT-ZONE E-16	2,217.45
				DEC-09 IRRIG RPRS-ZONE E-2	238.89
	Vendor Total		**18,156.34**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**126,751.47**		

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TRUGREEN LANDCARE					
	1/4/2010	199803	32.22		
				IRRIG REPAIRS-TRACT #31269	32.22
	1/19/2010	200067	12,452.01		
				DEC-09 LNDSCP MAINT-ZN M	5,324.89
				DEC-09 LNDSCP MAINT-DSG1E	7,110.86
				IRRIGATION RPRS-TR 21597	8.13
				IRRIGATION RPRS-TR 16769	8.13
	1/25/2010	200181	8,504.45		
				DEC-09 LNDSCP MAINT-ZONE DSG-2	8,420.43
				IRRIG REPAIRS-TRACT# 20715	16.72
				IRRIG REPAIRS-TRACT# 19509	13.11
				IRRIG REPAIRS-TRACT# 19032	13.37
				IRRIG REPAIRS-TRACT# 19208	20.24
				IRRIG REPAIRS-TRACT# 20715	20.58
	Vendor Total		**20,988.68**		
FYTD for TRUGREEN LANDCARE			**195,806.11**		
TUNTLAND, JAMES					
	1/4/2010	199804	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,243.54**		
TW MOBILE ENGINEERING TECHNOLOGIES, INC					
	1/19/2010	200068	2,066.65		
				NETWRK CAMERA, CASE, CABLE KIT	1,896.65
				LABOR FOR PD VAN INSTALLATION	170.00
	Vendor Total		**2,066.65**		
FYTD for TW MOBILE ENGINEERING TECHNOLOGIES, INC			**2,066.65**		
TWIN GRAPHICS					
	1/25/2010	200182	81.56		
				VEHICLE GRAPHICS FOR PD	81.56
	Vendor Total		**81.56**		
FYTD for TWIN GRAPHICS			**4,196.63**		
TWRITE, INC.					
	1/4/2010	199805	11,737.50		
				CITY WEBSITE MAINTENANCE	11,737.50
	Vendor Total		**11,737.50**		
FYTD for TWRITE, INC.			**11,737.50**		

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U.S. HEALTHWORKS MEDICAL GROUP					
	1/11/2010	199911	729.00		
				PRE-EMPLYMNT PHYSICALS/DOT DMV	17.00
				PRE-EMPLYMNT PHYSICALS/DOT DMV	518.00
				PRE-EMPLYMNT PHYSICALS	17.00
				PRE-EMPLYMNT PHYSICALS	177.00
	Vendor Total		**729.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,647.00**		
UNDERGROUND SERVICE ALERT					
	1/11/2010	199912	439.50		
				DIGALERT TICKETS SUBSCRPTN SVC	109.88
				DIGALERT TICKETS SUBSCRPTN SVC	109.88
				DIGALERT TICKETS SUBSCRPTN SVC	109.87
				DIGALERT TICKETS SUBSCRPTN SVC	5.62
				DIGALERT TICKETS SUBSCRPTN SVC	104.25
	Vendor Total		**439.50**		
FYTD for UNDERGROUND SERVICE ALERT			**4,575.00**		
UNION BANK OF CALIFORNIA					
	1/4/2010	199806	385.00		
				INVSTMNT SAFEKEEPING SVC-OCT09	385.00
	Vendor Total		**385.00**		
FYTD for UNION BANK OF CALIFORNIA			**275,176.69**		
UNITED SITE SERVICES OF CA, INC.					
	1/25/2010	200184	97.55		
				PORTABLE TOILET SVC-M&O DIV.	97.55
	Vendor Total		**97.55**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**8,153.48**		
UNITED WAY OF INLAND VALLEYS					
	1/4/2010	199807	779.14		
				UNITED WAY CONTRIBUTIONS	25.00
				UNITED WAY CONTRIBUTIONS	754.14
	1/11/2010	199913	1,750.00		
				PROCEEDS FROM SPCL EVENTS	1,750.00
	1/19/2010	200069	192.18		
				UNITED WAY CONTRIBUTIONS	152.18
				UNITED WAY CONTRIBUTIONS	40.00
	Vendor Total		**2,721.32**		
FYTD for UNITED WAY OF INLAND VALLEYS			**13,738.64**		

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UNLIMITED ENVIRONMENTAL, INC				
1/19/2010	200070	22.40		
			REFUND-BUS LIC OVRPMT	22.40
Vendor Total		**22.40**		
FYTD for UNLIMITED ENVIRONMENTAL, INC		**22.40**		
URBAN CROSSROADS, INC.				
1/4/2010	199808	2,850.00		
			MV TRAFFIC MODEL UPDATE SVCS	2,850.00
Vendor Total		**2,850.00**		
FYTD for URBAN CROSSROADS, INC.		**10,865.00**		
US TROPHY				
1/25/2010	200185	34.36		
			REFUND-BUS LIC OVRPMT	34.36
Vendor Total		**34.36**		
FYTD for US TROPHY		**34.36**		
USA MOBILITY/ARCH WIRELESS				
1/25/2010	200186	90.38		
			PAGER SVC-PARK RANGERS/JAN-10	12.89
			PAGER SVC-TRANSP DIV./JAN-10	5.08
			PAGER SVC-PD CITZ PATRL/JAN-10	33.53
			PAGER SVC-ANIMAL SVCS/JAN-10	38.88
Vendor Total		**90.38**		
FYTD for USA MOBILITY/ARCH WIRELESS		**570.64**		

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VACATE PEST ELIMINATION COMPANY					
	1/4/2010	199809	1,205.00		
				PEST CNTRL-FS #65	45.00
				PEST CNTRL-FS #58	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE C.C.	45.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-FS #91	45.00
				PEST CNTRL-FS #6	45.00
				PEST CNTRL-FS #48	45.00
				PEST CNTRL-FS #2	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG #1	55.00
				PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
				PEST CNTRL-ASES/STARS BLDG	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP TRLR	45.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				PEST CNTRL-MV UTILITY FLD OFFC	45.00
	1/19/2010	200071	100.00		
				PEST CONTROL SVC-AQDCT BKWY	50.00
				PEST CONTROL SVC-AQDCT BKWY	50.00
	Vendor Total		**1,305.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**10,910.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT					
	1/19/2010	200072	1,997.46		
				PUBLIC PURPOSE FUNDS RFND	1,997.46
	Vendor Total		**1,997.46**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT			**10,277.53**		
VALERIO, DORA					
	1/19/2010	200073	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VALERIO, DORA			**20.00**		
VALI COOPER & ASSOCIATES, INC.					
	1/25/2010	200187	10,080.00		
				TEMP STAFF SVCS FOR CAP PROJS	10,080.00
	Vendor Total		**10,080.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**109,867.50**		

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VALLEY CITIES/ GONZALES FENCE INC					
	1/19/2010	200074	1,325.00		
				FENCE AT CTTNWD PARK	1,000.00
				FENCE AT CTTNWD PARK	325.00
	1/25/2010	200188	7,100.00		
				FENCE RPRS-LASSELLE/VIA DEANZA	4,750.00
				FENCE RPRS-LASSELLE/VIA DEANZA	2,350.00
	Vendor Total		**8,425.00**		
FYTD for VALLEY CITIES/ GONZALES FENCE INC			**11,275.00**		
VALLEY WIDE TOWING					
	1/25/2010	200189	126.00		
				REFUND-BUS LIC OVRPMT	126.00
	Vendor Total		**126.00**		
FYTD for VALLEY WIDE TOWING			**126.00**		
VAS ASSOCIATES, INC.					
	1/4/2010	199810	17,520.00		
				TEMP STAFF SVCS-CAP PROJS	17,520.00
	1/19/2010	200075	19,800.00		
				TEMP STAFF SVCS-CAP PRJ	19,800.00
	Vendor Total		**37,320.00**		
FYTD for VAS ASSOCIATES, INC.			**131,445.00**		
VAUGHN, MARCI					
	1/19/2010	200076	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for VAUGHN, MARCI			**75.00**		
VAZQUEZ, FERNINAND					
	1/19/2010	200077	425.00		
				REFUND-CITATION FEE	425.00
	Vendor Total		**425.00**		
FYTD for VAZQUEZ, FERNINAND			**425.00**		
VELASQUEZ, JUAN JOSE					
	1/19/2010	200078	59.50		
				REFUND-CITATION FEE	59.50
	Vendor Total		**59.50**		
FYTD for VELASQUEZ, JUAN JOSE			**59.50**		

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VERIZON					
	1/19/2010	200079	1,674.23		
				BACKBONE CHRGS	1,674.23
	Vendor Total		**1,674.23**		
FYTD for VERIZON			**11,729.97**		
VERIZON CALIFORNIA					
	1/19/2010	200080	31.28		
				LISTING ADDRESS CHANGE	31.28
	1/25/2010	200191	9,104.70		
				TELEPHONE CHRGS	196.00
				TELEPHONE CHRGS	216.25
				TELEPHONE CHRGS	202.99
				TELEPHONE CHRGS	562.65
				TELEPHONE CHRGS	222.07
				TELEPHONE CHRGS	119.70
				TELEPHONE CHRGS	212.82
				TELEPHONE CHRGS	187.57
				TELEPHONE CHRGS	73.36
				TELEPHONE CHRGS	220.23
				TELEPHONE CHRGS	145.36
				TELEPHONE CHRGS	343.49
				TELEPHONE CHRGS	117.61
				TELEPHONE CHRGS	540.00
				TELEPHONE CHRGS	305.45
				TELEPHONE CHRGS	187.84
				TELEPHONE CHRGS	65.04
				TELEPHONE CHRGS	309.48
				TELEPHONE CHRGS	16.03
				TELEPHONE CHRGS	160.19
				TELEPHONE CHRGS	197.23
				TELEPHONE CHRGS	11.61
				TELEPHONE CHRGS	11.62
				TELEPHONE CHRGS	44.52
				TELEPHONE CHRGS	22.93
				TELEPHONE CHRGS	52.77
				TELEPHONE CHRGS	23.43
				TELEPHONE CHRGS	26.92
				TELEPHONE CHRGS	23.43
				TELEPHONE CHRGS	132.63
				TELEPHONE CHRGS	80.08
				TELEPHONE CHRGS	36.86
				TELEPHONE CHRGS	72.38
				TELEPHONE CHRGS	203.77
				TELEPHONE CHRGS	51.01
				TELEPHONE CHRGS	22.83
				TELEPHONE CHRGS	92.92
				TELEPHONE CHRGS	198.90
				TELEPHONE CHRGS	3,394.73
	Vendor Total		**9,135.98**		
FYTD for VERIZON CALIFORNIA			**68,617.27**		

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VICTOR MEDICAL CO					
	1/11/2010	199914	936.88		
				ANIMAL MEDICAL SUPPLIES	936.88
	Vendor Total		**936.88**		
FYTD for VICTOR MEDICAL CO			**8,728.60**		
VIGIL, ERNEST					
	1/4/2010	199811	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,231.11**		
VILLEGAS, MARIA					
	1/19/2010	200081	300.00		
				REFUND-RNTL DEP	300.00
	Vendor Total		**300.00**		
FYTD for VILLEGAS, MARIA			**300.00**		
VINCENT, CLARENCE					
	1/4/2010	199812	1,531.78		
				RETIREE MEDICAL BENEFIT	1,531.78
	Vendor Total		**1,531.78**		
FYTD for VINCENT, CLARENCE			**1,531.78**		
VISION SERVICE PLAN					
	1/11/2010	199915	4,608.24		
				EMPLOYEE VISION INSURANCE	4,608.24
	Vendor Total		**4,608.24**		
FYTD for VISION SERVICE PLAN			**31,497.78**		
VISTA PAINT CORPORATION					
	1/4/2010	199813	299.06		
				PAINT FOR GRAFFITI RMVL PRGM	299.06
	1/11/2010	199916	1,024.36		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	1,024.36
	1/25/2010	200192	149.53		
				PAINT FOR GRAFFITI RMVL PRGM	149.53
	Vendor Total		**1,472.95**		
FYTD for VISTA PAINT CORPORATION			**9,262.99**		

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VOYAGER FLEET SYSTEM, INC.					
	1/25/2010	200193	1,992.02		
				CNG FUEL FOR STREET PRGM	1,709.22
				CNG FUEL FOR DRAIN MAINT PRGM	282.80
	Vendor Total		**1,992.02**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**14,287.96**		
VULCAN MATERIALS CO, INC.					
	1/4/2010	199814	7,211.61		
				ASPHALTIC MATERIAL PICK UP	913.23
				ASPHALTIC MATERIAL PICK UP	883.92
				ASPHALTIC MATERIAL PICK UP	905.45
				ASPHALTIC MATERIAL PICK UP	893.49
				ASPHALTIC MATERIAL PICK UP	594.43
				ASPHALTIC MATERIAL PICK UP	549.57
				ASPHALTIC MATERIAL PICK UP	942.17
				ASPHALTIC MATERIAL PICK UP	897.08
				ASPHALTIC MATERIAL PICK UP	60.30
				ASPHALTIC MATERIAL PICK UP	90.20
				ASPHALTIC MATERIAL PICK UP	161.93
				ASPHALTIC MATERIAL PICK UP	64.17
				ASPHALTIC MATERIAL PICK UP	98.85
				ASPHALTIC MATERIAL PICK UP	65.42
				ASPHALTIC MATERIAL PICK UP	91.40
	1/25/2010	200194	1,408.71		
				ASPHALTIC MATERIAL PICK UP	940.10
				ASPHALTIC MATERIAL PICK UP	95.70
				ASPHALTIC MATERIAL PICK UP	94.44
				ASPHALTIC MATERIAL PICK UP	92.00
				ASPHALTIC MATERIAL PICK UP	95.07
				ASPHALTIC MATERIAL PICK UP	91.40
	Vendor Total		**8,620.32**		
FYTD for VULCAN MATERIALS CO, INC.			**86,706.31**		
WAGGONER JR., GLENN C.					
	1/4/2010	199815	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**2,231.11**		
WAGNER, GARY D.					
	1/4/2010	199816	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**2,227.97**		

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WAGONER, ROBERT					
	1/4/2010	199817	348.20		
				RETIREE MEDICAL BENEFIT	348.20
	Vendor Total		**348.20**		
FYTD for WAGONER, ROBERT			**1,376.60**		
WAGY, CARYLON					
	1/4/2010	199818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**2,231.11**		
WALBERT, ANN					
	1/19/2010	200082	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for WALBERT, ANN			**20.00**		
WALGREENS					
	1/11/2010	199917	30.00		
				REFUND-FALSE ALARM	30.00
	1/25/2010	200195	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**60.00**		
FYTD for WALGREENS			**60.00**		
WALLACE, JANET					
	1/25/2010	200196	83.32		
				REFUND-RNTL DEP 1/2/10	83.32
	Vendor Total		**83.32**		
FYTD for WALLACE, JANET			**83.32**		
WANG, YA HUA					
	1/4/2010	199819	708.48		
				REFUND-WEED ABTMNT	708.48
	Vendor Total		**708.48**		
FYTD for WANG, YA HUA			**708.48**		
WAREHAM, BRANDON					
	1/19/2010	200083	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WAREHAM, BRANDON			**50.00**		

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WASSON, KIRK					
	1/19/2010	200084	304.00		
				INSTRUCTION SVC-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for WASSON, KIRK			**760.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	1/4/2010	199820	1,244.51		
				DEC-09 STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**8,361.67**		
WAXIE SANITARY SUPPLY					
	1/11/2010	199918	87.17		
				10-IN PLASTIC BRISTLE DECKS	80.16
				CA SALES TAX	7.01
	Vendor Total		**87.17**		
FYTD for WAXIE SANITARY SUPPLY			**87.17**		
WELLS FARGO CORPORATE TRUST					
	1/4/2010	100101	1,390.72		
				INTEREST ON VARIABLE RATE BOND	1,390.72
	Vendor Total		**1,390.72**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,624,933.29**		
WEST GOVERNMENT SERVICES					
	1/4/2010	199821	500.00		
				NOV-09 "CLEAR" AUTO TRACK SVCS	500.00
	1/25/2010	200197	500.00		
				DEC-09 "CLEAR" AUTO TRACK SVCS	500.00
	Vendor Total		**1,000.00**		
FYTD for WEST GOVERNMENT SERVICES			**3,000.00**		
WEST GROUP					
	1/19/2010	200085	184.12		
				LEGAL SUBSCRIPTION	184.12
	Vendor Total		**184.12**		
FYTD for WEST GROUP			**3,936.99**		
WESTERN FINANCIAL TRENT INC.					
	1/4/2010	199822	689.00		
				REFUND-WEED ABTMNT	689.00
	Vendor Total		**689.00**		
FYTD for WESTERN FINANCIAL TRENT INC.			**689.00**		

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WESTERN MUNICIPAL WATER DISTRICT					
	1/25/2010	200198	105.53		
				WATER CHRGS-MARB BALLFLDS	47.01
				WATER CHRGS-MFPCC LNDSCP	3.22
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**105.53**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,253.76**		
WHITLOCK, JILL					
	1/19/2010	200086	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WHITLOCK, JILL			**75.00**		
WIELIN, RONALD A.					
	1/4/2010	199824	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,231.11**		
WILLDAN AND ASSOCIATES					
	1/25/2010	200200	17,184.00		
				CONTRACT BLDG OFFICIAL SVCS	16,104.00
				EASTRIDGE EIR REVIEW SVCS	1,080.00
	Vendor Total		**17,184.00**		
FYTD for WILLDAN AND ASSOCIATES			**183,035.31**		
WILLDAN FINANCIAL SERVICES					
	1/4/2010	199826	1,250.00		
				ARBITRAGE REBATE SVC	1,250.00
	Vendor Total		**1,250.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**4,345.00**		
WILLIAMS, COURTNEY					
	1/19/2010	200087	114.00		
				INSTRUCTION SVC-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for WILLIAMS, COURTNEY			**152.00**		
WILLIAMS, JANE L.					
	1/4/2010	199827	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**854.48**		

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WILLIAMS, LARRY					
	1/4/2010	199828	1,593.65		
				RETIREE MEDICAL BENEFIT	1,593.65
	Vendor Total		**1,593.65**		
FYTD for WILLIAMS, LARRY			**1,593.65**		
WILLOUGHBY, LORIA					
	1/19/2010	200088	80.30		
				MILEAGE REIMBURSEMENT	80.30
	Vendor Total		**80.30**		
FYTD for WILLOUGHBY, LORIA			**280.50**		
WOODS, MAXINE					
	1/19/2010	200089	95.00		
				REFUND-ANML SVC DEPOSITS	20.00
				REFUND-ANML SVC DEPOSITS	75.00
	Vendor Total		**95.00**		
FYTD for WOODS, MAXINE			**95.00**		
WURM'S JANITORIAL SERVICES, INC.					
	1/19/2010	200092	22,999.82		
				DEC-09 JANITORIAL SVC-ERC	348.96
				CARPET CLEANING SVC	125.00
				JAN-10 JANITORIAL SVC-SNNYMD E	184.10
				JAN-10 JANITORIAL SVC-RNBW RDG	310.19
				JAN-10 JANITORIAL SVC-RED MPL	310.19
				JAN-10 JANITORIAL SVC-CTY HALL	4,588.23
				JAN-10 JANITORIAL SVC-CTY YARD	346.90
				JAN-10 JANITORIAL SVC-CTY TRLR	98.40
				JAN-10 JANITORIAL SVC-ESA ANNX	735.73
				JAN-10 JANITORIAL SVC-FAC ANNX	124.29
				JAN-10 JANITORIAL SVC-ERC	348.96
				JAN-10 JANITORIAL SVC-LIBRARY	1,771.79
				DEC-09 SPCL CLEANING SVC	191.16
				JAN-10 JANITORIAL SVC-GOLF CTR	644.70
				JAN-10 JANITORIAL SVC-MVTV	58.05
				JAN-10 JANITORIAL SVC-MVPD	5,564.25
				JAN-10 JANITORIAL SVC-SR CTR	1,916.18
				JAN-10 JANITORIAL SVC-TWNGTE	691.38
				JAN-10 JANITORIAL SVC-TS ANNX	453.43
				JAN-10 JANITORIAL SVC-CRC	3,447.93
				NOV-09 SPCL CLEANING SVC	260.00
				DEC-09 JANITORIAL SVC-TWNGTE	480.00
	1/25/2010	200202	563.79		
				JAN-10 JANTRL SVCS-GANG TSK FC	112.82
				JAN-10 JANTRL SVCS-STARS HDQTR	298.87
				JAN-10 JANTRL SVCS-SUNNYMD MID	152.10
	Vendor Total		**23,563.61**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**175,312.67**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	1/4/2010	199829	3,077.65		
				COPIER MAINT/SUPPLY NOV-09	33.51
				COPIER MAINT/SUPPLY NOV-09	59.80
				COPIER MAINT/SUPPLY NOV-09	65.00
				COPIER MAINT/SUPPLY NOV-09	71.80
				COPIER MAINT/SUPPLY NOV-09	397.79
				COPIER MAINT/EXC PRINTS NOV-09	973.06
				COPIER MAINT/SUPPLY NOV-09	107.00
				COPIER EXC PRINTS CHRG NOV-09	1,369.69
	1/19/2010	200093	1,472.29		
				COPIER LEASE-PARKS	359.34
				COPIER LEASE-PARKS	847.69
				COPIER LEASE-PARKS	265.26
	Vendor Total		**4,549.94**		
FYTD for XEROX			**40,162.78**		
XPRESS AUTO CARE					
	1/11/2010	199919	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for XPRESS AUTO CARE			**30.00**		
YAHOO!					
	1/25/2010	200203	39.50		
				LGL COSTS FOR MV093420231	39.50
	Vendor Total		**39.50**		
FYTD for YAHOO!			**39.50**		
YAMASHITA, JULIA J.					
	1/4/2010	199830	269.80		
				RETIREE MEDICAL BENEFIT	269.80
	Vendor Total		**269.80**		
FYTD for YAMASHITA, JULIA J.			**1,214.10**		
YANG, SHUHUI					
	1/19/2010	200094	196.79		
				REFUND-MVU FEES	196.79
	Vendor Total		**196.79**		
FYTD for YANG, SHUHUI			**196.79**		
ZOHRALSE, MOARI					
	1/19/2010	200095	450.00		
				REFUND-CITATION FEE	450.00
	Vendor Total		**450.00**		
FYTD for ZOHRALSE, MOARI			**450.00**		

City of Moreno Valley

Check Register

For Period 1/1/2010 through 1/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	1/25/2010	200204	4,181.37		
				SIGNS FOR TRANSP DIV.	4,053.81
				SIGNS FOR TRANSP DIV.	127.56
	Vendor Total		**4,181.37**		
FYTD for ZUMAR INDUSTRIES, INC.			**26,845.16**		
	Subtotal		**1,078,066.03**		
	GRAND TOTAL		**12,733,166.62**		

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: March 23, 2010

TITLE: RESOLUTION NO. 2010-18
APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program.

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program.

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

BACKGROUND

The Safe Routes to School (SR2S) program is designed to assist local agencies improving walking routes to enhance safety for students traveling to and from school. On April 14, 2009, the City submitted three grant applications for the Safe Routes to School (SR2S) Program. One of the grant application requested funds for installation of

missing sidewalk on the north side of Dracaea Avenue between Morrison Street and Mascot Lane.

On January 28, 2010, the City received notification of funding reimbursement approval for $210,000 (82% of the estimated project costs) under Cycle 8 of the State-legislated SR2S for the project.

DISCUSSION

The project proposes to install approximately 840 feet of sidewalk, curb and gutter, and pavement on the north side of Dracaea Avenue between Morrison Street and Mascot Lane. The project will enhance safety for students walking to and from Mountain View Middle School and Valley View High School.

The estimated cost for the project is $254,000. The City is anticipated to receive funding reimbursement of up to $210,000 (82% of project costs). Per the existing Administering Master Agency-State Agreement, the City is required to use its own funds to implement the project and then receives progress reimbursement payments at the completion of each phase of the project. The approval of the Program Supplement Agreement and appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance are requested so that staff can proceed with the design and construction phases since the City has received the authorization from the State on January 21, 2010.

Prior to receiving reimbursement of project funding, the Program Supplement Agreement must be fully executed, accompanied by an authorizing resolution that clearly identifies the project, and the Official authorized to execute the agreement. If the Program Supplement Agreement is not executed within 60 days from January 28, 2010, the funds will be disencumbered and/or de-obligated.

ALTERNATIVES

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program, adopt the proposed resolution approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program, and authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements. *This alternative will allow the City to receive the Safe Routes to School reimbursement for the project.*

2. Do not accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe

Routes to School (SR2S) Program, do not adopt the proposed resolution approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program, and do not authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements. *This alternative will prohibit the City from receiving the Safe Routes to School reimbursement for this project.*

FISCAL IMPACT

Program Supplement Agreement No. 0G76 Rev. 000, if approved and fully executed, will provide for reimbursement of up to $210,000 (82% of project costs) in state funds. The program requires local match funding of $44,000 (18% of project costs). The total cost of this project is estimated at $254,000.

The City will be required to use its own funds to implement this project and then receive progress reimbursement at the completion of each phase of the project. The City will use Measure "A" (Fund 125) funds for the project and these funds must be used for their intended purpose to receive reimbursement from the SR2S grant. There is no impact to the General Fund. Staff is requesting the City Council to approve the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance to start the design phase of the project.

AVAILABLE FUNDS:

Fiscal Year 2010/2011 Funds (Account No. 125.NEW)	$254,000
SR2S Funding Reimbursement	$210,000
Local Match	$44,000
Total	$254,000

ESTIMATED PROJECT RELATED COSTS:

Design	$31,000
Construction	$190,000
Construction Geotechnical Services	$8,000
Construction Survey Services	$8,000
Project Administration	$17,000
Total	$254,000

ANTICIPATED PROJECT SCHEDULE:

Complete Design	August 2010
Award Contract	October 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution
Attachment "C" – Program Supplement No. 0G76
Attachment "D" – Existing Administering Agency-State Master Agreement for State Funded Projects No. 00196S

Prepared By:
Quang Nguyen, P.E.
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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MV00049033

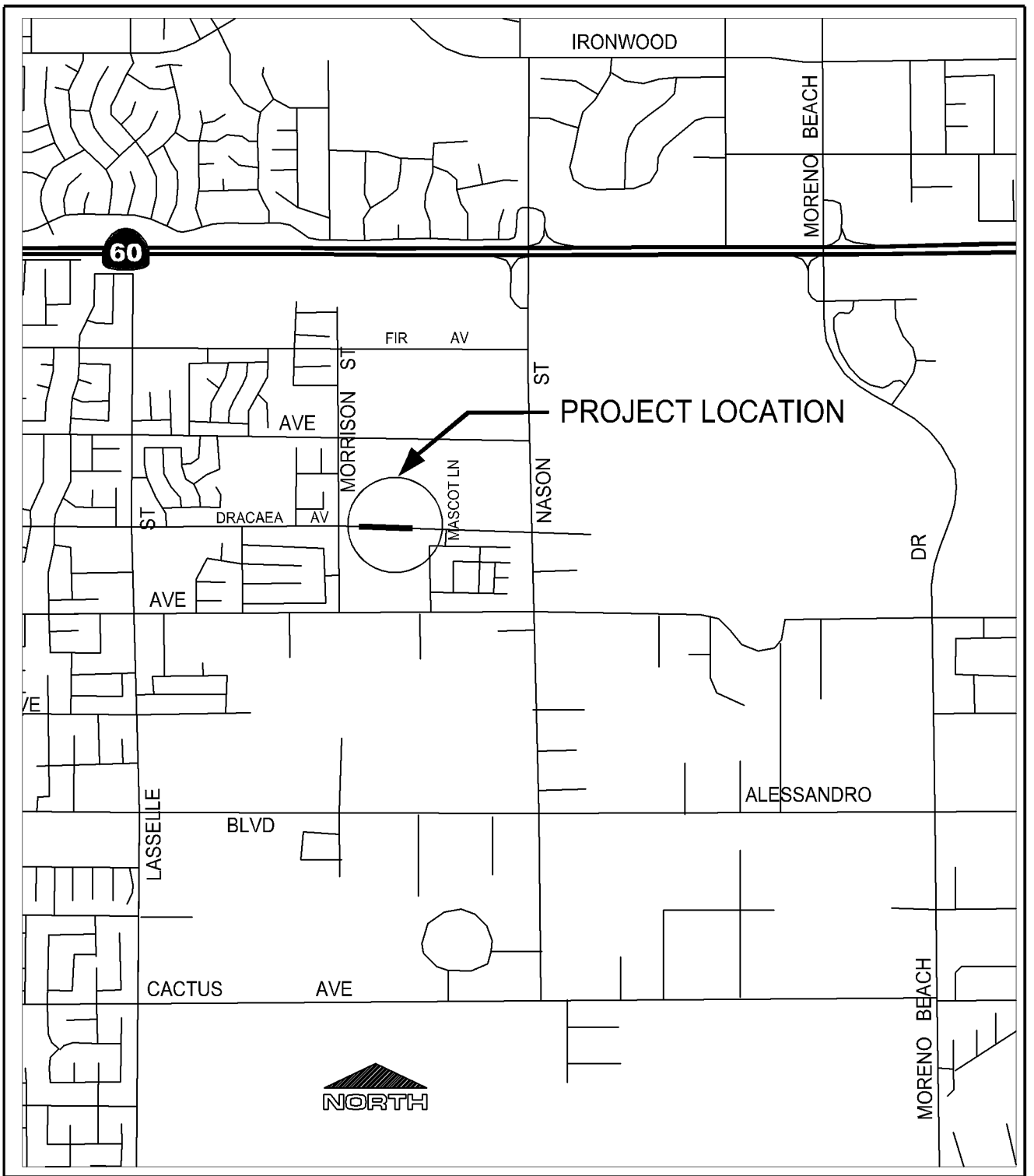

CITY OF MORENO VALLEY
DECEMBER 3, 1984

SIDEWALK IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

ATTACHMENT "A"

DRACAEA AVENUE
BETWEEN MORRISON ST. AND MASCOT LN.
PROJECT NO. SR2SL-5441 (047)

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MV00049035

RESOLUTION NO. 2010-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 0G76 REV. 000 TO ADMINISTERING EXISTING AGENCY-STATE MASTER AGREEMENT NO. 00196S FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047), DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM.

WHEREAS, the SR2S program allows government agencies to apply for grants in an effort to provide improved walking routes for students traveling to and from schools; and

WHEREAS, it appears to be in the City's best interest to apply for such grants; and

WHEREAS, Dracaea Avenue is eligible to receive state grant funding, up to a maximum of $210,000, for the design and construction of the sidewalk gap closure through the state funded Safe Routes to School Program; and

WHEREAS, the City of Moreno Valley will be reimbursed up to a maximum of $210,000 in state funds for the design and construction of the sidewalk gap closures; and

WHEREAS, the City of Moreno Valley will contribute local match funding of $44,000; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Agency-State Master Agreement No. 00196S for State Funded Projects between the State of California, acting by and through the Department of Public Works, and the City of Moreno Valley, provides funding for the individual project and said program Supplement Agreement No. 0G76 Rev. 000 is hereby approved. The Mayor shall execute the same on behalf of the City.

APPROVED AND ADOPTED this 23rd day of March, 2010.

Signature page to follow:

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00049039

PROGRAM SUPPLEMENT NO. G76
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR STATE FUNDED PROJECTS NO. 00196S

Date: January 26, 2010
Location: 08-RIV-0-MORV
Project Number: SR2SL-5441(047)
E.A. Number: 08-925170
Locode: 5441

This PROGRAM SUPPLEMENT, effective / / , hereby incorporates into the Administering Agency - State Agreement No. 00196S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of / / and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the ADMINISTERING AGENCY on (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, it accepts and will comply with the Special Covenants and Remarks set forth on the following pages.

PROJECT LOCATION:
North side of Dracaea Ave. between Morrison St. and Mascot Ln

TYPE OF WORK: Construct sidewalk to provide a gap closure in existing sidewalks

Estimated Cost	State Funds		Matching Funds		
	STATE	$210,000.00	LOCAL		OTHER
$254,000.00			$44,000.00	$0.00	$0.00

CITY OF MORENO VALLEY

By _____

Date _____

Title Public Works Director/City Engineer

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Barbara McKee Date 1/26/10 $210,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT
268	2008	2660-102-042	2008-2009	20.30.010.535	C	262040	042-T	210,000.00

Attachment "C"

SPECIAL COVENANTS OR REMARKS

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.

2. 2.1 This Program Supplement Agreement (PSA) is intended for Safe Route to School (SR2S) Program funded with State-only funding. Separate agreements are needed if PROJECT is also funded with any other STATE administered State or Federal funds.

   2.2 The PROJECT will be administered in accordance with the SR2S Program Guidelines (LPP 02-01 effective March 11, 2002), as approved and amended, and the PROJECT Application.

   2.3 This PSA allows reimbursement of eligible PROJECT expenditures to the ADMINISTERING AGENCY for which State funds are allocated. The effective State allocation date establishes eligibility for the ADMINISTERING AGENCY to start reimbursable work and seek reimbursement of funds. Any work done prior to the effective allocation date is not eligible for reimbursement from the SR2S funds.

   2.4 The STATE and ADMINISTERING AGENCY agree that SR2S funds available for reimbursement to the ADMINISTERING AGENCY by the STATE will be limited to the amount allocated and encumbered by the STATE. Any additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE approved Allocation Letter and Finance Letter.

   2.5 The ADMINISTERING AGENCY agrees to submit to the STATE, Exhibit 24-B "Project Status Report" as required by the SR2S Program Guidelines.

   2.6 The ADMINISTERING AGENCY agrees to encumber the funds under agreement and award the construction contract by June 30th of the fiscal year in which funds are programmed. For projects unable to meet this deadline, the ADMINISTERING AGENCY may request, in writing, a time extension from the District Local Assistance Engineer (DLAE). A one-time extension, for a maximum period of one year, may be granted by the DLAE. Projects unable to meet

SPECIAL COVENANTS OR REMARKS

the new deadline may be dropped from the program.

2.7 The ADMINISTERING AGENCY agrees to provide contract award information to the STATE when submitting first invoice for this PROJECT. Attachment I of this PSA may be used for providing the necessary contract award information.

2.8 The ADMINISTERING AGENCY agrees to submit the "Report of Expenditures" to the DLAE within six (6) months after the project completion in accordance with Section 17.5 of the Local Assistance Procedures Manual (LAPM).

2.9 The ADMINISTERING AGENCY agrees to follow all relevant State laws and requirements including the California Environmental Quality Act (CEQA).

3. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the DistrictLocal Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement

SPECIAL COVENANTS OR REMARKS

involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

MASTER AGREEMENT
ADMINISTERING AGENCY-STATE AGREEMENT FOR
STATE-FUNDED PROJECTS

08 City of Moreno Valley

District Administering Age

Public Works
Transportation

AUG 22 2008

Engineering

Public Works
Transportation

NOV 10 2008

Engineering

Agreement No. 00196S

This AGREEMENT, is entered into effective this 29th day of October, 2008, by and between the City of Moreno Valley, hereinafter referred to as "ADMINISTERING AGENCY," and the State of California, acting by and through its Department of Transportation (Caltrans), hereinafter referred to as "STATE", and together referred to as "PARTIES" or individually as a "PARTY."

RECITALS:

1. WHEREAS, the Legislature of the State of California has enacted legislation by which certain State funds are made available for use on local transportation related projects of public entities qualified to act as recipients of these state funds; and

2. WHEREAS, ADMINISTERING AGENCY has applied to the California Transportation Commission (CTC) and/or STATE for funding from either the State Transportation Improvement Program (STIP), or other State-funded programs (herein referred to as STATE FUNDS), as defined in the Local Assistance Program Guidelines (LAPG), for use on local authorized transportation related projects as a local administered project(s), hereinafter referred to as "PROJECT"; and

3. WHEREAS, said PROJECT will not receive any federal funds; and

4. WHEREAS, before STATE FUNDS will be made available for PROJECT, ADMINISTERING AGENCY and STATE are required to enter into an agreement to establish terms and conditions applicable to the ADMINISTERING AGENCY when receiving STATE FUNDS for a designated PROJECT facility and to the subsequent operation and maintenance of that completed facility.

NOW, THEREFORE, the PARTIES agree as follows:

Attachment "D"

ARTICLE I - PROJECT ADMINISTRATION

1. This AGREEMENT shall have no force or effect with respect to any program project unless and until a project-specific Program Supplement to this AGREEMENT for state funded projects, hereinafter referred to as "PROGRAM SUPPLEMENT", has been fully executed by both STATE and ADMINISTERING AGENCY.

2. The State approved project-specific allocation letter designate the party responsible for implementing PROJECT, type of work and location of PROJECT.

3. The PROGRAM SUPPLEMENT sets out special covenants as a condition for the ADMINISTERING AGENCY to receive STATE FUNDS from/through STATE for designated PROJECT. The PROGRAM SUPPLEMENT shall also show these STATE FUNDS that have been initially encumbered for PROJECT along with the matching funds to be provided by ADMINISTERING AGENCY and/or others. Execution of PROGRAM SUPPLEMENT by the PARTIES shall cause ADMINISTERING AGENCY to adopt all of the terms of this AGREEMENT as though fully set forth therein in the PROGRAM SUPPLEMENT. Unless otherwise expressly delegated in a resolution by the governing body of ADMINISTERING AGENCY, and with written concurrence by STATE, the PROGRAM SUPPLEMENT shall be approved and managed by the governing body of ADMINISTERING AGENCY.

4. ADMINISTERING AGENCY agrees to execute and return each project-specific PROGRAM SUPPLEMENT within ninety (90) days of receipt. The PARTIES agree that STATE may suspend future allocations, encumbrances and invoice payments for any on-going or future STATE FUNDED PROJECT performed by ADMINISTERING AGENCY if any project-specific PROGRAM SUPPLEMENT is not returned within that ninety (90) day period unless otherwise agreed by STATE in writing.

5. ADMINISTERING AGENCY further agrees, as a condition to the release and payment of STATE FUNDS encumbered for the PROJECT described in each PROGRAM SUPPLEMENT, to comply with the terms and conditions of this AGREEMENT and all of the agreed-upon Special Covenants or Remarks incorporated within the PROGRAM SUPPLEMENT, and Cooperative/Contribution Agreement where appropriate, defining and identifying the nature of the specific PROJECT.

6. STATE FUNDS will not participate in any portion of PROJECT work performed in advance of the effective date of the executed PROGRAM SUPPLEMENT for said PROJECT.

7. Projects allocated with STATE FUNDS from the STIP will be administered in accordance with the current CTC STIP Guidelines, as adopted or amended and in accordance with Chapter 23 of the Local Assistance Program Guidelines (LAPG) published by STATE.

8. Projects allocated with STATE FUNDS not programmed in the STIP will be administered in accordance with the applicable chapter of the LAPG and/or any other instructions published by STATE.

9. ADMINISTERING AGENCY's eligible costs for preliminary engineering work includes all preliminary work directly related to PROJECT up to contract award for construction, including, but not limited to, environmental studies and permits (E&P), preliminary surveys and reports, laboratory work, soil investigations, the preparation of plans, specifications and estimates (PS&E),

advertising for bids, awarding of a contract and project development contract administration.

10. ADMINISTERING AGENCY's eligible costs for construction engineering includes actual inspection and supervision of PROJECT construction work; construction staking; laboratory and field testing; and the preparation and processing of field reports, records, estimates, final reports, and allowable expenses of employees/consultants engaged in such activities.

11. Unless the PARTIES agree otherwise in writing, ADMINISTERING AGENCY's employees or its sub-contractor engineering consultant shall be responsible for all PROJECT engineering work.

12. ADMINISTERING AGENCY shall not proceed with final design of PROJECT until final environmental approval of PROJECT. Final design entails the design work necessary to complete the PS&E and other work necessary for a construction contract but not required earlier for environmental clearance of that PROJECT.

13. If PROJECT is not on STATE-owned right-of-way, PROJECT shall be constructed in accordance with Chapter 11 of the Local Assistance Procedures Manual (LAPM) that describes minimum statewide design standards for local agency streets and roads. The design standards for projects off the National Highway System (NHS) allow STATE to accept either the STATE's minimum statewide design standards or the approved geometric design standards of ADMINISTERING AGENCY. Additionally, for projects off the NHS, STATE will accept ADMINISTERING AGENCY-approved standard specifications, standard plans, materials sampling and testing quality assurance programs that meet the conditions described in the then current Local Assistance Procedures Manual.

14. If PROJECT involves work within or partially within STATE-owned right-of-way, that PROJECT shall also be subject to compliance with the policies, procedures and standards of the STATE Project Development Procedures Manual and Highway Design Manual and where appropriate, an executed cooperative agreement between STATE and ADMINISTERING AGENCY that outlines the PROJECT responsibilities and respective obligations of the PARTIES. ADMINISTERING AGENCY and its' contractors shall each obtain an encroachment permit through STATE prior to commencing any work within STATE rights of way or work which affects STATE facilities.

15. When PROJECT is not on the State Highway System (SHS) but includes work to be performed by a railroad, the contract for such work shall be prepared by ADMINISTERING AGENCY or by STATE, as the PARTIES may hereafter agree. In either event, ADMINISTERING AGENCY shall enter into an agreement with the railroad providing for future maintenance of protective devices or other facilities installed under the contract.

16. The Department of General Services, Division of the State Architect, or its designee, shall review the contract PS&E for the construction of buildings, structures, sidewalks, curbs and related facilities for accessibility and usability. ADMINISTERING AGENCY shall not award a PROJECT construction contract for these types of improvements until the State Architect has issued written approval stating that the PROJECT plans and specifications comply with the provisions of sections 4450 and 4454 of the California Government Code, if applicable. Further requirements and guidance are provided in Title 24 of the California Code of Regulations.

17. ADMINISTERING AGENCY shall provide or arrange for adequate supervision and inspection of each PROJECT. While consultants may perform supervision and inspection work for PROJECT with a fully qualified and licensed engineer, ADMINISTERING AGENCY shall provide a

full-time employee to be in responsible charge of each PROJECT.

18. Unless otherwise provided in the PROGRAM SUPPLEMENT, ADMINISTERING AGENCY shall advertise, award, and administer the PROJECT construction contract or contracts.

19. The cost of maintenance, security, or protection performed by ADMINISTERING AGENCY or contractor forces during any temporary suspension of PROJECT or at any other time may not be charged to the PROJECT.

20. ADMINISTERING AGENCY shall submit PROJECT-specific award information, using Exhibit 23-A of the LAPG, to STATE's District Local Assistance Engineer, within sixty (60) days after contract award. A copy of Exhibit 23-A shall also be included with the submittal of the first invoice for a construction contract by ADMINISTERING AGENCY to: Department of Transportation, Division of Accounting Local Programs Accounting Branch, MS #33, PO Box 942874, Sacramento, California 94274-0001.

21. ADMINISTERING AGENCY shall submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure by ADMINISTERING AGENCY to submit a "Report of Expenditures" within 180 days of project completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance Chapters 17 and 19 of the Local Assistance Procedures Manual.

22. ADMINISTERING AGENCY shall comply with the Americans with Disabilities Act (ADA) of 1990 that prohibits discrimination on the basis of disability and all applicable regulations and guidelines issued pursuant to the ADA.

23. The Governor and the Legislature of the State of California, each within their respective jurisdictions, have prescribed certain nondiscrimination requirements with respect to contract and other work financed with public funds. ADMINISTERING AGENCY agrees to comply with the requirements of the FAIR EMPLOYMENT PRACTICES ADDENDUM, attached hereto as Exhibit A and further agrees that any agreement entered into by ADMINISTERING AGENCY with a third party for performance of work connected with PROJECT shall incorporate Exhibit A (with third party's name replacing ADMINISTERING AGENCY) as parts of such agreement.

24. ADMINISTERING AGENCY shall include in all subcontracts awarded when applicable, a clause that requires each subcontractor to comply with California Labor Code requirements that all workers employed on public works aspects of any project (as defined in California Labor Code sections 1720-1815) be paid not less than the general prevailing wage rates predetermined by the Department of Industrial Relations as effective at the date of contract award by the ADMINISTERING AGENCY.

ARTICLE II - RIGHTS OF WAY

1. No contract for the construction of a STATE FUNDED PROJECT shall be awarded until all necessary rights of way have been secured. Prior to the advertising for construction of PROJECT, ADMINISTERING AGENCY shall certify and, upon request, shall furnish STATE with evidence that all necessary rights-of-way are available for construction purposes or will be available by the time of award of the construction contract.

2. The furnishing of rights of way by ADMINISTERING AGENCY as provided for herein includes, and is limited to, the following, unless the PROGRAM SUPPLEMENT provides otherwise.

(a) Expenditures to purchase all real property required for PROJECT free and clear of liens, conflicting easements, obstructions and encumbrances, after crediting PROJECT with the fair market value of any excess property retained and not disposed of by ADMINISTERING AGENCY.

(b) The cost of furnishing of right-of-way as provided for herein includes, in addition to real property required for the PROJECT, title free and clear of obstructions and encumbrances affecting PROJECT and the payment, as required by applicable law, of damages to owners of remainder real property not actually taken but injuriously affected by PROJECT.

(c) The cost of relocation payments and services provided to owners and occupants pursuant to Government Code sections 7260-7277 when PROJECT displaces an individual, family, business, farm operation or nonprofit organization.

(d) The cost of demolition and/or the sale of all improvements on the right-of-way after credit is recorded for sale proceeds used to offset PROJECT costs.

(e) The cost of all unavoidable utility relocation, protection or removal.

(f) The cost of all necessary hazardous material and hazardous waste treatment, encapsulation or removal and protective storage for which ADMINISTERING AGENCY accepts responsibility and where the actual generator cannot be identified and recovery made.

3. ADMINISTERING AGENCY agrees to indemnify and hold STATE harmless from any liability that may result in the event the right-of-way for a PROJECT, including, but not limited to, being clear as certified or if said right-of-way is found to contain hazardous materials requiring treatment or removal to remediate in accordance with Federal and State laws. ADMINISTERING AGENCY shall pay, from its own non-matching funds, any costs which arise out of delays to the construction of PROJECT because utility facilities have not been timely removed or relocated, or because rights-of-way were not available to ADMINISTERING AGENCY for the orderly prosecution of PROJECT work.

ARTICLE III - MAINTENANCE AND MANAGEMENT

1. ADMINISTERING AGENCY will maintain and operate the property acquired, developed, constructed, rehabilitated, or restored by PROJECT for its intended public use until such time as the parties might amend this AGREEMENT to otherwise provide. With the approval of STATE, ADMINISTERING AGENCY or its successors in interest in the PROJECT property may transfer this obligation and responsibility to maintain and operate PROJECT property for that intended public purpose to another public entity.

2. Upon ADMINISTERING AGENCY's acceptance of the completed construction contract or upon contractor being relieved of the responsibility for maintaining and protecting PROJECT, ADMINISTERING AGENCY will be responsible for the maintenance, ownership, liability, and the expense thereof, for PROJECT in a manner satisfactory to the authorized representatives of STATE and if PROJECT falls within the jurisdictional limits of another Agency or Agencies, it is the duty of ADMINISTERING AGENCY to facilitate a separate maintenance agreement(s) between itself and the other jurisdictional Agency or Agencies providing for the operation, maintenance, ownership and liability of PROJECT. Until those agreements are executed, ADMINISTERING AGENCY will be responsible for all PROJECT operations, maintenance, ownership and liability in a manner satisfactory to the authorized representatives of STATE. If, within ninety (90) days after receipt of notice from STATE that a PROJECT, or any portion thereof, is not being properly operated and maintained and ADMINISTERING AGENCY has not satisfactorily remedied the conditions complained of, the approval of future STATE FUNDED PROJECTS of ADMINISTERING AGENCY will be withheld until the PROJECT shall have been put in a condition of operation and maintenance satisfactory to STATE. The provisions of this section shall not apply to a PROJECT that has been vacated through due process of law with STATE's concurrence.

3. PROJECT and its facilities shall be maintained by an adequate and well-trained staff of engineers and/or such other professionals and technicians as PROJECT reasonably requires. Said operations and maintenance staff may be employees of ADMINISTERING AGENCY, another unit of government, or a contractor under agreement with ADMINISTERING AGENCY. All maintenance will be performed at regular intervals or as required for efficient operation of the complete PROJECT improvements.

ARTICLE IV - FISCAL PROVISIONS

1. All contractual obligations of STATE are subject to the appropriation of resources by the Legislature and the allocation of resources by the CTC.

2. STATE'S financial commitment of STATE FUNDS will occur only upon the execution of this AGREEMENT, the execution of each project-specific PROGRAM SUPPLEMENT and/or STATE's approved finance letter.

3. ADMINISTERING AGENCY may submit signed duplicate invoices in arrears for reimbursement of allowable PROJECT costs on a monthly or quarterly progress basis once the project-specific PROGRAM SUPPLEMENT has been executed by STATE.

4. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the STATE FUNDS are encumbered on either the project-specific PROGRAM SUPPLEMENT or through a project-specific finance letter approved by STATE. STATE reserves the right to suspend future allocations and invoice payments for any on-going or future STATE FUNDED project performed by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period

5. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with Chapter 5 of the LAPM.

6. Invoices must have at least one copy of supporting backup documentation for allowable costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

7. Payments to ADMINISTERING AGENCY can only be released by STATE as reimbursements of actual allowable PROJECT costs already incurred and paid for by ADMINISTERING AGENCY.

8. An indirect cost allocation plan and related documentation are to be provided to STATE (Caltrans Audits & Investigations) annually for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect cost incurred within each fiscal year being claimed for reimbursement. The indirect cost allocation plan must be prepared in accordance with the requirements set forth in Office of Management and Budget Circular A-87 and Chapter 4 of the Local Assistance Procedures Manual.

9. STATE will withhold the greater of either two (2) percent of the total of all STATE FUNDS encumbered for each PROGRAM SUPPLEMENT or $40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

10. The estimated total cost of PROJECT, the amount of STATE FUNDS obligated, and the required matching funds may be adjusted by mutual consent of the PARTIES with an allocation letter and finance letter. STATE FUNDING may be increased to cover PROJECT cost increases only if such additional funds are available and the CTC and/or STATE concurs with that increase in the form of an allocation and finance letter.

11. When such additional STATE FUNDS are not available, ADMINISTERING AGENCY agrees that any increases in PROJECT costs must be defrayed with ADMINISTERING AGENCY's own funds.

12. ADMINISTERING AGENCY shall use its own non STATE FUNDS to finance the local share of eligible costs and all PROJECT expenditures or contract items ruled ineligible for financing with STATE FUNDS. STATE shall make the final determination of ADMINISTERING AGENCY's cost eligibility for STATE FUNDED financing with respect to claimed PROJECT costs.

13. ADMINISTERING AGENCY will reimburse STATE for STATE's share of costs for work performed by STATE at the request of ADMINISTERING AGENCY. STATE's costs shall include overhead assessments in accordance with section 8755.1 of the State Administrative Manual.

14. STATE FUNDS allocated from the STIP are subject to the timely use of funds provisions enacted by Senate Bill 45, approved in 1997, and subsequent STIP Guidelines and State procedures approved by the CTC and STATE.

15. STATE FUNDS encumbered for PROJECT are available for liquidation only for five (5) years from the beginning of the State fiscal year when those funds were appropriated in the State Budget. STATE FUNDS not liquidated within these periods will be reverted unless a Cooperative Work Agreement (CWA) is submitted by ADMINISTERING AGENCY and approved by the California Department of Finance in accordance with Government Code section 16304. The exact date of fund reversion will be reflected in the STATE signed PROJECT finance letter.

16. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid to rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand.

17. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

18. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items and (b) those parties shall comply with federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving PROJECT funds as a contractor or sub-contractor under this AGREEMENT shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. ADMINISTERING AGENCY agrees to comply with the provisions set

forth in 23 CFR Parts 140, 645 and 646 when contracting with railroad and utility companies.

19. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under OMB Circular A-87, 48 CFR, Chapter 1, Part 31, 23 CFR Parts 140, 645 and 646 or 49 CFR, Part 18, are subject to repayment by ADMINISTERING AGENCY to STATE.

20. Upon written demand by STATE, any overpayment to ADMINISTERING AGENCY of amounts invoiced to STATE shall be returned to STATE.

21. Should ADMINISTERING AGENCY fail to refund any moneys due STATE as provided herein or should ADMINISTERING AGENCY breach this AGREEMENT by failing to complete PROJECT without adequate justification and approval by STATE, then, within thirty (30) days of demand, or within such other period as may be agreed to in writing between the PARTIES hereto, STATE, acting through the State Controller, the State Treasurer, the CTC or any other public entity or agency, may intercept, withhold and demand the transfer of an amount equal to the amount paid by or owed to STATE for each PROJECT, from future apportionments, or any other funds due ADMINISTERING AGENCY from the Highway Users Tax Fund or any other sources of funds, and/or may also withhold approval of future STATE FUNDED projects proposed by ADMINISTERING AGENCY.

22. Should ADMINISTERING AGENCY be declared to be in breach of this AGREEMENT or otherwise in default thereof by STATE, and if ADMINISTERING AGENCY is constituted as a joint powers authority, special district, or any other public entity not directly receiving funds through the State Controller, STATE is authorized to obtain reimbursement from whatever sources of funding are available, including the withholding or transfer of funds, pursuant to Article IV - 21, from those constituent entities comprising a joint powers authority or by bringing of an action against ADMINISTERING AGENCY or its constituent member entities, to recover all funds provided by STATE hereunder.

23. ADMINISTERING AGENCY acknowledges that the signatory party represents the ADMINISTERING AGENCY and further warrants that there is nothing within a Joint Powers Agreement, by which ADMINISTERING AGENCY was created, if any exists, that would restrict or otherwise limit STATE's ability to recover STATE FUNDS improperly spent by ADMINISTERING AGENCY in contravention of the terms of this AGREEMENT.

ARTICLE V

AUDITS, THIRD PARTY CONTRACTING, RECORDS RETENTION AND REPORTS

1. STATE reserves the right to conduct technical and financial audits of PROJECT work and records when determined to be necessary or appropriate and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by paragraph three (3) of Article V.

2. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred PROJECT costs and matching funds by line item for the PROJECT. The accounting system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices sent to or paid by STATE.

3. For the purpose of determining compliance with Title 21, California Code of Regulations, Chapter 21, section 2500 et seq., when applicable, and other matters connected with the performance and costs of ADMINISTERING AGENCY's contracts with third parties pursuant to Government Code section 8546.7, ADMINISTERING AGENCY, ADMINISTERING AGENCY's contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above-referenced parties shall make such AGREEMENT and PROGRAM SUPPLEMENT materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of final payment to ADMINISTERING AGENCY under any PROGRAM SUPPLEMENT. STATE, the California State Auditor, or any duly authorized representative of STATE or the United States, shall each have access to any books, records, and documents that are pertinent to a PROJECT for audits, examinations, excerpts, and transactions and ADMINISTERING AGENCY shall furnish copies thereof if requested.

4. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of OMB Circular A-133 if it receives a total of $500,000 or more in STATE FUNDS in a single fiscal year. The STATE FUNDS received under PROGRAM SUPPLEMENT are a part of the Catalogue of Federal Domestic Assistance (CFDA) 20.205, Highway Planning and Research.

5. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in ADMINISTERING AGENCY'S annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with OMB Circular A-133.

6. ADMINISTERING AGENCY shall not award a construction contract over $10,000 or other contracts over $25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. All contracts awarded by ADMINISTERING AGENCY intended or used as local match credit must meet the requirements set forth in this AGREEMENT regarding local match funds.

7. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain all of the provisions of Article IV, FISCAL PROVISIONS, and this ARTICLE V, AUDITS, THIRD-PARTY CONTRACTING, RECORDS RETENTION AND REPORTS and shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as PROJECT costs only after those costs are incurred and paid for by the subcontractors.

8. To be eligible for local match credit, ADMINISTERING AGENCY must ensure that local match funds used for a PROJECT meet the fiscal provisions requirements outlined in ARTICLE IV in the same manner that is required of all other PROJECT expenditures.

9. In addition to the above, the pre-award requirements of third-party contractor/consultants with ADMINISTERING AGENCY should be consistent with LOCAL ASSISTANCE PROCEDURES.

ARTICLE VI - MISCELLANEOUS PROVISIONS

1. ADMINISTERING AGENCY agrees to use all PROJECT funds reimbursed hereunder only for transportation purposes that are in conformance with Article XIX of the California State Constitution and other California laws.

2. ADMINISTERING AGENCY shall conform to all applicable State and Federal statutes and regulations, and the Local Assistance Program Guidelines and Local Assistance Procedures Manual as published by STATE and incorporated herein, including all subsequent approved revisions thereto applicable to PROJECT unless otherwise designated in the project-specific executed PROJECT SUPPLEMENT.

3. This AGREEMENT is subject to any additional restrictions, limitations, conditions, or any statute enacted by the State Legislature or adopted by the CTC that may affect the provisions, terms, or funding of this AGREEMENT in any manner.

4. ADMINISTERING AGENCY and the officers and employees of ADMINISTERING AGENCY, when engaged in the performance of this AGREEMENT, shall act in an independent capacity and not as officers, employees or agents of STATE.

5. Each project-specific PROGRAM SUPPLEMENT shall separately establish the terms and funding limits for each described PROJECT funded under this AGREEMENT and that PROGRAM SUPPLEMENT. No STATE FUNDS are obligated against this AGREEMENT.

6. ADMINISTERING AGENCY certifies that neither ADMINISTERING AGENCY nor its principals are suspended or debarred at the time of the execution of this AGREEMENT, and ADMINISTERING AGENCY agrees that it will notify STATE immediately in the event a suspension or a debarment occurs after the execution of this AGREEMENT.

7. ADMINISTERING AGENCY warrants, by execution of this AGREEMENT, that no person or selling agency has been employed or retained to solicit or secure this AGREEMENT upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ADMINISTERING AGENCY for the purpose of securing business. For breach or violation of this warranty, STATE has the right to annul this AGREEMENT without liability, pay only for the value of the PROJECT work actually performed, or in STATE's discretion, to deduct from the price of PROGRAM SUPPLEMENT consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

8. In accordance with Public Contract Code section 10296, ADMINISTERING AGENCY hereby certifies under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against ADMINISTERING AGENCY within the immediate preceding two (2) year period because of ADMINISTERING AGENCY's failure to comply with an order of a federal court that orders ADMINISTERING AGENCY to comply with an order of the National Labor Relations Board.

9. ADMINISTERING AGENCY shall disclose any financial, business, or other relationship with STATE that may have an impact upon the outcome of this AGREEMENT or any individual PROJECT encompassed within a PROGRAM SUPPLEMENT. ADMINISTERING AGENCY shall also list current contractors who may have a financial interest in the outcome of a PROJECT undertaken pursuant to this AGREEMENT.

10. ADMINISTERING AGENCY hereby certifies that it does not now have nor shall it acquire any financial or business interest that would conflict with the performance of any PROJECT initiated under this AGREEMENT.

11. ADMINISTERING AGENCY warrants that this AGREEMENT was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any STATE employee. For breach or violation of this warranty, STATE shall have the right, in its sole discretion, to terminate this AGREEMENT without liability, to pay only for PROJECT work actually performed, or to deduct from a PROGRAM SUPPLEMENT price or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

12. Any dispute concerning a question of fact arising under this AGREEMENT that is not disposed of by agreement shall be decided by the STATE's Contract Officer, who may consider any written or verbal evidence submitted by ADMINISTERING AGENCY. The decision of the Contract Officer, issued in writing, shall be conclusive and binding on the PARTIES on all questions of fact considered and determined by the Contract Officer.

13. Neither the pending of a dispute nor its consideration by the Contract Officer will excuse the ADMINISTERING AGENCY from full and timely performance in accordance with the terms of this AGREEMENT and each PROGRAM SUPPLEMENT.

14. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority or jurisdiction of ADMINISTERING AGENCY arising under this AGREEMENT. It is understood and agreed that ADMINISTERING AGENCY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims and suits or actions of every name, kind and description brought forth under, including but not limited to, tortuous, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under this AGREEMENT.

15. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by, under or in connection with any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that STATE shall fully defend, indemnify and save harmless the ADMINISTERING AGENCY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including but not limited to, tortuous, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this AGREEMENT.

16. In the event of (a) ADMINISTERING AGENCY failing to timely proceed with effective PROJECT work in accordance with the project-specific PROGRAM SUPPLEMENT; (b) failing to maintain any applicable bonding requirements; and (c) otherwise materially violating the terms and conditions of this AGREEMENT and/or any PROGRAM SUPPLEMENT, STATE reserves the right to terminate funding for that PROJECT upon thirty (30) days' written notice to ADMINISTERING AGENCY.

17. No termination notice shall become effective if, within thirty (30) days after receipt of a Notice of Termination, ADMINISTERING AGENCY either cures the default involved or, if the default is not reasonably susceptible of cure within said thirty (30) day period the ADMINISTERING

AGENCY proceeds thereafter to complete that cure in a manner and time line acceptable to STATE.

18. Any such termination shall be accomplished by delivery to ADMINISTERING AGENCY of a Notice of Termination, which notice shall become effective not less than thirty (30) days after receipt, specifying the reason for the termination, the extent to which funding of work under this AGREEMENT and the applicable PROGRAM SUPPLEMENT is terminated and the date upon which such termination becomes effective, if beyond thirty (30) days after receipt. During the period before the effective termination date, ADMINISTERING AGENCY and STATE shall meet to attempt to resolve any dispute. In the event of such termination, STATE may proceed with the PROJECT work in a manner deemed proper by STATE. If STATE terminates funding for PROJECT with ADMINISTERING AGENCY for the reasons stated in paragraph sixteen (16) of ARTICLE VI, STATE shall pay ADMINISTERING AGENCY the sum due ADMINISTERING AGENCY under the PROGRAM SUPPLEMENT and/or STATE-approved finance letter prior to termination, provided, however, ADMINISTERING AGENCY is not in default of the terms and conditions of this AGREEMENT or the project-specific PROGRAM SUPPLEMENT and that the cost of any PROJECT completion to STATE shall first be deducted from any sum due ADMINISTERING AGENCY.

19. In the case of inconsistency or conflicts with the terms of this AGREEMENT and that of a project-specific PROGRAM SUPPLEMENT and/or Cooperative Agreement, the terms stated in that PROGRAM SUPPLEMENT and/or Cooperative Agreement shall prevail over those in this AGREEMENT.

20. Without the written consent of STATE, this AGREEMENT is not assignable by ADMINISTERING AGENCY either in whole or in part.

21. No alteration or variation of the terms of this AGREEMENT shall be valid unless made in writing and signed by the PARTIES, and no oral understanding or agreement not incorporated herein shall be binding on any of the PARTIES.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT by their duly authorized officer.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By Patrick Louie

for Chief, Office of Project Implementation
Division of Local Assistance

Date October 29, 2008

City of Moreno Valley

By

9/24/08 Director of Public Works/
City Engineer

City of Moreno Valley
Representative Name & Title
(Authorized Governing Body Representative)

Date 9/24/08

By

Mayor, City of Moreno Valley

Date: 10/20/08

ATTEST: Jane Halstead

Jane Halstead, City Clerk

EXHIBIT A - FAIR EMPLOYMENT PRACTICES ADDENDUM

1. In the performance of this Agreement, ADMINISTERING AGENCY will not discriminate against any employee for employment because of race, color, sex, sexual orientation, religion, age, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. ADMINISTERING AGENCY will take affirmative action to ensure that employees are treated during employment without regard to their race, sex, sexual orientation, color, religion, ancestry, or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. ADMINISTERING AGENCY shall post in conspicuous places, available to employees for employment, notices to be provided by STATE setting forth the provisions of this Fair Employment section.

2. ADMINISTERING AGENCY, its contractor(s) and all subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code, 1290-0 et seq.), and the applicable regulations promulgated thereunder (Cal. Code Regs., Title 2, 7285.0, et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code section 12900(a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full. Each of the ADMINISTERING AGENCY'S contractors and all subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreements, as appropriate.

3. ADMINISTERING AGENCY shall include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under this AGREEMENT.

4. ADMINISTERING AGENCY will permit access to the records of employment, employment advertisements, application forms, and other pertinent data and records by STATE, the State Fair Employment and Housing Commission, or any other agency of the State of California designated by STATE, for the purposes of investigation to ascertain compliance with the Fair Employment section of this Agreement.

5. Remedies for Willful Violation:

(a) STATE may determine a willful violation of the Fair Employment provision to have occurred upon receipt of a final judgment to that effect from a court in an action to which ADMINISTERING AGENCY was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that ADMINISTERING AGENCY has violated the Fair Employment Practices Act and had issued an order under Labor Code section 1426 which has become final or has obtained an injunction under Labor Code section 1429.

(b) For willful violation of this Fair Employment Provision, STATE shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by STATE in securing the goods or services thereunder shall be borne and paid for by ADMINISTERING AGENCY and by the surety under the performance bond, if any, and STATE may deduct from any moneys due

or thereafter may become due to ADMINISTERING AGENCY, the difference between the price named in the Agreement and the actual cost thereof to STATE to cure ADMINISTERING AGENCY's breach of this Agreement.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: March 23, 2010

TITLE: ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS
PROJECT NO. 08-12566927

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

BACKGROUND

On May 12, 2008, the City Manager approved an agreement with AAE in the amount of $51,660 to provide Phase I, preliminary design (35%) services for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps.

On November 12, 2008, the City Council approved the First Amendment to Agreement with AAE to complete the design work which entailed 100% completion of Plans, Specifications, and Engineer's Estimate, preparation of the Storm Water Pollution Prevention Plan (SWPPP), coordination with utility companies, and acquisition of a Caltrans Encroachment Permit.

DISCUSSION

This project will result in the design of a traffic signal and associated street improvements at the intersection of the westbound ramps of State Route 60 with Redlands Boulevard and Spruce Avenue. The project also entails street widening to provide additional turn lanes with new curb, gutter, asphalt concrete pavement and slope grading. The northeast corner and southeast corner of the intersection will be improved in compliance with Caltrans' standards. The project also includes reconstruction of the storm drain inlet at the northwest corner prior to the traffic signal installation.

The California Environmental Quality Act (CEQA) Section 15070 (Title 14 – California Code of Regulations), states that a Negative Declaration (ND) or a Mitigated Negative Declaration (MND) may be prepared for a project when the Initial Study indicates that no significant effect on the environment will result from project implementation or when mitigation measures as described in the Initial Study are incorporated in the project implementation.

Based on the findings of the Initial Study prepared for the project, the City's Planning Staff has determined, in compliance with CEQA and the City's Rules to Implement CEQA, that preparation of a Mitigated Negative Declaration is recommended in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level. The Mitigated Negative Declaration and Initial Study/Environmental Checklist Form are attached.

A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was published on February 25, 2010 in the Press Enterprise Legal Notice Section describing the project and advising the public of the preparation of the MND, notice of time and place where the environmental documents could be inspected, and notice that the City Council would consider approval of the MND for the project (or appropriate modifications or alternatives to the project) on the date of this meeting. In addition to the public notification to satisfy CEQA requirements the MND was published in the local section of the Press Enterprise on March 10, 2010. Notices of the MND were also mailed to the property owners fronting the project. This notice advised that comments could be submitted to the City prior to or at this meeting. The public has the opportunity to submit comments either prior to or at the City Council meeting.

ALTERNATIVES

1. Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and the State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

This alternative will provide for timely completion of the design of the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps.

2. Do not adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and the State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level. *This alternative will delay the timely completion of the design of the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps.*

FISCAL IMPACT

Acting on this matter in accordance with the staff recommendation has minimal fiscal impact to the City. If approved, the City will file a Notice of Determination (NOD) with the County Recorder, which requires payment of a fee of $2,074.25. This was anticipated and the amount has been included in the project budget. The Fiscal Year 2009/2010 project funding utilized Measure "A" appropriations. This funding can only be used for street improvement work.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 (Account No. 125.66927) $46,000

ANTICIPATED PROJECT SCHEDULE:
Complete Design ..... March 2010

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

The Initial Study for this project identifies mitigation measures to be incorporated into the project specifications. These mitigation measures will reduce all potential environmental impacts to an acceptable level in compliance with CEQA thus permitting the City to adopt a Mitigated Negative Declaration (MND) for the project.

ATTACHMENTS

Attachment "A" - Project Location Map
Attachment "B" - Mitigated Negative Declaration and Initial Study with Environmental Checklist Form

Prepared By:
Henry Ngo
Senior Engineer

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

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
John Terell, AICP
Planning Division Manager/Planning Official

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

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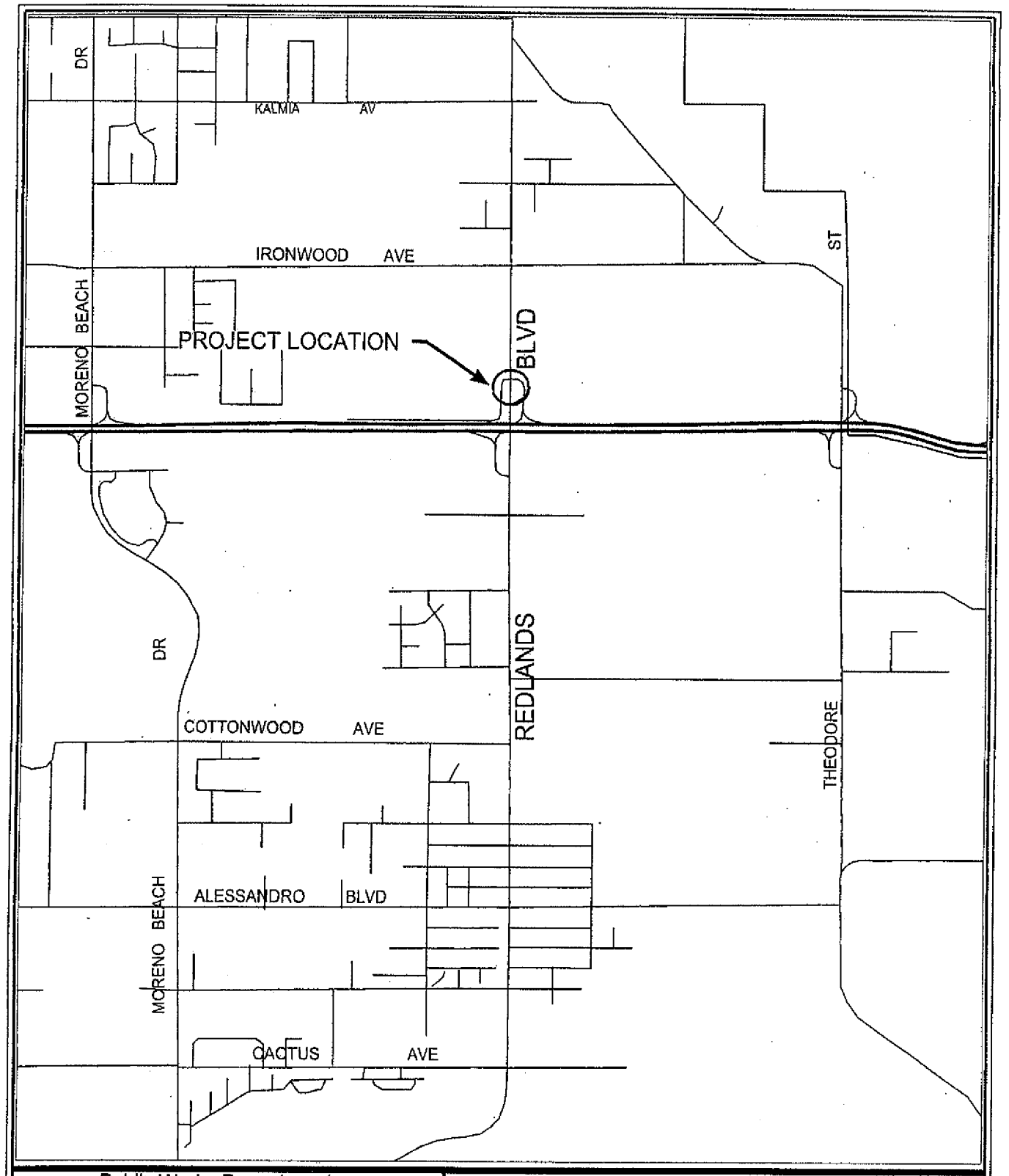

Public Works Department
Capital Projects Division

LOCATION MAP

Scale: None

Attachment "A"

PROJECT NO. 08-12566927
TRAFFIC SIGNAL IMPROVEMENTS ON
REDLANDS BLVD AT THE RTE 60
WESTBOUND RAMPS

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MV00049065

Mitigated Negative Declaration

and

Initial Study

Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project
Moreno Valley, California

Lead Agency:

City of Moreno Valley
Community Development Department
14177 Frederick Street
P. O. Box 88005
Moreno Valley, California 92552

Prepared By:

Blodgett/Baylosis Associates, Inc.
P. O. Box 844
Whittier, California 90608

January 2009

Attachment "B"

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Mitigated Negative Declaration

City of Moreno Valley
Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project

MITIGATED NEGATIVE DECLARATION

Project Name: Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project

Project Address: Redlands Boulevard segment north of SR-60 Freeway to westbound ramp connection (north of freeway).

City and County: Moreno Valley, Riverside County

Project: The proposed project, if approved, involves a widening of a segment of Redlands Boulevard located north of the SR-60 Freeway continuing north to the westbound freeway on-ramp. The widening will provide a dedicated right turn lane for vehicles going northbound on Redlands Boulevard to access the freeway ramp. The project will also involve the installation of a new traffic signal at the intersection of Spruce Street and Redlands Boulevard.

Findings: On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure(s) based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Chris Ormsby
Signed

2/16/10
Date

Initial Study

City of Moreno Valley
Redlands Boulevard and SR-60 Westbound Ramps Traffic Signal and Street Improvement Project

1.0 Introduction

1.1 Introduction & Purpose

The City of Moreno Valley Community Development Department (referred to hereinafter as the lead agency) is reviewing a proposal to improve a segment of Redlands Boulevard located to the north of the SR-60 Freeway. The proposed project involves the widening of a segment of Redlands Boulevard north of the SR-60 Freeway continuing north to the westbound freeway ramp, new drainage works along both sides of the aforementioned roadway segment, and a new traffic signal at the intersection of Redlands Boulevard and Spruce Street. The City of Moreno Valley is the project sponsor and is also the designated lead agency for the proposed project. In its capacity as lead agency for the proposed project, the City has determined that the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA).

The purpose of this Initial Study is to ascertain whether the proposed roadway improvement project will have the potential for significant adverse impacts on the environment. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for the proposed project;
- To facilitate the project's environmental assessment early in the design and development of the project and to eliminate unnecessary EIRs; and,
- To determine the nature and extent of any new impacts associated with the proposed project.

1.2 Review of Initial Study

The Initial Study and the Mitigated Negative Declaration will be distributed to all pertinent responsible and trustee agencies. Copies of the documents will be made available at the City of Moreno Community Development Department, Planning Division (14177 Frederick Street, Moreno Valley).

Any written comments regarding this initial study should be sent to the attention of:

City of Moreno Valley
Community Development Dept., Planning Division
14177 Frederick Street, P. O. Box 88005
Moreno Valley, California 92552

1.3 Initial Study's Organization

The following is an annotated outline summarizing the contents of this initial study:

- *Section 1.0, Introduction,* provides the procedural context surrounding this Initial Study's preparation and insight into its composition. The *Initial Study Checklist* is also provided at the end of this section.
- *Section 2.0, Project Description,* provides an overview of the proposed Redlands Boulevard Project along with the project objectives and the requested discretionary actions.
- *Section 3.0, Environmental Analysis,* contains a discussion of the existing conditions and an analysis of the potential impacts associated with the proposed project's construction. Where a potentially significant is identified, mitigation measures have been identified.
- *Section 4.0, Findings,* provides a discussion of how the proposed project may yield or have the potential for significant effects on the issue areas analyzed herein. This section also includes a mitigation monitoring program.
- *Section 5.0, References,* contains a list of preparers and references consulted in the preparation of this Initial Study.

The analysis herein considers the proposed project's impact on a wide range of environmental issues and, where appropriate, recommends measures that will be effective in reducing or eliminating a potential impact.

1.4 Initial Study Checklist

The environmental analysis provided in Section 3 of this initial study indicates that the proposed project will not result in any significant adverse impacts with the incorporation of the mitigation measures identified herein. The following findings may be made based on the analysis contained herein:

- The implementation of the proposed project *will not* have the potential to degrade the quality of the environment, with the implementation of the recommended mitigation measures included herein.

- The implementation of the proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.

- The implementation of the proposed project *will not* have impacts that are individually limited, but cumulatively considerable, for the majority of the issues considered.

- The implementation of the proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.

The findings of this Initial Study are summarized in Table 1 provided on the following pages.

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Aesthetic Impacts: *Would the project:*				
a) Have a substantial adverse affect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantial degradation to the existing visual character or quality of the City and its surroundings?				X
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
Agriculture Resources: *Would the project:*				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use?				X
Air Quality Impacts: *Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
Biological Resources Impacts: *Would the project have a substantial adverse effect:*				
a) Either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
b) On any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) On federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) In interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				X
e) In conflicting with any local policies or ordinances, protecting biological resources, such as a tree preservation policy or ordinance?				X
f) By conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	
Cultural Resources Impacts: *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?				X

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
e) Have the potential to cause a physical change that would affect unique ethnic cultural values?				X
f) Restrict existing religious or sacred uses within the potential impact area?				X
Geology and Soil Resources Impacts: *Would the project result in or expose people to potential impacts involving:*				
a) The risk of loss or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault rupture?				X
b) Substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction?				X
c) Substantial soil erosion or the loss of topsoil?				X
d) Location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
e) Location on expansive soil, as defined in California Building Code, creating substantial risks to life or property?				X
f) Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
g) Unique geologic or physical features?				X
Hazards & Hazardous Materials Impacts: *Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or the environment?				X
e) Be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury, or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
Hydrology & Water Quality Impacts: *Would the project:*				
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on-or off-site?				X
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Substantially degrade water quality?				X

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of flooding because of dam or levee failure?				X
j) Result in inundation by seiche, tsunami, or mudflow?				X
k) Potentially impact storm water runoff from construction activities?		X		
l) Potentially impact storm water runoff from post-construction activities?				X
m) Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?				X
n) Result in the potential for discharge or storm water to affect the beneficial uses of the receiving waters?				X
o) Create the potential for significant change in the flow velocity or volume of storm water runoff to cause environmental harm?				X
p) Create significant increases in erosion of the project site or surrounding areas?				X
Land Use & Planning Impacts: *Would the project:*				
a) Physically divide an established community, or otherwise result in an incompatible land use?				X
b) Conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation or natural community conservation plan?				X
Mineral Resources & Energy Impacts: *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
c) Conflict with adopted energy conservation plans?				X
d) Use non-renewable resources in a wasteful and inefficient manner?				X
Noise Impacts: *Would the project result in:*				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of people to or generation of excessive ground-borne noise levels?				X
c) Substantial permanent increase in ambient noise levels in the project vicinity above noise levels existing without the project?				X
d) Substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
Population & Housing Impacts: *Would the project:*				
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
Public Services Impacts: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives in any of the following areas:*				
a) Fire protection services?				X
b) Police protection services?				X
c) School services?				X
d) Library facilities?				X
e) Other governmental services?				X
Recreation Impacts: *Would the project:*				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Affect existing recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X
Transportation & Circulation Impacts. *Would the project:*				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?				X
c) Substantially increase hazards due to the design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X
e) Result in inadequate parking capacity?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
g) Result in waterborne or air traffic impacts?				X

Table 1
Summary (Initial Study Checklist)

Environmental Issues Area Examined	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
h) Result in hazards or barriers for pedestrians or bicyclists?				X
Utilities Impacts: *Would the project:*				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
h) Result in a need for new systems, or substantial alterations in power or natural gas facilities?				X
i) Result in a need for new systems, or substantial alterations in communication systems?				X

2.0 Project Description

2.1 Project Location

The proposed project site is located is the eastern portion of the City of Moreno Valley. The City is located in the western portion of Riverside County. Moreno Valley is bounded by the City of Riverside on the west, the City of Perris on the south, and unincorporated Riverside County areas on the north and east. The most direct regional access to the site is provided by State Route (SR) 60 Freeway. A regional location map is provided in Exhibit 1.

The project site includes that segment of Redlands Boulevard located just north of the SR-60 Freeway continuing north up to the SR-60 westbound freeway ramp. The project will involve the widening of this roadway segment along the east side to accommodate a dedicated right-turn lane for vehicles entering the westbound freeway ramp. The project site's location in the city is shown in Exhibit 2. A vicinity map is provided in Exhibit 3.

2.2 Environmental Setting

The proposed project involves a number of improvements to a 650 foot segment of Redlands Boulevard. The affected roadway segment is located just north of the SR-60 Freeway continuing northerly to the west-bound ramp of the aforementioned freeway.

The area in which the proposed project is located is largely rural in nature with agricultural activities being the dominant land use in the area. A number of small businesses are located west of the Redlands Boulevard along to north side of Spruce Street. A number of homes are located north of the project site (north of the west-bound ramp) along the east side of Redlands Boulevard. The remainder of the surrounding area is agriculture. An aerial photograph of the site is provided in Exhibit 4. Photographs of the site and the surrounding area are shown in Exhibits 5 and 6.

2.3 Project Description

The proposed project, if approved, will provide a dedicated right-turn lane for vehicles entering the west-bound SR-60 Freeway ramp.

The key elements of the proposed project include the following:

- The primary element of the proposed project involves the widening of an approximately 650 foot segment of Redlands Boulevard north of the SR-60 Freeway continuing north to the west-bound ramp. This widening will occur along the east side of the roadway to accommodate north bound vehicles wishing to access the west-bound SR-60 travel lanes.

- A new traffic signal will be installed at the intersection of the Spruce Street/SR-60 west-bound ramp and Redlands Boulevard. This intersection is currently controlled by stop signs at the exit of the SR-60 ramp and Spruce Street.

- The drainage culverts located to the north of the aforementioned new signalized intersection may require some modification to accommodate the new signal.

The proposed site plan is provided in Exhibit 7.

2.4 Objectives of the Project & Discretionary Actions

For this project, the City of Moreno Valley seeks to accomplish the following objectives:

- To provide for increased traffic capacity along that segment of the Redlands Boulevard located in the vicinity of the SR-60 Freeway;

- To ensure that vehicles using the affected roadways may travel in a safe and efficient manner; and

- To ensure that future travel demand resulting from development in the surrounding area may be accommodated.

As part of the proposed project's implementation, the City will consider the following discretionary approvals:

- The approval of the Mitigated Negative Declaration; and,

- A determination of project's conformity to the City's General Plan and Zoning Ordinance.

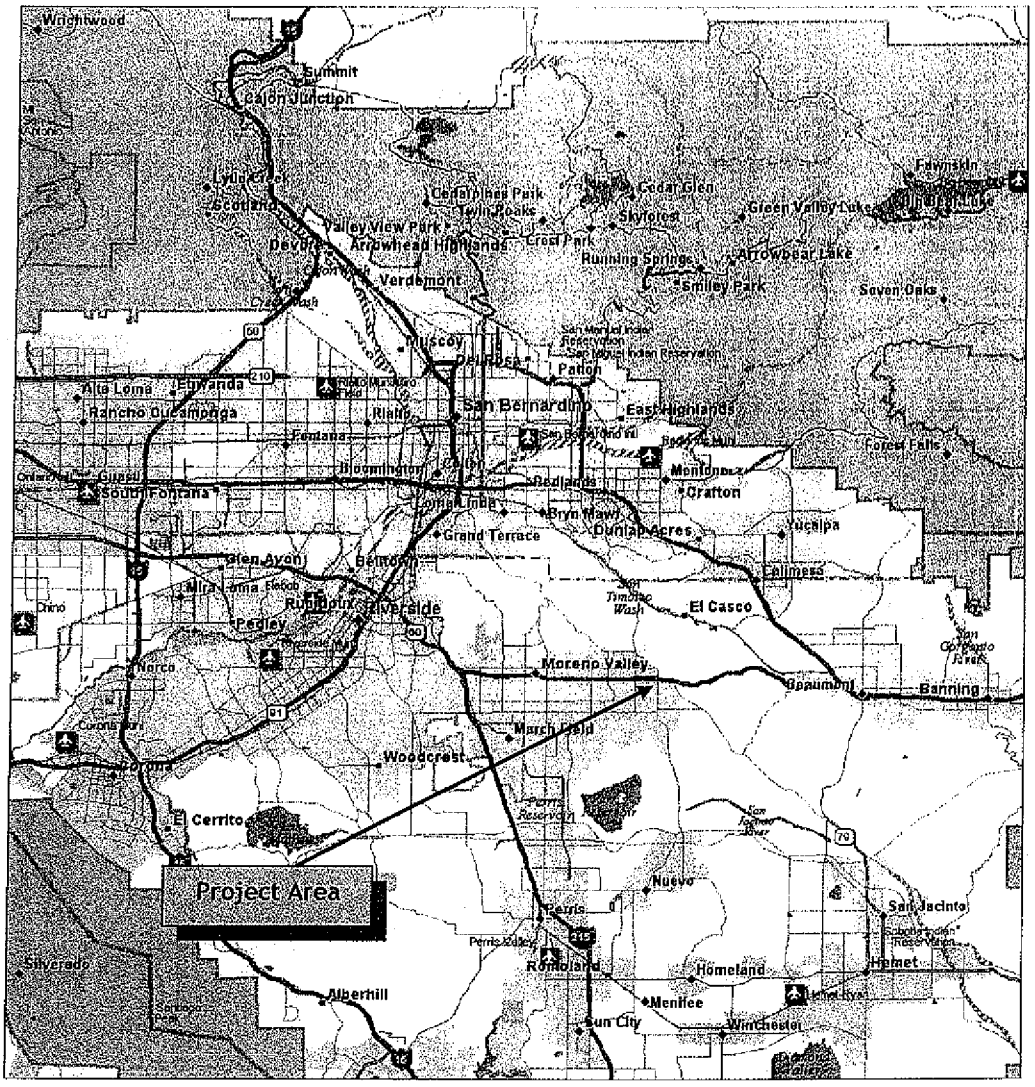

Exhibit 1
Regional Location
Source: Deforme Street Atlas USA. 2005

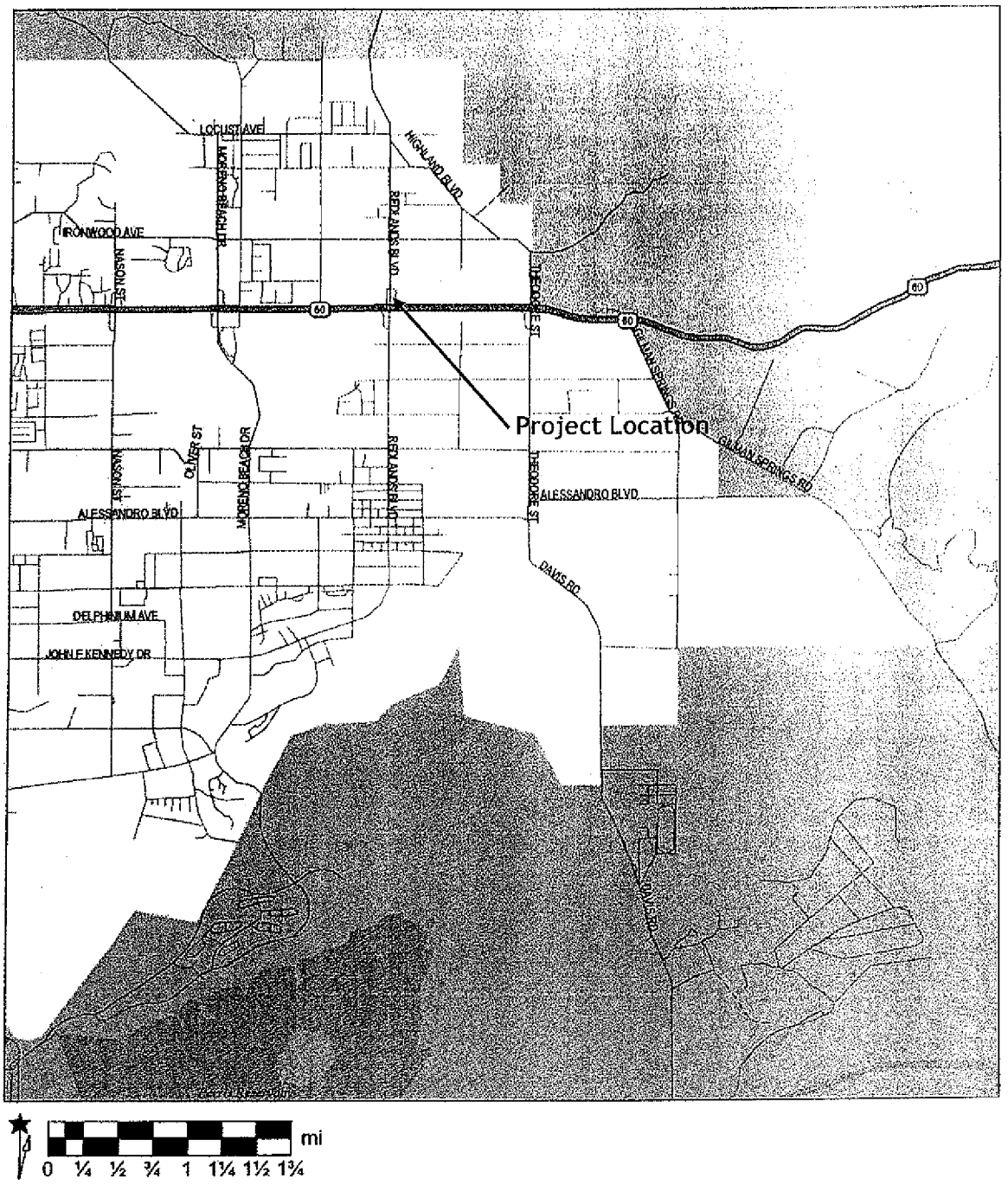

Exhibit 2
Location in City of Moreno Valley
Source: Delorme Street Atlas USA, 2005

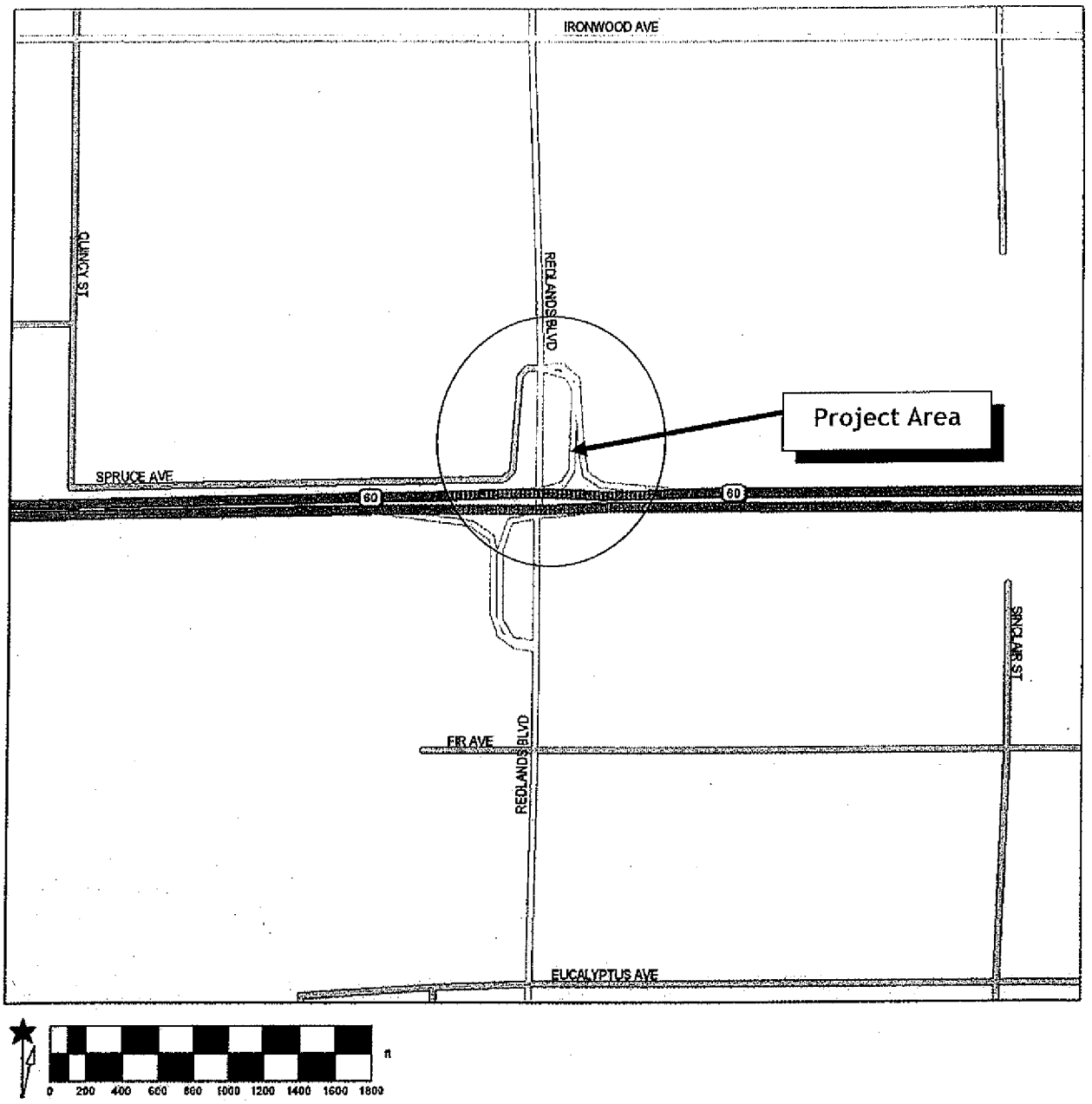

Exhibit 3
Vicinity Map
Source: Delorme Street Atlas USA. 2005

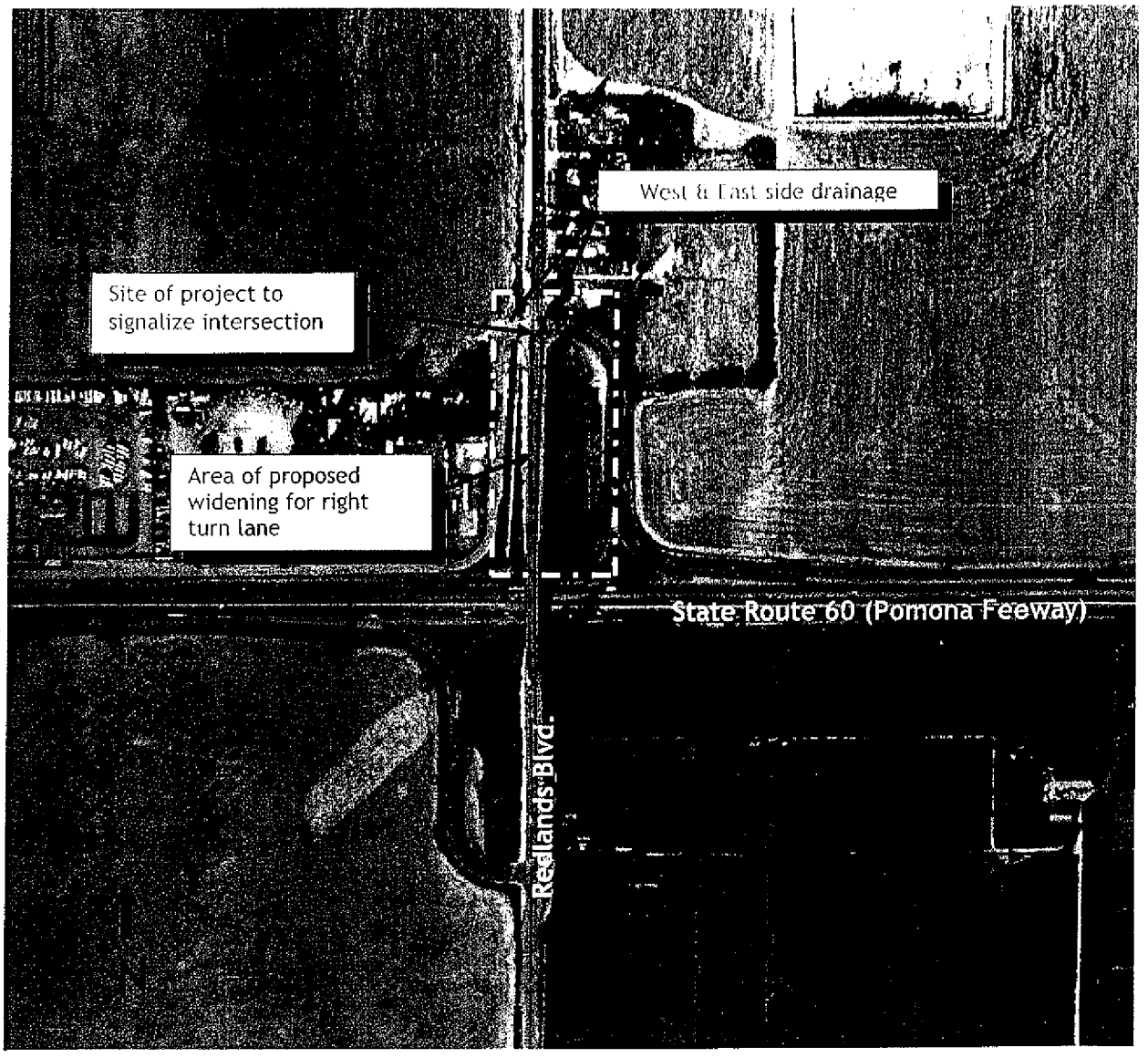

Exhibit 4
Aerial Photograph of Affected Area
Source: TerraServer, USA

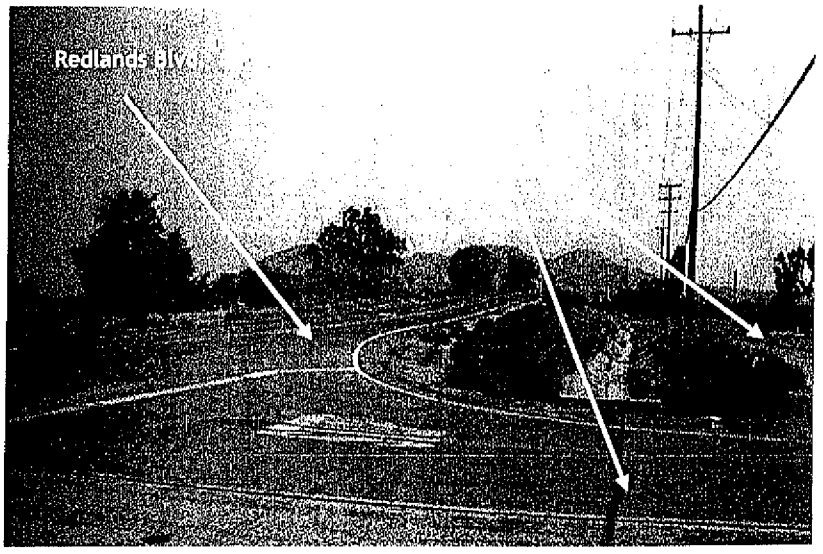

View looking south towards the freeway. Spruce Street is visible in the foreground.

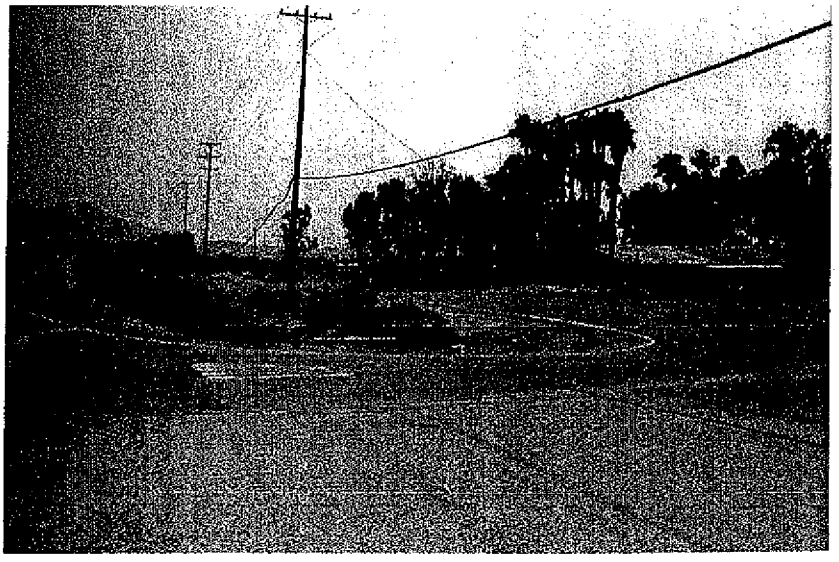

View looking towards the south. Commercial uses along Spruce Street frontage are visible.

Exhibit 5
Photographs of the Project Area
Source: Blodgett/Baylosis Associates

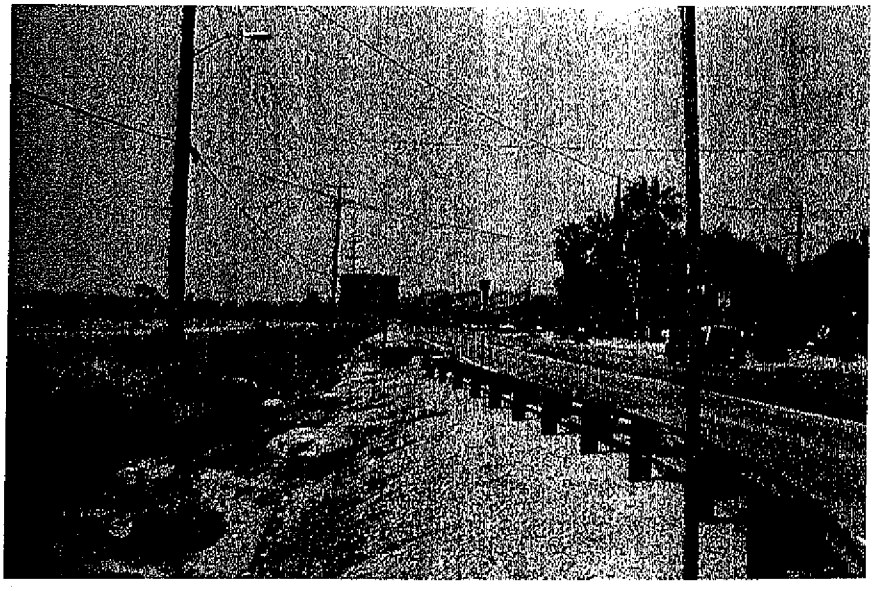

View looking north. Redlands Blvd. is in the foreground.

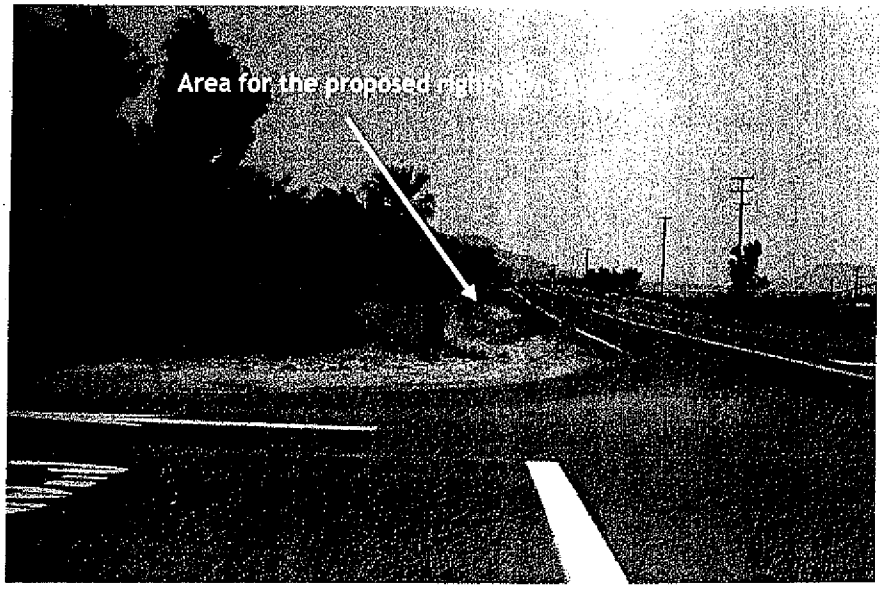

View looking towards the southwest.

Exhibit 6
Photographs of the Project Area
Source: Blodgett/Baylosis Associates

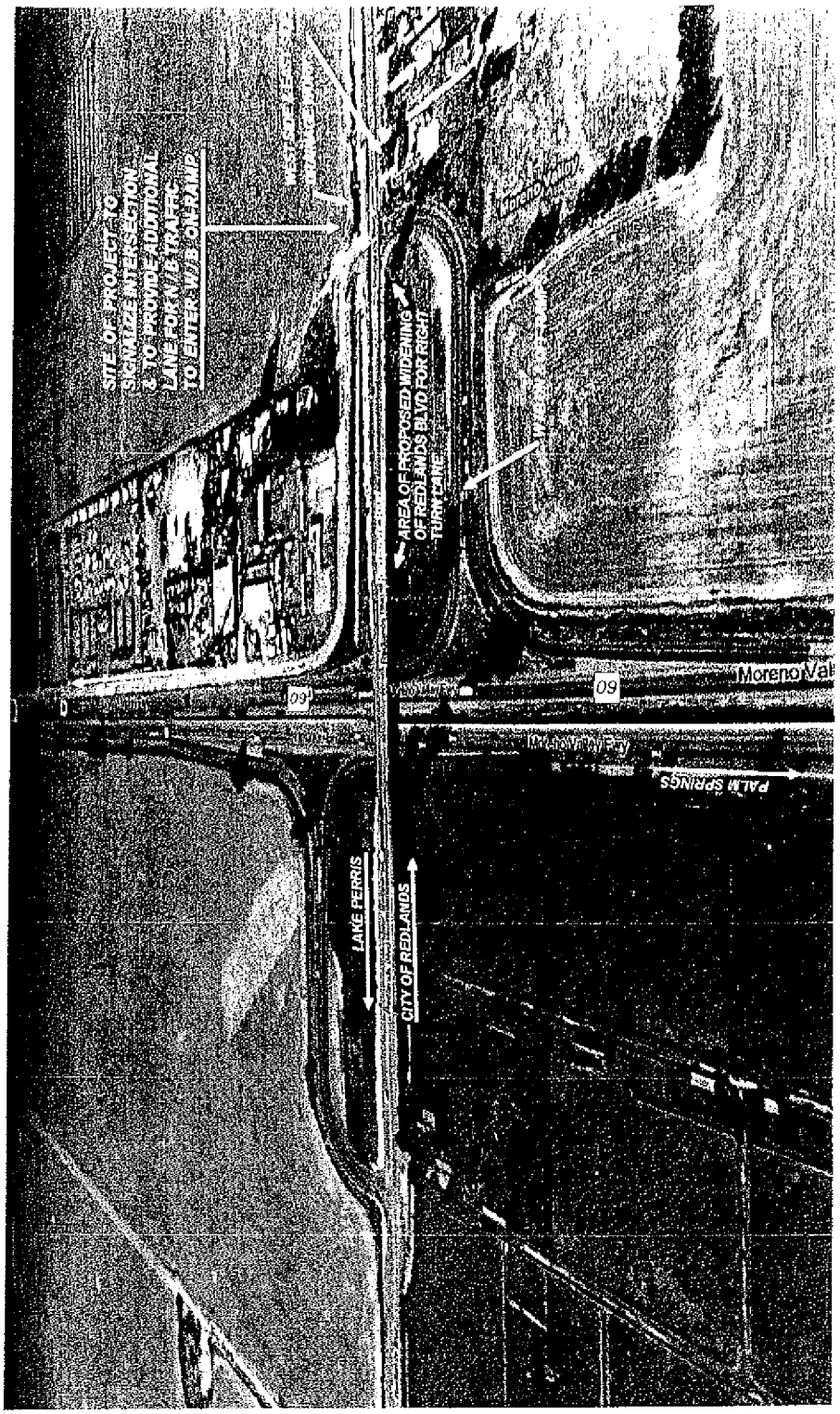

Exhibit 7
Project concept
Source: AAE, 2005

3.0 Environmental Analysis

This section of the Initial Study analyzes the potential environmental impacts that may result from the construction and subsequent operation of the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics (Section 3.1);
- Agricultural Resources (Section 3.2);
- Air Quality (Section 3.3);
- Biological Resources (Section 3.4);
- Cultural Resources (Section 3.5);
- Geology and Soils (Section 3.6);
- Hazards and Hazardous Materials (Section 3.7);
- Hydrology and Water Quality (Section 3.8);
- Land Use and Planning (Section 3.9);
- Mineral Resources (Section 3.10);
- Noise (Section 3.11);
- Population and Housing (Section 3.12);
- Public Services (Section 3.13);
- Recreation (Section 3.14);
- Transportation (Section 3.15); and,
- Utilities (Section 3.16);

The environmental analysis contained in this section reflects the Initial Study checklist format used by the City of Moreno Valley in its environmental review process. The analysis of environmental effects will assist the City in making a determination as to whether there is a potential for significant or adverse impacts on the environment associated with the approval and subsequent implementation of the proposed development as it was described in Section 2. For the evaluation of potential impacts, questions are stated and an answer is provided according to the analysis undertaken as part of this Initial Study's preparation. To each question, there are four possible responses:

- *No Impact*. The proposed project will not have any measurable environmental impact on the environment.

- *Less Than Significant Impact*. The proposed project may have the potential for affecting the environment, although these impacts are likely to be below levels or thresholds that the City or other responsible agencies consider significant.

- *Potentially Significant Impact Unless Mitigated*. The proposed project may have the potential to generate impacts that are considered to represent a significant impact on the environment. However, the level of impact may be reduced to levels that are considered less than significant with the implementation of the mitigation measures.

- *Potentially Significant Impact*. The proposed project may, or is known to represent impacts, which are considered significant.

Before the findings of the environmental analysis are discussed, specific thresholds of significance are indicated. These thresholds include criteria and standards used by the City to evaluate potentially significant effects. An explanation of the response is provided for each issue evaluated. Sources are identified using footnotes. Additional references consulted as part of this Initial Study's preparation are listed in Section 5.2.

3.1 Aesthetic Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant aesthetic impact if it results in any of the following:

- An adverse effect on a scenic vista;

- Substantial damage to scenic resources;

- Substantial degradation to the existing visual character or quality of the City and its surroundings; or,

- A new source of substantial light and glare that would adversely affect day or nighttime views in the area.

Analysis of Environmental Impacts

A. *Would the project affect a scenic vista? No Impact.*

According to the Moreno Valley General Plan, protected scenic views within the City include the Box Springs Mountains and the Reche Canyon area to the north, the Badlands area located to the east of the city, and the Mount Russell area located in the southerly portion of the city (refer to Exhibit 8).[1] The proposed Redlands Boulevard improvement project will not obstruct any significant views or view sheds in the area. As a result, no significant adverse aesthetic impacts are anticipated as part of the proposed project's implementation.

[1] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element, Figure 7.2 Major Scenic Resources.* July 11, 2006.

B. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? No Impact.*

The proposed project site, in its entirety, is located within the Redlands Boulevard right-of-way. The City of Moreno Valley General Plan has designated Gilman Springs Road and the SR-60 Freeway as the two designated scenic routes in the City. The General Plan identified the major scenic resources in the City and these are noted in Exhibit 8. The project will not alter views from the westbound lanes of the SR-60 Freeway.[2] The project site does not contain any trees, rock outcroppings, historic buildings of significance, or other features that have been identified as a scenic resource by either the City or the State of California. As a result, no significant adverse aesthetic impacts will result from the proposed project's implementation.

C. *Would the project create a substantial degradation to the existing visual character or quality of the City and its surroundings?*

The proposed project site, in its entirety, is located within the Redlands Boulevard right-of-way. The City of Moreno Valley General Plan has designated Gilman Springs Road and the SR-60 Freeway as the two designated scenic routes in the City. The General Plan identified the major scenic resources in the City and these are noted in Exhibit 8. The project will not alter views from the westbound lanes of the SR-60 Freeway.[3] As a result, no impacts are anticipated.

D. *Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? Less Than Significant Impact.*

The only potential source of new lighting in the area will be related to the operation of the new traffic signal. There are homes located along the east side of Redlands Boulevard north of the project area. The homes are currently subject to lighting impacts from vehicles traveling along Redlands Boulevard. The potential light and glare impacts are considered to be less than significant and no mitigation is required.

[2] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element, Figure 7.2 Major Scenic Resources.* July 11, 2006.

[3] Ibid.

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are considered to be site specific. As a result, no cumulative aesthetic impacts are anticipated.

Mitigation Measures

The analysis determined than the proposed project would not result in any significant adverse aesthetic impacts. As a result, no mitigation is required.

3.2 Agriculture Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on agricultural resources if it results in any of the following:

- The conversion of prime farmland, unique farmland or farmland of statewide importance;
- A conflict with existing zoning for agricultural use or a Williamson Act contract; or,
- Changes to the existing environment that due to their location or nature may result in the conversion of farmland to non-agricultural uses.

Analysis of Environmental Impacts

A. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? No Impact.*

The proposed project site is relatively small in terms of land area and is included within the existing Redlands Boulevard right-of-way. The applicable general plan designation for the surrounding properties provide for low density residential uses and agriculture uses. The land area that is included within the project boundaries are not suitable for any farming use (this area is included in the Redlands Boulevard right-of-way). As a result, no significant farmland impacts will result from the proposed project's implementation.

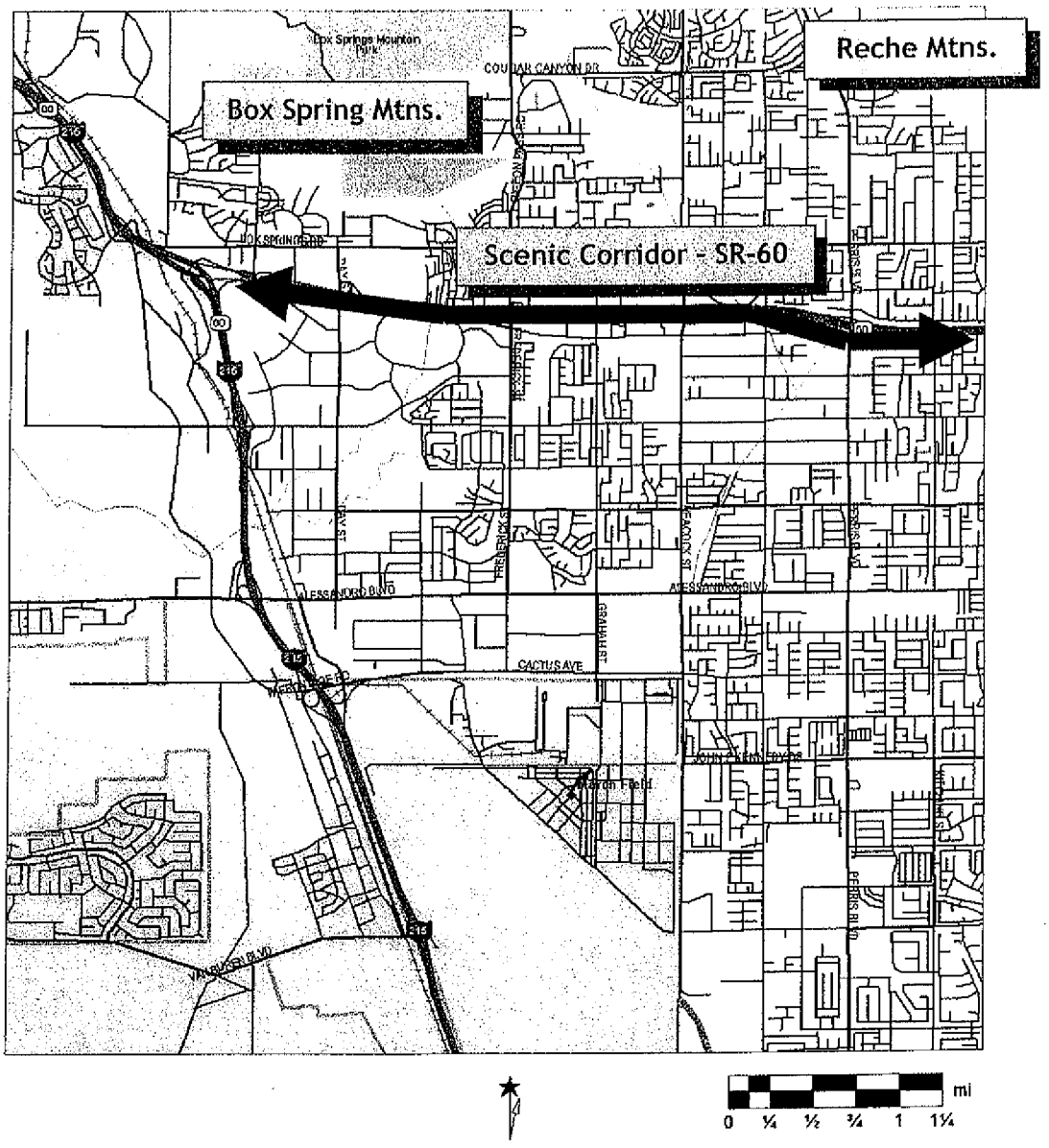

Exhibit 8
Scenic Resources in the Area
Source: City of Moreno Valley General Plan

B. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact.*

The applicable land use designations (both general plan and zoning) have designated the surrounding area as low density residential and agricultural. While surrounding parcels are in agricultural production, the affected area is entirely confined to the Redlands Boulevard right-of-way. As a result, the project site is not subject to a Williamson Act contract. The nearest site under a Williamson Act contract is located outside the City's corporate boundaries on the south side of Gilman Springs Road, and east of Jack Rabbit Trail.[4] As a result, no impacts on existing or future Williamson Act contracts will result from the approval and subsequent construction of the proposed roadway improvement project.

C. *Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use? No Impact.*

The proposed project site is relatively small in terms of land area and is located within the Redlands Boulevard right-of-way.[5] The approval and subsequent implementation of the proposed project will not result in the conversion of any neighboring farmland area to urban uses. As a result, no farmland conversion impacts will result from the proposed project's implementation.

Cumulative Impacts

The potential impacts related to agricultural resources are site specific. Furthermore, the analysis determined that the proposed project would not result in any significant adverse impacts on agricultural resources. As a result, no cumulative impacts will occur.

Mitigation Measures

The analysis of agriculture resources impacts indicated that the potential impacts of the proposed project on agricultural resources would be less than significant. As a result, no mitigation is required.

[4] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element.* July 11, 2006. (Page 7-11)

[5] City of Moreno Valley. *City of Moreno Valley General Plan, Adopted Land Use Map.* July 11, 2006.

3.3 Air Quality Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant air quality impact if it results in any of the following:

- A conflict with, or obstructs the implementation of, the applicable air quality plan;
- A violation of an air quality standard or contribute substantially to an existing or projected air quality violation;
- A cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard;
- The exposure of sensitive receptors to substantial pollutant concentrations;
- The creation of objectionable odors affecting a substantial number of people; or,
- The alteration of air movement, moisture, temperature or cause any change in climate.

The South Coast Air Quality Management District (SCAQMD) has also established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following pollutants that include the following:

- *Ozone (O_2)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation. O_2 is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon monoxide (CO)*, a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain, is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust.
- *Nitrogen dioxide (NO_2)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_2 is formed when nitric oxide (a pollutant from burning processes) combines with oxygen.

- PM_{10} refers to particulate matter less than ten microns in diameter. PM_{10} causes a greater health risk than larger-sized particles, since fine particles can more easily cause irritation.

Analysis of Environmental Impacts

A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? No Impact.*

The South Coast Air Quality Management District (SCAQMD) is the agency charged with the implementation of local air quality regulations. As indicated in Table 2, the proposed project will not lead to any non-conformity with the SCAQMD's adopted AQMP. Furthermore, the proposed project is not considered by the SCAQMD to be a regionally significant project.

Table 2
Air Quality Conformity Criteria

Criteria (Description)	Findings
Criteria #1. Will the project result in an increase in the frequency or severity of an existing air quality violation or in the continuation of a violation?	The project's emissions are below SCAQMD thresholds of significance.
Criteria #2. Will the project exceed the assumptions included in the AQMP or other regional growth projections relevant to them?	The project will not result in an exceedance of regional or local growth projections. No long-term employment is anticipated.
Criteria Pollutants. The SCAQMD indicates the daily emissions levels that will constitute a significant adverse impact.	Following development, the proposed project will not generate mobile or stationary emissions.

Source: South Coast Air Quality Management District. CEQA Air Quality Handbook. 2008

The project will not affect any regional population, housing, and employment projections prepared for the city by the SCAG (refer to the analysis in Section 3.13) and the proposed project is consistent with the Growth Management Plan (since it will not result in any exceedance of adopted population, housing, or employment projections applicable to the City of Moreno Valley). Finally, the project will not be subject to the requirements of the Air Quality Management Plan's PM_{10} Program, which is limited to the desert portions of the South Coast Air Basin. As a result, the proposed roadway improvement project would not be in conflict with or result in an obstruction of an applicable air quality plan and no adverse impacts are anticipated.

B. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? Potentially Significant Impact Unless Mitigated.*

The potential air emissions from the proposed project may be placed into the following two categories: short-term (construction-related) emissions and long-term (operational) emissions. Short-term construction emissions will be limited to the construction phases of development. The proposed project, once operational, will facilitate traffic circulation from the Redlands Boulevard travel lanes to the west-bound ramp and travel lanes of the SR-60 Freeway. This project is not a trip generator per se. As a result, no long term operational emissions would result from the proposed project's implementation. Table 3 outlines the estimated short-term and long-term emissions.

Table 3
Short-term and Long-Term Emissions (lbs/day)

Source	CO	ROG	PM_{10}	NO_x
Average Short-term (Construction) Emissions				
Grading	2	5	11	40
Construction	7	9	2	14
Thresholds	550	75	150	100

Source: Blodgett/Baylosis Associates, 2008.

As shown in Table 3, the proposed project will result in daily emissions that will be less than significant since they will be below the SCAQMD's daily thresholds. However, the following measures are required as a means to further reduce the potential construction emissions.

- The grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing, any pertinent best available control measures. The contractor(s) will be required to submit a fugitive dust control plan that must be approved by the project engineer. The contractors shall only be permitted to conduct construction activities between the

hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.[6]

- The contractors must adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.

The aforementioned mitigation measures will reduce the potential air quality impacts to levels that are less than significant.

C. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? Less Than Significant Impact.*

As indicated in the previous section, the proposed project will result in short-term (construction) emissions. The project's construction emissions will be below the SCAQMD's thresholds (refer to Table 3) that are considered to represent a significant adverse impact. As a result, the cumulative air quality impacts are considered to be less than significant.

D. *Would the project expose sensitive receptors to substantial pollutant concentrations? No Impact.*

Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. The nearest sensitive receptors are located north of the west-bound ramps on the east side of Redlands Boulevard. Based on Table 6-3 in the SCAQMD CEQA Air Quality Handbook, the size of the project will not result in emissions that exceed SCAQMD thresholds for construction or operation. This is confirmed by the analysis summarized in Table 3. Mitigation measures have been recommended in Subsection B as a means to further reduce construction emissions. As a result, no significant adverse impacts are anticipated.

[6] South Coast Air Quality Management District. Table 1 Best Available Control Measures (Applicable to All Construction Activity Sources). Rule 403, As Amended, April 2, 2004.

E. *Would the project create objectionable odors affecting a substantial number of people? No Impact.*

The SCAQMD has identified those land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills.[7] Given the proposed use, no odor impacts are anticipated.

Cumulative Impacts

As indicated in the preceding section, the proposed project will result in short-term (construction) emissions. These emissions will be below the SCAQMD's thresholds (refer to Table 3) that are considered to represent a significant adverse impact. As a result, the cumulative air quality impacts are considered to be less than significant.

Mitigation Measures

The following mitigation measures will be effective in reducing potential air emissions related to grading and construction activities:

Mitigation Measure 1 (Construction Emissions). The grading and building contractors must adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors will be responsible for being familiar with, and implementing any pertinent Best Available Control Measures. The contractor(s) will be required to submit a fugitive dust control plan that must be approved by the project engineer. The contractors shall only be permitted to conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction allowed on Sundays or holidays.

Mitigation Measure 2 (Construction Emissions). The contractors must adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities.

[7] South Coast Air Quality Management District. *CEQA Air Quality Handbook*. April 1993.

3.4 Biological Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on biological resources if it results in any of the following:

- A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;
- A substantial adverse effect on any riparian habitat or other sensitive natural plant community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- A substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;
- A substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites;
- A conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or,
- A conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Analysis of Environmental Impacts

A. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Less Than Significant Impact.*

The project site is located within the Redlands Boulevard right-of-way. The vacant parcels remaining to be developed in the area have been disturbed as part of ongoing agricultural activities.[8] The City of Moreno Valley General Plan divided the City and the designated sphere of influence into planning areas as a means to better understand the biological significance of those lands included in the City. The project site is located in the eastern portion of Moreno Valley.

The parcel is identified as cropland in the City of Moreno Valley General Plan (refer to Exhibit 9).[9] Land cover categorized as field/croplands do not typically contain substantial native vegetation and as in the case of the proposed project site, no natural and/or native vegetation remain. As indicated previously, the project site is located entirely within the Redlands Boulevard right-of-way.

Four regionally sensitive habitats are identified within the City and its designated sphere of influence. These four habitat types include riparian habitats and wetlands (including open water and marsh areas, coastal sage scrub/Riversidean alluvial fan sage scrub, raptor foraging and wintering habitat, and core reserves including designated critical habitat. None of these habitat types are present in the area that is subject to the proposed improvements.

Several areas of the city have been set-aside as a means to preserve sensitive habitats. The *Stephens' Kangaroo Rat Habitat Conservation Plan Core Reserve* areas consist of the *San Jacinto-Lake Perris Core Reserve* and *Potrero Area of Critical Concern (ACEC) Core Reserve*. Both core reserves occur partially within and adjacent to Moreno Valley and are considered to be sensitive habitat areas. The San Jacinto-Lake Perris Core Reserve encompasses 10,932 acres located south of central Moreno Valley and north of the Ramona Expressway. Most of the

[8] Blodgett/Baylosis Associates. *Site Survey*. February 2008

[9] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR, Chapter 9, Figure 5.9-2 Planning Area Vegetation Community*. July 2006. (Page 5.9-8)

Stephens' kangaroo rat occupied habitat in this reserve occurs west of Davis Road and northeast of the Lake Perris reservoir in the State Recreation Area. Critical habitat areas for the Riverside Fairy Shrimp, Arroyo Toad, California Red-legged Frog, Southwestern Willow Flycatcher, and Least Bell's Vireo are located outside of Moreno Valley. No critical habitat areas for these species are found within the City. The critical habitat designation for the California Gnatcatcher and the proposed designation for the San Bernardino kangaroo rat include habitat within and/or immediately adjacent to Moreno Valley. The project area is also located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The croplands located around the project site are identified by the MSHCP as being located near a Survey Area for the burrowing owl.[10] The Western Riverside County Regional Conservation Authority was contacted to ascertain the site's status. Ms. Sharon Stewart at the Authority provided an exhibit (refer to Exhibit 9) that indicated that the area where the proposed roadway improvements are contemplated is located outside an area where a burrowing owl survey is required.

The MSHCP indicates that public and private development, including public infrastructure improvements within the MSHCP planning area located outside of the *Criteria Area* are permitted under the Plan though consistency with MSHCP policies must be demonstrated.[11] In addition, certain roadway improvement activities undertaken for *safety purposes* are permitted within Public/Quasi-Public Lands. These permitted activities that are relevant to the proposed roadway improvement project include the following:

- New signage;
- The installation of traffic control devices;
- Guardrails and fences;
- Pavement repairs;
- The grading of roadway shoulders (up to 12 feet from the edge of paved or unpaved roadways);
- Culverts and drop structures;
- Curbs, gutters, and sidewalks; and,
- Roadway widenings.

Furthermore, the affected area is located within the Redlands Boulevard right-of-way which is disturbed. As a result, the proposed project's environmental impacts on any species identified as a candidate, sensitive, or special status species are considered to be less than significant.

B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? No Impact.*

The proposed project will not result in any potentially significant adverse environmental effects upon the existing natural communities, resources, or any individual component. There is no native or natural riparian vegetation located within the affected area (refer to Exhibit 9). The project site is disturbed and is located in the Redlands boulevard right-of-way. Furthermore, the proposed project does not contain any wetland or surface water, including intermittent streams. No riparian habitat is found within the project or on adjacent properties. As a result, no significant adverse impacts will result from the removal of the on-site cropland vegetation.

C. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No Impact.*

The project site does not contain any wetland habitat. No natural blue line streams are identified within the project site. The croplands located around the project site are identified by the MSHCP as being located near a Public/Quasi-Public survey area for the burrowing owl. The proposed project will not impact this, or any other, blue-line stream and no impacts will result.

[10] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[11] The term *Criteria Area* refers to the area comprised of Cells depicted on *Figure 3-1* of the *MSHCP, Volume I.*

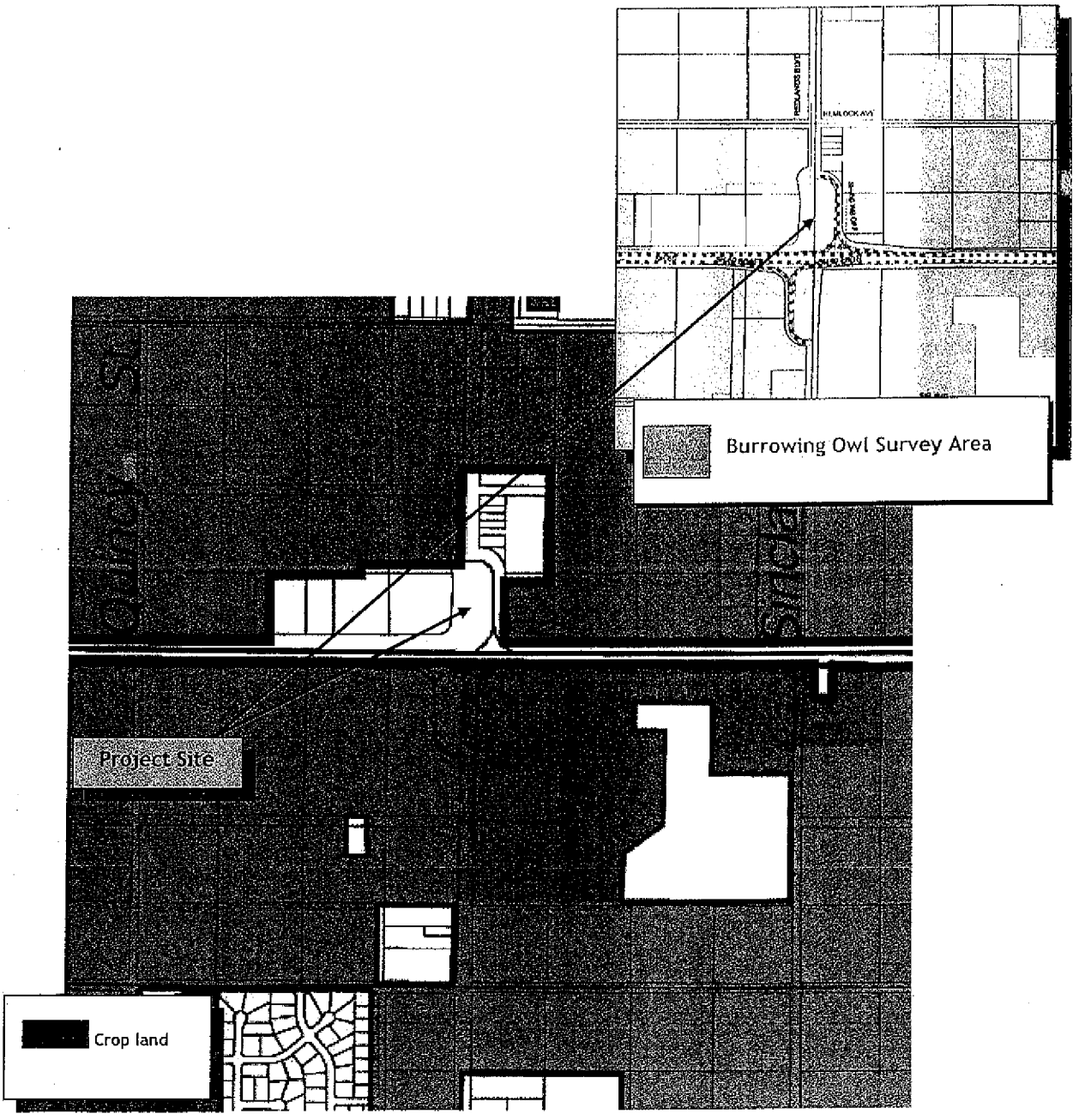

Exhibit 9
Biological Resources in the Area
Source: City of Moreno Valley General Plan EIR

D. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites? No Impact.*

The project site is located within the Redlands Boulevard right-of-way. The immediate area has undergone development with commercial and residential uses located to the north and west of the area. The vacant parcels remaining to be developed in the area have been disturbed as part of ongoing agricultural activities.[14] Due to this past disturbance and development in the area, there are no wildlife corridors found in the area. Thus, the proposed project will not affect wildlife migration in the area.

E. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? No Impact.*

The project site does not include any locally protected plant species and there are no trees found within the area that will be improved. Some trees are located within the Caltrans property located between the west-bound ramp travel lanes and Redlands Boulevard. Thus, no impacts on designated species are anticipated as part of the proposed project's implementation.

F. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? Less Than Significant Impact.*

As indicated previously, the project site is located within an urbanized setting, and no natural habitats are found within the site or in adjacent areas. The project area is located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) that focuses on the conservation of species and their associated habitats in the Western Riverside County region. The MSHCP is one of several large, multi-jurisdictional habitat-planning efforts being undertaken in Southern California with the overall goal of maintaining biological and ecological diversity within the rapidly urbanizing region. The successful implementation of the MSHCP will permit Riverside County and the cities located within western Riverside County to better control local land-use decisions while addressing the requirements of the state and federal Endangered Species Acts.[15] The proposed roadway improvement project is consistent with the objectives and policies of the MSHCP as indicated in Section 3.4.A. As a result, no significant adverse impacts on local, regional or state habitat conservation plans will result from the proposed project's implementation.

Cumulative Impacts

The potential project impacts on biological resources are typically site specific. However, the proposed project will not create a loss of protected habitat that would result in an incremental loss or degradation of those protected habitats found in the Southern California region. As a result, no cumulative impacts on biological resources will be associated with the proposed project's implementation.

Mitigation Measures

No significant adverse impacts on biological resources were identified. As a result, no mitigation is required.

3.5 Cultural Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on cultural resources if it results in any of the following:

- A substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines;
- A substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines;
- The direct or indirect destruction of a unique paleontological resource, site or unique geologic feature;
- The disturbance of any human remains, including those interred outside of formal cemeteries;

[14] Blodgett/Baylosis Associates. *Site Survey*. July 2008

[15] Western Riverside County Multiple Species Habitat Conservation Plan. Section 1. Introduction.

- A physical change that would affect unique ethnic cultural values; or,
- The restriction of an existing religious or sacred uses within the potential impact area.

Analysis of Environmental Impacts

A. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines? No Impact.*

There are no sites within the study area listed as a state landmark, nor are there any sites on the National Register of Historic Places.[16] In the 1980's, the State of California Department of Parks and Recreation conducted an inventory of historic resources in Moreno Valley. The inventory identified 26 structures of historical interest. Most of the structures were residences.[17] The project site is located entirely within the Redlands Boulevard Corridor. There are no prehistoric or historic structures or objects readily visible within the proposed project site or in the adjacent parcels.[18] As a result, the proposed project will not have an adverse impact on any historic site or other historic structures in the city.

B. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines? No Impact.*

In 1987, the Archaeological Research Unit of the University of California conducted an inventory of archaeological sites within the City of Moreno Valley. A total of 168-recorded sites were identified as part of the survey with the majority of the sites located in the hillside areas. A number of rock art sites and the remains of an adobe structure were identified as well.[19] The project area was previously disturbed as part of past construction of both the SR-60 Freeway and Redlands Boulevard no archaeological resources were reported. Furthermore, the project site is not known to be historically or culturally significant. No archaeological or historical resources are expected to be found buried on-site due to past site disturbance. The proposed project will not impact any known or suspected culturally or historically significant sites. As a result, no impacts are anticipated.

C. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? No Impact.*

The Archaeological Research Unit also prepared a report and a map of paleontological sensitivity. The sedimentary formations of the Badlands area located to the east of the City were determined to have high potential of containing vertebrate fossils.[20] The project site is located entirely within the Redlands Boulevard right-of-way. The potential for paleontological resources in the area is considered low, since the proposed project will involve limited excavation. Thus, the proposed project will not disturb any paleontological resources on-site.

D. *Would the project disturb any human remains, including those interred outside of formal cemeteries? No Impact.*

There are no cemeteries located in the immediate area that would be affected by the proposed project. In addition, the project site does not contain any religious or sacred structure. The proposed project will not impact any existing cemeteries and no impacts will result.

E. *Would the project have the potential to cause a physical change that would affect unique ethnic cultural values? No Impact.*

The project site does not represent any known historic or cultural significance to any ethnic or cultural group.[21] The project site is located within the Redlands Boulevard right-of-way. No impact on ethnic cultural values is expected with the construction and operation of the proposed project.

F. *Would the project restrict existing religious or sacred uses within the potential impact area? No Impact.*

The project site does not contain any religious or sacred structure.[22] There are no churches that will be displaced or demolished as part of the proposed

[16] Office of Historic Preservation, California Department of Parks and Recreation. *California State Historical Landmarks.* (www.ceres.ca.gov.)

[17] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element.* July 11, 2006. (Page 7-5)

[18] Blodgett/Baylosis Associates, *Site Survey*, July 2008.

[19] City of Moreno Valley. *City of Moreno Valley General Plan, Conservation Element.* July 11, 2006. (Page 7-5)

[20] Ibid. (page 7-7)

[21] Blodgett/Baylosis Associates, *Site Survey*, July 2008

[22] Ibid.

project's implementation. As a result, no significant adverse impacts are anticipated.

Cumulative Impacts

The potential impacts related to cultural resources are site specific. Furthermore, the analysis herein also determined that the proposed project would not result in any impacts on cultural resources. As a result, no cumulative impacts will occur.

Mitigation Measures

The analysis determined that the proposed project would not impact cultural resources. As a result, no mitigation is required at this time.

3.6 Geology & Soil Resources Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on geology and soil resources if it results in any of the following:

- The exposure of people or structures to potential substantial adverse effects, including the risk of loss, or death related to fault rupture from a known earthquake fault;
- Substantial soil erosion resulting in the loss of topsoil;
- Locating within a geologic or soils unit that is unstable, or that would become unstable as a result of the project, potentially resulting in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- Locating on an expansive soil, creating substantial risks to life or property;
- Locating on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater;
- Locating in, or exposing people to potential impacts, including soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or,
- Exposing people to potential impacts, including unique geologic or physical features.

Analysis of Environmental Impacts

A. *Would the project result in or expose people to potential impacts, including the risk of loss or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault rupture? No Impact.*

The only major active fault found within the City and its designated sphere of influence is the San Jacinto Fault Zone. This fault has been classified as an *active fault* since it has been active in relatively recent geological times (since the Pleistocene). Because this fault has been classified as an active fault, it has been included within an Alquist-Priolo Special Studies Zone. Other faults in the area include the Casa Loma Fault and the Claremont Fault. The Casa Loma fault is actually a fault strand of the San Jacinto Fault and is located approximately 1 ½ miles to the southwest of the San Jacinto Fault in the southeast corner of the City's sphere of influence. The Claremont Fault is located to the northeast of the Casa Loma Fault.[23]

The project site is not located within an area designated as an Alquist-Priolo Special Studies Zone and no known fault rupture hazard is present (*fault rupture* refers to the actual vertical or lateral displacement that may occur along a fault trace in the event of an earthquake).[24] As a result, there are no fault rupture hazards that are anticipated to impact the proposed project site. Faults in the area are shown in Exhibit 10.

[23] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR*. July 2006. (Page 5.6-4)

[24] Ibid. (Page 5.6-4)
[27] Blodgett/Baylosis Associates. *Site Survey*. July 2008.

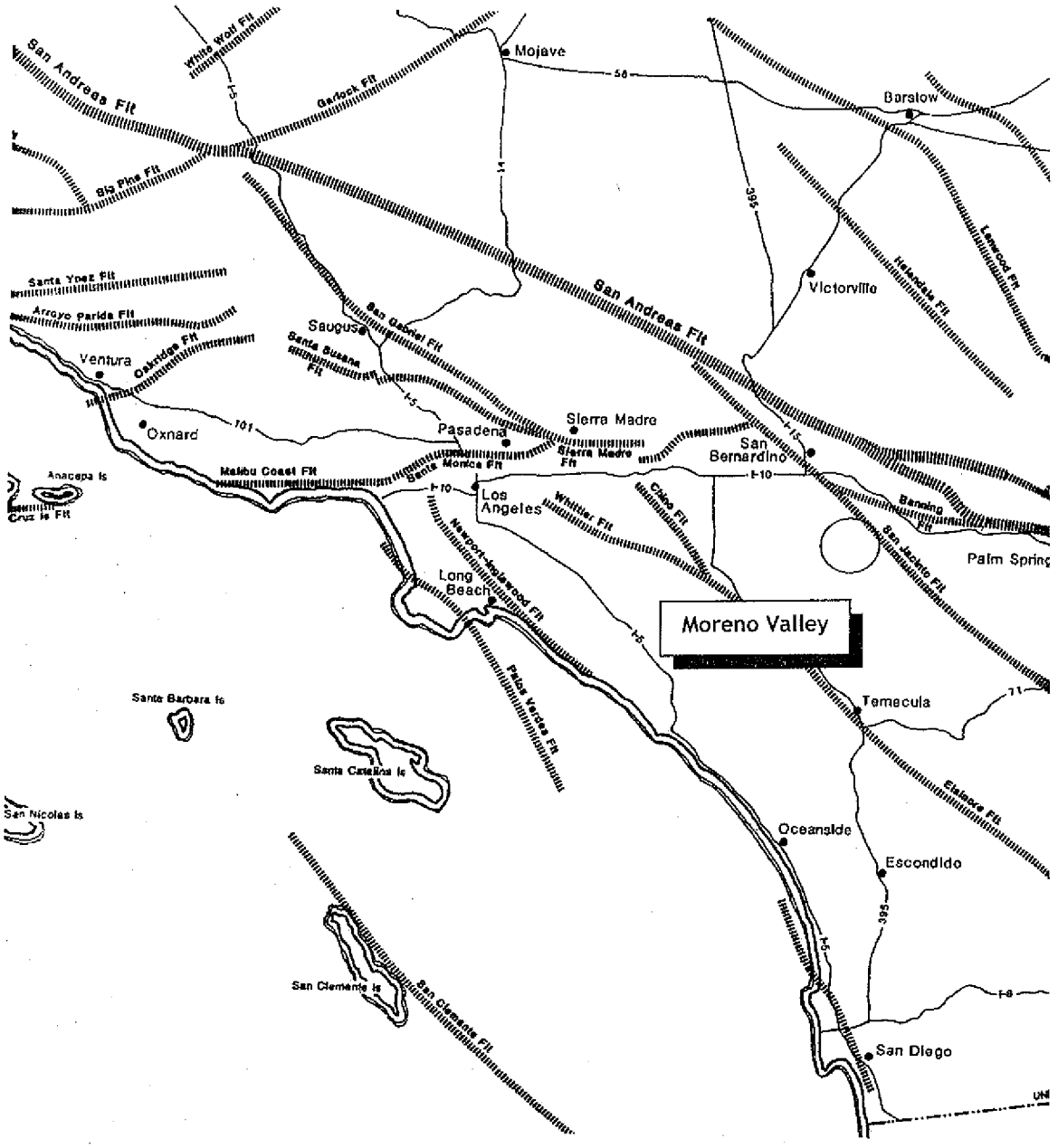

Exhibit 10
Faults in the Southern California Region
Source: United States Geological Survey/California Geological Survey

B. *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction? Less Than Significant Impact.*

No unstable earth conditions or changes in geologic substructures are anticipated to occur with the construction of the proposed roadway improvements. The site is considered to be geologically stable, inasmuch as landslides or active faults are not present. The project site is located just inside an area identified as having a potential liquefaction risk (refer to Exhibit 11). The potential risk is considered to be less than significant due to the nature of the project and the current development requirements that govern construction in Southern California.

C. *Would the project expose people or structures to potential substantial adverse effects, including substantial soil erosion or the loss of topsoil? No Impact*

The project site's topography is generally level.[27] There is an embankment along the east-facing side of that portion of Redlands Boulevard that is subject to the proposed building. The proposed project's implementation will not result in any additional soil erosion or loss of topsoil since the existing pervious surface will be paved. Landscaping will be provided along the frontages located along the site's east facing slope. As a result, no significant adverse impacts related to soil erosion are anticipated.

D. *Would the project expose people or structures to potential substantial adverse effects, including location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? No Impact.*

The site is located just inside a designated liquefaction risk area (refer to Exhibit 11).[28] The potential risk is considered to be low due to the nature of the roadway improvement project and the current development requirements that govern construction in Southern California. In addition, the site is not located within a hillside that would be subject to slope failure in the event of an earthquake. As a result, no impacts are anticipated.

E. *Would the project result in or expose people to potential impacts, including location on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property? No Impact.*

The soils that underlie the project site do not represent a constraint to development, as evidenced by existing development found in the adjacent parcels. The site's soils do not exhibit any unique shrink-swell characteristics. As a result, no expansive soil impacts will result from the proposed project's implementation

F. *Would the project result in or expose people to potential impacts, including soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? No Impact.*

No septic tanks will be used as part of the proposed roadway improvement project. As a result, no impacts associated with the use of septic tanks will result from the proposed project.

G. *Would the project result in or expose people to potential impacts, including unique geologic or physical features? No Impact.*

The project area is located entirely within the Redlands Boulevard right-of-way. The roadway segment located to the north of the SR-60 Freeway sits on top of an embankment though this feature is man-made to facilitate the grade separation of Redlands Boulevard and the SR-60. In addition, there are no unique landforms or geologic features in the area.[29] As a result, the proposed roadway improvement project will not result in any significant adverse impacts to natural or unique geologic features.

Cumulative Impacts

The potential impacts related to earth and geology is typically site specific. Furthermore, the analysis herein determined that the proposed roadway improvement project would not result in significant adverse impacts related to landform modification, grading, or the destruction of a geologically significant landform or feature. As a result, no cumulative impacts on earth and geology will occur.

[28] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR. Figure 5.6-2 Seismic Hazards.* July 2006. (Page 5.6-4)

[29] Blodgett/Baylosis Associates. *Site Survey.* July 2008.

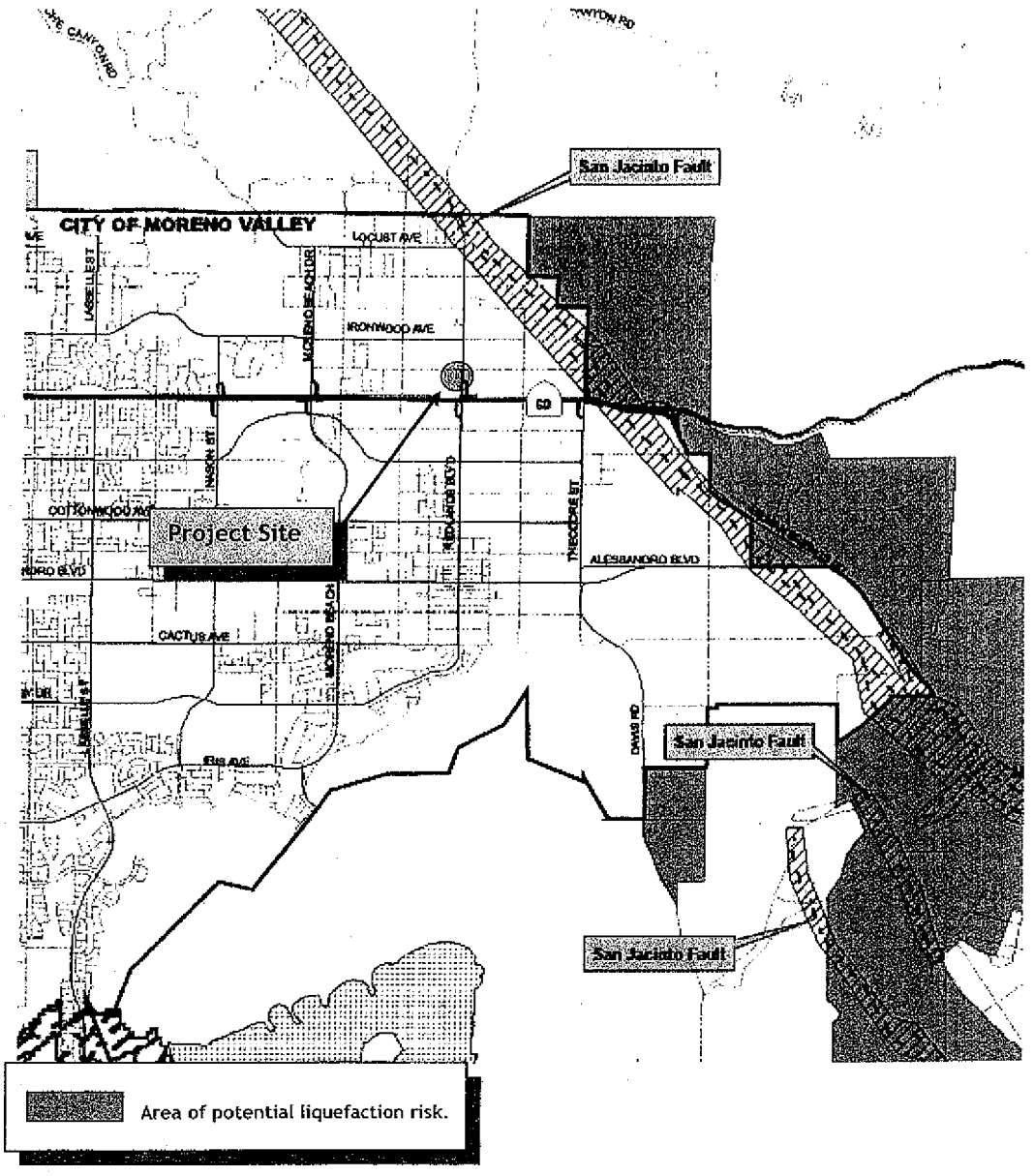

Exhibit 11
Potential Liquefaction and Seismic Risk
Source: City of Moreno Valley General Plan

Mitigation Measures

The analysis determined that the proposed project would not result in any significant adverse impacts on earth resources and geology. As a result, no mitigation is required at this time.

3.7 Hazardous Materials Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact related to hazardous materials if it results in any of the following:

- The creation of a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials;
- The creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- The generation of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school;
- Locating on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 resulting in a significant hazard to the public or the environment;
- Locating within an area governed by an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport;
- Locating in the vicinity of a private airstrip that would result in a safety hazard for people residing or working in the project area;
- The impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan; or,
- The exposure of people or structures to a significant risk of loss, injury or death involving wild land fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.

Analysis of Environmental Impacts

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? No Impact.*

The Environmental Protection Agency's (EPA's) Environfacts Database was consulted to identify EPA-regulated facilities within the project area.[31] The site is not included on this list. As a result, no impacts are anticipated.

B. *Would the project create a significant hazard to the public or the environment, or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? No Impact.*

The proposed project is a roadway improvement that provides an additional right-turn travel lane on the east side of Redlands Boulevard and a new traffic signal.[32] No hazardous materials will be stored on-site. As a result, no impacts are anticipated.

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact.*

Because of the nature of the proposed use, no hazardous or acutely hazardous materials will be emitted that may affect a school site. The proposed use will not involve the storage, handling, or transport of any hazardous materials. Furthermore, there are no schools located within ¼ mile of the site. As a result, no impacts are anticipated.

[31] Environmental Protection Agency. *Environfacts Database*. 2008.

[32] AAE. *Site Plan*. July 2008.

D. *Would the project be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment? No Impact.*

The proposed project site is not included on a hazardous sites list compiled pursuant to Government Code Section 65962.5 (the Cortese list). No significant adverse impacts related to the storage, use, or disposal of hazardous materials are anticipated with this project.

E. *Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

The project site is not located within two miles of an operational public airport. Furthermore, the proposed project will not involve the construction of any structures that would interfere with aircraft operations. As a result, the proposed project will not present a safety hazard related to aircraft or airport operations at a public use airport.

F. *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact.*

The project site is not located within two miles of an operational public airport. No private airstrips are located in the area. As a result, the proposed project will not present a safety hazard related to aircraft or airport operations at a private use airport.

G. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? No Impact.*

At no time will any local roads that may be used as emergency routes (such as Redlands Boulevard) be closed to traffic during the construction phases. In addition, access to the adjacent parcels will be maintained at all times. Thus, no impacts on emergency response or evacuation plans will result from the project's construction.

H. *Would the project expose people or structures to a significant risk of loss, injury or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? No Impact.*

The site is located within an urbanizing area and the surrounding properties are either developed or maintained as row crops. No natural fire climax vegetation such as chaparral is located in the surrounding area. As a result, there is no risk of wild fire associated with natural vegetation.[33]

Cumulative Impacts

The potential impact related to hazardous materials is site specific. Furthermore, the analysis herein also determined that the proposed project would not result in any significant unmitigable impacts related to hazards and/or hazardous materials. As a result, no cumulative impacts related to hazards or hazardous materials will result from the proposed project's implementation.

Mitigation Measures

The analysis determined that the proposed project would not result in any significant adverse impacts. As a result, no mitigation is required at this time.

3.8 Hydrology & Water Quality Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on hydrology and water quality if it results in any of the following:

- A violation of any water quality standards or waste discharge requirements;
- A substantial depletion of groundwater supplies or interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- A substantial alteration of the existing drainage pattern of the site or area through the alteration of the course of a stream or river in a

[33] Blodgett/Baylosis Associates. *Site Survey*. July 2008.

manner that would result in substantial erosion or siltation on or off-site;

- A substantial alteration of the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on or off-site;
- The creation or contribution of water runoff that would exceed the capacity of existing or planned storm water drainage systems or the generation of substantial additional sources of polluted runoff;
- The substantial degradation of water quality;
- The placement of housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map;
- The placement of structures within 100-year flood hazard areas that would impede or redirect flood flows;
- The exposure of people or structures to a significant risk of flooding as a result of dam or levee failure; or,
- The exposure of a project to inundation by seiche, tsunami or mudflow.
- The potential of storm water runoff from construction activities;
- The potential for the discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas;
- The potential for storm water runoff from post-construction activities;
- The potential for the discharge or storm water to affect the beneficial uses of the receiving waters;
- The creation of a potential for significant change in the flow velocity or volume of storm water runoff to cause environmental harm; or,
- The creation of significant increases in erosion of the project site or surrounding areas.

Analysis of Environmental Impacts

A. *Would the project violate any water quality standards or waste discharge requirements? Potentially Significant Impact Unless Mitigated.*

The project area is currently located entirely within the Redlands Boulevard right-of-way. Following development, the majority of the site will be paved for the additional travel lane. In the absence of mitigation, the proposed impervious surfaces could lead to the presence of debris, leaves, soils, oil/grease, and other pollutants. These pollutants may enter the storm drain system during periods of rainfall. As a result, the proposed project will be required to implement all pertinent storm water pollution control measures and to obtain storm water runoff permits pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements as outlined below:

- The contractors shall be required to submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.

With the aforementioned mitigation, the impacts will be less than significant.

B. *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of a pre-existing nearby well would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? No Impact.*

Within the City, there are two hydrological groundwater basins: the Perris Basin located in the westerly portion of the city and the San Jacinto Basin on easterly side.[34] The proposed project will not involve any excavations that would limit ground

[34] City of Moreno Valley. *City of Moreno Valley General Plan, Chapter 7, Conservation Element.* July 11, 2006. (Page 7-8)

water movement and/or extraction. No wells are located within the area where the roadway improvement project is located. As a result, no significant adverse impacts are anticipated.

C. *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? No Impact.*

No natural drainage or riparian areas remain within the project site or the surrounding area due to previous land disturbance. In addition, no streams or rivers are located within the project site (refer to Exhibit 12). As a result, no impacts on streams or natural hydrology are anticipated to occur with the proposed roadway improvement project.

D. *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in flooding on-or off-site? No Impact.*

There are no lakes or streams within the project site. The project site is located within a designated 500-year flood hazard area as identified by the Federal Emergency Management Agency (FEMA). However, the project involves a roadway widening to accommodate a right-turn lane. As a result, no flood-related impacts will result from the proposed project's implementation.

E. *Would the project create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? Less Than Significant Impact.*

No significant change in the amount of surface runoff volumes from the project site is anticipated due to the relatively small size of the project area. The Clean Water Act and other regulations require that all runoff be impounded on-site. The final engineering review will involve the preparation of a grading plan and hydrology study to ensure that runoff during both before and after construction does not impact the adjacent properties.

F. *Would the project otherwise substantially degrade water quality? No Impact.*

The proposed use will be required to implement storm water pollution control measures during construction pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements. With adherence to the NPDES requirements, the construction and potential erosion impacts from the proposed project will be less than significant. Once operational, the future uses will also need to comply with all pertinent regulations governing water runoff. Adherence to the standard regulations governing storm water runoff will mitigate potential impacts.

G. *Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No Impact.*

The proposed project site is located within a designated 500 year flood hazard area as identified by the Federal Emergency Management Agency (FEMA). The proposed project does not involve the construction of any housing. As a result, the proposed project will not impede or redirect the flows of potential floodwater and no impacts are associated with the proposed project's implementation.

H. *Would the project place within a 100-year flood hazard area, structures that would impede or redirect flood flows? No Impact.*

The project site is not located within a designated flood hazard area as defined by FEMA.[35] The proposed project will not impede or redirect the flows of potential floodwater since the site is not located within a flood hazard area. Therefore, no flood-related impacts are associated with the proposed project's implementation.

I. *Would the project expose people or structures to a significant risk of flooding as a result of dam or levee failure? No Impact.*

The project site is not located within an area that would be subject to flows from a potential dam or levee failure. No major flood control facilities are located within or adjacent to the project site. The potential inundation area from the Lake Perris Dam is located in the southernmost portion of the City. [36]No inundation hazards will impact the project site and no impacts are anticipated.

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[35] City of Moreno Valley. *City of Moreno Valley General Plan, Chapter 7, Conservation Element.* July 11, 2006. (Page 7-8)

[36] Ibid.

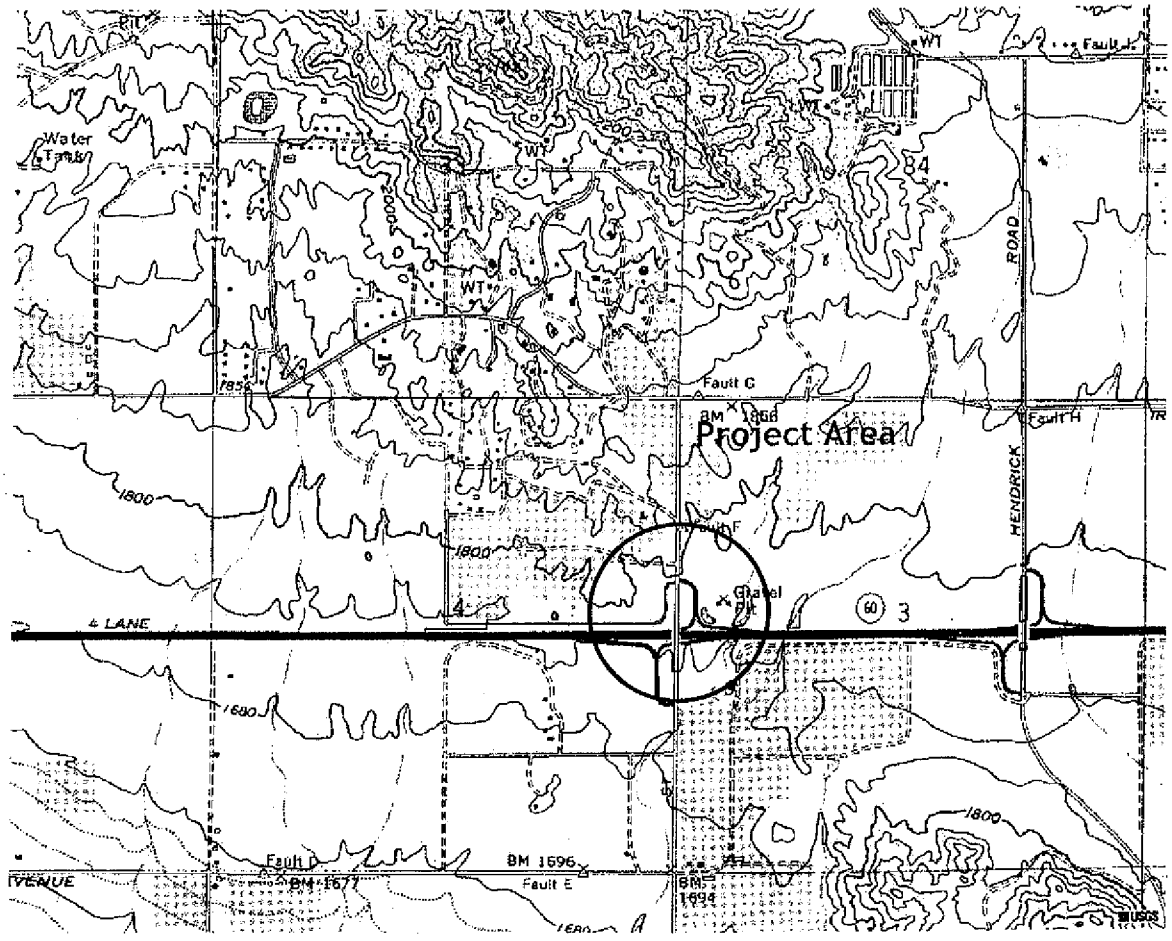

Exhibit 12
Topography and Hydrology
Source: United States Geological Survey

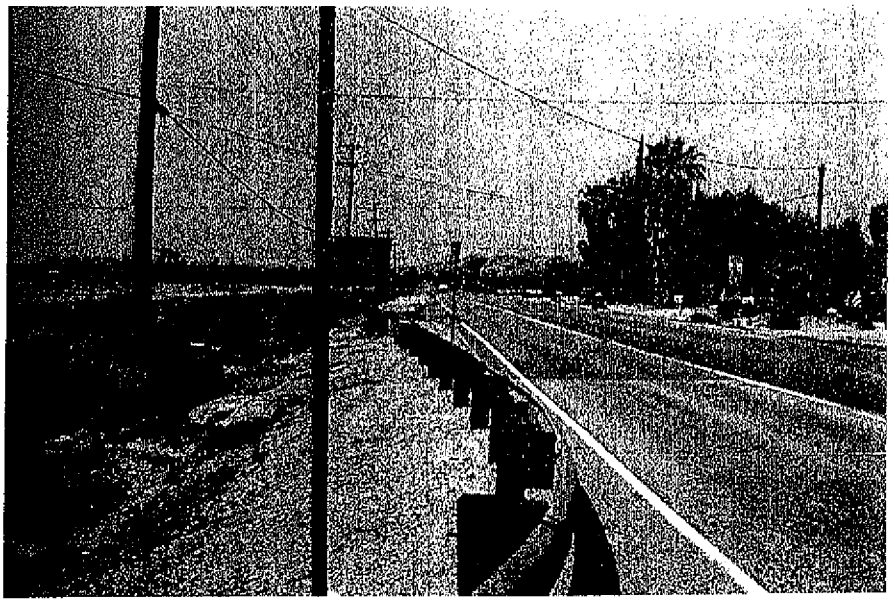

Drainage channel along the west side of Highland Avenue (north of project area).

Drainage channel located along the west side of Highland Avenue (south of project area).

Exhibit 13
Photographs of Drainage Culverts along Redlands Blvd.
Source: Blodgett/Baylosis Associates

J. Would the project result in inundation by seiche, tsunami, or mudflow? No Impact.

The City of Moreno Valley is located inland approximately 45 miles from the Pacific Ocean, and thus, the project area would not be exposed to the effects of a tsunami. No dams, reservoirs or volcanoes are located near the site that would present seiche or volcanic hazards. The potential inundation area from the Lake Perris Dam is located in the southernmost portion of the City. In addition, there are no surface water bodies in the immediate area of the project site that would result in seiche hazards. As a result, no impacts related to seiche, tsunami, or mudflows are associated with the implementation of the proposed project.

K. Would the project potentially impact storm water runoff from construction activities? Potentially Significant Impact Unless Mitigated.

The site's topography is relatively level. The development site is located within an urbanizing area. The majority of the site will be covered over with impervious surfaces that include the additional roadway travel lanes. Surface runoff will continue to be conveyed to curbs and gutters located on either side of Redlands Boulevard. In the absence of mitigation, there is a potential that debris and soil may be diverted during watering and grading activities during construction phases. As a result, the following mitigation is required as a means to mitigate potential impacts to the fullest extent possible:

- The contractors shall be required submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.

The above mitigation will reduce the potential impacts to levels that are less than significant.

L. Would the project potentially impact storm water runoff from post-construction activities? No Impact.

No significant change in the amount of surface runoff volumes from the project site is anticipated due to the nature and extent of the existing impervious surfaces. No surface water bodies are found within the project site or in the immediate vicinity that would be affected by the proposed project. The nature and extent of storm water runoff ultimately discharged into the existing storm drain system will not substantially change from the existing levels due to the affected area's small size. In addition, no wells are planned as part of any of the future improvements to the site and no changes in the direction of groundwater movement anticipated. As a result, no impacts will result from the proposed project.

M. Would the project result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? No Impact.

The development site is located entirely within the Redlands Boulevard right-of-way. Potential pollutant sources will be limited to that commonly found within a roadway travel lane. The aforementioned mitigation will address potential storm water runoff impacts. As a result, no significant adverse or unique impacts will result from the proposed project with respect to the potential discharge of pollutants into the storm drain system.

N. Would the project result in the potential for discharge or storm water to affect the beneficial uses of the receiving waters? No Impact.

The affected segment of Redlands Boulevard does not serve as a watershed or retention basin for any off-site receiving waters. No natural streams or drainage are located on-site. As a result, no impacts are anticipated.

O. *Would the project create the potential for significant change in the flow velocity or volume of storm water runoff to cause environmental harm? No Impact.*

No substantial alteration of the project area's topography or drainage characteristics are proposed that would alter water runoff direction or velocity. As a result, no impacts are anticipated.

P. *Would the project create significant increases in erosion of the project site or surrounding areas? No Impact.*

The site's topography will not be substantially altered during site development. The recommended mitigation identified previously will be effective in eliminating the potential for off-site erosion. As a result, no impacts are anticipated.

Cumulative Impacts

The proposed project will contribute a small increment of additional runoff to the local curb and gutters though no substantial net increase is anticipated over the amount that previously existed. As a result, no cumulative impacts are anticipated.

Mitigation Measures

The following mitigation measures will be implemented as a means to further control pollutants entering the storm drain system:

Mitigation Measure 3 (Storm Water Runoff). The contractors shall be to required submit a Storm water Management Plan indicating the manner in which storm water shall be conveyed to the local storm drain system. The Storm Water Management Plan shall be submitted to the Public Works Director for approval in accordance with the City's approved *Best Management Practices Ordinance* prior to the issuance of a grading permit.

3.9 Land Use & Planning Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant land use impact if it results in any of the following:

- The disruption or division of the physical arrangement of an established community;
- A conflict with an applicable land use plan, policy or regulation of the agency with jurisdiction over the project; and,
- A conflict with any applicable conservation plan or natural community conservation plan.

Analysis of Environmental Impacts

A. *Would the project physically divide or disrupt an established community or otherwise result in an incompatible land use? No Impact.*

The proposed project site is located entirely within the Redlands Boulevard right-of-way. The area surrounding the project site has only undergone development in recent years. The proposed project will not result in any division or obstruction within an existing residential neighborhood. As a result, no significant adverse impacts will result.

B. *Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? No Impact.*

The project area will be confined to the existing Redlands Boulevard right-of-way. Generalized land use and development patterns are shown in Exhibit 14. Exhibit 15 indicates the City of Moreno Valley General Plan land use designations for the site and the surrounding area. No amendment to the Moreno Valley General Plan will be required to accommodate the proposed improvements to Redlands Boulevard. In addition, no change in zoning will be required to accommodate the proposed roadway improvement project.

The project area is located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The croplands located around the project site are identified by the MSHCP as being located near a Survey Area for the burrowing owl.[39] The Western Riverside County Regional Conservation Authority was contacted to ascertain the site's status with respect to the need for a burrowing owl survey. Ms. Sharon Stewart at the Authority provided an exhibit (refer to Exhibit 9) that indicated that the area where the proposed roadway improvements are contemplated is located outside of the designated Burrowing Owl Survey Area.[40] Furthermore, the affected area is located within the Redlands Boulevard right-of-way which is disturbed. As a result, no significant adverse impacts are anticipated.

C. *Will the project conflict with any applicable habitat conservation plan or natural community conservation plan? No Impact.*

Several areas of the City have been set-aside as a means to preserve sensitive habitats. The *Stephens' Kangaroo Rat Habitat Conservation Plan Core Reserve* areas consist of the *San Jacinto-Lake Perris Core Reserve* and *Potrero Area of Critical Concern (ACEC) Core Reserve*. Both core reserves occur partially within and adjacent to Moreno Valley and are considered to be sensitive habitat areas. The project site is not located in either area.[42] Critical habitat areas for the Riverside Fairy Shrimp, Arroyo Toad, California Red-legged Frog, Southwestern Willow Flycatcher, and Least Bell's Vireo are located outside of Moreno Valley. No critical habitat areas for these species are found within the City. The critical habitat designation for the California Gnatcatcher and the proposed designation for the San Bernardino kangaroo rat include habitat within and/or immediately adjacent to Moreno Valley.[43]

[39] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[40] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[42] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR, Chapter 9.* July 2006. (Page 5.9-27).

[43] City of Moreno Valley. *City of Moreno Valley General Plan Program EIR, Chapter 9.* July 2006.

The project area is located outside the Reche Canyon/Badlands Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As indicated previously, the croplands located around the project site are identified by the MSHCP as being located near a Survey Area for the burrowing owl.[44] According to the Western Riverside County Regional Conservation Authority (refer to Exhibit 9), the area where the proposed roadway improvements are contemplated is located outside an area where a burrowing owl survey is required.

The MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) that focuses on the conservation of species and their associated habitats in the Western Riverside County region. The MSHCP is one of several large, multi-jurisdictional habitat-planning efforts being undertaken in Southern California with the overall goal of maintaining biological and ecological diversity within the rapidly urbanizing region.[45] The proposed roadway improvement project is consistent with the objectives and policies of the MSHCP as indicated in Section 3.4.A. As a result, no significant adverse impacts will result from the proposed project's implementation.

Cumulative Impacts

The proposed project involves the construction of a new travel lane on Redlands Boulevard. The proposed project is designed to accommodate and facilitate access and travel in this area of Redlands Boulevard and does not represent a significant adverse cumulative land use impact.

Mitigation Measures

The analysis of land use and development impacts indicated that no significant adverse impacts would result from the approval and subsequent implementation of the proposed project. As a result, no mitigation is required.

[44] Final [Western Riverside County] Multiple Species Habitat Conservation Plan. Volume 1, Section 6. Figure 6-4.

[45] Western Riverside County Multiple Species Habitat Conservation Plan. Section 1. Introduction.
[47] California Department of Conservation, Mineral Land Classification of Riverside County, 1987.

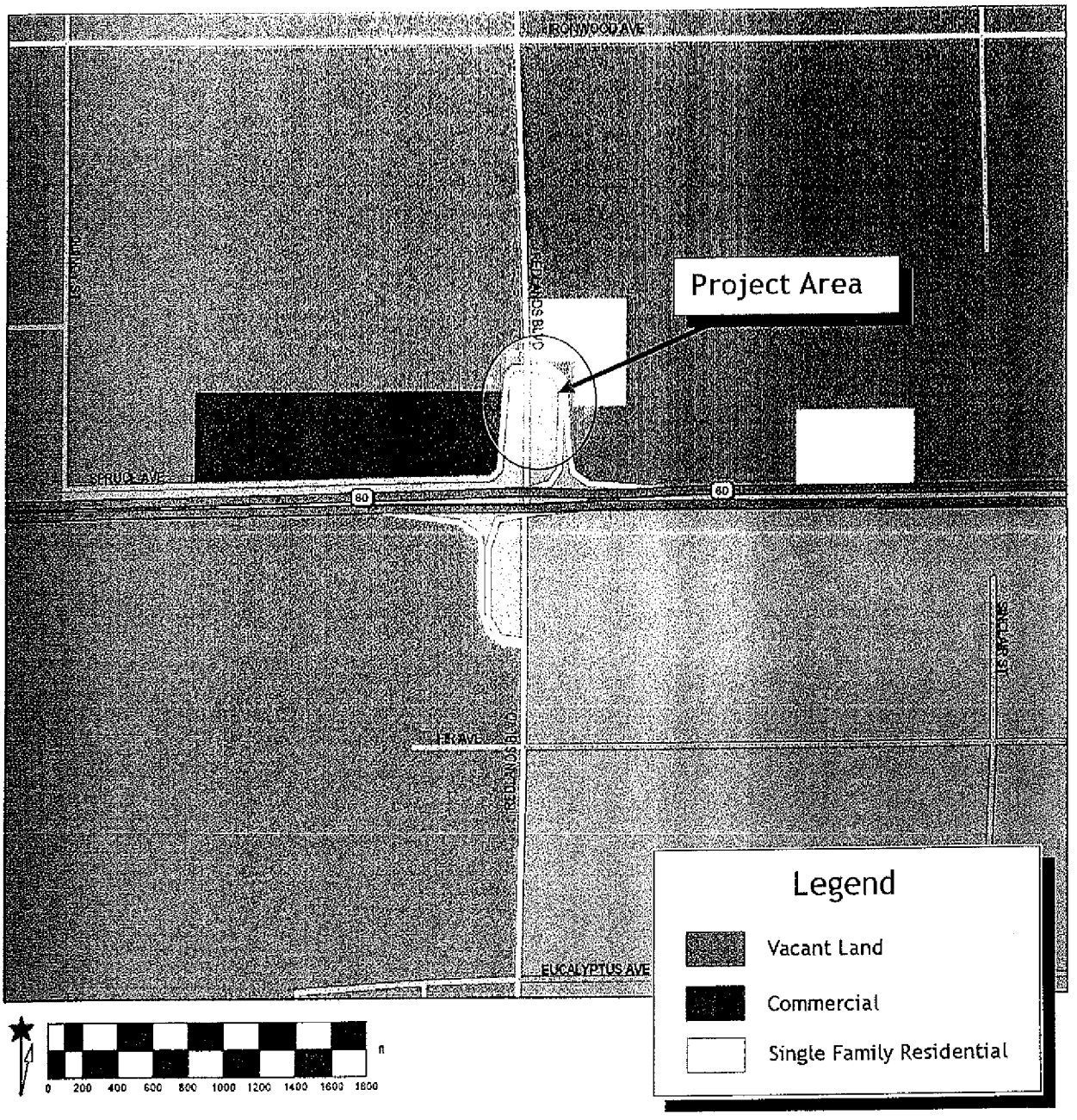

Exhibit 14
Generalized Land Uses
Source: Blodgett/Baylosis Associates

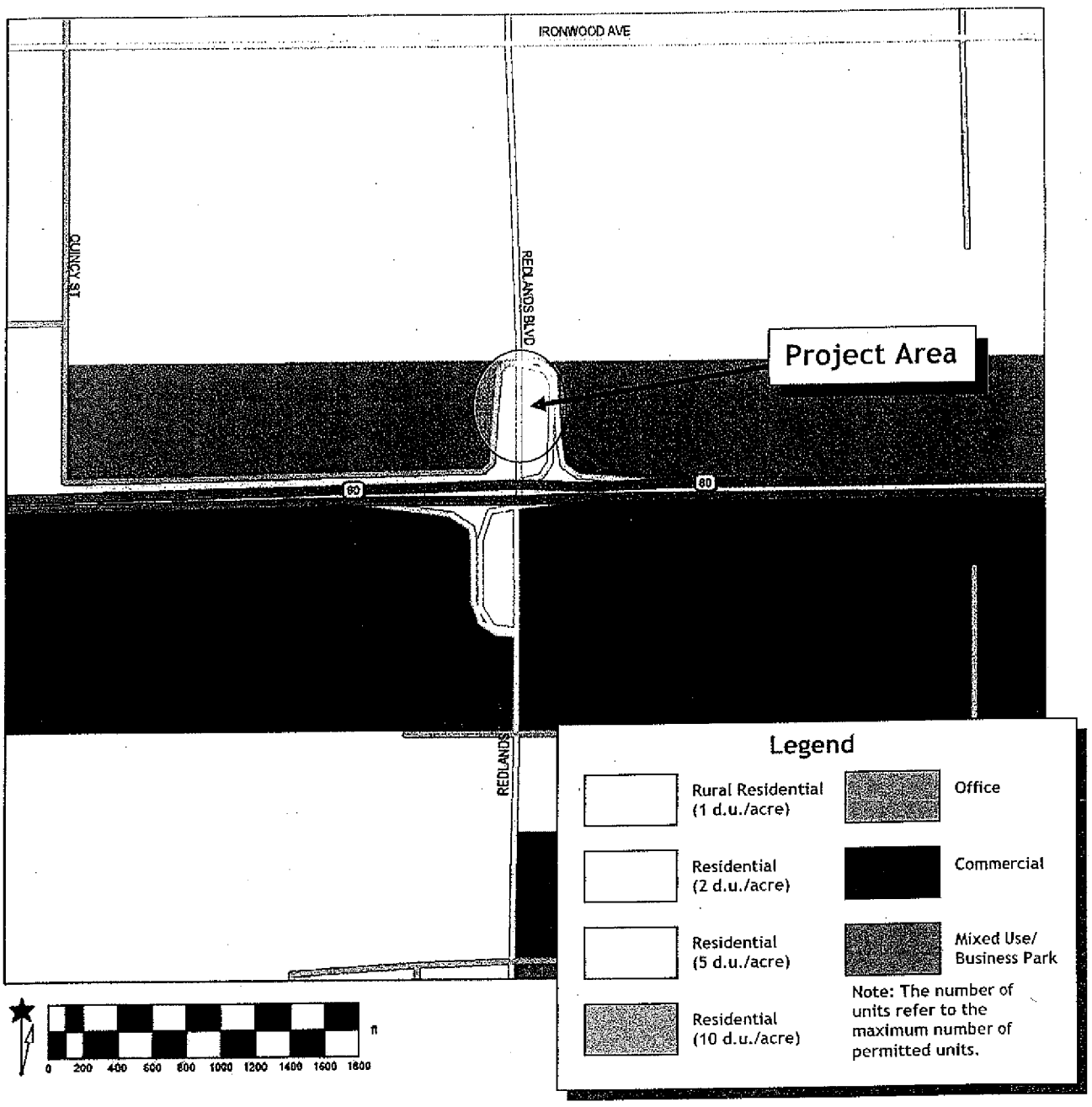

Exhibit 15
General Plan Land Use Designations
Source: City of Moreno Valley

3.10 Mineral Resources & Energy Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant impact on mineral resources and energy if it results in any of the following:

- The loss of availability of a known mineral resource that would be of value to the region and the residents of the state;
- The loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan;
- A conflict with adopted energy conservation plans; or,
- The use of non-renewable resources in a wasteful and inefficient manner.

Analysis of Environmental Impacts

A. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents or the state? No Impact.*

Natural resources that would be utilized by the proposed project include sand and gravel, aggregate energy, and other resources used for construction and operation. According to the State of California Department of Conservation Regional Wildcat Map (October 1991), the project site is not located over any oil field. There are no oil wells located in, or immediately adjacent to, the proposed project area. The project area is not located within a Significant Mineral Aggregate Resource Area nor is it located in an area with active mineral extraction activities.[47] As a result, no impacts on existing mineral resources will result from the proposed project's implementation.

B. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No Impact.*

There are no mineral, oil, or energy extraction and/or energy generating activities located within the project area or in the adjacent parcels. The site is currently undeveloped. Review of maps provided by the State Department of Conservation indicates there are no wells located within the vicinity of the project site. The resources and materials used in the construction of the proposed roadway improvement project will not include any materials that are considered rare or unique. Thus, the proposed project will not result in any significant adverse effects on mineral resources in the region.

C. *Would the project conflict with adopted energy conservation plans? No Impact.*

The project site does not contain mineral or timber resources or natural resource extraction activities. The project site is not located within a Significant Mineral Aggregate Resource Area, nor is it located in an area with active mineral extraction activities.[48] Natural resources that may be utilized by the proposed project include resources typically used in construction. The construction of the proposed project will not involve any activities that would preclude energy conservation. As a result, no significant adverse impacts are anticipated.

D. *Would the project use non-renewable resources in a wasteful and inefficient manner? No Impact.*

The proposed project will not involve any construction activities requiring significant amounts of energy for construction and operation, nor is the project expected to consume energy or other non-renewable resources in a wasteful manner. As a result, no significant adverse impacts are anticipated.

Cumulative Impacts

The potential cumulative mineral resources impacts are site specific. Furthermore, the analysis herein also determined that the proposed project would not result in any impacts on mineral resources. As a result, no cumulative impacts on mineral resources will occur.

Mitigation Measures

The analysis of mineral resources and energy impacts indicated that no significant adverse impacts on land use and development would result from the approval and subsequent implementation of the proposed project. As a result, no mitigation is required.

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[48] State of California Dept. of Conservation Division of Oil, Gas, and Geothermal Resources. Regional Wildcat Map 101. 1990.

3.11 Noise Impacts

Thresholds of Significance

According to the CEQA Guidelines' *Appendix G Environmental Checklist*, the proposed project may result in a significant noise impact if it results in any of the following:

- The exposure of persons to, or the generation of, noise levels in excess of standards established in the local general plan, noise ordinance or applicable standards of other agencies;
- The exposure of people to, or generation of, excessive ground-borne noise levels;
- A substantial permanent increase in ambient noise levels in the vicinity of the project above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- Locating within an area governed by an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or private use airport, where the project would expose people to excessive noise levels; or,
- Locating within the vicinity of a private airstrip that would result in the exposure of people residing or working in the project area to excessive noise levels.

Analysis of Environmental Impacts

A. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? No Impact.*

The current noise environment within the area is dominated by traffic noise emanating from nearby SR-60 Freeway. The proposed project will not involve any uses or activities that will result in stationary noise sources. As a result, the potential noise impacts are considered to be less than significant.

B. *Would the project result in exposure of people to or generation of excessive ground-borne noise levels? No Impact.*

Construction noise will occur as a result of the development of the proposed project. Although construction noise represents a short-term impact on ambient noise levels, noise generated by construction equipment and construction activities can reach high levels (between 70 dBA and 90 dBA) 50 feet from the noise source (to assist in the understanding of the decibel or dB noise metric, noise levels associated with everyday activities have been identified in Exhibit 16).

Construction equipment noise comes under the control of the EPA's Noise Control Program (Part 204 of Title 40, Code of Federal Regulations). Noise levels associated with various types of construction equipment are noted in Exhibit 17. While the potential construction noise impacts are not anticipated to be significant, the construction activities will be required to comply with the noise control requirements of the City. Furthermore, the mitigation measures outlined in Subsection D, will further reduce the noise impacts to levels that will be less than significant.

C. *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? No Impact.*

The current noise environment within the area surrounding the project area is dominated by Freeway traffic. The proposed roadway improvement project will not involve any uses or activities that will result in stationary noise sources. As a result, no noise impacts are anticipated.

D. *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Potentially Significant Impact Unless Mitigated.*

The composite construction noise is best characterized by Bolt, Beranek, and Newman.[49] In this study, the noisiest phases of construction are anticipated to be 89 dBA as measured at a distance of 50 feet from the construction activity. This value takes into account both the number of pieces and spacing of the heavy equipment typically used in a construction effort.

[49] USEPA, Protective Noise Levels. 1971

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: March 23, 2010

TITLE: AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION -- PROJECT NO. 11-43472527

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services.

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

BACKGROUND

The proposed fire station site, occupying approximately 1.5 acres, will be constructed at the northeast corner of Cottonwood Avenue and Morrison Street. This site was acquired through a land transfer between the City and the Moreno Valley Community Services District via City Council action on June 23, 2009.

On June 10, 2008, the City Council awarded an agreement for design professional consultant services for the Cottonwood Fire Station. The City Council also authorized the selected consultant to design future Fire Station Nos. 65 and 107 (Morrison Park) based on a qualification-based selection process subject to funding availability, fee negotiations with the preferred consultant, STK Architecture, Inc, and City Council approval.

In approving the FY 09/10 Capital Improvement Project (CIP) budget, the City Council reappropriated funding for various fire stations, allowing the Fire Department additional time to reanalyze its coverage area to size a fire station and locate it at the most effective location

On February 8, 2010, the Fire Chief presented a request to and received concurrence from the Public Safety Subcommittee for design and construction of the Morrison Park Fire Station.

DISCUSSION

On June 10, 2008, the City Council authorized the award of agreement for design professional consultant services for the Cottonwood Fire Station. In July 2008, City staff initiated the preliminary level design process and progressed through the design development phase (approximately 35% completion level) at an approximate cost of $139,000. That work was completed in October 2008, and further work was deferred to allow the Fire Department to perform a revised response time coverage analysis. The design documents have been archived for future use. The general floor layout of a three-bay fire station is such that it can be reused at different locations. The Cottonwood Fire Station floor plan is considered acceptable generic design for a typical three-bay fire station and can be adopted for two-bay fire station with minor modifications.

The Morrison Park Fire Station will be a two-bay fire station and, therefore, will use a modified floor plan layout. In addition the design consultant will reduce sleeping quarters by two rooms and add a sleeping room attached to the Battalion Chief's office, including examining the possibility of relocating the Battalion Chief's office and sleeping quarter to the left of apparatus bay towards front of the building as recommended by the Fire Chief. The design will develop low maintenance landscaping to curtail future maintenance costs.

Funding for the Morrison Park Fire Station was made possible through the issuance of Redevelopment Tax Allocation Bonds in November 2007. On January 13, 2009 City

Council approved the reprioritization of projects as presented by the Economic Development Director in his report entitled "Reprioritization of Capital Projects to be Funded by the 2007 RDA Bonds" wherein a request was made to build the Morrison Park Fire station rather than the Cottonwood Fire station based on the revised response time coverage analysis performed by Fire Department. $6.5 million of RDA Series A tax exempt bond funds were reallocated from the Cottonwood Fire Station to the Morrison Park Fire Station. It was also recommended and concurred by Fire Chief that the Morrison Park Fire Station design work be deferred until the later part of FY 2009-10. Based on the anticipated schedule, this fire station will be ready to serve the surrounding community by September 2012. Operational funding for the fire station is anticipated to be available in FY 2012-13 and beyond.

City staff has negotiated the fee with the design consultant, STK Architecture, Inc., for architectural and engineering design (A&E) and construction contract administration services. The negotiated fee reflects appropriate cost savings for reuse of the design documents prepared for the Cottonwood Park Fire Station. The consultant's design documents will adopt, with minor site-specific modifications, the floor layout from Cottonwood Fire Station, elevations and other details, reducing the size of Morrison Park Fire Station from 10,595 sq. ft. to 9,750 sq. ft. The consultant will provide A&E and construction contract administration services during the design, bid and award period and the construction phase. They will also oversee the procurement and installation of furniture and furnishings, occupancy-related activities, inspection services, contract close-out activities, and the one-year warranty/guarantee walk and associated activities.

ALTERNATIVES

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services; authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. in the form attached hereto; authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91722; and authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney. *This alternative will facilitate the construction of needed facilities.*

2. Do not approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services; do not authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. in the form attached hereto; do not authorize the issuance of a Purchase

Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897-91722; and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney. *This alternative will result in the delay of needed facilities.*

FISCAL IMPACT

The project will be funded using 2007 Redevelopment Agency Tax Allocation Bond Series A proceeds (Fund 897) that were specifically allocated for the design and construction of the Morrison Park Fire Station. These funds must be used for their intended purpose and cannot be used for operational activities. There is no impact to the General Fund.

Approximately $345,000 will be utilized by the design consultant to complete the construction bid documents as part of the design phase. The remaining $351,000 will be utilized for support during the construction and project closeout phases.

AVAILABLEBUDGET

Fiscal Year 2009/2010 (Fund 897.91729)	$6,349,000
Total Funding	**$6,349,000**

ESTIMATED PROJECT COSTS

Final Design/Environmental Assessment/Const. Administration Services (including 10% contingency)	$ 766,000
Inspection, Testing, Geotechnical, and Survey services	$ 177,000
Communications (Riverside County IT services)	$ 50,000
Construction (including furniture and furnishings)	$5,200,000
Administrative Costs (permits, utility fees, Plan Check staff, misc.)	$ 156,000
Total Estimated Project Cost	**$6,349,000**

PRELIMINARY PROJECT SCHEDULE

Design Phase	April 2010 - March 2011
Bid and Award	April 2011 – June 2011
Notice of Construction Award	July 2011
Begin Construction	August 2011
Complete Construction	August 2012
Occupancy	September 2012

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Staff recommends the City Council approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc. for Morrison Park Fire Station and authorize the issuance of a purchase order in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties for final design and construction- and occupancy-related activities.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for Design Professional Consultant Services

Prepared By:
Jack Shah, R.A., M.S. (Civil)
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/
City Engineer

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

Concurred By:
Steve Curley
Fire Chief

Concurred By:
Barry Foster
Economic Development Director

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

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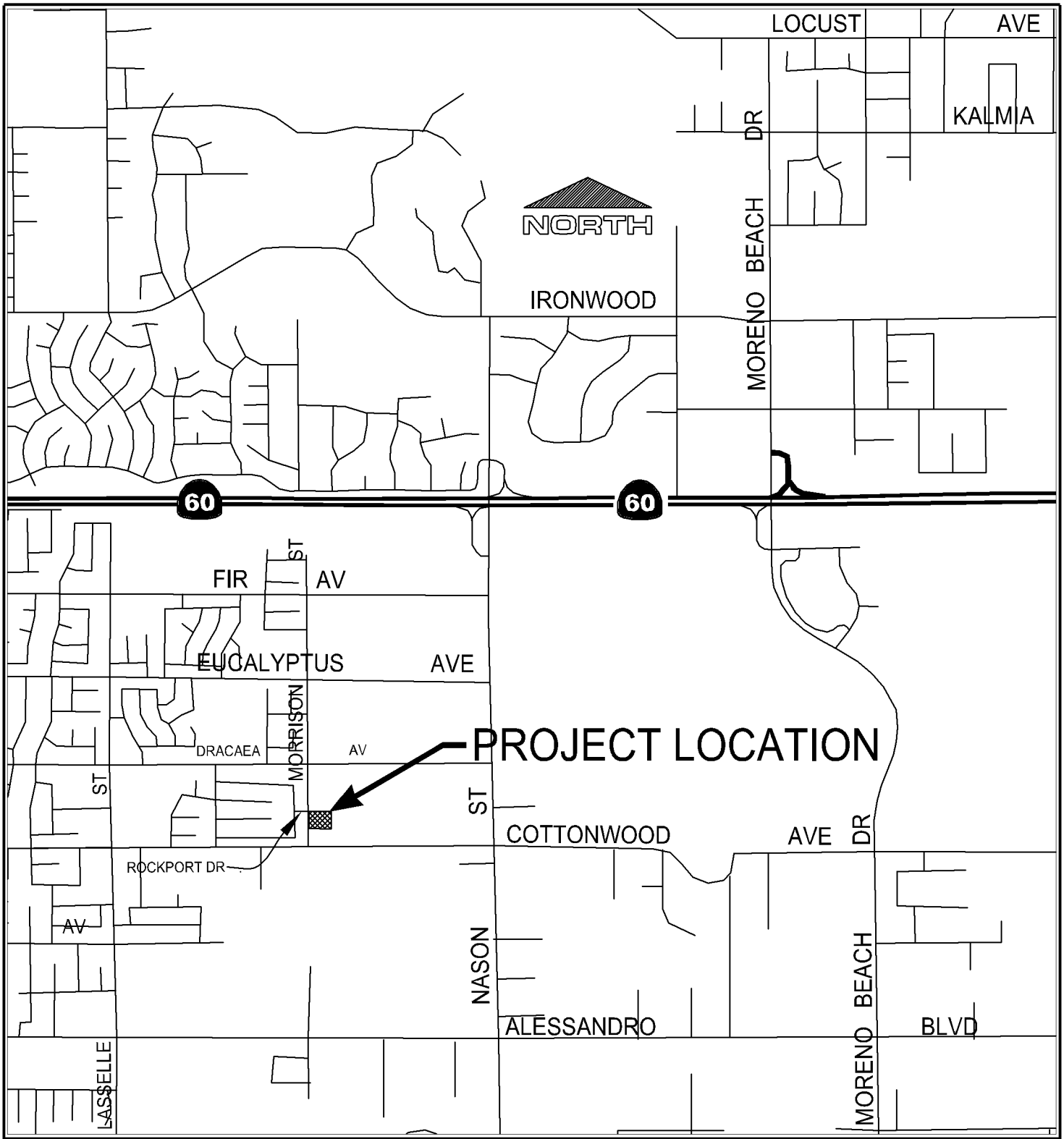

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

Morrison Park Fire Station

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MV00049123

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 11-43472527

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and STK Architecture, Inc., a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment "B"

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 11-43472527

DESCRIPTION OF PROJECT

1. The Project is described as professional consultant project management, design, and construction contract administration services for:

Morrison Park Fire Station

Project No. 11-43472527

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $696,273 in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TERM OF AGREEMENT

5. This agreement will terminate on **October 30, 2013** unless the termination date is extended by an amendment to the agreement.

TIME FOR PERFORMANCE

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "E" attached hereto and incorporated by this reference.

8. The Consultant and the City agree that the schedule in Paragraph 7 above represents their best estimates with respect to completion dates, and both the Consultant and the City acknowledge that it will not unreasonably withhold approval of the Consultant's requests for extensions of time in which to complete the work required of the Consultant hereunder.

9. The Consultant shall not be responsible for performance delays caused by others or delays beyond the Consultant's reasonable control, and such delays shall extend the time for performance of the work by the Consultant. Delays caused by non-performance or unjustified delay in performance by a subconsultant of the Consultant are not considered to be beyond the Consultant's reasonable control.

10 (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

11. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the

Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

12. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

13. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement. Unless hereinafter specified, neither party shall be responsible for the services of the other or any subcontractor or sub-consultant employed by the other party.

14. The Consultant shall comply with all applicable federal, state, and local laws in the performance of work under this Agreement.

15. (a) To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant,

its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA and CDS, their officers, agents or employees.

(b) The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

(c) The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or

employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

16. (a) The Consultant shall procure and maintain, at its sole expense, throughout the term of this Agreement and any extension thereof, Professional Errors and Omission Insurance coverage in the form and substance and with carriers acceptable to the City. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

(b) During the entire term of this Agreement, the Consultant agrees to procure and maintain General Liability Insurance in form and substance and with carriers acceptable to the City at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Consultant its sub-consultant or any person acting for the Consultant or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Consultant or its subconsultants, or any person acting for the Consultant or under its control or direction.

(c) Such General Liability Insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum limits provided below:

	General Liability
Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

(d) If the operation under this Agreement results in an increased or decreased risk in the opinion of the City Manager, then the Consultant agrees that the minimum limits hereinabove designated shall be changed accordingly upon request by the City Manager.

(e) The Consultant shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property

Damage Insurance coverage for owned and non-owned automotive equipment operated on City premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

(f) The Consultant shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Consultant and the City, RDA and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Consultant in the course of carrying out the Agreement.

(g) The City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and worker's compensation.

(h) A Certificate of Insurance and appropriate additional insured endorsement evidencing the above insurance coverage shall be submitted to the City Clerk prior to the execution of this Agreement on behalf of the City.

(i) The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> "Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Moreno Valley Community Redevelopment Agency, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

(j) Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

(k) The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

17. During the performance of this Agreement, the Consultant will not unlawfully discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, sex, or age. The Consultant will take affirmative action to ensure that applicants are legally employed, and that employees are treated during employment without regard to their race, religion, creed, color, national origin, sex, or age.

18. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

19. (a) The Consultant shall deliver to the Public Works Director/City Engineer of the City or his/her designated representative, immediately upon request in both hard copy and electronic format, all documents, drawings, models, presentation materials, renderings, calculations, specifications, permits and permit-related documents, surveys,

materials tests, geotechnical reports, etc., if available, developed to date for the City's project and any other City-provided documents, which shall become the property of the City. The Consultant may retain for its files, at its expense, copies of any and all materials, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings at all times and during all phases of the project. The City reserves the right to ask for a hard copy and/or an electronic copy of the documents developed to date at any time during the period of this agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any, for professional services related to the City's project.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other projects without the permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

20. (a) The City may terminate this Agreement without cause on the part of Consultant by giving at least ten (10) days written notice to the Consultant. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not

intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination.

(b) Upon notice of termination, the Consultant shall deliver to the Public Works Director/City Engineer of the City or his/her designated representative, in both hard copy and electronic format, all documents, drawings, models, presentation materials, renderings, calculations, specifications, permits and permit-related documents, surveys, materials tests, geotechnical reports, etc., if available, developed to date for the City's project and any other City-provided documents, which shall become the property of the City. The Consultant may retain for its files, at its expense, copies of any and all materials, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement. It shall be understood that the City shall be the owner of all project-related documents and drawings, regardless of the completeness of said documents.

(c) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any, for professional services related to the City's project.

(d) The City agrees to hold the Consultant harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant. Consultant acknowledges that Consultant work product produced under this Agreement may be public record under State law.

(e) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Consultant shall perform no further service(s) under the Agreement unless the notice of termination authorizes such further work.

21. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

22. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

23. This Agreement represents the entire and integrated Agreement between the City and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

24. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours

upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

25. The City and the Consultant agree that, to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

26. The Consultant shall employ no City official or employee in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

27. Subject to the provisions of Section 19 (a) above, all plans, drawings, specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon demand by the City, be delivered to and become the property of the City for the limited use as set out above, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

28. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 11-43472527

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

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

STK Architecture, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments:
Exhibit "A" – City's Request for Proposal
Exhibit "B" – Consultant's Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment
Exhibit "E" – Consultant's Schedule

REQUEST FOR PROPOSAL (RFP)

FOR PROJECT MANAGEMENT, ARCHITECTURAL AND ENGINEERING (A&E) DESIGN AND CONSTRUCTION MANAGEMENT CONSULTANT SERVICES FOR A) FIRE STATION No. 110; B) NEIGHBORHOOD PARK; PROJECT NUMBERS ARE: A) 897.91722; B) 897.91723;

AND

REQUEST FOR QUALIFICATIONS (RFQ) FOR A 3 BAY (TYPICAL) FIRE STATION FACILITY FOR THE CITY OF MORENO VALLEY'S CAPITAL PROJECTS DIVISION

I. INVITATION

You are invited to submit Proposals for:

1) Fire Station 110 and Neighborhood Park

The Consultant shall provide a separate detail work proposal for Fire Station 110 and Neighborhood Park (both be located at the northeast corner of Indian Street and Cottonwood Avenue) which includes, but not limited to, in the following sections:

A) **Project management services** during Design Phase

B) **Design services** including preparation of Plans, Specifications, and Estimate (PS&E) - a complete Bid documents set (one bid document set for each facility, independent of each other and self supportive such that it can be advertised for construction, separately, at different times (if preferred by the City) for the construction of the facilities. Include design support during advertisement activities for each of the facilities to receive competitive bids and Design Support during Construction Phase

C) **Construction Management (CM) services.**
Consultants may propose for the facilities A and B or either one of the facility. Project management, Design services, and CM services segments, described above, for each of the facility may not be separated. Consultant will be required to prepare separate bid documents for the construction of facilities "A" and "B" construction contracts.

2) Request for Qualifications (RFQ) for a 3-bay Fire Station/s

Since no specific site/s for the additional 3-bay Fire Station/s has been established, the consultant shall provide a detailed description of their qualifications. The qualification shall include the consultant/s ability to provide section a, b and c services described above.

An optional pre-proposal meeting will be held on Monday, March 17, 2008, from 10:00 a.m. to 11:00 a.m. in the Council Chambers at the Moreno Valley City Hall, 14177 Frederick Street, Moreno Valley, CA 92552-0805.

Seven (7) copies (one of the copies shall be unbound and paper clipped, with no tabs, holes, perforations, or cardboard inserts, suitable for copying with an automatic-feed copy machine and one copy shall be on compact disk) of your "Proposal" and Seven (7) copies of the "Qualifications" shall be submitted no later than **5:00 p.m., March 24, 2008** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (mail delivery), Attention: **Jack Shah, R.A., M.S. (Civil), Consultant Project/Program Manager.**

II. GENERAL PROJECT DESCRIPTION

1) RFPs:

The Consultant shall provide Project Management, A&E Design and Construction Management Services for the facilities A and B. Facilities A and B work includes, but not limited to, the Plans, Specifications, and Estimate (PS&E) - a complete Bid documents set (one bid document set for each facility, independent of each other and self supportive such that it can be advertised for construction, separately, at different times (if preferred by the City) for the construction of the facilities. The proposal must include design support during advertisement, bidding and construction contract award period for each of the facilities and Design Support during Construction Phase and Construction Management (CM) services.

The contract award will be separated for the Facilities A and B. Release of work effort will take place in the following segments: a) Design Services -PS&E work; b) Design Support During advertisement, bidding and construction contract award, c) Construction Management, and Design Support during Construction and preparation of As-Built documents and d) efforts associated with Warranty/Guaranty period. Deliverables will be further subdivided into several phases. They are, Phase 1- Conceptual Design Level – approximately 15% completed design, Phase 2 – approximately 35% completed design, Phase 3 – approximately 65% completed design, Phase 4- approximately 95% completed design, and Phase 5 – 100% completed bid documents including completed plan check and ready for bidding. The consultant will prepare a schedule to meet the above stated deliverables. The City will release payments only upon successful completion of the above phases of work. The consultant will not be allowed to invoice the City for components of work outlined in the later stages of the PS&E phase in the preceding phase.

The City has no obligation to award Facilities A and B concurrently or to the same consultant. In addition the City reserves the right to cancel this contract after completing

work authorized within a particular segment (enumerated above) or Phase and advertise and/or award the contract to other consultant to continue the design and/or CM contract activities.

A Fee Proposal and the Resource Allocation Matrix are NOT REQUIRED with the initial RFP submittal. The short listed consultants will be asked to visit the other similar project sites prior to the interview. A fee proposal along with the Resource Allocation Matrix, from the first two highest ranked consultants, will be required within two working days after the interview, ranking, and notification to the consultants. The fee proposal and the resource allocation matrix shall be delivered to the City's Consultant Project Manager in a sealed envelop and shall be separated for the Facilities A and B. **It is imperative that the consultant fees for the Facilities A and B are separated for a) Design Services - PS&E work; b) Design Support During advertisement, bidding and construction contract award, c) Construction Management, and Design Support during Construction and preparation of As-Built documents and d) efforts associated with Warranty/Guaranty period. Fee for this effort should be per hour cost efforts.**

2) RFQ:

The qualification shall include the consultant/s ability to provide Project Management, A&E Design and Construction Management Consultant Services. The consultant shall have experience in designing fire stations and ability to manage, concurrently, more than one fire stations project management, design and/or construction management. To qualify for consideration of future contract award/s, the consultant must have designed a minimum of two (2) Fire Stations in last five years and a minimum of five (5) Fire Stations in the last fifteen (15) years. The Consultant must have a minimum of three (3) Fire Stations (from total of seven (7) enumerated above), been designed and constructed in the State of California.

Since no specific site/s for the additional 3 bay Fire Station/s has been established, the consultant shall provide a detailed description of their qualifications. The qualification shall include the consultant/s ability to provide segments i, ii, and iii services described above (identified under "Invitation".

No fee proposal is required for the above activity but the consultant shall be asked to submit a fee proposal, in future, when the City determines to proceed with the one or more project.

The selection of the "Qualified firm/firms (one or more but no greater than three) consultant will be valid for five years from the date of selection. The consultants will not be ranked. The City reserves the right to select any one of the three consultants for the Project Management, Architectural and Engineering (A&E) Design and design and Construction Management consultant services for one or more Fire Station projects.

III. PROJECT BUDGET AND SCHEDULE

BUDGET

The City of Moreno Valley has Lease Revenue Bonds funds for the design and construction of the facilities A and B. The City has not established funding for the 3 Bay Fire Station/s. The Bond fund mandates specific funding constraints in forms of milestones for invoicing and expenditures of funds.

SCHEDULE

The Consultant shall be required to meet or exceed the following schedule for these projects:

Facility A:

Bid Documents ready for advertisement for a competitive construction bids for the Facility A – Fire Station 110 must be completed within twelve (12) months of contract award date. A typical Bid and Award Phase is approximately four (4) months and the construction is anticipated to be completed within fourteen (14) months of contract award date.

Facility B:

Bid documents ready for advertisement for a competitive construction bids for the Facility B – Neighborhood Park must be completed within nine (9) months of contract award date. A typical Bid and Award Phase is approximately four (4) months and the construction is anticipated to be completed within eight (8) months of contract award date.

Facility A

Notice to Proceed:	May/June, 2008
Bid documents ready for Advertisement:	July, 2009
Advertisement and receipt of bids:	Sept., 2009
Construction Contract Award:	Nov., 2009
Construction:	Nov., 2009 to Jan., 2011

Facility B

Notice to Proceed:	May/June, 2008
Bid documents ready for Advertisement:	April, 2009
Advertisement and receipt of bids:	June, 2009
Construction Contract Award:	July, 2009
Construction:	Aug., 2009 to April, 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Project Management, A&E Design, and Construction Management Consultant Services for the facilities A and B.

The facilities A & B will be located at the City owned parcel at NE corner of Cottonwood Avenue and Indian Street. Detailed sub-division of the parcel of these two facilities is included in the project scope. Consultant shall work with the City to sub-divide the lot for Facilities A and B. The Consultant will be required to prepare periodic reports for Council Study Sessions during the course of the design development and Staff Reports for the Council Meetings for approval of the construction contract awards. A Council Study Sessions are scheduled 3rd Tuesday of each month except in the months of July and August and Council Meetings are scheduled 2nd and 4th Tuesday of every month.

IV.1 Facility A: Fire Station No. 110

1) GENERAL INFORMATION

A Draft Architectural Program/Space Plan has been developed by the City and has formed the base-line intent for the function of the new facility. (A sample site layout and Fire Station Building layout are attached for information only – please see Exhibit "B" and "C" attached):

FIRE STATION

Reception/Dispatch Office
Office
Dormitory
Restrooms (Men's and Women's)
Kitchen
Dine/Lounge
Shop/Storage
Apparatus Room
Halls/Circulation
Lockers, equipment at Apparatus
Public Restroom(s)
Conference and/or Training Room

The following are presented as minimum requirements. The requirements will be reviewed at initial design meetings and during design development phase.

Plans shall be prepared showing all details and notes required to provide the contractor with sufficient clarification and information to construct the project to the intended design. Specifications shall be in accordance with City standards with all referenced building standards defined in a supplemental manual.

Any items specified in this outline shall be confirmed to be locally available within the specified project construction schedule. Any long lead items need to be clearly identified as such and duly noted in the contract documents.

a) Station Area: Fire Station #110

Fire Station #110 as well typical Fire Station shall be a three bay, 16 personnel, approximately 9,000 sq. ft. building.

b) Crew Size

Fire Station will accommodate a crew of 16 personnel, including, but not limited to, the following:

i) One Fire Captain
ii) One Fire Engineer
iii) Four Fire Fighters
iv) Two Medics / paramedics
v) One Battalion Chief

c) Fire Apparatus Vehicles

The following fire apparatus/vehicles will be typically assigned to a Fire Station.

i) One Triple Combination Pumper:

Length:	30.5 Feet
Width:	10.0 Feet
Turning Radius:	52.0 Feet
Weight	40,000 (approx.) Pounds

One Aerial Ladder Truck

Length:	40.0 Feet
Width:	10.0 Feet
Height:	12.0 Feet
Turning Radius:	Varies on Apparatus, up to 65' radius
Weight	60,000 (approx.) Pounds

ii) Two miscellaneous vehicles (e.g., BC vehicle, ambulance, brush rig, or utility vehicles).
iii) Approaches and driveways shall not exceed 5% grade.

d) Communications and Paging System.

i) Two-horn type paging speakers located on both sides of the Apparatus floor.

ii) Speakers in all rooms, Restroom, and showers.
iii) An in-house telephone paging system meets the requirements of the Communications and Electrical Division.

iv) A quick dial 9-1-1 horn. Phone housed in an ADA approved and positioned red weather box, with "EMERGENCY 911" noted on the exterior of the box located on the exterior of the station, near the public entrance.

e) Security

i) Security fencing/wall and an electrically operated rolling gate at a minimum of 6' above grade.
ii) Electrically operated rolling gates with key pad and remote switch capability in station using Delta III controller-receiver and a metal guidance track, mounted in concrete, that will guide the gate to its predetermined closure point every operation and safety loops.

2) FIRE STATION – INTERIOR

a) Lighting

i) General illumination, energy efficient office type lighting. Extreme Performance T-8 fluorescent fixtures, with electronic ballast system; with cool white bulbs or new generation energy efficient systems approved by the fire department.

ii) Natural lighting, including windows and skylights, whenever possible.

iii) Energy efficient lighting systems designed according to location and use, such as Apparatus area, Kitchen and Sleeping areas.

iv) Night lighting system in hallways and Apparatus Room.

b) Doors and Windows

i) Exterior windows shall be high quality, noise-reducing, dual glaze, temperature efficient designs, and UV protected. Windows shall be operable.

ii) Exterior doors shall be 3' x 7', metal and hang on metal frames.

iii) Interior doors shall be an exterior grade, solid wood-staved core, Birch skinned, 3' x 7', and swing in the direction of the Apparatus floor area, except all doors entering into a hall will open in.

iv) Panic hardware required on interior doors leading directly into the Apparatus area.

v) Locks and latch sets are NOT to be utilized on interior doors that lead to sleeping areas (except as may be required by code).

vi) Lock sets shall have 7 (seven) pin Best cores on all locking doors.

vii) Doors leading to Restrooms, Apparatus Room, and the exterior of the station shall have mechanical closures.

viii) Stainless steel push plates and kick plates on all doors.

c) Floor and Window Coverings

i) Commercial grade carpeting for Officers' Room(s), Sleeping areas, Hallways, and Day Rooms. Carpet shall be Lee's Faculty IV or equal, 26 oz yarn weight and 77 oz total carpet weight, with uni-bond backing.

ii) Kitchen and Restrooms shall be tiled.

iii) Watch Rooms and Dining areas may be tiled or industrial vinyl.

iv) Exterior windows are provided with vertical blinds or 1" metal mini-blinds.

d) Walls and Ceiling Surfaces

i) Restrooms, Kitchen, Storage Rooms, Weight Room, Work Room, Communication Room, and Apparatus Room are painted with 100% acrylic semi-gloss finish.

ii) Ceiling are drywall at Restrooms, Kitchen, and Apparatus Room, other areas may have drop ceiling as appropriate. Apparatus ceiling shall be enclosed with drywall and insulated.

iii) All outside hall corners with corner guards installed with clear plastic, and use of stainless steel guards in Apparatus Room.

e) Central Air Conditioning/Forced Air Heating

Central air conditioning and forced air heating (ground mounted) in living areas to maintain 68-72 degrees temperature.

f) Fire, Smoke, Carbon Dioxide Detectors and Sprinkler System

i) Fire, smoke, and carbon dioxide detectors as required by the Uniform Building Code for Group B occupancies.

ii) Complete automatic fire sprinkler system per existing code.

iii) Sprinkler alarm is capable of being connected to a central monitoring station.

g) Cable TV Wiring

Fire Stations will be wired and connected with cable television. Outlets located in the Day Room, Kitchen, Personnel Dorm Rooms, and Weight Room.

3) FIRE STATION – EXTERIOR

a) Exterior design, materials selection, and features are to be designed to match and reflect architectural style of the neighborhood and surrounding community. Consultant shall develop the design and the architectural style which must be reviewed and approved by the City's Planning Department, City's Planning Commission and the Council.

b) No landscaping within 3' of the exterior of the Fire Station. Positive drainage away from the station.

c) Exterior 3' X 7' metal doors with metal frames, except front entry door, which may be storefront type or patio doors if approved by Fire Department.

d) Lock sets with 7 (seven) pin removable cores.

e) Doorbells that ring in Day Room, Dormitory, Hallway, and Apparatus Rooms are installed on both front and rear exterior doors, with different tones for each.

f) The exterior are finished in stucco, with expansion joints and reveals to meet or exceed code and detailed on drawings. The stucco finish shall not have a heavy texture. After color coat, the building is to receive a fog coat in uniform color and finish and a stucco sealer.

g) Flat roofs are NOT acceptable.

h) Sloped roofs can be standing metal; seam systems, or concrete tile.

i) Rain gutters, a separate unit and independent of the other roof systems. Rain gutters must be able to be removed and replaced without compromising the integrity of the roofing, flashing, or building finishes. Gutters shall be designed, sized, and installed in manner to catch water shed. Internal roof drains are not acceptable.

j) Hose bibs provided at each side of the Apparatus Room, the Patio, and at each corner of the building as needed, at 75' intervals and at the trash enclosure.

k) Hose drying ramp, 6' x 50' sloped at ¼" per foot. Ramp to be surrounded on all sides with a 3' walk.

l) Private Vehicle Parking Areas Driveways, and Security Fencing

i) A private parking area for two (2) parking spaces per assigned crew.

ii) Employee parking area with a 6 ft high vinyl-coated fence or concrete block wall. The gate shall be a rolling type, electronically controlled by code pad and Linear remote.

iii) An unfenced visitor parking for two visitor spaces, and one ADA compliant space near the front door.

m) All outside paved areas shall be of 8 inch, 4,000 psi concrete, designed to accommodate heavy equipment. All concrete shall be positively sloped for drainage and catch basins.

n) Outside Lighting

i) Outside lighting, with a timer, as needed to illuminate the general surrounding area of the Fire Station.

ii) Crew parking area with energy efficient fixtures, with cost-effective replacement bulbs, controlled by photocell in series with a switching ability.

iii) Working lights at the front and rear of the Apparatus Room. The fixtures are controlled with individual switches.

iv) A red light located near the entrance of the Fire Station. The light is controlled with a photocell.

v) Two lights to illuminate the flagpole. These are controlled by a photocell, in series with a switch.

o) Landscaping:

i) Low maintenance, drought-tolerant landscaping, with irrigation systems and automatic timers.

ii) Irrigation with a separate meter.

iii) Landscaped areas with drainage away from the building and off the lot.

p) Fire Station Signs: The Fire Station signs to be approved by the Fire Department.

q) Address characters are minimum of 6" high, visible from the street, and illuminated.

r) Flagpole: 30' ground-mounted aluminum flagpole, capable of accommodating a 4' x 6' flag.

s) Mailbox: Mailbox in accordance with Postal Service requirements. When a mail slot is provided in a door or through an exterior wall, the access door cover must cover the entire mail slot opening and open outwardly. If require by Postal Service to be located on the street, box shall be lockable and watertight.

t) Fire Hydrant: Fire super hydrant shall be positioned near the driveway at the front of the Fire Station.

4) APPARATUS ROOM:

i) Apparatus Room shall have drive-through stalls and shall provide 3 (three) bays as required by size of crews and will be defined in design development. Bays shall be a minimum 70' in length unless otherwise approved.

ii) Apparatus area shall be capable of housing 3-6 vehicles, including any combination of the following:

(2) Triple Combination Pumpers (1 for front line, 1 reverse)
(1) Aerial Ladder Truck
(1) Brush Rig
(1) Ambulance
(1) Battalion Vehicle
(1) Utility Vehicle

iii) Apparatus Room shall be provided with passive ad positive ventilation.

iv) Apparatus room shall be constructed without columns in the open space area.

b) Overhead doors shall be provided at the front and at the rear of the Apparatus area, for each bay.

i) Doors are to be individual for each Apparatus – One single large door shall NOT to be used.

ii) Apparatus door dimensions are: 14' H x 14' W.

iii) Apparatus doors are overhead coiling and electrically-operated type. Each door shall have a separate electric eye and pneumatic safety device to prevent contact with fire apparatus.

iv) Doors are to be able to be operated with push buttons located by each door, and radio-controlled with a controller receiver on or about the door.

v) Buttons shall have open, stop, and close positions.

vi) All doors shall be wired to the emergency electrical circuit to facilitate continuous operation.

vii) Doors are to be factory finished, with powder coating.

viii) Apparatus door shall have a manual override, enabling the door to be opened manually in 1.5 minutes.

c) Apparatus Room floor is to be 8", 4,000 psi reinforced concrete.

d) Apparatus Area Walls/ Wall Space

i) 10' x 10' smooth finished wall surface shall be provided for a district map. Two 4' fixtures in line fluorescent light with two tubes shall be provided over the map area, and switched next to the map.

e) Exhaust Extraction System

i) Adequate separation between the Apparatus Room and the living area shall be provided to prevent the transmission of Apparatus exhaust from the Apparatus area to the living areas of the station.

ii) Mechanical ventilation shall be provided for the Apparatus area with direct hookups to the Apparatus exhaust pipe removing 100% of engine exhaust to the outside of the station.

iii) Ventilation system shall be automatically actuated and have the ability to provide drive through or back in operation.

iv) Ventilation System shall be Plymovent or approved equal System.

f) Lighting shall be provided between each stall. Fire Department selected lights shall remain on at all times. Remaining lights to be switched on or automatically come on when the paging alert system actuated.

g) Drop cords shall be provided on the driver's side of each vehicle. Each drop is to be on its own circuit.

h) Electrical outlets along all walls spaced at 12' intervals, on walls between Apparatus doors.

i) A compressor capable of 150 psi, Ingersol-Rand 2475N5 with starter or approved equal), shall be installed and plumbed to provide access to designated areas of the Apparatus Room.

5) SPECIALIZED ROOMS/AREAS (WASH ROOM, WORK ROOM, ELECTRICAL ROOM, MECHANICAL ROOM, LOCKER ROOM WEIGHT ROOM AND COMMUNICATION ROOMS)

a) Wash Room shall contain a washer and dryer, deep sink, shower area, and hose bibs.

i) Wash Room finish shall be tiled with a central floor drain.

ii) Wall-mounted deep sink is to be provided in this area.

iii) Washer and dryer area shall have hot and cold water and a drain for a residential washer. The dryer area shall be capable of being gas or electric and be vented to the exterior.

b) Work Room

i) Work Room shall be directly adjacent to the Apparatus area.

ii) 30" x 8' work bench constructed with a solid, 1½" hardwood top shall be provided. A storage base cabinet and drawers on heavy duty glides be provided below the work bench. Upper cabinets shall be provided. A space shall be allowed for mounting a vise on work bench top.

iii) Work Room must be large enough to allow for vertical storage of two 55 gallon drums.

iv) Floor drain is to be installed in this area.

c) Water Room: Commercial quality separate area for water heater system to be provided.

d) Electrical Room: An electrical room to be located such to allow access by SCE and the phone company.

e) Offices:

(1)	Battalion Chief	15' x 14'
(1)	Office	15' x 14'

Additional Offices, if needed and requested by the Fire Dept.:

(1)	Chief	12' x 12'
(1)	Hazmat	12' x 12'
(1)	Prevention	12' x 12'
(1)	Investigation	12' x 12'
(1)	Staff Analyst	12' x 12'

Training Room

i) 17' W x 25' L for 20 personnel.

ii) 8' x 8' Projection wall.

f) Locker Room: A Locker Room shall be provided to house the required number of lockers for the crew size. The room shall be vented to the exterior and enclosed with doors.

i) 33 lockers for 11 crew members or 36 lockers for 21 crew members.

ii) Lockers, without legs, are to be installed on concrete housekeeping pads.

iii) Lockers are to be heavy duty, non-rusting, 45% ventilated metal lockers, 18" x 21" x 72"; 16 gauge steel, flat tops, bottoms and sides; 14 gauge steel doors with recessed handles with padlock attachment, and space for name tag. The lockers shall have a shelf at the top and three (3) each paired hooks, one on each side and one on the back.

6) FIRE STATION LIVING AREA

a) Watch Room/Reception Area: The watch Room to be approximately 10' x 15', large enough to provide for the following:

i) Two built-in standard 30" x 60" desks, with two swivel chairs.

ii) Counter space for a computer terminal 23" W x 15" D, a printer 4.7" H x 15½" W x 12" D, and a facsimile machine 12" x 18".

iii) Space for three legal size 5-drawer built–in file cabinets.

iv) Built-in wall mounted 48" x 36" four shelf lockable bookcase/storage spaces.

v) Electrical outlets for computer, printer, fax machine, and table top cable grommets in locations near work stations.

vi) 1.5" conduit for four (4) phone/data lines; two (2) phones, one for a computer, and one for a fax.

vii) Counter near the front entry.

viii)Window for Public.

b) Main Entry Door: Main entry door and entry area located next to the Watch Room/Office with an ADA accessible Restroom adjacent to this area.

c) Day Room: Day Room with large chairs for total crew assigned to the station.

i) 4' X8' Wall mounted Dry-Erase Board with a bottom shelf.

ii) 3' X 6' Wall mounted Bulletin Board.

iii) 4" X 6' built-in bookcase. Shelves with 1 ¼" adjustable edge facing on the front.

iv) Built-in cabinet with a space for a 52" TV and video cassette recorder, with access to a double duplex outlet. Unit to be designed with the book shelving.

v) Carpeted floor area.

d) Kitchen and Dining Area

i) Kitchen and Dining Rooms may be designed together or considered separate. The dining area shall be 15' -20' x 20-25' and the Kitchen shall be 14-16' x 16-20'. If the two are to be open to each other, sufficient wall space be considered to allow adequate cabinets for storage.

ii) Porcelain tiled flooring.

iii) Cabinet Space/Storage Space:

(1) Cabinets shall be WIC custom grade.

(2) Sides, bottoms, backs, and doors are to be ¾" exterior glue plywood Formica laminated on all exposed sides. The top is to be plastic laminate counter top. Shelves shall be ¾" exterior rated ply covered on both sides with laminate, edge faced with 1¼" banding and be adjustable. No particle board with melamine.

(3) Doors are to be installed with SS Rockford Process Control hinges, 851 overlay brushed stainless steel. Pulls are to be stainless steel wire pull type.

(4) Cabinets exposed surfaces shall be plastic laminated material.

(5) Three separate pantries, 2' x 2' x 8' with adjustable shelves and individual lock and key for each.

(6) Cabinets with 12" deep shelving and electric microwave including electric hook-up over the Kitchen counter for dishes and food.

(7) 37.5" Counter tops with drawers on heavy duty glides.

(8) 18" X18" X 10" deep double sinks with 3-holes for faucet, spray accessory and filtered water spigot. Electrical outlets with stainless steel cover plates. Heavy duty (minimum ¾ horsepower) stainless steel garbage disposal.

(9) Electric and water lines for dishwasher.

iv) Wall and Floor Surfaces

(1) Semi-gloss 100% acrylic painted walls surfaces.

(2) 22 gauge type 304 brushed stainless steel wall surface adjacent to the range cooking surface, including the sides of the cabinets.

(3) Porcelain tiled flooring.

v) Refrigerators: Space, water supply, and electrical outlets and ventilation for three (3) 36" wide refrigerators.

vi) Gas Range and Oven: Space for a 48" wide heavy duty gas range and oven. The adjacent cabinets and rear wall to be covered in stainless steel.

vii) Range Hood:

(1) Stainless steel residential hood sized to extend 6" beyond each stove edge. 48" range with the hood compatible with BTU output of the provided range.

(2) Range hood to include two (2) lights; a two-speed, roof-mounted exhaust fan with a ¾ hp motor capable of proper DFM; and removable washable stainless steel filter screens. It shall conform to Health Code, UBC, UMC, and NEC as adopted by the City and County.

viii) Cabinet space and electrical outlet for a 1.5 cubic foot microwave over.

7) SLEEPING AREAS: All dimensions are in the clear.

a) The Battalion Chiefs' quarters are providing a 10' x 10' office separate from a 10' x 12' dorm area with an attached Restroom.

b) The Captain's Room is to be 10' x 12'.

c) The firefighters and medics are to have 10' x 10' room in the clear.

d) Sleeping areas shall be located to minimize disturbance when one crew is called to respond. Each room shall be insulated and have sound battens on adjoining walls.

e) Lockers are to be provided in each Dorm Room.

i) Three lockers shall be located in each room.

ii) Provide a padlock key set master 60.

f) Lighting

i) Provide fluorescent wall-mount lighting above each bed, with individual control.

ii) The overhead lighting fixture is to be individually controlled from within each room.

iii) Provide an exterior window (when possible) to provide natural light.

iv) Wall-mounted adjustable television brackets shall be placed in each Dorm Room, with cable and electrical outlets provided.

8) BATHROOMS

a) Bathrooms will be provided that will accommodate separate male and female occupancy.

b) Provide a shower, a sink, and a water closet per each three (3) firefighters/medics (4 totals).

c) The showers shall be 36" x 40" minimum, in the clear, with individual drying enclosures which will be contiguous with their respective showers. The enclosure will have a folding seat and stainless steel frame, as Bobrick B5191, a double SS hook and a 24" towel bar, Bobrick B205. A shower rod, Bobrick B6047, with SS curtain hooks and shower curtain, Bobrick B204-2, will be installed. Showers are to be hot mopped. The tile at the shower area is to be epoxy grouted.

d) Lavatory sinks are to be mounted on 37½" cabinets, specified to match the Kitchen in quality, and to be epoxy grouted tiles on sealed wonder board or equal. The mirror will be constructed with a SS frame, as Bobrick B290; callout varies with size, minimum 2' x 2'. A liquid soap dispenser and paper towel holder as Waxie 850120-6301, a 24" SS towel bar will be installed, and SS shelf will be provided.

e) Floors are to have floor drains and be finished in tile. The walls are to have tile wainscot to 4'.

9) EXERCISE/PHYSICAL CONDITIONING AREA: An Exercise Room or Physical Conditioning area shall be provided in the Fire Station. This room shall be a minimum

of 18' x 20" and be provided with a window (if possible), and have HVAC. The floors shall be covered with rubber matting.

10) STORAGE ROOMS: Provide two (2) mini storage rooms, both are to be 3' x 4'. One is to have a lock fitted door for medical supplies.

11) PATIO: Provide a private patio with a gas outlet and electrical outlet for a barbeque.

12) FUEL DISPENSING SYSTEM:

a) Above ground 1,000 gallon fuel tank and pump shall be provided and shall comply with all current Federal, State, and County requirements.

b) The fuel dispenser shall be located in a place with minimum visibility and access to the public.

c) Provide a 20' retractable hose, which connects from the nozzle to the fuel dispenser. The nozzle shall have an automatic shut off feature.

d) Provide an emergency shutoff switch in an approved location, clearly visible from the refueling area.

e) Outside lighting shall be provided in the refueling area.

13) STAND-BY GENERATOR

a) A diesel fueled standby generator shall be provided for continuous standby service and sized at 60 KW or other designated size by the fire Department.

b) Fuel tank shall be integrated with the generator and have remote fill capability. Tank will be sized to provide 48 hours of operating run time and shall meet all applicable codes and regulations.

c) A trickle charge shall be installed to maintain proper charge of generator batteries.

d) The standby generator shall operate the following location as a minimum, overhead doors, all communications equipment including phones, alert monitors with amplifiers, kitchen appliance and refrigerators, minimum selected lighting throughout the station, fuel dispensing systems, various selected outlets throughout the station (emergency outlets shall be color-coded red and there will be a minimum of one per room), exhaust extraction system.

e) The generator and its engine shall meet the most current Federal, State, County, and Local laws, regulations, standards, and codes. The engine shall be certified, and meet all State and Local EPA standards.

14) GENERAL PLUMBING

a) Toilets shall be floor mounted, with water saving flush valves.

b) The Kitchen and Restrooms shall have floor drains with trap primers, Primers are to be solid brass or bronze, no plastic parts, and are accessed via inspection panels.

c) Hose bibbs on the building shall be installed with box housing and by key controlled type.

d) Plumbing walls should have 2" x 6" studs.

e) All hot water pipes are to be insulated.

f) Shower valves are to be Moen; posi-temp, Model L2382 and shower heads are to be Moen adjustable spray head.

g) Kitchen faucet is to be Chicago, hot and cold single wing handles, swing spout with hose and spray, Model 1102, or approved equal.

h) Lavatory faucets are to be single handle, Moen L4721.

15) GENERAL ELECTRIC

a) All exterior lights shall be energy conserving and time clock controlled.

b) Cost of replacement bubs will be considered in selection of fixtures.

c) Flexible conduit should only be used to connect motors and for layout of fixtures.

d) All receptacles ad switch boxes shall be 4" x 4" x 1½" mud rings.

e) Telephone systems; computer systems; radio communications; and cable television systems; shall be designed in the building development using conduit.

f) Computer systems shall be on dedicated circuits.

g) Use stranded conductors for all feeders and branch circuits.

h) All wall switches shall be commercial grade, heavy duty, 20 amp, 120v/277v; and duplex receptacles shall be commercial grade, heavy duty, 15-20 amp 120v/277v

i) Wall plates shall be non-breakable nylon or stainless steel.

j) Use T-8 and other energy efficient fluorescent light systems wherever possible. No incandescent lamps.

k) Provide a wire marker on each connector in the pull panel, pull boxes, and junctions boxes. Label the inside of all cover plates and the junction boxes with the circuit number.

l) Connect all wiring device grounding terminals to an outlet box with bonding jumper.

m) Provide source protector (surge protection) for power entering the building.

16) TRASH ENCLOSURE: Adequate enclosed space shall be provided for trash and garbage containers. The enclosure dimensions shall be consistent with the latest development and water quality standards. The enclosure shall allow for regular and recycled trash bins.

IV.2 Facility B: Neighborhood Park

The following describes minimum project requirements for the Neighborhood Park Facility. City recommends that proposing Consultants may visit City's Celebration Park (a similar in design and features) located at Oliver Street and John F. Kennedy Drive. In addition, attached is Exhibit 'D' of the City's Rock Ridge Park as a sample design. City's expectations will be discussed during scoping meeting:

1) Entrance Structure (lumber and CMU) with open sides with a roof pergola.
2) 24-30 ft. wide driveway entrance gate, 6 ft. in height of tubular steel, galvanized, painted or power coated finish. Two piece gate on tracks and locking provisions. Walkway entrance gate of tubular steel. Design appropriate to neighborhood culture and community needs.
3) Tubular steel and CMU fencing.
4) Minimum 50 Vehicle Parking area with lighting and landscaping.
5) Children Play Area. Separate playground areas for children groups 2 to 5 and 5 to 12. Detailed design requirements to be provided during initial planning phase.
6) Water feature provided funding is available.
7) Walking trail – 10 ft. wide of either concrete or asphalt with appropriate lighting.
8) Male and Female restroom facility along with maintenance storage area, utilities equipment room, and cleaning supplies equipment room. Minimum two stalls each side. Electronic opening/locking device for restroom.
9) 2 – 36 ft. gazebos including concrete tables and benches.
10) Concrete benches.
11) Grassy knolls.
12) Landscaping of approved plant/tree/other landscape materials.
13) Possible pad and/or grassy knoll area for future Community Building.
14) Future plumbing, sewage, and electrical requirements for future Community

Building.

15) The consultant will conduct neighborhood meetings to solicit input from the neighbors and incorporate context sensitive design elements in the plans and specifications.

PROJECT MANAGEMENT AND DESIGN CONSULTANT SERVICES

Project Management (PM) Services

The designated Consultant Project Manager, under the general direction of the City's Program Manager, shall be responsible for overseeing and coordinating all aspects of project development through bid documents preparation, bid and award, and Construction Management (CM) of the projects for the Facility A, and B.

Typical Project Management Services shall include, but are not limited to:

1. Prepare and maintain a project schedule (Base and follow-on updates) including identifying the critical path for expeditious project completion. Develop Recovery Schedule, if project is falling behind schedule.
2. Prepare and maintain a spending plan on deliverable as well as monthly basis.
3. Identify project over runs/short falls in a timely manner and develop recovery action plan.
4. Conduct and attend design kick-off meeting with all stakeholders.
5. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.
6. Schedule, facilitate, and attend public meetings as necessary.
7. Provide progress reports at a minimum of a monthly basis.
8. Compose all correspondence to keep the project on schedule.
9. Attend and present the project to City Council as required.
10. Prepare staff reports to City Council for authorization of agreements, amendments, Closed Session action items, etc.
11. Prepare agreements and Purchase Orders.
12. Coordinate with and prepare inter-agency agreements, if required.
13. Coordinate with funding agencies and prepare reports, updates, funding reports, and grant applications as necessary for project funding, if required/requested by the City.
14. Prepare project update write-ups.
15. Prepare annual Capital Improvement Program (CIP) budget update.

16. Prepare annual project estimate and budget for project (City Green Sheet).
17. Issue all necessary Notices to Proceed (NTP).
18. Review and process all invoices (City staff will approve).
19. Compose Requests for Proposals (RFP), Notices Inviting Proposals (NIP), and Scopes of Services to retain other related design services, services of specialty Consultants/Contractors needed during construction, such as Surveying, Inspection, Geotechnical, Material Testing, etc.; coordinate and schedule these services; and review proposals as necessary.
20. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City's Program Manager.
21. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local regulations and requirements.
22. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.
23. Report directly to the City's Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.
24. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff or outside sub-consultant, including, but not limited to Project Report, Geotechnical Report, Traffic Study (if required), Environmental Documents (if required), 15%, 35%, 65%, 95%, 100% and Bid documents, SWPPP Plan (if required), Appraisal Reports (if required), Legal and Plats (if required), and all documents related to right-of-way acquisition (if required).
25. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City's Program Manager. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:
    a. Various City Council Staff Reports.
    b. Utility correspondence letters and e-mails.
    c. Federal, State and local correspondence.
    d. Federal, State and local documentation required for the project.
    e. Right-of-way related documents and correspondence.
    f. Necessary communication and reports to the funding agencies.

26. Arrange and participate in a detailed independent review of the PS&E package, with in-depth field review and Biddability, constructability, and claim avoidance emphasis.
27. Coordinate and ensure that all stakeholders and City Divisions and Departments complete plan check of all appropriate project documents.
28. Provide plan check summary update at each plan check level and meet with the City's Program Manager to review appropriate plan check redlines/comments.
29. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Design Services

The scope of work for the Design Services consists of preparation of bid (PS&E) documents, providing design support services during the Bid and Award phase, and design support during construction and all close out activities including warrantee and guarantee activities.

The design team shall coordinate, cooperate, and work with state and city agencies/departments, utility companies, other community groups, and any other entity involved in the design/construction of the . The selected consultant shall work under the direction of the City's Program Manager.

The design team shall prepare bid documents, including all specifications, calculations, estimates, materials selections, renderings, FF&E documents, etc.

Submit all documents such as files, drawings, QA/QC reports, other reports, calculations, specifications, presentation materials, contracts, permits, etc., related to this project of Part 1 and Part 2 work at the conclusion of each work activity or any earlier stage (of the PS&E work) requested by the City's Consultant Program Manager.

(a) GENERAL REQUIREMENTS

1. Prepare detailed design schedule individually for Facilities A, and B separately, including identifiable milestones for City review and approval. The initial design schedule with identifiable milestones shall be prepared within fifteen (15) working days after Notice to Proceed (NTP). Schedule updates shall be prepared and submitted once a month or earlier, if necessary, showing progress and necessary adjustments. The schedule shall establish and identify a "Base Line Schedule" and all updates shall relate to the Base Line Schedule. Prepare design recovery schedule, if the project is falling behind schedule.

2. The schedule shall identify a Conceptual Level (approximately 15% complete) Preliminary Level (approximately 30% complete), In-Progress Level

(approximately 65% complete), Pre-final Level (approximately 95% complete), and Bid Document Level (100% complete and ready for advertisement) Submittals as milestones. The design documents will be reviewed by the City and all affected parties at the Preliminary, In-Progress, and Pre-Final levels, while final drawings will be checked against incorporation of all comments made at the Pre-Final level.

3. Develop and submit, within fifteen (15) calendar days, a QA/QC plan for the City's review and approval. QA/QC plan shall include, as minimum, design review and checking process, intra and inter disciplinary reviews and coordination at every milestone levels and comments resolution methodology.

4. Job walk by all involved discipline design team member is essential after Preliminary Level design and Pre-Final Design level reviews to establish that the drawings depict the latest existing site conditions accurately.

5. Submit a cost estimate at the Preliminary, In-Progress, and Pre-Final levels of the submittals. The Final estimate and Engineer's estimate shall be submitted at Bid Document submittal level and a day before the bid opening date.

6. Engineer's estimate Identified as the confirmed estimate submitted by the consultant one day prior to an official bid opening for the construction contract) shall fall within 10% of the lowest bid. If it falls outside the 10% margin, then, the consultant shall prepare, at their own cost, necessary revised design documents to bring the project within 10% level of the new bid. All bidding cycles must adhere to these requirements. Design revisions must be concurred and approved by the City Program manager.

7. Schedule/hold/attend/manage monthly Project Development Team (PDT) meetings. Invite City staff and other agencies (such as utility companies) as appropriate.

8. Prepare and distribute meeting agendas and minutes for all meetings. The minutes shall include a list of attendees with phone numbers and e-mail addresses, a synopsis of discussion items, any pertinent information, action items, and all of the follow-up action items.

9. Ensure that bid documents receive approval from all approving authorities.

10. Coordinate with all associated and involved City personnel and other participating entities, including all utility companies, etc. to ensure review, participation, input and resolution of issues related to design, schedule, and costs.

11. **Secure approval and permits (except those permits required to be secured by the Construction Contractor) from all applicable utility entities and any**

other agency having jurisdiction over this project in a timely manner so that the project schedule is not negatively affected.

12. Investigate and advise the City of the cost benefit for the use of Solar Energy for the project. Justify use or non use of Solar Energy on the basis of Life Cycle cost analysis.

13. Attend and participate in public meetings.

14. Attend and present the project to the City Council, Committee, Commission, and/or any task force meetings.

15. Ensure that the documents meet all applicable standards and codes.

16. Perform value analysis of the design, construction materials and methods and recommend changes.

17. Develop and prepare budget and funding controls to ensure the project is completed within the available budget.

18. Assist in preparation and/or compliance of project funding documentation, if required.

19. If requested, prepare all necessary paperwork, including coordination related to environmental clearances for the approval of bid package by all involved regulatory agencies. This activity will be considered as an additive alternative and will be negotiated separately when and if needed.

20. Prepare the General and Special Provisions sections of the specifications.

21. Compile and complete bid packages for the advertisement for construction by the City.

22. Perform a Constructability Review.

23. Perform a Biddability Review.

24. Perform a Claim Avoidance Review.

25. Coordinate and ensure the City Building Department and utility agencies complete plan checks of all construction drawings for compliance with Building and all other applicable codes are performed in timely manner as stipulated in the City approved design schedule.

26. Assist in obtaining all required permits.

(b) BID (PS&E) – DOCUMENTS REQUIREMENTS

Bid documents include, but are not limited to, architectural floor plans, elevations, sections, renderings, design and calculations related to structural, civil, mechanical, HVAC, and Fire/Life/Safety systems, power, electrical lighting, utilities, computer-related wiring and/or special arrangements and fixtures, all floor landscape layouts, fixed furniture and equipment layouts, wall elevations showing furnishings and equipment, landscaping and irrigation, site (Park) structures such as toilet facilities, maintenance building/shade, entrance, children play areas, water features, gazebos, benches, entrance gate/s, site lighting and security, parameter fencing, surveying, geotechnical investigation information provided by the independent consultant, specifications, cost estimating, and site and street improvements, etc. The Consultant shall develop bid documents with necessary and required coordination with all affected parties. The bid documents shall meet all the necessary requirements to obtain all necessary and available permits (those which are available prior to construction NTP) to perform the construction. The design shall meet ADA requirements, local, state and federal applicable codes and criteria. Following is a general description of the scope of work:

1. Architectural design services to include architectural site and buildings plans, sections, elevations, details, building systems, renderings (total of three: one interior look, one at street-level look, and one bird's eye-view), a study model, specifications and estimates. Presentations to the City Council of the design renderings and/or models and/or materials boards may be necessary for approval.

2. Investigate and advise what LEED level can be achieved with cost benefit analysis and then advise City for their consideration and approval for additional design activities to support LEED accreditation. **City desires to achieve a LEED Certification level fire station buildings but not necessarily securing the certification.**

3. Geotechnical and Survey work will be provided by the selected Consultant or their sub-consultant.

4. Structural design services to include structural site and buildings plans, sections, elevations, details and all buildings structural components, including associated calculations, materials, systems, specifications, and estimates.

5. Mechanical, HVAC and Fire/Life/Safety design services to include site and buildings plans, sections, elevations, details, design for energy conservation, heating, and ventilation, air conditioning, plumbing and fire protection systems, calculations, drawings, specifications, and estimates.

6. Electrical design services to include site and buildings plans, sections, elevations, details of power systems, electrical material, lighting, voice/data systems, UPS services for computer systems, alarms, security systems, conduit

runs and any special electrical requirements deemed necessary for the , calculations, drawings, specifications, and estimates.

Design of Emergency power and generators including coordination, approvals, applying for and receiving all necessary permits from agencies (such as AQMD) having jurisdiction to issue such permits.

7. Civil design services to include surveying, site plans, sections, elevations, details, on/off-site utility systems, fire protection system, site drainage and paving, parking lot layout including related details, calculations, drawings, specifications, and estimates.

   Survey services to include land survey as needed in support of PS&E.

   Utilities work shall include investigation and review of all existing utilities. All tie-in of utilities shall be examined and loads calculated to ensure the ultimate facility needs. All utility connections shall be new connections and no tie-ins to the City's existing utilities may be considered.

8. Landscape design services to include site planting and irrigation system plans, sections, elevations, details, specifications, and estimate.

9. Architectural/engineering design for the interior design services (fixed and selection and procurement of free standing furniture and equipment included) to include plans, sections, elevations, details, perspectives, equipment schedules, specifications and estimate of furnishings based on recommendations provided by the City staff. Interior design work shall also include floor plans indicating the location of furniture, furniture systems, furnishings, artwork, any statuary, fountains or water features, or other items to be incorporated into the .

   Develop interior design layouts including fixed and non-fixed (furniture) items. Provide matrix, specifications, and cost estimate. City will purchase the fixtures, furniture, and Equipments (FF&E) and the selected consultant shall monitor, coordinate and support all activities associated with selection, procurement, and installation.

10. Specifications to follow latest CSI format. The City will provide General Conditions (GCs) while the consultant shall develop Special Conditions (SCs), technical specifications, and liquidated damages calculations.
11. Estimates to include quantities, schedule of values and any other assumptions in support of the estimates. Estimates to reflect mid-point of construction.
12. Value analysis of site, building materials, systems, and interior elements to ensure the best value for the City's investment. This analysis shall be carried out to ensure that the facility is being built within the available budget.

13. Biddability, Constructability, and Claim Avoidance reviews.

14. Presentations, as deemed necessary (up to three), to the City Council and/or City staff.

(i) FORMAT FOR PLANS AND SPECIFICATIONS

1. The PS&E must conform to the City of Moreno Valley's standards and format. The Consultant shall provide clear, concise, and complete plans which shall include, where applicable, the title sheet, General Notes and Abbreviations, Civil, Geotechnical, Survey, Grading and Drainage, Architectural, Utilities, structural, HVAC, Mechanical, Electrical Lighting and Power, Plumbing, Landscaping, Irrigation and other appropriate and necessary disciplines. The scales for the plans are 1" = 4' or 8' (as necessary) and 1" = 20' or 1" = 40' for site civil, or utilities plan sheets, if desired. The City of Moreno Valley's standard title block shall be used for all sheets.

   The Consultant shall indicate on the plans the stationing of all intersections, beginning and end of curves, and breaks in alignment. Survey monuments and monument wells shall be noted on the plans for preservation. Missing monuments shall be installed per City Standards. Monuments are to be placed in all street intersections, public and private. The setting or marking of the actual monuments shall be done under the direction of a licensed land surveyor at the end of construction, and a Record of Survey shall be filed with the County and copy shall be submitted to the City. These items must be quantified and shown in the PS&E. The Consultant shall note that the Contractor shall be responsible for replacing disturbed monuments or ties after construction is completed.

2. The Title Sheet shall include, but not be limited to: Project title, vicinity (location) map, title block, north arrow, scales, general notes, telephone numbers of utilities, and other affected agencies and businesses, sheet index, and other required notes and information.

3. Traffic Control Plans shall address handling of traffic, long-term closures, and representative construction signage for the major elements in logical stages of the project construction and shall be in accordance with the latest California Manual on Uniform Traffic Control Devices (MUCTD) and/or Work Area Traffic Control Handbook (WATCH) Manual, as appropriate.

4. Detail Plans shall be provided where standard plans are not available or where specific dimensioning cannot be readily shown on the improvement plans or provided by description in the project specifications or as needed to insure project constructability.

5. All drawings shall be prepared with AutoCAD Land Development software or design software that is compatible with the Land Development software approved by the City. The design shall be plotted using permanent drafting ink on Mylar, and drafted on twenty-four inch by thirty-six inch (24" x 36"). The Consultant is required to put hanging file tabs on all Mylar sheets. The final Plans shall be signed by a Civil Engineer registered in the state of California. No "stick-ons" will be allowed.

   The originals and the electronic data of these drawings are to be considered to be the property of the City at all times, and shall be submitted to the City, along with a CD-RW disk in AutoCAD Land Development format, upon completion or as otherwise directed by the City. The electronic data shall also include all survey data and point information.

6. Specifications - The Consultant shall be responsible for compiling the project Specifications, in the manner established in **CSI format**, signed by a Registered Architect or Engineer (as appropriate in their discipline specialty) registered in the State of California, which is complete and ready for bidding purposes. The latest edition of the Greenbook (Standard Specifications for Public Works Construction and subsequent amendments) may be used on the project, except for traffic signals, striping, and traffic signs. The technical portion of the Caltrans Standard Specifications shall be used for the traffic signals, striping, and traffic signs.

(ii) GENERAL DESIGN SUBMISSION REQUIREMENTS

The City has established criteria/requirements for design submittals at Preliminary Level (approximately 30% complete), In-Progress Level (approximately 65% complete), Pre-final Level (approximately 90% complete), Final Level (100% complete) completion for project reviews and payment purposes. A description of "General Design Submission Requirements" is attached as Exhibit "A".

(iii) SUBMITTALS REQUIREMENTS FOR THE CITY, AGENCIES, UTILITIES, ETC.

1. The Consultant shall submit six (6) sets of bound copies of the design drawings, specifications and estimate with each submittal for checking to the City, along with the previous redlined check prints. At 15%, Conceptual level Design, submit only concept plans, sketches, renderings (if any) and colored design set for City Council Study Session review and concurrence/approval. At 35% submittal, submit only Index Sheet of the specifications and estimate appropriate to the completion of the design development. At 65% submittal, submit only technical and special

provisions of the specifications and estimate appropriate to the level of design development. At 95% completion, complete set of specifications, including general conditions, City's Boiler Plate (modified as appropriate), technical specifications, and special provisions including liquidated damage calculations. In addition the estimate shall be complete. It shall include quantities and bid item list. The design drawings shall be as complete, accurate, and error-free as possible before plan checking is considered, in order to reduce the number of plan checks required and related costs therefore to the City and Consultant. Incomplete submittals may be rejected.

2. The Consultant shall submit four (4) sets of any reports, such as geotechnical and/or quantity calculations with each submittal for checking to the City, along with the previously checked reports. All reports and calculations shall be signed by a State of California Registered Engineer in their appropriate discipline.

3. The Consultant shall, at no cost to the City, correct errors, omissions, and unworkable and/or improper design/drafting on the original drawings, which are discovered subsequent to the completion of the plan checking process.

4. The City shall receive a copy of all transmittals, submittals, and letters sent to utilities and agencies regarding the project.

(iv) ESTIMATE OF QUANTITIES AND COST

The estimated quantities shall itemize all new, remodeled, reconstructed, relocated improvements. The estimated quantities shall be arranged in chronological order of construction and shall contain all the information necessary to prepare the Engineer's Estimate in the format specified by the City or associated agencies. The Engineer's Estimate and bid schedule shall be broken out by funding source or as otherwise directed by the City Program Manager.

Computations showing estimated quantities, costs, and sum totals shall be submitted to the City for review. Submission of computations does not relieve the Consultant's responsibility of submitting an accurate estimate of quantities. The Consultant shall, at the 35%, 65%, 95%, 100%, and Final Plan stages, submit estimated quantities calculated and listed by plan sheet, for review by the City. The Consultant's final construction cost estimate shall be based upon, and in agreement with, the final estimate of quantities.

The final cost estimate must be within the 5% of the City's construction cost budget.

The consultant shall submit an "Engineer's Estimate" a day before the bid opening day in a sealed envelop. This estimate will be opened along with bids. If the lowest responsive and responsible bid is 10% higher than the Engineer's Estimate and if the City decides to re-advertise the project then the consultant shall revise the bid documents, at their own cost, for re-advertisement and bring in the bid within the 10% range.

(v) STORM WATER POLLUTION PREVENTION PLAN (SWPPP) (if needed)

The Consultant shall prepare a Storm Water Pollution Prevention Plan, if required for this project, in accordance with either the San Jacinto Construction Activity Permit or the General Construction Activity Permit depending on the permit area of coverage. The Consultant shall prepare the Notice of Intent (NOI) and process the SWPPP for approval through the Regional Water Quality Control Board and other appropriate authorities and agencies.

(vi) COPIES OF CONTRACT DOCUMENT PACKAGE

The Consultant shall make one full size and two half size sets of the bid documents for City files and shall submit the bid documents in electronic format so that it can be reproduced in electronic medium for distribution to all potential bidders.

The consultant shall provide the documents and copies for distribution to the contractor. The City shall reimburse the cost as direct reimbursable expenses. Consultant shall budget $15,000 in their proposal for this reimbursable cost.

(vii) OWNER OF ORIGINAL DRAWINGS, DOCUMENTS, AND OTHER INFORMATION

The City will be the owner of all original drawings, documents, and digital information. All digital and or computer generated drawings shall be the property of the City and a copy shall be submitted to the City on a CD-RW disk.

(viii) PROJECT SCHEDULE

The Consultant shall prepare a project schedule and provide hard copies for reports and staff usage. The project schedule shall be updated regularly and handed out during the PDT meetings.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion. The schedule shall include, but is not limited to, three design stages, final plan check, bid document preparation, advertising, construction, and any other applicable tasks. All the required time for project reviews and processing and associated agency and utility contacts and coordination shall be shown.

(c) DESIGN SUPPORT SERVICES DURING CONSTRUCTION (AS PART OF DESIGN SERVICES – PERFORMED BY THE DESIGN TEAM) REQUIREMENTS

During the construction phase, the Consultant's Design Team services shall include, but are not limited to, support activities associated with the following:

1. Assistance to the City in procurement of furniture and furniture systems shall include, but is not limited to, coordinating with vendors, manufacturers and suppliers to verify lead times and ensure proper delivery dates for placement/installation.

2. Management and coordination for the processing of submittals, including receipt, review of, and appropriate action on Shop Drawings, Product Data, Samples and other submittals required by the Contract Documents.

3. Review, analyses, and development of independent cost estimate(s) and savings to the City of all Value Engineering Proposals (VEPs) provided by the Contractor.

4. Construction Field Observation services consisting of visits to the site (no more than 15 visits) at intervals appropriate to the stage of construction to review and report the progress and quality of the work and to determine in general if the work is proceeding in accordance with the intended design goals and objectives.

5. Preparation, reproduction and distribution of drawings and specifications, in electronic medium if feasible, to describe work to be added, deleted or modified. Preparation of drawings (including calculations) for design work associated with change orders, review of proposals from Contractor(s) for reasonableness of quantities and materials.

6. Assistance in change order negotiations with Contractor(s) on the relative costs of work proposed to be added, deleted, or modified.

7. Preparation of as-built drawings based on red-lined documents received from the field.

PART 2: CONSTRUCTION MANAGEMENT CONSULTANT SERVICES

The Construction Management Services shall include assisting the City Program Manager with general project management activities and full-service construction management during the construction phase of the project.

The Construction Management Services may also include Inspection Services. If more than one inspector is required to oversee the work, it is the responsibility of the Construction Manager to anticipate the need and to provide for the additional services required. The City Program Manager will make the final decision with regard to selecting the included Inspection Services, or to select an Inspector through the City's on-call selection process or other accepted means.

(a) GENERAL CONSTRUCTION MANAGEMENT SERVICES REQUIREMENTS

General Construction Management Services shall include, but are not be limited to:

1. Prepare and maintain a project schedule identifying the critical path for expeditious project completion.
2. Schedule and conduct the pre-construction meeting with all stakeholders, including preparations of agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.
3. Schedule, facilitate, and attend public meetings as necessary.
4. Attend and present the project to City Council as required.
5. Check all contract documents to ensure compliance with the Caltrans LAPM and funding requirements, as required.
6. Prepare all submittals to Caltrans Local Assistance in accordance with the LAPM and other Caltrans requirements, as required.
7. Prepare reimbursement requests and invoices for Caltrans and other funding agencies.
8. Prepare agreements and Purchase Orders.
9. Issue all necessary Notices to Proceed (NTP).
10. Review and process all invoices (City staff will approve).
11. Compose RFQ's, RFP's, NIP's, and Scopes of Services to retain other related design services, services of specialty Consultants/Contractors needed during construction, such as Design Review, Surveying, Inspection, Geotechnical, Material Testing, etc.; coordinate and schedule these services; and review proposals as necessary. Assist City in hiring/terminating contracts for any of these specialty consultant and once retained manage and supervise their work and personnel in support of the construction of the project.
12. Review, and approve reports, invoices, etc. of the specialty consultants and recommend their payment from the City. Negotiate and recommend

change orders for addition/deletion of their work scope and associated contract amendments for City review and approval.

13. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.
14. Maintain consistent communication (daily or weekly, depending on project activity/complexity) with the City Program Manager.
15. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.
16. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.
17. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

(b) SUPPORT DURING BID AND AWARD PERIOD SERVICES REQUIREMENTS

The Project Manager shall be responsible for administrating the advertising for construction bids and attending the bid opening of the project according to the California Contracting Code for Municipal Agencies and shall provide support during bidding and construction. The required Design and Project Management Consultant Services shall include, but not be limited to:

1. Prepare and coordinate to have bid notices advertised and posted at various trade publications and on the City's website.
2. Prepare bid packages (in electronic medium).
3. Provide an FTP website and post the project bid package for prospective bidders to download.
4. Maintain plan holder's list.
5. Schedule and conduct pre-bid meetings, if held.
6. Conduct pre-bid site visits if required.
7. Provide responses to bidders' questions.
8. Prepare and issue addenda if required.
9. Attend the construction bid opening at the City Clerk's Office. Evaluate and check all bids per established contract law.
10. Evaluate bid results.
11. Check references and licenses of bidders.

11. Select lowest, responsive, responsible, and qualified bidder.
12. Draft City Council Staff Report for award of construction contract and process the contract agreement with the lowest responsible bidder.
13. Attend the City Council meeting for award of the contract, available to answer questions, and defend the project.
14. Prepare, coordinate, and process Notice of Award, Agreements, and Purchase Order.
15. Review insurance, bonding, and other required documents.
16. Answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during bidding process and pre-construction meeting. The Consultant shall assist the Construction Manager, at no additional charge, in preparation of addenda necessary due to omissions or conflicts in the design.
17. Be available to answer questions regarding the Technical Provisions, the design drawings or conflicts in the design during the construction, and assist the Construction Manager in issuing Contract Change Orders (CCO) required, due to omissions or conflicts in the design, at no additional charge to the City.
18. Incorporate all red-line comments prepared by the Contractor and project inspector and prepare final ink on Mylar "as-built" record plans. The as-built drawings shall be provided to the Construction Manager and approved prior to the release of the final progress payment.
19. Prepare and submit GASB 34 documentation in the City's format along with the as-built drawings.

(c) CONSTRUCTION MANAGEMENT SERVICES, DURING CONSTRUCTION PHASE, REQUIREMENTS

Typical Construction Management services shall include, but not be limited to:

1. Provide contract administration for the project and coordinate with other construction, as required.
2. Conduct an independent, complete, and in-depth review of the 95% PS&E package with field reviews with biddability/constructability/claims avoidance emphasis.
3. Coordinate and participate in pre-construction contract award activities, including conducting pre-construction meeting, and issuance of Notice to Proceed in accordance with the City's procedures.
4. Establish and maintain project controls and provide administrative,

management, and related services necessary to coordinate the work of the Contractor and all sub-contractors in order to facilitate timely completion of the project in accordance with contract documents and City objectives.

5. Assist the Contractor in obtaining all building, grading, and other construction permits necessary for the project.

6. Provide, manage, coordinate, and ensure timely completion/approvals in response to all Requests for Information (RFI), shop drawings, product data samples, submittals, Change Notices, Intend to File Change Notices, and Construction Change Orders (CCO), as well as review, negotiations and issuance of the CCO to the Contractor.

   Follow the established City procedures in processing CCO. Following is a brief outline of the City's procedures:

   a. Review requests for CCO received from the Contractor.
   b. Recommend necessary or desirable project changes to the City with Design Consultant's concurrence.
   c. Assist the City with concurrence of the Design Consultant in CCO negotiations.
   d. Submit recommendations to the City relative to change order requests.
   e. Prepare the CCO, obtain project designer's concurrence, and obtain Contractor and Design Consultant's signature on the CCO forms for the City's consideration, review, and approval.
   f. Prepare staff report(s) for City Council approval of CCO, if necessary.

7. Ensure that contractor's daily work effort is documented.

8. Prepare agenda, conduct weekly construction progress meetings and distribute minutes within three (3) working days.

9. Ensure adequate inspection coverage for the project, coordinate and oversee project inspector(s).

10. Schedule Building and Safety inspection of Electrical Service/Cabinets, footings, specialty retaining walls, or as otherwise required.

11. Coordinate and schedule SCE service for the irrigation controller cabinets.

12. Coordinate and schedule telephone service with the City's Telecommunications Engineer.

13. Coordinate and schedule needed water service, water meter(s), and re-location of water line etc. with the local water surveyor as necessary for the project.

14. Schedule with the City's Traffic Operations Supervisor to inspect new and modified traffic signals. The Consultant shall be responsible to document all work, including the Traffic Supervisor's inspection in the Consultant's Daily Diary.

15. Provide administrative, management, and related services as required to coordinate work and to complete the project in accordance with the City's objectives for cost, time, and quality. The Consultant shall provide sufficient qualified personnel and management to carry out the requirements of the Project.

16. Schedule and conduct pre-construction and construction progress meetings to discuss such matters as procedures, progress, problems, scheduling, and coordination and other project related items. General construction progress meetings may be required on a weekly basis until the project is completed. Primary attendees will include: Utilities, Agencies, the City of Moreno Valley, and the Contractor. Prepare meeting agendas, and minutes for all meetings. The minutes shall be prepared and distributed to all attendees within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phone numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

17. Obtain building permits and special permits for the improvements. The Consultant shall verify that the applicable fees and assessments have been paid, and shall assist in obtaining approvals from authorities having jurisdiction over the permits.

18. Maintain continuous 24-hour telephone accessibility during construction activity for emergency use.

19. Maintain the record copies of the following:

    a. Plans, specifications, and contract documents with all changes and modifications.
    b. Permits.
    c. Addenda(s), change order(s), shop drawings, product data, submittals, and samples.
    d. Progress payments, inventories, and applicable codes.
    e. Contractor's reports, correspondence, certified payrolls, and accident reports.

f. Survey and layout data and certifications, photographs of as-built locations and depths.

g. List of addresses, telephone and license numbers of General Contractor, all sub-contractors, material suppliers, and utility agencies.

20. Determine whether the work of the Contractor is being performed in accordance with the requirements of the contract documents, and endeavor to guard the City against defects and deficiencies in such work. The Consultant shall make recommendations to the Engineer regarding special inspection or testing of work not in accordance with the provisions of the contract documents whether or not such work is then fabricated, installed or completed. The Consultant shall also inform the City of work that does not conform to the requirements of the contract documents. The Consultant shall review the Contractor's recommendations for corrective action on observed non-conforming work.

21. Consult with the Design Consultant and City Program Manager if any contractor requests interpretations of the meaning and intent of the PS&E, and shall assist in the resolution of questions which may arise.

22. Identify and report potential contractor claims and recommend resolution.

23. Prepare the weekly statement of working days and send to the Contractor on a weekly basis.

24. Conduct interviews with the Contractor's and subcontractor's employees to ensure labor compliance as described in the Caltrans LAPM.

25. Compare Certified Payrolls with Inspection Reports, employee interview forms, and the Prevailing Wage Rates, and verify proper payment in compliance with the project Specifications.

26. The Consultant does not have authority to make changes or deviations from the Plans and Specifications, except as authorized by the Design Consultant and City Program Manager.

27. Incorporate approved changes as they occur.

28. Review, comment and recommend processing of invoices for progress and final payments.

29. Endeavor to achieve satisfactory performance from ~~each of~~ all players involved in the project, including FF&E vendors, utility companies, permitting agencies, testing entities, and the contractors and recommend courses of action to the Engineer when requirements of a contract are not being fulfilled and the non-performing party will not take satisfactory corrective action from the Consultant or Engineer.

30. Provide regular monitoring of the approved estimates of Total Construction Cost, showing actual costs for activities in progress, and estimates for uncompleted tasks. The Consultant shall identify variances between actual and budgeted or estimated costs, and inform the City Program Manager whenever Project costs exceed budgets or estimates.

31. Maintain cost accounting records on authorized work performed under unit costs, additional work performed on the basis of actual costs of labor and materials, or other work requiring accounting records.

32. Ensure that safety programs are developed by the Contractor as required by their contract documents, and coordinate the safety programs for the project.

33. The Consultant shall not be responsible for the construction means, methods, techniques, sequences, safety and procedures employed by the Contractor or to coordinate and direct the subcontractors of the Contractor in performance of their contract with the City. The Consultant shall also not be responsible for the failure of the Contractor to carry out their work in accordance with the contract documents. The Consultant shall be responsible, however, for any reports, advice or information provided to the Design Consultant regarding the Project and the work of the Contractor, including any information regarding the compliance of their work with the contract documents.

34. The Consultant shall provide documentation (e.g. memorandum, letter, email, etc.) to the Contractor, City Program Manager, etc., regarding all important issues, decisions, and discussions within three (3) working days.

35. The Consultant shall be required to document and submit weekly written progress reports to the Engineer on multiple construction phases of the project, which shall include information on the Contractor and the Contractor's work, as well as the entire Project. The Consultant shall also keep a daily log containing a record of weather, the Contractor, work on the site, number of workers, craft or trades, equipment, subcontractors, work accomplished, problems encountered, and other similar relevant data as the Design Consultant may require. The Consultant shall make the log available to the City.

36. Observe the Contractor's check-out of utilities, operational systems and equipment for readiness, and assist in their initial start-up and testing.

37. Determine when the Contractor's work or a designated portion thereof is complete. The Consultant shall prepare a list of incomplete or unsatisfactory items (punch list) and a schedule for their completion. The Consultant shall coordinate the correction and completion of the Work.

38. Evaluate the completion of the work of the Contractor and make recommendations to the City Program Manager when work is ready for final inspection. The Consultant shall assist the City Program Manager in conducting final inspections and shall secure and transmit to the City Program Manager required guarantees, affidavits, releases, and waivers. The Consultant shall also deliver keys, manuals, and record drawings to the City.

39. Perform any necessary management services during the warranty period of the construction contract.

40. Address any business owner's and property owner's concerns and inquiries.

41. Coordinate close-out of the project; obtain necessary operation manuals, warranties, guarantees, and other applicable necessary information. Provide all documentation in a well-organized (binders, folders, CDs, etc.) manner in both electronic and hard copies.

42. Obtain all releases and warranty bonds from the Contractor and sub-contractors. Provide all documentation in a well organized (binders, folders, CDs, etc.) manner in electronic and hard copies.

43. Deliver a final completed project to the City which is in compliance with the PS&E package, and all applicable codes, standards and requirements.

44. Provide a redline set of as-built plans to the Design Consultant to place as-built information on the Mylars.

45. Prepare status report for project close-out, prepare Staff Report for project acceptance and assist with filing of Notice of Completion.

46. Present the City with a complete project close-out file.

47. Perform such other project related duties as may be required by the City.

48. Perform warranty walk within one (1) year of the Notice of Completion.

49. The extent of the duties, responsibilities, and limitations of authority of Consultant as a representative of the City during the construction shall not be modified or extended without the written consent of the City Program Manager.

(i) INSPECTION SERVICES

In general, the Consultant Inspector shall have the necessary experience and know-how of construction equipment, materials, methods, and workmanship for the specific work to be performed on the projects. The Consultant Inspector shall be able to understand and interpret Plans and Specifications and shall be familiar with the Greenbook (Standard Specifications for Public Works Construction), Caltrans Standard Specifications, City Standards, and OSHA Construction Safety Orders. The Consultant Inspector shall be able to interact professionally with contractors, engineers, property owners, business owners, and the public at large; coordinate with other City personnel; promote quality customer service; and respond promptly and courteously to requests. The Consultant Inspector shall be able to follow verbal and written instructions, communicate clearly and concisely, both orally and in writing.

Typical Consultant Inspection services shall include, but not be limited to:

1. Review the Plans and Specifications thoroughly prior to the pre-construction meeting.

2. Establish effective communications with the Contractor, other agencies, utilities, and business and property owners.

3. Ensure compliance with the Plans, Specifications, and other requirements, such as, but not limited to, the Contract, Traffic Control, Cal/OSHA Standards, CCO, Permits, Standard Plans, checking line, grade, size, elevation, and location of improvements.

4. Monitor extra work.

5. Perform project oversight for the monitoring of traffic control, damage to infrastructure, and replacement of infrastructure to City Standards.

6. Attend the weekly construction meetings.

7. Keep daily dairies (log), fill out Incident (accident) Reports, and take pictures of the project. A daily Inspection Report identifying work done by the Contractor shall be submitted to the Consultant Project Manager on the next business day for review and filing.

8. Document all Contractor delays, reasons for delay, length of time for delay, and Phases of work.

9. Monitor and provide supporting documentation on the personnel and equipment that is involved with any extra work performed by the Contractor.

10. During the course of inspection and monitoring of the work, if the Consultant Inspector observes an unsafe situation, he shall notify the Contractor of the violation and provide written notification of such infraction to the Contractor. If the Contractor refuses to comply, the Consultant Inspector shall notify the City and Cal OSHA.

11. Measure and tabulate contract quantities.

12. Review the Contractor's invoices, verify completed work, and approve all quantities.

13. Prepare a list of items for correction (punch list) and prepare redlined as-built plans.

14. The Consultant Inspector does not have the authority to allow deviations from the Contract Plans and Specifications.

15. Possess a digital camera, and shall provide digital images of the project to the City of Moreno Valley in "jpg" format.

16. Possess a vehicle and a mobile phone for immediate contact by the City, show proof of a valid California's driver's license, and insurance.

17. Normal working hours are from 7:00 a.m. to 3:30 p.m. with a 1 hour lunch break; however, the Contractor may be allowed to start earlier to minimize disruption to business and intersection work may be performed at night with written authorization from the City.

18. Perform other related duties as required.

V. CONSULTANT'S PROPOSAL AND COMPENSATION

The Consultant's Proposal shall be no more than 50 pages, for both Professional Design and Project Management Consultant Services ***and*** for Construction Management Services. The page limits exclude a cover letter of up to two pages, resumes up to two pages per person, dividers, certificates, and appendices. Resumes, billing rates, project schedule, resource matrix, certificates, and other required forms shall be attached in the appendices. Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services and failing to comply with requirements and conditions of the Request for Proposal will not be given further consideration.

At a minimum, the Proposal shall include the following sections:

A. **Project Understanding:** This section should clearly convey clear understanding of the nature of the work, identification of major project issues, and proposed solutions thereof, from both the Consultant and the sub-consultants (consultant team).

B. **Approach and Management Plan:** This section provides the consultant team's proposed approach and management plan for providing services. Include an organization chart showing proposed relationship among consultant team/staff as well as any other parties that may have significant role in the delivery of this project.

C. **Qualifications and Experience:** Provide qualifications and experience of the team for this project. Emphasize the specific qualifications and experience from projects similar to this project for the key team members including references. Identify and provide in-depth information for the proposed project manager's qualifications, track record and relevant experience.

D. **Staffing Plan:** Discuss staffing plan, the workload, both current and anticipated, for all key team members, and their capacity to perform the requested services according to the proposed schedule. Discuss the firm/team's approach for completing the services required for this project within budget and schedule.

E. **Work Plan and Schedule:** Include a description of how each task of the project will be conducted, identification of deliverables for each task and implementation schedule. The work plan should include sufficient detail to demonstrate a clear understanding of the project. Discuss the consultant team's approach for completing the project.

F. **Quality Control and Assurance:** Discuss QA/QC proposed for each phase/deliverable for this project, including various independent plan check reviews and 95% plan Biddability/constructability/claims avoidance reviews.

G. **Additional Relevant Information:** Provide additional relevant information that may be helpful in the selection process (not to exceed two pages).

The Consultant's Proposal shall include the following statements:

1. A statement that this Request for Proposal (RFP) shall be incorporated in its entirety as a part of the Consultant's Proposal. The Price Proposal along with resource allocation matrix, submitted at a later date, will also become an attachment to the Consultant RFP.

2. A statement that this Request for Proposal and the Consultant's Proposal (along with the Price Proposal) will jointly become part of the Agreement

for Professional Consultant Services for this project when said Agreement is fully executed by the Consultant and the Mayor or City Manager of Moreno Valley.

3. A statement that the Consultant's Services to be provided, and fees therefore, will be in accordance with the City's Request for Proposal except as otherwise specified in the Consultant's Proposal under the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL."

4. A single and separate section with the heading "ADDITIONS OR EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Consultant's Proposal is contingent and which shall take precedent over this Request for Proposal for Professional Consultant Services. **EXCEPTIONS TO THE INDEMNIFICATION/ LIABILITIES/ TERMINATION FOR CONVENIENCE OF THE CITY CLAUSES OF "THE CITY'S STANDARD CONTRACT AGREEMENT" SHALL NOT BE ACCEPTABLE. AN EXCEPTION TO THIS CLAUSE SHALL DISQUALIFY THE CONSULTANT PROPOSAL FROM FURTHER CONSIDERATION.**

   A Sample Agreement is attached for your reference. Exceptions/ Changes to the Agreement are not acceptable.

5. A statement of qualifications applicable to this project including the names, qualifications and proposed duties of the Consultant's Staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses and telephone numbers of the appropriate persons whom the City could contact. If one or more of the Consultant's staff should become unavailable, the Consultant may substitute other staff of at least equal competence only after prior written approval by the City.

6. A resource allocation matrix *must* be submitted by the selected firm(s) (and only after the interviews) along with Price Proposal (to be submitted after the interview and from the selected firm/s). The resource allocation matrix must list detailed tasks in rows and the appropriate individual (Job Title Only) as well as the number of hours that these individuals will be working on each task listed, will be included in adjacent columns. The resource allocation matrix and the project design schedule are required of both the primary consultant, as well as any sub-consultant. Failure to do so will result in the Consultant's Price Proposal being deemed incomplete.

   The resource allocation matrix, in addition to any tasks the Consultant chooses to list, shall include but not be limited to meetings, Traffic Studies,

Hydrology/Hydraulics Studies, Storm Water Pollution Prevention Plans, right-of-way investigations, As-Built Drawings, and GASB 34 documentation.

7. A rate schedule *must* be submitted with the Price Proposal. The rate schedule must list titles, names, roles, and hourly billing rates in rows. A statement that said hourly rate schedule is part of the Consultant's Price Proposal for use in invoicing for progress payments and for extra work incurred shall also be included. All extra work will require prior approval from the City.

8. A statement of sub-consultant's (include relief personnel) qualifications applicable to this project including the names, qualifications and proposed duties of the sub-consultant's staff to be assigned to this project; a listing of recent similar projects completed including the names, titles, addresses, and telephone numbers of the appropriate persons whom the City could contact.

   A statement that the Consultant acknowledges and understands that the Consultant will not be allowed to change the sub-consultant without written permission from the City.

9. A statement that all charges for Consultant services is a "Not-to-Exceed Fee" which must include conservatively estimated reimbursable expenses, as submitted with and made a part of said Consultant's Proposal.

10. A statement that the Consultant will document and provide the results of the work to the satisfaction of the City. This may include preparation of field and final reports, or similar evidence of attainment of the Agreement objectives.

11. A statement that the Consultant will immediately document and notify the City of any defects or hazardous conditions observed in the vicinity of the project site prior, during, or after the construction work.

    A copy of the Consultant's hourly rate schedule and a statement that said hourly rate schedule is part of the Consultant's Proposal for use in invoicing for progress payments and for extra work incurred that is not part of this Request for Proposal. **A Fee Proposal and the Resource Allocation Matrix are <u>NOT REQUIRED</u> with the initial RFP submittal. The selected 1st and 2nd ranked consultants will be requested for the Price Proposal and Resource Allocation Matrix.**

12. All extra work will require prior approval from the City.

13. A statement that the Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

14. A statement that all federal laws and regulations shall be adhered to notwithstanding any state or local laws and regulations. In a case of conflict between federal, state or local laws or regulations the strictest shall be adhered to.

15. A statement that the Consultant shall allow all authorized federal, state, county, and City officials access to place of work, books, documents, papers, fiscal, payroll, materials, and other relevant contract records pertinent to this special project. All relevant records shall be retained for at least three years.

16. A statement that the Consultant shall comply with the Davis-Bacon Fair Labor Standards Act (40 USC 276-a through a-7), and the implementation regulations issued pursuant thereto (29 CFR Section 1, 5), any amendments thereof and the California Labor Code. Pursuant to the said regulations, entitled "Federal Labor Standards Provisions," Federal Prevailing Wage Decision" and State of California prevailing wage rates, respectively.

17. A statement that the Consultant shall comply with the Copeland Anti-Kickback Act (18 USC 874) and the Implementation Regulation (29 CFR 3) issued pursuant thereto, and any amendments thereof.

18. A statement that the Consultant offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 USC Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works or the subcontract. This assignment shall be made and become effective at the time the City tenders final payment to the Consultant, without further acknowledgment by the parties.

19. This Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.

    DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, "Participation by Disadvantaged Business

Enterprises in Department of Transportation Financial Assistance Programs"). The Proposer should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The Proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Pursuant to recently released Race-Neutral DBE policy directives issued by the U.S. DOT in response to the Ninth Circuit U.S. Court of Appeals decision in *Western States Paving Co. v. Washington State Department of Transportation*, ***the City has implemented a wholly Race-Neutral DBE Program***.

A Race-Neutral DBE Program is one that, while benefiting DBEs, is not solely focused on DBE firms. A Race-Neutral Program utilizes measures that can assist a wide variety of small businesses including DBEs, such as arranging solicitations, times for the presentation of proposals, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime Consultants to subcontract portions of work that they might, otherwise, perform with their own forces). However, under a Race-Neutral DBE Program, the City may no longer advertise DOT-assisted contracts containing numeric race-conscious goals or require a Proposer to utilize DBEs as a condition of award. Race-neutral DBE participation includes any time a DBE obtains a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal.

20. Complete "Disclosure of Lobbying Activities" (see attached Exhibit "E").

21. Complete "List of Subconsultants" (see Exhibit "F").

22. Complete "Proposer's List of Subconsultants (DBE and Non-DBE) - Parts I and II (see attached Exhibit "G").

VI. GENERAL COMPLIANCE WITH LAWS AND WAGE RATES

The Consultant shall be required to comply with all federal, state, and local laws and ordinances applicable to the work. This includes compliance with prevailing wage rates and their payment in accordance with California Labor Code, Section 1775.

The Consultant is required to submit certified payrolls weekly. This applies to all applicable field personnel working on the project. In accordance with Section 1771.5 (b)

(5) of the California Labor Code, the City will withhold payments when the payroll records are delinquent or inadequate.

VII. FEDERAL EMPLOYEE BENEFIT

No member of, or delegate to, the Congress of the United States, and no Resident Commissioner shall be admitted to any share or part of the Agreement to the said project or to any benefit to arise from the same.

The Consultant shall complete and include the "Certification for Contracts, Grants, Loans, and Cooperative Agreements" and "Disclosure of Lobbying Activities" forms (attached) with the Proposal.

VIII. PAYMENT TO CONSULTANT

A. This work is to be performed for a "Not-to-Exceed Fee."

B. The Consultant shall provide a "Project Fee Schedule" indicating the fee for individual tasks with a "Not-to-Exceed Fee" which shall be the sum of all tasks by Part, phase, and milestone.

C. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

D. The City will pay the Consultant for work completed based on milestones completed and accepted by the City. These Milestones are (all percentages are approximate):

1. 15% Level (Conceptual) complete
2. 35% Level (Preliminary) complete.
3. 65% Level (In-Progress) complete.
4. 95% Level (Pre-Final) complete.
5. 100% Level (Final – Bid documents ready for advertisement) complete.
6. Project Bidding and Construction Support complete.
7. Construction Management/Inspection/Testing/Geotechnical (as appropriate) Services on a monthly basis.
8. Any other additional authorized work on a task successfully completed and accepted basis.

The City shall make sole and final determination if a milestone as described above is complete and acceptable for payment. The city reserves the right to add new, revise, change, or delete milestones from the above list.

E. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task. But payments will only be made when specific identified milestones have been accomplished.

F. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, etc. are to be included in the "Not-to-Exceed Fee."

G. All tasks including labor and reimbursable costs such as printing, postage, delivery, etc. shall have supporting documentation presented at the time payment is requested.

H. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services."

I. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services," an "Amendment to the Agreement" will be executed between the City and Consultant.

J. The Consultant shall receive no compensation for any re-work necessary as result of the Consultant's errors or oversight.

IX. INSURANCE

A. The Consultant shall provide Errors and Omissions Professional Insurance. Such coverage limits shall not be less than $1,000,000 per claim and aggregate.

B. The Consultant shall have Public Liability and Property Damage Insurance in the amounts as follows:

GENERAL LIABILITY		
Bodily Injury	$1,000,000	per occurrence
Property Damage	$ 500,000	per occurrence

A combined single limit policy with aggregate limits in the amount of $2,000,000 will be considered equivalent to the above minimum limits.

C. The Consultant shall have Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment in the amount of not less than $1,000,000.

D. The Consultant shall have Workers' Compensation Insurance in the amounts as will fully comply with the laws of the State of California.

E. A Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents are included as additional insured under this general liability policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers and employees and agents, under any third party liability policy."

F. Insurance companies providing insurance hereunder shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

G. The terms of the insurance policy or policies issued to provide the above insurance coverage shall not be amended to reduce the above required insurance limits and coverage's nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the Agency, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Consultant shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amount established.

H. It is the consultant's responsibility to ensure that all Subconsultants comply with the following: Each subconsultant that encroaches within the City's right-of-way *and* affects (i.e., damages or impacts) City infrastructure must comply with the liability insurance requirements of the City's Land Development Division. Examples of such subconsultant work include soil sample borings, utility potholing, etc.

The "Application for Encroachment Permit" form (four pages), including "Application for Encroachment Permit Liability Insurance Requirements," is available in the Land Development Division and must be completed and submitted in full to the City. It is the Consultant's responsibility to ensure that all Subconsultants submit the appropriate encroachment permit and insurance documentation at the same time that the Consultant's insurance documentation is submitted.

X. INDEMNIFICATION - CITY WILL NOT ACCEPT ANY EXCEPTION TO THIS CLAUSE OF THE CONTRACT/AGREEMENT.

A. To the maximum extent allowable by law, the Consultant, when functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the negligence or willful misconduct of the City, RDA and CDS, their officers, agents or employees.

B. The consultant, when not functioning in the capacity of a design professional, agrees to indemnify, defend, and save the City, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all liability, claims, demands, damages, or injuries to any person, including injury to the Consultant's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of the Consultant under this Agreement, or are caused or claim to be caused by the negligent acts of the Consultant, its officers, agents or employees, or its subconsultant(s) or any person acting for the Consultant or under its control or direction; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, their officers, agents or employees.

C. The City agrees to indemnify, defend and save the Consultant and their officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the City under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA and CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the City or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the Consultant, its officers, agents or employees.

XI. TERMINATION FOR CONVENIENCE OF THE CITY - CITY WILL NOT ACCEPT ANY EXCEPTION TO THIS CLAUSE OF THE CONTRACT/AGREEMENT.

The City reserves the right to terminate the "Agreement for Professional Consultant Services" for the "convenience of the City" at any time by giving ten (10) days written

notice to the Consultant of such termination and specifying the effective date thereof. All finished or unfinished drawings, maps, documents, field notes and other materials produced and procured by the Consultant under the said aforementioned Agreement is, at the option of the City, City property and shall be delivered to the City by the Consultant within ten (10) working days from the date of such termination. The City will reimburse the Consultant for all acceptable work performed as set forth in the executed Agreement.

XII. INDEPENDENT CONTRACTOR

The Consultant's relationship to the City in the performance of the Consultant's services for this project is that of an independent Contractor. The personnel performing the said Services shall at all times be under the Consultant's exclusive direction and control and shall be employees of the Consultant and not employees of the City. The Consultant shall pay all wages, salaries and other amounts due his employees in connection with the performance of said work shall be responsible for all employee reports and obligations, including but not necessarily restricted to, social security, income tax withholding, unemployment compensation, and Workers' Compensation.

XIII. CONTRACT

The Contract includes the "Agreement for Design Professional Consultant Services" (see Exhibit "H"), City's Request for Proposal, Consultant's Proposal, and Exhibits.

The Political Reform Act and the City's Conflict of Interest Code require that consultants be considered as potential filers of Statements of Economic Interest. Consultants, as defined by Section 18701, may be required to file an Economic Interest Statement (Form 700) within 30 days of signing a Consultant Agreement with the City, on an annual basis thereafter if the contract is still in place, and within 30 days of completion of the contract.

XIV. GENERAL CONDITIONS

A. Pre-contractual expenses are defined as expenses incurred by the Consultant in: (1) preparing the Proposal; (2) submitting the Proposal to the City; (3) presentation during selection interview; (4) negotiating with the City any matter related to this Proposal; (5) any other expenses incurred by the Consultant prior to an executed Agreement.

   The City shall not, in any event, be liable for any pre-contractual expenses incurred by the Consultant.

B. The City reserves the right to withdraw this RFP at any time without prior notice. Further, the City makes no representations that any Agreement will be awarded to any Consultant responding to this RFP. The City expressly reserves the right to postpone reviewing the Proposal for its own convenience and to reject any and

all Proposals responding to this RFP without indicating any reasons for such rejection(s).

C. The City reserves the right to reject any or all Proposals submitted. Any Contract awarded for these Consultant engagements will be made to the Consultant who, in the opinion of the City, is best qualified.

XV. SELECTION CRITERIA

It is the City's intent to select and utilize the Professional Services in the following scenarios:

A. Proposers for Facilities A and B will be interviewed at the same time and in the same interview. They shall be rated independent of each other for better evaluation. If the Proposer is the same for the facilities A and B, then only one evaluation form will be used.

CRITERIA	MAXIMUM POINTS
The Firm's General Experience and Qualification Information – Information about the company (and all sub-consultants) including: 1. Details about comparable projects completed by the firm (9 pts) 2. Local experience of firm on comparable projects (7 pts) 3. Ability to provide the required services (4 pts) **Comments:**	**20**
4. Experience of Project/Program Manager in managing design/CM combined projects (5 pts) 5. Experience of the Design Project Manager (15 pts) 6. Experience of the Construction Project manager (10 pts) 7. Local experience of key personnel on comparable projects (10 pts) **Comments:**	**40**
8. Project Approach/Understanding (10 pts) 9. Discussion of major issues identified on the project (10 pts) 10. How the consultant team plans to address them (8 pts) 11. Management approach and organization necessary to complete the specific project (7 pts) 12. Quality control measures to ensure delivery of a quality product on time and within budget (5 pts) **Comments:**	**40**
TOTAL:	**100**

Exhibit "A"

General Design Submission Requirements

The following typical elements of the General Design Submission Requirements are representative of the specific completion levels, but not necessarily all-inclusive.

1. 15% (Conceptual Design) Level Completion:

Complete Conceptual level design plans, concurred and approved by the City's Consultant Project Manager, approved by the Planning Commission, and reviewed and concurred by the City Council through Study Session.

- Programming complete and conceptual design established. Over all foot print and areas are agreed, building architecture style selected and basic building materials and structural system discussed and agreed in principal.
- Initial contacts are made and basic data gathered from by all city departments, utility companies, and other associated agencies.

2. 35% (Preliminary) Level Completion:

Complete supporting plans and estimates; complete Special (Technical) Provisions outline; complete Geotechnical Report; complete Hydrology and Hydraulic reports; and complete 35% level estimate

- Basis for design are established and preliminary level design (foot print) is frozen. There are either few or no more basic design changes.
- Initial plan review by all city departments, utility companies, and other associated agencies is complete.
- As necessary, public meetings have taken place and the concept is established and approved.
- City client departments have signed-off on the design.
- City's Drawing standards are to be used.
- Conceptual work is complete and the design is ready to proceed in to PS&E documentation phase.
- Surveys are completed and boundaries established on plans.
- Special (Technical) Provisions outline is established and is based on City's boiler format.
- Preliminary Engineer's Estimate is compared to project budget – perform a reality check.
- Design Schedule, with required critical path, is approved.
- Inter-/Intra-discipline Quality Assurance/Quality Control check is performed.
- Geotechnical Report is complete.
- Hydrology and Hydraulic reports are complete and approved.

- Utilities initial investigation is complete and tracked using a utility response matrix.
- First meeting with utility companies has taken place and all are on-board.
- Proposed utilities' connections/improvements, etc., are essentially agreed upon.
- Existing utilities to be relocated, to be abandoned, and/or re-routed are established and agreed upon.
- Meeting with all other interested parties, such as fire and police, etc., have taken place.
- All preliminary right-of-way and easement needs are shown and analyzed, and ownership is investigated.
- Required environmental form or Environmental Document is complete and approved.
- Site plan is complete. {STRUCTURES ONLY}
- Preliminary grading plan is complete. {STRUCTURES ONLY}
- Floor plans are established and accepted. {STRUCTURES ONLY}
- Basic elevations massing is shown and agreed upon. {STRUCTURES ONLY}
- Basic materials selection is made. {STRUCTURES ONLY}
- HVAC systems are selected. {STRUCTURES ONLY}
- Building type is established. {STRUCTURES ONLY}
- Electrical service point is established. {STRUCTURES ONLY}
- Structural system along with footing and foundation system is established. {STRUCTURES ONLY}
- Basic structural design and foundation methodology is established. {STRUCTURES ONLY}

3. **65 % (In-Progress) Level Completion:**

Complete project specific plans improvements.

- Overall Design progress must be at a level that was established in the critical path.
- Grading Plan is complete.
- Horizontal and Vertical alignments are complete.
- Draft Specifications, including General Provisions and Special Provisions, are complete.
- Complete Engineer's Estimate reflecting 65% complete level design work effort.
- 2nd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
- Must include a set of drawings and a comments matrix with responses proving that all comments made at 35% have been addressed.
- Follow-up meetings with utility companies, if necessary, have taken place.
- All existing utility conflicts are addressed and resolved, and tracked using a utility response matrix.
- Proposed utilities plan is essentially complete.

- All right-of-way and easement needs are shown and finalized, and ownership is confirmed, if necessary, with Title Reports.
- All structural calculations of the major component are complete. {STRUCTURES ONLY}
- Architectural design drawings are at approximately 75% completion level. {STRUCTURES ONLY}
- All structural design drawings at approximately 75% completion level. {STRUCTURES ONLY}
- All plumbing drawings are at approximately 70% completion level. {STRUCTURES ONLY}
- All plumbing fixtures are identified. {STRUCTURES ONLY}
- HVAC design drawings are at approximately 60% completion level. {STRUCTURES ONLY}
- Electrical design drawings are at approximately 55% completion level. {STRUCTURES ONLY}

4. <u>95% (Pre-Final) Level Completion:</u>

Complete plans, specifications, and estimates and submit for final review and comments.

- All design documents (PS&E) are essentially complete as if ready to bid.
- PS&E is ready to submit for review.
- Specifications document includes General Provisions and Special Provisions and shall be complete in every manner.
- Liquidated damage calculation is complete.
- 100% Engineer's Estimate is complete. It shall be at or 10% (maximum) below the construction budget amount provided by the City.
- 3rd inter-/intra-discipline Quality Assurance/Quality Control check is performed for Plans, Specifications, and Engineer's Estimate (PS&E).
- Must include a set of drawings and a comments matrix with responses proving that all comments made at 65% have been addressed.
- Ready for Biddability, claim avoidance, and constructability reviews.
- All right-of-way and easement documents have been obtained, or are in the final process of being obtained.

5. <u>100 % (Final – Bid Documents) Level Completion:</u>

Final detail to plans, specifications and estimates ready for signatures.

- PS&E is ready for signature.
- Must include a set of drawings and a comments matrix with responses proving that all comments made at 95% have been addressed.
- Project is ready for advertisement.
- All available and applicable permits have been received.

- Sign-off has been obtained from all entities having jurisdiction on approving the PS&E documents, including sign-off by the City's required departments or divisions.
- All right-of-way and easement documents have been obtained.

W:\CapProj\CapProj\PROJECTS\Viren - 10-89791722 - Fire Station #110\RFP\Combined - RFP\Final RFP 03-06-08 (with STK changes approved by City Attorney).doc

STK
ARCHITECTURE, INC.

January 28, 2010

Jack Shah
CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92553

RE: REQUEST FOR PROPOSAL – MORRISON PARK FIRE STATION
MORENO VALLEY, CALIFORNIA

Dear Mr. Shah,

We appreciate the opportunity to submit a Proposal for Consultant Services for the Morrison Park Fire Station project. This Proposal is for Project Management, Architectural and Engineering Design (A&E) and Construction Contract Administration Services. Based on our negotiations on January 6, 2010, we are happy to submit the following:

The Fee stated below reflects the following assumptions:

1. STK began design of the Cottonwood Fire Station in July 2008 and were asked to stop in January 2009. STK completed thirty percent (30%) of our design services, which included the site plan, floor plan, exterior elevations and building section. The floor plan, elevations and sections will be used for the Morrison Park Fire Station, but the site plan will need to be redesigned for this site.

2. Services include Bidding & Negotiation and Construction Administration Phases. During the construction phase (13 months), STK will attend a total of 52 site visits (one site meeting per week), plus one site visit to develop a punch list, and one site visit for final walk. As-builts will be provided on disc in ACAD and a set of Mylar originals.

   STK's Construction Administration services will include the following:

   A - Weekly site visits and meetings to document the construction. STK will prepare all meeting minutes and distribute to City Project Manager, document the status of RFIs, Change Orders, Construction Schedule, etc

   B - Shop drawing review/approval.

   C - Pay application review/approval.

   D - Change order review/approval.

Exhibit "B"

ARCHITECTURE INTERIOR DESIGN PLANNING
42095 Zevo Drive, Suite A15, Temecula, California 92590-3780 Phone: 951/296-9110 Fax: 951/296-6079 E-Mail: stk@stkinc.com

E - Review contractor daily reports.

F - Coordinate STK's consultants.

G - Coordinate with City Departments and City Project Manager.

3. Consultants provided within scope would include Landscape Architect, Geotechnical Engineer/Material Testing, Construction Contract Administration, Civil Engineer, Structural, Mechanical, Electrical Engineering and Surveying (proposal enclosed). The scope of services for STK's consultants is stated in their Proposals on an hourly basis.

4. Our site plan scope of work is to develop a design incorporating the Fire Station, and a 576 s.f. storage building, access (ingress and egress), parking, trash enclosure, fuel storage tank and hose drying ramp.

5. Included are anticipated meetings between the Architect, the City of Moreno Valley and the Fire Department (6 – two hour meetings).

6. STK will coordinate all drawings through City Departments for permitting.

7. It is anticipated that all the construction period will be 365 calendar days; the Proposal is based on this time commitment. If however, the contractor overruns this time by 10% or more, STK, Inc. will be entitled to negotiate appropriate extra compensation for the overrun in time.

8. STK will coordinate all drawings with utility agencies.

9. The Proposed Fee does <u>not</u> include the cost to design a traffic light/Opticon System, processing fees or rendering.

10. Reimbursables are to include all printing, mileage/travel costs and Mylars. Receipts will be provided for all reimbursables and will be billed on a monthly basis. STK estimates this project will require approximately $30,000.

11. STK to provide a WQMP and SWPPP plan/detail manual and N.O.I (Notice of Intent) to the State.

12. The construction of the adjacent Park is not a part of this proposal.

13. Additional services will be billed on an hourly basis per the attached hourly rate schedules.

14. The scope of services for the Geotechnical Engineer includes (see attached Proposal):

    A - Preliminary Soils Investigation
    B - Infiltration Testing
    C - Phase I – Environmental Site Assessment
    D - Construction Testing Services

15. The Total Fixed Fee is **$696,273**.

16. STK will provide a One-Year Job Walk Review, meeting minutes and coordination with the City and Contractor.

17. The Preliminary Project Schedule is based on the following:

    A - Design Phase – April 2010 to March 2011
    B - Bid and Award Phase – April 2011 to June 2011
    C - Notice of Construction Award – July 2011
    D - Begin Construction – August 2011
    E - Complete Construction – August 2012
    F - Occupancy – September 2012

We assume the standard City of Moreno Valley contract would be used and approved by the City Council. As part of the project requirements, we would provide Professional Liability coverage of $2,000,000 in addition to that carried by our consultants.

If you have any question regarding the Proposal or wish to discuss specifics in detail, please do not hesitate to call me.

Sincerely,

STK Architecture, Inc.

G.V. Salts, Architect/Owner

Enc. Fee Proposal
Fee Proposal Detail
Consultant Proposals
Hourly Rates

City of Moreno Valley Morrison Park Fire Station (Use 30% design from Cottonwood Park and adapt Site Plan)	STK ARCHITECTURE, INC. Architecture/Design Project Management	STK ARCHITECTURE, INC. Construction Contract Admin.	DMC DESIGN GROUP Civil Engineering	INLAND FOUNDATION ENGINEERING Geotechnical Engineering	AECOM CONSULTANTS Landscape Architecture	**TOTAL**
Design Project Management	$40,000					$40,000
Design Phase I 15% Site Assessment	$5,000		$10,400	$14,900		$30,300
Design Phase II 35% Plot Plan	$7,000		$14,000			$21,000
Design Phase III 65% Design Development	$88,305		$23,400			$111,705
Design Phase IV 95% Construction Docs	$88,305		$4,000			$92,305
Design Phase V 100% Const Docs.	$24,719		$3,500		$12,000	$40,219
Reimbursables- based on actual cost	$10,000					$10,000
SUBTOTAL (Design Phase)	**$263,329**	**$0**	**$55,300**	**$14,900**	**$12,000**	$345,529
Bid/Construction Admin. Phase	$105,000	$93,100	$21,000	$81,308	$2,300	**$302,708**
+ STK Consultant Coordinate			$11,460	$14,431	$2,145	$28,036
Reimbursables	$20,000					$20,000
SUB TOTAL – (Bid/Const. Admin. Phase)	**$125,000**	**$93,100**	**$32,460**	**$95,739**	**$4,445**	**$350,744**
Grand Total (Design and Bid/Const./ Admin. Phases)	**$388,329**	**$93,100**	**$87,760**	**$110,639**	**$16,445**	**$696,273**

January 28, 2010

STK ARCHITECTURE, INC

HOURLY AND REIMBURSABLE RATES

January 2010

Partner	$ 185/Hr
Associate	135/Hr
Project Manager	115/Hr
Senior Draftsman	85/Hr
Junior Draftsman	70/Hr
Clerical	48/Hr
Consultants	Cost x 1.15
Reimbursables	Cost x 1.00
Reimb. Agency Fees	Cost x 1.05

MORRISON PARK FIRE STATION
FOR
CITY OF MORENO VALLEY

STK'S
Sub-consultant Agreements

INDEX

A - Inland Foundation Engineering, Inc.
Geotechnical Engineering and Material Testing

B - AECOM
Landscape Architecture

C - DMC Design Group
Civil Engineering and Surveying

D - Raskin Engineering
Structural Engineering

E - T-Squared Professional Engineers, Inc.
Mechanical, Plumbing and Electrical Engineering

INLAND FOUNDATION ENGINEERING, INC.
Consulting Geotechnical Engineers
1310 South Santa Fe Avenue
San Jacinto, California 92583-4638
(951) 654-1555
FAX (951) 654-0551

January 7, 2010

Attention: G.V. Salts
STK ARCHITECTURE, INC.
42095 Zevo Drive, Suite A15
Temecula, California 92590

Re: Revised Proposal for Preliminary Geotechnical Exploration, Infiltration Testing, Soils & Materials Testing Services and Phase I Environmental Site Assessment, Proposed Fire Station, NEC Cottonwood Avenue and Morrison Street, Moreno Valley, California

Dear Mr. Salts:

At your request, we have prepared this revised proposal and cost estimate for conducting preliminary geotechnical Exploration and soils and materials testing during construction for the referenced project.

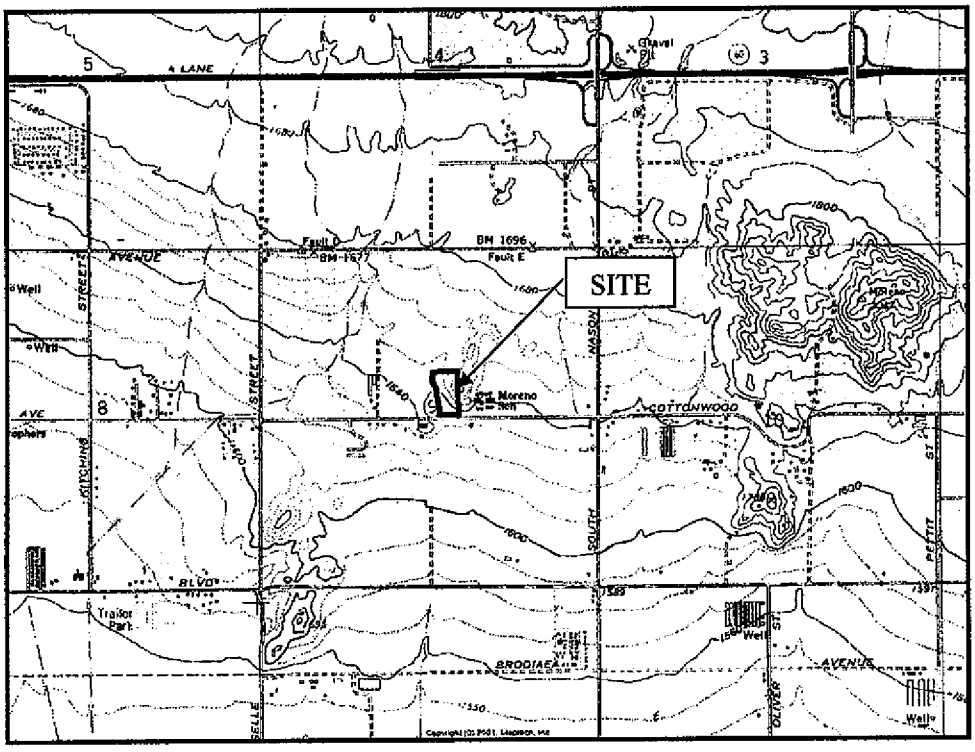

The proposal and cost estimate is made in response to discussions we have had with STK Architecture, Inc. and previous experience of projects of this nature.

The project under consideration consists of the construction of a heavy urban Fire Station. We understand the facility will include associated parking and concrete driveway areas, fuel tanks, and trash enclosure. This project is considered an *Essential Services Building*, requiring an engineering geology review. The following paragraphs present a discussion of our project approach and methodology that will be utilized during this study.

PROJECT APPROACH

GEOTECHNICAL EXPLORATION - The subsurface geotechnical exploration will be performed at the site for the purpose of developing general preliminary design and grading recommendations for future site improvements. This study will be initiated immediately after the notice to proceed has been granted. The following paragraphs present a discussion of our project approach and methodology that will be utilized during this study.

ENGINEERING GEOLOGY - A Certified Engineering Geologist (CEG) will perform the seismic hazards evaluation and report for this project. For this evaluation, the following items will be addressed:

- Review of available geologic data pertinent to the site
- Photogeologic analysis of stereo pairs of aerial photographs
- Field reconnaissance by an Engineering Geologist
- Perform a site specific, computer-aided geoseismic analysis
- Preparation of a formal report presenting the findings, conclusions and recommendations.

Our initial review indicates that the site does not lie within a mapped State of California Alquist-Priolo Earthquake Fault Zone, or within a mapped County of Riverside Fault Zone. Our work will not include detailed trenching for determining the presence of active faulting on the site.

In accordance with State mandated criteria for essential services structures, the engineering geology review will be conducted in accordance with California CGS guidelines. Following is a copy of the CGS Note 48 Checklist that will be used as a guideline during the engineering geology review:

California Geological Survey - Note 48

Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and Essential Services Buildings
October 2007

Note 48 is used by the California Geological Survey (CGS) to review the geology, seismology, and geologic hazards evaluated in reports that are prepared under California Code of Regulations (CCR), Title 24, California Building Code. CCR Title 24 applies to California Public Schools, Hospitals, Skilled Nursing Facilities, and Essential Services Buildings. The Building Official for public schools is the Division of the State Architect (DSA). Hospitals and Skilled Nursing Facilities in California are under the jurisdiction of the Office of Statewide Health Planning & Development (OSHPD). The California Geological Survey serves under contract with these two state agencies.

Project Name: _____ Location: _____

OSHPD or DSA File #: _____ Reviewed By: _____

Date Reviewed: _____ California Certified Engineering Geologist #: _____

Checklist Item or Topic Within Consulting Report NA = not applicable NR = not addressed by consultant and therefore not reviewed at this time	Adequately Described: Satisfactory	Additional Data Needed: Not Satisfactory
Project Location		
1. Site Location Map, Street Address, County Name: Correctly plot site on a 7½-minute USGS quadrangle base-map.		
2. Plot Plan with Exploration Data with Building Footprint: 1 boring or exploration shaft per 5000 ft², with minimum of 2 for any one building. Exploratory trench locations.		
3. Site Coordinates: (Latitude & Longitude)		
Engineering Geology/Site Characterization		
4. Regional Geology and Regional Fault Maps: Concise page-sized illustrations with site plotted.		
5. Geologic Map of Site: Detailed (large-scale) geologic map with proper symbols and geologic legend.		
6. Subsurface Geology: Engineering geology description summarized from boreholes or trench logs. Summarize ground water conditions.		
7. Geologic Cross Sections: Two or more detailed geologic sections with pertinent foundations and site grading.		
8. Active Faulting & Coseismic Deformation Across Site: Prepare page-sized extract map of Alquist-Priolo Earthquake Fault Zones and/or any potential fault rupture hazard identified from the Safety Element of the local agency (city or county); show location of fault investigation trenches; 50-foot setbacks perpendicular from fault plane and proposed building footprints.		
9. Geologic Hazard Zones (Liquefaction & Landslides): *(If applicable)* Prepare page-sized extract of CGS official map showing zones of required investigation for liquefaction and landslide, and/or any pertinent geologic map from the Safety Element of the local agency (city or county).		
10. Geotechnical Testing of Representative Samples: Broad suite of appropriate geotechnical tests.		
11. Geologic Consideration of Grading Plans and Foundation Plans: *(If applicable)* Discussion of engineering geologic aspects of excavation/grading/fill activities, foundation and support structures, and deep foundations. Include geologic and geotechnical inspections and problems anticipated during grading. Special design and construction provisions for footings or foundations founded on expansive soils. Consideration of seismic compression of fills; cut/fill differential settlement.		
Seismology & Calculation of Earthquake Ground Motion		
12. Evaluation of Historical Seismicity: Prepare a short description of how historical earthquakes have affected the site.		
13. Mapped Spectral Acceleration Parameters: S_S, S_1. Maps found at http://earthquake.usgs.gov/research/hazmaps/design/ recommended for establishing design values.		
14. Classify the Geologic Subgrade (Site Class): 2007 CBC Table 1613A.5.2 and Section 1613A.5.5.		
15. Site Coefficients and Adjusted Maximum Considered Earthquake (MCE) Spectral Response Acceleration Parameters: F_a, F_v and S_{MS}, S_{M1}.		
16. Design Spectral Acceleration Parameters: S_{DS} and S_{D1}.		

Checklist Item or Topic Within Consulting Report NA = not applicable NR = not addressed by consultant and therefore not reviewed at this time	Adequately Described; Satisfactory	Additional Data Needed; Not Satisfactory
17. Seismic Design Category: Report if $S_1 > 0.75$.		
18. Deaggregated Seismic Source Parameters: (*If applicable*) Provide modal magnitude (M_w), and modal distance (km) to fault.		
19. Site-Specific Ground Motion Analysis: (*If applicable*) Required for sites where conditions described in 2007 CBC § 1614A.1.2 apply. Provide probabilistic MCE, deterministic MCE and deterministic lower limit, and design response spectra. Justify analytical choices.		
20. Time-Histories of Earthquake Ground Motion: (*If applicable*) Compute target spectra, justify selected earthquake records, scale to target, and show initial and scaled records.		

Liquefaction/Seismic Settlement Analysis

21. Geologic Setting for Occurrence of Seismically Induced Liquefaction: Perform screening analysis to exclude areas where liquefaction investigation not required. ♦ applicable where ground water surface <50 ft. depth; use historical high ground water for calculations. ♦ low-density, non-plastic alluvium, typically *SPT* $(N_1)_{60}$<30.		
22. Liquefaction Calculations: Based on several detailed geologic cross-sections. Provide calculations (no estimates) including all input parameters.		
23. Seismic Settlement of Entire Soil Column: For two or more locations within the site, evaluate both saturated and unsaturated layers of the entire soil column. Provide calculations (no estimates) including all input parameters. Evaluated with peak ground acceleration based on site-specific study or peak ground acceleration equal to $S_{DS}/2.5$.		
24. Potential for Lateral Spreading		
25. Mitigation Options for Liquefaction: Discuss effectiveness of options to mitigate liquefaction effects. Acceptance criteria for ground-improvement schemes.		

Slope Stability Analyses

26. Landslide Mapping: Characterize the potential for landsliding both on and off-site affecting proposed project.		
27. Determination of Static And Dynamic Strength Parameters: Conduct appropriate laboratory tests to determine material strength considering both static and dynamic conditions.		
28. Determination of Pseudo-Static Coefficient (K_{eq}): Recommended procedure available from http://www.scec.org/resources/catalog/hazardmitigation.html.		
29. Identify Critical Slip Surfaces for Static and Dynamic Analyses: Failure surfaces should be modeled to include existing slip surfaces, discontinuities, geologic structure and stratigraphy; include appropriate ground water conditions.		
30. Dynamic Site Conditions: Site response analysis and topographic effects should be considered, if appropriate.		
31. Mitigation Options for Landsliding/Other Slope Failure: Discuss effectiveness of options to mitigate landsliding/slope failure effects. Acceptance criteria for ground-improvement schemes.		

Other Geologic Hazards or Adverse Site Conditions

These exceptional geologic hazards do not occur statewide. However, they may be pertinent to a particular site. Use prudent analysis to avoid predicaments and expensive delays in construction. This list will help to avoid misunderstandings and back-checks when additional information is required by the reviewing agency.

32. Expansive Soils		
33. Corrosive/Reactive Geochemistry of Geologic Subgrade: Soluble sulfates and corrosive soils.		
34. Conditional Geologic Assessment: Including but not limited to - **A. Hazardous materials** (methane gas, hydrogen-sulfide gas, tar seeps); **B. Volcanic eruption**; **C. Flooding** FEMA FIRM's for 100-year flood, is the site protected by a levee; **D. Tsunami and seiche inundation**; **E. Radon-222 gas** (typically within organic-rich marine-shale of the California Coast Ranges); **F. Naturally occurring asbestos** (in geologic formations associated with serpentine; refer to CGS SP 124); **G. Hydrocollapse** of alluvial fan soils due to anthropic use of water; **H. Regional subsidence**; **I. Clays and cyclic softening.**		

Report Documentation

35. Geology, Seismology, and Geotechnical References		
36. Certified Engineering Geologist: (2007 CBC § 1802.7.2)		
37. Registered Geotechnical Engineer: (2007 CBC § 1802.8.1)		

FIELD EXPLORATION - For our field exploration, we propose to drill four exploratory borings at the proposed fire station site. The depth of the borings will range in depths between 15 to 50 feet beneath the existing surface, or to refusal, whichever is first encountered. A Staff Geologist will make continuous logs of the materials encountered during drilling on the site. Representative undisturbed samples will be obtained within our borings by driving a thin-walled steel penetration sampler with successive 30-inch drops of a 140-pound hammer. The number of blows required to achieve each six inches of penetration will be recorded on our boring logs and used for estimating the relative consistencies of the subsoils. The sampler types to be used include one carrying brass sample rings having inner diameters of 2.417 inches and a Standard Penetration Test Sampler (SPT). Undisturbed samples will be removed from the sampler and placed in moisture sealed containers in order to preserve the natural soil moisture content. They will then be transported to our laboratory for further observations and testing. Representative bulk soil samples will also be obtained in the field and transported to our laboratory.

Underground Service Alert will be contacted prior to any subsurface drilling.

LABORATORY TESTING - Laboratory testing will be performed on representative undisturbed and bulk soil samples. Undisturbed samples will be weighed and measured in order to determine their unit weights and moisture contents. This will allow us to estimate the Relative Compaction of the in-situ materials. Representative bulk soil samples will be tested in order to determine the corresponding maximum dry densities-optimum moisture contents, general engineering classifications, and other pertinent engineering characteristics. On the basis of this initial testing, undisturbed samples will be selected for consolidation testing. This testing will provide data useful in estimating the load-settlement characteristics of the undisturbed soil. In addition, samples will be selected for direct or triaxial shear testing, and expansion testing. These tests are useful in developing parameters for foundation design, lateral design, and for developing expansive soil design criteria.

ENGINEERING ANALYSIS AND REPORT PREPARATION - On the basis of our field and laboratory investigation, we will develop conclusions and preliminary engineering recommendations, which may be applied to the preliminary design of the proposed facility. These conclusions and recommendations will be presented in a formal report. Specific recommendations will be developed for:

- Allowable Soil Bearing Capacity for Spread Footings
- Passive Earth Pressures
- Active/At-rest Earth Pressures
- Coefficient of Friction
- Soil Liquefaction
- 2007 California Building Code Seismic Design Parameters
- Expansive Soils
- Concrete Slabs-On-Grade
- Water Soluble Sulfates
- Tentative Pavement Design
- Shrinkage and Subsidence
- General Site Grading

Also included in our formal report will be the results of our field and laboratory investigation. Field data will be presented in a *gINT*® Format. These logs will provide a written description of the subsurface materials and a graphic or symbolic presentation. The written description will also include any pertinent observations made during drilling such as encountering artificial fill, groundwater, gas or other unusual or relevant subsurface features. The logs will also indicate the number of blows obtained during penetration (SPT) testing.

Laboratory test data will be presented in an appendix, which will also describe the specific test methods. The test data itself will be presented in a *gINT*® Format. Normally, this is a graphical presentation, which indicates each data point. All field and laboratory test data will be presented on reproducible sheets, which will also indicate the project name and firm identification. A plan will also be submitted indicating the locations of our exploratory borings. This plan may also be used to indicate any areas where unsuitable or unusual subsurface conditions may exist.

INFILTRATION TESTING – The infiltration testing will be conducted for the purpose of providing rates to the designers for their use in designing a subsurface infiltration system. The anticipated depth of the system is on the order of 30 inches.

We propose to excavate two test pits along the westerly portion of the site, ranging in depths between approximately 2 and 4 feet. Our testing will be conducted in accordance with the *ASTM Standard Test for Infiltration Rate of Soils in Field Using Double Ring Infiltrometer* (ASTM D3385-03) test method. A staff geologist will conduct the actual infiltration testing with equipment manufactured to meet the specifications of the ASTM Test Method.

Because the infiltration rate of the soil may be affected by compaction, the test pits will be backfilled in an uncompactive manner. The backhoe operator will wheel roll the upper portion of the backfill to avoid voids occurring at the surface. No compaction testing of the backfilled material will be provided. The soil will be placed back to adjacent surface grade.

Based on the testing, rates will be provided with units of centimeters per hour. The design engineer should consider several factors in his design of the infiltration systems. Over the lifetime of the systems, these rates will be affected by adverse factors such as biological activity and silt build-up. Other factors that should be considered in the design include the nature of the influent, and long-term maintenance practices.

PHASE I ENVIRONMENTAL SITE ASSESSMENT - Comprehensive due diligence is essential to the establishment of the "innocent landowner" defense under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This act mandated that "a defendant must have undertaken, at the time of acquisition, all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability. A portion of appropriate inquiry should include a Phase I Environmental Site Assessment that appraises a property's environmental liabilities, environmental management practices of all past and present operations on the property and

adjacent properties, and a review of records, files and permits. The Phase I assessment should include a historical and factual study which encompasses both legal and technical assessments of contamination on the property. A purchaser or lender cannot ignore obvious signs of contamination, (e.g. adjacent property uses, staining, stressed vegetation, historic uses, etc.). If contamination is suspected and additional testing is not conducted, the new owner/operator, or under certain circumstances, the lender could be held liable for cleanup if contamination is found to exist.

A Phase I ESA is a service whose basic elements are determined by the standard of care prevailing at the time the service was rendered in the area where it was rendered. Inland Foundation Engineering, Inc. expresses to STK Architecture, Inc. and the City of Moreno Valley that by definition, standards set forth minimums. Additional services and service enhancements in addition to the Phase I Environmental Site Assessment could be authorized to reduce uncertainty and STK Architecture, Inc.'s and the City of Moreno Valley's attendant risks.

The Phase I Site Assessment of the subject property, will be conducted by Inland Foundation Engineering, Inc. (IFE) in general accordance to the "Standards and Practices for All Appropriate Inquiries" (40 Code of Federal Regulations, Section 312)/ASTM 1557-05 and will include the following sequence of events:

1. Identify Data Sources - At the commencement of the investigation, IFE will obtain and review available data regarding the site and surrounding properties. This information will include:

a. A site map showing legal property boundaries,

b. A review of regulatory lists: local, state and federal. An environmental disclosure report will be prepared by an environmental reporting service which will identify listed sites within the ASTM mandated search radius' of the subject property,

c. As part of the investigation, historical data will be reviewed. This will include a review of various maps of the area and a review of historical aerial photographs. A Chain-of-Title or environmental lien search will be conducted by EDR and examined by Inland Foundation Engineering, Inc. We will be requesting any title information available from the client.

d. A review of previous reports and site records. Previous records or reports pertinent to the Phase I ESA may be available. This information and other available records will be reviewed,

e. An off-site review will be conducted. This will consist of contacting several governmental agencies concerning but not limited to the following:

- permits to use and/or store hazardous material,
- recorded and/or known hazardous material spills or leaks,
- hazardous material cleanups, and
- other land permits.

2. ***Arrange Site Visits*** - A site reconnaissance will be performed by IFE in order to evaluate the study area and visually observe the site for evidence of contamination. During the site visits, the Assessor will compile data checklists which are a valuable method for ensuring that the site visit characterizes and documents the current conditions adequately.

3. ***Interviews*** - Interviews with local agencies, property owners, and other persons familiar with the history of the project area will be conducted. This will be useful in obtaining uses and historical physical characteristics of the site. Interviews with adjacent property owners may also be conducted in order to obtain further insight of the property. Notes taken during interviews will be used as reference documents.

4. ***Evaluation of Data*** - Once all of the available data has been compiled, a primary list of recognized environmental conditions will be constructed. An evaluation of all information obtained in the Phase I Environmental Site Assessment will be made. Our conclusions will largely be based on the records research, site reconnaissance and other information collected during the study.

5. ***Preparation of the Phase I Site Assessment Report*** - The report will summarize the investigation of any conclusions about recognized environmental conditions on the subject property. The Phase I Environmental Site Assessment report will be formatted to contain the following typical sections:

1.0 SUMMARY

2.0 INTRODUCTION
- 2.1. Purpose
- 2.2. Detailed Scope-of-Services
- 2.3. Significant Assumptions
- 2.4. Limitations and Exceptions
- 2.5. Special Terms and Conditions
- 2.6. User Reliance

3.0 SITE DESCRIPTION
- 3.1. Location and Legal Description
- 3.2. Site and Vicinity General Characteristics
- 3.3. Current Use of the Property
- 3.4. Structures, Roads and Other Improvements on the Site
- 3.5 Geologic Setting
- 3.6 Current Use of Adjoining Properties

4.0 USER PROVIDED INFORMATION
4.1. Title Records
4.2. Environmental Liens or Activity Use Limitations
4.3. Specialized Knowledge
4.4. Commonly Known or Reasonably Ascertainable Information
4.5. Valuation Reduction for Environmental Issues
4.6. Owner, Property Manager, and Occupant Information
4.7. Reason for Performing Phase I ESA

5.0 RECORDS REVIEW
5.1. Standard Environmental Record Sources
5.1.1. Government Agencies
5.1.2. Environmental Disclosure Report
5.1.3. City Directories and Sanborn Fire Insurance Maps
5.2. Physical Setting Sources
5.2.1. Aerial Photograph Review
5.2.2. Topographic Review
5.3. Historical Use Information on the Property
5.4. Historical Use Information on Adjoining Properties

6.0 SITE RECONNAISSANCE

7.0 INTERVIEWS

8.0 FINDINGS
8.1. Discussion
8.2. Summary of Findings

9.0 OPINION

10.0 CONCLUSIONS

11.0 DEVIATIONS

12.0 REFERENCES

13.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

14.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

15.0 APPENDICES

No subsurface sampling or analysis will be conducted as part of the Phase I ESA. If suspected contaminants are indicated in the Phase I study, additional exploration and testing would be

recommended. This work (Phase II) would be conducted under a separate proposal and Agreement.

CONSTRUCTION SERVICES - At this time, a construction schedule or duration has not been developed. Our services during the construction phase will include compaction testing for on-site fills, utility trenches, pavement areas and overexcavation for the proposed facility. Compression testing of on-site concrete is also anticipated for site concrete. Masonry inspection will also be required for this project. Anticipated laboratory testing will include maximum density/optimum moisture determinations, sieve analysis, Sand Equivalent testing, R-Value testing and expansion testing. For this project, field density testing will be performed in accordance with ASTM D1556-07 or ASTM 6938-07b. Maximum density determinations will be performed in accordance with ASTM D1557 methodology.

PROJECT ORGANIZATION

The Project Manager/Engineer will be Lawrence E. Strahm, a Registered Geotechnical/Civil Engineer who is also President and founder of Inland Foundation Engineering. Mr. Strahm will oversee the field and laboratory portions of the investigation. The Certified Engineering Geologist will be Daniel R. Lind and/or Donn Schwartzkopf. Mr. Lind has over 19 years experience in performing environmental assessments and is Registered Environmental Assessor, Level II. A Staff Geologist will conduct the field investigation while our trained field laboratory technicians will conduct the testing during the construction phase. Our services will be conducted in accordance with contemporary geotechnical engineering principles and practice.

FEE PROPOSAL

Preliminary Exploration: Our fee for the Preliminary Geotechnical Exploration and Preparation of the Geotechnical Report is $8,300.00. These costs include the engineering geology study, field exploration, laboratory testing, engineering analysis and geotechnical review.

Infiltration Testing: Our estimated fee for conducting this investigation will be $4,000.00. This fee includes backhoe equipment costs for the services described and backfilling of the test pits to adjacent surface grades. If observed infiltration rates and/or soil types vary significantly between the two test pits, additional testing may be required to define the limits of each soil type. If additional work is required, (due to failing infiltration tests, adverse site conditions, etc.), additional costs (including engineering and backhoe services) will be billed on an hourly basis.

Phase I Environmental Site Assessment: Our fee for conducting the Phase I Environmental Site Assessment of the subject property will be $2,600.00. This fee includes all costs incurred during the assessment as described in this proposal and the final report. If suspected contaminants are indicated in the Phase I study, additional exploration and testing would be recommended. These services (Phase II) would be conducted under a separate proposal and Agreement.

Construction Testing Services: At this time, we have not been provided with an outlined construction schedule indicating the duration of each phase of the project. Based on our experience with projects of this nature, we have made the following cost estimates for the construction testing services for the proposed fire station:

PROJECT TASK – Construction Phase - Fire Station Site	FEE ESTIMATE
Site Grading (Based on estimated 14 Work Days - 8 hours per day @ $92.15 per hour and travel/mileage costs)	$12,736.00
Parking Area and Street Subgrade and Base Preparation (Based on estimated 8 Work Days - 8 hours per day @ $92.15 per hour and travel/mileage costs)	7,278.00
Utilities and Miscellaneous Testing, e.g. light poles, etc. (Based on estimated 12 Work Days - 8 hours per day @ $88.30 per hour and travel/mileage costs)	10,916.00
Concrete Testing (based on fabrication of 30 sets of cylinders during estimated 50 hours @ $94.15 per hour and travel/mileage costs. With compression tests at 7 and 28 day intervals and cylinder pickup)	7,918.00
Masonry Inspection (based on estimated 140 hours of ICC Special Inspector @ $94.15/hr.)	13,181.00
Welding Inspection (based on estimated 110 hours of ICC/AWS Special Inspector @ $94.15/hr.)	10,356.00
Epoxy Bolt Inspection (based on estimated 18 hours of ICC Special Inspector @ $94.15/hr.)	1,695.00
Rebar Inspection (based on estimated 12 hours of ICC Special Inspector @ $94.15/hr.)	1,130.00
Laboratory Testing (Based on 6 Maximum Density/Optimum Moisture Content Determinations (soil), 2 Maximum Density/Optimum Moisture Content Determinations (Class II Base), 8 Sieve Analysis Tests, 8 Sand Equivalent Tests, 4 R-Value Tests, 6 Expansion Tests, 6 Sulfate Tests, 3 Asphalt Concrete Density Tests)	4,298.00
Project Engineering and Reporting	1,800.00
Contingency Fee for Miscellaneous Testing/Inspection	$10,000.00
ESTIMATED PROJECT COSTS (CONSTRUCTION TESTING)	**$81,308.00**

Inland Foundation Engineering, Inc. adheres to SB 1999 prevailing wage requirements for public works projects. We propose to perform the work on a time charge basis, as the actual work performed will be dependent on the construction methods and progress. Therefore, the actual scope of services and corresponding fees may vary significantly. Our schedule of fees is attached.

INSURANCE & INDEMNIFICATION

Inland Foundation Engineering, Inc. carries general liability insurance coverage in the amounts of $1 million per occurrence and $2 million aggregate. IFE also carries auto liability and Workers' Compensation & Employer Liability insurance coverage. We also carry professional errors and omissions liability. Our current coverage for professional liability is for $1,000,000 and $3,000,000 aggregate.

We appreciate the opportunity of working with you on this project. If there are any questions, please contact our office.

Sincerely,
INLAND FOUNDATION ENGINEERING, INC.

Daniel R. Lind, Project Geologist
P.G. 7681/C.E.G. 2451

Lawrence E. Strahm, President
R.C.E. 26409/G.E. 959

DRL:LES:drl
Addressee (1)

AECOM

AECOM
999 Town and Country Road
4th Floor
Orange, CA 92868
www.aecom.com

714.567.2400 tel
714.953.6989 fax

Date: 1/4/2010

STK Architecture
42095 Zevo Drive, suite A-15
Temecula, CA. 9250

Attention: G.V. Salts Architect

Regarding: Proposal for Landscape Architecture Services for Fire Station located in the City f Moreno Valley, CA.

Dear Mr. Salts,

AECOM is pleased to present this proposal for landscape architectural services for the above referenced project. AECOM has reviewed the site and knows the submittal requirements for the City of Moreno Valley. The following is an outline of services necessary to properly complete this project per your request.

Scope of Services:

- Prepare conceptual color illustrative landscape plan depicting building and hardscape layout, project limits and layout of conceptual landscaping depicting exact locations of all plant material and specification of tree and plant types and spacing.
- Prepare base sheet information and format into working Cadd / graphic file to create construction documents.
- Prepare landscape planting plans depicting specific plant materials and exact locations for placement of all materials. Provide all necessary notes and details necessary to properly construct the project.
- Prepare landscape irrigation plans designing an automatic irrigation system that provides 100% coverage of landscape areas and meets the City of Moreno Valley's design requirements. Provide all necessary notes and details to properly construct the project.
- Provide water consumption calculations per County and State's guidelines
- Prepare landscape construction specifications.
- Provide landscape architectural site observation of landscape construction installation to ensure compliance with the approved construction drawings. Proposal includes two site visits and reports and certification letter that site was installed in substantial compliance with the approved plans. Additional requested site visits will be billed at $500 each.

Fee: Shall be Lump – Sum $14, 500 (Fourteen Thousand Five Hundred Dollars)

Extra Services and Reimbursable Expenses:

1) All requested reproduction services shall be invoiced at our cost plus 10% handling or set-up through Owner's separate account.

2) Requested extra services will be billed at our below hourly rates or as mutually agreed by Owner and AECOM's Project Manager. See below staff hourly rates below.

3) All mileage to and from the site from our main office for meetings and site visits will be billed and invoiced at 58 cents a mile.

All requested extra services and or change orders shall be billed and invoiced at the following staff rates:

Additional Services Billing Rates

Project Manager	$156/Hr.
Landscape Designer	$95/Hr
Designer	$85/Hr

Please review and approve the above referenced scope of services and fees and sign below authorizing approval and notice to proceed. Please give me a call if you have questions or comments.

Harry Clarke
Project Manager
P&D Consultants, Inc.

GV Salts
Architect / Owner
STK Architecture

1-7-10

DMC Design Group, Inc.
Maple Centre
140 N. Maple St., Suite 104
Corona, CA 92880

(951) 549-8100 Fax (951) 549-8102

DMC DESIGN GROUP

January 12, 2009

GV Salts, Architect
STK Architecture, Inc.
42095 Zevo DR. Ste. A-15
Temecula, Ca. 92590

RE Survey and Civil Engineering Proposal – Civil Improvements for Fire Station Northeast Corner of Morrison Street and Cottonwood Avenue in the City of Moreno Valley, CA

Dear Mr. Salts:

On January 6, 2008, DMC Design Group, Inc. received project related documents from STK Architects, Inc., of Temecula, CA. pertaining to the proposed Fire Station No. 107 Improvement Project to be constructed on the westerly half of a single 8-acre parcel (APN 487-370-013) located at the northeast corner of Morrison Street and Cottonwood Avenue in the City of Moreno Valley, Ca. DMC Design Group, Inc. has been asked to submit a proposal for survey and engineering services required to design and prepare construction documents for civil improvements for the proposed Fire Station No. 107 Project Improvement. DMC Design Group, Inc. was also asked to submit a proposal for construction support, including required construction staking.

Project Understanding

Based upon additional discussions with the Project Architect, City officials and a site visit conducted January 8, 2008, the proposed fire station is to be constructed on the westerly 4 acres portion of parcel APN 487-370-013. The site is currently 10 feet to 20 feet above adjacent street grades and generally slopes from the northwest to the southeast. Full street improvements, including a traffic signal, have already been constructed immediately adjacent to the site; therefore, the only offsite street improvements anticipated for this project are at two (2) driveway approaches and minor sidewalk replacements. A major drainage structure facility currently exists north of the proposed project site on a parcel adjacent to the northerly edge of the project. Improvements to this facility are not anticipated. It is understood that water, sewer and drainage facilities adjacent to the project site are adequately sized to support the proposed Fire Station improvement. Finally, it is understood a lot division of the existing 8 acre site is not anticipated at this time.

Scope of Services

Based our current understanding of the project, DMC Design Group, Inc. offers the following survey, engineering and construction support Scope of Services:

Phase 1 – Concept Development	
Task 1.01 Meetings with Architect/City (4)	$1,200
Task 1.02 Research	$1,200
Task 1.03 Topographic Survey/Map	$5,000
Task 1.04 Boundary Survey/ Map	$3,000

Task 1.05 Complete Site Hydrology Analysis/Preliminary Drainage Report	$4,000
Task 1.06 Prepare Preliminary Water Quality Management Plan	$4,000
Task 1.07 Prepare Grading and Drainage Concept Plans	$4,000
Task 1.08 Prepare Preliminary Construction Cost Estimate of Civil Improvements	$2,000
Total Phase 1	**$24,400**
Phase 2 – Final Construction Documents	
Task 2.01 Meetings with Architect/City (8)	$2,400
Task 2.02 Prepare NOI Application/Submit to State/Obtain WDID No. for Project	$1,000
Task 2.02 Prepare Final Precise Grading/Paving/Drainage Sheets (4 Sheets)	$8,000
Task 2.03 Prepare Off-Site Street Improvement Plan (1 Plan Sheet)	$1,500
Task 2.04 Prepare Wet Utility (Water/Sewer) Extension Plans (2 Plan Sheets)	$3,000
Task 2.05 Prepare Final Estimate of Quantities	$1,500
Task 2.06 Finalize Special Studies (Drainage/WQMP)	$2,000
Task 2.07 Prepare/Submit Encroachment Permit Application to City For Street Imp.	$2,000
Task 2.08 Prepare/Submit Grading Permit Application to City	$2,000
Task 2.09 Coordinate Approval with City Fire Department	$2,000
Task 2.09 Prepare/ Submit Application for Utility Connections (Potable Water/Fire Water/Sewer)	$2,000
Task 2.10 Review Technical Provisions Prepared By Others	$1,500
Total Phase 2	**$28,900**
Phase 3 – Bid/Construction Support	
Task 3.01 Bid Support (Provide Written Responses to RFI/Attend Pre-proposal Meeting)	$2,000
Task 3.02 Construction Support (Attend Construction Kick-Off Meeting/Address Questions)	$2,000
Task 3.03 Construction Staking	$750
Construction Control (Rough Grade/Blue Tops, Bldg. Corners, Grade Verification)	$5,200
Utilities(Sanitary Sewer/Water Mains/Storm Drains)	$3,300
Civil Improvements (Curbs/Gutter/Walkways/Driveways/Walls/Fences/Light Poles)	$5,900
Fine Grade Verification	$225
Office Calculations	$1,225
Task 3.04 Prepare As-Built Plans Of Civil Improvements)	$2,500
Total Phase 3	**$23,100**
Total All Phases	**$76,400**

All Direct Costs will be billed at cost plus 15%. A schedule of hourly rates is attached.

Schedule:
To start the project, DMC will require possession of the following:

- An executed agreement with DMC for services outlined above;
- a written notice to proceed;
- data prepared by others, as outlined below.

The following information shall be provided to DMC Design Group, Inc. by others:

- A geotechnical investigation of the site shall be completed and the finding/recommendation of the investigation summarized into a report. The report shall provide soil infiltration rates, pavement sections for parking lots and roadways, grading requirements and wall foundation design requirements. A copy of the report will be provided to DMC Design Group, Inc;
- Recent Preliminary Title Report of the project site;
- Site Plan of the Proposed Fire Station in AutoCadd format approved by DMC Design Group, Inc.

Phase 1 will be completed by DMC Design Group, Inc. and copies of the concept plans/estimates/studies delivered to the Architect/City for initial review within 30 working days after starting on the project.

DMC will proceed with Phase 2 upon receiving Final Conditions of Approvals and the redline comments of the plans/studies from the Architect/City. DMC will revise the plans/studies, prepare required permit applications and submit to the Architect/City within 20 working days for review.

It is anticipated that two (2) plan reviews of these documents will be required by the Architect/City prior to final approval of plans. Additional plan checks will be completed by DMC Design Group, Inc. on a time and material basis.

Exclusions/Clarifications

The following work items are excluded from this contract. In the event that engineering services are needed for any of the following items, a scope of service covering the work will be submitted for approval under a separate proposal. Work will not proceed on the additional services until a written authorization is received by DMC.

- Composite Utility Plan, Joint Utility Trench or Utility Pot Holing.
- Property Line Monuments, Record of Survey, A.L.T.A. Maps.
- Parcel Maps/Subdivision Maps.
- Geotechnical, Environmental, Archeological, Biological, Traffic, or Noise Attenuation Studies.
- Retaining Wall Design/Plans.
- Assessment District Engineering or Specific Plans.
- Zone Change, General Plan Amendment or Conditional Use Permit.
- Preliminary Title Reports (To be provided by others).
- All fees, including application fees, processing fees and plan review fees.

Should our proposal meet with your approval, I can have an agreement for our services prepared and sent to you for signature or we can enter into an acceptable agreement prepared by STK Architects, Inc. Once I have received a fully executed copy of the Agreement, the data to be provided by others outlined above and a written notice to proceed, we will immediately proceed with this project. Thank you for providing DMC Design Group, Inc. this opportunity. We look forward to working with STK Architects, Inc. and the City of Moreno Valley on this project. Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,
DMC Design Group, Inc.

David M. Cosper, P.E.
Principal Engineer

SCHEDULE OF HOURLY BILLING RATES

OFFICE PERSONNEL

Principal Civil Engineer	$195.00/hr
Principal Traffic Engineer	$175.00/hr
Project Manager	$165.00/hr
Project Engineer	$150.00/hr
Senior Project Manager	$145.00/hr
Senior Associate	$140.00/hr
Lead Designer	$135.00/hr
Associate	$130.00/hr
Designer	$125.00/hr
CADD Manager	$120.00/hr
Traffic Project Coordinator	$115.00/hr
Acquisitions/Relocations Specialist	$110.00/hr
CADD Designer	$100.00/hr
Traffic Analyst	$95.00/hr
Utility Coordinator	$85.00/hr
Right-of-Way Administrative Support	$80.00/hr
Technician	$75.00/hr
Word Processor	$60.00/hr

FIELD PERSONNEL

Construction Manager	$155.00/hr
Survey Manager	$125.00/hr
Two-Man Survey Party w/ Vehicle & Equipment	$225.00/hr
Three-Man Survey Party w/ Vehicle & Equipment	$340.00/hr
Public Works Inspector	$125.00/hr
Field Technician	$90.00/hr

Outside services, sub-consultants and direct costs are billed at cost plus 15% for administration, coordination and handling. Scheduled overtime will be billed at 150%. Terms are net thirty (30) days with 1.5% per month interest charges. The above schedule is for straight time hours.

DMC DESIGN GROUP

RASKIN ENGINEERING
INCORPORATED

11030 ARROW ROUTE, #211
RANCHO CUCAMONGA, CA 91730
PHONE: (909) 980-8898
FAX: (909) 980-8838
E-MAIL: raskineng@earthlink.net

January 13, 2010

RE: Moreno Vally Morrison Park Fire Station, Moreno Valley, CA – PROPOSAL for Structural Engineering

Mr. G.V. Salts
STK Architecture, Inc.
42095 Zevo Dr. Ste. A-15
Temecula, Ca 92590
Phone (951) 296-9110
Fax (951) 296-6079

Dear Mr. Salts,

Thank you for the opportunity to submit this proposal for Structural Engineering services on the above referenced project. The *Scope of Services* lists the services we can provide to assist you in obtaining building department approval and structural permit for the approximately 10,595 sq.ft., 3-Bay Fire Station at the above project. This letter is a proposal for performing the services described below. This letter will also serve as a contractual agreement to perform the services if signed and returned to our office.

Scope of Services

- Provide Structural Construction Notes.
- Provide design for miscellaneous structures typical of this type of project.
- Provide foundation plan drawings for a typical shallow foundation design.
- Provide a wall layout plan showing lateral resisting elements.
- Provide roof-framing plan.
- Provide sufficient building sections and wall elevations to convey the intent of the structural design.
- Provide structural details.
- Provide structural calculations.
- Provide up to 3 structural observations by Raskin Engineering staff.
- Provide Record Drawings (commonly referred to as "as-builts") & associated CAD files.
- Up to (16) Hours for RFI's, submittal reviews and shop drawing reviews.

The cost for these services will be $33,000.
This fee is based on your verbal description of the project through this date and an estimate of probable construction costs of $4,513,000.

Additional work, which is over and above our normal services, as described in the *Scope of Services*, entitles this office to bill for an extra fee. Work that is considered to be over and above our normal services includes, but is not limited to the following:

1) Any construction shoring or site work not specifically included.
2) RFI's, Shop drawing or contractor submittal reviews in excess of that allocated above.
3) Drawing or design prepared for alternative bids.
4) Revisions to drawings that vary with your previous approval or instructions. These client-owner changes will be listed in a written change order. The change order will be authorized and signed by the client-owner before work on the revision commences.
5) Professional services made necessary by the default of the contractor or by major defects in the contractors' work.
6) Any off premises meetings or inspections required by the build ing department, contractor or owner in excess of that allocated.
7) Providing C.A.D. electronic files of our details.

RASKIN ENGINEERING
INCORPORATED

11030 ARROW ROUTE, #211
RANCHO CUCAMONGA, CA 91730
PHONE: (909) 980-8898
FAX: (909) 980-8838
E-MAIL: raskineng@earthlink.net

The following list of items is not provided by RASKIN ENGINEERING, INC. and is not included in the *Scope of Services:*

1) Any services not normally provided by a structural engineering firm.
2) Any construction detailing, cut-lists or material takeoffs.
3) Detailing required for water proofing and thermal insulation.
4) Soils investigation report.
5) Grading and utility plans.
6) Any services normally provided by an architect including Title 24 requirements and fire rating requirements.
7) Any services normally provided by mechanical or electrical engineers.
8) Fees for governing agencies.
9) Blueprinting and reproduction services. (Blueprinting required in addition to that provided are addressed under *Outside Services.)*

Hourly Billing Rates
Time and material services will be billed at our then current rates. Hourly time includes office time, research time, field time, transportation time and telephone and consultation time. Transportation time is determined from portal to portal excluding meal time.

Outside Services
A 15% handling fee will be charged in addition to the invoice cost on all outside services provided by additional consultants, professional services or technical support. The handling charge covers coordination and consultation with the outside service. If the outside service is included in the *Scope of Services,* no handling charge will be incurred.

Renderings, photographs, computer tools, blueprints and reproductions will be billed at invoice cost plus 15% handling charge. In house plotting for client will be billed at $1.20 per square foot for the first set & $0.15 per square foot for additional copies requested at the same time.

Billing and Payments
Invoicing will be based on progress and follow the percentage breakdown consistent with the prime contract with the City.

Payment of any invoices, including progress invoices, additional approved services and reimbursable expenses will be considered past due 30 days after the invoice date. Any additional, approved services or reimbursable expenses in excess of $1000 per item not included in this proposal/contract will be governed by a separate, addendum agreement.

Any late payments give RASKIN ENGINEERING, INC. the right to terminate work on the above project. Delinquent payments past 60 days will bear 1.5% interest per month from the original invoice date. Any payments beyond 90 days delinquent will force RASKIN ENGINEERING, INC. to pull our status as Engineer ofRecord and our structural plans from the city file.

Payment of invoices is not contingent on the client's ability to obtain permits as limited by other consultants. In addition, payment is not contingent on funding of construction loans or payments from parties not a part of this contract.

We reserve the right to amend this proposal if it not signed within thirty (30) days of today's date or work is postponed at any point by the actions of the client or owner for more than thirty (30) total days. Any and all services or support from this office that extends 1-year beyond the date of structural approval by the building department give this office the right to bill at our then current hourly rates.

Either party of the contract may institute legal proceedings by the result of alleged failure by the other party to perform in accordance with the terms. In the event of any litigation arising from or related to this Agreement or the services provided under this Agreement, the prevailing party shall be entitled to recover from the nonprevailing party all reasonable costs incurred, including staff time, court costs, attorneys' fees and all other related expenses of such litigation. To the maximum extent permitted by law, the Client and anyone claiming by, through or under the Client agrees to limit the Design Professional's liability for any and all claims of any nature whatsoever arising out of or in

RASKIN ENGINEERING
INCORPORATED

11030 ARROW ROUTE, #211
RANCHO CUCAMONGA, CA 91730
PHONE: (909) 980-8898
FAX: (909) 980-8838
E-MAIL: raskineng@earthlink.net

any way related to this Project or this Agreement to the sum of $250,000 or the Design Professional's fee, whichever is greater. In addition, the Design Professional's liability shall be limited to items that the Design Professional is proven to be solely at fault. These limitations shall apply regardless of the cause of action or legal theory pled or asserted.

We truly appreciate the opportunity to work with you and believe the results of our joint effort will satisfy your needs in a successful and creative manner. If the foregoing meets with your approval, please sign and return a copy of this agreement, along with any required retainer, to serve as our authorization to proceed with the work.

Respectfully yours,

Anthony Juniel, P.E.
Project Manager

By signing below, you are acknowledging that you have read and understand the above proposal/contract. Additionally, you accept that any documents that we provide, physical or electronic and the information provided within, are the property of RASKIN ENGINEERING, INC. and unauthorized copying, disclosure or other unauthorized uses are strictly prohibited.

Approved by:_____ Date: _____

Authorized signers printed name:_____
Please sign and return a copy to our office with any retainers so that we may begin work on the project promptly.

T-SQUARED
PROFESSIONAL ENGINEERS, INC.

T-SQUARED Professional Engineers, Inc.
CONSULTING MECHANICAL & ELECTRICAL ENGINEERS

1340 Specialty Drive • Suite E
Vista, CA 92081

Tel (760) 560-0100
Fax (760) 560-0101

www.tsqeng.com

January 12, 2010

Mr. G.V. Salts
STK, INC.
42095 Zevo Drive, Suite A15
Temecula, CA 92590

RE: MECHANICAL/ELECTRICAL/PLUMBING ENGINEERING SERVICES FOR
MORRISON PARK FIRE STATION
MORENO VALLEY, CA

Mr. Salts:

Thank you for considering T-SQUARED PROFESSIONAL ENGINEERS, INC. as consultants for the above project. Based on the information received from you, the following is a list of our proposed services along with the respective fees:

Original Proposal for the FS 110:	**$47,000.00**
Payments Received:	**$17,560.00**
New contract amount:	**$29,440.00**

The above fee is fixed and is based on reusing the plans developed for the Moreno Valley fire Station 110. This proposal includes 2 site visits during construction.

Upon your approval a letter of contract will supercede this proposal. Thank you again for your consideration. We look forward to working with you.

Sincerely,

Farzad Tadayon, P.E., C.I.P.E., N.C.E.E.S.
LEED Accredited Professional
President

EXHIBIT C

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT C

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: March 23, 2010

TITLE: Approve Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor Regarding the Relocation of an Existing Outdoor Advertising Display Sign to Facilitate the I215/SR60 Connector Project

RECOMMENDED ACTION

Staff recommends that the City Council authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor (Attachment 1).

BACKGROUND

The Riverside County Transportation Commission (RCTC) is pursuing the construction of the I215/SR60 Connector project to ease congestion occurring at the merger of these two freeways. As part of this project, RCTC acquired additional right of way on the north side of the connector. A portion of an existing outdoor advertising display sign, owned by Lamar Central Outdoor, overhangs the acquired right of way (Attachment 2). Since removal of the sign would require RCTC to acquire the balance of a long term lease, a very costly proposition, RCTC proposes to compensate Lamar for the relocation of sign out of the right of way.

DISCUSSION

The City of Moreno Valley Municipal Code prohibits the construction or reconstruction of outdoor advertising display signs ("billboards"). Regardless, the California Outdoor Advertising Act, Business and Professions Code, Section 5200, et seq, encourages local entities and display owners to enter into relocation agreements regarding existing non-conforming outdoor advertising display signs which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the

continued maintenance of private investment and a medium of public communications. Such an agreement would allow the City to permit the reconstruction of subject sign on the same property and outside of the RCTC right of way without compromising the Municipal Code prohibitions relating to such signs. Of foremost importance, the agreement would facilitate the RCTC I215/SR60 Connector project in a timely and cost effective manner. If approved, Lamar would be required to submit the necessary sign and building permits to the City for review and approval to ensure that the relocated sign complies with the agreement and relevant building codes.

ALTERNATIVES

The City Council could take any of the following actions:

1. Approve the proposed agreement as drafted. This action is the staff recommendation.
2. Approve the proposed agreement with modifications.
3. Deny the proposed agreement. This action would results in delays and/or substantial additional costs to implement the RCTC I215/SR60 Connector project. This action is not recommended.

FISCAL IMPACT

There would be no direct financial impact on the City of Moreno Valley from approving the agreement.

CITY COUNCIL GOALS

Approval of the agreement would facilitate the City Council goal:

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

NOTIFICATION

Notification of this item was accomplished through listing on the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Billboard Relocation and Reconstruction Agreement.
2. Pictures and Site Map for Existing Sign.

Prepared By:
John C. Terell AICP
Planning Official

Department Head Approval:
Kyle A. Kollar
Interim Community Development Director

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

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MV00049227

BILLBOARD RELOCATION

AND

RECONSTRUCTION AGREEMENT

THIS BILLBOARD RELOCATION AGREEMENT ("Agreement") is entered into as of this _____ day of _____, 2010 (the "Effective Date"), by and between the CITY OF MORENO VALLEY, a public body, corporate and politic ("City"), and LAMAR CENTRAL OUTDOOR, a Delaware limited liability company ("Company"). Hereafter City and Company are sometimes referred to as "Party" or collectively as "Parties."

RECITALS

WHEREAS, Company owns and operates numerous legal non-conforming billboard advertising structures within the city limits of City (each a "Billboard" and collectively the "Billboards");

WHEREAS, Company desires to relocate one existing Billboard, that is located within proposed public right-of-way needed for construction of improvements to SR-60;

WHEREAS, the California Outdoor Advertising Act, Business and Professions Code, Section 5200, et. seq, encourages local entities and display owners to enter into relocation agreements which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the continued maintenance of private investment and a medium of public communications;

WHEREAS, City desires to accommodate the relocation of the Billboard to prevent unnecessary expenditure of public funds;

WHEREAS, City and Company now wish to enter into an agreement to memorialize the terms and conditions upon which Company will have the right to relocate its existing Billboard.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the foregoing Recitals, which Recitals are incorporated herein by reference, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and consideration of the mutual covenants set forth herein, the Parties hereby agree as follows:

1. Term of Agreement. Unless terminated earlier as provided in this Agreement, this Agreement shall continue in full force and effect for so long as any obligation is owed by either Party pursuant to the terms of this Agreement.

2. Billboard Relocation and Reconstruction. Company currently owns a Billboard located north of SR-60, west of the I-215/SR-60 interchange, on APN 291-02-0029 within proposed public right-of-way ("Relocated Billboard"). Company shall be entitled to relocate the Relocated Billboard to a location outside of the public right-of-way. Company shall be entitled to construct the Relocated Billboard with a two-panel advertising display, that shall not exceed display dimensions of 14' x 48'. The Relocated Billboard shall be essentially the same design, materials and dimensions as the existing structure and shall not result in any increase in non-conformity with the City of Moreno Valley Municipal Code relative to structure design or

ATTACHMENT 1

placement. The Relocated Billboard advertising display shall be limited to fixed copy advertising only.

The City Council has found that this Agreement is in the public interest of the City and its residents. Adopting this Agreement constitutes a present exercise of the City's police power, and this Agreement is consistent with the City's General Plan.

3. City Approvals. Company shall submit a sign permit application to the City Planning Department for the development of the Relocated Billboard. Company's ability to construct and install the Relocated Billboard is expressly conditioned upon approval of sign permits by the City Planning Director. Company acknowledges that, in addition to sign permits, Company must obtain building permits from City prior to construction and installation of the Relocated Billboard.

4. Indemnity. Company, as a material part of the consideration to be rendered to City under this Agreement, shall indemnify the City, agents and employees and any successors or assigns to the City's rights under this Agreement (collectively "City Parties") and shall hold and save them and each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities, (hereinafter "Indemnified Claims and Liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the use and maintenance of the Relocated Billboard by Company, its officers, agents and employees (collectively "Company Parties"), but only to the extent any such Indemnified Claims and Liabilities arise from (a) the failure of the Company to keep the Billboard in good condition and repair, (b) the negligent acts or omissions of the Company hereunder, or (c) the Company's negligent performance of or failure to perform any term or covenant of this Agreement, and in connection with the foregoing indemnity:

a. Company shall defend any action or actions filed in connection with any of said Indemnified Claims and Liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith;

b. Company shall promptly pay any judgment rendered against the City and the City Parties for any such Indemnified Claims and Liabilities; and Company shall save and hold the City and the City Parties harmless therefrom; and

c. In the event the City Parties are made a party to any action or proceeding filed or prosecuted against the Company Parties for such Indemnified Claims and Liabilities, Company shall pay to the City any and all costs and expenses incurred by the City Parties in such action or proceeding, including but not limited to, legal costs and attorneys' fees.

Company and City further acknowledge that Company shall not indemnify the City Parties for any Indemnified Claims and Liabilities caused by or arising out of the gross negligence or willful misconduct of the City Parties.

5. Lamar's Advertising Policy. The Parties acknowledge that public advertising is an important form of public communication. City desires to preserve this type of communication while preserving the character of the community and prevent exposure of its residents to advertising which City's residents might find offensive. Accordingly, Lamar shall be prohibited from displaying such offensive advertising material including, but not limited to, advertising for adult businesses, cabarets, and strip clubs or lingerie.

6. General Provisions.

a. Assignment. Company may only assign or otherwise transfer this Agreement to any other person, firm, or entity, upon presentation to the City of an assignment and assumption agreement in a form reasonably acceptable to the City Attorney and receipt of the City's written approval of such assignment or transfer by the City Manager; provided, however, that Company may, from time to time and one or more times, assign this Agreement to one or more persons or entities without City approval, but with written notice to the City, as long as Lamar Central Outdoor, or entities owned or controlled by it have and maintain at least a twenty percent (25%) ownership interest in such entities who are the assignees or transferees. After a transfer or assignment as permitted by this Section, the City shall look solely to such assignee or transferee for compliance with the provisions of this Agreement which have been assigned or transferred.

b. Waiver. The waiver by any Party of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of any other term, covenant or condition, or of any subsequent breach of the same term, covenant or condition.

c. Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be sent by: (a) certified or registered mail, postage pre-paid, return receipt requested, (b) personal delivery, or (c) a recognized overnight carrier that provides proof of delivery, and shall be addressed as follows:

If to Company:

Lamar Central Outdoor
24541 Redlands Boulevard
Loma Linda, CA 92354

If to City:

City of Moreno Valley
Attn: Planning Director
14177 Frederick Street
Moreno Valley, CA 92553

With a Copy to:

Gresham Savage Nolan & Tilden
Attn: Donovan C. Collier, Esq.
550 E. Hospitality Lane, Suite 300
San Bernardino, California 92408-4205

With a Copy to:

City of Moreno Valley
Attn: City Manager
14177 Frederick Street
Moreno Valley, CA 92553

Notices shall be deemed effective upon receipt or rejection only.

d. Authority to Enter Agreement. All Parties have the requisite power and authority to execute, deliver and perform the Agreement. All Parties warrant that the individuals who have signed the Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

e. Amendment/Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by all Parties.

f. Attorneys' Fees. In the event of litigation between the Parties arising out of this License, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and other costs and expenses incurred, including attorneys' fees on appeal, and all other reasonable costs and expenses for investigation of such action, including the conducting of discovery, in addition to whatever other relief to which it may be entitled.

g. Time is of the Essence. Time is of the essence of each and every provision of this Agreement.

h. Miscellaneous. This Agreement embodies the entire Agreement between the Parties and supersedes any prior or contemporaneous understandings between the Parties related to the Agreement. In the event of a dispute between the Parties hereto, the prevailing Party shall be entitled to recover its attorney's fees and other costs and expenses incurred in connection therewith, whether or not suit is filed or is pursued to judgment, and including any such fees or costs incurred in connection with any appeal, or any bankruptcy proceeding. If any provision of this Agreement is held to be invalid, the balance shall remain binding upon the Parties. This Agreement shall be interpreted in accordance with its plain meaning, and not in favor of or against either Party. This Agreement shall be construed according to the laws of the State of California.

i. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the date set forth below.

"CITY":

CITY OF MORENO VALLEY

By: _____
City Manager

APPROVED AS TO FORM:

_____

By: _____
City Attorney

"COMPANY"

LAMAR CENTRAL OUTDOOR

By: _____
By: _____
Its: _____

By: _____
By: _____
Its: _____

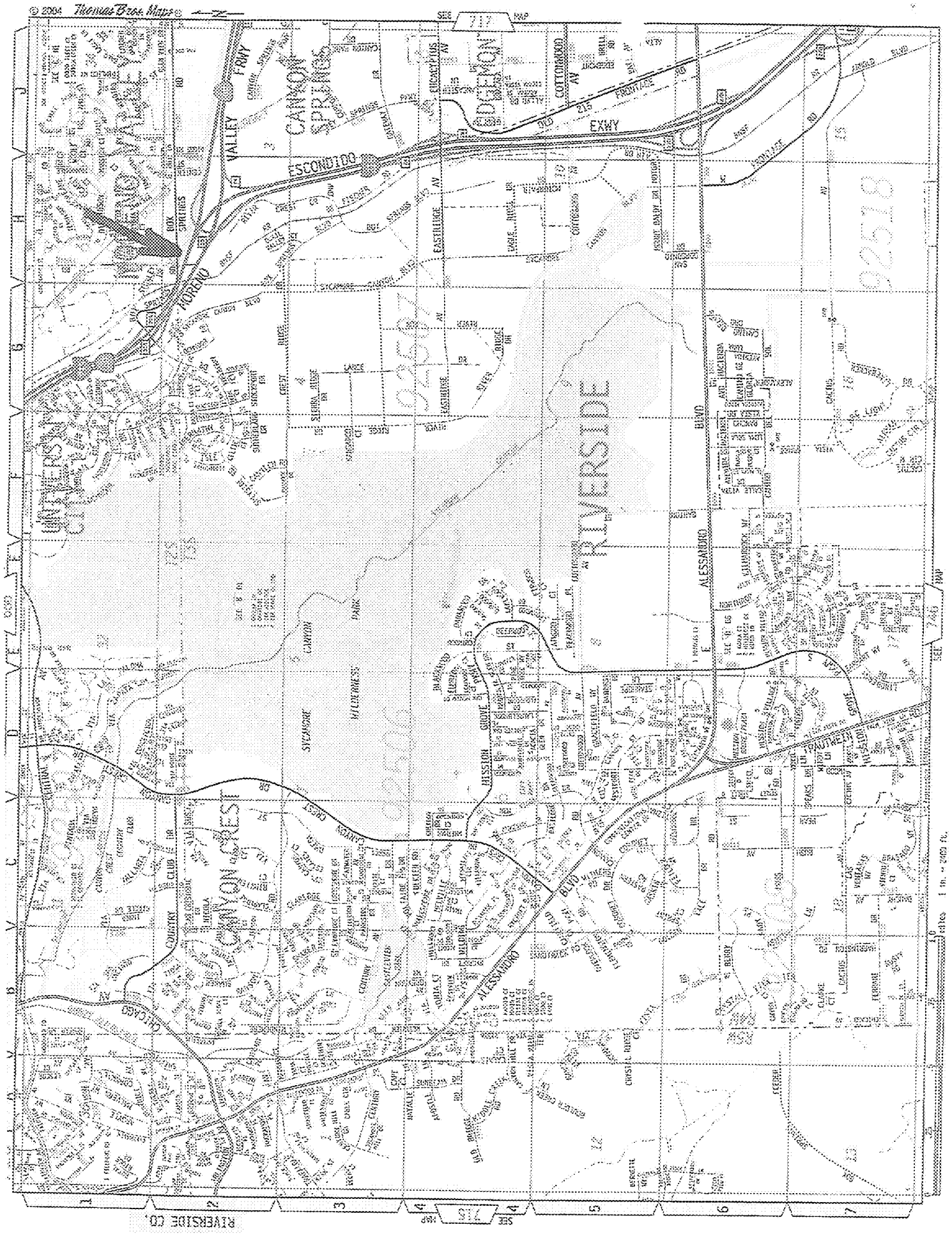

Item No. A.9

MV00049232

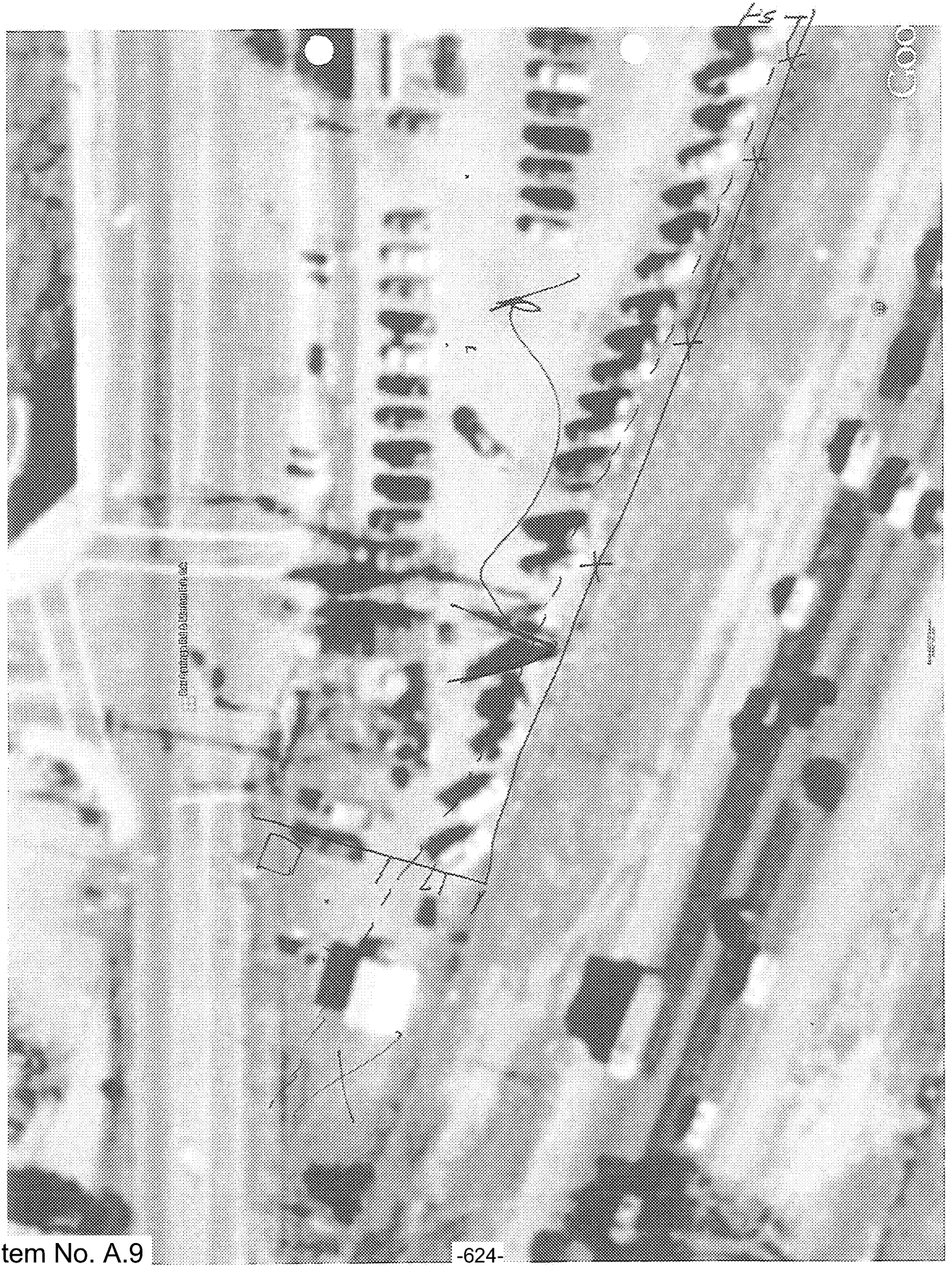
Copyright Bill D Marshall 2010 - GC

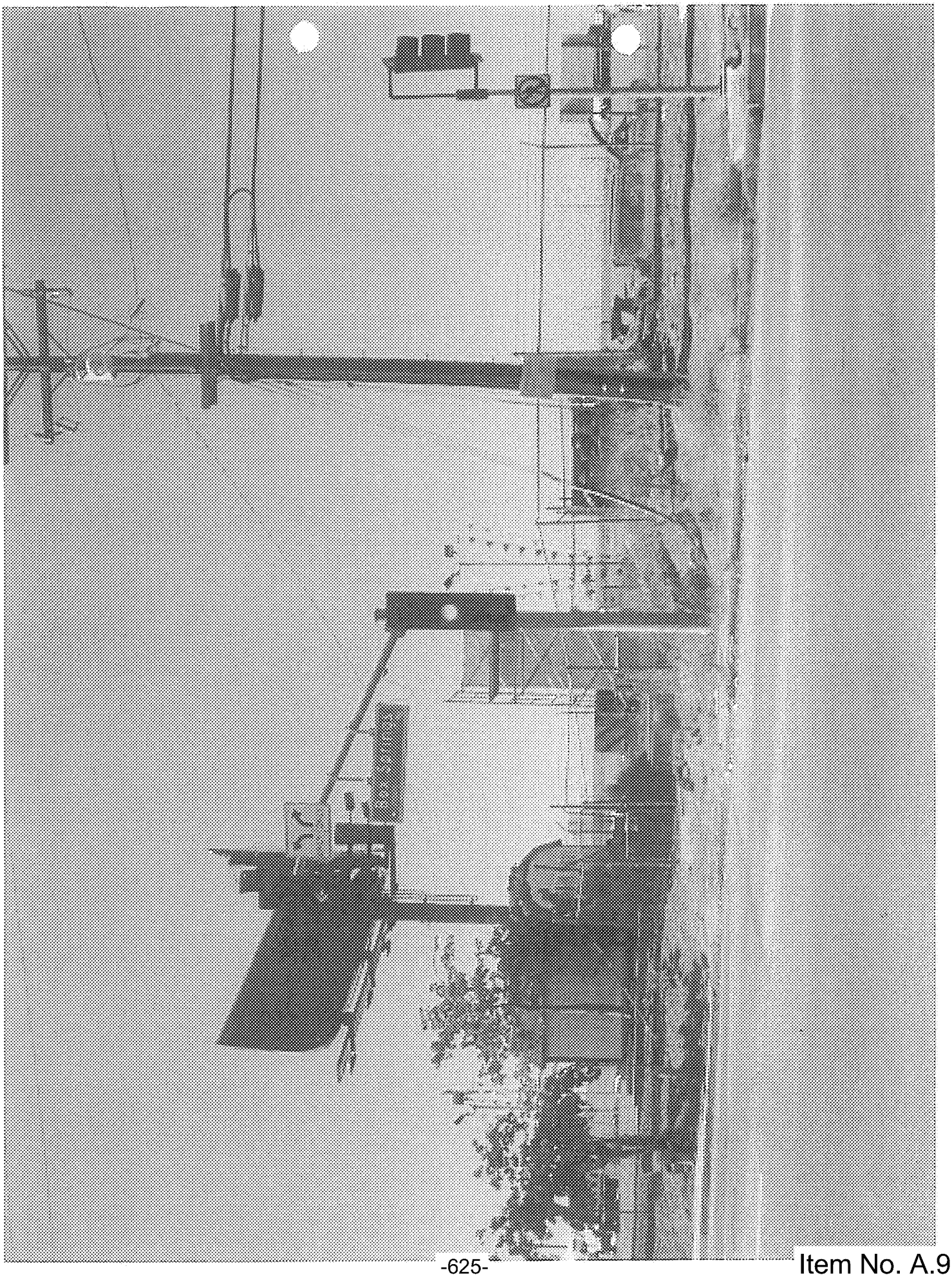

Item No. A.9

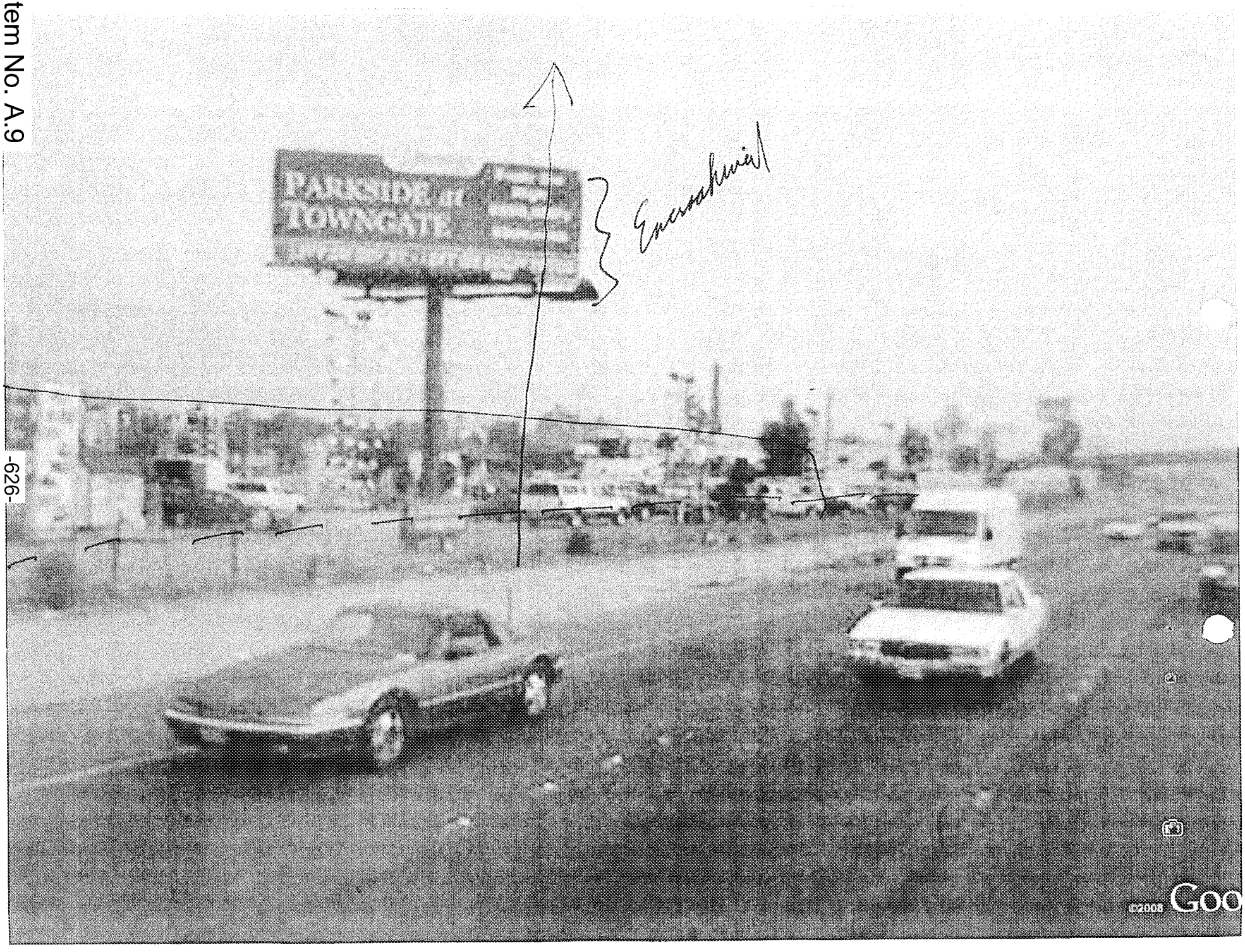
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MINUTES - REGULAR MEETING OF MARCH 9, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00049237

MINUTES - REGULAR MEETING OF MARCH 9, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00049239

MINUTES - REGULAR MEETING OF MARCH 9, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00049241

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: March 23, 2010

TITLE: A public hearing regarding PA07-0007, a proposal to amend Title 9 of the Municipal Code regarding: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, and (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of the code amendment approved on September 22, 2009.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **RECOGNIZE** that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

2. **INTRODUCE** Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its January 28, 2010, meeting approved Planning Commission Resolution 2010-02, recommending by a 7-0 vote that the City Council recognize that PA07-0007 (Municipal Code Amendment) qualifies as an exemption in accordance with CEQA Guidelines, Section15061 (Minor Alterations in Land Use Limitation) as defined by Section 15378, and approve PA07-0007 (Municipal Code Amendment).

BACKGROUND

The proposed changes were the result of issues and concerns that have arisen over the past few years. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

DISCUSSION

ANALYSIS

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning:

1. Trash enclosures:

   Revisions have been made to remove conflicting standards, and to defer to recently created Public Works standards. Trash enclosures are regulated by the Public Works Department to ensure compliance with water quality management standards. Planning review will continue to focus on aesthetics and placement of the enclosures.

2. Parking standards for nail salons and hotels:

   Revisions have been made to better address the standard parking requirement for hotels and nail salons. Hotel parking has been change from 1.25 to 1 parking space per room, as determined by parking studies for recently approved hotels. Nail Salon parking standard has been added 1 parking space for every 2 work stations to reflect the higher parking demand of such uses as compared to standard retail and service uses.

3. On street parking standards for cul-de-sac lots, and flag lot width standards:

   Revisions have been made to increase to 50 foot minimum cul-de-sac frontage per lot for the R1 through R5 lots. The R10 cul-de-sac lot width was increased to 45 feet. Both increases will facilitate the provision of sufficient on-street parking in residential subdivisions. Flag lot width standards will be reduced to a 20 foot minimum, and this will help facilitate the design and improvements on future subdivisions.

4. Service station design:

   Revisions have been made in order to address the Public Works standards, new landscape standards, and update service station regulations in general to match current design and operational standards for this type of facility.

5. Retaining walls:

   Text revisions and wall exhibits have been added, in order to make it easier to understand and interpret the fence and wall standards.

6. Consolidate the parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements:

   Revisions to Chapters 9.16 and 9.11 have been made in order to make it easier to find parking code regulations, and in addition eliminating code items that are called out twice, once in each chapter.

7. Parking lot planter islands:

   Revisions have been made to clarify that finger planters are required every twelve spaces along any row of parking. The current text does not clearly indicate that finger planters are required in the interior of a parking lot.

8. Add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required:

   Revisions have been made in order to call out the number of trailer parking required, and provide a dimension for trailer parking stalls. Currently this is not called out in the Municipal Code. The trailer parking and dimensions match the requirements from the Industrial Area Specific Plan 208.

9. Permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones:

   Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors) have been added as permitted uses in the OC and BPX zones. Allowing personal services in these two zones will not intensify or change the original intended purpose for these two zones.

10. Residential Site Development Standards.

    This section was inadvertently left out of the September 22, 2009 Code Amendment, and have been added back into the Code.

    Section 9.03.040 (E): "Special Single-Family Residential Development Standards"

    7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

    And added to:

    Section 9.03.040 (F): "Special Multiple-Family Residential Development Standards"

    3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

ALTERNATIVES

1. Approve the proposal as submitted.

2. Approve the proposal with modifications to address City Council concerns.

3. Refer the proposal back to the Planning Commission.

4. Deny the proposal.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The proposed amendment to the City of Moreno Valley Municipal Section 9.17 would provide a comprehensive document addressing (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, and (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of the code amendment approved on September 22, 2009.

Details of the specific code amendment changes are referenced in the attached Planning Commission Staff report.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance No. 808 with proposed revisions
3. Planning Commission Staff Report dated January 28, 2010
4. Planning Commission Minutes for January 28, 2010

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

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

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA07-0007) FOR THE AMENDMENT OF THE MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The proposed Municipal Code Amendment (PA07-0007) modifies various provisions listed above. The modifications eliminate conflicts and clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

ATTACHMENT 1

Tuesday, March 23, 2010
6:30 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

Item No. E.1

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MV00049249

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment. **ATTACHMENT 2**

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

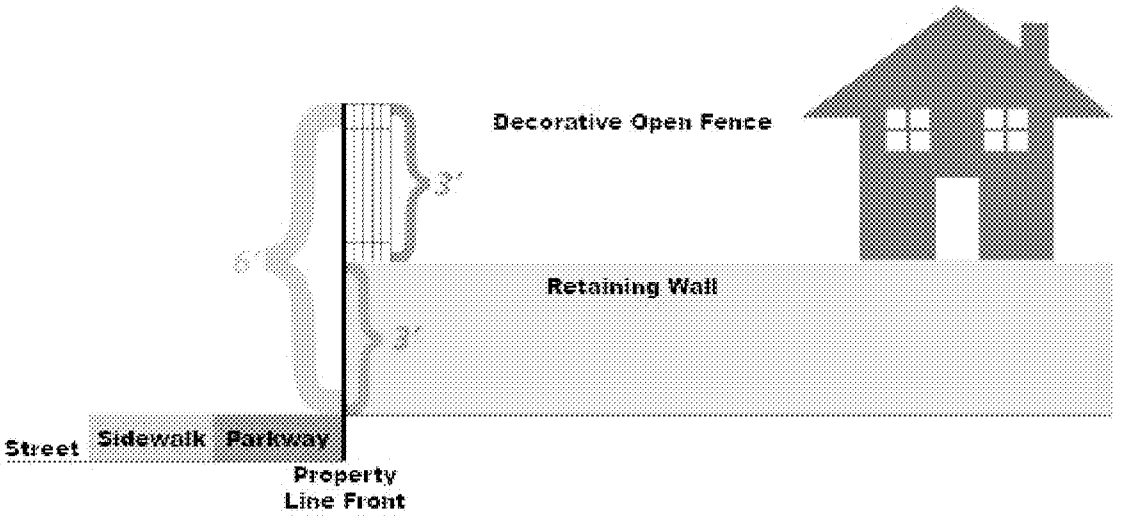

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

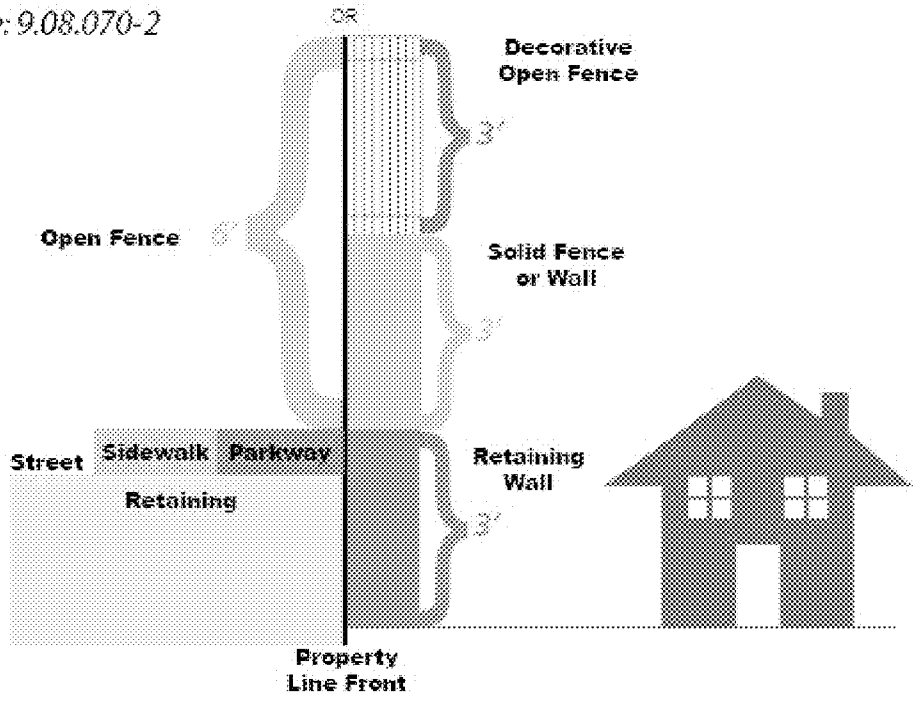

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

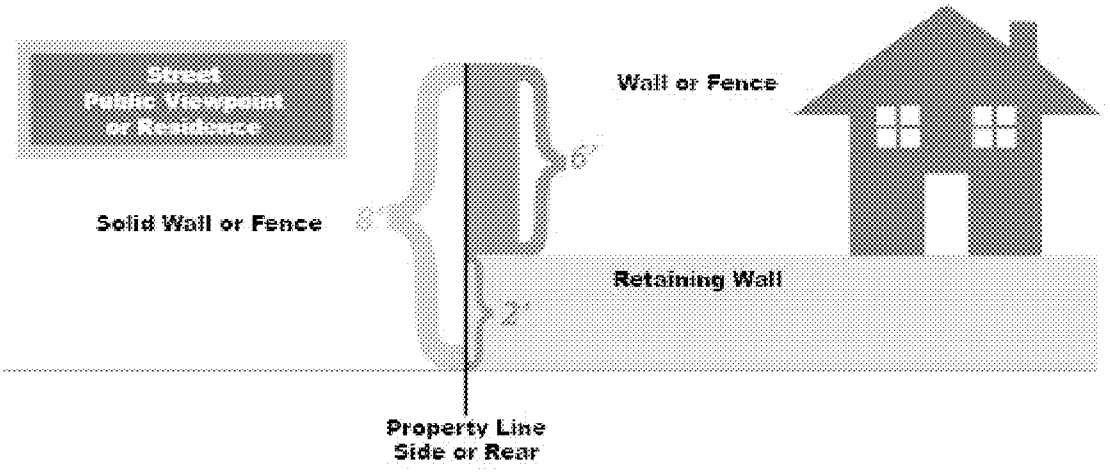

Figure: 9.08.070-4

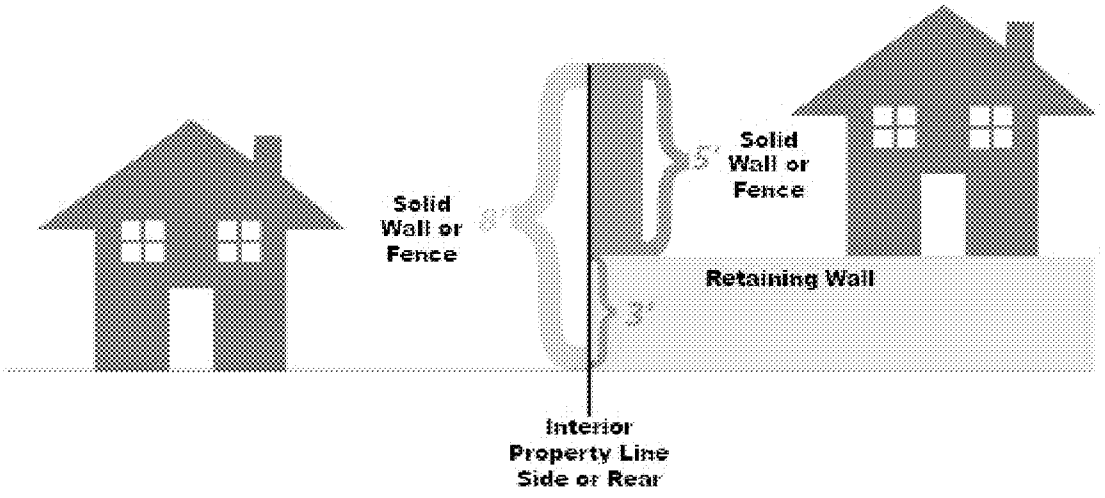

Figure: 9.08.070-5

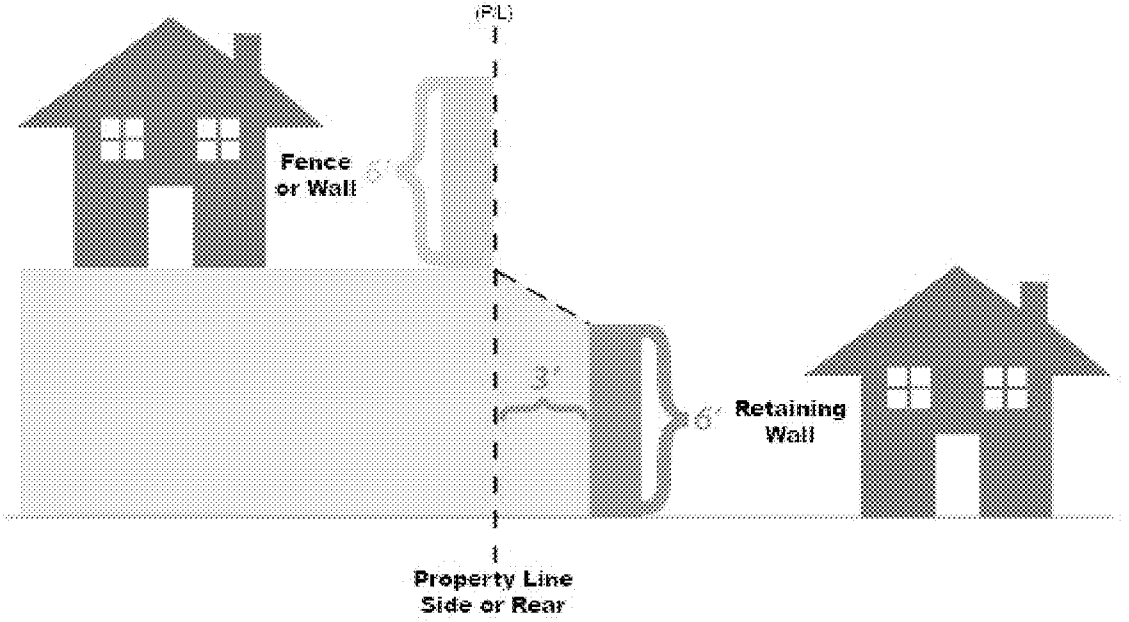

Figure: 9.08.070-6

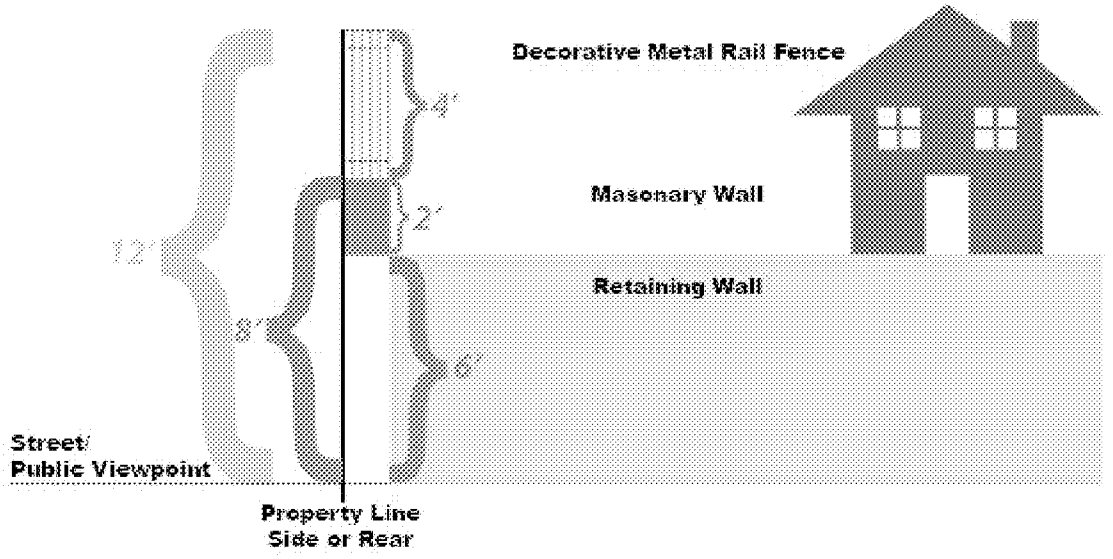

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

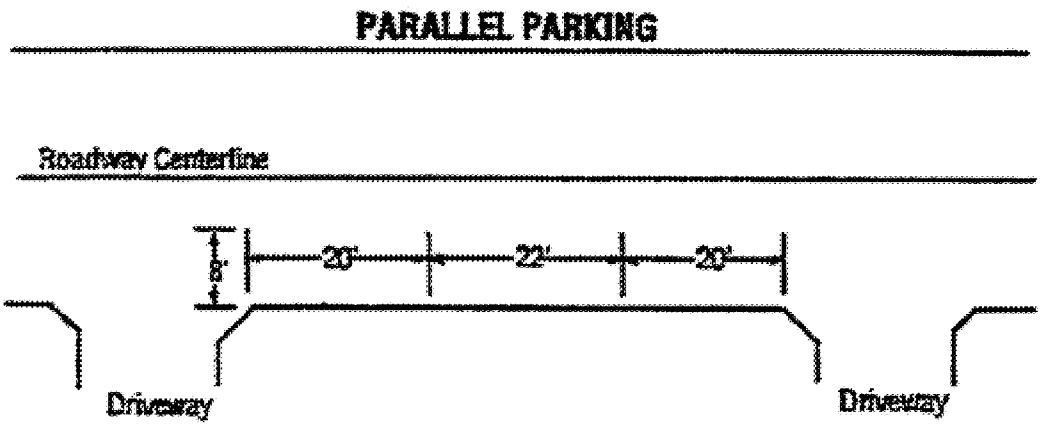

Figure 9.11.080-5
Nonparallel Parking Spaces

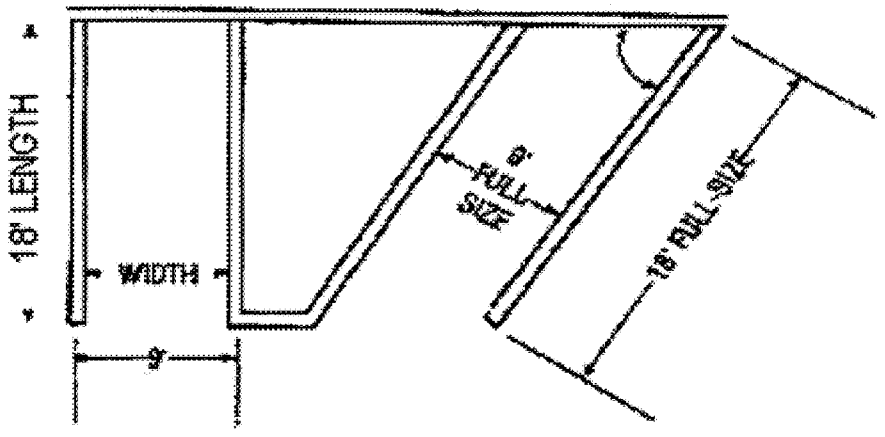

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

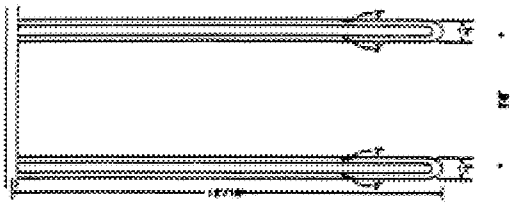

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0007 (Municipal Code Amendment)
Date:	January 28, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	City-wide
Proposal:	To amend the municipal code regulations regarding: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, (10) landscape setback for Commercial Zones.
Redevelopment Area:	Yes
Recommendation:	Approval

SUMMARY

This is a proposal to amend a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code as identified in the report title above. Some of the proposed changes are due to Planning Commission requests, and others are staff generated to address changes in development practices, and to provide greater clarity of city regulations.

ATTACHMENT 3

PROJECT DESCRIPTION

This proposed amendment would modify various provisions of the Municipal Code. If adopted, it would create or change the regulations concerning: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3) on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate the parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, (10) landscape setback for Commercial Zones. Proposed deletions are shown as stricken text and additions are underlined. The wall drawings provided in Issue 5 will be updated and reproduced by the City's Graphics Department, after Planning Commission review.

ANALYSIS

Issue 1. Trash enclosures.

Section 9.08.150 of the Municipal Code, addresses screening requirements for trash enclosures.

Revisions to Section 9.08.150 have been made to remove conflicting standards, and to defer to recently created Public Works standards No. 627A thru 627E. Trash enclosures are regulated by the Public Works Department to ensure compliance with water quality management standards. Planning review will continue to focus on aesthetics and placement of the enclosures.

Staff recommends amending by changing subscript C, 2, renumbering, adding subscript 3 and deleting Figure 9.08.150-3 as follows:

C. Screening of Refuse Storage Areas ~~(Trash Enclosure)~~. Trash/waste enclosure design standards are found in ~~subsection B (Screening and Storage Areas) of this section~~ the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and ~~shall~~ accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

~~3~~4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

~~Figure 9.08.150-3 Trash Enclosure Standards~~

Figure 9.08.150-3

Trash Enclosure Standards

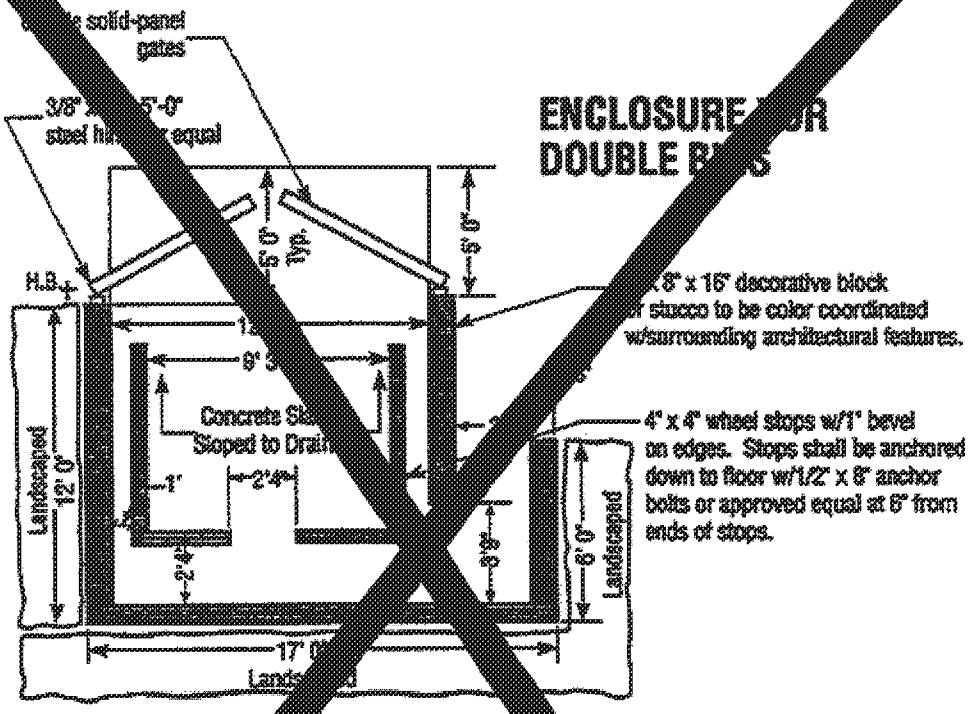

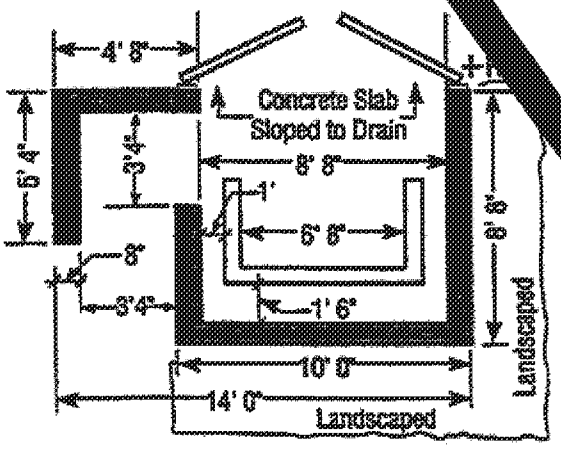

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Figure 9.08.150-3

Trash Enclosure Standards (Continued)

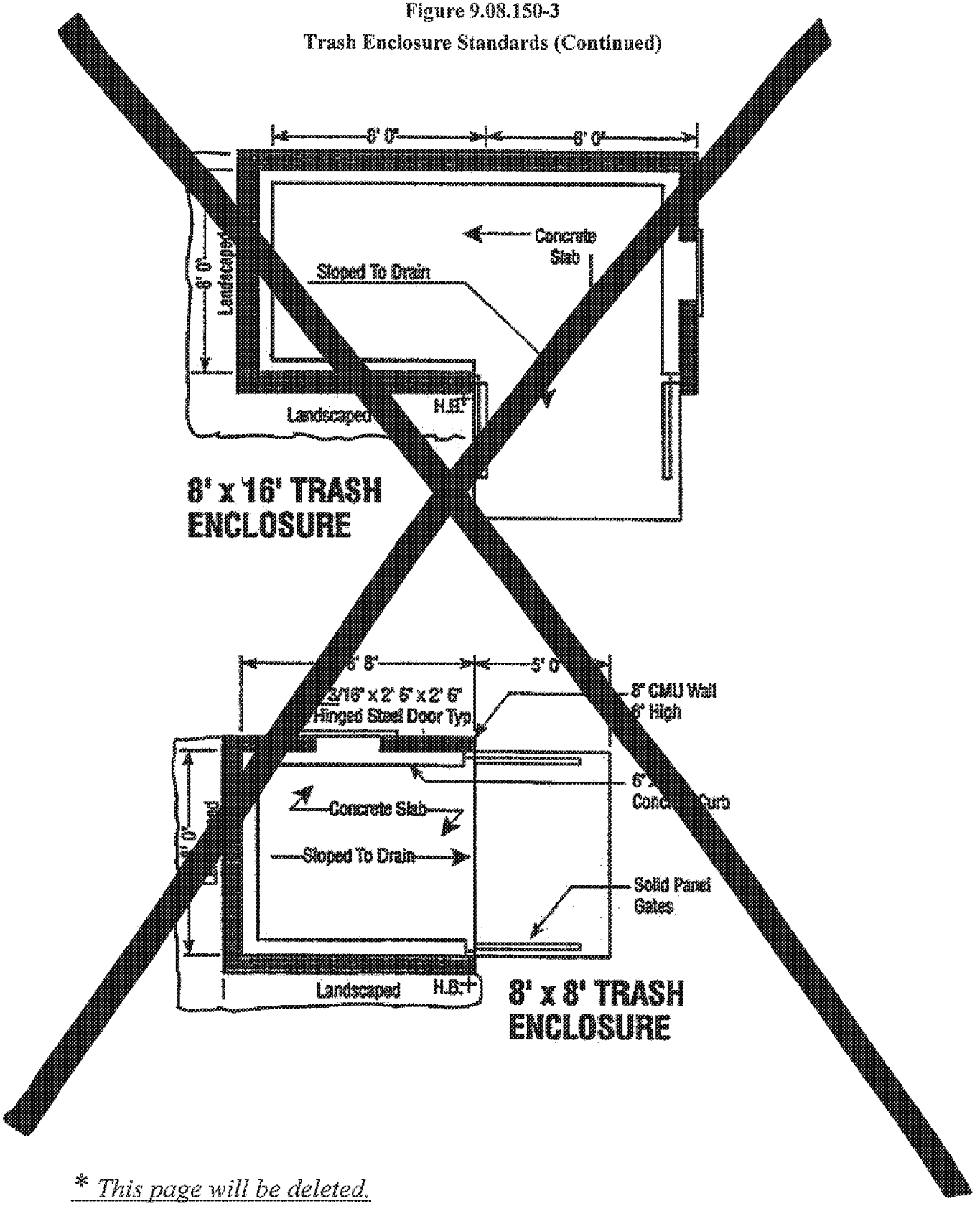

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Figure 9.08.150-3
Trash Enclosure Standards (Continued)

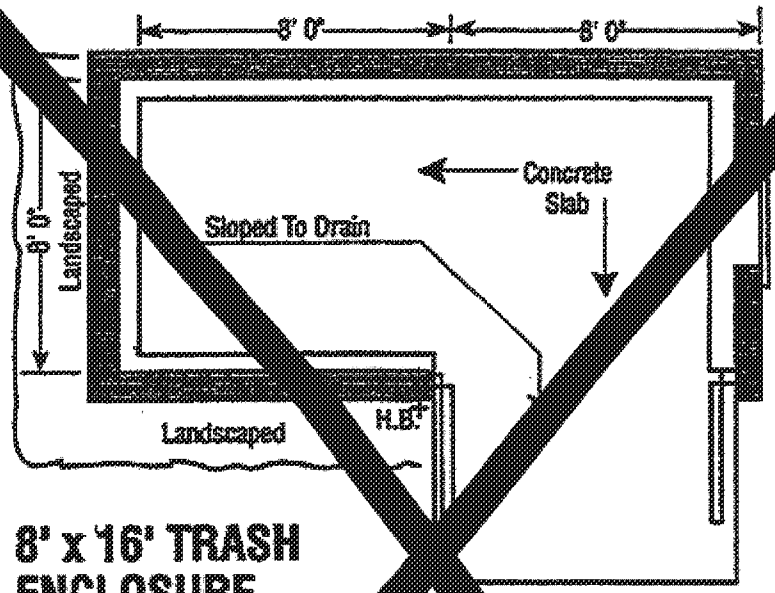

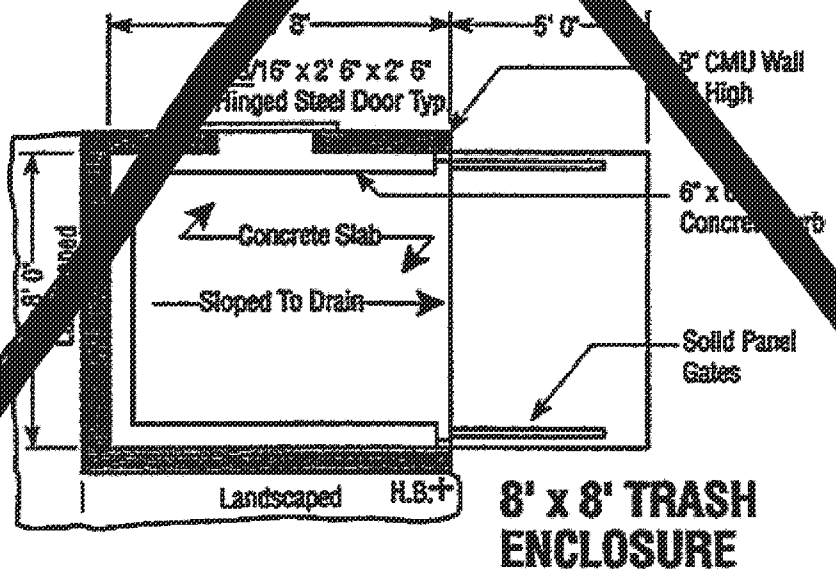

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Item No. E.1

MV00049282

Issue 2. Parking Standards for Nail Salons and Hotels.

Section 9.11.040 of the Municipal Code, addresses Off-street parking requirements.

Revisions to Section 9.11.040 have been made to better address the standard parking requirement for hotels. There have been recent hotel proposals that have submitted parking studies to support a 1 parking space per guest room, and those hotel projects have been approved by the Planning Commission. There are also a number of local jurisdictions that have a 1 parking space per guest room parking requirement.

Currently an administrative plot plan is required for nail salons since newer nail salons have a much higher number of work stations, and the potential to create parking issues in retail centers. The administrative plot plan is reviewed by Planning Staff. The plot plan includes a floor plan that indicates the area, the number of work stations within a suite, and floor layout. In the past nail salons were parked at general retail parking requirement which is 1 parking space for every 225 square feet of gross floor area, with the emergence of newer nail salons with more work stations within the suite, this has triggered a change in the parking calculation for nail salons. The proposed parking for nail salons is 1 parking space per every 2 work stations which is typically a more stringent requirement than the 1 per 225 square feet of gross floor area. For example a recently approved nail salon that has an area of 1,923 square feet would have required 9 parking spaces under general retail. This same 1,923 square foot nail salon contains a total of 21 work stations, and under the new parking standard 21 work stations will require 11 parking spaces.

Staff recommends amending Table 9.11.040B-12 of Section 9.11.040 by changing the subscript for hotel parking and adding subscript for nail salons as follows:

Use	Minimum Requirement	Notes
Commercial Uses		
Hotel, motel	~~1.25~~ 1/guest room	For facilities with (100+) parking spaces, 2-12 × 36 through stalls for RV parking are required. These spaces may be counted as 4 auto parking stalls.
Nail Salons	1 space for every 2 work stations	

Issue 3. On Street Parking for Cul-de-sac Lots and Flag Lot Width Standards.

Section 9.03.040 of the Municipal Code, addresses residential site development standards, and Section 9.14.020 of the Municipal Code, addresses Standards of Land Division.

Revisions to Section 9.03.040 have been made in order to address the potential lack of parking on cul-de-sac streets, in response to Planning Commission concerns expressed during past subdivision reviews. Planning has worked with the Transportation Engineering Division to come up with a 50 foot minimum cul-de-sac frontage per lot as measured at the right of way line. The 50 foot frontage only applies to R1 through R5 lots. The R10 cul-de-sac lot width was increased to 45 feet to match the existing small lot width requirement. The 50 foot frontage will accommodate a minimum of 1 on-street parking space per lot. The 50 foot

frontage also takes into consideration the required standard driveway approach. As proposed the new minimum cul-de-sac frontage requirements will provide a minimum of one 20 foot on-street parking space per cul-de-sac lot with the approval of this code amendment.

Revisions to Section 9.14.020 have been made in order to set a minimum flag lot width for emergency Fire access. Section 9.14.020 currently sets the minimum width requirement at 35 feet, but the minimum width required for emergency access is only 20 feet. The proposed change will reduce the minimum width requirement to 20 feet, and help facilitate the design and improvements on future subdivisions.

Staff recommends amending by changing R1 through R5 in subscript 3 in table 9.03.040-6 and R10 in subscript 3 in the (continued) table 9.03.040-6 of section 9.03.040, and subscript 5 and 7 in section 9.14.020 as follows:

Table 9.03.040-6

Residential Site Development Standards

Requirement	R1	R2	RA2	R3	R5
3. Minimum lot width, in feet	150	100	100	90	70
Cul-de-sac/knuckle lot frontage	~~35~~ 50	~~35~~ 50	~~35~~ 50	~~35~~ 50	~~35~~ 50

Table 9.03.040-6

Residential Site Development Standards (continued)

Requirement	RS10	R10	R15	R20
2. Minimum lot size (net area in sq. ft.)	4,500	See Section 9.03.040(E)(8)		
3. Minimum lot width in feet	45			
Cul-de-sac or knuckle lot frontage	~~35~~ 45			

9.14.020 Standards of land division.

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be ~~thirty-five (35)~~ fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot ~~frontage~~ width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than ~~thirty-five (35)~~ twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

Issue 4. Service Station Design Standards.

Section 9.09.170 of the Municipal Code, addresses Service Station Design Standards.

Revisions to Section 9.09.170 have been made in order to address the Public Works standards, new landscape standards, and update service stations in general to match current design and operational standards for this type of facility.

Staff recommends amending by changing subscript C by adding, deleting, and, renumbering, subscript as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and ~~shall be attached to and~~ architecturally ~~integrated~~ compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. ~~These areas incorporate a xeriscape design utilizing the community development department director approved plant palette, or approved equal.~~ Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways. ~~Planter strip width is exclusive of curb widths. Permanent opaque landscaping or berming is provided and maintained in the planters at a height of not more than three feet above the average adjacent grade. Appropriate irrigation will be supplied for all landscaped areas ensuring that no (spray) sprinkler is nearer than five feet of any building or structure.~~

b. ~~A~~ll minimum of one hundred ~~and~~ fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner. ~~This area incorporates a xeriscape design utilizing the community development department director plant palette, or approved equal.~~

~~c. All landscaped areas are properly maintained in a neat, orderly and safe manner. Such landscaping and maintenance includes, but is not limited to, the installation and use of an automatic irrigation system, permanently and completely installed which delivers water directly to all landscaped areas. However, no sprinkler is nearer than five feet of any building or structure.~~

11. Not more than one driveway with a maximum width of ~~thirty-five (35)~~ forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway~~s shall not be located closer than one hundred (100) feet from the beginning of curb return of a street intersection, twenty five (25) feet from a residential property line or alley, nor as to otherwise interfere with the movement and safety of vehicular and pedestrian traffic.~~ locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

~~b~~ 12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

~~12~~ 13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

~~13~~ 14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

~~14. At least one public telephone shall be provided at each service station in a location that is easily visible by the employees of the business.~~

~~15~~ 15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

~~16~~ 17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

~~17~~ 18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or ~~permanently disabled, junked or wrecked~~ inoperable vehicles may be stored outside of the main building.

~~18. Rental of equipment such as trailers and trucks shall be permitted subject to the following restrictions:~~

~~a. The rental equipment does not occupy or interfere with the required parking for the automobile service station;~~

~~b. The rental of the equipment is clearly incidental and secondary to the main activity on the site;~~

~~c. Rental equipment shall not obstruct vehicle or pedestrian access or line of sight.~~

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

~~21. Pump-first, pay after type operations for obtaining gasoline shall not be permitted, unless employees personally wait on the customers at the pump island(s).~~

~~22~~ 21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

Issue 5. 9.08.070 Fences and walls.

Section 9.08.070 of the Municipal Code, addresses fences and walls.

Revisions to Section 9.08.070 have been made in order to make it easier to understand the fence and wall standards.

Staff recommends amending by changing subscript B, adding exhibits, and adding, deleting, and renumbering subscript as follows:

9.08.070 Fences and walls.

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. ~~No two retaining walls on a given slope shall be closer to each other than the height of the taller wall.~~ A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. ~~A nonretaining fence or nonretaining wall may be erected adjacent to or directly on top of a retaining wall that does not face a street or other public viewpoint.~~ No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed ~~six~~ eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a ~~six~~ four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall~~;~~ (See Figure 9.08.070-6). ~~and a fence consisting of three feet of decorative metal rail and three feet of masonry may be placed above a three-foot retaining wall. If the combined solid surfaces exceed six feet in height, a minimum horizontal separation of six feet shall be required between the retaining wall and the nonretaining fence or nonretaining wall.~~

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the ~~c~~Community ~~d~~Development ~~d~~Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the ~~c~~Community ~~d~~Development ~~d~~Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, ~~O~~open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the ~~c~~Community ~~d~~Development ~~d~~Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

Figure: 9.08.070-1

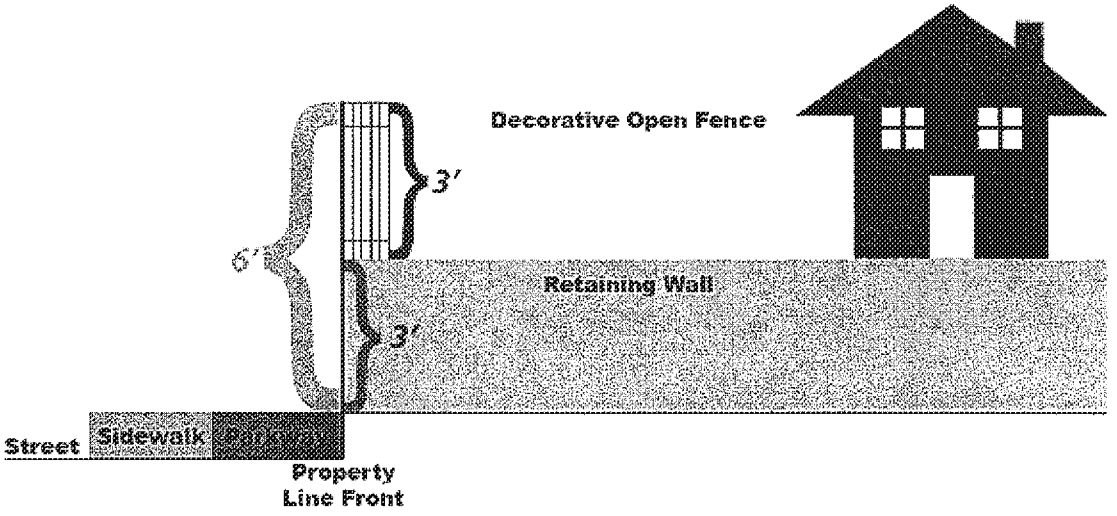

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

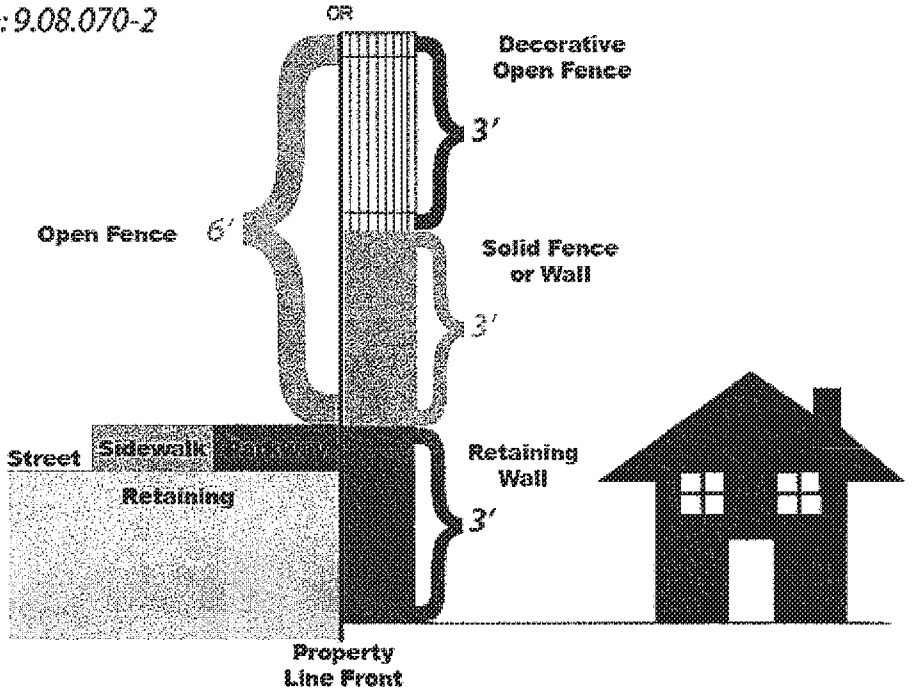

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

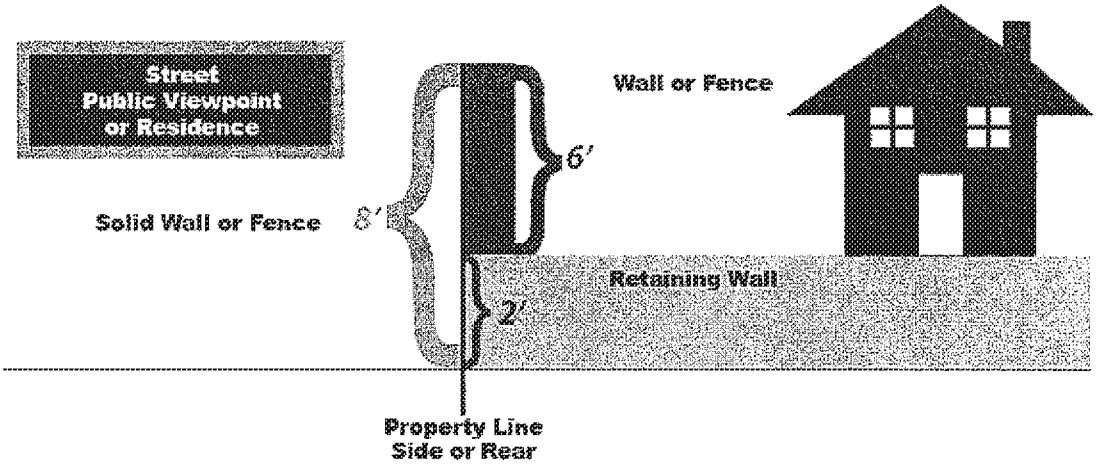

Figure: 9.08.070-4

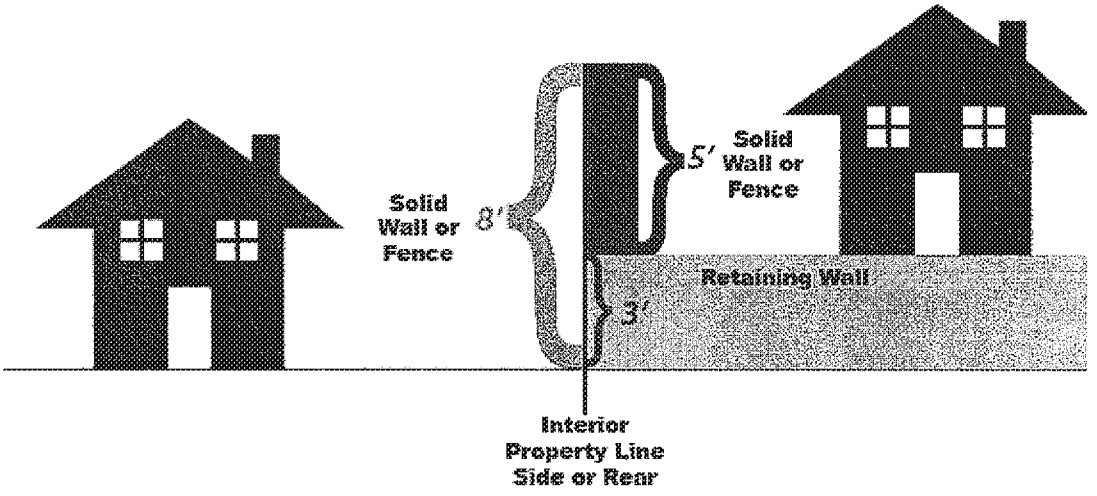

Figure: 9.08.070-5

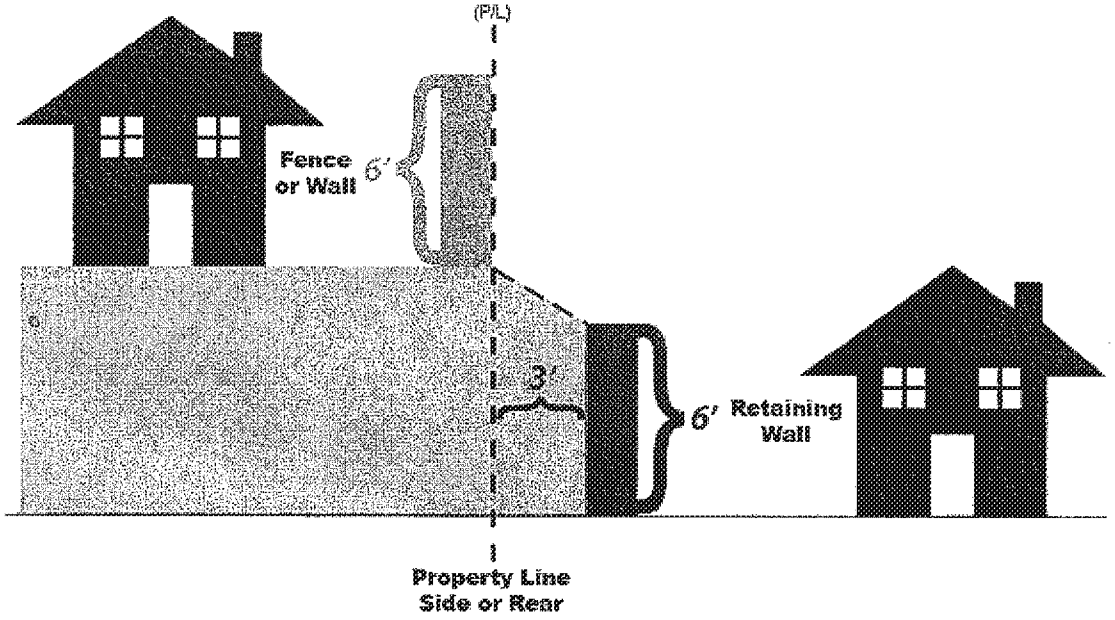

Figure: 9.08.070-6

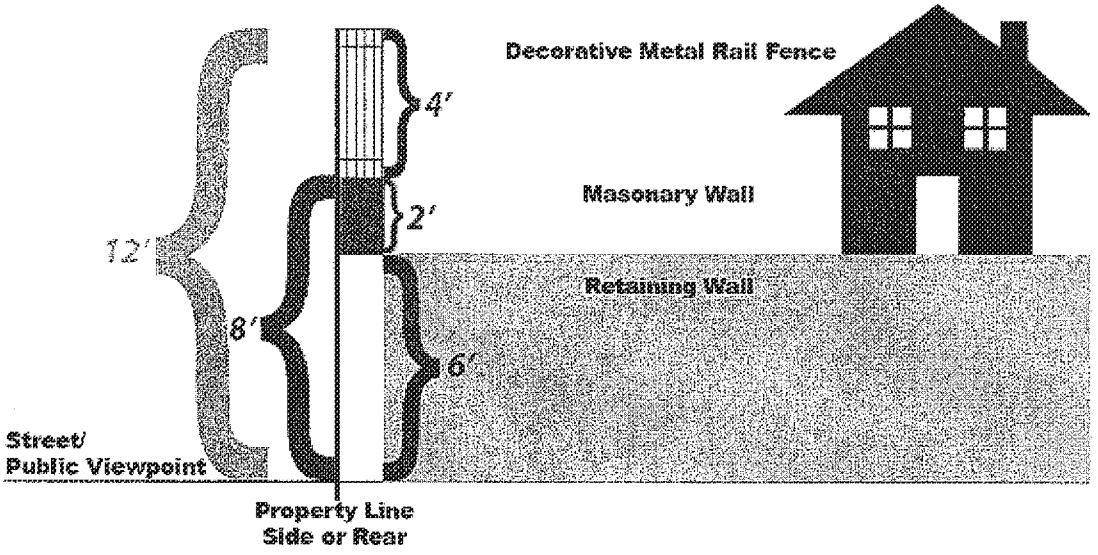

Issue 6. Consolidate parking and circulation section of design guidelines Chapter 9.16 into Chapter 9.11 parking and loading requirements.

Chapter 9.16 Article V. of the Municipal Code addresses applications for Circulation and Parking, and Chapter 9.11 of the Municipal Code addresses parking and loading requirements.

Revisions to Chapters 9.16 and 9.11 have been made in order to make it easier to find parking code regulations and in addition eliminating code items that are called out twice, once in each chapter. Chapter 9.16 Article V has been deleted; Article V. Applications for Circulation and Parking contains sections 9.16.240 General, 9.16.250 Circulation-Vehicular, and 9.16.260 Circulation-Pedestrian. Section 9.16.240 General was deleted due to it being very general and already called out in Chapter 9.11 Parking and Loading Requirements. Section 9.16.250 was incorporated into Chapter 9.11 Parking and Loading Requirements Section 9.11.080 Design Standards. Section 9.16.260 was moved from Chapter 9.16 Article V and became section 9.11.100 in Chapter 9.11.

Staff recommends deleting Article V of Chapter 9.16 amending Article VI and Article VII by renumbering, subscript as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II Principles of Design
Article III Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
~~**Article V. Applications for Circulation and Parking**~~
Article VI Applications for Signs
Article VII. Applications for Lighting

~~**Article V. Applications for Circulation and Parking**~~

~~**9.16.240 Generally.**~~
~~**9.16.250 Circulation—Vehicular.**~~
~~**9.16.260 Circulation—Pedestrian.**~~

~~**9.16.240 Generally.**~~

~~These guidelines suggest design solutions and standards to help parking and circulation facilities be compatible with their surroundings, to improve safety on both public rights-of-way and private property, to separate and enhance both vehicular and pedestrian traffic and to reduce the amount of traffic on neighborhood streets. (Ord. 359 (Attach. 2 (part)), 1992)~~

~~**9.16.250 Circulation—Vehicular.**~~

~~1. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.~~

~~2. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or per-golas to identify pedestrian pathways through parking areas and along buildings.~~

~~3. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.~~

~~4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.~~

~~5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.~~

~~6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet.~~

~~7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles.~~

~~8. Drive aisles should make a loop around the structures and avoid dead-end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.~~

~~9. Parking areas shall be screened from streets through a combination of mounding, landscaping, low profile walls and/or grade separations as suggested in the landscape guidelines, Ordinance No. 247.~~

~~10. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.~~

~~11. Internal roadways shall be designed so that direct access is available to all structures visible from a particular parking area.~~

~~12. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the city of Moreno Valley.~~

~~13. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers and flexible work shifts.~~

~~14. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from street grade, within the limited use area described in the landscape development guidelines and specifications. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.~~

~~15. Trash enclosures shall not impair visibility.~~

~~16. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.~~

~~17. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.~~

~~18. Fire lanes, if required, shall be installed to the specification of the city of Moreno Valley fire chief, including red curbing and posting with signs.~~

~~19. Driveways shall be designed so entering vehicles do not interfere with the exiting vehicles. Main driveways shall employ entry medians.~~

~~20. Drive lanes and parking lot drives should not exceed five percent slope.~~

~~21. Streets should intersect others on outside rather than inside horizontal curves.~~

~~22. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.~~

~~23. Intersections should be offset a minimum of one hundred fifty (150) feet.~~

~~24. Deceleration lanes shall be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (60) foot transition and one hundred fifty (150) foot turn lane.~~

~~25. Parking areas shall not be used for loading or unloading.~~

~~26. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty five (25) mph design speed).~~

~~27. The first parking stall perpendicular to a driveway or first aisle juncture should be at least sixty (60) feet back from the property line, providing sufficient queueing for exiting vehicles.~~

~~28. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.~~

~~29. In commercial developments, parking aisles shall be oriented perpendicular to the major tenant's front entrance, facilitating pedestrian movement.~~

~~30. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.~~

~~31. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.~~

~~32. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving no greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (hammerhead, cul-de-sac, etc.) adequate to accommodate emergency vehicles.~~

~~33. The following criteria and dimensions may be modified by the city engineer:~~

~~Table 9.16.250A~~

~~Street Classification~~	~~Distance from a Driveway to an Intersection~~	~~Spacing Between Adjacent Driveways~~
~~Expressway 134' ROW~~	~~Restricted* **~~	~~1/2 mile~~
~~Divided Major/ Modified Major~~	~~Limited Access* **~~	~~Limited Access~~
~~Divided Arterial~~	~~Minimum 450 feet~~	~~Minimum 450 feet~~
~~134' ROW/120' ROW~~	-	~~One driveway per parcel~~
~~Divided Arterial~~	~~Limited Access* **~~	~~Minimum 250 feet~~
~~110' ROW~~	~~Minimum 350 feet~~	-
~~Arterial/Minor Arterial/ Industrial Collector~~	-	-
~~100'/88'/78' ROW~~	~~Limited Access* **~~	~~Minimum 150 feet~~
-	~~Minimum 250 feet~~	-
-	~~Full Access 350 feet~~	-
~~Collector /66' ROW~~	~~Minimum 200 feet* ***~~	~~Minimum 100 feet or one driveway per parcel~~
~~Local Street~~	~~Minimum 100 feet* ***~~	~~Minimum 100 feet or one driveway per parcel~~

~~* Access may be limited to the minimum movements necessary to safely expedite traffic~~

~~** Access may be restricted by medians~~

~~*** For residential development~~

~~(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)~~

~~**9.16.260 Circulation—Pedestrian.**~~

~~A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.~~

~~B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.~~

~~C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.~~

~~D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.~~

~~E. Amenities including, but not limited to, enriched paving, street furniture and raised planters should be provided to enhance the pedestrian experience.~~

~~F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)~~

Staff recommends amending 9.11.080 by changing subscript A, C, and H, and adding, deleting, and, renumbering, subscript as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

9.11.080 Design standards.

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

~~2~~ 6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

~~3~~ 7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

~~4~~ 8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

~~5~~ 9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

~~6~~ 11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

~~7~~ 13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

~~8~~ 14. Trash enclosures shall not impair visibility.

~~9~~ 15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

~~10~~ 16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

~~11~~ 17. Driveways shall ~~not~~ be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

~~12~~ 18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

~~13~~ 19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

~~14~~ 20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

~~15~~ 21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the eCity of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

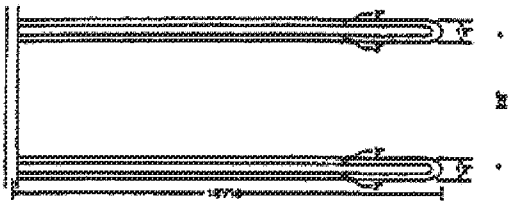

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.16.250A

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134' ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134' ROW/120' ROW	-	One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110' ROW	Minimum 350 feet	-
Arterial/Minor Arterial/ Industrial Collector	-	-

100'/88'/78' ROW	Limited Access* **	Minimum 150 feet
-	Minimum 250 feet	-
-	Full Access 350 feet	-
Collector /66' ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

-

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

~~3~~ 4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

~~4~~ 5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

Issue 7. Parking lot planter islands

Section 9.17.050 of the Municipal Code, addresses parking and drive-through landscape areas.

Revisions to Section 9.17.050 have been made in order to make it easier to clarify that finger planters are required every twelve spaces along any row of parking. The current text does not clearly indicate that finger planters are required interior to a parking lot.

Staff recommends amending by changing subscript B by adding and deleting subscript as follows:

9.17.050 Parking and drive-through landscape areas.

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. ~~the perimeter of the parking lot and the perimeter of the building.~~ Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

Issue 8. Add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required.

Section 9.11.080 of the Municipal Code, addresses design standards for parking and loading requirements, and Section 9.11.040 of the Municipal Code, addresses off-street parking requirements.

Revisions to Section 9.11.080 and 9.11.040 have been made in order to call out the number of trailer parking required and provide a dimension for trailer parking stalls. Both required trailer parking and trailer parking stall dimensions are not currently called out in the Municipal Code. Planning has been using the trailer parking and dimensions requirements from the Industrial Area Specific Plan 208 and is incorporating these requirements into the Municipal Code.

Staff recommends amending by changing subscript B of section 9.11.080 and changing table 9.11.040C-12 of section 9.11.080, by adding and renumbering subscript as follows:

9.11.080 Design Standards.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

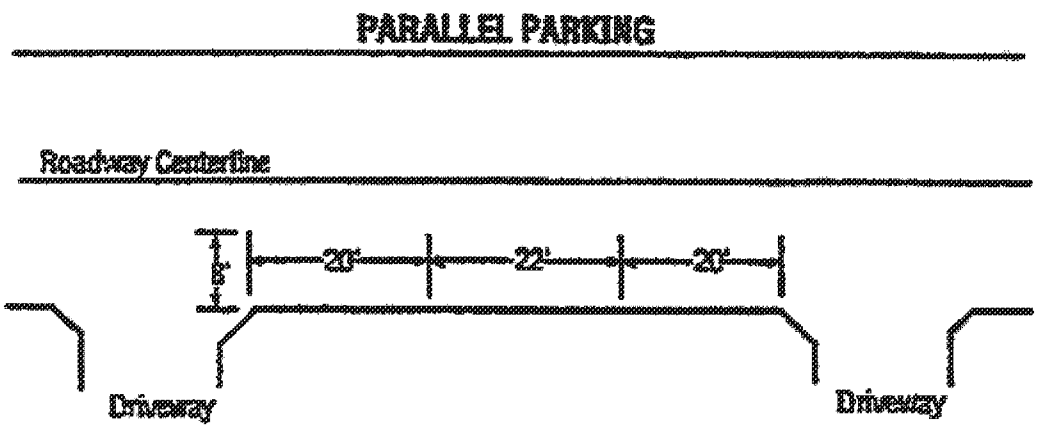

Figure 9.11.080-5
Nonparallel Parking Spaces

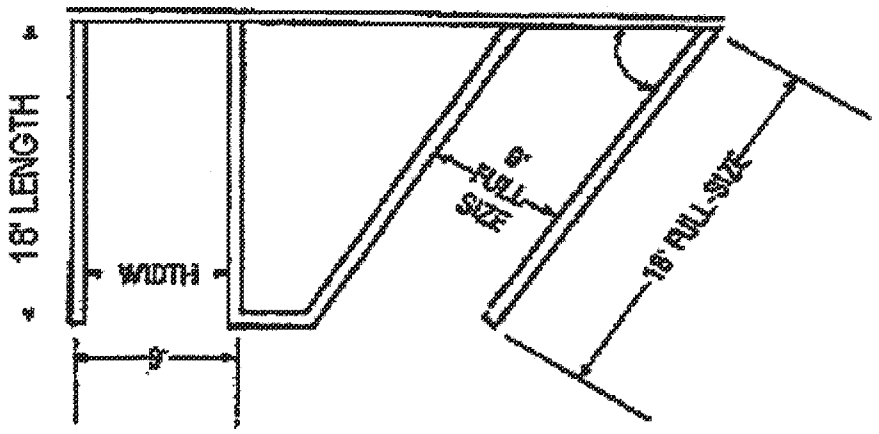

~~4.~~ 5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

Issue 9. Permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones.

Section 9.02.020 of the Municipal Code, addresses Permitted Uses.

Revisions to Section 9.02.020 have been made to allow Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors) in the OC and BPX zones. The Planning Department has had recent community interest for personal services to be located in the OC and BPX zones. Allowing personal services in these two zones will not intensify or change the original intended purpose for these two zones. Personal services do fall within the purpose and intent of both the OC and BPX zones to allow commercial services that are supportive to the other allowable uses within the zone. Additionally similar uses are already allowed in the OC and BPX zones.

Staff recommends amending by adding subscript X to Figure 9.02.020-1 as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	◆	◆							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												◆	◆									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	◆	◆	◆	◆	◆	◆	X	X	◆	◆	C

Issue 10. Landscape setbacks for Commercial and Industrial Zones.

Section 9.04.040 of the Municipal Code, addresses Commercial site development standards.

In the past the Planning Commission has asked staff to review other Cities setbacks requirements in the Community Commercial (CC) and Neighborhood Commercial (NC) zones. The City of Moreno Valley has the same setback requirements for both Community Commercial and Neighborhood Commercial zones. Other local cities that have been researched differentiate setback requirements between the CC and NC zones.

From the research it seems that typically the NC zone has a greater setback requirement than the CC zone. Typically what would be developed in the NC zone are smaller scale commercial buildings that cater to the local neighborhoods, and the greater setbacks help create a more residential character by providing more landscaping. The CC zone is typically a regional commercial zone where retailers draw people from throughout the community and other communities. The CC zone tends to be more of a destination for shoppers and typically has your big box retailers; therefore the shopping center is typically bigger than the NC shopping center in most cases, and the lesser setbacks help create a more urban character with buildings closer to the street.

For either zone, parking could be permitted closer or further away from the front property line. The Village Commercial Residential zone along Sunnymead Boulevard currently allows for buildings to come closer to the front property line while keeping parking at the twenty foot setback to allow for the creation of a more pedestrian downtown feel to that area long term. Attached is staff's research of local cities' NC and CC setback requirements (Attachment 3). This information is being provided to allow for elicit Planning Commission discussion of the issue. Staff does not have a specific recommendation.

ENVIRONMENTAL

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

NOTIFICATION

A 1/8 page public notice was published in the local newspaper.

STAFF RECOMMENDATION

1. **RECOGNIZE** that PA07-0007 (Municipal Code Amendment) qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

2. **APPROVE** Planning Commission Resolution No. 2010-02, recommending that the City Council approve PA07-0007.

Prepared by:

Gabriel Diaz
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice.
2. Planning Commission Resolution No. 2010-02.
3. Issue 10, local cities NC and CC setbacks.

NOTICE OF PLANNING COMMISSION PUBLIC HEARING

THE PLANNING COMMISSION WILL CONSIDER A MUNICIPAL CODE AMENDMENT (PA07-0007) FOR THE AMENDMENT OF THE MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) LANDSCAPE SETBACK FOR COMMERCIAL ZONES.

The proposed Municipal Code Amendment (PA07-0007) modifies various provisions listed above. The modifications eliminate conflicts and clarify the meaning of the above mentioned sections.

The project is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061 of the CEQA Guidelines. The amendment does not have the potential to cause a significant effect on the environment.

The Planning Commission may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Gabriel Diaz, Associate Planner at (951) 413-3206 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission on or before the following meeting date:

Thursday, January 28, 2010
7:00 P.M. or thereafter
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552-0805

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. 2010-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING APPROVAL OF PA07-0007 (MUNICIPAL CODE AMENDMENT) TO THE CITY COUNCIL, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) LANDSCAPE SETBACK FOR COMMERCIAL ZONES.

Section 1:

WHEREAS, the City of Moreno Valley has filed an application for the approval of PA07-0007 (Municipal Code Amendment), as described in the title of this Resolution.

WHEREAS, on January 28, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

   FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendments modify various provisions of the Municipal Code regarding: (1) trash enclosures, (2) parking standards for nail salons and hotels, (3)

on street parking standards for cul-de-sac lots, and flag lot width standards, (4) service station design, (5) retaining walls, (6) consolidate parking and circulation section of design guidelines into Chapter 9.11 parking and loading requirements, (7) parking lot planter islands, (8) add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required, (9) permitting personal services in the (OC) Office Commercial and (BPX) Business Park Mixed Use zones, (10) landscape setback for Commercial Zones.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

   FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

3. **Conformance with Zoning Regulations** – The proposed amendment is consistent with the purpose and intent of Title 9.

   FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2010-02, recommending that the City Council approve PA07-0007 (Municipal Code Amendment), thereby amending the Municipal Code as described in the title of this resolution.

APPROVED this 28th day of January, 2010.

_____
Maria Marzoeki
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Considered Landscape Setbacks

City of Moreno Valley		
	(CC) Community Commercial	**(NC) Neighborhood Commercial**
Front	20 feet	20 feet
Street Side	20 feet	20 feet
Side	0 feet	0 feet
Rear	0 feet	0 feet
*Note * Wherever a lot in any commercial district abuts a lot in any residential district, a minimum setback equal to the building height, but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.*		

MV00049314

City of Riverside			
	(CR) Commercial Retail Zone	**(CG) Commercial General Zone**	**Notes**
Front	0 feet	0 feet	Front yard setback shall be increased by 2 1/2 feet per story for any story over the second story.
Street Side	0 feet	0 feet	Side yard setback shall be increased by 2 1/2 feet per story for any story over the second story.
Side	0 feet	0 feet	Side yard setback shall be increased by 2 1/2 feet per story for any story over the second story.
Rear	0 feet	0 feet	
Landscape Setback	20 or fewer parking spaces: A minimum 10 foot wide landscape setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas.		
	21 or greater parking spaces: A minimum 15 foot wide landscape setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas.		
	When adjacent to a residentially zoned or residentially used lot: A minimum 5 foot wide landscape setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas in conjunction with the required 6 foot high masonry wall.		

City of Temecula		
	(CC) Community Commercial	**(NC) Neighborhood Commercial**
For Developments within Planned Shopping Centers or Industrial/Business Parks		
Front	Arterial = 20 feet, Collector = 15 feet, Local = 10 feet.	Arterial = 25 feet, Collector = 20 feet, Local = 15 feet.
Yard adjacent to residentially zoned property	25 feet	25 feet
Interior side yard	0 feet	0 feet
Rear yard	10 feet	15 feet
For Developments on a Separate Lot		
Yard area adjacent to street	Arterial = 15 feet, Collector = 10 feet, Local = 10 feet.	Arterial = 25 feet, Collector = 25 feet, Local = 15 feet.
Yard adjacent to residentially zoned property	25 feet	25 feet
Interior side yard	0 feet	0 feet
Rear yard	10 feet	15 Feet

City of Perris			
	(CC) Commercial Community	(CN) Commercial Neighborhood	Notes
Front	Local and Collector Streets = 5 feet	Local and Collector Streets = 5 feet	Structures greater than 25 feet in height shall be setback an additional 5 feet for each 10 feet of additional structure height.
	Secondary and Primary Arterials = 10 feet	Secondary and Primary Arterials = 10 feet	
	Expressway and Freeway = 15 feet	Expressway and Freeway = 15 feet	
Street Side	See requirments for front yard.	See requirments for front yard.	
Side	None. If adjoining a residential zone the setback shall not be less than 10 feet. If loading and unloading are provided the setback shall be not less than 25 feet.	None. If adjoining a residential zone the setback shall not be less than 10 feet. If loading and unloading are provided the setback shall be not less than 25 feet.	
Rear	None. If adjoining a residential zone the setback shall be the same as the Side Yard requirements.	None. If adjoining a residential zone the setback shall be the same as the Side Yard requirements.	

MV00049317

MV00049318

City of Ontario				
	(NC) Neighborhood Commercial	(C1) Shopping Center	(C2) Central Business	(C3) Commercial Service District
Front	20 feet	20 feet	15 feet	20 feet
Street Side	0 feet	20 feet	15 feet	20 feet
Side	10 feet	5 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 20 feet
Rear	10 feet	10 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 15 feet	0 feet - Adjacent to R district = 20 feet

City of Redlands				
	(C-1) Neighborhood Stores	(C-2) Neighborhood Convenience Center	(C-3) General Commercial	(C-4) Highway Commercial
Front	40 feet	50 feet	0 feet	0 feet
Street Side	40 feet	50 feet	10 feet	10 feet
Side	25 feet	50 feet	0 feet - Adjacent to R = 10 feet	0 feet - Adjacent to R = 10 feet
Rear	25 feet	50 feet	0 feet	0 feet

City of San Bernardino			
	(CN) Commercial Neighborhood	(CG-1) Commercial General	(CR-1) Commercial Regional-Malls
Front	15 feet	10 feet	0 feet
Street side	10 feet	10 feet	0 feet
Side	10 feet	0 feet - Adjacent to R district = 10 feet	0 feet
Rear	10 feet	0 feet - Adjacent to R district = 10 feet	0 feet

MV00049319

City of Rancho Cucamonga

(NC) Neighborhood Commercial and (GC) General Commercial

	Building	Parking	Landscape
1. Street yard setback (Measured from face of the ultimate curb location)			
a. Major/Special Boulevard	45 feet	30 feet	45-foot average, not less than 30 feet
b. Secondary Collector Streets/Local Streets	35 feet	25 feet	35-foot average, not less than 25 feet
2. Rear property line setback			
a. Adjacent to existing or planned residential development	20 feet	10 feet	10 feet
b. Adjacent to other existing or planned commercial or industrial development	0 feet	0 feet	0 feet
3. Interior side property line setback			
a. Adjacent to existing or planned residential development	20 feet	10 feet	10 feet
b. Adjacent to other existing or planned commercial or industrial development	5 feet	5 feet	5 feet

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MV00049321

PA07-0007 Municipal Code Amendment

ASSOCIATE PLANNER DIAZ – Thank you Chairman and Commissioners. My name is Gabriel Diaz, Associate Planner for the City and I'm here to talk about Case Number PA07-0007, a Municipal Code Amendment and the Applicant is the City of Moreno Valley.

The proposed Amendment would modify the various provisions of the Municipal Code. There are ten that we are proposing. The tenth one is for the Planning Commission comments or review for recommendations.

The first one that we are amending is trash enclosures. Revisions have been made to remove conflicting standards and to defer to recently created Public Works standards recently I think two years ago. Trash enclosures are regulated by the Public Works Department to ensure compliance with Water Quality Management Standards. Planning will still review the aesthetics and placement of trash enclosures.

Number 2 is parking standards for nail salons and hotels. Revisions have been made to better address the standards. Parking requirements for hotels and nail salons... Hotel parking has been changed from 1.2 parking spaces to one parking space per room. We have had previous hotels brought to the Planning Commission that had parking studies supporting the one parking space per room ratio. The other one is that nail salon parking standards have been added at one parking space for every two work stations. They had previously been parked at general retail, so the one parking space for every two work stations is more stringent.

Number 3 is on-street parking standards for cul-de-sac lots and flag lot width standards. Planning has worked with the Transportation Department to come up with a 50 foot minimum for cul-de-sac frontage for the R1 through R5 lots and in the R10 cul-de-sac lot width would be increased to 45 feet. Flag lot width standards have been reduced to 20 feet and this will help us facilitate the design and improvements of future subdivisions. The previous requirement for all three was 35 feet.

Service Station design revisions have been made in order to address the Public Works standards, new landscape standards and update Service Stations in general to match current design and operational standards for this type of facility. A lot of the information in this section was outdated.

Retaining walls is Number 5. Revisions have been made in order to make it easier to understand the fence and wall standards. Exhibits were added.

ATTACHMENT 4

Number 6 is to consolidate the circulation section of design guidelines into Chapter 9.11 Parking and Loading requirements. Revisions to Chapter 9.16 and 9.11 have been made to make it easier to find parking code regulations and in addition eliminate code items that are called out twice; once in each Chapter. There is a lot of crossing out in between the two.

Number 7 is Parking Lot Planter Islands. Revisions have been made to clarify that finger planters are required at every 12 spaces along any row of parking. The current text does not clearly indicate that finger planters are required in the interior part of the parking lot.

Number 8 is to add a dimension standard for trailer parking spaces and a requirement for the number of trailer parking spaces required. Revisions have been made in order to call out the number of trailer parking required and provide a dimension for trailer parking stalls. Currently this is not called out in the Municipal Code. Planning has been using trailer parking standards and dimension requirements from the Industrial Specific Plan Area 208.

Number 9 is permitting personal service in the OC (Office Commercial) and BPX (Business Park) Mixed Use Zones. Personal services are nail salon, massage establishments, barber and beauty shops and tattoo parlors. Those are the type of establishments within defined personal services. Allowing personal services in these two zones will not intensify or change the original intent or purpose for these two zones and these types of uses are helpful to the people that work in the Office Commercial and Business Park Mixed Use Zones.

Number 10 is landscape setbacks for commercial zones. In the past the Planning Commission has asked Staff to review other city setback requirements in the Community Commercial and Neighborhood Commercial Zones. The City of Moreno Valley has the same setback requirements for both Commercial, Community Commercial and Neighborhood Commercial Zones. Other local cities that have been researched differentiate setback requirements between the CC and NC Zones. From the research it seems that typically the Neighborhood Commercial Zone has a greater setback than that of the Community Commercial Zone. This information is being provided to allow for illicit Planning Commission discussions. Of the issue Staff does not have a specific recommendation.

A 1/8th page public notification was published in the local newspaper and I have not received any inquiries, calls and it doesn't look like anybody is here to speak on it.

COMMISSIONER GELLER – Unless they're invisible

ASSOCIATE PLANNER DIAZ – Environmentally, the project is exempt from California Environmental Quality Act (CEQA) in accordance with Section 15061 as defined by Section 15378 of the CEQA Guidelines. The Amendment does not have the potential to cause a significant impact on the environment. Staff recommends that the Planning Commission take the following actions.

1. **RECOGNIZE** that PA07-0007 Municipal Code Amendment qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378.

2. **APPROVE** Planning Commission Resolution No. 2010-02, recommending that the City Council approve PA07-0007.

That concludes Staff's presentation and do you have any questions.

CHAIR MARZOEKI – Do we have any questions of Staff?

COMMISSIONER DE JONG – Gabriel I have just two questions. On issue number 4, the service station design standards; on item number 7, it states canopies shall be at least 10 feet from the property line and shall be architecturally integrated with the main structure. Does that mean they need to be physically attached to the structure or can they be separated and it be designed like the main structure.

ASSOCIATE PLANNER DIAZ – We took the attachment out. I think as long as it looks architecturally integrated; I think most service stations are not attached.

COMMISSIONER DE JONG – My suggestion is that the word integrated really sounds like it's trying… you're suggesting connection.

PLANNING OFFICIAL TERELL – Yes, I mean a suggestion might be compatible rather than integrated.

COMMISSIONER DE JONG – I would agree

PLANNING OFFICIAL TERELL – Okay

COMMISSIONER DE JONG – It sounds like it's connected that way and my other question was on item issue number 2 regarding. You're talking about minimum spaces for nail salons and hotels. Is that including the required accessible parking minimums or is that above those?

PLANNING OFFICIAL TERELL – The parking requirement includes accessible parking because typically…well in a… so it includes that and just to point out that for hotels I think it's implied but I'll just state it clearly, if a hotel had a restaurant or banquet facility or extensive meeting rooms, that would require parking in addition to the standard. This is only meant to be a standard hotel that has maybe a few small meeting rooms. It is not intended to be any hotel and as Gabriel said it is supported by a number of…. I think a parking standard on every single hotel that has been approved in the last few years basically justified that, so we thought it would be easier to put it in the Code rather than have them do a study each time.

COMMISSIONER DE JONG – Yes I would agree. Good, thank you.

CHAIR MARZOEKI – Thank you. Are there any other questions of Staff?

VICE CHAIR RIECHERS – I've got a bunch. I have too much time on my hands…

CHAIR MARZOEKI – You must have, yes.

VICE CHAIR RIECHERS – Issue 3 – items 5 and 6; leave it unclear to me exactly where the widths will be measured.

PLANNING OFFICIAL TERELL – On 5 and 6?

VICE CHAIR RIECHERS – Yes

PLANNING OFFICIAL TERELL – Yes that would be measured from the front property line

VICE CHAIR RIECHERS - Okay

PLANNING OFFICIAL TERELL – We have two… when we measure lots, the frontage which we measure from the front property line and then there is the width; a minimum width of a residential lot and that we measure from the midpoint, so say for an R5, it's required to be a minimum of 70 feet wide and that's measured from the middle of the lot, but under this proposal the frontage would be a minimum of 50. So it goes from 50 to 70 to 90 to make up in order to meet that standard typically.

VICE CHAIR RIECHERS – Okay, then I'm confused as to why item 6 is in there? On a long curvilinear street you can measure it on the building setback line.

PLANNING OFFICIAL TERELL – I see your point. That should probably still have the 50 foot, because that's really the width where really and I would probably suggest… It's always funny when you look at the Code and it's always been that way but on this I'd probably recommend that we change that to lot width.

VICE CHAIR RIECHERS – Okay, rather than frontage

PLANNING OFFICIAL TERELL – Rather than frontage yes, because we don't want less than the 50 foot.

VICE CHAIR RIECHERS – Right, okay, on the next page at the bottom; page 9; item b; about the lube bays and wash racks, I would suggest that should be a new number rather than item b, since item 11 specifically refers to driveways.

PLANNING OFFICIAL TERELL – So basically change it to 12 and then 12 becomes 13 and 13 becomes 14

VICE CHAIR RIECHERS – Right

PLANNING OFFICIAL TERELL – That seems reasonable

VICE CHAIR RIECHERS – The next one will be issue 5 on page 12, down on item c and roman numeral two; I believe we need after the inserted "except where the Community Development Director determines that screening is needed" should be comma, lower case o… I believe

ASSOCIATE PLANNER DIAZ – What was that?

VICE CHAIR RIECHERS – We inserted just a clause; need a comma and a lower case o…

PLANNING OFFICIAL TERELL – Right, at the end basically it would be needed comma open walls

VICE CHAIR RIECHERS – Yes. Now all the way back to page 24… design standards (a) 3 hyphen pergolas (?)… Take the hyphen out there

PLANNING OFFICIAL TERELL – Well pergolas (?) is very important. We often do things by them.

VICE CHAIR RIECHERS – A question on the next page about the intent. On item 10, page 25… item 10; do we intend that loading and unloading would include service vehicles? For example, the trucks that deliver the beer and the chips and the stuff to the mini marts and the…

PLANNING OFFICIAL TERELL – The intent is to use a designated delivery spot; not that others aren't used but the intent of the parking spaces is to meet a parking demand. It is not meant to meet a loading zone demand, not that they can't use it and obviously certain times of the days when it is both convenient and very reasonable.

VICE CHAIR RIECHERS – Yes I was just wondering because for example on the market that we approved this evening, I don't think we designated a stall for delivery vehicles did we?

PLANNING OFFICIAL TERELL – Yes there is not a designated stall, but the area just to the north of the building is a loading zone.

VICE CHAIR RIECHERS – Okay, good, okay. On Item 17 is a double negative?

PLANNING OFFICIAL TERELL – Yes, we need to take out the do not

VICE CHAIR RIECHERS – Yes, take out the first not

PLANNING OFFICIAL TERELL – Yes, either way

VICE CHAIR RIECHERS – And that I believe all the pages that I have

PLANNING OFFICIAL TERELL – Right, thank you for taking the time to do that

COMMISSIONER DE JONG – I have another comment. On issue number 4, item 17c; I have a little problem with the last sentence with the word permanently disabled, junked or wrecked vehicles. I could see the argument easily being made by somebody that this vehicle is not permanently damaged; we're going to fix it next year.

PLANNING OFFICIAL TERELL – Yes I think we took that out of another part of the Code. We can clarify it but it is meant that there is a certain period of time, but certainly we could put disabled and I think most people know that if your car breaks down at the auto supply store, you can't leave it there for an extended period of time.

COMMISSIONER DE JONG – I think our Code so as far as to state no car is in obvious disrepair it could even be parked in front of a house.

PLANNING OFFICIAL TERELL – Yes, is that coming close to home?

COMMISSIONER DE JONG – No it's not, not at all… Cars with missing wheels are cited and that type of thing

ATTORNEY ERLY – Elsewhere in the Code we use the term inoperable

COMMISSIONER DE JONG – Yes that's a good word

PLANNING OFFICIAL TERELL – Inoperable…So we would just put inoperable rather than permanently disabled, junked or wrecked… that seems reasonable

COMMISSIONER DE JONG – Good, thank you

CHAIR MARZOEKI – Are there any others?

COMMISSIONER DE JONG – No, thank you

PLANNING OFFICIAL TERELL – The other thing and certainly we encourage you to talk about is issue number 10 and whether you want us to… that would not be part of what goes forward at this point in time to City Council. It would be for your input and direction and we can go back and look at it further and add it to the next round of coaching. Again we and I think I should have called up Bruce Springer and had him come down here, because I believe this was his issue. In most communities there is a distinction between a Neighborhood Commercial

setback and a Community Commercial or a heavier commercial setback that's usually lower in a commercial district than it is in a residential district and ours is the same, so we just wanted to put that forward and see if you wanted us to pursue that further.

COMMISSIONER DOZIER – I would like to just ask a question. Did they give rationale? I know you did the research and found out that it was different, but was there an overwhelming rationale?

PLANNING OFFICIAL TERELL – The general… I'm harkening back to Planning School and not to… the intent is not clearly stated in most codes. Generally in a residential district its more you call it I guess and therefore the greater setbacks provide a more suburban look to a neighborhood shopping center in the middle of a residential neighborhood it's kind of got the same similar setbacks to the adjacent residential. In a heavy commercial area it is generally more urban and therefore the lesser setbacks provide for a greater efficiency of the use of the land, so that's the general rationale why there is distinction between them. One is considered a more urban district and neighborhood is within a neighborhood so that's lesser.

COMMISSIONER DOZIER – Thank you

COMMISSIONER DE JONG – Okay, I have one more comment…just a general comment. We see this type of thing again. You included three sheets of crossed out drawings for the trash enclosure that are not going to be included but it would have been helpful to see what was going to be included, even though it is not going to change anything this time.

PLANNING OFFICIAL TERELL – Okay we could have showed… there is an existing section of the Public Works Standards, so there won't be anything in Title 9. There won't be any drawings in Title 9, they'll be referred over to the Public Works Standard which is actually not in the Municipal Code it is a separate document. We can certainly provide that information just so you know.

COMMISSIONER DE JONG – We don't need it now but just something in the future; if you are removing something it might be helpful you know visually to see.

PLANNING OFFICIAL TERELL – Agreed and you know reliance of other regulations, so it's helpful. Yes we can certainly do that.

COMMISSIONER DE JONG – Thank you. Now I'm done

CHAIR MARZOEKI – Okay thank you. I don't know if anybody has comments on the landscape setbacks.

COMMISSIONER BAKER – I've got one question here John. On the existing cul-de-sacs in the City now, how many of them would have a 50 foot frontage. I mean I know in my neighborhood there is about six or eight cul-de-sacs and I

don't think there is a 50 foot frontage on any of them; maybe not even a 35. I don't know how that's going to work for developers to develop those cul-de-sacs out.

PLANNING OFFICIAL TERELL – Probably a good example of a cul-de-sac which I'm almost certain has at least 50 foot minimums… well I'll tell you I know one because I used to live on it; Quailness Road up in Sunnymead Ranch; that the cul-de-sac extended to a community trail and the cul-de-sac lots were actually… my lot up there I think was 100 feet wide; the frontage was 100 foot wide because it wrapped around the edge of the cul-de-sac, so most likely in order to comply with this what will happen is that the roads will be a little bit longer and a lot of the subdivisions that have been approved and some have actually been built; there is one south of Valley View High School which is a good example where the cul-de-sacs were extended in order to provide pedestrian access directly to Nason I think in that case so that people didn't have to walk half a mile to go to the corner of their subdivision. Those have wider cul-de-sac lots just because the cul-de-sac was extended in order to provide that pedestrian access and there is a number of projects that have been approved with that, but the old standard, which I think brought the Commissions concern about this is where you have a cul-de-sac with five houses at the end and there is no on street parking, so that was to try to avoid kind of what often results in a sea of concrete because all you see at the end of the street is driveways, so it is meant to soften it. What the solution is really to extend the cul-de-sac a little bit so that the lots at the end kind of wrap around the end rather than being splayed out at the end.

COMMISSIONER BAKER – Okay, thank you

CHAIR MARZOEKI – Are there any other questions or comments? So are there any recommendations from Staff about the landscaping setbacks?

PLANNING OFFICIAL TERELL – Not really. Basically either way it is fine. I think the idea is if we wanted to distinguish between our commercial districts we'd probably recommend you look into it further or have us look into it further and make some recommendations.

CHAIR MARZOEKI – Okay, why don't we do that?

PLANNING OFFICIAL TERELL – Okay, I thought we were headed that way. I mean we do have a district that does have the reduced standards which is the Village Commercial Residential and there have been two or three projects approved but none have been built yet, so that's something to look at and also the mixed use districts have a proposal to have a reduced setbacks also and one of the things you may want us to consider and I'm marking that we'll look at it is where the parking is. In the Village Commercial Residential there is a requirement; there is a setback for buildings which is less than a setback for a parking lots, so it provides more of an urban look because the buildings are closer but you don't have the parking lot closer, so we can provide some examples like that for your future consideration.

CHAIR MARZOEKI – Okay that sounds great

PLANNING OFFICIAL TERELL – And anything else you might want to suggest that we look at.

CHAIR MARZOEKI – I think everybody is tired. Oh Vice Chair Riechers has another question.

VICE CHAIR RIECHERS – I just have question and that's whether Council had a lot of heartburn over the mattress store and Farmer Boy's on up Pigeon Pass; had as much heartburn over that as much as I did when the mattress store went in there and couldn't finish their north wall because Farmer Boy's would not let them come onto their property to paint their wall because of their zero rear setback and Farmer Boy's wouldn't let them onto their property because the mattress store was in there and was blocking the view of Farmer Boy's and all of that.

PLANNING OFFICIAL TERELL – Well I think there was a lot of concern at Council level and Staff level and certainly at the Planning Commission level about that project which is certainly not what we'd be suggesting to replicate, but it was a property that was… it's one of the properties that I think Commissioner Geller; you know one of the reasons for his concern because it was an orphan parcel that there were no provisions to have joint access between those two properties. I think if that property were to develop today at least we'd have addressed the issue of reciprocal access between the two centers and it's very narrow so they had a variance approved, but yes I think there were concerns; maybe not on the part of the Council that approved it but certainly other people that have come since.

COMMISSIONER GELLER - There were a lot of political issues on that project. It's much more complicated, but we need not discuss it now, but there were a lot of things that went into that and it wasn't good planning.

COMMISSIONER DE JONG – I think there is a pretty significant grade change there between parking lots is there?

PLANNING OFFICIAL TERELL – Yes but it could have been worked out. I think the reason… even a plan showed how it could be worked out, but as Commissioner said there were other considerations afoot on that project.

VICE CHAIR RIECHERS – I mean even that issue would not be directly applicable to what we are discussing here tonight. You know we're not addressing any change in zero setbacks in the rear of any zones, but I was just curious as to whether that zero setbacks caused any heartburn to any people in Council.

PLANNING OFFICIAL TERELL – Yes I don't know it was so much the zero setbacks on the back as the front and the sides and the lack of connection between those two centers. The rear… 99 tenths of a hundred is that two property owners together and that's not a problem. That wasn't one of them. That was the one.

VICE CHAIR RIECHERS – Right, okay

CHAIR MARZOEKI – Okay are there any other questions? Do I need to open up the Public Testimony portion of this and then reclose it right away because it's an item? Yes I'm going to open it up. Does anybody want to speak on this item? Seeing no one, I will close the Public Testimony Portion of this and open it up to any Commissioner Comments or a motion.

COMMISSIONER GELLER – I'll make a motion. I'd like to make a motion that we:

1. **RECOGNIZE** that PA07-0007 Municipal Code Amendment qualify as exemptions in accordance with CEQA Guidelines, Section 15061 as defined by Section 15378; and,
2. **APPROVE** Planning Commission Resolution No. 2010-02 recommending that the City Council approve PA07-0007 as amended.

COMMISSIONER SALAS – I'll second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries 7 – 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action and that will probably be in March I believe

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: March 23, 2010

TITLE: FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11, and
2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

BACKGROUND

Every year the Department of Housing and Urban Development (HUD) allocates federal grant monies to the City of Moreno Valley for use in programs that provide decent housing and/or expand employment opportunities for low to moderate income persons (see Attachment A for the 2009 Income Limit table). These grant programs are known as Community Development Block Grant and the HOME Investment Partnership Program.

Grants are provided on an annual basis to Entitlement Cities (eligible, selected cities with a population exceeding 50,000 - Moreno Valley is classified by HUD as an Entitlement City), with allocation amounts varying each year based on a formula that considers the extent of poverty, population, housing overcrowding, the age of housing and the population growth lag in relationship to other metropolitan areas.

HUD requires that Entitlement Cities (including Moreno Valley) prepare a Consolidated Plan that directs CDBG activities for a five year period. FY 2010/11 marks the third year of the City's FY 2008-2013 Consolidated Plan. Each year, Entitlement Cities must also adopt Annual Action Plan updates of the Consolidated Plan. The Annual Action Plan more specifically identifies how the City will allocate both CDBG and HOME funds for the upcoming program year. The Annual Action Plan for FY 2010/11 must be received by HUD no later than May 13, 2010 (after it has complied with the required public notifications and hearings).

In accordance with HUD requirements, CDBG Target Areas must be established so that Entitlement Cities may concentrate their programs in areas determined to contain at least 51% of residents earning low and moderate incomes. For a map of the CDBG Target Areas see Attachment B.

Eligible CDBG grant activities can range from social services to capital improvements to economic development programs. HOME funds must be used toward the development of affordable housing projects. Attachment C details eligible and ineligible activities for both programs.

In past years, the City of Moreno Valley has used CDBG to fund a variety of eligible programs including capital improvement projects, code enforcement activities, social service programs, and economic development activities. A listing of eligible and ineligible activities for CDBG and HOME funding can be found in Attachment C. CDBG regulations allow Entitlement Cities to dedicate up to a maximum 15% of their annual CDBG allocation to the provision of social services, which can include, but are not limited to the following:

- Fair Housing Services\Foreclosure Prevention Programs (Mandated by HUD)
- Career Development and Mid-Career Retraining
- Youth Programs
- Homeless Services
- Crime Prevention Programs

Social services can be provided directly by the Entitlement City or CDBG social service funds can be granted to certified non-profit organizations (known as subrecipients) to provide the desired services or programs.

DISCUSSION

2010/11 CDBG – AVAILABLE FUNDING

The City's FY 2010/11 Community Development Block Grant allocation is estimated at $1,793,000 (HUD has not yet released the final allocations so we are using last year's allocation). For FY 2010/11, the City estimates that $268,950 (15% of the total estimated CDBG allocation) will be available for social services. Table 1, below, details

the total estimated amount of CDBG dollars available in FY 2010/11 including savings realized in past years projects. HUD limits expenditures for certain categories, such as social services and CDBG program administration. The limits or maximum allocations are outlined below.

Table 1

FY 2010/11 CDBG ESTIMATED AVAILABLE FUNDING	
Funding Category	Funding Allocation
2010/11 CDBG Estimated Allocation	**$1,793,000**
Previous year savings*	**$505,000**
TOTAL ESTIMATED CDBG FUNDS	**$2,298,000**
Program Administration (20% maximum of annual grant)	$358,600
Public Social Services (15% maximum of annual grant)	$268,950
Code Enforcement	$366,407
Economic Development	$719,043
Facilities	$80,000
TOTAL PLANNED CDBG EXPENDITURES	**$1,793,000**

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Project and $55,000 in projected savings from 2009/10 administrative activities

APPLICATION PROCESS

The City must notify the public of available social service funding opportunities and conduct a public hearing to solicit public input regarding the proposed projects. In compliance, a Notice of Funding Availability for CDBG and HOME was published in the Press-Enterprise on January 14, 2010. CDBG and HOME social service applications were available at the City Hall and were mailed directly to interested parties. Applications were due on February 4, 2010.

Consistent with past years, a CDBG/HOME Technical Review Committee (TRC), comprised of City staff from various departments, was formed to review the CDBG Public Service applications received from potential subrecipients. Prior to making recommendations, the TRC interviewed and evaluated the potential subrecipient applications based on: (1) conformance with federal requirements and City guidelines, (2) community needs identified in the City's Consolidated Plan, (3) priorities established

by the City Council at the January 12, 2010 meeting, and (4) available funding resources.

Federal Requirements
HUD requires that at least 70% of the annual CDBG funds be allocated to projects that benefit low and moderate income persons. HUD also requires that CDBG projects meet at least one of three national objectives: (1) benefit persons of low and moderate income; (2) improve slum or blighted conditions; or (3) respond to an emergency or urgent need.

City Guidelines
On a local level, the City Council has previously adopted guidelines for evaluating social service applications, including:

- Local providers will be given priority over those organizations providing equivalent services outside the city.
- The minimum grant level is generally $5,000 for the CDBG Program and $25,000 for the HOME Program (the Council may approve lesser grant amounts).
- Programs should have other funding sources.
- Fair housing services, homeless services, social services, and youth career development, and crime protection programs shall be given funding priority.
- City projects will be given priority.

2010/11 RECOMMENDED CDBG PROJECTS AND PROGRAMS

All recommended CDBG projects and programs fall into one of the following categories:

- Program Administration
- Public Social Services
- Public Facilities and Improvements
- Code Enforcement
- Economic Development

Attachment D provides recommendations for CDBG social service funding in FY 10/11. It includes a list of all CDBG social service applications received, the requested funding, and amount of funding recommended by the TRC.

1) CDBG PROGRAM ADMINISTRATION

HUD limits program administration costs to twenty percent (20%) of the annual CDBG allocation. The FY 2010/11 cap estimated for program administration is $358,600 (based on a total CDBG allocation similar to last year). Funding under this category provides for Economic Development Department staffing, along with the mandatory funding of Fair Housing Services (required by HUD). The Fair Housing Services include education regarding fair housing rights and responsibilities, investigation of discriminatory practices, and landlord/tenant mediation.

2) PUBLIC SOCIAL SERVICES

Social services are subject to a fifteen percent (15% maximum) limit of the annual CDBG allocation. The maximum social service cap for 2010/11 is estimated at $268,950. Staff and the TRC reviewed a total of thirty-two public service applications, which were received from City departments, service providers, and non-profit organizations. The TRC conducted comprehensive interviews with applicants and provided a funding recommendation.

The projects recommended by the TRC reflect the community priorities adopted by the City Council on January 12, 2010. Social Service applications recommended for CDBG funding in FY 2010/11 encompass a wide range of programs and services including: 1) public safety services; 2) emergency and transitional shelter for homeless families; 3) youth, elderly, and disabled adult services; 4)crisis counseling; and 5) emergency food distribution. Attachment F provides detailed information on each of the social service applications, the categories under which proposed programs are classified, funding recommendations, and other useful information.

Please note in addition to recommending most of the programs the City Council previously funded, the TRC is also recommending funding three new programs: Community Neighborhood Clean-ups, ARC of Riverside County - Disabled Adult Day Care Facility, and the Salvation Army - Food Program.

3) PUBLIC FACILITIES

In partnership with Family Services Association (and with the support of Moreno Valley Unified School District), the City participated in a grant application to the County of Riverside to establish a Youth Opportunity Center (YOC) in the City's CDBG Target Area. The Center would require approximately 2,000 sq. ft. of space where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. If the YOC $800,000 grant application is successful, the proposed CDBG monies would serve as the required matching funds. The proposed $80,000 in CDBG

funding could be used for help in acquiring a building or for needed tenant improvements, in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.

4) CODE ENFORCEMENT

City code enforcement is an important service partially funded by CDBG. The Code Compliance officers provide proactive code compliance within the established CDBG- Target Areas. Code compliance efforts reduce blight and substandard housing conditions as well as promote improved property and building maintenance within the target areas. Staff is recommending maintaining Code Enforcement at same level as last fiscal year in order to continue to assist with foreclosure enforcement efforts on bank-owned properties in the CDBG Target Areas.

5) ECONOMIC DEVELOPMENT

a. Small Business Counseling Services

As described in Attachment F, funding is recommended for Small Business Counseling Services. The Inland Empire Small Business Development Center (SBDC) provides one-on-one counseling services, workshops and seminars free of charge to Moreno Valley businesses. Included in the service are some office hours in Moreno Vallley in addition to the SBDC office in Riverside.

A funding increase of $10,000 is recommended to supplement the training opportunities that SBDC provides. In the current economic climate, small business owners are becoming increasingly more aware of the need for better bookkeeping and accounts payable/receivable management practices. SBDC will provide more sessions of QuickBooks training to Moreno Valley's small businesses free of charge.

b. Employment Resource Center

Last year, the City partnered with Riverside County Workforce Development to create a local Employment Resource Center (ERC) in Moreno Valley dedicated to providing unemployed or under-employed Moreno Valley residents with a convenient place where they could utilize computers and other standard office equipment, access the internet to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment free of charge. The ERC is very active and in just five months of operation has had over 13,300 visits (average of over 180 per day). It also has been used by new businesses

(such as Burlington Coat Factory and O'Reilly Automotive) to conduct employee recruitments.

Staff is recommending $115,000 to continue providing this valuable service to the community, plus $30,000 for expansion of the ERC into the available adjacent 1,424 sq. ft. suite. Partnering with the County of Riverside, staff is proposing the expansion to allow for an increased number of computer workstations, along with the addition of career coaching and job services to be provided by county workforce development staff. Another user of this program - IHerb is scheduled to open its new distribution facility in June with 140 estimated employees.

c. Moreno Valley New Business Incentive Program

Funding is recommended for the continuation of the New Business Incentive Program intended to incentivize the attraction of major employers to locate in the vacant space in the TownGate area, Centerpointe Business Park, and the Moreno Valley Industrial Area Specific Plan areas of the community, thereby creating new employment opportunities for low and moderate income residents. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues. During its first year, this program incentivized Burlington Coat Factory, which created 76 new jobs out of which 57 are Moreno Valley residents.

10/11 HOME PROGRAM – AVAILABLE FUNDING

The estimated FY 2010/11 HOME allocation is $666,000. The HOME Program generally funds city-sponsored programs. Program administration has a cap of 10% (or $66,600) of the total HOME allocation. In addition, a minimum of 15% (or $99,900) of the funds must be used by a Community Housing Development Organization (CHDO) to increase the supply of affordable housing for low-income families. Staff is recommending FY 2010/11 HOME funding as outlined in Table 2.

Table 2

FY 2010/11 ESTIMATED HOME ALLOCATION	
2010/11 HOME Estimated Allocation	**$666,000**
Previous Year Un-used and Available Funds*	$23,000
Total Estimated HOME Funds	**$689,000**
Program Administration (maximum 10% of allocation)	$66,600
FY 10/11 Community Housing Development Organization (or CHDO, requires 15% of allocation)	$99,900
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,000
Total Planned HOME Expenditures	**$688,500**

* $23,000 in projected savings from 2009/10 administrative activities

2010/11 RECOMMENDED HOME PROJECTS AND PROGRAMS

Attachment E provides program recommendations for HOME funding in FY 2010/11. Attachment F provides detailed information on each of the outside agency applications for HOME funding, the categories under which proposed programs are classified, funding recommendations, and other useful information.

1) HOME PROGRAM ADMINISTRATION

Program Administration costs are subject to a ten percent (10%) cap. Grant funding under this category provides for Economic Development Housing program staffing.

2) COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-A-SIDE

HUD mandates that a minimum of 15% of HOME funds be allocated toward affordable housing projects to be undertaken by qualified CHDOs. Over FY 10/11 an estimated $99,900 must be allocated to a CHDO for potential affordable housing projects.

3) HOME IMPROVEMENT LOAN PROGRAM (HILP)

The HILP program provides 3% deferred loans for homeowners-occupants to rehabilitate single-family homes. The purpose is to eliminate substandard

housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.

4) MOBILE HOME GRANT

The City's Mobile Home Grant program provides a $10,000 maximum grant to rehabilitate income-eligible owner-occupied mobilehomes that are located in an established Moreno Valley mobilehome park from which a space is being rented. Staff is recommending an increase in funding from $80,000 to $100,000. The $10,000 per home maximum grant is increasingly inadequate to address significant damage/life-safety issues found in some aging manufactured homes.

Staff proposes the creation of a $20,000 contingency from which funds beyond the established $10,000 per house limit may be drawn, on a case-by case basis at the Economic Development Director's discretion, for homes in serious need of additional rehabilitation.

5) MULTI-FAMILY AFFORDABLE HOUSING

Funding is being reserved for future multifamily affordable housing project opportunities that may arise during FY 10/11.

ALTERNATIVES

Alternative 1 - The City Council may conduct a public hearing and select social service programs and projects for funding as recommended by staff and the TRC. **Staff recommends this alternative because it adheres to HUD program requirements.**

Alternative 2 - The City Council may decline to conduct a public hearing and may choose not to fund any projects as recommended. ***Staff does not recommend this alternative because it could delay preparation, approval and submission of Consolidated/Annual Action Plan to HUD.***

Alternative 3 – The City Council may increase or decrease the recommended levels of funding for specific programs/projects for which the City received an application. ***Use of this alternative can only be utilized if any funding changes meet HUD requirements and conform to overall funding capability.***

FISCAL IMPACT

The estimated CDBG funding allocation for FY 2010/11 is $1,793,000. The estimated HOME funding allocation is $666,000. Both of these allocations are preliminary estimates and subject to the actual release of fund allocations from HUD. Together,

these grants will provide funding for a number of important projects and services. Please note that CDBG and HOME is a restricted funding source that must adhere to HUD requirements.

CDBG Accounts		$1,793,000
282	73918 CDBG Programs	
283	73828 CDBG Administration	
283	74018 Code and Neighborhood Enforcement	
176	77110 HOME	$666,000

The proposed program funding selections have NO impact on the City's General Fund. CDBG funding must be used in Target Areas that contain at least 51% of residents earning low to moderate incomes. Eligible programs or projects must meet one of three HUD national objectives, in accordance with City Council adopted community priorities.

CITY COUNCIL GOALS

1. **REVENUE DIVERSIFICATION & PRESERVATION**
   By utilizing CDBG and HOME funds the City will enhance its ability to create a stable revenue base and fiscal policies that will support essential City improvement services.

2. **PUBLIC SAFETY**
   Many of the proposed CDBG and HOME programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. **POSITIVE ENVIRONMENT**
   The variety of community-based CDBG and HOME programs help develop a positive environment in the community.

4. **COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS**
   CDBG and HOME programs such as: Code Enforcement, Neighborhood Policing, and Housing Rehabilitation will help to preserve, rehabilitate, and improve Moreno Valley's neighborhoods.

SUMMARY

HUD will allocate to the City of Moreno Valley a grant amounts to administer its Community Development Block Grant (CDBG) programs and HOME Investment Partnership (HOME) programs over the FY 2010/11 program year. CDBG funding is available to address the needs of low-income persons/areas within the City. HOME funds are available to address affordable housing related needs.

Staff issued a Notice of Available Funding and as a result collected thirty-two applications (29 CDBG public service, 3 Non-Public Service, and 1 HOME application) requesting funding. This report reviews public social service, affordable housing, and economic development programs recommended for funding by City staff and the Technical Review Committee. City Council selected CDBG and HOME programs will be incorporated into the FY 2010/11 Annual Action Plan.

NOTIFICATION

Notice of this meeting was published in the local edition of the Press-Enterprise newspaper on March 10, 2010.

ATTACHMENTS/EXHIBITS

ATTACHMENT A	Income Limits
ATTACHMENT B	CDBG Target Area Map
ATTACHMENT C	Eligible/Ineligible Activities
ATTACHMENT D	CDBG Funding Recommendations
ATTACHMENT E	HOME Funding Recommendations
ATTACHMENT F	CDBG and HOME Proposed Project Detailed Descriptions

Prepared By:
Isa Rojas
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

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

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ATTACHMENT A

2009 INCOME LIMITS

Effective April 2, 2009 – Revised Annually

Neighborhood Preservation Division

Annual Income Level	% of Area Median	Number of Persons In Household							
		1	2	3	4	5	6	7	8
Extremely Low Income	30%	$14,000	$16,000	$18,000	$20,000	$21,600	$23,200	$24,800	$26,400
Very Low Income	50%	$23,300	$26,650	$29,950	$33,300	$35,950	$38,650	$41,300	$43,950
60% Limits (HOME)	60%	$27,960	$31,980	$35,940	$39,960	$43,140	$46,380	$49,560	$52,740
Low Income	80%	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350
Median Income	100%	$45,150	$51,600	$58,050	**$64,500**	$69,650	$74,800	$80,000	$85,150
Moderate Income	120%	$54,200	$61,900	$69,650	$77,400	$83,600	$89,800	$96,000	$102,150

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City of Moreno Valley CDBG Target Areas

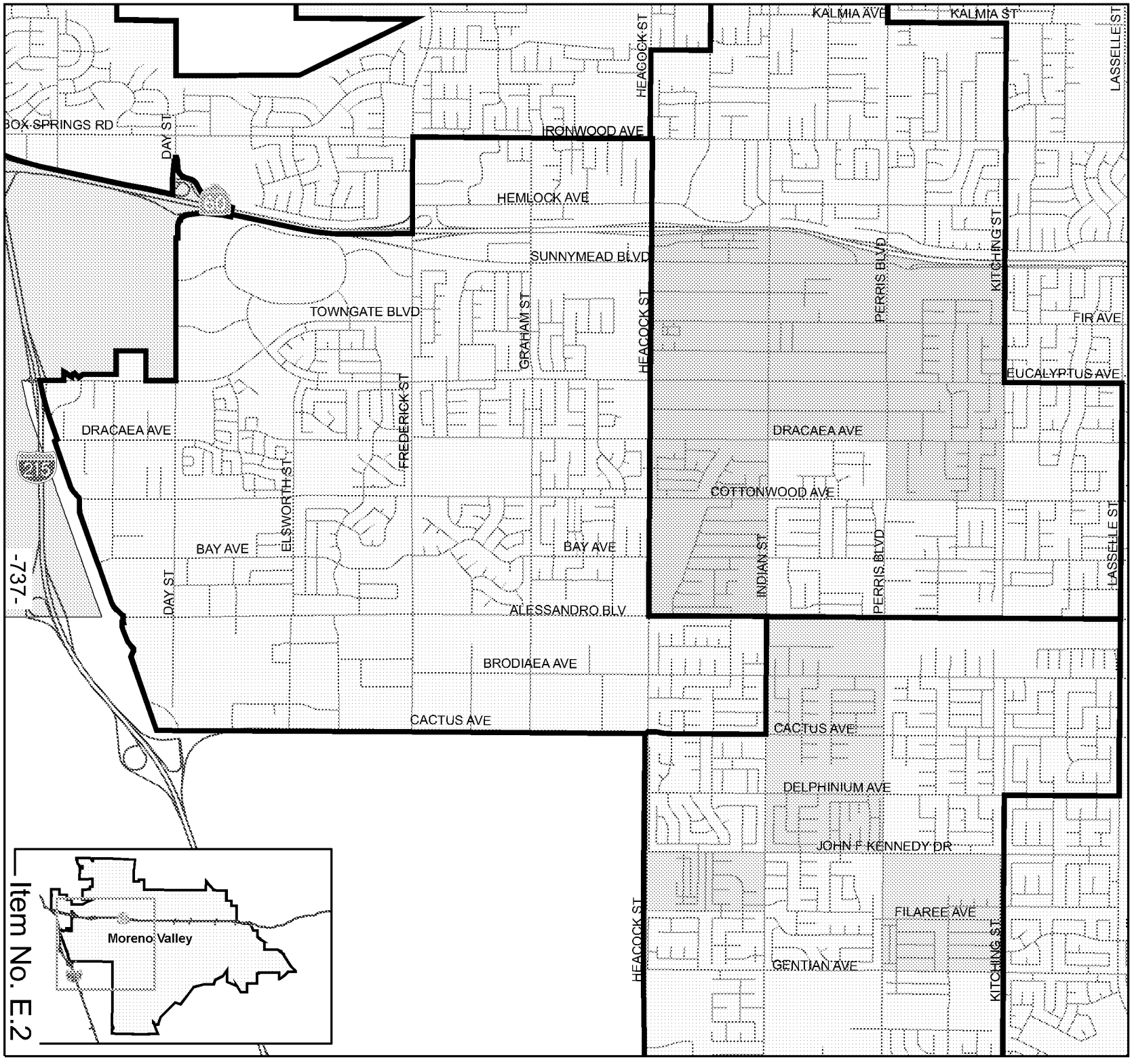

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY
WHERE DREAMS SOAR

Item No. E.2

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ATTACHMENT C

Eligible CDBG Activities

- Acquisition, design, construction, rehabilitation, or installation of certain publicly owned facilities such as:

  - Parks, playgrounds and recreational facilities.
  - Senior centers, except 24-hour care facilities.
  - Neighborhood facilities.
  - Fire protection facilities and equipment.
  - Parking facilities.
  - Street improvements.
  - Flood, drainage, or sewer facilities.
  - Other improvements vital to a community's development.

- Acquisition of property that is: of historic value; appropriate for beautification or conservation of open spaces; appropriate for low or moderate income housing.
- Clearance and demolition of buildings and land which may be a health hazard to the community. Interim assistance or temporary help to alleviate harmful or dangerous conditions.
- Removal of architectural barriers which restrict the mobility of handicapped persons.
- Rehabilitation and preservation of buildings and improvements, both publicly and privately owned.
- Code enforcement in designated target areas.
- Historic preservation activities.
- Eligible economic development activities.
- Eligible planning and environmental design costs.
- Public services including, but not limited to: fair housing activities, public safety services, homeless services, senior citizen services, educational programs, youth services, drug abuse counseling & treatment and recreation programs.

Ineligible CDBG Activities

- Buildings for the general conduct of government, such as city halls, courthouses, and police stations.
- Stadiums, sports arenas, auditoriums, museums and central libraries
  (Note: branch libraries may be built in CDBG Target Areas).
- Purchase of equipment such as construction equipment, fire protection equipment, furnishings, and personal property.
- Schools
- Airports, subways, bus or other stations.
- Hospitals, nursing homes, and other medical facilities.
- Treatment works for liquid industrial wastes or sewage.
- Expenses of general government for operation and maintenance of public facilities.
- Political activities.

- Direct income payments to residents.

Eligible HOME Activities

- Incentives provided by Participating Jurisdictions (the City of Moreno Valley is a Participating Jurisdiction) to develop and support affordable rental housing and homeownership affordability through acquisition, new construction, reconstruction, or rehabilitation of non-luxury housing (including manufactured housing).
- Operating expenses and capacity building costs for eligible Community Housing Development Organizations (CHDO).
- Eligible administrative and planning costs.

Ineligible HOME Activities

- Project reserve accounts or operating subsidies.
- Tenant-based rental assistance for the special purposes of the Section 8 program.
- To provide non-federal matching contributions.
- To provide assistance to annual contributions for the operation of public housing.
- Modernization of public housing.
- Prepayment of low-income housing mortgages.
- Assistance to a project previously assisted with HOME funds during the period of affordability.

ATTACHMENT D - CDBG PROPOSED PROGRAMS
CDBG - FY 2010/11 (PROGRAM YEAR XXIII) - Total Estimated Available Funding $1,793,000

	ACTIVITY	FY 2009/10 ALLOCATION	FY 2010/11 Request	Staff Recommendation	City Council Recommendation
A.	ADMINISTRATION (20% CAP - $358,600)				
0	Administrative Staffing	$313,600	$313,600	$313,600	
1	Fair Housing Council of Riverside County (Fair Housing)	$45,000	$49,453	$45,000	
	Subtotal	$358,600	$363,053	$358,600	
B.	PUBLIC SERVICES (15% CAP - $268,950)				
2	Community Foreclosure Prevention Workshops	$5,103	$ 44,000	$44,000	
3	Community Assistance Program (CAP) Food Program	$30,600	$ 34,220	$30,000	
4	Friends of the Moreno Valley Senior Center (MoVan) Transportation	$30,000	$ 30,000	$30,000	
5	Problem Orienting Community Policing (POP) Team	$35,000	$ -	$25,000	
6	Fair Housing Council of Riverside - Foreclosure Prevention/Mitigation	$15,000	$ 25,000	$15,000	
7	Lutheran Social Services (MARB) Homeless Shelter	$15,000	$ 51,362	$15,000	
8	Path of Life Transitional Family Shelter (MARB)	$15,000	$ 125,100	$15,000	
9	PW Enhancement Center - Emergency Services Outreach	$15,000	$ 35,000	$15,000	
10	Neighborhood Clean-ups	n/a	$ 13,350	$13,350	
11	Assistance League of Riverside - Operation School Bell	$10,000	$ 15,000	$10,000	
12	CASA for Riverside County Foster Youth Program	$10,000	$ 32,568	$10,000	
13	God's Helping Hand Ministries - Food Bank	$5,000	$ 9,000	$9,000	
14	Operation Safehouse Shelter for Youth	$8,000	$ 8,000	$8,000	
15	Alternatives to Domestic Violence Emergency Shelter & Services	$10,000	$ 15,000	$7,500	
16	Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500	$ 7,500	$7,500	
17	Moreno Valley Community Educators - Tutoring Program	$6,400	$ 17,995	$5,000	
18	ARC of Riverside - Disabled Adult Day Care Facility	n/a	$ 10,000	$5,000	
19	Salvation Army -Food Program	n/a	$ 10,900	$4,000	
20	Assisting Needy Families	n/a	$ 20,000	$0	
	Catholic Charities	n/a	$ 35,000	$0	
	Christian Center - Outreach Programs	n/a	$ 20,000	$0	
	CVHC - Afterschool/Computer Program	n/a	$ 50,000	$0	
24	FHCRC 1st Time Homebuyer Program	n/a	$ 14,600	$0	
25	FSA - Housing Counseling Program	n/a	$ 45,000	$0	
26	Olive Branch -Community Garden	n/a	$ 14,600	$0	
27	Olive Crest Treatment Centers - Indep. Living Skills Foster Youth	$5,000	$ 10,000	$0	
28	US Vets - Job Training Program	n/a	$ 25,000	$0	
29	USA Help - Housing Counseling	n/a	$ 144,000	$0	
30	Volunteer Ctr. Senior Ombudsman Program	n/a	$ 20,000	$0	
31	Volunteer Ctr. '211' Telephone Referral Service	n/a	$ 25,000	$0	
32	YMCA -Childcare at Sugarhill	n/a	$37,310	$0	
	Subtotal	$939,803	$ 1,633,301	$268,950	
C.	FACILITIES				
33	Youth Opportunities Center - Tenant Improvements;Bldg. Acquisition	$80,000	$80,000	$80,000	
	Subtotal	$80,000	$80,000	$80,000	
D.	CODE ENFORCEMENT				
34	Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390	$263,390	$263,390	
35	Code Enforcement - Foreclosure 'Strike Team'	$103,017	$103,017	$103,017	
36	Fire Inspection 'Improvement Task Force' Program	n/a	$30,000		
	Subtotal	$263,390	$396,407	$366,407	
	ECONOMIC DEVELOPMENT				
	MV New Business Incentive Program	$525,000	$525,000	$525,000	
	Employment Resource Center includ. expansion	$308,498	$115,000	$144,043	
	Small Business Development Center	$40,000	$50,000	$50,000	
	Subtotal	$873,498	$690,000	$719,043	
	GRAND TOTAL			$1,793,000	

ew program ⊠ Organization serving homeless population × Recommended funding changes over previous year

imated amount is based off actual 2009/10 allotment of $1,793,000

[1] In 09/10 POP was in the final phase of funding, if CDBG funding is continued partial funding not to exceed $25,000 is recommended.

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ATTACHMENT E
HOME - FY 2010/11 (PROGRAM YEAR XXIII) - Total Estimated Available Funding $689,000*

	ACTIVITY	FY 2009/10 ALLOCATION	FY 2010/11 Request	Staff Recomendation	City Council Approval
A.	ADMINISTRATION				
	Administrative Staffing (10% CAP - $66,600)	$59,961	$66,600	$66,600	
	Subtotal	$59,961	$66,600	$66,600	
B.	CHDO (MANDATORY)				
	(15% CAP - $99,900)	$89,940	$99,900	$99,900	
	Subtotal	$89,940	$ 99,900	$99,900	
C.	APPLICATIONS				
	Family Service Association - Olive wood Child Development Center	n/a	$300,000		
	Family Service Association - Building Families Housing Program	n/a	$250,000		
	Habitat for Humanity - Helping Hands Mobilehome Grant Program	n/a	$30,000		
	Subtotal	$0	$580,000		
D.	HOUSING REHABILITATION				
1	City Home Improvement Loan Program	$160,000	$240,000	$240,000	
2	City Mobilehome Grant Program	$80,000	$100,000	$100,000	
	Subtotal	$240,000	$340,000	$340,000	
E.	MULTI FAMILY HOUSING				
3	Reserve for Multi-family Affordable Housing Projects	$297,229	$182,000	$182,000	
	GRAND TOTAL			$688,500	

New program ▩ Recommended funding changes over previous year level

* Available funds are based on 2009/10 allotment of $666,000 + $23,000 in estimated previous year savings

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ATTACHMENT F

PROGRAM YEAR XXI
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and
HOME INVESTMENT PARTNERSHIP PROGRAM
PROJECT DESCRIPTIONS, ELIGIBILITY AND RECOMMENDATIONS
FY 2010/11

The following pages are descriptions of the applications requesting CDBG funding for Fiscal Year 2009/10. Included is information on the project's eligibility, national objectives, prior CDBG funding from the City of Moreno Valley, and the recommendations of the City's Technical Review Committee (TRC). Also listed below are definitions of the regulations used by the Department of Housing and Urban Development (HUD) that appear in the program descriptions. More detailed information is available from the Economic Development Department, if needed.

Examples of Basic Eligible Activities (by Code):

570.201(a) Acquisition
570.201(c) Public facilities and improvements
570.201(e) Public Services

- The amount of CDBG funds used for public services shall not exceed 15% of the total CDBG grant allocated to the City.
- A public service must be either a new service, or a quantifiable increase in the level of service above that which has been provided by or on behalf of the unit of general local government (through funds raised by such unit, or received by such unit from the State in which it is located) in the twelve calendar months prior to the submission of the statement.
- Specific public services include food distribution, homeless programs, crime prevention, childcare, specialty counseling and domestic violence services.

570.202(c) Code Enforcement
570.203 Economic Development
570.206(c) Fair Housing Activities

Criteria for National Objectives:

570.208(a) Activities benefiting low and moderate income persons.

1). Area Benefit Activities

(i). An activity, the benefits of which are available to all the residents in a particular area, where at least 51% of the residents are low and moderate-income persons. An activity that serves an area that is not primarily residential in character shall not qualify under this criterion.

2). Limited Clientele Activities

(i). An activity which benefits a limited clientele, at least 51% of whom are low and moderate-income persons.

(ii). A special project directed to removal of material and architectural barriers, which restrict the mobility, and accessibility of elderly or handicapped persons to publicly owned and privately owned non-residential buildings, facilities and improvements and the common areas of residential structures containing more than one dwelling unit.

570.208(b) Activities which aid in the prevention or elimination of slums or blight.

570.208(c) Activities designed to meet community development needs having a particular urgency.

PROGRAM ADMINISTRATION APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: FAIR HOUSING & LANDLORD/TENANT MEDIATION SERVICES

Applicant/Agency Name	Fair Housing Council of Riverside County	**#1**
Applicant Address/Phone	3933 Mission Inn Avenue Riverside, CA 92501 (951) 682-6581	
Contact Person and Title	Rose Mayes, Executive Director	

Project Name	**FAIR HOUSING SERVICES AND LANDLORD/TENANT MEDIATION PROGRAM**
Project Location	23890 Alessandro #A1, Moreno Valley, CA 92553
Project Description	Provides a full range of fair housing services that promote fair housing rights and obligations. The primary goal is to give impetus to, and actualize activities that affirmatively further fair housing in the City of Moreno Valley through the three basic areas of education, training and technical assistance, and enforcement. Comprehensive Tenant/Landlord mediation services to include education, training and technical assistance, and enforcement efforts to resolve rental conflicts and disputes. Handles an estimated 400 phone calls monthly for information on tenant rights/responsibilities and dispute resolution.
Eligibility and National Objective	Fair Housing Activities 570. Service 570.201(e) Limited Clientele 570.208(a)(2)
Prior CDBG Funding	FY 09-10 - $45,000 FY 08-09 - $40,000 FY 03-04 - $33,000 FY 07-08 - $40,000 FY 02-03 - $25,500 FY 06-07 - $40,000 FY 01-02 - $25,160 FY 05-06 - $37,374 FY 00-01 - $25,915 FY 04-05 - $33,000 FY 99-00 - $25,915
Track Record	The Fair Housing Council meets all stated goals and submits accurate reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding. Program will provide a community service required by HUD and provides services locally in Moreno Valley.***
Amount Requested	$49,453
Amount Recommended	$40,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: HOUSING SERVICES

Applicant/Agency Name	City of Moreno Valley - Economic Development Dept. (951) 413-3460	**# 2**
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**Community Foreclosure Prevention Workshops**
Project Location	14177 Frederick St. Moreno Valley, CA 92552
Project Description	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The City is expected to partner with agencies such as: the Riverside County Fair Housing Council, Springboard Consumer Credit Counselors, Employment Development Department, the County Tax Assessors Office, HUD, the IRS, and others to administer a complete and comprehensive program. The seven workshops held over 09/10 attracted approximately 600 struggling homeowners.
Eligibility and National Objective	Public Services 570.201(e) 570.208(a) Low – Moderate Income
Prior CDBG Funding	FY 09/10 - $12,603 FY 08/09 - $7,500
Track Record	Acceptable
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$44,000
Amount Recommended	$44,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: FOOD DISTRIBUTION

Applicant/Agency Name	Community Assistance Program (CAP)	**# 3**
Applicant Address/Phone	24594 Sunnymead Boulevard, Suite W Moreno Valley, CA 92553 (951) 485-7792	
Contact Person and Title	Jerry Casillas, Director	

Project Name	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
Project Location	24594 Sunnymead Boulevard, Ste W, Moreno Valley, CA
Project Description	Provides emergency food, hygiene items and clothing to needy families from Moreno Valley, as well as utility payment assistance and social services referrals. CAP anticipates assisting 14,000-16,000 individuals in the program year. Funds are being requested for supplies, rent, insurance, salaries and utilities.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(C)
Prior CDBG Funding	FY 09-10 - $30,600 FY 08-09 - $30,821 FY 07-08 – $24,590 FY 06-07 – $11,219 FY 05-06 - $5,000 FY 04-05 - $11,238 FY 03-04 - $19,000 FY 02-03 - $5,750 FY 01-02 - $11,325 FY 00-01 - $10,000 FY 99-00 - $11,250 FY 98-99 - $10,000 FY 97-98 - $10,000 FY 96-97 - $9,810 FY 95-96 - $10,000 FY 94-95 - $10,000 FY 93-94 - $10,000 FY 92-93 - $5,000
Track Record	CAP keeps all required records and submits reports in a timely manner. 100% of services are provided to Moreno Valley residents only.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$34,220
Amount Recommended	$30,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: SENIOR SERVICES

Applicant/Agency Name	Friends of the Moreno Valley Senior Center	**#4**
Applicant Address/Phone	25075 Fir Avenue Moreno Valley, CA 92553 (951) 243-6890	
Contact Person and Title	Dorothy Grzeskowiak, President	

Project Name	**THE MOVAN SENIOR VAN TRANSPORTATION PROGRAM**
Project Location	Moreno Valley
Project Description	The Friends of the Moreno Valley Senior Center own and operate the MoVan, a 17-passenger bus with two wheel chair tie-downs, used to transport the elderly and adult handicapped to medical appointments and other needed destinations. The MoVan operates 7 hours per day/5 days per week. If able to pay, fares are .25 each way within the City, $3.00 outside of City limits. Program year funds are being requested for driver contract costs.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10- $30,000 FY 08-09 - $30,000 FY 07-08 - $25,000 FY 06-07 - $20,000 FY 05-06 - $12,500 FY 04-05 - $12,500 FY 03-04 - $20,000 FY 02-03 - $5,750 FY 01-02 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $5,000 FY 96-97 - $4,905 FY 94-95 - $6,000 FY 93-94 - $7,500 FY 92-93 - $5,000 FY 91-92 - $5,000 FY 90-91 - $5,000
Track Record	Friends of the Senior Center keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$30,000
Amount Recommended	$30,000

PUBLIC SERVICE APPLICATIONS – CITY DEPARTMENTS
TYPE OF APPLICATION: CRIME PREVENTION/PUBLIC SAFETY

Applicant/Agency Name	City of Moreno Valley Police Department	**# 5**
Applicant Address/Phone	22850 Calle San Juan De Los Lagos Moreno Valley, CA 92553 (951) 486-6920	
Contact Person and Title	Ralph Rico	

Project Name	**PROBLEM ORIENTED POLICING (POP) PROGRAM**	
Project Location	CDBG Target Area Neighborhoods	
Project Description	Police Officers will be assigned to CDBG Target Areas for the purposes of continuing the Community Based Problem Oriented Policing Program. The program is designed to reduce crime, promote neighborhood pride, establish Neighborhood Watch and bring law enforcement to a personal community level. The specific purpose of the project includes: the reduction of crime within the designated areas and the improvement/removal of blight. Needs were identified through community meetings in the affected areas.	
Eligibility and National Objective	Public Service 570.201(e) Area Benefit 570.208(a)(1)	
Prior CDBG Funding	FY 09-10 - $35,000 FY 08-09 - $60,871 FY 07-08 - $121,742 FY 06-07 - $182,613 FY 05-06 - $243,484 FY 04-05 - $247,000 FY 03-04 – $215,000 FY 02-03 - $180,900	FY 01-02 - $180,875 FY 00-01 - $157,500 FY 99-00 - $150,000 FY 98-99 - $151,550 FY 97-98 - $150,000 FY 96-97 - $143,255 FY 95-96 - $137,805 FY 93-94 - $85,000
Track Record	City Sponsored	
TRC Project Recommendation	***Project recommended for funding. Crime awareness & prevention are high priority community needs.***	
Amount Requested	$0	
Amount Recommended	$25,000	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: FORECLOSURE PREVENTION AND MITIGATION

Applicant/Agency Name	Fair Housing Council of Riverside County	**# 6**
Applicant Address/Phone	**Main Office:** 3933 Mission Inn Avenue Riverside, CA 92501 (951) 682-6581	**Local Office:** 23890 Alessandro Blvd., Ste. A1 Moreno Valley, CA 92553 (951) 653-8314
Contact Person and Title	Rose Mayes, Executive Director	

Project Name	**FORECLOSURE PREVENTION & MITIGATION PROGRAM**
Project Location	Local office: 23890 Alessandro Blvd. MV, CA 92553
Project Description	Project provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. Program also offers budget management, financial assessments, mortgage education and training to potential homebuyers, and referral services. Due to increasing demand for these services, this year's program estimated assisting 440 Moreno Valley homeowners to avoid foreclosure.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)
Prior CDBG Funding	FY 09/10- $15,000 FY 08/09 - $15,000
Track Record	Program has operated for one year and during that time submitted all reports and records in a timely manner.
Staff Project Recommendation	***Project recommended for funding***
Amount Requested	$25,000
Amount Recommended	$15,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
TYPE OF APPLICATION: HOMELESS AND EMERGENCY SERVICES

Applicant/Agency Name	Lutheran Social Services of Southern California	**# 7**
Applicant Address/Phone	23310 Meyer Drive Riverside, CA 92518 (951) 656-6020	
Contact Person and Title	Helen Ross, Program Manager	

Project Name	**TRANSITIONAL LIVING PROGRAM**
Project Location	March Air Reserve Base
Project Description	Provides assistance to homeless women and children through transitional living program. While in the program, participants develop a "Strategic Family Plan" in order to attain independent living. Counseling, education assessments, and other services are provided to assist participants with gaining independence. The organization estimates that it will serve 55 persons in Moreno Valley during the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10- $15,000 FY 08-09 - $10,000 FY 07-08 - $5,000 FY 06-07 - $10,000 FY 05-06 - $5,000 FY 04-05 - $8,800 FY 03-04 - $15,000 FY 02-03 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 96-97 - $9,320 FY 95-96 - $9,000 FY 94-95 - $9,500 FY 93-94 - $7,000 FY 92-93 - $7,000 FY 91-92 - $9,175 FY 90-91 - $10,500 FY 89-90 - $5,000
Track Record	Submits timely and accurate reporting of persons served.
Staff Project Recommendation	***Project recommended for funding. Program meets priority community need of assisting homeless.***
Amount Requested	$51,362
Amount Recommended	$15,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOMELESS AND EMERGENCY SERVICES

Applicant/Agency Name	Path of Life Ministries	**# 8**
Applicant Address/Phone	3340 Durhart St. Riverside, CA 92507 (951) 786-9048	
Contact Person and Title	Tracy Fitzsimmons, Administrator	

Project Name	**King Hall Transitional Shelter**
Project Location	March Air Reserve Base
Project Description	The program will serve as a transitional homeless shelter for families (including men) and single mothers with children. Clients can stay in the transitional program for a maximum of 2 years with the goal of financial stabilization and attainment of affordable housing. Shelter serves a maximum of 54 families.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10- $15,000 FY 08-09 - $15,000 FY 07-08 - $10,000
Track Record	Path of Life keeps appropriate records and submits reports in a timely manner.
Staff Project Recommendation	**Project recommended for funding**
Amount Requested	$125,100
Amount Recommended	$15,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOMELESS AND EMERGENCY SERVICES

Applicant/Agency Name	Prayer Warriors (PW) Enhancement Team	**#9**
Applicant Address/Phone	24490 Sunnymead Blvd., Ste 107 Moreno Valley, CA 92553 (951) 242-7001	
Contact Person and Title	Rochelle Lewis, Executive Director	

Project Name	**PW ENHANCEMENT CENTER**	
Project Location	24490 Sunnymead Blvd., Moreno Valley, CA 92553	
Project Description	Provides emergency and supportive services to needy households including rental assistance, food distribution, budgeting and money management, job preparedness, child development and counseling. Program year funds would be used for salaries, space rent, and supportive costs for the Motel Voucher Program and the Rental Assistance Program. Project estimates assisting 100 low income Moreno Valley individuals.	
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(B)	
Prior CDBG Funding	FY 09-10- $15,000 FY 08-09 - $10,000 FY 07-08 - $8,000 FY 06-07 - $8,000	FY 05-06 - $5,000 FY 04-05 - $5,000 FY 03-04 - $5,000
Track Record	Prayer Warriors Enhancement Team keeps all required records and submits reports in a timely manner.	
Staff Project Recommendation	***Project recommended for priority funding to assist homeless persons.***	
Amount Requested	$35,000	
Amount Recommended	$15,000	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOUSING SERVICES

Applicant/Agency Name	City of Moreno Valley - Economic Development Dept. (951) 413-3460	**# 10**
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**Neighborhood Clean-up Program**	
Project Location	14177 Frederick St. Moreno Valley, CA 92552	
Project Description	In a collaborative effort with City Code Enforcement and Street Maintenance staff, Waste Management, and the Problem Oriented Police, Neighborhood Preservation proposes to provide lead coordination of three large scale clean-ups to be held in select neighborhoods within the CDBG Target Areas identified by Code Compliance as the 'most distressed.' The clean-ups will utilize industrial size dumpsters and skip loaders and will provide residents with a convenient way to dispose of large trash items. The objective is to eliminate blight, prevent deterioration of properties, and remove conditions that negatively impact health, safety, or public welfare. On average each event benefits approximately 100 residences.	
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)	
Prior CDBG Funding	FY 01/02 - $7,500 FY 00/01 - $5,000 FY 99/00 - $6,000 FY 98/99 - $6,000 FY 97/98 - $4,595 FY 96/97 - $4,880	FY 95/96 - $9,595 FY 94/95 – $5,000 FY 93/94 - $5,000 FY 92/93 - $15,500 FY 91/92 - $15,500 FY 90/91 – $15,500
Track Record	City Sponsored.	
Staff Project Recommendation	***Recommended for funding.***	
Amount Requested	$13,350	
Amount Recommended	$13,350	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Assistance League of Riverside	**# 11**
Applicant Address/Phone	3707 Sunnyside Drive Riverside, CA 92506 (951) 682-3445	
Contact Person and Title	Valerie Found, President	

Project Name	**OPERATION SCHOOL BELL**
Project Location	3707 Sunnyside Drive, Riverside, CA 92506
Project Description	The project will provide new school clothing to over 280 needy Moreno Valley children. Children are referred by Moreno Valley Unified School District staff. Grant monies are used for the purchase of clothing and shoe vouchers. Each child referred receives 6 pairs of socks and underwear, 2 pairs of pants, 3 shirts, 1 sweatshirt, 1 jacket, 1 shoe voucher, 1 backpack, 1 new reading book, 1 used book, and a personal hygiene kit.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09/10 - $10,000 FY 08/09 - $5,000
Track Record	Timely submission of reports.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$15,000
Amount Recommended	$10,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	**CASA (Court Appointed Special Advocates) for Riverside County**
Applicant Address/Phone	44-199 Monroe St. Ste. D **# 12** Indio, CA 92202 (760) 346-2497
Contact Person and Title	Deborah Sutton, Executive Director

Project Name	**Advocacy for Abused and Neglected Children in Moreno Valley**
Project Location	Southwest Justice Center, 30755 D. Auld Rd., Ste 1226 Murrieta, CA 92563
Project Description	CASA offers court appointed monitoring services to foster youth. A CASA volunteer consistently monitors the foster child, advocates for their best interest, and follows their progress for a minimum of 18 months regardless of a change in foster family. The CASA volunteer (advocate) reports to court on the child's behalf assisting to ensure the child is placed in a safe, permanent home with hope for a positive future. CDBG funds will be used for salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09/10 - $10,000 FY 03/04 - $5,600
Track Record	Timely submission of reports.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$32,568
Amount Recommended	$10,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: FOOD DISTRIBUTION

Applicant/Agency Name	God's Helping Hand Ministries	**# 13**
Applicant Address/Phone	13958 Highway 215 Moreno Valley, CA 92553 (951) 653-2529	
Contact Person and Title	Garland B. Gauthier, Jr., Administrative Director	

Project Name	**GOD'S HELPING HAND FOOD PROGRAM**
Project Location	13958 Highway 215, Moreno Valley, CA 92553
Project Description	Provides food baskets (containing three meals a day for five days) to low-income Moreno Valley residents. Also provides social services referrals and emergency clothing. The organization anticipates assisting 8,750 Moreno Valley residents in the program year. Program year funds would be used toward space rent and utilities.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(C)
Prior CDBG Funding	FY 09-10 - $9,000 FY 08-09 - $5,000 FY 07-08 - $5,000 FY 06-07 - $5,000 FY 05-06 - $5,000 FY 04-05 - $5,000 FY 03-04 - $7,500 FY 02-03 - $0 FY 01-02 - $0 FY 00-01 - $4,135 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $6,000 FY 96-97 - $4,905 FY 95-96 - $5,000 FY 93-94 - $10,000 FY 92-93 - $5,000
Track Record	God's Helping Hand keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding. Provides assistance to Moreno Valley residents only.***
Amount Requested	$9,000
Amount Recommended	$9,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Operation Safehouse	**#14**
Applicant Address/Phone	9685 Hayes Street Riverside, CA 92503 (951) 351-4418	
Contact Person and Title	Kathy McAdara, Executive Director	

Project Name	**OPERATION SAFEHOUSE**
Project Location	9685 Hayes Street, Riverside, CA 92503
Project Description	Operation Safehouse is the County's only youth shelter providing food, counseling, clothing and support services for runaway/throwaway children ages 11-17. Operation Safehouse is a 17 bed facility that's staffed 24 hours per day and located in a residential neighborhood thereby providing a safe and supervised environment. The program estimates it will serve 65 homeless and runaway youth from Moreno Valley during the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $8,000 FY 08-09 - $8,000 FY 07-08 - $8,000 FY 06-07 - $8,000 FY 05-06 - $5,000 FY 04-05 - $5,000 FY 03-04 - $5,000 FY 02-03 - $5,000 FY 01-02 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $5,000 FY 96-97 - $5,890 FY 95-96 - $6,000 FY 94-95 - $5,000
Track Record	Operation Safehouse keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding. Program meets priority community need of assisting homeless youth & is the only local program of its kind.***
Amount Requested	$8,000
Amount Recommended	$8,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: DOMESTIC VIOLENCE SERVICES

Applicant/Agency Name	Alternatives to Domestic Violence (ADV)	**#15**
Applicant Address/Phone	P.O. Box 910 Riverside, CA 92502 (909) 320-1370	
Contact Person and Title	Eliza Daniely-Woolfolk, Executive Director	

Project Name	**COMPREHENSIVE DOMESTIC VIOLENCE SERVICES**
Project Location	Counseling services available at service sites throughout the County; most Moreno Valley clients seen at the main office in Riverside. New 60-bed emergency shelter opened in 2005 and is located in southwest Riverside County.
Project Description	Provides services to victims of violent crimes (battered women and their children). An estimated 890 Moreno Valley residents will be served by this program annually. These services include an Outreach Counseling center which offers a 24-hour crisis line, counseling, support groups, court advocacy, ongoing monitoring of child cases, and an emergency shelter for battered women and abused children. In addition ADV provides awareness in service training and presentations to law enforcement, legal professionals, medical personnel, social service providers, clergy, school and employees throughout the County.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $10,000 FY 08-09 - $7,500 FY 07-08 - $8,000 FY 06-07 - $8,000 FY 05-06 - $5,000 FY 04-05 - $5,500 FY 03-04 - $10,000 FY 02-03 - $3,500 FY 01-02 - $4,500 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $10,000 FY 96-97 - $9,810 FY 95-96 - $10,000 FY 94-95 - $5,000 FY 93-94 - $10,000 FY 92-93 - $15,000 FY 91-92 - $15,000 FY 90-91 - $15,000 FY 89-90 - $15,000
Track Record	ADV keeps all required records and submits reports in a timely manner.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$10,000
Amount Recommended	$7,500

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SPECIALTY COUNSELING SERVICES

Applicant/Agency Name	Riverside Area Rape Crisis Center	**#16**
Applicant Address/Phone	1845 Chicago Ave., Ste. A Riverside, CA 92507 (951) 686-7273	
Contact Person and Title	Larry McAdara, Executive Director	

Project Name	**CHILD ABUSE PREVENTION PROJECT**
Project Location	Schools throughout Moreno Valley
Project Description	Child abuse prevention program designed to provide education and prevention programs via Moreno Valley schools to youth grades K-12, including special education students, bilingual students, teen support groups, and (faculty) adults. Provides counseling and support services to abuse victims and their families. The Rape Crisis Center estimates 5,500 persons will receive abuse education and prevention presentations in the program year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $7,500 FY 08-09 - $7,500 FY 07-08 - $7,500 FY 06-07 - $7,500 FY 05-06 - $5,500 FY 04-05 - $5,500 FY 03-04 - $10,000 FY 02-03 - $3,500 FY 01-02 - $5,000 FY 00-01 - $5,000 FY 99-00 - $5,000 FY 98-99 - $5,000 FY 97-98 - $5,000 FY 96-97 - $4,905 FY 95-96 - $5,000 FY 93-94 - $8,250 FY 92-93 - $4,000 FY 91-92 - $3,500
Track Record	Serves all the Moreno Valley schools. Submits timely and accurate reporting of persons served.
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$7,500
Amount Recommended	$7,500

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	**Moreno Valley Community Educators (MVCEC)**	**#17**
Applicant Address/Phone	23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552 (951) 653-8631	
Contact Person and Title	Dr. Beverly Crockett, Executive Director	

Project Name	**Moreno Valley Community Educators**
Project Location	23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552
Project Description	The program offers low income, 'at risk' children ages 5-18 free tutoring (all subjects), mentoring, standardized test preparation, and computer literacy from 4:30 pm to 6:30 pm 3 nights per week. It also includes programs for young adults such as GED preparation, parenting, resume writing, interview skills and other workforce development skills. CDBG funding will allow the center to pay rent and utilities and expand its hours by one additional weeknight.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	FY 08-09 - $6,400
Track Record	Acceptable
Staff Project Recommendation	***Project NOT recommended for funding.***
Amount Requested	$17,995
Amount Recommended	$5,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SPECIAL NEEDS SERVICES

Applicant/Agency Name	The ARC of Riverside County	**# 18**
Applicant Address/Phone	8138 Mar Vista Court Riverside, CA 92504 (951) 688-5141	
Contact Person and Title	Mark Cloud, Director of Communication	

Project Name	Moreno Valley Resource Center	
Project Location	12199 Heacock St., Ste. 5, Moreno Valley 92557	
Project Description	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to on-site LVN, and to help continue other existing services.	
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)	
Prior CDBG Funding	FY 99-00 - $2,500 FY 98-99 - $2,500	FY 95-96 - $10,000 FY 93-94 - $10,000
-Track Record	New Program	
Staff Project Recommendation	***Project recommended for funding.***	
Amount Requested	$10,000	
Amount Recommended	$5,000	

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: FOOD DISTRIBUTION

Applicant/Agency Name	The Salvation Army Moreno Valley Corps Center	**# 19**
Applicant Address/Phone	14068 Graham Street Moreno Valley, CA 92533 (951) 653-9131	
Contact Person and Title	Captain Julius Murphy, Corps Officer	

Project Name	**FOOD PANTRY**
Project Location	14068 Graham Street, Moreno Valley, CA 92553
Project Description	The Food Pantry offers needy residents emergency food on Mondays and Tuesdays from 8:30 a.m.-12:30 p.m. Funding allows for the hire of a much needed part-time driver to pick up food from their collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons this coming year.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project recommended for funding.***
Amount Requested	$10,900
Amount Recommended	$5,000

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: JOB TRAINING

Applicant/Agency Name	Assisting Needy Families	**# 20**
Applicant Address/Phone	24337 Fig Drive Moreno Valley, CA 92551 (951) 732-4749	
Contact Person and Title	Nadine Martin Tobias, President	

Project Name	Assisting Needy Families
Project Location	Not yet determined at time of application
Project Description	The project would establish a low cost clothing retail store that would employ 'at risk' youth primarily serving 2 main purposes: (1) job training/experience for the youth and (2) providing affordable clothing to Moreno Valley residents.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$20,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: EMERGENCY SERVICES

Applicant/Agency Name	**Catholic Charities**	**# 21**
Applicant Address/Phone	1450 North D St. San Bernardino, CA 92405 (951) 388-1239	
Contact Person and Title	Belinda Marquez, Director – Family and Community Services	

Project Name	Emergency Services and Referrals
Project Location	23623 Sunnymead, Ste. E, Moreno Valley, CA 92553 951-924-9964
Project Description	Sought funding for full salary of outreach worker to conduct various support services to low income families and those at-risk of homelessness such as motel vouchers, rental assistance, emergency assistance.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	FY 97-98 - $5,000 FY 94-95 - $5,400 FY 92-93 - $4,300
Track Record	Acceptable.
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$35,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL SERVICES

Applicant/Agency Name	**Christian Center Sinai Community Service Agency**	**# 22**
Applicant Address/Phone	12880 Heacock Street Moreno Valley, CA 92553 (951) 656-6940	
Contact Person and Title	Esther Quintero Arcy, Director/Administrator	

Project Name	**Project Impact**
Project Location	11135 Indian Street, Moreno Valley, CA
Project Description	The project will offer Moreno Valley's low income youth and families a variety of services from food distribution, referrals, job coaching, to after school tutoring and homework assistance.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended due to limited funding and availability of other similar programs.***
Amount Requested	$20,000
Amount Recommended	$0

NON PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Coachella Valley Housing Coalition After School Program	**# 23**
Applicant Address/Phone	45701 Monroe Street, Suite G Indio, CA 92201 (960) 347-3157	
Contact Person and Title	Emmanuel Martinez, Community Services Funding Specialist	

Project Name	Casitas del Valle After School Program
Project Location	Moreno Valley
Project Description	This proposed after school program would provide homework help, tutoring, access to computers, organized physical play activities to 25-30 low income students living in the complex. The program would operate 45 weeks / year including summer. The grant request to cover portion of salary costs for on-site YMCA personnel.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	N/A
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and availability of similar program.***
Amount Requested	$10,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOUSING COUNSELING SERVICES

Applicant/Agency Name	Fair Housing Council of Riverside County	**#24**
Applicant Address/Phone	3933 Mission Inn Avenue Riverside, CA 92501 (951) 682-6581	
Contact Person and Title	Rose Mayes, Executive Director	

Project Name	**FIRST TIME HOMEBUYER PROGRAM**
Project Location	23890 Alessandro #A1, Moreno Valley, CA 92553
Project Description	Proposed program to provide free, comprehensive first time homebuyer education to local residents with the goal having them become thoroughly informed on mortgage loans and the purchase process thereby mitigating potential foreclosure situation in the future. The grant request would help partially fund the salary of a housing counselor and other operating costs.
Eligibility and National Objective	Fair Housing Activities 570. Service 570.201(e) Limited Clientele 570.208(a)(2)
Prior CDBG Funding	New Program
Track Record	The Fair Housing Council meets all stated goals and submits accurate reports in a timely manner.
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and similar services being offered by other local agencies.***
Amount Requested	$25,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES

Type of Application: HOUSING COUNSELING PROGRAMS

Applicant/Agency Name	Family Service Association of Western Riverside County	**# 25**
Applicant Address/Phone	21250 Box Springs Rd, Ste 212 Moreno Valley, CA 92557 (951) 686-1096	
Contact Person and Title	Dom Betro, President/CEO	

Project Name	**Housing Counseling Education Program**
Project Location	21250 Box Springs Rd,. Ste 212, Moreno Valley, CA
Project Description	The goal of the program is to provide resources, support and education that will assist individuals in their efforts to retain their homes that are in jeopardy of foreclosure or to purchase or rent a home. Education will be provided in the areas of credit/debt management, budgeting, tenant rights, referrals to housing programs, etc.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$45,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL PUBLIC SERVICES

Applicant/Agency Name	Olive Branch Ministries	**# 26**
Applicant Address/Phone	24897 Bayleaf Street Moreno Valley, CA 92553 (951) 243-0566	
Contact Person and Title	Jerry Casillas, Director	

Project Name	**Moreno Valley Community Garden**
Project Location	2 acres at SWC Cottonwood and Nason Streets, Moreno Valley
Project Description	The Community Garden project will provide individuals or groups with plots of land within a community garden that may be utilized for the growing of fruits and vegetables. The items can be grown for personal use with a percentage donated to local food programs. The participant will be required to maintain and cultivate their specified plot. Requested CDBG grant to be used toward land rent.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$15,100
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: YOUTH SERVICES

Applicant/Agency Name	Olive Crest Treatment Centers	**# 27**
Applicant Address/Phone	3050 Chicago Avenue Riverside, CA 92507 (951) 686-8500	
Contact Person and Title	Gina Johnson, Regional Director of Development, Inland Empire	

Project Name	**Independent Living Skills Program for Foster Youth**
Project Location	20051 Vista Del Lago, Perris, CA 92570
Project Description	Program provides independent living skills to foster and emancipated youth (ages 13-18) critical to the development of personal and practical skills needed for successful adjustment to independent living after being released from the state foster care system. Along with classroom time, group therapy, and creation of a customized individual 'future plan', the youth must complete workbooks featuring subjects such as: job/career, money/credit management, housing, government/legal system, health/nutrition, safety, etc.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)(A)
Prior CDBG Funding	FY 09-10 - $10,000 FY 08-09- $5,000
Track Record	Submits reports in a timely manner.
Staff Project Recommendation	***Project NOT recommended for funding due to very limited number of Moreno Valley youth served in 09/10.***
Amount Requested	$10,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: HOMELESS SERVICES

Applicant/Agency Name	**US Veterans Initiative**	**# 28**
Applicant Address/Phone	15105 6th St. Riverside, CA 92518 (909) 987-2477	
Contact Person and Title	Gina Vaughn-Mays, Site Director	

Project Name	**VIP Job Training Program**
Project Location	March Air Reserve Base
Project Description	Program designed to help 50 Moreno Valley veterans to move from homelessness to employment by developing individual responsibility through case management, relapse prevention/residential support, training, and job placement assistance. Grant request to supplement existing services.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$25,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL PUBLIC SERVICES

Applicant/Agency Name	**USA HELP, INC.**	**# 29**
Applicant Address/Phone	41995 Calle Cedral Temecula, CA 92592 (888) 723-7099	
Contact Person and Title	Christine Chappell, Program Manager	

Project Name	**THE HELP PROGRAM**
Project Location	Moreno Valley, CA
Project Description	Under the program provider to conduct approximately 8 education workshops on foreclosure, short sales, loan modifications, and homebuyer assistance. The program is anticipated to assist a minimum of 250 low and moderate income Moreno Valley residents.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and similar services being offered by other local agencies.***
Amount Requested	$14,400
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: GENERAL PUBLIC SERVICES

Applicant/Agency Name	Volunteer Center of Riverside County	**#30**
Applicant Address/Phone	2060 University Avenue, Ste 212 Riverside, CA 92507 (951) 686-4402	
Contact Person and Title	Roberta Neff, CEO	

Project Name	**211 Riverside County**
Project Location	Available to all residents of Moreno Valley
Project Description	211 Riverside is an on going phone system that provides 24 hour, 7 days a week information and referrals for social service programs. Due to the economy, it is anticipated that calls to 211 will increase by 7%. Funding is requested to cover staffing costs to deal with increased call loads.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to other high priority projects and limited funding.***
Amount Requested	$25,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SENIOR SERVICES

Applicant/Agency Name	Volunteer Center of Riverside County	**# 31**
Applicant Address/Phone	2060 University Avenue, Ste 212 Riverside, CA 92507 (951) 686-4402	
Contact Person and Title	Roberta Neff, CEO	

Project Name	**Senior Long Term Care Ombudsmen Program**
Project Location	Assisted living facilities within Moreno Valley
Project Description	The program provides mandatory evaluations of senior care facilities as well as the investigation of complaints of abuse. The Ombudsmen program aims to prevent abuse by providing a regular presence at the facilities. Grant dollars would allow the Volunteer Center to increase visits to Moreno Valley's 40+ facilities from quarterly to monthly.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$20,000
Amount Recommended	$0

PUBLIC SERVICE APPLICATIONS – OUTSIDE AGENCIES
Type of Application: SPECIAL NEEDS/CHILDREN'S SERVICES

Applicant/Agency Name	**YMCA Childcare**	**# 32**
Applicant Address/Phone	4020 Jefferson St. Riverside, CA 92504 (951) 685-5241	
Contact Person and Title	Christina Moore, Director of Childcare Operations	

Project Name	YMCA Childcare at Sugarhill Elementary
Project Location	YMCA Site\Modular Classroom located at Sugerhill Elementary 24455 Old Country Rd. Moreno Valley, CA 92557
Project Description	The YMCA will provide licensed before and after school care to 15 low-income children for the 10 month school year including select days that the schools are normally closed. Program includes transportation from other local elementary schools. All proposed services would be free to qualified families.
Eligibility and National Objective	Public Service 570.201(e) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	N/A
Track Record	New Program
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding and availability of similar programs.***
Amount Requested	$37,310
Amount Recommended	$0

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: YOUTH SERVICES

Applicant/Agency Name	City of Moreno Valley	**#33**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**YOUTH OPPORTUNITIES CENTER**
Project Location	CDBG Target Neighborhoods
Project Description	In partnership with Family Services Association (and support of the Moreno Valley Unified School District), the City participated in a grant application to the County of Riverside to establish a Youth Opportunity Center (YOC) in the City's CDBG Target Area. The Center would require approx. 2,000 sq. ft. of space where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. If the YOC $800,000 grant application is successful, the proposed CDBG monies would serve as the required matching funds that would eventually be used for the building acquisition or for needed tenant improvements in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.
Eligibility and National Objective	Public Facilities and Improvements 570.201 (c) Limited Clientele 570.208(a)(2)(i)
Prior CDBG Funding	New Program
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$80,000
Amount Recommended	$80,000

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: NEIGHBORHOOD CODE ENFORCEMENT

Applicant/Agency Name	City of Moreno Valley, Community Development Department	**#34**
Applicant Address/Phone	Code & Neighborhood Enforcement Division 14177 Frederick Street Moreno Valley, CA 92553 (909) 413-3335	
Contact Person and Title	Al Brady, Code and Neighborhood Services Official	

Project Name	**CODE & NEIGHBORHOOD ENFORCEMENT PROGRAM**	
Project Location	CDBG Target Neighborhoods	
Project Description	Through effective code compliance activities the program will reduce blight and substandard housing conditions, promote improved property and building maintenance habits of the property owners and tenants within the CDBG target areas. Officers will conduct code enforcement on a proactive basis as well as in response to citizen complaints. Through the promotion of neighborhood participation and voluntary compliance, Officers work with property owners and residents, educating them and encouraging them to get involved with the improvement of their neighborhoods.	
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)	
Prior CDBG Funding	FY 09-10 - $263,390 FY 08-09 - $255,000 FY 07-08 - $255,000 FY 06-07 - $253,401 FY 05-06 - $241,056 FY 04-05 - $252,629	FY 03-04 - $215,029 FY 02-03 - $178,600 FY 01-02 - $169,425 FY 00-01 - $166,320 FY 99-00 - $166,320 FY 98-99 - $169,015
Track Record	City Sponsored.	
Staff Project Recommendation	***Recommended for funding.***	
Amount Requested	$263,390	
Amount Recommended	$263,390	

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: NEIGHBORHOOD CODE ENFORCEMENT

Applicant/Agency Name	City of Moreno Valley, Community Development Department	**#35**
Applicant Address/Phone	Code & Neighborhood Enforcement Division 14177 Frederick Street Moreno Valley, CA 92553 (909) 413-3335	
Contact Person and Title	Al Brady, Code and Neighborhood Services Official	

Project Name	**CITY FORECLOSURE STRIKE TEAM**
Project Location	CDBG Target Neighborhoods
Project Description	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)
Prior CDBG Funding	NA
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$103,017
Amount Recommended	$103,017

CODE ENFORCEMENT APPLICATIONS – CITY DEPARTMENTS
Type of Application: NEIGHBORHOOD CODE ENFORCEMENT – FIRE PREVENTION

Applicant/Agency Name	City of Moreno Valley, Fire Department	**#36**
Applicant Address/Phone	Fire Prevention Division 14177 Frederick Street Moreno Valley, CA 92553 (951) 486-6783	
Contact Person and Title	Steve Curley, Fire Chief	

Project Name	**NEIGHBORHOOD IMPROVEMENT TASK FORCE**
Project Location	CDBG Target Neighborhoods
Project Description	This Task Force proposes to conduct internal and external inspections to address fire safety violations in various apartment homes in the CDBG target area. The objective is to identify fire and life safety violations and substandard conditions can be documented and corrective action sought with the landlords of these properties. The Task Force proposes to complete over 200 inspections per year and work cooperatively with Building and Safety and/ or Neighborhood Code Services to obtain full code compliance in these properties.
Eligibility and National Objective	Code Enforcement 570.202(c) Area Benefit 570.208(a)(1)(i)
Prior CDBG Funding	NA
Track Record	City Sponsored.
Staff Project Recommendation	***Project NOT recommended for funding due to limited funding.***
Amount Requested	$30,000
Amount Recommended	$30,000

PUBLIC SERVICE APPLICATIONS – CITY DEPARTMENTS
Type of Application: Economic Development

Applicant/Agency Name	City of Moreno Valley	**#37**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**Moreno Valley New Business Incentive Program**
Project Location	14177 Frederick St. Moreno Valley
Project Description	The economic downtown has lead to job loss for many residents. As of January 2010, the City's unemployment rate exceeded 15%. Funding is recommended for the continuation of a New Business Incentive Program intended to attract major employers to locate in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues.
Eligibility and National Objective	Area Benefit 570.208(a)(1) Economic Development 570.203
Prior CDBG Funding	FY 09-10 - $525,000
Track Record	City Sponsored
TRC Project Recommendation	***Project recommended for funding.***
Amount Requested	$525,000
Amount Recommended	$525,000

PUBLIC SERVICE APPLICATIONS – CITY DEPARTMENTS
Type of Application: Economic Development

Applicant/Agency Name	City of Moreno Valley	**#38**
Applicant Address/Phone	Economic Development Department 14177 Frederick Street Moreno Valley, CA 92553 (909) 413-3335	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	**EMPLOYMENT RESOURCE CENTER**
Project Location	12625 Frederick Street Moreno Valley
Project Description	The economic downtown has lead to job loss for many residents. As of January 2010, the City's estimated unemployment rate exceeded 15%. The Center will continue to provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost. The site has also been used to conduct job training as well as employee recruitments. During the first year of operation, the Center had over 13,000 patrons visit the site.
Eligibility and National Objective	Public Service 570.201(e) Area Benefit 570.208(a)(1)
Prior CDBG Funding	FY 09-10 - $290,074
Track Record	City Sponsored.
TRC Project Recommendation	***Project recommended for funding.***
Amount Requested	$144,043
Amount Recommended	$144,043

OUTSIDE AGENCY APPLICATIONS
Type of Application: ECONOMIC DEVELOPMENT

Applicant/Agency Name	Inland Empire Small Business Development Center	**# 39**
Applicant Address/Phone	1201 Resource Park Drive, Ste. 100 Riverside, CA 92507 (951) 781-2345	
Contact Person and Title	Al Gohary, Business Consultant	

Project Name	**Business Counseling Services**
Project Location	City of Moreno Valley Businesses
Project Description	The Inland Empire Small Business Development Center (SBDC) provides one-on-one business counseling services, workshops and seminars free of charge to Moreno Valley businesses. A funding increase was requested this year and would allow for SBDC to offer 'Quickbooks' training. This training addresses the rising demand by small business to learn better bookkeeping methods and accounts payable/receivable management.
Eligibility and National Objective	Economic Development 570.201(o)(2)(iii) Area Benefit 570.208(a)(1)(i)
Prior CDBG Funding	FY 09-10 - $40,000 FY 08-09 - $40,000 FY 07-08 - $40,000 FY 06-07 - $40,000 FY 05-06 - $30,000 FY 04-05 - $30,000 FY 03-04 - $30,000
Track Record	Good.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$50,000
Amount Recommended	$50,000

HOME PROGRAM – CITY
Type of Application: HOME IMPROVEMENT LOAN PROGRAM (HILP)

Applicant/Agency Name	City of Moreno Valley	**#1**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	Home Improvement Loan Program (HILP)
Project Location	Moreno Valley
Project Description	This program provides eligible, low-income homeowners (up to 80% area median income) with assistance toward rehabilitation of their Moreno Valley home. Assistance is in the form of a $40,000 maximum loan with 3% annual interest. Payments are deferred for 20 years or until the owner sells or ceases to occupy the home. Emphasis is placed on completion of repairs that bring the home into compliance with the area's health and safety codes, such as roofing, plumbing, structural, or electrical.
Eligibility and National Objective	Area Benefit 570.208(a)(1)(i)
Prior HOME Funding	$160,000
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$240,000
Amount Recommended	$240,000

HOME PROGRAM – CITY
Type of Application: MOBILEHOME GRANT PROGRAM (MGP)

Applicant/Agency Name	City of Moreno Valley	**#2**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	Mobile home Grant Program (MGP)
Project Location	Moreno Valley
Project Description	This program provides very low-income households (up to 50% of the area median income) with assistance toward rehabilitation of their Moreno Valley mobile homes. Assistance is in the form of a $10,000 (maximum) grant. Eligible improvements include health and safety items such as roofing, flooring, structural, or electrical.
Eligibility and National Objective	Area Benefit 570.208(a)(1)(i)
Prior HOME Funding	$80,000
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$100,000
Amount Recommended	$100,000

HOME PROGRAM – CITY
Type of Application: MULTI-FAMILY AFFORDABLE HOUSING PROGRAMS

Applicant/Agency Name	City of Moreno Valley	**#3**
Applicant Address/Phone	Economic Development Department 14177 Frederick St. Moreno Valley, CA 92552 (951) 413-3460	
Contact Person and Title	Barry Foster, Economic Development Director	

Project Name	Multi-Family Affordable Housing Program
Project Location	Moreno Valley, CDBG Target Area
Project Description	Funding will be utilized toward an affordable multi-family housing project located in the CDBG Target Area. Multi-family housing projects either rehabilitate or construct safe, decent affordable housing that are tied to long term rent restrictions to ensure low-income occupants. The goal is to provide quality, housing for the low-income persons while contributing to the revitalization of the entire neighborhood.
Eligibility and National Objective	Area Benefit 570.208(a)(1)(i)
Prior HOME Funding	$237,104
Track Record	City Sponsored.
Staff Project Recommendation	***Recommended for funding.***
Amount Requested	$182,000
Amount Recommended	$182,000

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MV00049397

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

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MV00049399

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: March 23, 2010

TITLE: Approval of the Moreno Valley Parks, Recreation, and Open Space Comprehensive Master Plan

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council, acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 11, 2007 the City Council awarded a contract for Professional Consultant Design Services for the Parks, Recreation, and Open Space Comprehensive Master Plan to RGW Design Group, Inc., in the amount not to exceed $175,000. This contract was to provide the City of Moreno Valley with a plan that would help identify park acreage shortages and locate deficiencies or redundancies in services, which is vital to being a proactive community. Part of the process was to include intensive public outreach, which would help obtain a sense of community needs and create a working document that better addresses parks and recreation deficiencies that may exist in Moreno Valley.

DISCUSSION

RGW Design Group, Inc., has produced a comprehensive, public involved, strategic document, that included conducting numerous community meetings and workshops, meeting with staff on a regular basis, administering sessions with all local athletic groups, attending Parks and Recreation Commission meetings, visiting all sections of the community, and researching all aspects of the parks and recreation field as it relates to Moreno Valley.

RGW provided a PowerPoint presentation that detailed the entire Parks, Recreation, and Open Space Comprehensive Master Plan, which was reviewed by the City Council on August 18, 2009. This project was completed within the allocated budget amount of $175,000 and includes a complete analysis of the March Air Reserve Base property.

At the August 18, 2009 City Council Study Session, staff was given direction to address various issues prior to Council adoption of the Parks, Recreation, and Open Space Comprehensive Master Plan. These issues, which have now been addressed in the document, included:

- Addition of the cities of Perris and Riverside to the comparison chart in Chapters 5 and 6.
- Addition of verbiage regarding upholding the importance of "ongoing" graffiti maintenance within the 12 City goals.
- Listing the Moreno Valley Equestrian Center as a possibility for a future community center.
- Reasons why Box Springs Park (environmental, habitat, and open space conservation issues) is not an optimal location for sports facility.
- Utilizing the 40 acres off Perris Boulevard purchased with park funds for a community park area. (RGW does list this area as a possible site in the future.)
- Did not accurately depict the city regarding homelessness and youth problems (information received from school district).
- Conversation should begin between Parks and Community Services and the local AYSO organization regarding construction of the March Field Park sports complex (conversations underway).
- Change the name listed in report of Sheila Park to the correct name of Patriot Park.
- Make changes in exhibit 7.8 (removal of F4).
- Requested an exhibit which depicts the Council districts and where the parks fall within these areas.

All City departments had the opportunity to review the proposed Parks, Recreation, and Open Space Comprehensive Master Plan and provided RGW with their recommendations, which were all addressed.

ALTERNATIVES

1. Approve the Parks, Recreation, and Open Space Comprehensive Master Plan completed by RGW Design Group, Inc., as presented.

2. Not accept document as presented and provide direction to staff on how to proceed.

FISCAL IMPACT

The budget of $200,000, which has been carried over from fiscal year budget 2005/2006, is in fund account 00461.68925.7200. The purchase order for the consultant is $175,000.

CITY COUNCIL GOALS

This project meets the City Council goals by ensuring that needed public facilities are constructed and maintained; and by creating a positive environment for the development of Moreno Valley's future.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Parks, Recreation, and Open Space Comprehensive Master Plan Final Document

Prepared By:
Michael McCarty
Director of Parks and Community Services

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

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

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MV00049403

City of Moreno Valley

Parks, Recreation and Open Space Comprehensive Master Plan

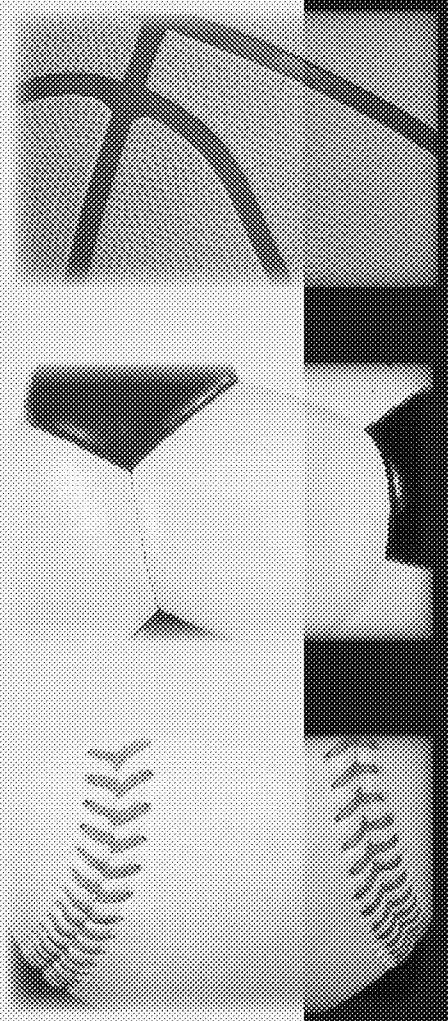

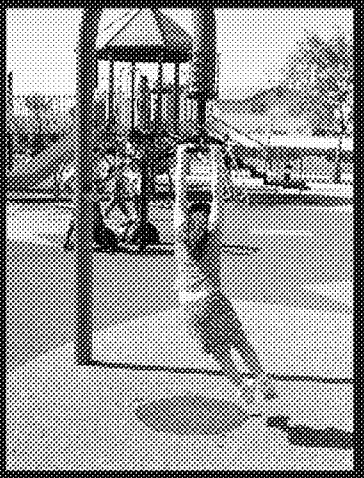

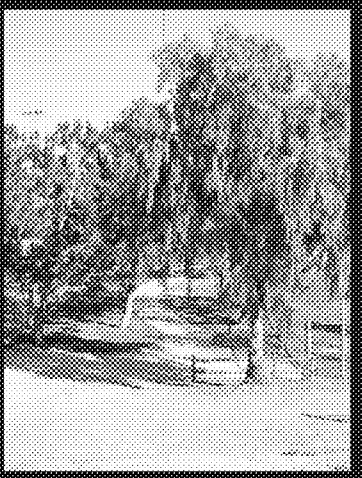

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WHERE DREAMS SOAR

February 2010

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ACKNOWLEDGEMENTS

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- Sports Group Workshop
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City of Moreno Valley Standard Plans – Trails Details

MV00049415

SECTION 1 INTRODUCTION AND PURPOSE

INTRODUCTION

SCOPE AND PURPOSE

PLANNING PROCESS

RESEARCH AND ANALYSIS

COMMUNITY NEEDS ASSESSMENT

PUBLIC INVOLVEMENT

REPORT ORGANIZATION

MASTER PLAN GOALS

MASTER PLAN RELATIONSHIP TO OTHER CITY DOCUMENTS

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1.0 INTRODUCTION

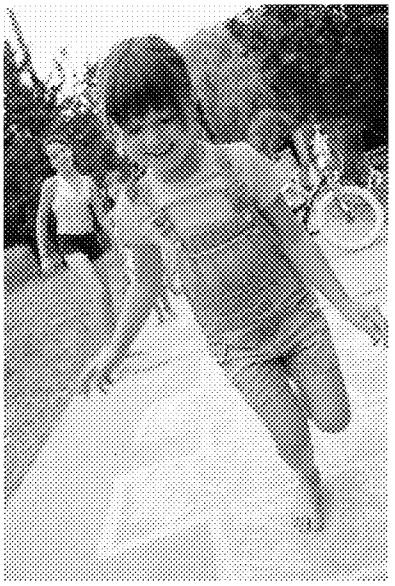

Recreation and leisure time facilities are an important and valued resource for every city. They promote community by providing safe and healthy outdoor spaces and strengthen community image and sense of place by responding to the natural environment and providing for the needs and desires of the residents. The availability of developed park land for leisure outdoor activities enriches lives and contributes to the quality of life for all residents.

A Parks, Recreation and Open Space Comprehensive Master Plan provides guidelines and strategies for implementing the Parks, Recreation and Open Space element of the City's General Plan. The preparation of this document is the culmination of the research and analysis of existing recreation facilities and services, an assessment of community needs and desires, and a review of maintenance and funding requirements to continue to provide residents with a successful parks and recreation system.

The document captures the community's shared vision and establishes a roadmap that guides the development of future recreation facilities and services.

1.1 SCOPE AND PURPOSE

The purpose of the Parks, Recreation and Open Space Comprehensive Master plan, as stated by the City of Moreno Valley, is to provide a framework for decision-making over the next 25 years. The plan will analyze changing demographics, identify future park site locations, park and facility development, recreation programs, and maintenance operational standards. Due to the extensive influx of new residential housing, the identification and acquisition of future park sites is a high priority.

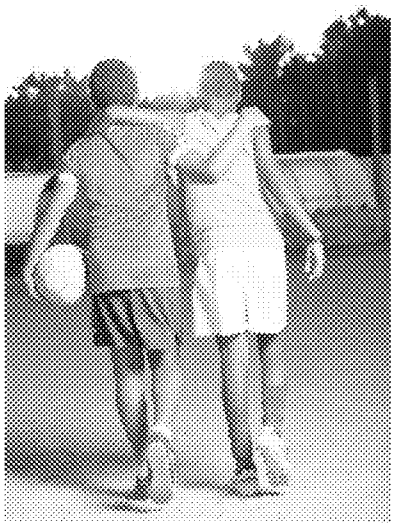

Additional goals include providing a long-range vision for parks, recreation and open space; matching community needs with parks, recreation services; and identifying potential locations for future neighborhood, community and regional parks and facilities.

1.2 PLANNING PROCESS

The Consultant Team and City Staff embraced a collaborative approach to the development of this document. Staff provided valuable insight and extensive current and historical data for use by the planning team including a current facility inventory, current program inventory, organizational history, trends, values and mandates, identification of core programs and services, identification of current issues requiring resolution, current and projected breakdown of community demographics, maps, plans, aerial photos, trails, joint use agreements and future park plans. These items provided a solid basis for the planning process.

1.3 RESEARCH AND ANALYSIS

The Consultant Team worked very closely with staff throughout the master planning process. We met with staff to discuss potential issues, develop a list of contacts, research reports and strategies, and to review past relevant studies. We reviewed the master planning process, time line and coordinated our efforts with staff, special interest groups and community organizations.

The Consultant Team gained an understanding of the staff's perceptions of the community's recreational programming & park facility needs, future housing growth, the arrangement with shared facilities, the joint use relationship with school districts and organized groups, proposed dedication of land, private recreation opportunities, revenue development alternatives, the current and future budgets, open space, park dedication and in-lieu fee ordinances and City policy objectives.

The Consultant Team reviewed all the data collected by staff including existing park master plans, current facility inventory, current program inventory, athletic field supply/demand analysis, organizational history, trends, values and mandates, identification of core programs and services, identification of current issues requiring resolution, current and projected breakdown of community demographics, maps, plans, aerial photos, studies, trails, joint use agreements, future park plans, etc. and we developed a complete current inventory of existing and proposed parkland which is contained in Section 3.

The Consultant Team toured existing parks, open space, and recreation facilities owned and/or operated by the City of Moreno Valley, County of Riverside, local school districts and other government entities and reviewed current programming practices. We obtained base sheet information on all park sites that display existing conditions and improvements. We gathered information on all proposed improvements and master plans, including information presented in upcoming specific plans, and we reviewed the City's plan to meet the Americans with Disabilities Act requirements.

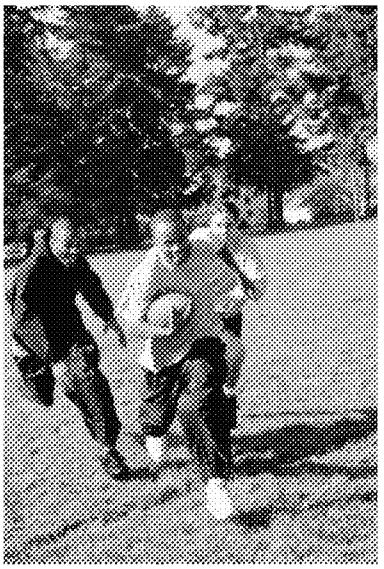

1.4 COMMUNITY NEEDS ASSESSMENT

The purpose of a Needs Assessment is to quantify and understand both the facility and recreational program needs of the community. In order for the Moreno Valley Community Services, Parks and Recreation Department to develop a long range plan for providing the right recreational facilities and programs, it must understand the nature of the community, its recreational desires, its actual needs, and its ability to provide the services that are determined necessary through the Needs Assessment.

Demand and Needs are sometimes difficult to quantify. A numerical standard may not reflect the makeup of a community, its economic situation, history, traditional recreation uses, or political environment. This report assesses the recreational programming and park facilities needs of the City of Moreno Valley starting with national and state trends, past levels of service, public involvement, comparison with other similar agencies and identified community demands and desires.

1.5 PUBLIC INVOLVEMENT

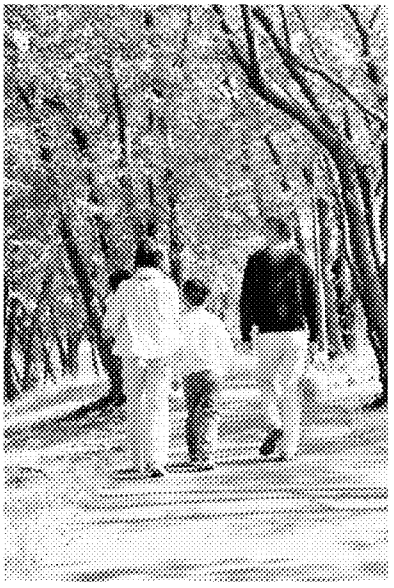

The Consultant Team, working with the City, utilized a number of input tools to conduct public outreach to solicit the public's opinions and requests about recreation program needs and facility desires, as well as their special insights into the operation of Parks and Recreation programs and services.

The public outreach tools used by the consultant team included:

- ✓ A General Public Input Workshop
- ✓ Focus Workshop for Sports Groups
- ✓ Focus Workshop for Cultural Groups
- ✓ Focus Group Workshop for Human Services
- ✓ Stakeholder Interviews
- ✓ Community Phone Survey
- ✓ Sports Group Questionnaire
- ✓ Focus Group Workshop for Trails
- ✓ Community Services Staff Interviews
- ✓ E-Mails and Letters from the Community
- ✓ Park Site and Facility Visit Intercepts

Public involvement is a critical component in establishing the needs and desires of the community. Input from a broad cross section of the community was accomplished through the following information gathering resources:

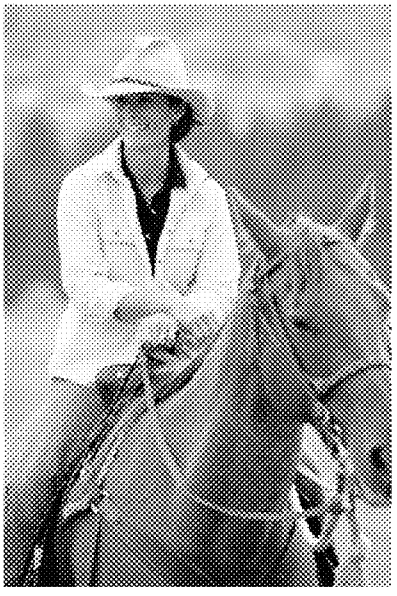

Sports Organization Survey – The survey provides valuable information regarding facility usage, team size, recreation seasonality, and player volume. A survey with questions relevant to the usage of City recreation facilities by sports organizations within the City was distributed to each sports group. The results have been tabulated and used to verify and update the participation rates in these sports and was used in the development of the demand analysis.

Community Input Workshops – Three community input workshops were conducted to provide a "reality check" on the research and analysis phase of the project. The first workshop was geared for the general community while the second and third workshops included focus sports groups and trails groups. The outcome of the workshop sessions provides important input into prioritization of the future of parks and recreation development within the City.

Stakeholder Interviews – Personnel from City Staff, community organizations, sports groups and key community stakeholders were interviewed to review recreation programs. Input from this group will be used to identify any "gaps" in the current recreation program and will receive special attention during the demand analysis. Both private and public facilities used to provide programs and services are analyzed to determine their ability to meet future recreation and human services program needs.

Telephone Survey – Research Network Ltd. was retained to conduct the Community Phone Survey. A random sample telephone survey was conducted to provide a statistically reliable method to generate unbiased, detailed and accurate data regarding the true current demand for recreation facilities and programs specific to the City of Moreno Valley.

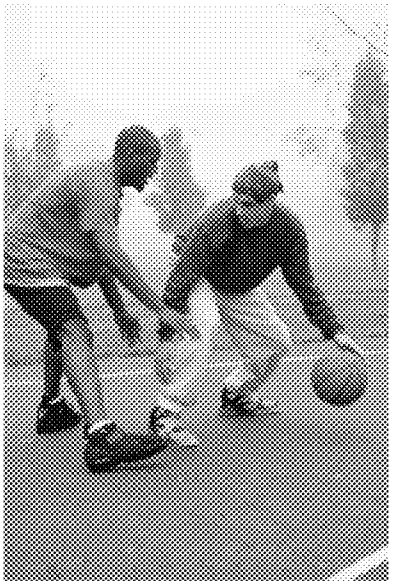

On-Site Interviews - Intercepting people to talk to at City parks and facilities while doing the park and facility inventories was particularly helpful in gaining insight into how residents perceive the City's park and recreation programs and services and what they would like to see the City provide in the future.

The information gained from all of these input tools was analyzed and then summarized and incorporated into the document in Section 5 and then used as a means of determining the recommendations and action items contained in Chapters 6 and 7 upon which the City can set and reach attainable goals for its delivery of a successful parks, recreation and open space system.

1.6 REPORT ORGANIZATION

The Parks, Recreation and Open Space Comprehensive Master Plan is organized in eight sections.

Section 1 – Introduction and Purpose

Section 1 presents an overview of the purpose for the Park, Recreation and Open Space Comprehensive Master Plan and describes the process used to complete the project.

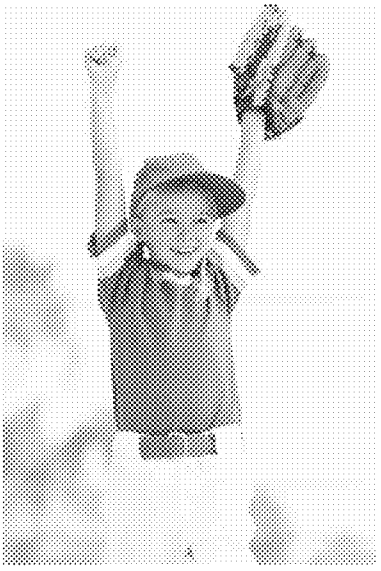

Section 2 – Planning Context

Section 2 describes Moreno Valley and the regions surrounding its location. This section also details the demographics and planning issues that affect Moreno Valley and its ability to deliver a successful park, recreation and open space system.

Section 3 – Existing Parks and Facilities

Section 3 contains a current inventory of existing parks and facilities in Moreno Valley. The Park and Facilities Inventory details the amenities contained at each park site in Moreno Valley and provides comments on existing conditions.

Section 4 – Recreation Programs and Services

Section 4 presents an inventory of Recreation Programs and Services currently provided by the Parks and Community Services Department. It also explains how services are provided and analyzes the types of programs and activities by age groups.

Section 5 – Needs Assessment / Community Input

Section 5 contains the Needs Assessment and Demand Analysis which was generated from the various community outreach tools and public input processes used for the Master Plan.

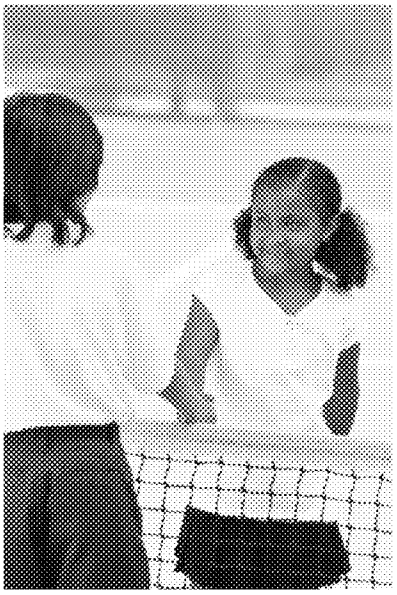

Section 6 – Park Land Dedication and Impact Fees

Section 6 contains an analysis of the City's existing Park Dedication and In-Lieu Fee Ordinance (Quimby), the Park Impact Fees and Community Services District Fees that support Park Maintenance and Facility Operations. This section also contains an analysis of the impact that commercial/industrial/retail developers have on the Park and Recreation system and defines the feasibility of establishing park impact fees on future commercial development.

Section 7 – Policy Recommendations and Guidelines

Section 7 presents an overview of community concerns that will affect the City's ability to provide a successful Park and Recreation delivery system. It also contains the consultant teams "12 Goals for Success" and the recommended actions to accomplish the goals.

Section 8 – Recommendations and Implementation Strategies

Section 8 provides cost estimates for the recommendations formulated in Section 7 and presents implementation strategies the City could consider for accomplishing the recommendations. Projects are listed in order of recommended priorities and a capital improvement program is included so that the City can plan its work program for capital improvements in the future.

1.6 MASTER PLAN GOALS

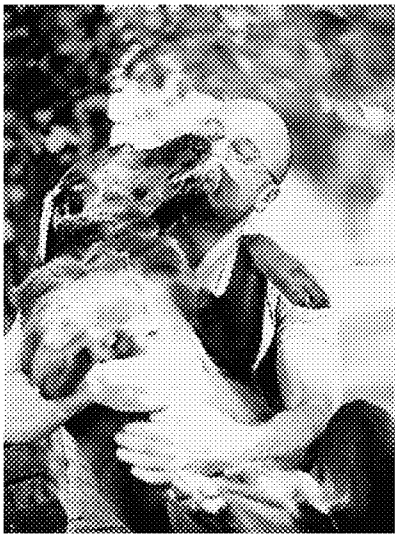

The Consultant Team, along with staff, developed several master plan goals to guide the master plan process. It was agreed that the Parks, Recreation and Open Space Comprehensive Master Plan needed to do the following in order to be a document the Parks and Community Services Department could use to guide its facility and program development in the future:

- Describe current and future demographic projections and regional context;
- Examine the current conditions of parks and facilities;
- Study and analyze current public demand and needs for parks, recreation and cultural facilities and programs;
- Develop goals based on future needs expressed by the staff and the community;
- Recommend improvements of existing parks and facilities;
- Examine and analyze current policy documents;

- Propose future recreation, parks and cultural facilities locations and developments; and
- Describe financing strategies and funding actions to enable the City to reach the "12 Goals for Success" set by this document.

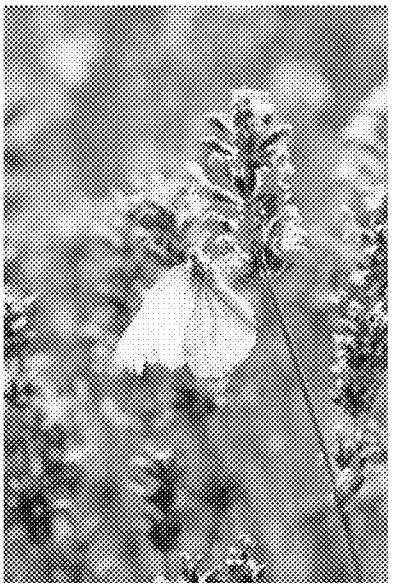

1.7 MASTER PLAN RELATIONSHIP TO OTHER CITY DOCUMENTS

CITY OF MORENO VALLEY GENERAL PLAN

State law requires each city and county to adopt a General Plan policy document which acts as the "constitution" for the physical development of a city. General Plans include mandatory elements for land use, circulation and transportation, housing, conservation, noise, safety, and open space.

This Parks, Recreation and Open Space Comprehensive Master Plan will build on the findings of Chapter 4 – Parks, Recreation and Open Space Element of the City General Plan updated July 11, 2006.

CITY OF MORENO VALLEY DEVELOPMENT CODE

The City of Moreno Valley Development Code establishes standards, guidelines, and procedures to protect and promote the public health, safety, convenience, and welfare of present and future citizens of Moreno Valley. The Code implements the goals, objectives, policies and programs of the General Plan. All land, buildings, and structures within the incorporated portions of the City are developed according to the provisions of the Code.

SECTION 2 PLANNING CONTEXT

INTRODUCTION

REGIONAL CONTEXT

SERVICE AREA

DEMOGRAPHIC CHARACTERISTICS

KEY FINDINGS / PLANNING ISSUES

MV00049425

2.0 INTRODUCTION

This section provides an overview of the planning context for which the Master Plan was prepared. It includes a look at both the local and regional context the City of Moreno Valley is located in, and it describes the service area for the Parks and Community Services Department. It is important to understand the demographic profile of the community in order to plan for future parks, recreation and open space needs. Knowing the City's population and age demographics, income distribution and ethnic composition is an important component in the analysis of needs and demands for facilities, programs, and services within the community. This section provides this basic background and gives the reader a foundation for where Moreno Valley is located, who it serves, and what key demographic issues affect the delivery of Park and Recreation services.

2.1 REGIONAL CONTEXT

The City of Moreno Valley was incorporated as a general law city in 1984. The incorporation merged together the separate communities of Moreno, Sunnymead, and Edgemont. The City is located in the western portion of Riverside County and consists of 50 square miles, making it one of the larger California cities in geographic area. The City of Moreno Valley borders the cities of Riverside and Perris, and is adjacent to the March Air Reserve Base and Lake Perris. The average elevation in the area is 1,650 feet. The moderate climate of the area allows for outdoor play in all four seasons.

SETTING

The City is governed by a five member elected City Council. There are a number of appointed Commissions and Committees including a Park and Recreation Commission, Senior Citizens Board, Arts Commission and a Recreational Trails Board. The City has received numerous awards and was voted "Number one in Riverside County for family recreation" by The Press-Enterprise Newspaper. The City has 34 parks or joint use facilities with 400.12 acres of developed park land. In addition, the City has over 6,000 acres of open space including Lake Perris which is a destination attraction for boating and water sports. The City is known for its excellent recreational, medical, educational, and quality housing at affordable prices. In recent years there has been a concentrated effort on development of retail centers, industrial developments, and social/cultural facilities.

Two public school districts serve the Moreno Valley area including Moreno Valley Unified School District which has 23 elementary schools, six middle schools, four high schools, Charter school, adult school, continuation high school, community day school, pre-school head start facility, and an academic center. In the 2007-2008 academic year there were a little over 37,000 students enrolled in the Moreno Valley Unified School District.

The second school district serving Moreno Valley is the Val Verde Unified School District which also serves areas of Perris and Mead Valley. Val Verde Unified School District includes one pre-school, thirteen elementary schools, four middle schools, two comprehensive high schools, and one continuation high school. In the 2007-2008 academic year approximately 20,000 students were enrolled in the Val Verde Unified School District.

Riverside Community College District has a campus in Moreno Valley that serves approximately 9,000 students. In addition to the Lake Perris State Recreation Area which borders the southern boundary of Moreno Valley, the City is also adjacent to the San Jacinto Wildlife area, the Norton Younglove Reserve, and Box Springs Mountain Regional Park which is located on the far northwest portion of the City. The City has a number of trails that connect with Regional trails and State trails as well as a Master Plan to implement more multiuse trails and trail head sites in the future.

AREA MAP

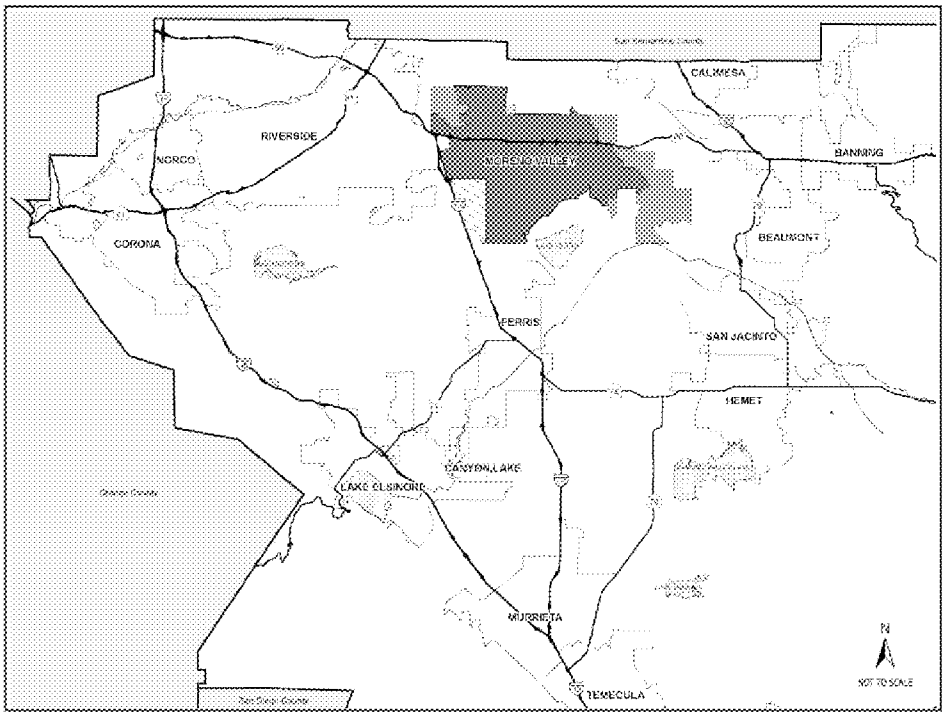

Map 2.1 – Moreno Valley Area Map

2.2 SERVICE AREA

The service area for Parks and Community Services is actually larger than the City limits. The Department receives State funding through the Department of Education to provide programs in adjacent areas to Moreno Valley. In addition, because of the excellent golf courses, Lake Perris State Recreation Area, and various commercial recreation opportunities within Moreno Valley, the City is a destination attraction for people throughout Riverside County.

SPHERE OF INFLUENCE

The following map shows the sphere of influence for the City of Moreno Valley and possible areas of future expansion.

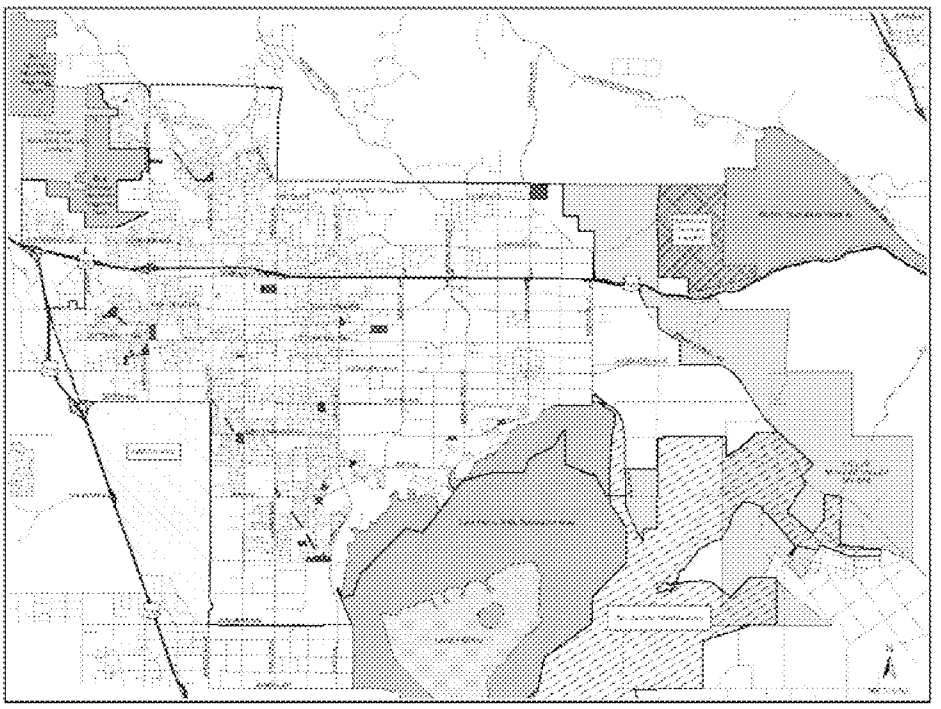

Map 2.2 – Moreno Valley Sphere of Influence

2.3 DEMOGRAPHIC CHARACTERISTICS

The following demographic characteristics provide an overview of the City in terms of its demographic profile. It is important to know the character and culture of the population the City is trying to serve in order to better understand their diverse needs.

POPULATION DATA

The current population estimate from the State of California Department of Finance of approximately 184,000 makes Moreno Valley the second most populous city in Riverside County. Moreno Valley has been one of the fastest growing cities in California particularly for young families.

New residential development has slowed considerably during 2008 and is projected to continue in a slow growth pattern through 2010. Population projections that the City will reach 220,000 by the year 2012 are likely optimistic in the current environment. However, it is expected that the City will see residential growth and reach the 200,000 population figure within the next five years.

AGE AND ETHNICITY CHARACTERISTICS

According to American Fact Finder as of 2007, of the total population in Moreno Valley approximately 48% are male and 51% are female. In the senior population of 55 years and older, the distribution is 64% female and 36% male.

The medium age in Moreno Valley is 28 years. This means the City is younger than the national average of 37 years. Approximately 10% or 18,000 are five years of age or younger.

American Fact Finder reports that in 2007 the school age population (between six and seventeen years of age) is approximately 34,000 or 18.5% of the total population. The majority of the City's population is between 18 – 64 years of age and comprises 65% of the population or about 120,000 persons.

The senior population of 65 or older accounts for about 12,000 persons or 6.5% of the population.

According to the most recent US Census data:

- Approximately 60,000 of Moreno Valley's population classifies itself as Caucasian
- Approximately 31,000 classify themselves as black or African American
- Approximately 11,000 classify themselves as Asian
- Approximately 92,000 classify themselves as Hispanic or Latino

About 10,000 classified themselves as mixed race or more than one race, which accounts for the difference in population figures.

According to the Riverside County Office on Aging Moreno Valley has some rather unique senior citizen population characteristics that need to be taken into consideration including:

- Approximately two thirds of senior citizens in Moreno Valley are living with their children or their grandchildren or their children or grandchildren are living with them.
- The senior citizen ethnic population distribution is significantly different than the overall ethnic population distribution in that only 35% of seniors classify themselves as white while 45% are Hispanic and 20% are Black or African American.
- 55% of seniors in Moreno Valley are employed in the labor force, mostly part time.

As one can see, Moreno Valley is an ethnically diverse community with many different cultural influences.

HOUSING TYPES AND VALUES

Moreno Valley has a wide range of housing options including high end executive homes, affordable single family homes, family friendly condominiums, and a wide range of apartment and mobile home opportunities.

As noted above, the City is mostly young families consisting of 3.79 persons per household per unit. According to the City's Planning Department, the total number of current housing units within Moreno Valley is approximately 56,000.

Per the Riverside County Realtors Association the 2008 average new home value was $510,000 while the average existing home value was $308,000. Given the downturn in the economy and the impact of foreclosed homes on the market, these values probably have decreased in 2009. The average household income in 2008 reported by the State Department of Finance was $67,000.

EDUCATION AND ECONOMIC CHARACTERISTICS (American Fact Finder 2007)

Slightly over 80% of the population in Moreno Valley who are 25 years of age or older are high school graduates or higher, and approximately 15% of those 25 years and older have a college degree or higher.

Of those residents 18 years and older, approximately 10,000 are veterans. Approximately 11% or 20,000 of the population have disability status and are authorized to carry handicap parking stickers.

Approximately 45,000 Moreno Valley residents are foreign born and have attended schools outside the United States. About 65,000 or 40% of the population speak a language other than English at home.

In terms of marital status, 52% of the population is married while 48% of the population is single. This includes those less than 18 years of age.

Approximately 65% of the population are employed in the labor force, and the medium household income is $67,000 per year. Approximately 12% of the population is below the national poverty level.

The average travel time to work in minutes of workers 16 years and older is 36 minutes, which means the average person spends over an hour a day commuting to and from work.

2.4 KEY FINDINGS / PLANNING ISSUES

Understanding the demographic context of Moreno Valley is an important component of recreation facility and program planning. Demographic characteristics such as age, presence of children, ethnicity, and income have been demonstrated in past research to have a relationship to recreation patterns

and program needs. For these reasons, an overview of changes and emerging trends of the resident population is important as the community plans its preferred future.

The key findings with regards to the demographic issues affecting the planning for Moreno Valley's Park, Recreation and Open Space Comprehensive Master Plan needs include:

- Population Size – The population size in Moreno Valley is expected to continue to grow along with the rest of Southern California reaching approximately 200,000 residents within the next five to ten years. It is important to understand the population size and the expected growth in order to anticipate and plan for the appropriate number of recreation facilities.

- Age – Current population projections by age group indicates that the majority of the population is made up of families, and this type of growth will continue in the future. There will also be a significant increase in those 65 years and older within the next five to ten years.

- Ethnicity – It is anticipated that Moreno Valley will continue to increase in ethnic diversity. Increase in diversity among the senior citizen population will continue to be significant. Determining the ethnic characteristics of Moreno Valley is necessary to account for changes in recreation demand based on cultural heritage.

- Household Type – Projected residential growth will continue to see family oriented residential development; however, there is likely to be some shift in household composition in coming years as the aging of parents, increasing property values, and the traditions of ethnic cultures in the region may give rise to more extended family situations. Trends in household types help us to understand more about future population size and density. These trends affect how and where Moreno Valley residents will meet their Park and Recreation needs. Residential development also affects funding and revenue streams for future recreation facilities.

- Economic Makeup – There is diversity in the economic makeup of the community, ranging from a rather significant number of people at or below the poverty level to a significant population of upper middle class professional level households. The community can definitely support fee based programs; however, accommodation must be made to provide ways of including those who cannot afford to pay for programs.

SECTION 3 EXISTING PARKS, FACILITIES AND OPEN SPACE RESOURCES

INTRODUCTION

PARKLAND DEFINITIONS

PARKLAND INVENTORY AND ANALYSIS

OPEN SPACE ANALYSIS

REGIONAL FACILITIES

SCHOOL SITES

PRIVATE RECREATIONAL FACILITIES

MV00049433

3.0 INTRODUCTION

The residents of Moreno Valley represent a diverse group with a variety of recreation interests. The City has provided a range of recreational opportunities in response to community desires including active and passive park facilities, community centers and trails. In addition to City provided facilities, the residents of Moreno Valley enjoy a number of regional facilities located adjacent or near Moreno Valley.

This section of the Comprehensive Plan provides an overview of recreation resources in and around Moreno Valley.

3.1 PARK LAND DEFINITIONS

For planning purposes, parks are classified by type based on the size, use, and physical characteristics of the land. The City of Moreno Valley General Plan identifies Local Park and Recreation Facilities owned and operated by the City as Community Parks and Neighborhood Parks. This plan will expand park classifications to include Mini Neighborhood Parks, Greenways and Specialty Parks, each of which provide unique recreational opportunities.

COMMUNITY PARKS

Community Parks are larger parks intended to serve a wide variety of active and passive recreation activities community-wide. The amenities programmed into a Community Park are focused on meeting the needs of several neighborhoods or large sections of the community. They allow for group activities and recreational opportunities that may not be feasible in neighborhood parks.

Optimally, from 20 to 50 acres in size, Community Parks serve several neighborhoods within a radius of 3 miles of the park. Where Community Parks are located in residential neighborhoods, they serve both the needs of the Community Park service radius and Neighborhood Park service radius.

Amenities typically programmed into a Community Park include; informal open play areas, children's play apparatus, family and group picnic areas with overhead shelters, barbecues, lighted sports fields, basketball courts, tennis courts, public restrooms, concession building, maintenance building and on-site parking. Community Buildings are important features in Community Parks and can include a Performing Arts Center, Senior Center, Gymnasium, Community Center, Historical Museum, Cultural Center, Interpretive Center for Community Parks located in Natural Areas, and Teen Center. Specialty sports facilities can also be located in Community Parks including: Aquatics Complex, Skate Park, Arena Soccer and Roller Hockey Facility.

NEIGHBORHOOD PARKS

Neighborhood Parks are the basic unit of the park system. Typically ranging from 5 to 20 acres in size, Neighborhood Parks are geared specifically for those living within a 3/4 mile radius of the park. Ease of access and walking distance are critical factors in locating a neighborhood park.

Amenities typically programmed into a Neighborhood Park include: informal open play areas, children's play apparatus, picnic tables, picnic shelters, barbeques, practice sports fields, basketball, tennis and volleyball courts, public restrooms and on-site parking.

MINI NEIGHBORHOOD PARKS

Mini Neighborhood Parks are the smallest park classification ranging in size from ¼ to 5 acres in size. They are best used to meet limited or specialized recreational needs. Mini Neighborhood Parks can provide landscaped public use areas in industrial and commercial areas, scenic overlooks, linkage to the community pathway system, and facilities to serve a concentrated or limited population or group such as tots or senior citizens.

Site amenities for a mini neighborhood park can include both active and passive features including; children's play apparatus, picnic areas and sitting areas. Due to the limited amenities included in Mini Neighborhood Parks, they are typically not included in the service radius analysis.

GREENWAYS

Greenways provide an important function in the overall park system. They provide uninterrupted and safe pedestrian movement through the City and can tie park components together to form a cohesive park, recreation and open space system and provide residents with a resource based outdoor recreational opportunity and experience.

Greenways generally fall into two categories: "Natural" greenways typically follow suitable natural resources and "man-made" greenways are built as part of development projects or renovation of older development areas. Man-made greenways are often located in residential subdivisions, abandoned rail corridors, power line corridors, storm drain easements and collector parkway rights-of-way. Greenways provide a preferred method of pedestrian transportation to parks. Wherever possible they should be incorporated into the overall City trail system with connections to parks and schools.

The width criteria for Greenways vary with resource availability and opportunity. A Greenway corridor can be as little as 25 feet wide through a subdivision; however, 50 feet should be considered the minimum. Widths over 200 feet are considered optimal.

SPECIALTY PARKS

Specialty Parks typically provide a single use or activity. These parks generally possess a unique character or function. Specialty Parks can include equestrian centers, trail head parks, community buildings, aquatic centers, and sport complexes. Since these facilities typically do not include the full range of amenities included in a neighborhood or community park, they are not included in service radius analysis.

3.2 PARK LAND INVENTORY AND EVALUATION

The City of Moreno Valley offers a variety of recreational opportunities throughout the current park system. The community utilizes the well maintained parks for social interaction and active recreation. The current park system includes seven Community Parks, 16 Neighborhood Parks, three Mini Neighborhood Parks, two Specialty Parks, four Trail Heads and two Greenways.

This section includes a map of the City's existing park sites (Map 3.1 – Existing Parks and Community Facilities), an overall inventory of existing park amenities (Table 3.1-Moreno Valley Parks) and an overall evaluation of each park in the park system. The individual park inventories include a table of amenities typically found in parks for each park classification and identifies the park amenities included for each park.

In general the parks are very will maintained. The City has done an excellent job of updating the amenities of older parks to maintain a comparable level of service throughout the park system.

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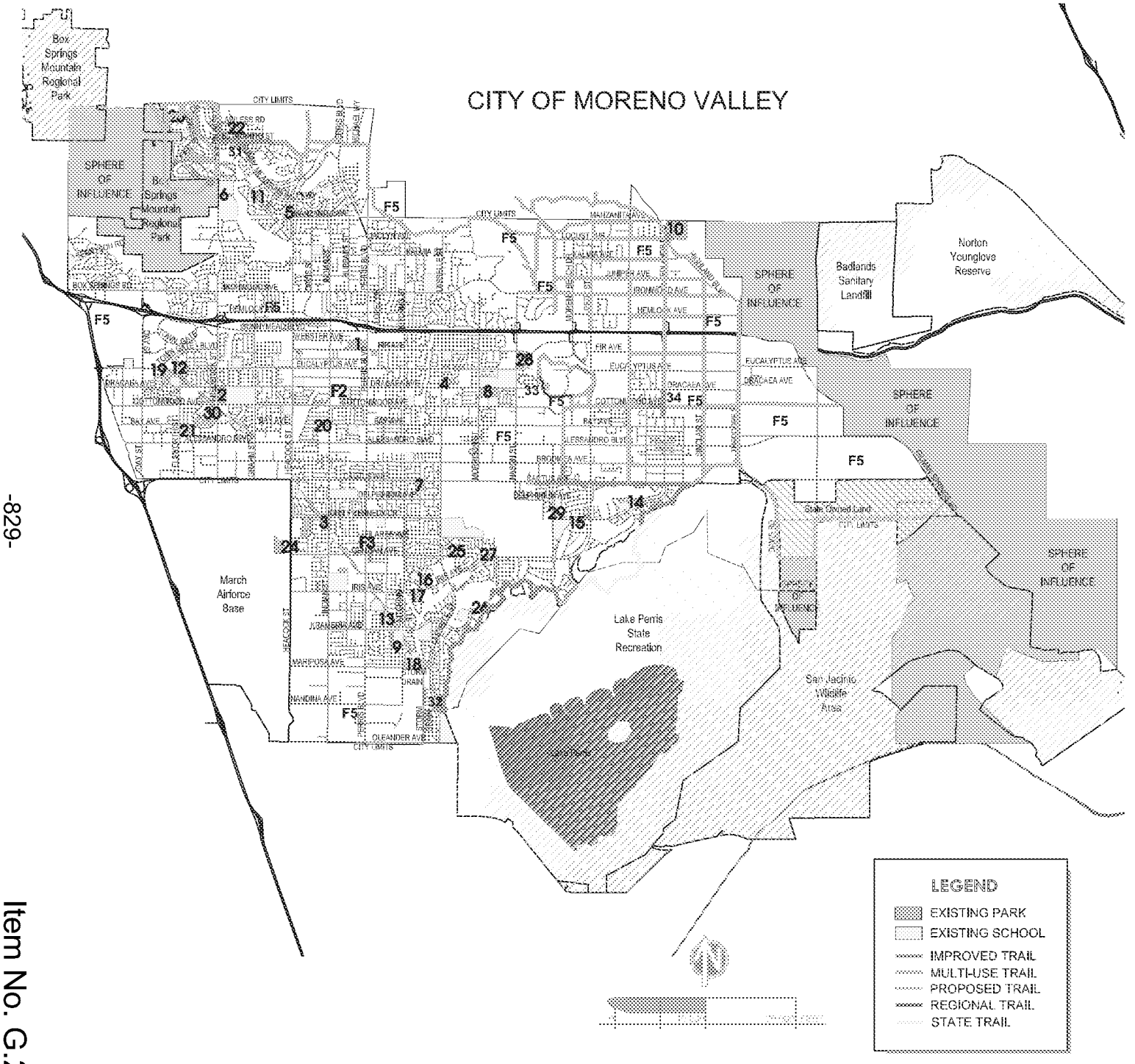

EXISTING PARKS

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
3 JOHN F. KENNEDY MEMORIAL PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
8 MORRISON PARK
9 BETHUNE PARK
10 MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUADUCT LINEAR PARK
13 CALIFORNIA AQUADUCT LINEAR PARK
14 RIDGECREST PARK
15 FAIRWAY PARK
16 VICTOIANO PARK
17 PEDRORENA PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
20 BAYSIDE PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
25 PARQUE AMISTAD
26 COLLEGE PARK
27 VISTA LOMAS PARK
28 ROCK RIDGE PARK
29 CELEBRATION PARK
30 COTTONWOOD GOLF CENTER
31 SUNNYMEAD EQUESTRIAN STATION
32 RANCHO VERDE EQUESTRIAN STAGING
33 COLD CREEK TRAIL HEAD
34 COTTONWOOD EQUESTRIAN STATION

EXISTING COMMUNITY FACILITIES

C1 SENIOR COMMUNITY CENTER
C2 ALESSANDRO GYMNASIUM
C3 MORENO VALLEY CONFERENCE AND RECREATION CENTER
C4 MARCH FIELD PARK COMMUNITY CENTER
C5 MARCH MOUNTAIN HIGH SCHOOL GYMNASIUM
C6 TOWNGATE COMMUNITY CENTER
C7 CANYON SPRINGS HIGH SCHOOL SWIMMING POOL
C8 MORENO VALLEY HIGH SCHOOL SWIMMING POOL
C9 VALLEY VIEW HIGH SCHOOL SWIMMING POOL

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING COMMUNITY PARKS

Map 3.1 - Ex. Parks and Community Facilities

MV00049439

MORENO VALLEY PARKS		Site Acreage	Developed Acreage	Field Sports: BASEBALL FIELDS	SOFTBALL FIELD	SOCCER FIELD	FOOTBALL FIELDS	MULTI-PURPOSE FIELD	Hard Court Sports: TENNIS COURTS	BASKETBALL COURTS - FULL	BASKETBALL COURTS - HALF	VOLLEYBALL - SAND	VOLLEYBALL - HARDCOURT	ROLLER HOCKEY	TETHERBALL	BALL WALL	PLAYGROUND PAINTED GAME MARKINGS	Additional Sports Facilities: SKATE PARK	POOL	SPLASH PARK	WALKING TRAIL - CONCRETE	MULTI-USE TRAIL - HARD SURFACE	MULTI-USE TRAIL - D.G.	BIKE TRAIL	FITNESS PAR COURSE	HORSESHOE PITS	EQUESTRIAN FACILITY	DOG PARK	GOLF COURSE	TRACK & FIELD	Play Equip.: TOT LOT 2-12 YEARS
COMMUNITY PARKS																															
March Field Park	6th St.	93.32	10.00		2-GL									1-L				1-L													0
College Park	16130 Lasselle St.	25.00	18.00			2-G																									1
Towngate Memorial Park	13051 Elsworth St.	16.97	16.97		1-GL	1-O		✓																✓							3
Moreno Valley Community Park	13380 Frederick St.	15.58	15.58			4-GL																									2
Sunnymead Park	12655 Perris Blvd.	15.53	15.53	1-GL	3-GL																✓										1
El Potrero Park	16901 Lasselle St.	15.00	15.00			4-O															✓										1
Morrison Park	26667 Dracaea Ave.	14.01	14.01		4-GL																✓		✓								
NEIGHBORHOOD PARKS																															
Shadow Mountain Park	23239 Presidio Hills Dr.	10.00	10.00		2-G	1-O		✓													✓										
Woodland Park	25750 Cactus Ave.	9.11	9.11		1-GL				4-L		4-L										✓										2
John F. Kennedy Park	15115 Indian St.	7.69	7.69		1-GL				4-L												✓										1
Gateway Park	23975 Manzanita Ave.	7.67	7.67																		✓										1
Hidden Springs Park - Phase 1	9675 Hidden Springs Dr.	7.00	7.00		2-O			✓																							1
Celebration Park	14965 Morgan Ave.	6.65	6.65								1								1												2
Bethune Park	16745 Kitching St.	6.00	6.00		2-O				2-L										1		✓										1
Fairway Park	27891 John F. Kennedy Dr.	5.50	5.50			1-O						1									✓										
Pedrorena Park	16009 Rancho Del Lago	5.50	5.50		1-O	1-O	1-O	✓	4	1											✓										1
Westbluff Park	10750 Pigeon Pass Rd.	5.00	5.00		1-G																										1
Ridge Crest Park	28506 John F. Kennedy Dr.	5.00	5.00		1-O	1-O		✓													✓										1
Victoriano Park	25730 Los Cabos Dr.	5.00	5.00			1-O		✓													✓										
Adrienne Mitchell Memorial Pk.	22631 Bay Ave.	4.43	4.43			1-O					4-L										✓					2					2
Parque Amistad Park	26160 Gentian Ave.	4.24	4.24		2-O						2-L																				1
Weston Park	13170 Lasselle St.	4.14	4.14		1-O	1-O		✓																							1
Vista Lomas Park	26700 Iris Ave.	4.00	4.00		1-O						2																				2
MINI NEIGHBORHOOD PARKS																															
Bayside Park	24435 Bay Ave.	2.04	2.04								1										✓					1					1
Patriot Park	15310 Perris Blvd	0.50	0.50																												1
Rock Ridge Park	27119 Waterford Way	1.93	1.93																												1
SPECIALTY PARKS																															
Moreno Valley Equestrian & Nature Center	11150 Redlands Blvd.	45.00	10.00																			✓					1				
Cottonwood Golf Center	13671 Frederick St.	15.83	15.83																										9-HOLE		
TRAIL HEADS																															
Sunnymead Equestrian Station		0.50	0.50																												
Rancho Verde Equestrian Staging	17478 Kentucky Derby Dr	1.30	1.30																								1				
Cold Creek Trail Head	27334 Cold Creek Ct	0.64	0.64																												
Cottonwood Equestrian Station	28590 Cottonwood Ave	0.40	0.40																												
GREENWAYS																															
Sunnymead Ranch Linear Park	Village Rd. & Old Lake Rd.	5.5	5.5																			✓									
Aqueduct Bike Trail		27.46	22.48																		✓										
COMMUNITY BUILDINGS																															
Senior Community Center	25075 Fir Ave.	1.75	1.75																							1					
Moreno Valley Conference & Recreation Center	14075 Frederick St.	10.00	10.00																												
TOTALS		393.44	274.89	1	25	18	1	-	14	2	14	1	0	1	0	0	0	1	0	2	-	-	-	0	0	4	1	1	1	0	28

LEGEND	
G = Game Field	O = Overlay Field
P = Practice Field	L = Lighted Field
Multi-use field - A softball field with a soccer field overlay in the outfield	

MV00049441

MORENO VALLEY PARKS		Site Acreage	Developed Acreage	Park Amenities													Buildings & Structures																Parking Lot/Park	
				BBQ'S	BIKE RACKS	PLAZA	LAKE	OPEN GREEN SPACE	COMMUNITY GARDEN	ROSE GARDEN	VETRANS MEMORIAL	TELEPHONE	VENDING MACINE	BANNERS/KIOSKS	PICNIC TABLES	DRINKING FOUNTAINS	RESTROOM	CONCESSION STAND	COMMUNITY BUILDING	SENIORS CENTER	TEEN CENTER	INTERPRETIVE CENTER	THEATER	GROUP PICNIC SHELTER	PICNIC SHELTER	AMPHITHEATER	GYMNASIUM	POOL BUILDING	TICKET BOOTH	MAINTENANCE YARD BUILDING	EQUIPMENT BUILDING	TRASH ENCLOSURE	PORTABLE STORAGE BINS	PARKING LOT	SECURITY LIGHTING
COMMUNITY PARKS																																		
March Field Park	6th St.	93.32	10.00			✓							✓				1	1															✓	✓
College Park	16130 Lasselle St.	25.00	18.00					✓																									✓	✓
Towngate Memorial Park	13051 Elsworth St.	16.97	16.97	✓				✓					✓		✓	✓	1		1					2	1	1					✓	✓		✓	✓
Moreno Valley Community Park	13380 Frederick St.	15.58	15.58	✓				✓					✓		✓	✓	1	1							4							✓		✓	✓
Sunnymead Park	12655 Perris Blvd.	15.53	15.53	✓		✓		✓					✓		✓	✓	1	1													✓			✓	✓
El Potrero Park	16901 Lasselle St.	15.00	15.00	✓				✓							✓	✓	2							1	1									✓	✓
Morrison Park	26667 Dracaea Ave.	14.01	14.01	✓				✓							✓	✓	1	1						1	2						✓	✓		✓	✓
NEIGHBORHOOD PARKS																																		
Shadow Mountain Park	23239 Presidio Hills Dr.	10.00	10.00	✓				✓							✓	✓								1										✓	✓
Woodland Park	25750 Cactus Ave.	9.11	9.11	✓				✓					✓		✓	✓	1							2											✓
John F. Kennedy Park	15115 Indian St.	7.69	7.69	✓				✓			✓				✓	✓	1							2										✓	✓
Gateway Park	23975 Manzanita Ave.	7.67	7.67	✓				✓		✓					✓	✓	1								6									✓	✓
Hidden Springs Park - Phase 1	9675 Hidden Springs Dr.	7.00	7.00					✓							✓										1										
Celebration Park	14965 Morgan Ave.	6.65	6.65	✓				✓					✓		✓	✓	1							1	2							✓		✓	✓
Bethune Park	16745 Kitching St.	6.00	6.00	✓				✓					✓		✓	✓	1	1						4										✓	✓
Fairway Park	27891 John F. Kennedy Dr.	5.50	5.50	✓				✓							✓	✓	1																		
Pedrorena Park	16009 Rancho Del Lago	5.50	5.50	✓				✓					✓		✓	✓	1								2									✓	✓
Westbluff Park	10750 Pigeon Pass Rd.	5.00	5.00	✓				✓							✓	✓	1								1									✓	✓
Ridge Crest Park	28506 John F. Kennedy Dr.	5.00	5.00	✓				✓							✓	✓	1							2	1									✓	✓
Victoriano Park	25730 Los Cabos Dr.	5.00	5.00	✓				✓					✓		✓		1								1										✓
Adrienne Mitchell Memorial Pk.	22631 Bay Ave.	4.43	4.43	✓				✓							✓	✓								1											✓
Parque Amistad Park	26160 Gentian Ave.	4.24	4.24	✓				✓							✓	✓								1											✓
Weston Park	13170 Lasselle St.	4.14	4.14	✓				✓					✓		✓	✓	1								4										✓
Vista Lomas Park	26700 Iris Ave.	4.00	4.00	✓				✓							✓	✓								1								✓		✓	✓
MINI NEIGHBORHOOD PARKS																																		
Bayside Park	24435 Bay Ave.	2.04	2.04	✓				✓							✓	✓									1										✓
Patriot Park	15310 Perris Blvd	0.50	0.50																															
Rock Ridge Park	27119 Waterford Way	1.93	1.93	✓											✓	✓									2										
SPECIALTY PARKS																																		
Moreno Valley Equestrian & Nature Center	11150 Redlands Blvd.	45.00	10.00																														✓	
Cottonwood Golf Center	13671 Frederick St.	15.83	15.83																1														✓	✓
TRAIL HEADS																																		
Sunnymead Equestrian Station		0.50	0.50												✓	✓																		
Rancho Verde Equestrian Staging	17478 Kentucky Derby Dr	1.30	1.30													✓																	✓	✓
Cold Creek Trail Head	27334 Cold Creek Ct	0.64	0.64																															
Cottonwood Equestrian Station	28590 Cottonwood Ave	0.40	0.40												✓	✓								1										
GREENWAYS																																		
Sunnymead Ranch Linear Park	Village Rd. & Old Lake Rd.	5.5	5.5					✓																										
Aqueduct Bike Trail		27.46	22.48					✓																										
COMMUNITY BUILDINGS																																		
Senior Community Center	25075 Fir Ave.	1.75	1.75		✓								✓			✓	2			1				1								✓		✓	✓
Moreno Valley Conference & Recreation Center	14075 Frederick St.	10.00	10.00		✓	✓		✓		✓	✓		✓			✓	2		1				✓				✓					✓		✓	✓
TOTALS		393.44	274.89	-	-	-	-	-	-	-	-	-	-	-	-	-	22	5	3	1	0	0	1	21	29	1	1	0	0	0	-	-	-	-	-

TABLE 3.1

MV00049443

PARK LAND INVENTORY – COMMUNITY PARKS

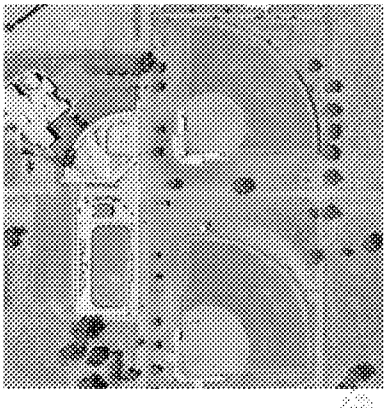

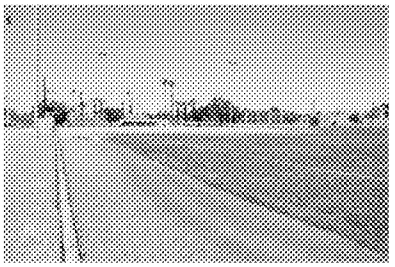

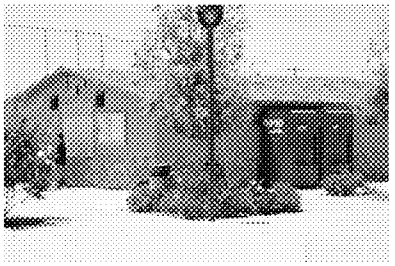

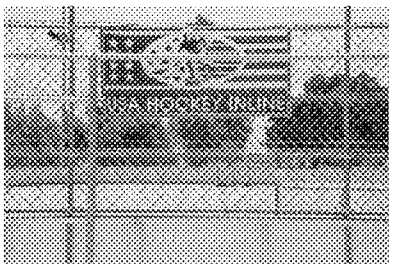

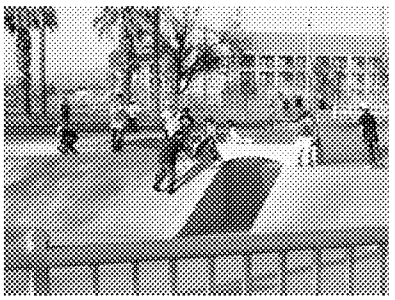

MARCH FIELD PARK

6th St. 100.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	1
Softball Fields	2	Bike Racks		Concession Stand	1
Soccer Fields		Plaza	✔	Community Building	1
Football Fields		Open Green Space		Seniors Center	
Rugby Fields		Community Garden		Teen Center	
Multi-purpose Field		Paved Walking Trails		Interpretive Center	
Sports and Play Facilities		Telephone		Theater	
Tennis Courts		Vending Machines	✔	Amphitheater	
Basketball Courts	1	Banners/Kiosks		Gymnasium	
Volleyball Courts		Picnic Tables		Pool Building	
Roller Hockey	1	ADA accessible		Ticket Booth	
Skate Park	1	Drinking Fountains	✔	Maintenance Bldg.	
Pool		ADA Accessible	yes	Equipment Bldg.	
Fitness Par Course		**Parking**		Group Picnic Shelter	
Lawn Bowling				Family Picnic Shelter	
Horseshoe Pits		Onsite Parking	✔	Trash Enclosure	
Equestrian Facilities		Parking Surface:			
Fishing Lake		Asphalt	✔		
Children's Play Equip.	1	Concrete			
		Dirt Lot	✔		
		Security Lighting	Yes		

Softball Field #1 & #2		Roller Hockey Rink		Basketball Court	
Game Field	✔	Lighted	✔	Full Court	✔
Lighted	Yes			Lighted	No
Scoreboard	Yes	**Skate Park**		**Children's Play Equipment**	
Pitchers Mound	No			Equipment for Ages 5-12	
Brickdust Infield	Yes	Lighted	✔	Wood chip surface	
Field Condition	Good				

Comments:

The amenities and acreage currently utilized are a fraction of the one hundred acre park. A Master Plan for future park improvements includes additional soccer and baseball fields. Currently, the March Field Park is known as: March Field Park (softball fields) and Valley Skate Park.

Both softball fields are in good condition and maintain infield and turf areas. The sport field lighting is functional but dated and inferior to newer park field lights.

MV00049445

PARK LAND INVENTORY – COMMUNITY PARKS

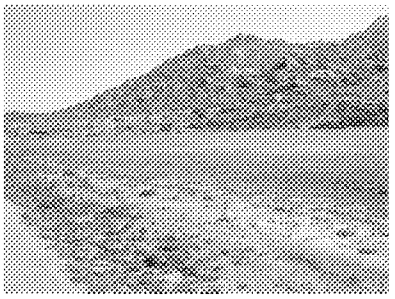

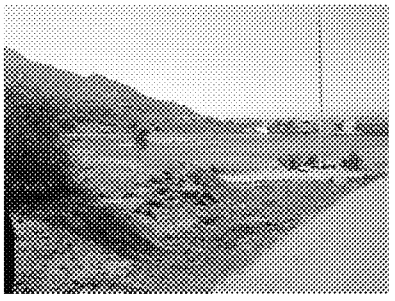

COLLEGE PARK
16130 Lasselle St. 25.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures
Baseball Fields		BBQ's		Restroom
Softball Fields		Bike Racks		Concession Stand
Soccer Fields	2	Plaza		Community Building
Football Fields		Open Green Space	✓	Seniors Center
Rugby Fields		Paved Walking Trail		Teen Center
Multi-purpose Field		Community Garden		Interpretive Center
Sports and Play Facilities		Telephone		Theater
Tennis Courts		Vending Machines		Amphitheater
Basketball Courts		Banners/Kiosks		Gymnasium
Volleyball Courts		Picnic Tables		Pool Building
Roller Hockey		ADA accessible		Ticket Booth
Skate Park		Drinking Fountains		Maintenance Bldg.
Pool		ADA Accessible		Equipment Bldg.
Fitness Par Course		**Parking**		Group Picnic Shelter
Lawn Bowling				Family Picnic Shelter
Horseshoe Pits		Onsite Parking	No	Trash Enclosure
Equestrian Facilities		Parking Surface:		
Fishing Lake		Asphalt		
Children's Play Equip.	1	Concrete		
		Dirt Lot		
		Security Lighting		

Soccer Fields #1 and #2		Children's Play Equipment
Game Field	✓	Equipment for Ages 5-12
Lighted	No	Wood chip surface with a
Scoreboard	No	concrete ramp for ADA
Field Condition	Fair-Poor	accessibility.

Comments:

College Park is located adjacent Riverside Community College. Construction of the College Park Master Plan is incomplete. The lack of parking and accessibility to the soccer fields limit the amount of play that can take place on the fields in their current condition.

The children's play equipment is in good condition. The level of wood chips should be raised to maintain ADA accessibility.

MV00049447

PARK LAND INVENTORY – COMMUNITY PARKS

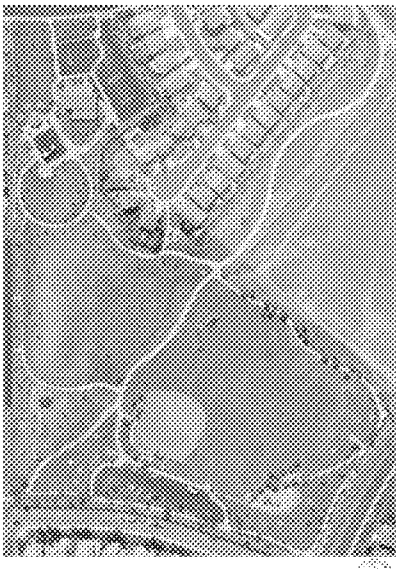

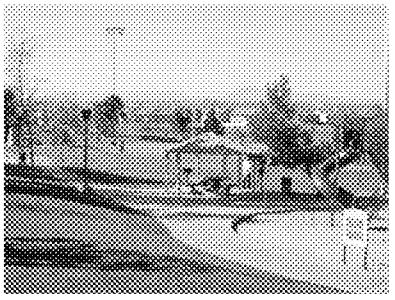

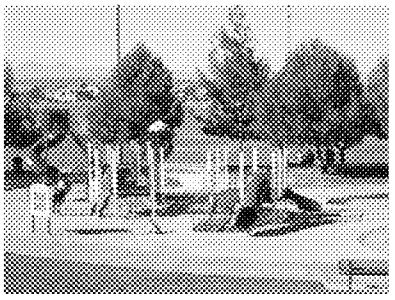

TOWNGATE MEMORIAL PARK
13051 Elsworth St. 16.97 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields	1	Bike Racks		Concession Stand	
Soccer Fields	1	Plaza		Community Building	1
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
Sports and Play Facilities		Telephone		Theater	
Tennis Courts		Vending Machines	✓	Amphitheater	1
Basketball Courts		Banners/Kiosks		Gymnasium	
Volleyball Courts		Picnic Tables	✓	Pool Building	
Roller Hockey		ADA accessible yes		Ticket Booth	
Skate Park		Drinking Fountains	✓	Maintenance Bldg.	
Pool		ADA Accessible yes		Equipment Bldg.	1
Fitness Par Course		**Parking**		Group Picnic Shelter	2
Lawn Bowling		Onsite Parking	✓	Family Picnic Shelter	1
Horseshoe Pits		Parking Surface:		Trash Enclosure	1
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	2	Dirt Lot			
		Security Lighting	Yes		

Softball Field #1		Soccer Field		Children's Play Equipment
Game Field	✓	Soccer Overlay	✓	Area 1 at Community Center
Lighted	Yes	Field Condition	Good	Equipment for Ages 2-5 and Ages 5-12
Scoreboard	No	**Amphitheater**		Sand Surface with resilient rubber ADA access areas
Pitchers Mound	No	Small performance area located adjacent the Community Center		Area 2 at Park
Brickdust Infield	Yes			Equipment for Ages 5-12
Field Condition	Good			Resilient rubber surface

Comments:

Towngate Memorial Park is located north of Towngate Elementary School and does not share amenities with the school. The park offers a full variety of Community Park amenities. The park and ballfields are well maintained.

The soccer overlay is located in the outfield of the softball field. The large turf area south of the softball field has a slope too steep to be useful for field sports.

The California Aqueduct Bikeway passes through Towngate Park.

MV00049449

PARK LAND INVENTORY – COMMUNITY PARKS

MORENO VALLEY COMMUNITY PARK

13380 Frederick St. — 15.58 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields		Bike Racks		Concession Stand	1
Soccer Fields	4	Plaza		Community Building	
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
		Telephone		Theater	
Sports and Play Facilities		Vending Machines	✓	Amphitheater	
		Banners/Kiosks		Gymnasium	
Tennis Courts		Picnic Tables	✓	Pool Building	
Basketball Courts	1	ADA accessible yes		Ticket Booth	
Volleyball Courts		Drinking Fountains	✓	Maintenance Bldg.	
Roller Hockey		ADA Accessible yes		Equipment Bldg.	
Skate Park				Group Picnic Shelter	
Pool		**Parking**		Family Picnic Shelter	4
Fitness Par Course				Trash Enclosure	
Lawn Bowling		Onsite Parking	✓		
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot			
		Security Lighting	✓		

Soccer Fields #1 - #4		Basketball Court		Children's Play Equipment
Game Field	✓	Lighted	✓	Equipment for Ages 2-5 and Ages 5-12
Lighted	Yes	*Currently Under Construction		Sand Surface with resilient rubber ADA access areas
Scoreboard	unknown			
Field Condition	Under construction			

Comments:

Moreno Valley Community Park is located adjacent Moreno Valley High School. The two facilities do not share common facilities.

The park has recently undergone renovation. The park upgrade included four new lighted synthetic turf soccer fields.

MV00049451

PARK LAND INVENTORY – COMMUNITY PARKS

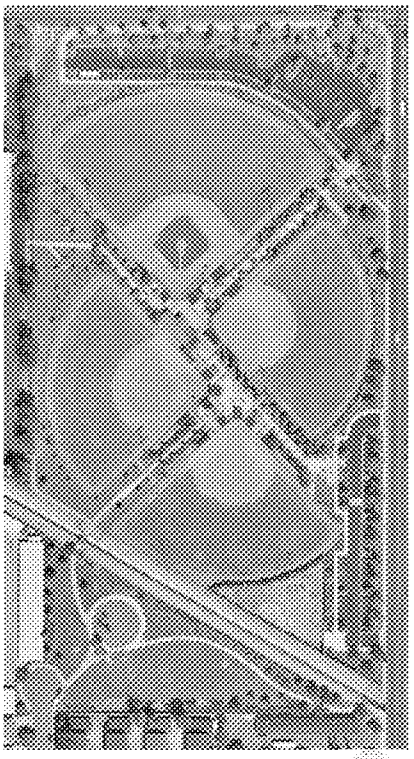

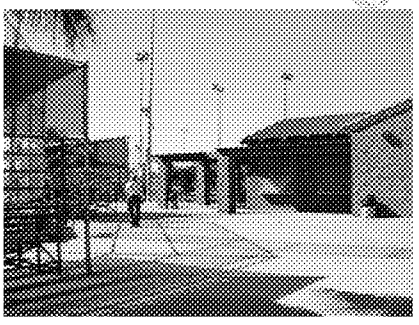

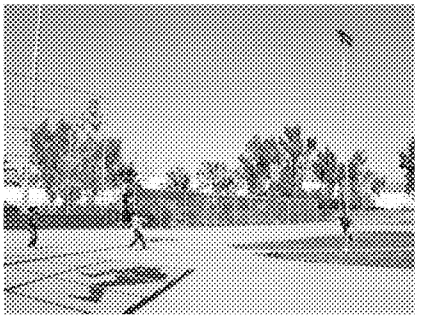

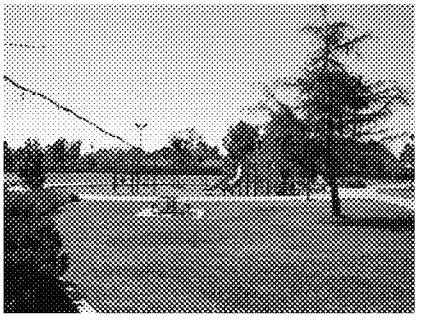

SUNNYMEAD PARK
12655 Perris Blvd. 15.53 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields	1	BBQ's	✓	Restroom	1
Softball Fields	3	Bike Racks		Concession Stand	1
Soccer Fields		Plaza	✓	Community Building	
Football Fields		Open Green Space	✓	Seniors Center	
Rugby Fields		Paved Walking Trail	✓	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
		Telephone		Theater	
Sports and Play Facilities		Vending Machines	✓	Amphitheater	
		Banners/Kiosks		Gymnasium	
Tennis Courts		Picnic Tables	✓	Pool Building	
Basketball Courts		ADA accessible yes		Ticket Booth	
Volleyball Courts		Drinking Fountains	✓	Maintenance Bldg.	
Roller Hockey		ADA Accessible yes		Equipment Bldg.	1
Skate Park				Group Picnic Shelter	
Pool		**Parking**		Family Picnic Shelter	
Fitness Par Course				Trash Enclosure	
Lawn Bowling		Onsite Parking	✓		
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✓		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot			
		Security Lighting	✓		

Softball Fields #1 - #3		Baseball Field		Children's Play Equipment
Game Field	✓	Game Field	✓	Equipment for Ages 5-12 Wood chip surface with a concrete ramp for ADA accessibility.
Lighted	Yes	Lighted	Yes	
Scoreboard	Yes	Scoreboard	Yes	
Pitchers Mound	No	Pitchers Mound	Yes	
Brickdust Infield	Yes	Brickdust Infield	No	
Field Condition	Good	Field Condition	Good	

Comments:

The dissection of Sunnymead Park by the storm channel results in the park functioning like a small Neighborhood Park adjacent a special interest sports park.

The ballfield area is in good condition and is well maintained.

The park recreation area would benefit from additional site amenities; such as group and family picnic shelters, barbeques, and shaded areas.

MV00049453

PARK LAND INVENTORY – COMMUNITY PARKS

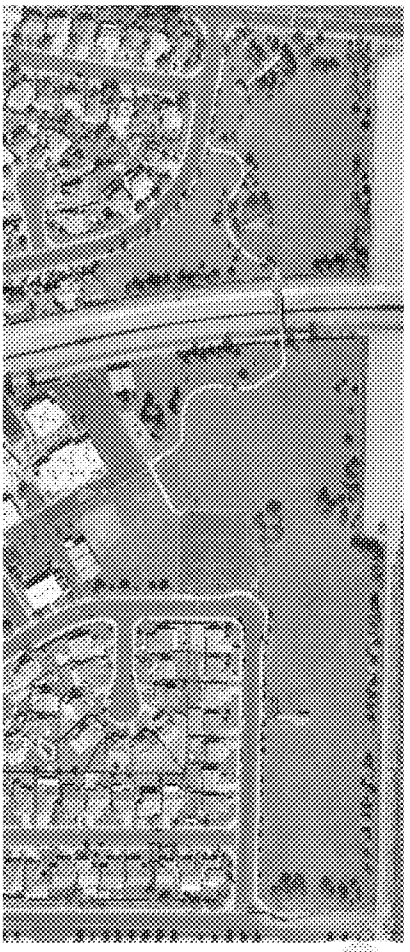

EL POTRERO PARK
16901 Lasselle St. 15.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	2
Softball Fields		Bike Racks		Concession Stand	
Soccer Fields	4	Plaza		Community Building	
Football Fields		Open Green Space	✔	Seniors Center	
Rugby Fields		Paved Walking Trail	✔	Teen Center	
Multi-purpose Field		Community Garden		Interpretive Center	
		Telephone		Theater	
Sports and Play Facilities		Vending Machines		Amphitheater	
		Banners/Kiosks		Gymnasium	
Tennis Courts		Picnic Tables	✔	Pool Building	
Basketball Courts		ADA accessible yes		Ticket Booth	
Volleyball Courts		Drinking Fountains	✔	Maintenance Bldg.	
Roller Hockey		ADA Accessible yes		Equipment Bldg.	
Skate Park				Group Picnic Shelter	1
Pool		**Parking**		Family Picnic Shelter	1
Fitness Par Course				Trash Enclosure	
Lawn Bowling		Onsite Parking	✔		
Horseshoe Pits		Parking Surface:			
Equestrian Facilities		Asphalt	✔		
Fishing Lake		Concrete			
Children's Play Equip.	1	Dirt Lot			
		Security Lighting	✔		

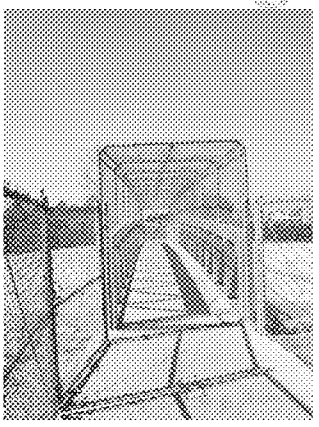

Soccer Fields #1 - #4		Children's Play Equipment
Overlay Field	✔	Equipment for Ages 5-12
Lighted	No	With resilient rubber
Scoreboard	No	surface
Field Condition	Fair	

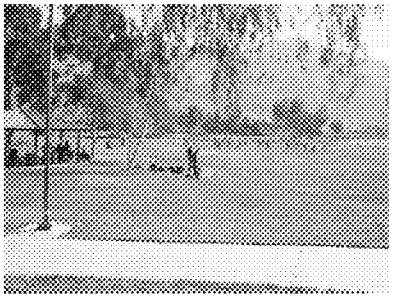

Comments:

The dissection of El Potrero Park by the storm channel results in the park functioning like two separate parks – one to the east and one to the west. The larger west side accommodates three soccer field overlays. Although there is a parking lot on the west side, street parking appeared to be the preferred parking area. The smaller east side accommodates one soccer overlay field.

Both areas would benefit from additional park amenities, especially group picnic shelters and children's play area on the west side. The surfacing at the children's play area on the west side is showing wear.

There are restrooms on both the east and west side of the park. The roof on the west side restroom has evidence of deferred maintenance, including missing roof tiles.

MV00049455

PARK LAND INVENTORY – COMMUNITY PARKS

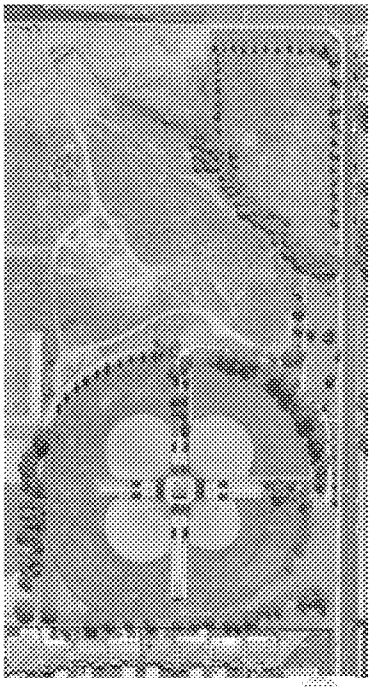

MORRISON PARK
26667 Dracaea Ave. 14.01 acres

Sports Fields	
Baseball Fields	
Softball Fields	4
Soccer Fields	
Football Fields	
Rugby Fields	
Multi-purpose Field	

Sports and Play Facilities	
Tennis Courts	
Basketball Courts	
Volleyball Courts	
Roller Hockey	
Skate Park	
Pool	
Fitness Par Course	
Lawn Bowling	
Horseshoe Pits	
Equestrian Facilities	
Fishing Lake	
Children's Play Equip	

Park Amenities	
BBQ's	✔
Bike Racks	
Plaza	
Open Green Space	✔
Paved Walking Trail	✔
Community Garden	
Telephone	
Vending Machines	
Banners/Kiosks	
Picnic Tables	✔
ADA accessible yes	
Drinking Fountains	✔
ADA Accessible yes	

Parking	
Onsite Parking	✔
Parking Surface:	
Asphalt	✔
Concrete	
Dirt Lot	
Security Lighting	✔

Park Buildings & Structures	
Restroom	1
Concession Stand	1
Community Building	
Seniors Center	
Teen Center	
Interpretive Center	
Theater	
Amphitheater	
Gymnasium	
Pool Building	
Ticket Booth	
Maintenance Bldg.	
Equipment Bldg.	1
Group Picnic Shelter	2
Family Picnic Shelter	1
Trash Enclosure	1

Softball Fields #1 - #4	
Game Field	✔
Lighted	Yes
Scoreboard	Yes
Pitchers Mound	No
Brickdust Infield	Yes
Field Condition	Good

Comments:

In its current configuration, Morrison Park acts more as a specialty sport park than a Community Park. However, the area west of the softball park presents the opportunity to add additional site features that will enhance the service potential of the park.

The land parcel to the west of Morrison Park is identified as the future YMCA facility.

Morrison Park is located directly south of Valley View High School, south of Mountain View Middle School and directly north of Moreno Elementary School. The facilities do not share common facilities. The high school is currently heavily used for soccer game play.

MV00049457

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

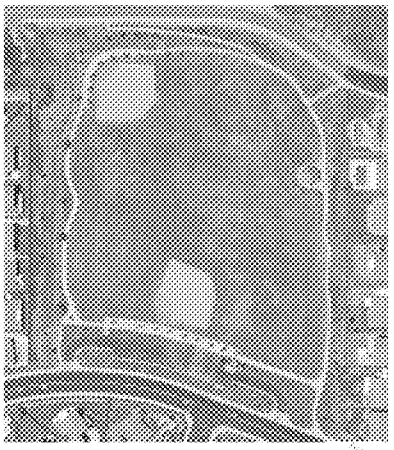

SHADOW MOUNTAIN PARK

23239 Presidio Hills Drive — 10.00 acres

Sports Fields	
Baseball Fields	
Softball Fields	2
Soccer Fields	2
Football Fields	
Rugby Fields	
Multi-purpose Field	

Sports and Play Facilities	
Tennis Courts	
Basketball Courts	
Volleyball Courts	
Roller Hockey	
Skate Park	
Splash Park	
Fitness Par Course	
Lawn Bowling	
Horseshoe Pits	
Children's Play Equip.	

Park Amenities	
BBQ's	✔
Bike Racks	
Plaza	
Open Green Space	✔
Community Garden	
Paved Walking Trails	✔
Telephone	
Vending Machines	
Banners/Kiosks	
Picnic Tables	✔
ADA accessible yes	
Drinking Fountains	✔
ADA Accessible yes	

Park Buildings & Structures	
Restroom	
Group Picnic Shelter	1
Family Picnic Shelter	
Trash Enclosure	

Parking	
Onsite Parking	Yes
Parking Surface:	
Asphalt	✔
Concrete	
Dirt Lot	
Security Lighting	✔

Softball Fields #1 & #2	
Game Field	✔
Lighted	No
Scoreboard	No
Pitchers Mound	No
Brickdust Infield	Yes
Field Condition	Good

Soccer Field	
Overlay Field	✔
Lighted	No
Field Condition	Good

Overlay occurs in softball field outfield area

Comments:

Construction of Shadow Mountain Park is to take place in phases. The current park configuration includes minimal park amenities. Sports field lighting is currently under design for this park.

The condition of the ballfields and limited amenities are very good.

MV00049459

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

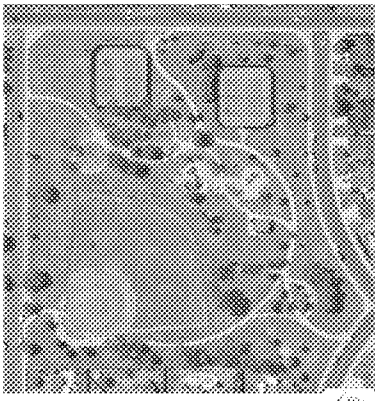

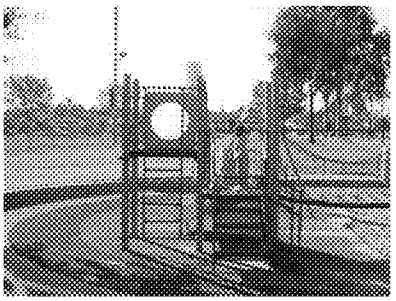

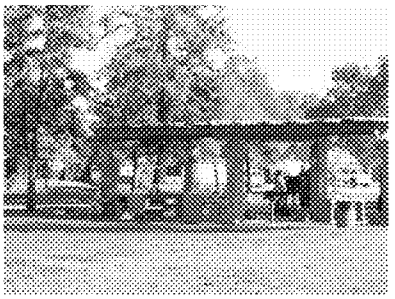

WOODLAND PARK
25750 Cactus Ave. 9.11 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	2
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✔	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✔		
		Telephone			
Sports and Play Facilities		Vending Machines	✔		
Tennis Courts	4	Banners/Kiosks			
Basketball Courts	4	Picnic Tables	✔		
Volleyball Courts		ADA accessible yes			
Roller Hockey		Drinking Fountains	✔	**Parking**	
Skate Park		ADA Accessible yes		Onsite Parking	No
Splash Park				Parking Surface:	
Fitness Par Course				Asphalt	
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.				Security Lighting	

Softball Field #1		Tennis Courts		Children's Play Equipment
Game Field	Yes	Lighted	Yes	Equipment for Ages 2-5
Lighted	Yes			Sand Surface – no ADA access
Scoreboard	Yes	**Basketball**		Equipment for Ages 5-12
Pitchers Mound	No	4 – half courts		Sand Surface with resilient rubber ADA access areas
Brickdust Infield	Yes	Lighted	No	
Field Condition	Good			

Comments:
Woodland Park is a well appointed Neighborhood Park. The overall condition of the park is very good.

The ballfield area is in good condition.

MV00049461

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

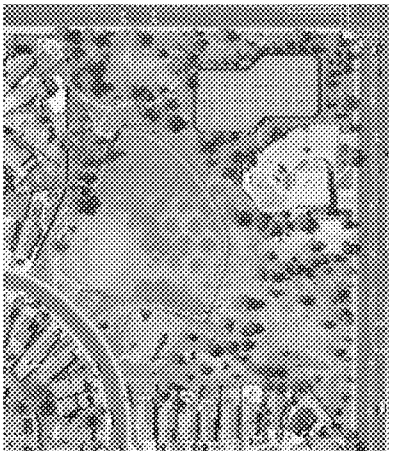

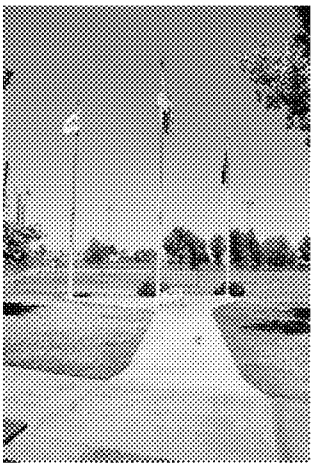

JOHN F. KENNEDY MEMORIAL PARK

15115 Indian St. 7.69 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	2
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts	4	Vending Machines			
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains		**Parking**	
Splash Park		ADA Accessible		Onsite Parking	✓
Fitness Par Course		Other: War Memorial		Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	no

Softball Field #1 & #2		Tennis Courts		Children's Play Equipment
Game Field	✓	Lighted	✓	Equipment for Ages 5-12 Wood chip surface with resilient rubber ADA access areas
Lighted	Yes			
Scoreboard	Yes			
Pitchers Mound	No			
Brickdust Infield	Yes			
Field Condition	Good			

Comments:

The park shares the park site with a fire station. The John F. Kennedy Memorial Park is a well appointed and well used Neighborhood Park site. As a result, the turf is worn in several areas and could use refurbishing.

MV00049463

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

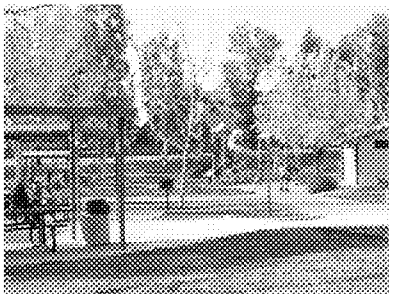

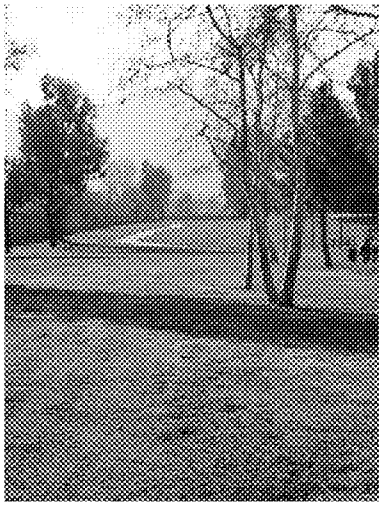

GATEWAY PARK
23975 Manzanita Ave. 7.67 acres

Sports Fields	Park Amenities	Park Buildings & Structures
Baseball Fields	BBQ's	Restroom 1
Softball Fields	Bike Racks	Group Picnic Shelter
Soccer Fields	Plaza	Family Picnic Shelter 6
Football Fields	Open Green Space ✔	Trash Enclosure
Rugby Fields	Rose Garden ✔	
Multi-purpose Field	Paved Walking Trails ✔	
Sports and Play Facilities	Telephone	
Tennis Courts	Vending Machines	
Basketball Courts	Banners/Kiosks	
Volleyball Courts	Picnic Tables ✔	
Roller Hockey	ADA accessible yes	
Skate Park	Drinking Fountains ✔	**Parking**
Splash Park	ADA Accessible yes	
Fitness Par Course		Onsite Parking ✔
Lawn Bowling		Parking Surface:
Horseshoe Pits		Asphalt ✔
Children's Play Equip. 1		Concrete
		Dirt Lot
		Security Lighting Yes

Children's Play Equipment

Equipment for Ages 5-12
Wood Chip Surface with resilient
rubber ADA access areas

Comments:

Gateway Park is unique in the fact that the park connects to the Sunnymead Ranch Linear Park – a valuable community trail feature.

The park includes a large open turf space, however, the slope of the center open space is excessive for field sports.

The park is in good condition and is well maintained. The restrooms and shade structures are older structures.

MV00049465

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

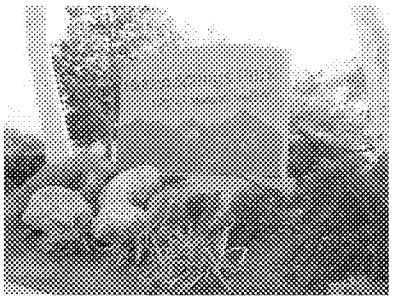

HIDDEN SPRINGS PARK-PH 1

9675 Hidden Springs Dr. 7.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	
Softball Fields	2	Bike Racks		Group Picnic Shelter	
Soccer Fields		Plaza		Family Picnic Shelter	1
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts		Picnic Tables	✓		
Volleyball Courts		ADA accessible	yes		
Roller Hockey		Drinking Fountains		**Parking**	
Skate Park		ADA Accessible			
Splash Park				Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	Yes

Softball Field #1 & #2		Children's Play Equipment
Overlay Field	✓	Equipment for Ages 5-12
Lighted	No	Wood chip surface
Scoreboard	No	
Pitchers Mound	No	
Brickdust Infield	No	
Field Condition	Good	

Comments:

Hidden Springs Park is located to the north of Hidden Springs Elementary School. The two sites share a common parking lot.

The park has minimal park amenities and appears to serve primarily as a practice softball park. One of the softball overlay fields has an excessive slope which limits its use as a softball practice field.

Phase II park amenities will include trails, trailhead, passive landscaping and natural areas. The development of Phase II improvements will increase the park acreage by 17 acres.

MV00049467

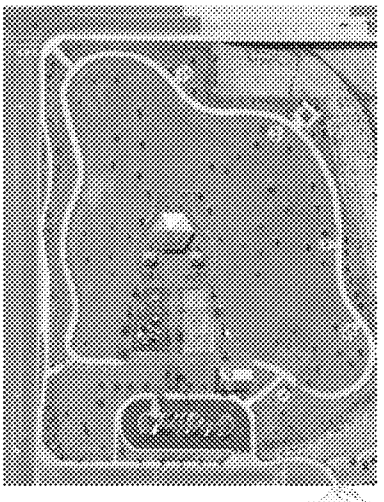

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

CELEBRATION PARK
14965 Morgan Ave. 6.65 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields		Bike Racks		Group Picnic Shelter	1
Soccer Fields		Plaza		Family Picnic Shelter	2
Football Fields		Open Green Space	✓	Trash Enclosure	1
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines	✓		
Basketball Courts	1	Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes	**Parking**	
Skate Park		Drinking Fountains	✓	Onsite Parking	✓
Splash Park	1	ADA Accessible	yes	Parking Surface:	
Fitness Par Course				Asphalt	✓
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.	2			Security Lighting	No

Basketball Court		Children's Play Equipment
Half Court	✓	Equipment for Ages 2 – 5
Lighted	No	Resilient Surface
		Equipment for Ages 5-12
		Resilient Surface

Comments:

As one of the newer parks in the Moreno Valley Park system, Celebration Park is a well appointed, well maintained, Neighborhood Park.

It was noted that the spray park is being utilized as a skate plaza during the winter months. The youth skating in the area were respectful of the space and blended well with the other park patrons. However, city ordinance prohibits skating in the City Parks except in designated areas. When asked why they were using this facility to skate, they replied that they needed a place to skate on the east side of town and preferred a no-fee skate facility.

MV00049469

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

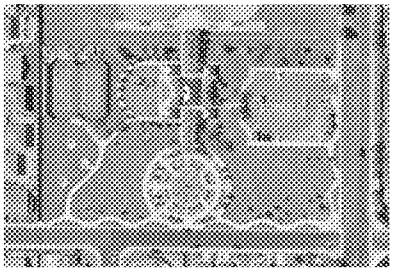

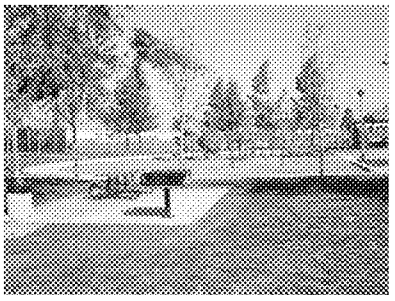

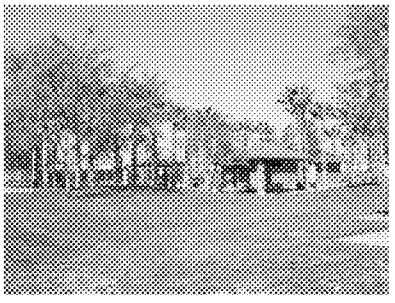

BETHUNE PARK
16745 Kitching St. 6.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields		Bike Racks		Concession Stand	1
Soccer Fields		Plaza		Group Picnic Shelter	4
Football Fields		Open Green Space	✔	Family Picnic Shelter	
Rugby Fields		Community Garden		Trash Enclosure	
Multi-purpose Field		Paved Walking Trails	✔		
Sports and Play Facilities		Telephone			
Tennis Courts	2	Vending Machines	✔		
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✔		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains	✔	**Parking**	
Splash Park	1	ADA Accessible	yes	Onsite Parking	✔
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✔
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	Yes

Tennis Courts		Children's Play Equipment
Lighted	Yes	Equipment for Ages 5-12 Wood chip surface with Resilient Rubber entrance

Comments:

Bethune Park is located adjacent to Bethune Middle School and does not share facilities with the school. Bethune is a well appointed neighborhood park.

The overall park maintenance is good; however, there are a few areas in need of attention. The turf areas are in need of general maintenance repair. Plant material at the splash park is in poor condition and in need of replacement. The resilient rubber entrance to the play area is showing wear.

The splash park area would benefit from additional shaded areas for spectators.

MV00049471

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

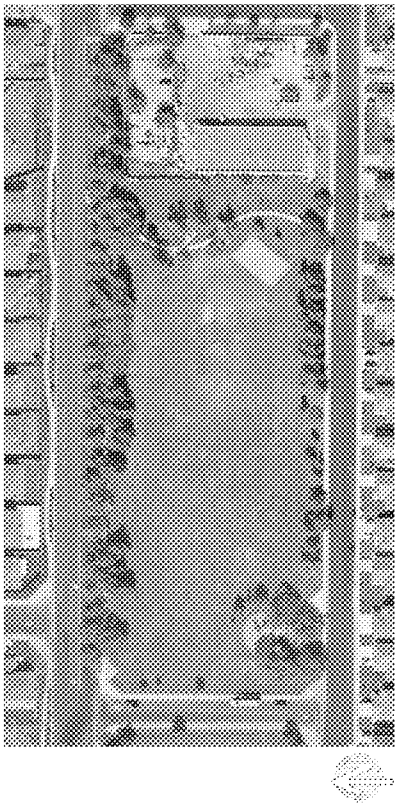

FAIRWAY PARK
27891 John F. Kennedy Dr. 5.50 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields		Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts		Picnic Tables	✓		
Volleyball Courts	1	ADA accessible	yes	**Parking**	
Roller Hockey		Drinking Fountains	✓		
Skate Park		ADA Accessible	yes	Onsite Parking	No
Splash Park				Parking Surface:	
Fitness Par Course				Asphalt	
Lawn Bowling				Concrete	
Horseshoe Pits				Dirt Lot	
Children's Play Equip.	1			Security Lighting	

Soccer Field #1		Volleyball Court		Children's Play Equipment
Overlay Field	✓	Hard Surface		Equipment for Ages 5-12
Lighted	No	Sand	✓	Sand Surface with resilient
Scoreboard	No	Lighted	No	rubber ADA access areas
Field Condition	Fair			

Comments:

Fairway Park is located adjacent to Landmark Middle School. The two facilities do not share common amenities. The park is also located in very close vicinity to Celebration Park.

In its current configuration, the park offers limited park amenities. The existing volleyball court is in poor condition.

MV00049473

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

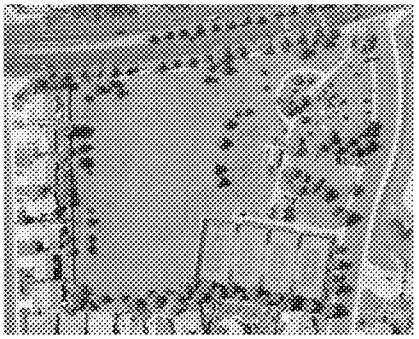

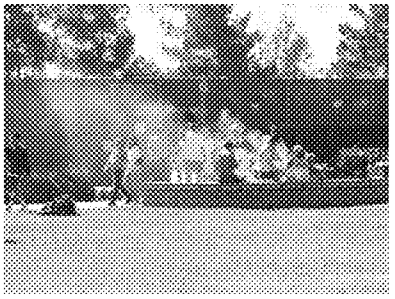

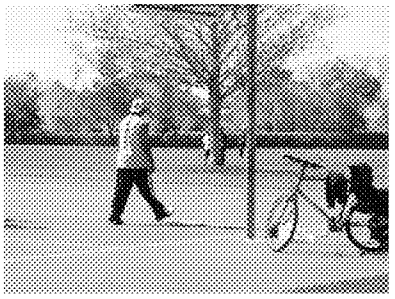

PEDRORENA PARK

16009 Rancho Del Lago — 5.50 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's		Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	2
Football Fields	1	Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts	4	Vending Machines	✓		
Basketball Courts	1	Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains	✓	**Parking**	
Splash Park		ADA Accessible	yes	Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	No

Softball / Soccer Field		Tennis Courts		Children's Play Equipment
Overlay Field	✓	Lighted	Yes	Equipment for Ages 5-12
Lighted	No	**Basketball Court**		Wood chip surface
Scoreboard	No	Full Court	Yes	
Field Condition	Good	Lighted	No	
The Soccer Overlay occurs in softball field outfield area				

Comments:

Pedrorena Park is a well appointed Neighborhood Park. The multi-use softball/soccer field is in good condition.

The picnic shelters are wooden trellis structures.

The tennis court area would benefit from additional site amenities, including a group picnic shelter and barbeques.

MV00049475

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

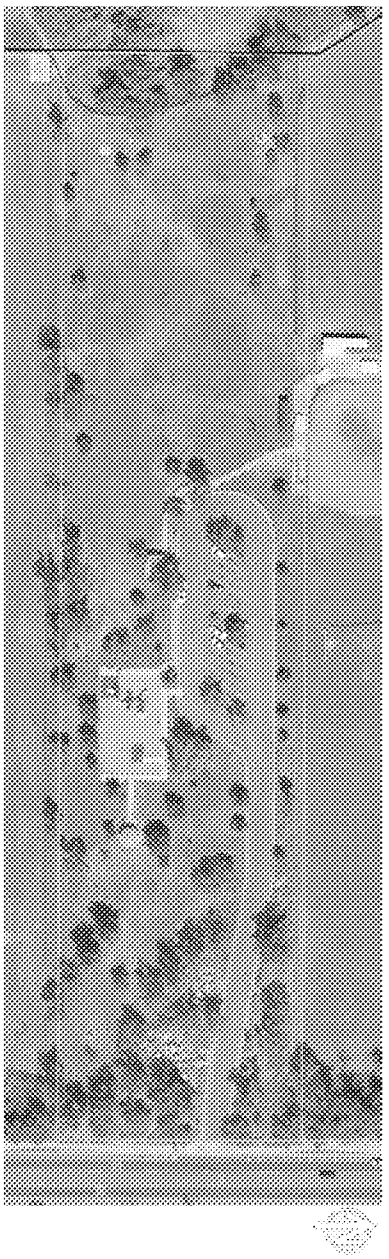

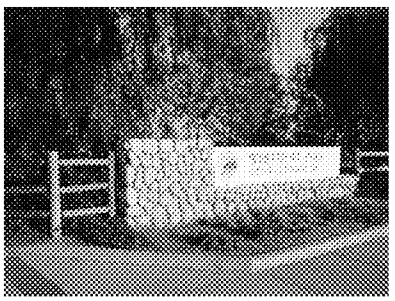

WESTBLUFF PARK

10750 Pigeon Pass Rd. 5.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	
Soccer Fields		Plaza		Family Picnic Shelter	1
Football Fields		Open Green Space	✔	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts		Picnic Tables	✔		
Volleyball Courts		ADA accessible yes			
Roller Hockey		Drinking Fountains	✔	**Parking**	
Skate Park		ADA Accessible yes			
Splash Park				Onsite Parking	Yes
Fitness Par Course				Parking Surface:	✔
Lawn Bowling				Asphalt	
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	Yes

Multi-Purpose Field		Children's Play Equipment
Game Field	No	Equipment for Ages 5-12
Lighted	No	Sand surface with Resilient
Scoreboard	No	Rubber ADA access
Field Condition	Fair	

Comments:

Westbluff Park is a unique park site. The natural rock outcrop located at the east end of the park near the entrance provides a visual and recreational experience that ties the park to the natural environment. Westbluff Park is sandwiched between Vista Heights Middle School and Canyon Springs High School. This condition acts as both a benefit and hindrance to the park. The lack of a fence barrier between the park site and the high school provides additional recreation facilities for the park; however, the existing park parking lot is inadequate to serve both the park site and the school sports fields on the weekends.

The park multi-purpose field is in good condition.

MV00049477

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

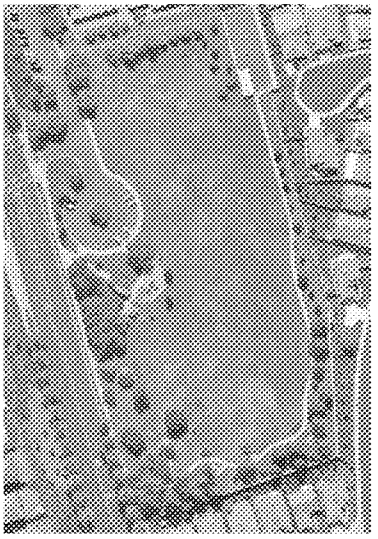

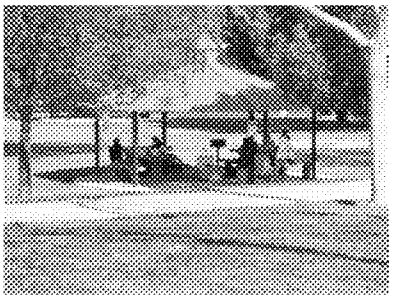

RIDGE CREST PARK
28506 John F. Kennedy Dr. 5.00 acres

Sports Fields	
Baseball Fields	
Softball Fields	1
Soccer Fields	1
Football Fields	
Rugby Fields	
Multi-purpose Field	

Sports and Play Facilities	
Tennis Courts	
Basketball Courts	
Volleyball Courts	
Roller Hockey	
Skate Park	
Splash Park	
Fitness Par Course	
Lawn Bowling	
Horseshoe Pits	
Children's Play Equip.	1

Park Amenities	
BBQ's	✔
Bike Racks	
Plaza	
Open Green Space	✔
Community Garden	
Paved Walking Trails	✔
Telephone	
Vending Machines	
Banners/Kiosks	
Picnic Tables	✔
ADA accessible yes	
Drinking Fountains	✔
ADA Accessible yes	

Park Buildings & Structures	
Restroom	1
Group Picnic Shelter	2
Family Picnic Shelter	1
Trash Enclosure	

Parking	
Onsite Parking	Yes
Parking Surface:	
Asphalt	✔
Concrete	
Dirt Lot	
Security Lighting	Yes

Softball Field #1 & #2	
Overlay Field	✔
Lighted	No
Scoreboard	No
Pitchers Mound	No
Brickdust Infield	No
Field Condition	Fair

Soccer Field #1	
Overlay Field	✔
Lighted	No
Scoreboard	No
Field Condition	Fair

Children's Play Equipment
Equipment for Ages 5-12 Sand surface with Resilient Rubber Surface for ADA accessibility

Comments:

Ridge Crest Park is located adjacent to Ridge Crest Elementary. The park and school site share a common parking lot. The softball fields are located on school property, but are not fenced from the park space.

The overall condition of the park is good.

MV00049479

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

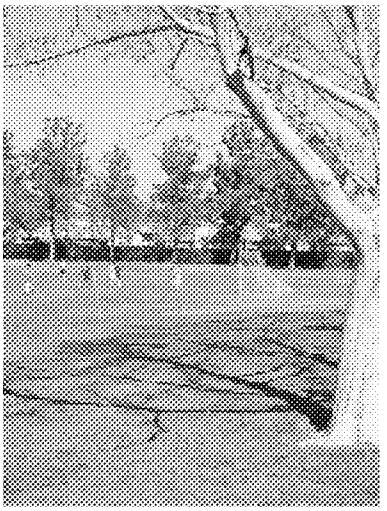

VICTORIANO PARK
25730 Los Cabos Dr. 5.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✔	Restroom	1
Softball Fields		Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	1
Football Fields		Open Green Space	✔	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✔		
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines	✔		
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✔		
Roller Hockey		ADA accessible	✔		
Skate Park		Drinking Fountains		**Parking**	
Splash Park		ADA Accessible		Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✔
Horseshoe Pits				Concrete	
Children's Play Equip.				Dirt Lot	
				Security Lighting	Yes

Softball Field #1 & #2		Soccer Field #1	
Practice Field	✔	Overlay Field s	✔
Lighted	No	Lighted	No
Scoreboard	No	Scoreboard	No
Pitchers Mound	No	Field Condition	Good
Brickdust Infield	No		
Field Condition	Fair		

Comments:
Victoriano Park is located adjacent to Victoriano Elementary School. The two facilities share a common parking lot. The two softball fields are located on school property; however, they are not fenced from the park site.

The picnic shelter is a wood trellis structure.

MV00049481

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

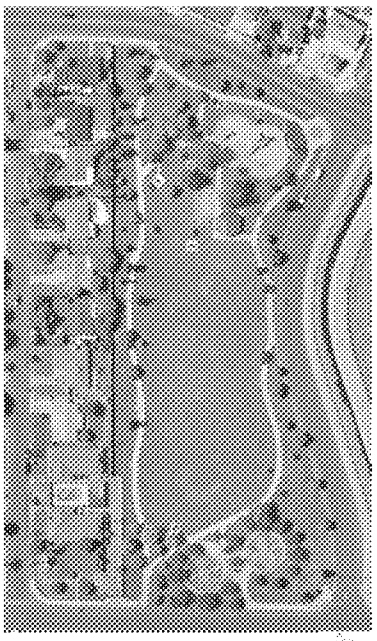

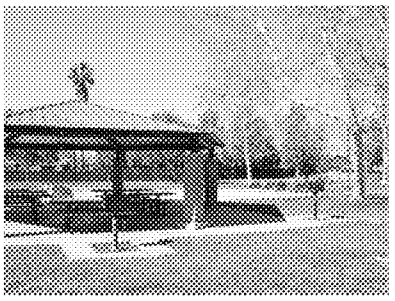

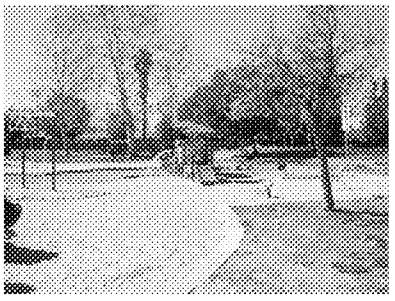

ADRIENNE MITCHELL MEMORIAL PARK
22631 Bay Ave. 4.43 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	
Softball Fields		Bike Racks		Group Picnic Shelter	1
Soccer Fields	1	Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails	✓		
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines			
Basketball Courts	4	Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible yes			
Skate Park		Drinking Fountains	✓	**Parking**	
Splash Park		ADA Accessible yes		Onsite Parking	No
Fitness Par Course		Other: Memorial to Adrienne Mitchell. She died in Operation Desert Storm. Adrienne was a private in the U.S. Army.		Parking Surface:	
Lawn Bowling				Asphalt	
Horseshoe Pits	2			Concrete	
Children's Play Equip.	2			Dirt Lot	
				Security Lighting	

Soccer Field		Basketball Courts		Children's Play Equipment
Overlay Field	✓	Half Courts	✓	Equipment for Ages 2-5 Sand Surface – with resilient rubber ADA access areas
Lighted	No	Lighted	Yes	Equipment for Ages 5-12 Sand Surface with resilient rubber ADA access areas
Field Condition	Fair			

Comments:

Adrienne Mitchell Memorial Park is a well appointed Neighborhood Park.

The overall condition of the park is good. The turf has a few worn areas in need of refurbishing.

MV00049483

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

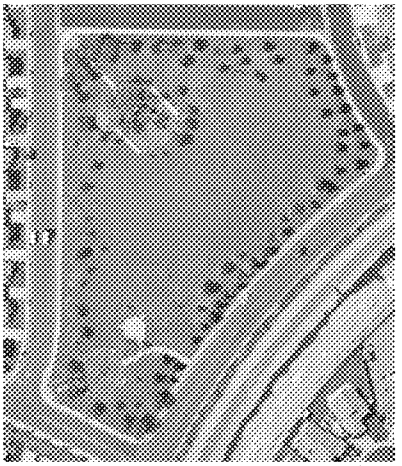

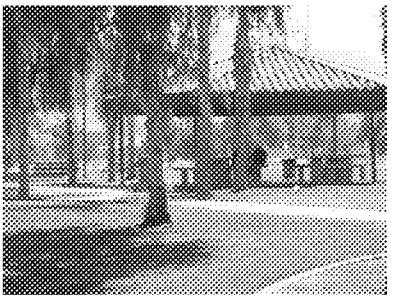

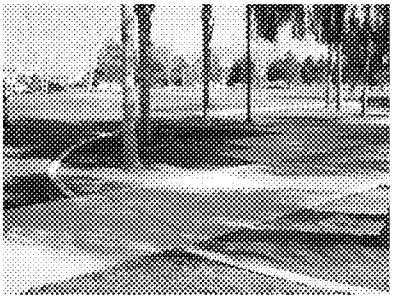

PARQUE AMISTAD PARK
26160 Gentian Ave. 4.24 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	
Softball Fields	2	Bike Racks		Group Picnic Shelter	1
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts	2	Picnic Tables	✓		
Volleyball Courts		ADA accessible	yes		
Roller Hockey		Drinking Fountains	✓	**Parking**	
Skate Park		ADA Accessible	yes		
Splash Park				Onsite Parking	No
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	

Softball Field #1 & #2		Basketball Courts		Children's Play Equipment
Overlay Field	✓	Half Courts	✓	Equipment for Ages 5-12
Lighted	No	Lighted	Yes	Wood chip surface with
Scoreboard	No			Resilient Rubber ADA
Pitchers Mound	No			Access area
Brickdust Infield	No			
Field Condition	Good			

Comments:

Parque Amistad is a well used, Neighborhood Park. The park recreation amenities are good. The park site would benefit from a restroom facility.

The overall maintenance and condition of the park is good. Shrubs in the planter adjacent to the play apparatus have failed. It is very difficult to maintain shrub material in areas accessible to foot traffic. Consider replacing the planted area with turf or unit pavers in this area.

MV00049485

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

WESTON PARK
13170 Lasselle St. 4.14 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	1
Softball Fields	1	Bike Racks		Group Picnic Shelter	
Soccer Fields	1	Plaza		Family Picnic Shelter	4
Football Fields		Open Green Space	✓	Trash Enclosure	
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
Tennis Courts		Vending Machines	✓		
Basketball Courts		Banners/Kiosks			
Volleyball Courts		Picnic Tables	✓		
Roller Hockey		ADA accessible	yes		
Skate Park		Drinking Fountains	✓	**Parking**	
Splash Park		ADA Accessible	yes	Onsite Parking	No
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	
Horseshoe Pits				Concrete	
Children's Play Equip.	1			Dirt Lot	
				Security Lighting	

Softball Field		Soccer Field		Children's Play Equipment
Overlay Field	✓	Overlay Field	✓	Equipment for Ages 5-12
Lighted	No	Lighted	No	Wood chip surface
Scoreboard	No	Scoreboard	No	
Pitchers Mound	No	Field Condition	Good	
Brickdust Infield	No			
Field Condition	Good	The soccer overlay is located in the outfield of the softball field		

Comments:

Weston Park is a well appointed Neighborhood Park.

The overall maintenance of the park is good. The children's play area equipment is in good condition; however, the level of wood chips could use some maintenance.

MV00049487

PARK LAND INVENTORY – NEIGHBORHOOD PARKS

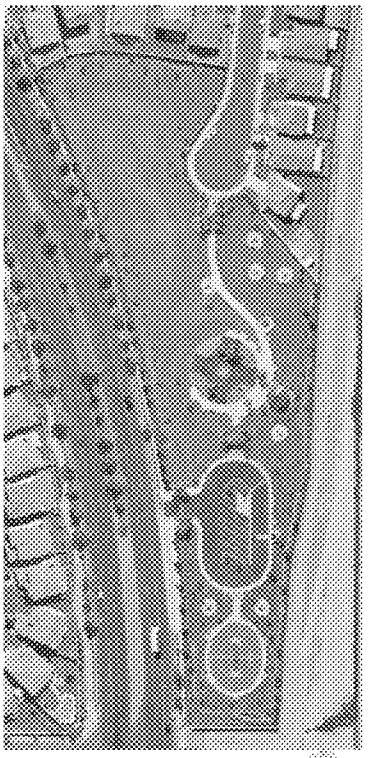

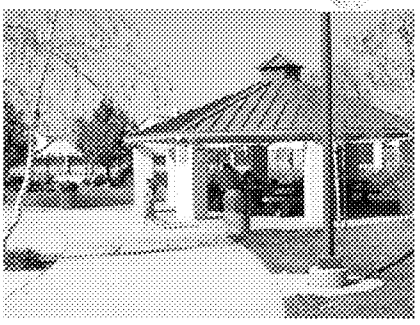

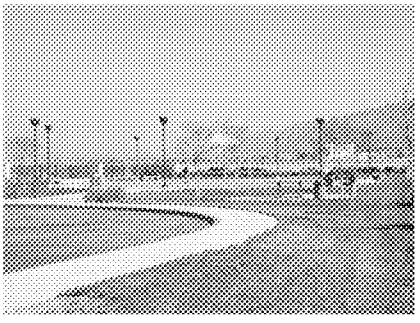

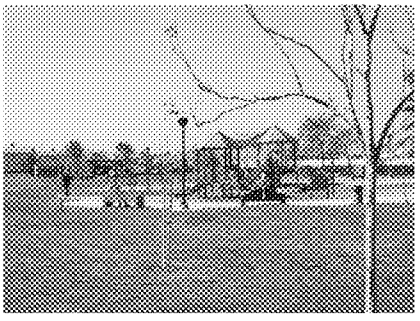

VISTA LOMAS PARK
26700 Iris Ave. 4.00 acres

Sports Fields		Park Amenities		Park Buildings & Structures	
Baseball Fields		BBQ's	✓	Restroom	
Softball Fields	1	Bike Racks		Group Picnic Shelter	1
Soccer Fields		Plaza		Family Picnic Shelter	
Football Fields		Open Green Space	✓	Trash Enclosure	1
Rugby Fields		Community Garden			
Multi-purpose Field		Paved Walking Trails			
Sports and Play Facilities		Telephone			
		Vending Machines			
Tennis Courts		Banners/Kiosks			
Basketball Courts	2	Picnic Tables	✓		
Volleyball Courts		ADA accessible	yes		
Roller Hockey		Drinking Fountains		**Parking**	
Skate Park		ADA Accessible			
Splash Park				Onsite Parking	Yes
Fitness Par Course				Parking Surface:	
Lawn Bowling				Asphalt	✓
Horseshoe Pits				Concrete	
Children's Play Equip.	2			Dirt Lot	
				Security Lighting	Yes

Softball Field #1		Basketball Courts		Children's Play Equipment
Overlay Field	✓	Half Courts	✓	Equipment for Ages 2-5
Lighted	No	Lighted	Yes	Resilient Rubber Surface
Scoreboard	No			Equipment for Ages 5-12
Pitchers Mound	No			Resilient Rubber Surface
Brickdust Infield	No			
Field Condition	Fair			

Comments:

Vista Lomas Park is a small Neighborhood Park with well appointed recreation facilities. The park would benefit from the addition of a small public restroom.

The overall maintenance of the park is good.

MV00049489

PARK LAND INVENTORY – MINI NEIGHBORHOOD PARKS

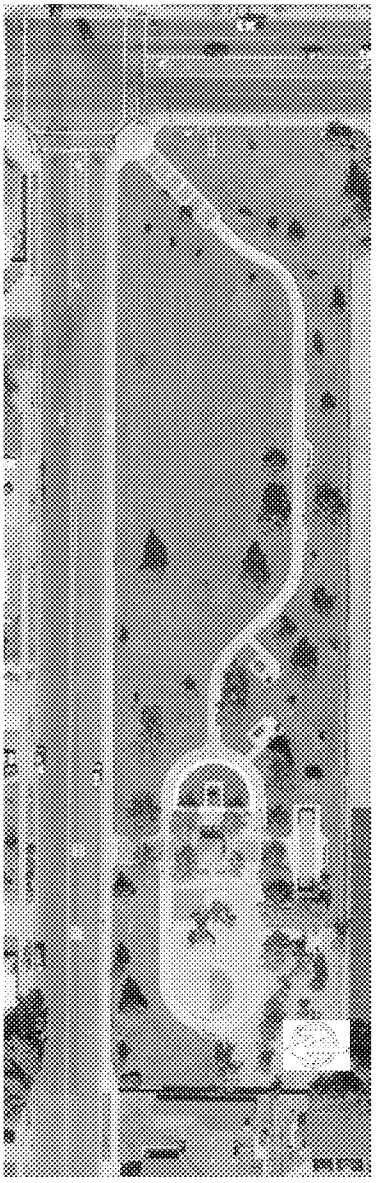

BAYSIDE PARK
24435 Bay Ave. 2.04 acres

Sports and Play Facilities		Park Amenities		Park Buildings & Structures	
Tennis Courts		BBQ's		Restroom	
Basketball Courts	1	Bike Racks		Group Picnic Shelter	
Volleyball Courts		Plaza		Family Picnic Shelter	1
Roller Hockey		Open Green Space	✓	Trash Enclosure	
Skate Park		Community Garden			
Splash Park		Paved Walking Trails		**Parking**	
Fitness Par Course		Telephone			
Lawn Bowling		Vending Machines		Onsite Parking	No
Horseshoe Pits	1	Banners/Kiosks		Parking Surface:	
Children's Play Equip.	1	Picnic Tables	✓	Asphalt	
		ADA accessible yes		Concrete	
		Drinking Fountains	✓	Dirt Lot	
		ADA Accessible yes		Security Lighting	

Basketball Court		Children's Play Equipment
Half Court	✓	Equipment for Ages 5-12
Lighted	No	Sand surface with Resilient Rubber ADA access areas

Comments:

Bayside Park is a well appointed Mini Neighborhood Park and provides excellent recreation opportunities in a limited amount of space.

The overall maintenance of the park is good.

MV00049491

PARK LAND INVENTORY – MINI NEIGHBORHOOD PARKS

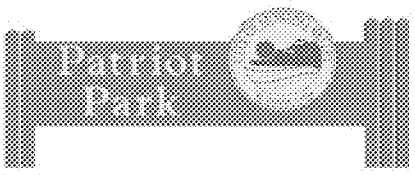

PATRIOT PARK
15310 Perris Blvd. .5 acres

Sports and Play Facilities	Park Amenities	Park Buildings & Structures
Tennis Courts	BBQ's	Restroom
Basketball Courts	Bike Racks	Group Picnic Shelter
Volleyball Courts	Plaza	Family Picnic Shelter
Roller Hockey	Open Green Space ✓	Trash Enclosure
Skate Park	Community Garden	
Splash Park	Paved Walking Trails	**Parking**
Fitness Par Course	Telephone	
Lawn Bowling	Vending Machines	Onsite Parking No
Horseshoe Pits	Banners/Kiosks	Parking Surface:
Children's Play Equip. 1	Picnic Tables ✓	Asphalt
	ADA accessible yes	Concrete
	Drinking Fountains ✓	Dirt Lot
	ADA Accessible yes	Security Lighting

Comments:
Patriot Park is currently under construction. Once completed Patriot Park will have a decomposed granite walking path around the park.

MV00049493

PARK LAND INVENTORY – MINI NEIGHBORHOOD PARKS

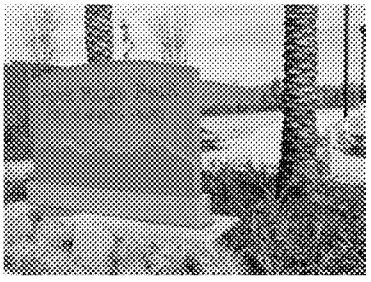

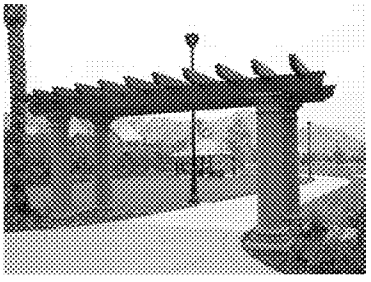

ROCK RIDGE PARK
27119 Waterford Way — 1.93 acres

Sports and Play Facilities		Park Amenities		Park Buildings & Structures	
Tennis Courts		BBQ's	✔	Restroom	
Basketball Courts		Bike Racks		Group Picnic Shelter	
Volleyball Courts		Plaza		Family Picnic Shelter	2
Roller Hockey		Open Green Space	✔	Trash Enclosure	
Skate Park		Community Garden			
Splash Park		Paved Walking Trails		**Parking**	
Fitness Par Course		Telephone			
Lawn Bowling		Vending Machines		Onsite Parking	No
Horseshoe Pits		Banners/Kiosks		Parking Surface:	
Children's Play Equip.	1	Picnic Tables	✔	Asphalt	
		ADA accessible yes		Concrete	
		Drinking Fountains	✔	Dirt Lot	
		ADA Accessible yes		Security Lighting	Yes

Children's Play Equipment

Equipment for Ages 5-12
Sand surface with Resilient Rubber ADA access areas

Comments:

Rock Ridge Park is the newest addition to the City of Moreno Valley's park system. Rock Ridge Park is a well appointed, well maintained park.

MV00049495

PARK LAND INVENTORY – SPECIALTY PARK

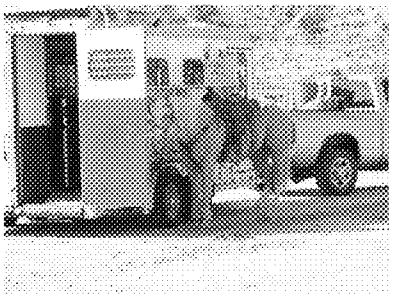

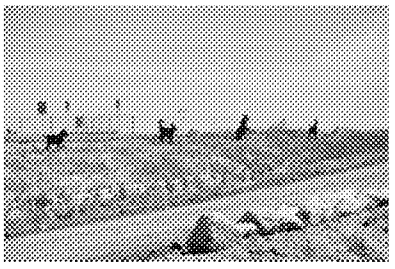

MORENO VALLEY EQUESTRIAN PARK & NATURE CENTER
11150 Redlands Blvd. 45.00 acres

Park Amenities	Park Buildings & Structures
BBQ's Bike Racks Open Green Space Paved Walking Trails Telephone Vending Machines Banners/Kiosks Picnic Tables ADA accessible Drinking Fountains ADA Accessible	Portable Restroom 1 Group Picnic Shelter Family Picnic Shelter Trash Enclosure
	Parking
	Onsite Parking Yes Parking Surface: Asphalt ✔ Concrete Dirt Lot ✔ Security Lighting No

Riding Ring #1		Riding Ring #1	
Fenced	Yes	Fenced	Yes
Lighted	Yes	Lighted	No

Comments:

The Equestrian Park and Nature Center appears to be a work in progress with improvements utilizing a fraction of the 45-acre park site.

The site is also home to the new Moreno Valley "Hound Town" dog park featuring two separate dog run areas.

MV00049497

PARK LAND INVENTORY – SPECIALTY PARK

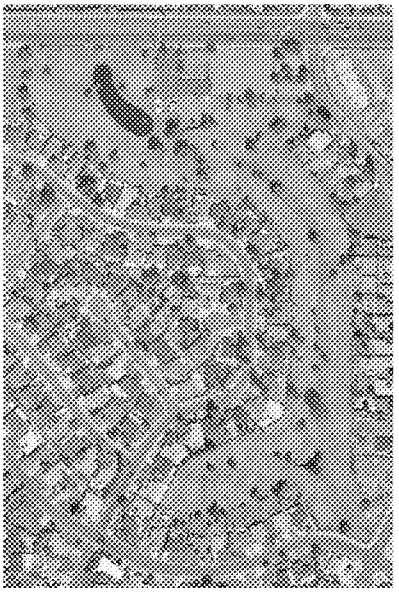

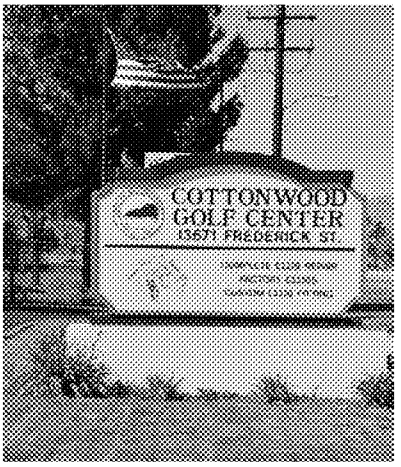

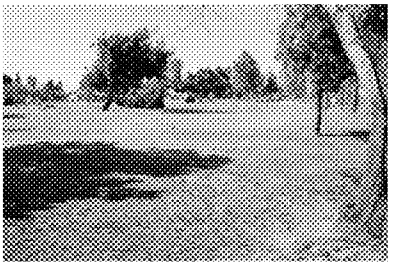

COTTONWOOD GOLF CENTER
13671 Frederick St. 15.83 acres

Park Amenities	Park Buildings & Structures	
BBQ's	Clubhouse	1
Bike Racks	Portable Restroom	
Plaza	Group Picnic Shelter	
Open Green Space	Family Picnic Shelter	
Paved Walking Trails	Trash Enclosure	
Telephone		
Vending Machines		
Banners/Kiosks		
Picnic Tables		
ADA accessible		
Drinking Fountains		
ADA Accessible		
	Parking	
	Onsite Parking	Yes
	Parking Surface:	
	Asphalt	✓
	Concrete	
	Dirt Lot	
	Security Lighting	No

Golf Course		Basketball Court	
Holes	9	Full Court	Yes
		Lighted	Yes

Comments:
Cottonwood Golf Center is a 9-hole golf course.

MV00049499

COLD CREEK TRAIL HEAD

27334 Cold Creek Ct. .64 acres

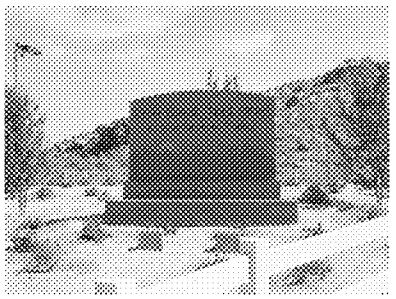

Amenities		Park Buildings & Structures
BBQ's		Restroom
Bike Racks		Group Picnic Shelter
Plaza		Family Picnic Shelter
Open Green Space		Trash Enclosure
Community Garden		
Paved Walking Trails		**Parking**
Telephone		
Vending Machines		Onsite Parking Yes
Banners/Kiosks		Parking Surface:
Picnic Tables	✓	Asphalt
ADA accessible yes		Concrete
Drinking Fountains	✓	Dirt Lot
ADA Accessible yes		Security Lighting

Comments:

The facility provides a place for visitors to tie and water horses. The Cold Creek Trail Head offers a rest stop along the "Automall Trail".

MV00049501

SUNNYMEAD EQUESTRIAN STAGING AREA

.5 acres

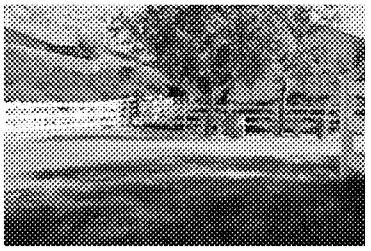

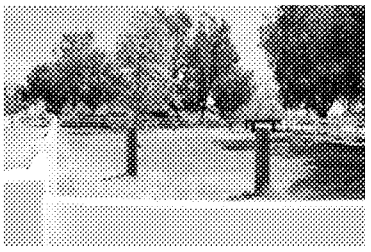

Amenities		Park Buildings & Structures
BBQ's		Restroom
Bike Racks		Group Picnic Shelter
Plaza		Family Picnic Shelter
Open Green Space		Trash Enclosure
Community Garden		
Paved Walking Trails		**Parking**
Telephone		
Vending Machines		Onsite Parking No
Banners/Kiosks		Parking Surface:
Picnic Tables	✓	Asphalt
ADA accessible yes		Concrete
Drinking Fountains	✓	Dirt Lot
ADA Accessible yes		Security Lighting

Comments:

The Sunnymead Equestrian Staging Area provides a rest stop along the trail on Sunnymead Ranch Road. The park amenities include facilities to tie and water horses.

MV00049503

PARK LAND INVENTORY – TRAIL HEAD

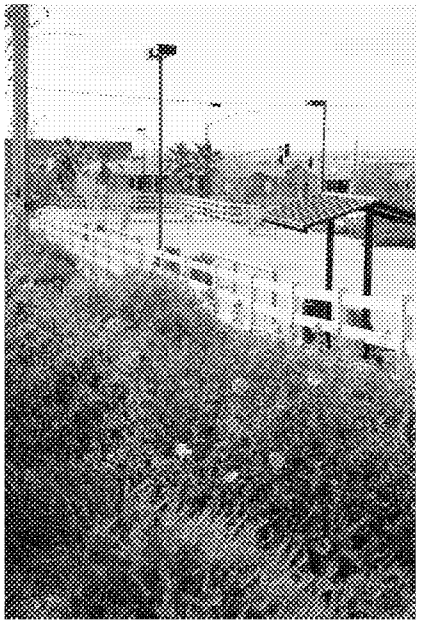

RANCHO VERDE EQUESTRIAN STAGING AREA
17478 Kentucky Derby Drive 1.3 acres

Park Amenities	Park Buildings & Structures
BBQ's Bike Racks Plaza Open Green Space Community Garden Paved Walking Trails Telephone Vending Machines Banners/Kiosks Picnic Tables ADA accessible yes Drinking Fountains ✓ ADA Accessible yes	Restroom Group Picnic Shelter Family Picnic Shelter Trash Enclosure **Parking** Onsite Parking Yes Parking Surface: Asphalt Concrete Dirt Lot ✓ Security Lighting

Comments:

The Rancho Verde Equestrian Station is located on at the corner of Lasselle and Kentucky Derby Drive in the southern end of the City near the western entrance to the Lake Perris Recreation Area. The park amenities include facilities to park horse trailers, tie and water horses.

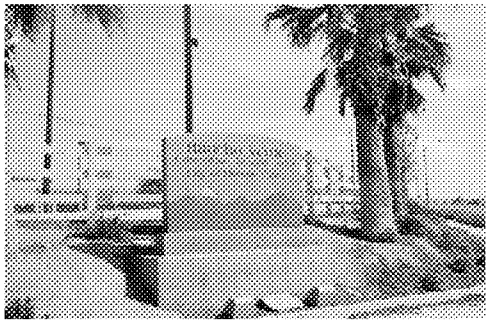

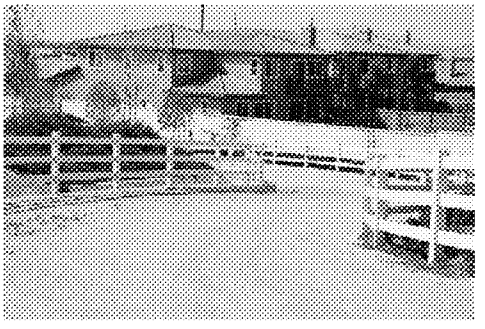

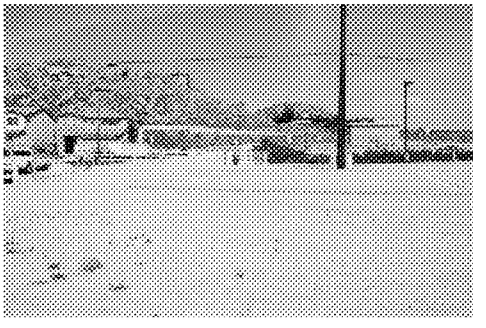

MV00049505

PARK LAND INVENTORY – TRAIL HEAD

COTTONWOOD EQUESTRIAN STATION
28590 Cottonwood Avenue .4 acres

Park Amenities		Park Buildings & Structures	
BBQ's		Restroom	
Bike Racks		Group Picnic Shelter	
Plaza		Family Picnic Shelter	1
Open Green Space		Trash Enclosure	
Community Garden			
Paved Walking Trails		**Parking**	
Telephone			
Vending Machines		Onsite Parking	No
Banners/Kiosks		Parking Surface:	
Picnic Tables	✓	Asphalt	
ADA accessible	yes	Concrete	
Drinking Fountains	✓	Dirt Lot	
ADA Accessible	yes	Security Lighting	
Horse Accessible	yes		

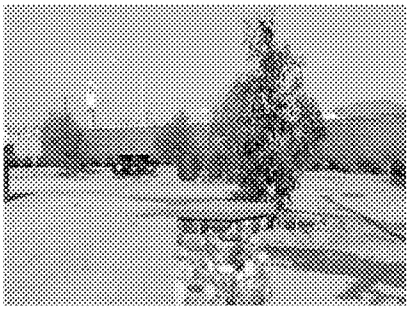

Comments:
The Cottonwood Equestrian Station is a new park amenity located on Cottonwood Ave. near the intersection with the storm channel trail link. The park amenities include facilities to tie and water horses.

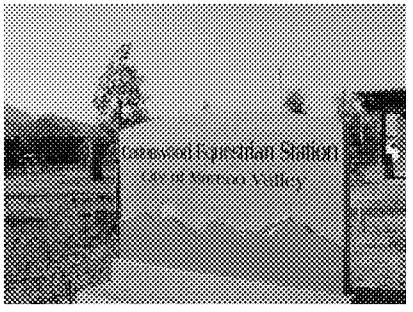

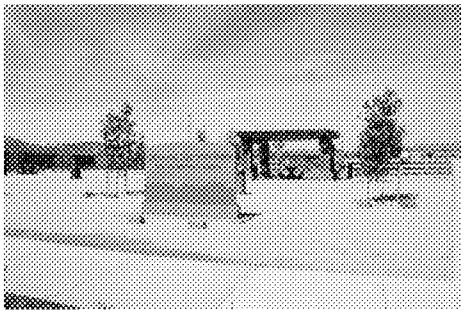

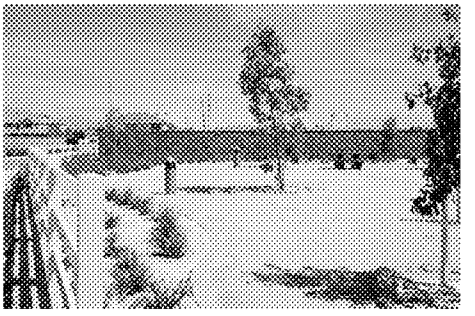

MV00049507

PARK LAND INVENTORY – GREENWAY

AQUEDUCT BIKE TRAIL

Balboa Street and Dracaea Ave.; Kitching Street and Krameria — 8.50 acres

Greenway Amenities

- BBQ's
- Bike Racks
- Plaza
- Open Green Space ✓
- Community Garden
- Paved Walking Trails ✓
- Telephone
- Vending Machines
- Banners/Kiosks
- Picnic Tables
  - ADA accessible
- Drinking Fountains
  - ADA Accessible

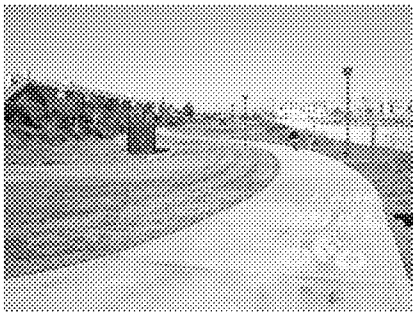

Comments:

The Aqueduct Bike Trail corridor is a valuable asset to the City's trail system. The linear park provides a multi-use trail and greenbelt corridor on the west side of the city, south of the 60 freeway running in a north/south direction with several connections to parks.

When the entire reach of the trail system is constructed, it will provide a north/south trail system with few interruptions.

MV00049509

PARK LAND INVENTORY – GREENWAY

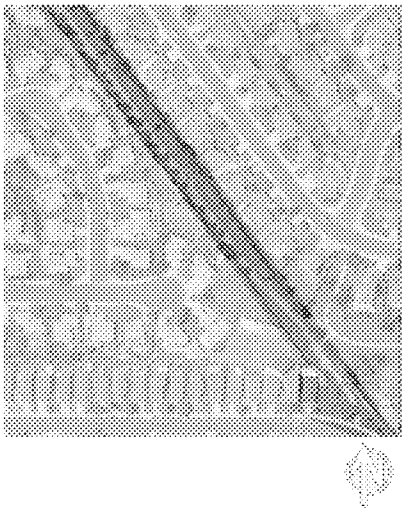

SUNNYMEAD RANCH LINEAR PARK

Village Road and Old Lake Road — 5.50 acres

Greenway Amenities

- BBQ's
- Bike Racks
- Plaza
- Open Green Space ✓
- Community Garden
- Paved Walking Trails ✓
- Telephone
- Vending Machines
- Banners/Kiosks
- Picnic Tables
  - ADA accessible
- Drinking Fountains
  - ADA Accessible

Comments:

The Sunnymead Ranch Linear Park corridor is a valuable asset to the City's trail system. The linear park provides a multi-use trail and greenbelt corridor on the west of the City, north of the 60 freeway running in a north/south direction with connections to school and park facilities.

MV00049511

3.3 OPEN SPACE ANALYSIS

Moreno Valley is a community rich in open space areas. Regional and State natural resources border the City on three sides, giving a unique character to the City. For the purpose of the Parks, Recreation and Open Space Comprehensive Master Plan, the open space analysis will be limited to outdoor recreation.

The City has experienced rapid growth since the 1980's. During this period the City has done an excellent job providing high quality recreational open space. The residents of Moreno Valley place a high value on living in a city that feels like a rural community. As the City continues to develop and becomes more urban, the City's dedication to recreational open space and trail connections north to south as well as connections to regional facilities will be critical to maintaining this community value.

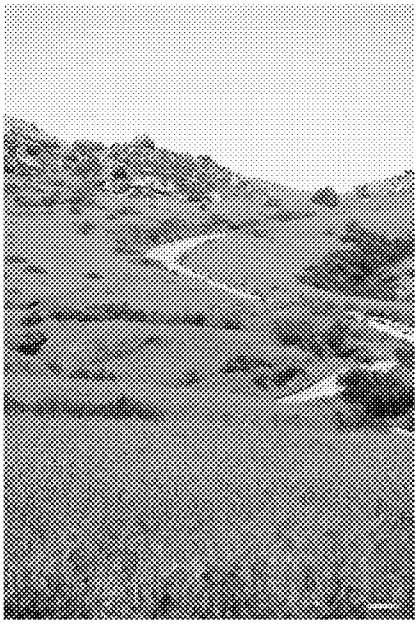

Box Springs Mountain Reserve

3.4 REGIONAL FACILITIES

Box Springs Mountain Reserve, located at the northwest corner of Moreno Valley, is owned and operated by the Riverside County Regional Park and Open Space District. The park includes both equestrian and hiking trails that link to the City trail system. The reserve is home to sixteen species of mammals and over eighty-five bird species.

San Timoteo Canyon Park is located north/east of Moreno Valley and is owned by the State of California. The 1,200 acre park serves as a valuable open space and wildlife corridor and contains fragile wetlands, riparian areas, oak groves and a diverse avian population.

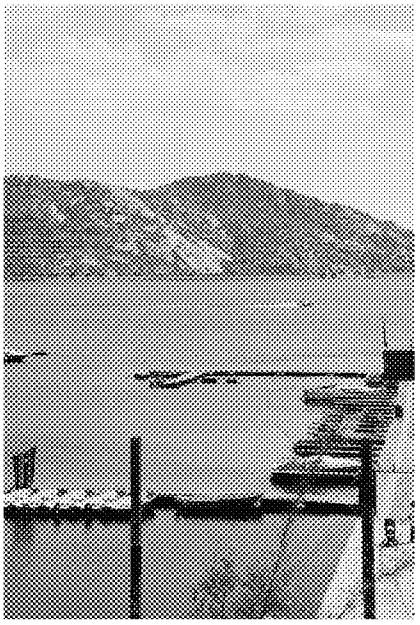

Lake Perris State Recreation Area

Lake Perris State Recreation Area is approximately 8,000 acres. Built in the early 1970's, the reservoir was built as part of the California Water Project to provide drinking water to Southern California residents. Located on the southern edge of the City, Lake Perris provides many recreational activities including: hiking, biking, water skiing, boating, jet skiing, fishing, swimming, horse back riding, camping and picnicking. The proposed Moreno Valley trail system links to the state trail system at the northern end of the park.

San Jacinto Wildlife area located on the southern edge of the City directly east of the Lake Perris State Recreation Area includes over 10,000 acres of land. The park offers wildlife viewing, hunting, field trips for school children, and a field trials area for dog training.

3.5 SCHOOL SITES

The City of Moreno Valley is served by two school districts, the Moreno Valley Unified School District and the Val Verde Unified School District. The City has an excellent relationship with both school districts and has been able to maximize active recreational facilities for the City through joint use agreements with the school districts.

The City and School Districts have done an excellent job of locating schools (Map 3.2 – Existing School Facilities) adjacent to parks and in many cases sharing common parking facilities.

Table 3.2 – Moreno Valley Schools provides an inventory of schools located in Moreno Valley.

3.6 PRIVATE RECREATIONAL FACILITIES

Homeowners associations provide a number of private recreation facilities including: park areas, greenbelt areas, swimming pools, tennis courts and community centers. These recreation facilities are available for the exclusive use of the association's members and provide facilities for a limited number of residents in the community.

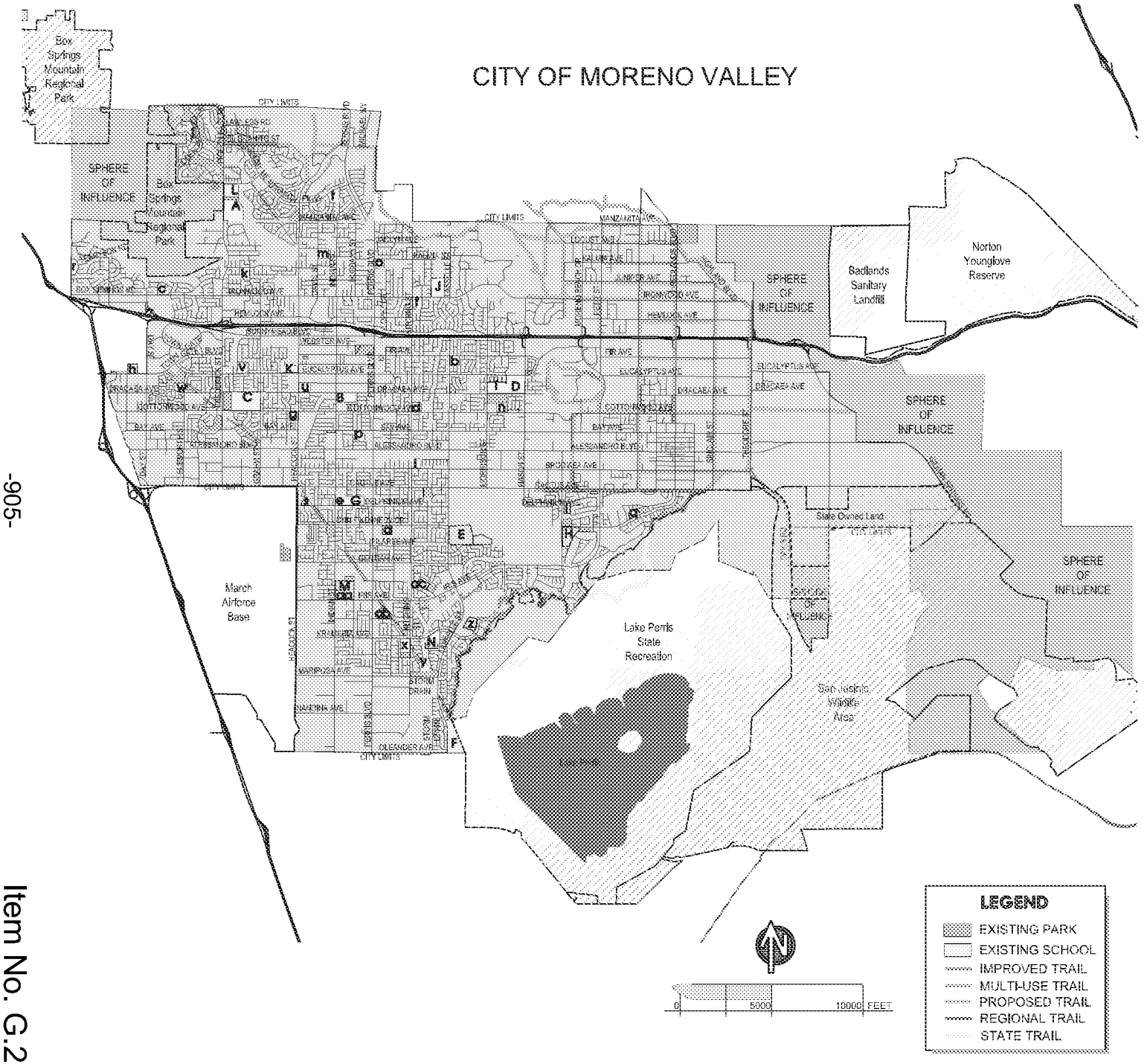

EXISTING SCHOOL FACILITIES

HIGH SCHOOLS
- A CANYON SPRINGS HIGH SCHOOL
- B MARCH MOUNTAIN HIGH SCHOOL
- C MORENO VALLEY HIGH SCHOOL
- D VALLEY VIEW HIGH SCHOOL
- E VISTA DEL LAGO HIGH SCHOOL
- F RANCHO VERDE HIGH SCHOOL

MIDDLE SCHOOLS
- G BADGER SPRINGS MIDDLE SCHOOL
- H LANDMARK MIDDLE SCHOOL
- I MOUNTAIN VIEW MIDDLE SCHOOL
- J PALM MIDDLE SCHOOL
- K SUNNYMEAD MIDDLE SCHOOL
- L VISTA HEIGHTS MIDDLE SCHOOL
- M MARCH MIDDLE SCHOOL
- N VISTA VERDE MIDDLE SCHOOL

ELEMENARY SCHOOLS
- a ARMADA ELEMENTARY SCHOOL
- b BEAR VALLEY ELEMENTARY
- c BOX SPRINGS ELEMENTARY
- d BUTTERFIELD ELEMENTARY
- e CHAPARRAL HILLS ELEMENTARY
- f CLOVERDALE ELEMENTARY
- g CREEKSIDE ELEMENTARY
- h EDGEMONT ELEMENTARY
- i HENDRICK RANCH ELEMENTARY
- j HIDDEN SPRINGS ELEMENTARY
- k HONEY HOLLOW ELEMENTARY
- l LA JOLLA ELEMENTARY
- m MIDLAND ELEMENTARY
- n MORENO ELEMENTARY
- o NORTH RIDGE ELEMENTARY
- p RAMONA ELEMENTARY
- q RIDGECREST ELEMENTARY
- r SENECA ELEMENTARY
- s SERRANO ELEMENTARY
- t SUGAR HILL ELEMENTARY
- u SUNYMEAD ELEMENTARY
- v SUNNYMEADOWS ELEMENTARY
- w TOWN GATE ELEMENTARY
- x BETHUNE ELEMENTARY
- y EL POTRERO ELEMENTARY
- z LASELLE ELEMENTARY
- aa RAINBOW RIDGE ELEMENTARY
- ab RED MAPLE ELEMENTARY
- ac VICTORIANO ELEMENTARY

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
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EXISTING SCHOOL FACILITIES

Map 3.2 - Existing School Facilities

MV00049515

MORENO VALLEY SCHOOLS			Outdoor Field Sports					Indoor / Outdoor Hard Court Sports										Additional Sports Facilities			Play Facilities		Cultural Facilities
		CAMPUS OPEN TO PEDESTRIANS	BASEBALL FIELDS	SOFTBALL FIELD	SOCCER FIELD	FOOTBALL FIELDS	MULTI-PURPOSE FIELD	TENNIS COURTS	BASKETBALL COURTS - INDOOR	BASKETBALL COURTS - FULL	BASKETBALL COURTS - HALF	VOLLEYBALL - SAND	VOLLEYBALL - HARDCOURT	ROLLER HOCKEY	TETHERBALL	BALL WALL	PLAYGROUND PAINTED GAME MARKINGS	POOL	GYMNASIUM	TRACK & FIELD	TOT LOT 2-5 YEARS	CHILDRENS PLAY AREA 5-12 YEARS	THEATER
HIGH SCHOOLS	**SCHOOL DISTRICT**																						
Canyon Springs High School	Moreno Valley Unified School District	✓	2G	2G		1G		8	2	5			3					1	1	1			200 seat
March Mountain High School	Moreno Valley Unified School District			2G		1P			1	8	1								1				
Moreno Valley High School	Moreno Valley Unified School District		2G	1G		1GL	1	5	1	5			6					2	1	1			
Valley View High School	Moreno Valley Unified School District		1G	1G		1GL	3	8	1	6	5		4					2	1	1			
Vista del Lago High School	Moreno Valley Unified School District		2G	1G		1GL		8	2	7									2	1			200 seat
Rancho Verde High School	Val Verde Unified School District		2G	2G		1G		4	4	4		1	3						2	1			200 seat
MIDDLE SCHOOLS																							
Badger Springs Middle School	Moreno Valley Unified School District			1P	2PL					3			3										
Landmark Middle School	Moreno Valley Unified School District	✓		2G			1			12													
Mountain View Middle School	Moreno Valley Unified School District			2P	1G 3P					10													
Palm Middle School	Moreno Valley Unified School District	✓		4P		1P	2			10										1			
Sunnymead Middle School	Moreno Valley Unified School District			2P			1			8					2	2							
Vista Heights Middle School	Moreno Valley Unified School District	✓		3P	2PL				1	12					3								
March Middle School	Val Verde Unified School District		1GL	1GL		1P	1		1	8		1							1	1			
Vista Verde Middle School	Val Verde Unified School District			2G		1P		4	1	8		1								1			
ELEMENTARY SCHOOLS																							
Armada Elementary	Moreno Valley Unified School District						2			2					6	2	✓					2	
Bear Valley Elementary	Moreno Valley Unified School District			3P	1O					4					3	2	✓					1	
Box Springs Elementary	Moreno Valley Unified School District	✓		1P			1			4					10	3	✓					3	
Butterfield Elementary	Moreno Valley Unified School District			1G 3P						6							✓					2	
Chaparral Hills Elementary	Moreno Valley Unified School District			2P						3					4	1	✓					2	
Cloverdale Elementary	Moreno Valley Unified School District			2P			1			4					5	2	✓					1	
Creekside Elementary	Moreno Valley Unified School District			2P			1			3					3	3	✓					3	
Edgemont Elementary	Moreno Valley Unified School District			1G			1			2					3	1	✓					3	
Hendrick Ranch	Moreno Valley Unified School District			3P						4			1		4	1	✓					2	
Hidden Springs	Moreno Valley Unified School District			2P			1				3				4	2	✓					2	
Honey Hollow	Moreno Valley Unified School District			3P						3	2				2	2	✓					2	
La Jolla Elementary	Moreno Valley Unified School District			2P						4					6	1	✓					2	
Midland Elementary	Moreno Valley Unified School District			2P							4					2	✓					3	
Moreno Elementary	Moreno Valley Unified School District	✓		2P						3		1			4	4	✓					3	
North Ridge Elementary	Moreno Valley Unified School District	✓		2P						8					6		✓					3	

MV00049517

RGW DESIGN GROUP

MORENO VALLEY SCHOOLS

			Outdoor Field Sports					Indoor / Outdoor Hard Court Sports										Additional Sports Facilities			Play Facilities		Cultural Facilities
		CAMPUS OPEN TO PEDESTRIANS	BASEBALL FIELDS	SOFTBALL FIELD	SOCCER FIELD	FOOTBALL FIELDS	MULTI-PURPOSE FIELD	TENNIS COURTS	BASKETBALL COURTS - INDOOR	BASKETBALL COURTS - FULL	BASKETBALL COURTS - HALF	VOLLEYBALL - SAND	VOLLEYBALL - HARDCOURT	ROLLER HOCKEY	TETHERBALL	BALL WALL	PLAYGROUND PAINTED GAME MARKINGS	POOL	GYMNASIUM	TRACK & FIELD	TOT LOT 2-5 YEARS	CHILDRENS PLAY AREA 5-12 YEARS	THEATER
Ramona Elementary	Moreno Valley Unified School District			2P						3					2	1	✓					2	
Ridge Crest Elementary	Moreno Valley Unified School District			2P						3					6	2	✓					2	
Seneca Elementary	Moreno Valley Unified School District			2P						4					4	2	✓					3	
Serrano Elementary	Moreno Valley Unified School District			3P						3					3	2	✓					2	
Sugar Hill Elementary	Moreno Valley Unified School District			2P						1	2				3	1	✓					2	
Sunnymead Elementary	Moreno Valley Unified School District						1			3						1	✓					2	
Sunnymeadows Elementary	Moreno Valley Unified School District			3P	1O					3					3	2	✓					2	
TownGate Elementary	Moreno Valley Unified School District						1			3					3	2	✓					2	
Bethune Elementary	Val Verde Unified School District			2P	1O					4					4	2	✓				1	2	
El Potrero Elementary	Val Verde Unified School District			1P						4						2	✓				1	2	
Lasselle Elementary	Val Verde Unified School District			2G			1			3					6	2	✓				1	2	
Rainbow Ridge Elementary	Val Verde Unified School District			1G			1			3					2	2	✓				1	2	
Red Maple Elementary	Val Verde Unified School District			2G			1			3					6	2	✓				1	2	
Victoriano Elementary	Val Verde Unified School District	✓		2P						4					6	2	✓				1	1	
SPECIAL SCHOOLS																							
Sunny Springs Special Ed																					2		
TOTALS		8	10	80	11	9	21	37		200	17	4	20	0	113	53	29	5	9	8	8	62	3

LEGEND
G = Game Field
P = Practice Field
O = Overlay Field
L = Lighted Field

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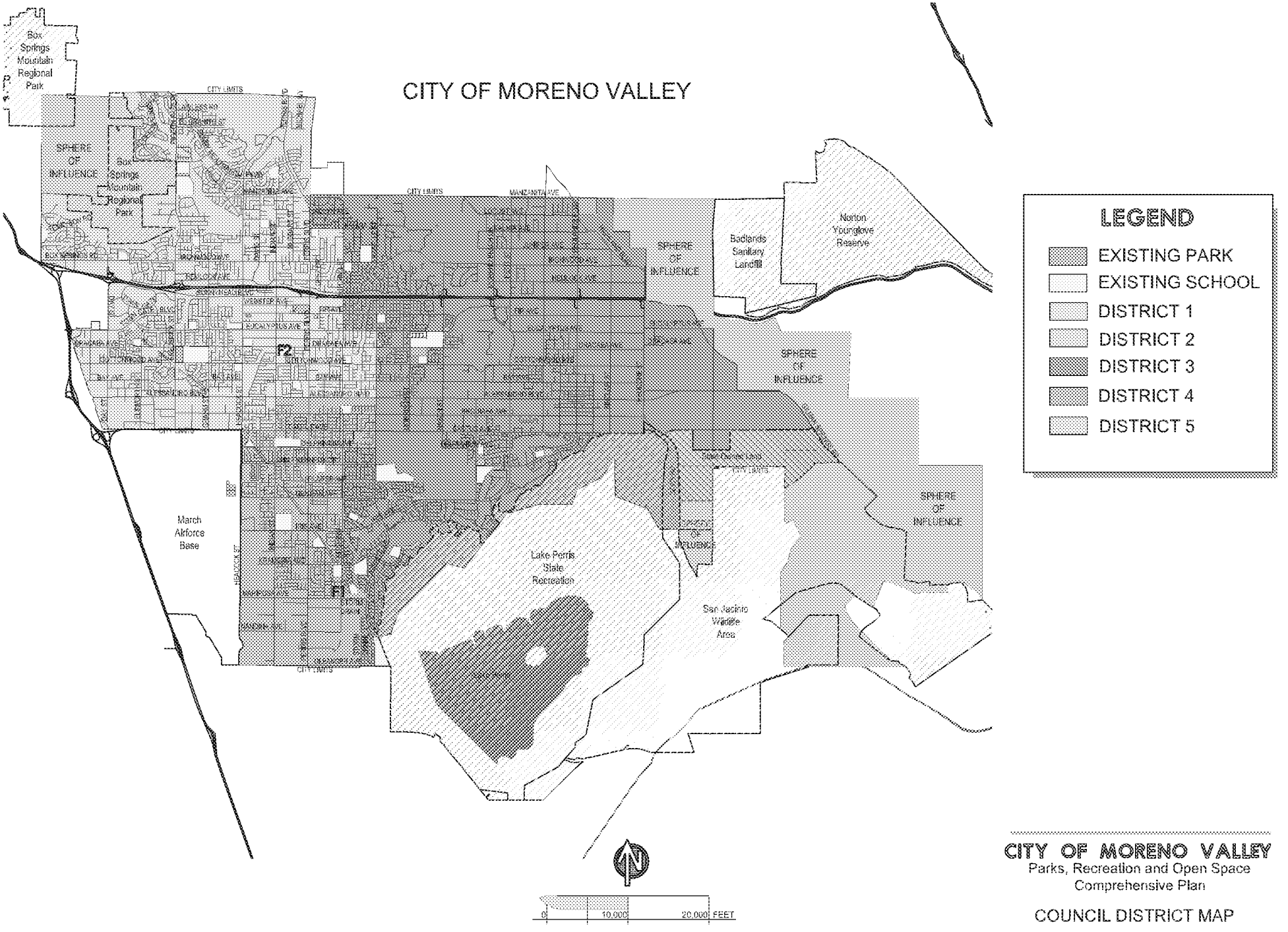

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

COUNCIL DISTRICT MAP

Map 3.3 - Council District Map

MV00049521

SECTION 4 EXISTING RECREATION PROGRAMS AND SERVICES RESOURCES

INTRODUCTION

PROGRAMS INVENTORY

PROGRAMS ANALYSIS

KEY FINDINGS

MV00049523

4.0 INTRODUCTION

Moreno Valley residents enjoy a variety of recreation activities, programs and services. The City along with various nonprofit organizations and community groups offer many recreation pursuits to the community. Neighboring areas provide regional recreation opportunities such as Lake Perris State Park and Box Springs Mountain Regional Park.

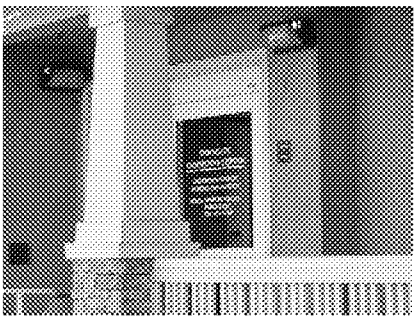

Towngate Community Center

Human and social services are offered through local nonprofits along with City, County and State offices.

In addition to access to recreation facilities, trails and open spaces, the residents have availability to a wide range of recreation programs, cultural activities and leisure opportunities which offer a major component to the quality of life in any community. Recreation programs benefit individuals, families, businesses, neighborhoods and households of all ages, income levels, and cultures. Programs and services that have been developed, designed and delivered effectively can provide the following benefits:

- Unique sense of place
- Sense of belonging
- Healthy lifestyles
- Advance lifelong learning
- Professional growth
- Safety and security
- Youth development
- Strong family units
- Cultural unity
- Economic development
- Environmental stewardship
- Fun and celebration

Recreation pursuits normally provided by public recreation agencies range from organized pursuits such as sports, classes, youth activities, family programming and community events, to more passive endeavors such as picnics, hiking, bicycling, and walking. Effective recreation programs promote the constructive use of leisure time and a lifelong commitment to a healthy lifestyle, personal development and a strong community.

This section summarizes the existing inventory of recreation programs and services; provides a program analysis based on the City's demographic profile and available facilities for delivering recreation services; and outlines key findings

regarding the Parks and Community Services Department's recreation delivery system based on the list of desired benefits above.

Moreno Valley Seniors Center

4.1 PROGRAM INVENTORY

During the community outreach effort, Moreno Valley residents identified the most important benefits of recreation programs and facilities that support the quality of life in Moreno Valley to be:

- Building stronger families and sense of community
- Promoting security and safety
- Involving people in the community
- Ensuring open space is maintained and increased
- Creating opportunities that increase fitness and wellness for all residents
- Programs for all age groups

The City of Moreno Valley is committed to the delivery of quality, affordable and accessible recreation programs. In general, the City sees its role as a direct provider of recreation programs and services. The City collaborates with local sports organizations to deliver a variety of outstanding, quality sports programs, leagues and tournament play. These non-profit sports organizations serve thousands of Moreno Valley and surrounding area children annually in sports, including soccer, Little League baseball, football, basketball, etc.

The opportunity to play a larger role as a facilitator or partner in the delivery of sports leagues and tournaments is somewhat limited as a result of the number of fields and facilities available for this purpose.

As is the case with most municipal recreation departments, Moreno Valley does employ the efficient and effective practice to provide many of their special interest classes through contractual arrangements with local instructors or private businesses, such as:

- ✓ Acting and singing for kids
- ✓ Children's ballet
- ✓ Beginning tumbling
- ✓ Youth boxing
- ✓ Cheerleading
- ✓ Various dance classes
- ✓ Music classes
- ✓ Self-defense classes
- ✓ Math wizards
- ✓ Photography
- ✓ Dog obedience
- ✓ Aerobics
- ✓ Yoga

In addition to self help and instructional classes, the Department offers an array of sports opportunities in all age categories from youth through senior citizens. These include such activities as:

- ✓ Bowling classes and leagues
- ✓ Golf clinics and instruction
- ✓ Roller hockey leagues
- ✓ Skateboarding instruction
- ✓ Basketball leagues
- ✓ Volleyball leagues
- ✓ Middle school sports programs
- ✓ Open gym basketball
- ✓ Softball leagues
- ✓ Billiards for seniors
- ✓ Senior exercise and fitness activities

The Department also offers an array of special interest recreation activities including:

- ✓ Trips and tours for seniors
- ✓ Volunteer opportunities
- ✓ After school programs
- ✓ Organized hiking
- ✓ City-wide events

The Parks and Community Services Department does an outstanding job of coordinating with community service groups and non-profits to provide a variety of programs and services. The community and organizations and non-profits the City currently partners with or helps promote include:

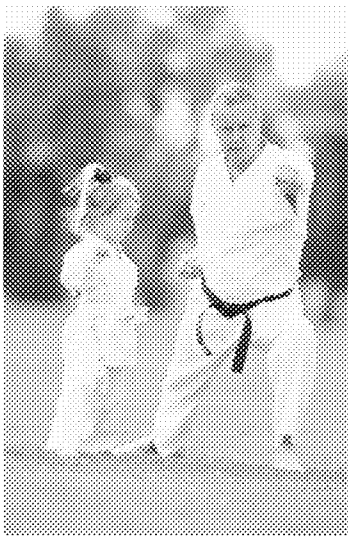

- ✓ Moreno Valley Aquatics
- ✓ American Youth Soccer Organization (AYSO)
- ✓ Moreno Valley Heat Soccer Club
- ✓ Pop Warner Football
- ✓ Moreno Valley Junior All American Football
- ✓ ASA Diamond Girl's Softball
- ✓ Moreno Valley Little League
- ✓ Moreno Valley Youth Federation
- ✓ Rockets Track Team
- ✓ Universal Striders Track Club
- ✓ National Junior Basketball Association
- ✓ Sports for Special Needs Bill's Special Kids
- ✓ Blue Crush Basketball Club
- ✓ Wilsonette's Cuties – Girl's Drill Team/Boy's Drum Squad
- ✓ California Youth Spirit
- ✓ Moreno Valley Men's Adult Soccer League
- ✓ Moreno Valley Golf Club
- ✓ American Red Cross
- ✓ Boy Scouts of America CA Inland Empire Council
- ✓ Civil Air Patrol Cadets
- ✓ Citizens Patrol
- ✓ California Emergency Response Team

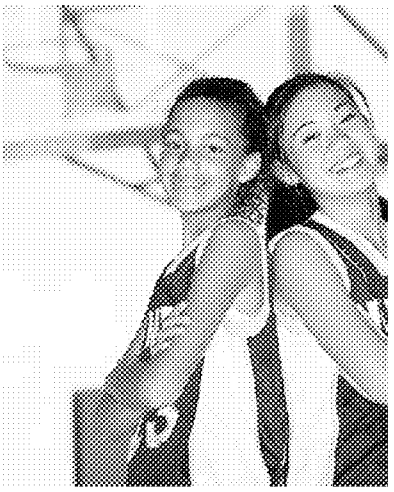

- Fire Explorers
- Fire Volunteers
- Girl Scouts of San Gorgonio
- Friends of the Moreno Valley Senior Center
- Moreno Valley Amateur Radio Association
- Moreno Valley Art's Association
- Moreno Valley Chamber of Commerce
- Moreno Valley Black Chamber of Commerce
- Moreno Valley Hispanic Chamber of Commerce
- Moreno Valley Community Band
- Moreno Valley Council PTSA
- Moreno Valley Cultural Arts Foundation
- Friends of the Library
- Moreno Valley Garden Club
- Moreno Valley Genealogical
- Moreno Valley Master Choral
- Moreno Valley Equestrian Riders
- Trail Seekers
- YMCA

The department has also established relationships with service clubs and organizations to help them provide community services and activities including:

- Moreno Valley Women's Club
- Moreno Valley Soroptimist
- Moreno Valley Morning Rotary
- Moreno Valley Noon Rotary
- Morning Optimist Club of Moreno Valley
- Radio Amateur Civil Emergency Services (RACES)
- Zonta Club of Riverside

Human Service Programs are provided by local and regional non-profits and public agencies and include:

- Catholic charities
- Child care programs
- C.A.P. Food Pantry
- Valley Service Association
- Helpline 24-Hour Crisis/Suicide Intervention
- Mom's Club of Moreno Valley
- Riverside County Family Child Care Association
- Riverside County Office of Education Children's Services
- Head-Start Pre School
- Volunteer Center of Greater Riverside County
- Youth Service Association

The types of recreation programs and activities offered by the Parks and Community Services Department are determined through customer interest; input from local users, residents and employees; and input from the Parks and Recreation Commission.

Programs are currently provided for targeted age groups, from pre-school through active adults and seniors. They are designed to serve a wide variety of needs and interests, including the arts, physical fitness, health, sports, dance, computers, academic support, field trips, and special interest workshops. In addition, very popular community events are provided throughout the year, as are seasonal activities, trips, and tours.

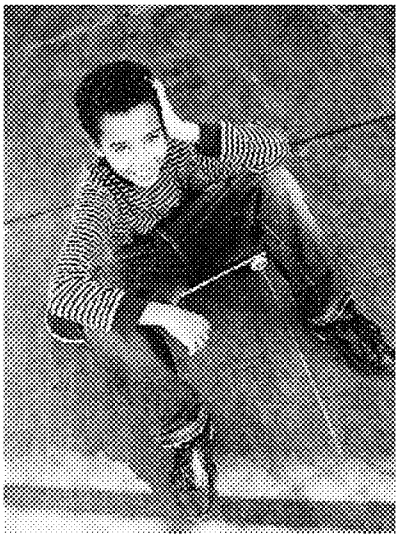

The Department provides most recreation activities and programs at the Conference and Recreation Center complex on Frederick Street,which is located in the southwestern area of the City, and at the Senior Community Center located on Fir Avenue in the center portion of the City. The Department operates an extensive after school program on local school sites in partnership with both school districts serving Moreno Valley. The after school programs are targeted towards low income families and are funded by a State Grant. The recent acquisition of former March Air Force Base property has enabled the Department to centralize the administration and logistical operations of the after school programs and increase their efficiency. The after school programs involve more that 3,000 children throughout the community, providing recreation, support and self esteem programs.

In addition to providing and coordinating recreation programs and services, the Department also operates an extensive facility rental program. Space is provided on a rental fee basis and facilities are heavily utilized by the community. The facility rental program includes the Conference Center, meeting rooms, group picnic shelters, gymnasiums, sports fields, Town Gate Community Center and Senior Center facilities.

A wide variety of experiences and opportunities are available to the community through the programs and services provided by the Recreation Division.

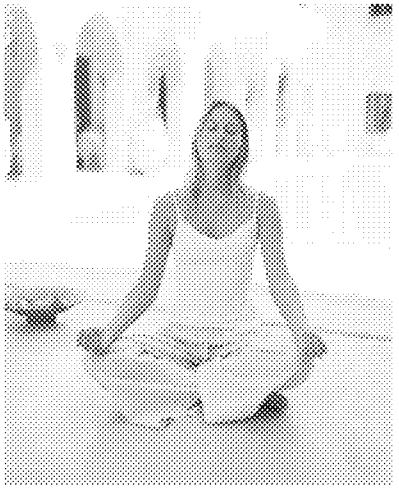

While all recreation programs are open and accessible to any interested participants, specific recreation opportunities for residents with disabilities are provided through the Developmentally Challenged Program, which is designed to provide social and recreational activities, such as, games, movies, parties, etc.

4.2 PROGRAM ANALYSIS

In reviewing the program offerings and analyzing their effectiveness to serve the Moreno Valley community the Project Team was impressed with both the dedication of the Community Services and Parks Staff to provide quality programming in the City and the high rate of approval from the community with regards to the program offerings. The Department tries very hard to offer programs and services that fit the needs of the community based on the community's demographic profile and are responsive to the community's request for specific types of programs and activities.

The Department has a policy of soliciting continuous feedback from participants so that programs can be updated and responsive to current programming trends. The Department appears to make a concentrated effort to allocate its resources so that it ensures program offerings to all age groups in the community from pre-school through senior citizens. As an example of being adaptive to community needs, the Department recently instituted an open play arena soccer program. Arena soccer is played just like regular soccer, using the smaller dimensions and "off-the-boards" action of the hockey rink at Valley Skate Park on the March Field Park. The program is offered every Tuesday and Thursday evening from 5:00 to 7:00 p.m. for youth 17 and under, and from 7:00 to 9:00 p.m. for adults 18 and older. Activities are conducted on a drop-in basis, and games are played under the "pick-up" format. Soccer is a popular sport in the community and there was a lack of regular grass soccer fields to serve these age groups, so the Department adapted to the situation by providing supervision and an alternative program with a unique spin.

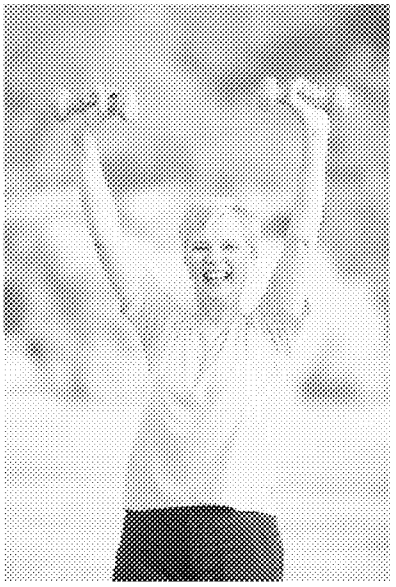

The requirement of administering the grant for after school programs places a heavy burden on the Department's administrative staff. In the future, the Department will be impacted even further as the need for after school programs increases and grant funding is reduced.

In summary, the Department appears to be doing an outstanding job with the resources they have available. The programs appear to meet the demographic needs of the community. There is high customer satisfaction with the types of programs, and the Department continually adapts to changing trends very efficiently.

4.3 KEY FINDINGS

In reviewing and analyzing the programs and services based on the criteria discussed above regarding the benefits of a well rounded recreation program delivery system, the Project Team identified the following key findings that the Parks and Community Services Department provides:

- It increases healthy lifestyles in the City by maintaining over 352 acres of parks, trails, and park facilities and operating over 195 programs and services for youth, adults and seniors.
- It supports youth development by maintaining and operating 32 parks/facilities; including 20 lighted sports fields and 4 lighted school district sports fields. These facilities serve an estimated 417,180 Moreno Valley youth annually for baseball, softball, and soccer play. The Department also supports youth by operating eight after-school middle school sports programs in the Moreno Valley and Val Verde Unified School Districts, serving an estimated 1,500 youth.
- It creates a unique sense of place, fun and celebration by coordinating special community events, including Youth Fest, the City's Easter Egg Hunt and the City's July 4th parade and Family Fun Fest, serving 35,000 participants.

- It supports safety and security for youth by operating 46 after-school programs at 32 elementary and 9 middle schools.
- It promotes community partnerships by coordinating and scheduling sports facility reservations for 38 school sites.
- It assists Moreno Valley nonprofit sports organizations in hosting regional and national sports tournaments, resulting in a positive economic impact to Moreno Valley business.
- It operates Park Ranger Programs, providing for a safer recreational environment.
- It coordinates the production of the Moreno Valley Recreation Guide and City Newsletter which is delivered to Moreno Valley residents as well as incorporating a video element through MVTV-3. The Department also provides information on the City's Web site, providing comprehensive program information to Moreno Valley residents.
- It supports cultural unity and diversity through events, recreation classes and after-school child care programs.
- It provides opportunities for professional and personal growth by offering career and self improvement classes.

In conclusion, the inventory of current programs and services meets the community's expectations and are designed to meet the priorities for each age group given the demographic profile of the community. Determining new programs and services that are needed to meet future demands are addressed in Section 5 and recommendations for future programs and services are addressed in Section 8.

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SECTION 5 NEEDS ASSESSMENT / COMMUNITY INPUT

INTRODUCTION / METHODOLOGY

CURRENT NATIONAL AND STATE TRENDS IN PARKS AND RECREATION

COMMUNITY INPUT FROM PUBLIC OUTREACH

SUMMARY ANALYSIS OF PUBLIC OUTREACH

PARKLAND COMPARISON ANALYSIS

FACILITY COMPARISON ANALYSIS

KEY FINDINGS AND SUMMARY OF DEMAND ANALYSIS

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5.0 INTRODUCTION / METHODOLOGY

The purpose of a Needs Assessment is to quantify and understand both the facility and recreational program needs of the community. In order for the Moreno Valley Parks and Community Services Department to develop a long range plan for providing the right recreational facilities and programs, it must understand the nature of the community, its recreational desires, its actual needs, and its ability to provide the services that are determined necessary through the Needs Assessment.

Demand and Needs are sometimes difficult to quantify. A numerical standard may not reflect the makeup of a community, its economic situation, history, traditional recreation uses, or political environment. This report assesses the recreational programming and park facilities needs of the City of Moreno Valley starting with national and state trends, past levels of service, public involvement, comparison with other similar agencies and identified community demands and desires.

5.1 CURRENT NATIONAL AND STATE TRENDS IN PARKS AND RECREATION

In the coming years, national trends in the perception of the environment, socio-economics, technology, and in urban development will affect the need for and use of recreation and park facilities. In 2004 the National Recreation and Park Association (NRPA) developed a list of trends which will cause the greatest impact on local agencies planning for recreational facilities through the year 2020. The NRPA's list of pertinent trends that will affect Moreno Valley's planning efforts for developing recreation facilities and programs are as follows:

- A greater need for walking and biking on trails, sidewalks, within parks and along streets, and utility corridors.
- Collaboration between parks and schools to share construction, development, and use of lands and facilities.
- Preventive recreation, that is, recreation as an antidote for social problems.
- Recreation for groups limited by income, physical disability, language, or cultural barriers.
- Collaboration among program and facility providers, partnering and cooperation between public, private, and non-profit sectors, especially cultural organizations.
- Family recreation centers (Intergenerational Campuses) that offer a variety of services for each family member.
- Pressure to increase park capacity and infrastructure of existing parks and concern for adequate maintenance.
- Community volunteering opportunities, such as adopt a park projects, friends of the parks groups, and park watch programs.

- Increased demand for tiny-tot and pre-school programs and activities.
- Protective measures for open space.
- Provision for aquatics programs and water safety instruction.
- Provision for senior citizen programs and activities.
- The need for financial sustainability in order to deliver quality recreation services and facilities.

Every one of these trends and issues describe the situation in Moreno Valley and must be taken into consideration, along with the demographic profile of the City, when the City sets its priorities for the future development and operation of its park and recreation delivery system.

5.2 COMMUNITY INPUT FROM PUBLIC OUTREACH

The Consultant Team, working with the City, utilized a number of input tools to conduct public outreach to solicit the public's opinions and requests about recreation program needs and facility desires, as well as their special insights into the operation of Parks and Recreation programs and services.

The public outreach tools used by the RGW Consultant Team included:

- ✓ A General Public Input Workshop
- ✓ Focus Workshop for Sports Groups
- ✓ Focus Workshop for Cultural Groups
- ✓ Focus Group Workshop for Human Services
- ✓ Stakeholder Interviews
- ✓ Community Phone Survey
- ✓ Sports Group Questionnaire
- ✓ Focus Group Workshop for Trails
- ✓ Community Services Staff Interviews
- ✓ E-mails and letters from the community
- ✓ Park Site and Facility Visit Intercepts

Intercepting people to talk to at City parks and facilities while doing the park and facility inventories was particularly helpful in gaining insight into how residents perceive the City's park and recreation programs and services and what they would like to see the City provide in the future.

Research Network Ltd. was retained to conduct the Community Phone Survey. The purpose of the survey was to obtain statistically valid, community-wide input on a variety of issues related to the Parks, Recreation and Open Space Comprehensive Master Plan.

The information gained from all of these input tools was analyzed and then summarized and incorporated into the document in the following sections and then used as a means of determining the policy recommendations and action items contained in Chapters 6 and 7 upon which the City can set and reach attainable

goals for its delivery of a successful Parks, Recreation and Community Services system.

SUMMARY RESULTS OF STAKEHOLDER INTERVIEWS

The Consultant Team conducted in-person interviews with representatives of a number of stakeholder groups in the community that are involved in the delivery of programs and services to Moreno Valley residents. This was done to gain a perspective on the views and attitudes of a wide range of organizations and their leadership personnel to what they felt was important for the City to address in the Parks, Recreation and Open Space Comprehensive Master Plan. Since these people are involved on a daily basis in providing services and partnering with the City, it was important to seek their knowledge about issues, concerns and needs of the community in order to develop a big picture of what the Plan should address.

The stakeholder groups the Consultant Team interviewed included:

- ✓ AYSO Region 187
- ✓ Canyon Springs Little League
- ✓ Diamond Girls Softball Association
- ✓ Moreno Valley Youth Federation
- ✓ Moreno Valley Junior All American Football
- ✓ Moreno Valley Little League
- ✓ Val Verde Unified School District
- ✓ Moreno Valley USD
- ✓ Parks and Recreation Commission
- ✓ Moreno Valley Chamber of Commerce
- ✓ Moreno Valley Black Chamber of Commerce
- ✓ Moreno Valley Hispanic Chamber of Commerce
- ✓ Boy Scouts of America
- ✓ YMCA
- ✓ ACCESS to the Future
- ✓ Family Services Association
- ✓ Senior Citizens Club
- ✓ Morning Optimist Club of Moreno Valley
- ✓ Trailseekers
- ✓ Senior Citizens Board
- ✓ Moreno Valley Arts Commission
- ✓ Riverside Community College
- ✓ Master Chorale

These interviews provided valuable insight into community issues, how these organizations operate and deliver services, their facility and operational needs, their relationship with the City, their future plans, their funding methods, and their ability to be a part of future recommendations for meeting community demands.

In analyzing the comments and input from the interviews, it was apparent that there was a consensus of opinion on the major issues that are facing Moreno Valley in the future when it comes to delivering programs and services to the community. The major issues expressed were:

- Lack of facilities to deliver programs and services
- Lack of funding
- A culturally diverse community
- A high poverty rate in the community
- Lack of transportation services
- The disparity between upper income and lower income families
- Future growth
- The need to coordinate services and join forces
- Problems with gangs and juvenile crime

The strengths of Moreno Valley, and thus opportunities, they identified were:

- High level of community talent
- Community spirit
- Open space
- Willingness of people to volunteer
- Cultural diversity
- Convenient location to all of Southern California

In each of the interviews, participants being interviewed were asked the question, "What do you think are the priorities for Moreno Valley that should be addressed in the Parks, Recreation and Open Space Comprehensive Master Plan?" There was a wide range of responses and opinions as to what the priorities for parks and facilities in Moreno Valley should be. All of those interviewed were very passionate about what they believe to be the priorities for Moreno Valley. The following is the list compiled from the interviews not in any priority order, just the priorities they wanted addressed in the Master Plan:

- Meeting room space for community groups
- Soccer and football fields
- Amphitheater for concerts and community events
- Gymnasium for basketball, volleyball & gymnastics
- Aquatic center
- Tennis facility
- Expanded Senior Center with outdoor facilities for shuffle board, bocce ball, and entertainment
- Teen/Youth center
- Human Services Center for a continuum of services
- Pocket parks for densely populated neighborhoods
- Music and dance studios
- Community events area
- Performing arts center
- More trails and bike lanes
- Local transportation system
- Graffiti removal and vandalism repair programs
- Lights on school fields
- More practice fields located in neighborhoods
- More room for after school programs at school sites
- Sports complex at March Field
- New library
- Additional park restrooms
- More park rangers
- More cultural diversity events
- Facility to showcase local talent
- Family fun center
- More skateboard parks
- Art fairs and a venue to showcase local artists
- Preservation of hillsides and open space
- New YMCA with fitness center, gym, and pool
- More neighborhood and community parks

The community issues, strengths and opportunities articulated in the interviews, along with the list of priorities expressed was one of the community outreach tools used to determine the recommendations from the demand and needs analysis. The other community outreach tools used follow in the subsequent sections.

SUMMARY RESULTS OF THE COMMUNITY TELEPHONE SURVEY

Research Network Ltd. was retained to design and implement a resident telephone survey among current households of the City of Moreno Valley to assess resident attitudes and opinions relevant to the Parks, Recreation and Open Space Comprehensive Master Plan. You can review the entire **Telephone Survey Report** in **Appendix A**.

The subject areas of interest within the resident telephone survey included:

- One Feature that Makes Moreno Valley Desirable
- Recreation Information Sources Used
- Recreation Benefits Desired
- Frequency of Recreation Facility Usage
- Park Most Often Used in Last Year
- School Facility Most Often Used for Recreation
- Recreation Activities Participation
- Participation in Employer-Based Recreation
- Indoor Recreation Facility Use
- Rating City Recreation Facilities Maintenance
- One New Recreation Facility Desired
- Probable Use of Potential Future Facilities
- Age Distribution of Population
- Employment in Moreno Valley
- Ethnicity
- Household Composition
- Household Income

Sample Design: A total of 300 interviews were completed with adult household heads living in the City of Moreno Valley. These respondents were contacted through the use of a random digit dial sample. This sample methodology compensates for the incidence of unlisted telephone numbers.

When contact was made with a respondent, the interviewer confirmed eligibility for participation in the survey with a question confirming that their home was located within one of the zip codes present in the City of Moreno Valley (92551, 92553, 92555, 92557).

These ten-minute interviews were conducted via telephone by professional interviewers during the April 2008 fielding of the resident telephone survey using direct-entry computer technology. Skilled supervisors of the field organization edited all interviews conducted among Moreno Valley residents and 10% were validated for accuracy.

Margin of Error: A random sample survey is designed to interview a fraction of the households in a community with the desired outcome being that this survey group represents the opinions of those who were not surveyed. Such a random sample may, however, produce results that differ from those responses that would have been received if all households were interviewed. These differences are primarily

generated as a result of what is known as "sample error." The degree of sample error is primarily determined by:

- The total number of completed interviews
- The number of possible responses to each question
- The distribution of responses to each question

The sample error for a sample size of 300 ranges from ± 2.5% (for a question with two response categories, distributed 5%/95%) to ± 5.8% (for a question with two response categories, distributed 50%/50%) at the 95% confidence level. This means that if we were to survey every household in Moreno Valley, we are confident that, 95% of the time, the results for a question (with two potential responses and a 50%/50% response distribution) would differ by less than 5.8 percentage points from the results derived from this sample.

The margin of error accrues to produce an answer range. For example, if a question derives a "blue" response from 50% of those asked the question, a random sample assumes that, 95% of the time, the actual percent of the entire population from which the sample is taken who would respond "blue" is between 44.2% and 55.8%.

It should be kept in mind that the margin of error may increase when subgroups of the full sample are being considered. This becomes important when comparing data for population subgroups based on categories such as sub-area, age, presence of children, or income. For example, the 95% confidence interval for a subgroup of 100 respondents yields an error range from ± 4.4% to ± 10%. Results for subgroups are only highlighted when we have a high degree of confidence that the differences that distinguish a subgroup from the overall sample are statistically reliable.

Questionnaire Design: The objectives of the design of the questionnaire not only accommodated those subject areas discussed previously, the questionnaire design included question wording and question order or rotation to mitigate bias in the inquiries. For example, the order of questions in a series can influence the responses given. To mitigate this, the order or position of such questions in a series was rotated.

All responses collected during the interviews were computer-processed and tabulations between question answers and selected subgroups were made. These tabulations, along with the entire phone survey results are included in **Appendix A**.

After a careful review of the responses to the Moreno Valley resident survey, Research Network Ltd. has gleaned the following highlights.

One Desirable Feature - More than one of every ten residents polled (12%) identified "Affordable Housing" as the one feature while an additional 8% reported "Close to Work." An equal share of 6% cited "Quality of Life" as well as "Growing Area." An additional 5% of households polled volunteered each of the following features: "Small Town Atmosphere," "Climate," "Location," "Quiet," and "Proximity to Shopping." Less than one of every twenty respondents (4%) volunteered the responses "Lack of Crime," "Open Space," and "Nothing Desirable."

Recreation Benefits- More than one-third of the households polled (37%) stated that they seek physical fitness, health and well being benefits from their recreation choices. An additional one-third (33%) of respondents replied that opportunities to gather and socialize with others is the primary benefit they seek from recreation. Together, these two benefits were identified by 70% of those polled. The benefit of learning opportunities for hobby, self-improvement or career development was cited by 18% of those polled while the benefit from recreational opportunities to give back to the community through volunteer work was a priority for 12% of the City's responding residents.

Recreation Sources- Nearly one of every four residents polled (23%) stated that they get their recreation program and facility information from the City of Moreno Valley programs brochure while an additional 19% reported the Internet as their information source and 15% reported obtaining information from the City of Moreno Valley. More than one in ten respondents (11%) stated they obtain their information from the City of Moreno Valley website and an equal share use postings at recreation sites. Less than one of every ten respondents (9%) reported use of the newspaper while 6% stated they find their information in the telephone book. An additional 6% stated they use the "booklet/brochure" which likely refers to the City programs brochure, resulting in a total mention of 29%. "Word of mouth" or "school" was reportedly used as an information source by 5% of respondents each, while 3% of those polled stated their information was obtained by watching Channel 3.

Recreation Facility Use - More than one of every three households surveyed (38%) described themselves as a "frequent user" of parks and recreation facilities (patrons of facilities at least three times per month). A comparable share (36%) was identified as a "moderate user" (patrons of facilities at least two to twenty-four times annually) of recreation facilities during the past year. The remainder (26%) was labeled "light/non users" (patrons of facilities once per year and non-users).

Most Used Recreation Facility- The recreation facilities reportedly most often used by households polled included the Lake Perris State Recreation Area (7%), Morrison Park (5%), Moreno Valley Community Park (5%), Towngate Memorial Park (4%), John F. Kennedy Memorial Park (4%), Moreno Valley Conference and Recreation Center (4%), Celebration Park (4%), Woodland Park (4%), Sunnymead Park (3%), and Box Springs Regional Park (3%).

Most Used School - The most often received response was "none" (53%) indicating that no school facilities were used for neighborhood park types of activities. The school facilities reportedly most often used by households polled for recreation or cultural activities included Valley View High School (6%), Canyon Springs High School (4%), Moreno Valley High School (4%), Vista del Lago High School (3%), Edgemont Elementary (2%), Ridge Crest Elementary (2%), Riverside Community College (2%), and Armada Elementary (2%).

Employee Recreation - One in three households polled (34%) reported having a member employed in Moreno Valley who participated in employer-sponsored recreation at a location in Moreno Valley. The remainder of residents interviewed

(66%), reported one or more members employed in the City who did not participate in such employer-sponsored recreation.

Recreation Activities - The tested activities cited as being undertaken by the largest portion of Moreno Valley residents surveyed were walking/jogging/running for recreation or fitness (75%), passive use of open grass/lawn areas in parks or recreation facilities (54%), and picnicking in developed sites (54%). bicycling for recreation/fitness was reported by 45% of those residents polled while three in ten polled households (31%) reported use of play equipment, tot lots. One in five households (27%) stated that one or more household members had played organized basketball games for youth or adults and a comparable share (26%) reported use of wet playground/spray play facilities. The activities reported next most often included skateboarding (23%), organized softball games for youth or adults (18%), golf (17%), organized league soccer games for adults (16%), organized football games for youth (15%), organized league soccer games for youth (15%), and organized league baseball games for youth (15%), use of a dog park (15%), and tennis (12%).

Indoor Facility Use - When asked about frequency of indoor recreation facility use, 23% of the sample of telephone respondents described themselves as a "frequent user" of indoor recreation facilities (patrons of indoor facilities at least three times per month). Less than one of every four residents (23%) was a "moderate user" (patrons at least two to twenty-four times annually) of indoor recreation facilities during the past year. The remainder (55%) was labeled "light/non users" (patrons of indoor facilities once per year and non-users).

Facilities Maintenance - When asked to rate the maintenance of recreation and parks facilities in the City of Moreno Valley, 81% of households polled rated parks maintenance as either "excellent" or "good."

One Desired Facility - The response most often reported was a desire for no additional new recreation facilities, volunteered by more than one of every five respondents (22%). The recreation facilities cited as most desired by Moreno Valley residents surveyed were swimming pool for recreation or lessons (10%), dog park (5%), playgrounds/tot lots (4%), skateboard park (4%), and walking/running/jogging paths (4%). The next most often mentioned facilities (each at 3%) included bike paths/trails, soccer fields, water games/water park, and baseball fields.

One Desired Program - The response most often reported was a desire for no new recreation programs, volunteered by nearly one of every three respondents (29%). The recreation program types most often mentioned included dance instruction or classes (7%), wwimming lessons (6%), aerobics, spinning, or fitness instruction or classes (5%), arts or crafts instruction or lessons (4%), reading, language, spelling or writing instruction or classes (4%), personal development or business instruction or classes (4%), martial arts classes (3%), cooking instruction or classes (2%), music instruction or classes (2%), early childhood development classes (2%), gymnastics instruction or classes (2%), and yoga, meditation, or stress relief instruction or classes (2%).

Cultural Facility Needs - Households polled reported high likelihood of using all of the tested types of facilities, with the highest share of residents (80%) stating they would use a performing arts center and the smallest share (71%) stating they would visit art galleries, art festivals and events.

Demography - Key demographic characteristics (household composition and ethnicity) of households interviewed were compiled and reviewed against comparable benchmark data from the 2000 Census and/or the 2006 American Community Survey to conclude that the sample of respondents polled is a statistically reliable representation of the City of Moreno Valley as a whole.

Key Findings - In analyzing the above data from the resident phone survey, the Consultant Team prepared a list of pertinent facts that, along with the other community outreach tools, were used in determining the key findings from the demand and needs analysis. These facts include:

- 74% of population uses Moreno Valley park and recreation facilities/programs once a month or more
- 34% of the population use park facilities and/or programs through their work
- 45% of the population use indoor recreation facilities
- 81% of the population approve of the level of park maintenance provided by the City
- 80% of the population desires a performing arts center in the City
- 71% of the population want more cultural events
- People tend to use parks in their neighborhood the most
- The top 8 new recreation facilities desired by those surveyed were:
    - ✓ Aquatic center
    - ✓ Dog park
    - ✓ Tot lots
    - ✓ Skate parks
    - ✓ Trails
    - ✓ Soccer fields
    - ✓ Water splash/play areas
    - ✓ Softball/baseball fields
- Almost half of the population said they use indoor recreation facilities, yet the most requested new facilities are all outdoor facilities
- A high percentage of people use park and recreation through their work which is justification for considering a park impact fee on commercial/retail/industrial development
- A new performing arts center and more cultural programming is a high community demand

- There was a high desire for neighborhood parks that are conveniently located and contain water play, dog park, skate park, trails, tot lots and sports fields. However, in the interviews and workshops people indicated these types of facilities should be centralized in large community facilities
- With such a high approval rate of park maintenance levels there doesn't appear to be a need to change the level of service, just to find funding to continue to provide at least the same level of service in the future

The input gained from the resident phone survey provided additional and significantly different input then that of the stakeholder interview public outreach process. This is why the consultant team uses a variety of public outreach tools to ensure all segments of the community are able to give their input.

ORGANIZED SPORTS GROUPS' QUESTIONNAIRE

There are a number of non-profit sports groups in Moreno Valley that provide sports programs for youth and adults in addition to the sports programs the City provides directly. The Moreno Valley Parks and Community Services Department provides field allocation and scheduling for all of these groups and meets with them on a regular basis to resolve conflicts.

In addition to a Focus Group meeting with the various youth and adult sport's organizations serving Moreno Valley, the Consultant Team prepared a written questionnaire for each group to fill out and submit so the current field usage and projected demand for fields could be determined.

A copy of the questionnaire is contained in **Appendix A**. From the data obtained the Consultant Team identified some key points affecting the sports groups:

- Lack of a centralized sport's complex with sufficient number of fields to host local and regional tournaments
- More lights are needed on school fields to increase available practice time
- The softball fields at March Field Park need improvements, especially new lights
- Open informal turf areas are needed in neighborhood parks for soccer and football practices
- It appears the number of softball and baseball fields currently available meet the current demand, however, there is a lack of soccer fields to meet the demand for soccer programs
- The sport's organizations are pleased with the City's scheduling and allocation of field space process
- There is satisfaction with field maintenance on City parks, except for fields at El Potrero Park; however, all groups sited a lack of proper maintenance on school fields

- All sports groups want to expand tournament offerings and year around clubs and clinics

A summary of the results from the questionnaires received from the sports groups is contained in **Table 5.2.A – Summary Results from Sports Group Questionnaires**. The results show that these non-profit sports groups serve over 6,600 participants in the City. It also shows that most sports groups are going to year around programs, which is resulting in field use conflicts. Most sports groups show significant growth projections if new fields for both practice and games can be developed. All sports groups want more lights on fields to make available more practice time. Finally, there is demand and support for the development of a centralized sports complex in Moreno Valley for local and regional tournaments.

COMMUNITY INPUT WORKSHIPS

As part of the public outreach process to determine the needs and demands of the greater community with regards to parks, facilities, and recreation programs, the Consultant Team, along with city staff, conducted a number of community input workshops. A general community workshop was held where the public was invited to give their input on park and recreation needs and four focus workshops were conducted to gain input on specific issues dealing with sports groups, cultural arts groups, trails and human services agencies. The following is a summary and analysis of the key points brought out in each of the community input workshops:

General Community Workshop -
This workshop was held at the Conference and Recreation Center in the evening and about 50 people attended to give their input. The process used for the workshop included a public education program on the Master Plan process by RGW Consultants, which explained:

- ✓ Why are we doing a Park, Recreation and Open Space Comprehensive Master Plan?
- ✓ How does the process work?
- ✓ What tools are used to get public input?
- ✓ What results are we looking for?

RGW Design Group Consultants presented answers to these questions in order to inform and educate the attendees on the Master Plan process and show them how important their participation was to a successful Master Plan.

The Consultants then conducted two exercises for the people attending. The first exercise divided the room up into groups and each group was given a large tablet and asked to determine and list the three most important facilities the City of Moreno Valley is lacking or that they would like to see the City develop in the next five years; and the five most important recreation/cultural/social service programs the City should be offering to the community in the next five years. The group had to come to consensus and then present its priorities to the room.

The second exercise consisted of passing out a survey form that lists park and recreation facilities and programs down the left side of the form with a rating scale of 1 to 5 across the top. Each participant was asked to rank their priority for each facility

and program from 1 to 5, one (1) being the highest priority for the City to provide to the community and 5 being the lowest priority for the City to provide.

The following are the results of the two exercises.

Group Exercise – In this exercise the room was divided into groups of 4-6 participants who work together to define the three most needed facilities in the next five years for the City of Moreno Valley and the five more important programs that they would like to see offered by the City. A summary of each group's consensus is as follows:

Group One:

Three most needed facilities:
1. Indoor sports facilities for volleyball, basketball, and indoor soccer
2. Performing arts center for visual and performing arts
3. Football fields

Five most needed programs:
1. Girl's sports
2. Teen programs and teen center
3. Tutoring and homework programs
4. Ice skating and roller skating programs
5. Homemaking classes including; sewing, cooking, etc.

Group Two:

Three most needed facilities:
1. Sports complex
2. More riparian areas and trails
3. Large central park with lots of amenities for children and families

Five most needed programs:
1. Programs and activities for kids
2. Cultural and fine arts programs
3. Childcare programs
4. Passive parks and nature programs
5. After-school programs

Group Three:

Three most needed facilities:
1. Bike paths
2. Transportation services
3. Expanded senior center

Five most needed programs:
1. Senior programs
2. Fitness programs
3. Anti-graffiti programs
4. Transportation services
5. Better information on existing programs

Group Four:

Three most needed facilities:
1. Performing arts center
2. Music and dance studios
3. Bike paths

Five most needed programs:
1. Music classes for youth, teens and adults
2. Dance classes and dances for teens
3. Family bike events
4. After-school programs
5. More sports programs

Group Five:

Three most needed facilities:
1. Major sports complex
2. Neighborhood parks
3. Performing arts center

Five most needed programs:
1. More youth activities
2. More senior activities
3. More City festivals and events
4. Music and dance classes
5. Programs for families

Group Six:

Three most needed facilities:
1. Library / media center
2. Performing arts center
3. City zoo

Five most needed programs:
1. Journalism and writing programs
2. Performing arts classes
3. Computer instruction
4. Living skills for youth classes
5. Swim classes

Group Seven:

Three most needed facilities:
1. Aquatic complex
2. Roller and ice skating rink
3. Gymnasium

Five most needed programs:
1. Swim programs
2. More variety of contract classes
3. Performing arts classes
4. Band activities
5. Baseball

Group Eight:

Three most needed facilities:
1. Performing arts center
2. Museum
3. Lighted soccer fields

Five most needed programs:
1. Better way to advertise program information
2. Music and dance classes
3. Youth sports
4. Art and photo classes
5. Anti-graffiti programs

Individual Exercise:

Each individual attending the community workshop was given four colored dots, red, green, blue, and yellow. They were asked to proceed to a board located at the head of the room and place their dots next to a list of 70 types of park and recreation facilities and programs. Each participant only had four dots to place on what they felt was the most needed facility and programs for Moreno Valley. **Exhibit 5.2.A – Community Input Workshop – Individual Exercise Results** is a graphic of how the group placed their dots. The individual exercise produced different results for the most needed facilities and programs from the group exercise.

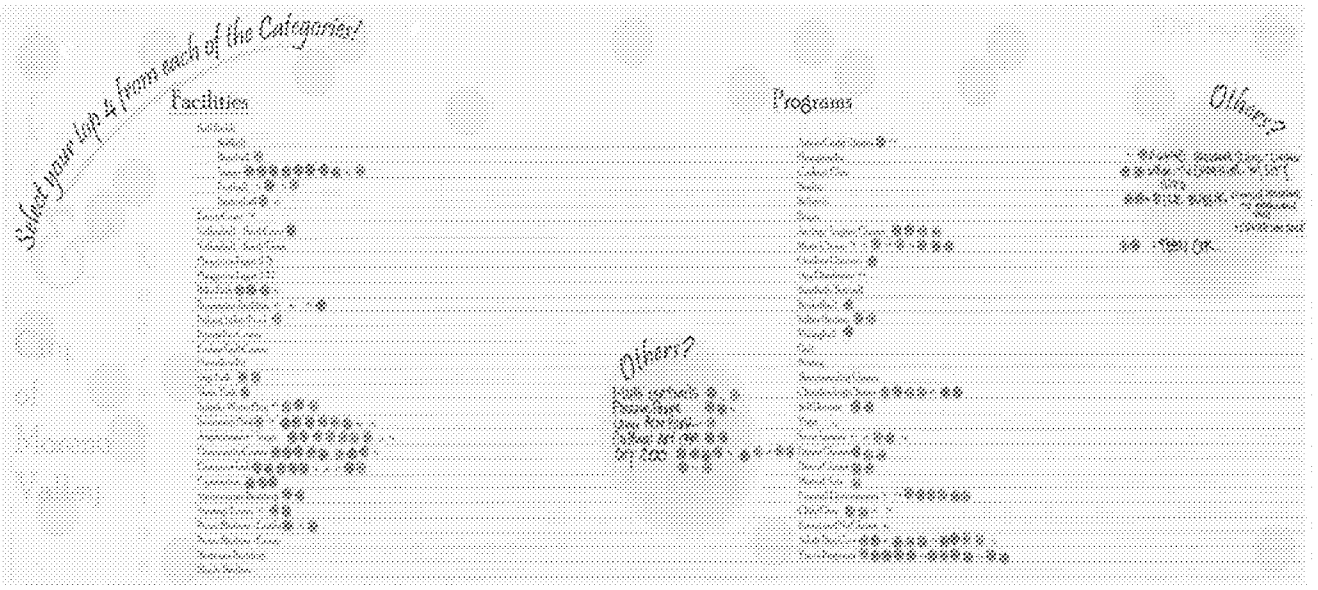

Exhibit 5.2.A – Community Input Workshop - Individual Exercise Results

PRIORITIES FOR FACILITIES
- ✓ Soccer fields
- ✓ Aquatic center / swimming pool
- ✓ Amphitheater / stage
- ✓ Community center
- ✓ Computer lab
- ✓ City Zoo

PRIORITIES FOR PROGRAMS
- ✓ Youth and teen programs
- ✓ Adult day care
- ✓ Personal development programs
- ✓ Cheerleading classes
- ✓ Music classes
- ✓ Swim lessons

The participants attending the general public workshop presented a wide range of requests for facilities and programs. Several themes emerged from the workshop including:

- Need for youth and teen facilities and programs
- Shift from traditional recreation programs to education, self improvement, career path programs and performing arts activities
- Emphasis on family recreation
- Popularity of cultural programs and facilities

Arts Commission Community Workshop -
RGW Design Group Consultants and City staff attended the Saturday morning focus group workshop hosted by the Moreno Valley Arts Commission. The purpose of the workshop was to invite and gain input from a wide variety of community arts groups and artists as to what the cultural arts needs are in the city and how the City can work with community arts groups and artists to meet those needs.

About 30 people attended the workshop representing over 20 community arts groups and organizations and several individual artists in Moreno Valley. **Exhibit 5.2.B – Cultural Groups Assessment** is a spread sheet showing some of the cultural groups who attended and their contact information and requested future needs. Each agency or group attending was given the chance to assess the current facilities and art program offerings in Moreno Valley and express their desires for facilities and programs for the future.

The following is a summary of their input:

- There are several local dance groups in Moreno valley that need a place to perform
- City should talk to new management at the Mall to provide a venue for arts programs
- There needs to be more public awareness and public relations about cultural offerings in Moreno Valley

- There should be a local publication for the arts with a calendar and information about cultural programs in Moreno Valley
- The internet should be used as a way to broadcast local performances.
- Recent growth has created a local audience so the City needs more venues for arts programming
- There needs to be a partnership developed between the Press Enterprise newspaper and the MV Arts Commission to inform and educate the community on arts and culture
- The City needs venues to display art work, particularly student art work and emerging artists who do not have private gallery connections
- There is a critical need for a new performing arts center with a proper stage and theater. Existing stages and theaters at the high schools are over used and are deteriorating due to lack of maintenance and improvements. While the Conference and Recreation Center stage is utilized by several groups, it is not a proper theatrical stage and theater
- If Moreno Valley had a performing arts center residents would not have to travel to Riverside, San Bernardino and Orange County for cultural activities
- The community wants more cultural events, and there should be a signature event to stimulate interest and support for the arts
- The current rental fees for parks and City facilities are too high for struggling non-profit arts groups. The City needs to provide an enticement to local arts groups by providing a lower fee for cultural programming by community arts groups
- The Arts Commission should look into developing a vehicle for local arts groups to get sponsorships from service clubs, businesses and help in grant writing
- There is a need for more cultural diversity events in the parks to bring people together and promote cultural understanding
- Mural programs are popular and should be looked into to reduce graffiti, provide artistic outlets, preserve history and beautify the community
- Need to work with and involve the schools in performing and visual arts programs
- There is a demand for studio space for dance and music. More classes for teens and youth are especially important

All of the attendees, as well as the Arts Commission, supported the concept of pursuing the development of a performing arts center in Moreno Valley. Some of the conceptual ideas included combining the performing arts center with a new library

and sharing reception, conference room, restroom, and parking space. Adding a display gallery and studios and classrooms was also suggested. Other suggestions included a dual purpose performing arts center with two stages, one for concerts and music and one for theatrical productions. The consensus from the participants was that the Master Plan should address the need for a performing arts center and art venues throughout the City.

Focus Workshop for Sports Groups -
In addition to the sports groups questionnaire detailed above, the Consultants and staff conducted a focus group workshop for all of the groups who conduct youth and adult sports programs in Moreno Valley. The focus group workshop gave each of the sports groups an opportunity to give input into both what their specific needs for the future are and what they would like to see in the way of sports facilities developed in Moreno Valley. The key findings from this focus workshop include:

- There is a need for more lighted fields to extend practice time
- More school fields need to be developed for sports groups' use
- A centralized community sports complex is needed for both league games and to host local and regional tournaments
- The growth of most organizations is limited by the lack of available fields and practice facilities
- Sports groups are willing to pay field use fees to cover direct costs; however, fees must be reasonable or the non-profit groups will not be able to provide programs
- The City's process for allocating fields and scheduling between the various user demands works well and all of the groups appreciate the City's efforts.

Focus Group Workshop on Human Services -
RGW Consultants attended a Human Services Workshop sponsored by the Moreno Valley Unified School District where over 60 people representing 30 agencies that deliver social and human service programs to Moreno Valley residents attended. The main purpose of the workshop was to form a collaboration to provide a continuum of service between agencies and thus provide a more effective social and human services network to serve the community. The City of Moreno Valley plays a vital role in the delivery of social and human services to children, families and seniors. By collaborating with school districts for after-school day care programs, public safety on gang prevention and youth programs, and other public and non-profit agencies for senior citizen services, the City plays a key role in the social services network for Moreno Valley.

Focus Group Workshop for Trails –
RGW Consultants, along with staff, conducted a focus group workshop sponsored by the Moreno Valley Recreational Trails Board where the committee and interested citizens gave their input regarding the trails issues that should be addressed in the

Parks, Recreation and Open Space Comprehensive Master Plan. It should be noted that the City does have a separate Trails Master Plan, and it is not in the scope of the Park, Recreation and Open Space Comprehensive Master Plan process to update the Trails Master Plan. However, trails are a recreation facility that a large segment of the population spends their leisure time on, and as such, it is important for the Parks, Recreation and Open Space Comprehensive Master Plan to address the demand and need for trails and consider trail issues in preparation of the Plan.

While the majority of discussion at the focus workshop on trails was on the need for the City to implement the Trails Master Plan, there were a number of comments and public input regarding several trail issues. A summary of the comments and issues includes:

- There is a need for trailheads and trail connections, example; Hidden Springs Paseo connects to Box Springs Park
- Brodiaea connection trail head would be a great one to do very soon, as it is an excellent area to park/ride and use as a starting point for bikes and or hiking
- Trails should be multi-use, not just for equestrians
- There needs to be trail connections to Perris Lake
- Currently motorized vehicles are not permitted. This is good! Trail policy suggestions:
    - ✓ Blocking or limiting of motorized vehicles to segways and power chairs used by non-mobile persons
    - ✓ Trails/connections that are horse friendly
    - ✓ Trails do not have to maintain urban feel could be rural
    - ✓ Crosswalk buttons should be located at a height for horse riders
    - ✓ Possibly integrating trails and horse trails into golf courses
    - ✓ Preservation of topography of Moreno Valley
- Currently users feel they are being limited on their options and choices due to the City and County's maternal approach
- Trails could possibly be located on flood channels? At Sunnymead Park and Perris there is an existing flood channel; there was talk of adding a trail here but it did not go through due to vandalism
- Development of industrial area is a possibility of multi use trails, although it seems that trails are the first thing to go when budgets get tight. City should require industrial builders to install trails as part of their ability to build within Moreno Valley
- When a developer comes in and a proposed trail or existing one is affected, the possibility of relocating the trail rather than not putting one in at all would be an equitable solution

- March AFB is a great opportunity to provide connections to and from Moreno Valley via multiuse trails
- Need and want of more horse trails on the south side of the freeway
- Equestrian Center located above the freeway makes it hard for connections
- Sinclair crossing is very important ingress/egress

5.3 SUMMARY ANALYSIS OF PUBLIC OUTREACH

As stated above a total of eleven different public outreach tools were used to gather the above public input for the Parks, Recreation and Open Space Comprehensive Master Plan. **Exhibit 5.3.A – Summary Results of Public Outreach** is an analysis of the programs and facilities requested during all of the public outreach tools. The Consultant Team kept track of every request made for a program or facility while conducting each of the public outreach tools. All of the requests are listed in **Exhibit 5.3.A – Summary Results of Public Outreach** and a value was given to each request for each outreach tool it was requested in. The number of requests was then divided by the number of outreach tools to get a "Request Rating" which is an indication of the popularity of the request when all outreach tools are considered.

The results of this analysis, while not scientific, does give a relative comparison of programs and facilities requested by the public so that the City can see the demand or requests made for programs and facilities in light of demand or requests made for other programs and facilities. The "Request Rating Percentage" represents the popularity of the program/facility category relative to the other program/facility categories. The ratings were used as one tool to determine priorities for recommendations for programs and facilities in Chapter's 6 and 7.

Theoretically, if the Moreno Valley Parks and Community Services Department would provide all of the programs and facilities listed, it would meet all of the needs and demands requested by the public during the public outreach process. In reality, the City may or may not be able to address or provide all of the programs and facilities listed; so there needs to be a way to determine what the greatest demand from the public outreach is and then make decisions accordingly. The Request Rating is an attempt to provide a perspective as to the level of demand for each program/facility category. The following is a summary of the Request Ratings:

Request Rating for Sports Facilities	59%
Request Rating for Teen Programs	55%
Request Rating for Adult Programs	52%
Request Rating for Senior Programs	48%
Request Rating for Cultural Programs	45%

Request Rating for Aquatics	42%
Request Rating for Youth Programs	34%
Request Rating for Special Interest Programs	32%
Request Rating for Community Events	31%
Request Rating for Special Use Activities	15%
Request Rating for Extreme Sports	14%

This analysis shows that requests for sports programs and facilities scored the highest during the public outreach process. Requests for adult, teen, senior, cultural and aquatic programs also scored very high. While the other program and facility categories were less requested, they still represent needs and desires of the community and should be addressed if resources allow.

5.4 PARKLAND COMPARISON ANALYSIS

The following table compares parkland and park standards of Moreno Valley with those of cities with similar populations and demographics. The cities chosen for comparison are the same cities Moreno Valley uses to compare itself with for wage determination and city fee ordinances.

Moreno Valley has three parks less than the comparison average for number of parks, and it has 70 less acres of parkland than the comparison average. In terms of parkland per thousand of population, Moreno Valley is about 3/4 acre per thousand of population less than the comparison average. The fact that Moreno Valley is above the comparison average in population and below the comparison average in parkland per 100 population means there is less park space per resident in Moreno Valley than in the comparison cities. However, Moreno Valley's Box Springs County Regional Park and Lake Perris State Park gives Moreno Valley residents additional park space that is not shown in the comparisons. Still, there is a future need to increase the acreage of neighborhood and community parkland in Moreno Valley.

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Comparison Average	Moreno Valley
# of Parks	34	36	15	54	36	35	34
Total Acres	440	310	111.4	931.52	351	428	393
Population	147,500	188,500	51,397	311,575	101,000	159,994	184,000
Ac/1000 Pop	2.98	1.64	2.16	2.99	3.47	2.65	2.14
GP Std	3.5	5	3	3	5		3
Surplus / (Deficiency)	(.52)	(3.36)	(.84)	(.1)	(1.53)	(1.27)	(.86)

Table 5.4.A – Parkland Acreage Comparison Analysis

5.5 FACILITY COMPARISON ANALYSIS

This next table compares the nine most requested new recreation facilities identified in the citywide resident phone survey and community workshops with the number of like facilities in the comparison cities used for parkland comparisons. Some of the trends or key findings include:

- 4 of the 5 cities surveyed have developed aquatic centers, which Moreno Valley does not have
- Only 2 of the 5 cities have dog parks, which Moreno Valley does have
- Moreno Valley has a few less tot lots than the other cities
- 3 of the 5 cities have skate parks, as does Moreno Valley
- All 5 cities have developed a community sports complex, which Moreno Valley has plans to do
- 4 of the 5 cities have a park with a splash/water feature, as does Moreno Valley
- 4 of the 5 cities have a dedicated teen center, which Moreno Valley does not
- All cities have a dedicated senior center including Moreno Valley
- The cities that have all of the requested facilities are Fontana, Riverside and Temecula

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Moreno Valley
Aquatic Center	No	Yes	No	Yes	Yes	No
Dog Park	No	Yes	No	Yes	Yes	Yes
Tot Lots	30	37	7	61	28	27
Skate Parks	No	Yes	No	Yes	Yes	Yes
Trails	Yes	Yes	No	Yes	Yes	Yes
Sports Complex	Yes	Yes	No	Yes	Yes	No
Water Feature	Yes	Yes	No	Yes	Yes	Yes
Teen Center	No	Yes	No	Yes	Yes	No
Senior Center	Yes	Yes	Yes	Yes	Yes	Yes

Table 5.5.A – Facility Comparison Analysis

The next table compares the number of cultural facilities most requested during the public outreach process with the number of cultural facilities available to residents of the comparison cities.

Some key findings include:

- Three cities including Fontana, Riverside and Temecula have all the cultural facilities requested for Moreno Valley
- Three of the cities have a performing arts center, which was the most requested cultural facility for Moreno Valley

- All of the survey cities have a community amphitheater/stage and offer a wide variety of community events at the amphitheater site
- All of the cities have at least one museum, as does Moreno Valley
- Three of the five cities have public gallery space for local artists to display

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Moreno Valley
Performing Arts Center	No	Yes	Yes	Yes	Yes	No
Dance & Music Studios	Yes	Yes	No	Yes	Yes	No
Library	Yes	Yes	Yes	Yes	Yes	Yes
Amphitheater with Stage	Yes	Yes	Yes	Yes	Yes	No
Museum	Yes	Yes	Yes	Yes	Yes	Yes
Art Gallery	No	Yes	No	Yes	Yes	No

Table 5.5.B – Programs Comparison Analysis

5.6 KEY FINDINGS AND SUMMARY OF DEMAND ANALYSIS

The public outreach tools provide a wide range of input into what the community would like to have for its parks, facilities, recreation and cultural programs. The types of facilities and programs requested during the input process followed along the lines of the national and state trends explained in Section 5.2. Moreno Valley residents are concerned with and want facilities and programs that address fitness, preventive recreation as an antidote for social problems, family recreation and cultural opportunities, volunteering, protecting open space, places to perform, indoor recreation, sports facilities and aquatic programs. This is what they perceive as a successful park and recreation delivery system.

Sports facilities and sports programs were the most requested recreation category. This is due to the public's desire for youth and adult programs that promote fitness and exercise, involve people in positive activities, offer opportunities for volunteering, and bridge ethnic barriers. They perceive sports programs as antidote for social problems by providing positive use of leisure time and a chance for self growth and confidence. It was clear during the public input that sports facilities and programs are important to Moreno Valley residents.

Another important category to Moreno Valley residents was cultural facilities and programs. Again, there were numerous comments about cultural programs being the solution to social problems. Creative outlets, chances to socialize in a productive way, promotion of ethnic understanding and chances to learn were all mentioned as the benefits of including cultural facilities and programs in the park and recreation delivery system.

Aquatic facilities and programs received a high request rate, especially from the general public in the resident phone survey. Making kids water safe, opportunities to cool down in the summer, year round swim fitness programs, competition swimming, mommy and me and family recreation opportunities were all comments received as to why aquatic programs were important to residents.

Participating in recreational activities through their work and place of business was indicated by a high percentage of Moreno Valley residents. Companies and businesses realize that fit, healthy and happy employees are more productive and reduce health care costs and reduce office gossip and social problems. Encouraging employees to recreate together also builds team work and creates a family atmosphere at work. A successful park and recreation system in a community also acts as a recruiting tool for business.

Just as people want to live in a city that a multitude of recreation and leisure time opportunities are available, people want to work in areas where they can recreate before or after work, or during their lunch hour. Being able to walk for fitness in a secure, safe and attractive environment was the biggest response for the type of recreation people participated in at work. Lunch time basketball programs, fitness classes and workout equipment were also high on the list of comments of how people recreate while at work. Participating in team sports, especially softball and volleyball leagues with follow employees was also sited as a work benefit.

Finally, people said they enjoyed and felt a part of the community when their business or company participated in community events and supported good causes in the community.

Targeted activities for specific age groups were a common theme in each of the public outreach tools. While family recreation was identified as being necessary for a successful park and recreation system, specific programs appealing to youth, teens, adults and seniors were repeated as desirable in each of the public input tools conducted.

There seems to be a wide variety of opinions as to what facilities are needed in Moreno Valley in the future to meet community needs for recreation and cultural activities. There were very ambitious requests for facilities like a City zoo to provide education and attract tourists and requests for a large central park like Mile Square Park in Orange County that would contain lots of recreation amenities for both locals and tourists.

Cultural facilities, especially a performing arts center, were eluted to as being necessary in almost every public outreach tool used to gain public input into what Moreno Valley needs in the future. Several suggested that a multi-purpose performing arts center with studio and classroom space, as well as, gallery space would benefit and serve the community. With Moreno Valley's diverse culture and abundance of local talent that needs places to create and perform a performing arts center is highly desirable. Some suggested that a performing arts center should be

incorporated into a new library/media center to build community support for both facilities and share land and costs for development.

While most participants acknowledged that these ambitious projects would be nice to have in Moreno Valley and should be considered as desirable in the parks and recreation master plan, most were more concerned with the City's ability to meet basic recreation needs for neighborhood parks and community parks that contained the types of facilities that would allow the City and community groups to deliver a comprehensive parks and recreation system of programs for youth through senior citizens.

After analyzing all of the community input the Consultant Team put together the following list of facility and program needs identified in the input process that should be addressed in the parks and recreation master plan so that recommendations and implementation strategies can be developed for City consideration.

The list is divided into categories matching those in **Table 5.3.A – Summary Results of Public Outreach**.

Sports Facilities

- Need more lights for school fields to increase practice time
- Need for a sports complex for league and tournament play with multi-sized soccer fields that can also accommodate football
- Inclusion of sports fields in future neighborhood and community park development
- Need to replace the lighting system on the softball fields at March Field Park
- Utilization of the existing roller hockey arena for more teen and family programming
- Including multi-purpose exercise rooms in future community centers
- Finding ways to partner with schools to open more school fields for community sports groups
- More sports programming for seniors

Teen Programs

- A way to provide a dedicated center for teen activities that would include homework/tutoring assistance, media center, entertainment, and supervised sports programming
- Need to involve teens in environmental programs

- Need to promote and provide meeting room space for scouting and other positive specialized programs for teens
- Offering more contract classes aimed at teens, such as cheerleading, drill team, dance lessons, roller skating, skateboarding, golf, music, acting, singing, etc
- Looking at ways to implement a teen mentoring program
- Addressing teen transportation needs
- Incorporating more activities specifically for teens at community events and concerts, such as talent shows, places to exhibit artwork, extreme sports exhibitions, and special competitions

Adult Programs

- More fitness and wellness facilities and classes
- Need for more self-improvement classes and activities
- Address the need for more meeting room space for clubs, organizations, parties, etc
- More soccer fields for adult soccer programs
- Need more before and after work program offerings and lunch hour fitness programs
- Recruitment and training of adult volunteers

Senior Programs

- Need to expand Senior Center with more classroom space, outdoor activity space and entertainment areas
- More socializing programs like holiday events, dances, themed parties and entertainment events
- Need for more Adult Day Care facilities
- Need to address needs of minority seniors and implement programs to attract them to the center
- Increased sports and fitness offerings for seniors

Cultural Programs

- Address the need for the community's desire for a multi-purpose performing arts center

- Need places for local talent to perform, both indoors and outdoors
- More culturally oriented community events
- Places for local artists to display
- More performing, music, dance and other fine arts classes and activity offerings
- Supporting and expanding museums for education and destination attraction
- Development of an amphitheater/stage for outdoor entertainment and community festivals
- Better vehicle for providing community information on cultural activities
- Address the need for a new library/media center
- Exploring the opportunities to partner a new library/media center with a performing arts center

Aquatics

- Year round swim lessons, parent and child classes and water safety instruction
- An aquatics complex that is financially sustainable offering recreational swim, competitions, rentals, concessions, swim fitness and therapy programs
- Splash/water play features in local neighborhood and community parks

Youth Programs

- Continuing and expanding offerings for after school programs
- Working with schools for dedicated facilities for after school programs
- More fitness programs for youth
- The need for child care facilities
- More children's tot lots and play equipment
- Working with non-profits to increase program offerings and youth activities to the community

Special Interest Activities

- Address the need for more bike paths

- More areas for walking and jogging
- Need for family and group picnic shelters
- Expanding equestrian facilities/trails
- Consider an Adopt-A-Park program
- Consider options for a possible City zoo
- Consider options for a nature center/environmental park

Community Events

- Look for financial ways to do more community festivals, concerts and holiday events
- Address the need for an area to host art fairs, farmers markets, expositions, promoter events, memorial programs, and other targeted audience events
- Include event areas in the design for new community parks
- Include more fitness activities in community events

Special Use Activities

- Explore ways to develop hiking trails and hiking programs
- Look at possibilities for a large central park that could be developed over the years to provide lots of recreation amenities for locals and visitors
- Include dog parks in future neighborhood park developments
- Include water features in future community park development
- Include park restrooms whenever a sports field is included in a park design
- Look for ways to increase off-site parking at existing parks and facilities and include adequate off-site parking in new park designs
- Look at options for including required paths/walkways/trails in new business and industrial development
- Include pads for inflatable toys or other birthday amenities when designing neighborhood parks
- Explore options for attracting a commercial family fun center to the City

Extreme Sports

- Consider expanding skate parks

- Explore options for indoor or outdoor rock climbing opportunities
- Look for areas to add par-courses to the trail system
- Explore ways to include extreme sports in community events

Conclusion

Taking into consideration the national and state recreational trends, the Consultant Team feels the key issues listed above are the priority needs and demands to be addressed in the Parks, Recreation and Open Space Comprehensive Master Plan that will provide the basis for the Consultant Team's recommendations for facilities and development policies contained in Section 6 and Section 7.

Table 5.2 A - Summary Results of Sports Group Questionnaires

Name of Organization	# of Fields Used	Total Participants	Projected Growth in 5 Years	Age Group Served	Do You Need Additional Fields? *	Does Your Field Use Conflict with Another Sport?	Sports Season	Future Needs?
MV Jr. All American Football	2	300	40%	5 - 15	G, P, L	Soccer	Fall-Winter	Concession, Lights, Goal Posts
Diamond Girls' Softball	17	500	50%	5 - 16	P, L	Baseball, Soccer	Fall-Spring	4 Fields, Lights, Dirt Infields
F.C.M.V. Soccer	2	200	10% +	8 - 16	P, L	No	All Year	Better Field Maint, 4 Lighted Fields
Inland United Soccer Club	2	300	60%	5 - 18	G, P, L	Football, AYSO	All Year	6 Tournament Fields
Inland United Brasil	5	270	50% +	8 - 18	G, P, L	All other sports	All Year	6 Tournament Fields
RB Jr. All American Football	2	200	10% +	5 - 15	G, P, L	Soccer	Fall-Winter	Lights, Practice Fields
MV Soccer League	5	1000	50% +	Adult	G, P, L	Football, AYSO	All Year	Game & Practice Fields, Lights
MV Pop Warner Football	2	260	10% +	5 - 15	P, L	Soccer	Fall-Winter	Practice Fields, Lights
MV AYSO	14	2700	50%	5 -18	G, P, L	Football	All Year	6 Tournament Fields, Lights
Canyon Springs Little League	10	450	5%	5 - 18	P, L	No	Winter-Summer	Improved School Fields
Moreno Valley Little League	10	460	5%	5 - 18	P, L	No	Winter-Summer	Improved School Fields
Total Participants		6,640						

(Does not include those participating in Moreno Valley Parks and Community Services Sports Programs)

* Note: G = Game Fields, P = Practice Fields, L = Lights

Exhibit 5.2.B - Cultural Groups Assessment

Group/Artist	Riverside Youth Theatre	Hula Pikake	Patricia Korzec	MuscArk and Moreno Valley Cultural Art Foundation	Dancing Images
Contact	Debbie Wolgemuth	Virgil Chancy		Cary Eatmon	Suzi Zuppardo
Phone	(951) 756-4240	(760) 217-8077	(951) 347-4555	(951) 656-4728	(951) 247-6858
Address	24200 Shady Ridge Circle	PO Box 7818	27439 Laural Court	22918 Pahute Drive	24594 Sunnymead Boulevard, Suite R
City	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley
Zip	92557	92552	92555	92553	92553
Email	RiversideYouthTheatre@msn.com	vichancy@yahoo.com	pskorzec@aol.com	caryeatmon@yahoo.com	didcenter@cs.com
Website	www.RiversideYouthTheatre.org				
Specialty	Theatre	Hawaiian dance	Painting	Recording/video website	Dance
# of Years	9 years	5 years	4 years	8 years	29 years
Private or 501C	501C	Private	Private	501C	Private
Annual Budget	$89,100			$200,000	$90,000/$45,000
Funding	Donations (5%); Dues (29%); Tickets (60%), Other (6%)			Fundraisers ($20,000)	Fundraisers, dues, tickets
Venues	Churches, Colleges	Luaus, parties, City		Website	Schools
Upcoming Performances	Elton John & Tim Rice's Aida 5/08; Disney's Aristocats and Andrew Lloyd Webbers Cats (8/08); Fiddler on the Roof (1/09); Wallace Theatre, California Baptist University	City of Riverside (6/08)		Short film contests	Annual concert 8/08, Colony HS
Greatest Need	Own facility	Funding for families that have shown commitment	Place to hang art in City	Sound stage for film and broadcasting	Local venues to perform; help setting up 501C; grant assistance

Group/Artist	Moreno Valley Art Assoc - DISBANDING	Moreno Valley Community Band	Agustin Equihua-Ortiz	Don Phillips	Minister Sandts Rountree
Contact	Lauretta Phillips	Robert Miller			
Phone	(951) 247-4848	(951) 485-2344	(951) 743-3274	(951) 247-4848	(951) 314-7801
Address	14703 Grandview Drive	23920 Pine Field Drive	13061 Ninebark Street	14703 Grandview Drive	PO Box 7423
City	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley
Zip	92553	92557	92553	92553	92552
Email	ritaiorob@roadrunner.com	chapuys@adi.com	equihua357@yahoo.com	dondovie@adelphia.net	jmr4him@yahoo.com, srountree@mvusd.k12.ca.us
Website					
Specialty		Concert/swing bands	Visual arts	Writing	Choral, instrumental
# of Years	27 years	15 years	17 years		15 years
Private or 501C	501C	501C	Private	Private	Private
Annual Budget	Covers overhead	$20,000			$75,000
Funding	Donations, dues	Grants ($5,000); Donations ($15,000); Fundraisers ($1,000)	Commissions		Lesson fees
Venues	Edgemont Women's Club	Landis Auditorium, Moreno Valley CRC			Churches, schools
Upcoming Performances		"British are Coming" 4/24/08 CRC; "Sounds of Freedom" 6/5/08 CRC	Art show in Los Angeles; group shows; commissions; art classes in Redlands		Gospel concert 9/08; Mountain View Middle School Festival of Arts
Greatest Need	Places to show		Public art; art workshop for youth; funding and venues for display	He is starting a writers group open to all writers.	A place to teach for my business with equipment, keyboard, guitars, secure place to store.

Group/Artist	Sharon Clements	Anna Christian	Moreno Valley Master Chorale	Emily Paul	Canyon Springs HS	Canyon Springs HS
Contact			Tim Caszatt and Marcus Van Hala		Elizabeth Bega	Dave Torbert
Phone	(951) 653-0945	(951) 247-2519	(951) 247-9261 (Caszatt); (951) 485-8414 (Van Hala)	(951) 242-7752	(951) 230-2189	(951) 571-4760
Address	13534 Pan Am Blvd.	PO Box 1266	PO Box 1221	26482 Prairie Lane	23100 Cougar Canyon Drive	23100 Cougar Canyon Drive
City	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley	Moreno Valley
Zip	92553	92556-1266	92556	92555	92557	92557
Email	psments1@aol.com	gema118@hotmail.com	cazmit@roadrunner.com	EJPShultz@aol.com		dtorbert@mvusd.k12.ca.us
Website						
Specialty	Theatre, storytelling	Writing, singing	Choral music	Music - piano	Painting	Drawing and painting
# of Years			22 years	50 years	8 years	50 yers
Private or 501C			501C	Private		District
Annual Budget			$15,000- $20,000			Varies
Funding			Grants ($5,000); donations (under $1,000); dues ($4,000) tickets (under $1,000)			District funding
Venues			Churches, school, CRC, Loma Linda Campus Church, Palm Springs Adventist Church; parades, ribbon cuttings, festivals, outdoor gatherings	Churches	Canyon Springs Art Show 5/08	Schools - Displays/Shows 5/08
Upcoming Performances			Loma Linda 3/08; Shepherd of the Valley 3/08; Vista Del Lago HS 6/08		Money for supplies and field trips where students can have experiences that they wouldn't otherwise get.	Venue to show student art outside of school with ability to sell work.
Greatest Need	Interested in participation in theatre arts, storytelling, arts & crafts.Interested in signature event.		400-500 seat performance center in safe area; consistent advertising in Press Enterprise; marquee advertising City arts events outside CRC; grand piano on site; affordable center for 501C; events posted on City website; posters/flyers displayed at CRC			

TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Aquatics												
Swim Lessons	1	1		1	1	1	1		1		1	8
Recreational Swim	1	1		1	1	1	1		1		1	8
Competitive Swim	1	1			1	1				1		5
Lap Swimming	1									1		2
Water Polo	1				1							2
Mommy & Me Swim	1				1	1				1	1	5
Water Exercise	1			1						1		3
Aquatic Birthday Parties	1									1		2
Therapy Pool	1											1
Zero Depth Entry Pool	1	1			1	1						4
Splash/Water Play Pool	1	1			1	1						4
Senior Citizen Water Exercise Classes	1			1								2
Request Rating for Aquatics												**42%**
Sports Facilities												
Youth Soccer	1	1		1	1	1	1			1	1	8
Adult Soccer	1	1		1	1	1	1			1	1	8
Youth Football	1	1			1	1	1					5
Basketball	1	1		1	1	1	1			1	1	8
Boxing	1			1							1	3
Baseball	1	1			1	1	1					5
Softball	1	1			1	1	1					5
Golf	1	1								1	1	4
Gymnastics	1				1					1		3
Track	1				1							2
Cross Country	1				1							2
Volleyball	1	1								1	1	4
Horseshoes	1											1
Shuffleboard	1											1
Lawn Bowling	1											1
Frisbee Golf	1											1
Ice Skating/Roller Skating	1											1
Tennis	1				1	1						3
Request Rating for Sports Facilities												**59%**

TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Extreme Sports												
Skateboarding	1			1	1	1					1	5
BMX											1	1
Rock Climbing	1										1	2
Paint Ball											1	1
Laser Tag											1	1
Par Course/Obstacle Fitness Course	1							1	1		1	4
Off Road Vehicle Park	1											1
Request Rating for Extreme Sports												**14%**
Community Events												
Festivals	1		1	1	1	1				1	1	7
Concerts	1		1	1	1	1			1	1	1	8
Holiday Events	1		1									2
Art Fairs	1		1		1							3
Farmers Market	1		1		1							3
Expositions	1		1	1	1							4
Environmental Events	1		1									2
Outdoor Movie Nights	1					1					1	3
Memorial Programs	1		1									2
Request Rating for Community Events												**31%**
Youth Programs												
Tiny Tots Pre School Program	1			1	1	1				1		5
Church Youth Programs				1							1	2
Parent & Baby Exercise Classes					1							1
Kids Craft Classes	1		1		1	1						4
Kids Dance Classes	1		1		1	1					1	5
Kids Gymnastics	1											1
Youth Fitness Programs	1	1		1	1	1						5
After School Programs	1	1	1	1	1	1				1	1	8
Child Care	1			1	1	1						4
Children's Play Equipment	1				1							2
Request Rating for Youth Programs												**34%**

TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Teen Programs												
Academic/Homework Assistance	1			1	1	1						4
Computer Lab	1			1								2
After School Drop In Programs	1			1								2
Teen Dances	1		1	1	1	1						5
Teen Dance Lessons	1		1			1						3
Teen Talent Shows			1									1
Teen Environmental Activities	1				1							2
Gang Diversion Programs	1	1	1	1	1							5
Teen Fitness Programs	1	1			1							3
Scouting	1					1						2
Equestrian Activities	1							1				2
Special Needs Programs	1				1							2
Community Center	1			1		1					1	4
Gymnasium	1	1								1		3
Cheerleading	1											1
Teen Concerts	1		1									2
Teen Employment Help Programs	1			1	1							3
Safe Place for Teens to Hang Out	1		1	1	1	1				1		6
Teen Transportation	1	1	1	1	1	1		1		1	1	9
Request Rating for Teen Programs												**55%**
Adult Programs												
Aerobic Classes	1					1						2
Yoga Classes	1					1						2
Wellness Programs	1			1		1						3
Fitness Programs	1	1			1	1				1		5
Dance Lessons	1		1			1						3
Cooking Classes	1					1						2
Arts & Crafts Classes	1		1		1	1						4
Golf Lessons	1					1						2
Hiking	1				1			1			1	4
Jogging	1					1					1	3
Bicycling	1				1	1		1				4
Off Road Activities											1	1
Sewing Classes			1									1
Self Improvement Classes	1			1		1						3
Meeting Room Space/Clubs/Organizations	1	1	1	1	1	1				1	1	8
Self Defense for Women						1						1
Music Lessons	1		1			1						3

TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Adult Programs (cont.)												
Acting & Singing Lessons	1		1									2
Photography			1									1
Scrapbooking			1									1
T'ai Chi											1	1
Pilates											1	1
Request Rating for Adult Programs												**52%**
Senior Citizen Programs												
Meals/Nutrition	1			1								2
Financial/Retirement/Investing Counseling				1								1
Exercise Classes	1				1	1						3
Cards						1						1
Pool Table						1					1	2
Dances	1		1			1					1	4
Senior Employment Services	1											1
Senior Transportation	1		1		1						1	4
Socializing Programs	1			1								2
Holiday Parties	1										1	2
Excursions	1										1	2
Dance Classes	1		1			1						3
Music Classes	1		1			1						3
Arts & Crafts Classes	1		1			1						3
Computer Training	1											1
Support Groups				1								1
Discussion Groups				1								1
Adult Day Care	1			1	1							3
Singles Outings											1	1
Weekly Movies											1	1
Bingo	1											1
Self Improvement Classes	1											1
Indoor & Outdoor Lounge/Relaxing Area	1			1	1						1	4
Lawn Bowling											1	1
Guest Speakers											1	1
Flu Shots				1								1
Senior Expo				1								1
Game Room	1											1
Crafts Studio	1											1
Request Rating for Senior Programs												**48%**

TABLE 5.3.A - SUMMARY RESULTS OF PUBLIC OUTREACH

	General Public Workshop	Sports Group Focus Workshop	Cultural Focus Group Workshop	Human Services Focus Group	Stakeholder Interviews	Community Phone Survey	Sports Group Questionnaires	Trails Focus Group	E-Mails & Letters	Staff Interviews	Site Visit Intercepts	***Total # of Requests***
Special Use Activities												
Hiking Programs	1							1				2
Nature Trails	1				1	1		1				4
Equestrian Competition/Boarding								1				1
Trail Rides								1				1
Dog Parks	1				1	1			1	1	1	6
5K/10K Runs	1				1	1						3
Request Rating for Special Use Activities												**15%**
Cultural Programs												0
Museum Programs	1		1			1						3
Library Programs	1		1	1	1	1				1	1	7
Outdoor Education	1				1	1		1				4
Performing Arts	1		1	1	1	1			1	1	1	8
Ampitheater/Stage	1		1									2
Visual Arts	1		1		1							3
Art in Public Places	1		1		1					1	1	5
Science Programs	1		1								1	3
Places to Perform	1		1		1	1				1	1	6
Places to Display	1		1									2
Concerts	1		1		1	1				1	1	6
Request Rating for Cultural Programs												**45%**
Special Interest Activities												
Bike Paths	1				1			1				3
Equestrian Facilities	1							1				2
Fishing Lake/Pond	1											1
Meeting Rooms	1	1	1	1	1	1					1	7
Picnic Shelters	1										1	2
Park Restrooms	1	1					1				1	4
City Zoo	1											1
Transportation Services	1		1	1								3
Opportunities to Volunteer	1	1	1	1	1	1		1		1	1	9
Adopt-A-Park Program	1			1						1		3
Request Rating for Special Interest Programs												**32%**

SECTION 6 PARK LAND DEDICATION AND IMPACT FEES

INTRODUCTION / METHODOLOGY

EVALUATION OF EXISTING FEE ORDINANCES

ESTABLISHING A BUSINESS COMMUNITY SERVICES DISTRICT

OVERVIEW OF FUNDING / FINANCING PARKS AND RECREATION

MV00049571

6.0 INTRODUCTION/METHODOLOGY

Park standards are generally established through an acreage requirement or facility requirement per 1,000 residents. The Subdivision Map Act and the Quimby Act (Section 66477 of the Government Code) relating to parkland dedication allows cities whose general plan contains policies and standards for park and recreation facilities to adopt by ordinance a parkland dedication requirement or in-lieu fees on residential subdivisions.

The Moreno Valley General Plan calls for a park standard of 3 acres per 1,000 of population which is the minimum parkland dedication allowed by the Quimby Act for residential subdivisions.

The way cities determine their park acreage varies among agencies. Some cities only count city owned parkland in their calculation of total parkland acres. Others count city owned parkland and parkland that the city has access to for park purposes by agreement with other agencies, such as schools, county or state facilities or other public agency land like BLM land.

The methodology used by the Consultant Team for calculating Moreno Valley's parkland acreage in order to measure Moreno Valley against other comparable cities was to only count the City of Moreno Valley owned park acreage. The same calculation method was used for the comparison cities. The following chart shows this assessment.

Comparison Cities	Corona	Fontana	Perris	Riverside	Temecula	Comparison Average	Moreno Valley
# of Parks	34	36	15	54	36	35	34
Total Acres	440	310	111.4	931.52	351	428	393
Population	147,500	188,500	51,397	311,575	101,000	159,994	184,000
Ac/1000 Pop	2.98	1.64	2.16	2.99	3.47	2.65	2.14
GP Std	3.5	5	3	3	5		3
Surplus / (Deficiency)	(.52)	(3.36)	(.84)	(.1)	(1.53)	(1.27)	(.86)

Table 6.0.1 – Chart of Comparison Cities

When calculating parkland with this methodology one can see that Fontana has the lowest park acreage per thousand population, in this study. None of the comparable cities meet their General Plan Park Standard, including Moreno Valley, although the City of Riverside comes very close.

Looking at just city owned parkland is a bit misleading, because in reality the City of Moreno Valley makes up for a lack of city owned parkland by utilizing school fields and facilities for park and recreation purposes. The City is heavily dependent on school fields and facilities to meet the demand for sports fields, after school recreation programs and cultural programs.

The following chart illustrates how the City meets its parkland standard by using schools.

City of Moreno Valley	Analysis of Current and Future Park Acreage Requirements	
	Current	Projected 2020
Population	184,000	225,000
General Plan Recommend Park Standard	3 Acres/1,000	3 Acres/1,000
Acres Required to meet GP standard	552	675
Park Acres w/o counting school fields	393	493
Park Acres w/ counting school fields	608	733
Surplus (Deficiency) w/o schools	(159)	(182)
Surplus (Deficiency) w/ schools	56	58

Table 6.0.2 – Analysis of Current and Future Park Acreage Requirements

The contributing factors causing the parkland deficit include prior residential development that took place before incorporation which was not subject to parkland dedication requirements and smaller residential developments where in-lieu fees were paid instead of parkland dedication.

While trying to reach the General Plan Goal of 3 acres of parkland per 1,000 of population is important, it is only one measurement of how the City is providing a comprehensive park and recreation system. The total parkland acreage available counting schools used for park and recreation purposes, regional parks and state recreation areas within the City's sphere of influence should also be taken into consideration when assessing the amount of parkland available to Moreno Valley residents.

The National Recreation and Park Association recommends that urban cities strive to reach a goal of 10 acres per 1,000 of population counting local, regional and state/federal parkland and facilities within the agencies sphere of influence. The following chart shows how well Moreno Valley is doing in reaching this goal:

	Moreno Valley Parkland	School District Land	County Regional Parkland	State Park Recreation Area	Total Parkland Available	Desired Park Ratio Per 1000	MV Ratio Per 1000	MV Surplus (+) Deficit (-)
Total Acres	393	215	1,155	1,821	3,584	10	19	+9

Table 6.03 – Current Moreno Valley Parkland Surplus / Deficit

Moreno Valley does very well when schools, county regional parks and state recreation areas are added into the equation for available parkland for Moreno Valley residents.

However, the county regional parks and state recreation areas are special use facilities, and while offering recreational opportunities to Moreno Valley residents they

don't provide community recreation facilities such as sports fields, community centers, gymnasiums, tot lots, and other typical neighborhood/community park amenities. They do provide trails for hiking, jogging, biking and horseback riding; along with swimming, camping, passive recreation and cultural museums.

The regional facilities available to residents certainly make Moreno Valley a desirable place to live, work and recreate. But the City also must provide neighborhood and community park facilities to really deliver a successful park and recreation system. Neighborhood and community parks are provided by parkland dedication and in-lieu fee requirements and park impact fee requirements. The following section discusses and analyzes Moreno Valley's Parkland Dedication and In-Lieu Fee Ordinance and its Park Impact Fee Ordinances.

6.1 EVALUATION OF EXISTING FEE ORDINANCES

QUIMBY ORDINANCE

Park standards are generally established through an acreage requirement or facility requirement per 1,000 residents. The Subdivision Map Act and the Quimby Act (Section 66477 of the Government Code) relating to parkland dedication allows cities whose General Plan contains policies and standards for park and recreation facilities to adopt by ordinance a parkland dedication requirement or in-lieu fees on residential subdivisions. It also allows cities who have made the proper findings and determinations to extend the parkland dedication or in-lieu fee requirement to non-subdivision residential development.

The Quimby Act sets a minimum of three (3) acres per 1,000 of population, but allows cities to require a greater amount of parkland dedication if the city can demonstrate the need for a greater amount of parkland dedication and show that it does indeed provide more than three (3) acres per 1,000 of population.

A city can also choose not use the Quimby Act authority for parkland dedication and adopt its own Parkland Dedication and In-Lieu Fee Ordinance. Cities that desire to have a park dedication standard more than the Quimby standard, and do not currently meet the Quimby standard, use this approach to increase their General Plan standard and require a greater parkland dedication by local ordinance.

Many cities have General Plan Goals and have adopted ordinances requiring five (5) acres of parkland dedication for all residential development; however, Moreno Valley's General Plan contains a goal of three (3) acres per 1,000 of population. As mentioned above, the City augments its parkland dedication requirement with regional parks and use of school property for park and recreation purposes.

By doing this the City is able to reach a parkland ratio of 3.2 acres per 1,000 of population.

Density is another factor that affects the amount of parkland dedication the City receives from residential development projects. When determining the amount of parkland dedication required from a specific development, the City uses the adopted ordinance ratio of three (3) acres per 1,000 of population and determines the projected population of the development project by the density of the proposed project.

In Moreno Valley the single family detached home density is 3.69. The State average is 3.54.

For example, in comparing Moreno Valley to another city with the same parkland dedication requirement, but an average density factor, shows the difference in required parkland dedication from the same number of units.

Example Project: 300 Single Family Detached Units

Moreno Valley

300 Units X 3.63 Density = 1,089 Population

Parkland ratio = 3 acres /1,000

Required Dedication = 3.26 Acres

Example Average Density City

300 Units X 3.54 Density = 1,062 Population

Parkland ratio = 3 acres /1,000

Required Parkland Dedication = 3.19 Acres

Even though the number of units to be developed is the same for both cities in the above example, Moreno Valley will receive almost 1/20 of an acre (2,178 square feet) more parkland for exactly the same development project.

The City's Parkland Dedication and In-Lieu Fee Ordinance allows the City, in most cases, to determine when to require parkland dedication and when to accept payment of in-lieu fees. In general the City accepts parkland dedication if the property to be dedicated is needed for park purposes, adjacent to a school or existing park, or contains a special feature such as open space or an historical site which the City wishes to preserve. The City, per the ordinance, must accept in-lieu fees for residential development of 50 units or less.

When in-lieu fees are paid instead of actual land dedication, the amount of the in-lieu fee is based on the fair market value of the number of acres that would have been required for dedication. In Moreno Valley's ordinance the fair market value is established by a resolution of the City Council updated annually based on market conditions.

It is assumed that the property to be dedicated would be appraised with infrastructure in place, i.e. roads, curbs, sewers, water, and utilities to the site. However, this is not specifically spelled out in the ordinance. To avoid conflict the City should consider adding additional language explaining this requirement.

When there is a subdivision that proposes to provide private open space or park and recreational facilities the developer of that project may be partially credited against the parkland dedication requirement if the City determines that it is in the public interest to allow a 25% reduction of the parkland dedication requirement. To make this determination, the City takes into consideration if the private open space or park and recreational facilities are proposed for an area that is reasonably adapted for use as recreation or park purposes; the topography will allow for use of the proposed area for park and recreation purposes; the area is accessible from the proposed development; and the maintenance and provision of the private open space or park and recreational facilities is provided for by written agreement and restricted to open space, park and recreation uses by recorded covenants on the deed.

The theory behind this section of the ordinance is that homeowners within the development will be paying for the open space and park and recreation facilities and therefore will have less of an impact on the City's open space, park and recreation facilities. Thus, the City allows a 25% reduction in the parkland dedication or in-lieu fees if at the City's discretion the proposed development contains sufficient open space, park and recreation facilities to serve as a neighborhood park for the proposed development.

Yards, set-backs, median islands, drainage areas, hillsides, and other required open space for approval of the tract map cannot be considered as credit against the parkland dedication requirement.

The City's Quimby Parkland Dedication and In-Lieu Fee Ordinance allows for an alternative procedure that the City, at its discretion, may use to acquire parkland dedication of parkland not within the proposed residential development. For example, if a developer owns a parcel of property adjacent to an existing park, school, or regional park facility, that the City determines would benefit the City's park and recreation system, the City may allow the developer to dedicate that property instead of property within the proposed residential development. Again, the City must make a determination that the proposed property dedication is needed for park purposes and that the benefits of that property dedication will reasonably serve the proposed residential development.

This gives the City the flexibility it needs to acquire park parcels that benefit the park and recreation system rather than having to accept property within a specific residential development that would have less value to the over all park and recreation system.

In summary, Moreno Valley's Parkland Dedication and In-Lieu Fee Ordinance is consistent with the Quimby Act and similar to what other cities are doing with

regards to requiring parkland dedication to mitigate residential impact on the park and recreation system.

Things the City could consider amending in the ordinance include:

- Increasing the parkland dedication requirement from three (3) acres per 1,000 of population to five (5) acres per 1,000 of population if future development warrants additional parkland dedication
- Adjusting the density factor for housing types when the 2010 census is completed
- Spelling out language in the ordinance that defines the park property to be dedicated be appraised with infrastructure in place, i.e. roads, curbs, sewers, water, and utilities to the site

PARK IMPACT FEE / DEVELOPMENT IMPACT FEE ORDINANCE

In addition to the parkland dedication requirement under the authority of the Quimby Act on residential subdivisions, the City also collects a Park Impact Fee as part of the overall "Development Impact Fee" (DIF) collected to offset traffic, public safety, parks, etc.

Quimby fees are designed to provide acquisition of additional parkland and development of new facilities to serve specific residential growth. "Development Impact Fees" are designed to offset the impact residential growth has on the existing park and recreation system.

The theory is that residents use both neighborhood parks and citywide park and recreation facilities, such as, community centers, sports fields, gymnasiums, performing arts centers, teen centers, senior centers, etc. Quimby will provide for the neighborhood parks and amenities and the DIF will provide for keeping citywide park and recreation facilities improved for the proposed residents of the new development to use.

The Moreno Valley DIF is a per unit fee established by the projected additional impact a residential development project will have on the City's existing systems. The fee is set annually by the City Council by fee resolution.

Although Parkland Dedication or In-Lieu Fees and Park Impact Fees are not applied to commercial and industrial development in Moreno Valley, this type of development has a significant impact on the City's park and recreation system.

In the citywide telephone survey 34% of the respondents said they participate in Moreno Valley parks and recreation programs through their work or place of business. Moreno Valley is located in the middle of a large urban area and provides for jobs and retail opportunities for persons living outside of Moreno Valley who use park and recreation facilities either through their place of

business or while in Moreno Valley partaking of the City's commercial and entertainment opportunities.

The statically valid citywide telephone survey done as part of the Park and Recreation Master Plan has clearly established the nexus between providing park and recreation services and people using the park and recreation system through their work or place of business. Consequently, the City may wish to consider doing further study on this issue and look at establishing a Park Impact Fee for commercial/industrial development to offset the impact on the park and recreation system.

COMMUNITY SERVICES DISTRICT FEE ORDINANCE

The City has also established Community Services Districts to pay for maintenance and operations for such things as Parks, Recreation and Designed Median Maintenance; Street Lighting; Extensive Landscape Maintenance; and Commercial/Industrial Median Maintenance.

The Parks and Community Services District is known as Zone A , which is an entity of the CSD, and covers all parcels whether developed or not that pay property tax (residential, commercial and industrial) within the City limits. "Zone A" Community Services Department was established at City incorporation. Since 1992 the annual assessment per parcel has been $87.50, which equates to about $7.30 per month from each parcel to pay for the maintenance and operation of the City's entire park and recreation system.

Up until 1998 the fees collected from "Zone A" just about covered the City's cost to provide park and recreation maintenance and operations and required very little subsidy from the City's General Fund. However, over the last decade the City has taken on more parkland maintenance, built new park and recreation facilities and responded to community recreation needs without any increases in the "Zone A" fees to offset the associated costs to provide these services.

As a result, in the 2008/09 Adopted City Budget, the income from "Zone A" fees is $4,930,800, but the "Zone A" costs for parks and recreation maintenance and operations are $9,740,984. The $4.8 million difference is made up from grants, program fees and charges and subsidy from the City's General Fund.

There are a number of reasons why the "Zone A" fee has not been increased over the years to keep up with inflation and the addition of more parkland, median islands and new recreation facilities to maintain and operate including:

- The original ordinance establishing the Community Services District did not contain language to adjust the fee annually to account for inflation
- An increase in the base fee would require a vote of the people
- The City has chosen to offset the increased costs from other sources

The CSD formed Community Facilities District #1 in 2003 in order to provide additional funding for new facilities. For FY 2009/10 $959,280 in special taxes were levied on property tax bills. The City has been able to maintain existing level of services while not raising the "Zone A" fee because it has experienced continual and significant growth over the past decade within "Zone A" which provided both new tax dollars and impact fees the City could use to make up the difference between the income generated from "Zone A" Community Services District and the actual costs for "Zone A". The City has also been successful in generating program revenue and applying for operating grants from the State and Department of Education to also contribute to making up the difference.

Zone "M" is an entity of the CSD which funds improved median maintenance and includes parcels that have approved the annual parcel charge including commercial, industrial and residential.

In the future, as growth slows and there is greater competition for allocation of General Fund tax dollars, the City may have to look to the voters for approval of additional "Zone A" fees and or "Zone M" fees if it is to maintain the current level of services for park and median maintenance and operations.

6.2 OVERVIEW OF FUNDING/FINANCING PARKS AND RECREATION

Sections 7 and 8 of the document contain recommendations for new parks and facilities and suggested implementation strategies for funding or financing the recommended capital improvement projects. The following section is an overview and explanation of various funding and financing methods available to municipal agencies from which some of the implementation strategies were derived.

This information is provided to inform the reader of options the City may consider when funding needed capital improvements.

USE OF BONDS

General Obligation Bonds make sense when a city has several different types of facilities it needs to develop and there is strong community support. For example, if a city wanted to build a new police station, community park and library, it may bundle all three into one General Obligation Bond. Hopefully this would create a wider voter support to get the two-thirds approval required by General Obligation Bonds. General Obligation Bonds usually do not succeed for special interest facilities. For example, a General Obligation Bond to build a new aquatics facility or sports complex would probably not receive the two-thirds voter approval necessary to issue the bonds.

Some cities that need to develop a number of recreation and park facilities have had success selling General Obligation Bonds to support the city's implementation of its Park, Recreation, and Open Space Comprehensive Master Plan for facility development. When voters know that the bonds will only go to a Park Master Plan that they have approved, they tend to support such initiatives.

General Obligation Bonds are paid for out of the City's General Tax Allotment Fund. So the allocation of dollars to a General Obligation Bond for park purposes will compete with the City's needs for ongoing operations and other types of needed park improvements. Only cities with excess general fund capacity are really able to use General Obligation Bonds for park and facility development.

PAYING FOR BONDS

The most common method for implementing recreation and park facility development by the use of bonds is to gain voter approval for an additional property tax assessment to pay for the debt of the Park Bonds. The bond issuing method is the same as General Obligation Bonds; they require two-thirds voter approval. However, along with the voter approval to issue the bonds, the voters need to approve an additional annual tax assessment to pay for the debt service on the bonds.

This approach is successful if there is strong community support for park facilities and implementing the Master Plan. The key to a successful Park Bond and tax assessment approval campaign is to work with a community foundation to build support for the tax assessment and to educate the voters that the additional tax assessment can only be used for development of the approved park facilities.

Most cities have found that Park Bonds with a tax assessment are most successful when placed on a general election ballot rather than a special election ballot. It usually takes at least two years to develop a community support foundation, educate the voters, and develop enough community support to get two-thirds approval. Consequently, cities most likely will only be able to do a Park Bond with a tax assessment once every 10 to 20 years.

Before this financing approach should be undertaken, the City should allocate some resources to doing a statistically valid community survey on how the community perceives the adopted Parks, Recreation and Open Space Comprehensive Master Plan if they would be willing to pay additional taxes to implement it, and if so, how much additional taxes would be acceptable.

The public's perception of value is the most important element of generating a two-thirds voter approval. For example, the community may be willing to pay an additional $30 a year on their property taxes to implement a number of facilities they believe they will use, but not $100 a year. A statistically valid random phone survey is the only way to find out what the community's acceptance might be. This is absolutely necessary if the City wishes to finance park facility development by going to the voters for approval of a Park Bond with a tax assessment.

REVENUE BONDS

Revenue Bonds are a popular way for cities to finance capital improvements, especially recreation and park facilities, when the facility being developed will generate the necessary revenue to pay the debt service on the bonds. This method is common for development of sports arenas, convention centers, and other facilities

that generate revenue through admission, concessions, and rentals. Revenue Bonds require the city to provide collateral equal to one and half times the value of the bond issue. A city must provide collateral in the form of property or properties it owns that have a market value of at least one and a half times the amount of Revenue Bond it wishes to issue.

Revenue Bonds do not require voter approval but do require a four-fifths vote of the City Council. Revenue Bonds are usually combined with the establishment of an Assessment District under AB1600 and Asset Management programs which are explained later in this section.

If the City can design capital improvements with revenue generating components so that the debt service and the cost of maintenance and operations do not impact the City's General Fund, Revenue Bonds are a good approach to funding facilities where there is strong City Council support and political motivation to develop the facilities.

CERTIFICATES OF PARTICIPATION (COPs)

Certificates of Participation (COPs) are similar to Revenue Bonds in that they do not require voter approval, just a four-fifths City Council vote. And they require the City to provide collateral in the form of property equity one and a half times the market value of the proposed issue. The advantage of COPs is that they are issued in script of $5,000 or $10,000 which allows for smaller investors to invest, and they are tax exempt, so interest rates are lower. Again, the key to this type of financing is to design the proposed facilities with revenue generating components and/or combine it with an AB1600 Assessment District so that there is no impact on the City's existing General Fund to issue the COPs.

ASSESSMENT METHODS

There are two main methods for establishing assessments to pay for recreation and park facility development. These are:

- Lighting and Landscape Assessment Districts,
- Mello-Roos, and other state legislation allowing cities and park districts to create assessment districts for capital improvements.

Each of these requires approval by the property owners who are within the district and are subject to paying the assessment. The City's CFD#1 is a form of Mello-Roos.

State law AB1600 allows local agencies to impose an assessment on properties within an improvement area when the agency can show a nexus that the improvements being made are a benefit to the properties being assessed. Under this method of assessment, the agency sends a direct mail ballot to the property owners, if fewer than 50% of the property owners vote "No", it could implement the assessment.

Agencies typically use enabling legislation for assessment districts for facility improvements that impact or benefit the whole city or a specific area.

Some agencies have had some success using this legislation to fund large community or regional park developments where there is broad community support for the improvements. Newer agencies have had the most success in setting up assessment districts, because they can be established when only a few property owners are within the proposed assessment district.

Established agencies where there are thousands of property owners within the proposed assessment district have had trouble getting 50% approval. This legislation requires the agency to do an engineering study to determine the proportionate benefit each property within the proposed district receives.

AB1600 has several benefits over other assessment legislation in that it is an impact fee. Unlike the benefit assessment districts, the agency does not have to do an engineering study to proportion the cost according to benefit. The agency simply has to make a finding that there is a need for recreation and park facilities based on the impact of the proposed development, and the proposed development is not contributing to mitigate the impact. This is accomplished by preparing a nexus study showing the relationship between the defined impact and the facility or facilities the proposed development's impact.

For example, if the City wanted to use AB1600 to impose an impact fee on new commercial and industrial development, it would need to do nexus studies to determine if existing commercial and industrial properties have an impact on its recreation and park services and facilities. If the City finds that employees in commercial and industrial businesses use the City's recreation and park facilities, employers use the park system and/or recreation programs as recruiting tools, and as a result commercial and industrial property increases in value due to a well developed and maintained park system, the City could use the authority under AB1600 to impose a park fee on new commercial and industrial development within its jurisdiction.

If the nexus study shows that commercial and industrial development causes 15% of the impact on the Moreno Valley Park and Community Service services and facilities, then new commercial and industrial development should be charged for 15% of the amount needed for new facilities and upgrades of existing facilities within the city.

LEASE PURCHASE FINANCING

A newer concept in financing recreation and park improvements being used successfully by cities is a form of lease/purchase financing. Under the lease/purchase financing method, the City would contract with a financial institution that would put together an investment group. The City would then lease the proposed site and facility improvements to the investment group who would provide the funding for the development of the site and facility. The investment group then leases the site and

facility back to the City at a lease rate equal to the cost of the financing the investment group provides to the City for the development of the site and facility.

The lease serves as the collateral for the financing, not other real property, as is the case in issuing revenue bonds or COP's. If the City defaults on the lease payments, the investment group would own the lease and could operate the facility or contract the operation of the facility to a third party.

The City owns the site throughout the lease purchase period, and at the end of the lease period, the City owns the improvements free and clear.

This form of financing currently has very attractive interest rates, is tax exempt for investors, and does not impact the City's bond indebtedness or credit rating.

This type of financing is best used for facility development whereby the facility generates revenue. Sports complexes with Asset Management Programs and concessions, municipal parking structures that charge for parking, and community centers with rental facilities are types of facilities that cities and other public agencies have been very successful in using this financing method.

It can be used for non-revenue producing facilities whereby the lease payments are paid from the General Fund; however, with competing needs it may be politically difficult to dedicate General Funds for lease payments. The term of the lease is set by the City and can be any length. Another attractive feature of this form of financing is the low cost of issuance compared to Bond issues.

The City could also use non-tax exempt lease purchase financing to acquire commercial or industrial property. As a lessee, the City could lease to a commercial recreation developer/operator for the development and operation of major commercial recreation facilities, such as batting cages, sports complexes, dance studios, fitness/health centers, community theatres, skateboard parks, and BMX courses.

GRANT PROGRAMS

The City of Moreno Valley has used state grant money in the past for both acquisition and development of parks. The City should continue to apply for and make use of both state and federal grant programs. Per capita grant programs such as Proposition 12, Proposition 40, and Roberti-Zeberg can provide the City with funding for both improvement of existing facilities and acquisition and development of new facilities. Most of these grant programs are based on a per capita distribution and some require matching funds by the local agency.

Federal grant programs such as Community Development Block Grants (CDBG) and Urban Recreation and Park Programs can provide funding for specialized facilities that meet the criteria for these particular grant programs.

The City could also consider combining several different grant programs for the development of a single project. For example, the City could apply for several different beautification grants, trails grants, storm drain improvement grants, urban

park development grants, open space grants, and per capita grants to match a state grant to accomplish the funding necessary for one single project.

PUBLIC PRIVATE PARTNERSHIPS

Communities can sometimes meet their recreational needs by encouraging the development of private recreation facilities. This can be in the form of partnerships with pre-school and day-care centers, churches, non-profit organizations, schools, or commercial recreation companies.

For example, if the City has a need for recreational swim opportunities, it may be able to lease public property to a water park operator for a commercial water park to meet the community needs.

In today's political and economic climate, many cities are partnering with school districts for joint development and sharing of such facilities as sports fields, gymnasiums, swimming pools, skate parks, stadiums, theaters, and outdoor community event space. Partnering with non-profits such as the YMCA could also provide funding opportunities for facility development.

COMMUNITY FOUNDATIONS

A key element of funding recreation and park facilities is community support. Whether the funding method is bonds, assessment districts, asset management, or joint partnerships, it will be necessary to build community support in order to implement facility development. The best way to build community support for facility development is by establishing a non-profit community foundation made up of concerned volunteers to support the City's implementation of its Park, Recreation and Open Space Comprehensive Master Plan. In addition, a Community Foundation can also provide the following:

- An organization that can accept donations that are tax deductible to the contributor
- An organization that can apply for grants that are not eligible for government application
- An organization that can put on fundraising campaigns and recruit a large volunteer base to implement the campaigns
- An organization that can partner with other non-profits, such as churches, service clubs and organizations, and private companies to jointly develop recreation facilities

The key to developing a successful Community Recreation and Parks Foundation is in the development of by-laws establishing the foundation, recruitment of board members, and training of volunteers. The by-laws should be developed so that they are very specific about the role and duties of the foundation. Board members should

represent all segments of the community and not be controlled by any one special interest group.

The above methods are typical ways municipalities fund parks and recreation capital projects. Strategies for specific projects may combine several of the methods. When exploring possible funding for a project, the City can refer back to this information to see if one or more of these methods might fit the proposed project to be funded.

SECTION 7 "12 GOALS FOR SUCCESS"

POLICY RECOMMENDATIONS AND GUIDELINES

INTRODUCTION

COMMUNITY CHALLENGES AND ISSUES AFFECTING SERVICE DELIVERY

"12 GOALS FOR SUCCESS"

MASTER PLAN RECOMMENDATIONS

SUMMARY OF NEW FACILITY RECOMMENDATIONS

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7.0 INTRODUCTION

This section analyzes, summarizes and presents the issues and "Community Challenges" in Moreno Valley that were factored into formulating the Master Plan recommendations; the "12 Goals for Success" to provide a winning park and recreation system; and recommendations to achieve the "12 Goals for Success".

Estimated costs and projected required funding to implement the recommendations, along with strategies for implementation of the recommendations, are contained in Section 8.

In actuality, it is unrealistic to think the City will be able to secure all of the funding necessary to implement every capital project and program. However, by presenting all of the capital projects and programs desired and needed, the City has a complete awareness of what an ideal park and recreation system would look like. From there it can make its best efforts within the resources it is able to secure to implement that system.

Community Challenges

Important factors the City will have to understand and deal with in implementing the Parks and Recreation Master Plan:

Changes in Demographics

Graffiti and Vandalism

Funding

Access

Awareness

Crisis Intervention

Health and Wellness

Water Conservation and Energy Sustainability

7.1 COMMUNITY CHALLENGES AND ISSUES AFFECTING SERVICE DELIVERY

The Project Team has defined a number of Community Challenges facing Moreno Valley that were derived from the research and analysis done for Sections 2 through 5. These are very important factors that the Consultant Team feels the City will have to deal with if it is to deliver a successful park and recreation system.

The specific challenges that will affect the City's ability to implement the recommendations in the Master Plan are as follows:

1. CHANGE IN DEMOGRAPHICS

The long term change in demographics, especially the changes in the ethnic population make-up, income levels, and the level of education of the population in Moreno Valley, have had a profound effect on both the types of programs and the types of facilities that are needed to meet the community's current and projected demand for parks and recreation services. For example, when Moreno Valley was incorporated, the demographic profile of the City was completely different than the current and projected demographic profile. The City is now faced with providing services to a different demographic profile with different cultural and social needs from the community profile that existed when the City incorporated. The diversity in ethnic backgrounds and economic levels in the community will affect the policy decisions the City will be making in the future with regards to allocating resources to parks and recreation facilities and programs.

As the community changes ethnically, families and youth may be caught between traditional cultural values and the values of being "American." Cross-cultural communication may also be a barrier to youth success.

2. GRAFFITI AND VANDALISM

Graffiti and vandalism are prevalent in today's society and Moreno Valley is not immune to this phenomena. Graffiti and vandalism in the park system causes maintenance problems and resident dissatisfaction with park facilities and the condition of the parks. The City has a very successful graffiti removal program and must continue to address the graffiti and vandalism problem because improving existing facilities and building new facilities will not satisfy the community if graffiti and vandalism prevails.

Funding Policies

Use resources as assets to generate new revenue to pay for desired service levels

Collaborate with other agencies to leverage resources

Expand fee-based programming and use of independent contract instructors

3. FUNDING

Funding for ongoing park and facility maintenance and for meeting programming demands will be a critical problem for the Community Services Department in the future. Moreno Valley is experiencing some new redevelopment and continued growth that will provide new revenue; however, the downturn in the economy, the state's budget problems, and the increased costs of goods and services will affect the City's ability to find funding from traditional sources to implement the recommendations in the Park, Recreation and Open Space Comprehensive Master Plan. It is going to be difficult in the short-term to maintain park maintenance levels, implement existing park improvements, build new parks and facilities, and provide programs and services desired by the community.

Consequently, the City will need to continue policy directions that will allow:

- Use of resources as assets to generate new revenue;
- Partnering with other public agencies, non-profits and commercial entities; and,
- Development of more fee based recreation programs.

These policies will be critical for the City in the future if it is to address the funding required to implement the programming and facility recommendations.

4. ACCESS

Transportation, or the lack thereof, affordability and service radius may be barriers for youth, seniors and their families to access services, programs, and facilities.

5. AWARENESS

A frequently documented response as to why youth and their families do not participate in programs is that they were not aware of available services, programs, and facilities.

6. CRISIS INTERVENTION

Lack of services and/or awareness of services available for those youth experiencing emotional crisis will affect the City's ability to reach kids at risk.

7. HEALTH AND WELLNESS

Youth and adults experience high levels of stress due to performance anxiety today. Local and national trends indicate a growing and substantial concern regarding sedentary behavior, obesity, and poor eating habits of youth and their families.

8. WATER CONSERVATION AND ENERGY SUSTAINABILITY

When planning for future park facilities and improving existing facilities the City will need to be committed to incorporating as many Green Building technologies as possible into each park design project to assist in water conservation, energy sustainability, reducing energy consumption and lowering CO_2 gas emissions including the following site planning techniques:

Sustainability

Green Building Technologies

Water Conservation

Reduce Energy Consumption

Lower Gas Emissions

- Building locations that take advantage of site options for solar access
- Building shape, thermal mass and window location to minimize excess energy consumption
- Use of water permeable or "porous" paving
- On site storm water recharge
- Utilization of recycled building materials
- Protection of existing plants
- New plantings from diverse communities of plant species well adapted to the site
- The use of mulch in planted areas
- Water efficiencies through the grouping of plants with like water requirements
- Increased irrigation efficiencies through hydro zoning according to plant requirements and site microclimates, in addition to sensors to reduce over irrigation

9. CONSISTENT WITH THE CITY'S GENERAL PLAN

Chapters 4 and 9 of the City's General Plan served as the basis for developing the Park and Recreation Master Plan. Chapter 4 of the General Plan is the "Parks, Recreation, and Open Space Element". The recommendations and "12 Goals for Success" found later in this section are consistent with the goals and policies of the Parks, Recreation, and Open Space Element which are:

- Open space for preservation of natural resources

- Open space for public health and safety
- Open space for outdoor recreation
- Recreation services level standards

Chapter 9 of the General Plan contains the Goals and Objectives for parks, recreation, trails, and open space that were formulated in 2006. Section 9.4.3, item 4-1 of the General Plan called for the "Development of a parks and recreation facilities master plan to implement the Parks, Recreation and Open Space Element".

The Parks, Recreation and Open Space Comprehensive Master Plan presented herein accomplishes this item of the General Plan and is consistent with items 4-2 through 4-17 and the Goals and Objectives of Chapter 9.4.1 of the General Plan.

When the City implements the various recommendations contained in the Parks, Recreation and Open Space Master Plan, they should be reviewed to determine if any change in the City's General Plan is necessary and then update the General Plan accordingly.

SUMMARY OF COMMUNITY CHALLENGES

The following is a summary of the above issues and community challenges the Consultant Team believes will impact the City's ability to deliver a successful parks and recreation system in the future:

- Changes in demographics resulting in a wide diversity of ethnic cultures and income levels
- Ongoing need to address graffiti and vandalism
- The difficulty of funding facilities and programs in the future
- Transportation or the lack thereof
- Awareness of available services, programs, and facilities
- Lack of services and/or awareness of services available for those experiencing emotional crisis
- Growing and substantial concern regarding sedentary behavior, obesity, and poor eating habits
- Water conservation and energy reduction
- The impact commercial and industrial development will have on the park and recreation system

In developing the recommendations and strategies in the following sections, the Consultant Team took each of these issues/community challenges into account.

7.2 "12 GOALS FOR SUCCESS"

"12 Goals for Success"

1. Recognize Park Maintenance as a budget priority.

2. Continue the successful graffiti removal program and immediate attention to vandalism programs.

3. Pursue development of March Field Park as a sports complex and family recreation facility.

4. Pursue development of cultural arts venues.

5. Increase recreation and social programs for teens.

6. Expand indoor and outdoor programs for seniors.

Taking into consideration the Community Challenges outlined above in Section 7.1, the Consultant Team has prepared "12 Goals for Success" for the Parks and Recreation Commission, City staff, and City Council to consider adopting. If these Goals are implemented, the City should accomplish the task of providing a parks and recreation system of facilities and programs that are relevant to the community, adequately funded, well maintained, and responsive to community needs.

The capital project recommendations, program recommendations and the implementation strategies that follow in Section 8 provide a roadmap of specific steps the City could proceed with to implement the "12 Goals for Success".

The "12 Goals for Success" are as follows:

Goal 1: Recognize park maintenance as a budget priority and move to establish a park maintenance level of service that continues to provide the community with safe, functional parks that are environmentally sensitive and esthetically pleasing.

Goal 2: Continue to allocate resources for the successful graffiti removal program and immediate attention to vandalism programs and continue the three-pronged approach of removal, enforcement and controlled access at public park facilities to control graffiti and vandalism.

Goal 3: Continuing exploring the development of March Field Park as a sports complex for either a youth and adult soccer, youth and adult softball and a family sports activity center; or a dedicated concession for baseball fields; while continuing to maintain and establish multi-purpose soccer and football fields at neighborhood and community parks for youth and adult soccer and football programs.

Goal 4: Pursue meeting the cultural needs of the community by working with the community college and school districts to develop a multi-use Performing Arts Center in Moreno Valley and include cultural venues in the design of new parks and community centers.

Goal 5: Establish dedicated programs for teens focusing on creative and performing arts, social activities, mentoring and education enhancement, extreme sports activities, and media/computer labs.

Goal 6: Address the future needs of senior citizens by expanding indoor and outdoor facilities and programs for seniors.

Goal 7: Identify opportunities to provide neighborhood and community park facilities that are conveniently located to all areas of the city and meet the community's desire for neighborhood and community parks containing such amenities as picnic facilities, water play features, playgrounds, meeting room space, passive open space, practice fields, dog parks and fitness facilities.

"12 Goals, Continued"

7. Provide Neighborhood and Community Parks

8. Provide community events for celebration and design future parks to accommodate special events.

9. Address the need for aquatic activities and swim lessons.

10. Use park resources as assets to generate new revenue to deliver desired services.

11. Complete the Moreno Valley Trails Master Plan.

12. Adopt new park landscape standards that include "Sustainable Design Elements"

Goal 8: Continue the value the community's desire for special events and opportunities for socialization and celebration. Include the creation of multi-purpose community events areas in the design of future community parks that can accommodate a variety of cultural, social, and promotional special events.

Goal 9: Recognize the community's desire for aquatic activities and pursue the development of aquatic facilities that can accommodate swim lessons, swim competitions, water fitness programs, recreational swimming, and opportunities for parties and rentals through collaborations with schools, YMCA, or commercial and private development of aquatic amenities.

Goal 10: Pursue development of new revenue sources to fund the park and recreation system by using park and facility resources as assets to generate income; partnering with other public agencies, non-profits and commercial entities; and, continued growth of fee based recreation program delivery system.

Goal 11: Work to include trails for walking, jogging and biking in future park development and pursue completion of the Moreno Valley Trails Master Plan.

Goal 12: Ensure that the existing City of Moreno Valley Landscape Standards include "Sustainable Design Elements" into new park design and park rehabilitation projects to bring the opportunity to integrate new energy efficient technologies and water conservation into all park and facility development projects.

The project team believes that the above "12 Goals for Success" will take the City in the direction it needs to go to meet the demands of the community for an effective and relevant parks and recreation system for the next 20 years.

There may be a number of specific options and alternative projects and programs the City could pursue to implement the "12 Goals for Success"; however, the Consultant Team has developed what it thinks are the best project and program recommendations and strategies, which are presented, in the next two sections.

7.3 MASTER PLAN RECOMMENDATIONS

Recommendations

Recommendations provide strategies for implementing the "12 Goals for Success".

Focusing resources on projects to accomplish the "12 Goals for Success" should be a priority.

All recommendations may be difficult to accomplish so setting priorities and going after diverse funding sources is important.

Some lower priority recommendations may come first because of dedicated funding sources.

The following recommendations are organized according to the "12 Goals for Success" presented above. They include the capital improvements needed for existing parks listed in the Park Inventory Analysis in Section 3, new recreation facilities that were defined as needed in Moreno Valley during the public outreach and Demand and Needs Analysis in Section 5; and program needs determined from the Program Analysis done in Section 4.

While the City may have to consider other project priorities over the following recommendations due to political issues, emergencies or specialized funding opportunities, the Consultant Team believes the City should focus its resources on the priority recommendations listed below to accomplish the "12 Goals for Success".

7.3.1 - GOAL 1: Recognize park maintenance as a budget priority and move to establish a park maintenance level of service that continues to provide the community with safe functional parks that are environmentally sensitive and attractive.

RECOMMENDATIONS

Park Maintenance

Community supports well-maintained parks.

Deferred maintenance leads to greater costs in the end.

Additional fields needed to reduce use on existing fields to allow for better maintenance conditions.

Use of artificial turf will increase time available for play and provide consistent quality field conditions.

Residents in Moreno Valley believe that the maintenance quality of parks and recreation areas is very important when deciding whether or not to recreate at such facilities. Current maintenance standards are well developed and consistent with the expectations of community residents. Overall, park and recreation areas and facilities in the City of Moreno Valley are in excellent condition and maintained at or above current standards. However, some athletic fields are so heavily utilized that additional maintenance inputs may not be sufficient to prevent deterioration of these areas, particularly natural turf. This supports the need for additional facilities to meet recreation demand and to enable maintenance staff to meet their maintenance standards for these areas.

The City of Moreno Valley should continue to follow its current maintenance standards and practices with new facilities and areas. Staff should monitor changes in technology and practices that may lower maintenance costs while continuing to meet or exceed standards. With the addition of new areas and facilities, staff should evaluate the feasibility of de-centralizing or zoning some maintenance functions by area. For example, athletic field maintenance might be more efficient as new facilities come on-line if that function is split into a west and east zone, thus reducing travel time between fields and permitting personnel to spend more time performing maintenance activities.

Due to the timing of construction of most facilities in Moreno Valley, many will reach the end of their usable life at about the same time. This may place a heavy capital replacement burden on the City at that future date. One recommendation is that components of each area and facility (such as playgrounds, restrooms, etc.) be entered into an Asset Management database together with the current replacement costs, current facility or area conditions, and estimated remaining usable life (in years). Each subsequent year, information on conditions should be updated and the replacement costs adjusted based on the consumer price index (CPI) for construction in the economic region that includes Moreno Valley. This database should also include the maintenance cost information that is currently being tracked by maintenance managers. This practice will enable the City to conduct a cost-benefit analysis for repairing versus replacing each facility and/or component, as well as better estimate the fiscal year that each asset will need to be replaced.

7.3.2 - GOAL 2: Continue to allocate resources for the successful graffiti removal program and immediate attention to vandalism programs and continue the programs of removal, enforcement and controlled access at public park facilities to control graffiti and vandalism.

"Controlling Graffiti"

Controlling graffiti and vandalism requires that the City continue programs that include:

> Removal

> Enforcement

> Controlled Access

RECOMMENDATIONS

The City needs to continue to allocate the necessary resources to continue the successful graffiti removal program and the immediate attention to vandalism programs. Moreno Valley has been successful in doing this because it has programs that include removal, enforcement and controlled access:

REMOVAL

The City must continue its policy of removing graffiti and repairing vandalism as its first priority for maintenance and operation of the park system.

ENFORCEMENT

Catching and punishing taggers and vandals must be a high priority in order to reduce the occurrences of such incidents. The Parks and Community Services Department and Police Department should continue to work together to provide surveillance and investigation of incidents of graffiti and vandalism.

Portable surveillance cameras could be used to identify and catch taggers and vandals at high incident locations within the parks. Monetary reward systems, whereby Park and Community Services officials work with local businesses and service clubs to fund a $500 reward for information leading

to the arrest and prosecution of taggers and vandals has been very successful. Studies show that an aggressive enforcement of graffiti and vandalism crimes also reduces other types of crimes, especially juvenile crimes.

CONTROLLED ACCESS

While it is impossible to completely control access to public parks and facilities, there are park design features and facility operation policies that can help make sure parks and recreation facilities are used by those who they were intended to serve. This is especially important in Moreno Valley where there is heavy use of Moreno Valley facilities by non Moreno Valley residents, rival gangs outside the City and a fairly substantial transient population in the region.

By designing parks and recreation facilities with specific access points and providing surveillance at those points, the City can reduce the undesirable element accessing the parks and facilities and help with enforcement and punishment of crimes committed in its parks and facilities. By providing concrete pathways wide enough for police and emergency vehicles to access through the parks, the City can increase the ease of surveillance and response to calls.

Designing parks with perimeter boundaries and designed entryways improves security and provides a sense of place and arrival, which tends to deter those not specifically going to the location for the purpose of using park amenities.

This technique is not new; you will find this throughout Europe, where for centuries parks were designed with gated entry points for this specific purpose.

In addition to adopting policies of park design to control and channel access to parks through specific entryways that can be monitored, the City should also consider a policy of moving to a membership oriented service delivery system for recreation programming. By requiring a Park and Community Services membership card to access programs at City facilities, the City can ensure that the facilities are being used by those that the facilities were attended for.

The City can offer both a resident card and a non-resident card and thereby give priority to Moreno Valley residents for classes, rentals and facility use. This may require some redesign of existing facilities, such as the Conference and Recreation Center and the Senior Community Center to create access directly to the reception/check in area.

Creating a City Park and Community Services membership program will not only improve security, but also improve communication and publicity opportunities to promote programs and activities, develop a support base in the community for parks and recreation and provide constituents from which to recruit volunteers.

To obtain a successful park and recreation delivery system in the future, the City will need to make reducing graffiti and vandalism a budget priority. A policy commitment to continue current graffiti programs described above and cooperation between City departments is essential.

7.3.3 - GOAL 3: Continue exploring the development of March Field Park as a sports complex for either a youth and adult soccer, youth and adult softball and a family sports activity center or a dedicated baseball concession for youth and adult baseball programs, while continuing to improve and establish multi-purpose football and soccer fields at neighborhood and community parks.

RECOMMENDATIONS

The City of Moreno Valley received approximately 100 acres of the former March Air Force Base which contained existing softball fields, library, track and other recreation amenities. The City currently operates the softball fields for youth and adult softball and conducts after-school programs and summer camps at the former March Field Library.

The City also developed a skateboard park and a roller hockey arena at March Field Park which have been very successful. During the Demands and Needs Analysis it became evident that a high priority for the community is to establish a sports complex for youth soccer and to improve the softball fields at March Field Park. In addition, there were numerous requests for sports and social activities for families. There were also significant requests for more baseball fields in the city.

> **March Field Park**
>
> "March Field Park is the City's best opportunity for developing a sports complex and active family recreation venues."

Consequently, the Consultant Team has prepared a conceptual Master Plan to develop a sports complex for youth and adult soccer; youth and adult softball; and a family fun center (see **Exhibit 7.1**). City staff has had ongoing discussions with possible concessionaires to develop a dedicated baseball complex at the same site (see **Exhibit 7.2).** Both of these concept Master Plans accomplish a number of needs determined in Section 5, the Demands and Needs Analysis. They are:

~ Provides a centralized location for youth and adult sports leagues and tournaments

~ Offers support amenities needed to host regional sports tournaments

~ Incorporates the existing roller hockey arena and skateboard park into a family fun center with additional tot lot and playground equipment, water feature, and food concessions

~ Makes available a perimeter walking and jogging trail for fitness activities

~ Increases the amenities available for the after-school and summer-camp programs held at the former March Field Library

~ Provides adequate on site parking so as not to affect adjacent activities

By adopting one of the new March Field Park Sports Complex and Family Activity Center Concept Master Plans and proceeding with its development, the City will also meet its projected field demands for youth and adult sports; thus taking the heavy use burden off existing fields and allowing for better maintenance and field conditions at existing neighborhood and community parks.

7.3.4 - GOAL 4: Pursue meeting the cultural needs of the community by working with the community college and school districts to obtain a multi-use performing arts center in Moreno Valley and include cultural venues in the design of new community parks and facilities.

Cultural Needs

More cultural venues needed in Moreno Valley

Arts, music and theater are important to Moreno Valley residents

Venues for outdoor performances should be included in new park development

Dance, music, singing, film and visual arts should be avenues to help teens succeed

Explore ways to obtain a performing arts center in Moreno Valley

RECOMMENDATIONS

Throughout the public input process and the Demands and Needs Analysis, there was a constant theme for the need for more cultural venues and activities in Moreno Valley. There are numerous musical groups, dance groups, entertainers, and performers in Moreno Valley that need venues to perform. There is also a community desire to use creative arts as a deterrent to anti-social behavior particularly among teens.

There are two options the City could pursue for a multi-use performing arts center in Moreno Valley that would offer a venue for music and theatre productions, visual art galleries, and studios for cultural classes.

The first option would be to collaborate with the Riverside Community College District to develop a performing arts center at the Community College. The College District has expressed interest in collaborating with the City on a number of community venues including a performing arts center. The future Master Plan for development of the College includes a conceptual plan for a performing arts facility.

Partnering with the Community College on the development of a Performing Arts Facility has several advantages including joint funding opportunities, building on existing land that doesn't have to be acquired, technical staff support from the College District, and a centralized location in the community. Now is the time to meet with the Community College District

and discuss the partnership possibilities and possible financial commitments from the City, the College District, and the various non-profit performing organizations within the City that could benefit by such a venue.

The second option for a performing arts center is to expand the current footprint of the Civic Center Complex at Frederick and Alessandro to include a performing arts theater and gallery space. This will be the location of the new library and contains the existing Conference and Recreation Center, which is now used for performing arts. This location offers several advantages such as shared parking and shared administrative space. The community is already coming to the Conference and Recreation Center for cultural activities and the City owns the land, so this option may be the most cost effective way to pursue a performing arts facility in Moreno Valley.

In addition to a new centralized Performing Arts Center, there is also a need to meet the cultural programming needs of the various neighborhoods and communities in Moreno Valley. Using a decentralized approach, whereby existing community centers, high schools and future community centers are improved and designed with facilities for studios, workshops, and rehearsal space for a variety of music, dance, performance, and other creative art activities would meet these needs. This could be combined with developing an outdoor amphitheater to accommodate community performances along with smaller performance spaces within existing and future community parks. The advantages of pursuing this option include providing the community with a broader range of cultural venues to meet both individual and organization needs for facilities, greater flexibility in implementing fee based cultural classes, and providing cultural facilities throughout the City, which would be located conveniently to neighborhoods.

Pursuing both a new performing arts center and including cultural venues in existing and future neighborhood and community parks would provide the most comprehensive delivery system for cultural activities in Moreno Valley. The demand for cultural venues and activities for youth through seniors is a high priority to be addressed in future capital projects.

7.3.5 - GOAL 5: Establish dedicated programs for teens focusing on creative and performing arts, social activities, mentoring and education enhancement, extreme sports activities and media/computer labs.

RECOMMENDATIONS

Addressing the needs of teens, especially middle and high school ages, was a consistent theme throughout the public input process. Organized programs provide safe places for teens, reduce the incidents of juvenile crime, and encourage youth involvement in interacting in community life.

Teen Needs

Safe places for teens to hang out

Active programs for teen fitness and health

Creative activities for development of self-esteem

Places for sports and organized programs

Places for entertainment activities

Teen themed events

Programs for teens to volunteer

Creation of jobs for teens

Help with career choices

Family counseling

Moreno Valley has a number of challenges in dealing with delivering services to teens. They include a higher than national average high school drop out rate, a higher than average number of teens living in foster and group care, and a higher than national average of teens living in families below the poverty level.

This age group is considered still at risk and one of the most important age groups to address in terms of programming and services, promoting healthy lifestyles and positive experiences that create lifelong skills and leisure pursuits.

Emphasis for services needs to be primarily on academic support, health and wellness, mentoring with an emphasis on college, career and job preparation, as well as civic and volunteer involvement. The following actions should be undertaken by the Parks and Community Services Department to address these issues:

~ Work closely with the educational community to monitor youth through the California Healthy Kids Surveys conducted every two years. Utilize data to align recreation programs to address any issues identified in this survey.

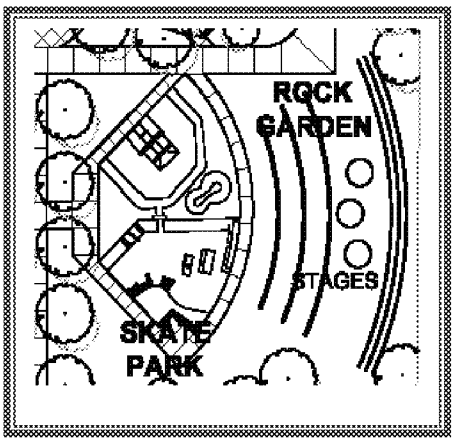

~ Explore, expand and establish opportunities for youth to participate in the ongoing identification, development and delivery of programs, services and events.

~ Expand programming to provide targeted volunteer opportunities for this age group to support their efforts in preparing for college entry requirements.

~ Strengthen existing or facilitate the development of a youth employment program that promotes skills in searching and maintaining employment. Program would promote academic success for long term career and/or employment planning as well as working closely with the business and educational community partnering for the long term success of youth.

~ Pursue the creation of "alternative" sports programming that is of interest to youth in this age group. Examples noted in the focus group included skating, BMX, laser tag and rock climbing.

~ Explore and work with proposed commercial and retail developments to include venues where middle and high school teens like to connect to friends such as food service courts, movie theatres, bowling alleys, etc.

~ Mentoring and volunteer programs that provide opportunities for youth to mentor youth, business mentoring youth, seniors mentoring youth and youth mentoring seniors.

~ Consider "Teen Nights" at the roller hockey arena at March Field Park with music, entertainment and roller-skating.

~ Increase the contract class offerings for teens in the area of creative arts, like singing, dancing, acting, media, film making, and music production classes.

Explore the possibility of including a dedicated Teen Center (See **Exhibit 7.3** Prototypical Concept Master Plan for Multi - Generational Community Park) that would include a dance studio, a music room, a media/computer lab, multi-purpose room for social events, counseling rooms, outdoor activity area, and a gymnasium and food concession area.

Before proceeding with any capital project to develop facilities for teen programs, the City should establish a "Teen Center Advisory Committee" to help the City work through various options and to advise on the amenities and programs that should ultimately be included in development of a facility for teens.

7.3.6 - GOAL 6: Address the future needs of senior citizens by expanding facilities and programs for seniors.

RECOMMENDATIONS

All demographic reports for the region and state indicate the number of seniors will greatly increase with the aging of baby boomers. The public outreach process identified senior services as a very high priority. There are three types of improvements that are needed in the future at the Senior Community Center:

~ First, an outdoor space that can accommodate senior events, outdoor classes and activities, and a secure passive area for senior use.

~ Second, a senior exercise facility, such as a weight room and fitness center dedicated to seniors.

~ Third, more classroom and studio space for special interest activities.

There does not appear to be enough room at the existing Senior Community Center to add the above facilities, so the City may need to pursue development of another Senior Community Center in the future that would contain these amenities. Combining a new Senior Community Center in a multi-generational community center project (**See Exhibit 7.3** Prototypical Concept Master Plan for Multi - Generational Community Park) where the senior programming can take advantage of a swim complex, gymnasium and classroom space of adjacent facilities would be the most effective way of providing the three types of improvements needed.

When possible, the City should search out and create collaborative relationships to establish partnerships in the development of the senior services delivery system.

Senior Citizens

Growing population

Current senior center at capacity

Need outdoor activity space

More fitness and health facilities and programs

Expand classroom and studio space for special interest classes, clubs and activities

Address transportation needs

More programs for active seniors

Expand social service programs in areas of meals, health and life counseling

Park Improvements

Tot Lots

Lighted Fields

Restrooms

Picnic Shelters

Tennis Courts

Water Play Features

Passive Open space

Trails for Walking

Community Centers

Cultural Venues

7.3.7 - GOAL 7: Identify opportunities to provide neighborhood and community park facilities that are conveniently located to all areas of the city and meet the community's desire for neighborhood and community parks containing such amenities as picnic facilities, water play features, playgrounds, meeting room space, passive open space, practice fields, dog parks and fitness facilities. The Parks and Community Services Department and Parks and Recreation Commission should strive to ensure they review development projects that directly abut or impact an existing or future General Plan identified park, trail or open space.

RECOMMENDATIONS

Community and neighborhood parks and centers are often considered the heart of the community, a place where the community and neighborhoods come together for recreation, learning, socializing, growing, and health.

Community parks should be located based on a 3 to 5 mile service radius and neighborhood/local parks based on a 3/4 to1 mile service radius to ensure even distribution of park facilities throughout the City. (See **Map 7.1 - 7.7** - Service Areas for Existing Parks, Future Parks and Schools).

The City should continue its practice of requiring new neighborhood parks and community parks be dedicated as part of new residential development. Section 3, the Park Facilities Inventory and Analysis shows what park amenities should be typically included in neighborhood and community parks and the City should strive to include as many of the recommended amenities as the size and cost of development will allow.

Special emphases should be placed on providing the most requested amenities from the public outreach and Demand and Needs Analysis, including tot lots, playgrounds, and water play features, meeting room space, passive open space and practice fields.

Improvements to existing neighborhood and community parks are needed to meet community demands and provide additional amenities requested during the public outreach sessions. These include the following:

Shadow Mountain Park – Tot lot play area (2-5 and 5-12), sports field lighting for 2 softball/soccer fields, restroom/concession stand, and group picnic shelter.

John F. Kennedy Park - Conversion of fire station to a recreation center when the fire station relocates to a new facility.

Bethune Park - Sport lighting at the adjacent school (Bethune Middle School) should be considered in the future.

Fairway Park - Add active park amenities, such as basketball court, tennis court or skate park.

Pedrorena Park - Additional site amenities including a group picnic shelter near the tennis courts and barbeques.

Parque Amistad Park – Consider the addition of a restroom facility.

Weston Park – Look into the addition of a large group picnic shelter.

Sunnymead Equestrian Station – Add a covered shade area for the rest stop and horse-watering trough.

Moreno Valley Equestrian Park and Nature Center – This site requires master planning to determine best use and amenities.

Poormans Reservoir – Explore the possibility of this site for a nature area with trails.

As the eastern portion of the city develops, it will be critically important for the City to acquire and develop both neighborhood and community parks to serve the growth.

Designating possible park sites now will allow the City to plan for the growth and negotiate with potential developers for the dedication and development of neighborhood and community parks on this side of town when growth occurs.

The following park development standards should be adopted to ensure future park sites are designed to accomplish this goal:

PARK STANDARDS

- Provide and distribute parks and recreation facilities and services to meet the diverse needs of the community
- Coordinate the development of park facilities and trail systems throughout the community to provide safety, accessibility and compatibility between recreation facilities and residential areas
- Ensure all parks and facilities are adequately designed, landscaped and maintained. Provide parks and recreation facilities to meet the planning area's diverse needs.
- Supply neighborhood and community parks at a minimum of 3 acres per 1,000 persons throughout the city
- Strive to provide 10 acres of recreation and park space for each 1,000 persons for general regional recreation opportunity as a desirable goal.

Park Standards

A successful park system provides neighborhood, community and special interest parks that are conveniently located throughout the city

A minimum standard of 3 acres of parkland per 1,000 population

A desirability of 10 acres per 1,000 population of open space

A desirability of one mile of recreational trails per 10,000 population

Establish park development standards for neighborhood and community parks for future residential developments

Recreational and park space includes neighborhood parks, community parks, school open space, county parks and state recreation areas.

Park Development Design

Environmental Sustainability

Financial Sustainability

Accessibility

Safety

Compatibility

- Establish one mile of recreational trails for each 10,000 persons as a desirable goal for developing trail systems
- Coordinate development of park facilities and trail systems throughout the plan area which enhance the community centers concept and complement unique visual or natural resources
- Ensure that all recreation and park facilities are adequately designed with "Sustainable Design Elements", landscaped, and maintained at levels acceptable to the community
- Require that the costs of recreation and park facilities and programs are borne by those who benefit from and contribute to additional demand
- Provide safety, accessibility, and compatibility between parks and adjacent residential areas through "good neighbor" park practices
- Encourage development and maintenance of regional parks and recreational facilities by the County of Riverside and the State of California Department of Parks and Recreation
- Whenever possible pursue parks as a component of proposed groundwater recharge areas
- Park access should be provided in close proximity to public transportation or make provisions for public transportation

COMMUNITY PARK STANDARDS

- Require proposed park locations to be reviewed by City staff and the Parks and Recreation Commission prior to City Council action on acquisition, dedication or acceptance of parkland, open space and trails
- Community parks should be located at the juncture of major and/or collector streets to provide for safe, efficient, and convenient vehicular access, and to allow for easy surveillance by law enforcement
- Locate community park-type athletic field complexes adjacent to major arterials
- Use community parks as focal points for community development. Locate community parks to be highly visible and easily accessible
- Consider community park locations adjacent to middle school sites

when feasible

- Provide appropriate buffers between community parks and adjacent residential development to help minimize noise and glare from lighted fields
- Encourage the development of local non-profit organization's social and recreational facilities in those areas currently underserved by City community parks
- Locate community parks based on a 3 to 5 mile service radius to ensure even distribution of park facilities throughout the city
- Community parks should have full street improvements and utility connections including, but not limited to, curbs, gutters, grading, automatic irrigation systems (within rights-of-way), turf, walkways and walkway lighting, street paving, traffic control devices, street trees, and sidewalks
- Community parks should have fencing or walls, where appropriate, along the property line of that portion of the subdivision contiguous to the dedicated land
- Community park sites should have enhanced drainage systems with special consideration given to possible installation of subsurface drainage systems in the sports fields

NEIGHBORHOOD PARK STANDARDS

- Locate neighborhood/local parks based on a 3/4 mile service radius to ensure even distribution of neighborhood park facilities throughout the city
- Orient neighborhood and local parks to encourage convenient and safe pedestrian access
- Allow the formation of special park districts which provide higher park standards than the minimum stated above
- Continue to require developers to dedicate land, provide improvements and/or in-lieu fees to serve the needs of the population in newly developing areas
- Require developers of new subdivisions to show and adhere to park locations depicted in the Land Use Element of the General Plan and the Parks, Recreation and Open Space Master Plan

Park Locations

Community parks should be located within 3 to 5 miles of all residents

Neighborhood parks should be located within ¾ mile of all residents

Community parks can serve as neighborhood parks

Schools and school fields can serve as neighborhood parks

Regional parks can serve as community parks and special use parks

Design trails to connect the park system

- Allow neighborhood park requirements to be met by community parks when such community parks are situated within, or at the boundaries of neighborhoods and when they provide equivalent facilities
- Encourage schools to make playgrounds and playfields available to local residents after normal school hours and on weekends as they provide neighborhood park uses
- Pursue acquisition or long term lease of publicly-owned lands and utility rights-of-way as recreational facilities including trails, fields and/or picnic/tot-lots

Commercial and Retail

The benefits of including open space, trail links, venues for events, entertainment uses and gathering places in commercial and retail developments include:

Increased pedestrian traffic

Satisfaction of shopping experience

Increased social interaction

Opportunities for community collaboration

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT IMPACT ON PARKS AND RECREATION

In future retail and commercial development projects, it would be desirable to see that places for community events, links to trails, passive open space, and commercial family recreation opportunities be included by developers. The benefits of including these items in retail and commercial developments are:

- Greater generation of pedestrian traffic to the commercial facility
- Increased satisfaction of the shopping experience
- Increased social interaction among the community
- Opportunities for events that bring the community together

7.3.8 - GOAL 8: Acknowledge the community's desire for special events and opportunities for socialization and celebration. Pursue the creation of multi-purpose community event areas that could accommodate a variety of cultural, social and promotional events in the future development of community parks.

RECOMMENDATIONS

The Parks and Community Services Department operates or coordinates a variety of many community and population specific special events. These events have promoted a strong sense of community and a family friendly environment that is enjoyed by Moreno Valley residents. Throughout the process, these events were pointed to with great pride.

Trends and surveys statewide indicate these events are extremely important in connecting people to their community, promoting safety and instilling a unique sense of place for residents. According to the California State Parks surveys done in 2002 and 2003 relative to outdoor participation rates of Californians, 82.6% had attended an outdoor cultural event during the prior year. The public outreach process indicated that residents consider these events a very high priority and are interested in expanding events.

The City uses a variety of locations for citywide events including parks and schools. The Consultant Team believes that the City should plan for more events in the future and include dedicated areas in potential community parks with specialized facilities for events that could accommodate everything from art fairs to concerts in the parks.

The City currently is working with the Riverside Community College District in the design of an outdoor amphitheater to be located on the future campus of Moreno Valley Community College adjacent to the existing soccer fields the two agencies jointly developed. The development of the amphitheater should be pursued and the City should jointly program it in coordination with the Community College for entertainment events for the public.

By designing in some support amenities such as restrooms and controlled access, the City and the College District could create a destination attraction whereby the amphitheater could provide both a local and regional entertainment venue.

Meeting Aquatic Needs

Collaboration with schools

Partnership with YMCA

Commercial water park

City aquatic complex in a future community park

Water features in neighborhood parks

Encouragement of private swim clubs

7.3.9 - GOAL 9: Recognize the community's desire for aquatic activities and pursue the development of aquatic facilities that can accommodate swim lessons, swim competitions, water fitness programs, recreational swimming and opportunities for parties and rentals through collaborations with schools, YMCA or commercial and private development of aquatic amenities.

RECOMMENDATIONS

A swim complex for Moreno Valley was a high priority during the public input process and the Demand and Needs Analysis. The type of aquatic complex requested included a year-round aquatics facility consisting of a minimum of a 25 meter by 25 yard competitive pool, recreational swim/lap pool, zero depth tot pool, lounging area, meeting/training rooms, locker/changing rooms and administrative offices.

The City should work with the competitive swim organizations, schools, YMCA, and commercial and private aquatic operators to try to address this community demand.

Working with the schools to build more pools distributed throughout the city can be an effective way of containing costs and still providing for both school and community swim programs.

If the City pursues an aquatic complex, either a city-developed facility or a private commercial facility, it should be centrally located and preferably located in or near a community park with a large community center and sports complex in order to share parking and administration.

The City may also wish to partner with the YMCA or other non-profit organization. If the City does not want to operate the aquatic complex directly then it could contract out the management and operation to a concessionaire. A combination commercial water park and aquatic center may be an option to consider. Working with the Riverside Community College District to develop an aquatic facility at the new campus of Moreno Valley College may also be an option.

The Consultant Team has prepared a Prototypical Concept Master Plan for a multi-generational community park (**See Exhibit 7.3**) that could include an aquatic complex, along with sports fields and possibly a multi-generational community center. When future development occurs in the east side of the city a multi-generational community park will be needed to serve that growth, so that would be an appropriate time to consider an aquatic complex.

An eastside community park would serve both existing residents and future residents as the east side of the City develops. This park would meet the future field demands, community center demands and the need for swim programs. Development may be 10 to 20 years away, however, the City should plan now for the development of a multi-generational community park somewhere on the east side of town and begin designating and acquiring property for this purpose.

The City does own some existing parcels in the northeast area of the city (Equestrian Center property) and a 40 acre parcel in the central area of the city that is slated for future medical use and could consider these parcels for a community park development project. The best location that provides access and enough space to build a community park on the east side of the city will have to be determined through specific plans for these areas.

7.3.10 - GOAL 10: Pursue development of new revenue sources to fund the parks and recreation system by using parks and facility resources as assets to generate income; partnering with other public agencies, non-profits and commercial entities; and, continued growth of fee based recreation program delivery system.

RECOMMENDATIONS

As stated in 7.2 above the City will need to continue policy directions that will allow it to:

~ Use its resources as assets to generate new revenue

~ Partner with other public agencies, non-profits and commercial entities

~ Continue to expand fee based recreation programs

New Revenue Sources

Use of resources as assets to generate new revenue

Collaborations with other public agencies

Expand fee-based programming

Allow concessions to run public facilities, such as the golf course and future sports complex and/or swim complex

Update Community Facilities District fees

Establish park maintenance assessment districts for all new development projects

1. Asset Management

Moreno Valley has already begun to implement an Asset Management Plan to use its assets to generate revenue. The City has developed agreements for vending at community park sites, and has pursued cell tower leases to generate revenue to off set park maintenance costs at Hidden Springs Park, John F. Kennedy Park, Towngate Park, and Weston Park.

Moreno Valley park and recreation facilities have a history of being heavily used by the community. The Parks, Recreation and Open Space Comprehensive Master Plan recommends several new facilities including March Field Park sports complex; an aquatic center/community center and sports park; a performing arts center complex; and new community and neighborhood parks all with potential value for asset management programs.

Through the community input process and surveys, the consensus was that the community understood the need for revenue development and would be generally accepting of some commercialization of these proposed facilities in order to ensure quality programming and proper maintenance.

However, there was concern expressed regarding aesthetics and too much commercialization of public facilities.

Example of Telecommunication Tower in Flag Pole

The three components to developing an Asset Management Plan are:

1. Revenue from facility rentals, fees, and charges
2. Leases or licenses for private concessions
3. Advertising/vending/sponsorship opportunities

Based on the recommended future projects outlined in the Parks, Recreation and Open Space Comprehensive Master Plan the project team has developed the following list of advertising/vending/sponsorship opportunities for consideration by the City to help it generate additional revenue for which to use in operating and maintaining park facilities:

- Shade shelter advertising
- Information and advertising kiosks
- Trash receptacle advertising
- Telecommunication tower leases
- Naming rights and/or facility sponsorship
- Food and rental concessions

Several of these revenue categories are advertising programs and the potential revenue is dependant upon the number of impressions that can be generated on the proposed site. In advertising terms, there are two types of impressions: repeat impressions and one-time impressions.

Repeat impressions are those exposures to the same people over and over and one-time impressions are those that people see passing by just once. Companies who are trying to establish a brand identity like to advertise at locations that provide repeat impressions, while established brands prefer one-time locations that provide for brand reinforcement.

The facilities proposed for Moreno Valley have the potential to offer both types of advertising locations. The value of these locations is determined by the number of visits and the amount of participation at each site. It is best to "bundle" the sites and offer potential contracts for each category at all sites.

The extent of advertising programs the City wishes to use to offset maintenance and operational costs will have to be a policy decision made by elected officials. The key is to design the facilities with these programs in mind so that they fit in and look a part of the environment instead of looking like after thoughts that stand out and are unsightly additions. They need to be attractive structures, located for maximum exposure and have control as to content, so as not to create public controversy or opposition. The extent of commercial advertising should not be offensive to visitors or participants or it will defeat the purpose and turn people away from using the facilities. These types of programs need to be reviewed in terms of existing City sign and advertising ordinances so that the City is not doing things it will not allow the private sector to do.

There are several factors that affect the ability and success of Asset Management Programs including:

- The economic makeup and image of the city
- The types of facilities, their projected use and attendance
- The community's perception and acceptance of commercialization
- Income levels, race, ethnicity, and age demographics
- The city's ordinances and regulations regarding signage, advertising, and use of public property for private commercial purposes
- The demand in the market place for commercial exposure in Moreno Valley
- The city's ability to manage Asset Management contracts
- The political environment for balancing the need for revenue versus commercialization of public facilities
- Aesthetics, logistics, and the cost versus revenue benefits of Asset Management Programs

Generating revenue from the use of public facilities is a business venture and thus requires good business decisions and good business practices

Three column kiosk (KSK)

when implementing asset management programs. For example, an agency cannot decide to implement an information/advertising kiosk program at its parks and facilities but then decide to hide the kiosk in an obscure location because it doesn't want to appear that it is commercializing its facilities.

By designing the kiosk to be attractive and fit into the theme of the facility, the kiosks actually become an integral part of the facility environment and an essential amenity to provide information to site visitors.

It is recommended that when the City proceeds with the design of new facilities that the design process contains an analysis of potential asset management opportunities to generate revenue to offset operation and maintenance costs. By doing this the city can develop attractive quality new facilities that have financial sustainability in the future.

2. Partnering with other public agencies, non-profits and commercial entities

The City of Moreno Valley currently has several partnerships in place to deliver programs and services to the community. The most notable is the after-school program in coordination with the two school districts that serve Moreno Valley. In the past the City has also worked with the YMCA for delivery of after-school programs.

The City has jointly developed College Park in association with the Riverside Community College District and has plans to do more joint projects when the Community College Master Plan is implemented.

Additionally, the City works with several non-profit organizations to provide cultural programs, citywide special events, senior citizen programs, human service programs, and equestrian activities.

The City also works closely with the County of Riverside on regional trail systems and the State Department of Parks and Recreation with regards to the Lake Perris State Recreation Area.

The City will need to continue and expand its partnership programs in the future. Some specific examples to consider could be:

- Partnering with the YMCA when developing the future aquatic complex
- Partnering with the Community College for the development of a performing arts center and outdoor amphitheater
- Using a commercial entity to develop and operate the sports complex and family fun center at March Field Park
- Partnering with AYSO for development of soccer fields
- Partnering with Little League to light ball diamonds

- Partnering with churches to utilize facilities for cultural programs
- Partnering with the school districts to light school fields

Looking for ways to expand partnerships will be vital in the future to enable the Parks and Community Services Department to act as a facilitator of programs rather than a direct provider.

3. Fee Based Recreation Programs

The Parks and Community Services Department currently offers a wide variety of fee-based programs and activities. Most of these are conducted with independent contractors as instructors. In order to meet the demand for future classes and activities to serve youth, teens, and adults, the Department will need to continue its practice of providing these types of activities on a fee basis.

If new community centers are built they should be designed with studios for dance, music, art, crafts, acting, and painting. There should also be multi-purpose rooms that can be used for meetings, workshops, and group classes in self improvement. Fitness activities such as yoga, karate, martial arts, etc. can be offered as fee based programs.

Expanding and adding to the current fee-based programs will help the Parks and Community Services Department meet the requests for a wide variety of instructional, self-improvement, and recreational classes in the future.

7.3.11 - Goal 11: Work to include trails for walking, jogging and biking in future park development and pursue completion of the Moreno Valley Trails Master Plan.

Trails

Provide transportation corridors

Connect points of interest

Opportunities for fitness

Family activity

Increase property values

RECOMMENDATIONS

During community outreach events, attendees expressed a strong desire to improve trails systems throughout the City.

The City has done an excellent job of developing a Trails Master Plan and Trails Standards to use when trails are developed. There are a number of issues the City will need to resolve with regards to local trail connections to regional trails, providing trail access across the 60 Freeway to connect north and south trail systems and with including future trails on the east side of the city when that area develops. The City should pursue the following policies:

~ Continue to implement the Moreno Valley Trails Master Plan

~ Ensure that the City's trail design standards are inhered to in future trail development

~ Look for opportunities to include walkways and trails in the design of new commercial, industrial, and retail development projects

~ Pursue alternatives to complete trail connections over or under the 60 Freeway to make sure trail access is maintained north and south

~ Limit the use of motorized vehicles on trails to segways and power chairs/scooters used by persons with limited mobility and dedicate resources to enforce trail use to assure safe use of trails

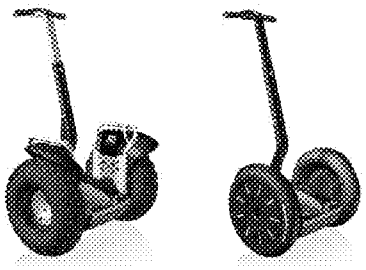

Typical Segways

7.3.12 - Goal 12: Continue to update the existing City of Moreno Valley Landscape Standards to include "Sustainable Design Elements" into new park design and park rehabilitation projects to bring the opportunity to integrate new energy efficient technologies and water conservation into all park and facility development projects. Expand the definition of sustainable design to the public park design process by building on the traditional approaches to environmental sensitivity so that parks and facilities have the ability to hold up over time and reduce their impact on the environment. This requires the integration of planning and design techniques to provide financial sustainability, environmental sensitivity, green building technologies, and water management procedures.

RECOMMENDATIONS

Park landscaping provides valuable services to our environment such as climate regulation, clean air and water, and improved quality of life. However, conventional land practices often limit, rather than enhance the ability of landscapes to provide these important services.

As new parks are developed and existing parks upgraded, it will be important to address sustainability practices in park design. The following key items should be addressed:

~ The use of drought tolerant and native plants

~ Utilizing Smart Irrigation Controllers to increase irrigation efficiencies through hydro zoning according to plant requirements and site microclimates, in addition to sensors to reduce over irrigation

~ On site storm water management practices

~ Facility locations that take advantage of site options for solar access

~ Building shape, thermal mass and window location to minimize excess energy consumption

~ The use of water permeable or "porous" paving

~ On site storm water recharge

~ The use of recycled building materials

~ The protection of existing plants

~ Plantings from diverse communities of plant species well adapted to the site

~ The use of mulch in planted areas

~ Water efficiencies through the grouping of plants with like water requirements

7.4 SUMMARY OF NEW FACILITY RECOMMENDATIONS

The recommendations to accomplish the "12 Goals for Success" presented in 7.2 above include a number of new facilities for the city. The following is a summary of the new facility recommendations and a description of each one:

1. March Field Park Sports Complex

(Exhibit 7.1)

- Youth Soccer Complex with 8 fields
- Softball Complex with 4 fields
- Roller Hockey/Skating Facility
- Skateboard Facility
- Batting Cages
- Rock Climbing
- Children's Playground with Water Play
- Food and Rental Concessions
- Walking/Jogging Trail
- Passive Lawn Area
- Parking with RV Space for Tournament Visitors

(Exhibit 7.2)

- A dedicated multi-fields youth and adult baseball complex

2. Prototypical Concept Master Plan for Multi-Generational Community Park for future development in the eastern portion of the City (**Exhibit 7.3)**

- Aquatic complex
- Sports complex
- Multi-Generational complex containing:

- Community center with studios and classrooms
- Senior community center with outdoor activity space
- Teen center with media lab and outdoor activity venue
- Walking and jogging trail, passive lawn area, children's play equipment, restrooms and parking
- Special events area

In summary, if over the next 20 years the city can implement these new master plan projects, make the recommended improvements to existing parks; and address the recommendations for programming for youth, teens, and seniors, the City will have accomplished a very successful park and recreation system consistent with the General Plan goals and objectives.

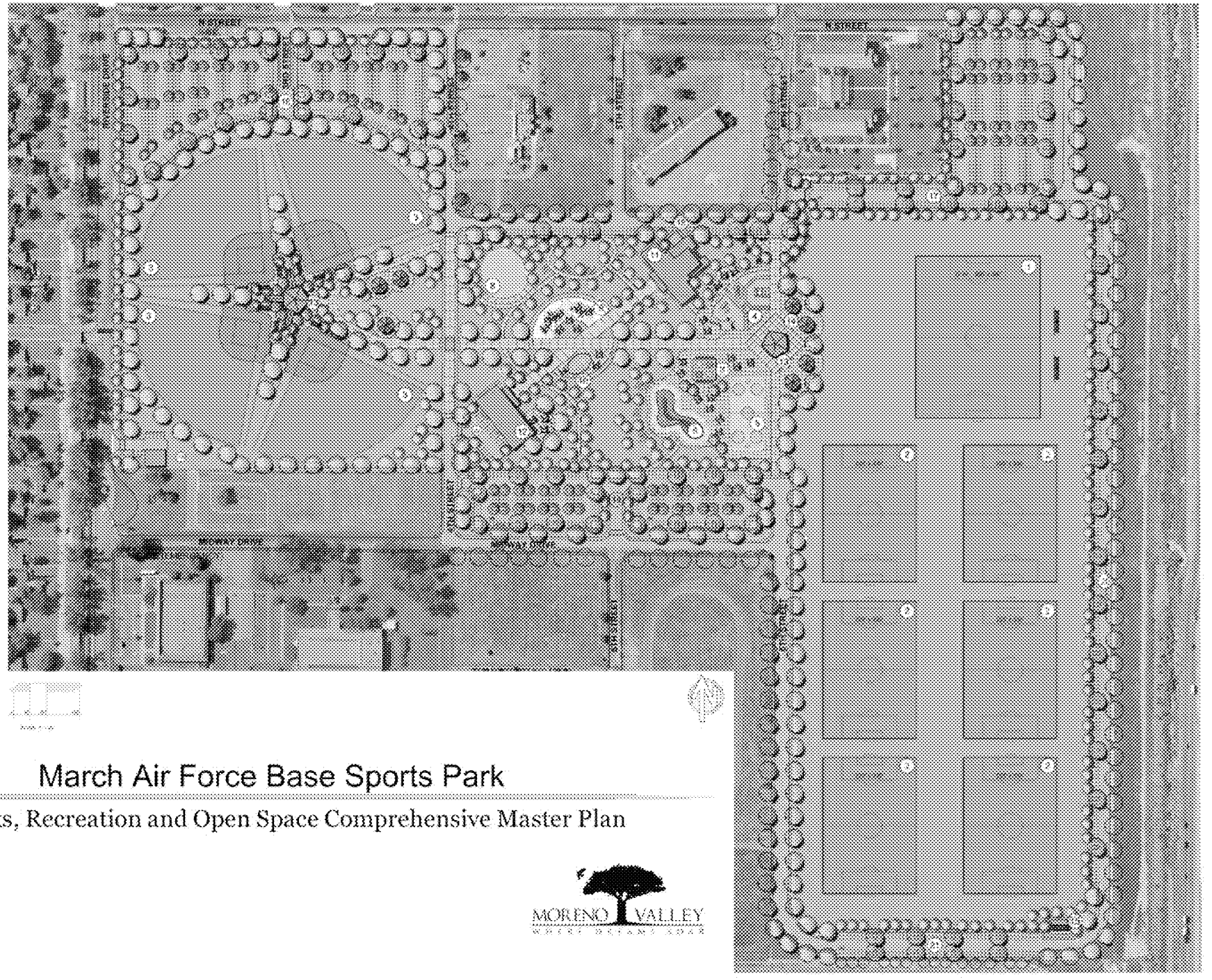

March Air Force Base Sports Park

Parks, Recreation and Open Space Comprehensive Master Plan

MORENO VALLEY

MV00049617

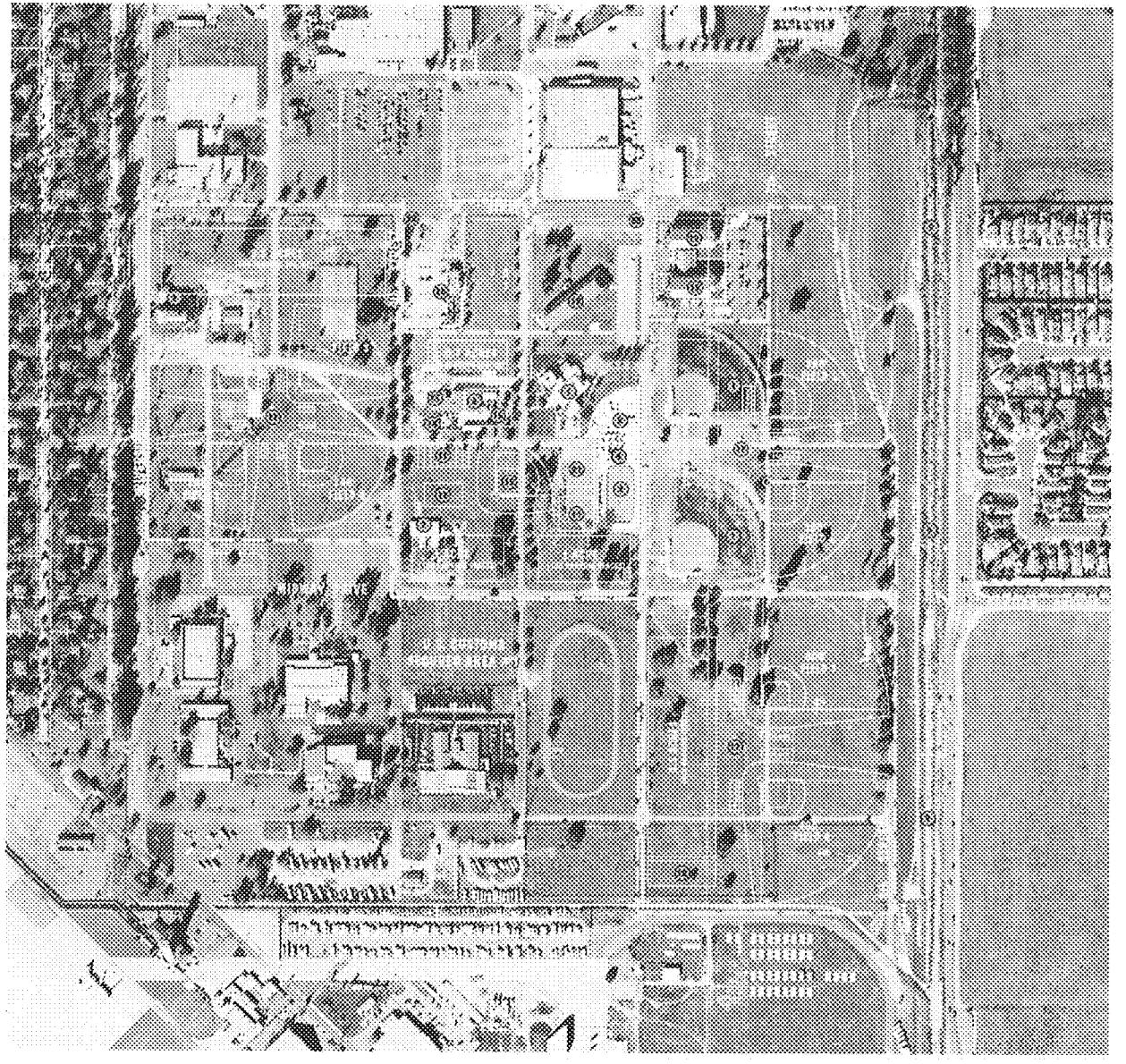

TOTAL SITE AREA: 72 acres

TOTAL DEVELOPED SITE AREA: 60 acres

LEGEND

1. EXISTING BALLFIELD TO BE REMOVED
2. EXISTING ROLLER HOCKEY RINK TO REMAIN
3. EXISTING SKATE PARK TO REMAIN
4. EXISTING RESTROOM - CONCESSION BUILDING TO REMAIN
5. EXISTING RECREATION CENTER TO REMAIN
6. EXISTING MAINTENANCE BUILDING TO BE REMOVED
   NEW MAINTENANCE BUILDING AND YARD TO BE CONSTRUCTED PER ITEM 18 BELOW
7. EXISTING "HEADSTART" CHILD CARE CENTER TO BE RELOCATED
8. EXISTING RED CROSS BUILDING COMPLEX TO BE REMOVED
9. DRAINAGE WASH AREA
10. 6-MAN BASEBALL "FIELD"
11. ROCK CLIMBING WALL AREA
12. COVERED INSTRUCTIONAL AREA
13. OUTDOOR INSTRUCTIONAL AREA
    SURROUNDED BY DENSE LANDSCAPE AND TREES
14. PICNIC SHELTER FOR +/-150 PEOPLE
15. (2) PICNIC SHELTERS FOR +/-40 PEOPLE
16. CHILDREN'S PLAY AREA
17. CONCESSION AND RESTROOM BUILDING
18. NEW MAINTENANCE BUILDING AND YARD
19. EXISTING DORMITORY BUILDING
20. EXISTING RESTAURANT
21. WATER PLAY / SPLASH PAD
22. INFORMATIONAL ENTRY KIOSK

Proposed Baseball Complex

Moreno Valley, California

Schematic Plan

November 2008

MV00049619

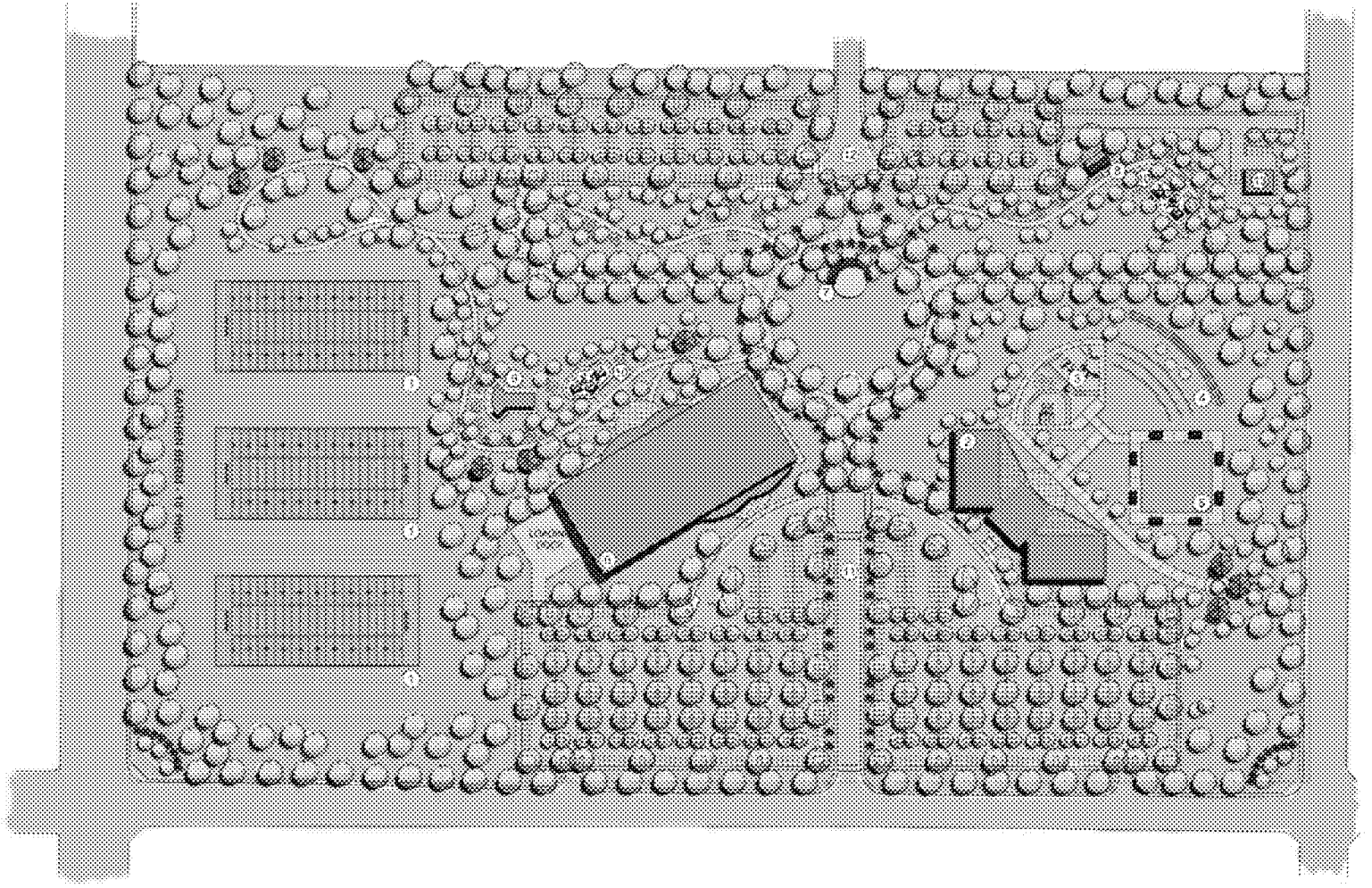

Prototypical Community Park

Parks, Recreation and Open Space Comprehensive Master Plan

MORENO VALLEY
WHERE DREAMS SOAR

Item No. G.2
EXHIBIT 7.3

MV000049620

MV00049621

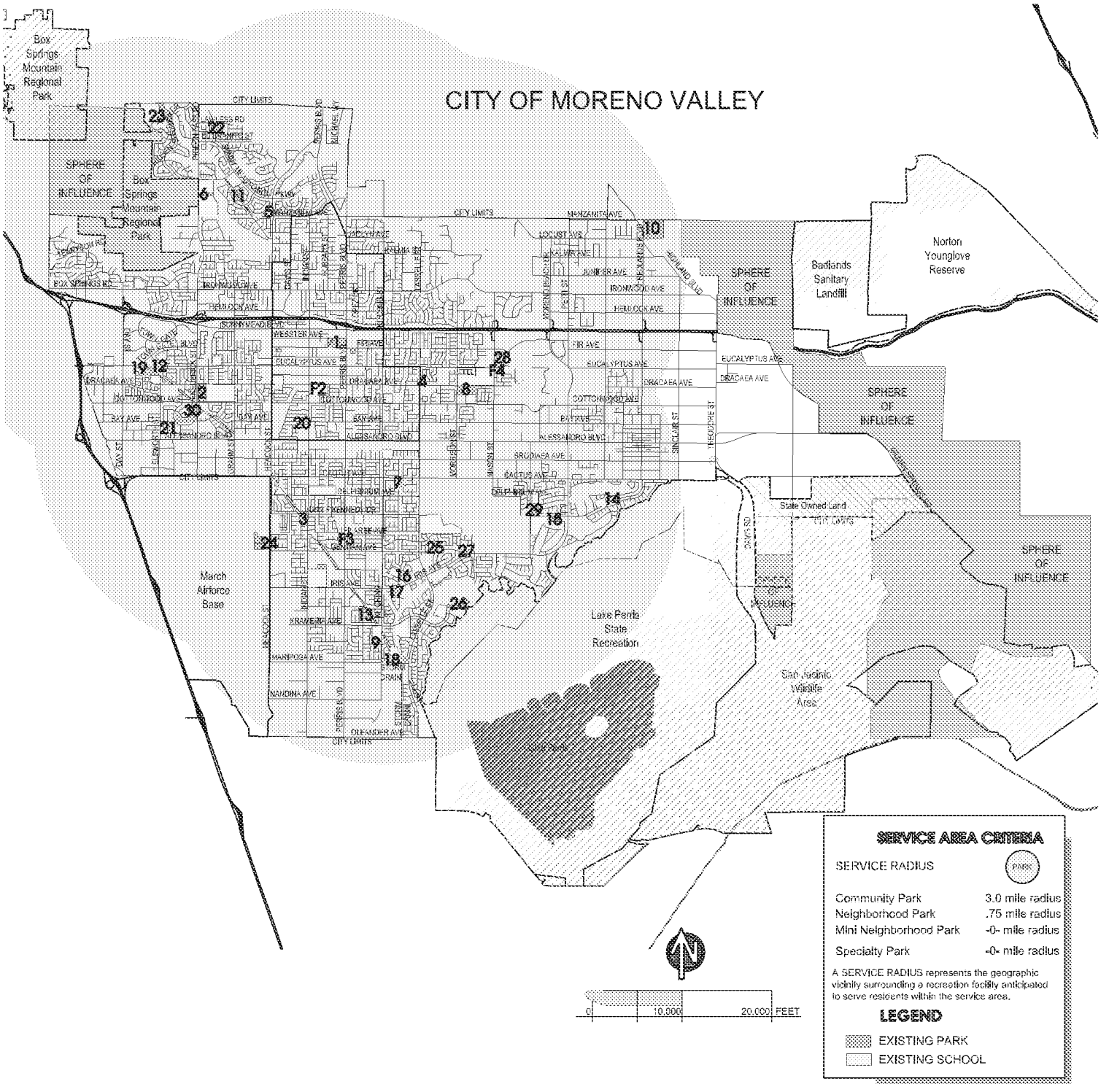

Item No. G.2

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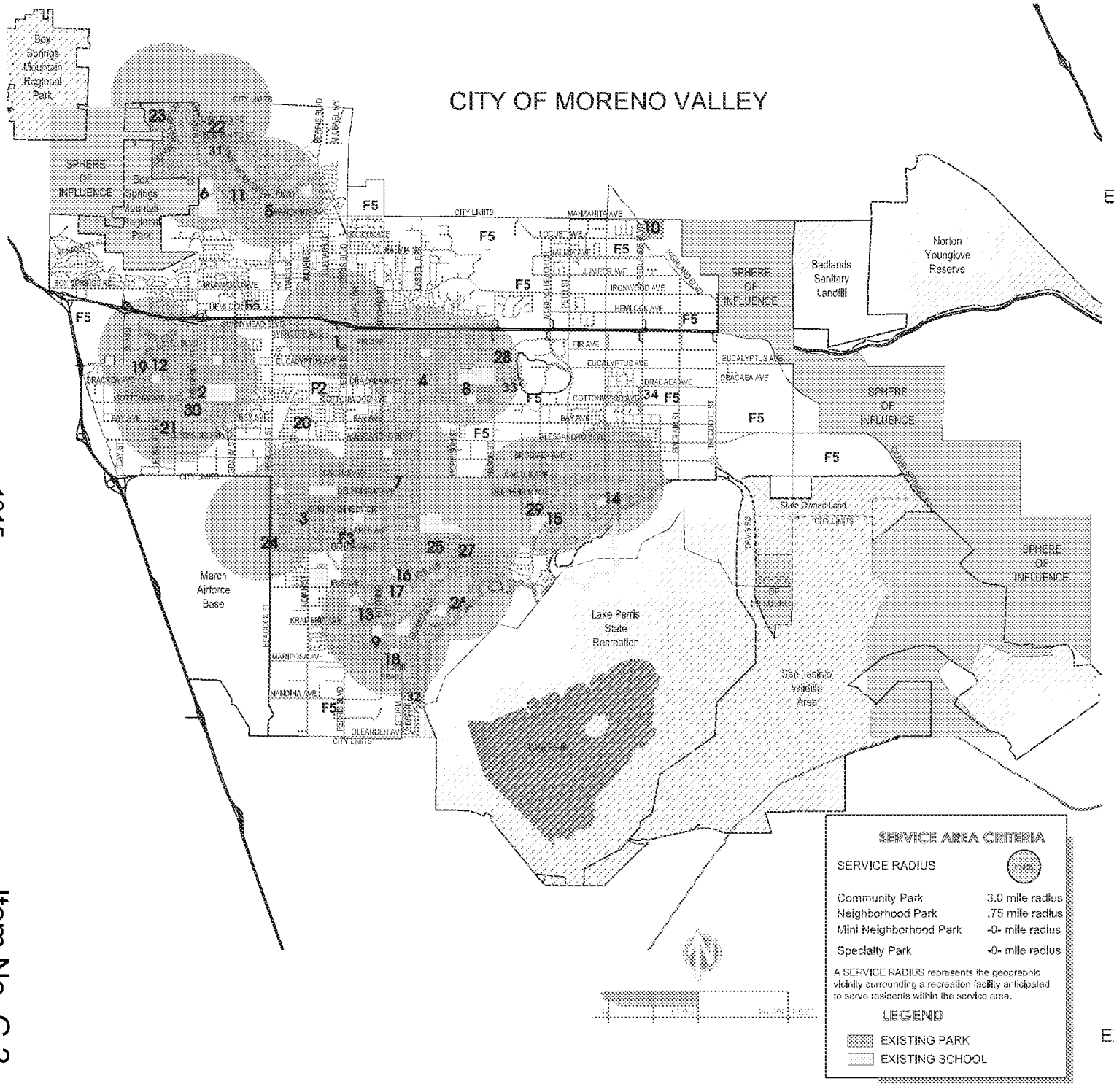

EXISTING COMMUNITY PARKS*

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
8 MORRISON PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
26 COLLEGE PARK

EXISTING NEIGHBORHOOD PARKS

3 JOHN F. KENNEDY PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
9 BETHUNE PARK
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUEDUCT LINEAR PARK
13 CALIFORNIA AQUEDUCT LINEAR PARK
14 RIDGE CREST PARK
15 FAIRWAY PARK
16 VICTORIANO PARK
17 PEDRORENA PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
25 PARQUE AMISTAD
27 VISTA LOMAS PARK
29 CELEBRATION PARK

EXISTING MINI-NEIGHBORHOOD PARKS

20 BAYSIDE PARK
28 ROCK RIDGE PARK

EXISTING SPECIALTY PARKS

10 MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER
30 COTTONWOOD GOLF CENTER
31 SUNNYMEAD EQUESTRIAN STATION
32 RANCHO VERDE EQUESTRIAN STAGING
33 COLD CREEK TRAIL HEAD
34 COTTONWOOD EQUESTRIAN STATION

*Where community parks are located in residential neighborhoods, they serve both the needs of the Community Park service radius and Neighborhood Park service radius.

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING NEIGHBORHOOD PARKS

Map 7.2 - Ex. Neighborhood Parks Service Radius Map

MV00049625

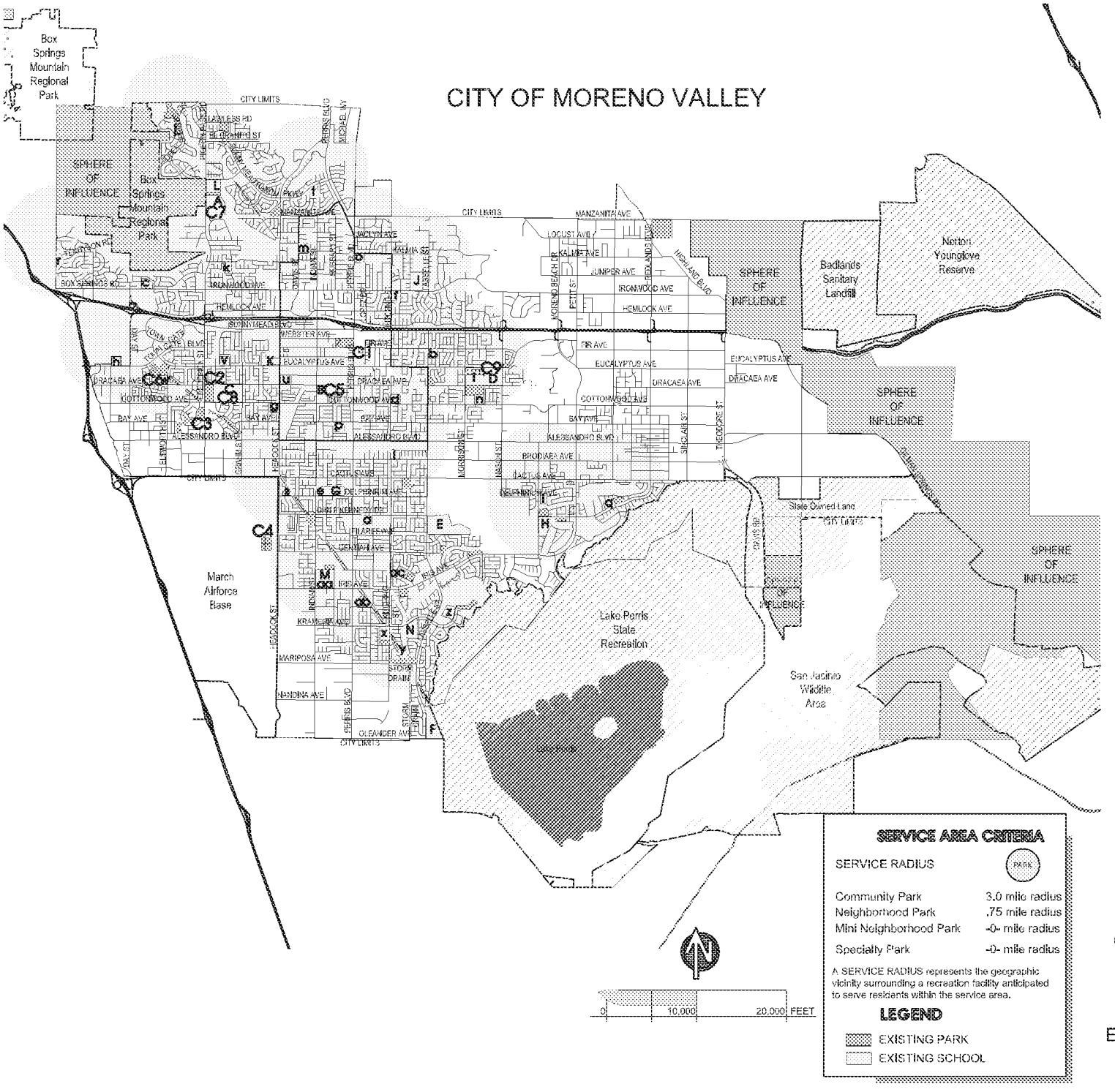

EXISTING SCHOOL FACILITIES

HIGH SCHOOLS
- A CANYON SPRINGS HIGH SCHOOL
- B MARCH MOUNTAIN HIGH SCHOOL
- C MORENO VALLEY HIGH SCHOOL
- D VALLEY VIEW HIGH SCHOOL
- E VISTA DEL LAGO HIGH SCHOOL
- F RANCHO VERDE HIGH SCHOOL

MIDDLE SCHOOLS
- G BADGER SPRINGS MIDDLE SCHOOL
- H LANDMARK MIDDLE SCHOOL
- I MOUNTAIN VIEW MIDDLE SCHOOL
- J PALM MIDDLE SCHOOL
- K SUNNYMEAD MIDDLE SCHOOL
- L VISTA HEIGHTS MIDDLE SCHOOL
- M MARCH MIDDLE SCHOOL
- N VISTA VERDE MIDDLE SCHOOL

ELEMENARY SCHOOLS
- a ARMADA ELEMENTARY SCHOOL
- b BEAR VALLEY ELEMENTARY
- c BOX SPRINGS ELEMENTARY
- d BUTTERFIELD ELEMENTARY
- e CHAPARRAL HILLS ELEMENTARY
- f CLOVERDALE ELEMENTARY
- g CREEKSIDE ELEMENTARY
- h EDGEMONT ELEMENTARY
- i HENDRICK RANCH ELEMENTARY
- j HIDDEN SPRINGS ELEMENTARY
- k HONEY HOLLOW ELEMENTARY
- l LA JOLLA ELEMENTARY
- m MIDLAND ELEMENTARY
- n MORENO ELEMENTARY
- o NORTH RIDGE ELEMENTARY
- p RAMONA ELEMENTARY
- q RIDGECREST ELEMENTARY
- r SENECA ELEMENTARY
- s SERRANO ELEMENTARY
- t SUGAR HILL ELEMENTARY
- u SUNYMEAD ELEMENTARY
- v SUNNYMEADOWS ELEMENTARY
- w TOWN GATE ELEMENTARY
- x BETHUNE ELEMENTARY
- y EL POTRERO ELEMENTARY
- z LASELLE ELEMENTARY
- aa RAINBOW RIDGE ELEMENTARY
- ab RED MAPLE ELEMENTARY
- ac VICTORIANO ELEMENTARY

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING MIDDLE SCHOOLS AND ELEMENTARY SCHOOLS

Map 7.3 - Ex. Middle and Elementary Schools Service Radius Map

MV00049627

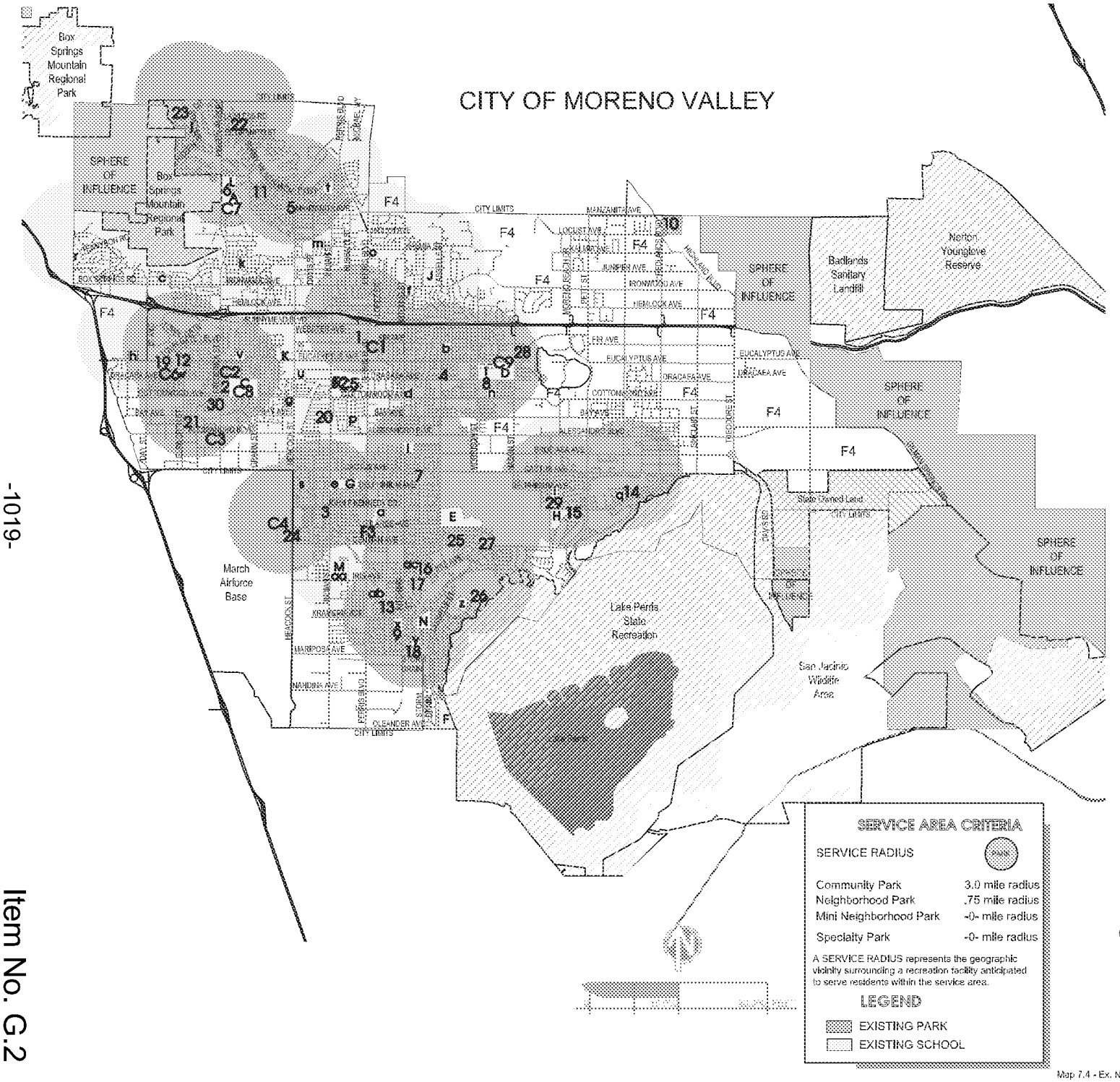

EXISTING NEIGHBORHOOD PARKS

3 JOHN F. KENNEDY PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
9 BETHUNE PARK
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUEDUCT LINEAR PARK
13 CALIFORNIA AQUEDUCT LINEAR PARK
14 RIDGE CREST PARK
15 FAIRWAY PARK
16 VICTORIANO PARK
17 PEDRORENA PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
25 PARQUE AMISTAD
27 VISTA LOMAS PARK
29 CELEBRATION PARK

EXISTING MIDDLE SCHOOLS

G BADGER SPRINGS MIDDLE SCHOOL
H LANDMARK MIDDLE SCHOOL
I MOUNTAIN VIEW MIDDLE SCHOOL
J PALM MIDDLE SCHOOL
K SUNNYMEAD MIDDLE SCHOOL
L VISTA HEIGHTS MIDDLE SCHOOL
M MARCH MIDDLE SCHOOL
N VISTA VERDE MIDDLE SCHOOL

EXISTING ELEMENARY SCHOOLS

a ARMADA ELEMENTARY SCHOOL
b BEAR VALLEY ELEMENTARY
c BOX SPRINGS ELEMENTARY
d BUTTERFIELD ELEMENTARY
e CHAPARRAL HILLS ELEMENTARY
f CLOVERDALE ELEMENTARY
g CREEKSIDE ELEMENTARY
h EDGEMONT ELEMENTARY
i HENDRICK RANCH ELEMENTARY
j HIDDEN SPRINGS ELEMENTARY
k HONEY HOLLOW ELEMENTARY
l LA JOLLA ELEMENTARY
m MIDLAND ELEMENTARY
n MORENO ELEMENTARY
o NORTH RIDGE ELEMENTARY
p RAMONA ELEMENTARY
q RIDGECREST ELEMENTARY
r SENECA ELEMENTARY
s SERRANO ELEMENTARY
t SUGAR HILL ELEMENTARY
u SUNYMEAD ELEMENTARY
v SUNNYMEADOWS ELEMENTARY
w TOWN GATE ELEMENTARY
x BETHUNE ELEMENTARY
y EL POTRERO ELEMENTARY
z LASELLE ELEMENTARY
aa RAINBOW RIDGE ELEMENTARY
ab RED MAPLE ELEMENTARY
ac VICTORIANO ELEMENTARY

CITY OF MORENO VALLEY
Parks, Recreation and Open Space
Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING NEIGHBORHOOD PARKS, MIDDLE SCHOOLS AND ELEMENTARY SCHOOLS

Map 7.4 - Ex. Neighborhood Park and Middle & Elementary Schools Service Radius Map

MV00049629

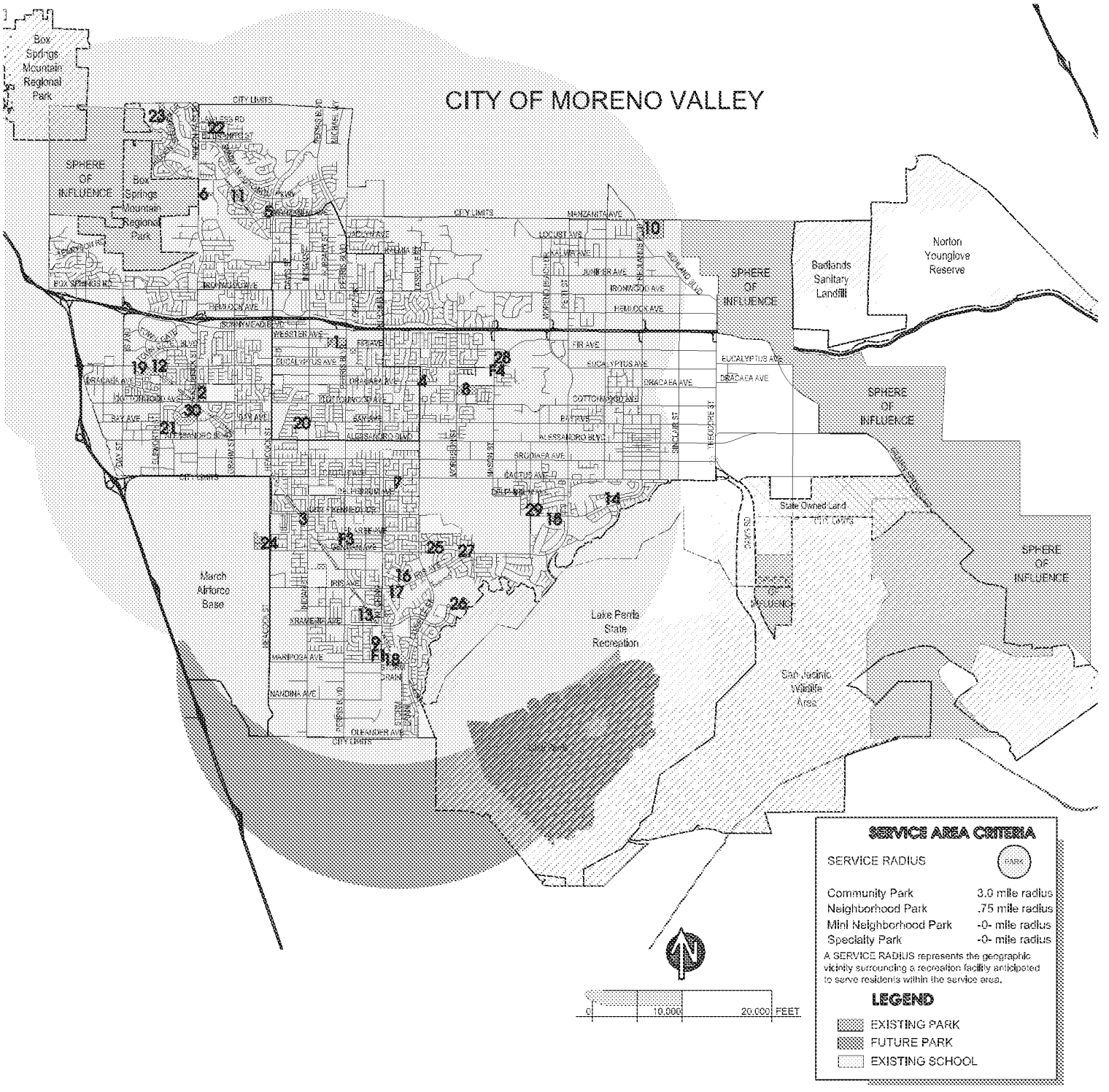

EXISTING COMMUNITY PARKS

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
8 MORRISON PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
26 COLLEGE PARK

FUTURE COMMUNITY PARKS

F1 LASELLE SPORTS PARK

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING & FUTURE COMMUNITY PARKS

Map 7.5 - Ex. & Future Community Parks Service Radius Map

MV00049631

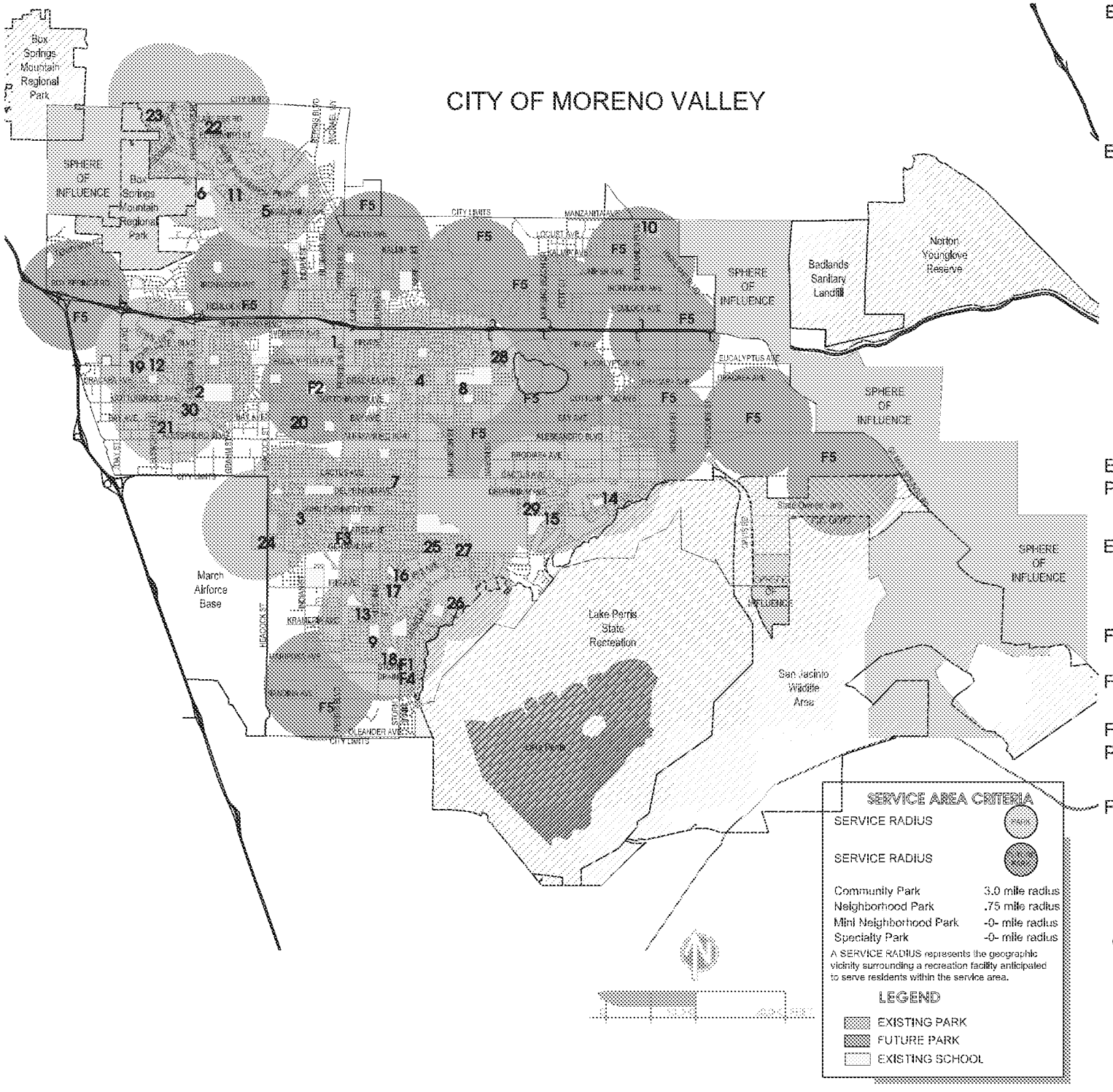

EXISTING COMMUNITY PARKS*

1 SUNNYMEAD PARK
2 MORENO VALLEY COMMUNITY PARK
8 MORRISON PARK
18 EL POTRERO PARK
19 TOWNGATE MEMORIAL PARK
24 MARCH FIELD PARK / VALLEY SKATE PARK
26 COLLEGE PARK

EXISTING NEIGHBORHOOD PARKS

3 JOHN F. KENNEDY PARK
4 WESTON PARK
5 GATEWAY PARK
6 WESTBLUFF PARK
7 WOODLAND PARK
9 BETHUNE PARK
11 SUNNYMEAD RANCH LINEAR PARK
12 CALIFORNIA AQUEDUCT LINEAR PARK
13 CALIFORNIA AQUEDUCT LINEAR PARK
14 RIDGE CREST PARK
15 FAIRWAY PARK
16 VICTORIANO PARK
17 PEDRORENA PARK
21 ADRIENNE MITCHELL MEMORIAL PARK
22 SHADOW MOUNTAIN PARK
23 HIDDEN SPRINGS PARK
25 PARQUE AMISTAD
27 VISTA LOMAS PARK
29 CELEBRATION PARK

EXISTING MINI-NEIGHBORHOOD PARKS

20 BAYSIDE PARK
28 ROCKRIDGE PARK

EXISTING SPECIALTY PARKS

10 MORENO VALLEY EQUESTRIAN PARK AND NATURE CENTER
30 COTTONWOOD GOLF CENTER

FUTURE COMMUNITY PARKS*

F1 LASELLE SPORTS PARK

FUTURE NEIGHBORHOOD PARKS

F2 COTTONWOOD PARK

FUTURE MINI-NEIGHBORHOOD PARKS

F3 PATRIOT PARK
F4 RANCHO VERDE PARK

FUTURE NEIGHBORHOOD PARKS

F5 FUTURE PARK TO BE LOCATED WITHIN SERVICE AREAS

*Where community parks are located in residential neighborhoods, they serve both the needs of the Community Park service radius and Neighborhood Park service radius.

CITY OF MORENO VALLEY
Parks, Recreation and Open Space Comprehensive Plan

SERVICE RADIUS MAP FOR EXISTING AND FUTURE NEIGHBORHOOD PARKS

Map 7.6 - Ex and Future Neighborhood Parks Service Radius Map

MV00049633

SECTION 8 IMPLEMENTATION STRATEGIES

CAPITAL IMPROVEMENT PROGRAM

INTRODUCTION

METHODOLOGY (Basis for Estimations)

PRELIMINARY COST ESTIMATES

IMPLEMENTATION STRATEGIES FOR EXISTING PARK IMPROVEMENTS

IMPLEMENTATION STRATEGIES FOR NEW PARKS AND FACILITIES

PRIORITY CAPITAL IMPROVEMENT PROGRAM

MV00049635

8.0 INTRODUCTION

This section presents options and strategies the City may wish to consider for implementing the recommendations contained in Section 7. The methodology for the basis for estimations of costs is provided, along with preliminary cost estimates the City can use to determine future funding requirements.

The implementation strategies are divided up by strategies for implementing existing park improvement recommendations, and strategies and options for implementing new parks and facilities.

Finally, this section presents a priority Capital Improvement Program based on the Project Team's analysis of needed improvements to existing parks and facilities, and needed new parks and facilities to meet current and future recreational demands in Moreno Valley.

The strategies presented are based on strategies used by other agencies to successfully fund, finance and implement similar types of facilities that are recommended for Moreno Valley. These options may or may not be right for Moreno Valley, but can at least provide ideas and development strategies the City can use as a basis for discussion to develop an implementation strategy that is right for Moreno Valley.

8.1 METHODOLOGY (Basis for Estimations)

The methods used by the Consulting Team to determine probable costs and funding requirements include looking at similar projects being done by other agencies, building industry cost estimates, inflation and economic factors, determining desired quality of construction, level of service needed to implement the recommendations and the types of funding sources that will be used to implement the proposed recommendations.

The organization of facility recommendations is according to key findings identified through the community outreach and needs analysis process. Year 2008-dollar amounts is used to calculate projected costs and required funding estimates for going "green" with "LEED Compliant" (Leadership in Energy and Environmental Design) construction. The cost estimates represent the following LEED compliance:

~ Sustainable sites
~ Water efficiency
~ Energy and atmosphere
~ Materials and resources
~ Indoor environmental quality
~ Innovation and design process

Although the cost estimates are for standard quality "green" construction for the recommendations, there are less expensive ways of implementing the recommended facilities if political and financial concerns limit the ability to be LEED compliant.

In order for the City to develop costs estimates to determine potential funding needs for facility development, the following data published in July 2008 from the United States Office of Construction and Facilities Management (Los Angeles Area) pertaining to per square foot construction costs for the typical types of municipal facilities is provided:

Standard Community/Senior Center .....$409 Square Foot

Library .....$420 Square Foot

Performing Arts Center .....$529 Square Foot

ADA compliant vandal resistant park rest room .....$364 Square Foot

Artificial turf U14 soccer field $800,000

Natural turf U14 soccer field $600,000

Softball field with natural turf and 250' outfield $385,000

Baseball field with natural turf & 300' outfield $445,000

Artificial turf regulation football field $800,000

Natural turf regulation football field $550,000

ADA compliant standard 10,000 square foot tot lot $325,000

ADA compliant 2500 square foot water play/spray pool $285,000

Aquatic complex .....$524 Square Foot

Surface parking with asphalt and landscaping .....$1200 per space

Standard multi-level parking structure .....$8,800 per space

The construction market is subject to rapid changes brought on by natural disasters and global events. The cost estimates are for standard LEED compliant construction and could increase significantly if construction was in a Federal Flood Plain, on fill or slopes requiring pilings or retaining walls, or containing exotic architectural features. Adjustments may need to be made to cost estimates when specific plans are prepared for park and facility projects based on most current market surveys and industry reports.

8.2 PRELIMINARY COST ESTIMATES

The following cost estimates for each of the recommended park improvements outlined in Section 7 for existing parks and proposed new facilities are provided in order for the City to develop estimates of funding requirements so that budget requests and grant applications can be prepared. The cost estimates do not include preparation of plans and specifications, environmental remediation if necessary, cost of financing or any construction contingency the City requires for capital projects. As projects go through their final approval process, the cost estimates will need updating to reflect current conditions.

PRELIMINARY COST ESTIMATES FOR EXISTING PARK IMPROVEMENTS

Shadow Mountain Park

Tot lot play area (2-5 and 5-12 age groups) $268,000

Ball field lighting for two softball fields $450,000

Restroom/concession stand – 1200 Sq Ft $528,000

Group picnic shelter $121,000

Dugout shelters.....$45,000

John F. Kennedy Park

Conversion of Fire Station to a Recreation Center $525,000

(Includes site furnishings)

Bethune Park

Sport lighting at the adjacent school $520,000
(Bethune Middle School)

Fairway Park

Tennis court (includes design and lighting) $320,000

Pedrorena Park

Group picnic shelter $121,000

Parque Amistad Park

Park restroom – 800 Sq Ft $510,000

Weston Park

Group picnic shelter $121,000

Sunnymead Equestrian Station

Covered shade area for the rest stop $39,000

Horse watering trough $23,000
(Includes access improvements)

Moreno Valley Equestrian Park and Nature Center

Equestrian Park and Nature Center Master Plan $75,000

Reservoir Park

Natural areas and trails .... $180,000 to $350,000 (Depending on design)

PRELIMINARY COST ESTIMATES FOR NEW PARKS AND FACILITIES

March Field Park Family Sports Complex

- Youth soccer complex with eight fields ..... $4.8 Million
- Softball complex with four fields $1,140,000
- Roller hockey/skating facility ..... Existing
- Skateboard facility ..... Existing
- Children's playground with water play $560,000
- Food, rental, batting cages and rock climbing concessions .....Concessionaire
- Walking/jogging trail $1,327,000
- Lawn area $425,000
- Parking lots – 974 spaces (Includes lighting).....$2,168,800
- 75 RV spaces for tournament visitors (includes hook-ups) $875,000
- Site imp's (grading, roads, etc and 20% contingency) ..... $5.2 Million

Prototypical Concept Master Plan for Multi-Generational Community Park for future development

- Aquatic complex – 30,000 Sq Ft $15,720, 000
- Indoor sports complex – 80,000 Sq Ft $32,720,000
- Multi-Generational complex containing:.....$4,908,000
  community center with studios and classrooms – 12,000 Sq Ft
- Senior community center with outdoor activity space – 10,000 Sq Ft $4,090,000
- Teen center/media lab/outdoor activity venue - 10,000 Sq Ft $4,090,000
- Walking/jogging trail $325,000
- Passive lawn area $875,000
- Children's play area $225,000
- Restrooms $582,400
- Special events area $1,235,000
- Parking – 1,000 spaces (Includes lighting and design)..... $2.2 Million
- Site imp's (grading, utilities, etc. and 20% contingency) - ..... $15.8 Million

8.3 IMPLEMENTATION STRATEGIES FOR EXISTING PARK IMPROVEMENTS

The primary sources for funding improvements to existing parks is Park Impact Fees, Park In-Lieu Fees, City General Fund, Community Services District Fees and State Park Bond Grant Money. Sponsor donations or service clubs seeking to participate in community service projects could fund some recommended improvements, such as group picnic shelters.

Sports field lighting at Bethune Middle School and Shadow Mountain Park could be bundled into one lease-purchase financing package and the fees collected for field rentals could fund the lease payments. The number of years of the lease-purchase would depend on the projected annual income from rental fees and could range from five to 20 years so that the amount of annual lease payment is equal to the amount of annual revenue generated from user fees. At the end of the lease-purchase period, the City would own the lights. If the City were to default on the lease-purchase payment the investors would own the lights and could remove them from the two locations. Because the lights serve as the collateral for the lease purchase, the City's General Fund is not at risk.

The conversion of the Kennedy Fire Station into a community center project may be eligible for grant money from the Safe Places for Kids program or Anti-Gang grant money.

The City could consider allowing advertising on the shade shelter for the equestrian station rest stop. The income generated from the ad revenue could pay for both the installation and maintenance of the shade structure.

If the City moves ahead with the concept for an Equestrian Park and Nature Center, it should consider collaborating with an equestrian operator for the equestrian portion of the project and a nature conservatory to develop and operate the nature center. This would decrease the amount of funding needed from the City to implement this project.

The Equestrian Center property could also be considered as a site for a future community center with active sports uses and possibly an aquatics center, however, this could be controversial and would need extensive study and public input.

8.4 IMPLEMENTATION STRATEGIES FOR NEW PARKS AND FACILITIES

The recommendations to accomplish the "12 Goals for Success" presented in Chapter 7 include a number of new facilities for the City. The following is a summary of the new facility recommendations and a description of possible implementation strategies for each.

1. March Field Park Family Sports Complex

There are two possible sports concession scenarios presented in this document. One is for a soccer/softball/family fun center **(see Exhibit 7.1)** and the other is for a dedicated baseball complex **(see Exhibit 7.2)**. The soccer/softball/family fun center concept design includes:

- Youth soccer complex with eight fields
- Softball complex with four fields
- Roller hockey/skating facility
- Skateboard facility
- Children's playground with water play
- Food, rental, batting cages and rock climbing concessions
- Walking/jogging trail
- Passive lawn area
- 964 parking spaces and 75 RV spaces for tournament visitors

The design of the facility has three component areas, a soccer complex, a softball complex and a family fun sports center. One or all of the component areas could be developed and operated by a sports concessionaire.

The City could also develop the site in phases by working with existing community organizations, like AYSO, to develop specific areas of the concept plan.

The dedicated baseball complex concept design includes:

- Youth and adult size baseball fields
- Restrooms and food concessions
- Parking
- Administrative and maintenance facilities

The dedicated baseball field's concept **(Exhibit 7.2)** could be built and operated by a concessionaire. There are considerations that affect the City's ability to concession the proposed amenities in the specific plan for this site. First, the City belongs to a Joint Powers Authority along with the City of Perris, County of Riverside and City of Riverside. The March Joint Powers Authority must approve all land use and concession agreements.

Since the County of Riverside is planning to concession the development of a Big League Dreams Sports Complex not to far from March Field Park, it could be against the City of Moreno Valley also developing a sports complex that would compete in the same proximity, and therefore not vote to approve the Moreno Valley plan. On the other hand, the County may agree that the Moreno Valley fields will primarily serve youth and adult sports organizations in Moreno Valley;

and thus not compete for regional tournaments that Big League Dreams will be trying to attract. They could see the Moreno Valley facility as a feeder facility for tournaments and events at Big League Dreams and vote to approve Moreno Valley's project.

Due to provisions contained in the deed from the federal government to the Moreno Valley Community Services District, the National Parks Service must approve any improvements and concessions on March Field Park.

If the City does not want to concession one or more of the components of the specific plan, it could fund, develop and operate the facilities themselves. This option is complicated by the fact that the March Field Park property, although now owned by the Moreno Valley Community Services District is not actually within the city limits of Moreno Valley. Since March Field Park is currently outside the City's incorporated area, the City's ability for funding the recommended improvements may be limited to the use of park in-lieu fees (Quimby), park impact fees or Community Services District revenue, as long as the City or Community Services District maintains the park and provides its facilities for residents to use.

The City could use the proceeds from the sale of a park bond to perform improvements, if a two-thirds majority of the voters in Moreno Valley approve of such an action. Additionally, the City could also sell a revenue bond that could be reimbursed by the revenue generated from concessions on the site. March Joint Powers Authority and the National Park Service would need to approve such concessions. A revenue bond would not require voter approval, just a 4 out of 5 majority vote of the City Council.

Another strategy to consider might be to try to interest the other members of the March Joint Powers Authority to join with Moreno Valley and develop the site as a March Joint Powers Authority project, whereby all members of the Authority are given use of the facility for their constituents.

The percentage of use could be equal to the percentage of participation in funding the project. The March Joint Powers Authority could even consider establishing its own CFD (Community Facilities District) that would encompass the jurisdictions of each agency to fund the development and operation of the site.

Another option would be for the City to develop the site in phases. The middle portion of the site containing the family fun center could be developed first using grants and partnering with a commercial concession for the food service and rental portions of the development.

As a revenue stream develops from the concessions, the City could proceed with the other phases. This initial phase could be funded through a lease purchase financing arrangement as explained in Section 6 of the Master Plan.

Prior to determining which of the above strategies may be best for Moreno Valley, the City needs to first proceed with presenting the specific plan for the March Field Park Family Sports Complex to the March Joint Powers Authority and the National Park Service for their review and comment.

If it appears that these agencies are in agreement with the plan then the City can develop a more specific funding and development plan with updated costs and pro-formas that will help it determine the best implementation option.

2. Prototypical Concept Master Plan for Multi-Generational Community Park when future development occurs in the east portions of the city

The recommended amenities for the Multi-Generational Community Park **(see Exhibit 7.3)** proposed for a future location on the eastern side of the city might include the following:

- Aquatic complex
- Sports complex
- Multi-Generational complex containing:
  - Community center with studios and classrooms
  - Senior community center with outdoor activity space
  - Teen center with media lab and outdoor activity venue
- Walking/jogging trail, passive lawn area, children's play equipment, restrooms and parking
- Special events area

The City will have to identify potential sites on the eastern portion of the city and then start the process of acquisition of the property for future development of the proposed Multi-Generational Community Park. There are plans for future residential developments in the eastern sections of the City whereby the City could work with the developers of these planned residential communities to obtain park dedication through the City's Quimby Ordinance.

It may be possible to combine park dedication requirements from several planned residential developments so that a single park parcel of 40-50 acres can be acquired to build the proposed Multi-Generational Community Park.

The City may also pursue accepting Park In-Lieu Fees for residential developments in the eastern area and then match the In-Lieu Fees with California State Park Grant money to acquire property that would be ideal for park purposes. There are several 20-40 acre rectangular parcels in the Eastern area of the City or within the proposed future annexation areas of the City that would be suitable for the prototypical Multi-General Community Park.

If the City were able to secure funding either through its park fund or grants, designation and acquisition of 40-60 acres in the eastern area of the city would

be significantly less expensive now then it will be when the next housing boom begins and land values start to increase.

Actual development of the amenities could be done in phases as growth occurs. The City should definitely pursue the establishment of a Community Facilities District for all new development in the eastern portion of the city. Also, the City should consider the establishment of a Park Impact Fee for both new residential and new commercial/retail development in the eastern corridor to supplement the funding for capital improvements for whatever site the City designates and acquires for the future community park.

3. Cottonwood Golf Center

The City has been reviewing options for the Cottonwood Golf Center site in light of the annual subsidy ranging from $300,000 to $400,000 required by the City to keep the golf course operating. Securing a concessionaire to maintain and operate the golf course could reduce the City subsidy. To attract a successful golf operator the City would have to invest in remodeling and improving the banquet facility and the pro-shop food service area. **Exhibit 8.1a** is a concept site plan showing the expansion of the existing building to accommodate these improvements and provide additional parking.

The golf course site could be desirable location for a commercial indoor sports facility for basketball, volleyball and indoor soccer programs. It could also be a desirable site for housing and office or hospitality uses. Finally, it could be a desirable site for a soccer complex or a neighborhood park. Converting the golf course to another use will affect the surrounding residents so further community input will be needed if the City decides to pursue an alternative use.

If the City were unable to continue to subsidize the golf course operation, converting the site to soccer fields would provide needed soccer facilities and complement Moreno Valley Community Park just down the street when soccer organizations host tournaments. **Exhibit 8.1b** presents a conceptual layout of soccer fields on the golf course site. After the initial cost of the conversion to soccer fields, the cost to maintain soccer fields would be about half the cost to maintain the golf course in this location.

Exhibit 8.1c is a conceptual layout of an indoor sports facility with a sports medicine and rehabilitation center. Again, if the City is unable to continue to afford the golf course, it could solicit proposals from commercial recreation operators to lease the property to for development and operation of a commercial indoor sports facility.

Sports medicine and sports rehabilitation centers are needed facilities and the golf course location is a desirable location for leasing for such purposes. This type of facility could be included with either the soccer field concept or the indoor sports center concept.

A commercial indoor sports facility would require a minimum of a 60,000 square foot building, which would generate a need for a minimum of 600 parking spaces. If the design included only surface parking, the parking would extend significantly into the dogleg portion of the golf course property. A parking structure containing 600 spaces would require a six story building on the site. Providing enough parking without affecting adjacent homes will be a problem to overcome if this option is pursued for the site.

The final option for the City to consider if it cannot continue to operate the golf course is to transform the golf course into a neighbor park with traditional tot lots, walkways, picnic facilities and passive open space. After the initial conversion cost, the cost to maintain the 15-acre site as a neighborhood park would be under $150,000 annually - about half the City's current cost to maintain the golf course.

The recommended strategy for reducing City cost in operating the golf course would be first to pursue a successful golf course concessionaire. Negotiating an operating agreement that would provide for improvements to the existing banquet, food service and pro-shop and then relieve the City from all operating costs would be the goal. If this approach proves unsuccessful, then the City could undertake a process to determine alternative uses that would be financially acceptable to the City and politically acceptable to the community.

8.5 PRIORITY CAPITAL IMPROVEMENT PROGRAM

The Project Team has prioritized the recommended Capital Improvements into four categories:

1. First Priority Need – Should be accomplished in next 3 years
2. Second Priority Need – Should be accomplished in next 7 years
3. Future Need – Should be accomplished in next 20 years
4. Desired Improvements – Should be done when funding is available

Priority Capital Improvement Program

First Priority Need – Next 3 Years	Funding Needed
Shadow Mountain Park Field Lighting	$650,000
Equestrian Center Watering Trough	23,000
Equestrian Station Rest Stop Shade	39,000
Total Funding Needed	$712,000

Second Priority Need – Next 7 Years	Funding Needed
Shadow Mountain Park Tot Lot	$268,000
Kennedy Park Fire Station Conversion	525,000
Bethune School Sports Field Lighting	520,000
Pedrorena Park Group Picnic Shelter	121,000
Parque Amistad Park Restroom	510,000
Shadow Mountain Park Restroom/Concession	528,000
Weston Park Group Picnic Shelter	121,000
Shadow Mountain Park Group Picnic Shelter	121,000
Total Funding Needed	$2,714,000

Future Need – Next 20 Years	Funding Needed
March Field Park Family Sports Complex	$16,495,800
Multi-Generational Community Park	82,770,400
Total Funding Needed	$99,266,200

Desired – When Funding is Available	Funding Needed
Fairway Park Tennis Court	$320,000
Moreno Valley Equestrian Park and Nature Center Master Plan	75,000
Reservoir Park Nature Park and Trails	350,000
Total Funding Needed	$745,000

The funding needed amounts presented above reflect the estimated cost of the recommendations if the City were to fund and develop all of the recommendations itself. In actually, the City may collaborate with schools, non-profit agencies or other entities in the funding of projects, which would reduce the amount of funding needed by the City. The City may also concession some of the recommendations to private funding.

The prioritized Capital Improvement Program is intended to give staff, Parks and Recreation Commission and City Council a sense of the funding required so that they may begin their planning efforts for the implementation of the recommendations knowing the financial resources that will be needed to implement the various projects. The estimated costs and needed funding amounts will need reviewing and updating on a project-by-project basis as each project moves forward in the implementation process.

Legend

1. Enhanced Street Frontage
2. New parking lot with drop off - Approximately 84 spaces
3. New Proshop with banquet facilities
4. New water feature to enhance banquet facilities
5. Maintain entry for loading and unloading
6. New entry to site

Note: Overall Site 12 Acres

Drawing NOT TO SCALE

Cottonwood Golf Center

Expansion of Existing Facilities

Parks, Recreation and Open Space Master Plan

January 2009

MORENO VALLEY

MV00049649

Legend

1. Soccer Field - Dimensions 225' x 330'
2. Neighborhood Pocket Park
   Children's Play Area
   Picnic Table
   .5 Acre
3. 10,000 sq ft Sports Medicine Rehab Center to possibly include Retail and/or Office Space
4. Programmable Open Space
   Warm Up Area for Soccer Games
   Event Location
5. Restroom
6. Group Shelter
7. Children's Play Area
8. Parking Lot - A 157 Spaces
9. Parking Lot - B 18 Spaces
10. Parking Lot - C 12 Spaces
11. Parking Lot - D 13 Spaces

Note: Overall site 12 Acres

Drawing NOT TO SCALE

Cottonwood Golf Center

Soccer Fields & Park

Parks, Recreation and Open Space Master Plan

January 2009

MORENO VALLEY

-1041-

Item No. G.2

MV000049650

MV00049651

Legend

1. Future Private Development Approximately 3.6 Acres
2. New parking lot -approximately 561 spaces
3. Tree and Planting Buffer to separate spaces from existing residential
4. 10,000 sq ft Sports Medicine Rehab Center
5. 60,000 sq ft Sports Center
6. Enhanced street frontage along Frederick
7. Neighborhood Par Course or Pocket Park - .5 Acre

Note: Overall site 12 Acres

Drawing NOT TO SCALE

Cottonwood Golf Center

Future Sports Center

Parks, Recreation and Open Space Master Plan

February 2010

MV00049653

APPENDICIES

APPENDIX A - COMMUNITY INPUT

Community Input Workshop
Sports Group Workshop
Trails Group Workshop
Telephone Survey Report and Tabulations

APPENDIX B - CITY DOCUMENTS

Standard Trail Plans

MV00049655

R G W
DESIGN GROUP

Community Input Workshop

Date: March 13, 2008 6:00 – 7:00 pm

Workshop Facilitator: Blake Warner, RGW Design Group

6:00 pm Introduction & Welcome

6:05 pm Public Education Program on the Master Plan Process by RGW Consultants

a. Why are we doing a Park, Recreation & Open Space Master Plan?
b. How does the process work?
c. What tools are used to get Public Input?
d. What results are we looking for?

RGW Design Group consultants will present the answers to these questions in order to inform and educate the attendees on the master plan process and show them how important their participation is to a successful master plan.

6:15 pm First Exercise: Each Table is provided with a note pad and pencil. The group will be asked to discuss and come to concensus on the following questions.:

1. What makes Moreno Valley a great place to LIVE / WORK / PLAY
2. What are the 3 most important facilities the City of Moreno Valley should consider developing in the next 5 years?
3. What are the 5 most important RECREATIONAL / CULTURAL / SOCIAL SERVICE PROGRAMS the City should be offer the community in the next 5 years?

One spokesperson from each table will report the tables finding to the room. The findings will be recorded on a large wall graphic.

6:35 pm Second Exercise: Pass out a survey form that lists park & recreation facilities and programs down the left side of the form with a rating scale of 1 to 5 across the top. Ask the attendees to rank their priority for each facility and program from 1 to 5, one (1) being the highest priority for the City to provide to the community and 5 being the lowest priority for the City to provide. We can then collect all of the surveys and use them to develop priority data for facilities and programs.

6:55 pm Final comments from the audience.

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Workshop Wall Input Graphics

R G W
DESIGN GROUP

Sports Group Input Workshop

Date: March 26, 2008 6:00 – 7:00 pm

Workshop Facilitator: Blake Warner, RGW Design Group

6:00 pm	Introduction & Welcome
6:05 pm	Overview of the Planning Process and collection of Sports Group Surveys
6:15 pm	First Exercise: Workshop participants will be invited to express their needs and/or recommendations for the City's Sports Facilities. The recommendations will be recorded on a large wall graphic.
6:35 pm	Second Exercise: As a group we will summarize and prioritize the needs and recommendations of the group.
6:55 pm	Final comments from the audience.

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Sports Groups Workshop Notes & Graphics

Inland United Brazil - Youth Soccer

- Field with lights
- Better maintained fields
- Keeping the fields' safe and user ready. There are current safety issues like pot holes which are hazards for the players
- Multi use fields in one location
- Larger facilities

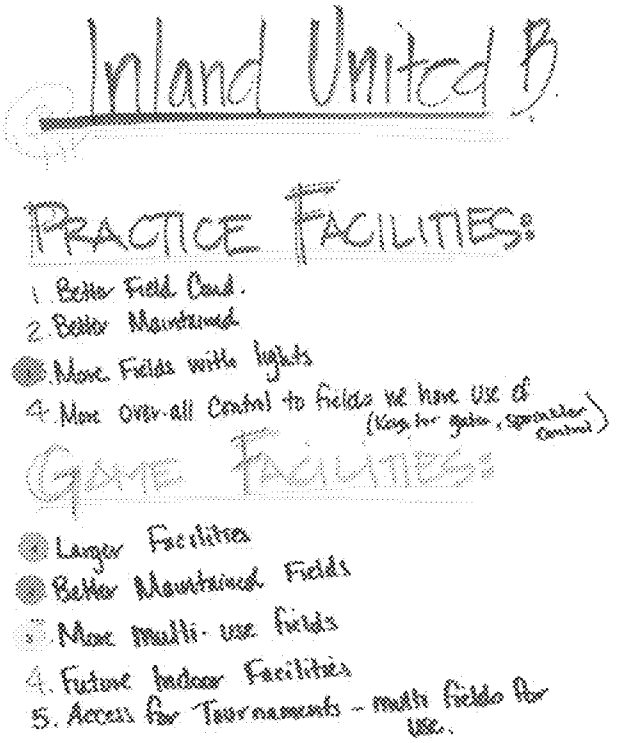

Diamond Girls

- Centralize
- Large complex with all of the fields in one location
- Snack bar for revenue opportunities for groups
- More fields in general
- More brick dust infield fields

  Currently all groups share all of the sites. There are not enough of the "good ones" to go around so there is always fighting over who gets what.

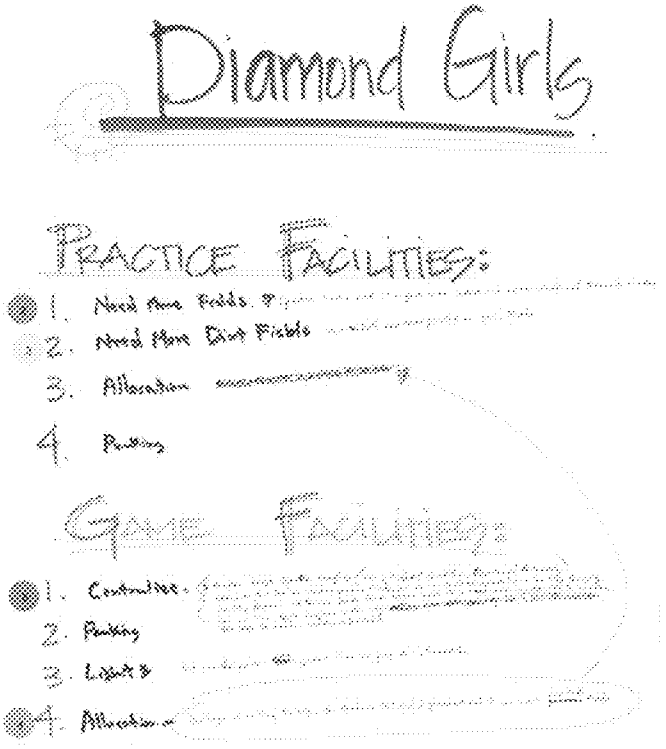

Pop Warner

- Lighted Fields
- Restrooms
- More Practice Fields

M.V. POP WARNER

PRACTICE FACILITIES:

1. LIGHTED FIELD
2. MORE FIELD
3. RESTROOMS
4.

GAME FACILITIES:

1.
2.
3.
4.

Junior All American Football and Cheer

- More field space
- Lighted fields
- Game fields
- Restrooms! Currently on some of the fields they have to bring in port potties to accommodate the participants and their families.

J.A.A.F.C.

PRACTICE FACILITIES:

1. FIELD SPACE (CONDITION)
2. LIGHTS
3. CONCESSION
4. RESTROOMS (PARKING)

GAME FACILITIES:

1. MORE GAME FIELDS
2. COST
3. MAINTANCE
4. SECURITY

Rancho Bellago (Football)

- Lights
- Field Space
- Storage Area
- Snack bar
- Security

RBJAAF

PRACTICE FACILITIES:

1. lights (Vista Del 1990)
2. Need More Fields (Simca)
3. Security / RestRooms
4. Storage / Snack Bar

GAME FACILITIES:

1. Security
2.
3.
4.

Canyon Springs Little League

- Currently get charged from the City for the usage of lighting…very expensive!
- Fields with lights
- Restrooms
- Better access for disadvantaged players, ADA accessibility

CSLL

PRACTICE FACILITIES:

- FIELD W/ LIGHTS
- REST ROOM FACILITIES
- BETTER ACCESS FOR CHALLENGED PLAYERS
4.

GAME FACILITIES

1. FIELD STAFF
2. SNACK BAR EQUIPMENT
- LIGHT COST
4. SECURITY

AYSO

- Larger facilities
  - Centralized with lighting
- Parking
  - Many fields have no parking at all
- Schools are not always accessible due to the facilities being locked and unable to locate someone to open them for use. Players and coaches end up jumping the fences which could result in injury
- More fields
- Lights!!!

AYSO

PRACTICE FACILITIES:

1. Lights
2. Better Parking
3. ~~Safer Conditions~~ more open Parks
4. Rest rooms

GAME FACILITIES:

1. Larger facilities
2. Lights
3. more fields
4. Smaller low-cost Parking

Moreno Valley Soccer League

- Lighted Fields
- Parking
- Restrooms
- Maintenance
- A centrally located complex with multifields

MVSL

PRACTICE FACILITIES:

1. Restrooms
2. Complex
3. Snack bars
4. Parking lot control

GAME FACILITIES:

1. Parking lot
2. Maintenance
3. More lighted Fields
4. Security Fields

Football Club Moreno Valley

- School district gating and locking fields
  - Keys are inaccessible
  - Kids and coaches jumping the fence
  - School district started locking fences and gates this past year
- Lights
- Maintenance
- Restrooms
  - Games start at 8 am
  - Restrooms don't open until 11-12ish

FCMV

PRACTICE FACILITIES:

1. Easy Acces to fields, and control
2. Lighted Fields
3. [redacted] Secured fields to practices
4. Rest rooms

GAME FACILITIES:

1. Maintenance
2. Parking
3. lights
4. Restrooms

General overview and comment section

- More facilities
- Large complex which houses multiple fields
- Football groups need practice fields
- Artificial Turf fields would be an option…groups not opposed to this
    - Help with maintenance cost
    - Worried that heat might be an issue
- Indoor gym would be nice to have
    - House basketball courts, volleyball etc
- Moreno Valley sports groups are YEAR ROUND
    - Lighted facilities the most important
        - Game fields
        - Practice fields
        - Youth 6-8pm
        - Adult 8-10pm
- Need to separate the age groups for safety
- Several school sites that have great fields but no lights
    - Mt View
    - Vista Heights
    - Paul Middle School

MV00049665

R G W
DESIGN GROUP

Trails Group Input Workshop

Date: March 26, 2008 7:30 – 8:30 pm

Workshop Facilitator: Blake Warner, RGW Design Group

6:00 pm Introduction & Welcome

6:05 pm Overview of the Planning Process

6:15 pm First Exercise: Group Discussion on recommendations and priorities for the trail system. The participants will be asked to explore a number of questions, including:

1. How will the community use the trail system
2. What types of trails should be installed
3. What facilities or areas should trails connect to
4. Who should maintain the trails
5. How can trail development be funded

The recommendations will be recorded on a large wall graphic.

6:55 pm Final comments from the audience.

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Trails Group

General overview and comment section

- Dan Clark a professor at RCC specializes in connections of trails etc. in Moreno Valley. He might be a good resource for RGW
- Hidden Springs paseo connects to Box Springs Park. Possible area for trails/ connections
- Rodea connection trail head would be a great one to do very soon.
  - ⇨ An excellent area to park/ride and use as a starting point for bikes and or hiking
  - ⇨ Multi use area
  - ⇨ Access to Perris Lake
  - ⇨ Currently motorized vehicles are not permitted. This is good!
- Policy suggestions:
  - ⇨ Blocking or limiting of motorized vehicles
  - ⇨ Land being scared due to detraction of land
  - ⇨ Eastern area of Mo Val
    - Trails/connections that are horse friendly
    - Does not have to maintain urban feel could be rural
    - Crosswalk buttons should be located at a height for horse riders
- Possibly integrating trails and horse trails into golf courses
- Preservation of topography of Mo Val
- Currently users feel they are being limited on their options and choices due to the City and County' maternal approach
- Snake Hill is an important land mark should be preserved
- Trails could possibly be located on flood channel?
- Currently a trails master plan was completed by the Trails group though not being followed
- Sunnymead Park and Perris there is an existing flood channel, there was talk of adding a trail here but did not go through due to vandalism
- Developer/industrial area possibility of multi use trails though it seems as though that is not considered. Trails are the first thing to go.
  - ⇨ Possibility of requiring industrial builders to install trails as part of their ability to build within Mo Val.
  - ⇨ When a developer comes in and a proposed trail or existing one is affected the possibility of either relocating the trail rather than not putting one in at all would be a GREAT solution
- March AFB is a great opportunity to provide connections to and from Mo Val via multiuse trails
- Need and want of more horse trails below the freeway
  - ⇨ Equestrian Center located above the freeway makes it hard for connections
- Sinclair crossing is very important Ingress/egress

Research Network Ltd

Facts for Business Decisions

RESIDENT TELEPHONE SURVEY
MORENO VALLEY, CALIFORNIA

APRIL, 2008

Prepared for:

The City of Moreno Valley

Prepared by:
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I. INTRODUCTION

Research Network Ltd. offers for your review the results of the resident survey conducted for The City of Moreno Valley, California. The resident survey was conducted as part of the Parks Recreation & Open Space Comprehensive Plan. The purpose of the survey was to obtain statistically valid, community-wide input on a variety of issues related to the Comprehensive Plan.

The resident survey is one of several methods being undertaken to involve the community in the Parks Recreation & Open Space Comprehensive Plan process. Other methods include public workshops, and interviews with community stakeholders and organized sports organizations. The purpose of gathering community input through a variety of methods is to ensure that the Parks Recreation & Open Space Comprehensive Plan is as inclusive as possible and that it reflects the views, preferences, and recreating patterns of Moreno Valley residents.

This document is presented in seven sections. Sections four through six include analysis and graphics for each of the following subject areas.

Executive Summary The Executive Summary includes a review of key findings from the survey.

Methodology The Methodology section details the methods used to design and implement the survey.

Recreation Use/Benefits The Recreation Facilities or Programs Usage section presents a detailed analysis of each survey inquiry. This discussion includes analysis and graphics for each of the following subject areas:

- One Feature that Makes Moreno Valley Desirable
- Recreation Benefits Desired
- Recreation Information Sources Used
- Frequency of Recreation Facility Usage
- Park Most Often Used in Last Year
- School Facility Most Often Used for Recreation
- Participation in Employer-Based Recreation
- Recreation Activities Participation
- Indoor Recreation Facility Use
- Rating City Recreation Facilities Maintenance

Recreation Needs

The Recreation Needs section presents a detailed analysis of each survey inquiry. This discussion includes analysis and graphics for each of the following subject areas:

- One New Recreation Facility Desired
- One New Recreation Program Desired
- Probable Use of Potential Future Facilities

Demography

The Respondent Demography section presents the results of the following demographic questions included in the survey:

- Age Distribution of Population
- Household Composition
- Employment in Moreno Valley
- Ethnicity
- Household Income

Appendices

Included in the Appendix to this report are two Appendices:

- The survey questionnaire
- The tabulations of the responses to the survey

II. EXECUTIVE SUMMARY

Highlights

After a careful review of the responses to the Moreno Valley resident survey, Research Network Ltd. has gleaned the following highlights.

One Desirable Feature More than one of every ten residents polled (12%) identified "Affordable Housing" as the one feature while an additional 8% reported "Close to Work." An equal share of 6% cited "Quality of Life" as well as "Growing Area." An additional 5% of households polled volunteered each of the following features: "Small Town Atmosphere," "Climate," "Location," "Quiet," and "Proximity to Shopping." Less than one of every twenty respondents (4%) volunteered the responses "Lack of Crime," "Open Space," and "Nothing Desirable."

Recreation Benefits More than one-third of the households polled (37%) stated that they seek physical fitness, health and well being benefits from their recreation choices. An additional one-third (33%) of respondents replied that opportunities to gather and socialize with others is the primary benefit they seek from recreation. Together, these two benefits were identified by 70% of those polled. The benefit of learning opportunities for hobby, self-improvement or career development was cited by 18% of those polled while the benefit from recreational opportunities to give back to the community through volunteer work was a priority for 12% of the City's responding residents.

Recreation Sources Nearly one of every four residents polled (23%) stated that they get their recreation program and facility information from the City of Moreno Valley Programs Brochure while an additional 19% reported the Internet as their information source and 15% reported obtaining information from The City of Moreno Valley. More than one in ten respondents (11%) stated they obtain their information from the City of Moreno Valley Website and an equal share use Postings at Recreation Sites. Less than one of every ten respondents (9%) reported use of the Newspaper while 6% stated they find their information in the Telephone Book. An additional 6% stated they use the "booklet/brochure" which likely refers to the City Programs Brochure, resulting in a total mention of 29%. "Word of Mouth" or "School" was reportedly used as an information source by 5% of respondents each while 3% of those polled stated their information was obtained by watching Channel 3.

Recreation Facility Use More than one of every three households surveyed (38%) described themselves as a "Frequent User" of parks and recreation facilities (patrons of facilities at least three times per month). A comparable share (36%) was identified as a "Moderate User" (patrons of facilities at least two to twenty-four times annually) of recreation facilities during the past year. The remainder (26%) was labeled "Light/Non Users" (patrons of facilities once per year and non-users).

Most Used Rec Facility The recreation facilities reportedly most often used by households polled included the Lake Perris State Recreation Area (7%), Morrison Park (5%), Moreno Valley Community Park (5%), Towngate Memorial Park (4%), John F. Kennedy Park (4%), Moreno Valley Conference and Recreation Center (4%), Celebration Park (4%), Woodland Park (4%), Sunnymead Park (3%), and Box Springs Regional Park (3%).

Most Used School The most often received response was "none" (53%) indicating that no school facilities were used for the tested types of activities. The school facilities reportedly most often used by households polled for recreation or cultural activities included Valley View High School (6%), Canyon Springs High School (4%), Moreno Valley High School (4%), Vista del Lago High School (3%), Edgemont Elementary (2%), Ridge Crest Elementary (2%), Riverside Community College (2%), and Armada Elementary (2%).

Employee Recreation One in three households polled (34%) reported having a member employed in Moreno Valley who participated in employer-sponsored recreation at a location in Moreno Valley. The remainder of residents interviewed (66%), reported one or more members employed in the City who did not participate in such employer-sponsored recreation.

Recreation Activities The tested activities cited as being undertaken by the largest portion of Moreno Valley residents surveyed were Walking/Jogging/Running for Recreation or Fitness (75%), Passive Use of Open Grass/Lawn Areas in Parks or Recreation Facilities (54%), and Picnicking in Developed Sites (54%). Bicycling for Recreation/Fitness was reported by 45% of those residents polled while three in ten polled households (31%) reported Use of Play Equipment, Tot Lots. One in five households (27%) stated that one or more household members had played Organized Basketball Games for Youth or Adults and a comparable share (26%) reported use of Wet Playground/Spray Play Facilities. The activities reported next most often included Skateboarding (23%), Organized Softball Games for Youth or Adults (18%), Golf (17%), Organized League Soccer Games for Adults (16%), Organized Football Games for Youth (15%), Organized League Soccer Games for

Youth (15%), and Organized League Baseball Games for Youth (15%), use of a Dog Park (15%), and Tennis (12%).

Indoor Facility Use When asked about frequency of indoor recreation facility use, 23% of the sample of telephone respondents described themselves as a "Frequent User" of indoor recreation facilities (patrons of indoor facilities at least three times per month). Less than one of every four residents (23%) was a "Moderate User" (patrons at least two to twenty-four times annually) of indoor recreation facilities during the past year. The remainder (55%) was labeled "Light/Non Users" (patrons of indoor facilities once per year and non-users).

Facilities Maintenance When asked to rate the maintenance of recreation and parks facilities in the City of Moreno Valley, 81% of households polled rated parks maintenance as either "excellent" or "good."

One Desired Facility The response most often reported was a desire for no additional new recreation facilities, volunteered by more than one of every five respondents (22%). The recreation facilities cited as most desired by Moreno Valley residents surveyed were Swimming Pool for Recreation or Lessons (10%), Dog Park (5%), Playgrounds/Tot Lots (4%), Skateboard Park (4%), and Walking/Running/Jogging Paths (4%). The next most often mentioned facilities (each at 3%) included Bike Paths/Trails, Soccer Fields, Water Games/Water Park, and Baseball Fields.

One Desired Program The response most often reported was a desire for no new recreation programs, volunteered by nearly one of every three respondents (29%). The recreation program types most often mentioned included Dance Instruction or Classes (7%), Swimming Lessons (6%), Aerobics, Spinning, or Fitness Instruction or Classes (5%), Arts or Crafts Instruction or Lessons (4%), Reading, Language, Spelling or Writing Instruction or Classes (4%), Personal Development or Business Instruction or Classes (4%), Martial Arts Classes (3%), Cooking Instruction or Classes (2%), Music Instruction or Classes (2%), Early Childhood Development Classes (2%), Gymnastics Instruction or Classes (2%), and Yoga, Meditation, or Stress Relief Instruction or Classes (2%).

Cultural Facility Needs Households polled reported high likelihood of using all of the tested types of facilities, with the highest share of residents (80%) stating they would use a Performing Arts Center and the smallest share (71%) stating they would visit Art Galleries, Art Festivals and Events.

Demography Key demographic characteristics (household composition and ethnicity) of households interviewed were compiled and reviewed against comparable benchmark data from the 2000

Census and/or the 2006 American Community Survey to conclude that the sample of respondents polled is a statistically reliable representation of the City of Moreno Valley as a whole.

III. METHODOLOGY

Purpose of the Survey

Research Network Ltd. was retained to design and implement a resident telephone survey among current households of The City of Moreno Valley to assess resident attitudes and opinions relevant to the Parks Recreation & Open Space Comprehensive Plan. The subject areas of interest within the resident telephone survey included:

- One Feature that Makes Moreno Valley Desirable
- Recreation Information Sources Used
- Recreation Benefits Desired
- Frequency of Recreation Facility Usage
- Park Most Often Used in Last Year
- School Facility Most Often Used for Recreation
- Recreation Activities Participation
- Participation in Employer-Based Recreation
- Indoor Recreation Facility Use
- Rating City Recreation Facilities Maintenance
- One New Recreation Facility Desired
- Probable Use of Potential Future Facilities
- Age Distribution of Population
- Employment in Moreno Valley
- Ethnicity
- Household Composition
- Household Income

Sample Design

A total of 300 interviews were completed with adult household heads living in the City of Moreno Valley. These respondents were contacted through the use of a random digit dial sample. This sample methodology compensates for the incidence of unlisted telephone numbers.

When contact was made with a respondent, the interviewer confirmed eligibility for participation in the survey with a question confirming that their home was located within one of the zip codes present in the City of Moreno Valley (92551, 92553, 92555, 92557.)

These ten-minute interviews were conducted via telephone by professional interviewers during the April 2008 fielding of the resident telephone survey using direct-entry computer technology. Skilled supervisors of the field organization edited all interviews conducted among Moreno Valley residents and 10% were validated for accuracy.

Margin of Error

A random sample survey is designed to interview a fraction of the households in a community with the desired outcome being that this survey group represents the opinions of those

who were not surveyed. Such a random sample may, however, produce results that differ from those responses that would have been received if all households were interviewed. These differences are primarily generated as a result of what is known as "sample error." The degree of sample error is primarily determined by:

- The total number of completed interviews
- The number of possible responses to each question
- The distribution of responses to each question

The sample error for a sample size of 300 ranges from ± 2.5% (for a question with two response categories, distributed 5%/95%) to ± 5.8% (for a question with two response categories, distributed 50%/50%) at the 95% confidence level. This means that if we were to survey every household in Moreno Valley, we are confident that, 95% of the time, the results for a question (with two potential responses and a 50%/50% response distribution) would differ by less than 5.8 percentage points from the results derived from this sample.

The margin of error accrues to produce an answer range. For example, if a question derives a "blue" response from 50% of those asked the question, a random sample assumes that, 95% of the time, the actual percent of the entire population from which the sample is taken who would respond "blue" is between 44.2% and 55.8%.

It should be kept in mind that the margin of error may increase when subgroups of the full sample are being considered. This becomes important when comparing data for population subgroups based on categories such as sub-area, age, presence of children, or income. For example, the 95% confidence interval for a subgroup of 100 respondents yields an error range from ± 4.4% to ± 10%. Results for subgroups are only highlighted when we have a high degree of confidence that the differences that distinguish a subgroup from the overall sample are statistically reliable.

Questionnaire Design

The objectives of the design of the questionnaire not only accommodated those subject areas discussed previously, the questionnaire design included question wording and question order or rotation to mitigate bias in the inquiries. For example, the order of questions in a series can influence the responses given. To mitigate this, the order or position of such questions in a series was rotated.

All responses collected during the interviews were computer-processed and tabulations between question answers and selected subgroups were made. These tabulations are included in the Appendix to this report.

Within the following analysis, the responses to each question by the entire sample of residents will be discussed and presented. In addition, the analysis will provide insight into those subgroups of the total sample that provided responses that differed significantly from the total sample. Only those subgroups with response differences that are deemed statistically significant will be highlighted.

IV. RECREATION FACILITIES OR PROGRAMS USE

ONE FEATURE THAT MAKES MORENO VALLEY DESIRABLE *(Appendix Table 8)*

To develop an understanding of the characteristics that residents value in Moreno Valley, respondents were asked to volunteer what one feature makes Moreno Valley a desirable place to live. No prelisted responses were provided. The response categories with the largest share of responses are presented in Figure 1.

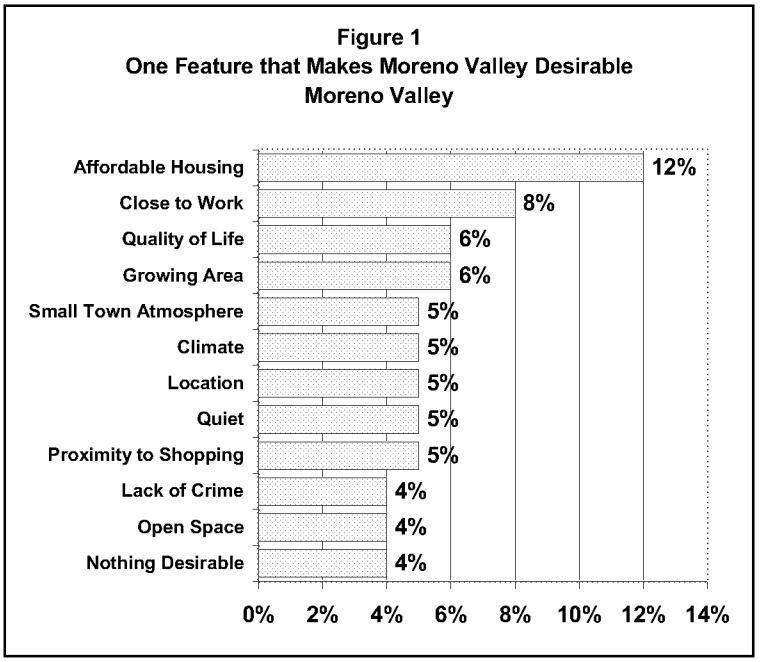

As Figure 1 reveals, more than one of every ten residents polled (12%) identified "Affordable Housing" as the one feature while an additional 8% reported "Close to Work." An equal share of 6% cited "Quality of Life" as well as "Growing Area." An additional 5% of households polled volunteered each of the following features: "Small Town Atmosphere," "Climate," "Location," "Quiet," and "Proximity to Shopping." Less than one of every twenty respondents (4%) volunteered the responses "Lack of Crime," "Open Space," and "Nothing Desirable." Remaining responses garnered less than a 4% response rate.

RECREATION BENEFITS DESIRED *(Appendix Table 9)*

To amplify our understanding of recreating patterns in the City, a question was posed to identify the reasons residents choose the recreation activities they do. These reasons or benefits are aimed at understanding why the residents choose the recreation activities by identifying the benefits they seek from such activities. Moreno Valley residents polled were asked to identify which of the four prelisted benefits they felt is most important when they or their household members seek recreation or leisure opportunities. The four benefit categories and the share of responses each received are presented in Figure 2.

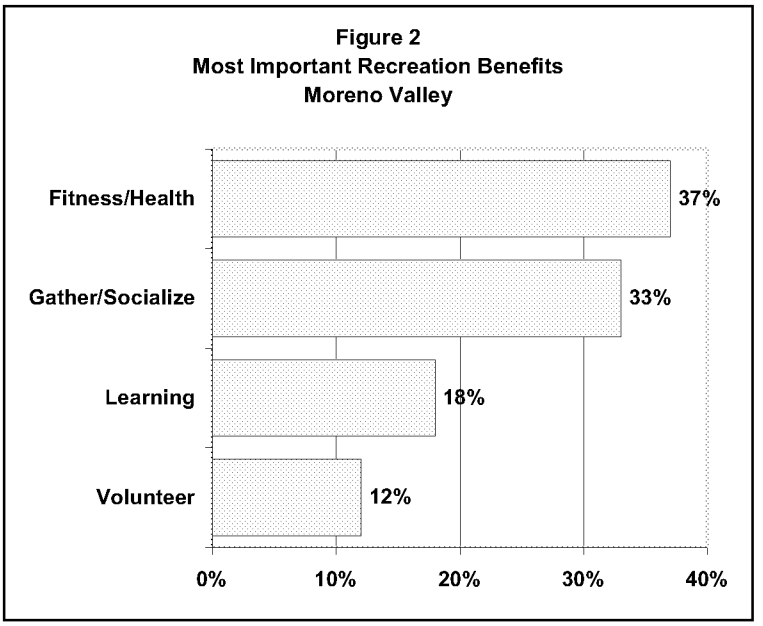

As Figure 2 reveals, more than one-third of the households polled (37%) stated that they seek physical fitness, health and well being benefits from their recreation choices. An additional one-third (33%) of respondents replied that opportunities to gather and socialize with others is the primary benefit they seek from recreation. Together, these two benefits were identified by 70% of those polled. The benefit of learning opportunities for hobby, self-improvement or career development was cited by 18% of those polled while the benefit from recreational opportunities to give back to the community through volunteer work was a priority for 12% of the City's responding residents.

The text table that follows compares these recreation benefit responses from Moreno Valley residents to statistics derived from seventeen other California municipalities where Research Network Ltd has conducted similar work.

Most Important Benefits in Recreation Opportunities Moreno Valley vs. Seventeen Selected California Municipalities				
	Moreno Valley	Seventeen Selected California Municipalities		
		Lowest Response	Highest Response	Median
Health/Fitness	37%	31%	54%	46%
Gather/Socialize	33%	19%	36%	29%
Learning	18%	13%	28%	17%
Volunteer	12%	7%	16%	9%

As the table illustrates, the residents polled in Moreno Valley identified health and fitness benefits as most important to their recreation choices substantially less often than the average (37% vs. 46% on average among other cities surveyed.) The proportion of Moreno Valley respondents polled that cited opportunities to gather or socialize as their most important recreation benefit was above the norm of other cities polled on this subject (33% vs. 29% on average among other cities surveyed.) Moreno Valley residents interviewed were also more likely to seek opportunities to give back to the community through volunteer work than the average of other cities polled (12% vs. 9%). Moreno Valley residents seek learning opportunities for hobby, self-improvement or career development at a comparable rate to other cities (18% vs. 17% average).

RECREATION INFORMATION SOURCES *(Appendix Table 10)*

To document how residents obtain information about Moreno Valley recreation or parks programs or facilities, a question was posed to identify where they get that information. Respondents were required to volunteer a description of the information source that they use. No prelisted responses were provided. The response categories with the largest share of responses are presented in Figure 3.

As Figure 3 reveals, nearly one of every four residents polled (23%) stated that they get their recreation program and facility information from the City of Moreno Valley Programs Brochure while an additional 19% reported the Internet as their information source and 15% reported obtaining information from The City of Moreno Valley. More than one in ten respondents (11%) stated they obtain their information from the City of Moreno Valley Website and an equal share use Postings at Recreation Sites. Less than one of every ten respondents (9%) reported use of the Newspaper while 6% stated they find their information in the Telephone Book. An additional 6% stated they use the "booklet/brochure" which likely refers to the City Programs Brochure, resulting in a total mention of 29%. "Word of Mouth" or "School" was reportedly used as an information source by 5% of respondents each while 3% of those polled stated their information was obtained by watching Channel 3. Remaining responses garnered less than a 3% response rate except for 8% of those polled who stated they "don't need" such sources of information.

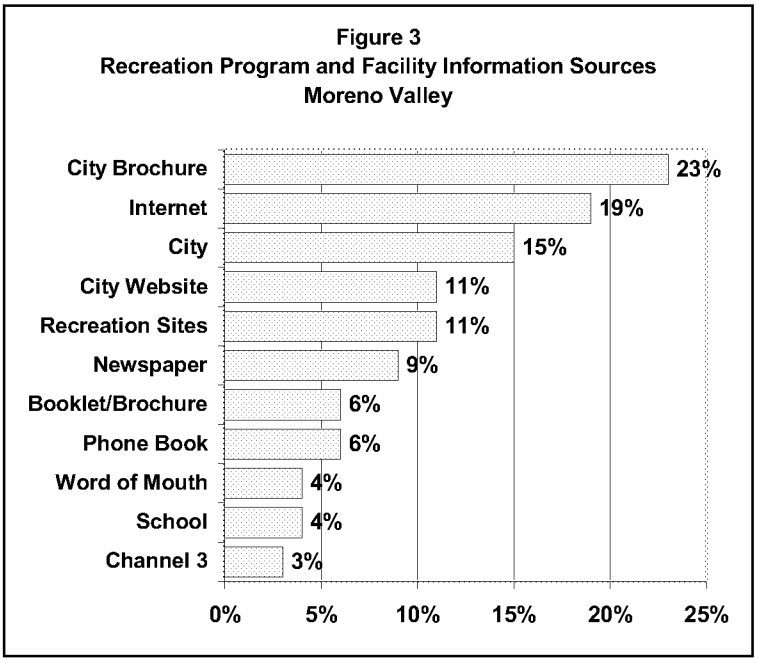

Examining these responses by selected subgroups of respondents, the following significant differences in response patterns were noted:

- ✓ The response category of the Internet was more often reported by those polled with a household head less than 60 years (23% vs. 5% among those with an older head.)

RECREATION FACILITY USAGE

Frequency of Recreation Facility Usage *(Appendix Table 11)*

Parks and recreation facility usage characteristics were explored in a general framework in the resident telephone survey based upon a question probing overall facility usage in or outside of Moreno Valley. The recreation facility usage frequency of the total sample of respondents is presented in Figure 4.

Figure 4 illustrates that 38% of the sample of telephone respondents described themselves as a "Frequent User" of parks and recreation facilities (patrons of facilities at least three times per month; top two bars in Figure 4).

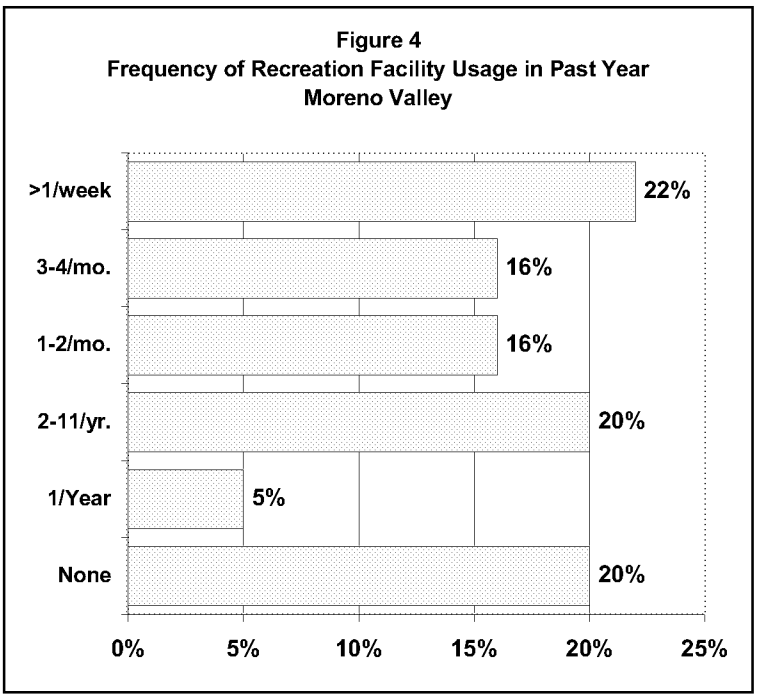

More than one of every three residents (36%) was a "Moderate User" (patrons of facilities at least two to twenty-four times annually) of recreation facilities during the past year. The remainder (26%) was labeled "Light/Non Users" (patrons of facilities once per year and non-users).

The following text table compares these current facility usage responses from Moreno Valley residents to statistics derived from thirty-three other surveys of California municipalities where Research Network Ltd performed similar work.

As the table illustrates, the share of residents polled in Moreno Valley identifying themselves to be frequent users of parks was below average (38% frequent users vs. 43% on average among other cities surveyed) while the share who reported no recreation facility use in the past year was above average (20% vs. 14%.)

Frequency of Recreation Facility Usage Moreno Valley vs. Thirty-three Selected California Municipalities				
	Moreno Valley	Thirty-three Selected California Municipalities		
		Lowest Response	Highest Response	Median
Frequent Users	38%	19%	58%	43%
Never Use	20%	6%	40%	14%

An examination of reported recreation facility use among Moreno Valley residents revealed the following *statistically significant differences*[1] in the share of frequent users among examined subgroups of the total sample. Such frequent users were most often found among:

- ✓ Respondents reporting a head of household less than 40 years (53%),
- ✓ Households with children less than 18 years (49%),
- ✓ Those polled who described themselves as Hispanic (49%),
- ✓ Households reporting an annual income under $75,000 (43%).

One of every five resident households polled (20%) stated they did not use recreation facilities at all in the last year. Such non-users of recreation facilities were more likely to be found among:

- ✓ Respondents reporting a household head 60 years or over (36%),
- ✓ Households without children less than 18 years of age (34%),
- ✓ Those polled who described themselves as Non-Hispanic White (33%).

[1] This analysis compares the total sample of 300 households to subgroups of the total and highlights those differences in the response patterns that are statistically significant based upon the number of interviews in each subgroup analyzed.

Recreation Facility or Park Most Often Used in the Last Year *(Appendix Table 12)*

Moreno Valley residents polled were queried about the park or recreation facility that their household members most often used during the last year. The park names were not read to the respondents and respondents were asked to include facilities in or outside of Moreno Valley in their response. Figure 5 illustrates the ten recreation facilities most often cited by those polled, representing 44% of the responses received. The remaining parks mentioned that are not listed in Figure 5 each garnered less than 3% of the responses received.

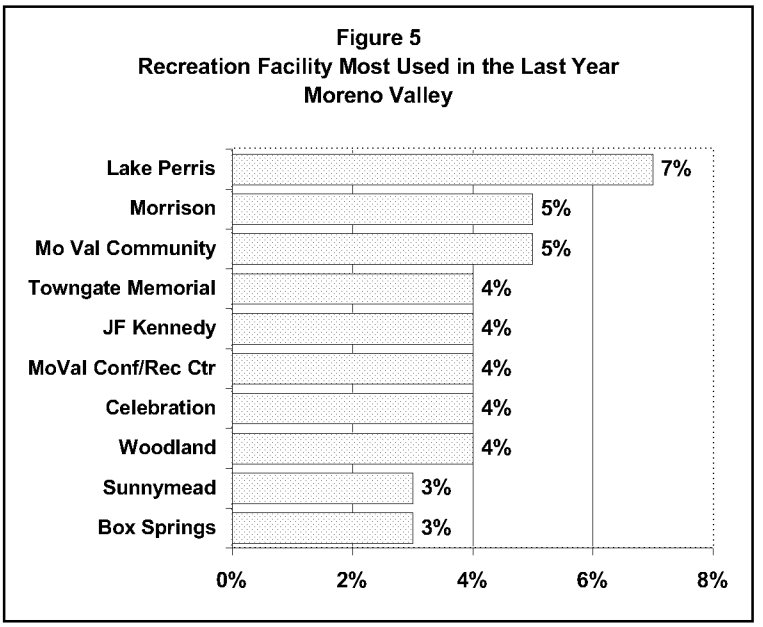

School Facility Most Often Used for Recreation or Cultural Activities in the Last Year *(Appendix Table 13)*

Moreno Valley residents polled were queried about the school facility that their household members most often used during the last year for recreation or cultural activities (not including education activities). The school names were not read to the respondents and respondents were asked to include facilities in or outside of Moreno Valley in their response. Figure 6 illustrates that the most often received response was "none" (53%) indicating that no school facilities were used for the tested types of activities. The eight

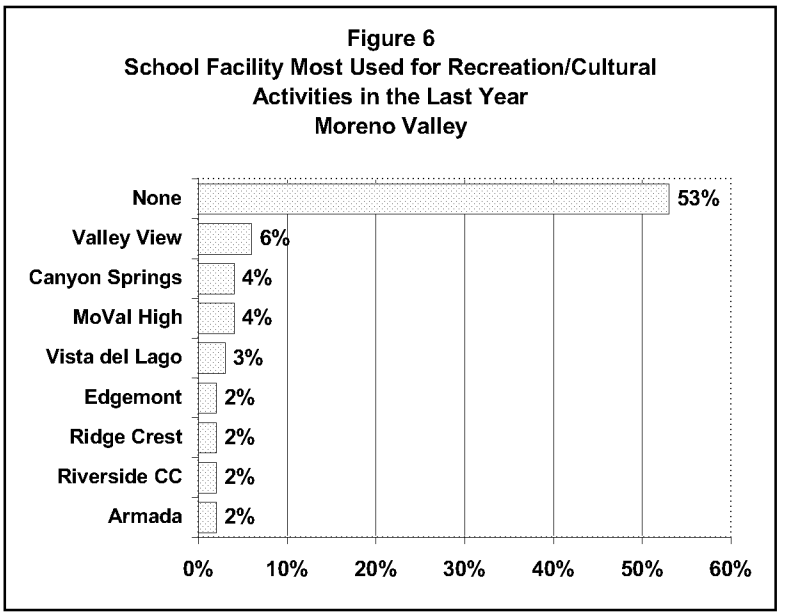

school facilities most often cited by those polled, representing 26% of the responses received, are identified in Figure 6. The remaining schools mentioned that are not listed in Figure 6 each garnered less than 2% of the responses received.

An examination of reported school facility use among Moreno Valley residents revealed the following *statistically significant differences*[2] in the share of non-users among examined subgroups of the total sample. Such non-users were most often found among:

- ✓ Respondents reporting a household head 60 years or over (76%),
- ✓ Those polled who do not have children under 18 years (69%).

Employer-Sponsored Recreation *(Appendix Table 38)*

To amplify our understanding of recreating patterns in the City, a question was posed to identify the number of household members who both worked at a location in Moreno Valley and participated in recreation sponsored by their employer at a parks and recreation facility located in Moreno Valley. Figure 7 reveals the distribution of Moreno Valley households with or without members who participated in such recreation. As Figure 7 reveals, one in three households polled (34%) reported having a member employed in Moreno Valley who participated in employer-sponsored recreation at a location in Moreno Valley. The remainder of residents interviewed (66%), reported one or more members employed in the City who did not participate in such employer-sponsored recreation.

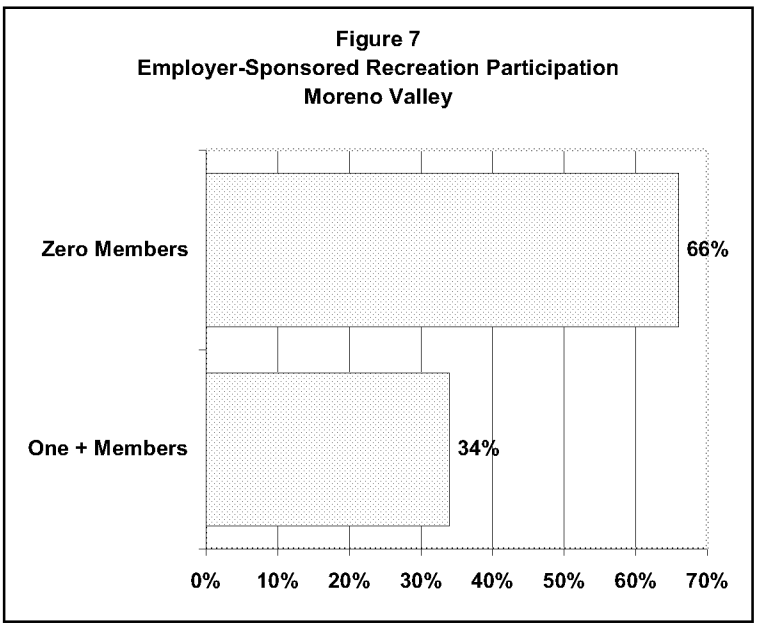

[2] This analysis compares the total sample of 300 households to subgroups of the total and highlights those differences in the response patterns that are statistically significant based upon the number of interviews in each subgroup analyzed.

Recreation Activities Participation *(Appendix Tables 14 to 29)*

The resident telephone survey solicited household members' behavior in performing an array of sixteen recreation activities during the last year. Each respondent was queried regarding the number of members of their household who had conducted each activity during the past year.

The activities in Figure 8 are ranked by the share of the households surveyed who reported participation in each activity at least once in the last year. As Figure 8 reveals, the tested activities cited as being undertaken by the largest portion of Moreno Valley residents surveyed were Walking/Jogging/Running for Recreation or Fitness (75%), Passive Use of Open Grass/Lawn Areas in Parks or Recreation Facilities (54%), and Picnicking in Developed Sites (54%). Bicycling for Recreation/Fitness was reported by 45% of those residents polled while three in ten polled households (31%) reported Use of Play Equipment, Tot Lots. One in five households (27%) stated that one or more household members had played Organized Basketball Games for Youth or Adults and a comparable share (26%) reported use of Wet Playground/Spray Play Facilities. The activities reported next most often included Skateboarding (23%), Organized Softball Games for Youth or Adults (18%), Golf (17%), Organized League Soccer Games for Adults (16%), Organized Football Games for Youth (15%), Organized League Soccer Games for Youth (15%), and Organized League Baseball Games for Youth (15%), use of a Dog Park (15%), and Tennis (12%).

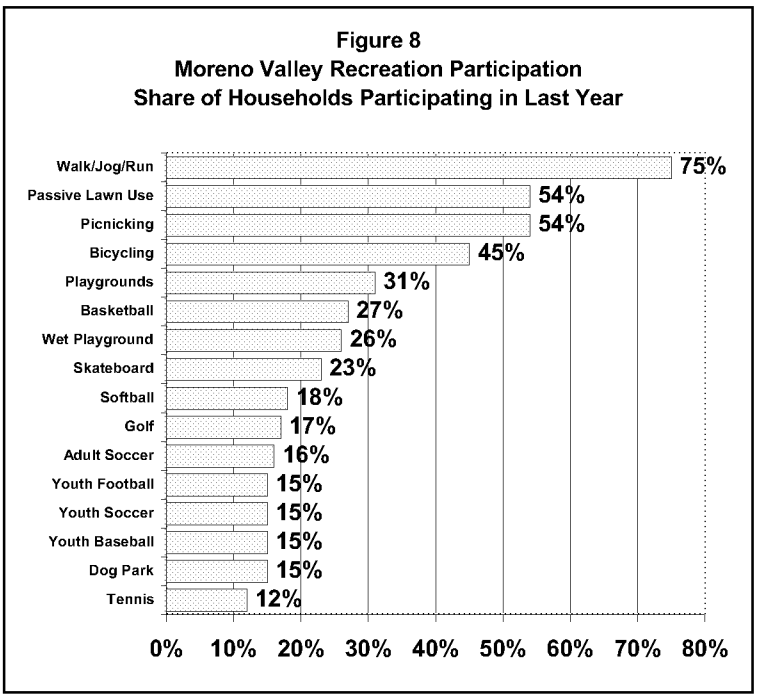

The data presented in Figure 8 may appear counter intuitive to representatives of organized sports leagues for youth and to elected officials who regularly host comments

or testimony from them. To confirm the validity of the Figure 8 participation levels, it is important to recognize the demography of the City's population. Specifically, youth ages 5 to 14 (the prime ages for youth sports) constituted approximately 18% of the total City population as of the 2006 American Community Survey Estimate. Thus, if every child in this age group were enrolled in, for instance, organized league youth soccer, the percent of participation on Figure 8 would be at least 18%. However, not all children in this age group participate in all sports, some participate in none, and some outside of this age group also participate.

Examining the activities tested with the greatest participation in Figure 8 by subgroups of respondents, it was noted that:

- ✓ Walking/Jogging/Running/Hiking on Public Trails for Recreation or Fitness was most often reported by those polled with a head less than 40 years (85%), among respondents describing themselves as Hispanic (84%), and among respondents with children under 18 years (81%).
- ✓ Passive Use of Open Grass/Lawn Areas in Parks or Recreation Facilities was most often reported by those polled with a head less than 40 years (68%), among respondents describing themselves as Hispanic (65%), and among respondents with children under 18 years (65%).
- ✓ Picnicking was most often reported by respondents with children less than 18 years (65%), by those polled with a head under 40 years (64%), and among respondents describing themselves as Hispanic (62%).
- ✓ Bicycling for Recreation or Lessons was most often reported among respondents with children less than 18 years (61%), among respondents describing themselves as Hispanic (60%), and by those polled with a head less than 60 years (50%),
- ✓ Use of Play Equipment, Tot Lots was most often reported among households with children less than 18 years (56%) among those polled with a head less than 40 years (53%), and among respondents describing themselves as Hispanic (48%).

Frequency of Indoor Recreation Facility Usage *(Appendix Table 32)*

Indoor recreation facility usage characteristics were explored in a general framework in the resident telephone survey based upon a question probing overall usage in or outside

of Moreno Valley. The usage frequency of the total sample of respondents is presented in Figure 9.

Figure 9 illustrates that 23% of the sample of telephone respondents described themselves as a "Frequent User" of indoor recreation facilities (patrons of indoor facilities at least three times per month; top two bars in Figure 9).

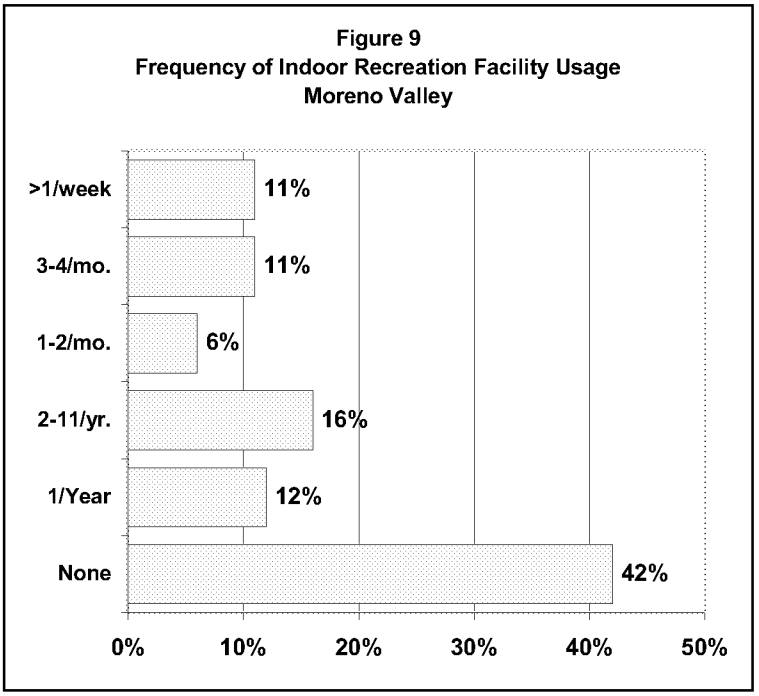

Less than one of every four residents (23%) was a "Moderate User" (patrons at least two to twenty-four times annually) of indoor recreation facilities during the past year. The remainder (55%) was labeled "Light/Non Users" (patrons of indoor facilities once per year and non-users).

The following text table compares these current indoor facility usage responses from Moreno Valley residents to statistics derived from five other surveys of California municipalities where Research Network Ltd performed similar work.

Frequency of Indoor Recreation Facility Usage Moreno Valley vs. Five Selected California Municipalities				
	Moreno Valley	Five Selected California Municipalities		
		Lowest Response	Highest Response	Median
Frequent Users	23%	17%	49%	26%
Never Use	42%	29%	52%	39%

As the table illustrates, the share of residents polled in Moreno Valley identifying themselves to be frequent users of indoor recreation facilities was below average (23%

frequent users vs. 26% on average among other cities surveyed) while the share who reported no recreation facility use in the past year was above average (42% vs. 39%).

An examination of reported indoor recreation facility use among Moreno Valley residents revealed the following *statistically significant differences*[3] in the share of frequent users among examined subgroups of the total sample. Such frequent users were most often found among:.

- ✓ Respondents describing themselves as Hispanic (33%),
- ✓ Those polled with a household head less than 40 years of age (29%),
- ✓ Households reporting household members less than 18 years of age (27%).

More than four of every ten resident households polled (42%) stated they did not use indoor recreation facilities at all in the last year. Such non-users of indoor recreation facilities were more likely to be found among:

- ✓ Households with a head 60 years or older (58% vs. 38% among those with a younger head),
- ✓ Respondents describing themselves as Non-Hispanic White (55% vs. 31% among Hispanic respondents),
- ✓ Those polled who reported no children under 18 years (52% vs. 34% among those with.)

[3] This analysis compares the total sample of 300 households to subgroups of the total and highlights those differences in the response patterns that are statistically significant based upon the number of interviews in each subgroup analyzed.

Rating City Recreation Facilities Maintenance *(Appendix Table 30)*

Respondents polled were asked to rate the maintenance of recreation and parks facilities in the City of Moreno Valley using a scale of "Excellent," "Good," "Fair," or "Poor."

Figure 10 illustrates the fact that 81% of households polled rated parks maintenance as either "excellent" or "good."

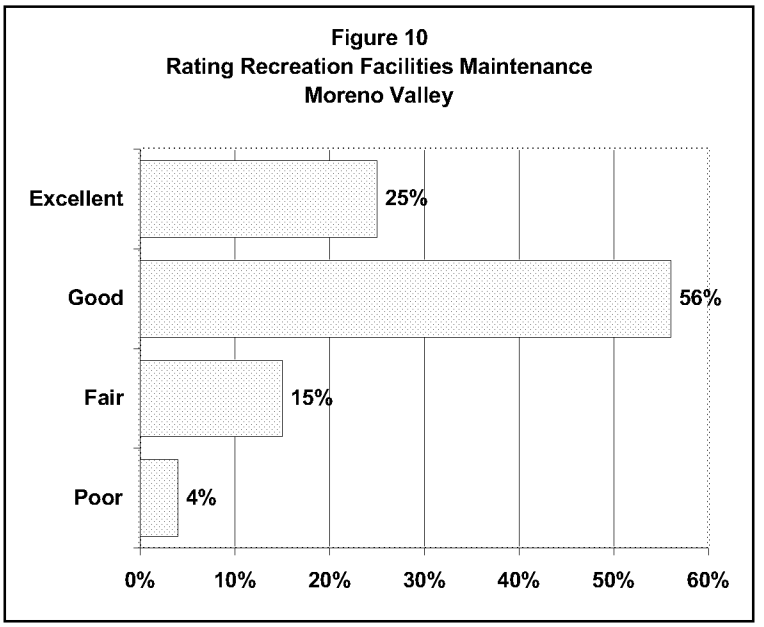

V. RECREATION AND CULTURAL NEEDS

RECREATION FACILITY NEEDS

One Recreation Facility Respondents Want *(Appendix Table 31)*

Respondents were asked to volunteer **one** recreation facility their household would MOST like to see added in the City. This inquiry was asked in an unprompted form with all responses being volunteered by respondents and recorded verbatim. The intent of the question was not a referendum of priority on what recreation facilities should be added or improved. Rather, this probe was intended to confirm the importance of those sixteen existing recreation activities tested in the survey.

As Figure 11 reveals, the response most often reported was a desire for no additional new recreation facilities, volunteered by more than one of every five respondents (22%). These households with no desire for new facilities were more often found among households with a head 60 years or older (35% vs. 18% among those with a younger head), among households without children under 18 years present (31% vs. 15% among those with children), and among respondents describing themselves as Non-Hispanic White (28% vs. 10% among Hispanic respondents).

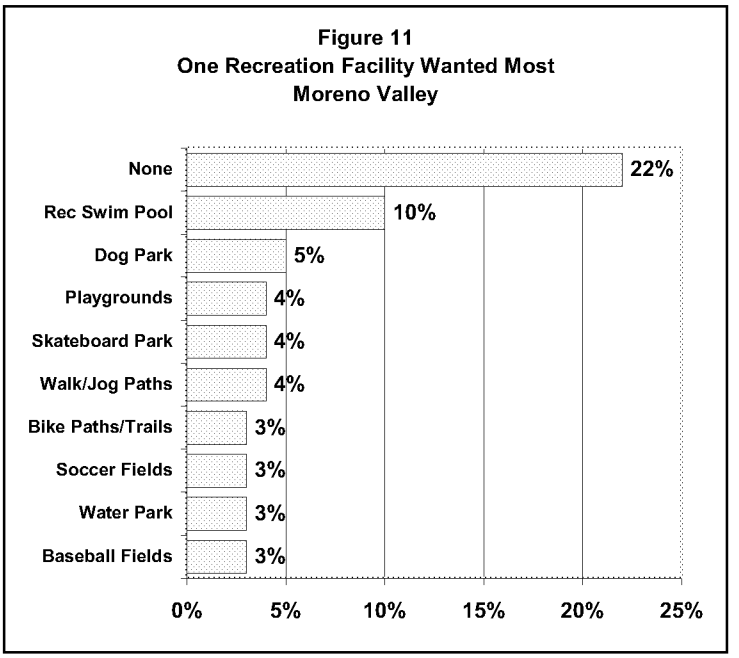

Figure 11
One Recreation Facility Wanted Most
Moreno Valley

The recreation facilities cited as most desired by Moreno Valley residents surveyed were Swimming Pool for Recreation or Lessons (10%), Dog Park (5%), Playgrounds/Tot Lots (4%), Skateboard Park (4%), and Walking/Running/Jogging Paths (4%). The next most often mentioned facilities (each at 3%) included Bike Paths/Trails, Soccer Fields, Water Games/Water Park, and Baseball Fields. All remaining mentions received a response volume that was less than 3% of those polled.

RECREATION PROGRAM NEEDS

One Recreation Program Respondents Want *(Appendix Table 33)*

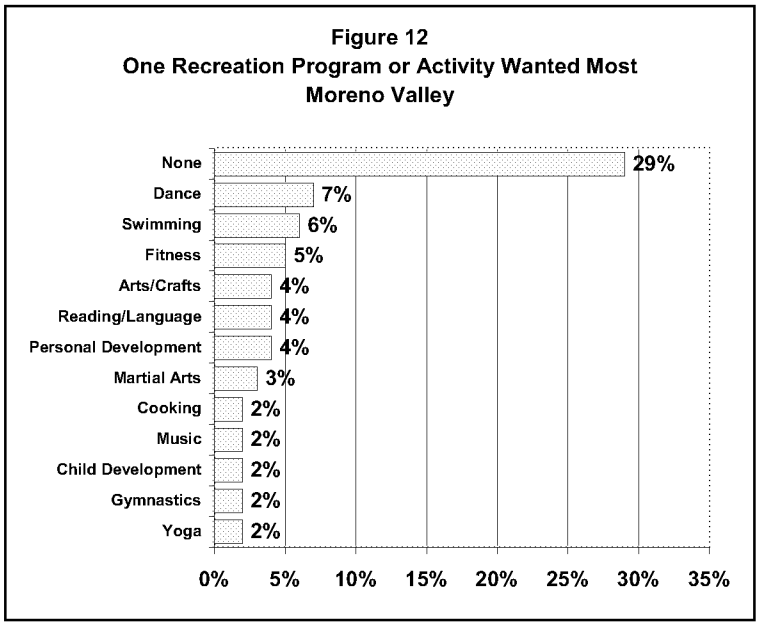

Respondents were asked to volunteer **one** recreation program their household would MOST like to see added in the City. This inquiry was asked in an unprompted form with all responses volunteered by respondents and recorded verbatim. The intent of the question was not a referendum of individual program priority on what recreation programs should be added or improved.

As Figure 12 reveals, the response most often reported was a desire for no new recreation programs, volunteered by nearly one of every three respondents (29%). These households with no desire for new facilities were more often found among households with a head 60 years or older (43% vs. 26% among those with a younger head), and among respondents describing themselves as Non-Hispanic White (39% vs. 19% among Hispanic respondents).

The recreation program types most often mentioned included Dance Instruction or Classes (7%), Swimming Lessons (6%), Aerobics, Spinning, or Fitness Instruction or Classes (5%), Arts or Crafts Instruction or Lessons (4%), Reading, Language, Spelling or Writing Instruction or Classes (4%), Personal Development or Business Instruction or Classes (4%), Martial Arts Classes (3%), Cooking Instruction or Classes (2%), Music Instruction or Classes (2%), Early Childhood Development Classes (2%), Gymnastics Instruction or Classes (2%), and Yoga, Meditation, or Stress Relief Instruction or Classes (2%). All other response categories garnered less than a 2% response rate.

CULTURAL FACILITY NEEDS

Propensity to Use Proposed Cultural Facilities *(Appendix Tables 34 to 36)*

Respondents were asked a series of three questions probing their propensity to use cultural facilities that may be built in Moreno Valley. The three types of facilities tested were a Performing Arts Center (presenting music or theater events,) Art Galleries, Art Festivals and Events, and a new Museum or Interpretive Center.

As Figure 13 reveals, households polled reported high likelihood of using all of the tested types of facilities, with the highest share of residents (80%) stating they would use a Performing Arts Center and the smallest share (71%) stating they would visit Art Galleries, Art Festivals and Events.

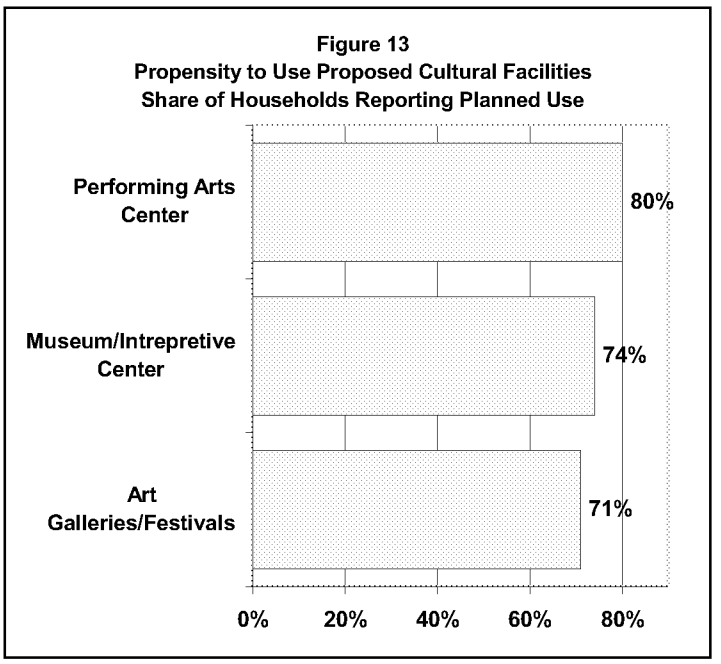

Reported non-use of Performing Arts Center facilities in Moreno Valley were most often reported by households without children under 18 years (26% vs. 14% among those with.) Similarly, households without children under 18 years were the most likely group to report no planned use of Art Galleries, Art Festivals and Events (35% vs. 24% among those with) along with respondents describing themselves as Non-Hispanic White (36% vs. 19% among Hispanic respondents.) Reported non-use of Museum or Interpretive Center facilities were most often reported by households with a head 60 years or older (38% vs. 23% among those with a younger head.)

VI. RESPONDENT DEMOGRAPHY

A collection of related demographic inquiries was also included in this survey of Moreno Valley residents. The table on the following page presents selected demographic characteristics of Moreno Valley residents polled during this survey compared with 2000 Federal Census data or 2006 American Community Survey data, as available.

AGE DISTRIBUTION OF POPULATION *(Appendix Table 6)*

Through our historical project experience, we have documented the relationship between parks and recreation usage and age of the population. In the context of this Moreno Valley community-wide survey, we collected the age of each of the members of households polled to facilitate development of an understanding of recreation preferences in this community that might be attributable to age. Figure 14 presents the age distribution of residents of those Moreno Valley households interviewed.

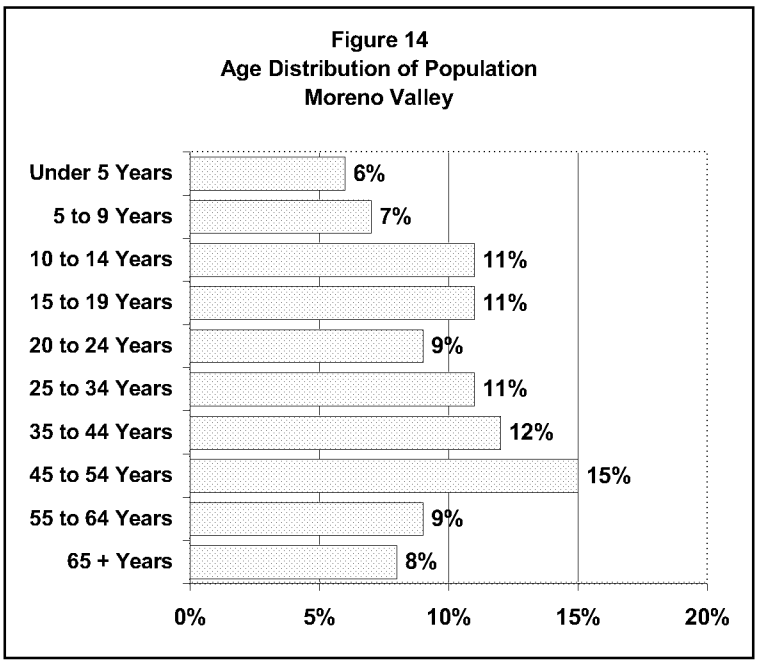

As Figure 14 reveals, residents of Moreno Valley of preschool age represent 6% of the population while youth ages 5 to 14 (the prime age group for organized sports) constituted 18% of the population. Adults age 20 to 54 comprised an additional 48% of the residents while one of every three residents (17%) are 55 years or older. Based on this survey, the average age of the population is 29 years. It is also noteworthy that the average age is higher among households without children under 18 years (51 years vs. 20 years among those with.)

DEMOGRAPHIC CHARACTERISTICS RECREATION NEEDS ASSESSMENT SURVEY MORENO VALLEY				
	ACS/	CURRENT SURVEY		
	CENSUS	TOTAL	W/KIDS	W-O KIDS
Percent of Population by Age (2006 estimate):				
Under 5 years	9%	6%	9%	0%
5 to 9 years	9%	7%	10%	0%
10 to 14 years	9%	11%	16%	0%
15 to 19 years	8%	11%	14%	4%
20 to 24 years	9%	9%	7%	13%
25 to 34 years	18%	11%	12%	10%
35 to 44 years	14%	12%	15%	5%
45 to 54 years	12%	15%	12%	23%
55 to 64 years	6%	9%	3%	22%
65 years and over	6%	8%	3%	21%
Median Age	27.7	29.0	20.0	51.0
Household Description (2006 estimate):				
1 adult w-o children	15%	10%	0%	22%
2 or more adults w-o children	27%	35%	0%	78%
Subtotal Households w-o children	42%	45%	0%	100%
1 adult w/children	NA	6%	12%	0%
2 adults w/children	NA	27%	50%	0%
3 or more adults w/children	NA	21%	38%	0%
Subtotal Households w/children	58%	55%	100%	0%
Ethnicity (2000 Census data is for householders; survey data is for respondents):				
Non-Hispanic White	40%	42%	27%	61%
Hispanic/Latino	30%	36%	48%	21%
Non-Hispanic Black/African American	21%	18%	22%	13%
Non-Hispanic Asian/Pacific Islander	6%	2%	1%	3%
Non-Hispanic Other	3%	2%	2%	2%
Mean Household Size (2006 estimate):	3.77	3.60	4.60	2.40
Median Household Income (2006 estimate):	$52,426	$63,100	$61,400	$66,000

Source: U.S. Census Bureau, 2000/2006
Research Network Ltd., 4/08

HOUSEHOLD COMPOSITION *(Appendix Table 7)*

Through our historical project experience, we have documented the relationship between parks and recreation usage and age and number of members of the household. In the context of this Moreno Valley community-wide survey, we collected the age of each of the members of households polled to facilitate an understanding of recreation preferences in this community that might be attributable to the composition of the household. Figure 15 presents the distribution of households polled based upon the number and age of the household members.

As Figure 15 illustrates, 45% of Moreno Valley households polled reported having no children under the age of 18 years. On Figure 15, these "childless" households are presented as the first and fourth bars on the chart. The remaining three bars on the chart comprise the group of households who reported having children less than 18 years (55%).

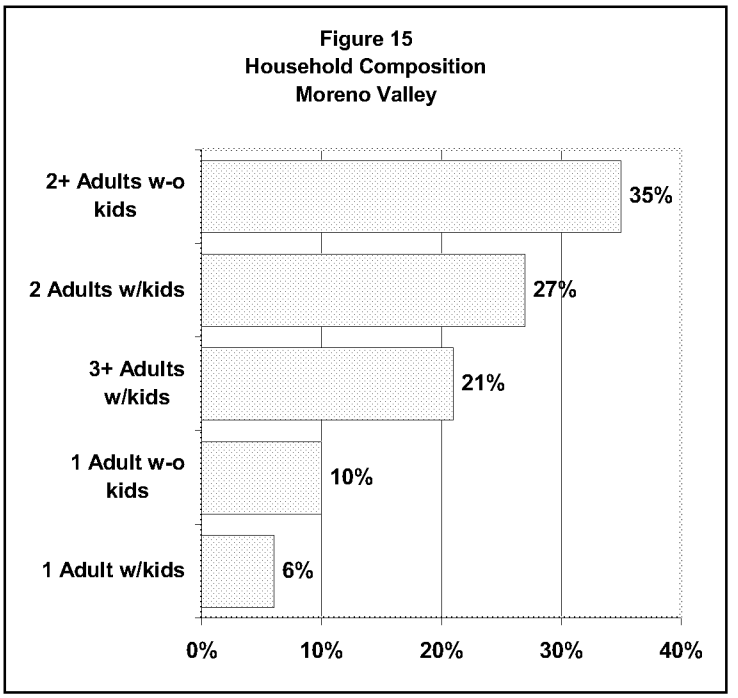

The distribution of households surveyed with and without children less than 18 years is comparable to the benchmark data from the 2006 American Community Survey, validating the representative nature of this sample of resident respondents.

The evaluation and analysis of these various segments of the Moreno Valley population further aids in an understanding of recreation facility and program needs, attitudes, and preferences.

EMPLOYMENT LOCATION *(Appendix Table 37)*

To amplify our understanding of the lifestyle dynamics of Moreno Valley, this survey asked a question to determine the share of employees in households polled who are employed in Moreno Valley vs. some other location. Figure 16 presents the summary of responses to that inquiry.

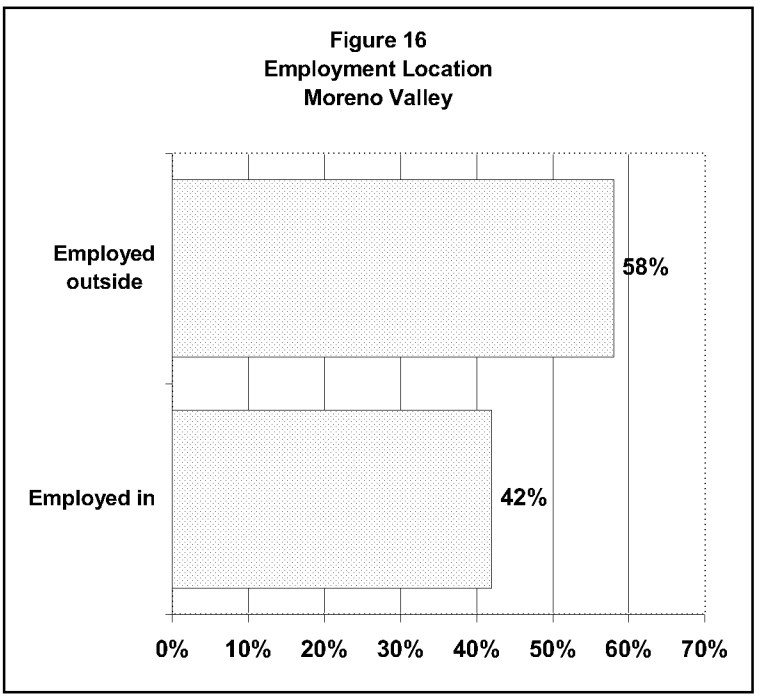

Figure 16 illustrates that 58% of the reported employees resident in households polled stated that they were employed at a location outside of Moreno Valley. Thus, the share of employees in households polled who had jobs in the City is 42%.

HOUSEHOLDER ETHNICITY *(Appendix Tables 39 to 41)*

Through our historical project experience, we have documented the relationship between parks and recreation usage and ethnicity of the population. In the context of this Moreno Valley community-wide survey, we collected the ethnicity of the respondent (or householder) for each of the households polled to

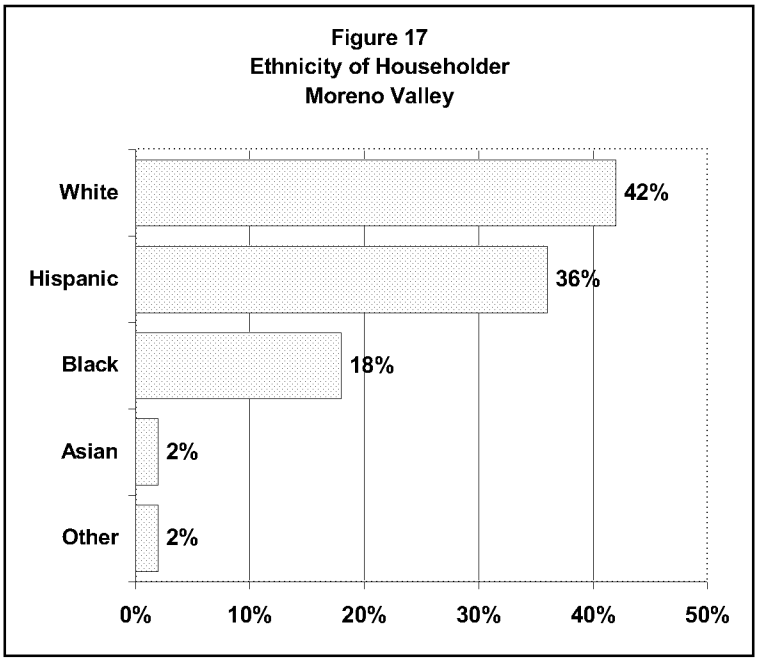

provide an understanding of recreation preferences in this community that might be attributable to ethnicity. Figure 17 presents the distribution of householders of those Moreno Valley households interviewed by the race or ethnic group they reported.

Figure 17 illustrates that four of every ten respondents (42%) described themselves as White while an additional 36% were Hispanic/Latino. Those polled who described themselves as Black/African American constituted 18% of the total and a 2% share of residents interviewed described themselves as Asian/Pacific Islander. A comparison of this distribution of ethnicity for resident respondents to benchmark data from the 2000 Census reveals comparable results, confirming the statistical reliability of the sample of respondents surveyed in Moreno Valley to be representative of the City as a whole.

HOUSEHOLD INCOME (*Appendix Table 42)*

We have documented in prior experience the relationship between parks and recreation usage and household income. In the context of this Moreno Valley community-wide survey, we collected the annual household income of households polled to provide an understanding of recreation preferences in this community that might be attributable to household income. Figure 18 presents the annual household income distribution of those Moreno Valley households interviewed. The median income calculated from the survey stood at $63,100, up substantially from the $51,792 median figure reported seven years earlier in the 2000 Census.

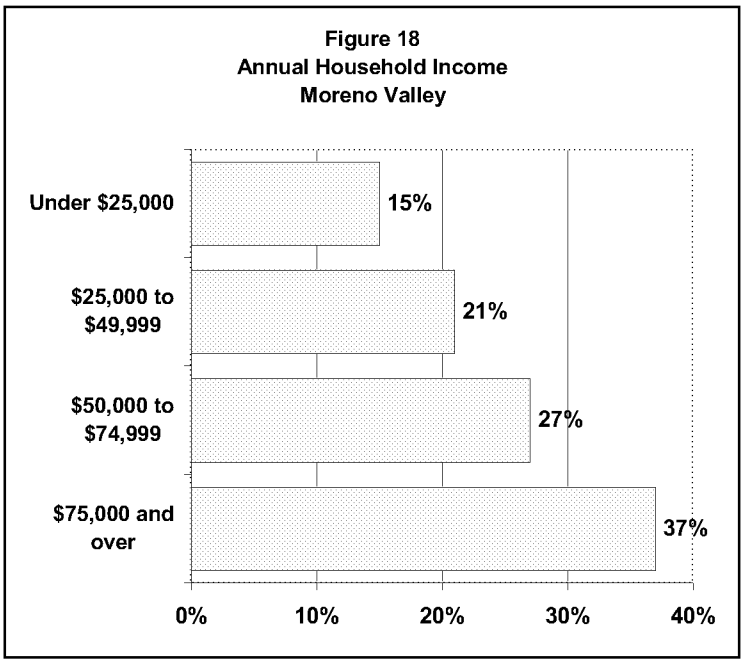

APPENDIX

RESEARCH NETWORK LTD.
906QUEST/APRIL 2008

VALIDATE:

FINAL

Moreno Valley Parks and Recreation Needs Assessment

Residential Telephone Survey

Hello. My name is _____ with Research Network Ltd., a consumer research firm. We are talking to residents, like your self, on behalf of the City of Moreno Valley. The City is extremely interested in your opinions for future planning of parks and recreation facilities and programs. We hope you will answer a few questions. May I talk with one of the heads of the household?

Record GENDER (Do not ask. Record by observation)
1 - FEMALE
2 - MALE

1. Please tell me your residence zip code. (DO NOT READ)

   1 - 92551
   2 - 92553
   3 - 92555
   4 - 92557
   5 - Other THANK RESPONDENT AND TERMINATE INTERVIEW
   6 - Don't Know THANK RESPONDENT AND TERMINATE INTERVIEW
   7 - Refused THANK RESPONDENT AND TERMINATE INTERVIEW

2. Do you live in Moreno Valley? (DO NOT READ)

   1 - Yes
   2 - No
   3 - Don't Know THANK RESPONDENT AND TERMINATE INTERVIEW
   4 - Refused THANK RESPONDENT AND TERMINATE INTERVIEW

3. How many people reside in your household, including yourself?

   Specify _____ Range = 1-998
   Don't Know/Refused = 9999

4. Beginning with yourself, please tell me the age of each resident living in your household.

	AGE	
Head of Household	___	Range = 18-998
Other Member	___	Range = 0-998 (0 = less than 1 year)
Other Member	___	Range = 0-998 (0 = less than 1 year)
Other Member	___	Range = 0-998 (0 = less than 1 year)
Other Member	___	Range = 0-998 (0 = less than 1 year)
Don't know/No answer/Refused	___	Range = 999 Thank and Terminate

5. Which of these categories best describes your household? (DO NOT READ - AUTOPUNCH)

-1	One adult without children under 18 years
-2	Two or more adults without children under 18 years
-3	One adult with children under 18 years
-4	Two adults with children under 18 years
-5	Three or more adults with children under 18 years
-6	Don't Know (DON'T READ)
-7	Refused (DON'T READ)

6. What is the ONE feature that makes Moreno Valley a desirable place to live? (DO NOT READ LIST, RECORD ONLY ONE)

1 - Access to Freeways
2 - Affordable housing.....
3 - Air Quality.....
4 - Arts and culture.....
5 - CC&R's..(Covenants, Conditions, and Restrictions)
6 - Childcare.....
7 - Climate.....
8 - Close to work.....
9 - Cost of Living Low.....
10 - Feeling A Part of Community
11 - Growing area.....
12 - Lack of crime.....
13 - No/low traffic
14 - Open Space .....
15 - Parks, Bike, Jog Trails...
16 - Proximity to Shopping
17 - Recreation/sports facilities…
18 - Quality education.....
19 - Quality of Life (Probe for specifics)
20 - Responsive City Government
21 - Senior services.....
22 - Small town atmosphere.....
23 - Other (specify): _____
24 - Refused
25 - Don't know

7. Reflecting upon the recreation patterns of those in your household, which of the following benefits do you feel is most important when you or the members of your household seek recreation or leisure opportunities? Would it be...? (ROTATE ORDER OF LIST. READ LIST RECORD ONLY ONE)

1 - Physical fitness, health and well-being
2 - Opportunities to gather and socialize with others
3 - Learning opportunities for hobby, self-improvement or career development
4 - Opportunities to give back to the community through volunteer work
5 - Refused (DNR)
6 - Don't know (DNR)

8. If you need information about Moreno Valley recreation or parks programs or facilities, where do you get that information? (DO NOT READ POTENTIAL RESPONSES. RECORD ALL THAT APPLY)

1 - City of Moreno Valley
2 - City of Moreno Valley website
3 - City of Moreno Valley programs brochure
4 - Information postings at recreation sites
5 - Newspaper
6 - Boys' & Girls' Club
7 - School
8 - Telephone book
9 - Internet
10 - Don't Need It
11 - Other (specify)_____
12 - Refused
13 - Don't know

9. Thinking about the past year, what best describes how often you or other members of your household used any parks and recreation facilities in or outside of Moreno Valley? (READ CHOICES AND RECORD BELOW. RECORD ONLY ONE ANSWER).

-1 More than once a week
-2 Once a week or 3 to 4 times per month
-3 Once or twice a month
-4 Several times a year
-5 Once a year
-6 No use (SKIP TO Q.11)
-7 Refused
-8 Don't know

10. During the last year, what park or recreation facility did you and your household most often use? Please include all types of recreation facilities whether located in Moreno Valley or not. Include public or private facilities. (DO NOT READ RESPONSES. RECORD ONLY ONE ANSWER.)

1 - Adrienne Mitchell Memorial Pk.	22631 Bay Ave.
2 - Armada Elementary	25201 John F. Kennedy Dr.
3 - Badger Springs Middle School	24750 Delphinium Ave.
4 - Bayside Park	24435 Bay Ave.
5 - Bear Valley Elementary	26125 Fir Ave.
6 - Bethune Elementary	25390 Krameria St.
7 - Bethune Park	16745 Kitching St.
8 - Box Springs Elementary	11900 Athens Dr.
9 - Box Springs Mountain Regional Park	Pigeon Pass Rd. off Hwy 60, Riverside County
10 - Butterfield Elementary	13400 Kitching St.
11 - California Aqueduct Linear Park	Balboa St. & Dracaea Ave.
12 - Canyon Springs High School	23100 Cougar Canyon Dr.
13 - Celebration Park	14965 Morgan Ave.
14 - Chaparral Hills Elementary	24850 Delphinium Ave.
15 - Cloverdale Elementary	12050 Kitching St.

16 - College Park	16130 Lasselle St.
17 - Cottonwood Golf Center	13671 Frederick St., Moreno Valley, CA
18- Creekside Elementary	13563 Heacock St.
19 - Edgemont Elementary	21790 Eucalyptus Ave.
20 - El Potrero Elementary	16820 Via Pamplona
21 - El Potrero Park	16901 Lasselle St.
22 - Fairway Park	27891 John F. Kennedy Dr.
23 - Gateway Park	23975 Manzanita Ave.
24 - General Old Golf Course	6104 Village Dr., Riverside, CA
25 - Hendrick Ranch	25570 Brodiaea Ave.
26 - Hidden Springs	9801 Hidden Springs Dr.
27 - Hidden Springs Park - Phase 1	9675 Hidden Springs Dr.
28 - Honey Hollow	11765 Honey Hollow St.
29 - Islander Park	3794 Mt. Vernon St., Riverside, CA
30 - John F. Kennedy Park	15115 Indian St.
31 - La Jolla Elementary	147450 Willowgrove Dr.
32 - Lake Perris State Recreaion Area	17801 Lake Dr., Perris, CA
33 - Landmark Middle School	15261 Legendary Dr.
34 - Lasselle Elementary	26446 Krameria Ave.
35 - March Air Force Museum	2250 Van Buren Blvd., Riverside, CA
36 - March Field Park	6th St.
37 - March Middle School	15800 Indian St.
38 - March Mountain High School	24551 Dracaea Ave.
39 - Midland Elementary	11440 Davis St.
40 - Moreno Elementary	26700 Cottonwood Ave.
41 - Moreno Valley Community Park	13380 Frederick St.
42 - Moreno Valley Conference & Recreation Center	14075 Frederick St.
43 - Moreno Valley Equestrian & Nature Center	11150 Redlands Blvd.
44 - Moreno Valley High School	23300 Cottonwood Ave.
45 - Moreno Valley Ranch Golf Club	28095 John F. Kennedy Dr., Moreno Valley, CA
46 - Morrison Park	26667 Dracaea Ave.
47 - Mountain View Middle School	13130 Morrison St.
48 - Mt. Vernon Park	Blaine St. / Mt. Vernon Ave., Riverside, CA
49 - North Ridge Elementary	25101 Kalmia Ave.
50 - Norton Younglove Reserve	
51 - Orange Empire Railway Museum	2201 S. "A" St., Perris, CA
52 - Orange Terrace Community Park	20010 Orange Terrace, Riverside, CA
53 - Palm Middle School	11900 Slawson Ave.
54 - Parque Amistad Park	26160 Gentian Ave.
55 - Pedrorena Park	16009 Rancho Del Lago
56 - Quail Run Open Space	
57 - Rainbow Ridge Elementary	15950 Indian St.
58 - Ramona Elementary	24801 Bay Ave.
59 - Rancho Verde High School	17750 Lasselle St.

60 - Red Maple Elementary	25100 Red Maple Ln.
61 - Ridge Crest Elementary	28500 John F. Kennedy Dr.
62 - Ridge Crest Park	28506 John F. Kennedy Dr.
63 - Seneca Elementary	11615 Wordsworth Rd.
64- Senior Community Center	25075 Fir Ave.
65 - Serrano Elementary	24100 Delphinium Ave.
66 - Shadow Mountain Park	23239 Presidio Hills Dr.
67 - Sugar Hill Elementary	24455 Old Country Road
68- Sunny Springs Special Ed	
69 - Sunnymead Elementary	24050 Dracaea Ave.
70 - Sunnymead Middle School	23996 Eucalyptus Ave.
71- Sunnymead Park	12655 Perris Blvd.
72 - Sunnymead Ranch Linear Park	Village Rd. & Old Lake Rd.
73 - Sunnymeadows Elementary	23200 Eucalyptus Ave.
74 - Sycamore Canyon Wilderness Park	400 Block of Central Ave., Riverside, CA
75 - Thunder Sky Park	20440 Thundersky Cir., Riverside, CA
76 - TownGate Elementary	24480 Dracaea Ave.
77 - Towngate Memorial Park	13051 Elsworth St.
78 - UCR Botanic Garden	University of CA, Riverside
79 - Valley View High School	13135 Nason St.
80 - Victoriano Elementary	25650 Los Cabos Dr.
81 - Victoriano Park	25730 Los Cabos Dr.
82 - Vista del Lago High School	12150 Lasselle St.
83 - Vista Heights Middle School	23409 Old Lake Dr.
84 - Vista Lomas Park	26700 Iris Ave.
85 - Vista Verde Middle School	25777 Krameria St.
86 - Westbluff Park	10750 Pigeon Pass Rd.
87 - Weston Park	13170 Lasselle St.
88 - Woodland Park	25750 Cactus Ave.

89 - NONE.....
90 - Other (specify) _____
91 - Refused
92 - Don't know

11. During the last year, what SCHOOL facility did you and your household most often use for recreation or cultural activities (not including education activities) whether located in Moreno Valley or not. Include public or private facilities. (DO NOT READ RESPONSES. RECORD ONLY ONE ANSWER.)

1 - Armada Elementary	25201 John F. Kennedy Dr.
2 - Badger Springs Middle School	24750 Delphinium Ave.
3 - Bear Valley Elementary	26125 Fir Ave.
4 - Bethune Elementary	25390 Krameria St.
5 - Box Springs Elementary	11900 Athens Dr.
6 - Butterfield Elementary	13400 Kitching St.

7 - Canyon Springs High School	23100 Cougar Canyon Dr.
8 - Chaparral Hills Elementary	24850 Delphinium Ave.
9 - Cloverdale Elementary	12050 Kitching St.
10 - Creekside Elementary	13563 Heacock St.
11 - Edgemont Elementary	21790 Eucalyptus Ave.
12 - El Potrero Elementary	16820 Via Pamplona
13 - Hendrick Ranch	25570 Brodiaea Ave.
14 - Hidden Springs	9801 Hidden Springs Dr.
15 - Honey Hollow	11765 Honey Hollow St.
16 - La Jolla Elementary	147450 Willowgrove Dr.
17 - Landmark Middle School	15261 Legendary Dr.
18 - Lasselle Elementary	26446 Krameria Ave.
19 - March Middle School	15800 Indian St.
20 - March Mountain High School	24551 Dracaea Ave.
21 - Midland Elementary	11440 Davis St.
22 - Moreno Elementary	26700 Cottonwood Ave.
23 - Moreno Valley High School	23300 Cottonwood Ave.
24 - Mountain View Middle School	13130 Morrison St.
25 - North Ridge Elementary	25101 Kalmia Ave.
26 - Palm Middle School	11900 Slawson Ave.
27 - Rainbow Ridge Elementary	15950 Indian St.
28 - Ramona Elementary	24801 Bay Ave.
29 - Rancho Verde High School	17750 Lasselle St.
30 - Red Maple Elementary	25100 Red Maple Ln.
31 - Ridge Crest Elementary	28500 John F. Kennedy Dr.
32 - Seneca Elementary	11615 Wordsworth Rd.
33 - Serrano Elementary	24100 Delphinium Ave.
34 - Sugar Hill Elementary	24455 Old Country Road
35 - Sunny Springs Special Ed	
36 - Sunnymead Elementary	24050 Dracaea Ave.
37 - Sunnymead Middle School	23996 Eucalyptus Ave.
38 - Sunnymeadows Elementary	23200 Eucalyptus Ave.
39- TownGate Elementary	24480 Dracaea Ave.
40 - Valley View High School	13135 Nason St.
41 - Victoriano Elementary	25650 Los Cabos Dr.
42 - Vista del Lago High School	12150 Lasselle St.
43 - Vista Heights Middle School	23409 Old Lake Dr.
44 - Vista Verde Middle School	25777 Krameria St.

45 - NONE.....
46 - Other (specify)_____
47 - Refused
48 - Don't know

12. I am going to read a list of recreational activities to you. Please tell me how many of the members of your household have participated in each activity in the past year, NOT including school-related activities. Include even those times when you participated for only a short period of time. Include activities conducted in or outside Moreno Valley. Include activities conducted in public or private facilities. (ROTATE LIST OF ACTIVITIES. DO NOT READ ANSWER LIST. RECORD ONLY ONE ANSWER)

[DO NOT ASK - A, D, E, F, and J if respondent does not have children under 18 in Q3]

1- One
2- Two
3- Three
4- Four
5- Five
6- Six or More
7- Zero
8- Refused
9- Don't Know

Activity:

A. USE OF PLAY EQUIPMENT, TOT LOTS

B. PICNICKING IN DEVELOPED SITES

C. SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

D. SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

E. BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

F. USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

G. WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

H. BASKETBALL: ORGANIZED LEAGUE GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

I. SOFTBALL: ORGANIZED LEAGUE GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

J. FOOTBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

K. TENNIS (NON-SCHOOL)

L. BICYCLING FOR RECREATION/FITNESS

M. SKATEBOARDING

N. GOLFING

O. DOG PARK USE

P. PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

13. How would you rate the maintenance of recreation and parks facilities in Moreno Valley? Would you say it is…(READ LIST)

4 - Excellent
3- Good
2 - Fair
1 - Poor
5 - Refused (DNR)
6 - Don't know (DNR)

14. Now that we have discussed many recreation possibilities, what is the ONE RECREATION FACILITY you would MOST like to see added in Moreno Valley to meet the needs of the members of your household? (DO NOT READ LIST. RECORD ONLY ONE ANSWER).

Outdoor Facilities
1 - Bandshell/Outdoor concert stage
2 - Baseball fields
3 - Bike Paths/Trails
4 - Dog Park
5 - Equestrian Facilities
6 - Football Fields
7 - Golf course/driving range
8 - Playgrounds/Tot lots
9 - Outdoor Basketball Courts
10 - Picnic/group facilities
11 - Roller hockey facilities
12 - Soccer Fields
13 - Softball fields
14 - Swimming Pool for Competitive Events
15 - Swimming Pool for Recreation or lessons
16 - Tennis Courts
17 – Volleyball
18 - Walking/Jogging Paths

Indoor Facilities
19 - Community Center for classes (dance, crafts, gymnastics, etc.)
20 - Fine Arts Center (art gallery, exhibitions)
21 - Fitness Center
22 - Gymnasium
23 - Indoor Basketball Courts
24 - Library
25 - Meeting facilities
26 - Performing Arts Center (theater for music, performing arts)
27 - Senior facilities and programs
28 - Teen and youth club facilities and programs (i.e. pool tables, electric games, craft room)

29 - NONE
30 - Other (specify)_____
31 - Refused
32 - Don't know

15. Thinking about the past year, what best describes how often you or other members of your household used indoor recreation facilities such as a recreation center, community center, indoor classes or lessons, etc. in or outside of Moreno Valley? (READ CHOICES AND RECORD BELOW. RECORD ONLY ONE ANSWER).

1 - More than once a week
2 - Once a week or 3 to 4 times per month
3 - Once or twice a month
4 - Several times a year
5 - Once a year
6 - No use (DNR)
7 - Refused (DNR)
8 - Don't know (DNR)

16. What is the ONE program, class, or activity your household would MOST like to see added in Moreno Valley to meet the needs of the members of your household? (DO NOT READ LIST – IF RESPONDENT PROVIDES A FACILITY RESPONSE, PROBE FOR PROGRAM RESPONSE. RECORD ONLY ONE ANSWER)

1 - Adult day care
2 - Aerobics, spinning, or fitness instruction or classes
3 - Arts or crafts instruction or classes
4 - Baseball or softball
5 - Basketball
6 - Before or after school day care
7 - Camps for school-age children during school recess or vacation periods
8 - Cooking instruction or classes
9 - Dance instruction or classes
10 - Drama instruction or classes
11 - Early childhood development classes
12 - Football
13 - Golf
14 - Gymnastics instruction or classes
15 - Holiday/seasonal celebrations or fairs
16 – Martial arts classes
17 - Music instruction or classes
18 - Outdoor concerts
19 - Parenting classes
20 - Personal development or business instruction or classes
21 - Plays
22 - Pre-school care
23 - Reading, language, spelling or writing instruction or classes
24 - Science or nature instruction or classes
25 - Soccer
26 - Swimming lessons
27 - Tennis
28 - Volleyball
29 - Yoga, meditation, or stress relief instruction or classes

30 - NONE
31 - Other (specify) _____
32 - Refused
33 - Don't know

17. I am going to read a list of possible future new facilities or services. Please tell me how many of the members of your household would probably use each facility or service if available in Moreno Valley. ROTATE LIST OF ACTIVITIES. DO NOT READ ANSWER LIST. RECORD ONLY ONE ANSWER)

1- One
2- Two
3- Three
4- Four
5- Five
6- Six or More
7- Zero
8- Refused
9 - Don't Know

A. PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

B. ART GALLERIES, ART FESTIVALS AND EVENTS

C. MUSEUM OR INTERPRETIVE CENTER

And now we just need to ask you a few questions about your household so we can understand the needs of different households in the community...

18. Are any of the adults living in your household employed outside the home at a location in Moreno Valley?

Yes
No (SKIP TO Q.20)
Refused (SKIP TO Q.20) (DNR)
Don't know (SKIP TO Q.20) (DNR)

19. Thinking about the past year, what best describes how many of those members of your household employed in Moreno Valley participated in employer-sponsored recreation at any parks and recreation facilities in Moreno Valley? (READ CHOICES AND RECORD BELOW).

1- One
2- Two
3- Three
4- Four
5- Five
6- Six or More
7- Zero
8- Refused (DNR)
9 - Don't Know (DNR)

20. Would you please tell me the ethnic category with which you identify? (DO NOT READ LIST. MULTI-ETHNIC RESPONSES SHOULD BE RECORDED IN OTHER)

1 - White.....
2 - Black or African American.....
3 - Asian/Pacific Islander.....
4 - (Hispanic/Mexican American: DO NOT READ. IF THEY SUGGEST, THEN CODE) SKIP TO Q22
5 - Other (specify) _____
6 - Refused
7 - Don't know

21. Please tell me if you are of Spanish/Hispanic origin or descent.

1 – Yes
2 -- No

22. Which of the following ranges includes your household's annual income before taxes? (READ LIST)

1- Under $25,000...
2 - $25,000 - $49,999...
3 - $50,000 - $74,999...
4 - $75,000 and above
5 - Refused (DNR)
6 - Don't know (DNR)

I WANT TO THANK YOU ON BEHALF OF THE CITY OF MORENO VALLEY.

Collect Respondent's First Name_____

Phone_____Interviewer_____Date_____

Table 1-1
GENDER

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
MALE	189	63	87	39	62	84	80	109	73	79	100	55	74	46	81	69	140	32
	63%	66%	63%	57%	68%	66%	59%	65%	69%	64%	64%	59%	65%	69%	65%	66%	63%	59%
FEMALE	113	33	50	30	29	44	56	57	32	45	57	38	40	21	44	35	83	22
	37%	34%	37%	43%	32%	34%	41%	35%	31%	36%	36%	41%	35%	31%	35%	34%	37%	41%

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	TOTAL	AGE OF HEAD OF HOUSEHOLD: UNDER 40	40-59	60 OR OVER	CHILDREN IN HOUSEHOLD: CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	ETHNICITY: HISPANIC	NON-HISPANIC WHITE	INCOME: UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING: EXCL/GOOD	FAIR/POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
92551	35	8	16	11	7	16	17	18	13	10	13	11	13	14	13	7	28	5
	12%	9%	12%	16%	8%	12%	13%	11%	12%	8%	8%	12%	11%	21%	11%	7%	12%	9%
553	109	44	47	18	42	51	43	66	52	32	70	17	49	27	40	35	81	20
	36%	46%	35%	26%	45%	40%	32%	40%	50%	26%	45%	18%	43%	40%	32%	33%	37%	36%
92555	73	18	34	21	22	26	36	37	17	39	31	35	26	12	37	27	54	13
	24%	19%	25%	31%	24%	20%	27%	22%	16%	32%	20%	37%	23%	17%	29%	26%	24%	25%
92557	84	25	40	19	21	35	39	45	23	42	43	31	27	15	34	36	60	16
	28%	27%	29%	27%	23%	28%	29%	27%	22%	34%	27%	33%	23%	22%	28%	34%	27%	30%

Table 3-1
Q.2 - DO YOU LIVE IN MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
YES	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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- HOW MANY PEOPLE RESIDE IN YOUR HOUSEHOLD, INCLUDING YOURSELF?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
1	31	2	7	22	1	1	30	1	6	22	21	7	6	5	5	6	21	5
	10%	2%	5%	32%	1%	1%	22%	1%	6%	18%	13%	7%	5%	7%	4%	6%	9%	9%
	59	3	31	24	1	6	51	7	12	35	30	16	14	9	19	23	38	12
	19%	4%	23%	35%	1%	5%	38%	4%	12%	28%	19%	17%	12%	13%	15%	22%	17%	22%
3	64	19	35	9	13	22	29	34	15	34	28	24	25	10	22	21	46	11
	21%	20%	26%	13%	15%	17%	22%	21%	14%	27%	18%	25%	22%	14%	18%	20%	20%	21%
4	64	24	32	8	20	33	20	44	24	21	29	27	27	19	35	24	53	8
	21%	25%	23%	11%	21%	26%	14%	26%	23%	17%	18%	28%	24%	28%	28%	23%	24%	15%
5	47	26	21	1	28	33	5	43	30	4	26	13	23	13	23	19	37	11
	16%	27%	15%	1%	31%	26%	3%	26%	28%	4%	17%	14%	21%	20%	18%	18%	16%	19%
6	21	10	7	4	17	18	-	21	10	7	15	5	9	5	11	7	18	2
	7%	10%	5%	5%	19%	14%		13%	9%	6%	9%	5%	7%	7%	9%	7%	8%	5%
7	7	5	2	-	4	6	1	6	5	-	4	1	5	5	3	1	6	1
	2%	5%	1%		4%	5%	1%	4%	5%		2%	1%	4%	7%	3%	1%	3%	2%
8	6	5	1	-	6	5	-	6	4	1	2	1	4	1	4	4	2	4
	2%	5%	1%		7%	4%		4%	3%	1%	2%	1%	3%	2%	3%	4%	1%	7%
9	4	1	1	1	1	4	-	4	-	-	2	-	1	1	4	-	2	-
	1%	1%	1%	2%	1%	3%		2%			2%		1%	2%	3%		1%	
MEAN	3.6	4.5	3.5	2.4	4.9	4.7	2.4	4.6	4.2	2.8	3.6	3.5	4.0	4.1	4.1	3.7	3.7	3.7
MEDIAN	3	4	3	2	5	5	2	4	4	3	3	4	4	4	4	4	4	3

Continued

Table 4-1

Q.3 - HOW MANY PEOPLE RESIDE IN YOUR HOUSEHOLD, INCLUDING YOURSELF?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.7	1.6	1.4	1.4	1.5	1.6	1.1	1.5	1.6	1.3	1.8	1.4	1.7	1.8	1.7	1.6	1.6	1.7
STANDARD ERROR	0.10	0.17	0.12	0.17	0.17	0.16	0.09	0.13	0.17	0.11	0.14	0.14	0.16	0.22	0.15	0.15	0.11	0.23

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
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- AGE OF HEAD OF HOUSEHOLD

	TOTAL	AGE OF HEAD OF HOUSEHOLD: UNDER 40	40-59	60 OR OVER	CHILDREN IN HOUSEHOLD: CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	ETHNICITY: HISPANIC	NON-HISPANIC WHITE	INCOME: UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING: EXCL/GOOD	FAIR/POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
15-19	6	6	-	-	1	5	1	5	4	-	1	1	4	3	3	2	4	1
	2%	6%			1%	4%	1%	3%	3%		*	1%	4%	5%	3%	2%	2%	2%
20-24	15	15	-	-	5	6	5	10	10	2	10	2	8	5	8	7	10	5
	5%	16%			5%	5%	4%	6%	9%	1%	6%	2%	7%	8%	7%	7%	4%	10%
25-34	46	46	-	-	28	24	8	38	25	11	30	8	23	10	17	15	37	8
	15%	48%			31%	19%	6%	23%	24%	9%	19%	8%	20%	14%	14%	15%	17%	15%
35-44	53	29	24	-	32	40	5	49	23	16	25	19	23	15	26	22	37	13
	18%	31%	18%		35%	31%	3%	29%	22%	13%	16%	20%	21%	23%	21%	21%	17%	24%
45-54	81	-	81	-	17	42	34	46	25	32	41	28	31	16	39	27	68	10
	27%		59%		19%	32%	25%	28%	24%	26%	26%	30%	27%	24%	31%	26%	30%	18%
55-64	54	-	32	22	6	5	45	10	11	32	24	23	11	8	23	20	37	9
	18%		24%	32%	7%	4%	33%	6%	11%	26%	15%	24%	10%	12%	18%	19%	17%	16%
65 AND OVER	47	-	-	47	2	6	39	9	7	31	27	13	12	10	9	11	30	8
	16%			68%	3%	5%	28%	5%	6%	25%	17%	14%	11%	14%	7%	11%	13%	16%
MEAN	48.5	30.6	50.1	70.1	39.3	41.6	57.2	41.3	41.6	55.0	48.1	50.7	43.8	45.6	45.6	46.6	47.8	46.4
MEDIAN	48	30	50	70	38	41	58	41	40	55	48	50	43	45	47	47	48	44
STANDARD DEVIATION	15.9	6.9	6.4	7.2	11.5	12.5	14.8	13.0	14.6	14.6	16.3	14.0	15.6	16.7	14.2	15.2	15.4	17.0
STANDARD ERROR	0.9	0.7	0.5	0.9	1.2	1.1	1.3	1.0	1.4	1.3	1.3	1.4	1.5	2.0	1.3	1.5	1.0	2.3

Table 6-1
Q.4 - AGE OF TOTAL HOUSEHOLD MEMBERS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW/REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: TOTAL RESPONSES	1089	442	481	166	457	610	326	763	452	349	572	331	458	277	507	387	825	200
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
UNDER 5	70	48	18	4	70	37	-	70	43	15	37	21	39	11	32	24	62	7
	6%	11%	4%	2%	15%	6%		9%	9%	4%	6%	6%	9%	4%	6%	6%	8%	4%
9	78	56	20	2	78	50	-	78	49	13	57	13	40	28	39	27	62	16
	7%	13%	4%	1%	17%	8%		10%	11%	4%	10%	4%	9%	10%	8%	7%	8%	8%
10-14	120	66	43	11	61	120	-	120	52	23	66	31	56	34	52	39	88	27
	11%	15%	9%	7%	13%	20%		16%	12%	7%	12%	9%	12%	12%	10%	10%	11%	13%
15-19	123	49	67	6	34	107	14	109	47	32	62	32	55	37	56	48	98	20
	11%	11%	14%	4%	7%	18%	4%	14%	10%	9%	11%	10%	12%	14%	11%	12%	12%	10%
20-24	94	30	51	13	21	38	44	50	37	30	50	32	42	27	53	35	68	21
	9%	7%	11%	8%	5%	6%	13%	7%	8%	9%	9%	10%	9%	10%	10%	9%	8%	11%
25-34	123	87	28	7	66	57	34	89	71	30	68	35	48	31	65	46	94	23
	11%	20%	6%	4%	14%	9%	10%	12%	16%	9%	12%	10%	10%	11%	13%	12%	11%	12%
35-44	132	68	55	9	66	95	17	115	55	40	67	46	63	39	63	46	97	24
	12%	15%	11%	6%	14%	16%	5%	15%	12%	11%	12%	14%	14%	14%	12%	12%	12%	12%
45-54	168	23	136	10	35	82	75	93	57	67	78	61	66	36	76	62	135	27
	15%	5%	28%	6%	8%	13%	23%	12%	13%	19%	14%	18%	14%	13%	15%	16%	16%	13%
55-64	94	10	50	34	16	11	73	21	23	50	39	39	22	15	47	36	65	18
	9%	2%	10%	21%	3%	2%	22%	3%	5%	14%	7%	12%	5%	5%	9%	9%	8%	9%
AND OVER	88	5	14	69	10	13	68	20	18	48	49	21	27	19	25	25	57	16
	8%	1%	3%	42%	2%	2%	21%	3%	4%	14%	9%	6%	6%	7%	5%	7%	7%	8%
N	32.7	22.9	34.6	53.2	22.9	25.7	49.3	25.6	27.6	40.1	31.3	34.9	29.2	30.3	31.3	32.3	31.7	32.7

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008

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- AGE OF TOTAL HOUSEHOLD MEMBERS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
MEDIAN	29	20	37	60	17	19	51	20	24	42	27	35	24	25	28	29	28	29
STANDARD DEVIATION	21.2	15.8	18.8	23.8	18.3	17.2	18.8	17.9	19.2	22.0	21.4	20.4	20.1	20.1	19.8	20.6	20.9	20.9
STANDARD ERROR	0.6	0.7	0.9	1.9	0.9	0.7	1.0	0.6	0.9	1.2	0.9	1.1	0.9	1.2	0.9	1.0	0.7	1.5

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 7-1
Q.5 - WHICH OF THESE CATEGORIES BEST DESCRIBES YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
HOUSEHOLDS WITHOUT CHILDREN UNDER 18 (SUBTOTAL)	136	14	63	59	-	-	136	-	28	81	64	46	34	24	53	45	88	30
	45%	15%	46%	86%			100%		27%	65%	41%	49%	30%	35%	42%	43%	39%	55%
ONE ADULT WITHOUT CHILDREN UNDER 18 YEARS	30	1	7	22	-	-	30	-	5	22	20	7	6	5	5	5	20	5
	10%	1%	5%	32%			22%		4%	18%	13%	7%	5%	7%	4%	4%	9%	9%
TWO OR MORE ADULTS WITHOUT CHILDREN UNDER 18 YEARS	106	13	56	37	-	-	106	-	23	59	45	39	28	19	48	40	68	25
	35%	13%	41%	54%			78%		22%	48%	28%	42%	24%	28%	39%	38%	30%	46%
HOUSEHOLDS WITH CHILDREN UNDER 18 (SUBTOTAL)	166	82	74	10	92	128	-	166	77	43	93	48	81	44	72	60	135	24
	55%	85%	54%	14%	100%	100%		100%	73%	35%	59%	51%	70%	65%	58%	57%	61%	45%
ONE ADULT WITH CHILDREN UNDER 18 YEARS	20	7	11	1	9	17	-	20	6	5	15	1	9	1	7	5	12	4
	6%	8%	8%	2%	9%	13%		12%	6%	4%	9%	1%	7%	2%	6%	5%	5%	7%
TWO ADULTS WITH CHILDREN UNDER 18 YEARS	83	50	29	4	51	60	-	83	35	27	42	27	42	21	29	29	71	11
	27%	52%	21%	5%	56%	47%		50%	34%	22%	26%	29%	36%	31%	23%	28%	32%	20%
THREE OR MORE ADULTS WITH CHILDREN UNDER 18 YEARS	63	24	34	5	32	51	-	63	35	11	37	20	31	22	35	26	52	10
	21%	25%	25%	7%	35%	40%		38%	34%	9%	23%	21%	27%	33%	28%	25%	24%	18%

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 8-1
- WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	57	12	27	18	7	21	35	22	12	28	23	22	15	8	16	20	31	12
	19%	13%	19%	26%	8%	16%	25%	13%	11%	23%	14%	24%	13%	12%	13%	19%	14%	22%
REFUSED	2	-	1	1	-	-	2	-	-	2	2	-	-	-	1	1	-	2
	1%		1%	2%			1%			2%	1%				1%	1%		4%
BASE: THOSE RESPONDING	244	84	110	50	84	107	99	144	93	94	133	71	100	59	108	84	192	40
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
FORDABLE HOUSING	29	12	15	2	11	16	9	20	11	12	11	11	13	8	14	12	19	10
	12%	15%	14%	4%	13%	15%	10%	14%	12%	13%	8%	15%	13%	14%	13%	14%	10%	25%
CLOSE TO WORK	19	6	9	4	9	7	8	11	5	9	13	5	10	6	10	9	16	2
	8%	7%	8%	9%	10%	7%	8%	8%	5%	10%	10%	7%	10%	9%	9%	11%	8%	5%
QUALITY OF LIFE	15	3	8	4	7	11	2	13	11	1	12	1	9	4	5	3	10	4
	6%	4%	7%	7%	9%	10%	2%	9%	11%	1%	9%	2%	9%	6%	5%	4%	5%	9%
GROWING AREA	14	4	9	1	4	7	6	9	5	5	9	2	6	6	5	4	12	2
	6%	4%	9%	2%	4%	7%	6%	6%	5%	5%	7%	2%	6%	10%	5%	5%	6%	4%
SMALL TOWN ATMOSPHERE	13	3	6	4	5	5	6	7	2	6	7	4	4	3	5	2	11	-
	5%	4%	5%	8%	6%	5%	6%	5%	3%	7%	5%	6%	4%	5%	4%	2%	6%	
CLIMATE	13	4	2	8	2	5	7	6	3	7	9	3	5	1	2	5	10	2
	5%	4%	1%	16%	3%	5%	7%	4%	3%	8%	7%	4%	5%	2%	2%	6%	5%	6%
CLOSE TO EVERYTHING/LOCATION (GENERAL)	13	1	10	2	1	6	7	6	3	7	8	3	7	6	5	3	10	-
	5%	1%	9%	4%	1%	6%	7%	4%	3%	7%	6%	4%	7%	10%	5%	3%	5%	
QUIET	13	7	4	2	4	6	5	7	7	3	7	3	3	3	6	6	9	3
	5%	8%	4%	3%	4%	6%	5%	5%	7%	3%	5%	5%	3%	5%	5%	7%	5%	8%
PROXIMITY TO SHOPPING	12	6	4	1	7	4	3	9	7	3	9	3	6	3	4	6	11	-
	5%	8%	4%	2%	9%	3%	3%	6%	7%	3%	7%	4%	6%	5%	4%	7%	6%	
LACK OF CRIME	11	8	3	-	5	7	2	9	7	1	4	2	5	2	6	4	8	3
	4%	10%	2%		6%	7%	2%	6%	7%	1%	3%	3%	5%	4%	6%	5%	4%	8%

Continued

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 8-1
Q.6 - WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
OPEN SPACE	10	2	4	3	2	4	5	5	4	4	2	6	1	2	5	6	9	1
	4%	3%	4%	7%	3%	3%	5%	3%	4%	4%	2%	8%	1%	3%	4%	8%	5%	2%
ACCESS TO FREEWAYS	7	2	5	-	2	4	2	5	2	3	3	2	3	-	3	4	5	2
	3%	3%	4%		3%	3%	2%	3%	2%	3%	3%	3%	3%		3%	5%	3%	5%
COST OF LIVING LOW	7	6	-	1	4	2	1	6	3	2	4	3	2	2	4	3	6	1
	3%	7%		2%	4%	2%	1%	4%	3%	3%	3%	4%	2%	3%	3%	4%	3%	3%
ALWAYS LIVED HERE/LIVED HERE SO LONG	7	1	3	2	2	2	4	2	2	5	4	1	2	2	-	2	5	1
	3%	1%	3%	5%	3%	2%	4%	2%	2%	5%	3%	1%	2%	3%		2%	2%	3%
:ENDS/FAMILY LIVE HERE	6	1	3	2	1	1	4	2	-	6	3	3	1	2	4	3	5	1
	3%	1%	2%	5%	1%	1%	4%	2%		7%	2%	4%	1%	4%	4%	4%	3%	2%
PARKS, BIKE, JOG TRAILS	5	1	1	3	-	1	4	1	-	3	3	1	2	-	3	1	4	1
	2%	1%	1%	6%		1%	4%	1%		3%	3%	1%	2%		3%	1%	2%	2%
NO/LOW TRAFFIC	4	4	1	-	2	4	1	4	4	-	2	1	4	2	2	-	4	-
	2%	4%	1%		3%	3%	1%	3%	4%		1%	2%	4%	3%	2%		2%	
QUALITY EDUCATION	3	1	1	1	-	1	2	1	1	2	-	2	1	-	1	1	3	-
	1%	1%	1%	2%		1%	2%	1%	1%	2%		3%	1%		1%	1%	1%	
RECREATION/SPORTS FACILITIES	3	1	1	1	-	-	3	-	-	2	3	-	2	1	1	1	3	-
	1%	1%	1%	2%			3%			2%	2%		2%	1%	1%	1%	1%	
EVERYTHING	2	-	2	-	1	2	-	2	1	-	-	1	2	2	1	-	2	-
	1%		2%		1%	2%		2%	1%			2%	2%	4%	1%		1%	
ETHNIC DIVERSITY	2	1	1	-	1	2	-	2	-	-	1	1	1	-	2	-	2	-
	1%	1%	1%		1%	2%		2%			1%	2%	1%		2%		1%	
FEELING A PART OF COMMUNITY	2	2	-	-	1	1	1	1	1	1	-	1	-	-	1	-	2	-
	1%	2%			1%	1%	1%	1%	1%	1%		1%			1%		1%	
IOR SERVICES	2	-	-	2	-	-	2	-	1	-	1	1	-	-	1	1	1	1
	1%			3%			2%		1%		1%	1%			1%	1%	*	2%
HING DESIRABLE/WANT TO MOVE/DON'T E IT	9	3	5	2	4	2	5	5	3	5	7	2	4	-	5	2	8	1
	4%	3%	5%	3%	4%	2%	5%	3%	3%	5%	5%	2%	4%		4%	3%	4%	2%

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 8-1
- WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
ALL OTHERS	22	4	13	5	7	5	13	10	12	7	9	11	6	5	13	6	16	6
	9%	5%	12%	11%	9%	5%	13%	7%	12%	7%	7%	16%	6%	8%	12%	7%	8%	15%

Table 9-1

Q.7 - REFLECTING UPON THE RECREATION PATTERNS OF THOSE IN YOUR HOUSEHOLD, WHICH OF THE FOLLOWING BENEFITS DO YOU FEEL IS MOST IMPORTANT WHEN YOU OR THE MEMBERS OF YOUR HOUSEHOLD SEEK RECREATION OR LEISURE OPPORTUNITIES?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	4	-	1	3	-	1	3	1	1	2	2	2	1	-	-	-	1	-
	1%		1%	4%		1%	2%	1%	1%	2%	1%	3%	1%				1%	
REFUSED	19	2	9	7	2	2	15	4	6	9	7	5	3	2	4	-	10	4
	6%	3%	7%	10%	3%	2%	11%	2%	6%	8%	5%	5%	3%	3%	3%		4%	8%
BASE: THOSE RESPONDING	279	93	127	59	89	125	118	161	98	112	148	86	110	65	121	105	212	50
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
PHYSICAL FITNESS, HEALTH AND WELL-BEING	105	37	48	19	35	45	45	60	43	41	54	33	41	23	43	105	77	21
	37%	39%	38%	33%	40%	36%	38%	37%	44%	37%	36%	39%	37%	35%	36%	100%	36%	42%
OPPORTUNITIES TO GATHER AND SOCIALIZE WITH OTHERS	91	30	39	22	27	37	41	50	29	40	50	22	34	26	40	-	73	10
	33%	32%	31%	38%	30%	29%	35%	31%	30%	36%	34%	26%	31%	40%	33%		34%	20%
LEARNING OPPORTUNITIES FOR HOBBY, SELF-IMPROVEMENT OR CAREER DEVELOPMENT	50	22	22	6	17	29	18	32	18	17	27	14	18	9	25	-	36	12
	18%	23%	17%	10%	19%	24%	15%	20%	19%	15%	18%	16%	17%	14%	21%		17%	24%
OPPORTUNITIES TO GIVE BACK TO THE COMMUNITY THROUGH VOLUNTEER WORK	34	5	18	11	10	13	15	20	7	14	17	17	16	7	13	-	27	7
	12%	6%	14%	18%	11%	11%	12%	12%	7%	12%	11%	20%	15%	11%	10%		13%	14%

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 10-1
- IF YOU NEED INFORMATION ABOUT MORENO VALLEY RECREATION OR PARKS PROGRAMS OR FACILITIES, WHERE DO YOU GO TO GET THAT INFORMATION?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	14	7	3	4	6	6	8	6	5	7	5	2	6	4	3	3	9	1
	5%	7%	2%	6%	7%	5%	6%	4%	5%	6%	3%	2%	6%	6%	3%	3%	4%	2%
REFUSED	1	-	1	-	1	1	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%	1%		1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	287	89	133	65	84	121	128	159	99	116	151	92	108	62	121	102	213	53
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
TY OF MORENO VALLEY PROGRAMS BROCHURE	65	19	32	14	17	28	31	34	17	33	33	24	25	18	23	23	54	9
	23%	21%	24%	21%	20%	23%	24%	22%	17%	28%	22%	26%	23%	29%	19%	23%	26%	16%
INTERNET	54	24	26	3	24	22	19	35	18	22	28	21	19	12	25	28	41	10
	19%	27%	20%	5%	29%	18%	14%	22%	18%	19%	19%	23%	17%	20%	21%	28%	19%	19%
CITY OF MORENO VALLEY	43	11	20	12	12	20	19	24	17	14	23	13	17	12	25	13	37	6
	15%	12%	15%	18%	14%	16%	14%	15%	17%	12%	15%	15%	16%	20%	21%	13%	17%	11%
CITY OF MORENO VALLEY WEBSITE	31	12	12	8	7	17	13	18	8	14	16	10	12	7	11	14	23	8
	11%	13%	9%	13%	9%	14%	10%	12%	8%	12%	10%	11%	11%	11%	9%	14%	11%	14%
INFORMATION POSTINGS AT RECREATION SITE	30	11	13	6	11	11	12	18	15	11	16	8	18	10	13	17	25	3
	11%	13%	10%	9%	13%	9%	9%	12%	15%	9%	11%	9%	16%	17%	11%	17%	12%	6%
NEWSPAPER	27	6	17	3	12	11	11	16	7	9	15	9	10	3	12	9	19	6
	9%	7%	13%	5%	14%	9%	9%	10%	7%	8%	10%	9%	10%	4%	10%	9%	9%	11%
BOOKLET/BROCHURE	17	2	8	7	6	7	7	10	7	5	12	4	8	3	9	4	12	3
	6%	3%	6%	10%	7%	6%	6%	6%	7%	4%	8%	5%	8%	5%	7%	4%	6%	7%
TELEPHONE BOOK	16	3	8	5	2	4	11	5	3	8	6	7	3	2	7	7	11	3
	6%	3%	6%	8%	3%	3%	9%	3%	3%	7%	4%	8%	3%	2%	6%	7%	5%	7%
WORD OF MOUTH/PEOPLE IN THE COMMUNITY	12	5	6	1	4	9	3	9	5	3	6	2	3	2	3	3	8	4
	4%	5%	4%	1%	4%	7%	2%	5%	5%	3%	4%	2%	3%	4%	3%	3%	4%	7%
SCHOOL	11	7	3	-	6	9	1	10	7	2	6	1	7	3	8	4	8	2
	4%	8%	2%		7%	7%	1%	6%	7%	2%	4%	1%	6%	5%	7%	4%	4%	5%

Continued

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 10-1
Q.8 - IF YOU NEED INFORMATION ABOUT MORENO VALLEY RECREATION OR PARKS PROGRAMS OR FACILITIES, WHERE DO YOU GO TO GET THAT INFORMATION?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
CHANNEL 3	8	3	2	2	2	2	3	5	3	1	6	2	4	2	3	-	6	2
	3%	4%	1%	4%	3%	2%	2%	3%	3%	1%	4%	2%	4%	4%	2%		3%	3%
CHAMBER OF COMMERCE	2	-	1	1	1	1	1	1	-	2	2	-	1	-	1	-	1	1
	1%		1%	2%	1%	1%	1%	1%		2%	2%		1%		1%		1%	2%
BOYS' & GIRLS' CLUB	1	1	-	-	1	1	-	1	-	-	-	-	1	-	1	1	1	-
	*	1%			1%	1%		1%					1%		1%	1%	1%	
ALL OTHERS	9	3	5	1	2	6	2	7	3	2	5	4	4	-	6	2	8	1
	3%	4%	4%	2%	3%	5%	1%	5%	3%	2%	3%	4%	3%		5%	2%	4%	2%
DON'T NEED IT	22	1	11	10	2	5	17	5	8	11	8	7	3	3	5	5	9	4
	8%	1%	8%	15%	3%	4%	13%	3%	8%	10%	5%	8%	3%	4%	4%	5%	4%	7%

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 11-1
- THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED ANY PARKS AND RECREATION FACILITIES IN OR
SIDE OF MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
REFUSED	3	-	-	3	-	-	3	-	-	3	2	-	-	1	1	-	2	-
	1%			4%			2%			2%	1%			2%	1%		1%	
BASE: THOSE RESPONDING	299	96	137	66	92	128	133	166	105	121	156	94	114	66	124	105	221	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
EQUENT USERS (SUBTOTAL)	114	51	48	16	49	60	34	81	52	33	67	27	114	43	51	41	95	18
	38%	53%	35%	24%	53%	47%	25%	49%	49%	27%	43%	29%	100%	64%	41%	39%	43%	34%
MORE THAN ONCE A WEEK	67	32	28	7	31	35	19	48	29	20	37	16	67	25	30	25	55	12
	22%	33%	20%	11%	33%	28%	15%	29%	27%	17%	24%	18%	59%	37%	24%	24%	25%	22%
ONCE A WEEK OR 3 TO 4 TIMES PER MONTH	47	19	19	9	18	24	14	33	23	13	30	11	47	18	21	16	40	6
	16%	20%	14%	14%	20%	19%	11%	20%	22%	10%	19%	12%	41%	27%	17%	15%	18%	12%
MODERATE USERS (SUBTOTAL)	108	35	51	23	33	49	45	63	34	43	55	41	-	14	52	41	87	18
	36%	37%	37%	34%	36%	38%	34%	38%	32%	35%	35%	44%		21%	42%	39%	39%	33%
ONCE OR TWICE A MONTH	48	16	24	8	15	18	20	28	14	20	21	20	-	7	26	20	39	8
	16%	17%	17%	12%	16%	14%	15%	17%	14%	16%	13%	21%		11%	21%	19%	18%	15%
SEVERAL TIMES A YEAR	60	19	27	15	18	31	25	35	20	23	34	21	-	7	26	21	48	10
	20%	20%	19%	22%	20%	24%	19%	21%	19%	19%	22%	23%		11%	21%	20%	22%	18%
INFREQUENT USERS (SUBTOTAL)	77	10	39	27	10	20	55	22	19	46	33	25	-	9	21	23	39	18
	26%	10%	29%	42%	11%	15%	41%	13%	18%	38%	21%	27%		14%	17%	22%	18%	33%
ONCE A YEAR	16	3	9	3	4	5	9	6	9	6	7	5	-	1	4	9	11	2
	5%	3%	7%	5%	4%	4%	7%	4%	8%	5%	5%	6%		2%	3%	9%	5%	4%
NO USE	61	7	30	24	6	15	45	16	11	40	26	20	-	8	17	14	28	16
	20%	7%	22%	36%	7%	11%	34%	10%	10%	33%	17%	21%		12%	14%	13%	13%	29%

Table 12-1

Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.

BASE: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	241	89	107	45	85	114	91	150	94	84	131	74	114	59	108	91	195	38
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	46	21	18	6	17	23	17	28	14	19	23	19	20	7	22	16	34	10
	19%	24%	17%	13%	20%	20%	19%	19%	15%	22%	17%	26%	17%	11%	21%	17%	17%	27%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	195	68	89	39	68	90	73	122	80	65	108	55	95	53	86	75	161	28
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
LAKE PERRIS STATE RECREATION AREA	14	2	10	2	2	7	5	9	4	7	9	3	4	1	7	3	12	2
	7%	4%	11%	4%	4%	8%	7%	7%	6%	10%	9%	6%	5%	2%	8%	4%	8%	5%
MORRISON PARK	11	2	9	-	1	5	6	5	3	4	6	2	6	1	5	3	7	3
	5%	3%	10%		2%	5%	8%	4%	4%	6%	5%	4%	6%	2%	6%	5%	5%	11%
MORENO VALLEY COMMUNITY PARK	10	6	2	2	6	4	4	6	7	2	7	2	6	6	7	6	9	1
	5%	9%	2%	6%	9%	4%	5%	5%	9%	2%	7%	3%	7%	11%	8%	8%	6%	3%
TOWNGATE MEMORIAL PARK	9	6	1	1	6	6	-	9	5	4	6	-	6	4	1	-	9	-
	4%	9%	1%	3%	9%	7%		7%	6%	6%	6%		6%	7%	1%		5%	
JOHN F. KENNEDY PARK	8	4	1	3	5	2	3	5	4	3	7	1	5	-	2	2	7	1
	4%	5%	1%	8%	7%	3%	4%	4%	5%	5%	6%	2%	5%		3%	3%	4%	4%
MORENO VALLEY CONFERENCE & RECREATION CENTER	7	5	2	-	4	4	1	6	2	-	4	4	5	2	5	2	7	-
	4%	7%	3%		5%	4%	2%	5%	3%		3%	7%	5%	5%	6%	3%	5%	
CELEBRATION PARK	7	2	4	1	2	5	2	5	2	2	2	3	3	1	6	2	5	2
	4%	4%	4%	2%	4%	5%	3%	4%	2%	3%	2%	6%	3%	1%	7%	3%	3%	7%
[illegible]OLAND PARK	7	1	6	-	6	4	1	6	2	3	4	3	4	2	3	4	7	-
	4%	2%	6%		9%	4%	1%	5%	3%	5%	3%	6%	4%	4%	4%	6%	4%	
[illegible]NYMEAD PARK	7	4	1	2	1	5	2	5	5	1	4	2	2	1	-	5	7	-
	3%	5%	1%	5%	2%	5%	3%	4%	6%	1%	3%	4%	2%	1%		6%	4%	

[illegible]tinued

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 12-1
) - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER
ATED IN MORENO VALLEY OR NOT.
E: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
BOX SPRINGS MOUNTAIN REGIONAL PARK	5	-	4	1	-	1	4	1	1	4	2	3	3	1	3	3	4	1
	3%		5%	2%		1%	5%	1%	2%	6%	1%	6%	3%	2%	4%	5%	3%	3%
FAIRWAY PARK	4	2	1	1	4	1	1	4	2	1	3	-	2	-	1	1	4	-
	2%	4%	1%	2%	5%	1%	1%	3%	3%	2%	3%		3%		1%	2%	3%	
SHADOW MOUNTAIN PARK	4	1	3	-	1	2	1	4	1	3	1	3	2	2	2	2	4	-
	2%	2%	4%		2%	3%	1%	3%	2%	5%	1%	6%	2%	4%	3%	3%	3%	
THUNE PARK	4	3	1	-	2	2	2	2	2	-	2	1	1	2	1	1	3	1
	2%	5%	1%		4%	3%	2%	2%	2%		2%	1%	1%	4%	1%	1%	2%	3%
EEKSIDE ELEMENTARY	4	4	-	-	1	4	-	4	2	-	2	-	2	2	-	-	4	-
	2%	5%			2%	4%		3%	3%		2%		3%	5%			2%	
GATEWAY PARK	3	-	2	1	-	2	1	2	1	-	3	-	2	1	2	-	2	-
	2%		2%	3%		3%	1%	2%	1%		3%		2%	2%	3%		1%	
ADRIENNE MITCHELL MEMORIAL PARK	3	1	2	-	-	1	2	1	1	1	2	1	3	-	-	1	3	-
	1%	2%	2%			1%	2%	1%	2%	1%	2%	1%	3%			1%	2%	
VISTA LOMAS PARK	3	-	3	-	1	1	2	1	1	1	1	2	2	-	1	1	3	-
	1%		3%		2%	1%	2%	1%	1%	1%	1%	4%	2%		1%	1%	2%	
COTTONWOOD GOLF CENTER	3	-	1	2	-	-	3	-	2	1	1	-	-	2	2	1	2	1
	1%		1%	5%			4%		2%	2%	1%			4%	2%	1%	1%	3%
LA JOLLA ELEMENTARY	2	-	2	-	1	2	-	2	1	-	-	1	-	1	1	2	2	-
	1%		3%		2%	3%		2%	2%			2%		2%	1%	3%	2%	
MORENO VALLEY RANCH GOLF CLUB	2	1	1	1	-	-	2	-	1	1	1	2	1	2	2	1	2	1
	1%	1%	1%	2%			3%		1%	1%	1%	3%	1%	3%	2%	1%	1%	3%
COLLEGE PARK	2	1	1	-	1	-	1	1	1	-	-	1	1	1	2	1	2	-
	1%	2%	1%		2%		1%	1%	2%			2%	1%	2%	2%	1%	1%	
EDGEMONT ELEMENTARY	2	1	-	1	1	-	1	1	1	1	1	-	1	-	-	-	2	-
	1%	2%		2%	2%		1%	1%	2%	1%	1%		1%				1%	

Continued

Table 12-1

Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.

BASE: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
MARCH AIR FORCE MUSEUM	2	1	-	1	1	1	1	1	1	-	-	1	1	1	1	2	2	-
	1%	2%		2%	2%	1%	1%	1%	1%			1%	1%	1%	1%	3%	1%	
PEDRORENA PARK	2	1	1	-	1	1	1	1	1	-	1	-	2	1	1	2	1	1
	1%	2%	1%		2%	1%	1%	1%	2%		1%		2%	1%	1%	3%	*	4%
SENIOR COMMUNITY CENTER	2	1	1	-	-	1	1	1	-	-	1	-	1	2	2	1	2	-
	1%	1%	1%			1%	1%	1%			1%		1%	4%	2%	1%	1%	
JNNYMEAD RANCH LINEAR PARK	2	1	1	-	1	-	1	1	1	1	1	1	-	-	-	2	2	-
	1%	2%	1%		2%		1%	1%	2%	1%	1%	2%				3%	1%	
STBLUFF PARK	2	1	1	-	1	-	1	1	1	1	1	-	1	-	1	2	2	-
	1%	2%	1%		2%		1%	1%	2%	1%	1%		1%		1%	3%	1%	
WESTON PARK	2	1	-	1	1	-	1	1	2	-	1	1	-	1	1	2	1	1
	1%	2%		2%	2%		1%	1%	2%		1%	1%		1%	1%	3%	*	4%
CALIFORNIA AQUEDUCT LINEAR PARK	2	-	-	2	-	-	2	-	-	2	1	1	1	1	1	1	2	-
	1%			5%			3%			3%	1%	1%	1%	2%	1%	2%	1%	
BADGER SPRINGS MIDDLE SCHOOL	1	1	-	-	-	1	-	1	1	-	-	-	1	1	-	-	-	1
	1%	2%				1%		1%	2%				1%	2%				4%
BETHUNE ELEMENTARY	1	-	1	-	-	1	-	1	1	-	-	-	1	1	1	-	1	-
	1%		1%			1%		1%	2%				1%	2%	1%		1%	
CANYON SPRINGS HIGH SCHOOL	1	-	1	-	-	1	-	1	-	1	1	-	-	-	-	1	1	-
	1%		1%			1%		1%		2%	1%					2%	1%	
HIDDEN SPRINGS PARK - PHASE 1	1	-	-	1	-	1	-	1	-	-	1	-	-	-	-	-	1	-
	1%			3%		1%		1%			1%						1%	
CH FIELD PARK	1	-	1	-	-	1	-	1	-	1	1	-	1	-	-	-	1	-
	1%		1%			1%		1%		2%	1%		1%				1%	
ENO ELEMENTARY	1	1	-	-	1	1	-	1	1	-	-	-	1	1	-	1	1	-
	1%	2%			2%	1%		1%	2%				1%	2%		2%	1%	

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 12-1
) - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER
ATED IN MORENO VALLEY OR NOT.
E: USED PARKS OR RECREATIONAL FACILITIES IN PAST YEAR

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME		FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS					EXCL/ GOOD	FAIR/ POOR
MORENO VALLEY HIGH SCHOOL	1 1%	1 2%	-	-	1 2%	-	-	1 1%	1 2%	-	1 1%	-	1 1%	-	1 1%	1 2%	1 1%	-
MOUNTAIN VIEW MIDDLE SCHOOL	1 1%	-	1 1%	-	-	1 1%	-	1 1%	-	-	1 1%	-	1 1%	-	-	-	1 1%	-
SUNNYMEAD ELEMENTARY	1 1%	-	1 1%	-	-	1 1%	-	1 1%	-	-	-	1 2%	-	-	-	-	1 1%	-
SYCAMORE CANYON WILDERNESS PARK	1 1%	-	1 1%	-	-	1 1%	-	1 1%	-	1 2%	1 1%	-	1 1%	-	1 1%	1 2%	1 1%	-
VALLEY VIEW HIGH SCHOOL	1 1%	-	1 1%	-	1 2%	1 1%	-	1 1%	1 2%	-	1 1%	-	1 1%	1 2%	1 1%	-	-	1 4%
LASELLE ELEMENTARY	1 1%	-	-	1 3%	-	-	1 2%	-	-	1 2%	1 1%	-	-	-	1 1%	-	1 1%	-
BAYSIDE PARK	1 *	-	1 1%	-	-	-	1 1%	-	-	1 1%	1 1%	-	1 1%	1 1%	1 1%	1 1%	1 *	-
EL POTRERO PARK	1 *	1 1%	-	-	-	-	1 1%	-	1 1%	-	-	-	-	-	1 1%	-	1 *	-
ISLANDER PARK	1 *	1 1%	-	-	-	-	1 1%	-	-	-	-	-	-	-	1 1%	1 1%	-	1 3%
SUNNYMEADOWS ELEMENTARY	1 *	-	1 1%	-	-	-	1 1%	-	-	1 1%	1 1%	-	1 1%	-	-	-	1 *	-
ALL OTHERS	27 14%	6 9%	13 15%	8 20%	9 13%	9 9%	12 17%	15 12%	9 11%	10 15%	14 13%	11 21%	11 12%	8 15%	12 14%	9 12%	21 13%	6 21%
NONE	16 8%	2 4%	6 6%	8 21%	2 4%	6 7%	9 12%	7 6%	6 7%	8 12%	10 9%	4 7%	5 5%	1 2%	3 4%	6 8%	7 5%	5 17%

Table 13-1

Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	7	4	2	1	2	2	2	5	4	-	3	2	5	1	2	4	4	3
	2%	4%	1%	2%	3%	2%	1%	3%	4%		2%	3%	4%	2%	2%	4%	2%	6%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	295	92	135	68	89	126	134	161	101	124	154	91	110	66	123	100	220	51
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
LEY VIEW HIGH SCHOOL	18	4	12	2	4	12	5	13	7	8	10	7	10	7	8	9	15	3
	6%	5%	9%	3%	4%	10%	4%	8%	7%	7%	6%	8%	10%	11%	7%	9%	7%	6%
CANYON SPRINGS HIGH SCHOOL	13	4	10	-	2	9	3	10	4	8	10	3	6	2	5	7	11	2
	4%	4%	7%		3%	7%	3%	6%	4%	7%	7%	3%	5%	4%	4%	7%	5%	4%
MORENO VALLEY HIGH SCHOOL	12	6	4	1	6	9	2	10	7	1	7	-	6	4	7	4	10	2
	4%	7%	3%	2%	7%	7%	1%	6%	7%	1%	5%		6%	7%	6%	4%	4%	4%
VISTA DEL LAGO HIGH SCHOOL	10	4	6	-	5	6	2	9	5	2	4	4	7	3	6	3	8	2
	3%	4%	5%		5%	5%	1%	5%	5%	1%	3%	5%	7%	5%	5%	3%	4%	4%
EDGEMONT ELEMENTARY	6	5	1	-	4	5	-	6	5	1	6	-	4	2	1	-	4	2
	2%	5%	1%		4%	4%		4%	5%	1%	4%		3%	4%	1%		2%	5%
RIDGE CREST ELEMENTARY	6	4	2	-	5	5	-	6	1	1	4	-	2	-	2	1	6	-
	2%	4%	2%		5%	4%		4%	1%	1%	2%		2%		2%	1%	3%	
RIVERSIDE COMMUNITY COLLEGE	6	3	3	-	-	-	6	-	-	3	3	2	2	2	3	1	3	2
	2%	3%	2%				4%			2%	2%	2%	2%	3%	2%	1%	2%	3%
ADA ELEMENTARY	5	-	2	4	-	-	5	-	-	4	1	3	1	2	2	2	3	1
	2%		1%	6%			4%			3%	*	4%	1%	4%	2%	2%	1%	2%
NYMEAD MIDDLE SCHOOL	4	2	2	-	1	4	1	4	2	1	3	-	3	3	1	2	4	-
	1%	3%	1%		1%	3%	1%	2%	2%	1%	2%		3%	5%	1%	2%	2%	

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 13-1
1 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION IVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
BUTTERFIELD ELEMENTARY	4	2	1	1	2	1	2	2	-	4	2	2	-	1	2	1	4	-
	1%	3%	1%	1%	3%	1%	1%	2%		3%	2%	2%		2%	1%	1%	2%	
CREEKSIDE ELEMENTARY	4	1	2	-	4	4	-	4	4	-	4	-	4	1	1	2	4	-
	1%	1%	2%		4%	3%		2%	4%		2%		3%	2%	1%	2%	2%	
RANCHO VERDE HIGH SCHOOL	4	-	2	1	1	2	-	4	2	1	1	1	2	2	2	-	4	-
	1%		2%	2%	1%	2%		2%	2%	1%	1%	1%	2%	4%	2%		2%	
SUNNYMEAD ELEMENTARY	4	2	1	-	4	2	-	4	2	1	2	-	2	1	2	1	4	-
	1%	3%	1%		4%	2%		2%	2%	1%	2%		2%	2%	2%	1%	2%	
MOUNTAIN VIEW MIDDLE SCHOOL	3	1	1	1	2	2	1	2	-	1	1	2	2	2	3	1	3	-
	1%	1%	1%	1%	3%	2%	1%	2%		1%	1%	2%	2%	3%	3%	1%	1%	
MARCH MIDDLE SCHOOL	2	1	1	-	2	2	-	2	1	-	1	-	-	1	2	-	2	-
	1%	1%	1%		3%	2%		2%	1%		1%			2%	2%		1%	
RAINBOW RIDGE ELEMENTARY	2	1	1	-	2	1	-	2	2	-	1	1	-	1	2	1	2	-
	1%	1%	1%		3%	1%		2%	2%		1%	1%		2%	2%	1%	1%	
TOWNGATE ELEMENTARY	2	2	-	-	2	1	-	2	1	1	1	-	2	2	2	-	2	-
	1%	3%			3%	1%		2%	1%	1%	1%		2%	4%	2%		1%	
PALM MIDDLE SCHOOL	2	-	1	1	-	1	1	1	-	2	-	-	-	1	-	1	-	1
	1%		1%	1%		1%	1%	1%		2%				1%		1%		1%
SUNNYMEADOWS ELEMENTARY	2	1	1	-	1	-	1	1	1	-	1	-	1	-	-	2	1	1
	1%	1%	1%		1%		1%	1%	1%		1%		1%			2%	1%	1%
VISTA VERDE MIDDLE SCHOOL	2	1	1	-	-	-	2	-	1	1	1	1	1	1	1	2	2	-
	1%	1%	1%				1%		1%	1%	*	1%	1%	1%	1%	2%	1%	
BADGER SPRINGS MIDDLE SCHOOL	1	1	-	-	-	1	-	1	1	-	-	-	1	1	-	-	-	1
	*	1%				1%		1%	1%				1%	2%				2%
BETHUNE ELEMENTARY	1	1	-	-	1	1	-	1	1	-	1	-	1	1	-	-	1	-
	*	1%			1%	1%		1%	1%		1%		1%	2%			1%	

Continued

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008

Table 13-1

Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
CLOVERDALE ELEMENTARY	1	-	-	1	1	1	-	1	1	-	1	-	-	-	-	-	1	-
	*			2%	1%	1%		1%	1%		1%						1%	
LANDMARK MIDDLE SCHOOL	1	-	1	-	-	1	-	1	-	1	1	-	-	-	1	1	1	-
	*		1%			1%		1%		1%	1%				1%	1%	1%	
MARCH MOUNTAIN HIGH SCHOOL	1	1	-	-	1	-	-	1	-	-	-	1	1	-	-	-	1	-
	*	1%			1%			1%				1%	1%				1%	
MORENO ELEMENTARY	1	1	-	-	1	1	-	1	1	-	1	-	1	1	1	1	1	-
	*	1%			1%	1%		1%	1%		1%		1%	2%	1%	1%	1%	
[illegible]STA HEIGHTS MIDDLE SCHOOL	1	1	-	-	-	1	-	1	1	-	-	1	-	-	1	-	1	-
	*	1%				1%		1%	1%			1%			1%		1%	
BEAR VALLEY ELEMENTARY	1	-	-	1	-	-	1	-	-	1	1	-	-	1	-	-	1	-
	*			1%			1%			1%	*			1%			*	
HENDRICK RANCH	1	-	1	-	-	-	1	-	1	-	-	1	1	-	1	1	-	1
	*		1%				1%		1%			1%	1%		1%	1%		1%
HONEY HOLLOW	1	-	1	-	-	-	1	-	-	-	1	-	1	-	-	1	1	-
	*		1%				1%				*		1%			1%	*	
MIDLAND ELEMENTARY	1	-	1	-	-	-	1	-	-	1	1	-	-	1	1	1	-	-
	*		1%				1%			1%	*			1%	1%	1%		
RAMONA ELEMENTARY	1	-	1	-	-	-	1	-	-	1	-	1	-	-	-	-	1	-
	*		1%				1%			1%		1%					*	
VICTORIANO ELEMENTARY	1	-	1	-	-	-	1	-	1	-	-	1	1	1	1	-	1	-
	*		1%				1%		1%			1%	1%	1%	1%		*	
[illegible] OTHERS	15	6	5	4	6	2	8	7	4	8	7	7	7	4	8	5	12	2
	5%	7%	3%	6%	7%	2%	6%	5%	4%	7%	5%	7%	6%	6%	6%	5%	6%	4%
[illegible]E	155	34	70	52	29	49	93	62	43	70	74	54	39	14	54	50	105	31
	53%	37%	52%	76%	33%	39%	69%	39%	43%	57%	48%	59%	36%	22%	44%	50%	48%	61%

Item No. G.2

MV00049734

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 14-1
2A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF PLAY IPMENT, TOT LOTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	1	1	-	-	2	-	2	1	-	1	-	1	1	-	1	1	-
	1%	1%	1%			2%		1%	1%		1%		1%	2%		1%	1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	95	136	69	92	126	136	164	104	124	156	94	113	66	125	103	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	208	45	98	65	23	62	136	72	54	101	102	71	63	41	84	68	146	38
	69%	47%	72%	95%	25%	50%	100%	44%	52%	81%	66%	75%	56%	61%	67%	66%	66%	71%
ONE OR MORE (SUBTOTAL)	92	50	38	4	68	63	-	92	50	23	54	23	50	26	42	35	76	16
	31%	53%	28%	5%	75%	50%		56%	48%	19%	34%	25%	44%	39%	33%	34%	34%	29%
ONE	24	9	13	2	15	15	-	24	13	7	12	9	10	5	10	12	22	2
	8%	9%	10%	4%	16%	12%		15%	13%	6%	8%	9%	9%	7%	8%	12%	10%	5%
TWO	33	20	12	1	24	26	-	33	18	7	17	9	24	11	15	13	26	7
	11%	21%	9%	2%	27%	20%		20%	18%	6%	11%	9%	22%	17%	12%	13%	12%	14%
THREE	7	4	4	-	5	5	-	7	7	-	5	2	4	2	4	4	5	2
	2%	4%	3%		5%	4%		4%	7%		3%	3%	3%	4%	3%	4%	2%	5%
FOUR	11	6	5	-	11	10	-	11	4	4	7	2	5	2	6	2	10	1
	4%	6%	4%		12%	8%		7%	4%	3%	5%	3%	4%	4%	5%	2%	4%	2%
FIVE	4	2	1	-	4	2	-	4	2	-	2	-	2	-	4	1	4	-
	1%	3%	1%		4%	2%		2%	2%		2%		2%		3%	1%	2%	
SIX OR MORE	12	10	2	-	10	6	-	12	5	5	10	1	5	5	4	2	10	2
	4%	10%	2%		11%	5%		7%	5%	4%	6%	1%	4%	7%	3%	2%	4%	5%
MEAN	0.9	1.7	0.7	0.1	2.3	1.4	-	1.6	1.3	0.6	1.1	0.5	1.2	1.2	0.9	0.8	1.0	0.9
MEDIAN	0	1	0	0	2	1	0	1	0	0	0	0	0	0	0	0	0	0

Continued

Table 14-1

Q.12A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF PLAY EQUIPMENT, TOT LOTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.7	2.2	1.4	0.3	2.2	1.9	-	2.0	1.8	1.5	2.0	1.2	1.8	2.0	1.7	1.5	1.8	1.7
STANDARD ERROR	0.10	0.23	0.12	0.04	0.23	0.17	-	0.16	0.18	0.14	0.16	0.12	0.17	0.24	0.15	0.14	0.12	0.23

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 15-1
2B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PICNICKING
DEVELOPED SITES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	-	1	1	-	2	-	2	-	-	2	-	-	-	1	-	-	-
	1%		1%	2%		2%		1%			2%				1%			
REFUSED	1	-	1	-	-	1	-	1	-	-	1	-	1	1	1	-	1	-
	*		1%			1%		1%			1%		1%	2%	1%		1%	
BASE: THOSE RESPONDING	298	96	135	68	92	125	136	162	105	124	153	94	113	66	123	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	138	34	63	41	24	48	80	57	40	73	62	45	42	24	48	41	91	26
	46%	36%	47%	60%	27%	38%	59%	35%	38%	59%	40%	48%	37%	36%	39%	39%	41%	48%
ONE OR MORE (SUBTOTAL)	161	62	72	27	67	77	56	105	65	51	91	49	71	42	75	63	131	28
	54%	64%	53%	40%	73%	62%	41%	65%	62%	41%	60%	52%	63%	64%	61%	61%	59%	52%
ONE	17	3	6	7	1	4	13	4	3	10	9	5	4	3	9	7	13	3
	6%	4%	5%	10%	1%	3%	10%	2%	3%	8%	6%	6%	4%	5%	7%	7%	6%	6%
TWO	29	5	15	9	4	5	22	7	5	16	20	7	12	6	13	15	23	6
	10%	5%	11%	14%	4%	4%	16%	5%	5%	13%	13%	7%	10%	10%	10%	15%	10%	12%
THREE	35	12	20	3	11	18	9	26	11	12	14	16	17	9	14	16	28	7
	12%	12%	15%	5%	12%	15%	7%	16%	11%	10%	9%	17%	15%	13%	12%	15%	13%	13%
FOUR	33	17	11	5	16	18	8	26	14	8	18	12	17	12	16	12	28	4
	11%	18%	8%	7%	17%	15%	6%	16%	14%	6%	12%	13%	15%	17%	13%	11%	13%	8%
FIVE	23	11	12	1	16	18	2	22	16	1	15	4	13	4	12	7	21	2
	8%	11%	9%	2%	17%	15%	1%	14%	15%	1%	10%	5%	11%	6%	10%	7%	9%	5%
SIX OR MORE	23	13	8	1	20	13	2	21	15	4	14	4	9	9	11	6	19	4
	8%	14%	6%	2%	21%	11%	2%	13%	14%	3%	9%	5%	8%	13%	9%	6%	8%	8%
MEAN	2.0	2.8	1.9	1.0	3.5	2.6	1.0	2.8	2.8	1.1	2.2	1.8	2.4	2.5	2.3	2.0	2.2	1.8
MEDIAN	1	3	1	0	4	3	0	3	3	0	2	1	2	2	2	2	2	1

Continued

Table 15-1

Q.12B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PICNICKING IN DEVELOPED SITES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.3	2.5	2.2	1.6	2.6	2.4	1.5	2.5	2.6	1.7	2.3	2.1	2.3	2.4	2.3	2.1	2.3	2.2
STANDARD ERROR	0.13	0.25	0.19	0.19	0.27	0.22	0.13	0.19	0.25	0.15	0.19	0.21	0.21	0.30	0.21	0.21	0.15	0.30

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 16-1
2C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER:
ANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	253	71	116	66	67	96	128	126	69	117	125	87	81	45	100	81	182	48
	84%	74%	86%	96%	73%	76%	94%	76%	66%	94%	80%	92%	71%	66%	80%	78%	82%	88%
ONE OR MORE (SUBTOTAL)	47	25	20	3	24	31	8	39	36	7	31	7	33	23	25	23	41	6
	16%	26%	14%	4%	27%	24%	6%	24%	34%	6%	20%	8%	29%	34%	20%	22%	18%	12%
ONE	19	10	8	1	9	12	3	16	16	2	11	5	14	7	11	13	17	2
	6%	10%	6%	2%	9%	10%	3%	10%	15%	1%	7%	5%	12%	11%	9%	12%	8%	4%
TWO	14	5	8	2	5	10	3	11	8	6	9	2	10	8	7	7	12	2
	5%	5%	6%	3%	5%	8%	3%	7%	7%	5%	6%	2%	8%	12%	6%	7%	6%	4%
THREE	4	4	-	-	2	4	-	4	2	-	2	-	4	2	2	1	2	1
	1%	4%			3%	3%		2%	2%		2%		3%	4%	2%	1%	1%	2%
FOUR	3	2	1	-	2	2	1	2	3	-	2	-	2	1	2	1	3	-
	1%	3%	1%		3%	2%	1%	1%	3%		1%		2%	2%	2%	1%	1%	
FIVE	1	-	1	-	-	-	1	-	1	-	1	-	1	-	-	-	1	-
	*		1%				1%		1%		*		1%				*	
SIX OR MORE	6	4	2	-	6	2	-	6	6	-	6	-	2	4	2	1	5	1
	2%	4%	2%		7%	2%		4%	6%		4%		2%	5%	2%	1%	2%	2%
MEAN	0.4	0.7	0.3	0.1	0.9	0.5	0.1	0.6	0.9	0.1	0.6	0.1	0.7	0.9	0.5	0.4	0.4	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 16-1

Q.12C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.2	1.6	1.1	0.4	1.9	1.3	0.6	1.5	1.8	0.4	1.5	0.4	1.4	1.7	1.2	1.0	1.3	1.2
STANDARD ERROR	0.07	0.16	0.10	0.04	0.20	0.11	0.05	0.12	0.18	0.04	0.12	0.04	0.13	0.21	0.11	0.10	0.08	0.16

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 17-1
2D - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER:
ANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	254	70	115	69	57	92	136	118	71	118	127	87	80	47	102	83	182	49
	85%	73%	85%	100%	63%	72%	100%	72%	67%	95%	81%	92%	70%	69%	81%	79%	81%	91%
ONE OR MORE (SUBTOTAL)	46	26	21	-	34	35	-	46	34	6	29	7	34	21	23	22	42	5
	15%	27%	15%		37%	28%		28%	33%	5%	19%	8%	30%	31%	19%	21%	19%	9%
ONE	16	6	10	-	11	12	-	16	10	4	7	5	11	6	10	10	16	-
	5%	6%	7%		12%	10%		10%	9%	3%	5%	5%	10%	9%	8%	9%	7%	
TWO	10	5	5	-	6	7	-	10	6	1	6	2	9	5	5	5	7	2
	3%	5%	4%		7%	6%		6%	6%	1%	4%	3%	7%	7%	4%	5%	3%	5%
THREE	7	7	-	-	5	7	-	7	6	-	6	-	5	4	2	4	6	1
	2%	8%			5%	6%		4%	6%		4%		4%	5%	2%	4%	3%	2%
FOUR	5	2	2	-	4	5	-	5	4	1	2	-	5	2	2	1	5	-
	2%	3%	2%		4%	4%		3%	3%	1%	2%		4%	4%	2%	1%	2%	
FIVE	2	1	1	-	2	-	-	2	2	-	1	-	2	-	1	1	2	-
	1%	1%	1%		3%			1%	2%		1%		2%		1%	1%	1%	
SIX OR MORE	6	4	2	-	6	4	-	6	6	-	6	-	2	4	2	1	5	1
	2%	4%	2%		7%	3%		4%	6%		4%		2%	5%	2%	1%	2%	2%
MEAN	0.4	0.8	0.4	-	1.2	0.7	-	0.8	1.0	0.1	0.6	0.1	0.8	0.9	0.5	0.5	0.5	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 17-1

Q.12D - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.3	1.7	1.2	-	2.0	1.5	-	1.7	1.9	0.5	1.6	0.4	1.5	1.8	1.3	1.2	1.4	1.2
STANDARD ERROR	0.07	0.17	0.10	-	0.21	0.14	-	0.13	0.19	0.04	0.13	0.04	0.14	0.22	0.12	0.12	0.09	0.16

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 18-1
2E - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASEBALL:
ANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	254	73	117	65	66	93	136	118	82	118	128	82	83	49	99	90	183	48
	85%	76%	86%	95%	72%	73%	100%	72%	78%	95%	82%	87%	72%	73%	79%	86%	82%	89%
ONE OR MORE (SUBTOTAL)	46	23	20	4	26	34	-	46	23	6	28	12	32	18	26	15	40	6
	15%	24%	14%	5%	28%	27%		28%	22%	5%	18%	13%	28%	27%	21%	14%	18%	11%
ONE	17	7	9	1	10	11	-	17	10	2	9	7	11	6	12	5	13	4
	6%	8%	6%	2%	11%	9%		10%	9%	2%	5%	8%	10%	9%	10%	5%	6%	7%
TWO	17	7	9	1	7	15	-	17	6	4	12	4	12	6	6	4	16	1
	6%	8%	6%	2%	8%	12%		10%	6%	3%	8%	4%	11%	9%	5%	4%	7%	2%
THREE	6	5	-	1	5	5	-	6	4	-	5	-	4	1	2	4	6	-
	2%	5%		2%	5%	4%		4%	3%		3%		3%	2%	2%	4%	3%	
FOUR	2	2	-	-	1	2	-	2	2	-	1	-	2	2	1	2	2	-
	1%	3%			1%	2%		1%	2%		1%		2%	4%	1%	2%	1%	
FIVE	1	-	1	-	1	-	-	1	-	-	-	1	1	-	1	-	1	-
	*		1%		1%			1%				1%	1%		1%		1%	
SIX OR MORE	2	1	1	-	1	1	-	2	1	-	1	-	1	2	2	-	1	1
	1%	1%	1%		1%	1%		1%	1%		1%		1%	4%	2%		1%	2%
MEAN	0.3	0.6	0.3	0.1	0.6	0.6	-	0.6	0.5	0.1	0.4	0.2	0.6	0.7	0.5	0.3	0.4	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 18-1

Q.12E - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.0	1.2	0.9	0.5	1.3	1.2	-	1.3	1.2	0.4	1.0	0.7	1.2	1.6	1.3	0.9	1.0	1.1
STANDARD ERROR	0.06	0.13	0.08	0.06	0.14	0.10	-	0.10	0.11	0.03	0.08	0.07	0.12	0.19	0.11	0.09	0.07	0.15

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 19-1
2F - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF WET
YGROUND/SPRAY PLAY FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	224	52	108	64	39	74	136	88	67	104	107	77	74	46	88	75	161	39
	74%	54%	79%	93%	43%	59%	100%	53%	64%	84%	69%	82%	65%	67%	71%	72%	72%	73%
ONE OR MORE (SUBTOTAL)	77	44	28	5	52	52	-	77	38	20	49	17	40	22	37	29	62	15
	26%	46%	21%	7%	57%	41%		47%	36%	16%	31%	18%	35%	33%	29%	28%	28%	27%
ONE	16	5	11	-	7	13	-	16	7	6	10	5	7	6	6	7	15	1
	5%	5%	8%		8%	11%		10%	7%	5%	6%	5%	6%	9%	5%	7%	7%	2%
TWO	21	11	5	5	12	13	-	21	9	5	10	6	12	4	7	7	17	4
	7%	11%	4%	7%	13%	11%		13%	8%	4%	6%	7%	11%	5%	6%	7%	8%	7%
THREE	16	10	6	-	11	12	-	16	9	4	11	4	6	4	9	6	11	5
	5%	10%	4%		12%	10%		10%	8%	3%	7%	4%	5%	5%	7%	6%	5%	9%
FOUR	9	7	1	-	6	5	-	9	4	2	6	1	7	2	5	4	7	1
	3%	8%	1%		7%	4%		5%	3%	2%	4%	1%	6%	4%	4%	4%	3%	2%
FIVE	6	4	2	-	6	4	-	6	4	-	4	1	5	1	5	1	4	2
	2%	4%	2%		7%	3%		4%	3%		2%	1%	4%	2%	4%	1%	2%	5%
SIX OR MORE	10	7	2	-	10	5	-	10	6	2	9	-	2	5	5	4	9	1
	3%	8%	2%		11%	4%		6%	6%	2%	5%		2%	7%	4%	4%	4%	2%
MEAN	0.8	1.6	0.5	0.1	2.1	1.2	-	1.4	1.2	0.4	1.1	0.4	1.1	1.1	1.0	0.8	0.8	0.9
MEDIAN	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 19-1

Q.12F - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.7	2.2	1.3	0.5	2.3	1.8	-	2.0	2.0	1.3	1.9	1.0	1.7	2.0	1.8	1.7	1.7	1.7
STANDARD ERROR	0.10	0.22	0.12	0.06	0.24	0.16	-	0.16	0.19	0.11	0.15	0.10	0.16	0.25	0.17	0.16	0.11	0.23

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 20-1
2G - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - WALKING/
GING/RUNNING FOR RECREATION OR FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	75	14	36	25	15	28	43	32	17	36	41	21	14	11	25	15	50	15
	25%	15%	26%	36%	16%	22%	32%	19%	16%	29%	26%	23%	12%	16%	20%	14%	22%	28%
ONE OR MORE (SUBTOTAL)	226	82	100	44	77	99	93	133	88	87	115	73	100	57	100	90	173	39
	75%	85%	74%	64%	84%	78%	68%	81%	84%	71%	74%	77%	88%	84%	80%	86%	78%	72%
ONE	57	11	30	16	10	13	37	20	11	31	32	16	18	7	23	22	43	7
	19%	12%	22%	23%	11%	11%	27%	12%	11%	25%	20%	17%	16%	10%	19%	21%	19%	13%
TWO	59	16	27	16	13	20	32	27	24	21	24	23	25	12	21	22	42	14
	19%	17%	20%	23%	15%	15%	23%	16%	23%	17%	16%	25%	22%	17%	17%	21%	19%	26%
THREE	30	10	17	3	7	13	10	20	12	11	12	12	14	8	19	14	23	5
	10%	10%	13%	4%	8%	11%	8%	12%	11%	9%	8%	13%	12%	11%	16%	14%	10%	10%
FOUR	37	18	14	5	18	28	5	32	17	11	23	10	22	16	19	17	30	6
	12%	19%	10%	7%	20%	22%	4%	19%	17%	9%	15%	11%	19%	23%	15%	16%	13%	12%
FIVE	12	7	4	1	10	10	-	12	9	2	4	6	5	4	6	6	12	-
	4%	8%	3%	2%	11%	8%		7%	8%	2%	2%	7%	4%	5%	5%	6%	5%	
SIX OR MORE	31	19	8	4	18	15	8	23	15	11	20	5	16	12	11	8	23	6
	10%	20%	6%	6%	20%	12%	6%	14%	14%	9%	13%	6%	14%	17%	9%	8%	10%	12%
MEAN	2.3	3.3	2.0	1.6	3.4	2.8	1.5	2.9	3.0	1.9	2.3	2.2	2.9	3.2	2.4	2.5	2.4	2.2
MEDIAN	2	3	2	1	4	3	1	3	3	1	2	2	2	3	2	2	2	2

Continued

Table 20-1

Q.12G - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.2	2.4	1.9	1.8	2.4	2.2	1.7	2.3	2.2	2.1	2.3	1.9	2.1	2.3	2.0	1.9	2.2	2.2
STANDARD ERROR	0.12	0.24	0.16	0.22	0.25	0.20	0.15	0.18	0.21	0.19	0.18	0.20	0.20	0.28	0.18	0.19	0.14	0.30

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 21-1
2H - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASKETBALL:
ANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	219	55	104	61	55	78	117	103	68	111	108	73	70	34	85	74	152	43
	73%	57%	76%	88%	60%	62%	86%	62%	65%	90%	69%	78%	61%	50%	68%	71%	68%	80%
ONE OR MORE (SUBTOTAL)	82	41	32	8	37	49	19	62	37	12	48	21	45	34	40	31	71	11
	27%	43%	24%	12%	40%	38%	14%	38%	35%	10%	31%	22%	39%	50%	32%	29%	32%	20%
ONE	33	16	15	2	12	20	9	23	10	7	19	10	15	11	17	9	27	6
	11%	17%	11%	2%	13%	15%	7%	14%	10%	6%	12%	11%	13%	16%	14%	9%	12%	11%
TWO	27	12	9	7	11	20	5	22	12	3	12	8	19	15	10	12	22	5
	9%	12%	6%	10%	12%	15%	4%	13%	11%	3%	8%	9%	16%	23%	8%	12%	10%	9%
THREE	5	4	1	-	2	2	2	4	4	-	4	1	3	2	3	2	5	-
	2%	5%	1%		3%	2%	1%	2%	4%		3%	1%	3%	3%	2%	2%	2%	
FOUR	11	7	3	-	7	5	2	9	7	2	9	1	6	2	7	7	11	-
	4%	8%	3%		8%	4%	2%	5%	7%	2%	6%	1%	5%	3%	6%	7%	5%	
FIVE	1	-	1	-	1	-	-	1	1	-	-	1	-	-	1	-	1	-
	*		1%		1%			1%	1%			1%			1%		1%	
SIX OR MORE	4	1	3	-	2	2	1	4	3	-	3	-	2	4	2	-	4	-
	1%	1%	2%		3%	2%	1%	2%	3%		2%		2%	5%	2%		2%	
MEAN	0.6	0.9	0.6	0.2	1.0	0.8	0.3	0.9	1.0	0.2	0.7	0.4	0.9	1.2	0.8	0.7	0.8	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 21-1

Q.12H - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASKETBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.3	1.4	1.4	0.6	1.6	1.4	0.9	1.5	1.7	0.6	1.4	0.9	1.4	1.7	1.5	1.2	1.4	0.6
STANDARD ERROR	0.07	0.15	0.12	0.07	0.17	0.12	0.08	0.12	0.16	0.06	0.12	0.09	0.13	0.21	0.13	0.12	0.10	0.08

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 22-1
2I - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOFTBALL:
ANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	247	76	110	61	70	103	116	131	85	109	126	78	89	50	100	82	179	44
	82%	79%	81%	89%	76%	81%	86%	79%	81%	88%	81%	83%	78%	74%	80%	79%	80%	82%
ONE OR MORE (SUBTOTAL)	54	20	26	8	22	24	20	34	20	15	30	16	26	18	25	22	44	10
	18%	21%	19%	11%	24%	19%	14%	21%	19%	12%	19%	17%	22%	26%	20%	21%	20%	18%
ONE	23	7	14	2	7	10	9	13	7	8	13	9	12	6	7	11	17	6
	8%	7%	10%	3%	8%	8%	7%	8%	7%	6%	8%	9%	10%	8%	6%	10%	8%	11%
TWO	18	7	6	5	10	9	6	12	6	4	11	4	9	9	11	8	15	2
	6%	7%	4%	7%	11%	7%	4%	7%	6%	3%	7%	4%	8%	13%	9%	8%	7%	5%
THREE	7	2	3	1	2	2	3	4	4	2	3	3	1	1	5	3	7	-
	2%	3%	3%	1%	3%	2%	2%	2%	4%	1%	2%	3%	1%	1%	4%	3%	3%	
FOUR	2	1	1	-	1	1	1	1	2	-	2	-	1	-	1	1	2	-
	1%	1%	1%		1%	1%	1%	1%	2%		1%		1%		1%	1%	1%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	4	2	2	-	1	2	1	4	1	2	1	1	3	2	1	-	3	1
	1%	3%	1%		1%	2%	1%	2%	1%	2%	1%	1%	3%	4%	1%		1%	2%
MEAN	0.4	0.5	0.4	0.2	0.5	0.4	0.3	0.5	0.5	0.3	0.4	0.3	0.5	0.6	0.4	0.4	0.4	0.4
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 22-1

Q.12I - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOFTBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.1	1.3	1.1	0.6	1.2	1.2	0.8	1.2	1.1	1.0	1.0	0.9	1.3	1.4	1.1	0.8	1.1	1.1
STANDARD ERROR	0.06	0.14	0.09	0.07	0.12	0.11	0.07	0.10	0.11	0.09	0.08	0.09	0.12	0.18	0.10	0.08	0.08	0.15

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 23-1
2J - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - FOOTBALL:
ANIZED GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	254	69	120	65	62	90	136	118	78	118	129	85	83	48	97	87	184	48
	85%	72%	88%	95%	68%	71%	100%	72%	74%	95%	83%	91%	72%	71%	78%	84%	83%	89%
ONE OR MORE (SUBTOTAL)	46	27	16	4	29	37	-	46	27	6	27	9	32	20	28	17	39	6
	15%	28%	12%	5%	32%	29%		28%	26%	5%	17%	9%	28%	29%	22%	16%	17%	11%
ONE	22	11	10	1	11	17	-	22	12	2	11	6	11	10	13	9	20	1
	7%	11%	7%	2%	12%	13%		13%	12%	2%	7%	7%	10%	14%	11%	8%	9%	2%
TWO	11	6	2	2	9	9	-	11	5	-	5	2	10	4	7	1	7	4
	4%	6%	2%	4%	9%	7%		7%	5%		3%	3%	9%	5%	6%	1%	3%	7%
THREE	5	2	2	-	1	5	-	5	2	2	4	-	4	2	4	4	4	1
	2%	3%	2%		1%	4%		3%	2%	2%	2%		3%	4%	3%	4%	2%	2%
FOUR	6	5	1	-	6	5	-	6	5	1	5	-	6	2	4	2	6	-
	2%	5%	1%		7%	4%		4%	5%	1%	3%		5%	4%	3%	2%	3%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	2	2	-	-	2	1	-	2	2	-	2	-	1	1	-	1	2	-
	1%	3%			3%	1%		1%	2%		2%		1%	2%		1%	1%	
MEAN	0.3	0.7	0.2	0.1	0.8	0.6	-	0.6	0.6	0.1	0.4	0.1	0.7	0.6	0.4	0.4	0.4	0.2
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 23-1

Q.12J - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - FOOTBALL: ORGANIZED GAMES FOR YOUTH (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.0	1.5	0.6	0.4	1.5	1.2	-	1.3	1.4	0.6	1.2	0.4	1.3	1.3	0.9	1.1	1.1	0.7
STANDARD ERROR	0.06	0.15	0.05	0.05	0.16	0.11	-	0.10	0.14	0.05	0.10	0.04	0.12	0.16	0.08	0.11	0.07	0.09

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le 24-1
2K - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - TENNIS
N-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	-	1	-	1	-	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%			1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	300	96	135	69	90	127	136	164	104	124	155	94	114	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	264	90	113	61	78	116	120	144	94	109	140	75	99	57	105	88	193	49
	88%	94%	84%	89%	86%	91%	88%	88%	91%	88%	91%	80%	87%	87%	85%	85%	87%	90%
ONE OR MORE (SUBTOTAL)	35	6	22	8	12	11	16	20	10	15	15	19	15	9	19	16	29	5
	12%	6%	16%	11%	14%	9%	12%	12%	9%	12%	9%	20%	13%	13%	15%	15%	13%	10%
ONE	14	-	10	4	2	4	8	6	2	6	5	7	4	2	8	2	11	3
	5%		7%	6%	3%	3%	6%	4%	2%	5%	3%	8%	4%	3%	6%	2%	5%	6%
TWO	16	4	8	3	9	5	6	10	4	8	6	10	8	5	9	11	14	2
	5%	5%	6%	5%	9%	4%	5%	6%	4%	6%	4%	11%	7%	7%	7%	10%	6%	3%
THREE	2	1	1	-	1	1	-	2	1	1	2	-	1	-	1	1	2	-
	1%	1%	1%		1%	1%		1%	1%	1%	2%		1%		1%	1%	1%	
FOUR	2	-	2	-	-	1	1	1	2	-	-	1	1	2	1	1	1	1
	1%		1%			1%	1%	1%	2%			1%	1%	3%	1%	1%	1%	1%
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	1	-	1	-	-	-	1	-	-	-	1	-	1	-	-	1	1	-
	*		1%				1%				*		1%			1%	*	
MEAN	0.2	0.1	0.3	0.2	0.3	0.2	0.2	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.4	0.3	0.2
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 24-1

Q.12K - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - TENNIS (NON-SCHOOL)

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	0.7	0.5	0.9	0.5	0.7	0.6	0.8	0.7	0.7	0.6	0.7	0.8	0.9	0.8	0.7	1.0	0.8	0.6
STANDARD ERROR	0.04	0.05	0.08	0.06	0.07	0.06	0.06	0.05	0.07	0.05	0.06	0.08	0.08	0.10	0.06	0.10	0.05	0.08

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 25-1
2L - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BICYCLING
RECREATION/FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	136	69	92	127	136	165	105	124	156	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	167	47	70	50	27	50	103	63	42	88	86	47	48	26	57	52	115	31
	55%	49%	51%	73%	29%	39%	76%	39%	40%	71%	55%	50%	42%	39%	46%	50%	51%	57%
ONE OR MORE (SUBTOTAL)	134	49	66	19	65	77	33	101	63	36	70	47	66	41	68	53	109	23
	45%	51%	49%	27%	71%	61%	24%	61%	60%	29%	45%	50%	58%	61%	54%	50%	49%	43%
ONE	23	4	16	3	5	10	11	12	9	7	12	9	12	4	13	9	17	6
	8%	4%	12%	4%	5%	8%	8%	7%	9%	6%	7%	10%	10%	6%	10%	9%	8%	11%
TWO	40	9	25	6	12	18	16	24	15	15	22	12	18	13	20	20	34	6
	13%	9%	18%	9%	13%	14%	11%	15%	15%	12%	14%	13%	16%	19%	16%	19%	15%	11%
THREE	33	14	12	7	17	18	5	28	18	8	17	12	15	12	20	11	24	7
	11%	15%	9%	10%	19%	14%	4%	17%	17%	6%	11%	13%	13%	18%	16%	11%	11%	13%
FOUR	20	10	7	2	16	18	-	20	9	4	11	6	10	7	9	6	18	1
	6%	10%	5%	4%	17%	14%		12%	8%	3%	7%	7%	9%	11%	7%	6%	8%	2%
FIVE	10	7	2	-	7	6	-	10	6	1	2	5	5	2	5	2	9	1
	3%	8%	2%		8%	5%		6%	6%	1%	2%	5%	4%	4%	4%	2%	4%	2%
SIX OR MORE	9	5	4	-	7	6	2	7	6	1	6	2	6	2	2	3	7	2
	3%	5%	3%		8%	5%	1%	4%	6%	1%	4%	2%	6%	4%	2%	3%	3%	4%
MEAN	1.3	1.8	1.3	0.7	2.5	2.0	0.5	2.0	1.9	0.7	1.3	1.4	1.8	1.9	1.5	1.4	1.4	1.2
MEDIAN	0	1	0	0	3	2	0	2	2	0	0	0	1	2	1	1	0	0

Continued

Table 25-1

Q.12L - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BICYCLING FOR RECREATION/FITNESS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.8	2.1	1.7	1.2	2.1	2.0	1.1	2.0	2.1	1.3	1.8	1.8	2.0	1.9	1.7	1.7	1.8	1.7
STANDARD ERROR	0.10	0.22	0.14	0.14	0.22	0.18	0.09	0.15	0.20	0.12	0.14	0.18	0.19	0.23	0.15	0.17	0.12	0.24

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 26-1
2M - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? -
TEBOARDING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	-	1	-	1	-	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%			1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	300	96	135	69	90	127	136	164	104	124	155	94	114	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	229	67	102	61	61	78	123	106	75	109	111	79	72	46	92	73	167	43
	77%	70%	75%	88%	68%	62%	91%	65%	72%	88%	72%	84%	63%	70%	74%	70%	75%	80%
ONE OR MORE (SUBTOTAL)	70	29	33	8	29	49	13	57	29	15	43	15	43	20	32	31	55	11
	23%	30%	25%	12%	32%	38%	9%	35%	28%	12%	28%	16%	37%	30%	26%	30%	25%	20%
ONE	38	11	23	4	13	28	5	33	12	8	23	9	22	11	21	16	31	3
	13%	11%	17%	6%	15%	22%	4%	20%	12%	7%	15%	10%	19%	16%	17%	15%	14%	6%
TWO	23	14	6	2	11	17	5	18	10	7	16	2	15	7	7	11	18	4
	8%	15%	5%	3%	12%	13%	4%	11%	10%	5%	10%	3%	13%	11%	6%	10%	8%	8%
THREE	4	2	1	-	2	2	-	4	2	-	1	1	4	-	2	1	2	1
	1%	3%	1%		3%	2%		2%	2%		1%	1%	3%		2%	1%	1%	2%
FOUR	2	1	-	1	1	-	1	1	1	-	1	1	-	1	-	2	1	1
	1%	1%		2%	1%		1%	1%	1%		1%	1%		2%		2%	1%	2%
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	3	-	3	-	1	1	2	1	3	-	2	1	2	1	2	1	2	1
	1%		2%		1%	1%	1%	1%	3%		1%	1%	1%	2%	2%	1%	1%	1%
MEAN	0.4	0.5	0.4	0.2	0.6	0.6	0.2	0.6	0.6	0.2	0.5	0.3	0.6	0.6	0.4	0.5	0.4	0.5
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 26-1

Q.12M - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SKATEBOARDING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.0	0.9	1.1	0.7	1.2	1.0	0.9	1.0	1.3	0.5	1.1	0.9	1.1	1.2	1.1	1.0	1.0	1.2
STANDARD ERROR	0.06	0.09	0.10	0.08	0.12	0.09	0.08	0.08	0.13	0.05	0.09	0.09	0.10	0.15	0.10	0.10	0.06	0.16

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 27-1
2N - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - GOLFING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	-	1	-	1	-	-	1	1	-	1	-	-	1	1	-	1	-
	*		1%		1%			1%	1%		1%			2%	1%		1%	
BASE: THOSE RESPONDING	300	96	135	69	90	127	136	164	104	124	155	94	114	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZRO	248	80	109	59	74	114	109	139	91	95	134	69	90	59	99	82	177	47
	83%	84%	81%	86%	82%	89%	80%	85%	87%	76%	87%	73%	79%	90%	80%	78%	80%	87%
ONE OR MORE (SUBTOTAL)	52	16	26	10	16	13	27	24	13	29	20	25	24	7	25	23	45	7
	17%	16%	19%	14%	18%	11%	20%	15%	13%	24%	13%	27%	21%	10%	20%	22%	20%	13%
ONE	26	8	14	4	7	7	14	12	6	17	6	15	10	2	13	12	22	4
	9%	8%	11%	6%	8%	6%	10%	7%	6%	14%	4%	16%	9%	2%	10%	11%	10%	7%
TWO	14	2	6	5	2	2	9	5	2	7	5	8	5	3	7	8	11	2
	5%	3%	5%	7%	3%	2%	6%	3%	2%	6%	3%	8%	4%	5%	6%	8%	5%	4%
THREE	3	1	2	-	-	1	2	1	1	1	3	-	3	1	2	-	3	-
	1%	1%	1%			1%	1%	1%	1%	1%	2%		2%	1%	1%		1%	
FOUR	2	1	1	-	2	1	-	2	-	1	1	1	2	-	1	-	2	-
	1%	1%	1%		3%	1%		1%		1%	1%	1%	2%		1%		1%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	7	4	2	1	4	1	3	4	4	3	5	2	4	2	2	3	6	1
	2%	4%	2%	1%	4%	1%	2%	2%	4%	2%	3%	2%	4%	2%	1%	3%	3%	1%
MEAN	0.4	0.5	0.4	0.3	0.5	0.2	0.4	0.4	0.4	0.5	0.4	0.5	0.6	0.3	0.4	0.5	0.5	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 27-1

Q.12N - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - GOLFING

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.2	1.5	1.1	0.9	1.5	0.9	1.2	1.2	1.4	1.2	1.4	1.1	1.5	1.2	1.0	1.3	1.3	0.9
STANDARD ERROR	0.07	0.15	0.10	0.11	0.16	0.08	0.10	0.09	0.14	0.11	0.11	0.12	0.14	0.14	0.09	0.13	0.09	0.13

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 28-1
2O - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - DOG PARK

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-
	*		1%			1%		1%			1%							
REFUSED	1	1	-	-	1	-	-	1	1	-	1	-	-	-	-	1	1	-
	*	1%			1%			1%	1%		1%					1%	1%	
BASE: THOSE RESPONDING	300	95	136	69	90	127	136	164	104	124	155	94	114	67	125	103	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	255	79	116	60	81	112	114	140	87	104	132	77	94	51	101	85	186	47
	85%	84%	85%	86%	89%	88%	84%	86%	84%	84%	85%	82%	82%	76%	81%	82%	84%	87%
ONE OR MORE (SUBTOTAL)	45	16	20	9	10	15	22	23	17	19	23	17	20	16	24	18	36	7
	15%	16%	15%	14%	11%	12%	16%	14%	16%	16%	15%	18%	18%	24%	19%	18%	16%	13%
ONE	18	5	10	3	4	5	9	9	6	8	8	7	6	6	9	6	13	4
	6%	5%	7%	5%	4%	4%	7%	5%	6%	6%	5%	8%	5%	9%	8%	6%	6%	7%
TWO	11	3	5	3	2	-	9	2	3	6	4	5	5	5	8	6	8	2
	4%	4%	4%	4%	3%		6%	1%	3%	5%	3%	5%	4%	8%	6%	6%	4%	4%
THREE	3	1	2	-	-	1	2	1	1	1	2	1	2	-	2	2	3	-
	1%	1%	1%			1%	1%	1%	1%	1%	1%	1%	1%		1%	2%	1%	
FOUR	4	-	1	2	1	2	-	4	1	2	1	2	2	1	1	2	4	-
	1%		1%	4%	1%	2%		2%	1%	2%	1%	3%	2%	2%	1%	2%	2%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	10	6	3	1	2	6	2	7	6	3	8	2	6	3	4	1	8	1
	3%	6%	2%	1%	3%	5%	2%	4%	5%	2%	5%	2%	5%	5%	4%	1%	4%	2%
MEAN	0.4	0.6	0.4	0.3	0.3	0.5	0.3	0.5	0.6	0.4	0.5	0.5	0.6	0.7	0.5	0.4	0.5	0.3
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Continued

Table 28-1

Q.12O - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - DOG PARK USE

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.4	1.8	1.1	1.1	1.3	1.6	1.1	1.6	1.7	1.2	1.6	1.3	1.7	1.6	1.4	1.1	1.5	1.1
STANDARD ERROR	0.08	0.18	0.10	0.13	0.13	0.14	0.09	0.12	0.16	0.11	0.13	0.13	0.16	0.20	0.13	0.11	0.10	0.15

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 29-1
2P - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PASSIVE USE
OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	-	2	-	-	2	-	2	-	-	2	-	1	1	1	-	1	-
	1%		2%			2%		1%			2%		1%	2%	1%		1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	96	135	69	92	126	136	164	105	124	155	94	113	66	124	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	139	31	64	45	27	51	81	57	37	67	69	41	28	19	43	40	89	28
	46%	32%	47%	65%	29%	41%	60%	35%	35%	54%	44%	44%	25%	28%	35%	38%	40%	52%
ONE OR MORE (SUBTOTAL)	161	65	71	24	65	74	55	106	68	57	86	53	85	47	81	65	133	26
	54%	68%	53%	35%	71%	59%	40%	65%	65%	46%	56%	56%	75%	72%	65%	62%	60%	48%
ONE	19	5	8	7	1	7	12	7	5	10	10	6	9	6	8	7	16	2
	6%	5%	6%	10%	1%	6%	9%	4%	5%	8%	7%	6%	8%	9%	7%	7%	7%	4%
TWO	29	5	14	10	4	7	21	9	10	11	17	7	12	6	13	19	23	5
	10%	5%	10%	15%	4%	6%	15%	5%	10%	9%	11%	7%	10%	9%	11%	18%	10%	10%
THREE	34	14	17	3	13	12	11	23	13	14	14	13	25	8	16	13	29	5
	11%	14%	13%	4%	15%	10%	8%	14%	13%	11%	9%	14%	22%	11%	13%	13%	13%	10%
FOUR	27	15	9	4	11	15	5	22	10	10	13	12	11	10	17	10	24	3
	9%	16%	6%	5%	12%	12%	4%	13%	9%	8%	9%	13%	10%	15%	14%	10%	11%	6%
FIVE	29	12	15	1	20	20	3	26	17	4	16	9	16	9	19	11	24	5
	10%	13%	11%	1%	21%	16%	2%	16%	17%	3%	10%	9%	14%	13%	15%	10%	11%	9%
SIX OR MORE	23	14	8	-	16	13	3	20	12	7	15	6	12	9	8	6	17	5
	8%	15%	6%		17%	11%	2%	12%	12%	6%	10%	7%	10%	13%	7%	5%	8%	10%
MEAN	2.0	2.9	1.9	0.8	3.3	2.5	1.0	2.7	2.7	1.5	2.1	2.1	2.8	2.8	2.4	2.1	2.2	1.9
MEDIAN	1	3	1	0	4	2	0	3	3	0	1	2	3	3	2	2	2	0

Continued

Table 29-1

Q.12P - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.3	2.5	2.2	1.3	2.5	2.5	1.6	2.4	2.4	2.0	2.4	2.2	2.2	2.4	2.2	2.1	2.3	2.4
STANDARD ERROR	0.13	0.25	0.19	0.15	0.26	0.22	0.14	0.19	0.24	0.18	0.19	0.23	0.21	0.30	0.20	0.20	0.15	0.32

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 30-1
3 - HOW WOULD YOU RATE THE MAINTENANCE OF RECREATION AND PARKS FACILITIES IN MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	24	1	12	11	-	6	18	6	2	17	11	7	1	-	5	6	-	-
	8%	1%	9%	16%		5%	13%	4%	1%	13%	7%	7%	1%		4%	6%		
REFUSED	1	-	1	-	-	-	1	-	-	1	1	-	-	1	1	1	-	-
	*		1%				1%			1%	*			1%	1%	1%		
BASE: THOSE RESPONDING	277	95	124	58	92	122	117	160	103	106	146	87	113	67	120	98	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
EXCELLENT/GOOD (NET)	223	74	102	47	79	100	88	135	86	87	124	68	95	56	97	77	223	-
	81%	78%	82%	80%	87%	82%	75%	85%	84%	82%	85%	78%	84%	84%	81%	79%	100%	
EXCELLENT	69	21	33	15	21	29	30	39	27	21	43	16	33	19	26	18	69	-
	25%	22%	26%	27%	23%	24%	26%	24%	26%	20%	30%	18%	29%	29%	22%	19%	31%	
GOOD	154	54	69	31	59	71	58	96	60	66	81	52	61	37	71	59	154	-
	56%	56%	56%	54%	64%	58%	49%	60%	58%	62%	56%	60%	54%	55%	59%	60%	69%	
FAIR	43	15	18	9	10	16	24	18	15	15	18	17	15	7	19	17	-	43
	15%	16%	15%	16%	11%	13%	21%	11%	14%	14%	12%	20%	13%	11%	16%	18%		79%
POOR	11	6	3	2	2	6	5	6	2	4	4	2	4	3	3	3	-	11
	4%	6%	3%	4%	3%	5%	5%	4%	2%	4%	3%	3%	3%	5%	3%	4%		21%
FAIR/POOR (NET)	54	21	22	12	12	22	30	24	17	19	22	19	18	11	23	21	-	54
	19%	22%	18%	20%	13%	18%	25%	15%	16%	18%	15%	22%	16%	16%	19%	21%		100%

Table 31-1

Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	32	8	12	13	9	11	17	15	10	19	20	7	8	5	13	12	24	5
	11%	8%	9%	18%	9%	9%	13%	9%	10%	15%	13%	8%	7%	7%	10%	12%	11%	9%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	270	88	125	56	83	117	119	151	95	105	137	87	106	63	112	92	200	49
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
:DOOR FACILITIES (NET)	142	55	63	24	60	77	45	98	67	44	76	42	71	40	71	56	114	24
	53%	63%	50%	43%	72%	66%	38%	65%	71%	42%	56%	48%	67%	64%	63%	61%	57%	49%
SWIMMING POOL FOR RECREATION OR LESSONS	26	14	6	5	11	16	8	18	16	4	14	6	14	11	12	8	22	4
	10%	16%	5%	10%	13%	14%	6%	12%	17%	4%	10%	7%	13%	17%	10%	8%	11%	8%
DOG PARK	13	3	8	2	4	5	5	7	4	6	7	4	6	3	5	6	8	2
	5%	4%	6%	3%	4%	4%	4%	5%	5%	6%	5%	5%	6%	4%	4%	6%	4%	4%
PLAYGROUNDS/TOT LOTS	11	6	3	2	5	7	2	9	6	2	6	4	4	-	3	4	4	6
	4%	6%	3%	4%	6%	6%	2%	6%	7%	2%	5%	5%	4%		3%	4%	2%	11%
SKATE PARK (SKATEBOARDING)	11	2	4	4	2	6	5	6	2	5	5	4	4	2	7	2	8	3
	4%	2%	4%	8%	3%	5%	4%	4%	2%	5%	4%	5%	4%	2%	6%	2%	4%	6%
WALKING/JOGGING PATHS	11	3	5	3	1	5	6	5	4	3	4	5	4	3	5	5	9	2
	4%	4%	4%	5%	1%	4%	5%	3%	4%	3%	3%	6%	3%	5%	5%	5%	4%	4%
BIKE PATHS/TRAILS	9	2	2	4	4	4	4	5	2	6	4	5	3	3	3	4	9	-
	3%	3%	2%	8%	4%	3%	3%	3%	3%	6%	3%	6%	3%	5%	3%	4%	4%	
SOCCER FIELDS	8	4	5	-	6	2	2	6	4	4	7	1	5	1	2	3	6	2
	3%	4%	4%		7%	2%	2%	4%	5%	4%	5%	1%	5%	1%	2%	3%	3%	4%
WATER GAMES/WATER PARK	7	5	2	-	7	6	-	7	6	1	2	1	7	2	6	4	6	1
	3%	6%	2%		9%	5%		5%	6%	1%	2%	1%	7%	4%	5%	4%	3%	2%

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 31-1
4 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO
T THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
BASEBALL FIELDS	7	2	4	-	2	5	1	6	2	4	5	1	4	3	4	2	7	-
	3%	3%	4%		3%	4%	1%	4%	2%	3%	4%	1%	4%	5%	4%	3%	3%	
SWIMMING POOL FOR COMPETITIVE EVENTS	5	4	2	-	4	1	2	4	2	2	2	1	1	1	3	4	3	1
	2%	4%	1%		4%	1%	1%	2%	3%	1%	2%	1%	1%	1%	3%	4%	2%	2%
EQUESTRIAN FACILITIES	5	1	3	1	2	-	2	2	2	1	3	1	3	-	3	2	5	-
	2%	1%	2%	1%	3%		2%	2%	2%	1%	2%	1%	3%		3%	2%	2%	
ROLLER HOCKEY FACILITIES	4	1	3	-	1	4	1	4	-	1	2	1	1	2	4	1	3	1
	2%	1%	3%		1%	3%	1%	2%		1%	2%	1%	1%	4%	4%	1%	2%	2%
BMX, DIRT-BIKE OR OFF-ROAD PARK	4	1	4	-	-	4	1	4	1	2	1	4	2	1	2	2	4	-
	2%	1%	3%			3%	1%	2%	1%	2%	1%	4%	2%	2%	2%	3%	2%	
PICNIC/GROUP FACILITIES	3	2	1	-	1	2	1	2	3	-	3	-	-	-	-	3	2	1
	1%	3%	1%		1%	2%	1%	2%	3%		2%					3%	1%	2%
PARKS (GENERAL)	3	-	2	1	1	1	1	2	2	1	2	-	3	2	3	-	3	-
	1%		2%	2%	1%	1%	1%	2%	3%	1%	1%		3%	4%	3%		2%	
SWIMMING POOL (GENERAL)	3	-	2	1	1	1	2	1	-	1	1	1	-	-	1	1	2	1
	1%		2%	2%	1%	1%	2%	1%		1%	1%	1%			1%	1%	1%	2%
FOOTBALL FIELDS	2	1	1	-	1	2	-	2	2	-	1	-	2	2	-	1	2	-
	1%	1%	1%		1%	2%		2%	3%		1%		2%	4%		1%	1%	
TENNIS COURTS	2	1	1	-	1	1	-	2	1	1	1	1	2	-	1	1	2	-
	1%	1%	1%		1%	1%		2%	1%	1%	1%	1%	2%		1%	1%	1%	
SOFTBALL FIELDS	2	1	2	-	-	-	2	-	2	1	1	-	1	-	2	1	2	-
	1%	1%	1%				2%		2%	1%	1%		1%		1%	1%	1%	
GOLF COURSE/DRIVING RANGE	2	-	1	1	1	1	1	1	2	-	1	1	-	-	1	1	2	-
	1%		1%	1%	1%	1%	1%	1%	2%		1%	1%			1%	1%	1%	
VOLLEYBALL	2	-	2	-	1	1	1	1	2	-	2	-	1	2	1	1	1	1
	1%		2%		1%	1%	1%	1%	2%		1%		1%	3%	1%	1%	1%	2%

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RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 31-1
Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
OUTDOOR BASKETBALL COURTS	1	1	-	-	1	1	-	1	-	-	1	-	1	1	1	1	1	-
	*	1%			1%	1%		1%			1%		1%	2%	1%	1%	1%	
INDOOR FACILITIES (NET)	36	10	19	7	5	11	22	13	8	16	18	13	8	4	10	10	27	7
	13%	11%	15%	13%	6%	9%	19%	9%	8%	15%	13%	15%	7%	7%	9%	11%	14%	13%
TEEN AND YOUTH CLUB FACILITIES AND PROGRAMS	6	-	5	1	1	2	3	2	2	2	3	2	2	-	1	-	5	-
	2%		4%	1%	1%	2%	3%	2%	2%	1%	2%	2%	2%		1%		2%	
ROLLER SKATING RINK	5	2	2	1	1	2	2	4	-	3	3	2	2	-	1	3	4	1
	2%	3%	2%	1%	1%	2%	1%	2%		3%	2%	3%	2%		1%	3%	2%	2%
GYMNASIUM	5	3	2	-	-	2	2	2	3	2	1	3	-	1	3	2	5	-
	2%	4%	1%			2%	2%	2%	3%	2%	1%	3%		1%	2%	2%	2%	
FITNESS CENTER	4	2	3	-	-	1	3	1	1	1	2	1	2	2	2	2	3	2
	2%	2%	2%			1%	3%	1%	1%	1%	2%	1%	1%	4%	1%	2%	1%	3%
PERFORMING ARTS CENTER	4	-	2	2	-	-	4	-	-	3	2	2	-	-	1	-	2	2
	1%		2%	3%			3%			3%	2%	2%			1%		1%	4%
SENIOR FACILITIES AND PROGRAMS	3	-	1	3	-	-	3	-	-	3	2	1	-	-	1	1	1	2
	1%		1%	5%			3%			3%	1%	1%			1%	1%	*	4%
ICE SKATING RINK	3	1	2	-	-	1	2	1	-	1	3	-	2	-	1	2	3	-
	1%	1%	1%			1%	1%	1%		1%	2%		1%		1%	2%	1%	
INDOOR BASKETBALL COURTS	2	1	-	1	1	-	1	1	-	1	2	-	-	-	-	-	2	-
	1%	1%		2%	1%		1%	1%		1%	2%						1%	
COMMUNITY CENTER FOR CLASSES	2	-	2	-	1	1	1	1	1	-	-	1	-	1	1	1	2	-
	1%		2%		1%	1%	1%	1%	1%			1%		2%	1%	1%	1%	
LIBRARY	2	-	2	-	-	-	2	-	1	1	-	2	1	-	1	-	2	-
	1%		1%				1%		1%	1%		2%	1%		1%		1%	
OTHERS	33	14	13	5	6	13	15	18	10	16	15	11	10	8	12	9	22	9
	12%	16%	11%	10%	7%	11%	13%	12%	11%	15%	11%	12%	9%	14%	10%	10%	11%	19%

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 31-1
4 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO
T THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
NONE	58	9	30	20	12	16	36	22	9	29	28	21	17	10	19	17	36	9
	22%	10%	24%	35%	15%	14%	31%	15%	10%	28%	20%	24%	16%	16%	17%	18%	18%	19%

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 32-1
Q.15 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED INDOOR RECREATION FACILITIES SUCH AS A RECREATION CENTER, COMMUNITY CENTER, INDOOR CLASSES OR LESSONS, ETC. IN OR OUTSIDE OF MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME						MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS	FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	1	1	-	1	2	-	2	1	-	1	-	1	-	-	-	1	-
	1%	1%	1%		1%	2%		1%	1%		1%		1%				1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	95	136	69	90	126	136	164	104	124	156	94	113	67	125	105	222	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
FREQUENT USERS (SUBTOTAL)	67	28	26	14	24	37	24	44	34	16	31	22	43	67	35	23	56	11
	23%	29%	19%	20%	27%	29%	17%	27%	33%	13%	20%	23%	38%	100%	28%	22%	25%	20%
MORE THAN ONCE A WEEK	34	11	15	8	13	20	11	23	18	6	16	11	18	34	22	11	27	7
	11%	12%	11%	12%	15%	16%	8%	14%	17%	5%	10%	12%	16%	51%	17%	11%	12%	13%
ONCE A WEEK OR 3 TO 4 TIMES PER MONTH	33	16	11	6	11	17	12	21	16	10	16	11	25	33	14	12	29	3
	11%	17%	8%	9%	12%	14%	9%	13%	15%	8%	10%	11%	22%	49%	11%	11%	13%	6%
MODERATE USERS (SUBTOTAL)	68	29	28	11	27	31	22	45	25	25	36	25	27	-	28	22	54	12
	23%	31%	20%	16%	30%	24%	16%	28%	24%	20%	23%	27%	24%		22%	21%	25%	22%
ONCE OR TWICE A MONTH	19	10	7	2	10	6	6	12	8	7	10	5	11	-	7	5	14	4
	6%	11%	5%	3%	11%	5%	5%	7%	8%	5%	7%	6%	10%		6%	5%	6%	8%
SEVERAL TIMES A YEAR	49	19	21	9	17	24	16	33	17	18	26	20	16	-	21	18	40	8
	16%	20%	15%	13%	19%	19%	12%	20%	17%	15%	17%	21%	14%		16%	17%	18%	14%
INFREQUENT USERS (SUBTOTAL)	164	38	83	44	39	59	90	74	44	83	88	47	44	-	62	59	111	31
	55%	40%	61%	64%	43%	47%	66%	46%	43%	67%	57%	50%	39%		50%	57%	50%	58%
ONCE A YEAR	37	14	19	4	10	13	19	18	12	14	23	11	12	-	19	20	30	6
	12%	15%	14%	6%	11%	11%	14%	11%	12%	12%	15%	12%	10%		15%	19%	13%	11%
NO USE	127	24	63	40	29	45	71	56	32	68	65	36	32	-	43	40	82	26
	42%	25%	46%	58%	32%	36%	52%	34%	31%	55%	42%	39%	28%		34%	38%	37%	48%

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 33-1
5 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR SEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	58	20	26	13	21	23	25	33	16	28	32	15	24	17	26	22	44	9
	19%	21%	19%	19%	23%	18%	19%	20%	16%	22%	20%	16%	21%	26%	21%	21%	20%	16%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	244	76	112	56	71	105	111	133	89	96	125	79	90	50	99	82	179	45
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
NCE INSTRUCTION OR CLASSES	16	7	5	4	5	11	4	12	5	4	10	4	11	8	10	8	12	3
	7%	9%	5%	8%	7%	10%	4%	9%	6%	4%	8%	5%	12%	15%	10%	10%	7%	6%
SWIMMING LESSONS	14	8	5	-	4	7	5	9	8	2	6	5	7	2	4	6	9	3
	6%	11%	5%		5%	7%	5%	6%	9%	2%	5%	6%	8%	4%	4%	8%	5%	7%
AEROBICS, SPINNING, OR FITNESS INSTRUCTION OR CLASSES	12	4	3	6	2	5	7	5	6	4	7	4	2	4	5	5	11	1
	5%	5%	2%	10%	3%	5%	7%	4%	6%	4%	6%	5%	3%	9%	5%	6%	6%	2%
ARTS OR CRAFTS INSTRUCTION OR CLASSES	11	2	8	1	4	6	5	6	2	5	7	3	4	3	7	-	8	1
	4%	3%	7%	1%	5%	6%	4%	5%	3%	5%	6%	4%	5%	6%	7%		4%	3%
READING, LANGUAGE, SPELLING OR WRITING INSTRUCTION OR CLASSES	10	3	6	-	4	6	3	6	6	2	6	1	4	1	2	3	6	4
	4%	4%	6%		5%	6%	3%	5%	7%	2%	5%	2%	5%	2%	2%	4%	3%	8%
PERSONAL DEVELOPMENT OR BUSINESS INSTRUCTION OR CLASSES	9	1	5	2	2	6	3	6	2	2	6	3	3	1	4	3	7	2
	4%	2%	5%	4%	3%	6%	2%	5%	2%	3%	4%	4%	3%	2%	4%	4%	4%	4%
MARTIAL ARTS CLASSES	8	5	3	-	5	5	2	6	5	2	6	3	2	1	5	4	8	1
	3%	7%	3%		7%	5%	2%	5%	6%	2%	5%	3%	2%	2%	5%	4%	4%	2%
COOKING INSTRUCTION OR CLASSES	6	4	2	1	4	4	2	4	4	2	2	1	4	4	3	3	6	-
	2%	5%	1%	1%	5%	3%	2%	3%	5%	2%	2%	1%	4%	7%	3%	4%	3%	
MUSIC INSTRUCTION OR CLASSES	5	2	1	2	1	1	3	2	2	2	4	-	3	1	2	1	5	-
	2%	3%	1%	4%	2%	1%	2%	2%	3%	2%	3%		4%	2%	2%	1%	3%	

Continued

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008

Table 33-1

Q.16 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
EARLY CHILDHOOD DEVELOPMENT CLASSES	4 2%	1 2%	2 2%	1 1%	2 3%	1 1%	1 1%	4 3%	1 1%	2 3%	2 2%	2 3%	2 3%	-	1 1%	1 1%	4 2%	-
GYMNASTICS INSTRUCTION OR CLASSES	4 2%	3 4%	2 1%	-	1 2%	-	3 3%	1 1%	4 5%	-	2 2%	1 2%	2 2%	1 2%	2 2%	3 3%	3 2%	1 2%
YOGA, MEDITATION, OR STRESS RELIEF INSTRUCTION OR CLASSES	4 2%	1 2%	3 3%	-	1 2%	1 1%	3 3%	1 1%	2 2%	2 2%	3 3%	1 1%	2 2%	-	2 2%	3 4%	3 2%	2 3%
OUTDOOR CONCERTS	3 1%	-	2 2%	1 1%	-	1 1%	2 2%	1 1%	1 1%	2 2%	1 1%	2 3%	-	1 2%	-	1 1%	1 1%	1 3%
[illegible]IENCE OR NATURE INSTRUCTION OR CLASSES	3 1%	-	2 2%	1 2%	1 2%	-	2 2%	1 1%	1 1%	1 1%	-	3 4%	2 3%	-	1 1%	1 1%	2 1%	1 2%
BASKETBALL	2 1%	1 2%	1 1%	-	-	2 2%	-	2 2%	1 1%	1 1%	1 1%	1 2%	1 1%	1 2%	-	-	2 1%	-
BEFORE OR AFTER SCHOOL DAY CARE	2 1%	1 2%	1 1%	-	2 3%	2 2%	-	2 2%	2 3%	-	2 2%	-	-	-	2 2%	1 1%	1 1%	1 3%
DRAMA INSTRUCTION OR CLASSES	2 1%	1 2%	1 1%	-	1 2%	2 2%	-	2 2%	1 1%	1 1%	2 2%	-	1 1%	-	1 1%	-	2 1%	-
SOCCER	2 1%	2 3%	-	-	2 3%	1 1%	-	2 2%	2 3%	-	1 1%	1 2%	1 1%	-	-	2 3%	2 1%	-
PLAYS	2 1%	-	1 1%	1 2%	-	-	2 2%	-	-	2 2%	2 2%	-	1 1%	-	-	1 1%	2 1%	-
BASEBALL OR SOFTBALL	1 1%	1 2%	-	-	1 2%	1 1%	-	1 1%	1 1%	-	-	-	1 1%	-	1 1%	1 1%	-	1 3%
[illegible]ENTING CLASSES	1 1%	1 2%	-	-	1 2%	-	-	1 1%	1 1%	-	-	-	1 1%	-	1 1%	-	1 1%	-
[illegible]-SCHOOL CARE	1 1%	-	-	1 2%	1 2%	1 1%	-	1 1%	1 1%	-	1 1%	-	-	-	-	-	1 1%	-

[illegible]tinued

Item No. G.2

MV00049774

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 33-1
5 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR SEHOLD?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
CAMPS FOR SCHOOL-AGE CHILDREN DURING RECESS OR VACATION PERIODS	1 *	1 1%	-	-	-	-	1 1%	-	-	1 1%	1 1%	-	1 1%	-	1 1%	-	-	1 2%
GOLF	1 *	-	1 1%	-	-	-	1 1%	-	-	-	-	-	1 1%	-	1 1%	1 1%	1 *	-
TENNIS	1 *	-	-	1 1%	-	-	1 1%	-	-	-	1 1%	-	1 1%	-	-	-	1 *	-
VOLLEYBALL	1 *	-	1 1%	-	-	-	1 1%	-	-	-	-	1 1%	-	-	1 1%	-	1 *	-
OTHERS	44 18%	12 15%	22 20%	10 18%	11 16%	15 14%	22 20%	22 17%	10 11%	22 23%	18 14%	18 23%	10 11%	10 20%	17 18%	11 13%	30 17%	10 23%
NONE	72 29%	14 18%	34 31%	24 43%	13 19%	24 23%	39 35%	33 25%	17 19%	37 39%	32 25%	24 30%	22 24%	12 24%	25 25%	23 28%	48 27%	13 29%

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 34-1
Q.17A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	2	2	-	-	2	1	-	2	1	-	1	-	2	-	2	-	2	-
	1%	3%			3%	1%		1%	1%		1%		2%		2%		1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	300	93	137	69	89	127	136	164	104	124	156	94	112	67	123	105	221	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	59	16	24	18	12	17	36	23	19	26	29	11	13	9	25	17	34	11
	20%	18%	18%	27%	14%	13%	26%	14%	18%	21%	18%	12%	12%	13%	21%	16%	16%	21%
ONE OR MORE (SUBTOTAL)	240	77	113	50	77	110	100	140	85	98	127	83	99	58	97	88	186	43
	80%	82%	82%	73%	86%	87%	74%	86%	82%	79%	82%	88%	88%	87%	79%	84%	84%	79%
ONE	50	9	21	20	7	16	34	16	14	28	32	13	15	10	10	13	38	6
	17%	10%	15%	29%	8%	13%	25%	10%	14%	23%	21%	14%	13%	14%	8%	13%	17%	11%
TWO	72	21	35	16	16	21	39	33	21	33	35	26	27	16	30	34	58	13
	24%	23%	25%	24%	18%	16%	29%	20%	21%	27%	23%	27%	24%	23%	24%	33%	26%	23%
THREE	46	22	21	3	17	24	12	34	14	19	22	18	20	8	23	20	34	11
	15%	24%	15%	5%	19%	19%	9%	21%	13%	15%	14%	19%	18%	12%	19%	19%	15%	21%
FOUR	29	8	15	5	10	16	8	21	12	10	13	14	18	10	16	8	22	7
	10%	9%	11%	8%	11%	13%	6%	13%	12%	8%	8%	15%	16%	14%	13%	8%	10%	12%
FIVE	19	5	13	2	11	16	2	17	11	3	11	5	10	8	10	6	15	3
	6%	5%	9%	2%	12%	13%	2%	10%	10%	2%	7%	6%	9%	12%	8%	5%	7%	6%
SIX OR MORE	23	11	9	4	16	17	4	20	13	5	14	7	9	7	8	6	19	3
	8%	12%	6%	5%	18%	13%	3%	12%	12%	4%	9%	7%	8%	11%	7%	6%	9%	6%
N	2.4	2.7	2.5	1.7	3.3	3.1	1.6	3.0	2.8	1.9	2.4	2.6	2.8	2.9	2.5	2.4	2.5	2.4
IAN	2	2	2	1	3	3	1	3	2	2	2	2	3	2	2	2	2	2

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 34-1
7A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - PERFORMING ARTS CENTER
SENTING MUSIC AND THEATER EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.0	2.1	1.9	1.8	2.3	2.2	1.5	2.1	2.2	1.7	2.0	1.8	1.9	2.1	1.9	1.8	2.0	1.9
STANDARD ERROR	0.11	0.21	0.16	0.21	0.24	0.19	0.13	0.16	0.22	0.15	0.16	0.19	0.18	0.25	0.17	0.17	0.13	0.25

Table 35-1

Q.17B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - ART GALLERIES, ART FESTIVALS AND EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	-	1	-	-	1	-	-	1	1	-	-	-	-	-	1	-
	*			2%			1%			1%	1%						1%	
REFUSED	1	1	-	-	1	1	-	1	1	-	-	-	1	1	-	1	1	-
	*	1%			1%	1%		1%	1%				1%	2%		1%	1%	
BASE: THOSE RESPONDING	300	95	137	68	90	127	135	165	104	123	156	94	113	66	125	103	221	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
RO	86	27	35	23	18	29	47	39	20	44	43	23	24	16	36	28	53	18
	29%	29%	26%	34%	20%	23%	35%	24%	19%	36%	27%	24%	21%	24%	29%	27%	24%	33%
ONE OR MORE (SUBTOTAL)	214	67	102	45	72	98	88	126	84	79	113	71	89	51	89	75	168	36
	71%	71%	74%	66%	80%	77%	65%	76%	81%	64%	73%	76%	79%	76%	71%	73%	76%	67%
ONE	53	11	23	19	7	17	35	18	19	24	28	16	16	10	16	16	45	5
	18%	11%	17%	28%	8%	13%	26%	11%	18%	20%	18%	17%	14%	15%	13%	16%	21%	9%
TWO	64	15	34	16	16	22	32	32	19	29	35	24	28	14	24	29	52	10
	21%	16%	25%	23%	18%	17%	24%	19%	18%	24%	22%	25%	25%	21%	19%	28%	24%	19%
THREE	36	18	14	4	15	17	11	26	15	12	18	12	19	9	16	13	23	10
	12%	19%	10%	6%	16%	13%	8%	16%	15%	10%	12%	13%	17%	13%	13%	13%	11%	19%
FOUR	28	8	17	3	10	16	7	21	10	9	13	12	13	6	16	6	20	7
	9%	8%	13%	4%	11%	13%	5%	13%	9%	7%	8%	13%	12%	10%	12%	6%	9%	12%
FIVE	15	5	9	1	10	12	2	13	9	2	9	3	5	6	11	4	11	2
	5%	5%	7%	1%	11%	10%	1%	8%	9%	2%	5%	3%	4%	9%	8%	4%	5%	4%
SIX OR MORE	18	11	4	2	15	13	2	16	12	2	11	4	8	6	7	6	16	2
	6%	12%	3%	4%	16%	11%	1%	10%	11%	2%	7%	5%	7%	9%	5%	5%	7%	4%
N	2.0	2.4	2.0	1.4	3.0	2.6	1.3	2.5	2.6	1.5	2.1	2.1	2.3	2.4	2.2	1.9	2.1	2.0
IAN	2	2	2	1	3	2	1	2	2	1	2	2	2	2	2	2	2	2

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EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 35-1
7B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - ART GALLERIES, ART
TIVALS AND EVENTS

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	1.9	2.2	1.8	1.6	2.3	2.2	1.4	2.1	2.2	1.5	2.0	1.8	1.9	2.1	2.0	1.8	2.0	1.8
STANDARD ERROR	0.11	0.23	0.15	0.19	0.25	0.20	0.12	0.17	0.21	0.14	0.16	0.19	0.18	0.26	0.18	0.18	0.13	0.25

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 36-1
Q.17C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - MUSEUM OR INTERPRETIVE CENTER

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	6	1	1	3	-	5	1	5	1	2	2	2	2	2	2	3	4	-
	2%	1%	1%	5%		4%	1%	3%	1%	2%	2%	2%	2%	4%	2%	3%	2%	
REFUSED	1	1	-	-	1	1	-	1	1	-	-	-	1	1	-	1	1	-
	*	1%			1%	1%		1%	1%				1%	2%		1%	1%	
BASE: THOSE RESPONDING	295	93	136	66	90	122	135	160	103	122	155	92	111	64	123	100	218	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ZERO	78	24	29	25	17	29	39	39	22	37	41	19	21	12	30	22	52	15
	26%	25%	22%	38%	19%	24%	29%	24%	21%	30%	26%	21%	19%	18%	24%	22%	24%	27%
ONE OR MORE (SUBTOTAL)	217	70	107	41	73	93	96	121	81	85	114	73	90	52	93	78	167	39
	74%	75%	78%	62%	81%	76%	71%	76%	79%	70%	74%	79%	81%	82%	76%	78%	76%	73%
ONE	41	5	19	16	2	7	33	7	11	24	21	14	14	7	14	11	31	4
	14%	6%	14%	25%	3%	6%	25%	5%	11%	19%	14%	15%	12%	11%	11%	11%	14%	7%
TWO	54	13	25	16	7	11	39	16	14	27	26	21	15	8	19	25	39	12
	18%	14%	19%	24%	8%	9%	28%	10%	14%	22%	17%	23%	14%	12%	15%	25%	18%	23%
THREE	37	17	18	2	12	21	10	27	10	16	19	10	16	8	16	9	30	7
	12%	19%	13%	2%	14%	17%	7%	17%	9%	13%	12%	11%	14%	12%	13%	9%	14%	13%
FOUR	43	13	25	5	18	23	11	32	16	13	25	15	26	14	24	16	34	6
	15%	14%	18%	7%	20%	19%	8%	20%	16%	11%	16%	16%	23%	22%	19%	16%	16%	11%
FIVE	26	13	13	-	21	20	1	26	20	1	15	7	11	8	13	12	20	7
	9%	14%	10%		23%	16%	1%	16%	20%	1%	9%	8%	10%	13%	11%	12%	9%	13%
SIX OR MORE	16	7	6	2	12	11	3	13	9	4	9	6	8	7	8	4	13	3
	5%	8%	5%	4%	14%	9%	2%	8%	9%	3%	6%	6%	7%	11%	6%	4%	6%	6%
MEAN	2.3	2.7	2.4	1.3	3.5	2.9	1.5	2.9	2.9	1.7	2.3	2.4	2.8	3.0	2.5	2.4	2.4	2.4
MEDIAN	2	3	2	1	4	3	1	3	3	2	2	2	3	3	2	2	2	2

Continued

EARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
le 36-1
7C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - MUSEUM OR INTERPRETIVE
TER

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME		FRE-QUENT FAC-ILITY USERS	FRE-QUENT IN-DOOR FAC-ILITY USERS	1 + EMPL-OYEES MORENO VALLEY	SEEK-ING FIT-NESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHIL-DREN UNDER 10	CHIL-DREN 10-17	NO CHIL-DREN	ANY CHIL-DREN	HIS-PANIC	NON-HIS-PANIC WHITE	UNDER $75K	$75K PLUS					EXCL/ GOOD	FAIR/ POOR
STANDARD DEVIATION	2.0	2.1	1.9	1.6	2.2	2.2	1.5	2.2	2.2	1.7	2.0	1.9	2.0	2.2	2.1	1.9	2.0	2.0
STANDARD ERROR	0.12	0.22	0.16	0.20	0.23	0.20	0.13	0.17	0.22	0.15	0.16	0.20	0.19	0.27	0.19	0.19	0.14	0.28

Table 37-1

Q.18 - ARE ANY OF THE ADULTS LIVING IN YOUR HOUSEHOLD EMPLOYED OUTSIDE THE HOME AT A LOCATION IN MORENO VALLEY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT INDOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	-	-	1	-	-	-	-	-	1	-	-	1	-	1
	*		1%				1%						1%			1%		1%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	301	96	137	69	92	128	135	166	105	124	157	94	114	67	125	104	223	53
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
[illegible]	125	41	65	20	45	55	53	72	46	47	61	46	51	35	125	43	97	23
	42%	43%	47%	28%	49%	43%	39%	43%	43%	38%	39%	49%	45%	52%	100%	42%	43%	42%
NO	176	55	72	49	46	73	82	94	59	77	96	48	63	32	-	60	126	31
	58%	57%	53%	72%	51%	57%	61%	57%	57%	62%	61%	51%	55%	48%		58%	57%	58%

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le 38-1
9 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW MANY OF THOSE MEMBERS OF YOUR HOUSEHOLD EMPLOYED IN MORENO VALLEY PARTICIPATED IN
LOYER-SPONSORED RECREATION AT ANY PARKS AND RECREATION FACILITIES IN MORENO VALLEY?
E: HOUSEHOLD MEMBERS EMPLOYED IN MORENO VALLEY

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	125	41	65	20	45	55	53	72	46	47	61	46	51	35	125	43	97	23
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	1	-	1	-	1	1	-	1	1	-	1	-	-	1	1	-	1	-
	1%		2%		3%	2%		2%	3%		2%			3%	1%		1%	
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SE: THOSE RESPONDING	124	41	63	20	44	54	53	71	44	47	60	46	51	34	124	43	96	23
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
ERO	82	23	44	15	27	33	39	43	28	39	37	36	31	19	82	32	61	16
	66%	56%	69%	76%	61%	61%	74%	60%	63%	83%	62%	78%	61%	57%	66%	74%	64%	70%
ONE OR MORE (SUBTOTAL)	42	18	19	5	17	21	14	28	16	8	23	10	20	15	42	11	35	7
	34%	44%	31%	24%	39%	39%	26%	40%	37%	17%	38%	22%	39%	43%	34%	26%	36%	30%
ONE	18	7	9	2	4	10	7	11	6	6	8	4	8	4	18	2	16	2
	15%	18%	14%	10%	8%	18%	14%	16%	13%	12%	14%	9%	16%	11%	15%	5%	17%	7%
TWO	19	9	8	3	11	9	6	13	9	2	12	5	7	9	19	8	16	4
	16%	22%	12%	14%	25%	16%	11%	19%	20%	5%	21%	11%	14%	27%	16%	18%	16%	17%
THREE	2	1	1	-	1	-	1	1	1	-	1	1	2	1	2	-	2	-
	2%	2%	2%		3%		1%	2%	2%		1%	3%	4%	2%	2%		2%	
FOUR	1	-	1	-	1	1	-	1	1	-	1	-	1	-	1	1	1	-
	1%		2%		3%	2%		2%	3%		2%		2%		1%	3%	1%	
FIVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SIX OR MORE	1	1	-	-	-	1	-	1	-	-	-	-	1	1	1	-	-	1
	1%	3%				2%		2%					2%	4%	1%			5%
MEAN	0.6	0.9	0.5	0.4	0.8	0.8	0.4	0.8	0.7	0.2	0.7	0.4	0.8	1.0	0.6	0.5	0.6	0.8

Continued

Table 38-1

Q.19 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW MANY OF THOSE MEMBERS OF YOUR HOUSEHOLD EMPLOYED IN MORENO VALLEY PARTICIPATED IN EMPLOYER-SPONSORED RECREATION AT ANY PARKS AND RECREATION FACILITIES IN MORENO VALLEY?

BASE: HOUSEHOLD MEMBERS EMPLOYED IN MORENO VALLEY

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
MEDIAN	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STANDARD DEVIATION	1.1	1.4	0.9	0.7	1.1	1.3	0.7	1.3	1.0	0.5	1.0	0.8	1.4	1.5	1.1	1.0	0.9	1.7
STANDARD ERROR	0.10	0.22	0.12	0.16	0.16	0.18	0.10	0.15	0.15	0.08	0.13	0.12	0.20	0.25	0.10	0.15	0.09	0.35

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) - WOULD YOU PLEASE TELL ME THE ETHNIC CATEGORY WITH WHICH YOU IDENTIFY?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	9	2	6	1	-	6	3	6	-	-	2	2	4	1	3	2	4	5
	3%	3%	4%	1%		5%	2%	4%			2%	2%	4%	2%	3%	1%	2%	9%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	293	93	131	68	92	122	133	160	105	124	155	92	110	66	122	103	219	49
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
:TE	130	21	62	47	21	37	85	45	6	124	64	48	34	17	49	45	92	20
	44%	22%	48%	68%	23%	30%	64%	28%	6%	100%	42%	52%	31%	26%	40%	43%	42%	42%
HISPANIC/MEXICAN AMERICAN	92	47	36	9	49	49	22	71	92	-	51	23	46	33	40	37	76	15
	32%	50%	28%	14%	53%	40%	16%	44%	88%		33%	25%	41%	50%	33%	36%	35%	30%
BLACK OR AFRICAN-AMERICAN	56	21	24	11	20	32	19	37	3	-	31	16	23	15	27	15	41	11
	19%	22%	18%	17%	21%	26%	14%	23%	3%		20%	17%	21%	23%	22%	15%	19%	22%
ASIAN/PACIFIC ISLANDER	8	2	5	1	1	2	5	4	3	-	3	4	5	-	5	4	6	2
	3%	3%	4%	1%	1%	2%	3%	2%	3%		2%	4%	5%		4%	4%	3%	3%
OTHER	7	3	4	-	1	2	3	4	-	-	5	1	2	1	1	2	4	2
	2%	3%	3%		1%	2%	2%	2%			3%	1%	2%	1%	1%	2%	2%	3%

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 40-1
Q.21 - PLEASE TELL ME IF YOU ARE OF SPANISH/HISPANIC ORIGIN OR DESCENT
BASE: HISPANIC/MEXICAN AMERICAN NOT MENTIONED IN PREVIOUS QUESTION

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS				EXCL/ GOOD	FAIR/ POOR
TOTAL	210	49	101	59	43	79	114	95	13	124	106	71	69	34	85	68	147	39
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	8	3	3	2	-	4	5	4	-	-	3	1	4	2	4	2	3	5
	4%	7%	3%	3%		5%	4%	4%			3%	1%	6%	6%	5%	3%	2%	12%
REFUSED	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	201	46	98	58	43	76	110	92	13	124	104	70	65	32	81	65	144	35
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
YES	13	5	5	2	5	5	6	6	13	-	6	7	6	1	5	7	10	2
	6%	11%	6%	4%	11%	6%	6%	7%	100%		6%	10%	10%	2%	6%	10%	7%	7%
NO	189	41	92	56	38	71	103	85	-	124	98	63	58	31	76	59	134	32
	94%	89%	94%	96%	89%	94%	94%	93%		100%	94%	90%	90%	98%	94%	90%	93%	93%

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)/21 - ETHNICITY

	TOTAL	AGE OF HEAD OF HOUSEHOLD: UNDER 40	40-59	60 OR OVER	CHILDREN IN HOUSEHOLD: CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	ETHNICITY: HISPANIC	NON-HISPANIC WHITE	INCOME: UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS	FREQUENT IN-DOOR FACILITY USERS	1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	MAINTENANCE RATING: EXCL/GOOD	FAIR/POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
REFUSED	9	2	6	1	-	6	3	6	-	-	2	2	4	1	3	2	4	5
	3%	3%	4%	1%		5%	2%	4%			2%	2%	4%	2%	3%	1%	2%	9%
DON'T KNOW	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BASE: THOSE RESPONDING	293	93	131	68	92	122	133	160	105	124	155	92	110	66	122	103	219	49
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
N-HISPANIC WHITE	124	20	60	44	18	34	81	43	-	124	62	45	33	16	47	41	87	19
	42%	21%	45%	65%	20%	28%	61%	27%		100%	40%	49%	30%	25%	39%	40%	40%	38%
HISPANIC/MEXICAN AMERICAN	105	52	42	12	54	54	28	77	105	-	57	30	52	34	46	43	86	17
	36%	55%	32%	17%	59%	44%	21%	48%	100%		37%	32%	47%	51%	37%	42%	39%	35%
NON-HISPANIC BLACK OR AFRICAN-AMERICAN	52	19	22	11	18	31	17	35	-	-	28	16	21	15	26	14	37	11
	18%	21%	17%	17%	20%	25%	13%	22%			18%	17%	19%	23%	21%	14%	17%	22%
NON-HISPANIC ASIAN/PACIFIC ISLANDER	5	-	4	1	-	1	4	1	-	-	3	1	2	-	3	2	3	1
	2%		3%	1%		1%	3%	1%			2%	1%	2%		2%	2%	2%	2%
NON-HISPANIC OTHER	7	3	4	-	1	2	3	4	-	-	5	1	2	1	1	2	4	2
	2%	3%	3%		1%	2%	2%	2%			3%	1%	2%	1%	1%	2%	2%	3%

RESEARCH NETWORK LTD. MORENO VALLEY PARKS AND RECREATION NEEDS ASSESSMENT RESIDENTIAL TELEPHONE SURVEY APRIL 2008
Table 42-1
Q.22 - WHICH OF THE FOLLOWING RANGES INCLUDES YOUR HOUSEHOLD'S ANNUAL INCOME BEFORE TAXES?

		AGE OF HEAD OF HOUSEHOLD			CHILDREN IN HOUSEHOLD				ETHNICITY		INCOME			FREQUENT IN-DOOR FACILITY USERS			MAINTENANCE RATING	
	TOTAL	UNDER 40	40-59	60 OR OVER	CHILDREN UNDER 10	CHILDREN 10-17	NO CHILDREN	ANY CHILDREN	HISPANIC	NON-HISPANIC WHITE	UNDER $75K	$75K PLUS	FREQUENT FACILITY USERS		1 + EMPLOYEES MORENO VALLEY	SEEKING FITNESS	EXCL/ GOOD	FAIR/ POOR
TOTAL	302	96	137	69	92	128	136	166	105	124	157	94	114	67	125	105	223	54
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
DON'T KNOW	31	16	11	4	9	16	14	17	16	6	-	-	14	12	13	7	22	6
	10%	17%	8%	6%	9%	12%	10%	10%	15%	5%			13%	17%	10%	7%	10%	12%
REFUSED	20	6	10	4	2	7	11	9	3	11	-	-	5	3	5	10	9	7
	7%	6%	7%	5%	3%	6%	8%	5%	3%	9%			5%	4%	4%	9%	4%	12%
BASE: THOSE RESPONDING	251	73	116	61	81	105	111	140	86	106	157	94	95	53	107	87	192	41
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
)ER $25,000	38	14	13	11	15	17	18	21	18	12	38	-	14	8	10	10	27	9
	15%	19%	11%	18%	18%	16%	16%	15%	21%	11%	24%		15%	16%	10%	11%	14%	21%
$25,000 - $49,999	52	16	20	16	18	24	21	31	19	16	52	-	24	12	23	9	38	9
	21%	22%	17%	26%	23%	23%	19%	22%	22%	15%	33%		25%	22%	22%	10%	20%	21%
$50,000 - $74,999	67	23	34	9	23	27	25	42	20	33	67	-	29	12	27	35	59	4
	27%	32%	29%	15%	29%	26%	23%	30%	23%	31%	43%		31%	22%	26%	40%	31%	11%
$75,000 AND ABOVE	94	20	49	25	24	37	46	48	30	45	-	94	27	22	46	33	68	19
	37%	27%	42%	41%	30%	35%	42%	34%	34%	42%		100%	29%	41%	43%	38%	35%	47%
MEAN	64.9	58.9	69.3	63.5	60.5	62.8	66.6	63.5	61.1	69.6	43.9	100.0	60.9	65.7	69.0	69.6	64.9	65.9
MEDIAN	63.1	56.9	68.4	59.5	57.9	60.2	66.0	61.4	57.9	68.6	44.3	100.0	58.1	64.3	68.0	67.7	63.1	68.1
STANDARD DEVIATION	30.4	29.2	29.3	32.6	29.9	30.5	31.3	29.6	31.6	29.0	17.3	-	28.8	31.4	29.5	27.4	29.5	34.1
STANDARD ERROR	1.9	3.4	2.7	4.2	3.3	3.0	3.0	2.5	3.4	2.8	1.4	-	3.0	4.3	2.9	2.9	2.1	5.3

Item No. G.2
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le 1 GENDER

le 2 Q.1 - ZIP CODE

Table 3 Q.2 - DO YOU LIVE IN MORENO VALLEY?

Table 4 Q.3 - HOW MANY PEOPLE RESIDE IN YOUR HOUSEHOLD, INCLUDING YOURSELF?

Table 5 Q.4 - AGE OF HEAD OF HOUSEHOLD

Table 6 Q.4 - AGE OF TOTAL HOUSEHOLD MEMBERS

Table 7 Q.5 - WHICH OF THESE CATEGORIES BEST DESCRIBES YOUR HOUSEHOLD?

Table 8 Q.6 - WHAT IS THE ONE FEATURE THAT MAKES MORENO VALLEY A DESIRABLE PLACE TO LIVE?

Table 9 Q.7 - REFLECTING UPON THE RECREATION PATTERNS OF THOSE IN YOUR HOUSEHOLD, WHICH OF THE FOLLOWING BENEFITS DO YOU FEEL IS MOST IMPORTANT WHEN YOU OR THE MEMBERS OF YOUR HOUSEHOLD SEEK RECREATION OR LEISURE OPPORTUNITIES?

Table 10 Q.8 - IF YOU NEED INFORMATION ABOUT MORENO VALLEY RECREATION OR PARKS PROGRAMS OR FACILITIES, WHERE DO YOU GO TO GET THAT INFORMATION?

Table 11 Q.9 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED ANY PARKS AND RECREATION FACILITIES IN OR OUTSIDE OF MORENO VALLEY?

ble 12 Q.10 - DURING THE LAST YEAR, WHAT PARK OR RECREATION FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE? PLEASE INCLUDE ALL TYPES OF FACILITIES WHETHER LOCATED IN MORENO VALLEY OR NOT.

Table 13 Q.11 - DURING THE LAST YEAR, WHAT SCHOOL FACILITY DID YOU AND YOUR HOUSEHOLD MOST OFTEN USE FOR RECREATION OR CULTURAL ACTIVITIES (NOT INCLUDING EDUCATION ACTIVITIES) WHETHER LOCATED IN MORENO VALLEY OR NOT?

Table 14 Q.12A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF PLAY EQUIPMENT, TOT LOTS

Table 15 Q.12B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PICNICKING IN DEVELOPED SITES

Table 16 Q.12C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR ADULTS (NON-SCHOOL)

Table 17 Q.12D - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOCCER: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

Table 18 Q.12E - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASEBALL: ORGANIZED LEAGUE GAMES FOR YOUTH (NON-SCHOOL)

Table 19 Q.12F - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - USE OF WET PLAYGROUND/SPRAY PLAY FACILITIES

Table 20 Q.12G - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - WALKING/JOGGING/RUNNING FOR RECREATION OR FITNESS

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Table 21 Q.12H - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BASKETBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

Table 22 Q.12I - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SOFTBALL: ORGANIZED GAMES FOR YOUTH OR ADULTS (NON-SCHOOL)

Table 23 Q.12J - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - FOOTBALL: ORGANIZED GAMES FOR YOUTH (NON-SCHOOL)

Table 24 Q.12K - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - TENNIS (NON-SCHOOL)

Table 25 Q.12L - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - BICYCLING FOR RECREATION/FITNESS

Table 26 Q.12M - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - SKATEBOARDING

Table 27 Q.12N - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - GOLFING

Table 28 Q.12O - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - DOG PARK USE

Table 29 Q.12P - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD PARTICIPATED IN EACH OF THE FOLLOWING ACTIVITIES, NOT INCLUDING SCHOOL-RELATED ACTIVITIES? - PASSIVE USE OF OPEN GRASS/LAWN AREAS IN PARKS OR RECREATION FACILITIES

Table 30 Q.13 - HOW WOULD YOU RATE THE MAINTENANCE OF RECREATION AND PARKS FACILITIES IN MORENO VALLEY?

Table 31 Q.14 - NOW THAT WE HAVE DISCUSSED MANY RECREATION POSSIBILITIES, WHAT IS THE ONE RECREATION FACILITY YOU WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

Table 32 Q.15 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW OFTEN YOU OR OTHER MEMBERS OF YOUR HOUSEHOLD USED INDOOR RECREATION FACILITIES SUCH AS A RECREATION CENTER, COMMUNITY CENTER, INDOOR CLASSES OR LESSONS, ETC. IN OR OUTSIDE OF MORENO VALLEY?

Table 33 Q.16 - WHAT IS THE ONE PROGRAM, CLASS OR ACTIVITY YOUR HOUSEHOLD WOULD MOST LIKE TO SEE ADDED IN MORENO VALLEY TO MEET THE NEEDS OF THE MEMBERS OF YOUR HOUSEHOLD?

Table 34 Q.17A - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - PERFORMING ARTS CENTER PRESENTING MUSIC AND THEATER EVENTS

Table 35 Q.17B - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - ART GALLERIES, ART FESTIVALS AND EVENTS

Table 36 Q.17C - HOW MANY OF THE MEMBERS OF YOUR HOUSEHOLD WOULD PROBABLY USE EACH FACILITY OR SERVICE IF AVAILABLE IN MORENO VALLEY? - MUSEUM OR INTERPRETIVE CENTER

Table 37 Q.18 - ARE ANY OF THE ADULTS LIVING IN YOUR HOUSEHOLD EMPLOYED OUTSIDE THE HOME AT A LOCATION IN MORENO VALLEY?

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le 38 Q.19 - THINKING ABOUT THE PAST YEAR, WHAT BEST DESCRIBES HOW MANY OF THOSE MEMBERS OF YOUR HOUSEHOLD EMPLOYED IN MORENO VALLEY PARTICIPATED IN EMPLOYER-SPONSORED RECREATION AT ANY PARKS AND RECREATION FACILITIES IN MORENO VALLEY?

Table 39 Q.20 - WOULD YOU PLEASE TELL ME THE ETHNIC CATEGORY WITH WHICH YOU IDENTIFY?

Table 40 Q.21 - PLEASE TELL ME IF YOU ARE OF SPANISH/HISPANIC ORIGIN OR DESCENT

Table 41 Q.20/21 - ETHNICITY

Table 42 Q.22 - WHICH OF THE FOLLOWING RANGES INCLUDES YOUR HOUSEHOLD'S ANNUAL INCOME BEFORE TAXES?

Prior to referencing any details within the following section "City of Moreno Valley Standard Plans," confirm with the City of Moreno Valley as to which version is the most recent. It is the viewer's responsibility to ensure that the most recent details are being referenced within any documentation or design. These details are here for reference only.

MV00049793

CITY OF MORENO VALLEY STANDARD PLANS

JANUARY 2008 EDITION

Chris A. Vogt, P.E.
Director of Public Works / City Engineer

City of Moreno Valley • P.O. Box 88005, Moreno Valley, CA 92552-0805 • (951) 413-3100

FORWARD

THE ORIGINAL EDITION APPROVED IN 1994, OF THE CITY OF MORENO VALLEY STANDARD PLANS MARKED THE CULMINATION OF YEARS OF EFFORT BY CITY STAFF WORKING IN COOPERATION WITH ORGANIZATIONS SUCH AS THE SOUTHERN CALIFORNIA EDISON COMPANY, THE GAS COMPANY, VERIZON (FORMERLY GTE CALIFORNIA), AND EASTERN MUNICIPAL WATER DISTRICT, AS WELL AS PRIVATE MEMBERS OF THE CONSTRUCTION INDUSTRY.

SUBSEQUENT TO THE 1994 EDITION, CHANGES HAVE BEEN MADE OVER THE YEARS TO THE STANDARD PLANS TO KEEP UP WITH INDUSTRY STANDARDS AND MAINTAIN MINIMUM ACCEPTABLE STANDARDS FOR QUALITY DESIGN AND CONSTRUCTION WORK IN THE CITY OF MORENO VALLEY.

CHANGES TO THE FEBRUARY 2007 EDITION HAVE BEEN RESEARCHED AND APPROVED. THIS NEW JANUARY 2008 EDITION MAINTAINS A "LIVING" DOCUMENT OF THE CITY OF MORENO VALLEY STANDARD PLANS.

THESE STANDARD PLANS ANSWER THE NEED FOR UNIFORM DESIGN STANDARDS, AND WILL BENEFIT BOTH THE GENERAL PUBLIC AND PRIVATE CONTRACTING INDUSTRY BY ELIMINATING CONFLICTS AND CONFUSION, LOWERING CONSTRUCTION COSTS, AND ENCOURAGING MORE COMPETITIVE BIDDING BY PRIVATE CONTRACTORS.

ROBERT G. GUTIERREZ
CITY MANAGER

CHRIS A. VOGT
PUBLIC WORKS DIRECTOR / CITY ENGINEER

ADOPTED BY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY

RESOLUTION NO. 2008-11

JANUARY 2008

City of Moreno Valley•P.O. Box 88005, Moreno Valley, CA 92552-0805•(951) 413-3100

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201	Type 8 Integral Curb and Gutter
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204	Type D-1 Curb
205	Type C Rolled Curb
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217G	Multi-Use Trail
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218G	Multi-Use Trail Specifications
218H	Multi-Use Trail Specifications
218I	Concrete Walk/Slab/Approach Adjacent To Trail
218J	Parks and Recreation – General Notes
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CAPITAL PROJECTS	DATE 1/08	CITY OF MORENO VALLEY
APPROVED BY	DIVISION MANAGER INITIAL	PREPARED BY CAPITAL PROJECTS
PUBLIC WORKS DIRECTOR / CITY ENGINEER		3 of 12
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220C	Tree Well: Type 3
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220E	Tree Well Notes
221	Erosion Control Netting
222	Single Post Mailbox Installation
223	Multiple Mailbox Installation for New Sidewalk
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225	Reserved
226	Curb Address Painting
227A	Newsrack Installation and Placement
227B	Newsrack Installation Notes

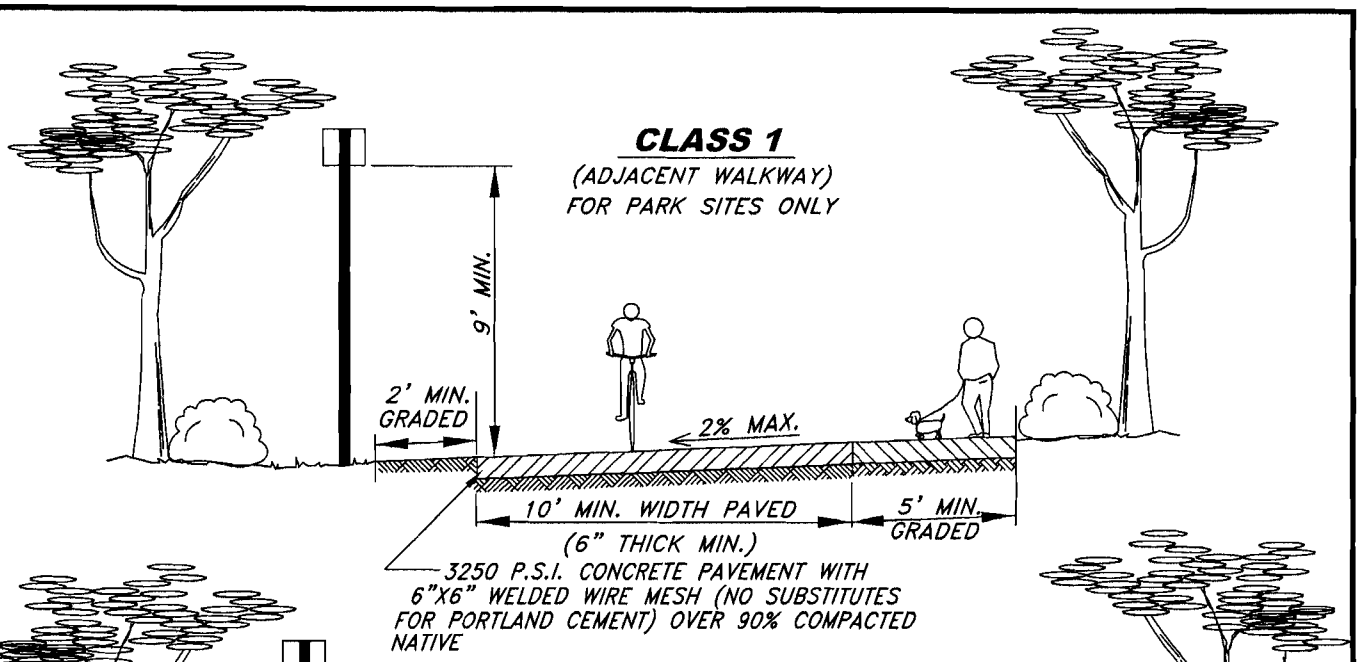

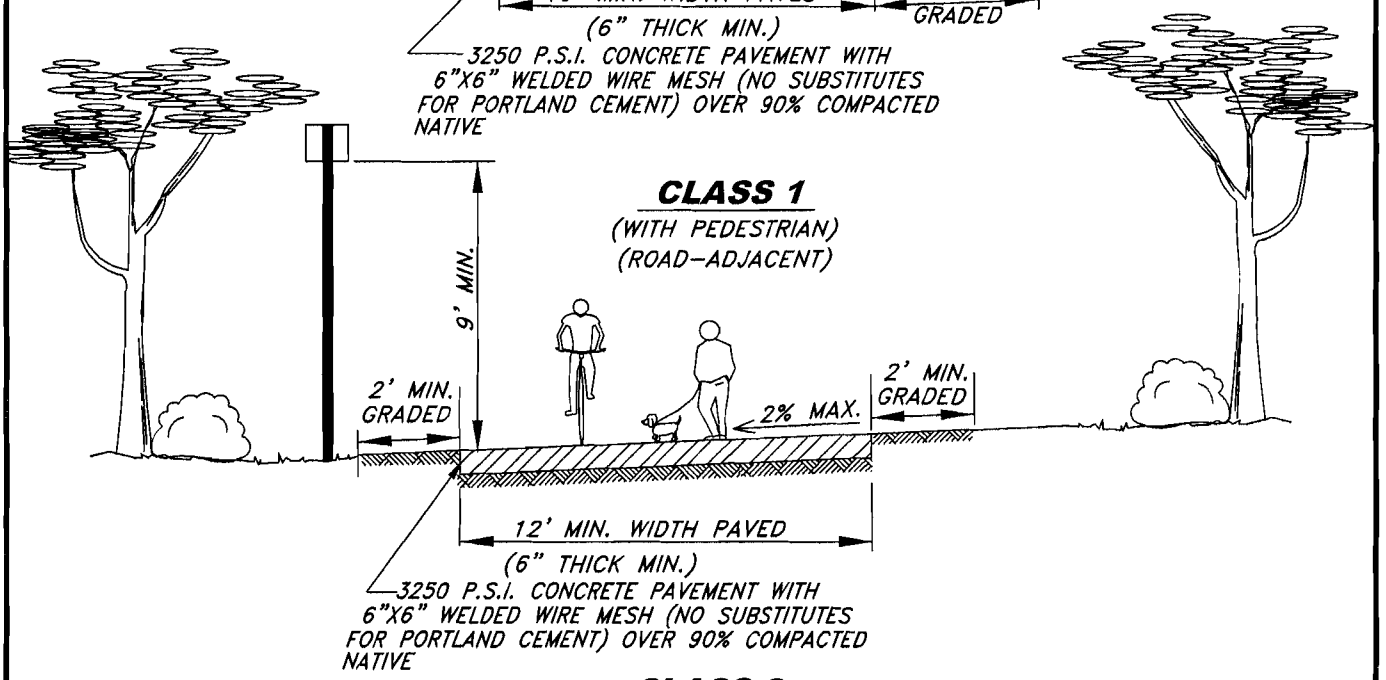

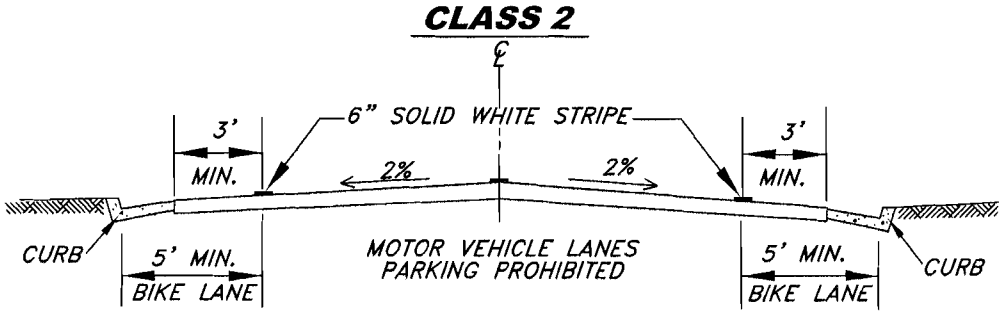

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREA'S.
2.) CLASS I & II BIKE ROUTES TO BE STRIPED AND DESIGNATED WITH SIGNAGE.
3.) CLASS III BIKE ROUTES DESIGNATED WITH SIGNAGE ONLY.

CAPITAL PROJECTS	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**TWO-WAY BIKE PATH ON SEPARATE RIGHT-OF-WAY**
		1 of 1 NO. **216**

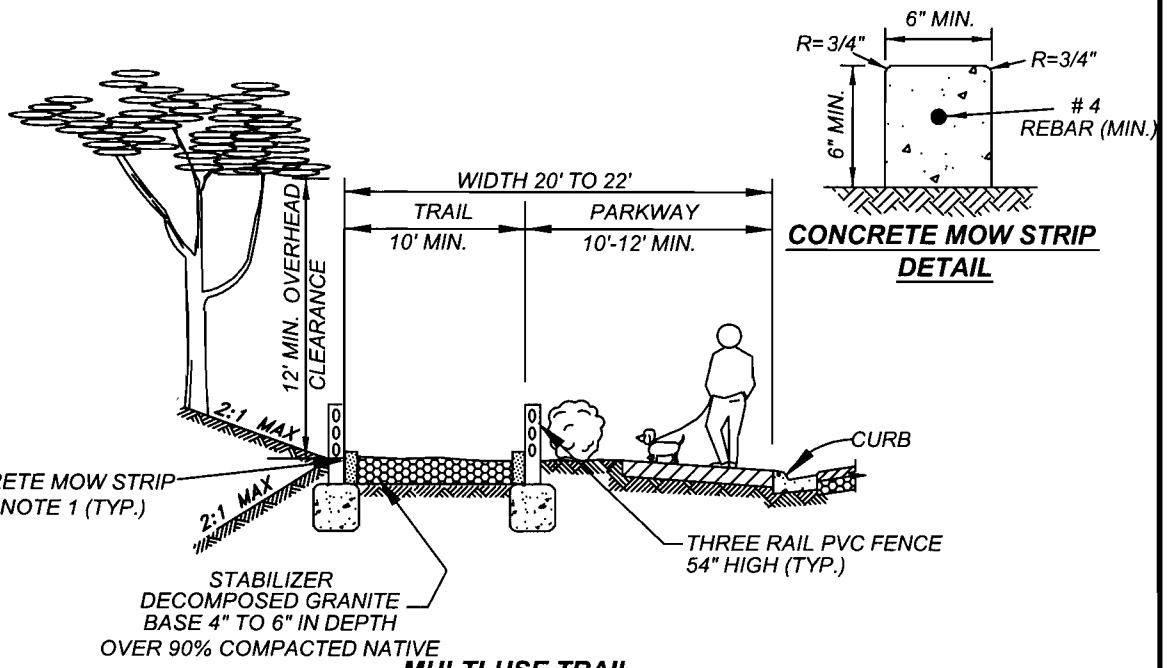

CONCRETE MOW STRIP DETAIL

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

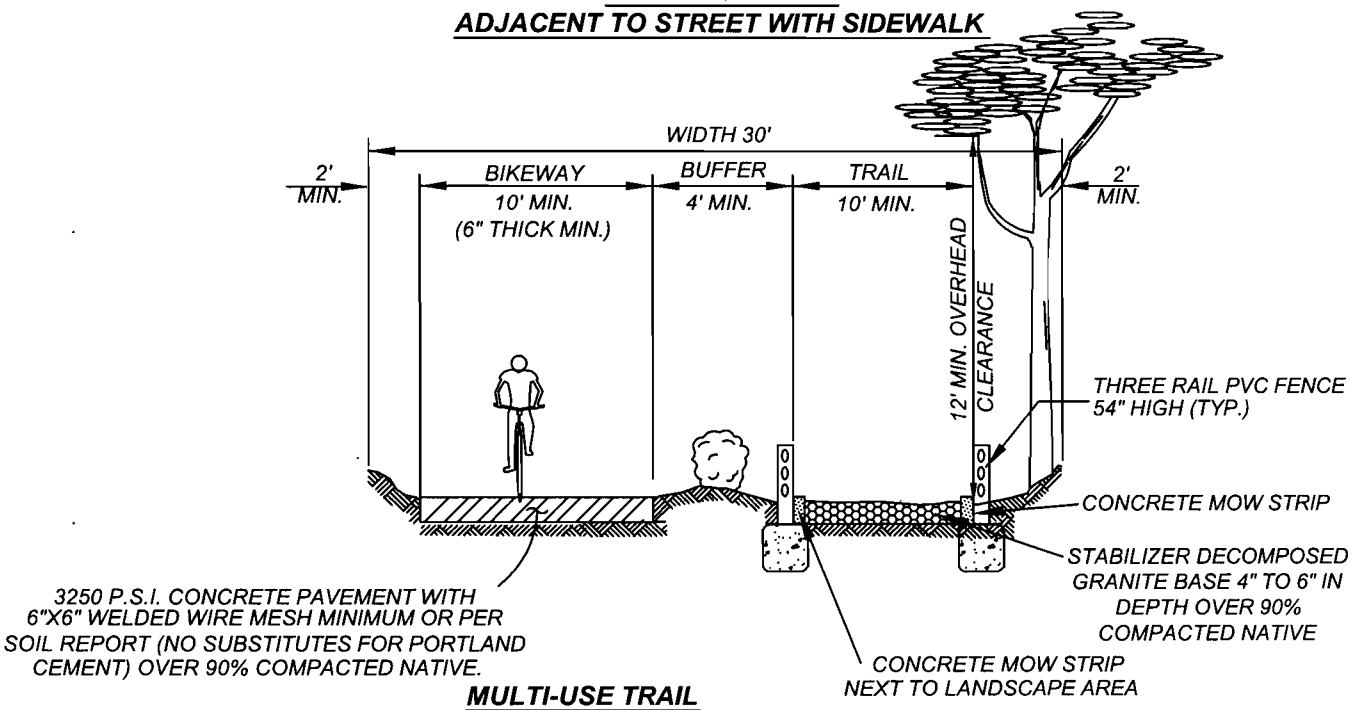

MULTI-USE TRAIL
TRAIL AND BIKEWAY COMBINATION

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREA'S.
2.) CLASS I & II BIKE ROUTES TO BE STRIPED AND DESIGNATED WITH SIGNAGE.
3.) CLASS III BIKE ROUTES DESIGNATED WITH SIGNAGE ONLY.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	1 of 12
	MULTI-USE TRAIL	NO. **217A**

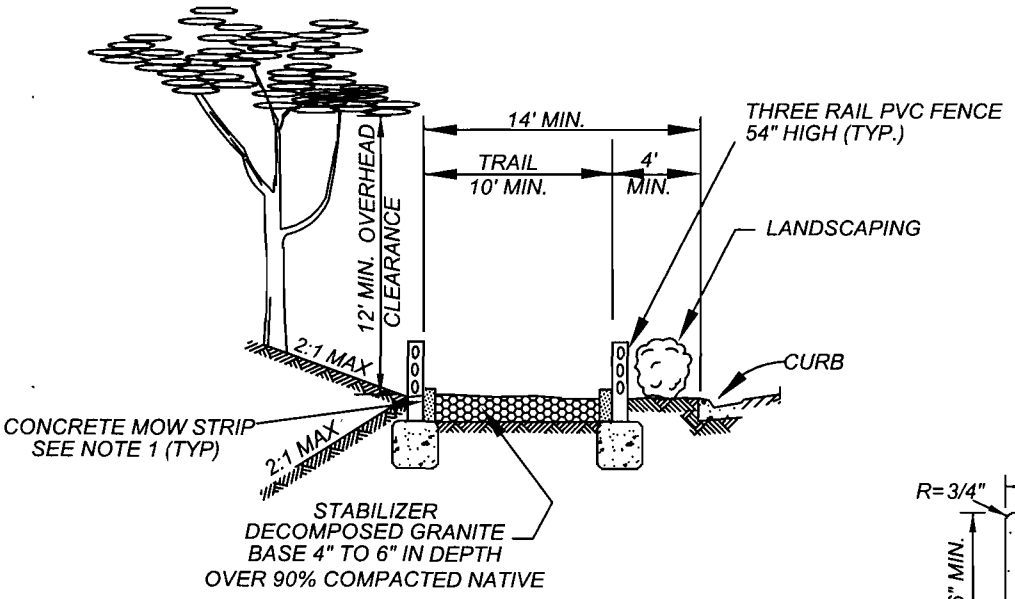

MULTI-USE TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

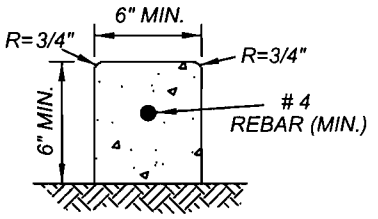

CONCRETE MOW STRIP
DETAIL

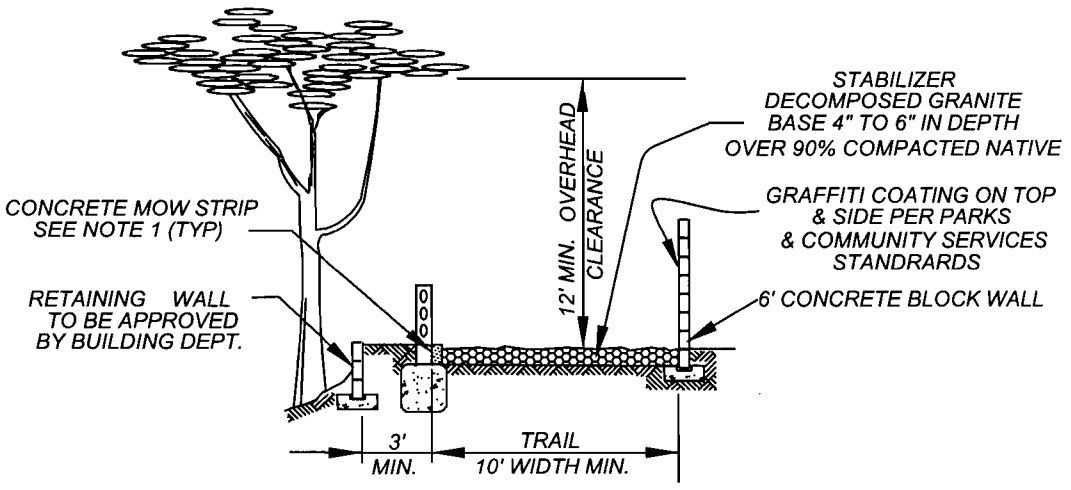

SECONDARY MULTI-USE TRAIL
ADJACENT TO FENCE, BLOCK WALL
OR RETAINING WALL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	2 of 12
		MULTI-USE TRAIL
		NO. **217B**

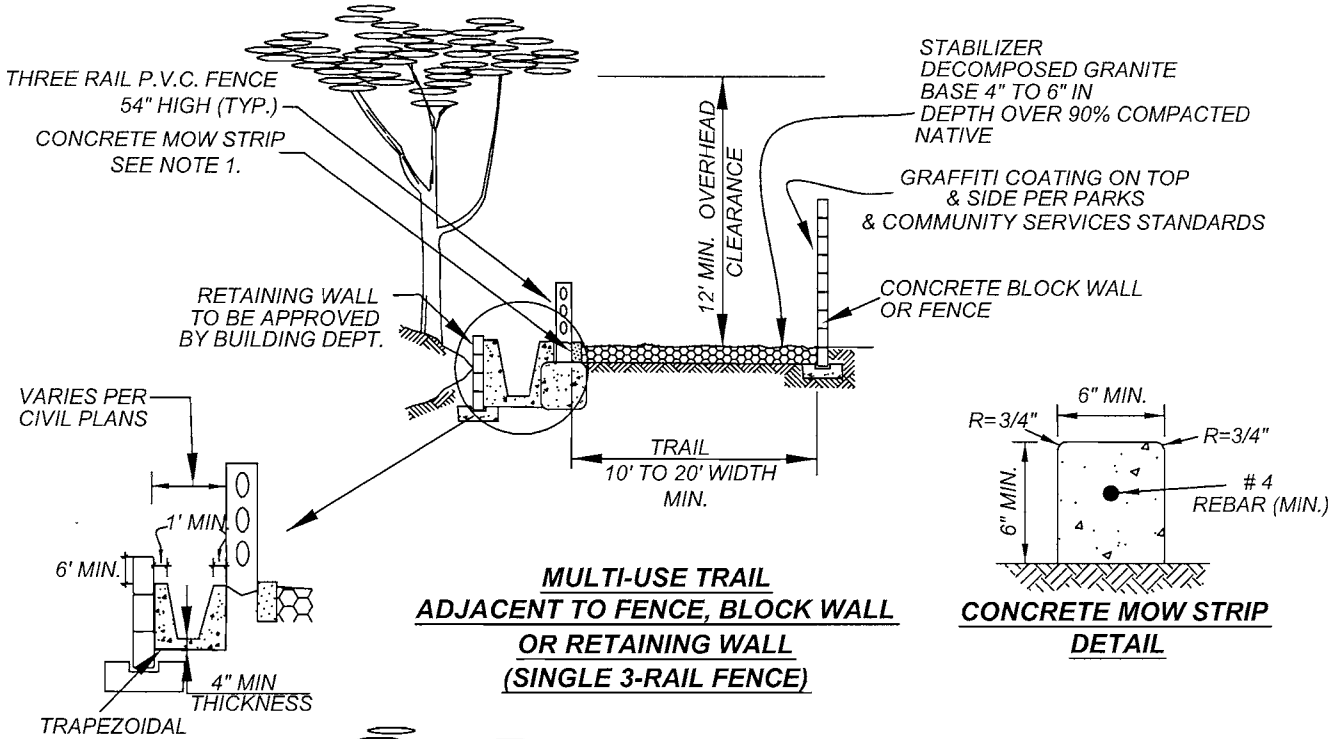

MULTI-USE TRAIL
ADJACENT TO FENCE, BLOCK WALL
OR RETAINING WALL
(SINGLE 3-RAIL FENCE)

CONCRETE MOW STRIP
DETAIL

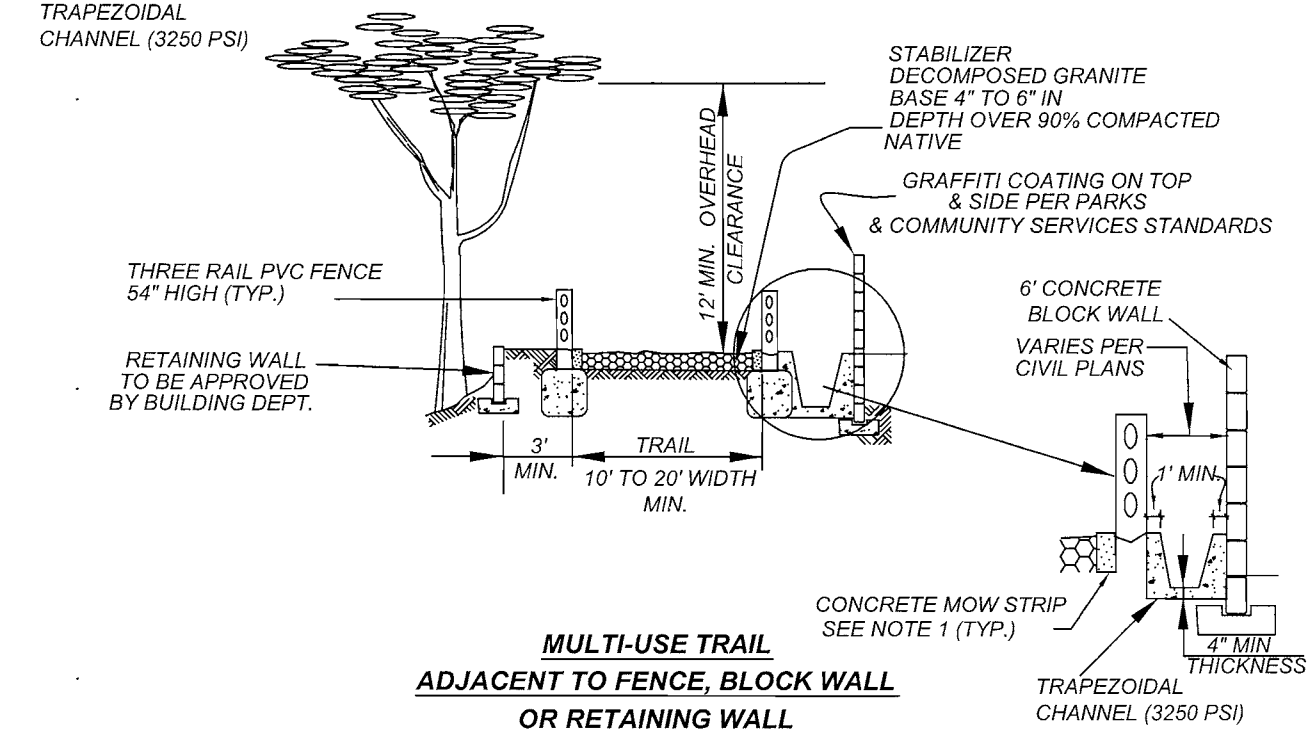

MULTI-USE TRAIL
ADJACENT TO FENCE, BLOCK WALL
OR RETAINING WALL
(DOUBLE 3-RAIL FENCE)

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) TRAIL SHALL BE PROTECTED WITH 3 - RAIL P.V.C. FENCE ADJACENT TO DRAINAGE TRAPEZOIDAL CHANNEL.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	3 of 12
		MULTI-USE TRAIL
		NO. **217C**

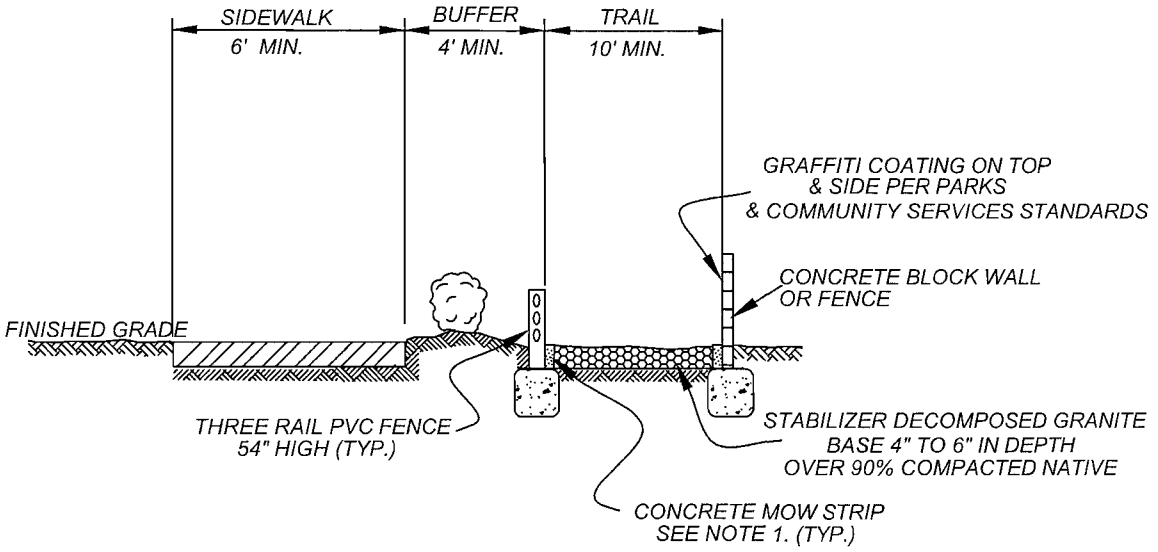

TRAIL AND SIDEWALK COMBINATION

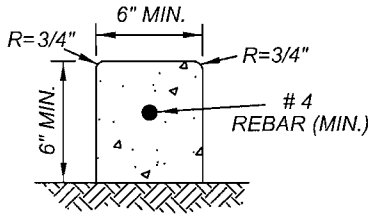

CONCRETE MOW STRIP DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	4 of 12 MULTI-USE TRAIL NO. 217D

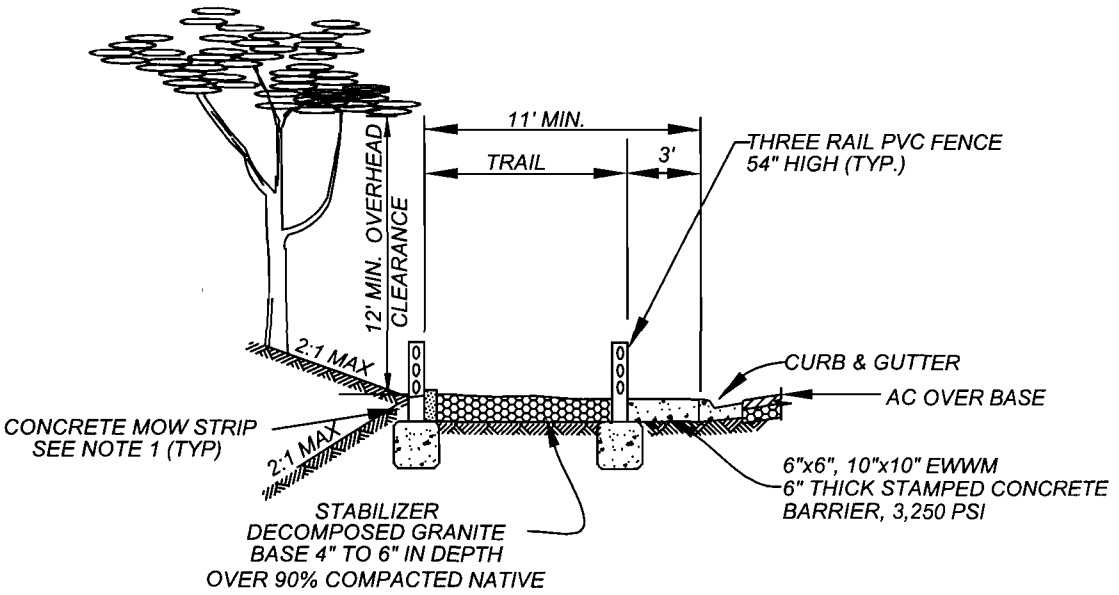

HOA MULTI-USE FEEDER TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

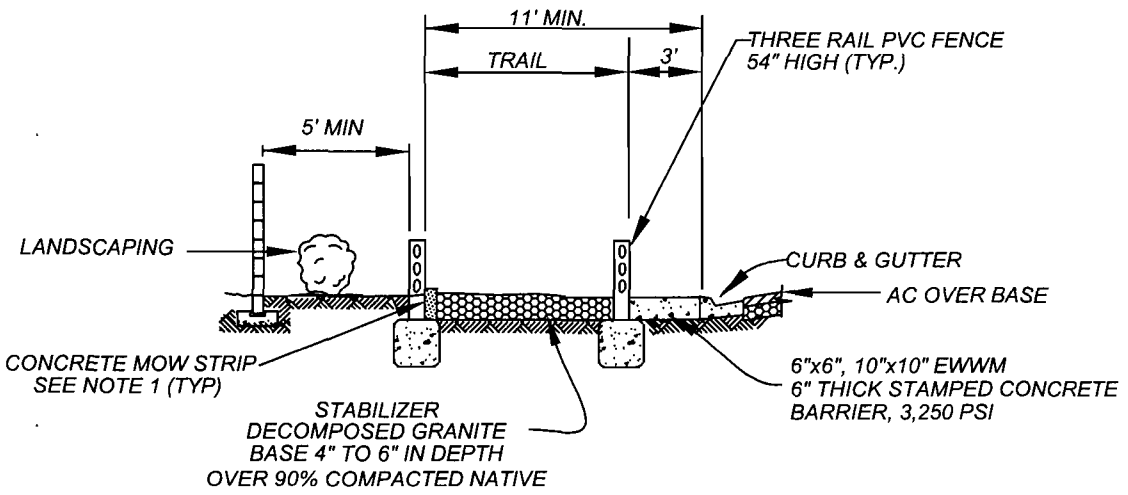

HOA SIDEYARD
MULTI-USE FEEDER TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

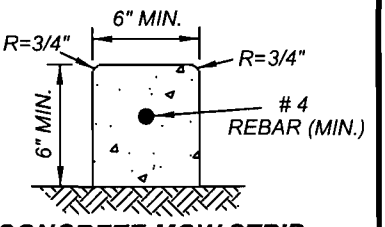

CONCRETE MOW STRIP DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) THE 3' WIDE STAMPED CONCRETE BARRIER SHALL BE COBBLESTONE RUNNING BOND PATTERN BY L. M. SCOFIELD WITH OMAHA TAN COLORING BY DAVIS COLORING OR APPROVED EQUALS .

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	MULTI-USE FEEDER TRAIL
		5 of 12 NO. 217E

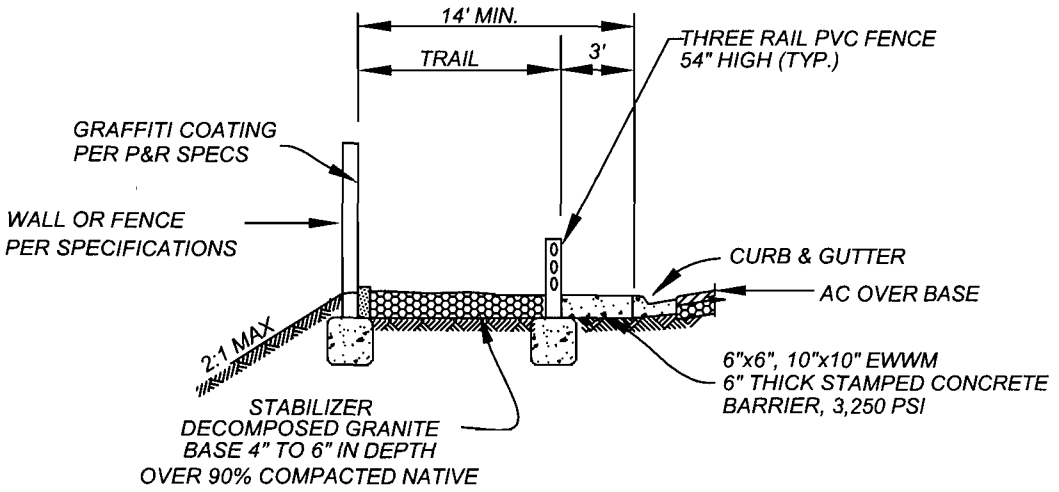

MULTI-USE TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

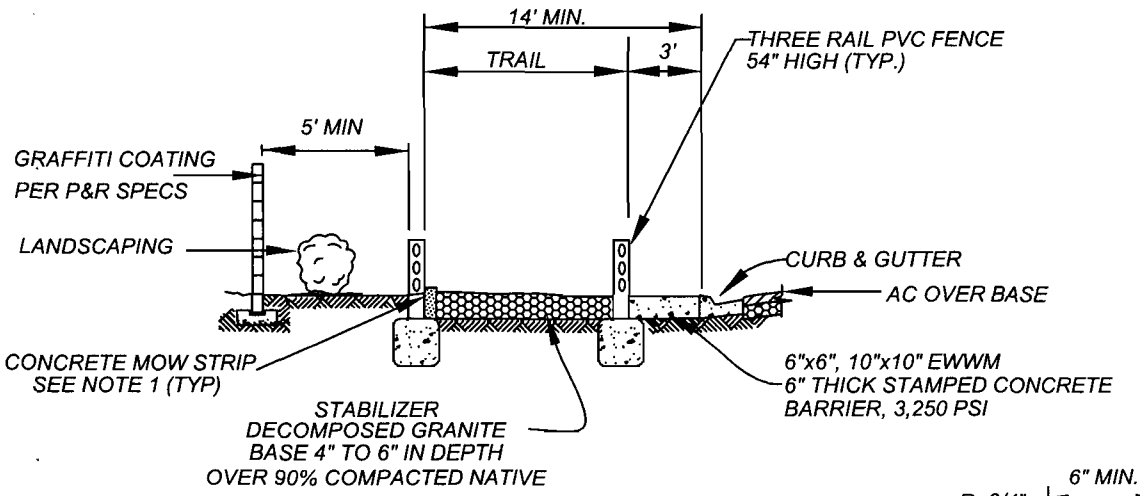

MULTI-USE TRAIL & PLANTER
ADJACENT TO STREET WITHOUT SIDEWALK

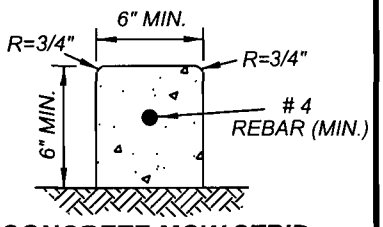

CONCRETE MOW STRIP DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) THE 3' WIDE STAMPED CONCRETE BARRIER SHALL BE COBBLESTONE RUNNING BOND PATTERN BY L. M. SCOFIELD WITH OMAHA TAN COLORING BY DAVIS COLORING OR APPROVED EQUALS .

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	6 of 12
	MULTI-USE TRAIL	NO. **217F**

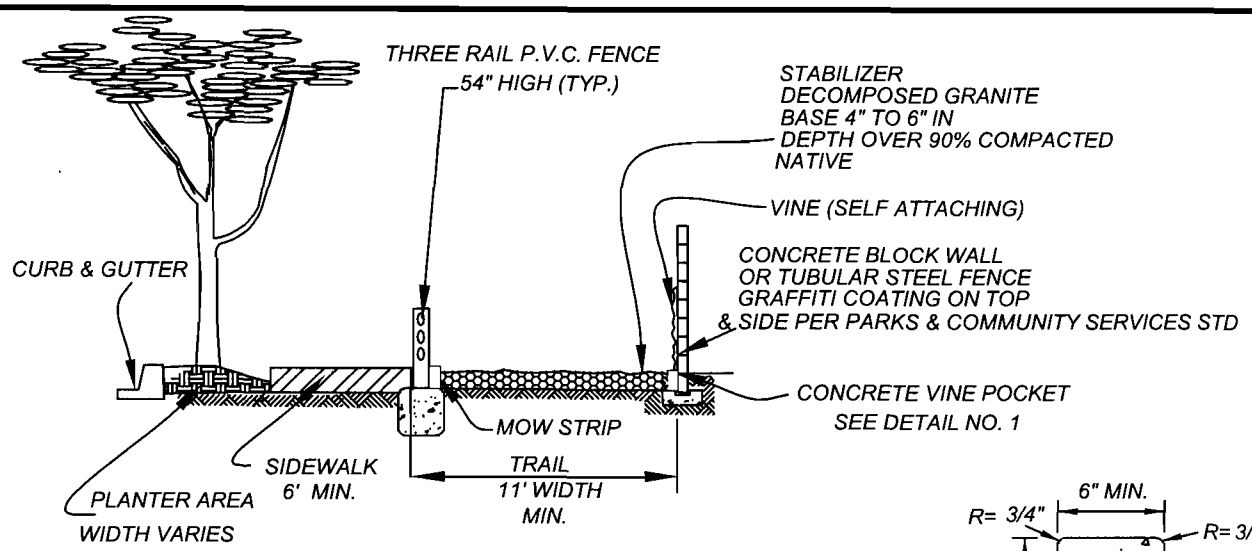

MULTI-USE TRAIL
ADJACENT TO SIDEWALK, FENCE/ BLOCK WALL
(SINGLE 3-RAIL FENCE)

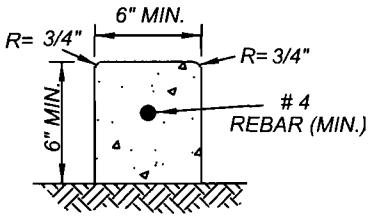

CONCRETE MOW STRIP DETAIL

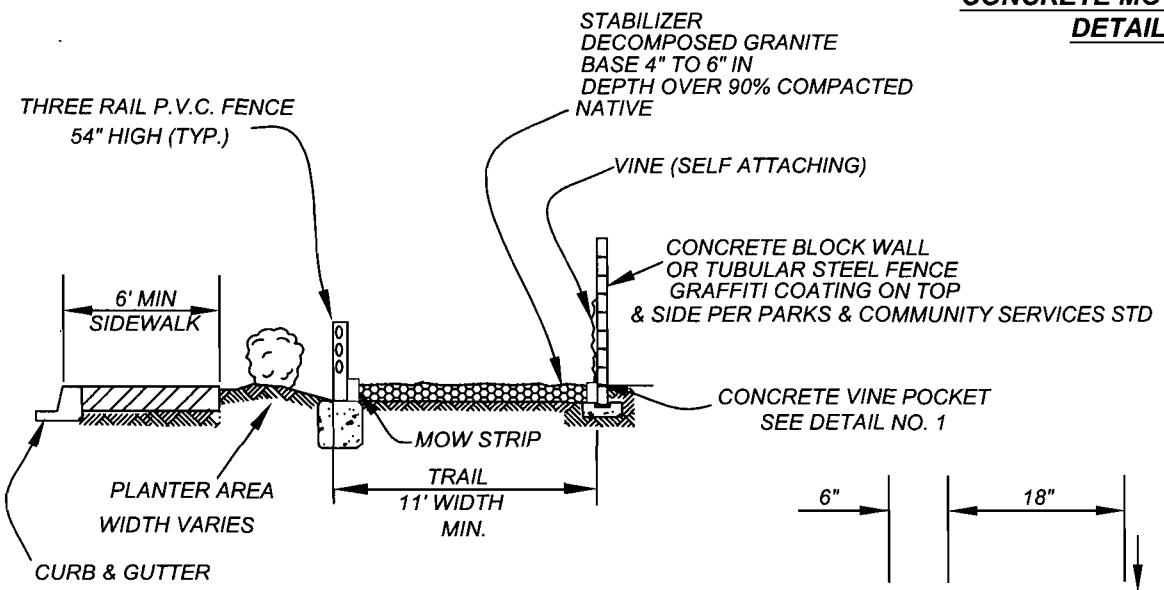

MULTI-USE TRAIL
ADJACENT TO PLANTER, FENCE/ BLOCK WALL
(SINGLE 3-RAIL FENCE)

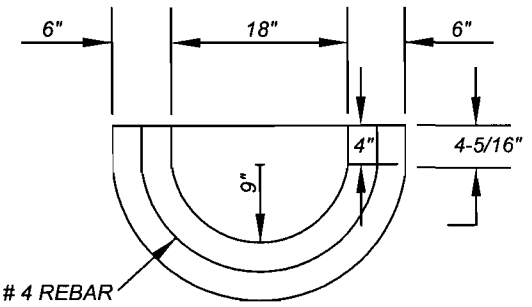

6" THICK CONCRETE VINE POCKET
DETAIL NO. 1

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) CONCRETE VINE POCKET REQUIRED TO PROTECT VINE.

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	7 of 12
	MULTI-USE TRAIL	NO. **217G**

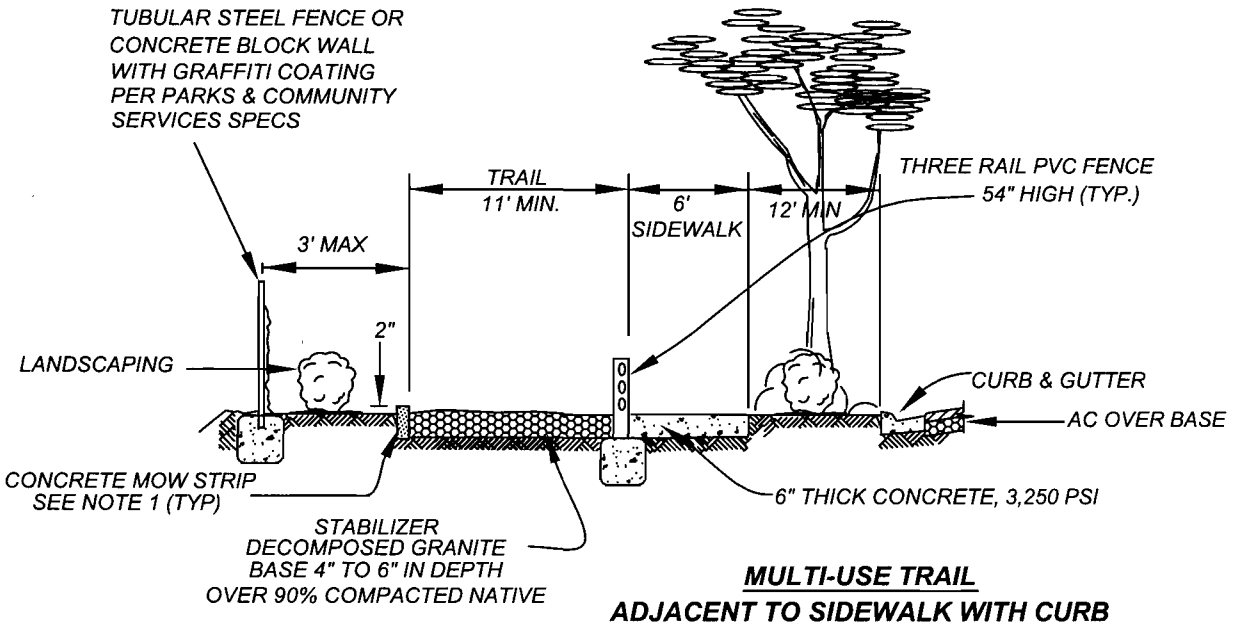

MULTI-USE TRAIL
ADJACENT TO SIDEWALK WITH CURB
ADJACENT PLANTER

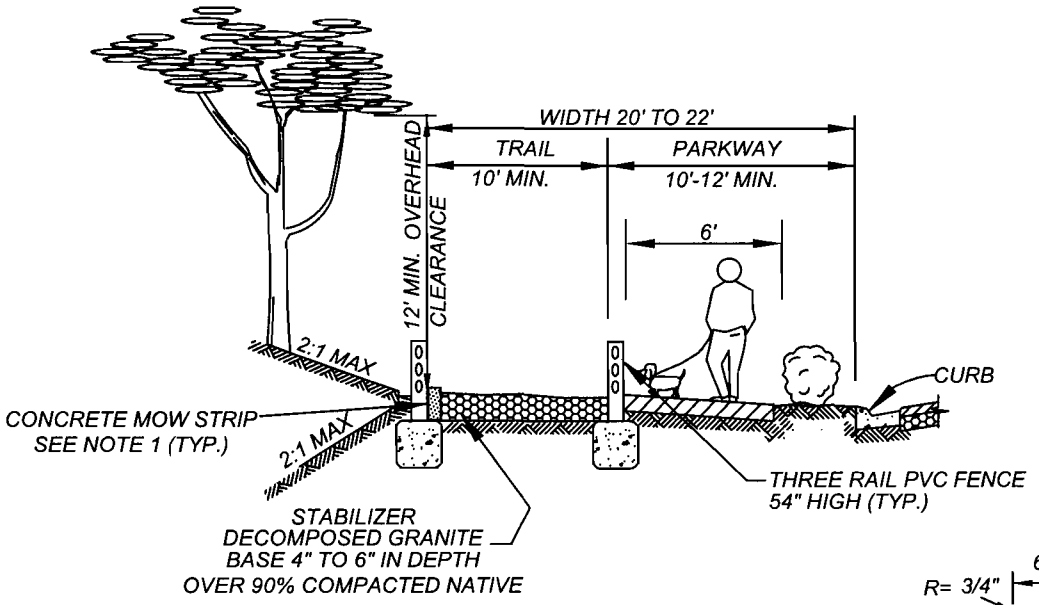

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

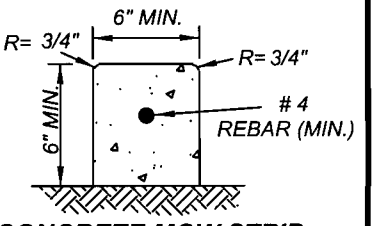

CONCRETE MOW STRIP
DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**MULTI-USE TRAIL**	8 of 12 NO. **217H**

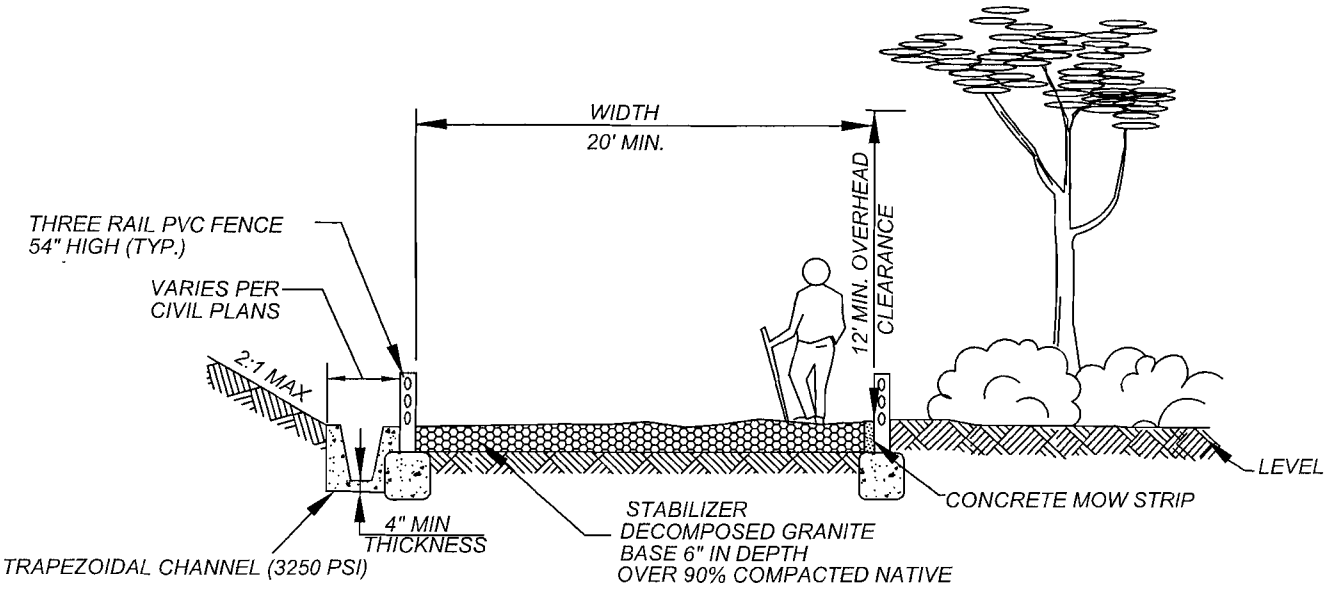

MULTI-USE TRAIL
WITH FIRE ACCESS

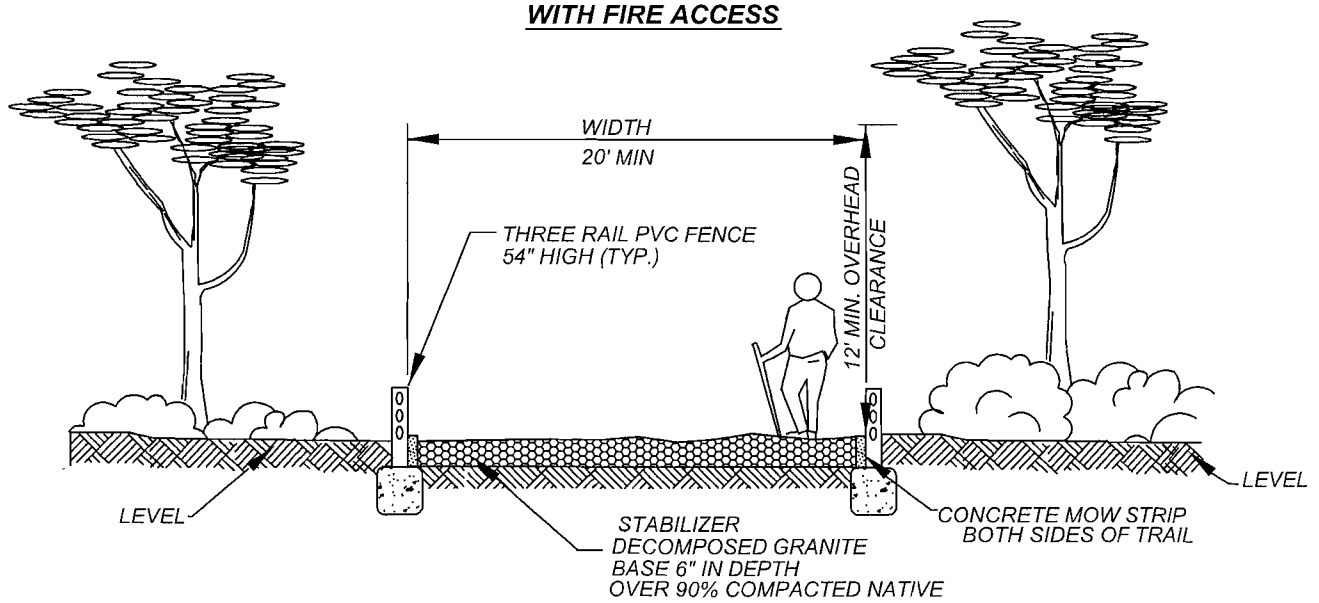

MULTI-USE TRAIL
WITH FIRE ACCESS

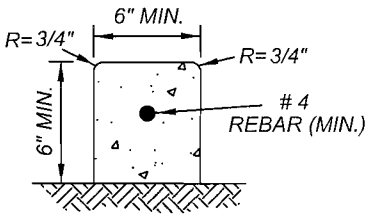

CONCRETE MOW STRIP
DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE & OPEN AREAS.

2.) ALL CONCRETE SHALL BE 560C-3250, DAVIS OMAHA TAN.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	9 of 12
	MULTI-USE TRAIL	NO. **217I**

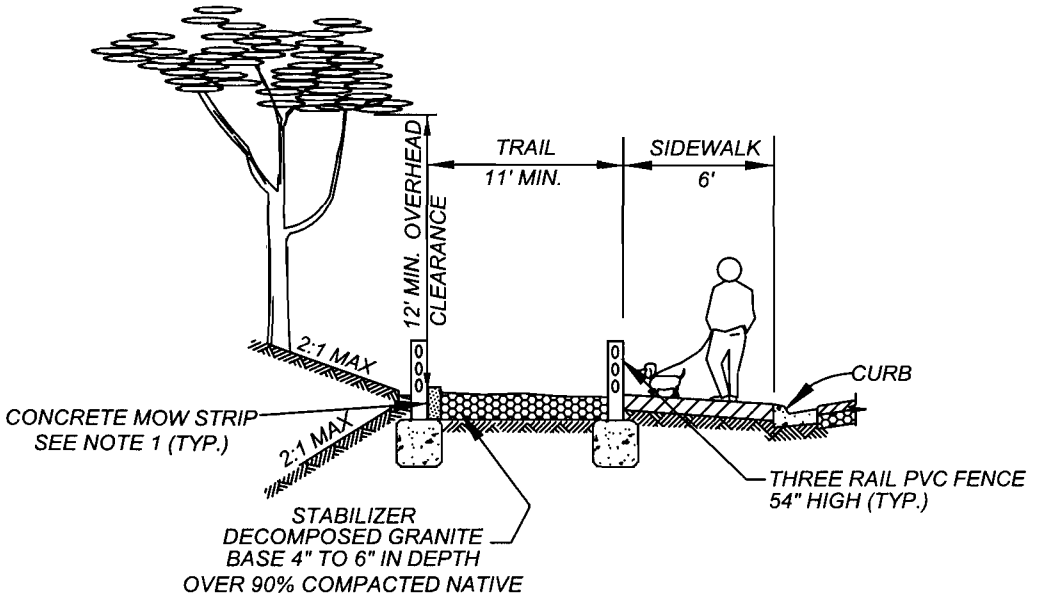

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

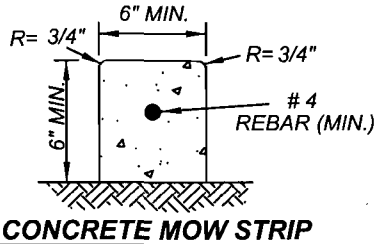

CONCRETE MOW STRIP
DETAIL

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	10 of 12
	MULTI-USE TRAIL	NO. **217J**

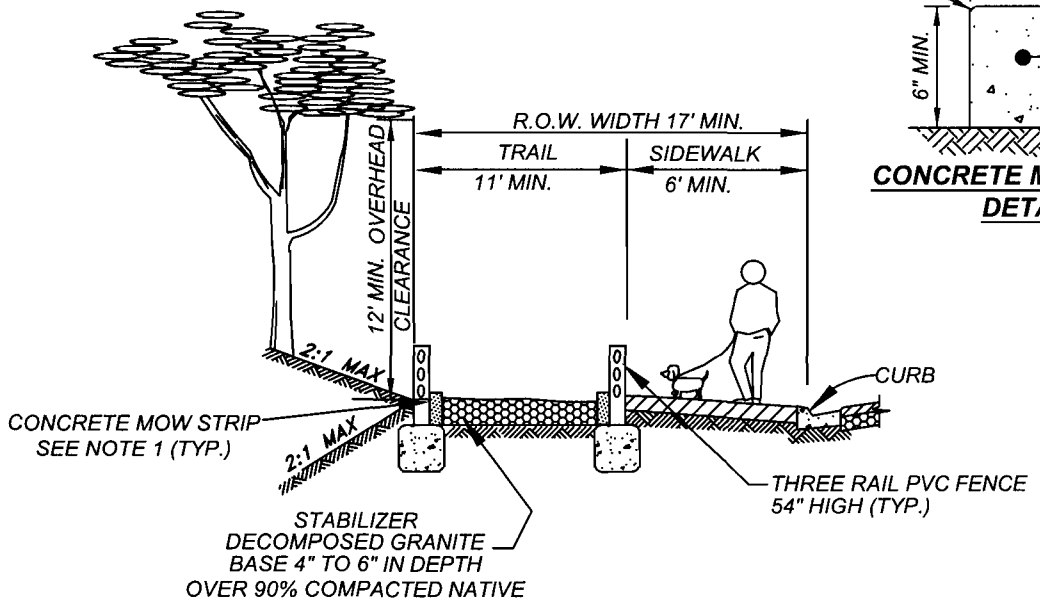

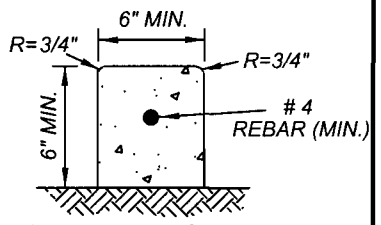

CONCRETE MOW STRIP DETAIL

MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

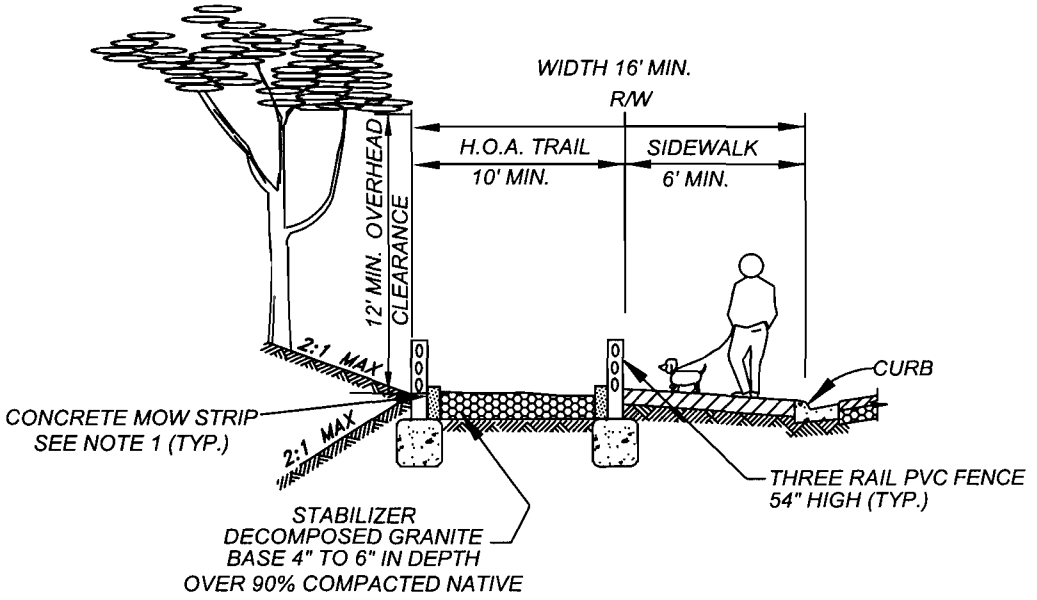

H.O.A. MULTI-USE TRAIL
ADJACENT TO STREET WITH SIDEWALK

NOTES:

1.) CONCRETE MOW STRIP, REQUIRED NEXT TO LANDSCAPE AREAS.

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	11 of 12
	MULTI-USE TRAIL	NO. **217K**

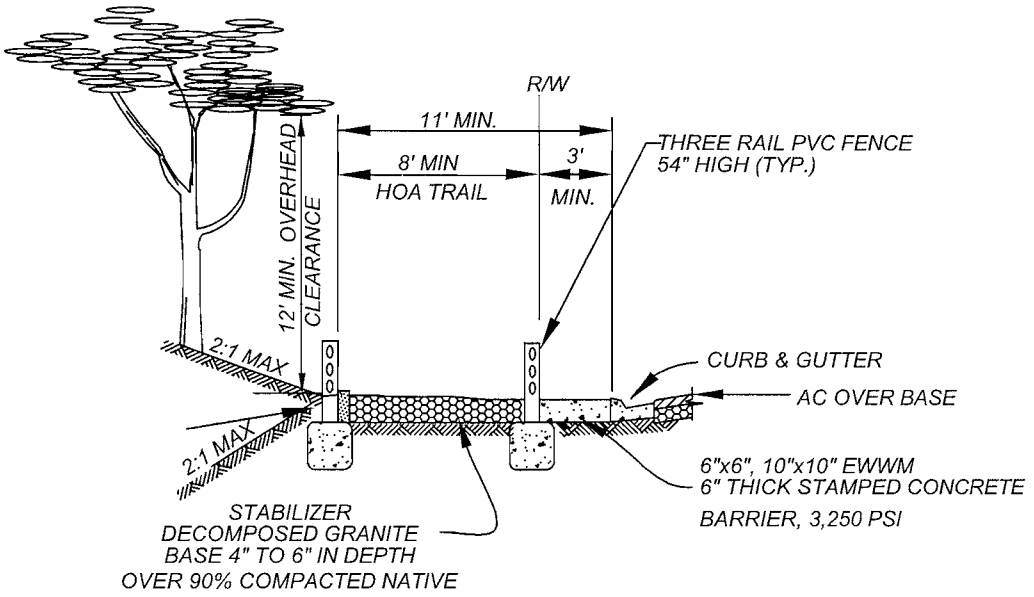

HOA MULTI-USE FEEDER TRAIL
ADJACENT TO STREET WITHOUT SIDEWALK

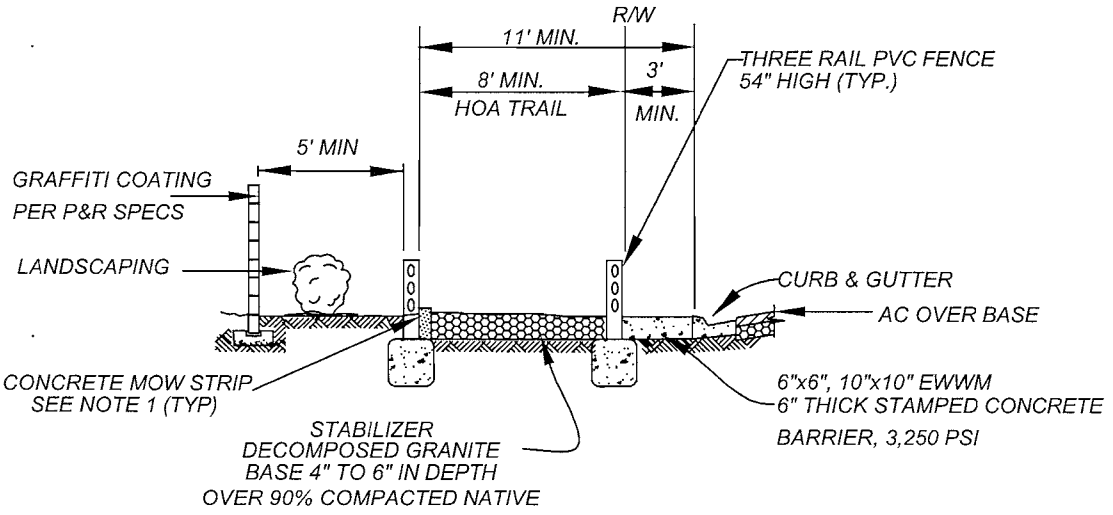

HOA MULTI-USE FEEDER TRAIL & PLANTER
ADJACENT TO STREET WITHOUT SIDEWALK

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREAS.
2.) THE 3' WIDE STAMPED CONCRETE BARRIER SHALL BE COBBLESTONE RUNNING BOND PATTERN BY L. M. SCOFIELD WITH OMAHA TAN COLORING BY DAVIS COLORING OR APPROVED EQUAL.
3.) THE 3' STAMPED CONCRETE AREA BEHIND CURB IS DESIGNED TO BE FOR UTILITIY EASEMENTS.

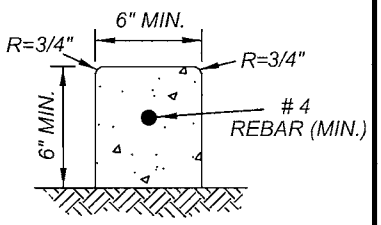

CONCRETE MOW STRIP DETAIL

PARKS & COMMUNITY SERVICES — DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR / CITY ENGINEER	DIVISION MANAGER INITIAL	MULTI-USE FEEDER TRAIL
		12 of 12 NO. 217L

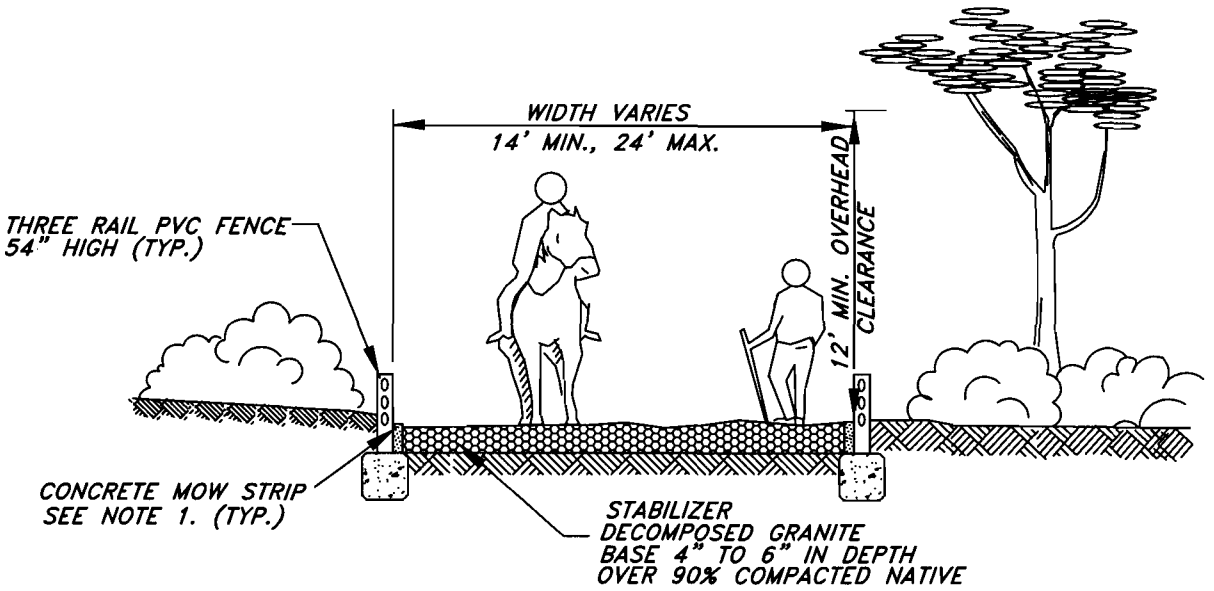

PRIMARY RIDING AND HIKING TRAIL
(STANDARD)

NOTES:

1.) CONCRETE MOW STRIP REQUIRED NEXT TO LANDSCAPE AREA'S.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**RIDING AND HIKING TRAILS**
		1 of 1 NO. **218**

MV00049811

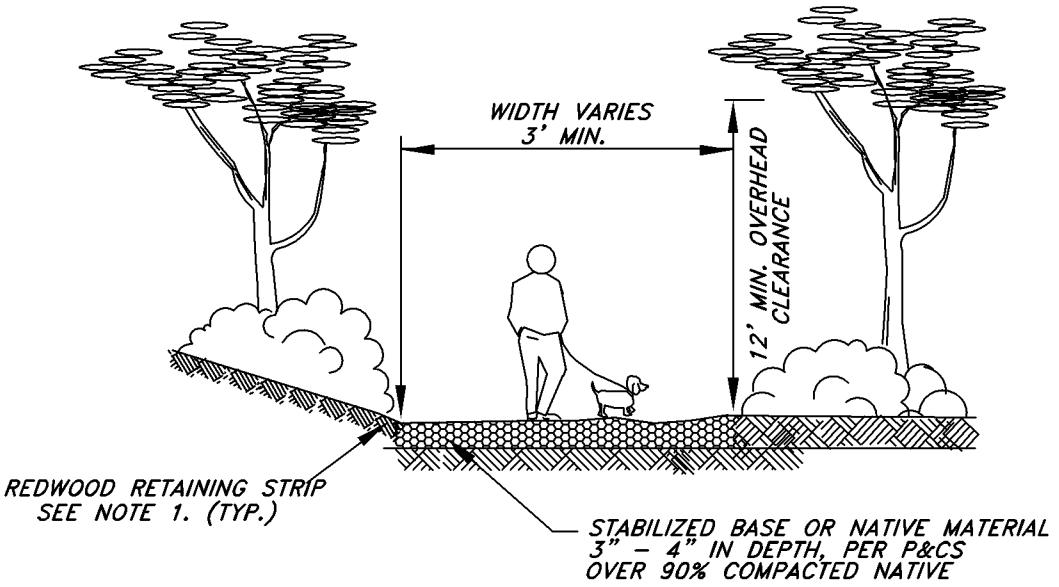

SECONDARY RIDING AND HIKING TRAIL

FOR HOA HILL SIDE AREAS

NOTES:

1.) 2" X 4" REDWOOD RETAINING STRIP AS REQUIRED NEXT TO LANDSCAPED AREAS AND SLOPES.

PARKS & RECREATION — DATE 07/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**SECONDARY RIDING AND HIKING TRAIL** — 1 of 1 — NO.

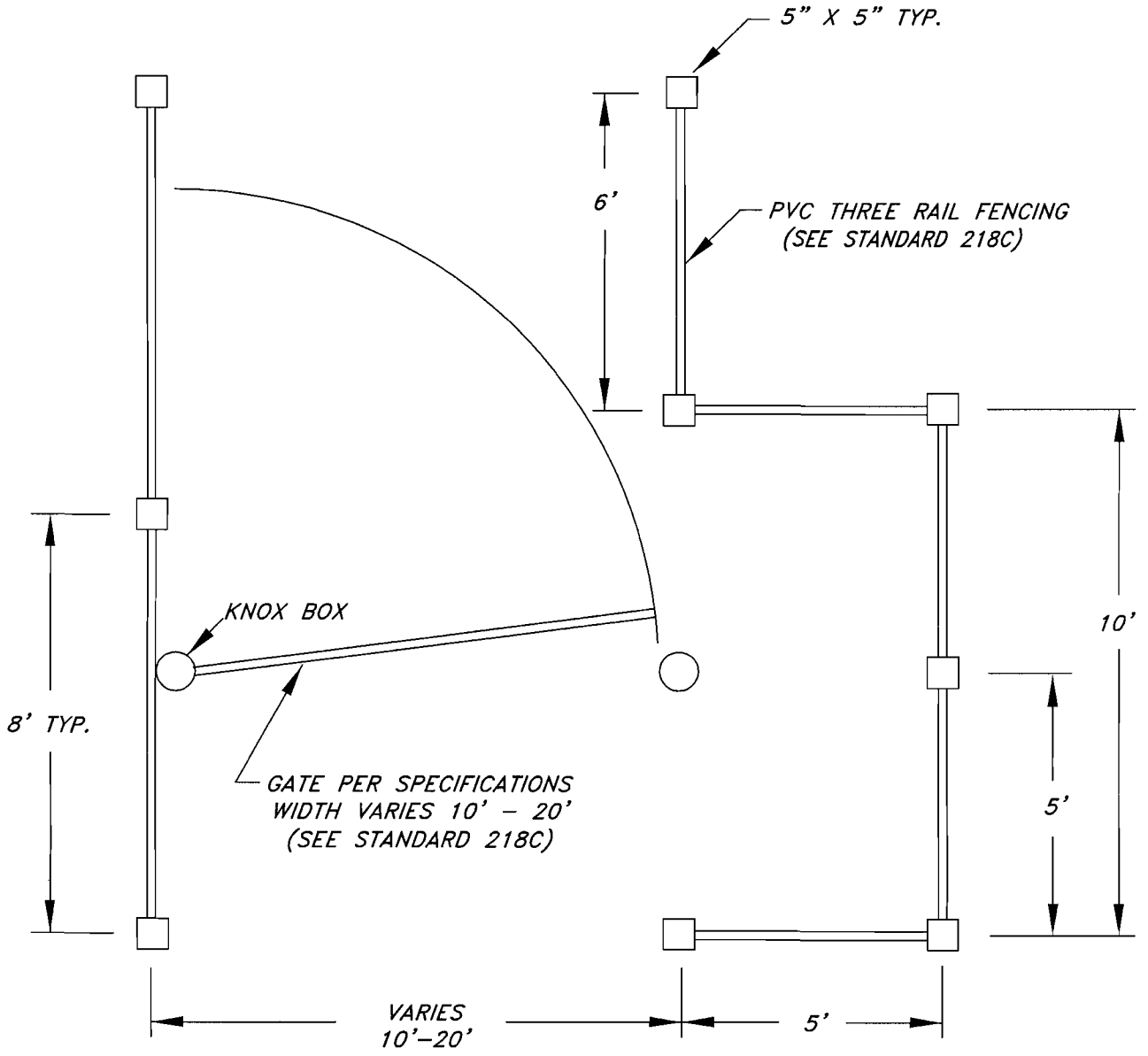

TRAIL HEAD

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	TRAILHEAD INGRESS / EGRESS GATE DETAIL
		1 of 10 NO. 218A

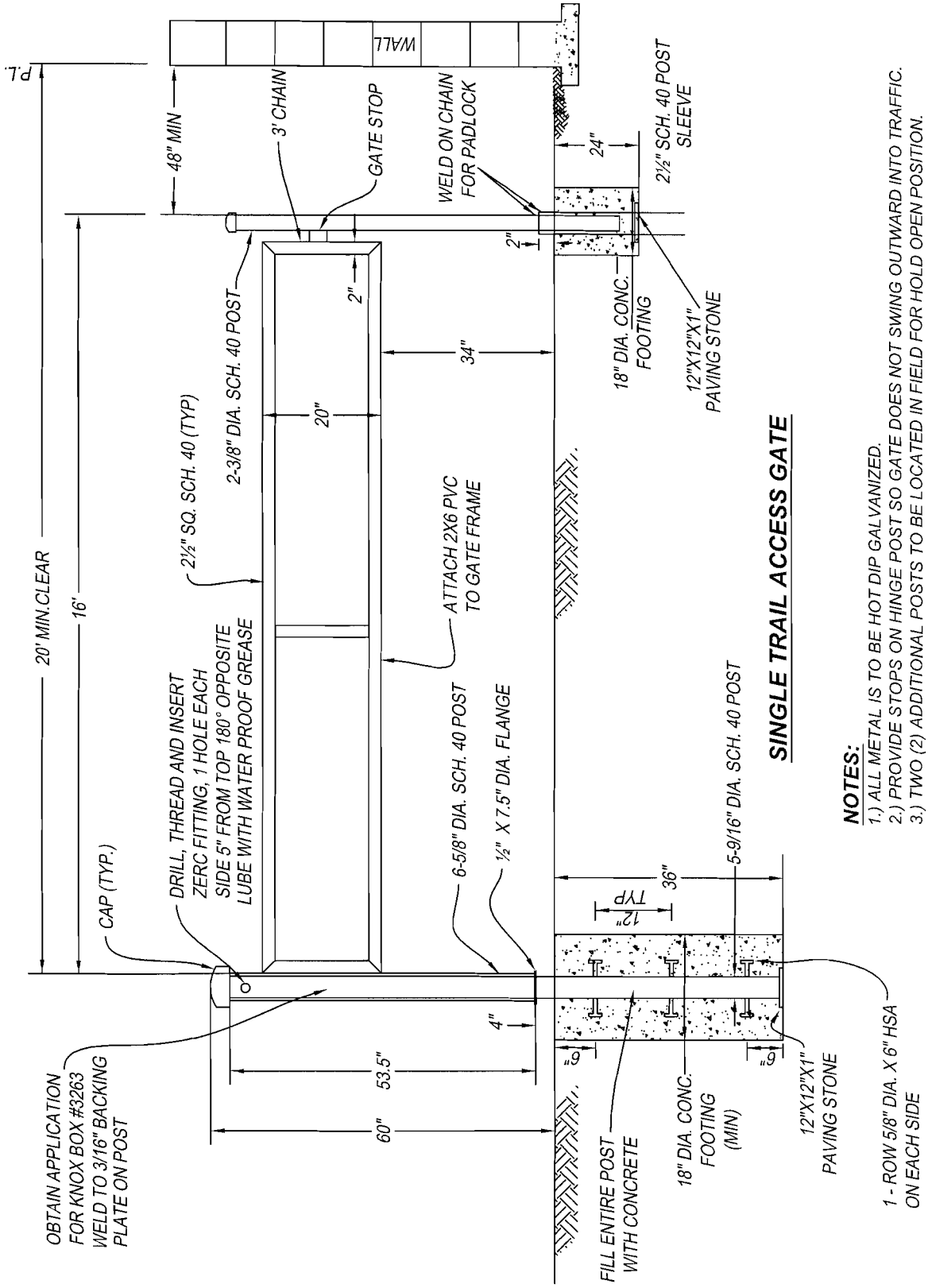

SINGLE TRAIL ACCESS GATE

NOTES:

1.) ALL METAL IS TO BE HOT DIP GALVANIZED.
2.) PROVIDE STOPS ON HINGE POST SO GATE DOES NOT SWING OUTWARD INTO TRAFFIC.
3.) TWO (2) ADDITIONAL POSTS TO BE LOCATED IN FIELD FOR HOLD OPEN POSITION.

PARKS & COMMUNITY SERVICES	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	2 of 10
		SINGLE TRAIL ACCESS GATE
		NO. **218B**

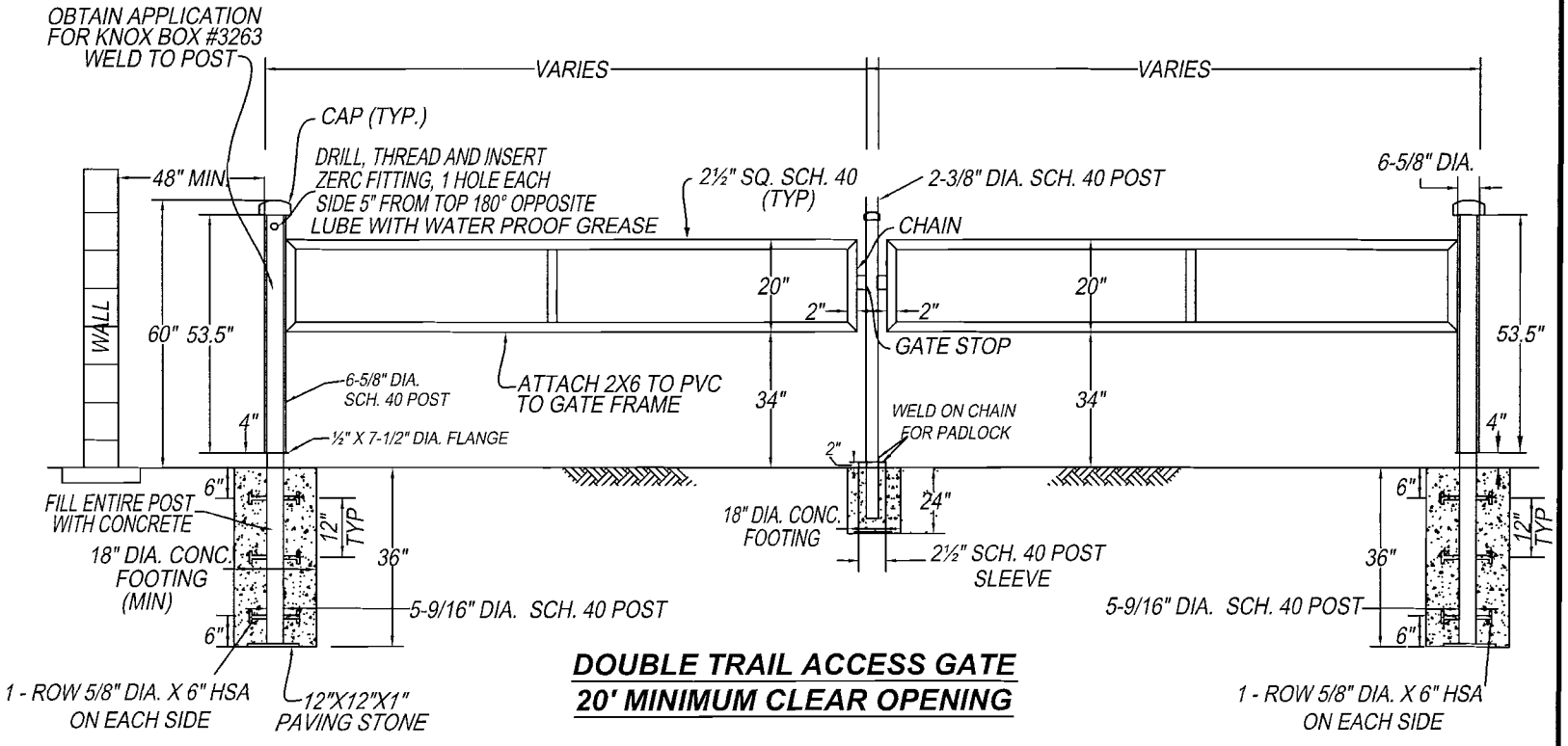

DOUBLE TRAIL ACCESS GATE
20' MINIMUM CLEAR OPENING

NOTES:

1.) ALL METAL IS TO BE HOT DIP GALVANIZED.
2.) PROVIDE STOPS ON HINGE POST SO GATE DOES NOT SWING OUTWARD INTO TRAFFIC.
3.) TWO (2) ADDITIONAL POSTS TO BE LOCATED IN FIELD FOR HOLD OPEN POSITION.

PARKS & COMMUNITY SERVICES

APPROVED BY

PUBLIC WORKS DIRECTOR/ CITY ENGINEER

DATE 1/08

DIVISION MANAGER INITIAL

CITY OF MORENO VALLEY

PREPARED BY CAPITAL PROJECTS

DOUBLE TRAIL ACCESS GATE

NO. **218C**

3 of 10

MV00049815

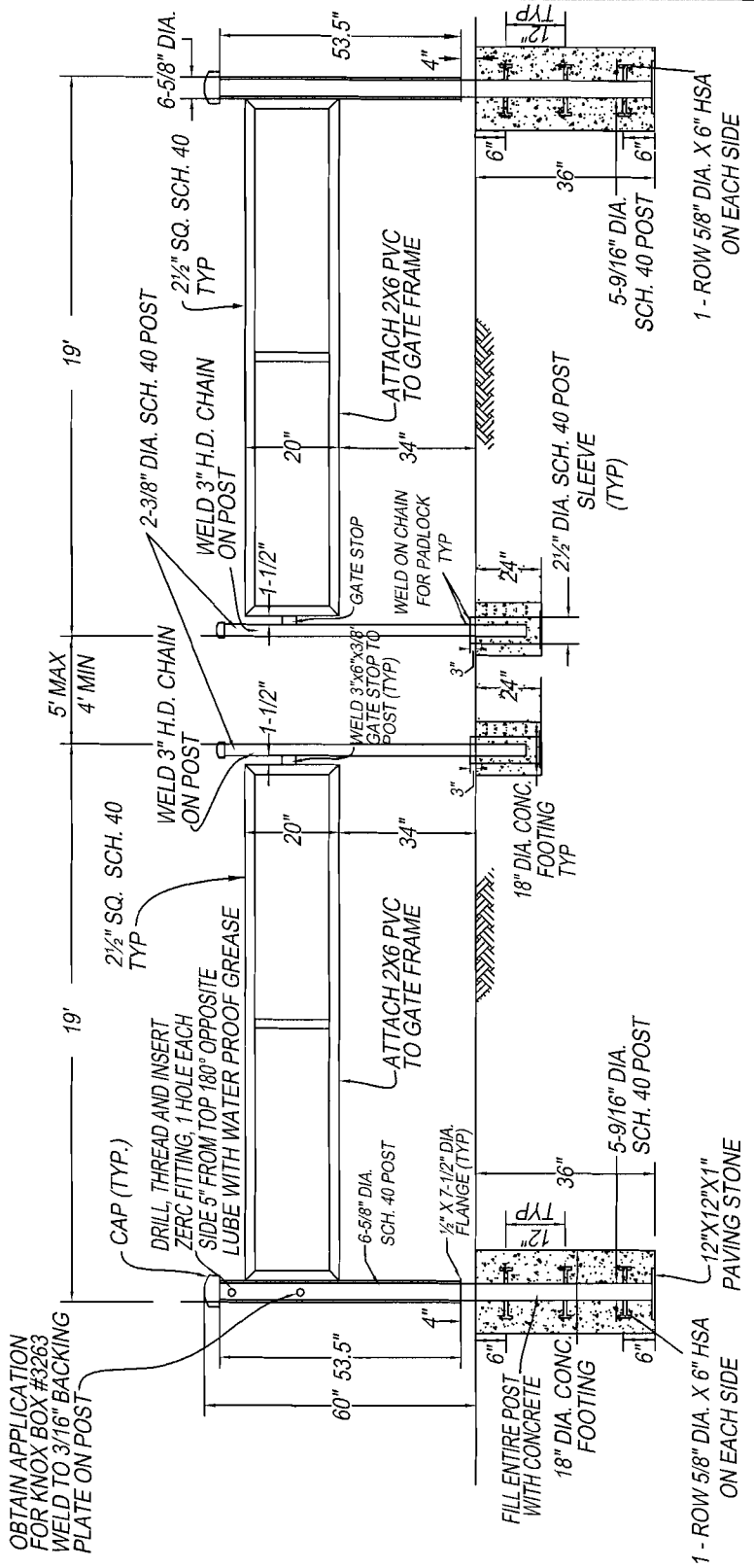

DOUBLE TRAIL ACCESS GATE WITH CENTER ACCESS

NOTES:

1.) ALL METAL IS TO BE HOT DIP GALVANIZED.
2.) PROVIDE STOPS ON HINGE POST SO GATE DOES NOT SWING OUTWARD INTO TRAFFIC.
3.) TWO (2) ADDITIONAL POSTS TO BE LOCATED IN FIELD FOR HOLD OPEN POSITION.

PARKS & COMMUNITY SERVICES	DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**DOUBLE TRAIL ACCESS GATE WITH CENTER OPENING**
		4 of 10 NO. **218D**

MV00049816

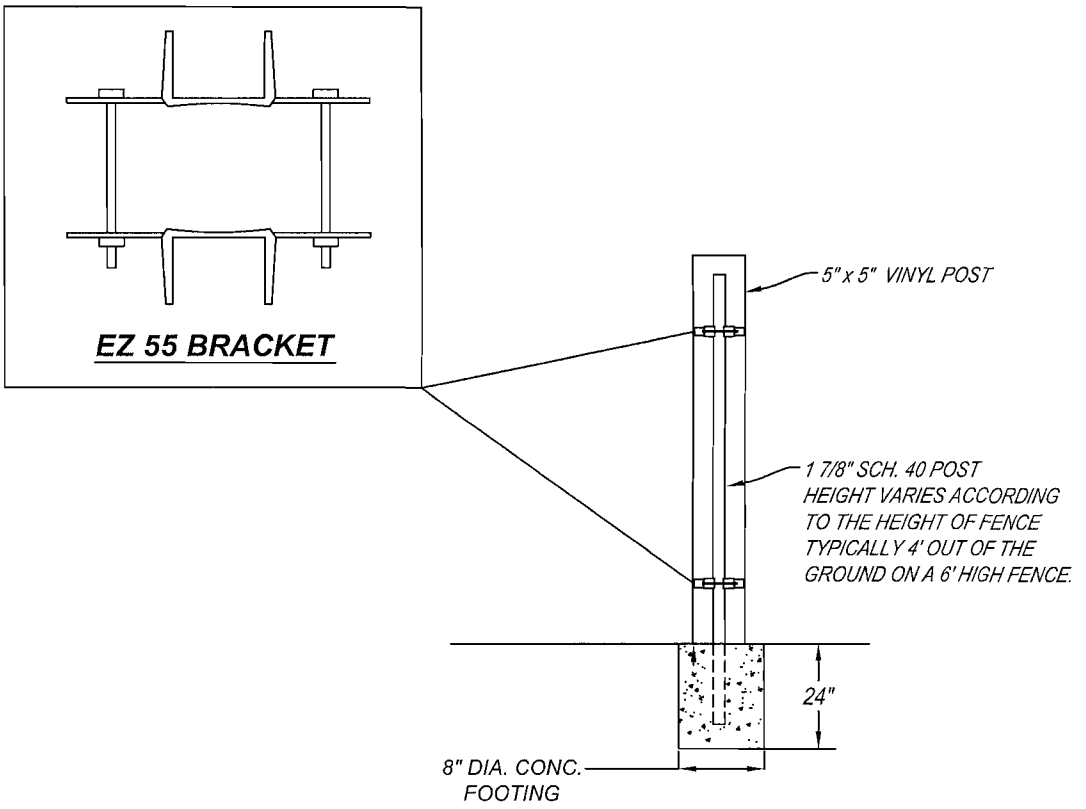

NOTE:
TO BE UTILIZED IN AREAS ADJACENT OR LOCATED IN CONCRETE, OR OTHERWISE REQUIRED.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**EZ 55 BRACKET WITH POST**
		5 of 10 NO. **218E**

FENCING TYPE / BRAND:

PVC, 3-RAIL ROUTED EQUESTRIAN FENCING. AVAILABLE FROM:
COUNTRY ESTATE FENCE, 1397 JEFFERSON STREET, ANAHEIM, CA 92807 PHONE (800) 286-0999.
ULTRA GUARD FENCE PRODUCTS, 3773 STATE ROAD, CUYAHOGA FALLS, OHIO 44223 PHONE (800) 457-1275
WEB: WWW.ULTRAGUARDVINYLFENCE.COM

- PVC FENCE COLOR SHALL BE ALMOND OR SAND COLOR, UNLESS INDICATED OTHERWISE.
- FENCING SHALL BE INSTALLED WITH A FINISHED HEIGHT OF 54" (TOP OF POST WITHOUT CAP)
- POSTS SHALL BE 5"x5" SQUARE AND HAVE INSET POST CAPS GLUED INTO PLACE WITH CLEAR SILICONE CEMENT.
- POST FOOTINGS SHALL BE 10" DIAMETER, 24" DEEP, SPACED 8'-0" ON CENTER WHERE APPLICABLE.
- POST SHALL BE INSTALLED ONTO EZ-55 BRACKETS AND STEEL POST, WHERE REQUIRED.
- 2000 lb. MINIMUM PSI CONCRETE SHALL BE POURED INTO POSTHOLE, THEN THE POST DRIVEN INTO THE CONCRETE. 'GREEN BOOK' STANDARDS SHALL BE IN AFFECT FOR ALL CONCRETE.
- POSTS SHALL BE INSTALLED PLUMB.
- POST ROUTING: FIRST HOLE SHALL BE 3" FROM THE TOP OF POST. MID RAIL IS TO BE SPACED 11" FROM BOTTOM OF TOP RAIL TO TOP OF MID RAIL. THIRD RAIL IS TO BE SPACED 11" FROM BOTTOM OF MID RAIL TO TOP OF THIRD RAIL. THIRD RAIL IS TO HAVE APPROXIMATELY 11" SPACING FROM BOTTOM OF THIRD RAIL TO FINISH GRADE. FINISH GRADE SHALL BE CALCULATED TO DECOMPOSED GRANITE PATH.
- RAILS SHALL BE 2"x6"X16' PVC WITH RAIL LOCKS ON EACH SECTION. NOMINAL SIZES ARE NOT ACCEPTABLE.
- MINIMUM TRAIL WIDTH SHALL BE 10' (INSIDE POSTS). WHERE FIRE DEPARTMENT ACCESS IS NECESSARY, TRAIL SHALL BE A MINIMUM OF 20' WIDE. TRAIL IS DEFINED AS MINIMUM SURFACE AREA WITHOUT OBSTRUCTIONS (FENCE POSTS, "V" DITCH, ETC.).
- EQUESTRIAN FENCING SHALL BE INSTALLED ON BOTH SIDES OF TRAIL, UNLESS A WALL OR OTHER APPROVED FENCING IS INSTALLED ON ONE SIDE.
- EQUESTRIAN TRAILHEADS SHALL BE UTILIZED WHEN A TRAIL TERMINATES AT PUBLIC STREET OR HIGHWAY, WHERE SPECIFIED. THE ROUGH DIMENSIONS FOR EQUESTRIAN SWITCHBACKS ARE 5'x10'. SEE STANDARD PLAN 218A AND INSTALL AS REQUIRED. A 'STOP' SIGN SHALL BE INSTALLED AT ALL LOCATIONS THAT EXIT ONTO A ROADWAY, WHERE REQUIRED. A CITY SUPPLIED TRAIL SIGN SHALL BE INSTALLED ON ALL TRAIL ENTRANCES. SIGN AND POST SPECIFICATIONS ARE TO ADHERE TO THE CITY'S STANDARD PLANS. ALL POSTS SHALL BE SUPPLIED BY THE CONTRACTOR.
- THE TRAIL AND FENCING SHALL CONNECT WITH ADJACENT TRAILS.
- THREE CABLE FENCING PER CALTRANS STANDARDS MAY BE REQUIRED IN SOME AREAS.
- GATES ARE REQUIRED IN LOCATIONS WHERE FIRE AND/OR MAINTENANCE ACCESS IS DESIGNATED. GATES FOR OPENINGS SHALL BE CONSTRUCTED OF HOT DIPPED GALVANIZED STEEL PIPE. SINGLE GATE WIDTH IS NOT TO EXCEED 16'. GATE OPENINGS IN EXCESS OF 16' SHALL BE EQUAL SIZED DOUBLE GATES WITH A SLEEVED REMOVABLE POST. THE GATES SHALL BE EQUIPPED WITH A HEAVY DUTY CHAIN (ADDITIONAL CHAIN SECTIONS REQUIRED WHERE MULTIPLE LOCKS ARE USED) AND A REMOVABLE LATCH POST WITH A GATE STOP. THE REMOVABLE LATCH POST SHALL HAVE A CHAIN WELDED TO BOTH THE POST AND THE SLEEVE FOR SECURING BY AN APPROVED PADLOCK. ADDITIONALLY, THE CENTER POST IS TO HAVE A DOMED CAP INSTALLED. ALL GATES ARE TO BE EQUIPPED WITH A PARKS AND COMMUNITY SERVICES APPROVED KNOX BOX. THESE ITEMS ARE TO BE WELDED TO FRAME ON A $\frac{1}{4}$" THICK GALVANIZED PLATE. ALL GATE POSTS, WITH THE EXCEPTION OF THE CENTER POST SHALL BE FILLED WITH CONCRETE AND DOME CAPPED. FRAMES SHALL HAVE MITERED CORNERS AND THE CENTER RAIL SHALL BE CUT TO FIT INTO THE FRAME. PVC FENCE MATERIAL SHALL BE SECURELY ATTACHED TO THE GATE FRAME AND RAILS.

MASONARY:

- THE SIDE OF THE TRAIL OR ACCESS POINTS THAT ARE ADJACENT TO RESIDENCES SHALL CONTAIN FENCING CONSTRUCTED OF DECORATIVE CONCRETE BLOCK OR DECORATIVE CONCRETE BLOCK / ORNAMANTAL IRON WITH A MINIMUM HEIGHT OF 72". SLUMP STONE AND SPLIT FACED BLOCK SHALL BE TAN MOTAR AND HAVE A PRECAST WALL CAP. ALL WALLS SHALL BE SOLID GROUTED. THE CONCRETE BLOCK DESIGN AND COLOR SHALL BE APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS / HER DESIGNEE. FENCING/WALLS SHALL BE INSTALLED ON RESIDENTS' OR HOMEOWNERS ASSOCIATION PROPERTY. RETAINING WALLS SHALL ADHERE TO THE SAME SPECIFICATIONS AS LISTED ABOVE.
- ALL DECORATIVE MASONARY WALLS ADJACENT TO TRAILS AND THEIR ENTRANCES SHALL BE GRAFFITI COATED WITH "VITROCEM HI-BUILD ANTI GRAFFITI GLAZED COATINGS", MANUFACTURED BY BITHEL INC @ (800) 277-1676. FOLLOW MANUFACTURER'S DIRECTIONS FOR APPLICATION. ANY REQUESTED PRODUCT DEVIANCES REQUIRE A PRODUCT SPECIFICATION SHEET AND A FINISHED SAMPLE OF THE PRODUCT AND THIRD PARTY TESTING. THEY SHALL BE SUBMITTED TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE FOR WRITTEN APPROVAL PRIOR TO INSTALLATION.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		**MULTI-USE TRAIL SPECIFICATIONS** — 6 of 10 — NO. **218F**

CONCRETE:

- ALL CONCRETE SHALL BE IN ACCORDANCE TO "GREENBOOK" STANDARD SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION, SECTION 201. COPIES OF ALL LOAD TICKETS ARE REQUIRED TO BE SUBMITTED TO THE PARKS AND COMMUNITY SERVICES WEEKLY OR UPON IMMEDIATE REQUEST.
- ALL CONCRETE FOR TRAPEZOIDAL CHANNEL, 'V' OR BROW DITCHES, CATCH BASINS, SWALES, RETAINING WALLS, CHANNELS, DRIVE APPROACHES, AND OTHER FLAT WORK SHALL BE INTEGRALLY MIXED WITH DAVIS COLORS CONCENTRATED PIGMENTS AT THE RATE SPECIFIED BY THE MANUFACTURER. THE COLOR SHALL BE "OMAHA TAN". FINISHES SHALL BE PER PLAN. COLORED CONCRETE SHALL BE CURED WITH DAVIS W-1000 CLEAR SPRAY-ON MEMBRANE. ANY REQUESTED COLOR DEVIANCES REQUIRE A COLOR CHART SUBMITTAL, PRODUCT SPECIFICATION, AND A FINISHED SAMPLE OF THE PRODUCT SUBMITTED TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE FOR WRITTEN APPROVAL PRIOR TO ANY TRAIL CONSTRUCTION.
- TRAPEZOIDAL CHANNEL AND "V" OR BROW DITCH SHALL BE SEPARATED FROM THE TRAIL BY PVC OR CHAIN LINK FENCING (PER "GREENBOOK")
- CONCRETE DRIVEWAYS / APPROACHES TO TRAILS SHALL BE CONSTRUCTED 8"-THICK, 560C-3250 (3250 PSI), MAXIMUM 4" SLUMP, WITH #4 REBAR TIED 18" O.C. IF A PUMP CONCRETE MIX IS UTILIZED IT SHALL BE CLASS 660C-4000P (4000 PSI). THE FINISH SHALL BE RAKED NON-SLIP SURFACE; COLOR SHALL BE DAVIS COLORS "OMAHA TAN", UNLESS AUTHORIZED OTHERWISE IN WRITING BY PARKS AND COMMUNITY SERVICES. ALL JOINTS SHALL BE DEEP TROWEL.
- DRIVEWAYS SHALL BE LABELED 'NO PARKING FIRE LANE', 12" HIGH, WITH RED THERMOPLASTIC, AT MAXIMUM OF 12' FROM CURB FACE.

DRAWINGS AND INSPECTIONS:

- ALL CONSTRUCTION DRAWINGS MUST BE SUBMITTED TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE AND APPROVED BEFORE CONSTRUCTION BEGINS.
- ALL CHANGES SHALL BE "REDLINED" AND APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE AND THE ARCHITECT BEFORE THEY ARE MADE.
- MATERIAL SUBMITTALS SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE PRIOR TO COMMENCEMENT OF THE PROJECT.
- THE DEVELOPER / CONTRACTOR SHALL SUBMIT TO THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE SIX (6) FULL SETS OF "AS-BUILT" DRAWINGS AND ONE (1) MYLAR WITH HANGING TABS BEFORE THE PROJECT IS RELEASED. THE DESIGNING ARCHITECT SHALL COMPLETE THE DRAWINGS.
- INSPECTION NOTICES FOR ALL PARK AND COMMUNITY SERVICES DEPARTMENT RELATED CONSTRUCTION SHALL BE A MINIMUM OF 48 HOURS IN ADVANCE. INSPECTIONS SHALL BE COORDINATED UPON GRADING, FENCE INSTALLATION, CONCRETE INSTALLATION, DECOMPOSED GRANITE INSTALLATION, AND FINAL ACCEPTANCE. PHONE 951.413.3701.
- THE CONTRACTOR MAY OFFER ANY MATERIAL CONSIDERED TO BE EQUIVALENT TO THAT INDICATED. THE SUBSTANTIATION OF OFFERS SHALL BE SUBMITTED IN WRITING AND APPROVED IN WRITING BY THE PARKS AND COMMUNITY SERVICES DEPARTMENT.

TRAIL SURFACE:

- ALL PLAN DETAILS ARE REQUIRED TO SHOW CROSS SECTIONS OF THE TRAIL. THE TRAIL CROSS SECTIONS MUST REFLECT AND INDICATE THE VARIOUS GRADE CHANGES ALONG THE LENGHT OF THE TRAIL. TRAILS SHALL NOT EXCEED A 10% GRADE (UNLESS SPECIFICALLY APPROVED FOR 12%) IN ANY AREA AND HAVE A MAXIMUM 2% CROSS SLOPE. THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE SHALL APPROVE ANY GRADE CHANGES IN WRITING BEFORE PLANS ARE APPROVED AND CONSTRUCTION COMMENCES. ALL LANDINGS SHALL BE GRADUALLY INCORPORATED INTO THE GRADE, IN ORDER TO ALLOW LARGE VEHICLES EASY TRANSITION. ALL DETAILS AND GRADES FOR THE TRAIL SHALL BE REIVEWED AND APPROVED BY THE DIRECTOR OF PARKS AND COMMUNITY SERVICES OR HIS/HER DESIGNEE PRIOR TO ANY TRAIL CONSTRUCTION.
- WHERE TRAILS ARE ADJACENT AND LEVEL TO LANDSCAPE AREAS OR OPEN SPACE, THE STABILIZED DECOMPOSED GRANITE SHALL BE CONFINED IN TRAIL BY THE USE OF A 6"x6" (MINIMUM) CONCRETE HEADER WITH #4 REBAR REINFORCEMENT. THE CONCRETE SPECIFICATION SHALL BE "GREENBOOK" CLASS 560-C-3250 OR 660-C-4000P (PUMP MIX), WITH NO SUBSTITUTIONS FOR PORTLAND CEMENT. THE COLOR SHALL BE DAVIS OMAHA TAN. ADDITIONALLY, THIS SPECIFICATION PERTAINS TO VINE POCKETS.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		MULTI-USE TRAIL SPECIFICATIONS — 7 of 10 — NO. 218G

STABILIZED DECOMPOSED GRANITE AND INSTALLATION PROCEDURES:

1. GREENBOOK FOR PUBLIC WORKS CONSTRUCTION COMPLIANCE: STANDARDS 400-2.3, 400-2.3.1, 400-2.3.2, 400-2.3.3
2. GRADATION: AS DETERMINED BY ASTM C 136 METHODOLOGY (CALTRANS 202)

SIEVE SIZE	PERCENT PASSING
$\frac{1}{2}$"	100
$\frac{3}{8}$"	90-100
NO. 4	50-100
NO. 30	25-55
NO. 100	10-20
NO. 200	5-18

3. SAND EQUIVALENT : AS DETERMINED BY ASTM D 2419 METHODOLOGY (CALTRANS 217): MINIMUM OF 30.
4. R-VALUE: AS DETERMINED BY ASTM D 2488 METHODOLOGY (CALTRANS 301): MINIMUM OF 70.
5. DECOMPOSED GRANITE AS SPECIFIED IN THE CITY STANDARD PLANS SHALL BE DERIVED FROM THE CRUSHING AND SCREENING OF NATURALLY FRIABLE GRANITE. THE BLENDING OF COURSE SAND WITH ROCK DUST IS NOT PERMITTED. THE GRANITE IS SCREENED TO INCLUDE STONE PARTICLES OF $\frac{1}{2}$" MINUS. THE PARTICLES THAT PASS THE 200 SCREEN MESH AS DETERMINED BY ASTM METHODOLOGY SHALL NOT EXCEED 18 PERCENT. THE SAND EQUIVALENT SHALL BE A MINIMUM OF 30 AND THE R-VALUE SHALL BE A MINIMUM OF 70.
6. STABILIZING ORGANIC BINDER SHALL HAVE A MINIMUM SWELL VOLUME OF 32 ML/GM AND BE APPROVED BY THE CITY. THE BINDER SHALL BE INCORPORATED WITH THE GRANITE FINES BY THE USE OF A PUG MILL THAT INCLUDES A WEIGHT BELT FEEDER THAT INSURES THE PROPER RATIO OF BINDER TO GRANITE FINES. BLENDING WITH THE USE OF A BUCKET LOADER OR SIMILAR IS NOT ACCEPTABLE. FOR TRAILS AND STAGING AREAS THE BINDER SHALL BE BLENDED AT THE RATE OF 14 lbs. PER TON OF GRANITE FINES. THE MIXING FACILITY AND MIXING METHOD SHALL BE AVAILABLE TO THE CITY FOR INSPECTION UPON REQUEST.
7. STABILIZED DECOMPOSED GRANITE SHALL BE PLACED TO A MINIMUM DEPTH OF 4"-6" COMPACTED, PER PLAN.
8. INSTALLATION: FOR EACH 2" LIFT EVENLY SPREAD THE MATERIAL OVER AREA ACCORDING TO PLANS. GRADE AND SMOOTH AS DIRECTED BY THE INSPECTOR. THOROUGHLY WATER ENTIRE AREA SO THAT THE ENTIRE DEPTH OF THE MATERIAL IS MOIST. A HIGH VOLUME WATER TRUCK IS RECOMMENDED. AFTER A PERIOD OF +/- 6 HOURS COMPACT THE FINAL LIFT WITH A 1000 - 3000 lb STATIC DRUM ROLLER. ALLOW FOR A SUFFICIENT CURING PERIOD OF +/- 4 DAYS PRIOR TO USE.
9. THIRD-PARTY TESTING OF MATERIALS AND/OR INSTALLATION MAYBE REQUESTED BY THE CITY. THE TESTING SHALL BE PERFORMED WITH NO COST TO THE CITY.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	MULTI-USE TRAIL SPECIFICATIONS
		8 of 10 NO. 218H

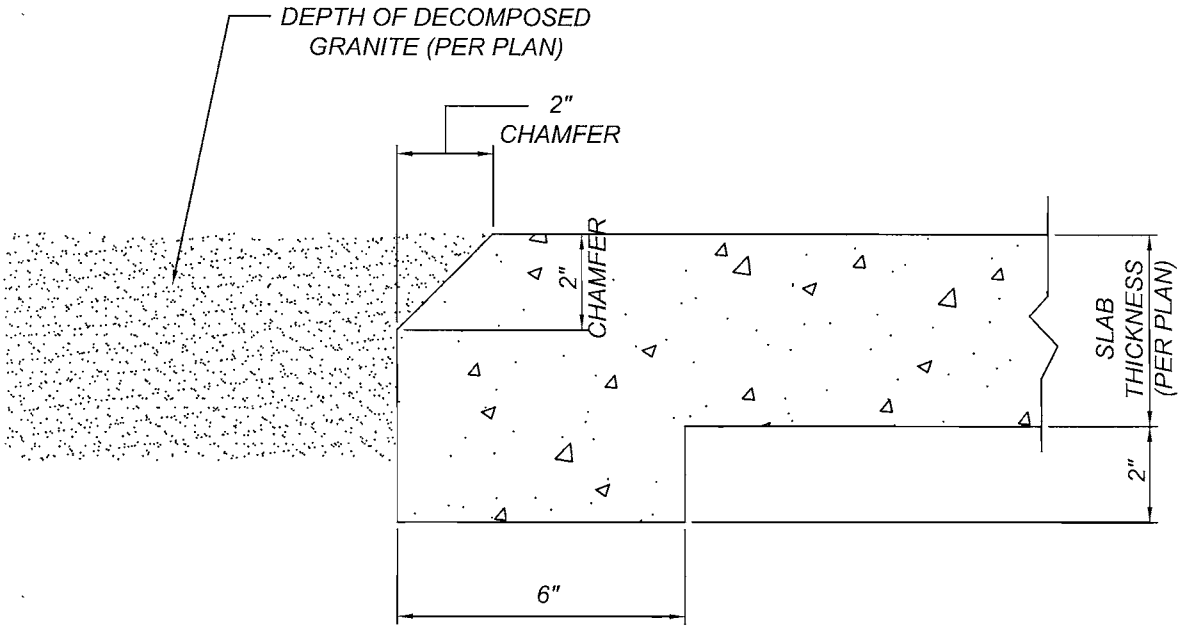

PARKS & COMMUNITY SERVICES DATE 1/08	CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS	
APPROVED BY PUBLIC WORKS DIRECTOR/ CITY ENGINEER	DIVISION MANAGER INITIAL	**CONCRETE WALK / SLAB / APPROACH ADJACENT TO TRAIL**
		9 of 10 NO. **218I**

DEPARTMENT OF PARKS AND COMMUNITY SERVICES GENERAL NOTES:

A. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MOST RECENT VERSIONS (AT TIME OF CONSTRUCTION) OF : THE CITY OF MORENO VALLEY PARK AND COMMUNITY SERVICES LANDSCAPE DEVELOPMENT GUIDELINES, SPECIFICATIONS, DRAWINGS, GREENBOOK SPECIFICATIONS FOR PUBLIC WORKS PROJECTS, AND THE CALIFORNIA BUILDING CODE.

B. TURF AREAS SHALL HAVE A MAXIMUM DESIGN SLOPE OF 20% AND A MINIMUM DESIGN OF 1%.

C. ALL CONCRETE SHALL ADHERE TO THE "GREENBOOK" FOR ITS SPECIFIC TYPE OF APPLICATION. MINIMUM REQUIREMENTS ARE 3250 PSI WITH NO SUBSTITUTES FOR PORTLAND CEMENT. COLOR AND FINISH SAMPLES SHALL BE PROVIDED TO THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER FOR APPROVAL PRIOR TO INSTALLATION. PUMP MIXES SHALL BE 4000 PSI.

D. CONTRACTOR / DEVELOPER SHALL PROVIDE A 12", #4 REINFORCED CONCRETE MOW STRIP BETWEEN TURF AND GROUND COVER AND A 12" CONCRETE MOW STRIP BETWEEN TURF AND WALLS, UNLESS SPECIFICALLY AUTHORIZED OTHERWISE BY PARKS AND COMMUNITY SERVICES.

E. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING GRADING AND BUILDING PERMITS PRIOR TO COMMENCING CONSTRUCTION. PARKS AND COMMUNITY SERVICES WILL OBTAIN BUILDING PERMITS FOR CITY FUNDED PROJECTS.

F. THE CONTRACTOR MUST NOTIFY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER AND THE BUILDING AND SAFETY DIVISION A MINIMUM OF TWO (2) WORKING DAYS (MONDAY - FRIDAY, EXCLUDING HOLIDAYS) PRIOR TO COMMENCING CONSTRUCTION AND / OR INSPECTION.

G. ALL CONSTRUCTION WORK SHALL BE PERFORMED MONDAY THROUGH FRIDAY (EXCLUDING HOLIDAYS), BETWEEN THE HOURS OF 7 AM AND 4 PM. ANY EXCEPTIONS TO THIS SCHEDULE MUST BE APPROVED IN WRITING FROM PARKS AND COMMUNITY SERVICES.

H. LANDSCAPE OR IRRIGATION CONTRACTOR SHALL VERIFY EXISTING WATER PRESSURE AT THE JOB SITE PRIOR TO INSTALLING LANDSCAPE IRRIGATION SYSTEM. A GAUGE THAT RECORDS MAINLINE PRESSURE AND FLOW IS REQUIRED FOR 24 HOUR / 7 DAY PERIOD.

I. A MAINLINE TEST (IRRIGATION AND PORTABLE WATER) AT 150 PSI FOR 4 HOURS SHALL BE SCHEDULED WITH PARKS AND COMMUNITY SERVICES. IF WATER PRESSURE IS LESS THAN DESIGNED PRESSURE, THE CONTRACTOR WILL CONTACT THE ARCHITECT REGARDING THE FINDINGS AND WILL CEASE IRRIGATION WORK UNTIL A SOLUTION IS PROVIDED AND APPROVED IN WRITING BY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER.

J. THE CONTRACT IS RESPONSIBLE FOR INSTALLING AN IRRIGATION SYSTEM THAT PROVIDES COMPLETE COVERAGE TO PLANT MATERIAL IN A MATURE STAGE. IRRIGATION MODIFICATIONS MAY BE REQUIRED TO KEEP WATER OFF OF LIGHT FIXTURES, DRINKING FOUNTAINS, PLAY EQUIPMENT, PICNIC AREAS, STRUCTURES, FENCING, SIDEWALKS, ETC.

K. AT THE CONCLUSION OF ROUGH GRADING, AGRONOMIC SOILS TESTING SHALL BE PROVIDED FOR THE PUBLIC LANDSCAPED AREA AND AREAS THAT ARE ADJACENT TO PUBLIC RIGHT-OF-WAY AND THE RESULTS APPROVED BY PARKS AND COMMUNITY SERVICES, PRIOR TO ANY LANDSCAPE INSTALLATION.

L. A COMPREHENSIVE SOILS TEST IS REQUIRED PRIOR TO PLACING ANY CONCRETE (PCC OR AC) AND BACK FILLED TRENCHES. THIS WILL BE USED TO DETERMINE THE CONCRETE DESIGN AND NECESSITY OF ADDITIONAL BASE MATERIALS ABOVE THE DESIGN ON THE PLANS AND CITY STANDARDS. THE PLAN DESIGN AND CITY STANDARDS SHALL SET THE MINIMUM STANDARDS.

M. ALL LOAD TICKETS OR RECEIPTS SHALL BE PROVIDED TO PARKS AND COMMUNITY SERVICES WITHIN 24 HOURS OF RECEIPT OF PRODUCT. COPIES OF LOAD TICKETS / RECEIPTS INCLUDE BUT ARE NOT LIMITED TO CONCRETE; SOIL AND LANDSCAPE PRODUCTS; PLANT MATERIAL; FENCING AND BUILDING MATERIALS.

N. ALL 'SUBMITTALS' AND SHOP DRAWINGS SHALL BE PROVIDED TO PARKS AND COMMUNITY SERVICES WITHIN THE FIRST 30-DAYS OF THE AWARD OF CONTRACT.

O. ALL MATERIALS SHALL BE AS SPECIFIED WITHIN THE PLANS AND SPECIFICATIONS. 'EQUALS OR SUBSTITUTIONS' WILL ONLY BE CONSIDERED WITHIN THE FIRST 30-DAYS AFTER THE AWARD OF CONTRACT. THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER SHALL APPROVE IN WRITING ALL 'EQUALS OR SUBSTITUTIONS'. THE CONTRACTOR SHALL REPLACE AT HIS/HER COST ANY PRODUCT UTILIZED THAT HAS NOT BEEN APPROVED IN WRITING BY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER.

P. THE CONTRACTOR SHALL COORDINATE WITH AND NOTIFY THE PARKS AND COMMUNITY SERVICES PROJECT MANAGER OF THE REQUIRED PRE-CONSTRUCTION MEETING TO BE HELD ON SITE.

Q. THE CONTRACTOR OR DEVELOPER SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF ONE (1) YEAR AFTER PARKS AND COMMUNITY SERVICES ACCEPTS THE SITE IMPROVEMENTS.

R. THE CONTRACTOR OR DEVELOPER SHALL MAINTAIN ALL LANDSCAPING FOR A PERIOD OF ONE (1) YEAR AFTER THE PARKS AND COMMUNITY SERVICES HAS ACCEPTED ALL IMPROVEMENTS FOR MAINTENANCE WITHIN COMMUNITY SERVICES DISTRICTS. BOND'S SHALL BE REQUIRED IN THE AMOUNT TO COVER THE WORK. CITY FUNDED PROJECTS ARE EXEMPT FROM THIS REQUIREMENT.

PARKS & COMMUNITY SERVICES DATE 1/08		CITY OF MORENO VALLEY PREPARED BY CAPITAL PROJECTS
APPROVED BY	DIVISION MANAGER INITIAL	
PUBLIC WORKS DIRECTOR/ CITY ENGINEER		PARKS AND COMMUNITY SERVICES GENERAL NOTES — 10 of 10 — NO. 218J

MV00049823

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: March 23, 2010

TITLE: APPOINTMENT TO THE RECREATIONAL TRAILS BOARD

RECOMMENDED ACTION

Staff recommends that the City Council, after reviewing the ballot provided by the City Clerk:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the Recreational Trails Board. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

The Recreational Trails Board has two vacant positions with a term expiring June 30, 2011 and June 30, 2012. The City Clerk's Office received one application from Vivian Joneswhye-Brock.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Vivian Joneswhye-Brock, an applicant to the Recreational Trails Board, complied with this requirement.

ALTERNATIVES

The Recreational Trails Board members provide input on matters pertaining to single-use and multi-use recreational trails including bicycle, jogging and equestrian trails within or affecting the City. Choosing not to fill a vacancy on the above-mentioned board would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to applicant

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: March 23, 2010

TITLE: LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT

RECOMMENDED ACTION

Staff recommends that:

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project.

2. The Redevelopment Agency Board authorize the appropriation of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

BACKGROUND

On February 23, 2010, the Redevelopment Agency (RDA) adopted RDA Resolution 2010-01 affirming its intention to provide $4,750,000 in financial assistance to Palm Desert Development Company (PDDC) for Rancho Dorado South, the second phase of the Rancho Dorado Apartments affordable housing project. PDDC is currently preparing to submit an application for financing to the California Tax Credit Allocation Committee.

DISCUSSION

The Rancho Dorado South affordable housing project is the second phase of a 150-unit affordable apartment complex situated near the southeast corner of Perris Boulevard and John F. Kennedy Drive. Originally proposed as a project to be developed in its entirety, changes in the financial markets made it necessary to divide the project into two phases, allowing each phase of the project to better compete for 9% tax credit equity financing. Phase I of Rancho Dorado is fully funded and under construction. The RDA support for the Rancho Dorado project and will provide $4,750,000 of financial assistance to its second phase project.

While PDDC pursues tax credits for Phase II, RDA staff is recommending providing PDDC with a $1.3 million loan to help offset carrying cost of the 3.29-acre parcel and predevelopment expenditures. The loan will bear an interest rate of 3% and will become payable within 18 months with two options to extend (9 months each). The RDA will secure the loan with a Promissory Note and Deed of Trust. The value of the loan will be included in the RDA's total financial assistance of the project. Once tax credits have been realized and project financing has been secured, the Agency will enter into an Affordable Housing Agreement with PDDC.

The first phase of PDDC's Rancho Dorado Project is currently under construction. The first phase of the project contains 70 units restricted for low and very low income residents and one manager's unit. This phase also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project are being developed with the first phase. The second phase of Rancho Dorado will have 79 units and will be comprised of 54 two-bedroom units and 24 three-bedroom units that will also be rent-restricted for low and very low income residents. The second phase also contains a manager's unit.

PDDC will be submitting a tax credit financing application to the California Tax Credit Allocation Committee this month. However, due to the current economy and dimishing revenue generated by tax credits, the award process has become increasingly more competitive and difficult to secure tax credits. It is anticipated that it may take several rounds before the project will obtain the tax credits needed to proceed. Thus, the Loan Agreement was structured with two optional nine-month extension periods should additional time be necessary for future tax credit applications.

PDDC has proposed using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, together with a conventional loan. PDDC is in the process of securing financial commitments- including tax credits- from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	$ 2,498,233	13%
9% Tax Credit Equity	$10,974,951	57%
RDA Land Loan	$ 1,300,000	7%
RDA Funds	$ 3,450,000	18%
Affordable Housing Fee Reductions	$ 991,608	5%
General Partner Equity	$ 11,234	<1%
Total	$19,226,026	100%

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements are incorporated into the AHA.

The RDA's financial advisor, Seifel and Associates, previously reviewed PDDC's request and performed a financial pro forma analysis. The consultant's report indicates that the requested gap financing is appropriate and would be supported, based upon the additional financing provided through the other sources shown in the above table.

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project and authorize the appropriation of $1,300,000 from the RDA's 20% Housing Set Aside funds (Fund 894) for FY 2009-10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project. *Staff does not recommend this alternative because declining to approve the Land Loan Agreement will jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA fund a Loan Agreement in the amount of $1,300,000. Staff proposes providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10. Please note, there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$1,300,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted RDA Resolutions 2008–06 and 07 that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard, as shown on Attachment A. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. On February 23, 2010, the Board of Directors of the Community Redevelopment Agency reaffirmed its intention to provide financial support the project and adopted RDA Resolution 2010-01 approving the conditional financing of $4,750,000 assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds. RDA staff proposes to provide PDDC with a loan of $1,300,000 to offset costs due to the acquisition and pre-development expenditures associated with the project.

ATTACHMENTS

Attachment A – Loan Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

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

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MV00049831

LOAN AGREEMENT

by and between the

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

and

MV RANCHO DORADO LIMITED PARTNERSHIP, a California Limited Partnership

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ATTACHMENT A

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EXHIBITS

EXHIBIT A SITE MAP
EXHIBIT B PROMISSORY NOTE
EXHIBIT C DEED OF TRUST

LOAN AGREEMENT

THIS LOAN AGREEMENT (the "Agreement") is entered into as of March 1, 2010 (the "Date of Agreement"), by and among the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency") and **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (the "Borrower").

RECITALS

A. The Redevelopment Plan for the Moreno Valley Redevelopment Project, sometimes referred to as the Project (herein, the "Project") was adopted and approved by Ordinance No. 154 of the City of Moreno Valley (the "Redevelopment Plan"). The redevelopment project area for the Redevelopment Plan constitutes the "Project Area."

B. Pursuant to the Community Redevelopment Law, California Health and Safety Code Section 33000, *et seq.* (the "Community Redevelopment Law"), the Agency has established a low- and moderate-income housing fund (the "Housing Fund") the proceeds of which are available for affordable housing activities of the Agency, as determined from time to time by the Agency.

C. The Borrower is the owner of certain real property consisting of approximately 3.20 acres commonly referred to as 25105 John F. Kennedy Drive, Moreno Valley (the "Property") which is depicted on the Map of the Property attached hereto as Exhibit "A" and incorporated herein by reference (the "Map of the Property"), which Property is described more particularly in Exhibit A-1 attached hereto and made a part hereof.

D. The Borrower and its principals are experienced in the development and operation of affordable housing projects.

E. The Borrower has indicated to the Agency that the Borrower intends to plan, arrange financing for, construct and operate an affordable housing project to be constructed on the Property. The Borrower will apply for a preliminary reservation of housing tax credits in connection with the development of a housing project on the Property.

F. The Borrower has further indicated to the Agency that it desires to borrow the amount of the Agency Loan as set forth below, which would be used to defray costs associated with the acquisition of the Property by the Borrower.

G. The Agency Loan is to be funded using moneys from the Housing Fund.

NOW, THEREFORE, the parties hereto agree as follows:

1. Agency Loan. Subject to the terms and conditions of this Agreement, the Agency agrees to loan to Borrower (the "Agency Loan") the amount of up to One Million Three Hundred Thousand Dollars ($1,300,000.00) (the "Agency Loan Amount"). The disbursement of the Agency Loan Amount shall be accomplished in accordance with Section 4 of this Agreement.

2. Borrower Efforts Concerning Development of Affordable Housing Units on the Property. During the period the Agency Loan is outstanding, Borrower agrees to exercise diligent efforts to arrange for planning and financing of an affordable rental housing project to be located on

ATTACHMENT A

the Property. Given the experience of the Borrower and its principals, as well as the expressions by Borrower and its principals that Borrower expects to be able to arrange for the planning, financing and cause the construction of an affordable multifamily housing development on the Property, the Agency is prepared to make the Agency Loan under the terms set forth in this Agreement. The Borrower agrees and acknowledges that the circumstance that the Agency enters into this Agreement does not obligate the Agency to commit further resources in connection with the development of affordable dwelling units on the Property.

3. Loan Escrow. The Agency agrees to open an escrow for the conveyance of the Property (the "Escrow") with Stewart Title of California or another title insurer designated by the Agency (the "Title Company") or with another mutually agreeable escrow company (the "Escrow Agent"), for the Agency Loan within ten (10) days following approval of this Agreement by the Agency. The Escrow Agent shall accomplish the delivery of a promissory note in the form of Exhibit "B" hereto (the "Note") and the recordation of a deed of trust in the form of Exhibit "C" hereto (the "Deed of Trust") all as more particularly set forth herein. This Agreement constitutes the joint basic escrow instructions of the Agency and the Borrower for the Agency Loan, and a duplicate original of this Agreement shall be delivered to the Escrow Agent upon the opening of the Escrow. The Agency and the Borrower shall provide such additional escrow instructions as shall be necessary for and consistent with this Agreement in connection with the execution and delivery of the Note, the recording of the Deed of Trust and the delivery of a lender's policy of title insurance for the Agency as prescribed herein. The Escrow Agent is hereby empowered to act under this Agreement, and the Escrow Agent, upon indicating within five (5) days after the opening of the Escrow its acceptance of the provisions of this Section 3, in writing, delivered to the Agency and the Borrower, shall carry out its duties as Escrow Agent hereunder. Upon delivery of the Note and the Deed of Trust, the Escrow Agent shall record the Deed of Trust when it is prepared to issue its policy of title insurance for the Agency (as lender) in conformity with this Agreement and the Agency has confirmed to Escrow Holder that the conditions precedent to funding the Agency Loan have been satisfied.

The Borrower shall pay the premium for the lender's policy of title insurance and all escrow charges. The Escrow Agent is authorized to apply from the amount of the Agency Loan amounts sufficient to defray escrow charges and fees (including without limitation costs necessary to place title to the Property in condition to render title satisfactory to Agency for its Deed of Trust; cost of drawing documents, if any, and recording charges) and the premium for the Agency's lender's policy of title insurance in connection with the Agency Loan; provided that if Borrower provides cash for such purposes, the Escrow Agent will first apply such cash amounts for the premium for the title insurance to be paid by the Borrower. The Agency's title policy shall insure the Agency for the principal amount of the Agency Loan.

The Escrow Agent is authorized to:

(a) Pay, and charge the parties for any fees, charges and costs payable under this Section 3 of this Agreement. Before such payments or charges are made, the Escrow Agent shall notify the parties of its estimate of the fees, charges and costs necessary to conform title and close the Loan Escrow.

(b) Disburse the Agency Loan to Borrower, deliver the Note and, upon recordation, the Deed of Trust to the Agency when the conditions of this Escrow have been fulfilled by the Agency and the Borrower.

All funds received in this Escrow shall be deposited by the Escrow Agent, with other escrow funds of the Escrow Agent in an interest earning general escrow account or accounts with any state or national bank doing business in the State of California. Such funds may be transferred to any other general escrow account or accounts. All disbursements shall be made by check or wire transfer of the Escrow Agent. All adjustments are to be made on the basis of a thirty (30) day month. Interest shall be applied for the benefit of the party depositing such funds.

If the Loan Escrow is not in condition to close on or before May 1, 2010, either party who then shall have fully performed the acts to be performed before the conveyance of title may, in writing, demand from the Escrow Agent the return of its money, papers or documents deposited with the Escrow Agent, with a copy to be concurrently transmitted by such party to the other party. No demand for return shall be recognized until ten (10) days after the Escrow Agent shall have mailed copies of such demand to the other party or parties at the address of its or their principal place or places of business. Objections, if any, shall be raised by written notice to the Escrow Agent and to the other party within the ten (10) day period, in which event the Escrow Agent is authorized to hold all money, papers and documents with respect to the Property until instructed by a mutual agreement of the parties or by a court of competent jurisdiction. If no such demands are made, the Loan Escrow shall be closed as soon as possible. The Escrow Agent shall not be obligated to return any such money, papers or documents except upon the written instructions of both the Agency and the Borrower or until the party entitled thereto has been determined by a final decision of a court of competent jurisdiction.

Any amendment to these Loan Escrow instructions shall be in writing and signed by both the Agency and the Borrower. At the time of any amendment, the Escrow Agent shall agree to carry out its duties as Escrow Agent under such amendment.

All communications from the Escrow Agent to the Agency or the Borrower shall be directed to the addresses and in the manner established in Section 22 of this Agreement for notices, demands and communications between the Agency and the Borrower.

The liability of the Escrow Agent under this Agreement insofar as Escrow Agent performs as an escrow holder and without limitation to performance by Escrow Agent in another capacity (such as title insurer) is limited to performance of the obligations imposed upon it under Section 3 of this Agreement.

Concurrently with recordation of the Deed of Trust, Stewart Title of California, or another title company designated by the Agency (the "Title Company") shall deliver to the Agency a lender's ALTA title insurance policy issued by the Title Company insuring the Deed of Trust for the original principal amount thereof. All costs for such policy of title insurance shall be borne by the Borrower.

4. Mechanics of Disbursement of Agency Loan. Subject to the prior satisfaction of the "Conditions to Disbursement" (as set forth in Section 5, below), all as determined by the Executive Director of the Agency (the "Executive Director") or his designee, the Agency shall disburse proceeds of the Agency Loan in one lump sum payment.

5. Conditions to Disbursement of Agency Loan. The obligation of the Agency to disburse the Agency Loan to Borrower, or on behalf of Borrower to the persons entitled to payment for the development costs of the Property, shall be subject to the prior satisfaction of the following

conditions (a) to (e), inclusive (the "Conditions to Disbursement"), as determined to the reasonable satisfaction of the Executive Director or his designee:

(a) The Borrower shall have provided proof satisfactory to the Executive Director that all real property taxes and assessments levied with respect to the Property have been paid, and that no such taxes or assessments are delinquent.

(b) The Borrower shall have duly executed and delivered to the Agency the Promissory Note, and shall have executed, caused to be recorded and thereupon delivered to the Agency the Deed of Trust, with the Deed of Trust having been recorded with respect to the Property as a deed of trust which is a first deed of trust.

(c) The Title Company shall have committed to issue to the Agency a lender's policy of title insurance for the Deed of Trust (which, at Agency's discretion, will be an ALTA policy) insuring title in condition acceptable to the Agency in its sole discretion (as determined by the Executive Director) with the Deed of Trust in a first position.

(d) There shall exist no violation of the City of Moreno Valley Municipal Code (the "Municipal Code") on the Property.

(e) There shall exist no condition, event or act which would constitute an Event of Default (as hereinafter defined) hereunder or which, upon the giving of notice or the passage of time, or both, would constitute an Event of Default.

6. Promise to Repay Agency Loan. Borrower hereby agrees to execute a Promissory Note (the "Note") in the form attached hereto as Exhibit "B" and incorporated herein, by which Borrower shall agree to repay to the Agency in full the Agency Loan, on or before October 15, 2011 (the "Initial Scheduled Maturity Date"). Interest shall accrue at the rate of three percent (3%) per annum, simple interest, upon such obligation except in the event of: (i) a transfer or sale of the Property, or (ii) the occurrence of any Event of Default, in which event interest shall thereupon accrue at the rate of ten percent (10%) per annum (provided that in the event such interest rate exceeds the maximum interest which may be lawfully charged, then this Loan Agreement and the Promissory Note shall be deemed to instead provide for interest to be charged at the highest interest rate that may be charged pursuant to applicable laws). The Agency Loan Amount, together with any other amounts as may become due and payable to the Agency pursuant to the Promissory Note, shall be due and payable to the Agency upon the occurrence of any violation or failure of Borrower to perform under one or more of the provisions of this Agreement, including, without limitation the Exhibits hereto (an "Event of Default") which is not cured within the time set forth herein, or sooner upon the sale or other transfer of the Property, the transfer or sale of the Property, or the occurrence of any other Event of Default. The Borrower shall also execute and deliver to the Agency upon recordation a Deed of Trust encumbering the Property, in the form attached hereto as Exhibit "C" and incorporated herein, which shall secure the repayment of the Agency Loan.

In the event that Borrower is in compliance with all of the requirements of this Agreement, there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director determines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is exercising diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is

making substantial progress in connection therewith, the Agency will extend the maturity of the Agency Loan for a period of nine (9) months to July 15, 2012 (the "First Alternate Maturity Date"). Thereafter, in the event there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director redetermines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is continuing to exercise diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is making substantial progress in connection therewith, the Agency will extend the maturity of the Note for a period of nine (9) months to April 15, 2013 (the "Second Alternate Maturity Date").

7. Maintenance. For so long as the Agency Loan is outstanding, the Borrower shall maintain the Property in good condition, free of debris, waste and graffiti, in a clean and presentable manner, and in compliance with the terms of the Redevelopment Plan and with all applicable provisions of the Municipal Code. Failure to so maintain the Property, following receipt of notice by the Agency specifically describing conditions contrary to this Section 7, shall constitute a default under this Agreement and shall constitute grounds for acceleration of the Note.

8. Insurance and Indemnity. A certificate of all such insurance policies required by this Agreement shall be delivered to the Executive Director prior to the commencement of any work on the Property. No such insurance shall be canceled or modified without thirty (30) days prior written notice to the Agency.

(a) Indemnification. Borrower hereby agrees to defend, indemnify and hold harmless the Agency, and its officers, employees, representatives and agents, from and against any and all liability, damages, costs, losses, claims and expenses, suits, actions, proceedings and judgments including attorney fees however caused, resulting directly or indirectly from or relating to: (i) this Agreement (including without limitation Sections 1 and 4 hereof); (ii) the disbursement of the Agency Loan amount; (iii) a claim, demand or cause of action that any person has or asserts against Borrower; (iv) any act or omission of Borrower, any contractor, subcontractor or material supplier, engineer, architect or other person hired by Borrower with respect to the Property; or (v) the ownership, occupancy or use of the Property. Notwithstanding the foregoing, Borrower shall not be obligted to indemnify the Agency with respect to the consequencs of any act of gross negligence or willful misconduct of the Agency.

(b) Workers' Compensation. Borrower shall comply with, and shall cause its contractors to comply with, all of the provisions of the Worker's Compensation Insurance and Safety Acts of the State of California, the applicable provisions of the California Government Code and all amendments thereto; and all similar state or federal acts or laws which are applicable; and shall indemnify, defend and hold harmless Agency and its agents, representatives, officers and employees from and against all claims, demands, payments, suits, actions, proceedings and judgments of every nature and description, including attorney's fees and costs presented, brought or recovered against Agency and its agents, officers, representatives and/or employees, for or on account of any liability under any of said acts which may be incurred by reason of any work to be performed by Borrower under this Agreement.

(c) Liability Insurance. In addition to the provisions of Sections 8(a) and 8(b) above, Borrower shall furnish to Agency and maintain in force during any period that improvements are being constructed on the Property a policy of comprehensive general liability insurance in which

the Agency and its officers, employees, agents and representatives are named as additional insureds. The policy shall indemnify the Agency, its officers, representatives, agents and employees, while acting within the scope of their duties, against any and all claims arising out of or in connection with the Property, the Improvements, and the Borrower's performance of this Agreement. The policy shall provide coverage for combined single limit bodily injury and/or property damage in an amount not less than One Million Dollars ($1,000,000) per occurrence. Such policy of insurance shall specifically provide that: (i) any other insurance coverage which may be applicable to the loss shall be deemed excess coverage and Borrower's insurance shall be primary; (ii) the Agency and the City and their officers, agents and employees, shall be additional insureds; and (iii) coverage may not be terminated or modified excepting upon 30-days prior written notice to the Executive Director.

9. [Reserved].

10. Assumption of Agency Loan. The Agency Loan is made to Borrower based upon Borrower's qualifications and is personal to the Borrower. It is because of those qualifications that the Agency has entered into this Agreement with the Borrower and has agreed to make its Agency Loan. Accordingly, the Borrower's rights and obligations under this Agreement, the Promissory Note and the Deed of Trust shall not be assignable or assumable by successors and assigns of Borrower, and no voluntary or involuntary successor in interest of the Borrower shall acquire any rights or powers under this Agreement, the Promissory Note or the Deed of Trust except as expressly set forth and/or permitted herein. Borrower agrees that any sale, transfer or use of the Property as collateral shall constitute an event of default and an event of acceleration under the Note.

11. Representations and Warranties. Borrower represents and warrants to Agency and the Agency enters into this Agreement in material reliance upon the following representations and warranties of the Borrower:

(a) No Conflict. Borrower's execution, delivery and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which the Borrower is a party or by which Borrower is bound.

(b) No Borrower Bankruptcy. Borrower is not the subject of a current or threatened bankruptcy proceeding.

(c) Authority. The Borrower has full right, power and legal authority to undertake all obligations as provided herein, and the execution, performance and delivery of this Agreement by Borrower has been fully authorized by all requisite actions on behalf of the Borrower.

(d) Litigation. To the best of Borrower's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings affecting the Property or any portion thereof, at law or in equity, before any court or governmental agency, domestic or foreign.

(e) Governmental Compliance. Borrower has not received any notice from any governmental agency or authority alleging that the Property is currently in violation of any law, ordinance, rule, regulation or requirement applicable to its use and operation.

(f) Ownership of the Property. The Borrower holds fee title to the Property.

Until the repayment in full of the Agency Loan, the Borrower shall, upon learning of any fact or condition which would cause any of the warranties and representations in this Section 11 not to be true, immediately give written notice of such fact or condition to the Agency.

12. Compliance With Laws. The Borrower shall operate and maintain the Property and any improvements thereon in conformity with all applicable laws, including all applicable state labor standards, the City zoning and development standards, building, plumbing, mechanical and electrical codes, and all other provisions of the Municipal Code, all applicable environmental laws, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.*, Government Code Section 4450, *et seq.*, Government Code Section 11135, *et seq.*, and the Unruh Civil Rights Act, Civil Code Section 51, *et seq.* No uses shall be conducted on the Property which are not permitted by applicable laws, including without limitation zoning as in effect from time to time.

The Agency will not require that, by virtue of the Agency Loan, the Borrower is obligated to pay prevailing wages for subsequent construction work on the Property by virtue of the restrictions to be recorded against the Property and described in Section 3 excepting to the extent payment of prevailing wages is required pursuant to California Labor Code Section 1720(c)(6)(E). Notwithstanding the foregoing, Borrower does hereby and shall indemnify and hold each of Agency and City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Agency or City with respect to or in any way arising from Borrower's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720.

13. Nondiscrimination. Borrower for itself and its successors and assigns, agrees that there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the leasing, subleasing, rental, transferring, use, occupancy, tenure, or enjoyment of the Property nor shall the Borrower or any person claiming under or through the Borrower establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, leases, sublessees, subtenants, contractors or vendees in the Property.

14. Conflicts of Interest. No member, officer or employee of the City or Agency, its designees or agents and no member, officer, employee or other public official of such locality or localities who exercise any functions or responsibilities with respect to the activities undertaken pursuant to this Agreement or to the program shall have any interest, direct or indirect, in this Agreement or in any contract, subcontract or the proceeds thereof, for work to be performed in connection with this Agreement.

15. Records. The Borrower shall maintain complete and accurate records pertaining to the Property, and shall permit any duly authorized representative of the Agency to inspect the books and records of the Borrower pertaining to the Property and other records necessary to determine compliance with this Agreement.

16. Defaults. Failure or delay by either party to perform any covenant, term or provision of this Agreement to be performed by such party within the time provided herein constitutes a default ("Event of Default") under this Agreement. The injured party shall give written notice of default to the party in default, specifying the default complained of by the injured party. The defaulting party

shall immediately commence to cure such default and shall complete such cure within thirty (30) days from the date of the notice or such longer period if the nature of the default is such that more than thirty (30) days is required to cure such default and the defaulting party immediately commences to cure and thereafter diligently pursues such cure to completion within a reasonable period of time. Except as required to protect against further damages, the injured party may not institute proceedings against the party in default until thirty (30) days after giving such notice. Any failure or delay by either party in giving such notice or in asserting any of its rights or remedies as to any default shall not change the times of such default nor shall it operate as a waiver of any default or of any such rights or remedies or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

17. Attorneys' Fees and Costs. In the event that any action is instituted pursuant to this Agreement, the parties agree that the non-prevailing party shall be responsible for and shall pay all costs and all attorneys' fees incurred by the prevailing party in enforcing this Agreement.

18. Legal Actions. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy authorized by law or equity consistent with the purpose of this Agreement and the Exhibits hereto. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

19. Applicable Law. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

20. Acceptance of Service of Process. In the event that any legal action is commenced by the Borrower against the Agency, service of process on the Agency shall be made by personal service on the Agency by personal service upon the Agency Secretary, or in such other manner as may be provided by law. In the event that any legal action is commenced by the Agency against the Borrower, service of process on the Borrower shall be made in such manner as may be provided by law, whether made within or outside the State of California.

21. Rights and Remedies are Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by either party or one or more of such rights or remedies shall not preclude the exercise by it, at the same time or different times, or any other rights or remedies for the same default or any other default by the other party.

22. Notices. Any notices, requests or approvals given under this Agreement from one party to another may be personally delivered or deposited with the United States Postal Service for mailing, postage prepaid, registered or certified mail, return receipt requested to the following addresses:

To Borrower: MV Rancho Dorado Limited Partnership
P.O. Box 3958
Palm Desert, California 92261
Telephone: (760) 568-1048
Fax: (760) 832-2932

To Agency: Economic Development Director
Community Redevelopment Agency of the City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Any written notice, request or approval shall be deemed received immediately if personally delivered and on the third day from the date it is postmarked if delivered by registered or certified mail.

23. Relationship of Agency and Borrower; City as Third Party Beneficiary. The relationship of Borrower and Agency pursuant to this Agreement is that debtor and creditor and shall not be, nor be construed to be a joint venture, partnership or other relationship. Agency shall not be construed to have any property interest in the Property, other than its interests pursuant to the Deed of Trust. The City shall be deemed to be a third party beneficiary of this Agreement (including without limitation the Exhibits hereto). Excepting for the City, there shall be no third party beneficiaries of this Agreement.

24. Miscellaneous. The Borrower has had an opportunity to review this Loan Agreement with legal counsel and other advisers of its choosing. The Borrower additionally acknowledges and agrees that the Borrower shall continue to be responsible for all property taxes and assessments imposed in respect to the Property and any improvements to be constructed thereon, and acknowledges that such taxes and assessments may increase due to such construction. The Agreement shall be interpreted as if prepared equally by both parties and in light of the beneficial terms under which the Agency has agreed to make available to the Borrower the Agency Loan Amount.

25. No Waiver. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

26. Modifications. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing and in each instance signed on behalf of each party.

27. Severability. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

28. Entire Agreement, Waivers and Amendments. This Agreement may be executed in duplicate originals, each of which shall be deemed to be an original. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and restates all other negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. Any waiver, modification, rescission or release of any provision of this Agreement must be in writing and signed by the appropriate authorities of the Agency and/or the Borrower, and all amendments hereto must be in writing and signed by the appropriate authorities of the Agency and the Borrower. The Executive Director of Agency may execute any documents, make any approvals,

enter into any amendments, or take any other actions as may be necessary or appropriate to carry out this Agreement on behalf of the Agency.

29. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as the date set forth above.

AGENCY:

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By:_____
William L. Bopf
Interim Executive Director

ATTEST:

_____
Jane Halstead
Agency Secretary

BORROWER:

MV RANCHO DORADO LIMITED PARTNERSHIP, a California limited partnership

By: PALM DESERT DEVELOPMENT COMPANY, a California corporation,its Administrative General Partner

By:_____
Danavon L. Horn, President

EXHIBIT "A"

MAP OF THE PROPERTY

EXHIBIT "B"

PROMISSORY NOTE

$1,300,000

March __, 2010
Moreno Valley, California

FOR VALUE RECEIVED, **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (the "Borrower") promises to pay to the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency"), or order at the Agency's office at 14177 Frederick Street, Moreno Valley, California 92552-0805, or such other place as the Agency may designate in writing, the principal sum of One Million Three Hundred Thousand Dollars ($1,300,000) (the "Note Amount"), or so much of such amount as has been disbursed pursuant to Section 3 of the Agreement (as defined herein), in currency of the United States of America, which at the time of payment is lawful for the payment of public and private debts.

1. Agreement. This Promissory Note (the "Note") is made in accordance with that certain Loan Agreement executed by the Agency and Borrower, dated as of March 1, 2010 (the "Agreement"). The rights and obligations of Borrower and the Agency under this Note shall be governed by the Agreement and by the additional terms set forth in this Note. The Note Amount shall be disbursed in such amounts and at such times as set forth in Section 2 of the Agreement. All capitalized terms used in this note not defined herein shall have the meaning as established therefor in the Agreement. The Agreement is on file with the Agency as a public record.

2. Interest. Interest shall accrue at the rate of three percent (3%) per annum, simple interest, upon such obligation except in the event of: (i) a transfer or sale of the Property, or (ii) the occurrence of any Event of Default, in which event interest shall thereupon accrue at the rate of ten percent (10%) per annum (provided that in the event such interest rate exceeds the maximum interest which may be lawfully charged, then this Loan Agreement and the Promissory Note shall be deemed to instead provide for interest to be charged at the highest interest rate that may be charged pursuant to applicable laws). The Agency Loan Amount, together with any other amounts as may become due and payable to the Agency pursuant to the Promissory Note, shall be due and payable to the Agency on October 15, 2011 (the "Initial Scheduled Maturity Date") or sooner upon the occurrence of any violation or failure of Borrower to perform under one or more of the provisions of this Agreement, including, without limitation the Exhibits hereto (an "Event of Default") which is not cured within the time set forth herein, or sooner upon the sale or other transfer of the Property, the transfer or sale of the Property contrary to Section 3 hereof, or the occurrence of any other Event of Default. The Borrower shall also execute and deliver to the Agency upon recordation a Deed of Trust encumbering the Property, in the form attached hereto as Exhibit "C" and incorporated herein, which shall secure the repayment of the Agency Loan.

In the event that Borrower is in compliance with all of the requirements of this Agreement, there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director determines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is exercising diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is

making substantial progress in connection therewith, the Agency will extend the maturity of the Agency Loan at no cost to the Borrower for a period of nine (9) months to July 15, 2012 (the "First Alternate Maturity Date"). Thereafter, in the event there is no default under this Agreement, the Agency Loan Amount has not earlier become due and payable, and the Executive Director redetermines, following review of submittals by the Borrower or following consultation with the Borrower, that the Borrower is continuing to exercise diligent efforts to plan and arrange for financing for and construction of an affordable multifamily housing project on the Property, including application for a preliminary reservation of tax credits, and that the Borrower is making substantial progress in connection therewith, the Agency will extend the maturity of the Note at no cost to the Borrower for a period of nine (9) months to April 15, 2013 (the "Second Alternate Maturity Date").

3. Repayment of Note Amount. Payment shall become immediately due and payable upon the earlier to occur of the following:

(a) The sale, lease, exchange or other conveyance of the Property, as that term is defined in the Agreement; or

(b) A default by Borrower under the Agreement, the Deed of Trust securing this Note or this Note, which has not been cured within the period of time set forth in those documents; or

(c) A default by Borrower under any loan secured by the Property; or

(d) The occurrence of the Initial Scheduled Maturity Date (or, as applicable, the First Alternate Maturity Date or the Second Alternate Maturity Date) in the event that, after applying any applicable credit, there is a remaining balance.

Failure to declare such amounts due shall not constitute a waiver on the part of the Agency to declare them due subsequently.

4. Non-Recourse. This Note shall constitute a non-recourse obligation of the Borrower.

5. Security. This Note is secured by a deed of trust (the "Deed of Trust") dated concurrently herewith.

6. Waivers.

(a) Borrower expressly agrees that this Note or any payment hereunder may be extended from time to time at the Agency's sole discretion and that the Agency may accept security in consideration for any such extension or release any security for this Note at its sole discretion, all without in any way affecting the liability of Borrower.

(b) No extension of time for payment of this Note made by agreement by the Agency with any person now or hereafter liable for the payment of this Note shall operate to release, discharge, modify, change or affect the original liability of Borrower under this Note, either in whole or in part.

(c) The obligations of Borrower under this Note shall be absolute and Borrower waives any and all rights to offset, deduct or withhold any payments or charges due under this Note for any reasons whatsoever.

(d) Borrower waives presentment, demand, notice of protest and nonpayment, notice of default or delinquency, notice of acceleration, notice of costs, expenses or leases or interest thereon, notice of dishonor, diligence in collection or in proceeding against any of the rights of interests in or to properties securing of this Note, and the benefit of any exemption under any homestead exemption laws, if applicable.

(e) No previous waiver and no failure or delay by Agency in acting with respect to the terms of this Note or the Deed of Trust shall constitute a waiver of any breach, default, or failure or condition under this Note, the Deed of Trust or the obligations secured thereby. A waiver of any term of this Note, the Deed of Trust or of any of the obligations secured thereby must be made in writing and shall be limited to the express written terms of such waiver.

7. Attorneys' Fees and Costs. Borrower agrees that if any amounts due under this Note are not paid when due, to pay in addition, all costs and expenses of collection and reasonable attorneys' fees paid or incurred in connection with the collection or enforcement of this Note, whether or not suit is filed.

8. Amendments and Modifications. This Note may not be changed orally, but only by an amendment in writing signed by Borrower and by the Agency.

9. Agency May Assign. Agency may, at its option, assign its right to receive payment under this Note without necessity of obtaining the consent of the Borrower.

10. Borrower Assignment Prohibited. In no event shall Borrower assign or transfer any portion of this Note without the prior express written consent of the Agency, which consent may be given or withheld in the Agency's sole discretion.

11. Terms. Any terms not separately defined herein shall have the same meanings as set forth in the Agreement.

12. Acceleration and Other Remedies. Upon the occurrence of the events set forth in Section 3 hereof, Agency may, at Agency's option, declare the outstanding principal amount of this Note, together with the then accrued and unpaid interest thereon and other charges hereunder, and all other sums secured by the Deed of Trust, to be due and payable immediately, and upon such declaration, such principal and interest and other sums shall immediately become and be due and payable without demand or notice, all as further set forth in the Deed of Trust. All costs of collection, including, but not limited to, reasonable attorneys' fees and all expenses incurred in connection with protection of, or realization on, the security for this Note, may be added to the principal hereunder, and shall accrue interest as provided herein. Agency shall at all times have the right to proceed against any portion of the security for this Note in such order and in such manner as such Agency may consider appropriate, without waiving any rights with respect to any of the security. Any delay or omission on the part of the Agency in exercising any right hereunder, under the Agreement or under the Deed of Trust shall not operate as a waiver of such right, or of any other right. No single or partial exercise of any right or remedy hereunder or under the Agreement or any other document or agreement shall preclude other or further exercises thereof, or the exercise of any other right or remedy. The acceptance of payment of any sum payable hereunder, or part thereof, after the due date of such payment shall not be a waiver of Agency's right to either require prompt payment when due of all other sums payable hereunder or to declare an Event of Default for failure to make prompt or complete payment.

13. Consents. Borrower hereby consents to: (a) any renewal, extension or modification (whether one or more) of the terms of the Agreement or the terms or time of payment under this Note, (b) the release or surrender or exchange or substitution of all or any part of the security, whether real or personal, or direct or indirect, for the payment hereof, (c) the granting of any other indulgences to Borrower, and (d) the taking or releasing of other or additional parties primarily or contingently liable hereunder. Any such renewal, extension, modification, release, surrender, exchange or substitution may be made without notice to Borrower or to any endorser, guarantor or surety hereof, and without affecting the liability of said parties hereunder.

14. Successors and Assigns. Whenever "Agency" is referred to in this Note, such reference shall be deemed to include the Community Redevelopment Agency of the City of Moreno Valley and its successors and assigns, including, without limitation, any subsequent assignee or holder of this Note. All covenants, provisions and agreements by or on behalf of Borrower, and on behalf of any makers, endorsers, guarantors and sureties hereof which are contained herein shall inure to the benefit of the Agency and Agency's successors and assigns.

15. Usury. It is the intention of Borrower and Agency to conform strictly to the Interest Law, as defined below, applicable to this loan transaction. Accordingly, it is agreed that notwithstanding any provision to the contrary in this Note, or in any of the documents securing payment hereof or otherwise relating hereto, the aggregate of all interest and any other charges or consideration constituting interest under the applicable Interest Law that is taken, reserved, contracted for, charged or received under this Note, or under any of the other aforesaid agreements or otherwise in connection with this loan transaction, shall under no circumstances exceed the maximum amount of interest allowed by the Interest Law applicable to this loan transaction. If any excess of interest in such respect is provided for in this Note, or in any of the documents securing payment hereof or otherwise relating hereto, then, in such event:

(a) The provisions of this paragraph shall govern and control;

(b) Neither Borrower nor Borrower's heirs, legal representatives, successors or assigns shall be obligated to pay the amount of such interest to the extent that it is in excess of the maximum amount of interest allowed by the Interest Law applicable to this loan transaction;

(c) Any excess shall be deemed canceled automatically and, if theretofore paid, shall be credited on this Note by Agency or, if this Note shall have been paid in full, refunded to Borrower; and

(d) The effective rate of interest shall be automatically subject to reduction to the Maximum Legal Rate of Interest (as defined below), allowed under such Interest Law, as now or hereafter construed by courts of appropriate jurisdiction. To the extent permitted by the Interest Law applicable to this loan transaction, all sums paid or agreed to be paid to Agency for the use, forbearance or detention of the indebtedness evidenced hereby shall be amortized, prorated, allocated and spread throughout the full term of this Note. For purposes of this Note, "Interest Law" shall mean any present or future law of the State of California, the United States of America, or any other jurisdiction which has application to the interest and other charges under this Note. The "Maximum Legal Rate of Interest" shall mean the maximum rate of interest that Agency may from time to time charge Borrower, and under which Borrower would have no claim or defense of usury under the Interest Law.

16. Miscellaneous. Time is of the essence hereof. This Note shall be governed by and construed under the laws of the State of California except to the extent Federal laws preempt the laws of the State of California. Borrower irrevocably and unconditionally submits to the jurisdiction of the Superior Court of the State of California for the County of Riverside, in connection with any legal action or proceeding arising out of or relating to this Note. Borrower also waives any objection regarding personal or in rem jurisdiction or venue.

BORROWER:

MV RANCHO DORADO LIMITED PARTNERSHIP, a California limited partnership

By: PALM DESERT DEVELOPMENT COMPANY, a California corporation, its Administrative General Partner

By:_____
Danavon L. Horn, President

EXHIBIT "C"

DEED OF TRUST

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Community Redevelopment Agency of the City
of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

APN: 486-070-007-4

This document is exempt from the payment of a recording fee pursuant to Government Code Section 6103 and 27383.

DEED OF TRUST AND ASSIGNMENT OF RENTS

This **DEED OF TRUST WITH ASSIGNMENT OF RENTS** (this "Deed of Trust"), is made as of _____, 2010, by and among **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (the "Trustor"), whose address is P.O. Box 3958, Palm Desert, California, **STEWART TITLE OF CALIFORNIA** (the "Trustee"), whose address is 2010 Main Street, Suite 2209, Irvine, California 92614, and the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Beneficiary"), whose address is 14177 Frederick Street, Moreno Valley, California.

WITNESSETH: that Trustor grants to Trustee in Trust, with Power of Sale, that property in the City of Moreno Valley, County of Riverside, State of California, that is described in Attachment No. 1, attached hereto and by this reference incorporated herein (the "Property");

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

For the purpose of securing (1) Payment of indebtedness in the principal amount of $1,300,000 together with interest thereon according to and as set forth in the certain Note from Trustor to Beneficiary of even date herewith (which repayment may be made by credit pursuant to the terms of such promissory note); (2) Payment of any sums advanced by Beneficiary to protect the Security pursuant to the terms and provisions of this Deed of Trust following a breach of Trustor's obligation to advance said sums and the expiration of any applicable cure period and upon fifteen (15) business days notice to the Trustor, with interest thereon as provided herein; (3) Payment of such additional sums and interest thereon which may hereafter be loaned to Trustor, or its successors or assigns, by Beneficiary, when evidenced by a promissory note or notes or other documents reciting that they are secured by this Deed of Trust; and (4) Performance of every material obligation, covenant or agreement of Trustor contained herein or the Note (and any amendments thereto).

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform

and be bound by each and all of the terms and provisions set forth in subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in subdivision B of the fictitious deed of trust recorded in Orange County August 17, 1964, in all other counties August 18, 1964, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, namely:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	1288	556	Orange	7182	18
Alpine	3	130-31	Placer	1028	379
Amador	133	438	Plumas	166	1307
Butte	1330	513	Riverside	3778	347
Calaveras	185	338	Sacramento	5039	124
Colusa	323	391	San Benito	300	405
Contra Costa	4684	1	San Bernardino	6213	768
Del Norte	101	549	San Francisco	A 804	596
El Dorado	704	635	San Joaquin	2855	283
Fresno	5052	623	San Louis Obispo	1311	137
Glenn	469	76	San Mateo	4778	175
Humboldt	801	83	Santa Barbara	2065	881
Imperial	1189	701	Santa Clara	6626	664
Inyo	165	672	Santa Cruz	1638	607
Kern	3756	690	Shasta	800	633
Kings	858	713	San Diego SERIES 5	1964	149774
Lake	437	110	Sierra	38	187
Lassen	192	367	Siskiyou	506	762
Los Angeles	T-3878	874	Solano	1287	621
Madera	911	136	Sonoma	2067	427
Marin	1849	122	Stanislaus	1970	56
Mariposa	90	453	Sutter	655	585
Mendocino	667	99	Tehama	457	183
Merced	1660	753	Trinity	108	595
Modoc	191	93	Tulare	2530	108
Mono	69	302	Tuolumne	177	160
Monterey	357	239	Ventura	2607	237
Napa	704	742	Yolo	769	16
Nevada	363	94	Yuba	398	693

shall inure to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivision A and B, (identical in all counties), are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed the maximum allowed by law. This Deed of Trust further includes Attachments No. 1 and 2 hereto, which are attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, Trustor has executed this Deed of Trust as of the day and year first above written.

TRUSTOR

MV RANCHO DORADO LIMITED PARTNERSHIP, a California limited partnership

By: **PALM DESERT DEVELOPMENT COMPANY,** a California corporation, its Administrative General Partner

By:_____
Danavon L. Horn, President

ATTACHMENT NO. 1 TO EXHIBIT "C"

LEGAL DESCRIPTION

Real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

PARCEL 2 OF PARCEL MAP NO. 36075, AS SHOWN BY PARCEL MAP ON FILE IN BOOK 228, PAGES 58 THROUGH 62, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

APN: 486-070-007-4

ATTACHMENT NO. 2 TO

DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS ATTACHMENT NO. 2 TO DEED OF TRUST WITH ASSIGNMENT OF RENTS is made a part of that certain Deed of Trust with Assignment of Rents (the "Deed of Trust") dated as of _____, 2010, executed by **MV RANCHO DORADO LIMITED PARTNERSHIP**, a California Limited Partnership (collectively, the "Borrower") in favor of the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency").

1. Due on Sale, Transfer or Further Encumbrance. If the Property or any interest therein shall be sold, transferred (including, without limitation, through sale or transfer of a majority or controlling interest of the corporate stock of Trustor), mortgaged, assigned, further encumbered or leased, whether directly or indirectly, whether voluntarily, involuntarily or by operation of law, without the prior written consent of Beneficiary, then Beneficiary in its sole discretion may declare all Secured Obligations immediately due and payable. For the purposes of this provision, a transfer shall not include (a) residential leases of one (1) unit on the Property for no more than one (1) year to eligible households, or (b) conveyances or dedications ofland for utility purposes.

2. Hazardous Materials.

(a) Special Representations And Warranties. Without in any way limiting the other representations and warranties set forth in this Deed of Trust, and after reasonable investigation and inquiry, Trustor hereby specially represents and warrants to the best of Trustor's knowledge as of the date of this Deed of Trust as follows:

(i) Except as previously disclosed to Beneficiary the Property is not and has not been a site for the use, generation, manufacture, storage, treatment, release, threatened release, discharge, disposal, transportation or presence of any oil, flammable explosives, asbestos, urea formaldehyde insulation, radioactive materials, hazardous wastes, toxic or contaminated substances or similar materials, including, without limitation, any substances which are "hazardous substances," "hazardous wastes," "hazardous materials" or "toxic substances" under the Hazardous Materials Laws, as described below, and/or other applicable environmental laws, ordinances and regulations (collectively, the "Hazardous Materials"). "Hazardous Materials" shall not include commercially reasonable amounts of such materials used in the ordinary course of operation of the Property which are used and stored in accordance with all applicable environmental laws, ordinances and regulations.

(ii) The Property is in compliance with all laws, ordinances and regulations relating to Hazardous Materials ("Hazardous Materials Laws"), including, without limitation: enactments regulating any substance, material, or waste which is or becomes regulated by any local governmental authority, the County, the State of California, regional governmental authority, or the United States Government, including, but not limited to, any material or substance which is (i) defined as a "hazardous waste," "extremely hazardous waste," or "restricted hazardous waste" under Sections 25115, 25117 or 25122.7, or listed pursuant to Section 25140 of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law), (ii) defined as a "hazardous substance" under Section 25316 of the California Health and Safety Code, Division 20,

Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act), (iii) defined as a "hazardous material," "hazardous substance," or "hazardous waste" under Section 25501 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory), (iv) defined as a "hazardous substance" under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances), (v) petroleum, (vi) friable asbestos, (vii) polychlorinated biphenyls, (viii) listed under Article 9 or defined as "hazardous" or "extremely hazardous" pursuant to Article 11 of Title 22 of the California Administrative Code, Division 4, Chapter 20, (ix) designated as "hazardous substances" pursuant to Section 311 of the Clean Water Act (33 U.S.C. §1317), (x) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. (42 U.S.C. §6903) or (xi) defined as "hazardous substances" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §6901 et seq.

(iii) There are no claims or actions ("Hazardous Materials Claims") pending or threatened against Trustor or the Property by any governmental entity or agency or by any other person or entity relating to Hazardous Materials or pursuant to the Hazardous Materials Laws.

(iv) The Property has not been designated as Border Zone Property under the provisions of California Health and Safety Code, Sections 25220 *et seq.* and there has been no occurrence or condition on any real property adjoining or in the vicinity of the Property that could cause the Property or any part thereof to be designated as Border Zone Property.

(b) Hazardous Materials Covenants. Trustor agrees as follows:

(i) Trustor shall not cause or permit the Property to be used as a site for the use, generation, manufacture, storage, treatment, release, discharge, disposal, transportation or presence of any Hazardous Materials.

(ii) Trustor shall comply and cause the Property to comply with all Hazardous Materials Laws.

(iii) Trustor shall immediately notify Beneficiary in writing of: (i) the discovery of any Hazardous Materials on, under or about the Property; (ii) any knowledge by Trustor that the Property does not comply with any Hazardous Materials Laws; (iii) any Hazardous Materials Claims; an (iv) the discovery of any occurrence or condition on any real property adjoining or in the vicinity of the Property that could cause the Property or any part thereof to be designated as Border Zone Property.

(iv) In response to the presence of any Hazardous Materials on, under or about the Property, Trustor shall immediately take, at Trustor's sole expense, all remedial action required by any Hazardous Materials Laws or any judgment, consent decree, settlement or compromise in respect to any Hazardous Materials Claims.

(c) Inspection By Beneficiary. Upon reasonable prior notice to Trustor, Beneficiary, its employees and agents, may from time to time (whether before or after the commencement of a nonjudicial or judicial foreclosure proceeding) enter and inspect the Property for the purpose of determining the existence, location, nature and magnitude of any past or present release or threatened release of any hazardous substance into, onto, beneath or from the Property.

(d) Hazardous Materials Indemnity. Trustor hereby agrees to defend, indemnify and hold harmless Beneficiary, its employees, agents, successors and assigns from and against any and all losses, damages, liabilities, claims, actions, judgments, court costs and legal or other expenses (including, without limitation, attorneys' fees and expenses) which Beneficiary may incur as a direct or indirect consequence of the use, generation, manufacture, storage, disposal, threatened disposal, transportation or presence of Hazardous Materials in, on, under or about the Property. Trustor shall immediately pay to Beneficiary upon demand any amounts owing under this indemnity, together with interest at the rate of ten percent (10%) per annum. Trustor's duty and obligations to defend, indemnify and hold harmless Beneficiary shall survive the release, reconveyance or partial reconveyance of this Deed of Trust.

(e) Legal Effect Of Section. Trustor and Beneficiary agree that: (a) this Paragraph 2 is intended as Beneficiary's written request for information (and Trustor's response) concerning the environmental condition of the real property security as required by California Code of Civil Procedure §726.5; and (b) each provision in this Paragraph (together with any indemnity applicable to a breach of any such provision) with respect to the environmental condition of the real property security is intended by Beneficiary and Trustor to be an "environmental provision" for purposes of California Code of Civil Procedure §736, and as such it is expressly understood that Trustor's duty to indemnify Beneficiary hereunder shall survive: (a) any judicial or non-judicial foreclosure under this Deed of Trust, or transfer of the Property in lieu thereof, and (b) the release and reconveyance or cancellation of this Deed of Trust.

3. Restrictive Covenants. Trustor agrees that occupancy in at least forty percent (40%) of the units to be developed on the Property will be restricted to households with an income of no more than eighty percent (80%) of Area Median Income for at least twenty (20) years.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: March 23, 2010

TITLE: APPROVAL OF INVESTMENT POLICY REVISIONS

RECOMMENDED ACTION

Staff recommends that the City Council approve the proposed revisions to the City's Investment Policy.

ADVISORY BOARD/COMMISSION/COMMITTEE RECOMMENDATION

The Finance Sub-Committee reviewed the Investment Policy on March 8, 2010, and indicated their support for the proposed revisions.

BACKGROUND

The City updates its Investment Policy annually to reflect changes in legislation, as well as changes in market conditions that may impact the City's investment strategy. The last policy updates were approved by the City Council on February 24, 2009.

With the City Council's approval on January 26, 2010 to outsource the management of the investment portfolio to Chandler Asset Management (Chandler), other revisions to the Investment Policy are now needed to maximize Chandler's effectiveness in this capacity.

DISCUSSION

As part of its professional services to the City, Chandler was asked to assist in a comprehensive review of the City's Investment Policy. Following that review, a number of changes to the Investment Policy are being recommended based on two key factors:

1) The addition of outside, professional investment management enables the City to increase the return on its investments by changing from a "passive" (hold to maturity) investment strategy to an "active" (buy and sell based on market conditions) investment strategy while remaining within the City's risk profile.

2) Aligning the City's allowable investments with the appropriate California Government Code sections enables the City to maximize its investment returns within the boundaries established by the State of California. The City has previously managed its own investments within boundaries that are more restrictive than allowed by the State, in an effort to be more conservative. However, this conservative approach has constrained the potential investment earnings. With a professional asset manager now managing the City's investments, it is appropriate to align the City's allowable investments with the State Government Code to provide a greater range of investment options.

Following is a summary of the proposed revisions to the City's Investment Policy. The actual policy showing the proposed revisions is attached for the City Council's review.

Sections Added:

- Section IV(E) – Delegation of Authority
  - Added paragraph authorizing an external investment manager

- Section XI(G) – Safekeeping, Custody and Competitive Bids
  - Added sentence to require competitive bids on investment transactions whenever possible

- Sections XII(B) through (F) – Diversification and Credit Risk Management
  - Added paragraphs clarifying Diversification and establishing Credit Risk Management policies

- Section XIV(B) – Performance Standards
  - Added paragraph establishing the performance objective of the investment management program as earning a return that is superior to an indexed benchmark of similar securities

Sections Modified:

- Section I(D)(1) – Bond Proceeds
  - Simplified bond proceed investment language

- Section II(A) – Prudence
  - Replaced language defining a standard with language consistent with California Government Code Section 53600.3

- Section III(A) - Objectives
  - Removed cash flow reference from Liquidity paragraph since cash flow matching is a tool, not an objective

- Section VIII(C)(2) – Authorized Financial Dealers and Institutions
  - Requires banks selling securities to the City to be registered with the Securities and Exchange Commission and establishes a minimum rating

- Section VIII(D)(3) – Authorized Financial Dealers and Institutions
  - Replaced outdated National Association of Security Dealers (NASD) reference with updated Financial Industry Regulatory Authority (FINRA)

- Section IX(C) – Allowable Investments
  - This narrative section was replaced with a table that aligns with California Government Code Section 53600 et seq.; effectively loosening restrictions on investments while adopting the latest state law changes relating to local agency investments.

- Section IX(D) – Authorized and Suitable Investments
  - Clarified language about the investigations into Investment Pools prior to investing

- Section X(B)(2) - Collateralization
  - Replaced fixed limit of $100,000 with "maximum dollar amount" for Federal Deposit Insurance Corporation (FDIC) insured deposits

- Section XIII(B) – Maximum Maturities
  - Removed reference to cash flow as a factor in managing investment maturity dates

- Section XIV – Performance Standards
  - Deleted paragraphs referencing a passive investment strategy and using LAIF investment returns as the benchmark for achieving market rates

Approval of the proposed Investment Policy revisions, in conjunction with outsourcing of the investment portfolio management to a professional asset management company (Chandler Asset Management), will change the characteristics of the City's investment portfolio as depicted in the following table. The dollar amounts shown in the table are based on the January 2010 Investment Report, which was provided to the City Council on February 25, 2010.

Asset Category	**Current Allocation**		**New Allocation**	
	$ million	**%**	**$ million**	**%**
Local Agency Investment Fund (LAIF)	$94.9	43%	$45.0	20%
U.S. Treasury Securities	--	--	$26.3	12%
U.S. Government Agency Securities	$109.0	50%	$82.4	37%
FDIC-Insured Corporate Bonds/Notes	$5.0	2%	$36.8	17%
Uninsured Corporate Bonds/Notes	$7.0	3%	$29.8	14%
Bank Accounts/Money Market Funds	$4.4	2%	--	--
Total	**$220.3**	**100%**	**$220.3**	**100%**
Average Maturity	**1.49 years**		**2.65 years**	

As reflected in the previous table, the proposed Investment Policy revisions, in conjunction with utilization of Chandler Asset Management, will result in a reallocation of the City's investment portfolio. Significantly fewer funds will be invested in the State of California Local Agency Investment Fund (LAIF) and U.S. Government Agency securities, while investments in U.S. Treasury securities and corporate bonds/notes will increase. In concert with this reallocation, a greater number of longer-term investments (particularly in the corporate bonds/notes sector) will be purchased, which will increase the average maturity of the portfolio from the current 1.49 years to 2.65 years. The combination of portfolio reallocation and longer maturity will result in increased investment earnings for the City while remaining within an acceptable risk tolerance.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Approve the proposed revisions to the City's Investment Policy.

2. Do not approve the proposed revisions to the City's Investment Policy; provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The proposed revisions to the City's Investment Policy, in conjunction with outsourcing the investment portfolio management to Chandler Asset Management, is expected to increase the City's investment income by at least $50,000 through the remainder of FY 2009-10 and at least $120,000 in FY 2010-11. Upon the City Council's approval of the proposed revisions to the Investment Policy, the City's revenue projections for both fiscal years will be adjusted accordingly.

CITY COUNCIL GOALS

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

SUMMARY

The City updates its Investment Policy annually to reflect changes in legislation, as well as changes in market conditions that may impact the City's investment strategy. The last policy updates were approved by the City Council on February 24, 2009. With the City Council's approval on January 26, 2010 to outsource the management of the investment portfolio to Chandler Asset Management, other revisions to the Investment Policy are now needed to maximize Chandler's effectiveness in this capacity. The proposed Investment Policy revisions are hereby submitted for City Council's approval.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Attachment: Investment Policy showing proposed revisions

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

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

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MV00049865

INVESTMENT POLICY

PURPOSE: The City Council of the City of Moreno Valley (City) and its related authorities and agencies recognizes its responsibility to properly direct the investments of funds under its care. It is the purpose of this policy to provide guidelines for the prudent investment of unexpended funds in a manner which allows for maximum security, while at the same time providing the best investment return to meet the daily cash flow demands of the City, and conform to all applicable statutes pertaining to the investment of public funds. In instances in which the Policy is more restrictive than Federal or State law, the Policy supersedes.

I. Scope

A. Investments for the City and its related authorities and agencies will be made on a pooled basis including the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Moreno Valley Public Facilities Financing Corporation, the Moreno Valley Public Financing Authority, and the Moreno Valley Industrial Development Authority. These funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR) and include:

1. General Fund
2. Special Revenue Funds
3. Debt Service Funds
4. Capital Project Funds
5. Internal Service Funds
6. Agency Funds
7. Enterprise Funds

B. The City Council has the authority to allow investments that do not follow this policy as long as such investments are recommended by the City Manager and City Treasurer, and expressly authorized by the City Council.

C. At the time this policy is adopted, the portfolio may hold investments which were made in the past and in accordance with previous policies and existing State law, but do not meet the provisions of this policy. These past investments are grandfathered as permissible investments. The City may choose to hold these investments until maturity; however, their maturity cannot be extended without the expressed authorization of the City Council.

D. Funds excluded from this policy

1. **Bond Proceeds.** ~~Proceeds of debt issuance shall be invested in accordance with the City's general investment philosophy as set forth in this policy.~~ The overriding policy for the investment of bond proceeds will be dictated by the bond documents governing such funds as long as the documents are approved by the City Council or related governing board. ~~As a minimum standard for the investment of bond proceeds, the governing bond documents will have permitted investment language which follows guidelines used by one of the two largest bond insurers in the United States. This standard will also include investments permitted in this policy.~~

   ~~In addition the City may also invest bond proceeds in the State Local Agency Investment Fund (LAIF) bond proceeds program or municipally sponsored investment pools rated "Aam" or better with an average weighted maturity of 3 years or less. The investment of debt service reserve funds longer than 5 years is permitted by state law and is permitted, provided that the funds are readily available for bond payments or other bond purposes (refunding, defeasances, etc.). For defeasance escrows, the City may procure U.S. Treasury securities and State and Local Government Securities (SLGS) having a maturity longer than 5 years.~~

2. **Deferred Compensation Plans.** Investments related to the City's deferred compensation plans are not subject to this policy since third-party administrators manage them and the individual plan participant's direct investment and mutual fund selection. Deferred compensation plans must be approved by the City Council.

II. Prudence

~~Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.~~

~~The standard of prudence to be used by investment officials shall be the "prudent person" and/or "prudent investor" standard and shall be applied in the context of managing an overall portfolio.~~

A. Prudent Investor Standard: Management of the City's investments is governed by the Prudent Investor Standard as set forth in the California Government Code 53600.3:

> "...all governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law."

B. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

III. Objectives

A. The City's investment philosophy sets the tone for its policies, practices, procedures and objectives that control the investment function. The investment of funds will be guided by the primary objectives of safety, liquidity and a reasonable market rate of return.

1. **Safety** – Safety of principal is the foremost objective of the investment program. The City will undertake investments in a manner that ensures the preservation of capital in the portfolio taken as a whole. ~~To attain this objective, the City will practice diversification by investing funds with different financial institutions and across various types of securities that offer independent returns.~~

2. **Liquidity** – The City will maintain sufficient cash and short-term investment instruments which, together with projected revenues, will provide sufficient liquidity so that the City will be able to meet all operating requirements which might be reasonably anticipated including an amount to cover reasonably estimated contingencies. ~~To the extent possible, the maturity of investments selected will match the City's projected cash requirements, including an amount to cover reasonably estimated contingencies.~~

3. **Reasonable market rate of return (Yield)** – The City's investment portfolio will be designed with the objective to attain a benchmark rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio.

B. The investment function will have the ongoing objectives of: assuring compliance with Federal, State and local laws governing the investment of public funds, maintaining reserves for long-term projects and contingencies, and establishing quality standards and limits related to the type of investments made and with which institutions investments are placed.

IV. Delegation of Authority

A. The City of Moreno Valley Municipal Code specifies that the City Council will appoint the City Treasurer. By resolution, the City Council has appointed the Financial & Administrative Services Director to serve as the City Treasurer. The Treasurer serves as the chief investment officer for the City and is authorized to invest or deposit the City's funds in accordance with this policy, California Government Code Sections 53600 and 53630 et seq., and all other related Federal and State laws. The City Treasurer also serves as the Treasurer for the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Public Financing Authority, the Moreno Valley Public Facilities Financing Corporation, the Moreno Valley Community Services District and other related City entities. In the absence of the City Treasurer, and unless otherwise delegated, the Treasury Operations Division Manager/Assistant City Treasurer will serve as the Acting Treasurer. The City Treasurer may appoint deputy treasurers to act on behalf of the City. The City Treasurer will provide written authorization in delegating any of his/her authority.

B. The City Manager will provide periodic oversight to the investment function which includes but is not limited to reviewing monthly investment reports issued by the City Treasurer.

C. The City Council's primary responsibilities over the investment function include approving the Investment Policy, annually reviewing such policy, reviewing monthly investment reports issued by the Treasurer, authorizing bond documents and other unique financing transactions, and authorizing any deviations from the City's investment policies.

D. The Finance Sub-Committee of the City Council will provide oversight to the investment function through the periodic review of the investment report at their committee meetings.

E. The City may engage the services of one or more external investment managers to assist in the management of the City's investment portfolio in a manner consistent with the City's objectives. Such external managers may be granted discretion to purchase and sell investment securities in accordance with this Investment Policy. Such managers must be registered under the Investment Advisers Act of 1940.

V. Investment Procedures

A. The City Treasurer shall establish internal procedures for the operation of the investment program consistent with this policy. These procedures shall include, but are not limited to, the following items:

1. Safekeeping
2. Master repurchase agreements
3. Wire transfer agreements
4. Collateral/Depository agreements
5. Broker/Dealer relationships

B. Cash handling and cash management are integral components of an effective investment management program. In keeping with the Administrative Policy on Cash Control, the aforementioned procedure manual shall include references to the following:

1. Cash collection practices
2. Depository practices
3. Cash flow issues
4. Cash flow projections
5. Anti-theft/Anti-fraud practices
6. Banking agreements
7. Accounting practices

C. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the City Treasurer.

D. Allocation of Pool Interest

1. All interest earnings related to the investment pool will be allocated to the General Fund unless specifically directed by Federal or State statute, City Council directive or contractual agreement.

2. The allocation methodology will be maintained by the City Treasurer.

VI. Ethics and Conflict of Interest

A. All officials, staff members and consultants, involved in the investment functions will refrain from personal business activity that could conflict with the execution of the investment function or which may impair their ability to make impartial investment decisions. Officials, staff members, and consultants, will disclose to the City Manager any financial interests with a financial institution, provider, dealer or broker that conducts business with the City.

B. Officials, staff members and consultants will further disclose any personal financial positions that could be related to the City's cash and investment portfolio.

C. All bond issue participants, including but not limited to, underwriters, bond counsel, financial advisors, brokers and dealers will disclose any fee sharing arrangements or fee splitting to the City Manager prior to the execution of any transactions. The providers must disclose the percentage share and approximate dollar amount share to the City prior to the execution of any transactions.

VII. Investment Controls

A. The City Manager shall oversee and ensure that the City Treasurer implements and maintains a system of internal investment controls and segregated responsibilities of the investment function in order to prevent the following:

1. Fraud
2. Theft
3. Loss of principal
4. Loss of control over funds
5. Inaccurate reporting
6. Negligence
7. Over-reliance on a single employee for investment decisions

B. Internal controls should include but are not limited to (for a more specific list of internal controls see the investment management plan):

1. Segregation of duties (e.g., the purchaser of investments is different than the person recording the transaction)
2. Reconciliation of investment report and cash balances
3. Dual authorization of transactions

C. An external auditor will review the investment program annually in order to provide reasonable assurance that policy and procedures are complied with.

VIII. Authorized Financial Dealers and Institutions

A. The City Treasurer will obtain financial information from qualified institutions to determine if the institution markets in securities appropriate to the City's needs, can assign qualified sales representatives, and can provide written agreement to abide by the conditions set forth in the City of Moreno Valley Investment Policy.

B. The City Treasurer will maintain a list of financial institutions and broker/dealers authorized to provide investment services to the City who are authorized to provide investment services in the State of California. An eligible designation does not guarantee that the City will do business with the firm or institution.

C. The following criteria will be used in determining investment providers

1. Broker/Dealers: The purchase by the City of any investment other than those purchased directly from the issuer shall be purchased from a broker/dealer firm designated as a "Primary Government Dealer" by the Federal Reserve Bank of New York or a regional dealer that qualifies under SEC Rule 15C3-1 (uniform net capital rule).

2. Banks: The City shall purchase securities from banks which ~~are~~ meet all of the following criteria:

   a. Nationally or State chartered banks
   b. Registered as investment securities dealers with the Securities and Exchange Commission
   c. ~~Ranked in the top 25% of its peer group as i~~Independently rated "A" or higher by two nationally recognized statistical ranking ~~service~~ organizations

3. Investment Bankers, Underwriters and Financial Advisors: The purchase by the City of any investments from these providers in the course of completing a bond transaction must be expressly authorized by the City Council after such a provider discloses their commission, spread or fee in approximate dollar amount. Otherwise, the acquisition of such investments must be procured from the broker/dealers customarily used by the City.

4. The Federal Reserve Bank: Direct purchases of Treasury bills, notes and bonds from the U.S. Federal Reserve Banks branches are allowed and are exempt from quality requirements.

D. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must provide the following information to the City Treasurer:

1. A completed City of Moreno Valley Broker/Dealer Questionnaire
2. Audited financial statements

3. Proof of Financial Industry Regulatory Authority (FINRA) ~~National Association of Security Dealers (NASD)~~ certification
4. Trading resolution
5. Proof of state registration
6. Certification of having read and willingness to comply with City's investment policy.

E. The City Treasurer will conduct an annual review of the financial condition and registrations of brokers/dealers on the City's approved list.

F. A current audited financial statement is required to be on file for each financial institution and broker/dealer in which or with which the City invests.

G. Certificates of deposit will not be placed with an institution once it has received a Cease and Desist order from any bank regulatory agency.

IX. Authorized and Suitable Investments (with quality and limitation guidelines)

A. The California Government Code sections 53600 et seq. governs the allowable investments into which a local government agency can enter. These Government Code sections also stipulate as to the portfolio percentage limits and investment quality standards for some but not all permitted investments. The Government Code sections provide a starting point for establishing the City quality standards, percentage limits and maturity levels. Should the Government Code become more restrictive than this policy, the Government Code restrictions shall prevail. ~~In present form, this policy exceeds the standards set forth by the State.~~

B. Whenever a maximum allowable percentage of the portfolio is stipulated for any type of security as detailed below, the limit or maximum allowable is determined by the portfolio size or composition at the close of the date on which the security is purchased.

C. Following is a table summarizing allowable investments for the City. This table is summarized from the California Debt & Investment Advisory Commission's Local Agency Investment Guidelines (CDIAC 09/09) and is consistent with California Government Code Sections 53600 and 53630 et seq. ~~(Allowable investments (for a more detailed description of these investment types and for the state limitations see the Investment Management Plan)~~

~~(Items presented in italics denote policy restrictions which are more restrictive than those dictated by state law.)~~

INVESTMENT POLICY

INVESTMENT TYPE	MAXIMUM MATURITY	MAXIMUM SPECIFIED % OF PORTFOLIO	MINIMUM QUALITY REQUIREMENTS
Local Agency Bonds	5 years	---- none ----	---- none ----
U.S. Treasury Obligations	5 years	---- none ----	---- none ----
State Obligations ---CA and Others	5 years	---- none ----	---- none ----
CA Local Agency Obligations	5 years	---- none ----	---- none ----
U S Agency Obligations	5 years	---- none ----	---- none ----
Bankers' Acceptances	180 days	40%	---- none ----
Commercial Paper ----Select Agencies	270 days	25% of the agency's invested funds	"A-1/P-1/F-1"; If the issuer has issued long-term debt it must be rated "A" without regard to modifiers
Commercial Paper ----Other Agencies	270 days	40% of the agency's invested funds	A-1/P-1/F-1"; if the issuer has issued long-term debt it must be rated "A" without regard to modifiers
Negotiable Certificates of Deposit	5 years	30%	---- none ----
CD Placement Service	5 years	30%	---- none ----
Repurchase Agreements	1 year	---- none ----	---- none ----
Reverse Repurchase Agreements and Securities Lending Agreements	92 days	20% of the base value of the portfolio	---- none ----
Medium-Term Notes	5 years	30%	"A" rating
Mutual Funds and Money Market Mutual Funds	n/a	20%	Multiple
Collateralized Bank Deposits	5 years	---- none ----	---- none ----
Mortgage Pass-Through Securities	5 years	20%	"AA" rating
Bank/Time Deposits	5 years	---- none ----	---- none ----
County Pooled Investment Funds	n/a	---- none ----	---- none ----
Joint Powers Authority Pool	n/a	----none ----	Multiple
Local Agency Investment Fund (LAIF)	n/a	---- none ----	---- none ----

~~1. U.S. Treasury bills, notes and bonds~~
~~Quality: Equivalent to "AAA"~~
~~*Portion of Portfolio: not to exceed 70%*~~
~~Maturity Limit: 5 years~~

~~2. Government Sponsored Enterprises (GSE's) or U.S. Agencies~~
~~Quality: Equivalent to "AAA"~~
~~*Portion of Portfolio: not to exceed 70%*~~
~~*Issuer Limit: not to exceed 50%*~~
~~Maturity Limit: 5 years~~

~~3. California State Local Agency Investment Fund (LAIF)~~
~~Quality: Not Applicable~~
~~*Portion of Portfolio: not to exceed 50%*~~
~~Maturity Limit: Average maturity of fund must be less than 3 years~~

INVESTMENT POLICY

~~**4.** Bonds, notes or other indebtedness of the State of California~~
~~*Quality: rated "AA" or better*~~
~~*Portion of Portfolio: not to exceed 10%*~~
~~Maturity Limit: 5 years~~

~~**5.** Bonds, notes or other indebtedness of local agencies in California~~
~~*Quality: rated "AA" or better*~~
~~*Portion of Portfolio (not to exceed): 10%*~~
~~*Issuer Limit: not to exceed 5%*~~
~~Maturity Limit: 5 years or less~~

~~**6.** Bankers Acceptances~~
~~Quality: Only issuers deemed eligible for purchase by the Federal Reserve Bank~~
~~*Portion of Portfolio: not to exceed 10%*~~
~~*Issuer Limit: not to exceed 10%*~~
~~Maturity Limit: 180 days~~

~~**7.** Commercial Paper~~
~~Quality: "A1" (Standard and Poors) and "P1" (Moody's) *no split rating*~~
~~*Portion of Portfolio: not to exceed 15%*~~
~~*Issuer Limit: not to exceed 10% in combination with medium-term notes*~~
~~Maturity Limit: 270 days~~

~~**8.** Commercial Paper issued under the Temporary Liquidity Guarantee Program (TLGP)~~
~~Quality: "A1" (Standard and Poors) and "P1" (Moody's) *no split rating*~~
~~*Portion of Portfolio: not to exceed 15%*~~
~~*Issuer Limit: not to exceed 10% in combination with medium-term notes*~~
~~Maturity Limit: 270 days~~

~~**9.** Time Deposits and Non-negotiable Certificates of Deposit~~
~~*Quality: Deposits in excess of federal insurance programs must be with entities in the Top 25% of peer group as independently rated.*~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed: $500,000*~~
~~Collateral: Federally insured or 110% *in US Treasuries*~~
~~Maturity Limit: 2 years~~

~~**10.** Negotiable Certificates of Deposit~~
~~Quality: rated "A", "A-1", "P-1" or better~~
~~Portion of Portfolio: not to exceed 30%~~
~~*Issuer Limit: not to exceed 10%*~~
~~Maturity Limit: 5 years~~
~~Additional Requirement: Issued by national or state chartered bank, savings or federal association, state or federal credit unions or state licensed branch of foreign bank.~~

~~**11.** Repurchase Agreements~~
~~Quality: Not applicable~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~Counterparty Limit: not to exceed 5%~~
~~Collateral: 102% US Treasuries marked-to-market weekly~~
~~Maximum Term: 3 months~~
~~Additional Requirements: A Master Repurchase Agreement must be signed with the bank or broker/dealer who is selling the securities to the City.~~

~~12. Medium-term Notes (Corporate Obligations)~~
~~Quality: "AAA/Aaa" rated (with split ratings, the lower rating must meet the standard)~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed 10% in combination with* commercial *paper and notes issued under the TLGP*~~
~~Maturity Limit: 3 years~~

~~13. Medium-term Notes issued under the Temporary Liquidity Guarantee Program (TLGP)~~
~~Quality: "AAA" rated or better~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed 10% in combination with commercial paper and Medium-term Notes*~~
~~Maturity Limit: Must mature on or before June 30, 2012~~

~~14. Mutual Funds and Money Market Accounts~~
~~Quality: "AAA" or highest rating for its class~~
~~*Portion of Portfolio: not to exceed 15%*~~
~~*Issuer Limit: not to exceed 10%*~~
~~Other restrictions: No back-load funds and all funds must be composed of instruments permitted by the Government Code.~~
~~Maturity Limit: 3 years average weighted maturity or less~~

~~15. Other State Government, Local Government or Joint Powers Authority Investment Pools~~
~~Quality: Equivalent to "AAAf/S1"~~
~~*Portion of Portfolio: not to exceed 20%*~~
~~*Issuer Limit: not to exceed 10%*~~
~~Maturity Limit: 3 years average maturity or less~~

D. Investment Pools: ~~Mutual Funds, and Money Market Accounts:~~ A thorough investigation of an Investment Pool account is required prior to investing, and on a continual basis. The investigation must include information, if available, on the following items before investing: ~~A questionnaire shall be developed which will answer the following general questions:~~

1. A description of eligible investment securities, and a written statement of investment policy.
2. A description of interest calculations and distribution and how gains and losses will be treated.
3. A description of how the securities are safeguarded (including the settlement process), and how often the securities are priced and the program audited.
4. A description of who may invest in the program, how often and what is the allowable size of deposits and withdrawals, and any limitations as to number of transactions.
5. A schedule for receiving statements and portfolio listings.
6. Are reserves, retained earnings, etc. utilized by the pool?
7. Is the pool eligible for bond proceeds and/or will it accept such proceeds?

E. Repurchase Agreements are legal and authorized by policy. In order to invest in repurchase agreements the City must obtain a signed Master Repurchase Agreement from the participating bank or broker/dealer.

F. Prohibited Investment Transactions and Derivatives:

1. The Government Code specifically prohibits certain types of investment instruments for municipalities. In addition to those prohibitions, the following investments are not permitted:

   a. Reverse Repurchase Agreements

b. Financial futures or financial option contracts
c. Security lending

2. Additionally the City shall not invest in any security that could result in zero interest accrual if held to maturity.

3. Due to the complexity of the securities market and ever-changing market conditions, it is difficult to define derivatives and specifically prohibit their acquisition. Therefore, the City desires to limit the potential risk of derivatives by specifically prohibiting the most common types of derivatives with certain market exposures. These prohibited derivatives include but are not limited to: inverse floaters, interest only securities derived from mortgages, residual securities, structured notes, forward based derivatives, forward contracts, forward rate agreements, futures contracts, interest rate futures contracts, foreign currency futures contracts, option based derivatives, option contracts, interest rate caps, interest rate floors, swap contracts, interest rate swaps, interest rate collars, foreign currency swaps, cross currency exchange agreements, fixed rate currency swaps, basis swaps, equity swaps, fixed rate equity swaps, floating rate equity swaps and commodity swaps.

4. Leveraging

a. The City may not purchase investments on a margin or through a margin account.

b. The General Portfolio may not be leveraged by more than 30% through the issuance of tax and revenue anticipation notes (TRANS). The proceeds of any TRANS issue are to be invested in accordance with the guidelines in this policy, with investment maturities not to exceed the life of the TRANS.

c. The City may not leverage its investments through the use of reverse repurchase agreements.

X. Collateralization

A. Bank Deposits: Under provisions of the Government Code, California banks and savings and loan associations are required to secure the City's deposits by pledging government securities with a value of 110% of principal and accrued interest. State law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of the City's total deposits.

B. Certificates of deposit:

1. The market value of securities that underlay certificates of deposit shall be valued at 110% of the market value of principal and accrued interest.

2. The City Treasurer, at his/her discretion may waive the collateral requirement for deposits up to ~~$100,000~~ the maximum dollar amount which are covered by the Federal Deposit Insurance Corporation.

C. Repurchase Agreements

1. The market value of securities that underlay certificates of deposit shall be valued at 102% of the market value of principal and accrued interest.

2. The value shall be adjusted no less than weekly. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall

be in compliance if the value of the underlying securities is brought back to 102% no later than the next business day.

D. A clearly marked evidence of ownership, safekeeping receipt, must be supplied to the City and retained.

E. The City chooses to limit collateral to US Treasuries.

F. Collateral will always be held by an independent third-party with whom the entity has a current written custodial agreement.

G. The right of collateral substitution is granted based on the approval of the City Treasurer and City Manager.

XI. Safekeeping, and Custody and Competitive Bids

A. Third-party safekeeping is required for all investments. Securities may be maintained by a banking institution or a broker/dealer firm for safekeeping as long as the securities are held in the City's name.

B. Third-party safekeeping arrangements will be approved by the City Treasurer and will be corroborated by a written custodial agreement.

C. All investment transactions of the City will be conducted using standard delivery vs. payment (DVP) procedures.

D. All securities held by the safekeeping custodian on behalf of the City shall have the City of Moreno Valley as the registered owner, and all interest and principal payments and withdrawals shall indicate the City of Moreno Valley as the payee.

E. All bank deposits will be FDIC insured or deposited with institutions that comply with the State collateral requirements for public funds.

F. Securities used as collateral for repurchase agreements with a maturity from one to seven days can be held in safekeeping by a third party bank trust department or by the broker/dealer's safekeeping institution, acting as the agent for the City, under the terms of a custody agreement executed by the selling institution and by the City specifying the City's "perfected" ownership of the collateral.

G. All investment transactions shall be conducted on a competitive basis with quotes from a minimum of three brokers or financial institutions when possible.

XII. Diversification and Credit Risk Management

A. Investments contained within the portfolio will be diversified by security type, institution and maturity.

~~**B.** At no time shall the City increase the amount of funds kept with a financial institution or in a single type of investment instrument once its share of the general portfolio reaches 70%.~~

B. The diversification requirements included in Section IX are designed to mitigate credit risk in the portfolio.

C. No more than 5% of the total portfolio may be invested in securities of any single issuer, other than the US Government, its agencies and instrumentalities.

D. The City may elect to sell a security prior to its maturity and record a capital gain or loss in order to improve the quality, liquidity or yield of the portfolio in response to market conditions or City's risk preferences; and,

E. If securities owned by City are downgraded by any nationally recognized statistical ratings organization to a level below the quality required by this Investment Policy, it shall be the City's policy to review the credit situation and make a determination as to whether to sell or retain such securities in the portfolio.

1. If a security is downgraded, the City Treasurer will use discretion in determining whether to sell or hold the security based on its current maturity, the economic outlook for the issuer, and other relevant factors.

2. If a decision is made to retain a downgraded security in the portfolio, its presence in the portfolio will be monitored and reported monthly to the City Council.

XIII. Maximum Maturities

A. The City Treasurer will maintain sufficient liquidity in cash and short-term investments, which together with projected revenue receipts will meet the cash flow requirements of the City for the upcoming six months.

B. The City will not directly invest in securities maturing more than five years away from the settlement date. In any case, where a cash flow is matched with an investment which exceeds the five year limit, the investment must be approved by the City Council.

C. The average weighted maturity of the general portfolio shall not exceed 3 years. The general portfolio does not include bond proceeds or deferred compensation funds.

D. To the extent possible, longer-term investment maturities will be spaced so that a portion of such investments mature each year to cover unanticipated emergencies.

~~E. To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements.~~

XIV. Performance Standards

A. The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints~~ and cash flow needs~~.

~~B. The City employs a passive investment strategy. Given this strategy, the basis used to determine whether market yields are being achieved shall be the State of California's LAIF return rate.~~

~~C. While the City employs a passive investment strategy, the City Treasurer will make his/her best effort to observe, review and react to changing conditions that affect the portfolio.~~

B. The investment performance objective for the portfolio shall be to earn a total rate of return over a market cycle which is approximately equal to the return on a market benchmark index of similar securities, as determined by the City Treasurer.

INVESTMENT POLICY

XV. Reporting

A. The City Treasurer will provide a monthly report to the City Manager and City Council which will include the following information by security held at the end of the reporting period:

1. Investment Type
2. Issuer
3. Maturity Date
4. Par Value
5. Market Value
6. Book Value
7. Weighted Average Maturity
8. Source of Market Valuation
9. Monies maintained within the treasury
10. Funds, investments and loans that are under the management of contracted parties

B. Quarterly, and within 60 days of the completion of the quarter, the City Treasurer will submit a report to the City Council in open public meeting with the same investment information provided to the City Manager and City Council on a monthly basis with the addition of the following data:

1. A description of the compliance with the statement of investment policy, or manner in which the portfolio is not in compliance.

2. A statement denoting the ability of the City to meet cash flow requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

XVI. Investment Policy Adoption

A. Annually, the City Treasurer will render to the City Council a Statement of Investment Policy, including any changes or revisions, to be reviewed and approved at a public meeting.

XVII. Record Retention

A. The following investment or cash management documents will be maintained in accordance with Chapter 2.60 of Title 2 of the City of Moreno Valley Municipal Code:

1. Investment Reports and supporting documentation
2. Third-party statements of assets held
3. Investment permanent files
4. Market pricing documentation

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: March 23, 2010

TITLE: UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board"):

1. Authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees.

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program.

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For Conducting Mail Ballot Proceedings.

BACKGROUND

The CSD was formed simultaneously with the City's incorporation and zones of benefit were established, such as the CSD Zone B (Residential Street Lighting) program, to allocate the program costs to those parcels receiving benefit from the services provided by the CSD. The Zone B parcel charges fund the costs for approximately 8,500 streetlights along City maintained residential streets. Over the past few years, electrical

utility costs for streetlights have significantly increased and currently exceed the annual revenue for the CSD Zone B program.

To continue to provide the same level of residential street lighting services, a Proposition 218 mail ballot proceeding was conducted in June of 2009. The mail ballot provided property owners participating in the CSD Zone B program an opportunity to either approve or oppose an increase in their CSD Zone B charge from $23 or $24 per parcel, per year to $39 per parcel, per year. The proposed charge would have been subject to future inflation adjustments based on the greater of the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Electrical Price Index, as published by the Department of Labor's Bureau of Labor Statistics, or 5%. Of the 40,092 ballots mailed to property owners, 6,359 ballots (16%) were returned with 4,076 ballots marked as not approving, 2,025 ballots marked as approving, and 258 invalid. Based on the results of the mail ballot proceeding, the proposed increase in the CSD Zone B charge was not approved.

A presentation was given to the Board at the November 17, 2009 City Council Study Session, which included a number of potential alternatives for the Board's consideration. Staff was directed to bring this matter back before the Board for further discussion at a regular City Council meeting.

A second presentation was made at the February 23, 2010 City Council meeting, which included a number of alternatives such as hiring a public relations firm to assist with public education and outreach, reballoting property owners, and posting notification signs on designated streetlights that may be de-energized (turned off). The Board gave direction to have Fund 149 loan the CSD Zone B program the estimated shortfall of $198,000 for fiscal year (FY) 2009/10. Repayment of the loan shall come from future CSD Zone B parcel charges.

Discussions with the City's primary streetlight utility provider, Southern California Edison (SCE), have revealed that should it become necessary to de-energize (turn off) streetlights, the cost to turn off each individual light is $44. Based upon the total number of streetlights owned and operated by SCE located within the boundaries of CSD Zone B, the total cost to turn off streetlights would be approximately $338,000. In addition to the cost to turn off streetlights the City would continue to incur utility bills for streetlight lease and maintenance costs, which represents approximately 75% of the current utility bills. If lease and maintenance cost are not waived, the City would only realize a savings for the reduction in energy use of approximately $40 annually per streetlight. Additionally, should streetlights be re-energized (turned on) at a later date, the cost to have SCE turn on the streetlights would be $48 per light or approximately $369,000.

DISCUSSION

For FY 2010/11, the CSD Zone B program is projected to be underfunded by approximately $548,000, with annual shortfalls projected to continue in subsequent FYs. Given this projected shortfall, staff has commenced communication efforts to address the shortfall.

On January 8, 2010, City representatives met with State Assemblyman, Paul Cook, concerning the increase in electrical rates approved by the CPUC. As a result of this meeting, State Assemblyman Cook indicated that his office would endeavor to set up a meeting with the CPUC to explore potential regulatory relief regarding non-energy charges and develop communications with the CPUC and SCE in an effort to seek a financially viable option. Potential discussion points include a request for a reduction in the tariff rates for streetlight utility costs or allowing the turning off and/or removal of certain streetlights without excessive costs to the property owners. Assemblyman Cook's staff is in the process of scheduling a meeting with the CPUC, but has been unable to get a confirmed date as of the writing of this report.

Additionally, City staff has discussed the utility rate issues with the lobbying firm of Joe A. Gonsalves & Son on March 2, 2010. This firm is working to facilitate a meeting with the CPUC and the Manager of State Legislative Policy for SCE to seek potential solutions. The City Manager's office shall continue to diligently pursue actions to seek additional alternatives to resolve the current and future streetlight funding shortfalls.

In addition to working with the State Assembly and lobbying firm, since the City does not have sufficient funding to continue to support residential streetlight services, a request by the Mayor may be extended to SCE to waive all fees. This request shall include, but not be limited to, waiving the fees for turning off streetlights and to re-energize streetlights in the future should funding become available to support the cost for residential street lighting services.

With the projected FY 2010/11 shortfall and an undetermined timeline for a resolution through the State Legislature and the CPUC, in addition to requesting a reduction in the fees from SCE, staff developed a public outreach and education plan to coincide with a reballot effort for the CSD Zone B program. The additional costs for outreach, education, and reballot would be included in the loan from Fund 149.

For the prior CSD Zone B mail ballot proceeding, the Special Districts Division, working with the City's Media & Communications Division, performed the following public education and outreach efforts:

- "Questions & Answers" posted on City's Website
- Public Service Announcements (PSA) posted on MVTV 3
- Townhall Meetings (3)
- Meetings with Home Owner Associations
- Meeting with Community Watch Group
- Publication of Legal Notices (3)
- Bilingual Staff available for phone calls and meetings
- Mailed informational documents on services and costs to property owners
- Public Meeting & Public Hearing

To further enhance our communications with the property owners, the Special Districts Division is proposing to perform similar activities as mentioned above, along with the following proposed options:

1. Print advertisements in *The Press-Enterprise*

   Work with the City's Media & Communications Division to develop an informational advertisement regarding street lighting to run in the local newspaper. Advertising may run multiple days and in a size and layout that will draw the reader's attention. The total cost for the advertisements is estimated to be approximately $5,000 for publications on multiple days in *The Press-Enterprise.*

2. Print advertisements in *La Prensa*

   Work with the City's Media & Communications Division to develop an informational advertisement regarding street lighting to run in the local Hispanic newspaper. Advertising may run multiple days and in a size and layout that will draw the reader's attention. The total cost for the advertisements is estimated to be approximately $5,000 for publications on multiple days in *La Prensa*.

3. PSA Advertisements during movie theatre previews

   Work with the City's Media & Communications Division to develop digital and general slide informational advertisements to be played prior to feature films at the local theatres. This service will offer approximately 14,000 advertisement spots over a 12 week period of time and is estimated to reach more than 20,000 individuals per week for digital and analogue advertising. The total cost to present PSAs at the movie theatres is estimated to be approximately $5,200.

4. Post Temporary Notification Signs on Residential Streetlights Subject to Potential Turning Off and/or Removal

   As part of the public education and outreach efforts, signs may be posted temporarily on residential streetlights, which are funded through the CSD Zone B program, to provide advanced notification to the public that the identified streetlights may be subject to being turned off and/or removed. The postings could be limited to an estimated 47% of the residential streetlights within the CSD Zone B boundaries to reflect the amount necessary to offset the projected funding shortfall through FY 2010/11. The total cost to post signs temporarily on the streetlights is estimated to be approximately $14,000.

5. Special Districts will continue to pursue other ideas to provide public outreach.

A reballot may be initiated by direction from the Board, which shall allow property owners another opportunity to express either support or opposition to the proposed increase in the CSD Zone B annual charges for residential street lighting services. The cost of the reballot is estimated to be $35,000, which is primarily for printing and postage. If the proposed increase is approved, it would allow for an annual charge of $42 per parcel subject to future inflation adjustments based on the greater of the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Electrical Price Index, as published by the Department of Labor's Bureau of Labor Statistics, or 5%. For FY 2010/11 the ballot will

also include a one time charge of $2 per parcel, to contribute toward the loan repayment for the FY 2009/10 shortfall, county charges, and associated outreach and reballot costs.

In order to meet the County's requirements for submitting the charges on the FY 2010/11 property tax bills and to be compliant with Proposition 218, the following is the proposed timeline for the mail ballot proceeding:

April 1 - August 24	Public education and outreach
June 18 - July 8	Preparation and printing of Notices and Ballots
July 9	Mail Notice and Ballots to property owners
August 24	Public Meeting (City Council meeting)
Sept. 14	Public Hearing (City Council meeting)
Sept. 15 - 27	Ballot tabulation
Sept. 28	Certification of ballot results (City Council meeting)
Sept. 30	Last day to apply charges to the FY 2010/11 County tax bill

For FY 2010/11, if increased charges are not approved and applied to the property tax bills or service levels are reduced, the CSD Zone B annual shortfall for FY 2010/11 would be approximately $548,000 plus additional cost incurred from any actions directed by the Board.

ALTERNATIVES

1. Authorize the Mayor to send a letter to Southern California Edison requesting a waiver of all fees for the de-energization (turning off) of streetlights, the monthly cost for each de-energized streetlight pole (electric charges and maintenance charges), and the re-energization (turning on) of streetlights in the future. *This option shall allow the City to make a formal request to have the primary streetlight utility provider, SCE, waive charges for streetlight services that are not being received.*

2. Review and comment on the proposed public outreach and educational program and authorize staff to proceed with a mail ballot proceeding in accordance with the timeline as stated in this report to allow property owners an opportunity to approve or reject a reballot for the CSD Zone B (Residential Street Lighting) program. *This option shall make additional information available to the public concerning streetlight services as provided through CSD Zone B and allow property owners another opportunity to ballot on their services.*

3. Do not review and comment on the proposed public outreach and educational program efforts and do not authorize staff hold a mail ballot proceeding for the CSD Zone B (Residential Street Lighting) services. *This alternative shall not allow for proposed public outreach and educational efforts and will not authorize staff to proceed with conducting a mail ballot CSD Zone B.*

FISCAL IMPACT

There is currently no fiscal impact on the General Fund for the operation of the CSD Zone B program. For FY 2010/11, the Special Districts Administration Fund 149, which has a sufficient fund balance, shall loan approximately $198,000 to the CSD Zone B program to cover the shortfall. Additionally, outreach and educational efforts, including the cost of the mail ballot, shall be included in the loan. The estimate cost for all outreach efforts along with the mail ballot, and incidentals related to the cost of balloting are estimated at $65,000.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
The CSD Zone B program is a full cost recovery program which funds residential streetlight services.

Public Safety
Residential streetlights aid in the illumination of roadway and sidewalk areas.

SUMMARY

Funds received to support the CSD Zone B program are less than the cost to provide CSD Zone B services. City Staff has presented a number of alternatives for the Board's consideration, which include continued dialogue with the legislature, public education and outreach, and a proposal to reballot the property owners for an increase in the CSD Zone B charge.

NOTIFICATION

N/A

ATTACHMENTS/EXHIBITS

N/A

Prepared By:
Sharon Sharp
Senior Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By:
Sue Anne Maxinoski,
Special Districts Division Manager

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

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MV00049887

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: March 23, 2010

TITLE: A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. ADOPT a Negative Declaration for application PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone). The project will not result in a significant effect on the environment; and

2. Adopt Resolution No 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A;

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

ADVISORY COMMITTEE ACTION

The Planning Commission, at its September 24, 2009, meeting approved Planning Commission Resolution No. 2009-28, recommending by 7-0 vote that the City Council adopt a Negative Declaration for PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone); and deny PA08-0020 (General Plan Amendment) and PA08-0019 (Change of Zone). Per the City's Municipal Code, Planning Commission denials are not forwarded to the City Council unless an appeal is filed. On October 7, 2009, the applicant, Winchester Associates Inc. filed an appeal of the Commission's denial.

On January 26, 2010, a public hearing for the item was held and the City Council adopted a Negative Declaration and approved the request with a direction for staff to present a Resolution for the General Plan Amendment and the Ordinance for the Change of Zone.

BACKGROUND

The project PA08-0020 and PA08-0019 is a request for a General Plan Amendment from Office/Residential (R/O) to Community Commercial (CC), and a request for a Change of Zone from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC)

Based on the public hearing held on January 26, 2010, the City Council approved the General Plan Amendment and Change of Zone.

The General Plan land use designation of Community Commercial and the zoning of Neighborhood Commercial will be consistent with the surrounding land uses including office and residential, allowing flexibility for site development.

ALTERNATIVES

Not applicable

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Not applicable.

NOTIFICATION

Not applicable

ATTACHMENTS/EXHIBITS

1. Proposed Resolution for approval of PA08-0019, General Plan Amendment
2. Proposed Ordinance for approval of PA08-0020, Change of Zone

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00049891

RESOLUTION NO. 2010-19

A RESOLUTION FOR AN APPROVAL OF A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

WHEREAS, the applicant, Winchester Associates Inc., has filed an application for the appeal of a Planning Commission denial of PA08-0020 and PA08-0019, requesting amendments to the General Plan Land Use and Zoning as described in the title of this resolution.

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0019 and PA08-0020 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment and Change of Zone, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on September 24, 2009, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA08-0020) and Change of Zone (PA08-0019). At said meeting, the Planning Commission recommended denial of General Plan Amendment (PA08-0020) and Change of Zone (PA08-0019) to the City Council, and;

WHEREAS, on October 7, 2009, an application was submitted to the City appealing the Planning Commission's action to deny the project to the City Council for their consideration.

WHEREAS, on January 26, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment and Change of Zone;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 1

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA08-0020 and PA08-0019:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project includes two applications, a General Plan Amendment and Change of Zone to change the existing land use for Assessor's Parcel Numbers 263-180-007 and 263-180-080. The proposed project is consistent with the current General Plan goals and objectives which was updated in 2006.

   The project proposes to change the existing Residential/Office (R/O) General Plan land use designation to Commercial.

   With respect to the addition of commercial acreage, the General Plan establishes a mix of designated land uses that is directed at providing a balance among various uses at build-out. The General Plan acknowledges designation of "more than enough" commercial land to accommodate the needs of the population at build out. However, the Community Commercial designation this location will assist the needs of the adjacent community.

   A traffic study for the project determined there would be a significant increase in trip traffic along Day Street however would not meet unacceptable service levels or negative impacts to the City's circulation system.

   The proposed General Plan land use designation of Commercial is consistent with surrounding uses including office and residential. Changing the Land Use designation and zone for these parcels will create a compatible use with the adjacent office commercial and residential lots to the south and west

   The proposed change would decrease the residential land use as the current Housing Element included this property to meet the future Regional Housing Needs within the City.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

FACT: The proposed General Plan Amendment and Change of Zone will not be detrimental to the public health, safety or welfare

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

FACT: The proposed General Plan Amendment conforms to the goals and objectives of the City's Redevelopment Plan.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA08-0020 General Plan Amendment, based on the findings contained in this resolution with no action on the environmental required and the revised General Plan map attached to the Resolution as Exhibit A.

APPROVED AND ADOPTED this 23rd day of March 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

GENERAL PLAN AMENDMENT

Application No. PA08-0020
Resolution No.

LEGEND

N

CC — **Community Commercial (From Residential/Office)**

EXHIBIT A

Item No. G.7

MV00049896

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MV00049897

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

ATTACHMENT 2

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of , 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No.

LEGEND

N

NC **Neighborhood Commercial (From R15/Office Commercial)**

EXHIBIT A

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MV00049903

*G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (Molina/Stewart)

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MV00049905

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: March 16, 2010

TITLE: Potential Neighborhood Identification Sign Program

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate.

BACKGROUND

This report arose from discussion at the January 26, 2010 Council Study Session (and previously) involving a proposal from Highland Fairview for a Rancho Belago Community Sign program. At that meeting, Council directed staff to 1) identify communities/neighborhoods throughout the City of Moreno Valley which exhibit potential for sign identification; and 2) explore ways that community/neighborhood signs might be paid for, with respect to both initial manufacture and installation, and on-going maintenance.

DISCUSSION

Staff has prepared an informal map (see attached) which depicts areas/neighborhoods which either already have existing identification signs or which exhibit features (such as local history, location, topography, development type, etc.) which provide a basis for 'place identity'. Examples of the former are Hidden Springs, Sunnymead Ranch, Towngate and Moreno Valley Ranch. Examples of the latter are Canyon Springs, Sunnymead, Edgemont, Old Moreno and the Moreno Valley Industrial Specific Plan Area.

There are two fundamental components to the issue of how community/neighborhood identification signs have been—or in the future could be—paid for: 1) manufacture and installation and 2) on-going maintenance.

Manufacture and Installation

The expense for manufacture and installation of community/neighborhood identification signs may be borne as follows:

a. Project Developer (e.g., Hidden Springs, Sunnymead Ranch, Moreno Valley Ranch, Towngate).
b. City General Fund.
c. Redevelopment Agency (RDA).
d. Community Facilities District (CFD).

It should be noted that utilization of RDA funds would be restricted to areas located within the boundaries of established redevelopment project areas. And while neighborhood identification signs could conceptually be paid for as a 'public improvement' under the financing umbrella of a CFD, the costs of forming CFDs are considerable, so typically that tool is used to finance millions—not thousands—of dollars of public infrastructure/improvements.

On-going Maintenance

The expense for on-going maintenance of community/neighborhood identification signs may be borne as follows:

a. Project Developer establishes through cash deposit with the City a 'perpetual maintenance' fund whose earned interest pays for on going maintenance.
b. Home Owners Association (HOA), as exampled by Sunnymead Ranch.
c. City General Fund.
d. Community Services District (CSD), established pursuant to the 1972 Calif. Landscape and Lighting Act, as exampled by Hidden Springs and Moreno Valley Ranch.

It should be underscored that the City's recent experience with property owners' reluctance to approve increased funding of existing CSD's (for landscaping and street lighting) draws into question the practical viability of this mechanism for paying for maintenance and replacement of future community/neighborhood identification signs.

FISCAL IMPACT

The specific fiscal impacts of the City's assuming General Fund responsibility for manufacture, installation and maintenance of community/neighborhood identification signs are indeterminate at this time. Costs would depend on such matters as sign design and material components, types and numbers of signs, location of installation and degree of maintenance. A more fine-grained framework addressing these matters would be necessary to allow reliable cost projections.

SUMMARY

There are a number of areas in the City which, for various reasons, might be considered a distinct 'community' or 'neighborhood'. Some of these are already identified by entry signs installed by a project developer and maintained by either a home owners association or a community services district.

Several alternatives exist for paying for the manufacture, installation and maintenance of community/neighborhood identification signs. These exhibit various degrees of practical application and viability.

ATTACHMENTS/EXHIBITS

1. Map of existing and potential communities/neighborhoods

Prepared By:
Kyle Kollar
Interim Director of Community Development

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

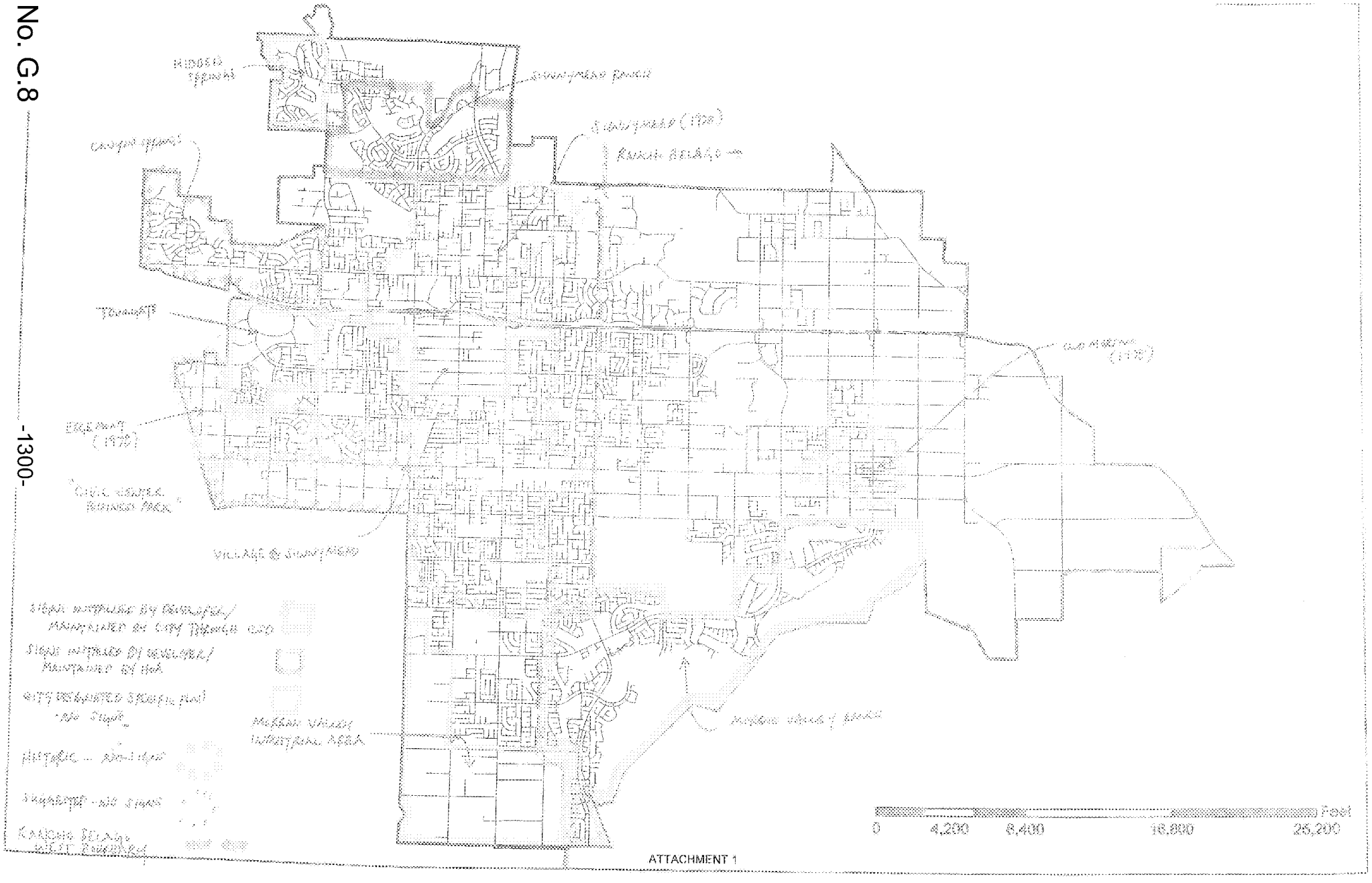

ATTACHMENT 1

MV000049909

APPROVALS	
CITY ATTORNEY	
FINANCE DIRECTOR	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: September 16, 2008

TITLE: Proposed Rancho Belago Community Sign Program

RECOMMENDED ACTION

Staff recommends that the City Council discuss the proposal and provide direction to staff regarding future action on the proposal.

BACKGROUND

On February 13, 2007, the City Council approved a resolution to designate a community name of Rancho Belago for a portion of eastern Moreno Valley.

On October 9, 2007, the Planning Division received an application for a sign program for the area from the Rancho Belago Economic Council. The application included a variety of community identification signs and banners on new and existing poles located in the public right of way (copy sent under separate cover). The proposed sign program has the stated purpose of providing a "sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within".

After staff review of the proposal, a letter was sent on December 19, 2007, providing comments and requesting information as to the proposed implementation of the program relative to installation and maintenance of the signs (see attached copy).

On February 27, 2008, the applicant provided a response letter agreeing with nearly all of the comments provided by staff (see attached copy). The letter also indicated their intent to share the cost of the installation and maintenance of the program with the City.

STUDY SESSION ITEM NO. 2.

Given the request for City participation, on March 26, 2008, staff sent a follow up letter requesting information on the projected cost to install and maintain the proposed signs (see attached copy). That information was provided in a series of e-mails.

The City currently has 21 painted simple metal entry signs mounted on signposts as well as major entryway signs at the western Alessandro Boulevard city limits. The metal signs cost approximately $275 to make and install. On occasion, the signs are replaced due to damage.

Most neighborhood/project identification signs are privately maintained. A limited number of signs are maintained by the City's Public Works Department in conjunction with adjacent street side landscapes with funding from Special District fees levied on benefiting property owners. A similar arrangement has been approved for Sunnymead Boulevard where identification signs and banners will be maintained by the City with funding from fees levied on adjacent property owners.

The proposed sign program would be most like the City entry identification signs or Sunnymead Boulevard signs as they would be in the public right of way and would identify a designated community rather than a specific private development.

DISCUSSION

The proposed signs evidence a high level of quality design and construction. The proposed sign program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles. Tentative locations for the one hundred fifteen (115) proposed signs are identified in the draft sign program. The program also proposes a new design for tract directional signs – these signs are installed by the Building Industry Association (BIA) pursuant to an agreement with the City. No specific locations are provided for these signs as they are located in response to builder requests for directional signs for their developments. Specific locations would require further technical review relative to the issues identified in staff's December 19, 2007, letter.

Information provided by the applicant indicates that the installation cost at $350,900 for forty nine (49) signs: twenty six (26) community identification signs and seven (7) community amenity signs mounted on new freestanding poles ($9,300 each) and sixteen (16) community identification signs on existing streetlight poles ($2,750 each). The cost of the signs reflects the high level of quality design and construction. The annual maintenance cost is identified as $21,350. The applicant's information is attached. Staff has not pursued independent verification of these cost figures. The cost of the proposed program is similar to that of the Redevelopment Agency funded Sunnymead Boulevard sign program.

The applicant has indicated that the remaining fifteen (15) community signs and all banner signs would be a future phase of the program. Therefore, no installation or maintenance costs were provided for these signs. The tract signs are identified as built and maintained by builder fees.

Given the unique nature of the applicant's request, staff is seeking input and direction from the City Council on future action on the proposal.

Potential areas for City Council discussion include the following issues:

Should a community identification program be permitted for the Rancho Belago community?

While several existing developments (e.g. Moreno Valley Ranch, TownGate, and Sunnymead Ranch) have identification signs, no informally designated communities (e.g. Moreno, Edgemont, Sunnymead) have such signs. Sunnymead Boulevard has an approved identification sign and banner program. A sign program for Rancho Belago would establish a precedent for identification programs for future designated communities.

Should a community identification program be permitted in the City's public rights of way?

Existing development identification signs are located on private property. Except for the existing BIA tract directional signs, private signs are not permitted in the public right of way. The tract signs are installed and maintained by the BIA pursuant to a formal agreement with the City and individual encroachment permits for each sign. As proposed by the applicant, the signs would be publicly owned and maintained and could be placed in the public right of way.

Should the City participate in the funding of the proposed sign program, and if so, to what extent?

To date, no general City monies have been used to fund the construction or maintenance of community identification signs. Redevelopment monies are being used to fund the construction of the Sunnymead Boulevard sign program. Only assessments on benefiting property owners have been used for maintenance of signs, and only in limited circumstances. Several mechanisms are available to assist in covering the costs of the proposed program, ranging from private contribution to community facility districts to use of City General Fund monies.

The questions posed above are intended to provide a framework for City Council discussion, and may not cover all potential policy or technical issues associated with the proposed sign program. The proposed sign program will likely undergo further refinement, based on City Council input and direction.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

If granted, the applicant's request for City participation in the sign program would require the approval of a budget appropriation.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Notification of this discussion was made by listing on the agenda. The applicant was advised directly of the meeting.

ATTACHMENTS/EXHIBITS

1. Rancho Belago Community Sign Design Submittal (provided under separate cover)
2. December 19, 2007, staff comment letter.
3. February 27, 2008, applicant response letter.
4. March 26, 2008, staff follow up letter.
5. Applicant's Rancho Belago Community Signs – Preliminary Budget

Prepared By:
John C. Terell
Planning Official

Department Head Approval:
Kyle Kollar
Community Development Director

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

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00049915

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 9, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Officer of the Quarter Presentation to Officer Kevin Couch - canceled

2) Officer of the Year Presentation to Officer Kent Eckenrode - canceled

3) Proclamation Recognizing March 2010 as International Order of DeMolay Month

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 9, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:32 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina

INVOCATION - Bishop Randy Triplett, Victory Temple of Deliverance Ministries

ROLL CALL

Council:

Bonnie Flickinger	Mayor
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Absent:

Robin N. Hastings	Mayor Pro Tem

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian

MV00049917

Mike McCarty Parks & Community Services Director

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Dave Willmon, representing League of California Cities (Item A7).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of February 17 - March 20, 2010.

A.4 APPROVAL OF RESOLUTION NO. 2010-14, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE FISCAL YEAR 2010/2011 TRANSPORTATION PLANNING GRANT (Report of: Public Works Department)

Recommendation:

Approve the proposed resolution authorizing the City Manager to enter into contract with the State of California Department of Transportation (Caltrans) for Fiscal Year 2010/2011 Transportation Planning Grant application.

Resolution No. 2010-14

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City Manager to Enter Into a Contract with

MV00049918

the State of California Department of Transportation (Caltrans) for the FY 2010/2011 Transportation Planning Grant

A.5 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-15 amending the Electric Rates for Moreno Valley Utility.

Resolution No. 2010-15

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley Utility

A.6 ACCEPTANCE OF DONATION IN THE AMOUNT OF $10,000 FOR THE MORENO VALLEY PUBLIC LIBRARY (Report of: Library Services Department)

Recommendation:

Accept a monetary donation from the Moreno Valley Friends of the Library in the amount of $10,000.

A.7 RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010 (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-16 in support of the League of California Cities ballot measure, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

Resolution No. 2010-16

A Resolution of the City Council of the City of Moreno Valley In Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF FEBRUARY 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1-D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

E. PUBLIC HEARINGS - NONE

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)
Council Member Stewart reported that at the last meeting the Commission

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reviewed the deal points for March Healthcare Development between the developer and the agency and released them to the public and the Press; the Commission will vote on them at a later date; the developer is financing the infrastructure and demolition upfront; the agreement was also reviewed by the financial advisor and the Technical Advisory Committee and is considered a very good deal for the public; thousands of jobs will be created; more information may be obtained by calling the March Joint Powers at 951.656.7000; agreement is available for review and comments

b) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)
None

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

The City Manager announced the following:
1) While the economy is experiencing considerable stress, the City Council and staff have created employment opportunities adding almost 1,900 new jobs over last two years; in the coming year, it is anticipated that about 700 new jobs will be created; 15 approved projects will be ready when economy picks up
2) Had a meeting today to discuss a Sketcher project, which will bring about thousand jobs
3) A new program is being developed by the Economic Development Department and the City Manager's Office titled "Spotlight on MoVal Business" - at each regular council meeting, the council will shine a spotlight on a major company and a small business operating in the City. This presentation will give a well deserved recognition to current businesses and their contribution to the community and the total economy
4) The Parks and Community Services Department is very active; last year 46,000 persons participated in varies activities
5) The Arts Commission will hold a lively street fair on April 24 at the Stoneridge Towne Centre
6) Valley Kids Camp will open March 22 for children from kindergarten to seventh grade
7) William Batey Reading Contest will conclude March 19
8) Easter Egg Hunt is scheduled for March 27 at Sunnymead Park
9) 4th of July will be a two-day celebration (Saturday and Sunday) and will include a parade, two bands, Moreno Valley Idol competition and fireworks
10) Writers Launch Pad, a free workshop, scheduled on March 20 at March Field Air Museum will provide tips on writing and publishing materials; anybody interested must register by March 19

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Marcus Van Hala, representing Moreno Valley Master Chorale
1) Enhanced sound equipment at the Grand Valley Ballroom at the Conference and Recreation Center; proposed sound shell funded with private funding

Jim A. Wilson, Moreno Valley Master Chorale, director of Valley View Choral
1) Enhanced sound equipment at the Grand Valley Ballroom (sound shell)

Tom Jerele Sr.
1) Veterans banners on Sunnymead Blvd.
2) Political signs

Deanna Reeder
1) Procedures for public comments

Pete Bleckert
1) Streetlights
2) Condition of roads
3) Small businesses

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Burlington Coat Factory had a grand opening on March 5; it was a very well attended event; 99 Cents Only store will open on March 19; it's nice to see new companies, which provide job opportunities, coming in despite the economy; the economic development partnerships are beginning to pay off
2) Responded to a speaker's comments regarding street maintenance - because of reduced staffing caused by the economy, it will take longer to repair them

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3) Reading contest is coming to an end; will meet with Harkins Theatre to select a movie that the top four reading classes will be able to watch

Council Member Stewart
1) Burlington Coat factory opening was fantastic, with long lines the first day of opening; commended staff for their effort to attract businesses in this downturn economy
2) Agreed with Ms. Reeder regarding timing speakers; exceptions are being made, when needed, to allow speakers to finish their presentation; rules should be applied equally to everybody
3) Responded to speaker's comments regarding streetlights - is not the cost of electricity; the way the fees are structured, turning off the streetligths for a short period of time would cost more than leaving them on and subsidizing them
4) Regarding street maintenance - it is hard to repair them in the rain; the City has a crack sealing program that works in conjunction with a slurry seal program; however, there is limited funding for staff and materials; more funding needs to be allocated to street maintenance, as this is one of the main responsibilities of government

Council Member Molina
1) Shopped at Burlington Coat Factory; other businesses are coming: March Medical Center, Frazee Paint, MVP Electrical Vehicles; inquired about the construction of Sketcher's facilities
2) Agreed with Mr. Jerele that banners recognizing our veterans should be placed on Sunnymead Blvd.
3) Reminded everybody that the Senior Center still needs used or new computers

Mayor Flickinger
1) Burlington Coat Factory offers a wide variety of merchandise; over 300 people waited for the door to open on Friday, the first day of opening
2) Sticky tape removal crew is growing; the crew is removing sticky tape residues from traffic signal posts; anyone interested to be a part of this volunteer group, may e-mail bonnie@moval.org
3) The celebration of accreditation of the Moreno Valley College will take place at 1:30 p.m. on March 19 on the college campus
4) A very important student election will be held on March 30 and March 31 - the ballot will ask the students whether they want to continue the program of free rides on the RTA buses; if the students don't vote to continue it, the program might be terminated
5) Residents can calculate how much money they can save by using the public transportation instead of driving a car by filling out a form available at www.publictransportation.org/contact/stories/calculator_08-asp
6) Another event that carries major financial implications for residents is the ongoing census - the forms will be arriving in the mail soon;

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encouraged everyone to return the form; it is a very brief form and it takes about 10 minutes to fill it out; it's very important that everyone is being counted to secure federal funding for our community
7) The third round of foreclosure prevention workshops begins on April 26. For complete list of workshop, please call 413.3000
8) Regarding the streetlights - asked to agendize for the next Council meeting a discussion regarding sending a letter to Edison explaining the hardship the City would experience, seconded by Council Member Batey

There being no further business to conduct, the meeting was adjourned to Closed Session at 7:25 p.m. by unanimous informal consent.

CLOSED SESSION

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

The Closed Session was held in the City Manager's Conference Room pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:41 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

MV00049925

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00049927

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

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Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00049931

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00049933

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

MV00049935

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

MV00049936

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MV00049937

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00049955

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00049957

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00049963

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

		FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)			
A.	Inspection	$3,933	***$5,400***
B.	Document Violations	$884	***$1,200***
C.	Inspection Preparation Plan	$1,357	***$5,000***
D.	Update Facilities Drawings	$1,357	***$8,000***
	********** Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)			
A.	Catch Basin Maintenance	165,794	***$165,448***
B.	Street Sweeping	248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs	5,935	***$12,000***
D.	Training Program Implementation	2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping	2,629	***$5,000***
F.	Development of Municipal Facilities Strategy	3,371	***$5,000***
G.	Litter/Trash Characterization	5,698	***$5,000***
	********** Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION			
A.	Program Management	$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)	$12,699	***$12,699***
	********** Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS			
A.	Associate Environmental Engineer Cost	$2,823	***$2,900***
B.	Clerk's Cost	$1,150	***$1,150***
C.	Postage Cost	$17,480	***$18,999***
	********** Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel		$11,300	***$11,309***
6. COUNTY COMPUTER TIME		$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)		$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)		$538,848	***$586,696***
	ANNUAL ASSESSMENT		
	COST	$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS	66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU	$8.15	***$8.15***

Attachment 1

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MV00049965

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PA04-0168 - 90% Cash Security Reduction.doc

24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

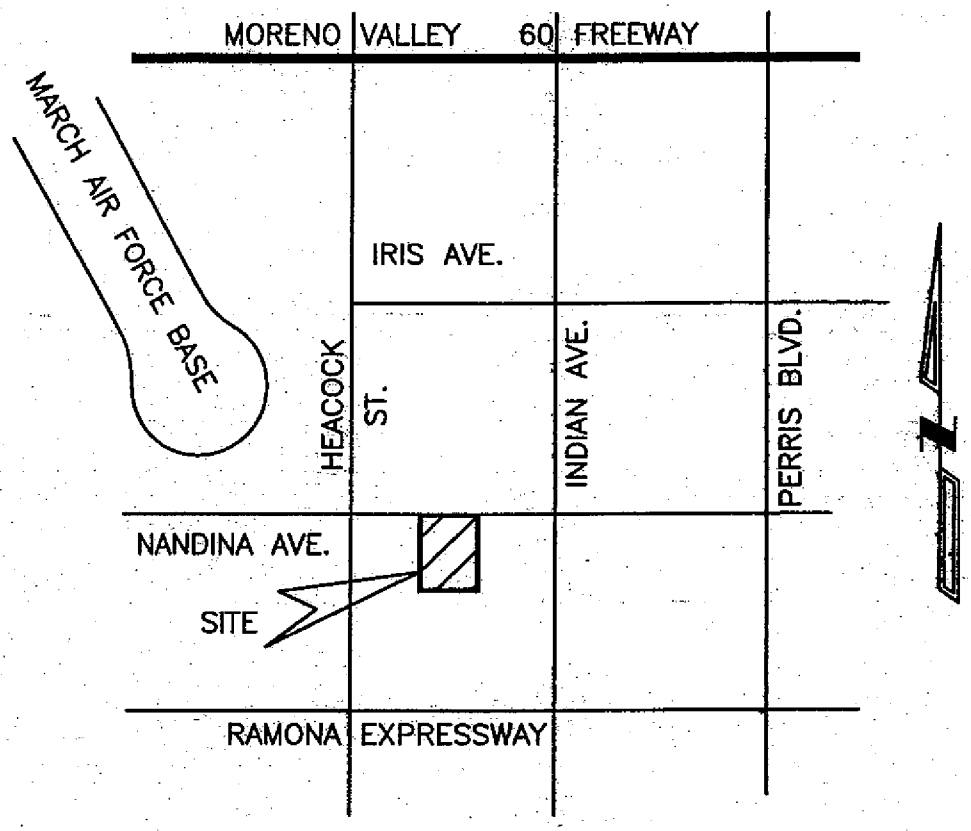

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

MV00049970

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MV00049971

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\3-9-10 - PM 33532 - Line F, Stage 2 Termination Agreement.doc

TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By _____
NEAL KIPNIS
Deputy County Counsel

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By _____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies),~~ and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

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

WITNESS my hand and official seal.

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

2008 Version CAPA v12.10.07 800-873-9865 www.NotaryClasses.com

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

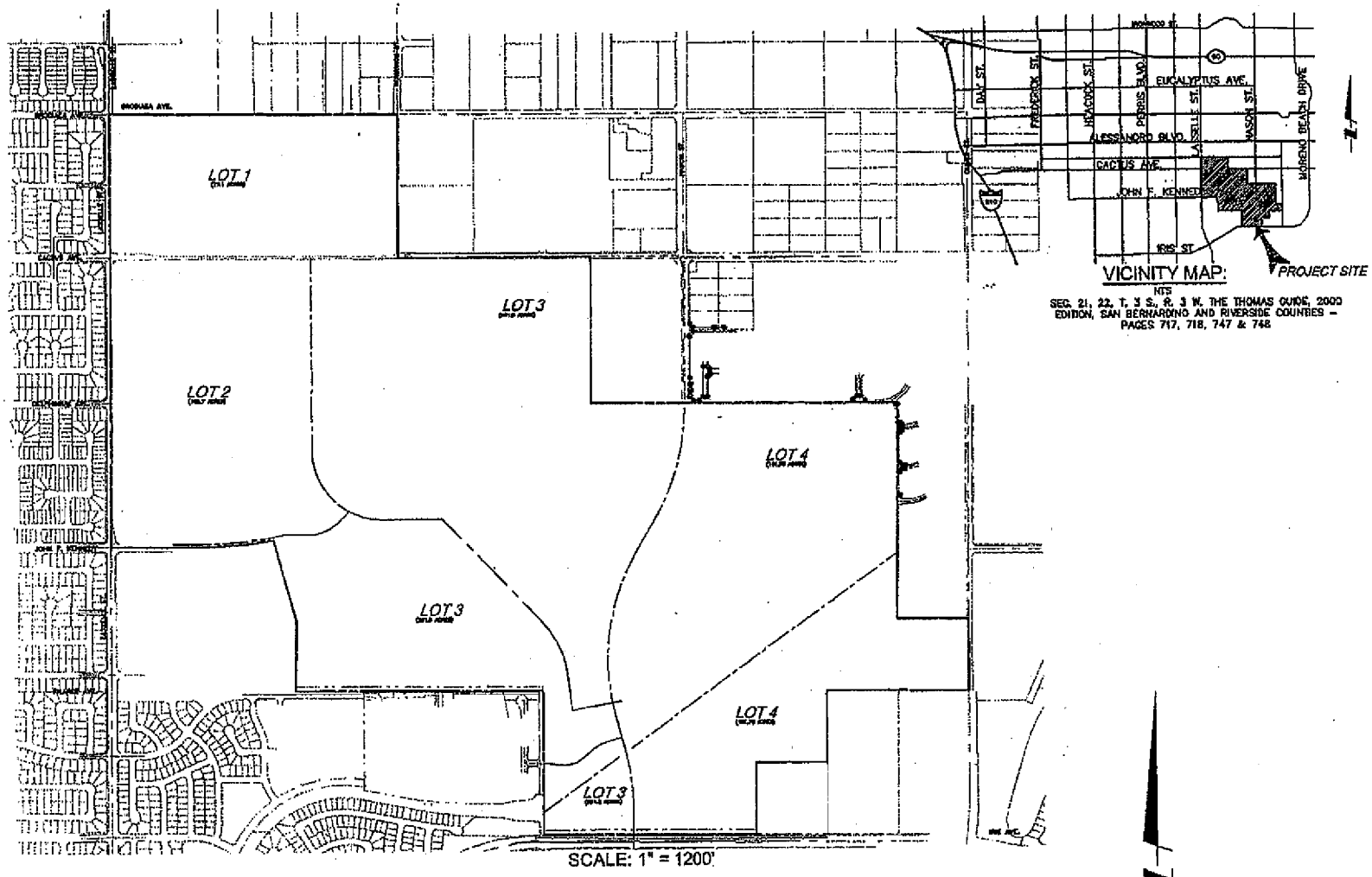

AQUABELLA

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX.-53-IT "A"

Item No. A.7

MV00049990

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MV00049991

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ EVP+COO Pres.
Title

By: _____ ~~EVP+COO~~ EVP+COO
Title Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\Engineer's Cost Estimate for Erosion.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher EVP & COO, Iddo Benzeevi President,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

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MV00049997

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By [signature] President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")) personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

Item No. A.7

MV00050008

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MV00050009

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00050013

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

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ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	**DISTRICT**	**TERM EXPIRES**
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	**TERM EXPIRES**
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

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PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

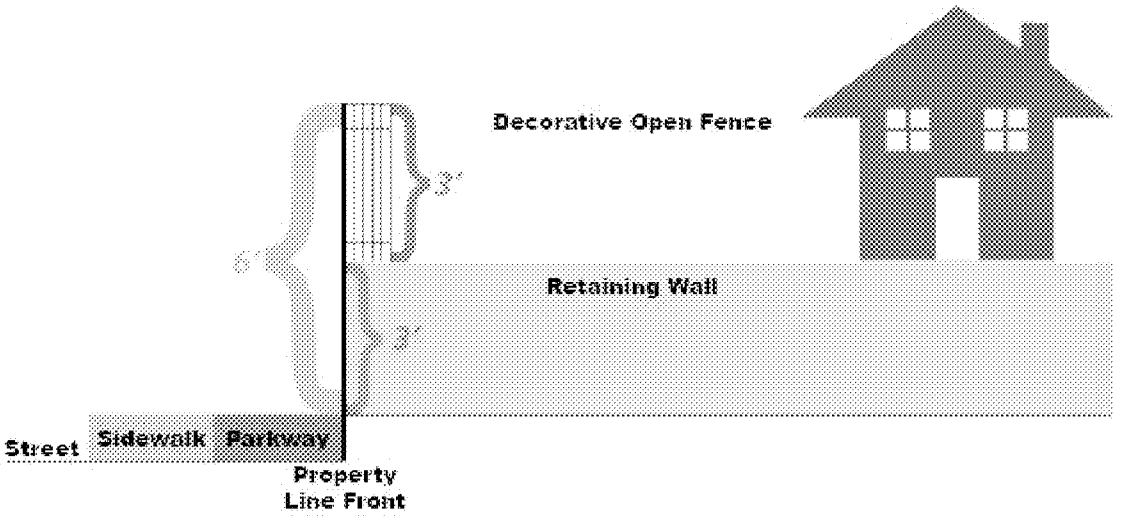

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

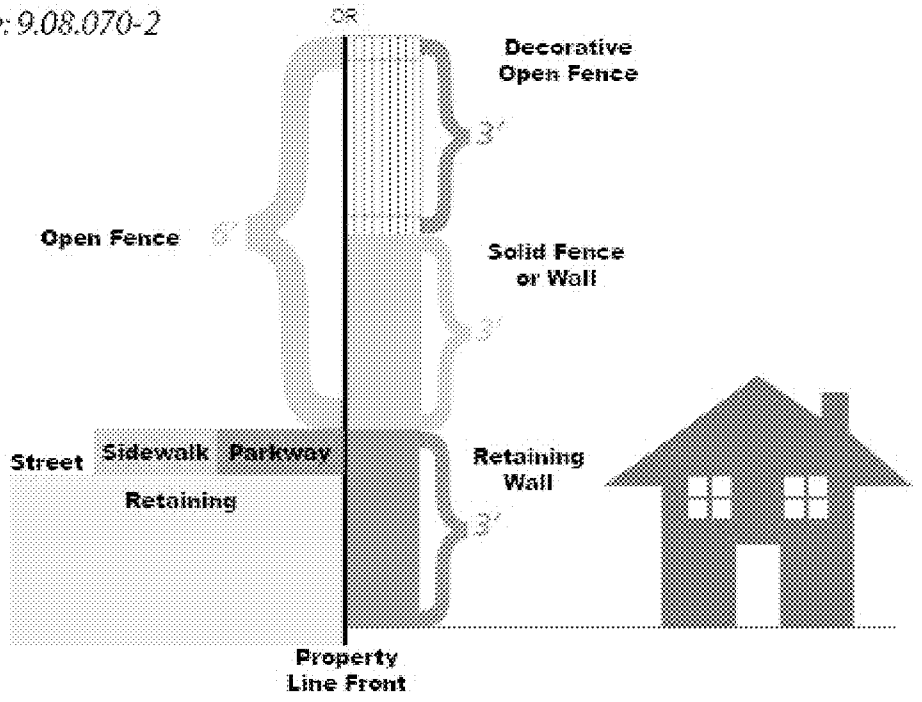

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

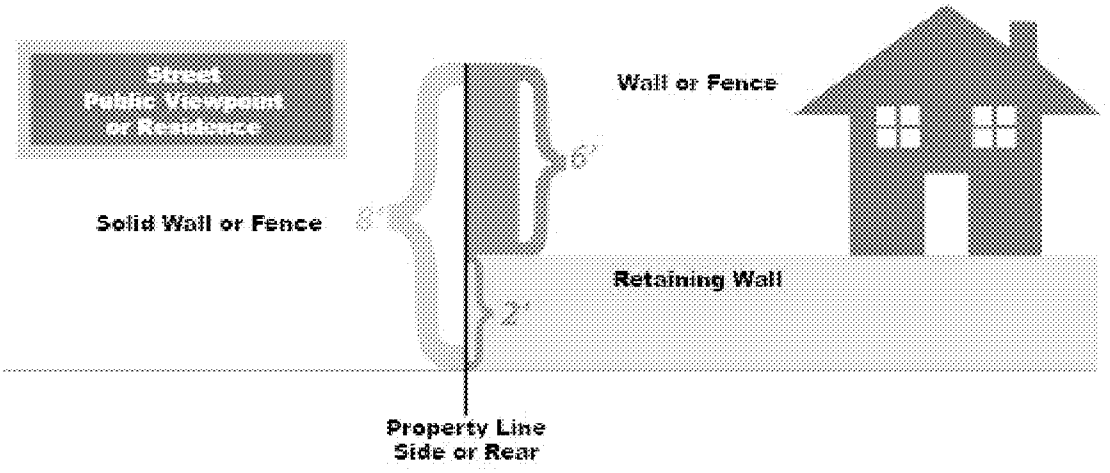

Figure: 9.08.070-4

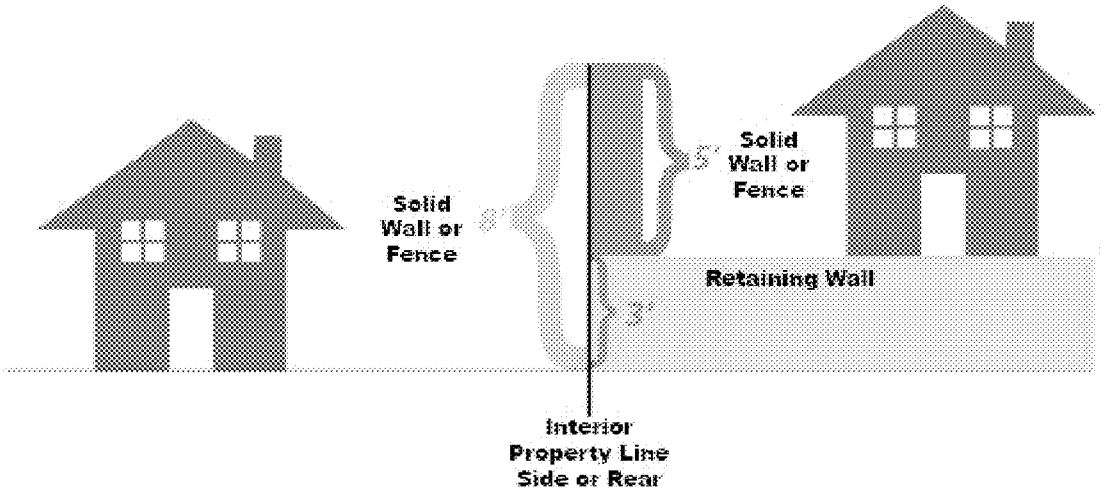

Figure: 9.08.070-5

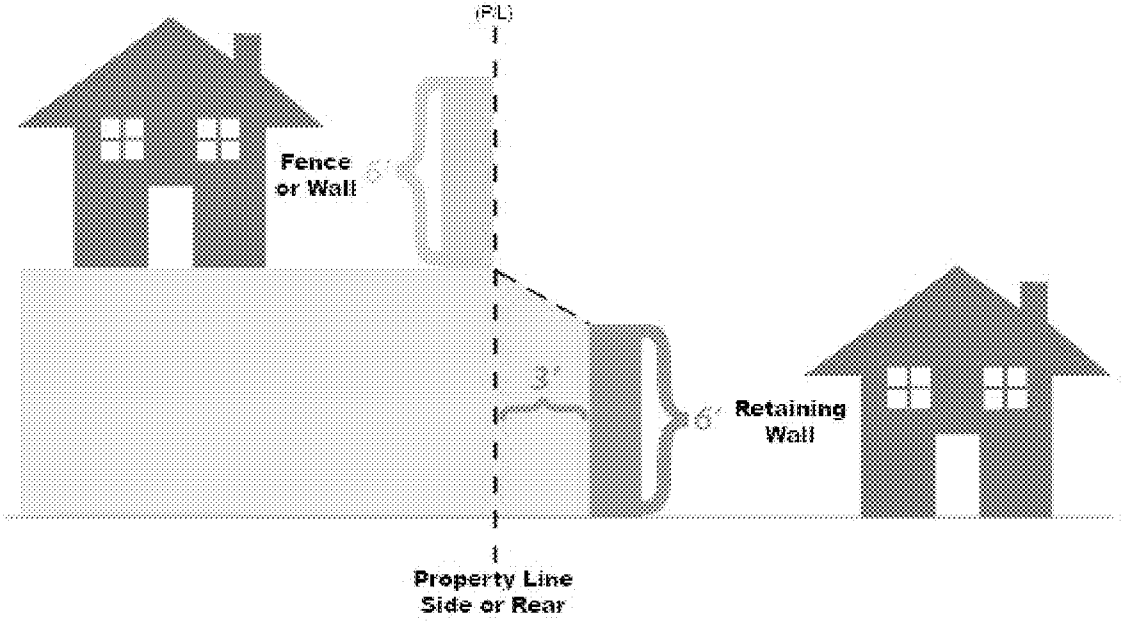

Figure: 9.08.070-6

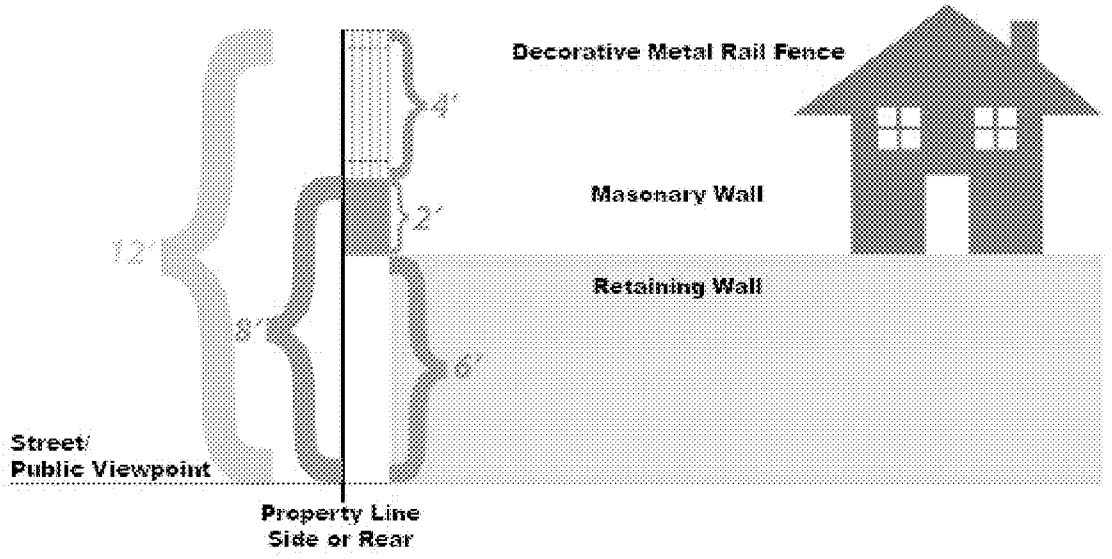

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

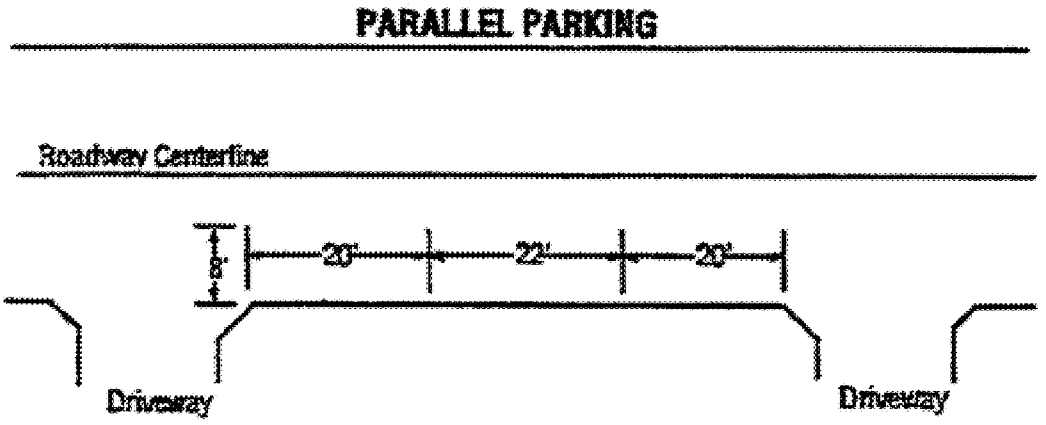

Figure 9.11.080-5
Nonparallel Parking Spaces

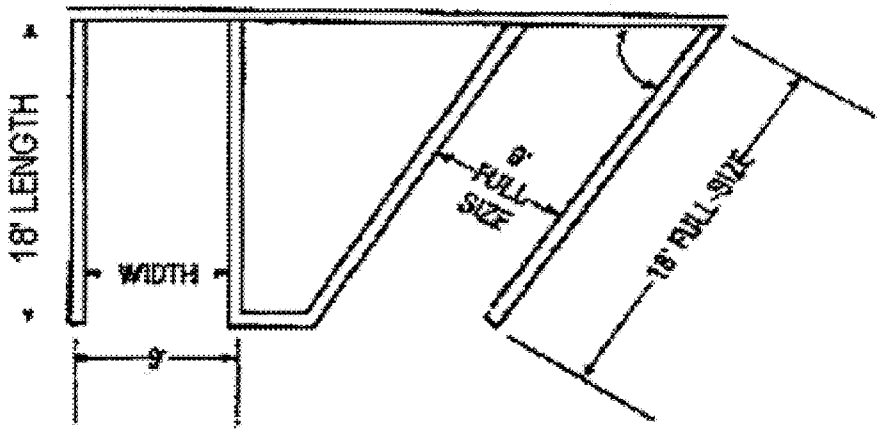

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.880-6
Parking Space Striping Requirements

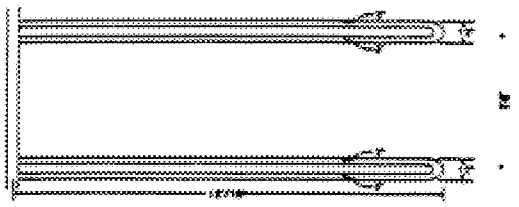

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
Director, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
Director, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00050059

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050061

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050063

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00050067

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

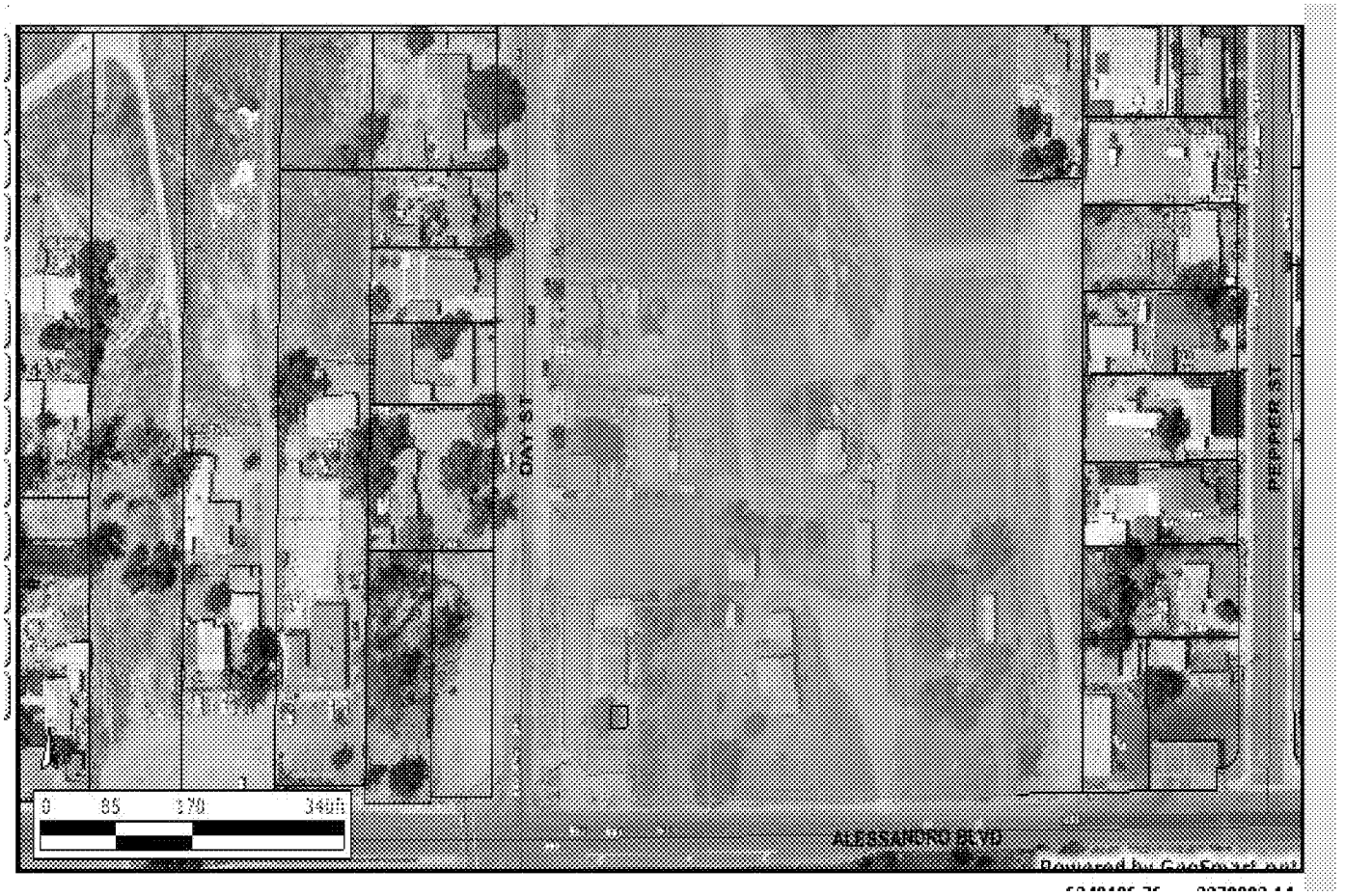

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050077

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00050087

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00050089

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

ATTACHMENT 2

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

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Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

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Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

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Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

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Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

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Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

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Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains
b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

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PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

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Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

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Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

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Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

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Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00050151

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00050153

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

Citrus Heights, CA

San Jose, CA

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00050159

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00050163

RESOLUTION NO. 2010-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

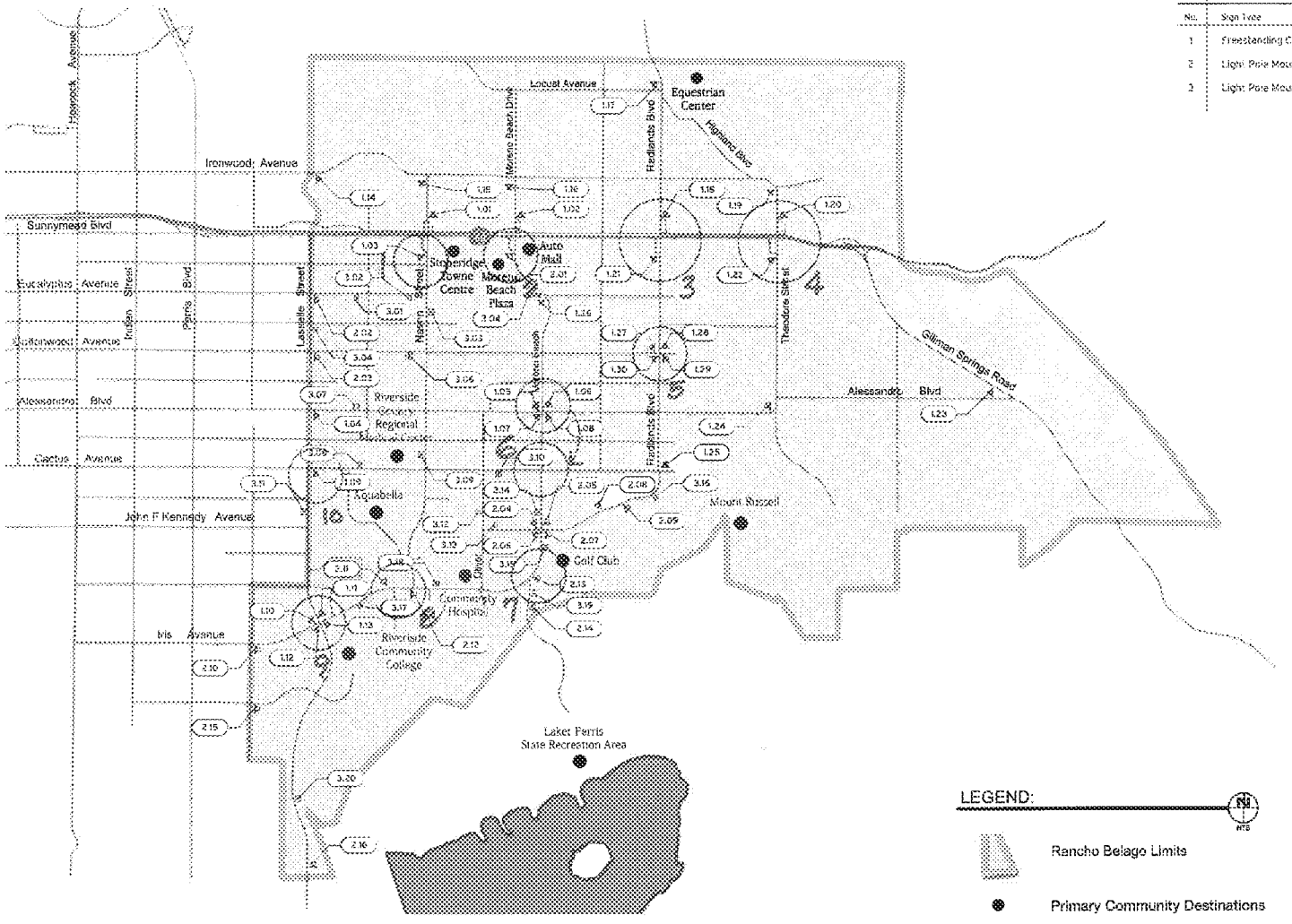

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00050167

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.2

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

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Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00050169

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

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top

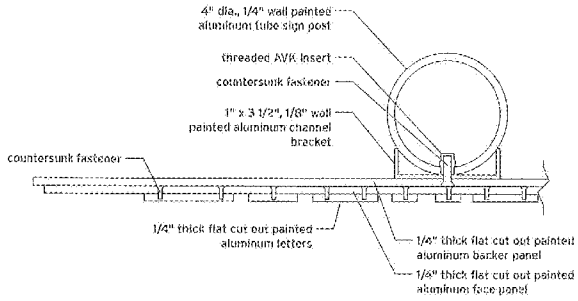

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

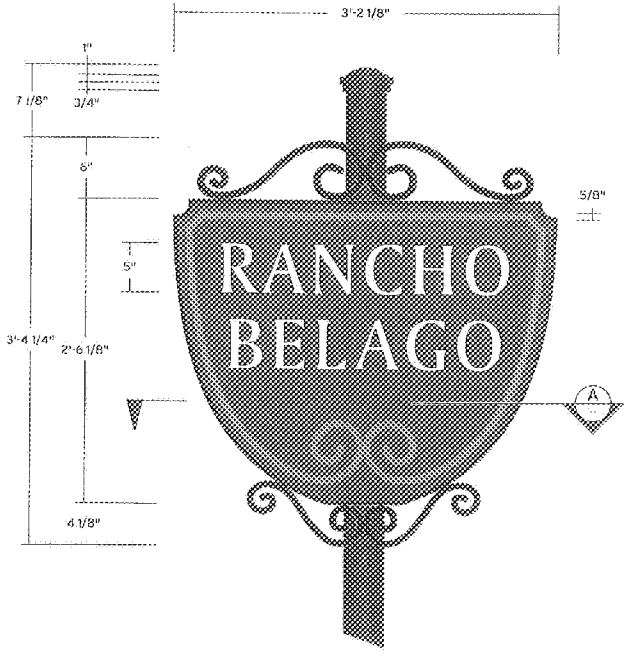

front

side

2 Details

Scale: 1" = 1'-0"

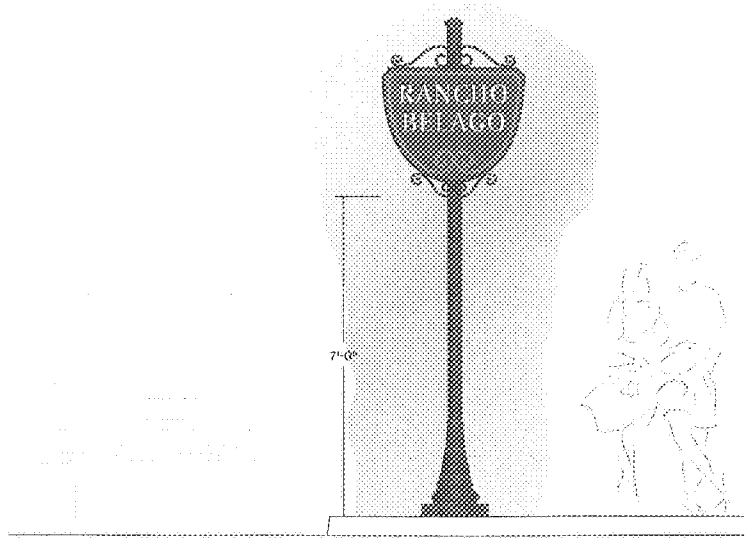

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

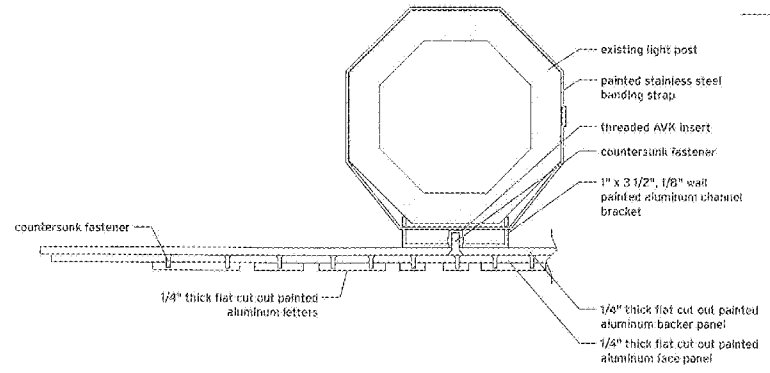

A Details

Scale: 3" = 1'-0"

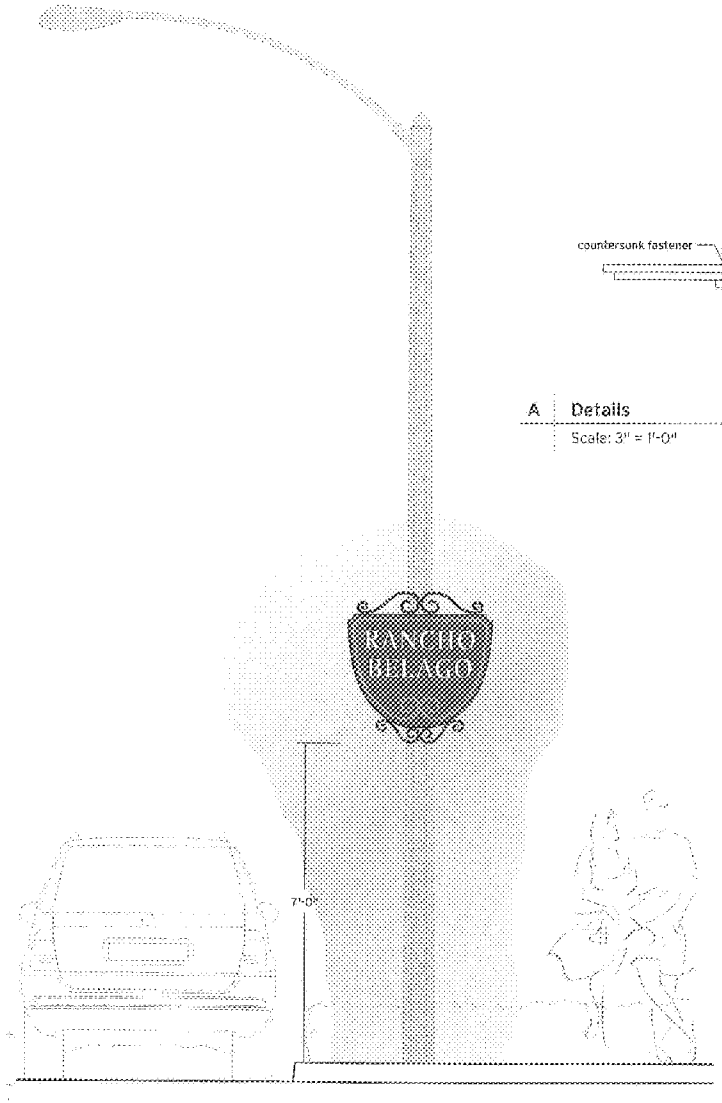

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
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Laguna Hills, CA 92653
(949) 360-5750
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Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

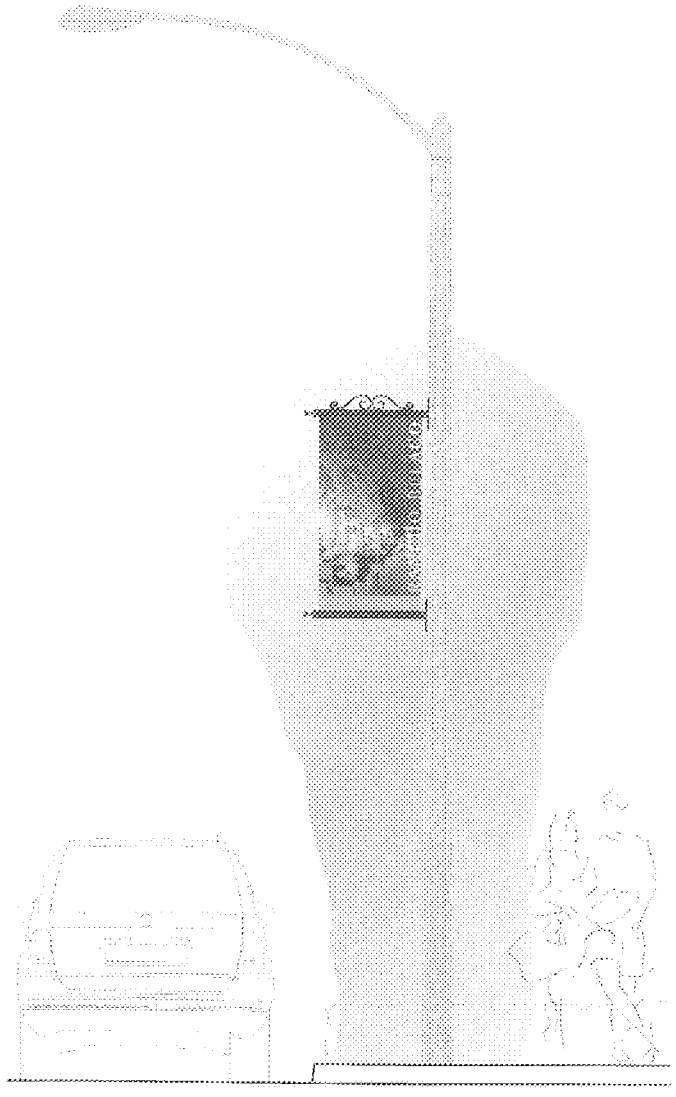

1 Elevation

Scale: 3/8" = 1'-0"

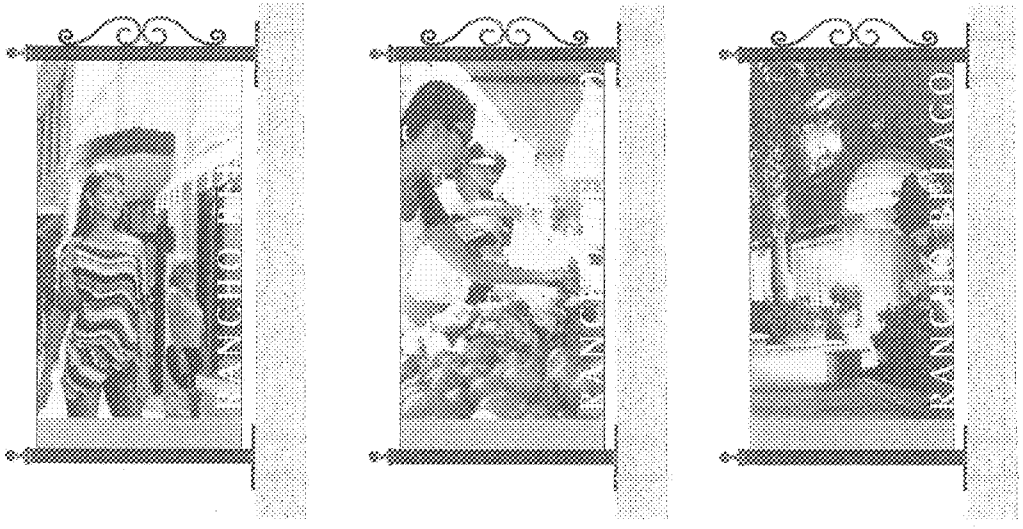

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00050175

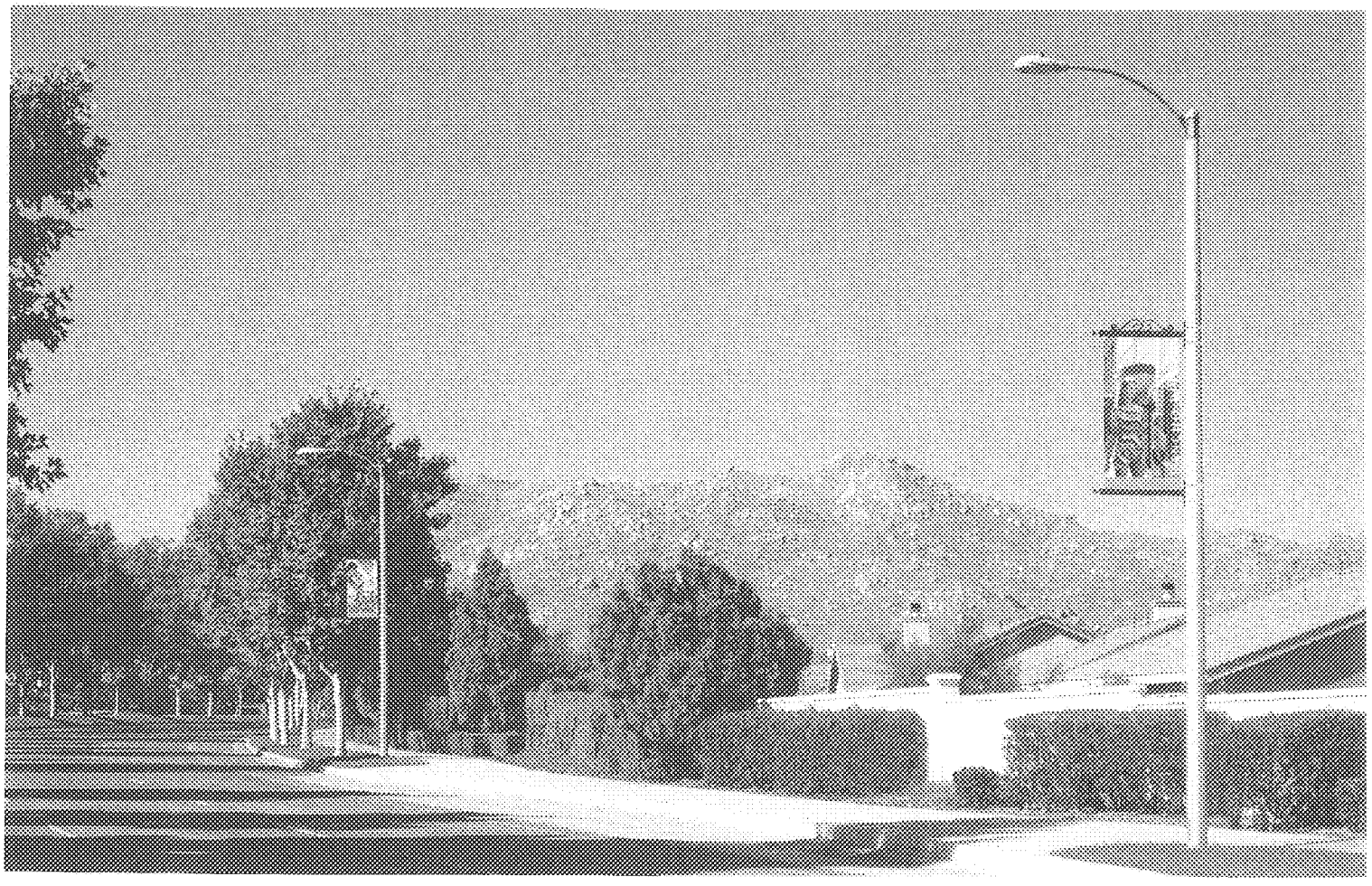

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

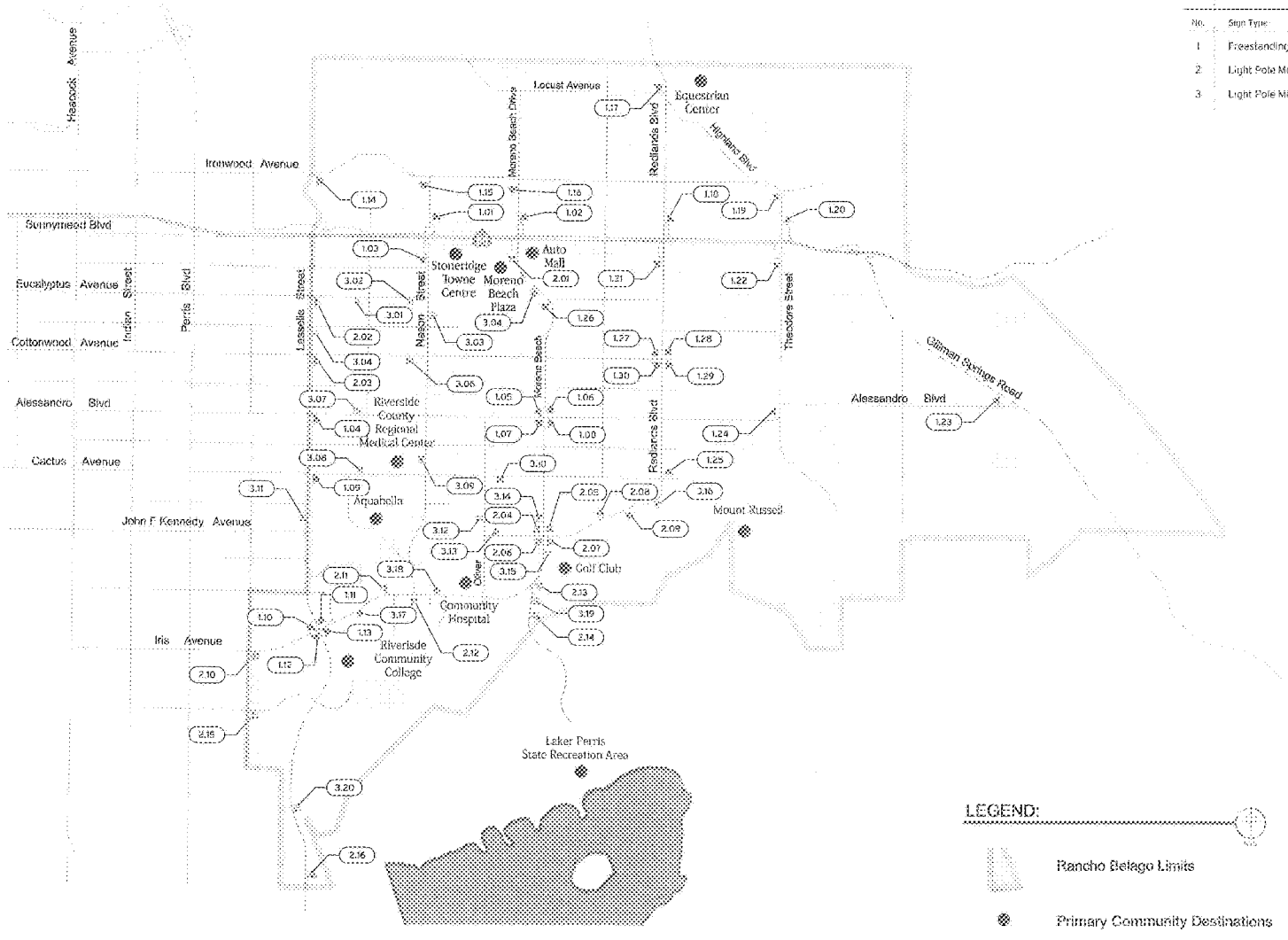

1 Sign Locations

Scale: n.t.s.

The Design Factor
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Laguna Hills, CA 92653
(949) 360-5750
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Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00050177

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

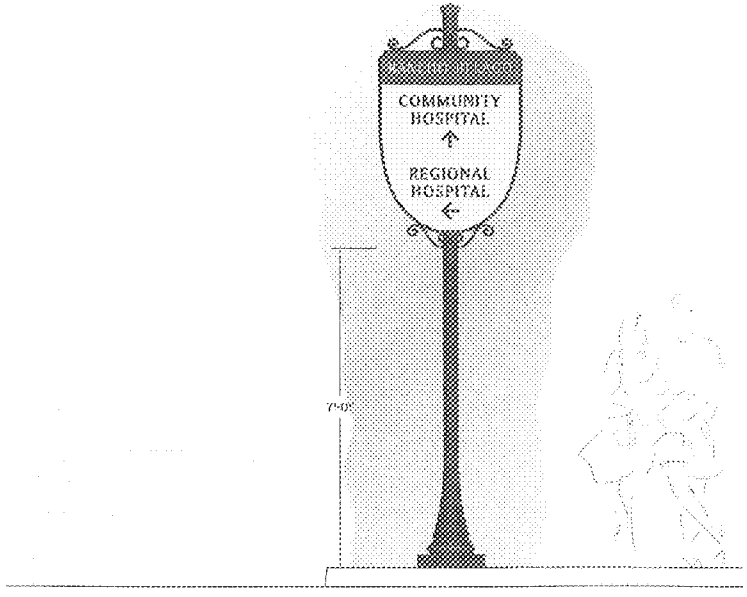

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

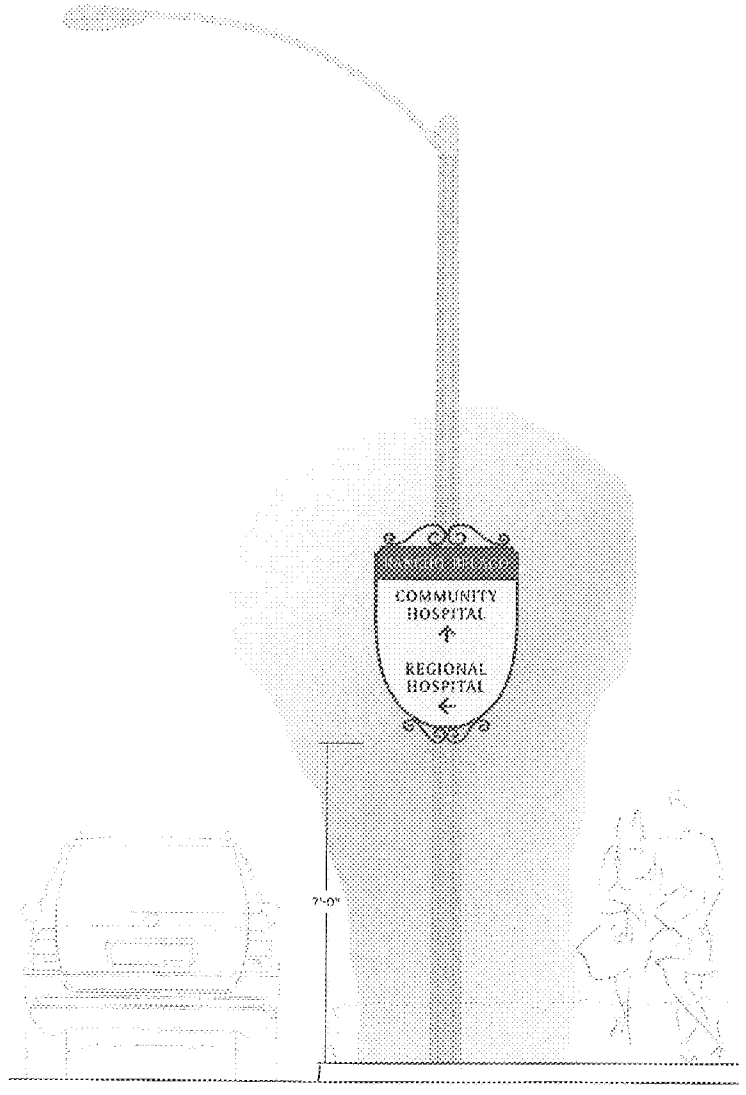

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

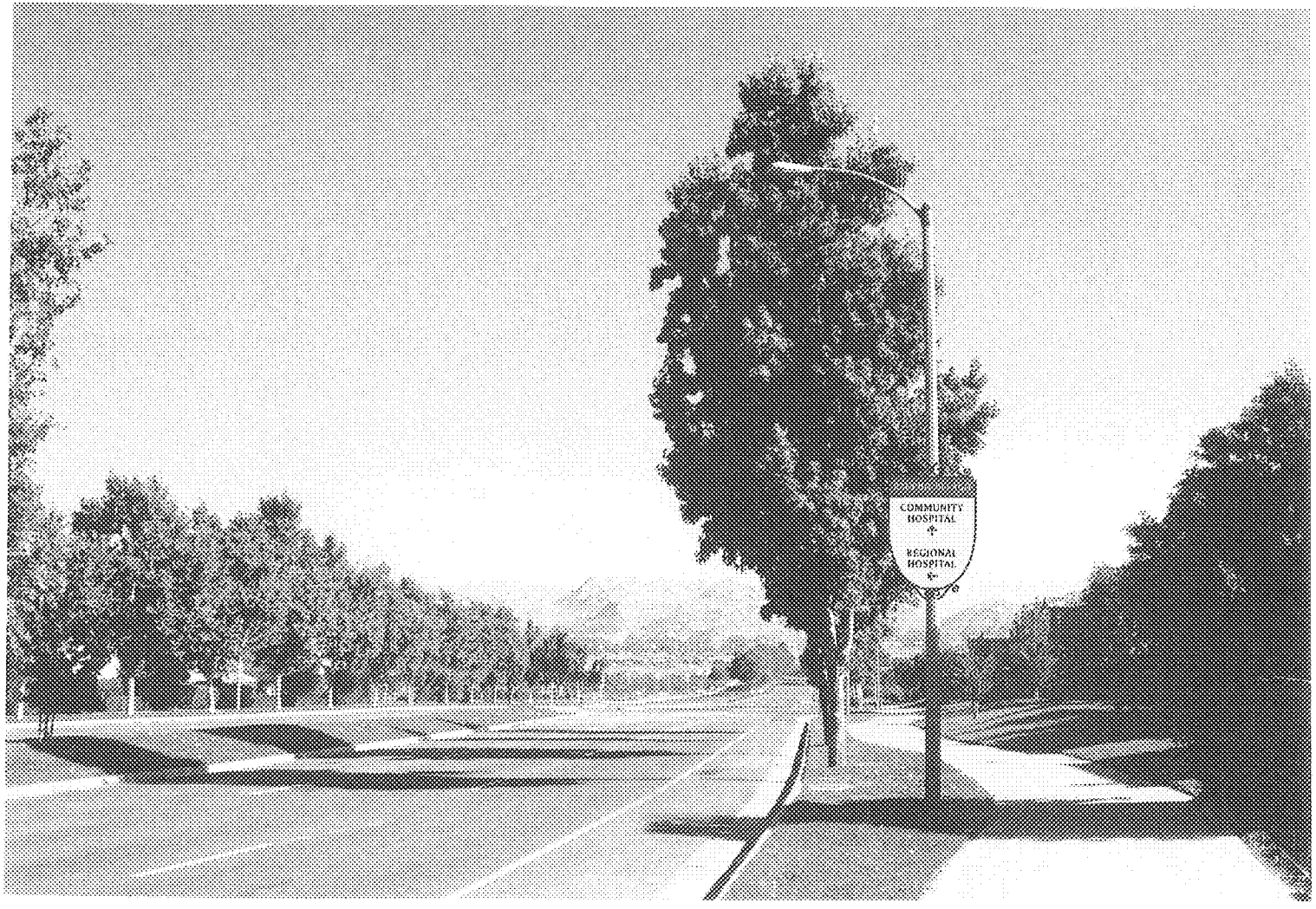

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5;
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

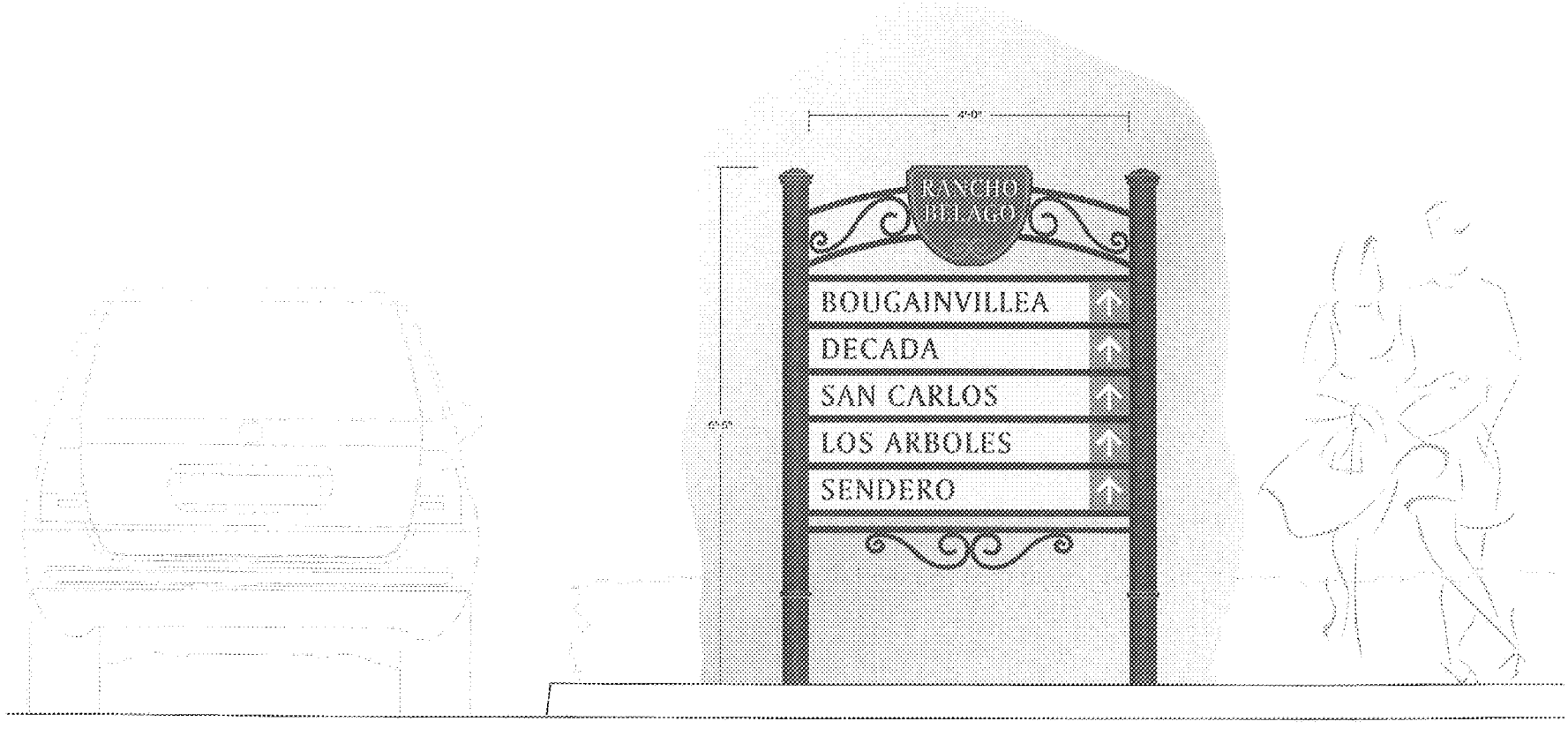

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

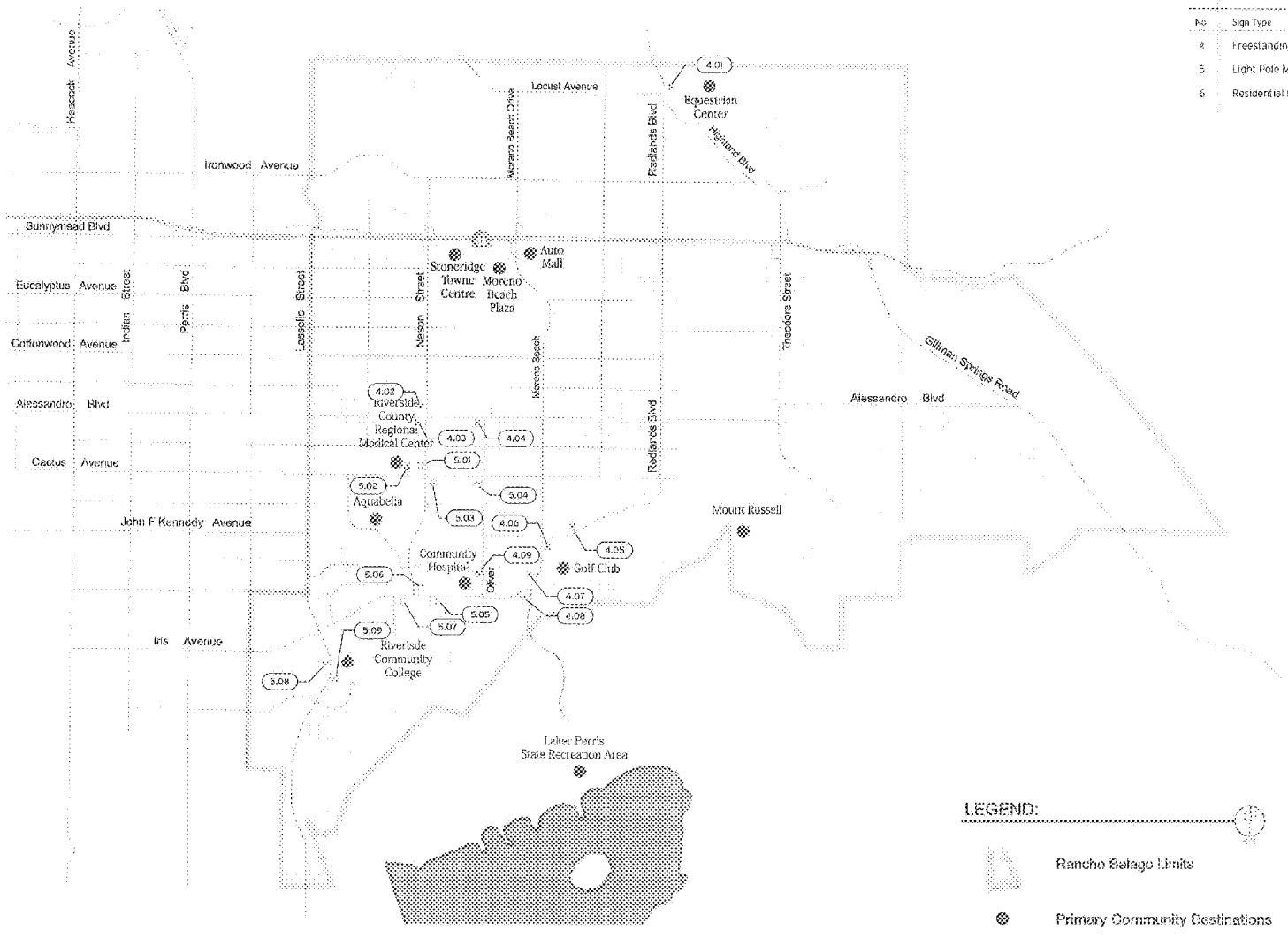

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00050185

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00050187

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

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MV00050193

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00050195

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00050201

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MV00050205

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00050223

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00050225

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00050231

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

			FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)				
A.	Inspection		$3,933	***$5,400***
B.	Document Violations		$884	***$1,200***
C.	Inspection Preparation Plan		$1,357	***$5,000***
D.	Update Facilities Drawings		$1,357	***$8,000***
	**********	Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)				
A.	Catch Basin Maintenance		165,794	***$165,448***
B.	Street Sweeping		248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs		5,935	***$12,000***
D.	Training Program Implementation		2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping		2,629	***$5,000***
F.	Development of Municipal Facilities Strategy		3,371	***$5,000***
G.	Litter/Trash Characterization		5,698	***$5,000***
	**********	Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION				
A.	Program Management		$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)		$12,699	***$12,699***
	**********	Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS				
A.	Associate Environmental Engineer Cost		$2,823	***$2,900***
B.	Clerk's Cost		$1,150	***$1,150***
C.	Postage Cost		$17,480	***$18,999***
	**********	Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel			$11,300	***$11,309***
6. COUNTY COMPUTER TIME			$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)			$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)			$538,848	***$586,696***
	ANNUAL ASSESSMENT			
	COST		$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS		66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU		$8.15	***$8.15***

Attachment 1

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MV00050233

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

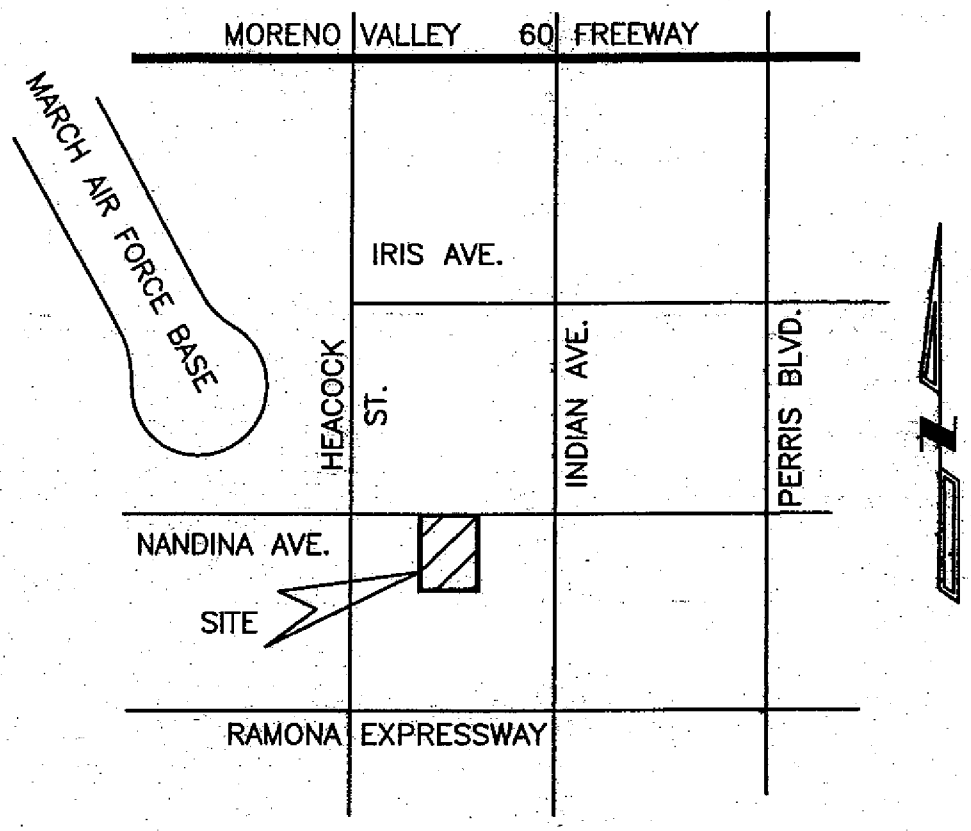

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

MV00050238

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MV00050239

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

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TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By _____
NEAL KIPNIS
Deputy County Counsel

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By _____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies),~~ and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

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

WITNESS my hand and official seal.

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

2008 Version CAPA v12.10.07 800-873-9865 www.NotaryClasses.com

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

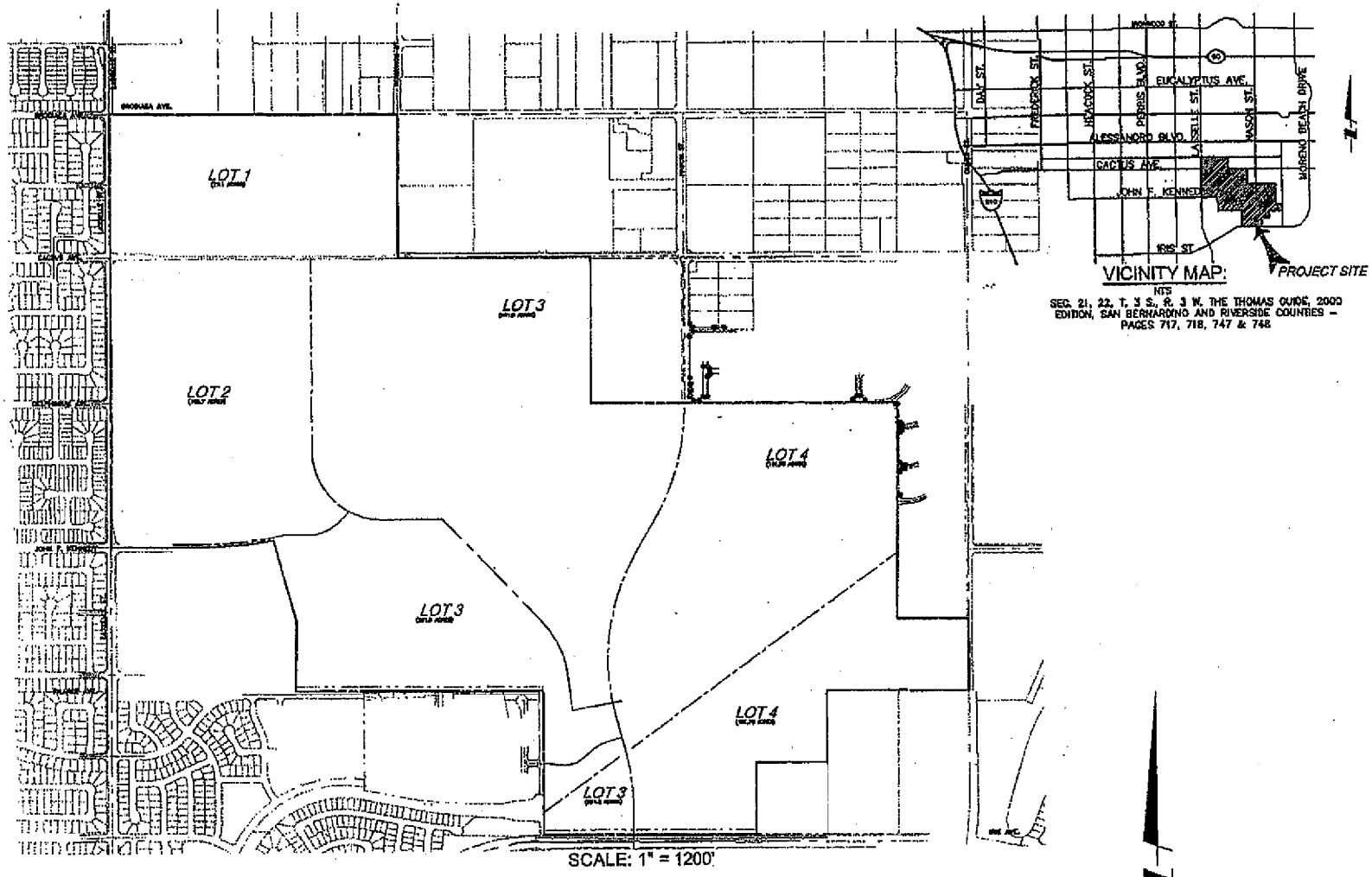

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX. -53- IT "A"

Item No. A.7

MV00050258

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MV00050259

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ EVP+COO Pres.
Title

By: _____ ~~EVP+COO~~ EVP+COO
Title Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

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CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher & Iddo Benzeevi
EVP & COO President,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

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MV00050265

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00050271

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

Item No. A.7

MV00050276

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MV00050277

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00050281

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

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ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	**DISTRICT**	**TERM EXPIRES**
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	**TERM EXPIRES**
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

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- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

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- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

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PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

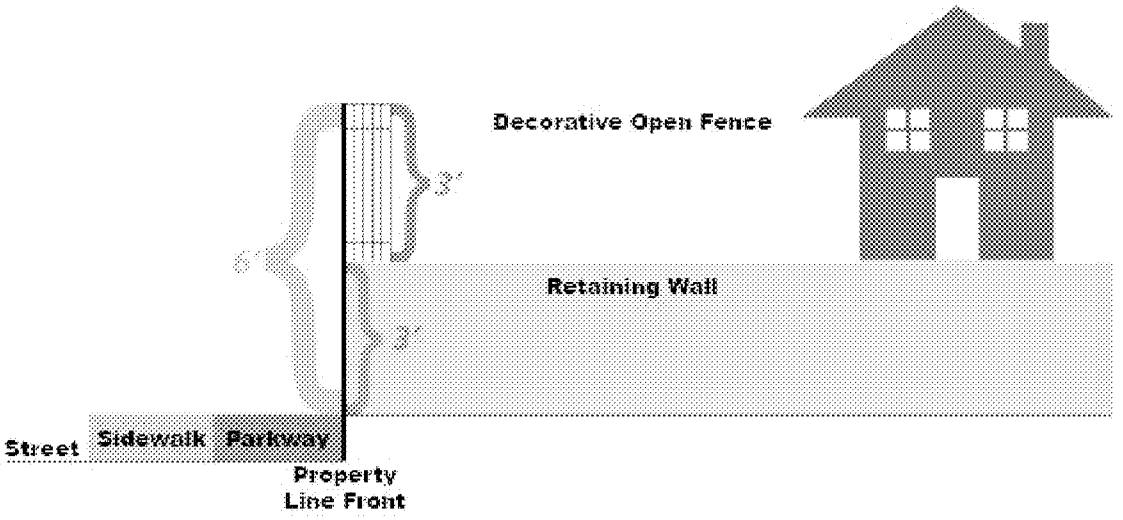

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

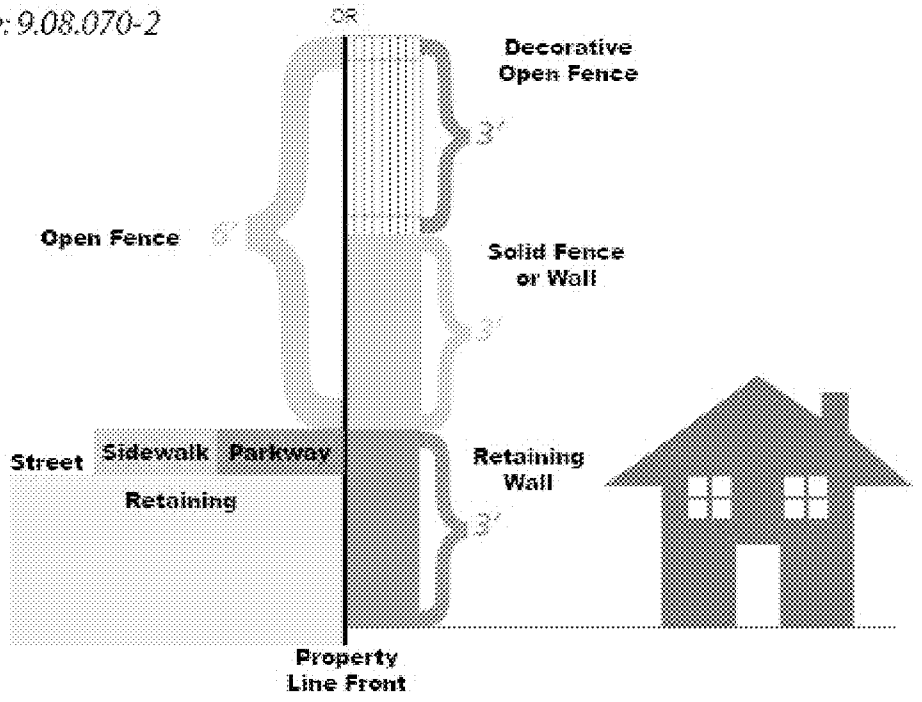

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

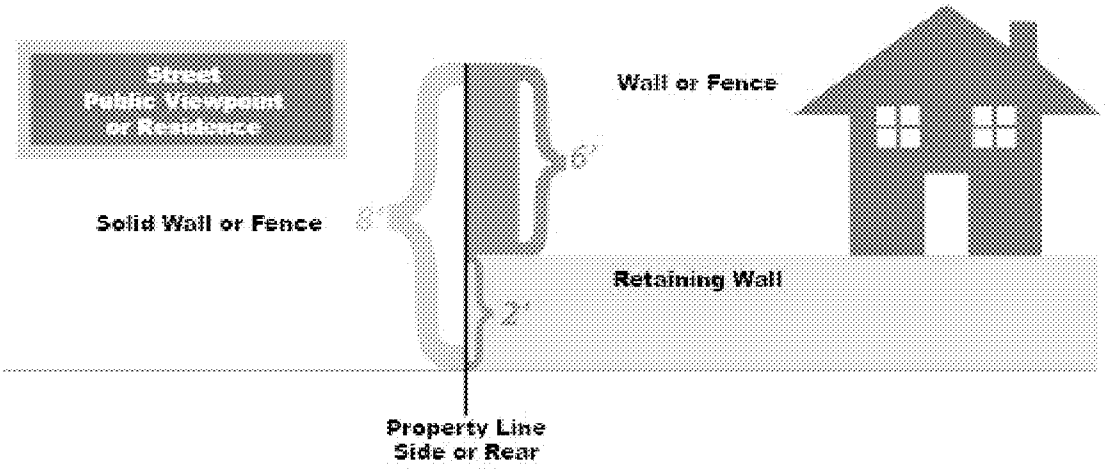

Figure: 9.08.070-4

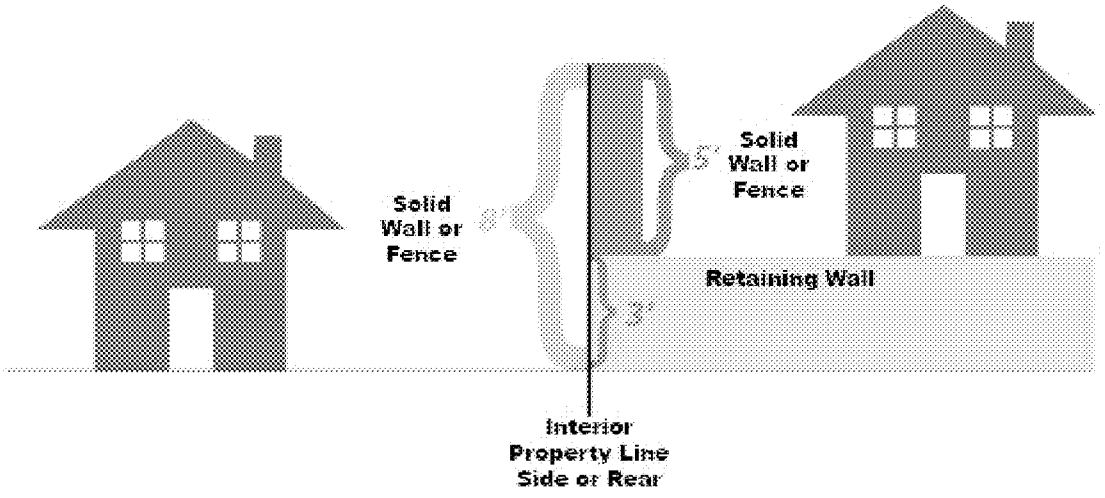

Figure: 9.08.070-5

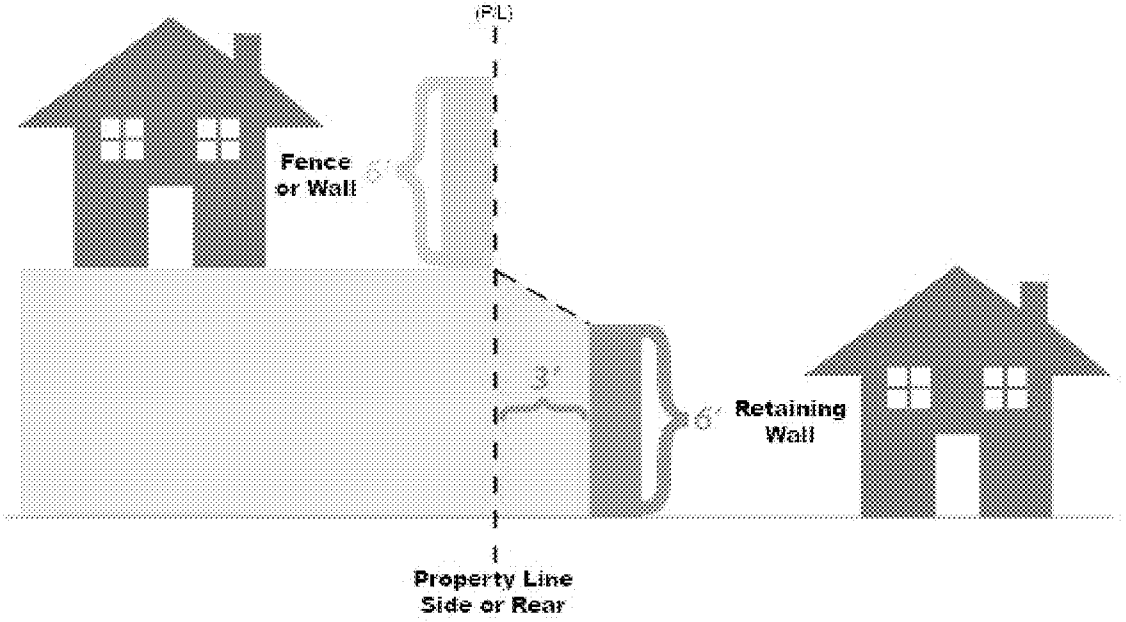

Figure: 9.08.070-6

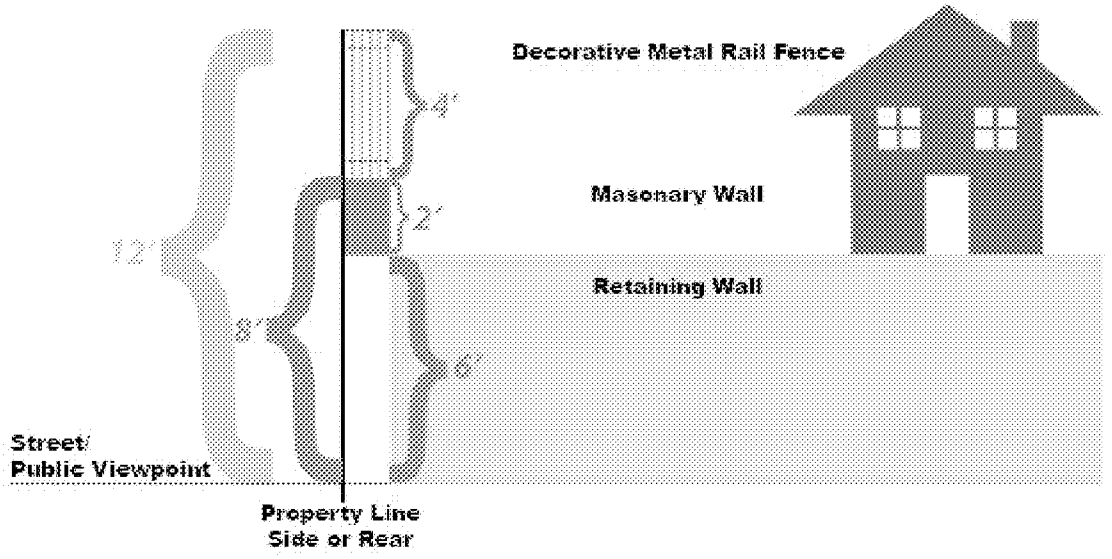

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

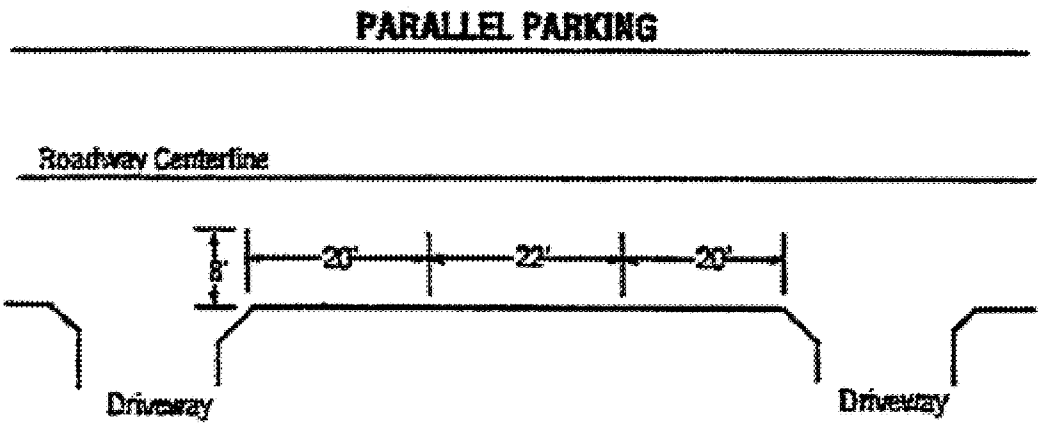

Figure 9.11.080-5
Nonparallel Parking Spaces

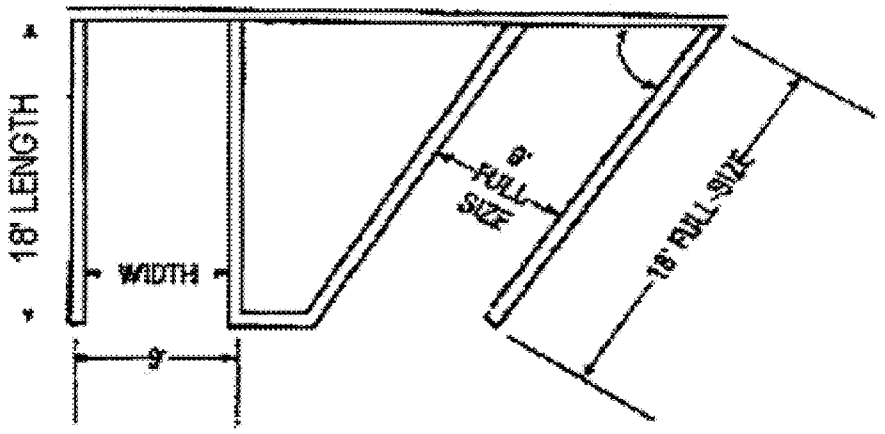

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

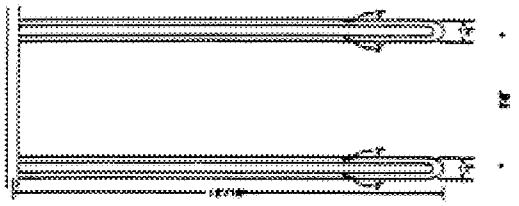

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
Director, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
Director, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00050327

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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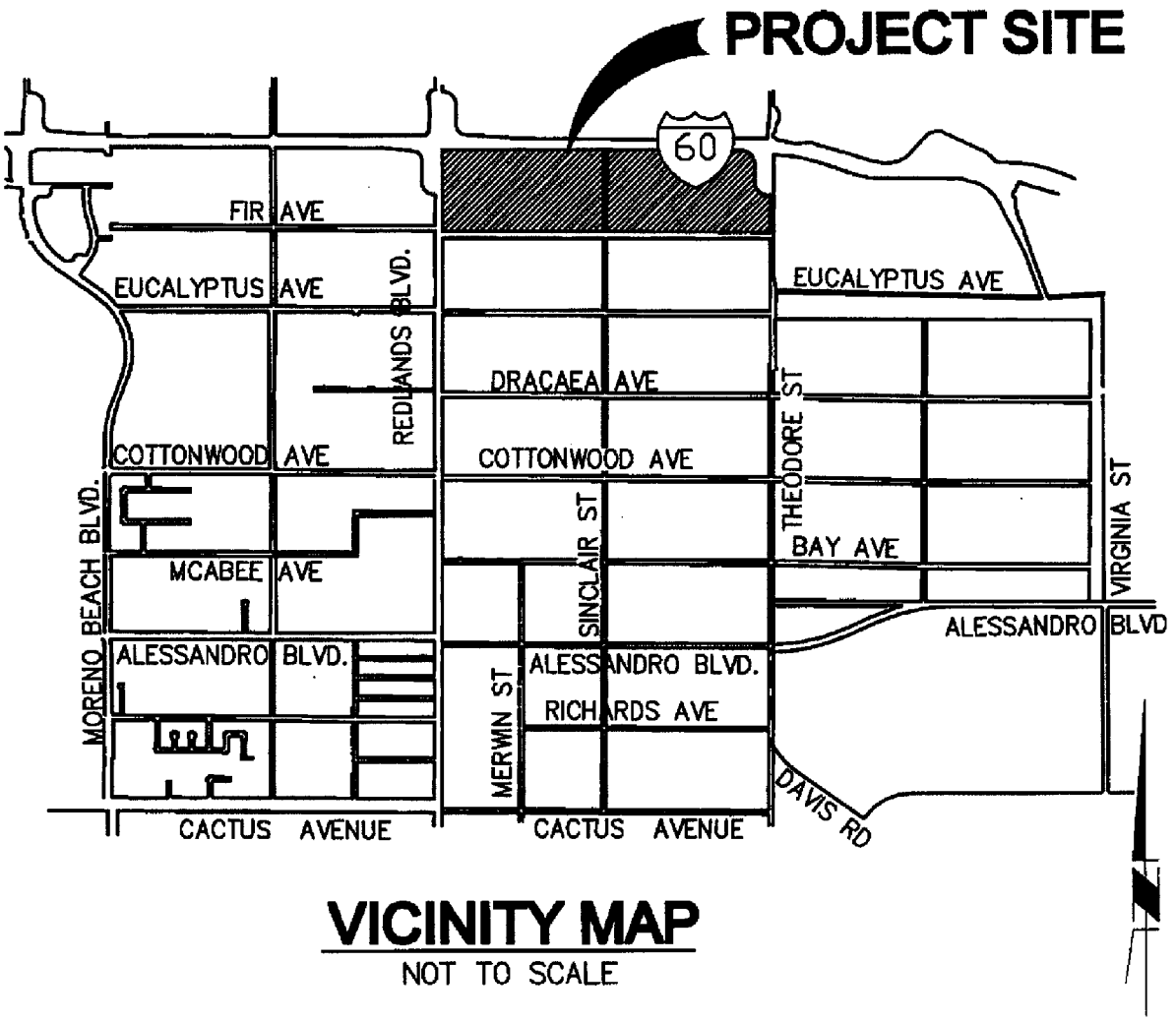

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PM 35629 HF Logistics EC Escrow Agreement.doc

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control
Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☐ Individual
☒ Corporate Officer — Title(s): President/CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD

DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.11

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

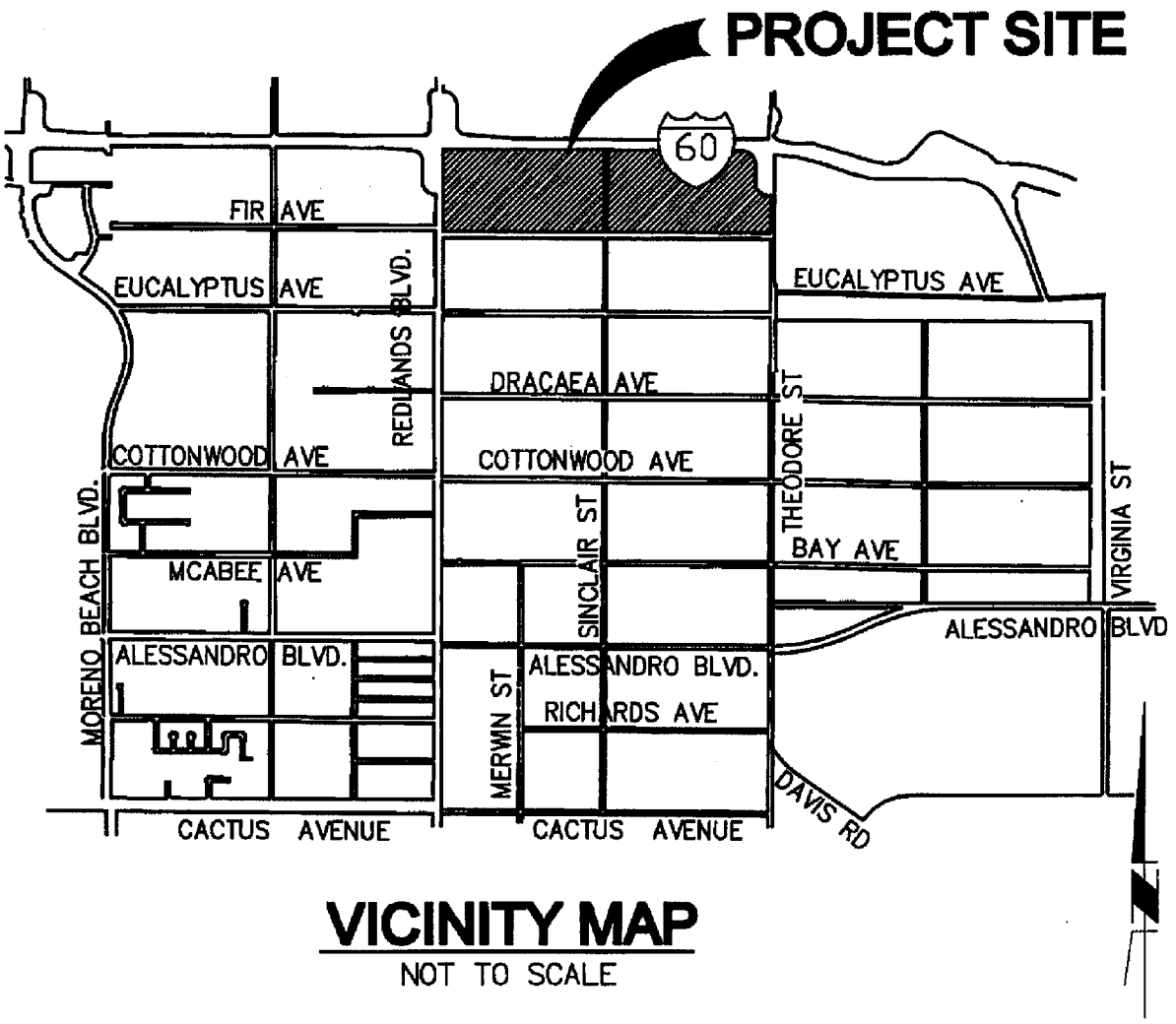

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside }

On April 7, 2010 (Date) before me, Mary S. Fredenburg, (Here Insert Name and Title of the Officer)
personally appeared Iddo Benezevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benezevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.12

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050357

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050359

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00050363

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

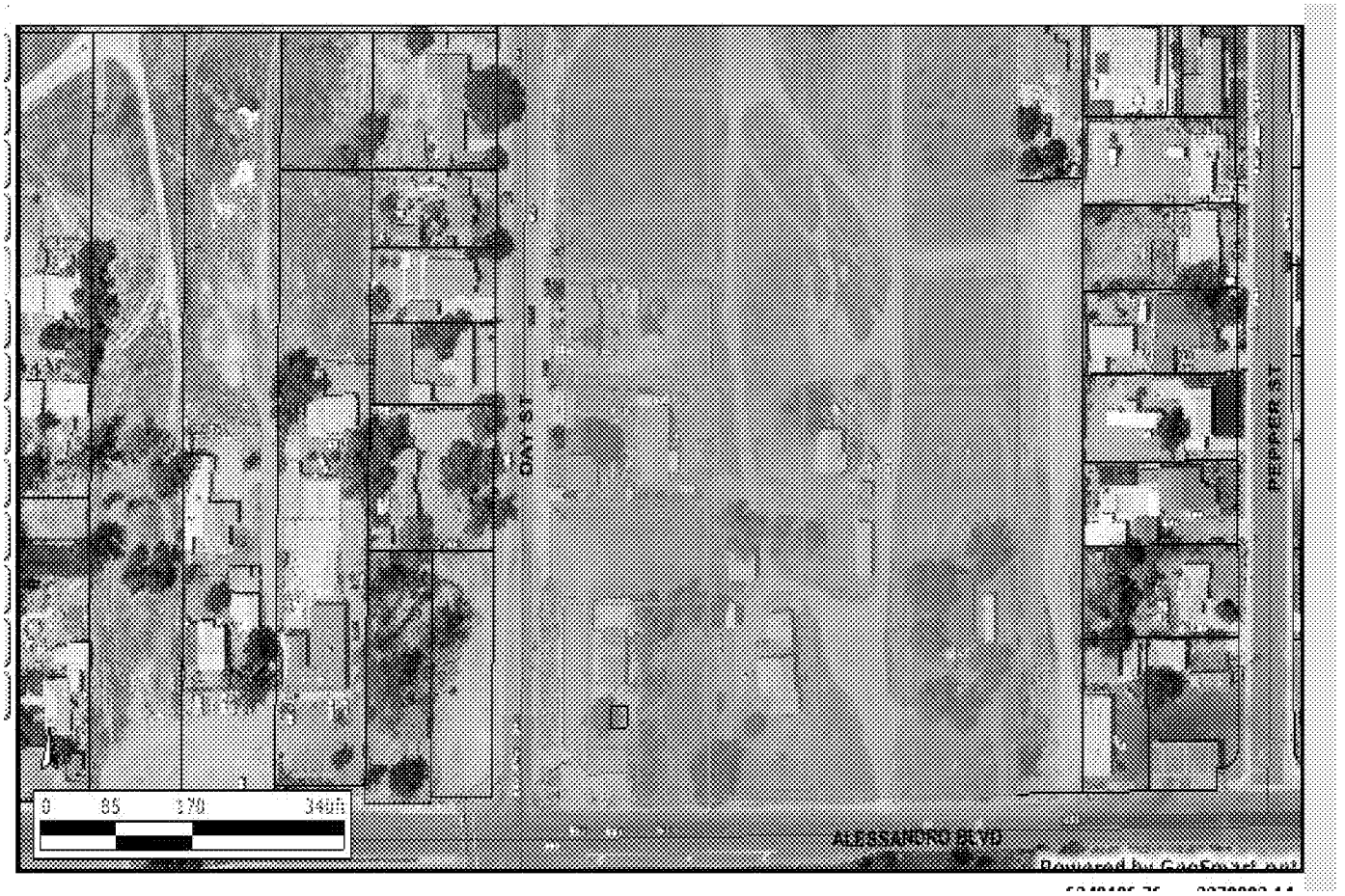

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050373

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00050383

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00050385

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

	Permitted Uses Table 9.02.020-1
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains

b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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MV00050429

Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

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Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

MV00050445

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00050447

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00050449

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

Citrus Heights, CA

San Jose, CA

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00050455

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00050459

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

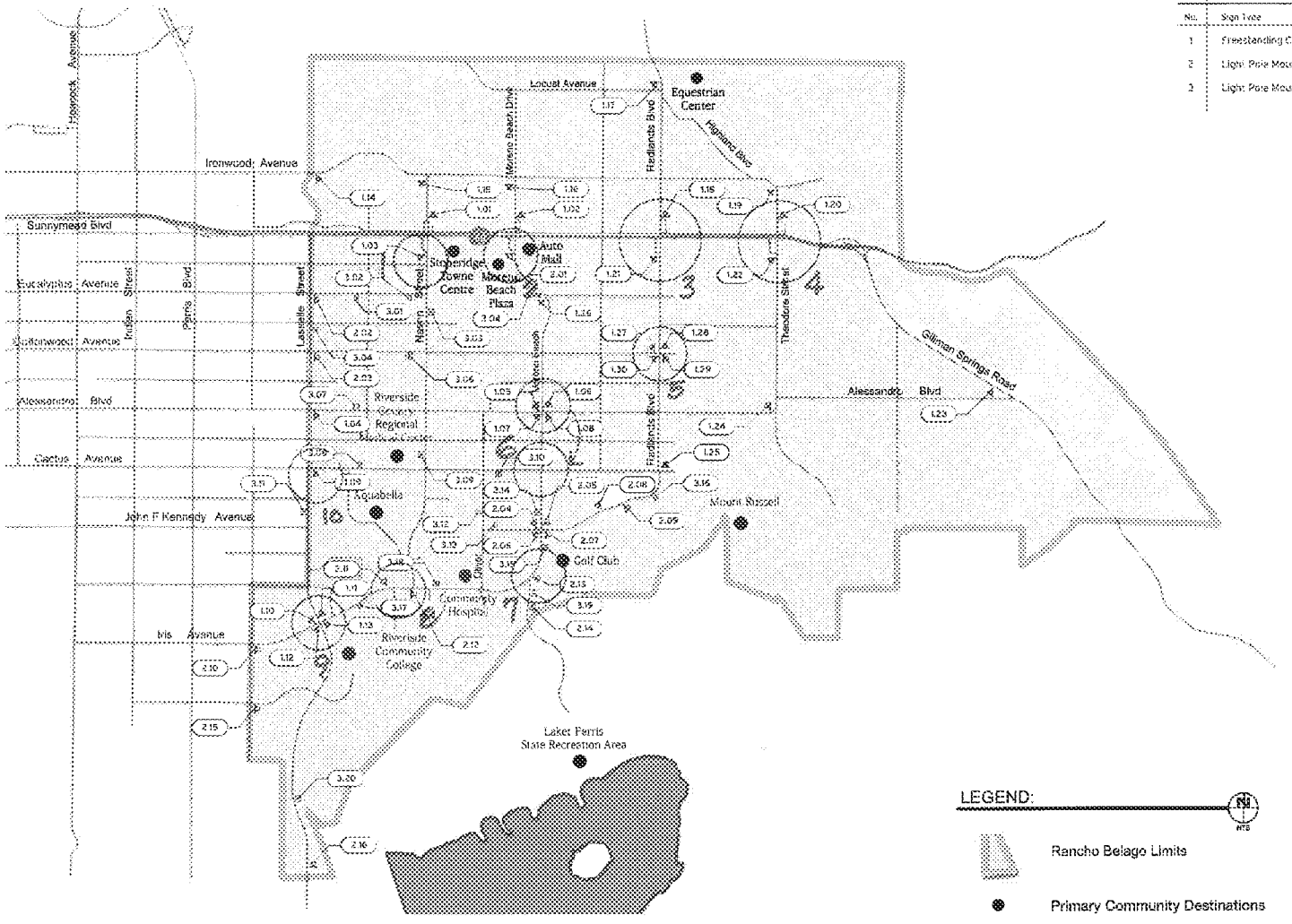

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.2

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

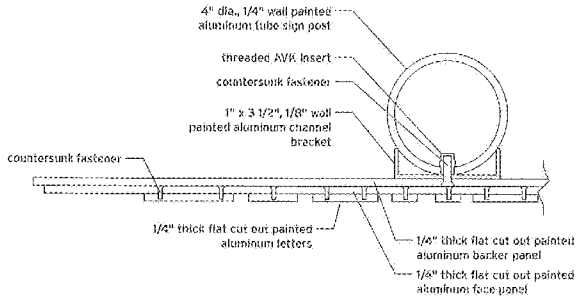

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

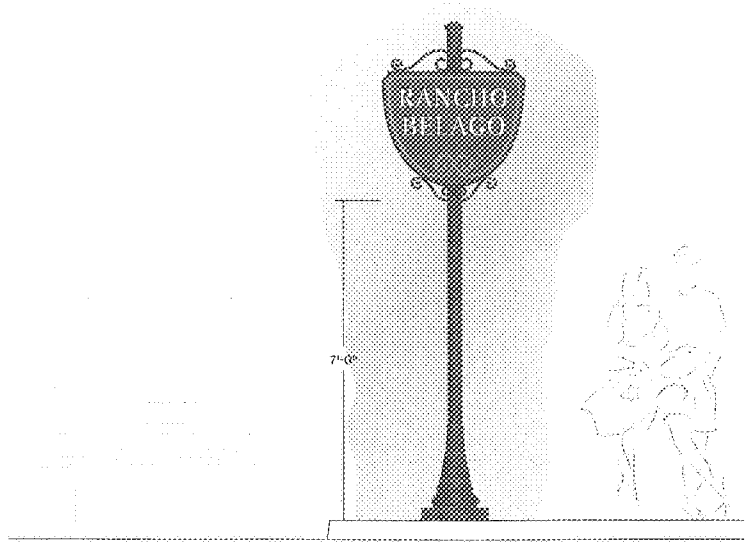

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

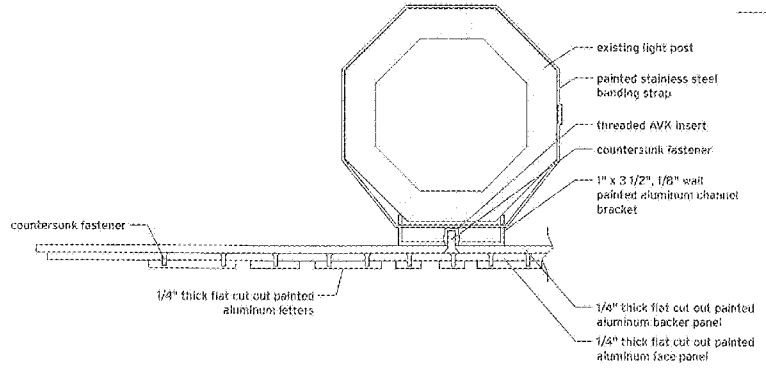

A Details

Scale: 3" = 1'-0"

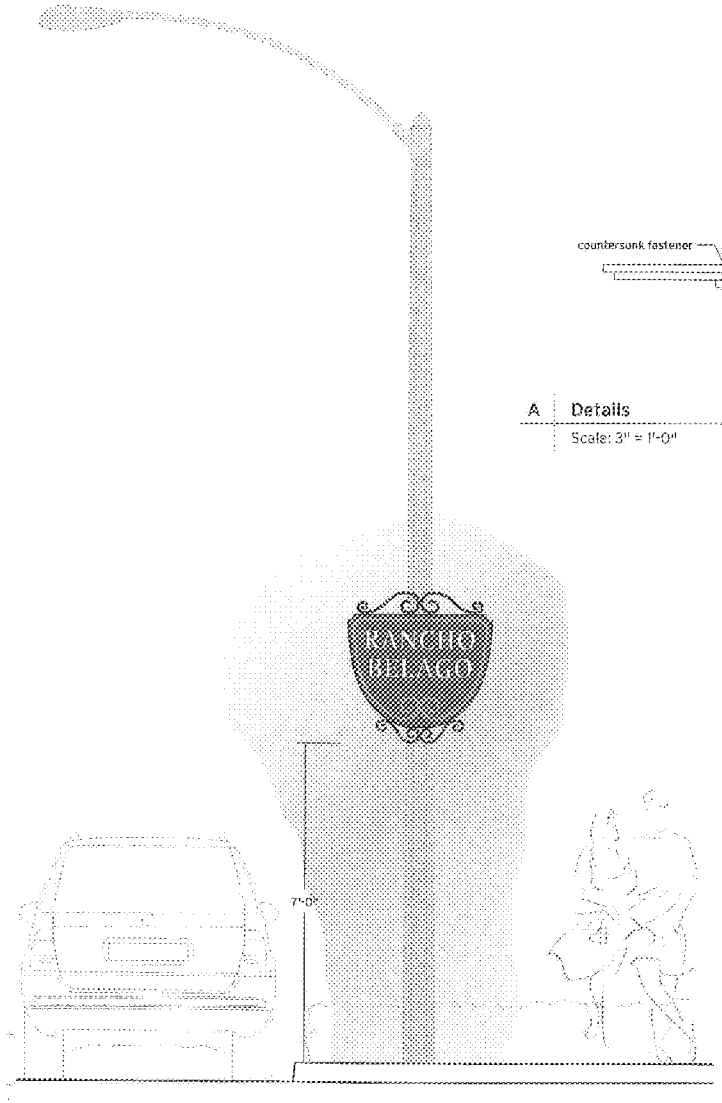

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

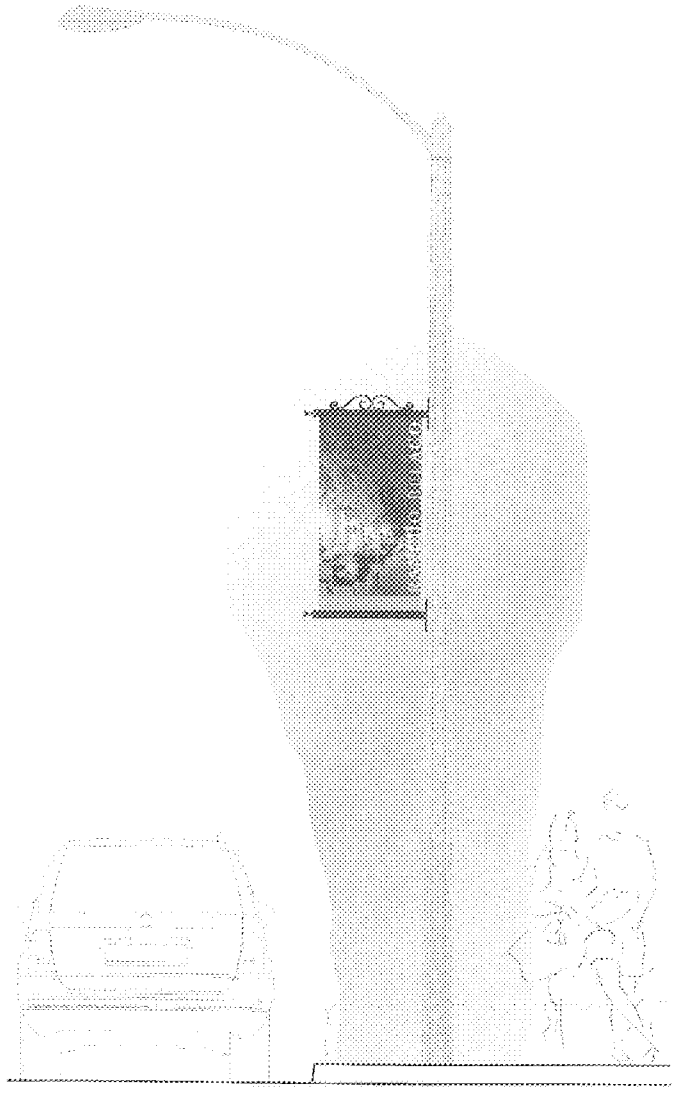

1 Elevation

Scale: 3/8" = 1'-0"

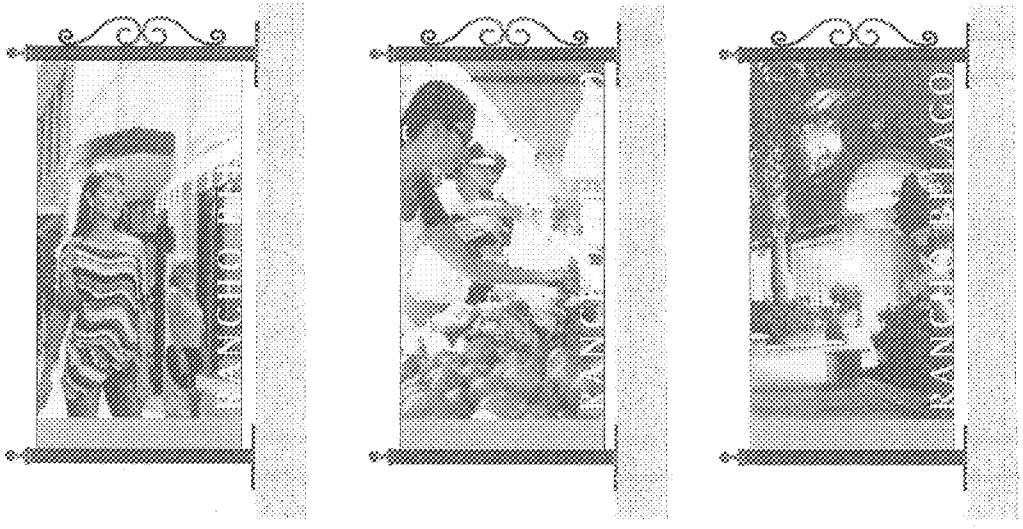

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00050471

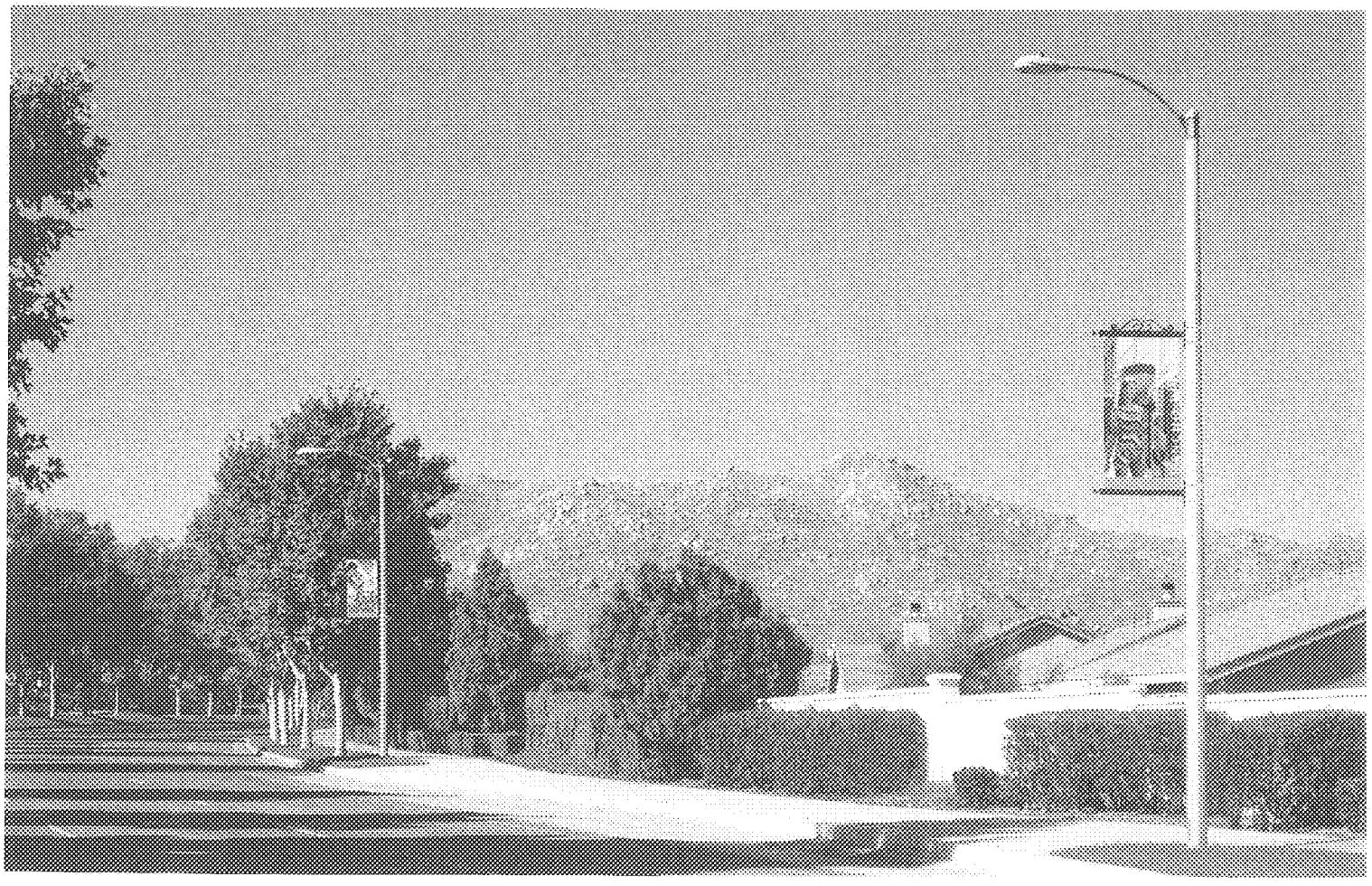

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

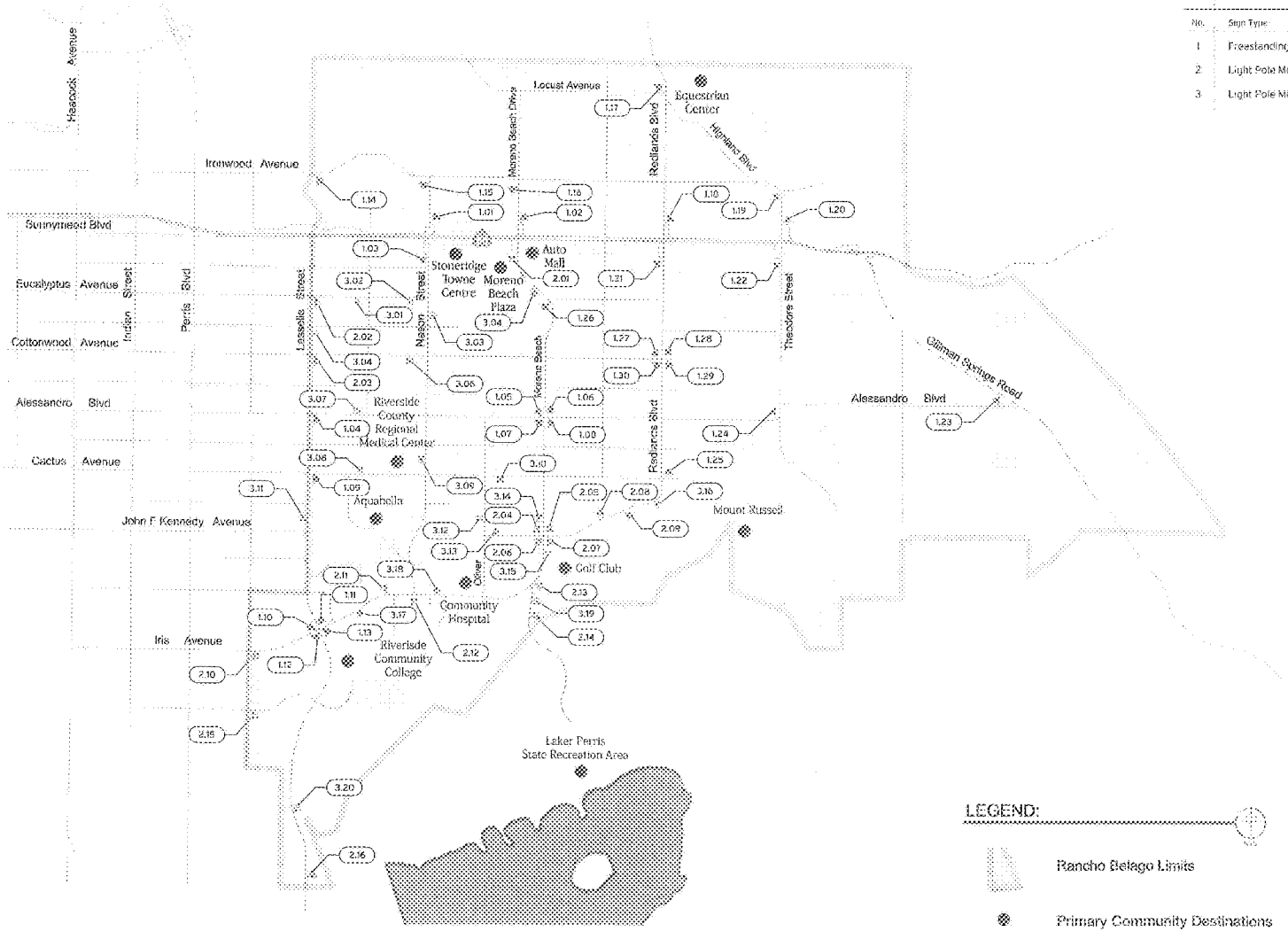

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00050473

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

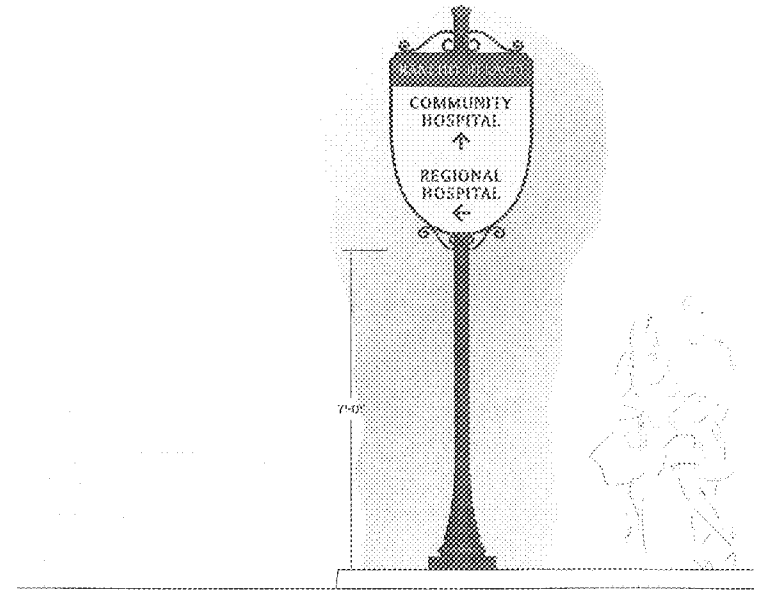

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

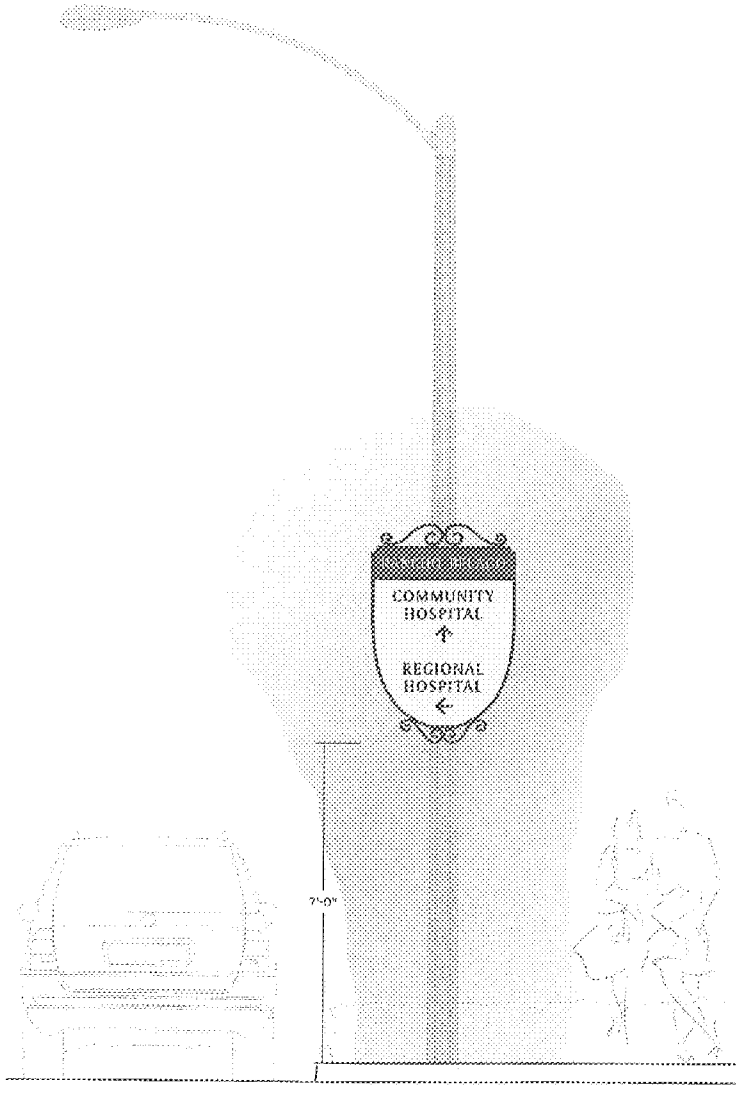

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

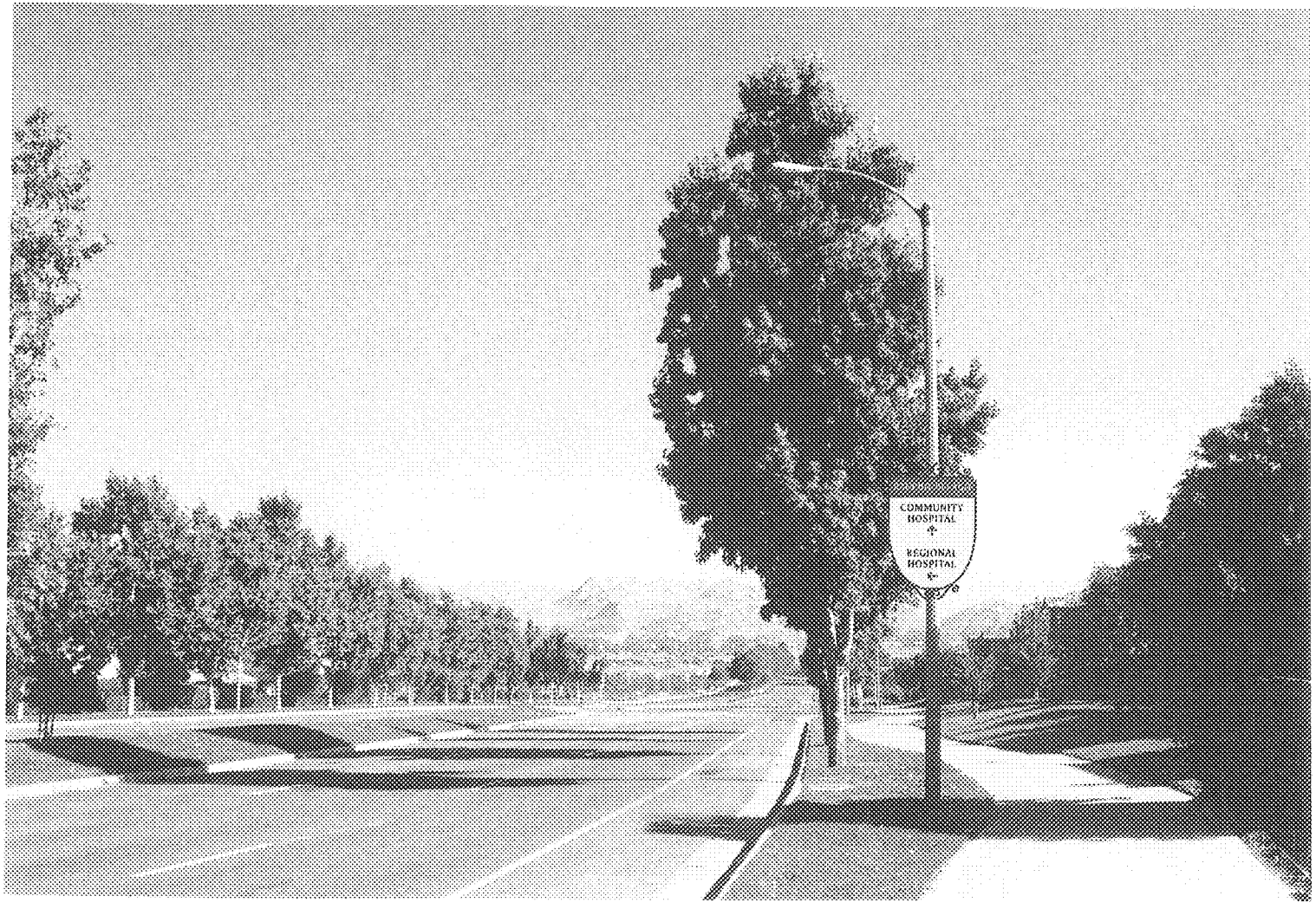

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

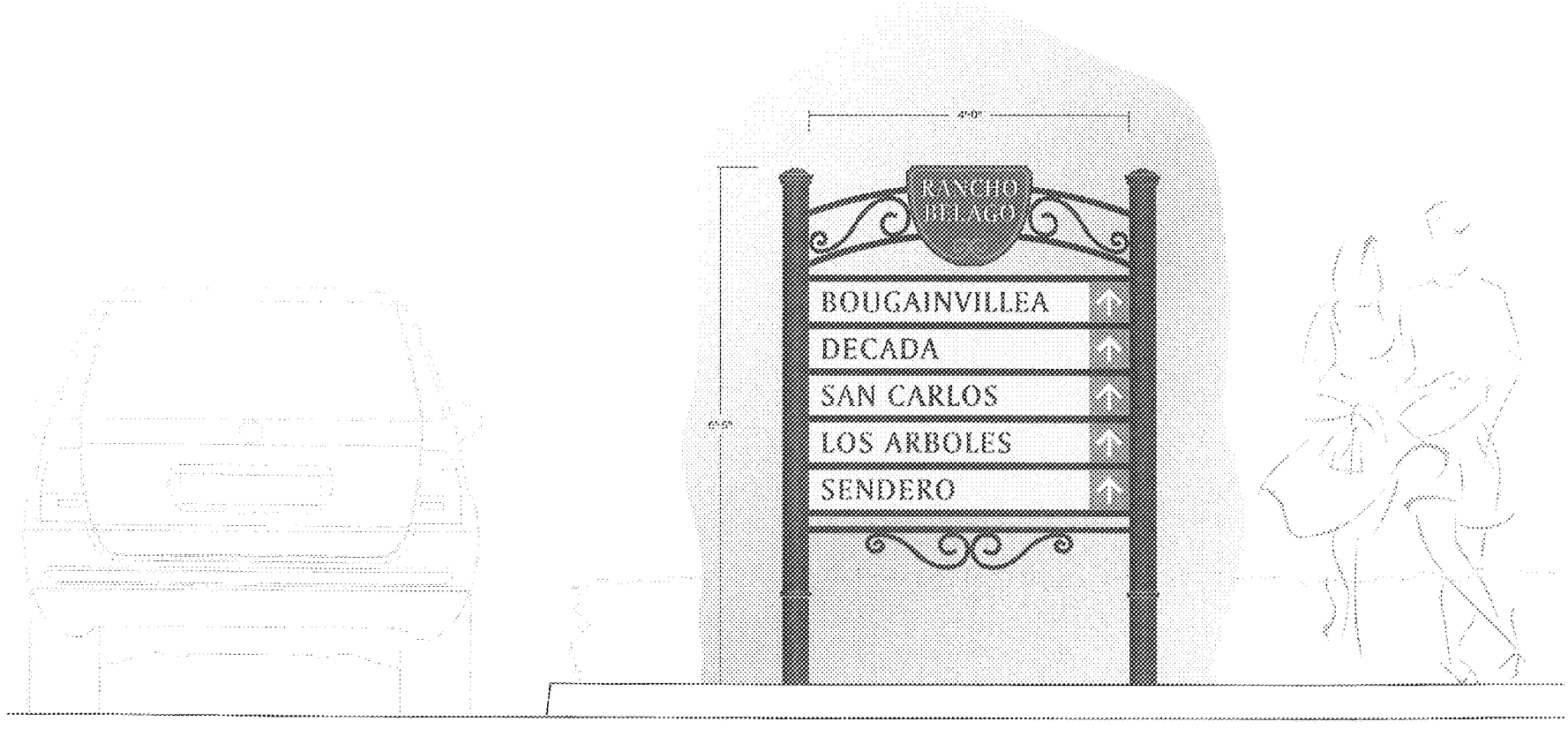

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

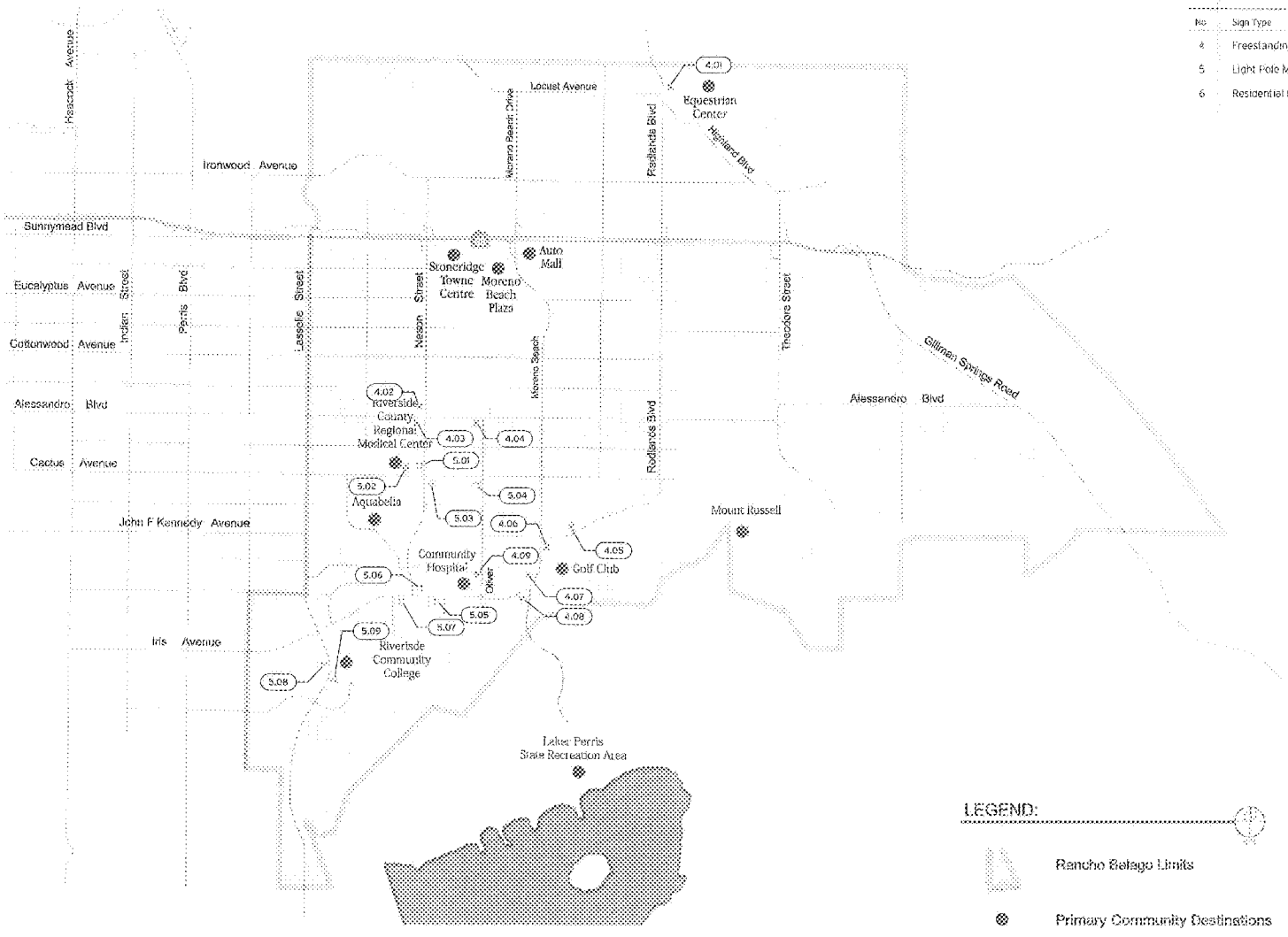

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00050481

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00050483

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

Item No. H.2 .1

MV00050488

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MV00050489

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00050491

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00050492

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

MV00050493

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00050495

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00050497

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00050519

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00050521

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00050527

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

			FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)				
A.	Inspection		$3,933	***$5,400***
B.	Document Violations		$884	***$1,200***
C.	Inspection Preparation Plan		$1,357	***$5,000***
D.	Update Facilities Drawings		$1,357	***$8,000***
	**********	Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)				
A.	Catch Basin Maintenance		165,794	***$165,448***
B.	Street Sweeping		248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs		5,935	***$12,000***
D.	Training Program Implementation		2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping		2,629	***$5,000***
F.	Development of Municipal Facilities Strategy		3,371	***$5,000***
G.	Litter/Trash Characterization		5,698	***$5,000***
	**********	Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION				
A.	Program Management		$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)		$12,699	***$12,699***
	**********	Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS				
A.	Associate Environmental Engineer Cost		$2,823	***$2,900***
B.	Clerk's Cost		$1,150	***$1,150***
C.	Postage Cost		$17,480	***$18,999***
	**********	Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel			$11,300	***$11,309***
6. COUNTY COMPUTER TIME			$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)			$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)			$538,848	***$586,696***
	ANNUAL ASSESSMENT			
	COST		$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS		66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU		$8.15	***$8.15***

Attachment 1

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MV00050529

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

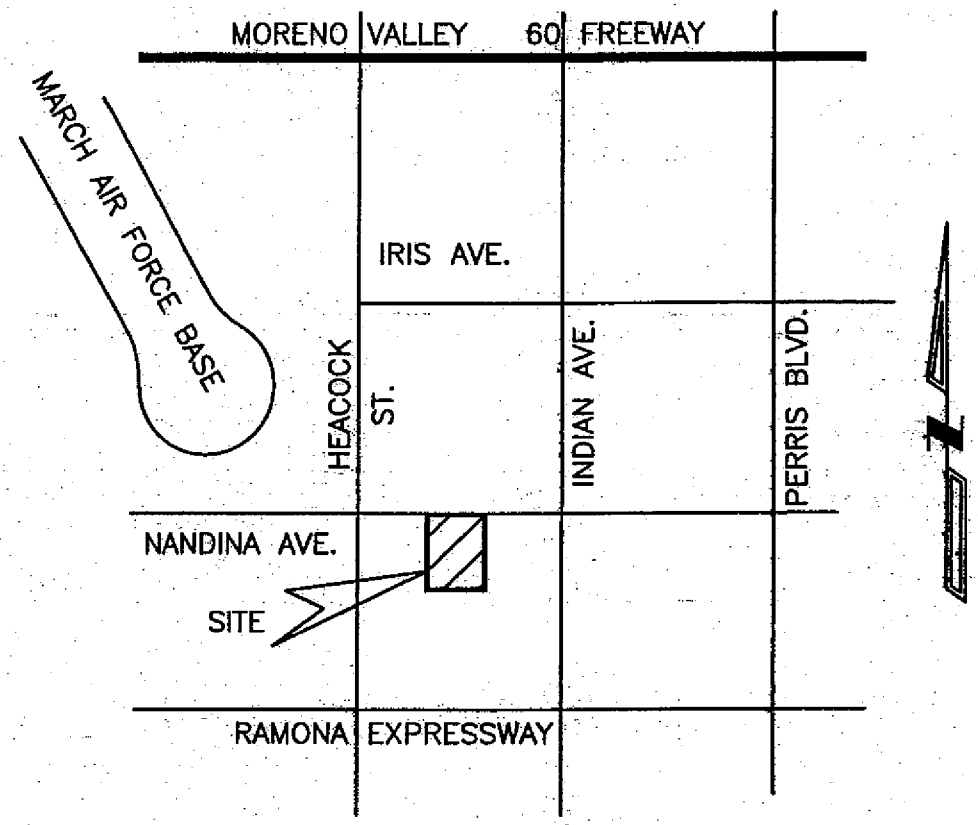

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

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MV00050535

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\3-9-10 - PM 33532 - Line F, Stage 2 Termination Agreement.doc

TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By_____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By_____
NEAL KIPNIS
Deputy County Counsel

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By_____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies),~~ and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

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

WITNESS my hand and official seal.

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

2008 Version CAPA v12.10.07 800-873-9865 www.NotaryClasses.com

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map
Exhibit "B" – Agreement for Erosion Control Improvements for PM 33532
Exhibit "C" – Faithful Performance Bond for Erosion Control
Exhibit "D" – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

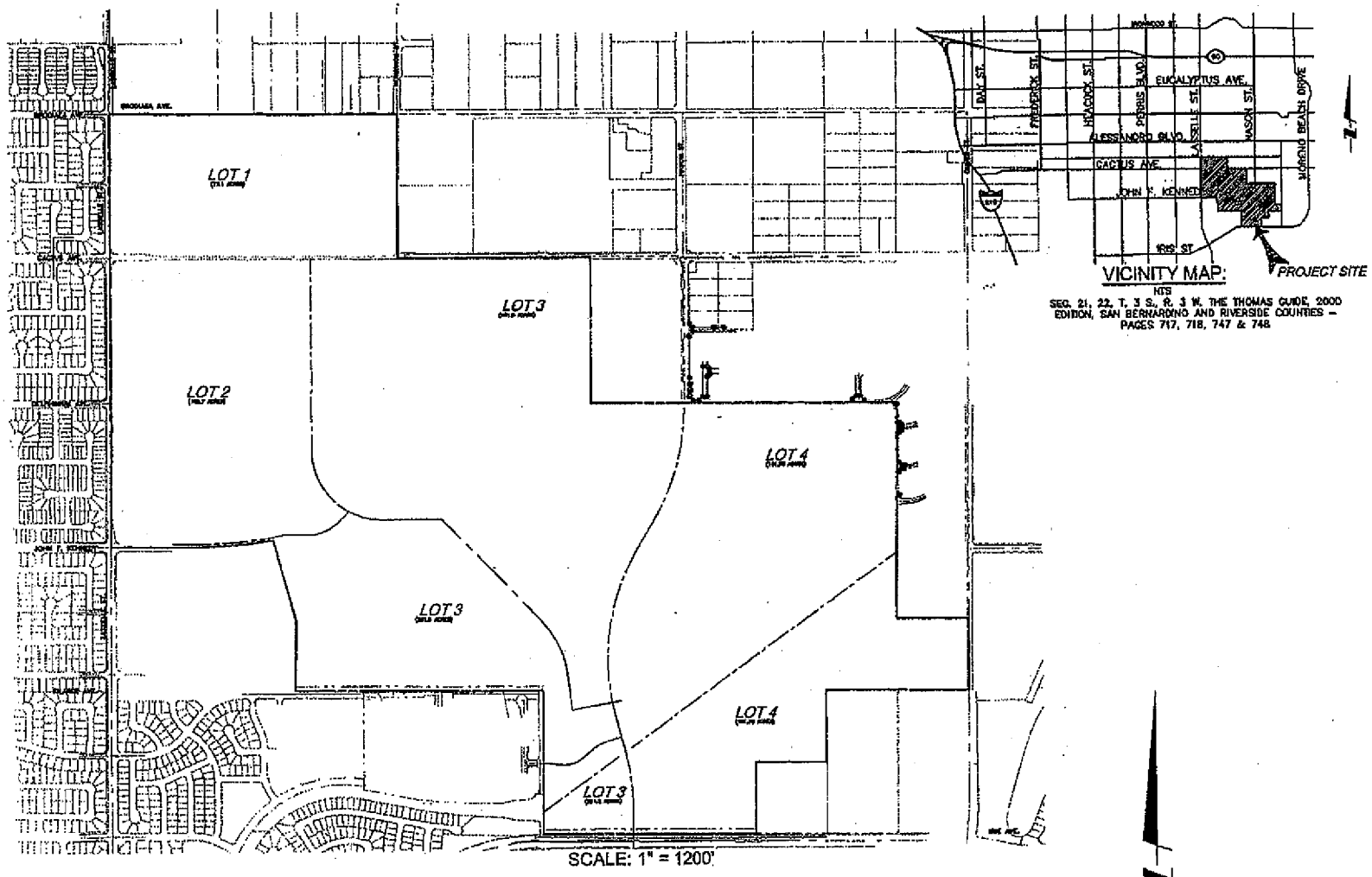

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX.-53-IT "A"

Item No. A.7

MV00050554

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MV00050555

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ Title EVP+COO Pres.

By: _____ Title ~~EVP+COO~~ Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\Engineer's Cost Estimate for Erosion.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher & Iddo Benzeevi,
EVP & COO President

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

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

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MV00050561

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By [signature] President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00050567

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$907,500.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cooper 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 20 06.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded In Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00050573

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00050577

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

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GENERAL PLAN IMPLEMENTATION 10

PROJECT ACTIVITY 13

ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	TERM EXPIRES
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

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PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY
FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

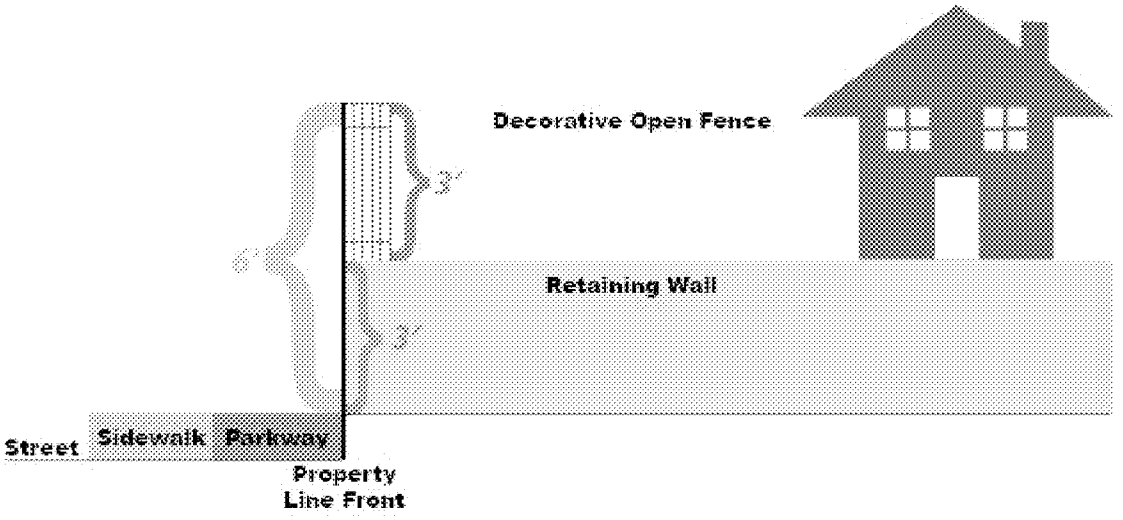

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

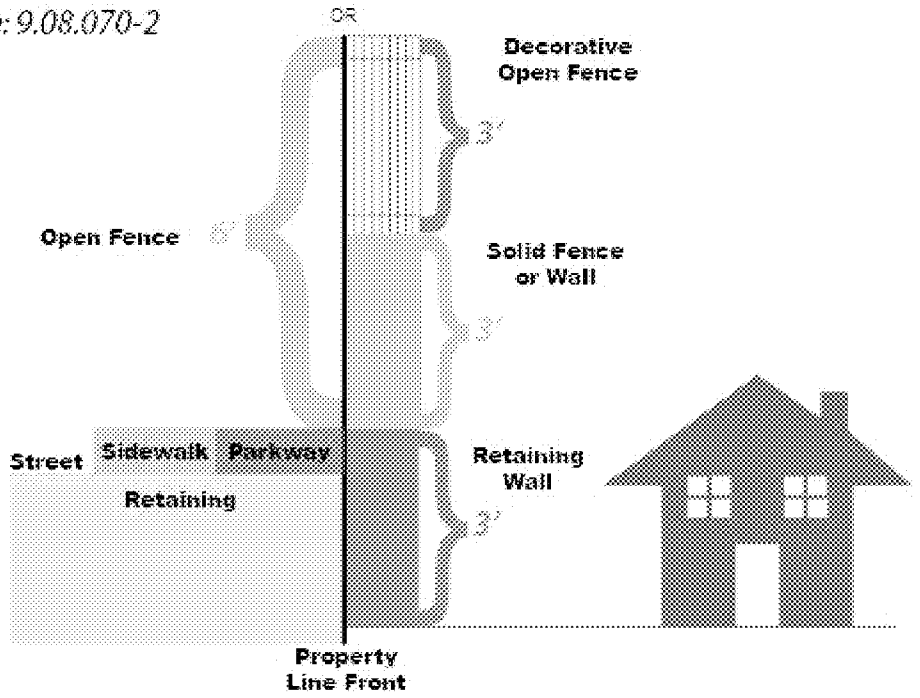

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

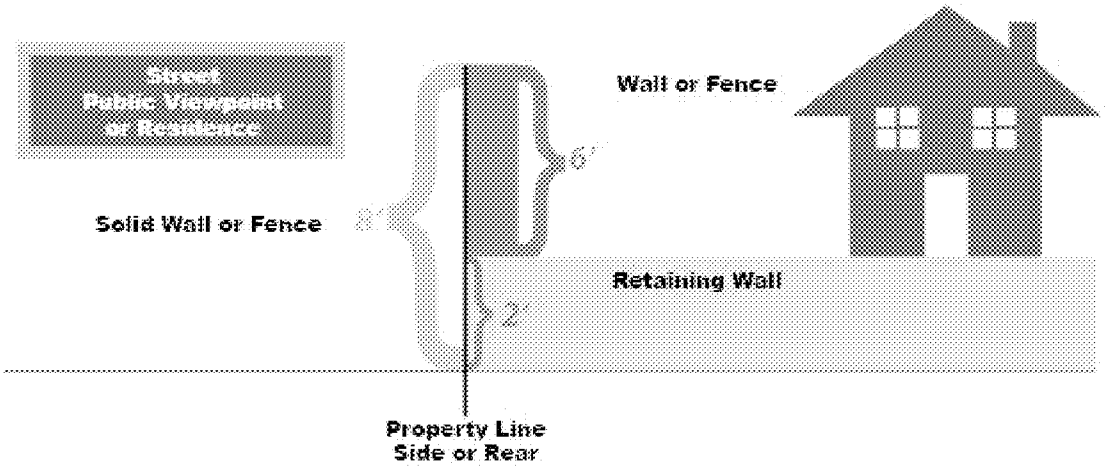

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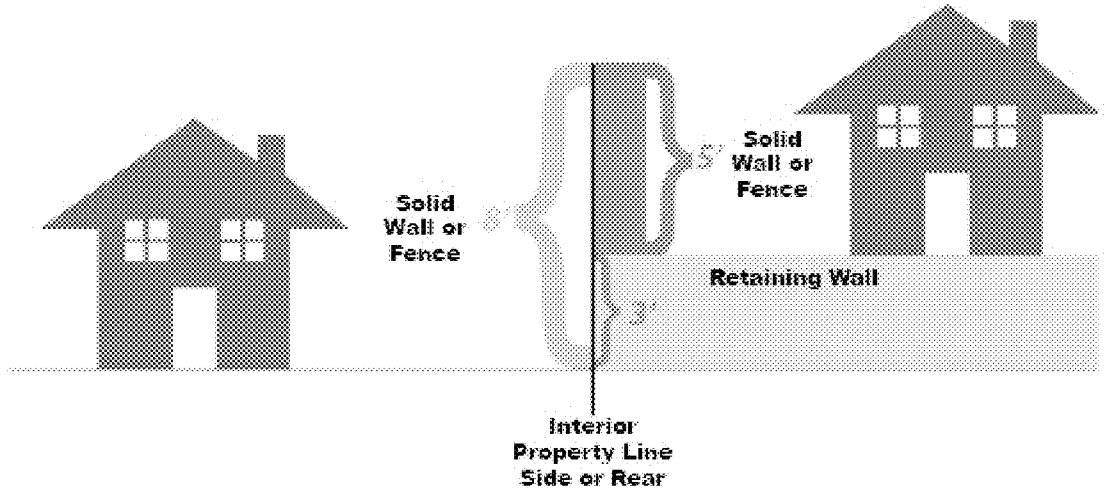

Figure: 9.08.070-5

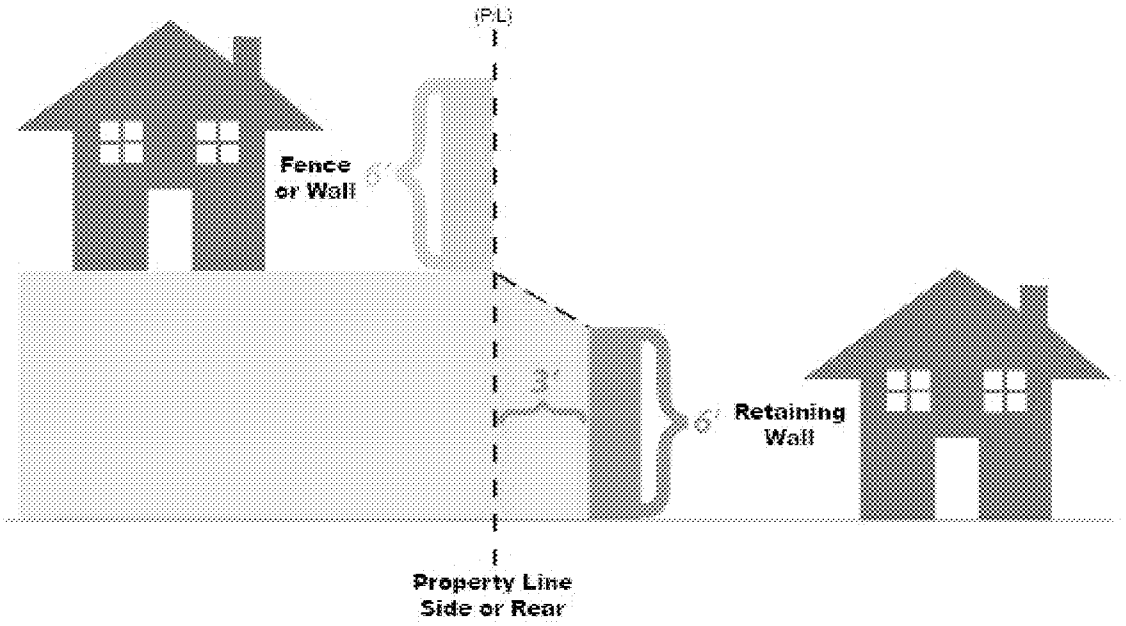

Figure: 9.08.070-6

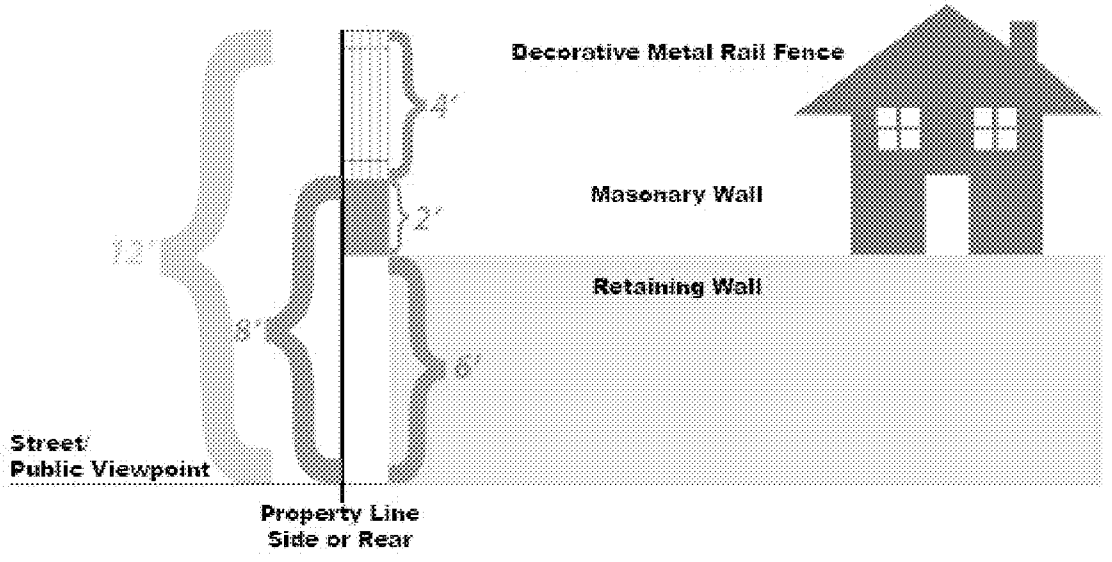

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

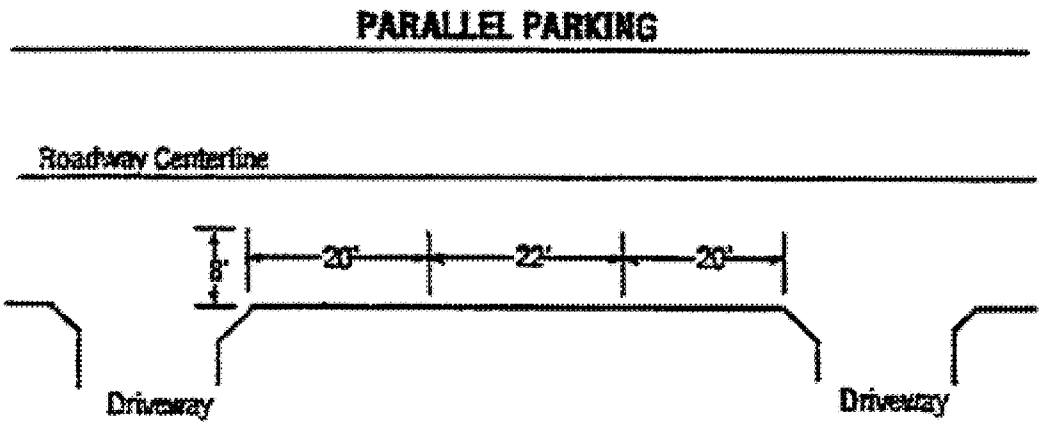

Figure 9.11.080-5
Nonparallel Parking Spaces

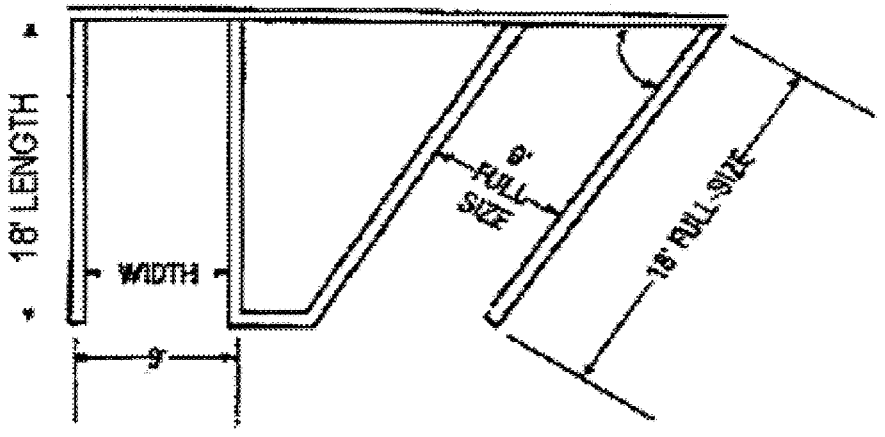

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

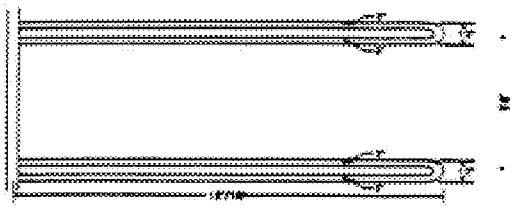

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13
Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	**Distance from a Driveway to an Intersection**	**Spacing Between Adjacent Driveways**
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

\\zurich\shared\InterDept\Council-Clerk\City Clerk Files\Advisory Boards and Commissions\Appointment Staff Reports\2010\PTO.doc

Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
ctor, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
ector, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00050623

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Erosion Control Agreement.doc

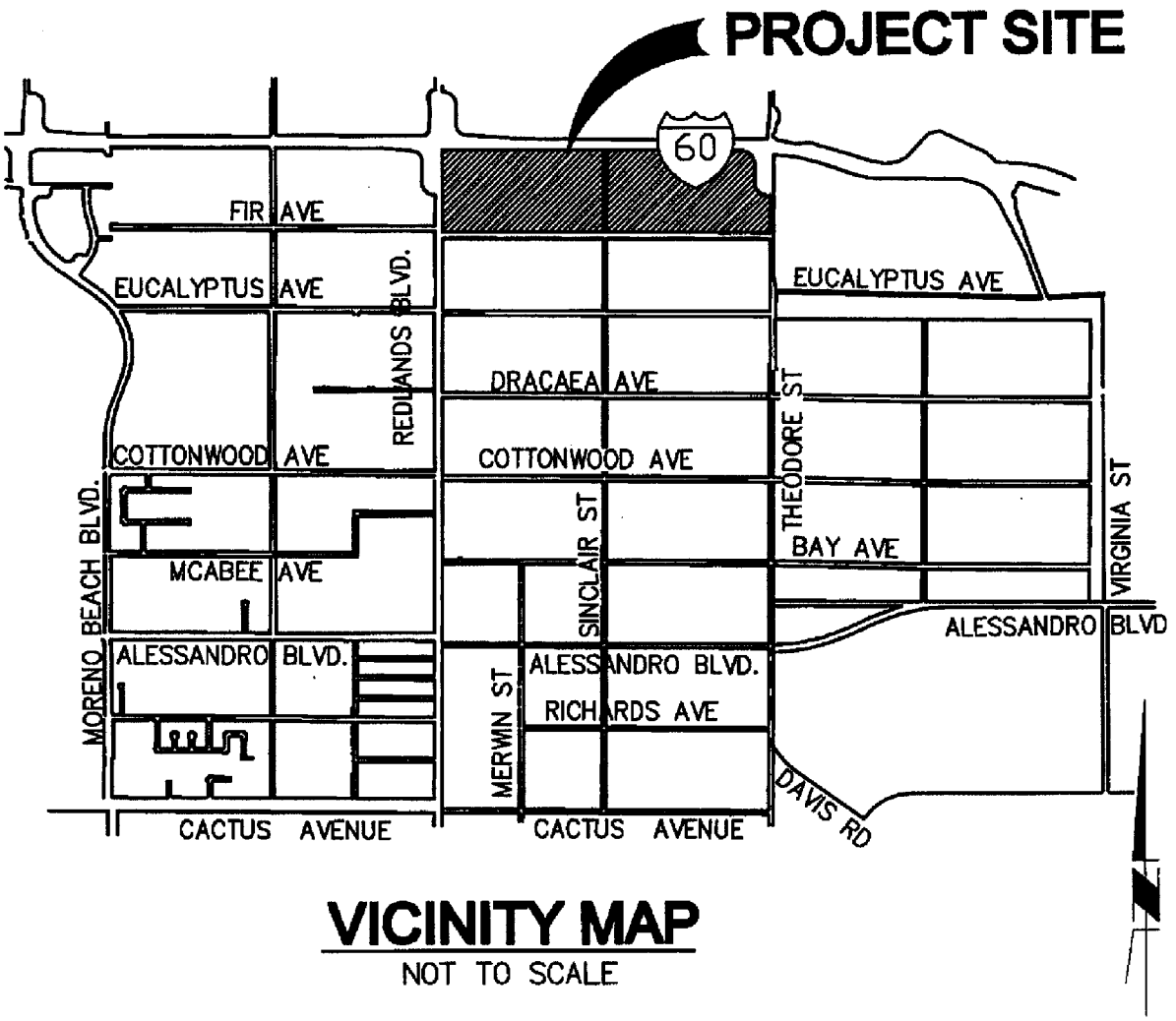

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

Place Notary Seal Above

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

WITNESS my hand and official seal.

Signature (Signature of Notary Public)

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control
Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☐ Individual
☒ Corporate Officer — Title(s): President/CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD

DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.11

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

MV00050641

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

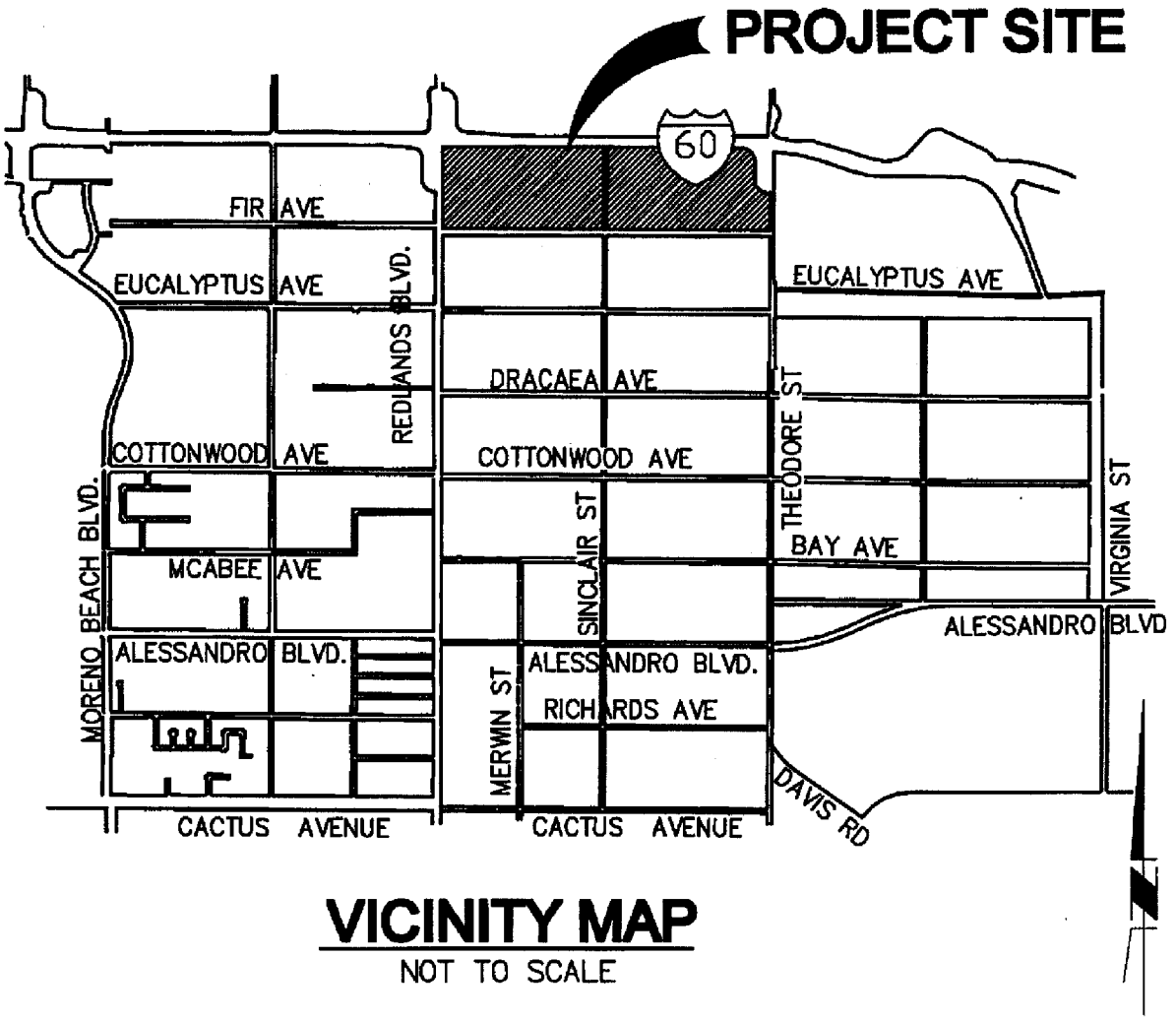

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside }

On April 7, 2010 (Date) before me, Mary S. Fredenburg, (Here Insert Name and Title of the Officer)
personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.12

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050657

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050659

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00050663

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate.**

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency:	COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY 14177 Frederick Street Moreno Valley, California 92552-0805 Attention: Executive Director
To Developer:	PALM DESERT DEVELOPMENT COMPANY Attention: Danavon L. Horn, President P.O. Box 3958 Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050673

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WDB

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00050683

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00050685

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

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Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

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Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

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Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

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Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

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Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

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Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains
b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one... Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good... And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for...

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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MV00050729

Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3~~2~~. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4~~3~~. Employment Districts.
a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5~~4~~. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6~~5~~. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

MV00050745

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00050747

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00050749

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

Citrus Heights, CA

San Jose, CA

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00050755

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00050759

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

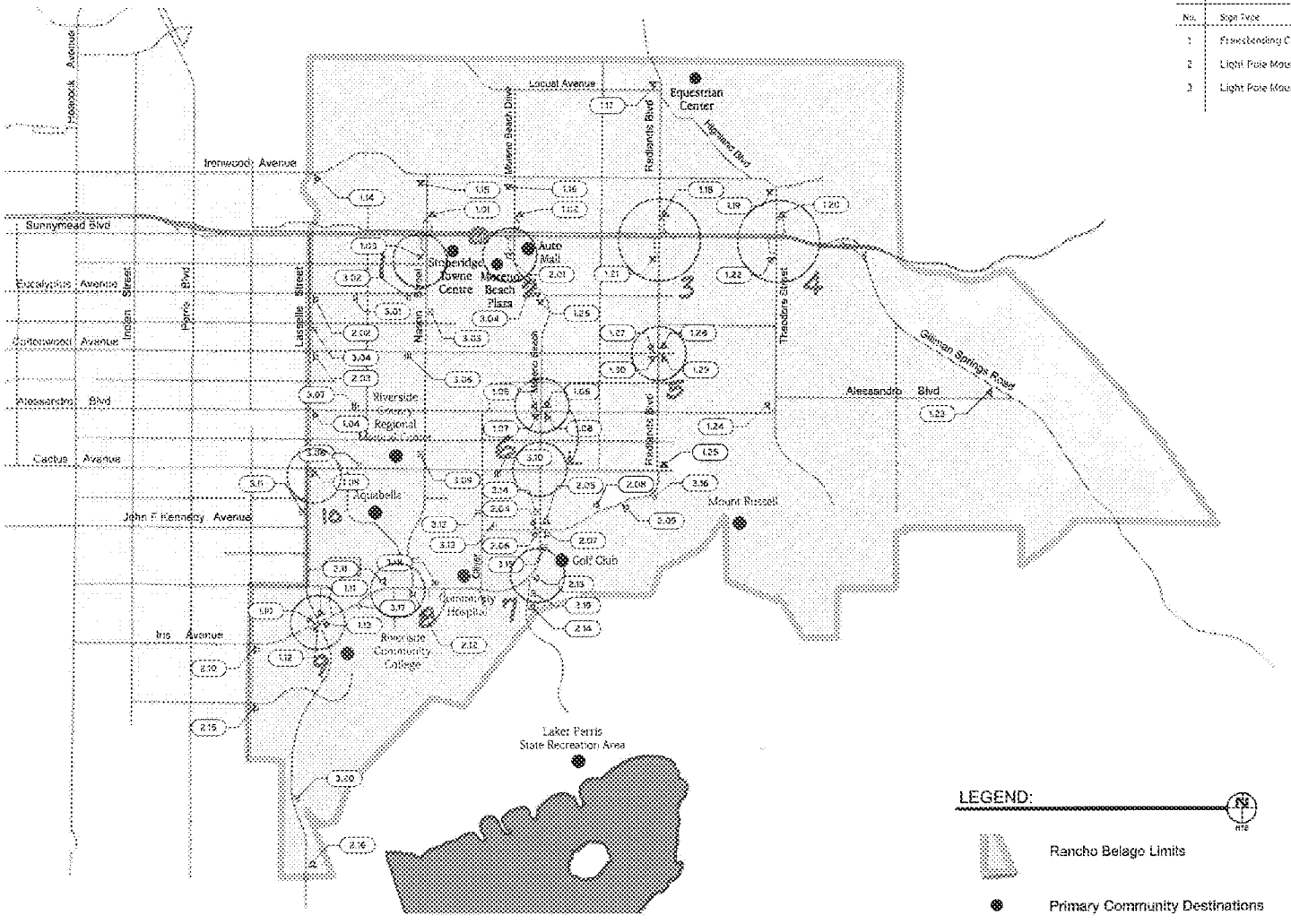

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 06-10-07

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL

PREPARED FOR THE MORENO VALLEY CITY COUNCIL AND THE RANCHO BELAGO ECONOMIC COUNCIL

RANCHO BELAGO

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

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top

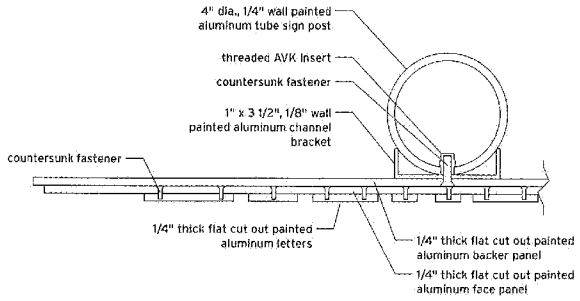

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

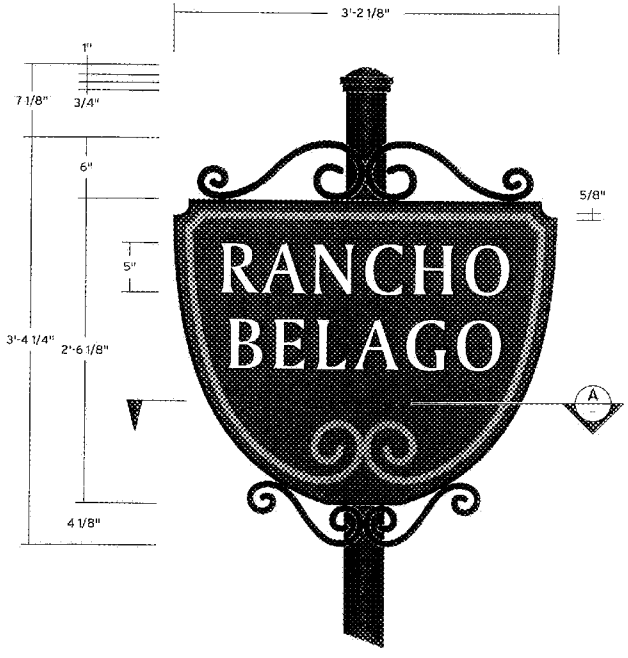

front

side

2 Details

Scale: 1" = 1'-0"

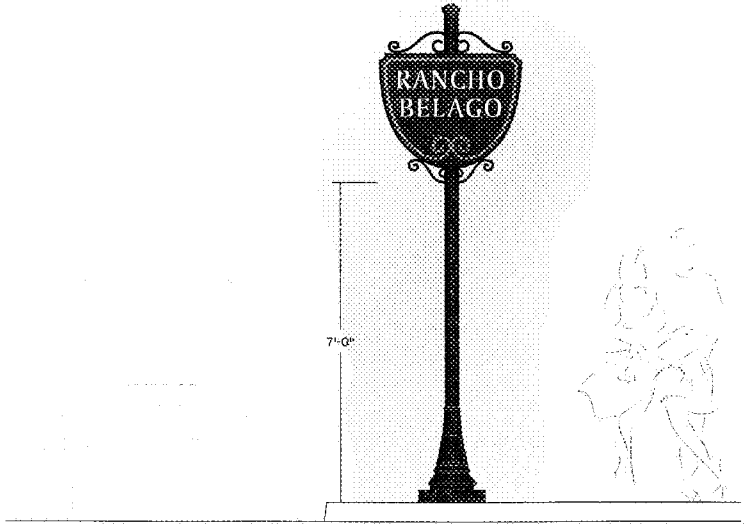

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I;
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV00050767

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Project:
Rancho Belago
Community Signage

Sheet Title:
Sign Type 1:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

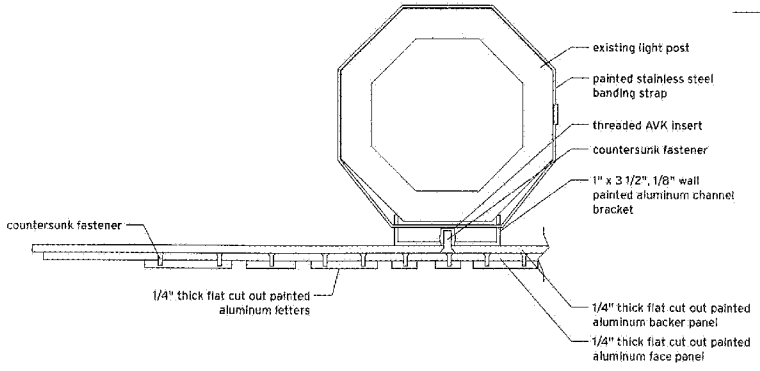

A Details

Scale: 3" = 1'-0"

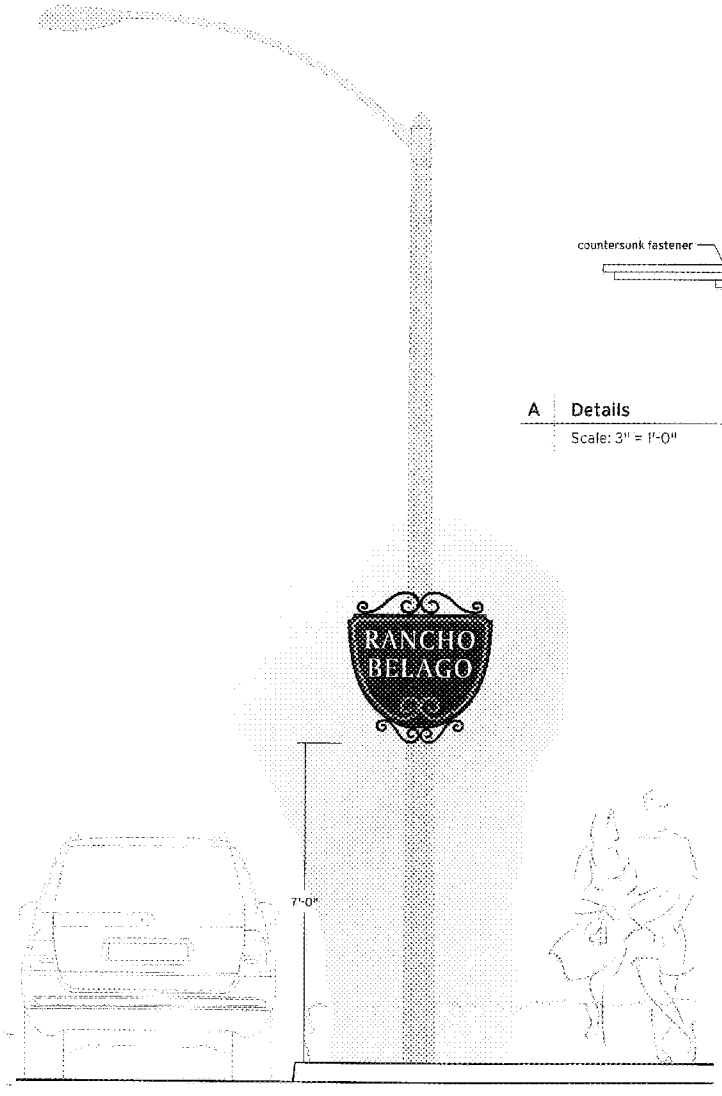

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2;
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

MV00050769

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual Images are in the proccess of being selected.

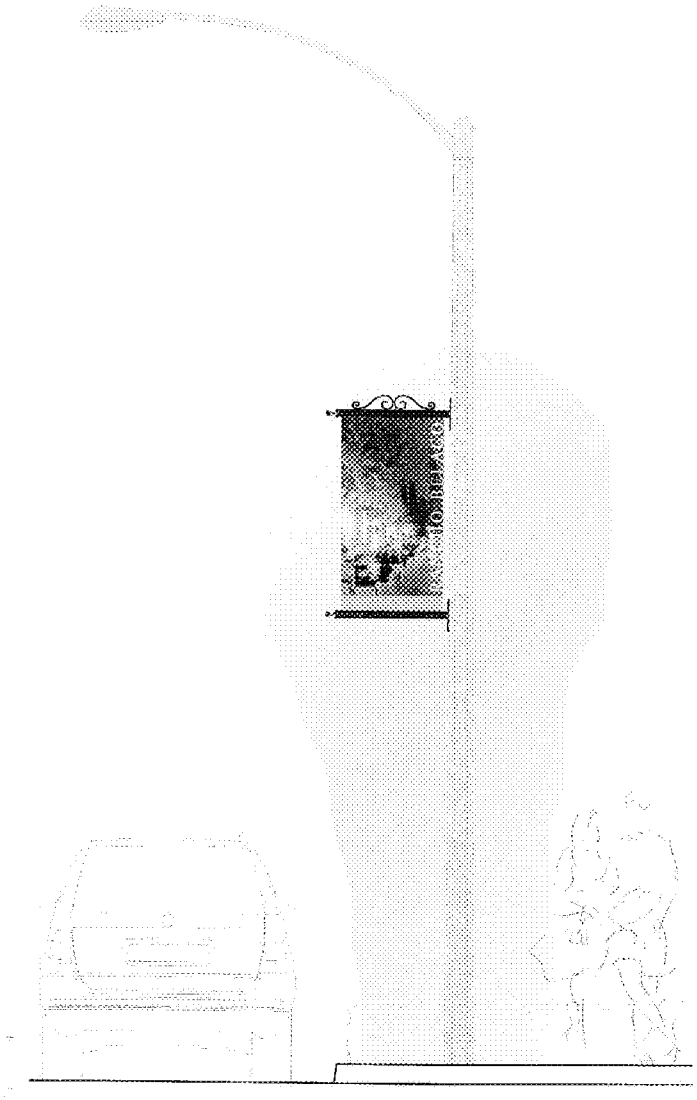

1 Elevation

Scale: 3/8" = 1'-0"

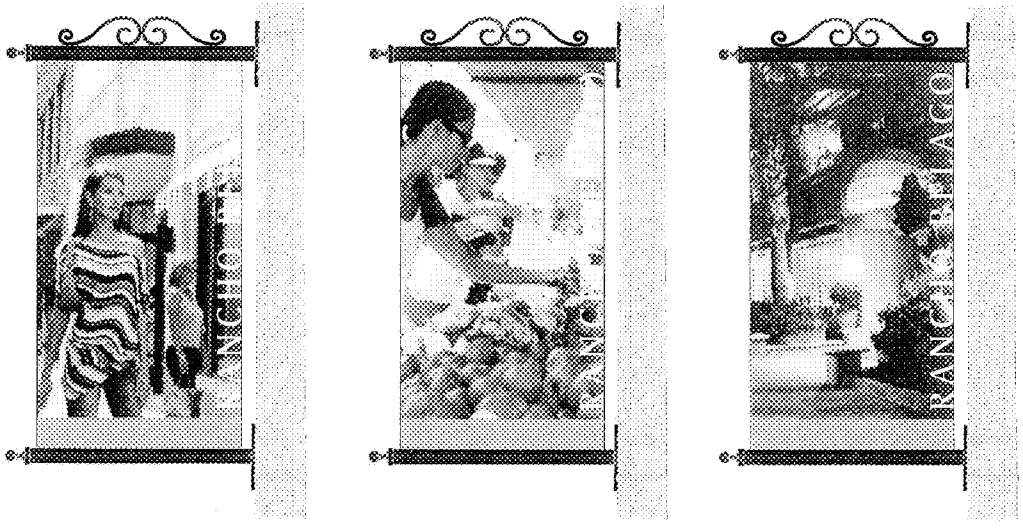

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

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Laguna Hills, CA 92653
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3;
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00050771

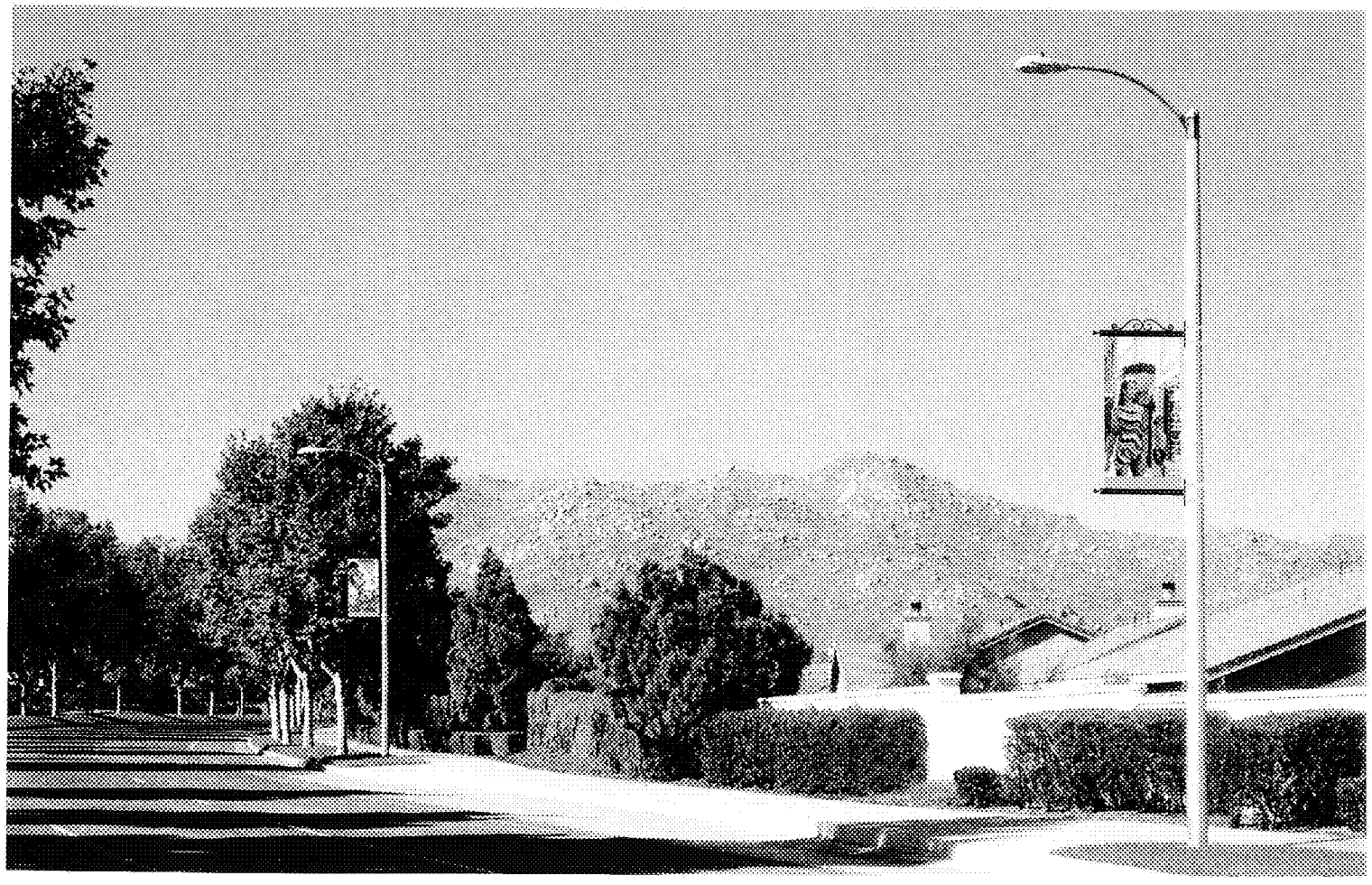

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners - Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

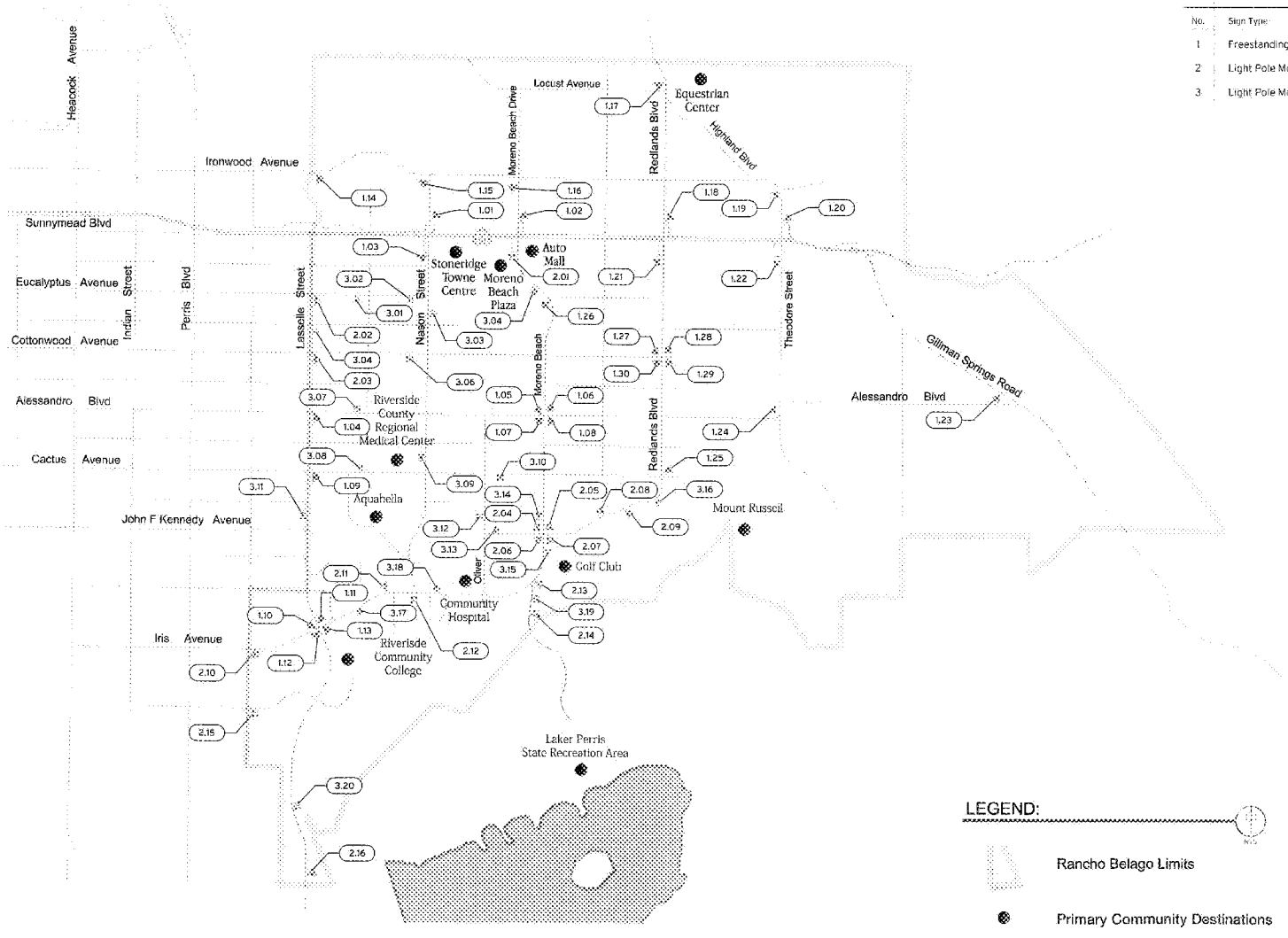

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00050773

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

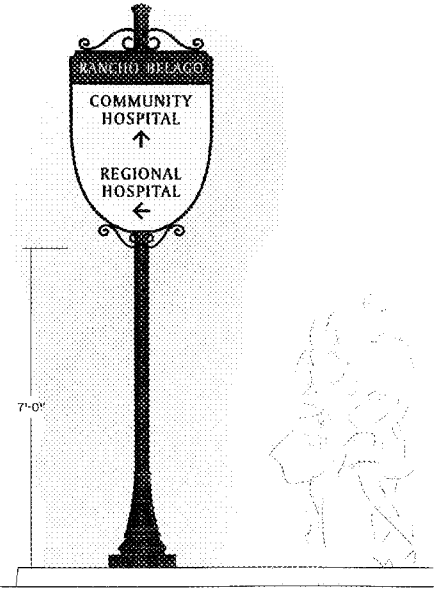

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00050775

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

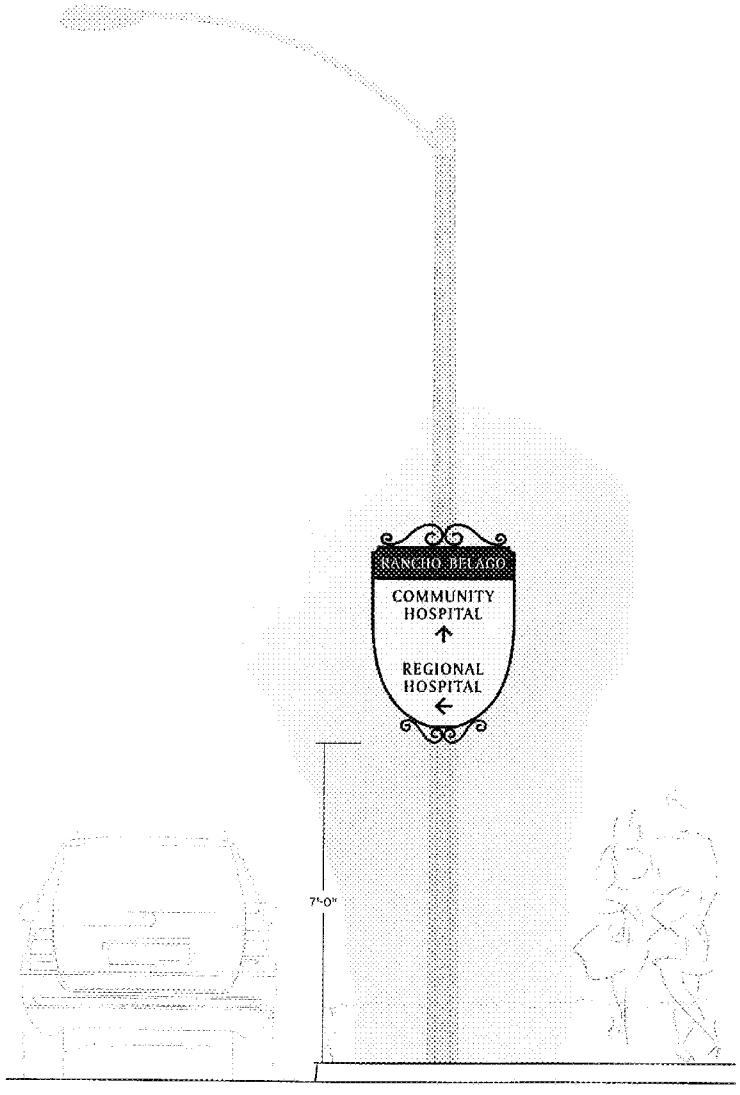

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5;
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00050777

1 Elevation

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6;
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

MV00050779

Community Directional Signs

No.	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	9
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

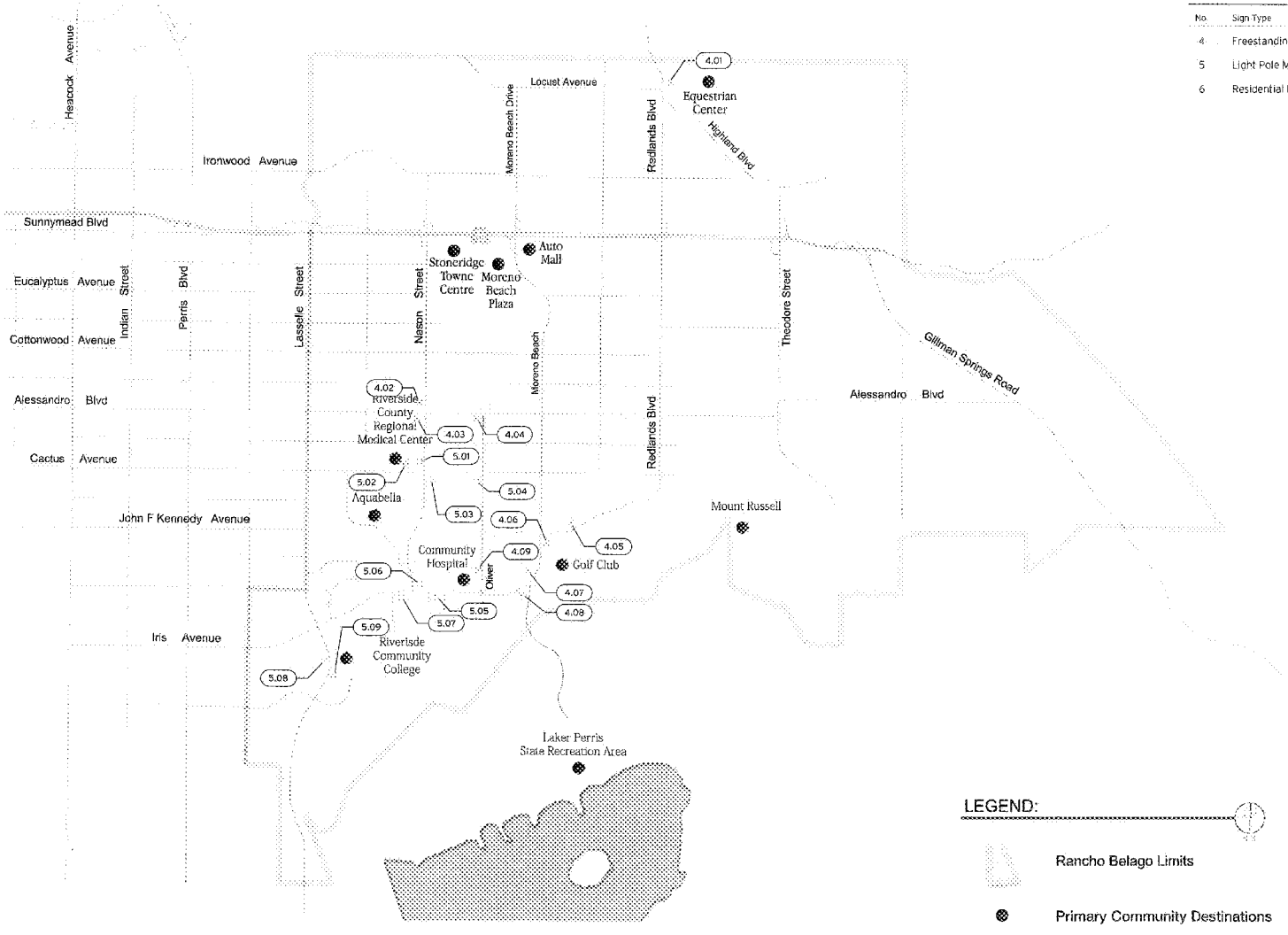

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Community Directional Sign
Location Plan

Sheet Number
RB-SP 2

Date
08-10-07

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MV00050781

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00050783

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

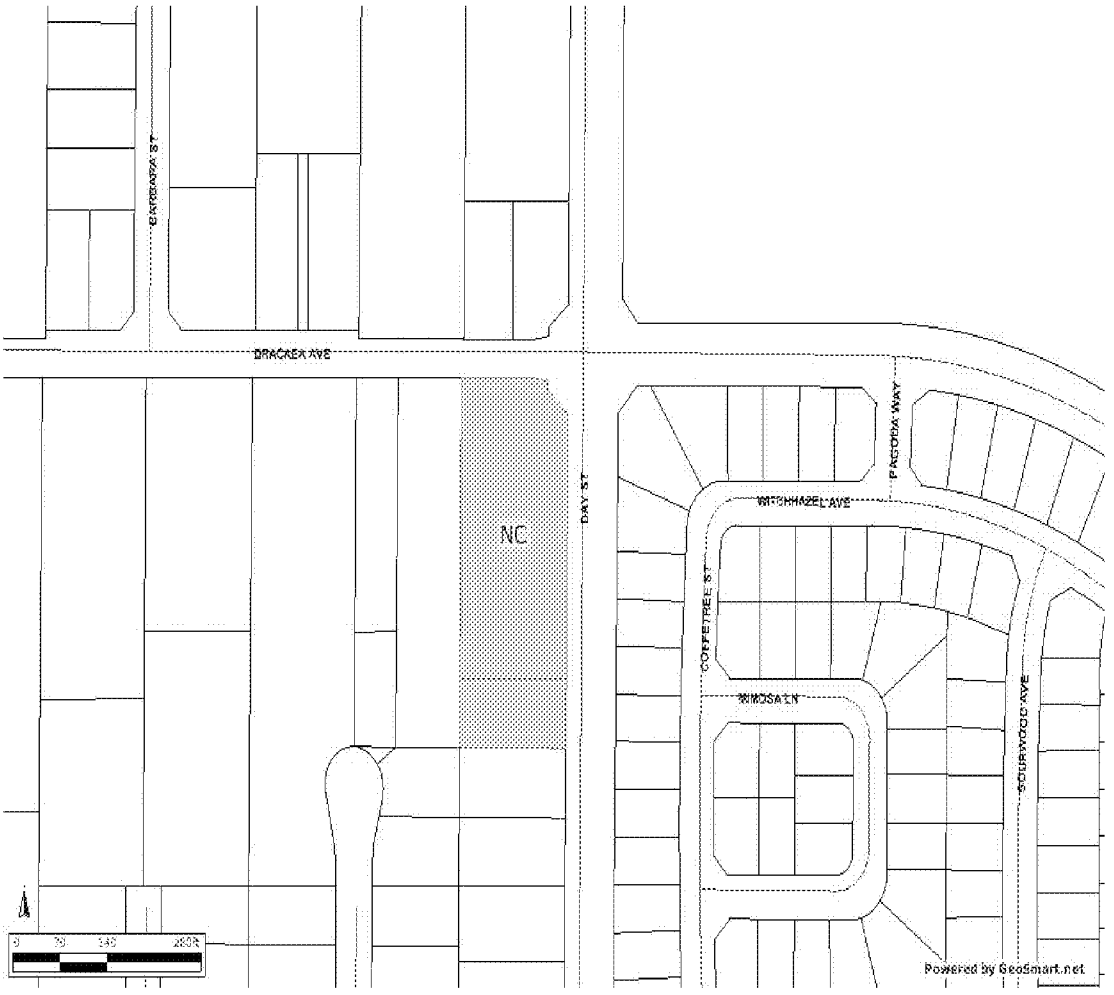

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

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MV00050789

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00050791

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00050792

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

MV00050793

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00050795

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00050797

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

MV00050799

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MV00050801

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00050819

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00050821

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00050827

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

		FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)			
A.	Inspection	$3,933	***$5,400***
B.	Document Violations	$884	***$1,200***
C.	Inspection Preparation Plan	$1,357	***$5,000***
D.	Update Facilities Drawings	$1,357	***$8,000***
	********** Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)			
A.	Catch Basin Maintenance	165,794	***$165,448***
B.	Street Sweeping	248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs	5,935	***$12,000***
D.	Training Program Implementation	2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping	2,629	***$5,000***
F.	Development of Municipal Facilities Strategy	3,371	***$5,000***
G.	Litter/Trash Characterization	5,698	***$5,000***
	********** Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION			
A.	Program Management	$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)	$12,699	***$12,699***
	********** Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS			
A.	Associate Environmental Engineer Cost	$2,823	***$2,900***
B.	Clerk's Cost	$1,150	***$1,150***
C.	Postage Cost	$17,480	***$18,999***
	********** Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel		$11,300	***$11,309***
6. COUNTY COMPUTER TIME		$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)		$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)		$538,848	***$586,696***
	ANNUAL ASSESSMENT		
	COST	$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS	66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU	$8.15	***$8.15***

Attachment 1

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MV00050829

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PA04-0168 - 90% Cash Security Reduction.doc

24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

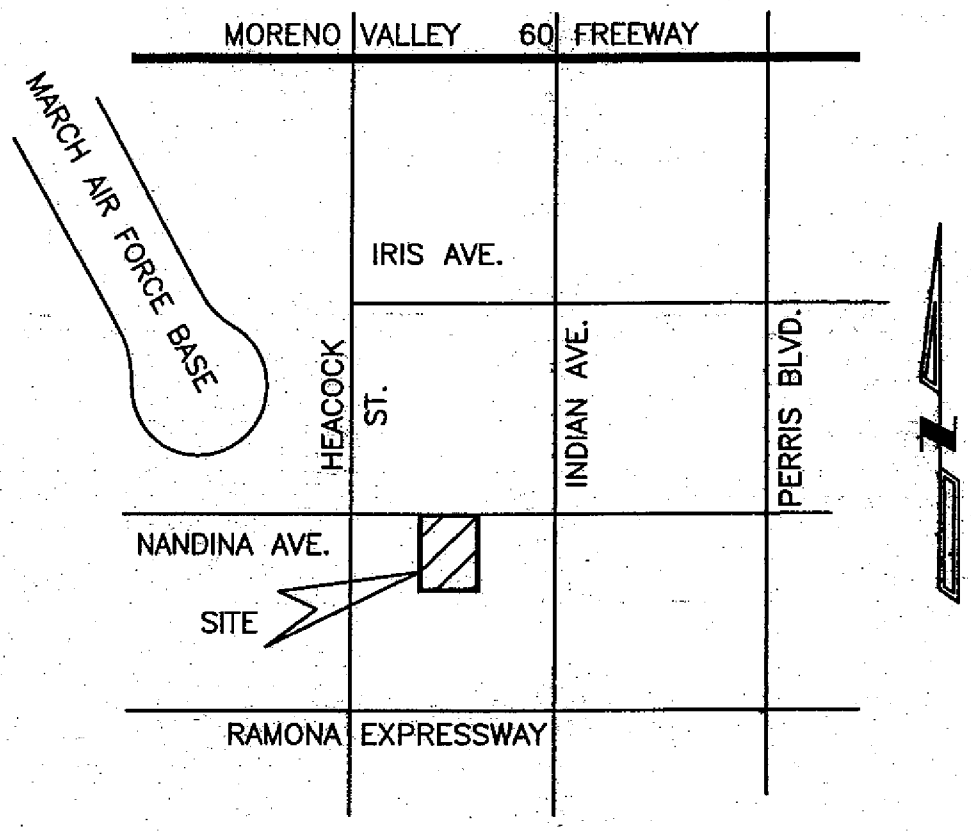

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

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MV00050835

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

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TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By _____
NEAL KIPNIS
Deputy County Counsel

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By _____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies),~~ and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

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

WITNESS my hand and official seal.

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

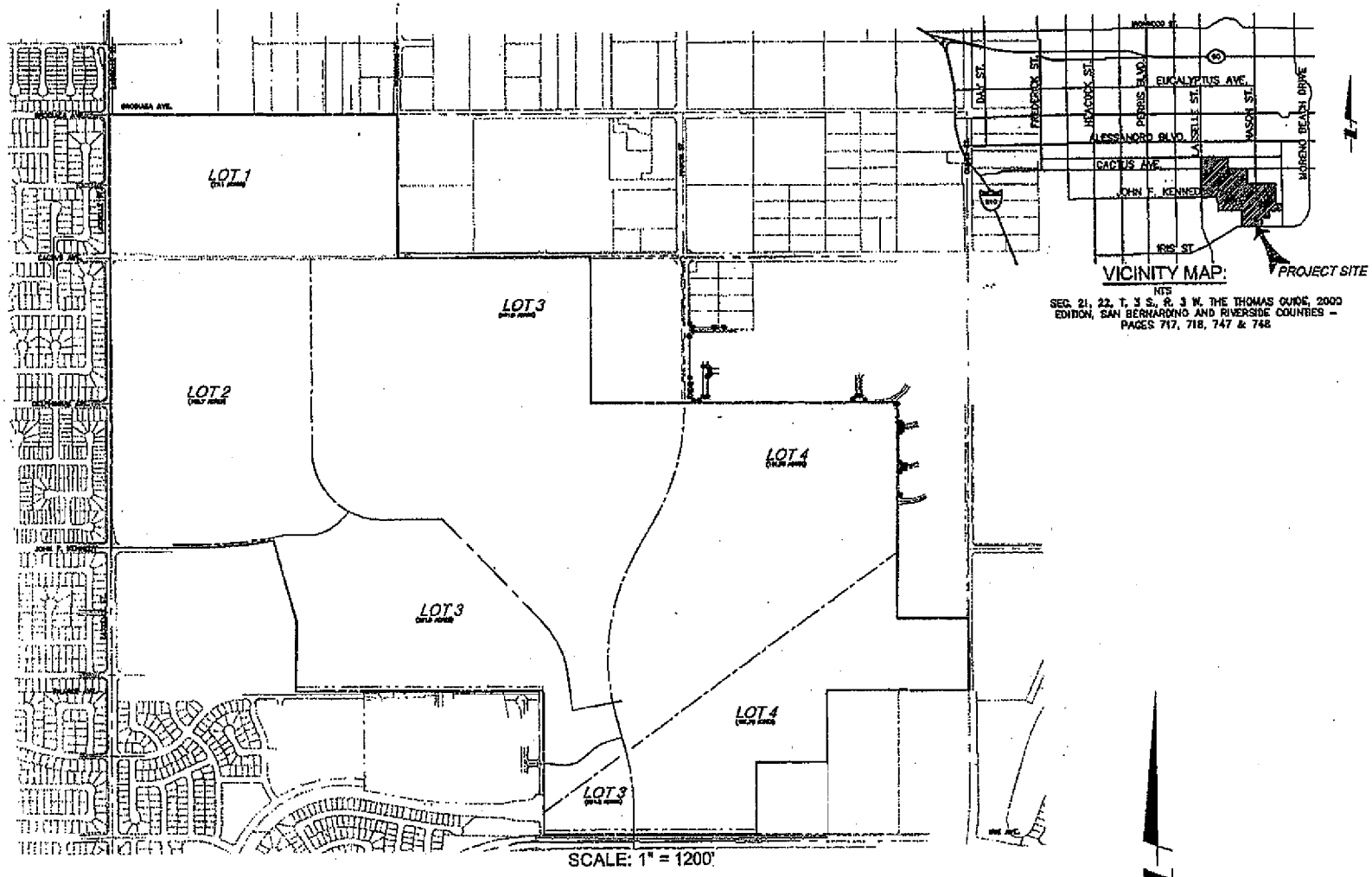

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX. -53- IT "A"

Item No. A.7

MV00050854

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MV00050855

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ EVP+COO Pres.
Title

By: _____ ~~EVP+COO~~ EVP+COO
Title Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

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CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher EVP & COO, Iddo Benzeevi President,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

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MV00050861

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By [signature] President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 1999 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00050867

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

Item No. A.7

MV00050872

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MV00050873

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00050877

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

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ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	TERM EXPIRES
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

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- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

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- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

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PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

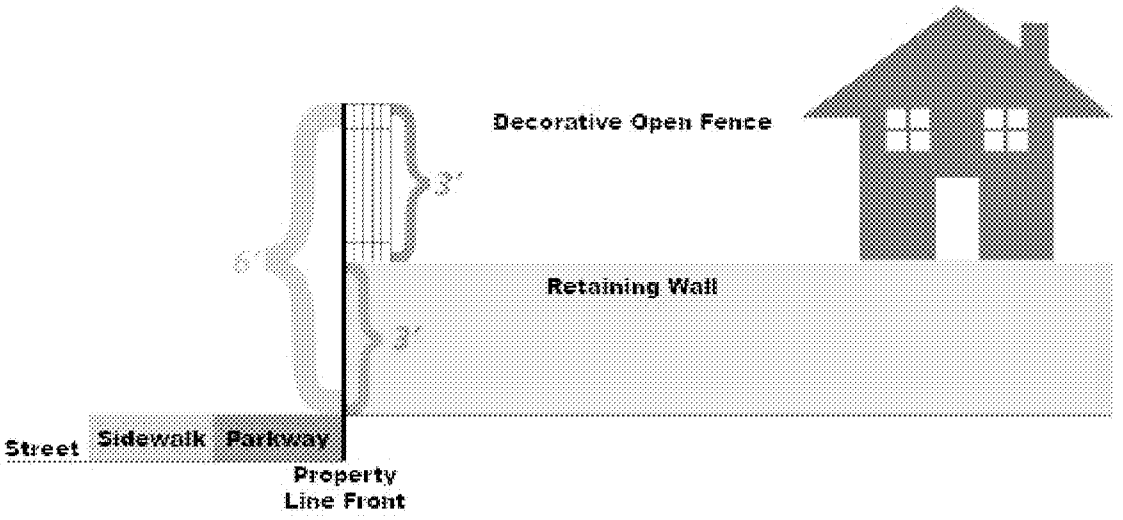

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

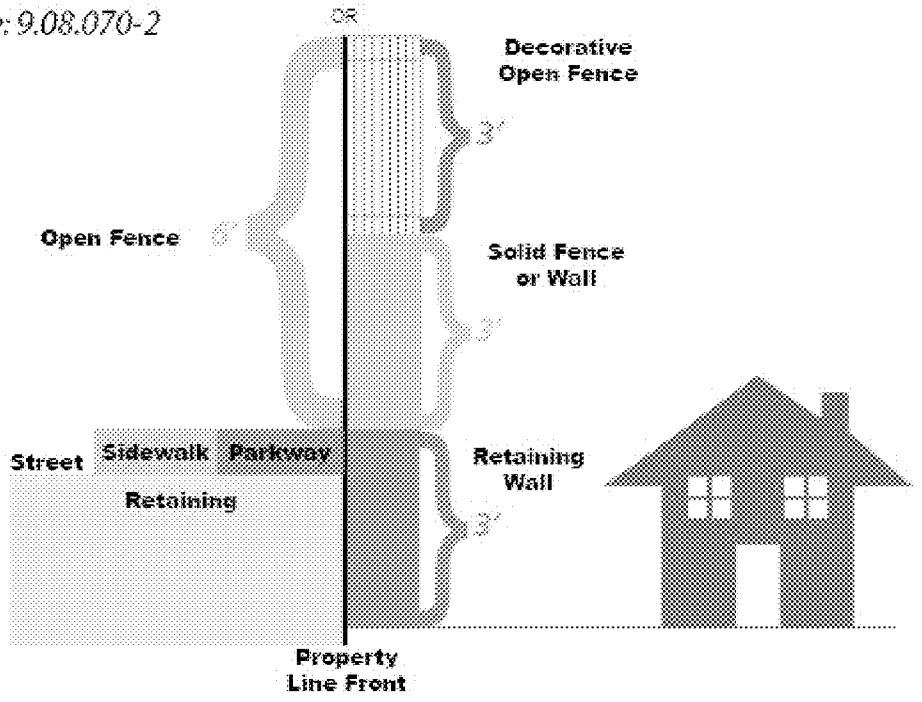

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

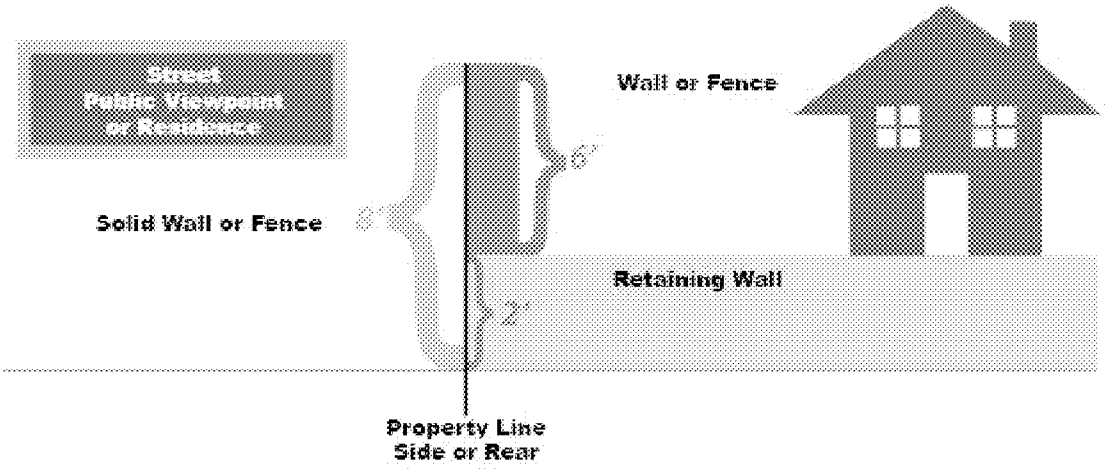

Figure: 9.08.070-4

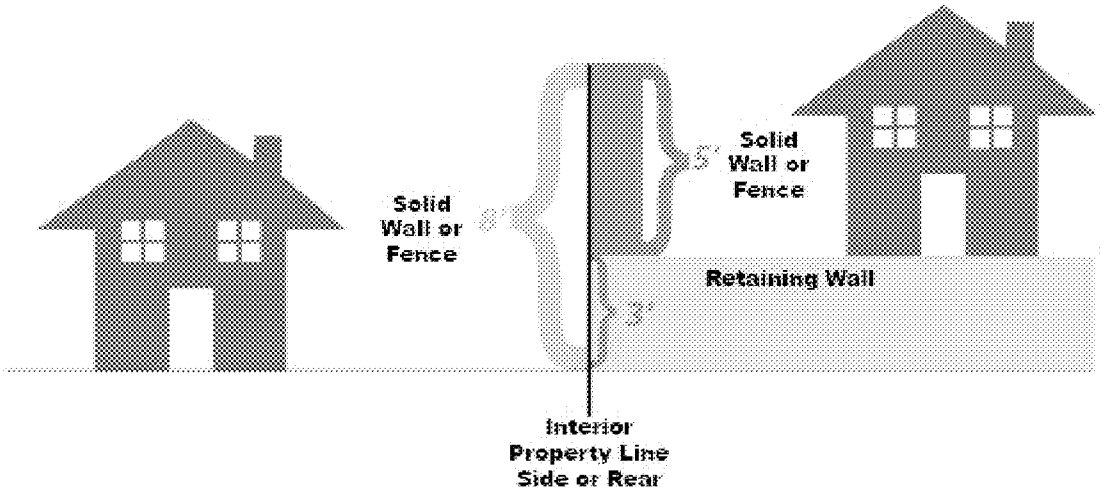

Figure: 9.08.070-5

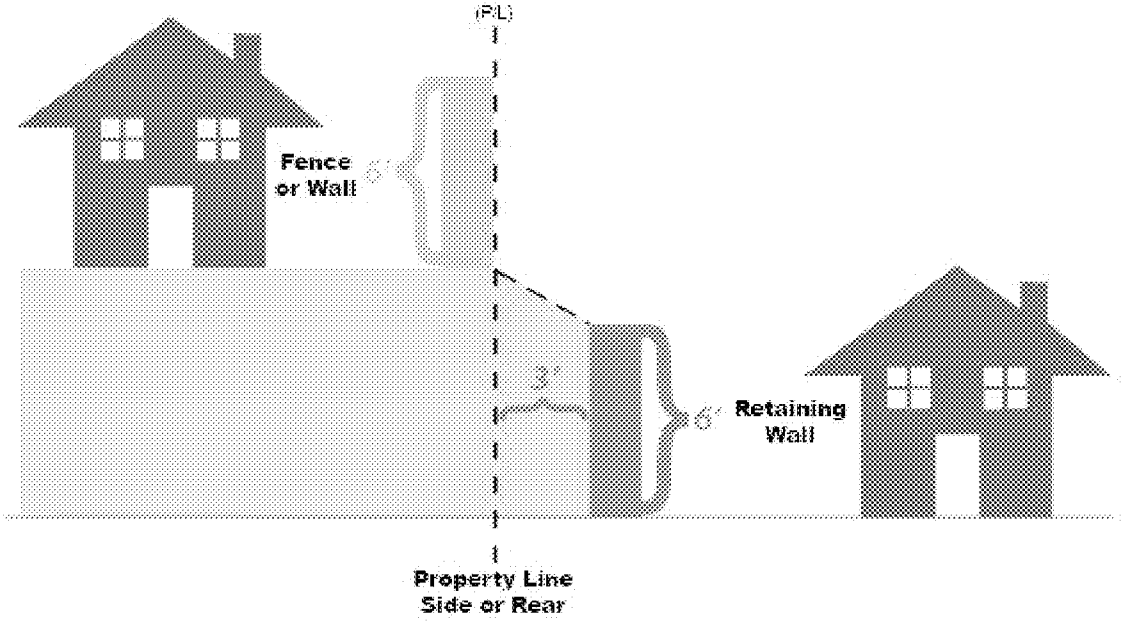

Figure: 9.08.070-6

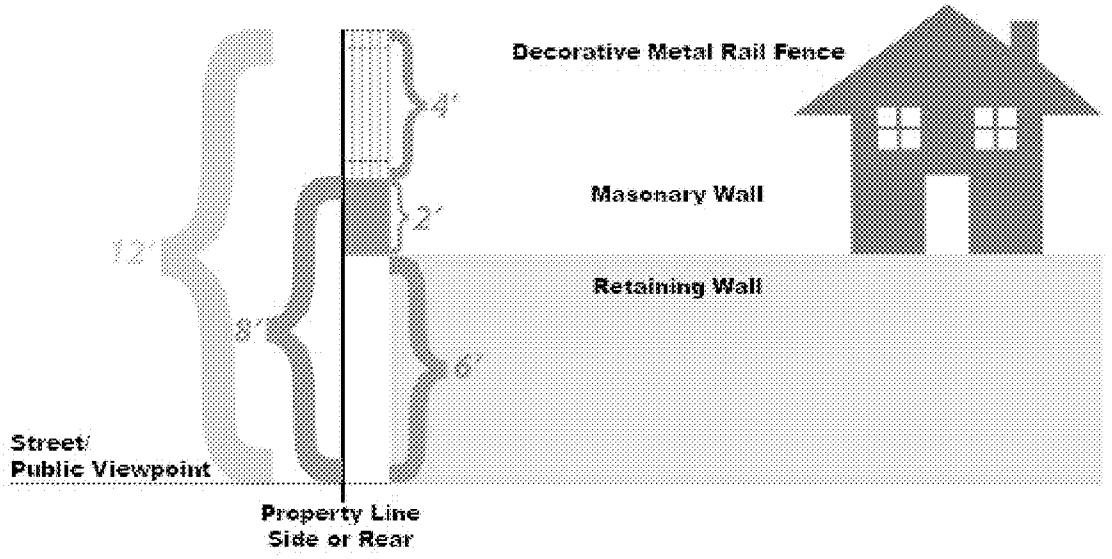

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

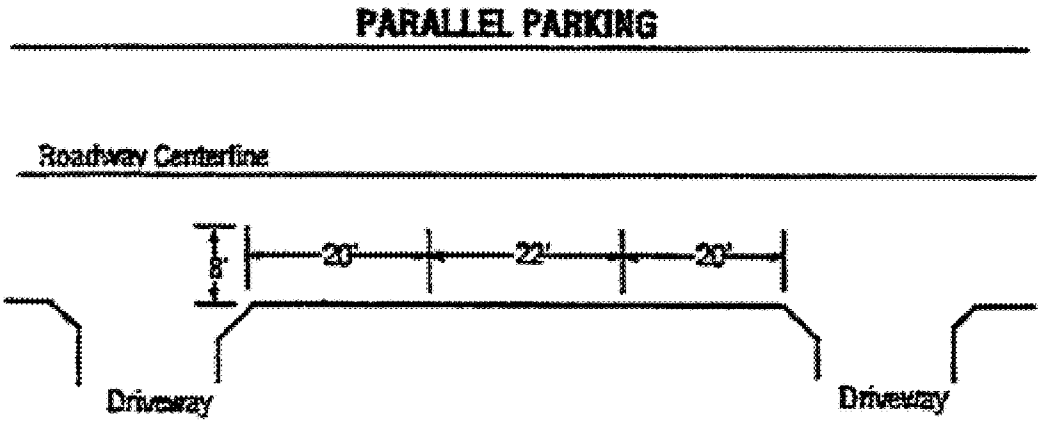

Figure 9.11.080-5
Nonparallel Parking Spaces

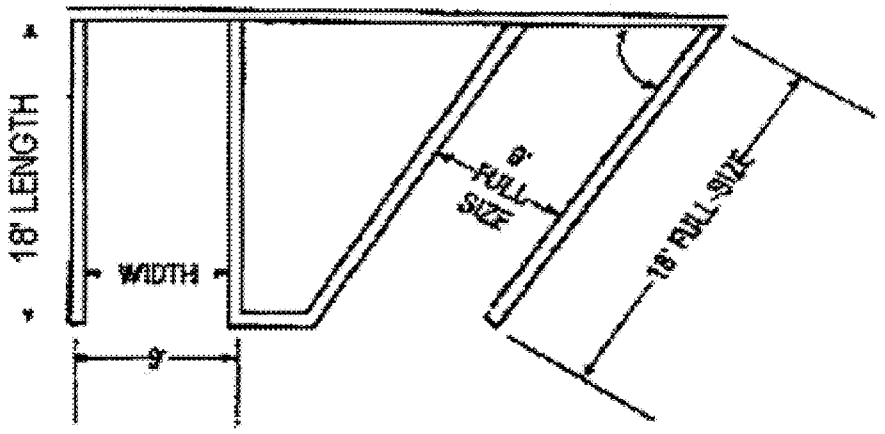

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.880-6
Parking Space Striping Requirements

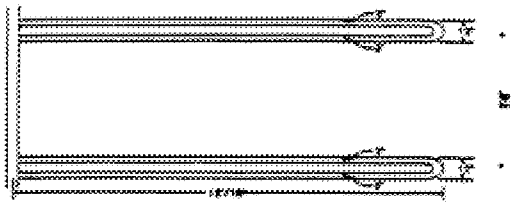

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
ctor, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
ector, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00050923

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Erosion Control Agreement.doc

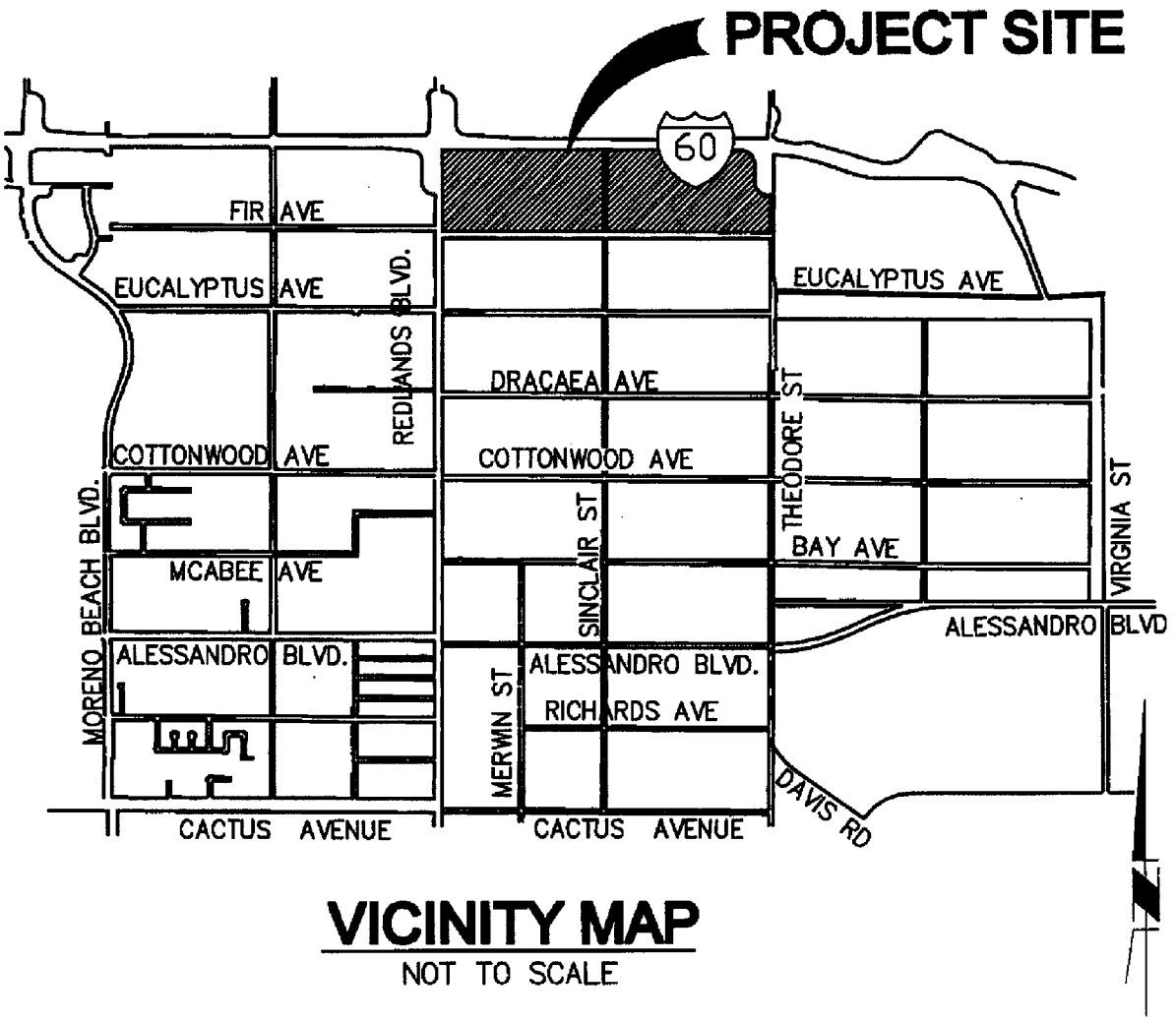

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PM 35629 HF Logistics EC Escrow Agreement.doc

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☐ Individual
☒ Corporate Officer — Title(s): President/CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD

DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.11

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

MV00050941

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

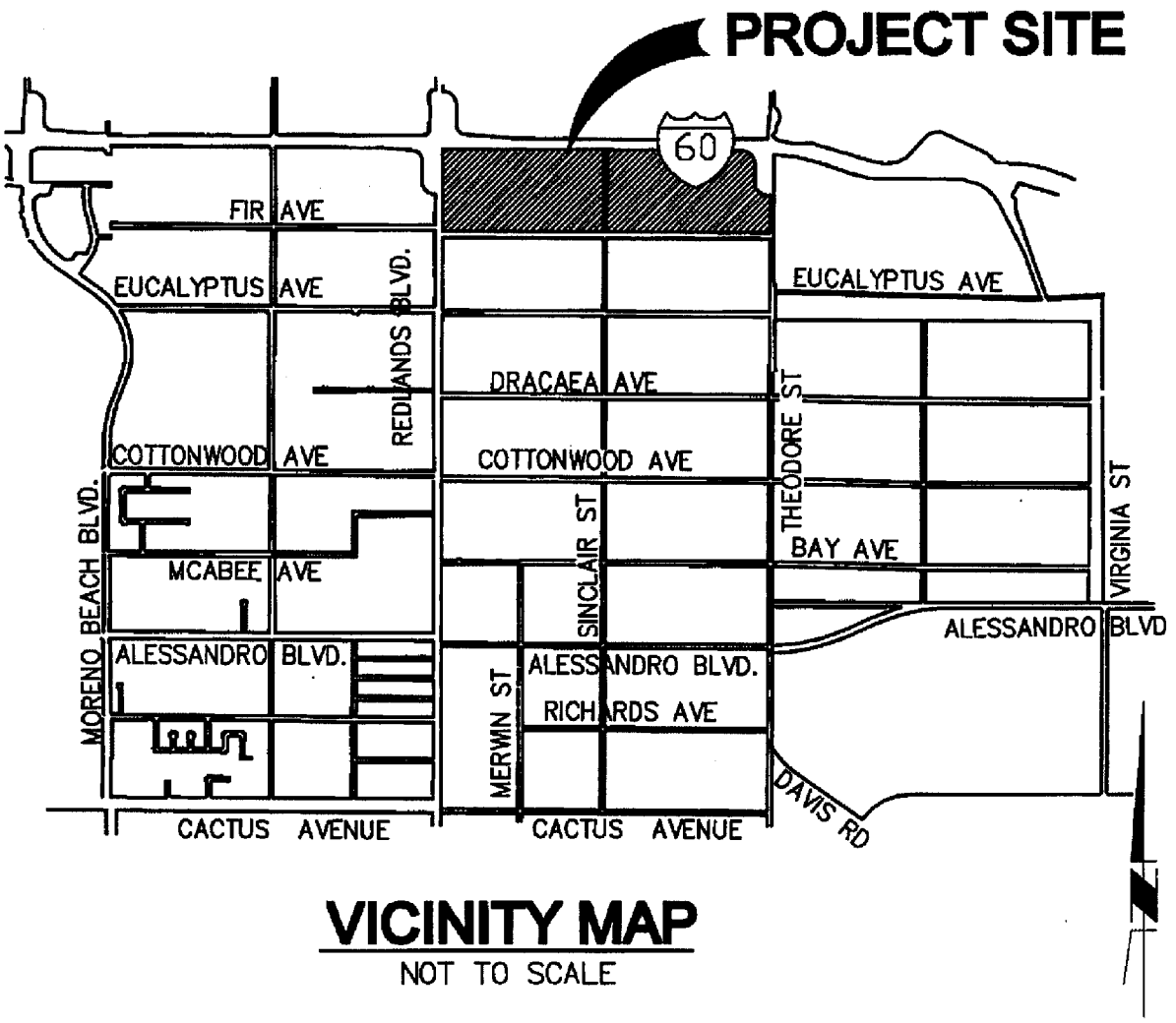

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside }

On April 7, 2010 (Date) before me, Mary S. Fredenburg, (Here Insert Name and Title of the Officer)
personally appeared Iddo Benezevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benezevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.12

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050957

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050959

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00050963

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

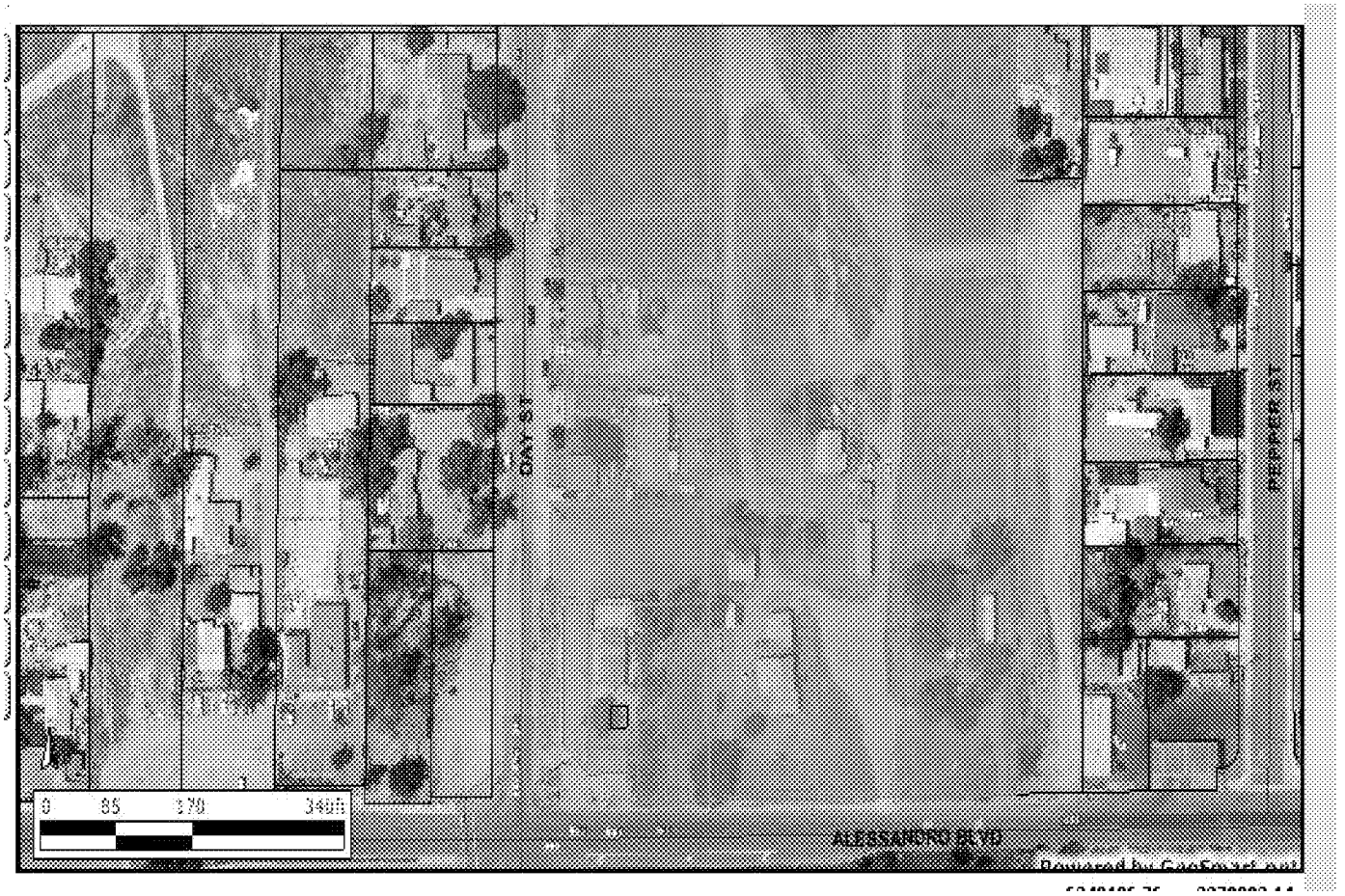

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00050973

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00050983

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00050985

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

ATTACHMENT 2

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

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Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

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Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

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Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility. .

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

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Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains
b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

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Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00051047

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00051049

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

Citrus Heights, CA

San Jose, CA

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00051055

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00051059

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

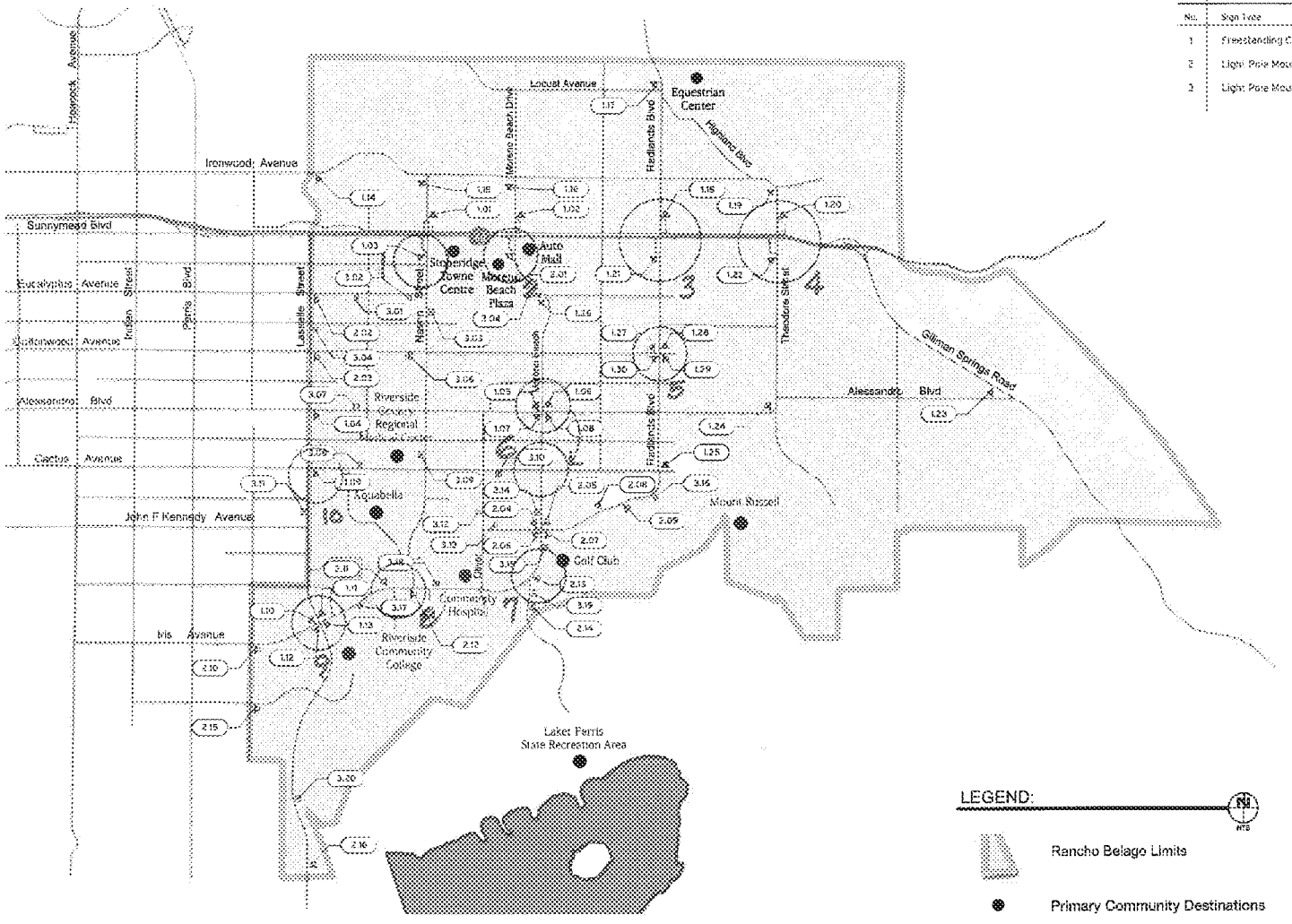

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

RANCHO BELAGO
RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL

Item No. G.2

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00051065

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

top

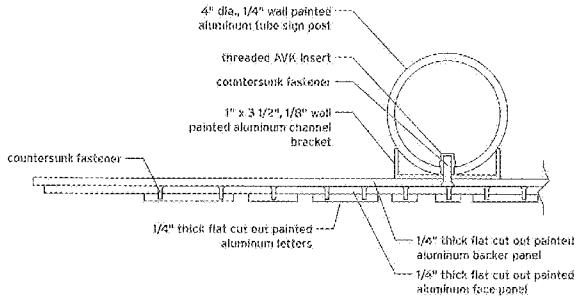

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

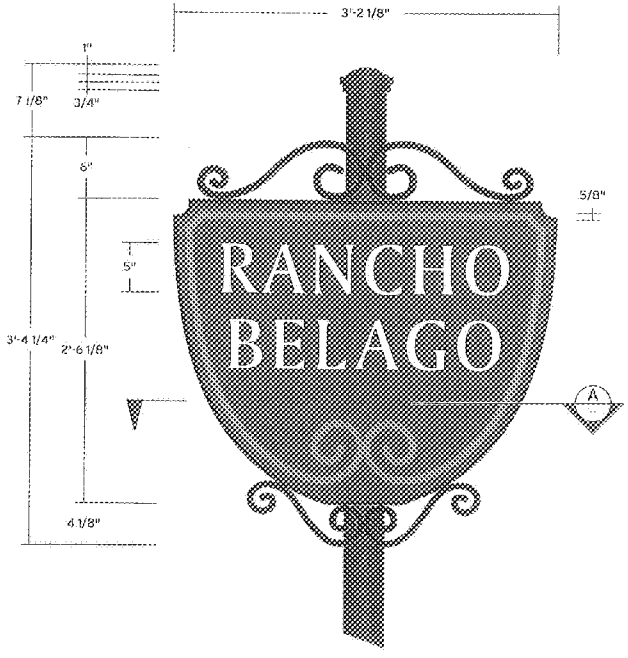

front

side

2 Details

Scale: 1" = 1'-0"

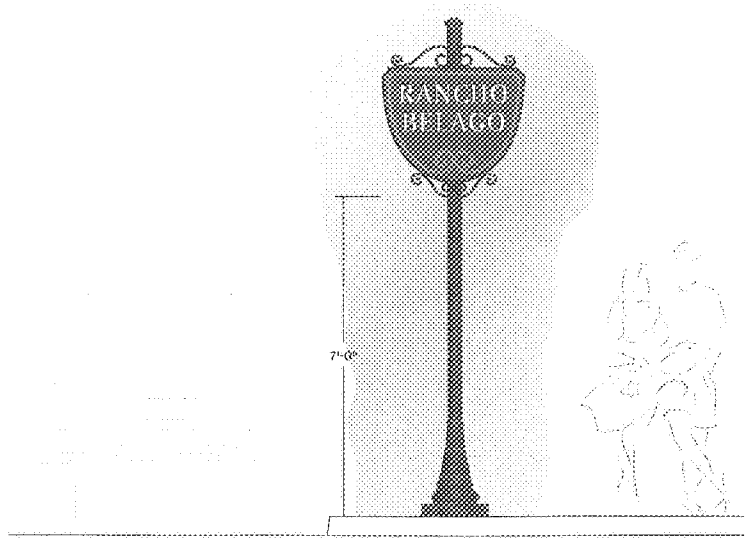

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

MV00051067

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

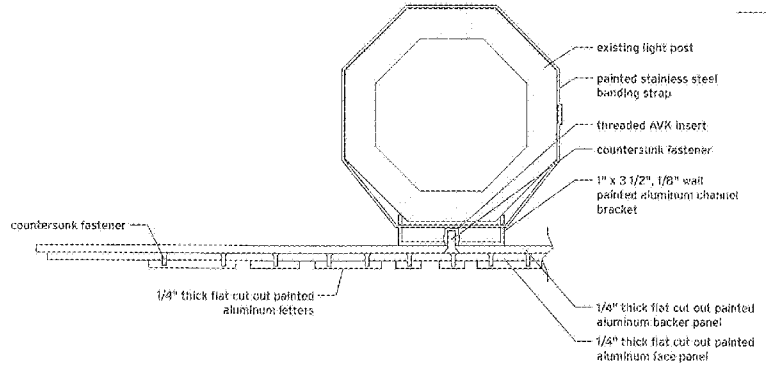

A Details

Scale: 3" = 1'-0"

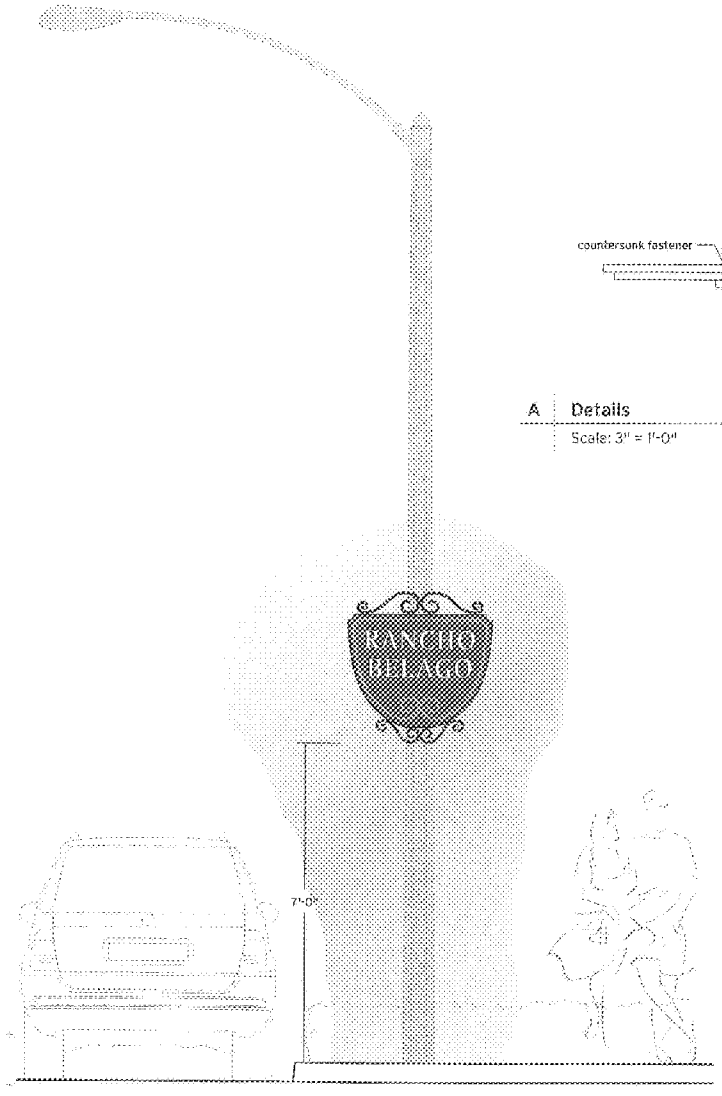

1 Elevation

Scale: 3/8" = 1'-0"

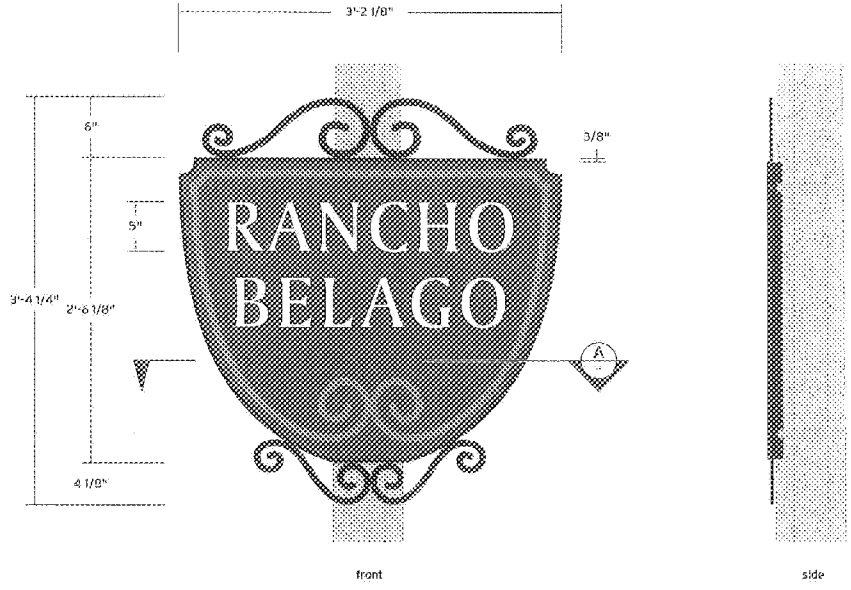

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

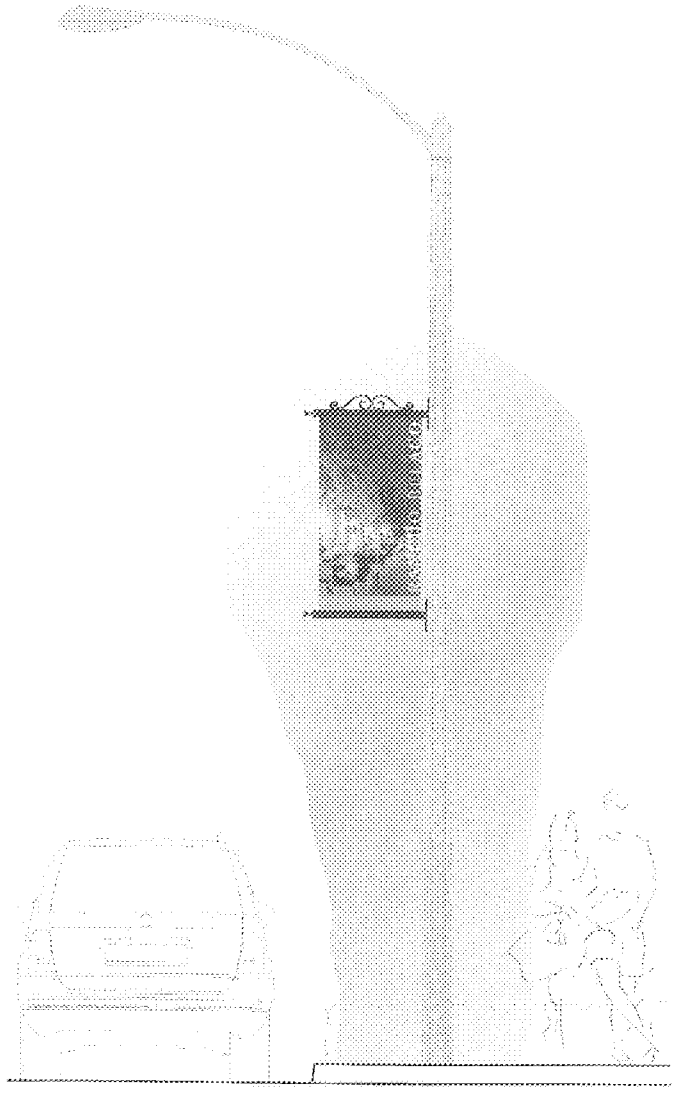

1 Elevation

Scale: 3/8" = 1'-0"

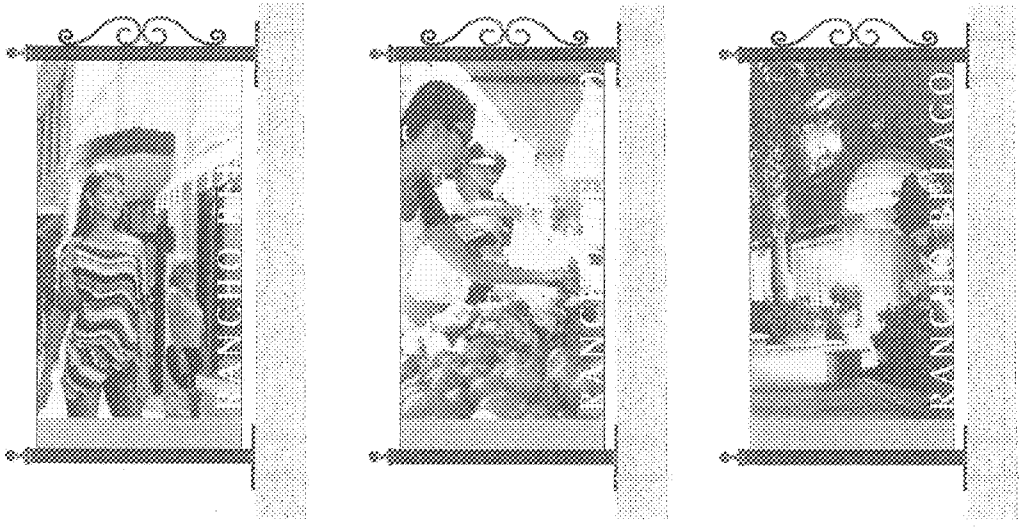

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00051071

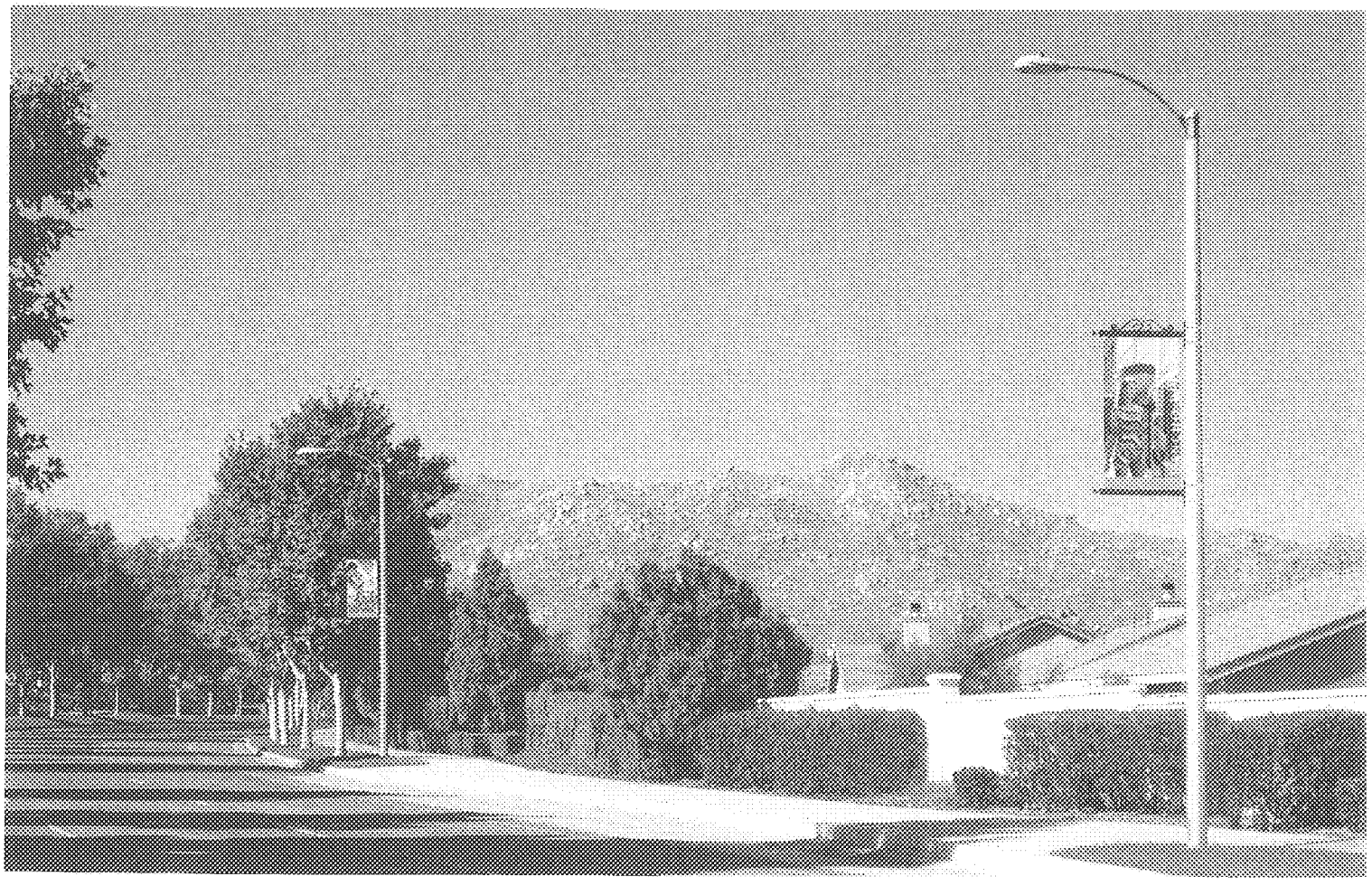

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

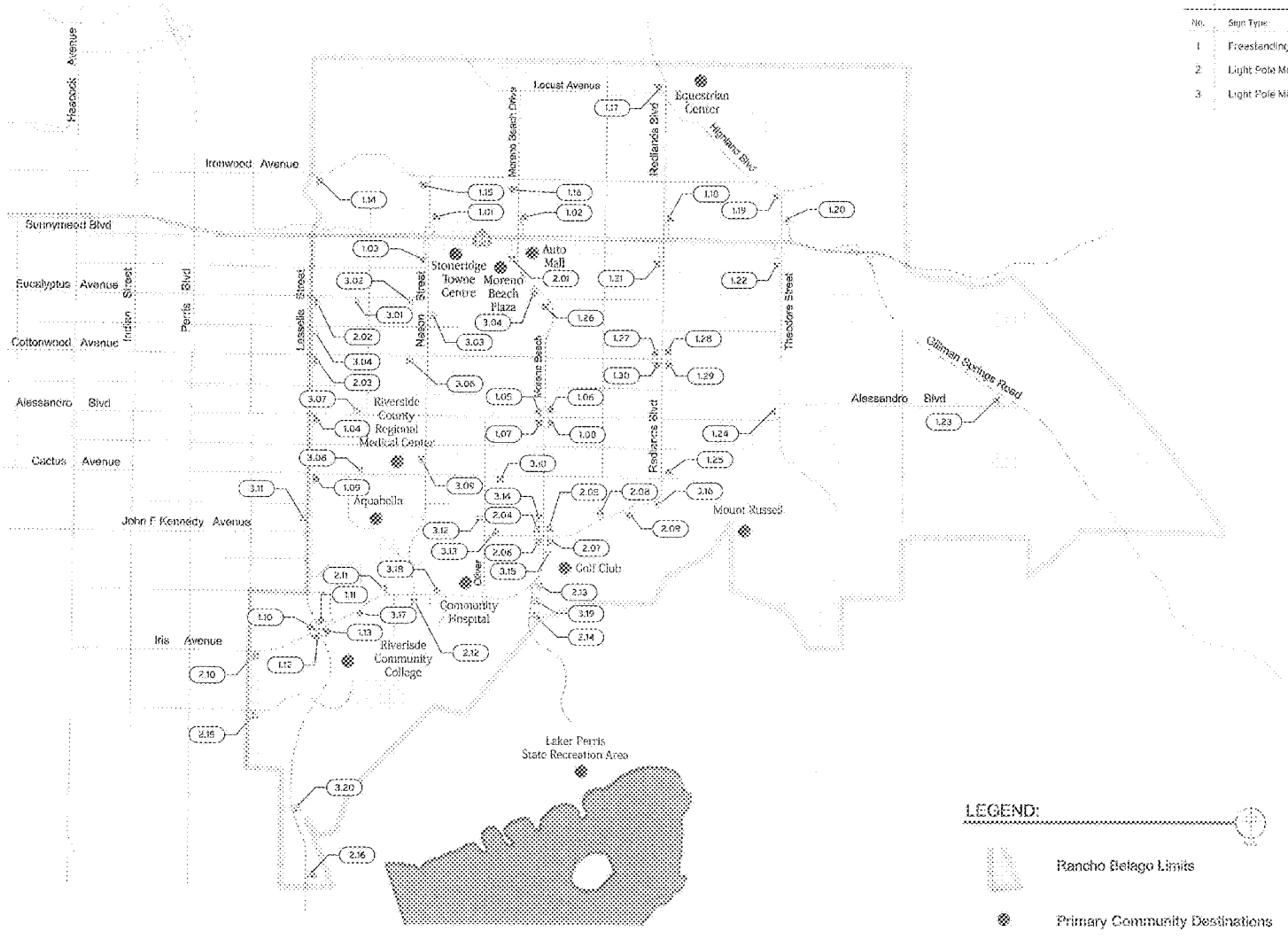

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00051073

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

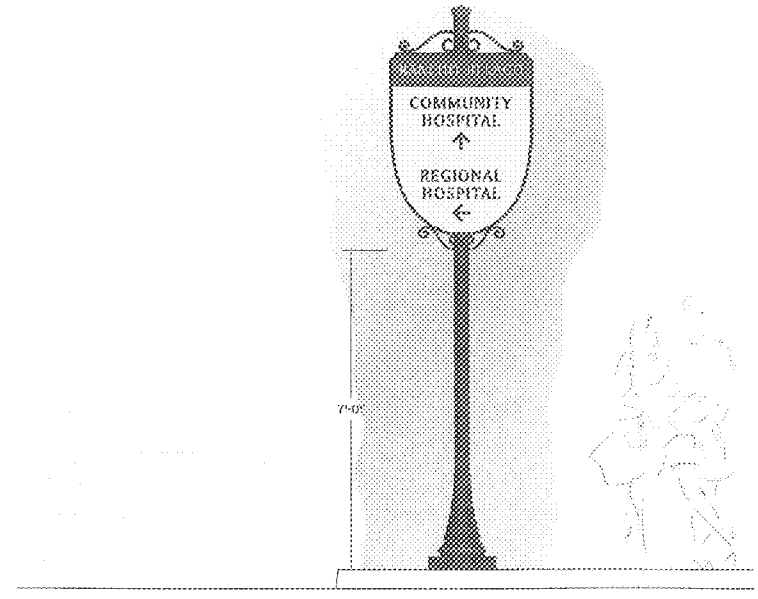

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

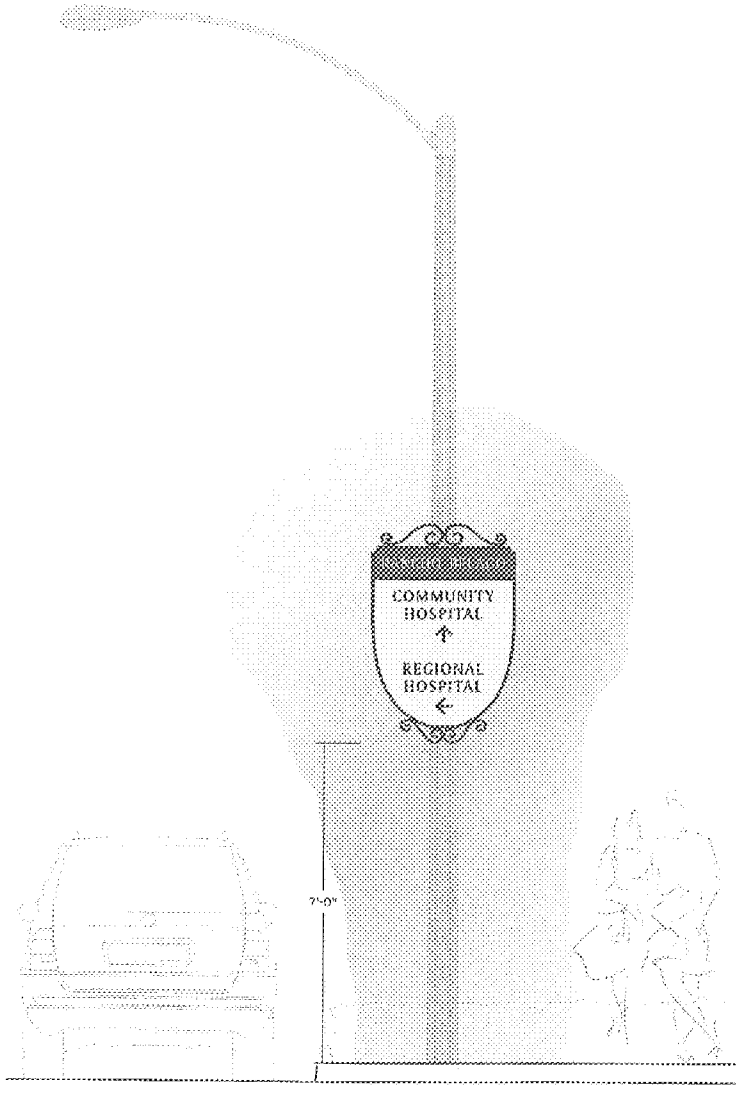

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV000051077

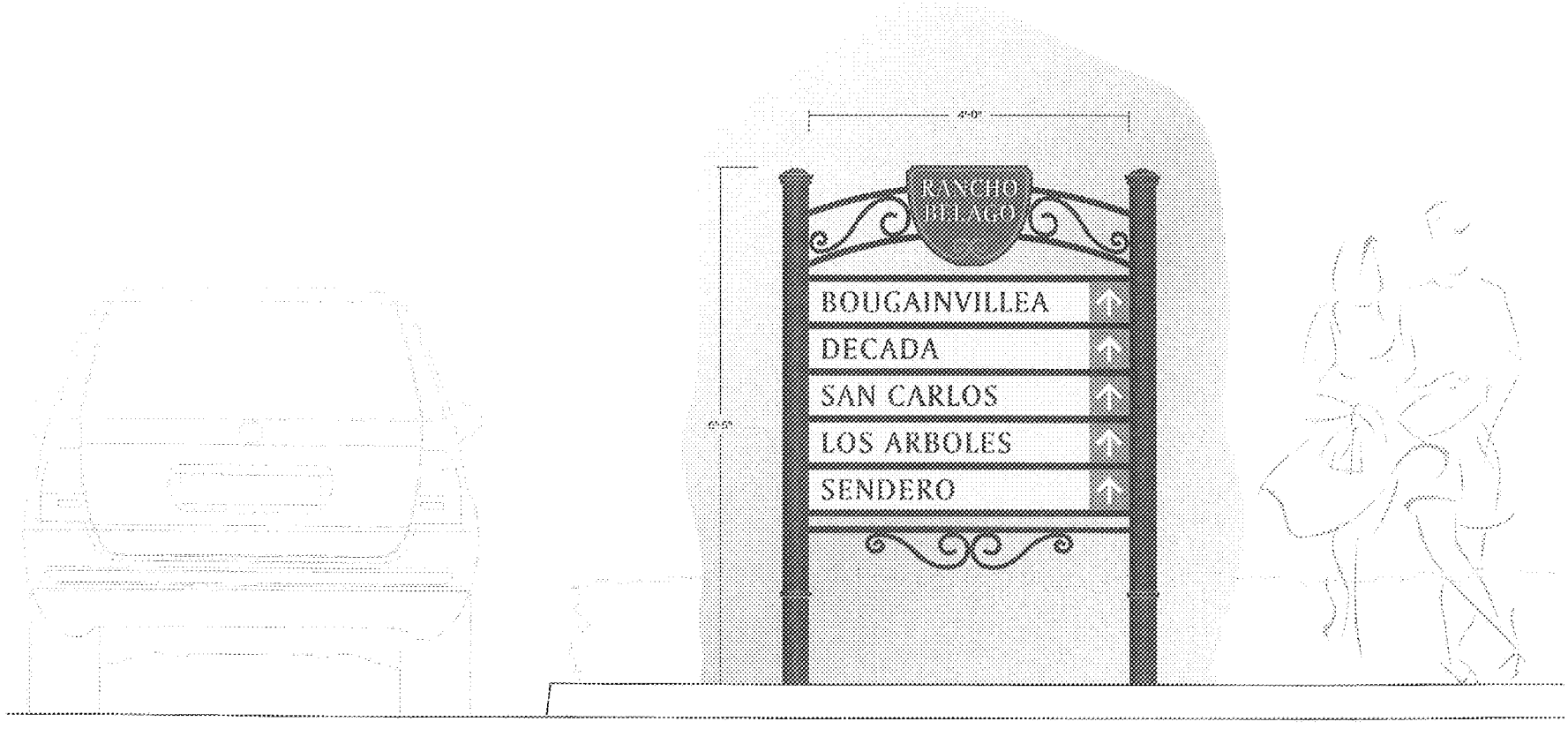

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

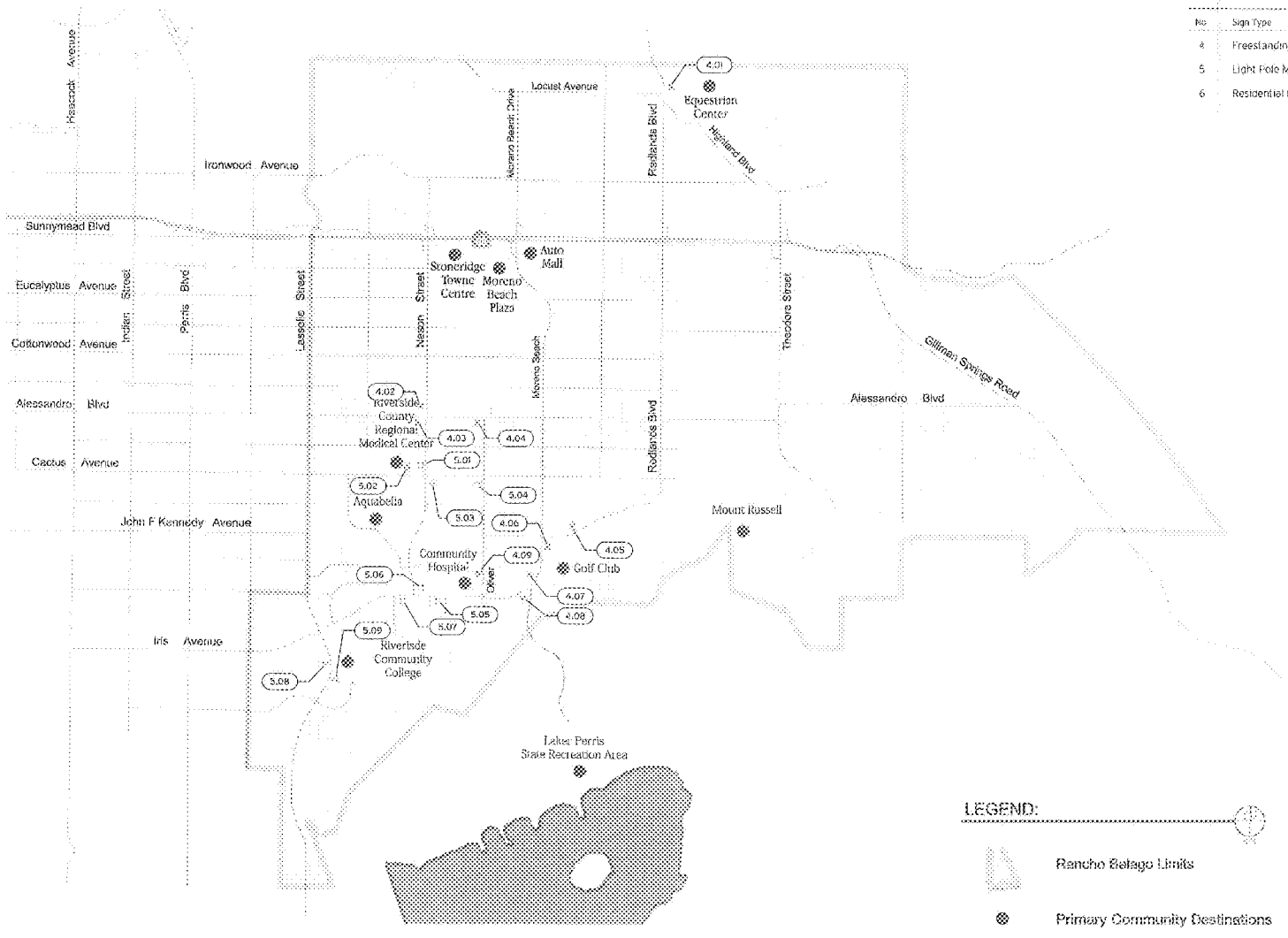

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00051081

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00051083

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

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MV00051089

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00051091

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00051092

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

MV00051093

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00051095

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00051097

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

MV00051099

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MV00051101

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00051119

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00051121

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00051127

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

			FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)				
A.	Inspection		$3,933	***$5,400***
B.	Document Violations		$884	***$1,200***
C.	Inspection Preparation Plan		$1,357	***$5,000***
D.	Update Facilities Drawings		$1,357	***$8,000***
	**********	Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)				
A.	Catch Basin Maintenance		165,794	***$165,448***
B.	Street Sweeping		248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs		5,935	***$12,000***
D.	Training Program Implementation		2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping		2,629	***$5,000***
F.	Development of Municipal Facilities Strategy		3,371	***$5,000***
G.	Litter/Trash Characterization		5,698	***$5,000***
	**********	Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION				
A.	Program Management		$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)		$12,699	***$12,699***
	**********	Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS				
A.	Associate Environmental Engineer Cost		$2,823	***$2,900***
B.	Clerk's Cost		$1,150	***$1,150***
C.	Postage Cost		$17,480	***$18,999***
	**********	Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel			$11,300	***$11,309***
6. COUNTY COMPUTER TIME			$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)			$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)			$538,848	***$586,696***
	ANNUAL ASSESSMENT			
	COST		$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS		66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU		$8.15	***$8.15***

Attachment 1

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MV00051129

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PA04-0168 - 90% Cash Security Reduction.doc

24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

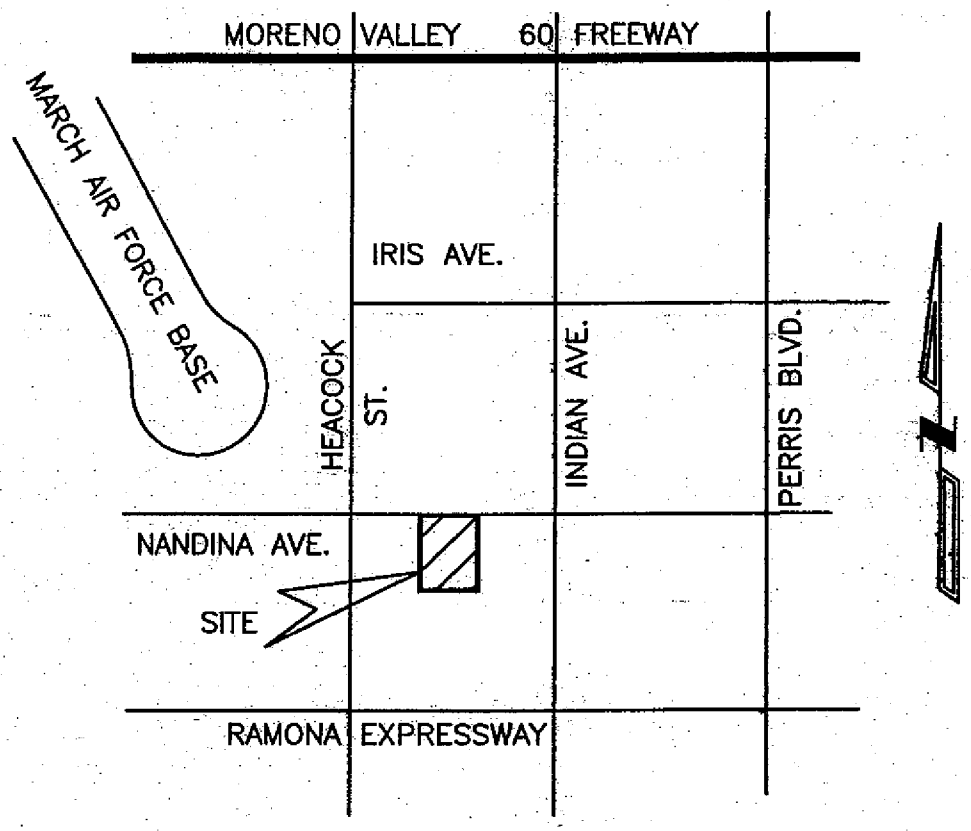

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

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MV00051135

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\3-9-10 - PM 33532 - Line F, Stage 2 Termination Agreement.doc

TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By _____
NEAL KIPNIS
Deputy County Counsel

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By _____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

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

WITNESS my hand and official seal.

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

2008 Version CAPA v12.10.07 800-873-9865 www.NotaryClasses.com

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

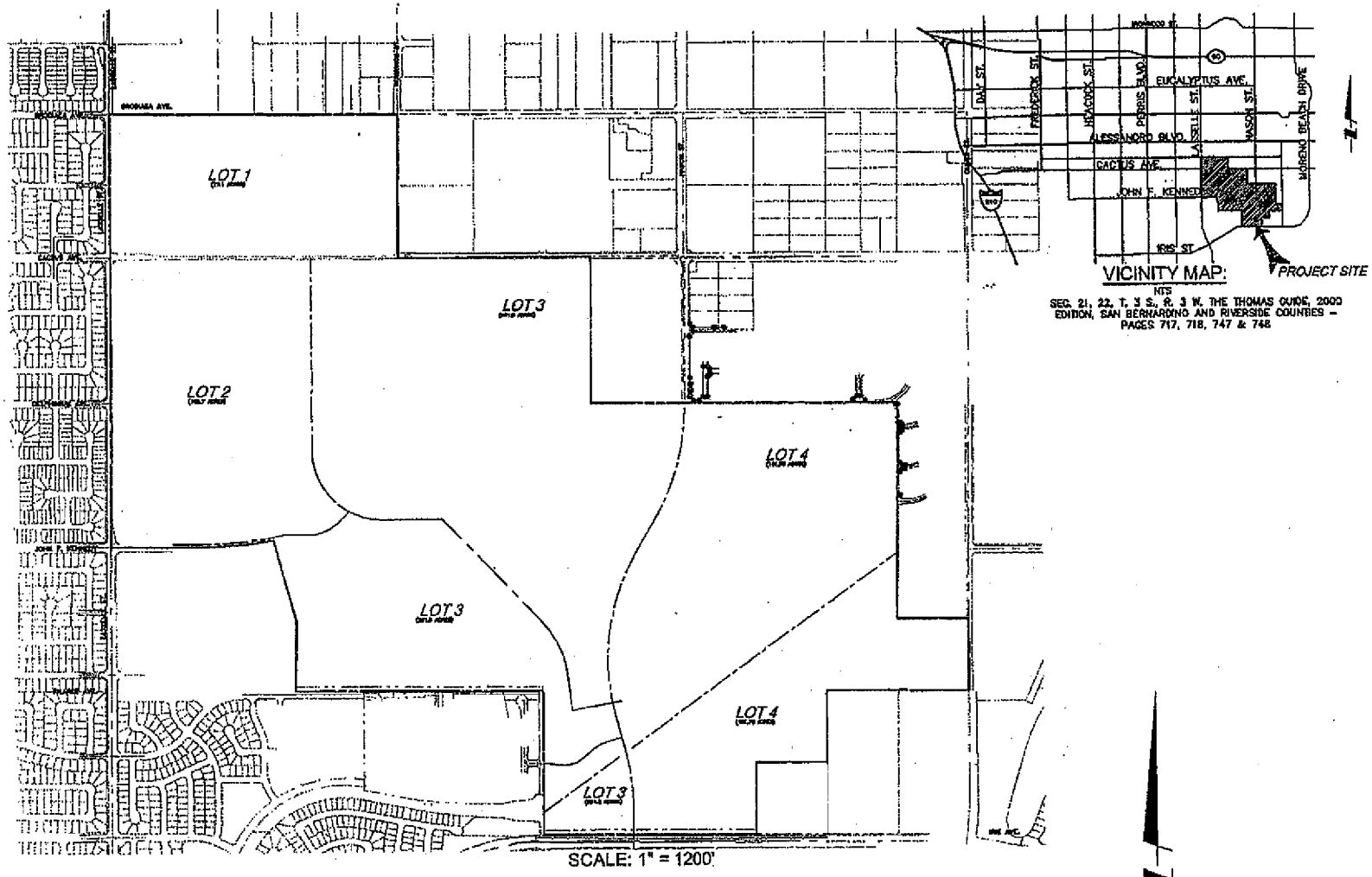

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX. -53- IT "A"

Item No. A.7

MV00051154

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MV00051155

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ Title EVP+COO Pres.

By: _____ Title ~~EVP+COO~~ EVP+COO Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\Engineer's Cost Estimate for Erosion.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher & Iddo Benzeevi,
EVP & COO President

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

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MV00051161

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00051167

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00051173

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00051177

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

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ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	TERM EXPIRES
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

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PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY
FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

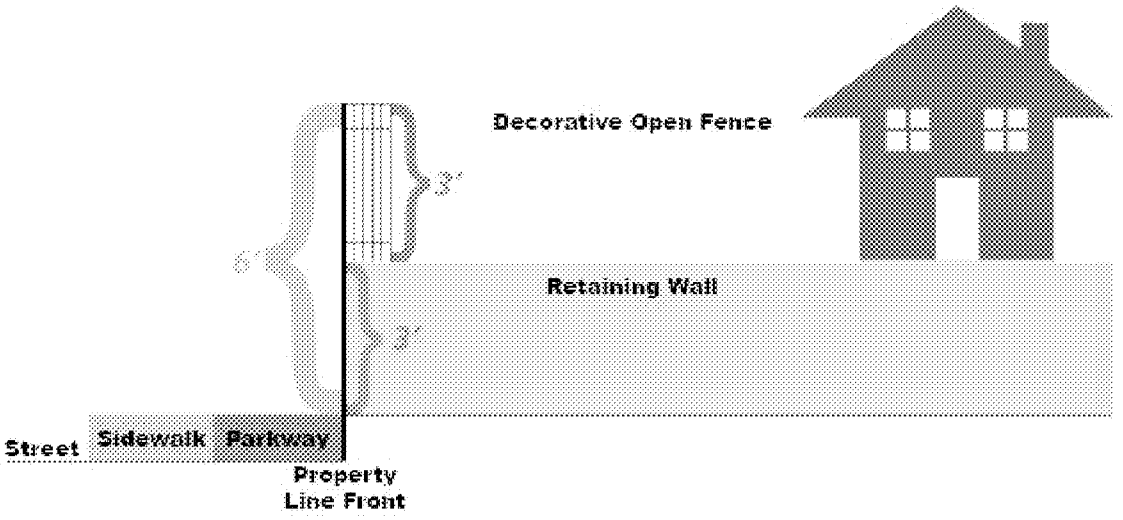

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

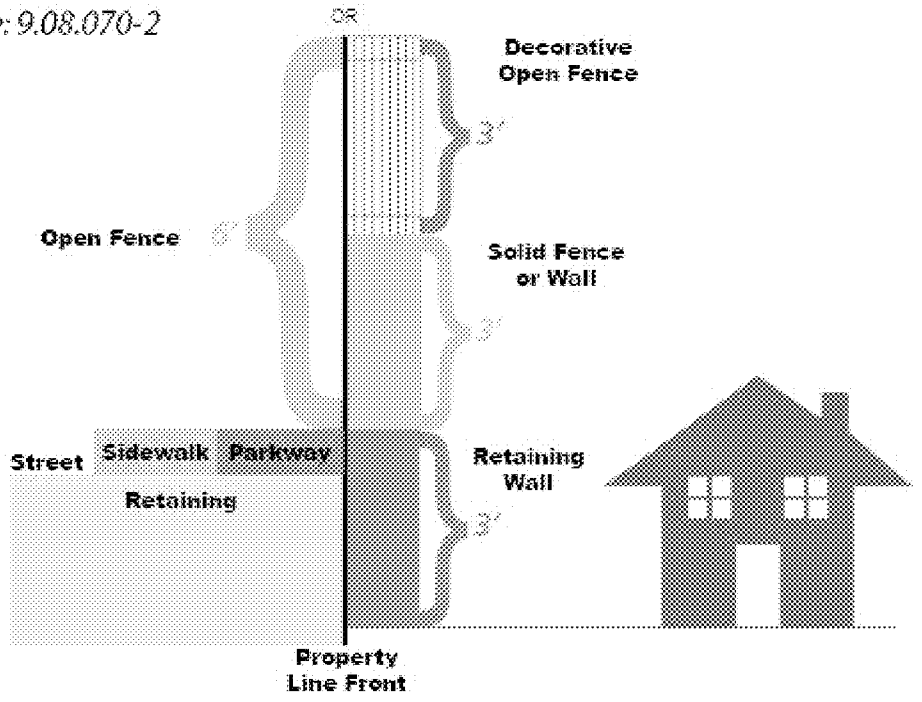

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

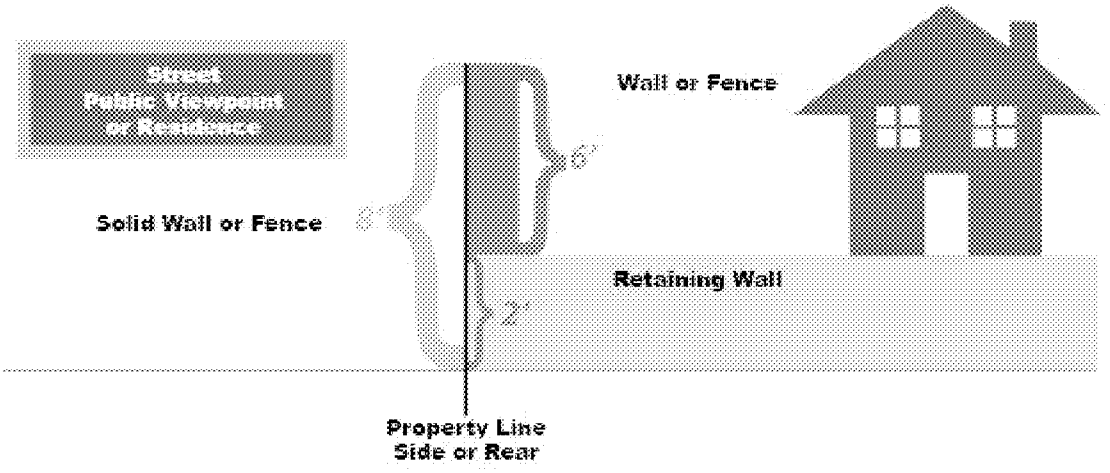

Figure: 9.08.070-4

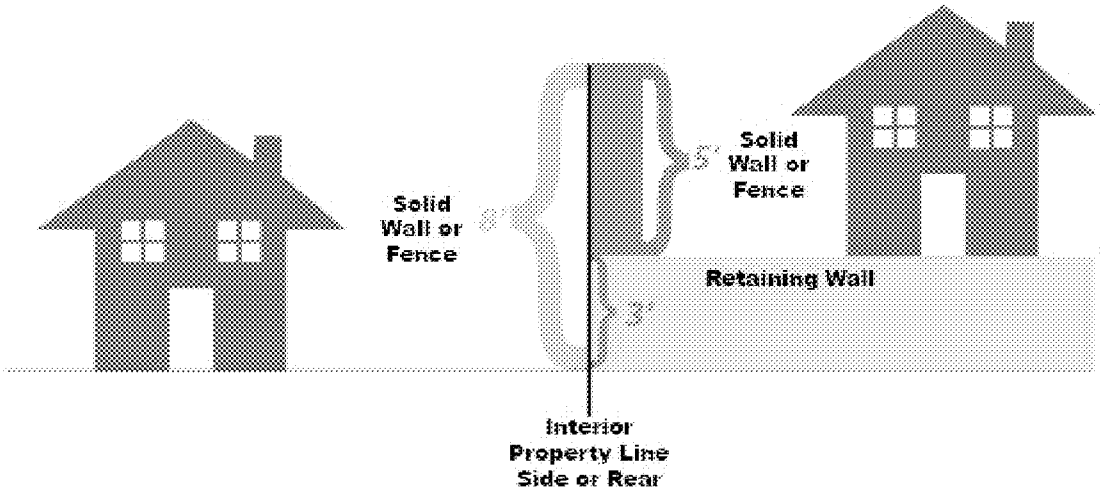

Figure: 9.08.070-5

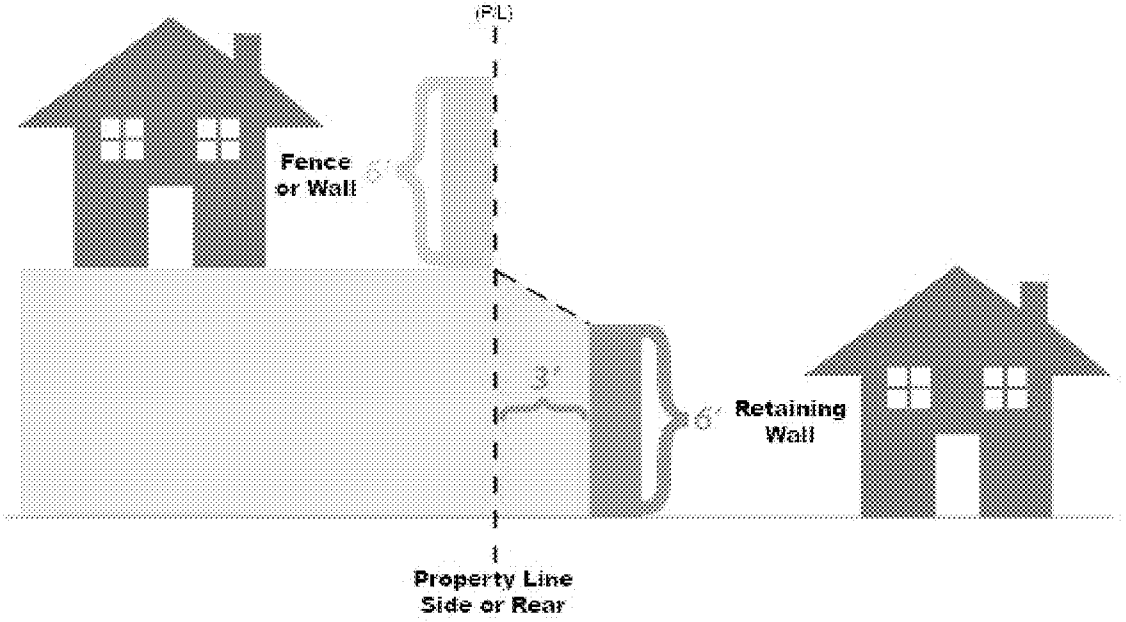

Figure: 9.08.070-6

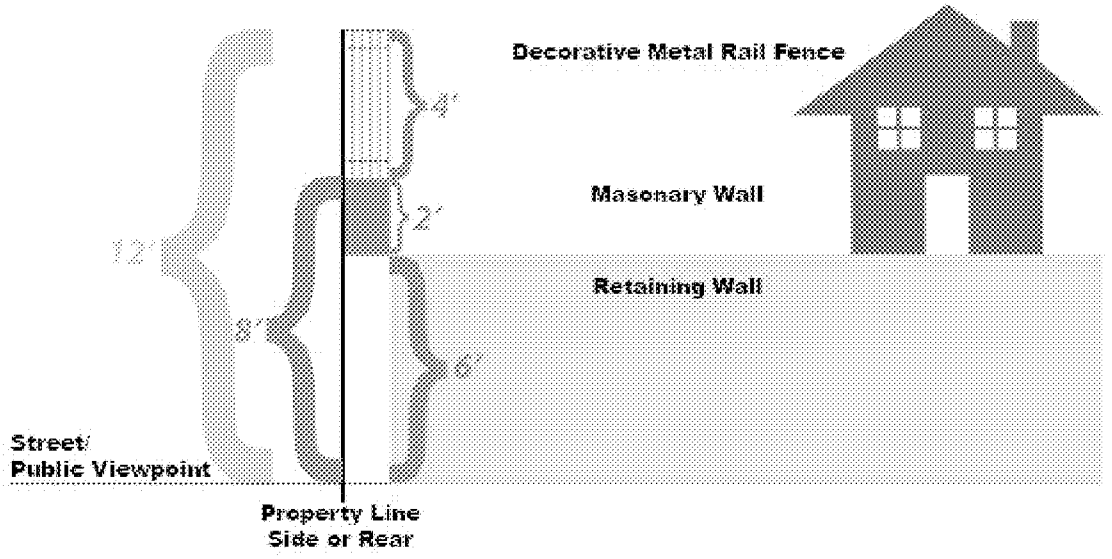

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

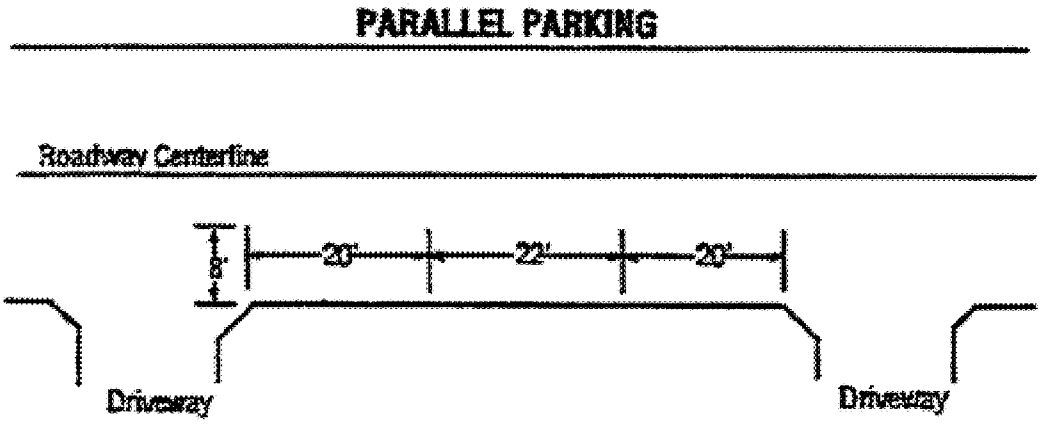

Figure 9.11.080-5
Nonparallel Parking Spaces

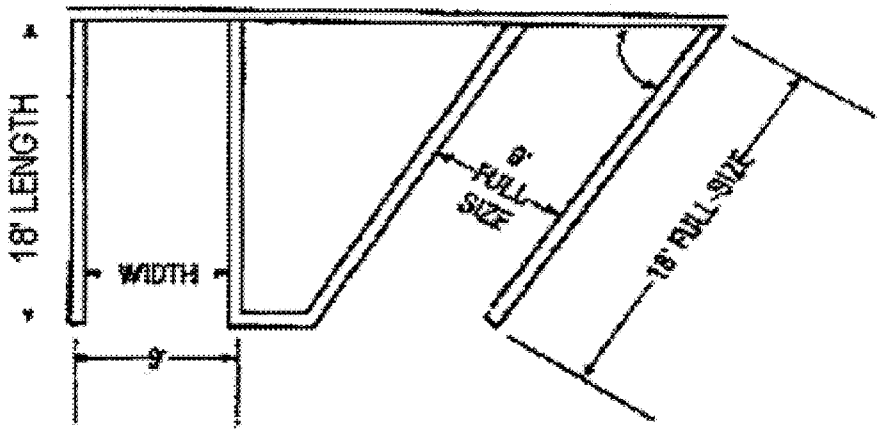

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.880-6
Parking Space Striping Requirements

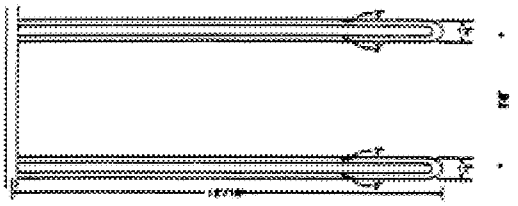

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
Director, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
Director, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00051223

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Erosion Control Agreement.doc

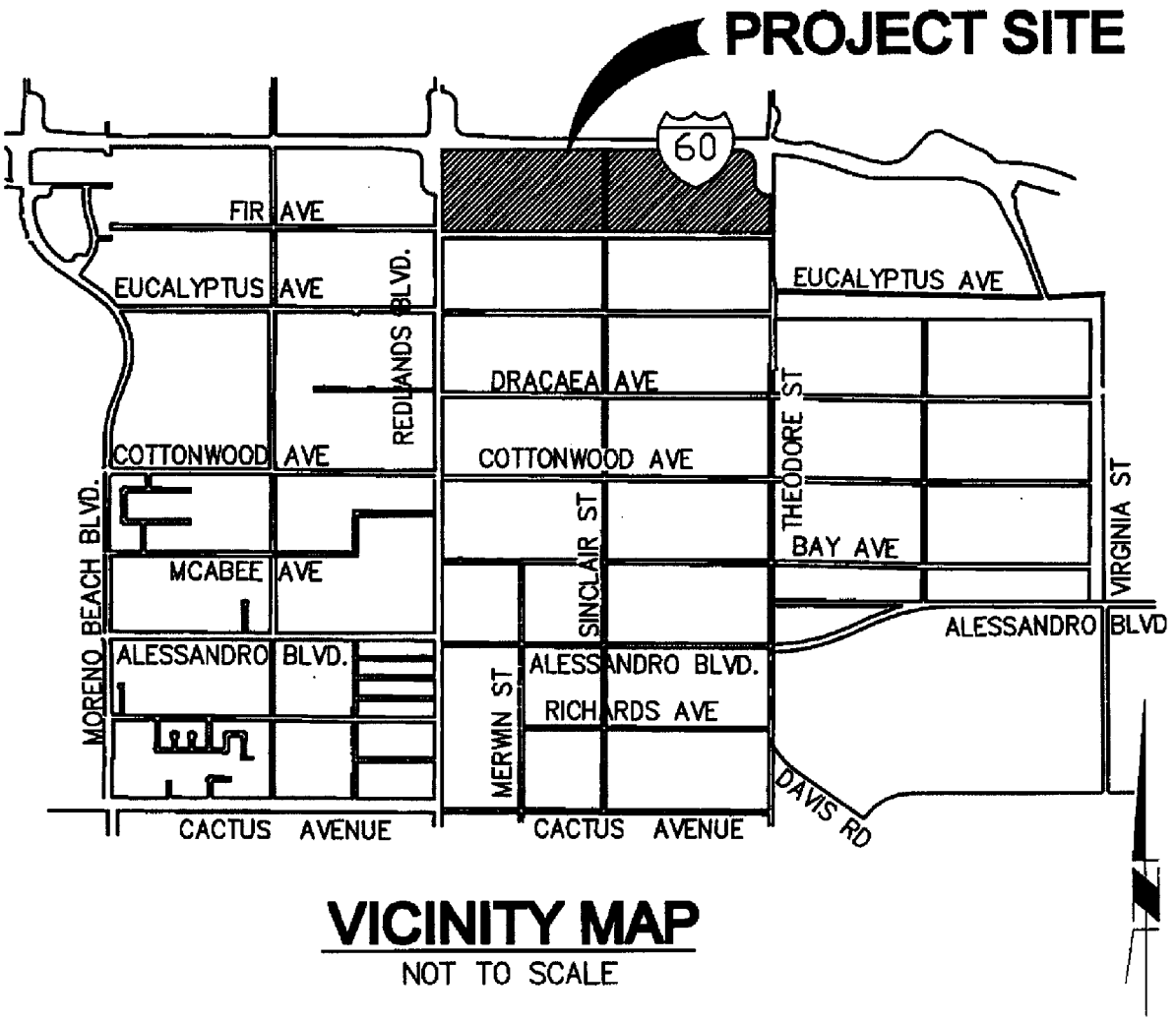

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☐ Individual
☒ Corporate Officer — Title(s): President/CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD

DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.11

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

MV00051241

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

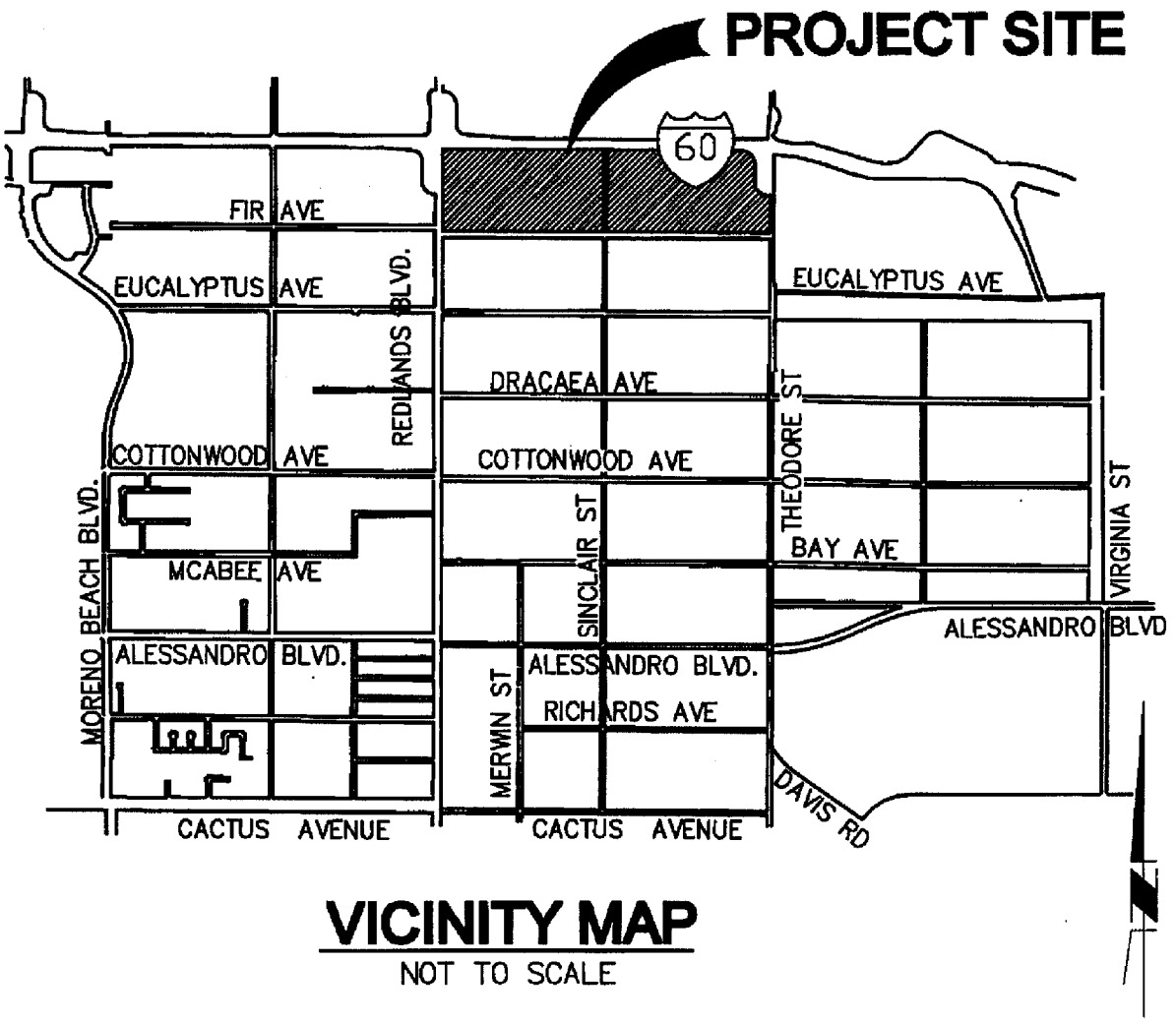

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside }

On April 7, 2010 (Date) before me, Mary S. Fredenburg, (Here Insert Name and Title of the Officer)
personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.12

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00051257

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00051259

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00051263

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

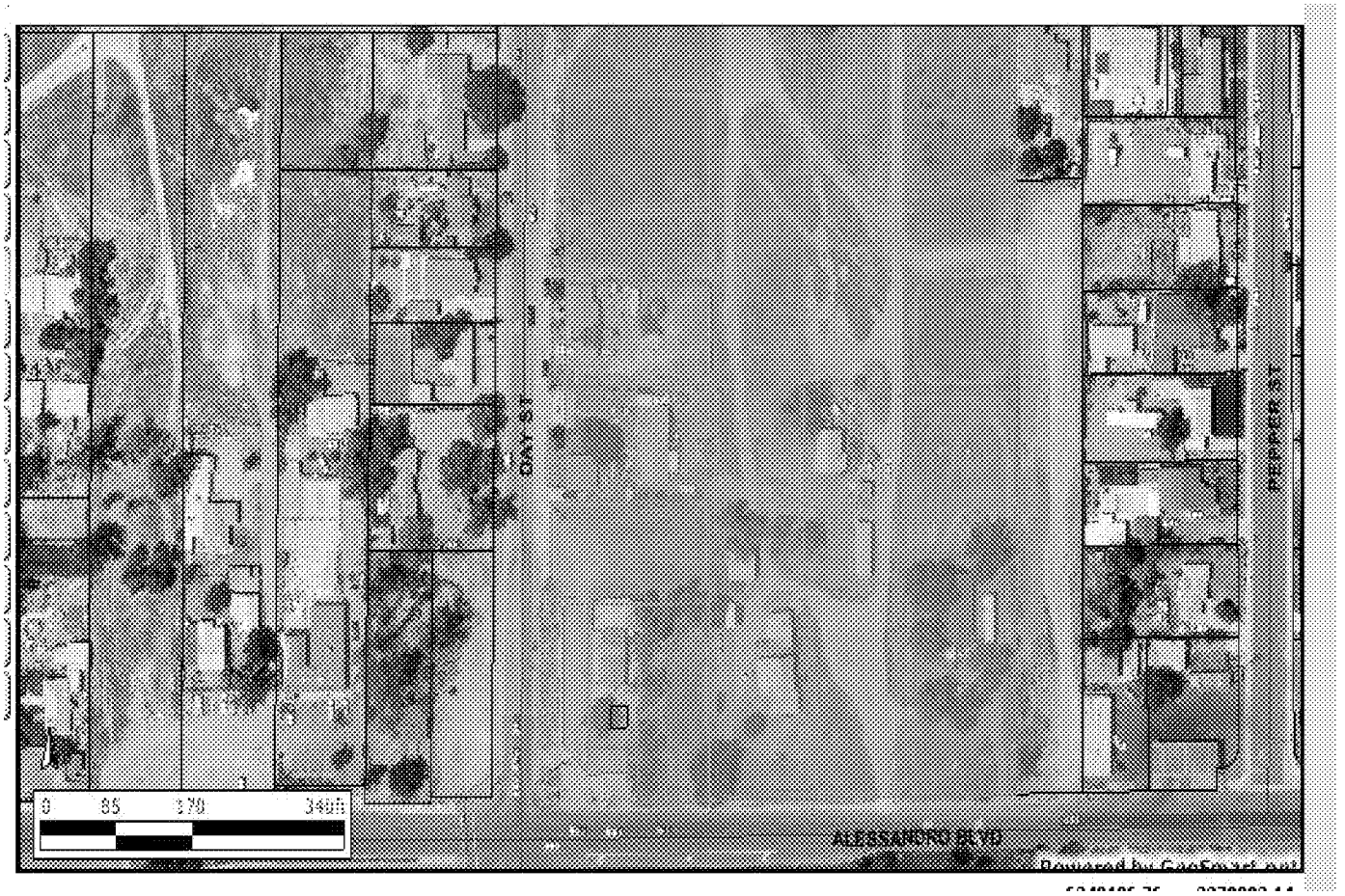

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00051273

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00051283

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00051285

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

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♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

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♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Permitted Uses Table 9.02.020-1

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C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility. .

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains

b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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MV00051329

Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00051347

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00051349

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

Citrus Heights, CA

San Jose, CA

MV00051353

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00051355

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00051359

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

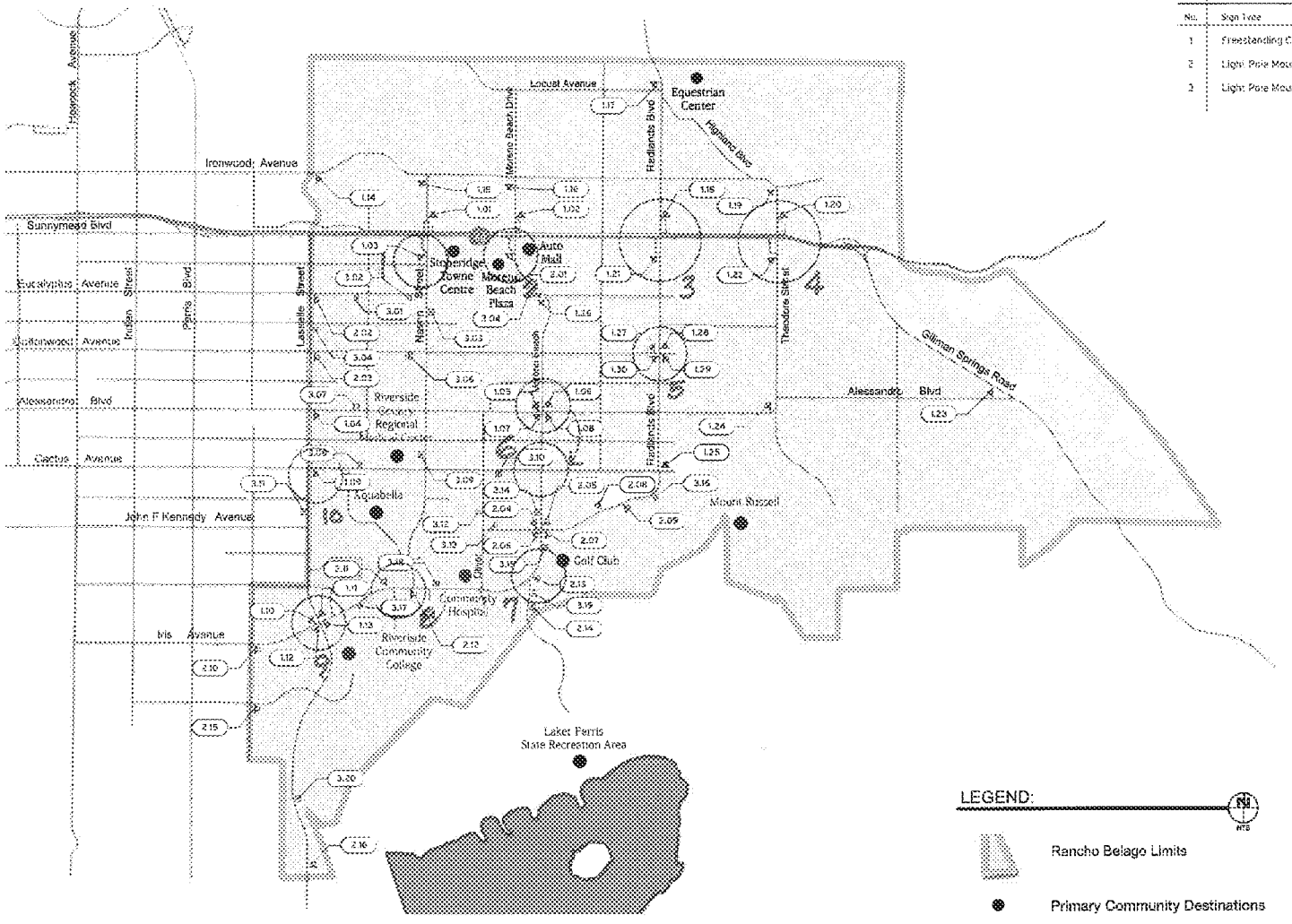

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.2

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00051365

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

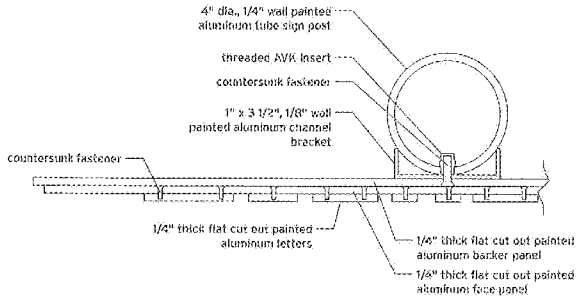

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

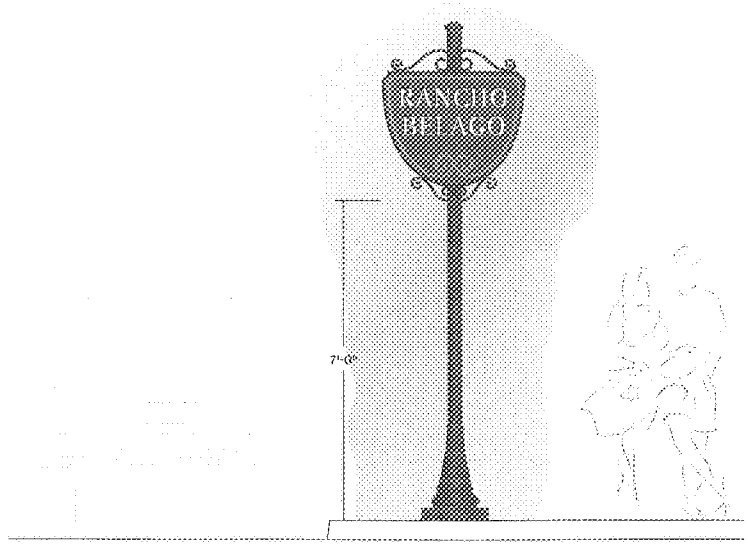

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

MV00051367

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

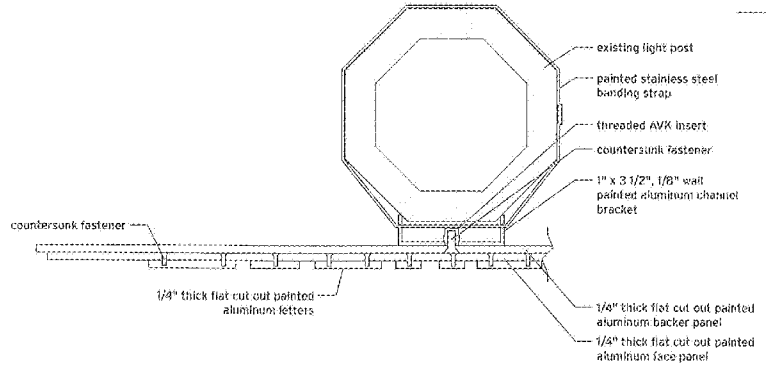

A Details

Scale: 3" = 1'-0"

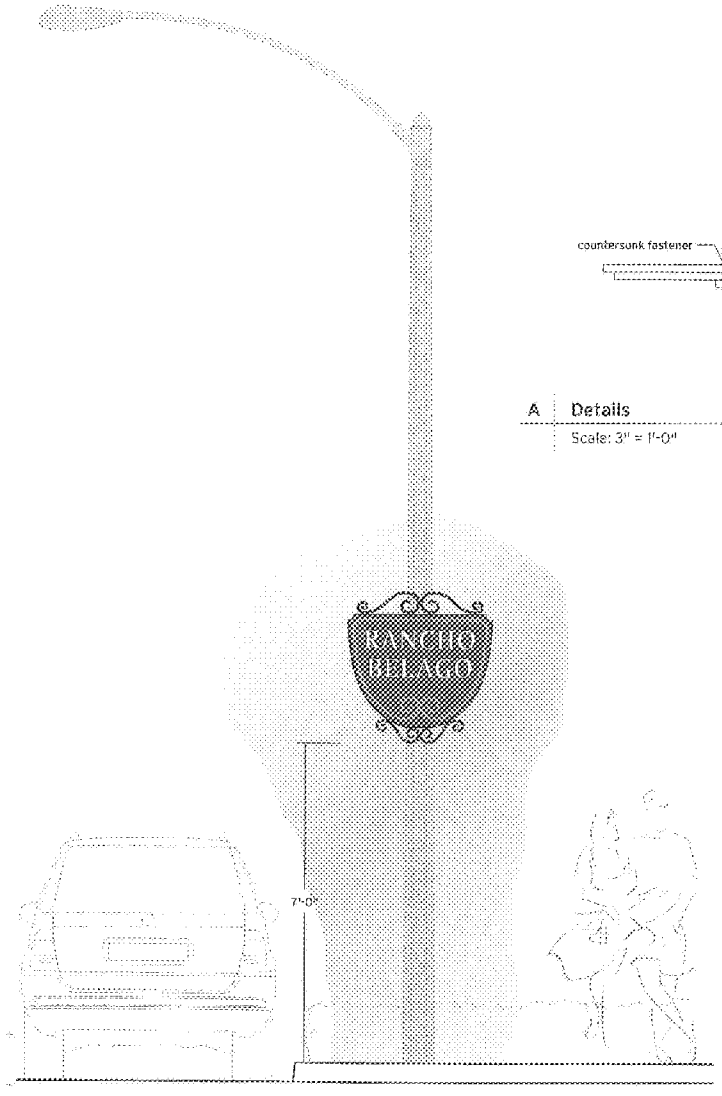

1 Elevation

Scale: 3/8" = 1'-0"

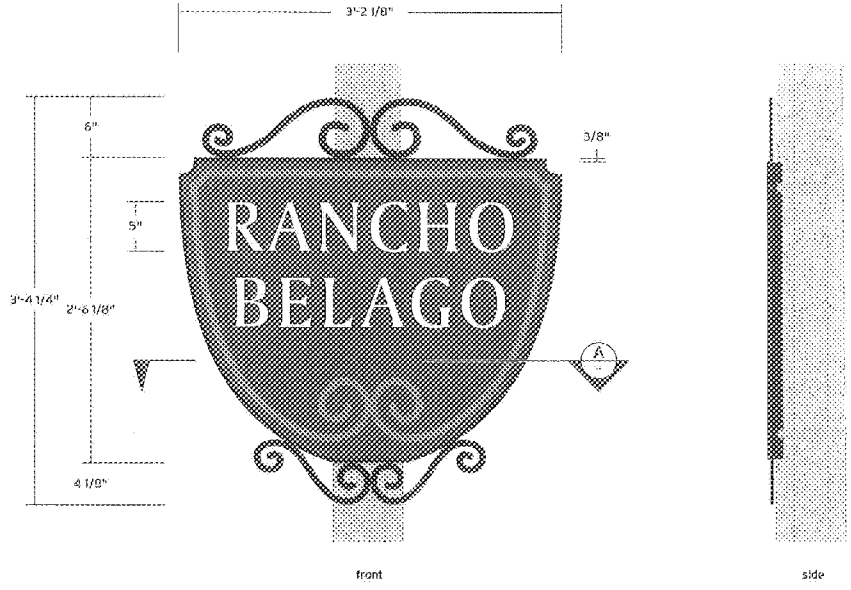

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 2: Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

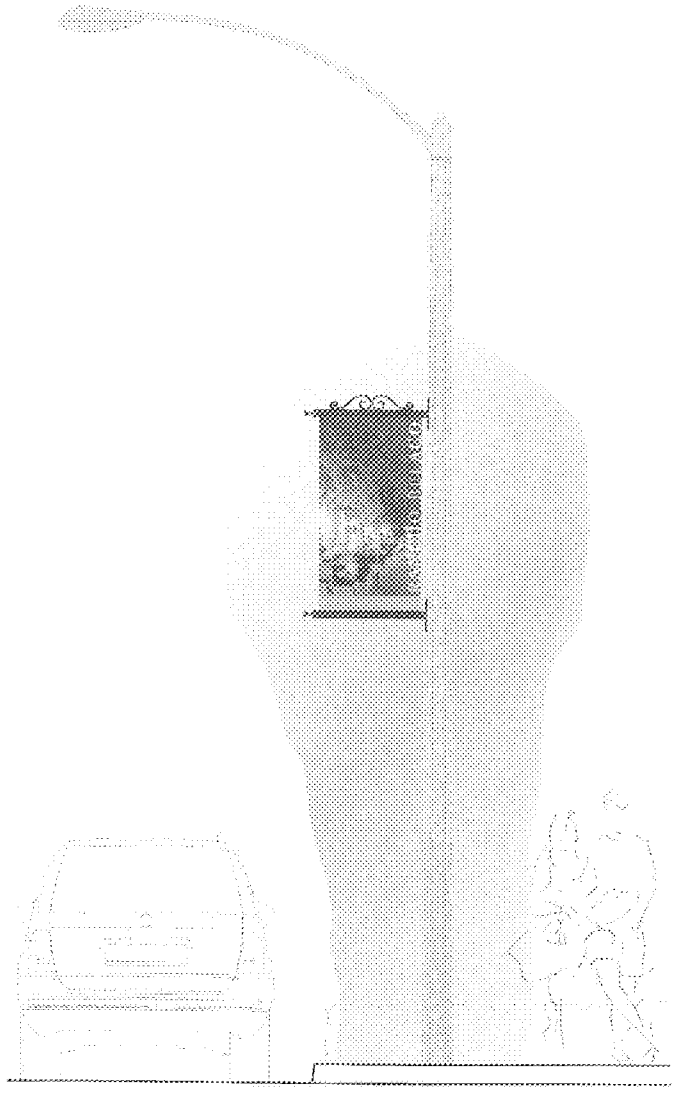

1 Elevation

Scale: 3/8" = 1'-0"

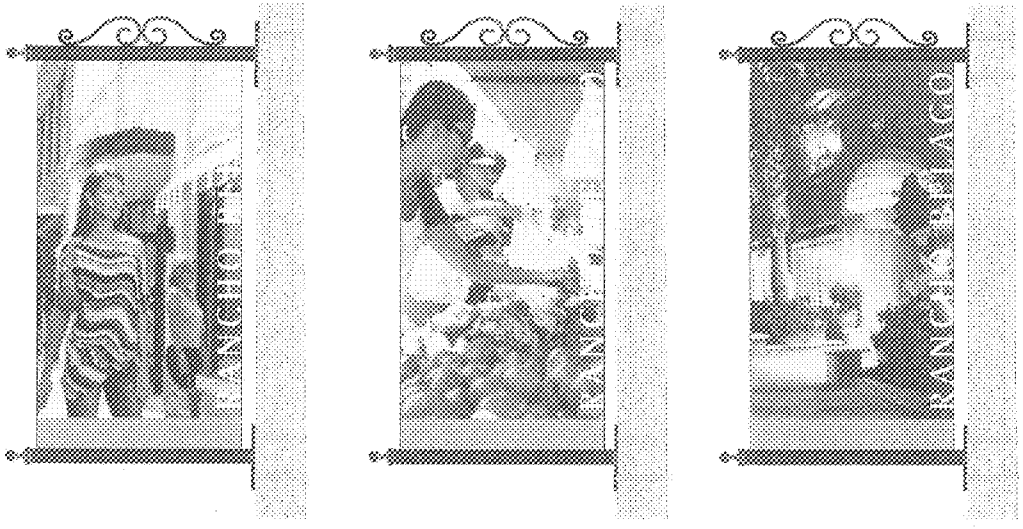

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00051371

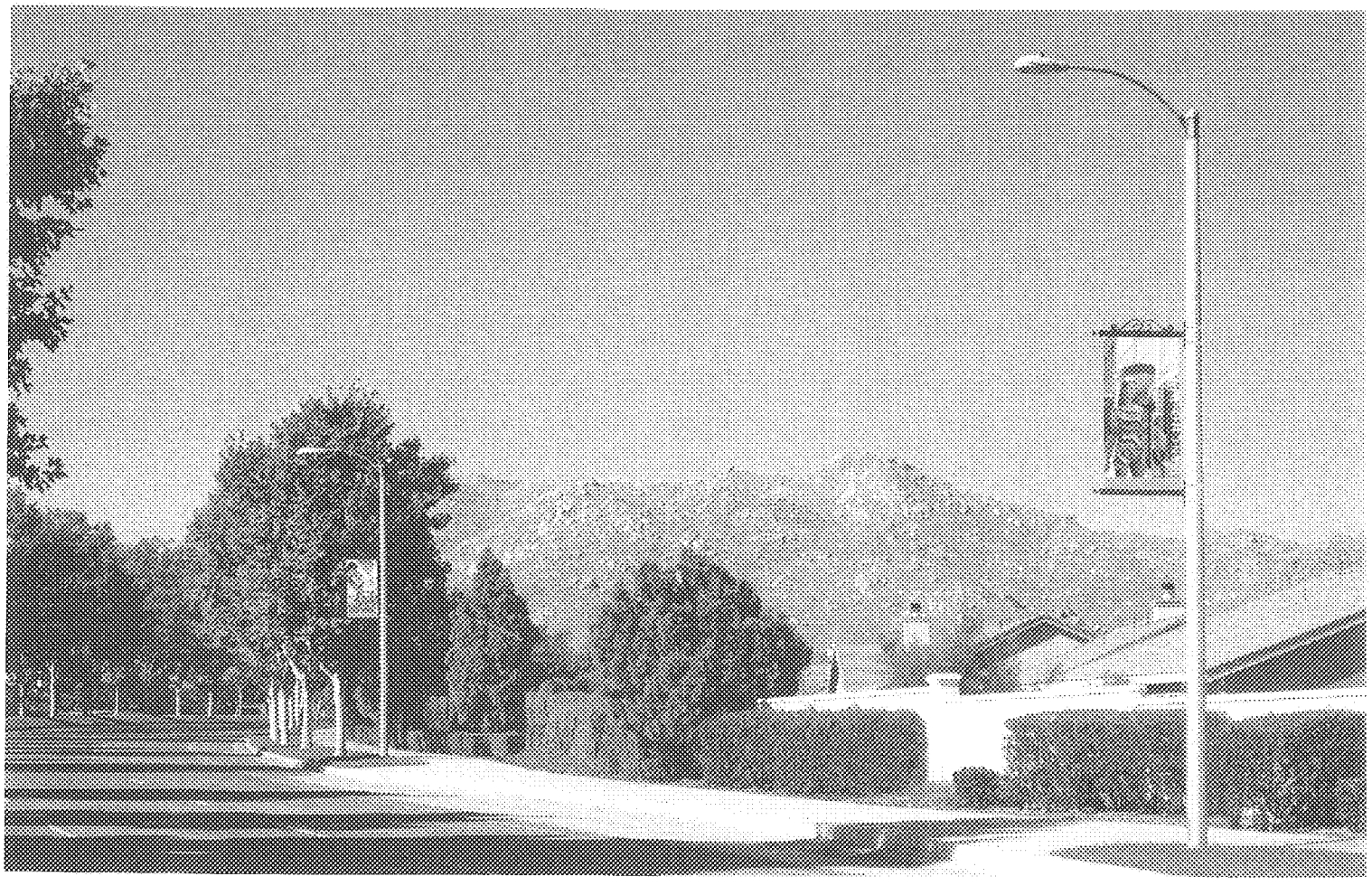

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

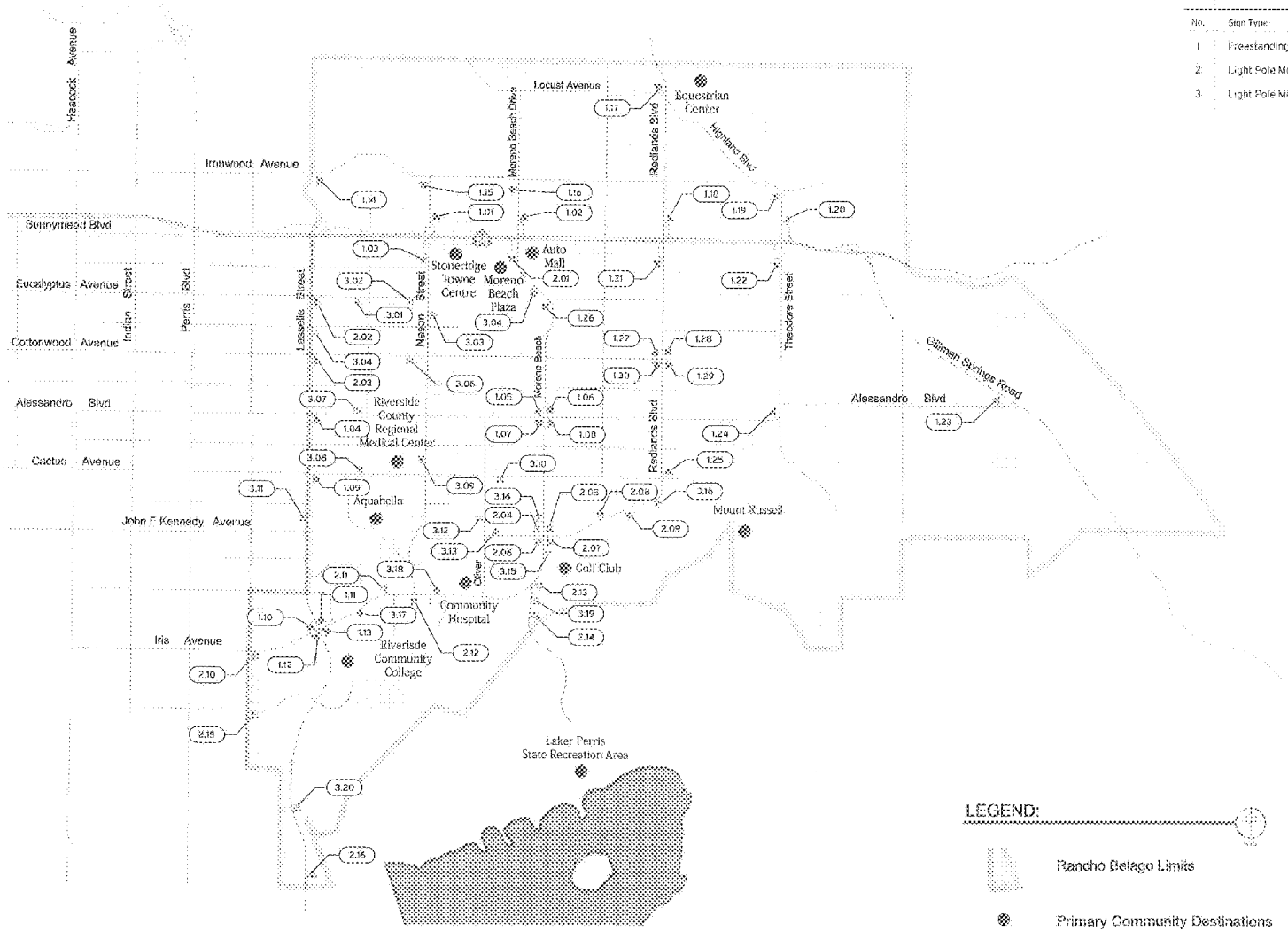

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00051373

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

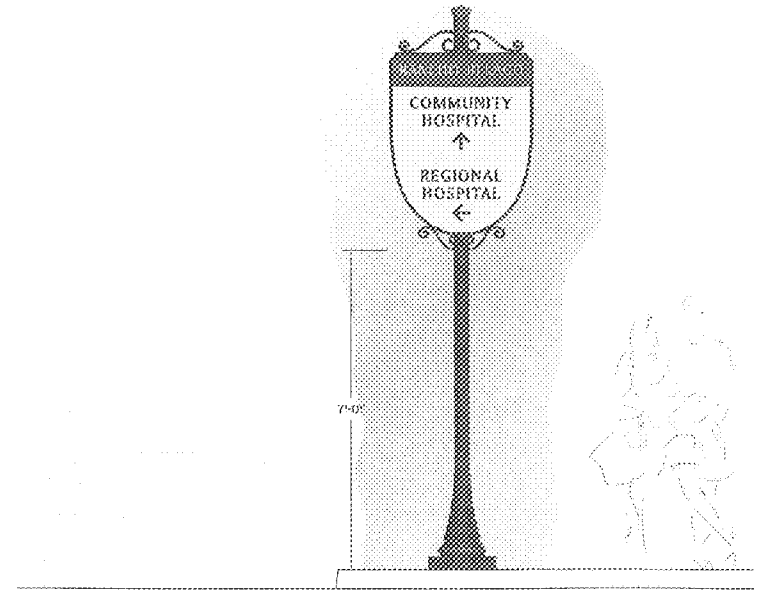

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

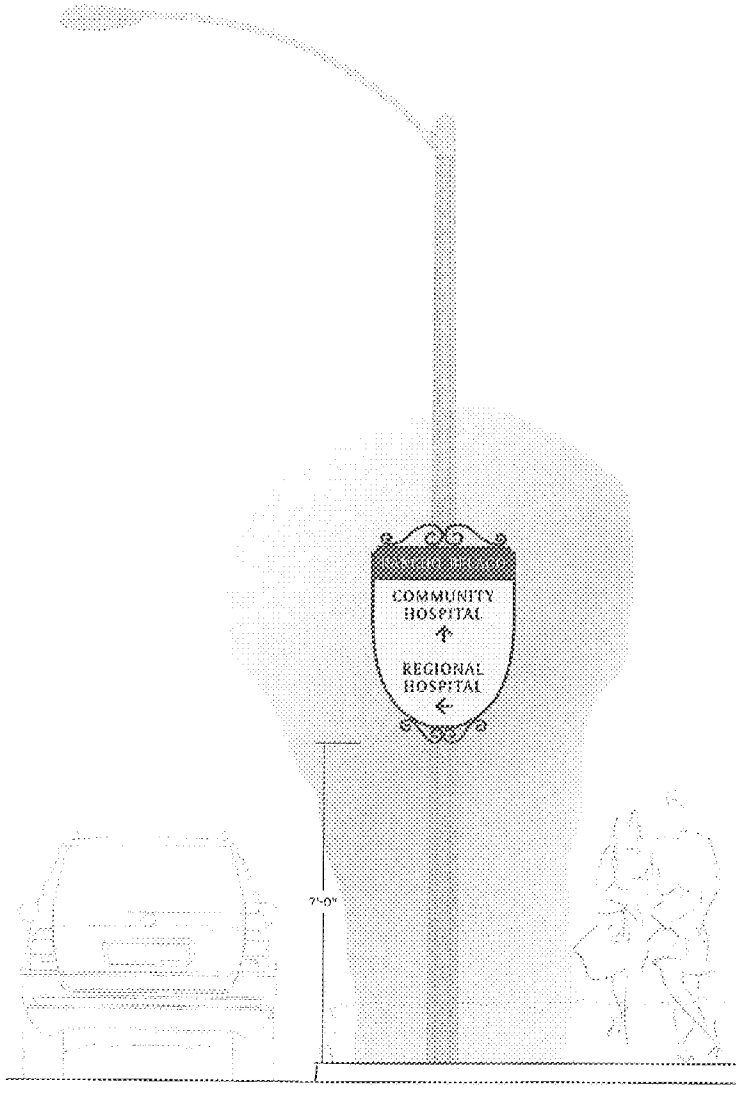

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

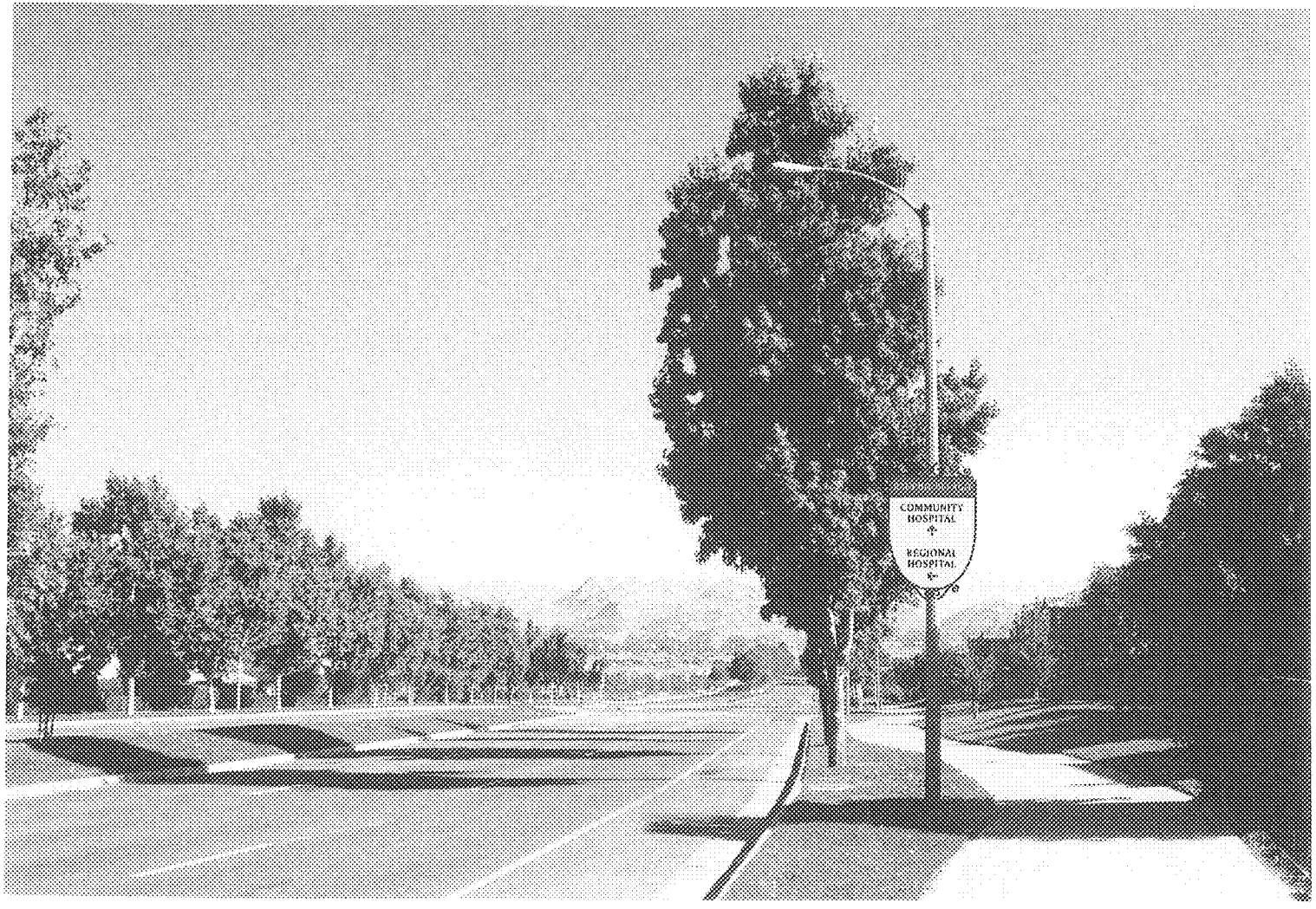

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5;
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00051377

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5760
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

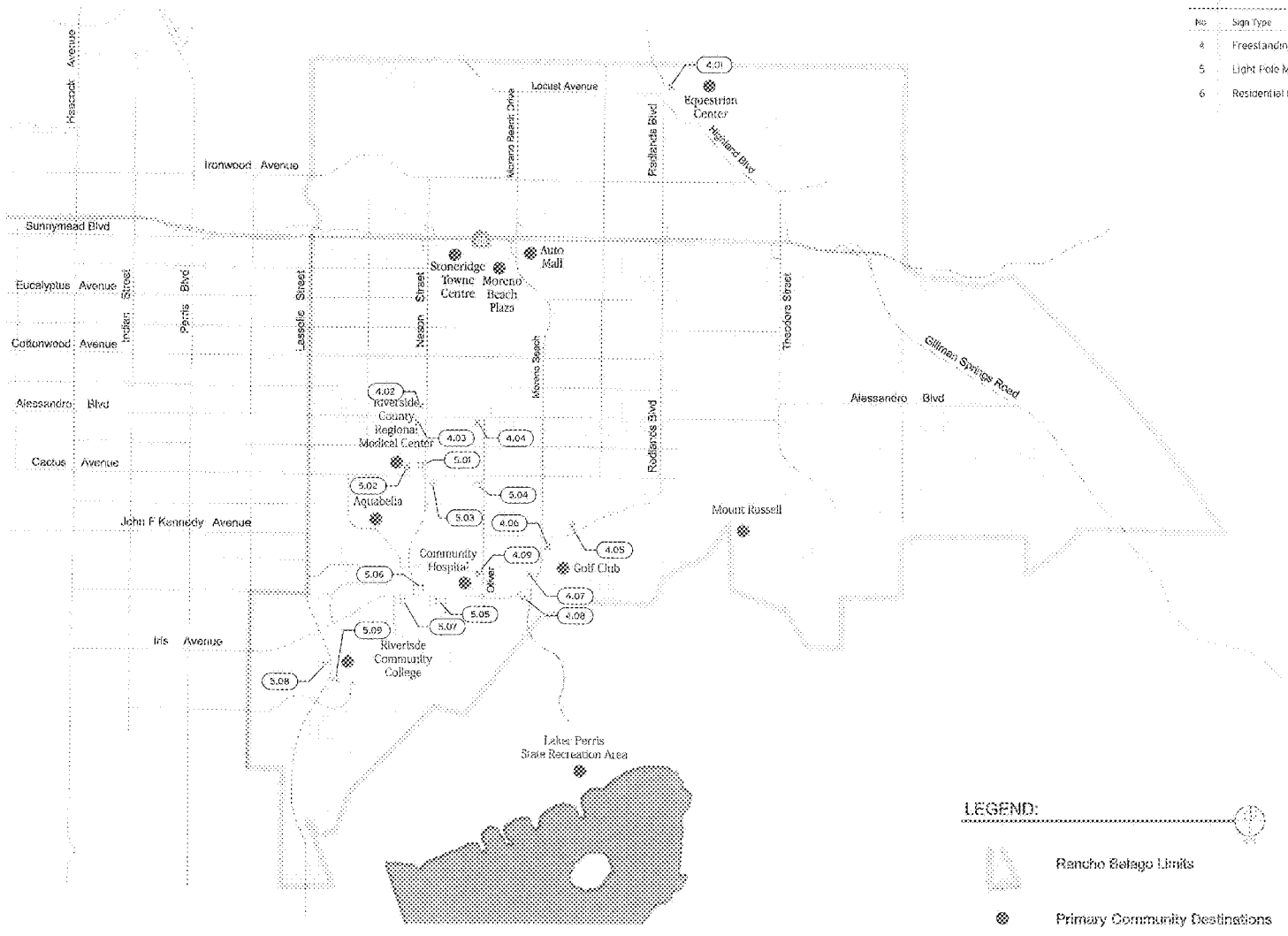

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00051381

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00051383

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

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MV00051389

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00051391

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00051392

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

MV00051393

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00051395

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00051397

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

MV00051399

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

MV00051400

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MV00051401

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00051419

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00051421

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00051427

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

		FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)			
A.	Inspection	$3,933	***$5,400***
B.	Document Violations	$884	***$1,200***
C.	Inspection Preparation Plan	$1,357	***$5,000***
D.	Update Facilities Drawings	$1,357	***$8,000***
	********** Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)			
A.	Catch Basin Maintenance	165,794	***$165,448***
B.	Street Sweeping	248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs	5,935	***$12,000***
D.	Training Program Implementation	2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping	2,629	***$5,000***
F.	Development of Municipal Facilities Strategy	3,371	***$5,000***
G.	Litter/Trash Characterization	5,698	***$5,000***
	********** Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION			
A.	Program Management	$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)	$12,699	***$12,699***
	********** Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS			
A.	Associate Environmental Engineer Cost	$2,823	***$2,900***
B.	Clerk's Cost	$1,150	***$1,150***
C.	Postage Cost	$17,480	***$18,999***
	********** Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel		$11,300	***$11,309***
6. COUNTY COMPUTER TIME		$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)		$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)		$538,848	***$586,696***
	ANNUAL ASSESSMENT		
	COST	$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS	66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU	$8.15	***$8.15***

Attachment 1

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MV00051429

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

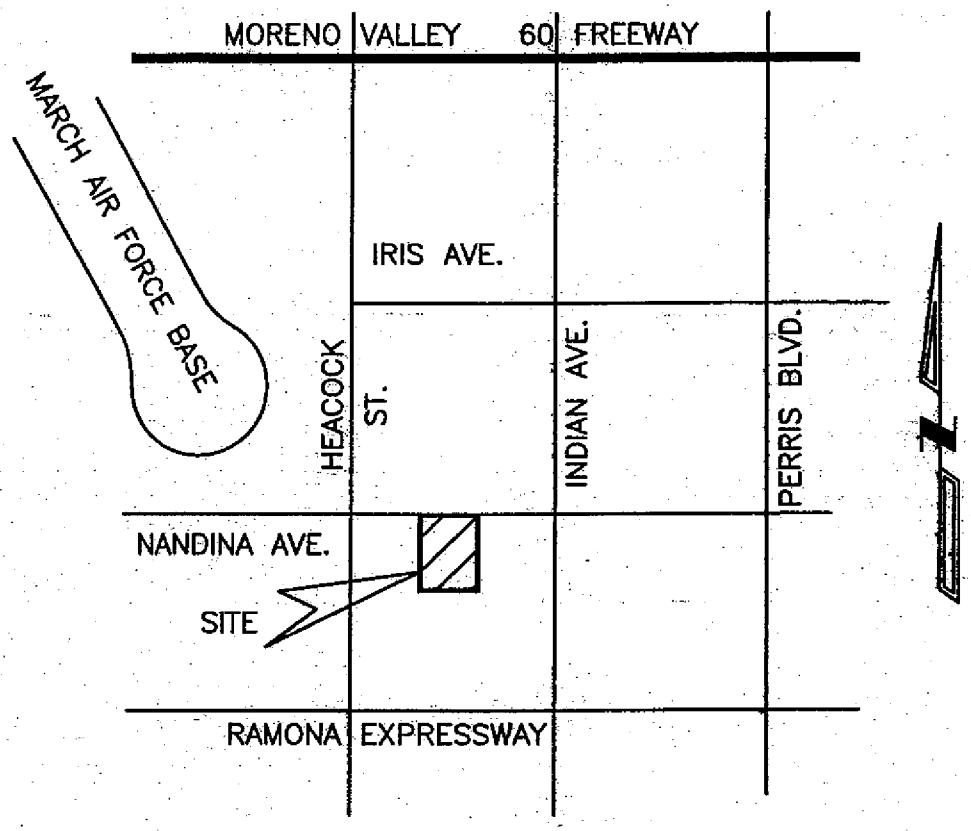

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

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MV00051435

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\3-9-10 - PM 33532 - Line F, Stage 2 Termination Agreement.doc

TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By_____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By_____
NEAL KIPNIS
Deputy County Counsel

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By_____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

2008 Version CAPA v12.10.07 800-873-9865 www.NotaryClasses.com

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

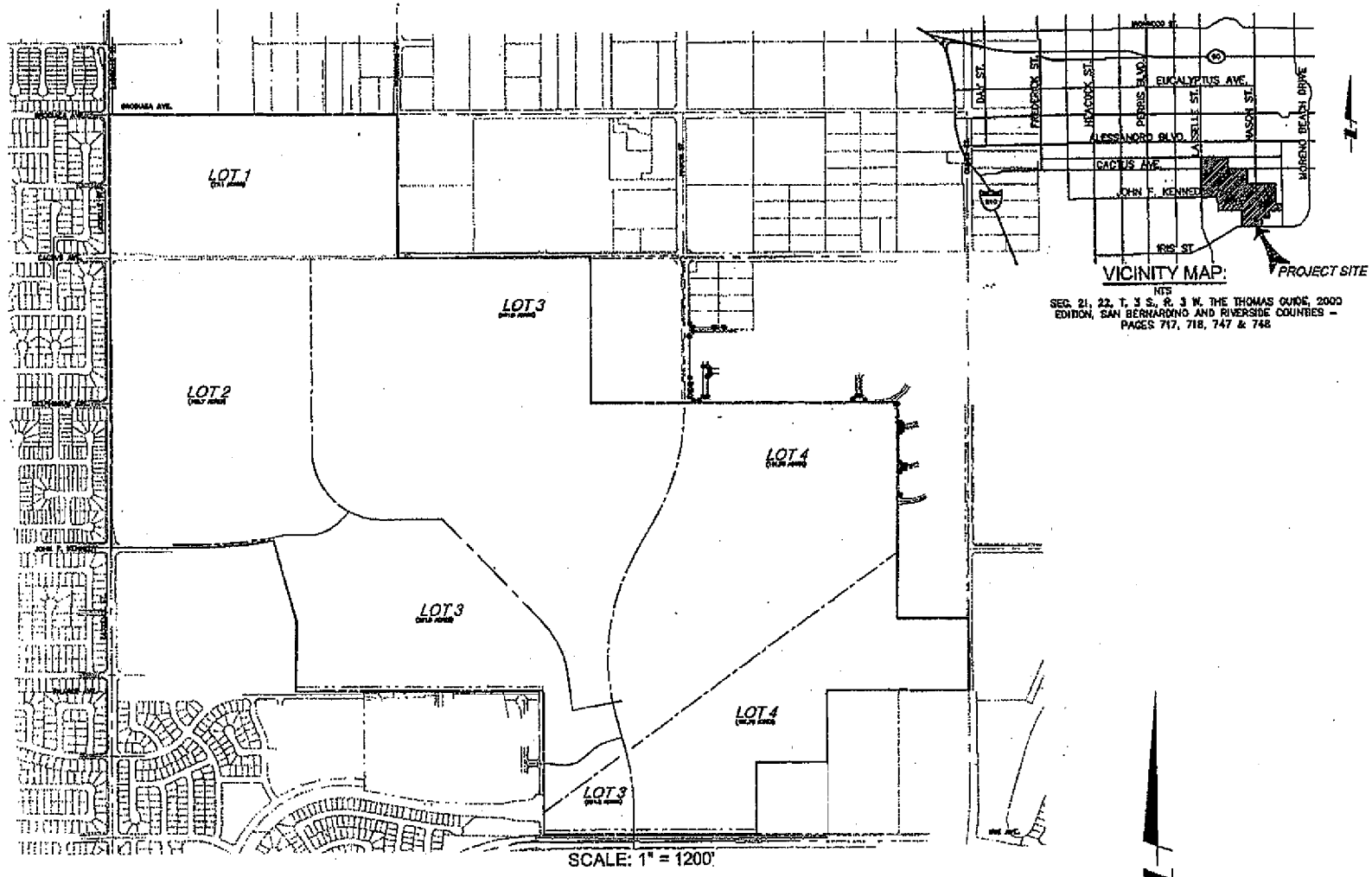

AQUABELLA

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX. -53- IT "A"

Item No. A.7

MV00051454

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MV00051455

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ EVP+COO Pres.
Title

By: _____ ~~EVP+COO~~ EVP+COO
Title Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\Engineer's Cost Estimate for Erosion.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher & Iddo Benzeevi
EVP & COO President,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she/~~they executed the same in ~~his/her/~~their authorized capacity(ies), and that by ~~his/her/~~their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

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MV00051461

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By [signature] President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00051467

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

Item No. A.7

MV00051472

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MV00051473

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00051477

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

TABLE OF CONTENTS

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GENERAL PLAN IMPLEMENTATION 10

PROJECT ACTIVITY 13

ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	TERM EXPIRES
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY
FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

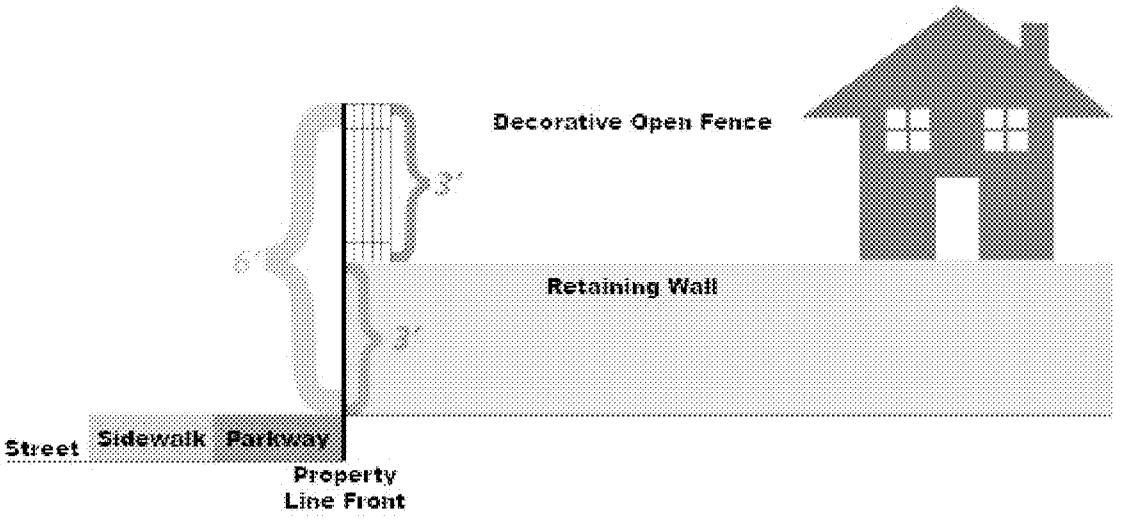

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

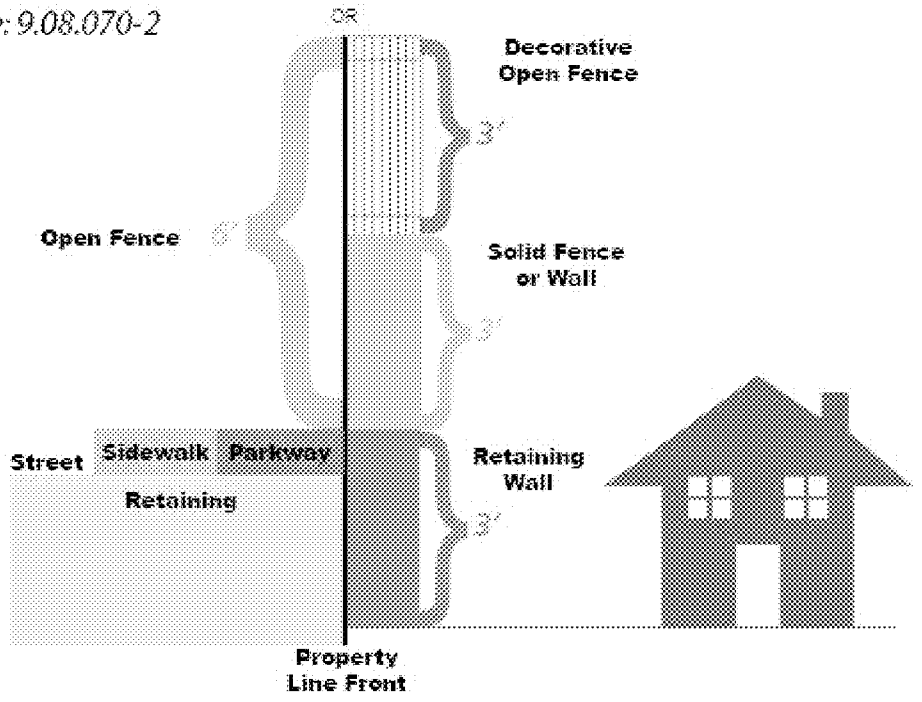

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

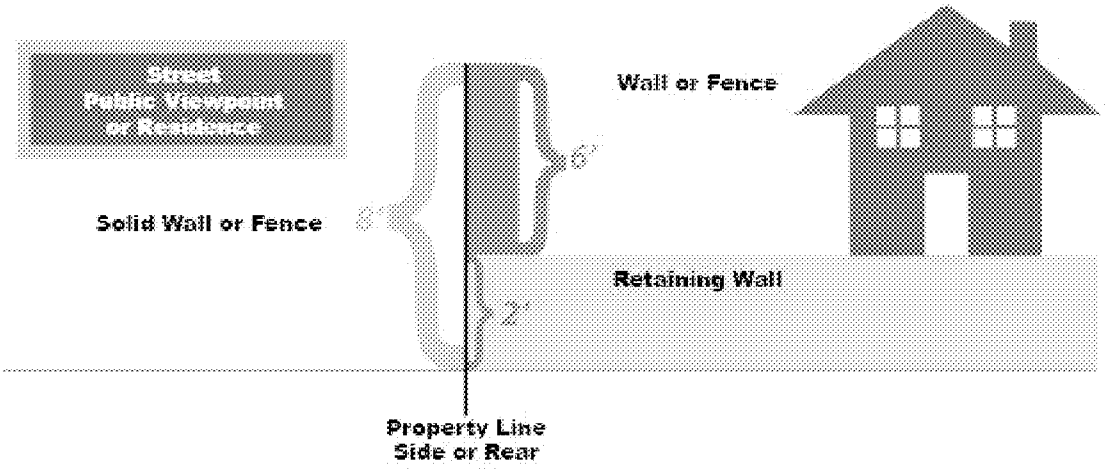

Figure: 9.08.070-4

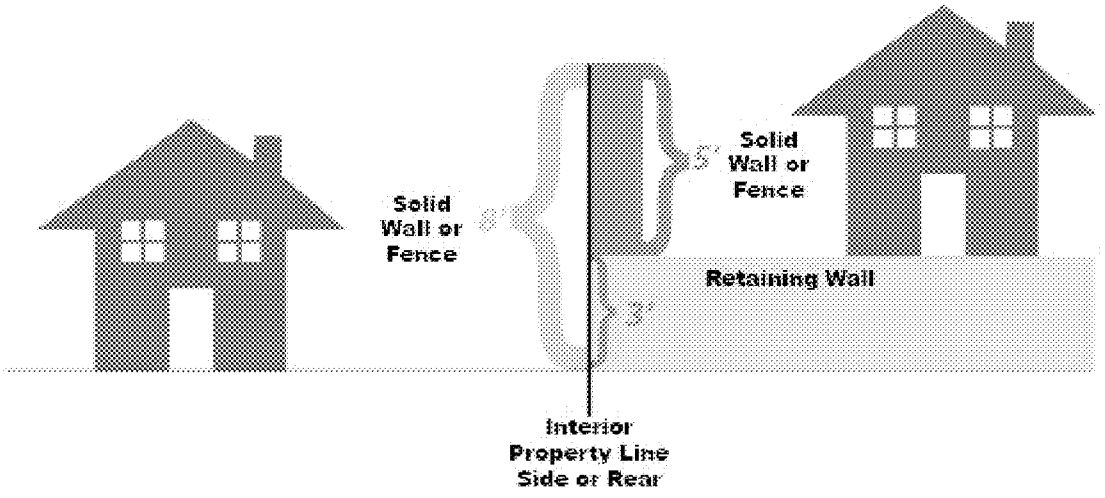

Figure: 9.08.070-5

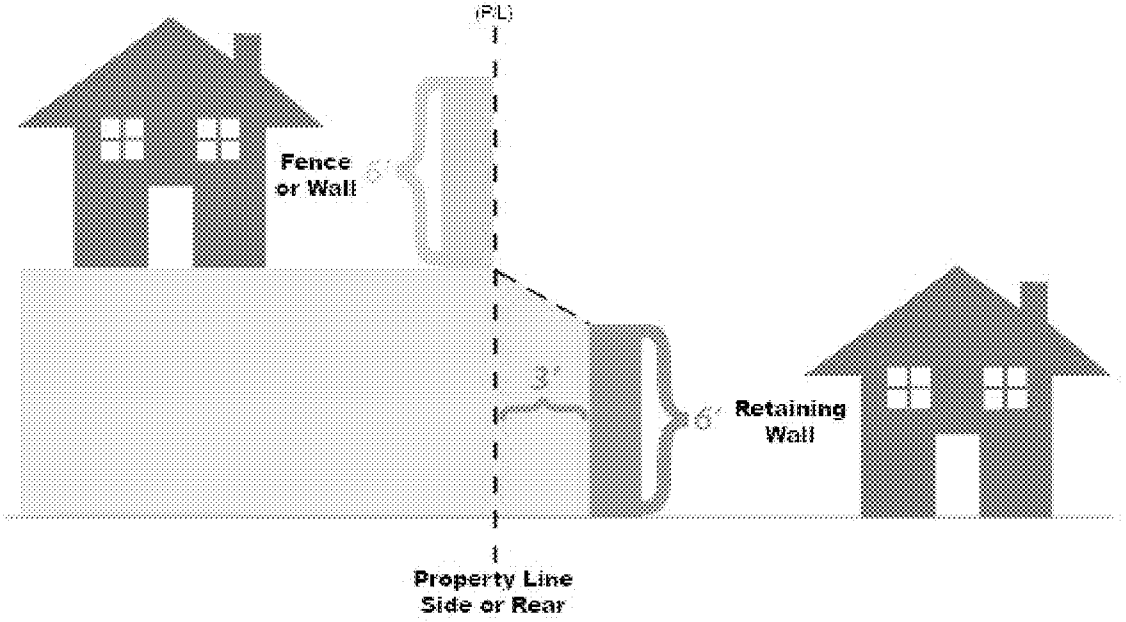

Figure: 9.08.070-6

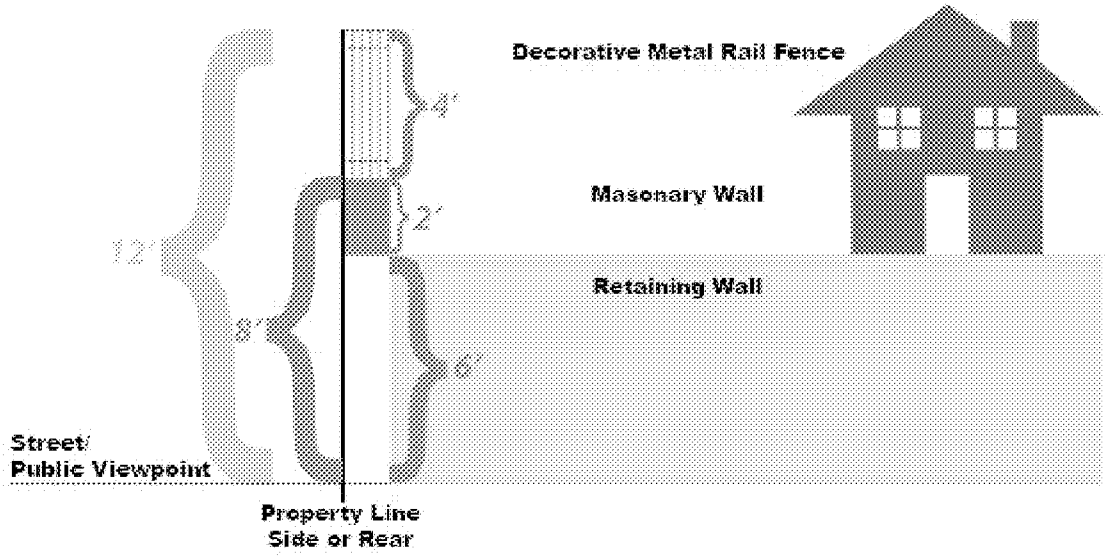

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

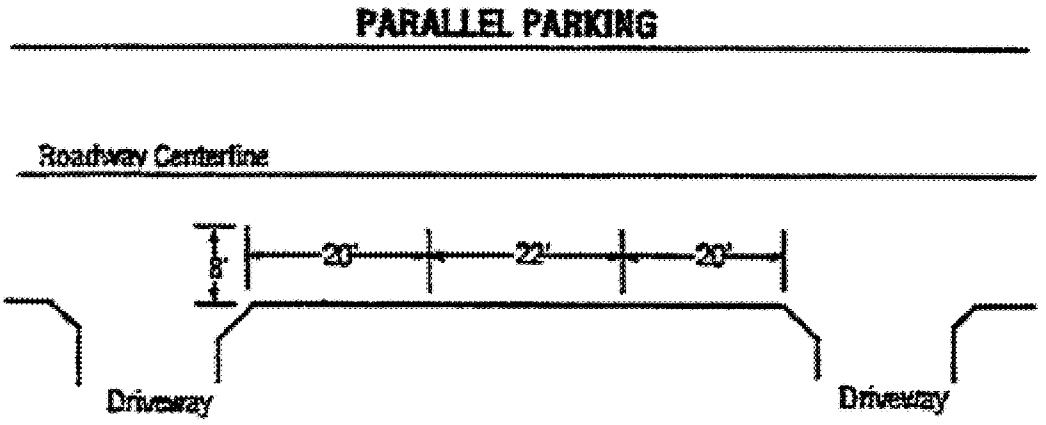

Figure 9.11.080-5
Nonparallel Parking Spaces

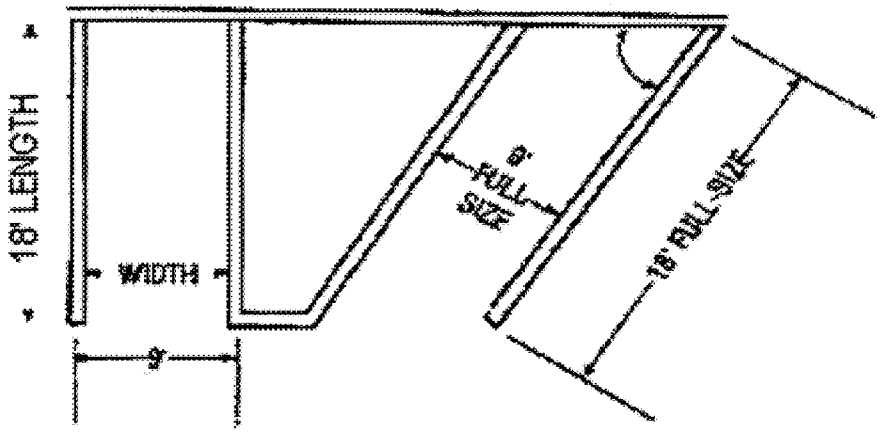

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

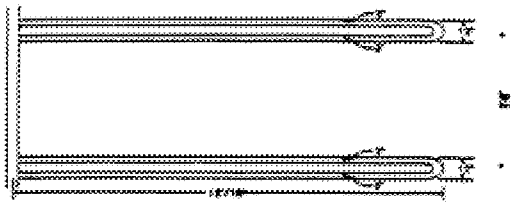

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
ctor, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
ector, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00051523

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Erosion Control Agreement.doc

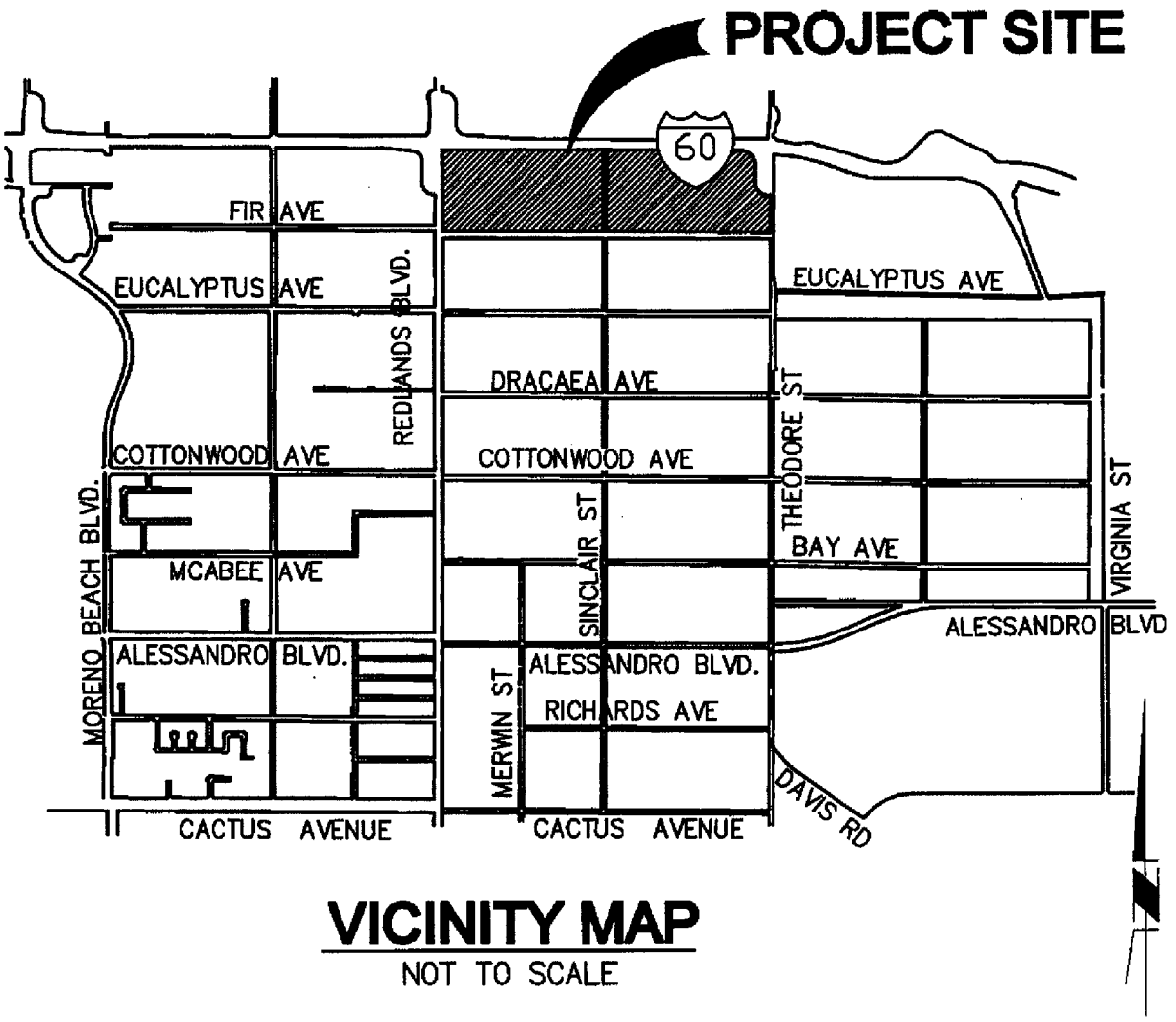

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control
Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☐ Individual
☒ Corporate Officer — Title(s): President/CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD

DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.11

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

MV00051541

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

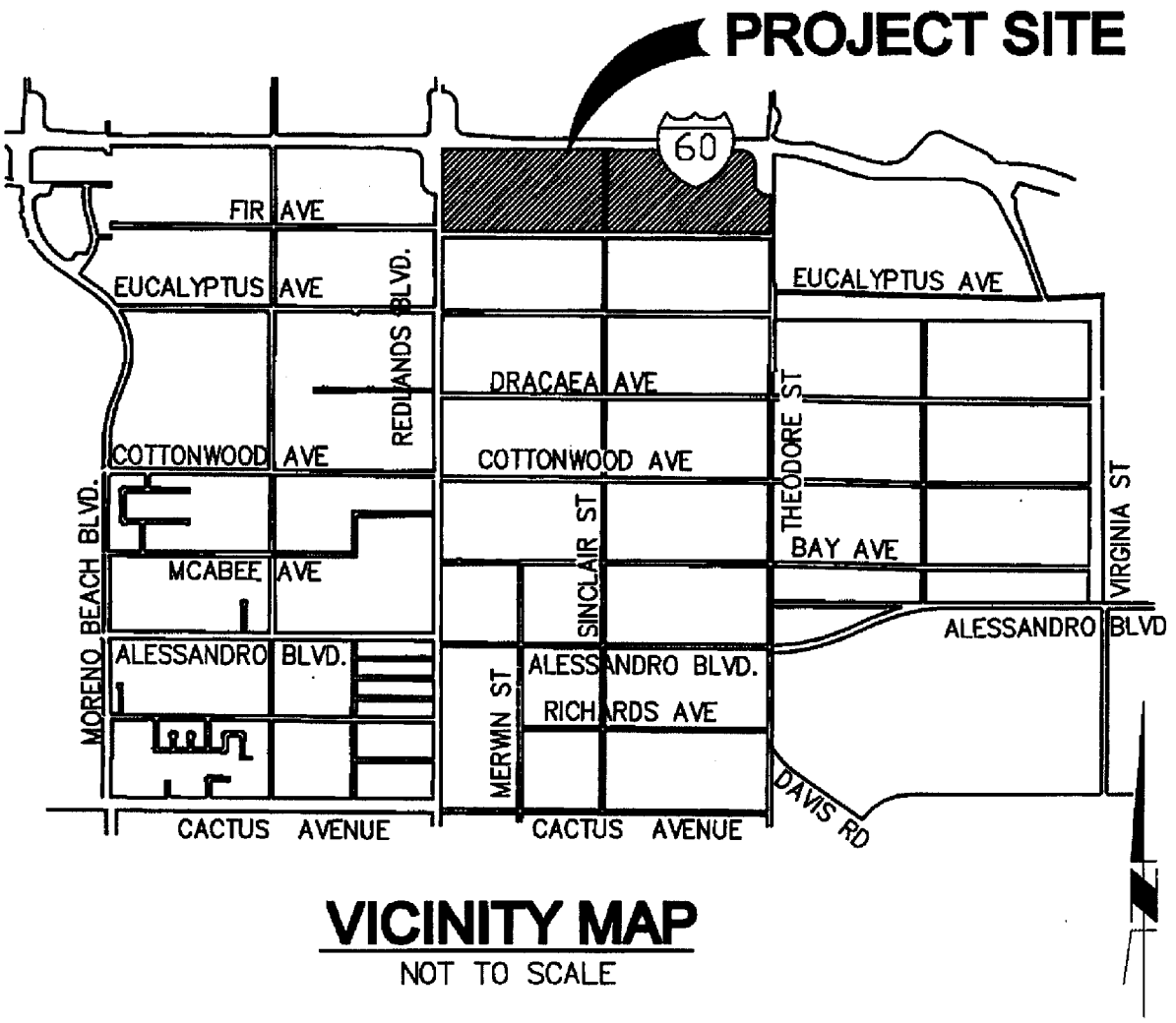

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.12

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00051557

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00051559

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00051563

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

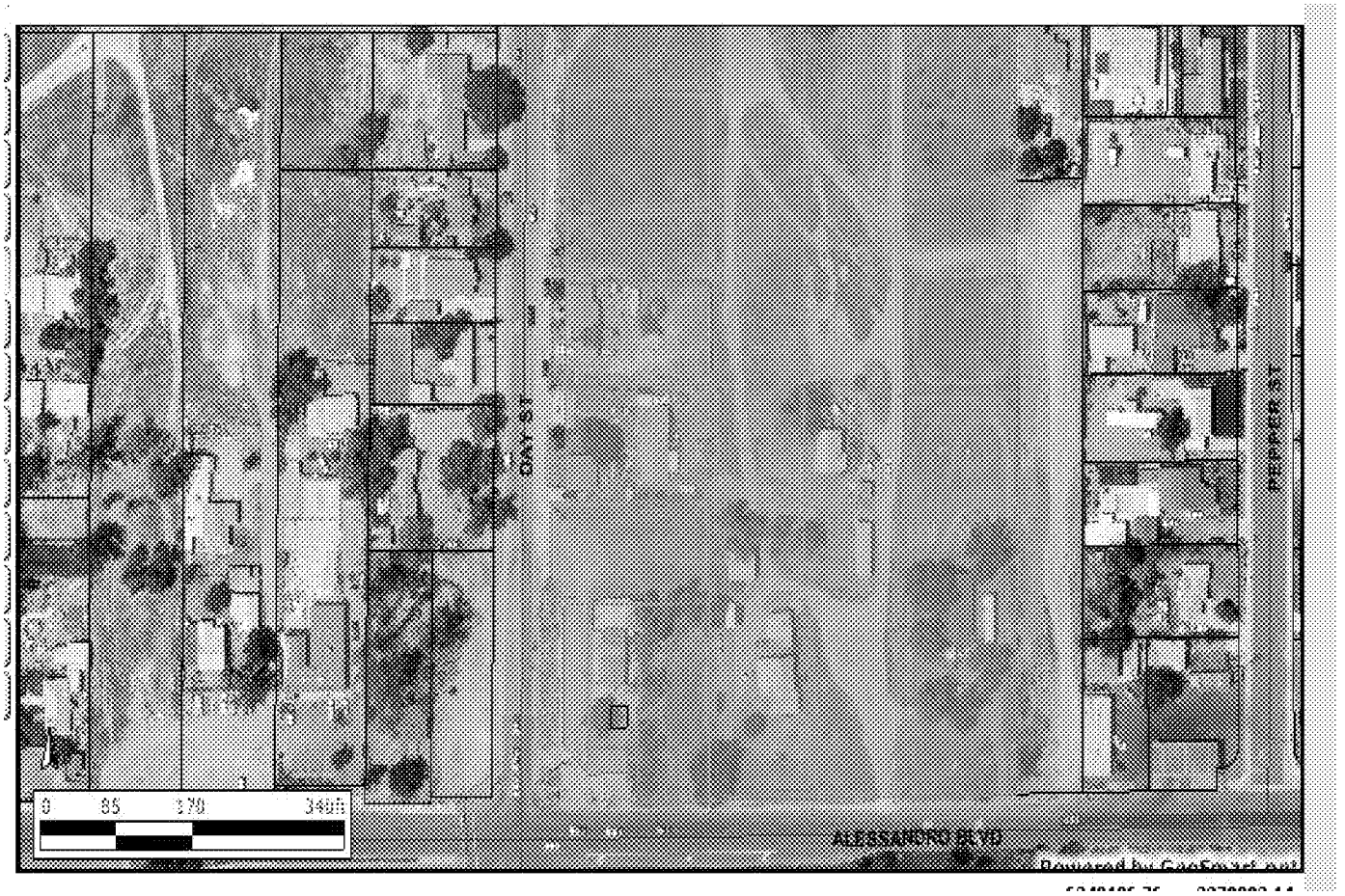

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00051573

MORENO VALLEY
WHERE DREAMS SOAR

Community Development Department
Planning Division

MEMORANDUM

To: Mayor Flickinger and City Council Members

From: Kyle Kollar, Community Development Director

Date: April 12, 2010

Subject: Revisions to City Council Resolution No. 2010-21 for Public Hearing Item E.1

cc: Agenda packet distribution list

Planning staff received an inquiry in response to the newspaper notice for the public hearing for Item E.1. The caller had concerns with the proposal to increase maximum allowable density for residential development within the Residential/Office (R/O) designation.

Following that inquiry, Planning reviewed the proposed General Plan Amendment and the policies listed under Objective 2.4 of the General Plan, and with this memorandum staff recommends the approval of revised City Council Resolution 2010-21 and Exhibit A to that resolution to more accurately represent the intent of the General Plan Amendment (both documents have been attached to this memo for reference).

The staff report and City Council Resolution 2010-21 currently propose to amend the General Plan by increasing the density of the Residential/Office (R/O) designation from a maximum of 15 dwelling units per acre to 30 dwelling units per acre results. This would result in intensification in land use that was not the original intent of creating mixed use development opportunities. Staff is now recommending no change to the Residential/Office (R/O) designation. This would allow for a General Plan designation that is consistent with development under the MUD1 zone and not result in changes in density for properties that are currently designated Residential/Office.

Instead, staff now recommends increasing the maximum density for the Mixed-Use (MU) designation from 20 dwelling units per acre to 30 dwelling units per acre. Increasing the density for the MU designation would allow for a General Plan designation that is consistent with development under the MUD2 zone.

The only properties within the City of Moreno Valley with the MU designation are located in the Moreno Highlands Specific Plan or the Village Plan, each of which has their own development criteria governing maximum density. Future development of mixed use outside of these specific plan areas would require approval of a General Plan Amendment

to establish the MU designation and allow the Council to review potential impacts resulting from a change in land use designation through individual applications.

Additionally, the findings for City Council Resolution 2010-21 were revised to better reflect approval of the General Plan Amendment.

jb

Attachments/Enclosures

c: PA10-0004

W:\Planning\jeffreyb\2010\PA10-0004\CC Memo – Revisions to CC resolution 04-12-10

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.5 BY CHANGING THE MAXIMUM DENSITY FOR THE MIXED-USE (MU) DESIGNATION FROM 20 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.5, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Mixed-Use land use from 20 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 30 ~~20~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

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MV00051581

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00051591

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00051593

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains
b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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MV00051637

Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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X -	Indicates stated use is permitted subject to district requirements.
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♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

	Permitted Uses Table 9.02.020-1
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00051655

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00051657

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

MV00051659

Citrus Heights, CA

San Jose, CA

MV00051661

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00051663

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00051667

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

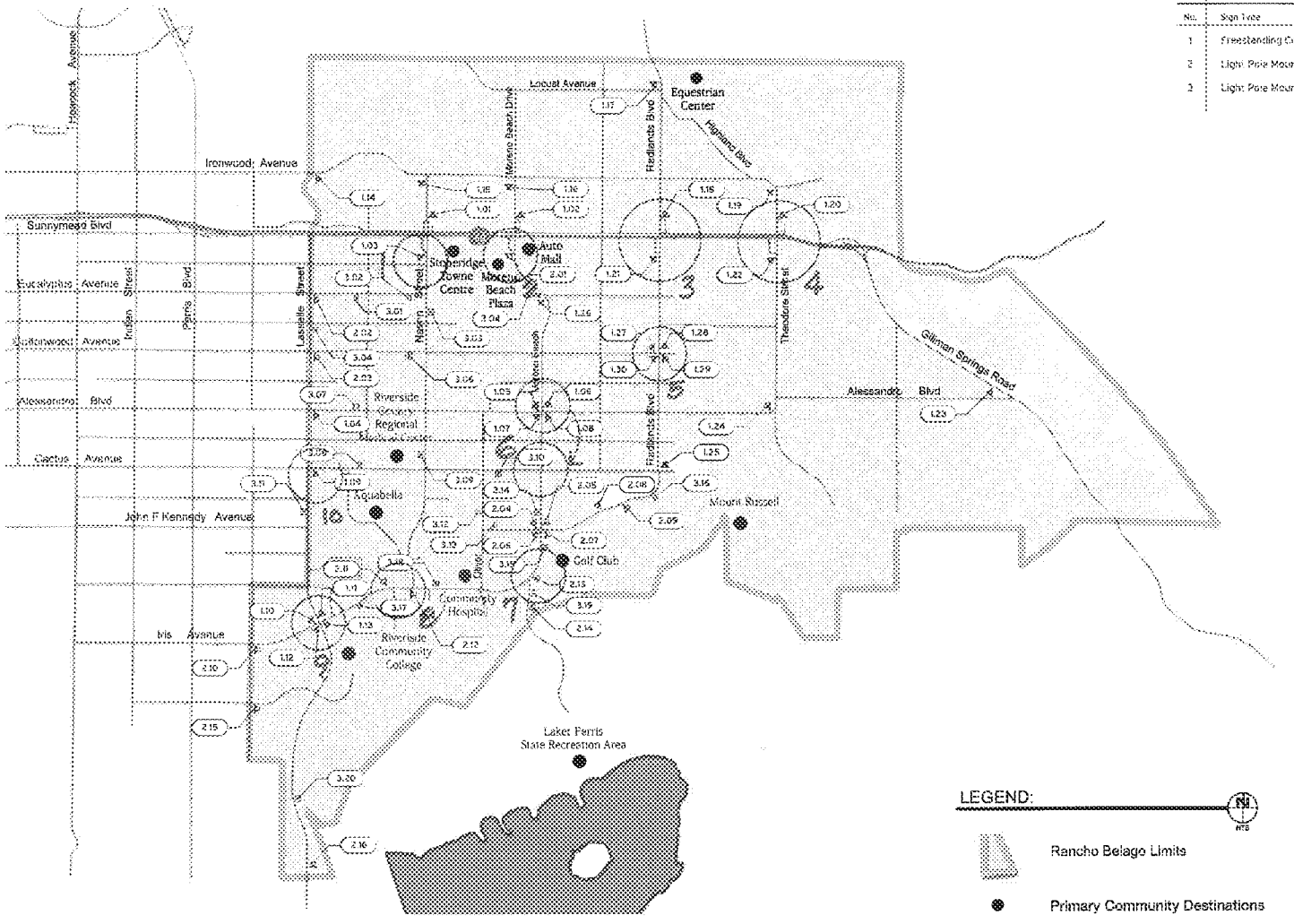

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.2

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00051673

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

top

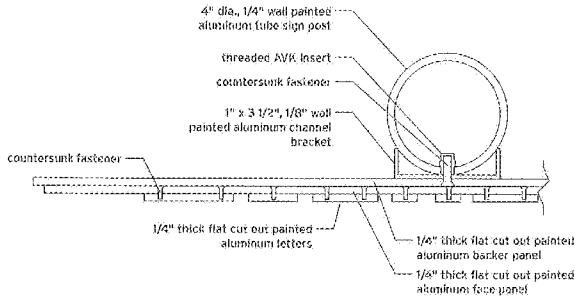

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

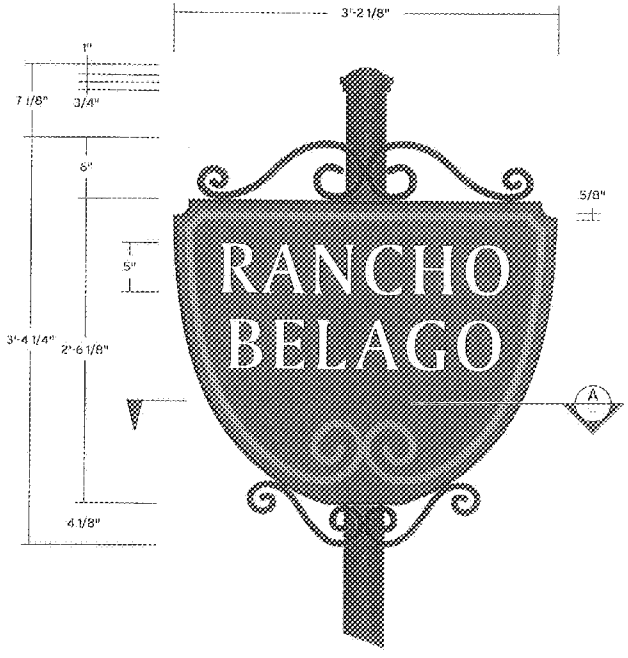

front

side

2 Details

Scale: 1" = 1'-0"

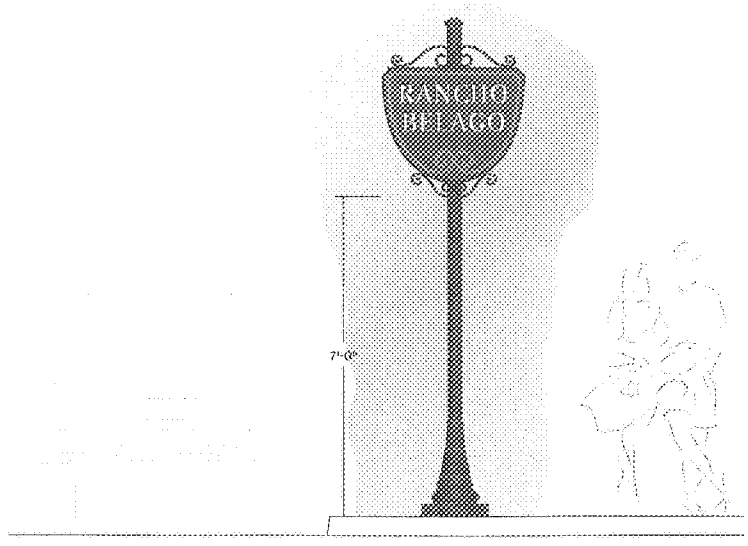

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

MV00051675

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

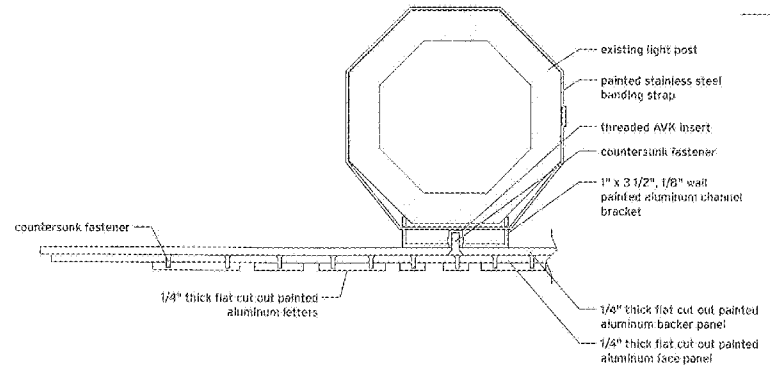

A Details

Scale: 3" = 1'-0"

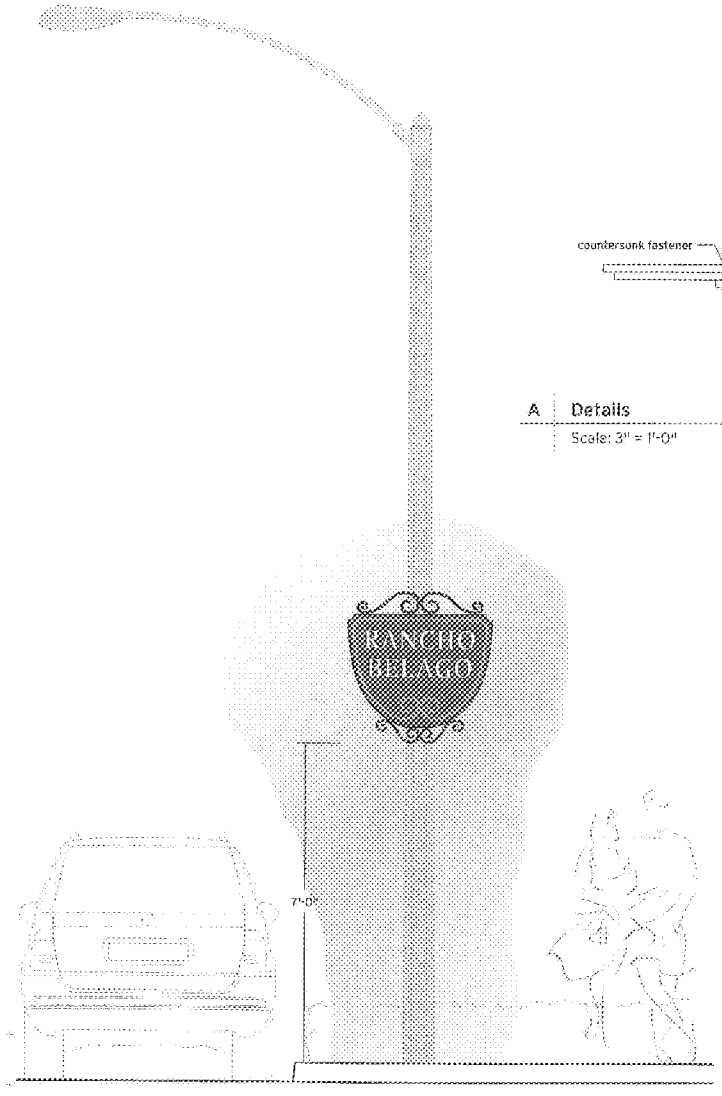

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

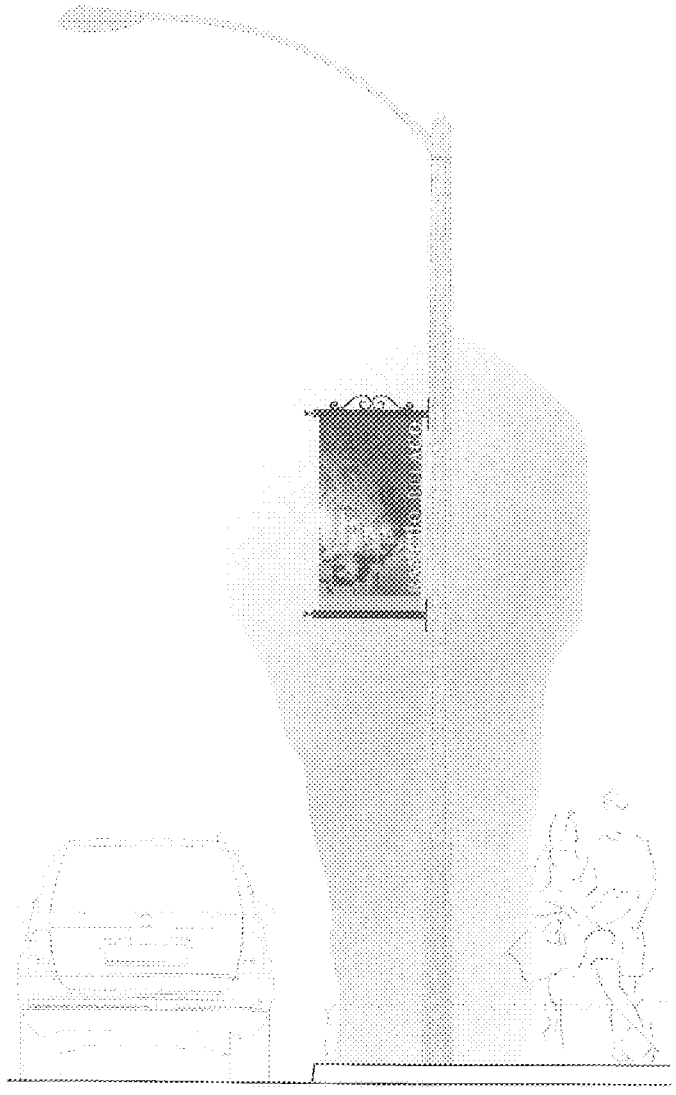

1 Elevation

Scale: 3/8" = 1'-0"

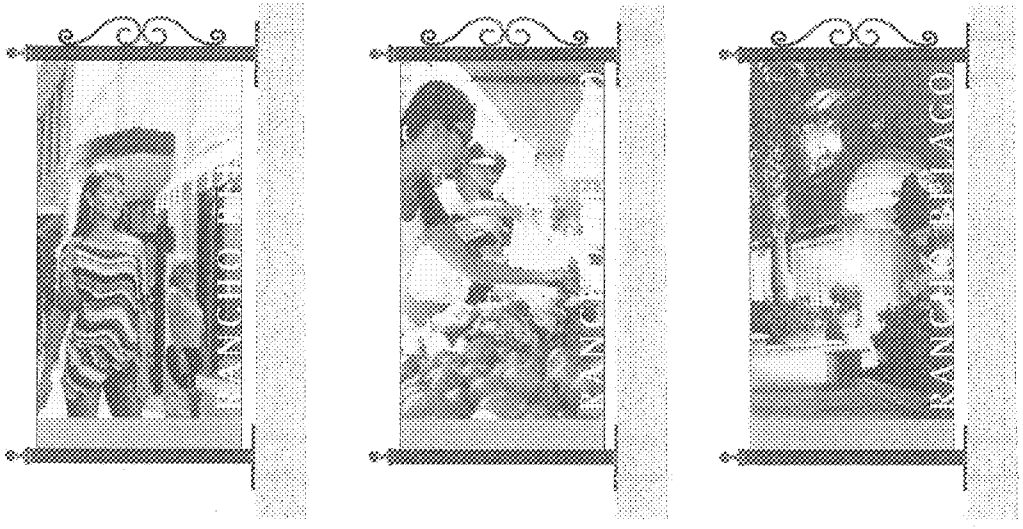

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00051679

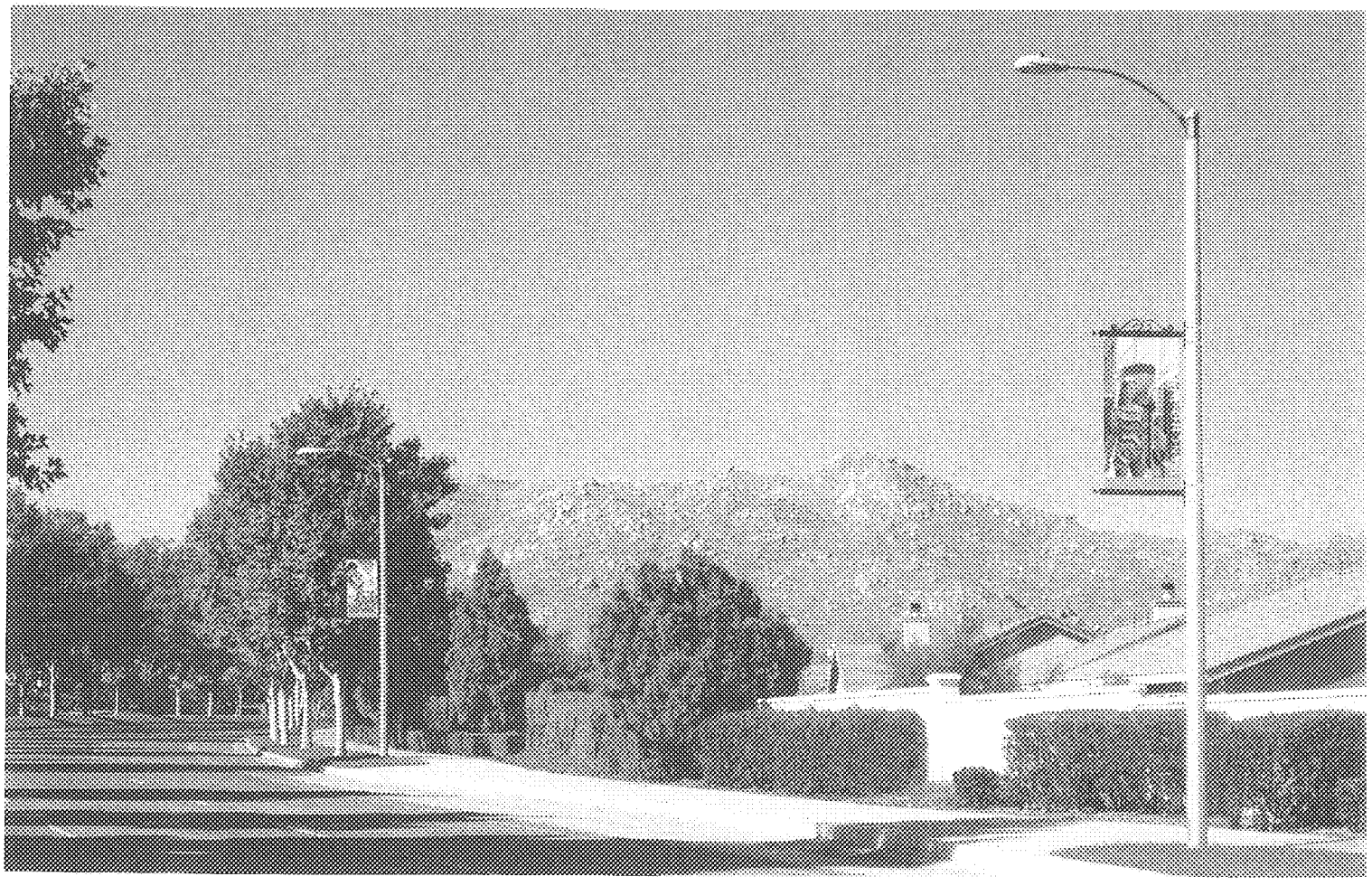

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

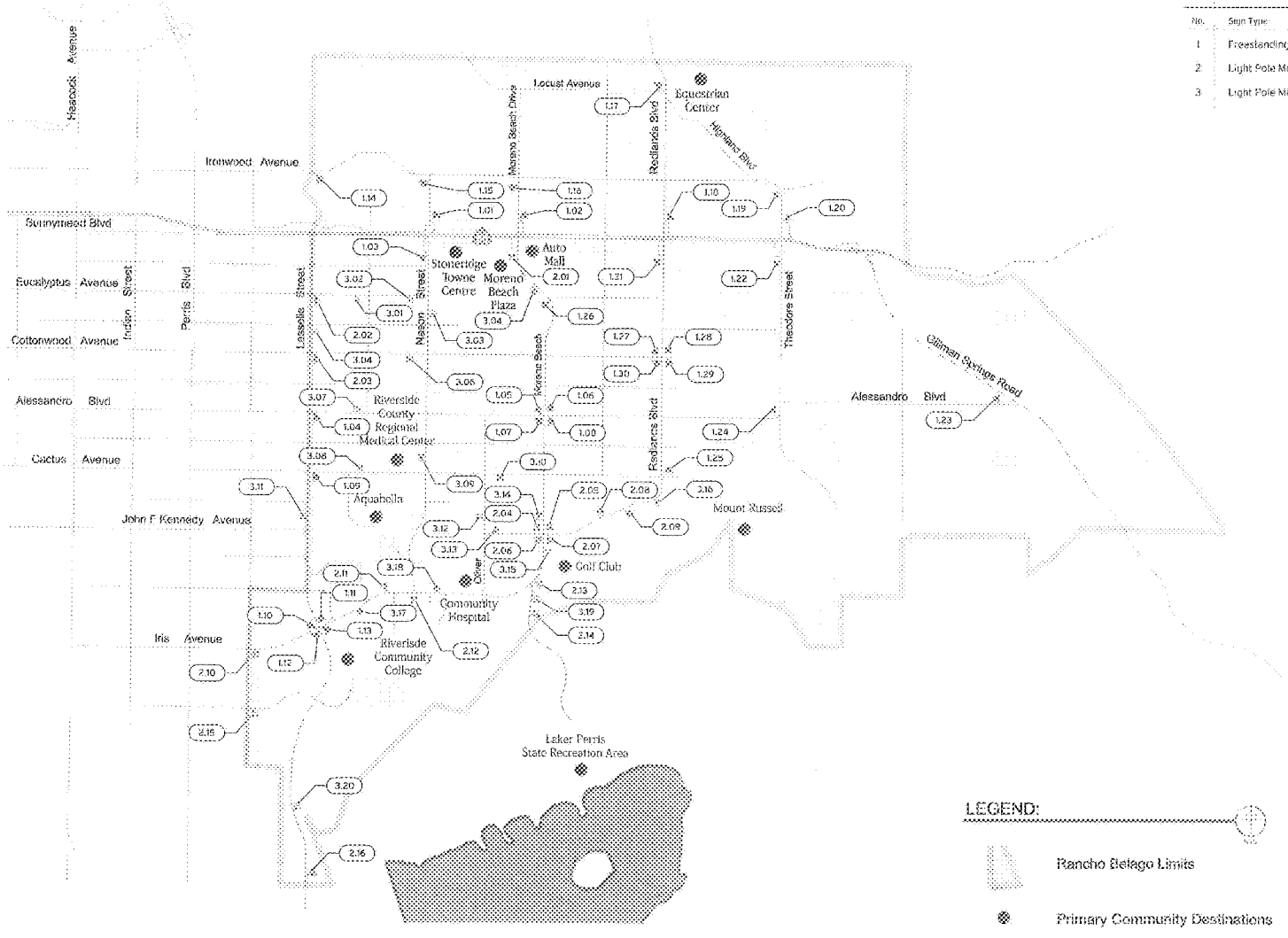

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00051681

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

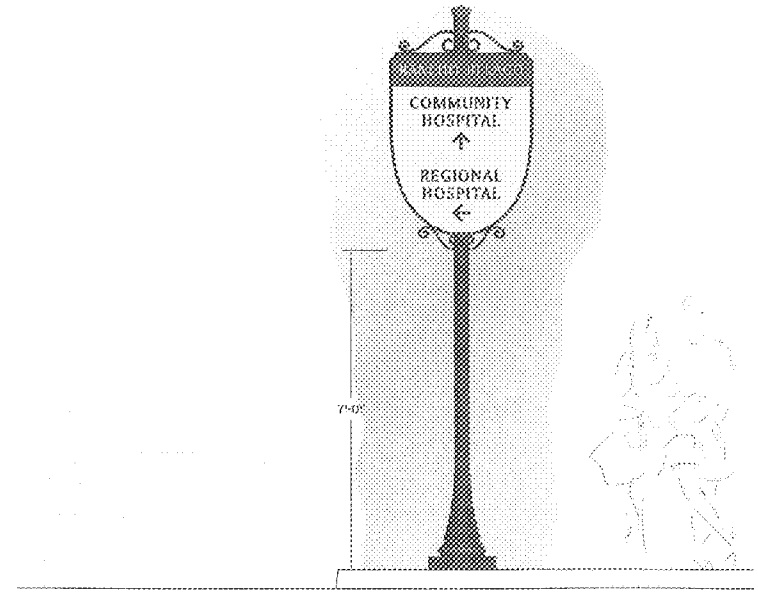

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00051683

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

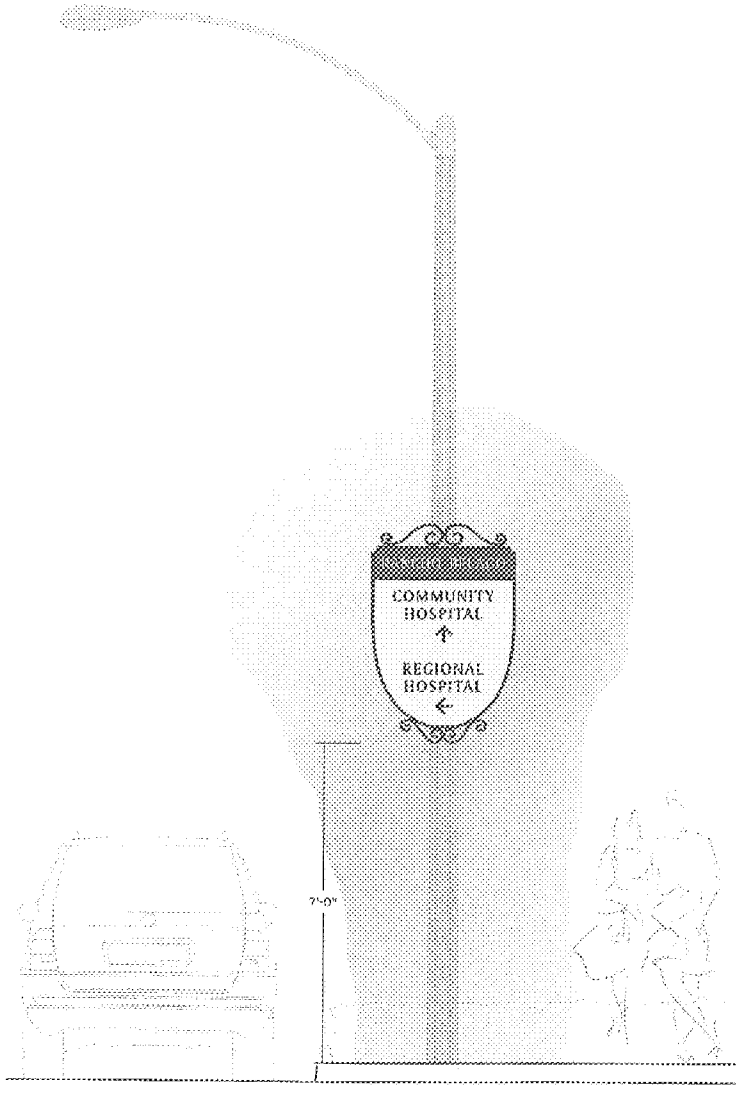

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

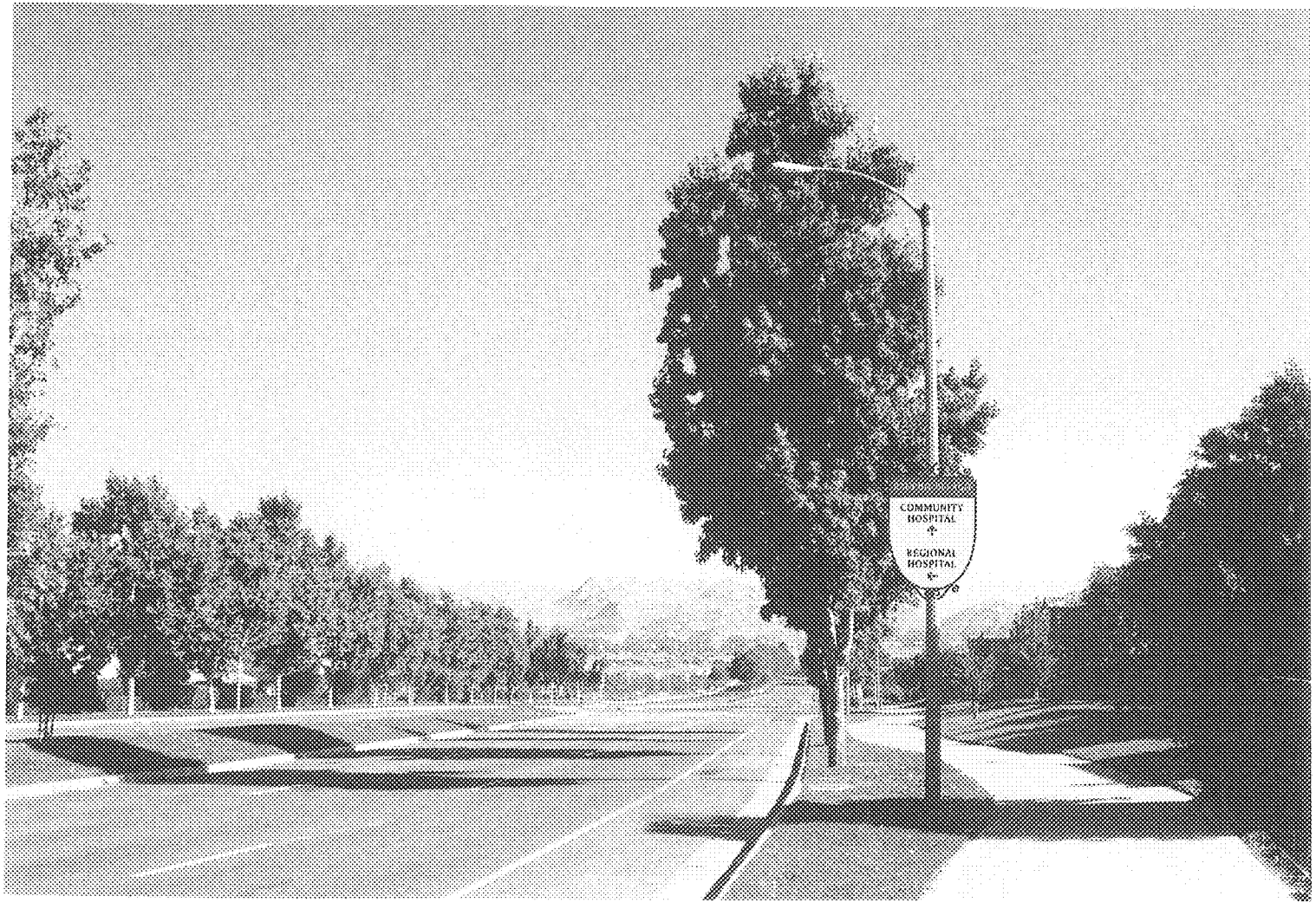

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5;
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00051685

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

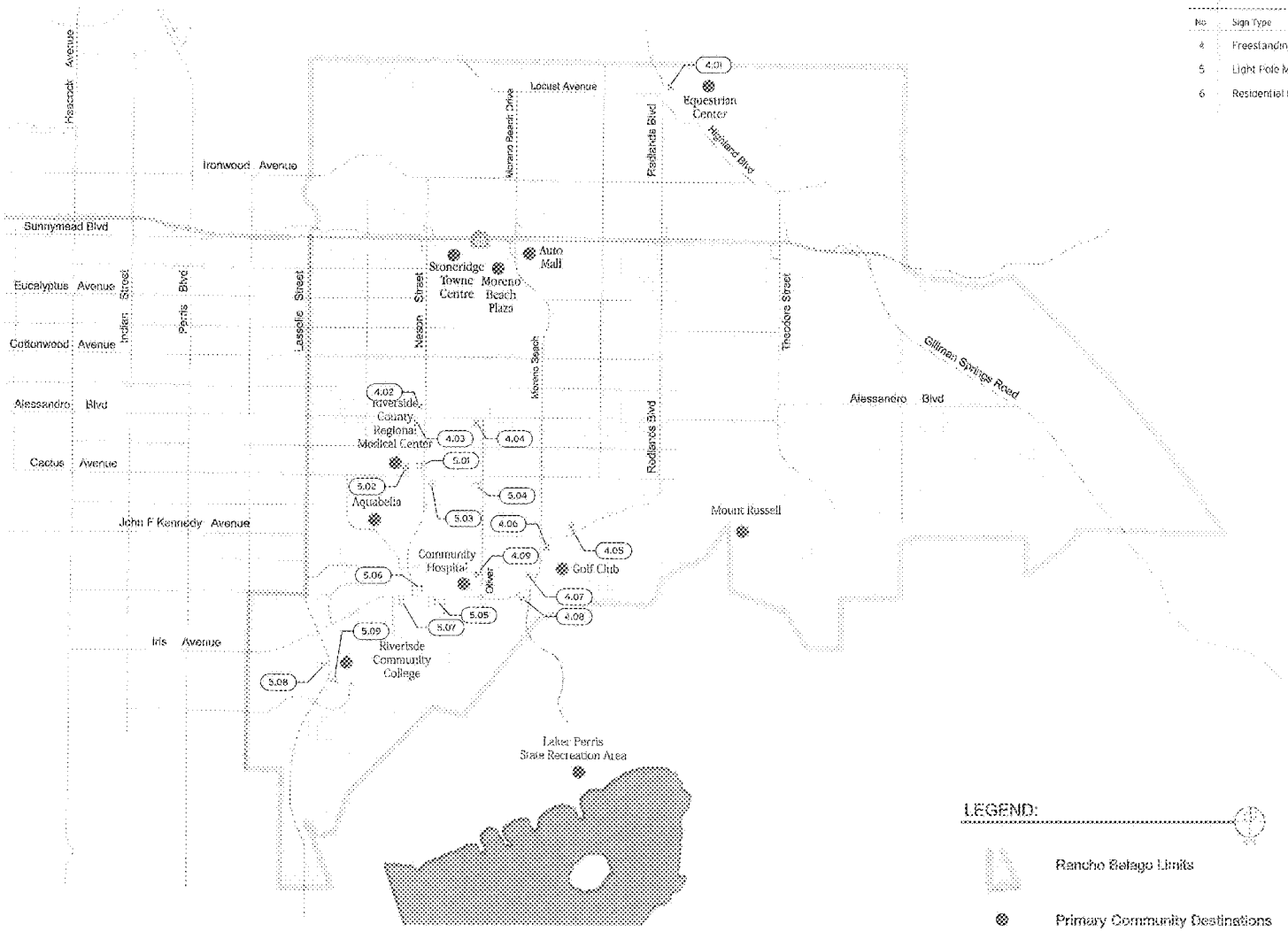

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00051689

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00051691

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

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MV00051697

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor
Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College

2. Proclamation Recognizing National Fair Housing Month - April 2010

3. "Spotlight on Moreno Valley Business"

MV00051699

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00051700

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

MV00051701

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00051703

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00051705

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

MV00051707

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

MV00051708

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MV00051709

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

MV00051711

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

MV00051712

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

MV00051713

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

MV00051715

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

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received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

MV00051718

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

MV00051719

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

MV00051720

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

MV00051721

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

MV00051723

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

MV00051725

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

MV00051726

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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	A
1	
2	
3	
4	
5	
6	
7	
8	
9	1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)
10	
11	A.
12	B.
13	C.
14	D.
15	E.
16	
17	
18	2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)
19	
20	A.
21	B.
22	C.
23	D.
24	E.
25	F.
26	G.
27	G.
28	
29	
30	3. PROGRAM ADMINISTRATION & SUPERVISION
31	
32	A.
33	B.
34	C.
35	
36	
37	4. LEGAL MAILINGS

Attachment 1

	B	C	D	E	F	G	H
1							
2							
3							
4							
5	**CITY OF MORENO VALLEY**						
6	**FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL**						
7							
8							**FY2001/02**
9							
10							
11	Inspection						$2,950
12	Document Violations						$590
13	Inspection Preparation Plan						$885
14	Update Facilities Drawings						$885
15	Reserve Fund (5-Year Inspection Program)						$3,200
16	**********				Sub-total =		**$8,510**
17							
18							
19							
20	Catch Basin Maintenance						$110,800
21	Street Sweeping						$215,500
22	Development of Ordinances/Policies/BMPs						$2,950
23	Training Program Implementation						$1,820
24	Inspection of Illegal Connections and Dumping						$2,280
25	Development of Municipal Facilities Strategy						$2,280
26	Development Enforcement Compliance Strategy Manual						$0
27	Litter/Trash Characterization						
28	**********				Sub-total =		**$335,630**
29							
30							
31							
32	Program Management						$5,330
33	Consultant's Fee (RCFC&WCD)						$10,510
34	Other Professional Services						$0
35	**********				Sub-total =		**$15,840**
36							
37							

Attachment 1

	I	J	K	L	M	N	O	P	Q
1									
2									
3									
4									
5									
6									
7									
8	**FY2002/03**	**FY2003/04**	**FY2004/05**	FY2009/10	FY2009/10	***FY2010/11***			
9									
10									
11	$3,024	$20,000	$3,175	$3,933	$3,933	***$5,400***			
12	$605	$620	$635	$884	$884	***$1,200***			
13	$907	$930	$953	$1,357	$1,357	***$5,000***			
14	$907	$930	$953	$1,357	$1,357	***$8,000***			
15	$3,280	$3,362	$0	$0	$0				
16	$8,723	$25,841	$5,716	$7,531	$7,531	***$19,600***			
17									
18									
19									
20	$113,986	$127,202	$145,000	165,794	165,794	***$165,448***			
21	$226,872	$114,936	$197,210	248,691	248,691	***$269,880***			$0.46
22	$3,024	$6,890	$6,890	5,935	5,935	***$12,000***			
23	$1,866	$2,200	$2,255	2,306	2,306	***$1,500***			
24	$2,337	$2,395	$2,455	2,629	2,629	***$5,000***			
25	$2,337	$2,395	$2,455	3,371	3,371	***$5,000***			
26	$0	$2,500	$0	0					
27		$0	$0	5,698	5,698	***$5,000***			
28	$350,421	$258,519	$356,266	$434,424	$434,424	***$463,828***			
29									
30									
31									
32	$5,463	$5,600	$5,740	$11,941	$14,941	***$15,000***			
33	$0	$0	$7,500	$9,711	$12,699	***$12,699***			
34	$0	$80,000	$0	$0	$0				
35	$5,463	$85,600	$13,240	$21,652	$27,640	***$27,699***			
36									
37									

Attachment 1

	A
38	
39	A.
40	B.
41	C.
42	
43	
44	5. ASSESSOR CHARGE - $0.25/parcel
45	
46	6. COUNTY COMPUTER TIME
47	
48	7. CSA 152 ADMINISTRATION FEE (6%)
49	
50	TOTAL PROJECTED YEARLY COST(1. through 7.)
51	
52	
53	
54	
55	
56	
57	

Attachment 1

	B	C	D	E	F	G	H
38							
39	Associate Environmental Engineer Cost						$1,830
40	Clerk's Cost						$770
41	Postage Cost						$13,090
42	**********				Sub-total =		**$15,690**
43							
44							**$9,625**
45							
46							**$6,000**
47							
48							**$23,478**
49							
50							**$414,773**
51							
52	**ANNUAL ASSESSMENT**						
53	_____						
54							
55	**COST**						**$414,773**
56	**TOTAL BENEFIT ASSESSMENT UNITS**						**50,888**
57	**ANNUAL ASSESSMENT PER BAU**						**$8.15**

Attachment 1

	I	J	K	L	M	N	O	P	Q
38									
39	$1,876	$1,988	$2,108	$2,823	$2,823	***$2,900***			
40	$789	$837	$887	$1,150	$1,150	***$1,150***			
41	$13,417	$15,100	$16,210	$17,480	$17,480	***$18,999***			
42	$16,082	$17,925	$19,204	$21,453	$21,453	***$23,049***			
43									
44	$9,800	$9,979	$10,951	$11,206	$11,300	***$11,309***			
45									
46	$6,000	$6,000	$6,000	$6,000	$6,000	***$6,000***			
47									
48	$23,789	$24,232	$24,683	$30,594	$30,500	***$35,210***			
49									
50	$420,279	$428,095	$436,060	$532,860	$538,848	***$586,696***			
51									
52									
53									
54									
55	$420,279	$428,095	$436,060	$532,860	$538,848	***$586,696***		0.28258928	
56	51,568	52,527	53,504	65,462	66,116	***$71,987***			
57	$8.15	$8.15	$8.15	$8.15	$8.15	***$8.15***			

Attachment 1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

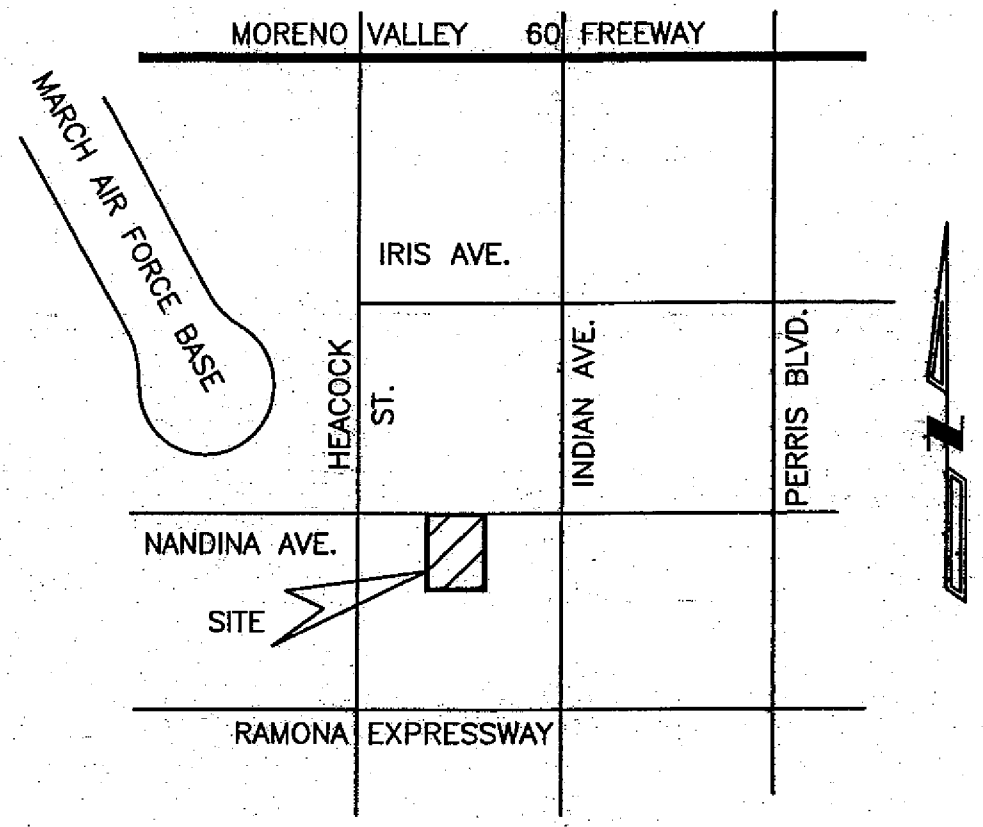

VICINITY MAP
N.T.S

EXHIBIT "A"

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\3-9-10 - PM 33532 - Line F, Stage 2 Termination Agreement.doc

TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By_____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By_____
NEAL KIPNIS
Deputy County Counsel

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By_____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

EXHIBIT "A"

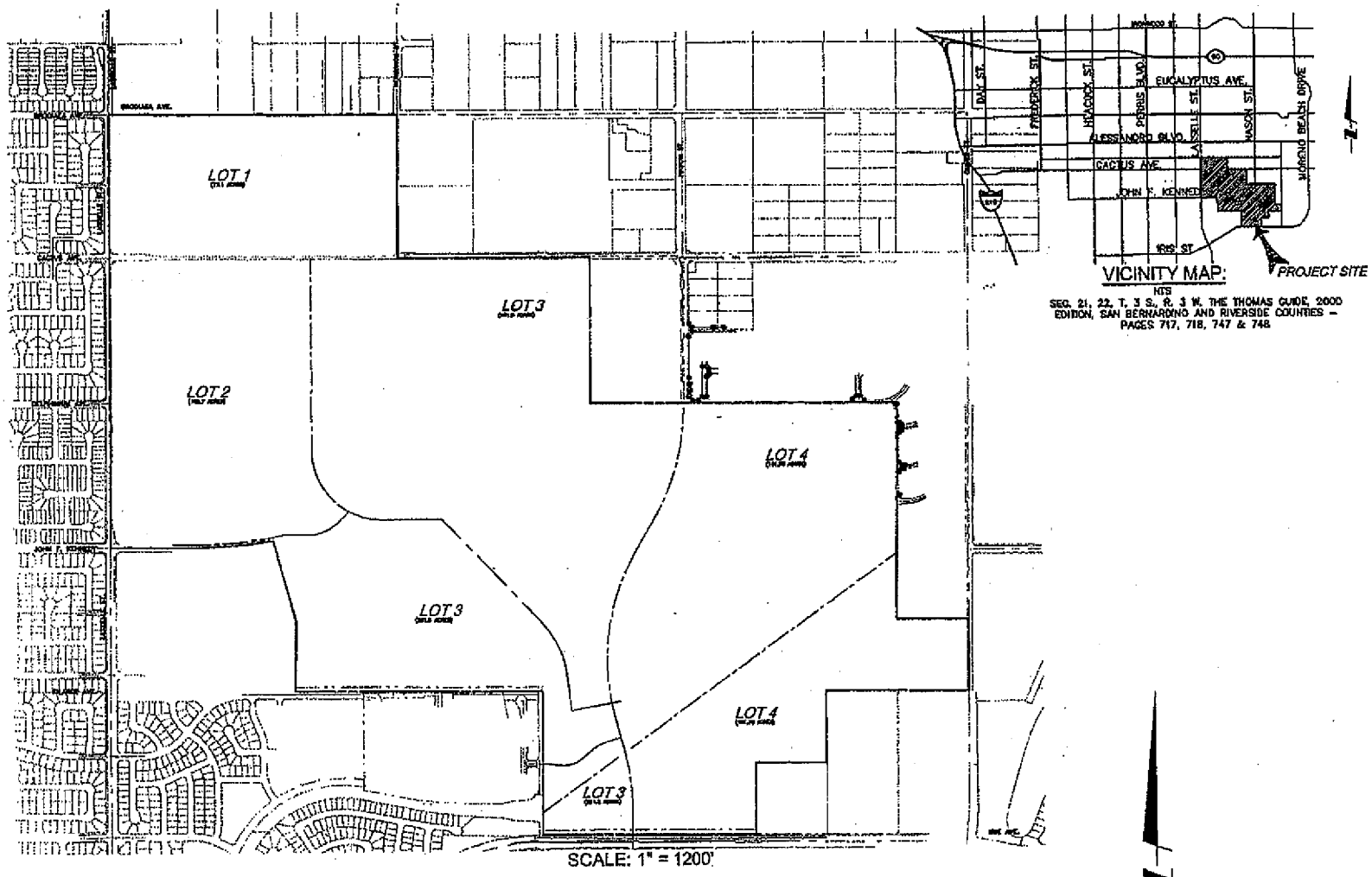

AQUABELLA

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

MV00051762

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ EVP+COO Pres.
Title

By: _____ ~~EVP+COO~~ EVP+COO
Title Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\Engineer's Cost Estimate for Erosion.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher EVP & COO, Iddo Benzeevi President,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his~~/~~her~~/their authorized capacity(ies), and that by ~~his~~/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☒ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Project No. PM 33532

Bond No. BDC11187

Premium $25,864.00

Surety Western Insurance Company A-VC(A)

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane

Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
D Cooney 5/1/06

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By _____ President
Name Title

_____
Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")) personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

MV00051772

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 20 06.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

(Signed) _____ NOTARY PUBLIC

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

MV00051777

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

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GENERAL PLAN IMPLEMENTATION.....10

PROJECT ACTIVITY.....13

MV00051782

ACKNOWLEDGEMENTS

MV00051783

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	**DISTRICT**	**TERM EXPIRES**
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	**TERM EXPIRES**
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MV00051784

MAJOR ACCOMPLISHMENTS

MV00051785

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and Community

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Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

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- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

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- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

MV00051789

General Plan Implementation

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General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

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- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

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PROJECT ACTIVITY

MV00051793

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

MV00051794

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

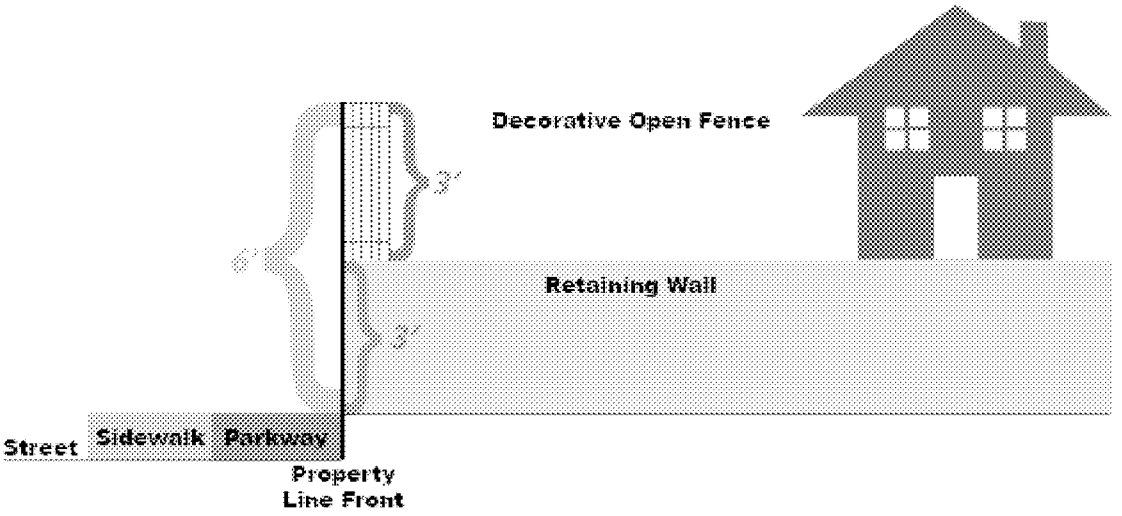

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

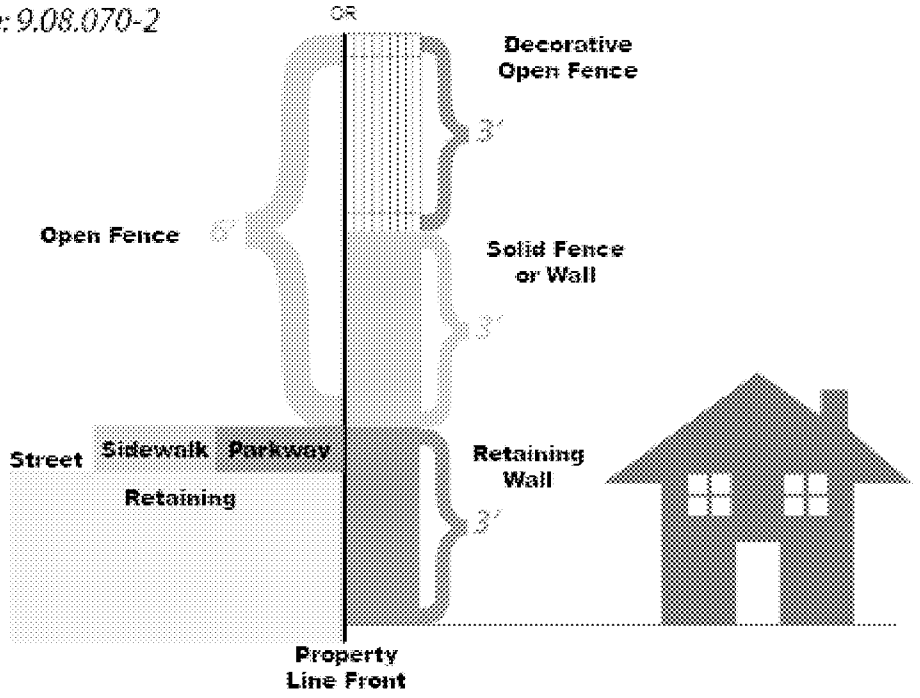

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

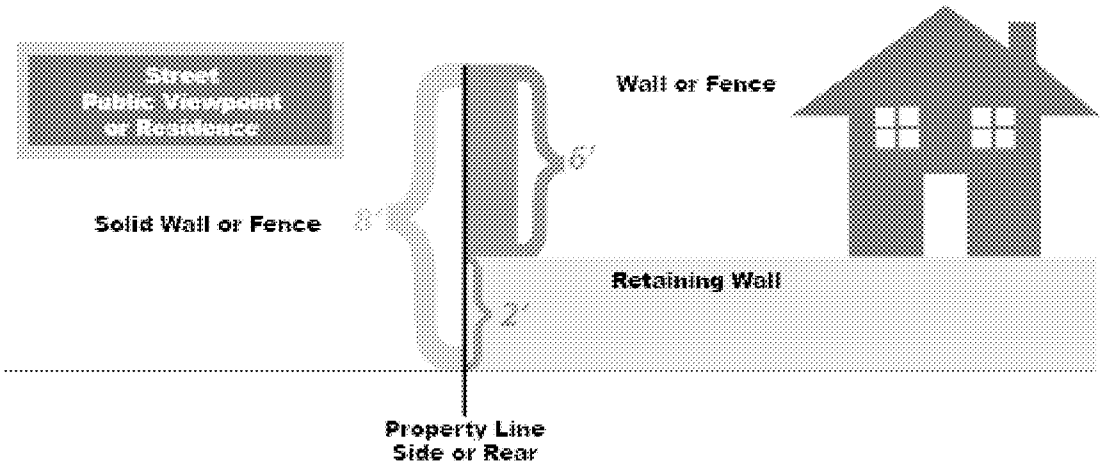

Figure: 9.08.070-4

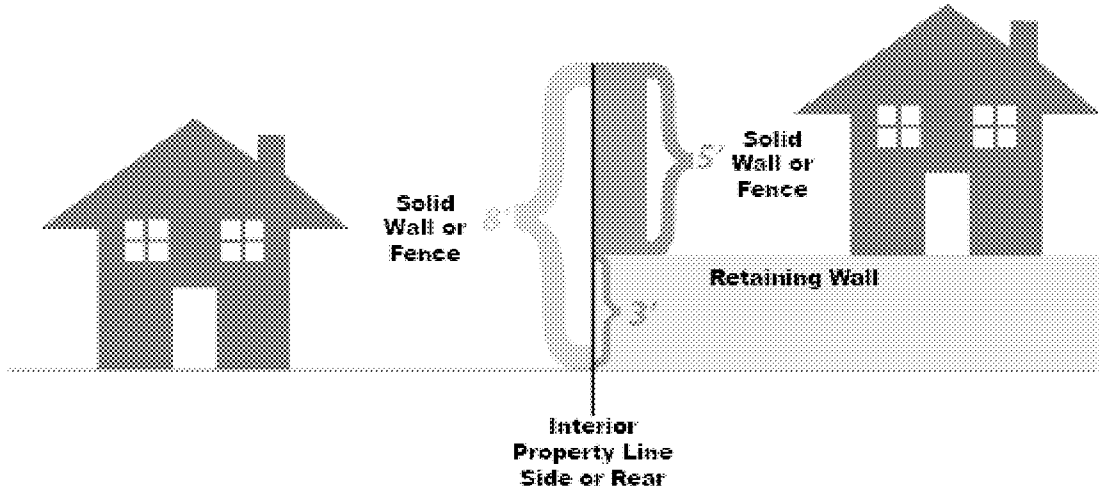

Figure: 9.08.070-5

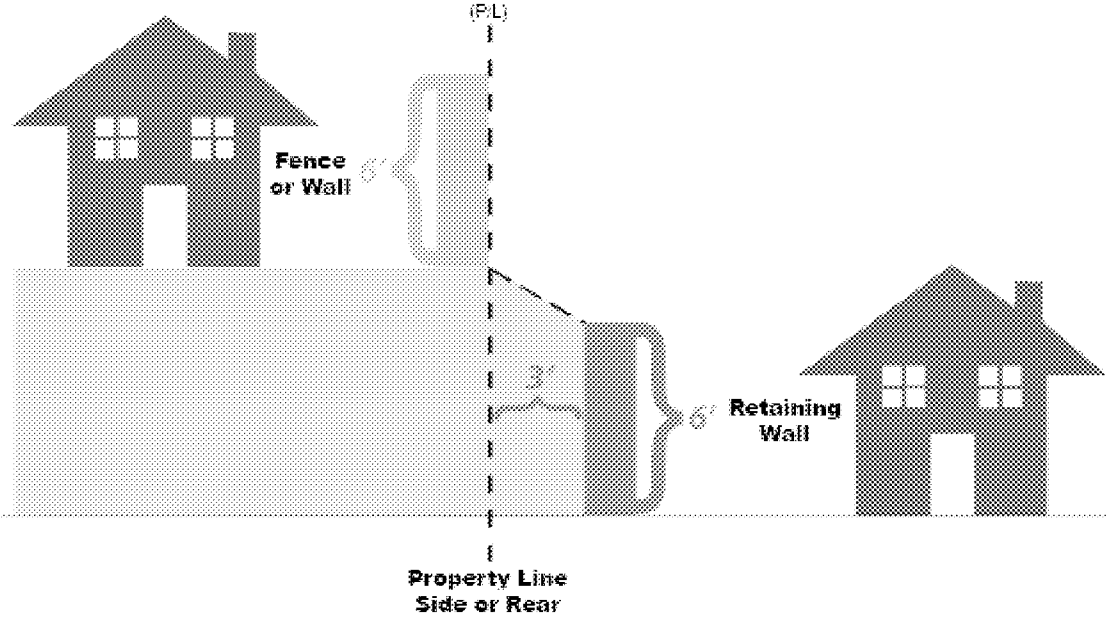

Figure: 9.08.070-6

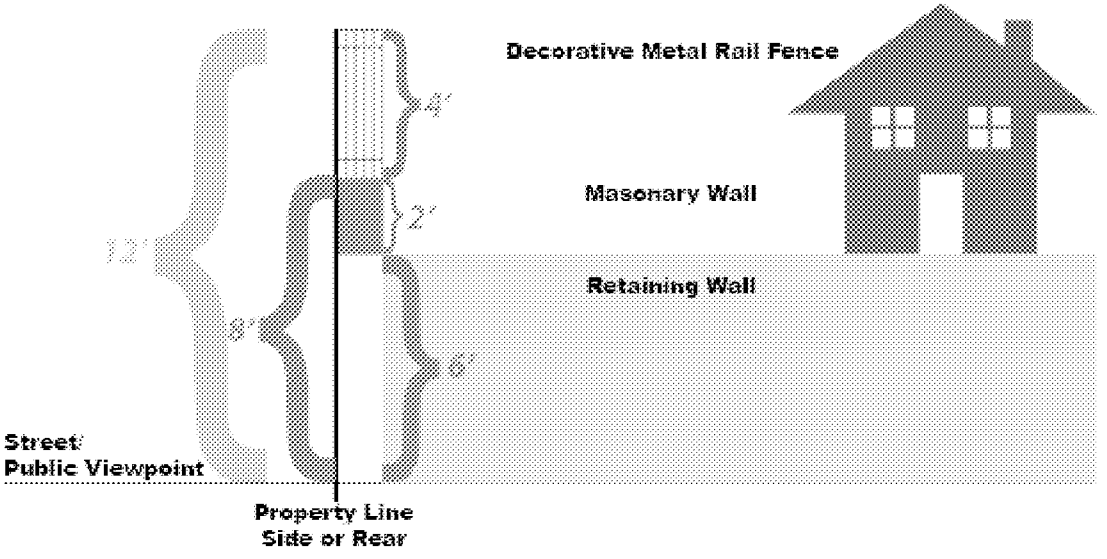

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

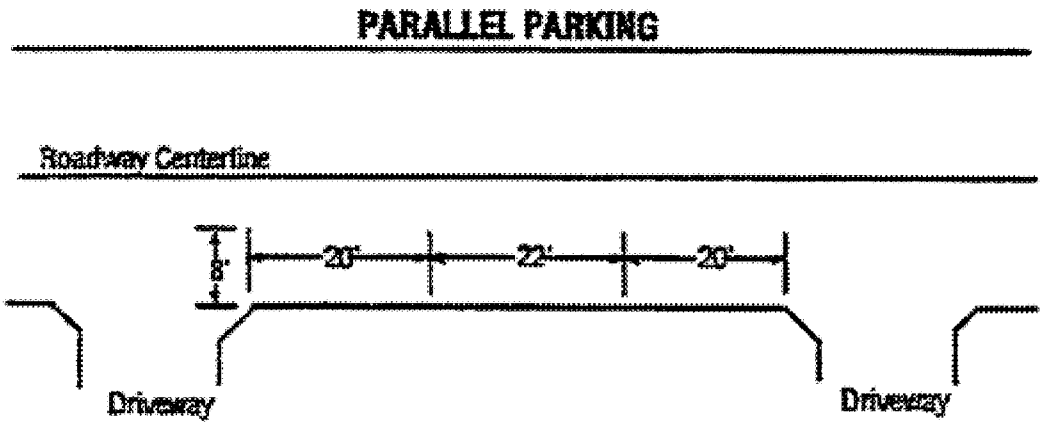

Figure 9.11.080-5
Nonparallel Parking Spaces

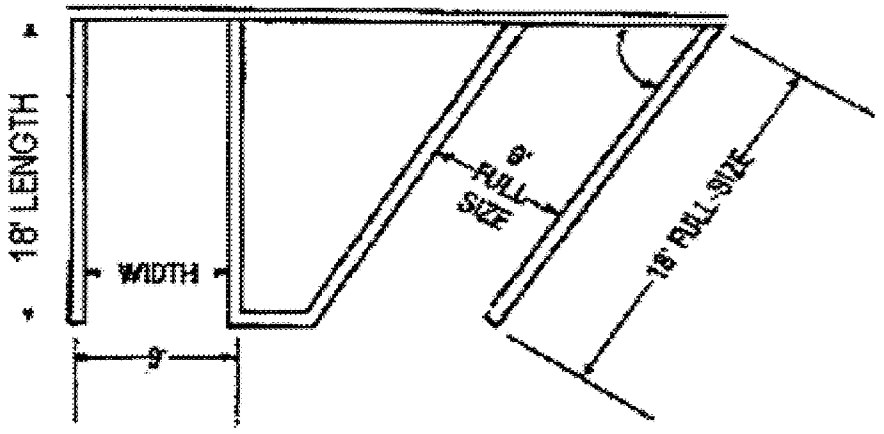

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.080-6
Parking Space Striping Requirements

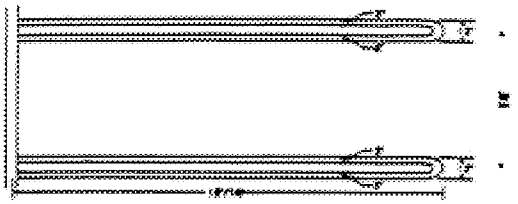

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

\\zurich\shared\InterDept\Council-Clerk\City Clerk Files\Advisory Boards and Commissions\Appointment Staff Reports\2010\PTO.doc

Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
ctor, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
ector, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Erosion Control Agreement.doc

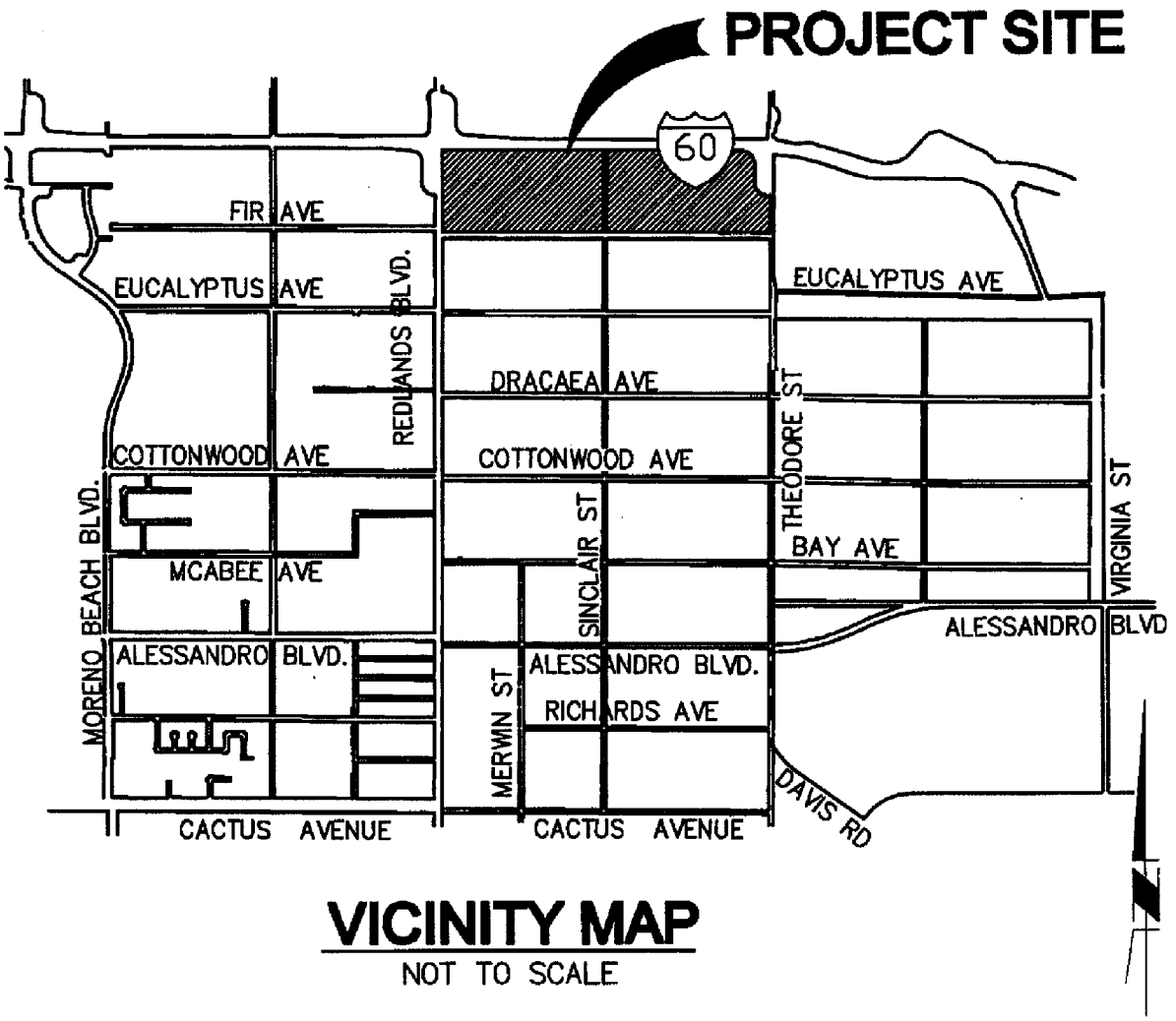

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

Place Notary Seal Above

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
- ☐ Individual
- ☒ Corporate Officer — Title(s): President/CEO
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Verna Gregory / vg / 04/06/2010 / NCS-431680-SD/ 1911

MV00051839

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

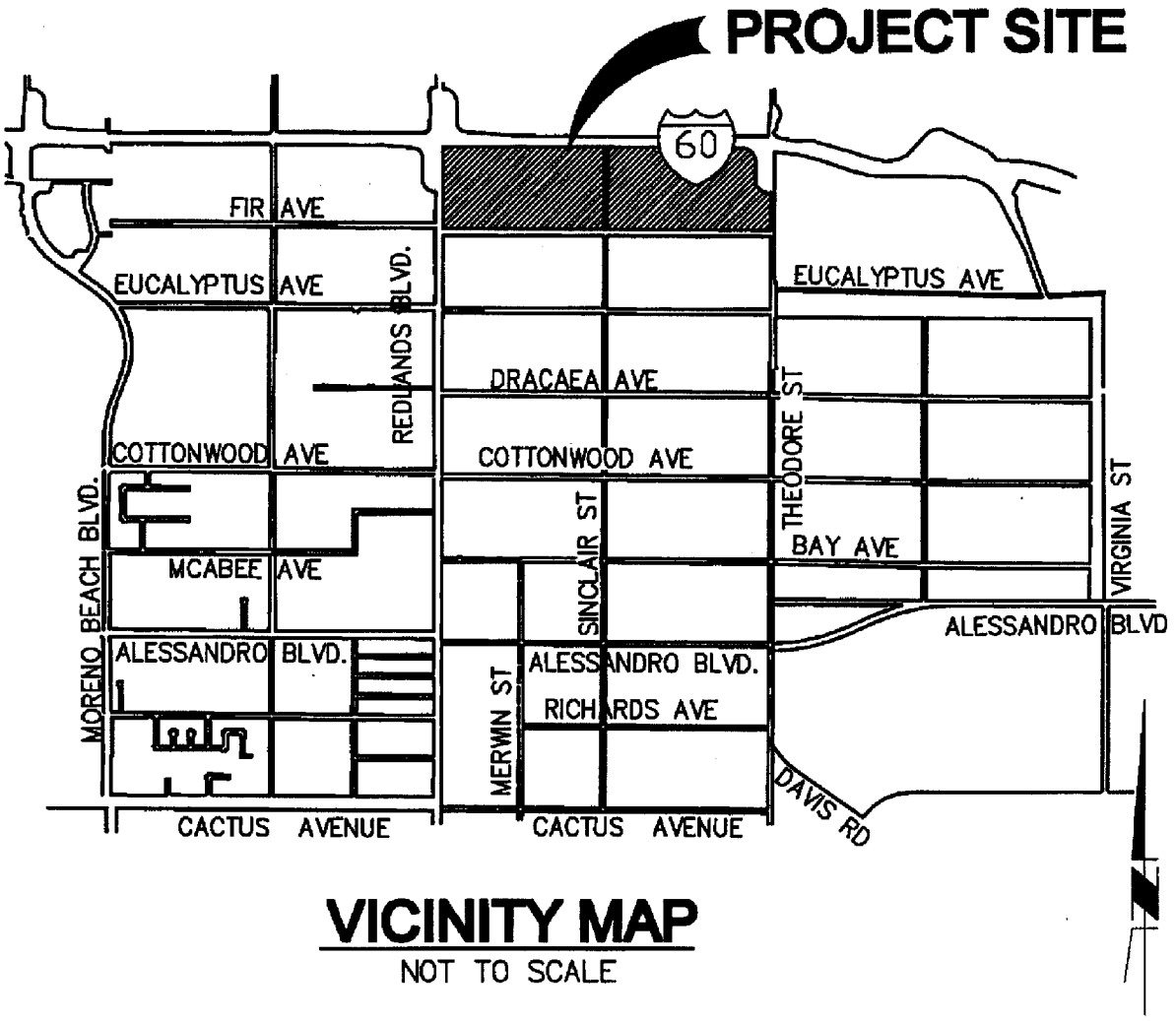

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

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CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

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MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

ATTACHMENT A

1. Agreement to Negotiate.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

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(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

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Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

MV00051866

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

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predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

MV00051868

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

MV00051869

EXHIBIT "A"

MAP

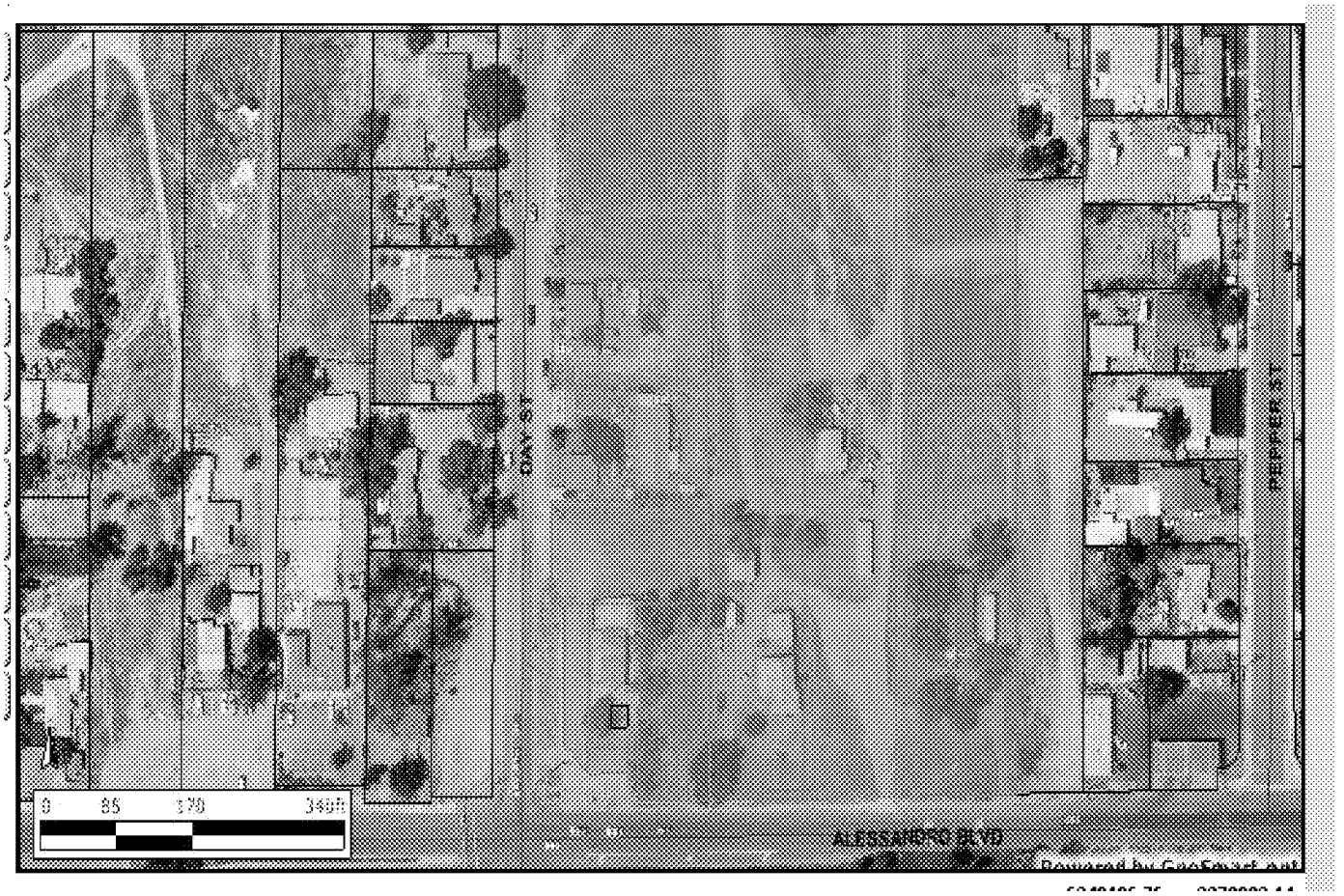

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MORENO VALLEY
WHERE DREAMS SOAR

Community Development Department
Planning Division

MEMORANDUM

To: Mayor Flickinger and City Council Members

From: Kyle Kollar, Community Development Director

Date: April 12, 2010

Subject: Revisions to City Council Resolution No. 2010-21 for Public Hearing Item E.1

cc: Agenda packet distribution list

Planning staff received an inquiry in response to the newspaper notice for the public hearing for Item E.1. The caller had concerns with the proposal to increase maximum allowable density for residential development within the Residential/Office (R/O) designation.

Following that inquiry, Planning reviewed the proposed General Plan Amendment and the policies listed under Objective 2.4 of the General Plan, and with this memorandum staff recommends the approval of revised City Council Resolution 2010-21 and Exhibit A to that resolution to more accurately represent the intent of the General Plan Amendment (both documents have been attached to this memo for reference).

The staff report and City Council Resolution 2010-21 currently propose to amend the General Plan by increasing the density of the Residential/Office (R/O) designation from a maximum of 15 dwelling units per acre to 30 dwelling units per acre results. This would result in intensification in land use that was not the original intent of creating mixed use development opportunities. Staff is now recommending no change to the Residential/Office (R/O) designation. This would allow for a General Plan designation that is consistent with development under the MUD1 zone and not result in changes in density for properties that are currently designated Residential/Office.

Instead, staff now recommends increasing the maximum density for the Mixed-Use (MU) designation from 20 dwelling units per acre to 30 dwelling units per acre. Increasing the density for the MU designation would allow for a General Plan designation that is consistent with development under the MUD2 zone.

The only properties within the City of Moreno Valley with the MU designation are located in the Moreno Highlands Specific Plan or the Village Plan, each of which has their own development criteria governing maximum density. Future development of mixed use outside of these specific plan areas would require approval of a General Plan Amendment

to establish the MU designation and allow the Council to review potential impacts resulting from a change in land use designation through individual applications.

Additionally, the findings for City Council Resolution 2010-21 were revised to better reflect approval of the General Plan Amendment.

jb

Attachments/Enclosures

c: PA10-0004

W:\Planning\jeffreyb\2010\PA10-0004\CC Memo – Revisions to CC resolution 04-12-10

MV00051873

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.5 BY CHANGING THE MAXIMUM DENSITY FOR THE MIXED-USE (MU) DESIGNATION FROM 20 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.5, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

MV00051874

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Mixed-Use land use from 20 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

MV00051875

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00051876

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 30 ~~20~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

MV00051878

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial

- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

ATTACHMENT 2

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Ordinance No. ___
Date Adopted: _____

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Ordinance No. ___
Date Adopted: _____

Permitted Uses Table 9.02.020-1

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♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

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♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Ordinance No. ___
Date Adopted: _____

Permitted Uses Table 9.02.020-1

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♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Ordinance No. ___
Date Adopted: _____

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

	Permitted Uses Table 9.02.020-1
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

Ordinance No. ___
Date Adopted: _____

	Permitted Uses Table 9.02.020-1
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♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains
b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____. approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00051913

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00051914

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

MV00051916

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation

- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals;

(2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase

the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15

to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090

Exhibit D – Introduction of Section 9.07.100
Exhibit E – Revisions to Chapter 9.15
Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6

3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

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Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

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different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

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recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

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guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

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PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

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CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

MV00051932

Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

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9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1	
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														X	X	X	X	X				X	X	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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C - Indicates stated use is allowed with a conditional use permit.

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

Citrus Heights, CA

San Jose, CA

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

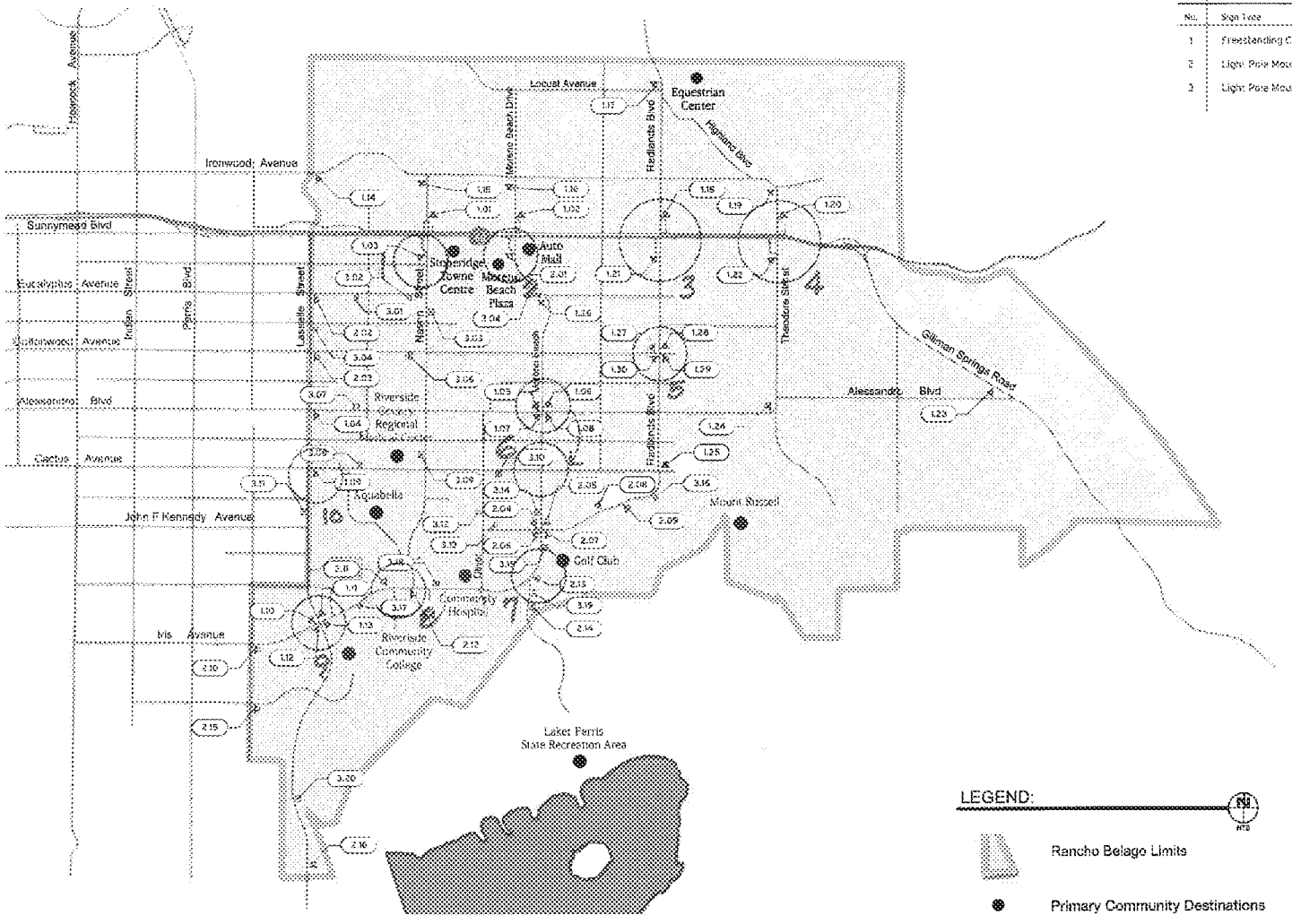

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00051962

ATTACHMENT 3

MV00051963

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

MV00051964

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

MV00051965

top

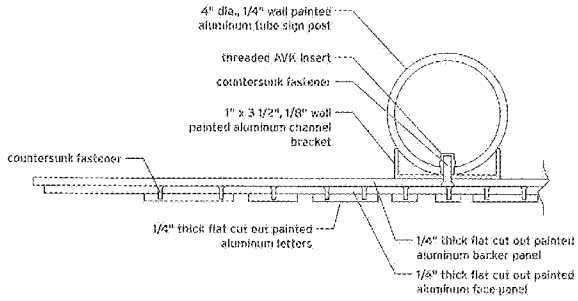

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

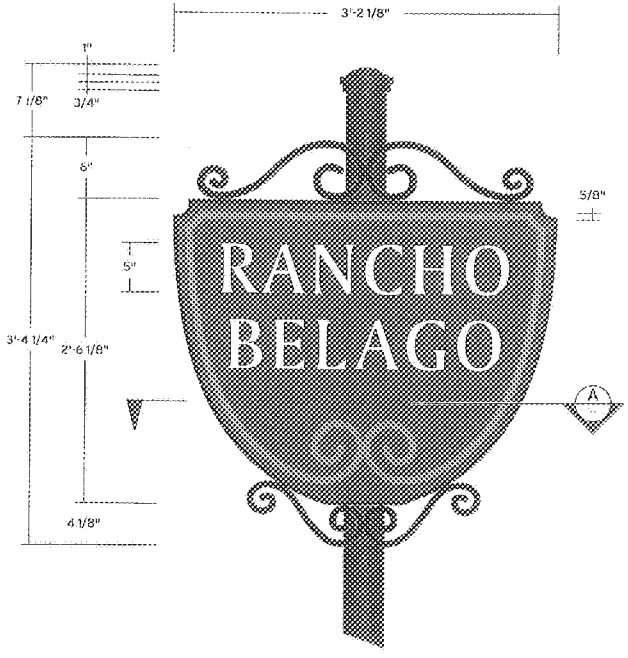

front

side

2 Details

Scale: 1" = 1'-0"

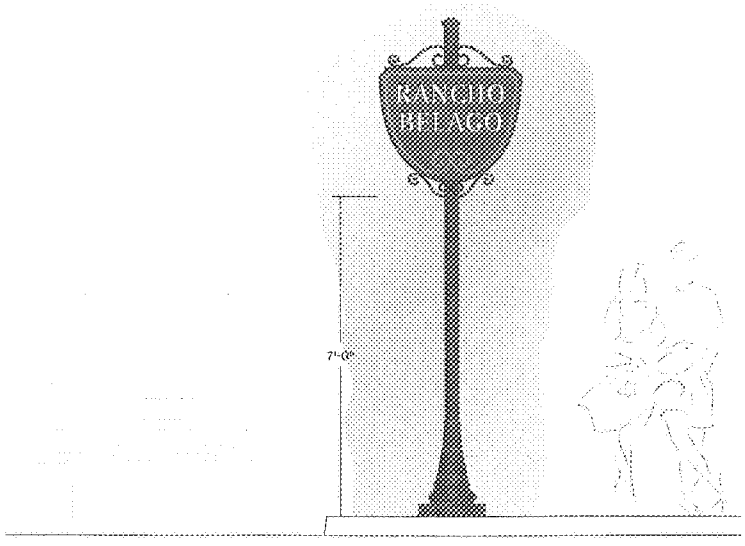

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
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Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

MV00051966

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

MV00051967

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

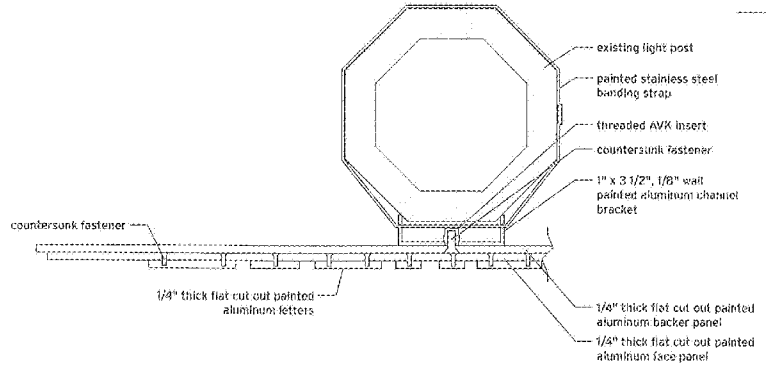

A Details

Scale: 3" = 1'-0"

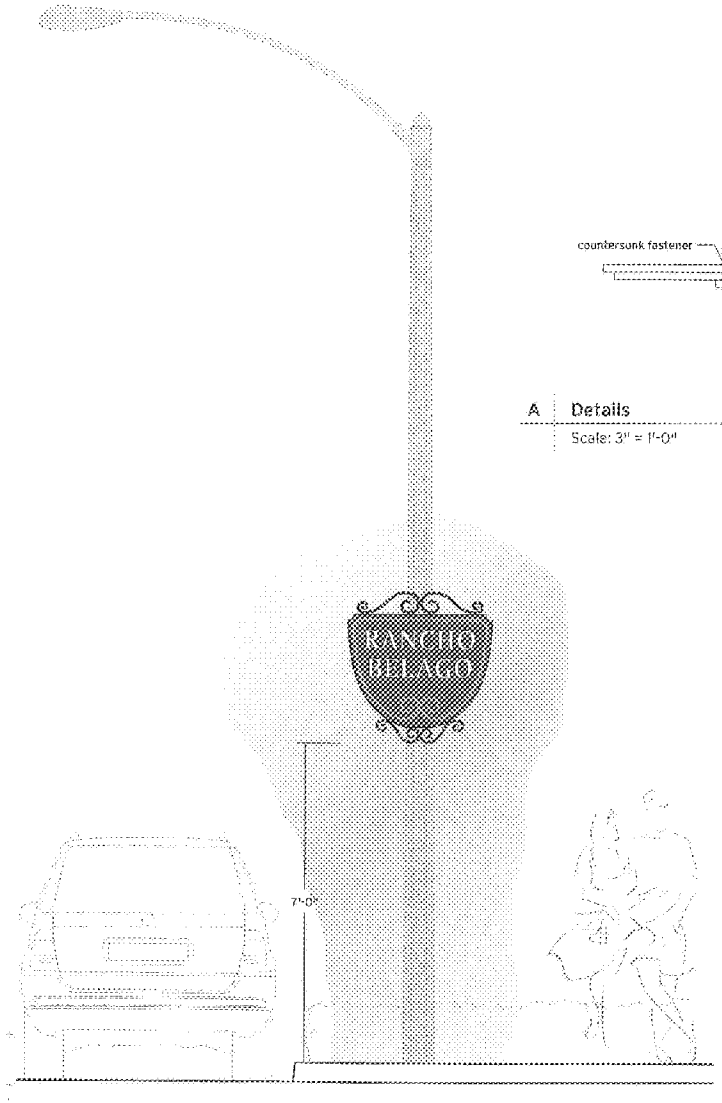

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

MV00051968

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
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Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

MV00051969

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

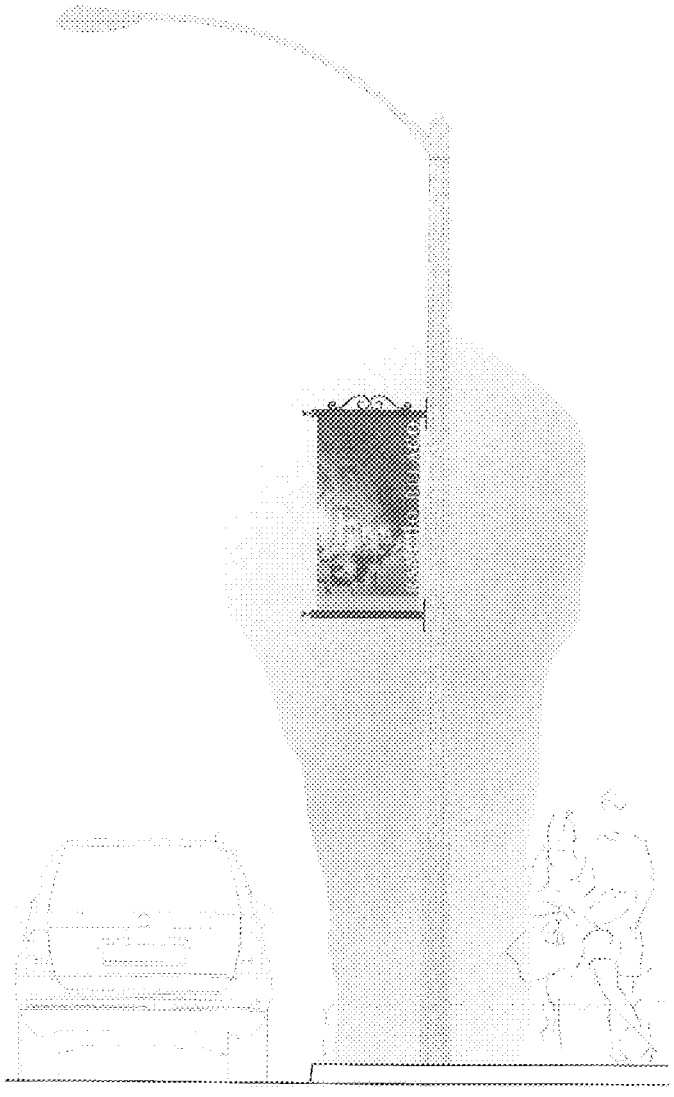

1 Elevation

Scale: 3/8" = 1'-0"

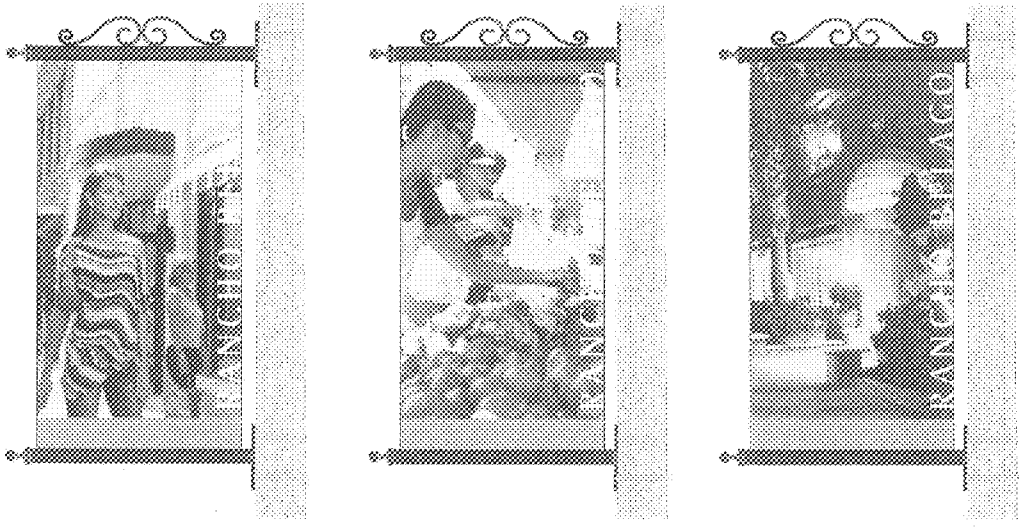

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

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Laguna Hills, CA 92653
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Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00051970

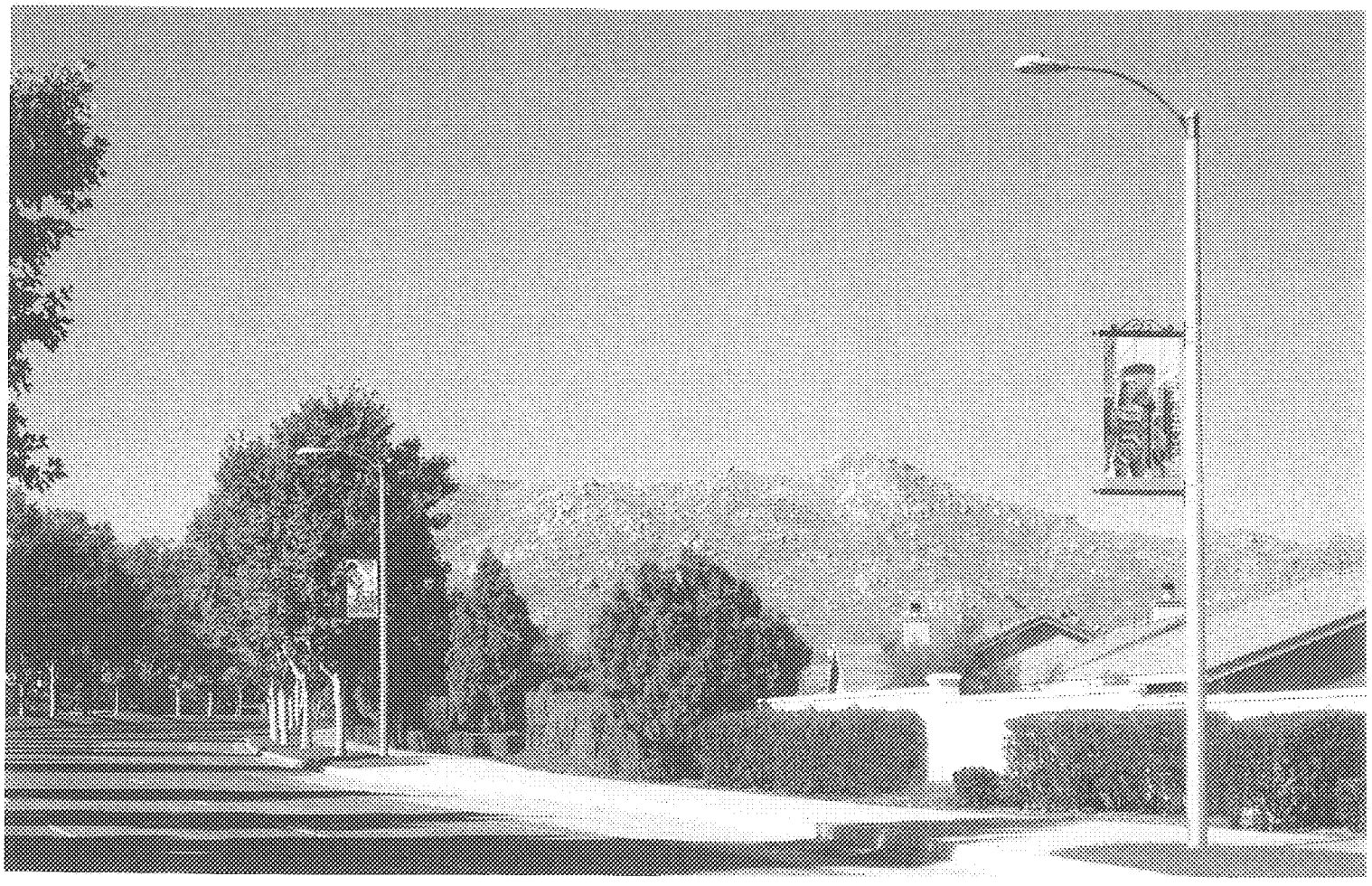

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

MV000051971

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

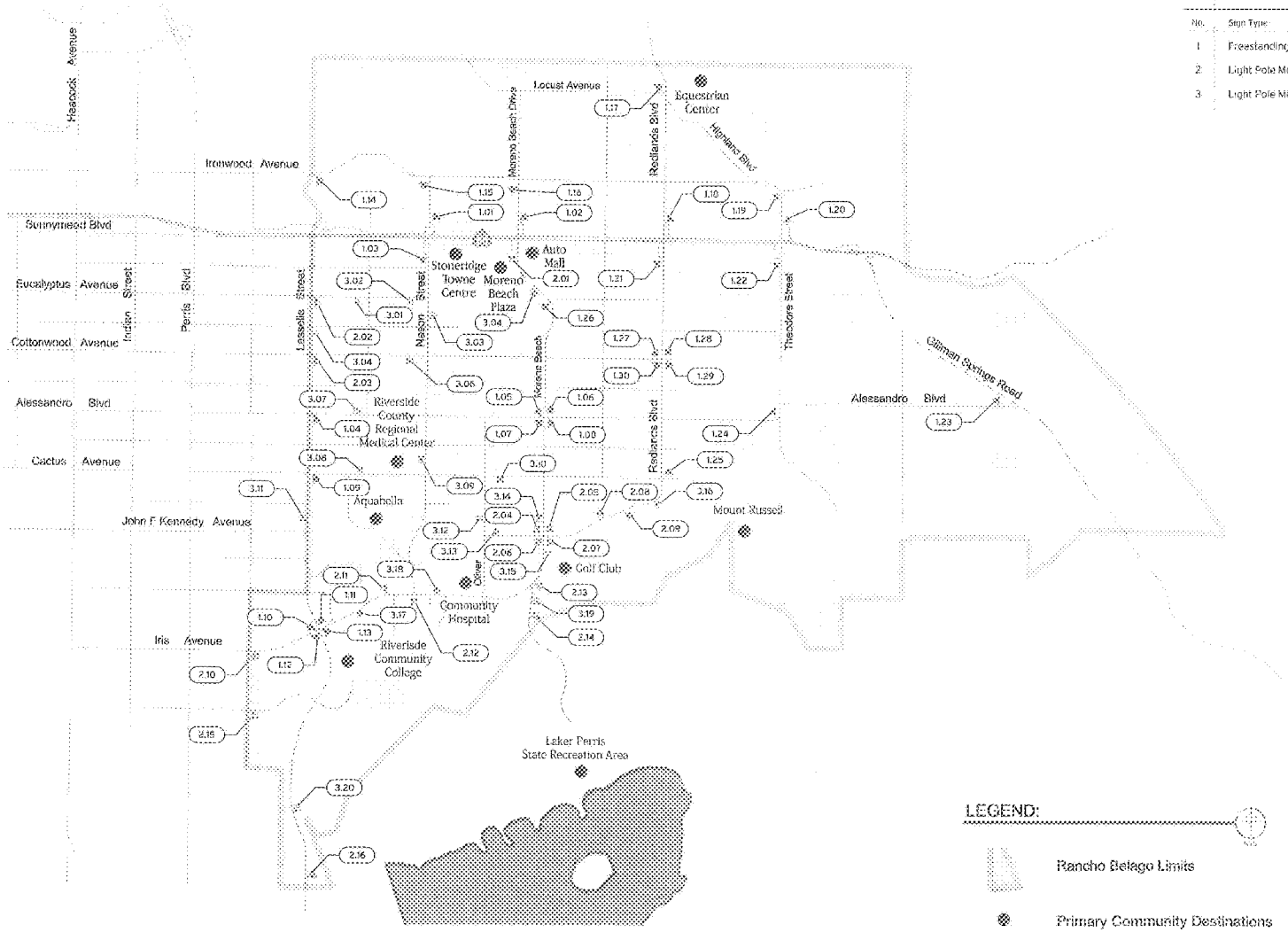

LEGEND:

Rancho Belago Limits

Primary Community Destinations

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00051972

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

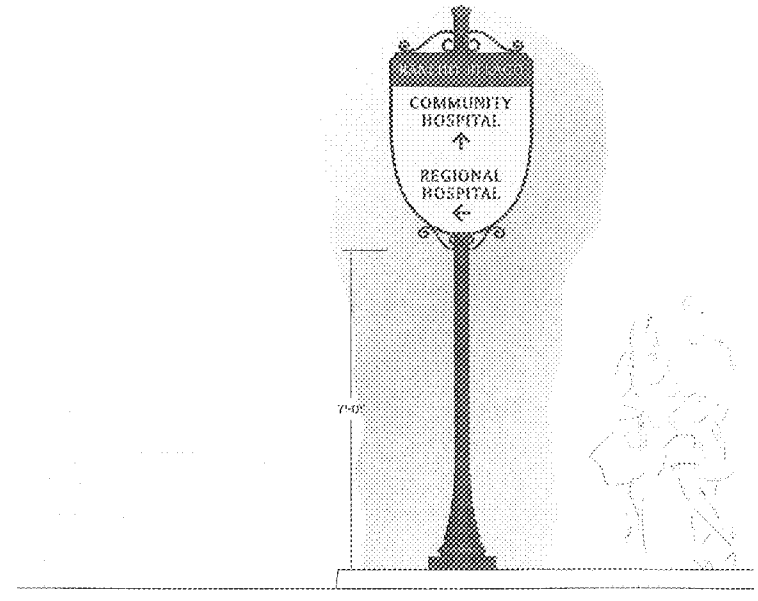

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

MV00051973

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
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Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00051974

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

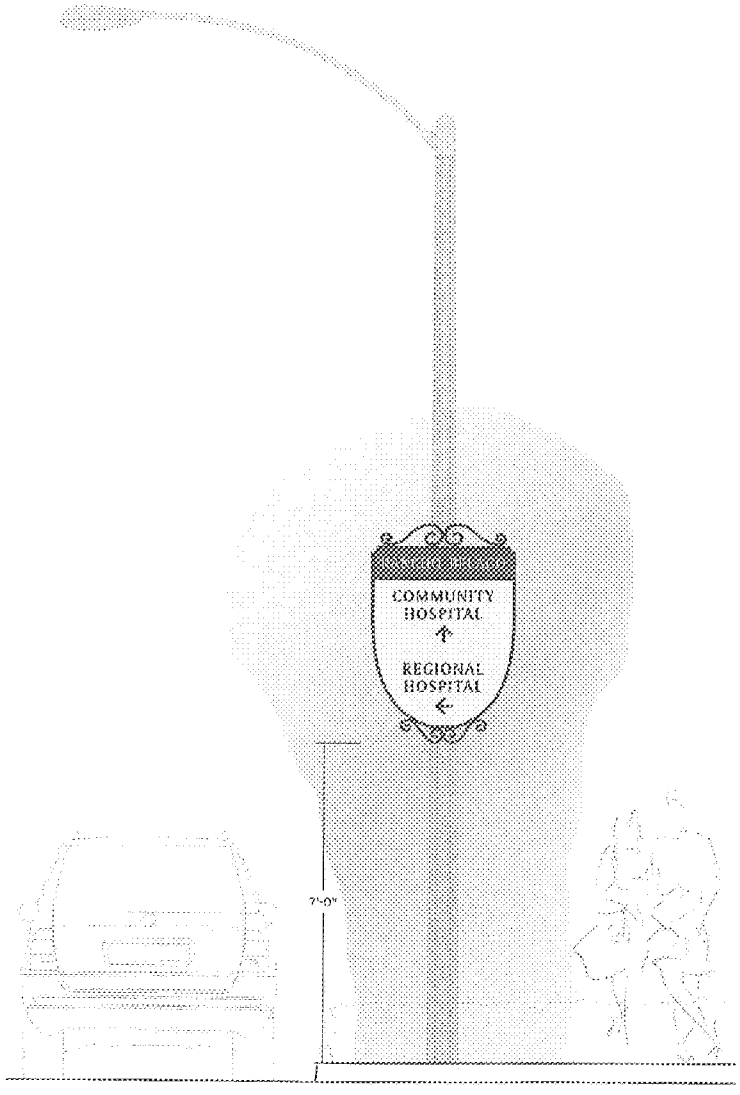

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

MV00051975

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
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Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5;
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00051976

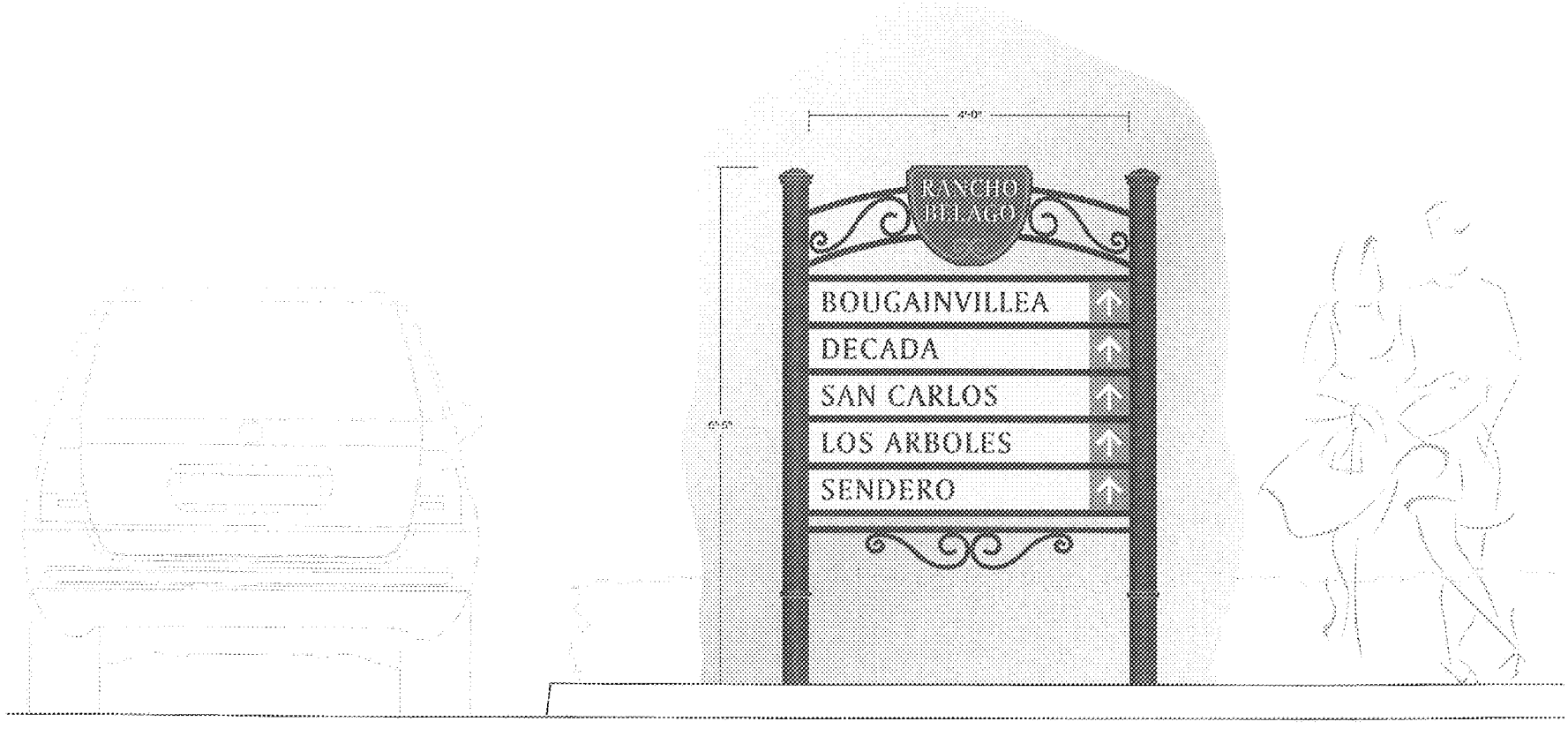

1 Elevation

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5760
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

MV00051977

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign - Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

MV00051978

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

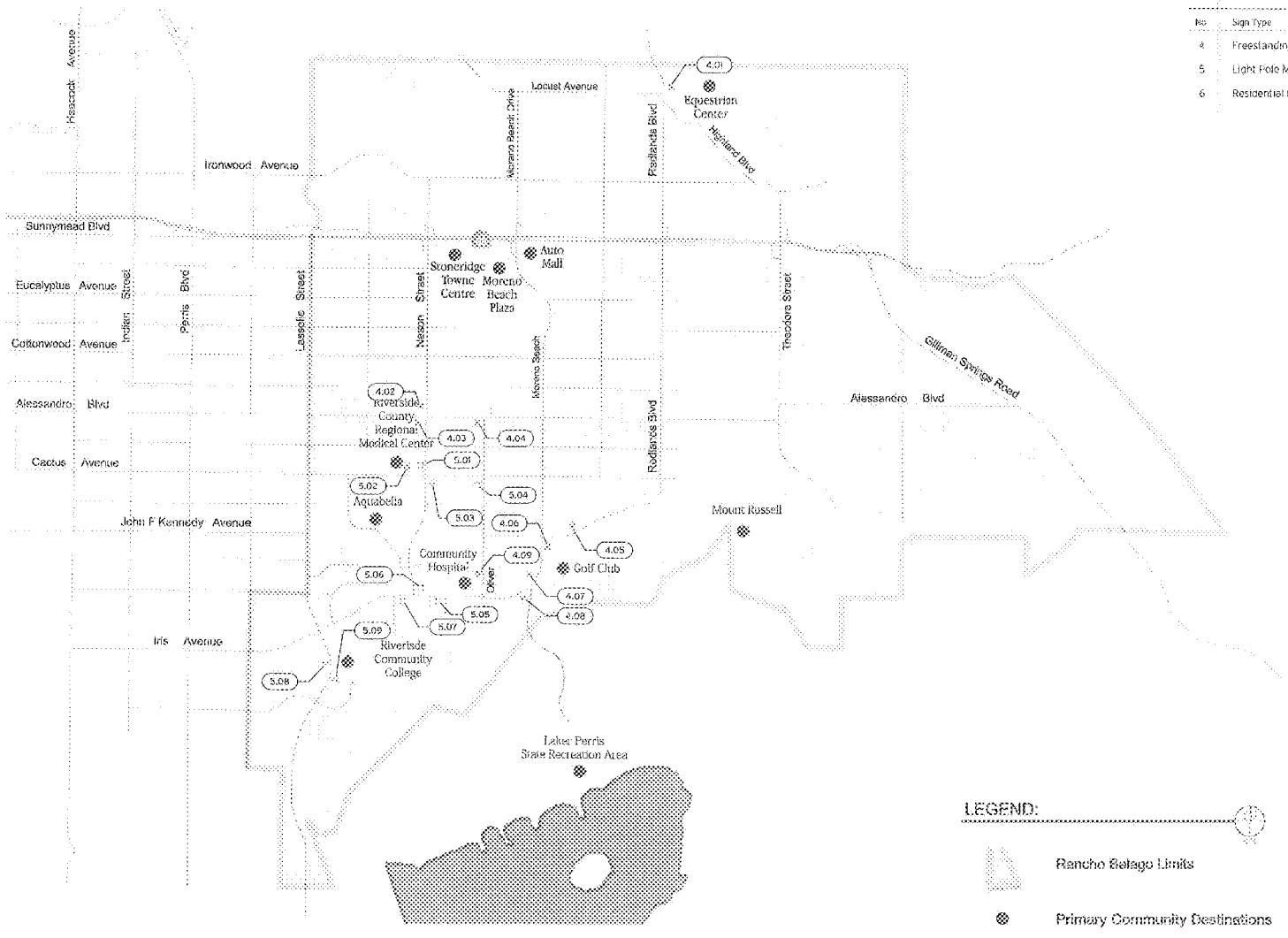

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

MV00051979

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

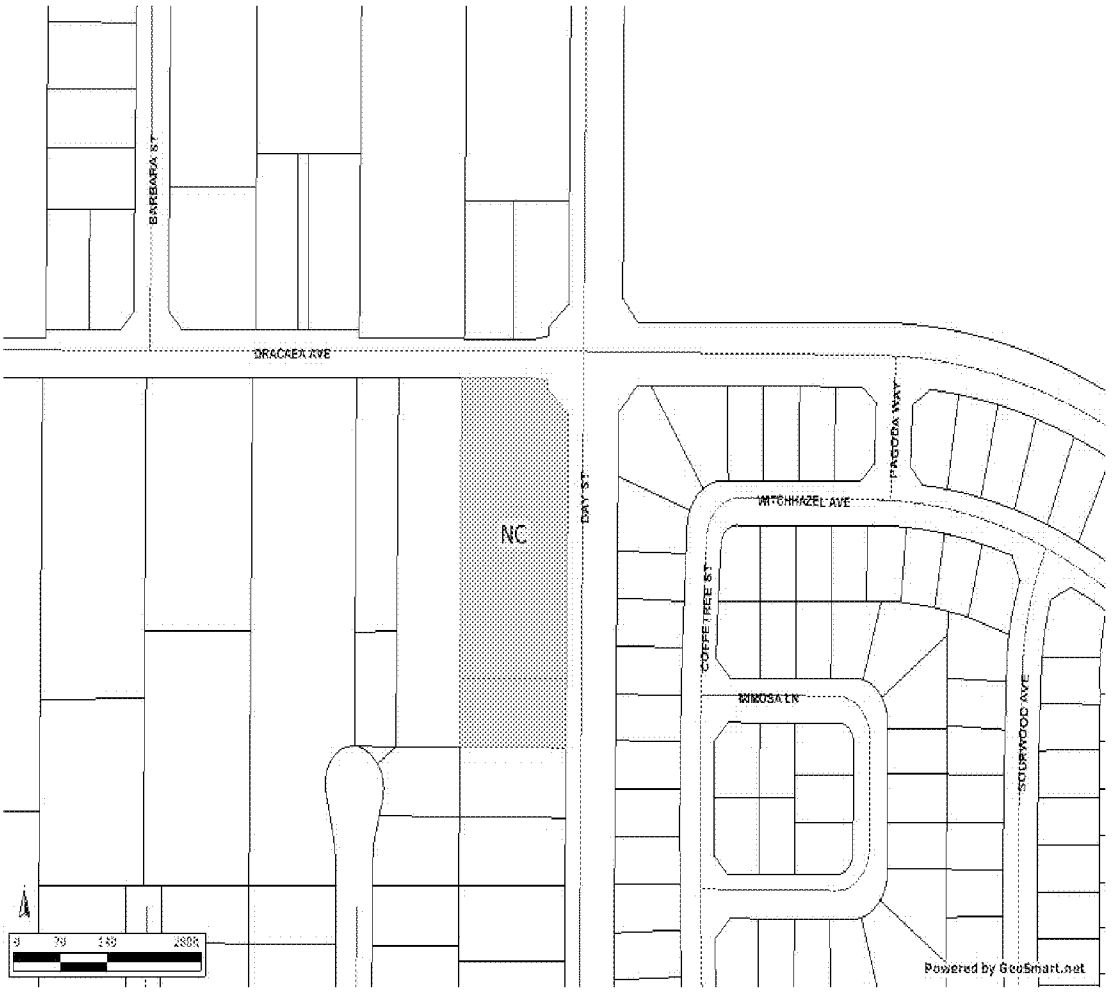

LEGEND

N

NC — **Neighborhood Commercial (From R15/Office Commercial)**

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 13, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MV00051987

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00051988

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

MV00051989

Resolution No. 2010-20

A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:

Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL

MV00051991

SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9

MV00051993

INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

   Ordinance No. 810

   An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

   Resolution No. 2010-21

   A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.6 by Changing the Maximum Density for the Residential/Office (R/O) Designation From 15 To 30 Dwelling Units Per Acre

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

MV00051995

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

MV00051996

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

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

ADJOURNMENT

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00052015

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of March 17 – April 6, 2010.

Reports on Reimbursable Activities [Date – Date]		
Council Member	Date	Meeting
William H. Batey II	3/24/10	Moreno Valley Chamber of Commerce Wake-Up
Bonnie Flickinger	3/22/10	League of California Cities–Riverside County Division
	3/24/10	UCR Citizens University Committee
	3/26/10	Emmerson Women of Distinction
	3/31/10	Riverside County Sheriff's Annual Awards
	4/6/10	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	4/1/10	Riverside Community College 9th Annual Recognition Awards
Jesse L. Molina		None
Richard A. Stewart	3/31/10	Riverside County Sheriff's Annual Awards

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00052017

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: Approval of the 2010/2011 Fiscal Year Storm Water Protection Program Budget for County Service Area (CSA) 152

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The National Pollutant Discharge Elimination System (NPDES) program requires the City to obtain a permit from the Santa Ana Regional Water Quality Control Board (Board) to release storm water into various drainage channels and washes throughout our community.

To fund their part of these activities the Riverside County Flood Control District established a benefit assessment district. The County of Riverside (County) formed CSA 152 as a means for it and other local governments to recover costs through property assessments. On December 21, 1993, the City along with several other County cities was annexed into CSA 152. The purpose of the annexation was to provide a funding mechanism for the federally mandated storm water cleanup program.

On November 1, 1994, the Administrative Services Agreement for the CSA 152 Program was executed between the County and the City. The Agreement established the responsibilities and obligations of the City and the County concerning the management and financing of CSA 152.

On June 27, 1995, the City Council approved the NPDES and CSA 152 budgets and assessment. The City Council also passed Resolution No. 95-45 adopting the BAU assessment of $8.15 per year. The assessment has remained unchanged since 1995.

On February 25, 1997, the City Council made a finding determining that the NPDES program as administered by the City was in compliance with the provisions of Proposition 218. Specifically, the City Council found that the NPDES assessment existed on the effective date of the State Constitutional Amendment and that the assessment was imposed exclusively to finance maintenance and operation expenses for streets, flood control and drainage systems. Therefore, the Council found that the NPDES program was exempt per Section 5(a) of Article XIII D of the State Constitution.

On January 29, 2010, the Board issued a new NPDES permit. The requirements of the new permit necessitate the City to expand its NPDES program to include the following:

- Additional compliance monitoring to include Total Maximum Daily Load (TMDL)
- Development of comprehensive implementation and management plans
- Expansion of inspection program to now include residential elements

In addition, the City will still be required to comply and maintain its existing program elements. The City must continue to implement Best Management Practices (BMPs) within our community that reduces pollutants entering our streams and channels. Among those practices are: public education, material disposal and recycling programs, spill prevention and cleanup programs, and street and storm drain maintenance.

DISCUSSION

The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to take the following actions:

1. Approve the CSA 152 Budget for FY 2010/2011 in a specific amount; and

2. Approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2010/2011.

The revenues collected will normally increase even if the charge for the annual assessment remains constant as a result of new development. This occurs because the total number of properties paying the assessment increases each year. If the

assessment per BAU remains the same as last fiscal year--$8.15 per BAU, revenues are projected to increase.

Staff is projecting an increase in the FY 2010/2011 CSA 152 revenues of $47,848, due to the change in the methodology used by the County of Riverside Economic Development Agency to calculate the number of BAUs from new and existing development in the City. The revenue increase will lessen any impact the program may have on fund transfers. Staff is not recommending at this time an increase in the BAU assessment that would require a mail ballot process under Proposition 218; therefore the assessment will remain unchanged at $8.15 per BAU.

As noted above, the budget increase is a result of total BAU's added in this current fiscal year. **Increases in BAU's are directly related to increases in service level demands thus increases in program costs**. Examples why BAU's may change in any given year include land use changes on improved land, new businesses locating to the City, business expansion and new subdivisions creating additional assessed parcels. Since the annual BAU assessment will remain unchanged, there is no need to have any further Council action related to CSA 152.

The CSA 152 Administrative Services Agreement requires the City to adopt a CSA 152 budget in early spring. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented this evening.

The following CSA 152 events are scheduled for the next fiscal year:

1.	Assessment begins	July 2010
2.	First installment to City	January 2011

There are many possible alternatives to funding the NPDES program, which require General Fund contributions or other fund contributions either in total or in combination with CSA 152 funds.

Failure by the City to enforce the NPDES program and seek sufficient funding can result in penalties of up to $32,500 per day for noncompliance and or civil and criminal penalties. This is a federally mandated program administered by the State. **There has been neither State nor federal monies allocated to local agencies to address these requirements**.

ALTERNATIVES

1. Approve the CSA 152 Budget for FY 2010/2011 in the amount of $586,696 and authorize the levy of CSA 152 Assessment at $8.15 per BAU for FY 2010/2011. *Approval of this alternative assures that a portion of the funds necessary to*

support the various storm water management and maintenance programs for the City will continue to be collected.

2. Do not approve the CSA 152 budget for FY 2010/2011 in the amount of $586,696, and authorize the levy of CSA 152 assessment at $8.15 per BAU for FY 2010/2011. *This alternative does not provide for the collection of the assessment on the annual tax rolls that is necessary to fund portions of the storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.*

FISCAL IMPACT

Adoption of the recommended CSA 152 budget and levy assessment will ensure that the City receives its legally authorized funds from this source. However, CSA 152 revenue together with other NPDES related revenues do not fully fund program costs. Fund transfers are anticipated to make up this shortfall and will be further addressed during the FY 2010/2011 City budget process.

Attachment No. 1 is a budget detail sheet. The budget detail sheet is necessary per the November 1, 1994, Administrative Services Agreement and shows the proposed activities and amounts to be funded through the FY 2010/2011 CSA 152 revenues.

Due to the increasing difference between the projected CSA 152 revenue and the NPDES storm water program budgets, it may be necessary in the future to increase the CSA 152 assessment per BAU, identify and implement other funding sources and/or continue fund transfers.

The recommended action tonight will meet the County's deadline and assist in funding the NPDES storm water programs. Approving the increase in the CSA 152 budget will help relieve the burden on fund transfers.

The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program.**

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- Revenue Preservation. It maintains a revenue source for a federally mandated program.

- Public Safety. It provides for enhancement of water quality and control of hazardous waste.
- Community Image, Neighborhood Pride, and Cleanliness. It provides for a high level of street sweeping and chemical cleanup.
- Public Facilities and Capital Projects. It insures the proper maintenance of storm drains.

SUMMARY

CSA 152 revenues provide partial funding for the NPDES program. The Administrative Services Agreement between the County and the City requires the City to prepare the CSA 152 budget and submit the budget to the County in early spring. To ensure CSA 152 funding is secured and the assessment remains on the tax rolls for FY 2010/2011 staff is recommending Council adopt the CSA 152 budget as presented. Collection of the assessments on the annual tax rolls is necessary to fund portions of the NPDES storm water management and maintenance programs and not authorizing either the budget or levy will interrupt that process.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1; Fiscal Years 2009/10 & 2010/11 CSA 152--Budget Detail

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

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

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

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MV00052023

CITY OF MORENO VALLEY
FISCAL YEARS 2009/10 & 2010/11 CSA 152 - BUDGET DETAIL

			FY2009/10	*FY2010/11*
1. STORM DRAINAGE SYSTEM INSPECTION (36" AND GREATER - 99,710 LF)				
A.	Inspection		$3,933	***$5,400***
B.	Document Violations		$884	***$1,200***
C.	Inspection Preparation Plan		$1,357	***$5,000***
D.	Update Facilities Drawings		$1,357	***$8,000***
	**********	Sub-total =	$7,531	***$19,600***
2. DRAINAGE AREA MANAGEMENT PLAN (DAMP)				
A.	Catch Basin Maintenance		165,794	***$165,448***
B.	Street Sweeping		248,691	***$269,880***
C.	Development of Ordinances/Policies/BMPs		5,935	***$12,000***
D.	Training Program Implementation		2,306	***$1,500***
E.	Inspection of Illegal Connections and Dumping		2,629	***$5,000***
F.	Development of Municipal Facilities Strategy		3,371	***$5,000***
G.	Litter/Trash Characterization		5,698	***$5,000***
	**********	Sub-total =	$434,424	***$463,828***
3. PROGRAM ADMINISTRATION & SUPERVISION				
A.	Program Management		$14,941	***$15,000***
B.	Consultant's Fee (RCFC&WCD)		$12,699	***$12,699***
	**********	Sub-total =	$27,640	***$27,699***
4. LEGAL MAILINGS				
A.	Associate Environmental Engineer Cost		$2,823	***$2,900***
B.	Clerk's Cost		$1,150	***$1,150***
C.	Postage Cost		$17,480	***$18,999***
	**********	Sub-total =	$21,453	***$23,049***
5. ASSESSOR CHARGE - $0.25/parcel			$11,300	***$11,309***
6. COUNTY COMPUTER TIME			$6,000	***$6,000***
7. CSA 152 ADMINISTRATION FEE (6%)			$30,500	***$35,210***
TOTAL PROJECTED YEARLY COST(1. through 7.)			$538,848	***$586,696***
	ANNUAL ASSESSMENT			
	COST		$538,848	***$586,696***
	TOTAL BENEFIT ASSESSMENT UNITS		66,116	***$71,987***
	ANNUAL ASSESSMENT PER BAU		$8.15	***$8.15***

Attachment 1

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MV00052025

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA04-0168 – COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – BUNKER FAMILY TRUST LLC
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA04-0168 is a commercial building located at 24385 Nandina Avenue. The project is on the south side of Nandina Avenue between Heacock Street and Indian Avenue and was conditionally approved requiring construction of certain public improvements. The public improvements included pavement, base, curb, gutter, sidewalk, street lights, parkway drains, cross gutter, driveway approaches, access ramps, water and sewer facilities, and undergrounding of overhead utilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Cash Security of $141,000. The remaining 10% of the cash security will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the remaining cash security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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24385 NANDINA AVENUE
PA04-0168
APN 316-210-006

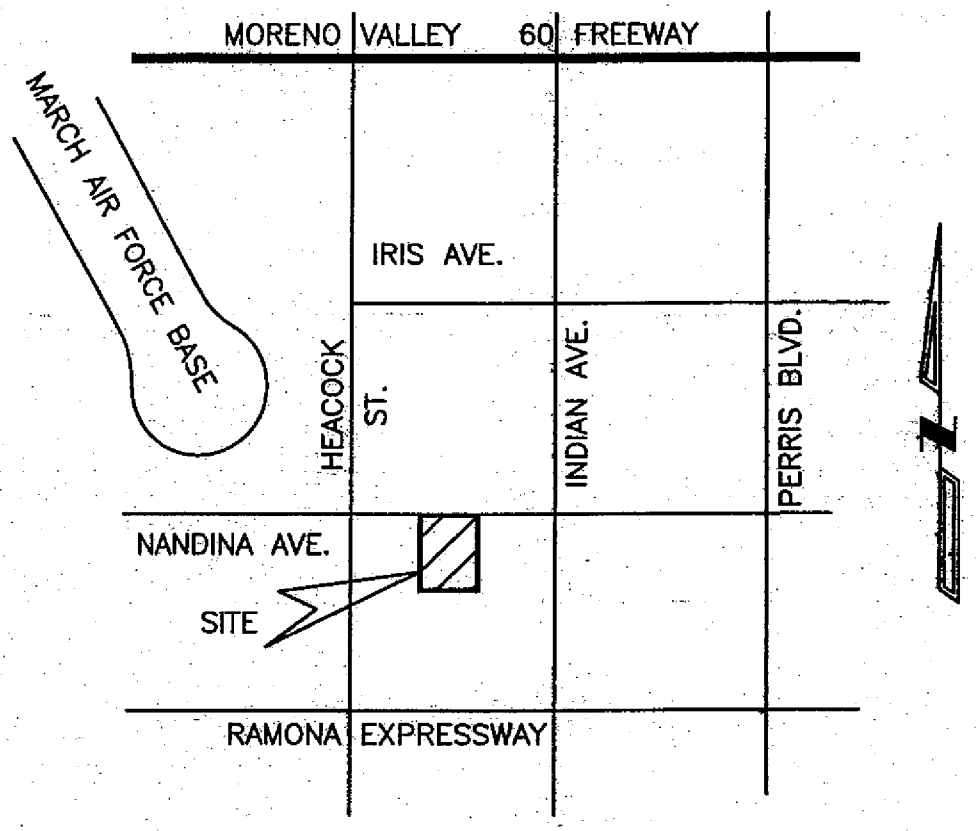

VICINITY MAP
N.T.S

EXHIBIT "A"

Item No. A.5

MV00052030

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MV00052031

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA04-0168, AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Bunker Family Trust LLC on the portion of Nandina Avenue associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA04-0168, and accept the portion of Nandina Avenue associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA04-0168 are complete, and the portion of Nandina Avenue associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993.

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the City Council of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is part of the Aquabella Development and includes the construction of Line F, Stage 2, which is to be an open concrete channel approximately 4,500 feet long.

On May 27, 2008, the City Council of the City of Moreno Valley approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (District), City of Moreno Valley, and Moreno Valley Properties, L.P., a Delaware limited partnership for Moreno Master Drainage Plan Line F, Stage 2.

On October 27, 2009, the City Council of the City of Moreno Valley rescinded the above mentioned Cooperative Agreement at the request of the developer and in agreement among the City of Moreno Valley and the Riverside County Flood Control District. Due to the current economic conditions, the developer has delayed moving forward with any portion of the Aquabella development at this time.

DISCUSSION

As a follow up to the City Council of the City of Moreno Valley action of rescinding the above mentioned Cooperative Agreement, the Riverside County Flood Control District wishes to execute the attached Termination Agreement. Such action is a requirement of the District's process for making the previously approved Cooperative Agreement null and void. As previously mentioned, the City Council of the City of Moreno Valley rescinded the Cooperative Agreement on October 27, 2009. The District is also in agreement to formally terminate the Cooperative Agreement.

ALTERNATIVES

1. Authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

2. Do not authorize the Mayor to execute the attached Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993 and direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water

Conservation District for final action by the District's Board of Supervisors. *All parties wish to terminate the Cooperative Agreement, the City Council of the City of Moreno Valley previously rescinded the Cooperative Agreement and therefore should direct Staff to execute the Termination Agreement.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Termination Agreement

Prepared By
Clement Jimenez
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\3-9-10 - PM 33532 - Line F, Stage 2 Termination Agreement.doc

TERMINATION AGREEMENT
Moreno MDP Line F, Stage 2
(Project No. 4-0-00752-02)
(Parcel Map 33532)

This Termination Agreement is entered into by and among the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, hereinafter called "DISTRICT", the CITY OF MORENO VALLEY, hereinafter called "CITY" and MORENO VALLEY PROPERTIES, L.P., a Delaware limited partnership hereinafter called "DEVELOPER".

RECITALS

A. DISTRICT, CITY and DEVELOPER previously entered into that certain Agreement, hereinafter called "AGREEMENT", dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, providing for DEVELOPER to construct certain flood control and drainage facilities, hereinafter called "PROJECT", in order to provide flood protection and drainage for DEVELOPER'S planned development of Parcel Map 33532.

B. Under the terms of AGREEMENT, DEVELOPER is required to complete construction of PROJECT within eighteen (18) consecutive months following the execution of AGREEMENT.

C. Due to changes in market conditions following the execution of AGREEMENT, DEVELOPER has not yet begun construction of PROJECT. Furthermore, DEVELOPER does not anticipate beginning or completing said construction of PROJECT within the required 18 month period, nor does DEVELOPER anticipate proceeding with the development of Parcel Map 33532 within any presently known period of time.

D. DEVELOPER desires to terminate AGREEMENT in order to be relieved from all obligations set forth therein, and to also release DISTRICT and CITY from all obligations set forth within AGREEMENT.

E. DISTRICT is willing to terminate AGREEMENT and release DEVELOPER and CITY from all obligations set forth therein.

F. CITY is willing to terminate AGREEMENT and release DEVELOPER and DISTRICT from all obligations set forth therein.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Effective as of the date this Termination Agreement is fully executed by DISTRICT, CITY and DEVELOPER, that certain Agreement between DISTRICT, CITY and DEVELOPER dated June 17, 2008, and recorded June 30, 2008, as Document No. 2008-0355993, is hereby terminated, and all provisions thereof shall become null and void.

2. DISTRICT, CITY and DEVELOPER each understand and mutually agree that the termination of AGREEMENT at this time shall not negatively affect DEVELOPER'S right to renew PROJECT and enter into a new agreement for such purpose at a future date, subject to all rules and conditions then in existence at the time of any such PROJECT renewal.

DISTRICT, CITY and DEVELOPER each mutually agree that upon time of such PROJECT renewal, good and faithful effort shall be made to utilize that certain Agreement, previously recorded as Document No. 2008-0355993, although said new agreement shall also be subject to all rules and conditions in existence at the time of any such PROJECT renewal.

3. This Termination Agreement is to be construed in accordance with the laws of the State of California.

4. Any and all notices sent or required to be sent to the parties of this Termination Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Administrative Services

CITY OF MORENO VALLEY
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris Vogt

MORENO VALLEY PROPERTIES, L.P.
14225 Corporate Way
Moreno Valley, CA 92553
Attn: Iddo Benzeevi

5. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Termination Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

6. This Termination Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Termination Agreement was prepared as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty or ambiguity in this Termination Agreement shall not be construed against DISTRICT because DISTRICT prepared this Termination Agreement in its final form.

7. The rights and obligations of DEVELOPER shall inure to and be binding upon all heirs, successors and assignees.

8. DEVELOPER shall not assign or otherwise transfer any of its rights, duties or obligations hereunder to any person or entity without the written consent of the other

parties hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER expressly understands and agrees that it shall remain liable with respect to any and all of the obligations and duties contained in this Termination Agreement.

9. The individual(s) executing this Termination Agreement on behalf of DEVELOPER hereby certify that they have the authority within their respective company(ies) to enter into and execute this Termination Agreement, and have been authorized to do so by any and all boards of directors, legal counsel, and or any other board, committee or other entity within their respective company(ies) which have the authority to authorize or deny entering into this Termination Agreement.

10. This Termination Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. This Termination Agreement may be changed or modified only upon the written consent of the parties hereto.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Termination Agreement on _____.
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By _____
NEAL KIPNIS
Deputy County Counsel

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By _____
Deputy

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

APPROVED AS TO FORM:

By_____
BOB HANSEN
Interim City Attorney

CITY OF MORENO VALLEY

By _____

Mayor

ATTEST:

JANE HALSTEAD
City Clerk

By _____

(SEAL)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

MORENO VALLEY PROPERTIES, L.P.,
a Delaware limited partnership

By: _____
IDDO BENZEEVI
President

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Termination Agreement: Parcel Map 33532
JPS:blj
11/9/09

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On January 12 2010 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Iddo Benzeevi,

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies),~~ and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

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

WITNESS my hand and official seal.

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Termination Agreement
(Title or description of attached document)

Moreno MDP Line F Stage 2
(Title or description of attached document continued)

Number of Pages 7 Document Date

Project # 4-0-00752-02
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT

SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET

DEVELOPER – MORENO VALLEY PROPERTIES, L.P.,
A DELAWARE LIMITED PARTNERSHIP
14225 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On November 22, 2005, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map 33532. The tentative parcel map is a proposal to construct a 685-acre active adult community within the boundaries of the Aquabella

Specific Plan. In accordance with the City of Moreno Valley's Municipal Code Section 8.21.150, Erosion Control, Ordinance Number 568, the developer was required to provide surety for erosion control facilities within the limits of the mass grading area until the erosion control measures are no longer necessary.

The developer halted all mass grading operations on the project site since approximately November, 2007 and requested that the City release the mass grading surety bond. The City agreed to process a release of the mass grading security, and in turn the developer relinquished their Mass Grading Permit MV-0826 (mass grading of Parcel Map 33532, also known as the Aquabella Project). Since the Improvement Agreement at that time included both grading and erosion control and was expiring, a substitute agreement only for erosion control was required. On June 23, 2009, the City Council approved a Substitute Agreement for Erosion Control.

DISCUSSION

The Erosion Control Faithful Performance Bond and Material & Labor Bond No. BDC11187, issued by Western Insurance Company in the amounts of $1,815,000 and $907,500 respectively, will remain in place for the duration of the project or until such time that the erosion control measures are no longer necessary.

On January 28, 2010, Land Development Engineering, Construction Inspection and Storm Water Management staff inspected the vacant site and determined that the property was sufficiently stabilized to prevent any significant erosion. The natural grasses have grown in to cover a majority of the site and the developer has permitted root growth by mowing the property instead of disking. The amount of plant material, developer-installed erosion control devices and large number of water basins (future lakes) throughout the site all but eliminate the possibility for erosion or flooding to adjacent properties or public roadways. Based on these findings, Land Development staff has determined that the erosion control efforts are no longer necessary and recommends the return of the security to the developer.

ALTERNATIVES

1. Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

2. Do not authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” – Vicinity Map
Exhibit “B” – Agreement for Erosion Control Improvements for PM 33532
Exhibit “C” – Faithful Performance Bond for Erosion Control
Exhibit “D” – Material and Labor Bond for Erosion Control

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PM 33532 - Exoneration of Erosion Control Agree.doc

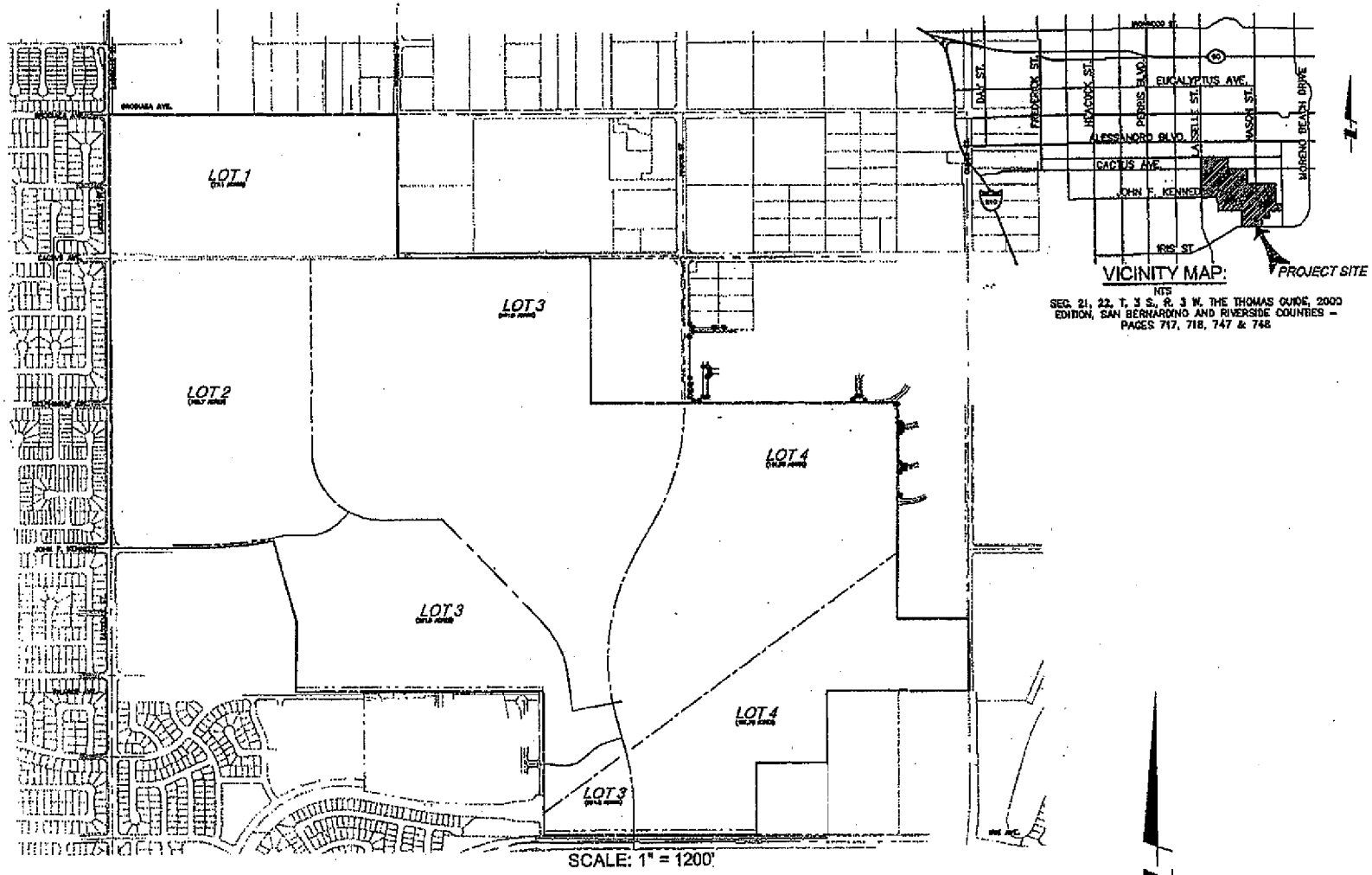

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

EXHIBIT A

PM 33532 Erosion/Grading
VICINITY MAP

EX. -53- IT "A"

Item No. A.7

MV00052050

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MV00052051

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR EROSION CONTROL
PROJECT NO. PM 33532

APN 486-310-025 & 486-280-016 & 486-300-008 & 486-320-003

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** herein after called Contractor, on the date signed by the Mayor of the City.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 33532** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, for **TWENTY-FOUR (24)** months from the date this Agreement is executed, and for such extensions of time necessary (pursuant to the ninth paragraph herein) for purposes of maintaining the property until such time that development is completed, to perform and complete in a good and workmanlike manner, all of the required Erosion Control in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor shall complete Erosion Control described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work for Erosion Control, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars (*****$1,815,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the Erosion Control as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required Erosion Control, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the Erosion Control by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the time specified by the City, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Erosion Control for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:

City Engineer

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

Contractor:

Moreno Valley Properties, LP, a Delaware Limited Partnership
14225 Corporate Way
Moreno Valley, CA 92553

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

Date approved by the City: _____

Moreno Valley Properties, LP, a Delaware Limited Partnership

By: _____ Title EVP+COO Pres.

By: _____ Title ~~EVP+COO~~ EVP+COO Pres.

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\PM33532 - Agreement for erosion control - Alt copy (2 with HF comments).doc

Engineer's Cost Estimate
Erosion Control
PM 33532

Erosion Control

Bond Amount: $1,815,000.00

The amount of the surety is based on the Engineer's Cost Estimate and the City of Moreno Valley's Municipal Code Section per Section 8.21.150 Erosion Control in the Grading Regulations.

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Grading & Erosion Control\Engineer's Cost Estimate for Erosion.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Riverside

On June 17, 2009 before me, J. Moore, Notary Public,
(Here insert name and title of the officer)

personally appeared Danette Susan Fenstermacher EVP & COO, Iddo Benzeevi President,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she/~~they executed the same in ~~his/her/~~their authorized capacity(ies), and that by ~~his/her/~~their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

J. Moore
Signature of Notary Public

J. MOORE
COMM. #1837346
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Comm. Expires February 20, 2013
(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Agreement for erosion Control
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 4 Document Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
- ☑ Corporate Officer
  (Title)
- ☐ Partner(s)
- ☐ Attorney-in-Fact
- ☐ Trustee(s)
- ☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they,~~ is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

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MV00052057

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Erosion Control $1,815,000.00

Bond No. BDC11187

Surety Western Insurance Company A-VC(A)

Address 580 East Plumb Lane

City/Zip Reno, NV 89502

Project No. PM 33532

Premium $25,864.00

Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 24525 Alessandro Boulevard

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Western Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND AND NO/100** Dollars **(***$1,815,000.00***)**, lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

RISK MANAGEMENT
Approved
5/1/06

Item No. A.7

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 33532

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 100%.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By [signature] President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

_____
City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of RIVERSIDE } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")) personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Faithful Performance Bond

Document Date: 4/26/2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303181

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995

(Signed) _____ NOTARY PUBLIC

WARNING THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

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MV00052063

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Erosion Control $907,500.00 Project No. PM 33532

Bond No. BDC11187 Premium $25,864.00

Surety Western Insurance Company Principal Moreno Valley Properties, LP
A Delaware Limited Partnership

Address 580 East Plumb Lane Address 24525 Alessandro Boulevard

City/Zip Reno, NV 89502 City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **MORENO VALLEY PROPERTIES, LP, A DELAWARE LIMITED PARTNERSHIP,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated Erosion Control, relating to **PM 33532**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **NINE HUNDRED SEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars **(***$907,500.00***)**, lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

RISK MANAGEMENT
Approved
D Cadena 5/1/06

Item No. A.7

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 33532

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on April 26, 2006.

NAME OF PRINCIPAL: Moreno Valley Properties, LP, a Delaware Limited Partnership
Company Name

AUTHORIZED SIGNATURE(S): By:

President
Name Title

Name Title

NAME OF SURETY: Western Insurance Company
Company Name

AUTHORIZED SIGNATURE: Clovia L Lehto
Clovia L. Lehto ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\Grading & Erosion Control\PM33532 EROSION Labor and Material Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On April 26, 2006 (Date) before me, Angela Chenese White, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

ANGELA CHENESE WHITE
Commission # 1603694
Notary Public - California
Riverside County
My Comm. Expires Sep 1, 2009

WITNESS my hand and official seal.

Angela Chenese White
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Material And Labor Bond

Document Date: 4/26/2006 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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State of ____Nevada_____

County of ___Washoe_____

On __April 26, 2006___ _____Clovia L. Lehto____
Personally appeared before me,

___X__ who is personally known to me

_____ whose identity I proved on the basis of _____

_____ whose identity I proved on the oath/affirmation of

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

DEBORAH Y. SNYDER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-103361-2 - Expires January 26, 2010

Deborah Y. Snyder
Notary Public

(Seal)

My commission expires 1/26/2010

WESTERN INSURANCE COMPANY

303182

BDC11187

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Dick L. Rottman, Bradley A. Pearce, Roger A. Hill, Janice L. Bowman,
R. Scott Rottman, Clovia L. Lehto, Amy J. Simpson

of the City of RENO, State of NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing the guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 5TH day of February, 1994.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

RENO)

On this 5TH day of FEBRUARY, 1994, before me personally came DICK L. ROTTMAN, President of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the President and the Secretary of the said WESTERN INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as President and Secretary, respectively, of the Company.

My Commission expires the 16TH day in OCTOBER, 1995.

(Signed) _____ NOTARY PUBLIC

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on February 4, 1994:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on February 4, 1994 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of April, 2006

_____ Secretary

SEAL 1994

BD ED (2-94)

Item No. A.7

MV00052068

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MV00052069

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Members

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: 2009 Annual Report of the Planning Commission

RECOMMENDED ACTION

Staff recommends that the City Council:

1) **RECEIVE AND FILE** the 2009 Annual Report of the Planning Commission; and

2) **AUTHORIZE** transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

PLANNING COMMISSION RECOMMENDATION

The 2009 Annual Report was adopted by the Planning Commission on February 25, 2010, and is forwarded to the City Council in accordance with the California Government code.

BACKGROUND

The Government Code mandates an annual Planning Commission report be presented to the legislative body (City Council) on the progress of the General Plan and its implementing mechanisms. The attached 2009 Annual Report of the Planning Commission provides the City Council with a report of the Planning Commission's actions and endeavors for the last year as required by the California Government Code.

DISCUSSION

In 2009, the Planning Commission held public hearings on 11 applications to amend the Municipal Code and/or General Plan. In addition, the Commission acted upon 50 developer-initiated applications, which included Conditional Use Permits, Plot Plans, Development Agreements and Tentative Tract Maps. The Planning Division staff also processed 737 administrative applications which include such projects as: new construction not within 300' of residential, sign permits and home occupation permits and 85 plan check reviews.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Posting of City Council Agenda.

ATTACHMENTS/EXHIBITS

1) 2009 Annual Report of the Planning Commission.

Prepared By:
Grace Espino-Salcedo
Administrative Assistant

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell
Planning Official

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

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MV00052073

City of
Moreno Valley

Planning Commission
ANNUAL REPORT
To the City Council

January - December 2009

ATTACHMENT 1

TABLE OF CONTENTS

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GENERAL PLAN IMPLEMENTATION 10

PROJECT ACTIVITY 13

ACKNOWLEDGEMENTS

ACKNOWLEDGEMENTS

CITY COUNCIL (Elected)	DISTRICT	TERM EXPIRES
Richard A. Stewart, Mayor	2	November 2010
Bonnie Flickinger, Mayor Pro Tem	4	November 2010
William H. Batey II	5	November 2012
Robin Hastings	3	November 2012
Jesse L. Molina	1	November 2012

PLANNING COMMISSION (Appointed)	TERM EXPIRES
Maria Marzoeki, Chairperson	March 31, 2011
George Riechers, Vice Chairperson	March 31, 2011
Rick De Jong	March 31, 2011
Michael S. Geller	March 31, 2013
Richard Dozier	March 31, 2013
Ray L. Baker	March 31, 2013
George Salas, Jr.	March 31, 2013

CITY MANAGER
Robert G. Gutierrez

DEPUTY CITY MANAGER
Rick Hartmann

COMMUNITY DEVELOPMENT DEPARTMENT
Kyle Kollar, Director

Planning Division
John Terell, AICP Planning Official
Darisa Vargas, Senior Administrative Assistant
Grace Espino-Salcedo, Administrative Assistant
Chris Ormsby, AICP Senior Planner
Mark D. Gross, AICP Senior Planner
Claudia Manrique, Associate Planner
Gabriel Diaz, Associate Planner
Jeffrey Bradshaw, Associate Planner
Kathy Dale, Associate Planner
Julia Descoteaux, Associate Planner
James Keller, Assistant Planner
Nina Shabazz, Assistant Planner
Leticia Esquivel, Senior Permit Technician
Yahnel Bishop, Permit Technician
Summer Looy, Permit Technician

MAJOR ACCOMPLISHMENTS

MAJOR ACCOMPLISHMENTS

The Moreno Valley Planning Commission is committed to implementing the adopted General Plan, Development Code and Design Guidelines. The Development Code and Design Guidelines, combined with the adopted Landscape Development and Specifications, are the major tools to implement the General Plan.

The purpose of this Annual Report is to highlight significant accomplishments, summarize ongoing projects, and describe special studies that the Moreno Valley Planning Commission have been working on during the 2009 calendar year. A major function of this report is to acknowledge and evaluate the ongoing implementation of the General Plan. This report is prepared in accordance with Section 65040.5 of the California Government Code.

Major Accomplishments in 2009 were:

Major development projects reviewed by the Planning Commission in 2009 were as follows:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA08-0095 (Conditional Use Permit) Conditional Use Permit to allow the installation, operation and maintenance of a 45' tall unmanned wireless telecommunications facility stealthed as a eucalyptus tree. Facility to consist of a new 21' x 25' block wall equipment enclosure to contain all ground related equipment. Located at 25545 Kalmia Avenue (water storage tank).

- PA08-0091 (Conditional Use Permit) Conditional Use Permit to establish a place of worship and allow construction of a new 2,806 square foot temple/meditation room. Located in the Office (O) Zoning District at the northwest corner of Nason & Lenzen Streets (13920 Nason Street).

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and

Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA07-0168 (Plot Plan) A 13 building, 52-unit apartment complex on 3.63 acres in the Residential 15 (R15) zoning district. The apartment project consists of two and three bedroom units with private open space provided for all units. A combination of parking will be available including garages, carports and open parking. Located on the north side of Hemlock Avenue, west of Perris Boulevard.

- PA08-0072 (Plot Plan) Plot Plan to build a 522,772 square foot industrial warehouse building on 25.96 acres of land. Zoned Light Industrial (LI) and Business Park Mixed-Use (BPX). Located at the northwest corner of Cactus Avenue and Frederick Street.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA07-0118 (Plot Plan), PA07-0115 (Tentative Tract Map No. 35769) Plot Plan and Tentative Tract Map No. 35769 (for condominium purpose) for a sixteen (16) unit multi-family complex with eight (8) duplexes located in the Village Residential (VR) zone of the Specific Plan 204 on 1.21 acres. Located on the south side of Myers Avenue, east of Heacock Street and west of Indian Street.

- PA08-0088 (Plot Plan), P08-116 (Variance) A 30,960 square foot, three-story hotel building (66-units) on approximately 1.10 acres within the Village Specific Plan (SP 204 CC). The variance is for the reduction of side setbacks and parking requirements. Located at the northwest corner of Olivewood Plaza Drive.

- PA08-0047 (Master Plot Plan), PA08-0048 (Conditional Use Permit), PA08-0049 (Plot Plan), PA08-0050 (Plot Plan), PA08-0051 (Plot Plan), PA08-0052 (Plot Plan) Master Plot Plan for the approval of a Commercial Retail and Hospitality Center on 6.3 acres. The project includes a 56,000 square foot 4-story, 110-room hotel with kitchenettes, three retail buildings with a total square footage of 20,720, two with drive-thru services and a 4,500 square foot separate restaurant pad building located in the Business Park Mixed-Use (BPX) Zone. Located at the northeast corner of Cactus Avenue and Commerce Center Drive. ***(ITEM PLACED OFF CALENDAR AT REQUEST OF APPLICANT)***

- PA07-0040 (Tentative Tract Map No. 35377) Tentative Tract Map No. 35377 for the division of a 2.24 acre lot into 9 parcels (ranging from 7,316 to 9,559 square feet in size). The project is within the Residential 5 (R5) zoning district. Located at the southeast corner of Sue Ann Lane and Herschel Lane.

- PA05-0069 (Change of Zone), PA05-0071 (Tentative Tract Map No. 32388) Tentative Tract Map No. 32388 to subdivide approximately 9.5 acres into 14 lots for single-family residential development. Change of Zone to modify existing Residential 2 (R2) General Plan land use designation. Located on the south side of Mountain Ranch Road at Northshore Drive.

- PA07-0035 (Master Plot Plan), PA07-0039 (Plot Plan), PA08-0021 (Tentative Parcel Map No. 35822) Master Plot Plan for six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700 square feet to 47,160 square feet. Plot Plan for a 409,598 square foot warehouse distribution facility to be located on 19.27 acres. Tentative Parcel Map No. 35822 will reconfigure property lines for the six buildings under Master Plot Plan, to ensure that buildings are not placed over property lines. The map also combines eleven parcels into a single parcel to develop the 409,598 square foot distribution facility. The project is in the Industrial (I) zone of the Industrial Area Specific Plan (SP 208). Located at the northeast corner of Heacock Street and Iris Avenue.

- PA09-0006 (Plot Plan) Plot Plan for the development of a 15-unit affordable housing project to house special needs individuals and senior citizens located on 1.57 acres within the Specific Plan 204. The seven duplexes and one single unit will provide one and two bedroom units. Located at the northeast corner of Atwood Avenue and Liberty Street.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0061 (Plot Plan) Plot Plan for the approval of a Commercial Retail and Office Center on 0.87 acres. The project includes a 12,544 square foot 2-story building. Located in the Specific Plan 204 Village Commercial Residential (VCR) zone at 24405 Sunnymead Boulevard.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA08-0089 (Plot Plan) Construction of an adult Bible College to be constructed on 0.9 acres in the Office (O) zone. The structure will be 2,969 square feet which includes a classroom, library and office space. The existing single family home will remain on site as a caretaker's residence for the college. Located at 13890 Nason Street.

- PA08-0101 (Amended Conditional Use Permit) Amended Conditional Use Permit to reconstruct and expand the existing fueling station, including the addition of a 2,939 square foot convenience store and an automated drive-through car wash. The project is on 0.71 acres. Located at 12431 Heacock Street in the Specific Plan 204 Community Commercial (CC) Zone.

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA09-0011 (Conditional Use Permit) Installation of a 75 feet high monopalm tree to include 12 panel antennas and the associated ground equipment located within the Specific Plan 193 Golf Course zone. Located at 27905 John F. Kennedy Drive.

- PA06-0173 (Plot Plan) Construction of a neighborhood market located in the Village Commercial (VC) Zone. The market will be 4,876 square feet. Access will be provided on Alessandro and Redlands Boulevards. Located at the southeast corner of Alessandro and Redlands Boulevard.

Other Development Projects reviewed by the Planning Commission in 2009 as follow:

- P08-144 (Amended Plot Plan), P08-140 (Amended Master Plot Plan) Amended Plot Plan and Amended Master Plot Plan to modify the site plan for the previously approved Master Plot Plan (PA07-0138) and Plot Plan (PA07-0136). The modification includes redesign of site plan by relocating Parcel 2 north, adjacent to the drive aisle. Parcels 1 and 3 to remain in the same location as previously approved, with minor adjustments to the parking lot and drive aisles as required. Located at the northeast corner of Moreno Beach Drive and Alessandro Boulevard.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

General Plan Implementation

General Plan Implementation

The General Plan and the Development Code gives the City of Moreno Valley the tools necessary to guide the development of the City into the next century.

The Planning Commission held public hearings on amendments to the General Plan and the Development Code. The amendments were approved by the Planning Commission and forwarded to the City Council for their approval.

The following General Plan Amendments were recommended for approval by the Planning Commission in 2009:

- PA07-0151 (Tentative Parcel Map No. 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) An industrial complex with four buildings (1,484,407 total square feet) on 66.9 net acres. Tentative Parcel Map No. 35879 will create four parcels. General Plan and Specific Plan Amendments required for the realignment of Krameria Street in Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208). Located at the southeast corner of Iris Avenue and Heacock Street.

- PA09-0002 (Municipal Code Amendment) A comprehensive update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- PA06-0025 (Conditional Use Permit), PA06-0026 (Change of Zone), PA06-0027 (General Plan Amendment), PA08-0006 (Municipal Code Amendment) Conditional Use Permit for a 631-unit self-storage warehouse facility on 5.85 net acres. Development of the mini-storage facility requires approval of a General Plan Amendment and Change of Zone to establish a Commercial land use designation and Community Commercial zoning. Development of project also requires approval of a Municipal Code Amendment to Section 9.09.140. To provide exceptions to current design and screening requirements for self-storage warehouses located along major arterials. Located at the southeast corner of Eucalyptus Avenue and Edgemont Street. Amendment effective Citywide.

- PA09-0014 (FY 2009-2010 Capital Improvement Plan Conformance with the General Plan) Make a finding that the Fiscal Year 2009-2010 Capital Improvement Plan Amendment is in conformance with the City of Moreno Valley's General Plan.

- PA09-0007 (Change of Zone), PA09-0009 (General Plan Amendment) General Plan Amendment to change the land use from Business Park (BP) to Residential/Office (R/O) and Village Office/Residential (VOR). The Change of Zone will change the zoning from Business Park (BP) to Residential 15 (R15). The parcel has an existing single-family residence and a multiple-family duplex. Located at 21652 Cottonwood Avenue.

- PA09-0018 (General Plan Amendment), PA08-0099 (Municipal Code Amendment) To amend the City's General Plan and Municipal Code regulations regarding multiple family development standards and add Residential 30 (R30) land use district and zone for multiple family development up to 30 units per acre. Citywide.

- PA08-0019 (Change of Zone), PA08-0020 (General Plan Amendment) General Plan Amendment proposing the existing General Plan designation be amended from Office (O) & Residential (R) to Community Commercial (CC), with a proposed Change of Zone from Office (O) & Residential 15 (R15) to Neighborhood Commercial (NC). The project consists of two lots with a total of 1.34 acres. Located at the southwest corner of Day Street and Dracaea Avenue. ***(DENIED)***

- PA09-0029 (Municipal Code Amendment) Municipal Code Amendment for a minor update to the Moreno Valley Municipal Code 9.17 Landscape Requirement provisions and the Landscape Standards concerning regulations regarding landscape requirements. The amendment considers the overall visual appeal as well as reduced water usage to ensure compliance with State of California requirements. Citywide.

- P09-052 (Specific Plan Amendment), P09-0343 (Sign Program Amendment) Amendment No. 5 to the Auto Mall Specific Plan (SP 209) to include the modification of an existing freeway pylon sign and entry tenant monument signs, the vacation of a portion of Motor Way, the addition of landscape parkways pop-outs and sidewalks, new driveways for a proposed vehicle display area on other minor text changes to the Specific Plan and sign program. Located on the east side of Moreno Beach Drive, south of Highway 60.

PROJECT ACTIVITY

PROJECT ACTIVITY

SUMMARY OF PLANNING COMMISSION PROJECT ACTIVITY
FOR THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

PROJECT TYPE	TOTAL PROJECTS REVIEWED
Amended Design Manual	0
Amended Plot Plan	0
Change of Zone	4
Conditional Use Permit	5
Conditional Use Permit Amendment	1
Development Agreement	0
Development Agreement Amendment	0
Municipal Code Amendment	4
General Plan Amendment	5
Modification to Conditions of Approval	0
Parcel Map	0
Plot Plan	17
Plot Plan Amendment	1
Reversion to Acreage	0
Specific Plan Amendment	2
Specific Plan Adoption	0
Tentative Parcel Map	2
Tentative Parcel Map Amendment	0
Tentative Tract Map	3
Tentative Tract Map Amendment	0
Tentative Tract Map Variance	0
Variance	1
Master Plot Plan and Related	4
10 Year Capital Plan Amendment	1
TOTAL PROJECTS	50

* This does not include Administrative Approvals that include such projects as: new construction not within 300' of residential, home occupation permits and signs. There were **737** Administrative Approvals and **85** plan check reviews in 2009.

ORDINANCE NO. 808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MORENO VALLEY MUNICIPAL CODE REGULATIONS REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on March 23, 2010, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

A. Conformance with General Plan – The proposed amendment is consistent with the General Plan and its goals, objectives, policies and programs.

FACT: The project consists of amendments to several sections of the City of Moreno Valley Municipal Code. The proposed amendment(s) are consistent with, and do not conflict with the existing or proposed General Plan goals, objectives, policies and programs.

B. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of the City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

C. Conformance with Intent of Zoning Regulations – The proposed amendments is consistent with the purposes and intent of Title 9 of the Municipal Code.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to "implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan."

SECTION 2 MUNICIPAL CODE AMENDMENT:

2.1 Table 9.02.020-1 of Section 9.02.020 of Chapter 9.02 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
C - Indicates stated use is allowed with a conditional use permit.
♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Mortuaries																						
With cremation services																				X	X	
No cremation services			C	C	C	C	C	C	C	C	C	♦	♦							X	X	
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops												X	X					X	X	X	X	
Nursery, (Plant), Wholesale and distribution	X	X	X	X														X	X			X
Offices (Administrative and Professional)												X	X	X	X	X			X	X	X	
Open Air Theaters																	C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C											
Painting Contractor																		X	X			
Parcel Delivery Terminals																		X	X	X	X	
Parking Lot													X	X	X	X				X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X						X	
Pharmacy[4]												X	X	X	X							
Photo Studios												X	X	X	X						X	
Plumbing Shops													X								X	
Plumbing Supply Stores for Contractors																			X	X	X	
Pool Hall												♦	♦									
Postal Services												X	X	X	X				X	X	X	
Pottery Sales With Outdoor Sales												X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C

2.2 Table 9.03.040-6 of Section 9.03.040 of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Requirement	R1	R2	RA2	R3	R5	RS10
1. Maximum density (DUs* per net acre)	1	2	2	3	5	10
2. Minimum lot size (sq. ft. net area)	40K**	20K	20K	10K	7,200	4,500
3. Minimum lot width, in feet	150	100	100	90	70	45
Cul-de-sac/knuckle lot frontage	50	50	50	50	50	45
4. Minimum lot depth, in feet	170	120	120	100	100	85
5. Minimum front yard setback	25	25	25	25	20	20
Front-facing garages	Not applicable					10
Buildings other than front-facing garages						10
6. Minimum side yard setback, in feet***						
a. Interior side yard	See Note 1	See Note 1	See Note 1	See Note 1	See Note 2	See Note 3
b. Street side yard	20	20	20	15	15	10
7. Minimum rear yard setback, in feet***	40	35	35	30	15	50
8. Maximum lot coverage	25%	30%	30%	40%	40%	50%
9. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.					
10. Minimum dwelling size (sq. ft.)	1500	1500	1500	1250	1250	1000
11. Minimum distance between buildings, in feet (including main DUs and accessory structures)	20	15	15	10	10	10
12. Floor area ratio						
a. One-story home	.25	.30	.30	.40	.40	.50
b. Multi-story home	.50	.60	.60	.70	.70	.75

* The term "DUs" means dwelling units.

** The term "K" means thousands.

*** See Section 9.08.030 regarding accessory structures and room additions.

2.2.2 Table of Section 9.03.040(E) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

7. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.2.3 Table of Section 9.03.040(F) of Chapter 9.03 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed sixty (60) dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation, shall be screened from surrounding properties and streets and shall not be located in the required front yard or street side yard. All equipment shall be installed and operated in accordance with other applicable city ordinances.

2.3 Section 9.08.070(B) and (C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Fences and Walls in Residential Developments.

1. In Required Front Yards of Residential Developments.

a. Any solid fence or wall located outside of vehicle lines-of-sight at street intersections shall not exceed three feet in height and any open fence or wall shall not exceed six feet in height. The height of such fences and walls shall be measured from the finished grade at the bottom of the fence or wall.

b. Retaining walls up to three feet in height are allowed within any front yard. In the case of a retaining wall that faces the exterior of the property on which it is located, an open fence up to three feet in height may be built directly on top of the retaining wall (See Figure 9.08.070-1). In the case of a retaining wall that faces the interior of the property on which it is located, a solid fence or wall up to three feet in height, or an open fence up to six feet in height, may be built directly on top of the retaining wall (See Figure 9.08.070-2).

c. Fences and walls located in front yards shall be decorative and made of durable materials, including masonry, wood pickets, tubular metal or other materials, as approved by the community development director.

2. In Required Side and Rear Yards of Residential Developments.

a. Height.

i. Except as described below, a wall or fence along any side yard or rear yard shall not exceed six feet in height, as measured from the finished grade.

ii. The height of a wall or fence along the side or rear yard may exceed six feet if the difference in elevation between adjoining sites warrants such increase to maintain the effectiveness of screening that is generally provided by six-foot walls and fences, provided that the height of such wall or fence does not exceed eight feet (See Figure 9.08.070-3).

iii. The height of a wall or fence along any side or rear yard may exceed six feet if the decision-making body determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining arterial streets, freeways, or nonresidential uses (see Section 9.08.150 of this chapter). Any such wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

b. Retaining walls and combinations of retaining walls and nonretaining fences.

i. Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height. The combined height of retaining wall, wall and or fence shall not exceed eight feet of solid surface (See Figure 9.08.070-4).

ii. A 6 foot high retaining wall may be placed 3 feet or more from the side or rear property line (See Figure 9.08.070-5).

iii. No two retaining walls on a given slope shall be closer to each other than the height of the taller wall, except as described below.

iv. In the case of a retaining wall that faces a street or other public viewpoint, a nonretaining fence or nonretaining wall may be erected above (either up-slope or directly on top) such retaining wall if their solid surfaces, when added together, do not exceed eight feet in height, and the combined surface area of solid and open fencing shall not exceed 12 feet in height subject to approval by the Community Development Director. For example, a four-foot decorative metal rail fence may be placed above a two-foot wall and a six-foot retaining wall (See Figure 9.08.070-6).

c. Fence and Wall Design.

i. Side Yards and Rear Yards Adjacent to Residential Parcels. Fences and walls located between residential parcels shall be constructed of wood, decorative metal rail, decorative block or other durable materials, as approved by the Community Development Director.

ii. Side and Rear Yards Adjacent to Streets, Freeways and Other Rights-of-Way. Fences and walls placed between lots and adjoining rights-of-way shall be constructed of decorative metal rail, decorative block or other decorative and durable materials, as approved by the Community Development Director. Where practical, such fences and walls shall incorporate landscaping, earth berms and changes in materials

or texture to reduce visible wall height, deter graffiti and add visual interest. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed at the top of slopes that are six or more feet above any adjoining right-of-way to provide view opportunities and minimize wall height.

iii. Side and Rear Yards Adjacent to Open Space Areas. Except where the Community Development Director determines that screening is needed, open walls and fences shall be placed along side and rear yards that are adjacent to open space areas.

iv. View Lots. Except where the Community Development Director determines that screening is needed open walls and fences shall be placed along side and rear yards that are fifteen or more feet above the pad height of the adjacent residential lot.

C. Fences and Walls in Nonresidential Developments.

1. In any required front or street side building setback area, a wall or fence shall not exceed three feet in height, as measured from the road grade nearest the property line.

2. Walls for the purpose of visual screening and sound attenuation shall be required between nonresidential activities and any adjacent residential use or residentially zoned property, or where more sensitive adjacent land uses exist. The height, placement and design of such walls shall be considered on a site-specific basis considering the need for sound attenuation or visual screening.

3. Unless otherwise required pursuant to subsection (B)(2) of this section, walls and fences in any required rear or interior side setback area shall not exceed six feet in height. (Ord. 759 §§ 5.2, 5.3, 2007; Ord. 694 § 1.1 (part), 2005; Ord. 604 § 2.9, 2002: Ord. 575 § 2.3, 2000; Ord. 528 § 1.5, 1997; Ord. 398 § 1.1, 1993; Ord. 359 (part), 1992)

Figure: 9.08.070-1

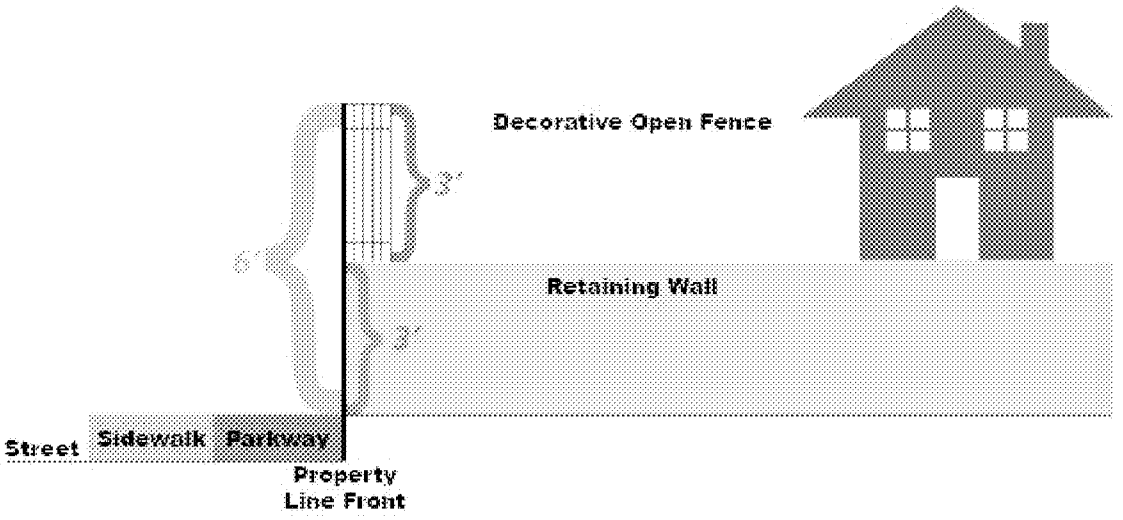

** Retaining wall that faces the exterior of property.*

Figure: 9.08.070-2

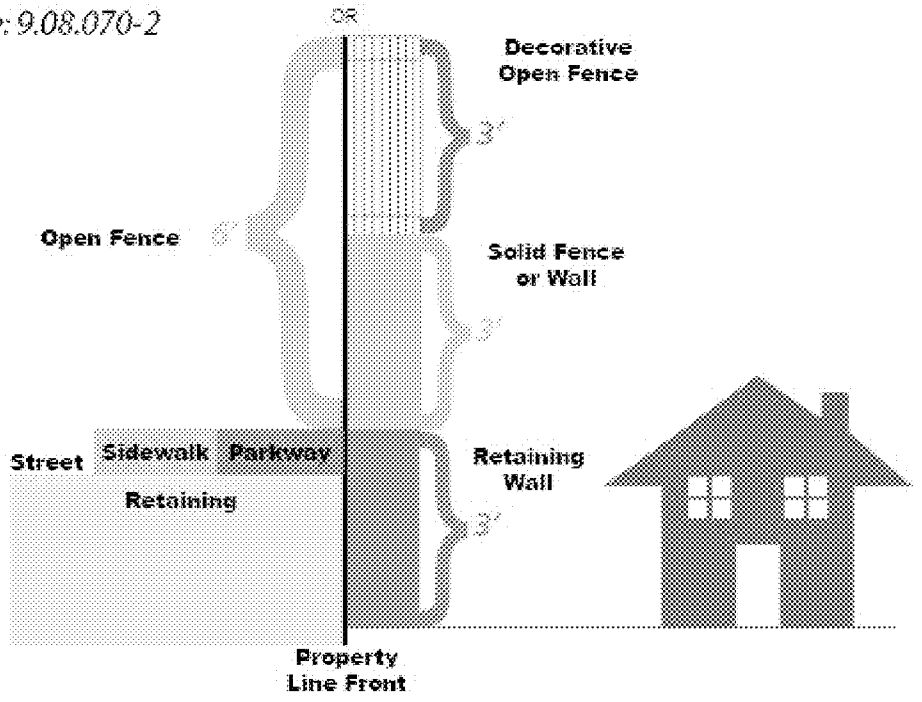

** Retaining wall that faces the interior of property.*

Figure: 9.08.070-3

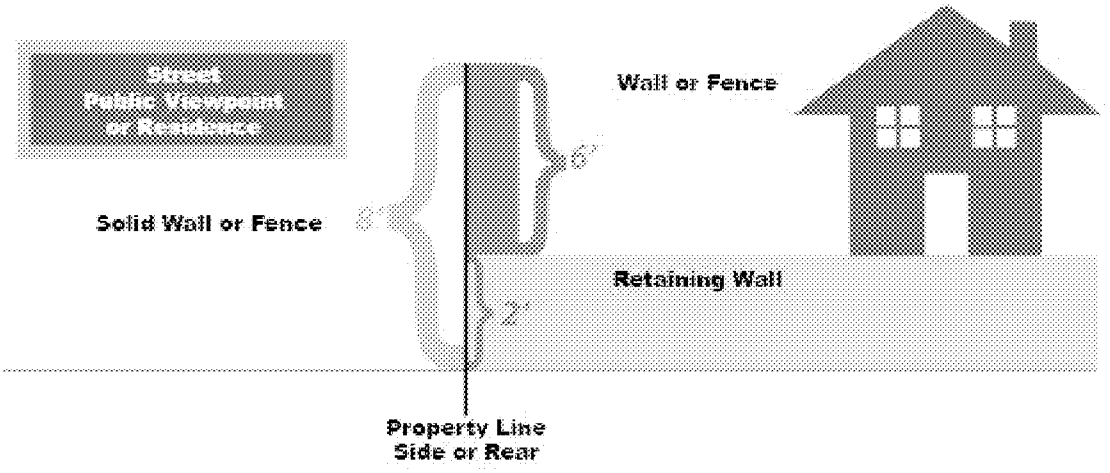

Figure: 9.08.070-4

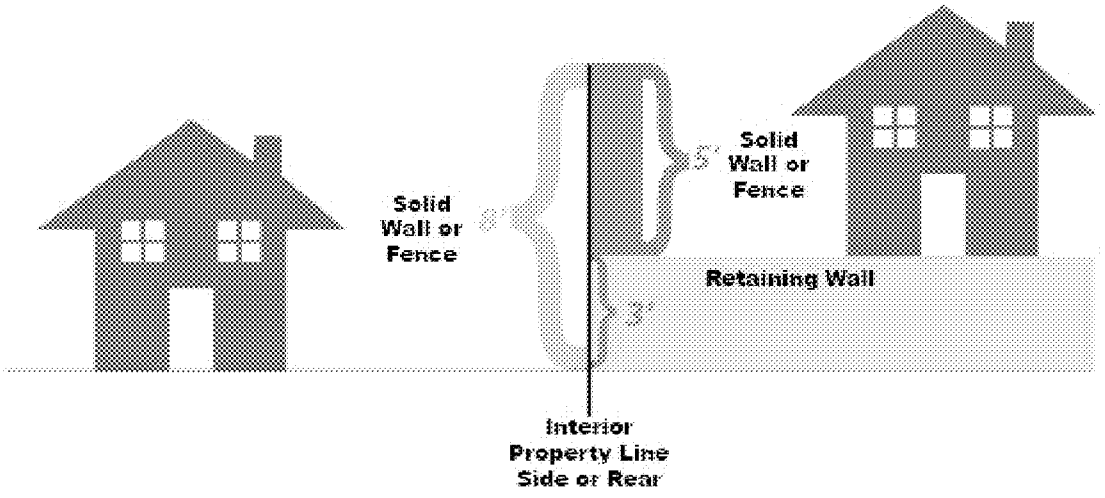

Figure: 9.08.070-5

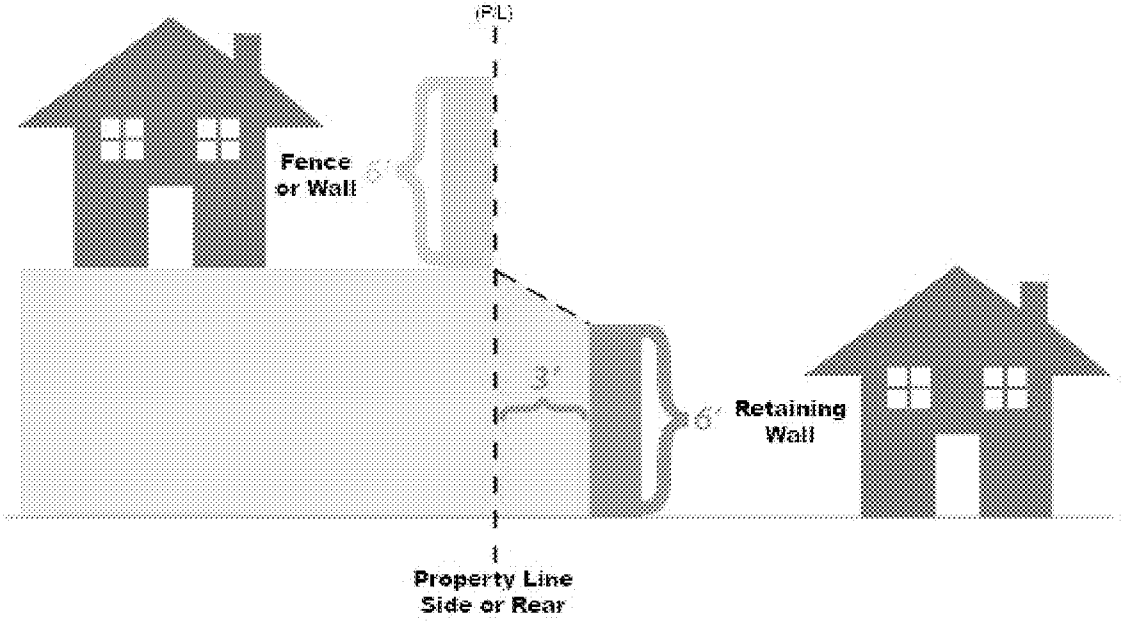

Figure: 9.08.070-6

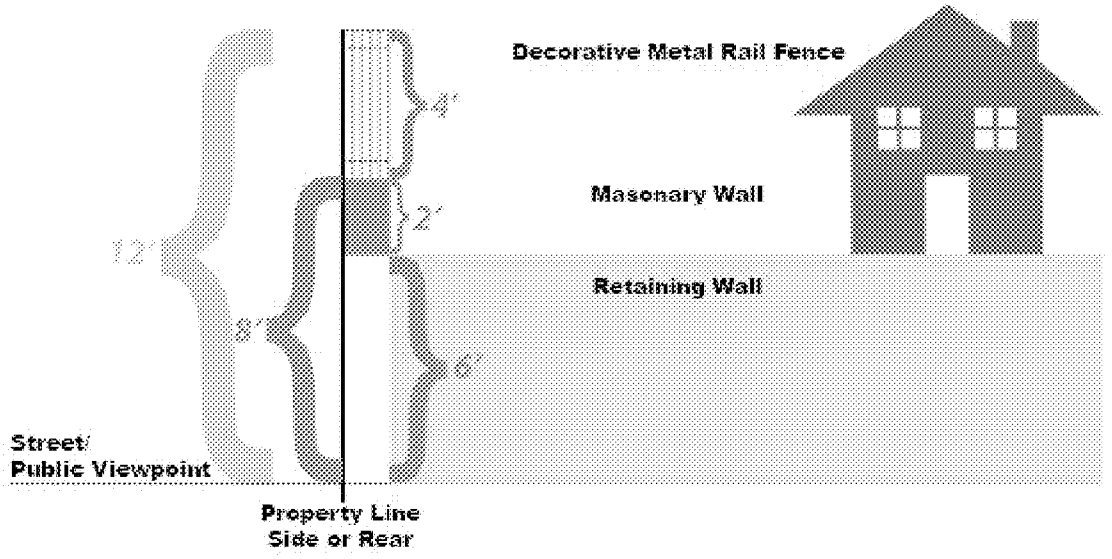

2.3.2 Section 9.08.150(C) of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Screening of Refuse Storage Areas. Trash/waste enclosure design standards are found in the Public Works Standards. In addition, trash/waste enclosures shall:

1. Be located a minimum of thirty-five (35) feet from any residential structures or as otherwise approved by the community development department director;

2. Provide a minimum planter dimension of three feet on three sides of the enclosure walls, and accommodate climbing vines and screening shrubs within the planter area;

3. Be constructed to include a solid roof cover.

4. Be designed using materials and colors aesthetically compatible with the project. (Ord. 694 § 1.1 (part), 2005; Ord. 616 § 2.2.12, 2003; Ord. 534 § 1.3 (part), 1998; Ord. 475 § 1.4 (part), 1995; Ord. 461 §§ 1.2, 1.3, 1.4, 1995; Ord. 426 § 3.1(d), 1994; Ord. 359 (part), 1992)

2.3.3 Figure 9.08.150-3 (Trash Enclosure Standards) of Section 9.08.150 of Chapter 9.08 of the City of Moreno Valley Municipal Code is hereby deleted in its entirety.

2.4 Section 9.09.170(C) of Chapter 9.09 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

C. Minimum Development Standards.

1. Each parcel shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.

2. No building or structure shall be located within twenty (20) feet from any public right-of-way, or within five feet of any interior parcel line.

3. Service stations, convenience stores which provide fuel-pumping services and any other facilities which provide fuel-pumping services to the general public shall orient all fuel pump islands to be parallel to each other and shall be designed to minimize traffic conflicts. Nonparallel or "L" shaped fuel pump island configurations are not permitted.

4. If a reverse orientation for the building is selected, rear building elevations shall have architectural details consistent with the overall design theme.

5. In all cases, service bays shall be accessed from the interior of the site.

6. Gasoline pumps shall be at least twenty (20) feet from any property line.

7. Canopies shall be at least ten (10) feet from any property line and architecturally compatible with the main structure.

8. Service stations shall be integrated with adjacent commercial properties through the use of compatible materials, textures, colors, landscaping treatment and access.

9. Service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than six feet in height. Materials, textures, colors and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this section shall be constructed within five feet of a driveway entrance or vehicle access way opening onto a street or alley which would obstruct a cross view of pedestrians on the sidewalk, alley or elsewhere by motorists entering or exiting the parcel.

10. a. The right-of-way, plus ten (10) feet of the site, is landscaped, as well as a planting strip at least five feet wide along all interior parcel lines, except driveways, and adjacent to buildings. Parcels abutting residential districts are subject to Section 9.04.040(B)(1) of this title. Planters are surrounded by masonry or concrete curbs, and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.

b. A minimum of one hundred fifty (150) square feet of landscaped area is provided at the intersection of two property lines at the street corner.

11. Not more than one driveway with a maximum width of forty (40) feet shall be permitted on any one street frontage and shall comply with City Standard Plan 118C. Fifty feet queue storage shall be provided. Driveways shall be located as follows:

a. Driveway locations shall be per Table 9.16.250A of the Municipal Code. Any deviation from the above standard requires the approval of the city traffic engineer; and

12. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

13. Each service station shall provide air and water to customers without charge and at a convenient location during hours when gasoline is dispensed.

14. Each service station shall provide a men's and a women's public restroom which are accessible, from the interior of the business only, to the general public and physically disabled during all hours the service station is open to the public. Entrances or signage shall be clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

15. Coin-operated vending machines may be permitted within a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.

16. Coin-operated vending machines are not permitted outdoors, unless approved by the community development director.

17. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water and air; and

b. Replacement service activities such as wiper blades, fuses, radiator caps and lamps.

18. Trash areas shall be provided and screened on at least three sides from public view by a solid decorative wall not less than five feet in height.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed, except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or inoperable vehicles may be stored outside of the main building.

19. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust or vibration;

b. Hazard from explosion, contamination or fire; or

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

20. Service stations/mini-markets selling alcoholic beverages shall conspicuously post the premises with signs prohibiting the consumption of alcoholic beverages on-site.

21. The above standards shall be considered minimum standards. The appropriate approval authority may alter standards when necessary to adequately protect adjacent uses in cases where extraordinary site conditions exist.

2.5 Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.11 PARKING, PEDESTRIAN, AND LOADING REQUIREMENTS

9.11.010 Purpose and intent.
9.11.020 Applicability.
9.11.030 General regulations.
9.11.040 Off-street parking requirements.
9.11.050 Schedule of off-street loading requirements.
9.11.060 Off-street bicycle parking requirements.
9.11.070 Adjustments to off-street parking requirements.
9.11.080 Design standards.
9.11.090 Subterranean, semisubterranean and aboveground parking structures.
9.11.100 Circulation-Pedestrian.

2.5.2 Table 9.11.040B-12 and 9.11.040C-12 of Section 9.11.040 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Table 9.11.040B-12

Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Commercial Uses		
General retail (unless specified elsewhere)	1/225 sq. ft. of gross floor area	
Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities	1/2,000 sq. ft. of display area	1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public.
		2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles.

Automobile service stations, repair and service facilities	2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays	Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like)
Automobile washing and waxing establishments:		
Self-serve	2 spaces + 2/washing stall	
Automated	10 + 1 per 2 employees	
Business and professional offices	1/250 sq. ft. of gross floor area	
Banks, savings and loans and medical/dental offices	1/225 sq. ft. of gross floor area	
Day care center	1/employee + 1/500 sq. ft. of gross floor area	Special design requirements shall apply for bus loading or parent drop-off points.
Eating and drinking establishments	1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft.	A minimum of 10 spaces required for stand alone use.
Hotel, motel	1/guest room	
Kennels	2 spaces per 1,000 sq. ft.	2 spaces per 1,000 sq. ft.. of indoor animal enclosure.
Mortuaries	1/4 seats + funeral procession queue capacity for 5 cars	
Nail Salons	1 space for every 2 work stations	
School, private		
Business and trade	10 spaces + 24/classroom	

College	10 spaces + 30/classroom	
Elementary/junior high	10 spaces + 2/classroom	Special design requirements shall apply for bus loading and parent drop-off points.
Senior high	10 spaces + 10/classroom	
Storage lots and mini-warehouses	1/100 storage spaces and 2/caretaker residence	2 spaces minimum
Medical and health services:		
Convalescent and nursing homes	1/3 beds	
Homeless shelter	1/4 beds	
Hospitals	1/bed	
Residential care facilities	(See Residential Uses, Section 9.11.040 Table 9.11.040A-12)	
Veterinary hospital and clinic	1/200 sq. ft. of gross floor area	
Recreation:		
Arcades	1/75 sq. ft. of gross floor area	
Bowling and billiards	5/alley + 2/billiard table	
Commercial stables	1/5 horse capacity for boarding on-site	
Golf course	6/hole	
Golf driving range	1/tee	
Golf, miniature	3/hole	
Health club	1/100 sq. ft. of gross floor area	

Parks—Public and private	To be determined by the approval authority based upon an approved parking study	
Skating rink	1/100 sq. ft. of gross floor area	
Tennis, handball and racquetball facilities	3/court	
Theaters	1/3 fixed seats	

Table 9.11.040C-12
Off-Street Parking Requirements

Use	Minimum Requirement	Notes
Industrial Uses		
Manufacturing	1/500 sq. ft. of gross floor area	Trailer Parking: parking stalls for trailers shall be provided at a ratio of 1 stall per truck loading dock door. This is in addition to the loading parking stall already provided at the dock door.
Research and development	1/350 sq. ft. of gross floor area	
Warehouse and distribution	1/1,000 sq. ft. of gross floor area for the first 20,000 sq. ft.; 1/ea. 2,000 sq. ft. of gross floor area for the second 20,000 sq. ft.; 1/ea. 4,000 sq. ft. of gross floor area for areas in excess of the initial 40,000 sq. ft.	

2.5.3 Section 9.11.080(A), (B), (C), and (H) of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

A. General Parking Design Standards.

1. Parking lot design shall take into consideration the appropriate integration of commercial uses. Parking facilities shall be designed to eliminate obstacles to pedestrian movement, consider spatial relationships between commercial uses and

associated parking, and where appropriate, parking design will dictate the types of uses that may feasibly be established to ensure that adequate parking is available within a reasonable distance to the use it serves.

2. Special plazas, motor courts or turnarounds are encouraged to identify entrance areas.

3. Project access and circulation shall allow for both vehicles and pedestrians by separating autos and foot traffic, by creating pedestrian entrances to projects and by using enhanced paving treatments, bollards or pergolas to identify pedestrian pathways through parking areas and along buildings.

4. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points should be consolidated to take advantage of planned or existing median breaks.

5. The city may require reciprocal parking and access agreements between individual and adjacent commercial parcels.

6. To discourage excessive speeds within parking areas, the maximum length of straight aisles shall not exceed three hundred (300) feet unless otherwise approved by the community development director.

7. Parking rows shall not be longer than one hundred eighty (180) feet, allowing for easier movement within the parking lot and preventing long queues within aisles unless otherwise approved by the community development director.

8. Drive aisles should make a loop around the structures and avoid dead end parking. In the case of straight drive aisles, provide at least ten (10) feet of setback between the last parking stall and the property line.

9. Parking areas shall be screened from streets through a combination of mounded landscaping, low profile walls and/or grading separations.

10. Parking areas shall not be used for loading or unloading.

11. Internal roadways should be designed so that direct access is available to all structures visible from a particular parking area.

12. Parking areas should use sound walls, screen walls and landscaping to minimize auto noise, glare and increased ambient temperature.

13. Landscaping, signs and walls shall be limited to thirty-six (36) inches in height, measured from top of curb within twenty-five (25) feet of any driveway entrance to protect visibility. Any trees located in these areas shall have trunks not exceeding eight inches in diameter and shall have a minimum branching height of six feet.

14. Trash enclosures shall not impair visibility.

15. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or public rights-of-way.

16. All illumination of streets, parking areas and other project areas shall provide a variety of light quality and intensity, emphasizing areas of high vehicular and pedestrian activity with increased light intensity.

17. Driveways shall be designed so entering vehicles do not interfere with the existing vehicles. Main driveways shall employ entry medians whenever possible.

18. The first parking stall perpendicular to a driveway or first aisle juncture shall be at least sixty (60) feet back from the property line, providing sufficient queuing for exiting vehicles unless otherwise approved by the city engineer.

19. In commercial developments, parking aisles should be oriented perpendicular to the major tenant's front entrance, to facilitate pedestrian movement.

20. Dead-end parking aisles which exceed eight standard parking stalls in length, and serving greater than sixteen (16) standard stalls for dual lanes, shall provide turnaround facilities (i.e., hammerhead, cul de sac, etc.) adequate to accommodate emergency vehicles.

21. Consideration shall be given to service vehicles (i.e., tractor trailers) when designing landscape and hardscape areas.

22. Bicycle and motorcycle parking shall be provided as required by the development code, Title 9 of this code.

23. All projects generating vehicular traffic shall participate in the traffic signal mitigation program as adopted by the City of Moreno Valley.

24. Transportation management programs may be requested of projects generating significant vehicular traffic. These programs may include transportation system strategies or transportation demand strategies targeted to reduce the project's impact on roads, air quality, and energy consumption. System strategies deal with physical improvements to the road or facility network, such as street widening, restriping, bus turnout improvements or consolidation of driveways. Demand strategies deal with the behavior of those using the road system and include carpooling, subsidized transit passes, bicycle racks, showers for employee use located within the facility, transit centers, and flexible work shifts.

B. Dimensions of Parking Spaces.

1. Covered Spaces. Parking spaces within an enclosed garage shall have an unobstructed, clear area dimension of ten (10) feet by twenty (20) feet for each required parking space provided. All other covered spaces shall each be a minimum of nine feet in width and eighteen (18) feet in depth. The parking area shall be clear of any obstructions and the measurements shall not include the exterior walls or structural supports.

2. Parallel Space. Each parallel parking space shall have a minimum dimension of eight feet wide by twenty-two (22) feet long. However, if a parallel space does not abut another parallel space, and access is adequate to that space, the length may be reduced to twenty (20) feet (see Figure 9.11.080-4).

3. Uncovered Spaces, Full-Size. Each full-size uncovered space shall be a minimum of nine feet in width and eighteen (18) feet in depth (see Figure 9.11.080-5).

4. Trailer parking stalls shall have a minimum dimension of fourteen (14) feet wide by fifty (50) feet in depth.

Figure 9.11.080-4
Dimensions of Parallel Parking Spaces

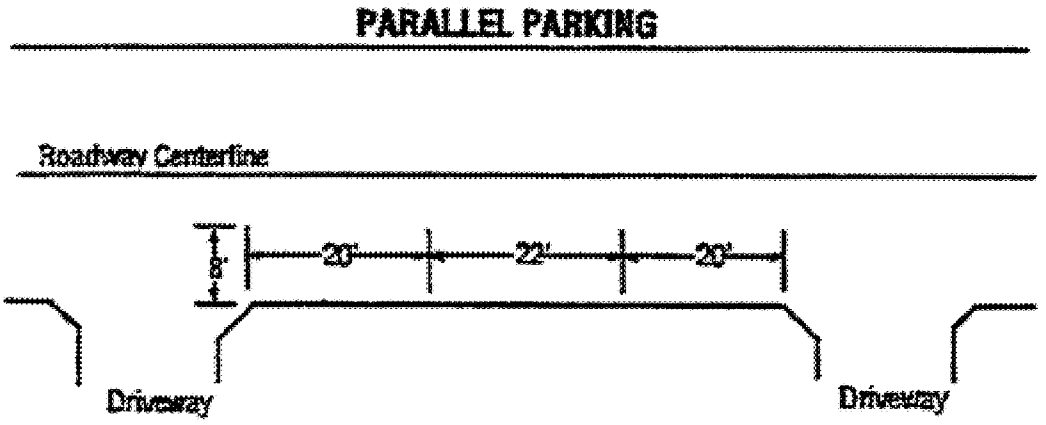

Figure 9.11.080-5
Nonparallel Parking Spaces

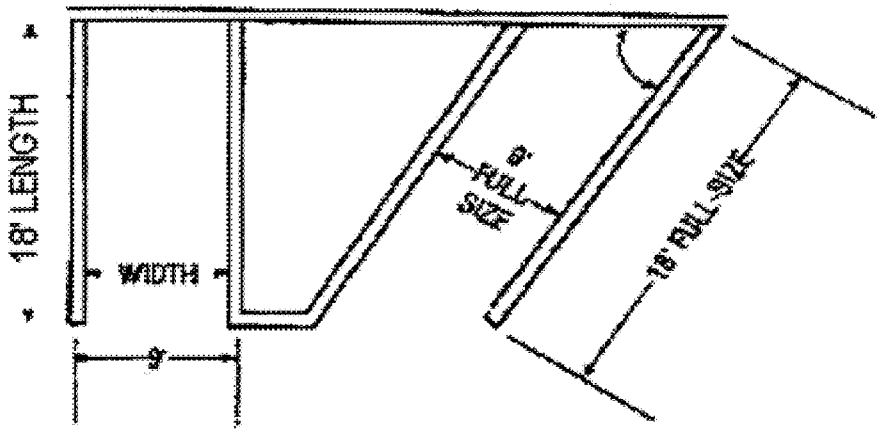

5. Tandem Space. Each tandem space shall be a minimum of nine feet in width and twenty-two (22) feet in depth.

C. Standard Improvements.

1. Drainage. All parking facilities, except those serving two or fewer dwelling units, shall be graded and provided with drainage facilities so as to provide for the disposal of water without surface flow over sidewalks within public rights-of-way.

2. Safety Features.

a. Additional requirements and guidelines for parking facility safety, including design, internal layout, acceptable turning radii, pavement slope, vehicular and pedestrian circulation and other design features may be adopted by the city traffic engineer when determined to be appropriate.

b. Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility. To the extent possible, the parking facility shall be designed so that primary pedestrian access to and from building entrances is along, rather than across, parking aisles.

c. Parking lots shall be designed to minimize conflicts between vehicles and pedestrians and shall also endeavor to minimize speeding and through traffic.

d. Drive aisles and parking lot drives shall not exceed five percent slope.

e. Streets should intersect others on outside rather than inside horizontal curves.

f. Streets should intersect at as near to a right angle as possible. They should be no more than fifteen (15) degrees skew.

g. Intersections should be offset a minimum of one hundred fifty (150) feet.

h. Deceleration lanes should be a minimum of two hundred ten (210) feet long and ten (10) to twelve (12) feet wide, composed of a minimum sixty (90) foot transition and one hundred fifty (200) foot turn lane.

i. Internal streets and drive lanes should have a minimum radius of two hundred fifty (250) feet (twenty-five (25) mph design speed).

j. Where feasible, bus turnouts and bus stops shall be located on the far side of intersections to reduce conflicts between buses and through traffic.

3. Striping and Identification.

a. All automobile parking spaces shall be clearly outlined with white double lines on the surface of the parking facility as shown in Figure 9.11.080-6 (3 inch line - 6 inch space - 3 inch line for a total of 12 inches) or as otherwise specified by the building official.

b. Fire lanes, if required, shall be installed to the specifications of the City of Moreno Valley fire chief, including red curbing and posting with signs.

c. Stop signs and painted stop bars shall be installed in parking areas where drive lanes intersect and at egress points to streets or alleys.

d. Within parking facilities, the city traffic engineer may require all aisles, approach lanes and maneuvering areas to be clearly marked with directional arrows on the pavement surface to facilitate vehicular movement. In addition to directional arrows, the city traffic engineer may require installation of signs to ensure safe and efficient vehicular movement.

Figure 9.11.880-6
Parking Space Striping Requirements

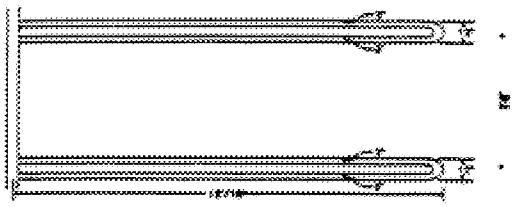

* Ends of parking stall striping shall be curved or squared off

H. Access.

1. Parking Access from Streets.

a. Access to parking spaces, other than four or fewer spaces serving a residential use, shall not require backing onto a public or private street or onto a private drive other than a drive designed exclusively to provide access to parking spaces.

b. Commercial developments should orient traffic onto major arterials and not onto local streets or collectors.

c. Projects shall minimize impacts on adjacent streets by consolidating access points. Access points shall be consolidated to take advantage of planned or existing median breaks.

2. Driveway and Aisle Widths and Clearances. For purposes of this section, a driveway shall be defined as an access leading from a public street or right-of-way or a private street to a parking area, or from one parking area to another, but shall not be defined to include any ramp, aisle, or maneuvering area. A ramp is defined as an access driveway from one parking level to another. All driveways and ramps shall comply with the following standards:

a. Driveways and aisles for single-family detached structures shall not be less than sixteen (16) feet in width, and shall be maintained free and clear of all obstructions. Driveways which serve single-family development shall be defined as the paved area leading from a public street or right-of-way or a private street to the designated parking area, and shall not be wider than such designated parking area; and

b. Driveways for single-family attached, multiple-family, and nonresidential uses shall be as shown in Table 9.11.080-13 of this section, except when for health and safety purposes wider dimensions are required for emergency vehicle access.

Table 9.11.080-13

Driveway and Aisle Dimensions for Single-Family Attached, Multiple-Family, and Nonresidential Uses

Width, excluding flares or curb radius	
Minimum (one-way)	20 feet
Minimum (two-way)	24 feet
Maximum	36 feet
Right Turn Radius[1]	
Minimum	15 feet
Maximum	50 feet
Minimum Spacing[2]	
From side property line	10 feet
From street corner	25 feet
Angle[3]	75°

[1]On side of driveway exposed to entry or exit by right-turning vehicle to driveways with curb radius.

[2]Measured along the street side property line from throat to the side property line, or to a line passing through the intersection.

[3]Minimum acute angle measured from the edge of pavement.

3. The following criteria and dimensions may be modified by the City Engineer:

Table 9.11.080-14

Street Classification	Distance from a Driveway to an Intersection	Spacing Between Adjacent Driveways
Expressway 134′ ROW	Restricted* **	1/2 mile
Divided Major/ Modified Major	Limited Access* **	Limited Access
Divided Arterial	Minimum 450 feet	Minimum 450 feet
134′ ROW/120′ ROW		One driveway per parcel
Divided Arterial	Limited Access* **	Minimum 250 feet
110′ ROW	Minimum 350 feet	
Arterial/Minor Arterial/ Industrial Collector		
100′/88′/78′ ROW	Limited Access* **	Minimum 150 feet
	Minimum 250 feet	
	Full Access 350 feet	
Collector /66′ ROW	Minimum 200 feet* ***	Minimum 100 feet or one driveway per parcel
Local Street	Minimum 100 feet* ***	Minimum 100 feet or one driveway per parcel

* Access may be limited to the minimum movements necessary to safely expedite traffic

** Access may be restricted by medians

*** For residential development

(Ord. 398 § 2.1, 1993; Ord. 359 (Attach. 2 (part)), 1992)

4. Ramps.

a. One-way ramps shall have a minimum width of fourteen (14) feet, unless a larger dimension is required for emergency vehicle access.

b. Two-way ramps shall have a minimum width of twenty (20) feet.

5. Gated Entries. Requests for gated entries shall be submitted to the city traffic engineer and shall be subject to review and approval by the city traffic engineer and planning official, based on an analysis of the following issues:

a. Type and operation of gate;

b. Adequacy of vehicle stacking area;

c. Effect of gated entry on parking usage and distribution on the site;

d. Effect of gated entry on parking for surrounding or adjacent areas;

e. Emergency vehicle access.

2.5.4 Section 9.11.100 of Chapter 9.11 of the City of Moreno Valley Municipal Code is hereby added to include the following:

9.11.100 Circulation—Pedestrian.

A. Pedestrian walkways shall be provided to reduce pedestrian/vehicle conflicts. Decorative paving and bollards can help provide safety and separation.

B. Pedestrian walkways shall be connected with public sidewalks, connecting buildings and activity areas within centers. Pedestrian walkways shall be provided to connect adjacent properties when appropriate.

C. Pedestrian walks through open spaces and access ways to buildings should be used to shorten walking distances.

D. Pedestrian walkways, corridors, plazas and other similar areas shall be highly visible and well lit.

E. Amenities including, but not limited to, enhanced paving, street furniture and raised planters should be provided to enhance the pedestrian experience.

F. Handicapped ramps shall be incorporated into all curb and sidewalk designs and shall meet the standards set forth in Title 24 of the California Access Code. (Ord. 359 (Attach. 2 (part)), 1992)

2.6 Section 9.14.020 of Chapter 9.14 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

G. Lots.

1. Lot size shall be not less than the minimum required by the zoning classification applicable to the subject property, and shall be consistent with the general plan.

2. When lots are crossed by major public utility easements, each lot shall have a net usable area of not less than three thousand six hundred (3,600) square feet, exclusive of the utility easement.

3. Side lot lines shall be at right angles to the street centerline, except where terrain or other restrictions make such design impractical.

4. No lot shall be divided by a city, county, school district or other taxing agency boundary line.

5. The minimum lot frontage on a knuckle or cul-de-sac street shall be fifty (50) feet measured along the property line unless otherwise specified in the development standards of the zoning classification.

6. Lot width along curvilinear streets may be measured at the building setback line in accordance with development standards of the zoning classifications.

7. When a lot includes an access corridor, the access corridor shall be not less than twenty (20) feet in width. In no case shall the length of the access corridor exceed five hundred (500) feet. When the access portion abuts a dead-end street or cul-de-sac, the combined length of the street and the access strip shall be no more than the maximum length of a cul-de-sac as defined herein.

2.7 Chapter 9.16 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

Chapter 9.16 DESIGN GUIDELINES

Note
Article I. Introduction and Scope of Guidelines
Article II. Principles of Design
Article III. Applications for Site Design and Architecture
Article IV. Applications for Hillside Development
Article V. Applications for Signs
Article VI. Applications for Lighting

2.7.2 Article V Sections 9.16.240, 9.16.250, and 9.16.26 of Chapter 9.16 of the City of Moreno Valley Municipal Code are hereby deleted in their entirety.

2.8 Section 9.17.050(B) of Chapter 9.17 of the City of Moreno Valley Municipal Code is hereby amended to include as follows:

B. Landscape Islands, Diamond, Finger and Perimeter Planters.

1. Landscape finger planters shall have a minimum interior dimension of five feet by sixteen (16) feet, exclusive of curbs, step-outs and other hard surfaces. A finger planter with parking on one side has a minimum curb-face-to-curb-face dimension of seven feet. An island with parking on both sides has a minimum curb-face-to-curb-face dimension of eight feet.

2. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet. The minimum exterior area (including perimeter curbing) is thirty-six (36) square feet.

3. End islands, or finger planters are provided at the end of each aisle of parking to define parking lot circulation, provide sight distance at the intersection of drive aisles and places for trees.

4. Where double rows of parking are provided, diamond or island planters are provided at an interval of one planter every three pairs of parking stalls. Minor adjustments are allowed in cases where this exact interval would be infeasible.

5. A finger planter is provided at an interval of every twelve (12) parking stalls along any row of parking. Minor adjustments are allowed in cases where this exact interval would be infeasible.

6. The perimeter of the parking lot has a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

SECTION 3 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 4 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 5 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: April 13, 2010

TITLE: CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION

RECOMMENDED ACTION

Staff recommends that the City Council confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Pursuant to Municipal Code Section 2.27.020(b) insofar as practicable, the Traffic Safety Commission shall be composed of one representative of Val Verde parent-teacher council appointed by the board of directors of the council he/she represents and confirmed by the City Council. In the event there is no parent-teacher council, the board of trustees of the school district shall appoint a member to represent it and the member shall be confirmed by the City Council.

The City Clerk's Office received a letter from the Val Verde Unified School District nominating Dr. Edward C. 'Pete' Rodine as the Val Verde Parent-Teacher Council representative on the Traffic Safety Commission.

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. The Traffic Safety Commission considers matters pertaining to traffic safety within the City; evaluates proposals for traffic control devices; and evaluates the need for striping, signing or other measures not of a regulatory nature. Choosing not to fill a vacancy on the above-mentioned commission would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointment.

NOTIFICATION

1. Publication of the agenda
2. Report and agenda mailed to Dr. Edward C. 'Pete' Rodine

ATTACHMENTS

1. Val Verde letter of appointment

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

"No Excuses"

BOARD OF EDUCATION:
Fredy R. De Leon, J.D.
Stacey L. Guzman
Marla D. Kirkland
Wraymond Sawyerr
D. Shelly Yarbrough

Alan Jensen, Ed.D.
Superintendent

Mike McCormick
Assistant Superintendent
Education Services

Vicki Butler
ctor, Special Education

Patricia Ralphs
Administrator,
Human Resources

Norman Towels, Ph.D.
Assistant Superintendent
Student Services

Mike Boyd
Deputy Superintendent
Business Services

David Bazan
Director,
Information Technology

Michael Bazan
Director, Risk Management

Sandee Hackett
Director, Facilities
and
Maintenance & Operations

Kristin Merritt
Director,
Business Services

Robert Quanstrom
ector, Food Services

Stacy Strawderman
Director,
Contracts and Purchasing
Services

September 9, 2009

Mr. Eric Lewis
Traffic Safety Engineer
City of Moreno Valley
P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Lewis:

The Val Verde Unified School District nominates the following individual to the Traffic Safety Committee as our PTO Representative:

Dr. E. C. 'Pete' Rodine
15744 Avenida del Corazon
Moreno Valley, California 92555
(951) 242-9350

Please feel free to call me at (951) 940-6117 if you have any questions.

Sincerely,

Alan Jensen, Ed.D.
Superintendent

cc: Dr. E. C. 'Pete' Rodine

Item No. A.10

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MV00052119

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Erosion Control Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required Erosion Control features.

The developer has completed and submitted an Agreement for Erosion Control Security and provided City staff with the escrow instructions and agrees to perform and maintain all of the required Erosion Control features within six (6) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed and maintained within said timeframe. The limits of the Erosion Control include but are not limited to the entire site limits from State Route 60 to Eucalyptus Avenue, and from Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $247,700 (per the approved Engineer's Estimate for the Erosion Control). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Erosion Control Security. Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least twenty-five percent (25%) of the required security shall be in cash and deposited with the City Engineer, an amount equal to $61,925. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The placement of erosion control facilities by the developer provides the site with the necessary protection from erosion, sediment transportation, dust control and is consistent with the City's General Plan as well as the required Storm Water Pollution Prevention Plan (SWPPP).

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Erosion Control Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Erosion Control Agreement.doc

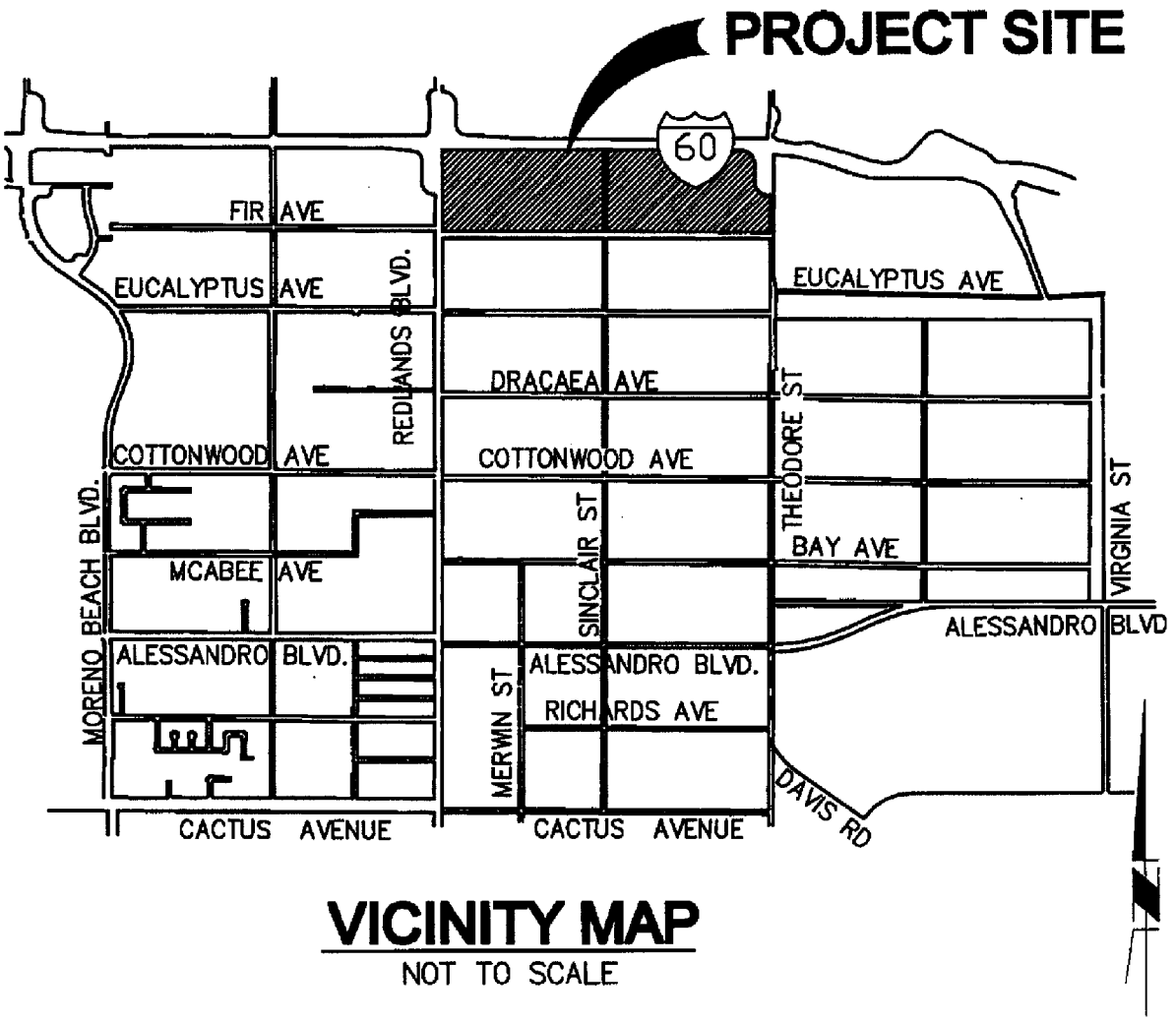

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR EROSION CONTROL SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Erosion Control Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **SIX (6)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Erosion Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Erosion Control Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of TWO HUNDRED FORTY SEVEN THOUSAND SEVEN HUNDRED AND NO/100 Dollars (*****$247,700.00*****). Moreno Valley Municipal Code Chapter 8.21.150(H)(2) states that at least Twenty-Five Percent (25%) of the required security shall be in cash and deposited with the City Engineer.

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any securities guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Erosion Control Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Erosion Control Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency, not less than the estimated cost of the work for Erosion Control Improvements for the faithful performance of the terms and conditions of this Agreement,. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Erosion Control Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon the failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the erosion control plans, the City Engineer, in his sole professional opinion, shall with draw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer and City Attorney. City shall release any unused portion of the erosion control security no later than upon completion of the landscaping improvements for the project, as confirmed by the approval of the City Engineer. Consistent with the provisions of Section 8.21.150 of the Moreno Valley Municipal Code, and subject to the discretion of the City Engineer, Contractor may request in writing that the erosion control security be released upon the end of the rainy season, prior to completion of the landscaping improvements.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow, Contractor further agrees to maintain the aforesaid funds during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

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ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Erosion Control

DATE: **10/29/09**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	230	Ton	60.00	13,800
Desilting Basin w/ Riser	6	E.A.	5,500.00	33,000
Fiber Roll	49725	L.F.	2.20	109,395
Stabilized Construction Entrance	1	E.A.	3,000.00	3,000
Gravel Bags	3600	E.A.	1.90	6,840
Bonded Fiber Matrix Mulch	20.2	AC	2,000.00	40,400
		TOTAL		206,435
20% CONTINGENCY:				$41,287
GRAND TOTAL:				**$247,722**

Notes:
Rip-rap at the end of Line "F" will be included in the bond estimate for Line "F"

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade EC.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On April 7, 2010 (Date) before me, Mary S. Fredenburg (Here Insert Name and Title of the Officer),
personally appeared Iddo Benzeevi (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Erosion Control

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi
☐ Individual
☒ Corporate Officer — Title(s): President/CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431680-SD

DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Erosion Control Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

_____

By: .

Approved as to Form
Date 8 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.11

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company (7/5/2006)

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Rough Grading Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required rough grading.

The developer has completed and submitted an Agreement for Rough Grading Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required rough grading within four (4) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required rough grading is not completed within said timeframe. The limits of the rough grading include but are not limited to the entire site limits from State Route 60 to Eucalyptus, and Redlands Boulevard to Theodore Street, and includes the rough cut section for Eucalyptus Avenue.

Accompanying the agreement is a Faithful Performance cash security in the amount of $538,500 (per the approved Engineer's Estimate for the rough grading). The cash security shall be placed in an escrow account that allows for disbursement of funds in accordance with the details in the Agreement for Rough Grading Security. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project. The rough grading by the developer provides the necessary site preparation for building construction, consistent with the City's General Plan.

ALTERNATIVES

Not applicable.

MV00052137

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Rough Grading Security
Exhibit "C" - Escrow Instructions

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

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 - PA07-0090 - PM 35629 - Highland Fairview Logistics Project Grading Agreement.doc

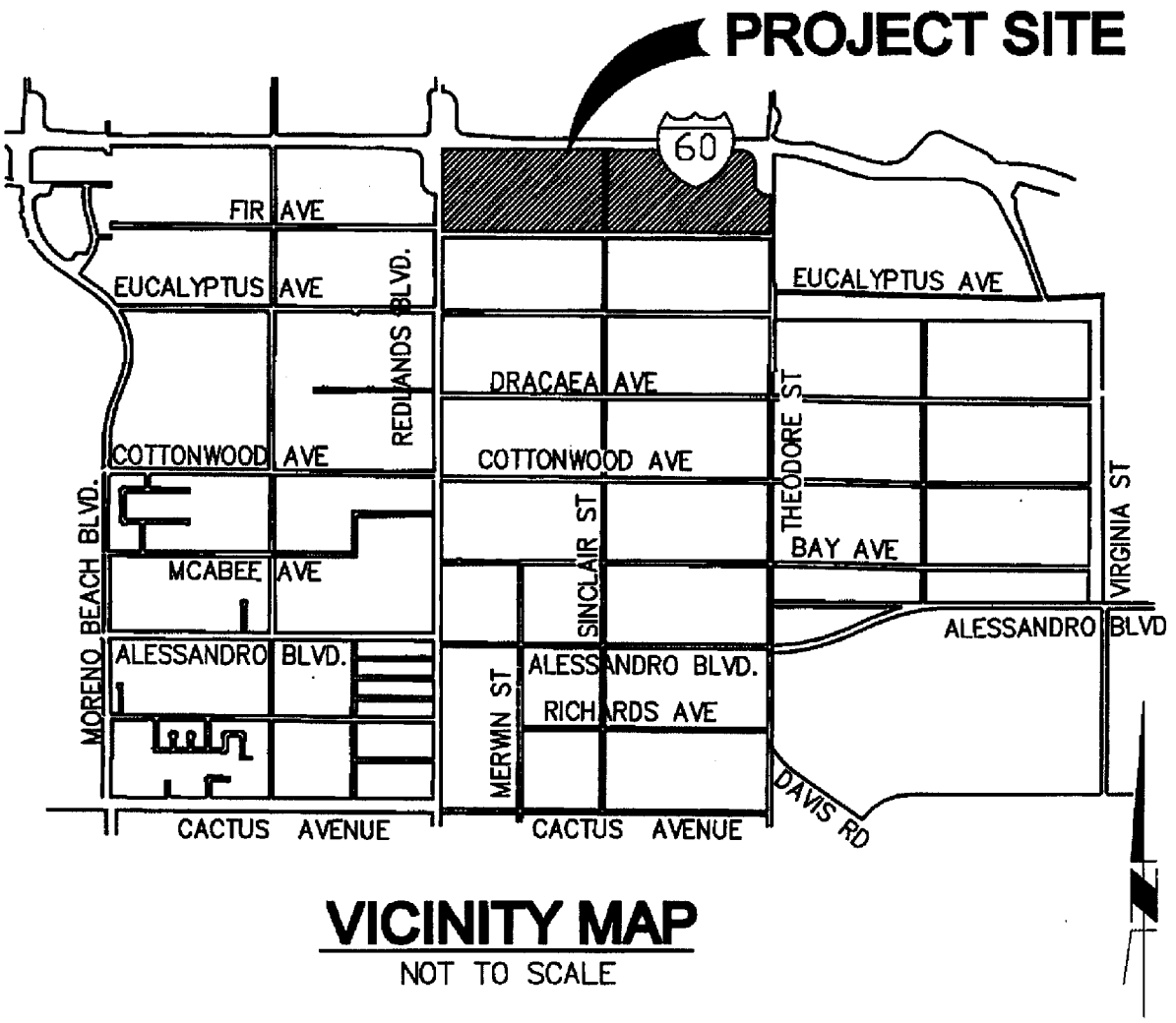

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR ROUGH GRADING SECURITY
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company herein after called Contractor, on the date the City signs this agreement..

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the Rough Grading Plan of that certain land division, or that certain other land development project, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **FOUR (4)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with the Rough Grading Plan for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City.. Contractor shall complete the Rough Grading Improvements described in this paragraph pursuant to Moreno Valley Municipal Code Chapter 8.21. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **FIVE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$538,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Rough Grading Improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Rough Grading Improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees, prior to the date this Agreement is executed, to deposit into a separate escrow account the total amount of funds in United States currency not less than the estimated cost of the work for Rough Grading Improvements for the faithful performance of the terms and conditions of this Agreement. The escrow account shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Contractor agrees to maintain said escrow account with good and sufficient funds or increase the amounts of said escrow account, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Rough Grading Improvements are completed within thirty (30) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security. Upon failure of the contractor to abide by any terms herein, in the Moreno Valley Municipal Code, in any statutes or codes, or in the grading plans, the City Engineer, in his sole professional opinion, shall withdraw from escrow all funds necessary to abate the breach. Contractor reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement subject to the approval of the City Engineer. City shall release the grading security upon final approval of the grading work by the City Engineer, consistent with Section 8.21.180 of the Moreno Valley Municipal Code.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the funds from escrow. Contractor further agrees to maintain the aforesaid funds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
HF LOGISTICS-SKX T1, LLC
14225 Corporate Way
Moreno Valley, California 92553

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

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

By: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

By: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 8 APR 2010

By: _____
City Attorney

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

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

ENGINEER'S ESTIMATE

PROJECT NO: **PA07-0090**
TPM 35629 Rough Grade

DATE: **04/05/10**
PREPARED BY: **RBF Consulting**

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	$5,000.00	5,000
Excavate Channel (SR 60 Culverts)	35,000	CY	$1.50	52,500
Rip Rap Protection (Channel at outlet and confluences)	3,000	CY	$60.00	180,000
Excavation Desilting Basins	48,000	CY	$1.50	72,000
Desilting Basin Risers (72" CMP)	0	EA	$15,000.00	0
Desilting Basin Outlet Pipe (48" CMP)	-	LF	$75.00	0
Desilting Basin Outlet Rip Rap	0	CY	$60.00	0
Desilting Basin Spillway (Gunite)	0	SF	$1.50	0
			Subtotal:	**$309,500.00**
			Hard Cost Contingency (20%)	$61,900.00
			Subtotal:	$371,400.00
			Soft Cost Contingency (45%)	$167,130.00
			Grand Total:	**$538,530.00**
			Bond Total	**$538,500**

Note: This estimate is based Snapshot #3 outlined in the attached exhibits and letter from Highland Fairview (Dated July 16,2009) and the letter from the City of Moreno Valley (Dated Aug 12, 2009).

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-10
CIVIL
STATE OF CALIFORNIA

H:\pdata\10106246\Calcs\Cost Estimates\TTM-35629 Rough Grade.xls

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside }

On April 7, 2010 (Date) before me, Mary S. Fredenburg, (Here Insert Name and Title of the Officer)
personally appeared Iddo Benezevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARY S. FREDENBURG
Commission # 1784970
Notary Public - California
Riverside County
My Comm. Expires Dec 14, 2011

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

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Rough Grading Security

Document Date: _____ Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benezevi
☒ Individual
☒ Corporate Officer — Title(s): President & CEO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: President & CEO
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-431679-SD DATE: 04/06/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated _____ executed by and between City of Moreno Valley, ("City") and HF Logistics-SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the " Agreement for Rough Grading Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

_____

By: .

HF Logistics-SKX T1, LLC, a California limited liability company

By: . Iddo Benzeevi
President + CEO

Approved as to Form
Date 3 APR 2010
By _____
City Attorney
Moreno Valley

EXHIBIT C

Item No. A.12

Escrow General Provisions

The parties understand and acknowledge:

1. SPECIAL DISCLOSURES:

A. DEPOSIT OF FUNDS & DISBURSEMENTS

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. DISCLOSURE OF POSSIBLE BENEFITS TO ESCROW HOLDER

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. MISCELLANEOUS FEES

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. METHOD TO DELIVER PAYOFF TO LENDERS/LIENHOLDERS

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. PRORATIONS & ADJUSTMENTS

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. CONTINGENCY PERIODS

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. REPORTS

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. INFORMATION FROM AFFILIATED COMPANIES

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. RECORDATION OF DOCUMENTS

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. PERSONAL PROPERTY TAXES

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. REAL PROPERTY TAXES

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. CANCELLATION OF ESCROW

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. CONFLICTING INSTRUCTIONS & DISPUTES

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

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Form 1610
(7/5/2006)

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CONSENT OF MEMBERS
OF
HF LOGISTICS I, LLC

THE UNDERSIGNED, being all of the members of the above-named Delaware limited liability company (the "**Company**"), in lieu of holding a meeting, hereby consent the taking of the following action:

RESOLVED, that Iddo Benzeevi, President and Chief Executive Officer of the Company, be and he is hereby authorized and directed to execute and deliver, on behalf of the Company, in its capacity as the managing member of HF Logistics-SKX, LLC, a Delaware limited liability company ("**SKX**"), in its capacity as the sole member of HF Logistics-SKX T1, LLC, a Delaware limited liability company ("**T1**") that certain Agreement for Erosion Control Plan Project No. Tentative Parcel Map 35629, and that certain Agreement for Rough Grading Plan Project No. Tentative Parcel Map 35629 with the City of Moreno Valley, and any and all other agreements or documents with the City of Moreno Valley, or any other governmental entity or agency thereof, which relate to public improvements in connection with the project known as "Highland Fairview Corporate Park".

RESOLVED, FURTHER, that the signature of Iddo Benzeevi, as President and Chief Executive Officer of the Company, on any of the above-referenced documents shall bind the Company, in its capacity as the managing member of SKX, in its capacity as the sole member of T1, as the act and deed thereof, and that any and all such documents which have been so executed prior to the date of this resolution are hereby ratified and confirmed.

(signature page follows)

089402, 000005, 103384081.1

IN WITNESS WHEREOF, the undersigned have executed this resolution as of the 8th day of April, 2010.

HIGHLAND FAIRVIEW PARTNERS I

By HFP Realty Investment, LP, its Managing Partner

By HFP Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS II

By New Sand Holdings, LP, its Managing Partner

By Sand Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr.,
Managing Director

HIGHLAND FAIRVIEW PARTNERS III

By HFP Educational Holdings, LP, its Managing Partner

By HPF/Ed Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

HIGHLAND FAIRVIEW PARTNERS IV

By Sinclair Holdings, LP, its Managing Partner

By Sinclair Realty Holdings, LLC, its General Partner

By _____
James M. Lieb, Sr., Managing Director

089402, 000005, 103384081.1

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00052153

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00052155

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 13, 2010

TITLE: SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Second Amended and Restated Negotiation Agreement (attached hereto) to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project.

DISCUSSION

The term of the Negotiation Agreement is presently valid through March 23, 2010. Since their selection as the project developer, PDDC has suggested modifying the proposed funding source from the previously proposed 4% federal tax credits to a 9% federal tax credit program. The change is desirable because it lowers the amount of needed RDA financial assistance, as well as enhance the ability of securing tax credits in the financing market. To accommodate the time needed to evaluate the competitiveness of the enhanced project, including proforma analysis, staff recommends the extension of the Agreement through June 14, 2010.

Additionally, the extension of time for the Negotiation Agreement will provide for the needed time finalize the negotiation and drafting for a Disposition and Development Agreement in accordance with the negotiated project terms.

ALTERNATIVES

1. Approve the Second Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the major business points of the future affordable housing project and finalizing of the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would cancel the timing of the Negotiation Agreement and delay the planning of the future affordable housing project.

FISCAL IMPACT

This action does not impose a fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to

continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Second Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the RDA's agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Second Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

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MV00052159

SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of April 13, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement") and an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Executive Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement and the November Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CFO

EXHIBIT "A"

MAP

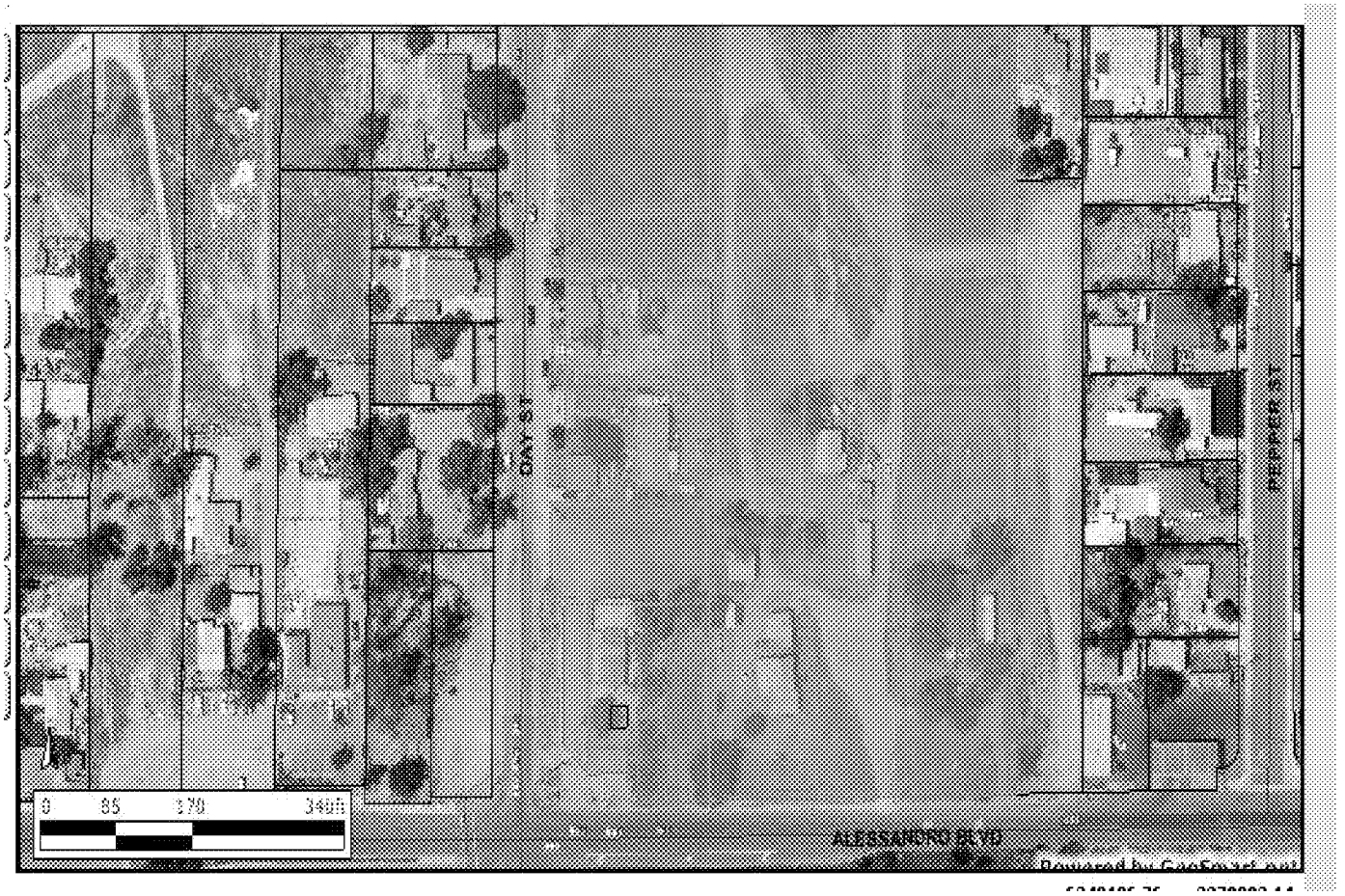

MINUTES - REGULAR MEETING OF MARCH 23, 2010
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00052169

MORENO VALLEY
WHERE DREAMS SOAR

Community Development Department
Planning Division

MEMORANDUM

To: Mayor Flickinger and City Council Members

From: Kyle Kollar, Community Development Director

Date: April 12, 2010

Subject: Revisions to City Council Resolution No. 2010-21 for Public Hearing Item E.1

cc: Agenda packet distribution list

Planning staff received an inquiry in response to the newspaper notice for the public hearing for Item E.1. The caller had concerns with the proposal to increase maximum allowable density for residential development within the Residential/Office (R/O) designation.

Following that inquiry, Planning reviewed the proposed General Plan Amendment and the policies listed under Objective 2.4 of the General Plan, and with this memorandum staff recommends the approval of revised City Council Resolution 2010-21 and Exhibit A to that resolution to more accurately represent the intent of the General Plan Amendment (both documents have been attached to this memo for reference).

The staff report and City Council Resolution 2010-21 currently propose to amend the General Plan by increasing the density of the Residential/Office (R/O) designation from a maximum of 15 dwelling units per acre to 30 dwelling units per acre results. This would result in intensification in land use that was not the original intent of creating mixed use development opportunities. Staff is now recommending no change to the Residential/Office (R/O) designation. This would allow for a General Plan designation that is consistent with development under the MUD1 zone and not result in changes in density for properties that are currently designated Residential/Office.

Instead, staff now recommends increasing the maximum density for the Mixed-Use (MU) designation from 20 dwelling units per acre to 30 dwelling units per acre. Increasing the density for the MU designation would allow for a General Plan designation that is consistent with development under the MUD2 zone.

The only properties within the City of Moreno Valley with the MU designation are located in the Moreno Highlands Specific Plan or the Village Plan, each of which has their own development criteria governing maximum density. Future development of mixed use outside of these specific plan areas would require approval of a General Plan Amendment

to establish the MU designation and allow the Council to review potential impacts resulting from a change in land use designation through individual applications.

Additionally, the findings for City Council Resolution 2010-21 were revised to better reflect approval of the General Plan Amendment.

jb

Attachments/Enclosures

c: PA10-0004

W:\Planning\jeffreyb\2010\PA10-0004\CC Memo – Revisions to CC resolution 04-12-10

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.5 BY CHANGING THE MAXIMUM DENSITY FOR THE MIXED-USE (MU) DESIGNATION FROM 20 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.5, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Mixed-Use land use from 20 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 30 ~~20~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

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MV00052177

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: April 13, 2010

TITLE: A public hearing on a Municipal Code Amendment (PA07-0005) and a General Plan Amendment (PA10-0004) related to mixed use development. The Municipal Code Amendment proposes changes to various chapters in Title 9 including the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establishing development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004), and subsequent to the public hearing:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions; and

2. **INTRODUCE** Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

3. **ADOPT** City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

ADVISORY BOARD/COMMISSION DECISION

The Planning Commission at its February 25, 2010, meeting approved Planning Commission Resolution No. 2010-05 by a of 7-0 vote, recommending that the City Council recognize that Municipal Code Amendment PA07-0005 and General Plan Amendment PA10-0004 are exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemptions and thereby approve the Municipal Code Amendment and General Plan Amendment.

BACKGROUND

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment of mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – “Live/work unit” definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Attachment 7 shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service
- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Attachment 7 shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat

c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Attachment 7 shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Attachment 7 shows the revisions as described above as underlined text.

Chapter 9.07

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Attachment 2 for a copy of the ordinance which includes the proposed Municipal Code sections and Attachment 7 for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Attachment 7 shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock".

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone.

DISCUSSION

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other).

Please see Attachment 10 for examples of mixed use development in other communities.

Planning Commission Public Hearing

A Planning Commission public hearing for the project was conducted on February 25, 2010. There was one speaker at this meeting. Wayne Peterson of the Highland Fairview company stated their support of the creation of mixed use zoning districts. He also recommended allowing for more flexibility in the development standards for the two proposed mixed use zones.

Following public testimony, the Planning Commissioners briefly discussed the project. Commissioner Riechers recommended some minor corrections. The Planning Commission then voted unanimously to recommend that the City Council approve the Municipal Code Amendment and the General Plan Amendment.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

ALTERNATIVES

1. The City Council could deny the project. If denial of the project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The project includes two applications. A Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Ordinance for Municipal Code Amendment
3. Resolution for General Plan Amendment
4. Planning Commission Staff Report dated February 25, 2010 (excluding exhibits)
5. Planning Commission Minutes for Item #720 from February 25, 2010 Meeting
6. Revisions to Municipal Code Chapter 9.01
7. Revisions to Municipal Code Chapter 9.02
8. Revisions to Municipal Code Chapter 9.15
9. Definitions for Office, Support Retail Sales and Retail Sales from Municipal Code Section 9.15.030
10. Examples of mixed use development

Prepared By:
Jeff Bradshaw
Associated Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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MV00052187

NOTICE
OF
CITY COUNCIL
PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER AN AMENDMENT (PA07-0005) TO THE CITY OF MORENO VALLEY MUNICIPAL CODE AND AN AMENDMENT (PA10-0004) TO THE GENERAL PLAN. THE MUNICIPAL CODE AMENDMENT PROPOSES TO CREATE TWO NEW MIXED USE ZONING DISTRICTS (MUD1 AND MUD2) AND TWO NEW CODE SECTIONS (9.07.090 AND 9.07.100) TO ESTABLISH STANDARDS AND CRITERIA FOR MIXED-USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT ALSO PROPOSES TO REVISE PERMITTED USES TABLE 9.02.020-1 TO ELIMINATE SPECIFIC OFFICE, SUPPORT RETAIL, AND RETAIL USES WHICH ARE DUPLICATED OR ARE SIMILAR TO EXISTING USES LISTED IN THE TABLE. THE PERMITTED USES TABLE HAS ALSO BEEN REVISED TO CORRECT FOOTNOTES, TO ADD DENSITY TO THE ZONING DISTRICT KEY, AND TO ADD THE MIXED USE DISTRICT 1 (MUD1) AND MIXED USE DISTRICT 2 (MUD2) TO THE TABLE. THE GENERAL PLAN AMENDMENT PROPOSES TO CHANGE THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) LAND USE DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

The Municipal Code Amendment (PA07-0005) proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Chapter 9.01;
- Chapter 9.02 – Revisions to the Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07,010; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes a change to the following section:

- Objective 2.4, Policy 2.4.6 – change maximum density for R/O

As a minor alteration to land use limitations, the Municipal Code Amendment and General Plan Amendment are determined to be exempt under California Environmental Quality Act, 2009 Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

The City Council may consider modifications or alternatives to the amendment or the environmental determination. The amendment is proposed to be exempt under California Environmental Quality Act Guidelines Section 15061 as defined by Section 15378.

Any person interested in the proposed project may contact Jeff Bradshaw at (951) 413-3224 or at the Community Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

Tuesday, April 13, 2010
6:30 P.M.
City Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0885

ATTACHMENT 1

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MV00052189

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains

b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (PA10-0004) TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE.

WHEREAS, the City of Moreno Valley has filed an application requesting an amendment to the City's General Plan requesting an amendment to the City's General Plan which proposes revisions to General Plan Objective 2.4, Policy 2.4.6 to l, as described in the title of this resolution.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption;

WHEREAS, on February 25, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA10-0004). At said meeting, the Planning Commission recommended approval of General Plan Amendment (PA10-0004) to the City Council, and;

WHEREAS, on April 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the General Plan Amendment contained within this Resolution;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

ATTACHMENT 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS WITH RESPECT TO PA10-0004

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is not consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment to change the density for the Residential/Office land use from 15 to 30 dwelling units per acre will not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will be detrimental to the public health, safety or welfare.

   FACT: Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the General Plan Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA10-0004, as shown on the attachments included as Exhibit A.

APPROVED AND ADOPTED this 13th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Exhibit A

CHAPTER 9 – GOALS AND OBJECTIVES MORENO VALLEY GENERAL PLAN

Objective 2.4
Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.

Policies:

2.4.1 The primary purpose of areas designated **Commercial** is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.

2.4.2 The commercial area located at the intersection of **Alessandro Boulevard and Redlands Boulevard** shall provide for commercial land uses that are compatible with the historical, small town nature of the original Moreno town site. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses.

2.4.3 The commercial area located on the **north side of State Route 60 at the intersection of Moreno Beach Drive** shall provide for the establishment of commercial land uses that serve the daily needs of the surrounding residential neighborhood and the traveling public. It is not intended to serve the needs of the region for goods, services, entertainment or recreation. The zoning regulations shall identify the particular uses and type of development permitted on each parcel, which could include office uses and compatible noncommercial uses.

2.4.4 An overlay district limiting land uses to those that are supportive and compatible with medical uses shall be established around the **Riverside County Regional Medical Center and the Moreno Valley Community Hospital**. The zoning regulations shall identify the particular uses and type of development permitted on each parcel.

2.4.5 The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

2.4.6 The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 ~~15~~ dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

2.4.7 The primary purpose of areas designated **Office** is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.

2.4.8 Orient commercial development toward pedestrian use. Buildings should be designed and sited so as to present a human-scale environment, including convenient and comfortable pedestrian access, seating areas, courtyards, landscaping and convenient pedestrian access to the public sidewalk.

2.4.9 Require reciprocal parking and access agreements between individual parcels where practical.

2.4.10 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

2.4.11 The commercial area located in the vicinity of the intersection of Gilman Springs Road and Jack Rabbit Trail shall provide those commercial support activities necessary and/or incidental to adjacent recreational uses and emphasize tourist-oriented activities and retail services. Recreation-oriented residential land use types may be appropriate to the extent that they are incidental to and complement the recreational character of the area. At such time as the area is annexed to the City, the zoning regulations shall identify the particular uses permitted on each parcel of land.

PLANNING COMMISSION
STAFF REPORT

Case:	PA07-0005 – Municipal Code Amendment PA10-0004 – General Plan Amendment
Date:	February 25, 2010
Applicant:	City of Moreno Valley
Representative:	Planning Division
Location:	Citywide
Proposal:	Municipal Code Amendment to various chapters in Title 9. The amendment proposes changes to the Permitted Uses Table 9.02.020-1 along with the creation of two new code sections establish development criteria for mixed use development in the MUD1 and MUD2 zones and the addition of a definition for the "Live/work unit" land use. The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.
Redevelopment Area:	N/A
Recommendation:	Approval

SUMMARY

Municipal Code Amendment to modify the Permitted Uses Table and create two new code sections in Title 9, to establish development standards for mixed use development in the MUD1 and MUD2 zones. A General Plan Amendment is also proposed to revise Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre.

ATTACHMENT 4

PROJECT DESCRIPTION

The project includes applications for a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes the following revisions to Title 9:

- Chapter 9.01 – MUD1 and MUD2 zones being added to Section 9.01.090;
- Chapter 9.02 – Revisions to Permitted Uses Table 9.02.020-1;
- Chapter 9.07 – MUD1 zone being added as Section 9.07.090;
- Chapter 9.07 – MUD2 zone being added as Section 9.07.100; and
- Chapter 9.15 – "Live/work unit" definition being added to the definitions.

The General Plan Amendment proposes to revise Policy 2.4.6 by changing the maximum density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre

Municipal Code Amendment

Chapter 9.01

The Mixed Use Development 1 (MUD1) and Mixed Use Development 2 (MUD2) zoning districts are being added to the list of zoning districts in Section 9.01.090. The revisions to Chapter 9.01 are referenced in Exhibit A.

Chapter 9.02

Revisions to the Permitted Uses Table in Section 9.02.020-1 of the Municipal Code were presented to the Planning Commission on July 2007. These revisions were later adopted by the City Council in May 2008.

These revisions included combining many support retail uses into one classification labeled "support retail uses" and combining many retail uses into one classification labeled "retail sales" in order to simplify the table and provide greater clarity. This revision also resulted in the adoption of two new definitions for "support retail sales" and "retail sales" which are now included in Section 9.15.030 (Definitions) of the Municipal Code.

Staff is recommending further fine-tuning of Table 9.02.020-1 by removing individual uses that meet the office, support retail sales, retail sales or other existing definitions. Exhibit B shows all the uses to be removed from the permitted use table as stricken text. The following is a list of uses recommended for deletion:

- Attorneys
- Auto Cellular Phone Sales and Installation
- Barber and Beauty Shops
- Golf Cart Sale and Service

- Monument and Tombstone Sales
- Swimming Pools and Spa Sales and service including outdoor display

The permitted uses table has also been revised to remove notes or text that accompany some of the listed uses and to add the Live/work unit as a land use. Exhibit B shows all the notes or text to be removed from the permitted use table as stricken text. The following is a list of recommended changes:

- Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations
- Auto Supply Stores ~~(includes installation)~~
- Business Supply Stores
  ~~Including bulk sales~~
  ~~Including furnishings~~
- Drapery Shops
  ~~With manufacture of drapes~~
  ~~With manufacture of drapery hardware~~
- Dry Cleaning or Laundry
  a. ~~Pickup only~~ Dry Cleaning
  b. ~~Self-service~~ Laundromat
  c. ~~Commercial with fleet storage~~ Laundry Commercial
- Live/work unit

Staff also recommends amending Table 9.02.020-1 of Section 9.02.020 by adding the "MUD1" and "MUD2" zones to the permitted use table. Exhibit B shows the addition of the MUD1 and MUD2 zones, and the land uses which would be allowed under each of these zones as permitted or conditional uses, as underlined text.

Finally, the permitted uses table was also revised to correct the numbering for the footnote attached to the "Wholesale, Storage and Distribution" use, and the Zoning District Key was revised to include allowable density for the RS-10, R10, R15, and R20 zones and to add the MUD1 and MUD1 zones to the list. Exhibit B shows the revisions as described above as underlined text.

Chapter 9.07

As a follow up to the introduction of mixed use in the General Plan Update in 2006, staff has developed two new land use districts to establish development criteria for mixed use development.

A staff report describing the establishment mixed use zoning districts for the City of Moreno Valley was presented to the City Council and the Planning Commission at a combined study session on January 19, 2010. Following a discussion of the concept, staff was given direction to schedule the proposed Municipal Code Amendment for a Planning Commission public hearing.

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead and Moreno Highlands) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall, "Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses."

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated **Mixed-Use** on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated **Residential/Office** on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 15 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

The creation of the new mixed use districts would provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

California Climate Change Legislation

California Assembly Bill (AB) 32 requires the Air Resources Board (ARB) to develop regulations and market mechanisms to reduce California's greenhouse gas (GHG) emissions to their 1990 levels by 2020. Greenhouse gases such as carbon dioxide are widely believed to contribute to global warming and other forms of climate change.

Recently adopted California Senate Bill (SB) 375 addresses the question of how land use and transportation are connected to climate change. SB 375 has three goals: (1) to use the regional transportation planning process to help achieve Assembly Bill 32 goals; (2) to use CEQA streamlining as an incentive to encourage residential projects which help achieve AB 32 goals to reduce Greenhouse Gas emissions (GhGs); and (3) to coordinate the regional housing needs allocation process with the regional transportation planning process.

Mixed use zoning would have the added benefit of encouraging a type of development that is complimentary to achieving the goals of AB 32.

Mixed Use Development zoning districts

The following is an overview of the two proposed zones:

Section 9.07.090 Mixed Use Development 1 (MUD1)

The MUD1 is intended to encourage the development and redevelopment of specific areas of the City into pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. While office development is the primary intent of the MUD1 zone, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. This district would act as transition or buffer zone between high activity commercial areas and residential districts.

This zone allows for a maximum density of 15 dwelling units per acre. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development

The intensity of non-residential uses in the MUD1 zone is comparable to the VOR zone of the Village Specific Plan and the City's BP and BPX zones. Permitted and conditional uses for the MUD1 zone are based on uses allowed in the VOR, BP and BPX zones.

Examples of permitted non-residential uses within the MUD1 zone include athletic clubs, banks, business supplies, daycare, dry cleaning, laundry, medical offices and laboratories, private schools, personal services, and restaurants.

Section 9.07.100 Mixed Use Development 2 (MUD2)

The intent of the MUD2 is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods.

This zone allows for a maximum density of 30 dwelling units per acre. Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development.

Non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

The intensity of non-residential uses in the MUD2 zone is comparable to the VCR and CC zones of the Village Specific Plan and the City's NC, CC, and VC zones. Permitted and conditional uses for the MUD2 zone are based on uses allowed in the above listed zones.

Examples of permitted non-residential uses within the MUD2 zone include appliance repair, arcades, athletic clubs, auto supply stores, bakeries, bowling alley, business supplies, catering, convenience stores, daycare, private schools, restaurants, and theaters.

Please see Exhibits C and D for draft copies of the proposed code sections and Exhibit B for a copy of the amended permitted uses table.

Chapter 9.15

Mixed use zones provide the opportunity for residents to live in close proximity to their work place. To further the options of even closer proximity between home and work, staff is proposing the addition of "live/work unit" as a permitted use in both the MUD1 and MUD2 zones.

A live/work unit would be defined as a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

As noted previously, the permitted table has been amended to add the live/work unit land use. Exhibit B shows the revisions as described above as underlined text. Chapter 9.15 Definitions has also been revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock". The revisions to Chapter 9.15 are referenced in Exhibit E.

General Plan Amendment

The proposed General Plan Amendment would result in a revision to Objective 2.4, Policy 2.4.6 by changing the density for the Residential/Office (R/O) designation from 15 to 30 dwelling units per acre. This change would allow for a maximum density that is compatible with the density proposed by the MUD2 zone. Exhibit F shows the revisions as described above as underlined text.

REVIEW PROCESS

Planning staff has developed two new mixed use zoning districts. The two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) were used as a starting point for the new districts. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). An example of horizontal mixed use is the Kha Plaza project which was approved by the Planning Commission on December 18, 2008. The project is located on the south side of Sunnymead Boulevard at Back Way, extending south to Webster Avenue between Sunnymead Boulevard and Webster Avenue. The 2.2 acre project site is zoned VCR along the Sunnymead frontage and VOR along the Webster frontage.

This mixed use project includes 1.3 acres of commercial development consisting of two buildings with a combined area of approximately 16,350 square feet fronting Sunnymead Boulevard. The commercial portion would allow for office, service commercial and some restaurant uses.

The remaining 0.9 acre fronting Webster Avenue will be developed with four buildings providing 12 townhouse-style residential units. This project includes shared access, shared parking, pedestrian walkways, and decorative screening walls to separate the residential uses from the commercial uses and provides for both vehicular and pedestrian connections between Webster Avenue and Sunnymead Boulevard.

Please see Attachment 5 for examples of mixed use developments in other communities.

ENVIRONMENTAL

Although the proposed Municipal Code Amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley.

As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

NOTIFICATION

A display notice was published in the newspaper and a public notice was posted at required City locations. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2010-05 and thereby recommend that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15305, as a Class 5 Categorical Exemption.

2. **APPROVE** PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment), as shown on the attachments included as Exhibits A, B, C, D, E and F.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-05
   Exhibit A – Revisions to Chapter 9.01
   Exhibit B – Revisions to Chapter 9.02
   Exhibit C – Introduction of Section 9.07.090
   Exhibit D – Introduction of Section 9.07.100
   Exhibit E – Revisions to Chapter 9.15
   Exhibit F – Revisions to General Plan Objective 2.4, Policy 2.4.6
3. Definitions for Office, Support Retail Sales and Retail Sales from MC Section 9.15.030
4. Examples of mixed use development

720

PA07-0005 Municipal Code Amendment
PA10-0004 General Plan Amendment

CHAIR MARZOEKI – May I have the Staff Report please.

ASSOCIATE PLANNER BRADSHAW – Thank you, Jeff Bradshaw, Associate Planner, Planning Division. The item before you this evening is really a follow-up to the combined Study Session that we had in January. The presentation to you this evening is some information that you have seen before along with some other changes that are being proposed as part of the same amendment. Item 720 includes two applications; a Municipal Code Amendment and a General Plan Amendment.

The Municipal Code Amendment proposes changes to Title 9 in portions of five different chapters.

In Chapter 9.01 the proposal there would be to add two new proposed Mixed Use Zones to the list of City Zones in that Chapter. In 9.02, that Chapter is proposing some revisions to the Permitted Uses Table. The changes to Chapter 9.07 would be the addition of the two new Mixed Use zoning designations and then finally a change to Chapter 9.15 which is our Definitions section and that would include the addition of a new land use category that is an extension of these two new Mixed Use Zones that we are presenting to you this evening.

The General Plan Amendment is a revision to one of the City policies specifically to the Residential or R/O designation, so that the definition for that land use is consistent with the density being proposed for the two new Mixed Use Zones.

I'll try and go through this as briefly as possible. There is a lot of information to cover here. I'm not going to go back and provide detail on every one of the chapters where the changes are occurring. I think in some cases the changes are minor and are self explanatory. I did want to provide a little more detail on the changes to the Permitted Uses Table. Just to provide a little bit of background, Planning Staff presented some changes to the Planning Commission in 2007. At that time we went through the Table and identified some land use categories that were just a cleanup really of some uses that were listed that were repetitive in nature. At the time we combined support type retail uses under the support retail category and the same thing with retail uses. Those changes were presented like I said to the Planning Commission in July of 2007 and those were later taken with your recommendations to the City Council for adoption, so what we are proposing this evening is a follow-up on the same concept; some additional cleanup. For example we are proposing to eliminate specific land uses that would just be understood under other categories.

ATTACHMENT 5

Example of uses that we recommend removing the Table includes listing the following as separate land use categories:

- Attorney's offices
- auto cellular phone sales and installation
- barber and beauty shops
- golf cart sales and service

Those types of uses are either retail support, retail office. They are in another category that already exists in our Table, so we're recommending cleaning up the Table and removing those specifically. The Table was also revised to remove notes or texts that accompany some of the uses that we are proposing to strike for consistency and to add to the Table land use category of a Live/work unit and I'll come back to that. I'll explain more about what that is. There is another instance where we are adding text, so the golf cart sales use would just be added to a category that already exists; the example here being there is already a category for automobile vehicle sales. We'll just add that to the definition, so it's that type of cleanup that's taking place.

The other change; the more significant change to the Table would be the addition of the Mixed Use Density 1 and Mixed Use Density 2 zoning categories to the table and then the related change of identifying which land use categories would be appropriate as either permitted uses or conditional uses under those two zoning categories. Those are additional changes under the Table. For reference purposes and I'm sure you've seen this in the Staff Report, all those changes are presented as Exhibit B to the Staff Report in a strike out underline format.

The last change was to correct numbering for some footnotes and to go back through the last page of the Table to include density for some of the different residential zones that are there. So those are the items that are being proposed for change to the Permitted Uses Table.

The other item being presented this evening is again a follow-up to what we discussed at the Special Study Session and that was the introduction of Mixed Use Development to the City outside of two specific plans where it currently exists. That concept would be consistent with some of the goals and policies that were identified in the General Plan following the update in 2006 and would allow for us to establish these zoning districts throughout the City where it is appropriate. The idea being to create the land use districts so we have standards for this type of development and make changes later to our zoning map and the General Plan where appropriate as development occurs and as the City is approached by property owners to take on this type of development.

At this time the only areas in the City where Mixed Use Development could occur are in Specific Plan areas that are in the Village at Sunnymead and in the Moreno Highlands Specific Plan, so this would provide opportunities for two

different types of development. The proposal would be to create a new section in Chapter 9.07 for a designation called the Mixed Use Development 1 or MUD1 and this would be primarily office support retail type of a land use as a primary land use with Residential in the same designation as a secondary land use. It would allow for a density for the residential portion of up to 15 dwelling units per acre. The intensity or the types of non-residential land uses that would be permitted here would be comparable to those uses that are permitted in the City's Business Park and Business Park Mixed Use Zones. Examples of the non-residential uses would include banks, office supply stores, laundry facilities, dry cleaning, medical offices and those types of uses.

The second land use category would be the Mixed Used Development 2 or MUD2 and this would be intended for more intensive type of commercial activities and would also allow for residential as a secondary land use within that same zoning designation. It would allow for a higher density of residential development of up to 30 dwelling units per net acre and the non-residential uses here; the commercial uses would be comparable those uses that are permitted in our City Commercial zones; the VCR Zone, the Community Commercial and Neighborhood Commercial zones that are currently located throughout the City and examples of the more intense land uses that would be permitted here would include auto supply stores, restaurants, convenience stores and those types of uses in combination with the residential uses. The standards; the more complete description of the purpose and intent of these two zones are all included as Exhibits C and D for reference along with the specific uses that would be permitted under both those zones in the Permitted Uses Table.

I mentioned a change to Chapter 9.15 which is the Definitions section. One thing we noted as we did research and looked at other communities that have Mixed Use Zoning is the concept of something called the Live/work unit where people could either live in the same building or residences where they work from or live in close proximity to that and so we wanted to add to our Definitions section a definition for this concept along with introducing the Live/work unit as a permitted use under both those zoning categories.

The General Plan we also looked at amending for consistency and that's Objective 2.4., Policy 2.4.6 and that's a section of the General Plan that talks about... it's a description of the Residential Office land use designation and the development under the General Plan designation currently would suggest a maximum of 15 dwelling units per net acre balanced by a Floor Ratio of 1.00. The proposal would be for consistency with the maximum density that would be allowed under the MUD2 would be to change from 15 to 30 and hang onto the Floor Area Ratio of 1.00.

Because of the types of changes that are being proposed, CEQA recognizes those as minor land use changes and so a recommendation is part of this presentation to you as well as the recommendation to Council would be to

recognize that these could be considered exemptions to the California Environmental Quality Act Guidelines and so we recommend that recognition of the project.

Standard noticing was completed for this project. I didn't get any enquiries at all. In this case it was a display ad so we wouldn't typically get too many phone calls from a display ad, but it is an item that noticed in the paper as well as being on the Planning Commission's Agenda.

Some of the examples we presented to the Study Session group were included in the Staff Report. They are posted here on the wall as well. There are examples from other communities on what this development could look like and that concludes my report. I apologize for being redundant. I know this is information you heard just a month ago and I'd be more than happy to go back through anything if you have any questions at all about any of the information that was presented to you, sot with that Staff would be recommending to you that this item be passed on to City Council for approval. Thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – Just one… Did I hear you say that the Live/Work Zone would be applicable to both the MUD1 and MUD2?
ASSOCIATE PLANNER BRADSHAW – That's correct

COMMISSIONER DE JONG – Okay good, I thought I heard that. I wanted to clarify, good… And it was a very comprehensive report. Thank you

ASSOCIATE PLANNER BRADSHAW – Thank you

CHAIR MARZOEKI – Anyone else? No, okay, I do have one Speaker Slip, so I'd like to open up the Public Testimony portion and call forward Wayne Peterson. Please state your name and address for the record.

SPEAKER PETERSON – Good evening Commissioners; Wayne Peterson with Highland Fairview, 14225 Corporate Way here in Moreno Valley. A couple of very brief comments. I did talk with Jeff several weeks ago about this Mixed Use alternative and plan. I just wanted to go on the record and let the Commission and the City know that Highland Fairview does strongly support the concept of Mixed Use and Ordinances and Regulations that encourage it. We want to compliment Staff; it is very difficult to write these Ordinances. I've done this before and trying to put into a regulatory context a mix of various kinds of uses is extremely difficult.

The one comment that we would like to make is that we feel Staff can make these even more effective by giving itself some flexibility in applying very rigid standards which are in the regulations now and substitute those with either

guidelines or some way to give Staff some latitude in applying what standards should apply to a particular Mixed Use project. As I said trying to come up with regulations that will apply to a mixture of uses on a variety of sites throughout the City and is going to be very, very difficult and the only way to measure the effectiveness of these regulations is to see how they are implemented once they are in place, so it remains to be seen but it is definitely a mechanism that is commonly used and more frequently used in cities to generate more interesting; more unique kinds of land uses in town, so we did want to go on the record of supporting it. Highland Fairview has various properties that this sort of option is very intriguing to us and I'm sure we'll be working with Staff to take advantage of these, so if there are any questions I'd be happy to answer them and if not that will conclude my comments. Thank you.

CHAIR MARZOEKI – Thank you. I have no more Speaker Slips unless Deanna wants to speak. No, okay, so I will close the Public Testimony portion and open it up to Commissioner Comments.

COMMISSIONER DE JONG – Well this is something as Jeff mentioned that we talked about at the Study Session. I for one am extremely in favor of Mixed Use Developments. I think they would be a definite plus to our City. I've seen them become very effective in numerous other cities. It comes to mind various parts of San Diego; the nicely improved Gas Lamp District for example, and I'd like to see that type of development in the designated area along Sunnymead Boulevard. I think that would be a wonderful enhancement. This is a very comprehensive report and very thorough and there is a lot of information in here, but I think its wonderful information and I would definitely vote to pass it on.

CHAIR MARZOEKI – Thank you

COMMISSIONER GELLER – I think we kind of beat it to death at the Study Session, so absent any more comments; I'm ready to make a motion.

CHAIR MARZOEKI – Vice Chair Riechers would like to say one thing.

VICE CHAIR RIECHERS – Just a quick comment that's that I have a number of typographical and actually one substantial correction that I'd like to give to you guys; that is on page 30; the second paragraph about the intent of the Mixed Use District 1. I believe we pointed out that that was not really an appropriate intent at the Joint Study Session.

COMMISSIONER DE JONG – What's the issue?

VICE CHAIR RIECHERS – The intent of the Mixed Use District 1. I believe that the statement that was made at the Joint Study Session that that was pulled from elsewhere in the Code. For comparison if you look at the similar paragraph on page 34 for…

PLANNING OFFICIAL TERELL – Right, it's about the transitional buffer open to that...

VICE CHAIR RIECHERS – It looks like the similar paragraph for District 2 has been changed.

COMMISSIONER DE JONG – Massaged a bit

VICE CHAIR RIECHERS – Yeah

PLANNING OFFICIAL TERELL – Yeah I guess... I understand the concept is MUD1 is slightly less intense than MUD2, but it's not required to be a transition between more intense and less intense uses, so is that the concept that we're talking is going away from that and just modeling it on the MUD2; recognize that it is less intense.

VICE CHAIR RIECHERS – Exactly

PLANNING OFFICIAL TERELL – Okay

VICE CHAIR RIECHERS – And the other changes I have are just typos, so I can give those to you afterwards.

CHAIR MARZOEKI – Okay if nobody has any other comments Commissioner Geller will make a motion.

COMMISSIONER GELLER – I'd like to make a motion that we **ADOPT** Resolution No. 2010-05 and thereby **RECOMMEND** that the City Council take the following actions:

1. **RECOGNIZE** that applications PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per the CEQA Guidelines Section 15305 as a Class 5 Categorical Exemption; and,
2. **APPROVE** PA07-0005 Municipal Code Amendment and PA10-0004 General Plan Amendment as shown on the attachments included as Exhibits A, B, C, D, E and F.

VICE CHAIR RIECHERS – And I'll second

CHAIR MARZOEKI – Okay we have a motion and a second. Is there any discussion? All those in favor?

Opposed – 0

Motion carries – 7 - 0

CHAIR MARZOEKI – Staff wrap up

PLANNING OFFICIAL TERELL – Yes we'll forward this item to the City Council for final review and action and that will most likely be in April.

CHAIR MARZOEKI – Okay moving on to Item 800, Other Business

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MV00052233

Exhibit A

Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.

a. Rural residential (RR) district;

b. Hillside residential (HR) district;

c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);

d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);

e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);

f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);

g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);

h. Residential 10 (R10) district;

i. Residential 15 (R15) district;

j. Residential 20 (R20) district;

k. Residential 30 (R30) district;

l. Residential single-family 10 (RS10) district.

2. Mixed Use Districts.

a. Mixed Use Development 1 (MUD1) district;

b. Mixed Use Development 2 (MUD2) district.

3~~2~~. Commercial Districts.

a. Neighborhood commercial (NC) district;

b. Community commercial (CC) district;

c. Village commercial (VC) district;

d. Tourist recreation commercial (TRC) district;

e. Office commercial (OC) district;

f. Office (O) district.

4~~3~~. Employment Districts.

a. Business park (BP) district;

b. Business park-mixed use (BPX) district;

c. Industrial (I) district.

5~~4~~. Open Space and Agricultural Districts.

a. Open space (OS) district;

b. Agriculture (AG) district.

6~~5~~. Special Districts.

a. Public (P) district;

b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;

ATTACHMENT 6

c. Medical use overlay (MUO) district;

d. Airport installation compatibility use zone (AICUZ);

e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property. (Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
~~Attorneys~~														~~X~~	~~X~~	~~X~~	~~X~~	~~X~~				~~X~~	~~X~~	
Auction Houses															X								X	

ATTACHMENT 7

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	
~~Auto Cellular Phone Sales and Installation~~															~~X~~					~~X~~	~~X~~		~~X~~	
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores ~~(includes installation)~~													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Barber and Beauty Colleges													X	X	X		X	X				X	X	
~~Barber and Beauty Shops~~														~~X~~	~~X~~	~~X~~	~~X~~							
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				
Boarding and Rooming Houses	~~X~~	~~X~~						~~X~~	X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales															♦					X	X			
With outdoor storage															♦									
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
~~Including bulk sales~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
~~Including furnishings~~														~~X~~	~~X~~		~~X~~			~~X~~	~~X~~		~~X~~	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash														X	X					X				
Accessory to auto related use														♦	♦					X				

[1] Do not consider residential use per distance requirement.

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	

[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
~~With manufacture of drapes~~															~~X~~					~~X~~	~~X~~		~~X~~	
~~With manufacture of drapery hardware~~																				~~X~~	~~X~~			
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry														~~X~~	~~X~~	~~X~~							~~X~~	
a. ~~Pickup only~~ Dry Cleaning												X	X	X	X	X	X						X	
b. ~~Self-service~~ Laundromat												X	X	X	X	X	X							
c. ~~Commercial with fleet storage~~ Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
~~Golf Cart Sales and Service~~															~~X~~					~~X~~	~~X~~			
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Hospitals															♦		♦	♦				C	C	C
Hotels																								
a. With 20% or less of the units containing kitchens												C	X		X		C				X	X	X	
b. With over 20% of the units containing kitchens												C	C		C		C				C	C	C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards ~~(Indoor)~~																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly																								
a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Manufacturing and Assembly – continued																								
b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
~~Monument and Tombstone Sales~~															~~X~~					~~X~~			~~X~~	
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	

[4] Permitted in the OC and VOR districts only as a support medical office facility.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
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♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
~~Swimming Pools and Spa Sales and service including outdoor display~~															~~C~~					~~X~~	~~X~~			
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	

	Permitted Uses Table 9.02.020-1
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[37]																				X	X	X	X	
Wrecking Yard																				♦				

[37] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

Exhibit E

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs.

ATTACHMENT 8

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MV00052251

The following definitions for the office, retail sales and support retail sales land use categories are provided for reference purposes:

Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

"Offices, Business and Professional" means offices of firms or organizations providing professional, executive management or administrative services such as architectural, engineering, real estate, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.

"Retail sales" are classified as establishments primarily engaged in selling goods or merchandise to the general public for personal, business, or household consumption and rendering services incidental to the sale of such goods. Some characteristics of retail sales establishments include places of business that engage in activities to attract the general public to buy, receive, sell merchandise and may process, repair, or manufacture some of the products, such as but not limited to jewelry, baked goods, apparel, pottery, or consumer electronics, where such processing, repair, or manufacturing is incidental or subordinate to sale activities. Uses considered objectable or a nuisance may be denied by the community development director. Uses requiring an adult business use permit are not included under "retail sales".

"Support retail sales" are classified as establishments primarily engaged in retail services that support major business, corporate, and administrative office rather than general community retail needs. These uses include art galleries, art studios, art supply shops, assayer, and florist shops and similar uses. Uses requiring an adult business use permit are not included under "support retail sales."

ATTACHMENT 9

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MV00052253

Brea, CA

ATTACHMENT 10

San Luis Obispo, CA

MV00052255

Citrus Heights, CA

San Jose, CA

MV00052257

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG - Census Video)

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

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MV00052259

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 13, 2010

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00052263

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

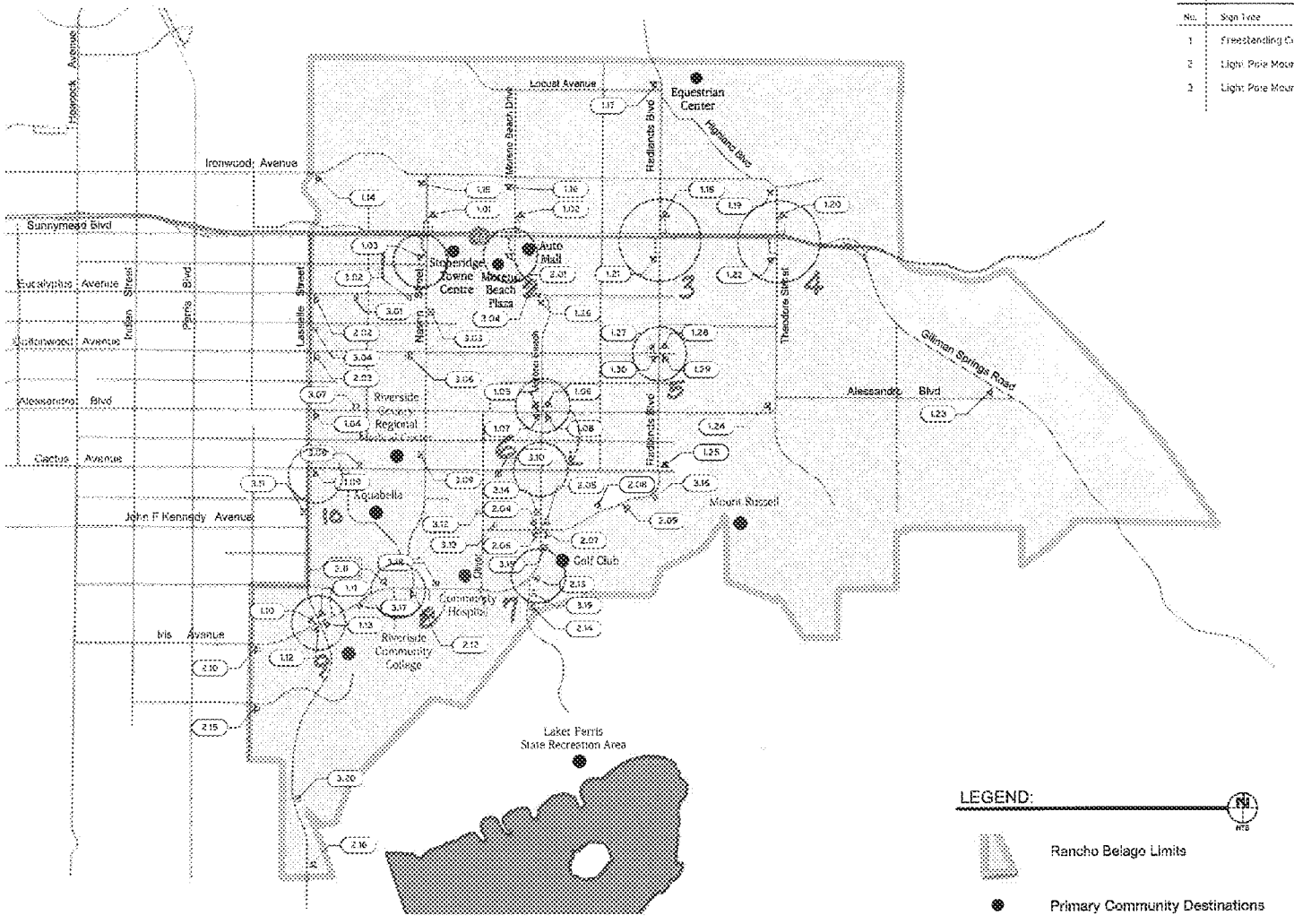

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00052267

RANCHO BELAGO
RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL

Item No. G.2

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00052269

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

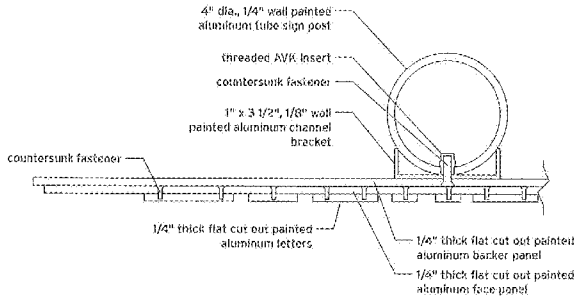

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

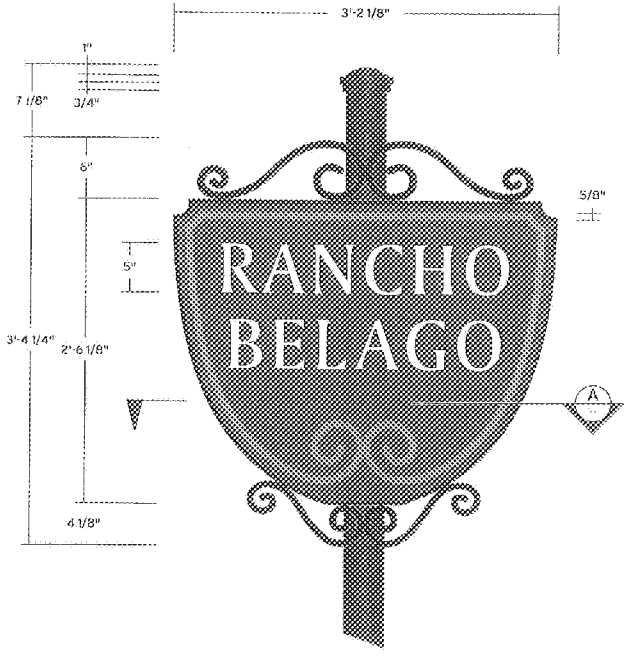

front

side

2 Details

Scale: 1" = 1'-0"

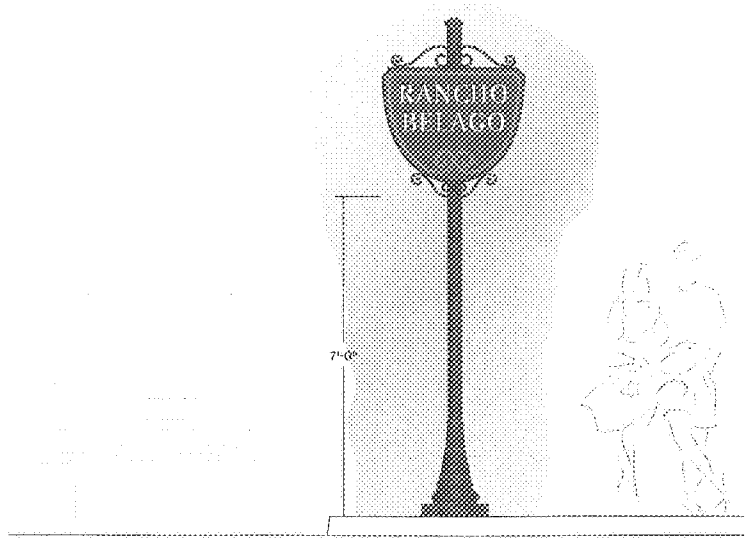

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

MV00052271

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

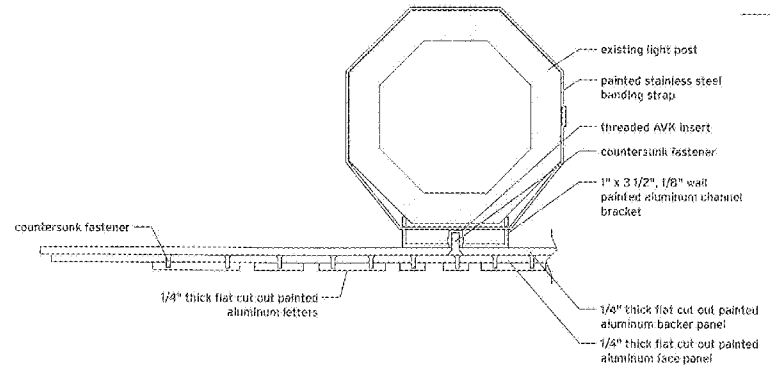

A Details

Scale: 3" = 1'-0"

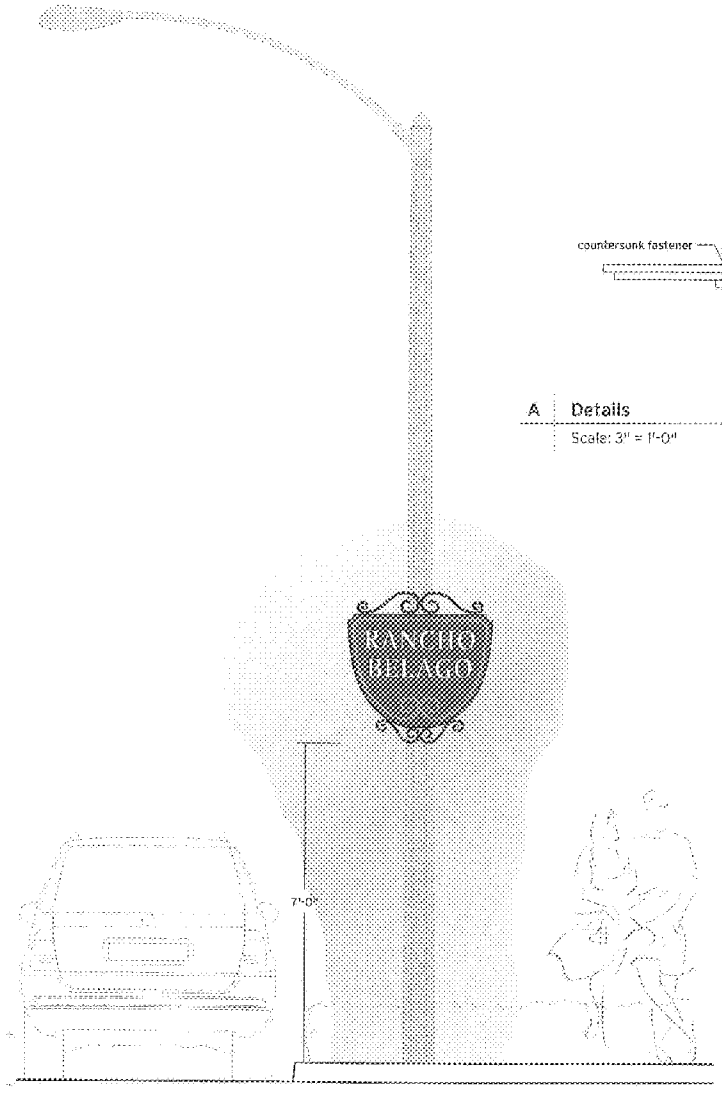

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

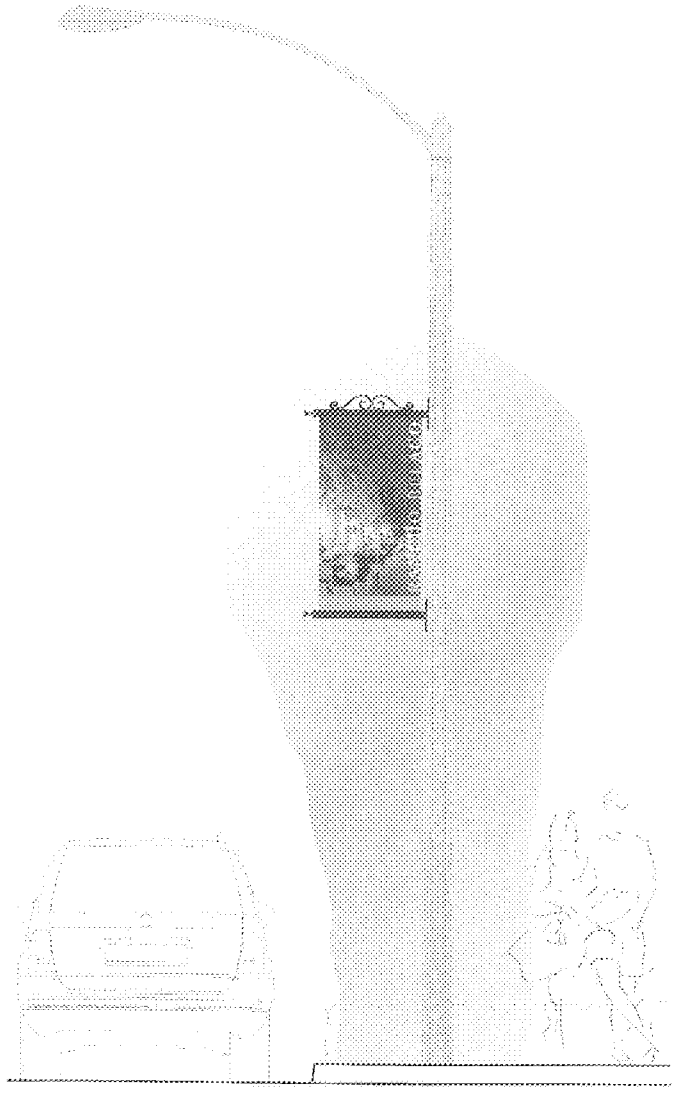

1 Elevation

Scale: 3/8" = 1'-0"

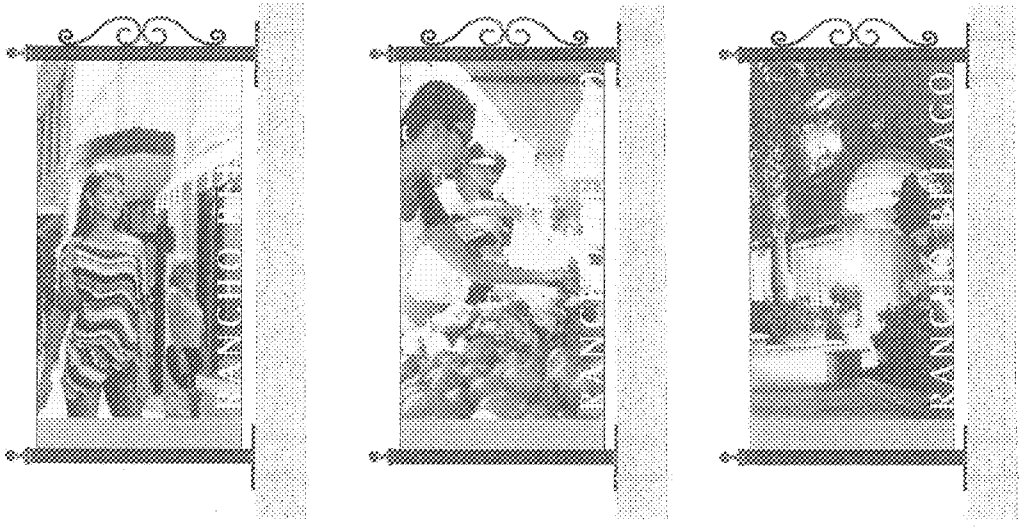

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

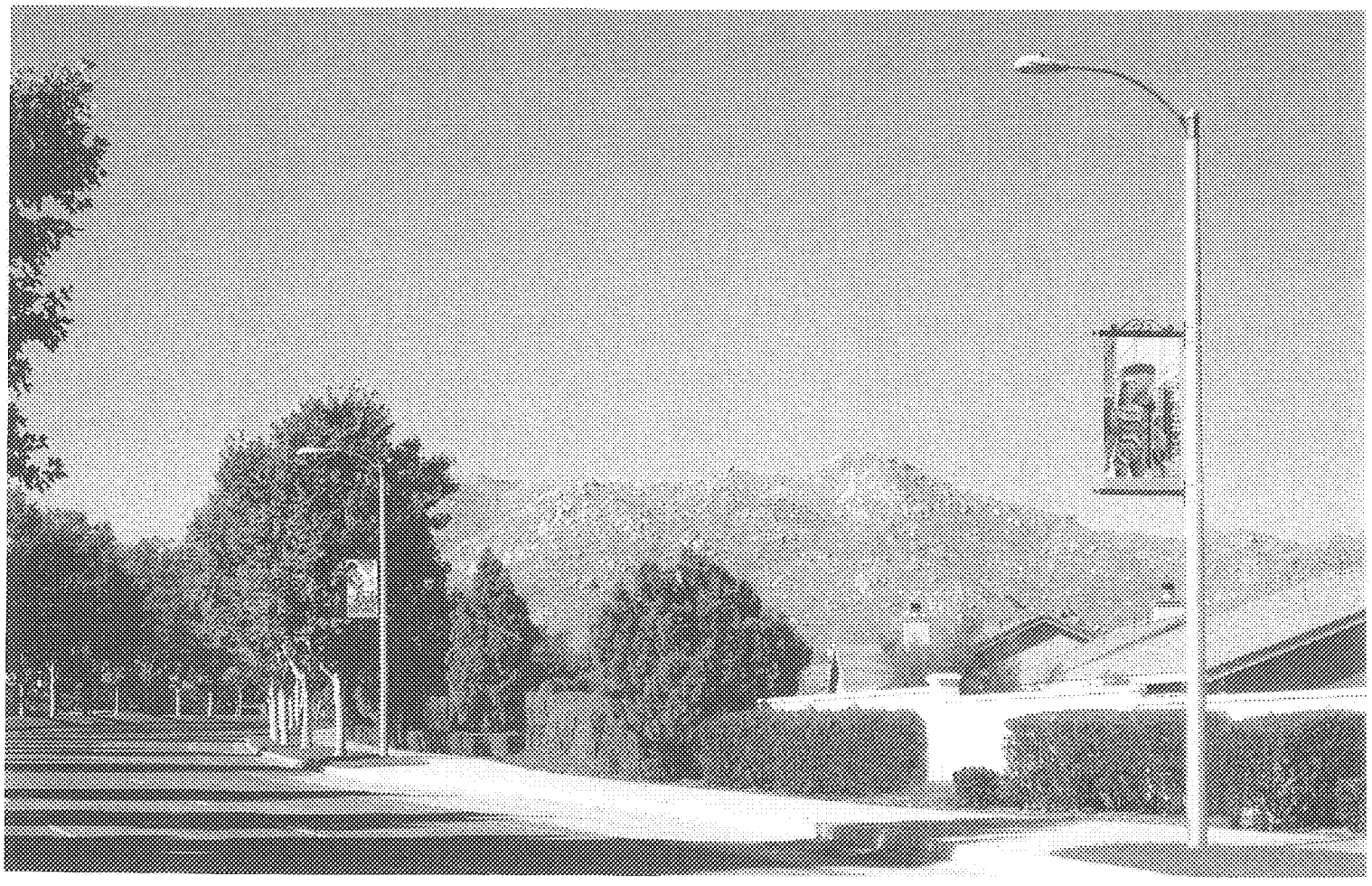

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

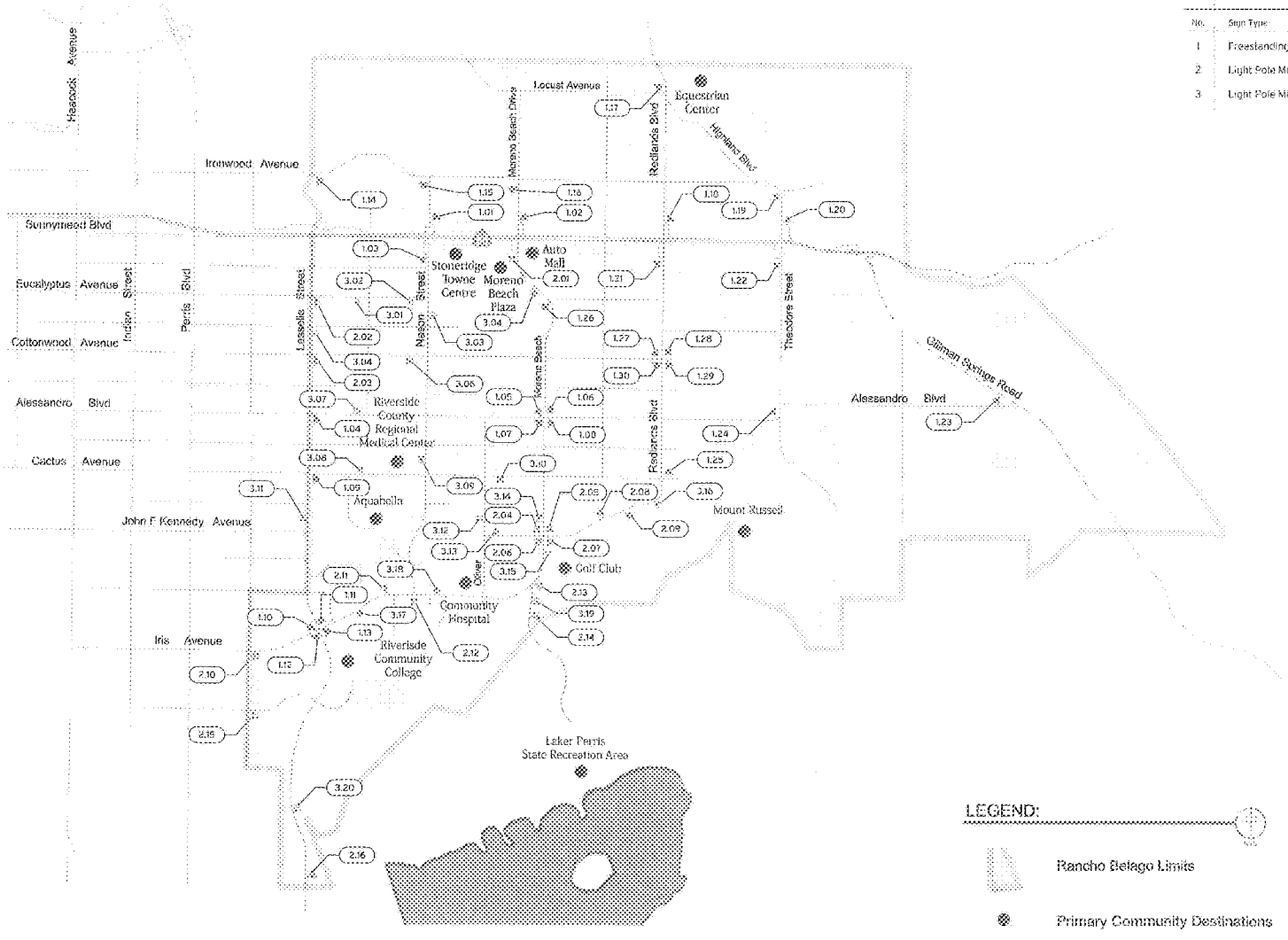

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00052277

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

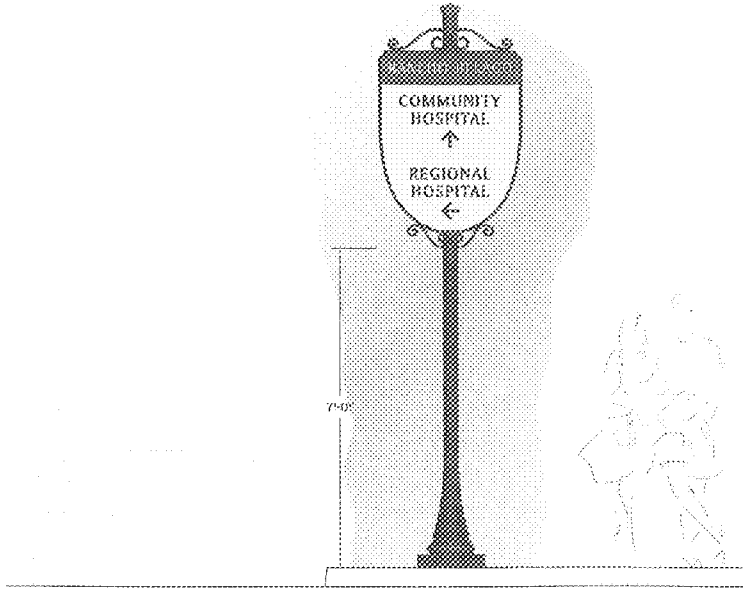

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00052279

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

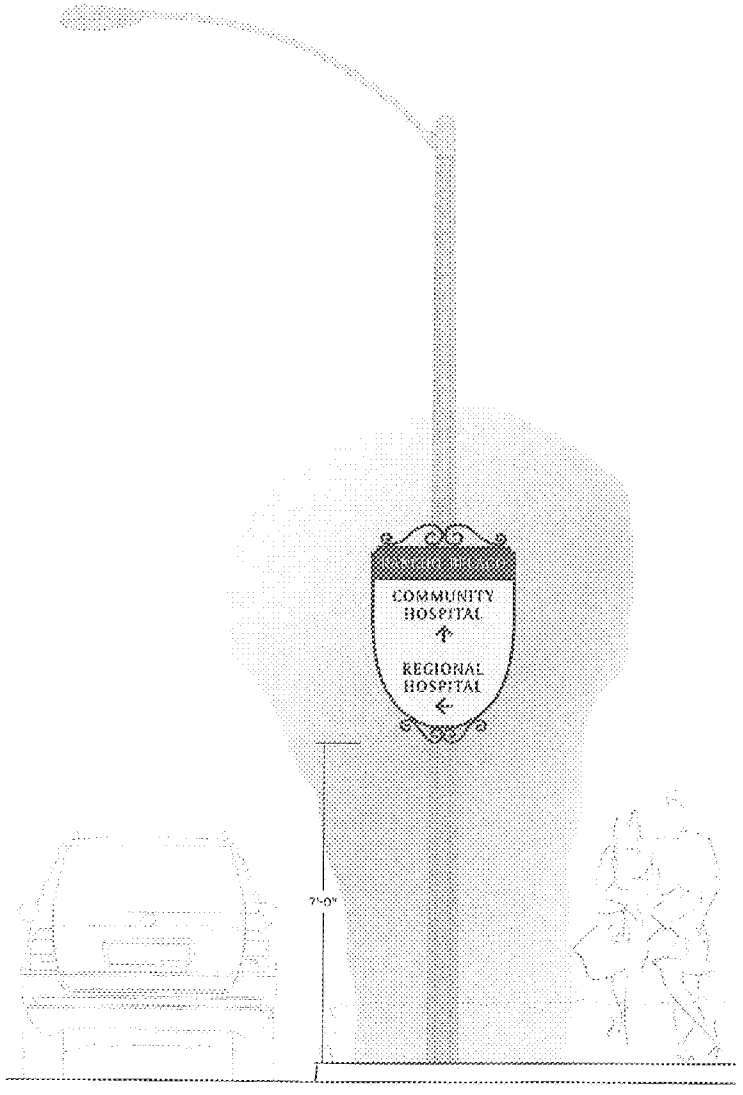

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

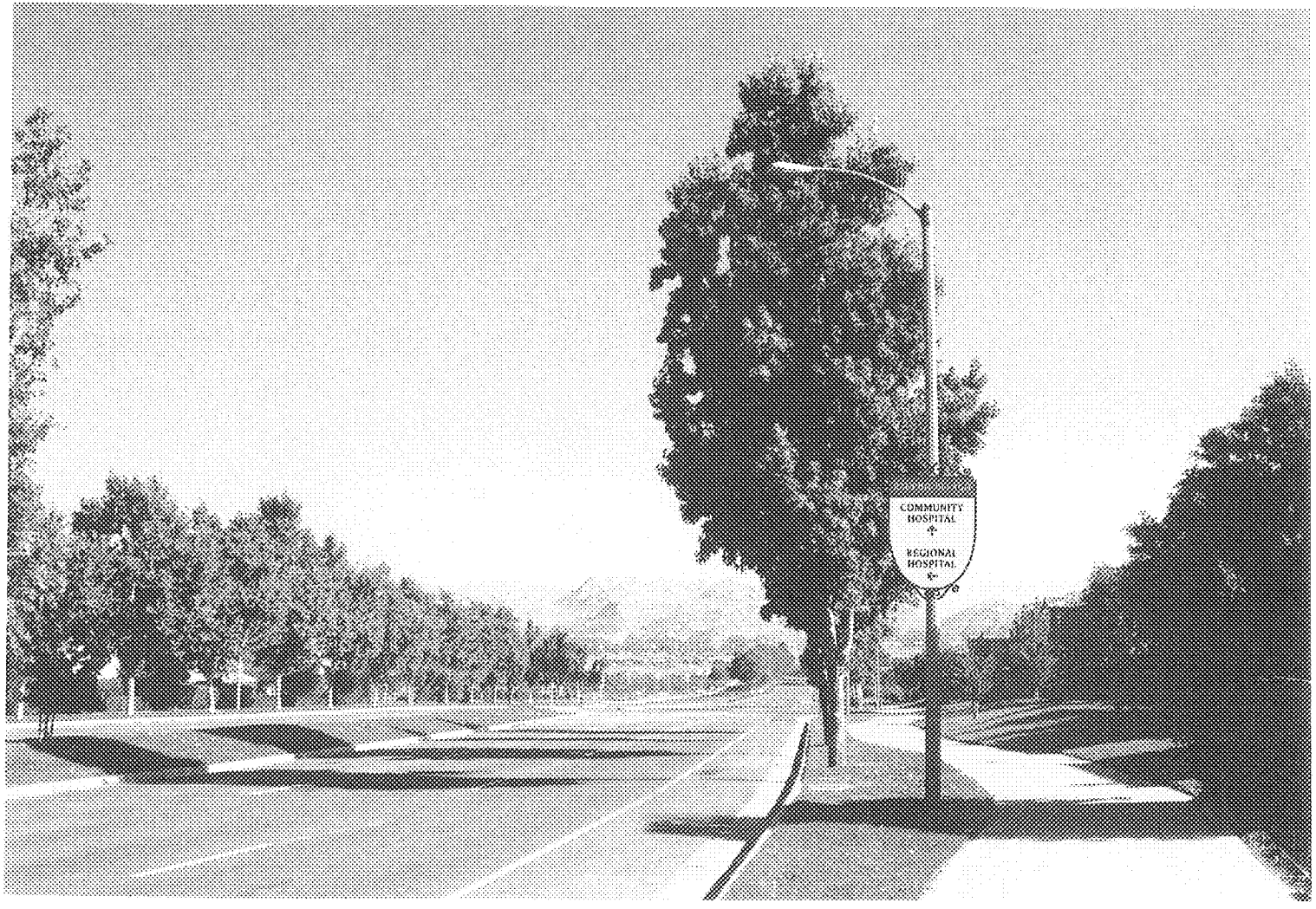

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00052281

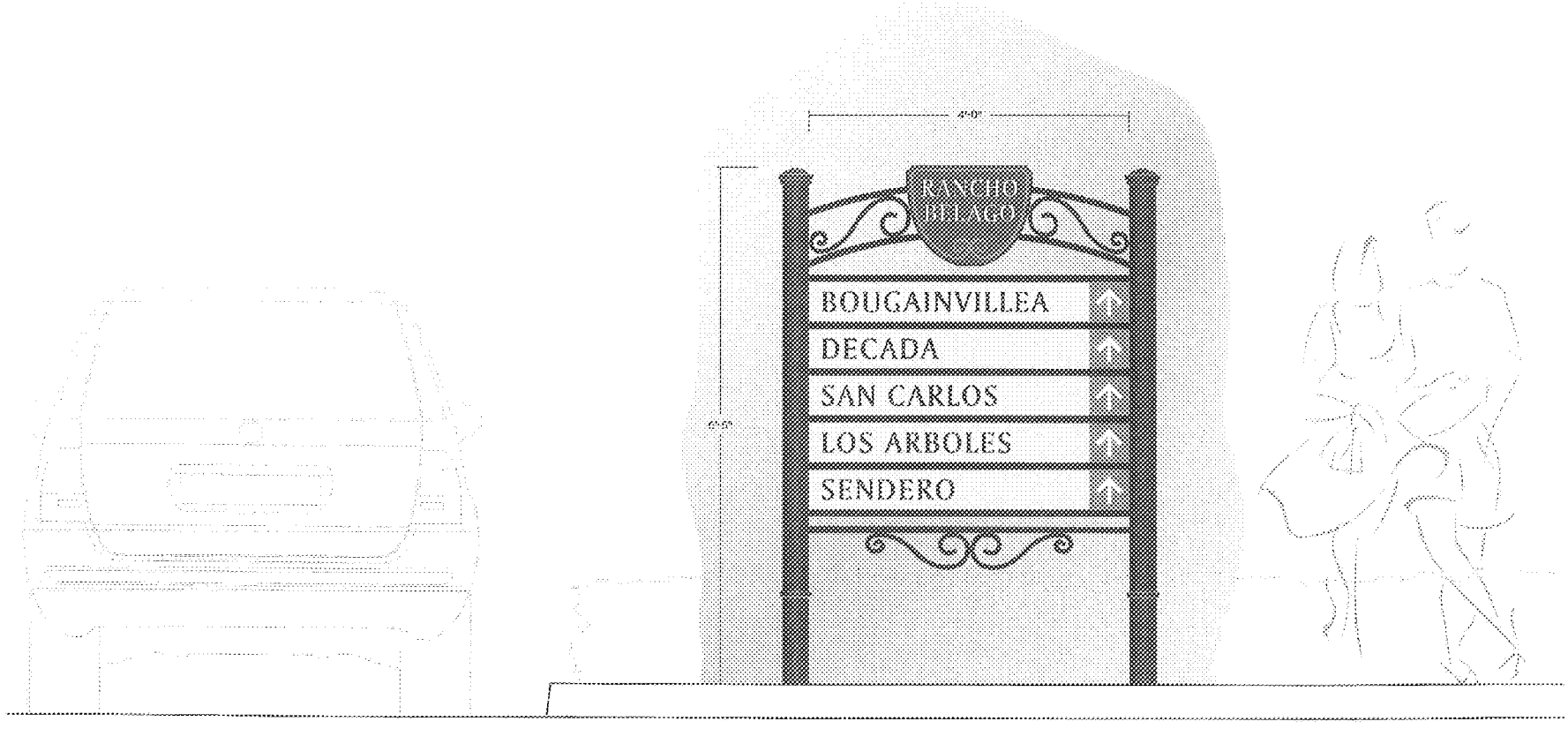

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

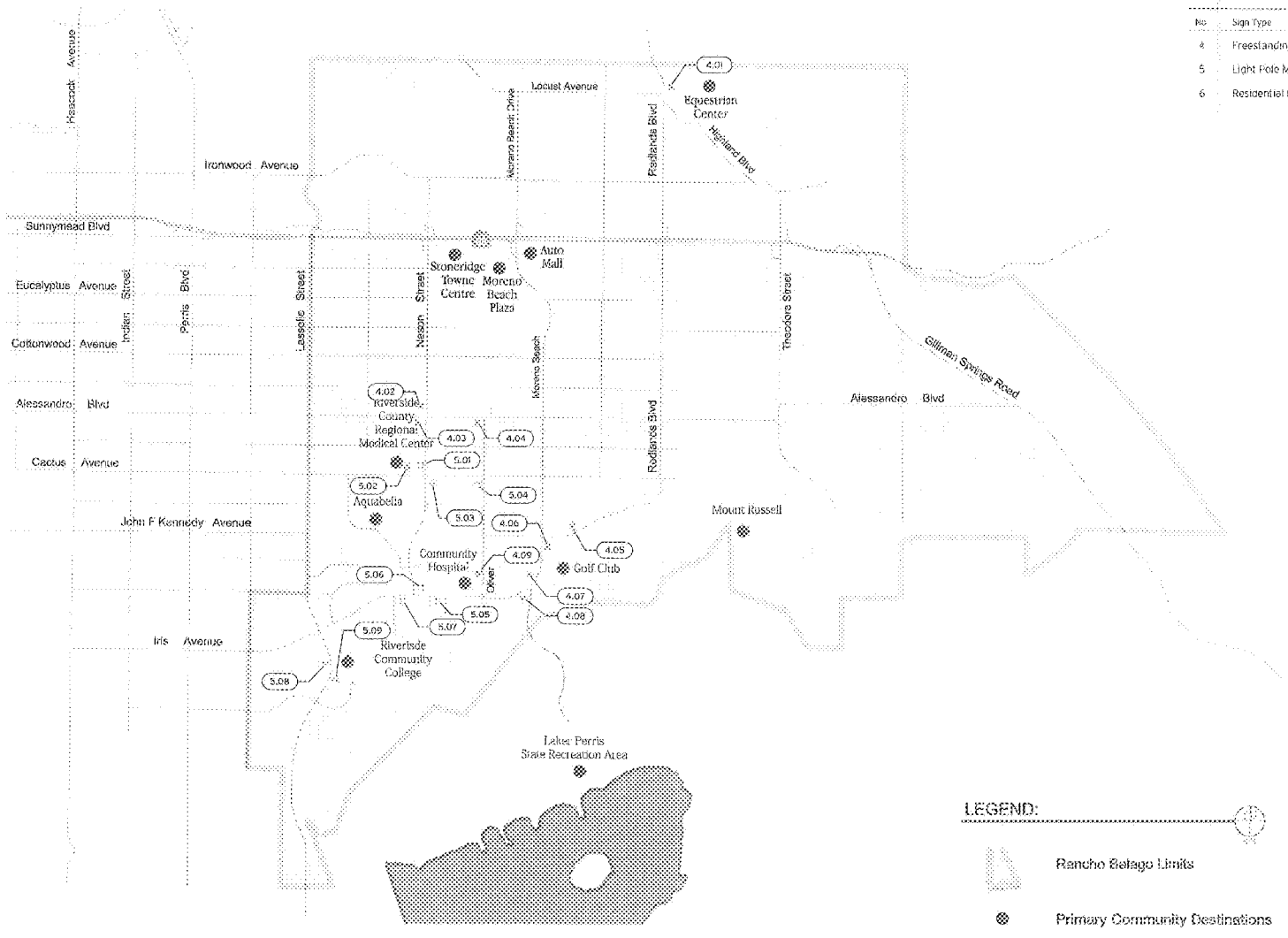

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00052285

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00052287

ORDINANCE NO. 809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA08-0019 TO CHANGE THE LAND USE DISTRICT FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15/O) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Page 67 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA08-0019).

1.4. An Initial Study has been completed for PA08-0019 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to page 67 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on January 26, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The proposed Zone Change would not conflict with the goals, objectives, policies or programs of the General Plan. The General Plan designation for this site based on a General Plan Amendment approved with PA08-0020.

The project includes a Zone Change to change the existing land use for Assessor's Parcel Numbers 263-180-007 AND 263-180-080 and a General Plan Amendment. The project site current land use designation is Office Commercial and Residential 15 (O/R15). This project proposes to change the Zoning designation to Neighborhood Commercial (NC). There is no development application associated with the proposed land use change.

Transportation staff required a traffic study. Findings from that study show that a change in the zoning will almost triple the daily trips for the site of 109 with the existing zoning and 298 with the proposed zoning, however, no unacceptable levels of service were identified.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Office/Residential 15 to Neighborhood Commercial is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Office/Residential 15 to Neighborhood Commercial (NC) for the approximately 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET ASSESSORS PARCEL NUMBERS 263-180-007 AND 263-180-080 subject to the revised zoning designation depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

CHANGE OF ZONE

Application No. PA08-0019
Ordinance No. 809

LEGEND

N

NC Neighborhood Commercial (From R15/Office Commercial)

EXHIBIT A

Ordinance No. 809
Date Adopted: .....

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MV00052293

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 27, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

3. Proclamation Recognizing Ronald Powell

4. "Spotlight on Moreno Valley Business"

MV00052295

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 27, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00052296

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

MV00052297

Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication

MV00052298

recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

Resolution No. 2010-26

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said

MV00052301

Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

   b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's

MV00052304

Office)

Recommendation: That the City Council:
Provide direction on the matter.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

City Manager Recruitment (Status)

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

ADJOURNMENT

MV00052308

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
April 13, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Hastings

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member

Absent

Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Hargis	Technology Services Division Manager
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director

Barry Foster	Economic Development Director
Steve Kupsak	Parks Maintenance Division Manager

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A11 & A12) and Pete Bleckert (Item C3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED

STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

   Resolution No. 2010-20

   A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON

STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:
Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was

Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:
Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time

extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9 INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Kathleen Dale and Thomas R. Jerele Sr.

Associate Planner Jeff Bradshaw announced the following revisions to the agenda item - the wording "revise Policy 2.4.6. by changing the maximum density for the Residential/Office (R/O) Designation from 15 to 30 dwelling units per acre" was changed to **"revise Policy 2.4.5. by changing the maximum density for the Mixed-Use (MU) Designation from 20 to 30 dwelling units per acre."**

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines

Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

Resolution No. 2010-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.5 by Changing the Maximum Density for the Mixed-Use (MU) Designation From 20 To 30 Dwelling Units Per Acre

Motion to Approve revised Resolution No. 2010-21 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

Mayor Pro Tem Hastings reported the following:
1) Senator Feinstein has moved forward with recommending approval of $4 million for AB 811 implementation; is hoping for very positive results
2) Encouraged everyone to return the census forms - it's important to have accurate count to secure federal and state funding

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

Mayor Pro Tem Hastings reported approval of the development agreement with March HealthCare that will create about 12,700 construction jobs and 7,200 full-time health care and related jobs; it is a huge and wonderful project and is very pleased and excited to have it moving forward

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Mayor Flickinger read a letter from the City Attorney of Beverly Hills regarding Rancho Belago shield design.

Motion to continue the item by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Commended staff for working in a timely and efficient manner on processing Highland Fairview development documents for Sketchers project; all the deadlines were met
2) Mayor Flickinger was elected vice-chair of RCTC Western Riverside County Programs and Projects Committee and also joined the board of directors of UCR Citizens University Committee
3) Today the Council received a draft copy of budget for the next year that reflects nearly $17 million shortfall; the Council and staff are working hard to reduce this shortfall; about 5-6 public meetings will be held before budget adoptions; encouraged citizens to attend these meetings; Citizen's Guide to the Preliminary Operating Budget is posted on the Web site
4) Starting this week, City Manager's Update will be posted on the City's Web site; encouraged residents to view it periodically to find out what is going on in Moreno Valley
5) Four Foreclosure Prevention workshops will be conducted, one in each Council District; first one is scheduled on April 26 at Vista High Middle School in District 2; dates for workshops are listed on the Web site; video version is being taped and it will be shown on MVTV-3 for those who cannot attend
6) Burlington Coat Factory remains number 2 among stores recently opened; Frazee Paint Distribution Center is hoping to open this month; the newly opened Hampton Inn remains a top performing hotel across the country
9) A new program is being developed - Shop MoVal will feauture displays at kiosks, Press Enterprise, Your Villa magazine and with a more substantial presence on MVTV-3 and City's Web site

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Deanna Reeder
1) Neighborhood identification signs (Item G2)

Thomas R. Jerele Sr
1) Ballot initiative sponsored by League of California Cities to protect local funds

Dwayne Lewis
1) Withdrew his speaker's slip and will address the full Council at the next meeting

Marcia Amino
1) Money spent on changing the City's image
2) Inquired about progress on street lights issue and if city's owned streetlights are under the same rules as Edison's streetlights
2) Gang problem - inquired what kinds of proactive programs are in place in the City
3) Increased budget deficit

Pete Bleckert
1) Budget/expenditures

Daryl Terrell
1) Standing against adversity; hopes and dreams

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Mayor Pro Tem Hastings
1) Responded to speaker's comments about budget - other government agencies, including the County, are facing budget deficits also; in addition, the State is looking into taking funds from the local governments; the budget picture doesn't look good, but local government needs to work efficiently to provide core services to the residents
2) League of California Cities sponsored an initiative to protect local funds; encouraged everyone to vote on it; still working on retaining RDA funds; it is a very tough time right now, but tough times don't last, tough people do
3) Regarding Rancho Belago signs - expressed concerns about it while the City is facing a budget deficit
4) A very productive townhall meeting with two Homeowners Associations, staff and POP team was held at Moreno Valley Ranch - about 125 residents attended; thanked everybody who attended

Council Member Batey
1) Responded to speaker's comments regarding Edgemont District water issue - Box Spring Mutual Water District is a private, for profit company with own governing board and shareholders making decisions on water rates, maintenance and service; the District collects money and the District, not the City Council, is responsible for upgrades. According to the study, it will cost over $15 million to upgrade and increase capacity of the system; the Council tried the best to partner with the board and provide seed money for improvements, but so far, not much has been done. It is a serious issue, as the lack of system improvements is holding other projects in that area.
A meeting with the major water districts, the County Supervisors' office and the City is set up at the end of May to develop a long term plan to bring necessary improvements; a lot of work needs to be done, and it will take about five to ten years to upgrade the system
2) Regarding streetlights in Edgemont area - Edgemont is a separate district and it is responsible for the streetlights, not the City; residents need to request the board to install streetlights, as the board votes and makes those decisions

Mayor Flickinger
1) Responded to speaker's comments about deficit situation - the City is in a deficit situation because the revenues are down; the Council has to

figure out how to provide services with less money than before
2) Responded to the comment regarding gangs in the City - the Public Safety Subcommittee had a presentation by the Police Department's Antigangs Team regarding this subject two days ago - the gangs that were previously active in the City have been shot down by the Police Department - we are tough on gangs and not allowing them to take over our city; there is no a serious gang problem in the City
3) Encouraged residents to watch American Idol on Channel 11, where Moreno Valley resident Andrew Garcia is a finalist in the national competition
4) Received a lot of e-mails supporting DUI checkpoints, which make street safer, save lives and keep citizens safe
5) The City has return only about 52 percent of the census forms; encouraged residents to return the forms to keep services funded by federal grants
6) The next round of City's foreclosure prevention workshops starts April 26 at Vista High Middle School
7) On April 22 and May 6, at 6 p.m. at City Hall, Southern California Association of Governements will be holding workshops to divise a vision document that will focus on the long-term plans for Alessandro corridor from Freeway 215 to Lasselle Street; looking for input from the public
8) Congratulated students at Moreno Valley and Riverside colleges for voting to continue free rides on RTA buses for all the students; buses are free for the next 5 years
9) Requested to agendize for next study session a discussion regarding expenditures for March Field air show and July 4th celebration; seconded by Mayor Pro Tem Hastings

CLOSED SESSION

Canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:45 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00052325

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 27, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

Reports on Reimbursable Activities April 7-20, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	4/6/10	Moreno Valley Hispanic Chamber of Commerce Adelante
	4/10/10	Gen. Melin's Retirement Ceremony/Reception
	4/14/10	Student of the Month
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00052327

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-
Check Register for Month of February, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

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

RESOLUTION NO. 2010-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF FEBRUARY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period February 1, 2010 through February 28, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period February 1, 2010 through February 28, 2010, in the total amount of $11,074,851.58 is approved.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
AFTERSCHOOL STORE.COM				
2/8/2010	200303	27,661.63		
			DEC-09 SNACK SVCS-STARS	27,661.63
2/22/2010	200670	34,345.02		
			AFTER SCHOOL SNACKS	34,345.02
	Vendor Total	**62,006.65**		
FYTD for AFTERSCHOOL STORE.COM		**196,052.43**		
CALPERS				
2/16/2010	200550	98,278.79		
			ARC PMT LESS PAYOUTS	135,916.66
			ARC PMT LESS PAYOUTS	-37,637.87
	Vendor Total	**98,278.79**		
FYTD for CALPERS		**666,008.08**		
CITIBANK (WEST) FSB				
2/24/2010	91312	87,001.67		
			ACQ & ESCROW 25437 MARGARET DR	87,001.67
	Vendor Total	**87,001.67**		
FYTD for CITIBANK (WEST) FSB		**87,001.67**		
COUNTY OF RIVERSIDE FIRE DEPT				
2/10/2010	91304	3,273,674.92		
			2ND QTR FIRE SERVICES	3,273,674.92
	Vendor Total	**3,273,674.92**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT		**9,268,183.95**		
CRITICAL SOLUTIONS				
2/8/2010	200351	28,145.04		
			EMRGNCY OPS CTR PROJ SVCS	28,145.04
2/22/2010	200693	30,896.69		
			EMRGNCY OPS CTR PROJ SVCS	30,896.69
	Vendor Total	**59,041.73**		
FYTD for CRITICAL SOLUTIONS		**312,490.45**		
DIEDERICHS & ELCONIN				
2/8/2010	200359	41,312.50		
			JUL-DEC LEGAL SVCS-HR	5,000.00
			JUL-DEC LEGAL SVCS-HR	26,050.00
			AUG-NOV LEGAL SVCS-HR	5,487.50
			JUL-DEC LEGAL SVCS-HR	4,775.00
	Vendor Total	**41,312.50**		
FYTD for DIEDERICHS & ELCONIN		**49,937.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/12/2010	2583	37,021.86		
			DEP STATE TAX W/H 02/12/10	37,021.86
2/26/2010	2593	34,771.80		
			DEP STATE TAX W/H 02/26/10	34,771.80
	Vendor Total	**71,793.66**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/1/2010	200235	154,680.22		
			DEC-09 PROF SVCS-GIS DATA CONV	234.68
			DEC-09 PROF SVCS-WM TRNSFR STN	111.14
			DEC-09 PROF SVCS-HIGHLAND	176.02
			EMRGNCY OPS CTR WORK	22.23
			PERRIS BLVD 12 KV FEEDER WORK	4,177.51
			CIRC #5 PHASE II INSTALL. WORK	6,711.68
			LASSELLE ST 12KV CIRC TIE WORK	4,647.66
			CACTUS/LASSELLE CIRC TIE WORK	207.89
			CACTUS/LASSELLE CIRC TIE WORK	6,215.37
			GOLDENCRST/ELSWORTH BKBONE EXT	1,864.03
			GOLDENCRST/ELSWORTH BKBONE EXT	1,167.15
			DISTRIBUTION CHRGS	124,039.08
			SPECIAL CHRGS	7,167.00
			ONLINE UT SVCS	243.75
			BAD DEBT DEDUCTION	-2,304.97
	Vendor Total	**154,680.22**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENVIRONMENTAL CONSTRUCTION, INC.				
2/16/2010	200570	30,943.98		
			SUNNYMD BLVD REVIT PROJ SVCS	30,943.98
	Vendor Total	**30,943.98**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,920,203.15**		
FULBRIGHT & JAWORSKI, L.L.P.				
2/8/2010	200373	26,498.57		
			DEC-09 LEGAL SVCS-UT	26,498.57
	Vendor Total	**26,498.57**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**175,862.62**		
HARRIS & ASSOCIATES, INC.				
2/1/2010	200249	40,777.80		
			SUNNYMD BLVD REVIT PROJ SVCS	5,165.28
			SUNNYMD BLVD REVIT PROJ SVCS	35,612.52
	Vendor Total	**40,777.80**		
FYTD for HARRIS & ASSOCIATES, INC.		**310,221.62**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HEERY INTERNATIONAL, INC.					
	2/16/2010	200588	43,682.25		
				NEW MAIN LIBRARY PROJ SVCS	43,682.25
	Vendor Total		**43,682.25**		
FYTD for HEERY INTERNATIONAL, INC.			**193,012.75**		
INLAND EMPIRE ECONOMIC PARTNERSHIP INC.					
	2/8/2010	200401	25,000.00		
				ANNUAL MEMBERSHIP	25,000.00
	Vendor Total		**25,000.00**		
FYTD for INLAND EMPIRE ECONOMIC PARTNERSHIP INC.			**25,000.00**		
INTERNAL REVENUE SERVICE					
	2/12/2010	2582	134,592.07		
				DEP FED TAX W/H 02/12/10	134,592.07
	2/26/2010	2592	126,760.49		
				DEP FED TAX W/H 02/26/10	126,760.49
	Vendor Total		**261,352.56**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
KOA CORPORATION					
	2/1/2010	200252	32,249.68		
				PERRIS BLVD WIDENING AT SR-60	2,972.36
				RECHE VISTA DR REALIGNMNT PROJ	5,452.32
				RECHE VISTA DR REALIGNMNT PROJ	23,825.00
	Vendor Total		**32,249.68**		
FYTD for KOA CORPORATION			**183,061.65**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	2/8/2010	200417	47,369.83		
				OCT-DEC LEGAL SVCS-RISK MGT	24,748.00
				OCT-DEC LEGAL SVCS-RISK MGT	22,621.83
	Vendor Total		**47,369.83**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**69,500.04**		
LAWYERS TITLE INC					
	2/23/2010	91311	59,024.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	59,024.00
	Vendor Total		**59,024.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MIRACLE PLAYGROUND SALES				
2/8/2010	200442	32,206.09		
			PLAYGROUND EQUIP.-PATRIOT PARK	29,830.16
			PLAYGROUND EQUIP.-TAX/FREIGHT	2,375.93
	Vendor Total	**32,206.09**		
FYTD for MIRACLE PLAYGROUND SALES		**32,206.09**		
MORENO VALLEY UTILITY				
2/22/2010	200732	54,112.83		
			ELECTRIC SVC-UT FLD OFFICE	110.21
			ELECTRICITY	139.72
			ELECTRICITY	856.40
			ELECTRICITY	230.71
			ELECTRICITY	2,150.60
			ELECTRICITY	9,868.55
			ELECTRICITY	9,726.46
			ELECTRICITY	2,821.88
			ELECTRICITY	4,225.39
			ELECTRICITY	795.13
			ELECTRICITY	1,612.51
			ELECTRICITY	12,106.82
			ELECTRICITY	8,732.81
			ELECTRICITY	179.36
			ELECTRICITY	134.30
			ELECTRICITY	86.28
			ELECTRICITY	64.97
			ELECTRICITY	64.71
			ELECTRICITY	135.16
			ELECTRICITY	70.86
	Vendor Total	**54,112.83**		
FYTD for MORENO VALLEY UTILITY		**526,683.54**		
PALP, INC. DBA EXCEL PAVING COMPANY				
2/1/2010	200263	209,167.40		
			SUNNYMD BLVD REVIT PROJ SVCS	209,167.40
2/16/2010	200608	315,341.08		
			SUNNYMD BLVD REVIT PROJ SVCS	26,519.40
			SUNNYMD BLVD REVIT PROJ SVCS	45,614.70
			SUNNYMD BLVD REVIT PROJ SVCS	243,206.98
2/22/2010	200737	133,091.01		
			SUNNYMD BLVD REVIT PROJ SVCS	63,642.60
			SUNNYMD BLVD REVIT PROJ SVCS	69,448.41
	Vendor Total	**657,599.49**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,618,568.76**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.					
	2/1/2010	200264	76,568.77		
				SR-60/NASON ST OVRCRSSNG PROJ	76,568.77
	Vendor Total		**76,568.77**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**886,897.31**		
PERS HEALTH INSURANCE					
	2/8/2010	91302	201,450.20		
				EMPL HEALTH INS 02/01/10	201,450.20
	Vendor Total		**201,450.20**		
FYTD for PERS HEALTH INSURANCE			**1,539,304.65**		
PERS RETIREMENT					
	2/5/2010	2576	194,907.27		
				PERS RETIREMENT 02/05/10	194,907.27
	2/19/2010	2584	193,675.24		
				PERS RETIREMENT 02/19/10	193,675.24
	Vendor Total		**388,582.51**		
FYTD for PERS RETIREMENT			**3,745,184.41**		
POUK & STEINLE, INC.					
	2/8/2010	200458	63,296.10		
				TRAF SIG-COTTONWD/PATTILYNN DR	63,296.10
	Vendor Total		**63,296.10**		
FYTD for POUK & STEINLE, INC.			**314,311.39**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	2/8/2010	200460	33,091.00		
				CACTUS AVE WIDENING PROJ-STG 1	10,454.50
				CACTUS AVE WIDENING PROJ-STG 2	22,636.50
	Vendor Total		**33,091.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**401,430.16**		
RITE AID CORP.					
	2/8/2010	200464	109,016.58		
				REFUND-IMPACT FEES	919.02
				REFUND-IMPACT FEES	77,717.88
				REFUND-IMPACT FEES	11,756.52
				REFUND-IMPACT FEES	1,387.20
				REFUND-IMPACT FEES	4,022.88
				REFUND-IMPACT FEES	1,283.16
				REFUND-IMPACT FEES	11,860.56
				REFUND-IMPACT FEES	69.36
	Vendor Total		**109,016.58**		
FYTD for RITE AID CORP.			**109,016.58**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF					
	2/23/2010	913081	2,552,667.63		
				CONTRACT LAW ENF BILL # 07	58,202.81
				CONTRACT LAW ENF BILL # 07	243.00
				CONTRACT LAW ENF BILL # 07	481.86
				CONTRACT LAW ENF BILL # 07	528.93
				CONTRACT LAW ENF BILL # 07	3,406.05
				CONTRACT LAW ENF BILL # 07	3,844.63
				CONTRACT LAW ENF BILL # 07	4,308.27
				CONTRACT LAW ENF BILL # 07	5,534.43
				CONTRACT LAW ENF BILL # 07	5,571.18
				CONTRACT LAW ENF BILL # 07	32,844.00
				CONTRACT LAW ENF BILL # 07	36,270.26
				CONTRACT LAW ENF BILL # 07	42,125.01
				CONTRACT LAW ENF BILL # 07	65,221.45
				CONTRACT LAW ENF BILL # 07	67,929.46
				CONTRACT LAW ENF BILL # 07	168,872.96
				CONTRACT LAW ENF BILL # 07	237,568.51
				CONTRACT LAW ENF BILL # 07	375,426.40
				CONTRACT LAW ENF BILL # 07	1,424,977.68
				CONTRACT LAW ENF BILL # 07	18,240.54
				CONTRACT LAW ENF BILL # 07	1,070.20
	Vendor Total		**2,552,667.63**		
FYTD for RIVERSIDE COUNTY SHERIFF			**26,845,212.81**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200279	28,402.22		
				DEC-09 WDAT CHRGS-IRIS	2,625.22
				DEC-09 WDAT CHRGS-GRAHAM	3,727.65
				DEC-09 WDAT CHRGS-GLOBE	7,197.48
				DEC-09 WDAT CHRGS-NANDINA	2,647.31
				DEC-09 WDAT CHRGS-FREDERICK	1,757.25
				DEC-09 WDAT CHRGS-SUBSTATION	10,447.31
	2/16/2010	200627	134,049.90		
				ELECTRICITY	59.83
				ELECTRICITY	256.36
				ELECTRICITY	20.22
				ELECTRICITY	857.92
				ELECTRICITY	792.21
				ELECTRICITY	873.59
				ELECTRICITY	1,637.57
				ELECTRICITY	93,664.13
				ELECTRICITY	395.92
				ELECTRICITY	101.96
				ELECTRICITY	19.55
				ELECTRICITY	18.87
				ELECTRICITY	58.99
				ELECTRICITY	79.69
				ELECTRICITY	41.44
				ELECTRICITY	35,171.65
	Vendor Total		**162,452.12**		
FYTD for SOUTHERN CALIFORNIA EDISON			**5,992,105.32**		
STANDARD INSURANCE CO					
	2/16/2010	200665	29,664.43		
				LIFE & DISABILITY INSURANCE	12,738.50
				LIFE & DISABILITY INSURANCE	17,973.11
				LIFE & DISABILITY INSURANCE	-1,047.18
	Vendor Total		**29,664.43**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STONERIDGE CENTER PARTNERS					
	2/10/2010	91305	455,705.73		
				STONERIDGE CFD# 5 STREET IMP	455,705.73
	Vendor Total		**455,705.73**		
FYTD for STONERIDGE CENTER PARTNERS			**455,705.73**		
THE WARD & WARD, ATTORNEYS AT LAW					
	2/16/2010	200639	165,048.82		
				SETTLEMENT OF MONACO	165,048.82
	Vendor Total		**165,048.82**		
FYTD for THE WARD & WARD, ATTORNEYS AT LAW			**165,048.82**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
U.S. BANK/CALCARDS					
	2/11/2010	91306	60,678.18		
				CALCARD PMT CYCLE END 02/08/10	60,678.18
	Vendor Total		**60,678.18**		
FYTD for U.S. BANK/CALCARDS			**1,267,593.74**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	2/16/2010	200657	30,665.44		
				RENTAL ASSIST SVCS-HPRP PRGM	15,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	15,000.00
				RENTAL ASSIST SVCS-ADMIN FEES	415.44
				RENTAL ARREARS SVCS-ADMIN FEES	250.00
	Vendor Total		**30,665.44**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**64,665.44**		
WASTE MANAGEMENT					
	2/8/2010	200523	229,472.36		
				SOLID WST DELINQ LESS FRANCHIS	261,149.84
				SOLID WST DELINQ LESS FRANCHIS	-31,677.48
	Vendor Total		**229,472.36**		
FYTD for WASTE MANAGEMENT			**318,266.94**		
	Subtotal		**9,716,967.09**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

452ND AIR MOBILITY WING				
2/1/2010	200207	0.00		
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
2/4/2010	200297	25.00		
			ATTND: MAYOR FLICKINGER	25.00
	Vendor Total	**25.00**		
FYTD for 452ND AIR MOBILITY WING		**72.00**		
A & I REPROGRAPHICS 2406362				
2/8/2010	200298	98.95		
			RPRGRPHC SVCS-PERRIS BLVD PROJ	98.95
2/22/2010	200666	87.00		
			RPRGRPHC SVCS-AQUDCT BIKEWY	87.00
	Vendor Total	**185.95**		
FYTD for A & I REPROGRAPHICS 2406362		**11,962.06**		
ACCOUNTEMPS				
2/16/2010	200532	2,277.00		
			TEMP SVCS-APODACA W/E 1/15	828.00
			TEMP SVCS-APODACA W/E 1/22	621.00
			TEMP SVC:APODACA-W/E 1/29	828.00
2/22/2010	200667	828.00		
			TEMP SVC-APODACA W/E 2/5	828.00
	Vendor Total	**3,105.00**		
FYTD for ACCOUNTEMPS		**3,105.00**		
ADAMS, BROOK				
2/16/2010	200533	200.00		
			REFUND-RNTL DEP 1/23/10	200.00
	Vendor Total	**200.00**		
FYTD for ADAMS, BROOK		**200.00**		
ADAMS, MARK L.				
2/8/2010	200299	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**2,549.84**		

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ADLERHORST INTERNATIONAL INC.					
	2/16/2010	200534	425.01		
				JAN-10 TRAINING-K9 BLUE	141.67
				JAN-10 TRAINING-K9 MAX/LEX	283.34
	2/22/2010	200668	29.91		
				LEASH & TRNG AID-K9 LEX	29.91
	Vendor Total		**454.92**		
FYTD for ADLERHORST INTERNATIONAL INC.			**3,847.82**		
ADMINSURE					
	2/8/2010	200300	2,600.00		
				FEB-10 WRKMNS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**20,800.00**		
ADT SECURITY SERVICES					
	2/16/2010	200535	373.00		
				REFUND-FIRE FEES	352.00
				REFUND-FIRE FEES	21.00
	Vendor Total		**373.00**		
FYTD for ADT SECURITY SERVICES			**373.00**		
ADVANCED ELECTRIC					
	2/1/2010	200208	5,654.00		
				ELECT RPRS-CRC	786.00
				ELECT RPRS-FS #48	175.00
				ELECT RPRS-ERC	479.00
				ELECT RPRS-FS #58	984.00
				ELECT RPRS-CRC	83.00
				ELECT RPRS-CRC	257.00
				ELECT RPRS-CRC	62.00
				ELECT RPRS-CRC	576.00
				ELECT RPRS-PSB	247.00
				ELECT RPRS-PARKS	65.00
				ELECT RPRS-PARKS	1,705.00
				ELECT RPRS-CITY HALL	235.00
	2/8/2010	200301	207.00		
				LIGHT RPLCMNT-ANML VET CLINIC	207.00
	2/16/2010	200536	2,230.00		
				ELECT RPR-FS #48 PARKING LOT	976.00
				ELECT RPR-FS #91 DSL PUMP	1,102.00
				ELECT SVC-RECEPT INSTALL	152.00
	Vendor Total		**8,091.00**		
FYTD for ADVANCED ELECTRIC			**65,327.00**		

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ADVANTAGE BUSINESS EQUIPMENT, INC				
2/8/2010	200302	955.91		
			CHECK DESIGN/STOCK AND TONER	955.91
Vendor Total		**955.91**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**5,951.81**		
AEI-CASC ENGINEERING				
2/22/2010	200669	673.50		
			CONSULTING SVCS	673.50
Vendor Total		**673.50**		
FYTD for AEI-CASC ENGINEERING		**314,585.09**		
AGA/ASSOC OF GOVERNMENT ACCOUNTANTS				
2/22/2010	200671	100.00		
			MBRSHP RNWL-L WILSON	100.00
Vendor Total		**100.00**		
FYTD for AGA/ASSOC OF GOVERNMENT ACCOUNTANTS		**535.00**		
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
2/16/2010	200537	1,650.00		
			DATABASE LEASING	1,650.00
Vendor Total		**1,650.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**1,650.00**		
ALL PRO DISPLAYS & GRAPHICS, LLC				
2/22/2010	200672	327.20		
			THROW COVER-ANML SVCS	313.20
			THROW COVER-SHIPPING	14.00
Vendor Total		**327.20**		
FYTD for ALL PRO DISPLAYS & GRAPHICS, LLC		**674.40**		
ALLIANZ LIFE INSURANCE CO				
2/16/2010	200538	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**600.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES				
2/8/2010	200304	11,994.00		
			SIRE EDMS SOFTWARE MAINT	1,699.00
			PERMITS PLUS MAINT	509.00
			ENTERPRISE MODULE	899.00
			ENTERPRISE MODULE	720.00
			SIRE CLIENT USER LICENSE	2,519.00
			PDF CONVERSION	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE	539.00
			SIRE FORMS	899.00
			SIRE AGENDA PLUS	6,119.00
			CAPTURE INDEX STATION	944.00
			INCENTIVE DISCOUNT	-4,000.00
Vendor Total		**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**15,894.00**		
AMBRIZ, MARISELA				
2/8/2010	200305	34.65		
			REFUND-CHLDS PLC DUES	34.65
Vendor Total		**34.65**		
FYTD for AMBRIZ, MARISELA		**34.65**		
AMERICAN FORENSIC NURSES				
2/1/2010	200209	1,080.00		
			BLOOD DRAWS-PD	1,080.00
2/8/2010	200306	1,168.20		
			BLOOD DRAWS-PD	46.70
			BLOOD DRAWS-PD	1,121.50
Vendor Total		**2,248.20**		
FYTD for AMERICAN FORENSIC NURSES		**18,124.70**		
AMERICAN ROTARY BROOM CO.				
2/8/2010	200307	493.09		
			STREET SWEEPING BROOM KITS	493.09
2/22/2010	200673	1,163.83		
			STREET SWEEPING BROOM KITS	940.25
			STREET SWEEPING BROOM KITS	223.58
Vendor Total		**1,656.92**		
FYTD for AMERICAN ROTARY BROOM CO.		**23,297.74**		
AMTECH ELEVATOR SERVICES				
2/16/2010	200539	118.37		
			JAN-10 ELEVATOR SVC-CITY HALL	118.37
Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,368.76**		

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ANIMAL EMERGENCY CLINIC, INC.				
2/8/2010	200308	285.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	70.00
	Vendor Total	**285.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**3,021.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
2/1/2010	200210	300.00		
			BEE REMOVAL SVC-BETHUNE PK	300.00
2/22/2010	200674	1,790.00		
			JAN-10 PEST CNTRL-STARS	100.00
			JAN-10 PEST CNTRL-PARKS	665.00
			JAN-10 PEST CNTRL-PARKS	255.00
			JAN-10 PEST CNTRL-MARCH FLD	330.00
			JAN-10 PEST CNTRL-PAL	100.00
			JAN-10 PEST CNTRL-CFD #1	160.00
			JAN-10 PEST CNTRL-GLF CRS	180.00
	Vendor Total	**2,090.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**15,320.00**		
ANONUEVO, ALAN				
2/22/2010	200675	54.50		
			REFUND-CITATION FEE	54.50
	Vendor Total	**54.50**		
FYTD for ANONUEVO, ALAN		**54.50**		
ARAGON, ROSS				
2/8/2010	200309	50.00		
			REFUND-CITATION OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for ARAGON, ROSS		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
2/16/2010	200540	1,171.39		
			JAN-10 OFFSITE STORAGE	1,171.39
	Vendor Total	**1,171.39**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**10,751.91**		

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ARELLANO, OSCAR					
	2/22/2010	200676	200.00		
				REFUND-RNTL DEP 1/30	90.00
				REFUND-RNTL DEP 1/30	110.00
	Vendor Total		**200.00**		
FYTD for ARELLANO, OSCAR			**200.00**		
AREVALO, HAROLD					
	2/8/2010	200310	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AREVALO, HAROLD			**75.00**		
ARROWHEAD WATER					
	2/8/2010	200311	175.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	2/22/2010	200677	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**4,482.01**		
ASG FACILITY					
	2/16/2010	200541	60.00		
				INSTRUCTOR SVCS-BOXING	60.00
	Vendor Total		**60.00**		
FYTD for ASG FACILITY			**632.00**		

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ASSOCIATED ENGINEERS, INC.					
	2/1/2010	200211	21,133.61		
				HEACOCK ST-HEMLOCK TO IRONWOOD	21,133.61
	2/8/2010	200312	15,220.50		
				HEACOCK ST-HEMLOCK TO IRONWOOD	15,220.50
	Vendor Total		**36,354.11**		
FYTD for ASSOCIATED ENGINEERS, INC.			**36,354.11**		
ASW ENGINEERING MANAGEMENT CONSULTANTS					
	2/1/2010	200212	6,849.63		
				CONSULTING SVCS-UT	6,849.63
	Vendor Total		**6,849.63**		
FYTD for ASW ENGINEERING MANAGEMENT CONSULTANTS			**11,318.97**		
AT&T MOBILITY					
	2/8/2010	200313	92.14		
				CELL CHRGS-MBL CMMND CTR	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**734.71**		
AT&T/MCI					
	2/8/2010	200314	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,469.70**		
AUBREY, DOMINQUE					
	2/8/2010	200315	55.00		
				REFUND-CITATION FEES	55.00
	Vendor Total		**55.00**		
FYTD for AUBREY, DOMINQUE			**55.00**		
BACHER, GRACE					
	2/8/2010	200316	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**1,825.61**		
BACON, DONALD					
	2/8/2010	200317	71.40		
				REFUND-BSKTBLL REGIST	71.40
	Vendor Total		**71.40**		
FYTD for BACON, DONALD			**71.40**		

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BARNES, DARLENE					
	2/8/2010	200318	110.82		
				RETIREE MEDICAL BENEFIT	110.82
	Vendor Total		**110.82**		
FYTD for BARNES, DARLENE			**886.56**		
BARRERA, DANILO					
	2/8/2010	200319	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for BARRERA, DANILO			**86.00**		
BARRETO, MARIA					
	2/22/2010	200678	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BARRETO, MARIA			**20.00**		
BASIC BACKFLOW					
	2/22/2010	200679	240.00		
				BACKFLOW TESTING	240.00
	Vendor Total		**240.00**		
FYTD for BASIC BACKFLOW			**1,174.65**		
BEALEY, RAYNETTE					
	2/22/2010	200680	37.00		
				REFUND-HIP HOP DANCE	37.00
	Vendor Total		**37.00**		
FYTD for BEALEY, RAYNETTE			**37.00**		

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BEMUS LANDSCAPE, INC.					
	2/1/2010	200213	17,206.11		
				LANDSCAPE MAINT-PARKS	270.00
				LANDSCAPE MAINT-PARKS	432.00
				LANDSCAPE MAINT-PARKS	400.00
				IRRIGATION RPRS-E4	85.51
				DEC-09 LNDSCP MAINT-E4	15,650.96
				DEC-09 LNDSCP MAINT-E4A	367.64
	2/16/2010	200542	1,847.38		
				IRRIGATION RPRS-E4	44.93
				IRRIGATION RPRS-E4	1,291.20
				IRRIGATION RPRS-E4	73.80
				IRRIGATION RPRS-E4	25.37
				PLANT MTRL INSTALL-E3	412.08
	2/22/2010	200681	8,237.86		
				JAN-10 LNDSCP MAINT-AQDCT	400.00
				JAN-10 LNDSCP MAINT-AQDCT	1,900.00
				JAN-10 LNDSCP MAINT-E4	27.78
				JAN-10 LNDSCP MAINT-ANML SHLTR	520.00
				JAN-10 LNDSCP MAINT-CRC	1,900.00
				JAN-10 LNDSCP MAINT-LIBRARY	520.00
				JAN-10 LNDSCP MAINT-PSB	1,197.58
				JAN-10 LNDSCP MAINT-STARS	300.00
				JAN-10 LNDSCP MAINT-ELECT SUB	480.00
				JAN-10 LNDSCP MAINT-MVU	480.00
				JAN-10 LNDSCP MAINT-YARD	250.00
				JAN-10 LNDSCP MAINT-SR CTR	262.50
	Vendor Total		**27,291.35**		
FYTD for BEMUS LANDSCAPE, INC.			**252,242.90**		
BENESYST, INC.					
	2/8/2010	200320	1,105.21		
				FLEX ADMIN SVCS	291.11
				FLEX ADMIN SVCS	814.10
	2/18/2010	91307	20.13		
				COBRA SUBSIDIES FEB 2010	20.13
	Vendor Total		**1,125.34**		
FYTD for BENESYST, INC.			**3,460.64**		
BENITES, GEORGINA					
	2/16/2010	200543	82.00		
				REFUND-TENNIS CLASS	82.00
	Vendor Total		**82.00**		
FYTD for BENITES, GEORGINA			**82.00**		

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BEST, BEST & KRIEGER, LLP					
	2/1/2010	200214	2,963.01		
				LEGAL SVCS-GENERAL	379.68
				LEGAL SVCS-EMPIRE LAND	23.55
				LEGAL SVCS-GGP	2,559.78
	2/16/2010	200544	5,148.12		
				PROF SVCS-AQUABELLA CFD #6	5,148.12
	Vendor Total		**8,111.13**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,044.64**		
BIO-TOX LABORATORIES					
	2/16/2010	200545	3,569.69		
				TOXICOLOGY TESTS	35.06
				TOXICOLOGY TESTS	971.83
				TOXICOLOGY TESTS	2,562.80
	Vendor Total		**3,569.69**		
FYTD for BIO-TOX LABORATORIES			**28,536.74**		
BLAIR, CHERYL					
	2/8/2010	200321	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,106.00**		
BLUE SHIELD OF CALIFORNIA					
	2/1/2010	200215	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	2/16/2010	200546	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**1,045.74**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,113.06**		
BMI					
	2/16/2010	200547	1,219.00		
				8/09-07/10 LIC ESTIMATED FEE	1,219.00
	Vendor Total		**1,219.00**		
FYTD for BMI			**1,219.00**		
BOE, IRIS					
	2/8/2010	200322	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for BOE, IRIS			**404.50**		

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BOWIE, SHANNON					
	2/22/2010	200682	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for BOWIE, SHANNON			**100.00**		
BPS TACTICAL, INC					
	2/8/2010	200323	20.58		
				VELCRO PATCHES-PD	20.58
	Vendor Total		**20.58**		
FYTD for BPS TACTICAL, INC			**20.58**		
BREITKREUZ, THOMAS F.					
	2/8/2010	200324	578.10		
				RETIREE MEDICAL BENEFIT	578.10
	Vendor Total		**578.10**		
FYTD for BREITKREUZ, THOMAS F.			**1,734.30**		

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BRODART CO.					
	2/1/2010	200217	2,344.31		
				MISC BOOKS-LIBRARY	24.37
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	42.53
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	545.46
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	20.12
				MISC BOOKS-LIBRARY	851.48
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	41.94
				MISC BOOKS-LIBRARY	39.57
				MISC BOOKS-LIBRARY	10.33
				MISC BOOKS-LIBRARY	70.45
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	50.86
				MISC BOOKS-LIBRARY	16.56
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	48.78
				MISC BOOKS-LIBRARY	43.23
				MISC BOOKS-LIBRARY	127.31
				MISC BOOKS-LIBRARY	22.90
	2/8/2010	200325	317.59		
				MISC BOOKS-LIBRARY	44.01
				MISC BOOKS-LIBRARY	43.14
				MISC BOOKS-LIBRARY	21.08
				MISC BOOKS-LIBRARY	61.93
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.13
	Vendor Total		**2,661.90**		
FYTD for BRODART CO.			**17,708.83**		
BUCKINGHAM, STAN					
	2/8/2010	200326	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**637.46**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURKE, WILLIAMS & SORENSEN, LLP.					
	2/1/2010	200218	232.40		
				LEGAL FEES	232.40
	2/16/2010	200548	23.80		
				LGL FEES-JENNY INVSTMNT	23.80
	Vendor Total		**256.20**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**6,180.92**		
BWI - BOOK WHOLESALERS, INC.					
	2/8/2010	200327	1,668.12		
				MISC BOOKS-LIBRARY	14.41
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	16.96
				MISC BOOKS-LIBRARY	883.47
				MISC BOOKS-LIBRARY	43.86
				MISC BOOKS-LIBRARY	125.28
				MISC BOOKS-LIBRARY	41.89
				MISC BOOKS-LIBRARY	29.88
				MISC BOOKS-LIBRARY	140.50
				MISC BOOKS-LIBRARY	28.26
				MISC BOOKS-LIBRARY	26.43
				MISC BOOKS-LIBRARY	16.57
				MISC BOOKS-LIBRARY	69.48
				MISC BOOKS-LIBRARY	29.52
				MISC BOOKS-LIBRARY	15.26
				MISC BOOKS-LIBRARY	27.93
				MISC BOOKS-LIBRARY	17.18
				MISC BOOKS-LIBRARY	43.26
				MISC BOOKS-LIBRARY	12.45
				MISC BOOKS-LIBRARY	29.68
	Vendor Total		**1,668.12**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**4,437.14**		
CA REGIONAL WATER QUALITY CONTROL BOARD					
	2/8/2010	200328	500.00		
				WATER QUALITY CERT. DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD			**1,780.00**		
CAIN, GREGORY					
	2/8/2010	200329	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**1,912.39**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION					
	2/1/2010	200219	2,242.00		
				WEED ABTMNT SVCS-MVEC	1,345.20
				WEED ABTMNT SVCS-MVEC	896.80
	Vendor Total		**2,242.00**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**2,242.00**		
CALAVERAS STANDARD MATERIALS					
	2/22/2010	200683	370.40		
				CEMENT PURCHASE	370.40
	Vendor Total		**370.40**		
FYTD for CALAVERAS STANDARD MATERIALS			**17,887.76**		
CALIFORNIA DELTA MECHANICAL, INC.					
	2/16/2010	200549	48.00		
				REFUND-PERMIT FEE	48.00
	Vendor Total		**48.00**		
FYTD for CALIFORNIA DELTA MECHANICAL, INC.			**108.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	2/8/2010	200330	1,100.00		
				STREAMBED ALTER. AGRMNT FEE	1,100.00
	Vendor Total		**1,100.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,250.00**		
CALIFORNIA DEPT. OF FISH & GAME					
	2/8/2010	200331	482.75		
				FEE BALANCE-STREAMBED ALTERAT.	482.75
	Vendor Total		**482.75**		
FYTD for CALIFORNIA DEPT. OF FISH & GAME			**8,482.75**		
CALIFORNIA TRANSCRIPTION, LLC					
	2/22/2010	200684	144.27		
				TRANSCRIPTION SVCS	144.27
	Vendor Total		**144.27**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC			**1,115.76**		
CALPERS					
	2/1/2010	200220	13,860.00		
				4TH LVL SURVIVOR BNFT	13,860.00
	Vendor Total		**13,860.00**		
FYTD for CALPERS			**666,008.08**		

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CAMARILLO, ELIWILL					
	2/22/2010	200685	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for CAMARILLO, ELIWILL			**54.50**		
CANNON, ANA M.					
	2/8/2010	200332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**637.46**		
CANON BUSINESS SOLUTIONS, INC.					
	2/8/2010	200333	7,060.28		
				OCT-DEC COPIER SVCS	6,303.55
				OCT-DEC COPIER SVCS	188.66
				OCT-DEC COPIER SVCS	568.07
	Vendor Total		**7,060.28**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**26,140.99**		
CANON FINANCIAL SERVICES, INC.					
	2/8/2010	200334	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**60,725.44**		
CARTER, ROSALYN					
	2/8/2010	200335	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,172.36**		
CASKEY, DEBRA C.					
	2/8/2010	200336	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**1,912.39**		
CERTIFIED CREDIT REPORTING, INC					
	2/22/2010	200686	18.66		
				JAN-10 CREDIT PROFILE SVCS	18.66
	Vendor Total		**18.66**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**122.53**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CERVANTES, RIGOBERTO					
	2/1/2010	200221	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for CERVANTES, RIGOBERTO			**100.00**		
CHANCY, CHIZURU					
	2/22/2010	200687	70.20		
				INSTRUCTOR SVC-HAWAIIAN DNC	23.40
				INSTRUCTOR SVC-HAWAIIAN DNC	46.80
	Vendor Total		**70.20**		
FYTD for CHANCY, CHIZURU			**1,123.20**		
CHANDLER AGGREGATES, INC.					
	2/8/2010	200337	86.43		
				C-MIX FOR PROM PROJECTS	86.43
	Vendor Total		**86.43**		
FYTD for CHANDLER AGGREGATES, INC.			**691.46**		
CHAPMAN, STEVE					
	2/8/2010	200338	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,549.84**		
CHAPPELL, ISAAC					
	2/8/2010	200339	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,549.84**		
CHERRY VALLEY FEED					
	2/1/2010	200222	72.74		
				DOG FOOD FOR K-9	72.74
	2/16/2010	200551	251.14		
				DOG FOOD FOR K9	97.84
				DOG FOOD FOR K9	153.30
	Vendor Total		**323.88**		
FYTD for CHERRY VALLEY FEED			**1,484.71**		
CHRISTIAN, OWEN					
	2/8/2010	200340	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**1,831.70**		

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CIGGS, RAVIAN					
	2/1/2010	200223	80.00		
				REFUND-ANIMAL FEES	30.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	20.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	10.00
	Vendor Total		**80.00**		
FYTD for CIGGS, RAVIAN			**80.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	2/1/2010	200224	95.40		
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	50.22
				UNIFORM RNTL SVC-CFD #1	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	2/8/2010	200341	295.03		
				UNIFORM RNTL SVC-TRFFC	11.23
				UNIFORM RNTL SVC-TRFFC	11.23
				UNIFORM RNTL SVC-SIGNING CRE	13.85
				UNIFORM RNTL SVC-SIGNING CRE	13.85
				UNIFORM RNTL SVC-GRAFFITI	8.37
				UNIFORM RNTL SVC-GRAFFITI	8.37
				UNIFORM RNTL SVC-VEH MAINT	9.99
				UNIFORM RNTL SVC-VEH MAINT	9.99
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-DRNG MAINT	2.79
				UNIFORM RNTL SVC-DRNG MAINT	2.79
				UNIFORM RNTL SVC-ST MAINT	72.07
				UNIFORM RNTL SVC-ST MAINT	8.01
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-PARKS MAINT	50.22
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	2/16/2010	200552	32.49		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	2/22/2010	200688	228.56		
				UNIFORM RNTL SVC-GLF CRS	5.85
				UNIFORM RNTL SVC-MAINT OPER	8.37
				UNIFORM RNTL SVC-MAINT OPER	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	16.99
				UNIFORM RNTL SVC-EQUIP MAINT	16.99
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-ST MAINT	47.07
				UNIFORM RNTL SVC-ST MAINT	47.07
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-CNCRT MAINT	8.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	16.65
Vendor Total		651.48		
FYTD for CINTAS CORPORATION		**4,108.55**		
CITRUS HILL HIGH SCHOOL				
2/8/2010	200342	750.00		
			REFUND-RNTL DEP 1/23/10	750.00
Vendor Total		750.00		
FYTD for CITRUS HILL HIGH SCHOOL		**750.00**		
CITY OF MORENO VALLEY VEBA TRUST				
2/16/2010	200553	4,062.50		
			EXEMPT VEBA	4,062.50
Vendor Total		4,062.50		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**34,062.50**		
CLARK-MONTEILH, MARY				
2/16/2010	200554	120.00		
			REFUND-MATH CLASS	120.00
Vendor Total		120.00		
FYTD for CLARK-MONTEILH, MARY		**120.00**		
CNOA REGION V				
2/8/2010	200343	45.00		
			2/4/10 CHASING PHONES COURSE	45.00
2/16/2010	200555	360.00		
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
Vendor Total		405.00		
FYTD for CNOA REGION V		**540.00**		
COAST FITNESS REPAIR SHOP				
2/22/2010	200689	3,233.56		
			TREADMILL-SENIOR CTR	2,743.50
			TREADMILL-DELIVERY/INSTALL	50.00
			TREADMILL-5 YR WARRANTY	200.00
			TREADMILL-SALES TAX	240.06
Vendor Total		3,233.56		
FYTD for COAST FITNESS REPAIR SHOP		**3,377.50**		

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COBIAN, KARLA					
	2/8/2010	200344	300.00		
				REFUND-RNTL DEP #15590	300.00
	Vendor Total		**300.00**		
FYTD for COBIAN, KARLA			**300.00**		
COLONIAL SUPPLEMENTAL INSURANCE					
	2/8/2010	200345	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**57,640.89**		
COMMUNICATION SUPPLY CORP.					
	2/16/2010	200556	15,888.23		
				FIBER OPTIC CABLE/MATERIALS	2,244.77
				SHIPPING CHARGE	127.60
				CA SALES TAX	196.40
				FIBER OPTIC CABLE/MATERIALS	3,564.28
				SHIPPING CHARGE	72.40
				CA SALES TAX	296.49
				FIBER OPTIC CABLE/MATERIALS	1,506.07
				CA SALES TAX	130.91
				FIBER OPTIC CABLE/MATERIALS	4,759.81
				CA SALES TAX	416.49
				FIBER OPTIC CABLE/MATERIALS	2,366.97
				CA SALES TAX	206.04
	2/22/2010	200690	1,105.83		
				FIBER OPTIC CABLE/MATERIALS	717.57
				CA SALES TAX	80.12
				FIBER OPTIC CABLE/MATERIALS	198.05
				FIBER OPTIC CABLE/MATERIALS	110.09
	Vendor Total		**16,994.06**		
FYTD for COMMUNICATION SUPPLY CORP.			**16,994.06**		
COMMUNITY BANK					
	2/8/2010	91303	5,350.36		
				RETENTION PMT-PROJ 08-12556330	5,350.36
	Vendor Total		**5,350.36**		
FYTD for COMMUNITY BANK			**93,729.19**		

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COMMUNITY HEALTH CHARITIES					
	2/1/2010	200225	176.47		
				CHC CONTRIBUTIONS	176.47
	2/16/2010	200557	151.47		
				CHC CONTRIBUTIONS	151.47
	2/16/2010	200558	268.67		
				EMPLOYEE GIVING CMPGN	268.67
	Vendor Total		**596.61**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,261.08**		
COMPETITIVE STRIDE					
	2/8/2010	200346	127.24		
				SPORTS AWARDS	29.36
				SPORTS AWARDS	97.88
	2/22/2010	200691	187.59		
				SPORTS AWARDS	26.10
				SPORTS AWARDS	161.49
	Vendor Total		**314.83**		
FYTD for COMPETITIVE STRIDE			**2,638.66**		
CONTINUING EDUCATION OF THE BAR					
	2/8/2010	200347	219.46		
				LEGAL PUBLICATIONS	36.76
				LEGAL PUBLICATIONS	182.70
	Vendor Total		**219.46**		
FYTD for CONTINUING EDUCATION OF THE BAR			**519.88**		
COSTCO					
	2/1/2010	200226	642.15		
				MISC SUPPLIES-STARS	642.15
	2/8/2010	200348	165.93		
				MISC SUPPLIES-STARS	165.93
	2/16/2010	200559	436.51		
				MISC SUPPLIES-STARS	186.56
				MISC SUPPLIES-STARS	84.13
				MISC SUPPLIES-STARS	165.82
	2/22/2010	200692	1,262.39		
				MISC SUPPLIES-CHILDS PLACE	1,189.90
				MISC SUPPLIES-STARS	72.49
	Vendor Total		**2,506.98**		
FYTD for COSTCO			**37,141.26**		

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COUNSELING TEAM, THE					
	2/8/2010	200349	1,250.00		
				DEC-09 EMP CNSLING SVCS	680.00
				DEC-09 EMP CNSLING SVCS	570.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**8,750.00**		
COUNTY OF RIVERSIDE - RMAP					
	2/16/2010	200560	41.25		
				JAN-10 RECORDATION RQST	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**284.10**		
COUNTY OF RIVERSIDE AUDITOR					
	2/1/2010	200227	24,199.00		
				PARKING CONTROL FEES	6,000.00
				PARKING CONTROL FEES	806.00
				PARKING CONTROL FEES	1,492.00
				PARKING CONTROL FEES	6,095.00
				PARKING CONTROL FEES	2,418.00
				PARKING CONTROL FEES	5,190.00
				PARKING CONTROL FEES	2,198.00
	Vendor Total		**24,199.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**87,558.95**		
CRANE ARCHITECTURAL GROUP					
	2/8/2010	200350	1,645.00		
				PUB SFTY BLDG CONVERSION PROJ	1,645.00
	Vendor Total		**1,645.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**2,995.00**		
CRUZ, JUAN					
	2/22/2010	200694	38.00		
				REFUND-TRAP DEPOSIT	38.00
	Vendor Total		**38.00**		
FYTD for CRUZ, JUAN			**38.00**		
CTAI PACIFIC GREENSCAPE					
	2/16/2010	200561	5,088.40		
				JAN-10 LNDSCP MAINT-DSG1W	4,897.13
				IRRIGATION RPRS-DSG1W	169.42
				IRRIGATION RPRS-DSG1W	21.85
	Vendor Total		**5,088.40**		
FYTD for CTAI PACIFIC GREENSCAPE			**42,116.91**		

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CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	2/8/2010	200352	578.00		
				PERMIT RNWL-AR0010011	578.00
	Vendor Total		**578.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**24,273.88**		
CULLEN, ERIC					
	2/8/2010	200353	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for CULLEN, ERIC			**50.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	2/1/2010	200228	745.00		
				DEC-09 DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**5,365.00**		
DALE, KATHLEEN					
	2/8/2010	200354	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,527.36**		
DATA TICKET, INC.					
	2/22/2010	200696	105.00		
				DEC-09 MAINT/SUPPORT	105.00
	Vendor Total		**105.00**		
FYTD for DATA TICKET, INC.			**119,908.79**		
DATAQUICK CORPORATE HEADQUARTERS					
	2/16/2010	200562	130.50		
				JAN-10 ONLINE SVCS-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,944.00**		
DAVID EVANS & ASSOCIATES, INC.					
	2/22/2010	200697	1,042.00		
				SUNNYMD BLVD REVIT PROJ SVCS	751.00
				SUNNYMD BLVD REVIT PROJ SVCS	291.00
	Vendor Total		**1,042.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**18,974.59**		

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DAVIS, DANNY					
	2/8/2010	200355	10.00		
				REFUND-CITATION FEE	10.00
	Vendor Total		**10.00**		
FYTD for DAVIS, DANNY			**10.00**		
DELTA DENTAL					
	2/16/2010	200563	11,215.70		
				EMPLOYEE DENTAL INSURANCE	11,215.70
	Vendor Total		**11,215.70**		
FYTD for DELTA DENTAL			**91,716.78**		
DELTACARE USA					
	2/16/2010	200564	6,541.33		
				EMPLOYEE DENTAL INSURANCE	6,541.33
	Vendor Total		**6,541.33**		
FYTD for DELTACARE USA			**54,577.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	2/8/2010	200356	1,460.00		
				PLAN CHECK SVC-FIRE PREV	1,460.00
	Vendor Total		**1,460.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**8,885.00**		
DEPARTMENTT OF WATER RESOURCES					
	2/8/2010	200357	500.00		
				DEPOSIT FOR REVIEW COSTS	500.00
	Vendor Total		**500.00**		
FYTD for DEPARTMENTT OF WATER RESOURCES			**500.00**		
DIAZ, IMMA					
	2/8/2010	200358	35.00		
				REFUND-CLASS REGIST	35.00
	Vendor Total		**35.00**		
FYTD for DIAZ, IMMA			**35.00**		
DIGITAL TELECOMMUNICATIONS CORP.					
	2/1/2010	200229	9,726.00		
				SPEECH PORTS	7,500.00
				SPEECH PORTS-LICENSES	1,566.00
				SPEECH PORTS-LABOR	360.00
				SPEECH PORTS-SALES TAX	656.25
				LIC CREDIT-INV #1547	-356.25
	Vendor Total		**9,726.00**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**97,700.17**		

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DLS LANDSCAPE, INC					
	2/8/2010	200360	12,390.00		
				JAN-10 LNDSCP MAINT-ZN A PARKS	10,230.00
				JAN-10 LNDSCP MAINT-CFD #1	2,160.00
	2/22/2010	200698	12,390.00		
				FEB-10 LNDSCP MAINT-CFD#1	2,160.00
				FEB-10 LNDSCP MAINT-ZN A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**99,120.00**		
DMC DESIGN GROUP, INC					
	2/1/2010	200230	4,004.66		
				ALESSANDRO BLVD IMPRVMNTS PROJ	4,004.66
	Vendor Total		**4,004.66**		
FYTD for DMC DESIGN GROUP, INC			**59,837.82**		
DONAHUE APPRAISAL ASSOCIATES					
	2/22/2010	200699	18,640.00		
				ALESSANDRO/INDIAN SIDEWLK PROJ	500.00
				SVCS-PERRIS BLVD WIDENING PROJ	18,140.00
	Vendor Total		**18,640.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**27,040.00**		
DORY, ALLEEN F.					
	2/8/2010	200361	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DORY, ALLEEN F.			**2,549.84**		
D-PREP, LLC					
	2/22/2010	200695	393.00		
				MAR.16-18 C.P.T.E.D. COURSE	393.00
	Vendor Total		**393.00**		
FYTD for D-PREP, LLC			**393.00**		
DREAMER PRODUCTIONS					
	2/8/2010	200362	69.50		
				UNIFORMS-ANML SHLTR	69.50
	Vendor Total		**69.50**		
FYTD for DREAMER PRODUCTIONS			**69.50**		
DUNLAP, SYLVESTER					
	2/8/2010	200363	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DUNLAP, SYLVESTER			**50.00**		

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DURAN, BLANCA					
	2/1/2010	200231	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	294.00
	2/16/2010	200565	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	252.00
	Vendor Total		**546.00**		
FYTD for DURAN, BLANCA			**1,638.00**		
DZUBIN, LAURA					
	2/16/2010	200566	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for DZUBIN, LAURA			**20.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	2/1/2010	200232	327.60		
				BACKFLOW TESTING-TR 30319	36.40
				BACKFLOW TESTING-TR 33437	36.40
				BACKFLOW TESTING-DSG1/2	254.80
	Vendor Total		**327.60**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**18,603.17**		
EADIE AND PAYNE LLP.					
	2/1/2010	200233	21,800.00		
				CONSULTING SVCS	10,600.00
				CONSULTING SVCS	8,050.00
				CONSULTING SVCS	3,150.00
	Vendor Total		**21,800.00**		
FYTD for EADIE AND PAYNE LLP.			**21,800.00**		

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EASTERN MUNICIPAL WATER DISTRICT				
2/1/2010	200234	7,515.38		
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	73.00
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	58.60
			WATER CHRGS FOR JANUARY	40.22
			WATER CHRGS FOR JANUARY	13.80
			WATER CHRGS FOR JANUARY	217.62
			WATER CHRGS FOR JANUARY	1,682.48
			WATER CHRGS FOR JANUARY	186.40
			WATER CHRGS FOR JANUARY	2,429.16
			WATER CHRGS FOR JANUARY	1,040.48
			WATER CHRGS FOR JANUARY	1,481.08
			WATER CHRGS FOR JANUARY	23.09
			WATER CHRGS FOR JANUARY	74.63
			WATER CHRGS FOR DECEMBER	59.16
2/8/2010	200364	5,266.77		
			WATER CHRGS FOR DECEMBER	507.38
			WATER CHRGS FOR JANUARY	64.94
			WATER CHRGS FOR JANUARY	307.06
			WATER CHRGS FOR JANUARY	1,260.26
			WATER CHRGS FOR JANUARY	178.84
			WATER CHRGS FOR JANUARY	2,159.79
			WATER CHRGS FOR JANUARY	291.02
			WATER CHRGS FOR JANUARY	125.37
			WATER CHRGS FOR JANUARY	318.62
			WATER CHRGS FOR JANUARY	53.49
2/16/2010	200567	7,839.52		
			WATER CHRGS FOR JANUARY	49.77
			WATER CHRGS FOR JANUARY	663.17
			WATER CHRGS FOR JANUARY	33.60
			WATER CHRGS FOR JANUARY	1,452.66
			WATER CHRGS FOR JANUARY	2,780.52
			WATER CHRGS FOR JANUARY	1,505.91
			WATER CHRGS FOR JANUARY	264.84
			WATER CHRGS FOR JANUARY	243.75
			WATER CHRGS FOR JANUARY	153.13
			WATER CHRGS FOR JANUARY	82.56
			WATER CHRGS FOR JANUARY	60.76
			WATER CHRGS FOR JANUARY	195.42
			WATER CHRGS FOR JANUARY	120.46
			WATER CHRGS FOR JANUARY	191.87
			WATER CHRGS FOR JANUARY	41.10
2/22/2010	200701	10,082.12		
			WATER CHRGS FOR JANUARY	515.59
			WATER CHRGS FOR JANUARY	677.32
			WATER CHRGS FOR JANUARY	140.88
			WATER CHRGS FOR JANUARY	485.86
			WATER CHRGS FOR JANUARY	95.26
			WATER CHRGS FOR JANUARY	1,331.39
			WATER CHRGS FOR JANUARY	327.50
			WATER CHRGS FOR JANUARY	262.36

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR JANUARY	1,017.39
			WATER CHRGS FOR JANUARY	888.36
			WATER CHRGS FOR JANUARY	1,414.99
			WATER CHRGS FOR JANUARY	661.15
			WATER CHRGS FOR JANUARY	54.88
			WATER CHRGS FOR JANUARY	25.48
			WATER CHRGS FOR JANUARY	236.83
			WATER CHRGS FOR JANUARY	220.54
			WATER CHRGS FOR JANUARY	151.46
			WATER CHRGS FOR JANUARY	156.05
			WATER CHRGS FOR JANUARY	167.93
			WATER CHRGS FOR JANUARY	68.10
			WATER CHRGS FOR JANUARY	210.73
			WATER CHRGS FOR JANUARY	94.56
			WATER CHRGS FOR JANUARY	50.92
			WATER CHRGS FOR JANUARY	59.08
			WATER CHRGS FOR JANUARY	177.89
			WATER CHRGS FOR JANUARY	163.74
			WATER CHRGS FOR JANUARY	378.60
			WATER CHRGS FOR JANUARY	47.28
	Vendor Total	**30,703.79**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**826,752.22**		
EGGERSTEN, ANNE				
2/8/2010	200365	305.60		
			RETIREE MEDICAL BENEFIT	305.60
	Vendor Total	**305.60**		
FYTD for EGGERSTEN, ANNE		**2,227.03**		
ELIZALDE, MARIA V.				
2/16/2010	200568	142.00		
			REFUND-FIRE INSPECT FEES	142.00
	Vendor Total	**142.00**		
FYTD for ELIZALDE, MARIA V.		**284.40**		
ELTAIRBY, HODA				
2/8/2010	200366	0.00		
			REFUND-BSKTBLL REGIST	86.00
			REFUND-BSKTBLL REGIST	-86.00
	Vendor Total	**0.00**		
FYTD for ELTAIRBY, HODA		**0.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/24/2010	2586	2,724.85		
			DEP STATE TAX W/H 02/24/10	2,724.85
	Vendor Total	**2,724.85**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/16/2010	200569	5,334.00		
			FEB-10 CBNT LS-CTTNWD	58.64
			FEB-10 CBNT LS-CTTNWD	1,191.36
			FEB-10 CBNT LS-FRDRCK	6.47
			FEB-10 CBNT LS-FRDRCK	1,243.53
			FEB-10 CBNT LS-INDIAN	92.50
			FEB-10 CBNT LS-INDIAN	1,157.50
			FEB-10 CBNT LS-IRIS	109.06
			FEB-10 CBNT LS-IRIS	1,140.94
			JAN-10 MISC METER FEES	334.00
2/22/2010	200702	13,934.40		
			PERRIS BL 12KV FEEDER IRIS-JFK	4,960.35
			CACTUS/LASSELLE 12KV CIRC TIE	132.01
			CACTUS/LASSELLE 12KV CIRC TIE	6,771.50
			BAY ST BACKBONE W/O MOR BCH DR	14.67
			GOLDENCREST-ELSWORTH BACKBONE	146.68
			GOLDENCREST-ELSWORTH BACKBONE	1,909.19
Vendor Total		**19,268.40**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENRIQUEZ, ROSALIO				
2/1/2010	200236	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for ENRIQUEZ, ROSALIO		**20.00**		
EVANS ENGRAVING & AWARDS				
2/8/2010	200367	172.92		
			ENGRAVING SVCS-PLAQUES	60.90
			ENGRAVING SVCS-NAMEPLATES	16.32
			ENGRAVING SVCS-PLAQUES	65.25
			ENGRAVING SVCS-PLAQUE	30.45
2/16/2010	200571	21.75		
			ENGRAVING SVCS-ART COMM	21.75
Vendor Total		**194.67**		
FYTD for EVANS ENGRAVING & AWARDS		**1,584.53**		
EVANS RECREATIONAL INSTALLATION INC.				
2/16/2010	200572	3,595.77		
			PARK RPRS-LABOR/MATERIALS	3,595.77
			PARK RPRS-SALES TAX	104.21
			PARK RPRS-USED SALES TAX ACCRL	-104.21
Vendor Total		**3,595.77**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**5,883.82**		

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EWING IRRIGATION PRODUCTS, INC.				
2/1/2010	200237	38.74		
			IRRIGATION PARTS	38.74
Vendor Total		**38.74**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,322.90**		
EXCEL LANDSCAPE, INC				
2/16/2010	200573	5,239.15		
			JAN-10 LNDSCP MAINT-E7	2,666.81
			JAN-10 LNDSCP MAINT-E15	1,070.36
			JAN-10 LNDSCP MAINT-E8	1,501.98
2/22/2010	200703	7,350.07		
			JAN-10 LNDSCP MAINT-E14	3,461.07
			JAN-10 LNDSCP MAINT-WQF	3,889.00
Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC		**179,884.94**		
EYERMAN, MARSHALL				
2/22/2010	200704	235.98		
			TRAVEL EXP-SPEC DIST TRNG.	57.98
			TRAVEL EXP-SPEC DIST TRNG.	128.00
			TRAVEL EXP-SPEC DIST TRNG.	50.00
Vendor Total		**235.98**		
FYTD for EYERMAN, MARSHALL		**235.98**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
2/22/2010	200705	19,645.89		
			CDBG SVCS-HOUSING	4,036.26
			CDBG SVCS-HOUSING	2,899.05
			CDBG SVCS-HOUSING	3,357.29
			CDBG SVCS-HOUSING	3,242.40
			CDBG SVCS-HOUSING	1,802.79
			CDBG SVCS-HOUSING	4,308.10
Vendor Total		**19,645.89**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**23,051.19**		
FEDERAL EXPRESS				
2/16/2010	200574	6.18		
			EXPRESS SHIPPING-GRAPHICS	6.18
Vendor Total		**6.18**		
FYTD for FEDERAL EXPRESS		**55.55**		

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FEENSTRA, JOHN					
	2/8/2010	200368	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**2,890.00**		
FILARSKY & WATT, LLP					
	2/8/2010	200369	182.00		
				LEGAL SVCS-HR	182.00
	Vendor Total		**182.00**		
FYTD for FILARSKY & WATT, LLP			**5,954.00**		
FIRE ENGINEERING					
	2/8/2010	200370	139.65		
				7 ANNL SUBSCRIPTIONS	139.65
	Vendor Total		**139.65**		
FYTD for FIRE ENGINEERING			**139.65**		
FIRST AMERICAN CORE LOGIC, INC.					
	2/16/2010	200575	454.00		
				DEC-09 ONLINE SVCS-CODE	85.00
				DEC-09 ONLINE SVCS-CDD	193.00
				DEC-09 ONLINE SVCS-EDD/NP	176.00
	Vendor Total		**454.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**2,686.00**		
FIRST CHOICE SERVICES					
	2/1/2010	200238	847.09		
				EMP PAID COFFEE SVCS	54.32
				EMP PAID COFFEE SVCS	58.76
				EMP PAID COFFEE SVCS	107.10
				EMP PAID COFFEE SVCS	155.82
				EMP PAID COFFEE SVCS	111.08
				EMP PAID COFFEE SVCS	197.26
				EMP PAID COFFEE SVCS	108.43
				EMP PAID COFFEE SVCS	54.32
	2/16/2010	200576	54.32		
				EMP PAID COFFEE SVCS	54.32
	2/22/2010	200706	520.76		
				EMP PAID COFFEE SVCS	64.19
				EMP PAID COFFEE SVCS	149.61
				EMP PAID COFFEE SVCS	29.05
				EMP PAID COFFEE SVCS	177.84
				EMP PAID COFFEE SVCS	72.43
				EMP PAID COFFEE SVCS	27.64
	Vendor Total		**1,422.17**		
FYTD for FIRST CHOICE SERVICES			**6,844.93**		

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FISHER, ARLYNNE					
	2/8/2010	200371	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for FISHER, ARLYNNE			**86.00**		
FITNESS 19 CA 155 11C					
	2/1/2010	200239	281.00		
				GYM MEMBERSHIP CONTRIBUTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,096.00**		
FOCUS ESTATES, INC					
	2/22/2010	200707	1,000.00		
				CONTRACT SVCS-P OLSEN	1,000.00
	Vendor Total		**1,000.00**		
FYTD for FOCUS ESTATES, INC			**10,000.00**		
FORTNEY, DAVID					
	2/16/2010	200577	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORTNEY, DAVID			**75.00**		
FOSTER, NANCY A.					
	2/8/2010	200372	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**634.32**		
FRANCE PUBLICATIONS, INC.					
	2/16/2010	200578	4,800.00		
				JAN-10 ADVERTISING-EDD	3,000.00
				JAN-10 ADVERTISING-EDD	1,800.00
	Vendor Total		**4,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.			**7,800.00**		

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FRANCHISE TAX BOARD					
	2/1/2010	200240	1,016.02		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	484.12
				GARNISHMENT	254.00
				GARNISHMENT	101.62
	2/16/2010	200579	1,052.77		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.55
				GARNISHMENT	483.88
				GARNISHMENT	254.00
				GARNISHMENT	138.84
	Vendor Total		**2,068.79**		
FYTD for FRANCHISE TAX BOARD			**7,039.56**		
FRANKLIN, L. C.					
	2/22/2010	200708	164.50		
				MILEAGE REIMBURSEMENT	164.50
	Vendor Total		**164.50**		
FYTD for FRANKLIN, L. C.			**1,074.20**		
FRED'S GLASS & MIRROR, INC.					
	2/1/2010	200241	281.03		
				GLASS REPAIR-SR CTR	200.00
				GLASS REPAIR-SR CTR	81.03
	Vendor Total		**281.03**		
FYTD for FRED'S GLASS & MIRROR, INC.			**366.03**		
FROEHLICH, LAURA A.					
	2/22/2010	200709	2,500.00		
				DEPOSIT FOR EVENT SVCS	2,500.00
	Vendor Total		**2,500.00**		
FYTD for FROEHLICH, LAURA A.			**2,500.00**		
FROST, JOAN CHENG					
	2/16/2010	200580	266.00		
				INSTRUCTION SVC-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**874.00**		

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GALLS INC., INLAND UNIFORM					
	2/1/2010	200242	926.57		
				UNIFORM-POP	305.85
				UNIFORM-PARK RANGERS	500.00
				UNIFORM-PARK RANGERS	120.72
	Vendor Total		**926.57**		
FYTD for GALLS INC., INLAND UNIFORM			**4,986.97**		
GANAL, DANA					
	2/8/2010	200374	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GANAL, DANA			**86.00**		
GASTON, RICHARD					
	2/8/2010	200375	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,549.84**		
GATEWOOD, NACOLLE					
	2/16/2010	200581	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GATEWOOD, NACOLLE			**95.00**		
GENERAL SECURITY SERVICES, INC.					
	2/1/2010	200243	751.66		
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-TWNGTE	214.76
	2/8/2010	200376	61.36		
				SECURITY SVCS-UTILITIES	61.36
	2/16/2010	200582	552.24		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-SR CTR	245.44
	2/22/2010	200710	1,035.45		
				SECURITY SVCS-CRC	345.15
				SECURITY SVCS-UTILITIES	214.76
				SECURITY SVCS-TWNGTE	168.74
				SECURITY SVCS-CRC	306.80
	Vendor Total		**2,400.71**		
FYTD for GENERAL SECURITY SERVICES, INC.			**37,214.95**		

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GEORGE SALINAS TREE PRESERVATION					
	2/16/2010	200583	18,152.26		
				TREE TRIMMING SVC	1,833.11
				TREE TRIMMING SVC	223.55
				TREE TRIMMING SVC	1,251.88
				TREE TRIMMING SVC	10,462.14
				TREE TRIMMING SVC	3,129.70
				TREE TRIMMING SVC	1,028.33
				TREE TRIMMING SVC	223.55
	Vendor Total		**18,152.26**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**79,002.57**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP					
	2/1/2010	200244	943.81		
				DEC-09 LEGAL SVCS-EMPIRE LAND	943.81
	2/8/2010	200377	3,341.39		
				NOV-09 LEGAL SVCS-TOVEY/SHULTZ	110.00
				NOV-09 LEGAL SVCS-COMM PARK	3,231.39
	Vendor Total		**4,285.20**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**127,839.61**		
GIBSON, GEORGE					
	2/8/2010	200378	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GIBSON, GEORGE			**86.00**		
GILES, GREG					
	2/8/2010	200379	2,040.00		
				AUDITING SVCS JAN26-FEB2	2,040.00
	Vendor Total		**2,040.00**		
FYTD for GILES, GREG			**20,612.50**		
GOD'S HELPING HAND					
	2/22/2010	200711	3,750.00		
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
	Vendor Total		**3,750.00**		
FYTD for GOD'S HELPING HAND			**4,999.88**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GOMEZ, HECTOR					
	2/8/2010	200380	157.00		
				TUITION REIMBURSEMENT	157.00
	Vendor Total		**157.00**		
FYTD for GOMEZ, HECTOR			**157.00**		
GONZALES, LORENZ R.					
	2/1/2010	200245	100.65		
				MILEAGE REIMBURSEMENT	100.65
	Vendor Total		**100.65**		
FYTD for GONZALES, LORENZ R.			**178.20**		
GONZALEZ, JULIE					
	2/1/2010	200246	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GONZALEZ, JULIE			**20.00**		
GONZALEZ, MARIE					
	2/16/2010	200584	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GONZALEZ, MARIE			**95.00**		
GORM INC.					
	2/22/2010	200712	1,223.44		
				JANITORIAL SUPPLIES-PARKS	1,223.44
	Vendor Total		**1,223.44**		
FYTD for GORM INC.			**7,580.48**		
GOZDECKI, DAN					
	2/8/2010	200381	513.00		
				INSTRUCTOR SVCS-KUNG FU	216.00
				INSTRUCTOR SVCS-KUNG FU	297.00
	Vendor Total		**513.00**		
FYTD for GOZDECKI, DAN			**4,941.00**		
GRANDY, JEANNETTE					
	2/22/2010	200713	65.00		
				REFUND-BSKTBLL REGIST.	65.00
	Vendor Total		**65.00**		
FYTD for GRANDY, JEANNETTE			**65.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRANICUS, INC.					
	2/8/2010	200382	1,395.22		
				JAN-10 MANAGED SVCS	1,350.00
				JAN-10 MANAGED SVCS	45.22
	2/22/2010	200714	1,395.22		
				FEB-10 MANAGED SVCS	1,350.00
				FEB-10 MANAGED SVCS	45.22
	Vendor Total		**2,790.44**		
FYTD for GRANICUS, INC.			**11,161.76**		
GRENNAN, BRADLEY					
	2/1/2010	200247	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for GRENNAN, BRADLEY			**100.00**		
GRIFFIN, MARLENE C					
	2/8/2010	200383	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**1,825.61**		
GUIDA SURVEYING, INC.					
	2/8/2010	200384	5,652.00		
				2009 ANNL PAVEMNT RESURF PROJ	5,652.00
	Vendor Total		**5,652.00**		
FYTD for GUIDA SURVEYING, INC.			**51,390.20**		
GUILLAN, REBECCA S.					
	2/8/2010	200385	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**581.79**		
GUILLIS, LINDA B.					
	2/8/2010	200386	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,549.84**		
GUTIERREZ, PEARL					
	2/8/2010	200387	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for GUTIERREZ, PEARL			**404.50**		

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GUTIERREZ, ROBERT					
	2/8/2010	200388	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,255.44**		
GUZMAN, JOSE					
	2/22/2010	200715	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for GUZMAN, JOSE			**75.00**		
GUZMAN'S CART SERVICE					
	2/16/2010	200585	4,049.00		
				JAN-10 CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**32,392.00**		
HAISTY, XIU HUA					
	2/16/2010	200586	90.00		
				INSTRUCTOR SVCS-TAI CHI	90.00
	Vendor Total		**90.00**		
FYTD for HAISTY, XIU HUA			**450.00**		
HALA, RUTH VAN					
	2/1/2010	200248	175.50		
				EXPENSE REIMBURSEMENT	175.50
	Vendor Total		**175.50**		
FYTD for HALA, RUTH VAN			**175.50**		
HAMBURG, IRENE					
	2/8/2010	200389	642.89		
				RETIREE MEDICAL BENEFIT	642.89
	Vendor Total		**642.89**		
FYTD for HAMBURG, IRENE			**3,335.48**		
HAMLIN, WILLIAM R.					
	2/8/2010	200390	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,606.86**		

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HANES, MARTIN D.					
	2/8/2010	200391	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,549.84**		
HARDING, JOHN S.					
	2/8/2010	200392	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,549.84**		
HATFIELD, CHARLES					
	2/8/2010	200393	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**1,912.39**		
HAUSER, ADRIANA					
	2/16/2010	200587	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**1,824.00**		
HAYWARD TILTON & ROLAPP INS. ASSOC., INC					
	2/22/2010	200716	12,541.63		
				POLICY RNWL-SSE7133401	12,541.63
	Vendor Total		**12,541.63**		
FYTD for HAYWARD TILTON & ROLAPP INS. ASSOC., INC			**12,541.63**		
HEFFLEY, ROSS W.					
	2/8/2010	200394	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**1,912.39**		
HEISTERBERG, ANTHONY					
	2/8/2010	200395	287.12		
				RETIREE MEDICAL BENEFIT	287.12
	Vendor Total		**287.12**		
FYTD for HEISTERBERG, ANTHONY			**767.65**		

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HERRICK, ROBERT D.					
	2/8/2010	200396	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,549.84**		
HESLIN, MICHAEL K.					
	2/8/2010	200397	42.00		
				REIMB-ESRI REG USER GRP CONF.	42.00
	Vendor Total		**42.00**		
FYTD for HESLIN, MICHAEL K.			**610.70**		
HIGGS, DEBRA					
	2/8/2010	200398	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**720.00**		
HO, KEVIN					
	2/16/2010	200589	38.00		
				INSTRUCTION SVC-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for HO, KEVIN			**38.00**		
HOUSER, EDITH E.					
	2/8/2010	200399	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,549.84**		
ICMA RETIREMENT CORP 457					
	2/12/2010	2581	10,164.54		
				DEF COMP 457 02/12/10	10,164.54
	2/26/2010	2591	10,164.54		
				DEF COMP 457 02/26/10	10,164.54
	Vendor Total		**20,329.08**		
FYTD for ICMA RETIREMENT CORP 457			**236,055.82**		
IL SORRENTO MOBILE PARK					
	2/8/2010	200400	184.72		
				REFUND-UT USER TAXES	184.72
	Vendor Total		**184.72**		
FYTD for IL SORRENTO MOBILE PARK			**1,299.88**		

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ING USA ANNUITY & LIFE INSURANCE CO.				
2/16/2010	200590	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**3,800.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
2/16/2010	200591	113.00		
			NSNC ABTMNT SVC-482662043	113.00
Vendor Total		**113.00**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**6,693.81**		
INLAND EMPIRE PROPERTY SERVICE, INC				
2/8/2010	200402	761.00		
			WEED ABTMNT SVC-POORMANS RESVR	761.00
2/16/2010	200592	1,833.00		
			NSNC ABTMNT SVC-264072005	628.00
			NSNC ABTMNT SVC-256253013	532.00
			NSNC ABTMNT SVC-260136017	254.00
			NSNC ABTMNT SVC-484311045	267.00
			NSNC ABTMNT SVC-473280016	152.00
Vendor Total		**2,594.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**74,612.90**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
2/22/2010	200717	10,000.00		
			SBDC SVCS-FY09/10 QTR 2	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**30,000.00**		
INLAND LIBRARY SYSTEM				
2/8/2010	200403	184.70		
			STORY TIME PUPPETS-LIBRARY	184.70
Vendor Total		**184.70**		
FYTD for INLAND LIBRARY SYSTEM		**184.70**		
INSIDE PLANTS, INC.				
2/16/2010	200593	316.00		
			FEB-10 PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,528.00**		

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INTERNAL REVENUE SERVICE					
	2/24/2010	2585	11,368.29		
				DEP FED TAX W/H 02/24/10	11,368.29
	Vendor Total		**11,368.29**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	2/8/2010	200404	1,012.52		
				JAN-10 DATA STORAGE	1,012.52
	Vendor Total		**1,012.52**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**8,687.88**		
JABARA, MONA					
	2/8/2010	200405	86.00		
				REFUND-BSKTBLL REGIST	58.00
				REFUND-BSKTBLL REGIST	28.00
	2/22/2010	200718	47.20		
				REFUND-BSKTBLL REGIST.	47.20
	Vendor Total		**133.20**		
FYTD for JABARA, MONA			**161.20**		
JAFFE, ROD					
	2/8/2010	200406	9.00		
				REFUND-ANML LIC FEE	9.00
	Vendor Total		**9.00**		
FYTD for JAFFE, ROD			**9.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	2/16/2010	200594	150.00		
				FEB-10 RETAINER	150.00
	Vendor Total		**150.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,703.00**		
JH DESIGN & ASSOCIATES					
	2/1/2010	200250	125.00		
				PLAQUE REMOVAL	125.00
	Vendor Total		**125.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	2/16/2010	200595	3,150.00		
				FEB-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**25,200.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JOHNSON, CLAYTON					
	2/8/2010	200407	50.00		
				REFUND-ANML FEES	30.00
				REFUND-ANML FEES	10.00
				REFUND-ANML FEES	10.00
	Vendor Total		**50.00**		
FYTD for JOHNSON, CLAYTON			**50.00**		
JOHNSTONE, SUSAN					
	2/8/2010	200408	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JOHNSTONE, SUSAN			**20.00**		
JONES III, JOSEPH					
	2/22/2010	200719	86.50		
				MILEAGE REIMBURSEMENT	86.50
	Vendor Total		**86.50**		
FYTD for JONES III, JOSEPH			**486.35**		
JONES, SUSAN					
	2/8/2010	200409	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,549.84**		
JTB SUPPLY CO., INC.					
	2/22/2010	200720	8,129.06		
				MISC SUPPLIES-TRFFC SGNL	8,129.06
	Vendor Total		**8,129.06**		
FYTD for JTB SUPPLY CO., INC.			**19,127.34**		
KAISER PERMANENTE					
	2/8/2010	200410	2,159.22		
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
	Vendor Total		**2,159.22**		
FYTD for KAISER PERMANENTE			**3,711.82**		
KDM MERIDIAN, INC.					
	2/1/2010	200251	9,090.00		
				SUNNYMD BLVD REVIT PROJ SVCS	7,340.00
				SUNNYMD BLVD REVIT PROJ SVCS	1,750.00
	Vendor Total		**9,090.00**		
FYTD for KDM MERIDIAN, INC.			**65,120.00**		

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KEEYLEN, TRACIE L.					
	2/22/2010	200721	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for KEEYLEN, TRACIE L.			**25.00**		
KERRY A. BERG & ASSOCIATES, INC					
	2/22/2010	200722	562.50		
				LEGAL SVCS-CAD DRAWING	562.50
	Vendor Total		**562.50**		
FYTD for KERRY A. BERG & ASSOCIATES, INC			**562.50**		
KFC					
	2/8/2010	200411	200.00		
				RFND FALSE ALARM FEE	200.00
	Vendor Total		**200.00**		
FYTD for KFC			**200.00**		
KING, PATRICIA A.					
	2/8/2010	200412	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**1,912.39**		
KOLB, CHARLES E.					
	2/8/2010	200413	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,549.84**		
KOLLAR, KYLE					
	2/8/2010	200414	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**637.46**		
KUSTOM SIGNALS, INC.					
	2/8/2010	200415	604.02		
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
	Vendor Total		**604.02**		
FYTD for KUSTOM SIGNALS, INC.			**1,489.74**		

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KYLE, GARY M.					
	2/8/2010	200416	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**1,912.39**		
LABELLE, LAURIE COLLETT					
	2/8/2010	200418	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LABELLE, LAURIE COLLETT			**25.00**		
LADD, MACK					
	2/8/2010	200419	57.00		
				REFUND-TUMBLING CLASS	57.00
	Vendor Total		**57.00**		
FYTD for LADD, MACK			**57.00**		
LAFATA, JOSEPHINE					
	2/8/2010	200420	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,527.36**		
LANE GUIDE LENDORS ON LINE, INC.					
	2/16/2010	200596	109.00		
				ONLINE SUBSCRIPTION-CODE	109.00
	Vendor Total		**109.00**		
FYTD for LANE GUIDE LENDORS ON LINE, INC.			**109.00**		
LANE, LORA					
	2/1/2010	200253	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for LANE, LORA			**75.00**		
LANG, TRACEY					
	2/16/2010	200597	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for LANG, TRACEY			**380.00**		

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LANGENDORF, BENJAMIN					
	2/8/2010	200421	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LANGENDORF, BENJAMIN			**2,549.84**		
LANGSTON, KRISTEN					
	2/16/2010	200598	220.00		
				REFUND-RNTL DEP #15580	220.00
	Vendor Total		**220.00**		
FYTD for LANGSTON, KRISTEN			**220.00**		
LAWHORN, MARTHA					
	2/16/2010	200599	26.50		
				REFUND-FLD RNTL #16397	26.50
	Vendor Total		**26.50**		
FYTD for LAWHORN, MARTHA			**26.50**		
LAWN TECH EQUIPMENT					
	2/22/2010	200723	111.65		
				CHAIN SHARPENING	111.65
	Vendor Total		**111.65**		
FYTD for LAWN TECH EQUIPMENT			**2,291.85**		
LAWYERS TITLE INC					
	2/23/2010	91309	16,026.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,026.00
	Vendor Total		**16,026.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		
LEDEBUR, TIM					
	2/1/2010	200254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LEDEBUR, TIM			**50.00**		
LEIGHTON CONSULTING, INC.					
	2/8/2010	200422	8,415.00		
				LASSELLE ST WIDENING PROJ	8,415.00
	Vendor Total		**8,415.00**		
FYTD for LEIGHTON CONSULTING, INC.			**61,855.14**		

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LEWIS, CAROLYN S.					
	2/8/2010	200423	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,524.12**		
LEXISNEXIS					
	2/22/2010	200724	1,480.00		
				JAN-10 ONLINE LGL SVCS	740.00
				JAN-10 ONLINE LGL SVCS	370.00
				JAN-10 ONLINE LGL SVCS	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**12,235.00**		
LIEBERT, CASSIDY, WHITMORE					
	2/16/2010	200600	70.00		
				ATTND:KUMAR/LONGDYKE	35.00
				ATTND:KUMAR/LONGDYKE	35.00
	Vendor Total		**70.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,274.00**		
LIFE SIGNS, INC.					
	2/8/2010	200424	130.00		
				INTERPRETATION SVCS-PD	130.00
	Vendor Total		**130.00**		
FYTD for LIFE SIGNS, INC.			**410.00**		
LINDO, HERMINA G.					
	2/8/2010	200425	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LINDO, HERMINA G.			**2,422.71**		
LITELINES, INC.					
	2/8/2010	200426	19,335.87		
				POLE/SIGN LIGHTS-PATRIOT PARK	14,735.00
				SALES TAX	1,289.31
				FIXTURES-PARKS MAINT	1,189.73
				FIXTURES-PARKS MAINT	586.04
				FIXTURES-PARKS MAINT	1,057.29
				FIXTURES-PARKS MAINT	239.25
				FIXTURES-PARKS MAINT	239.25
	Vendor Total		**19,335.87**		
FYTD for LITELINES, INC.			**19,335.87**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LITTLE, LORELEI T.					
	2/8/2010	200427	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for LITTLE, LORELEI T.			**54.50**		
LOGAN, CHARLES					
	2/8/2010	200428	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**1,771.15**		
LOR GEOTECHNICAL GROUP, INC.					
	2/1/2010	200255	2,273.00		
				TRAF SIG AT LASSELLE/COTTONWD	1,133.00
				SUNNYMD BLVD REVIT PROJ SVCS	380.00
				SUNNYMD BLVD REVIT PROJ SVCS	760.00
	2/8/2010	200429	9,805.00		
				LASSELLE/BAY AVE ST IMPRVMNTS	135.00
				TRAF SIG AT LASSELLE/BAY AVE.	258.00
				ENVIR SITE ASSESSMNT-CORP YARD	4,000.00
				SUNNYMD BL BEAUTIFICATION PROJ	1,848.00
				SUNNYMD BL BEAUTIFICATION PROJ	3,564.00
	Vendor Total		**12,078.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**55,371.00**		
LUCERO, ALBERT					
	2/1/2010	200256	72.00		
				REFUND-CITATION OVRPMT	72.00
	Vendor Total		**72.00**		
FYTD for LUCERO, ALBERT			**72.00**		
LUDWIG, MICHAEL DAVID					
	2/8/2010	200430	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LUDWIG, MICHAEL DAVID			**25.00**		
LUMLEY, ROBERT C.					
	2/8/2010	200431	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,549.84**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
2/22/2010	200725	7,050.00		
			CDBG SVCS-SEC DEPOSITS	2,000.00
			CDBG SVCS-UT ASSIST	4,000.00
			CDBG SVCS-UT ASSIST	1,050.00
	Vendor Total	**7,050.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**22,052.00**		
MANZANO, KARLA				
2/8/2010	200432	112.00		
			REFUND-CITATION FEE	112.00
	Vendor Total	**112.00**		
FYTD for MANZANO, KARLA		**112.00**		
MARAL, TAVOUKJIAN				
2/8/2010	200433	70.00		
			REFUND-CITATION FEE	70.00
	Vendor Total	**70.00**		
FYTD for MARAL, TAVOUKJIAN		**70.00**		
MARCELO, HENRY				
2/8/2010	200434	76.40		
			REFUND-BSKTBLL REGIST	76.40
	Vendor Total	**76.40**		
FYTD for MARCELO, HENRY		**76.40**		
MARTIAL ARTS INTERNATIONAL, USKO				
2/16/2010	200601	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**392.00**		
MATHIS, NOLAN				
2/8/2010	200435	288.60		
			RETIREE MEDICAL BENEFIT	288.60
	Vendor Total	**288.60**		
FYTD for MATHIS, NOLAN		**2,308.80**		
MATICH CORPORATION				
2/22/2010	200726	2,538.04		
			ASPHALTIC MATERIAL PICK UP	2,538.04
	Vendor Total	**2,538.04**		
FYTD for MATICH CORPORATION		**29,184.83**		

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MAXINOSKI, SUE A.					
	2/8/2010	200436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,549.84**		
MCCARTHY & BERLIN, LLP					
	2/8/2010	200437	989.51		
				DEC-09 LEGAL SVCS-UT	989.51
	Vendor Total		**989.51**		
FYTD for MCCARTHY & BERLIN, LLP			**27,282.29**		
MCDONALD PARTNERS, INC.					
	2/22/2010	200727	937.50		
				ADVISORY SVCS-UTILITY	937.50
	Vendor Total		**937.50**		
FYTD for MCDONALD PARTNERS, INC.			**10,187.50**		
MCI					
	2/1/2010	200257	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**1,191.52**		
FYTD for MCI			**9,776.10**		
MCI WORLDCOM					
	2/16/2010	200602	948.49		
				COMMUNICATION SVCS	948.49
	Vendor Total		**948.49**		
FYTD for MCI WORLDCOM			**7,025.57**		
MELAD & ASSOCIATES					
	2/22/2010	200728	1,084.19		
				PLAN CHECK SVCS	1,084.19
	Vendor Total		**1,084.19**		
FYTD for MELAD & ASSOCIATES			**30,600.55**		
MENGISTU, YESHIALEM					
	2/22/2010	200729	121.50		
				MILEAGE REIMBURSEMENT	121.50
	Vendor Total		**121.50**		
FYTD for MENGISTU, YESHIALEM			**765.55**		

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MERRILLS, ANDREA					
	2/16/2010	200603	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MERRILLS, ANDREA			**75.00**		
MESSIN, LOUIS					
	2/8/2010	200438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**1,912.39**		
MEYERS, ROBERT					
	2/8/2010	200439	105.00		
				INSTRUCTOR SVCS-DRAWING	105.00
	Vendor Total		**105.00**		
FYTD for MEYERS, ROBERT			**1,806.00**		
MILES, ROBERT					
	2/8/2010	200440	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**1,831.70**		
MINARD, MARK E.					
	2/8/2010	200441	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,370.17**		
MOLLICA, MIKE					
	2/8/2010	200443	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,408.53**		
MORA, PATRICIA A.					
	2/8/2010	200444	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**2,549.84**		

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MORENO VALLEY BOWL					
	2/1/2010	200258	400.00		
				INSTRUCTOR SVC-BOWLING	280.00
				INSTRUCTOR SVC-BOWLING	120.00
	Vendor Total		**400.00**		
FYTD for MORENO VALLEY BOWL			**1,520.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	2/16/2010	200604	6,090.00		
				JAN-MAR BUSINESS SVCS	6,000.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
	Vendor Total		**6,090.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**21,730.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	2/12/2010	2580	1,589.00		
				MVCEA DUES 02/12/10	1,589.00
	2/26/2010	2590	1,614.00		
				MVCEA DUES 02/26/10	1,614.00
	Vendor Total		**3,203.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**28,512.50**		
MORENO VALLEY COMMUNITY EDUCATION CENTER					
	2/1/2010	200259	4,334.55		
				TUTORING PROG-CDBG	585.00
				TUTORING PROG-CDBG	775.41
				TUTORING PROG-CDBG	706.00
				TUTORING PROG-CDBG	574.99
				TUTORING PROG-CDBG	917.00
				TUTORING PROG-CDBG	776.15
	Vendor Total		**4,334.55**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER			**4,334.55**		
MORENO VALLEY TOW & RADIATOR					
	2/22/2010	200730	85.00		
				TOWING SVCS	85.00
	Vendor Total		**85.00**		
FYTD for MORENO VALLEY TOW & RADIATOR			**1,115.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	2/22/2010	200731	2,549.75		
				RESTITUTION FOR DAMAGES-1/21	2,549.75
	Vendor Total		**2,549.75**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**404,676.07**		
MORGAN, LISA A.					
	2/8/2010	200445	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**2,549.84**		
MYERS, FREDERICK					
	2/8/2010	200446	150.00		
				REFUND-CITATION FEE	150.00
	Vendor Total		**150.00**		
FYTD for MYERS, FREDERICK			**150.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	2/12/2010	2578	10,850.91		
				PST DEF COMP FOR FICA 02/12/10	10,850.91
	2/12/2010	2579	21,824.04		
				DEF COMP 457 & 401(A) 02/12/10	21,824.04
	2/26/2010	2588	10,268.63		
				PST DEF COMP FOR FICA 02/26/10	10,268.63
	2/26/2010	2589	21,798.04		
				DEF COMP 457 & 401(A) 02/26/10	21,798.04
	Vendor Total		**64,741.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**613,578.33**		
NAVARRETTE, RALPH					
	2/8/2010	200447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**637.46**		
NELSON, ROBERT					
	2/8/2010	200448	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**1,825.61**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON, RUTH L.					
	2/8/2010	200449	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,549.84**		
NEUSTAEDTER, CRAIG S					
	2/8/2010	200450	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,549.84**		
NGUYEN, BINH					
	2/16/2010	200605	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for NGUYEN, BINH			**60.00**		
NIEBURGER, JUDITH A.					
	2/8/2010	200451	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,211.36**		
NINYO & MOORE GEOTECHNICAL					
	2/8/2010	200452	1,257.25		
				EMRGNCY OPS CTR PROJ SVCS	1,257.25
	Vendor Total		**1,257.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**66,607.87**		
NOBEL SYSTEMS					
	2/1/2010	200260	13,760.00		
				PROF SVCS-GIS CONVERSION	13,760.00
	2/22/2010	200733	15,080.00		
				PROF SVCS-UT GIS	12,200.00
				PROF SVCS-ARCGIS UPGRADE	2,880.00
	Vendor Total		**28,840.00**		
FYTD for NOBEL SYSTEMS			**28,840.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NPG CORPORATION					
	2/8/2010	200453	9,380.00		
				SLURRY SEAL/RESTRIPE @ LIBRARY	9,380.00
	Vendor Total		**9,380.00**		
FYTD for NPG CORPORATION			**9,380.00**		
NUNEZ, RICHARD					
	2/16/2010	200606	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NUNEZ, RICHARD			**20.00**		
OCB REPROGRAPHICS					
	2/1/2010	200261	71.78		
				COPY SVCS- MV UT	71.78
	Vendor Total		**71.78**		
FYTD for OCB REPROGRAPHICS			**5,233.84**		
ORTEGA, BECKY					
	2/22/2010	200734	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for ORTEGA, BECKY			**50.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	2/22/2010	200735	8,400.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total		**8,400.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**126,629.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	2/16/2010	200607	817.83		
				JAN-10 LNDSCP MAINT-E	235.54
				JAN-10 LNDSCP MAINT-E	433.49
				JAN-10 LNDSCP MAINT-E	108.51
				JAN-10 LNDSCP MAINT-E	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**8,212.63**		

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PACIFIC TELEMANAGEMENT SERVICES					
	2/1/2010	200262	438.48		
				FEB-10 SVC CHRGS-PAYPHONES	438.48
	2/22/2010	200736	375.84		
				MAR-10 SVC CHRGS-PAYPHONES	375.84
	Vendor Total		**814.32**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**1,641.16**		
PARK N POOL					
	2/22/2010	200738	8,160.80		
				METAL TABLES/BENCHES-PARKS	8,874.87
				METAL TABLES/BENCHES-USED TAX	-714.07
	Vendor Total		**8,160.80**		
FYTD for PARK N POOL			**8,160.80**		
PATCHEN, HELEN GERTRUDE					
	2/22/2010	200739	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for PATCHEN, HELEN GERTRUDE			**54.50**		
PATTERSON, ALFREY					
	2/8/2010	200454	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,722.85**		
PBS & J					
	2/16/2010	200609	445.29		
				CITYWIDE BRIDGE MAINT PRGM	445.29
	Vendor Total		**445.29**		
FYTD for PBS & J			**30,064.86**		
PEDLEY SQUARE VETERINARY CLINIC					
	2/22/2010	200740	5,843.00		
				EMERG AND VETERINARY SVCS	5,843.00
	Vendor Total		**5,843.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**58,492.75**		

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PENA, BETSY					
	2/16/2010	200610	47.00		
				REFUND-ANML LIC FEE	9.00
				REFUND-ANML LIC FEE	19.00
				REFUND-ANML LIC FEE	19.00
	Vendor Total		**47.00**		
FYTD for PENA, BETSY			**47.00**		
PEREZ, JOHN B.					
	2/8/2010	200455	85.00		
				REFUND-CITATION FEE	85.00
	Vendor Total		**85.00**		
FYTD for PEREZ, JOHN B.			**85.00**		
PEREZ, LAURA					
	2/8/2010	200456	78.40		
				REFUND-BSKTBLL REGIST	78.40
	Vendor Total		**78.40**		
FYTD for PEREZ, LAURA			**78.40**		
PERRY, NORMA					
	2/8/2010	200457	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,549.84**		
PERS LONG TERM CARE PROGRAM					
	2/1/2010	200265	433.87		
				LONG TERM CARE INSURANCE	433.87
	2/16/2010	200611	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**9,118.18**		
POIEMA LANDSCAPE, INC.					
	2/1/2010	200266	2,889.00		
				DEC-09 LNDSCP MAINT-ZN S	758.00
				DEC-09 LNDSCP MAINT-E12	2,131.00
	Vendor Total		**2,889.00**		
FYTD for POIEMA LANDSCAPE, INC.			**20,452.50**		
PRICE, GEORGE E.					
	2/8/2010	200459	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,549.84**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PROTECTION ONE, INC.					
	2/16/2010	200612	40.00		
				FEB-10 MNTRNG SVC-MVTV STUDIO	20.00
				FEB-10 MNTRNG SVC-PRO SHOP	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**320.00**		
PSOMAS					
	2/16/2010	200613	1,482.50		
				LASSELLE ST WIDENING PROJ	1,482.50
	Vendor Total		**1,482.50**		
FYTD for PSOMAS			**153,311.18**		
PULLIAM, TRENT D.					
	2/8/2010	200461	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,549.84**		
PW ENHANCEMENT CENTER					
	2/16/2010	200614	6,522.69		
				PARTNERSHIP PRGM	6,522.69
	Vendor Total		**6,522.69**		
FYTD for PW ENHANCEMENT CENTER			**86,640.31**		
QUEIFFER, RUBEN					
	2/16/2010	200615	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for QUEIFFER, RUBEN			**100.00**		
R & S OVERHEAD DOORS, INC.					
	2/1/2010	200267	5,331.00		
				CURTAIN INSTALL-FS #2	3,383.00
				DOOR SVC-FAC	121.00
				DOOR RPLCMNT-FAC	1,827.00
	Vendor Total		**5,331.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**23,860.00**		

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RALLY MANAGEMENT SERVICES, LLC					
	2/16/2010	200616	719.28		
				TEMP SVC:HENDERSON-W/E 1/17	719.28
	2/22/2010	200741	1,603.40		
				TEMP SVC-HENDERSON W/E 1/24	884.12
				TEMP SVCS-HENDERSON W/E 1/31	719.28
	Vendor Total		**2,322.68**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**5,695.10**		
RAMOS, MAYNARDO A.					
	2/8/2010	200462	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RAMOS, MAYNARDO A.			**54.50**		
RAY, JUANITA					
	2/1/2010	200268	95.00		
				REFUND-RABIES/SN DEP	20.00
				REFUND-RABIES/SN DEP	75.00
	Vendor Total		**95.00**		
FYTD for RAY, JUANITA			**95.00**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	2/16/2010	200617	12,420.00		
				RED LIGHT PHOTO ENF SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**99,360.00**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	2/22/2010	200742	22.00		
				CUC BREAKFAST MTG 2/24/10	22.00
	Vendor Total		**22.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**22.00**		
REISH LUFTMAN REICHER & COHEN					
	2/8/2010	200463	3,800.00		
				NOV-09 LEGAL SVCS-HR	1,300.00
				NOV-09 LEGAL SVCS-HR	1,200.00
				DEC-09 LEGAL SVCS-HR	650.00
				DEC-09 LEGAL SVCS-HR	650.00
	Vendor Total		**3,800.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**37,670.50**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RESCUE ROOTER					
	2/16/2010	200618	670.00		
				EMERG PLUMBING SVC-ASES	670.00
	2/22/2010	200743	3,850.00		
				PLUMBING SVCS-ANML SHLTR	1,867.25
				PLUMBING SVCS-ANML SHLTR	1,982.75
	Vendor Total		**4,520.00**		
FYTD for RESCUE ROOTER			**6,486.50**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	2/1/2010	200269	466.38		
				SHADOW MTN PARK LIGHTING PROJ	466.38
	Vendor Total		**466.38**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**616.38**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	2/8/2010	200465	589.85		
				ENCRCHMNT PERMIT/ADDTL DEPOSIT	589.85
	Vendor Total		**589.85**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**30,169.70**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	2/22/2010	200744	4,249.61		
				CDBG SVCS-ABUSE PREV PRGRM	632.06
				CDBG SVCS-ABUSE PREV PRGRM	687.12
				CDBG SVCS-ABUSE PREV PRGRM	849.29
				CDBG SVCS-ABUSE PREV PRGRM	716.80
				CDBG SVCS-ABUSE PREV PRGRM	841.39
				CDBG SVCS-ABUSE PREV PRGRM	522.95
	Vendor Total		**4,249.61**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**5,647.92**		
RIVERSIDE COUNTY CLERK					
	2/22/2010	200745	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	2/22/2010	200746	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	Vendor Total		**2,057.00**		
FYTD for RIVERSIDE COUNTY CLERK			**14,544.25**		
RIVERSIDE COUNTY CLERK/RECORDER					
	2/22/2010	200747	13.00		
				LIEN RELEASE	13.00
	Vendor Total		**13.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER			**2,054.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
2/1/2010	200270	2,064.11		
			DEC-09 RADIO SVCS	187.15
			DEC-09 RADIO SVCS	9.85
			DEC-09 RADIO SVCS	34.01
			DEC-09 RADIO SVCS-PD	1,789.70
			DEC-09 VPN CONNECTION SVC	43.40
2/22/2010	200748	43.40		
			JAN-10 VPN CONNECTION SVC	43.40
	Vendor Total	**2,107.51**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**16,677.01**		
RIVERSIDE COUNTY SHERIFF				
2/8/2010	200466	24,920.16		
			NOV-09 BOOKING FEES-PD	11,104.32
			DEC-09 BOOKING FEES-PD	13,815.84
	Vendor Total	**24,920.16**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,845,212.81**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
2/8/2010	200467	123.00		
			REG.-CHILD ABUSE/ASSAULT CLASS	123.00
	Vendor Total	**123.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**8,762.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
2/1/2010	200271	491.63		
			GARNISHMENT	107.89
			GARNISHMENT	383.74
2/16/2010	200619	534.26		
			GARNISHMENT	131.46
			GARNISHMENT	402.80
	Vendor Total	**1,025.89**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**6,656.81**		
RIVERSIDE COUNTY SHERIFF MV				
2/8/2010	200468	299.66		
			EXTRA DUTY-DUI CK PT	299.66
	Vendor Total	**299.66**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**9,370.67**		
RLZ ENGINEERING				
2/16/2010	200620	6,184.50		
			TEMP STAFF SVCS FOR CAP PROJS	6,184.50
	Vendor Total	**6,184.50**		
FYTD for RLZ ENGINEERING		**120,695.25**		

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RODRIGUEZ, LAUREN					
	2/16/2010	200621	76.00		
				MILEAGE REIMBURSEMENT	76.00
	Vendor Total		**76.00**		
FYTD for RODRIGUEZ, LAUREN			**230.00**		
ROGERS, EUGENE					
	2/8/2010	200469	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**1,912.39**		
ROGERS, KIANNA					
	2/1/2010	200272	140.25		
				MILEAGE REIMBURSEMENT	75.90
				MILEAGE REIMBURSEMENT	64.35
	Vendor Total		**140.25**		
FYTD for ROGERS, KIANNA			**645.15**		
ROSS, DAVID T.					
	2/8/2010	200470	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,549.84**		
ROSSON, LOUIS A.					
	2/8/2010	200471	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,179.85**		
RUIZ, ROSALVA					
	2/8/2010	200472	404.50		
				REFUND-CITATION FEE	404.50
	2/22/2010	200749	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**429.50**		
FYTD for RUIZ, ROSALVA			**429.50**		
RUSSELL, NORMAN TAB					
	2/8/2010	200473	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RUSSELL, NORMAN TAB			**54.50**		

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RUSSO, JOHN					
	2/8/2010	200474	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,549.84**		
SALCEDO, ESMERELDA					
	2/16/2010	200622	300.00		
				REFUND-RNTL DEP #16187	300.00
	Vendor Total		**300.00**		
FYTD for SALCEDO, ESMERELDA			**300.00**		
SAMY'S CAMERA					
	2/1/2010	200273	42.41		
				CAMERA BATTERY FOR PD	42.41
	Vendor Total		**42.41**		
FYTD for SAMY'S CAMERA			**42.41**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	2/1/2010	200274	128.70		
				FIRE SYSTEM SVC-CRC	68.70
				FIRE SYSTEM SVC-MARCH FLD CC	60.00
	Vendor Total		**128.70**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**6,602.21**		
SANCHEZ, MARIBEL					
	2/8/2010	200475	157.40		
				REFUND-BSKTBLL REGIST	71.40
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**157.40**		
FYTD for SANCHEZ, MARIBEL			**157.40**		
SANDECKI, RENEE					
	2/8/2010	200476	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for SANDECKI, RENEE			**54.50**		
SANKEY, JACK DONALD					
	2/22/2010	200750	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for SANKEY, JACK DONALD			**25.00**		

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SCHARFF, DONNA					
	2/8/2010	200477	425.00		
				REFUND-CITATION FEE	425.00
	Vendor Total		**425.00**		
FYTD for SCHARFF, DONNA			**425.00**		
SCHUBERT, LORI					
	2/1/2010	200275	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for SCHUBERT, LORI			**75.00**		
SCREENVISION DIRECT					
	2/1/2010	200276	3,556.00		
				ERC ADVERTISING IN THEATERS	600.00
				ERC ADVERTISING IN THEATERS	300.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
	Vendor Total		**3,556.00**		
FYTD for SCREENVISION DIRECT			**3,556.00**		
SECTRAN SECURITY, INC					
	2/1/2010	200277	463.50		
				JAN-10 TRNSPRT SVC-PARKS	154.50
				JAN-10 TRNSPRT SVC-TREASURY	154.50
				JAN-10 TRNSPRT SVC-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**3,244.50**		
SECURITY LOCK & KEY					
	2/8/2010	200478	40.57		
				DUPLICATE KEYS-LIBRARY	15.12
				DUPLICATE KEYS-PARKS MAINT	25.45
	2/16/2010	200623	13,482.50		
				INSTALL PANIC HARDWARE@FS #58	13,482.50
	Vendor Total		**13,523.07**		
FYTD for SECURITY LOCK & KEY			**15,894.03**		
SHAH, JAGDISH					
	2/22/2010	200751	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**147,480.00**		

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SHARRETT, SHARON K.					
	2/8/2010	200479	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,461.68**		
SHELDON, STUART H.					
	2/8/2010	200480	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,549.84**		
SHELL OIL CO.					
	2/16/2010	200624	80.44		
				FUEL PURCHASES	30.44
				FUEL PURCHASES	50.00
	2/22/2010	200752	1,156.45		
				FUEL PURCHASE-PW EQUIP	17.73
				FUEL PURCHASE-PD MOTORCYCLES	1,138.72
	Vendor Total		**1,236.89**		
FYTD for SHELL OIL CO.			**13,741.01**		
SHILLEH, HIBA					
	2/8/2010	200481	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for SHILLEH, HIBA			**145.00**		
SHURTLEFF, JEANNETTE L.					
	2/16/2010	200625	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**1,786.00**		
SINGER & COFFIN, APC					
	2/8/2010	200482	2,200.00		
				LEGAL SVCS-RECHE VISTA DR PROJ	140.00
				LEGAL SVCS-SR60/NASON ST PROJ	2,020.00
				LEGAL SVCS-SR60/NASON ST PROJ	40.00
	2/22/2010	200753	200.00		
				LEGAL SVCS-SR60/NASON ST PROJ	200.00
	Vendor Total		**2,400.00**		
FYTD for SINGER & COFFIN, APC			**49,304.65**		

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SINGLETON-DECUIR, JANISHEIA					
	2/16/2010	200626	44.50		
				MILEAGE REIMBURSEMENT	44.50
	Vendor Total		**44.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**301.35**		
SLAGERMAN, SUSAN A.					
	2/8/2010	200483	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,112.30**		
SMITH, ERNEST FRANK					
	2/8/2010	200484	4,630.95		
				RETIREE MEDICAL BENEFIT	4,630.95
	Vendor Total		**4,630.95**		
FYTD for SMITH, ERNEST FRANK			**4,630.95**		
SMITH, MARIA A.					
	2/8/2010	200485	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**914.92**		
SO. CAL. VETERINARY DENTAL SPECIALTIES					
	2/8/2010	200486	2,010.46		
				VET DENTAL SVCS-K9 LEX	2,010.46
	Vendor Total		**2,010.46**		
FYTD for SO. CAL. VETERINARY DENTAL SPECIALTIES			**2,010.46**		
SO. CALIF SCHOOL OF MUSIC					
	2/8/2010	200487	810.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
	Vendor Total		**810.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**7,467.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOCO GROUP, INC					
	2/8/2010	200488	6,298.65		
				FUEL PURCHASE	6,298.65
	2/22/2010	200754	19,876.89		
				FUEL PURCHASE	3,999.63
				FUEL PURCHASE	4,722.66
				FUEL PURCHASE	6,190.46
				FUEL PURCHASE	4,964.14
	Vendor Total		**26,175.54**		
FYTD for SOCO GROUP, INC			**107,202.77**		
SOSA, JORGE					
	2/8/2010	200489	264.00		
				INSTRUCTOR SVCS-NINPO	48.00
				INSTRUCTOR SVCS-KARATEDO	72.00
				INSTRUCTOR SVCS-KARATEDO	144.00
	Vendor Total		**264.00**		
FYTD for SOSA, JORGE			**2,916.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200278	3,711.33		
				ELECTRICITY	41.78
				ELECTRICITY	20.22
				ELECTRICITY	1,011.57
				ELECTRICITY	713.17
				ELECTRICITY	129.62
				ELECTRICITY	190.25
				ELECTRICITY	766.33
				ELECTRICITY	148.01
				ELECTRICITY	472.74
				ELECTRICITY	106.71
				ELECTRICITY	66.30
				ELECTRICITY	44.63
	2/8/2010	200490	6,205.96		
				ELECTRICITY	62.06
				ELECTRICITY	122.45
				ELECTRICITY	20.22
				ELECTRICITY	1,838.06
				ELECTRICITY	377.78
				ELECTRICITY	740.72
				ELECTRICITY	535.78
				ELECTRICITY	480.71
				ELECTRICITY	346.78
				ELECTRICITY	20.22
				ELECTRICITY	1,317.68
				ELECTRICITY	135.65
				ELECTRICITY	147.19
				ELECTRICITY	60.66
	2/16/2010	200628	14,146.73		
				JAN-10 IFA CHRGS-SUBSTATION	14,146.73
	2/22/2010	200755	19,961.19		
				JAN-10 WDAT CHRGS-IRIS	2,625.22
				JAN-10 WDAT CHRGS-GRAHAM	3,727.65
				JAN-10 WDAT CHRGS-GLOBE	6,474.87
				JAN-10 WDAT CHRGS-NANDINA	2,647.31
				JAN-10 WDAT CHRGS-FREDERICK	4,486.14
	2/22/2010	200756	13,363.28		
				ELECTRICITY	529.70
				ELECTRICITY	351.30
				ELECTRICITY	134.20
				ELECTRICITY	2,091.49
				ELECTRICITY	547.21
				ELECTRICITY	785.60
				ELECTRICITY	1,012.93
				ELECTRICITY	1,331.38
				ELECTRICITY	19.55
				ELECTRICITY	4,853.26
				ELECTRICITY	19.55
				ELECTRICITY	20.22
				ELECTRICITY	1.65
				ELECTRICITY	234.00
				JAN-10 IFA CHRGS	1,099.13

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRIC CHRGS	332.11
Vendor Total		57,388.49		
FYTD for SOUTHERN CALIFORNIA EDISON		**5,992,105.32**		
SOUTHERN CALIFORNIA GAS CO.				
2/22/2010	200757	12,273.47		
			GAS CHARGES	86.27
			GAS CHARGES	1,367.21
			GAS CHARGES	3,523.93
			GAS CHARGES	80.51
			GAS CHARGES	188.86
			GAS CHARGES	1,550.61
			GAS CHARGES	404.26
			GAS CHARGES	183.64
			GAS CHARGES	1,959.65
			GAS CHARGES	429.06
			GAS CHARGES	358.38
			GAS CHARGES	298.21
			GAS CHARGES	395.57
			GAS CHARGES	579.19
			GAS CHARGES	868.12
Vendor Total		12,273.47		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**243,843.54**		
SPARKLETTS				
2/22/2010	200758	20.76		
			WATER SVCS-SNNYMD ELEM	12.16
			WATER SVCS-CRKSD ELEM	5.75
			WATER SVCS-ARMADA ELEM	2.85
Vendor Total		20.76		
FYTD for SPARKLETTS		**352.67**		
SPECK, GARY B.				
2/8/2010	200491	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SPECK, GARY B.		**2,549.84**		
SPENCER, MARTHA				
2/8/2010	200492	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for SPENCER, MARTHA		**1,831.70**		

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SPORTS INNOVATORS					
	2/16/2010	200629	3,050.00		
				SPORTS OFFICIATING SVCS	2,205.00
				SPORTS OFFICIATING SVCS	845.00
	Vendor Total		**3,050.00**		
FYTD for SPORTS INNOVATORS			**20,375.00**		
SPRINT					
	2/8/2010	200493	30.00		
				SUBPOENA COMPLIANCE SVC	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**90.00**		
SPRINT/NEXTEL					
	2/8/2010	200494	33.50		
				PH SVC CHRG-GTF	33.50
	Vendor Total		**33.50**		
FYTD for SPRINT/NEXTEL			**518.98**		
STANDARD INSURANCE CO					
	2/8/2010	200495	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	2/1/2010	200280	1,837.05		
				FEB-APR SEC MNTRNG-ANNX #1	207.00
				FEB-APR SEC MNTRNG-ASES	354.00
				FEB-APR SEC MNTRNG-STARS BLDG	123.00
				FEB-APR SEC MNTRNG-TECH SVCS	330.00
				FEB-APR SEC MNTRNG-CITY HALL	493.50
				FEB-APR SEC MNTRNG-LIBRARY	329.55
	2/8/2010	200496	166.85		
				FEB-10 MNTRNG SVCS-SNACK BARS	156.30
				FEB-10 MNTRNG SVCS-SNACK BARS	10.55
	2/22/2010	200759	227.50		
				SECURITY MAINT-ANML SHLTR	227.50
	Vendor Total		**2,231.40**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**20,464.12**		

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STATE BAR OF CALIFORNIA					
	2/16/2010	200630	410.00		
				MBRSHP DUES-BRYANT	410.00
	2/16/2010	200631	410.00		
				MBRSHP DUES-HANSEN	410.00
	2/16/2010	200632	410.00		
				MBRSHP DUES-EARLY	410.00
	Vendor Total		**1,230.00**		
FYTD for STATE BAR OF CALIFORNIA			**1,335.00**		
STATE BOARD OF EQUALIZATION					
	2/23/2010	201001	2,325.00		
				SALES & USE TAX 01/01-31/2010	2,325.00
	Vendor Total		**2,325.00**		
FYTD for STATE BOARD OF EQUALIZATION			**27,470.29**		
STATE DISBURSEMENT UNIT					
	2/4/2010	2569	1,771.37		
				CHILD SUPPORT W/H 02/04/10	1,771.37
	2/18/2010	2577	1,964.62		
				CHILD SUPPORT W/H 02/18/10	1,964.62
	Vendor Total		**3,735.99**		
FYTD for STATE DISBURSEMENT UNIT			**32,397.34**		
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	2/1/2010	200281	4,295.00		
				DEC-09 FINGERPRINTING SVCS	4,295.00
	2/16/2010	200633	595.00		
				JUL-09 BLOOD ALCHL ANLYS-PD	70.00
				NOV-09 BLOOD ALCHL ANLYS-PD	525.00
	Vendor Total		**4,890.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**37,204.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	2/16/2010	200634	270.74		
				REFUND-MVU/JEAN STOKES	124.49
				REFUND-MVU/RUBY HAYWARD	146.25
	Vendor Total		**270.74**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**882.91**		
STATE WATER RESOURCES CONTROL BOARD					
	2/22/2010	200760	77.00		
				HEACOCK ST EMRGNCY REPRS-JAN20	77.00
	Vendor Total		**77.00**		
FYTD for STATE WATER RESOURCES CONTROL BOARD			**77.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
2/16/2010	200635	3,391.04		
			JAN-10 TRANSCRIPTION SVCS-PD	3,391.04
Vendor Total		**3,391.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**27,316.48**		
STERICYCLE (BFI)				
2/8/2010	200497	442.24		
			JAN-10 MED WASTE HAULING SVC	442.24
Vendor Total		**442.24**		
FYTD for STERICYCLE (BFI)		**3,095.88**		
STEWART TITLE OF CALIFORNIA				
2/23/2010	91310	16,837.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,837.00
Vendor Total		**16,837.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,438,024.50**		
STEWART, CLIFFORD				
2/8/2010	200498	251.09		
			RETIREE MEDICAL BENEFIT	251.09
Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD		**1,494.63**		
STOUT, LORNA				
2/22/2010	200761	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for STOUT, LORNA		**75.00**		
STREICH, TERRY L.				
2/8/2010	200499	30.33		
			RETIREE MEDICAL BENEFIT	30.33
Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.		**519.65**		
STRICKLER ASSOCIATION, THE				
2/1/2010	200282	3,477.50		
			CONSULTING SVCS-HSG	3,477.50
2/22/2010	200762	2,177.50		
			PROF CONSULTING SVCS	2,177.50
Vendor Total		**5,655.00**		
FYTD for STRICKLER ASSOCIATION, THE		**26,390.00**		

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STRICKLER II, JOHN W.					
	2/8/2010	200500	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**1,912.39**		
SUMERFORD, CHRISTINA					
	2/16/2010	200636	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for SUMERFORD, CHRISTINA			**342.00**		
SUNNYMEAD ACE HARDWARE					
	2/8/2010	200501	187.64		
				MISC SUPPLIES-PD	141.35
				MISC SUPPLIES-PD	26.09
				MISC SUPPLIES-PD	12.60
				MISC SUPPLIES-PD	7.60
	2/16/2010	200637	204.72		
				MISC SUPPLIES-FIRE	6.49
				MISC SUPPLIES-FIRE	16.31
				MISC SUPPLIES-PD	30.44
				MISC SUPPLIES-PD	116.30
				MISC SUPPLIES-PD	14.65
				MISC SUPPLIES-PD	19.99
				MISC SUPPLIES-PD	0.54
	Vendor Total		**392.36**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,874.39**		
SUNNYMEAD ANIMAL HOSPITAL					
	2/8/2010	200502	107.50		
				WELLNESS EXAM-K9 MAX	107.50
	Vendor Total		**107.50**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL			**347.50**		
SUNNYMEAD SMOG CENTER					
	2/8/2010	200503	66.98		
				REFUND-BUS LIC OVERPAYMENT	66.98
	Vendor Total		**66.98**		
FYTD for SUNNYMEAD SMOG CENTER			**66.98**		
SUNNYMEAD VETERINARY CLINIC					
	2/8/2010	200504	595.00		
				EMERG VET SVCS-ANML SHLTR	255.00
				EMERG VET SVCS-ANML SHLTR	340.00
	Vendor Total		**595.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**3,581.00**		

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SWRCB/STATE WATER RESOURCE CONTROL BOARD					
	2/8/2010	200505	1,275.00		
				ANNL PERMIT FEE-HEACOCK BRIDGE	1,275.00
	2/8/2010	200506	288.00		
				ANNL PERMIT FEE-EMERG OPS CTR	288.00
	Vendor Total		**1,563.00**		
FYTD for SWRCB/STATE WATER RESOURCE CONTROL BOARD			**24,062.00**		
TANETTA, TATUM					
	2/8/2010	200507	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for TANETTA, TATUM			**100.00**		
TEK TIME SYSTEMS, LLC					
	2/22/2010	200763	197.63		
				TIME STAMP REPAIR	197.63
	Vendor Total		**197.63**		
FYTD for TEK TIME SYSTEMS, LLC			**423.41**		
TIMOTHY MCPIKE & SHANNON MCPIKE					
	2/8/2010	200508	20,000.00		
				SETTLEMENT	20,000.00
	Vendor Total		**20,000.00**		
FYTD for TIMOTHY MCPIKE & SHANNON MCPIKE			**20,000.00**		
T-N-T HICKS CATERING					
	2/16/2010	200638	1,500.00		
				CATERING SVCS-JOINT COC MIXER	1,500.00
	Vendor Total		**1,500.00**		
FYTD for T-N-T HICKS CATERING			**1,500.00**		
TRICHE, TARA					
	2/22/2010	200765	1,687.20		
				INSTRUCTOR SVCS-TEENS BALLET	22.20
				INSTRUCTOR SVCS-BALLET	266.40
				INSTRUCTOR SVCS-BALLET/ACRO	111.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	466.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-HIP HOP DANCE	377.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,687.20**		
FYTD for TRICHE, TARA			**15,517.80**		

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TRI-CITY LINEN SUPPLY, INC.					
	2/8/2010	200509	25.00		
				LINEN RENTAL-CRC	25.00
	2/16/2010	200640	75.00		
				LINEN RENTAL-CRC	75.00
	2/22/2010	200764	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**125.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,349.70**		
TROPICAL PLAZA NURSERY, INC.					
	2/22/2010	200766	18,174.04		
				JAN-10 LNDSCP MAINT-ZONE E-2	15,700.00
				JAN-10 LNDSCP MAINT-ZONE E-16	2,217.45
				JAN-10 IRRIG RPRS-ZONE E-2	256.59
	Vendor Total		**18,174.04**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**144,925.51**		
TRUGREEN LANDCARE					
	2/8/2010	200510	11,714.55		
				DEC-09 LNDSCP MAINT-ZONE E-3	10,038.43
				DEC-09 LNDSCP MAINT-ZONE E-3A	1,676.12
	2/22/2010	200767	7,403.38		
				JAN-10 LNDSCP MAINT-ZONE DSG1E	7,403.38
	Vendor Total		**19,117.93**		
FYTD for TRUGREEN LANDCARE			**214,924.04**		
TUNG, ALYNNA & ALADDIN					
	2/16/2010	200641	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for TUNG, ALYNNA & ALADDIN			**20.00**		
TUNTLAND, JAMES					
	2/8/2010	200511	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,494.63**		

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TURNER, TRINA					
	2/16/2010	200642	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for TURNER, TRINA			**60.00**		
U.S. HEALTHWORKS MEDICAL GROUP					
	2/1/2010	200283	236.00		
				PRE-EMPLYMNT PHYSICALS	236.00
	Vendor Total		**236.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,883.00**		
UNDERGROUND SERVICE ALERT					
	2/16/2010	200643	510.00		
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	111.74
				DIGALERT TICKETS SUBSCRPTN SVC	15.76
	2/22/2010	200768	592.50		
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
	Vendor Total		**1,102.50**		
FYTD for UNDERGROUND SERVICE ALERT			**5,677.50**		
UNITED POWER GENERATION, INC.					
	2/22/2010	200769	3,422.70		
				SVC TO GENERATOR @ FIRE ST #2	300.00
				EMERG GENERATOR MAINT-F.S. #2	347.80
				EMERG GENERATOR MAINT-F.S. #65	340.00
				EMERG GENERATOR MAINT-F.S. #58	360.00
				EMERG GENERATOR MAINT-F.S. #6	340.30
				EMERG GENERATOR MAINT-F.S. #48	340.30
				EMERG GENERATOR MAINT-CITY YRD	179.40
				EMERG GENERATOR MAINT-SR. CTR	179.40
				EMERG GENERATOR MAINT-SHELTER	375.90
				EMERG GENERATOR MAINT-CTY HALL	659.60
	Vendor Total		**3,422.70**		
FYTD for UNITED POWER GENERATION, INC.			**11,904.03**		

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UNITED SITE SERVICES OF CA, INC.				
2/1/2010	200284	292.11		
			FENCE RENTAL-ANIMAL SHELTER	107.39
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
2/8/2010	200512	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
2/16/2010	200644	77.33		
			PORTABLE TOILET SVC-GOLF CTR	77.33
2/22/2010	200770	204.94		
			PORTABLE TOILET SVC-M&O DIV.	97.55
			FENCE RENTAL-ANIMAL SHELTER	107.39
Vendor Total		**671.93**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**8,825.41**		
UNITED STATES TREASURY				
2/1/2010	200285	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
2/16/2010	200645	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY		**5,320.00**		
UNITED WAY OF INLAND VALLEYS				
2/1/2010	200286	642.18		
			UNITED WAY CONTRIBUTIONS	642.18
2/16/2010	200646	637.18		
			UNITED WAY CONTRIBUTIONS	637.18
Vendor Total		**1,279.36**		
FYTD for UNITED WAY OF INLAND VALLEYS		**15,018.00**		
UNITED WAY, INLAND VALLEYS				
2/16/2010	200647	268.67		
			EMPLOYEE GIVING CMPGN	268.67
Vendor Total		**268.67**		
FYTD for UNITED WAY, INLAND VALLEYS		**1,171.28**		
USA MOBILITY/ARCH WIRELESS				
2/16/2010	200648	79.52		
			PAGER SVC-PARK RANGERS/FEB-10	2.03
			PAGER SVC-TRANSP DIV/FEB-10	5.08
			PAGER SVC-PD CITZ PATRL/FEB-10	33.53
			PAGER SVC-ANIMAL SVCS/FEB-10	38.88
Vendor Total		**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**650.16**		

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VA CONSULTING, INC.					
	2/1/2010	200287	10,822.01		
				HEACOCK ST BRIDGE RPLCMNT PROJ	10,822.01
	2/16/2010	200649	23,830.45		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,059.64
				AUTO MALL IMPRVMNTS PROJ SVCS	873.06
				AUTO MALL IMPRVMNTS PROJ SVCS	20,897.75
	2/22/2010	200771	683.52		
				AUTO MALL IMPRVMNTS PROJ SVCS	683.52
	Vendor Total		**35,335.98**		
FYTD for VA CONSULTING, INC.			**272,063.71**		
VACATE PEST ELIMINATION COMPANY					
	2/8/2010	200514	1,365.00		
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR.	55.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-MARB HOBBY SHOP	45.00
				PEST CNTRL-STARS BLDG/MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP. TRLR	45.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
	Vendor Total		**1,365.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**12,275.00**		
VALI COOPER & ASSOCIATES, INC.					
	2/22/2010	200772	10,710.00		
				TEMP STAFFING SVCS-CAP PROJS	10,710.00
	Vendor Total		**10,710.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**120,577.50**		

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VANDER HAWK CONSULTING, LLC					
	2/16/2010	200650	11,130.00		
				ANNL PAVEMNT MGMT UPDATE SVCS	11,130.00
	Vendor Total		**11,130.00**		
FYTD for VANDER HAWK CONSULTING, LLC			**45,393.00**		
VAS ASSOCIATES, INC.					
	2/22/2010	200773	16,200.00		
				TEMP STAFFING SVCS-CAP PROJS	1,315.00
				TEMP STAFFING SVCS-CAP PROJS	14,885.00
	Vendor Total		**16,200.00**		
FYTD for VAS ASSOCIATES, INC.			**147,645.00**		
VASQUEZ, ERIKA					
	2/1/2010	200288	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for VASQUEZ, ERIKA			**47.00**		
VEGA, ELIZABETH					
	2/22/2010	200774	46.00		
				REFUND-ANML SVC FEES	31.00
				REFUND-ANML SVC FEES	15.00
	Vendor Total		**46.00**		
FYTD for VEGA, ELIZABETH			**46.00**		
VERITEXT LOS ANGELES REPORTING CO.					
	2/16/2010	200651	2,440.70		
				TRANSCRIPTION SVCS	862.50
				TRANSCRIPTION SVCS	610.75
				TRANSCRIPTION SVCS	275.00
				TRANSCRIPTION SVCS	252.50
				TRANSCRIPTION SVCS	439.95
	Vendor Total		**2,440.70**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**2,440.70**		
VERIZON					
	2/16/2010	200652	1,700.96		
				BACKBONE CHRGS	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**13,430.93**		

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VERIZON CALIFORNIA					
	2/1/2010	200289	619.80		
				PHONE CHRGS FOR ERC	619.80
	2/16/2010	200654	8,673.57		
				TELEPHONE CHRGS	173.38
				TELEPHONE CHRGS	198.71
				TELEPHONE CHRGS	184.08
				TELEPHONE CHRGS	494.01
				TELEPHONE CHRGS	223.79
				TELEPHONE CHRGS	113.76
				TELEPHONE CHRGS	219.24
				TELEPHONE CHRGS	189.09
				TELEPHONE CHRGS	61.81
				TELEPHONE CHRGS	218.21
				TELEPHONE CHRGS	137.74
				TELEPHONE CHRGS	325.93
				TELEPHONE CHRGS	119.05
				TELEPHONE CHRGS	479.56
				TELEPHONE CHRGS	291.37
				TELEPHONE CHRGS	167.75
				TELEPHONE CHRGS	64.13
				TELEPHONE CHRGS	289.08
				TELEPHONE CHRGS	18.80
				TELEPHONE CHRGS	133.29
				TELEPHONE CHRGS	216.07
				TELEPHONE CHRGS	11.94
				TELEPHONE CHRGS	11.93
				TELEPHONE CHRGS	41.22
				TELEPHONE CHRGS	25.90
				TELEPHONE CHRGS	42.85
				TELEPHONE CHRGS	23.40
				TELEPHONE CHRGS	20.61
				TELEPHONE CHRGS	24.13
				TELEPHONE CHRGS	133.31
				TELEPHONE CHRGS	80.73
				TELEPHONE CHRGS	40.18
				TELEPHONE CHRGS	56.46
				TELEPHONE CHRGS	213.29
				TELEPHONE CHRGS	55.10
				TELEPHONE CHRGS	22.80
				TELEPHONE CHRGS	92.76
				TELEPHONE CHRGS	215.32
				TELEPHONE CHRGS	3,242.79
	Vendor Total		**9,293.37**		
FYTD for VERIZON CALIFORNIA			**77,910.64**		
VICTOR MEDICAL CO					
	2/1/2010	200290	1,170.15		
				ANIMAL MEDICAL SUPPLIES	1,170.15
	Vendor Total		**1,170.15**		
FYTD for VICTOR MEDICAL CO			**9,898.75**		

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VIGIL, ERNEST					
	2/8/2010	200515	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,549.84**		
VILLARREAL, MARIO					
	2/22/2010	200775	90.00		
				REFUND-CREMATION FEE	90.00
	Vendor Total		**90.00**		
FYTD for VILLARREAL, MARIO			**90.00**		
VINCENT, CLARENCE					
	2/8/2010	200516	161.24		
				RETIREE MEDICAL BENEFIT	161.24
	Vendor Total		**161.24**		
FYTD for VINCENT, CLARENCE			**1,693.02**		
VINCENT, LONNIE					
	2/22/2010	200776	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for VINCENT, LONNIE			**404.50**		
VIRANI, HUSSAIN					
	2/16/2010	200655	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for VIRANI, HUSSAIN			**100.00**		
VISION SERVICE PLAN					
	2/16/2010	200656	4,114.86		
				EMPLOYEE VISION INSURANCE	4,114.86
	Vendor Total		**4,114.86**		
FYTD for VISION SERVICE PLAN			**35,612.64**		
VISTA PAINT CORPORATION					
	2/8/2010	200517	158.02		
				SUPPLIES FOR GRAFFITI RMVL PRG	41.00
				PAINT FOR GRAFFITI RMVL PRGM	117.02
	2/22/2010	200777	530.25		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	530.25
	Vendor Total		**688.27**		
FYTD for VISTA PAINT CORPORATION			**9,951.26**		

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VON MIZENER, ERIC					
	2/1/2010	200291	85.13		
				EXPENSE REIMBURSEMENT	85.13
	Vendor Total		**85.13**		
FYTD for VON MIZENER, ERIC			**85.13**		
VOYAGER FLEET SYSTEM, INC.					
	2/22/2010	200778	1,436.43		
				CNG FUEL FOR STREET PRGM	1,099.38
				CNG FUEL FOR DRAIN MAINT PRGM	337.05
	Vendor Total		**1,436.43**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**15,724.39**		
VULCAN MATERIALS CO, INC.					
	2/8/2010	200518	181.00		
				ASPHALTIC MATERIAL PICK UP	90.80
				ASPHALTIC MATERIAL PICK UP	90.20
	2/22/2010	200779	6,019.87		
				ASPHALTIC MATERIAL PICK UP	1,848.75
				ASPHALTIC MATERIAL PICK UP	2,390.33
				ASPHALTIC MATERIAL PICK UP	895.29
				ASPHALTIC MATERIAL PICK UP	255.28
				ASPHALTIC MATERIAL PICK UP	252.13
				ASPHALTIC MATERIAL PICK UP	219.95
				ASPHALTIC MATERIAL PICK UP	158.14
	Vendor Total		**6,200.87**		
FYTD for VULCAN MATERIALS CO, INC.			**92,907.18**		
WAGGONER JR., GLENN C.					
	2/8/2010	200519	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**2,549.84**		
WAGNER, GARY D.					
	2/8/2010	200520	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**2,543.56**		
WAGY, CARYLON					
	2/8/2010	200521	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**2,549.84**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WALLACE, DONNA					
	2/8/2010	200522	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for WALLACE, DONNA			**86.00**		
WARD, DOROTHY M.					
	2/22/2010	200780	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for WARD, DOROTHY M.			**404.50**		
WASSON, KIRK					
	2/16/2010	200658	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for WASSON, KIRK			**1,140.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	2/1/2010	200292	1,244.51		
				JAN-10 STORAGE BIN RENTALS	1,244.51
	2/22/2010	200781	1,244.51		
				FEB-10 STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**10,850.69**		
WELLS FARGO CORPORATE TRUST					
	2/1/2010	91301	776.30		
				INTEREST VARIABLE RATE BOND	776.30
	Vendor Total		**776.30**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,625,709.59**		
WEST GROUP					
	2/1/2010	200293	2,059.76		
				LEGAL PUBLICATIONS SUBSCRPTNS	1,972.76
				LEGAL PUBLICATIONS SUBSCRPTNS	87.00
	2/16/2010	200659	184.12		
				JAN-10 ONLINE CHRGS-LEGAL INFO	184.12
	2/22/2010	200782	82.67		
				LEGAL PUBLICATIONS SUBSCRPTNS	82.67
	Vendor Total		**2,326.55**		
FYTD for WEST GROUP			**6,263.54**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST, JAMES					
	2/22/2010	200783	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for WEST, JAMES			**25.00**		
WESTERN MUNICIPAL WATER DISTRICT					
	2/22/2010	200784	343.17		
				WATER CHRGS-MARB BALLFLDS	236.35
				WATER CHRGS-MFPCC LNDSCP	51.52
				WATER CHRGS-MFPCC BLDG.	55.30
	Vendor Total		**343.17**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,596.93**		
WHALEN, TERRY					
	2/8/2010	200524	33.50		
				REFUND-CITATION FEE	33.50
	Vendor Total		**33.50**		
FYTD for WHALEN, TERRY			**33.50**		
WHEELING, MYRNA R.					
	2/8/2010	200525	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for WHEELING, MYRNA R.			**50.00**		
WHIPPLE, LEWIS & LINDA					
	2/22/2010	200785	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**75.00**		
WIELIN, RONALD A.					
	2/8/2010	200526	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,549.84**		
WILGING, ROBERT OR RUTH					
	2/22/2010	200786	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for WILGING, ROBERT OR RUTH			**54.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN AND ASSOCIATES					
	2/1/2010	200294	10,203.06		
				PLAN CHECK SVCS	10,203.06
	2/22/2010	200787	23,421.37		
				PLAN CHECK SVCS	8,373.37
				CONTRACT BLDG OFFICIAL SVCS	15,048.00
	Vendor Total		**33,624.43**		
FYTD for WILLDAN AND ASSOCIATES			**216,659.74**		
WILLIAMS, COURTNEY					
	2/16/2010	200660	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**304.00**		
WILLIAMS, NANCY L.					
	2/8/2010	200527	3.85		
				MILEAGE REIMBURSEMENT	3.85
	Vendor Total		**3.85**		
FYTD for WILLIAMS, NANCY L.			**215.63**		
WILSON-BEILKE, DENESE					
	2/8/2010	200528	625.68		
				RETIREE MEDICAL BENEFIT	625.68
	Vendor Total		**625.68**		
FYTD for WILSON-BEILKE, DENESE			**625.68**		
WRCRCA					
	2/16/2010	200661	13,566.00		
				RESIDENTIAL SINGLE FAMILY	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**185,656.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.					
	2/1/2010	200295	3,535.00		
				DEC-09 DAY PORTER SVCS	1,080.00
				CLEANING SVCS-CRC	2,115.00
				CLEANING SVCS-CRC	340.00
	2/16/2010	200662	22,786.38		
				JAN-10 JANTRL SVCS-MARCH FLD	716.85
				SPCL CLEANING SVCS-SR CTR	260.00
				FEB-10 JANTRL SVCS-SNNYMD ELEM	184.10
				FEB-10 JANTRL SVCS-RNBW RIDGE	310.19
				FEB-10 JANTRL SVCS-RED MAPLE	310.19
				FEB-10 JANTRL SVCS-CITY HALL	4,588.23
				FEB-10 JANTRL SVCS-CITY YARD	346.90
				FEB-10 JANTRL SVCS-TRANSP TRLR	98.40
				FEB-10 JANTRL SVCS-ESA ANNEX	735.73
				FEB-10 JANTRL SVCS-FAC. ANNEX	124.29
				FEB-10 JANTRL SVCS-LIBRARY	1,771.79
				FEB-10 JANTRL SVCS-GOLF SHOP	644.70
				FEB-10 JANTRL SVCS-PSB	5,564.25
				FEB-10 JANTRL SVCS-GANG TSK FC	112.82
				FEB-10 JANTRL SVCS-MVTV STUDIO	58.05
				FEB-10 JANTRL SVCS-SENIOR CTR	1,916.18
				FEB-10 JANTRL SVCS-STARS HDQTR	298.87
				FEB-10 JANTRL SVCS-SNNYMD MIDD	152.10
				FEB-10 JANTRL SVCS-TWNGATE CC	691.38
				FEB-10 JANTRL SVCS-TS ANNEX	453.43
				FEB-10 JANTRL SVCS-CRC	3,447.93
	2/22/2010	200788	1,248.96		
				FEB-10 JANTRL SVCS-EMP RES CTR	348.96
				JAN-10 DAY PORTER SVCS	900.00
	Vendor Total		**27,570.34**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**202,883.01**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	2/1/2010	200296	720.84		
				COPIER MAINT/SUPPLY DEC-09	107.00
				COPIER MAINT/EXC PRINTS DEC-09	613.84
	2/8/2010	200529	2,227.21		
				COPIER MAINT-PD RECORDS/DEC-09	59.03
				EXC PRINTS-PD RECORDS/DEC-09	407.09
				COPIER MAINT-DETECTIVES/DEC-09	65.00
				EXC PRINTS-DETECTIVES/DEC-09	1,642.09
				COPIER MAINT-DETECT. FAX-QTRLY	54.00
	2/16/2010	200663	1,418.03		
				COPIER MAINT/SUPPLY JAN-10	65.00
				COPIER EQUIP/MAINT JAN-10	359.34
				COPIER MAINT/SUPPLY JAN-10	779.48
				COPIER EXC PRINTS CHRG JAN-10	214.21
	2/22/2010	200789	1,331.83		
				COPIER MAINT-PD RECORDS/JAN-10	59.03
				EXC PRINTS-PD RECORDS/JAN-10	138.93
				COPIER MAINT-STARS PRGM/JAN-10	107.00
				EXC PRINTS CHRG-STARS/JAN-10	1,026.87
	Vendor Total		**5,697.91**		
FYTD for XEROX			**45,860.69**		
ZAMORA, KATRINA					
	2/8/2010	200530	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ZAMORA, KATRINA			**31.20**		
ZUMAR INDUSTRIES, INC.					
	2/8/2010	200531	387.91		
				SIGNS/BLANKS FOR TRANSP. DIV.	387.91
	2/16/2010	200664	28.55		
				SIGNS-CITY HALL PARKING LOT	28.55
	Vendor Total		**416.46**		
FYTD for ZUMAR INDUSTRIES, INC.			**27,261.62**		

Subtotal **1,357,884.49**

GRAND TOTAL **11,074,851.58**

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MV00052427

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

DEVELOPER – RIDGE MORENO VALLEY, LLC AND
RIDGE MORENO VALLEY II, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089,

2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 26, 2009, the City Council approved the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, Ridge Moreno Valley LLC, and Ridge Moreno Valley II, LLC. The Agreement required that Irrevocable Offers of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. The storm drain improvements and easements were required within Parcel Map 32326. The IOD's were recorded and the storm drain improvements were constructed according to approved plans and the approved Agreement.

DISCUSSION

The City has received a request from the RCFC&WCD to quitclaim the referenced storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, and 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8. Per the Agreement, the City is required to convey the necessary rights of way to the RCFC&WCD in order to allow the RCFC&WCD to operate and maintain the drainage facilities located within said storm drain easements.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further

processing and recordation. *This alternative would allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation. *This alternative would not allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Quitclaim Deed for Instrument Number 2006-0437088
Attachment 3 - Quitclaim Deed for Instrument Number 2006-0437089
Attachment 4 - Quitclaim Deed for Instrument Number 2009-0597445
Attachment 5 - Quitclaim Deed for Instrument Number 2009-0597446
Attachment 6 - Quitclaim Deed for Instrument Number 2009-0657601
Attachment 7 – Resolution

Prepared By
Vicente Giron
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 PM 32326 - Quitclaim Deeds.doc

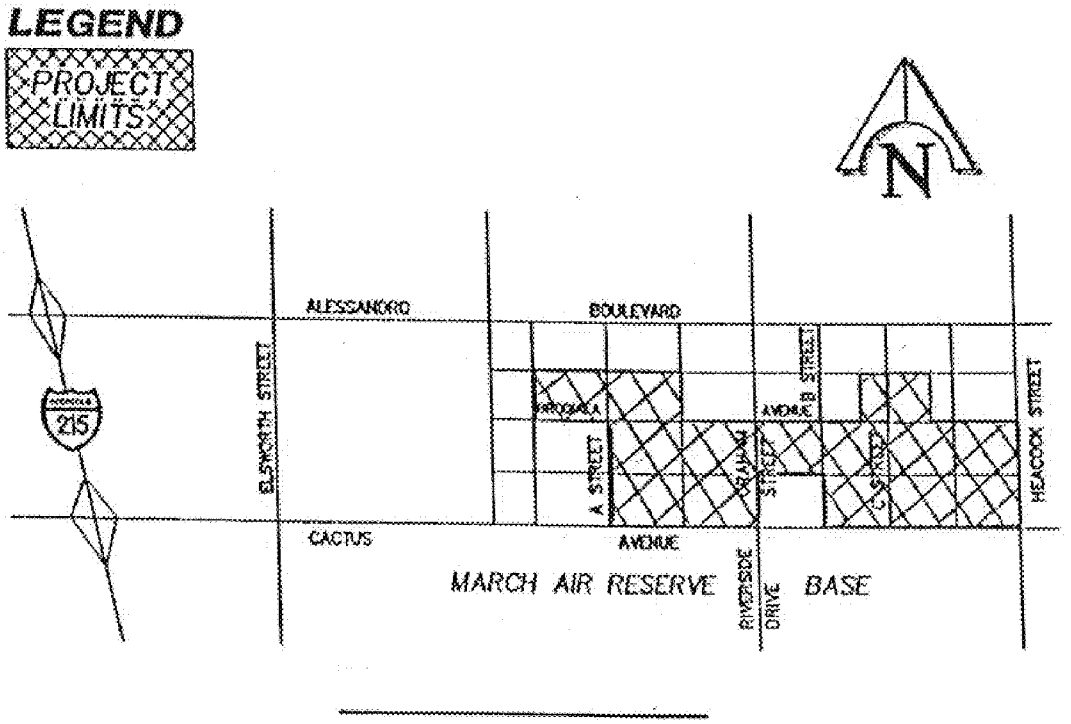

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT Attachment 1	PM 32326 VICINITY MAP Page 1 of 2

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PM 32326 - Attachment 1.pdf

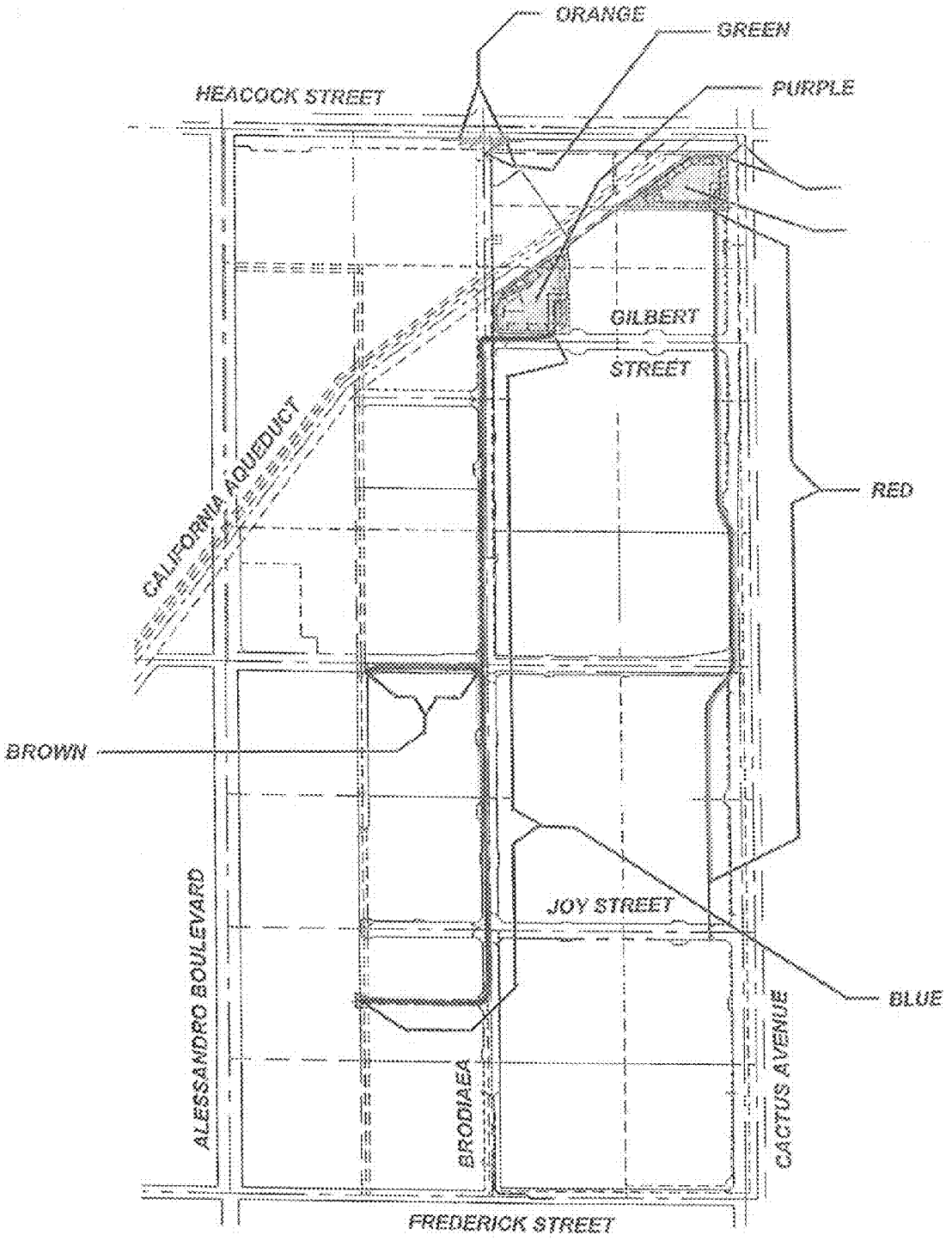

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PM 32326 VICINITY MAP Page 2 of 2

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PM 32326 - Attachment 1.pdf

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4736-503

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Parcel C as described in Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437088, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 2

DOC # 2006-0437088
06/16/2006 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		5						
					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

1 C LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JW Bowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY'S SIGNATURE

2006-0437088
06/16/2006 08:00A
2 of 5

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES
14 CH

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

APA 5/99 VALLEY-SIERRA 800-362-3369

Item No. A.5

MV00052436

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOT 6, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT SOUTH 89°34'09" EAST THEREON 294.02 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT 6; THENCE NORTH 00°20'21" EAST 596.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°29'23" A DISTANCE OF 27.68 FEET; THENCE TANGENT TO SAID CURVE NORTH 79°09'02" WEST 35.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 44°28'05" A DISTANCE OF 17.46 FEET TO A RADIAL THEREOF WHICH BEARS SOUTH 64°19'03" WEST.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 6.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 89°34'17" WEST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOT 7, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 22.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT NORTH 89°34'09" WEST THEREON 87.23 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT 7; THENCE NORTH 00°26'36" EAST 181.80 FEET.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 7.

PARCEL C:

THAT PORTION OF LOT 1, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, DESCRIBED AS FOLLOWS:

2006-0437088
06/16/2006 08:00A
3 of 5

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE NORTHERLY 39.00 FEET OF SAID LOT 1 WITH THE WESTERLY LINE OF THE WESTERLY 83.50 FEET OF SAID LOT 1; THENCE SOUTH 00°25'53" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 29.30 FEET; THENCE NORTH 29°33'31" WEST 33.83 FEET TO A POINT IN SAID SOUTHERLY LINE; THENCE SOUTH 89°34'31" EAST ALONG SAID SOUTHERLY LINE 16.91 FEET TO THE "POINT OF BEGINNING".

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R3
JN 11-0244-01
JAPRIL 29, 2006

2006-0437088
06/16/2006 08:00A
4 of 5

Item No. A.5

MV00052438

EXHIBIT B
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

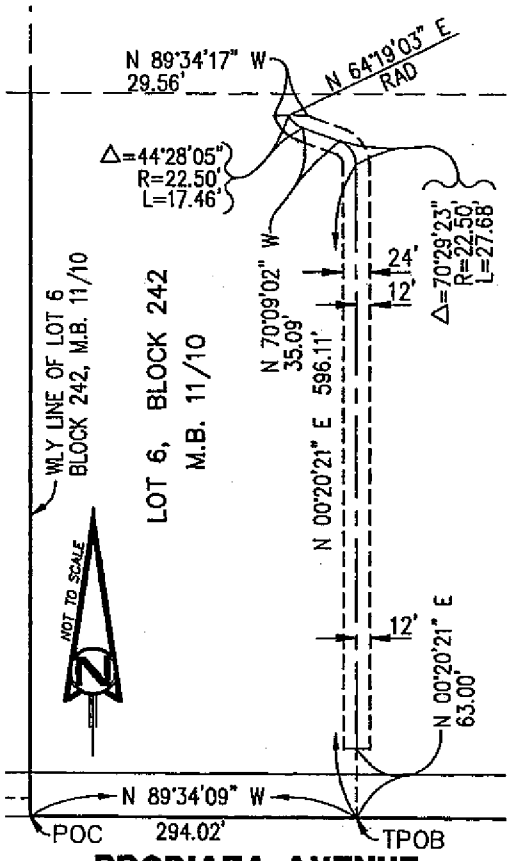

BRODIAEA AVENUE

PARCEL A

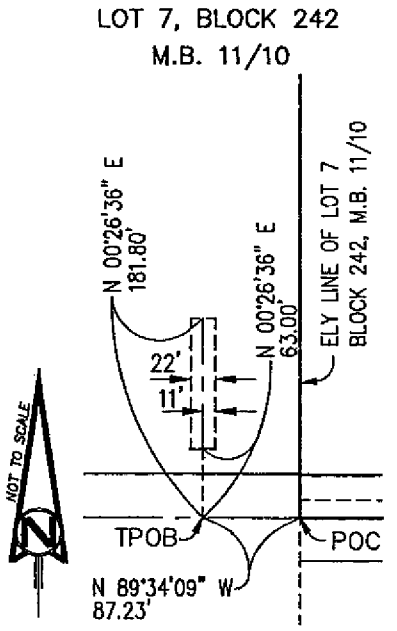

BRODIAEA AVENUE

PARCEL B

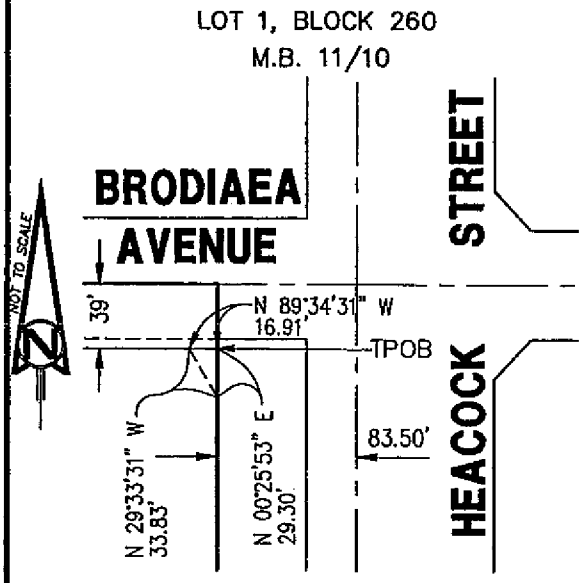

PARCEL C

PROFESSIONAL LAND SURVEYOR
ROBERT B. STANFORD
L.S. 4457
EXPIRATION
9-30-2007
SURVEYOR
STATE OF CALIFORNIA

PREPARED BY OR UNDER THE SUPERVISION OF

ROBERT B. STANFORD JR. DATE 6/2/06

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/1

JUL. 24, 2006 14:10 H:\PROJ\1102440\EXHIBITS\DRAINAGE-EXHIBITS\LEGH-B.DWG

Item No. A.5

2006-0437088
06/16/2006 08:00A
5 of 5

MV00052439

RCFC PARCEL NO. 4736-503

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052441

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326
Line B

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437089, records of said County, attached for reference purposes.

RCFC Parcel No. 4736-500 referenced as Parcel A
RCFC Parcel No. 4736-501 referenced as Parcel B
RCFC Parcel No. 4736-502 referenced as Parcel C

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Attachment 3

(SEAL)

DOC # 2006-0437089
06/16/2006 08:00A Fee:NC
Page 1 of 6
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

C
LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JWBowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, Notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust.

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

2006-0437889
06/16/2006 09:00A
2 of 6

APA 5/99

VALLEY-SIERRA, 800-362-3369

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOTS 7 AND 8, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE SOUTH 89°35'02" EAST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°35'02" EAST 614.06 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°25'53" EAST AND WHICH PASSES THROUGH THE EASTERLY TERMINUS OF SAID 28.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOTS 6 AND 7, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE NORTH 89°35'02" WEST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING NORTH 89°35'02" WEST 758.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°21'31" A DISTANCE OF 22.27 FEET; THENCE TANGENT TO SAID CURVE SOUTH 62°03'27" WEST 96.00 FEET TO A POINT IN A LINE PARALLEL WITH AND A 114.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID CACTUS AVENUE.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTEN AT THE END THEREOF SO AS TO TERMINATE AT SAID PARALLEL LINE.

PARCEL C:

THAT PORTION OF LOTS 7 AND 8, BLOCK 259 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF

2006-0437089
06/16/2006 08:00A
3 of 6

RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY LINE OF SAID LOT 7 DISTANT NORTH 00°25'48" EAST THEREON 232.00 FEET FROM THE CENTERLINE OF CACTUS AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE SOUTH 89°33'53" EAST 332.79 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°33'53" EAST 792.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°25'45" A DISTANCE OF 30.18 FEET; THENCE TANGENT TO SAID CURVE SOUTH 51°08'09" EAST 142.17 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 43°08'34" EAST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R2
JN 11-0244-01
April 29, 2006, 2006

2006-0437089
06/16/2006 08:00A
4 of 6

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

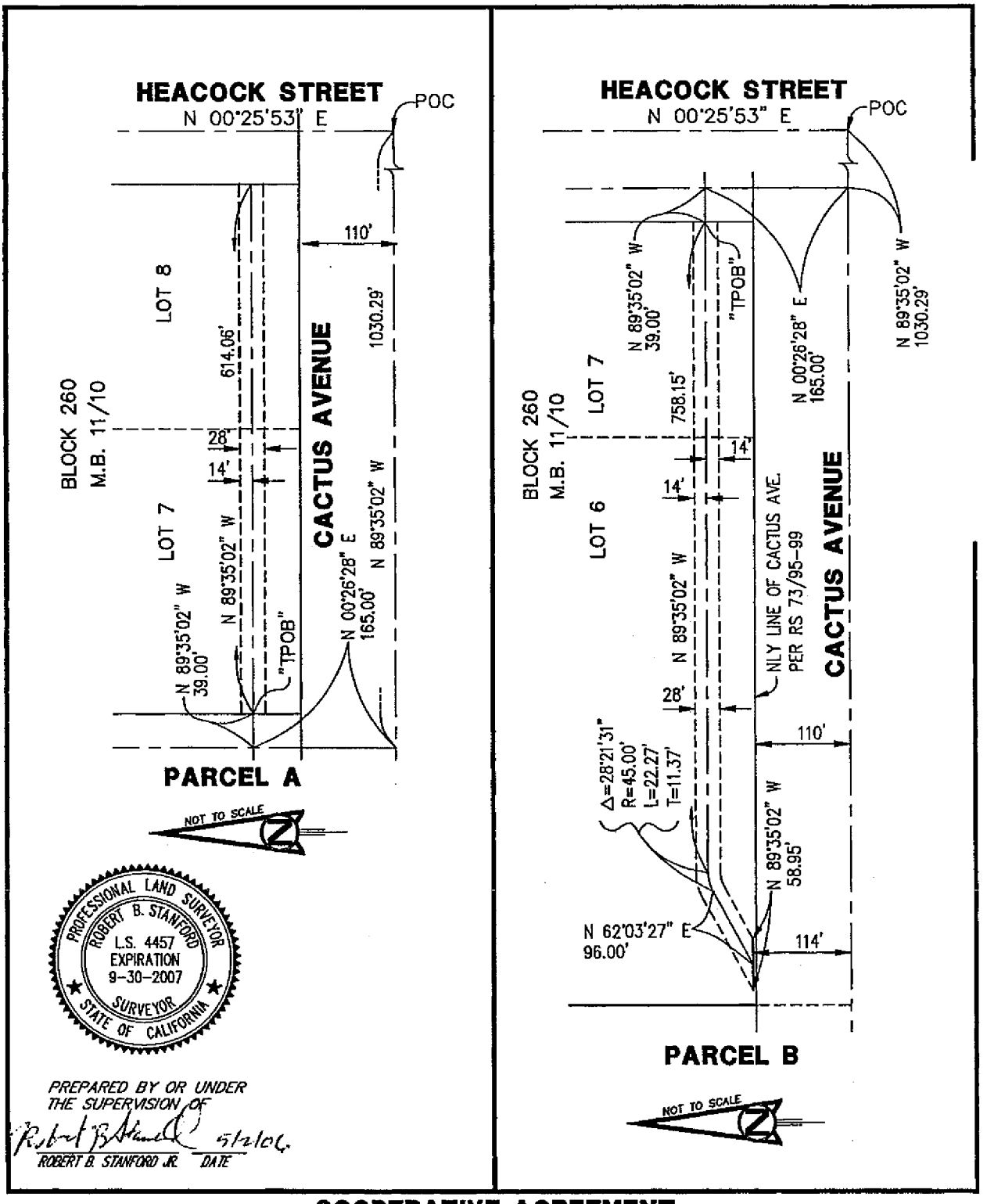

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/2

JAN. 24, 2006 14:10 H:\PROJ\11024401\EXHIBITS\DRAINAGE-EXHIBITS\LEGH-B.DWG

2006-0437089
06/16/2006 08:00A
5 of 6

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

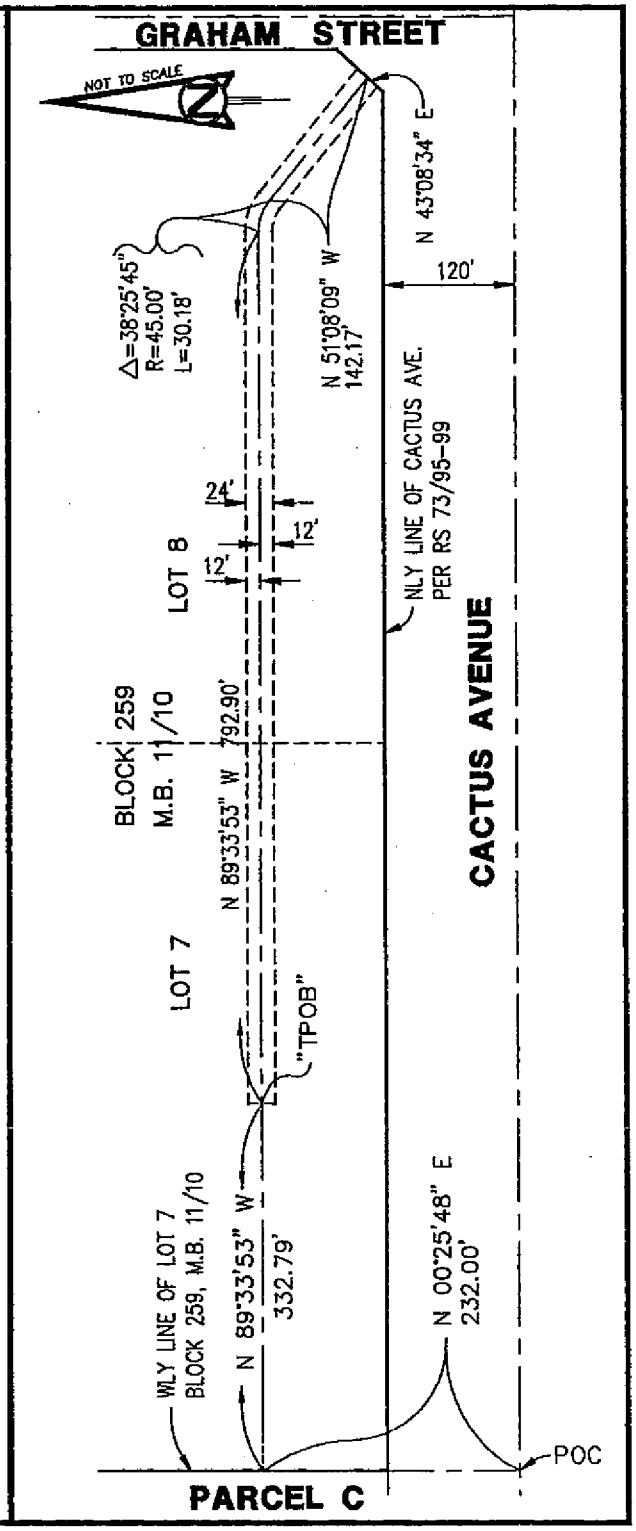

COOPERATIVE AGREEMENT
PARCEL MAP 32326
2/2

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2006-0437089
06/16/2006 08:00A
6 of 6

Item No. A.5

MV00052448

RCFC PARCEL NOS. 4736-500,
501 & 502

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Graham Street SD
Project No. 4-0-00633
Parcel Map 32326
Line E

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4633-500

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597445, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 4

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead-Graham St. SD
Project No. 4-0-00633
Parcel Map 32326

DOC # 2009-0597445
11/18/2009 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

(Notary Attached)

11/16/09

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers, a notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

Irrevocable offer of Dedication
3 pages total
Dated 11/16/09

-143-

2009-0597445
11/18/2009 08:00A
2 of 5

Item No. A.5

MV00052452

EXHIBIT "A"
LEGAL DESCRIPTION
(EASEMENT FOR STORM DRAIN PURPOSES)

THAT PORTION OF LOT 8, BLOCK 242, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11, PAGE 10, OF MAPS, RECORDS OF THE COUNTY OF SAN BERNARDINO, SAID STATE, WHICH LIES WITH IN A STRIP OF LAND 25.00 FEET WIDE LYING 11.00 FEET ON THE NORTHERLY SIDE AND 14.00 FEET ON THE SOUTHERLY SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF GRAHAM STREET AS DESCRIBED IN THAT CERTAIN PARCEL OF LAND TO THE COUNTY OF RIVERSIDE RECORDED NOVEMBER 28, 1972 AS INSTRUMENT NO. 157189, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF RIVERSIDE WITH A LINE PARALLEL WITH AND 51.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY LINE OF SAID LOT 8;

THENCE ALONG SAID PARALLEL LINE NORTH 89°34'17" WEST 35.00 FEET.

CONTAINING 875 SQUARE FEET, MORE OR LESS.

REFERENCE IS MADE TO EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR MY DIRECT SUPERVISION.

DATE: 3-13-09

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –165 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05

2009-0597445
11/18/2009 08:00A
3 of 5

EXHIBIT "B"
STORM DRAIN AND ACCESS EASEMENT
CITY OF MORENO VALLEY

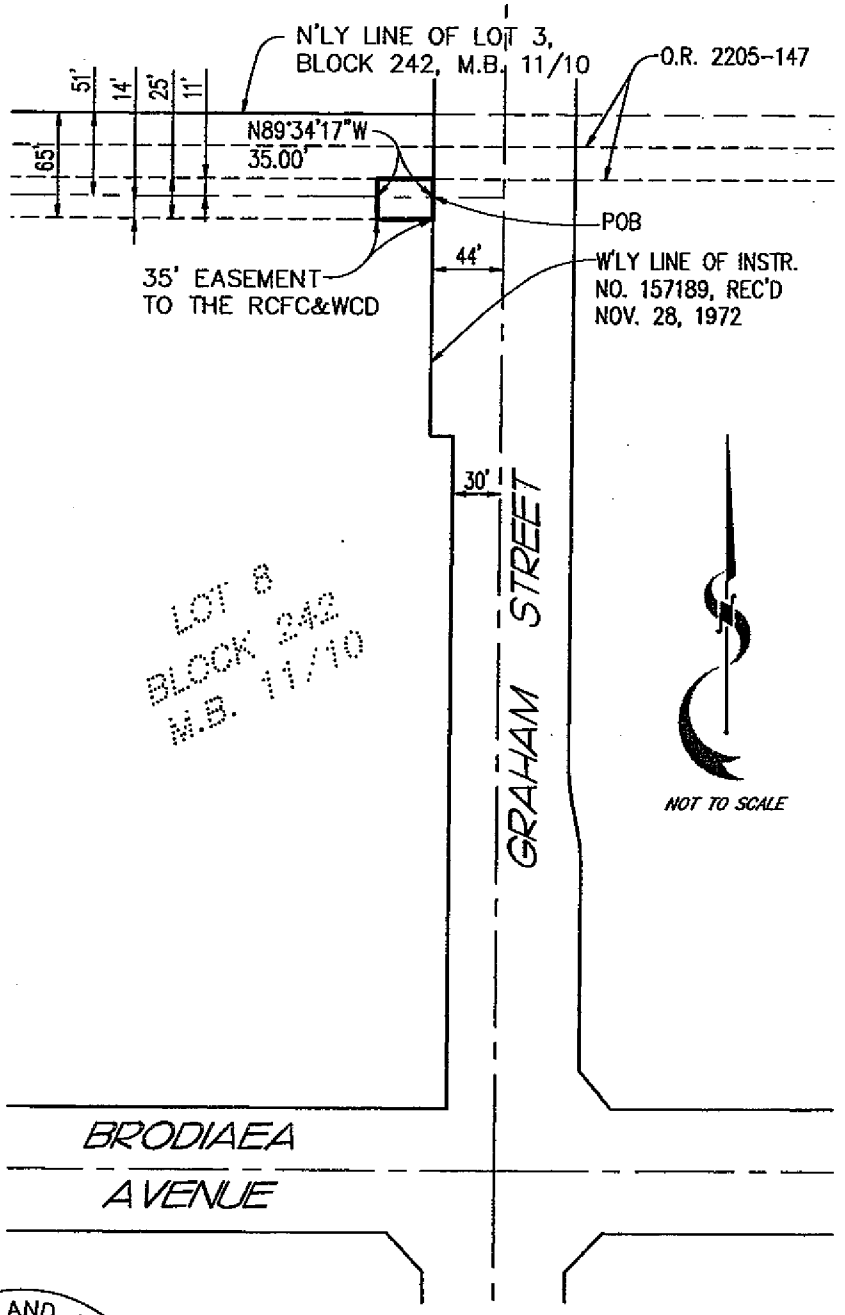

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 3-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 1 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 09, 2009 15:35 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT-AC-RCFC-WCD.DWG

2009-0597445
11/18/2009 08:00A
4 of 5

Item No. A.5

MV00052454

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE
PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

Item No. A.5

-146-

2009-0597445
11/18/2009 08:00A
5 of 5

MV00052455

RCFC PARCEL NO. 4633-500

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052457

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
Line A

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597446, records of said County, attached for reference purposes.

RCFC Parcel No. 4737-500A referenced as Parcel A
RCFC Parcel No. 4737-500B referenced as Parcel B
RCFC Parcel No. 4737-500C referenced as Parcel C
RCFC Parcel No. 4737-500D referenced as Parcel D

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 5

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

DOC # 2009-0597446
11/18/2009 08:00A Fee:NC
Page 1 of 7
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			7						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 509
nchg cc					T:		CTY	UNI	

C 509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal descriptions attached hereto as Exhibits "A-1", "A-2" and shown on Exhibits "B-1", "B-2" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

See Attached Notary Certificate 11/16/09

(Notary Attached)

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers A Notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

IRRevocable offer of Dedication
5 pages total
Dated 11/16/09

EXHIBIT "A-1"
LEGAL DESCRIPTION

PARCEL A: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE EASTERLY 18.50 FEET PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 1.

CONTAINING 10,400 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

PARCEL B: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°34'17" WEST 36.32 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE SOUTH 89°34'17" EAST 36.31 FEET TO THE EASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID EASTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,271 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

DATE: 3-12-09

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –162-R2
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

2009-0597446
11/18/2009 08:00R
3 of 7

EXHIBIT "B-1"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

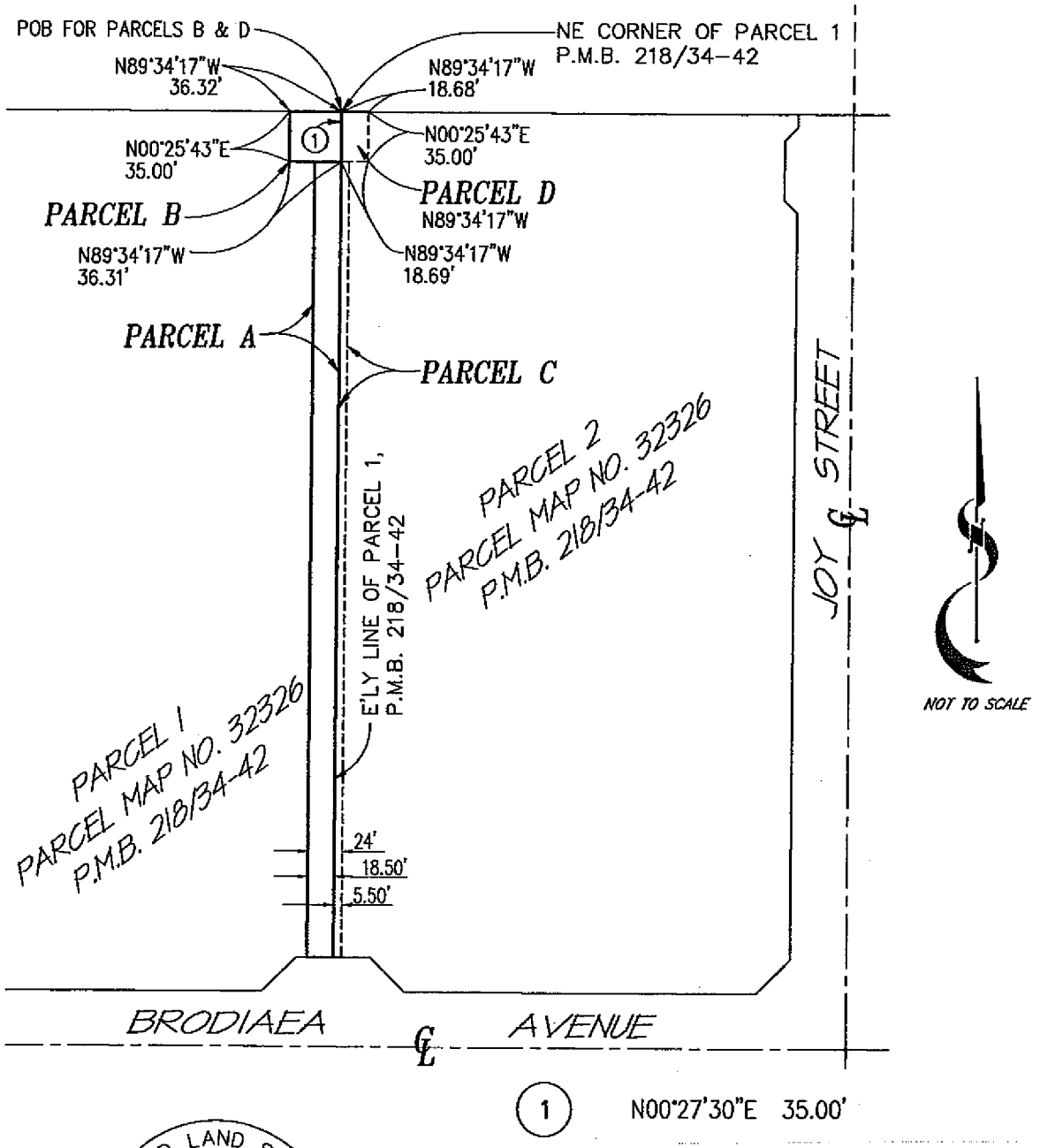

1 N00°27'30"E 35.00'

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 2-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

H:\PROJ\1102440\EXHIBITS\PARCEL 3\EXHIBIT-SD_LINEA-162.DWG
MAR. 02, 2009 11:21

EXHIBIT "A-2"
LEGAL DESCRIPTION

PARCEL C: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE WESTERLY 5.50 FEET OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 2.

CONTAINING 3,092 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

PARCEL D: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°34'17" EAST 18.68 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE NORTH 89°34'17" WEST 18.69 FEET TO THE WESTERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID WESTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 654 SQUARE FEET MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

DATE: 3-13-09

LD-HZ –163 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

2009-0597446
11/18/2009 08:00A
5 of 7

EXHIBIT "B-2"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

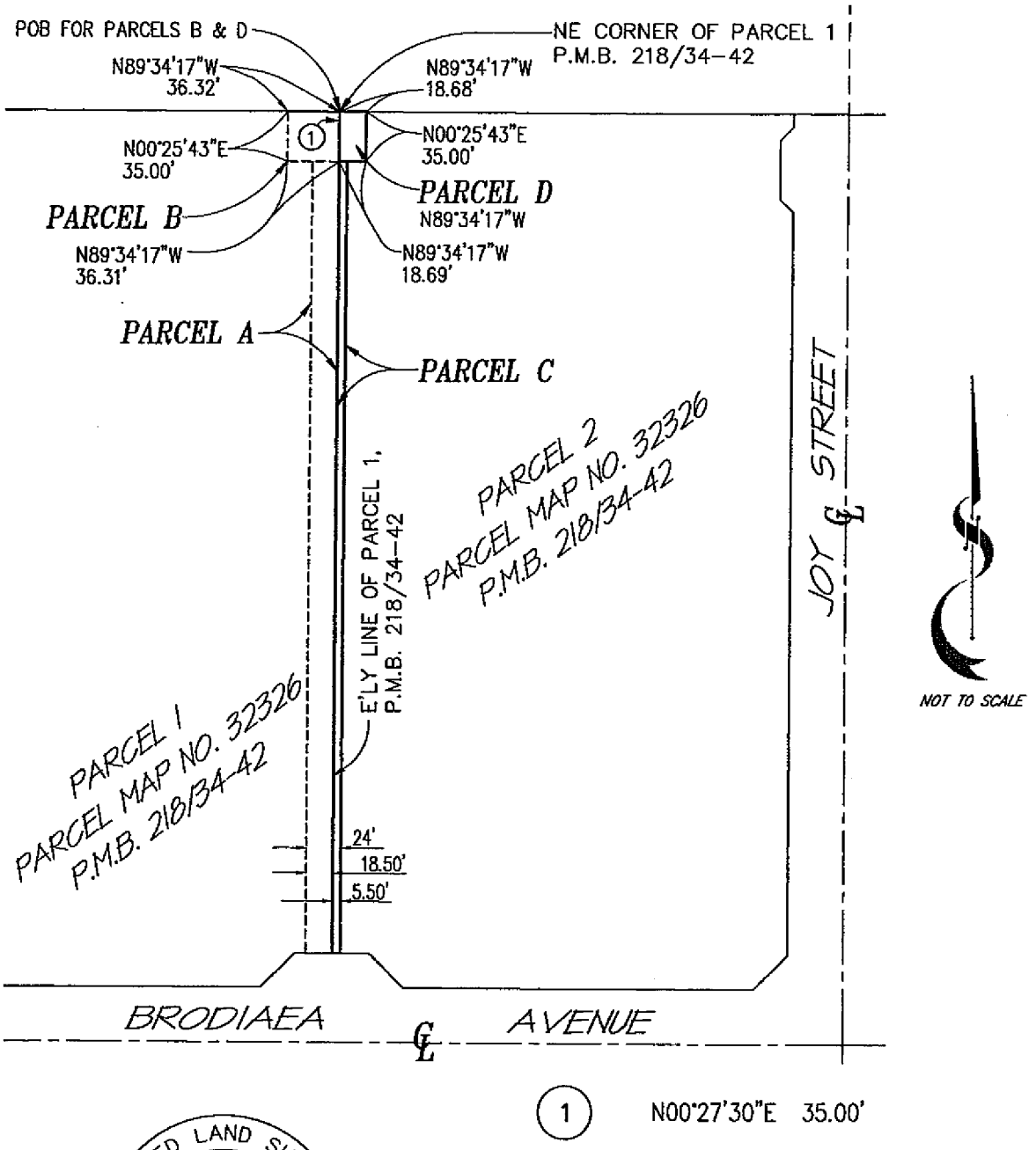

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: Robert B. Stanford

DATE: 3-12-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 2 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 02, 2009 11:31 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT-SD_LINEA-163.DWG

-155-

2009-0597446
11/18/2009 08:00A

Item No. A.5

MV00052464

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE

ON PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI VEISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

Item No. A.5

-156-

2009-0597446
11/18/2009 08:00A
7 of 7

MV00052465

RCFC PARCEL NOS. 4737-500A, 500B, 500C & 500D

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052467

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4737-501

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded December 23, 2009, as Instrument No. 2009-0657601, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 6

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on October 17, 2008 as Instrument No. 2008-0557898

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

DOC # 2009-0657601
12/23/2009

Customer Copy Label
The paper to which this label is affixed has not been compared with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
					T:		CTY	UNI	

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
(Line A)

IRREVOCABLE OFFER OF DEDICATION

MORENO VALLEY CENTERPOINTE LLC,
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

The District will request for the public to quitclaim to the grantors herein or to their successors or assigns all of the interests conveyed by this said easement as will no longer be necessary to the District by reason of the approval of the extension of Sunnymead Brodiaea Avenue Storm Drain, Line A, as evidenced by the District's issuance of a Notice to Proceed for such.

MORENO VALLEY CENTERPOINTE LLC:

Dated: 1-14-2009

By: [signature]

V. Prabhu Dhalla

Title: managing share holder

Dated: _____

By: _____

_____

Title: _____

(Notary Attached)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 1-14-2009 (Date) before me, Alice S. Reed, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared V. Prabhu Dhalla (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed the instrument.

ALICE S. REED
Commission # 1549086
Notary Public - California
Riverside County
My Comm. Expires Feb 28, 2009

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

WITNESS my hand and official seal.

Signature Alice S. Reed (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

EXHIBIT "A"

EASEMENT FOR STORM DRAIN FACILITIES
TO
RIVERSIDE COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

THAT PORTION OF LOT 3, BLOCK 242 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COUNTY., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA. AS PER MAP FILED IN BOOK 11 PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY WHICH LIES WITHIN A STRIP OF LAND 26.00 FEET WIDE THE SOUTHERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 32326 AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42 INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, DISTANT ALONG SAID NORTHERLY LINE NORTH 89°34'17" WEST 37.77 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 1; THENCE ALONG SAID NORTHERLY LINE AND THE NORTHERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 32326, SOUTH 89°34'17" EAST 71.00 FEET.

CONTAINING 1846 SQUARE FEET MORE OR LESS.

DATE: 12/19/2008

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LD-HZ --151
11-0244-01
JULY 14, 2008
T.B. 717/ C-6

EXHIBIT "B"

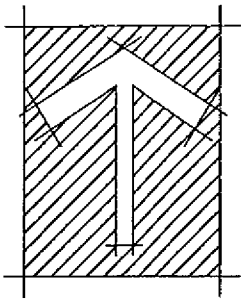

NOT TO SCALE

LOT 3, BLOCK 242
M.B. 10 -- 11

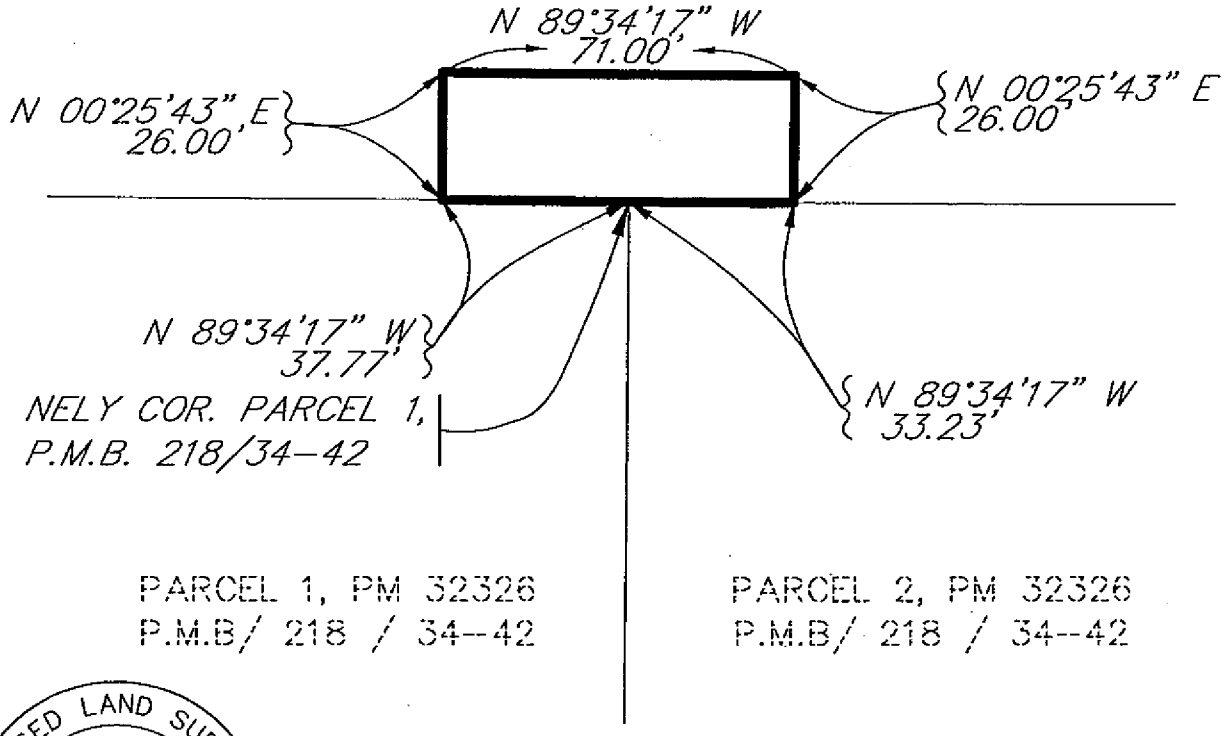

LICENSED LAND SURVEYOR
ROBERT B.
STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

ROBERT B. STANFORD JR.
EXPIRES: SEPTEMBER 30, 2009

DATE: DECEMBER 19, 2008

RIVERSIDE COUNTY FLOOD
CONTROL AND WATER
CONVERSERVATION DISTRICT

HUITT-ZOLLARS
Huitt-Zollars, Inc. Ontario
3990 CONCOURS STREET, SUITE 450 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799

FILI gal Descriptions\SKETCHS\LD-HZI-151.d
Item No. A.5

MV00052472

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

ON EXHIBIT "B":
LOT 3. BLOCK 242
M.B. 10-11

PARCEL 1, PM 32326
P.M.B. / 218 / 34-42

PARCEL 2, PM 32326
P.M.B. / 218 / 34-42

Date: 8/11/2009

Signature: [signature]

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

MV00052473

RCFC PARCEL NO. 4737-501

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052475

RESOLUTION NO. 2010-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC STORM DRAIN EASEMENTS PER IRREVOCABLE OFFERS OF DEDICATIONS RECORDED AS INSTRUMENT NUMBERS 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, AND 2009-0657601 IN THE OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA AND EXECUTION OF QUITCLAIM DEEDS ACCORDING TO THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY OF MORENO VALLEY, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

WHEREAS, the City Engineer has determined that the public storm drain easements were recorded by Ridge Moreno Valley, LLC and Ridge Moreno Valley II, LLC at the request of the Riverside County Flood Control and Water Conservation District, within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 according to the approved Second Amended and Restated Cooperative Agreement on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 in order to quitclaim the easements to the Riverside County Flood Control and Water Conservation District per the Cooperative Agreement, and

WHEREAS, it is in accordance with Government Code, Section 27281, for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 are accepted and execution of quitclaim deeds of said easements is authorized.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____ City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET

DEVELOPER: RIDGE MORENO VALLEY, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

On January 10, 2006, the City Council approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, and Ridge Moreno Valley LLC. The Agreement required that an Irrevocable Offer of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. In addition, certain storm drain easements were required to be shown on Parcel Map 32326. The IOD was recorded on June 16, 2006 and the parcel map was recorded on August 15, 2006 as required.

DISCUSSION

The City has been notified by the RCFC&WCD that the referenced storm drain easements, within Parcel Map 32326, Parcels 1, 2, and 3 are no longer necessary due to realignment in the storm drain system. Subsequent to the recordation of the IOD and parcel map, the storm drain improvements were constructed according to revised plans. The RCFC&WC and the City have obtained additional easements that encompass the actual location of the storm drain system. Therefore, there is no longer a public need for the easement Parcels A and B, as described in the IOD, nor a public need for the easement, as described in the Easement Note No. 4, on the recorded parcel map.

ALTERNATIVES

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements, described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easement is no longer, nor will be in the future, useful for public storm drain purposes.*

2. Do not adopt the proposed Resolution, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easements will remain as public service easements for storm drain purposes; however, the easements are no longer, nor will be in the future, useful for public storm drain purposes.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the RCFC&WCD. The public has been notified by publication of agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution

Prepared By
Vicente Giron,
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

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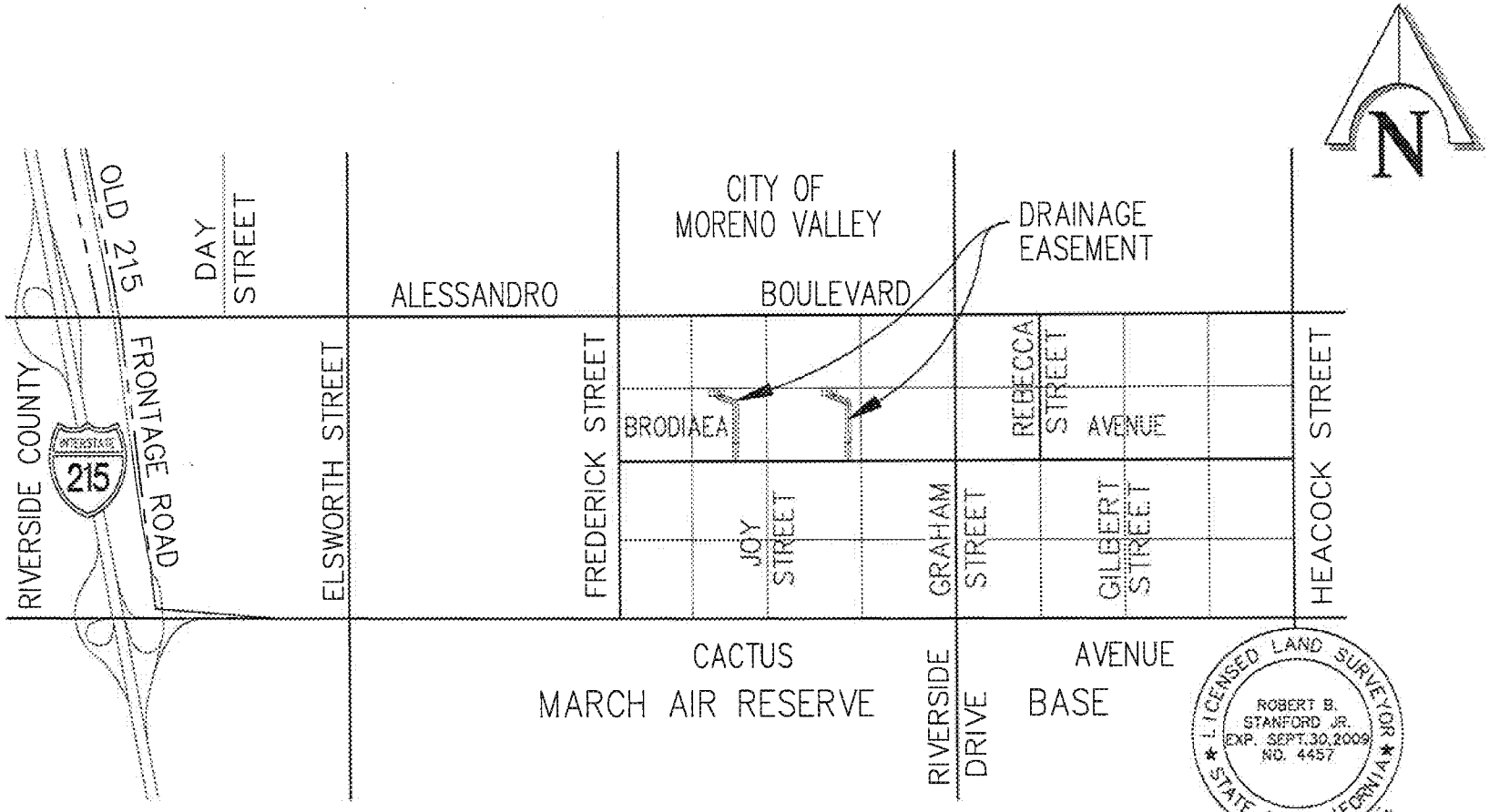

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY:
DATE: 2/16/2010

VICINITY MAP

NOT TO SCALE

(T.B. MAP PG 717 COORDS C6)

SHEET 1 OF 2 SHEETS

HUITT-ZOLLARS 3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	CITY OF MORENO VALLEY PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	PARCEL MAP NO. 32326 VICINITY MAP

FEB. 25, 2010 09:10 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT01.DWG

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MV00052483

RESOLUTION NO. 2010-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

WHEREAS, the City Council of the City of Moreno Valley, California, was offered certain drainage easements for public service located within Parcel Map 32326; and

WHEREAS, these certain drainage easements were never accepted by the City of Moreno Valley and are obsolete due to drainage improvements being constructed per an alternate alignment within Parcel Map 32326; and

WHEREAS, no public money was expended for maintenance of said easements

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

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described drainage easements are summarily vacated and abandoned:

That said drainage easements are located in the City of Moreno Valley, County of Riverside, State of California described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326 as illustrated on Attachment 1 and made a part hereof.

Excepting and reserving from the vacation any easement for existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove or renew such facilities, pursuant to Section 8340 of the Streets and Highway Code.

Attachment 2

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described Drainage Dedication revert to the owner of the underlying fee thereof, free from use as an easement for drainage purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

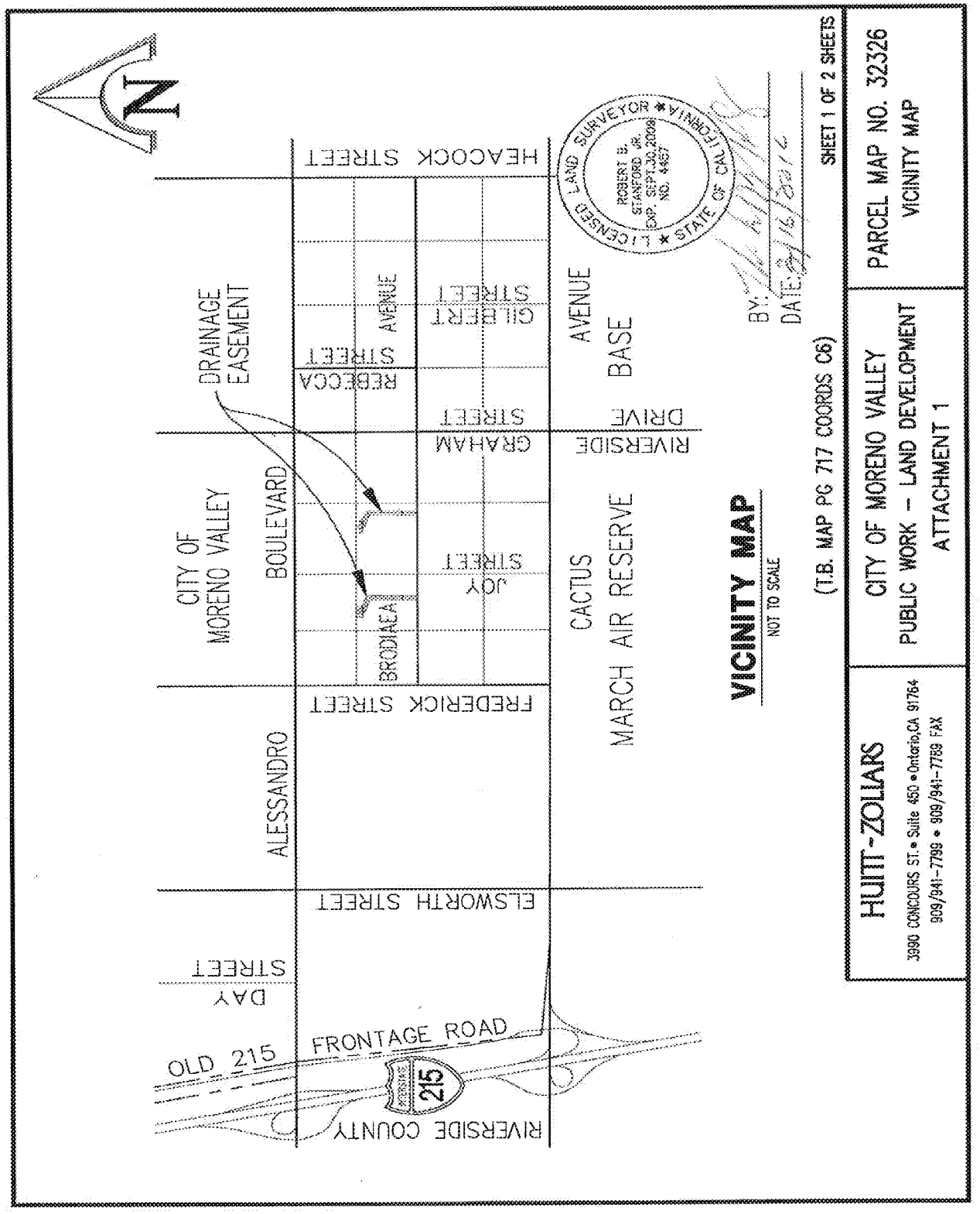
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HEACOCK STREET
DRAINAGE EASEMENT
REBECCA STREET
AVENUE
GILBERT STREET
AVENUE
BASE
DRIVE
RIVERSIDE
GRAHAM STREET
CITY OF MORENO VALLEY
BOULEVARD
JOY STREET
BRODIAEA
CACTUS
MARCH AIR RESERVE
FREDERICK STREET
ALESSANDRO
ELSWORTH STREET
DAY STREET
OLD 215
FRONTAGE ROAD
215
RIVERSIDE COUNTY
VICINITY MAP
NOT TO SCALE
(T.B. MAP PG 717 COORDS C6)
LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA
BY:
DATE
SHEET 1 OF 2 SHEETS
PARCEL MAP NO. 32326
VICINITY MAP
CITY OF MORENO VALLEY
PUBLIC WORK – LAND DEVELOPMENT
ATTACHMENT 1
HUITT-ZOLLARS
3990 CONCOURS ST. • Suite 450 • Ontario,CA 91764
909/941-7799 • 909/941-7789 FAX

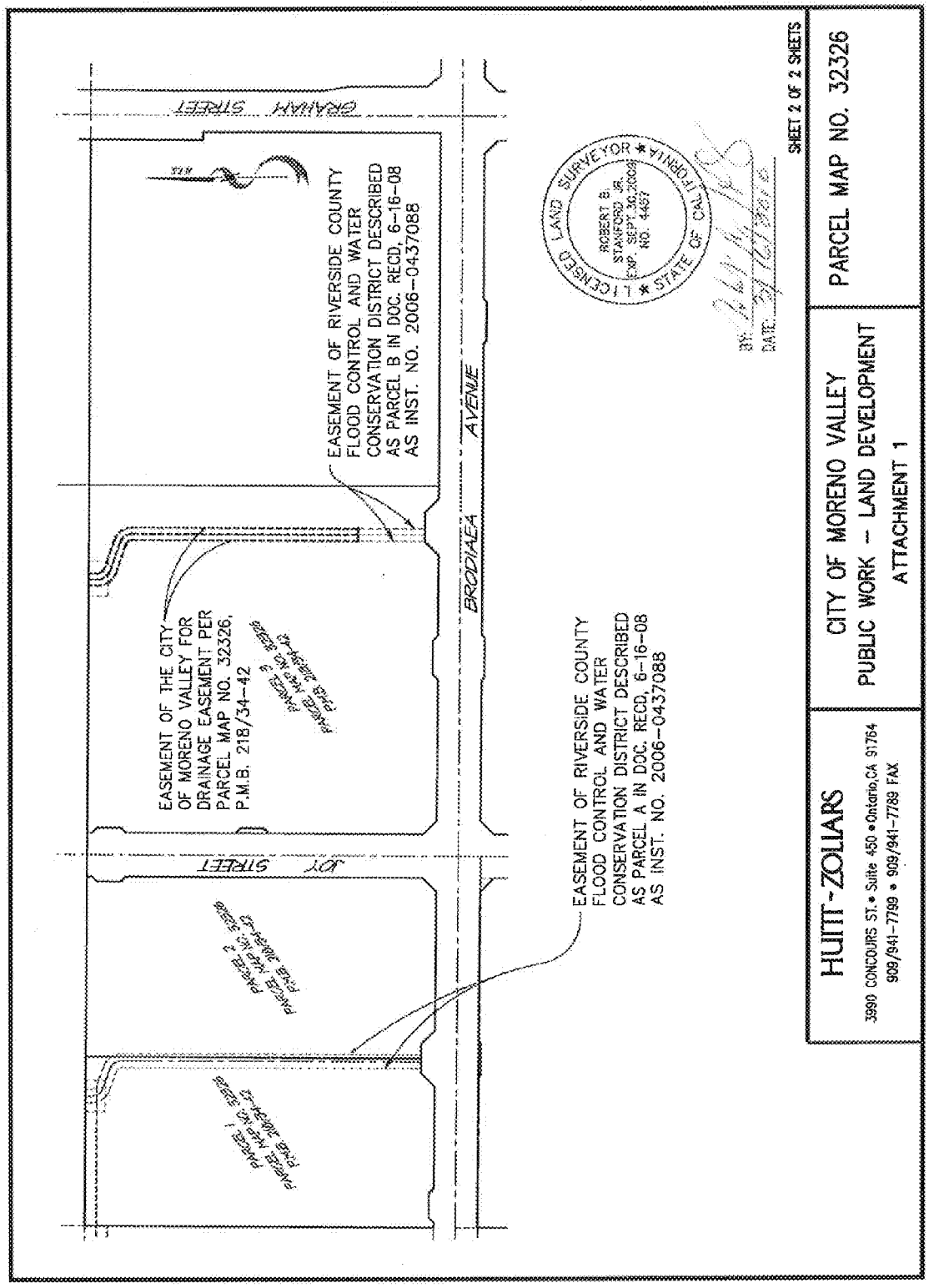
GRAHAM STREET
EASEMENT OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DESCRIBED AS PARCEL B IN DOC. RECD, 6-16-08 AS INST. NO. 2006-0437088
EASEMENT OF THE CITY OF MORENO VALLEY FOR DRAINAGE EASEMENT PER PARCEL MAP NO. 32326, P.M.B. 218/34-42
BRODIAEA AVENUE
JOY STREET
EASEMENT OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DESCRIBED AS PARCEL A IN DOC. RECD, 6-16-08 AS INST. NO. 2006-0437088
LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
EXP. SEPT. 30, 2009
NO. 4487
STATE OF CALIFORNIA
BY:
DATE:
SHEET 2 OF 2 SHEETS
PARCEL MAP NO. 32326
CITY OF MORENO VALLEY
PUBLIC WORK – LAND DEVELOPMENT
ATTACHMENT 1
HUITT-ZOLLARS
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

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MV00052489

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

BACKGROUND

The Riverside County Transportation Commission Ordinance No. 02-001, as enacted pursuant to the provisions of Division 25 of the Public Utilities Code, specifies that local cities and counties must submit an annual Five-Year CIP for Measure "A" funds. RCTC requires local agencies to submit their 2011-2015 Five Year CIP for Measure "A" by May 7, 2010. The program is subject to amendment after review and approval by RCTC.

The City of Moreno Valley has received Measure "A" funds (local sales tax) for expenditures on local streets since November 1989.

DISCUSSION

Measure "A" is a major funding source for transportation infrastructure improvements. The total amount of funding received from FY 1989/1990 through FY 2008/2009 is $53.8 million. The City is scheduled to receive $2,279,000 in Measure "A" revenue by FY 2009/2010 year-end and $2,270,000 in funding for FY 2010/2011. The City's Measure "A" Fund Balance also receives revenue from several supplementary sources:

- Interest income
- Federal-aid awards
- State grants
- County/Local grants
- Sale of plans and specs

The total revenue received from these integral funding sources since FY 1989/1990 is in excess of $22 million. Because Measure "A" funds are used to provide required City matching funds for federal, state and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" Fund Balance. The sale of plans and specs for projects going out to bid is designated as an additional source of income although this revenue is to recoup the cost incurred in the printing and publishing of the documents. The income received from these supplemental revenue sources, combined with the annual Measure "A" revenue from RCTC provides the funding to construct multi-million dollar projects.

RCTC requires all local jurisdictions to submit an annual five-year CIP for continued receipt of Measure "A" local streets and roads funds. As required by RCTC, the attached tables include the actual FY 2009-2010 Measure "A" budget approved by Council, as well any budget appropriation adjustments during the fiscal year. Additional tables include proposed projects for FY 2010-2011 and planned projects for FY 2011-2012 through FY 2014-2015. The listed projects are consistent with the City's Capital Improvement Program. All identified projects meet the criteria for Measure "A" funding.

The projects are included in the Measure "A" Five-Year CIP to satisfy RCTC Ordinance No. 02-001. Although RCTC requires this information by May 7, 2010, the City Council may make any changes to the list of projects as part of the City's annual budget approval process. City staff can forward the amended Measure "A" project list to RCTC once the City's budget is approved.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure "A" funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes.

ALTERNATIVES

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative supports a major funding source for roadway and other infrastructure improvements.*

2. Do not approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program FY 2011-2015, do not authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and do not authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative eliminates Measure "A" funding.*

FISCAL IMPACT

The timely approval and submittal of the Five-Year CIP by May 7, 2010, ensures continued receipt of Measure "A" funds for FY 2010-2011. Measure "A" funds can only be used for transportation purposes.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The City of Moreno Valley is required to submit an annual Five-Year CIP for Measure "A" projects and a MOE certification for continued receipt of Measure "A" funds.

ATTACHMENTS

ATTACHMENT "A" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Fund Program, FY 2009-2010 Approved Budget
ATTACHMENT "B" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Five Year CIP, FY 2011-2015
ATTACHMENT "C" – MOE Certification Statement
ATTACHMENT "D" – MOE Projection for FY 2009-2010

Prepared By
Linda Wilson
Senior Management Analyst

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

Department Head Approval
Chris Vogt, P.E.
Public Works Director/City Engineer

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

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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 1 of 2
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

Fiscal Year 2009/2010						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Funding 1,000s
1	54150	Measure A Program Budget	Program Budget	Provide functions for transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	436	436
2		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,279,000.	182	182
3	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program.	3,706 [1]	77
4	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000 each completed by City maintenance staff .	765	765
5	65320	Bicycle Lane	Bicycle Lane	Local match funding for BTA grant awards to stripe Class II bike lanes to connect discontinuous segments of the Aqueduct Bike Trail.	127 [2]	-
6	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Freeway Ramp & Traffic Signal	Project completed February 2010.	1,269	1,269
7	66626	Graham St./Bay Ave. Traffic Signal	Traffic Signal	Project completed November 2008. Carryover funds were for a one-year warrant period.	11	11
8	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	46	46
9	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed.	226	226
10	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
11	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Continue design.	3,913 [3]	1,279
12	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median	Project deferred. Return funds to Fund Balance.	147	147
13	66728	Cottonwood Ave. at Oliver St. Striping/Channelization/Rd Safety	Street Improvements	Project completed July 2009.	25	25
14	66729	Heacock Street South Extension	Street Improvements	Alignment and traffic study.	35	35
15	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Complete design.	258 [4]	30
16	66827	Moreno Beach/Rte 60 Right Turn Lane Improvements	Street Improvements	Project on hold. Return funds to Fund Balance.	89	89
17	66828	Roadside Safety Improvements/Elder Ave. W/o Nason St.	Street Improvements	Project completed July 2009.	48	48
18	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Traffic signal design.	35	35

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 2 of 2
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

19	66927	Redlands Blvd./SR-60 WB Ramp Traffic Signal	Traffic Signal	Complete design.	46	46
20	67123	Indian St./Cactus Ave. Intersection Imprv. and Storm Drain	Street & Strom Drain Improvements	Completed January 2009. Project closeout January 2010.	31	31
21	67128	Sunnymead Blvd./Frederick St. to Perris Blvd.	Street Improvements	Median construction October 2009 to May 2010.	6,106 [5]	-
22	67425	Heacock St./Gentian-Poppystone & Frederick-Sunnymead	Street Improvements	Project completed. Project closeout June 2010.	146	146
23	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed.	1,165 [6]	23
24	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Bicycle Trail	Project completed October 2009.	713	713
25	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	190	190
26	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Sidewalk Improvements	Construction May 2010 to July 2010.	215 [7]	21
27	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	292	292
28	85020	Surface Recycling	Rehabilitation	On-going annual program.	153	153
29	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	307	307
30	89720	SR-60/Nason St. Interchange	IC Imprv EB/WB Ramps	Design, utility relocation, right of way and construction. Estimated construction start date is June 2010.	13,705 [8]	6,089
31	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Sidewalk Improvements	Complete design.	254 [9]	44
				FY 2009/2010 Total	**34,841** *	**12,955** *

* Includes FY 08/09 carryover funds.

[1] Traffic Congestion Relief (Prop 42) - $1,468,274; Proposition 1B - $2,160,978

[2] FY 08/09 BTA Award - $126,982

[3] STPL Funds - $1,967,000 (reprogrammed to SR-60/Nason FY 10/11); DIF Arterial Streets - $667,048

[4] HBRRP Funds - $360,000 for design (remaining balance - $228,067)

[8] 2005 Lease Revenue Bonds - $3,228,855; RDA Funds - $1,263,584; TE Grant - $1,614,000 (remaining balance - $1,406,900). Grant budgeted in Measure A. RDA funds will be used as local match.

[6] TUMF Funds - $679,953; DIF Arterial Streets - $462,239

[7] SR2S Grant - $215,820 (remaining balance - $193,283)

[8] STPL ROW Funds - $1,350,082 - (remaining balance - $1,346,321); STPL Construction Funds - $1,770,219; Federal Demo Construction Funds - $4,500,000

[9] SR2S Grant - $210,000

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2010/2011						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
1	54150	Measure A Program Budget	Program Budget	Provide cost effective administrative functions for essential transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	438	438
2		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,270,000.	182	182
3	New	Crack Seal (Slurry Seal)	Program Budget	Facilities pavement rehabilitation work and crack sealing as needed to prepare for the next slurry seal cycle.	50	50
4	New	City-Wide Traffic Signals	Program Budget	Maintain the City's traffic signal system. Inspect construction of new signals and interconnects.	695	695
5	New	City-Wide Concrete Maintenance	Program Budget	Ensure the safety and convenience of pedestrians using City sidewalks and ensure the proper drainage of City streets by keeping all City sidewalks, curbs, gutters and cross-gutters in good repair.	240	240
6	New	City-Wide Sign and Striping	Program Budget	Maintain City traffic control devices including signs, legends, striping and pavement markings.	812	812
7	New	City-Wide Transportation Operations	Program Budget	Review and mitigate collisions and provide for the safe and efficient operation of the City's transportation system.	120	120
8	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000/each completed by City maintenance staff .	202	202
8	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Traffic Signal	Project completed February 2010. Carryover funds are for a one-year warranty period.	9	9
9	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	460	460
10	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed. Carryover funds are for a one-year warranty period.	2	2
11	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
12	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Complete design. Estimated construction date: November 2011.	498	498
13	66729	Heacock Street South Extension	Street Improvements	Complete alignment and traffic study.	20	20
14	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Construction: October 2010 to December 2011	2,609 [1]	299
15	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Construction: January 2011 to July 2011.	242	242

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 2 of 6
Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2010/2011						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
16	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed July 2009. Carryover funds are for a one-year warranty period.	23 [2]	13
17	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Park	Project completed October 2009. Carryover funds are for a one-year warranty period.	5	5
18	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100	100
19	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Street Improvements	Construction: May 2010 to July 2010.	100 [3]	10
20	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	50	50
21	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
22	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	1,488	388
23	89720	SR-60/Nason St. Interchange	Street Improvements	Design, utility relocation, right of way and construction. Construction: June 2010 to May 2011	12,409 [4]	1,710
24	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Street Improvements	Construction October 2010 to November 2010.	232 [5]	22
25	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal		20	20
				FY 2010/2011 Total	**21,326** *	**6,907** *

* Includes FY 09/10 carryover funds.

[1] HBRRP Funds - $360,000 for design (remaining balance - $78,983); $2,230,956 construction funding

[2] DIF Arterial Streets - $10,000

[3] SR2S Grant - $215,820 (remaining balance - $90,000)

[4] STPL Construction Funds - $4,737,219; Federal Demo Construction Funds - $4,500,000; DIF Interchange Improvements - $1,740,000

[5] SR2S Grant - $210,000

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 3 of 6
Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2011/2012						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
26	54150	Measure A Program Budget	Program Budget	On-going annual program.	442	442
27		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,325,000.	186	186
28	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
29	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Construction: November 2011 to May 2012.	1,027	1,027
30	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100	100
31	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
32	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
33	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal	Construction	175	175
			FY 2011/2012 Total	**FY 2011/2012 Total**	**2,325 ***	**2,325 ***

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00052498

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 4 of 6
Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2012/2013						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
34	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
35		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,394,000.	192	192
36	56339	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,420 [6]	170
37	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
38	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median		470	470
39	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
40	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	492	492
41	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
42	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2012/2013 Total	**3,644**	**2,394**

[6] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00052499

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 5 of 6
Prepared by: Linda Wilson
Date: May 26, 2009

Fiscal Year 2013/2014						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
43	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
44		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,490,000.	199	199
45	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,596 [7]	346
46	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
47	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
48	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	875	875
49	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
50	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2013/2014 Total	**3,740 ***	**2,490 ***

[7] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00052500

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 6 of 6
Prepared by: Linda Wilson
Date: May 26, 2009

Fiscal Year 2014/2015						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
51	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
52		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,615,000.	209	209
53	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,586 [8]	336
54	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
55	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
56	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	1,000	1,000
57	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
58	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2014/2015 Total	**3,865 ***	**2,615 ***

[8] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MAINTENANCE OF EFFORT
CERTIFICATION STATEMENT

The undersigned hereby agrees and certifies for the City of Moreno Valley that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort base year amounts approved by the Commission at its July 8, 2009 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds.

Date: _____

_____
William Bopf
Interim City Manager

ATTEST:

_____
City Clerk

Reviewed By: _____
Steve Elam
Interim Financial & Administrative Services Director

Reviewed By: _____
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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MV00052503

CITY OF MORENO VALLEY
MOE Projection
for FY 2009-10

County of Riverside Measure "A" 1/2 Cent Sales Tax

Fund	Description	2009-10 Projected Actuals
010	53110 Public Works - Transportation Engineering	893,021
010	53310 Public Works - Traffic Signal Maintenance	674,533
010	54110 Public Works - Street Projects Engineering	9,214
121	Gas Tax Transfer from General Fund	644,153
		$2,220,921

ATTACHMENT "D"

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MV00052505

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant to the City Manager

AGENDA DATE: April 27, 2010

TITLE: Resolution Opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

BACKGROUND

The City of Moreno Valley's Electric Utility (MVU) was established in 2001 and began providing service to customers in February 2004. MVU currently provides service to more than 5,400 customers and new development in the utility's service area is conditioned to take service from MVU.

DISCUSSION

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act, would amend California's Constitution by requiring a two-thirds supermajority vote to approve the use of public funds specifically for the expansion of a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

To date, Proposition 16 is solely sponsored by the Pacific Gas and Electric Company (PG&E) which has committed to spending as much as $35 million on a campaign to get the measure approved by California voters. The initiative was originally titled the "Taxpayers Right to Vote Act," however the San Francisco Local Agency Formation Commission argued that the title was misleading and the Attorney General renamed it

to its current title. Although the initiative met the signature requirements to be placed on the June 2010 statewide ballot, the City of Moreno Valley has joined several public entities in filing a lawsuit to strike Proposition 16 from the ballot due to numerous misleading statements included in the initiative.

Agencies that are opposed to Proposition 16 include the League of California Cities, California Municipal Utilities Association, California Association of Realtors, TURN (The Utility Reform Network), Sacramento Municipal Utility District, and numerous cities and utilities. The Moreno Valley Chamber of Commerce has adopted an "oppose" position for the measure. In addition to PG&E, Proposition 16 is supported by the California Chamber of Commerce and the California Taxpayers' Association.

Note: Elected officials and employees of public agencies are prohibited from using public funds or resources to support or oppose ballot initiatives. However, the City and staff are allowed to educate the public on initiatives and public agencies may take an official position on an initiative during an open meeting.

FISCAL IMPACT

Proposition 16 would impact the Moreno Valley Electric Utility because the supermajority vote requirement would make it virtually impossible for the utility to grow. The measure would also result in additional costs to MVU because each time the utility wanted to expand its distribution system, it would require an election.

CITY COUNCIL GOALS

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

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

SUMMARY

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers," would amend California's Constitution by requiring a two-thirds supermajority vote to create or expand a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

ATTACHMENTS

Attachment: Resolution No. 2010-27

Prepared By:
Michelle Dawson
Assistant to the City Manager

Department Head Approval:
Rick C. Hartmann
Interim Assistant City Manager

Concurred By:
George Hanson
Electric Utility Division Manager

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

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MV00052509

CITY OF MORENO VALLEY
RESOLUTION NO. 2010-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS" MEASURE

WHEREAS, the City of Moreno Valley owns and operates a municipal electric utility known as the Moreno Valley Utility; and

WHEREAS, Moreno Valley Utility provides safe and reliable electricity to its residents and businesses; and

WHEREAS, Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" has qualified for the June 8, 2010 statewide ballot; and

WHEREAS, the initiative would require a public electricity provider to obtain a two-thirds voter majority of both the voters in the existing territory and the voters in any proposed expanded territory any time prior to expending funds for expansion or construction of facilities outside current boundaries or to establish service within existing boundaries; and

WHEREAS, Proposition 16 would limit the Moreno Valley Utility's ability to expand its electric service territory while adding significant taxpayer-funded costs for special elections; and

WHEREAS, Proposition 16 is an infringement on local control as cities and their municipal utilities work to provide the best service possible for their constituents.

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

The City Council of the City of Moreno Valley formally opposes Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Act.

APPROVED AND ADOPTED this 27th day of April, 2010.

Signed:

_____
Mayor
City of Moreno Valley

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MV00052511

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: TRACT 31319 – PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE

DEVELOPER – BELLA VISTA MORENO VALLEY LLC
7177 BROCKTON AVENUE, SUITE 215
RIVERSIDE, CA 92506

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system.

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 4, 2003, the Community and Economic Development Department of the City of Moreno Valley approved Tentative Tract Map 31319. The tentative tract map is a proposal to subdivide 31 lots.

On May 23, 2006, the City Council approved Tract Map 31319 and accepted the Agreement for Public Improvements and security for the project. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,017,000 and a Material & Labor Bond in the amount of $508,500 issued by Western Insurance Company. Bella Vista Moreno Valley LLC has requested a partial reduction to the Faithful Performance security for the public improvements that have been completed.

The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, storm drain, water, and sewer. These public improvements received ongoing inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The punch list work remaining to be completed includes but is not limited to: final asphalt concrete pavement cap, final adjustment to grade for manholes and water valves, installation of sidewalk, driveway approaches, wheelchair ramps, mail boxes, monuments, and water meters.

As stated in the Subdivision Map Act (SMA), the City is able to retain an additional amount of security up to 200 percent of the cost estimate of the remaining work, (Section 66499.7.d), but in this case the City has determined that the hard and soft cost contingency should be a total of 65 percent. The City will also retain the appropriate amount for warranty purposes, and potential legal costs in addition to the amount estimated for the work remaining to be completed.

Partial reductions will only be considered when the remaining work does not exceed 20 percent of the total work required (SMA Section 66499.7.d). Lastly, a partial reduction does not necessarily deem the improvements accepted into the City's maintained street system unless noted in the recommended actions of this staff report. Therefore, the developer must continue to maintain the improvements until such time as the City accepts the improvements into the City's maintained street system (SMA Section 66499.7.d).

DISCUSSION

Public Works, Land Development staff has identified that $614,469 worth of public improvements have been completed in accordance with the approved plans and the standards of the City of Moreno Valley. It is therefore appropriate to accept those improvements as complete and to provide a partial reduction of $614,469 to the Faithful Performance security. Ninety days after the partial Faithful Performance security reduction, the portion of the Material and Labor security associated with the completed improvements will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The portion of the 10% Faithful Performance security associated with the completed improvements will be held for the

one-year guarantee and warranty period. At the end of the guarantee and warranty period, the security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

The remaining Faithful Performance Security, remaining Material and Labor bond, final warranty portion of the Faithful Performance bond and the remaining security held for hard cost contingency, soft cost contingency, and potential legal costs will be eligible for reduction once the project is 100% complete and is accepted by City Council. At that time the City will take over the maintenance of the project.

ALTERNATIVES

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

2. Do not accept the partial Public Improvements, as complete, but not into the City's maintained street system. Do not authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Faithful Performance Partial Bond Reduction Breakdown

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 Tract 31319 - Partial Security Reduction - Not Accepting Streets.doc

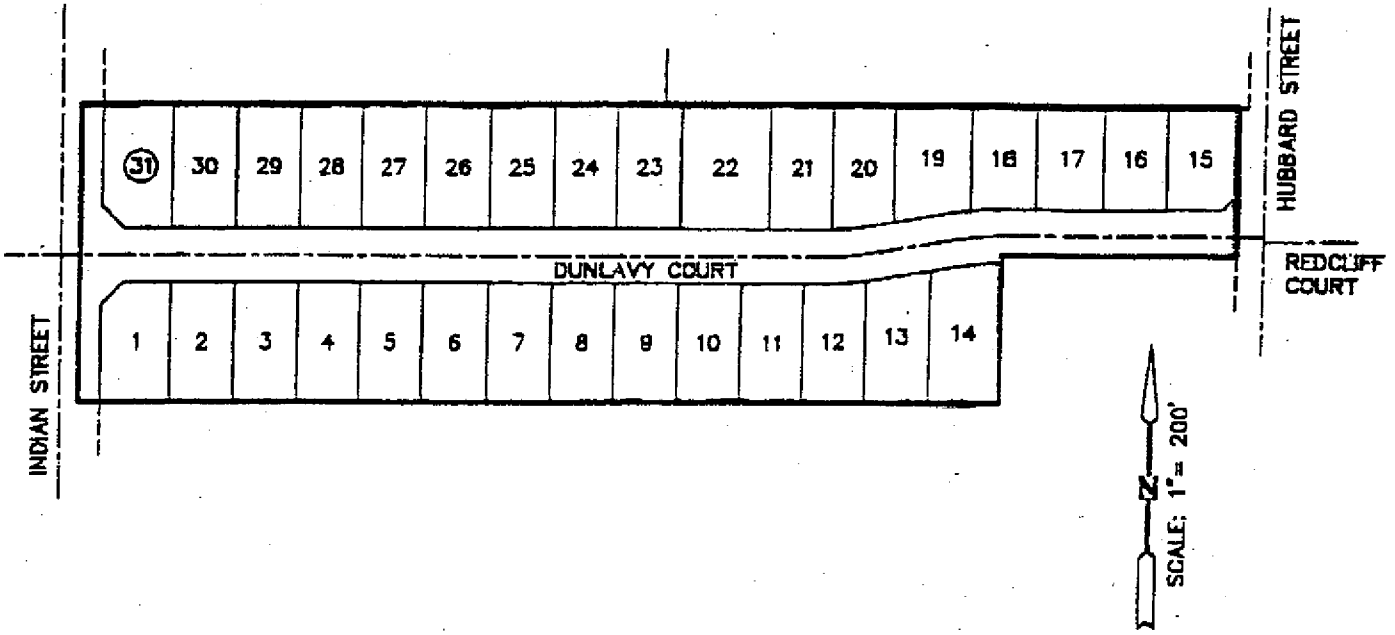

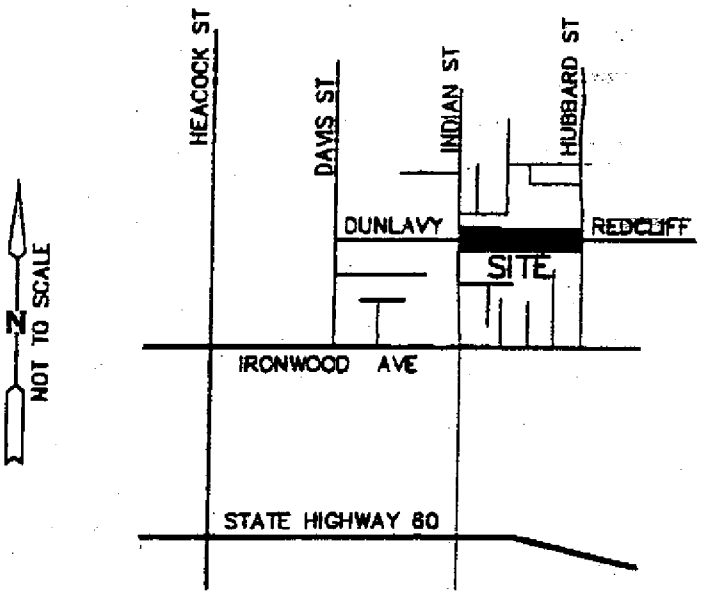

VICINITY MAP – NO SCALE

THOMAS BROS. PG. 717
COORD. F-1 (2005)

CITY OF MORENO VALLEY PUBLIC WORKS – LAND DEVELOPMENT	PROJECT NO. TR. 31319

EXHIBIT "A"

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MV00052517

Tract 31319 - Faithful Performance Partial Bond Reduction Breakdown

AC Cap	$33,312
Slurry Seal (Based on Type II)	$5,741
R&R Curb and Gutter	$2,400
4" Thick Concrete Sidewalk per M.V. Std. No 210	$4,950
Driveway Approach - 6"	$4,557
Erosion Control	$5,000
Service Connections and Clean-outs	$4,750
Water Meters	$400
Sub-total	$61,110
Hard Cost Contingency (20%)	$12,222
Soft Cost Contingency (45%)	$27,500
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$101,700
Total	**$402,532**
Original bond amount	$1,017,000
Amount Being Retained	$402,532
Amount Being Reduced	**$614,469**

Notes:

The following requirements will need to be met prior to processing the partial bond reduction: payment of the Partial Bond Reduction Fee, payment of any outstanding inspection, plan check fees, submittal of ADP fee receipt, and an active business license with the City of Moreno Valley.

There will be requirements that must be met prior to the bond reduction at 100% completion. They may include, but are not limited to: additional payment of the Partial Bond Reduction Fee, EMWD Clearance, submittal of center line street ties, submittal of letter from engineer/surveyor stating they have been paid for their services associated with the center line street ties, clearance from Parks & Community Services, payment of any outstanding fees, etc.

This partial bond reduction will not include acceptance of any streets associated with the project into the City's street maintained system and therefore the maintenance of the streets will remain the responsibility of the developer until such time as the City recognizes the streets are complete per City standard and accepted into the City's street maintained system via City Council approval.

3/18/10

Mark W. Sambito, P.E.
Land Development - Engineering Division Manager

Developer - Print Name

3/22/10

Developer Signature Date

SIGN, DATE AND RETURN TO THE LAND DEVELOPMENT DIVISION, FAX (951) 413.3158.

EXHIBIT "B"

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MV00052519

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00052521

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – TOWNGATE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a.) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b.) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On October 1, 2008, the Special Districts Division of the Public Works Department received valid proposals from seven landscape contracting firms in response to its Request for Proposals for the subject project. On December 9, 2008, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of parkways and medians of the Towngate Specific Plan to Spectrum Care Landscape & Irrigation Management, Inc., Foothill Ranch, California. The contract amount for the initial twelve-month term was $157,615.00 ($148,000.00 for Base Service; $9,615.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the first of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Spectrum Care Landscape & Irrigation Management, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Services, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Spectrum Care Landscape & Irrigation Management, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to

Spectrum Care Landscape & Irrigation Management, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Towngate Specific Plan.

2. **Do not approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Towngate Specific Plan.

FISCAL IMPACT

The sum of $125,946.76 will be encumbered in Account 00182.78220.6261 and $22,053.24 will be encumbered in Account 00182.78281.6261 by open purchase order. Upon staff approval monthly disbursements of $12,333.33 to pay for base services will be made to Spectrum Care Landscape & Irrigation Management, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $5,900.00 in Account 00182.78220.6261 and $1.000.00 in Account 00182.78281.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Spectrum Care Landscape & Irrigation Management, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $154,900.00. The above amounts have been budgeted for Zone E-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Towngate Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Spectrum Care Landscape & Irrigation Management, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Spectrum Care Landscape & Irrigation Management, Inc for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-1/09 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-1 • Towngate

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Median

Landscaped Parkway

Zone E-1 Parcels

ATTACHMENT 1

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E1_8.5x11.mxd
November 29, 2007

MORENO VALLEY

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MV00052527

EXTENSION AGREEMENT
PROJECT NO. E-1/09– TOWNGATE
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **SPECTRUM CARE LANDSCAPE AND IRRIGATION, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated FEBRUARY 27, 2009, referencing Project No. E-1/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **TWELVE THOUSAND THREE HUNDRED THIRTY-THREE AND 00/100 DOLLARS ($12.333.33)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo.** .

    b. Additional parkway areas, turf (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.025/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California, and;

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a.) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b.) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 17, 2008, the Special Districts Division of the Public Works Department received proposals submitted by seven landscape contracting firms in response to its Request for Proposals for the subject project. On November 25, 2008, upon the recommendation of staff, the MVCSD Board awarded the contract for landscape maintenance of Hidden Springs parkways and paseos to Tropical Plaza Nursery, Inc., Villa Park, California. The contract amount for the initial term was $218,900.00 ($188,400.00 for Base Service; $30,500.00 for estimated Additional Work).

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Tropical Plaza Nursery, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Tropical Plaza Nursery, Inc. for another year.

ALTERNATIVES

1. **Approve the Amendment to the Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to Tropical Plaza Nursery, Inc., at the start of Fiscal Year 2010/11. Extension of this contract will ensure uninterrupted landscape maintenance service is provided for the Hidden Springs parkways and paseos.

2. **Do not approve the Amendment to Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period. Choosing this alternative may disrupt the continuity of parkway and paseo landscape service for the Hidden Springs specific plan.

FISCAL IMPACT

The sum of $188,400.00 will be encumbered in Account 00182.78230.6261 by open purchase order. Upon staff approval monthly disbursements of $15,700.00 to pay for base services will be made to Tropical Plaza Nursery, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $30,900.00 in Account 00182.78230.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Tropical Plaza Nursery, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $219,300.00. The above amounts have been budgeted for Zone E-2 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. **The parcel charges collected may only be used for landscape maintenance services of parkways and paseos in the Hidden Springs specific plan.** This action will not impact the City's General Fund.

CITY COUNCIL GOALS

Community image, neighborhood pride and cleanliness
Continuing regular maintenance of MVCSD parkways and paseos in the Hidden Springs specific plan promotes community pride, ensures quality development, and enhances neighborhood preservation.

Public facilities and capital projects
Continuing maintenance of MVCSD parkways and paseos ensures that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Tropical Plaza Nursery, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-2/09 Vicinity Map

2. Copy of Extension Agreement

Prepared by: Daniel Monto
Senior Landscape Services Inspector

Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by: Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-2 • Hidden Springs

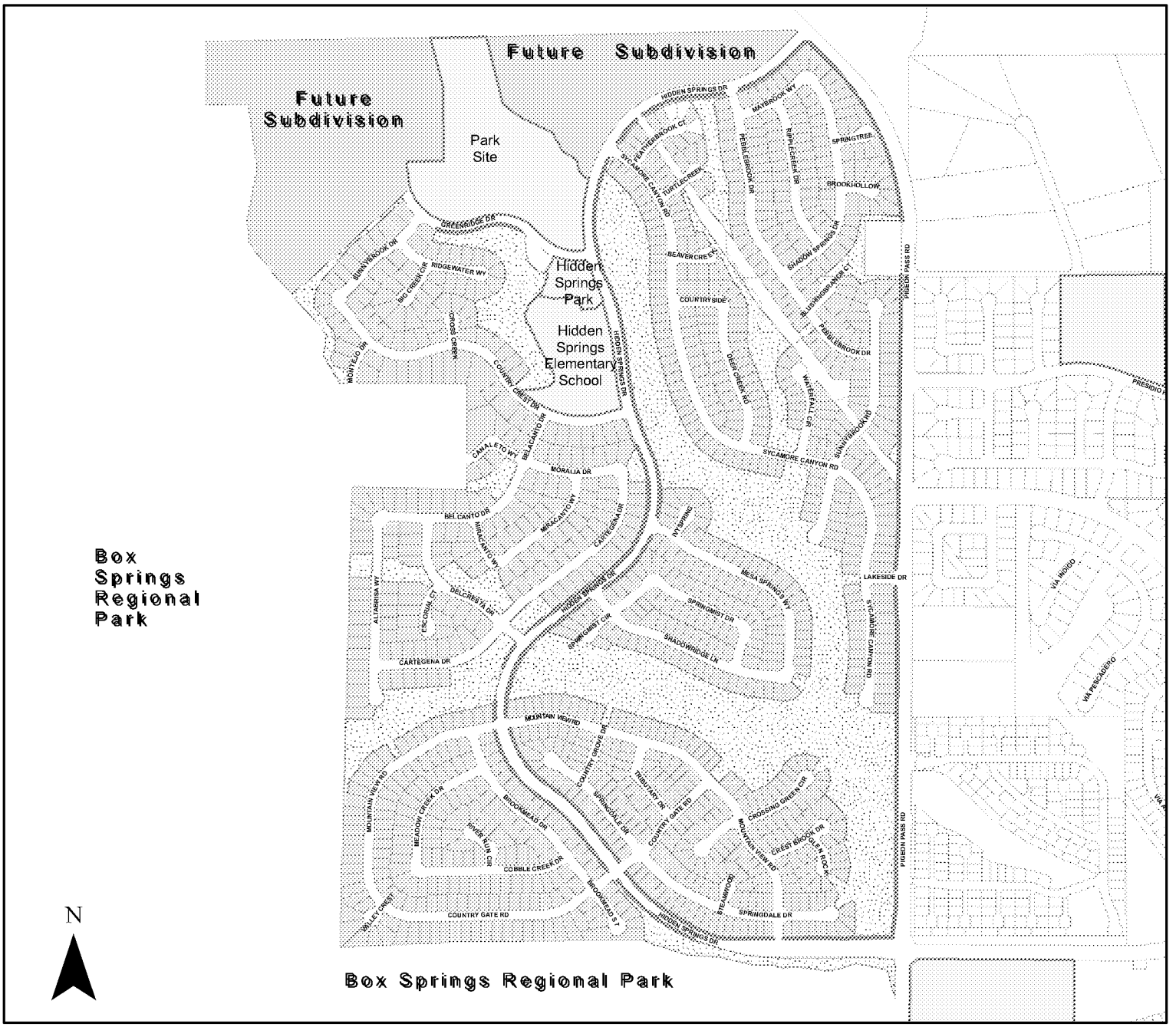

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Landscaped Open Space

Zone E-2 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E2_8.5x11.mxd
November 29, 2007

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

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MV00052535

EXTENSION AGREEMENT
PROJECT NO. E-2/09– HIDDEN SPRINGS
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Tropical Plaza Nursery, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated March 10, 2009, referencing Project No. E-2/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo.** .

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH-EAST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a.) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b.) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On March 13, 2007, the Special Districts Division of the Public Works Department received valid proposals from three landscape contracting firms in response to its Request for Proposals for the subject project. On May 22, 2007, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of Moreno Valley Ranch-East parkways and medians to Bemus Landscape, Inc., San Clemente, California. The contract amount for the initial twelve-month term was $196,378.00 ($183,000.00 for Base Service; $13,378.00 for estimated Additional Work). The Contractor was awarded a one-year extension on May 27, 2008. The amount of the contract extension totaled $203,700.00 ($190,320.00 for Base Service; $13,380.00 for estimated Additional Work). The Contractor was awarded a second one-year extension on June 9, 2009. The amount of the contract extension totaled $203,700.00 ($192,223.20 for Base Service; $13,715.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the third of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Bemus Landscape, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Bemus Landscape, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base

Service and estimated Additional Work to Bemus Landscape, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Moreno Valley Ranch-East parkways and medians.

2. **Do not approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Moreno Valley Ranch Specific Plan.

FISCAL IMPACT

The sum of $187,810.10 will be encumbered in Account 00182.78250.6261 and $4,413.10 will be encumbered in Account 00182.78282.6261 by open purchase order. Upon staff approval monthly disbursements of $16,018.60 to pay for base services will be made to Bemus Landscape, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $15,000.00 in Account 00182.78250.6261 and $700.00 in Account 00182.78282.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Bemus Landscape, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $207,923.20. The above amounts have been budgeted for Zone E-4 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the eastern portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Bemus Landscape, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-4/07 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4 • Moreno Valley Ranch - East

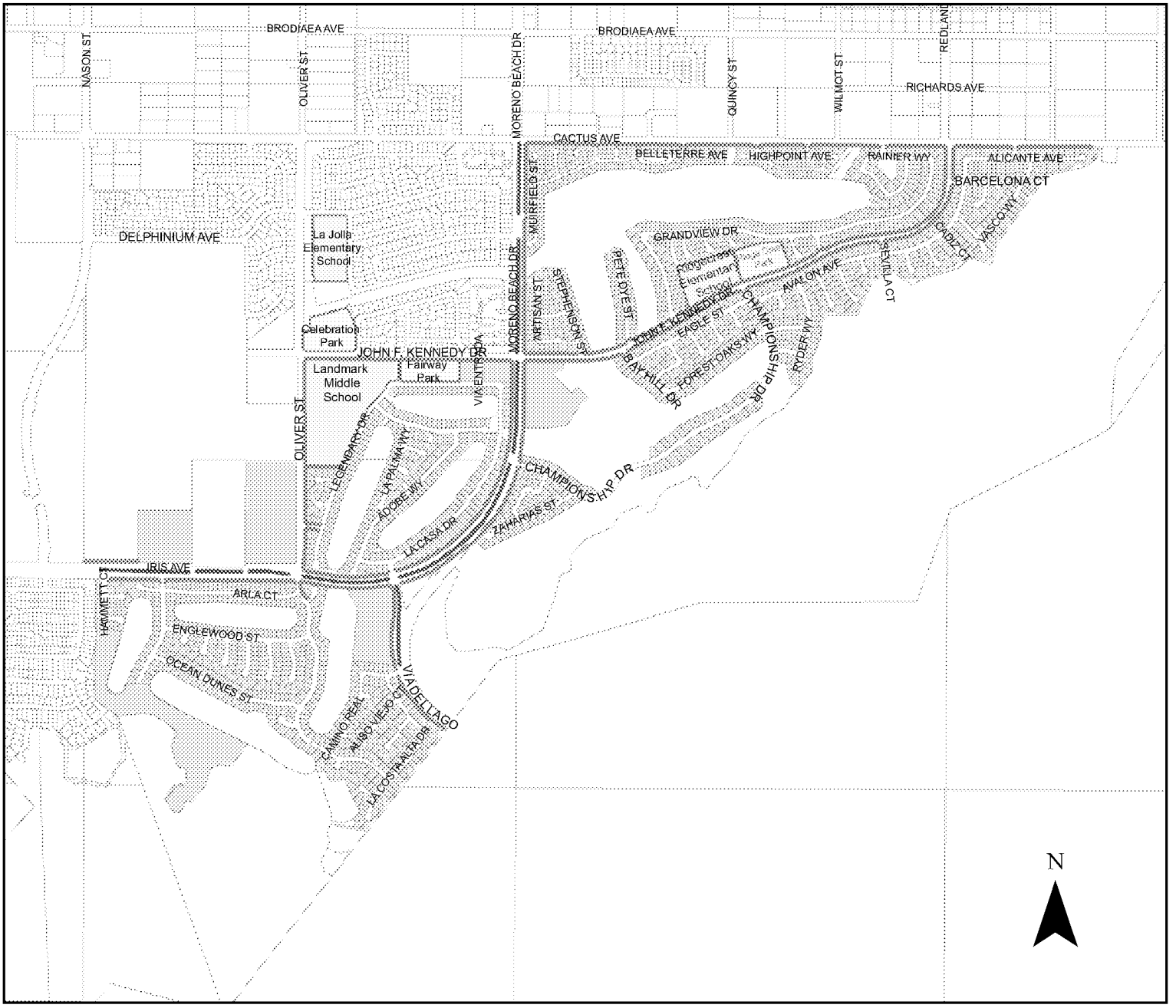

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Landscaped Parkway

Landscaped Median

Zone E-4 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E4_8.5x11.mxd
October 12, 2009

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

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MV00052543

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4A • Daybreak - Internal Landscape Maintenance

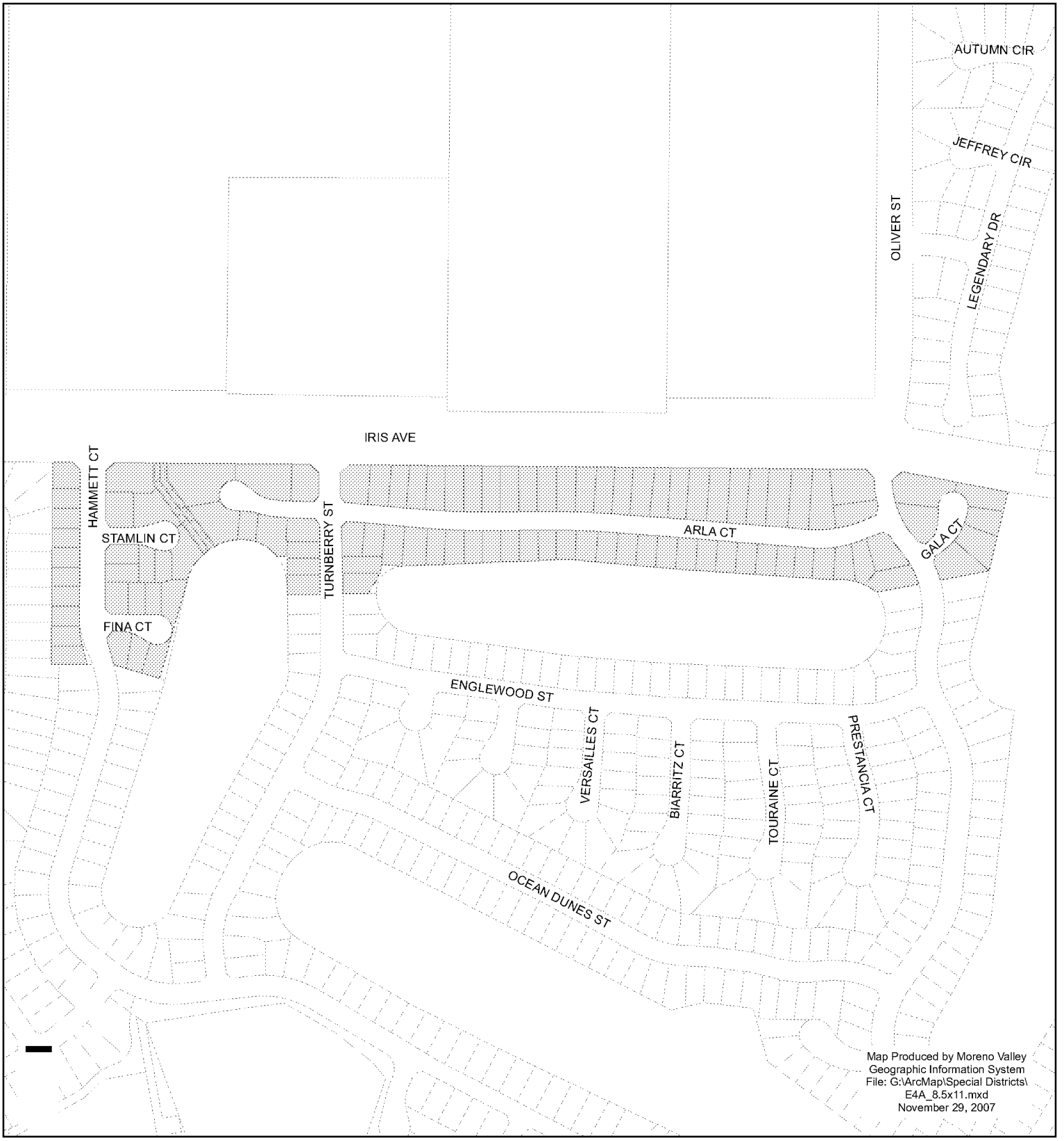

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Landscaped Open Space

Zone E-4A Parcels

MORENO VALLEY WATER

Item No. B.5

MV00052544

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MV00052545

EXTENSION AGREEMENT
PROJECT NO. E-4/07
MORENO VALLEY RANCH - EAST
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Bemus Landscape, Inc.,** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated May 24, 2007, referencing Project No. E-4/07 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the third and final extension of the Agreement.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **SIXTEEN THOUSAND EIGHTEEN AND 60/100 DOLLARS ($16,018.60)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20)**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, turf (trees up to 18-feet height, as applicable). **$0.0182/ sq. ft. / mo**.

    b. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.0131/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare, and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

    a. ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

    b. TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project DSG-1/10 were placed in The Press-Enterprise on December 14, 2009 and December 28, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from eighteen (18) landscape maintenance firms attended the mandatory pre-submittal meeting on January 6, 2010. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on January 14, 2010 by thirteen (13) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 12% more compensation than the second ranked contractor, TruGreen Landcare, while proposing to provide 10% less man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with TruGreen Landcare.

The Branch Manager for TruGreen Landcare and management staff reviewed his firm's proposal on February 4, 2010. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the DSG-1E, DSG-2 and M areas of the MVCSD, staff determined that a recommendation to award the DSG-1/10 contract to TruGreen Landcare would be in the best interests of the MVCSD and the property owners in Zone DSG-1.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 14 acres of parkway and median landscaping and irrigation located in the DSG-1 Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from TruGreen Landcare, as being in the best interests of the MVCSD and DSG-1 property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. TruGreen Landcare's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the DSG-1 parkway and median landscape areas.*

2. **Do not accept the proposal** from TruGreen Landcare, and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00181.78110.6261	$177,958.60
Additional Work	
00181.78110.6261	$ 21,700.00
Total P.O. Amounts	**$199,658.60**

The above amounts have been budgeted for Zone DSG-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Tracts of Zone DSG-1. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of TruGreen Landcare, the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project DSG-1/10, authorize the Board President to execute the Agreement with TruGreen Landcare, and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to TruGreen Landcare for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones DSG-1 Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

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MV00052553

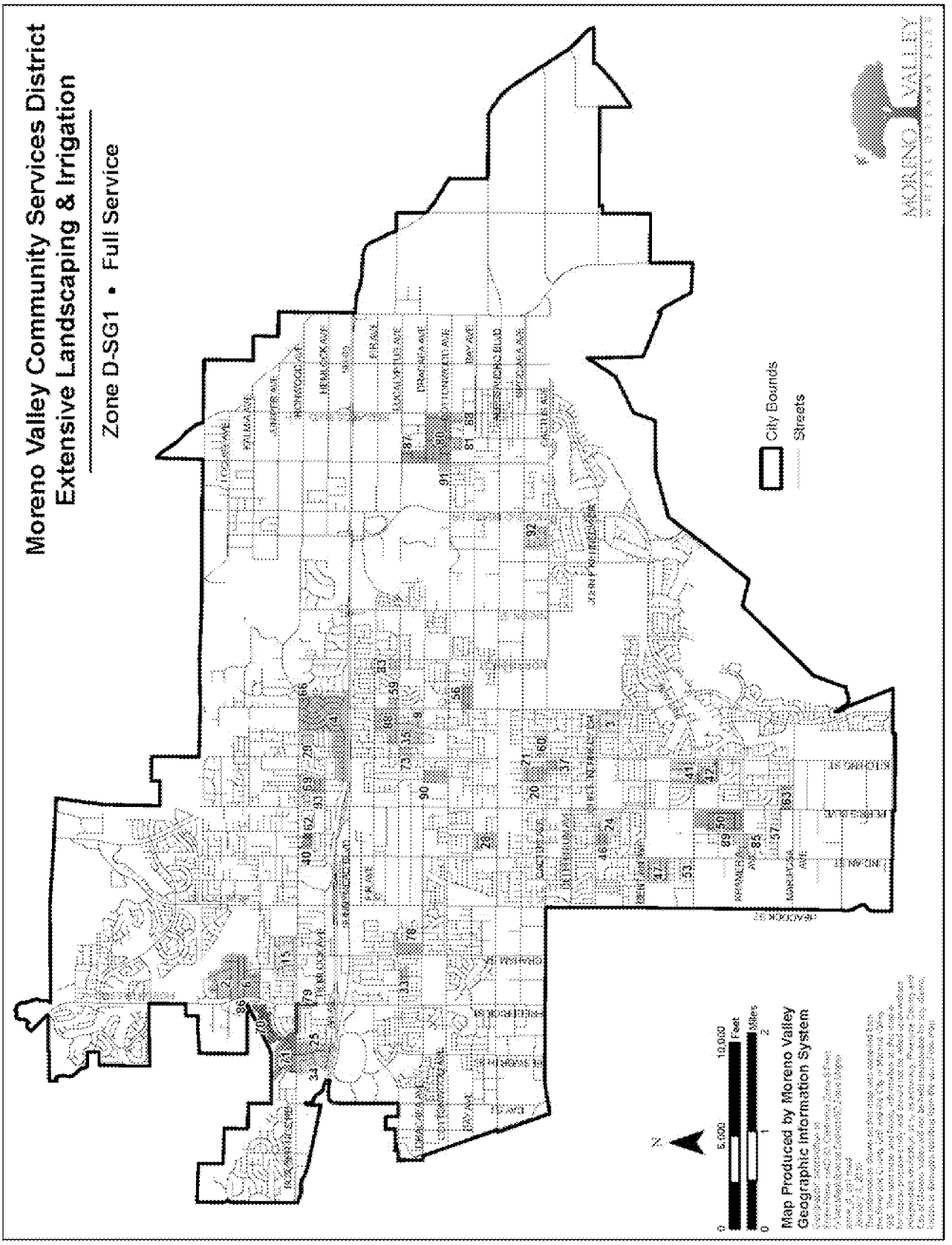

ATTACHMENT 1

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MV00052555

PROJECT DSG-1/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	MARINA	TRUGREEN	EXCEL	GREEN IT UP	MARIPOSA	AGAVE	MIDORI	SPECTRUM	BEMUS	DWORSKY	TROPICAL	MERCHANTS
Dan Monto	84.5	85	83.5	85	75.5	75	74.5	80	79	83	78.5	68.5
Ralph Scharfenberg	84.5	77	86.5	85.5	76.5	71	70.5	77	77.5	84.5	81.5	73
Edgar Marquez	83	87	84	82	75.5	69	68	80	80	81	77	72.5
SCHEDULE I TOTAL	**252**	**249**	**254**	**252.5**	**227.5**	**215**	**213**	**237**	**236.5**	**248.5**	**237**	**214**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	GREEN IT UP
Dan Monto	79.5	84.5	82	81
Ralph Scharfenberg	79.5	77.5	85.5	81.5
Edgar Marquez	78.5	81	82	73
SCHEDULE II TOTAL	237.5	243	249.5	235.5
GRAND TOTAL (Schedule I + Schedule II)	489.5	492	503.5	488

ATTACHMENT 2

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MV00052557

Moreno Valley Community Services District
R.F.P. # DSG-1/10

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: TruGreen Landcare
Address: 1616 Marlborough Ave. Bld. S
City: Riverside, Ca 92507
Business Phone: 951-688-6880 Fax No.: 951-686-1436
Other Contact Number: _____
Social Security Number: _____
Business License Number: 07754
Federal Tax I.D. Number: 36-4313318
Contractors' License Number & Classification: 774548 C-27, C-61, D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District

acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/$2,000,000 aggregate
Property Damage	$1,000,000 per occurrence/$2,000,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued

after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

To Contractor: TruGreen Landcare
Riverside, CA 92507
951-688-6880
[Telephone number]
951-686-1436
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc., and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

    a. ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

    b. THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project E-3/10 were placed in The Press-Enterprise on November 30, 2009 and December 7, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from ten (10) landscape maintenance firms attended the mandatory pre-submittal meeting on December 9, 2009. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on December 17, 2009 by seven (7) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 22% more compensation than the second ranked contractor, Bemus Landscape, Inc., while proposing to provide only 1% more man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with Bemus Landscape, Inc.

The Operations Manager for Bemus Landscape, Inc. met with management staff on February 18, 2009 to review his firm's proposal. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the E-4 area of the MVCSD, staff determined that a recommendation to award the E-3/10 contract to Bemus Landscape, Inc. would be in the best interests of the MVCSD and the property owners in Moreno Valley Ranch-West.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 29 acres of extensive parkway and median landscaping and irrigation located in the E-3 and E-3A Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from Bemus Landscape, Inc., as being in the best interests of the MVCSD and Moreno Valley Ranch – West property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. Bemus Landscape's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the Moreno Valley Ranch-West parkway and median landscape areas.*

2. **Do not accept the proposal** from Bemus Landscape, Inc., and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00182.78240.6261	$127,500.00
00182.78283.6261	$ 12,000.00
Additional Work	
00182.78240.6261	$ 10,245.00
00182.78283.6261	$ 3,000.00
Total P.O. Amounts	**$152,745.00**

The above amounts have been budgeted for Zone E-3 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the western portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project E-3/10, authorize the Board President to execute the Agreement with Bemus Landscape, Inc., and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to Bemus Landscape, Inc. for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones E-3 and E-3A Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

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MV00052571

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3 • Moreno Valley Ranch - West

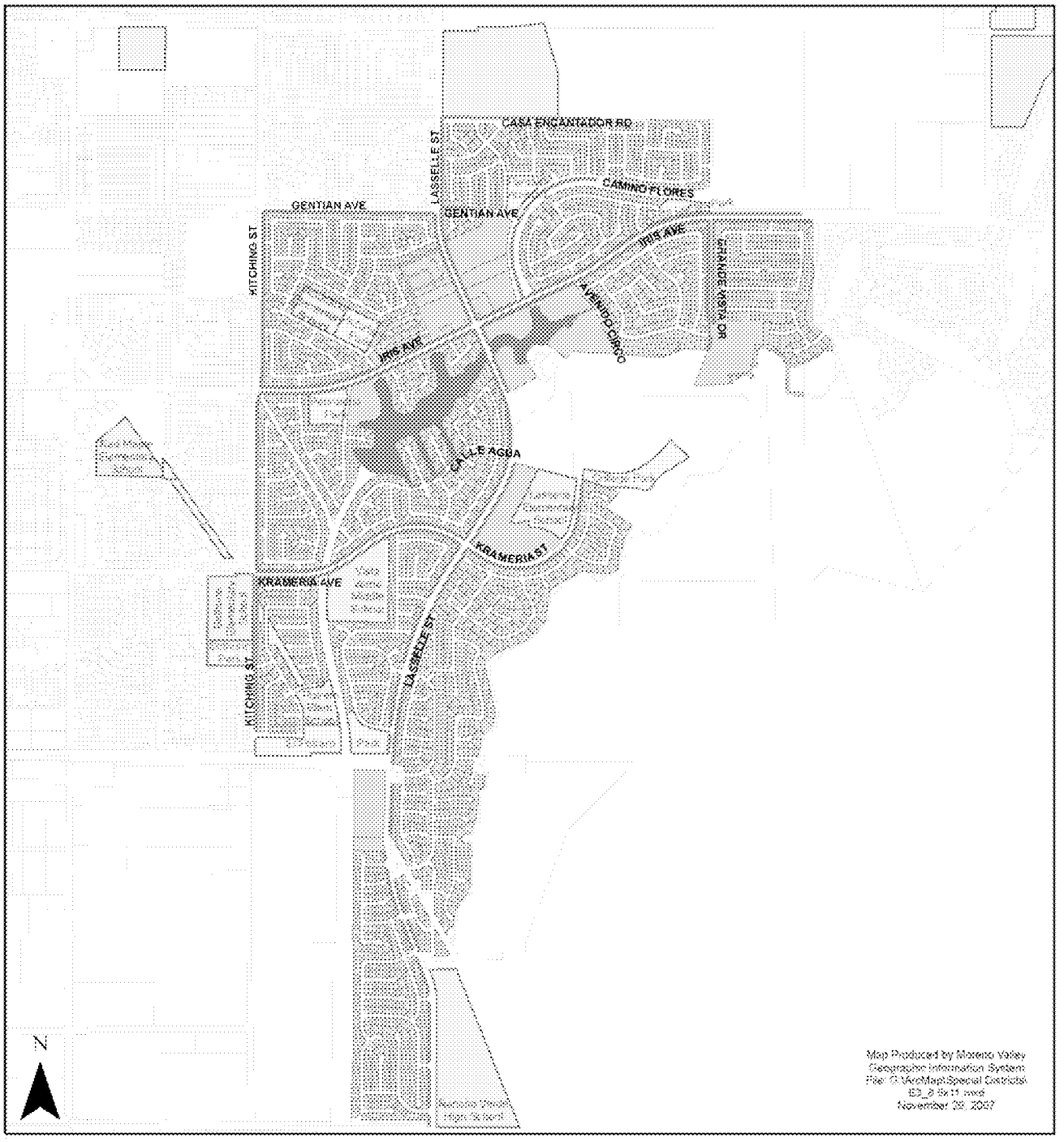

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

Landscaped Parkway

Zone E-3 Parcels

MORENO VALLEY

ATTACHMENT 1

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MV00052573

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3A • Lasselle Powerline Parkway

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Zone E-3A Parcels

MORENO VALLEY WATER

Item No. B.7

MV00052574

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MV00052575

PROJECT E-3/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	**MARINA**	**TRUGREEN**	**EXCEL**	**BEMUS**	**MARIPOSA**	**AGAVE**	**MIDORI**
Dan Monto	76	80	90	76	75	46.5	71
Bob Florez	81	79.5	87.5	86	76.5	48	73
Tony Silvas	82	75.5	84	74	79	39	66
SCHEDULE I TOTAL	**239**	**235**	**261.5**	**236**	**230.5**	**133.5**	**210**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	BEMUS
Dan Monto	70	78	89	76
Bob Florez	76	79	87	85
Tony Silvas	77	75	83	75
SCHEDULE II TOTAL	223	232	259	236
GRAND TOTAL (Schedule I + Schedule II)	462	467	520.5	472

ATTACHMENT 2

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MV00052577

Moreno Valley Community Services District
R.F.P. # E-3/10
Moreno Valley Ranch-West

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Bemus Landscape Inc.
Address: P.O. Box 74268
City: San Clemente State: CA Zip: 92571
Business Phone: 888-557-7910 Fax No.: 888-557-7911
Other Contact Number: _____
Social Security Number: _____
Business License Number: 00797
Federal Tax I.D. Number: 33-0157191
Contractors' License Number & Classification: 492084 C-27/ A / D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District acknowledges that it will not unreasonably withhold approval of the

Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury $1,000,000 per occurrence/$2,000,000 aggregate
Property Damage $1,000,000 per occurrence/$2,000,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully

comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or

registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

To Contractor: Bemus Landscape, Inc.
P.O. Box 74268
[Post Office Box, if applicable]
San Clemente, CA 92571
888-557-7911
[Telephone number]

888-557-7911
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

ATTACHMENT 3
8

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00052587

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 27, 2010

TITLE: RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUNDS (SERAF) PAYMENT

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley.

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010.

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Payment).

3. Authorize the Financial & Administrative Services Department (FASD) to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

BACKGROUND

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. Redevelopment agencies are collectively mandated to place $1.7 billion in the SERAF in fiscal year 2009-2010. Each redevelopment agency must allocate the specified amount to the County Auditor-Controller to be deposited into

the SERAF on or before May 10, 2010. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237.

Since 1992, the Legislature has required redevelopment agencies to make pass through payments to the Educational Revenue Augmentation Fund (ERAF). The RDA has made ERAF payments seven times, in 1992-1993, 1993-1994, 1994-1995, 2002-2003, 2003-2004, 2004-2005, and 2005-2006, for a total of $3,316,892.

DISCUSSION

Redevelopment agencies in California are required to shift $1.7 billion in tax increment revenues to K-12 schools during the 2009-2010 fiscal year via the SERAF. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237. On February, 16, 2010, the RDA notified Riverside County Auditor-Controller that it intends to fund its SERAF obligation, via wire transfer on May 10, 2010, pursuant to Section 33692 of the Health and Safety Code.

At the time the RDA Board approved the RDA's fiscal year 2009-2010 budget in July, 2009, the final SERAF shift amount was unknown. In November 2009, staff was notified by the California Department of Finance that the RDA's SERAF obligation for fiscal year 2009-2010 was $5,258,237.

The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court in Sacramento County, California, in the case identified as Redevelopment Association et al. v. Genest et al., Case No. 34-2009-80000359-CU-WM-GDS (CRA v. Genest). This case considers, among other things:

- Whether the duties of county auditors to deposit funds received from redevelopment agencies in each county's SERAF are inconsistent with various State and federal constitutional provisions, are unlawful under the Health and Safety Code, and therefore are unenforceable,
- Whether the State's take of funds would provide any benefit to schools,
- Whether the take of funds is a valid use of redevelopment funds under Article XVI, Section 16 of the State constitution, and
- Whether the State's action violates Proposition 13 (1978) and Proposition 1A (2004).

The judge may issue a decision on the case in favor of redevelopment agencies before the May 10 deadline for transmitting the SERAF payments. However, there is no certainty as to how long the court proceeding might last or if the judge will invalidate the SERAF payments, and therefore, staff recommends that the RDA Board approve the proposed Budget Appropriation Adjustment to fund the state-mandated SERAF payment.

ALTERNATIVES

1. Approve state-mandated shift of tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds

(SERAF) for the 2009-2010 fiscal year; appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance), and authorize the FASD staff to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff recommends this alternative.* This alternative will ensure the RDA's compliance with State laws, pending the outcome of the current litigation.

2. Decline to approve state-mandated shift of RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for the 2009-2010 fiscal year; or appropriate the funds, and to direct the FASD staff not to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff does not recommend this alternative*. This alternative will result in noncompliance with State laws and the possible withholding of future tax increment revenues or property tax revenues, by the County, to meet this obligation.

FISCAL IMPACT

The recommended actions to shift RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) will pose no fiscal impact to the General Fund. If approved, $5,258,237 will be appropriate from the RDA Tax Increment Fund (Fund 895 fund balance) to account number 895.91510.6723.728 (RDA SERAF Payment).

From	To	Amount
895 Fund Balance	895.91510.6723.728	$5,258,237

Under state law, the RDA Tax Increment funds are restricted for uses in RDA related activities and operations, and can not be used to fund general government operations.

SUMMARY

In June 2009, the State legislators and the Governor approved budget bill ABX4 that required redevelopment agencies to shift $1.7 billion of redevelopment funds to a Supplemental Educational Revenue Augmentation Funds in FY 2009-2010. The RDA's share of the SERAF is $5,258,237. The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court. To ensure compliance with state laws, pending the outcome of the litigation, staff is requesting an approval of state-mandated shift of tax increment revenues by appropriate $5,258,237 from RDA's fund balance to be deposited in the Riverside County Auditor-Controller's SERAF on May 10, 2010.

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00052593

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a 25% mark-up for non-residents, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 1, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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MV00052603

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 1, 2010.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: April 27, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: April 27, 2010

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
~~Nuisance Abatement Administrative Fee~~ [Moved to Section 5 - Fire]			
~~Level 1 (4 hrs or less)~~	~~Each~~	~~$ 240.00~~	
~~Level 2 (more than 4 hrs)~~	~~Hourly~~	~~$ 89.00~~	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$ 2,828.00	
Agreement	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential		$ 486.00	
Non-Residential		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent		100% of original fee	
Land Development Grading Revision/4th and Subsequent Reviews		$71 per sheet	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 203.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

	Unit	Fee	
Plot Plan			
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~	
		$140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

	Unit	Fee	
Planning			
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00 +	
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance		$ 2,618.00	Plus applicable notice and posting fees
Administrative Variance		$ 474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
*Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Animal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Animal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
H&S 122125- 122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moreno-valley.ca.us/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moreno-valley.ca.us/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

enewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

ecords Request	Unit	Fee	
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

Section 5 - Fire

Other Fees (Cont)	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing/Photocopying (black & white)	per Page	$ 0.20
Copies		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25
Lost Materials	per Item	Actual Cost

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 25%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee **	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth Sports				
Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball #	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Activities and Programs				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Classes				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Special Events				
Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee				
Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial)	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit)	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit)	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest*				

* Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)		
On-Line Registration has no applicable category association.		
Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 25%.

Athletic Field Reservation

Facilities have no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups and Unorganized Group Play per field	N/A	Per Hour	$	5.00
~~Unorganized~~ Adult & Youth Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use – Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use – Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

Facilities have no applicable category association.

~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar				
Facilities have no applicable category association.				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
Facilities have no applicable category association.				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
Facilities have no applicable category association.				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~25.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
Facilities have no applicable category association.				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association.				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Golf Course

This program has no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitchen	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

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Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 2 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, ~~government agencies (federal, state, county and educational institutions)~~. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
3		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
4		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 $200.00 - $1,500.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependant on Event Liability)			$*
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include: Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE/FACILITY USE FEES

Service/Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

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Section 8 - Police

Exhibit "A"

	Unit	Fee	
BC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

Exhibit "A"

	Unit	Fee	
econd Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 261.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the Moreno Valley Electric Rates document. Both documents are available online at http://www.ci.moreno-valley.ca.us/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

Deposit, which will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

LEGAL AND OTHER DOCUMENTS

~~Initial~~ Fee Includes Three (3) Reviews, Unless Otherwise Noted

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum fee)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,0001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~Or as directed by the City Engineer. Not to exceed total City cost.~~ Amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

	Unit	Fee	
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee
STOCKPILE/BORROW SITE PLAN		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
0-5,000CY *		$ 584.00 *
5,001-100,000 CY *		$ 1,009.00 *
> 100,000 CY		$ 1,401.00
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00
Revisions (Stockpile/Borrow Plans)		
Minor	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.
PRECISE GRADING PLAN CHECK		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Subdivisions and Custom Homes Plus	Each	$ 1,837.00 +
	per Lot	$ 70.00
Non Subdivisions		
On-site Improvement Plan Check Fee		
0-5,000CY		$ 1,838.00
5,001-100,000 CY Plus		$ 1,838.00 +
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00
> 100,000 CY Plus		$ 7,234.00 +
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping ~~(Landscape Drawings)~~ ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
Meeting and Teleconferences	~~per Hour~~ Each		$ 206.00		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	~~per Hour~~ Each	$ 250.00
Subsequent Teleconferences	~~per Hour~~ Each	$ 150.00

OTHER PLAN CHECK FEES

~~Developer Requested Expedition of Plan, Map and Document Review~~	~~Regular plan, map and document review fee + 25%~~

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,714.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,221.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
> $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~196.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer but not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$ 205.00
Block Party Permit Processing	Each	$ 82.00
Flood Plain Determination (Community Rating System)	per Lot	$ 20.00
Elevation Certification (Mobile Home Park)	Each	$ 155.00

Section 9 - Public Works

	Unit	Fee	
Land Development			
OTHER FEES			
Advanced Energy Fees			
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		
MISCELLANEOUS LAND DEVELOPMENT FEES			
City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
Tree Planting		
15 Gallon	Each	$ 190.00
24" Box	Each	$ 270.00
Tree Removal	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Advance Funding Agreement - Initial Deposit		$	100,000.00	
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing *				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

Section 9 - Public Works

Exhibit "A"

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under it's own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	Residential				Commercial			Office	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
ibraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
rark Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

JITS LEGEND
J = Dwelling Unit for residential development types
F = 1,000 gross square feet of building area for commercial, industrial and office development types

PLEMENTATION NOTES:

th respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

th respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the velopment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

with respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
ecommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00052695

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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MV00052697

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: April 27, 2010

TITLE: Funding alternatives and assistance for the construction of Highland Fairview's Eucalyptus Avenue street improvements utilizing the State-Local Partnership Program Grant funds.

RECOMMENDED ACTION

Staff is seeking City Council direction on the matter.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Last August, Staff met with representatives of Highland Fairview to discuss the City filing on behalf of Highland Fairview for four State-Local Partnership Program (SLPP) grant applications. The four projects were: the construction of Eucalyptus Avenue, Redlands Boulevard, and Theodore Street associated with its Highland Fairview Corporate Park (HFCP) project and Cactus Avenue associated with its AquaBella age-restricted housing project.

Highland Fairview proceeded to prepare the SLPP grant applications and filed the request for funding on August 17. Then-City Manager Robert Gutierrez signed the application packet as required by the SLPP Guidelines.

On Friday, September 25, 2009, the City received notice from the Commission and Department of Transportation, Local Assistance staff that two of Highland Fairview's proposed projects for SLPP 1B competitive grant funds were being recommended to the Commission for funding. The two SLPP applications were: Cactus Avenue Street Improvements and Eucalyptus Avenue Street Improvements. Each application requested funding in the amount of $1 million.

The California Transportation Commission took action to approve Highland Fairview's grant applications for the two projects on October 15.

Recently, representatives of Highland Fairview met with Interim City Manager William L. Bopf and Economic Development Director Barry Foster to discuss alternative funding sources to construct only one of the two street improvement projects: Eucalyptus Avenue. (The Cactus Avenue Street Improvement project has been placed on hold.) The SLPP grant process requires an agency (i.e., City of Moreno Valley) requesting funds to demonstrate evidence of matching 'qualified' fees. (The Eucalyptus Avenue improvement project is estimated to cost $6,265,915 as stated in the SLPP grant application). In order to move forward with the Project utilizing SLPP Grant funds, Staff has outlined four funding options for the City Council consideration (discussed later in the Staff Report).

DISCUSSION

Overview of SLPP Grant

By way of background, The Highway Safety, Traffic Reduction, Air Quality, and Port Act of 2006 commonly referred to as Proposition 1B, includes funds for two SLPPs. The first program is a formula program for voter-approved taxes and fees in which Measure A qualifies. The second program is a competitive grant program and is the source of Highland Fairview's request. The California Transportation Commission (CTC) will be the responsible agency in awarding funds and Caltrans will have local oversight.

A brief summary of the SLPP grant is as follows:

- The SLPP requires a local match (100%) of a uniform traffic mitigation fee up to a grant request of $1,000,000. The Countywide Transportation Uniform Mitigation fee (TUMF) and the City's Development Impact Fee (DIF) programs would qualify as matching funds.
- The City is the grant applicant in that the funds must be distributed by the City from its TUMF/DIF program. The State would reimburse the City for the improvements on a dollar-for-dollar match up to $1 million.
- The project must pay all qualified workers a prevailing wage and comply with the Public Contract Code. The City would serve as the "lead agency" for the project.
- The projects must be constructed in 2010. The SLPP Guidelines state the grant recipient may have two additional years to complete the project. (Note: The funds for the grants will derive from State of California bond proceeds which have not been sold and therefore, may permit flexibility in the 2010 construction date.)
- A request for SLPP grant funds must include the signature of the Chief Executive Officer or other authorized officer of the implementing agency in order for the application to be considered.

- The City will commit to have the available funds upon submittal of a SLPP grant proposal to CTC.

Highland Fairview's Proposed Eucalyptus Avenue Street Improvement Project
The Eucalyptus Avenue Street Improvements (the "Project") are a condition of approval of the Highland Fairview Corporate Park project approved by the City Council in February 2009. The proposed Project includes the dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for the entire one mile length. When complete, this segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way, and extensive landscaping. The total Project costs estimated by Highland Fairview are $6,265,915.

Funding Alternatives
As requested by the City Council, Staff is presenting four options for consideration to assist in the funding of the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project. The four options are:

OPTION ONE
Highland Fairview to construct Eucalyptus Avenue

OPTION TWO
City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview

OPTION THREE
City of Moreno Valley constructs Eucalyptus Avenue with existing DIF

OPTION FOUR
City of Moreno Valley constructs Eucalyptus Avenue with developer funds underwritten by City reserves

All four options are described in detail on Exhibits "A", "B", "C", and "D" attached. Each Exhibit describes the Goal, Requirement(s) of the Project, Funding Method(s), Results, Obstacles, and Required City Council Action.

Also for the City Council's information, Staff has attached a list of CIP projects that could be reprioritized (Exhibit "E") and Highland Fairview's SLPP Grant Proposal (Exhibit "F").

ALTERNATIVES

1. Instruct Staff to pursue one of the four options described on Exhibits "A" "B", "C", and "D" attached.

2. Not approve one of the four options and direct Staff to explore other funding options as directed by the City Council.

3. Take no action. This alternative would provide no financial assistance to Highland Fairview's Eucalyptus Avenue improvements.

FISCAL IMPACT

Brief overviews of the fiscal impacts of the four options are as follows:

Option One: The City would not contribute funds for the construction of the street improvements. Highland Fairview would bear the cost of the street improvements and may not be eligible for SLPP Grant funds. Option One would not have a fiscal impact on the City.

Option Two: Highland Fairview would deposit the entire amount of the estimated cost to construct the street improvements ($6.3 million) with the City. The City would take the lead in preparing the plans and specifications and publicly bid the project. All requirement of the Public Contract Code must be complied with including the paying of prevailing wage for all workers on the job. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Three: The City Council would reprioritize its CIP projects funded by Development Impact Fees or DIF for fiscal year 2009-10 in an amount of $6.3 million for the construction of the street improvements. The CIP projects that are reprioritized would not be constructed until DIF funds are available. Highland Fairview would be required to pay its DIF and those street improvement costs not covered by DIF. The fiscal impact to the City could be significant in that a number of CIP projects would not be completed as planned. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Four: The City Council would reprioritize CIP projects adding thereto, the Eucalyptus Street improvements funded by the redemption of the 2007 Tax Allocation Bonds, Series B in the amount of $7 million. The redemption of a portion of the bonds would serve as 'collateral' for the construction of the street improvements. Highland Fairview would deposit $2 million for the City to drawdown to pay for work completed by contractors. Highland Fairview would replenish the account when the dollar amount

falls below $2 million. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

If the City Council elects to assist Highland Fairview with the project using options two or three, Staff would have to fully analyze the availability of DIF and/or other funding sources to insure the project can be constructed as stated in the SLPP Grant Application.

SUMMARY

On behalf of Highland Fairview, the City applied for a SLPP Grant to construct certain street improvements in connection with it corporate park and AquaBella projects. Eucalyptus Avenue was awarded SLPP Grant funds and Highland Fairview is seeking City assistance to construct the improvements. Staff has outlined four options for the City Council to consider. The options have various fiscal impacts on the City's ability to fund CIP projects today and in the future.

CITY COUNCIL GOALS

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

ATTACHMENTS/EXHIBITS

Exhibit "A" – OPTION ONE: Highland Fairview to construct Eucalyptus Avenue
Exhibit "B" – OPTION TWO: City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview
Exhibit "C" – OPTION THREE: City of Moreno Valley construct Eucalyptus Avenue with existing DIF
Exhibit "D" – OPTION FOUR: City of Moreno Valley construct Eucalyptus Avenue with developer funds underwritten by City reserves
Exhibit "E" – Proposed list of DIF Project for Reprioritization
Exhibit "F" – SLPP Grant dated August 14, 2009

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

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

Exhibit "A"

OPTION ONE
Highland Fairview to Construct Eucalyptus Avenue

Goal:	Funding and Constructing the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project
Requirement(s):	A) City permits required (including inspections)
Funding Method(s):	Highland Fairview to fully fund the project – approximately $6.3 million; and therefore, Highland Fairview may not be eligible for SLPP grant funds.
Results:	A) Highland Fairview administers the construction project – may be the most expeditious means to construct the street improvements (i.e., California Contract Code/prevailing wage issues may not apply) B) Highland Fairview can construct underground utilities and street improvements as one operation C) The street improvements would be constructed to City standards D) Eucalyptus Avenue would be dedicated to the City upon completion E) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
Obstacles:	A) Requires Highland Fairview to fund the project B) Highland Fairview may not receive up to $1 million (based on reimbursement by the State) in SLPP Grant funds
Required City Action:	NA (FYI – only City Council action would be the acceptance of Improvements upon completion)

Exhibit "B"

OPTION TWO
City of Moreno Valley Constructs Eucalyptus Avenue with Funds Deposited by Highland Fairview

Goal: Funding and Constructing the Eucalyptus Avenue improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the required funds to construct the project
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. Reimbursement will occur after the Project is completed and may be less than $1.0 million.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the required funds with the City before the City Council awards the contract. The funds will include:
    1) The applicable DIF must be paid by Highland Fairview at the start of the Project.
    2) DIF payment – approximately 60 percent of the DIF is for arterial streets and can be used for the Project's matching funds.(Sixty (60) percent will

not provide enough funding to fully construct the street improvements.)

3) The SLPP grant funds cannot be credited to the Project until the Project is completed. Therefore, that amount must be advanced by the developer, Highland Fairview.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10 – funding source of Highland Fairview

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "C"

OPTION THREE
City of Moreno Valley Constructs Eucalyptus Avenue with Existing DIF

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the all required DIF and all other funds to construct the project (the street improvements may cost more than the DIF collected)
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. The full $1.0 million may not be received and only after the Project is completed.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit all the required funds with the City before the City Council awards the contract
C) Existing DIF projects for Fiscal Year 2009-10 would not be constructed. The breach of existing projects under construction may expose the City to legal challenges.

Required City Action:
A) Amend CIP Plan to include Eucalyptus Avenue

improvements as a “Funded Project” for Fiscal Year 2009-10 and defund other street improvement projects. The reprioritization of DIF projects or DIF projects placed on hold may result in lost funds that have already been expended (i.e., matching funds).

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "D"

OPTION FOUR
City of Moreno Valley Constructs Eucalyptus Avenue with Developer Funds Underwritten by City Reserves

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):

A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepare bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the Project to its CIP Plan – (Reprioritization of CIP project list to include Eucalyptus Avenue improvements.)
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):

A) Highland Fairview to deposit $2 million to insure prompt payments to contractors within 30 days (per Public Contract Code) and be responsible for the entire cost of the street improvements
B) Highland Fairview must execute an agreement with the City and provide $2.0 million and grant the City quick full access to said fund. The developer, Highland Fairview will replenish the funds whenever the City draws down funds for payment of work or the City will stop all work on the Project.
C) City will redeem a portion of the 2007 Tax Allocation Bonds, Series "B" to cover the costs of the street improvements plus a ten percent (10%) contingency – to be used as collateral only. (Note: Due to significant General Fund budgetary deficit facing the City in FY 2010-11, redemption of up to $7 million of the 2007 Tax Allocation Bonds, Series "B" will also be submitted for Council's consideration as a Deficit Reduction Option. If both actions are authorized by Council, $14 million of the $22.5 million bond issue will be redeemed and no longer available for redevelopment purposes.) The redemption of the Bonds in the amount of $7 million for the project

must be backed by some form of security guaranteeing the City collateral of the street improvement project.

D) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds, when received. The full $1.0 million may not be received and only after the Project is completed.

Results:

A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
C) Other DIF projects would not have to be defunded and will be completed without interruption
D) Highland Fairview will have the street improvements completed with minimum impact on its fund balance
E) Highland Fairview will pay its DIF (i.e., Highland Fairview will not have to draw down its funds until work is completed.)
G) If the Project is completed as planned, the City will never have to use the pledged reserves

Obstacles:

A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the $2 million to cover the City's expenses to pay contractors. This amount must remain at $2.0 million throughout the Project's life except when $2.0 million remains for the completion less retention.
C) The construction of the street improvements would be placed on hold if there are insufficient funds in the developer's account which could place the City in a liable position if other funding sources could not be identified.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10
B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project
C) Authorize the City Manager to proceed with the redemption of $7 million of the 2007 Tax Allocation Bond, Series "B", to be used as collateral for the street improvement project
D) Instruct the City Manager to prepare an agreement with Highland Fairview outlining the terms and condition of the

City underwriting the cost of the street improvements for review and approval by the City Council. The agreement shall also require Highland Fairview provided sufficient surety or security of the City's' $7 million.

E) Instruct Staff to collect the $2 million deposit to construct the street improvements upon the execution of the agreement between the City and Highland Fairview

Exhibit "E"
Proposed List of DIF Projects for Reprioritization

	DIF Funded Projects Not Recommended for Re-Appropriation Consideration			
		(Updated on January13, 2010)		
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78526	Perris Blvd Widening/South City Limits to Cactus	$ 704,078	$ 670,000	**ROW Appraisals Underway. M**atching funds for $1.521 million in TUMF funds for ROW
78527	Cactus Ave EB 3rd Lane Imprv/I-215-Veterans Way	$ 316,715	$ -	**Design Done -** budget is practically expended.
78626	Reche Vista Realignment - Perris/Heacock N. City Limits	$ 548,149	$ 280,000	**Environmental and Design Underway with active contracts -** DIF funds are matching funds for $1.967 million in Federal STPL funds - budget is 80% expended.
78725	Pigeon Pass Widening/Climbing Rose to N. City Limits	$ 15,000	$ 3,000	**Project closeout work underway -** Construction Done - budget is 80% expended.
78726	Perris Blvd Widening/Ironwood to Manzanita	$ 742,665	$ 300,000	**ROW Acquisition Phase Underway -** DIF funds are matching funds for $631,000 in TUMF funds for ROW.
83127	Lasselle/Bay Street Improvement	$ 135,255	$ 20,000	**Construction done**
83227	Lasselle/Cottonwood Street Improvement	$ 147,393	$ 20,000	**Construction done**
83125	Graham Street Bridge/Sunnymead-Hemlock	$ 100,000	$ -	**Preliminary Project Report completed**
78827	Heacock Street Improvement/Hemlock St. to Ironwood Ave	$ 344,000	$ 140,000	**Design Almost done & ROW Acquisition Underway**
83327	Kitching/Eucalyptus Ave Improvement	$ 5,000	$ -	**Project closeout completed**
83328	Cactus EB 3rd Lane Improv/Veterans Way to Heacock	$ 398,506	$ -	**Design Almost Done -** budget is practically expended.
	Total Fund 416	$ 3,456,761	$ 1,433,000	
Fund 501	2005 Lease Revenue Bonds - Debt Serviced by DIF			
82125	Sunnymead Blvd - Frederick St to Perris Blvd	$ 2,196,392	$ -	**Construction underway -** Funds already expended as part of design and construction.
82425	Kitching Street - Alessandro Blvd to Gentian	$ 2,754,515	$ 2,100,000	**Construction Bids Opened and Award Scheduled for 1/26/10 Council Mtg. -** Portions of funds already expended in design and bid phases.
82625	Ironwood Ave - Heacock St to Perris Blvd	$ 1,046,670	$ 1,000,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid and remainder for Edison Pole Relocation**
82725	Lasselle - Alessandro Blvd to John F. Kennedy Blvd	$ 657,208	$ -	**Construction** 95% done - DIF monies is match for TUMF.
	Total Fund 501	$ 6,654,785	$ 3,100,000	
	Not Recommended for Re-appropriation Grand Total	$10,111,546	$ 4,533,000	

MV00052711

	DIF Funded Projects for Re-Appropriation Consideration			
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78624	Infill Projects at Various Locations	354,182	330,000	**Minimal Design Related work expended -** Loss of funding will result in continued bottlenecks in arterial roadways.
78825	Heacock St. / San Michele Ave to Gentian Ave	301,952	275,000	**Minimal Design Closeout work expended -** insufficient funding for construction
78727	Ironwood Ave - Heacock St to Perris Blvd	1,116,000	900,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid (set aside) and Needed SCE Relocation funding -** Loss of funds would significantly delay this project.
83128	Iris Ave Street Improvements / Indian-Perris	216,000	80,000	**Construction Done -** warranty walk remains
83428	Moreno Beach Widening/Cactus Ave to Auto Mall	370,000	275,000	**Contractual Preliminary engineering work has started -** approximately 25% monies expended.
	Consideration for Reappropriation Total	2,358,134	**1,860,000**	
	Grand Total of all Funding and Savings	12,469,680	6,393,000	
w:prem/cpd/admin/grants/slpp				

Exhibit "F"

Highland Fairview's
Proposition 1B Local Partnership
Program Grant Application

City of Moreno Valley
Eucalyptus Avenue

August 14, 2009

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

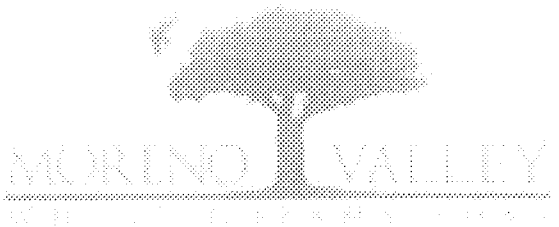

Friday, August 14, 2009

August 13, 2009

Brian G. Rhinehart, Executive Director
California Transportation Commission
Mail Station 52, Room 2231
1120 N Street
Sacramento, CA 95814

Re:	Application for Proposition 1B State Local Partnership Competitive Grant Program
Applicant:	City of Moreno Valley
Project:	Eucalyptus Street Improvements
Funding Request:	$1,000,000.00

Dear Mr. Rhinehart,

The City of Moreno Valley is pleased to submit an application to the Proposition 1B State Local Partnership Competitive Grant Program for the Eucalyptus Street Improvements Project. The City respectfully requests $1,000,000.00 in capital grant funds for this important street improvement project, which will provide access to the Eastern Portion of Moreno Valley.

Specifically, the Eucalyptus Street Improvements Project includes the following improvements:

- Grading
- Utilities
- Street Paving
- Sidewalks
- Bike Trails
- Lighting

I am pleased to officially authorize the City's funding application for this project.

If you have any questions regarding the City's application, please do not hesitate to contact me at (951) 413-3020.

Thank you in advance for your time and the City looks forward to your review of our request.

Sincerely,

Robert G. Gutierrez
City Manager

CITY MANAGER'S OFFICE

2008 Project Programming Request
(Project Information)

Caltrans

Manual Instructions

☐ New Project	☐ Amendment (Existing Project)	Date:	08/15/08

Caltrans District	EA	PPNO	MPO ID	TCRP No.
08				

County	Route/Corridor	Project Sponsor/Lead Agency	MPO	Element
	Eucalyptus	City of Moreno Valley	SCAG	CO

Project Title

Eucalyptus Avenue Improvements

PM Bk	PM Ahd	Project Mgr/Contact	Phone	E-mail Address
		Rick Hammann	951-413-3030	rickh@moval.org

Location, Project Limits, Description, Scope of Work, Legislative Description

Location: Eucalyptus Avenue between Redlands Blvd and Theodore Avenue in Moreno Valley, CA. Scope of work: Dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include two full travel lanes, raised landscaped median, a 12-foot landscaped parkway, and major sidewalk, public access improvements for its entire one mile length.

Component	Implementing Agency	AB 3090	Letter of No Prejudice
PA&ED	City of Moreno Valley	☐	☐
PS&E	City of Moreno Valley	☐	☐
Right of Way	City of Moreno Valley	☐	☐
Construction	City of Moreno Valley	☐	☐

Legislative Districts

Assembly:	63, 64 and 66	Senate:	37
Congressional:	45		

Purpose and Need

This program completes a major section of the roadway extensions that are necessary for Eucalyptus Avenue to extend across the entire City of Moreno Valley.

Project Benefits

Eucalyptus Avenue is one of the most important arterial highway links in the City's Circulation Plan. It presently extends through the westerly portion of the City of Moreno Valley but will ultimately extend from east to west across the entire City, providing an important link in the circulation network for the City, but perhaps more importantly, serving as an alternative to SR60 running east-west through the region.

Project Milestone		Date
Project Study Report Approved		N/A
Begin Environmental (PA&ED) Phase		Complete
Circulate Draft Environmental Document	Document Type: N/A	Complete
Draft Project Report		N/A
End Environmental Phase (PA&ED Milestone)		Complete
Begin Design (PS&E) Phase		Pm1 Compl
End Design Phase (Ready to List for Advertisement Milestone)		N/A
Begin Right of Way Phase		N/A
End Right of Way Phase (Right of Way Certification Milestone)		N/A
Begin Construction Phase (Contract Award Milestone)		Fall 2009
End Construction Phase (Construction Contract Acceptance Milestone)		Fall 2011
Begin Closeout Phase		N/A
End Closeout Phase (Closeout Report)		N/A

Form Version Date: 10/1/07

2008 Project Programming Request
(Funding Information)

Amount in thousands and dollars in the programmed year. Date: [illegible]

County	CT District	PPNO	TCRP Project No.	EA
	08			

Project Title: Etiwanda Avenue Improvements

Existing Total Project Cost									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Implementing Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Total Project Cost									
E&P (PA&ED)									
PS&E		118,000	744,875					862,875	
R/W SUP (CT)									
CON SUP (CT)			90,000	120,000	30,000			240,000	
R/W									
CON			1,936,946	2,380,473	848,619			5,166,038	
TOTAL		118,000	2,771,821	2,755,473	878,619			6,268,913	

Fund No. 1:	Uniform Development Impact Fees								Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E		118,000	744,875					862,875	
R/W SUP (CT)									
CON SUP (CT)			90,000	120,000				240,000	
R/W									
CON			936,946	1,038,263				2,975,209	
TOTAL		118,000	1,771,821	1,158,263				3,198,084	

Fund No. 2:	Multi Local Partnership Program Grant								Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			1,000,000					1,000,000	
TOTAL			1,000,000					1,000,000	

2008 Project Programming Request
(Funding Information)

(dollars in thousands and rounded to the programmed year) Date: 08/11/08

County	CT District	PPNO	TCRP Project No.	EA
	08			

Project Title: Eucalyptus Avenue Improvements

Fund No. 1: Developer — Program Code

Existing Funding									Funding Agency
Components	Prior	08/09	09/10	10/11	11/12	12/13	13/14	Total	
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)					31,000			31,000	
R/W									
CON				1,484,217	845,618			2,129,835	
TOTAL				1,484,217	876,618			2,160,835	

Fund No. 2: — Program Code

Existing Funding									Funding Agency
Components	Prior	08/09	09/10	10/11	11/12	12/13	13/14	Total	
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund No. 3: — Program Code

Existing Funding									Funding Agency
Components	Prior	08/09	09/10	10/11	11/12	12/13	13/14	Total	
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

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2. Project Status
3. Project Funding
4. Project Benefits
5. Supporting Transportation and Land Use Planning Goals
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    b. Designated Truck Route Map
    c. City Circulation Plan
    d. Master Plan of Trails
    e. Bikeway Plan
    f. WRCOG Regional Highway System Map
    g. Street Improvement Plans

City of Moreno Valley Proposition 1B State Local Partnership Program Application

Eucalyptus Avenue

Narrative

1. Proposed Capital Improvement Project

The City of Moreno Valley is seeking State Local Partnership Program funds for the Eucalyptus Avenue project, which includes dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for its entire one mile length. When complete, the segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way and extensive landscaping.

The project specifically targets Eucalyptus Avenue between Redlands Boulevard and Theodore Avenue.

Eucalyptus Avenue is one of the most important arterial highway links in the City of Moreno Valley's Circulation Plan. It presently extends through the westerly portion of the City, but will ultimately extend from east to west across the entire City, providing an important link in the City's circulation network. And perhaps more importantly, it will serve as a secondary highway system and alternative route to State Route 60, running east-west through the region. Presently, the next-closest parallel highway southerly of State Route 60 is Alessandro Boulevard, approximately 1.5 miles away.

As development on the east side of Moreno Valley progresses, the extension of Eucalyptus Avenue will serve as a significant component in the growth of the community and the creation of critical jobs-producing development. This one-mile length of Eucalyptus Avenue will also provide substantial and immediate circulation improvements to serve the needs of the approved employment centers in the immediate area which are estimated to provide 2,500 permanent employees, 1,100 construction jobs, and $157 million in economic benefits to the region.

The project improvements are an incremental part of the development of Eucalyptus Avenue, which will ultimately run across the entire City. This link will be developed in conjunction with other adjacent arterial improvements to provide a complete street system providing access to approved and pending employment centers in the area. The construction of these initial increments will encourage additional growth which will facilitate further roadway improvements.

2. Project Status

The Eucalyptus Avenue project is covered by a fully certified EIR and design drawings are in the final approval stage. Construction is scheduled to commence in Fall 2009 with an estimated completion date of 2011.

3. Project Funding

Total project costs are estimated at $6,285,915. The City of Moreno Valley respectfully requests $1,000,000 in State Local Partnership Program competitive grant funds.

Additionally, $3,105,080 in Development Impact Fees (uniform developer fees) are allocated for this segment of Eucalyptus Avenue. $2,159,835 million will be funded by a local developer.

While the City of Moreno Valley is part of the Riverside County Transportation Commission (which will receive SLPP formula funding), the Commission is not drawing down formula funds at this time. In communication exchanges with the Commission, they have decided to draw down funds at a future date for large projects scheduled to commence construction in 2011.

4. Project Benefits

Economic Benefit. The construction of Eucalyptus Avenue will facilitate the development of several employment center projects in the immediate vicinity, bringing thousands of jobs and millions of dollars in economic growth to the Moreno Valley area. A well-designed primary and secondary highway system to provide safe, efficient access to project sites is a significant consideration in the decision to develop such much-needed projects.

Air Quality. The construction of Eucalyptus Avenue will improve local air quality by providing circulation alternatives to distribute traffic on multiple routes, thereby minimizing congestion and accompanying negative environmental effects associated with idling vehicles. This project includes a raised landscaped median and an adjacent landscaped parkway/trail area introducing additional landscape improvements to the vicinity.

Multi-Modal. The ultimate Eucalyptus Avenue street improvements accommodate multiple modes of transit. A major four-lane arterial highway, sidewalks, a bike trail, a multi-use trail, and public transit facilities (bus turnouts) will encourage alternate modes of travel, as well as recreational uses.

More specifically, the Eucalyptus improvements include the development of pedestrian sidewalks, and the accommodation of multi-use trails and hike trails where none exist today. Several bus turn-outs are provided in the Eucalyptus plans which will accommodate the expansion of public transit to the area. Adjacent development has been designed to accommodate these bus turnouts and also to provide convenient paths of travel into nearby projects.

Safety and Safety Improvements. Eucalyptus Avenue will provide a significant element of safety to the region by providing a parallel alternative to State Route 60 in the event of an emergency. In addition, the proposed street improvements will enhance the safety of pedestrians and cyclists as well as the motoring public by providing well-designed, efficient facilities, minimizing opportunities for conflict. These facilities will also provide safe, efficient alternative modes of travel to and from major employment centers in the community.

Cost Effectiveness. The Eucalyptus project will be constructed according to the City's latest design and construction standards and is expected to have a useful life of more than 25 years. The proposed improvements also tie in to future improvements that will be constructed to accommodate growth as a result of residential, commercial and industrial development in this growth-targeted area of the City.

Matching Funds: Matching funds in the total of $3,108,000 are provided through City Development Impact Fees (uniform developer fees.) The City has made Eucalyptus Avenue a priority for these funds due to significant interest in private development in the project area as well as its important role as a regionally significant arterial.

Reliability: The proposed project will construct a new section of Eucalyptus Avenue to link Redlands Boulevard and Theodore Street. This is important for reliability because currently, the traveling public must use other, less direct routes to travel from east to west within the city and also to access the state highway system. This new direct link will allow the public to reasonably expect travel can occur quicker with fewer delays.

5. Supporting Transportation and Land Use Planning Goals

Eucalyptus Avenue improvements are included in the following plans:

- City's Master Circulation Plan
- City's Development Impact Fee (DIF) Program
- City's Capital Improvement Plan

6. Appendix

Chapter 3.42 COMMERCIAL AND INDUSTRIAL DEVELOPMENT IMPACT FEES

Note

* Prior ordinance history: Ords. 350 and 632.

3.42.010 Purpose and intent.

A. This chapter establishes commercial and industrial development impact fees, consisting of each of the fees set forth. The commercial and industrial development impact fee is intended to recover from each new commercial, industrial and other nonresidential development, its reasonable share, as determined in accordance with Government Code Section 66000, et. seq., of the cost of each type of public facility and infrastructure improvements for which a fee is established hereunder needed to serve the development on which the fee is imposed; to ensure implementation of, and consistency with, the city's general plan; and to protect the public health, safety and welfare by ensuring that adequate public facilities and related improvements will be constructed and made available to serve new nonresidential development concurrent with the need.

B. The city council has determined that the fees established by this chapter shall be collected from applicants of development projects for the cost of public facilities and infrastructure improvements that serve or will benefit each commercial, industrial and other non-residential development, and to reimburse the city for expenditures previously made which benefit that development in accordance with the city's adopted development impact fee study, as updated and readopted from time to time.

C. The fees imposed under this chapter are in addition to any other fees, dedications, construction requirements or other exactions imposed as a condition of approval for the development project, or under the provisions of any state or federal law, other provisions of this code, or city resolutions and policies.

D. Wherever used, terms describing types of facilities and/or infrastructure improvements shall have the meaning given to them in the city's general plan and/or capital improvement plan, as adopted and amended from time to time. (Ord. 695 § 1.2 (part), 2003)

3.42.020 Compliance with chapter.

No commercial, industrial or other nonresidential development project shall be approved unless the public facility improvements necessary to serve the development project exist or will be constructed as a condition of approval of the project to satisfy the requirements of the city's general plan and/or capital improvement program, as approved from time to time. No developer, property owner, or other person or entity shall be eligible to receive building permits, nor any occupancy permits, for any commercial, industrial or other nonresidential development project unless the provisions of this chapter have first been complied with and the fees required hereunder have been paid for that project. The requirements of this chapter are hereby imposed as a condition of development approval for each commercial, industrial and other nonresidential development project in addition to being a requirement of this code. The city may impose such additional conditions of approval as are necessary or appropriate to implement the purposes of this chapter, including, but not limited to, construction of public facility improvements and/or reimbursement agreements for constructed improvements in accordance with city policies and procedures. (Ord. 695 § 1.2 (part), 2003)

3.42.030 Arterial streets commercial and industrial development impact fees.

Arterial streets commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the arterial street improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. The fees referred to in this section were calculated to include only the arterial street improvements and do not include costs for freeway interchange improvements, local streets, or collector streets. (Ord. 695 § 1.2 (part), 2005)

3.42.040 Traffic signals commercial and industrial development impact fees.

Traffic signals commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the traffic signal improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.050 Interchange improvements commercial and industrial development impact fees.

Interchange improvements commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the interchange improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.060 Fire facilities commercial and industrial development impact fees.

Fire facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, fire service facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.070 Police facilities commercial and industrial development impact fees.

Police facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, police services facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.080 City Hall facilities commercial and industrial development impact fees.

City Hall commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, City Hall facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.090 Corporate yard facilities commercial and industrial development impact fees.

Corporate yard facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the city corporate yard facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.100 Maintenance equipment commercial and industrial development impact fees.

Maintenance equipment commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, to the extent permitted by law, the major maintenance equipment needs of the city provided for in its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.110 Credit for improvements provided by developers.

Credit against a commercial and industrial development impact fee may be given for qualifying facilities and improvements constructed as part of each commercial and industrial development project in accordance with city policies and procedures. The applicant shall be responsible for providing sufficient evidence of the eligibility and

cost of such facilities and improvements to the satisfaction of the city's public works director/city engineer, who will determine whether the evidence is satisfactory to render a fee credit, and will determine the amount of fee credit, which shall not exceed the projected costs of such facilities and improvements for purposes of establishing the affected impact fee. (Ord. 695 § 1.2 (part), 2005)

3.42.130 Credit for existing development.

If the development project involves improvements, or a change of use to an already existing development, commercial and industrial development impact fees will only be applied to the portion of the project that represents an increase in demand for city facilities. (Ord. 695 § 1.2 (part), 2005)

3.42.150 Adoption of fees and fee revisions.

The amount of any commercial and industrial development impact fee may be amended annually or from time to time by a resolution of the city council in accordance with the procedures and based upon the findings set forth in Government Code Section 66000, et seq., for such fees. The city council may authorize by resolution annual adjustments to the commercial and industrial development impact fees to account for the escalation in construction costs, based upon the figures published in the Engineering News Record's Building Cost Index—20 Cities Annual Average. Land costs may be evaluated annually and adjusted, as necessary, based on the current market conditions at the time. (Ord. 695 § 1.2 (part), 2005)

3.42.140 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective. (Ord. 695 § 1.2 (part), 2005)

MV00052727

City of Moreno Valley
Overall Truck Route Map

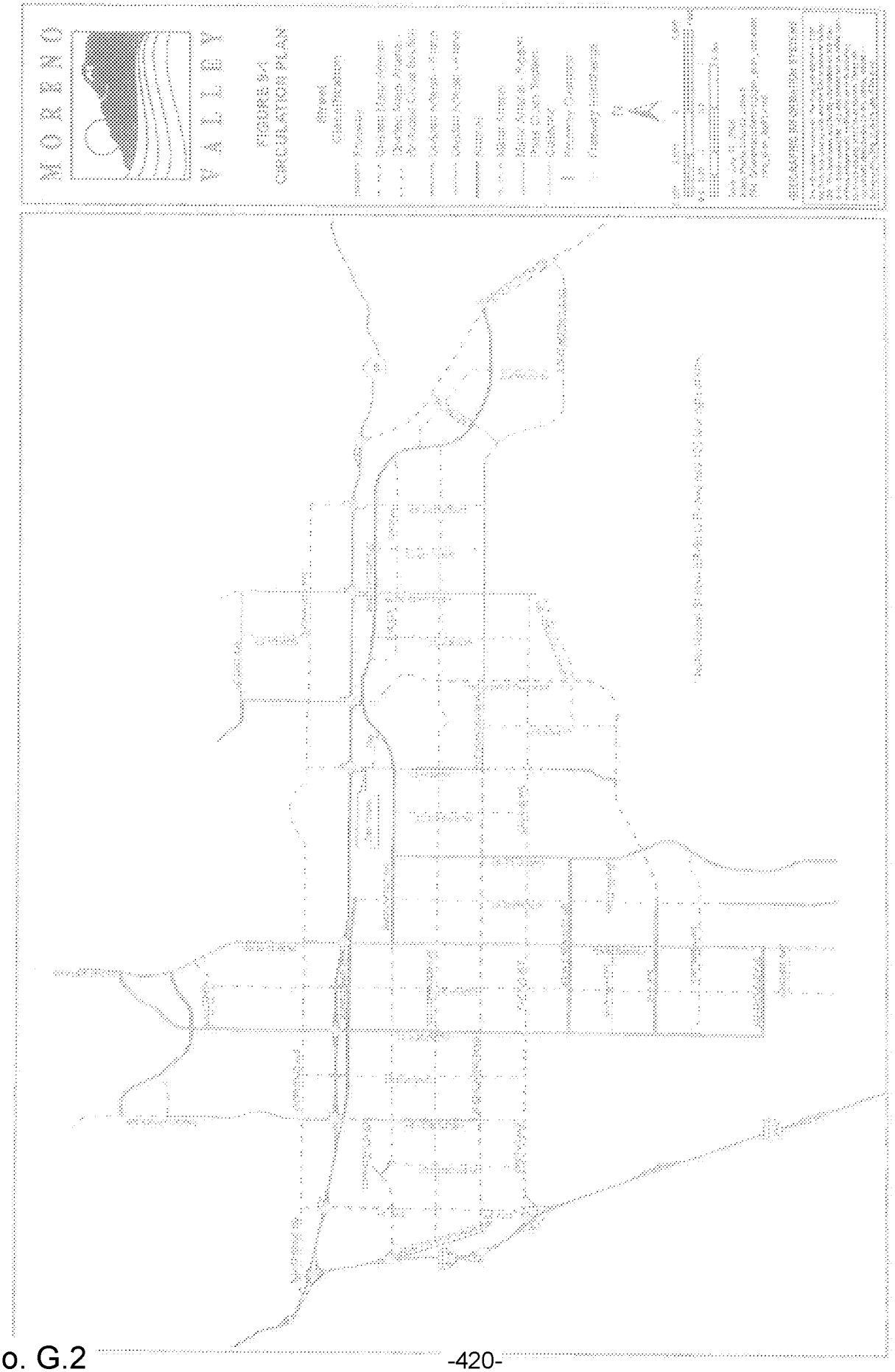
MORENO
VALLEY
FIGURE 5.4
CIRCULATION PLAN

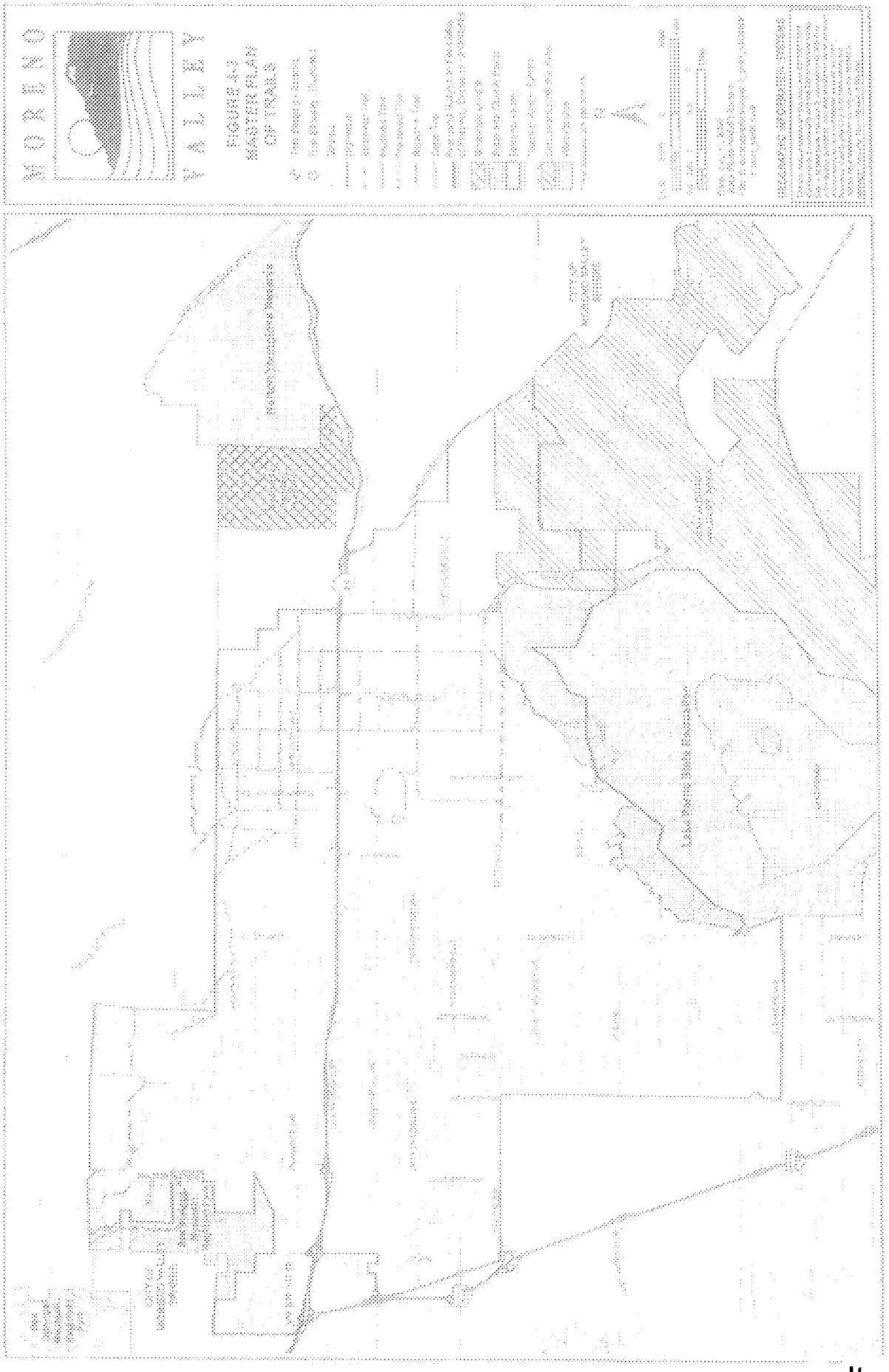

Item No. G.2

MV00052730

MORENO
VALLEY
PHASE 2A
DRAINAGE PLAN

Figure 4.1
The Regional
System of
Highways &
Arterials for
Western
Riverside
County
Riverside County
Regional System
of Highways
& Arterials
Legend
Freeway
Arterial
Local
Freeway
Arterial
Local

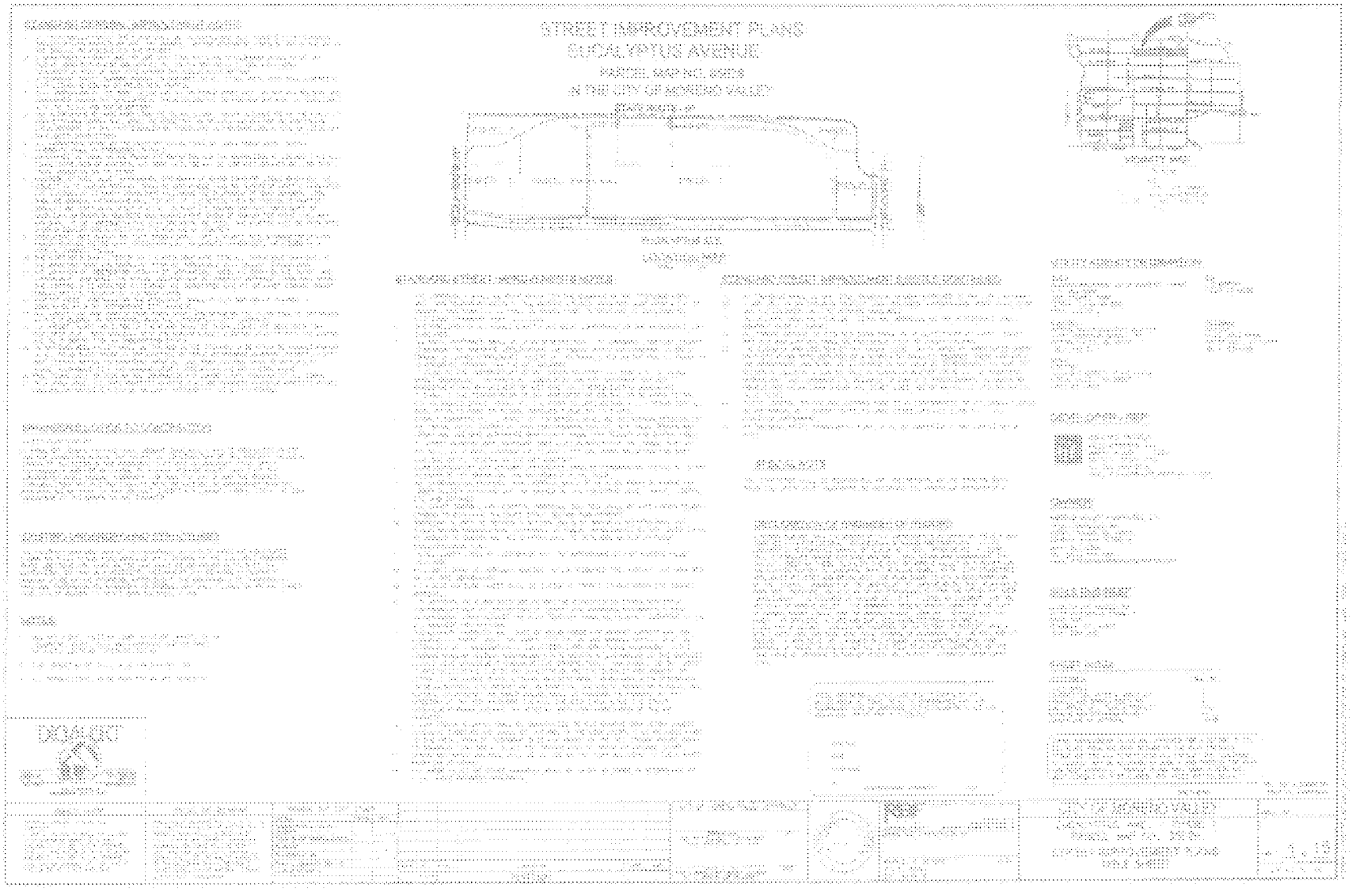

MV000052733

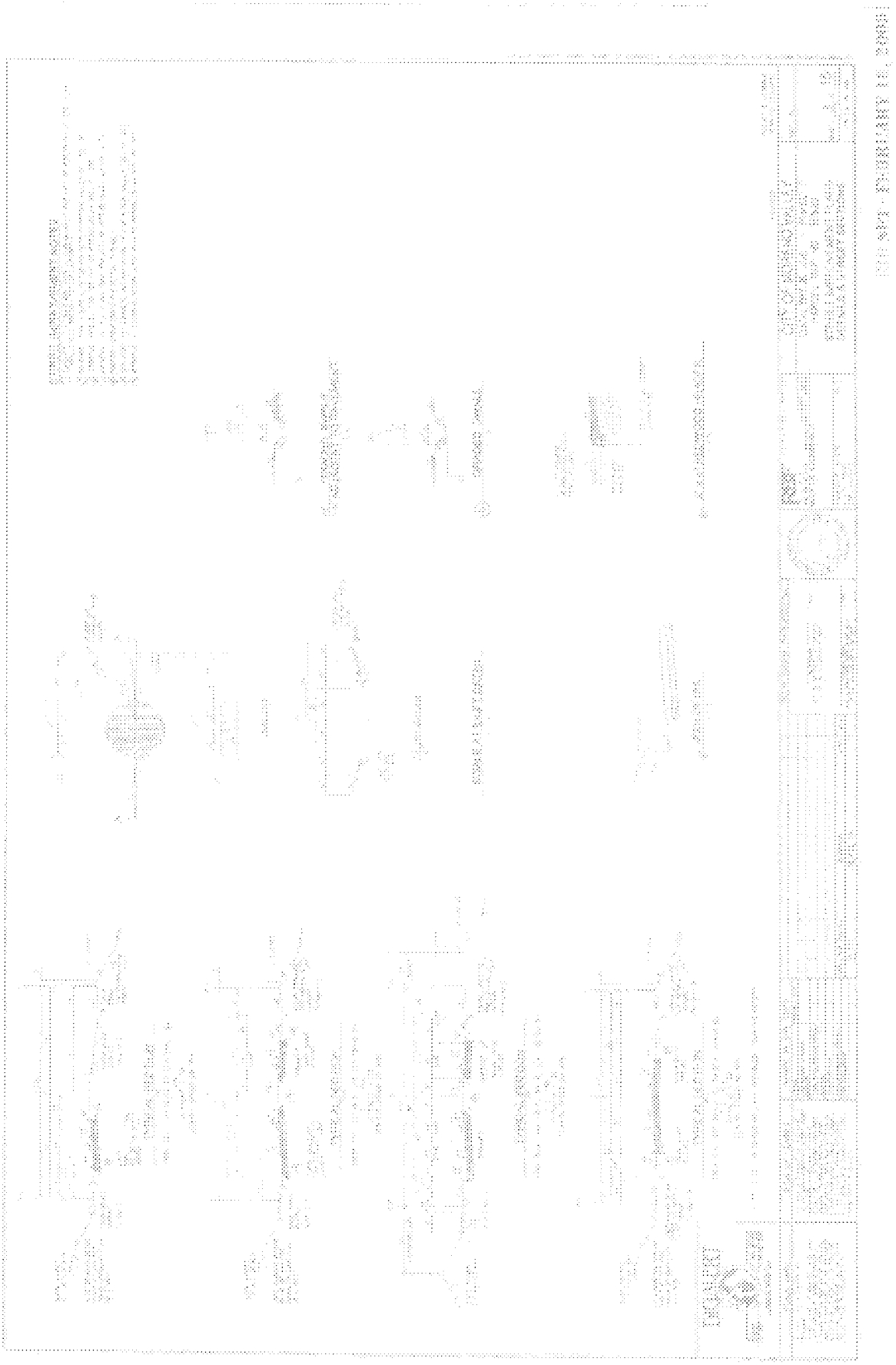

MV00052735

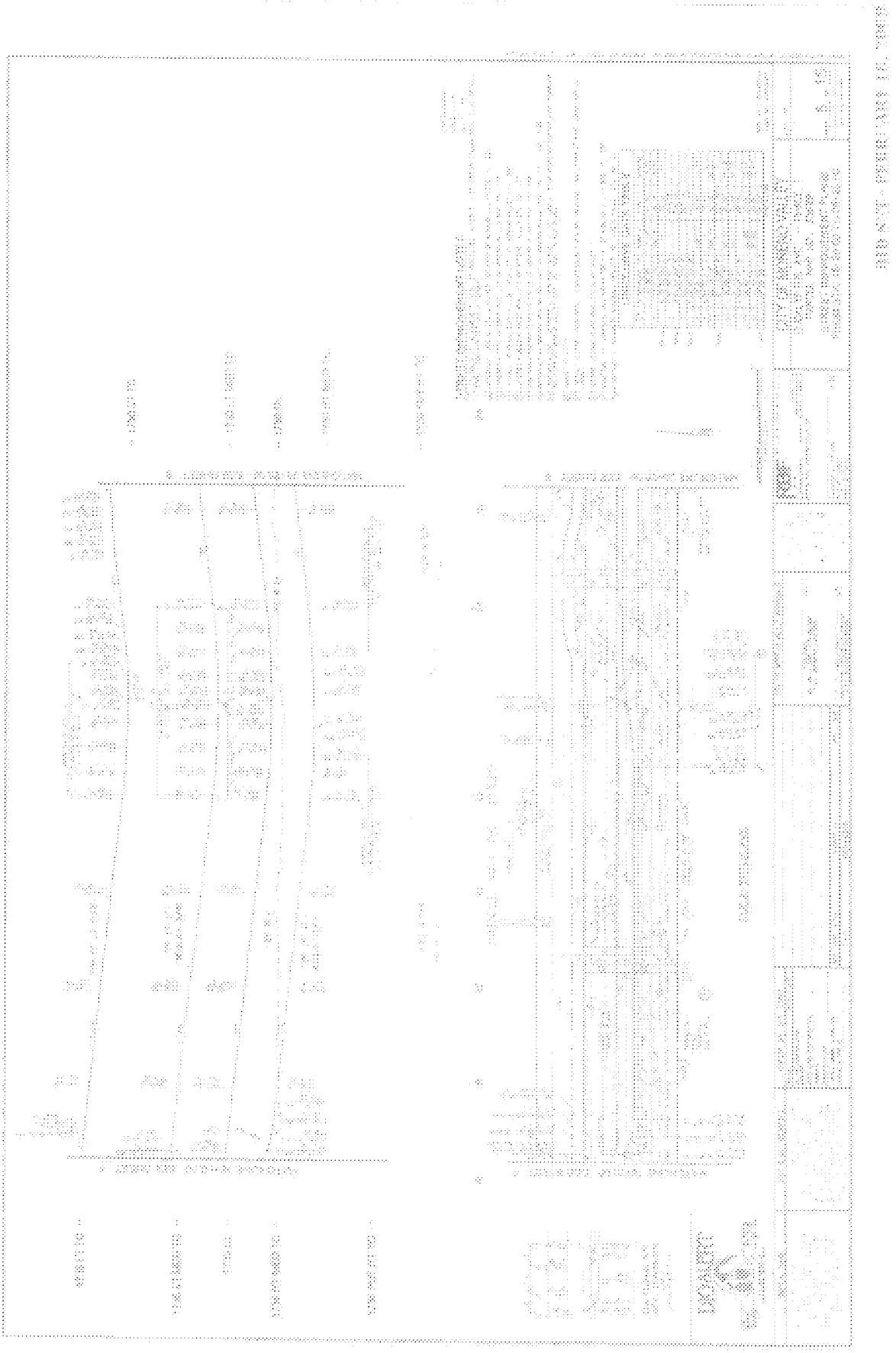

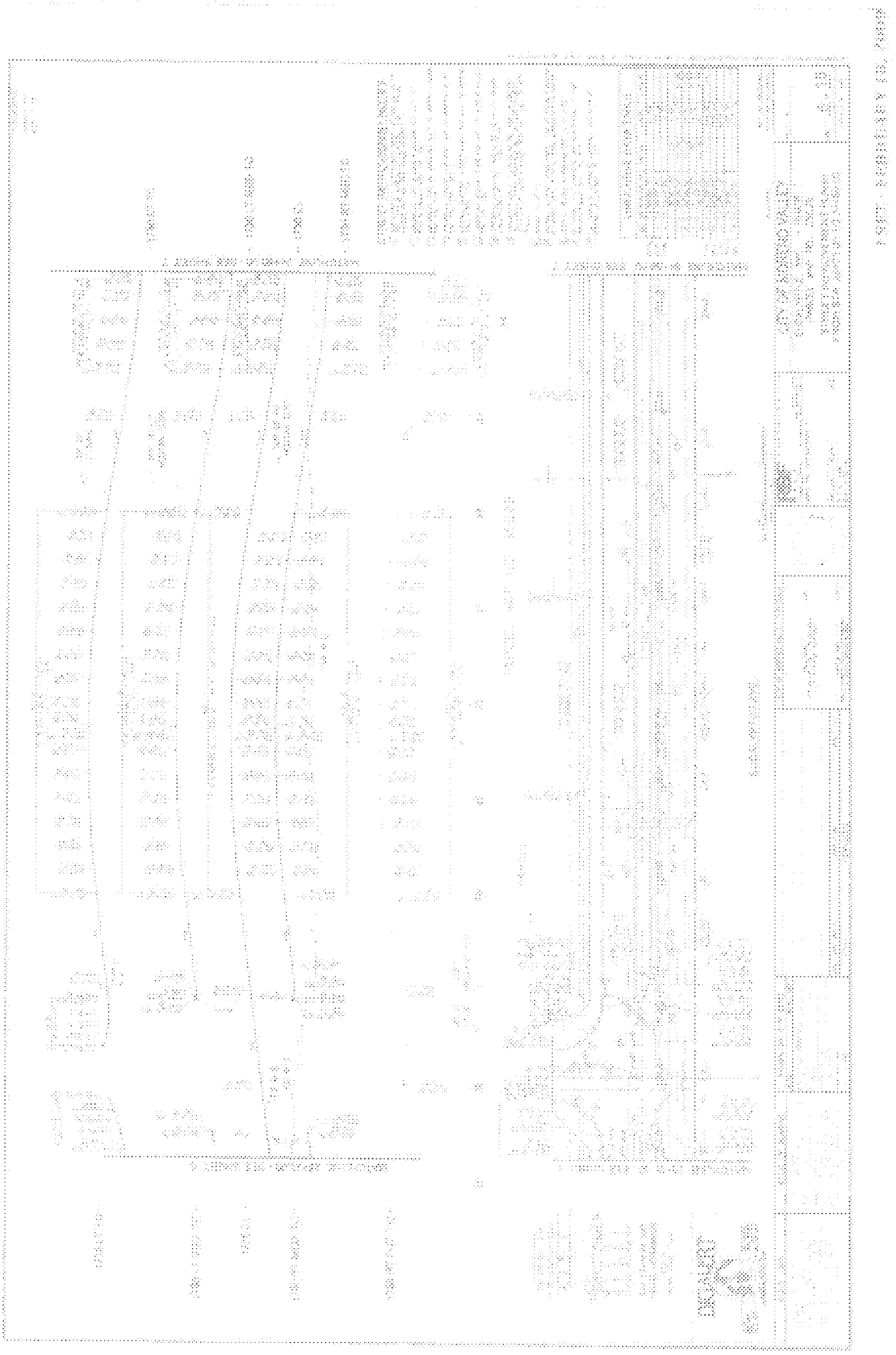

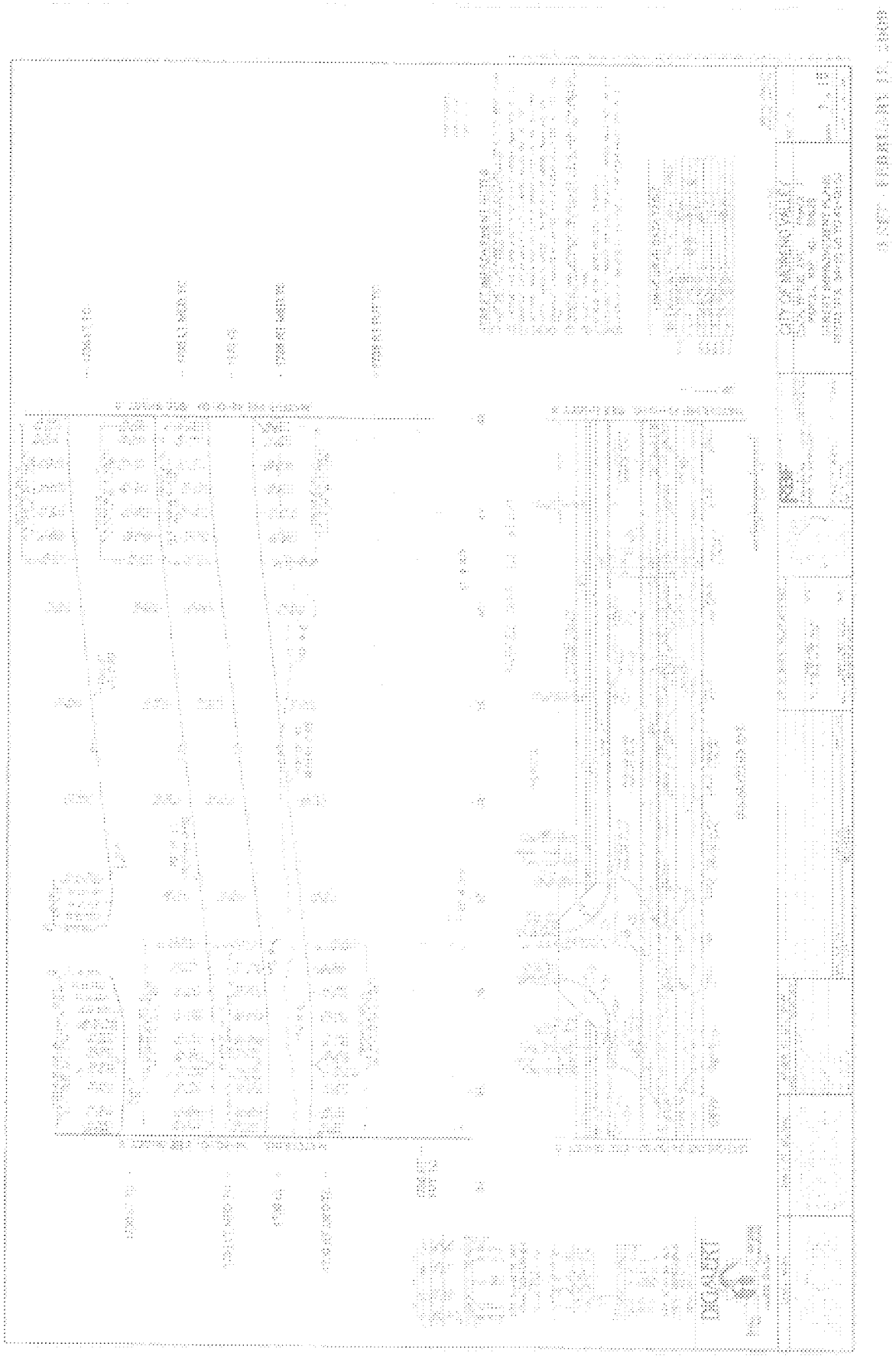

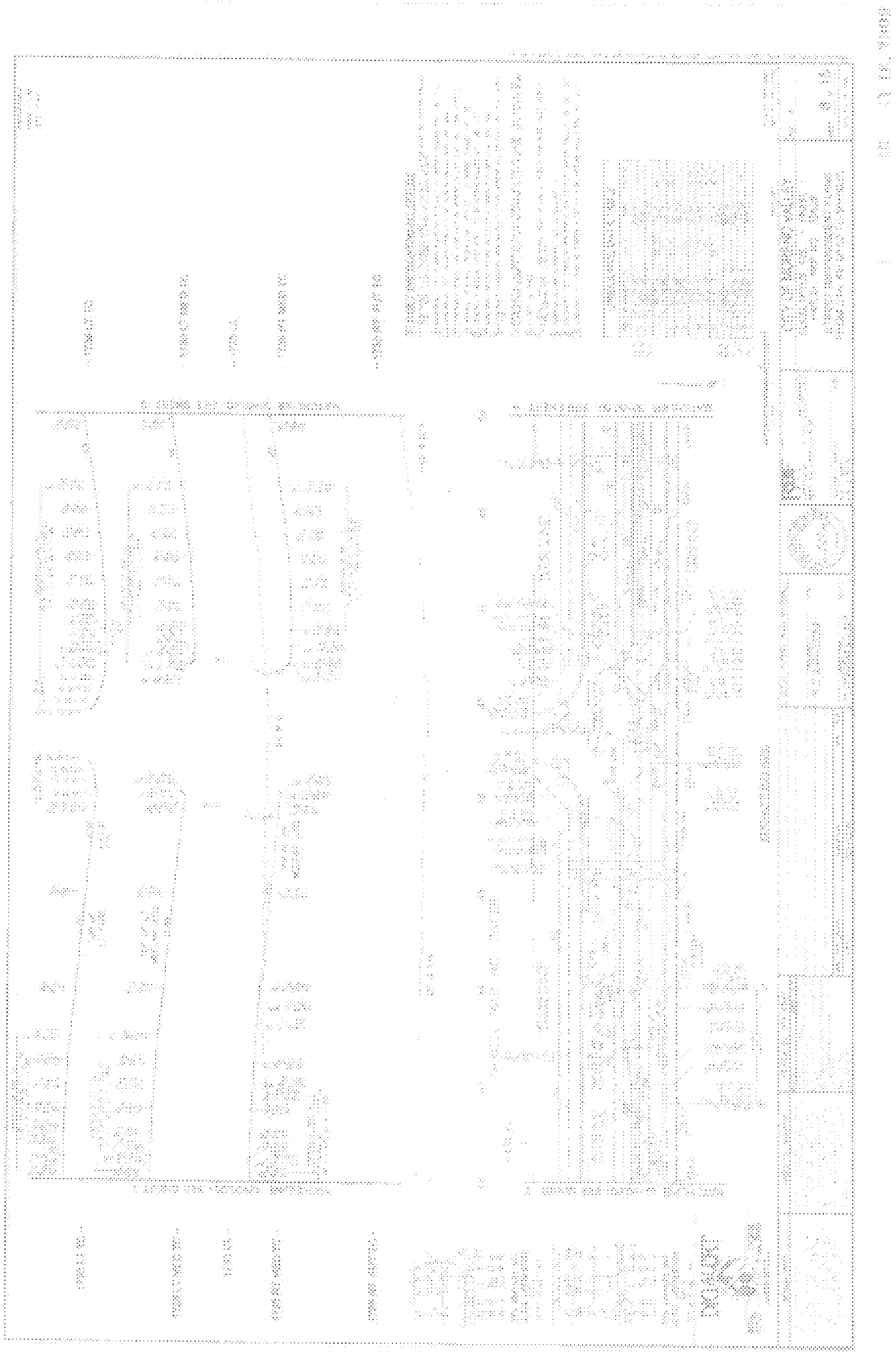

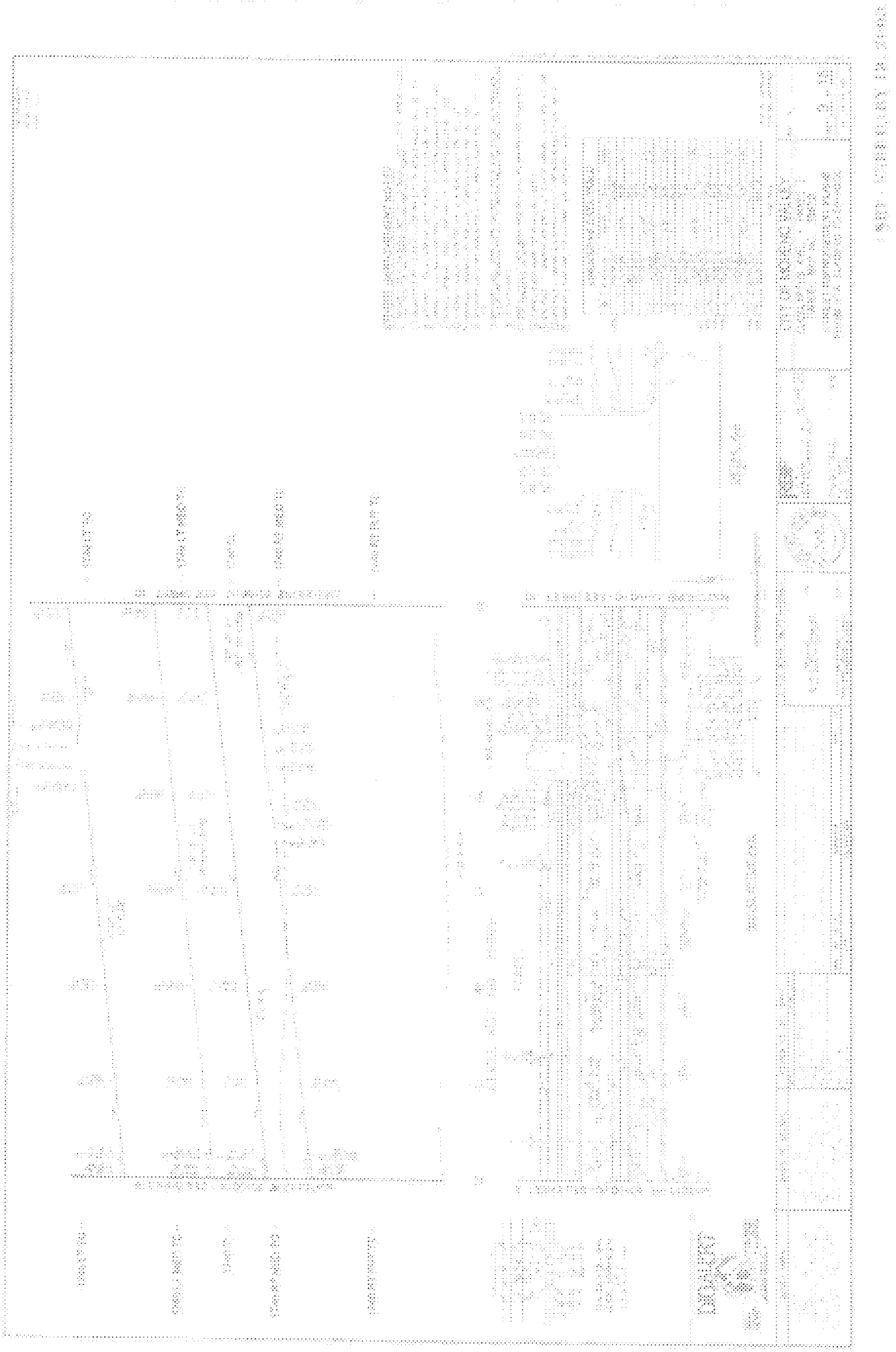

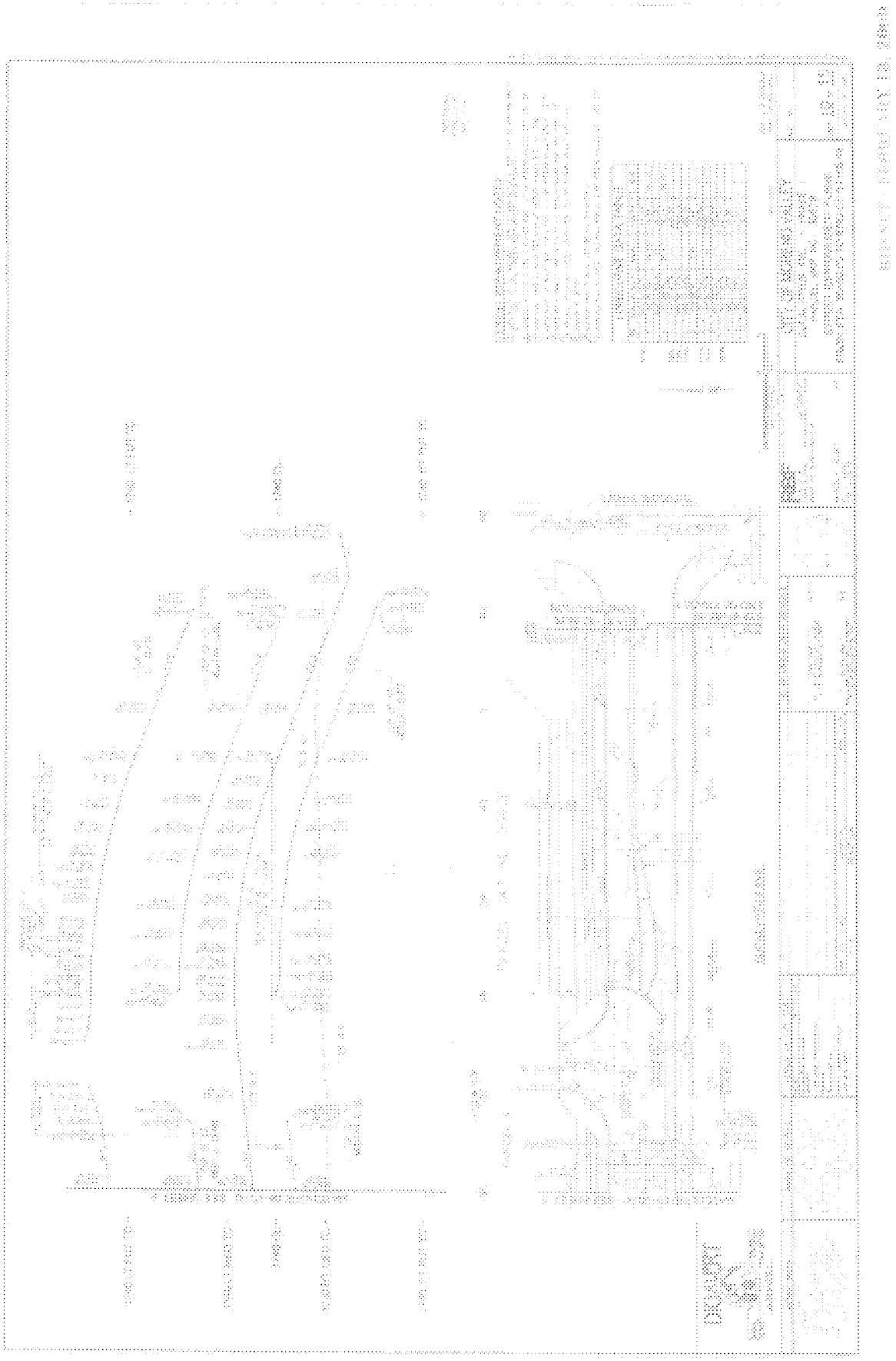

SIGNING AND STRIPING PLANS

EUCALYPTUS AVENUE

BETWEEN [illegible] BLVD. AND THEODORE ST.

PARCEL MAP NO. [illegible]

IN THE CITY OF MORENO VALLEY

DO NOT

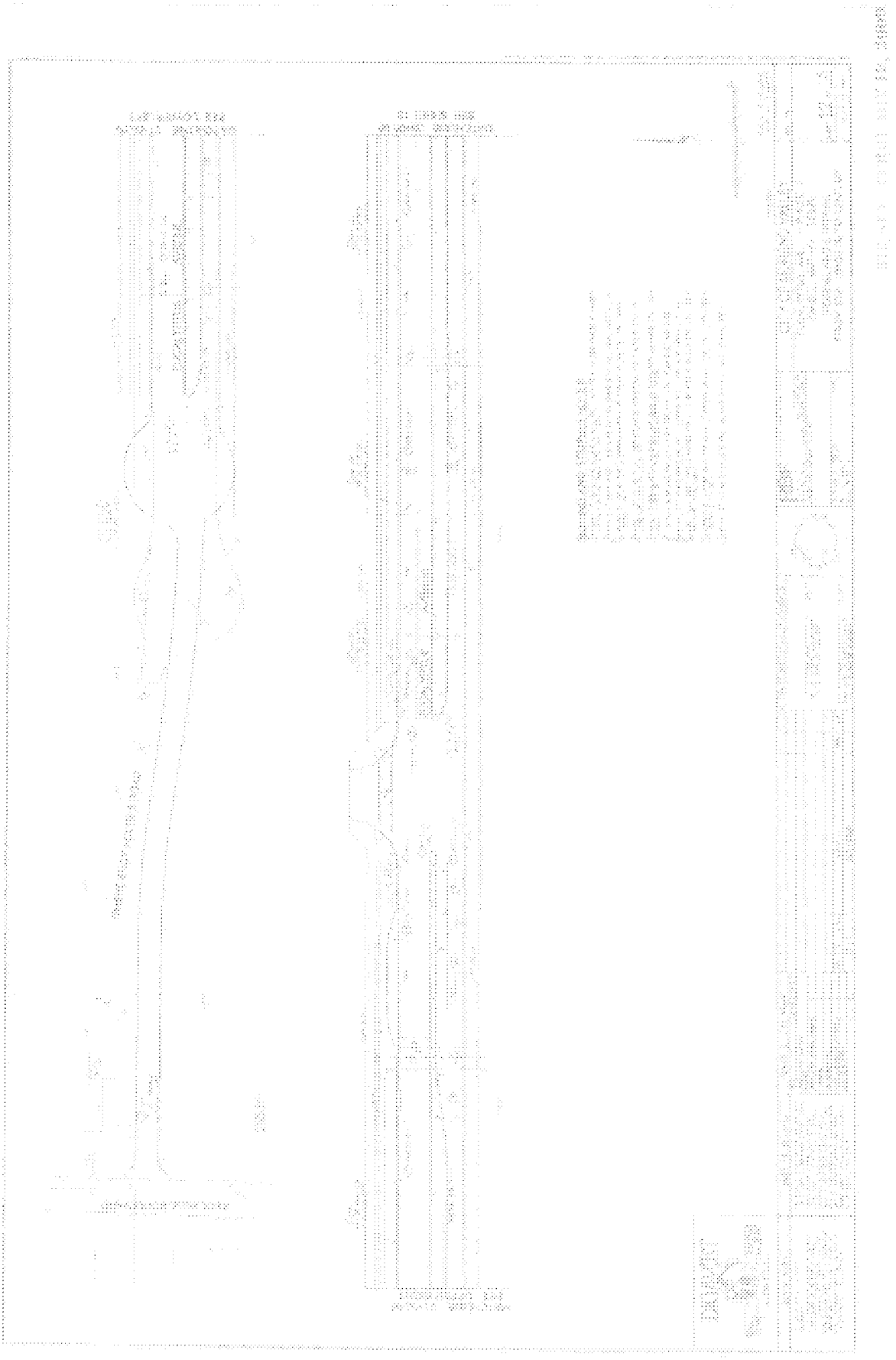

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MV00052745

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 27, 2010 (continued from April 13, 2010)

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00052749

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

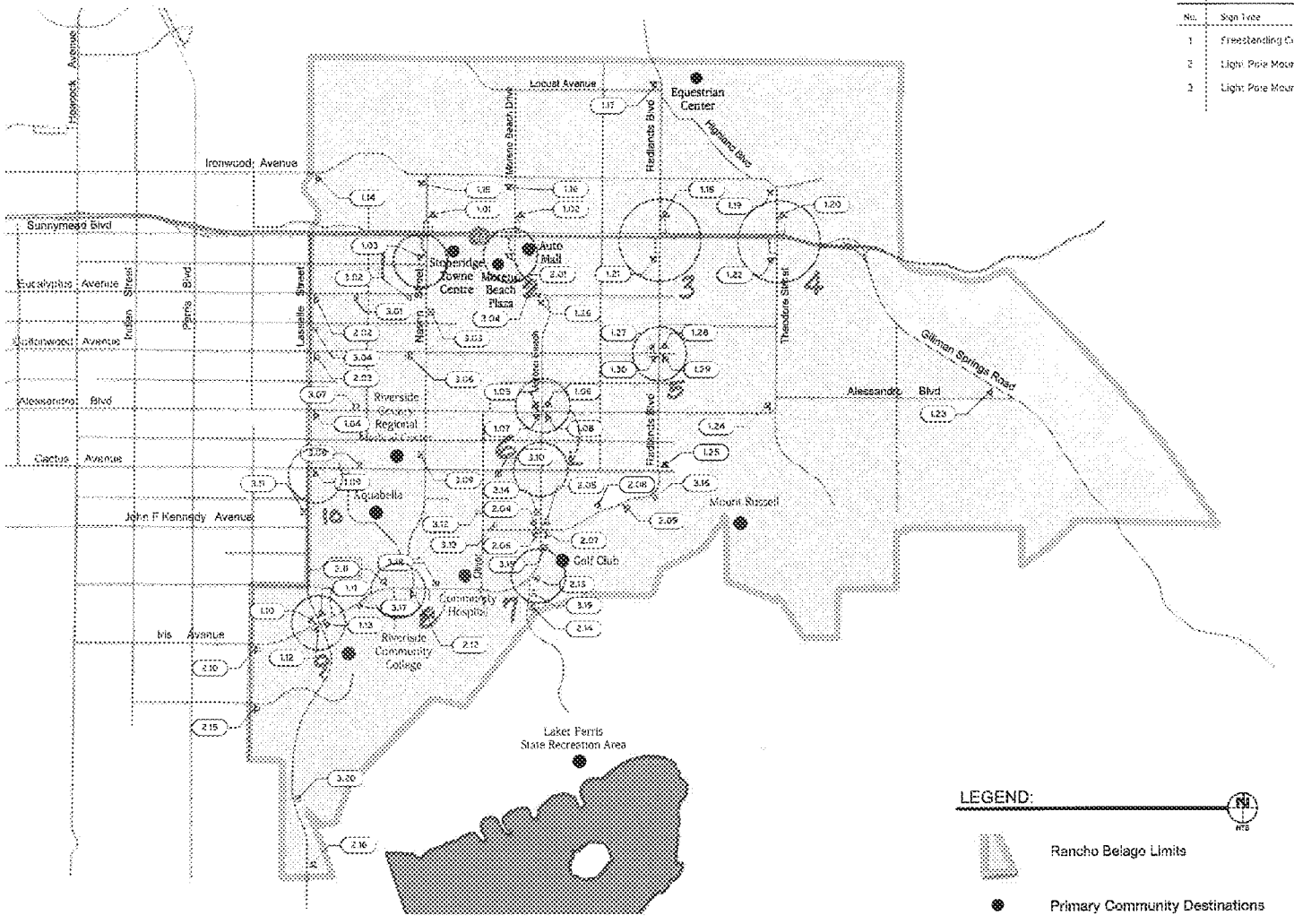

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00052753

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.3

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

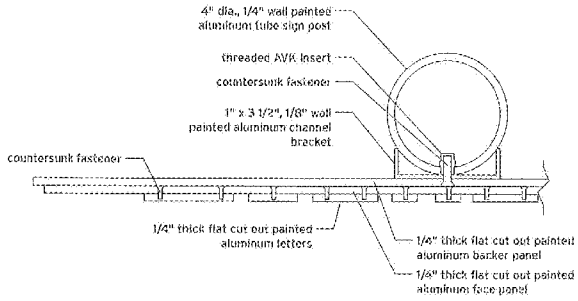

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

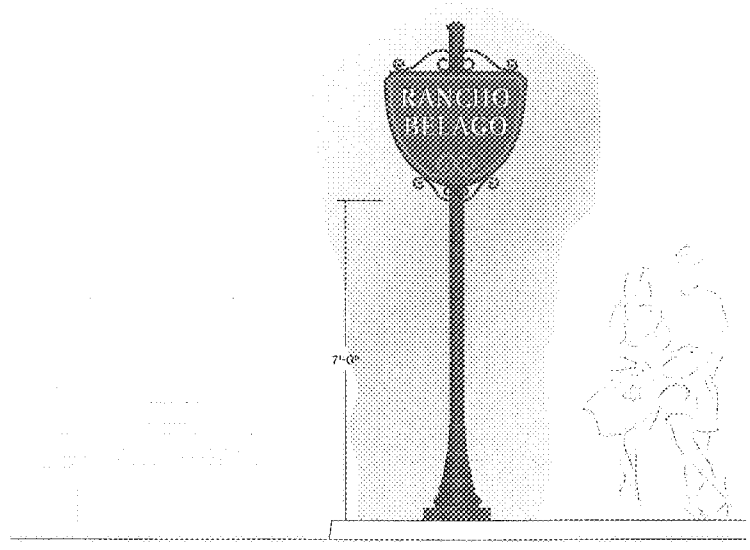

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

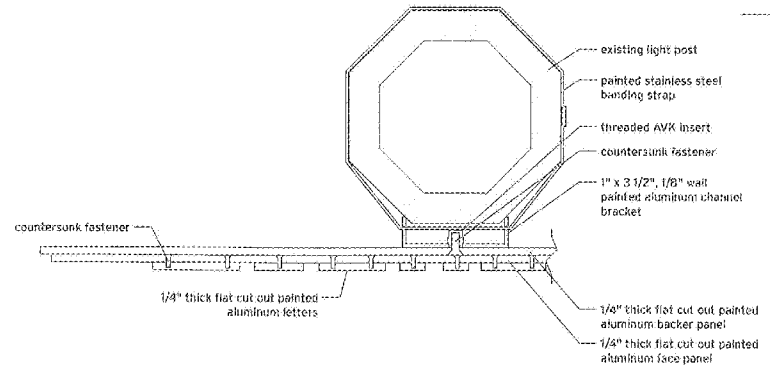

A Details

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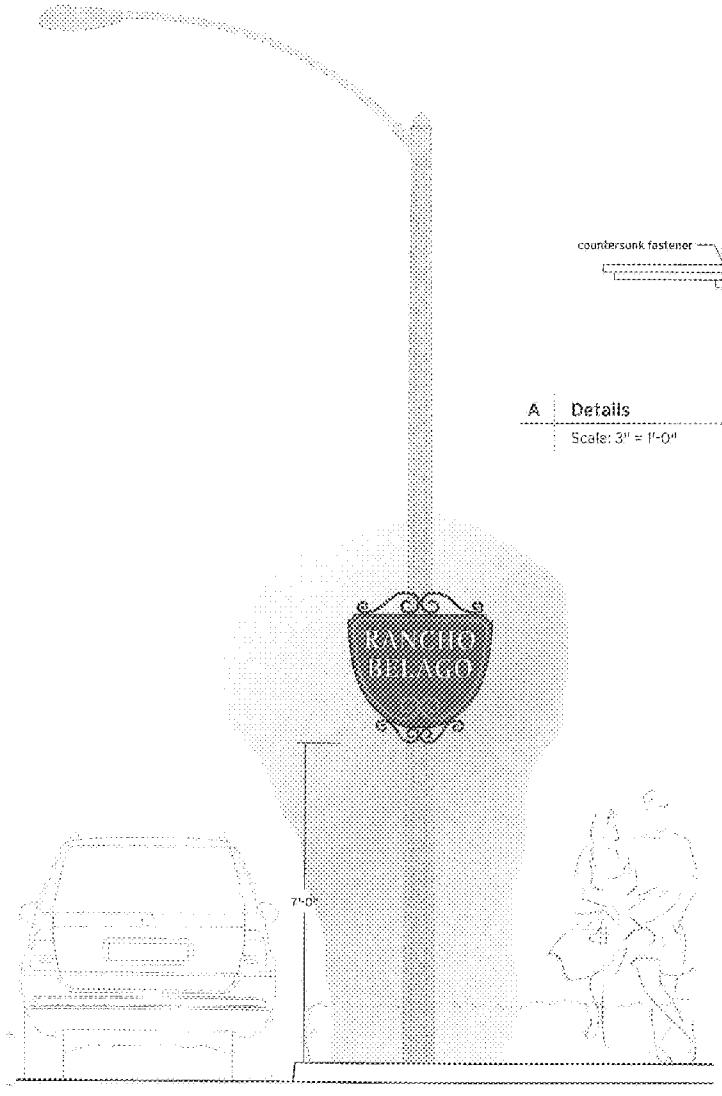

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

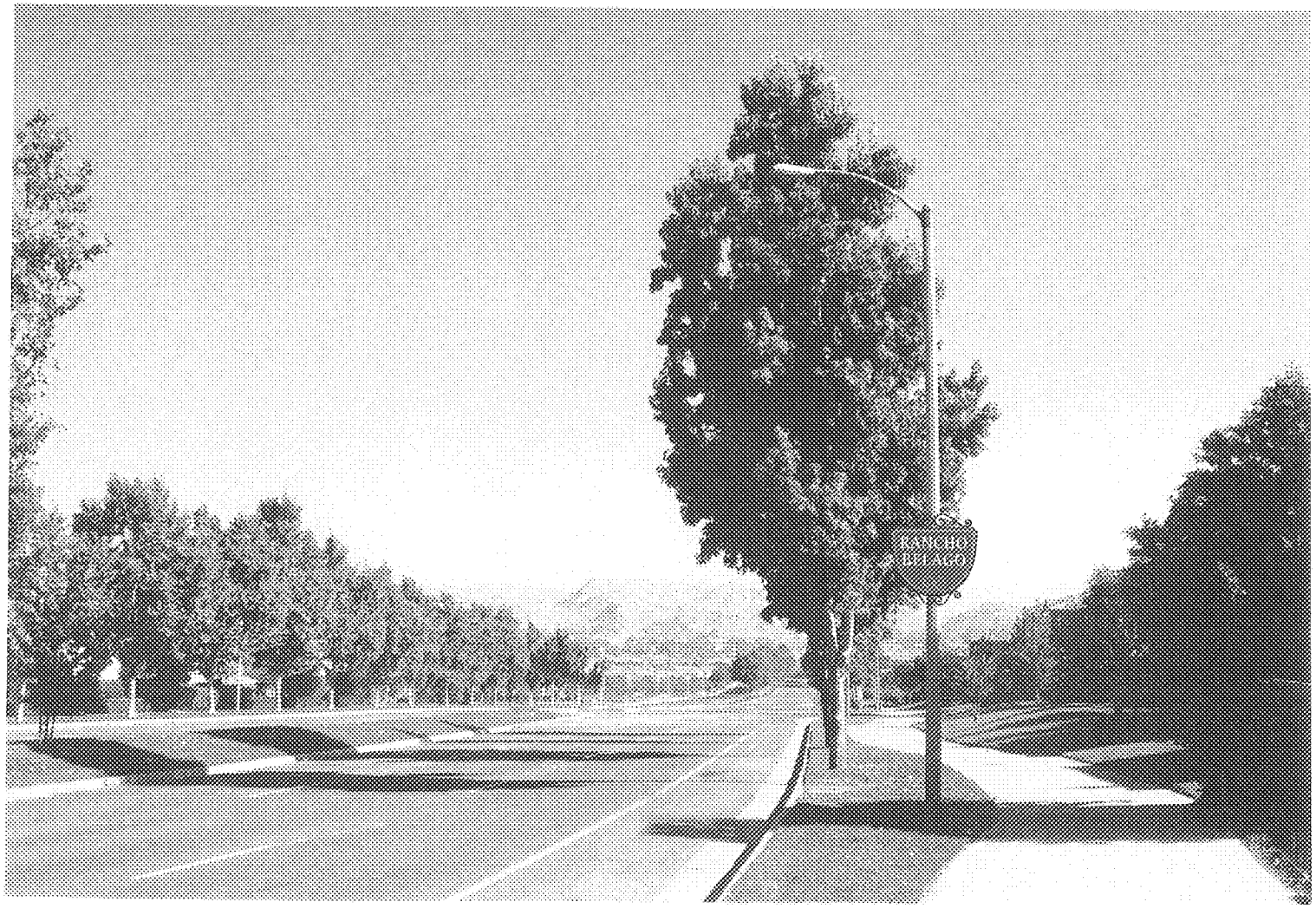

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

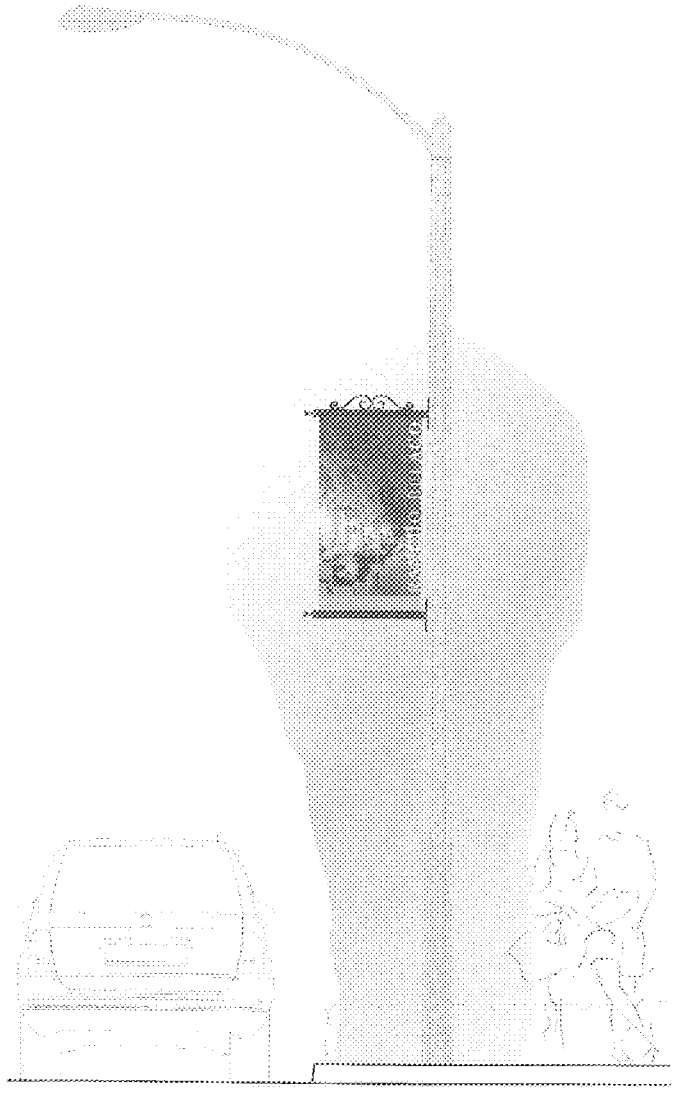

1 Elevation

Scale: 3/8" = 1'-0"

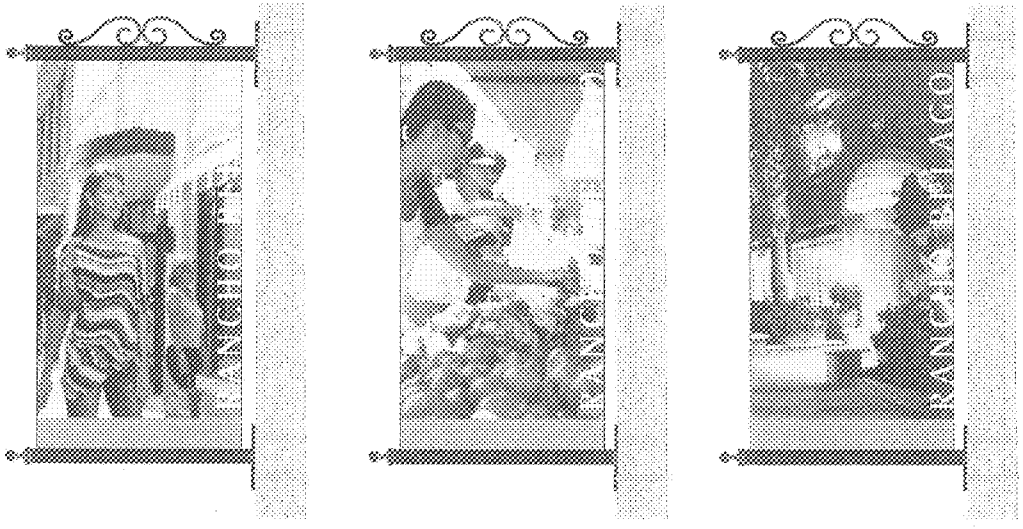

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00052761

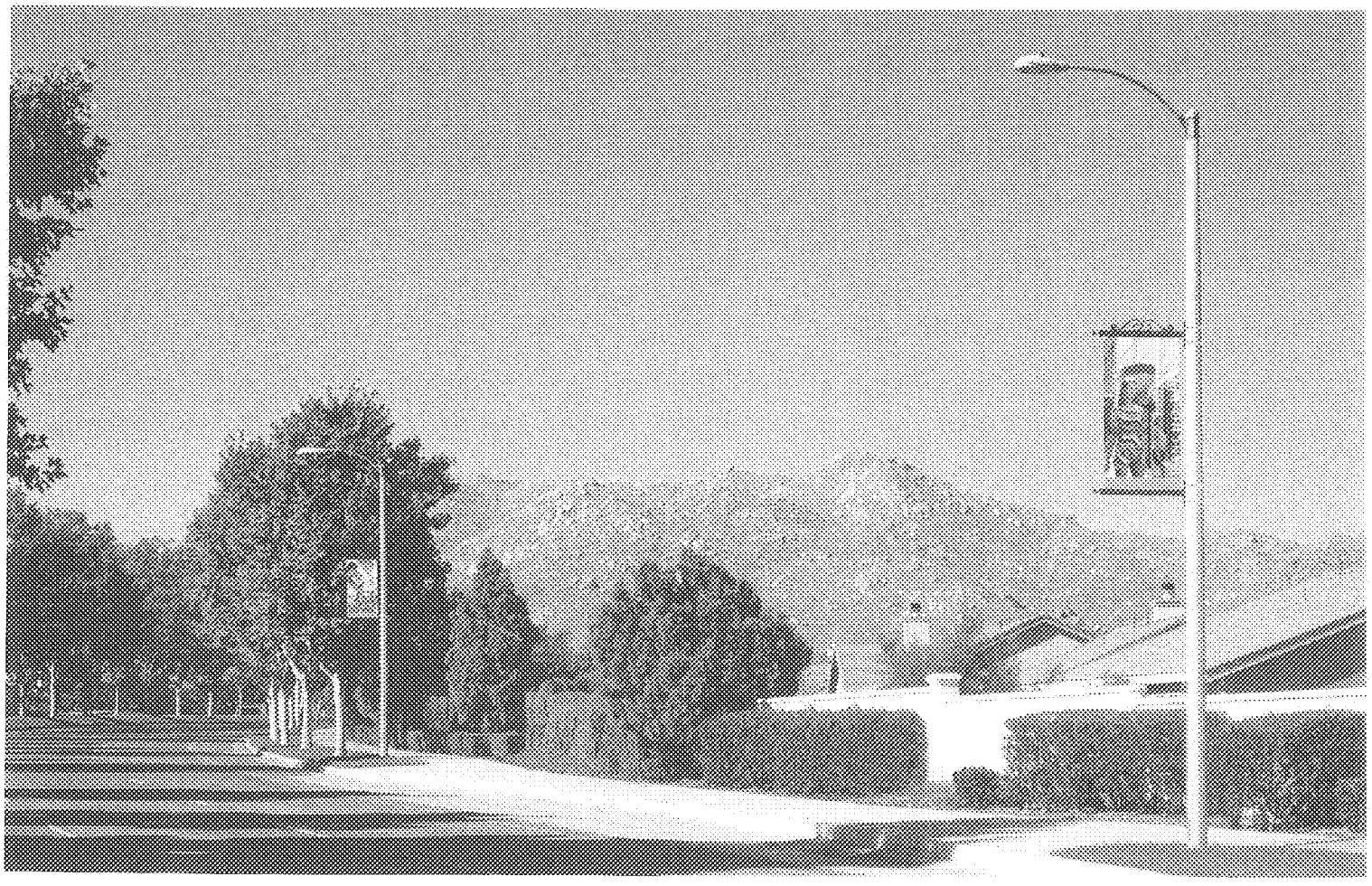

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

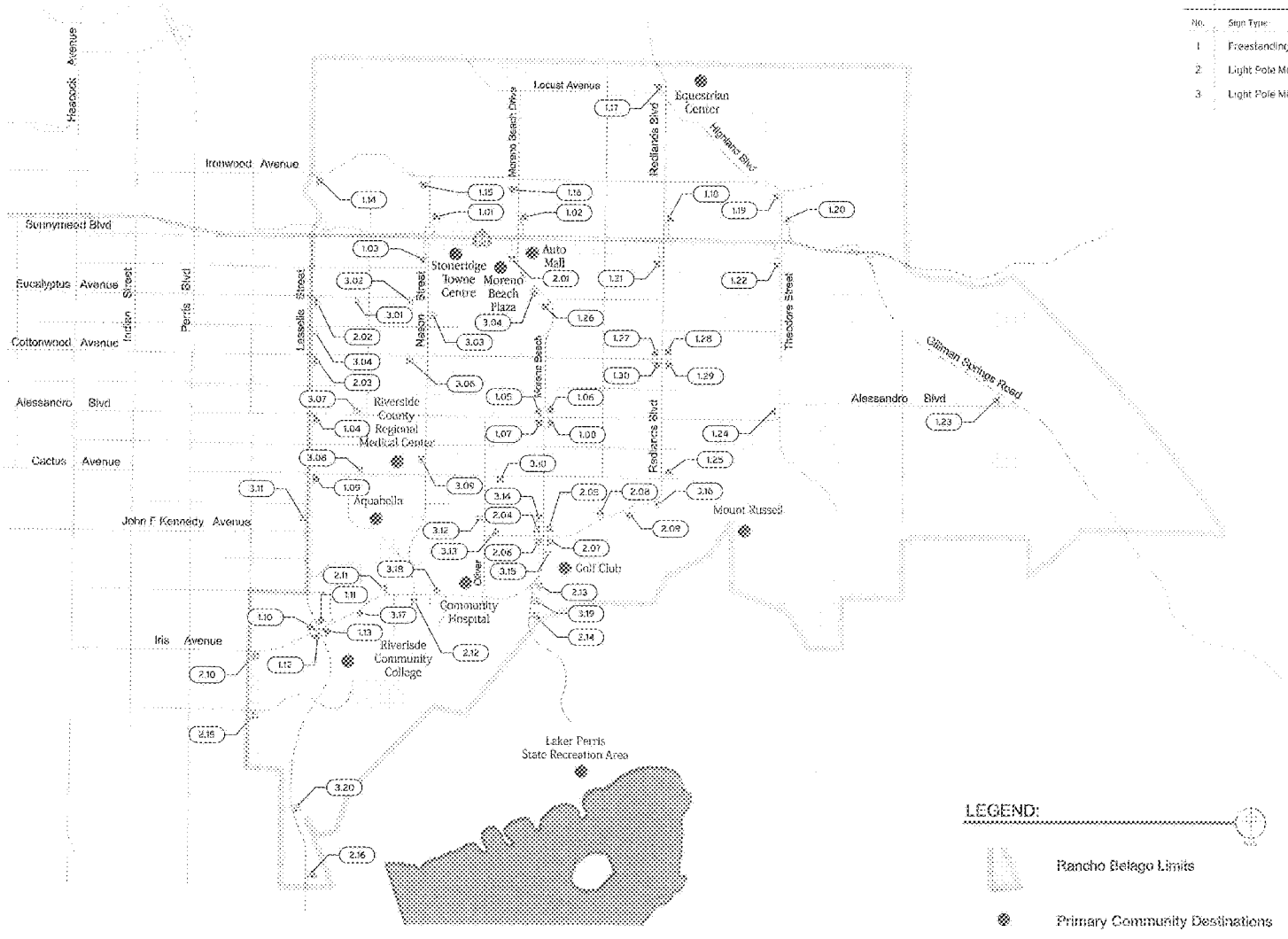

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00052763

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

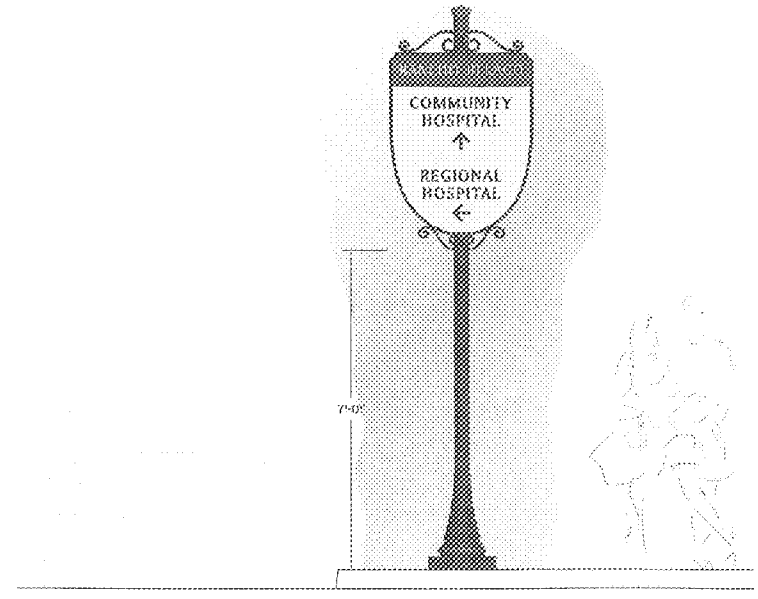

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

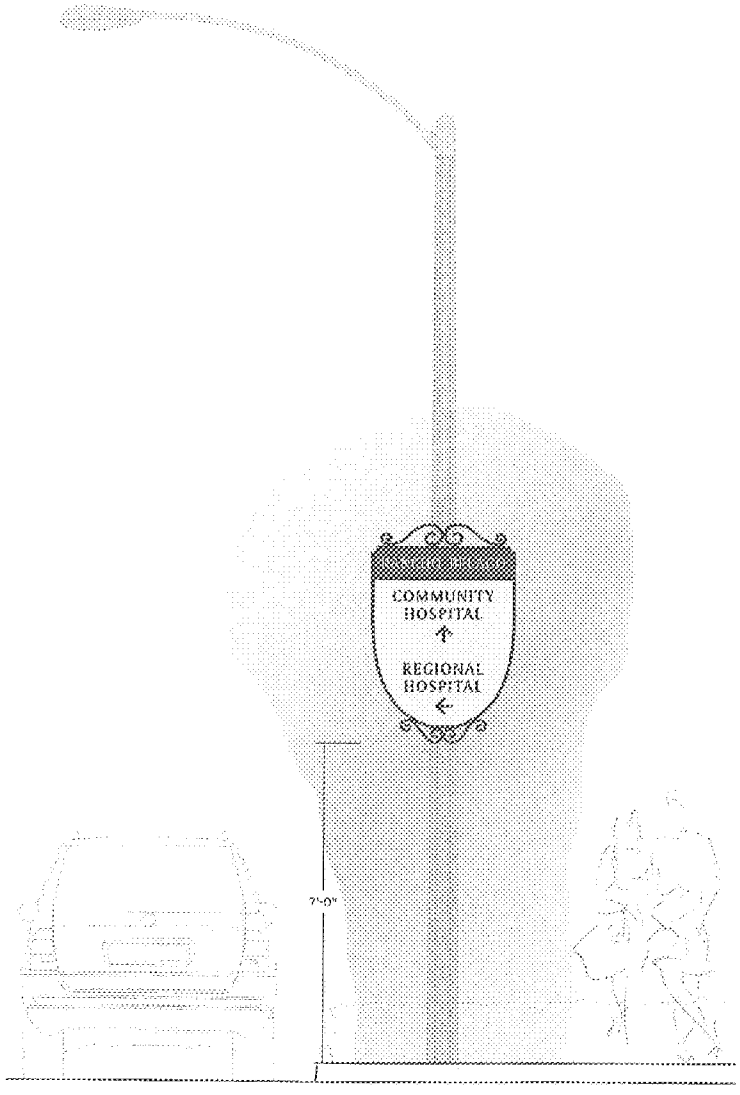

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

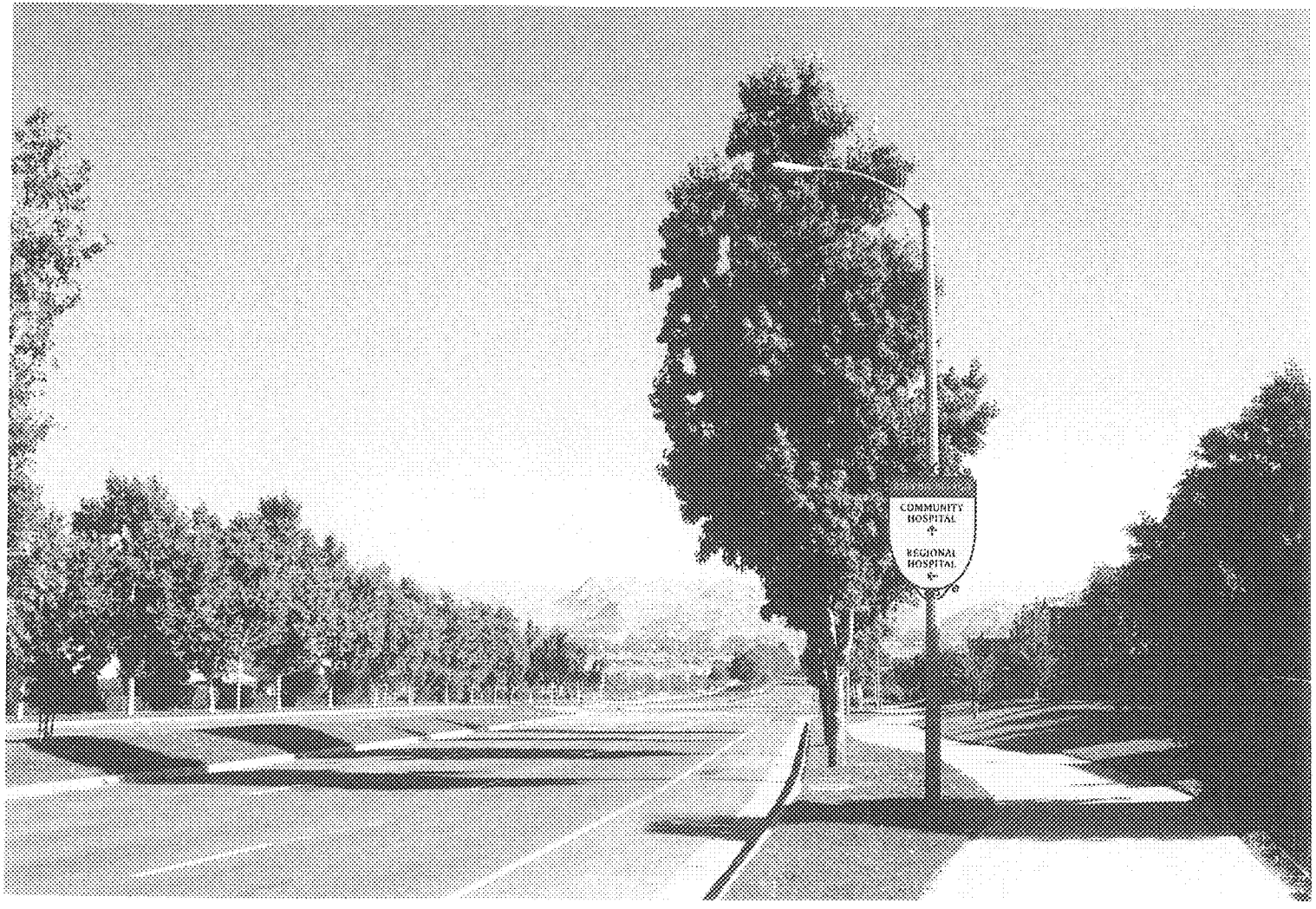

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00052767

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

MV00052769

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

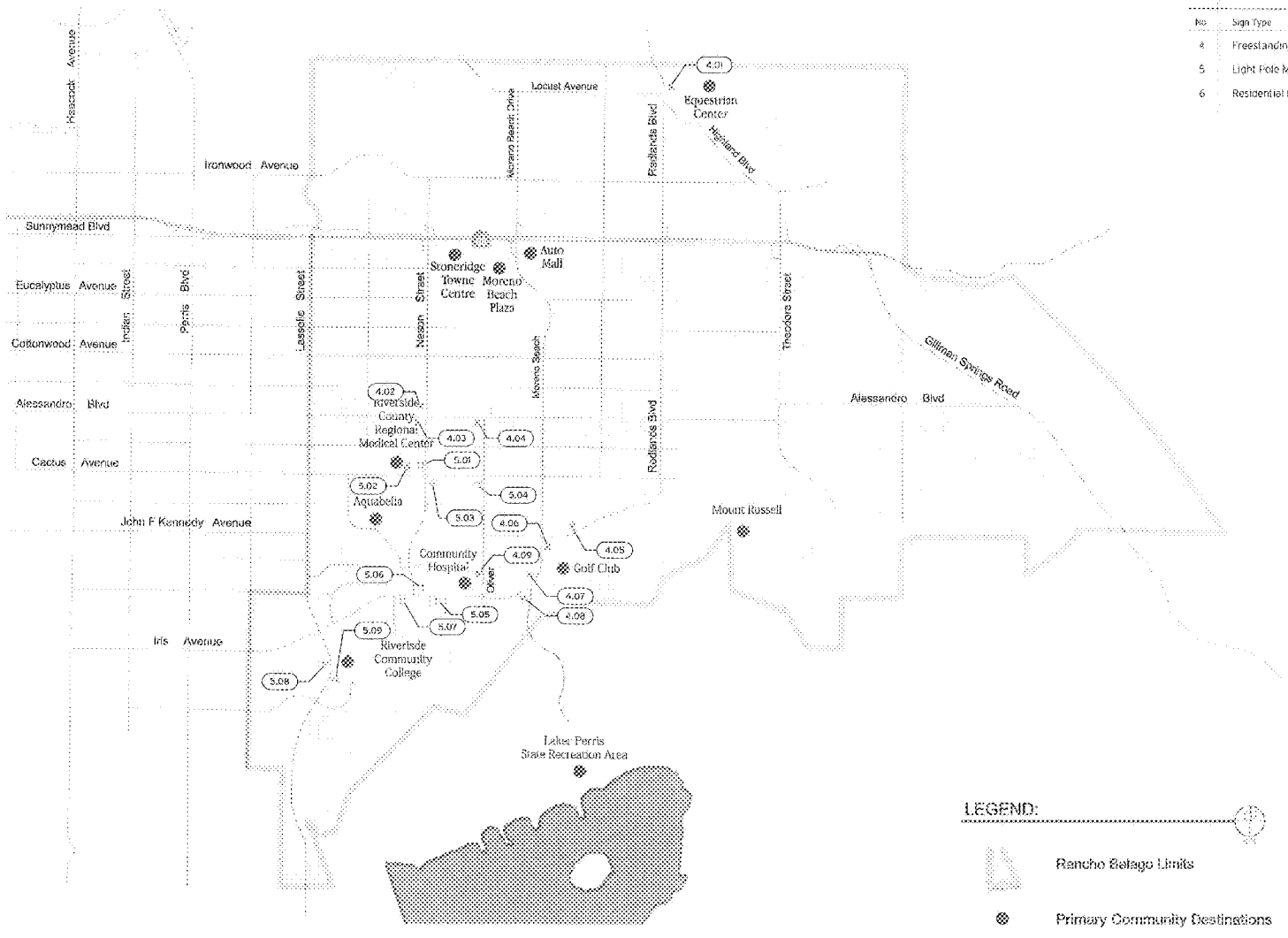

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00052771

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00052773

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

	Permitted Uses Table 9.02.020-1
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains

b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 27, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

3. Proclamation Recognizing Ronald Powell

4. "Spotlight on Moreno Valley Business"

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REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 27, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

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Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication

MV00052800

recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

Resolution No. 2010-26

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said

Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

   b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

MV00052805

Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's

MV00052806

Office)

Recommendation: That the City Council:
Provide direction on the matter.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

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

a Case: *ENCO Utility Services Moreno Valley, LLC, v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 478023

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

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

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf

Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

City Manager Recruitment (Status)

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

ADJOURNMENT

*Revision

MV00052810

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
April 13, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Hastings

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member

Absent

Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Hargis	Technology Services Division Manager
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director

Barry Foster	Economic Development Director
Steve Kupsak	Parks Maintenance Division Manager

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A11 & A12) and Pete Bleckert (Item C3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED

STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

   Resolution No. 2010-20

   A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON

STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:
Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was

Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:
Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time

extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9 INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Kathleen Dale and Thomas R. Jerele Sr.

Associate Planner Jeff Bradshaw announced the following revisions to the agenda item - the wording "revise Policy 2.4.6. by changing the maximum density for the Residential/Office (R/O) Designation from 15 to 30 dwelling units per acre" was changed to **"revise Policy 2.4.5. by changing the maximum density for the Mixed-Use (MU) Designation from 20 to 30 dwelling units per acre."**

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines

Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

Resolution No. 2010-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.5 by Changing the Maximum Density for the Mixed-Use (MU) Designation From 20 To 30 Dwelling Units Per Acre

Motion to Approve revised Resolution No. 2010-21 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

Mayor Pro Tem Hastings reported the following:
1) Senator Feinstein has moved forward with recommending approval of $4 million for AB 811 implementation; is hoping for very positive results
2) Encouraged everyone to return the census forms - it's important to have accurate count to secure federal and state funding

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

Mayor Pro Tem Hastings reported approval of the development agreement with March HealthCare that will create about 12,700 construction jobs and 7,200 full-time health care and related jobs; it is a huge and wonderful project and is very pleased and excited to have it moving forward

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Mayor Flickinger read a letter from the City Attorney of Beverly Hills regarding Rancho Belago shield design.

Motion to continue the item by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Commended staff for working in a timely and efficient manner on processing Highland Fairview development documents for Sketchers project; all the deadlines were met
2) Mayor Flickinger was elected vice-chair of RCTC Western Riverside County Programs and Projects Committee and also joined the board of directors of UCR Citizens University Committee
3) Today the Council received a draft copy of budget for the next year that reflects nearly $17 million shortfall; the Council and staff are working hard to reduce this shortfall; about 5-6 public meetings will be held before budget adoptions; encouraged citizens to attend these meetings; Citizen's Guide to the Preliminary Operating Budget is posted on the Web site
4) Starting this week, City Manager's Update will be posted on the City's Web site; encouraged residents to view it periodically to find out what is going on in Moreno Valley
5) Four Foreclosure Prevention workshops will be conducted, one in each Council District; first one is scheduled on April 26 at Vista High Middle School in District 2; dates for workshops are listed on the Web site; video version is being taped and it will be shown on MVTV-3 for those who cannot attend
6) Burlington Coat Factory remains number 2 among stores recently opened; Frazee Paint Distribution Center is hoping to open this month; the newly opened Hampton Inn remains a top performing hotel across the country
9) A new program is being developed - Shop MoVal will feauture displays at kiosks, Press Enterprise, Your Villa magazine and with a more substantial presence on MVTV-3 and City's Web site

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Deanna Reeder
1) Neighborhood identification signs (Item G2)

Thomas R. Jerele Sr
1) Ballot initiative sponsored by League of California Cities to protect local funds

Dwayne Lewis
1) Withdrew his speaker's slip and will address the full Council at the next meeting

Marcia Amino
1) Money spent on changing the City's image
2) Inquired about progress on street lights issue and if city's owned streetlights are under the same rules as Edison's streetlights
2) Gang problem - inquired what kinds of proactive programs are in place in the City
3) Increased budget deficit

Pete Bleckert
1) Budget/expenditures

Daryl Terrell
1) Standing against adversity; hopes and dreams

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Mayor Pro Tem Hastings
1) Responded to speaker's comments about budget - other government agencies, including the County, are facing budget deficits also; in addition, the State is looking into taking funds from the local governments; the budget picture doesn't look good, but local government needs to work efficiently to provide core services to the residents
2) League of California Cities sponsored an initiative to protect local funds; encouraged everyone to vote on it; still working on retaining RDA funds; it is a very tough time right now, but tough times don't last, tough people do
3) Regarding Rancho Belago signs - expressed concerns about it while the City is facing a budget deficit
4) A very productive townhall meeting with two Homeowners Associations, staff and POP team was held at Moreno Valley Ranch - about 125 residents attended; thanked everybody who attended

Council Member Batey
1) Responded to speaker's comments regarding Edgemont District water issue - Box Spring Mutual Water District is a private, for profit company with own governing board and shareholders making decisions on water rates, maintenance and service; the District collects money and the District, not the City Council, is responsible for upgrades. According to the study, it will cost over $15 million to upgrade and increase capacity of the system; the Council tried the best to partner with the board and provide seed money for improvements, but so far, not much has been done. It is a serious issue, as the lack of system improvements is holding other projects in that area.
A meeting with the major water districts, the County Supervisors' office and the City is set up at the end of May to develop a long term plan to bring necessary improvements; a lot of work needs to be done, and it will take about five to ten years to upgrade the system
2) Regarding streetlights in Edgemont area - Edgemont is a separate district and it is responsible for the streetlights, not the City; residents need to request the board to install streetlights, as the board votes and makes those decisions

Mayor Flickinger
1) Responded to speaker's comments about deficit situation - the City is in a deficit situation because the revenues are down; the Council has to

figure out how to provide services with less money than before
2) Responded to the comment regarding gangs in the City - the Public Safety Subcommittee had a presentation by the Police Department's Antigangs Team regarding this subject two days ago - the gangs that were previously active in the City have been shot down by the Police Department - we are tough on gangs and not allowing them to take over our city; there is no a serious gang problem in the City
3) Encouraged residents to watch American Idol on Channel 11, where Moreno Valley resident Andrew Garcia is a finalist in the national competition
4) Received a lot of e-mails supporting DUI checkpoints, which make street safer, save lives and keep citizens safe
5) The City has return only about 52 percent of the census forms; encouraged residents to return the forms to keep services funded by federal grants
6) The next round of City's foreclosure prevention workshops starts April 26 at Vista High Middle School
7) On April 22 and May 6, at 6 p.m. at City Hall, Southern California Association of Governements will be holding workshops to divise a vision document that will focus on the long-term plans for Alessandro corridor from Freeway 215 to Lasselle Street; looking for input from the public
8) Congratulated students at Moreno Valley and Riverside colleges for voting to continue free rides on RTA buses for all the students; buses are free for the next 5 years
9) Requested to agendize for next study session a discussion regarding expenditures for March Field air show and July 4th celebration; seconded by Mayor Pro Tem Hastings

CLOSED SESSION

Canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:45 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00052827

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 27, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

Reports on Reimbursable Activities April 7-20, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	4/6/10	Moreno Valley Hispanic Chamber of Commerce Adelante
	4/10/10	Gen. Melin's Retirement Ceremony/Reception
	4/14/10	Student of the Month
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00052829

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-
Check Register for Month of February, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

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

RESOLUTION NO. 2010-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF FEBRUARY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period February 1, 2010 through February 28, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period February 1, 2010 through February 28, 2010, in the total amount of $11,074,851.58 is approved.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
AFTERSCHOOL STORE.COM				
2/8/2010	200303	27,661.63		
			DEC-09 SNACK SVCS-STARS	27,661.63
2/22/2010	200670	34,345.02		
			AFTER SCHOOL SNACKS	34,345.02
	Vendor Total	**62,006.65**		
FYTD for AFTERSCHOOL STORE.COM		**196,052.43**		
CALPERS				
2/16/2010	200550	98,278.79		
			ARC PMT LESS PAYOUTS	135,916.66
			ARC PMT LESS PAYOUTS	-37,637.87
	Vendor Total	**98,278.79**		
FYTD for CALPERS		**666,008.08**		
CITIBANK (WEST) FSB				
2/24/2010	91312	87,001.67		
			ACQ & ESCROW 25437 MARGARET DR	87,001.67
	Vendor Total	**87,001.67**		
FYTD for CITIBANK (WEST) FSB		**87,001.67**		
COUNTY OF RIVERSIDE FIRE DEPT				
2/10/2010	91304	3,273,674.92		
			2ND QTR FIRE SERVICES	3,273,674.92
	Vendor Total	**3,273,674.92**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT		**9,268,183.95**		
CRITICAL SOLUTIONS				
2/8/2010	200351	28,145.04		
			EMRGNCY OPS CTR PROJ SVCS	28,145.04
2/22/2010	200693	30,896.69		
			EMRGNCY OPS CTR PROJ SVCS	30,896.69
	Vendor Total	**59,041.73**		
FYTD for CRITICAL SOLUTIONS		**312,490.45**		
DIEDERICHS & ELCONIN				
2/8/2010	200359	41,312.50		
			JUL-DEC LEGAL SVCS-HR	5,000.00
			JUL-DEC LEGAL SVCS-HR	26,050.00
			AUG-NOV LEGAL SVCS-HR	5,487.50
			JUL-DEC LEGAL SVCS-HR	4,775.00
	Vendor Total	**41,312.50**		
FYTD for DIEDERICHS & ELCONIN		**49,937.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/12/2010	2583	37,021.86		
			DEP STATE TAX W/H 02/12/10	37,021.86
2/26/2010	2593	34,771.80		
			DEP STATE TAX W/H 02/26/10	34,771.80
	Vendor Total	**71,793.66**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/1/2010	200235	154,680.22		
			DEC-09 PROF SVCS-GIS DATA CONV	234.68
			DEC-09 PROF SVCS-WM TRNSFR STN	111.14
			DEC-09 PROF SVCS-HIGHLAND	176.02
			EMRGNCY OPS CTR WORK	22.23
			PERRIS BLVD 12 KV FEEDER WORK	4,177.51
			CIRC #5 PHASE II INSTALL. WORK	6,711.68
			LASSELLE ST 12KV CIRC TIE WORK	4,647.66
			CACTUS/LASSELLE CIRC TIE WORK	207.89
			CACTUS/LASSELLE CIRC TIE WORK	6,215.37
			GOLDENCRST/ELSWORTH BKBONE EXT	1,864.03
			GOLDENCRST/ELSWORTH BKBONE EXT	1,167.15
			DISTRIBUTION CHRGS	124,039.08
			SPECIAL CHRGS	7,167.00
			ONLINE UT SVCS	243.75
			BAD DEBT DEDUCTION	-2,304.97
	Vendor Total	**154,680.22**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENVIRONMENTAL CONSTRUCTION, INC.				
2/16/2010	200570	30,943.98		
			SUNNYMD BLVD REVIT PROJ SVCS	30,943.98
	Vendor Total	**30,943.98**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,920,203.15**		
FULBRIGHT & JAWORSKI, L.L.P.				
2/8/2010	200373	26,498.57		
			DEC-09 LEGAL SVCS-UT	26,498.57
	Vendor Total	**26,498.57**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**175,862.62**		
HARRIS & ASSOCIATES, INC.				
2/1/2010	200249	40,777.80		
			SUNNYMD BLVD REVIT PROJ SVCS	5,165.28
			SUNNYMD BLVD REVIT PROJ SVCS	35,612.52
	Vendor Total	**40,777.80**		
FYTD for HARRIS & ASSOCIATES, INC.		**310,221.62**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HEERY INTERNATIONAL, INC.					
	2/16/2010	200588	43,682.25		
				NEW MAIN LIBRARY PROJ SVCS	43,682.25
	Vendor Total		**43,682.25**		
FYTD for HEERY INTERNATIONAL, INC.			**193,012.75**		
INLAND EMPIRE ECONOMIC PARTNERSHIP INC.					
	2/8/2010	200401	25,000.00		
				ANNUAL MEMBERSHIP	25,000.00
	Vendor Total		**25,000.00**		
FYTD for INLAND EMPIRE ECONOMIC PARTNERSHIP INC.			**25,000.00**		
INTERNAL REVENUE SERVICE					
	2/12/2010	2582	134,592.07		
				DEP FED TAX W/H 02/12/10	134,592.07
	2/26/2010	2592	126,760.49		
				DEP FED TAX W/H 02/26/10	126,760.49
	Vendor Total		**261,352.56**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
KOA CORPORATION					
	2/1/2010	200252	32,249.68		
				PERRIS BLVD WIDENING AT SR-60	2,972.36
				RECHE VISTA DR REALIGNMNT PROJ	5,452.32
				RECHE VISTA DR REALIGNMNT PROJ	23,825.00
	Vendor Total		**32,249.68**		
FYTD for KOA CORPORATION			**183,061.65**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	2/8/2010	200417	47,369.83		
				OCT-DEC LEGAL SVCS-RISK MGT	24,748.00
				OCT-DEC LEGAL SVCS-RISK MGT	22,621.83
	Vendor Total		**47,369.83**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**69,500.04**		
LAWYERS TITLE INC					
	2/23/2010	91311	59,024.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	59,024.00
	Vendor Total		**59,024.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MIRACLE PLAYGROUND SALES				
2/8/2010	200442	32,206.09		
			PLAYGROUND EQUIP.-PATRIOT PARK	29,830.16
			PLAYGROUND EQUIP.-TAX/FREIGHT	2,375.93
	Vendor Total	**32,206.09**		
FYTD for MIRACLE PLAYGROUND SALES		**32,206.09**		
MORENO VALLEY UTILITY				
2/22/2010	200732	54,112.83		
			ELECTRIC SVC-UT FLD OFFICE	110.21
			ELECTRICITY	139.72
			ELECTRICITY	856.40
			ELECTRICITY	230.71
			ELECTRICITY	2,150.60
			ELECTRICITY	9,868.55
			ELECTRICITY	9,726.46
			ELECTRICITY	2,821.88
			ELECTRICITY	4,225.39
			ELECTRICITY	795.13
			ELECTRICITY	1,612.51
			ELECTRICITY	12,106.82
			ELECTRICITY	8,732.81
			ELECTRICITY	179.36
			ELECTRICITY	134.30
			ELECTRICITY	86.28
			ELECTRICITY	64.97
			ELECTRICITY	64.71
			ELECTRICITY	135.16
			ELECTRICITY	70.86
	Vendor Total	**54,112.83**		
FYTD for MORENO VALLEY UTILITY		**526,683.54**		
PALP, INC. DBA EXCEL PAVING COMPANY				
2/1/2010	200263	209,167.40		
			SUNNYMD BLVD REVIT PROJ SVCS	209,167.40
2/16/2010	200608	315,341.08		
			SUNNYMD BLVD REVIT PROJ SVCS	26,519.40
			SUNNYMD BLVD REVIT PROJ SVCS	45,614.70
			SUNNYMD BLVD REVIT PROJ SVCS	243,206.98
2/22/2010	200737	133,091.01		
			SUNNYMD BLVD REVIT PROJ SVCS	63,642.60
			SUNNYMD BLVD REVIT PROJ SVCS	69,448.41
	Vendor Total	**657,599.49**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,618,568.76**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.					
	2/1/2010	200264	76,568.77		
				SR-60/NASON ST OVRCRSSNG PROJ	76,568.77
	Vendor Total		**76,568.77**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**886,897.31**		
PERS HEALTH INSURANCE					
	2/8/2010	91302	201,450.20		
				EMPL HEALTH INS 02/01/10	201,450.20
	Vendor Total		**201,450.20**		
FYTD for PERS HEALTH INSURANCE			**1,539,304.65**		
PERS RETIREMENT					
	2/5/2010	2576	194,907.27		
				PERS RETIREMENT 02/05/10	194,907.27
	2/19/2010	2584	193,675.24		
				PERS RETIREMENT 02/19/10	193,675.24
	Vendor Total		**388,582.51**		
FYTD for PERS RETIREMENT			**3,745,184.41**		
POUK & STEINLE, INC.					
	2/8/2010	200458	63,296.10		
				TRAF SIG-COTTONWD/PATTILYNN DR	63,296.10
	Vendor Total		**63,296.10**		
FYTD for POUK & STEINLE, INC.			**314,311.39**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	2/8/2010	200460	33,091.00		
				CACTUS AVE WIDENING PROJ-STG 1	10,454.50
				CACTUS AVE WIDENING PROJ-STG 2	22,636.50
	Vendor Total		**33,091.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**401,430.16**		
RITE AID CORP.					
	2/8/2010	200464	109,016.58		
				REFUND-IMPACT FEES	919.02
				REFUND-IMPACT FEES	77,717.88
				REFUND-IMPACT FEES	11,756.52
				REFUND-IMPACT FEES	1,387.20
				REFUND-IMPACT FEES	4,022.88
				REFUND-IMPACT FEES	1,283.16
				REFUND-IMPACT FEES	11,860.56
				REFUND-IMPACT FEES	69.36
	Vendor Total		**109,016.58**		
FYTD for RITE AID CORP.			**109,016.58**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF					
	2/23/2010	913081	2,552,667.63		
				CONTRACT LAW ENF BILL # 07	58,202.81
				CONTRACT LAW ENF BILL # 07	243.00
				CONTRACT LAW ENF BILL # 07	481.86
				CONTRACT LAW ENF BILL # 07	528.93
				CONTRACT LAW ENF BILL # 07	3,406.05
				CONTRACT LAW ENF BILL # 07	3,844.63
				CONTRACT LAW ENF BILL # 07	4,308.27
				CONTRACT LAW ENF BILL # 07	5,534.43
				CONTRACT LAW ENF BILL # 07	5,571.18
				CONTRACT LAW ENF BILL # 07	32,844.00
				CONTRACT LAW ENF BILL # 07	36,270.26
				CONTRACT LAW ENF BILL # 07	42,125.01
				CONTRACT LAW ENF BILL # 07	65,221.45
				CONTRACT LAW ENF BILL # 07	67,929.46
				CONTRACT LAW ENF BILL # 07	168,872.96
				CONTRACT LAW ENF BILL # 07	237,568.51
				CONTRACT LAW ENF BILL # 07	375,426.40
				CONTRACT LAW ENF BILL # 07	1,424,977.68
				CONTRACT LAW ENF BILL # 07	18,240.54
				CONTRACT LAW ENF BILL # 07	1,070.20
	Vendor Total		**2,552,667.63**		
FYTD for RIVERSIDE COUNTY SHERIFF			**26,845,212.81**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200279	28,402.22		
				DEC-09 WDAT CHRGS-IRIS	2,625.22
				DEC-09 WDAT CHRGS-GRAHAM	3,727.65
				DEC-09 WDAT CHRGS-GLOBE	7,197.48
				DEC-09 WDAT CHRGS-NANDINA	2,647.31
				DEC-09 WDAT CHRGS-FREDERICK	1,757.25
				DEC-09 WDAT CHRGS-SUBSTATION	10,447.31
	2/16/2010	200627	134,049.90		
				ELECTRICITY	59.83
				ELECTRICITY	256.36
				ELECTRICITY	20.22
				ELECTRICITY	857.92
				ELECTRICITY	792.21
				ELECTRICITY	873.59
				ELECTRICITY	1,637.57
				ELECTRICITY	93,664.13
				ELECTRICITY	395.92
				ELECTRICITY	101.96
				ELECTRICITY	19.55
				ELECTRICITY	18.87
				ELECTRICITY	58.99
				ELECTRICITY	79.69
				ELECTRICITY	41.44
				ELECTRICITY	35,171.65
	Vendor Total		**162,452.12**		
FYTD for SOUTHERN CALIFORNIA EDISON			**5,992,105.32**		
STANDARD INSURANCE CO					
	2/16/2010	200665	29,664.43		
				LIFE & DISABILITY INSURANCE	12,738.50
				LIFE & DISABILITY INSURANCE	17,973.11
				LIFE & DISABILITY INSURANCE	-1,047.18
	Vendor Total		**29,664.43**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STONERIDGE CENTER PARTNERS					
	2/10/2010	91305	455,705.73		
				STONERIDGE CFD# 5 STREET IMP	455,705.73
	Vendor Total		**455,705.73**		
FYTD for STONERIDGE CENTER PARTNERS			**455,705.73**		
THE WARD & WARD, ATTORNEYS AT LAW					
	2/16/2010	200639	165,048.82		
				SETTLEMENT OF MONACO	165,048.82
	Vendor Total		**165,048.82**		
FYTD for THE WARD & WARD, ATTORNEYS AT LAW			**165,048.82**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
U.S. BANK/CALCARDS					
	2/11/2010	91306	60,678.18		
				CALCARD PMT CYCLE END 02/08/10	60,678.18
	Vendor Total		**60,678.18**		
FYTD for U.S. BANK/CALCARDS			**1,267,593.74**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	2/16/2010	200657	30,665.44		
				RENTAL ASSIST SVCS-HPRP PRGM	15,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	15,000.00
				RENTAL ASSIST SVCS-ADMIN FEES	415.44
				RENTAL ARREARS SVCS-ADMIN FEES	250.00
	Vendor Total		**30,665.44**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**64,665.44**		
WASTE MANAGEMENT					
	2/8/2010	200523	229,472.36		
				SOLID WST DELINQ LESS FRANCHIS	261,149.84
				SOLID WST DELINQ LESS FRANCHIS	-31,677.48
	Vendor Total		**229,472.36**		
FYTD for WASTE MANAGEMENT			**318,266.94**		
	Subtotal		**9,716,967.09**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
452ND AIR MOBILITY WING				
2/1/2010	200207	0.00		
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
2/4/2010	200297	25.00		
			ATTND: MAYOR FLICKINGER	25.00
	Vendor Total	**25.00**		
FYTD for 452ND AIR MOBILITY WING		**72.00**		
A & I REPROGRAPHICS 2406362				
2/8/2010	200298	98.95		
			RPRGRPHC SVCS-PERRIS BLVD PROJ	98.95
2/22/2010	200666	87.00		
			RPRGRPHC SVCS-AQUDCT BIKEWY	87.00
	Vendor Total	**185.95**		
FYTD for A & I REPROGRAPHICS 2406362		**11,962.06**		
ACCOUNTEMPS				
2/16/2010	200532	2,277.00		
			TEMP SVCS-APODACA W/E 1/15	828.00
			TEMP SVCS-APODACA W/E 1/22	621.00
			TEMP SVC:APODACA-W/E 1/29	828.00
2/22/2010	200667	828.00		
			TEMP SVC-APODACA W/E 2/5	828.00
	Vendor Total	**3,105.00**		
FYTD for ACCOUNTEMPS		**3,105.00**		
ADAMS, BROOK				
2/16/2010	200533	200.00		
			REFUND-RNTL DEP 1/23/10	200.00
	Vendor Total	**200.00**		
FYTD for ADAMS, BROOK		**200.00**		
ADAMS, MARK L.				
2/8/2010	200299	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**2,549.84**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADLERHORST INTERNATIONAL INC.					
	2/16/2010	200534	425.01		
				JAN-10 TRAINING-K9 BLUE	141.67
				JAN-10 TRAINING-K9 MAX/LEX	283.34
	2/22/2010	200668	29.91		
				LEASH & TRNG AID-K9 LEX	29.91
	Vendor Total		**454.92**		
FYTD for ADLERHORST INTERNATIONAL INC.			**3,847.82**		
ADMINSURE					
	2/8/2010	200300	2,600.00		
				FEB-10 WRKMNS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**20,800.00**		
ADT SECURITY SERVICES					
	2/16/2010	200535	373.00		
				REFUND-FIRE FEES	352.00
				REFUND-FIRE FEES	21.00
	Vendor Total		**373.00**		
FYTD for ADT SECURITY SERVICES			**373.00**		
ADVANCED ELECTRIC					
	2/1/2010	200208	5,654.00		
				ELECT RPRS-CRC	786.00
				ELECT RPRS-FS #48	175.00
				ELECT RPRS-ERC	479.00
				ELECT RPRS-FS #58	984.00
				ELECT RPRS-CRC	83.00
				ELECT RPRS-CRC	257.00
				ELECT RPRS-CRC	62.00
				ELECT RPRS-CRC	576.00
				ELECT RPRS-PSB	247.00
				ELECT RPRS-PARKS	65.00
				ELECT RPRS-PARKS	1,705.00
				ELECT RPRS-CITY HALL	235.00
	2/8/2010	200301	207.00		
				LIGHT RPLCMNT-ANML VET CLINIC	207.00
	2/16/2010	200536	2,230.00		
				ELECT RPR-FS #48 PARKING LOT	976.00
				ELECT RPR-FS #91 DSL PUMP	1,102.00
				ELECT SVC-RECEPT INSTALL	152.00
	Vendor Total		**8,091.00**		
FYTD for ADVANCED ELECTRIC			**65,327.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANTAGE BUSINESS EQUIPMENT, INC				
2/8/2010	200302	955.91		
			CHECK DESIGN/STOCK AND TONER	955.91
Vendor Total		**955.91**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**5,951.81**		
AEI-CASC ENGINEERING				
2/22/2010	200669	673.50		
			CONSULTING SVCS	673.50
Vendor Total		**673.50**		
FYTD for AEI-CASC ENGINEERING		**314,585.09**		
AGA/ASSOC OF GOVERNMENT ACCOUNTANTS				
2/22/2010	200671	100.00		
			MBRSHP RNWL-L WILSON	100.00
Vendor Total		**100.00**		
FYTD for AGA/ASSOC OF GOVERNMENT ACCOUNTANTS		**535.00**		
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
2/16/2010	200537	1,650.00		
			DATABASE LEASING	1,650.00
Vendor Total		**1,650.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**1,650.00**		
ALL PRO DISPLAYS & GRAPHICS, LLC				
2/22/2010	200672	327.20		
			THROW COVER-ANML SVCS	313.20
			THROW COVER-SHIPPING	14.00
Vendor Total		**327.20**		
FYTD for ALL PRO DISPLAYS & GRAPHICS, LLC		**674.40**		
ALLIANZ LIFE INSURANCE CO				
2/16/2010	200538	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**600.00**		

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ALPHACORP/SIRE TECHNOLOGIES				
2/8/2010	200304	11,994.00		
			SIRE EDMS SOFTWARE MAINT	1,699.00
			PERMITS PLUS MAINT	509.00
			ENTERPRISE MODULE	899.00
			ENTERPRISE MODULE	720.00
			SIRE CLIENT USER LICENSE	2,519.00
			PDF CONVERSION	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE	539.00
			SIRE FORMS	899.00
			SIRE AGENDA PLUS	6,119.00
			CAPTURE INDEX STATION	944.00
			INCENTIVE DISCOUNT	-4,000.00
Vendor Total		**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**15,894.00**		
AMBRIZ, MARISELA				
2/8/2010	200305	34.65		
			REFUND-CHLDS PLC DUES	34.65
Vendor Total		**34.65**		
FYTD for AMBRIZ, MARISELA		**34.65**		
AMERICAN FORENSIC NURSES				
2/1/2010	200209	1,080.00		
			BLOOD DRAWS-PD	1,080.00
2/8/2010	200306	1,168.20		
			BLOOD DRAWS-PD	46.70
			BLOOD DRAWS-PD	1,121.50
Vendor Total		**2,248.20**		
FYTD for AMERICAN FORENSIC NURSES		**18,124.70**		
AMERICAN ROTARY BROOM CO.				
2/8/2010	200307	493.09		
			STREET SWEEPING BROOM KITS	493.09
2/22/2010	200673	1,163.83		
			STREET SWEEPING BROOM KITS	940.25
			STREET SWEEPING BROOM KITS	223.58
Vendor Total		**1,656.92**		
FYTD for AMERICAN ROTARY BROOM CO.		**23,297.74**		
AMTECH ELEVATOR SERVICES				
2/16/2010	200539	118.37		
			JAN-10 ELEVATOR SVC-CITY HALL	118.37
Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,368.76**		

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ANIMAL EMERGENCY CLINIC, INC.				
2/8/2010	200308	285.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	70.00
	Vendor Total	**285.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**3,021.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
2/1/2010	200210	300.00		
			BEE REMOVAL SVC-BETHUNE PK	300.00
2/22/2010	200674	1,790.00		
			JAN-10 PEST CNTRL-STARS	100.00
			JAN-10 PEST CNTRL-PARKS	665.00
			JAN-10 PEST CNTRL-PARKS	255.00
			JAN-10 PEST CNTRL-MARCH FLD	330.00
			JAN-10 PEST CNTRL-PAL	100.00
			JAN-10 PEST CNTRL-CFD #1	160.00
			JAN-10 PEST CNTRL-GLF CRS	180.00
	Vendor Total	**2,090.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**15,320.00**		
ANONUEVO, ALAN				
2/22/2010	200675	54.50		
			REFUND-CITATION FEE	54.50
	Vendor Total	**54.50**		
FYTD for ANONUEVO, ALAN		**54.50**		
ARAGON, ROSS				
2/8/2010	200309	50.00		
			REFUND-CITATION OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for ARAGON, ROSS		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
2/16/2010	200540	1,171.39		
			JAN-10 OFFSITE STORAGE	1,171.39
	Vendor Total	**1,171.39**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**10,751.91**		

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ARELLANO, OSCAR					
	2/22/2010	200676	200.00		
				REFUND-RNTL DEP 1/30	90.00
				REFUND-RNTL DEP 1/30	110.00
	Vendor Total		**200.00**		
FYTD for ARELLANO, OSCAR			**200.00**		
AREVALO, HAROLD					
	2/8/2010	200310	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AREVALO, HAROLD			**75.00**		
ARROWHEAD WATER					
	2/8/2010	200311	175.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	2/22/2010	200677	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**4,482.01**		
ASG FACILITY					
	2/16/2010	200541	60.00		
				INSTRUCTOR SVCS-BOXING	60.00
	Vendor Total		**60.00**		
FYTD for ASG FACILITY			**632.00**		

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ASSOCIATED ENGINEERS, INC.					
	2/1/2010	200211	21,133.61		
				HEACOCK ST-HEMLOCK TO IRONWOOD	21,133.61
	2/8/2010	200312	15,220.50		
				HEACOCK ST-HEMLOCK TO IRONWOOD	15,220.50
	Vendor Total		**36,354.11**		
FYTD for ASSOCIATED ENGINEERS, INC.			**36,354.11**		
ASW ENGINEERING MANAGEMENT CONSULTANTS					
	2/1/2010	200212	6,849.63		
				CONSULTING SVCS-UT	6,849.63
	Vendor Total		**6,849.63**		
FYTD for ASW ENGINEERING MANAGEMENT CONSULTANTS			**11,318.97**		
AT&T MOBILITY					
	2/8/2010	200313	92.14		
				CELL CHRGS-MBL CMMND CTR	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**734.71**		
AT&T/MCI					
	2/8/2010	200314	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,469.70**		
AUBREY, DOMINQUE					
	2/8/2010	200315	55.00		
				REFUND-CITATION FEES	55.00
	Vendor Total		**55.00**		
FYTD for AUBREY, DOMINQUE			**55.00**		
BACHER, GRACE					
	2/8/2010	200316	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**1,825.61**		
BACON, DONALD					
	2/8/2010	200317	71.40		
				REFUND-BSKTBLL REGIST	71.40
	Vendor Total		**71.40**		
FYTD for BACON, DONALD			**71.40**		

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BARNES, DARLENE					
	2/8/2010	200318	110.82		
				RETIREE MEDICAL BENEFIT	110.82
	Vendor Total		**110.82**		
FYTD for BARNES, DARLENE			**886.56**		
BARRERA, DANILO					
	2/8/2010	200319	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for BARRERA, DANILO			**86.00**		
BARRETO, MARIA					
	2/22/2010	200678	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BARRETO, MARIA			**20.00**		
BASIC BACKFLOW					
	2/22/2010	200679	240.00		
				BACKFLOW TESTING	240.00
	Vendor Total		**240.00**		
FYTD for BASIC BACKFLOW			**1,174.65**		
BEALEY, RAYNETTE					
	2/22/2010	200680	37.00		
				REFUND-HIP HOP DANCE	37.00
	Vendor Total		**37.00**		
FYTD for BEALEY, RAYNETTE			**37.00**		

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BEMUS LANDSCAPE, INC.					
	2/1/2010	200213	17,206.11		
				LANDSCAPE MAINT-PARKS	270.00
				LANDSCAPE MAINT-PARKS	432.00
				LANDSCAPE MAINT-PARKS	400.00
				IRRIGATION RPRS-E4	85.51
				DEC-09 LNDSCP MAINT-E4	15,650.96
				DEC-09 LNDSCP MAINT-E4A	367.64
	2/16/2010	200542	1,847.38		
				IRRIGATION RPRS-E4	44.93
				IRRIGATION RPRS-E4	1,291.20
				IRRIGATION RPRS-E4	73.80
				IRRIGATION RPRS-E4	25.37
				PLANT MTRL INSTALL-E3	412.08
	2/22/2010	200681	8,237.86		
				JAN-10 LNDSCP MAINT-AQDCT	400.00
				JAN-10 LNDSCP MAINT-AQDCT	1,900.00
				JAN-10 LNDSCP MAINT-E4	27.78
				JAN-10 LNDSCP MAINT-ANML SHLTR	520.00
				JAN-10 LNDSCP MAINT-CRC	1,900.00
				JAN-10 LNDSCP MAINT-LIBRARY	520.00
				JAN-10 LNDSCP MAINT-PSB	1,197.58
				JAN-10 LNDSCP MAINT-STARS	300.00
				JAN-10 LNDSCP MAINT-ELECT SUB	480.00
				JAN-10 LNDSCP MAINT-MVU	480.00
				JAN-10 LNDSCP MAINT-YARD	250.00
				JAN-10 LNDSCP MAINT-SR CTR	262.50
	Vendor Total		**27,291.35**		
FYTD for BEMUS LANDSCAPE, INC.			**252,242.90**		
BENESYST, INC.					
	2/8/2010	200320	1,105.21		
				FLEX ADMIN SVCS	291.11
				FLEX ADMIN SVCS	814.10
	2/18/2010	91307	20.13		
				COBRA SUBSIDIES FEB 2010	20.13
	Vendor Total		**1,125.34**		
FYTD for BENESYST, INC.			**3,460.64**		
BENITES, GEORGINA					
	2/16/2010	200543	82.00		
				REFUND-TENNIS CLASS	82.00
	Vendor Total		**82.00**		
FYTD for BENITES, GEORGINA			**82.00**		

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BEST, BEST & KRIEGER, LLP					
	2/1/2010	200214	2,963.01		
				LEGAL SVCS-GENERAL	379.68
				LEGAL SVCS-EMPIRE LAND	23.55
				LEGAL SVCS-GGP	2,559.78
	2/16/2010	200544	5,148.12		
				PROF SVCS-AQUABELLA CFD #6	5,148.12
	Vendor Total		**8,111.13**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,044.64**		
BIO-TOX LABORATORIES					
	2/16/2010	200545	3,569.69		
				TOXICOLOGY TESTS	35.06
				TOXICOLOGY TESTS	971.83
				TOXICOLOGY TESTS	2,562.80
	Vendor Total		**3,569.69**		
FYTD for BIO-TOX LABORATORIES			**28,536.74**		
BLAIR, CHERYL					
	2/8/2010	200321	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,106.00**		
BLUE SHIELD OF CALIFORNIA					
	2/1/2010	200215	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	2/16/2010	200546	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**1,045.74**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,113.06**		
BMI					
	2/16/2010	200547	1,219.00		
				8/09-07/10 LIC ESTIMATED FEE	1,219.00
	Vendor Total		**1,219.00**		
FYTD for BMI			**1,219.00**		
BOE, IRIS					
	2/8/2010	200322	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for BOE, IRIS			**404.50**		

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BOWIE, SHANNON					
	2/22/2010	200682	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for BOWIE, SHANNON			**100.00**		
BPS TACTICAL, INC					
	2/8/2010	200323	20.58		
				VELCRO PATCHES-PD	20.58
	Vendor Total		**20.58**		
FYTD for BPS TACTICAL, INC			**20.58**		
BREITKREUZ, THOMAS F.					
	2/8/2010	200324	578.10		
				RETIREE MEDICAL BENEFIT	578.10
	Vendor Total		**578.10**		
FYTD for BREITKREUZ, THOMAS F.			**1,734.30**		

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BRODART CO.					
	2/1/2010	200217	2,344.31		
				MISC BOOKS-LIBRARY	24.37
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	42.53
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	545.46
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	20.12
				MISC BOOKS-LIBRARY	851.48
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	41.94
				MISC BOOKS-LIBRARY	39.57
				MISC BOOKS-LIBRARY	10.33
				MISC BOOKS-LIBRARY	70.45
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	50.86
				MISC BOOKS-LIBRARY	16.56
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	48.78
				MISC BOOKS-LIBRARY	43.23
				MISC BOOKS-LIBRARY	127.31
				MISC BOOKS-LIBRARY	22.90
	2/8/2010	200325	317.59		
				MISC BOOKS-LIBRARY	44.01
				MISC BOOKS-LIBRARY	43.14
				MISC BOOKS-LIBRARY	21.08
				MISC BOOKS-LIBRARY	61.93
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.13
	Vendor Total		**2,661.90**		
FYTD for BRODART CO.			**17,708.83**		
BUCKINGHAM, STAN					
	2/8/2010	200326	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**637.46**		

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BURKE, WILLIAMS & SORENSEN, LLP.					
	2/1/2010	200218	232.40		
				LEGAL FEES	232.40
	2/16/2010	200548	23.80		
				LGL FEES-JENNY INVSTMNT	23.80
	Vendor Total		**256.20**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**6,180.92**		
BWI - BOOK WHOLESALERS, INC.					
	2/8/2010	200327	1,668.12		
				MISC BOOKS-LIBRARY	14.41
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	16.96
				MISC BOOKS-LIBRARY	883.47
				MISC BOOKS-LIBRARY	43.86
				MISC BOOKS-LIBRARY	125.28
				MISC BOOKS-LIBRARY	41.89
				MISC BOOKS-LIBRARY	29.88
				MISC BOOKS-LIBRARY	140.50
				MISC BOOKS-LIBRARY	28.26
				MISC BOOKS-LIBRARY	26.43
				MISC BOOKS-LIBRARY	16.57
				MISC BOOKS-LIBRARY	69.48
				MISC BOOKS-LIBRARY	29.52
				MISC BOOKS-LIBRARY	15.26
				MISC BOOKS-LIBRARY	27.93
				MISC BOOKS-LIBRARY	17.18
				MISC BOOKS-LIBRARY	43.26
				MISC BOOKS-LIBRARY	12.45
				MISC BOOKS-LIBRARY	29.68
	Vendor Total		**1,668.12**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**4,437.14**		
CA REGIONAL WATER QUALITY CONTROL BOARD					
	2/8/2010	200328	500.00		
				WATER QUALITY CERT. DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD			**1,780.00**		
CAIN, GREGORY					
	2/8/2010	200329	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**1,912.39**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION					
	2/1/2010	200219	2,242.00		
				WEED ABTMNT SVCS-MVEC	1,345.20
				WEED ABTMNT SVCS-MVEC	896.80
	Vendor Total		**2,242.00**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**2,242.00**		
CALAVERAS STANDARD MATERIALS					
	2/22/2010	200683	370.40		
				CEMENT PURCHASE	370.40
	Vendor Total		**370.40**		
FYTD for CALAVERAS STANDARD MATERIALS			**17,887.76**		
CALIFORNIA DELTA MECHANICAL, INC.					
	2/16/2010	200549	48.00		
				REFUND-PERMIT FEE	48.00
	Vendor Total		**48.00**		
FYTD for CALIFORNIA DELTA MECHANICAL, INC.			**108.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	2/8/2010	200330	1,100.00		
				STREAMBED ALTER. AGRMNT FEE	1,100.00
	Vendor Total		**1,100.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,250.00**		
CALIFORNIA DEPT. OF FISH & GAME					
	2/8/2010	200331	482.75		
				FEE BALANCE-STREAMBED ALTERAT.	482.75
	Vendor Total		**482.75**		
FYTD for CALIFORNIA DEPT. OF FISH & GAME			**8,482.75**		
CALIFORNIA TRANSCRIPTION, LLC					
	2/22/2010	200684	144.27		
				TRANSCRIPTION SVCS	144.27
	Vendor Total		**144.27**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC			**1,115.76**		
CALPERS					
	2/1/2010	200220	13,860.00		
				4TH LVL SURVIVOR BNFT	13,860.00
	Vendor Total		**13,860.00**		
FYTD for CALPERS			**666,008.08**		

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CAMARILLO, ELIWILL					
	2/22/2010	200685	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for CAMARILLO, ELIWILL			**54.50**		
CANNON, ANA M.					
	2/8/2010	200332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**637.46**		
CANON BUSINESS SOLUTIONS, INC.					
	2/8/2010	200333	7,060.28		
				OCT-DEC COPIER SVCS	6,303.55
				OCT-DEC COPIER SVCS	188.66
				OCT-DEC COPIER SVCS	568.07
	Vendor Total		**7,060.28**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**26,140.99**		
CANON FINANCIAL SERVICES, INC.					
	2/8/2010	200334	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**60,725.44**		
CARTER, ROSALYN					
	2/8/2010	200335	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,172.36**		
CASKEY, DEBRA C.					
	2/8/2010	200336	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**1,912.39**		
CERTIFIED CREDIT REPORTING, INC					
	2/22/2010	200686	18.66		
				JAN-10 CREDIT PROFILE SVCS	18.66
	Vendor Total		**18.66**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**122.53**		

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CERVANTES, RIGOBERTO					
	2/1/2010	200221	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for CERVANTES, RIGOBERTO			**100.00**		
CHANCY, CHIZURU					
	2/22/2010	200687	70.20		
				INSTRUCTOR SVC-HAWAIIAN DNC	23.40
				INSTRUCTOR SVC-HAWAIIAN DNC	46.80
	Vendor Total		**70.20**		
FYTD for CHANCY, CHIZURU			**1,123.20**		
CHANDLER AGGREGATES, INC.					
	2/8/2010	200337	86.43		
				C-MIX FOR PROM PROJECTS	86.43
	Vendor Total		**86.43**		
FYTD for CHANDLER AGGREGATES, INC.			**691.46**		
CHAPMAN, STEVE					
	2/8/2010	200338	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,549.84**		
CHAPPELL, ISAAC					
	2/8/2010	200339	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,549.84**		
CHERRY VALLEY FEED					
	2/1/2010	200222	72.74		
				DOG FOOD FOR K-9	72.74
	2/16/2010	200551	251.14		
				DOG FOOD FOR K9	97.84
				DOG FOOD FOR K9	153.30
	Vendor Total		**323.88**		
FYTD for CHERRY VALLEY FEED			**1,484.71**		
CHRISTIAN, OWEN					
	2/8/2010	200340	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**1,831.70**		

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CIGGS, RAVIAN					
	2/1/2010	200223	80.00		
				REFUND-ANIMAL FEES	30.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	20.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	10.00
	Vendor Total		**80.00**		
FYTD for CIGGS, RAVIAN			**80.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	2/1/2010	200224	95.40		
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	50.22
				UNIFORM RNTL SVC-CFD #1	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	2/8/2010	200341	295.03		
				UNIFORM RNTL SVC-TRFFC	11.23
				UNIFORM RNTL SVC-TRFFC	11.23
				UNIFORM RNTL SVC-SIGNING CRE	13.85
				UNIFORM RNTL SVC-SIGNING CRE	13.85
				UNIFORM RNTL SVC-GRAFFITI	8.37
				UNIFORM RNTL SVC-GRAFFITI	8.37
				UNIFORM RNTL SVC-VEH MAINT	9.99
				UNIFORM RNTL SVC-VEH MAINT	9.99
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-DRNG MAINT	2.79
				UNIFORM RNTL SVC-DRNG MAINT	2.79
				UNIFORM RNTL SVC-ST MAINT	72.07
				UNIFORM RNTL SVC-ST MAINT	8.01
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-PARKS MAINT	50.22
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	2/16/2010	200552	32.49		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	2/22/2010	200688	228.56		
				UNIFORM RNTL SVC-GLF CRS	5.85
				UNIFORM RNTL SVC-MAINT OPER	8.37
				UNIFORM RNTL SVC-MAINT OPER	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	16.99
				UNIFORM RNTL SVC-EQUIP MAINT	16.99
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-ST MAINT	47.07
				UNIFORM RNTL SVC-ST MAINT	47.07
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-CNCRT MAINT	8.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	16.65
Vendor Total		**651.48**		
FYTD for CINTAS CORPORATION		**4,108.55**		
CITRUS HILL HIGH SCHOOL				
2/8/2010	200342	750.00		
			REFUND-RNTL DEP 1/23/10	750.00
Vendor Total		**750.00**		
FYTD for CITRUS HILL HIGH SCHOOL		**750.00**		
CITY OF MORENO VALLEY VEBA TRUST				
2/16/2010	200553	4,062.50		
			EXEMPT VEBA	4,062.50
Vendor Total		**4,062.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**34,062.50**		
CLARK-MONTEILH, MARY				
2/16/2010	200554	120.00		
			REFUND-MATH CLASS	120.00
Vendor Total		**120.00**		
FYTD for CLARK-MONTEILH, MARY		**120.00**		
CNOA REGION V				
2/8/2010	200343	45.00		
			2/4/10 CHASING PHONES COURSE	45.00
2/16/2010	200555	360.00		
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
Vendor Total		**405.00**		
FYTD for CNOA REGION V		**540.00**		
COAST FITNESS REPAIR SHOP				
2/22/2010	200689	3,233.56		
			TREADMILL-SENIOR CTR	2,743.50
			TREADMILL-DELIVERY/INSTALL	50.00
			TREADMILL-5 YR WARRANTY	200.00
			TREADMILL-SALES TAX	240.06
Vendor Total		**3,233.56**		
FYTD for COAST FITNESS REPAIR SHOP		**3,377.50**		

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COBIAN, KARLA					
	2/8/2010	200344	300.00		
				REFUND-RNTL DEP #15590	300.00
	Vendor Total		**300.00**		
FYTD for COBIAN, KARLA			**300.00**		
COLONIAL SUPPLEMENTAL INSURANCE					
	2/8/2010	200345	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**57,640.89**		
COMMUNICATION SUPPLY CORP.					
	2/16/2010	200556	15,888.23		
				FIBER OPTIC CABLE/MATERIALS	2,244.77
				SHIPPING CHARGE	127.60
				CA SALES TAX	196.40
				FIBER OPTIC CABLE/MATERIALS	3,564.28
				SHIPPING CHARGE	72.40
				CA SALES TAX	296.49
				FIBER OPTIC CABLE/MATERIALS	1,506.07
				CA SALES TAX	130.91
				FIBER OPTIC CABLE/MATERIALS	4,759.81
				CA SALES TAX	416.49
				FIBER OPTIC CABLE/MATERIALS	2,366.97
				CA SALES TAX	206.04
	2/22/2010	200690	1,105.83		
				FIBER OPTIC CABLE/MATERIALS	717.57
				CA SALES TAX	80.12
				FIBER OPTIC CABLE/MATERIALS	198.05
				FIBER OPTIC CABLE/MATERIALS	110.09
	Vendor Total		**16,994.06**		
FYTD for COMMUNICATION SUPPLY CORP.			**16,994.06**		
COMMUNITY BANK					
	2/8/2010	91303	5,350.36		
				RETENTION PMT-PROJ 08-12556330	5,350.36
	Vendor Total		**5,350.36**		
FYTD for COMMUNITY BANK			**93,729.19**		

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COMMUNITY HEALTH CHARITIES					
	2/1/2010	200225	176.47		
				CHC CONTRIBUTIONS	176.47
	2/16/2010	200557	151.47		
				CHC CONTRIBUTIONS	151.47
	2/16/2010	200558	268.67		
				EMPLOYEE GIVING CMPGN	268.67
	Vendor Total		**596.61**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,261.08**		
COMPETITIVE STRIDE					
	2/8/2010	200346	127.24		
				SPORTS AWARDS	29.36
				SPORTS AWARDS	97.88
	2/22/2010	200691	187.59		
				SPORTS AWARDS	26.10
				SPORTS AWARDS	161.49
	Vendor Total		**314.83**		
FYTD for COMPETITIVE STRIDE			**2,638.66**		
CONTINUING EDUCATION OF THE BAR					
	2/8/2010	200347	219.46		
				LEGAL PUBLICATIONS	36.76
				LEGAL PUBLICATIONS	182.70
	Vendor Total		**219.46**		
FYTD for CONTINUING EDUCATION OF THE BAR			**519.88**		
COSTCO					
	2/1/2010	200226	642.15		
				MISC SUPPLIES-STARS	642.15
	2/8/2010	200348	165.93		
				MISC SUPPLIES-STARS	165.93
	2/16/2010	200559	436.51		
				MISC SUPPLIES-STARS	186.56
				MISC SUPPLIES-STARS	84.13
				MISC SUPPLIES-STARS	165.82
	2/22/2010	200692	1,262.39		
				MISC SUPPLIES-CHILDS PLACE	1,189.90
				MISC SUPPLIES-STARS	72.49
	Vendor Total		**2,506.98**		
FYTD for COSTCO			**37,141.26**		

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COUNSELING TEAM, THE					
	2/8/2010	200349	1,250.00		
				DEC-09 EMP CNSLING SVCS	680.00
				DEC-09 EMP CNSLING SVCS	570.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**8,750.00**		
COUNTY OF RIVERSIDE - RMAP					
	2/16/2010	200560	41.25		
				JAN-10 RECORDATION RQST	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**284.10**		
COUNTY OF RIVERSIDE AUDITOR					
	2/1/2010	200227	24,199.00		
				PARKING CONTROL FEES	6,000.00
				PARKING CONTROL FEES	806.00
				PARKING CONTROL FEES	1,492.00
				PARKING CONTROL FEES	6,095.00
				PARKING CONTROL FEES	2,418.00
				PARKING CONTROL FEES	5,190.00
				PARKING CONTROL FEES	2,198.00
	Vendor Total		**24,199.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**87,558.95**		
CRANE ARCHITECTURAL GROUP					
	2/8/2010	200350	1,645.00		
				PUB SFTY BLDG CONVERSION PROJ	1,645.00
	Vendor Total		**1,645.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**2,995.00**		
CRUZ, JUAN					
	2/22/2010	200694	38.00		
				REFUND-TRAP DEPOSIT	38.00
	Vendor Total		**38.00**		
FYTD for CRUZ, JUAN			**38.00**		
CTAI PACIFIC GREENSCAPE					
	2/16/2010	200561	5,088.40		
				JAN-10 LNDSCP MAINT-DSG1W	4,897.13
				IRRIGATION RPRS-DSG1W	169.42
				IRRIGATION RPRS-DSG1W	21.85
	Vendor Total		**5,088.40**		
FYTD for CTAI PACIFIC GREENSCAPE			**42,116.91**		

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CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	2/8/2010	200352	578.00		
				PERMIT RNWL-AR0010011	578.00
	Vendor Total		**578.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**24,273.88**		
CULLEN, ERIC					
	2/8/2010	200353	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for CULLEN, ERIC			**50.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	2/1/2010	200228	745.00		
				DEC-09 DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**5,365.00**		
DALE, KATHLEEN					
	2/8/2010	200354	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,527.36**		
DATA TICKET, INC.					
	2/22/2010	200696	105.00		
				DEC-09 MAINT/SUPPORT	105.00
	Vendor Total		**105.00**		
FYTD for DATA TICKET, INC.			**119,908.79**		
DATAQUICK CORPORATE HEADQUARTERS					
	2/16/2010	200562	130.50		
				JAN-10 ONLINE SVCS-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,944.00**		
DAVID EVANS & ASSOCIATES, INC.					
	2/22/2010	200697	1,042.00		
				SUNNYMD BLVD REVIT PROJ SVCS	751.00
				SUNNYMD BLVD REVIT PROJ SVCS	291.00
	Vendor Total		**1,042.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**18,974.59**		

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DAVIS, DANNY					
	2/8/2010	200355	10.00		
				REFUND-CITATION FEE	10.00
	Vendor Total		**10.00**		
FYTD for DAVIS, DANNY			**10.00**		
DELTA DENTAL					
	2/16/2010	200563	11,215.70		
				EMPLOYEE DENTAL INSURANCE	11,215.70
	Vendor Total		**11,215.70**		
FYTD for DELTA DENTAL			**91,716.78**		
DELTACARE USA					
	2/16/2010	200564	6,541.33		
				EMPLOYEE DENTAL INSURANCE	6,541.33
	Vendor Total		**6,541.33**		
FYTD for DELTACARE USA			**54,577.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	2/8/2010	200356	1,460.00		
				PLAN CHECK SVC-FIRE PREV	1,460.00
	Vendor Total		**1,460.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**8,885.00**		
DEPARTMENTT OF WATER RESOURCES					
	2/8/2010	200357	500.00		
				DEPOSIT FOR REVIEW COSTS	500.00
	Vendor Total		**500.00**		
FYTD for DEPARTMENTT OF WATER RESOURCES			**500.00**		
DIAZ, IMMA					
	2/8/2010	200358	35.00		
				REFUND-CLASS REGIST	35.00
	Vendor Total		**35.00**		
FYTD for DIAZ, IMMA			**35.00**		
DIGITAL TELECOMMUNICATIONS CORP.					
	2/1/2010	200229	9,726.00		
				SPEECH PORTS	7,500.00
				SPEECH PORTS-LICENSES	1,566.00
				SPEECH PORTS-LABOR	360.00
				SPEECH PORTS-SALES TAX	656.25
				LIC CREDIT-INV #1547	-356.25
	Vendor Total		**9,726.00**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**97,700.17**		

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DLS LANDSCAPE, INC					
	2/8/2010	200360	12,390.00		
				JAN-10 LNDSCP MAINT-ZN A PARKS	10,230.00
				JAN-10 LNDSCP MAINT-CFD #1	2,160.00
	2/22/2010	200698	12,390.00		
				FEB-10 LNDSCP MAINT-CFD#1	2,160.00
				FEB-10 LNDSCP MAINT-ZN A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**99,120.00**		
DMC DESIGN GROUP, INC					
	2/1/2010	200230	4,004.66		
				ALESSANDRO BLVD IMPRVMNTS PROJ	4,004.66
	Vendor Total		**4,004.66**		
FYTD for DMC DESIGN GROUP, INC			**59,837.82**		
DONAHUE APPRAISAL ASSOCIATES					
	2/22/2010	200699	18,640.00		
				ALESSANDRO/INDIAN SIDEWLK PROJ	500.00
				SVCS-PERRIS BLVD WIDENING PROJ	18,140.00
	Vendor Total		**18,640.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**27,040.00**		
DORY, ALLEEN F.					
	2/8/2010	200361	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DORY, ALLEEN F.			**2,549.84**		
D-PREP, LLC					
	2/22/2010	200695	393.00		
				MAR.16-18 C.P.T.E.D. COURSE	393.00
	Vendor Total		**393.00**		
FYTD for D-PREP, LLC			**393.00**		
DREAMER PRODUCTIONS					
	2/8/2010	200362	69.50		
				UNIFORMS-ANML SHLTR	69.50
	Vendor Total		**69.50**		
FYTD for DREAMER PRODUCTIONS			**69.50**		
DUNLAP, SYLVESTER					
	2/8/2010	200363	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DUNLAP, SYLVESTER			**50.00**		

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DURAN, BLANCA					
	2/1/2010	200231	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	294.00
	2/16/2010	200565	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	252.00
	Vendor Total		**546.00**		
FYTD for DURAN, BLANCA			**1,638.00**		
DZUBIN, LAURA					
	2/16/2010	200566	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for DZUBIN, LAURA			**20.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	2/1/2010	200232	327.60		
				BACKFLOW TESTING-TR 30319	36.40
				BACKFLOW TESTING-TR 33437	36.40
				BACKFLOW TESTING-DSG1/2	254.80
	Vendor Total		**327.60**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**18,603.17**		
EADIE AND PAYNE LLP.					
	2/1/2010	200233	21,800.00		
				CONSULTING SVCS	10,600.00
				CONSULTING SVCS	8,050.00
				CONSULTING SVCS	3,150.00
	Vendor Total		**21,800.00**		
FYTD for EADIE AND PAYNE LLP.			**21,800.00**		

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EASTERN MUNICIPAL WATER DISTRICT				
2/1/2010	200234	7,515.38		
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	73.00
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	58.60
			WATER CHRGS FOR JANUARY	40.22
			WATER CHRGS FOR JANUARY	13.80
			WATER CHRGS FOR JANUARY	217.62
			WATER CHRGS FOR JANUARY	1,682.48
			WATER CHRGS FOR JANUARY	186.40
			WATER CHRGS FOR JANUARY	2,429.16
			WATER CHRGS FOR JANUARY	1,040.48
			WATER CHRGS FOR JANUARY	1,481.08
			WATER CHRGS FOR JANUARY	23.09
			WATER CHRGS FOR JANUARY	74.63
			WATER CHRGS FOR DECEMBER	59.16
2/8/2010	200364	5,266.77		
			WATER CHRGS FOR DECEMBER	507.38
			WATER CHRGS FOR JANUARY	64.94
			WATER CHRGS FOR JANUARY	307.06
			WATER CHRGS FOR JANUARY	1,260.26
			WATER CHRGS FOR JANUARY	178.84
			WATER CHRGS FOR JANUARY	2,159.79
			WATER CHRGS FOR JANUARY	291.02
			WATER CHRGS FOR JANUARY	125.37
			WATER CHRGS FOR JANUARY	318.62
			WATER CHRGS FOR JANUARY	53.49
2/16/2010	200567	7,839.52		
			WATER CHRGS FOR JANUARY	49.77
			WATER CHRGS FOR JANUARY	663.17
			WATER CHRGS FOR JANUARY	33.60
			WATER CHRGS FOR JANUARY	1,452.66
			WATER CHRGS FOR JANUARY	2,780.52
			WATER CHRGS FOR JANUARY	1,505.91
			WATER CHRGS FOR JANUARY	264.84
			WATER CHRGS FOR JANUARY	243.75
			WATER CHRGS FOR JANUARY	153.13
			WATER CHRGS FOR JANUARY	82.56
			WATER CHRGS FOR JANUARY	60.76
			WATER CHRGS FOR JANUARY	195.42
			WATER CHRGS FOR JANUARY	120.46
			WATER CHRGS FOR JANUARY	191.87
			WATER CHRGS FOR JANUARY	41.10
2/22/2010	200701	10,082.12		
			WATER CHRGS FOR JANUARY	515.59
			WATER CHRGS FOR JANUARY	677.32
			WATER CHRGS FOR JANUARY	140.88
			WATER CHRGS FOR JANUARY	485.86
			WATER CHRGS FOR JANUARY	95.26
			WATER CHRGS FOR JANUARY	1,331.39
			WATER CHRGS FOR JANUARY	327.50
			WATER CHRGS FOR JANUARY	262.36

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR JANUARY	1,017.39
			WATER CHRGS FOR JANUARY	888.36
			WATER CHRGS FOR JANUARY	1,414.99
			WATER CHRGS FOR JANUARY	661.15
			WATER CHRGS FOR JANUARY	54.88
			WATER CHRGS FOR JANUARY	25.48
			WATER CHRGS FOR JANUARY	236.83
			WATER CHRGS FOR JANUARY	220.54
			WATER CHRGS FOR JANUARY	151.46
			WATER CHRGS FOR JANUARY	156.05
			WATER CHRGS FOR JANUARY	167.93
			WATER CHRGS FOR JANUARY	68.10
			WATER CHRGS FOR JANUARY	210.73
			WATER CHRGS FOR JANUARY	94.56
			WATER CHRGS FOR JANUARY	50.92
			WATER CHRGS FOR JANUARY	59.08
			WATER CHRGS FOR JANUARY	177.89
			WATER CHRGS FOR JANUARY	163.74
			WATER CHRGS FOR JANUARY	378.60
			WATER CHRGS FOR JANUARY	47.28
	Vendor Total	**30,703.79**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**826,752.22**		
EGGERSTEN, ANNE				
2/8/2010	200365	305.60		
			RETIREE MEDICAL BENEFIT	305.60
	Vendor Total	**305.60**		
FYTD for EGGERSTEN, ANNE		**2,227.03**		
ELIZALDE, MARIA V.				
2/16/2010	200568	142.00		
			REFUND-FIRE INSPECT FEES	142.00
	Vendor Total	**142.00**		
FYTD for ELIZALDE, MARIA V.		**284.40**		
ELTAIRBY, HODA				
2/8/2010	200366	0.00		
			REFUND-BSKTBLL REGIST	86.00
			REFUND-BSKTBLL REGIST	-86.00
	Vendor Total	**0.00**		
FYTD for ELTAIRBY, HODA		**0.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/24/2010	2586	2,724.85		
			DEP STATE TAX W/H 02/24/10	2,724.85
	Vendor Total	**2,724.85**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/16/2010	200569	5,334.00		
			FEB-10 CBNT LS-CTTNWD	58.64
			FEB-10 CBNT LS-CTTNWD	1,191.36
			FEB-10 CBNT LS-FRDRCK	6.47
			FEB-10 CBNT LS-FRDRCK	1,243.53
			FEB-10 CBNT LS-INDIAN	92.50
			FEB-10 CBNT LS-INDIAN	1,157.50
			FEB-10 CBNT LS-IRIS	109.06
			FEB-10 CBNT LS-IRIS	1,140.94
			JAN-10 MISC METER FEES	334.00
2/22/2010	200702	13,934.40		
			PERRIS BL 12KV FEEDER IRIS-JFK	4,960.35
			CACTUS/LASSELLE 12KV CIRC TIE	132.01
			CACTUS/LASSELLE 12KV CIRC TIE	6,771.50
			BAY ST BACKBONE W/O MOR BCH DR	14.67
			GOLDENCREST-ELSWORTH BACKBONE	146.68
			GOLDENCREST-ELSWORTH BACKBONE	1,909.19
Vendor Total		**19,268.40**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENRIQUEZ, ROSALIO				
2/1/2010	200236	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for ENRIQUEZ, ROSALIO		**20.00**		
EVANS ENGRAVING & AWARDS				
2/8/2010	200367	172.92		
			ENGRAVING SVCS-PLAQUES	60.90
			ENGRAVING SVCS-NAMEPLATES	16.32
			ENGRAVING SVCS-PLAQUES	65.25
			ENGRAVING SVCS-PLAQUE	30.45
2/16/2010	200571	21.75		
			ENGRAVING SVCS-ART COMM	21.75
Vendor Total		**194.67**		
FYTD for EVANS ENGRAVING & AWARDS		**1,584.53**		
EVANS RECREATIONAL INSTALLATION INC.				
2/16/2010	200572	3,595.77		
			PARK RPRS-LABOR/MATERIALS	3,595.77
			PARK RPRS-SALES TAX	104.21
			PARK RPRS-USED SALES TAX ACCRL	-104.21
Vendor Total		**3,595.77**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**5,883.82**		

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EWING IRRIGATION PRODUCTS, INC.				
2/1/2010	200237	38.74		
			IRRIGATION PARTS	38.74
Vendor Total		**38.74**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,322.90**		
EXCEL LANDSCAPE, INC				
2/16/2010	200573	5,239.15		
			JAN-10 LNDSCP MAINT-E7	2,666.81
			JAN-10 LNDSCP MAINT-E15	1,070.36
			JAN-10 LNDSCP MAINT-E8	1,501.98
2/22/2010	200703	7,350.07		
			JAN-10 LNDSCP MAINT-E14	3,461.07
			JAN-10 LNDSCP MAINT-WQF	3,889.00
Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC		**179,884.94**		
EYERMAN, MARSHALL				
2/22/2010	200704	235.98		
			TRAVEL EXP-SPEC DIST TRNG.	57.98
			TRAVEL EXP-SPEC DIST TRNG.	128.00
			TRAVEL EXP-SPEC DIST TRNG.	50.00
Vendor Total		**235.98**		
FYTD for EYERMAN, MARSHALL		**235.98**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
2/22/2010	200705	19,645.89		
			CDBG SVCS-HOUSING	4,036.26
			CDBG SVCS-HOUSING	2,899.05
			CDBG SVCS-HOUSING	3,357.29
			CDBG SVCS-HOUSING	3,242.40
			CDBG SVCS-HOUSING	1,802.79
			CDBG SVCS-HOUSING	4,308.10
Vendor Total		**19,645.89**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**23,051.19**		
FEDERAL EXPRESS				
2/16/2010	200574	6.18		
			EXPRESS SHIPPING-GRAPHICS	6.18
Vendor Total		**6.18**		
FYTD for FEDERAL EXPRESS		**55.55**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FEENSTRA, JOHN					
	2/8/2010	200368	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**2,890.00**		
FILARSKY & WATT, LLP					
	2/8/2010	200369	182.00		
				LEGAL SVCS-HR	182.00
	Vendor Total		**182.00**		
FYTD for FILARSKY & WATT, LLP			**5,954.00**		
FIRE ENGINEERING					
	2/8/2010	200370	139.65		
				7 ANNL SUBSCRIPTIONS	139.65
	Vendor Total		**139.65**		
FYTD for FIRE ENGINEERING			**139.65**		
FIRST AMERICAN CORE LOGIC, INC.					
	2/16/2010	200575	454.00		
				DEC-09 ONLINE SVCS-CODE	85.00
				DEC-09 ONLINE SVCS-CDD	193.00
				DEC-09 ONLINE SVCS-EDD/NP	176.00
	Vendor Total		**454.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**2,686.00**		
FIRST CHOICE SERVICES					
	2/1/2010	200238	847.09		
				EMP PAID COFFEE SVCS	54.32
				EMP PAID COFFEE SVCS	58.76
				EMP PAID COFFEE SVCS	107.10
				EMP PAID COFFEE SVCS	155.82
				EMP PAID COFFEE SVCS	111.08
				EMP PAID COFFEE SVCS	197.26
				EMP PAID COFFEE SVCS	108.43
				EMP PAID COFFEE SVCS	54.32
	2/16/2010	200576	54.32		
				EMP PAID COFFEE SVCS	54.32
	2/22/2010	200706	520.76		
				EMP PAID COFFEE SVCS	64.19
				EMP PAID COFFEE SVCS	149.61
				EMP PAID COFFEE SVCS	29.05
				EMP PAID COFFEE SVCS	177.84
				EMP PAID COFFEE SVCS	72.43
				EMP PAID COFFEE SVCS	27.64
	Vendor Total		**1,422.17**		
FYTD for FIRST CHOICE SERVICES			**6,844.93**		

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FISHER, ARLYNNE					
	2/8/2010	200371	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for FISHER, ARLYNNE			**86.00**		
FITNESS 19 CA 155 11C					
	2/1/2010	200239	281.00		
				GYM MEMBERSHIP CONTRIBUTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,096.00**		
FOCUS ESTATES, INC					
	2/22/2010	200707	1,000.00		
				CONTRACT SVCS-P OLSEN	1,000.00
	Vendor Total		**1,000.00**		
FYTD for FOCUS ESTATES, INC			**10,000.00**		
FORTNEY, DAVID					
	2/16/2010	200577	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORTNEY, DAVID			**75.00**		
FOSTER, NANCY A.					
	2/8/2010	200372	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**634.32**		
FRANCE PUBLICATIONS, INC.					
	2/16/2010	200578	4,800.00		
				JAN-10 ADVERTISING-EDD	3,000.00
				JAN-10 ADVERTISING-EDD	1,800.00
	Vendor Total		**4,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.			**7,800.00**		

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FRANCHISE TAX BOARD					
	2/1/2010	200240	1,016.02		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	484.12
				GARNISHMENT	254.00
				GARNISHMENT	101.62
	2/16/2010	200579	1,052.77		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.55
				GARNISHMENT	483.88
				GARNISHMENT	254.00
				GARNISHMENT	138.84
	Vendor Total		**2,068.79**		
FYTD for FRANCHISE TAX BOARD			**7,039.56**		
FRANKLIN, L. C.					
	2/22/2010	200708	164.50		
				MILEAGE REIMBURSEMENT	164.50
	Vendor Total		**164.50**		
FYTD for FRANKLIN, L. C.			**1,074.20**		
FRED'S GLASS & MIRROR, INC.					
	2/1/2010	200241	281.03		
				GLASS REPAIR-SR CTR	200.00
				GLASS REPAIR-SR CTR	81.03
	Vendor Total		**281.03**		
FYTD for FRED'S GLASS & MIRROR, INC.			**366.03**		
FROEHLICH, LAURA A.					
	2/22/2010	200709	2,500.00		
				DEPOSIT FOR EVENT SVCS	2,500.00
	Vendor Total		**2,500.00**		
FYTD for FROEHLICH, LAURA A.			**2,500.00**		
FROST, JOAN CHENG					
	2/16/2010	200580	266.00		
				INSTRUCTION SVC-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**874.00**		

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GALLS INC., INLAND UNIFORM					
	2/1/2010	200242	926.57		
				UNIFORM-POP	305.85
				UNIFORM-PARK RANGERS	500.00
				UNIFORM-PARK RANGERS	120.72
	Vendor Total		**926.57**		
FYTD for GALLS INC., INLAND UNIFORM			**4,986.97**		
GANAL, DANA					
	2/8/2010	200374	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GANAL, DANA			**86.00**		
GASTON, RICHARD					
	2/8/2010	200375	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,549.84**		
GATEWOOD, NACOLLE					
	2/16/2010	200581	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GATEWOOD, NACOLLE			**95.00**		
GENERAL SECURITY SERVICES, INC.					
	2/1/2010	200243	751.66		
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-TWNGTE	214.76
	2/8/2010	200376	61.36		
				SECURITY SVCS-UTILITIES	61.36
	2/16/2010	200582	552.24		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-SR CTR	245.44
	2/22/2010	200710	1,035.45		
				SECURITY SVCS-CRC	345.15
				SECURITY SVCS-UTILITIES	214.76
				SECURITY SVCS-TWNGTE	168.74
				SECURITY SVCS-CRC	306.80
	Vendor Total		**2,400.71**		
FYTD for GENERAL SECURITY SERVICES, INC.			**37,214.95**		

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GEORGE SALINAS TREE PRESERVATION					
	2/16/2010	200583	18,152.26		
				TREE TRIMMING SVC	1,833.11
				TREE TRIMMING SVC	223.55
				TREE TRIMMING SVC	1,251.88
				TREE TRIMMING SVC	10,462.14
				TREE TRIMMING SVC	3,129.70
				TREE TRIMMING SVC	1,028.33
				TREE TRIMMING SVC	223.55
	Vendor Total		**18,152.26**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**79,002.57**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP					
	2/1/2010	200244	943.81		
				DEC-09 LEGAL SVCS-EMPIRE LAND	943.81
	2/8/2010	200377	3,341.39		
				NOV-09 LEGAL SVCS-TOVEY/SHULTZ	110.00
				NOV-09 LEGAL SVCS-COMM PARK	3,231.39
	Vendor Total		**4,285.20**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**127,839.61**		
GIBSON, GEORGE					
	2/8/2010	200378	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GIBSON, GEORGE			**86.00**		
GILES, GREG					
	2/8/2010	200379	2,040.00		
				AUDITING SVCS JAN26-FEB2	2,040.00
	Vendor Total		**2,040.00**		
FYTD for GILES, GREG			**20,612.50**		
GOD'S HELPING HAND					
	2/22/2010	200711	3,750.00		
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
	Vendor Total		**3,750.00**		
FYTD for GOD'S HELPING HAND			**4,999.88**		

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GOMEZ, HECTOR					
	2/8/2010	200380	157.00		
				TUITION REIMBURSEMENT	157.00
	Vendor Total		**157.00**		
FYTD for GOMEZ, HECTOR			**157.00**		
GONZALES, LORENZ R.					
	2/1/2010	200245	100.65		
				MILEAGE REIMBURSEMENT	100.65
	Vendor Total		**100.65**		
FYTD for GONZALES, LORENZ R.			**178.20**		
GONZALEZ, JULIE					
	2/1/2010	200246	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GONZALEZ, JULIE			**20.00**		
GONZALEZ, MARIE					
	2/16/2010	200584	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GONZALEZ, MARIE			**95.00**		
GORM INC.					
	2/22/2010	200712	1,223.44		
				JANITORIAL SUPPLIES-PARKS	1,223.44
	Vendor Total		**1,223.44**		
FYTD for GORM INC.			**7,580.48**		
GOZDECKI, DAN					
	2/8/2010	200381	513.00		
				INSTRUCTOR SVCS-KUNG FU	216.00
				INSTRUCTOR SVCS-KUNG FU	297.00
	Vendor Total		**513.00**		
FYTD for GOZDECKI, DAN			**4,941.00**		
GRANDY, JEANNETTE					
	2/22/2010	200713	65.00		
				REFUND-BSKTBLL REGIST.	65.00
	Vendor Total		**65.00**		
FYTD for GRANDY, JEANNETTE			**65.00**		

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GRANICUS, INC.					
	2/8/2010	200382	1,395.22		
				JAN-10 MANAGED SVCS	1,350.00
				JAN-10 MANAGED SVCS	45.22
	2/22/2010	200714	1,395.22		
				FEB-10 MANAGED SVCS	1,350.00
				FEB-10 MANAGED SVCS	45.22
	Vendor Total		**2,790.44**		
FYTD for GRANICUS, INC.			**11,161.76**		
GRENNAN, BRADLEY					
	2/1/2010	200247	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for GRENNAN, BRADLEY			**100.00**		
GRIFFIN, MARLENE C					
	2/8/2010	200383	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**1,825.61**		
GUIDA SURVEYING, INC.					
	2/8/2010	200384	5,652.00		
				2009 ANNL PAVEMNT RESURF PROJ	5,652.00
	Vendor Total		**5,652.00**		
FYTD for GUIDA SURVEYING, INC.			**51,390.20**		
GUILLAN, REBECCA S.					
	2/8/2010	200385	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**581.79**		
GUILLIS, LINDA B.					
	2/8/2010	200386	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,549.84**		
GUTIERREZ, PEARL					
	2/8/2010	200387	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for GUTIERREZ, PEARL			**404.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GUTIERREZ, ROBERT					
	2/8/2010	200388	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,255.44**		
GUZMAN, JOSE					
	2/22/2010	200715	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for GUZMAN, JOSE			**75.00**		
GUZMAN'S CART SERVICE					
	2/16/2010	200585	4,049.00		
				JAN-10 CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**32,392.00**		
HAISTY, XIU HUA					
	2/16/2010	200586	90.00		
				INSTRUCTOR SVCS-TAI CHI	90.00
	Vendor Total		**90.00**		
FYTD for HAISTY, XIU HUA			**450.00**		
HALA, RUTH VAN					
	2/1/2010	200248	175.50		
				EXPENSE REIMBURSEMENT	175.50
	Vendor Total		**175.50**		
FYTD for HALA, RUTH VAN			**175.50**		
HAMBURG, IRENE					
	2/8/2010	200389	642.89		
				RETIREE MEDICAL BENEFIT	642.89
	Vendor Total		**642.89**		
FYTD for HAMBURG, IRENE			**3,335.48**		
HAMLIN, WILLIAM R.					
	2/8/2010	200390	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,606.86**		

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HANES, MARTIN D.					
	2/8/2010	200391	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,549.84**		
HARDING, JOHN S.					
	2/8/2010	200392	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,549.84**		
HATFIELD, CHARLES					
	2/8/2010	200393	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**1,912.39**		
HAUSER, ADRIANA					
	2/16/2010	200587	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**1,824.00**		
HAYWARD TILTON & ROLAPP INS. ASSOC., INC					
	2/22/2010	200716	12,541.63		
				POLICY RNWL-SSE7133401	12,541.63
	Vendor Total		**12,541.63**		
FYTD for HAYWARD TILTON & ROLAPP INS. ASSOC., INC			**12,541.63**		
HEFFLEY, ROSS W.					
	2/8/2010	200394	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**1,912.39**		
HEISTERBERG, ANTHONY					
	2/8/2010	200395	287.12		
				RETIREE MEDICAL BENEFIT	287.12
	Vendor Total		**287.12**		
FYTD for HEISTERBERG, ANTHONY			**767.65**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HERRICK, ROBERT D.					
	2/8/2010	200396	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,549.84**		
HESLIN, MICHAEL K.					
	2/8/2010	200397	42.00		
				REIMB-ESRI REG USER GRP CONF.	42.00
	Vendor Total		**42.00**		
FYTD for HESLIN, MICHAEL K.			**610.70**		
HIGGS, DEBRA					
	2/8/2010	200398	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**720.00**		
HO, KEVIN					
	2/16/2010	200589	38.00		
				INSTRUCTION SVC-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for HO, KEVIN			**38.00**		
HOUSER, EDITH E.					
	2/8/2010	200399	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,549.84**		
ICMA RETIREMENT CORP 457					
	2/12/2010	2581	10,164.54		
				DEF COMP 457 02/12/10	10,164.54
	2/26/2010	2591	10,164.54		
				DEF COMP 457 02/26/10	10,164.54
	Vendor Total		**20,329.08**		
FYTD for ICMA RETIREMENT CORP 457			**236,055.82**		
IL SORRENTO MOBILE PARK					
	2/8/2010	200400	184.72		
				REFUND-UT USER TAXES	184.72
	Vendor Total		**184.72**		
FYTD for IL SORRENTO MOBILE PARK			**1,299.88**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ING USA ANNUITY & LIFE INSURANCE CO.				
2/16/2010	200590	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**3,800.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
2/16/2010	200591	113.00		
			NSNC ABTMNT SVC-482662043	113.00
Vendor Total		**113.00**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**6,693.81**		
INLAND EMPIRE PROPERTY SERVICE, INC				
2/8/2010	200402	761.00		
			WEED ABTMNT SVC-POORMANS RESVR	761.00
2/16/2010	200592	1,833.00		
			NSNC ABTMNT SVC-264072005	628.00
			NSNC ABTMNT SVC-256253013	532.00
			NSNC ABTMNT SVC-260136017	254.00
			NSNC ABTMNT SVC-484311045	267.00
			NSNC ABTMNT SVC-473280016	152.00
Vendor Total		**2,594.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**74,612.90**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
2/22/2010	200717	10,000.00		
			SBDC SVCS-FY09/10 QTR 2	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**30,000.00**		
INLAND LIBRARY SYSTEM				
2/8/2010	200403	184.70		
			STORY TIME PUPPETS-LIBRARY	184.70
Vendor Total		**184.70**		
FYTD for INLAND LIBRARY SYSTEM		**184.70**		
INSIDE PLANTS, INC.				
2/16/2010	200593	316.00		
			FEB-10 PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,528.00**		

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INTERNAL REVENUE SERVICE					
	2/24/2010	2585	11,368.29		
				DEP FED TAX W/H 02/24/10	11,368.29
	Vendor Total		**11,368.29**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	2/8/2010	200404	1,012.52		
				JAN-10 DATA STORAGE	1,012.52
	Vendor Total		**1,012.52**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**8,687.88**		
JABARA, MONA					
	2/8/2010	200405	86.00		
				REFUND-BSKTBLL REGIST	58.00
				REFUND-BSKTBLL REGIST	28.00
	2/22/2010	200718	47.20		
				REFUND-BSKTBLL REGIST.	47.20
	Vendor Total		**133.20**		
FYTD for JABARA, MONA			**161.20**		
JAFFE, ROD					
	2/8/2010	200406	9.00		
				REFUND-ANML LIC FEE	9.00
	Vendor Total		**9.00**		
FYTD for JAFFE, ROD			**9.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	2/16/2010	200594	150.00		
				FEB-10 RETAINER	150.00
	Vendor Total		**150.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,703.00**		
JH DESIGN & ASSOCIATES					
	2/1/2010	200250	125.00		
				PLAQUE REMOVAL	125.00
	Vendor Total		**125.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	2/16/2010	200595	3,150.00		
				FEB-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**25,200.00**		

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JOHNSON, CLAYTON					
	2/8/2010	200407	50.00		
				REFUND-ANML FEES	30.00
				REFUND-ANML FEES	10.00
				REFUND-ANML FEES	10.00
	Vendor Total		**50.00**		
FYTD for JOHNSON, CLAYTON			**50.00**		
JOHNSTONE, SUSAN					
	2/8/2010	200408	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JOHNSTONE, SUSAN			**20.00**		
JONES III, JOSEPH					
	2/22/2010	200719	86.50		
				MILEAGE REIMBURSEMENT	86.50
	Vendor Total		**86.50**		
FYTD for JONES III, JOSEPH			**486.35**		
JONES, SUSAN					
	2/8/2010	200409	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,549.84**		
JTB SUPPLY CO., INC.					
	2/22/2010	200720	8,129.06		
				MISC SUPPLIES-TRFFC SGNL	8,129.06
	Vendor Total		**8,129.06**		
FYTD for JTB SUPPLY CO., INC.			**19,127.34**		
KAISER PERMANENTE					
	2/8/2010	200410	2,159.22		
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
	Vendor Total		**2,159.22**		
FYTD for KAISER PERMANENTE			**3,711.82**		
KDM MERIDIAN, INC.					
	2/1/2010	200251	9,090.00		
				SUNNYMD BLVD REVIT PROJ SVCS	7,340.00
				SUNNYMD BLVD REVIT PROJ SVCS	1,750.00
	Vendor Total		**9,090.00**		
FYTD for KDM MERIDIAN, INC.			**65,120.00**		

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KEEYLEN, TRACIE L.					
	2/22/2010	200721	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for KEEYLEN, TRACIE L.			**25.00**		
KERRY A. BERG & ASSOCIATES, INC					
	2/22/2010	200722	562.50		
				LEGAL SVCS-CAD DRAWING	562.50
	Vendor Total		**562.50**		
FYTD for KERRY A. BERG & ASSOCIATES, INC			**562.50**		
KFC					
	2/8/2010	200411	200.00		
				RFND FALSE ALARM FEE	200.00
	Vendor Total		**200.00**		
FYTD for KFC			**200.00**		
KING, PATRICIA A.					
	2/8/2010	200412	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**1,912.39**		
KOLB, CHARLES E.					
	2/8/2010	200413	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,549.84**		
KOLLAR, KYLE					
	2/8/2010	200414	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**637.46**		
KUSTOM SIGNALS, INC.					
	2/8/2010	200415	604.02		
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
	Vendor Total		**604.02**		
FYTD for KUSTOM SIGNALS, INC.			**1,489.74**		

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KYLE, GARY M.					
	2/8/2010	200416	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**1,912.39**		
LABELLE, LAURIE COLLETT					
	2/8/2010	200418	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LABELLE, LAURIE COLLETT			**25.00**		
LADD, MACK					
	2/8/2010	200419	57.00		
				REFUND-TUMBLING CLASS	57.00
	Vendor Total		**57.00**		
FYTD for LADD, MACK			**57.00**		
LAFATA, JOSEPHINE					
	2/8/2010	200420	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,527.36**		
LANE GUIDE LENDORS ON LINE, INC.					
	2/16/2010	200596	109.00		
				ONLINE SUBSCRIPTION-CODE	109.00
	Vendor Total		**109.00**		
FYTD for LANE GUIDE LENDORS ON LINE, INC.			**109.00**		
LANE, LORA					
	2/1/2010	200253	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for LANE, LORA			**75.00**		
LANG, TRACEY					
	2/16/2010	200597	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for LANG, TRACEY			**380.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LANGENDORF, BENJAMIN					
	2/8/2010	200421	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LANGENDORF, BENJAMIN			**2,549.84**		
LANGSTON, KRISTEN					
	2/16/2010	200598	220.00		
				REFUND-RNTL DEP #15580	220.00
	Vendor Total		**220.00**		
FYTD for LANGSTON, KRISTEN			**220.00**		
LAWHORN, MARTHA					
	2/16/2010	200599	26.50		
				REFUND-FLD RNTL #16397	26.50
	Vendor Total		**26.50**		
FYTD for LAWHORN, MARTHA			**26.50**		
LAWN TECH EQUIPMENT					
	2/22/2010	200723	111.65		
				CHAIN SHARPENING	111.65
	Vendor Total		**111.65**		
FYTD for LAWN TECH EQUIPMENT			**2,291.85**		
LAWYERS TITLE INC					
	2/23/2010	91309	16,026.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,026.00
	Vendor Total		**16,026.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		
LEDEBUR, TIM					
	2/1/2010	200254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LEDEBUR, TIM			**50.00**		
LEIGHTON CONSULTING, INC.					
	2/8/2010	200422	8,415.00		
				LASSELLE ST WIDENING PROJ	8,415.00
	Vendor Total		**8,415.00**		
FYTD for LEIGHTON CONSULTING, INC.			**61,855.14**		

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LEWIS, CAROLYN S.					
	2/8/2010	200423	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,524.12**		
LEXISNEXIS					
	2/22/2010	200724	1,480.00		
				JAN-10 ONLINE LGL SVCS	740.00
				JAN-10 ONLINE LGL SVCS	370.00
				JAN-10 ONLINE LGL SVCS	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**12,235.00**		
LIEBERT, CASSIDY, WHITMORE					
	2/16/2010	200600	70.00		
				ATTND:KUMAR/LONGDYKE	35.00
				ATTND:KUMAR/LONGDYKE	35.00
	Vendor Total		**70.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,274.00**		
LIFE SIGNS, INC.					
	2/8/2010	200424	130.00		
				INTERPRETATION SVCS-PD	130.00
	Vendor Total		**130.00**		
FYTD for LIFE SIGNS, INC.			**410.00**		
LINDO, HERMINA G.					
	2/8/2010	200425	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LINDO, HERMINA G.			**2,422.71**		
LITELINES, INC.					
	2/8/2010	200426	19,335.87		
				POLE/SIGN LIGHTS-PATRIOT PARK	14,735.00
				SALES TAX	1,289.31
				FIXTURES-PARKS MAINT	1,189.73
				FIXTURES-PARKS MAINT	586.04
				FIXTURES-PARKS MAINT	1,057.29
				FIXTURES-PARKS MAINT	239.25
				FIXTURES-PARKS MAINT	239.25
	Vendor Total		**19,335.87**		
FYTD for LITELINES, INC.			**19,335.87**		

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LITTLE, LORELEI T.					
	2/8/2010	200427	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for LITTLE, LORELEI T.			**54.50**		
LOGAN, CHARLES					
	2/8/2010	200428	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**1,771.15**		
LOR GEOTECHNICAL GROUP, INC.					
	2/1/2010	200255	2,273.00		
				TRAF SIG AT LASSELLE/COTTONWD	1,133.00
				SUNNYMD BLVD REVIT PROJ SVCS	380.00
				SUNNYMD BLVD REVIT PROJ SVCS	760.00
	2/8/2010	200429	9,805.00		
				LASSELLE/BAY AVE ST IMPRVMNTS	135.00
				TRAF SIG AT LASSELLE/BAY AVE.	258.00
				ENVIR SITE ASSESSMNT-CORP YARD	4,000.00
				SUNNYMD BL BEAUTIFICATION PROJ	1,848.00
				SUNNYMD BL BEAUTIFICATION PROJ	3,564.00
	Vendor Total		**12,078.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**55,371.00**		
LUCERO, ALBERT					
	2/1/2010	200256	72.00		
				REFUND-CITATION OVRPMT	72.00
	Vendor Total		**72.00**		
FYTD for LUCERO, ALBERT			**72.00**		
LUDWIG, MICHAEL DAVID					
	2/8/2010	200430	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LUDWIG, MICHAEL DAVID			**25.00**		
LUMLEY, ROBERT C.					
	2/8/2010	200431	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,549.84**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	2/22/2010	200725	7,050.00		
				CDBG SVCS-SEC DEPOSITS	2,000.00
				CDBG SVCS-UT ASSIST	4,000.00
				CDBG SVCS-UT ASSIST	1,050.00
	Vendor Total		**7,050.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**22,052.00**		
MANZANO, KARLA					
	2/8/2010	200432	112.00		
				REFUND-CITATION FEE	112.00
	Vendor Total		**112.00**		
FYTD for MANZANO, KARLA			**112.00**		
MARAL, TAVOUKJIAN					
	2/8/2010	200433	70.00		
				REFUND-CITATION FEE	70.00
	Vendor Total		**70.00**		
FYTD for MARAL, TAVOUKJIAN			**70.00**		
MARCELO, HENRY					
	2/8/2010	200434	76.40		
				REFUND-BSKTBLL REGIST	76.40
	Vendor Total		**76.40**		
FYTD for MARCELO, HENRY			**76.40**		
MARTIAL ARTS INTERNATIONAL, USKO					
	2/16/2010	200601	56.00		
				INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total		**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**392.00**		
MATHIS, NOLAN					
	2/8/2010	200435	288.60		
				RETIREE MEDICAL BENEFIT	288.60
	Vendor Total		**288.60**		
FYTD for MATHIS, NOLAN			**2,308.80**		
MATICH CORPORATION					
	2/22/2010	200726	2,538.04		
				ASPHALTIC MATERIAL PICK UP	2,538.04
	Vendor Total		**2,538.04**		
FYTD for MATICH CORPORATION			**29,184.83**		

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MAXINOSKI, SUE A.					
	2/8/2010	200436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,549.84**		
MCCARTHY & BERLIN, LLP					
	2/8/2010	200437	989.51		
				DEC-09 LEGAL SVCS-UT	989.51
	Vendor Total		**989.51**		
FYTD for MCCARTHY & BERLIN, LLP			**27,282.29**		
MCDONALD PARTNERS, INC.					
	2/22/2010	200727	937.50		
				ADVISORY SVCS-UTILITY	937.50
	Vendor Total		**937.50**		
FYTD for MCDONALD PARTNERS, INC.			**10,187.50**		
MCI					
	2/1/2010	200257	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**1,191.52**		
FYTD for MCI			**9,776.10**		
MCI WORLDCOM					
	2/16/2010	200602	948.49		
				COMMUNICATION SVCS	948.49
	Vendor Total		**948.49**		
FYTD for MCI WORLDCOM			**7,025.57**		
MELAD & ASSOCIATES					
	2/22/2010	200728	1,084.19		
				PLAN CHECK SVCS	1,084.19
	Vendor Total		**1,084.19**		
FYTD for MELAD & ASSOCIATES			**30,600.55**		
MENGISTU, YESHIALEM					
	2/22/2010	200729	121.50		
				MILEAGE REIMBURSEMENT	121.50
	Vendor Total		**121.50**		
FYTD for MENGISTU, YESHIALEM			**765.55**		

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MERRILLS, ANDREA					
	2/16/2010	200603	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MERRILLS, ANDREA			**75.00**		
MESSIN, LOUIS					
	2/8/2010	200438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**1,912.39**		
MEYERS, ROBERT					
	2/8/2010	200439	105.00		
				INSTRUCTOR SVCS-DRAWING	105.00
	Vendor Total		**105.00**		
FYTD for MEYERS, ROBERT			**1,806.00**		
MILES, ROBERT					
	2/8/2010	200440	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**1,831.70**		
MINARD, MARK E.					
	2/8/2010	200441	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,370.17**		
MOLLICA, MIKE					
	2/8/2010	200443	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,408.53**		
MORA, PATRICIA A.					
	2/8/2010	200444	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**2,549.84**		

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MORENO VALLEY BOWL					
	2/1/2010	200258	400.00		
				INSTRUCTOR SVC-BOWLING	280.00
				INSTRUCTOR SVC-BOWLING	120.00
	Vendor Total		**400.00**		
FYTD for MORENO VALLEY BOWL			**1,520.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	2/16/2010	200604	6,090.00		
				JAN-MAR BUSINESS SVCS	6,000.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
	Vendor Total		**6,090.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**21,730.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	2/12/2010	2580	1,589.00		
				MVCEA DUES 02/12/10	1,589.00
	2/26/2010	2590	1,614.00		
				MVCEA DUES 02/26/10	1,614.00
	Vendor Total		**3,203.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**28,512.50**		
MORENO VALLEY COMMUNITY EDUCATION CENTER					
	2/1/2010	200259	4,334.55		
				TUTORING PROG-CDBG	585.00
				TUTORING PROG-CDBG	775.41
				TUTORING PROG-CDBG	706.00
				TUTORING PROG-CDBG	574.99
				TUTORING PROG-CDBG	917.00
				TUTORING PROG-CDBG	776.15
	Vendor Total		**4,334.55**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER			**4,334.55**		
MORENO VALLEY TOW & RADIATOR					
	2/22/2010	200730	85.00		
				TOWING SVCS	85.00
	Vendor Total		**85.00**		
FYTD for MORENO VALLEY TOW & RADIATOR			**1,115.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	2/22/2010	200731	2,549.75		
				RESTITUTION FOR DAMAGES-1/21	2,549.75
	Vendor Total		**2,549.75**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**404,676.07**		
MORGAN, LISA A.					
	2/8/2010	200445	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**2,549.84**		
MYERS, FREDERICK					
	2/8/2010	200446	150.00		
				REFUND-CITATION FEE	150.00
	Vendor Total		**150.00**		
FYTD for MYERS, FREDERICK			**150.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	2/12/2010	2578	10,850.91		
				PST DEF COMP FOR FICA 02/12/10	10,850.91
	2/12/2010	2579	21,824.04		
				DEF COMP 457 & 401(A) 02/12/10	21,824.04
	2/26/2010	2588	10,268.63		
				PST DEF COMP FOR FICA 02/26/10	10,268.63
	2/26/2010	2589	21,798.04		
				DEF COMP 457 & 401(A) 02/26/10	21,798.04
	Vendor Total		**64,741.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**613,578.33**		
NAVARRETTE, RALPH					
	2/8/2010	200447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**637.46**		
NELSON, ROBERT					
	2/8/2010	200448	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**1,825.61**		

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NELSON, RUTH L.					
	2/8/2010	200449	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,549.84**		
NEUSTAEDTER, CRAIG S					
	2/8/2010	200450	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,549.84**		
NGUYEN, BINH					
	2/16/2010	200605	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for NGUYEN, BINH			**60.00**		
NIEBURGER, JUDITH A.					
	2/8/2010	200451	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,211.36**		
NINYO & MOORE GEOTECHNICAL					
	2/8/2010	200452	1,257.25		
				EMRGNCY OPS CTR PROJ SVCS	1,257.25
	Vendor Total		**1,257.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**66,607.87**		
NOBEL SYSTEMS					
	2/1/2010	200260	13,760.00		
				PROF SVCS-GIS CONVERSION	13,760.00
	2/22/2010	200733	15,080.00		
				PROF SVCS-UT GIS	12,200.00
				PROF SVCS-ARCGIS UPGRADE	2,880.00
	Vendor Total		**28,840.00**		
FYTD for NOBEL SYSTEMS			**28,840.00**		

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NPG CORPORATION					
	2/8/2010	200453	9,380.00		
				SLURRY SEAL/RESTRIPE @ LIBRARY	9,380.00
	Vendor Total		**9,380.00**		
FYTD for NPG CORPORATION			**9,380.00**		
NUNEZ, RICHARD					
	2/16/2010	200606	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NUNEZ, RICHARD			**20.00**		
OCB REPROGRAPHICS					
	2/1/2010	200261	71.78		
				COPY SVCS- MV UT	71.78
	Vendor Total		**71.78**		
FYTD for OCB REPROGRAPHICS			**5,233.84**		
ORTEGA, BECKY					
	2/22/2010	200734	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for ORTEGA, BECKY			**50.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	2/22/2010	200735	8,400.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total		**8,400.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**126,629.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	2/16/2010	200607	817.83		
				JAN-10 LNDSCP MAINT-E	235.54
				JAN-10 LNDSCP MAINT-E	433.49
				JAN-10 LNDSCP MAINT-E	108.51
				JAN-10 LNDSCP MAINT-E	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**8,212.63**		

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PACIFIC TELEMANAGEMENT SERVICES					
	2/1/2010	200262	438.48		
				FEB-10 SVC CHRGS-PAYPHONES	438.48
	2/22/2010	200736	375.84		
				MAR-10 SVC CHRGS-PAYPHONES	375.84
	Vendor Total		**814.32**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**1,641.16**		
PARK N POOL					
	2/22/2010	200738	8,160.80		
				METAL TABLES/BENCHES-PARKS	8,874.87
				METAL TABLES/BENCHES-USED TAX	-714.07
	Vendor Total		**8,160.80**		
FYTD for PARK N POOL			**8,160.80**		
PATCHEN, HELEN GERTRUDE					
	2/22/2010	200739	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for PATCHEN, HELEN GERTRUDE			**54.50**		
PATTERSON, ALFREY					
	2/8/2010	200454	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,722.85**		
PBS & J					
	2/16/2010	200609	445.29		
				CITYWIDE BRIDGE MAINT PRGM	445.29
	Vendor Total		**445.29**		
FYTD for PBS & J			**30,064.86**		
PEDLEY SQUARE VETERINARY CLINIC					
	2/22/2010	200740	5,843.00		
				EMERG AND VETERINARY SVCS	5,843.00
	Vendor Total		**5,843.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**58,492.75**		

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PENA, BETSY					
	2/16/2010	200610	47.00		
				REFUND-ANML LIC FEE	9.00
				REFUND-ANML LIC FEE	19.00
				REFUND-ANML LIC FEE	19.00
	Vendor Total		**47.00**		
FYTD for PENA, BETSY			**47.00**		
PEREZ, JOHN B.					
	2/8/2010	200455	85.00		
				REFUND-CITATION FEE	85.00
	Vendor Total		**85.00**		
FYTD for PEREZ, JOHN B.			**85.00**		
PEREZ, LAURA					
	2/8/2010	200456	78.40		
				REFUND-BSKTBLL REGIST	78.40
	Vendor Total		**78.40**		
FYTD for PEREZ, LAURA			**78.40**		
PERRY, NORMA					
	2/8/2010	200457	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,549.84**		
PERS LONG TERM CARE PROGRAM					
	2/1/2010	200265	433.87		
				LONG TERM CARE INSURANCE	433.87
	2/16/2010	200611	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**9,118.18**		
POIEMA LANDSCAPE, INC.					
	2/1/2010	200266	2,889.00		
				DEC-09 LNDSCP MAINT-ZN S	758.00
				DEC-09 LNDSCP MAINT-E12	2,131.00
	Vendor Total		**2,889.00**		
FYTD for POIEMA LANDSCAPE, INC.			**20,452.50**		
PRICE, GEORGE E.					
	2/8/2010	200459	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,549.84**		

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PROTECTION ONE, INC.					
	2/16/2010	200612	40.00		
				FEB-10 MNTRNG SVC-MVTV STUDIO	20.00
				FEB-10 MNTRNG SVC-PRO SHOP	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**320.00**		
PSOMAS					
	2/16/2010	200613	1,482.50		
				LASSELLE ST WIDENING PROJ	1,482.50
	Vendor Total		**1,482.50**		
FYTD for PSOMAS			**153,311.18**		
PULLIAM, TRENT D.					
	2/8/2010	200461	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,549.84**		
PW ENHANCEMENT CENTER					
	2/16/2010	200614	6,522.69		
				PARTNERSHIP PRGM	6,522.69
	Vendor Total		**6,522.69**		
FYTD for PW ENHANCEMENT CENTER			**86,640.31**		
QUEIFFER, RUBEN					
	2/16/2010	200615	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for QUEIFFER, RUBEN			**100.00**		
R & S OVERHEAD DOORS, INC.					
	2/1/2010	200267	5,331.00		
				CURTAIN INSTALL-FS #2	3,383.00
				DOOR SVC-FAC	121.00
				DOOR RPLCMNT-FAC	1,827.00
	Vendor Total		**5,331.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**23,860.00**		

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RALLY MANAGEMENT SERVICES, LLC					
	2/16/2010	200616	719.28		
				TEMP SVC:HENDERSON-W/E 1/17	719.28
	2/22/2010	200741	1,603.40		
				TEMP SVC-HENDERSON W/E 1/24	884.12
				TEMP SVCS-HENDERSON W/E 1/31	719.28
	Vendor Total		**2,322.68**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**5,695.10**		
RAMOS, MAYNARDO A.					
	2/8/2010	200462	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RAMOS, MAYNARDO A.			**54.50**		
RAY, JUANITA					
	2/1/2010	200268	95.00		
				REFUND-RABIES/SN DEP	20.00
				REFUND-RABIES/SN DEP	75.00
	Vendor Total		**95.00**		
FYTD for RAY, JUANITA			**95.00**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	2/16/2010	200617	12,420.00		
				RED LIGHT PHOTO ENF SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**99,360.00**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	2/22/2010	200742	22.00		
				CUC BREAKFAST MTG 2/24/10	22.00
	Vendor Total		**22.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**22.00**		
REISH LUFTMAN REICHER & COHEN					
	2/8/2010	200463	3,800.00		
				NOV-09 LEGAL SVCS-HR	1,300.00
				NOV-09 LEGAL SVCS-HR	1,200.00
				DEC-09 LEGAL SVCS-HR	650.00
				DEC-09 LEGAL SVCS-HR	650.00
	Vendor Total		**3,800.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**37,670.50**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RESCUE ROOTER					
	2/16/2010	200618	670.00		
				EMERG PLUMBING SVC-ASES	670.00
	2/22/2010	200743	3,850.00		
				PLUMBING SVCS-ANML SHLTR	1,867.25
				PLUMBING SVCS-ANML SHLTR	1,982.75
	Vendor Total		**4,520.00**		
FYTD for RESCUE ROOTER			**6,486.50**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	2/1/2010	200269	466.38		
				SHADOW MTN PARK LIGHTING PROJ	466.38
	Vendor Total		**466.38**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**616.38**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	2/8/2010	200465	589.85		
				ENCRCHMNT PERMIT/ADDTL DEPOSIT	589.85
	Vendor Total		**589.85**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**30,169.70**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	2/22/2010	200744	4,249.61		
				CDBG SVCS-ABUSE PREV PRGRM	632.06
				CDBG SVCS-ABUSE PREV PRGRM	687.12
				CDBG SVCS-ABUSE PREV PRGRM	849.29
				CDBG SVCS-ABUSE PREV PRGRM	716.80
				CDBG SVCS-ABUSE PREV PRGRM	841.39
				CDBG SVCS-ABUSE PREV PRGRM	522.95
	Vendor Total		**4,249.61**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**5,647.92**		
RIVERSIDE COUNTY CLERK					
	2/22/2010	200745	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	2/22/2010	200746	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	Vendor Total		**2,057.00**		
FYTD for RIVERSIDE COUNTY CLERK			**14,544.25**		
RIVERSIDE COUNTY CLERK/RECORDER					
	2/22/2010	200747	13.00		
				LIEN RELEASE	13.00
	Vendor Total		**13.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER			**2,054.30**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
2/1/2010	200270	2,064.11		
			DEC-09 RADIO SVCS	187.15
			DEC-09 RADIO SVCS	9.85
			DEC-09 RADIO SVCS	34.01
			DEC-09 RADIO SVCS-PD	1,789.70
			DEC-09 VPN CONNECTION SVC	43.40
2/22/2010	200748	43.40		
			JAN-10 VPN CONNECTION SVC	43.40
	Vendor Total	**2,107.51**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**16,677.01**		
RIVERSIDE COUNTY SHERIFF				
2/8/2010	200466	24,920.16		
			NOV-09 BOOKING FEES-PD	11,104.32
			DEC-09 BOOKING FEES-PD	13,815.84
	Vendor Total	**24,920.16**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,845,212.81**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
2/8/2010	200467	123.00		
			REG.-CHILD ABUSE/ASSAULT CLASS	123.00
	Vendor Total	**123.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**8,762.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
2/1/2010	200271	491.63		
			GARNISHMENT	107.89
			GARNISHMENT	383.74
2/16/2010	200619	534.26		
			GARNISHMENT	131.46
			GARNISHMENT	402.80
	Vendor Total	**1,025.89**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**6,656.81**		
RIVERSIDE COUNTY SHERIFF MV				
2/8/2010	200468	299.66		
			EXTRA DUTY-DUI CK PT	299.66
	Vendor Total	**299.66**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**9,370.67**		
RLZ ENGINEERING				
2/16/2010	200620	6,184.50		
			TEMP STAFF SVCS FOR CAP PROJS	6,184.50
	Vendor Total	**6,184.50**		
FYTD for RLZ ENGINEERING		**120,695.25**		

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RODRIGUEZ, LAUREN					
	2/16/2010	200621	76.00		
				MILEAGE REIMBURSEMENT	76.00
	Vendor Total		**76.00**		
FYTD for RODRIGUEZ, LAUREN			**230.00**		
ROGERS, EUGENE					
	2/8/2010	200469	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**1,912.39**		
ROGERS, KIANNA					
	2/1/2010	200272	140.25		
				MILEAGE REIMBURSEMENT	75.90
				MILEAGE REIMBURSEMENT	64.35
	Vendor Total		**140.25**		
FYTD for ROGERS, KIANNA			**645.15**		
ROSS, DAVID T.					
	2/8/2010	200470	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,549.84**		
ROSSON, LOUIS A.					
	2/8/2010	200471	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,179.85**		
RUIZ, ROSALVA					
	2/8/2010	200472	404.50		
				REFUND-CITATION FEE	404.50
	2/22/2010	200749	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**429.50**		
FYTD for RUIZ, ROSALVA			**429.50**		
RUSSELL, NORMAN TAB					
	2/8/2010	200473	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RUSSELL, NORMAN TAB			**54.50**		

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RUSSO, JOHN					
	2/8/2010	200474	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,549.84**		
SALCEDO, ESMERELDA					
	2/16/2010	200622	300.00		
				REFUND-RNTL DEP #16187	300.00
	Vendor Total		**300.00**		
FYTD for SALCEDO, ESMERELDA			**300.00**		
SAMY'S CAMERA					
	2/1/2010	200273	42.41		
				CAMERA BATTERY FOR PD	42.41
	Vendor Total		**42.41**		
FYTD for SAMY'S CAMERA			**42.41**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	2/1/2010	200274	128.70		
				FIRE SYSTEM SVC-CRC	68.70
				FIRE SYSTEM SVC-MARCH FLD CC	60.00
	Vendor Total		**128.70**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**6,602.21**		
SANCHEZ, MARIBEL					
	2/8/2010	200475	157.40		
				REFUND-BSKTBLL REGIST	71.40
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**157.40**		
FYTD for SANCHEZ, MARIBEL			**157.40**		
SANDECKI, RENEE					
	2/8/2010	200476	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for SANDECKI, RENEE			**54.50**		
SANKEY, JACK DONALD					
	2/22/2010	200750	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for SANKEY, JACK DONALD			**25.00**		

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SCHARFF, DONNA					
	2/8/2010	200477	425.00		
				REFUND-CITATION FEE	425.00
	Vendor Total		**425.00**		
FYTD for SCHARFF, DONNA			**425.00**		
SCHUBERT, LORI					
	2/1/2010	200275	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for SCHUBERT, LORI			**75.00**		
SCREENVISION DIRECT					
	2/1/2010	200276	3,556.00		
				ERC ADVERTISING IN THEATERS	600.00
				ERC ADVERTISING IN THEATERS	300.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
	Vendor Total		**3,556.00**		
FYTD for SCREENVISION DIRECT			**3,556.00**		
SECTRAN SECURITY, INC					
	2/1/2010	200277	463.50		
				JAN-10 TRNSPRT SVC-PARKS	154.50
				JAN-10 TRNSPRT SVC-TREASURY	154.50
				JAN-10 TRNSPRT SVC-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**3,244.50**		
SECURITY LOCK & KEY					
	2/8/2010	200478	40.57		
				DUPLICATE KEYS-LIBRARY	15.12
				DUPLICATE KEYS-PARKS MAINT	25.45
	2/16/2010	200623	13,482.50		
				INSTALL PANIC HARDWARE@FS #58	13,482.50
	Vendor Total		**13,523.07**		
FYTD for SECURITY LOCK & KEY			**15,894.03**		
SHAH, JAGDISH					
	2/22/2010	200751	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**147,480.00**		

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SHARRETT, SHARON K.					
	2/8/2010	200479	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,461.68**		
SHELDON, STUART H.					
	2/8/2010	200480	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,549.84**		
SHELL OIL CO.					
	2/16/2010	200624	80.44		
				FUEL PURCHASES	30.44
				FUEL PURCHASES	50.00
	2/22/2010	200752	1,156.45		
				FUEL PURCHASE-PW EQUIP	17.73
				FUEL PURCHASE-PD MOTORCYCLES	1,138.72
	Vendor Total		**1,236.89**		
FYTD for SHELL OIL CO.			**13,741.01**		
SHILLEH, HIBA					
	2/8/2010	200481	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for SHILLEH, HIBA			**145.00**		
SHURTLEFF, JEANNETTE L.					
	2/16/2010	200625	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**1,786.00**		
SINGER & COFFIN, APC					
	2/8/2010	200482	2,200.00		
				LEGAL SVCS-RECHE VISTA DR PROJ	140.00
				LEGAL SVCS-SR60/NASON ST PROJ	2,020.00
				LEGAL SVCS-SR60/NASON ST PROJ	40.00
	2/22/2010	200753	200.00		
				LEGAL SVCS-SR60/NASON ST PROJ	200.00
	Vendor Total		**2,400.00**		
FYTD for SINGER & COFFIN, APC			**49,304.65**		

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SINGLETON-DECUIR, JANISHEIA					
	2/16/2010	200626	44.50		
				MILEAGE REIMBURSEMENT	44.50
	Vendor Total		**44.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**301.35**		
SLAGERMAN, SUSAN A.					
	2/8/2010	200483	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,112.30**		
SMITH, ERNEST FRANK					
	2/8/2010	200484	4,630.95		
				RETIREE MEDICAL BENEFIT	4,630.95
	Vendor Total		**4,630.95**		
FYTD for SMITH, ERNEST FRANK			**4,630.95**		
SMITH, MARIA A.					
	2/8/2010	200485	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**914.92**		
SO. CAL. VETERINARY DENTAL SPECIALTIES					
	2/8/2010	200486	2,010.46		
				VET DENTAL SVCS-K9 LEX	2,010.46
	Vendor Total		**2,010.46**		
FYTD for SO. CAL. VETERINARY DENTAL SPECIALTIES			**2,010.46**		
SO. CALIF SCHOOL OF MUSIC					
	2/8/2010	200487	810.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
	Vendor Total		**810.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**7,467.00**		

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SOCO GROUP, INC					
	2/8/2010	200488	6,298.65		
				FUEL PURCHASE	6,298.65
	2/22/2010	200754	19,876.89		
				FUEL PURCHASE	3,999.63
				FUEL PURCHASE	4,722.66
				FUEL PURCHASE	6,190.46
				FUEL PURCHASE	4,964.14
	Vendor Total		**26,175.54**		
FYTD for SOCO GROUP, INC			**107,202.77**		
SOSA, JORGE					
	2/8/2010	200489	264.00		
				INSTRUCTOR SVCS-NINPO	48.00
				INSTRUCTOR SVCS-KARATEDO	72.00
				INSTRUCTOR SVCS-KARATEDO	144.00
	Vendor Total		**264.00**		
FYTD for SOSA, JORGE			**2,916.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200278	3,711.33		
				ELECTRICITY	41.78
				ELECTRICITY	20.22
				ELECTRICITY	1,011.57
				ELECTRICITY	713.17
				ELECTRICITY	129.62
				ELECTRICITY	190.25
				ELECTRICITY	766.33
				ELECTRICITY	148.01
				ELECTRICITY	472.74
				ELECTRICITY	106.71
				ELECTRICITY	66.30
				ELECTRICITY	44.63
	2/8/2010	200490	6,205.96		
				ELECTRICITY	62.06
				ELECTRICITY	122.45
				ELECTRICITY	20.22
				ELECTRICITY	1,838.06
				ELECTRICITY	377.78
				ELECTRICITY	740.72
				ELECTRICITY	535.78
				ELECTRICITY	480.71
				ELECTRICITY	346.78
				ELECTRICITY	20.22
				ELECTRICITY	1,317.68
				ELECTRICITY	135.65
				ELECTRICITY	147.19
				ELECTRICITY	60.66
	2/16/2010	200628	14,146.73		
				JAN-10 IFA CHRGS-SUBSTATION	14,146.73
	2/22/2010	200755	19,961.19		
				JAN-10 WDAT CHRGS-IRIS	2,625.22
				JAN-10 WDAT CHRGS-GRAHAM	3,727.65
				JAN-10 WDAT CHRGS-GLOBE	6,474.87
				JAN-10 WDAT CHRGS-NANDINA	2,647.31
				JAN-10 WDAT CHRGS-FREDERICK	4,486.14
	2/22/2010	200756	13,363.28		
				ELECTRICITY	529.70
				ELECTRICITY	351.30
				ELECTRICITY	134.20
				ELECTRICITY	2,091.49
				ELECTRICITY	547.21
				ELECTRICITY	785.60
				ELECTRICITY	1,012.93
				ELECTRICITY	1,331.38
				ELECTRICITY	19.55
				ELECTRICITY	4,853.26
				ELECTRICITY	19.55
				ELECTRICITY	20.22
				ELECTRICITY	1.65
				ELECTRICITY	234.00
				JAN-10 IFA CHRGS	1,099.13

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRIC CHRGS	332.11
Vendor Total		57,388.49		
FYTD for SOUTHERN CALIFORNIA EDISON		**5,992,105.32**		
SOUTHERN CALIFORNIA GAS CO.				
2/22/2010	200757	12,273.47		
			GAS CHARGES	86.27
			GAS CHARGES	1,367.21
			GAS CHARGES	3,523.93
			GAS CHARGES	80.51
			GAS CHARGES	188.86
			GAS CHARGES	1,550.61
			GAS CHARGES	404.26
			GAS CHARGES	183.64
			GAS CHARGES	1,959.65
			GAS CHARGES	429.06
			GAS CHARGES	358.38
			GAS CHARGES	298.21
			GAS CHARGES	395.57
			GAS CHARGES	579.19
			GAS CHARGES	868.12
Vendor Total		12,273.47		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**243,843.54**		
SPARKLETTS				
2/22/2010	200758	20.76		
			WATER SVCS-SNNYMD ELEM	12.16
			WATER SVCS-CRKSD ELEM	5.75
			WATER SVCS-ARMADA ELEM	2.85
Vendor Total		20.76		
FYTD for SPARKLETTS		**352.67**		
SPECK, GARY B.				
2/8/2010	200491	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SPECK, GARY B.		**2,549.84**		
SPENCER, MARTHA				
2/8/2010	200492	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for SPENCER, MARTHA		**1,831.70**		

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SPORTS INNOVATORS					
	2/16/2010	200629	3,050.00		
				SPORTS OFFICIATING SVCS	2,205.00
				SPORTS OFFICIATING SVCS	845.00
	Vendor Total		**3,050.00**		
FYTD for SPORTS INNOVATORS			**20,375.00**		
SPRINT					
	2/8/2010	200493	30.00		
				SUBPOENA COMPLIANCE SVC	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**90.00**		
SPRINT/NEXTEL					
	2/8/2010	200494	33.50		
				PH SVC CHRG-GTF	33.50
	Vendor Total		**33.50**		
FYTD for SPRINT/NEXTEL			**518.98**		
STANDARD INSURANCE CO					
	2/8/2010	200495	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	2/1/2010	200280	1,837.05		
				FEB-APR SEC MNTRNG-ANNX #1	207.00
				FEB-APR SEC MNTRNG-ASES	354.00
				FEB-APR SEC MNTRNG-STARS BLDG	123.00
				FEB-APR SEC MNTRNG-TECH SVCS	330.00
				FEB-APR SEC MNTRNG-CITY HALL	493.50
				FEB-APR SEC MNTRNG-LIBRARY	329.55
	2/8/2010	200496	166.85		
				FEB-10 MNTRNG SVCS-SNACK BARS	156.30
				FEB-10 MNTRNG SVCS-SNACK BARS	10.55
	2/22/2010	200759	227.50		
				SECURITY MAINT-ANML SHLTR	227.50
	Vendor Total		**2,231.40**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**20,464.12**		

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STATE BAR OF CALIFORNIA					
	2/16/2010	200630	410.00		
				MBRSHP DUES-BRYANT	410.00
	2/16/2010	200631	410.00		
				MBRSHP DUES-HANSEN	410.00
	2/16/2010	200632	410.00		
				MBRSHP DUES-EARLY	410.00
	Vendor Total		**1,230.00**		
FYTD for STATE BAR OF CALIFORNIA			**1,335.00**		
STATE BOARD OF EQUALIZATION					
	2/23/2010	201001	2,325.00		
				SALES & USE TAX 01/01-31/2010	2,325.00
	Vendor Total		**2,325.00**		
FYTD for STATE BOARD OF EQUALIZATION			**27,470.29**		
STATE DISBURSEMENT UNIT					
	2/4/2010	2569	1,771.37		
				CHILD SUPPORT W/H 02/04/10	1,771.37
	2/18/2010	2577	1,964.62		
				CHILD SUPPORT W/H 02/18/10	1,964.62
	Vendor Total		**3,735.99**		
FYTD for STATE DISBURSEMENT UNIT			**32,397.34**		
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	2/1/2010	200281	4,295.00		
				DEC-09 FINGERPRINTING SVCS	4,295.00
	2/16/2010	200633	595.00		
				JUL-09 BLOOD ALCHL ANLYS-PD	70.00
				NOV-09 BLOOD ALCHL ANLYS-PD	525.00
	Vendor Total		**4,890.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**37,204.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	2/16/2010	200634	270.74		
				REFUND-MVU/JEAN STOKES	124.49
				REFUND-MVU/RUBY HAYWARD	146.25
	Vendor Total		**270.74**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**882.91**		
STATE WATER RESOURCES CONTROL BOARD					
	2/22/2010	200760	77.00		
				HEACOCK ST EMRGNCY REPRS-JAN20	77.00
	Vendor Total		**77.00**		
FYTD for STATE WATER RESOURCES CONTROL BOARD			**77.00**		

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STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
2/16/2010	200635	3,391.04		
			JAN-10 TRANSCRIPTION SVCS-PD	3,391.04
Vendor Total		**3,391.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**27,316.48**		
STERICYCLE (BFI)				
2/8/2010	200497	442.24		
			JAN-10 MED WASTE HAULING SVC	442.24
Vendor Total		**442.24**		
FYTD for STERICYCLE (BFI)		**3,095.88**		
STEWART TITLE OF CALIFORNIA				
2/23/2010	91310	16,837.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,837.00
Vendor Total		**16,837.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,438,024.50**		
STEWART, CLIFFORD				
2/8/2010	200498	251.09		
			RETIREE MEDICAL BENEFIT	251.09
Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD		**1,494.63**		
STOUT, LORNA				
2/22/2010	200761	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for STOUT, LORNA		**75.00**		
STREICH, TERRY L.				
2/8/2010	200499	30.33		
			RETIREE MEDICAL BENEFIT	30.33
Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.		**519.65**		
STRICKLER ASSOCIATION, THE				
2/1/2010	200282	3,477.50		
			CONSULTING SVCS-HSG	3,477.50
2/22/2010	200762	2,177.50		
			PROF CONSULTING SVCS	2,177.50
Vendor Total		**5,655.00**		
FYTD for STRICKLER ASSOCIATION, THE		**26,390.00**		

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STRICKLER II, JOHN W.					
	2/8/2010	200500	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**1,912.39**		
SUMERFORD, CHRISTINA					
	2/16/2010	200636	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for SUMERFORD, CHRISTINA			**342.00**		
SUNNYMEAD ACE HARDWARE					
	2/8/2010	200501	187.64		
				MISC SUPPLIES-PD	141.35
				MISC SUPPLIES-PD	26.09
				MISC SUPPLIES-PD	12.60
				MISC SUPPLIES-PD	7.60
	2/16/2010	200637	204.72		
				MISC SUPPLIES-FIRE	6.49
				MISC SUPPLIES-FIRE	16.31
				MISC SUPPLIES-PD	30.44
				MISC SUPPLIES-PD	116.30
				MISC SUPPLIES-PD	14.65
				MISC SUPPLIES-PD	19.99
				MISC SUPPLIES-PD	0.54
	Vendor Total		**392.36**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,874.39**		
SUNNYMEAD ANIMAL HOSPITAL					
	2/8/2010	200502	107.50		
				WELLNESS EXAM-K9 MAX	107.50
	Vendor Total		**107.50**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL			**347.50**		
SUNNYMEAD SMOG CENTER					
	2/8/2010	200503	66.98		
				REFUND-BUS LIC OVERPAYMENT	66.98
	Vendor Total		**66.98**		
FYTD for SUNNYMEAD SMOG CENTER			**66.98**		
SUNNYMEAD VETERINARY CLINIC					
	2/8/2010	200504	595.00		
				EMERG VET SVCS-ANML SHLTR	255.00
				EMERG VET SVCS-ANML SHLTR	340.00
	Vendor Total		**595.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**3,581.00**		

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SWRCB/STATE WATER RESOURCE CONTROL BOARD					
	2/8/2010	200505	1,275.00		
				ANNL PERMIT FEE-HEACOCK BRIDGE	1,275.00
	2/8/2010	200506	288.00		
				ANNL PERMIT FEE-EMERG OPS CTR	288.00
	Vendor Total		**1,563.00**		
FYTD for SWRCB/STATE WATER RESOURCE CONTROL BOARD			**24,062.00**		
TANETTA, TATUM					
	2/8/2010	200507	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for TANETTA, TATUM			**100.00**		
TEK TIME SYSTEMS, LLC					
	2/22/2010	200763	197.63		
				TIME STAMP REPAIR	197.63
	Vendor Total		**197.63**		
FYTD for TEK TIME SYSTEMS, LLC			**423.41**		
TIMOTHY MCPIKE & SHANNON MCPIKE					
	2/8/2010	200508	20,000.00		
				SETTLEMENT	20,000.00
	Vendor Total		**20,000.00**		
FYTD for TIMOTHY MCPIKE & SHANNON MCPIKE			**20,000.00**		
T-N-T HICKS CATERING					
	2/16/2010	200638	1,500.00		
				CATERING SVCS-JOINT COC MIXER	1,500.00
	Vendor Total		**1,500.00**		
FYTD for T-N-T HICKS CATERING			**1,500.00**		
TRICHE, TARA					
	2/22/2010	200765	1,687.20		
				INSTRUCTOR SVCS-TEENS BALLET	22.20
				INSTRUCTOR SVCS-BALLET	266.40
				INSTRUCTOR SVCS-BALLET/ACRO	111.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	466.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-HIP HOP DANCE	377.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,687.20**		
FYTD for TRICHE, TARA			**15,517.80**		

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TRI-CITY LINEN SUPPLY, INC.					
	2/8/2010	200509	25.00		
				LINEN RENTAL-CRC	25.00
	2/16/2010	200640	75.00		
				LINEN RENTAL-CRC	75.00
	2/22/2010	200764	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**125.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,349.70**		
TROPICAL PLAZA NURSERY, INC.					
	2/22/2010	200766	18,174.04		
				JAN-10 LNDSCP MAINT-ZONE E-2	15,700.00
				JAN-10 LNDSCP MAINT-ZONE E-16	2,217.45
				JAN-10 IRRIG RPRS-ZONE E-2	256.59
	Vendor Total		**18,174.04**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**144,925.51**		
TRUGREEN LANDCARE					
	2/8/2010	200510	11,714.55		
				DEC-09 LNDSCP MAINT-ZONE E-3	10,038.43
				DEC-09 LNDSCP MAINT-ZONE E-3A	1,676.12
	2/22/2010	200767	7,403.38		
				JAN-10 LNDSCP MAINT-ZONE DSG1E	7,403.38
	Vendor Total		**19,117.93**		
FYTD for TRUGREEN LANDCARE			**214,924.04**		
TUNG, ALYNNA & ALADDIN					
	2/16/2010	200641	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for TUNG, ALYNNA & ALADDIN			**20.00**		
TUNTLAND, JAMES					
	2/8/2010	200511	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,494.63**		

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TURNER, TRINA					
	2/16/2010	200642	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for TURNER, TRINA			**60.00**		
U.S. HEALTHWORKS MEDICAL GROUP					
	2/1/2010	200283	236.00		
				PRE-EMPLYMNT PHYSICALS	236.00
	Vendor Total		**236.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,883.00**		
UNDERGROUND SERVICE ALERT					
	2/16/2010	200643	510.00		
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	111.74
				DIGALERT TICKETS SUBSCRPTN SVC	15.76
	2/22/2010	200768	592.50		
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
	Vendor Total		**1,102.50**		
FYTD for UNDERGROUND SERVICE ALERT			**5,677.50**		
UNITED POWER GENERATION, INC.					
	2/22/2010	200769	3,422.70		
				SVC TO GENERATOR @ FIRE ST #2	300.00
				EMERG GENERATOR MAINT-F.S. #2	347.80
				EMERG GENERATOR MAINT-F.S. #65	340.00
				EMERG GENERATOR MAINT-F.S. #58	360.00
				EMERG GENERATOR MAINT-F.S. #6	340.30
				EMERG GENERATOR MAINT-F.S. #48	340.30
				EMERG GENERATOR MAINT-CITY YRD	179.40
				EMERG GENERATOR MAINT-SR. CTR	179.40
				EMERG GENERATOR MAINT-SHELTER	375.90
				EMERG GENERATOR MAINT-CTY HALL	659.60
	Vendor Total		**3,422.70**		
FYTD for UNITED POWER GENERATION, INC.			**11,904.03**		

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UNITED SITE SERVICES OF CA, INC.				
2/1/2010	200284	292.11		
			FENCE RENTAL-ANIMAL SHELTER	107.39
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
2/8/2010	200512	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
2/16/2010	200644	77.33		
			PORTABLE TOILET SVC-GOLF CTR	77.33
2/22/2010	200770	204.94		
			PORTABLE TOILET SVC-M&O DIV.	97.55
			FENCE RENTAL-ANIMAL SHELTER	107.39
Vendor Total		**671.93**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**8,825.41**		
UNITED STATES TREASURY				
2/1/2010	200285	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
2/16/2010	200645	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY		**5,320.00**		
UNITED WAY OF INLAND VALLEYS				
2/1/2010	200286	642.18		
			UNITED WAY CONTRIBUTIONS	642.18
2/16/2010	200646	637.18		
			UNITED WAY CONTRIBUTIONS	637.18
Vendor Total		**1,279.36**		
FYTD for UNITED WAY OF INLAND VALLEYS		**15,018.00**		
UNITED WAY, INLAND VALLEYS				
2/16/2010	200647	268.67		
			EMPLOYEE GIVING CMPGN	268.67
Vendor Total		**268.67**		
FYTD for UNITED WAY, INLAND VALLEYS		**1,171.28**		
USA MOBILITY/ARCH WIRELESS				
2/16/2010	200648	79.52		
			PAGER SVC-PARK RANGERS/FEB-10	2.03
			PAGER SVC-TRANSP DIV/FEB-10	5.08
			PAGER SVC-PD CITZ PATRL/FEB-10	33.53
			PAGER SVC-ANIMAL SVCS/FEB-10	38.88
Vendor Total		**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**650.16**		

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VA CONSULTING, INC.					
	2/1/2010	200287	10,822.01		
				HEACOCK ST BRIDGE RPLCMNT PROJ	10,822.01
	2/16/2010	200649	23,830.45		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,059.64
				AUTO MALL IMPRVMNTS PROJ SVCS	873.06
				AUTO MALL IMPRVMNTS PROJ SVCS	20,897.75
	2/22/2010	200771	683.52		
				AUTO MALL IMPRVMNTS PROJ SVCS	683.52
	Vendor Total		**35,335.98**		
FYTD for VA CONSULTING, INC.			**272,063.71**		
VACATE PEST ELIMINATION COMPANY					
	2/8/2010	200514	1,365.00		
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR.	55.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-MARB HOBBY SHOP	45.00
				PEST CNTRL-STARS BLDG/MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP. TRLR	45.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
	Vendor Total		**1,365.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**12,275.00**		
VALI COOPER & ASSOCIATES, INC.					
	2/22/2010	200772	10,710.00		
				TEMP STAFFING SVCS-CAP PROJS	10,710.00
	Vendor Total		**10,710.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**120,577.50**		

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VANDER HAWK CONSULTING, LLC					
	2/16/2010	200650	11,130.00		
				ANNL PAVEMNT MGMT UPDATE SVCS	11,130.00
	Vendor Total		**11,130.00**		
FYTD for VANDER HAWK CONSULTING, LLC			**45,393.00**		
VAS ASSOCIATES, INC.					
	2/22/2010	200773	16,200.00		
				TEMP STAFFING SVCS-CAP PROJS	1,315.00
				TEMP STAFFING SVCS-CAP PROJS	14,885.00
	Vendor Total		**16,200.00**		
FYTD for VAS ASSOCIATES, INC.			**147,645.00**		
VASQUEZ, ERIKA					
	2/1/2010	200288	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for VASQUEZ, ERIKA			**47.00**		
VEGA, ELIZABETH					
	2/22/2010	200774	46.00		
				REFUND-ANML SVC FEES	31.00
				REFUND-ANML SVC FEES	15.00
	Vendor Total		**46.00**		
FYTD for VEGA, ELIZABETH			**46.00**		
VERITEXT LOS ANGELES REPORTING CO.					
	2/16/2010	200651	2,440.70		
				TRANSCRIPTION SVCS	862.50
				TRANSCRIPTION SVCS	610.75
				TRANSCRIPTION SVCS	275.00
				TRANSCRIPTION SVCS	252.50
				TRANSCRIPTION SVCS	439.95
	Vendor Total		**2,440.70**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**2,440.70**		
VERIZON					
	2/16/2010	200652	1,700.96		
				BACKBONE CHRGS	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**13,430.93**		

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VERIZON CALIFORNIA					
	2/1/2010	200289	619.80		
				PHONE CHRGS FOR ERC	619.80
	2/16/2010	200654	8,673.57		
				TELEPHONE CHRGS	173.38
				TELEPHONE CHRGS	198.71
				TELEPHONE CHRGS	184.08
				TELEPHONE CHRGS	494.01
				TELEPHONE CHRGS	223.79
				TELEPHONE CHRGS	113.76
				TELEPHONE CHRGS	219.24
				TELEPHONE CHRGS	189.09
				TELEPHONE CHRGS	61.81
				TELEPHONE CHRGS	218.21
				TELEPHONE CHRGS	137.74
				TELEPHONE CHRGS	325.93
				TELEPHONE CHRGS	119.05
				TELEPHONE CHRGS	479.56
				TELEPHONE CHRGS	291.37
				TELEPHONE CHRGS	167.75
				TELEPHONE CHRGS	64.13
				TELEPHONE CHRGS	289.08
				TELEPHONE CHRGS	18.80
				TELEPHONE CHRGS	133.29
				TELEPHONE CHRGS	216.07
				TELEPHONE CHRGS	11.94
				TELEPHONE CHRGS	11.93
				TELEPHONE CHRGS	41.22
				TELEPHONE CHRGS	25.90
				TELEPHONE CHRGS	42.85
				TELEPHONE CHRGS	23.40
				TELEPHONE CHRGS	20.61
				TELEPHONE CHRGS	24.13
				TELEPHONE CHRGS	133.31
				TELEPHONE CHRGS	80.73
				TELEPHONE CHRGS	40.18
				TELEPHONE CHRGS	56.46
				TELEPHONE CHRGS	213.29
				TELEPHONE CHRGS	55.10
				TELEPHONE CHRGS	22.80
				TELEPHONE CHRGS	92.76
				TELEPHONE CHRGS	215.32
				TELEPHONE CHRGS	3,242.79
	Vendor Total		**9,293.37**		
FYTD for VERIZON CALIFORNIA			**77,910.64**		
VICTOR MEDICAL CO					
	2/1/2010	200290	1,170.15		
				ANIMAL MEDICAL SUPPLIES	1,170.15
	Vendor Total		**1,170.15**		
FYTD for VICTOR MEDICAL CO			**9,898.75**		

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VIGIL, ERNEST					
	2/8/2010	200515	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,549.84**		
VILLARREAL, MARIO					
	2/22/2010	200775	90.00		
				REFUND-CREMATION FEE	90.00
	Vendor Total		**90.00**		
FYTD for VILLARREAL, MARIO			**90.00**		
VINCENT, CLARENCE					
	2/8/2010	200516	161.24		
				RETIREE MEDICAL BENEFIT	161.24
	Vendor Total		**161.24**		
FYTD for VINCENT, CLARENCE			**1,693.02**		
VINCENT, LONNIE					
	2/22/2010	200776	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for VINCENT, LONNIE			**404.50**		
VIRANI, HUSSAIN					
	2/16/2010	200655	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for VIRANI, HUSSAIN			**100.00**		
VISION SERVICE PLAN					
	2/16/2010	200656	4,114.86		
				EMPLOYEE VISION INSURANCE	4,114.86
	Vendor Total		**4,114.86**		
FYTD for VISION SERVICE PLAN			**35,612.64**		
VISTA PAINT CORPORATION					
	2/8/2010	200517	158.02		
				SUPPLIES FOR GRAFFITI RMVL PRG	41.00
				PAINT FOR GRAFFITI RMVL PRGM	117.02
	2/22/2010	200777	530.25		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	530.25
	Vendor Total		**688.27**		
FYTD for VISTA PAINT CORPORATION			**9,951.26**		

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VON MIZENER, ERIC					
	2/1/2010	200291	85.13		
				EXPENSE REIMBURSEMENT	85.13
	Vendor Total		**85.13**		
FYTD for VON MIZENER, ERIC			**85.13**		
VOYAGER FLEET SYSTEM, INC.					
	2/22/2010	200778	1,436.43		
				CNG FUEL FOR STREET PRGM	1,099.38
				CNG FUEL FOR DRAIN MAINT PRGM	337.05
	Vendor Total		**1,436.43**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**15,724.39**		
VULCAN MATERIALS CO, INC.					
	2/8/2010	200518	181.00		
				ASPHALTIC MATERIAL PICK UP	90.80
				ASPHALTIC MATERIAL PICK UP	90.20
	2/22/2010	200779	6,019.87		
				ASPHALTIC MATERIAL PICK UP	1,848.75
				ASPHALTIC MATERIAL PICK UP	2,390.33
				ASPHALTIC MATERIAL PICK UP	895.29
				ASPHALTIC MATERIAL PICK UP	255.28
				ASPHALTIC MATERIAL PICK UP	252.13
				ASPHALTIC MATERIAL PICK UP	219.95
				ASPHALTIC MATERIAL PICK UP	158.14
	Vendor Total		**6,200.87**		
FYTD for VULCAN MATERIALS CO, INC.			**92,907.18**		
WAGGONER JR., GLENN C.					
	2/8/2010	200519	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**2,549.84**		
WAGNER, GARY D.					
	2/8/2010	200520	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**2,543.56**		
WAGY, CARYLON					
	2/8/2010	200521	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**2,549.84**		

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WALLACE, DONNA					
	2/8/2010	200522	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for WALLACE, DONNA			**86.00**		
WARD, DOROTHY M.					
	2/22/2010	200780	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for WARD, DOROTHY M.			**404.50**		
WASSON, KIRK					
	2/16/2010	200658	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for WASSON, KIRK			**1,140.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	2/1/2010	200292	1,244.51		
				JAN-10 STORAGE BIN RENTALS	1,244.51
	2/22/2010	200781	1,244.51		
				FEB-10 STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**10,850.69**		
WELLS FARGO CORPORATE TRUST					
	2/1/2010	91301	776.30		
				INTEREST VARIABLE RATE BOND	776.30
	Vendor Total		**776.30**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,625,709.59**		
WEST GROUP					
	2/1/2010	200293	2,059.76		
				LEGAL PUBLICATIONS SUBSCRPTNS	1,972.76
				LEGAL PUBLICATIONS SUBSCRPTNS	87.00
	2/16/2010	200659	184.12		
				JAN-10 ONLINE CHRGS-LEGAL INFO	184.12
	2/22/2010	200782	82.67		
				LEGAL PUBLICATIONS SUBSCRPTNS	82.67
	Vendor Total		**2,326.55**		
FYTD for WEST GROUP			**6,263.54**		

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WEST, JAMES					
	2/22/2010	200783	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for WEST, JAMES			**25.00**		
WESTERN MUNICIPAL WATER DISTRICT					
	2/22/2010	200784	343.17		
				WATER CHRGS-MARB BALLFLDS	236.35
				WATER CHRGS-MFPCC LNDSCP	51.52
				WATER CHRGS-MFPCC BLDG.	55.30
	Vendor Total		**343.17**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,596.93**		
WHALEN, TERRY					
	2/8/2010	200524	33.50		
				REFUND-CITATION FEE	33.50
	Vendor Total		**33.50**		
FYTD for WHALEN, TERRY			**33.50**		
WHEELING, MYRNA R.					
	2/8/2010	200525	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for WHEELING, MYRNA R.			**50.00**		
WHIPPLE, LEWIS & LINDA					
	2/22/2010	200785	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**75.00**		
WIELIN, RONALD A.					
	2/8/2010	200526	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,549.84**		
WILGING, ROBERT OR RUTH					
	2/22/2010	200786	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for WILGING, ROBERT OR RUTH			**54.50**		

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WILLDAN AND ASSOCIATES					
	2/1/2010	200294	10,203.06		
				PLAN CHECK SVCS	10,203.06
	2/22/2010	200787	23,421.37		
				PLAN CHECK SVCS	8,373.37
				CONTRACT BLDG OFFICIAL SVCS	15,048.00
	Vendor Total		**33,624.43**		
FYTD for WILLDAN AND ASSOCIATES			**216,659.74**		
WILLIAMS, COURTNEY					
	2/16/2010	200660	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**304.00**		
WILLIAMS, NANCY L.					
	2/8/2010	200527	3.85		
				MILEAGE REIMBURSEMENT	3.85
	Vendor Total		**3.85**		
FYTD for WILLIAMS, NANCY L.			**215.63**		
WILSON-BEILKE, DENESE					
	2/8/2010	200528	625.68		
				RETIREE MEDICAL BENEFIT	625.68
	Vendor Total		**625.68**		
FYTD for WILSON-BEILKE, DENESE			**625.68**		
WRCRCA					
	2/16/2010	200661	13,566.00		
				RESIDENTIAL SINGLE FAMILY	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**185,656.00**		

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WURM'S JANITORIAL SERVICES, INC.					
	2/1/2010	200295	3,535.00		
				DEC-09 DAY PORTER SVCS	1,080.00
				CLEANING SVCS-CRC	2,115.00
				CLEANING SVCS-CRC	340.00
	2/16/2010	200662	22,786.38		
				JAN-10 JANTRL SVCS-MARCH FLD	716.85
				SPCL CLEANING SVCS-SR CTR	260.00
				FEB-10 JANTRL SVCS-SNNYMD ELEM	184.10
				FEB-10 JANTRL SVCS-RNBW RIDGE	310.19
				FEB-10 JANTRL SVCS-RED MAPLE	310.19
				FEB-10 JANTRL SVCS-CITY HALL	4,588.23
				FEB-10 JANTRL SVCS-CITY YARD	346.90
				FEB-10 JANTRL SVCS-TRANSP TRLR	98.40
				FEB-10 JANTRL SVCS-ESA ANNEX	735.73
				FEB-10 JANTRL SVCS-FAC. ANNEX	124.29
				FEB-10 JANTRL SVCS-LIBRARY	1,771.79
				FEB-10 JANTRL SVCS-GOLF SHOP	644.70
				FEB-10 JANTRL SVCS-PSB	5,564.25
				FEB-10 JANTRL SVCS-GANG TSK FC	112.82
				FEB-10 JANTRL SVCS-MVTV STUDIO	58.05
				FEB-10 JANTRL SVCS-SENIOR CTR	1,916.18
				FEB-10 JANTRL SVCS-STARS HDQTR	298.87
				FEB-10 JANTRL SVCS-SNNYMD MIDD	152.10
				FEB-10 JANTRL SVCS-TWNGATE CC	691.38
				FEB-10 JANTRL SVCS-TS ANNEX	453.43
				FEB-10 JANTRL SVCS-CRC	3,447.93
	2/22/2010	200788	1,248.96		
				FEB-10 JANTRL SVCS-EMP RES CTR	348.96
				JAN-10 DAY PORTER SVCS	900.00
	Vendor Total		**27,570.34**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**202,883.01**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	2/1/2010	200296	720.84		
				COPIER MAINT/SUPPLY DEC-09	107.00
				COPIER MAINT/EXC PRINTS DEC-09	613.84
	2/8/2010	200529	2,227.21		
				COPIER MAINT-PD RECORDS/DEC-09	59.03
				EXC PRINTS-PD RECORDS/DEC-09	407.09
				COPIER MAINT-DETECTIVES/DEC-09	65.00
				EXC PRINTS-DETECTIVES/DEC-09	1,642.09
				COPIER MAINT-DETECT. FAX-QTRLY	54.00
	2/16/2010	200663	1,418.03		
				COPIER MAINT/SUPPLY JAN-10	65.00
				COPIER EQUIP/MAINT JAN-10	359.34
				COPIER MAINT/SUPPLY JAN-10	779.48
				COPIER EXC PRINTS CHRG JAN-10	214.21
	2/22/2010	200789	1,331.83		
				COPIER MAINT-PD RECORDS/JAN-10	59.03
				EXC PRINTS-PD RECORDS/JAN-10	138.93
				COPIER MAINT-STARS PRGM/JAN-10	107.00
				EXC PRINTS CHRG-STARS/JAN-10	1,026.87
	Vendor Total		**5,697.91**		
FYTD for XEROX			**45,860.69**		
ZAMORA, KATRINA					
	2/8/2010	200530	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ZAMORA, KATRINA			**31.20**		
ZUMAR INDUSTRIES, INC.					
	2/8/2010	200531	387.91		
				SIGNS/BLANKS FOR TRANSP. DIV.	387.91
	2/16/2010	200664	28.55		
				SIGNS-CITY HALL PARKING LOT	28.55
	Vendor Total		**416.46**		
FYTD for ZUMAR INDUSTRIES, INC.			**27,261.62**		

Subtotal **1,357,884.49**

GRAND TOTAL **11,074,851.58**

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MV00052929

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

DEVELOPER – RIDGE MORENO VALLEY, LLC AND
RIDGE MORENO VALLEY II, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089,

2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 26, 2009, the City Council approved the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, Ridge Moreno Valley LLC, and Ridge Moreno Valley II, LLC. The Agreement required that Irrevocable Offers of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. The storm drain improvements and easements were required within Parcel Map 32326. The IOD's were recorded and the storm drain improvements were constructed according to approved plans and the approved Agreement.

DISCUSSION

The City has received a request from the RCFC&WCD to quitclaim the referenced storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, and 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8. Per the Agreement, the City is required to convey the necessary rights of way to the RCFC&WCD in order to allow the RCFC&WCD to operate and maintain the drainage facilities located within said storm drain easements.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further

processing and recordation. *This alternative would allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation. *This alternative would not allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Quitclaim Deed for Instrument Number 2006-0437088
Attachment 3 - Quitclaim Deed for Instrument Number 2006-0437089
Attachment 4 - Quitclaim Deed for Instrument Number 2009-0597445
Attachment 5 - Quitclaim Deed for Instrument Number 2009-0597446
Attachment 6 - Quitclaim Deed for Instrument Number 2009-0657601
Attachment 7 – Resolution

Prepared By
Vicente Giron
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 PM 32326 - Quitclaim Deeds.doc

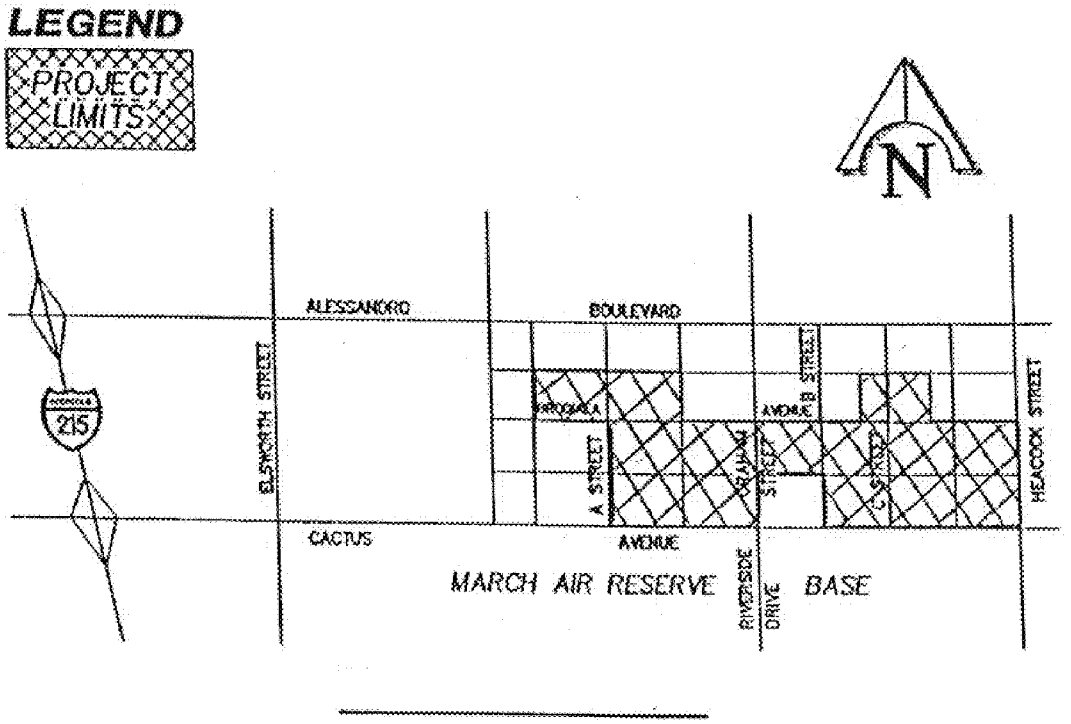

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT Attachment 1	PM 32326 VICINITY MAP Page 1 of 2

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PM 32326 - Attachment 1.pdf

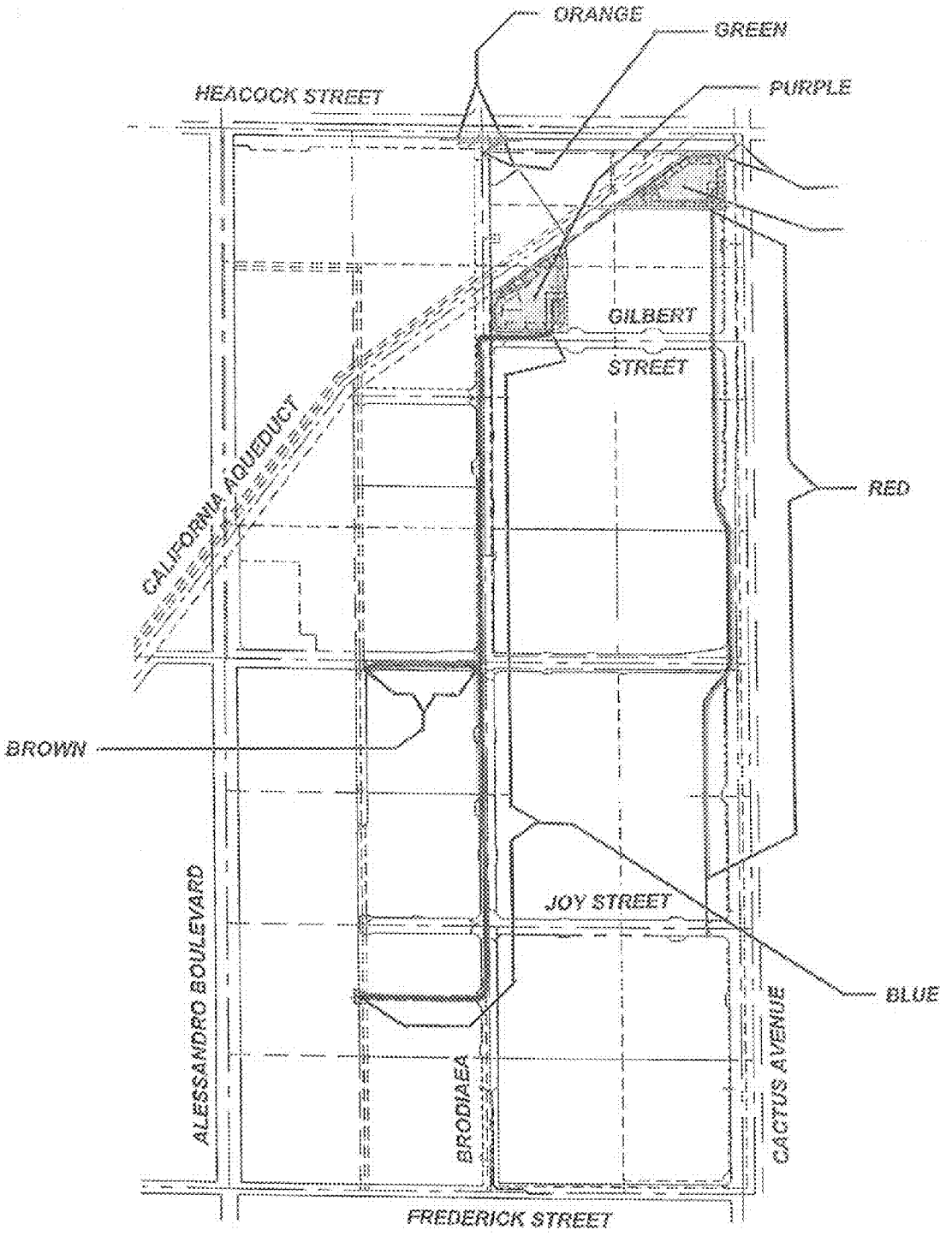

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PM 32326 VICINITY MAP Page 2 of 2

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PM 32326 - Attachment 1.pdf

MV00052935

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4736-503

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Parcel C as described in Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437088, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 2

DOC # 2006-0437088
06/16/2006 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		5						
					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

1 C LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JW Bowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY'S SIGNATURE

2006-0437088
06/16/2006 08:00A
2 of 5

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES

14 CH
6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOT 6, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT SOUTH 89°34'09" EAST THEREON 294.02 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT 6; THENCE NORTH 00°20'21" EAST 596.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°29'23" A DISTANCE OF 27.68 FEET; THENCE TANGENT TO SAID CURVE NORTH 79°09'02" WEST 35.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 44°28'05" A DISTANCE OF 17.46 FEET TO A RADIAL THEREOF WHICH BEARS SOUTH 64°19'03" WEST.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 6.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 89°34'17" WEST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOT 7, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 22.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT NORTH 89°34'09" WEST THEREON 87.23 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT 7; THENCE NORTH 00°26'36" EAST 181.80 FEET.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 7.

PARCEL C:

THAT PORTION OF LOT 1, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, DESCRIBED AS FOLLOWS:

2006-0437088
06/16/2006 08:00A
3 of 5

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE NORTHERLY 39.00 FEET OF SAID LOT 1 WITH THE WESTERLY LINE OF THE WESTERLY 83.50 FEET OF SAID LOT 1; THENCE SOUTH 00°25'53" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 29.30 FEET; THENCE NORTH 29°33'31" WEST 33.83 FEET TO A POINT IN SAID SOUTHERLY LINE; THENCE SOUTH 89°34'31" EAST ALONG SAID SOUTHERLY LINE 16.91 FEET TO THE "POINT OF BEGINNING".

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R3
JN 11-0244-01
JAPRIL 29, 2006

2006-0437088
06/16/2006 08:00A
4 of 5

Item No. A.5

MV00052940

EXHIBIT B
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

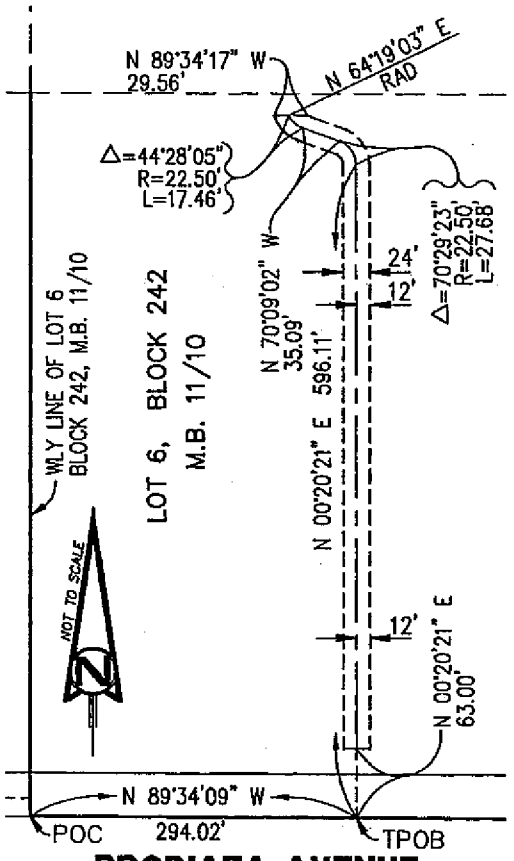

BRODIAEA AVENUE

PARCEL A

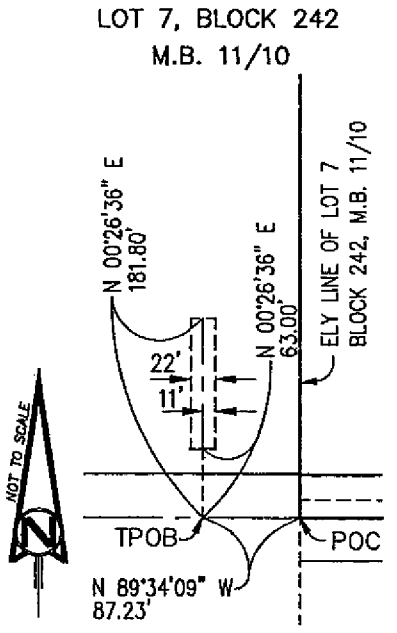

BRODIAEA AVENUE

PARCEL B

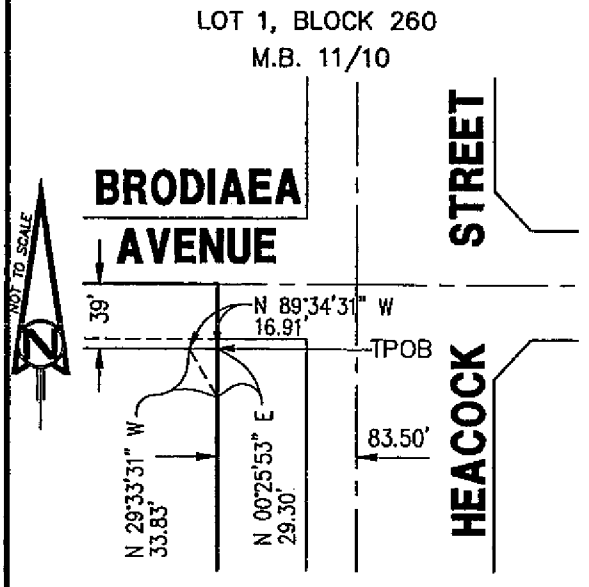

PARCEL C

PROFESSIONAL LAND SURVEYOR
ROBERT B. STANFORD
L.S. 4457
EXPIRATION
9-30-2007
SURVEYOR
STATE OF CALIFORNIA

PREPARED BY OR UNDER THE SUPERVISION OF

ROBERT B. STANFORD JR. DATE 6/2/06

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/1

JUL. 24, 2006 14:10 H:\PROJ\1102440\EXHIBITS\DRAINAGE-EXHIBITS\LEGH-B.DWG

2006-0437088
06/16/2006 08:00A
5 of 5

RCFC PARCEL NO. 4736-503

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052943

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326
Line B

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437089, records of said County, attached for reference purposes.

RCFC Parcel No. 4736-500 referenced as Parcel A
RCFC Parcel No. 4736-501 referenced as Parcel B
RCFC Parcel No. 4736-502 referenced as Parcel C

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Attachment 3

(SEAL)

DOC # 2006-0437089
06/16/2006 08:00A Fee:NC
Page 1 of 6
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		6						
					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

C
LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JWBowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, Notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust.

RIGHT THUMBPRINT OF SIGNER

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2006-0437889
06/16/2006 09:00A
2 of 6

APA 5/99

VALLEY-SIERRA, 800-362-3369

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOTS 7 AND 8, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE SOUTH 89°35'02" EAST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°35'02" EAST 614.06 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°25'53" EAST AND WHICH PASSES THROUGH THE EASTERLY TERMINUS OF SAID 28.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOTS 6 AND 7, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE NORTH 89°35'02" WEST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING NORTH 89°35'02" WEST 758.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°21'31" A DISTANCE OF 22.27 FEET; THENCE TANGENT TO SAID CURVE SOUTH 62°03'27" WEST 96.00 FEET TO A POINT IN A LINE PARALLEL WITH AND A 114.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID CACTUS AVENUE.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTEN AT THE END THEREOF SO AS TO TERMINATE AT SAID PARALLEL LINE.

PARCEL C:

THAT PORTION OF LOTS 7 AND 8, BLOCK 259 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF

2006-0437089
06/16/2006 08:00A
3 of 6

RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY LINE OF SAID LOT 7 DISTANT NORTH 00°25'48" EAST THEREON 232.00 FEET FROM THE CENTERLINE OF CACTUS AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE SOUTH 89°33'53" EAST 332.79 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°33'53" EAST 792.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°25'45" A DISTANCE OF 30.18 FEET; THENCE TANGENT TO SAID CURVE SOUTH 51°08'09" EAST 142.17 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 43°08'34" EAST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R2
JN 11-0244-01
April 29, 2006, 2006

2006-0437089
06/16/2006 08:00A
4 of 6

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

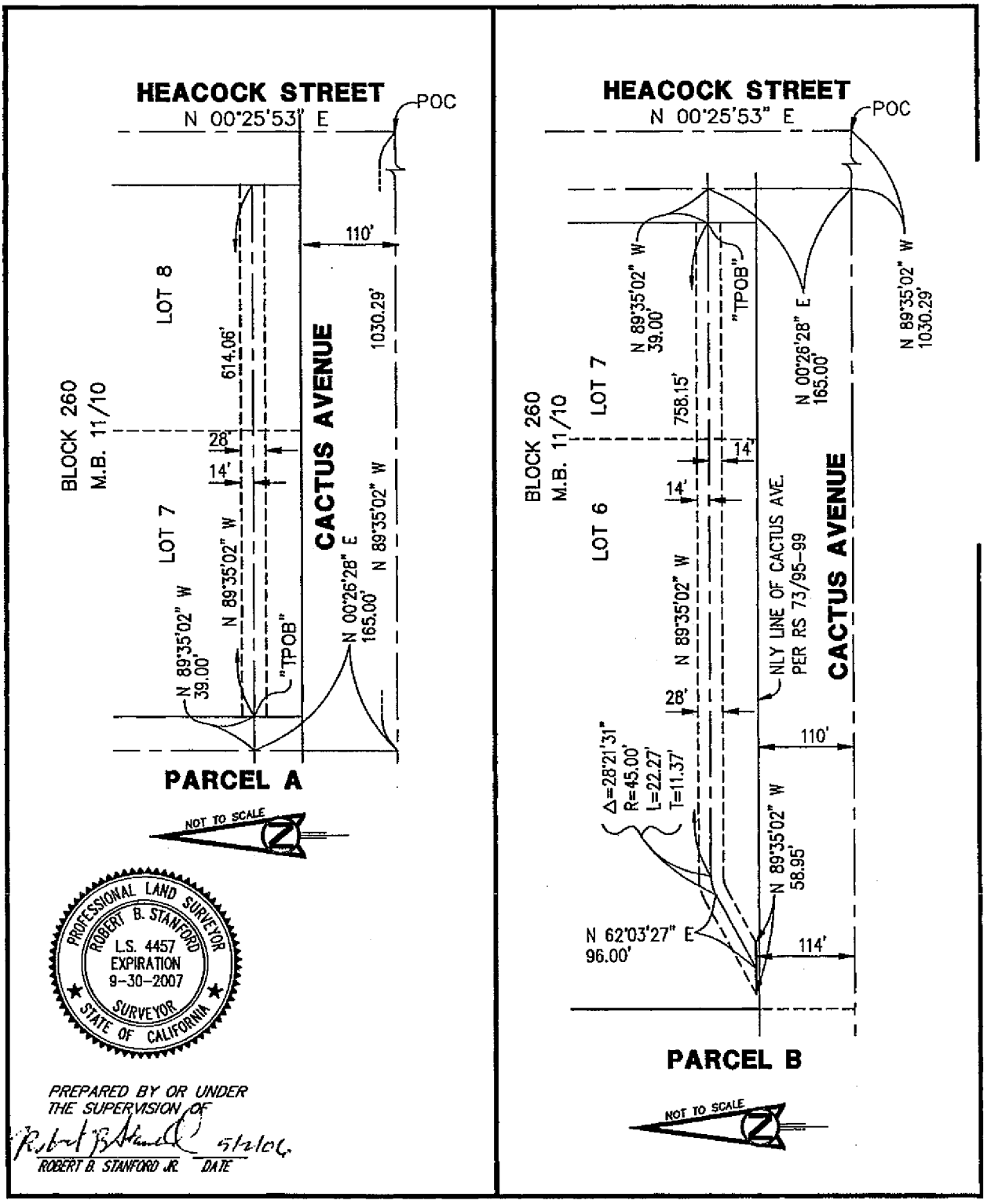

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/2

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2006-0437089
06/16/2006 08:00A
5 of 6

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

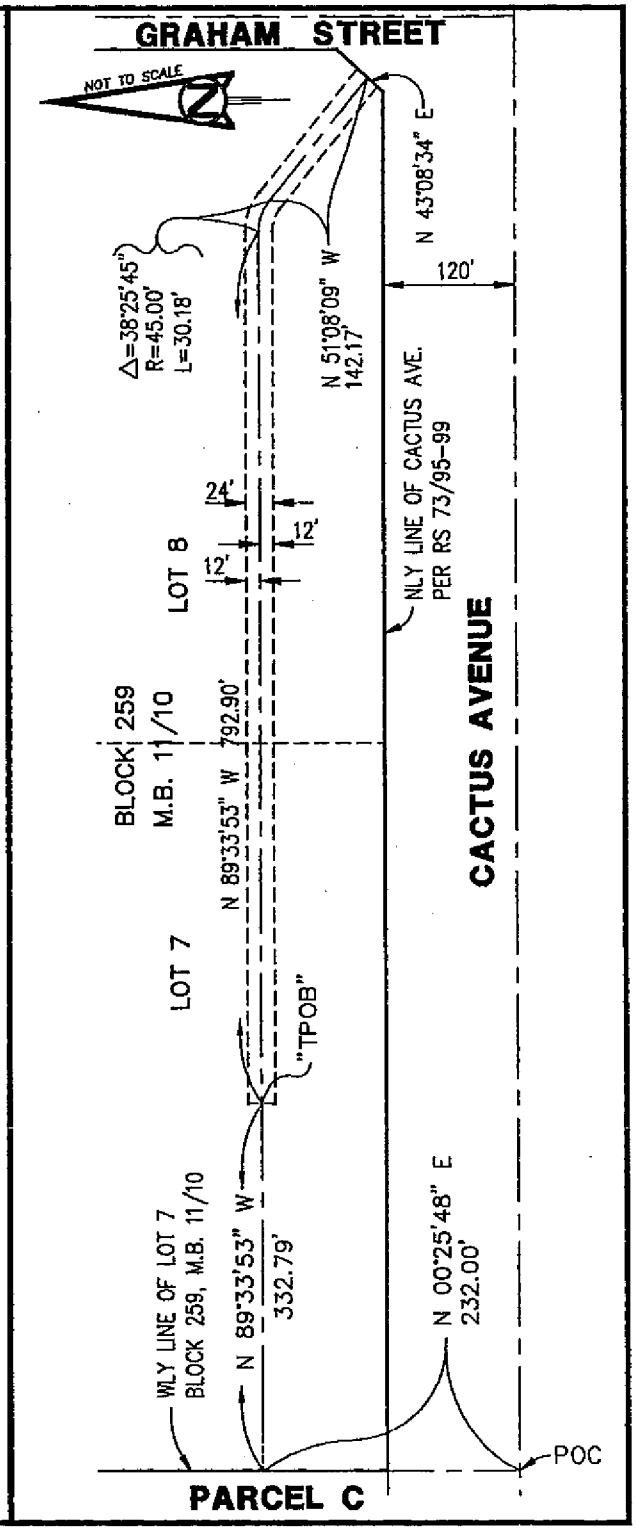

COOPERATIVE AGREEMENT
PARCEL MAP 32326
2/2

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2006-0437089
06/16/2006 08:00A
6 of 6

Item No. A.5

MV00052950

RCFC PARCEL NOS. 4736-500,
501 & 502

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Graham Street SD
Project No. 4-0-00633
Parcel Map 32326
Line E

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4633-500

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597445, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 4

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead-Graham St. SD
Project No. 4-0-00633
Parcel Map 32326

DOC # 2009-0597445
11/18/2009 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

(Notary Attached)

11/16/09

ACKNOWLEDGMENT

State of California
County of Los Angeles

On NOV 16, 2009 before me, Ronald W. Chambers, a notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

Irrevocable offer of Dedication
3 pages total
Dated 11/16/09

-143-

2009-0597445
11/18/2009 08:00A
2 of 5

Item No. A.5

MV00052954

EXHIBIT "A"
LEGAL DESCRIPTION
(EASEMENT FOR STORM DRAIN PURPOSES)

THAT PORTION OF LOT 8, BLOCK 242, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11, PAGE 10, OF MAPS, RECORDS OF THE COUNTY OF SAN BERNARDINO, SAID STATE, WHICH LIES WITH IN A STRIP OF LAND 25.00 FEET WIDE LYING 11.00 FEET ON THE NORTHERLY SIDE AND 14.00 FEET ON THE SOUTHERLY SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF GRAHAM STREET AS DESCRIBED IN THAT CERTAIN PARCEL OF LAND TO THE COUNTY OF RIVERSIDE RECORDED NOVEMBER 28, 1972 AS INSTRUMENT NO. 157189, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF RIVERSIDE WITH A LINE PARALLEL WITH AND 51.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY LINE OF SAID LOT 8;

THENCE ALONG SAID PARALLEL LINE NORTH 89°34'17" WEST 35.00 FEET.

CONTAINING 875 SQUARE FEET, MORE OR LESS.

REFERENCE IS MADE TO EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR MY DIRECT SUPERVISION.

DATE: 3-13-09

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –165 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05

2009-0597445
11/18/2009 08:00A
3 of 5

EXHIBIT "B"
STORM DRAIN AND ACCESS EASEMENT
CITY OF MORENO VALLEY

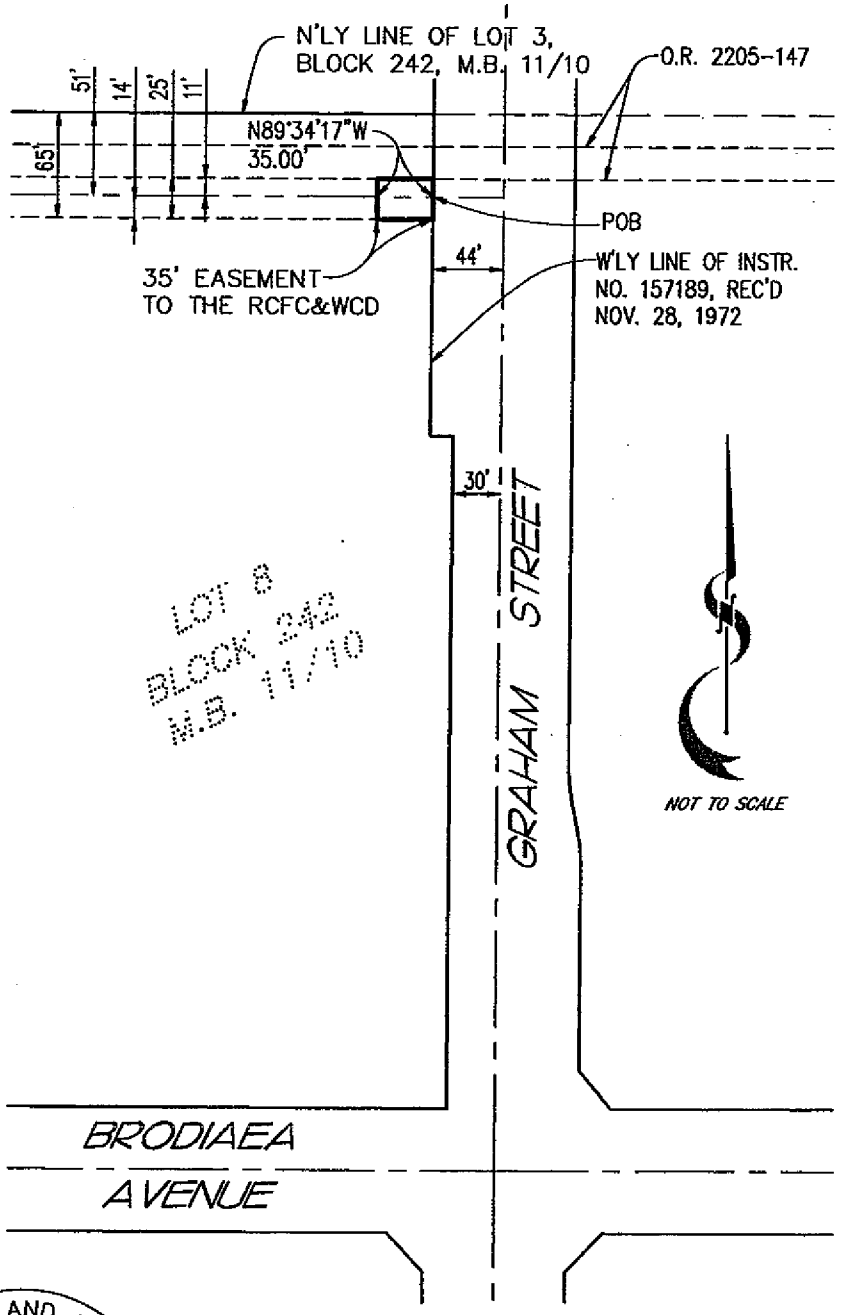

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 2-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 1 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

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2009-0597445
11/18/2009 08:00A
4 of 5

Item No. A.5

MV00052956

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE
PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

Item No. A.5

-146-

2009-0597445
11/18/2009 08:00A
5 of 5

MV00052957

RCFC PARCEL NO. 4633-500

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052959

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
Line A

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597446, records of said County, attached for reference purposes.

RCFC Parcel No. 4737-500A referenced as Parcel A
RCFC Parcel No. 4737-500B referenced as Parcel B
RCFC Parcel No. 4737-500C referenced as Parcel C
RCFC Parcel No. 4737-500D referenced as Parcel D

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 5

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

DOC # 2009-0597446
11/18/2009 08:00A Fee:NC
Page 1 of 7
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal descriptions attached hereto as Exhibits "A-1", "A-2" and shown on Exhibits "B-1", "B-2" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

See Attached Notary Certificate 11/16/09

(Notary Attached)

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers A Notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

IRRevocable offer of Dedication
5 pages total
Dated 11/16/09

-151-

2009-0597446
11/18/2009 08:00A
2 of 7

Item No. A.5

MV00052962

2

EXHIBIT "A-1"
LEGAL DESCRIPTION

PARCEL A: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE EASTERLY 18.50 FEET PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 1.

CONTAINING 10,400 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

PARCEL B: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°34'17" WEST 36.32 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE SOUTH 89°34'17" EAST 36.31 FEET TO THE EASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID EASTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,271 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

DATE: 3-12-09

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –162-R2
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

2009-0597446
11/18/2009 08:00R
3 of 7

EXHIBIT "B-1"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

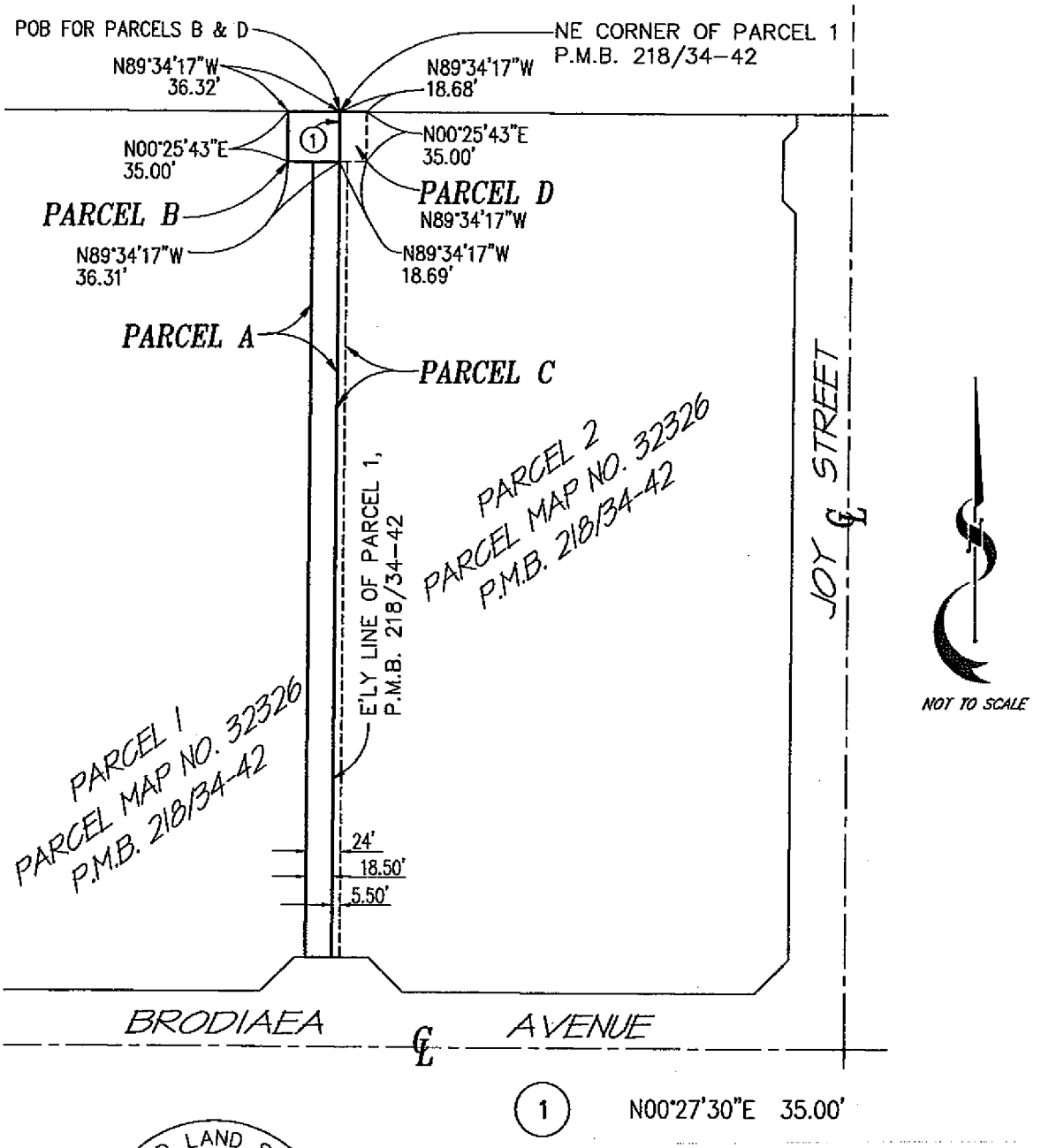

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 2-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

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EXHIBIT "A-2"
LEGAL DESCRIPTION

PARCEL C: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE WESTERLY 5.50 FEET OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 2.

CONTAINING 3,092 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

PARCEL D: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°34'17" EAST 18.68 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE NORTH 89°34'17" WEST 18.69 FEET TO THE WESTERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID WESTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 654 SQUARE FEET MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

DATE: 3-13-09

LD-HZ –163 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

2009-0597446
11/18/2009 08:00A
5 of 7

EXHIBIT "B-2"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

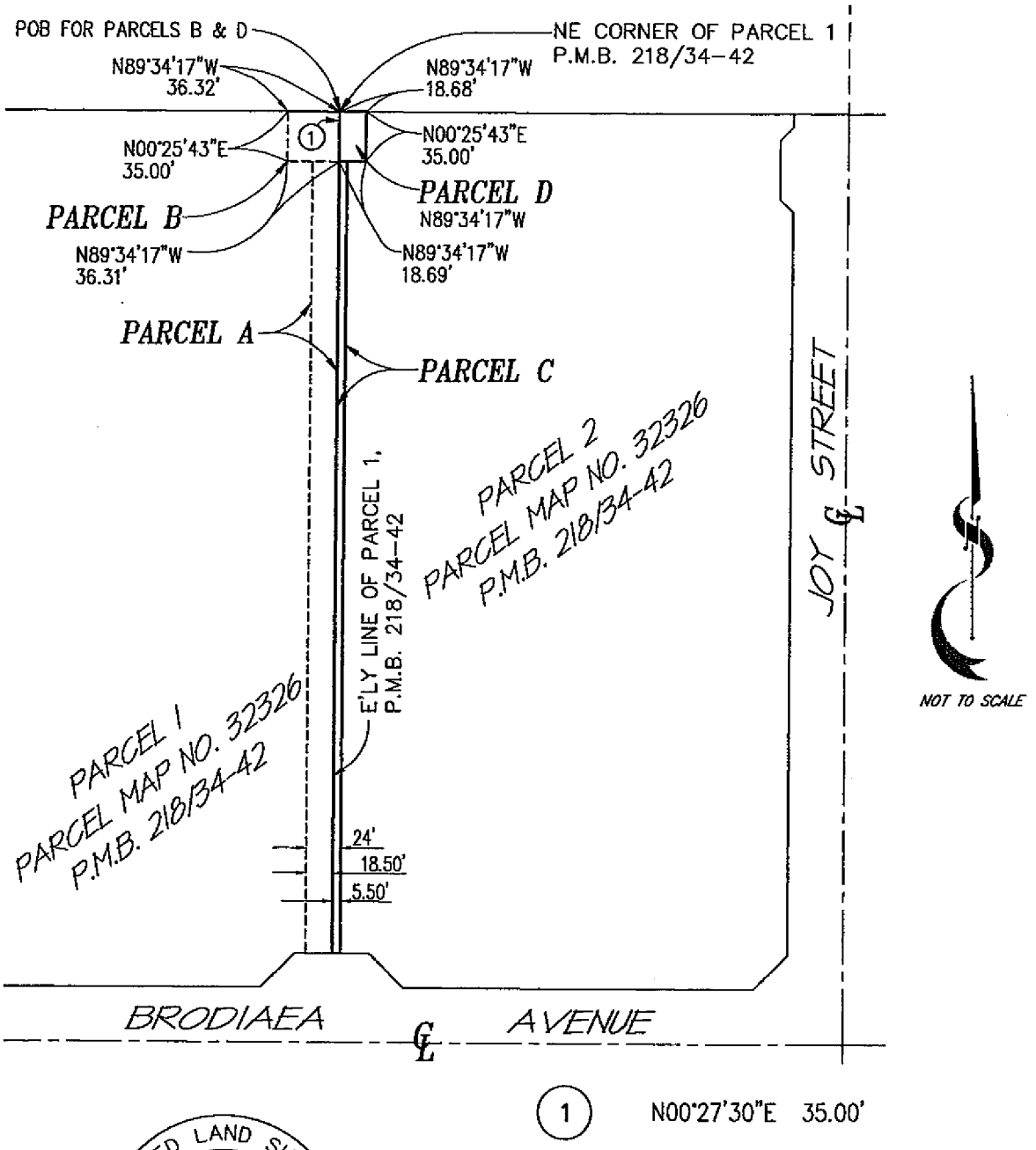

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: Robert B. Stanford

DATE: 3-12-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 2 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 02, 2009 11:31 H:\PROJ\1102440\EXHIBITS\PARCEL 3\EXHIBIT-SD_LINEA-163.DWG

-155-

2009-0597446
11/18/2009 08:00A

Item No. A.5

MV00052966

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE

ON PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI VEISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

Item No. A.5

-156-

2009-0597446
11/18/2009 08:00A
7 of 7

MV00052967

RCFC PARCEL NOS. 4737-500A, 500B, 500C & 500D

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052969

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4737-501

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded December 23, 2009, as Instrument No. 2009-0657601, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 6

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on October 17, 2008 as Instrument No. 2008-0557898

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

DOC # 2009-0657601
12/23/2009

Customer Copy Label
The paper to which this label is affixed has not been compared with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
					T:		CTY	UNI	

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
(Line A)

IRREVOCABLE OFFER OF DEDICATION

MORENO VALLEY CENTERPOINTE LLC,
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

The District will request for the public to quitclaim to the grantors herein or to their successors or assigns all of the interests conveyed by this said easement as will no longer be necessary to the District by reason of the approval of the extension of Sunnymead Brodiaea Avenue Storm Drain, Line A, as evidenced by the District's issuance of a Notice to Proceed for such.

MORENO VALLEY CENTERPOINTE LLC:

Dated: 1-14-2009

By: [signature]

V. Prabhu Dhalla

Title: managing share holder

Dated: _____

By: _____

_____

Title: _____

(Notary Attached)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 1-14-2009 (Date) before me, Alice S. Reed, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared V. Prabhu Dhalla (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed the instrument.

ALICE S. REED
Commission # 1549086
Notary Public - California
Riverside County
My Comm. Expires Feb 28, 2009

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

WITNESS my hand and official seal.

Signature Alice S. Reed (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

EXHIBIT "A"

EASEMENT FOR STORM DRAIN FACILITIES
TO
RIVERSIDE COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

THAT PORTION OF LOT 3, BLOCK 242 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COUNTY., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA. AS PER MAP FILED IN BOOK 11 PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY WHICH LIES WITHIN A STRIP OF LAND 26.00 FEET WIDE THE SOUTHERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 32326 AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42 INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, DISTANT ALONG SAID NORTHERLY LINE NORTH 89°34'17" WEST 37.77 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 1; THENCE ALONG SAID NORTHERLY LINE AND THE NORTHERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 32326, SOUTH 89°34'17" EAST 71.00 FEET.

CONTAINING 1846 SQUARE FEET MORE OR LESS.

DATE: 12/19/2008

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LD-HZ --151
11-0244-01
JULY 14, 2008
T.B. 717/ C-6

EXHIBIT "B"

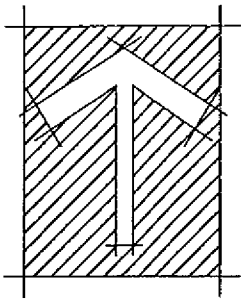

NOT TO SCALE

LOT 3, BLOCK 242
M.B. 10 -- 11

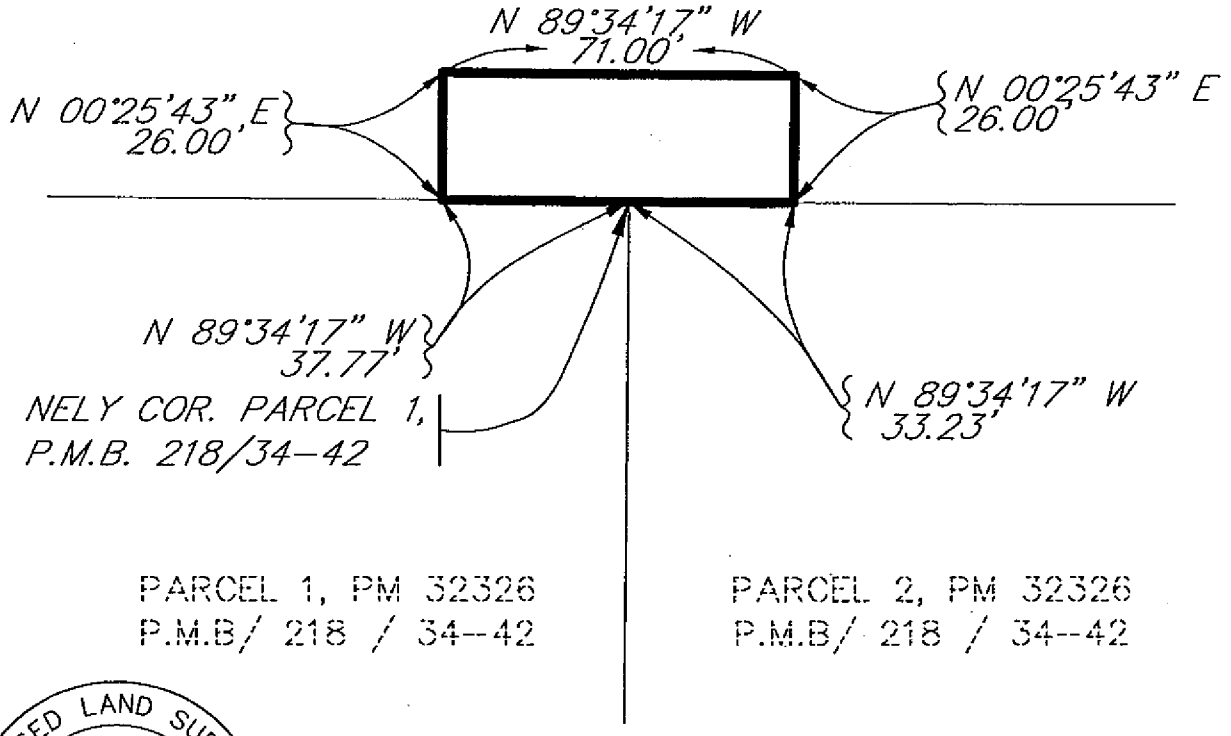

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

ROBERT B. STANFORD JR.
EXPIRES: SEPTEMBER 30, 2009

DATE: DECEMBER 19, 2008

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONVERSERVATION DISTRICT

HUITT-ZOLLARS
Huitt-Zollars, Inc. Ontario
3990 CONCOURS STREET, SUITE 450 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

ON EXHIBIT "B":
LOT 3. BLOCK 242
M.B. 10-11

PARCEL 1, PM 32326
P.M.B. / 218 / 34-42

PARCEL 2, PM 32326
P.M.B. / 218 / 34-42

Date: 8/11/2009

Signature: [signature]

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

MV00052975

RCFC PARCEL NO. 4737-501

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00052977

RESOLUTION NO. 2010-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC STORM DRAIN EASEMENTS PER IRREVOCABLE OFFERS OF DEDICATIONS RECORDED AS INSTRUMENT NUMBERS 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, AND 2009-0657601 IN THE OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA AND EXECUTION OF QUITCLAIM DEEDS ACCORDING TO THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY OF MORENO VALLEY, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

WHEREAS, the City Engineer has determined that the public storm drain easements were recorded by Ridge Moreno Valley, LLC and Ridge Moreno Valley II, LLC at the request of the Riverside County Flood Control and Water Conservation District, within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 according to the approved Second Amended and Restated Cooperative Agreement on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 in order to quitclaim the easements to the Riverside County Flood Control and Water Conservation District per the Cooperative Agreement, and

WHEREAS, it is in accordance with Government Code, Section 27281, for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 are accepted and execution of quitclaim deeds of said easements is authorized.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____ City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET

DEVELOPER: RIDGE MORENO VALLEY, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

On January 10, 2006, the City Council approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, and Ridge Moreno Valley LLC. The Agreement required that an Irrevocable Offer of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. In addition, certain storm drain easements were required to be shown on Parcel Map 32326. The IOD was recorded on June 16, 2006 and the parcel map was recorded on August 15, 2006 as required.

DISCUSSION

The City has been notified by the RCFC&WCD that the referenced storm drain easements, within Parcel Map 32326, Parcels 1, 2, and 3 are no longer necessary due to realignment in the storm drain system. Subsequent to the recordation of the IOD and parcel map, the storm drain improvements were constructed according to revised plans. The RCFC&WC and the City have obtained additional easements that encompass the actual location of the storm drain system. Therefore, there is no longer a public need for the easement Parcels A and B, as described in the IOD, nor a public need for the easement, as described in the Easement Note No. 4, on the recorded parcel map.

ALTERNATIVES

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements, described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easement is no longer, nor will be in the future, useful for public storm drain purposes.*

2. Do not adopt the proposed Resolution, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easements will remain as public service easements for storm drain purposes; however, the easements are no longer, nor will be in the future, useful for public storm drain purposes.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the RCFC&WCD. The public has been notified by publication of agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution

Prepared By
Vicente Giron,
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 PM 32326 - Summary Vacation.doc

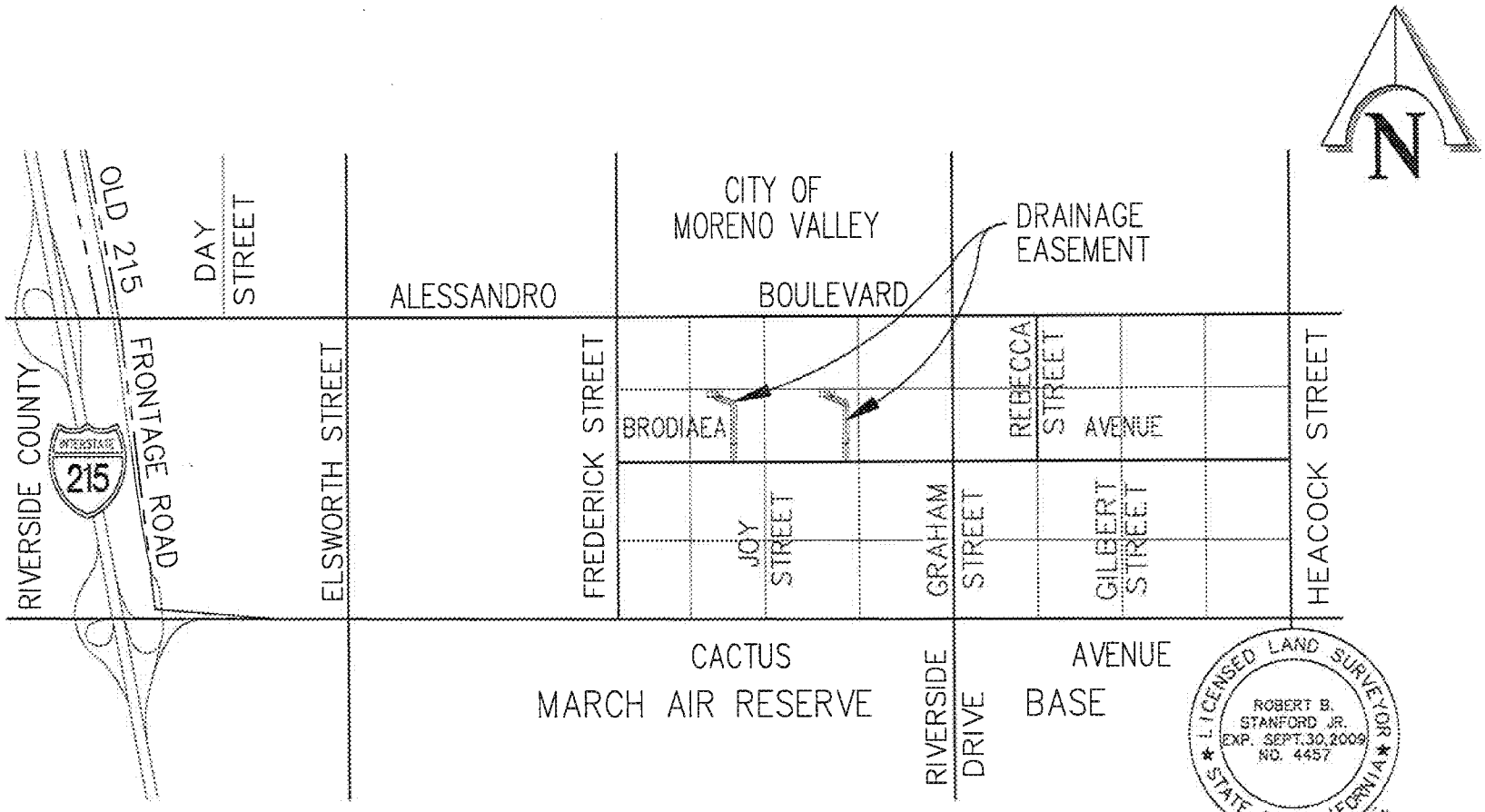

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY:
DATE: 2/16/2010

VICINITY MAP

NOT TO SCALE

(T.B. MAP PG 717 COORDS C6)

SHEET 1 OF 2 SHEETS

HUITT-ZOLLARS 3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	CITY OF MORENO VALLEY PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	PARCEL MAP NO. 32326 VICINITY MAP

FEB. 25, 2010 09:10 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT01.DWG

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MV00052985

RESOLUTION NO. 2010-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

WHEREAS, the City Council of the City of Moreno Valley, California, was offered certain drainage easements for public service located within Parcel Map 32326; and

WHEREAS, these certain drainage easements were never accepted by the City of Moreno Valley and are obsolete due to drainage improvements being constructed per an alternate alignment within Parcel Map 32326; and

WHEREAS, no public money was expended for maintenance of said easements

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

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described drainage easements are summarily vacated and abandoned:

That said drainage easements are located in the City of Moreno Valley, County of Riverside, State of California described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326 as illustrated on Attachment 1 and made a part hereof.

Excepting and reserving from the vacation any easement for existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove or renew such facilities, pursuant to Section 8340 of the Streets and Highway Code.

Attachment 2

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described Drainage Dedication revert to the owner of the underlying fee thereof, free from use as an easement for drainage purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

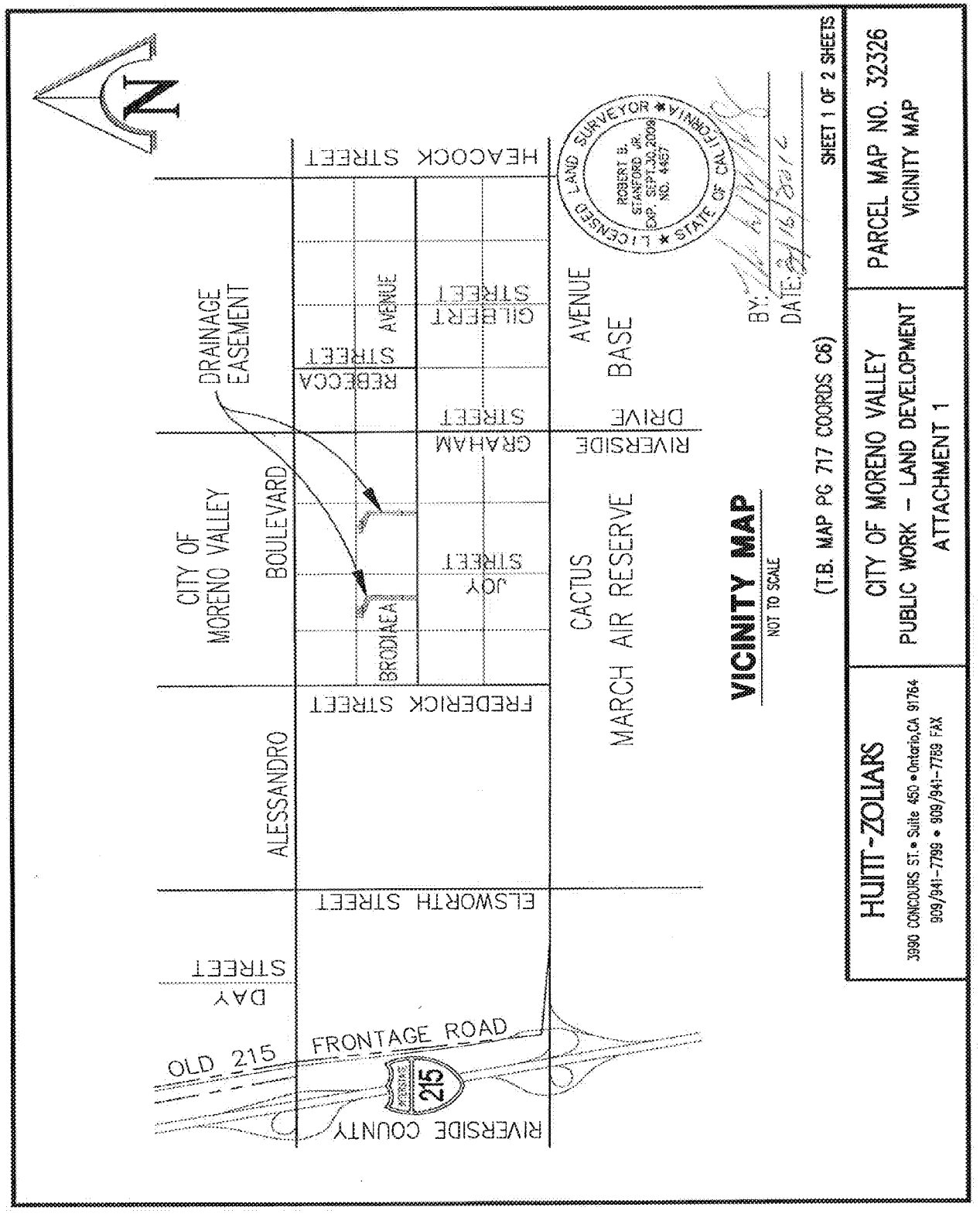
N
HEACOCK STREET
DRAINAGE EASEMENT
REBECCA STREET
AVENUE
GILBERT STREET
AVENUE
BASE
DRIVE
RIVERSIDE
GRAHAM STREET
CITY OF MORENO VALLEY
BOULEVARD
JOY STREET
BRODIAEA
CACTUS
MARCH AIR RESERVE
FREDERICK STREET
ALESSANDRO
ELSWORTH STREET
DAY STREET
OLD 215
FRONTAGE ROAD
215
RIVERSIDE COUNTY
VICINITY MAP
NOT TO SCALE
(T.B. MAP PG 717 COORDS C6)
LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA
BY:
DATE
SHEET 1 OF 2 SHEETS
PARCEL MAP NO. 32326
VICINITY MAP
CITY OF MORENO VALLEY
PUBLIC WORK – LAND DEVELOPMENT
ATTACHMENT 1
HUITT-ZOLLARS
3990 CONCOURS ST. • Suite 450 • Ontario,CA 91764
909/941-7799 • 909/941-7789 FAX

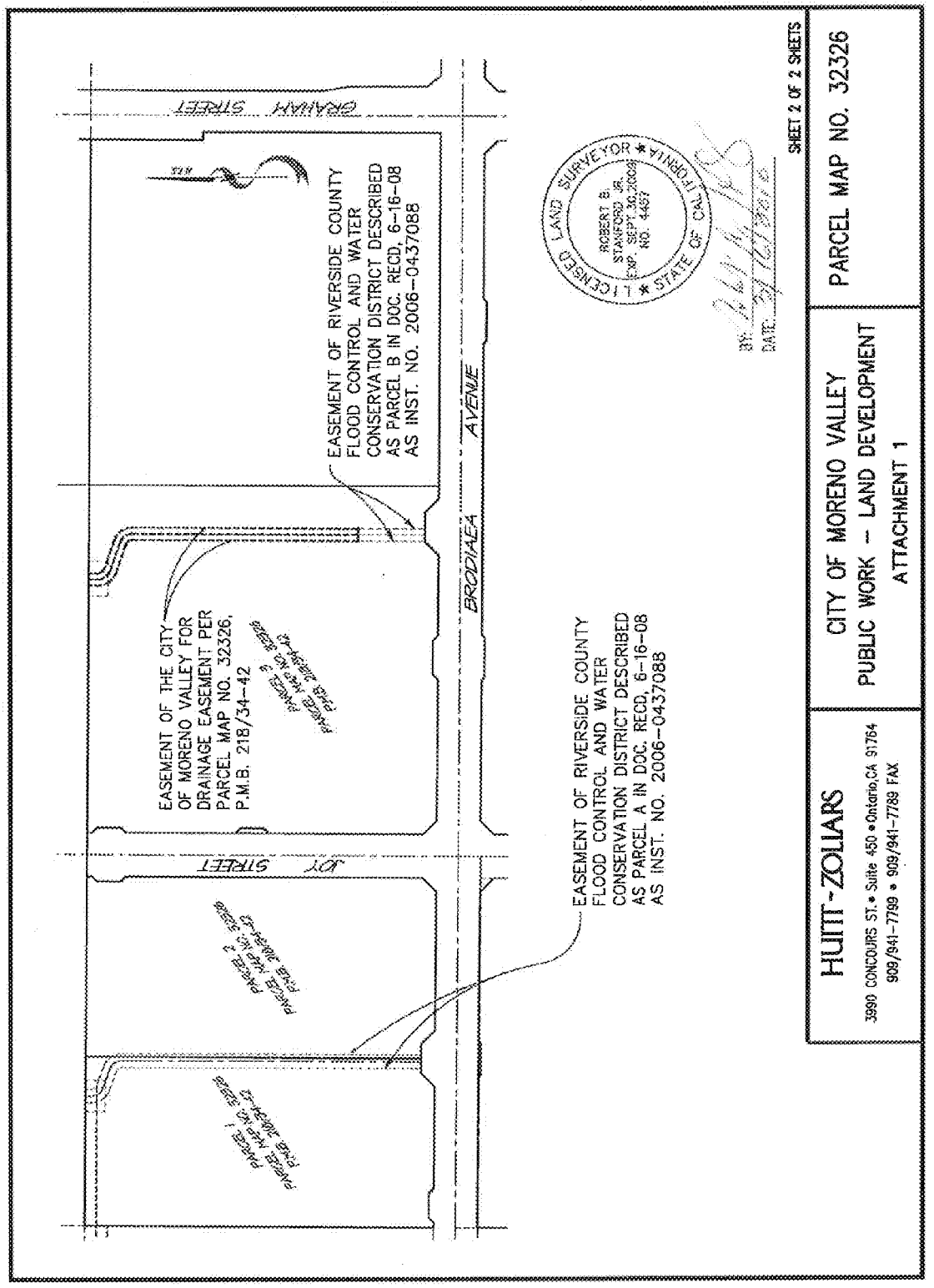
GRAHAM STREET
EASEMENT OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DESCRIBED AS PARCEL B IN DOC. RECD, 6-16-08 AS INST. NO. 2006-0437088
EASEMENT OF THE CITY OF MORENO VALLEY FOR DRAINAGE EASEMENT PER PARCEL MAP NO. 32326, P.M.B. 218/34-42
BRODIAEA AVENUE
JOY STREET
EASEMENT OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DESCRIBED AS PARCEL A IN DOC. RECD, 6-16-08 AS INST. NO. 2006-0437088
LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
EXP. SEPT. 30, 2009
NO. 4487
STATE OF CALIFORNIA
BY:
DATE:
SHEET 2 OF 2 SHEETS
PARCEL MAP NO. 32326
CITY OF MORENO VALLEY
PUBLIC WORK – LAND DEVELOPMENT
ATTACHMENT 1
HUITT-ZOLLARS
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

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MV00052991

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

BACKGROUND

The Riverside County Transportation Commission Ordinance No. 02-001, as enacted pursuant to the provisions of Division 25 of the Public Utilities Code, specifies that local cities and counties must submit an annual Five-Year CIP for Measure "A" funds. RCTC requires local agencies to submit their 2011-2015 Five Year CIP for Measure "A" by May 7, 2010. The program is subject to amendment after review and approval by RCTC.

The City of Moreno Valley has received Measure "A" funds (local sales tax) for expenditures on local streets since November 1989.

DISCUSSION

Measure "A" is a major funding source for transportation infrastructure improvements. The total amount of funding received from FY 1989/1990 through FY 2008/2009 is $53.8 million. The City is scheduled to receive $2,279,000 in Measure "A" revenue by FY 2009/2010 year-end and $2,270,000 in funding for FY 2010/2011. The City's Measure "A" Fund Balance also receives revenue from several supplementary sources:

- Interest income
- Federal-aid awards
- State grants
- County/Local grants
- Sale of plans and specs

The total revenue received from these integral funding sources since FY 1989/1990 is in excess of $22 million. Because Measure "A" funds are used to provide required City matching funds for federal, state and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" Fund Balance. The sale of plans and specs for projects going out to bid is designated as an additional source of income although this revenue is to recoup the cost incurred in the printing and publishing of the documents. The income received from these supplemental revenue sources, combined with the annual Measure "A" revenue from RCTC provides the funding to construct multi-million dollar projects.

RCTC requires all local jurisdictions to submit an annual five-year CIP for continued receipt of Measure "A" local streets and roads funds. As required by RCTC, the attached tables include the actual FY 2009-2010 Measure "A" budget approved by Council, as well any budget appropriation adjustments during the fiscal year. Additional tables include proposed projects for FY 2010-2011 and planned projects for FY 2011-2012 through FY 2014-2015. The listed projects are consistent with the City's Capital Improvement Program. All identified projects meet the criteria for Measure "A" funding.

The projects are included in the Measure "A" Five-Year CIP to satisfy RCTC Ordinance No. 02-001. Although RCTC requires this information by May 7, 2010, the City Council may make any changes to the list of projects as part of the City's annual budget approval process. City staff can forward the amended Measure "A" project list to RCTC once the City's budget is approved.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure "A" funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes.

ALTERNATIVES

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative supports a major funding source for roadway and other infrastructure improvements.*

2. Do not approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program FY 2011-2015, do not authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and do not authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative eliminates Measure "A" funding.*

FISCAL IMPACT

The timely approval and submittal of the Five-Year CIP by May 7, 2010, ensures continued receipt of Measure "A" funds for FY 2010-2011. Measure "A" funds can only be used for transportation purposes.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The City of Moreno Valley is required to submit an annual Five-Year CIP for Measure "A" projects and a MOE certification for continued receipt of Measure "A" funds.

ATTACHMENTS

ATTACHMENT "A" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Fund Program, FY 2009-2010 Approved Budget
ATTACHMENT "B" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Five Year CIP, FY 2011-2015
ATTACHMENT "C" – MOE Certification Statement
ATTACHMENT "D" – MOE Projection for FY 2009-2010

Prepared By
Linda Wilson
Senior Management Analyst

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

Department Head Approval
Chris Vogt, P.E.
Public Works Director/City Engineer

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

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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 1 of 2
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

Fiscal Year 2009/2010						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Funding 1,000s
1	54150	Measure A Program Budget	Program Budget	Provide functions for transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	436	436
2		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,279,000.	182	182
3	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program.	3,706 [1]	77
4	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000 each completed by City maintenance staff .	765	765
5	65320	Bicycle Lane	Bicycle Lane	Local match funding for BTA grant awards to stripe Class II bike lanes to connect discontinuous segments of the Aqueduct Bike Trail.	127 [2]	-
6	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Freeway Ramp & Traffic Signal	Project completed February 2010.	1,269	1,269
7	66626	Graham St./Bay Ave. Traffic Signal	Traffic Signal	Project completed November 2008. Carryover funds were for a one-year warrant period.	11	11
8	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	46	46
9	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed.	226	226
10	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
11	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Continue design.	3,913 [3]	1,279
12	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median	Project deferred. Return funds to Fund Balance.	147	147
13	66728	Cottonwood Ave. at Oliver St. Striping/Channelization/Rd Safety	Street Improvements	Project completed July 2009.	25	25
14	66729	Heacock Street South Extension	Street Improvements	Alignment and traffic study.	35	35
15	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Complete design.	258 [4]	30
16	66827	Moreno Beach/Rte 60 Right Turn Lane Improvements	Street Improvements	Project on hold. Return funds to Fund Balance.	89	89
17	66828	Roadside Safety Improvements/Elder Ave. W/o Nason St.	Street Improvements	Project completed July 2009.	48	48
18	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Traffic signal design.	35	35

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

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Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

19	66927	Redlands Blvd./SR-60 WB Ramp Traffic Signal	Traffic Signal	Complete design.	46	46
20	67123	Indian St./Cactus Ave. Intersection Imprv. and Storm Drain	Street & Strom Drain Improvements	Completed January 2009. Project closeout January 2010.	31	31
21	67128	Sunnymead Blvd./Frederick St. to Perris Blvd.	Street Improvements	Median construction October 2009 to May 2010.	6,106 [5]	-
22	67425	Heacock St./Gentian-Poppystone & Frederick-Sunnymead	Street Improvements	Project completed. Project closeout June 2010.	146	146
23	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed.	1,165 [6]	23
24	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Bicycle Trail	Project completed October 2009.	713	713
25	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	190	190
26	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Sidewalk Improvements	Construction May 2010 to July 2010.	215 [7]	21
27	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	292	292
28	85020	Surface Recycling	Rehabilitation	On-going annual program.	153	153
29	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	307	307
30	89720	SR-60/Nason St. Interchange	IC Imprv EB/WB Ramps	Design, utility relocation, right of way and construction. Estimated construction start date is June 2010.	13,705 [8]	6,089
31	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Sidewalk Improvements	Complete design.	254 [9]	44
				FY 2009/2010 Total	**34,841** *	**12,955** *

* Includes FY 08/09 carryover funds.

[1] Traffic Congestion Relief (Prop 42) - $1,468,274; Proposition 1B - $2,160,978

[2] FY 08/09 BTA Award - $126,982

[3] STPL Funds - $1,967,000 (reprogrammed to SR-60/Nason FY 10/11); DIF Arterial Streets - $667,048

[4] HBRRP Funds - $360,000 for design (remaining balance - $228,067)

[8] 2005 Lease Revenue Bonds - $3,228,855; RDA Funds - $1,263,584; TE Grant - $1,614,000 (remaining balance - $1,406,900). Grant budgeted in Measure A. RDA funds will be used as local match.

[6] TUMF Funds - $679,953; DIF Arterial Streets - $462,239

[7] SR2S Grant - $215,820 (remaining balance - $193,283)

[8] STPL ROW Funds - $1,350,082 - (remaining balance - $1,346,321); STPL Construction Funds - $1,770,219; Federal Demo Construction Funds - $4,500,000

[9] SR2S Grant - $210,000

MV00052997

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2010/2011						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
1	54150	Measure A Program Budget	Program Budget	Provide cost effective administrative functions for essential transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	438	438
2		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,270,000.	182	182
3	New	Crack Seal (Slurry Seal)	Program Budget	Facilities pavement rehabilitation work and crack sealing as needed to prepare for the next slurry seal cycle.	50	50
4	New	City-Wide Traffic Signals	Program Budget	Maintain the City's traffic signal system. Inspect construction of new signals and interconnects.	695	695
5	New	City-Wide Concrete Maintenance	Program Budget	Ensure the safety and convenience of pedestrians using City sidewalks and ensure the proper drainage of City streets by keeping all City sidewalks, curbs, gutters and cross-gutters in good repair.	240	240
6	New	City-Wide Sign and Striping	Program Budget	Maintain City traffic control devices including signs, legends, striping and pavement markings.	812	812
7	New	City-Wide Transportation Operations	Program Budget	Review and mitigate collisions and provide for the safe and efficient operation of the City's transportation system.	120	120
8	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000/each completed by City maintenance staff .	202	202
8	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Traffic Signal	Project completed February 2010. Carryover funds are for a one-year warranty period.	9	9
9	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	460	460
10	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed. Carryover funds are for a one-year warranty period.	2	2
11	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
12	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Complete design. Estimated construction date: November 2011.	498	498
13	66729	Heacock Street South Extension	Street Improvements	Complete alignment and traffic study.	20	20
14	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Construction: October 2010 to December 2011	2,609 [1]	299
15	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Construction: January 2011 to July 2011.	242	242

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
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Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2010/2011						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
16	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed July 2009. Carryover funds are for a one-year warranty period.	23 [2]	13
17	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Park	Project completed October 2009. Carryover funds are for a one-year warranty period.	5	5
18	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100	100
19	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Street Improvements	Construction: May 2010 to July 2010.	100 [3]	10
20	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	50	50
21	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
22	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	1,488	388
23	89720	SR-60/Nason St. Interchange	Street Improvements	Design, utility relocation, right of way and construction. Construction: June 2010 to May 2011	12,409 [4]	1,710
24	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Street Improvements	Construction October 2010 to November 2010.	232 [5]	22
25	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal		20	20
				FY 2010/2011 Total	**21,326** *	**6,907** *

* Includes FY 09/10 carryover funds.

[1] HBRRP Funds - $360,000 for design (remaining balance - $78,983); $2,230,956 construction funding

[2] DIF Arterial Streets - $10,000

[3] SR2S Grant - $215,820 (remaining balance - $90,000)

[4] STPL Construction Funds - $4,737,219; Federal Demo Construction Funds - $4,500,000; DIF Interchange Improvements - $1,740,000

[5] SR2S Grant - $210,000

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
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Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2011/2012						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
26	54150	Measure A Program Budget	Program Budget	On-going annual program.	442	442
27		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,325,000.	186	186
28	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
29	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Construction: November 2011 to May 2012.	1,027	1,027
30	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100	100
31	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
32	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
33	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal	Construction	175	175
			FY 2011/2012 Total	FY 2011/2012 Total	2,325 *	2,325 *

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
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Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2012/2013						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
34	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
35		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,394,000.	192	192
36	56339	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,420 [6]	170
37	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
38	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median		470	470
39	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
40	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	492	492
41	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
42	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2012/2013 Total	**3,644**	**2,394**

[6] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00053001

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 5 of 6
Prepared by: Linda Wilson
Date: May 26, 2009

Fiscal Year 2013/2014						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
43	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
44		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,490,000.	199	199
45	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,596 [7]	346
46	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
47	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
48	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	875	875
49	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
50	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2013/2014 Total	**3,740 ***	**2,490 ***

[7] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 6 of 6
Prepared by: Linda Wilson
Date: May 26, 2009

Fiscal Year 2014/2015						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
51	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
52		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,615,000.	209	209
53	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,586 [8]	336
54	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
55	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
56	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	1,000	1,000
57	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
58	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2014/2015 Total	**3,865 ***	**2,615 ***

[8] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MAINTENANCE OF EFFORT
CERTIFICATION STATEMENT

The undersigned hereby agrees and certifies for the City of Moreno Valley that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort base year amounts approved by the Commission at its July 8, 2009 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds.

Date: _____

_____
William Bopf
Interim City Manager

ATTEST:

_____
City Clerk

Reviewed By: _____
Steve Elam
Interim Financial & Administrative Services Director

Reviewed By: _____
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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MV00053005

CITY OF MORENO VALLEY
MOE Projection
for FY 2009-10

County of Riverside Measure "A" 1/2 Cent Sales Tax

Fund	Description	2009-10 Projected Actuals
010	53110 Public Works - Transportation Engineering	893,021
010	53310 Public Works - Traffic Signal Maintenance	674,533
010	54110 Public Works - Street Projects Engineering	9,214
121	Gas Tax Transfer from General Fund	644,153
		$2,220,921

ATTACHMENT "D"

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MV00053007

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant to the City Manager

AGENDA DATE: April 27, 2010

TITLE: Resolution Opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

BACKGROUND

The City of Moreno Valley's Electric Utility (MVU) was established in 2001 and began providing service to customers in February 2004. MVU currently provides service to more than 5,400 customers and new development in the utility's service area is conditioned to take service from MVU.

DISCUSSION

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act, would amend California's Constitution by requiring a two-thirds supermajority vote to approve the use of public funds specifically for the expansion of a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

To date, Proposition 16 is solely sponsored by the Pacific Gas and Electric Company (PG&E) which has committed to spending as much as $35 million on a campaign to get the measure approved by California voters. The initiative was originally titled the "Taxpayers Right to Vote Act," however the San Francisco Local Agency Formation Commission argued that the title was misleading and the Attorney General renamed it

to its current title. Although the initiative met the signature requirements to be placed on the June 2010 statewide ballot, the City of Moreno Valley has joined several public entities in filing a lawsuit to strike Proposition 16 from the ballot due to numerous misleading statements included in the initiative.

Agencies that are opposed to Proposition 16 include the League of California Cities, California Municipal Utilities Association, California Association of Realtors, TURN (The Utility Reform Network), Sacramento Municipal Utility District, and numerous cities and utilities. The Moreno Valley Chamber of Commerce has adopted an "oppose" position for the measure. In addition to PG&E, Proposition 16 is supported by the California Chamber of Commerce and the California Taxpayers' Association.

Note: Elected officials and employees of public agencies are prohibited from using public funds or resources to support or oppose ballot initiatives. However, the City and staff are allowed to educate the public on initiatives and public agencies may take an official position on an initiative during an open meeting.

FISCAL IMPACT

Proposition 16 would impact the Moreno Valley Electric Utility because the supermajority vote requirement would make it virtually impossible for the utility to grow. The measure would also result in additional costs to MVU because each time the utility wanted to expand its distribution system, it would require an election.

CITY COUNCIL GOALS

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

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

SUMMARY

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers," would amend California's Constitution by requiring a two-thirds supermajority vote to create or expand a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

ATTACHMENTS

Attachment: Resolution No. 2010-27

Prepared By:
Michelle Dawson
Assistant to the City Manager

Department Head Approval:
Rick C. Hartmann
Interim Assistant City Manager

Concurred By:
George Hanson
Electric Utility Division Manager

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

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MV00053011

CITY OF MORENO VALLEY
RESOLUTION NO. 2010-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS" MEASURE

WHEREAS, the City of Moreno Valley owns and operates a municipal electric utility known as the Moreno Valley Utility; and

WHEREAS, Moreno Valley Utility provides safe and reliable electricity to its residents and businesses; and

WHEREAS, Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" has qualified for the June 8, 2010 statewide ballot; and

WHEREAS, the initiative would require a public electricity provider to obtain a two-thirds voter majority of both the voters in the existing territory and the voters in any proposed expanded territory any time prior to expending funds for expansion or construction of facilities outside current boundaries or to establish service within existing boundaries; and

WHEREAS, Proposition 16 would limit the Moreno Valley Utility's ability to expand its electric service territory while adding significant taxpayer-funded costs for special elections; and

WHEREAS, Proposition 16 is an infringement on local control as cities and their municipal utilities work to provide the best service possible for their constituents.

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

The City Council of the City of Moreno Valley formally opposes Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Act.

APPROVED AND ADOPTED this 27th day of April, 2010.

Signed:

_____
Mayor
City of Moreno Valley

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MV00053013

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: TRACT 31319 – PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE

DEVELOPER – BELLA VISTA MORENO VALLEY LLC
7177 BROCKTON AVENUE, SUITE 215
RIVERSIDE, CA 92506

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system.

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 4, 2003, the Community and Economic Development Department of the City of Moreno Valley approved Tentative Tract Map 31319. The tentative tract map is a proposal to subdivide 31 lots.

On May 23, 2006, the City Council approved Tract Map 31319 and accepted the Agreement for Public Improvements and security for the project. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,017,000 and a Material & Labor Bond in the amount of $508,500 issued by Western Insurance Company. Bella Vista Moreno Valley LLC has requested a partial reduction to the Faithful Performance security for the public improvements that have been completed.

The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, storm drain, water, and sewer. These public improvements received ongoing inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The punch list work remaining to be completed includes but is not limited to: final asphalt concrete pavement cap, final adjustment to grade for manholes and water valves, installation of sidewalk, driveway approaches, wheelchair ramps, mail boxes, monuments, and water meters.

As stated in the Subdivision Map Act (SMA), the City is able to retain an additional amount of security up to 200 percent of the cost estimate of the remaining work, (Section 66499.7.d), but in this case the City has determined that the hard and soft cost contingency should be a total of 65 percent. The City will also retain the appropriate amount for warranty purposes, and potential legal costs in addition to the amount estimated for the work remaining to be completed.

Partial reductions will only be considered when the remaining work does not exceed 20 percent of the total work required (SMA Section 66499.7.d). Lastly, a partial reduction does not necessarily deem the improvements accepted into the City's maintained street system unless noted in the recommended actions of this staff report. Therefore, the developer must continue to maintain the improvements until such time as the City accepts the improvements into the City's maintained street system (SMA Section 66499.7.d).

DISCUSSION

Public Works, Land Development staff has identified that $614,469 worth of public improvements have been completed in accordance with the approved plans and the standards of the City of Moreno Valley. It is therefore appropriate to accept those improvements as complete and to provide a partial reduction of $614,469 to the Faithful Performance security. Ninety days after the partial Faithful Performance security reduction, the portion of the Material and Labor security associated with the completed improvements will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The portion of the 10% Faithful Performance security associated with the completed improvements will be held for the

one-year guarantee and warranty period. At the end of the guarantee and warranty period, the security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

The remaining Faithful Performance Security, remaining Material and Labor bond, final warranty portion of the Faithful Performance bond and the remaining security held for hard cost contingency, soft cost contingency, and potential legal costs will be eligible for reduction once the project is 100% complete and is accepted by City Council. At that time the City will take over the maintenance of the project.

ALTERNATIVES

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

2. Do not accept the partial Public Improvements, as complete, but not into the City's maintained street system. Do not authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Faithful Performance Partial Bond Reduction Breakdown

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 Tract 31319 - Partial Security Reduction - Not Accepting Streets.doc

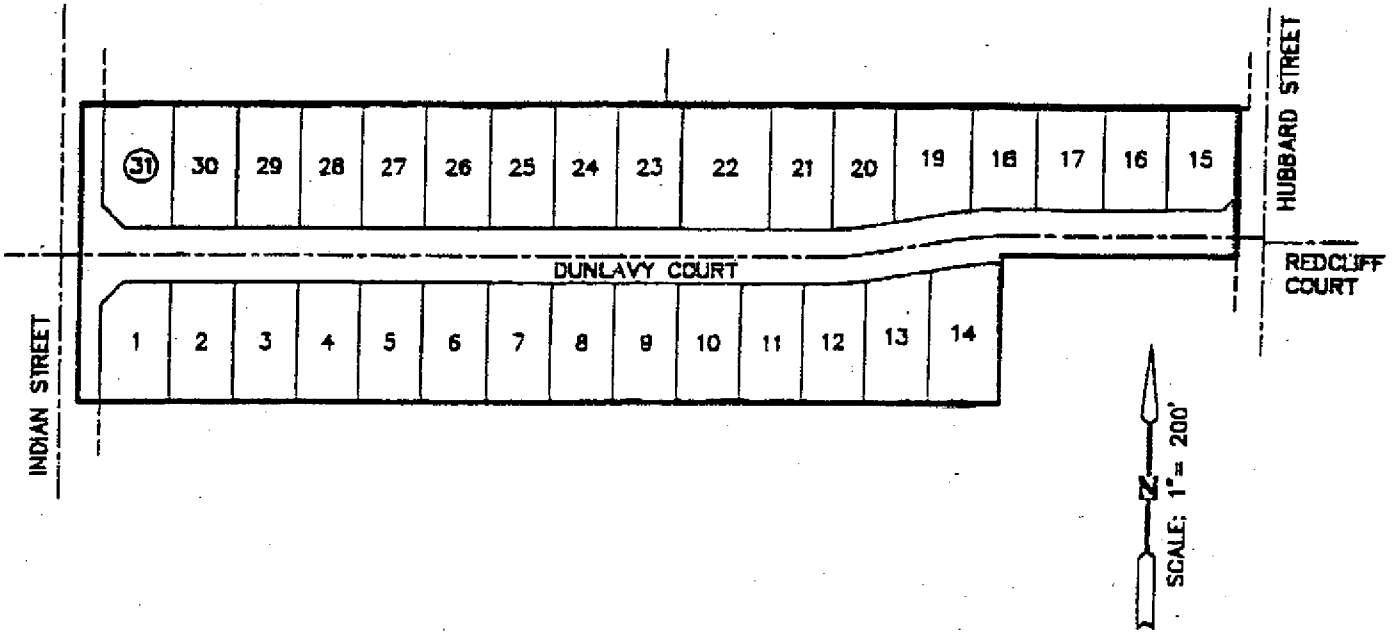

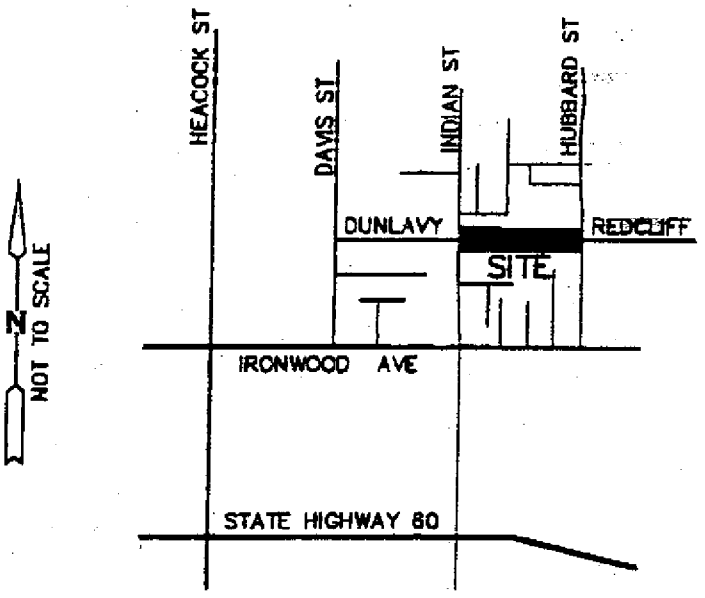

VICINITY MAP – NO SCALE

THOMAS BROS. PG. 717
COORD. F-1 (2005)

CITY OF MORENO VALLEY PUBLIC WORKS – LAND DEVELOPMENT	PROJECT NO. TR. 31319

EXHIBIT "A"

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MV00053019

Tract 31319 - Faithful Performance Partial Bond Reduction Breakdown

AC Cap	$33,312
Slurry Seal (Based on Type II)	$5,741
R&R Curb and Gutter	$2,400
4" Thick Concrete Sidewalk per M.V. Std. No 210	$4,950
Driveway Approach - 6"	$4,557
Erosion Control	$5,000
Service Connections and Clean-outs	$4,750
Water Meters	$400
Sub-total	$61,110
Hard Cost Contingency (20%)	$12,222
Soft Cost Contingency (45%)	$27,500
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$101,700
Total	**$402,532**
Original bond amount	$1,017,000
Amount Being Retained	$402,532
Amount Being Reduced	**$614,469**

Notes:

The following requirements will need to be met prior to processing the partial bond reduction: payment of the Partial Bond Reduction Fee, payment of any outstanding inspection, plan check fees, submittal of ADP fee receipt, and an active business license with the City of Moreno Valley.

There will be requirements that must be met prior to the bond reduction at 100% completion. They may include, but are not limited to: additional payment of the Partial Bond Reduction Fee, EMWD Clearance, submittal of center line street ties, submittal of letter from engineer/surveyor stating they have been paid for their services associated with the center line street ties, clearance from Parks & Community Services, payment of any outstanding fees, etc.

This partial bond reduction will not include acceptance of any streets associated with the project into the City's street maintained system and therefore the maintenance of the streets will remain the responsibility of the developer until such time as the City recognizes the streets are complete per City standard and accepted into the City's street maintained system via City Council approval.

3/18/10

Mark W. Sambito, P.E.
Land Development - Engineering Division Manager

Developer - Print Name

3/22/10

Developer Signature Date

SIGN, DATE AND RETURN TO THE LAND DEVELOPMENT DIVISION, FAX (951) 413.3158.

EXHIBIT "B"

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MV00053021

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00053023

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – TOWNGATE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a.) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b.) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On October 1, 2008, the Special Districts Division of the Public Works Department received valid proposals from seven landscape contracting firms in response to its Request for Proposals for the subject project. On December 9, 2008, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of parkways and medians of the Towngate Specific Plan to Spectrum Care Landscape & Irrigation Management, Inc., Foothill Ranch, California. The contract amount for the initial twelve-month term was $157,615.00 ($148,000.00 for Base Service; $9,615.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the first of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Spectrum Care Landscape & Irrigation Management, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Services, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Spectrum Care Landscape & Irrigation Management, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to

Spectrum Care Landscape & Irrigation Management, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Towngate Specific Plan.

2. **Do not approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Towngate Specific Plan.

FISCAL IMPACT

The sum of $125,946.76 will be encumbered in Account 00182.78220.6261 and $22,053.24 will be encumbered in Account 00182.78281.6261 by open purchase order. Upon staff approval monthly disbursements of $12,333.33 to pay for base services will be made to Spectrum Care Landscape & Irrigation Management, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $5,900.00 in Account 00182.78220.6261 and $1.000.00 in Account 00182.78281.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Spectrum Care Landscape & Irrigation Management, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $154,900.00. The above amounts have been budgeted for Zone E-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Towngate Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Spectrum Care Landscape & Irrigation Management, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Spectrum Care Landscape & Irrigation Management, Inc for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-1/09 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-1 • Towngate

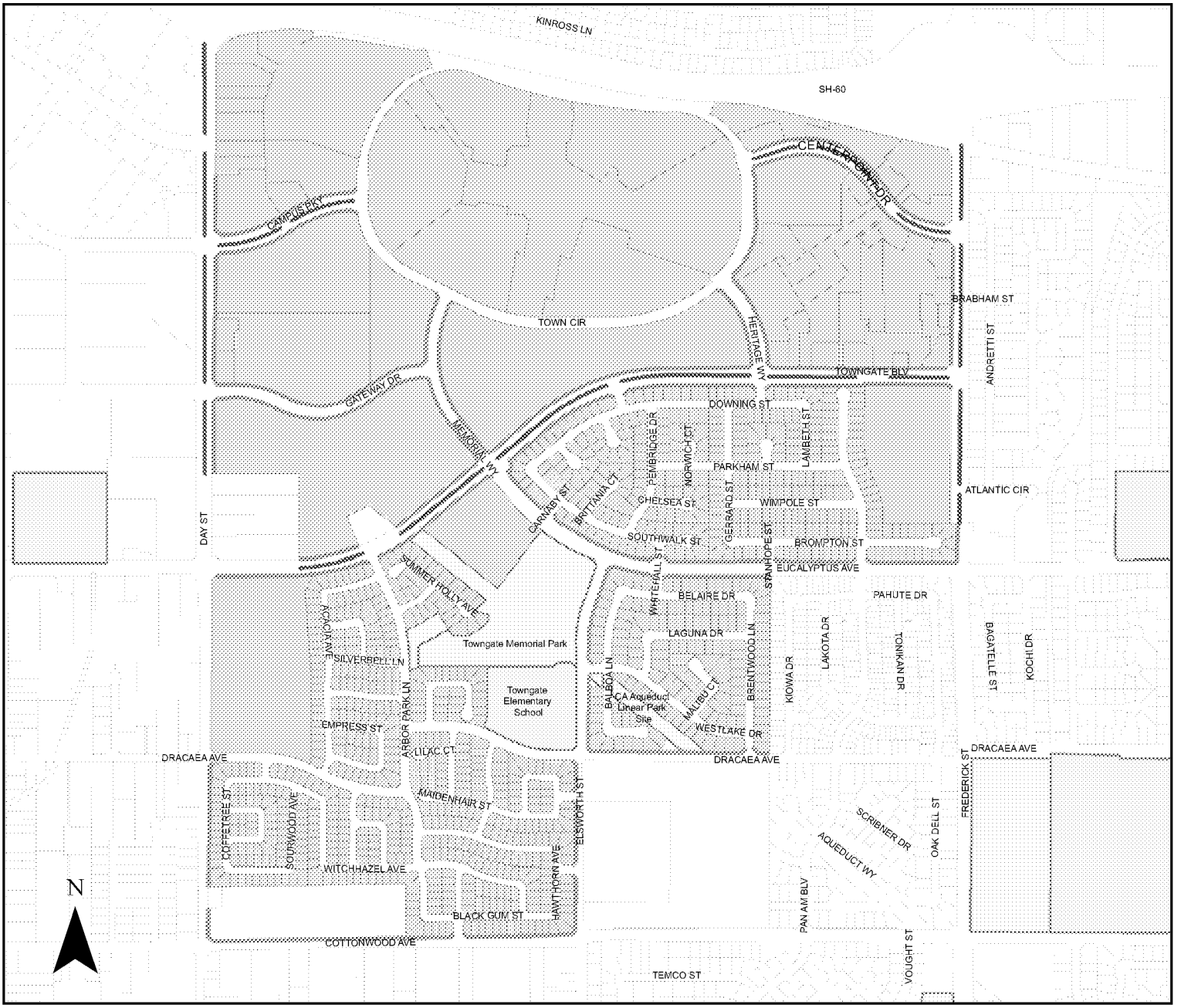

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Median

Landscaped Parkway

Zone E-1 Parcels

ATTACHMENT 1

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E1_8.5x11.mxd
November 29, 2007

MORENO VALLEY

Item No. B.3

MV00053028

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MV00053029

EXTENSION AGREEMENT
PROJECT NO. E-1/09– TOWNGATE
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **SPECTRUM CARE LANDSCAPE AND IRRIGATION, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated FEBRUARY 27, 2009, referencing Project No. E-1/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **TWELVE THOUSAND THREE HUNDRED THIRTY-THREE AND 00/100 DOLLARS ($12.333.33)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo.** .

    b. Additional parkway areas, turf (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.025/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California, and;

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a.) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b.) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 17, 2008, the Special Districts Division of the Public Works Department received proposals submitted by seven landscape contracting firms in response to its Request for Proposals for the subject project. On November 25, 2008, upon the recommendation of staff, the MVCSD Board awarded the contract for landscape maintenance of Hidden Springs parkways and paseos to Tropical Plaza Nursery, Inc., Villa Park, California. The contract amount for the initial term was $218,900.00 ($188,400.00 for Base Service; $30,500.00 for estimated Additional Work).

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Tropical Plaza Nursery, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Tropical Plaza Nursery, Inc. for another year.

ALTERNATIVES

1. **Approve the Amendment to the Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to Tropical Plaza Nursery, Inc., at the start of Fiscal Year 2010/11. Extension of this contract will ensure uninterrupted landscape maintenance service is provided for the Hidden Springs parkways and paseos.

2. **Do not approve the Amendment to Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period. Choosing this alternative may disrupt the continuity of parkway and paseo landscape service for the Hidden Springs specific plan.

FISCAL IMPACT

The sum of $188,400.00 will be encumbered in Account 00182.78230.6261 by open purchase order. Upon staff approval monthly disbursements of $15,700.00 to pay for base services will be made to Tropical Plaza Nursery, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $30,900.00 in Account 00182.78230.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Tropical Plaza Nursery, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $219,300.00. The above amounts have been budgeted for Zone E-2 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. **The parcel charges collected may only be used for landscape maintenance services of parkways and paseos in the Hidden Springs specific plan.** This action will not impact the City's General Fund.

CITY COUNCIL GOALS

Community image, neighborhood pride and cleanliness
Continuing regular maintenance of MVCSD parkways and paseos in the Hidden Springs specific plan promotes community pride, ensures quality development, and enhances neighborhood preservation.

Public facilities and capital projects
Continuing maintenance of MVCSD parkways and paseos ensures that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Tropical Plaza Nursery, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-2/09 Vicinity Map

2. Copy of Extension Agreement

Prepared by: Daniel Monto
Senior Landscape Services Inspector

Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by: Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-2 • Hidden Springs

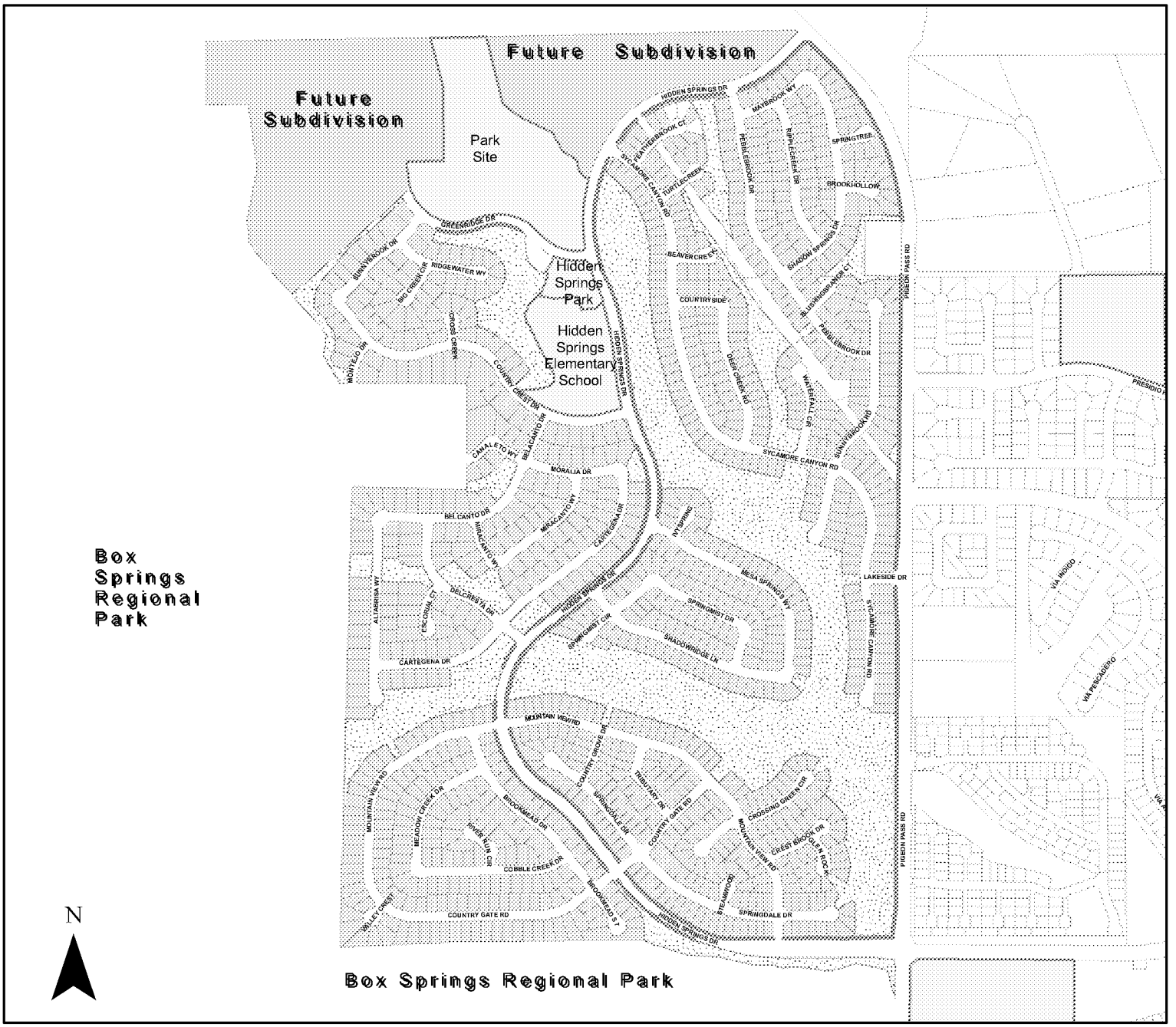

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Landscaped Parkway

Landscaped Open Space

Zone E-2 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E2_8.5x11.mxd
November 29, 2007

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

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MV00053037

EXTENSION AGREEMENT
PROJECT NO. E-2/09– HIDDEN SPRINGS
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Tropical Plaza Nursery, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated March 10, 2009, referencing Project No. E-2/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo.** .

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH-EAST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a.) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b.) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On March 13, 2007, the Special Districts Division of the Public Works Department received valid proposals from three landscape contracting firms in response to its Request for Proposals for the subject project. On May 22, 2007, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of Moreno Valley Ranch-East parkways and medians to Bemus Landscape, Inc., San Clemente, California. The contract amount for the initial twelve-month term was $196,378.00 ($183,000.00 for Base Service; $13,378.00 for estimated Additional Work). The Contractor was awarded a one-year extension on May 27, 2008. The amount of the contract extension totaled $203,700.00 ($190,320.00 for Base Service; $13,380.00 for estimated Additional Work). The Contractor was awarded a second one-year extension on June 9, 2009. The amount of the contract extension totaled $203,700.00 ($192,223.20 for Base Service; $13,715.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the third of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Bemus Landscape, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Bemus Landscape, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base

Service and estimated Additional Work to Bemus Landscape, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Moreno Valley Ranch-East parkways and medians.

2. **Do not approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Moreno Valley Ranch Specific Plan.

FISCAL IMPACT

The sum of $187,810.10 will be encumbered in Account 00182.78250.6261 and $4,413.10 will be encumbered in Account 00182.78282.6261 by open purchase order. Upon staff approval monthly disbursements of $16,018.60 to pay for base services will be made to Bemus Landscape, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $15,000.00 in Account 00182.78250.6261 and $700.00 in Account 00182.78282.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Bemus Landscape, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $207,923.20. The above amounts have been budgeted for Zone E-4 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the eastern portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Bemus Landscape, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-4/07 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4 • Moreno Valley Ranch - East

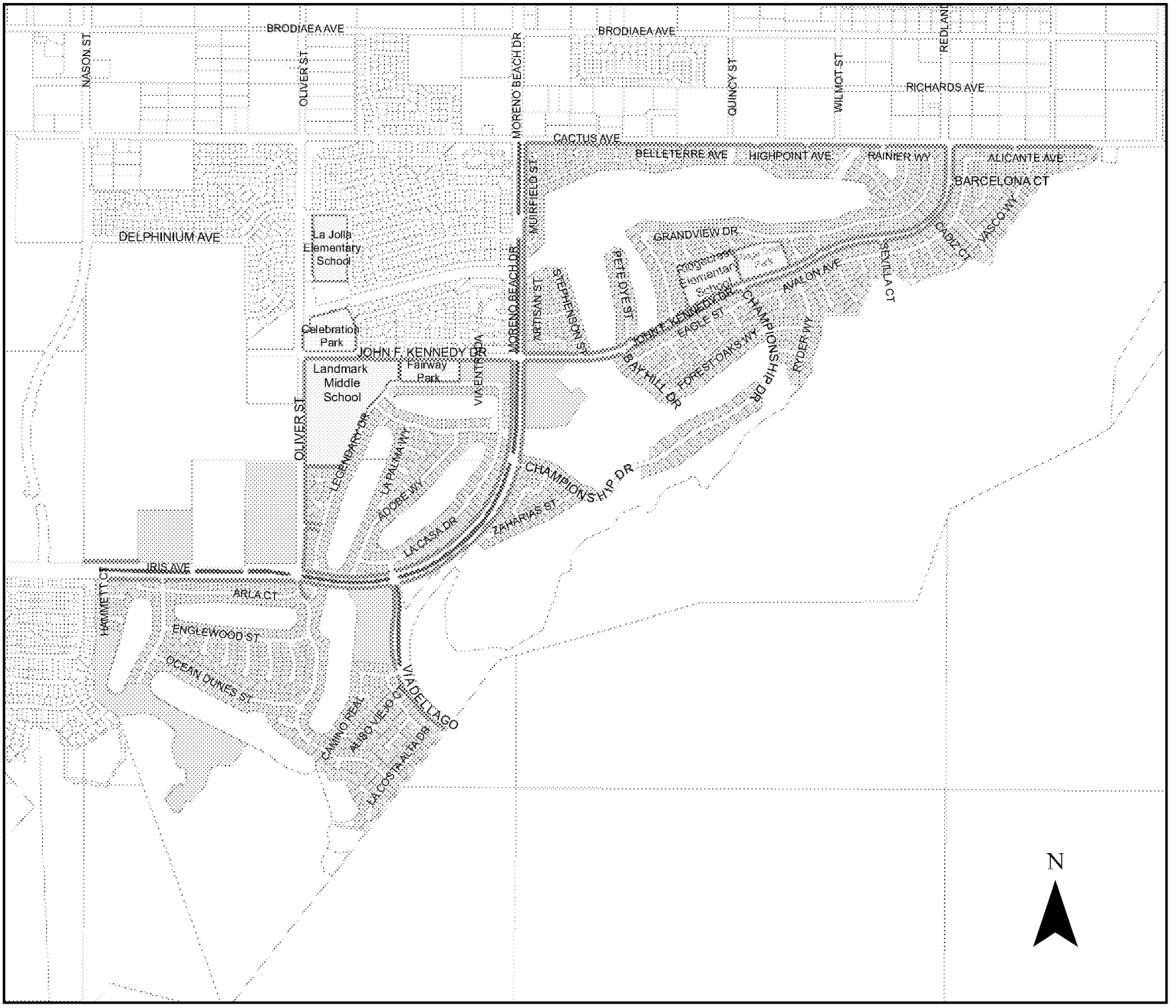

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Landscaped Median

Zone E-4 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E4_8.5x11.mxd
October 12, 2009

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

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MV00053045

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4A • Daybreak - Internal Landscape Maintenance

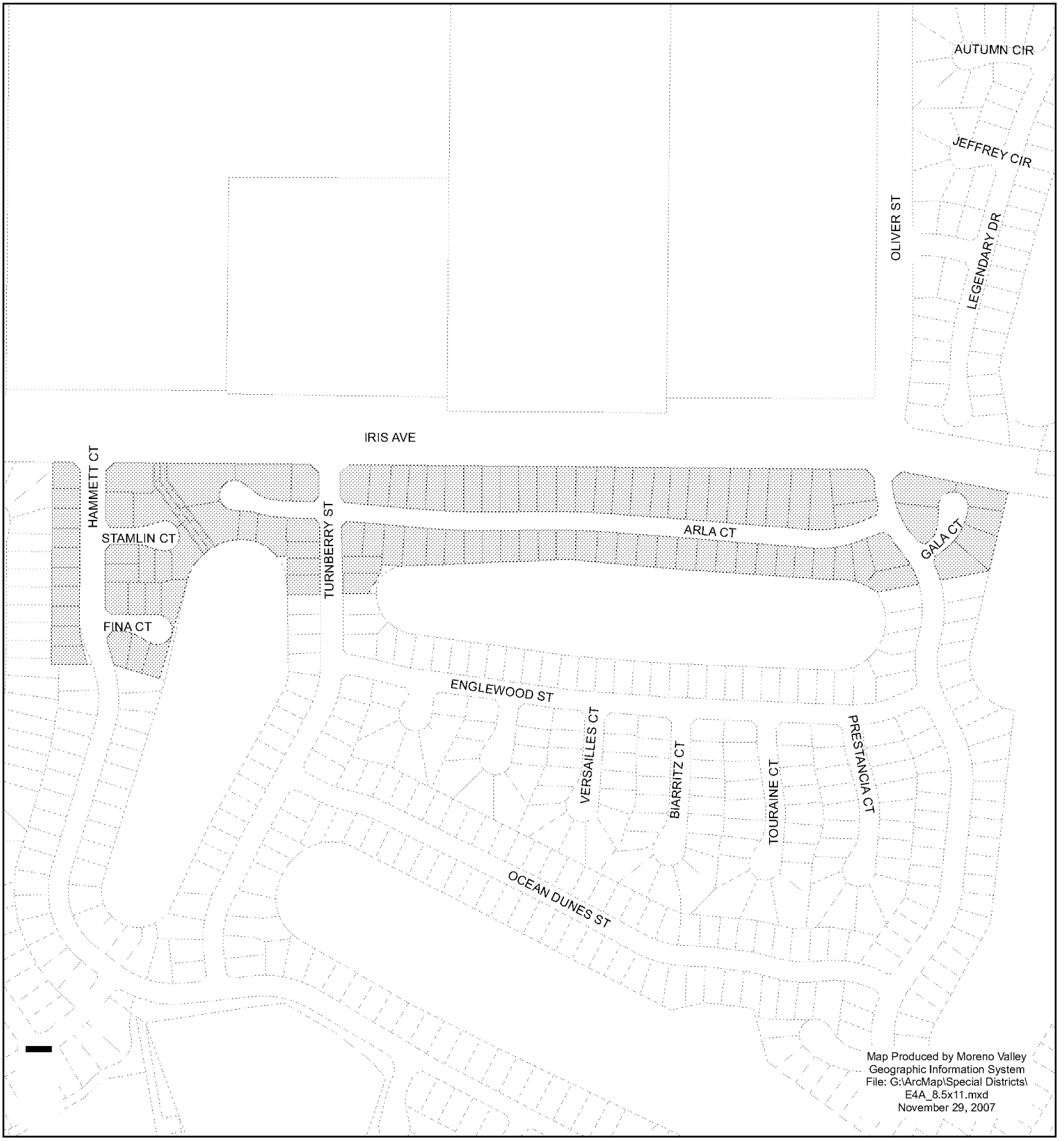

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Open Space

Zone E-4A Parcels

MORENO VALLEY WATER

Item No. B.5

MV00053046

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MV00053047

EXTENSION AGREEMENT
PROJECT NO. E-4/07
MORENO VALLEY RANCH - EAST
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Bemus Landscape, Inc.,** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated May 24, 2007, referencing Project No. E-4/07 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the third and final extension of the Agreement.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **SIXTEEN THOUSAND EIGHTEEN AND 60/100 DOLLARS ($16,018.60)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20)**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, turf (trees up to 18-feet height, as applicable). **$0.0182/ sq. ft. / mo**.

    b. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.0131/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare, and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

    a. ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

    b. TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project DSG-1/10 were placed in The Press-Enterprise on December 14, 2009 and December 28, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from eighteen (18) landscape maintenance firms attended the mandatory pre-submittal meeting on January 6, 2010. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on January 14, 2010 by thirteen (13) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 12% more compensation than the second ranked contractor, TruGreen Landcare, while proposing to provide 10% less man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with TruGreen Landcare.

The Branch Manager for TruGreen Landcare and management staff reviewed his firm's proposal on February 4, 2010. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the DSG-1E, DSG-2 and M areas of the MVCSD, staff determined that a recommendation to award the DSG-1/10 contract to TruGreen Landcare would be in the best interests of the MVCSD and the property owners in Zone DSG-1.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 14 acres of parkway and median landscaping and irrigation located in the DSG-1 Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from TruGreen Landcare, as being in the best interests of the MVCSD and DSG-1 property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. TruGreen Landcare's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the DSG-1 parkway and median landscape areas.*

2. **Do not accept the proposal** from TruGreen Landcare, and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00181.78110.6261	$177,958.60
Additional Work	
00181.78110.6261	$ 21,700.00
Total P.O. Amounts	**$199,658.60**

The above amounts have been budgeted for Zone DSG-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Tracts of Zone DSG-1. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of TruGreen Landcare, the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project DSG-1/10, authorize the Board President to execute the Agreement with TruGreen Landcare, and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to TruGreen Landcare for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones DSG-1 Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

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MV00053055

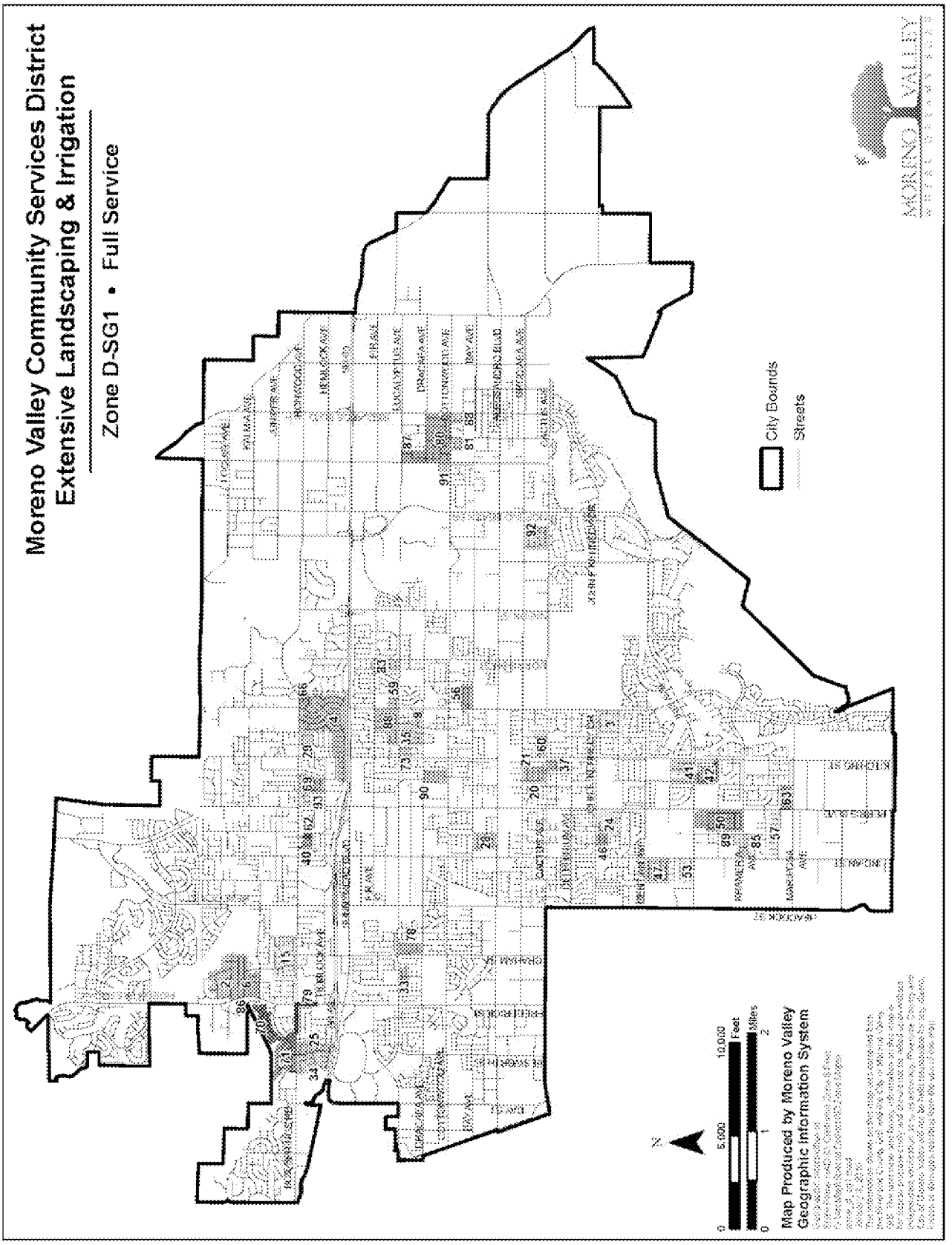

ATTACHMENT 1

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MV00053057

PROJECT DSG-1/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	MARINA	TRUGREEN	EXCEL	GREEN IT UP	MARIPOSA	AGAVE	MIDORI	SPECTRUM	BEMUS	DWORSKY	TROPICAL	MERCHANTS
Dan Monto	84.5	85	83.5	85	75.5	75	74.5	80	79	83	78.5	68.5
Ralph Scharfenberg	84.5	77	86.5	85.5	76.5	71	70.5	77	77.5	84.5	81.5	73
Edgar Marquez	83	87	84	82	75.5	69	68	80	80	81	77	72.5
SCHEDULE I TOTAL	**252**	**249**	**254**	**252.5**	**227.5**	**215**	**213**	**237**	**236.5**	**248.5**	**237**	**214**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	GREEN IT UP
Dan Monto	79.5	84.5	82	81
Ralph Scharfenberg	79.5	77.5	85.5	81.5
Edgar Marquez	78.5	81	82	73
SCHEDULE II TOTAL	237.5	243	249.5	235.5
GRAND TOTAL (Schedule I + Schedule II)	489.5	492	503.5	488

ATTACHMENT 2

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MV00053059

Moreno Valley Community Services District
R.F.P. # DSG-1/10

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: TruGreen Landcare
Address: 1616 Marlborough Ave. Bld. S
City: Riverside, Ca 92507
Business Phone: 951-688-6880 Fax No.: 951-686-1436
Other Contact Number: _____
Social Security Number: _____
Business License Number: 07754
Federal Tax I.D. Number: 36-4313318
Contractors' License Number & Classification: 774548 C-27, C-61, D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District

acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/$2,000,000 aggregate
Property Damage	$1,000,000 per occurrence/$2,000,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued

after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

To Contractor: TruGreen Landcare
Riverside, CA 92507
951-688-6880
[Telephone number]
951-686-1436
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc., and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

    a. ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

    b. THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project E-3/10 were placed in The Press-Enterprise on November 30, 2009 and December 7, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from ten (10) landscape maintenance firms attended the mandatory pre-submittal meeting on December 9, 2009. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on December 17, 2009 by seven (7) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 22% more compensation than the second ranked contractor, Bemus Landscape, Inc., while proposing to provide only 1% more man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with Bemus Landscape, Inc.

The Operations Manager for Bemus Landscape, Inc. met with management staff on February 18, 2009 to review his firm's proposal. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the E-4 area of the MVCSD, staff determined that a recommendation to award the E-3/10 contract to Bemus Landscape, Inc. would be in the best interests of the MVCSD and the property owners in Moreno Valley Ranch-West.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 29 acres of extensive parkway and median landscaping and irrigation located in the E-3 and E-3A Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from Bemus Landscape, Inc., as being in the best interests of the MVCSD and Moreno Valley Ranch – West property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. Bemus Landscape's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the Moreno Valley Ranch-West parkway and median landscape areas.*

2. **Do not accept the proposal** from Bemus Landscape, Inc., and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00182.78240.6261	$127,500.00
00182.78283.6261	$ 12,000.00
Additional Work	
00182.78240.6261	$ 10,245.00
00182.78283.6261	$ 3,000.00
Total P.O. Amounts	**$152,745.00**

The above amounts have been budgeted for Zone E-3 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the western portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project E-3/10, authorize the Board President to execute the Agreement with Bemus Landscape, Inc., and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to Bemus Landscape, Inc. for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones E-3 and E-3A Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

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MV00053073

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3 • Moreno Valley Ranch - West

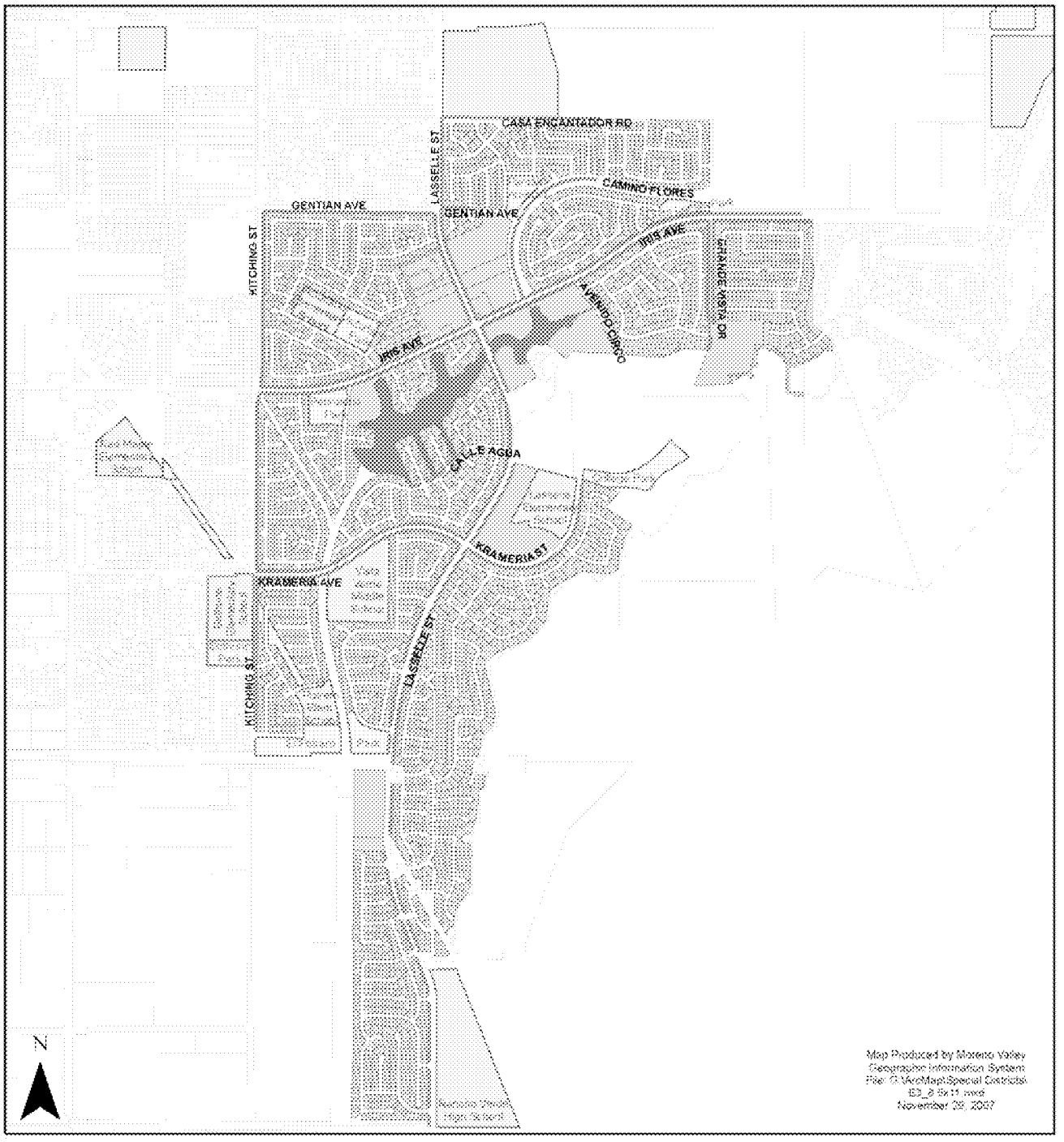

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

Landscaped Parkway

Zone E-3 Parcels

MORENO VALLEY

ATTACHMENT 1

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MV00053075

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3A • Lasselle Powerline Parkway

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Zone E-3A Parcels

MORENO VALLEY WATER

Item No. B.7

MV00053076

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MV00053077

PROJECT E-3/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	**MARINA**	**TRUGREEN**	**EXCEL**	**BEMUS**	**MARIPOSA**	**AGAVE**	**MIDORI**
Dan Monto	76	80	90	76	75	46.5	71
Bob Florez	81	79.5	87.5	86	76.5	48	73
Tony Silvas	82	75.5	84	74	79	39	66
SCHEDULE I TOTAL	**239**	**235**	**261.5**	**236**	**230.5**	**133.5**	**210**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	BEMUS
Dan Monto	70	78	89	76
Bob Florez	76	79	87	85
Tony Silvas	77	75	83	75
SCHEDULE II TOTAL	223	232	259	236
GRAND TOTAL (Schedule I + Schedule II)	462	467	520.5	472

ATTACHMENT 2

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MV00053079

Moreno Valley Community Services District
R.F.P. # E-3/10
Moreno Valley Ranch-West

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Bemus Landscape Inc.
Address: P.O. Box 74268
City: San Clemente State: CA Zip: 92571
Business Phone: 888-557-7910 Fax No.: 888-557-7911
Other Contact Number: _____
Social Security Number: _____
Business License Number: 00797
Federal Tax I.D. Number: 33-0157191
Contractors' License Number & Classification: 492084 C-27/ A / D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District acknowledges that it will not unreasonably withhold approval of the

Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury $1,000,000 per occurrence/$2,000,000 aggregate
Property Damage $1,000,000 per occurrence/$2,000,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully

comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or

registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

To Contractor: Bemus Landscape, Inc.
P.O. Box 74268
[Post Office Box, if applicable]
San Clemente, CA 92571
888-557-7911
[Telephone number]

888-557-7911
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00053089

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 27, 2010

TITLE: RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUNDS (SERAF) PAYMENT

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley.

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010.

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Payment).

3. Authorize the Financial & Administrative Services Department (FASD) to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

BACKGROUND

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. Redevelopment agencies are collectively mandated to place $1.7 billion in the SERAF in fiscal year 2009-2010. Each redevelopment agency must allocate the specified amount to the County Auditor-Controller to be deposited into

the SERAF on or before May 10, 2010. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237.

Since 1992, the Legislature has required redevelopment agencies to make pass through payments to the Educational Revenue Augmentation Fund (ERAF). The RDA has made ERAF payments seven times, in 1992-1993, 1993-1994, 1994-1995, 2002-2003, 2003-2004, 2004-2005, and 2005-2006, for a total of $3,316,892.

DISCUSSION

Redevelopment agencies in California are required to shift $1.7 billion in tax increment revenues to K-12 schools during the 2009-2010 fiscal year via the SERAF. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237. On February, 16, 2010, the RDA notified Riverside County Auditor-Controller that it intends to fund its SERAF obligation, via wire transfer on May 10, 2010, pursuant to Section 33692 of the Health and Safety Code.

At the time the RDA Board approved the RDA's fiscal year 2009-2010 budget in July, 2009, the final SERAF shift amount was unknown. In November 2009, staff was notified by the California Department of Finance that the RDA's SERAF obligation for fiscal year 2009-2010 was $5,258,237.

The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court in Sacramento County, California, in the case identified as Redevelopment Association et al. v. Genest et al., Case No. 34-2009-80000359-CU-WM-GDS (CRA v. Genest). This case considers, among other things:

- Whether the duties of county auditors to deposit funds received from redevelopment agencies in each county's SERAF are inconsistent with various State and federal constitutional provisions, are unlawful under the Health and Safety Code, and therefore are unenforceable,
- Whether the State's take of funds would provide any benefit to schools,
- Whether the take of funds is a valid use of redevelopment funds under Article XVI, Section 16 of the State constitution, and
- Whether the State's action violates Proposition 13 (1978) and Proposition 1A (2004).

The judge may issue a decision on the case in favor of redevelopment agencies before the May 10 deadline for transmitting the SERAF payments. However, there is no certainty as to how long the court proceeding might last or if the judge will invalidate the SERAF payments, and therefore, staff recommends that the RDA Board approve the proposed Budget Appropriation Adjustment to fund the state-mandated SERAF payment.

ALTERNATIVES

1. Approve state-mandated shift of tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds

(SERAF) for the 2009-2010 fiscal year; appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance), and authorize the FASD staff to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff recommends this alternative.* This alternative will ensure the RDA's compliance with State laws, pending the outcome of the current litigation.

2. Decline to approve state-mandated shift of RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for the 2009-2010 fiscal year; or appropriate the funds, and to direct the FASD staff not to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff does not recommend this alternative*. This alternative will result in noncompliance with State laws and the possible withholding of future tax increment revenues or property tax revenues, by the County, to meet this obligation.

FISCAL IMPACT

The recommended actions to shift RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) will pose no fiscal impact to the General Fund. If approved, $5,258,237 will be appropriate from the RDA Tax Increment Fund (Fund 895 fund balance) to account number 895.91510.6723.728 (RDA SERAF Payment).

From	To	Amount
895 Fund Balance	895.91510.6723.728	$5,258,237

Under state law, the RDA Tax Increment funds are restricted for uses in RDA related activities and operations, and can not be used to fund general government operations.

SUMMARY

In June 2009, the State legislators and the Governor approved budget bill ABX4 that required redevelopment agencies to shift $1.7 billion of redevelopment funds to a Supplemental Educational Revenue Augmentation Funds in FY 2009-2010. The RDA's share of the SERAF is $5,258,237. The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court. To ensure compliance with state laws, pending the outcome of the litigation, staff is requesting an approval of state-mandated shift of tax increment revenues by appropriate $5,258,237 from RDA's fund balance to be deposited in the Riverside County Auditor-Controller's SERAF on May 10, 2010.

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00053095

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a 25% mark-up for non-residents, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 1, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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MV00053105

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 1, 2010.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

MORENO VALLEY
WHERE DREAMS SOAR

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: April 27, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: April 27, 2010

MV00053109

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
~~Nuisance Abatement Administrative Fee~~ [Moved to Section 5 - Fire]			
~~Level 1 (4 hrs or less)~~	~~Each~~	~~$ 240.00~~	
~~Level 2 (more than 4 hrs)~~	~~Hourly~~	~~$ 89.00~~	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$ 2,828.00	
Agreement	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential		$ 486.00	
Non-Residential		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent		100% of original fee	
Land Development Grading Revision/4th and Subsequent Reviews		$71 per sheet	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 209.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

	Unit	Fee	
Plot Plan			
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~	
		$140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00 +	
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance	$	2,618.00	Plus applicable notice and posting fees
Administrative Variance	$	474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
*Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Animal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Animal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
H&S 122125- 122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moreno-valley.ca.us/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moreno-valley.ca.us/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

enewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check			
125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

ecords Request	Unit	Fee	
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

Section 5 - Fire

Other Fees (Cont)	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing/Photocopying (black & white)	per Page	$ 0.20
Copies		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25
Lost Materials	per Item	Actual Cost

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 25%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Adult Contract Classes (18 Years or Older)				
Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee **	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth Sports				
Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball #	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Activities and Programs				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Classes				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Special Events

Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee

Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial)	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit)	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit)	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest*				

* Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 25%.

Athletic Field Reservation

Facilities have no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups and Unorganized Group Play per field	N/A	Per Hour	$	5.00
~~Unorganized~~ Adult & Youth Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use – Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use – Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

Facilities have no applicable category association.

~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar				
Facilities have no applicable category association.				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
Facilities have no applicable category association.				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
Facilities have no applicable category association.				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~25.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
Facilities have no applicable category association.				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association.				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Golf Course

This program has no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitchen	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, ~~government agencies, Federal, State, County and educational institutions~~. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
3		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
4		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 - $1,500.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependant on Event Liability)			$*
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include: Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE/FACILITY USE FEES

Service/Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

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Section 8 - Police

Exhibit "A"

	Unit	Fee	
BC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

Exhibit "A"

	Unit	Fee	
econd Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 261.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the Moreno Valley Electric Rates document. Both documents are available online at http://www.ci.moreno-valley.ca.us/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

Deposit, which will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

LEGAL AND OTHER DOCUMENTS

~~Initial~~ Fee Includes Three (3) Reviews, Unless Otherwise Noted

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum fee)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

	Unit	Fee
Land Development		
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,0001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~Or as directed by the City Engineer. Not to exceed total City cost.~~ Amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

	Unit	Fee	
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee
STOCKPILE/BORROW SITE PLAN		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
0-5,000CY *		$ 584.00 *
5,001-100,000 CY *		$ 1,009.00 *
> 100,000 CY		$ 1,401.00
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00
Revisions (Stockpile/Borrow Plans)		
Minor	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.
PRECISE GRADING PLAN CHECK		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Subdivisions and Custom Homes Plus	Each	$ 1,837.00 +
	per Lot	$ 70.00
Non Subdivisions		
On-site Improvement Plan Check Fee		
0-5,000CY		$ 1,838.00
5,001-100,000 CY Plus		$ 1,838.00 +
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00
> 100,000 CY Plus		$ 7,234.00 +
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping ~~(Landscape Drawings)~~ ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
Meeting and Teleconferences	~~per Hour~~ Each		$ 206.00		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	~~per Hour~~ Each	$ 250.00
Subsequent Teleconferences	~~per Hour~~ Each	$ 150.00

OTHER PLAN CHECK FEES

~~Developer Requested Expedition of Plan, Map and Document Review~~	~~Regular plan, map and document review fee + 25%~~

Section 9 - Public Works

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,714.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,221.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
> $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~196.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer but not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$ 205.00
Block Party Permit Processing	Each	$ 82.00
Flood Plain Determination (Community Rating System)	per Lot	$ 20.00
Elevation Certification (Mobile Home Park)	Each	$ 155.00

Section 9 - Public Works

	Unit	Fee	
Land Development			
OTHER FEES			
Advanced Energy Fees			
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		
MISCELLANEOUS LAND DEVELOPMENT FEES			
City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
Tree Planting		
15 Gallon	Each	$ 190.00
24" Box	Each	$ 270.00
Tree Removal	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Advance Funding Agreement - Initial Deposit		$	100,000.00	
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing *				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

Section 9 - Public Works

Exhibit "A"

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under it's own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	Residential				Commercial			Office	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
ibraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
rark Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

JITS LEGEND
J = Dwelling Unit for residential development types
F = 1,000 gross square feet of building area for commercial, industrial and office development types

PLEMENTATION NOTES:

th respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

th respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the velopment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
ecommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00053197

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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MV00053199

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: April 27, 2010

TITLE: Funding alternatives and assistance for the construction of Highland Fairview's Eucalyptus Avenue street improvements utilizing the State-Local Partnership Program Grant funds.

RECOMMENDED ACTION

Staff is seeking City Council direction on the matter.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Last August, Staff met with representatives of Highland Fairview to discuss the City filing on behalf of Highland Fairview for four State-Local Partnership Program (SLPP) grant applications. The four projects were: the construction of Eucalyptus Avenue, Redlands Boulevard, and Theodore Street associated with its Highland Fairview Corporate Park (HFCP) project and Cactus Avenue associated with its AquaBella age-restricted housing project.

Highland Fairview proceeded to prepare the SLPP grant applications and filed the request for funding on August 17. Then-City Manager Robert Gutierrez signed the application packet as required by the SLPP Guidelines.

On Friday, September 25, 2009, the City received notice from the Commission and Department of Transportation, Local Assistance staff that two of Highland Fairview's proposed projects for SLPP 1B competitive grant funds were being recommended to the Commission for funding. The two SLPP applications were: Cactus Avenue Street Improvements and Eucalyptus Avenue Street Improvements. Each application requested funding in the amount of $1 million.

The California Transportation Commission took action to approve Highland Fairview's grant applications for the two projects on October 15.

Recently, representatives of Highland Fairview met with Interim City Manager William L. Bopf and Economic Development Director Barry Foster to discuss alternative funding sources to construct only one of the two street improvement projects: Eucalyptus Avenue. (The Cactus Avenue Street Improvement project has been placed on hold.) The SLPP grant process requires an agency (i.e., City of Moreno Valley) requesting funds to demonstrate evidence of matching 'qualified' fees. (The Eucalyptus Avenue improvement project is estimated to cost $6,265,915 as stated in the SLPP grant application). In order to move forward with the Project utilizing SLPP Grant funds, Staff has outlined four funding options for the City Council consideration (discussed later in the Staff Report).

DISCUSSION

Overview of SLPP Grant

By way of background, The Highway Safety, Traffic Reduction, Air Quality, and Port Act of 2006 commonly referred to as Proposition 1B, includes funds for two SLPPs. The first program is a formula program for voter-approved taxes and fees in which Measure A qualifies. The second program is a competitive grant program and is the source of Highland Fairview's request. The California Transportation Commission (CTC) will be the responsible agency in awarding funds and Caltrans will have local oversight.

A brief summary of the SLPP grant is as follows:

- The SLPP requires a local match (100%) of a uniform traffic mitigation fee up to a grant request of $1,000,000. The Countywide Transportation Uniform Mitigation fee (TUMF) and the City's Development Impact Fee (DIF) programs would qualify as matching funds.
- The City is the grant applicant in that the funds must be distributed by the City from its TUMF/DIF program. The State would reimburse the City for the improvements on a dollar-for-dollar match up to $1 million.
- The project must pay all qualified workers a prevailing wage and comply with the Public Contract Code. The City would serve as the "lead agency" for the project.
- The projects must be constructed in 2010. The SLPP Guidelines state the grant recipient may have two additional years to complete the project. (Note: The funds for the grants will derive from State of California bond proceeds which have not been sold and therefore, may permit flexibility in the 2010 construction date.)
- A request for SLPP grant funds must include the signature of the Chief Executive Officer or other authorized officer of the implementing agency in order for the application to be considered.

- The City will commit to have the available funds upon submittal of a SLPP grant proposal to CTC.

Highland Fairview's Proposed Eucalyptus Avenue Street Improvement Project
The Eucalyptus Avenue Street Improvements (the "Project") are a condition of approval of the Highland Fairview Corporate Park project approved by the City Council in February 2009. The proposed Project includes the dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for the entire one mile length. When complete, this segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way, and extensive landscaping. The total Project costs estimated by Highland Fairview are $6,265,915.

Funding Alternatives
As requested by the City Council, Staff is presenting four options for consideration to assist in the funding of the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project. The four options are:

OPTION ONE
Highland Fairview to construct Eucalyptus Avenue

OPTION TWO
City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview

OPTION THREE
City of Moreno Valley constructs Eucalyptus Avenue with existing DIF

OPTION FOUR
City of Moreno Valley constructs Eucalyptus Avenue with developer funds underwritten by City reserves

All four options are described in detail on Exhibits "A", "B", "C", and "D" attached. Each Exhibit describes the Goal, Requirement(s) of the Project, Funding Method(s), Results, Obstacles, and Required City Council Action.

Also for the City Council's information, Staff has attached a list of CIP projects that could be reprioritized (Exhibit "E") and Highland Fairview's SLPP Grant Proposal (Exhibit "F").

ALTERNATIVES

1. Instruct Staff to pursue one of the four options described on Exhibits "A" "B", "C", and "D" attached.

2. Not approve one of the four options and direct Staff to explore other funding options as directed by the City Council.

3. Take no action. This alternative would provide no financial assistance to Highland Fairview's Eucalyptus Avenue improvements.

FISCAL IMPACT

Brief overviews of the fiscal impacts of the four options are as follows:

Option One: The City would not contribute funds for the construction of the street improvements. Highland Fairview would bear the cost of the street improvements and may not be eligible for SLPP Grant funds. Option One would not have a fiscal impact on the City.

Option Two: Highland Fairview would deposit the entire amount of the estimated cost to construct the street improvements ($6.3 million) with the City. The City would take the lead in preparing the plans and specifications and publicly bid the project. All requirement of the Public Contract Code must be complied with including the paying of prevailing wage for all workers on the job. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Three: The City Council would reprioritize its CIP projects funded by Development Impact Fees or DIF for fiscal year 2009-10 in an amount of $6.3 million for the construction of the street improvements. The CIP projects that are reprioritized would not be constructed until DIF funds are available. Highland Fairview would be required to pay its DIF and those street improvement costs not covered by DIF. The fiscal impact to the City could be significant in that a number of CIP projects would not be completed as planned. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Four: The City Council would reprioritize CIP projects adding thereto, the Eucalyptus Street improvements funded by the redemption of the 2007 Tax Allocation Bonds, Series B in the amount of $7 million. The redemption of a portion of the bonds would serve as 'collateral' for the construction of the street improvements. Highland Fairview would deposit $2 million for the City to drawdown to pay for work completed by contractors. Highland Fairview would replenish the account when the dollar amount

falls below $2 million. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

If the City Council elects to assist Highland Fairview with the project using options two or three, Staff would have to fully analyze the availability of DIF and/or other funding sources to insure the project can be constructed as stated in the SLPP Grant Application.

SUMMARY

On behalf of Highland Fairview, the City applied for a SLPP Grant to construct certain street improvements in connection with it corporate park and AquaBella projects. Eucalyptus Avenue was awarded SLPP Grant funds and Highland Fairview is seeking City assistance to construct the improvements. Staff has outlined four options for the City Council to consider. The options have various fiscal impacts on the City's ability to fund CIP projects today and in the future.

CITY COUNCIL GOALS

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

ATTACHMENTS/EXHIBITS

Exhibit "A" – OPTION ONE: Highland Fairview to construct Eucalyptus Avenue
Exhibit "B" – OPTION TWO: City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview
Exhibit "C" – OPTION THREE: City of Moreno Valley construct Eucalyptus Avenue with existing DIF
Exhibit "D" – OPTION FOUR: City of Moreno Valley construct Eucalyptus Avenue with developer funds underwritten by City reserves
Exhibit "E" – Proposed list of DIF Project for Reprioritization
Exhibit "F" – SLPP Grant dated August 14, 2009

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

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

Exhibit "A"

OPTION ONE
Highland Fairview to Construct Eucalyptus Avenue

Goal:	Funding and Constructing the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project
Requirement(s):	A) City permits required (including inspections)
Funding Method(s):	Highland Fairview to fully fund the project – approximately $6.3 million; and therefore, Highland Fairview may not be eligible for SLPP grant funds.
Results:	A) Highland Fairview administers the construction project – may be the most expeditious means to construct the street improvements (i.e., California Contract Code/prevailing wage issues may not apply) B) Highland Fairview can construct underground utilities and street improvements as one operation C) The street improvements would be constructed to City standards D) Eucalyptus Avenue would be dedicated to the City upon completion E) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
Obstacles:	A) Requires Highland Fairview to fund the project B) Highland Fairview may not receive up to $1 million (based on reimbursement by the State) in SLPP Grant funds
Required City Action:	NA (FYI – only City Council action would be the acceptance of Improvements upon completion)

Exhibit "B"

OPTION TWO
City of Moreno Valley Constructs Eucalyptus Avenue with Funds Deposited by Highland Fairview

Goal: Funding and Constructing the Eucalyptus Avenue improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the required funds to construct the project
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. Reimbursement will occur after the Project is completed and may be less than $1.0 million.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the required funds with the City before the City Council awards the contract. The funds will include:
    1) The applicable DIF must be paid by Highland Fairview at the start of the Project.
    2) DIF payment – approximately 60 percent of the DIF is for arterial streets and can be used for the Project's matching funds.(Sixty (60) percent will

not provide enough funding to fully construct the street improvements.)

3) The SLPP grant funds cannot be credited to the Project until the Project is completed. Therefore, that amount must be advanced by the developer, Highland Fairview.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10 – funding source of Highland Fairview

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "C"

OPTION THREE
City of Moreno Valley Constructs Eucalyptus Avenue with Existing DIF

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the all required DIF and all other funds to construct the project (the street improvements may cost more than the DIF collected)
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. The full $1.0 million may not be received and only after the Project is completed.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit all the required funds with the City before the City Council awards the contract
C) Existing DIF projects for Fiscal Year 2009-10 would not be constructed. The breach of existing projects under construction may expose the City to legal challenges.

Required City Action:
A) Amend CIP Plan to include Eucalyptus Avenue

improvements as a “Funded Project” for Fiscal Year 2009-10 and defund other street improvement projects. The reprioritization of DIF projects or DIF projects placed on hold may result in lost funds that have already been expended (i.e., matching funds).

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "D"

OPTION FOUR
City of Moreno Valley Constructs Eucalyptus Avenue with Developer Funds Underwritten by City Reserves

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):

A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepare bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the Project to its CIP Plan – (Reprioritization of CIP project list to include Eucalyptus Avenue improvements.)
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):

A) Highland Fairview to deposit $2 million to insure prompt payments to contractors within 30 days (per Public Contract Code) and be responsible for the entire cost of the street improvements
B) Highland Fairview must execute an agreement with the City and provide $2.0 million and grant the City quick full access to said fund. The developer, Highland Fairview will replenish the funds whenever the City draws down funds for payment of work or the City will stop all work on the Project.
C) City will redeem a portion of the 2007 Tax Allocation Bonds, Series "B" to cover the costs of the street improvements plus a ten percent (10%) contingency – to be used as collateral only. (Note: Due to significant General Fund budgetary deficit facing the City in FY 2010-11, redemption of up to $7 million of the 2007 Tax Allocation Bonds, Series "B" will also be submitted for Council's consideration as a Deficit Reduction Option. If both actions are authorized by Council, $14 million of the $22.5 million bond issue will be redeemed and no longer available for redevelopment purposes.) The redemption of the Bonds in the amount of $7 million for the project

must be backed by some form of security guaranteeing the City collateral of the street improvement project.

D) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds, when received. The full $1.0 million may not be received and only after the Project is completed.

Results:

A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
C) Other DIF projects would not have to be defunded and will be completed without interruption
D) Highland Fairview will have the street improvements completed with minimum impact on its fund balance
E) Highland Fairview will pay its DIF (i.e., Highland Fairview will not have to draw down its funds until work is completed.)
G) If the Project is completed as planned, the City will never have to use the pledged reserves

Obstacles:

A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the $2 million to cover the City's expenses to pay contractors. This amount must remain at $2.0 million throughout the Project's life except when $2.0 million remains for the completion less retention.
C) The construction of the street improvements would be placed on hold if there are insufficient funds in the developer's account which could place the City in a liable position if other funding sources could not be identified.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10
B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project
C) Authorize the City Manager to proceed with the redemption of $7 million of the 2007 Tax Allocation Bond, Series "B", to be used as collateral for the street improvement project
D) Instruct the City Manager to prepare an agreement with Highland Fairview outlining the terms and condition of the

City underwriting the cost of the street improvements for review and approval by the City Council. The agreement shall also require Highland Fairview provided sufficient surety or security of the City's' $7 million.

E) Instruct Staff to collect the $2 million deposit to construct the street improvements upon the execution of the agreement between the City and Highland Fairview

Exhibit "E"
Proposed List of DIF Projects for Reprioritization

	DIF Funded Projects Not Recommended for Re-Appropriation Consideration			
		(Updated on January13, 2010)		
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78526	Perris Blvd Widening/South City Limits to Cactus	$ 704,078	$ 670,000	**ROW Appraisals Underway. M**atching funds for $1.521 million in TUMF funds for ROW
78527	Cactus Ave EB 3rd Lane Imprv/I-215-Veterans Way	$ 316,715	$ -	**Design Done -** budget is practically expended.
78626	Reche Vista Realignment - Perris/Heacock N. City Limits	$ 548,149	$ 280,000	**Environmental and Design Underway with active contracts -** DIF funds are matching funds for $1.967 million in Federal STPL funds - budget is 80% expended.
78725	Pigeon Pass Widening/Climbing Rose to N. City Limits	$ 15,000	$ 3,000	**Project closeout work underway -** Construction Done - budget is 80% expended.
78726	Perris Blvd Widening/Ironwood to Manzanita	$ 742,665	$ 300,000	**ROW Acquisition Phase Underway -** DIF funds are matching funds for $631,000 in TUMF funds for ROW.
83127	Lasselle/Bay Street Improvement	$ 135,255	$ 20,000	**Construction done**
83227	Lasselle/Cottonwood Street Improvement	$ 147,393	$ 20,000	**Construction done**
83125	Graham Street Bridge/Sunnymead-Hemlock	$ 100,000	$ -	**Preliminary Project Report completed**
78827	Heacock Street Improvement/Hemlock St. to Ironwood Ave	$ 344,000	$ 140,000	**Design Almost done & ROW Acquisition Underway**
83327	Kitching/Eucalyptus Ave Improvement	$ 5,000	$ -	**Project closeout completed**
83328	Cactus EB 3rd Lane Improv/Veterans Way to Heacock	$ 398,506	$ -	**Design Almost Done -** budget is practically expended.
	Total Fund 416	$ 3,456,761	$ 1,433,000	
Fund 501	2005 Lease Revenue Bonds - Debt Serviced by DIF			
82125	Sunnymead Blvd - Frederick St to Perris Blvd	$ 2,196,392	$ -	**Construction underway -** Funds already expended as part of design and construction.
82425	Kitching Street - Alessandro Blvd to Gentian	$ 2,754,515	$ 2,100,000	**Construction Bids Opened and Award Scheduled for 1/26/10 Council Mtg. -** Portions of funds already expended in design and bid phases.
82625	Ironwood Ave - Heacock St to Perris Blvd	$ 1,046,670	$ 1,000,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid and remainder for Edison Pole Relocation**
82725	Lasselle - Alessandro Blvd to John F. Kennedy Blvd	$ 657,208	$ -	**Construction** 95% done - DIF monies is match for TUMF.
	Total Fund 501	$ 6,654,785	$ 3,100,000	
	Not Recommended for Re-appropriation Grand Total	$10,111,546	$ 4,533,000	

MV00053213

	DIF Funded Projects for Re-Appropriation Consideration			
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78624	Infill Projects at Various Locations	354,182	330,000	**Minimal Design Related work expended -** Loss of funding will result in continued bottlenecks in arterial roadways.
78825	Heacock St. / San Michele Ave to Gentian Ave	301,952	275,000	**Minimal Design Closeout work expended -** insufficient funding for construction
78727	Ironwood Ave - Heacock St to Perris Blvd	1,116,000	900,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid (set aside) and Needed SCE Relocation funding -** Loss of funds would significantly delay this project.
83128	Iris Ave Street Improvements / Indian-Perris	216,000	80,000	**Construction Done -** warranty walk remains
83428	Moreno Beach Widening/Cactus Ave to Auto Mall	370,000	275,000	**Contractual Preliminary engineering work has started -** approximately 25% monies expended.
	Consideration for Reappropriation Total	2,358,134	**1,860,000**	
	Grand Total of all Funding and Savings	12,469,680	6,393,000	
w:prem/cpd/admin/grants/slpp				

Exhibit "F"

Highland Fairview's
Proposition 1B Local Partnership
Program Grant Application

City of Moreno Valley
Eucalyptus Avenue

August 14, 2009

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

Friday, August 14, 2009

MORENO VALLEY

August 13, 2009

Hinda G. Blanchard, Executive Director
California Transportation Commission
Mail Station 52, Room 2231
1120 N Street
Sacramento, CA 95814

Re:	Application for Proposition 1B State Local Partnership Competitive Grant Program
Applicant:	City of Moreno Valley
Project:	Eucalyptus Street Improvements
Funding Request:	$1,000,000.00

Dear Ms. Blanchard:

The City of Moreno Valley is pleased to submit an application to the Proposition 1B State Local Partnership Competitive Grant Program for the Eucalyptus Street Improvements Project. The City respectfully requests $1,000,000.00 in capital grant funds for this important street improvement project, which will provide access to the Eastern Portion of Moreno Valley.

Specifically, the Eucalyptus Street Improvements Project includes the following improvements:

* Grading
* Utilities
* Street Paving
* Sidewalks
* Bike Trails
* Lighting

I am pleased to officially endorse the City's funding application for this project.

If you have any questions regarding the City's application, please do not hesitate to contact me at (951) 413-3020.

Thank you in advance for your time and the City looks forward to your review of our request.

Sincerely,

Robert G. Gutierrez
City Manager

CITY MANAGER'S OFFICE

MV00053217

2008 Project Programming Request
(Project Information)

Caltrans

Manual Instructions

☐ New Project	☐ Amendment (Existing Project)	Date:	08/15/08

Caltrans District	EA	PPNO	MPO ID	TCRP No.
08				

County	Route/Corridor	Project Sponsor/Lead Agency	MPO	Element
	Eucalyptus	City of Moreno Valley	SCAG	CO

Project Title

Eucalyptus Avenue Improvements

PM Bk	PM Ahd	Project Mgr/Contact	Phone	E-mail Address
		Rick Hartmann	951-413-3030	rickh@moval.org

Location, Project Limits, Description, Scope of Work, Legislative Description

Location: Eucalyptus Avenue between Redlands Blvd and Theodore Avenue in Moreno Valley, CA. Scope of work: Dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include two full travel lanes, raised landscaped median, a 12-foot landscaped parkway, and major sidewalk, public access improvements for its entire one mile length.

Component	Implementing Agency	AB 3080	Letter of No Prejudice
PA&ED	City of Moreno Valley	☐	☐
PS&E	City of Moreno Valley	☐	☐
Right of Way	City of Moreno Valley	☐	☐
Construction	City of Moreno Valley	☐	☐

Legislative Districts

Assembly:	63, 64 and 66	Senate:	37
Congressional:	45		

Purpose and Need

This program completes a major section of the roadway extensions that are necessary for Eucalyptus Avenue to extend across the entire City of Moreno Valley.

Project Benefits

Eucalyptus Avenue is one of the most important arterial highway links in the City's Circulation Plan. It presently extends through the westerly portion of the City of Moreno Valley but will ultimately extend from east to west across the entire City, providing an important link in the circulation network for the City, but perhaps more importantly, serving as an alternative to SR60 running east-west through the region.

Project Milestone		Date
Project Study Report Approved		N/A
Begin Environmental (PA&ED) Phase		Complete
Circulate Draft Environmental Document	Document Type: N/A	Complete
Draft Project Report		N/A
End Environmental Phase (PA&ED Milestone)		Complete
Begin Design (PS&E) Phase		Pm1 Compl
End Design Phase (Ready to List for Advertisement Milestone)		N/A
Begin Right of Way Phase		N/A
End Right of Way Phase (Right of Way Certification Milestone)		N/A
Begin Construction Phase (Contract Award Milestone)		Fall 2009
End Construction Phase (Construction Contract Acceptance Milestone)		Fall 2011
Begin Closeout Phase		N/A
End Closeout Phase (Closeout Report)		N/A

Form Version Date: 10/1/07

2008 Project Programming Request
(Funding Information)

Amount in thousands and rounded to the programmed year. Date: [illegible]

County	CT District	PPNO	TCRP Project No.	EA
	08			

Project Title: Broadway Avenue Improvements

Existing Total Project Cost									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Implementing Agency
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON									
TOTAL									
Proposed Total Project Cost									
E&P (PA&ED)									
PS&E		118,000	744,875					862,875	
RW SUP (CT)									
CON SUP (CT)			90,000	120,000	30,000			240,000	
RW									
CON			1,936,864	2,380,473	845,819			5,163,156	
TOTAL		118,000	2,771,825	2,755,473	875,819			6,265,915	

Fund No. 1:	Uniform Development Impact Fees								Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E		118,000	744,875					862,875	
RW SUP (CT)									
CON SUP (CT)			90,000	120,000				240,000	
RW									
CON			936,864	1,638,264				2,575,128	
TOTAL		118,000	1,771,825	1,758,264				3,678,089	

Fund No. 2:	Multi Local Partnership Program Grant								Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON			1,000,000					1,000,000	
TOTAL			1,000,000					1,000,000	

2008 Project Programming Request
(Funding Information)

(dollars in thousands and rounded to the programmed year) Date: 08/11/08

County	CT District	PPNO	TCRP Project No.	EA
	08			

Project Title: Eucalyptus Avenue Improvements

Fund No. 1: Developer — Program Code

Existing Funding									
Components	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)					31,000			30,000	
R/W									
CON				1,484,217	845,618			2,199,835	
TOTAL				1,484,217	876,618			2,199,835	

Fund No. 2: — Program Code

Existing Funding									
Components	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund No. 3: — Program Code

Existing Funding									
Components	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

Table of Contents

1. Proposed Capital Improvement Project
2. Project Status
3. Project Funding
4. Project Benefits
5. Supporting Transportation and Land Use Planning Goals
6. Appendix
    a. Adopted Uniform Developer Fee Municipal Code
    b. Designated Truck Route Map
    c. City Circulation Plan
    d. Master Plan of Trails
    e. Bikeway Plan
    f. WRCOG Regional Highway System Map
    g. Street Improvement Plans

City of Moreno Valley Proposition 1B State Local Partnership Program Application

Eucalyptus Avenue

Narrative

1. Proposed Capital Improvement Project

The City of Moreno Valley is seeking State Local Partnership Program funds for the Eucalyptus Avenue project, which includes dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for its entire one mile length. When complete, the segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way and extensive landscaping.

The project specifically targets Eucalyptus Avenue between Redlands Boulevard and Theodore Avenue.

Eucalyptus Avenue is one of the most important arterial highway links in the City of Moreno Valley's Circulation Plan. It presently extends through the westerly portion of the City, but will ultimately extend from east to west across the entire City, providing an important link in the City's circulation network. And perhaps more importantly, it will serve as a secondary highway system and alternative route to State Route 60, running east-west through the region. Presently, the next-closest parallel highway southerly of State Route 60 is Alessandro Boulevard, approximately 1.5 miles away.

As development on the east side of Moreno Valley progresses, the extension of Eucalyptus Avenue will serve as a significant component in the growth of the community and the creation of critical jobs-producing development. This one-mile length of Eucalyptus Avenue will also provide substantial and immediate circulation improvements to serve the needs of the approved employment centers in the immediate area which are estimated to provide 2,500 permanent employees, 1,100 construction jobs, and $157 million in economic benefits to the region.

The project improvements are an incremental part of the development of Eucalyptus Avenue, which will ultimately run across the entire City. This link will be developed in conjunction with other adjacent arterial improvements to provide a complete street system providing access to approved and pending employment centers in the area. The construction of these initial increments will encourage additional growth which will facilitate further roadway improvements.

2. Project Status

The Eucalyptus Avenue project is covered by a fully certified EIR and design drawings are in the final approval stage. Construction is scheduled to commence in Fall 2009 with an estimated completion date of 2011.

3. Project Funding

Total project costs are estimated at $6,285,915. The City of Moreno Valley respectfully requests $1,000,000 in State Local Partnership Program competitive grant funds.

Additionally, $3,105,080 in Development Impact Fees (uniform developer fees) are allocated for this segment of Eucalyptus Avenue. $2,159,835 million will be funded by a local developer.

While the City of Moreno Valley is part of the Riverside County Transportation Commission (which will receive SLPP formula funding), the Commission is not drawing down formula funds at this time. In communication exchanges with the Commission, they have decided to draw down funds at a future date for large projects scheduled to commence construction in 2011.

4. Project Benefits

Economic Benefit. The construction of Eucalyptus Avenue will facilitate the development of several employment center projects in the immediate vicinity, bringing thousands of jobs and millions of dollars in economic growth to the Moreno Valley area. A well-designed primary and secondary highway system to provide safe, efficient access to project sites is a significant consideration in the decision to develop such much-needed projects.

Air Quality. The construction of Eucalyptus Avenue will improve local air quality by providing circulation alternatives to distribute traffic on multiple routes, thereby minimizing congestion and accompanying negative environmental effects associated with idling vehicles. This project includes a raised landscaped median and an adjacent landscaped parkway/trail area introducing additional landscape improvements to the vicinity.

Multi-Modal. The ultimate Eucalyptus Avenue street improvements accommodate multiple modes of transit. A major four-lane arterial highway, sidewalks, a bike trail, a multi-use trail, and public transit facilities (bus turnouts) will encourage alternate modes of travel, as well as recreational uses.

More specifically, the Eucalyptus improvements include the development of pedestrian sidewalks, and the accommodation of multi-use trails and hike trails where none exist today. Several bus turn-outs are provided in the Eucalyptus plans which will accommodate the expansion of public transit to the area. Adjacent development has been designed to accommodate these bus turnouts and also to provide convenient paths of travel into nearby projects.

Safety and Safety Improvements. Eucalyptus Avenue will provide a significant element of safety to the region by providing a parallel alternative to State Route 60 in the event of an emergency. In addition, the proposed street improvements will enhance the safety of pedestrians and cyclists as well as the motoring public by providing well-designed, efficient facilities, minimizing opportunities for conflict. These facilities will also provide safe, efficient alternative modes of travel to and from major employment centers in the community.

Cost Effectiveness. The Eucalyptus project will be constructed according to the City's latest design and construction standards and is expected to have a useful life of more than 25 years. The proposed improvements also tie in to future improvements that will be constructed to accommodate growth as a result of residential, commercial and industrial development in this growth-targeted area of the City.

Matching Funds: Matching funds in the total of $3,108,000 are provided through City Development Impact Fees (uniform developer fees.) The City has made Eucalyptus Avenue a priority for these funds due to significant interest in private development in the project area as well as its important role as a regionally significant arterial.

Reliability: The proposed project will construct a new section of Eucalyptus Avenue to link Redlands Boulevard and Theodore Street. This is important for reliability because currently, the traveling public must use other, less direct routes to travel from east to west within the city and also to access the state highway system. This new direct link will allow the public to reasonably expect travel can occur quicker with fewer delays.

5. Supporting Transportation and Land Use Planning Goals

Eucalyptus Avenue improvements are included in the following plans:

- City's Master Circulation Plan
- City's Development Impact Fee (DIF) Program
- City's Capital Improvement Plan

6. Appendix

Chapter 3.42 COMMERCIAL AND INDUSTRIAL DEVELOPMENT IMPACT FEES

Note

* Prior ordinance history: Ords. 350 and 632.

3.42.010 Purpose and intent.

A. This chapter establishes commercial and industrial development impact fees, consisting of each of the fees set forth. The commercial and industrial development impact fee is intended to recover from each new commercial, industrial and other nonresidential development, its reasonable share, as determined in accordance with Government Code Section 66000, et. seq., of the cost of each type of public facility and infrastructure improvements for which a fee is established hereunder needed to serve the development on which the fee is imposed; to ensure implementation of, and consistency with, the city's general plan; and to protect the public health, safety and welfare by ensuring that adequate public facilities and related improvements will be constructed and made available to serve new nonresidential development concurrent with the need.

B. The city council has determined that the fees established by this chapter shall be collected from applicants of development projects for the cost of public facilities and infrastructure improvements that serve or will benefit each commercial, industrial and other non-residential development, and to reimburse the city for expenditures previously made which benefit that development in accordance with the city's adopted development impact fee study, as updated and readopted from time to time.

C. The fees imposed under this chapter are in addition to any other fees, dedications, construction requirements or other exactions imposed as a condition of approval for the development project, or under the provisions of any state or federal law, other provisions of this code, or city resolutions and policies.

D. Wherever used, terms describing types of facilities and/or infrastructure improvements shall have the meaning given to them in the city's general plan and/or capital improvement plan, as adopted and amended from time to time. (Ord. 695 § 1.2 (part), 2003)

3.42.020 Compliance with chapter.

No commercial, industrial or other nonresidential development project shall be approved unless the public facility improvements necessary to serve the development project exist or will be constructed as a condition of approval of the project to satisfy the requirements of the city's general plan and/or capital improvement program, as approved from time to time. No developer, property owner, or other person or entity shall be eligible to receive building permits, nor any occupancy permits, for any commercial, industrial or other nonresidential development project unless the provisions of this chapter have first been complied with and the fees required hereunder have been paid for that project. The requirements of this chapter are hereby imposed as a condition of development approval for each commercial, industrial and other nonresidential development project in addition to being a requirement of this code. The city may impose such additional conditions of approval as are necessary or appropriate to implement the purposes of this chapter, including, but not limited to, construction of public facility improvements and/or reimbursement agreements for constructed improvements in accordance with city policies and procedures. (Ord. 695 § 1.2 (part), 2003)

3.42.030 Arterial streets commercial and industrial development impact fees.

Arterial streets commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the arterial street improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. The fees referred to in this section were calculated to include only the arterial street improvements and do not include costs for freeway interchange improvements, local streets, or collector streets. (Ord. 695 § 1.2 (part), 2005)

3.42.040 Traffic signals commercial and industrial development impact fees.

Traffic signals commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the traffic signal improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.050 Interchange improvements commercial and industrial development impact fees.

Interchange improvements commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the interchange improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.060 Fire facilities commercial and industrial development impact fees.

Fire facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, fire service facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.070 Police facilities commercial and industrial development impact fees.

Police facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, police services facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.080 City Hall facilities commercial and industrial development impact fees.

City Hall commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, City Hall facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.090 Corporate yard facilities commercial and industrial development impact fees.

Corporate yard facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the city corporate yard facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.100 Maintenance equipment commercial and industrial development impact fees.

Maintenance equipment commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, to the extent permitted by law, the major maintenance equipment needs of the city provided for in its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.110 Credit for improvements provided by developers.

Credit against a commercial and industrial development impact fee may be given for qualifying facilities and improvements constructed as part of each commercial and industrial development project in accordance with city policies and procedures. The applicant shall be responsible for providing sufficient evidence of the eligibility and

cost of such facilities and improvements to the satisfaction of the city's public works director/city engineer, who will determine whether the evidence is satisfactory to render a fee credit, and will determine the amount of fee credit, which shall not exceed the projected costs of such facilities and improvements for purposes of establishing the affected impact fee. (Ord. 695 § 1.2 (part), 2005)

3.42.130 Credit for existing development.

If the development project involves improvements, or a change of use to an already existing development, commercial and industrial development impact fees will only be applied to the portion of the project that represents an increase in demand for city facilities. (Ord. 695 § 1.2 (part), 2005)

3.42.150 Adoption of fees and fee revisions.

The amount of any commercial and industrial development impact fee may be amended annually or from time to time by a resolution of the city council in accordance with the procedures and based upon the findings set forth in Government Code Section 66000, et seq., for such fees. The city council may authorize by resolution annual adjustments to the commercial and industrial development impact fees to account for the escalation in construction costs, based upon the figures published in the Engineering News Record's Building Cost Index—20 Cities Annual Average. Land costs may be evaluated annually and adjusted, as necessary, based on the current market conditions at the time. (Ord. 695 § 1.2 (part), 2005)

3.42.140 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective. (Ord. 695 § 1.2 (part), 2005)

City of Moreno Valley
Overall Bicycle Master Plan
Legend
Bicycle Facilities
Class I Multi-Use Trail
Class II Bicycle Lane
Class III Bicycle Route
Class IV Separated Bikeway
Other Facilities
Bicycle Parking
Bicycle Rental
Bicycle Repair Station
Other Roads
Freeway
Major Arterial
Minor Arterial
Collector
Local
Other Features
Parks
Schools
Developing Area
Developing Track Routes
Map

MORENO
VALLEY
FIGURE 14
CIRCULATION PLAN

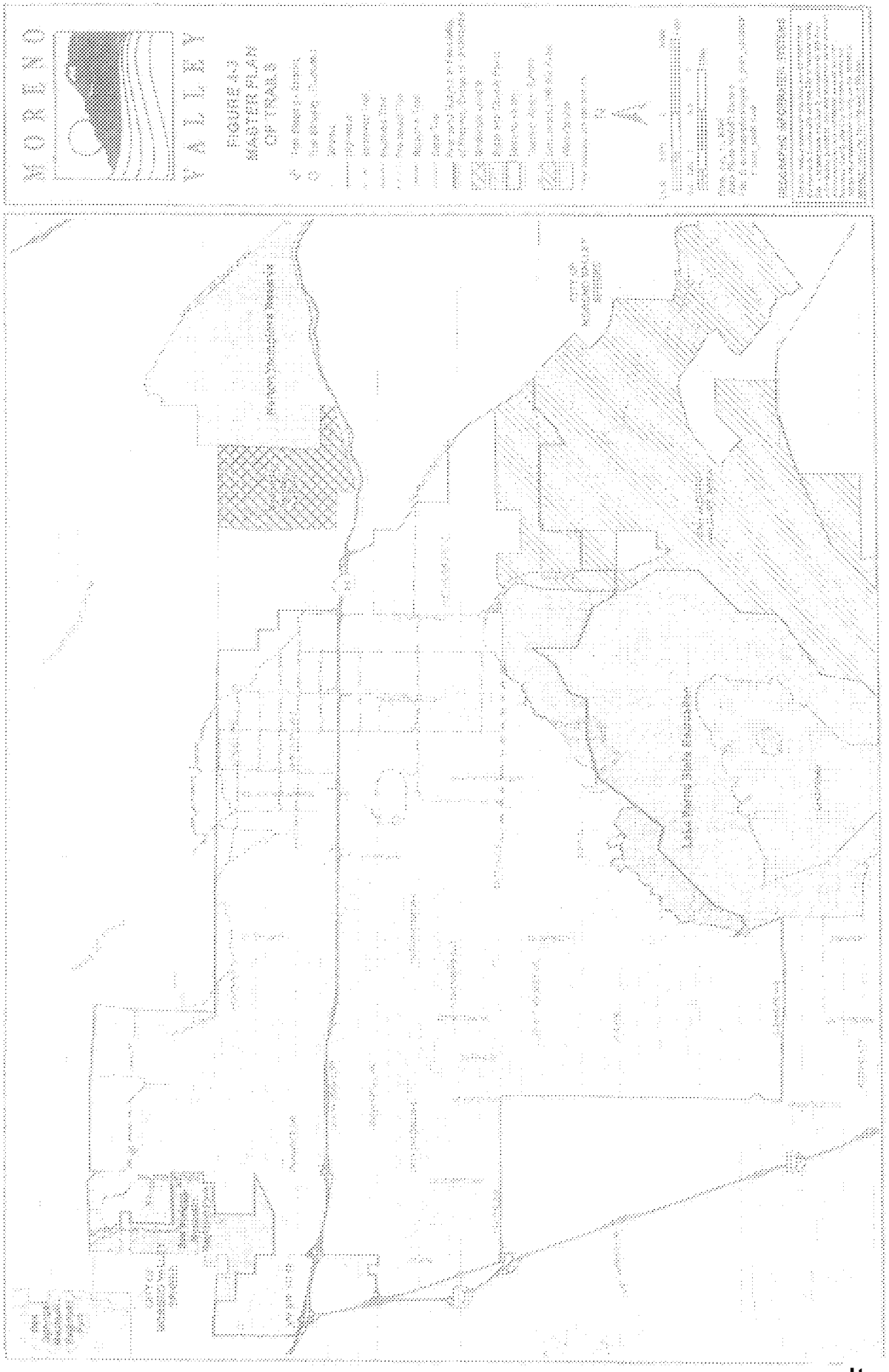

Item No. G.2

MORENO
VALLEY
PHASE 2A
DRAINAGE PLAN

Figure 4.1
The Regional
System of
Highways &
Arterials for
Western
Riverside
County
Future Lanes
Regional System
of Highways
Freeway
Arterial

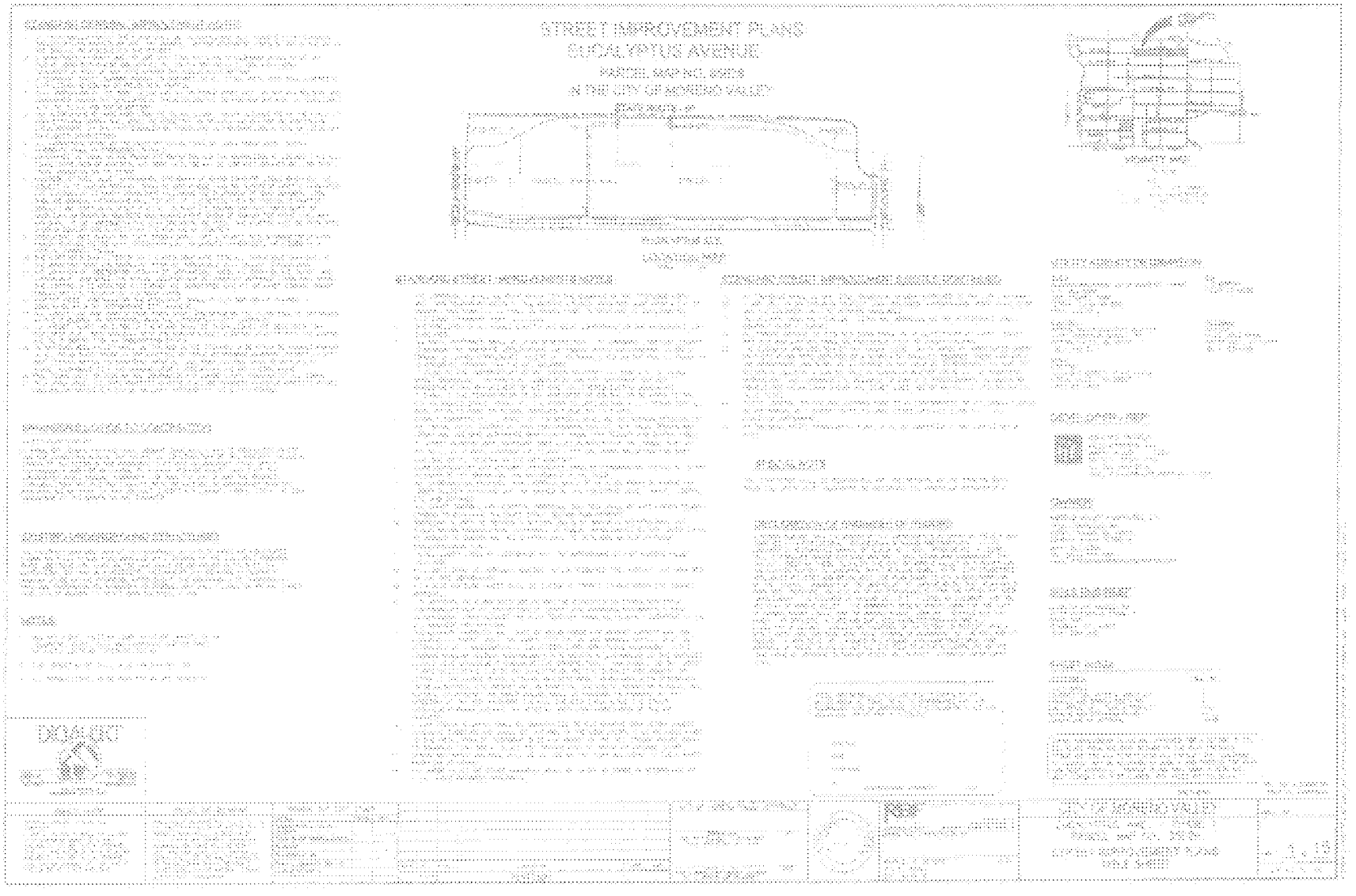
STREET IMPROVEMENT PLANS
EUCALYPTUS AVENUE
IN THE CITY OF MORENO VALLEY
DRAFT

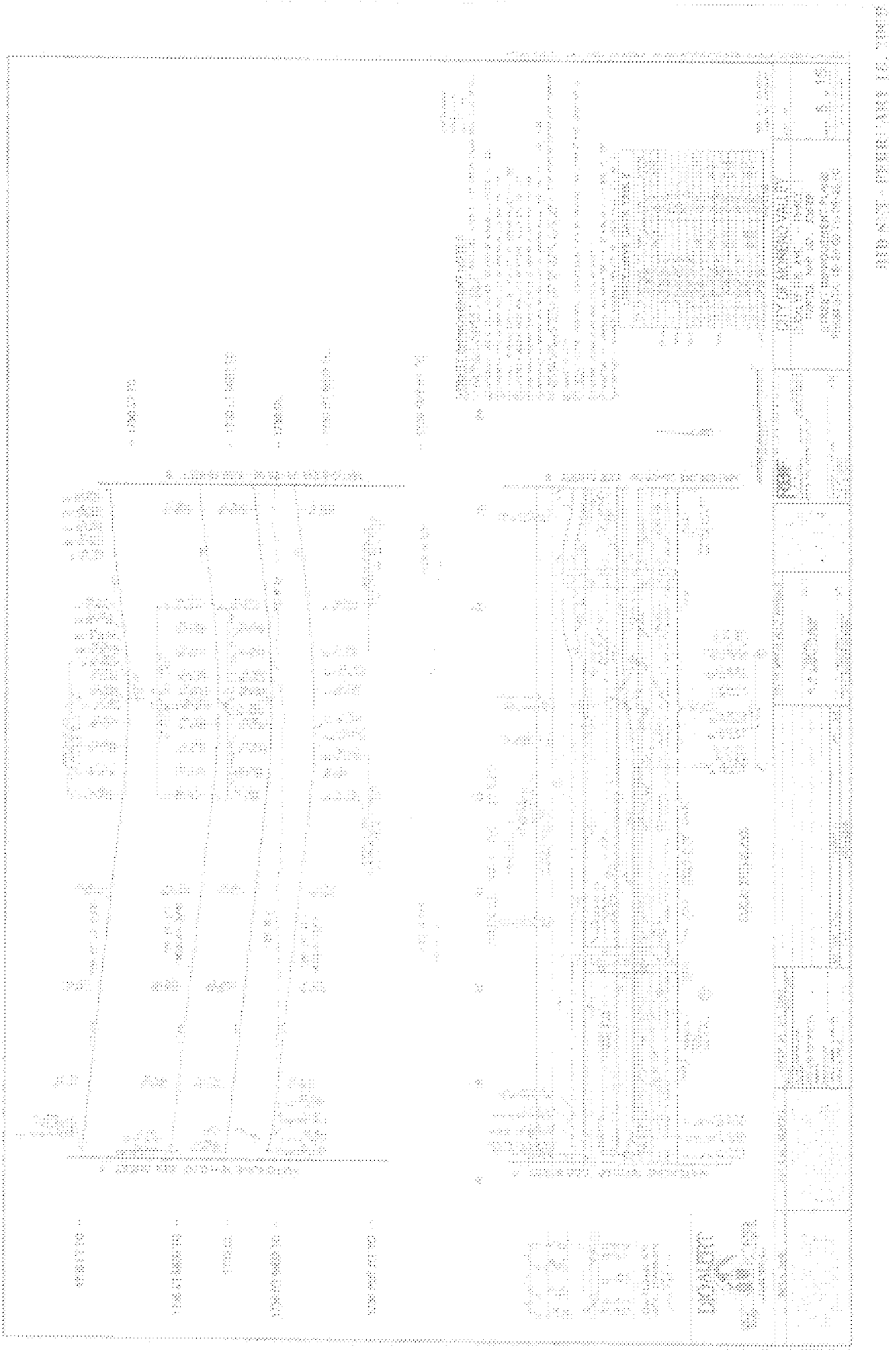

MV00053239

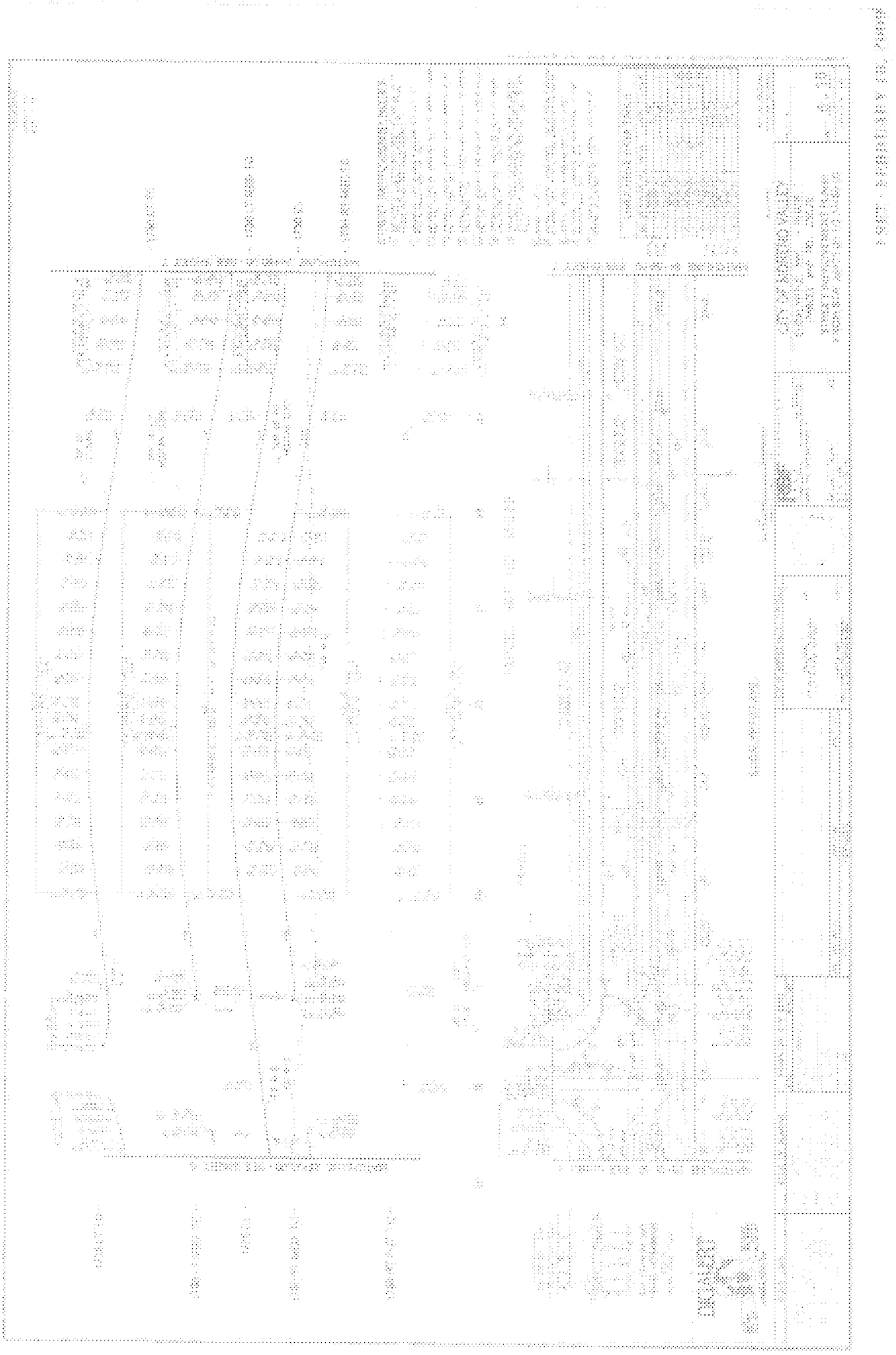

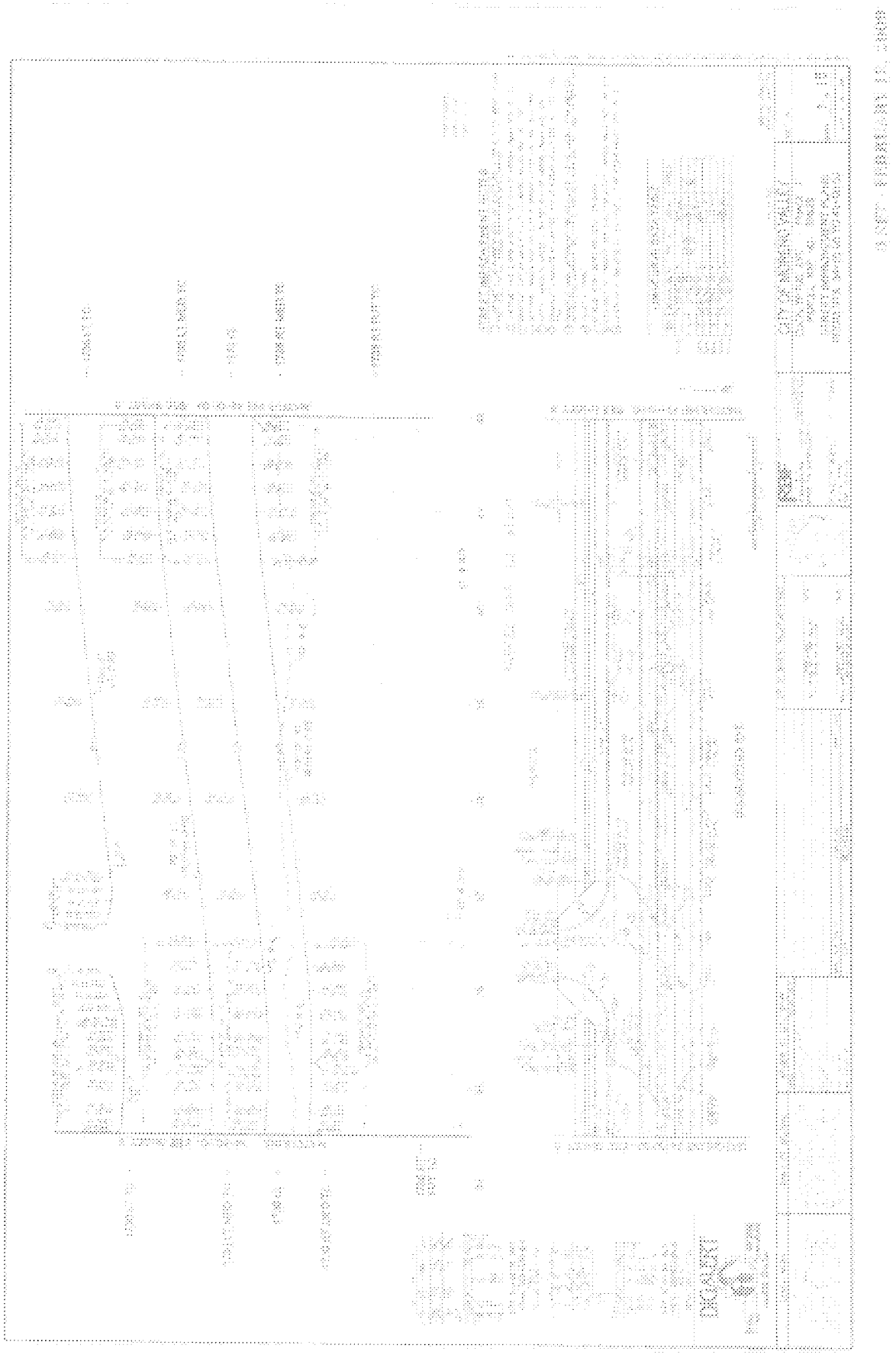

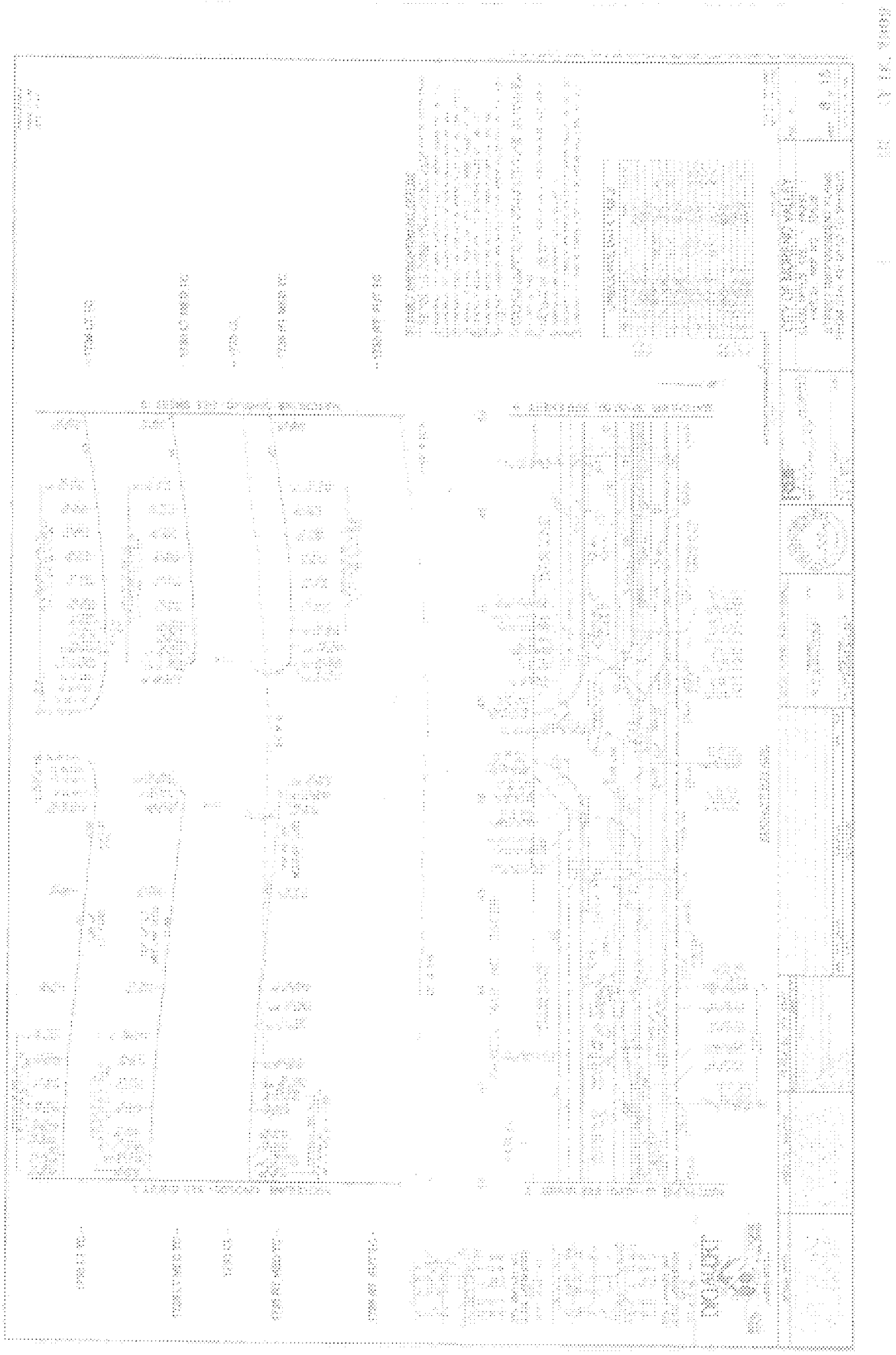

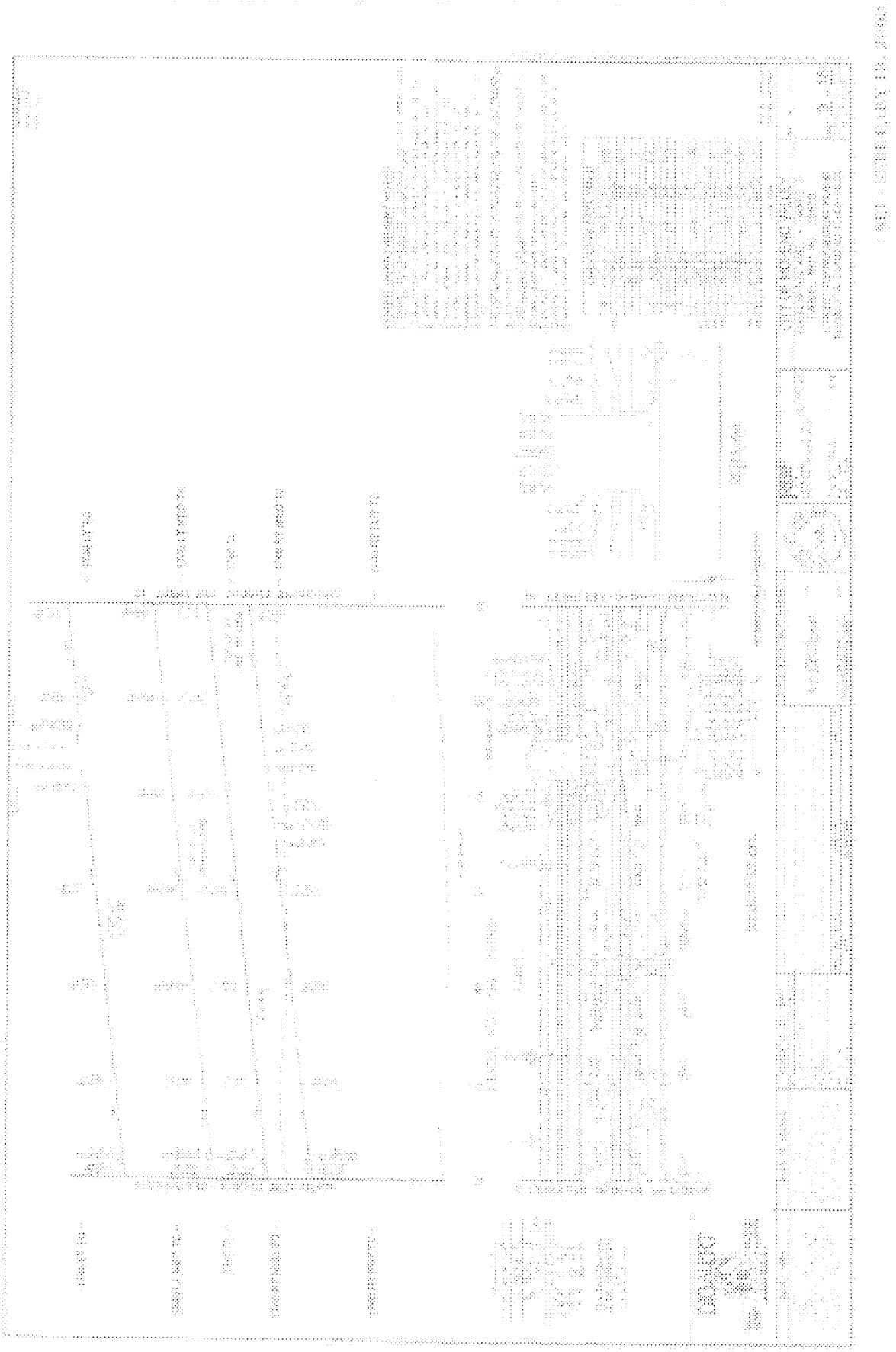

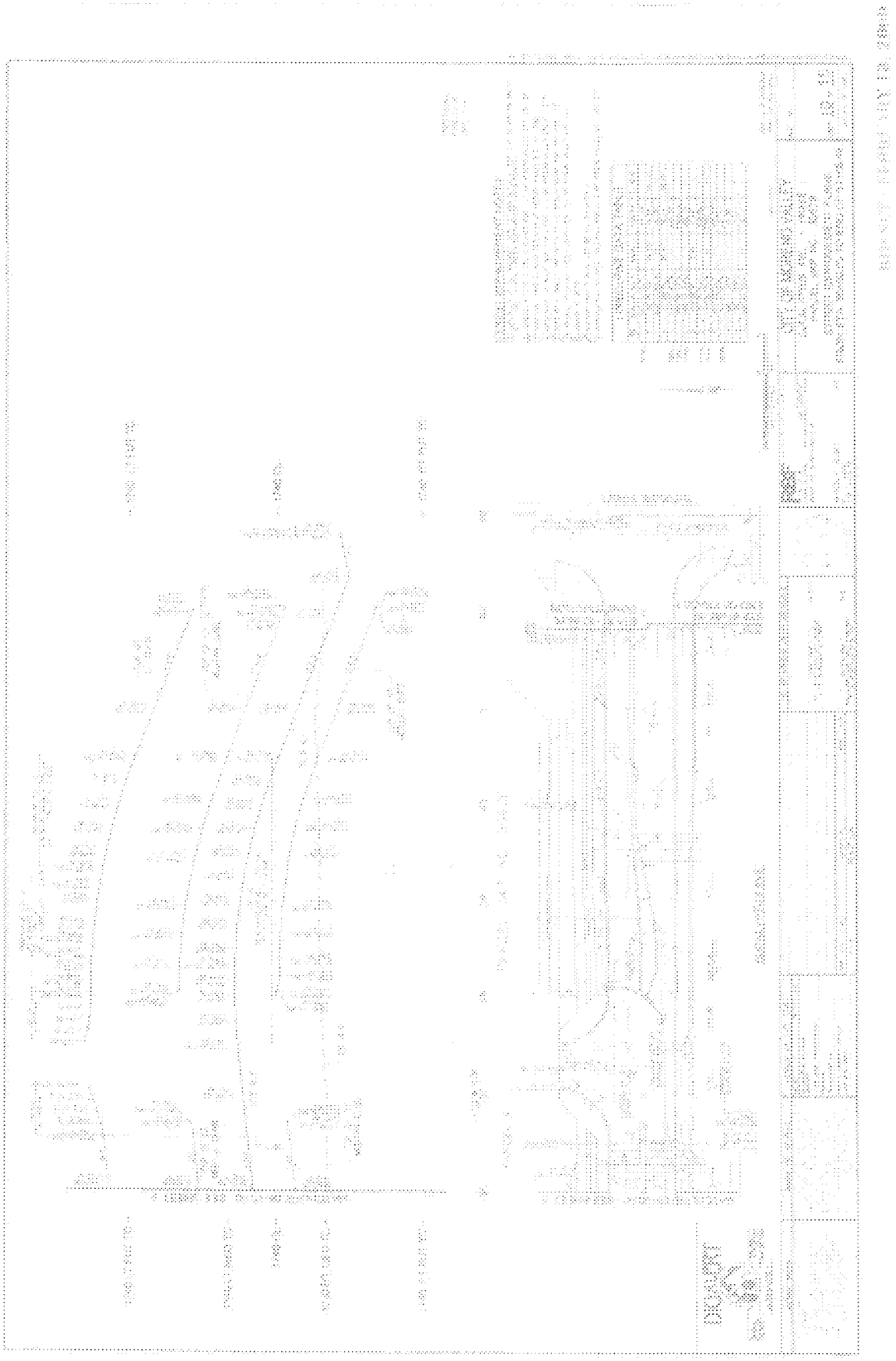

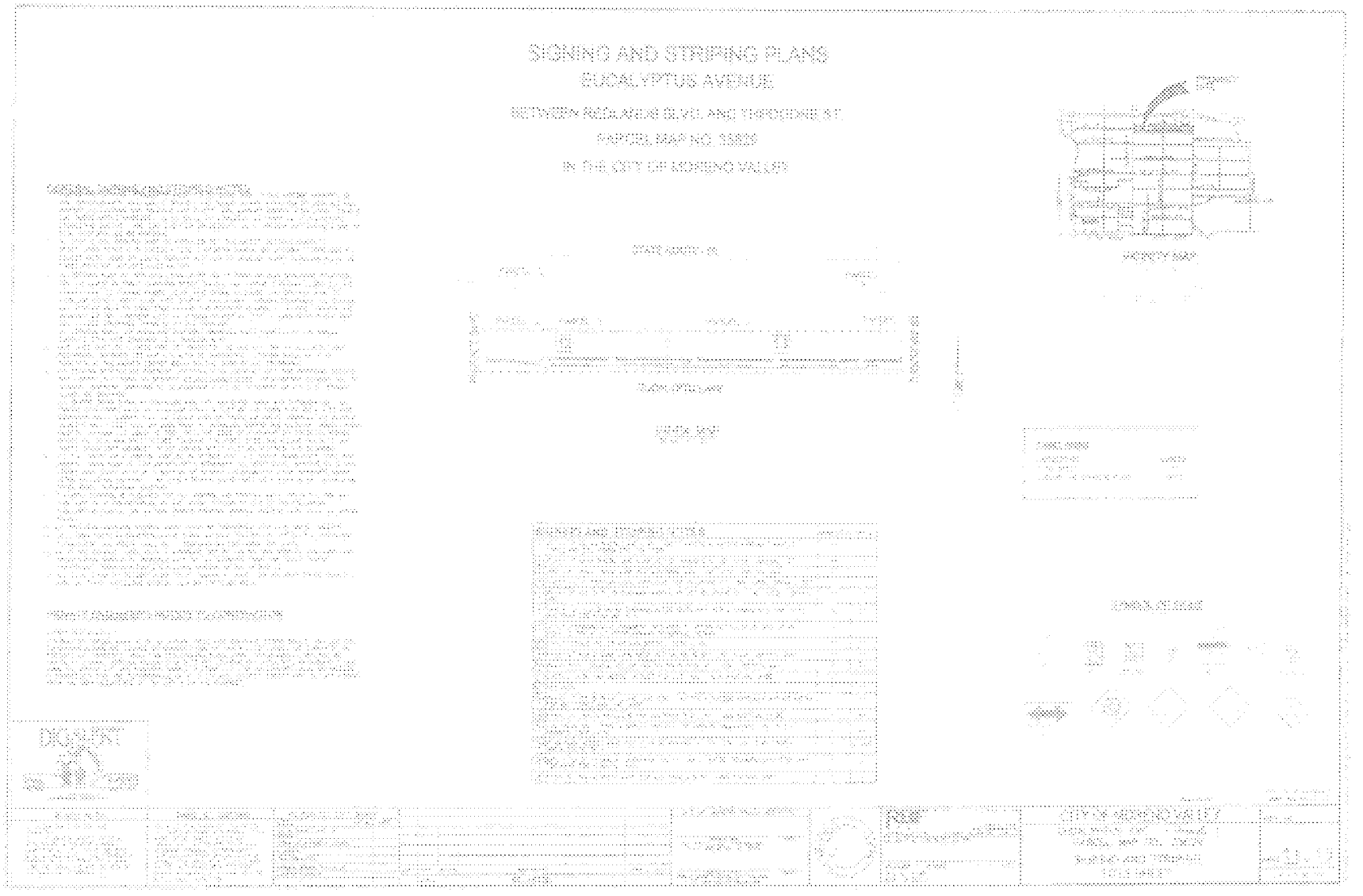
SIGNING AND STRIPING PLANS
EUCALYPTUS AVENUE
BETWEEN INDIANA BLVD. AND THORNTON ST.
PARCEL MAP NO. 5555
IN THE CITY OF MORENO VALLEY
DO NOT
CITY OF MORENO VALLEY

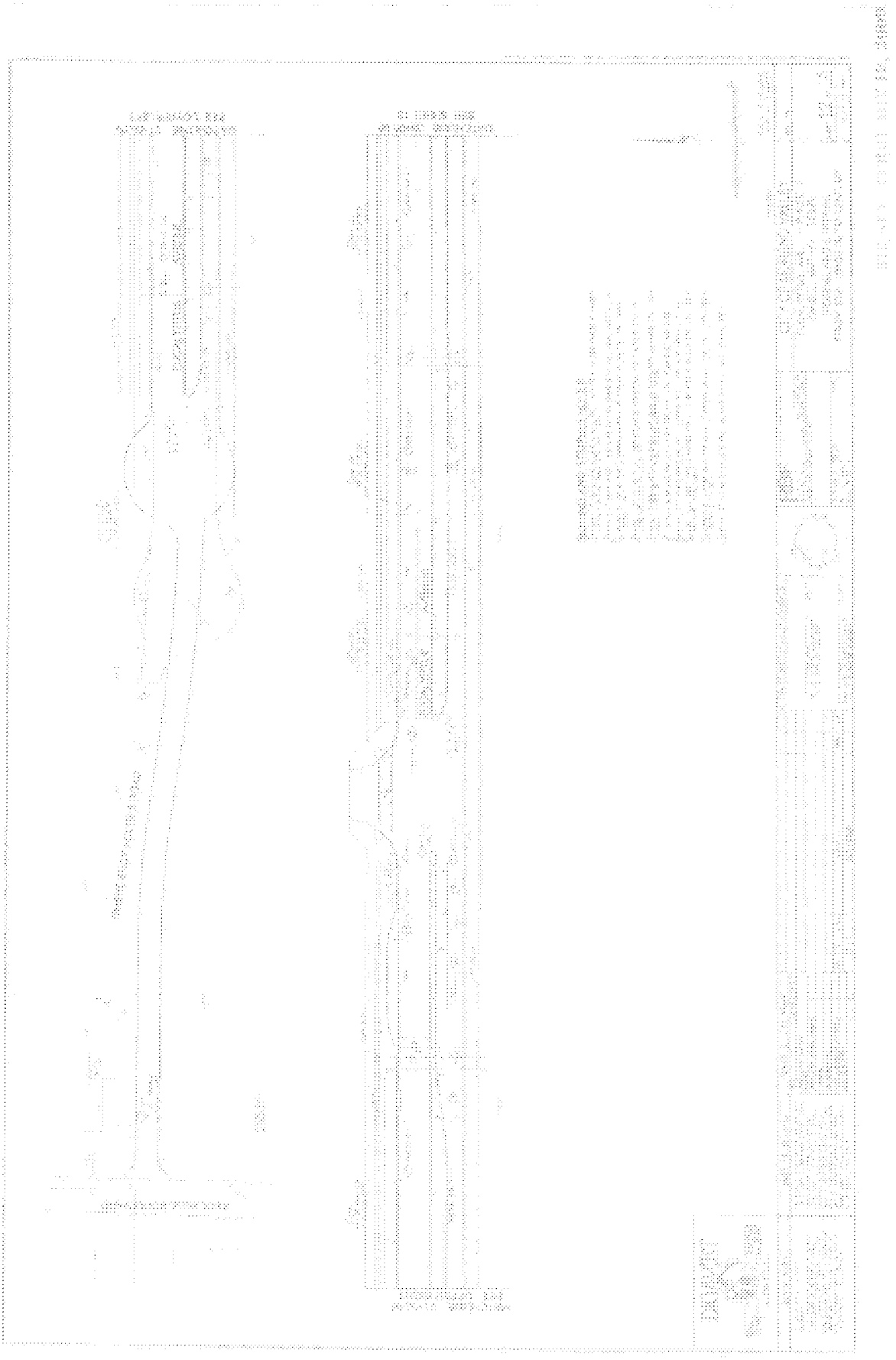

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MV00053247

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 27, 2010 (continued from April 13, 2010)

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00053251

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

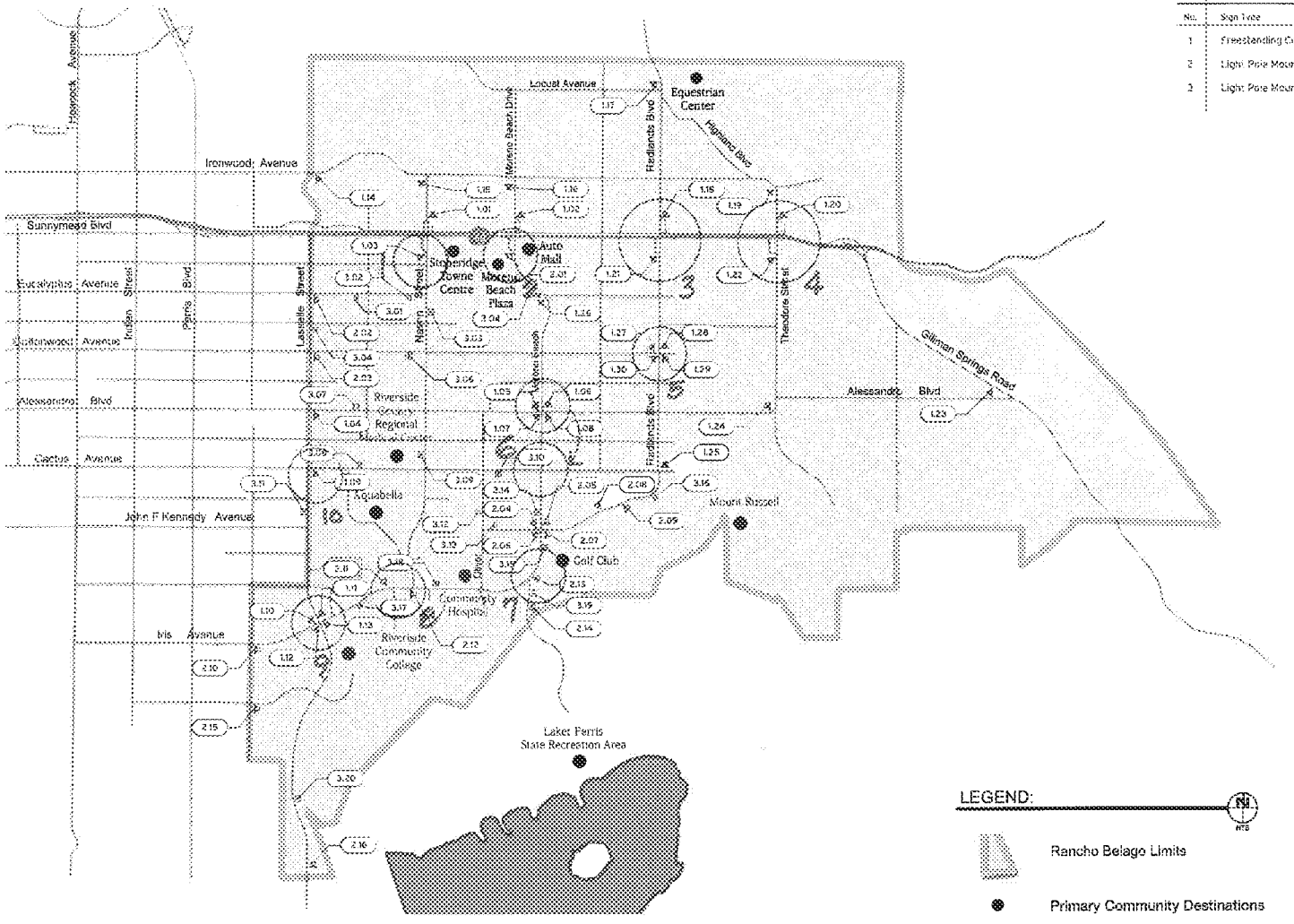

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.3

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00053257

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

The Design Factor

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Fax: (949) 643-2863

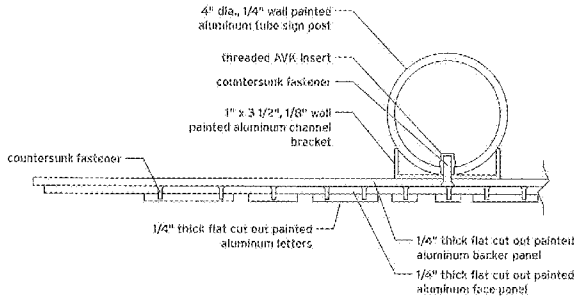

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

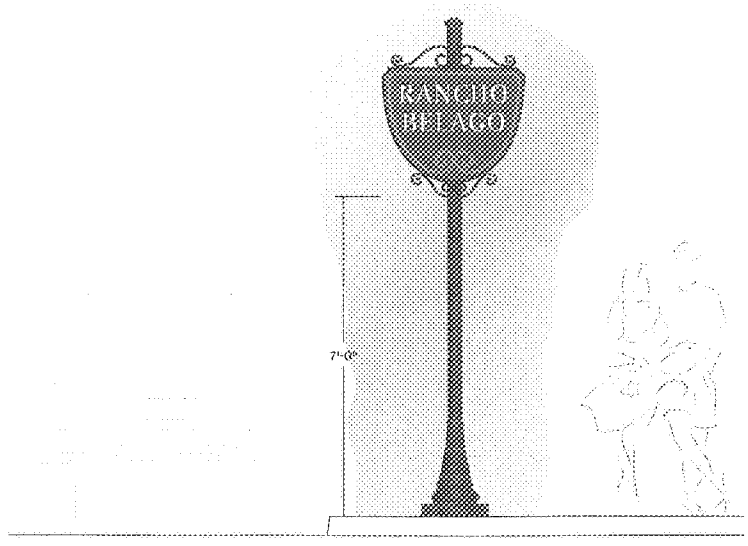

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

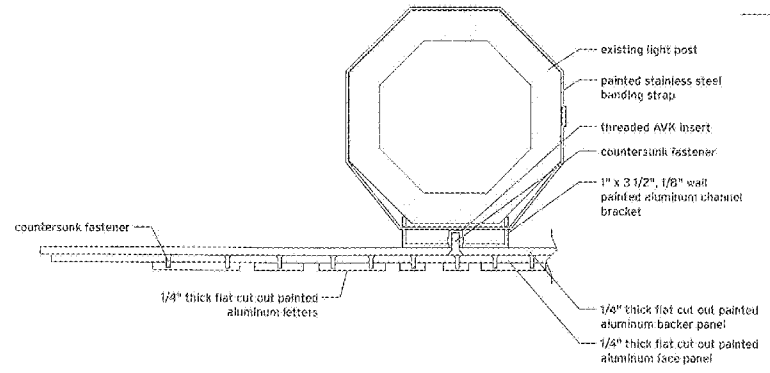

A Details

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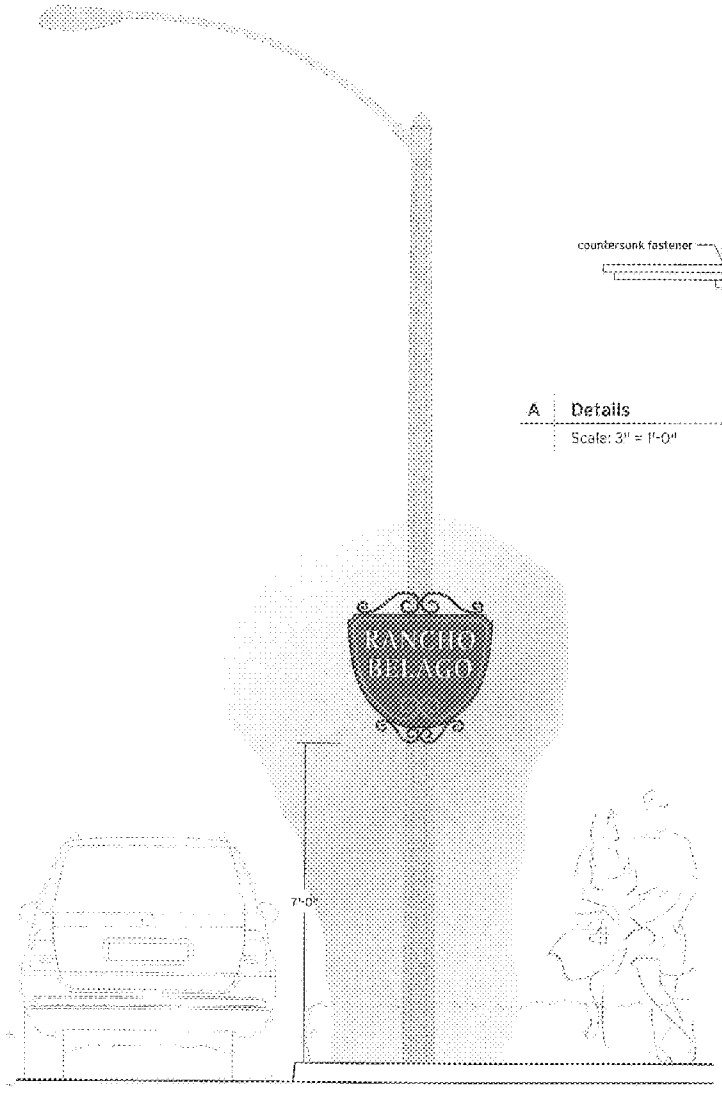

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
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Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

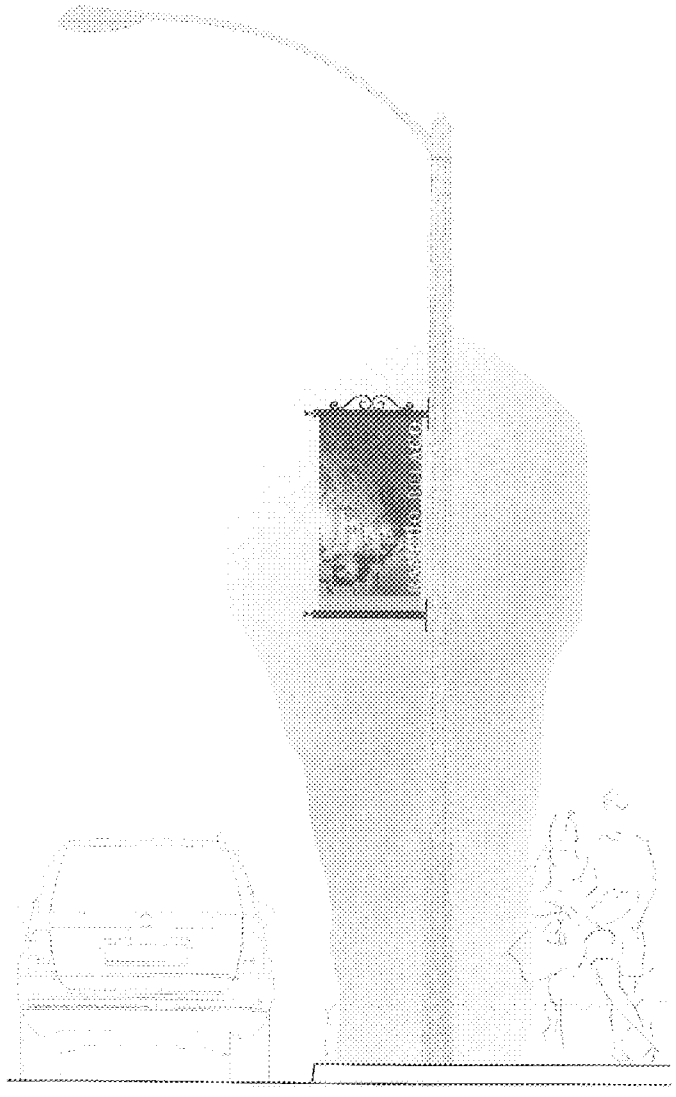

1 Elevation

Scale: 3/8" = 1'-0"

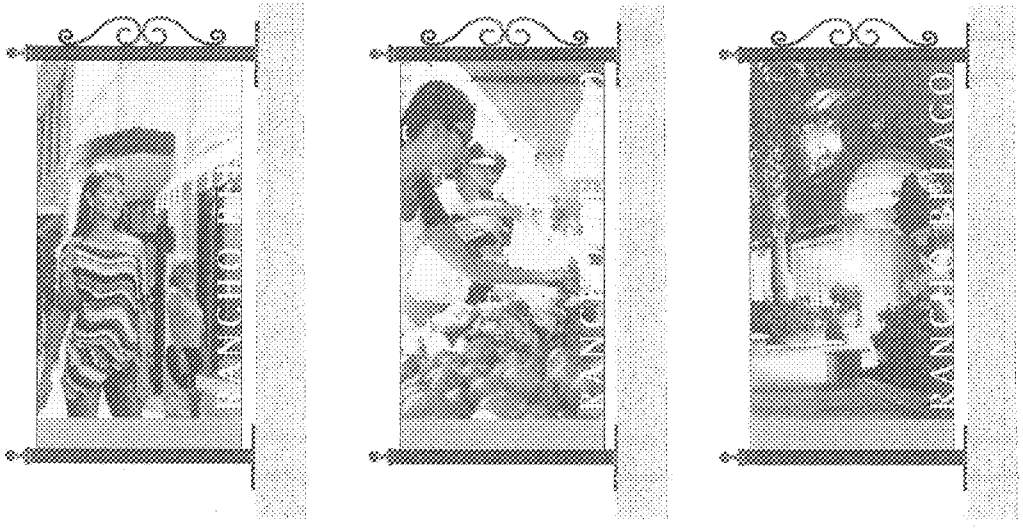

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00053263

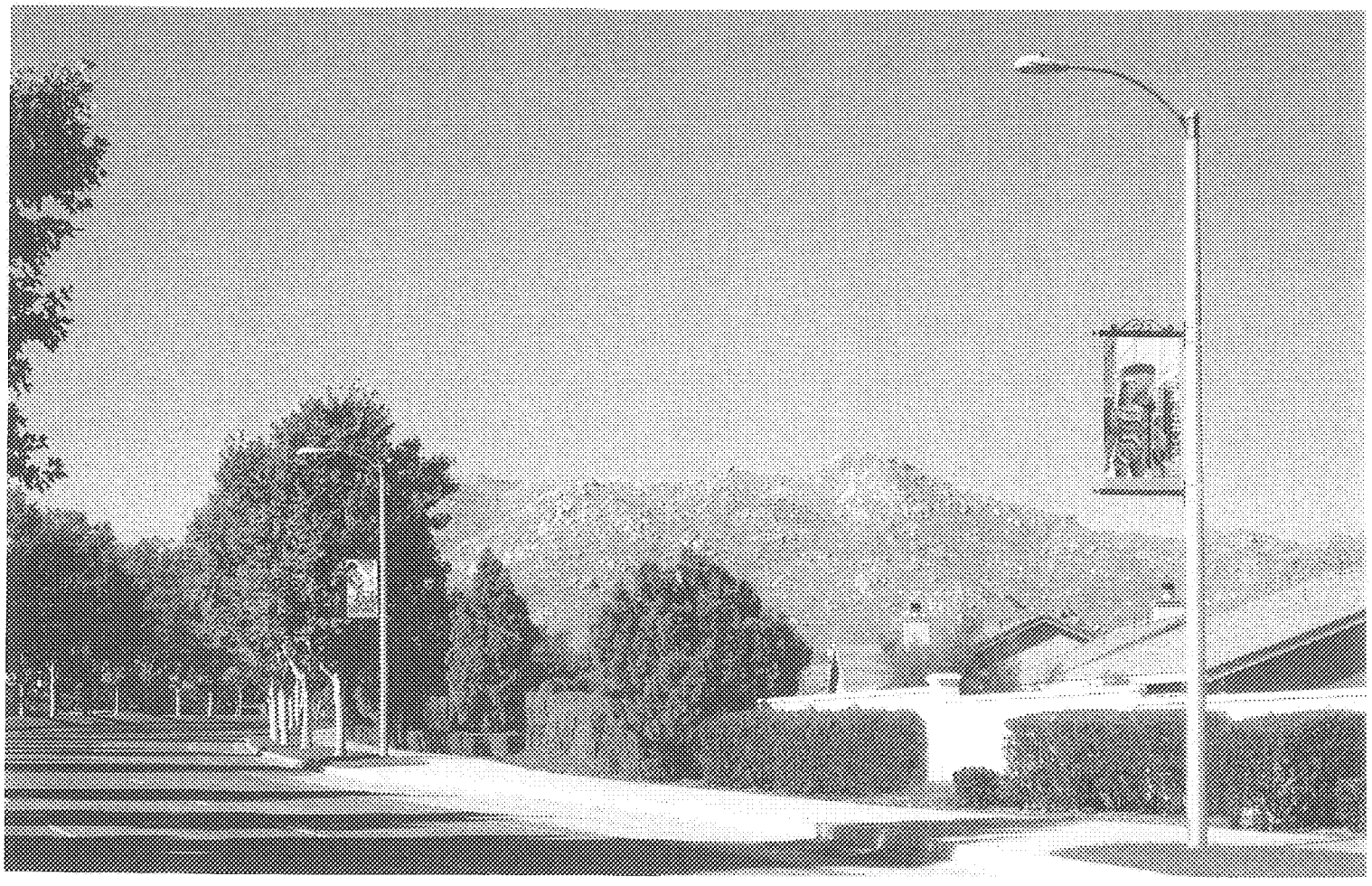

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

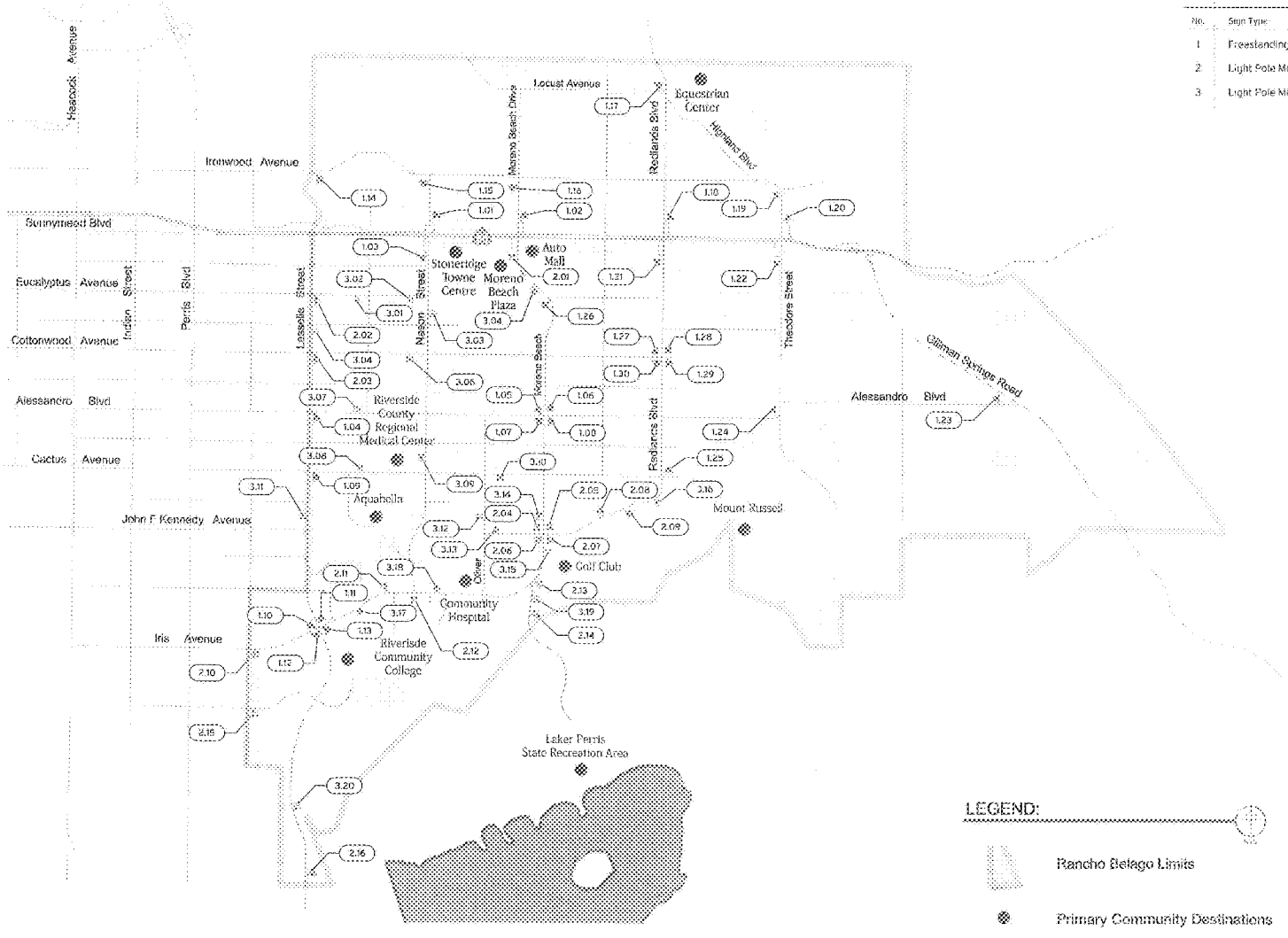

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
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Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00053265

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

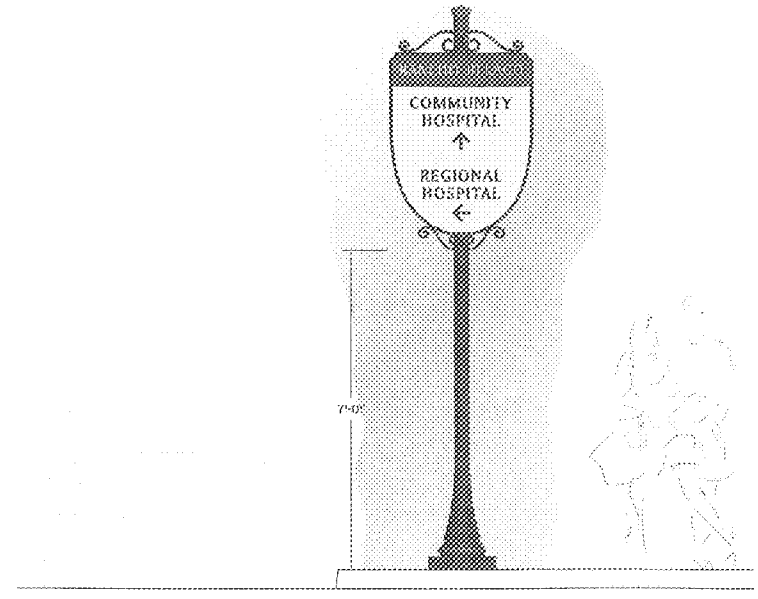

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

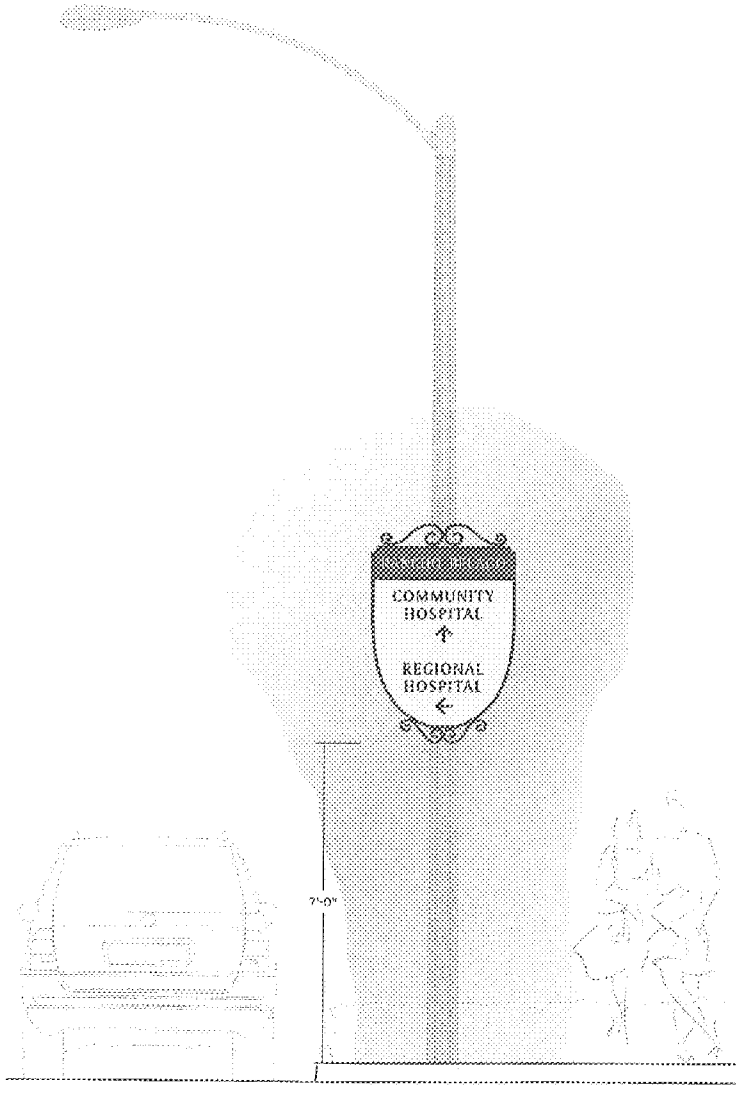

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

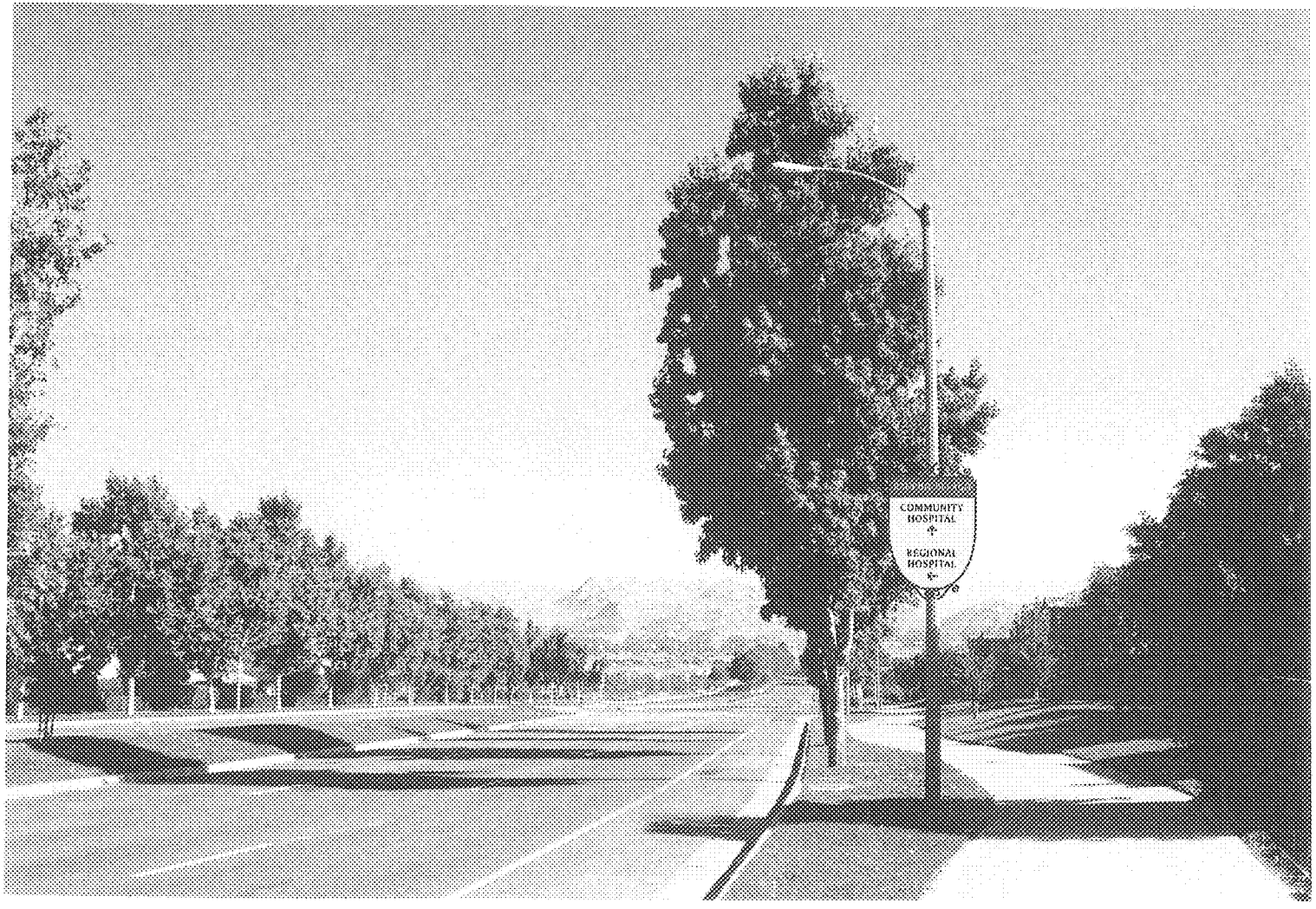

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00053269

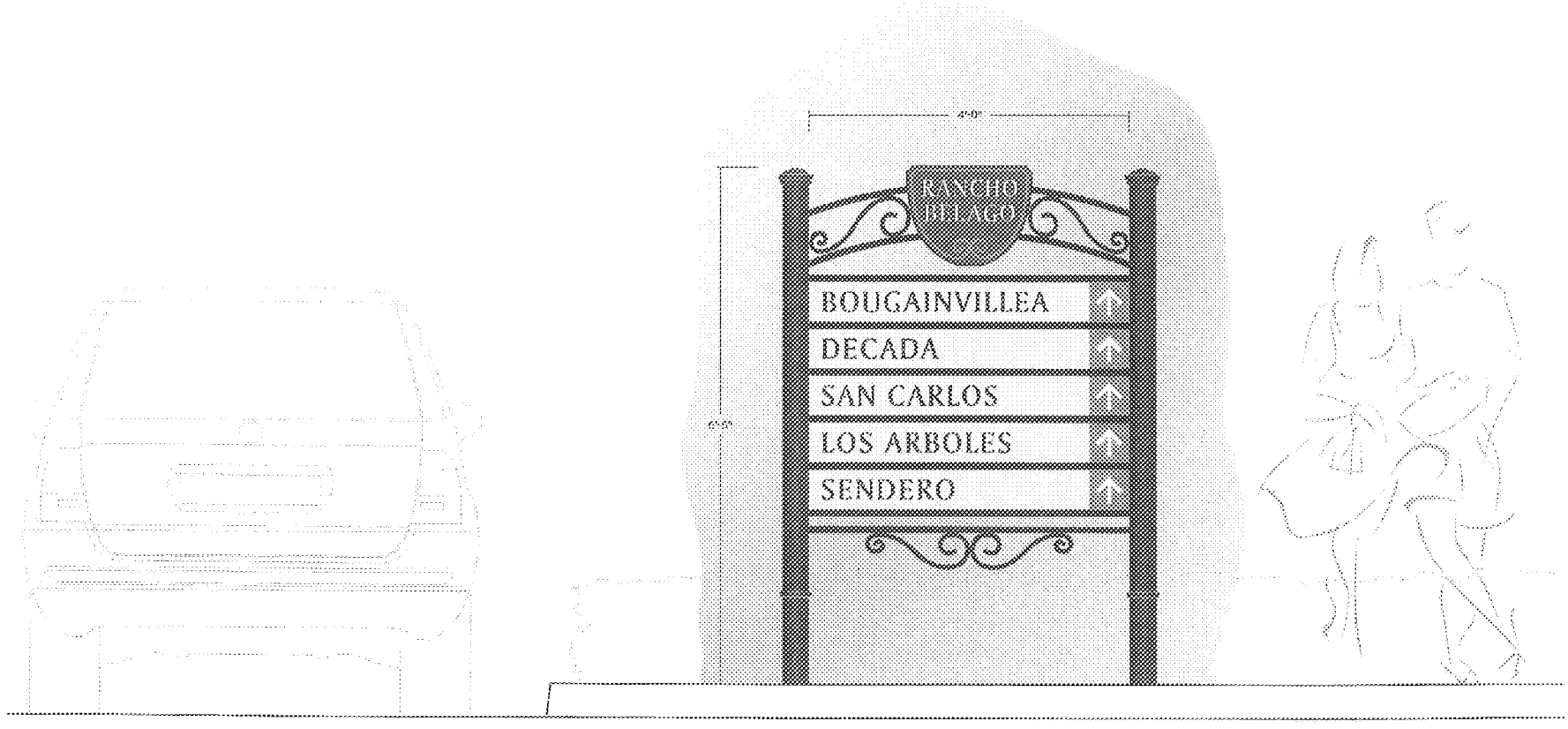

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

MV00053271

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

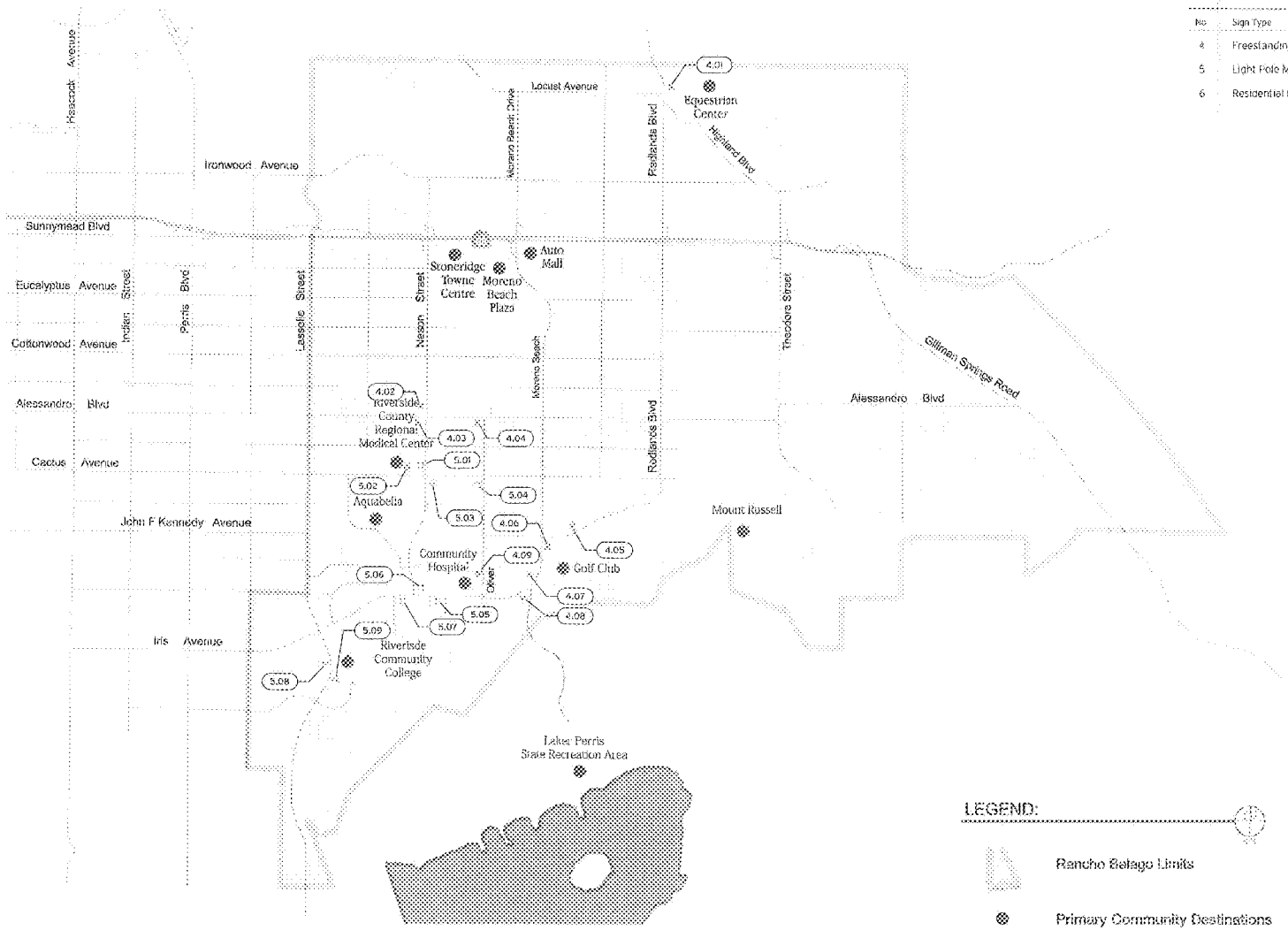

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00053273

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00053275

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

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Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

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Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

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Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

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Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

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Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
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Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

	Permitted Uses Table 9.02.020-1
X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains

b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
March 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1) Proclamation Recognizing Boy Scouts of America 100th Anniversary

2) Proclamation Recognizing Child Abuse Prevention Month

3) "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
March 23, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Molina.

INVOCATION - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Prem Kumar	Assistant City Engineer
Abdul Ahmad	Battalion Chief

MV00053299

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A5).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 3-16, 2010.

A.4 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:
Receive and file the Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2009.

A.5 APPROVAL OF CHECK REGISTER FOR JANUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-17, approving the Check Register for the month of January, 2010 in the amount of $12,733,166.62.

Resolution No. 2010-17

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of January,

2010

A.6 RESOLUTION NO. 2010-18 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR STATE FUNDED PROJECT NO. SR2SL-5441 (047) AND FUNDING APPROPRIATION FOR DRACAEA AVENUE SIDEWALK IMPROVEMENTS, UNDER THE SAFE ROUTES TO SCHOOL (SR2S) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Accept the grant award of up to $210,000 in state funds for Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program;

2. Adopt the proposed Resolution No. 2010-18 approving and authorizing the Public Works Director/City Engineer to execute the Program Supplement Agreement No. 0G76 Rev. 000 to the existing Administering Master Agency-State Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program; and

Resolution No. 2010-18

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. OG76 Rev. 000 to the Administering Existing Agency-State Master Agreement No. 00196S for State Funded Project No. SR2SL-5441 (047), Dracaea Avenue Sidewalk Improvements, under the Safe Routes to School (SR2S) Program

3. Authorize the appropriation of $254,000 from unencumbered Measure "A" (Fund 125) fund balance for the design and construction costs for Dracaea Avenue Sidewalk Improvements.

A.7 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR THE TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT REDLANDS BOULEVARD AND STATE ROUTE 60 WESTBOUND RAMPS - PROJECT NO. 08-12566927 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Traffic Signal and Street Improvements at Redlands Boulevard and State Route 60 Westbound Ramps, in that mitigation measures included in the Mitigated Negative Declaration and Initial Study which will ultimately

MV00053301

be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.8 AUTHORIZATION TO AWARD AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES FOR MORRISON PARK FIRE STATION - PROJECT NO. 11-43472527(Report of: Public Works Department)

Recommendation:

1. Approve an "Agreement for Design Professional Consultant Services" with STK Architecture, Inc., 42095 Zevo Drive, Suite A-15, Temecula, CA 92590, to provide architectural and engineering design (A&E) and construction contract administration services;

2. Authorize the City Manager to execute said "Agreement for Design Professional Consultant Services" with STK Architecture, Inc.;

3. Authorize the issuance of a Purchase Order to STK Architecture, Inc. in the amount of $765,900 (proposal amount of $696,273 plus 10% contingency) when the agreement has been signed by all parties from Account No. 897.91729; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the agreements with STK Architecture, Inc. up to, but not exceeding, the 10% contingency amount of $69,627 subject to the approval of the City Attorney.

A.9 APPROVE BILLBOARD RELOCATION AND RECONSTRUCTION AGREEMENT WITH LAMAR CENTRAL OUTDOOR REGARDING THE RELOCATION OF AN EXISTING OUTDOOR ADVERTISING DISPLAY SIGN TO FACILITATE THE I215/SR60 CONNECTOR PROJECT (Report of: Community Development Department)

Recommendation:
Authorize the City Manager to execute the Billboard Relocation and Reconstruction Agreement with Lamar Central Outdoor.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING REGARDING PA07-0007, A PROPOSAL TO AMEND TITLE 9 OF THE MUNICIPAL CODE REGARDING: (1) TRASH ENCLOSURES, (2) PARKING STANDARDS FOR NAIL SALONS AND HOTELS, (3) ON STREET PARKING STANDARDS FOR CUL-DE-SAC LOTS, AND FLAG LOT WIDTH STANDARDS, (4) SERVICE STATION DESIGN, (5) RETAINING WALLS, (6) CONSOLIDATE PARKING AND CIRCULATION SECTION OF DESIGN GUIDELINES INTO CHAPTER 9.11 PARKING AND LOADING REQUIREMENTS, (7) PARKING LOT PLANTER ISLANDS, (8) ADD A DIMENSION STANDARD FOR TRAILER PARKING SPACES AND A REQUIREMENT FOR THE NUMBER OF TRAILER PARKING SPACES REQUIRED, (9) PERMITTING PERSONAL

MV00053303

SERVICES IN THE (OC) OFFICE COMMERCIAL AND (BPX) BUSINESS PARK MIXED USE ZONES, AND (10) ADDING SECTIONS 9.03.040 (E)(7) AND 9.03.040 (F)(3) TO THE RESIDENTIAL SITE DEVELOPMENT STANDARDS THAT WAS INADVERTENTLY LEFT OUT OF THE CODE AMENDMENT APPROVED ON SEPTEMBER 22, 2009 (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. RECOGNIZE that PA07-0007 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the CEQA Guidelines; and

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. INTRODUCE Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) on Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the number of Trailer Parking Spaces required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) adding sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards that was inadvertently left out of The Code Amendment approved on September 22, 2009

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 FY 2010/11 PROJECT SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS (Report of: Economic Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing, which was received from Judy Nieburger.

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) to allow public comment on the proposed social service programs for FY 2010/11; and

2. Review and select for funding the social service, housing, and economic development programs to be included in the City's FY 2010/11 Annual Action Plan.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Robin Hastings gave an update on WRCOG's trip to Washington, D.C. to get support for AB811 which will allow the retrofitting of pre-2000 homes in Moreno Valley. Visited the Department of Energy, HUD and the elected officials. WRCOG is still in the running for several large grants from the Department of Energy, and should hear from them in the next 30 days. A financial consultant was hired, and applications for AB811 funds can start being accepted in September. Another trip to Washington, D.C. is planned in September.

G.2 APPROVAL OF THE MORENO VALLEY PARKS, RECREATION, AND OPEN SPACE COMPREHENSIVE MASTER PLAN (Report of Parks and Community Services)

Mayor Flickinger opened the agenda item for public comments, which were

MV00053305

received from Pete Bleckert, Deanna Reeder and Marcia Amino.

Recommendation: That the City Council:
Acting in their respective capacities as the President and Members of the Moreno Valley Community Services District, approve the Parks, Recreation, and Open Space Comprehensive Master Plan.

Motion to continue the item by m/Board Member William H. Batey II, s/Board Member Jesse L. Molina
Approved by a vote of 4-1, Vice-President Robin N. Hastings opposed.

G.3 APPOINTMENT TO THE RECREATIONAL TRAILS BOARD (Report of: City Clerk's Department)

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

Recommendation: That the City Council:

1. Appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012; or

2. If appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

Motion to appoint Vivian Joneswhye-Brock to the Recreational Trails Board with a term expiring June 30, 2012, approved by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.4 LOAN AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND MV RANCHO DORADO LIMITED PARTNERSHIP FOR THE RANCHO DORADO SOUTH AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

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

Recommendation: That the City Council and RDA

1. The Redevelopment Agency Board approve the Loan Agreement between the Community Redevelopment Agency of the City of Moreno Valley and MV Rancho Dorado Partnership for the Rancho Dorado South affordable housing project; and

2. The Redevelopment Agency Board authorize the appropriation

MV00053306

of $1,300,000 from the RDA's 20% Set Aside funds (FUND 894) for FY 2009-10.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

G.5 APPROVAL OF INVESTMENT POLICY REVISIONS (Report of: Financial & Administrative Services Department)

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

Recommendation: That the City Council:
Approve the proposed revisions to the City's Investment Policy.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A brief recess was taken, and reconvened at 8:12 p.m. Mayor Pro Tem Hastings left the meeting.

G.6 UPDATE TO ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reader.

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("Board") authorize the Mayor (CSD Board President) to send a letter to Southern California Edison requesting a waiver of all streetlight fees should it be necessary to potentially de-energize (turn off) streetlights. This request would also include waiving monthly utility bills for streetlights while lights are de-energized and waiving any re-energization (turn on) fees;

2. Review and comment on the proposed public outreach and education efforts to be implemented for the CSD Zone B (Residential Street Lighting) program; and

3. Authorize a reballot of the CSD Zone B (Residential Street Lighting) program, as set forth in Section VIII of the Policy For

MV00053307

Conducting Mail Ballot Proceedings.

Authorized the Mayor (CSD Board President) to send a letter to Southern California Edison as outlined in the staff report, conduct a somewhat diminished outreach program with lower costs, to include door hangers and authorize to reballot the CSD Zone B with the goal of keeping the costs absolute minimal.
Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 4-0-1, Vice-President Robin N. Hastings absent.

G.7 A RESOLUTION FOR A GENERAL PLAN AMENDMENT (PA08-0020) FROM OFFICE/RESIDENTIAL (R/O) TO COMMUNITY COMMERCIAL (CC) AND AN ORDINANCE FOR A CHANGE OF ZONE (PA08-0019) FROM OFFICE COMMERCIAL AND RESIDENTIAL 15 (R15) TO NEIGHBORHOOD COMMERCIAL (NC) FOR PROJECT APPROVED AT THE JANUARY 26, 2010, CITY COUNCIL MEETING. THE PROJECT CONSISTS OF TWO LOTS WITH A TOTAL OF 1.34 ACRES LOCATED ON THE SOUTHWEST CORNER OF DRACAEA AVENUE AND DAY STREET. THE APPLICANT IS WINCHESTER ASSOCIATES, INC. (Report of: Community Development Department)

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

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-19 approving General Plan Amendment PA08-0020 from Office/Residential (R/O) Use to Community Commercial (CC) thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Map as attached to the Resolution as Exhibit A; and

Resolution No. 2010-19

A Resolution for an approval of a General Plan Amendment (PA08-0020) from Office/Residential (R/O) to Community Commercial (CC). The project consists of two lots with a total of 1.34 acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

MV00053308

Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

3. Introduce Ordinance No. 809 approving PA08-0019 Change of Zone from Office Commercial/Residential 15 (OC/R) to Neighborhood Commercial, based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A.

Ordinance No. 809

An Ordinance of the City Council of the City Of Moreno Valley, California, Approving PA08-0019 to change the Land Use District from Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The project consists of two Lots with a total of 1.34 Acres located on the southwest corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Mayor Pro Tem Robin N. Hastings absent.

G.8 POTENTIAL NEIGHBORHOOD IDENTIFICATION SIGN PROGRAM (ORAL DISCUSSION) (/Molina/Stewart)

Mayor Flickinger opened the agenda item for public comments, which were received by Susan Gilchrist, Pete Bleckert, Marcello Co, Deanna Reeder, Raul Wilson, Conchetta Germain, Victoria Baca and Louise Palomarz.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

Defer and printed in the City Manager's Report

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS – NONE

MV00053309

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

Victoria Baca
1. DUI Checkpoints

Raul Wilson
1. DUI Checkpoints

Lorena Santa Cruz
1. DUI Checkpoints

Alicia Espinoza
1. DUI Checkpoints

Librada Murillo
1. DUI Checkpoints

Scott Heveran
1. High School 5

Deanna Reader
1. High School 5

Susan Gilchrist
1. Firearms

Jose Chavez
1. DUI Checkpoints

Elizabeth Sanchez
1. DUI Checkpoints

Nelly Isidoro
1. DUI Checkpoints

Patricia Campos
1. DUI Checkpoints

Matthew Shannon
1. DUI Checkpoints

A brief recess was taken, and reconvened at 10:23 p.m.

Paul Darr
1. DUI Checkpoints

Blanca Salgado
1. DUI Checkpoints

Marcia Amino
1. City Issued Credit Cards
2. Car Allowances

Liz Gallegus
1. DUI Checkpoints

Louisa Palomarz
1. Public Comments
2. DUI Checkpoints

Xochilt Salgado
1. DUI Checkpoints

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Jesse L. Molina

1) Thanked the public for their patience in waiting to speak. Is not a fan of checkpoints. Someone in Sacramento is giving money to arrest drunk drivers; nothing good comes out of checkpoints except for a few arrests. It was a shame some liberties are taken away after fighting for them for so long. Caught in the middle, and one day a line will have to be drawn with this Council unless Council changes. Made a motion to get rid of DUI checkpoints.

   Motion died due to a lack of a second.

Council Member Richard A. Stewart

1) The issue of drivers licenses is not a city issue, it's a state issue. Driving is not a right, it's a privilege, and there are lot of restrictions on who can get a license and what you have to do to earn one. Driving without a license is a misdemeanor in California. The cities of Riverside, San Bernardino and Perris have checkpoints. Checkpoints are funded by grants from the State of California. A significant number of cars are also taken from people driving with suspended or revoked

MV00053311

drivers licenses. The checkpoints are not diverting police from other activities because they are paid for by State grants. The checkpoints are complying with what the County Council and the District Attorney has said is the law. The State of California needs to address the drivers license issue. People will call and say they want this program to continue.

2) The Rancho Belago sign issue will come back April 13.

Council Member William H. Batey II

1) Supports the checkpoints. They have their value and need. Being on the Fire side of the law enforcement, sees the results of drunk drivers and unlicensed drivers. Will not knowingly tell the Police Chief to turn his head and not enforce the law in order for the Fire Chief to dig someone out with a set of jaws because they just caused an accident. That's not appropriate. If everything is in place, checkpoints are no big deal. The laws are the law. The officer's job is to uphold the laws of the city, state and nation. Will continue to go after grants for the checkpoints.
2) Went to Edgemont and Armada Elementary School to talk to the kids and get them excited about reading. Taking the top four classes to see the movie, "How to Train a Dragon."
3) There was a lot of rain this spring. Make sure you have brush clearance as this could be a bad fire season given the current growth.

Mayor Bonnie Flickinger

1) The sign at the opening of the checkpoint says DUI/DL, which is a DUI and drivers license checkpoint. There is a Press Release several days in advance that states what day and time the checkpoint will be.
2) Moreno Valley has created over 1,100 new jobs, and it has released a new website called MorenoValleyProspector.com. The website is designed to encourage people who have businesses in other areas to discover Moreno Valley and find out what buildings and what land is available.
3) Saturday, March 27, at 7:30 a.m. the Recreational Trails Board is leading a six mile round-trip hike from the Equestrian Center up San Timoteo Canyon.
4) The Moreno Valley Arts Commisison will have a street fair on April 24, which will focus on Moreno Valley artists.
5) The Recreational Trails Board, Arts Commission, Accessibility Appeals Board, Environmental and Historical Preservation Board, Library Commission, Parks and Recreation Commission, Senior Citizens Board, and Traffic Safety Commission have openings. The applications are due in the City Clerk's office by May 12.

6) Moreno Valley now has their own independent accredited college, the Moreno Valley College.
7) March 28, at 1:00 p.m. is a Welcome Home Vietnam Veterans Day at the March Field Air Museum. It is free to Vietnam vets and their families.
8) In May there will be another household hazardous waste collection, and it is free.
9) Return your census form. It means money for services for our community.

There being no further business to conduct, the meeting was adjourned at 10:56 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Case: *Camacho v. City of Moreno Valley*
Court: Workers Compensation Appeals Board
Case No: SBR0332167 EAMS No.: ADJ623044

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

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

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:15 p.m. by unanimous informal consent.

Submitted by:

MV00053313

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

MV00053314

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 27, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

3. Proclamation Recognizing Ronald Powell

4. "Spotlight on Moreno Valley Business"

MV00053316

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 27, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

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Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication

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recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

Resolution No. 2010-26

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said

Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

   b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's

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Office)

Recommendation: That the City Council:
Provide direction on the matter.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

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

a Case: *ENCO Utility Services Moreno Valley, LLC, v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 478023

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

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

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf

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Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

City Manager Recruitment (Status)

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

ADJOURNMENT

*Revision

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
April 13, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Hastings

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member

Absent

Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Hargis	Technology Services Division Manager
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director

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Barry Foster	Economic Development Director
Steve Kupsak	Parks Maintenance Division Manager

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A11 & A12) and Pete Bleckert (Item C3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:

1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED

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STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

   Resolution No. 2010-20

   A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON

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STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:
Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was

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Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:
Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time

MV00053335

extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

MV00053336

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9 INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Kathleen Dale and Thomas R. Jerele Sr.

Associate Planner Jeff Bradshaw announced the following revisions to the agenda item - the wording "revise Policy 2.4.6. by changing the maximum density for the Residential/Office (R/O) Designation from 15 to 30 dwelling units per acre" was changed to **"revise Policy 2.4.5. by changing the maximum density for the Mixed-Use (MU) Designation from 20 to 30 dwelling units per acre."**

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines

MV00053337

Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

Resolution No. 2010-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.5 by Changing the Maximum Density for the Mixed-Use (MU) Designation From 20 To 30 Dwelling Units Per Acre

Motion to Approve revised Resolution No. 2010-21 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

Mayor Pro Tem Hastings reported the following:
1) Senator Feinstein has moved forward with recommending approval of $4 million for AB 811 implementation; is hoping for very positive results
2) Encouraged everyone to return the census forms - it's important to have accurate count to secure federal and state funding

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

Mayor Pro Tem Hastings reported approval of the development agreement with March HealthCare that will create about 12,700 construction jobs and 7,200 full-time health care and related jobs; it is a huge and wonderful project and is very pleased and excited to have it moving forward

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Mayor Flickinger read a letter from the City Attorney of Beverly Hills regarding Rancho Belago shield design.

Motion to continue the item by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

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G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Commended staff for working in a timely and efficient manner on processing Highland Fairview development documents for Sketchers project; all the deadlines were met
2) Mayor Flickinger was elected vice-chair of RCTC Western Riverside County Programs and Projects Committee and also joined the board of directors of UCR Citizens University Committee
3) Today the Council received a draft copy of budget for the next year that reflects nearly $17 million shortfall; the Council and staff are working hard to reduce this shortfall; about 5-6 public meetings will be held before budget adoptions; encouraged citizens to attend these meetings; Citizen's Guide to the Preliminary Operating Budget is posted on the Web site
4) Starting this week, City Manager's Update will be posted on the City's Web site; encouraged residents to view it periodically to find out what is going on in Moreno Valley
5) Four Foreclosure Prevention workshops will be conducted, one in each Council District; first one is scheduled on April 26 at Vista High Middle School in District 2; dates for workshops are listed on the Web site; video version is being taped and it will be shown on MVTV-3 for those who cannot attend
6) Burlington Coat Factory remains number 2 among stores recently opened; Frazee Paint Distribution Center is hoping to open this month; the newly opened Hampton Inn remains a top performing hotel across the country
9) A new program is being developed - Shop MoVal will feauture displays at kiosks, Press Enterprise, Your Villa magazine and with a more substantial presence on MVTV-3 and City's Web site

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

MV00053340

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Deanna Reeder
1) Neighborhood identification signs (Item G2)

Thomas R. Jerele Sr
1) Ballot initiative sponsored by League of California Cities to protect local funds

Dwayne Lewis
1) Withdrew his speaker's slip and will address the full Council at the next meeting

Marcia Amino
1) Money spent on changing the City's image
2) Inquired about progress on street lights issue and if city's owned streetlights are under the same rules as Edison's streetlights
2) Gang problem - inquired what kinds of proactive programs are in place in the City
3) Increased budget deficit

Pete Bleckert
1) Budget/expenditures

MV00053341

Daryl Terrell
1) Standing against adversity; hopes and dreams

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Mayor Pro Tem Hastings
1) Responded to speaker's comments about budget - other government agencies, including the County, are facing budget deficits also; in addition, the State is looking into taking funds from the local governments; the budget picture doesn't look good, but local government needs to work efficiently to provide core services to the residents
2) League of California Cities sponsored an initiative to protect local funds; encouraged everyone to vote on it; still working on retaining RDA funds; it is a very tough time right now, but tough times don't last, tough people do
3) Regarding Rancho Belago signs - expressed concerns about it while the City is facing a budget deficit
4) A very productive townhall meeting with two Homeowners Associations, staff and POP team was held at Moreno Valley Ranch - about 125 residents attended; thanked everybody who attended

Council Member Batey
1) Responded to speaker's comments regarding Edgemont District water issue - Box Spring Mutual Water District is a private, for profit company with own governing board and shareholders making decisions on water rates, maintenance and service; the District collects money and the District, not the City Council, is responsible for upgrades. According to the study, it will cost over $15 million to upgrade and increase capacity of the system; the Council tried the best to partner with the board and provide seed money for improvements, but so far, not much has been done. It is a serious issue, as the lack of system improvements is holding other projects in that area.
A meeting with the major water districts, the County Supervisors' office and the City is set up at the end of May to develop a long term plan to bring necessary improvements; a lot of work needs to be done, and it will take about five to ten years to upgrade the system
2) Regarding streetlights in Edgemont area - Edgemont is a separate district and it is responsible for the streetlights, not the City; residents need to request the board to install streetlights, as the board votes and makes those decisions

Mayor Flickinger
1) Responded to speaker's comments about deficit situation - the City is in a deficit situation because the revenues are down; the Council has to

MV00053342

figure out how to provide services with less money than before
2) Responded to the comment regarding gangs in the City - the Public Safety Subcommittee had a presentation by the Police Department's Antigangs Team regarding this subject two days ago - the gangs that were previously active in the City have been shot down by the Police Department - we are tough on gangs and not allowing them to take over our city; there is no a serious gang problem in the City
3) Encouraged residents to watch American Idol on Channel 11, where Moreno Valley resident Andrew Garcia is a finalist in the national competition
4) Received a lot of e-mails supporting DUI checkpoints, which make street safer, save lives and keep citizens safe
5) The City has return only about 52 percent of the census forms; encouraged residents to return the forms to keep services funded by federal grants
6) The next round of City's foreclosure prevention workshops starts April 26 at Vista High Middle School
7) On April 22 and May 6, at 6 p.m. at City Hall, Southern California Association of Governements will be holding workshops to divise a vision document that will focus on the long-term plans for Alessandro corridor from Freeway 215 to Lasselle Street; looking for input from the public
8) Congratulated students at Moreno Valley and Riverside colleges for voting to continue free rides on RTA buses for all the students; buses are free for the next 5 years
9) Requested to agendize for next study session a discussion regarding expenditures for March Field air show and July 4th celebration; seconded by Mayor Pro Tem Hastings

CLOSED SESSION

Canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:45 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

MV00053343

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 27, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

Reports on Reimbursable Activities April 7-20, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	4/6/10	Moreno Valley Hispanic Chamber of Commerce Adelante
	4/10/10	Gen. Melin's Retirement Ceremony/Reception
	4/14/10	Student of the Month
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-
Check Register for Month of February, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

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

RESOLUTION NO. 2010-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF FEBRUARY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period February 1, 2010 through February 28, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period February 1, 2010 through February 28, 2010, in the total amount of $11,074,851.58 is approved.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

AFTERSCHOOL STORE.COM				
2/8/2010	200303	27,661.63		
			DEC-09 SNACK SVCS-STARS	27,661.63
2/22/2010	200670	34,345.02		
			AFTER SCHOOL SNACKS	34,345.02
	Vendor Total	**62,006.65**		
FYTD for AFTERSCHOOL STORE.COM		**196,052.43**		
CALPERS				
2/16/2010	200550	98,278.79		
			ARC PMT LESS PAYOUTS	135,916.66
			ARC PMT LESS PAYOUTS	-37,637.87
	Vendor Total	**98,278.79**		
FYTD for CALPERS		**666,008.08**		
CITIBANK (WEST) FSB				
2/24/2010	91312	87,001.67		
			ACQ & ESCROW 25437 MARGARET DR	87,001.67
	Vendor Total	**87,001.67**		
FYTD for CITIBANK (WEST) FSB		**87,001.67**		
COUNTY OF RIVERSIDE FIRE DEPT				
2/10/2010	91304	3,273,674.92		
			2ND QTR FIRE SERVICES	3,273,674.92
	Vendor Total	**3,273,674.92**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT		**9,268,183.95**		
CRITICAL SOLUTIONS				
2/8/2010	200351	28,145.04		
			EMRGNCY OPS CTR PROJ SVCS	28,145.04
2/22/2010	200693	30,896.69		
			EMRGNCY OPS CTR PROJ SVCS	30,896.69
	Vendor Total	**59,041.73**		
FYTD for CRITICAL SOLUTIONS		**312,490.45**		
DIEDERICHS & ELCONIN				
2/8/2010	200359	41,312.50		
			JUL-DEC LEGAL SVCS-HR	5,000.00
			JUL-DEC LEGAL SVCS-HR	26,050.00
			AUG-NOV LEGAL SVCS-HR	5,487.50
			JUL-DEC LEGAL SVCS-HR	4,775.00
	Vendor Total	**41,312.50**		
FYTD for DIEDERICHS & ELCONIN		**49,937.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/12/2010	2583	37,021.86		
			DEP STATE TAX W/H 02/12/10	37,021.86
2/26/2010	2593	34,771.80		
			DEP STATE TAX W/H 02/26/10	34,771.80
	Vendor Total	**71,793.66**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/1/2010	200235	154,680.22		
			DEC-09 PROF SVCS-GIS DATA CONV	234.68
			DEC-09 PROF SVCS-WM TRNSFR STN	111.14
			DEC-09 PROF SVCS-HIGHLAND	176.02
			EMRGNCY OPS CTR WORK	22.23
			PERRIS BLVD 12 KV FEEDER WORK	4,177.51
			CIRC #5 PHASE II INSTALL. WORK	6,711.68
			LASSELLE ST 12KV CIRC TIE WORK	4,647.66
			CACTUS/LASSELLE CIRC TIE WORK	207.89
			CACTUS/LASSELLE CIRC TIE WORK	6,215.37
			GOLDENCRST/ELSWORTH BKBONE EXT	1,864.03
			GOLDENCRST/ELSWORTH BKBONE EXT	1,167.15
			DISTRIBUTION CHRGS	124,039.08
			SPECIAL CHRGS	7,167.00
			ONLINE UT SVCS	243.75
			BAD DEBT DEDUCTION	-2,304.97
	Vendor Total	**154,680.22**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENVIRONMENTAL CONSTRUCTION, INC.				
2/16/2010	200570	30,943.98		
			SUNNYMD BLVD REVIT PROJ SVCS	30,943.98
	Vendor Total	**30,943.98**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,920,203.15**		
FULBRIGHT & JAWORSKI, L.L.P.				
2/8/2010	200373	26,498.57		
			DEC-09 LEGAL SVCS-UT	26,498.57
	Vendor Total	**26,498.57**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**175,862.62**		
HARRIS & ASSOCIATES, INC.				
2/1/2010	200249	40,777.80		
			SUNNYMD BLVD REVIT PROJ SVCS	5,165.28
			SUNNYMD BLVD REVIT PROJ SVCS	35,612.52
	Vendor Total	**40,777.80**		
FYTD for HARRIS & ASSOCIATES, INC.		**310,221.62**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HEERY INTERNATIONAL, INC.					
	2/16/2010	200588	43,682.25		
				NEW MAIN LIBRARY PROJ SVCS	43,682.25
	Vendor Total		**43,682.25**		
FYTD for HEERY INTERNATIONAL, INC.			**193,012.75**		
INLAND EMPIRE ECONOMIC PARTNERSHIP INC.					
	2/8/2010	200401	25,000.00		
				ANNUAL MEMBERSHIP	25,000.00
	Vendor Total		**25,000.00**		
FYTD for INLAND EMPIRE ECONOMIC PARTNERSHIP INC.			**25,000.00**		
INTERNAL REVENUE SERVICE					
	2/12/2010	2582	134,592.07		
				DEP FED TAX W/H 02/12/10	134,592.07
	2/26/2010	2592	126,760.49		
				DEP FED TAX W/H 02/26/10	126,760.49
	Vendor Total		**261,352.56**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
KOA CORPORATION					
	2/1/2010	200252	32,249.68		
				PERRIS BLVD WIDENING AT SR-60	2,972.36
				RECHE VISTA DR REALIGNMNT PROJ	5,452.32
				RECHE VISTA DR REALIGNMNT PROJ	23,825.00
	Vendor Total		**32,249.68**		
FYTD for KOA CORPORATION			**183,061.65**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	2/8/2010	200417	47,369.83		
				OCT-DEC LEGAL SVCS-RISK MGT	24,748.00
				OCT-DEC LEGAL SVCS-RISK MGT	22,621.83
	Vendor Total		**47,369.83**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**69,500.04**		
LAWYERS TITLE INC					
	2/23/2010	91311	59,024.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	59,024.00
	Vendor Total		**59,024.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MIRACLE PLAYGROUND SALES					
	2/8/2010	200442	32,206.09		
				PLAYGROUND EQUIP.-PATRIOT PARK	29,830.16
				PLAYGROUND EQUIP.-TAX/FREIGHT	2,375.93
	Vendor Total		**32,206.09**		
FYTD for MIRACLE PLAYGROUND SALES			**32,206.09**		
MORENO VALLEY UTILITY					
	2/22/2010	200732	54,112.83		
				ELECTRIC SVC-UT FLD OFFICE	110.21
				ELECTRICITY	139.72
				ELECTRICITY	856.40
				ELECTRICITY	230.71
				ELECTRICITY	2,150.60
				ELECTRICITY	9,868.55
				ELECTRICITY	9,726.46
				ELECTRICITY	2,821.88
				ELECTRICITY	4,225.39
				ELECTRICITY	795.13
				ELECTRICITY	1,612.51
				ELECTRICITY	12,106.82
				ELECTRICITY	8,732.81
				ELECTRICITY	179.36
				ELECTRICITY	134.30
				ELECTRICITY	86.28
				ELECTRICITY	64.97
				ELECTRICITY	64.71
				ELECTRICITY	135.16
				ELECTRICITY	70.86
	Vendor Total		**54,112.83**		
FYTD for MORENO VALLEY UTILITY			**526,683.54**		
PALP, INC. DBA EXCEL PAVING COMPANY					
	2/1/2010	200263	209,167.40		
				SUNNYMD BLVD REVIT PROJ SVCS	209,167.40
	2/16/2010	200608	315,341.08		
				SUNNYMD BLVD REVIT PROJ SVCS	26,519.40
				SUNNYMD BLVD REVIT PROJ SVCS	45,614.70
				SUNNYMD BLVD REVIT PROJ SVCS	243,206.98
	2/22/2010	200737	133,091.01		
				SUNNYMD BLVD REVIT PROJ SVCS	63,642.60
				SUNNYMD BLVD REVIT PROJ SVCS	69,448.41
	Vendor Total		**657,599.49**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY			**1,618,568.76**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.					
	2/1/2010	200264	76,568.77		
				SR-60/NASON ST OVRCRSSNG PROJ	76,568.77
	Vendor Total		**76,568.77**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**886,897.31**		
PERS HEALTH INSURANCE					
	2/8/2010	91302	201,450.20		
				EMPL HEALTH INS 02/01/10	201,450.20
	Vendor Total		**201,450.20**		
FYTD for PERS HEALTH INSURANCE			**1,539,304.65**		
PERS RETIREMENT					
	2/5/2010	2576	194,907.27		
				PERS RETIREMENT 02/05/10	194,907.27
	2/19/2010	2584	193,675.24		
				PERS RETIREMENT 02/19/10	193,675.24
	Vendor Total		**388,582.51**		
FYTD for PERS RETIREMENT			**3,745,184.41**		
POUK & STEINLE, INC.					
	2/8/2010	200458	63,296.10		
				TRAF SIG-COTTONWD/PATTILYNN DR	63,296.10
	Vendor Total		**63,296.10**		
FYTD for POUK & STEINLE, INC.			**314,311.39**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	2/8/2010	200460	33,091.00		
				CACTUS AVE WIDENING PROJ-STG 1	10,454.50
				CACTUS AVE WIDENING PROJ-STG 2	22,636.50
	Vendor Total		**33,091.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**401,430.16**		
RITE AID CORP.					
	2/8/2010	200464	109,016.58		
				REFUND-IMPACT FEES	919.02
				REFUND-IMPACT FEES	77,717.88
				REFUND-IMPACT FEES	11,756.52
				REFUND-IMPACT FEES	1,387.20
				REFUND-IMPACT FEES	4,022.88
				REFUND-IMPACT FEES	1,283.16
				REFUND-IMPACT FEES	11,860.56
				REFUND-IMPACT FEES	69.36
	Vendor Total		**109,016.58**		
FYTD for RITE AID CORP.			**109,016.58**		

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RIVERSIDE COUNTY SHERIFF					
	2/23/2010	913081	2,552,667.63		
				CONTRACT LAW ENF BILL # 07	58,202.81
				CONTRACT LAW ENF BILL # 07	243.00
				CONTRACT LAW ENF BILL # 07	481.86
				CONTRACT LAW ENF BILL # 07	528.93
				CONTRACT LAW ENF BILL # 07	3,406.05
				CONTRACT LAW ENF BILL # 07	3,844.63
				CONTRACT LAW ENF BILL # 07	4,308.27
				CONTRACT LAW ENF BILL # 07	5,534.43
				CONTRACT LAW ENF BILL # 07	5,571.18
				CONTRACT LAW ENF BILL # 07	32,844.00
				CONTRACT LAW ENF BILL # 07	36,270.26
				CONTRACT LAW ENF BILL # 07	42,125.01
				CONTRACT LAW ENF BILL # 07	65,221.45
				CONTRACT LAW ENF BILL # 07	67,929.46
				CONTRACT LAW ENF BILL # 07	168,872.96
				CONTRACT LAW ENF BILL # 07	237,568.51
				CONTRACT LAW ENF BILL # 07	375,426.40
				CONTRACT LAW ENF BILL # 07	1,424,977.68
				CONTRACT LAW ENF BILL # 07	18,240.54
				CONTRACT LAW ENF BILL # 07	1,070.20
	Vendor Total		**2,552,667.63**		
FYTD for RIVERSIDE COUNTY SHERIFF			**26,845,212.81**		

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SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200279	28,402.22		
				DEC-09 WDAT CHRGS-IRIS	2,625.22
				DEC-09 WDAT CHRGS-GRAHAM	3,727.65
				DEC-09 WDAT CHRGS-GLOBE	7,197.48
				DEC-09 WDAT CHRGS-NANDINA	2,647.31
				DEC-09 WDAT CHRGS-FREDERICK	1,757.25
				DEC-09 WDAT CHRGS-SUBSTATION	10,447.31
	2/16/2010	200627	134,049.90		
				ELECTRICITY	59.83
				ELECTRICITY	256.36
				ELECTRICITY	20.22
				ELECTRICITY	857.92
				ELECTRICITY	792.21
				ELECTRICITY	873.59
				ELECTRICITY	1,637.57
				ELECTRICITY	93,664.13
				ELECTRICITY	395.92
				ELECTRICITY	101.96
				ELECTRICITY	19.55
				ELECTRICITY	18.87
				ELECTRICITY	58.99
				ELECTRICITY	79.69
				ELECTRICITY	41.44
				ELECTRICITY	35,171.65
	Vendor Total		**162,452.12**		
FYTD for SOUTHERN CALIFORNIA EDISON			**5,992,105.32**		
STANDARD INSURANCE CO					
	2/16/2010	200665	29,664.43		
				LIFE & DISABILITY INSURANCE	12,738.50
				LIFE & DISABILITY INSURANCE	17,973.11
				LIFE & DISABILITY INSURANCE	-1,047.18
	Vendor Total		**29,664.43**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STONERIDGE CENTER PARTNERS					
	2/10/2010	91305	455,705.73		
				STONERIDGE CFD# 5 STREET IMP	455,705.73
	Vendor Total		**455,705.73**		
FYTD for STONERIDGE CENTER PARTNERS			**455,705.73**		
THE WARD & WARD, ATTORNEYS AT LAW					
	2/16/2010	200639	165,048.82		
				SETTLEMENT OF MONACO	165,048.82
	Vendor Total		**165,048.82**		
FYTD for THE WARD & WARD, ATTORNEYS AT LAW			**165,048.82**		

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U.S. BANK/CALCARDS					
	2/11/2010	91306	60,678.18		
				CALCARD PMT CYCLE END 02/08/10	60,678.18
	Vendor Total		**60,678.18**		
FYTD for U.S. BANK/CALCARDS			**1,267,593.74**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	2/16/2010	200657	30,665.44		
				RENTAL ASSIST SVCS-HPRP PRGM	15,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	15,000.00
				RENTAL ASSIST SVCS-ADMIN FEES	415.44
				RENTAL ARREARS SVCS-ADMIN FEES	250.00
	Vendor Total		**30,665.44**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**64,665.44**		
WASTE MANAGEMENT					
	2/8/2010	200523	229,472.36		
				SOLID WST DELINQ LESS FRANCHIS	261,149.84
				SOLID WST DELINQ LESS FRANCHIS	-31,677.48
	Vendor Total		**229,472.36**		
FYTD for WASTE MANAGEMENT			**318,266.94**		
	Subtotal		**9,716,967.09**		

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CHECKS LESS THAN $25,000

452ND AIR MOBILITY WING

2/1/2010	200207	0.00		
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
2/4/2010	200297	25.00		
			ATTND: MAYOR FLICKINGER	25.00
	Vendor Total	**25.00**		
FYTD for 452ND AIR MOBILITY WING		**72.00**		

A & I REPROGRAPHICS 2406362

2/8/2010	200298	98.95		
			RPRGRPHC SVCS-PERRIS BLVD PROJ	98.95
2/22/2010	200666	87.00		
			RPRGRPHC SVCS-AQUDCT BIKEWY	87.00
	Vendor Total	**185.95**		
FYTD for A & I REPROGRAPHICS 2406362		**11,962.06**		

ACCOUNTEMPS

2/16/2010	200532	2,277.00		
			TEMP SVCS-APODACA W/E 1/15	828.00
			TEMP SVCS-APODACA W/E 1/22	621.00
			TEMP SVC:APODACA-W/E 1/29	828.00
2/22/2010	200667	828.00		
			TEMP SVC-APODACA W/E 2/5	828.00
	Vendor Total	**3,105.00**		
FYTD for ACCOUNTEMPS		**3,105.00**		

ADAMS, BROOK

2/16/2010	200533	200.00		
			REFUND-RNTL DEP 1/23/10	200.00
	Vendor Total	**200.00**		
FYTD for ADAMS, BROOK		**200.00**		

ADAMS, MARK L.

2/8/2010	200299	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**2,549.84**		

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ADLERHORST INTERNATIONAL INC.					
	2/16/2010	200534	425.01		
				JAN-10 TRAINING-K9 BLUE	141.67
				JAN-10 TRAINING-K9 MAX/LEX	283.34
	2/22/2010	200668	29.91		
				LEASH & TRNG AID-K9 LEX	29.91
	Vendor Total		**454.92**		
FYTD for ADLERHORST INTERNATIONAL INC.			**3,847.82**		
ADMINSURE					
	2/8/2010	200300	2,600.00		
				FEB-10 WRKMNS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**20,800.00**		
ADT SECURITY SERVICES					
	2/16/2010	200535	373.00		
				REFUND-FIRE FEES	352.00
				REFUND-FIRE FEES	21.00
	Vendor Total		**373.00**		
FYTD for ADT SECURITY SERVICES			**373.00**		
ADVANCED ELECTRIC					
	2/1/2010	200208	5,654.00		
				ELECT RPRS-CRC	786.00
				ELECT RPRS-FS #48	175.00
				ELECT RPRS-ERC	479.00
				ELECT RPRS-FS #58	984.00
				ELECT RPRS-CRC	83.00
				ELECT RPRS-CRC	257.00
				ELECT RPRS-CRC	62.00
				ELECT RPRS-CRC	576.00
				ELECT RPRS-PSB	247.00
				ELECT RPRS-PARKS	65.00
				ELECT RPRS-PARKS	1,705.00
				ELECT RPRS-CITY HALL	235.00
	2/8/2010	200301	207.00		
				LIGHT RPLCMNT-ANML VET CLINIC	207.00
	2/16/2010	200536	2,230.00		
				ELECT RPR-FS #48 PARKING LOT	976.00
				ELECT RPR-FS #91 DSL PUMP	1,102.00
				ELECT SVC-RECEPT INSTALL	152.00
	Vendor Total		**8,091.00**		
FYTD for ADVANCED ELECTRIC			**65,327.00**		

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ADVANTAGE BUSINESS EQUIPMENT, INC				
2/8/2010	200302	955.91		
			CHECK DESIGN/STOCK AND TONER	955.91
Vendor Total		**955.91**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**5,951.81**		
AEI-CASC ENGINEERING				
2/22/2010	200669	673.50		
			CONSULTING SVCS	673.50
Vendor Total		**673.50**		
FYTD for AEI-CASC ENGINEERING		**314,585.09**		
AGA/ASSOC OF GOVERNMENT ACCOUNTANTS				
2/22/2010	200671	100.00		
			MBRSHP RNWL-L WILSON	100.00
Vendor Total		**100.00**		
FYTD for AGA/ASSOC OF GOVERNMENT ACCOUNTANTS		**535.00**		
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
2/16/2010	200537	1,650.00		
			DATABASE LEASING	1,650.00
Vendor Total		**1,650.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**1,650.00**		
ALL PRO DISPLAYS & GRAPHICS, LLC				
2/22/2010	200672	327.20		
			THROW COVER-ANML SVCS	313.20
			THROW COVER-SHIPPING	14.00
Vendor Total		**327.20**		
FYTD for ALL PRO DISPLAYS & GRAPHICS, LLC		**674.40**		
ALLIANZ LIFE INSURANCE CO				
2/16/2010	200538	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**600.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES				
2/8/2010	200304	11,994.00		
			SIRE EDMS SOFTWARE MAINT	1,699.00
			PERMITS PLUS MAINT	509.00
			ENTERPRISE MODULE	899.00
			ENTERPRISE MODULE	720.00
			SIRE CLIENT USER LICENSE	2,519.00
			PDF CONVERSION	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE	539.00
			SIRE FORMS	899.00
			SIRE AGENDA PLUS	6,119.00
			CAPTURE INDEX STATION	944.00
			INCENTIVE DISCOUNT	-4,000.00
Vendor Total		**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**15,894.00**		
AMBRIZ, MARISELA				
2/8/2010	200305	34.65		
			REFUND-CHLDS PLC DUES	34.65
Vendor Total		**34.65**		
FYTD for AMBRIZ, MARISELA		**34.65**		
AMERICAN FORENSIC NURSES				
2/1/2010	200209	1,080.00		
			BLOOD DRAWS-PD	1,080.00
2/8/2010	200306	1,168.20		
			BLOOD DRAWS-PD	46.70
			BLOOD DRAWS-PD	1,121.50
Vendor Total		**2,248.20**		
FYTD for AMERICAN FORENSIC NURSES		**18,124.70**		
AMERICAN ROTARY BROOM CO.				
2/8/2010	200307	493.09		
			STREET SWEEPING BROOM KITS	493.09
2/22/2010	200673	1,163.83		
			STREET SWEEPING BROOM KITS	940.25
			STREET SWEEPING BROOM KITS	223.58
Vendor Total		**1,656.92**		
FYTD for AMERICAN ROTARY BROOM CO.		**23,297.74**		
AMTECH ELEVATOR SERVICES				
2/16/2010	200539	118.37		
			JAN-10 ELEVATOR SVC-CITY HALL	118.37
Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,368.76**		

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ANIMAL EMERGENCY CLINIC, INC.				
2/8/2010	200308	285.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	70.00
	Vendor Total	**285.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**3,021.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
2/1/2010	200210	300.00		
			BEE REMOVAL SVC-BETHUNE PK	300.00
2/22/2010	200674	1,790.00		
			JAN-10 PEST CNTRL-STARS	100.00
			JAN-10 PEST CNTRL-PARKS	665.00
			JAN-10 PEST CNTRL-PARKS	255.00
			JAN-10 PEST CNTRL-MARCH FLD	330.00
			JAN-10 PEST CNTRL-PAL	100.00
			JAN-10 PEST CNTRL-CFD #1	160.00
			JAN-10 PEST CNTRL-GLF CRS	180.00
	Vendor Total	**2,090.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**15,320.00**		
ANONUEVO, ALAN				
2/22/2010	200675	54.50		
			REFUND-CITATION FEE	54.50
	Vendor Total	**54.50**		
FYTD for ANONUEVO, ALAN		**54.50**		
ARAGON, ROSS				
2/8/2010	200309	50.00		
			REFUND-CITATION OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for ARAGON, ROSS		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
2/16/2010	200540	1,171.39		
			JAN-10 OFFSITE STORAGE	1,171.39
	Vendor Total	**1,171.39**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**10,751.91**		

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ARELLANO, OSCAR					
	2/22/2010	200676	200.00		
				REFUND-RNTL DEP 1/30	90.00
				REFUND-RNTL DEP 1/30	110.00
	Vendor Total		**200.00**		
FYTD for ARELLANO, OSCAR			**200.00**		
AREVALO, HAROLD					
	2/8/2010	200310	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AREVALO, HAROLD			**75.00**		
ARROWHEAD WATER					
	2/8/2010	200311	175.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	2/22/2010	200677	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**4,482.01**		
ASG FACILITY					
	2/16/2010	200541	60.00		
				INSTRUCTOR SVCS-BOXING	60.00
	Vendor Total		**60.00**		
FYTD for ASG FACILITY			**632.00**		

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ASSOCIATED ENGINEERS, INC.					
	2/1/2010	200211	21,133.61		
				HEACOCK ST-HEMLOCK TO IRONWOOD	21,133.61
	2/8/2010	200312	15,220.50		
				HEACOCK ST-HEMLOCK TO IRONWOOD	15,220.50
	Vendor Total		**36,354.11**		
FYTD for ASSOCIATED ENGINEERS, INC.			**36,354.11**		
ASW ENGINEERING MANAGEMENT CONSULTANTS					
	2/1/2010	200212	6,849.63		
				CONSULTING SVCS-UT	6,849.63
	Vendor Total		**6,849.63**		
FYTD for ASW ENGINEERING MANAGEMENT CONSULTANTS			**11,318.97**		
AT&T MOBILITY					
	2/8/2010	200313	92.14		
				CELL CHRGS-MBL CMMND CTR	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**734.71**		
AT&T/MCI					
	2/8/2010	200314	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,469.70**		
AUBREY, DOMINQUE					
	2/8/2010	200315	55.00		
				REFUND-CITATION FEES	55.00
	Vendor Total		**55.00**		
FYTD for AUBREY, DOMINQUE			**55.00**		
BACHER, GRACE					
	2/8/2010	200316	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**1,825.61**		
BACON, DONALD					
	2/8/2010	200317	71.40		
				REFUND-BSKTBLL REGIST	71.40
	Vendor Total		**71.40**		
FYTD for BACON, DONALD			**71.40**		

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BARNES, DARLENE					
	2/8/2010	200318	110.82		
				RETIREE MEDICAL BENEFIT	110.82
	Vendor Total		**110.82**		
FYTD for BARNES, DARLENE			**886.56**		
BARRERA, DANILO					
	2/8/2010	200319	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for BARRERA, DANILO			**86.00**		
BARRETO, MARIA					
	2/22/2010	200678	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BARRETO, MARIA			**20.00**		
BASIC BACKFLOW					
	2/22/2010	200679	240.00		
				BACKFLOW TESTING	240.00
	Vendor Total		**240.00**		
FYTD for BASIC BACKFLOW			**1,174.65**		
BEALEY, RAYNETTE					
	2/22/2010	200680	37.00		
				REFUND-HIP HOP DANCE	37.00
	Vendor Total		**37.00**		
FYTD for BEALEY, RAYNETTE			**37.00**		

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BEMUS LANDSCAPE, INC.					
	2/1/2010	200213	17,206.11		
				LANDSCAPE MAINT-PARKS	270.00
				LANDSCAPE MAINT-PARKS	432.00
				LANDSCAPE MAINT-PARKS	400.00
				IRRIGATION RPRS-E4	85.51
				DEC-09 LNDSCP MAINT-E4	15,650.96
				DEC-09 LNDSCP MAINT-E4A	367.64
	2/16/2010	200542	1,847.38		
				IRRIGATION RPRS-E4	44.93
				IRRIGATION RPRS-E4	1,291.20
				IRRIGATION RPRS-E4	73.80
				IRRIGATION RPRS-E4	25.37
				PLANT MTRL INSTALL-E3	412.08
	2/22/2010	200681	8,237.86		
				JAN-10 LNDSCP MAINT-AQDCT	400.00
				JAN-10 LNDSCP MAINT-AQDCT	1,900.00
				JAN-10 LNDSCP MAINT-E4	27.78
				JAN-10 LNDSCP MAINT-ANML SHLTR	520.00
				JAN-10 LNDSCP MAINT-CRC	1,900.00
				JAN-10 LNDSCP MAINT-LIBRARY	520.00
				JAN-10 LNDSCP MAINT-PSB	1,197.58
				JAN-10 LNDSCP MAINT-STARS	300.00
				JAN-10 LNDSCP MAINT-ELECT SUB	480.00
				JAN-10 LNDSCP MAINT-MVU	480.00
				JAN-10 LNDSCP MAINT-YARD	250.00
				JAN-10 LNDSCP MAINT-SR CTR	262.50
	Vendor Total		**27,291.35**		
FYTD for BEMUS LANDSCAPE, INC.			**252,242.90**		
BENESYST, INC.					
	2/8/2010	200320	1,105.21		
				FLEX ADMIN SVCS	291.11
				FLEX ADMIN SVCS	814.10
	2/18/2010	91307	20.13		
				COBRA SUBSIDIES FEB 2010	20.13
	Vendor Total		**1,125.34**		
FYTD for BENESYST, INC.			**3,460.64**		
BENITES, GEORGINA					
	2/16/2010	200543	82.00		
				REFUND-TENNIS CLASS	82.00
	Vendor Total		**82.00**		
FYTD for BENITES, GEORGINA			**82.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEST, BEST & KRIEGER, LLP					
	2/1/2010	200214	2,963.01		
				LEGAL SVCS-GENERAL	379.68
				LEGAL SVCS-EMPIRE LAND	23.55
				LEGAL SVCS-GGP	2,559.78
	2/16/2010	200544	5,148.12		
				PROF SVCS-AQUABELLA CFD #6	5,148.12
	Vendor Total		**8,111.13**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,044.64**		
BIO-TOX LABORATORIES					
	2/16/2010	200545	3,569.69		
				TOXICOLOGY TESTS	35.06
				TOXICOLOGY TESTS	971.83
				TOXICOLOGY TESTS	2,562.80
	Vendor Total		**3,569.69**		
FYTD for BIO-TOX LABORATORIES			**28,536.74**		
BLAIR, CHERYL					
	2/8/2010	200321	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,106.00**		
BLUE SHIELD OF CALIFORNIA					
	2/1/2010	200215	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	2/16/2010	200546	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**1,045.74**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,113.06**		
BMI					
	2/16/2010	200547	1,219.00		
				8/09-07/10 LIC ESTIMATED FEE	1,219.00
	Vendor Total		**1,219.00**		
FYTD for BMI			**1,219.00**		
BOE, IRIS					
	2/8/2010	200322	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for BOE, IRIS			**404.50**		

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BOWIE, SHANNON					
	2/22/2010	200682	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for BOWIE, SHANNON			**100.00**		
BPS TACTICAL, INC					
	2/8/2010	200323	20.58		
				VELCRO PATCHES-PD	20.58
	Vendor Total		**20.58**		
FYTD for BPS TACTICAL, INC			**20.58**		
BREITKREUZ, THOMAS F.					
	2/8/2010	200324	578.10		
				RETIREE MEDICAL BENEFIT	578.10
	Vendor Total		**578.10**		
FYTD for BREITKREUZ, THOMAS F.			**1,734.30**		

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BRODART CO.					
	2/1/2010	200217	2,344.31		
				MISC BOOKS-LIBRARY	24.37
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	42.53
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	545.46
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	20.12
				MISC BOOKS-LIBRARY	851.48
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	41.94
				MISC BOOKS-LIBRARY	39.57
				MISC BOOKS-LIBRARY	10.33
				MISC BOOKS-LIBRARY	70.45
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	50.86
				MISC BOOKS-LIBRARY	16.56
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	48.78
				MISC BOOKS-LIBRARY	43.23
				MISC BOOKS-LIBRARY	127.31
				MISC BOOKS-LIBRARY	22.90
	2/8/2010	200325	317.59		
				MISC BOOKS-LIBRARY	44.01
				MISC BOOKS-LIBRARY	43.14
				MISC BOOKS-LIBRARY	21.08
				MISC BOOKS-LIBRARY	61.93
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.13
	Vendor Total		**2,661.90**		
FYTD for BRODART CO.			**17,708.83**		
BUCKINGHAM, STAN					
	2/8/2010	200326	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**637.46**		

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BURKE, WILLIAMS & SORENSEN, LLP.					
	2/1/2010	200218	232.40		
				LEGAL FEES	232.40
	2/16/2010	200548	23.80		
				LGL FEES-JENNY INVSTMNT	23.80
	Vendor Total		**256.20**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**6,180.92**		
BWI - BOOK WHOLESALERS, INC.					
	2/8/2010	200327	1,668.12		
				MISC BOOKS-LIBRARY	14.41
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	16.96
				MISC BOOKS-LIBRARY	883.47
				MISC BOOKS-LIBRARY	43.86
				MISC BOOKS-LIBRARY	125.28
				MISC BOOKS-LIBRARY	41.89
				MISC BOOKS-LIBRARY	29.88
				MISC BOOKS-LIBRARY	140.50
				MISC BOOKS-LIBRARY	28.26
				MISC BOOKS-LIBRARY	26.43
				MISC BOOKS-LIBRARY	16.57
				MISC BOOKS-LIBRARY	69.48
				MISC BOOKS-LIBRARY	29.52
				MISC BOOKS-LIBRARY	15.26
				MISC BOOKS-LIBRARY	27.93
				MISC BOOKS-LIBRARY	17.18
				MISC BOOKS-LIBRARY	43.26
				MISC BOOKS-LIBRARY	12.45
				MISC BOOKS-LIBRARY	29.68
	Vendor Total		**1,668.12**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**4,437.14**		
CA REGIONAL WATER QUALITY CONTROL BOARD					
	2/8/2010	200328	500.00		
				WATER QUALITY CERT. DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD			**1,780.00**		
CAIN, GREGORY					
	2/8/2010	200329	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**1,912.39**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION					
	2/1/2010	200219	2,242.00		
				WEED ABTMNT SVCS-MVEC	1,345.20
				WEED ABTMNT SVCS-MVEC	896.80
	Vendor Total		**2,242.00**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**2,242.00**		
CALAVERAS STANDARD MATERIALS					
	2/22/2010	200683	370.40		
				CEMENT PURCHASE	370.40
	Vendor Total		**370.40**		
FYTD for CALAVERAS STANDARD MATERIALS			**17,887.76**		
CALIFORNIA DELTA MECHANICAL, INC.					
	2/16/2010	200549	48.00		
				REFUND-PERMIT FEE	48.00
	Vendor Total		**48.00**		
FYTD for CALIFORNIA DELTA MECHANICAL, INC.			**108.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	2/8/2010	200330	1,100.00		
				STREAMBED ALTER. AGRMNT FEE	1,100.00
	Vendor Total		**1,100.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,250.00**		
CALIFORNIA DEPT. OF FISH & GAME					
	2/8/2010	200331	482.75		
				FEE BALANCE-STREAMBED ALTERAT.	482.75
	Vendor Total		**482.75**		
FYTD for CALIFORNIA DEPT. OF FISH & GAME			**8,482.75**		
CALIFORNIA TRANSCRIPTION, LLC					
	2/22/2010	200684	144.27		
				TRANSCRIPTION SVCS	144.27
	Vendor Total		**144.27**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC			**1,115.76**		
CALPERS					
	2/1/2010	200220	13,860.00		
				4TH LVL SURVIVOR BNFT	13,860.00
	Vendor Total		**13,860.00**		
FYTD for CALPERS			**666,008.08**		

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CAMARILLO, ELIWILL					
	2/22/2010	200685	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for CAMARILLO, ELIWILL			**54.50**		
CANNON, ANA M.					
	2/8/2010	200332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**637.46**		
CANON BUSINESS SOLUTIONS, INC.					
	2/8/2010	200333	7,060.28		
				OCT-DEC COPIER SVCS	6,303.55
				OCT-DEC COPIER SVCS	188.66
				OCT-DEC COPIER SVCS	568.07
	Vendor Total		**7,060.28**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**26,140.99**		
CANON FINANCIAL SERVICES, INC.					
	2/8/2010	200334	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**60,725.44**		
CARTER, ROSALYN					
	2/8/2010	200335	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,172.36**		
CASKEY, DEBRA C.					
	2/8/2010	200336	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**1,912.39**		
CERTIFIED CREDIT REPORTING, INC					
	2/22/2010	200686	18.66		
				JAN-10 CREDIT PROFILE SVCS	18.66
	Vendor Total		**18.66**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**122.53**		

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CERVANTES, RIGOBERTO					
	2/1/2010	200221	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for CERVANTES, RIGOBERTO			**100.00**		
CHANCY, CHIZURU					
	2/22/2010	200687	70.20		
				INSTRUCTOR SVC-HAWAIIAN DNC	23.40
				INSTRUCTOR SVC-HAWAIIAN DNC	46.80
	Vendor Total		**70.20**		
FYTD for CHANCY, CHIZURU			**1,123.20**		
CHANDLER AGGREGATES, INC.					
	2/8/2010	200337	86.43		
				C-MIX FOR PROM PROJECTS	86.43
	Vendor Total		**86.43**		
FYTD for CHANDLER AGGREGATES, INC.			**691.46**		
CHAPMAN, STEVE					
	2/8/2010	200338	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,549.84**		
CHAPPELL, ISAAC					
	2/8/2010	200339	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,549.84**		
CHERRY VALLEY FEED					
	2/1/2010	200222	72.74		
				DOG FOOD FOR K-9	72.74
	2/16/2010	200551	251.14		
				DOG FOOD FOR K9	97.84
				DOG FOOD FOR K9	153.30
	Vendor Total		**323.88**		
FYTD for CHERRY VALLEY FEED			**1,484.71**		
CHRISTIAN, OWEN					
	2/8/2010	200340	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**1,831.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CIGGS, RAVIAN					
	2/1/2010	200223	80.00		
				REFUND-ANIMAL FEES	30.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	20.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	10.00
	Vendor Total		**80.00**		
FYTD for CIGGS, RAVIAN			**80.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION				
2/1/2010	200224	95.40		
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	50.22
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
2/8/2010	200341	295.03		
			UNIFORM RNTL SVC-TRFFC	11.23
			UNIFORM RNTL SVC-TRFFC	11.23
			UNIFORM RNTL SVC-SIGNING CRE	13.85
			UNIFORM RNTL SVC-SIGNING CRE	13.85
			UNIFORM RNTL SVC-GRAFFITI	8.37
			UNIFORM RNTL SVC-GRAFFITI	8.37
			UNIFORM RNTL SVC-VEH MAINT	9.99
			UNIFORM RNTL SVC-VEH MAINT	9.99
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-DRNG MAINT	2.79
			UNIFORM RNTL SVC-DRNG MAINT	2.79
			UNIFORM RNTL SVC-ST MAINT	72.07
			UNIFORM RNTL SVC-ST MAINT	8.01
			UNIFORM RNTL SVC-CNCRT MAINT	8.37
			UNIFORM RNTL SVC-CNCRT MAINT	8.37
			UNIFORM RNTL SVC-PARKS MAINT	50.22
			UNIFORM RNTL SVC-CFD#1 STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
2/16/2010	200552	32.49		
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-FACILITIES	16.65
2/22/2010	200688	228.56		
			UNIFORM RNTL SVC-GLF CRS	5.85
			UNIFORM RNTL SVC-MAINT OPER	8.37
			UNIFORM RNTL SVC-MAINT OPER	8.37
			UNIFORM RNTL SVC-EQUIP MAINT	16.99
			UNIFORM RNTL SVC-EQUIP MAINT	16.99
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-STRM DRN MAIN	2.79
			UNIFORM RNTL SVC-STRM DRN MAIN	2.79
			UNIFORM RNTL SVC-ST MAINT	47.07
			UNIFORM RNTL SVC-ST MAINT	47.07
			UNIFORM RNTL SVC-CNCRT MAINT	8.37
			UNIFORM RNTL SVC-CNCRT MAINT	8.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	16.65
Vendor Total		**651.48**		
FYTD for CINTAS CORPORATION		**4,108.55**		
CITRUS HILL HIGH SCHOOL				
2/8/2010	200342	750.00		
			REFUND-RNTL DEP 1/23/10	750.00
Vendor Total		**750.00**		
FYTD for CITRUS HILL HIGH SCHOOL		**750.00**		
CITY OF MORENO VALLEY VEBA TRUST				
2/16/2010	200553	4,062.50		
			EXEMPT VEBA	4,062.50
Vendor Total		**4,062.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**34,062.50**		
CLARK-MONTEILH, MARY				
2/16/2010	200554	120.00		
			REFUND-MATH CLASS	120.00
Vendor Total		**120.00**		
FYTD for CLARK-MONTEILH, MARY		**120.00**		
CNOA REGION V				
2/8/2010	200343	45.00		
			2/4/10 CHASING PHONES COURSE	45.00
2/16/2010	200555	360.00		
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
Vendor Total		**405.00**		
FYTD for CNOA REGION V		**540.00**		
COAST FITNESS REPAIR SHOP				
2/22/2010	200689	3,233.56		
			TREADMILL-SENIOR CTR	2,743.50
			TREADMILL-DELIVERY/INSTALL	50.00
			TREADMILL-5 YR WARRANTY	200.00
			TREADMILL-SALES TAX	240.06
Vendor Total		**3,233.56**		
FYTD for COAST FITNESS REPAIR SHOP		**3,377.50**		

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COBIAN, KARLA					
	2/8/2010	200344	300.00		
				REFUND-RNTL DEP #15590	300.00
	Vendor Total		**300.00**		
FYTD for COBIAN, KARLA			**300.00**		
COLONIAL SUPPLEMENTAL INSURANCE					
	2/8/2010	200345	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**57,640.89**		
COMMUNICATION SUPPLY CORP.					
	2/16/2010	200556	15,888.23		
				FIBER OPTIC CABLE/MATERIALS	2,244.77
				SHIPPING CHARGE	127.60
				CA SALES TAX	196.40
				FIBER OPTIC CABLE/MATERIALS	3,564.28
				SHIPPING CHARGE	72.40
				CA SALES TAX	296.49
				FIBER OPTIC CABLE/MATERIALS	1,506.07
				CA SALES TAX	130.91
				FIBER OPTIC CABLE/MATERIALS	4,759.81
				CA SALES TAX	416.49
				FIBER OPTIC CABLE/MATERIALS	2,366.97
				CA SALES TAX	206.04
	2/22/2010	200690	1,105.83		
				FIBER OPTIC CABLE/MATERIALS	717.57
				CA SALES TAX	80.12
				FIBER OPTIC CABLE/MATERIALS	198.05
				FIBER OPTIC CABLE/MATERIALS	110.09
	Vendor Total		**16,994.06**		
FYTD for COMMUNICATION SUPPLY CORP.			**16,994.06**		
COMMUNITY BANK					
	2/8/2010	91303	5,350.36		
				RETENTION PMT-PROJ 08-12556330	5,350.36
	Vendor Total		**5,350.36**		
FYTD for COMMUNITY BANK			**93,729.19**		

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COMMUNITY HEALTH CHARITIES					
	2/1/2010	200225	176.47		
				CHC CONTRIBUTIONS	176.47
	2/16/2010	200557	151.47		
				CHC CONTRIBUTIONS	151.47
	2/16/2010	200558	268.67		
				EMPLOYEE GIVING CMPGN	268.67
	Vendor Total		**596.61**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,261.08**		
COMPETITIVE STRIDE					
	2/8/2010	200346	127.24		
				SPORTS AWARDS	29.36
				SPORTS AWARDS	97.88
	2/22/2010	200691	187.59		
				SPORTS AWARDS	26.10
				SPORTS AWARDS	161.49
	Vendor Total		**314.83**		
FYTD for COMPETITIVE STRIDE			**2,638.66**		
CONTINUING EDUCATION OF THE BAR					
	2/8/2010	200347	219.46		
				LEGAL PUBLICATIONS	36.76
				LEGAL PUBLICATIONS	182.70
	Vendor Total		**219.46**		
FYTD for CONTINUING EDUCATION OF THE BAR			**519.88**		
COSTCO					
	2/1/2010	200226	642.15		
				MISC SUPPLIES-STARS	642.15
	2/8/2010	200348	165.93		
				MISC SUPPLIES-STARS	165.93
	2/16/2010	200559	436.51		
				MISC SUPPLIES-STARS	186.56
				MISC SUPPLIES-STARS	84.13
				MISC SUPPLIES-STARS	165.82
	2/22/2010	200692	1,262.39		
				MISC SUPPLIES-CHILDS PLACE	1,189.90
				MISC SUPPLIES-STARS	72.49
	Vendor Total		**2,506.98**		
FYTD for COSTCO			**37,141.26**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNSELING TEAM, THE					
	2/8/2010	200349	1,250.00		
				DEC-09 EMP CNSLING SVCS	680.00
				DEC-09 EMP CNSLING SVCS	570.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**8,750.00**		
COUNTY OF RIVERSIDE - RMAP					
	2/16/2010	200560	41.25		
				JAN-10 RECORDATION RQST	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**284.10**		
COUNTY OF RIVERSIDE AUDITOR					
	2/1/2010	200227	24,199.00		
				PARKING CONTROL FEES	6,000.00
				PARKING CONTROL FEES	806.00
				PARKING CONTROL FEES	1,492.00
				PARKING CONTROL FEES	6,095.00
				PARKING CONTROL FEES	2,418.00
				PARKING CONTROL FEES	5,190.00
				PARKING CONTROL FEES	2,198.00
	Vendor Total		**24,199.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**87,558.95**		
CRANE ARCHITECTURAL GROUP					
	2/8/2010	200350	1,645.00		
				PUB SFTY BLDG CONVERSION PROJ	1,645.00
	Vendor Total		**1,645.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**2,995.00**		
CRUZ, JUAN					
	2/22/2010	200694	38.00		
				REFUND-TRAP DEPOSIT	38.00
	Vendor Total		**38.00**		
FYTD for CRUZ, JUAN			**38.00**		
CTAI PACIFIC GREENSCAPE					
	2/16/2010	200561	5,088.40		
				JAN-10 LNDSCP MAINT-DSG1W	4,897.13
				IRRIGATION RPRS-DSG1W	169.42
				IRRIGATION RPRS-DSG1W	21.85
	Vendor Total		**5,088.40**		
FYTD for CTAI PACIFIC GREENSCAPE			**42,116.91**		

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CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	2/8/2010	200352	578.00		
				PERMIT RNWL-AR0010011	578.00
	Vendor Total		**578.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**24,273.88**		
CULLEN, ERIC					
	2/8/2010	200353	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for CULLEN, ERIC			**50.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	2/1/2010	200228	745.00		
				DEC-09 DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**5,365.00**		
DALE, KATHLEEN					
	2/8/2010	200354	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,527.36**		
DATA TICKET, INC.					
	2/22/2010	200696	105.00		
				DEC-09 MAINT/SUPPORT	105.00
	Vendor Total		**105.00**		
FYTD for DATA TICKET, INC.			**119,908.79**		
DATAQUICK CORPORATE HEADQUARTERS					
	2/16/2010	200562	130.50		
				JAN-10 ONLINE SVCS-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,944.00**		
DAVID EVANS & ASSOCIATES, INC.					
	2/22/2010	200697	1,042.00		
				SUNNYMD BLVD REVIT PROJ SVCS	751.00
				SUNNYMD BLVD REVIT PROJ SVCS	291.00
	Vendor Total		**1,042.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**18,974.59**		

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DAVIS, DANNY					
	2/8/2010	200355	10.00		
				REFUND-CITATION FEE	10.00
	Vendor Total		**10.00**		
FYTD for DAVIS, DANNY			**10.00**		
DELTA DENTAL					
	2/16/2010	200563	11,215.70		
				EMPLOYEE DENTAL INSURANCE	11,215.70
	Vendor Total		**11,215.70**		
FYTD for DELTA DENTAL			**91,716.78**		
DELTACARE USA					
	2/16/2010	200564	6,541.33		
				EMPLOYEE DENTAL INSURANCE	6,541.33
	Vendor Total		**6,541.33**		
FYTD for DELTACARE USA			**54,577.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	2/8/2010	200356	1,460.00		
				PLAN CHECK SVC-FIRE PREV	1,460.00
	Vendor Total		**1,460.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**8,885.00**		
DEPARTMENTT OF WATER RESOURCES					
	2/8/2010	200357	500.00		
				DEPOSIT FOR REVIEW COSTS	500.00
	Vendor Total		**500.00**		
FYTD for DEPARTMENTT OF WATER RESOURCES			**500.00**		
DIAZ, IMMA					
	2/8/2010	200358	35.00		
				REFUND-CLASS REGIST	35.00
	Vendor Total		**35.00**		
FYTD for DIAZ, IMMA			**35.00**		
DIGITAL TELECOMMUNICATIONS CORP.					
	2/1/2010	200229	9,726.00		
				SPEECH PORTS	7,500.00
				SPEECH PORTS-LICENSES	1,566.00
				SPEECH PORTS-LABOR	360.00
				SPEECH PORTS-SALES TAX	656.25
				LIC CREDIT-INV #1547	-356.25
	Vendor Total		**9,726.00**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**97,700.17**		

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DLS LANDSCAPE, INC					
	2/8/2010	200360	12,390.00		
				JAN-10 LNDSCP MAINT-ZN A PARKS	10,230.00
				JAN-10 LNDSCP MAINT-CFD #1	2,160.00
	2/22/2010	200698	12,390.00		
				FEB-10 LNDSCP MAINT-CFD#1	2,160.00
				FEB-10 LNDSCP MAINT-ZN A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**99,120.00**		
DMC DESIGN GROUP, INC					
	2/1/2010	200230	4,004.66		
				ALESSANDRO BLVD IMPRVMNTS PROJ	4,004.66
	Vendor Total		**4,004.66**		
FYTD for DMC DESIGN GROUP, INC			**59,837.82**		
DONAHUE APPRAISAL ASSOCIATES					
	2/22/2010	200699	18,640.00		
				ALESSANDRO/INDIAN SIDEWLK PROJ	500.00
				SVCS-PERRIS BLVD WIDENING PROJ	18,140.00
	Vendor Total		**18,640.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**27,040.00**		
DORY, ALLEEN F.					
	2/8/2010	200361	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DORY, ALLEEN F.			**2,549.84**		
D-PREP, LLC					
	2/22/2010	200695	393.00		
				MAR.16-18 C.P.T.E.D. COURSE	393.00
	Vendor Total		**393.00**		
FYTD for D-PREP, LLC			**393.00**		
DREAMER PRODUCTIONS					
	2/8/2010	200362	69.50		
				UNIFORMS-ANML SHLTR	69.50
	Vendor Total		**69.50**		
FYTD for DREAMER PRODUCTIONS			**69.50**		
DUNLAP, SYLVESTER					
	2/8/2010	200363	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DUNLAP, SYLVESTER			**50.00**		

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DURAN, BLANCA					
	2/1/2010	200231	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	294.00
	2/16/2010	200565	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	252.00
	Vendor Total		**546.00**		
FYTD for DURAN, BLANCA			**1,638.00**		
DZUBIN, LAURA					
	2/16/2010	200566	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for DZUBIN, LAURA			**20.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	2/1/2010	200232	327.60		
				BACKFLOW TESTING-TR 30319	36.40
				BACKFLOW TESTING-TR 33437	36.40
				BACKFLOW TESTING-DSG1/2	254.80
	Vendor Total		**327.60**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**18,603.17**		
EADIE AND PAYNE LLP.					
	2/1/2010	200233	21,800.00		
				CONSULTING SVCS	10,600.00
				CONSULTING SVCS	8,050.00
				CONSULTING SVCS	3,150.00
	Vendor Total		**21,800.00**		
FYTD for EADIE AND PAYNE LLP.			**21,800.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				
2/1/2010	200234	7,515.38		
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	73.00
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	58.60
			WATER CHRGS FOR JANUARY	40.22
			WATER CHRGS FOR JANUARY	13.80
			WATER CHRGS FOR JANUARY	217.62
			WATER CHRGS FOR JANUARY	1,682.48
			WATER CHRGS FOR JANUARY	186.40
			WATER CHRGS FOR JANUARY	2,429.16
			WATER CHRGS FOR JANUARY	1,040.48
			WATER CHRGS FOR JANUARY	1,481.08
			WATER CHRGS FOR JANUARY	23.09
			WATER CHRGS FOR JANUARY	74.63
			WATER CHRGS FOR DECEMBER	59.16
2/8/2010	200364	5,266.77		
			WATER CHRGS FOR DECEMBER	507.38
			WATER CHRGS FOR JANUARY	64.94
			WATER CHRGS FOR JANUARY	307.06
			WATER CHRGS FOR JANUARY	1,260.26
			WATER CHRGS FOR JANUARY	178.84
			WATER CHRGS FOR JANUARY	2,159.79
			WATER CHRGS FOR JANUARY	291.02
			WATER CHRGS FOR JANUARY	125.37
			WATER CHRGS FOR JANUARY	318.62
			WATER CHRGS FOR JANUARY	53.49
2/16/2010	200567	7,839.52		
			WATER CHRGS FOR JANUARY	49.77
			WATER CHRGS FOR JANUARY	663.17
			WATER CHRGS FOR JANUARY	33.60
			WATER CHRGS FOR JANUARY	1,452.66
			WATER CHRGS FOR JANUARY	2,780.52
			WATER CHRGS FOR JANUARY	1,505.91
			WATER CHRGS FOR JANUARY	264.84
			WATER CHRGS FOR JANUARY	243.75
			WATER CHRGS FOR JANUARY	153.13
			WATER CHRGS FOR JANUARY	82.56
			WATER CHRGS FOR JANUARY	60.76
			WATER CHRGS FOR JANUARY	195.42
			WATER CHRGS FOR JANUARY	120.46
			WATER CHRGS FOR JANUARY	191.87
			WATER CHRGS FOR JANUARY	41.10
2/22/2010	200701	10,082.12		
			WATER CHRGS FOR JANUARY	515.59
			WATER CHRGS FOR JANUARY	677.32
			WATER CHRGS FOR JANUARY	140.88
			WATER CHRGS FOR JANUARY	485.86
			WATER CHRGS FOR JANUARY	95.26
			WATER CHRGS FOR JANUARY	1,331.39
			WATER CHRGS FOR JANUARY	327.50
			WATER CHRGS FOR JANUARY	262.36

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR JANUARY	1,017.39
			WATER CHRGS FOR JANUARY	888.36
			WATER CHRGS FOR JANUARY	1,414.99
			WATER CHRGS FOR JANUARY	661.15
			WATER CHRGS FOR JANUARY	54.88
			WATER CHRGS FOR JANUARY	25.48
			WATER CHRGS FOR JANUARY	236.83
			WATER CHRGS FOR JANUARY	220.54
			WATER CHRGS FOR JANUARY	151.46
			WATER CHRGS FOR JANUARY	156.05
			WATER CHRGS FOR JANUARY	167.93
			WATER CHRGS FOR JANUARY	68.10
			WATER CHRGS FOR JANUARY	210.73
			WATER CHRGS FOR JANUARY	94.56
			WATER CHRGS FOR JANUARY	50.92
			WATER CHRGS FOR JANUARY	59.08
			WATER CHRGS FOR JANUARY	177.89
			WATER CHRGS FOR JANUARY	163.74
			WATER CHRGS FOR JANUARY	378.60
			WATER CHRGS FOR JANUARY	47.28
	Vendor Total	**30,703.79**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**826,752.22**		
EGGERSTEN, ANNE				
2/8/2010	200365	305.60		
			RETIREE MEDICAL BENEFIT	305.60
	Vendor Total	**305.60**		
FYTD for EGGERSTEN, ANNE		**2,227.03**		
ELIZALDE, MARIA V.				
2/16/2010	200568	142.00		
			REFUND-FIRE INSPECT FEES	142.00
	Vendor Total	**142.00**		
FYTD for ELIZALDE, MARIA V.		**284.40**		
ELTAIRBY, HODA				
2/8/2010	200366	0.00		
			REFUND-BSKTBLL REGIST	86.00
			REFUND-BSKTBLL REGIST	-86.00
	Vendor Total	**0.00**		
FYTD for ELTAIRBY, HODA		**0.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/24/2010	2586	2,724.85		
			DEP STATE TAX W/H 02/24/10	2,724.85
	Vendor Total	**2,724.85**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/16/2010	200569	5,334.00		
			FEB-10 CBNT LS-CTTNWD	58.64
			FEB-10 CBNT LS-CTTNWD	1,191.36
			FEB-10 CBNT LS-FRDRCK	6.47
			FEB-10 CBNT LS-FRDRCK	1,243.53
			FEB-10 CBNT LS-INDIAN	92.50
			FEB-10 CBNT LS-INDIAN	1,157.50
			FEB-10 CBNT LS-IRIS	109.06
			FEB-10 CBNT LS-IRIS	1,140.94
			JAN-10 MISC METER FEES	334.00
2/22/2010	200702	13,934.40		
			PERRIS BL 12KV FEEDER IRIS-JFK	4,960.35
			CACTUS/LASSELLE 12KV CIRC TIE	132.01
			CACTUS/LASSELLE 12KV CIRC TIE	6,771.50
			BAY ST BACKBONE W/O MOR BCH DR	14.67
			GOLDENCREST-ELSWORTH BACKBONE	146.68
			GOLDENCREST-ELSWORTH BACKBONE	1,909.19
Vendor Total		**19,268.40**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENRIQUEZ, ROSALIO				
2/1/2010	200236	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for ENRIQUEZ, ROSALIO		**20.00**		
EVANS ENGRAVING & AWARDS				
2/8/2010	200367	172.92		
			ENGRAVING SVCS-PLAQUES	60.90
			ENGRAVING SVCS-NAMEPLATES	16.32
			ENGRAVING SVCS-PLAQUES	65.25
			ENGRAVING SVCS-PLAQUE	30.45
2/16/2010	200571	21.75		
			ENGRAVING SVCS-ART COMM	21.75
Vendor Total		**194.67**		
FYTD for EVANS ENGRAVING & AWARDS		**1,584.53**		
EVANS RECREATIONAL INSTALLATION INC.				
2/16/2010	200572	3,595.77		
			PARK RPRS-LABOR/MATERIALS	3,595.77
			PARK RPRS-SALES TAX	104.21
			PARK RPRS-USED SALES TAX ACCRL	-104.21
Vendor Total		**3,595.77**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**5,883.82**		

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EWING IRRIGATION PRODUCTS, INC.				
2/1/2010	200237	38.74		
			IRRIGATION PARTS	38.74
Vendor Total		**38.74**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,322.90**		
EXCEL LANDSCAPE, INC				
2/16/2010	200573	5,239.15		
			JAN-10 LNDSCP MAINT-E7	2,666.81
			JAN-10 LNDSCP MAINT-E15	1,070.36
			JAN-10 LNDSCP MAINT-E8	1,501.98
2/22/2010	200703	7,350.07		
			JAN-10 LNDSCP MAINT-E14	3,461.07
			JAN-10 LNDSCP MAINT-WQF	3,889.00
Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC		**179,884.94**		
EYERMAN, MARSHALL				
2/22/2010	200704	235.98		
			TRAVEL EXP-SPEC DIST TRNG.	57.98
			TRAVEL EXP-SPEC DIST TRNG.	128.00
			TRAVEL EXP-SPEC DIST TRNG.	50.00
Vendor Total		**235.98**		
FYTD for EYERMAN, MARSHALL		**235.98**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
2/22/2010	200705	19,645.89		
			CDBG SVCS-HOUSING	4,036.26
			CDBG SVCS-HOUSING	2,899.05
			CDBG SVCS-HOUSING	3,357.29
			CDBG SVCS-HOUSING	3,242.40
			CDBG SVCS-HOUSING	1,802.79
			CDBG SVCS-HOUSING	4,308.10
Vendor Total		**19,645.89**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**23,051.19**		
FEDERAL EXPRESS				
2/16/2010	200574	6.18		
			EXPRESS SHIPPING-GRAPHICS	6.18
Vendor Total		**6.18**		
FYTD for FEDERAL EXPRESS		**55.55**		

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FEENSTRA, JOHN					
	2/8/2010	200368	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**2,890.00**		
FILARSKY & WATT, LLP					
	2/8/2010	200369	182.00		
				LEGAL SVCS-HR	182.00
	Vendor Total		**182.00**		
FYTD for FILARSKY & WATT, LLP			**5,954.00**		
FIRE ENGINEERING					
	2/8/2010	200370	139.65		
				7 ANNL SUBSCRIPTIONS	139.65
	Vendor Total		**139.65**		
FYTD for FIRE ENGINEERING			**139.65**		
FIRST AMERICAN CORE LOGIC, INC.					
	2/16/2010	200575	454.00		
				DEC-09 ONLINE SVCS-CODE	85.00
				DEC-09 ONLINE SVCS-CDD	193.00
				DEC-09 ONLINE SVCS-EDD/NP	176.00
	Vendor Total		**454.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**2,686.00**		
FIRST CHOICE SERVICES					
	2/1/2010	200238	847.09		
				EMP PAID COFFEE SVCS	54.32
				EMP PAID COFFEE SVCS	58.76
				EMP PAID COFFEE SVCS	107.10
				EMP PAID COFFEE SVCS	155.82
				EMP PAID COFFEE SVCS	111.08
				EMP PAID COFFEE SVCS	197.26
				EMP PAID COFFEE SVCS	108.43
				EMP PAID COFFEE SVCS	54.32
	2/16/2010	200576	54.32		
				EMP PAID COFFEE SVCS	54.32
	2/22/2010	200706	520.76		
				EMP PAID COFFEE SVCS	64.19
				EMP PAID COFFEE SVCS	149.61
				EMP PAID COFFEE SVCS	29.05
				EMP PAID COFFEE SVCS	177.84
				EMP PAID COFFEE SVCS	72.43
				EMP PAID COFFEE SVCS	27.64
	Vendor Total		**1,422.17**		
FYTD for FIRST CHOICE SERVICES			**6,844.93**		

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FISHER, ARLYNNE					
	2/8/2010	200371	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for FISHER, ARLYNNE			**86.00**		
FITNESS 19 CA 155 11C					
	2/1/2010	200239	281.00		
				GYM MEMBERSHIP CONTRIBUTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,096.00**		
FOCUS ESTATES, INC					
	2/22/2010	200707	1,000.00		
				CONTRACT SVCS-P OLSEN	1,000.00
	Vendor Total		**1,000.00**		
FYTD for FOCUS ESTATES, INC			**10,000.00**		
FORTNEY, DAVID					
	2/16/2010	200577	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORTNEY, DAVID			**75.00**		
FOSTER, NANCY A.					
	2/8/2010	200372	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**634.32**		
FRANCE PUBLICATIONS, INC.					
	2/16/2010	200578	4,800.00		
				JAN-10 ADVERTISING-EDD	3,000.00
				JAN-10 ADVERTISING-EDD	1,800.00
	Vendor Total		**4,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.			**7,800.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANCHISE TAX BOARD					
	2/1/2010	200240	1,016.02		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	484.12
				GARNISHMENT	254.00
				GARNISHMENT	101.62
	2/16/2010	200579	1,052.77		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.55
				GARNISHMENT	483.88
				GARNISHMENT	254.00
				GARNISHMENT	138.84
	Vendor Total		**2,068.79**		
FYTD for FRANCHISE TAX BOARD			**7,039.56**		
FRANKLIN, L. C.					
	2/22/2010	200708	164.50		
				MILEAGE REIMBURSEMENT	164.50
	Vendor Total		**164.50**		
FYTD for FRANKLIN, L. C.			**1,074.20**		
FRED'S GLASS & MIRROR, INC.					
	2/1/2010	200241	281.03		
				GLASS REPAIR-SR CTR	200.00
				GLASS REPAIR-SR CTR	81.03
	Vendor Total		**281.03**		
FYTD for FRED'S GLASS & MIRROR, INC.			**366.03**		
FROEHLICH, LAURA A.					
	2/22/2010	200709	2,500.00		
				DEPOSIT FOR EVENT SVCS	2,500.00
	Vendor Total		**2,500.00**		
FYTD for FROEHLICH, LAURA A.			**2,500.00**		
FROST, JOAN CHENG					
	2/16/2010	200580	266.00		
				INSTRUCTION SVC-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**874.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GALLS INC., INLAND UNIFORM					
	2/1/2010	200242	926.57		
				UNIFORM-POP	305.85
				UNIFORM-PARK RANGERS	500.00
				UNIFORM-PARK RANGERS	120.72
	Vendor Total		**926.57**		
FYTD for GALLS INC., INLAND UNIFORM			**4,986.97**		
GANAL, DANA					
	2/8/2010	200374	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GANAL, DANA			**86.00**		
GASTON, RICHARD					
	2/8/2010	200375	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,549.84**		
GATEWOOD, NACOLLE					
	2/16/2010	200581	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GATEWOOD, NACOLLE			**95.00**		
GENERAL SECURITY SERVICES, INC.					
	2/1/2010	200243	751.66		
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-TWNGTE	214.76
	2/8/2010	200376	61.36		
				SECURITY SVCS-UTILITIES	61.36
	2/16/2010	200582	552.24		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-SR CTR	245.44
	2/22/2010	200710	1,035.45		
				SECURITY SVCS-CRC	345.15
				SECURITY SVCS-UTILITIES	214.76
				SECURITY SVCS-TWNGTE	168.74
				SECURITY SVCS-CRC	306.80
	Vendor Total		**2,400.71**		
FYTD for GENERAL SECURITY SERVICES, INC.			**37,214.95**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GEORGE SALINAS TREE PRESERVATION				
2/16/2010	200583	18,152.26		
			TREE TRIMMING SVC	1,833.11
			TREE TRIMMING SVC	223.55
			TREE TRIMMING SVC	1,251.88
			TREE TRIMMING SVC	10,462.14
			TREE TRIMMING SVC	3,129.70
			TREE TRIMMING SVC	1,028.33
			TREE TRIMMING SVC	223.55
	Vendor Total	**18,152.26**		
FYTD for GEORGE SALINAS TREE PRESERVATION		**79,002.57**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
2/1/2010	200244	943.81		
			DEC-09 LEGAL SVCS-EMPIRE LAND	943.81
2/8/2010	200377	3,341.39		
			NOV-09 LEGAL SVCS-TOVEY/SHULTZ	110.00
			NOV-09 LEGAL SVCS-COMM PARK	3,231.39
	Vendor Total	**4,285.20**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**127,839.61**		
GIBSON, GEORGE				
2/8/2010	200378	86.00		
			REFUND-BSKTBLL REGIST	86.00
	Vendor Total	**86.00**		
FYTD for GIBSON, GEORGE		**86.00**		
GILES, GREG				
2/8/2010	200379	2,040.00		
			AUDITING SVCS JAN26-FEB2	2,040.00
	Vendor Total	**2,040.00**		
FYTD for GILES, GREG		**20,612.50**		
GOD'S HELPING HAND				
2/22/2010	200711	3,750.00		
			CDBG SVCS-FOOD BNK PRGRM	750.00
			CDBG SVCS-FOOD BNK PRGRM	750.00
			CDBG SVCS-FOOD BNK PRGRM	750.00
			CDBG SVCS-FOOD BNK PRGRM	750.00
			CDBG SVCS-FOOD BNK PRGRM	750.00
	Vendor Total	**3,750.00**		
FYTD for GOD'S HELPING HAND		**4,999.88**		

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GOMEZ, HECTOR					
	2/8/2010	200380	157.00		
				TUITION REIMBURSEMENT	157.00
	Vendor Total		**157.00**		
FYTD for GOMEZ, HECTOR			**157.00**		
GONZALES, LORENZ R.					
	2/1/2010	200245	100.65		
				MILEAGE REIMBURSEMENT	100.65
	Vendor Total		**100.65**		
FYTD for GONZALES, LORENZ R.			**178.20**		
GONZALEZ, JULIE					
	2/1/2010	200246	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GONZALEZ, JULIE			**20.00**		
GONZALEZ, MARIE					
	2/16/2010	200584	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GONZALEZ, MARIE			**95.00**		
GORM INC.					
	2/22/2010	200712	1,223.44		
				JANITORIAL SUPPLIES-PARKS	1,223.44
	Vendor Total		**1,223.44**		
FYTD for GORM INC.			**7,580.48**		
GOZDECKI, DAN					
	2/8/2010	200381	513.00		
				INSTRUCTOR SVCS-KUNG FU	216.00
				INSTRUCTOR SVCS-KUNG FU	297.00
	Vendor Total		**513.00**		
FYTD for GOZDECKI, DAN			**4,941.00**		
GRANDY, JEANNETTE					
	2/22/2010	200713	65.00		
				REFUND-BSKTBLL REGIST.	65.00
	Vendor Total		**65.00**		
FYTD for GRANDY, JEANNETTE			**65.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRANICUS, INC.					
	2/8/2010	200382	1,395.22		
				JAN-10 MANAGED SVCS	1,350.00
				JAN-10 MANAGED SVCS	45.22
	2/22/2010	200714	1,395.22		
				FEB-10 MANAGED SVCS	1,350.00
				FEB-10 MANAGED SVCS	45.22
	Vendor Total		**2,790.44**		
FYTD for GRANICUS, INC.			**11,161.76**		
GRENNAN, BRADLEY					
	2/1/2010	200247	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for GRENNAN, BRADLEY			**100.00**		
GRIFFIN, MARLENE C					
	2/8/2010	200383	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**1,825.61**		
GUIDA SURVEYING, INC.					
	2/8/2010	200384	5,652.00		
				2009 ANNL PAVEMNT RESURF PROJ	5,652.00
	Vendor Total		**5,652.00**		
FYTD for GUIDA SURVEYING, INC.			**51,390.20**		
GUILLAN, REBECCA S.					
	2/8/2010	200385	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**581.79**		
GUILLIS, LINDA B.					
	2/8/2010	200386	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,549.84**		
GUTIERREZ, PEARL					
	2/8/2010	200387	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for GUTIERREZ, PEARL			**404.50**		

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GUTIERREZ, ROBERT					
	2/8/2010	200388	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,255.44**		
GUZMAN, JOSE					
	2/22/2010	200715	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for GUZMAN, JOSE			**75.00**		
GUZMAN'S CART SERVICE					
	2/16/2010	200585	4,049.00		
				JAN-10 CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**32,392.00**		
HAISTY, XIU HUA					
	2/16/2010	200586	90.00		
				INSTRUCTOR SVCS-TAI CHI	90.00
	Vendor Total		**90.00**		
FYTD for HAISTY, XIU HUA			**450.00**		
HALA, RUTH VAN					
	2/1/2010	200248	175.50		
				EXPENSE REIMBURSEMENT	175.50
	Vendor Total		**175.50**		
FYTD for HALA, RUTH VAN			**175.50**		
HAMBURG, IRENE					
	2/8/2010	200389	642.89		
				RETIREE MEDICAL BENEFIT	642.89
	Vendor Total		**642.89**		
FYTD for HAMBURG, IRENE			**3,335.48**		
HAMLIN, WILLIAM R.					
	2/8/2010	200390	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,606.86**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HANES, MARTIN D.					
	2/8/2010	200391	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,549.84**		
HARDING, JOHN S.					
	2/8/2010	200392	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,549.84**		
HATFIELD, CHARLES					
	2/8/2010	200393	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**1,912.39**		
HAUSER, ADRIANA					
	2/16/2010	200587	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**1,824.00**		
HAYWARD TILTON & ROLAPP INS. ASSOC., INC					
	2/22/2010	200716	12,541.63		
				POLICY RNWL-SSE7133401	12,541.63
	Vendor Total		**12,541.63**		
FYTD for HAYWARD TILTON & ROLAPP INS. ASSOC., INC			**12,541.63**		
HEFFLEY, ROSS W.					
	2/8/2010	200394	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**1,912.39**		
HEISTERBERG, ANTHONY					
	2/8/2010	200395	287.12		
				RETIREE MEDICAL BENEFIT	287.12
	Vendor Total		**287.12**		
FYTD for HEISTERBERG, ANTHONY			**767.65**		

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HERRICK, ROBERT D.					
	2/8/2010	200396	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,549.84**		
HESLIN, MICHAEL K.					
	2/8/2010	200397	42.00		
				REIMB-ESRI REG USER GRP CONF.	42.00
	Vendor Total		**42.00**		
FYTD for HESLIN, MICHAEL K.			**610.70**		
HIGGS, DEBRA					
	2/8/2010	200398	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**720.00**		
HO, KEVIN					
	2/16/2010	200589	38.00		
				INSTRUCTION SVC-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for HO, KEVIN			**38.00**		
HOUSER, EDITH E.					
	2/8/2010	200399	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,549.84**		
ICMA RETIREMENT CORP 457					
	2/12/2010	2581	10,164.54		
				DEF COMP 457 02/12/10	10,164.54
	2/26/2010	2591	10,164.54		
				DEF COMP 457 02/26/10	10,164.54
	Vendor Total		**20,329.08**		
FYTD for ICMA RETIREMENT CORP 457			**236,055.82**		
IL SORRENTO MOBILE PARK					
	2/8/2010	200400	184.72		
				REFUND-UT USER TAXES	184.72
	Vendor Total		**184.72**		
FYTD for IL SORRENTO MOBILE PARK			**1,299.88**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ING USA ANNUITY & LIFE INSURANCE CO.				
2/16/2010	200590	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**3,800.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
2/16/2010	200591	113.00		
			NSNC ABTMNT SVC-482662043	113.00
Vendor Total		**113.00**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**6,693.81**		
INLAND EMPIRE PROPERTY SERVICE, INC				
2/8/2010	200402	761.00		
			WEED ABTMNT SVC-POORMANS RESVR	761.00
2/16/2010	200592	1,833.00		
			NSNC ABTMNT SVC-264072005	628.00
			NSNC ABTMNT SVC-256253013	532.00
			NSNC ABTMNT SVC-260136017	254.00
			NSNC ABTMNT SVC-484311045	267.00
			NSNC ABTMNT SVC-473280016	152.00
Vendor Total		**2,594.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**74,612.90**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
2/22/2010	200717	10,000.00		
			SBDC SVCS-FY09/10 QTR 2	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**30,000.00**		
INLAND LIBRARY SYSTEM				
2/8/2010	200403	184.70		
			STORY TIME PUPPETS-LIBRARY	184.70
Vendor Total		**184.70**		
FYTD for INLAND LIBRARY SYSTEM		**184.70**		
INSIDE PLANTS, INC.				
2/16/2010	200593	316.00		
			FEB-10 PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,528.00**		

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INTERNAL REVENUE SERVICE					
	2/24/2010	2585	11,368.29		
				DEP FED TAX W/H 02/24/10	11,368.29
	Vendor Total		**11,368.29**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	2/8/2010	200404	1,012.52		
				JAN-10 DATA STORAGE	1,012.52
	Vendor Total		**1,012.52**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**8,687.88**		
JABARA, MONA					
	2/8/2010	200405	86.00		
				REFUND-BSKTBLL REGIST	58.00
				REFUND-BSKTBLL REGIST	28.00
	2/22/2010	200718	47.20		
				REFUND-BSKTBLL REGIST.	47.20
	Vendor Total		**133.20**		
FYTD for JABARA, MONA			**161.20**		
JAFFE, ROD					
	2/8/2010	200406	9.00		
				REFUND-ANML LIC FEE	9.00
	Vendor Total		**9.00**		
FYTD for JAFFE, ROD			**9.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	2/16/2010	200594	150.00		
				FEB-10 RETAINER	150.00
	Vendor Total		**150.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,703.00**		
JH DESIGN & ASSOCIATES					
	2/1/2010	200250	125.00		
				PLAQUE REMOVAL	125.00
	Vendor Total		**125.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	2/16/2010	200595	3,150.00		
				FEB-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**25,200.00**		

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JOHNSON, CLAYTON					
	2/8/2010	200407	50.00		
				REFUND-ANML FEES	30.00
				REFUND-ANML FEES	10.00
				REFUND-ANML FEES	10.00
	Vendor Total		**50.00**		
FYTD for JOHNSON, CLAYTON			**50.00**		
JOHNSTONE, SUSAN					
	2/8/2010	200408	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JOHNSTONE, SUSAN			**20.00**		
JONES III, JOSEPH					
	2/22/2010	200719	86.50		
				MILEAGE REIMBURSEMENT	86.50
	Vendor Total		**86.50**		
FYTD for JONES III, JOSEPH			**486.35**		
JONES, SUSAN					
	2/8/2010	200409	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,549.84**		
JTB SUPPLY CO., INC.					
	2/22/2010	200720	8,129.06		
				MISC SUPPLIES-TRFFC SGNL	8,129.06
	Vendor Total		**8,129.06**		
FYTD for JTB SUPPLY CO., INC.			**19,127.34**		
KAISER PERMANENTE					
	2/8/2010	200410	2,159.22		
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
	Vendor Total		**2,159.22**		
FYTD for KAISER PERMANENTE			**3,711.82**		
KDM MERIDIAN, INC.					
	2/1/2010	200251	9,090.00		
				SUNNYMD BLVD REVIT PROJ SVCS	7,340.00
				SUNNYMD BLVD REVIT PROJ SVCS	1,750.00
	Vendor Total		**9,090.00**		
FYTD for KDM MERIDIAN, INC.			**65,120.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KEEYLEN, TRACIE L.					
	2/22/2010	200721	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for KEEYLEN, TRACIE L.			**25.00**		
KERRY A. BERG & ASSOCIATES, INC					
	2/22/2010	200722	562.50		
				LEGAL SVCS-CAD DRAWING	562.50
	Vendor Total		**562.50**		
FYTD for KERRY A. BERG & ASSOCIATES, INC			**562.50**		
KFC					
	2/8/2010	200411	200.00		
				RFND FALSE ALARM FEE	200.00
	Vendor Total		**200.00**		
FYTD for KFC			**200.00**		
KING, PATRICIA A.					
	2/8/2010	200412	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**1,912.39**		
KOLB, CHARLES E.					
	2/8/2010	200413	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,549.84**		
KOLLAR, KYLE					
	2/8/2010	200414	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**637.46**		
KUSTOM SIGNALS, INC.					
	2/8/2010	200415	604.02		
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
	Vendor Total		**604.02**		
FYTD for KUSTOM SIGNALS, INC.			**1,489.74**		

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KYLE, GARY M.					
	2/8/2010	200416	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**1,912.39**		
LABELLE, LAURIE COLLETT					
	2/8/2010	200418	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LABELLE, LAURIE COLLETT			**25.00**		
LADD, MACK					
	2/8/2010	200419	57.00		
				REFUND-TUMBLING CLASS	57.00
	Vendor Total		**57.00**		
FYTD for LADD, MACK			**57.00**		
LAFATA, JOSEPHINE					
	2/8/2010	200420	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,527.36**		
LANE GUIDE LENDORS ON LINE, INC.					
	2/16/2010	200596	109.00		
				ONLINE SUBSCRIPTION-CODE	109.00
	Vendor Total		**109.00**		
FYTD for LANE GUIDE LENDORS ON LINE, INC.			**109.00**		
LANE, LORA					
	2/1/2010	200253	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for LANE, LORA			**75.00**		
LANG, TRACEY					
	2/16/2010	200597	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for LANG, TRACEY			**380.00**		

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LANGENDORF, BENJAMIN					
	2/8/2010	200421	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LANGENDORF, BENJAMIN			**2,549.84**		
LANGSTON, KRISTEN					
	2/16/2010	200598	220.00		
				REFUND-RNTL DEP #15580	220.00
	Vendor Total		**220.00**		
FYTD for LANGSTON, KRISTEN			**220.00**		
LAWHORN, MARTHA					
	2/16/2010	200599	26.50		
				REFUND-FLD RNTL #16397	26.50
	Vendor Total		**26.50**		
FYTD for LAWHORN, MARTHA			**26.50**		
LAWN TECH EQUIPMENT					
	2/22/2010	200723	111.65		
				CHAIN SHARPENING	111.65
	Vendor Total		**111.65**		
FYTD for LAWN TECH EQUIPMENT			**2,291.85**		
LAWYERS TITLE INC					
	2/23/2010	91309	16,026.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,026.00
	Vendor Total		**16,026.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		
LEDEBUR, TIM					
	2/1/2010	200254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LEDEBUR, TIM			**50.00**		
LEIGHTON CONSULTING, INC.					
	2/8/2010	200422	8,415.00		
				LASSELLE ST WIDENING PROJ	8,415.00
	Vendor Total		**8,415.00**		
FYTD for LEIGHTON CONSULTING, INC.			**61,855.14**		

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LEWIS, CAROLYN S.					
	2/8/2010	200423	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,524.12**		
LEXISNEXIS					
	2/22/2010	200724	1,480.00		
				JAN-10 ONLINE LGL SVCS	740.00
				JAN-10 ONLINE LGL SVCS	370.00
				JAN-10 ONLINE LGL SVCS	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**12,235.00**		
LIEBERT, CASSIDY, WHITMORE					
	2/16/2010	200600	70.00		
				ATTND:KUMAR/LONGDYKE	35.00
				ATTND:KUMAR/LONGDYKE	35.00
	Vendor Total		**70.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,274.00**		
LIFE SIGNS, INC.					
	2/8/2010	200424	130.00		
				INTERPRETATION SVCS-PD	130.00
	Vendor Total		**130.00**		
FYTD for LIFE SIGNS, INC.			**410.00**		
LINDO, HERMINA G.					
	2/8/2010	200425	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LINDO, HERMINA G.			**2,422.71**		
LITELINES, INC.					
	2/8/2010	200426	19,335.87		
				POLE/SIGN LIGHTS-PATRIOT PARK	14,735.00
				SALES TAX	1,289.31
				FIXTURES-PARKS MAINT	1,189.73
				FIXTURES-PARKS MAINT	586.04
				FIXTURES-PARKS MAINT	1,057.29
				FIXTURES-PARKS MAINT	239.25
				FIXTURES-PARKS MAINT	239.25
	Vendor Total		**19,335.87**		
FYTD for LITELINES, INC.			**19,335.87**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LITTLE, LORELEI T.					
	2/8/2010	200427	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for LITTLE, LORELEI T.			**54.50**		
LOGAN, CHARLES					
	2/8/2010	200428	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**1,771.15**		
LOR GEOTECHNICAL GROUP, INC.					
	2/1/2010	200255	2,273.00		
				TRAF SIG AT LASSELLE/COTTONWD	1,133.00
				SUNNYMD BLVD REVIT PROJ SVCS	380.00
				SUNNYMD BLVD REVIT PROJ SVCS	760.00
	2/8/2010	200429	9,805.00		
				LASSELLE/BAY AVE ST IMPRVMNTS	135.00
				TRAF SIG AT LASSELLE/BAY AVE.	258.00
				ENVIR SITE ASSESSMNT-CORP YARD	4,000.00
				SUNNYMD BL BEAUTIFICATION PROJ	1,848.00
				SUNNYMD BL BEAUTIFICATION PROJ	3,564.00
	Vendor Total		**12,078.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**55,371.00**		
LUCERO, ALBERT					
	2/1/2010	200256	72.00		
				REFUND-CITATION OVRPMT	72.00
	Vendor Total		**72.00**		
FYTD for LUCERO, ALBERT			**72.00**		
LUDWIG, MICHAEL DAVID					
	2/8/2010	200430	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LUDWIG, MICHAEL DAVID			**25.00**		
LUMLEY, ROBERT C.					
	2/8/2010	200431	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,549.84**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
2/22/2010	200725	7,050.00		
			CDBG SVCS-SEC DEPOSITS	2,000.00
			CDBG SVCS-UT ASSIST	4,000.00
			CDBG SVCS-UT ASSIST	1,050.00
	Vendor Total	**7,050.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**22,052.00**		
MANZANO, KARLA				
2/8/2010	200432	112.00		
			REFUND-CITATION FEE	112.00
	Vendor Total	**112.00**		
FYTD for MANZANO, KARLA		**112.00**		
MARAL, TAVOUKJIAN				
2/8/2010	200433	70.00		
			REFUND-CITATION FEE	70.00
	Vendor Total	**70.00**		
FYTD for MARAL, TAVOUKJIAN		**70.00**		
MARCELO, HENRY				
2/8/2010	200434	76.40		
			REFUND-BSKTBLL REGIST	76.40
	Vendor Total	**76.40**		
FYTD for MARCELO, HENRY		**76.40**		
MARTIAL ARTS INTERNATIONAL, USKO				
2/16/2010	200601	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**392.00**		
MATHIS, NOLAN				
2/8/2010	200435	288.60		
			RETIREE MEDICAL BENEFIT	288.60
	Vendor Total	**288.60**		
FYTD for MATHIS, NOLAN		**2,308.80**		
MATICH CORPORATION				
2/22/2010	200726	2,538.04		
			ASPHALTIC MATERIAL PICK UP	2,538.04
	Vendor Total	**2,538.04**		
FYTD for MATICH CORPORATION		**29,184.83**		

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MAXINOSKI, SUE A.					
	2/8/2010	200436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,549.84**		
MCCARTHY & BERLIN, LLP					
	2/8/2010	200437	989.51		
				DEC-09 LEGAL SVCS-UT	989.51
	Vendor Total		**989.51**		
FYTD for MCCARTHY & BERLIN, LLP			**27,282.29**		
MCDONALD PARTNERS, INC.					
	2/22/2010	200727	937.50		
				ADVISORY SVCS-UTILITY	937.50
	Vendor Total		**937.50**		
FYTD for MCDONALD PARTNERS, INC.			**10,187.50**		
MCI					
	2/1/2010	200257	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**1,191.52**		
FYTD for MCI			**9,776.10**		
MCI WORLDCOM					
	2/16/2010	200602	948.49		
				COMMUNICATION SVCS	948.49
	Vendor Total		**948.49**		
FYTD for MCI WORLDCOM			**7,025.57**		
MELAD & ASSOCIATES					
	2/22/2010	200728	1,084.19		
				PLAN CHECK SVCS	1,084.19
	Vendor Total		**1,084.19**		
FYTD for MELAD & ASSOCIATES			**30,600.55**		
MENGISTU, YESHIALEM					
	2/22/2010	200729	121.50		
				MILEAGE REIMBURSEMENT	121.50
	Vendor Total		**121.50**		
FYTD for MENGISTU, YESHIALEM			**765.55**		

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MERRILLS, ANDREA					
	2/16/2010	200603	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MERRILLS, ANDREA			**75.00**		
MESSIN, LOUIS					
	2/8/2010	200438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**1,912.39**		
MEYERS, ROBERT					
	2/8/2010	200439	105.00		
				INSTRUCTOR SVCS-DRAWING	105.00
	Vendor Total		**105.00**		
FYTD for MEYERS, ROBERT			**1,806.00**		
MILES, ROBERT					
	2/8/2010	200440	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**1,831.70**		
MINARD, MARK E.					
	2/8/2010	200441	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,370.17**		
MOLLICA, MIKE					
	2/8/2010	200443	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,408.53**		
MORA, PATRICIA A.					
	2/8/2010	200444	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**2,549.84**		

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MORENO VALLEY BOWL					
	2/1/2010	200258	400.00		
				INSTRUCTOR SVC-BOWLING	280.00
				INSTRUCTOR SVC-BOWLING	120.00
	Vendor Total		**400.00**		
FYTD for MORENO VALLEY BOWL			**1,520.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	2/16/2010	200604	6,090.00		
				JAN-MAR BUSINESS SVCS	6,000.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
	Vendor Total		**6,090.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**21,730.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	2/12/2010	2580	1,589.00		
				MVCEA DUES 02/12/10	1,589.00
	2/26/2010	2590	1,614.00		
				MVCEA DUES 02/26/10	1,614.00
	Vendor Total		**3,203.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**28,512.50**		
MORENO VALLEY COMMUNITY EDUCATION CENTER					
	2/1/2010	200259	4,334.55		
				TUTORING PROG-CDBG	585.00
				TUTORING PROG-CDBG	775.41
				TUTORING PROG-CDBG	706.00
				TUTORING PROG-CDBG	574.99
				TUTORING PROG-CDBG	917.00
				TUTORING PROG-CDBG	776.15
	Vendor Total		**4,334.55**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER			**4,334.55**		
MORENO VALLEY TOW & RADIATOR					
	2/22/2010	200730	85.00		
				TOWING SVCS	85.00
	Vendor Total		**85.00**		
FYTD for MORENO VALLEY TOW & RADIATOR			**1,115.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	2/22/2010	200731	2,549.75		
				RESTITUTION FOR DAMAGES-1/21	2,549.75
	Vendor Total		**2,549.75**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**404,676.07**		
MORGAN, LISA A.					
	2/8/2010	200445	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**2,549.84**		
MYERS, FREDERICK					
	2/8/2010	200446	150.00		
				REFUND-CITATION FEE	150.00
	Vendor Total		**150.00**		
FYTD for MYERS, FREDERICK			**150.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	2/12/2010	2578	10,850.91		
				PST DEF COMP FOR FICA 02/12/10	10,850.91
	2/12/2010	2579	21,824.04		
				DEF COMP 457 & 401(A) 02/12/10	21,824.04
	2/26/2010	2588	10,268.63		
				PST DEF COMP FOR FICA 02/26/10	10,268.63
	2/26/2010	2589	21,798.04		
				DEF COMP 457 & 401(A) 02/26/10	21,798.04
	Vendor Total		**64,741.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**613,578.33**		
NAVARRETTE, RALPH					
	2/8/2010	200447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**637.46**		
NELSON, ROBERT					
	2/8/2010	200448	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**1,825.61**		

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NELSON, RUTH L.					
	2/8/2010	200449	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,549.84**		
NEUSTAEDTER, CRAIG S					
	2/8/2010	200450	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,549.84**		
NGUYEN, BINH					
	2/16/2010	200605	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for NGUYEN, BINH			**60.00**		
NIEBURGER, JUDITH A.					
	2/8/2010	200451	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,211.36**		
NINYO & MOORE GEOTECHNICAL					
	2/8/2010	200452	1,257.25		
				EMRGNCY OPS CTR PROJ SVCS	1,257.25
	Vendor Total		**1,257.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**66,607.87**		
NOBEL SYSTEMS					
	2/1/2010	200260	13,760.00		
				PROF SVCS-GIS CONVERSION	13,760.00
	2/22/2010	200733	15,080.00		
				PROF SVCS-UT GIS	12,200.00
				PROF SVCS-ARCGIS UPGRADE	2,880.00
	Vendor Total		**28,840.00**		
FYTD for NOBEL SYSTEMS			**28,840.00**		

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NPG CORPORATION					
	2/8/2010	200453	9,380.00		
				SLURRY SEAL/RESTRIPE @ LIBRARY	9,380.00
	Vendor Total		**9,380.00**		
FYTD for NPG CORPORATION			**9,380.00**		
NUNEZ, RICHARD					
	2/16/2010	200606	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NUNEZ, RICHARD			**20.00**		
OCB REPROGRAPHICS					
	2/1/2010	200261	71.78		
				COPY SVCS- MV UT	71.78
	Vendor Total		**71.78**		
FYTD for OCB REPROGRAPHICS			**5,233.84**		
ORTEGA, BECKY					
	2/22/2010	200734	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for ORTEGA, BECKY			**50.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	2/22/2010	200735	8,400.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total		**8,400.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**126,629.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	2/16/2010	200607	817.83		
				JAN-10 LNDSCP MAINT-E	235.54
				JAN-10 LNDSCP MAINT-E	433.49
				JAN-10 LNDSCP MAINT-E	108.51
				JAN-10 LNDSCP MAINT-E	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**8,212.63**		

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PACIFIC TELEMANAGEMENT SERVICES					
	2/1/2010	200262	438.48		
				FEB-10 SVC CHRGS-PAYPHONES	438.48
	2/22/2010	200736	375.84		
				MAR-10 SVC CHRGS-PAYPHONES	375.84
	Vendor Total		**814.32**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**1,641.16**		
PARK N POOL					
	2/22/2010	200738	8,160.80		
				METAL TABLES/BENCHES-PARKS	8,874.87
				METAL TABLES/BENCHES-USED TAX	-714.07
	Vendor Total		**8,160.80**		
FYTD for PARK N POOL			**8,160.80**		
PATCHEN, HELEN GERTRUDE					
	2/22/2010	200739	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for PATCHEN, HELEN GERTRUDE			**54.50**		
PATTERSON, ALFREY					
	2/8/2010	200454	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,722.85**		
PBS & J					
	2/16/2010	200609	445.29		
				CITYWIDE BRIDGE MAINT PRGM	445.29
	Vendor Total		**445.29**		
FYTD for PBS & J			**30,064.86**		
PEDLEY SQUARE VETERINARY CLINIC					
	2/22/2010	200740	5,843.00		
				EMERG AND VETERINARY SVCS	5,843.00
	Vendor Total		**5,843.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**58,492.75**		

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PENA, BETSY					
	2/16/2010	200610	47.00		
				REFUND-ANML LIC FEE	9.00
				REFUND-ANML LIC FEE	19.00
				REFUND-ANML LIC FEE	19.00
	Vendor Total		**47.00**		
FYTD for PENA, BETSY			**47.00**		
PEREZ, JOHN B.					
	2/8/2010	200455	85.00		
				REFUND-CITATION FEE	85.00
	Vendor Total		**85.00**		
FYTD for PEREZ, JOHN B.			**85.00**		
PEREZ, LAURA					
	2/8/2010	200456	78.40		
				REFUND-BSKTBLL REGIST	78.40
	Vendor Total		**78.40**		
FYTD for PEREZ, LAURA			**78.40**		
PERRY, NORMA					
	2/8/2010	200457	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,549.84**		
PERS LONG TERM CARE PROGRAM					
	2/1/2010	200265	433.87		
				LONG TERM CARE INSURANCE	433.87
	2/16/2010	200611	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**9,118.18**		
POIEMA LANDSCAPE, INC.					
	2/1/2010	200266	2,889.00		
				DEC-09 LNDSCP MAINT-ZN S	758.00
				DEC-09 LNDSCP MAINT-E12	2,131.00
	Vendor Total		**2,889.00**		
FYTD for POIEMA LANDSCAPE, INC.			**20,452.50**		
PRICE, GEORGE E.					
	2/8/2010	200459	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,549.84**		

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PROTECTION ONE, INC.					
	2/16/2010	200612	40.00		
				FEB-10 MNTRNG SVC-MVTV STUDIO	20.00
				FEB-10 MNTRNG SVC-PRO SHOP	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**320.00**		
PSOMAS					
	2/16/2010	200613	1,482.50		
				LASSELLE ST WIDENING PROJ	1,482.50
	Vendor Total		**1,482.50**		
FYTD for PSOMAS			**153,311.18**		
PULLIAM, TRENT D.					
	2/8/2010	200461	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,549.84**		
PW ENHANCEMENT CENTER					
	2/16/2010	200614	6,522.69		
				PARTNERSHIP PRGM	6,522.69
	Vendor Total		**6,522.69**		
FYTD for PW ENHANCEMENT CENTER			**86,640.31**		
QUEIFFER, RUBEN					
	2/16/2010	200615	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for QUEIFFER, RUBEN			**100.00**		
R & S OVERHEAD DOORS, INC.					
	2/1/2010	200267	5,331.00		
				CURTAIN INSTALL-FS #2	3,383.00
				DOOR SVC-FAC	121.00
				DOOR RPLCMNT-FAC	1,827.00
	Vendor Total		**5,331.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**23,860.00**		

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RALLY MANAGEMENT SERVICES, LLC					
	2/16/2010	200616	719.28		
				TEMP SVC:HENDERSON-W/E 1/17	719.28
	2/22/2010	200741	1,603.40		
				TEMP SVC-HENDERSON W/E 1/24	884.12
				TEMP SVCS-HENDERSON W/E 1/31	719.28
	Vendor Total		**2,322.68**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**5,695.10**		
RAMOS, MAYNARDO A.					
	2/8/2010	200462	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RAMOS, MAYNARDO A.			**54.50**		
RAY, JUANITA					
	2/1/2010	200268	95.00		
				REFUND-RABIES/SN DEP	20.00
				REFUND-RABIES/SN DEP	75.00
	Vendor Total		**95.00**		
FYTD for RAY, JUANITA			**95.00**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	2/16/2010	200617	12,420.00		
				RED LIGHT PHOTO ENF SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**99,360.00**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	2/22/2010	200742	22.00		
				CUC BREAKFAST MTG 2/24/10	22.00
	Vendor Total		**22.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**22.00**		
REISH LUFTMAN REICHER & COHEN					
	2/8/2010	200463	3,800.00		
				NOV-09 LEGAL SVCS-HR	1,300.00
				NOV-09 LEGAL SVCS-HR	1,200.00
				DEC-09 LEGAL SVCS-HR	650.00
				DEC-09 LEGAL SVCS-HR	650.00
	Vendor Total		**3,800.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**37,670.50**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RESCUE ROOTER					
	2/16/2010	200618	670.00		
				EMERG PLUMBING SVC-ASES	670.00
	2/22/2010	200743	3,850.00		
				PLUMBING SVCS-ANML SHLTR	1,867.25
				PLUMBING SVCS-ANML SHLTR	1,982.75
	Vendor Total		**4,520.00**		
FYTD for RESCUE ROOTER			**6,486.50**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	2/1/2010	200269	466.38		
				SHADOW MTN PARK LIGHTING PROJ	466.38
	Vendor Total		**466.38**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**616.38**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	2/8/2010	200465	589.85		
				ENCRCHMNT PERMIT/ADDTL DEPOSIT	589.85
	Vendor Total		**589.85**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**30,169.70**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	2/22/2010	200744	4,249.61		
				CDBG SVCS-ABUSE PREV PRGRM	632.06
				CDBG SVCS-ABUSE PREV PRGRM	687.12
				CDBG SVCS-ABUSE PREV PRGRM	849.29
				CDBG SVCS-ABUSE PREV PRGRM	716.80
				CDBG SVCS-ABUSE PREV PRGRM	841.39
				CDBG SVCS-ABUSE PREV PRGRM	522.95
	Vendor Total		**4,249.61**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**5,647.92**		
RIVERSIDE COUNTY CLERK					
	2/22/2010	200745	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	2/22/2010	200746	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	Vendor Total		**2,057.00**		
FYTD for RIVERSIDE COUNTY CLERK			**14,544.25**		
RIVERSIDE COUNTY CLERK/RECORDER					
	2/22/2010	200747	13.00		
				LIEN RELEASE	13.00
	Vendor Total		**13.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER			**2,054.30**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
2/1/2010	200270	2,064.11		
			DEC-09 RADIO SVCS	187.15
			DEC-09 RADIO SVCS	9.85
			DEC-09 RADIO SVCS	34.01
			DEC-09 RADIO SVCS-PD	1,789.70
			DEC-09 VPN CONNECTION SVC	43.40
2/22/2010	200748	43.40		
			JAN-10 VPN CONNECTION SVC	43.40
	Vendor Total	**2,107.51**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**16,677.01**		
RIVERSIDE COUNTY SHERIFF				
2/8/2010	200466	24,920.16		
			NOV-09 BOOKING FEES-PD	11,104.32
			DEC-09 BOOKING FEES-PD	13,815.84
	Vendor Total	**24,920.16**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,845,212.81**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
2/8/2010	200467	123.00		
			REG.-CHILD ABUSE/ASSAULT CLASS	123.00
	Vendor Total	**123.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**8,762.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
2/1/2010	200271	491.63		
			GARNISHMENT	107.89
			GARNISHMENT	383.74
2/16/2010	200619	534.26		
			GARNISHMENT	131.46
			GARNISHMENT	402.80
	Vendor Total	**1,025.89**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**6,656.81**		
RIVERSIDE COUNTY SHERIFF MV				
2/8/2010	200468	299.66		
			EXTRA DUTY-DUI CK PT	299.66
	Vendor Total	**299.66**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**9,370.67**		
RLZ ENGINEERING				
2/16/2010	200620	6,184.50		
			TEMP STAFF SVCS FOR CAP PROJS	6,184.50
	Vendor Total	**6,184.50**		
FYTD for RLZ ENGINEERING		**120,695.25**		

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RODRIGUEZ, LAUREN					
	2/16/2010	200621	76.00		
				MILEAGE REIMBURSEMENT	76.00
	Vendor Total		**76.00**		
FYTD for RODRIGUEZ, LAUREN			**230.00**		
ROGERS, EUGENE					
	2/8/2010	200469	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**1,912.39**		
ROGERS, KIANNA					
	2/1/2010	200272	140.25		
				MILEAGE REIMBURSEMENT	75.90
				MILEAGE REIMBURSEMENT	64.35
	Vendor Total		**140.25**		
FYTD for ROGERS, KIANNA			**645.15**		
ROSS, DAVID T.					
	2/8/2010	200470	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,549.84**		
ROSSON, LOUIS A.					
	2/8/2010	200471	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,179.85**		
RUIZ, ROSALVA					
	2/8/2010	200472	404.50		
				REFUND-CITATION FEE	404.50
	2/22/2010	200749	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**429.50**		
FYTD for RUIZ, ROSALVA			**429.50**		
RUSSELL, NORMAN TAB					
	2/8/2010	200473	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RUSSELL, NORMAN TAB			**54.50**		

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RUSSO, JOHN					
	2/8/2010	200474	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,549.84**		
SALCEDO, ESMERELDA					
	2/16/2010	200622	300.00		
				REFUND-RNTL DEP #16187	300.00
	Vendor Total		**300.00**		
FYTD for SALCEDO, ESMERELDA			**300.00**		
SAMY'S CAMERA					
	2/1/2010	200273	42.41		
				CAMERA BATTERY FOR PD	42.41
	Vendor Total		**42.41**		
FYTD for SAMY'S CAMERA			**42.41**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	2/1/2010	200274	128.70		
				FIRE SYSTEM SVC-CRC	68.70
				FIRE SYSTEM SVC-MARCH FLD CC	60.00
	Vendor Total		**128.70**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**6,602.21**		
SANCHEZ, MARIBEL					
	2/8/2010	200475	157.40		
				REFUND-BSKTBLL REGIST	71.40
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**157.40**		
FYTD for SANCHEZ, MARIBEL			**157.40**		
SANDECKI, RENEE					
	2/8/2010	200476	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for SANDECKI, RENEE			**54.50**		
SANKEY, JACK DONALD					
	2/22/2010	200750	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for SANKEY, JACK DONALD			**25.00**		

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SCHARFF, DONNA					
	2/8/2010	200477	425.00		
				REFUND-CITATION FEE	425.00
	Vendor Total		**425.00**		
FYTD for SCHARFF, DONNA			**425.00**		
SCHUBERT, LORI					
	2/1/2010	200275	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for SCHUBERT, LORI			**75.00**		
SCREENVISION DIRECT					
	2/1/2010	200276	3,556.00		
				ERC ADVERTISING IN THEATERS	600.00
				ERC ADVERTISING IN THEATERS	300.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
	Vendor Total		**3,556.00**		
FYTD for SCREENVISION DIRECT			**3,556.00**		
SECTRAN SECURITY, INC					
	2/1/2010	200277	463.50		
				JAN-10 TRNSPRT SVC-PARKS	154.50
				JAN-10 TRNSPRT SVC-TREASURY	154.50
				JAN-10 TRNSPRT SVC-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**3,244.50**		
SECURITY LOCK & KEY					
	2/8/2010	200478	40.57		
				DUPLICATE KEYS-LIBRARY	15.12
				DUPLICATE KEYS-PARKS MAINT	25.45
	2/16/2010	200623	13,482.50		
				INSTALL PANIC HARDWARE@FS #58	13,482.50
	Vendor Total		**13,523.07**		
FYTD for SECURITY LOCK & KEY			**15,894.03**		
SHAH, JAGDISH					
	2/22/2010	200751	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**147,480.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SHARRETT, SHARON K.					
	2/8/2010	200479	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,461.68**		
SHELDON, STUART H.					
	2/8/2010	200480	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,549.84**		
SHELL OIL CO.					
	2/16/2010	200624	80.44		
				FUEL PURCHASES	30.44
				FUEL PURCHASES	50.00
	2/22/2010	200752	1,156.45		
				FUEL PURCHASE-PW EQUIP	17.73
				FUEL PURCHASE-PD MOTORCYCLES	1,138.72
	Vendor Total		**1,236.89**		
FYTD for SHELL OIL CO.			**13,741.01**		
SHILLEH, HIBA					
	2/8/2010	200481	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for SHILLEH, HIBA			**145.00**		
SHURTLEFF, JEANNETTE L.					
	2/16/2010	200625	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**1,786.00**		
SINGER & COFFIN, APC					
	2/8/2010	200482	2,200.00		
				LEGAL SVCS-RECHE VISTA DR PROJ	140.00
				LEGAL SVCS-SR60/NASON ST PROJ	2,020.00
				LEGAL SVCS-SR60/NASON ST PROJ	40.00
	2/22/2010	200753	200.00		
				LEGAL SVCS-SR60/NASON ST PROJ	200.00
	Vendor Total		**2,400.00**		
FYTD for SINGER & COFFIN, APC			**49,304.65**		

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SINGLETON-DECUIR, JANISHEIA					
	2/16/2010	200626	44.50		
				MILEAGE REIMBURSEMENT	44.50
	Vendor Total		**44.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**301.35**		
SLAGERMAN, SUSAN A.					
	2/8/2010	200483	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,112.30**		
SMITH, ERNEST FRANK					
	2/8/2010	200484	4,630.95		
				RETIREE MEDICAL BENEFIT	4,630.95
	Vendor Total		**4,630.95**		
FYTD for SMITH, ERNEST FRANK			**4,630.95**		
SMITH, MARIA A.					
	2/8/2010	200485	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**914.92**		
SO. CAL. VETERINARY DENTAL SPECIALTIES					
	2/8/2010	200486	2,010.46		
				VET DENTAL SVCS-K9 LEX	2,010.46
	Vendor Total		**2,010.46**		
FYTD for SO. CAL. VETERINARY DENTAL SPECIALTIES			**2,010.46**		
SO. CALIF SCHOOL OF MUSIC					
	2/8/2010	200487	810.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
	Vendor Total		**810.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**7,467.00**		

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SOCO GROUP, INC					
	2/8/2010	200488	6,298.65		
				FUEL PURCHASE	6,298.65
	2/22/2010	200754	19,876.89		
				FUEL PURCHASE	3,999.63
				FUEL PURCHASE	4,722.66
				FUEL PURCHASE	6,190.46
				FUEL PURCHASE	4,964.14
	Vendor Total		**26,175.54**		
FYTD for SOCO GROUP, INC			**107,202.77**		
SOSA, JORGE					
	2/8/2010	200489	264.00		
				INSTRUCTOR SVCS-NINPO	48.00
				INSTRUCTOR SVCS-KARATEDO	72.00
				INSTRUCTOR SVCS-KARATEDO	144.00
	Vendor Total		**264.00**		
FYTD for SOSA, JORGE			**2,916.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON				
2/1/2010	200278	3,711.33		
			ELECTRICITY	41.78
			ELECTRICITY	20.22
			ELECTRICITY	1,011.57
			ELECTRICITY	713.17
			ELECTRICITY	129.62
			ELECTRICITY	190.25
			ELECTRICITY	766.33
			ELECTRICITY	148.01
			ELECTRICITY	472.74
			ELECTRICITY	106.71
			ELECTRICITY	66.30
			ELECTRICITY	44.63
2/8/2010	200490	6,205.96		
			ELECTRICITY	62.06
			ELECTRICITY	122.45
			ELECTRICITY	20.22
			ELECTRICITY	1,838.06
			ELECTRICITY	377.78
			ELECTRICITY	740.72
			ELECTRICITY	535.78
			ELECTRICITY	480.71
			ELECTRICITY	346.78
			ELECTRICITY	20.22
			ELECTRICITY	1,317.68
			ELECTRICITY	135.65
			ELECTRICITY	147.19
			ELECTRICITY	60.66
2/16/2010	200628	14,146.73		
			JAN-10 IFA CHRGS-SUBSTATION	14,146.73
2/22/2010	200755	19,961.19		
			JAN-10 WDAT CHRGS-IRIS	2,625.22
			JAN-10 WDAT CHRGS-GRAHAM	3,727.65
			JAN-10 WDAT CHRGS-GLOBE	6,474.87
			JAN-10 WDAT CHRGS-NANDINA	2,647.31
			JAN-10 WDAT CHRGS-FREDERICK	4,486.14
2/22/2010	200756	13,363.28		
			ELECTRICITY	529.70
			ELECTRICITY	351.30
			ELECTRICITY	134.20
			ELECTRICITY	2,091.49
			ELECTRICITY	547.21
			ELECTRICITY	785.60
			ELECTRICITY	1,012.93
			ELECTRICITY	1,331.38
			ELECTRICITY	19.55
			ELECTRICITY	4,853.26
			ELECTRICITY	19.55
			ELECTRICITY	20.22
			ELECTRICITY	1.65
			ELECTRICITY	234.00
			JAN-10 IFA CHRGS	1,099.13

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRIC CHRGS	332.11
Vendor Total		57,388.49		
FYTD for SOUTHERN CALIFORNIA EDISON		**5,992,105.32**		
SOUTHERN CALIFORNIA GAS CO.				
2/22/2010	200757	12,273.47		
			GAS CHARGES	86.27
			GAS CHARGES	1,367.21
			GAS CHARGES	3,523.93
			GAS CHARGES	80.51
			GAS CHARGES	188.86
			GAS CHARGES	1,550.61
			GAS CHARGES	404.26
			GAS CHARGES	183.64
			GAS CHARGES	1,959.65
			GAS CHARGES	429.06
			GAS CHARGES	358.38
			GAS CHARGES	298.21
			GAS CHARGES	395.57
			GAS CHARGES	579.19
			GAS CHARGES	868.12
Vendor Total		12,273.47		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**243,843.54**		
SPARKLETTS				
2/22/2010	200758	20.76		
			WATER SVCS-SNNYMD ELEM	12.16
			WATER SVCS-CRKSD ELEM	5.75
			WATER SVCS-ARMADA ELEM	2.85
Vendor Total		20.76		
FYTD for SPARKLETTS		**352.67**		
SPECK, GARY B.				
2/8/2010	200491	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SPECK, GARY B.		**2,549.84**		
SPENCER, MARTHA				
2/8/2010	200492	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for SPENCER, MARTHA		**1,831.70**		

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SPORTS INNOVATORS					
	2/16/2010	200629	3,050.00		
				SPORTS OFFICIATING SVCS	2,205.00
				SPORTS OFFICIATING SVCS	845.00
	Vendor Total		**3,050.00**		
FYTD for SPORTS INNOVATORS			**20,375.00**		
SPRINT					
	2/8/2010	200493	30.00		
				SUBPOENA COMPLIANCE SVC	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**90.00**		
SPRINT/NEXTEL					
	2/8/2010	200494	33.50		
				PH SVC CHRG-GTF	33.50
	Vendor Total		**33.50**		
FYTD for SPRINT/NEXTEL			**518.98**		
STANDARD INSURANCE CO					
	2/8/2010	200495	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	2/1/2010	200280	1,837.05		
				FEB-APR SEC MNTRNG-ANNX #1	207.00
				FEB-APR SEC MNTRNG-ASES	354.00
				FEB-APR SEC MNTRNG-STARS BLDG	123.00
				FEB-APR SEC MNTRNG-TECH SVCS	330.00
				FEB-APR SEC MNTRNG-CITY HALL	493.50
				FEB-APR SEC MNTRNG-LIBRARY	329.55
	2/8/2010	200496	166.85		
				FEB-10 MNTRNG SVCS-SNACK BARS	156.30
				FEB-10 MNTRNG SVCS-SNACK BARS	10.55
	2/22/2010	200759	227.50		
				SECURITY MAINT-ANML SHLTR	227.50
	Vendor Total		**2,231.40**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**20,464.12**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE BAR OF CALIFORNIA				
2/16/2010	200630	410.00		
			MBRSHP DUES-BRYANT	410.00
2/16/2010	200631	410.00		
			MBRSHP DUES-HANSEN	410.00
2/16/2010	200632	410.00		
			MBRSHP DUES-EARLY	410.00
Vendor Total		**1,230.00**		
FYTD for STATE BAR OF CALIFORNIA		**1,335.00**		
STATE BOARD OF EQUALIZATION				
2/23/2010	201001	2,325.00		
			SALES & USE TAX 01/01-31/2010	2,325.00
Vendor Total		**2,325.00**		
FYTD for STATE BOARD OF EQUALIZATION		**27,470.29**		
STATE DISBURSEMENT UNIT				
2/4/2010	2569	1,771.37		
			CHILD SUPPORT W/H 02/04/10	1,771.37
2/18/2010	2577	1,964.62		
			CHILD SUPPORT W/H 02/18/10	1,964.62
Vendor Total		**3,735.99**		
FYTD for STATE DISBURSEMENT UNIT		**32,397.34**		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
2/1/2010	200281	4,295.00		
			DEC-09 FINGERPRINTING SVCS	4,295.00
2/16/2010	200633	595.00		
			JUL-09 BLOOD ALCHL ANLYS-PD	70.00
			NOV-09 BLOOD ALCHL ANLYS-PD	525.00
Vendor Total		**4,890.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**37,204.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
2/16/2010	200634	270.74		
			REFUND-MVU/JEAN STOKES	124.49
			REFUND-MVU/RUBY HAYWARD	146.25
Vendor Total		**270.74**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**882.91**		
STATE WATER RESOURCES CONTROL BOARD				
2/22/2010	200760	77.00		
			HEACOCK ST EMRGNCY REPRS-JAN20	77.00
Vendor Total		**77.00**		
FYTD for STATE WATER RESOURCES CONTROL BOARD		**77.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
2/16/2010	200635	3,391.04		
			JAN-10 TRANSCRIPTION SVCS-PD	3,391.04
Vendor Total		**3,391.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**27,316.48**		
STERICYCLE (BFI)				
2/8/2010	200497	442.24		
			JAN-10 MED WASTE HAULING SVC	442.24
Vendor Total		**442.24**		
FYTD for STERICYCLE (BFI)		**3,095.88**		
STEWART TITLE OF CALIFORNIA				
2/23/2010	91310	16,837.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,837.00
Vendor Total		**16,837.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,438,024.50**		
STEWART, CLIFFORD				
2/8/2010	200498	251.09		
			RETIREE MEDICAL BENEFIT	251.09
Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD		**1,494.63**		
STOUT, LORNA				
2/22/2010	200761	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for STOUT, LORNA		**75.00**		
STREICH, TERRY L.				
2/8/2010	200499	30.33		
			RETIREE MEDICAL BENEFIT	30.33
Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.		**519.65**		
STRICKLER ASSOCIATION, THE				
2/1/2010	200282	3,477.50		
			CONSULTING SVCS-HSG	3,477.50
2/22/2010	200762	2,177.50		
			PROF CONSULTING SVCS	2,177.50
Vendor Total		**5,655.00**		
FYTD for STRICKLER ASSOCIATION, THE		**26,390.00**		

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STRICKLER II, JOHN W.					
	2/8/2010	200500	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**1,912.39**		
SUMERFORD, CHRISTINA					
	2/16/2010	200636	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for SUMERFORD, CHRISTINA			**342.00**		
SUNNYMEAD ACE HARDWARE					
	2/8/2010	200501	187.64		
				MISC SUPPLIES-PD	141.35
				MISC SUPPLIES-PD	26.09
				MISC SUPPLIES-PD	12.60
				MISC SUPPLIES-PD	7.60
	2/16/2010	200637	204.72		
				MISC SUPPLIES-FIRE	6.49
				MISC SUPPLIES-FIRE	16.31
				MISC SUPPLIES-PD	30.44
				MISC SUPPLIES-PD	116.30
				MISC SUPPLIES-PD	14.65
				MISC SUPPLIES-PD	19.99
				MISC SUPPLIES-PD	0.54
	Vendor Total		**392.36**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,874.39**		
SUNNYMEAD ANIMAL HOSPITAL					
	2/8/2010	200502	107.50		
				WELLNESS EXAM-K9 MAX	107.50
	Vendor Total		**107.50**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL			**347.50**		
SUNNYMEAD SMOG CENTER					
	2/8/2010	200503	66.98		
				REFUND-BUS LIC OVERPAYMENT	66.98
	Vendor Total		**66.98**		
FYTD for SUNNYMEAD SMOG CENTER			**66.98**		
SUNNYMEAD VETERINARY CLINIC					
	2/8/2010	200504	595.00		
				EMERG VET SVCS-ANML SHLTR	255.00
				EMERG VET SVCS-ANML SHLTR	340.00
	Vendor Total		**595.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**3,581.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SWRCB/STATE WATER RESOURCE CONTROL BOARD				
2/8/2010	200505	1,275.00		
			ANNL PERMIT FEE-HEACOCK BRIDGE	1,275.00
2/8/2010	200506	288.00		
			ANNL PERMIT FEE-EMERG OPS CTR	288.00
	Vendor Total	**1,563.00**		
FYTD for SWRCB/STATE WATER RESOURCE CONTROL BOARD		**24,062.00**		
TANETTA, TATUM				
2/8/2010	200507	100.00		
			REFUND-CITATION FEE	100.00
	Vendor Total	**100.00**		
FYTD for TANETTA, TATUM		**100.00**		
TEK TIME SYSTEMS, LLC				
2/22/2010	200763	197.63		
			TIME STAMP REPAIR	197.63
	Vendor Total	**197.63**		
FYTD for TEK TIME SYSTEMS, LLC		**423.41**		
TIMOTHY MCPIKE & SHANNON MCPIKE				
2/8/2010	200508	20,000.00		
			SETTLEMENT	20,000.00
	Vendor Total	**20,000.00**		
FYTD for TIMOTHY MCPIKE & SHANNON MCPIKE		**20,000.00**		
T-N-T HICKS CATERING				
2/16/2010	200638	1,500.00		
			CATERING SVCS-JOINT COC MIXER	1,500.00
	Vendor Total	**1,500.00**		
FYTD for T-N-T HICKS CATERING		**1,500.00**		
TRICHE, TARA				
2/22/2010	200765	1,687.20		
			INSTRUCTOR SVCS-TEENS BALLET	22.20
			INSTRUCTOR SVCS-BALLET	266.40
			INSTRUCTOR SVCS-BALLET/ACRO	111.00
			INSTRUCTOR SVCS-DANCE EXPLOR.	466.20
			INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
			INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
			INSTRUCTOR SVCS-HIP HOP DANCE	377.40
			INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total	**1,687.20**		
FYTD for TRICHE, TARA		**15,517.80**		

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TRI-CITY LINEN SUPPLY, INC.					
	2/8/2010	200509	25.00		
				LINEN RENTAL-CRC	25.00
	2/16/2010	200640	75.00		
				LINEN RENTAL-CRC	75.00
	2/22/2010	200764	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**125.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,349.70**		
TROPICAL PLAZA NURSERY, INC.					
	2/22/2010	200766	18,174.04		
				JAN-10 LNDSCP MAINT-ZONE E-2	15,700.00
				JAN-10 LNDSCP MAINT-ZONE E-16	2,217.45
				JAN-10 IRRIG RPRS-ZONE E-2	256.59
	Vendor Total		**18,174.04**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**144,925.51**		
TRUGREEN LANDCARE					
	2/8/2010	200510	11,714.55		
				DEC-09 LNDSCP MAINT-ZONE E-3	10,038.43
				DEC-09 LNDSCP MAINT-ZONE E-3A	1,676.12
	2/22/2010	200767	7,403.38		
				JAN-10 LNDSCP MAINT-ZONE DSG1E	7,403.38
	Vendor Total		**19,117.93**		
FYTD for TRUGREEN LANDCARE			**214,924.04**		
TUNG, ALYNNA & ALADDIN					
	2/16/2010	200641	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for TUNG, ALYNNA & ALADDIN			**20.00**		
TUNTLAND, JAMES					
	2/8/2010	200511	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,494.63**		

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TURNER, TRINA					
	2/16/2010	200642	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for TURNER, TRINA			**60.00**		
U.S. HEALTHWORKS MEDICAL GROUP					
	2/1/2010	200283	236.00		
				PRE-EMPLYMNT PHYSICALS	236.00
	Vendor Total		**236.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,883.00**		
UNDERGROUND SERVICE ALERT					
	2/16/2010	200643	510.00		
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	111.74
				DIGALERT TICKETS SUBSCRPTN SVC	15.76
	2/22/2010	200768	592.50		
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
	Vendor Total		**1,102.50**		
FYTD for UNDERGROUND SERVICE ALERT			**5,677.50**		
UNITED POWER GENERATION, INC.					
	2/22/2010	200769	3,422.70		
				SVC TO GENERATOR @ FIRE ST #2	300.00
				EMERG GENERATOR MAINT-F.S. #2	347.80
				EMERG GENERATOR MAINT-F.S. #65	340.00
				EMERG GENERATOR MAINT-F.S. #58	360.00
				EMERG GENERATOR MAINT-F.S. #6	340.30
				EMERG GENERATOR MAINT-F.S. #48	340.30
				EMERG GENERATOR MAINT-CITY YRD	179.40
				EMERG GENERATOR MAINT-SR. CTR	179.40
				EMERG GENERATOR MAINT-SHELTER	375.90
				EMERG GENERATOR MAINT-CTY HALL	659.60
	Vendor Total		**3,422.70**		
FYTD for UNITED POWER GENERATION, INC.			**11,904.03**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED SITE SERVICES OF CA, INC.				
2/1/2010	200284	292.11		
			FENCE RENTAL-ANIMAL SHELTER	107.39
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
2/8/2010	200512	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
2/16/2010	200644	77.33		
			PORTABLE TOILET SVC-GOLF CTR	77.33
2/22/2010	200770	204.94		
			PORTABLE TOILET SVC-M&O DIV.	97.55
			FENCE RENTAL-ANIMAL SHELTER	107.39
Vendor Total		**671.93**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**8,825.41**		
UNITED STATES TREASURY				
2/1/2010	200285	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
2/16/2010	200645	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY		**5,320.00**		
UNITED WAY OF INLAND VALLEYS				
2/1/2010	200286	642.18		
			UNITED WAY CONTRIBUTIONS	642.18
2/16/2010	200646	637.18		
			UNITED WAY CONTRIBUTIONS	637.18
Vendor Total		**1,279.36**		
FYTD for UNITED WAY OF INLAND VALLEYS		**15,018.00**		
UNITED WAY, INLAND VALLEYS				
2/16/2010	200647	268.67		
			EMPLOYEE GIVING CMPGN	268.67
Vendor Total		**268.67**		
FYTD for UNITED WAY, INLAND VALLEYS		**1,171.28**		
USA MOBILITY/ARCH WIRELESS				
2/16/2010	200648	79.52		
			PAGER SVC-PARK RANGERS/FEB-10	2.03
			PAGER SVC-TRANSP DIV/FEB-10	5.08
			PAGER SVC-PD CITZ PATRL/FEB-10	33.53
			PAGER SVC-ANIMAL SVCS/FEB-10	38.88
Vendor Total		**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**650.16**		

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VA CONSULTING, INC.					
	2/1/2010	200287	10,822.01		
				HEACOCK ST BRIDGE RPLCMNT PROJ	10,822.01
	2/16/2010	200649	23,830.45		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,059.64
				AUTO MALL IMPRVMNTS PROJ SVCS	873.06
				AUTO MALL IMPRVMNTS PROJ SVCS	20,897.75
	2/22/2010	200771	683.52		
				AUTO MALL IMPRVMNTS PROJ SVCS	683.52
	Vendor Total		**35,335.98**		
FYTD for VA CONSULTING, INC.			**272,063.71**		
VACATE PEST ELIMINATION COMPANY					
	2/8/2010	200514	1,365.00		
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR.	55.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-MARB HOBBY SHOP	45.00
				PEST CNTRL-STARS BLDG/MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP. TRLR	45.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
	Vendor Total		**1,365.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**12,275.00**		
VALI COOPER & ASSOCIATES, INC.					
	2/22/2010	200772	10,710.00		
				TEMP STAFFING SVCS-CAP PROJS	10,710.00
	Vendor Total		**10,710.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**120,577.50**		

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VANDER HAWK CONSULTING, LLC					
	2/16/2010	200650	11,130.00		
				ANNL PAVEMNT MGMT UPDATE SVCS	11,130.00
	Vendor Total		**11,130.00**		
FYTD for VANDER HAWK CONSULTING, LLC			**45,393.00**		
VAS ASSOCIATES, INC.					
	2/22/2010	200773	16,200.00		
				TEMP STAFFING SVCS-CAP PROJS	1,315.00
				TEMP STAFFING SVCS-CAP PROJS	14,885.00
	Vendor Total		**16,200.00**		
FYTD for VAS ASSOCIATES, INC.			**147,645.00**		
VASQUEZ, ERIKA					
	2/1/2010	200288	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for VASQUEZ, ERIKA			**47.00**		
VEGA, ELIZABETH					
	2/22/2010	200774	46.00		
				REFUND-ANML SVC FEES	31.00
				REFUND-ANML SVC FEES	15.00
	Vendor Total		**46.00**		
FYTD for VEGA, ELIZABETH			**46.00**		
VERITEXT LOS ANGELES REPORTING CO.					
	2/16/2010	200651	2,440.70		
				TRANSCRIPTION SVCS	862.50
				TRANSCRIPTION SVCS	610.75
				TRANSCRIPTION SVCS	275.00
				TRANSCRIPTION SVCS	252.50
				TRANSCRIPTION SVCS	439.95
	Vendor Total		**2,440.70**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**2,440.70**		
VERIZON					
	2/16/2010	200652	1,700.96		
				BACKBONE CHRGS	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**13,430.93**		

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VERIZON CALIFORNIA				
2/1/2010	200289	619.80		
			PHONE CHRGS FOR ERC	619.80
2/16/2010	200654	8,673.57		
			TELEPHONE CHRGS	173.38
			TELEPHONE CHRGS	198.71
			TELEPHONE CHRGS	184.08
			TELEPHONE CHRGS	494.01
			TELEPHONE CHRGS	223.79
			TELEPHONE CHRGS	113.76
			TELEPHONE CHRGS	219.24
			TELEPHONE CHRGS	189.09
			TELEPHONE CHRGS	61.81
			TELEPHONE CHRGS	218.21
			TELEPHONE CHRGS	137.74
			TELEPHONE CHRGS	325.93
			TELEPHONE CHRGS	119.05
			TELEPHONE CHRGS	479.56
			TELEPHONE CHRGS	291.37
			TELEPHONE CHRGS	167.75
			TELEPHONE CHRGS	64.13
			TELEPHONE CHRGS	289.08
			TELEPHONE CHRGS	18.80
			TELEPHONE CHRGS	133.29
			TELEPHONE CHRGS	216.07
			TELEPHONE CHRGS	11.94
			TELEPHONE CHRGS	11.93
			TELEPHONE CHRGS	41.22
			TELEPHONE CHRGS	25.90
			TELEPHONE CHRGS	42.85
			TELEPHONE CHRGS	23.40
			TELEPHONE CHRGS	20.61
			TELEPHONE CHRGS	24.13
			TELEPHONE CHRGS	133.31
			TELEPHONE CHRGS	80.73
			TELEPHONE CHRGS	40.18
			TELEPHONE CHRGS	56.46
			TELEPHONE CHRGS	213.29
			TELEPHONE CHRGS	55.10
			TELEPHONE CHRGS	22.80
			TELEPHONE CHRGS	92.76
			TELEPHONE CHRGS	215.32
			TELEPHONE CHRGS	3,242.79
	Vendor Total	**9,293.37**		
FYTD for VERIZON CALIFORNIA		**77,910.64**		
VICTOR MEDICAL CO				
2/1/2010	200290	1,170.15		
			ANIMAL MEDICAL SUPPLIES	1,170.15
	Vendor Total	**1,170.15**		
FYTD for VICTOR MEDICAL CO		**9,898.75**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VIGIL, ERNEST					
	2/8/2010	200515	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,549.84**		
VILLARREAL, MARIO					
	2/22/2010	200775	90.00		
				REFUND-CREMATION FEE	90.00
	Vendor Total		**90.00**		
FYTD for VILLARREAL, MARIO			**90.00**		
VINCENT, CLARENCE					
	2/8/2010	200516	161.24		
				RETIREE MEDICAL BENEFIT	161.24
	Vendor Total		**161.24**		
FYTD for VINCENT, CLARENCE			**1,693.02**		
VINCENT, LONNIE					
	2/22/2010	200776	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for VINCENT, LONNIE			**404.50**		
VIRANI, HUSSAIN					
	2/16/2010	200655	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for VIRANI, HUSSAIN			**100.00**		
VISION SERVICE PLAN					
	2/16/2010	200656	4,114.86		
				EMPLOYEE VISION INSURANCE	4,114.86
	Vendor Total		**4,114.86**		
FYTD for VISION SERVICE PLAN			**35,612.64**		
VISTA PAINT CORPORATION					
	2/8/2010	200517	158.02		
				SUPPLIES FOR GRAFFITI RMVL PRG	41.00
				PAINT FOR GRAFFITI RMVL PRGM	117.02
	2/22/2010	200777	530.25		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	530.25
	Vendor Total		**688.27**		
FYTD for VISTA PAINT CORPORATION			**9,951.26**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VON MIZENER, ERIC					
	2/1/2010	200291	85.13		
				EXPENSE REIMBURSEMENT	85.13
	Vendor Total		**85.13**		
FYTD for VON MIZENER, ERIC			**85.13**		
VOYAGER FLEET SYSTEM, INC.					
	2/22/2010	200778	1,436.43		
				CNG FUEL FOR STREET PRGM	1,099.38
				CNG FUEL FOR DRAIN MAINT PRGM	337.05
	Vendor Total		**1,436.43**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**15,724.39**		
VULCAN MATERIALS CO, INC.					
	2/8/2010	200518	181.00		
				ASPHALTIC MATERIAL PICK UP	90.80
				ASPHALTIC MATERIAL PICK UP	90.20
	2/22/2010	200779	6,019.87		
				ASPHALTIC MATERIAL PICK UP	1,848.75
				ASPHALTIC MATERIAL PICK UP	2,390.33
				ASPHALTIC MATERIAL PICK UP	895.29
				ASPHALTIC MATERIAL PICK UP	255.28
				ASPHALTIC MATERIAL PICK UP	252.13
				ASPHALTIC MATERIAL PICK UP	219.95
				ASPHALTIC MATERIAL PICK UP	158.14
	Vendor Total		**6,200.87**		
FYTD for VULCAN MATERIALS CO, INC.			**92,907.18**		
WAGGONER JR., GLENN C.					
	2/8/2010	200519	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**2,549.84**		
WAGNER, GARY D.					
	2/8/2010	200520	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**2,543.56**		
WAGY, CARYLON					
	2/8/2010	200521	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**2,549.84**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WALLACE, DONNA					
	2/8/2010	200522	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for WALLACE, DONNA			**86.00**		
WARD, DOROTHY M.					
	2/22/2010	200780	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for WARD, DOROTHY M.			**404.50**		
WASSON, KIRK					
	2/16/2010	200658	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for WASSON, KIRK			**1,140.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	2/1/2010	200292	1,244.51		
				JAN-10 STORAGE BIN RENTALS	1,244.51
	2/22/2010	200781	1,244.51		
				FEB-10 STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**10,850.69**		
WELLS FARGO CORPORATE TRUST					
	2/1/2010	91301	776.30		
				INTEREST VARIABLE RATE BOND	776.30
	Vendor Total		**776.30**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,625,709.59**		
WEST GROUP					
	2/1/2010	200293	2,059.76		
				LEGAL PUBLICATIONS SUBSCRPTNS	1,972.76
				LEGAL PUBLICATIONS SUBSCRPTNS	87.00
	2/16/2010	200659	184.12		
				JAN-10 ONLINE CHRGS-LEGAL INFO	184.12
	2/22/2010	200782	82.67		
				LEGAL PUBLICATIONS SUBSCRPTNS	82.67
	Vendor Total		**2,326.55**		
FYTD for WEST GROUP			**6,263.54**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST, JAMES					
	2/22/2010	200783	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for WEST, JAMES			**25.00**		
WESTERN MUNICIPAL WATER DISTRICT					
	2/22/2010	200784	343.17		
				WATER CHRGS-MARB BALLFLDS	236.35
				WATER CHRGS-MFPCC LNDSCP	51.52
				WATER CHRGS-MFPCC BLDG.	55.30
	Vendor Total		**343.17**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,596.93**		
WHALEN, TERRY					
	2/8/2010	200524	33.50		
				REFUND-CITATION FEE	33.50
	Vendor Total		**33.50**		
FYTD for WHALEN, TERRY			**33.50**		
WHEELING, MYRNA R.					
	2/8/2010	200525	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for WHEELING, MYRNA R.			**50.00**		
WHIPPLE, LEWIS & LINDA					
	2/22/2010	200785	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**75.00**		
WIELIN, RONALD A.					
	2/8/2010	200526	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,549.84**		
WILGING, ROBERT OR RUTH					
	2/22/2010	200786	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for WILGING, ROBERT OR RUTH			**54.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN AND ASSOCIATES					
	2/1/2010	200294	10,203.06		
				PLAN CHECK SVCS	10,203.06
	2/22/2010	200787	23,421.37		
				PLAN CHECK SVCS	8,373.37
				CONTRACT BLDG OFFICIAL SVCS	15,048.00
	Vendor Total		**33,624.43**		
FYTD for WILLDAN AND ASSOCIATES			**216,659.74**		
WILLIAMS, COURTNEY					
	2/16/2010	200660	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**304.00**		
WILLIAMS, NANCY L.					
	2/8/2010	200527	3.85		
				MILEAGE REIMBURSEMENT	3.85
	Vendor Total		**3.85**		
FYTD for WILLIAMS, NANCY L.			**215.63**		
WILSON-BEILKE, DENESE					
	2/8/2010	200528	625.68		
				RETIREE MEDICAL BENEFIT	625.68
	Vendor Total		**625.68**		
FYTD for WILSON-BEILKE, DENESE			**625.68**		
WRCRCA					
	2/16/2010	200661	13,566.00		
				RESIDENTIAL SINGLE FAMILY	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**185,656.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.					
	2/1/2010	200295	3,535.00		
				DEC-09 DAY PORTER SVCS	1,080.00
				CLEANING SVCS-CRC	2,115.00
				CLEANING SVCS-CRC	340.00
	2/16/2010	200662	22,786.38		
				JAN-10 JANTRL SVCS-MARCH FLD	716.85
				SPCL CLEANING SVCS-SR CTR	260.00
				FEB-10 JANTRL SVCS-SNNYMD ELEM	184.10
				FEB-10 JANTRL SVCS-RNBW RIDGE	310.19
				FEB-10 JANTRL SVCS-RED MAPLE	310.19
				FEB-10 JANTRL SVCS-CITY HALL	4,588.23
				FEB-10 JANTRL SVCS-CITY YARD	346.90
				FEB-10 JANTRL SVCS-TRANSP TRLR	98.40
				FEB-10 JANTRL SVCS-ESA ANNEX	735.73
				FEB-10 JANTRL SVCS-FAC. ANNEX	124.29
				FEB-10 JANTRL SVCS-LIBRARY	1,771.79
				FEB-10 JANTRL SVCS-GOLF SHOP	644.70
				FEB-10 JANTRL SVCS-PSB	5,564.25
				FEB-10 JANTRL SVCS-GANG TSK FC	112.82
				FEB-10 JANTRL SVCS-MVTV STUDIO	58.05
				FEB-10 JANTRL SVCS-SENIOR CTR	1,916.18
				FEB-10 JANTRL SVCS-STARS HDQTR	298.87
				FEB-10 JANTRL SVCS-SNNYMD MIDD	152.10
				FEB-10 JANTRL SVCS-TWNGATE CC	691.38
				FEB-10 JANTRL SVCS-TS ANNEX	453.43
				FEB-10 JANTRL SVCS-CRC	3,447.93
	2/22/2010	200788	1,248.96		
				FEB-10 JANTRL SVCS-EMP RES CTR	348.96
				JAN-10 DAY PORTER SVCS	900.00
	Vendor Total		**27,570.34**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**202,883.01**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	2/1/2010	200296	720.84		
				COPIER MAINT/SUPPLY DEC-09	107.00
				COPIER MAINT/EXC PRINTS DEC-09	613.84
	2/8/2010	200529	2,227.21		
				COPIER MAINT-PD RECORDS/DEC-09	59.03
				EXC PRINTS-PD RECORDS/DEC-09	407.09
				COPIER MAINT-DETECTIVES/DEC-09	65.00
				EXC PRINTS-DETECTIVES/DEC-09	1,642.09
				COPIER MAINT-DETECT. FAX-QTRLY	54.00
	2/16/2010	200663	1,418.03		
				COPIER MAINT/SUPPLY JAN-10	65.00
				COPIER EQUIP/MAINT JAN-10	359.34
				COPIER MAINT/SUPPLY JAN-10	779.48
				COPIER EXC PRINTS CHRG JAN-10	214.21
	2/22/2010	200789	1,331.83		
				COPIER MAINT-PD RECORDS/JAN-10	59.03
				EXC PRINTS-PD RECORDS/JAN-10	138.93
				COPIER MAINT-STARS PRGM/JAN-10	107.00
				EXC PRINTS CHRG-STARS/JAN-10	1,026.87
	Vendor Total		**5,697.91**		
FYTD for XEROX			**45,860.69**		
ZAMORA, KATRINA					
	2/8/2010	200530	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ZAMORA, KATRINA			**31.20**		
ZUMAR INDUSTRIES, INC.					
	2/8/2010	200531	387.91		
				SIGNS/BLANKS FOR TRANSP. DIV.	387.91
	2/16/2010	200664	28.55		
				SIGNS-CITY HALL PARKING LOT	28.55
	Vendor Total		**416.46**		
FYTD for ZUMAR INDUSTRIES, INC.			**27,261.62**		

Subtotal **1,357,884.49**

GRAND TOTAL **11,074,851.58**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

DEVELOPER – RIDGE MORENO VALLEY, LLC AND
RIDGE MORENO VALLEY II, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089,

2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 26, 2009, the City Council approved the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, Ridge Moreno Valley LLC, and Ridge Moreno Valley II, LLC. The Agreement required that Irrevocable Offers of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. The storm drain improvements and easements were required within Parcel Map 32326. The IOD's were recorded and the storm drain improvements were constructed according to approved plans and the approved Agreement.

DISCUSSION

The City has received a request from the RCFC&WCD to quitclaim the referenced storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, and 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8. Per the Agreement, the City is required to convey the necessary rights of way to the RCFC&WCD in order to allow the RCFC&WCD to operate and maintain the drainage facilities located within said storm drain easements.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further

processing and recordation. *This alternative would allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation. *This alternative would not allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Quitclaim Deed for Instrument Number 2006-0437088
Attachment 3 - Quitclaim Deed for Instrument Number 2006-0437089
Attachment 4 - Quitclaim Deed for Instrument Number 2009-0597445
Attachment 5 - Quitclaim Deed for Instrument Number 2009-0597446
Attachment 6 - Quitclaim Deed for Instrument Number 2009-0657601
Attachment 7 – Resolution

Prepared By
Vicente Giron
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 PM 32326 - Quitclaim Deeds.doc

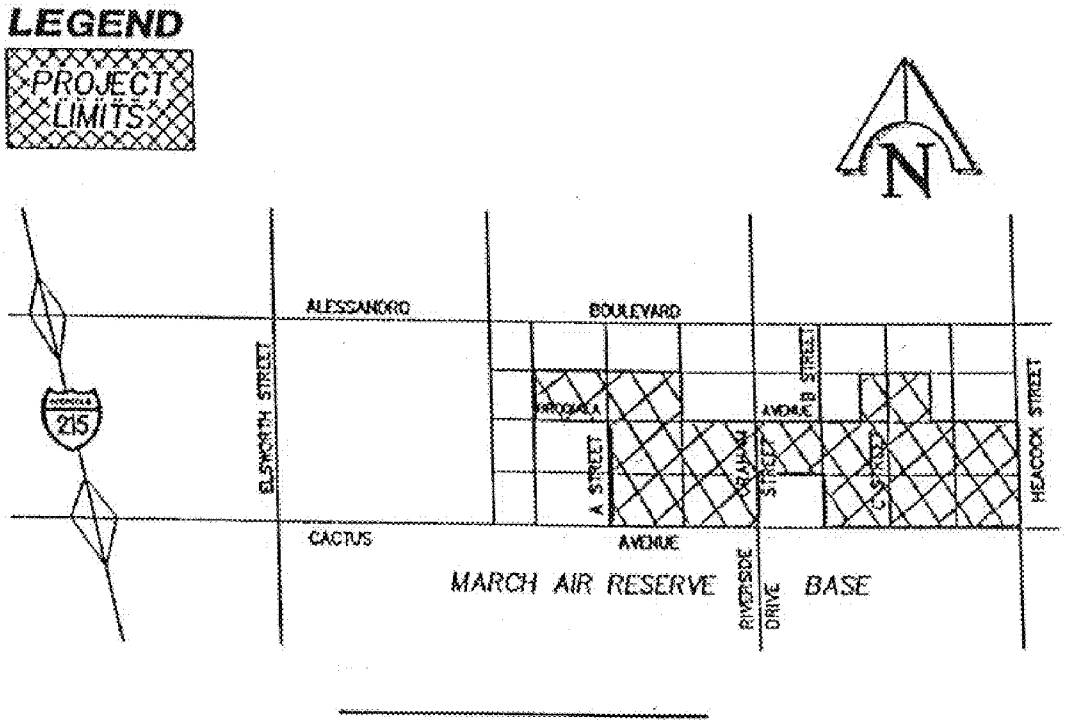

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PM 32326** **VICINITY MAP** **Page 1 of 2**

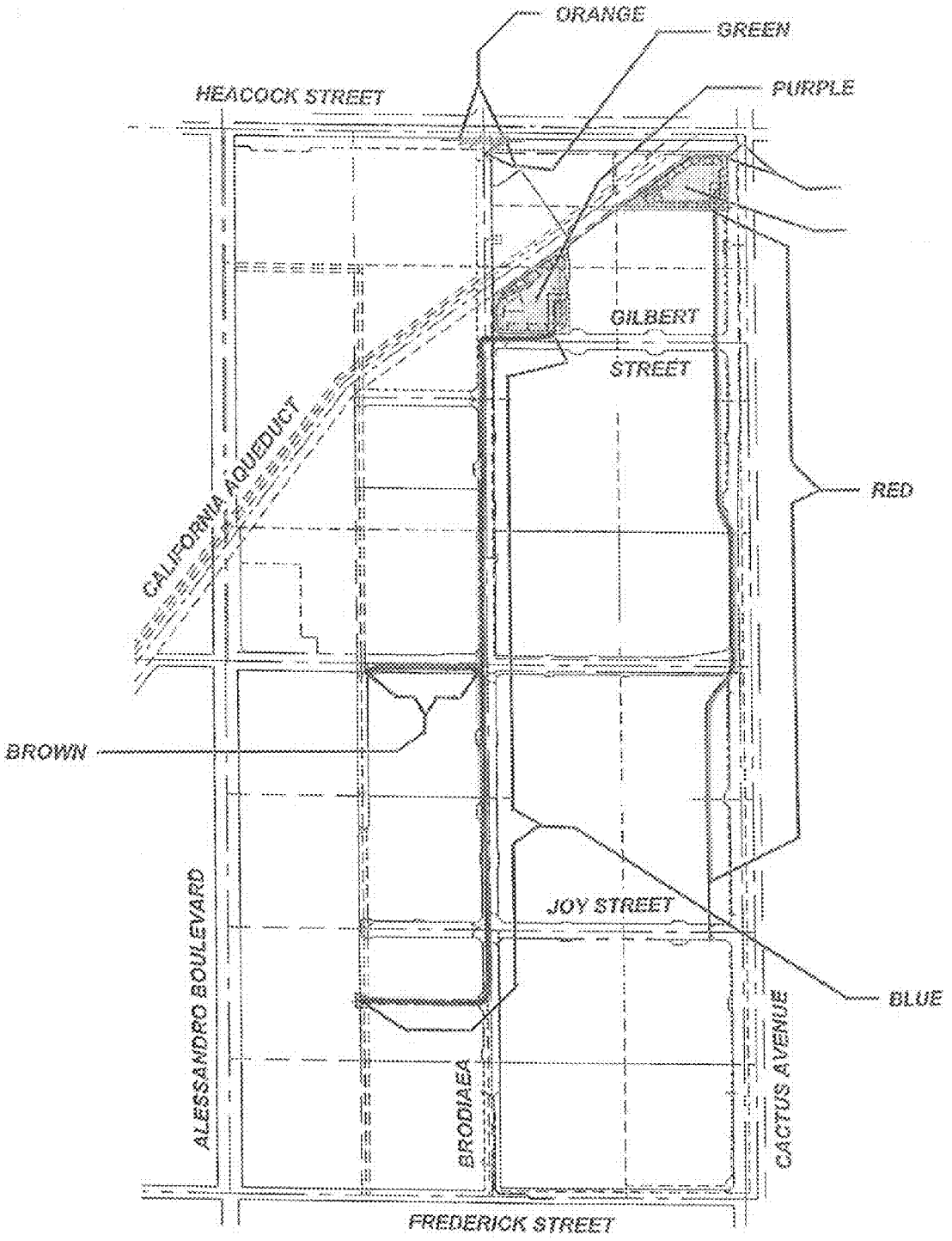

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**PM 32326** **VICINITY MAP** **Page 2 of 2**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 PM 32326 - Attachment 1.pdf

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4736-503

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Parcel C as described in Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437088, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

DOC # 2006-0437088
06/16/2006 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
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					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

1 C LC

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JW Bowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY'S SIGNATURE

2006-0437088
06/16/2006 08:00A
2 of 5

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES
14 CH

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOT 6, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT SOUTH 89°34'09" EAST THEREON 294.02 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT 6; THENCE NORTH 00°20'21" EAST 596.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°29'23" A DISTANCE OF 27.68 FEET; THENCE TANGENT TO SAID CURVE NORTH 79°09'02" WEST 35.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 44°28'05" A DISTANCE OF 17.46 FEET TO A RADIAL THEREOF WHICH BEARS SOUTH 64°19'03" WEST.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 6.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 89°34'17" WEST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOT 7, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 22.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT NORTH 89°34'09" WEST THEREON 87.23 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT 7; THENCE NORTH 00°26'36" EAST 181.80 FEET.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 7.

PARCEL C:

THAT PORTION OF LOT 1, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, DESCRIBED AS FOLLOWS:

2006-0437088
06/16/2006 08:00A
3 of 5

MV00053454

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE NORTHERLY 39.00 FEET OF SAID LOT 1 WITH THE WESTERLY LINE OF THE WESTERLY 83.50 FEET OF SAID LOT 1; THENCE SOUTH 00°25'53" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 29.30 FEET; THENCE NORTH 29°33'31" WEST 33.83 FEET TO A POINT IN SAID SOUTHERLY LINE; THENCE SOUTH 89°34'31" EAST ALONG SAID SOUTHERLY LINE 16.91 FEET TO THE "POINT OF BEGINNING".

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R3
JN 11-0244-01
JAPRIL 29, 2006

2006-0437088
06/16/2006 08:00A
4 of 5

MV00053455

EXHIBIT B
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

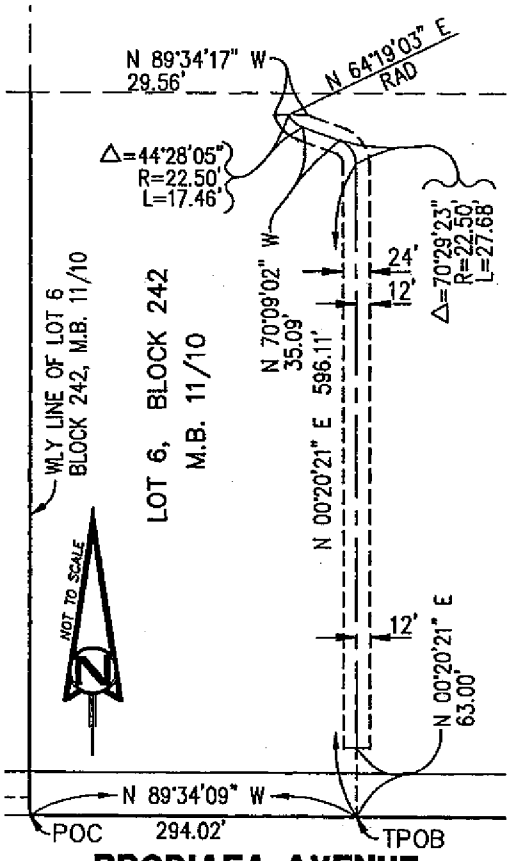

BRODIAEA AVENUE

PARCEL A

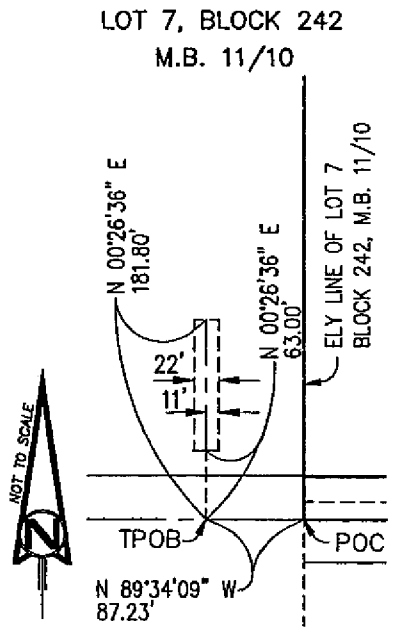

BRODIAEA AVENUE

PARCEL B

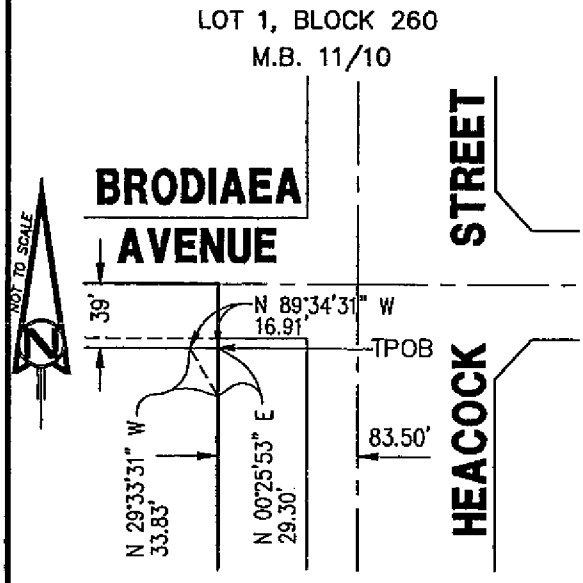

PARCEL C

PROFESSIONAL LAND SURVEYOR
ROBERT B. STANFORD
L.S. 4457
EXPIRATION
9-30-2007
SURVEYOR
STATE OF CALIFORNIA

PREPARED BY OR UNDER THE SUPERVISION OF

ROBERT B. STANFORD JR. DATE 5/4/06

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/1

JAN. 24, 2006 14:10 H:\PROJ\11024401\EXHIBITS\DRAINAGE-EXHIBITS\LEGH-B.DWG

2006-0437088
06/16/2006 08:00A
5 of 5

MV00053456

RCFC PARCEL NO. 4736-503

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326
Line B

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437089, records of said County, attached for reference purposes.

RCFC Parcel No. 4736-500 referenced as Parcel A
RCFC Parcel No. 4736-501 referenced as Parcel B
RCFC Parcel No. 4736-502 referenced as Parcel C

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

DOC # 2006-0437089
06/16/2006 08:00A Fee:NC
Page 1 of 6
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

C
LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JWBowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, Notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY'S SIGNATURE

2006-0437889
06/18/2006 09:00A
2 of 6

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust.

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

MV00053460

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOTS 7 AND 8, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE SOUTH 89°35'02" EAST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°35'02" EAST 614.06 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°25'53" EAST AND WHICH PASSES THROUGH THE EASTERLY TERMINUS OF SAID 28.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOTS 6 AND 7, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE NORTH 89°35'02" WEST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING NORTH 89°35'02" WEST 758.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°21'31" A DISTANCE OF 22.27 FEET; THENCE TANGENT TO SAID CURVE SOUTH 62°03'27" WEST 96.00 FEET TO A POINT IN A LINE PARALLEL WITH AND A 114.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID CACTUS AVENUE.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTEN AT THE END THEREOF SO AS TO TERMINATE AT SAID PARALLEL LINE.

PARCEL C:

THAT PORTION OF LOTS 7 AND 8, BLOCK 259 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF

2006-0437089
06/16/2006 08:00A
3 of 6

MV00053461

RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY LINE OF SAID LOT 7 DISTANT NORTH 00°25'48" EAST THEREON 232.00 FEET FROM THE CENTERLINE OF CACTUS AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE SOUTH 89°33'53" EAST 332.79 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°33'53" EAST 792.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°25'45" A DISTANCE OF 30.18 FEET; THENCE TANGENT TO SAID CURVE SOUTH 51°08'09" EAST 142.17 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 43°08'34" EAST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R2
JN 11-0244-01
April 29, 2006, 2006

2006-0437089
06/16/2006 08:00A
4 of 6

MV00053462

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

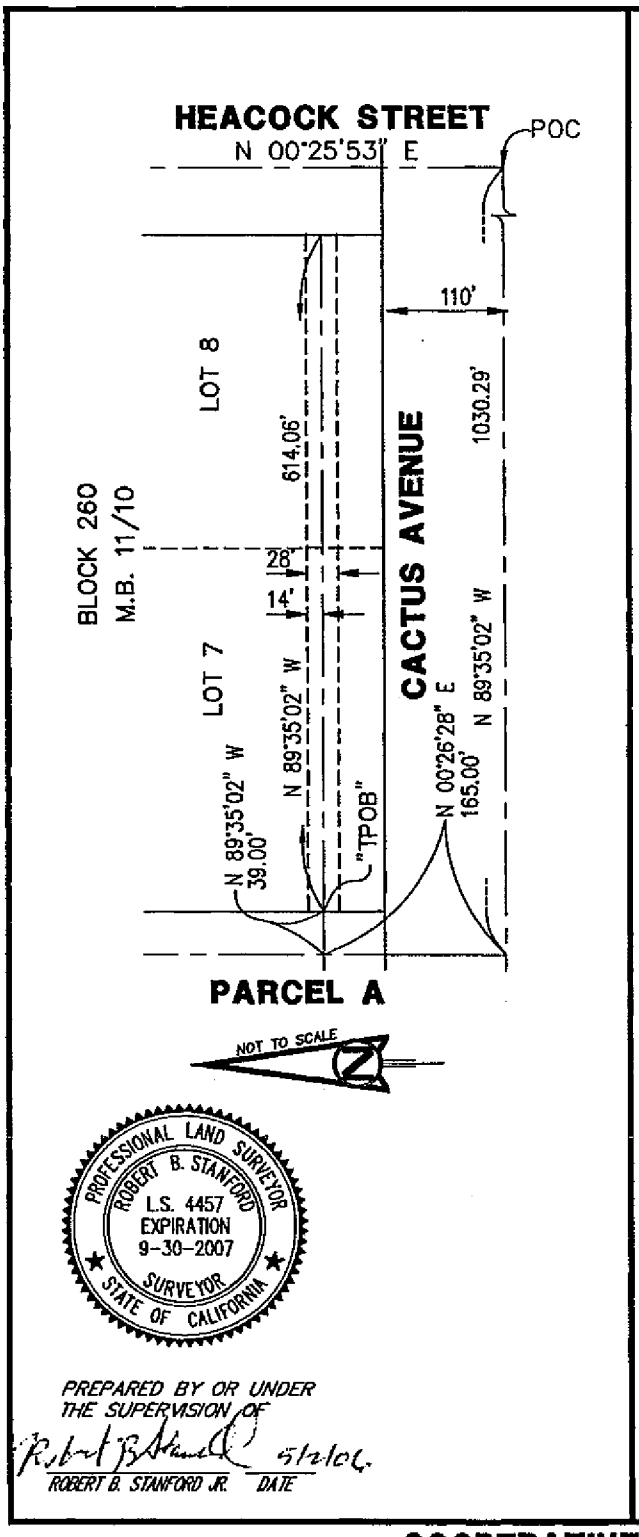

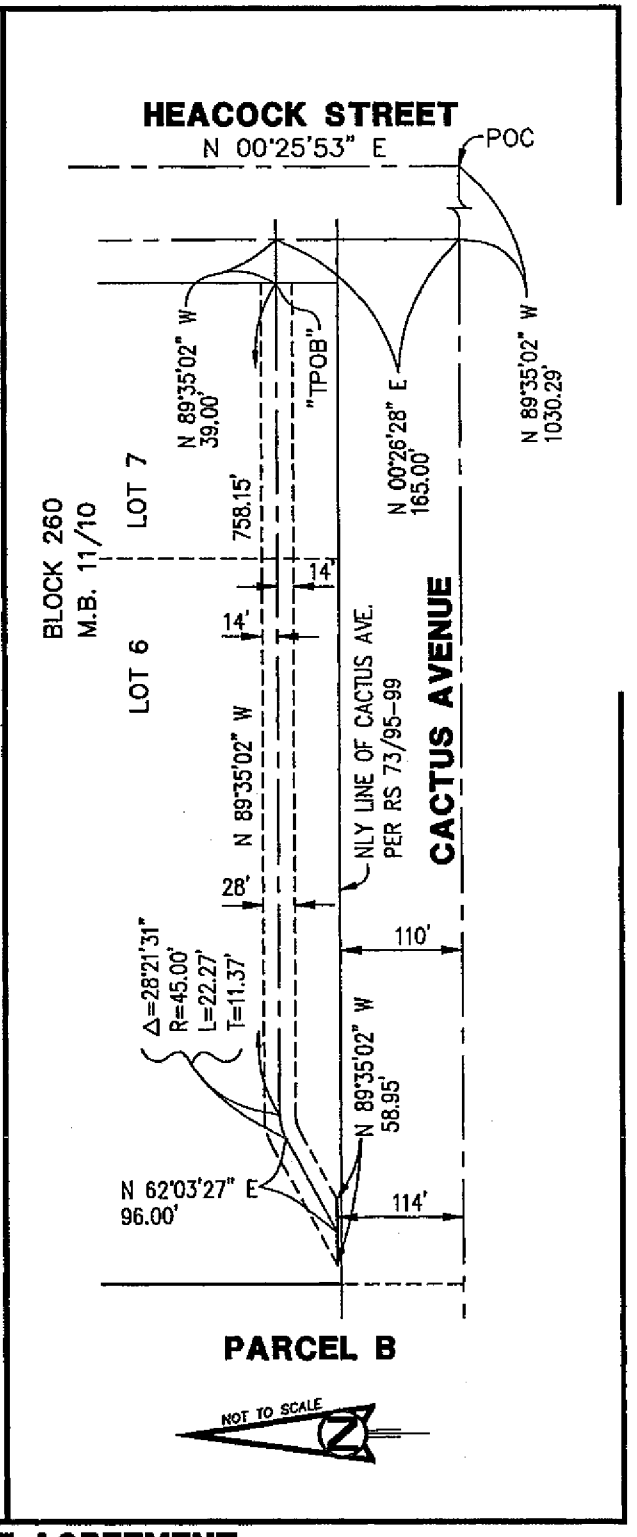

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/2

JAN. 24, 2006 14:10 H:\PROJ\11024401\EXHIBITS\DRAINAGE-EXHIBITS\LEGH-B.DWG

2006-0437089
06/16/2006 08:00A
5 of 6

MV00053463

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

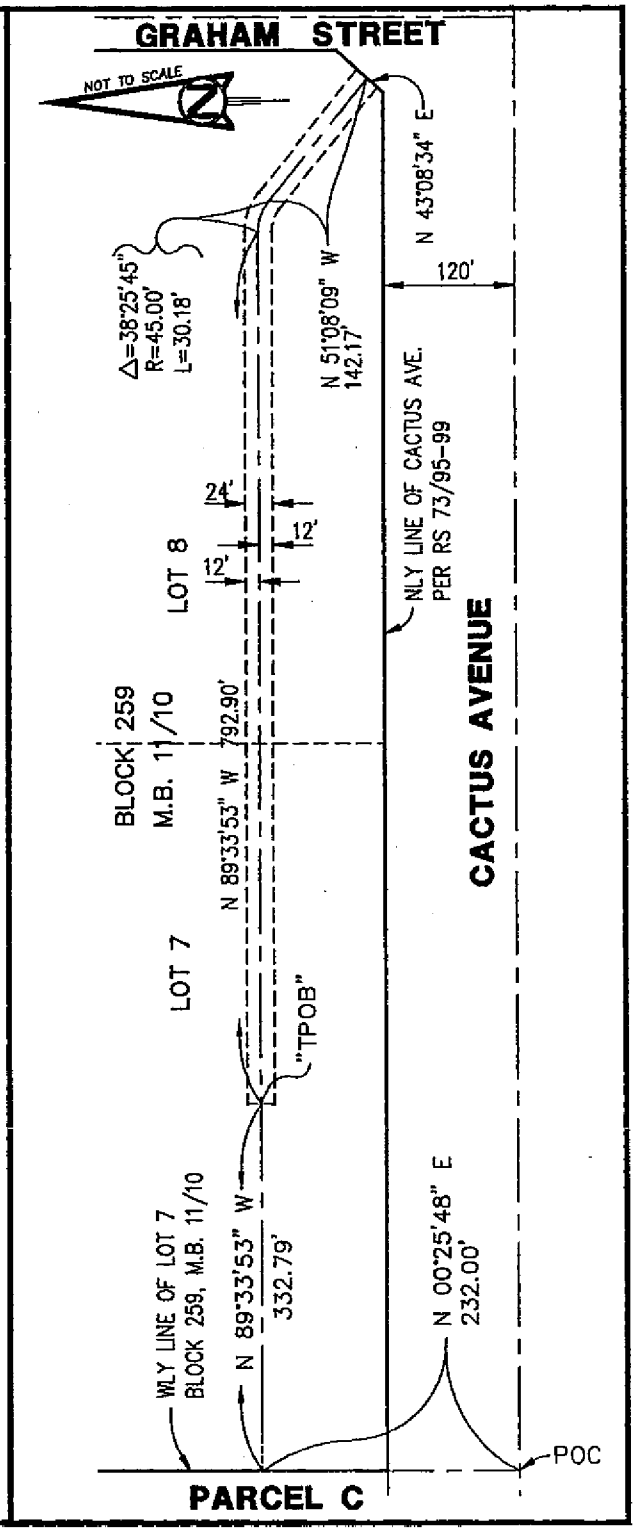

COOPERATIVE AGREEMENT
PARCEL MAP 32326
2/2

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2006-0437089
06/16/2006 08:00A
6 of 6

MV00053464

RCFC PARCEL NOS. 4736-500,
501 & 502

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Graham Street SD
Project No. 4-0-00633
Parcel Map 32326
Line E

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4633-500

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597445, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead-Graham St. SD
Project No. 4-0-00633
Parcel Map 32326

DOC # 2009-0597445
11/18/2009 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

(Notary Attached)

11/16/09

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers, a notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

Irrevocable offer of Dedication
3 pages total
Dated 11/16/09

2009-0597445
11/18/2009 08:00A
2 of 5

MV00053468

EXHIBIT "A"
LEGAL DESCRIPTION
(EASEMENT FOR STORM DRAIN PURPOSES)

THAT PORTION OF LOT 8, BLOCK 242, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11, PAGE 10, OF MAPS, RECORDS OF THE COUNTY OF SAN BERNARDINO, SAID STATE, WHICH LIES WITH IN A STRIP OF LAND 25.00 FEET WIDE LYING 11.00 FEET ON THE NORTHERLY SIDE AND 14.00 FEET ON THE SOUTHERLY SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF GRAHAM STREET AS DESCRIBED IN THAT CERTAIN PARCEL OF LAND TO THE COUNTY OF RIVERSIDE RECORDED NOVEMBER 28, 1972 AS INSTRUMENT NO. 157189, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF RIVERSIDE WITH A LINE PARALLEL WITH AND 51.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY LINE OF SAID LOT 8;

THENCE ALONG SAID PARALLEL LINE NORTH 89°34'17" WEST 35.00 FEET.

CONTAINING 875 SQUARE FEET, MORE OR LESS.

REFERENCE IS MADE TO EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR MY DIRECT SUPERVISION.

DATE: 2-13-09

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –165 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05

2009-0597445
11/18/2009 08:00A
3 of 5

EXHIBIT "B"
STORM DRAIN AND ACCESS EASEMENT
CITY OF MORENO VALLEY

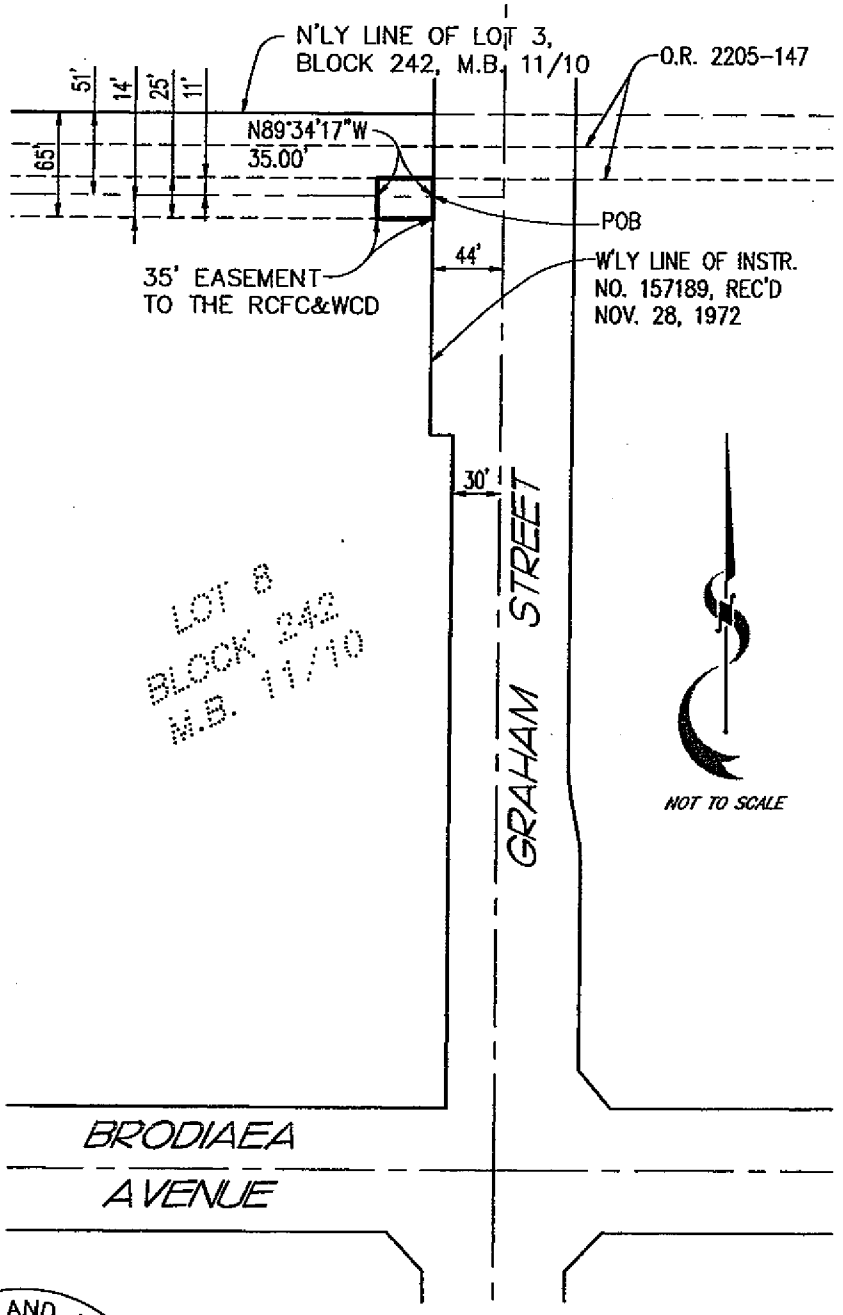

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 3-12-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 1 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 09, 2009 15:35 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT-AC-RCFC-WCD.DWG

2009-0597445
11/18/2009 08:00A
4 of 5

MV00053470

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE
PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

2009-0597445
11/18/2009 08:00A
5 of 5

MV00053471

RCFC PARCEL NO. 4633-500

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
Line A

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597446, records of said County, attached for reference purposes.

RCFC Parcel No. 4737-500A referenced as Parcel A
RCFC Parcel No. 4737-500B referenced as Parcel B
RCFC Parcel No. 4737-500C referenced as Parcel C
RCFC Parcel No. 4737-500D referenced as Parcel D

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

DOC # 2009-0597446
11/18/2009 08:00A Fee:NC
Page 1 of 7
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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nchg cc					T:		CTY	UNI	

C 509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal descriptions attached hereto as Exhibits "A-1", "A-2" and shown on Exhibits "B-1", "B-2" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

11/16/09

(Notary Attached)

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers A Notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

IRRevocable offer of Dedication
5 pages total
Dated 11/16/09

2009-0597446
11/18/2009 08:00A
2 of 7

MV00053475

EXHIBIT "A-1"
LEGAL DESCRIPTION

PARCEL A: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE EASTERLY 18.50 FEET PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 1.

CONTAINING 10,400 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

PARCEL B: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°34'17" WEST 36.32 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE SOUTH 89°34'17" EAST 36.31 FEET TO THE EASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID EASTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,271 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

DATE: 3-13-09

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –162-R2
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

2009-0597446
11/18/2009 08:00R
3 of 7

MV00053476

EXHIBIT "B-1"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

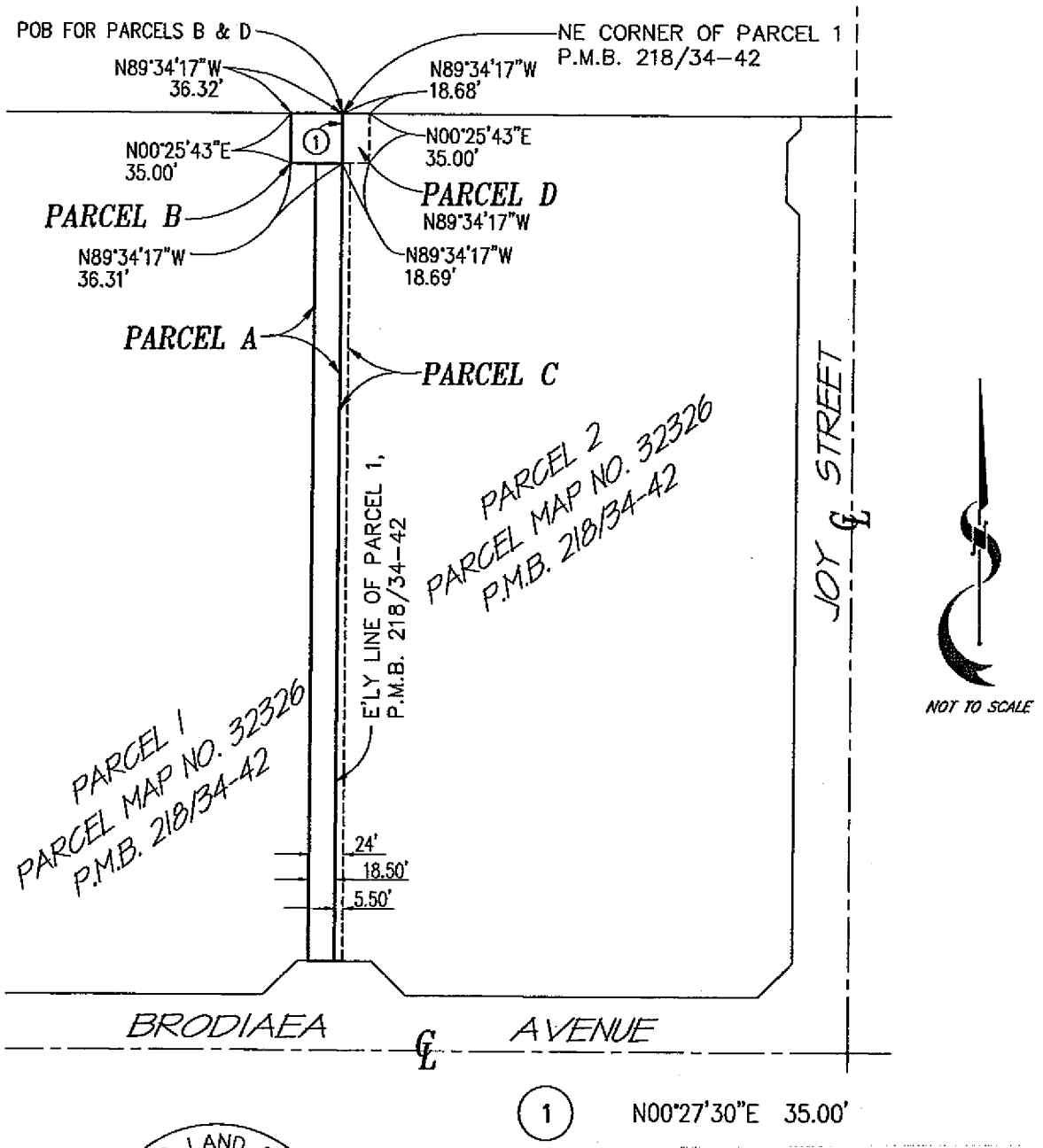

1 N00°27'30"E 35.00'

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 2-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 02, 2009 11:21 H:\PROJ\1102440\EXHIBITS\PARCEL 3\EXHIBIT-SD_LINEA-162.DWG

2009-0597446
11/18/2009 08:00A

MV00053477

EXHIBIT "A-2"
LEGAL DESCRIPTION

PARCEL C: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE WESTERLY 5.50 FEET OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 2.

CONTAINING 3,092 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

PARCEL D: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°34'17" EAST 18.68 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE NORTH 89°34'17" WEST 18.69 FEET TO THE WESTERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID WESTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 654 SQUARE FEET MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

DATE: 2-13-09

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ --163 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

2009-0597446
11/18/2009 08:00A
5 of 7

MV00053478

EXHIBIT "B-2"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

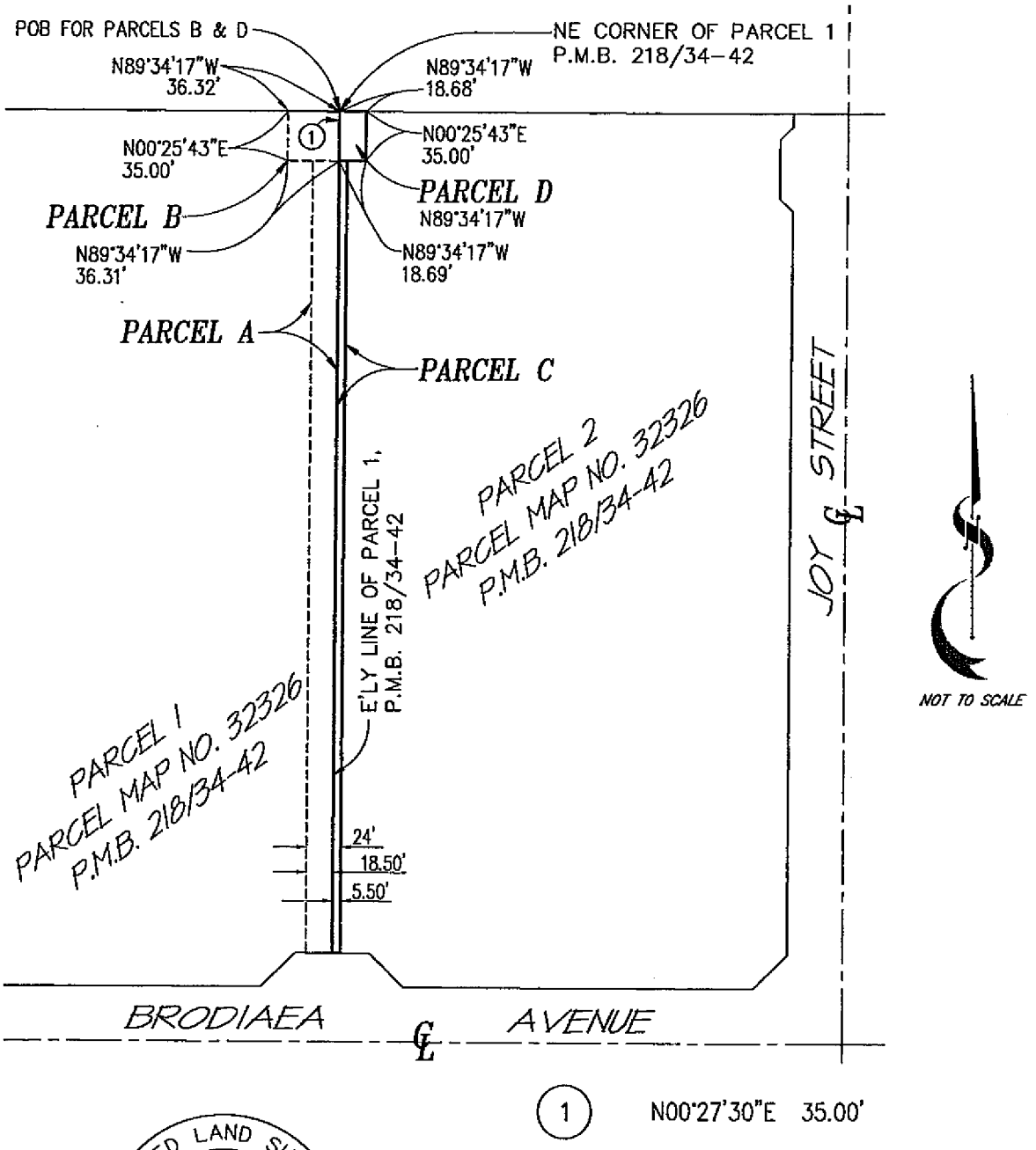

1 N00°27'30"E 35.00'

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: Robert B. Stanford

DATE: 3-12-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 2 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

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2009-0597446
11/18/2009 08:00A

MV00053479

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE

ON PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI VEISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

2009-0597446
11/18/2009 08:00A
7 of 7

MV00053480

RCFC PARCEL NOS. 4737-500A, 500B, 500C & 500D

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4737-501

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded December 23, 2009, as Instrument No. 2009-0657601, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on October 17, 2008 as Instrument No. 2008-0557898

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

DOC # 2009-0657601
12/23/2009

Customer Copy Label
The paper to which this label is affixed has not been compared with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
(Line A)

IRREVOCABLE OFFER OF DEDICATION

MORENO VALLEY CENTERPOINTE LLC,
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

The District will request for the public to quitclaim to the grantors herein or to their successors or assigns all of the interests conveyed by this said easement as will no longer be necessary to the District by reason of the approval of the extension of Sunnymead Brodiaea Avenue Storm Drain, Line A, as evidenced by the District's issuance of a Notice to Proceed for such.

MORENO VALLEY CENTERPOINTE LLC:

Dated: 1-14-2009

By: [signature]

V. Prabhu Dhalla

Title: managing share holder

Dated: _____

By: _____

_____

Title: _____

(Notary Attached)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 1-14-2009 (Date) before me, Alice S. Reed, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared V. Prabhu Dhalla (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed the instrument.

ALICE S. REED
Commission # 1549066
Notary Public - California
Riverside County
My Comm. Expires Feb 26, 2009

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

WITNESS my hand and official seal.

Signature Alice S. Reed (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

EXHIBIT "A"

EASEMENT FOR STORM DRAIN FACILITIES
TO
RIVERSIDE COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

THAT PORTION OF LOT 3, BLOCK 242 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COUNTY., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA. AS PER MAP FILED IN BOOK 11 PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY WHICH LIES WITHIN A STRIP OF LAND 26.00 FEET WIDE THE SOUTHERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 32326 AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42 INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, DISTANT ALONG SAID NORTHERLY LINE NORTH 89°34'17" WEST 37.77 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 1; THENCE ALONG SAID NORTHERLY LINE AND THE NORTHERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 32326, SOUTH 89°34'17" EAST 71.00 FEET.

CONTAINING 1846 SQUARE FEET MORE OR LESS.

DATE: 12/19/2008

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ --151
11-0244-01
JULY 14, 2008
T.B. 717/ C-6

EXHIBIT "B"

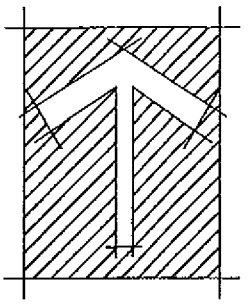

NOT TO SCALE

LOT 3, BLOCK 242
M.B. 10 -- 11

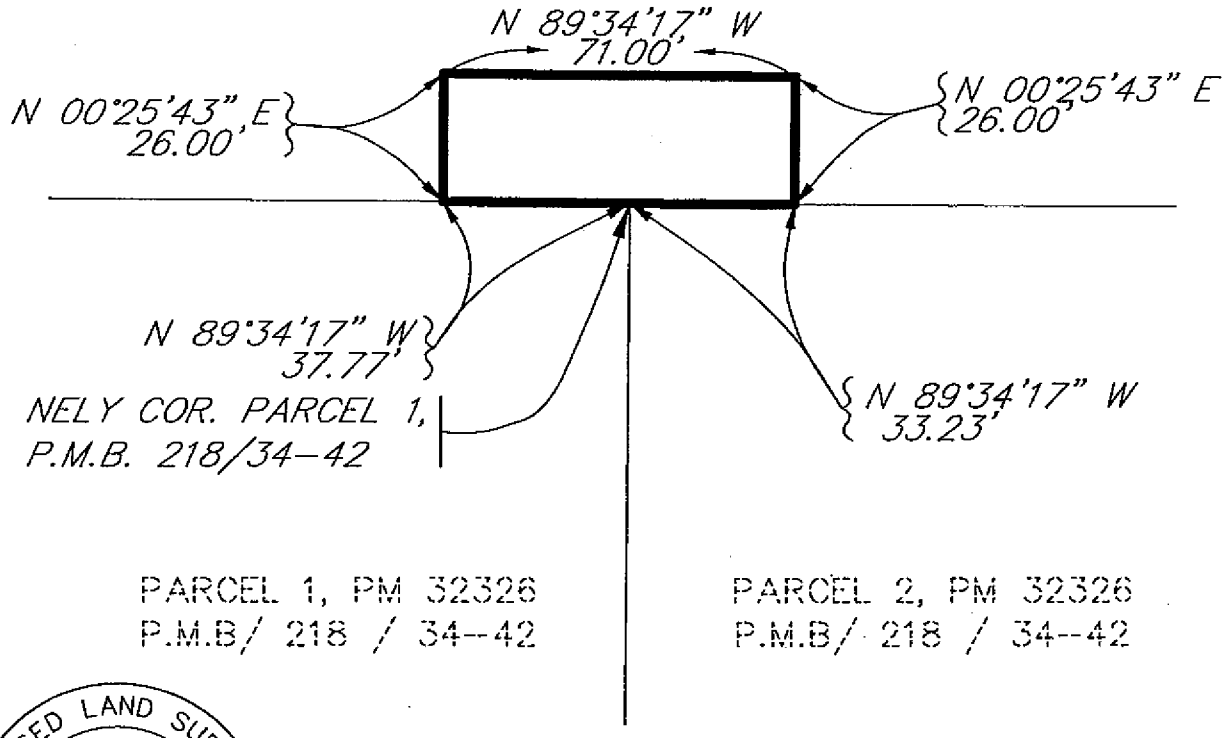

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

ROBERT B. STANFORD JR.
EXPIRES: SEPTEMBER 30, 2009

DATE: DECEMBER 19, 2008

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONVERSERVATION DISTRICT

HUITT-ZOLLARS
Huitt-Zollars, Inc. Ontario
3990 CONCOURS STREET, SUITE 450 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799

FILE G:\Legal Descriptions\SKETCHS\LD-HZI-151.dwg (12-19-2008)

MV00053486

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

ON EXHIBIT "B":
LOT 3. BLOCK 242
M.B. 10-11

PARCEL 1, PM 32326
P.M.B. / 218 / 34-42

PARCEL 2, PM 32326
P.M.B. / 218 / 34-42

Date: 8/11/2009

Signature: [signature]

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

RCFC PARCEL NO. 4737-501

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

RESOLUTION NO. 2010-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC STORM DRAIN EASEMENTS PER IRREVOCABLE OFFERS OF DEDICATIONS RECORDED AS INSTRUMENT NUMBERS 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, AND 2009-0657601 IN THE OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA AND EXECUTION OF QUITCLAIM DEEDS ACCORDING TO THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY OF MORENO VALLEY, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

WHEREAS, the City Engineer has determined that the public storm drain easements were recorded by Ridge Moreno Valley, LLC and Ridge Moreno Valley II, LLC at the request of the Riverside County Flood Control and Water Conservation District, within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 according to the approved Second Amended and Restated Cooperative Agreement on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 in order to quitclaim the easements to the Riverside County Flood Control and Water Conservation District per the Cooperative Agreement, and

WHEREAS, it is in accordance with Government Code, Section 27281, for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 are accepted and execution of quitclaim deeds of said easements is authorized.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____ City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

MV00053490

APPROVALS	
BUDGET OFFICER	c.a.f.
CITY ATTORNEY	
CITY MANAGER	WDB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET

DEVELOPER: RIDGE MORENO VALLEY, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

On January 10, 2006, the City Council approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, and Ridge Moreno Valley LLC. The Agreement required that an Irrevocable Offer of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. In addition, certain storm drain easements were required to be shown on Parcel Map 32326. The IOD was recorded on June 16, 2006 and the parcel map was recorded on August 15, 2006 as required.

DISCUSSION

The City has been notified by the RCFC&WCD that the referenced storm drain easements, within Parcel Map 32326, Parcels 1, 2, and 3 are no longer necessary due to realignment in the storm drain system. Subsequent to the recordation of the IOD and parcel map, the storm drain improvements were constructed according to revised plans. The RCFC&WC and the City have obtained additional easements that encompass the actual location of the storm drain system. Therefore, there is no longer a public need for the easement Parcels A and B, as described in the IOD, nor a public need for the easement, as described in the Easement Note No. 4, on the recorded parcel map.

ALTERNATIVES

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements, described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easement is no longer, nor will be in the future, useful for public storm drain purposes.*

2. Do not adopt the proposed Resolution, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easements will remain as public service easements for storm drain purposes; however, the easements are no longer, nor will be in the future, useful for public storm drain purposes.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the RCFC&WCD. The public has been notified by publication of agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution

Prepared By
Vicente Giron,
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

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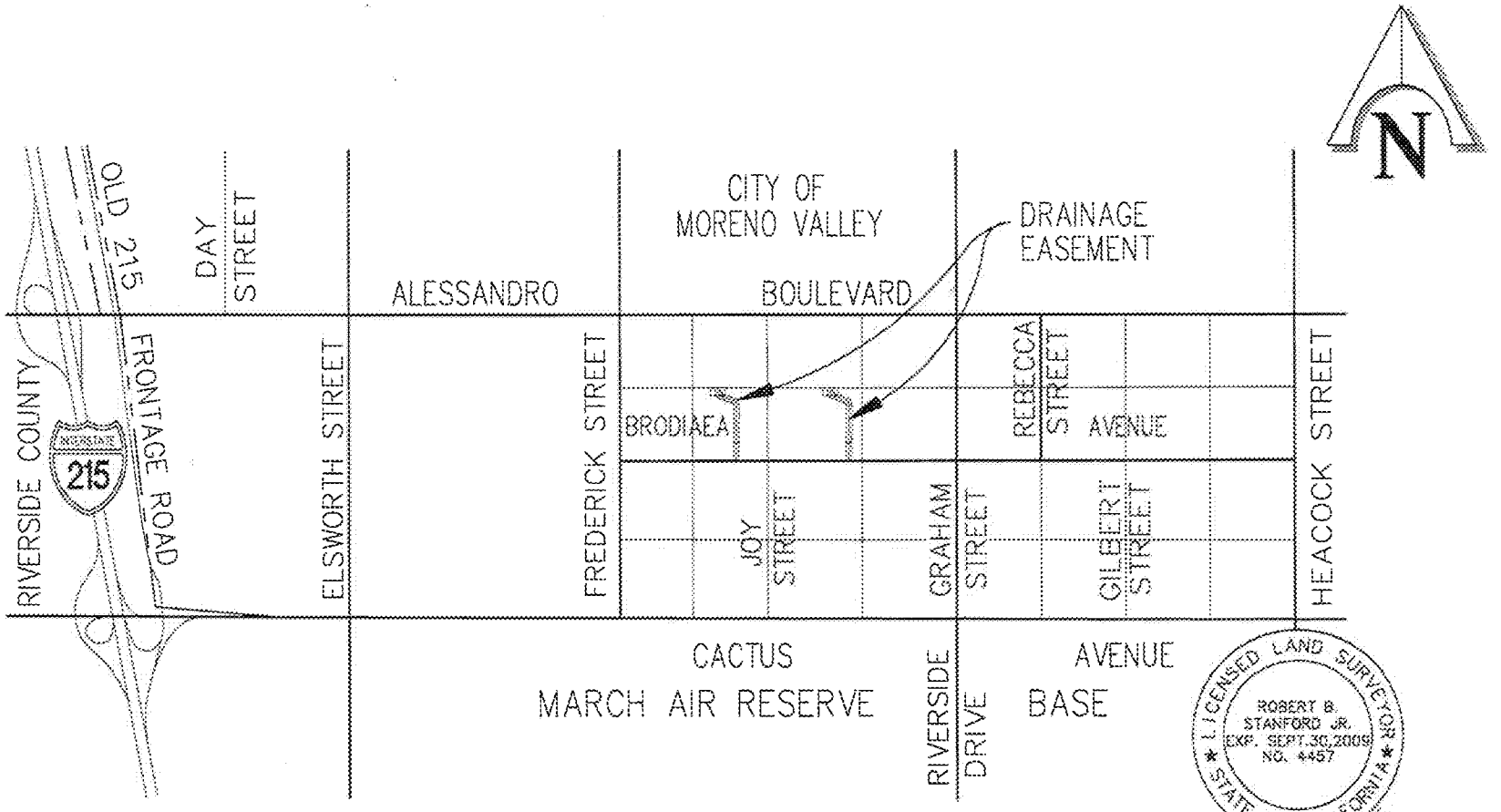

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY:
DATE: 2/16/2010

VICINITY MAP

NOT TO SCALE

(T.B. MAP PG 717 COORDS C6)

SHEET 1 OF 2 SHEETS

HUITT-ZOLLARS	CITY OF MORENO VALLEY	PARCEL MAP NO. 32326
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	VICINITY MAP

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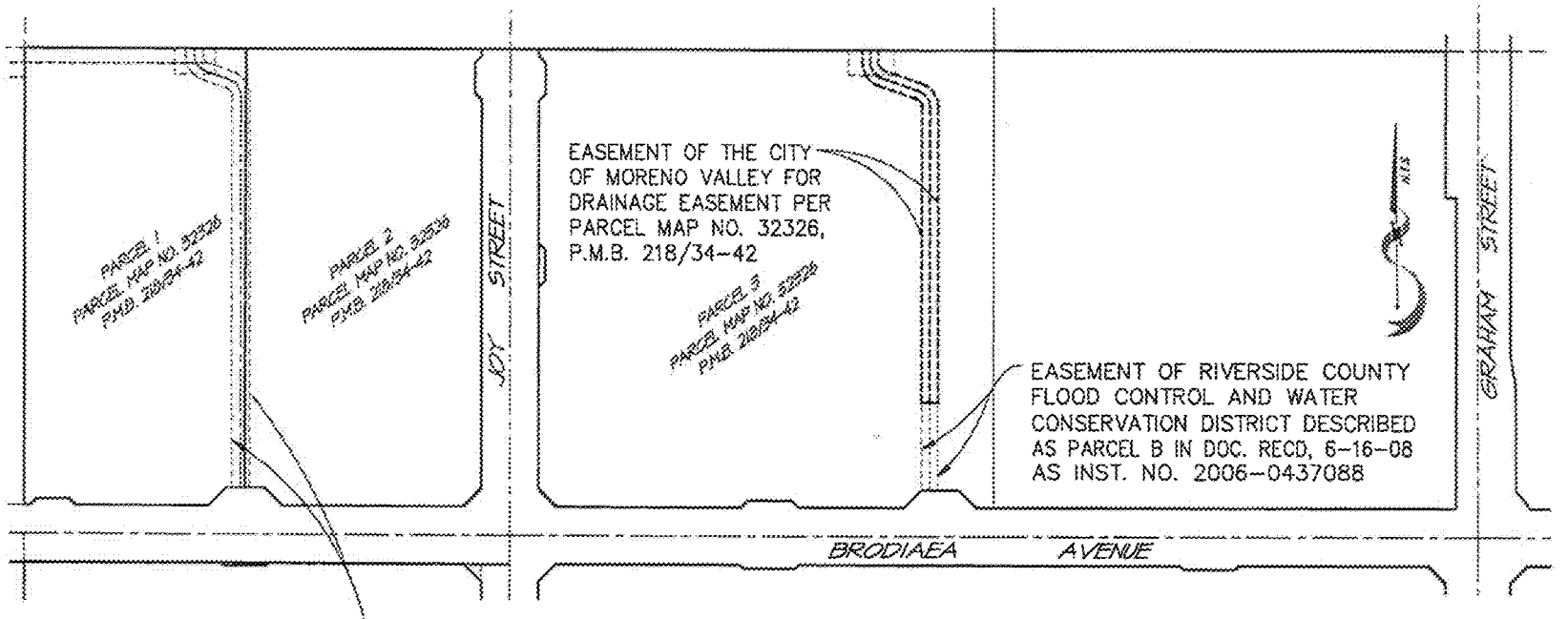

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]
DATE: 3/16/2010

SHEET 2 OF 2 SHEETS

HUITT-ZOLLARS	CITY OF MORENO VALLEY	PARCEL MAP NO. 32326
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	

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MV00053496

RESOLUTION NO. 2010-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

WHEREAS, the City Council of the City of Moreno Valley, California, was offered certain drainage easements for public service located within Parcel Map 32326; and

WHEREAS, these certain drainage easements were never accepted by the City of Moreno Valley and are obsolete due to drainage improvements being constructed per an alternate alignment within Parcel Map 32326; and

WHEREAS, no public money was expended for maintenance of said easements

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

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described drainage easements are summarily vacated and abandoned:

That said drainage easements are located in the City of Moreno Valley, County of Riverside, State of California described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326 as illustrated on Attachment 1 and made a part hereof.

Excepting and reserving from the vacation any easement for existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove or renew such facilities, pursuant to Section 8340 of the Streets and Highway Code.

Attachment 2

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described Drainage Dedication revert to the owner of the underlying fee thereof, free from use as an easement for drainage purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

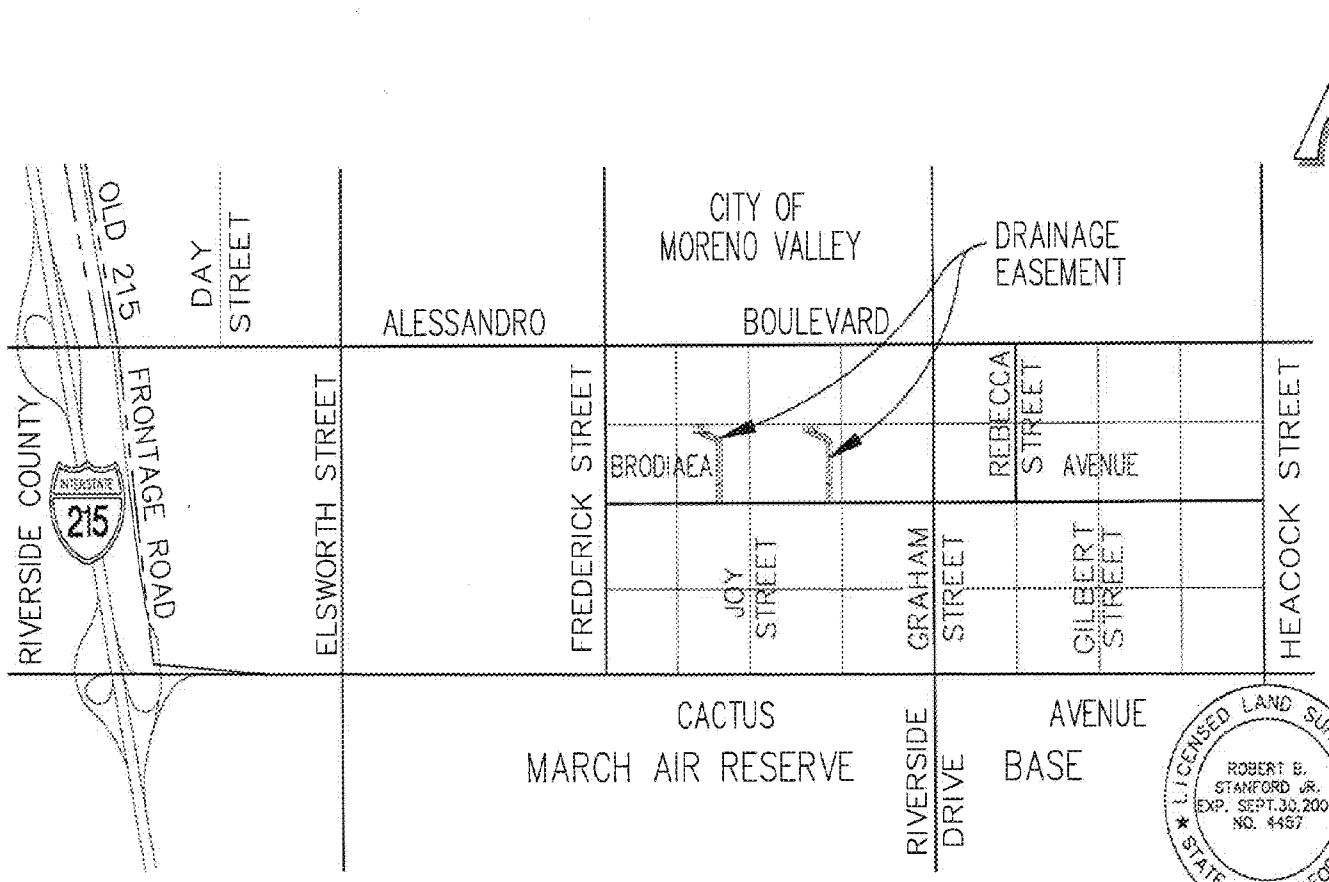

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30.2008
NO. 4487
STATE OF CALIFORNIA

BY:
DATE: 2/16/2010

VICINITY MAP

NOT TO SCALE

(T.B. MAP PG 717 COORDS C6)

SHEET 1 OF 2 SHEETS

HUITT-ZOLLARS	CITY OF MORENO VALLEY	PARCEL MAP NO. 32326
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	VICINITY MAP

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Resolution No. 2010-
Date Adopted: April 27, 2010

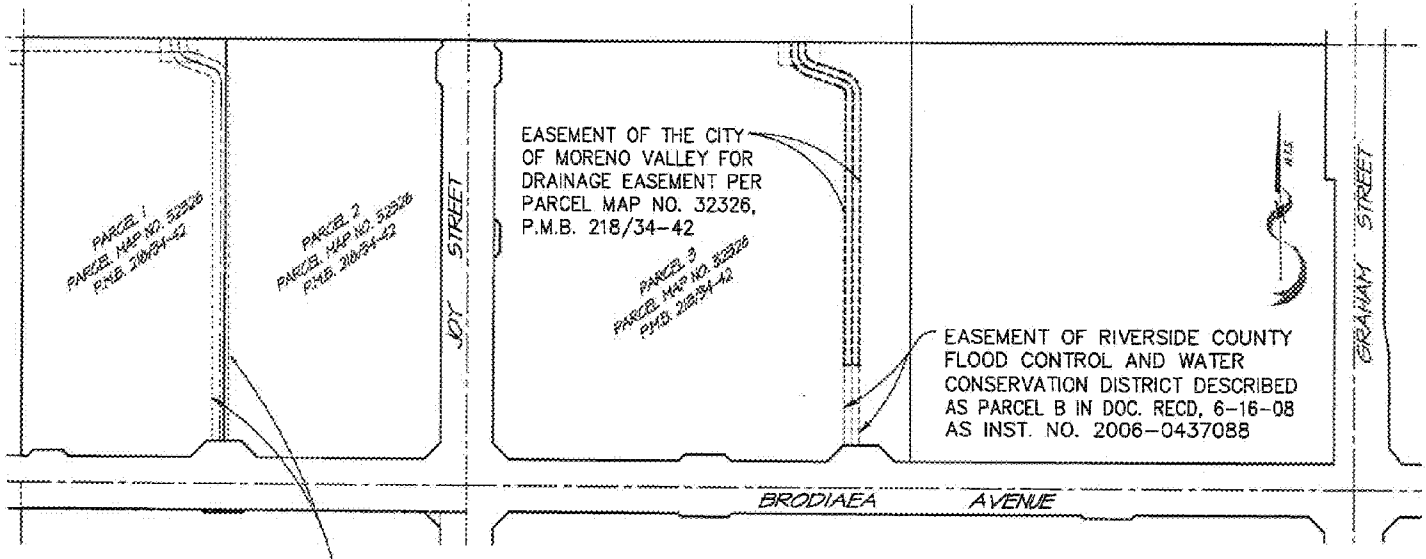

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2008
NO. 4487
STATE OF CALIFORNIA

BY: _____
DATE: 3/16/2010

SHEET 2 OF 2 SHEETS

HUITT-ZOLLARS	CITY OF MORENO VALLEY	PARCEL MAP NO. 32326
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	

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Resolution No. 2010-
Date Adopted: April 27, 2010

MV00053501

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

BACKGROUND

The Riverside County Transportation Commission Ordinance No. 02-001, as enacted pursuant to the provisions of Division 25 of the Public Utilities Code, specifies that local cities and counties must submit an annual Five-Year CIP for Measure "A" funds. RCTC requires local agencies to submit their 2011-2015 Five Year CIP for Measure "A" by May 7, 2010. The program is subject to amendment after review and approval by RCTC.

The City of Moreno Valley has received Measure "A" funds (local sales tax) for expenditures on local streets since November 1989.

DISCUSSION

Measure "A" is a major funding source for transportation infrastructure improvements. The total amount of funding received from FY 1989/1990 through FY 2008/2009 is $53.8 million. The City is scheduled to receive $2,279,000 in Measure "A" revenue by FY 2009/2010 year-end and $2,270,000 in funding for FY 2010/2011. The City's Measure "A" Fund Balance also receives revenue from several supplementary sources:

- Interest income
- Federal-aid awards
- State grants
- County/Local grants
- Sale of plans and specs

The total revenue received from these integral funding sources since FY 1989/1990 is in excess of $22 million. Because Measure "A" funds are used to provide required City matching funds for federal, state and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" Fund Balance. The sale of plans and specs for projects going out to bid is designated as an additional source of income although this revenue is to recoup the cost incurred in the printing and publishing of the documents. The income received from these supplemental revenue sources, combined with the annual Measure "A" revenue from RCTC provides the funding to construct multi-million dollar projects.

RCTC requires all local jurisdictions to submit an annual five-year CIP for continued receipt of Measure "A" local streets and roads funds. As required by RCTC, the attached tables include the actual FY 2009-2010 Measure "A" budget approved by Council, as well any budget appropriation adjustments during the fiscal year. Additional tables include proposed projects for FY 2010-2011 and planned projects for FY 2011-2012 through FY 2014-2015. The listed projects are consistent with the City's Capital Improvement Program. All identified projects meet the criteria for Measure "A" funding.

The projects are included in the Measure "A" Five-Year CIP to satisfy RCTC Ordinance No. 02-001. Although RCTC requires this information by May 7, 2010, the City Council may make any changes to the list of projects as part of the City's annual budget approval process. City staff can forward the amended Measure "A" project list to RCTC once the City's budget is approved.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure "A" funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes.

ALTERNATIVES

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative supports a major funding source for roadway and other infrastructure improvements.*

2. Do not approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program FY 2011-2015, do not authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and do not authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative eliminates Measure "A" funding.*

FISCAL IMPACT

The timely approval and submittal of the Five-Year CIP by May 7, 2010, ensures continued receipt of Measure "A" funds for FY 2010-2011. Measure "A" funds can only be used for transportation purposes.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The City of Moreno Valley is required to submit an annual Five-Year CIP for Measure "A" projects and a MOE certification for continued receipt of Measure "A" funds.

ATTACHMENTS

ATTACHMENT "A" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Fund Program, FY 2009-2010 Approved Budget
ATTACHMENT "B" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Five Year CIP, FY 2011-2015
ATTACHMENT "C" – MOE Certification Statement
ATTACHMENT "D" – MOE Projection for FY 2009-2010

Prepared By
Linda Wilson
Senior Management Analyst

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

Department Head Approval
Chris Vogt, P.E.
Public Works Director/City Engineer

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

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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 1 of 4
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

	A	B	C
1	ATTACHMENT "A"		Fiscal Ye
2		Item No.	Business Unit
3		1	54150
4		2	
5		3	56330
6		4	56339
7		5	65320
8		6	66625
9		7	66626
10		8	66627
11		9	66628
12		10	66629
13		11	66722
14		12	66727
15		13	66728
16		14	66729
17		15	66825
18		16	66827
19		17	66828
20		18	66829

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 2 of 4
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

	D	E	F	G	H	I	J	K
1	**ar 2009/2010**							
2	**Project Name/Limits**	**Project Type**	**Status**	**Total Cost 1,000s**		**Measure A Funding 1,000s**		
3	Measure A Program Budget	Program Budget	Provide functions for transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	436		436		
4	Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,279,000.	182		182		
5	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program.	3,706	1	77		
6	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000 each completed by City maintenance staff .	765		765		
7	Bicycle Lane	Bicycle Lane	Local match funding for BTA grant awards to stripe Class II bike lanes to connect discontinuous segments of the Aqueduct Bike Trail.	127	2	-		
8	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Freeway Ramp & Traffic Signal	Project completed February 2010.	1,269		1,269		
9	Graham St./Bay Ave. Traffic Signal	Traffic Signal	Project completed November 2008. Carryover funds were for a one-year warrant period.	11		11		
10	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	46		46		
11	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed.	226		226		
12	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200		200		
13	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Continue design.	3,913	3	1,279		
14	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median	Project deferred. Return funds to Fund Balance.	147		147		
15	Cottonwood Ave. at Oliver St. Striping/Channelization/Rd Safety	Street Improvements	Project completed July 2009.	25		25		
16	Heacock Street South Extension	Street Improvements	Alignment and traffic study.	35		35		
17	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Complete design.	258	4	30		
18	Moreno Beach/Rte 60 Right Turn Lane Improvements	Street Improvements	Project on hold. Return funds to Fund Balance.	89		89		
19	Roadside Safety Improvements/Elder Ave. W/o Nason St.	Street Improvements	Project completed July 2009.	48		48		
20	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Traffic signal design.	35		35		

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 3 of 4
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

	A	B	C
21		19	66927
22		20	67123
23		21	67128
24		22	67425
25		23	67428
26		24	67524
27		25	82824
28		26	82828
29		27	84830
30		28	85020
31		29	85523
32		30	89720
33		31	New A
34			
35			
36		[1] Traffic Congestion Relief (Prop 42) - $1,468,274; Proposition 1B - $2,160,978	
37		[2] FY 08/09 BTA Award - $126,982	
38		[3] STPL Funds - $1,967,000 (reprogrammed to SR-60/Nason FY 10/11); DIF Arterial Streets - $667,048	
39		[4] HBRRP Funds - $360,000 for design (remaining balance - $228,067)	
40		[5] 2005 Lease Revenue Bonds - $3,228,855; RDA Funds - $1,263,584; TE Grant - $1,614,000 (remaining balance - $1,406,900). Grant budgeted in Measure A. RDA funds will be used as local match.	
41		[6] TUMF Funds - $679,953; DIF Arterial Streets - $462,239	
42		[7] SR2S Grant - $215,820 (remaining balance - $193,283)	
43		[8] STPL ROW Funds - $1,350,082 - (remaining balance - $1,346,321); STPL Construction Funds - $1,770,219; Federal Demo Construction Funds - $4,500,000	
44		[9] SR2S Grant - $210,000	

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 4 of 4
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

	D	E	F	G	H	I	J	K
21	Redlands Blvd./SR-60 WB Ramp Traffic Signal	Traffic Signal	Complete design.	46		46		
22	Indian St./Cactus Ave. Intersection Imprv. and Storm Drain	Street & Strom Drain Improvements	Completed January 2009. Project closeout January 2010.	31		31		
23	Sunnymead Blvd./Frederick St. to Perris Blvd.	Street Improvements	Median construction October 2009 to May 2010.	6,106	5	-		
24	Heacock St./Gentian-Poppystone & Frederick-Sunnymead	Street Improvements	Project completed. Project closeout June 2010.	146		146		
25	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed.	1,165	6	23		
26	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Bicycle Trail	Project completed October 2009.	713		713		
27	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	190		190		
28	Indian St./Alessandro Blvd Sidewalk Improvements	Sidewalk Improvements	Construction May 2010 to July 2010.	215	7	21		
29	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	292		292		
30	Surface Recycling	Rehabilitation	On-going annual program.	153		153		
31	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	307		307		
32	SR-60/Nason St. Interchange	IC Imprv EB/WB Ramps	Design, utility relocation, right of way and construction. Estimated construction start date is June 2010.	13,705	8	6,089		
33	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Sidewalk Improvements	Complete design.	254	9	44		
34			**FY 2009/2010 Total**	**34,841**	*	**12,955**	*	2,279
35							* Includes FY 08/09 carryover funds.	
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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 1 of 11
Prepared by: Linda Wilson
Date: May 7, 2010

	A	B	C	D	E
1	ATTACHMENT "B"	**Fiscal Year 2010/2011**			
2		**Item No.**	**Business Unit**	**Project Name/Limits**	**Project Type**
3		1	54150	Measure A Program Budget	Program Budget
4		2		Indirect Cost Rate	Overhead
5		3	New	Crack Seal (Slurry Seal)	Program Budget
6		4	New	City-Wide Traffic Signals	Program Budget
7		5	New	City-Wide Concrete Maintenance	Program Budget
8		6	New	City-Wide Sign and Striping	Program Budget
9		7	New	City-Wide Transportation Operations	Program Budget
10		8	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation
11		8	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Traffic Signal
12		9	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements
13		10	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal
14		11	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements
15		12	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements
16		13	66729	Heacock Street South Extension	Street Improvements
17		14	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge
18		15	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal
19		16	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements
20		17	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Park
21		18	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements
22		19	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Street Improvements
23		20	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

	F	G	H	I	J	K
1						
2	**Status**	**Total Cost 1,000s**		**Measure A Funding 1,000s**		
3	Provide cost effective administrative functions for essential transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	438		438		
4	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,270,000.	182		182		
5	Facilities pavement rehabilitation work and crack sealing as needed to prepare for the next slurry seal cycle.	50		50		
6	Maintain the City's traffic signal system. Inspect construction of new signals and interconnects.	695		695		
7	Ensure the safety and convenience of pedestrians using City sidewalks and ensure the proper drainage of City streets by keeping all City sidewalks, curbs, gutters and cross-gutters in good repair.	240		240		
8	Maintain City traffic control devices including signs, legends, striping and pavement markings.	812		812		
9	Review and mitigate collisions and provide for the safe and efficient operation of the City's transportation system.	120		120		
10	Rehabilitation projects under $30,000/each completed by City maintenance staff .	202		202		
11	Project completed February 2010. Carryover funds are for a one-year warranty period.	9		9		
12	Complete design.	460		460		
13	Project completed. Carryover funds are for a one-year warranty period.	2		2		
14	On-going program for design and construction of ADA compliant curb ramps.	200		200		
15	Complete design. Estimated construction date: November 2011.	498		498		
16	Complete alignment and traffic study.	20		20		
17	Construction: October 2010 to December 2011	2,609	1	299		
18	Construction: January 2011 to July 2011.	242		242		
19	Project completed July 2009. Carryover funds are for a one-year warranty period.	23	2	13		
20	Project completed October 2009. Carryover funds are for a one-year warranty period.	5		5		
21	On-going annual program for design and construction of speed humps.	100		100		
22	Construction: May 2010 to July 2010.	100	3	10		
23	On-going annual program.	50		50		

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

	A	B	C	D	E
1				**Fiscal Year 2010/2011**	
2		**Item No.**	**Business Unit**	**Project Name/Limits**	**Project Type**
24		21	85020	Surface Recycling	Rehabilitation
25		22	85523	Street Improvement Program (SIP)	Street Improvements
26		23	89720	SR-60/Nason St. Interchange	Street Improvements
27		24	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Street Improvements
28		25	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal
29					
30					
31		[1] HBRRP Funds - $360,000 for design (remaining balance - $78,983); $2,230,956 construction funding			
32		[2] DIF Arterial Streets - $10,000			
33		[3] SR2S Grant - $215,820 (remaining balance - $90,000)			
34		[4] STPL Construction Funds - $4,737,219; Federal Demo Construction Funds - $4,500,000; DIF Interchange Improvements - $1,740,000			
35		[5] SR2S Grant - $210,000			

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

	F	G	H	I	J	K
1						
2	**Status**	**Total Cost 1,000s**		**Measure A Funding 1,000s**		
24	On-going annual program.	120		120		
25	On-going annual program.	1,488		388		
26	Design, utility relocation, right of way and construction. Construction: June 2010 to May 2011	12,409	4	1,710		
27	Construction October 2010 to November 2010.	232	5	22		
28		20		20		2,270
29	**FY 2010/2011 Total**	**21,326**	*	**6,907**	*	
30					* Includes FY 09/10 carryover funds.	
31						
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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

	A	B	C	D	E	F	G	H	I	J
1				**Fiscal Year 2011/2012**						
2	**Item No.**	**Business Unit**	**Project Name/Limits**	**Project Type**	**Status**	**Total Cost 1,000s**		**Measure A Funding**		
3	26	54150	Measure A Program Budget	Program Budget	On-going annual program.	442		442		
4	27		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,325,000.	186		186		
5	28	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200		200		
6	29	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Construction: November 2011 to May 2012.	1,027		1,027		
7	30	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100		100		
8	31	85020	Surface Recycling	Rehabilitation	On-going annual program.	120		120		
9	32	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250		250		
10	33	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal	Construction	175		175		
11				**FY 2011/2012 Total**	**FY 2011/2012 Total**	**2,325**	*	**2,325**	*	2,325
12										2,325
13										-
14										
15	*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be**									
16	**prioritized during the appropriate fiscal year as part of the City budget process.**									

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

	A	B	C	D	E	F	G	H	I
1	**Fiscal Year 2012/2013**								
2	**Item No.**	**Business Unit**	**Project Name/Limits**	**Project Type**	**Status**	**Total Cost 1,000s**		**Measure A Funding**	
3	34	54150	Measure A Program Budget	Program Budget	On-going annual program.	400		400	
4	35		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,394,000.	192		192	
5	36	56339	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,420	6	170	
6	37	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200		200	
7	38	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median		470		470	
8	39	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100		100	
9	40	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	492		492	
10	41	85020	Surface Recycling	Rehabilitation	On-going annual program.	120		120	
11	42	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250		250	
12									
13					**FY 2012/2013 Total**	**3,644**		**2,394**	
14									
15	6 Traffic Congestion Relief (Prop 42) - $1,250,000								
16									
17	*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part**								
18	**of the City budget process.**								

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 7 of 11
Prepared by: Linda Wilson
Date: May 7, 2010

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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 26, 2009

	A	B	C	D	E	F	G	H	I
1	**Fiscal Year 2013/2014**								
2	**Item No.**	**Business Unit**	**Project Name/Limits**	**Project Type**	**Status**	**Total Cost 1,000s**		**Measure A Funding**	
3	43	54150	Measure A Program Budget	Program Budget	On-going annual program.	400		400	
4	44		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,490,000.	199		199	
5	45	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,596	7	346	
6	46	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200		200	
7	47	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100		100	
8	48	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	875		875	
9	49	85020	Surface Recycling	Rehabilitation	On-going annual program.	120		120	
10	50	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250		250	
11					**FY 2013/2014 Total**	**3,740**	*	**2,490**	*
12									
13	7 Traffic Congestion Relief (Prop 42) - $1,250,000								
14									
15	*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as**								
16	**part of the City budget process.**								

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 26, 2009

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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 26, 2009

	A	B	C	D	E	F	G	H	I
1	**Fiscal Year 2014/2015**								
2	**Item No.**	**Business Unit**	**Project Name/Limits**	**Project Type**	**Status**	**Total Cost 1,000s**		**Measure A Funding**	
3	51	54150	Measure A Program Budget	Program Budget	On-going annual program.	400		400	
4	52		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,615,000.	209		209	
5	53	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,586	°	336	
6	54	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200		200	
7	55	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100		100	
8	56	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	1,000		1,000	
9	57	85020	Surface Recycling	Rehabilitation	On-going annual program.	120		120	
10	58	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250		250	
11					**FY 2014/2015 Total**	**3,865**	*	**2,615**	*
12									
13	° Traffic Congestion Relief (Prop 42) - $1,250,000								
14									
15	*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as**								
16	**part of the City budget process.**								

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 26, 2009

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MAINTENANCE OF EFFORT
CERTIFICATION STATEMENT

The undersigned hereby agrees and certifies for the City of Moreno Valley that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort base year amounts approved by the Commission at its July 8, 2009 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds.

Date: _____

_____
William Bopf
Interim City Manager

ATTEST:

_____
City Clerk

Reviewed By: _____
Steve Elam
Interim Financial & Administrative Services Director

Reviewed By: _____
Chris A. Vogt, P.E.
Public Works Director/City Engineer

ATTACHMENT “C”

	A	B	C
1	CITY OF MORENO VALLEY		
2	MOE Projection		
3	for FY 2009-10		
4			
5	County of Riverside Measure "A" 1/2 Cent Sales Tax		
6			
7	**Fund**	**Description**	**2009-10 Projected Actuals**
8	010	53110 Public Works - Transportation Engineering	893,021
9	010	53310 Public Works - Traffic Signal Maintenance	674,533
10	010	54110 Public Works - Street Projects Engineering	9,214
11	010	55110 Public Works - Street Maintenance	0
12	010	55410 Public Works - Signing/Striping	0
13	121	Gas Tax Transfer from General Fund	644,153
14			**$2,220,921**
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37	ATTACHMENT "D"		

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant to the City Manager

AGENDA DATE: April 27, 2010

TITLE: Resolution Opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

BACKGROUND

The City of Moreno Valley's Electric Utility (MVU) was established in 2001 and began providing service to customers in February 2004. MVU currently provides service to more than 5,400 customers and new development in the utility's service area is conditioned to take service from MVU.

DISCUSSION

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act, would amend California's Constitution by requiring a two-thirds supermajority vote to approve the use of public funds specifically for the expansion of a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

To date, Proposition 16 is solely sponsored by the Pacific Gas and Electric Company (PG&E) which has committed to spending as much as $35 million on a campaign to get the measure approved by California voters. The initiative was originally titled the "Taxpayers Right to Vote Act," however the San Francisco Local Agency Formation Commission argued that the title was misleading and the Attorney General renamed it

to its current title. Although the initiative met the signature requirements to be placed on the June 2010 statewide ballot, the City of Moreno Valley has joined several public entities in filing a lawsuit to strike Proposition 16 from the ballot due to numerous misleading statements included in the initiative.

Agencies that are opposed to Proposition 16 include the League of California Cities, California Municipal Utilities Association, California Association of Realtors, TURN (The Utility Reform Network), Sacramento Municipal Utility District, and numerous cities and utilities. The Moreno Valley Chamber of Commerce has adopted an "oppose" position for the measure. In addition to PG&E, Proposition 16 is supported by the California Chamber of Commerce and the California Taxpayers' Association.

Note: Elected officials and employees of public agencies are prohibited from using public funds or resources to support or oppose ballot initiatives. However, the City and staff are allowed to educate the public on initiatives and public agencies may take an official position on an initiative during an open meeting.

FISCAL IMPACT

Proposition 16 would impact the Moreno Valley Electric Utility because the supermajority vote requirement would make it virtually impossible for the utility to grow. The measure would also result in additional costs to MVU because each time the utility wanted to expand its distribution system, it would require an election.

CITY COUNCIL GOALS

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

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

SUMMARY

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers," would amend California's Constitution by requiring a two-thirds supermajority vote to create or expand a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

ATTACHMENTS

Attachment: Resolution No. 2010-27

Prepared By:
Michelle Dawson
Assistant to the City Manager

Department Head Approval:
Rick C. Hartmann
Interim Assistant City Manager

Concurred By:
George Hanson
Electric Utility Division Manager

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

CITY OF MORENO VALLEY
RESOLUTION NO. 2010-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS" MEASURE

WHEREAS, the City of Moreno Valley owns and operates a municipal electric utility known as the Moreno Valley Utility; and

WHEREAS, Moreno Valley Utility provides safe and reliable electricity to its residents and businesses; and

WHEREAS, Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" has qualified for the June 8, 2010 statewide ballot; and

WHEREAS, the initiative would require a public electricity provider to obtain a two-thirds voter majority of both the voters in the existing territory and the voters in any proposed expanded territory any time prior to expending funds for expansion or construction of facilities outside current boundaries or to establish service within existing boundaries; and

WHEREAS, Proposition 16 would limit the Moreno Valley Utility's ability to expand its electric service territory while adding significant taxpayer-funded costs for special elections; and

WHEREAS, Proposition 16 is an infringement on local control as cities and their municipal utilities work to provide the best service possible for their constituents.

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

The City Council of the City of Moreno Valley formally opposes Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Act.

APPROVED AND ADOPTED this 27th day of April, 2010.

Signed:

_____
Mayor
City of Moreno Valley

MV00053527

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: TRACT 31319 – PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE

DEVELOPER – BELLA VISTA MORENO VALLEY LLC
7177 BROCKTON AVENUE, SUITE 215
RIVERSIDE, CA 92506

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system.

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 4, 2003, the Community and Economic Development Department of the City of Moreno Valley approved Tentative Tract Map 31319. The tentative tract map is a proposal to subdivide 31 lots.

On May 23, 2006, the City Council approved Tract Map 31319 and accepted the Agreement for Public Improvements and security for the project. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,017,000 and a Material & Labor Bond in the amount of $508,500 issued by Western Insurance Company. Bella Vista Moreno Valley LLC has requested a partial reduction to the Faithful Performance security for the public improvements that have been completed.

The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, storm drain, water, and sewer. These public improvements received ongoing inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The punch list work remaining to be completed includes but is not limited to: final asphalt concrete pavement cap, final adjustment to grade for manholes and water valves, installation of sidewalk, driveway approaches, wheelchair ramps, mail boxes, monuments, and water meters.

As stated in the Subdivision Map Act (SMA), the City is able to retain an additional amount of security up to 200 percent of the cost estimate of the remaining work, (Section 66499.7.d), but in this case the City has determined that the hard and soft cost contingency should be a total of 65 percent. The City will also retain the appropriate amount for warranty purposes, and potential legal costs in addition to the amount estimated for the work remaining to be completed.

Partial reductions will only be considered when the remaining work does not exceed 20 percent of the total work required (SMA Section 66499.7.d). Lastly, a partial reduction does not necessarily deem the improvements accepted into the City's maintained street system unless noted in the recommended actions of this staff report. Therefore, the developer must continue to maintain the improvements until such time as the City accepts the improvements into the City's maintained street system (SMA Section 66499.7.d).

DISCUSSION

Public Works, Land Development staff has identified that $614,469 worth of public improvements have been completed in accordance with the approved plans and the standards of the City of Moreno Valley. It is therefore appropriate to accept those improvements as complete and to provide a partial reduction of $614,469 to the Faithful Performance security. Ninety days after the partial Faithful Performance security reduction, the portion of the Material and Labor security associated with the completed improvements will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The portion of the 10% Faithful Performance security associated with the completed improvements will be held for the

one-year guarantee and warranty period. At the end of the guarantee and warranty period, the security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

The remaining Faithful Performance Security, remaining Material and Labor bond, final warranty portion of the Faithful Performance bond and the remaining security held for hard cost contingency, soft cost contingency, and potential legal costs will be eligible for reduction once the project is 100% complete and is accepted by City Council. At that time the City will take over the maintenance of the project.

ALTERNATIVES

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

2. Do not accept the partial Public Improvements, as complete, but not into the City's maintained street system. Do not authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Faithful Performance Partial Bond Reduction Breakdown

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 Tract 31319 - Partial Security Reduction - Not Accepting Streets.doc

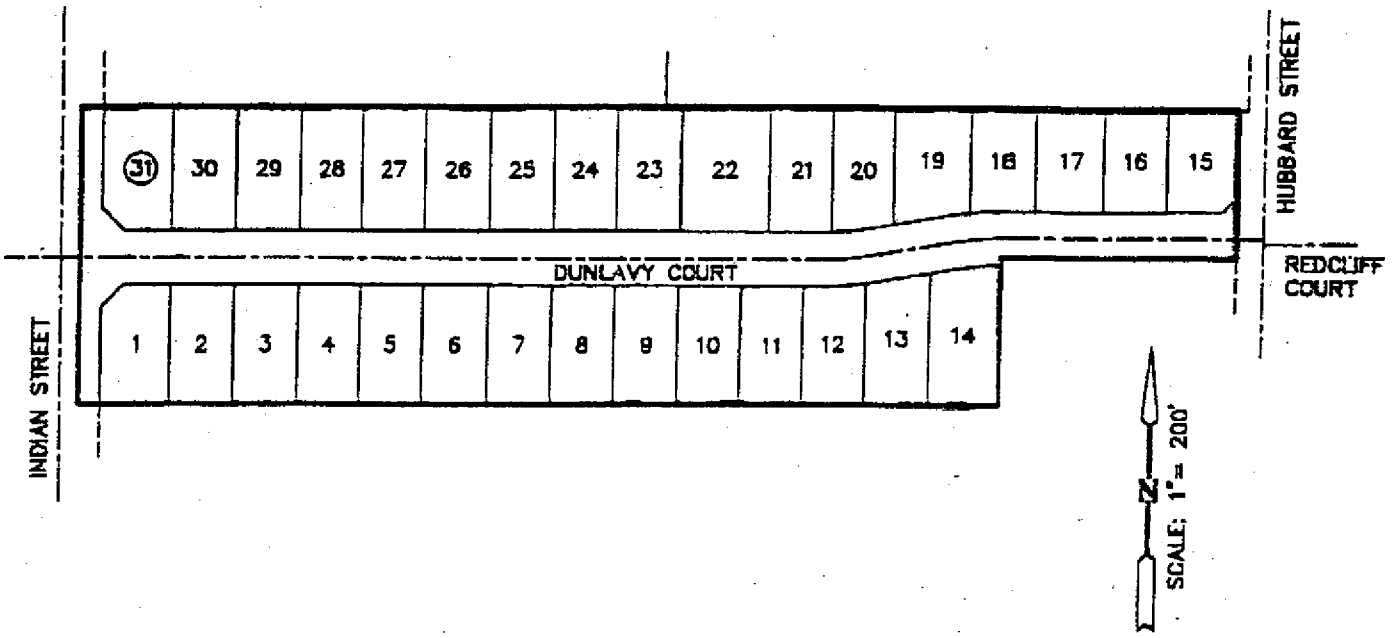

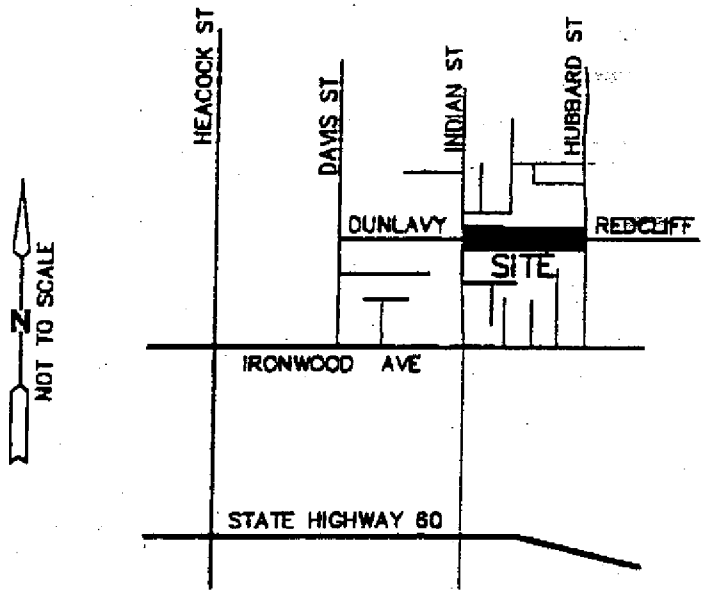

VICINITY MAP – NO SCALE

THOMAS BROS. PG. 717
COORD. F-1 (2005)

CITY OF MORENO VALLEY PUBLIC WORKS – LAND DEVELOPMENT	PROJECT NO. TR. 31319

EXHIBIT "A"

Tract 31319 - Faithful Performance Partial Bond Reduction Breakdown

AC Cap	$33,312
Slurry Seal (Based on Type II)	$5,741
R&R Curb and Gutter	$2,400
4" Thick Concrete Sidewalk per M.V. Std. No 210	$4,950
Driveway Approach - 6"	$4,557
Erosion Control	$5,000
Service Connections and Clean-outs	$4,750
Water Meters	$400
Sub-total	$61,110
Hard Cost Contingency (20%)	$12,222
Soft Cost Contingency (45%)	$27,500
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$101,700
Total	**$402,532**
Original bond amount	$1,017,000
Amount Being Retained	$402,532
Amount Being Reduced	**$614,469**

Notes:

The following requirements will need to be met prior to processing the partial bond reduction: payment of the Partial Bond Reduction Fee, payment of any outstanding inspection, plan check fees, submittal of ADP fee receipt, and an active business license with the City of Moreno Valley.

There will be requirements that must be met prior to the bond reduction at 100% completion. They may include, but are not limited to: additional payment of the Partial Bond Reduction Fee, EMWD Clearance, submittal of center line street ties, submittal of letter from engineer/surveyor stating they have been paid for their services associated with the center line street ties, clearance from Parks & Community Services, payment of any outstanding fees, etc.

This partial bond reduction will not include acceptance of any streets associated with the project into the City's street maintained system and therefore the maintenance of the streets will remain the responsibility of the developer until such time as the City recognizes the streets are complete per City standard and accepted into the City's street maintained system via City Council approval.

3/18/10

Mark W. Sambito, P.E.
Land Development - Engineering Division Manager

Developer - Print Name

3/22/10

Developer Signature Date

SIGN, DATE AND RETURN TO THE LAND DEVELOPMENT DIVISION, FAX (951) 413.3158.

EXHIBIT "B"

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – TOWNGATE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a.) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b.) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On October 1, 2008, the Special Districts Division of the Public Works Department received valid proposals from seven landscape contracting firms in response to its Request for Proposals for the subject project. On December 9, 2008, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of parkways and medians of the Towngate Specific Plan to Spectrum Care Landscape & Irrigation Management, Inc., Foothill Ranch, California. The contract amount for the initial twelve-month term was $157,615.00 ($148,000.00 for Base Service; $9,615.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the first of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Spectrum Care Landscape & Irrigation Management, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Services, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Spectrum Care Landscape & Irrigation Management, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to

Spectrum Care Landscape & Irrigation Management, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Towngate Specific Plan.

2. **Do not approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Towngate Specific Plan.

FISCAL IMPACT

The sum of $125,946.76 will be encumbered in Account 00182.78220.6261 and $22,053.24 will be encumbered in Account 00182.78281.6261 by open purchase order. Upon staff approval monthly disbursements of $12,333.33 to pay for base services will be made to Spectrum Care Landscape & Irrigation Management, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $5,900.00 in Account 00182.78220.6261 and $1.000.00 in Account 00182.78281.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Spectrum Care Landscape & Irrigation Management, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $154,900.00. The above amounts have been budgeted for Zone E-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Towngate Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Spectrum Care Landscape & Irrigation Management, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Spectrum Care Landscape & Irrigation Management, Inc for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-1/09 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-1 • Towngate

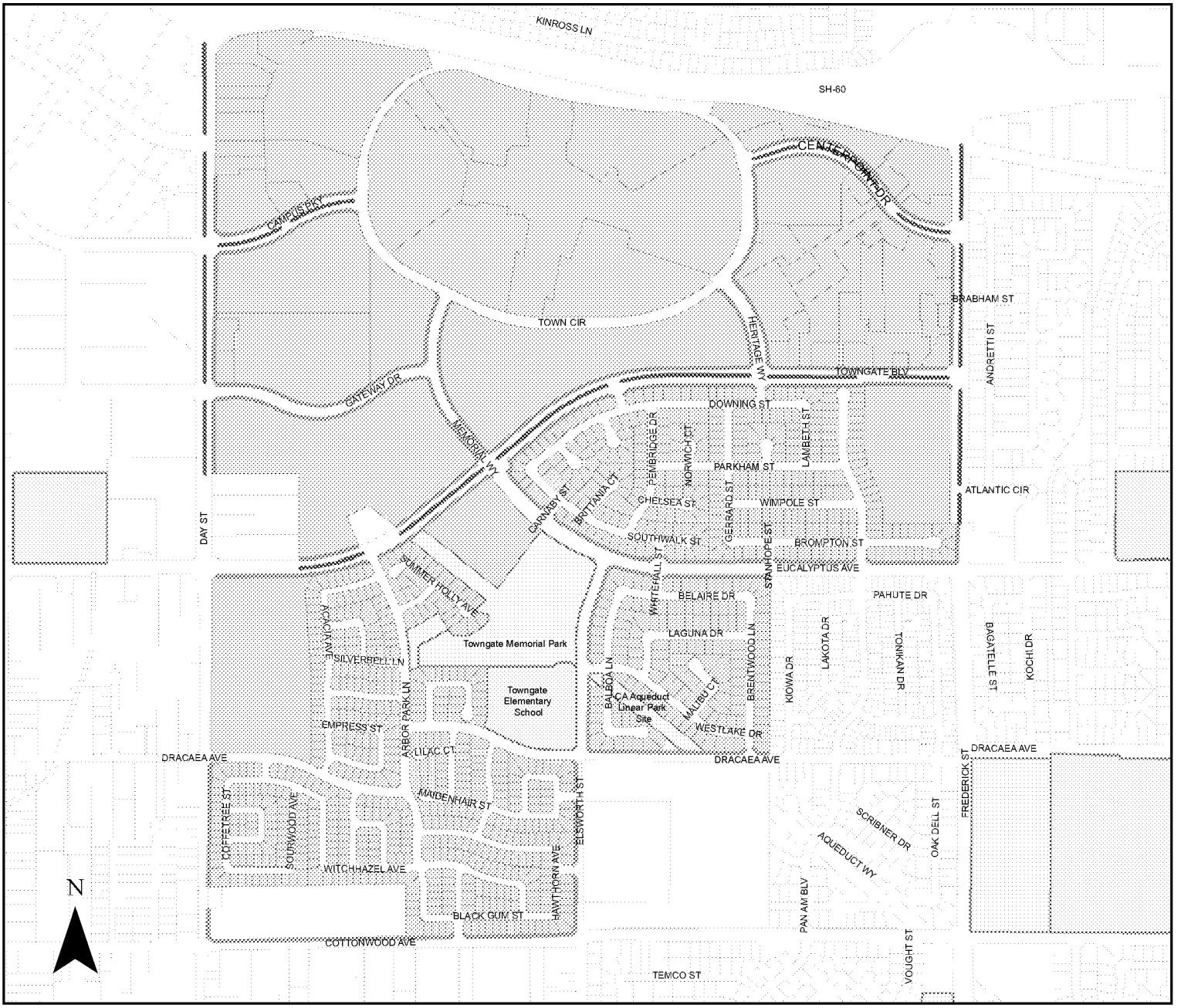

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Median

Landscaped Parkway

Zone E-1 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E1_8.5x11.mxd
November 29, 2007

ATTACHMENT 1

MORENO VALLEY

EXTENSION AGREEMENT
PROJECT NO. E-1/09– TOWNGATE
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **SPECTRUM CARE LANDSCAPE AND IRRIGATION, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated FEBRUARY 27, 2009, referencing Project No. E-1/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **TWELVE THOUSAND THREE HUNDRED THIRTY-THREE AND 00/100 DOLLARS ($12.333.33)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo. __**.

    b. Additional parkway areas, turf (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.025/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California, and;

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a.) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b.) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 17, 2008, the Special Districts Division of the Public Works Department received proposals submitted by seven landscape contracting firms in response to its Request for Proposals for the subject project. On November 25, 2008, upon the recommendation of staff, the MVCSD Board awarded the contract for landscape maintenance of Hidden Springs parkways and paseos to Tropical Plaza Nursery, Inc., Villa Park, California. The contract amount for the initial term was $218,900.00 ($188,400.00 for Base Service; $30,500.00 for estimated Additional Work).

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Tropical Plaza Nursery, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Tropical Plaza Nursery, Inc. for another year.

ALTERNATIVES

1. **Approve the Amendment to the Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to Tropical Plaza Nursery, Inc., at the start of Fiscal Year 2010/11. Extension of this contract will ensure uninterrupted landscape maintenance service is provided for the Hidden Springs parkways and paseos.

2. **Do not approve the Amendment to Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period. Choosing this alternative may disrupt the continuity of parkway and paseo landscape service for the Hidden Springs specific plan.

FISCAL IMPACT

The sum of $188,400.00 will be encumbered in Account 00182.78230.6261 by open purchase order. Upon staff approval monthly disbursements of $15,700.00 to pay for base services will be made to Tropical Plaza Nursery, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $30,900.00 in Account 00182.78230.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Tropical Plaza Nursery, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $219,300.00. The above amounts have been budgeted for Zone E-2 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. **The parcel charges collected may only be used for landscape maintenance services of parkways and paseos in the Hidden Springs specific plan.** This action will not impact the City's General Fund.

CITY COUNCIL GOALS

Community image, neighborhood pride and cleanliness
Continuing regular maintenance of MVCSD parkways and paseos in the Hidden Springs specific plan promotes community pride, ensures quality development, and enhances neighborhood preservation.

Public facilities and capital projects
Continuing maintenance of MVCSD parkways and paseos ensures that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Tropical Plaza Nursery, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-2/09 Vicinity Map

2. Copy of Extension Agreement

Prepared by: Daniel Monto
Senior Landscape Services Inspector

Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by: Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-2 • Hidden Springs

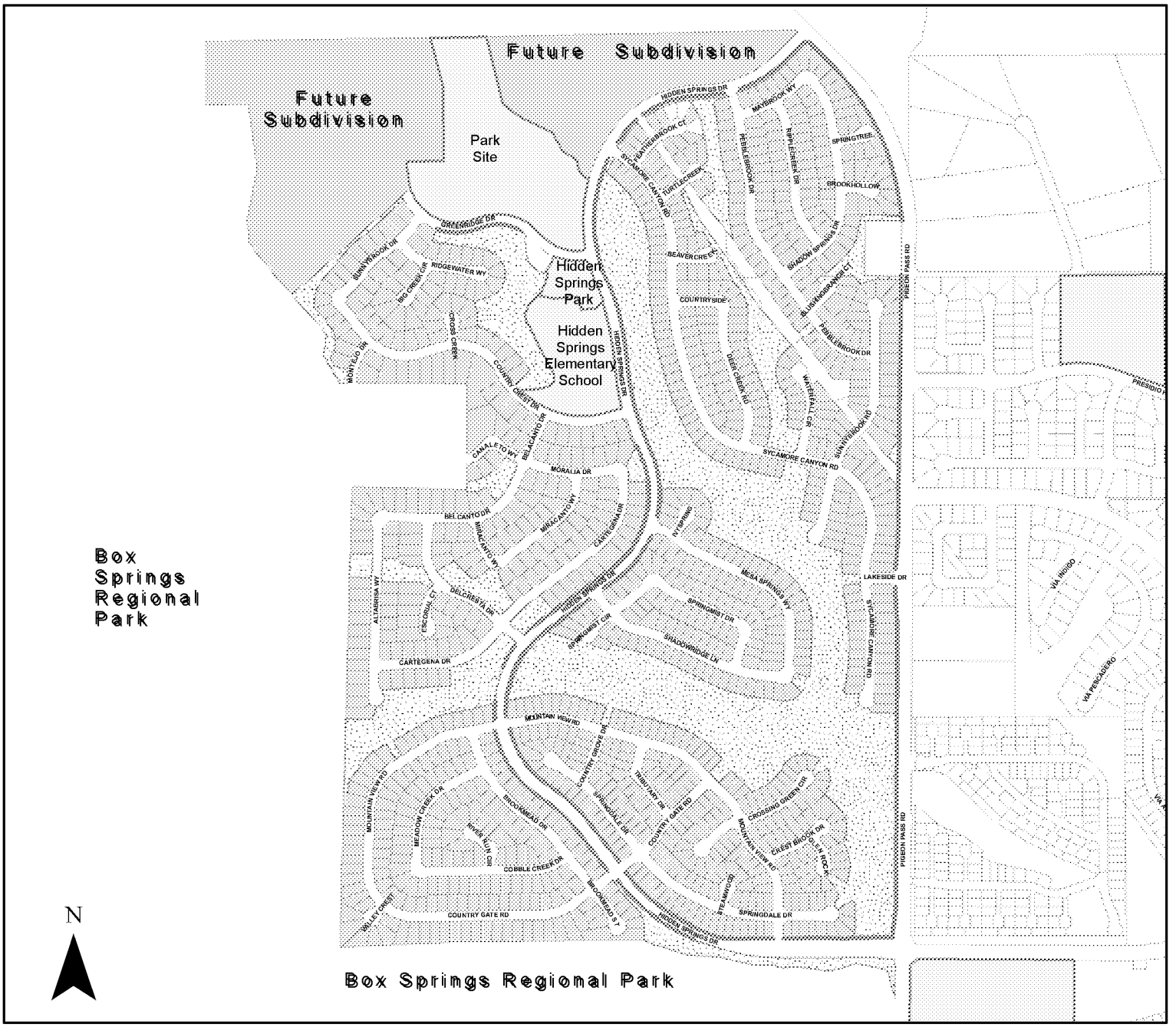

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Landscaped Parkway

Landscaped Open Space

Zone E-2 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E2_8.5x11.mxd
November 29, 2007

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

EXTENSION AGREEMENT
PROJECT NO. E-2/09– HIDDEN SPRINGS
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Tropical Plaza Nursery, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated March 10, 2009, referencing Project No. E-2/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo. ___**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH-EAST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a.) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b.) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On March 13, 2007, the Special Districts Division of the Public Works Department received valid proposals from three landscape contracting firms in response to its Request for Proposals for the subject project. On May 22, 2007, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of Moreno Valley Ranch-East parkways and medians to Bemus Landscape, Inc., San Clemente, California. The contract amount for the initial twelve-month term was $196,378.00 ($183,000.00 for Base Service; $13,378.00 for estimated Additional Work). The Contractor was awarded a one-year extension on May 27, 2008. The amount of the contract extension totaled $203,700.00 ($190,320.00 for Base Service; $13,380.00 for estimated Additional Work). The Contractor was awarded a second one-year extension on June 9, 2009. The amount of the contract extension totaled $203,700.00 ($192,223.20 for Base Service; $13,715.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the third of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Bemus Landscape, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Bemus Landscape, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base

Service and estimated Additional Work to Bemus Landscape, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Moreno Valley Ranch-East parkways and medians.

2. **Do not approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Moreno Valley Ranch Specific Plan.

FISCAL IMPACT

The sum of $187,810.10 will be encumbered in Account 00182.78250.6261 and $4,413.10 will be encumbered in Account 00182.78282.6261 by open purchase order. Upon staff approval monthly disbursements of $16,018.60 to pay for base services will be made to Bemus Landscape, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $15,000.00 in Account 00182.78250.6261 and $700.00 in Account 00182.78282.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Bemus Landscape, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $207,923.20. The above amounts have been budgeted for Zone E-4 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the eastern portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Bemus Landscape, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-4/07 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4 • Moreno Valley Ranch - East

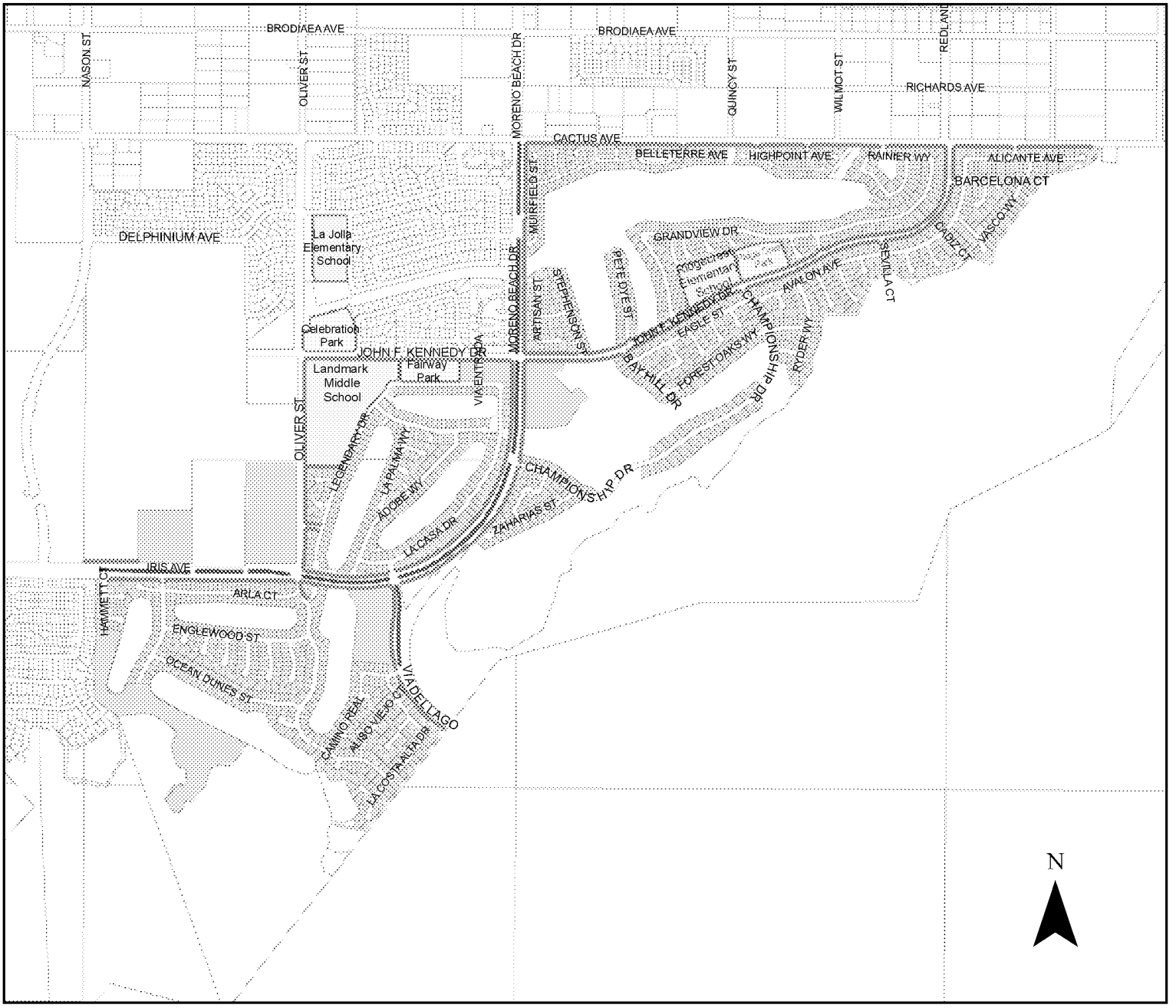

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Landscaped Median

Zone E-4 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E4_8.5x11.mxd
October 12, 2009

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4A • Daybreak - Internal Landscape Maintenance

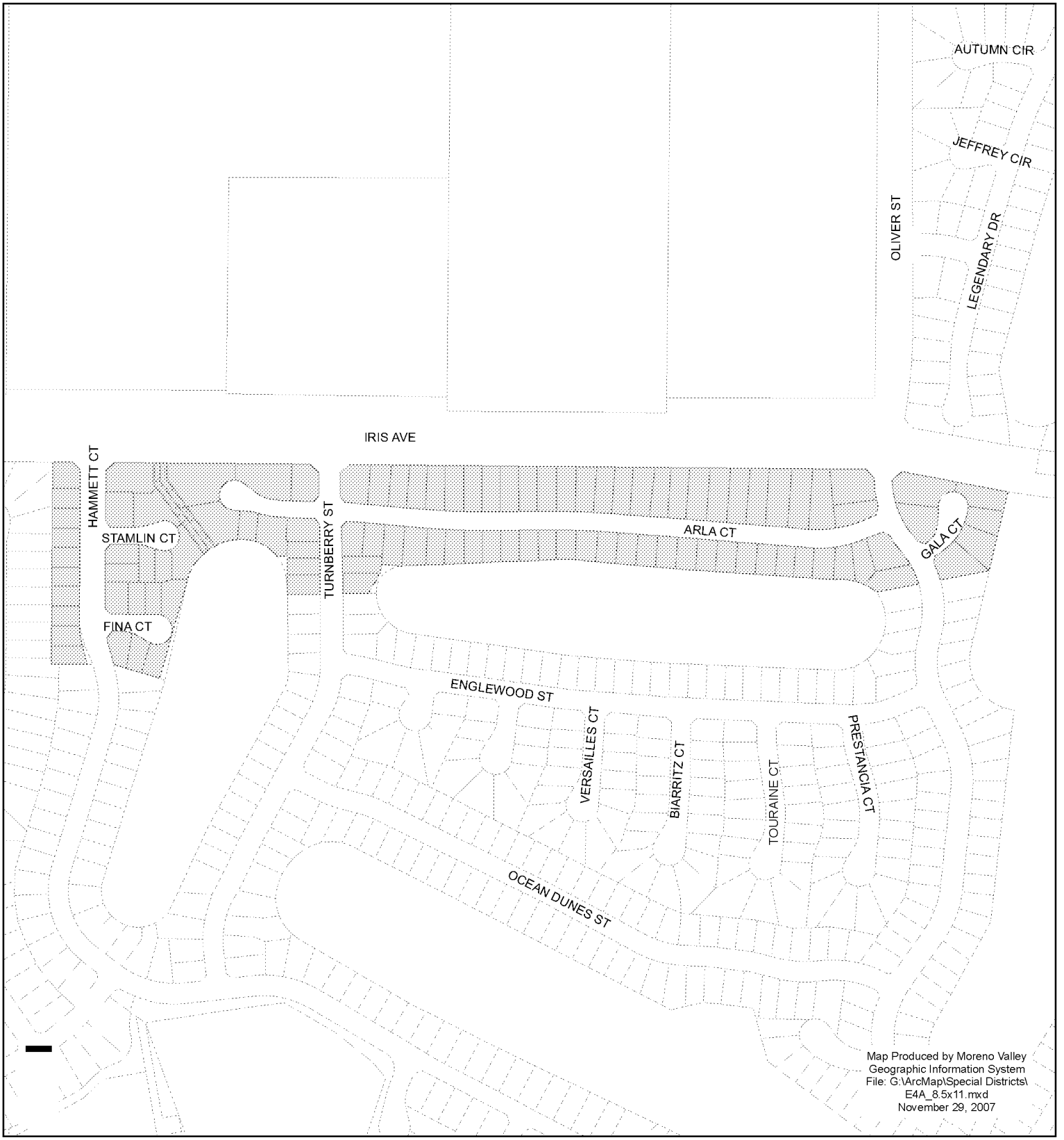

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Landscaped Open Space

Zone E-4A Parcels

MORENO VALLEY
WHERE DREAMS SOAR

MV00053556

EXTENSION AGREEMENT
PROJECT NO. E-4/07
MORENO VALLEY RANCH - EAST
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Bemus Landscape, Inc.,** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated May 24, 2007, referencing Project No. E-4/07 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the third and final extension of the Agreement.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **SIXTEEN THOUSAND EIGHTEEN AND 60/100 DOLLARS ($16,018.60)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20)**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, turf (trees up to 18-feet height, as applicable). **$0.0182/ sq. ft. / mo**.

    b. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.0131/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare, and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

    a. ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

    b. TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project DSG-1/10 were placed in The Press-Enterprise on December 14, 2009 and December 28, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from eighteen (18) landscape maintenance firms attended the mandatory pre-submittal meeting on January 6, 2010. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on January 14, 2010 by thirteen (13) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 12% more compensation than the second ranked contractor, TruGreen Landcare, while proposing to provide 10% less man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with TruGreen Landcare.

The Branch Manager for TruGreen Landcare and management staff reviewed his firm's proposal on February 4, 2010. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the DSG-1E, DSG-2 and M areas of the MVCSD, staff determined that a recommendation to award the DSG-1/10 contract to TruGreen Landcare would be in the best interests of the MVCSD and the property owners in Zone DSG-1.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 14 acres of parkway and median landscaping and irrigation located in the DSG-1 Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from TruGreen Landcare, as being in the best interests of the MVCSD and DSG-1 property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. TruGreen Landcare's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the DSG-1 parkway and median landscape areas.*

2. **Do not accept the proposal** from TruGreen Landcare, and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00181.78110.6261	$177,958.60
Additional Work	
00181.78110.6261	$ 21,700.00
Total P.O. Amounts	**$199,658.60**

The above amounts have been budgeted for Zone DSG-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Tracts of Zone DSG-1. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of TruGreen Landcare, the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project DSG-1/10, authorize the Board President to execute the Agreement with TruGreen Landcare, and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to TruGreen Landcare for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones DSG-1 Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

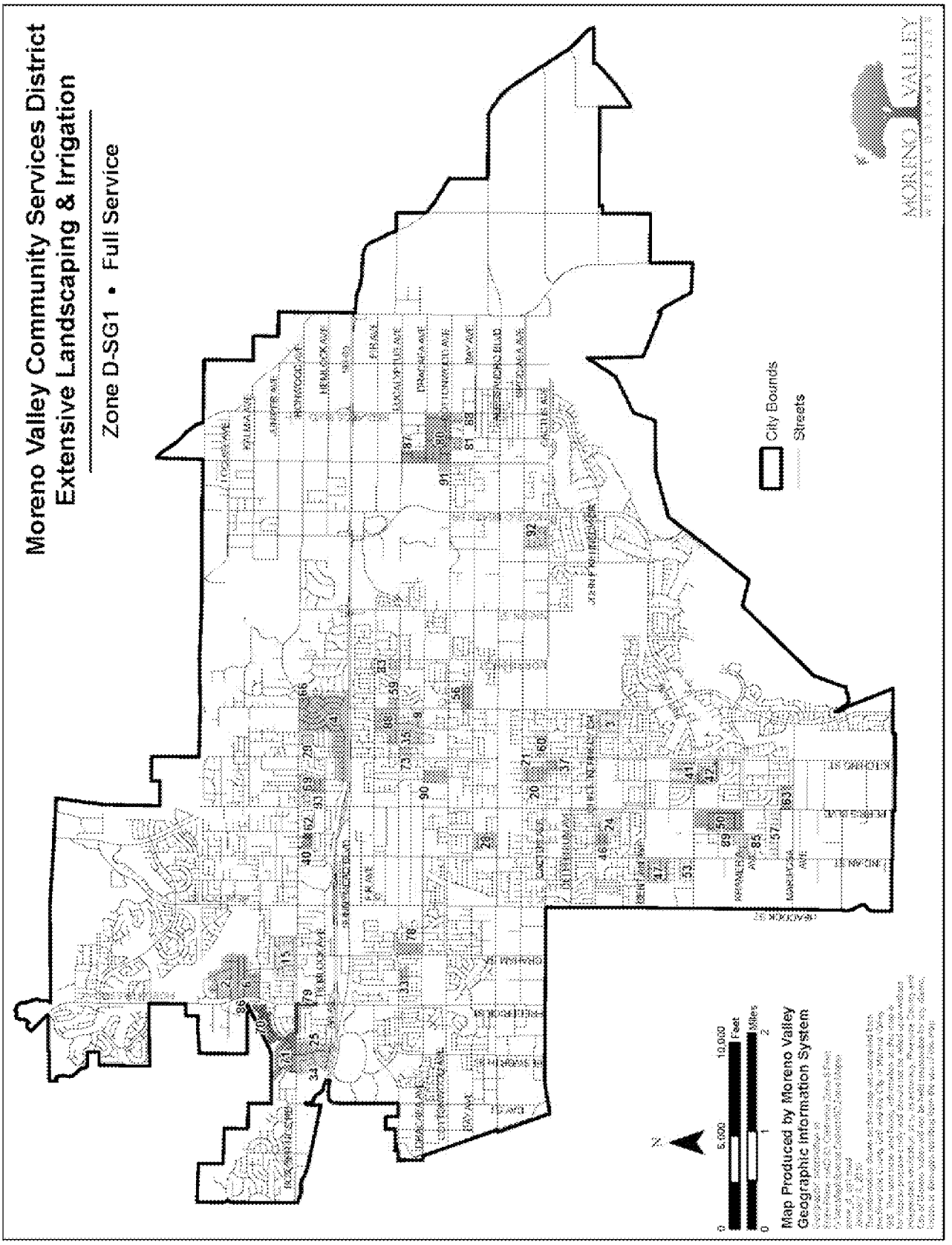

ATTACHMENT 1

PROJECT DSG-1/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	MARINA	TRUGREEN	EXCEL	GREEN IT UP	MARIPOSA	AGAVE	MIDORI	SPECTRUM	BEMUS	DWORSKY	TROPICAL	MERCHANTS
Dan Monto	84.5	85	83.5	85	75.5	75	74.5	80	79	83	78.5	68.5
Ralph Scharfenberg	84.5	77	86.5	85.5	76.5	71	70.5	77	77.5	84.5	81.5	73
Edgar Marquez	83	87	84	82	75.5	69	68	80	80	81	77	72.5
SCHEDULE I TOTAL	**252**	**249**	**254**	**252.5**	**227.5**	**215**	**213**	**237**	**236.5**	**248.5**	**237**	**214**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	GREEN IT UP
Dan Monto	79.5	84.5	82	81
Ralph Scharfenberg	79.5	77.5	85.5	81.5
Edgar Marquez	78.5	81	82	73
SCHEDULE II TOTAL	237.5	243	249.5	235.5
GRAND TOTAL (Schedule I + Schedule II)	489.5	492	503.5	488

ATTACHMENT 2

Moreno Valley Community Services District
R.F.P. # DSG-1/10

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. CONTRACTOR INFORMATION:

Contractor's Name: TruGreen Landcare
Address: 1616 Marlborough Ave. Bld. S
City: Riverside, Ca 92507
Business Phone: 951-688-6880 Fax No.: 951-686-1436
Other Contact Number: _____
Social Security Number: _____
Business License Number: 07754
Federal Tax I.D. Number: 36-4313318
Contractors' License Number & Classification: 774548 C-27, C-61, D-49

2. CONTRACTOR SERVICES, FEES, AND RELEVANT DATES:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District

MV00053566

acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

MV00053567

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/$2,000,000 aggregate
Property Damage	$1,000,000 per occurrence/$2,000,000 aggregate

MV00053568

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

MV00053569

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued

MV00053570

after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

MV00053571

To Contractor: TruGreen Landcare
Riverside, CA 92507
951-688-6880
[Telephone number]
951-686-1436
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

MV00053572

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc., and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

    a. ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

    b. THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project E-3/10 were placed in The Press-Enterprise on November 30, 2009 and December 7, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from ten (10) landscape maintenance firms attended the mandatory pre-submittal meeting on December 9, 2009. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on December 17, 2009 by seven (7) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 22% more compensation than the second ranked contractor, Bemus Landscape, Inc., while proposing to provide only 1% more man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with Bemus Landscape, Inc.

The Operations Manager for Bemus Landscape, Inc. met with management staff on February 18, 2009 to review his firm's proposal. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the E-4 area of the MVCSD, staff determined that a recommendation to award the E-3/10 contract to Bemus Landscape, Inc. would be in the best interests of the MVCSD and the property owners in Moreno Valley Ranch-West.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 29 acres of extensive parkway and median landscaping and irrigation located in the E-3 and E-3A Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from Bemus Landscape, Inc., as being in the best interests of the MVCSD and Moreno Valley Ranch – West property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. Bemus Landscape's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the Moreno Valley Ranch-West parkway and median landscape areas.*

2. **Do not accept the proposal** from Bemus Landscape, Inc., and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00182.78240.6261	$127,500.00
00182.78283.6261	$ 12,000.00
Additional Work	
00182.78240.6261	$ 10,245.00
00182.78283.6261	$ 3,000.00
Total P.O. Amounts	**$152,745.00**

The above amounts have been budgeted for Zone E-3 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the western portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project E-3/10, authorize the Board President to execute the Agreement with Bemus Landscape, Inc., and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to Bemus Landscape, Inc. for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones E-3 and E-3A Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3 • Moreno Valley Ranch - West

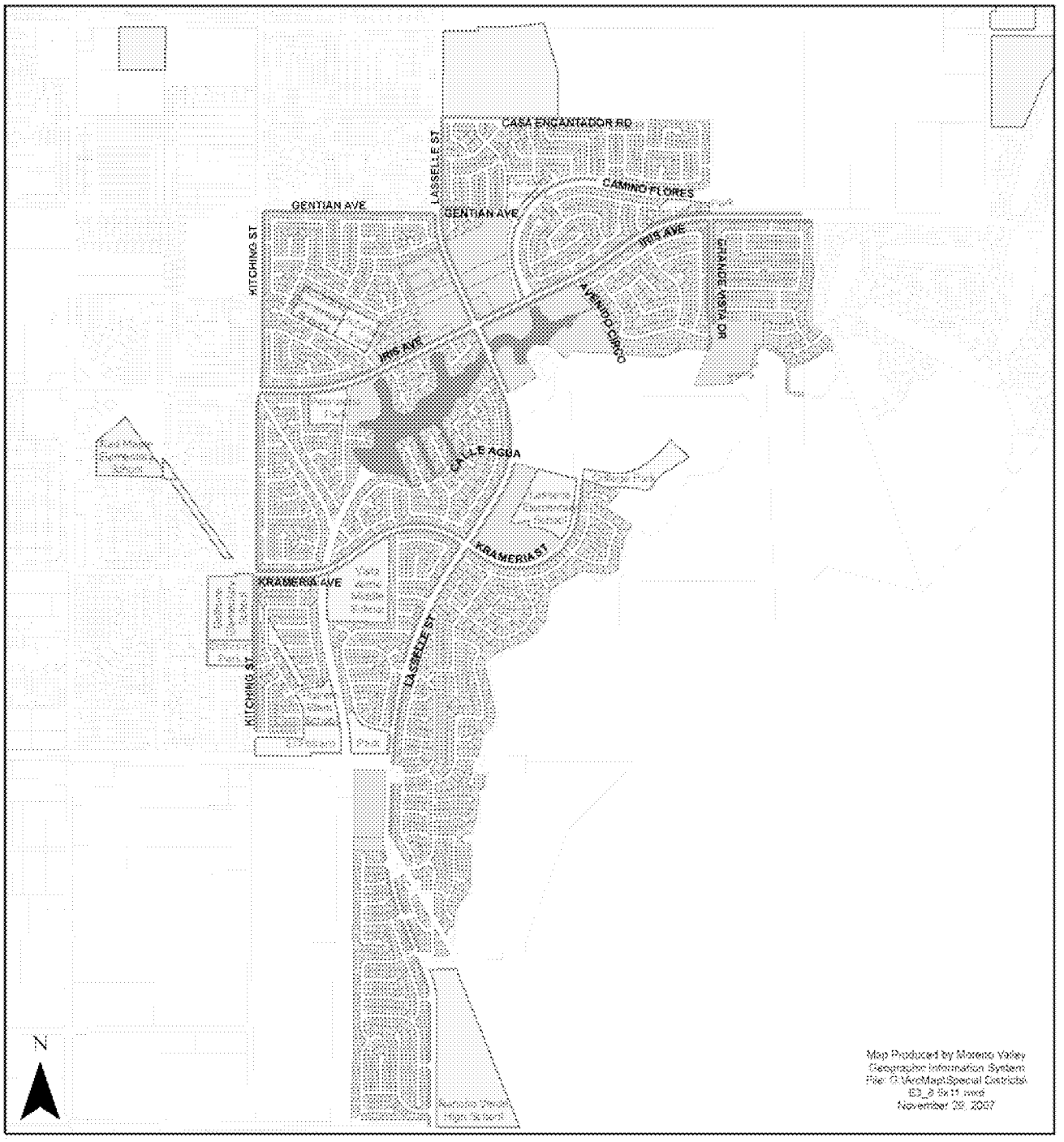

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

Landscaped Parkway

Zone E-3 Parcels

MORENO VALLEY

ATTACHMENT 1

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3A • Lasselle Powerline Parkway

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Zone E-3A Parcels

MORENO VALLEY
WHERE DREAMS SOAR

MV00053580

PROJECT E-3/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	**MARINA**	**TRUGREEN**	**EXCEL**	**BEMUS**	**MARIPOSA**	**AGAVE**	**MIDORI**
Dan Monto	76	80	90	76	75	46.5	71
Bob Florez	81	79.5	87.5	86	76.5	48	73
Tony Silvas	82	75.5	84	74	79	39	66
SCHEDULE I TOTAL	**239**	**235**	**261.5**	**236**	**230.5**	**133.5**	**210**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	BEMUS
Dan Monto	70	78	89	76
Bob Florez	76	79	87	85
Tony Silvas	77	75	83	75
SCHEDULE II TOTAL	223	232	259	236
GRAND TOTAL (Schedule I + Schedule II)	462	467	520.5	472

ATTACHMENT 2

Moreno Valley Community Services District
R.F.P. # E-3/10
Moreno Valley Ranch-West

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Bemus Landscape Inc.
Address: P.O. Box 74268
City: San Clemente State: CA Zip: 92571
Business Phone: 888-557-7910 Fax No.: 888-557-7911
Other Contact Number: _____
Social Security Number: _____
Business License Number: 00797
Federal Tax I.D. Number: 33-0157191
Contractors' License Number & Classification: 492084 C-27/ A / D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District

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acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

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E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/$2,000,000 aggregate
Property Damage	$1,000,000 per occurrence/$2,000,000 aggregate

MV00053584

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

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The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the

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interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

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To Contractor: Bemus Landscape, Inc.
P.O. Box 74268
[Post Office Box, if applicable]
San Clemente, CA 92571
888-557-7911
[Telephone number]
888-557-7911
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 27, 2010

TITLE: RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUNDS (SERAF) PAYMENT

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley.

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010.

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Payment).

3. Authorize the Financial & Administrative Services Department (FASD) to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

BACKGROUND

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. Redevelopment agencies are collectively mandated to place $1.7 billion in the SERAF in fiscal year 2009-2010. Each redevelopment agency must allocate the specified amount to the County Auditor-Controller to be deposited into

the SERAF on or before May 10, 2010. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237.

Since 1992, the Legislature has required redevelopment agencies to make pass through payments to the Educational Revenue Augmentation Fund (ERAF). The RDA has made ERAF payments seven times, in 1992-1993, 1993-1994, 1994-1995, 2002-2003, 2003-2004, 2004-2005, and 2005-2006, for a total of $3,316,892.

DISCUSSION

Redevelopment agencies in California are required to shift $1.7 billion in tax increment revenues to K-12 schools during the 2009-2010 fiscal year via the SERAF. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237. On February, 16, 2010, the RDA notified Riverside County Auditor-Controller that it intends to fund its SERAF obligation, via wire transfer on May 10, 2010, pursuant to Section 33692 of the Health and Safety Code.

At the time the RDA Board approved the RDA's fiscal year 2009-2010 budget in July, 2009, the final SERAF shift amount was unknown. In November 2009, staff was notified by the California Department of Finance that the RDA's SERAF obligation for fiscal year 2009-2010 was $5,258,237.

The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court in Sacramento County, California, in the case identified as Redevelopment Association et al. v. Genest et al., Case No. 34-2009-80000359-CU-WM-GDS (CRA v. Genest). This case considers, among other things:

- Whether the duties of county auditors to deposit funds received from redevelopment agencies in each county's SERAF are inconsistent with various State and federal constitutional provisions, are unlawful under the Health and Safety Code, and therefore are unenforceable,
- Whether the State's take of funds would provide any benefit to schools,
- Whether the take of funds is a valid use of redevelopment funds under Article XVI, Section 16 of the State constitution, and
- Whether the State's action violates Proposition 13 (1978) and Proposition 1A (2004).

The judge may issue a decision on the case in favor of redevelopment agencies before the May 10 deadline for transmitting the SERAF payments. However, there is no certainty as to how long the court proceeding might last or if the judge will invalidate the SERAF payments, and therefore, staff recommends that the RDA Board approve the proposed Budget Appropriation Adjustment to fund the state-mandated SERAF payment.

ALTERNATIVES

1. Approve state-mandated shift of tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds

(SERAF) for the 2009-2010 fiscal year; appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance), and authorize the FASD staff to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff recommends this alternative.* This alternative will ensure the RDA's compliance with State laws, pending the outcome of the current litigation.

2. Decline to approve state-mandated shift of RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for the 2009-2010 fiscal year; or appropriate the funds, and to direct the FASD staff not to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff does not recommend this alternative*. This alternative will result in noncompliance with State laws and the possible withholding of future tax increment revenues or property tax revenues, by the County, to meet this obligation.

FISCAL IMPACT

The recommended actions to shift RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) will pose no fiscal impact to the General Fund. If approved, $5,258,237 will be appropriate from the RDA Tax Increment Fund (Fund 895 fund balance) to account number 895.91510.6723.728 (RDA SERAF Payment).

From	To	Amount
895 Fund Balance	895.91510.6723.728	$5,258,237

Under state law, the RDA Tax Increment funds are restricted for uses in RDA related activities and operations, and can not be used to fund general government operations.

SUMMARY

In June 2009, the State legislators and the Governor approved budget bill ABX4 that required redevelopment agencies to shift $1.7 billion of redevelopment funds to a Supplemental Educational Revenue Augmentation Funds in FY 2009-2010. The RDA's share of the SERAF is $5,258,237. The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court. To ensure compliance with state laws, pending the outcome of the litigation, staff is requesting an approval of state-mandated shift of tax increment revenues by appropriate $5,258,237 from RDA's fund balance to be deposited in the Riverside County Auditor-Controller's SERAF on May 10, 2010.

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a 25% mark-up for non-residents, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 1, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 1, 2010.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

MORENO VALLEY
WHERE DREAMS SOAR

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: April 27, 2010

MV00053607

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: April 27, 2010

MV00053608

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

MV00053609

Section 2 - City Manager

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

MV00053610

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

	Unit	Fee
Building and Safety		
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Section 3 - Community Development

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

MV00053613

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

MV00053616

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
~~Nuisance Abatement Administrative Fee~~ [Moved to Section 5 - Fire]			
~~Level 1 (4 hrs or less)~~	~~Each~~	~~$ 240.00~~	
~~Level 2 (more than 4 hrs)~~	~~Hourly~~	~~$ 89.00~~	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$ 2,828.00	
Agreement	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

MV00053617

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

MV00053618

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

MV00053619

Section 3 - Community Development

	Unit	Fee	
Planning			
Plan Check and Inspection			
Residential		$ 486.00	
Non-Residential		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent		100% of original fee	
Land Development Grading Revision/4th and Subsequent Reviews		$71 per sheet	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 203.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

	Unit	Fee	
Planning			
Plot Plan			
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~	
		$140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

MV00053621

Section 3 - Community Development

	Unit	Fee	
Planning			
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

MV00053622

Section 3 - Community Development

	Unit	Fee	
Planning			
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00 +	
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

	Unit	Fee	
Planning			
Variance from Standards			
Public Hearing Variance	$	2,618.00	Plus applicable notice and posting fees
Administrative Variance	$	474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
*Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

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Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

MV00053626

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

MV00053627

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

MV00053628

Section 4 - Financial & Administrative Services

Unit Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
H&S 122125- 122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

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Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moreno-valley.ca.us/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moreno-valley.ca.us/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00
(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)		
Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

MV00053630

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

MV00053631

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

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Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

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Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

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Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

Renewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

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Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

MV00053639

Section 5 - Fire

Exhibit "A"

Records Request	Unit	Fee	
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

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Section 5 - Fire

Other Fees (Cont)	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

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Section 5 - Fire

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150	
Percentage of Transaction cost	6.50% *
Fixed Fee per Transaction	$ 0.50 *
Transactions from $150 to $500	
Percentage of Transaction cost	3.50%
Fixed Fee per Transaction	$ 5.00
Transactions over $500	
Percentage of Transaction cost	2.50%
Fixed Fee per Transaction	$ 10.00

* $2.00 minimum

MV00053642

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing/Photocopying (black & white)	per Page	$ 0.20
Copies		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25
Lost Materials	per Item	Actual Cost

Section 7 - Parks and Community Services

Exhibit "A"

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

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Section 7 - Parks and Community Services

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 25%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Adult Contract Classes (18 Years or Older)				
Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee **	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Excludes Program Registration Fee

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball #	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

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Section 7 - Parks and Community Services

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth/Teen Classes

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Special Events				
Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee				
Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial)	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit)	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit)	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest*				

* Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)		
On-Line Registration has no applicable category association.		
Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

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Section 7 - Parks and Community Services

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 25%.

Athletic Field Reservation

Facilities have no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and~~ Unorganized Group Play per field	N/A	Per Hour	$	5.00
~~Unorganized~~ Adult & Youth Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use - Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use - Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

Facilities have no applicable category association.

~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar				
Facilities have no applicable category association.				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
Facilities have no applicable category association.				
Storage Units	N/A	Per Month	$	35.00

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
Facilities have no applicable category association.				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~25.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
Facilities have no applicable category association.				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

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Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association.				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
This program has no applicable category association.				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

MV00053658

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitchen	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

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Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 2 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, ~~government agencies, Federal, State, County and educational institutions~~. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

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Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
3		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
4		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

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Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			~~$250.00~~ $200.00 - $1,500.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependant on Event Liability)			$*
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00053663

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include: Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

MV00053664

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE/FACILITY USE FEES

Service/Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV000053665

Section 8 - Police

Exhibit "A"

	Unit	Fee	
ABC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

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Section 8 - Police

Exhibit "A"

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Second Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

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Section 9 - Public Works

Exhibit "A"

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 261.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the Moreno Valley Electric Rates document. Both documents are available online at http://www.ci.moreno-valley.ca.us/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

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Land Development

	Unit	Fee

[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

Deposit, which will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

LEGAL AND OTHER DOCUMENTS

~~Initial~~ Fee Includes Three (3) Reviews, Unless Otherwise Noted

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum fee)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

MV00053672

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,0001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~Or as directed by the City Engineer. Not to exceed total City cost.~~ Amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

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Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

	Unit	Fee	
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

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Section 9 - Public Works

Land Development

	Unit	Fee
STOCKPILE/BORROW SITE PLAN		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
0-5,000CY *		$ 584.00 *
5,001-100,000 CY *		$ 1,009.00 *
> 100,000 CY		$ 1,401.00
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00
Revisions (Stockpile/Borrow Plans)		
Minor	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.
PRECISE GRADING PLAN CHECK		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Subdivisions and Custom Homes Plus	Each	$ 1,837.00 +
	per Lot	$ 70.00
Non Subdivisions		
On-site Improvement Plan Check Fee		
0-5,000CY		$ 1,838.00
5,001-100,000 CY Plus		$ 1,838.00 +
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00
> 100,000 CY Plus		$ 7,234.00 +
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00

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Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping ~~(Landscape Drawings)~~ ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

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Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
Meeting and Teleconferences	~~per Hour~~ Each		$ 206.00		

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Section 9 - Public Works

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	~~per Hour~~ Each	$ 250.00
Subsequent Teleconferences	~~per Hour~~ Each	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

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Section 9 - Public Works

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,714.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,221.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
> $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

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Section 9 - Public Works

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~186.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

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Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

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Section 9 - Public Works

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer but not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$	205.00
Block Party Permit Processing	Each	$	82.00
Flood Plain Determination (Community Rating System)	per Lot	$	20.00
Elevation Certification (Mobile Home Park)	Each	$	155.00

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Section 9 - Public Works

Land Development

OTHER FEES

Advanced Energy Fees

	Unit	Fee	
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		

MISCELLANEOUS LAND DEVELOPMENT FEES

City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

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Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
Tree Planting		
15 Gallon	Each	$ 190.00
24" Box	Each	$ 270.00
Tree Removal	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Advance Funding Agreement - Initial Deposit		$	100,000.00	
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing *				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

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Section 9 - Public Works

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

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Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

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Section 9 - Public Works

	Unit	Fee
Transportation Engineering		
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

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Section 10 - Miscellaneous Fees and Charges

Exhibit "A"

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

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Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under it's own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

MV00053690

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

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Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	Residential				Commercial			Office	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
Libraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
Park Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

UNITS LEGEND

DU = Dwelling Unit for residential development types

KSF = 1,000 gross square feet of building area for commercial, industrial and office development types

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IMPLEMENTATION NOTES:

With respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

With respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
Recommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

MV00053694

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

MV00053695

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: April 27, 2010

TITLE: Funding alternatives and assistance for the construction of Highland Fairview's Eucalyptus Avenue street improvements utilizing the State-Local Partnership Program Grant funds.

RECOMMENDED ACTION

Staff is seeking City Council direction on the matter.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Last August, Staff met with representatives of Highland Fairview to discuss the City filing on behalf of Highland Fairview for four State-Local Partnership Program (SLPP) grant applications. The four projects were: the construction of Eucalyptus Avenue, Redlands Boulevard, and Theodore Street associated with its Highland Fairview Corporate Park (HFCP) project and Cactus Avenue associated with its AquaBella age-restricted housing project.

Highland Fairview proceeded to prepare the SLPP grant applications and filed the request for funding on August 17. Then-City Manager Robert Gutierrez signed the application packet as required by the SLPP Guidelines.

On Friday, September 25, 2009, the City received notice from the Commission and Department of Transportation, Local Assistance staff that two of Highland Fairview's proposed projects for SLPP 1B competitive grant funds were being recommended to the Commission for funding. The two SLPP applications were: Cactus Avenue Street Improvements and Eucalyptus Avenue Street Improvements. Each application requested funding in the amount of $1 million.

The California Transportation Commission took action to approve Highland Fairview's grant applications for the two projects on October 15.

Recently, representatives of Highland Fairview met with Interim City Manager William L. Bopf and Economic Development Director Barry Foster to discuss alternative funding sources to construct only one of the two street improvement projects: Eucalyptus Avenue. (The Cactus Avenue Street Improvement project has been placed on hold.) The SLPP grant process requires an agency (i.e., City of Moreno Valley) requesting funds to demonstrate evidence of matching 'qualified' fees. (The Eucalyptus Avenue improvement project is estimated to cost $6,265,915 as stated in the SLPP grant application). In order to move forward with the Project utilizing SLPP Grant funds, Staff has outlined four funding options for the City Council consideration (discussed later in the Staff Report).

DISCUSSION

Overview of SLPP Grant

By way of background, The Highway Safety, Traffic Reduction, Air Quality, and Port Act of 2006 commonly referred to as Proposition 1B, includes funds for two SLPPs. The first program is a formula program for voter-approved taxes and fees in which Measure A qualifies. The second program is a competitive grant program and is the source of Highland Fairview's request. The California Transportation Commission (CTC) will be the responsible agency in awarding funds and Caltrans will have local oversight.

A brief summary of the SLPP grant is as follows:

- The SLPP requires a local match (100%) of a uniform traffic mitigation fee up to a grant request of $1,000,000. The Countywide Transportation Uniform Mitigation fee (TUMF) and the City's Development Impact Fee (DIF) programs would qualify as matching funds.
- The City is the grant applicant in that the funds must be distributed by the City from its TUMF/DIF program. The State would reimburse the City for the improvements on a dollar-for-dollar match up to $1 million.
- The project must pay all qualified workers a prevailing wage and comply with the Public Contract Code. The City would serve as the "lead agency" for the project.
- The projects must be constructed in 2010. The SLPP Guidelines state the grant recipient may have two additional years to complete the project. (Note: The funds for the grants will derive from State of California bond proceeds which have not been sold and therefore, may permit flexibility in the 2010 construction date.)
- A request for SLPP grant funds must include the signature of the Chief Executive Officer or other authorized officer of the implementing agency in order for the application to be considered.

- The City will commit to have the available funds upon submittal of a SLPP grant proposal to CTC.

Highland Fairview's Proposed Eucalyptus Avenue Street Improvement Project
The Eucalyptus Avenue Street Improvements (the "Project") are a condition of approval of the Highland Fairview Corporate Park project approved by the City Council in February 2009. The proposed Project includes the dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for the entire one mile length. When complete, this segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way, and extensive landscaping. The total Project costs estimated by Highland Fairview are $6,265,915.

Funding Alternatives
As requested by the City Council, Staff is presenting four options for consideration to assist in the funding of the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project. The four options are:

OPTION ONE
Highland Fairview to construct Eucalyptus Avenue

OPTION TWO
City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview

OPTION THREE
City of Moreno Valley constructs Eucalyptus Avenue with existing DIF

OPTION FOUR
City of Moreno Valley constructs Eucalyptus Avenue with developer funds underwritten by City reserves

All four options are described in detail on Exhibits "A", "B", "C", and "D" attached. Each Exhibit describes the Goal, Requirement(s) of the Project, Funding Method(s), Results, Obstacles, and Required City Council Action.

Also for the City Council's information, Staff has attached a list of CIP projects that could be reprioritized (Exhibit "E") and Highland Fairview's SLPP Grant Proposal (Exhibit "F").

ALTERNATIVES

1. Instruct Staff to pursue one of the four options described on Exhibits "A" "B", "C", and "D" attached.

2. Not approve one of the four options and direct Staff to explore other funding options as directed by the City Council.

3. Take no action. This alternative would provide no financial assistance to Highland Fairview's Eucalyptus Avenue improvements.

FISCAL IMPACT

Brief overviews of the fiscal impacts of the four options are as follows:

Option One: The City would not contribute funds for the construction of the street improvements. Highland Fairview would bear the cost of the street improvements and may not be eligible for SLPP Grant funds. Option One would not have a fiscal impact on the City.

Option Two: Highland Fairview would deposit the entire amount of the estimated cost to construct the street improvements ($6.3 million) with the City. The City would take the lead in preparing the plans and specifications and publicly bid the project. All requirement of the Public Contract Code must be complied with including the paying of prevailing wage for all workers on the job. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Three: The City Council would reprioritize its CIP projects funded by Development Impact Fees or DIF for fiscal year 2009-10 in an amount of $6.3 million for the construction of the street improvements. The CIP projects that are reprioritized would not be constructed until DIF funds are available. Highland Fairview would be required to pay its DIF and those street improvement costs not covered by DIF. The fiscal impact to the City could be significant in that a number of CIP projects would not be completed as planned. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Four: The City Council would reprioritize CIP projects adding thereto, the Eucalyptus Street improvements funded by the redemption of the 2007 Tax Allocation Bonds, Series B in the amount of $7 million. The redemption of a portion of the bonds would serve as 'collateral' for the construction of the street improvements. Highland Fairview would deposit $2 million for the City to drawdown to pay for work completed by contractors. Highland Fairview would replenish the account when the dollar amount

falls below $2 million. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

If the City Council elects to assist Highland Fairview with the project using options two or three, Staff would have to fully analyze the availability of DIF and/or other funding sources to insure the project can be constructed as stated in the SLPP Grant Application.

SUMMARY

On behalf of Highland Fairview, the City applied for a SLPP Grant to construct certain street improvements in connection with it corporate park and AquaBella projects. Eucalyptus Avenue was awarded SLPP Grant funds and Highland Fairview is seeking City assistance to construct the improvements. Staff has outlined four options for the City Council to consider. The options have various fiscal impacts on the City's ability to fund CIP projects today and in the future.

CITY COUNCIL GOALS

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

ATTACHMENTS/EXHIBITS

Exhibit "A" – OPTION ONE: Highland Fairview to construct Eucalyptus Avenue
Exhibit "B" – OPTION TWO: City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview
Exhibit "C" – OPTION THREE: City of Moreno Valley construct Eucalyptus Avenue with existing DIF
Exhibit "D" – OPTION FOUR: City of Moreno Valley construct Eucalyptus Avenue with developer funds underwritten by City reserves
Exhibit "E" – Proposed list of DIF Project for Reprioritization
Exhibit "F" – SLPP Grant dated August 14, 2009

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

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

Exhibit "A"

OPTION ONE
Highland Fairview to Construct Eucalyptus Avenue

Goal:	Funding and Constructing the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project
Requirement(s):	A) City permits required (including inspections)
Funding Method(s):	Highland Fairview to fully fund the project – approximately $6.3 million; and therefore, Highland Fairview may not be eligible for SLPP grant funds.
Results:	A) Highland Fairview administers the construction project – may be the most expeditious means to construct the street improvements (i.e., California Contract Code/prevailing wage issues may not apply) B) Highland Fairview can construct underground utilities and street improvements as one operation C) The street improvements would be constructed to City standards D) Eucalyptus Avenue would be dedicated to the City upon completion E) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
Obstacles:	A) Requires Highland Fairview to fund the project B) Highland Fairview may not receive up to $1 million (based on reimbursement by the State) in SLPP Grant funds
Required City Action:	NA (FYI – only City Council action would be the acceptance of Improvements upon completion)

Exhibit "B"

OPTION TWO
City of Moreno Valley Constructs Eucalyptus Avenue with Funds Deposited by Highland Fairview

Goal: Funding and Constructing the Eucalyptus Avenue improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the required funds to construct the project
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. Reimbursement will occur after the Project is completed and may be less than $1.0 million.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the required funds with the City before the City Council awards the contract. The funds will include:
    1) The applicable DIF must be paid by Highland Fairview at the start of the Project.
    2) DIF payment – approximately 60 percent of the DIF is for arterial streets and can be used for the Project's matching funds.(Sixty (60) percent will

not provide enough funding to fully construct the street improvements.)

3) The SLPP grant funds cannot be credited to the Project until the Project is completed. Therefore, that amount must be advanced by the developer, Highland Fairview.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10 – funding source of Highland Fairview

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "C"

OPTION THREE
City of Moreno Valley Constructs Eucalyptus Avenue with Existing DIF

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the all required DIF and all other funds to construct the project (the street improvements may cost more than the DIF collected)
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. The full $1.0 million may not be received and only after the Project is completed.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit all the required funds with the City before the City Council awards the contract
C) Existing DIF projects for Fiscal Year 2009-10 would not be constructed. The breach of existing projects under construction may expose the City to legal challenges.

Required City Action:
A) Amend CIP Plan to include Eucalyptus Avenue

improvements as a “Funded Project” for Fiscal Year 2009-10 and defund other street improvement projects. The reprioritization of DIF projects or DIF projects placed on hold may result in lost funds that have already been expended (i.e., matching funds).

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "D"

OPTION FOUR
City of Moreno Valley Constructs Eucalyptus Avenue with Developer Funds Underwritten by City Reserves

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):

A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepare bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the Project to its CIP Plan – (Reprioritization of CIP project list to include Eucalyptus Avenue improvements.)
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):

A) Highland Fairview to deposit $2 million to insure prompt payments to contractors within 30 days (per Public Contract Code) and be responsible for the entire cost of the street improvements
B) Highland Fairview must execute an agreement with the City and provide $2.0 million and grant the City quick full access to said fund. The developer, Highland Fairview will replenish the funds whenever the City draws down funds for payment of work or the City will stop all work on the Project.
C) City will redeem a portion of the 2007 Tax Allocation Bonds, Series "B" to cover the costs of the street improvements plus a ten percent (10%) contingency – to be used as collateral only. (Note: Due to significant General Fund budgetary deficit facing the City in FY 2010-11, redemption of up to $7 million of the 2007 Tax Allocation Bonds, Series "B" will also be submitted for Council's consideration as a Deficit Reduction Option. If both actions are authorized by Council, $14 million of the $22.5 million bond issue will be redeemed and no longer available for redevelopment purposes.) The redemption of the Bonds in the amount of $7 million for the project

must be backed by some form of security guaranteeing the City collateral of the street improvement project.

D) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds, when received. The full $1.0 million may not be received and only after the Project is completed.

Results:

A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
C) Other DIF projects would not have to be defunded and will be completed without interruption
D) Highland Fairview will have the street improvements completed with minimum impact on its fund balance
E) Highland Fairview will pay its DIF (i.e., Highland Fairview will not have to draw down its funds until work is completed.)
G) If the Project is completed as planned, the City will never have to use the pledged reserves

Obstacles:

A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the $2 million to cover the City's expenses to pay contractors. This amount must remain at $2.0 million throughout the Project's life except when $2.0 million remains for the completion less retention.
C) The construction of the street improvements would be placed on hold if there are insufficient funds in the developer's account which could place the City in a liable position if other funding sources could not be identified.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10
B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project
C) Authorize the City Manager to proceed with the redemption of $7 million of the 2007 Tax Allocation Bond, Series "B", to be used as collateral for the street improvement project
D) Instruct the City Manager to prepare an agreement with Highland Fairview outlining the terms and condition of the

City underwriting the cost of the street improvements for review and approval by the City Council. The agreement shall also require Highland Fairview provided sufficient surety or security of the City's' $7 million.

E) Instruct Staff to collect the $2 million deposit to construct the street improvements upon the execution of the agreement between the City and Highland Fairview

Exhibit "E"
Proposed List of DIF Projects for Reprioritization

	DIF Funded Projects Not Recommended for Re-Appropriation Consideration			
		(Updated on January13, 2010)		
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78526	Perris Blvd Widening/South City Limits to Cactus	$ 704,078	$ 670,000	**ROW Appraisals Underway. M**atching funds for $1.521 million in TUMF funds for ROW
78527	Cactus Ave EB 3rd Lane Imprv/I-215-Veterans Way	$ 316,715	$ -	**Design Done -** budget is practically expended.
78626	Reche Vista Realignment - Perris/Heacock N. City Limits	$ 548,149	$ 280,000	**Environmental and Design Underway with active contracts -** DIF funds are matching funds for $1.967 million in Federal STPL funds - budget is 80% expended.
78725	Pigeon Pass Widening/Climbing Rose to N. City Limits	$ 15,000	$ 3,000	**Project closeout work underway -** Construction Done - budget is 80% expended.
78726	Perris Blvd Widening/Ironwood to Manzanita	$ 742,665	$ 300,000	**ROW Acquisition Phase Underway -** DIF funds are matching funds for $631,000 in TUMF funds for ROW.
83127	Lasselle/Bay Street Improvement	$ 135,255	$ 20,000	**Construction done**
83227	Lasselle/Cottonwood Street Improvement	$ 147,393	$ 20,000	**Construction done**
83125	Graham Street Bridge/Sunnymead-Hemlock	$ 100,000	$ -	**Preliminary Project Report completed**
78827	Heacock Street Improvement/Hemlock St. to Ironwood Ave	$ 344,000	$ 140,000	**Design Almost done & ROW Acquisition Underway**
83327	Kitching/Eucalyptus Ave Improvement	$ 5,000	$ -	**Project closeout completed**
83328	Cactus EB 3rd Lane Improv/Veterans Way to Heacock	$ 398,506	$ -	**Design Almost Done -** budget is practically expended.
	Total Fund 416	$ 3,456,761	$ 1,433,000	
Fund 501	2005 Lease Revenue Bonds - Debt Serviced by DIF			
82125	Sunnymead Blvd - Frederick St to Perris Blvd	$ 2,196,392	$ -	**Construction underway -** Funds already expended as part of design and construction.
82425	Kitching Street - Alessandro Blvd to Gentian	$ 2,754,515	$ 2,100,000	**Construction Bids Opened and Award Scheduled for 1/26/10 Council Mtg. -** Portions of funds already expended in design and bid phases.
82625	Ironwood Ave - Heacock St to Perris Blvd	$ 1,046,670	$ 1,000,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid and remainder for Edison Pole Relocation**
82725	Lasselle - Alessandro Blvd to John F. Kennedy Blvd	$ 657,208	$ -	**Construction** 95% done - DIF monies is match for TUMF.
	Total Fund 501	$ 6,654,785	$ 3,100,000	
	Not Recommended for Re-appropriation Grand Total	$10,111,546	$ 4,533,000	

	DIF Funded Projects for Re-Appropriation Consideration			
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78624	Infill Projects at Various Locations	354,182	330,000	**Minimal Design Related work expended -** Loss of funding will result in continued bottlenecks in arterial roadways.
78825	Heacock St. / San Michele Ave to Gentian Ave	301,952	275,000	**Minimal Design Closeout work expended -** insufficient funding for construction
78727	Ironwood Ave - Heacock St to Perris Blvd	1,116,000	900,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid (set aside) and Needed SCE Relocation funding -** Loss of funds would significantly delay this project.
83128	Iris Ave Street Improvements / Indian-Perris	216,000	80,000	**Construction Done -** warranty walk remains
83428	Moreno Beach Widening/Cactus Ave to Auto Mall	370,000	275,000	**Contractual Preliminary engineering work has started -** approximately 25% monies expended.
	Consideration for Reappropriation Total	2,358,134	**1,860,000**	
	Grand Total of all Funding and Savings	12,469,680	6,393,000	
w:prem/cpd/admin/grants/slpp				

Exhibit "F"

Highland Fairview's
Proposition 1B Local Partnership
Program Grant Application

City of Moreno Valley
Eucalyptus Avenue

August 14, 2009

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

Friday, August 14, 2009

MORENO VALLEY

August 13, 2008

Paula G. Rhinehart, Executive Director
California Transportation Commission
Mail Station 52, Room 2211
1120 N Street
Sacramento, CA 95814

Re:	Application for Proposition 1B State Local Partnership Competitive Grant Program
Applicant:	City of Moreno Valley
Project:	Eucalyptus Street Improvements
Funding Request:	$1,000,000.00

Dear Ms. Rhinehart,

The City of Moreno Valley is pleased to submit an application to the Proposition 1B State Local Partnership Competitive Grant Program for the Eucalyptus Street Improvements Project. The City respectfully requests $1,000,000.00 in capital grant funds for this important street improvement project, which will provide access to the Eastern Portion of Moreno Valley.

Specifically, the Eucalyptus Street Improvements Project includes the following improvements:

- Grading
- Utilities
- Street Paving
- Sidewalks
- Bike Trails
- Lighting

I am pleased to officially authorize the City's funding application for this project.

If you have any questions regarding the City's application, please do not hesitate to contact me at (951) 413-3020.

Thank you in advance for your time and the City looks forward to your review of our request.

Sincerely,

Robert G. Geiger
City Manager

CITY MANAGER'S OFFICE

2008 Project Programming Request
(Project Information)

General Instructions

[X] New Project	[ ] Amendment (Existing Project)	Date:	08/15/09

Caltrans District	EA	PPNO	MPO ID	TCRP No.
08				

County	Route/Corridor	Project Sponsor/Lead Agency	MPO	Element
	Eucalyptus	City of Moreno Valley	SCAG	CO

Project Title

Eucalyptus Avenue Improvements

PM Bk	PM Ahd	Project Mgr/Contact	Phone	E-mail Address
		Rick Hermann	951-413-3050	rickh@moval.org

Location, Project Limits, Description, Scope of Work, Legislative Description

Location: Eucalyptus Avenue between Redlands Blvd and Theodore Avenue in Moreno Valley, CA. Scope of work: Dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include two full travel lanes, raised landscaped median, a 12-foot landscaped parkway, and major sidewalk, public access improvements for its entire one mile length.

Component	Implementing Agency	AB 3090	Letter of No Prejudice
PA&ED	City of Moreno Valley	[ ]	[ ]
PS&E	City of Moreno Valley	[ ]	[ ]
Right of Way	City of Moreno Valley	[ ]	[ ]
Construction	City of Moreno Valley	[ ]	[ ]

Legislative Districts

Assembly: 63, 64 and 65 Senate: 37

Congressional: 45

Purpose and Need

This program completes a major section of the roadway extensions that are necessary for Eucalyptus Avenue to extend across the entire City of Moreno Valley.

Project Benefits

Eucalyptus Avenue is one of the most important arterial highway links in the City's Circulation Plan. It presently extends through the westerly portion of the City of Moreno Valley but will ultimately extend from east to west across the entire City, providing an important link in the circulation network for the City, but perhaps more importantly, serving as an alternative to SR60 running east-west through the region.

Project Milestone		Date
Project Study Report Approved		N/A
Begin Environmental (PA&ED) Phase		Complete
Circulate Draft Environmental Document	Document Type: N/A	Complete
Draft Project Report		N/A
End Environmental Phase (PA&ED Milestone)		Complete
Begin Design (PS&E) Phase		Prin Compl
End Design Phase (Ready to List for Advertisement Milestone)		N/A
Begin Right of Way Phase		N/A
End Right of Way Phase (Right of Way Certification Milestone)		N/A
Begin Construction Phase (Contract Award Milestone)		Fall 2009
End Construction Phase (Construction Contract Acceptance Milestone)		Fall 2011
Begin Closeout Phase		N/A
End Closeout Phase (Closeout Report)		N/A

Form Version Date 10/14/07

MV00053715

2008 Project Programming Request
(Funding Information)

Date: 08/15/07

County	CT District	PPNO	TCRP Project No.	SA
	08			

Project Title: Eucalyptus Avenue improvements

Existing Total Project Cost									
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12+	Total	Implementing Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Total Project Cost									
E&P (PA&ED)									
PS&E		116,000	744,970					860,970	
R/W SUP (CT)									
CON SUP (CT)			90,000	150,000	90,000			330,000	
R/W									
CON			1,936,850	2,602,473	848,819			5,388,142	
TOTAL		116,000	2,771,820	2,752,473	938,819			6,579,112	

Fund No. 1:	Uniform Development Impact Fees								Program Code
Existing Funding									
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E		116,000	744,970					860,970	
R/W SUP (CT)									
CON SUP (CT)			90,000	150,000				240,000	
R/W									
CON			936,850	1,068,206				2,005,116	
TOTAL		116,000	1,771,820	1,218,206				3,106,086	

Fund No. 2:	State Local Partnership Program Grant								Program Code
Existing Funding									
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			1,000,000					1,000,000	
TOTAL			1,000,000					1,000,000	

MV00053716

2008 Project Programming Request
(Funding Information)

(Dollars in thousands and sections to the programmed year)

Date: 08/16/07

County	CT District	PPNO	TCRP Project No.	EA
	III			

Project Title: Sacramento Avenue Improvements

Fund No. 1:	Developer								Program Code
Existing Funding									
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)						38,000			38,000
R/W									
CON					1,484,237	645,598			2,129,835
TOTAL					1,484,237	683,598			2,169,835

Fund No. 2:									Program Code
Existing Funding									
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund No. 3:									Program Code
Existing Funding									
Component	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

MV00053717

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

Table of Contents

1. Proposed Capital Improvement Project
2. Project Status
3. Project Funding
4. Project Benefits
5. Supporting Transportation and Land Use Planning Goals
6. Appendix
    a. Adopted Uniform Developer Fee Municipal Code
    b. Designated Truck Route Map
    c. City Circulation Plan
    d. Master Plan of Trails
    e. Bikeway Plan
    f. WRCOG Regional Highway System Map
    g. Street Improvement Plans

City of Moreno Valley Proposition 1B State Local Partnership Program Application

Eucalyptus Avenue

Narrative

1. Proposed Capital Improvement Project

The City of Moreno Valley is seeking State Local Partnership Program funds for the Eucalyptus Avenue project, which includes dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for its entire one mile length. When complete, this segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way and extensive landscaping.

The project specifically targets Eucalyptus Avenue between Redlands Boulevard and Theodore Avenue.

Eucalyptus Avenue is one of the most important arterial highway links in the City of Moreno Valley's Circulation Plan. It presently extends through the westerly portion of the City, but will ultimately extend from east to west across the entire City, providing an important link in the City's circulation network. And perhaps more importantly, it will serve as a secondary highway system and alternative route to State Route 60, running east-west through the region. Presently, the next-closest parallel highway southerly of State Route 60 is Alessandro Boulevard, approximately 1.5 miles away.

As development on the east side of Moreno Valley progresses, the extension of Eucalyptus Avenue will serve as a significant component in the growth of the community and the creation of critical jobs-producing development. This one-mile length of Eucalyptus Avenue will also provide substantial and immediate circulation improvements to serve the needs of the approved employment centers in the immediate area which are estimated to provide 3,500 permanent employees, 1,100 construction jobs, and $157 million in economic benefits to the region.

The project improvements are an incremental part of the development of Eucalyptus Avenue, which will ultimately run across the entire City. This link will be developed in conjunction with other adjacent arterial improvements to provide a complete street system providing access to approved and pending employment centers in the area. The construction of these initial increments will encourage additional growth which will facilitate further roadway improvements.

2. Project Status

The Eucalyptus Avenue project is covered by a fully certified EIR and design drawings are in the final approval stage. Construction is scheduled to commence in Fall 2008 with an estimated completion date of 2011.

3. Project Funding

Total project costs are estimated at $9,205,815. The City of Moreno Valley respectfully requests $1,000,000 in State Local Partnership Program competitive grant funds.

Additionally, $3,106,980 in Development Impact Fees (uniform developer fees) are allocated for the segment of Eucalyptus Avenue. $2,159,835 million will be funded by a local developer.

While the City of Moreno Valley is part of the Riverside County Transportation Commission (which will receive SLPP formula funding), the Commission is not drawing down formula funds at this time. In communication exchanges with the Commission, they have decided to draw down funds at a future date for large projects scheduled to commence construction in 2011.

4. Project Benefits

Economic Benefit: The construction of Eucalyptus Avenue will facilitate the development of several employment center projects in the immediate vicinity, bringing thousands of jobs and millions of dollars in economic growth to the Moreno Valley area. A well-designed primary and secondary highway system to provide safe, efficient access to project sites is a significant consideration in the decision to develop such much-needed projects.

Air Quality: The construction of Eucalyptus Avenue will improve local air quality by providing circulation alternatives to distribute traffic on multiple routes, thereby minimizing congestion and accompanying negative environmental effects associated with idling vehicles. This project includes a raised landscaped median and an adjacent landscaped parkway/trail area introducing additional landscape improvements to the vicinity.

Multi-Modal: The ultimate Eucalyptus Avenue street improvements accommodate multiple modes of transit. A major four-lane arterial highway, sidewalks, a bike trail, a multi-use trail, and public transit facilities (bus turnouts) will encourage alternate modes of travel, as well as recreational users.

More specifically, the Eucalyptus improvements include the development of pedestrian sidewalks, and the accommodation of multi-use trails and bike trails where none exist today. Several bus turn-outs are provided in the Eucalyptus plans which will accommodate the expansion of public transit to the area. Adjacent development has been designed to accommodate these bus turnouts and also to provide convenient paths of travel into nearby projects.

Safety and Safety Improvements: Eucalyptus Avenue will provide a significant element of safety to the region by providing a parallel alternative to State Route 60 in the event of an emergency. In addition, the proposed street improvements will enhance the safety of pedestrians and cyclists as well as the motoring public by providing well-designed, efficient facilities, minimizing opportunities for conflict. These facilities will also provide safe, efficient alternative modes of travel to and from major employment centers in the community.

Cost Effectiveness: The Eucalyptus project will be constructed according to the City's latest design and construction standards and is expected to have a useful life of more than 25 years. The proposed improvements also tie in to future improvements that will be constructed to accommodate growth as a result of residential, commercial and industrial development in this growth-targeted area of the City.

Matching Funds: Matching funds in the total of $3,108,000 are provided through City Development Impact Fees (uniform developer fees.) The City has made Eucalyptus Avenue a priority for these funds due to significant interest in private development in the project area as well as its important role as a regionally significant arterial.

Reliability: The proposed project will construct a new section of Eucalyptus Avenue to link Redlands Boulevard and Theodore Street. This is important for reliability because currently, the traveling public must use other, less direct routes to travel from east to west within the city and also to access the state highway system. This new direct link will allow the public to reasonably expect travel can occur quicker with lower delays.

5. Supporting Transportation and Land Use Planning Goals

Eucalyptus Avenue improvements are included in the following plans:

- City's Master Circulation Plan
- City's Development Impact Fee (DIF) Program
- City's Capital Improvement Plan

6. Appendix

Chapter 3.42 COMMERCIAL AND INDUSTRIAL DEVELOPMENT IMPACT FEES

Note

* Prior ordinance history: Ords. 280 and 652.

3.42.010 Purpose and intent.

A. This chapter establishes commercial and industrial development impact fees, consisting of each of the fees set forth. The commercial and industrial development impact fee is intended to recover from each new commercial, industrial and other nonresidential development, its reasonable share, as determined in accordance with Government Code Section 66000, et. seq., of the cost of each type of public facility and infrastructure improvements for which a fee is established hereunder needed to serve the development on which the fee is imposed, to assure implementation of, and consistency with, the city's general plan; and to protect the public health, safety and welfare by ensuring that adequate public facilities and related improvements will be constructed and made available to serve new nonresidential development concurrent with the need.

B. The city council has determined that the fees established by this chapter shall be collected from applicants of development projects for the cost of public facilities and infrastructure improvements that serve or will benefit each commercial, industrial and other nonresidential development, and to reimburse the city for expenditures previously made which benefit that development in accordance with the city's adopted development impact fee study, as updated and readopted from time to time.

C. The fees imposed under this chapter are in addition to any other fees, dedications, construction requirements or other exactions imposed as a condition of approval for the development project, or under the provisions of any state or federal law, other provisions of this code, or city resolutions and policies.

D. Wherever used, terms describing types of facilities and/or infrastructure improvements shall have the meaning given to them in the city's general plan and/or capital improvement plan, as adopted and amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.020 Compliance with chapter.

No commercial, industrial or other nonresidential development project shall be approved unless the public facility improvements necessary to serve the development project exist or will be constructed as a condition of approval of the project to satisfy the requirements of the city's general plan and/or capital improvement program, as approved from time to time. No developer, property owner, or other person or entity shall be eligible to receive building permits, nor any occupancy permits, for any commercial, industrial or other nonresidential development project unless the provisions of this chapter have first been complied with and the fees required hereunder have been paid for that project. The requirements of this chapter are hereby imposed as a condition of development approval for each commercial, industrial and other nonresidential development project in addition to being a requirement of this code. The city may impose such additional conditions of approval as are necessary or appropriate to implement the purposes of this chapter, including, but not limited to, construction of public facility improvements and/or reimbursement agreements for constructed improvements in accordance with city policies and procedures. (Ord. 695 § 1.2 (part), 2005)

3.42.030 Arterial streets commercial and industrial development impact fees.

Arterial street commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the arterial street improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. The fees referred to in this section were calculated to include only the arterial street improvements and do not include costs for freeway interchange improvements, local streets, or collector streets. (Ord. 695 § 1.2 (part), 2005)

3.42.040 Traffic signals commercial and industrial development impact fees.

Traffic signals commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the traffic signal improvements provided for in the city's general plan and its adopted capital improvement program as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.050 Interchange improvements commercial and industrial development impact fees.

Interchange improvements commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the interchange improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.060 Fire facilities commercial and industrial development impact fees.

Fire facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, fire service facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.070 Police facilities commercial and industrial development impact fees.

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Police facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, police services facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.080 City Hall facilities commercial and industrial development impact fees.

City Hall commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, City Hall facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.090 Corporate yard facilities commercial and industrial development impact fees.

Corporate yard facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the city corporate yard facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.100 Maintenance equipment commercial and industrial development impact fees.

Maintenance equipment commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, to the extent permitted by law, the major maintenance equipment needs of the city provided for in its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.110 Credit for improvements provided by developers.

Credit against a commercial and industrial development impact fee may be given for qualifying facilities and improvements constructed as part of each commercial and industrial development project in accordance with city policies and procedures. The applicant shall be responsible for providing sufficient evidence of the eligibility and

MV00053725

cost of such facilities and improvements to the satisfaction of the city's public works director/city engineer, who will determine whether the evidence is satisfactory to render a fee credit, and will determine the amount of fee credit, which shall not exceed the projected costs of such facilities and improvements for purposes of establishing the affected impact fee. (Ord. 695 § 1.2 (part), 2005)

3.42.120 Credit for existing development.

If the development project involves improvements, or a change of use to an already existing development, commercial and industrial development impact fees will only be applied to the portion of the project that represents an increase in demand for city facilities. (Ord. 695 § 1.2 (part), 2005)

3.42.130 Adoption of fees and fee revisions.

The amount of any commercial and industrial development impact fee may be amended annually or from time to time by a resolution of the city council in accordance with the procedures and based upon the findings set forth in Government Code Section 66000, et seq., for such fees. The city council may authorize by resolution annual adjustments to the commercial and industrial development impact fees to account for the escalation in construction costs, based upon the figures published in the Engineering News Record's Building Cost Index—20 Cities Annual Average. Land costs may be evaluated annually and adjusted, as necessary, based on the current market conditions at the time. (Ord. 695 § 1.2 (part), 2005)

3.42.140 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective. (Ord. 695 § 1.2 (part), 2005)

MV00053726

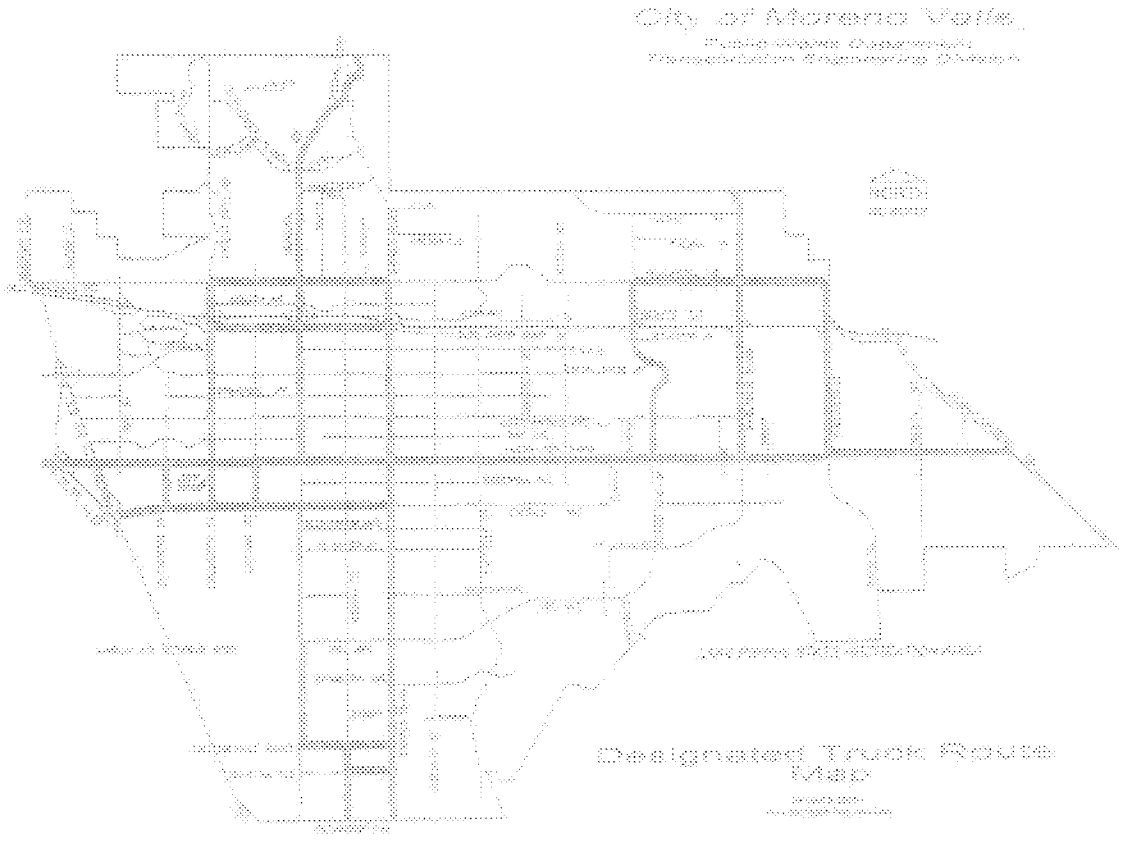
City of Moreno Valley
Transportation Engineering Division
Designated Truck Route
Map

MORENO
VALLEY
FIGURE 9-4
CIRCULATION PLAN
Street
Classifications
Freeway
Divided Major Arterial
Divided Major Arterial - Restricted Cross Section
Divided Arterial - 6 Lane
Divided Arterial - 4 Lane
Arterial
Major Arterial
Minor Arterial - Regular Cross Section
Collector
Freeway Overpass
Freeway Interchange
N

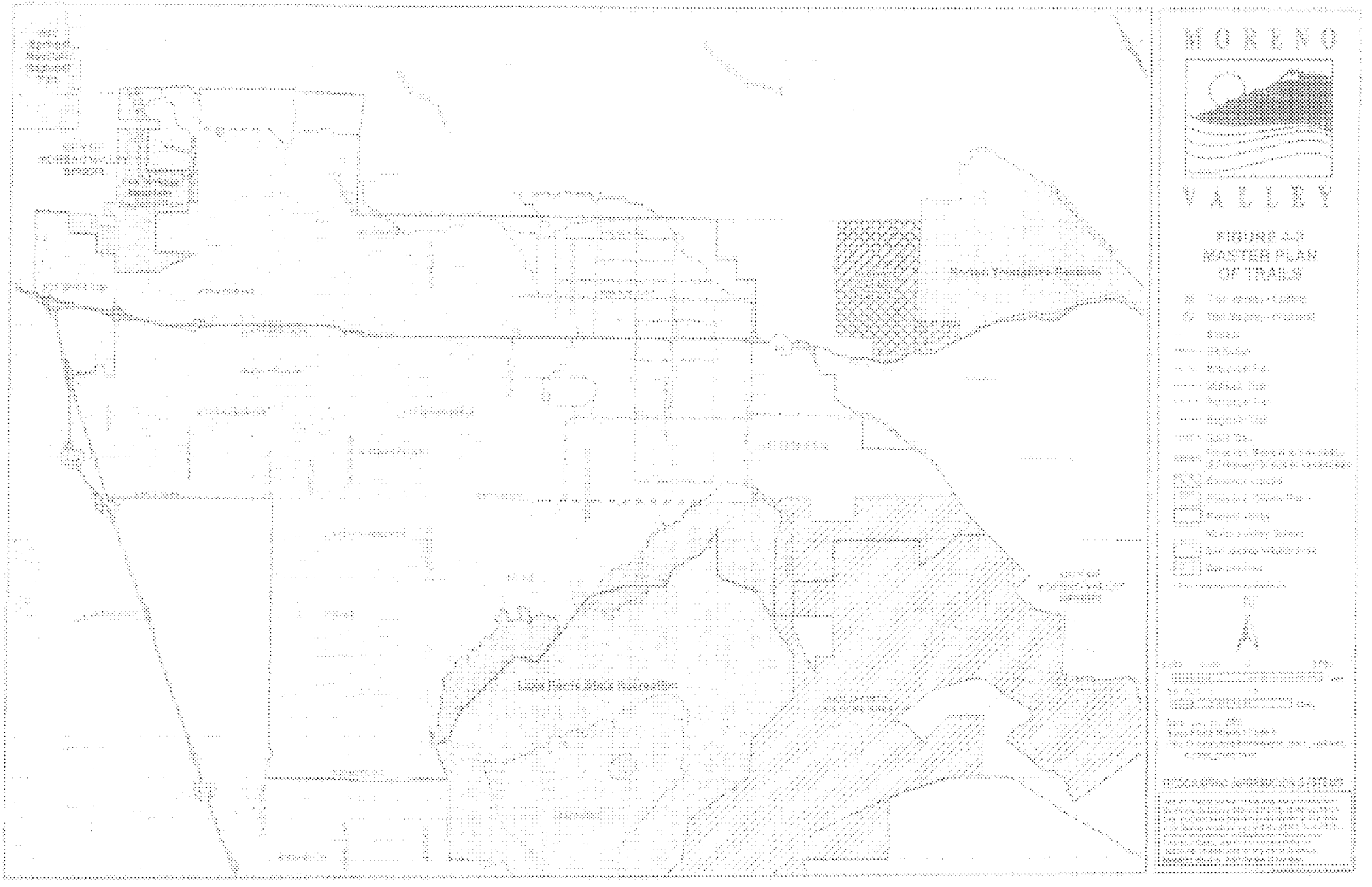
MORENO
VALLEY
FIGURE 4-3
MASTER PLAN
OF TRAILS
N

MORENO
VALLEY
FIGURE 9-4
BIKEWAY PLAN
Bikeway Classification
Class I
Class II
Class III
Roads
Highways
Open Area
Preserves
N

Figure 4.1
The Regional
System of
Highways &
Arterials for
Western
Riverside
County
Transportation
Regional System
of Arterials

MV00053731

STREET IMPROVEMENT PLANS
EUCALYPTUS AVENUE

PARCEL MAP NO. [illegible]

IN THE CITY OF MORENO VALLEY

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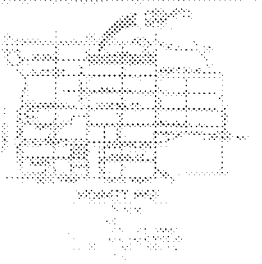

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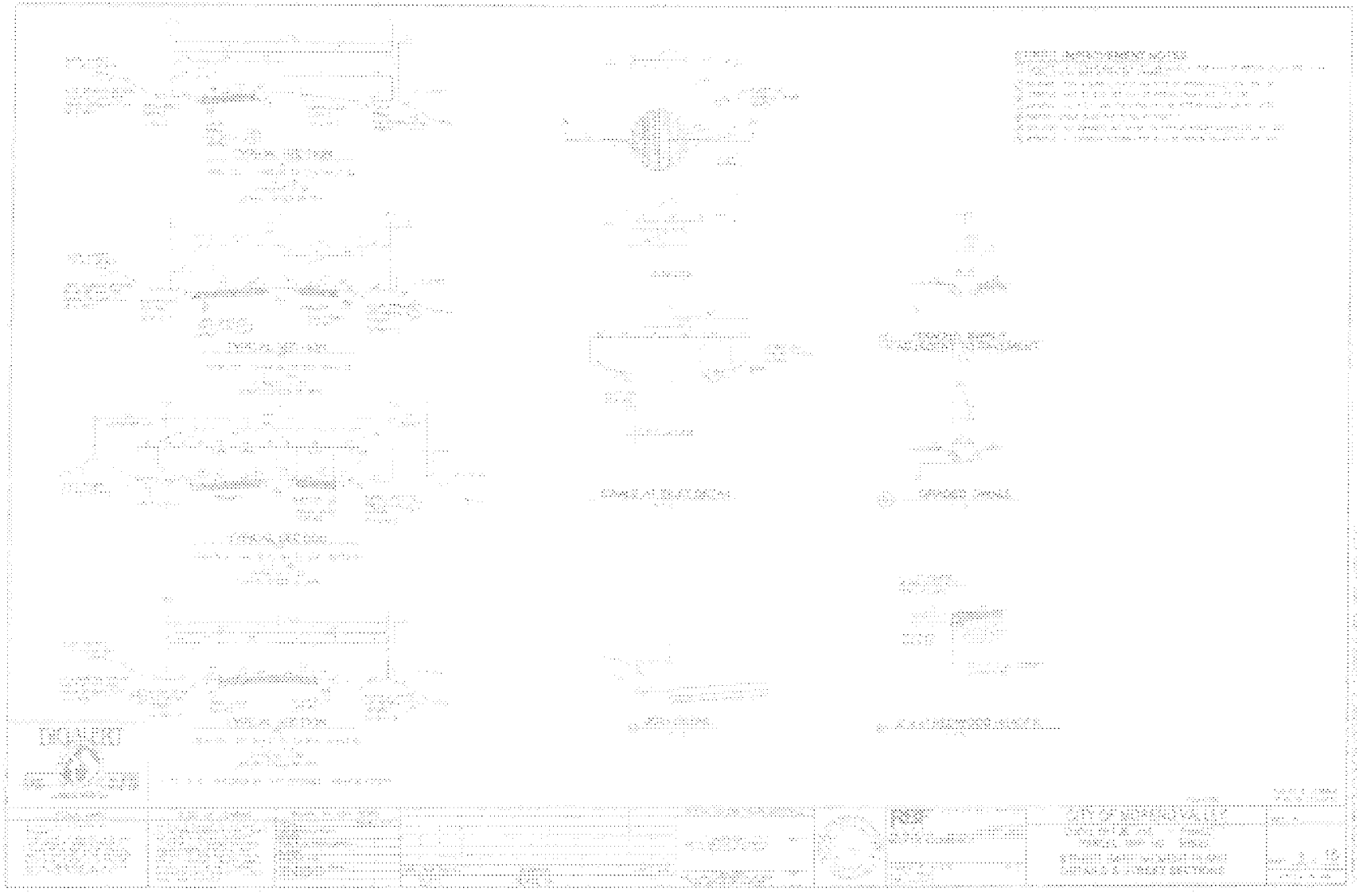

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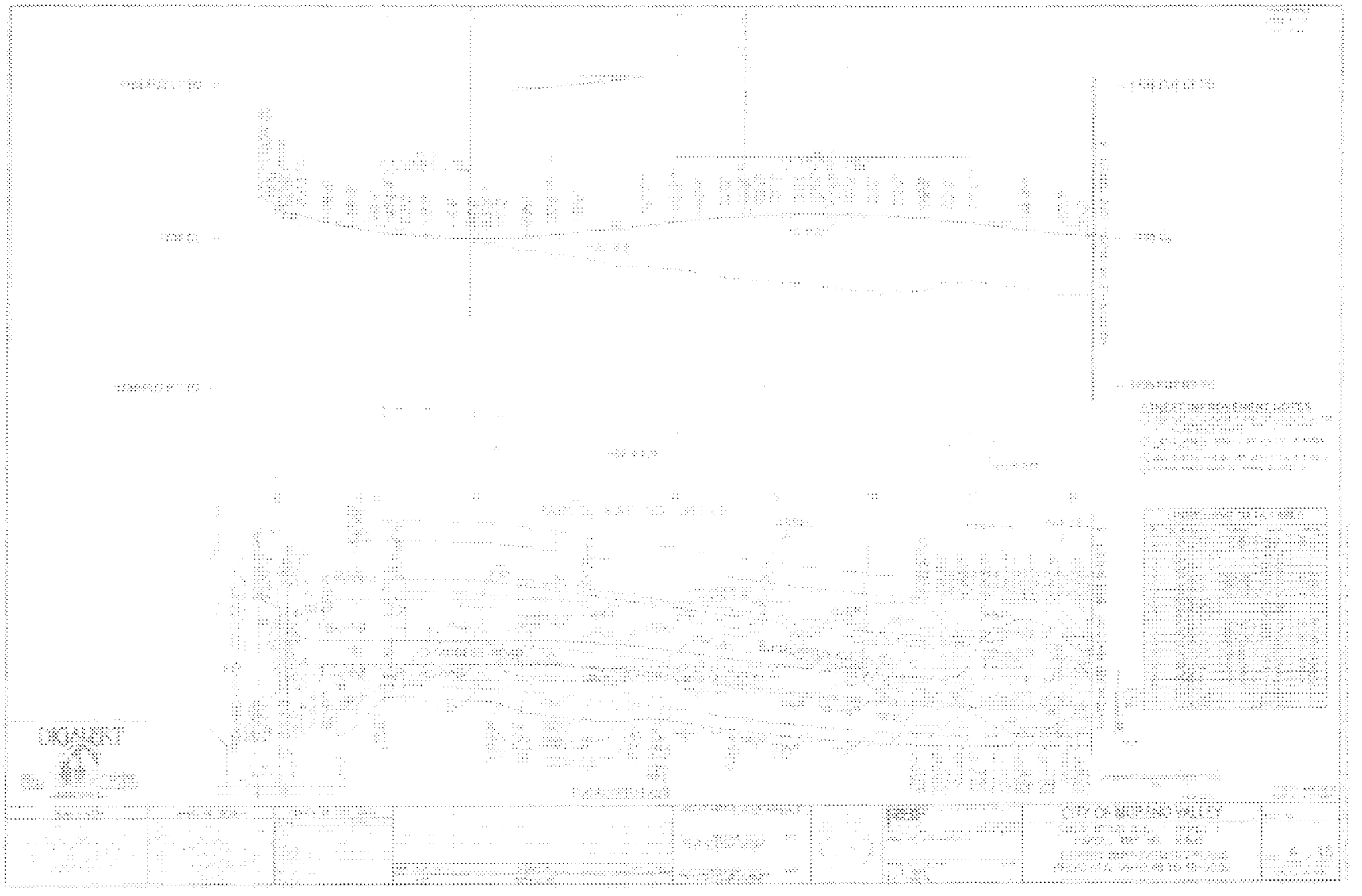
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CITY OF MORENO VALLEY

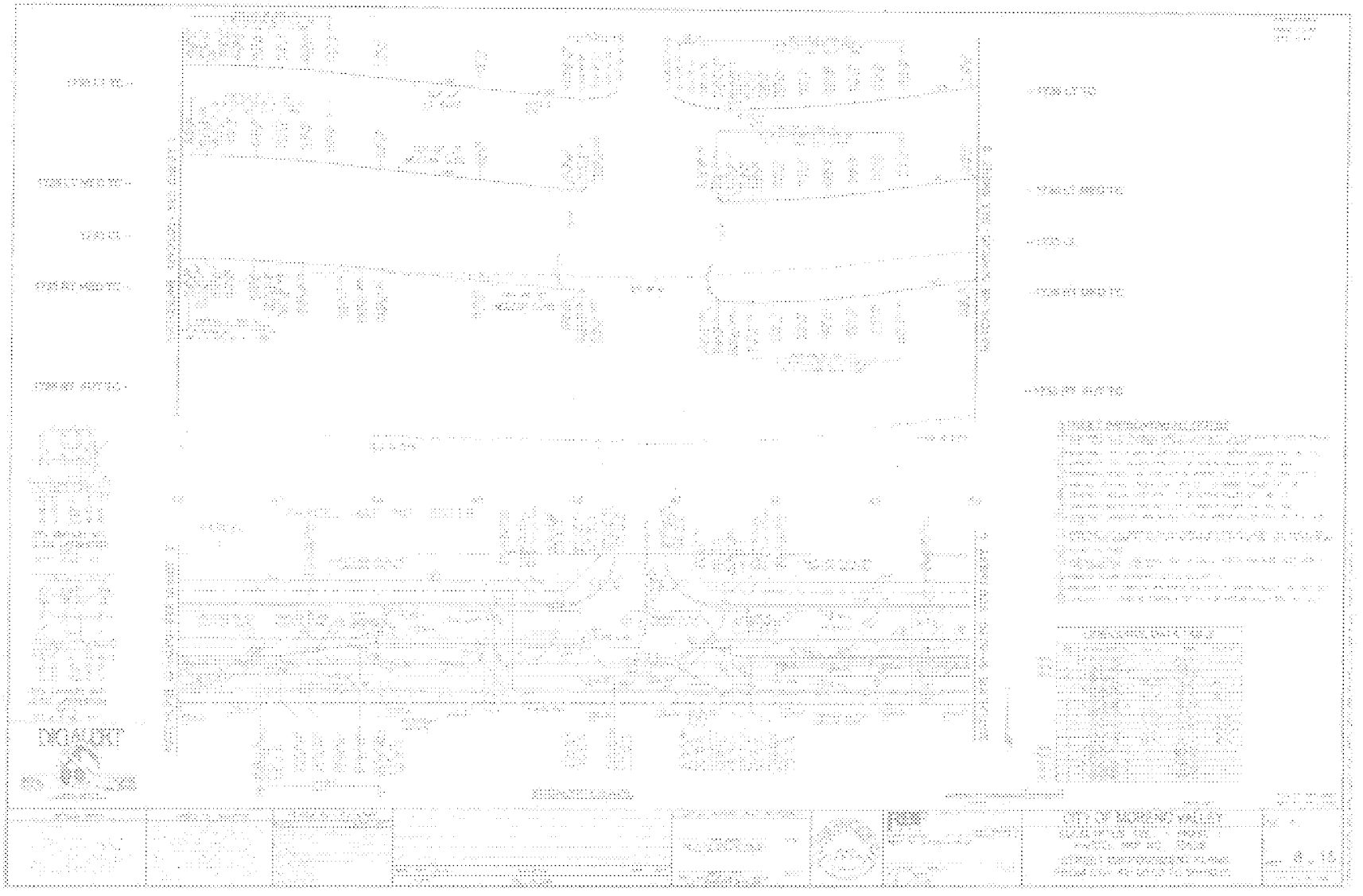

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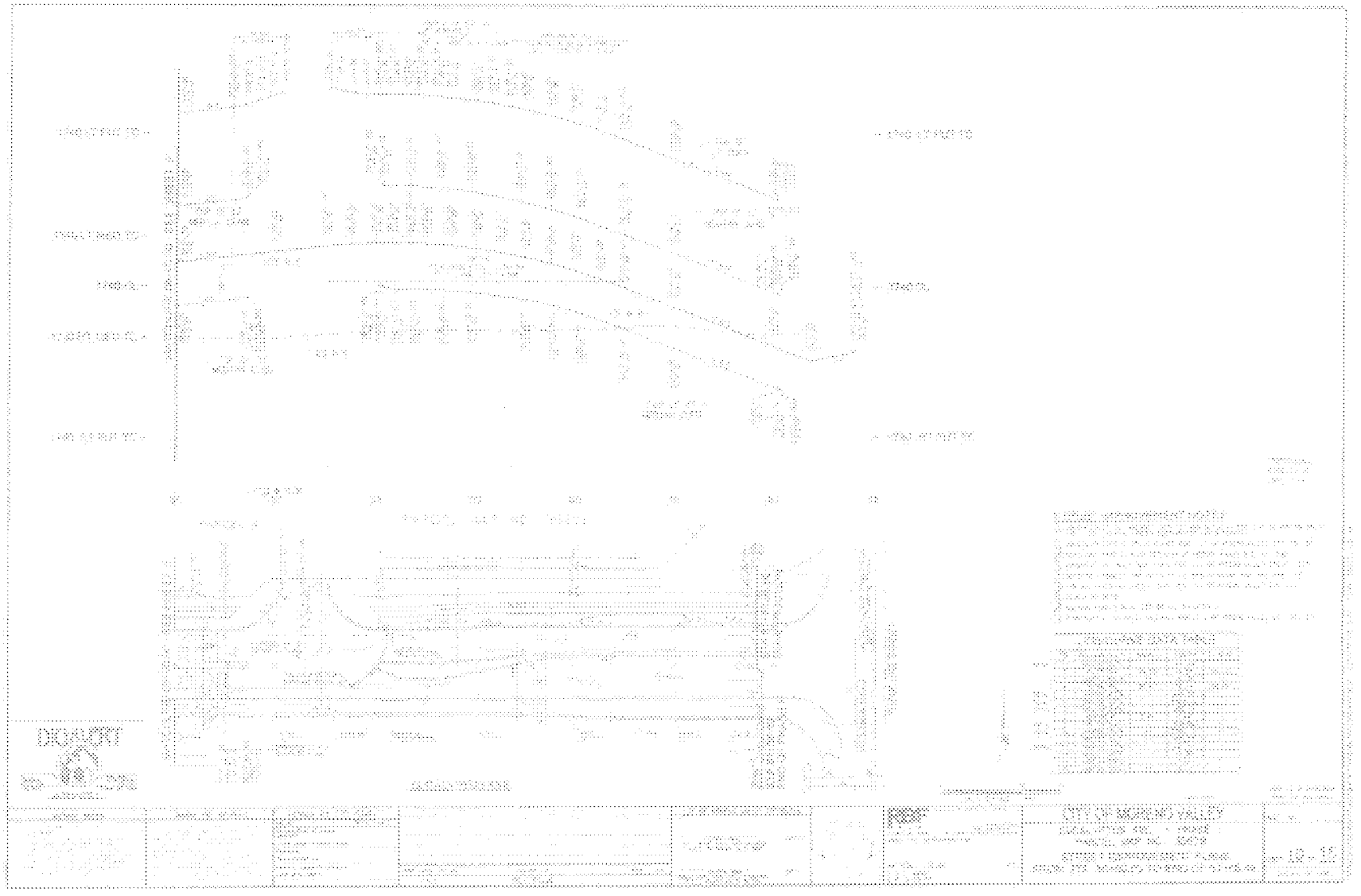

MV00053741

SIGNING AND STRIPING PLANS

EUCALYPTUS AVENUE

BETWEEN REDLANDS BLVD. AND THE DOOLE ST.

PARCEL MAP NO. 3805

IN THE CITY OF MORENO VALLEY

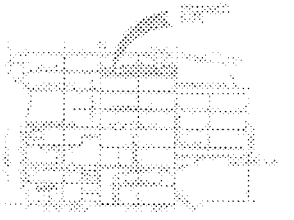

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MV00053742

MV00053743

MV00053744

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 27, 2010 (continued from April 13, 2010)

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

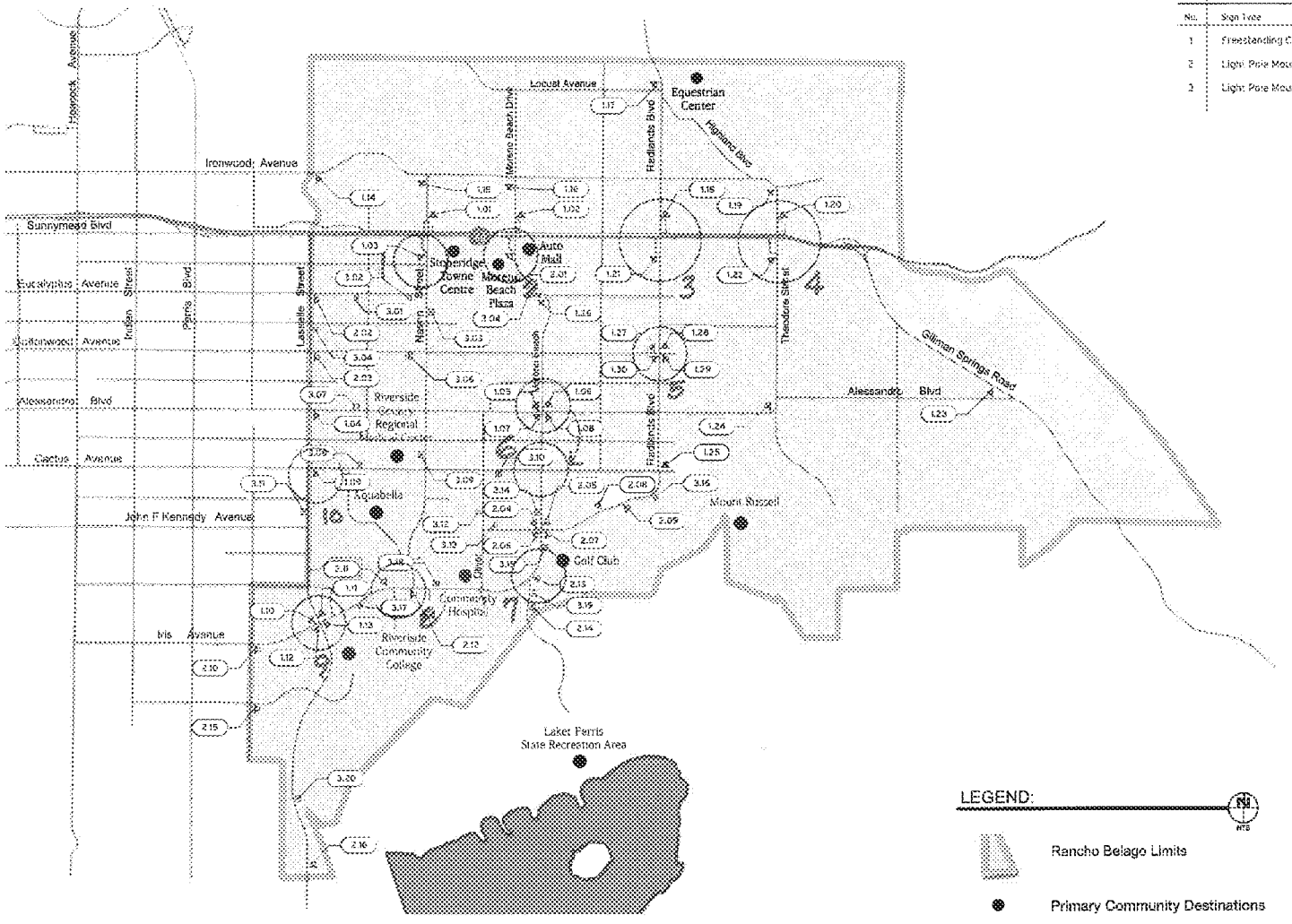

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00053751

ATTACHMENT 3

MV00053752

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00053753

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

MV00053754

top

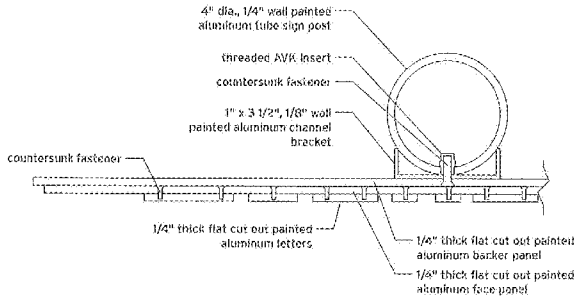

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

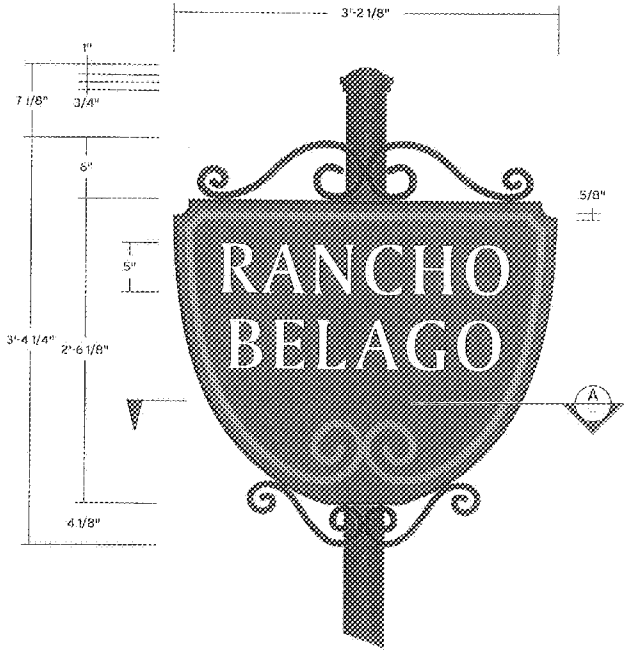

front

side

2 Details

Scale: 1" = 1'-0"

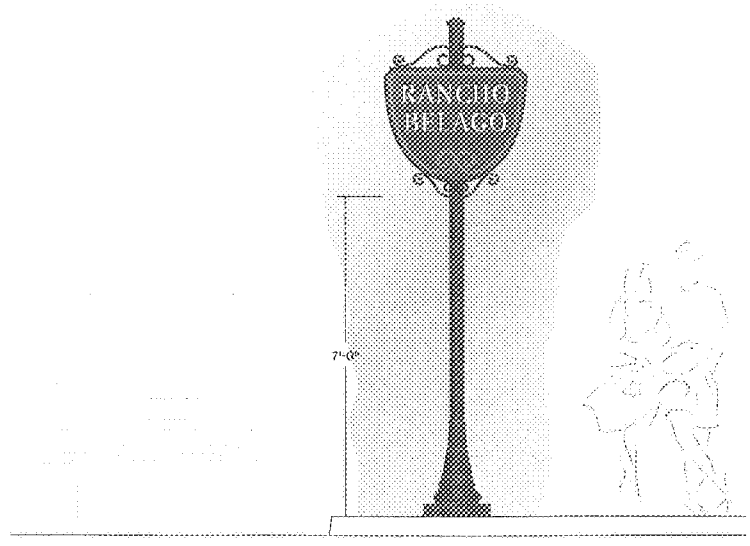

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
06-10-07

MV00053755

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

MV00053756

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

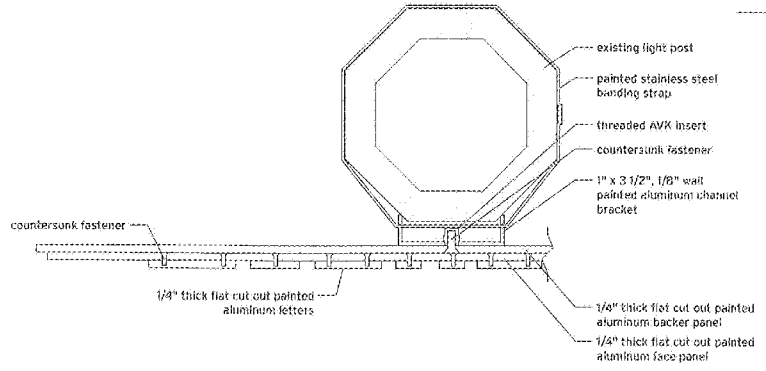

A Details

Scale: 3" = 1'-0"

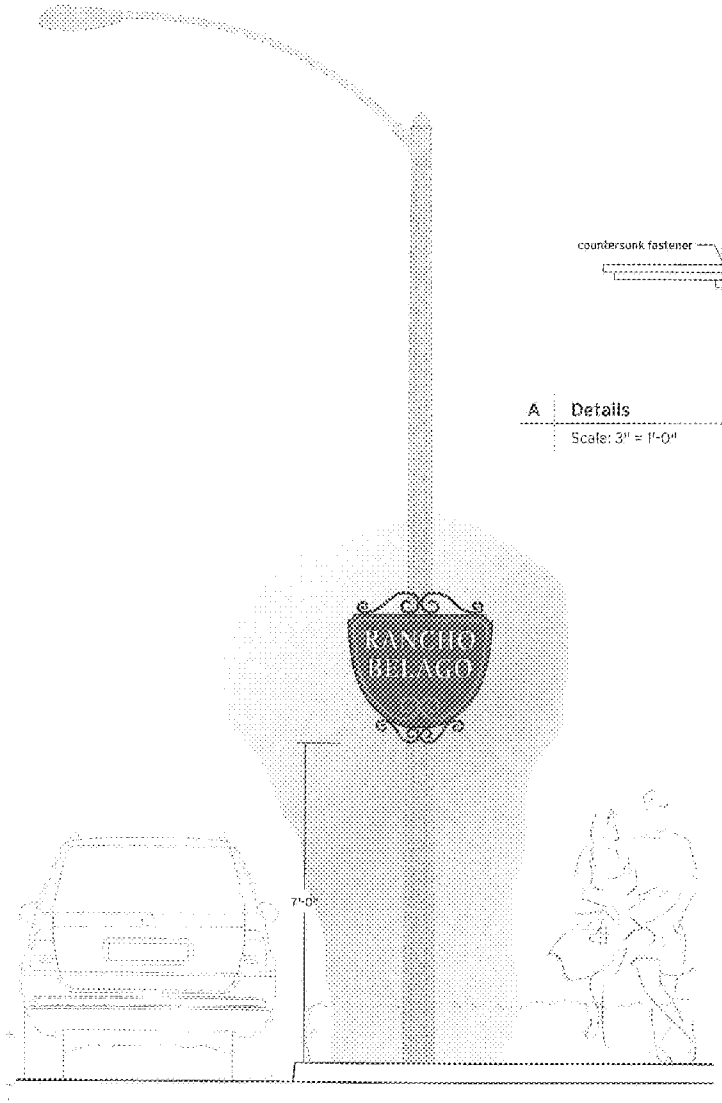

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

MV00053757

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

MV00053758

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

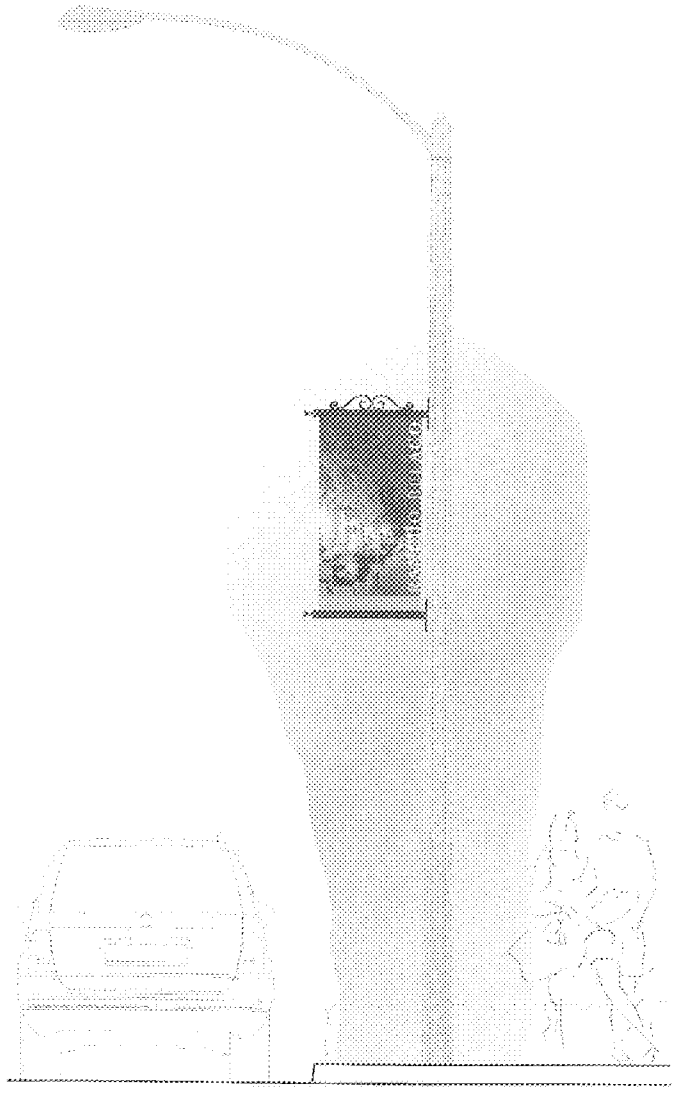

1 Elevation

Scale: 3/8" = 1'-0"

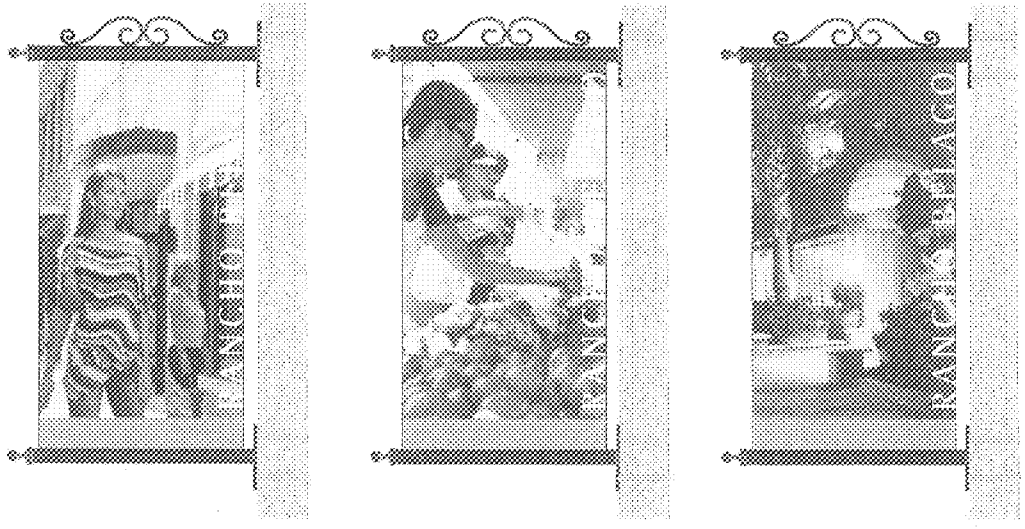

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00053759

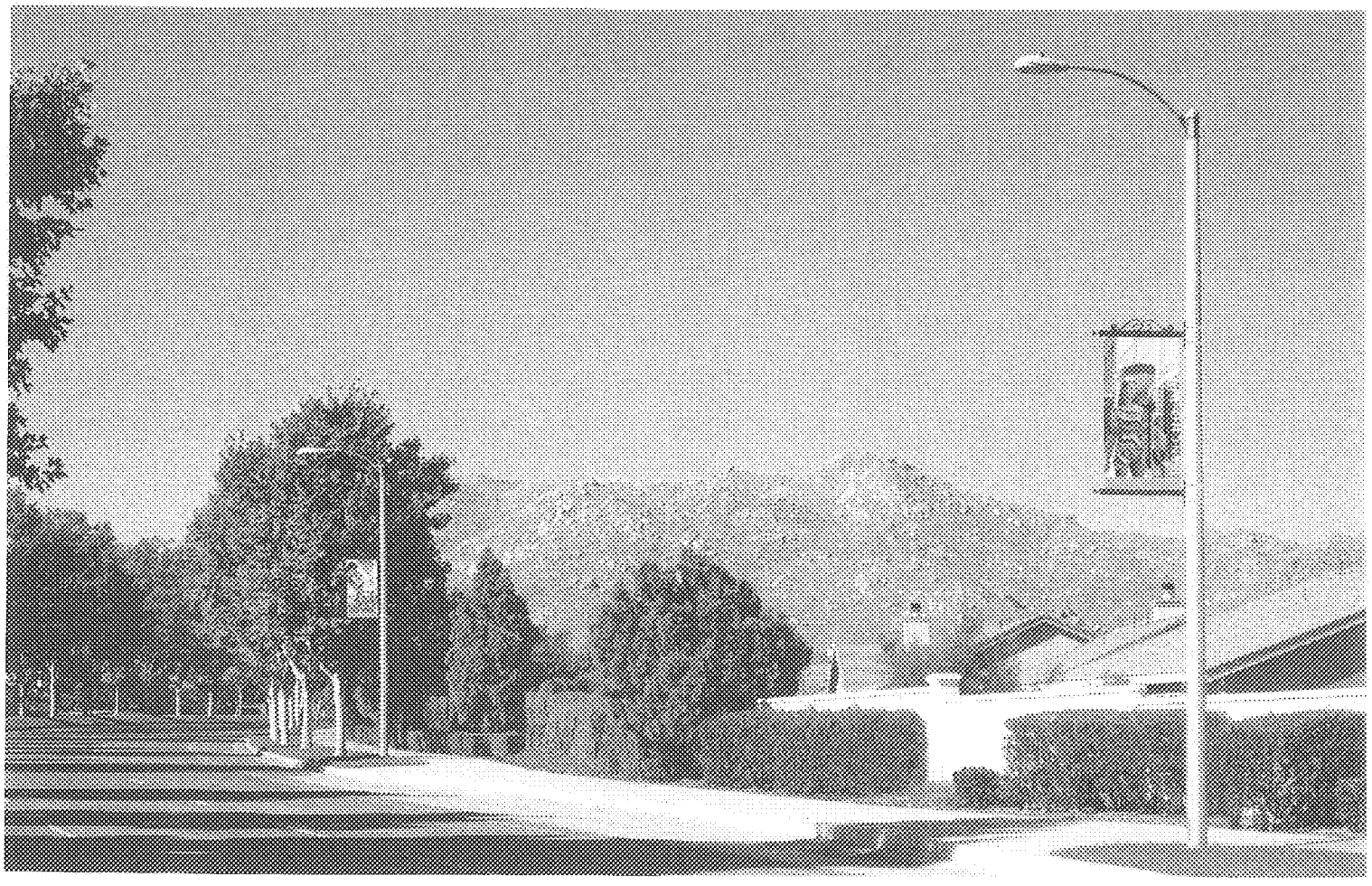

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

MV00053760

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

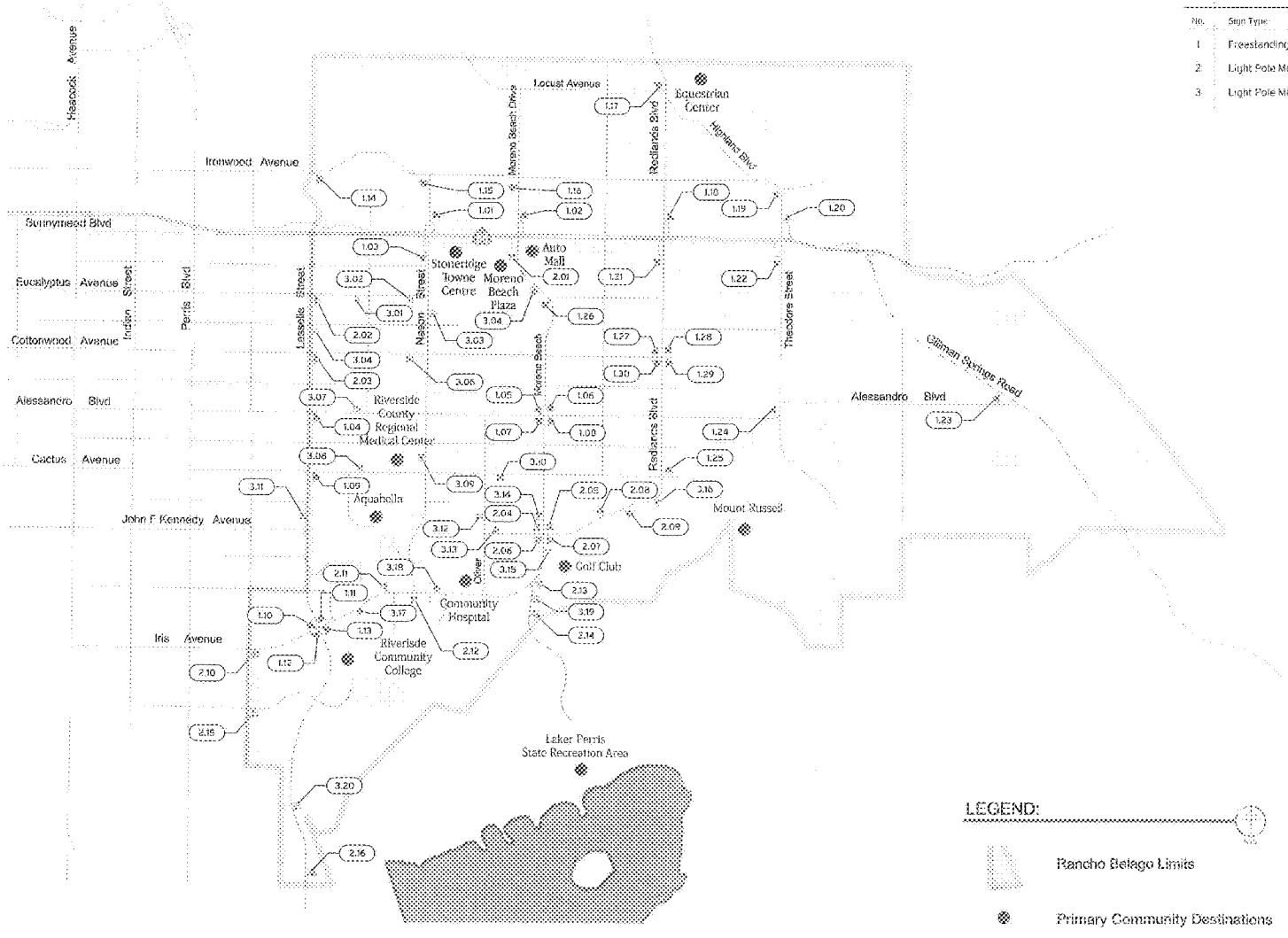

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00053761

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

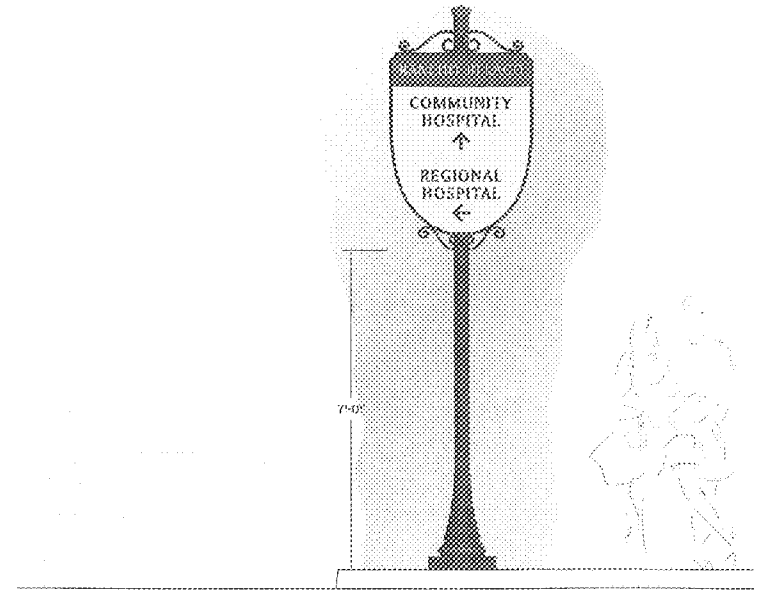

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

MV00053762

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4,
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00053763

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

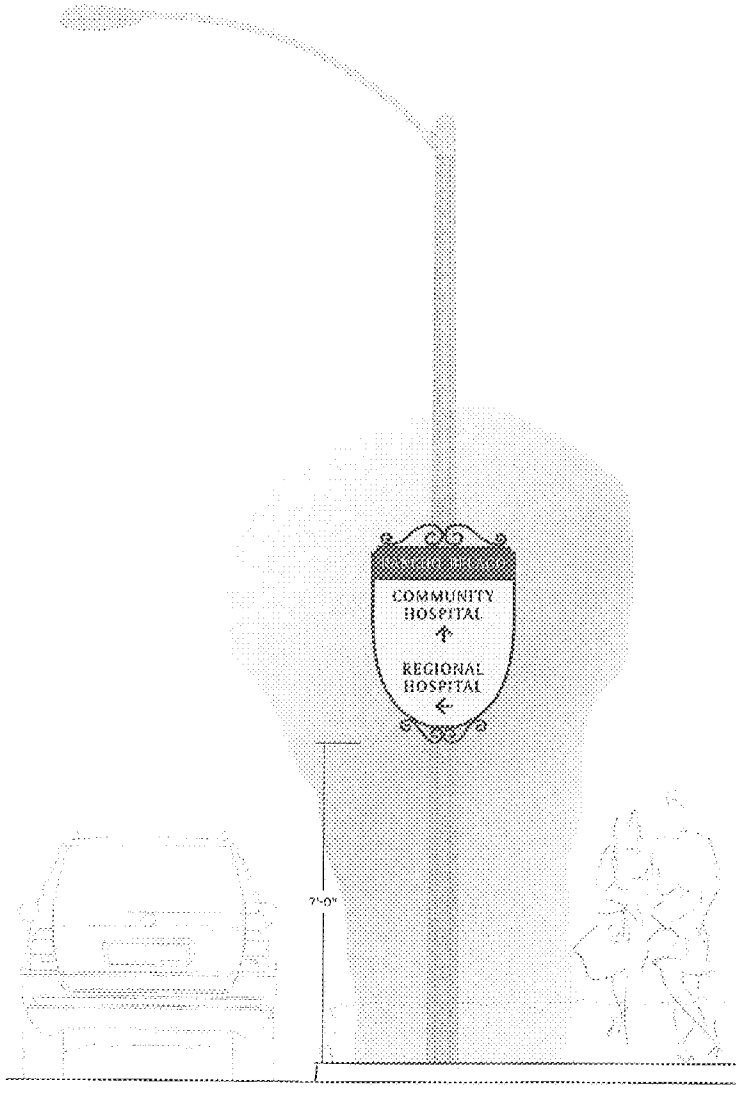

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

MV00053764

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00053765

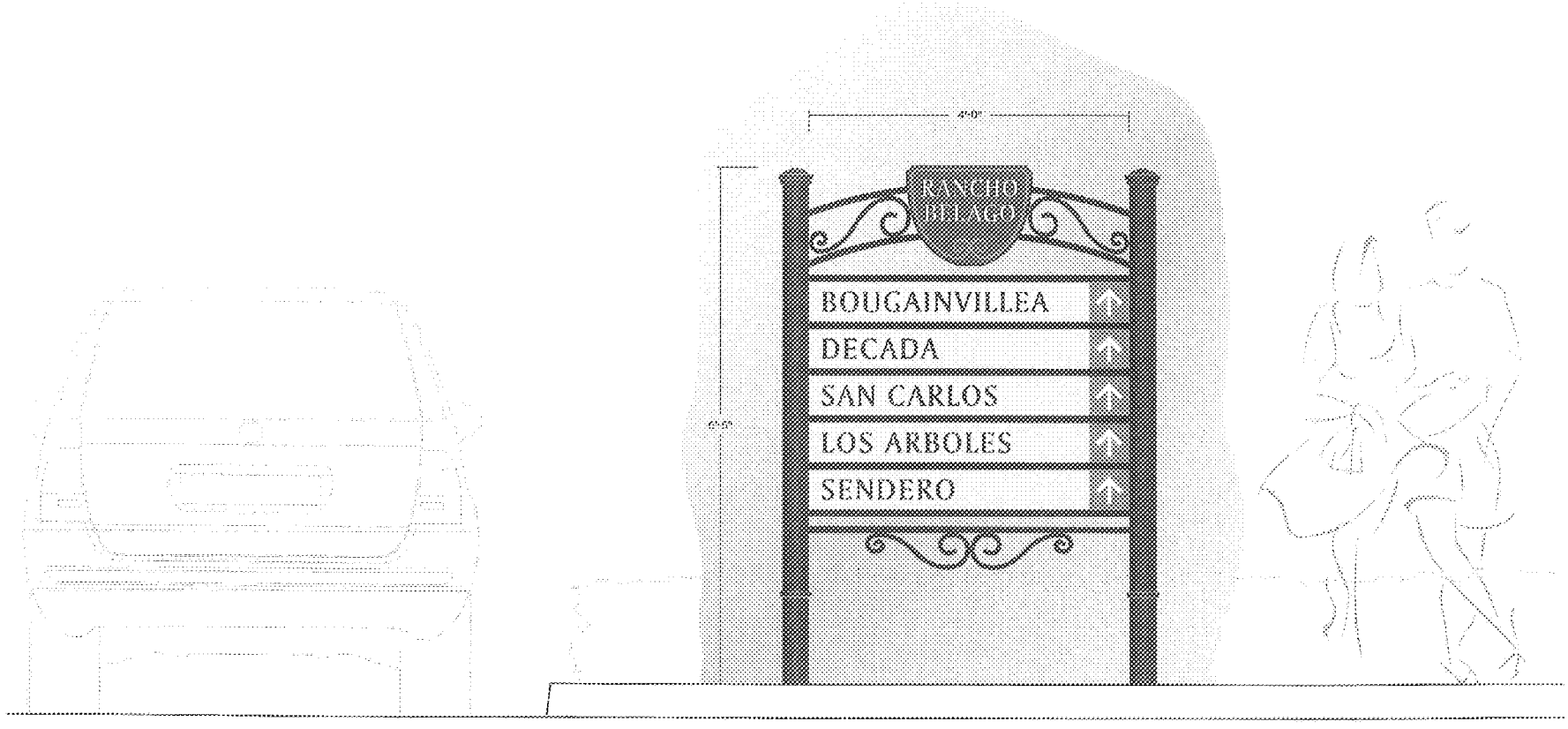

1 Elevation

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

MV00053766

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

MV00053767

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

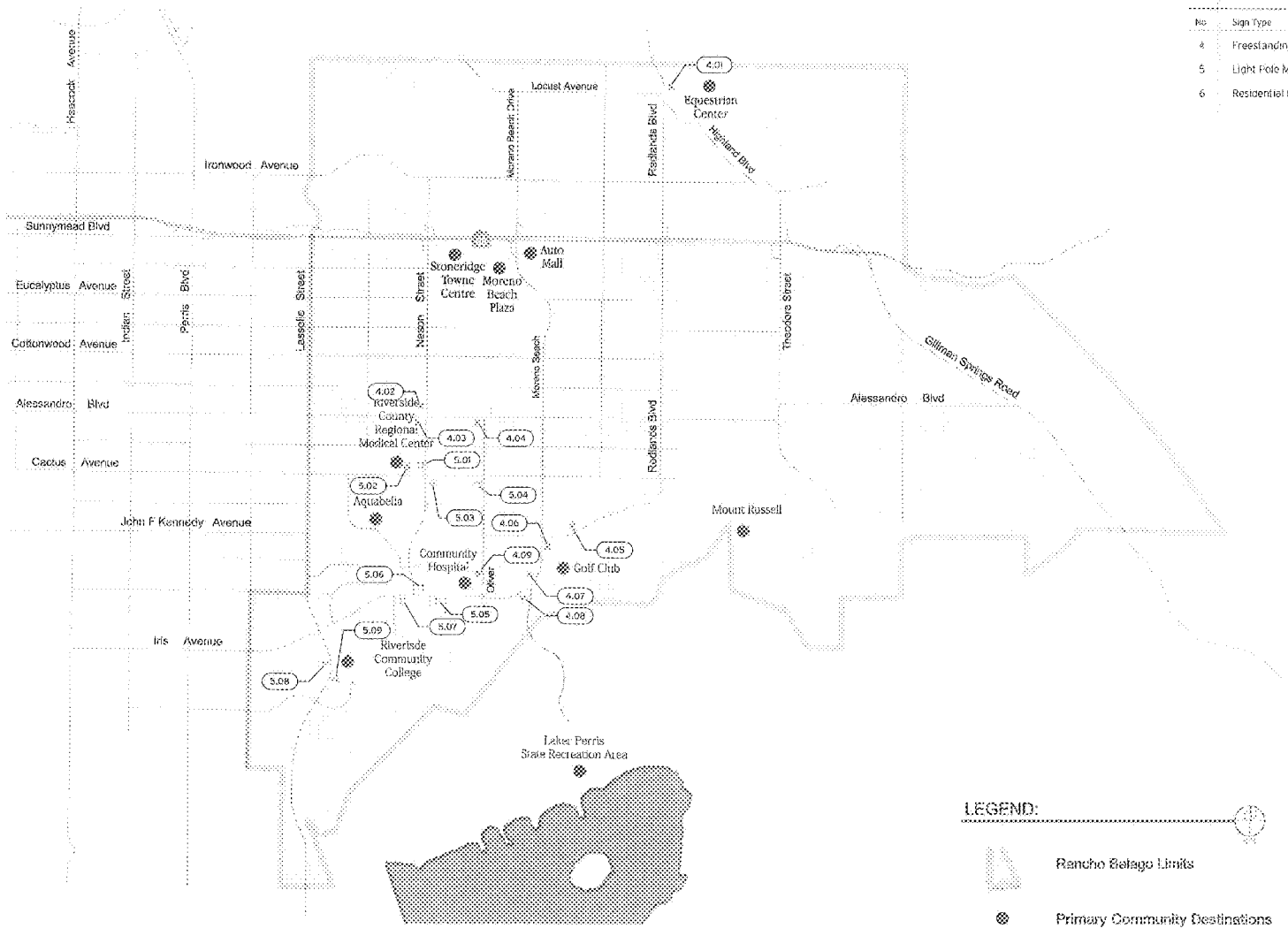

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Community Directional Sign
Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

MV00053768

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
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A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

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Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

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Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

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Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

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Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

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Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

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Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

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Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services																					X	X		
No cremation services			C	C	C	C	C	C	C	C	C		♦	♦	♦						X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility.

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

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Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains
b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]**

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

April 27, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

3. Proclamation Recognizing Ronald Powell

4. "Spotlight on Moreno Valley Business"

MV00053793

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
APRIL 27, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00053794

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

MV00053795

Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication

MV00053796

recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

Resolution No. 2010-26

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said

Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

   b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's

MV00053802

Office)

Recommendation: That the City Council:
Provide direction on the matter.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

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

a Case: *ENCO Utility Services Moreno Valley, LLC, v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 478023

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

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

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf

Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC EMPLOYMENT

City Manager Recruitment (Status)

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

ADJOURNMENT

*Revision

MV00053806

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College
2. Proclamation Recognizing National Fair Housing Month - April 2010
3. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
April 13, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Hastings

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member

Absent

Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Hargis	Technology Services Division Manager
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director

Barry Foster	Economic Development Director
Steve Kupsak	Parks Maintenance Division Manager

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A11 & A12) and Pete Bleckert (Item C3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED

STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

   Resolution No. 2010-20

   A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON

STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:
Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was

Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:
Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time

extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9 INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Kathleen Dale and Thomas R. Jerele Sr.

Associate Planner Jeff Bradshaw announced the following revisions to the agenda item - the wording "revise Policy 2.4.6. by changing the maximum density for the Residential/Office (R/O) Designation from 15 to 30 dwelling units per acre" was changed to **"revise Policy 2.4.5. by changing the maximum density for the Mixed-Use (MU) Designation from 20 to 30 dwelling units per acre."**

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines

Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

Resolution No. 2010-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.5 by Changing the Maximum Density for the Mixed-Use (MU) Designation From 20 To 30 Dwelling Units Per Acre

Motion to Approve revised Resolution No. 2010-21 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

Mayor Pro Tem Hastings reported the following:
1) Senator Feinstein has moved forward with recommending approval of $4 million for AB 811 implementation; is hoping for very positive results
2) Encouraged everyone to return the census forms - it's important to have accurate count to secure federal and state funding

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

Mayor Pro Tem Hastings reported approval of the development agreement with March HealthCare that will create about 12,700 construction jobs and 7,200 full-time health care and related jobs; it is a huge and wonderful project and is very pleased and excited to have it moving forward

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Mayor Flickinger read a letter from the City Attorney of Beverly Hills regarding Rancho Belago shield design.

Motion to continue the item by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Commended staff for working in a timely and efficient manner on processing Highland Fairview development documents for Sketchers project; all the deadlines were met
2) Mayor Flickinger was elected vice-chair of RCTC Western Riverside County Programs and Projects Committee and also joined the board of directors of UCR Citizens University Committee
3) Today the Council received a draft copy of budget for the next year that reflects nearly $17 million shortfall; the Council and staff are working hard to reduce this shortfall; about 5-6 public meetings will be held before budget adoptions; encouraged citizens to attend these meetings; Citizen's Guide to the Preliminary Operating Budget is posted on the Web site
4) Starting this week, City Manager's Update will be posted on the City's Web site; encouraged residents to view it periodically to find out what is going on in Moreno Valley
5) Four Foreclosure Prevention workshops will be conducted, one in each Council District; first one is scheduled on April 26 at Vista High Middle School in District 2; dates for workshops are listed on the Web site; video version is being taped and it will be shown on MVTV-3 for those who cannot attend
6) Burlington Coat Factory remains number 2 among stores recently opened; Frazee Paint Distribution Center is hoping to open this month; the newly opened Hampton Inn remains a top performing hotel across the country
9) A new program is being developed - Shop MoVal will feauture displays at kiosks, Press Enterprise, Your Villa magazine and with a more substantial presence on MVTV-3 and City's Web site

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Deanna Reeder
1) Neighborhood identification signs (Item G2)

Thomas R. Jerele Sr
1) Ballot initiative sponsored by League of California Cities to protect local funds

Dwayne Lewis
1) Withdrew his speaker's slip and will address the full Council at the next meeting

Marcia Amino
1) Money spent on changing the City's image
2) Inquired about progress on street lights issue and if city's owned streetlights are under the same rules as Edison's streetlights
2) Gang problem - inquired what kinds of proactive programs are in place in the City
3) Increased budget deficit

Pete Bleckert
1) Budget/expenditures

Daryl Terrell
1) Standing against adversity; hopes and dreams

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Mayor Pro Tem Hastings
1) Responded to speaker's comments about budget - other government agencies, including the County, are facing budget deficits also; in addition, the State is looking into taking funds from the local governments; the budget picture doesn't look good, but local government needs to work efficiently to provide core services to the residents
2) League of California Cities sponsored an initiative to protect local funds; encouraged everyone to vote on it; still working on retaining RDA funds; it is a very tough time right now, but tough times don't last, tough people do
3) Regarding Rancho Belago signs - expressed concerns about it while the City is facing a budget deficit
4) A very productive townhall meeting with two Homeowners Associations, staff and POP team was held at Moreno Valley Ranch - about 125 residents attended; thanked everybody who attended

Council Member Batey
1) Responded to speaker's comments regarding Edgemont District water issue - Box Spring Mutual Water District is a private, for profit company with own governing board and shareholders making decisions on water rates, maintenance and service; the District collects money and the District, not the City Council, is responsible for upgrades. According to the study, it will cost over $15 million to upgrade and increase capacity of the system; the Council tried the best to partner with the board and provide seed money for improvements, but so far, not much has been done. It is a serious issue, as the lack of system improvements is holding other projects in that area.
A meeting with the major water districts, the County Supervisors' office and the City is set up at the end of May to develop a long term plan to bring necessary improvements; a lot of work needs to be done, and it will take about five to ten years to upgrade the system
2) Regarding streetlights in Edgemont area - Edgemont is a separate district and it is responsible for the streetlights, not the City; residents need to request the board to install streetlights, as the board votes and makes those decisions

Mayor Flickinger
1) Responded to speaker's comments about deficit situation - the City is in a deficit situation because the revenues are down; the Council has to

figure out how to provide services with less money than before
2) Responded to the comment regarding gangs in the City - the Public Safety Subcommittee had a presentation by the Police Department's Antigangs Team regarding this subject two days ago - the gangs that were previously active in the City have been shot down by the Police Department - we are tough on gangs and not allowing them to take over our city; there is no a serious gang problem in the City
3) Encouraged residents to watch American Idol on Channel 11, where Moreno Valley resident Andrew Garcia is a finalist in the national competition
4) Received a lot of e-mails supporting DUI checkpoints, which make street safer, save lives and keep citizens safe
5) The City has return only about 52 percent of the census forms; encouraged residents to return the forms to keep services funded by federal grants
6) The next round of City's foreclosure prevention workshops starts April 26 at Vista High Middle School
7) On April 22 and May 6, at 6 p.m. at City Hall, Southern California Association of Governements will be holding workshops to divise a vision document that will focus on the long-term plans for Alessandro corridor from Freeway 215 to Lasselle Street; looking for input from the public
8) Congratulated students at Moreno Valley and Riverside colleges for voting to continue free rides on RTA buses for all the students; buses are free for the next 5 years
9) Requested to agendize for next study session a discussion regarding expenditures for March Field air show and July 4th celebration; seconded by Mayor Pro Tem Hastings

CLOSED SESSION

Canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:45 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00053823

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 27, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

Reports on Reimbursable Activities April 7-20, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	4/6/10	Moreno Valley Hispanic Chamber of Commerce Adelante
	4/10/10	Gen. Melin's Retirement Ceremony/Reception
	4/14/10	Student of the Month
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00053825

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-
Check Register for Month of February, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

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

RESOLUTION NO. 2010-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF FEBRUARY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period February 1, 2010 through February 28, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period February 1, 2010 through February 28, 2010, in the total amount of $11,074,851.58 is approved.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
AFTERSCHOOL STORE.COM				
2/8/2010	200303	27,661.63		
			DEC-09 SNACK SVCS-STARS	27,661.63
2/22/2010	200670	34,345.02		
			AFTER SCHOOL SNACKS	34,345.02
	Vendor Total	**62,006.65**		
FYTD for AFTERSCHOOL STORE.COM		**196,052.43**		
CALPERS				
2/16/2010	200550	98,278.79		
			ARC PMT LESS PAYOUTS	135,916.66
			ARC PMT LESS PAYOUTS	-37,637.87
	Vendor Total	**98,278.79**		
FYTD for CALPERS		**666,008.08**		
CITIBANK (WEST) FSB				
2/24/2010	91312	87,001.67		
			ACQ & ESCROW 25437 MARGARET DR	87,001.67
	Vendor Total	**87,001.67**		
FYTD for CITIBANK (WEST) FSB		**87,001.67**		
COUNTY OF RIVERSIDE FIRE DEPT				
2/10/2010	91304	3,273,674.92		
			2ND QTR FIRE SERVICES	3,273,674.92
	Vendor Total	**3,273,674.92**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT		**9,268,183.95**		
CRITICAL SOLUTIONS				
2/8/2010	200351	28,145.04		
			EMRGNCY OPS CTR PROJ SVCS	28,145.04
2/22/2010	200693	30,896.69		
			EMRGNCY OPS CTR PROJ SVCS	30,896.69
	Vendor Total	**59,041.73**		
FYTD for CRITICAL SOLUTIONS		**312,490.45**		
DIEDERICHS & ELCONIN				
2/8/2010	200359	41,312.50		
			JUL-DEC LEGAL SVCS-HR	5,000.00
			JUL-DEC LEGAL SVCS-HR	26,050.00
			AUG-NOV LEGAL SVCS-HR	5,487.50
			JUL-DEC LEGAL SVCS-HR	4,775.00
	Vendor Total	**41,312.50**		
FYTD for DIEDERICHS & ELCONIN		**49,937.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/12/2010	2583	37,021.86		
			DEP STATE TAX W/H 02/12/10	37,021.86
2/26/2010	2593	34,771.80		
			DEP STATE TAX W/H 02/26/10	34,771.80
	Vendor Total	**71,793.66**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/1/2010	200235	154,680.22		
			DEC-09 PROF SVCS-GIS DATA CONV	234.68
			DEC-09 PROF SVCS-WM TRNSFR STN	111.14
			DEC-09 PROF SVCS-HIGHLAND	176.02
			EMRGNCY OPS CTR WORK	22.23
			PERRIS BLVD 12 KV FEEDER WORK	4,177.51
			CIRC #5 PHASE II INSTALL. WORK	6,711.68
			LASSELLE ST 12KV CIRC TIE WORK	4,647.66
			CACTUS/LASSELLE CIRC TIE WORK	207.89
			CACTUS/LASSELLE CIRC TIE WORK	6,215.37
			GOLDENCRST/ELSWORTH BKBONE EXT	1,864.03
			GOLDENCRST/ELSWORTH BKBONE EXT	1,167.15
			DISTRIBUTION CHRGS	124,039.08
			SPECIAL CHRGS	7,167.00
			ONLINE UT SVCS	243.75
			BAD DEBT DEDUCTION	-2,304.97
	Vendor Total	**154,680.22**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENVIRONMENTAL CONSTRUCTION, INC.				
2/16/2010	200570	30,943.98		
			SUNNYMD BLVD REVIT PROJ SVCS	30,943.98
	Vendor Total	**30,943.98**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,920,203.15**		
FULBRIGHT & JAWORSKI, L.L.P.				
2/8/2010	200373	26,498.57		
			DEC-09 LEGAL SVCS-UT	26,498.57
	Vendor Total	**26,498.57**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**175,862.62**		
HARRIS & ASSOCIATES, INC.				
2/1/2010	200249	40,777.80		
			SUNNYMD BLVD REVIT PROJ SVCS	5,165.28
			SUNNYMD BLVD REVIT PROJ SVCS	35,612.52
	Vendor Total	**40,777.80**		
FYTD for HARRIS & ASSOCIATES, INC.		**310,221.62**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HEERY INTERNATIONAL, INC.					
	2/16/2010	200588	43,682.25		
				NEW MAIN LIBRARY PROJ SVCS	43,682.25
	Vendor Total		**43,682.25**		
FYTD for HEERY INTERNATIONAL, INC.			**193,012.75**		
INLAND EMPIRE ECONOMIC PARTNERSHIP INC.					
	2/8/2010	200401	25,000.00		
				ANNUAL MEMBERSHIP	25,000.00
	Vendor Total		**25,000.00**		
FYTD for INLAND EMPIRE ECONOMIC PARTNERSHIP INC.			**25,000.00**		
INTERNAL REVENUE SERVICE					
	2/12/2010	2582	134,592.07		
				DEP FED TAX W/H 02/12/10	134,592.07
	2/26/2010	2592	126,760.49		
				DEP FED TAX W/H 02/26/10	126,760.49
	Vendor Total		**261,352.56**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
KOA CORPORATION					
	2/1/2010	200252	32,249.68		
				PERRIS BLVD WIDENING AT SR-60	2,972.36
				RECHE VISTA DR REALIGNMNT PROJ	5,452.32
				RECHE VISTA DR REALIGNMNT PROJ	23,825.00
	Vendor Total		**32,249.68**		
FYTD for KOA CORPORATION			**183,061.65**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	2/8/2010	200417	47,369.83		
				OCT-DEC LEGAL SVCS-RISK MGT	24,748.00
				OCT-DEC LEGAL SVCS-RISK MGT	22,621.83
	Vendor Total		**47,369.83**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**69,500.04**		
LAWYERS TITLE INC					
	2/23/2010	91311	59,024.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	59,024.00
	Vendor Total		**59,024.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MIRACLE PLAYGROUND SALES				
2/8/2010	200442	32,206.09		
			PLAYGROUND EQUIP.-PATRIOT PARK	29,830.16
			PLAYGROUND EQUIP.-TAX/FREIGHT	2,375.93
	Vendor Total	**32,206.09**		
FYTD for MIRACLE PLAYGROUND SALES		**32,206.09**		
MORENO VALLEY UTILITY				
2/22/2010	200732	54,112.83		
			ELECTRIC SVC-UT FLD OFFICE	110.21
			ELECTRICITY	139.72
			ELECTRICITY	856.40
			ELECTRICITY	230.71
			ELECTRICITY	2,150.60
			ELECTRICITY	9,868.55
			ELECTRICITY	9,726.46
			ELECTRICITY	2,821.88
			ELECTRICITY	4,225.39
			ELECTRICITY	795.13
			ELECTRICITY	1,612.51
			ELECTRICITY	12,106.82
			ELECTRICITY	8,732.81
			ELECTRICITY	179.36
			ELECTRICITY	134.30
			ELECTRICITY	86.28
			ELECTRICITY	64.97
			ELECTRICITY	64.71
			ELECTRICITY	135.16
			ELECTRICITY	70.86
	Vendor Total	**54,112.83**		
FYTD for MORENO VALLEY UTILITY		**526,683.54**		
PALP, INC. DBA EXCEL PAVING COMPANY				
2/1/2010	200263	209,167.40		
			SUNNYMD BLVD REVIT PROJ SVCS	209,167.40
2/16/2010	200608	315,341.08		
			SUNNYMD BLVD REVIT PROJ SVCS	26,519.40
			SUNNYMD BLVD REVIT PROJ SVCS	45,614.70
			SUNNYMD BLVD REVIT PROJ SVCS	243,206.98
2/22/2010	200737	133,091.01		
			SUNNYMD BLVD REVIT PROJ SVCS	63,642.60
			SUNNYMD BLVD REVIT PROJ SVCS	69,448.41
	Vendor Total	**657,599.49**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,618,568.76**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.					
	2/1/2010	200264	76,568.77		
				SR-60/NASON ST OVRCRSSNG PROJ	76,568.77
	Vendor Total		**76,568.77**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**886,897.31**		
PERS HEALTH INSURANCE					
	2/8/2010	91302	201,450.20		
				EMPL HEALTH INS 02/01/10	201,450.20
	Vendor Total		**201,450.20**		
FYTD for PERS HEALTH INSURANCE			**1,539,304.65**		
PERS RETIREMENT					
	2/5/2010	2576	194,907.27		
				PERS RETIREMENT 02/05/10	194,907.27
	2/19/2010	2584	193,675.24		
				PERS RETIREMENT 02/19/10	193,675.24
	Vendor Total		**388,582.51**		
FYTD for PERS RETIREMENT			**3,745,184.41**		
POUK & STEINLE, INC.					
	2/8/2010	200458	63,296.10		
				TRAF SIG-COTTONWD/PATTILYNN DR	63,296.10
	Vendor Total		**63,296.10**		
FYTD for POUK & STEINLE, INC.			**314,311.39**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	2/8/2010	200460	33,091.00		
				CACTUS AVE WIDENING PROJ-STG 1	10,454.50
				CACTUS AVE WIDENING PROJ-STG 2	22,636.50
	Vendor Total		**33,091.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**401,430.16**		
RITE AID CORP.					
	2/8/2010	200464	109,016.58		
				REFUND-IMPACT FEES	919.02
				REFUND-IMPACT FEES	77,717.88
				REFUND-IMPACT FEES	11,756.52
				REFUND-IMPACT FEES	1,387.20
				REFUND-IMPACT FEES	4,022.88
				REFUND-IMPACT FEES	1,283.16
				REFUND-IMPACT FEES	11,860.56
				REFUND-IMPACT FEES	69.36
	Vendor Total		**109,016.58**		
FYTD for RITE AID CORP.			**109,016.58**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF					
	2/23/2010	913081	2,552,667.63		
				CONTRACT LAW ENF BILL # 07	58,202.81
				CONTRACT LAW ENF BILL # 07	243.00
				CONTRACT LAW ENF BILL # 07	481.86
				CONTRACT LAW ENF BILL # 07	528.93
				CONTRACT LAW ENF BILL # 07	3,406.05
				CONTRACT LAW ENF BILL # 07	3,844.63
				CONTRACT LAW ENF BILL # 07	4,308.27
				CONTRACT LAW ENF BILL # 07	5,534.43
				CONTRACT LAW ENF BILL # 07	5,571.18
				CONTRACT LAW ENF BILL # 07	32,844.00
				CONTRACT LAW ENF BILL # 07	36,270.26
				CONTRACT LAW ENF BILL # 07	42,125.01
				CONTRACT LAW ENF BILL # 07	65,221.45
				CONTRACT LAW ENF BILL # 07	67,929.46
				CONTRACT LAW ENF BILL # 07	168,872.96
				CONTRACT LAW ENF BILL # 07	237,568.51
				CONTRACT LAW ENF BILL # 07	375,426.40
				CONTRACT LAW ENF BILL # 07	1,424,977.68
				CONTRACT LAW ENF BILL # 07	18,240.54
				CONTRACT LAW ENF BILL # 07	1,070.20
	Vendor Total		**2,552,667.63**		
FYTD for RIVERSIDE COUNTY SHERIFF			**26,845,212.81**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200279	28,402.22		
				DEC-09 WDAT CHRGS-IRIS	2,625.22
				DEC-09 WDAT CHRGS-GRAHAM	3,727.65
				DEC-09 WDAT CHRGS-GLOBE	7,197.48
				DEC-09 WDAT CHRGS-NANDINA	2,647.31
				DEC-09 WDAT CHRGS-FREDERICK	1,757.25
				DEC-09 WDAT CHRGS-SUBSTATION	10,447.31
	2/16/2010	200627	134,049.90		
				ELECTRICITY	59.83
				ELECTRICITY	256.36
				ELECTRICITY	20.22
				ELECTRICITY	857.92
				ELECTRICITY	792.21
				ELECTRICITY	873.59
				ELECTRICITY	1,637.57
				ELECTRICITY	93,664.13
				ELECTRICITY	395.92
				ELECTRICITY	101.96
				ELECTRICITY	19.55
				ELECTRICITY	18.87
				ELECTRICITY	58.99
				ELECTRICITY	79.69
				ELECTRICITY	41.44
				ELECTRICITY	35,171.65
	Vendor Total		**162,452.12**		
FYTD for SOUTHERN CALIFORNIA EDISON			**5,992,105.32**		
STANDARD INSURANCE CO					
	2/16/2010	200665	29,664.43		
				LIFE & DISABILITY INSURANCE	12,738.50
				LIFE & DISABILITY INSURANCE	17,973.11
				LIFE & DISABILITY INSURANCE	-1,047.18
	Vendor Total		**29,664.43**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STONERIDGE CENTER PARTNERS					
	2/10/2010	91305	455,705.73		
				STONERIDGE CFD# 5 STREET IMP	455,705.73
	Vendor Total		**455,705.73**		
FYTD for STONERIDGE CENTER PARTNERS			**455,705.73**		
THE WARD & WARD, ATTORNEYS AT LAW					
	2/16/2010	200639	165,048.82		
				SETTLEMENT OF MONACO	165,048.82
	Vendor Total		**165,048.82**		
FYTD for THE WARD & WARD, ATTORNEYS AT LAW			**165,048.82**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
U.S. BANK/CALCARDS					
	2/11/2010	91306	60,678.18		
				CALCARD PMT CYCLE END 02/08/10	60,678.18
	Vendor Total		**60,678.18**		
FYTD for U.S. BANK/CALCARDS			**1,267,593.74**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	2/16/2010	200657	30,665.44		
				RENTAL ASSIST SVCS-HPRP PRGM	15,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	15,000.00
				RENTAL ASSIST SVCS-ADMIN FEES	415.44
				RENTAL ARREARS SVCS-ADMIN FEES	250.00
	Vendor Total		**30,665.44**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**64,665.44**		
WASTE MANAGEMENT					
	2/8/2010	200523	229,472.36		
				SOLID WST DELINQ LESS FRANCHIS	261,149.84
				SOLID WST DELINQ LESS FRANCHIS	-31,677.48
	Vendor Total		**229,472.36**		
FYTD for WASTE MANAGEMENT			**318,266.94**		
	Subtotal		**9,716,967.09**		

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CHECKS LESS THAN $25,000

452ND AIR MOBILITY WING				
2/1/2010	200207	0.00		
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
			ATTND:FLICKINGER/HASTINGS	-25.00
2/4/2010	200297	25.00		
			ATTND: MAYOR FLICKINGER	25.00
	Vendor Total	**25.00**		
FYTD for 452ND AIR MOBILITY WING		**72.00**		
A & I REPROGRAPHICS 2406362				
2/8/2010	200298	98.95		
			RPRGRPHC SVCS-PERRIS BLVD PROJ	98.95
2/22/2010	200666	87.00		
			RPRGRPHC SVCS-AQUDCT BIKEWY	87.00
	Vendor Total	**185.95**		
FYTD for A & I REPROGRAPHICS 2406362		**11,962.06**		
ACCOUNTEMPS				
2/16/2010	200532	2,277.00		
			TEMP SVCS-APODACA W/E 1/15	828.00
			TEMP SVCS-APODACA W/E 1/22	621.00
			TEMP SVC:APODACA-W/E 1/29	828.00
2/22/2010	200667	828.00		
			TEMP SVC-APODACA W/E 2/5	828.00
	Vendor Total	**3,105.00**		
FYTD for ACCOUNTEMPS		**3,105.00**		
ADAMS, BROOK				
2/16/2010	200533	200.00		
			REFUND-RNTL DEP 1/23/10	200.00
	Vendor Total	**200.00**		
FYTD for ADAMS, BROOK		**200.00**		
ADAMS, MARK L.				
2/8/2010	200299	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**2,549.84**		

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ADLERHORST INTERNATIONAL INC.					
	2/16/2010	200534	425.01		
				JAN-10 TRAINING-K9 BLUE	141.67
				JAN-10 TRAINING-K9 MAX/LEX	283.34
	2/22/2010	200668	29.91		
				LEASH & TRNG AID-K9 LEX	29.91
	Vendor Total		**454.92**		
FYTD for ADLERHORST INTERNATIONAL INC.			**3,847.82**		
ADMINSURE					
	2/8/2010	200300	2,600.00		
				FEB-10 WRKMNS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**20,800.00**		
ADT SECURITY SERVICES					
	2/16/2010	200535	373.00		
				REFUND-FIRE FEES	352.00
				REFUND-FIRE FEES	21.00
	Vendor Total		**373.00**		
FYTD for ADT SECURITY SERVICES			**373.00**		
ADVANCED ELECTRIC					
	2/1/2010	200208	5,654.00		
				ELECT RPRS-CRC	786.00
				ELECT RPRS-FS #48	175.00
				ELECT RPRS-ERC	479.00
				ELECT RPRS-FS #58	984.00
				ELECT RPRS-CRC	83.00
				ELECT RPRS-CRC	257.00
				ELECT RPRS-CRC	62.00
				ELECT RPRS-CRC	576.00
				ELECT RPRS-PSB	247.00
				ELECT RPRS-PARKS	65.00
				ELECT RPRS-PARKS	1,705.00
				ELECT RPRS-CITY HALL	235.00
	2/8/2010	200301	207.00		
				LIGHT RPLCMNT-ANML VET CLINIC	207.00
	2/16/2010	200536	2,230.00		
				ELECT RPR-FS #48 PARKING LOT	976.00
				ELECT RPR-FS #91 DSL PUMP	1,102.00
				ELECT SVC-RECEPT INSTALL	152.00
	Vendor Total		**8,091.00**		
FYTD for ADVANCED ELECTRIC			**65,327.00**		

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ADVANTAGE BUSINESS EQUIPMENT, INC				
2/8/2010	200302	955.91		
			CHECK DESIGN/STOCK AND TONER	955.91
Vendor Total		**955.91**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**5,951.81**		
AEI-CASC ENGINEERING				
2/22/2010	200669	673.50		
			CONSULTING SVCS	673.50
Vendor Total		**673.50**		
FYTD for AEI-CASC ENGINEERING		**314,585.09**		
AGA/ASSOC OF GOVERNMENT ACCOUNTANTS				
2/22/2010	200671	100.00		
			MBRSHP RNWL-L WILSON	100.00
Vendor Total		**100.00**		
FYTD for AGA/ASSOC OF GOVERNMENT ACCOUNTANTS		**535.00**		
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
2/16/2010	200537	1,650.00		
			DATABASE LEASING	1,650.00
Vendor Total		**1,650.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**1,650.00**		
ALL PRO DISPLAYS & GRAPHICS, LLC				
2/22/2010	200672	327.20		
			THROW COVER-ANML SVCS	313.20
			THROW COVER-SHIPPING	14.00
Vendor Total		**327.20**		
FYTD for ALL PRO DISPLAYS & GRAPHICS, LLC		**674.40**		
ALLIANZ LIFE INSURANCE CO				
2/16/2010	200538	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**600.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALPHACORP/SIRE TECHNOLOGIES				
2/8/2010	200304	11,994.00		
			SIRE EDMS SOFTWARE MAINT	1,699.00
			PERMITS PLUS MAINT	509.00
			ENTERPRISE MODULE	899.00
			ENTERPRISE MODULE	720.00
			SIRE CLIENT USER LICENSE	2,519.00
			PDF CONVERSION	585.00
			SIRE INTERFACE TO GRANICUS	562.00
			SIRE CAPTURE	539.00
			SIRE FORMS	899.00
			SIRE AGENDA PLUS	6,119.00
			CAPTURE INDEX STATION	944.00
			INCENTIVE DISCOUNT	-4,000.00
	Vendor Total	**11,994.00**		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		**15,894.00**		
AMBRIZ, MARISELA				
2/8/2010	200305	34.65		
			REFUND-CHLDS PLC DUES	34.65
	Vendor Total	**34.65**		
FYTD for AMBRIZ, MARISELA		**34.65**		
AMERICAN FORENSIC NURSES				
2/1/2010	200209	1,080.00		
			BLOOD DRAWS-PD	1,080.00
2/8/2010	200306	1,168.20		
			BLOOD DRAWS-PD	46.70
			BLOOD DRAWS-PD	1,121.50
	Vendor Total	**2,248.20**		
FYTD for AMERICAN FORENSIC NURSES		**18,124.70**		
AMERICAN ROTARY BROOM CO.				
2/8/2010	200307	493.09		
			STREET SWEEPING BROOM KITS	493.09
2/22/2010	200673	1,163.83		
			STREET SWEEPING BROOM KITS	940.25
			STREET SWEEPING BROOM KITS	223.58
	Vendor Total	**1,656.92**		
FYTD for AMERICAN ROTARY BROOM CO.		**23,297.74**		
AMTECH ELEVATOR SERVICES				
2/16/2010	200539	118.37		
			JAN-10 ELEVATOR SVC-CITY HALL	118.37
	Vendor Total	**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,368.76**		

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ANIMAL EMERGENCY CLINIC, INC.				
2/8/2010	200308	285.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	70.00
	Vendor Total	**285.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**3,021.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
2/1/2010	200210	300.00		
			BEE REMOVAL SVC-BETHUNE PK	300.00
2/22/2010	200674	1,790.00		
			JAN-10 PEST CNTRL-STARS	100.00
			JAN-10 PEST CNTRL-PARKS	665.00
			JAN-10 PEST CNTRL-PARKS	255.00
			JAN-10 PEST CNTRL-MARCH FLD	330.00
			JAN-10 PEST CNTRL-PAL	100.00
			JAN-10 PEST CNTRL-CFD #1	160.00
			JAN-10 PEST CNTRL-GLF CRS	180.00
	Vendor Total	**2,090.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**15,320.00**		
ANONUEVO, ALAN				
2/22/2010	200675	54.50		
			REFUND-CITATION FEE	54.50
	Vendor Total	**54.50**		
FYTD for ANONUEVO, ALAN		**54.50**		
ARAGON, ROSS				
2/8/2010	200309	50.00		
			REFUND-CITATION OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for ARAGON, ROSS		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
2/16/2010	200540	1,171.39		
			JAN-10 OFFSITE STORAGE	1,171.39
	Vendor Total	**1,171.39**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**10,751.91**		

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ARELLANO, OSCAR					
	2/22/2010	200676	200.00		
				REFUND-RNTL DEP 1/30	90.00
				REFUND-RNTL DEP 1/30	110.00
	Vendor Total		**200.00**		
FYTD for ARELLANO, OSCAR			**200.00**		
AREVALO, HAROLD					
	2/8/2010	200310	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for AREVALO, HAROLD			**75.00**		
ARROWHEAD WATER					
	2/8/2010	200311	175.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	2/22/2010	200677	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**4,482.01**		
ASG FACILITY					
	2/16/2010	200541	60.00		
				INSTRUCTOR SVCS-BOXING	60.00
	Vendor Total		**60.00**		
FYTD for ASG FACILITY			**632.00**		

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ASSOCIATED ENGINEERS, INC.					
	2/1/2010	200211	21,133.61		
				HEACOCK ST-HEMLOCK TO IRONWOOD	21,133.61
	2/8/2010	200312	15,220.50		
				HEACOCK ST-HEMLOCK TO IRONWOOD	15,220.50
	Vendor Total		**36,354.11**		
FYTD for ASSOCIATED ENGINEERS, INC.			**36,354.11**		
ASW ENGINEERING MANAGEMENT CONSULTANTS					
	2/1/2010	200212	6,849.63		
				CONSULTING SVCS-UT	6,849.63
	Vendor Total		**6,849.63**		
FYTD for ASW ENGINEERING MANAGEMENT CONSULTANTS			**11,318.97**		
AT&T MOBILITY					
	2/8/2010	200313	92.14		
				CELL CHRGS-MBL CMMND CTR	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**734.71**		
AT&T/MCI					
	2/8/2010	200314	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,469.70**		
AUBREY, DOMINQUE					
	2/8/2010	200315	55.00		
				REFUND-CITATION FEES	55.00
	Vendor Total		**55.00**		
FYTD for AUBREY, DOMINQUE			**55.00**		
BACHER, GRACE					
	2/8/2010	200316	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**1,825.61**		
BACON, DONALD					
	2/8/2010	200317	71.40		
				REFUND-BSKTBLL REGIST	71.40
	Vendor Total		**71.40**		
FYTD for BACON, DONALD			**71.40**		

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BARNES, DARLENE					
	2/8/2010	200318	110.82		
				RETIREE MEDICAL BENEFIT	110.82
	Vendor Total		**110.82**		
FYTD for BARNES, DARLENE			**886.56**		
BARRERA, DANILO					
	2/8/2010	200319	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for BARRERA, DANILO			**86.00**		
BARRETO, MARIA					
	2/22/2010	200678	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BARRETO, MARIA			**20.00**		
BASIC BACKFLOW					
	2/22/2010	200679	240.00		
				BACKFLOW TESTING	240.00
	Vendor Total		**240.00**		
FYTD for BASIC BACKFLOW			**1,174.65**		
BEALEY, RAYNETTE					
	2/22/2010	200680	37.00		
				REFUND-HIP HOP DANCE	37.00
	Vendor Total		**37.00**		
FYTD for BEALEY, RAYNETTE			**37.00**		

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BEMUS LANDSCAPE, INC.					
	2/1/2010	200213	17,206.11		
				LANDSCAPE MAINT-PARKS	270.00
				LANDSCAPE MAINT-PARKS	432.00
				LANDSCAPE MAINT-PARKS	400.00
				IRRIGATION RPRS-E4	85.51
				DEC-09 LNDSCP MAINT-E4	15,650.96
				DEC-09 LNDSCP MAINT-E4A	367.64
	2/16/2010	200542	1,847.38		
				IRRIGATION RPRS-E4	44.93
				IRRIGATION RPRS-E4	1,291.20
				IRRIGATION RPRS-E4	73.80
				IRRIGATION RPRS-E4	25.37
				PLANT MTRL INSTALL-E3	412.08
	2/22/2010	200681	8,237.86		
				JAN-10 LNDSCP MAINT-AQDCT	400.00
				JAN-10 LNDSCP MAINT-AQDCT	1,900.00
				JAN-10 LNDSCP MAINT-E4	27.78
				JAN-10 LNDSCP MAINT-ANML SHLTR	520.00
				JAN-10 LNDSCP MAINT-CRC	1,900.00
				JAN-10 LNDSCP MAINT-LIBRARY	520.00
				JAN-10 LNDSCP MAINT-PSB	1,197.58
				JAN-10 LNDSCP MAINT-STARS	300.00
				JAN-10 LNDSCP MAINT-ELECT SUB	480.00
				JAN-10 LNDSCP MAINT-MVU	480.00
				JAN-10 LNDSCP MAINT-YARD	250.00
				JAN-10 LNDSCP MAINT-SR CTR	262.50
	Vendor Total		**27,291.35**		
FYTD for BEMUS LANDSCAPE, INC.			**252,242.90**		
BENESYST, INC.					
	2/8/2010	200320	1,105.21		
				FLEX ADMIN SVCS	291.11
				FLEX ADMIN SVCS	814.10
	2/18/2010	91307	20.13		
				COBRA SUBSIDIES FEB 2010	20.13
	Vendor Total		**1,125.34**		
FYTD for BENESYST, INC.			**3,460.64**		
BENITES, GEORGINA					
	2/16/2010	200543	82.00		
				REFUND-TENNIS CLASS	82.00
	Vendor Total		**82.00**		
FYTD for BENITES, GEORGINA			**82.00**		

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BEST, BEST & KRIEGER, LLP					
	2/1/2010	200214	2,963.01		
				LEGAL SVCS-GENERAL	379.68
				LEGAL SVCS-EMPIRE LAND	23.55
				LEGAL SVCS-GGP	2,559.78
	2/16/2010	200544	5,148.12		
				PROF SVCS-AQUABELLA CFD #6	5,148.12
	Vendor Total		**8,111.13**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,044.64**		
BIO-TOX LABORATORIES					
	2/16/2010	200545	3,569.69		
				TOXICOLOGY TESTS	35.06
				TOXICOLOGY TESTS	971.83
				TOXICOLOGY TESTS	2,562.80
	Vendor Total		**3,569.69**		
FYTD for BIO-TOX LABORATORIES			**28,536.74**		
BLAIR, CHERYL					
	2/8/2010	200321	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,106.00**		
BLUE SHIELD OF CALIFORNIA					
	2/1/2010	200215	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	2/16/2010	200546	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**1,045.74**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,113.06**		
BMI					
	2/16/2010	200547	1,219.00		
				8/09-07/10 LIC ESTIMATED FEE	1,219.00
	Vendor Total		**1,219.00**		
FYTD for BMI			**1,219.00**		
BOE, IRIS					
	2/8/2010	200322	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for BOE, IRIS			**404.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BOWIE, SHANNON					
	2/22/2010	200682	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for BOWIE, SHANNON			**100.00**		
BPS TACTICAL, INC					
	2/8/2010	200323	20.58		
				VELCRO PATCHES-PD	20.58
	Vendor Total		**20.58**		
FYTD for BPS TACTICAL, INC			**20.58**		
BREITKREUZ, THOMAS F.					
	2/8/2010	200324	578.10		
				RETIREE MEDICAL BENEFIT	578.10
	Vendor Total		**578.10**		
FYTD for BREITKREUZ, THOMAS F.			**1,734.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	2/1/2010	200217	2,344.31		
				MISC BOOKS-LIBRARY	24.37
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	43.95
				MISC BOOKS-LIBRARY	42.53
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	545.46
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	20.12
				MISC BOOKS-LIBRARY	851.48
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	41.94
				MISC BOOKS-LIBRARY	39.57
				MISC BOOKS-LIBRARY	10.33
				MISC BOOKS-LIBRARY	70.45
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	50.86
				MISC BOOKS-LIBRARY	16.56
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	48.78
				MISC BOOKS-LIBRARY	43.23
				MISC BOOKS-LIBRARY	127.31
				MISC BOOKS-LIBRARY	22.90
	2/8/2010	200325	317.59		
				MISC BOOKS-LIBRARY	44.01
				MISC BOOKS-LIBRARY	43.14
				MISC BOOKS-LIBRARY	21.08
				MISC BOOKS-LIBRARY	61.93
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	20.77
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.13
	Vendor Total		**2,661.90**		
FYTD for BRODART CO.			**17,708.83**		
BUCKINGHAM, STAN					
	2/8/2010	200326	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**637.46**		

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BURKE, WILLIAMS & SORENSEN, LLP.					
	2/1/2010	200218	232.40		
				LEGAL FEES	232.40
	2/16/2010	200548	23.80		
				LGL FEES-JENNY INVSTMNT	23.80
	Vendor Total		**256.20**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**6,180.92**		
BWI - BOOK WHOLESALERS, INC.					
	2/8/2010	200327	1,668.12		
				MISC BOOKS-LIBRARY	14.41
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	16.96
				MISC BOOKS-LIBRARY	883.47
				MISC BOOKS-LIBRARY	43.86
				MISC BOOKS-LIBRARY	125.28
				MISC BOOKS-LIBRARY	41.89
				MISC BOOKS-LIBRARY	29.88
				MISC BOOKS-LIBRARY	140.50
				MISC BOOKS-LIBRARY	28.26
				MISC BOOKS-LIBRARY	26.43
				MISC BOOKS-LIBRARY	16.57
				MISC BOOKS-LIBRARY	69.48
				MISC BOOKS-LIBRARY	29.52
				MISC BOOKS-LIBRARY	15.26
				MISC BOOKS-LIBRARY	27.93
				MISC BOOKS-LIBRARY	17.18
				MISC BOOKS-LIBRARY	43.26
				MISC BOOKS-LIBRARY	12.45
				MISC BOOKS-LIBRARY	29.68
	Vendor Total		**1,668.12**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**4,437.14**		
CA REGIONAL WATER QUALITY CONTROL BOARD					
	2/8/2010	200328	500.00		
				WATER QUALITY CERT. DEPOSIT	500.00
	Vendor Total		**500.00**		
FYTD for CA REGIONAL WATER QUALITY CONTROL BOARD			**1,780.00**		
CAIN, GREGORY					
	2/8/2010	200329	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**1,912.39**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION					
	2/1/2010	200219	2,242.00		
				WEED ABTMNT SVCS-MVEC	1,345.20
				WEED ABTMNT SVCS-MVEC	896.80
	Vendor Total		**2,242.00**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**2,242.00**		
CALAVERAS STANDARD MATERIALS					
	2/22/2010	200683	370.40		
				CEMENT PURCHASE	370.40
	Vendor Total		**370.40**		
FYTD for CALAVERAS STANDARD MATERIALS			**17,887.76**		
CALIFORNIA DELTA MECHANICAL, INC.					
	2/16/2010	200549	48.00		
				REFUND-PERMIT FEE	48.00
	Vendor Total		**48.00**		
FYTD for CALIFORNIA DELTA MECHANICAL, INC.			**108.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	2/8/2010	200330	1,100.00		
				STREAMBED ALTER. AGRMNT FEE	1,100.00
	Vendor Total		**1,100.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,250.00**		
CALIFORNIA DEPT. OF FISH & GAME					
	2/8/2010	200331	482.75		
				FEE BALANCE-STREAMBED ALTERAT.	482.75
	Vendor Total		**482.75**		
FYTD for CALIFORNIA DEPT. OF FISH & GAME			**8,482.75**		
CALIFORNIA TRANSCRIPTION, LLC					
	2/22/2010	200684	144.27		
				TRANSCRIPTION SVCS	144.27
	Vendor Total		**144.27**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC			**1,115.76**		
CALPERS					
	2/1/2010	200220	13,860.00		
				4TH LVL SURVIVOR BNFT	13,860.00
	Vendor Total		**13,860.00**		
FYTD for CALPERS			**666,008.08**		

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CAMARILLO, ELIWILL					
	2/22/2010	200685	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for CAMARILLO, ELIWILL			**54.50**		
CANNON, ANA M.					
	2/8/2010	200332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**637.46**		
CANON BUSINESS SOLUTIONS, INC.					
	2/8/2010	200333	7,060.28		
				OCT-DEC COPIER SVCS	6,303.55
				OCT-DEC COPIER SVCS	188.66
				OCT-DEC COPIER SVCS	568.07
	Vendor Total		**7,060.28**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**26,140.99**		
CANON FINANCIAL SERVICES, INC.					
	2/8/2010	200334	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**60,725.44**		
CARTER, ROSALYN					
	2/8/2010	200335	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,172.36**		
CASKEY, DEBRA C.					
	2/8/2010	200336	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**1,912.39**		
CERTIFIED CREDIT REPORTING, INC					
	2/22/2010	200686	18.66		
				JAN-10 CREDIT PROFILE SVCS	18.66
	Vendor Total		**18.66**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**122.53**		

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CERVANTES, RIGOBERTO					
	2/1/2010	200221	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for CERVANTES, RIGOBERTO			**100.00**		
CHANCY, CHIZURU					
	2/22/2010	200687	70.20		
				INSTRUCTOR SVC-HAWAIIAN DNC	23.40
				INSTRUCTOR SVC-HAWAIIAN DNC	46.80
	Vendor Total		**70.20**		
FYTD for CHANCY, CHIZURU			**1,123.20**		
CHANDLER AGGREGATES, INC.					
	2/8/2010	200337	86.43		
				C-MIX FOR PROM PROJECTS	86.43
	Vendor Total		**86.43**		
FYTD for CHANDLER AGGREGATES, INC.			**691.46**		
CHAPMAN, STEVE					
	2/8/2010	200338	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,549.84**		
CHAPPELL, ISAAC					
	2/8/2010	200339	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,549.84**		
CHERRY VALLEY FEED					
	2/1/2010	200222	72.74		
				DOG FOOD FOR K-9	72.74
	2/16/2010	200551	251.14		
				DOG FOOD FOR K9	97.84
				DOG FOOD FOR K9	153.30
	Vendor Total		**323.88**		
FYTD for CHERRY VALLEY FEED			**1,484.71**		
CHRISTIAN, OWEN					
	2/8/2010	200340	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**1,831.70**		

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CIGGS, RAVIAN					
	2/1/2010	200223	80.00		
				REFUND-ANIMAL FEES	30.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	20.00
				REFUND-ANIMAL FEES	10.00
				REFUND-ANIMAL FEES	10.00
	Vendor Total		**80.00**		
FYTD for CIGGS, RAVIAN			**80.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	2/1/2010	200224	95.40		
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	50.22
				UNIFORM RNTL SVC-CFD #1	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	2/8/2010	200341	295.03		
				UNIFORM RNTL SVC-TRFFC	11.23
				UNIFORM RNTL SVC-TRFFC	11.23
				UNIFORM RNTL SVC-SIGNING CRE	13.85
				UNIFORM RNTL SVC-SIGNING CRE	13.85
				UNIFORM RNTL SVC-GRAFFITI	8.37
				UNIFORM RNTL SVC-GRAFFITI	8.37
				UNIFORM RNTL SVC-VEH MAINT	9.99
				UNIFORM RNTL SVC-VEH MAINT	9.99
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-DRNG MAINT	2.79
				UNIFORM RNTL SVC-DRNG MAINT	2.79
				UNIFORM RNTL SVC-ST MAINT	72.07
				UNIFORM RNTL SVC-ST MAINT	8.01
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-PARKS MAINT	50.22
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	2/16/2010	200552	32.49		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	2/22/2010	200688	228.56		
				UNIFORM RNTL SVC-GLF CRS	5.85
				UNIFORM RNTL SVC-MAINT OPER	8.37
				UNIFORM RNTL SVC-MAINT OPER	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	16.99
				UNIFORM RNTL SVC-EQUIP MAINT	16.99
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-ST MAINT	47.07
				UNIFORM RNTL SVC-ST MAINT	47.07
				UNIFORM RNTL SVC-CNCRT MAINT	8.37
				UNIFORM RNTL SVC-CNCRT MAINT	8.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	16.65
Vendor Total		**651.48**		
FYTD for CINTAS CORPORATION		**4,108.55**		
CITRUS HILL HIGH SCHOOL				
2/8/2010	200342	750.00		
			REFUND-RNTL DEP 1/23/10	750.00
Vendor Total		**750.00**		
FYTD for CITRUS HILL HIGH SCHOOL		**750.00**		
CITY OF MORENO VALLEY VEBA TRUST				
2/16/2010	200553	4,062.50		
			EXEMPT VEBA	4,062.50
Vendor Total		**4,062.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**34,062.50**		
CLARK-MONTEILH, MARY				
2/16/2010	200554	120.00		
			REFUND-MATH CLASS	120.00
Vendor Total		**120.00**		
FYTD for CLARK-MONTEILH, MARY		**120.00**		
CNOA REGION V				
2/8/2010	200343	45.00		
			2/4/10 CHASING PHONES COURSE	45.00
2/16/2010	200555	360.00		
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
			4/2/10 OXYCONTIN COURSE	45.00
Vendor Total		**405.00**		
FYTD for CNOA REGION V		**540.00**		
COAST FITNESS REPAIR SHOP				
2/22/2010	200689	3,233.56		
			TREADMILL-SENIOR CTR	2,743.50
			TREADMILL-DELIVERY/INSTALL	50.00
			TREADMILL-5 YR WARRANTY	200.00
			TREADMILL-SALES TAX	240.06
Vendor Total		**3,233.56**		
FYTD for COAST FITNESS REPAIR SHOP		**3,377.50**		

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COBIAN, KARLA					
	2/8/2010	200344	300.00		
				REFUND-RNTL DEP #15590	300.00
	Vendor Total		**300.00**		
FYTD for COBIAN, KARLA			**300.00**		
COLONIAL SUPPLEMENTAL INSURANCE					
	2/8/2010	200345	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**57,640.89**		
COMMUNICATION SUPPLY CORP.					
	2/16/2010	200556	15,888.23		
				FIBER OPTIC CABLE/MATERIALS	2,244.77
				SHIPPING CHARGE	127.60
				CA SALES TAX	196.40
				FIBER OPTIC CABLE/MATERIALS	3,564.28
				SHIPPING CHARGE	72.40
				CA SALES TAX	296.49
				FIBER OPTIC CABLE/MATERIALS	1,506.07
				CA SALES TAX	130.91
				FIBER OPTIC CABLE/MATERIALS	4,759.81
				CA SALES TAX	416.49
				FIBER OPTIC CABLE/MATERIALS	2,366.97
				CA SALES TAX	206.04
	2/22/2010	200690	1,105.83		
				FIBER OPTIC CABLE/MATERIALS	717.57
				CA SALES TAX	80.12
				FIBER OPTIC CABLE/MATERIALS	198.05
				FIBER OPTIC CABLE/MATERIALS	110.09
	Vendor Total		**16,994.06**		
FYTD for COMMUNICATION SUPPLY CORP.			**16,994.06**		
COMMUNITY BANK					
	2/8/2010	91303	5,350.36		
				RETENTION PMT-PROJ 08-12556330	5,350.36
	Vendor Total		**5,350.36**		
FYTD for COMMUNITY BANK			**93,729.19**		

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COMMUNITY HEALTH CHARITIES					
	2/1/2010	200225	176.47		
				CHC CONTRIBUTIONS	176.47
	2/16/2010	200557	151.47		
				CHC CONTRIBUTIONS	151.47
	2/16/2010	200558	268.67		
				EMPLOYEE GIVING CMPGN	268.67
	Vendor Total		**596.61**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,261.08**		
COMPETITIVE STRIDE					
	2/8/2010	200346	127.24		
				SPORTS AWARDS	29.36
				SPORTS AWARDS	97.88
	2/22/2010	200691	187.59		
				SPORTS AWARDS	26.10
				SPORTS AWARDS	161.49
	Vendor Total		**314.83**		
FYTD for COMPETITIVE STRIDE			**2,638.66**		
CONTINUING EDUCATION OF THE BAR					
	2/8/2010	200347	219.46		
				LEGAL PUBLICATIONS	36.76
				LEGAL PUBLICATIONS	182.70
	Vendor Total		**219.46**		
FYTD for CONTINUING EDUCATION OF THE BAR			**519.88**		
COSTCO					
	2/1/2010	200226	642.15		
				MISC SUPPLIES-STARS	642.15
	2/8/2010	200348	165.93		
				MISC SUPPLIES-STARS	165.93
	2/16/2010	200559	436.51		
				MISC SUPPLIES-STARS	186.56
				MISC SUPPLIES-STARS	84.13
				MISC SUPPLIES-STARS	165.82
	2/22/2010	200692	1,262.39		
				MISC SUPPLIES-CHILDS PLACE	1,189.90
				MISC SUPPLIES-STARS	72.49
	Vendor Total		**2,506.98**		
FYTD for COSTCO			**37,141.26**		

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COUNSELING TEAM, THE					
	2/8/2010	200349	1,250.00		
				DEC-09 EMP CNSLING SVCS	680.00
				DEC-09 EMP CNSLING SVCS	570.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**8,750.00**		
COUNTY OF RIVERSIDE - RMAP					
	2/16/2010	200560	41.25		
				JAN-10 RECORDATION RQST	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**284.10**		
COUNTY OF RIVERSIDE AUDITOR					
	2/1/2010	200227	24,199.00		
				PARKING CONTROL FEES	6,000.00
				PARKING CONTROL FEES	806.00
				PARKING CONTROL FEES	1,492.00
				PARKING CONTROL FEES	6,095.00
				PARKING CONTROL FEES	2,418.00
				PARKING CONTROL FEES	5,190.00
				PARKING CONTROL FEES	2,198.00
	Vendor Total		**24,199.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**87,558.95**		
CRANE ARCHITECTURAL GROUP					
	2/8/2010	200350	1,645.00		
				PUB SFTY BLDG CONVERSION PROJ	1,645.00
	Vendor Total		**1,645.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**2,995.00**		
CRUZ, JUAN					
	2/22/2010	200694	38.00		
				REFUND-TRAP DEPOSIT	38.00
	Vendor Total		**38.00**		
FYTD for CRUZ, JUAN			**38.00**		
CTAI PACIFIC GREENSCAPE					
	2/16/2010	200561	5,088.40		
				JAN-10 LNDSCP MAINT-DSG1W	4,897.13
				IRRIGATION RPRS-DSG1W	169.42
				IRRIGATION RPRS-DSG1W	21.85
	Vendor Total		**5,088.40**		
FYTD for CTAI PACIFIC GREENSCAPE			**42,116.91**		

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CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	2/8/2010	200352	578.00		
				PERMIT RNWL-AR0010011	578.00
	Vendor Total		**578.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**24,273.88**		
CULLEN, ERIC					
	2/8/2010	200353	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for CULLEN, ERIC			**50.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	2/1/2010	200228	745.00		
				DEC-09 DISPOSAL SVCS	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**5,365.00**		
DALE, KATHLEEN					
	2/8/2010	200354	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,527.36**		
DATA TICKET, INC.					
	2/22/2010	200696	105.00		
				DEC-09 MAINT/SUPPORT	105.00
	Vendor Total		**105.00**		
FYTD for DATA TICKET, INC.			**119,908.79**		
DATAQUICK CORPORATE HEADQUARTERS					
	2/16/2010	200562	130.50		
				JAN-10 ONLINE SVCS-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,944.00**		
DAVID EVANS & ASSOCIATES, INC.					
	2/22/2010	200697	1,042.00		
				SUNNYMD BLVD REVIT PROJ SVCS	751.00
				SUNNYMD BLVD REVIT PROJ SVCS	291.00
	Vendor Total		**1,042.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**18,974.59**		

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DAVIS, DANNY					
	2/8/2010	200355	10.00		
				REFUND-CITATION FEE	10.00
	Vendor Total		**10.00**		
FYTD for DAVIS, DANNY			**10.00**		
DELTA DENTAL					
	2/16/2010	200563	11,215.70		
				EMPLOYEE DENTAL INSURANCE	11,215.70
	Vendor Total		**11,215.70**		
FYTD for DELTA DENTAL			**91,716.78**		
DELTACARE USA					
	2/16/2010	200564	6,541.33		
				EMPLOYEE DENTAL INSURANCE	6,541.33
	Vendor Total		**6,541.33**		
FYTD for DELTACARE USA			**54,577.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	2/8/2010	200356	1,460.00		
				PLAN CHECK SVC-FIRE PREV	1,460.00
	Vendor Total		**1,460.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**8,885.00**		
DEPARTMENTT OF WATER RESOURCES					
	2/8/2010	200357	500.00		
				DEPOSIT FOR REVIEW COSTS	500.00
	Vendor Total		**500.00**		
FYTD for DEPARTMENTT OF WATER RESOURCES			**500.00**		
DIAZ, IMMA					
	2/8/2010	200358	35.00		
				REFUND-CLASS REGIST	35.00
	Vendor Total		**35.00**		
FYTD for DIAZ, IMMA			**35.00**		
DIGITAL TELECOMMUNICATIONS CORP.					
	2/1/2010	200229	9,726.00		
				SPEECH PORTS	7,500.00
				SPEECH PORTS-LICENSES	1,566.00
				SPEECH PORTS-LABOR	360.00
				SPEECH PORTS-SALES TAX	656.25
				LIC CREDIT-INV #1547	-356.25
	Vendor Total		**9,726.00**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**97,700.17**		

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DLS LANDSCAPE, INC					
	2/8/2010	200360	12,390.00		
				JAN-10 LNDSCP MAINT-ZN A PARKS	10,230.00
				JAN-10 LNDSCP MAINT-CFD #1	2,160.00
	2/22/2010	200698	12,390.00		
				FEB-10 LNDSCP MAINT-CFD#1	2,160.00
				FEB-10 LNDSCP MAINT-ZN A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**99,120.00**		
DMC DESIGN GROUP, INC					
	2/1/2010	200230	4,004.66		
				ALESSANDRO BLVD IMPRVMNTS PROJ	4,004.66
	Vendor Total		**4,004.66**		
FYTD for DMC DESIGN GROUP, INC			**59,837.82**		
DONAHUE APPRAISAL ASSOCIATES					
	2/22/2010	200699	18,640.00		
				ALESSANDRO/INDIAN SIDEWLK PROJ	500.00
				SVCS-PERRIS BLVD WIDENING PROJ	18,140.00
	Vendor Total		**18,640.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**27,040.00**		
DORY, ALLEEN F.					
	2/8/2010	200361	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for DORY, ALLEEN F.			**2,549.84**		
D-PREP, LLC					
	2/22/2010	200695	393.00		
				MAR.16-18 C.P.T.E.D. COURSE	393.00
	Vendor Total		**393.00**		
FYTD for D-PREP, LLC			**393.00**		
DREAMER PRODUCTIONS					
	2/8/2010	200362	69.50		
				UNIFORMS-ANML SHLTR	69.50
	Vendor Total		**69.50**		
FYTD for DREAMER PRODUCTIONS			**69.50**		
DUNLAP, SYLVESTER					
	2/8/2010	200363	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DUNLAP, SYLVESTER			**50.00**		

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DURAN, BLANCA					
	2/1/2010	200231	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	294.00
	2/16/2010	200565	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	252.00
	Vendor Total		**546.00**		
FYTD for DURAN, BLANCA			**1,638.00**		
DZUBIN, LAURA					
	2/16/2010	200566	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for DZUBIN, LAURA			**20.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	2/1/2010	200232	327.60		
				BACKFLOW TESTING-TR 30319	36.40
				BACKFLOW TESTING-TR 33437	36.40
				BACKFLOW TESTING-DSG1/2	254.80
	Vendor Total		**327.60**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**18,603.17**		
EADIE AND PAYNE LLP.					
	2/1/2010	200233	21,800.00		
				CONSULTING SVCS	10,600.00
				CONSULTING SVCS	8,050.00
				CONSULTING SVCS	3,150.00
	Vendor Total		**21,800.00**		
FYTD for EADIE AND PAYNE LLP.			**21,800.00**		

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EASTERN MUNICIPAL WATER DISTRICT				
2/1/2010	200234	7,515.38		
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	73.00
			WATER CHRGS FOR JANUARY	67.83
			WATER CHRGS FOR JANUARY	58.60
			WATER CHRGS FOR JANUARY	40.22
			WATER CHRGS FOR JANUARY	13.80
			WATER CHRGS FOR JANUARY	217.62
			WATER CHRGS FOR JANUARY	1,682.48
			WATER CHRGS FOR JANUARY	186.40
			WATER CHRGS FOR JANUARY	2,429.16
			WATER CHRGS FOR JANUARY	1,040.48
			WATER CHRGS FOR JANUARY	1,481.08
			WATER CHRGS FOR JANUARY	23.09
			WATER CHRGS FOR JANUARY	74.63
			WATER CHRGS FOR DECEMBER	59.16
2/8/2010	200364	5,266.77		
			WATER CHRGS FOR DECEMBER	507.38
			WATER CHRGS FOR JANUARY	64.94
			WATER CHRGS FOR JANUARY	307.06
			WATER CHRGS FOR JANUARY	1,260.26
			WATER CHRGS FOR JANUARY	178.84
			WATER CHRGS FOR JANUARY	2,159.79
			WATER CHRGS FOR JANUARY	291.02
			WATER CHRGS FOR JANUARY	125.37
			WATER CHRGS FOR JANUARY	318.62
			WATER CHRGS FOR JANUARY	53.49
2/16/2010	200567	7,839.52		
			WATER CHRGS FOR JANUARY	49.77
			WATER CHRGS FOR JANUARY	663.17
			WATER CHRGS FOR JANUARY	33.60
			WATER CHRGS FOR JANUARY	1,452.66
			WATER CHRGS FOR JANUARY	2,780.52
			WATER CHRGS FOR JANUARY	1,505.91
			WATER CHRGS FOR JANUARY	264.84
			WATER CHRGS FOR JANUARY	243.75
			WATER CHRGS FOR JANUARY	153.13
			WATER CHRGS FOR JANUARY	82.56
			WATER CHRGS FOR JANUARY	60.76
			WATER CHRGS FOR JANUARY	195.42
			WATER CHRGS FOR JANUARY	120.46
			WATER CHRGS FOR JANUARY	191.87
			WATER CHRGS FOR JANUARY	41.10
2/22/2010	200701	10,082.12		
			WATER CHRGS FOR JANUARY	515.59
			WATER CHRGS FOR JANUARY	677.32
			WATER CHRGS FOR JANUARY	140.88
			WATER CHRGS FOR JANUARY	485.86
			WATER CHRGS FOR JANUARY	95.26
			WATER CHRGS FOR JANUARY	1,331.39
			WATER CHRGS FOR JANUARY	327.50
			WATER CHRGS FOR JANUARY	262.36

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR JANUARY	1,017.39
			WATER CHRGS FOR JANUARY	888.36
			WATER CHRGS FOR JANUARY	1,414.99
			WATER CHRGS FOR JANUARY	661.15
			WATER CHRGS FOR JANUARY	54.88
			WATER CHRGS FOR JANUARY	25.48
			WATER CHRGS FOR JANUARY	236.83
			WATER CHRGS FOR JANUARY	220.54
			WATER CHRGS FOR JANUARY	151.46
			WATER CHRGS FOR JANUARY	156.05
			WATER CHRGS FOR JANUARY	167.93
			WATER CHRGS FOR JANUARY	68.10
			WATER CHRGS FOR JANUARY	210.73
			WATER CHRGS FOR JANUARY	94.56
			WATER CHRGS FOR JANUARY	50.92
			WATER CHRGS FOR JANUARY	59.08
			WATER CHRGS FOR JANUARY	177.89
			WATER CHRGS FOR JANUARY	163.74
			WATER CHRGS FOR JANUARY	378.60
			WATER CHRGS FOR JANUARY	47.28
	Vendor Total	**30,703.79**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**826,752.22**		
EGGERSTEN, ANNE				
2/8/2010	200365	305.60		
			RETIREE MEDICAL BENEFIT	305.60
	Vendor Total	**305.60**		
FYTD for EGGERSTEN, ANNE		**2,227.03**		
ELIZALDE, MARIA V.				
2/16/2010	200568	142.00		
			REFUND-FIRE INSPECT FEES	142.00
	Vendor Total	**142.00**		
FYTD for ELIZALDE, MARIA V.		**284.40**		
ELTAIRBY, HODA				
2/8/2010	200366	0.00		
			REFUND-BSKTBLL REGIST	86.00
			REFUND-BSKTBLL REGIST	-86.00
	Vendor Total	**0.00**		
FYTD for ELTAIRBY, HODA		**0.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
2/24/2010	2586	2,724.85		
			DEP STATE TAX W/H 02/24/10	2,724.85
	Vendor Total	**2,724.85**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**867,558.23**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
2/16/2010	200569	5,334.00		
			FEB-10 CBNT LS-CTTNWD	58.64
			FEB-10 CBNT LS-CTTNWD	1,191.36
			FEB-10 CBNT LS-FRDRCK	6.47
			FEB-10 CBNT LS-FRDRCK	1,243.53
			FEB-10 CBNT LS-INDIAN	92.50
			FEB-10 CBNT LS-INDIAN	1,157.50
			FEB-10 CBNT LS-IRIS	109.06
			FEB-10 CBNT LS-IRIS	1,140.94
			JAN-10 MISC METER FEES	334.00
2/22/2010	200702	13,934.40		
			PERRIS BL 12KV FEEDER IRIS-JFK	4,960.35
			CACTUS/LASSELLE 12KV CIRC TIE	132.01
			CACTUS/LASSELLE 12KV CIRC TIE	6,771.50
			BAY ST BACKBONE W/O MOR BCH DR	14.67
			GOLDENCREST-ELSWORTH BACKBONE	146.68
			GOLDENCREST-ELSWORTH BACKBONE	1,909.19
Vendor Total		**19,268.40**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,516,514.79**		
ENRIQUEZ, ROSALIO				
2/1/2010	200236	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for ENRIQUEZ, ROSALIO		**20.00**		
EVANS ENGRAVING & AWARDS				
2/8/2010	200367	172.92		
			ENGRAVING SVCS-PLAQUES	60.90
			ENGRAVING SVCS-NAMEPLATES	16.32
			ENGRAVING SVCS-PLAQUES	65.25
			ENGRAVING SVCS-PLAQUE	30.45
2/16/2010	200571	21.75		
			ENGRAVING SVCS-ART COMM	21.75
Vendor Total		**194.67**		
FYTD for EVANS ENGRAVING & AWARDS		**1,584.53**		
EVANS RECREATIONAL INSTALLATION INC.				
2/16/2010	200572	3,595.77		
			PARK RPRS-LABOR/MATERIALS	3,595.77
			PARK RPRS-SALES TAX	104.21
			PARK RPRS-USED SALES TAX ACCRL	-104.21
Vendor Total		**3,595.77**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**5,883.82**		

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EWING IRRIGATION PRODUCTS, INC.				
2/1/2010	200237	38.74		
			IRRIGATION PARTS	38.74
Vendor Total		**38.74**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,322.90**		
EXCEL LANDSCAPE, INC				
2/16/2010	200573	5,239.15		
			JAN-10 LNDSCP MAINT-E7	2,666.81
			JAN-10 LNDSCP MAINT-E15	1,070.36
			JAN-10 LNDSCP MAINT-E8	1,501.98
2/22/2010	200703	7,350.07		
			JAN-10 LNDSCP MAINT-E14	3,461.07
			JAN-10 LNDSCP MAINT-WQF	3,889.00
Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC		**179,884.94**		
EYERMAN, MARSHALL				
2/22/2010	200704	235.98		
			TRAVEL EXP-SPEC DIST TRNG.	57.98
			TRAVEL EXP-SPEC DIST TRNG.	128.00
			TRAVEL EXP-SPEC DIST TRNG.	50.00
Vendor Total		**235.98**		
FYTD for EYERMAN, MARSHALL		**235.98**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
2/22/2010	200705	19,645.89		
			CDBG SVCS-HOUSING	4,036.26
			CDBG SVCS-HOUSING	2,899.05
			CDBG SVCS-HOUSING	3,357.29
			CDBG SVCS-HOUSING	3,242.40
			CDBG SVCS-HOUSING	1,802.79
			CDBG SVCS-HOUSING	4,308.10
Vendor Total		**19,645.89**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**23,051.19**		
FEDERAL EXPRESS				
2/16/2010	200574	6.18		
			EXPRESS SHIPPING-GRAPHICS	6.18
Vendor Total		**6.18**		
FYTD for FEDERAL EXPRESS		**55.55**		

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FEENSTRA, JOHN					
	2/8/2010	200368	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**2,890.00**		
FILARSKY & WATT, LLP					
	2/8/2010	200369	182.00		
				LEGAL SVCS-HR	182.00
	Vendor Total		**182.00**		
FYTD for FILARSKY & WATT, LLP			**5,954.00**		
FIRE ENGINEERING					
	2/8/2010	200370	139.65		
				7 ANNL SUBSCRIPTIONS	139.65
	Vendor Total		**139.65**		
FYTD for FIRE ENGINEERING			**139.65**		
FIRST AMERICAN CORE LOGIC, INC.					
	2/16/2010	200575	454.00		
				DEC-09 ONLINE SVCS-CODE	85.00
				DEC-09 ONLINE SVCS-CDD	193.00
				DEC-09 ONLINE SVCS-EDD/NP	176.00
	Vendor Total		**454.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**2,686.00**		
FIRST CHOICE SERVICES					
	2/1/2010	200238	847.09		
				EMP PAID COFFEE SVCS	54.32
				EMP PAID COFFEE SVCS	58.76
				EMP PAID COFFEE SVCS	107.10
				EMP PAID COFFEE SVCS	155.82
				EMP PAID COFFEE SVCS	111.08
				EMP PAID COFFEE SVCS	197.26
				EMP PAID COFFEE SVCS	108.43
				EMP PAID COFFEE SVCS	54.32
	2/16/2010	200576	54.32		
				EMP PAID COFFEE SVCS	54.32
	2/22/2010	200706	520.76		
				EMP PAID COFFEE SVCS	64.19
				EMP PAID COFFEE SVCS	149.61
				EMP PAID COFFEE SVCS	29.05
				EMP PAID COFFEE SVCS	177.84
				EMP PAID COFFEE SVCS	72.43
				EMP PAID COFFEE SVCS	27.64
	Vendor Total		**1,422.17**		
FYTD for FIRST CHOICE SERVICES			**6,844.93**		

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FISHER, ARLYNNE					
	2/8/2010	200371	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for FISHER, ARLYNNE			**86.00**		
FITNESS 19 CA 155 11C					
	2/1/2010	200239	281.00		
				GYM MEMBERSHIP CONTRIBUTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,096.00**		
FOCUS ESTATES, INC					
	2/22/2010	200707	1,000.00		
				CONTRACT SVCS-P OLSEN	1,000.00
	Vendor Total		**1,000.00**		
FYTD for FOCUS ESTATES, INC			**10,000.00**		
FORTNEY, DAVID					
	2/16/2010	200577	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORTNEY, DAVID			**75.00**		
FOSTER, NANCY A.					
	2/8/2010	200372	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**634.32**		
FRANCE PUBLICATIONS, INC.					
	2/16/2010	200578	4,800.00		
				JAN-10 ADVERTISING-EDD	3,000.00
				JAN-10 ADVERTISING-EDD	1,800.00
	Vendor Total		**4,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.			**7,800.00**		

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FRANCHISE TAX BOARD					
	2/1/2010	200240	1,016.02		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	484.12
				GARNISHMENT	254.00
				GARNISHMENT	101.62
	2/16/2010	200579	1,052.77		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.55
				GARNISHMENT	483.88
				GARNISHMENT	254.00
				GARNISHMENT	138.84
	Vendor Total		**2,068.79**		
FYTD for FRANCHISE TAX BOARD			**7,039.56**		
FRANKLIN, L. C.					
	2/22/2010	200708	164.50		
				MILEAGE REIMBURSEMENT	164.50
	Vendor Total		**164.50**		
FYTD for FRANKLIN, L. C.			**1,074.20**		
FRED'S GLASS & MIRROR, INC.					
	2/1/2010	200241	281.03		
				GLASS REPAIR-SR CTR	200.00
				GLASS REPAIR-SR CTR	81.03
	Vendor Total		**281.03**		
FYTD for FRED'S GLASS & MIRROR, INC.			**366.03**		
FROEHLICH, LAURA A.					
	2/22/2010	200709	2,500.00		
				DEPOSIT FOR EVENT SVCS	2,500.00
	Vendor Total		**2,500.00**		
FYTD for FROEHLICH, LAURA A.			**2,500.00**		
FROST, JOAN CHENG					
	2/16/2010	200580	266.00		
				INSTRUCTION SVC-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**874.00**		

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GALLS INC., INLAND UNIFORM					
	2/1/2010	200242	926.57		
				UNIFORM-POP	305.85
				UNIFORM-PARK RANGERS	500.00
				UNIFORM-PARK RANGERS	120.72
	Vendor Total		**926.57**		
FYTD for GALLS INC., INLAND UNIFORM			**4,986.97**		
GANAL, DANA					
	2/8/2010	200374	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GANAL, DANA			**86.00**		
GASTON, RICHARD					
	2/8/2010	200375	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,549.84**		
GATEWOOD, NACOLLE					
	2/16/2010	200581	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GATEWOOD, NACOLLE			**95.00**		
GENERAL SECURITY SERVICES, INC.					
	2/1/2010	200243	751.66		
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-TWNGTE	214.76
	2/8/2010	200376	61.36		
				SECURITY SVCS-UTILITIES	61.36
	2/16/2010	200582	552.24		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-SR CTR	245.44
	2/22/2010	200710	1,035.45		
				SECURITY SVCS-CRC	345.15
				SECURITY SVCS-UTILITIES	214.76
				SECURITY SVCS-TWNGTE	168.74
				SECURITY SVCS-CRC	306.80
	Vendor Total		**2,400.71**		
FYTD for GENERAL SECURITY SERVICES, INC.			**37,214.95**		

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GEORGE SALINAS TREE PRESERVATION					
	2/16/2010	200583	18,152.26		
				TREE TRIMMING SVC	1,833.11
				TREE TRIMMING SVC	223.55
				TREE TRIMMING SVC	1,251.88
				TREE TRIMMING SVC	10,462.14
				TREE TRIMMING SVC	3,129.70
				TREE TRIMMING SVC	1,028.33
				TREE TRIMMING SVC	223.55
	Vendor Total		**18,152.26**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**79,002.57**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP					
	2/1/2010	200244	943.81		
				DEC-09 LEGAL SVCS-EMPIRE LAND	943.81
	2/8/2010	200377	3,341.39		
				NOV-09 LEGAL SVCS-TOVEY/SHULTZ	110.00
				NOV-09 LEGAL SVCS-COMM PARK	3,231.39
	Vendor Total		**4,285.20**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**127,839.61**		
GIBSON, GEORGE					
	2/8/2010	200378	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for GIBSON, GEORGE			**86.00**		
GILES, GREG					
	2/8/2010	200379	2,040.00		
				AUDITING SVCS JAN26-FEB2	2,040.00
	Vendor Total		**2,040.00**		
FYTD for GILES, GREG			**20,612.50**		
GOD'S HELPING HAND					
	2/22/2010	200711	3,750.00		
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
				CDBG SVCS-FOOD BNK PRGRM	750.00
	Vendor Total		**3,750.00**		
FYTD for GOD'S HELPING HAND			**4,999.88**		

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GOMEZ, HECTOR					
	2/8/2010	200380	157.00		
				TUITION REIMBURSEMENT	157.00
	Vendor Total		**157.00**		
FYTD for GOMEZ, HECTOR			**157.00**		
GONZALES, LORENZ R.					
	2/1/2010	200245	100.65		
				MILEAGE REIMBURSEMENT	100.65
	Vendor Total		**100.65**		
FYTD for GONZALES, LORENZ R.			**178.20**		
GONZALEZ, JULIE					
	2/1/2010	200246	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GONZALEZ, JULIE			**20.00**		
GONZALEZ, MARIE					
	2/16/2010	200584	95.00		
				REFUND-RABIES&S/N DEP	20.00
				REFUND-RABIES&S/N DEP	75.00
	Vendor Total		**95.00**		
FYTD for GONZALEZ, MARIE			**95.00**		
GORM INC.					
	2/22/2010	200712	1,223.44		
				JANITORIAL SUPPLIES-PARKS	1,223.44
	Vendor Total		**1,223.44**		
FYTD for GORM INC.			**7,580.48**		
GOZDECKI, DAN					
	2/8/2010	200381	513.00		
				INSTRUCTOR SVCS-KUNG FU	216.00
				INSTRUCTOR SVCS-KUNG FU	297.00
	Vendor Total		**513.00**		
FYTD for GOZDECKI, DAN			**4,941.00**		
GRANDY, JEANNETTE					
	2/22/2010	200713	65.00		
				REFUND-BSKTBLL REGIST.	65.00
	Vendor Total		**65.00**		
FYTD for GRANDY, JEANNETTE			**65.00**		

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GRANICUS, INC.					
	2/8/2010	200382	1,395.22		
				JAN-10 MANAGED SVCS	1,350.00
				JAN-10 MANAGED SVCS	45.22
	2/22/2010	200714	1,395.22		
				FEB-10 MANAGED SVCS	1,350.00
				FEB-10 MANAGED SVCS	45.22
	Vendor Total		**2,790.44**		
FYTD for GRANICUS, INC.			**11,161.76**		
GRENNAN, BRADLEY					
	2/1/2010	200247	100.00		
				REFUND-ADMIN CITATION	100.00
	Vendor Total		**100.00**		
FYTD for GRENNAN, BRADLEY			**100.00**		
GRIFFIN, MARLENE C					
	2/8/2010	200383	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**1,825.61**		
GUIDA SURVEYING, INC.					
	2/8/2010	200384	5,652.00		
				2009 ANNL PAVEMNT RESURF PROJ	5,652.00
	Vendor Total		**5,652.00**		
FYTD for GUIDA SURVEYING, INC.			**51,390.20**		
GUILLAN, REBECCA S.					
	2/8/2010	200385	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**581.79**		
GUILLIS, LINDA B.					
	2/8/2010	200386	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,549.84**		
GUTIERREZ, PEARL					
	2/8/2010	200387	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for GUTIERREZ, PEARL			**404.50**		

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GUTIERREZ, ROBERT					
	2/8/2010	200388	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,255.44**		
GUZMAN, JOSE					
	2/22/2010	200715	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for GUZMAN, JOSE			**75.00**		
GUZMAN'S CART SERVICE					
	2/16/2010	200585	4,049.00		
				JAN-10 CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**32,392.00**		
HAISTY, XIU HUA					
	2/16/2010	200586	90.00		
				INSTRUCTOR SVCS-TAI CHI	90.00
	Vendor Total		**90.00**		
FYTD for HAISTY, XIU HUA			**450.00**		
HALA, RUTH VAN					
	2/1/2010	200248	175.50		
				EXPENSE REIMBURSEMENT	175.50
	Vendor Total		**175.50**		
FYTD for HALA, RUTH VAN			**175.50**		
HAMBURG, IRENE					
	2/8/2010	200389	642.89		
				RETIREE MEDICAL BENEFIT	642.89
	Vendor Total		**642.89**		
FYTD for HAMBURG, IRENE			**3,335.48**		
HAMLIN, WILLIAM R.					
	2/8/2010	200390	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,606.86**		

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HANES, MARTIN D.					
	2/8/2010	200391	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,549.84**		
HARDING, JOHN S.					
	2/8/2010	200392	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,549.84**		
HATFIELD, CHARLES					
	2/8/2010	200393	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**1,912.39**		
HAUSER, ADRIANA					
	2/16/2010	200587	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**1,824.00**		
HAYWARD TILTON & ROLAPP INS. ASSOC., INC					
	2/22/2010	200716	12,541.63		
				POLICY RNWL-SSE7133401	12,541.63
	Vendor Total		**12,541.63**		
FYTD for HAYWARD TILTON & ROLAPP INS. ASSOC., INC			**12,541.63**		
HEFFLEY, ROSS W.					
	2/8/2010	200394	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**1,912.39**		
HEISTERBERG, ANTHONY					
	2/8/2010	200395	287.12		
				RETIREE MEDICAL BENEFIT	287.12
	Vendor Total		**287.12**		
FYTD for HEISTERBERG, ANTHONY			**767.65**		

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HERRICK, ROBERT D.					
	2/8/2010	200396	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,549.84**		
HESLIN, MICHAEL K.					
	2/8/2010	200397	42.00		
				REIMB-ESRI REG USER GRP CONF.	42.00
	Vendor Total		**42.00**		
FYTD for HESLIN, MICHAEL K.			**610.70**		
HIGGS, DEBRA					
	2/8/2010	200398	108.00		
				INSTRUCTOR SVCS-OIL PAINTING	108.00
	Vendor Total		**108.00**		
FYTD for HIGGS, DEBRA			**720.00**		
HO, KEVIN					
	2/16/2010	200589	38.00		
				INSTRUCTION SVC-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for HO, KEVIN			**38.00**		
HOUSER, EDITH E.					
	2/8/2010	200399	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,549.84**		
ICMA RETIREMENT CORP 457					
	2/12/2010	2581	10,164.54		
				DEF COMP 457 02/12/10	10,164.54
	2/26/2010	2591	10,164.54		
				DEF COMP 457 02/26/10	10,164.54
	Vendor Total		**20,329.08**		
FYTD for ICMA RETIREMENT CORP 457			**236,055.82**		
IL SORRENTO MOBILE PARK					
	2/8/2010	200400	184.72		
				REFUND-UT USER TAXES	184.72
	Vendor Total		**184.72**		
FYTD for IL SORRENTO MOBILE PARK			**1,299.88**		

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ING USA ANNUITY & LIFE INSURANCE CO.				
2/16/2010	200590	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**3,800.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
2/16/2010	200591	113.00		
			NSNC ABTMNT SVC-482662043	113.00
Vendor Total		**113.00**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**6,693.81**		
INLAND EMPIRE PROPERTY SERVICE, INC				
2/8/2010	200402	761.00		
			WEED ABTMNT SVC-POORMANS RESVR	761.00
2/16/2010	200592	1,833.00		
			NSNC ABTMNT SVC-264072005	628.00
			NSNC ABTMNT SVC-256253013	532.00
			NSNC ABTMNT SVC-260136017	254.00
			NSNC ABTMNT SVC-484311045	267.00
			NSNC ABTMNT SVC-473280016	152.00
Vendor Total		**2,594.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**74,612.90**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
2/22/2010	200717	10,000.00		
			SBDC SVCS-FY09/10 QTR 2	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**30,000.00**		
INLAND LIBRARY SYSTEM				
2/8/2010	200403	184.70		
			STORY TIME PUPPETS-LIBRARY	184.70
Vendor Total		**184.70**		
FYTD for INLAND LIBRARY SYSTEM		**184.70**		
INSIDE PLANTS, INC.				
2/16/2010	200593	316.00		
			FEB-10 PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,528.00**		

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INTERNAL REVENUE SERVICE					
	2/24/2010	2585	11,368.29		
				DEP FED TAX W/H 02/24/10	11,368.29
	Vendor Total		**11,368.29**		
FYTD for INTERNAL REVENUE SERVICE			**2,621,584.79**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	2/8/2010	200404	1,012.52		
				JAN-10 DATA STORAGE	1,012.52
	Vendor Total		**1,012.52**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**8,687.88**		
JABARA, MONA					
	2/8/2010	200405	86.00		
				REFUND-BSKTBLL REGIST	58.00
				REFUND-BSKTBLL REGIST	28.00
	2/22/2010	200718	47.20		
				REFUND-BSKTBLL REGIST.	47.20
	Vendor Total		**133.20**		
FYTD for JABARA, MONA			**161.20**		
JAFFE, ROD					
	2/8/2010	200406	9.00		
				REFUND-ANML LIC FEE	9.00
	Vendor Total		**9.00**		
FYTD for JAFFE, ROD			**9.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	2/16/2010	200594	150.00		
				FEB-10 RETAINER	150.00
	Vendor Total		**150.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,703.00**		
JH DESIGN & ASSOCIATES					
	2/1/2010	200250	125.00		
				PLAQUE REMOVAL	125.00
	Vendor Total		**125.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	2/16/2010	200595	3,150.00		
				FEB-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**25,200.00**		

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JOHNSON, CLAYTON					
	2/8/2010	200407	50.00		
				REFUND-ANML FEES	30.00
				REFUND-ANML FEES	10.00
				REFUND-ANML FEES	10.00
	Vendor Total		**50.00**		
FYTD for JOHNSON, CLAYTON			**50.00**		
JOHNSTONE, SUSAN					
	2/8/2010	200408	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for JOHNSTONE, SUSAN			**20.00**		
JONES III, JOSEPH					
	2/22/2010	200719	86.50		
				MILEAGE REIMBURSEMENT	86.50
	Vendor Total		**86.50**		
FYTD for JONES III, JOSEPH			**486.35**		
JONES, SUSAN					
	2/8/2010	200409	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,549.84**		
JTB SUPPLY CO., INC.					
	2/22/2010	200720	8,129.06		
				MISC SUPPLIES-TRFFC SGNL	8,129.06
	Vendor Total		**8,129.06**		
FYTD for JTB SUPPLY CO., INC.			**19,127.34**		
KAISER PERMANENTE					
	2/8/2010	200410	2,159.22		
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
				COBRA SUBSIDY-ZAPPULLA	719.74
	Vendor Total		**2,159.22**		
FYTD for KAISER PERMANENTE			**3,711.82**		
KDM MERIDIAN, INC.					
	2/1/2010	200251	9,090.00		
				SUNNYMD BLVD REVIT PROJ SVCS	7,340.00
				SUNNYMD BLVD REVIT PROJ SVCS	1,750.00
	Vendor Total		**9,090.00**		
FYTD for KDM MERIDIAN, INC.			**65,120.00**		

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KEEYLEN, TRACIE L.					
	2/22/2010	200721	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for KEEYLEN, TRACIE L.			**25.00**		
KERRY A. BERG & ASSOCIATES, INC					
	2/22/2010	200722	562.50		
				LEGAL SVCS-CAD DRAWING	562.50
	Vendor Total		**562.50**		
FYTD for KERRY A. BERG & ASSOCIATES, INC			**562.50**		
KFC					
	2/8/2010	200411	200.00		
				RFND FALSE ALARM FEE	200.00
	Vendor Total		**200.00**		
FYTD for KFC			**200.00**		
KING, PATRICIA A.					
	2/8/2010	200412	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**1,912.39**		
KOLB, CHARLES E.					
	2/8/2010	200413	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,549.84**		
KOLLAR, KYLE					
	2/8/2010	200414	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**637.46**		
KUSTOM SIGNALS, INC.					
	2/8/2010	200415	604.02		
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
				LASER RPR-LABOR	200.00
				LASER RPR-PARTS	102.01
	Vendor Total		**604.02**		
FYTD for KUSTOM SIGNALS, INC.			**1,489.74**		

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KYLE, GARY M.					
	2/8/2010	200416	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**1,912.39**		
LABELLE, LAURIE COLLETT					
	2/8/2010	200418	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LABELLE, LAURIE COLLETT			**25.00**		
LADD, MACK					
	2/8/2010	200419	57.00		
				REFUND-TUMBLING CLASS	57.00
	Vendor Total		**57.00**		
FYTD for LADD, MACK			**57.00**		
LAFATA, JOSEPHINE					
	2/8/2010	200420	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,527.36**		
LANE GUIDE LENDORS ON LINE, INC.					
	2/16/2010	200596	109.00		
				ONLINE SUBSCRIPTION-CODE	109.00
	Vendor Total		**109.00**		
FYTD for LANE GUIDE LENDORS ON LINE, INC.			**109.00**		
LANE, LORA					
	2/1/2010	200253	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for LANE, LORA			**75.00**		
LANG, TRACEY					
	2/16/2010	200597	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for LANG, TRACEY			**380.00**		

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LANGENDORF, BENJAMIN					
	2/8/2010	200421	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LANGENDORF, BENJAMIN			**2,549.84**		
LANGSTON, KRISTEN					
	2/16/2010	200598	220.00		
				REFUND-RNTL DEP #15580	220.00
	Vendor Total		**220.00**		
FYTD for LANGSTON, KRISTEN			**220.00**		
LAWHORN, MARTHA					
	2/16/2010	200599	26.50		
				REFUND-FLD RNTL #16397	26.50
	Vendor Total		**26.50**		
FYTD for LAWHORN, MARTHA			**26.50**		
LAWN TECH EQUIPMENT					
	2/22/2010	200723	111.65		
				CHAIN SHARPENING	111.65
	Vendor Total		**111.65**		
FYTD for LAWN TECH EQUIPMENT			**2,291.85**		
LAWYERS TITLE INC					
	2/23/2010	91309	16,026.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	16,026.00
	Vendor Total		**16,026.00**		
FYTD for LAWYERS TITLE INC			**76,900.00**		
LEDEBUR, TIM					
	2/1/2010	200254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LEDEBUR, TIM			**50.00**		
LEIGHTON CONSULTING, INC.					
	2/8/2010	200422	8,415.00		
				LASSELLE ST WIDENING PROJ	8,415.00
	Vendor Total		**8,415.00**		
FYTD for LEIGHTON CONSULTING, INC.			**61,855.14**		

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LEWIS, CAROLYN S.					
	2/8/2010	200423	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,524.12**		
LEXISNEXIS					
	2/22/2010	200724	1,480.00		
				JAN-10 ONLINE LGL SVCS	740.00
				JAN-10 ONLINE LGL SVCS	370.00
				JAN-10 ONLINE LGL SVCS	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**12,235.00**		
LIEBERT, CASSIDY, WHITMORE					
	2/16/2010	200600	70.00		
				ATTND:KUMAR/LONGDYKE	35.00
				ATTND:KUMAR/LONGDYKE	35.00
	Vendor Total		**70.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,274.00**		
LIFE SIGNS, INC.					
	2/8/2010	200424	130.00		
				INTERPRETATION SVCS-PD	130.00
	Vendor Total		**130.00**		
FYTD for LIFE SIGNS, INC.			**410.00**		
LINDO, HERMINA G.					
	2/8/2010	200425	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for LINDO, HERMINA G.			**2,422.71**		
LITELINES, INC.					
	2/8/2010	200426	19,335.87		
				POLE/SIGN LIGHTS-PATRIOT PARK	14,735.00
				SALES TAX	1,289.31
				FIXTURES-PARKS MAINT	1,189.73
				FIXTURES-PARKS MAINT	586.04
				FIXTURES-PARKS MAINT	1,057.29
				FIXTURES-PARKS MAINT	239.25
				FIXTURES-PARKS MAINT	239.25
	Vendor Total		**19,335.87**		
FYTD for LITELINES, INC.			**19,335.87**		

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LITTLE, LORELEI T.					
	2/8/2010	200427	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for LITTLE, LORELEI T.			**54.50**		
LOGAN, CHARLES					
	2/8/2010	200428	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**1,771.15**		
LOR GEOTECHNICAL GROUP, INC.					
	2/1/2010	200255	2,273.00		
				TRAF SIG AT LASSELLE/COTTONWD	1,133.00
				SUNNYMD BLVD REVIT PROJ SVCS	380.00
				SUNNYMD BLVD REVIT PROJ SVCS	760.00
	2/8/2010	200429	9,805.00		
				LASSELLE/BAY AVE ST IMPRVMNTS	135.00
				TRAF SIG AT LASSELLE/BAY AVE.	258.00
				ENVIR SITE ASSESSMNT-CORP YARD	4,000.00
				SUNNYMD BL BEAUTIFICATION PROJ	1,848.00
				SUNNYMD BL BEAUTIFICATION PROJ	3,564.00
	Vendor Total		**12,078.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**55,371.00**		
LUCERO, ALBERT					
	2/1/2010	200256	72.00		
				REFUND-CITATION OVRPMT	72.00
	Vendor Total		**72.00**		
FYTD for LUCERO, ALBERT			**72.00**		
LUDWIG, MICHAEL DAVID					
	2/8/2010	200430	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for LUDWIG, MICHAEL DAVID			**25.00**		
LUMLEY, ROBERT C.					
	2/8/2010	200431	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,549.84**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
2/22/2010	200725	7,050.00		
			CDBG SVCS-SEC DEPOSITS	2,000.00
			CDBG SVCS-UT ASSIST	4,000.00
			CDBG SVCS-UT ASSIST	1,050.00
	Vendor Total	**7,050.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**22,052.00**		
MANZANO, KARLA				
2/8/2010	200432	112.00		
			REFUND-CITATION FEE	112.00
	Vendor Total	**112.00**		
FYTD for MANZANO, KARLA		**112.00**		
MARAL, TAVOUKJIAN				
2/8/2010	200433	70.00		
			REFUND-CITATION FEE	70.00
	Vendor Total	**70.00**		
FYTD for MARAL, TAVOUKJIAN		**70.00**		
MARCELO, HENRY				
2/8/2010	200434	76.40		
			REFUND-BSKTBLL REGIST	76.40
	Vendor Total	**76.40**		
FYTD for MARCELO, HENRY		**76.40**		
MARTIAL ARTS INTERNATIONAL, USKO				
2/16/2010	200601	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
	Vendor Total	**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**392.00**		
MATHIS, NOLAN				
2/8/2010	200435	288.60		
			RETIREE MEDICAL BENEFIT	288.60
	Vendor Total	**288.60**		
FYTD for MATHIS, NOLAN		**2,308.80**		
MATICH CORPORATION				
2/22/2010	200726	2,538.04		
			ASPHALTIC MATERIAL PICK UP	2,538.04
	Vendor Total	**2,538.04**		
FYTD for MATICH CORPORATION		**29,184.83**		

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MAXINOSKI, SUE A.					
	2/8/2010	200436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,549.84**		
MCCARTHY & BERLIN, LLP					
	2/8/2010	200437	989.51		
				DEC-09 LEGAL SVCS-UT	989.51
	Vendor Total		**989.51**		
FYTD for MCCARTHY & BERLIN, LLP			**27,282.29**		
MCDONALD PARTNERS, INC.					
	2/22/2010	200727	937.50		
				ADVISORY SVCS-UTILITY	937.50
	Vendor Total		**937.50**		
FYTD for MCDONALD PARTNERS, INC.			**10,187.50**		
MCI					
	2/1/2010	200257	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**1,191.52**		
FYTD for MCI			**9,776.10**		
MCI WORLDCOM					
	2/16/2010	200602	948.49		
				COMMUNICATION SVCS	948.49
	Vendor Total		**948.49**		
FYTD for MCI WORLDCOM			**7,025.57**		
MELAD & ASSOCIATES					
	2/22/2010	200728	1,084.19		
				PLAN CHECK SVCS	1,084.19
	Vendor Total		**1,084.19**		
FYTD for MELAD & ASSOCIATES			**30,600.55**		
MENGISTU, YESHIALEM					
	2/22/2010	200729	121.50		
				MILEAGE REIMBURSEMENT	121.50
	Vendor Total		**121.50**		
FYTD for MENGISTU, YESHIALEM			**765.55**		

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MERRILLS, ANDREA					
	2/16/2010	200603	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MERRILLS, ANDREA			**75.00**		
MESSIN, LOUIS					
	2/8/2010	200438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**1,912.39**		
MEYERS, ROBERT					
	2/8/2010	200439	105.00		
				INSTRUCTOR SVCS-DRAWING	105.00
	Vendor Total		**105.00**		
FYTD for MEYERS, ROBERT			**1,806.00**		
MILES, ROBERT					
	2/8/2010	200440	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**1,831.70**		
MINARD, MARK E.					
	2/8/2010	200441	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,370.17**		
MOLLICA, MIKE					
	2/8/2010	200443	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,408.53**		
MORA, PATRICIA A.					
	2/8/2010	200444	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**2,549.84**		

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MORENO VALLEY BOWL					
	2/1/2010	200258	400.00		
				INSTRUCTOR SVC-BOWLING	280.00
				INSTRUCTOR SVC-BOWLING	120.00
	Vendor Total		**400.00**		
FYTD for MORENO VALLEY BOWL			**1,520.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	2/16/2010	200604	6,090.00		
				JAN-MAR BUSINESS SVCS	6,000.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
				1/27/10 WAKE-UP MTG	15.00
	Vendor Total		**6,090.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**21,730.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	2/12/2010	2580	1,589.00		
				MVCEA DUES 02/12/10	1,589.00
	2/26/2010	2590	1,614.00		
				MVCEA DUES 02/26/10	1,614.00
	Vendor Total		**3,203.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**28,512.50**		
MORENO VALLEY COMMUNITY EDUCATION CENTER					
	2/1/2010	200259	4,334.55		
				TUTORING PROG-CDBG	585.00
				TUTORING PROG-CDBG	775.41
				TUTORING PROG-CDBG	706.00
				TUTORING PROG-CDBG	574.99
				TUTORING PROG-CDBG	917.00
				TUTORING PROG-CDBG	776.15
	Vendor Total		**4,334.55**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER			**4,334.55**		
MORENO VALLEY TOW & RADIATOR					
	2/22/2010	200730	85.00		
				TOWING SVCS	85.00
	Vendor Total		**85.00**		
FYTD for MORENO VALLEY TOW & RADIATOR			**1,115.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	2/22/2010	200731	2,549.75		
				RESTITUTION FOR DAMAGES-1/21	2,549.75
	Vendor Total		**2,549.75**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**404,676.07**		
MORGAN, LISA A.					
	2/8/2010	200445	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**2,549.84**		
MYERS, FREDERICK					
	2/8/2010	200446	150.00		
				REFUND-CITATION FEE	150.00
	Vendor Total		**150.00**		
FYTD for MYERS, FREDERICK			**150.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	2/12/2010	2578	10,850.91		
				PST DEF COMP FOR FICA 02/12/10	10,850.91
	2/12/2010	2579	21,824.04		
				DEF COMP 457 & 401(A) 02/12/10	21,824.04
	2/26/2010	2588	10,268.63		
				PST DEF COMP FOR FICA 02/26/10	10,268.63
	2/26/2010	2589	21,798.04		
				DEF COMP 457 & 401(A) 02/26/10	21,798.04
	Vendor Total		**64,741.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**613,578.33**		
NAVARRETTE, RALPH					
	2/8/2010	200447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**637.46**		
NELSON, ROBERT					
	2/8/2010	200448	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**1,825.61**		

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NELSON, RUTH L.					
	2/8/2010	200449	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,549.84**		
NEUSTAEDTER, CRAIG S					
	2/8/2010	200450	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,549.84**		
NGUYEN, BINH					
	2/16/2010	200605	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for NGUYEN, BINH			**60.00**		
NIEBURGER, JUDITH A.					
	2/8/2010	200451	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,211.36**		
NINYO & MOORE GEOTECHNICAL					
	2/8/2010	200452	1,257.25		
				EMRGNCY OPS CTR PROJ SVCS	1,257.25
	Vendor Total		**1,257.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**66,607.87**		
NOBEL SYSTEMS					
	2/1/2010	200260	13,760.00		
				PROF SVCS-GIS CONVERSION	13,760.00
	2/22/2010	200733	15,080.00		
				PROF SVCS-UT GIS	12,200.00
				PROF SVCS-ARCGIS UPGRADE	2,880.00
	Vendor Total		**28,840.00**		
FYTD for NOBEL SYSTEMS			**28,840.00**		

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NPG CORPORATION					
	2/8/2010	200453	9,380.00		
				SLURRY SEAL/RESTRIPE @ LIBRARY	9,380.00
	Vendor Total		**9,380.00**		
FYTD for NPG CORPORATION			**9,380.00**		
NUNEZ, RICHARD					
	2/16/2010	200606	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NUNEZ, RICHARD			**20.00**		
OCB REPROGRAPHICS					
	2/1/2010	200261	71.78		
				COPY SVCS- MV UT	71.78
	Vendor Total		**71.78**		
FYTD for OCB REPROGRAPHICS			**5,233.84**		
ORTEGA, BECKY					
	2/22/2010	200734	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for ORTEGA, BECKY			**50.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	2/22/2010	200735	8,400.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total		**8,400.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**126,629.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	2/16/2010	200607	817.83		
				JAN-10 LNDSCP MAINT-E	235.54
				JAN-10 LNDSCP MAINT-E	433.49
				JAN-10 LNDSCP MAINT-E	108.51
				JAN-10 LNDSCP MAINT-E	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**8,212.63**		

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PACIFIC TELEMANAGEMENT SERVICES					
	2/1/2010	200262	438.48		
				FEB-10 SVC CHRGS-PAYPHONES	438.48
	2/22/2010	200736	375.84		
				MAR-10 SVC CHRGS-PAYPHONES	375.84
	Vendor Total		**814.32**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**1,641.16**		
PARK N POOL					
	2/22/2010	200738	8,160.80		
				METAL TABLES/BENCHES-PARKS	8,874.87
				METAL TABLES/BENCHES-USED TAX	-714.07
	Vendor Total		**8,160.80**		
FYTD for PARK N POOL			**8,160.80**		
PATCHEN, HELEN GERTRUDE					
	2/22/2010	200739	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for PATCHEN, HELEN GERTRUDE			**54.50**		
PATTERSON, ALFREY					
	2/8/2010	200454	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,722.85**		
PBS & J					
	2/16/2010	200609	445.29		
				CITYWIDE BRIDGE MAINT PRGM	445.29
	Vendor Total		**445.29**		
FYTD for PBS & J			**30,064.86**		
PEDLEY SQUARE VETERINARY CLINIC					
	2/22/2010	200740	5,843.00		
				EMERG AND VETERINARY SVCS	5,843.00
	Vendor Total		**5,843.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**58,492.75**		

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PENA, BETSY					
	2/16/2010	200610	47.00		
				REFUND-ANML LIC FEE	9.00
				REFUND-ANML LIC FEE	19.00
				REFUND-ANML LIC FEE	19.00
	Vendor Total		**47.00**		
FYTD for PENA, BETSY			**47.00**		
PEREZ, JOHN B.					
	2/8/2010	200455	85.00		
				REFUND-CITATION FEE	85.00
	Vendor Total		**85.00**		
FYTD for PEREZ, JOHN B.			**85.00**		
PEREZ, LAURA					
	2/8/2010	200456	78.40		
				REFUND-BSKTBLL REGIST	78.40
	Vendor Total		**78.40**		
FYTD for PEREZ, LAURA			**78.40**		
PERRY, NORMA					
	2/8/2010	200457	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,549.84**		
PERS LONG TERM CARE PROGRAM					
	2/1/2010	200265	433.87		
				LONG TERM CARE INSURANCE	433.87
	2/16/2010	200611	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**9,118.18**		
POIEMA LANDSCAPE, INC.					
	2/1/2010	200266	2,889.00		
				DEC-09 LNDSCP MAINT-ZN S	758.00
				DEC-09 LNDSCP MAINT-E12	2,131.00
	Vendor Total		**2,889.00**		
FYTD for POIEMA LANDSCAPE, INC.			**20,452.50**		
PRICE, GEORGE E.					
	2/8/2010	200459	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,549.84**		

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PROTECTION ONE, INC.					
	2/16/2010	200612	40.00		
				FEB-10 MNTRNG SVC-MVTV STUDIO	20.00
				FEB-10 MNTRNG SVC-PRO SHOP	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**320.00**		
PSOMAS					
	2/16/2010	200613	1,482.50		
				LASSELLE ST WIDENING PROJ	1,482.50
	Vendor Total		**1,482.50**		
FYTD for PSOMAS			**153,311.18**		
PULLIAM, TRENT D.					
	2/8/2010	200461	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,549.84**		
PW ENHANCEMENT CENTER					
	2/16/2010	200614	6,522.69		
				PARTNERSHIP PRGM	6,522.69
	Vendor Total		**6,522.69**		
FYTD for PW ENHANCEMENT CENTER			**86,640.31**		
QUEIFFER, RUBEN					
	2/16/2010	200615	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for QUEIFFER, RUBEN			**100.00**		
R & S OVERHEAD DOORS, INC.					
	2/1/2010	200267	5,331.00		
				CURTAIN INSTALL-FS #2	3,383.00
				DOOR SVC-FAC	121.00
				DOOR RPLCMNT-FAC	1,827.00
	Vendor Total		**5,331.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**23,860.00**		

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RALLY MANAGEMENT SERVICES, LLC					
	2/16/2010	200616	719.28		
				TEMP SVC:HENDERSON-W/E 1/17	719.28
	2/22/2010	200741	1,603.40		
				TEMP SVC-HENDERSON W/E 1/24	884.12
				TEMP SVCS-HENDERSON W/E 1/31	719.28
	Vendor Total		**2,322.68**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**5,695.10**		
RAMOS, MAYNARDO A.					
	2/8/2010	200462	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RAMOS, MAYNARDO A.			**54.50**		
RAY, JUANITA					
	2/1/2010	200268	95.00		
				REFUND-RABIES/SN DEP	20.00
				REFUND-RABIES/SN DEP	75.00
	Vendor Total		**95.00**		
FYTD for RAY, JUANITA			**95.00**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	2/16/2010	200617	12,420.00		
				RED LIGHT PHOTO ENF SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**99,360.00**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	2/22/2010	200742	22.00		
				CUC BREAKFAST MTG 2/24/10	22.00
	Vendor Total		**22.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**22.00**		
REISH LUFTMAN REICHER & COHEN					
	2/8/2010	200463	3,800.00		
				NOV-09 LEGAL SVCS-HR	1,300.00
				NOV-09 LEGAL SVCS-HR	1,200.00
				DEC-09 LEGAL SVCS-HR	650.00
				DEC-09 LEGAL SVCS-HR	650.00
	Vendor Total		**3,800.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**37,670.50**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RESCUE ROOTER					
	2/16/2010	200618	670.00		
				EMERG PLUMBING SVC-ASES	670.00
	2/22/2010	200743	3,850.00		
				PLUMBING SVCS-ANML SHLTR	1,867.25
				PLUMBING SVCS-ANML SHLTR	1,982.75
	Vendor Total		**4,520.00**		
FYTD for RESCUE ROOTER			**6,486.50**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	2/1/2010	200269	466.38		
				SHADOW MTN PARK LIGHTING PROJ	466.38
	Vendor Total		**466.38**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**616.38**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	2/8/2010	200465	589.85		
				ENCRCHMNT PERMIT/ADDTL DEPOSIT	589.85
	Vendor Total		**589.85**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**30,169.70**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	2/22/2010	200744	4,249.61		
				CDBG SVCS-ABUSE PREV PRGRM	632.06
				CDBG SVCS-ABUSE PREV PRGRM	687.12
				CDBG SVCS-ABUSE PREV PRGRM	849.29
				CDBG SVCS-ABUSE PREV PRGRM	716.80
				CDBG SVCS-ABUSE PREV PRGRM	841.39
				CDBG SVCS-ABUSE PREV PRGRM	522.95
	Vendor Total		**4,249.61**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**5,647.92**		
RIVERSIDE COUNTY CLERK					
	2/22/2010	200745	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	2/22/2010	200746	1,028.50		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	1,028.50
	Vendor Total		**2,057.00**		
FYTD for RIVERSIDE COUNTY CLERK			**14,544.25**		
RIVERSIDE COUNTY CLERK/RECORDER					
	2/22/2010	200747	13.00		
				LIEN RELEASE	13.00
	Vendor Total		**13.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER			**2,054.30**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
2/1/2010	200270	2,064.11		
			DEC-09 RADIO SVCS	187.15
			DEC-09 RADIO SVCS	9.85
			DEC-09 RADIO SVCS	34.01
			DEC-09 RADIO SVCS-PD	1,789.70
			DEC-09 VPN CONNECTION SVC	43.40
2/22/2010	200748	43.40		
			JAN-10 VPN CONNECTION SVC	43.40
	Vendor Total	**2,107.51**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**16,677.01**		
RIVERSIDE COUNTY SHERIFF				
2/8/2010	200466	24,920.16		
			NOV-09 BOOKING FEES-PD	11,104.32
			DEC-09 BOOKING FEES-PD	13,815.84
	Vendor Total	**24,920.16**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,845,212.81**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
2/8/2010	200467	123.00		
			REG.-CHILD ABUSE/ASSAULT CLASS	123.00
	Vendor Total	**123.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**8,762.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
2/1/2010	200271	491.63		
			GARNISHMENT	107.89
			GARNISHMENT	383.74
2/16/2010	200619	534.26		
			GARNISHMENT	131.46
			GARNISHMENT	402.80
	Vendor Total	**1,025.89**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**6,656.81**		
RIVERSIDE COUNTY SHERIFF MV				
2/8/2010	200468	299.66		
			EXTRA DUTY-DUI CK PT	299.66
	Vendor Total	**299.66**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**9,370.67**		
RLZ ENGINEERING				
2/16/2010	200620	6,184.50		
			TEMP STAFF SVCS FOR CAP PROJS	6,184.50
	Vendor Total	**6,184.50**		
FYTD for RLZ ENGINEERING		**120,695.25**		

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RODRIGUEZ, LAUREN					
	2/16/2010	200621	76.00		
				MILEAGE REIMBURSEMENT	76.00
	Vendor Total		**76.00**		
FYTD for RODRIGUEZ, LAUREN			**230.00**		
ROGERS, EUGENE					
	2/8/2010	200469	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**1,912.39**		
ROGERS, KIANNA					
	2/1/2010	200272	140.25		
				MILEAGE REIMBURSEMENT	75.90
				MILEAGE REIMBURSEMENT	64.35
	Vendor Total		**140.25**		
FYTD for ROGERS, KIANNA			**645.15**		
ROSS, DAVID T.					
	2/8/2010	200470	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,549.84**		
ROSSON, LOUIS A.					
	2/8/2010	200471	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,179.85**		
RUIZ, ROSALVA					
	2/8/2010	200472	404.50		
				REFUND-CITATION FEE	404.50
	2/22/2010	200749	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**429.50**		
FYTD for RUIZ, ROSALVA			**429.50**		
RUSSELL, NORMAN TAB					
	2/8/2010	200473	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for RUSSELL, NORMAN TAB			**54.50**		

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RUSSO, JOHN					
	2/8/2010	200474	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,549.84**		
SALCEDO, ESMERELDA					
	2/16/2010	200622	300.00		
				REFUND-RNTL DEP #16187	300.00
	Vendor Total		**300.00**		
FYTD for SALCEDO, ESMERELDA			**300.00**		
SAMY'S CAMERA					
	2/1/2010	200273	42.41		
				CAMERA BATTERY FOR PD	42.41
	Vendor Total		**42.41**		
FYTD for SAMY'S CAMERA			**42.41**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	2/1/2010	200274	128.70		
				FIRE SYSTEM SVC-CRC	68.70
				FIRE SYSTEM SVC-MARCH FLD CC	60.00
	Vendor Total		**128.70**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**6,602.21**		
SANCHEZ, MARIBEL					
	2/8/2010	200475	157.40		
				REFUND-BSKTBLL REGIST	71.40
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**157.40**		
FYTD for SANCHEZ, MARIBEL			**157.40**		
SANDECKI, RENEE					
	2/8/2010	200476	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for SANDECKI, RENEE			**54.50**		
SANKEY, JACK DONALD					
	2/22/2010	200750	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for SANKEY, JACK DONALD			**25.00**		

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SCHARFF, DONNA					
	2/8/2010	200477	425.00		
				REFUND-CITATION FEE	425.00
	Vendor Total		**425.00**		
FYTD for SCHARFF, DONNA			**425.00**		
SCHUBERT, LORI					
	2/1/2010	200275	75.00		
				REFUND-S/N DEP	75.00
	Vendor Total		**75.00**		
FYTD for SCHUBERT, LORI			**75.00**		
SCREENVISION DIRECT					
	2/1/2010	200276	3,556.00		
				ERC ADVERTISING IN THEATERS	600.00
				ERC ADVERTISING IN THEATERS	300.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
				ERC ADVERTISING IN THEATERS	768.00
				ERC ADVERTISING IN THEATERS	560.00
	Vendor Total		**3,556.00**		
FYTD for SCREENVISION DIRECT			**3,556.00**		
SECTRAN SECURITY, INC					
	2/1/2010	200277	463.50		
				JAN-10 TRNSPRT SVC-PARKS	154.50
				JAN-10 TRNSPRT SVC-TREASURY	154.50
				JAN-10 TRNSPRT SVC-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**3,244.50**		
SECURITY LOCK & KEY					
	2/8/2010	200478	40.57		
				DUPLICATE KEYS-LIBRARY	15.12
				DUPLICATE KEYS-PARKS MAINT	25.45
	2/16/2010	200623	13,482.50		
				INSTALL PANIC HARDWARE@FS #58	13,482.50
	Vendor Total		**13,523.07**		
FYTD for SECURITY LOCK & KEY			**15,894.03**		
SHAH, JAGDISH					
	2/22/2010	200751	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**147,480.00**		

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SHARRETT, SHARON K.					
	2/8/2010	200479	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,461.68**		
SHELDON, STUART H.					
	2/8/2010	200480	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,549.84**		
SHELL OIL CO.					
	2/16/2010	200624	80.44		
				FUEL PURCHASES	30.44
				FUEL PURCHASES	50.00
	2/22/2010	200752	1,156.45		
				FUEL PURCHASE-PW EQUIP	17.73
				FUEL PURCHASE-PD MOTORCYCLES	1,138.72
	Vendor Total		**1,236.89**		
FYTD for SHELL OIL CO.			**13,741.01**		
SHILLEH, HIBA					
	2/8/2010	200481	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for SHILLEH, HIBA			**145.00**		
SHURTLEFF, JEANNETTE L.					
	2/16/2010	200625	646.00		
				INSTRUCTION SVC-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**1,786.00**		
SINGER & COFFIN, APC					
	2/8/2010	200482	2,200.00		
				LEGAL SVCS-RECHE VISTA DR PROJ	140.00
				LEGAL SVCS-SR60/NASON ST PROJ	2,020.00
				LEGAL SVCS-SR60/NASON ST PROJ	40.00
	2/22/2010	200753	200.00		
				LEGAL SVCS-SR60/NASON ST PROJ	200.00
	Vendor Total		**2,400.00**		
FYTD for SINGER & COFFIN, APC			**49,304.65**		

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SINGLETON-DECUIR, JANISHEIA				
2/16/2010	200626	44.50		
			MILEAGE REIMBURSEMENT	44.50
Vendor Total		**44.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**301.35**		
SLAGERMAN, SUSAN A.				
2/8/2010	200483	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**3,112.30**		
SMITH, ERNEST FRANK				
2/8/2010	200484	4,630.95		
			RETIREE MEDICAL BENEFIT	4,630.95
Vendor Total		**4,630.95**		
FYTD for SMITH, ERNEST FRANK		**4,630.95**		
SMITH, MARIA A.				
2/8/2010	200485	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.		**914.92**		
SO. CAL. VETERINARY DENTAL SPECIALTIES				
2/8/2010	200486	2,010.46		
			VET DENTAL SVCS-K9 LEX	2,010.46
Vendor Total		**2,010.46**		
FYTD for SO. CAL. VETERINARY DENTAL SPECIALTIES		**2,010.46**		
SO. CALIF SCHOOL OF MUSIC				
2/8/2010	200487	810.00		
			INSTRUCTOR SVCS-GUITAR	189.00
			INSTRUCTOR SVCS-PIANO	189.00
			INSTRUCTOR SVCS-PIANO	108.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	108.00
Vendor Total		**810.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC		**7,467.00**		

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SOCO GROUP, INC					
	2/8/2010	200488	6,298.65		
				FUEL PURCHASE	6,298.65
	2/22/2010	200754	19,876.89		
				FUEL PURCHASE	3,999.63
				FUEL PURCHASE	4,722.66
				FUEL PURCHASE	6,190.46
				FUEL PURCHASE	4,964.14
	Vendor Total		**26,175.54**		
FYTD for SOCO GROUP, INC			**107,202.77**		
SOSA, JORGE					
	2/8/2010	200489	264.00		
				INSTRUCTOR SVCS-NINPO	48.00
				INSTRUCTOR SVCS-KARATEDO	72.00
				INSTRUCTOR SVCS-KARATEDO	144.00
	Vendor Total		**264.00**		
FYTD for SOSA, JORGE			**2,916.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	2/1/2010	200278	3,711.33		
				ELECTRICITY	41.78
				ELECTRICITY	20.22
				ELECTRICITY	1,011.57
				ELECTRICITY	713.17
				ELECTRICITY	129.62
				ELECTRICITY	190.25
				ELECTRICITY	766.33
				ELECTRICITY	148.01
				ELECTRICITY	472.74
				ELECTRICITY	106.71
				ELECTRICITY	66.30
				ELECTRICITY	44.63
	2/8/2010	200490	6,205.96		
				ELECTRICITY	62.06
				ELECTRICITY	122.45
				ELECTRICITY	20.22
				ELECTRICITY	1,838.06
				ELECTRICITY	377.78
				ELECTRICITY	740.72
				ELECTRICITY	535.78
				ELECTRICITY	480.71
				ELECTRICITY	346.78
				ELECTRICITY	20.22
				ELECTRICITY	1,317.68
				ELECTRICITY	135.65
				ELECTRICITY	147.19
				ELECTRICITY	60.66
	2/16/2010	200628	14,146.73		
				JAN-10 IFA CHRGS-SUBSTATION	14,146.73
	2/22/2010	200755	19,961.19		
				JAN-10 WDAT CHRGS-IRIS	2,625.22
				JAN-10 WDAT CHRGS-GRAHAM	3,727.65
				JAN-10 WDAT CHRGS-GLOBE	6,474.87
				JAN-10 WDAT CHRGS-NANDINA	2,647.31
				JAN-10 WDAT CHRGS-FREDERICK	4,486.14
	2/22/2010	200756	13,363.28		
				ELECTRICITY	529.70
				ELECTRICITY	351.30
				ELECTRICITY	134.20
				ELECTRICITY	2,091.49
				ELECTRICITY	547.21
				ELECTRICITY	785.60
				ELECTRICITY	1,012.93
				ELECTRICITY	1,331.38
				ELECTRICITY	19.55
				ELECTRICITY	4,853.26
				ELECTRICITY	19.55
				ELECTRICITY	20.22
				ELECTRICITY	1.65
				ELECTRICITY	234.00
				JAN-10 IFA CHRGS	1,099.13

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			ELECTRIC CHRGS	332.11
Vendor Total		57,388.49		
FYTD for SOUTHERN CALIFORNIA EDISON		**5,992,105.32**		
SOUTHERN CALIFORNIA GAS CO.				
2/22/2010	200757	12,273.47		
			GAS CHARGES	86.27
			GAS CHARGES	1,367.21
			GAS CHARGES	3,523.93
			GAS CHARGES	80.51
			GAS CHARGES	188.86
			GAS CHARGES	1,550.61
			GAS CHARGES	404.26
			GAS CHARGES	183.64
			GAS CHARGES	1,959.65
			GAS CHARGES	429.06
			GAS CHARGES	358.38
			GAS CHARGES	298.21
			GAS CHARGES	395.57
			GAS CHARGES	579.19
			GAS CHARGES	868.12
Vendor Total		12,273.47		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**243,843.54**		
SPARKLETTS				
2/22/2010	200758	20.76		
			WATER SVCS-SNNYMD ELEM	12.16
			WATER SVCS-CRKSD ELEM	5.75
			WATER SVCS-ARMADA ELEM	2.85
Vendor Total		20.76		
FYTD for SPARKLETTS		**352.67**		
SPECK, GARY B.				
2/8/2010	200491	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SPECK, GARY B.		**2,549.84**		
SPENCER, MARTHA				
2/8/2010	200492	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for SPENCER, MARTHA		**1,831.70**		

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SPORTS INNOVATORS					
	2/16/2010	200629	3,050.00		
				SPORTS OFFICIATING SVCS	2,205.00
				SPORTS OFFICIATING SVCS	845.00
	Vendor Total		**3,050.00**		
FYTD for SPORTS INNOVATORS			**20,375.00**		
SPRINT					
	2/8/2010	200493	30.00		
				SUBPOENA COMPLIANCE SVC	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**90.00**		
SPRINT/NEXTEL					
	2/8/2010	200494	33.50		
				PH SVC CHRG-GTF	33.50
	Vendor Total		**33.50**		
FYTD for SPRINT/NEXTEL			**518.98**		
STANDARD INSURANCE CO					
	2/8/2010	200495	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**262,044.40**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	2/1/2010	200280	1,837.05		
				FEB-APR SEC MNTRNG-ANNX #1	207.00
				FEB-APR SEC MNTRNG-ASES	354.00
				FEB-APR SEC MNTRNG-STARS BLDG	123.00
				FEB-APR SEC MNTRNG-TECH SVCS	330.00
				FEB-APR SEC MNTRNG-CITY HALL	493.50
				FEB-APR SEC MNTRNG-LIBRARY	329.55
	2/8/2010	200496	166.85		
				FEB-10 MNTRNG SVCS-SNACK BARS	156.30
				FEB-10 MNTRNG SVCS-SNACK BARS	10.55
	2/22/2010	200759	227.50		
				SECURITY MAINT-ANML SHLTR	227.50
	Vendor Total		**2,231.40**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**20,464.12**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE BAR OF CALIFORNIA					
	2/16/2010	200630	410.00		
				MBRSHP DUES-BRYANT	410.00
	2/16/2010	200631	410.00		
				MBRSHP DUES-HANSEN	410.00
	2/16/2010	200632	410.00		
				MBRSHP DUES-EARLY	410.00
	Vendor Total		**1,230.00**		
FYTD for STATE BAR OF CALIFORNIA			**1,335.00**		
STATE BOARD OF EQUALIZATION					
	2/23/2010	201001	2,325.00		
				SALES & USE TAX 01/01-31/2010	2,325.00
	Vendor Total		**2,325.00**		
FYTD for STATE BOARD OF EQUALIZATION			**27,470.29**		
STATE DISBURSEMENT UNIT					
	2/4/2010	2569	1,771.37		
				CHILD SUPPORT W/H 02/04/10	1,771.37
	2/18/2010	2577	1,964.62		
				CHILD SUPPORT W/H 02/18/10	1,964.62
	Vendor Total		**3,735.99**		
FYTD for STATE DISBURSEMENT UNIT			**32,397.34**		
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	2/1/2010	200281	4,295.00		
				DEC-09 FINGERPRINTING SVCS	4,295.00
	2/16/2010	200633	595.00		
				JUL-09 BLOOD ALCHL ANLYS-PD	70.00
				NOV-09 BLOOD ALCHL ANLYS-PD	525.00
	Vendor Total		**4,890.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**37,204.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	2/16/2010	200634	270.74		
				REFUND-MVU/JEAN STOKES	124.49
				REFUND-MVU/RUBY HAYWARD	146.25
	Vendor Total		**270.74**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**882.91**		
STATE WATER RESOURCES CONTROL BOARD					
	2/22/2010	200760	77.00		
				HEACOCK ST EMRGNCY REPRS-JAN20	77.00
	Vendor Total		**77.00**		
FYTD for STATE WATER RESOURCES CONTROL BOARD			**77.00**		

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STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
2/16/2010	200635	3,391.04		
			JAN-10 TRANSCRIPTION SVCS-PD	3,391.04
Vendor Total		**3,391.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**27,316.48**		
STERICYCLE (BFI)				
2/8/2010	200497	442.24		
			JAN-10 MED WASTE HAULING SVC	442.24
Vendor Total		**442.24**		
FYTD for STERICYCLE (BFI)		**3,095.88**		
STEWART TITLE OF CALIFORNIA				
2/23/2010	91310	16,837.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,837.00
Vendor Total		**16,837.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,438,024.50**		
STEWART, CLIFFORD				
2/8/2010	200498	251.09		
			RETIREE MEDICAL BENEFIT	251.09
Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD		**1,494.63**		
STOUT, LORNA				
2/22/2010	200761	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for STOUT, LORNA		**75.00**		
STREICH, TERRY L.				
2/8/2010	200499	30.33		
			RETIREE MEDICAL BENEFIT	30.33
Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.		**519.65**		
STRICKLER ASSOCIATION, THE				
2/1/2010	200282	3,477.50		
			CONSULTING SVCS-HSG	3,477.50
2/22/2010	200762	2,177.50		
			PROF CONSULTING SVCS	2,177.50
Vendor Total		**5,655.00**		
FYTD for STRICKLER ASSOCIATION, THE		**26,390.00**		

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STRICKLER II, JOHN W.					
	2/8/2010	200500	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**1,912.39**		
SUMERFORD, CHRISTINA					
	2/16/2010	200636	76.00		
				INSTRUCTION SVC-2 DAYS	76.00
	Vendor Total		**76.00**		
FYTD for SUMERFORD, CHRISTINA			**342.00**		
SUNNYMEAD ACE HARDWARE					
	2/8/2010	200501	187.64		
				MISC SUPPLIES-PD	141.35
				MISC SUPPLIES-PD	26.09
				MISC SUPPLIES-PD	12.60
				MISC SUPPLIES-PD	7.60
	2/16/2010	200637	204.72		
				MISC SUPPLIES-FIRE	6.49
				MISC SUPPLIES-FIRE	16.31
				MISC SUPPLIES-PD	30.44
				MISC SUPPLIES-PD	116.30
				MISC SUPPLIES-PD	14.65
				MISC SUPPLIES-PD	19.99
				MISC SUPPLIES-PD	0.54
	Vendor Total		**392.36**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,874.39**		
SUNNYMEAD ANIMAL HOSPITAL					
	2/8/2010	200502	107.50		
				WELLNESS EXAM-K9 MAX	107.50
	Vendor Total		**107.50**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL			**347.50**		
SUNNYMEAD SMOG CENTER					
	2/8/2010	200503	66.98		
				REFUND-BUS LIC OVERPAYMENT	66.98
	Vendor Total		**66.98**		
FYTD for SUNNYMEAD SMOG CENTER			**66.98**		
SUNNYMEAD VETERINARY CLINIC					
	2/8/2010	200504	595.00		
				EMERG VET SVCS-ANML SHLTR	255.00
				EMERG VET SVCS-ANML SHLTR	340.00
	Vendor Total		**595.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**3,581.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SWRCB/STATE WATER RESOURCE CONTROL BOARD					
	2/8/2010	200505	1,275.00		
				ANNL PERMIT FEE-HEACOCK BRIDGE	1,275.00
	2/8/2010	200506	288.00		
				ANNL PERMIT FEE-EMERG OPS CTR	288.00
	Vendor Total		**1,563.00**		
FYTD for SWRCB/STATE WATER RESOURCE CONTROL BOARD			**24,062.00**		
TANETTA, TATUM					
	2/8/2010	200507	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for TANETTA, TATUM			**100.00**		
TEK TIME SYSTEMS, LLC					
	2/22/2010	200763	197.63		
				TIME STAMP REPAIR	197.63
	Vendor Total		**197.63**		
FYTD for TEK TIME SYSTEMS, LLC			**423.41**		
TIMOTHY MCPIKE & SHANNON MCPIKE					
	2/8/2010	200508	20,000.00		
				SETTLEMENT	20,000.00
	Vendor Total		**20,000.00**		
FYTD for TIMOTHY MCPIKE & SHANNON MCPIKE			**20,000.00**		
T-N-T HICKS CATERING					
	2/16/2010	200638	1,500.00		
				CATERING SVCS-JOINT COC MIXER	1,500.00
	Vendor Total		**1,500.00**		
FYTD for T-N-T HICKS CATERING			**1,500.00**		
TRICHE, TARA					
	2/22/2010	200765	1,687.20		
				INSTRUCTOR SVCS-TEENS BALLET	22.20
				INSTRUCTOR SVCS-BALLET	266.40
				INSTRUCTOR SVCS-BALLET/ACRO	111.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	466.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-HIP HOP DANCE	377.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,687.20**		
FYTD for TRICHE, TARA			**15,517.80**		

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TRI-CITY LINEN SUPPLY, INC.					
	2/8/2010	200509	25.00		
				LINEN RENTAL-CRC	25.00
	2/16/2010	200640	75.00		
				LINEN RENTAL-CRC	75.00
	2/22/2010	200764	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**125.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,349.70**		
TROPICAL PLAZA NURSERY, INC.					
	2/22/2010	200766	18,174.04		
				JAN-10 LNDSCP MAINT-ZONE E-2	15,700.00
				JAN-10 LNDSCP MAINT-ZONE E-16	2,217.45
				JAN-10 IRRIG RPRS-ZONE E-2	256.59
	Vendor Total		**18,174.04**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**144,925.51**		
TRUGREEN LANDCARE					
	2/8/2010	200510	11,714.55		
				DEC-09 LNDSCP MAINT-ZONE E-3	10,038.43
				DEC-09 LNDSCP MAINT-ZONE E-3A	1,676.12
	2/22/2010	200767	7,403.38		
				JAN-10 LNDSCP MAINT-ZONE DSG1E	7,403.38
	Vendor Total		**19,117.93**		
FYTD for TRUGREEN LANDCARE			**214,924.04**		
TUNG, ALYNNA & ALADDIN					
	2/16/2010	200641	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for TUNG, ALYNNA & ALADDIN			**20.00**		
TUNTLAND, JAMES					
	2/8/2010	200511	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,494.63**		

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TURNER, TRINA					
	2/16/2010	200642	60.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for TURNER, TRINA			**60.00**		
U.S. HEALTHWORKS MEDICAL GROUP					
	2/1/2010	200283	236.00		
				PRE-EMPLYMNT PHYSICALS	236.00
	Vendor Total		**236.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,883.00**		
UNDERGROUND SERVICE ALERT					
	2/16/2010	200643	510.00		
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	127.50
				DIGALERT TICKETS SUBSCRPTN SVC	111.74
				DIGALERT TICKETS SUBSCRPTN SVC	15.76
	2/22/2010	200768	592.50		
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.13
				DIGALERT TICKETS SUBSCRPTN SVC	148.12
	Vendor Total		**1,102.50**		
FYTD for UNDERGROUND SERVICE ALERT			**5,677.50**		
UNITED POWER GENERATION, INC.					
	2/22/2010	200769	3,422.70		
				SVC TO GENERATOR @ FIRE ST #2	300.00
				EMERG GENERATOR MAINT-F.S. #2	347.80
				EMERG GENERATOR MAINT-F.S. #65	340.00
				EMERG GENERATOR MAINT-F.S. #58	360.00
				EMERG GENERATOR MAINT-F.S. #6	340.30
				EMERG GENERATOR MAINT-F.S. #48	340.30
				EMERG GENERATOR MAINT-CITY YRD	179.40
				EMERG GENERATOR MAINT-SR. CTR	179.40
				EMERG GENERATOR MAINT-SHELTER	375.90
				EMERG GENERATOR MAINT-CTY HALL	659.60
	Vendor Total		**3,422.70**		
FYTD for UNITED POWER GENERATION, INC.			**11,904.03**		

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UNITED SITE SERVICES OF CA, INC.				
2/1/2010	200284	292.11		
			FENCE RENTAL-ANIMAL SHELTER	107.39
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
2/8/2010	200512	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
2/16/2010	200644	77.33		
			PORTABLE TOILET SVC-GOLF CTR	77.33
2/22/2010	200770	204.94		
			PORTABLE TOILET SVC-M&O DIV.	97.55
			FENCE RENTAL-ANIMAL SHELTER	107.39
Vendor Total		**671.93**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**8,825.41**		
UNITED STATES TREASURY				
2/1/2010	200285	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
2/16/2010	200645	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY		**5,320.00**		
UNITED WAY OF INLAND VALLEYS				
2/1/2010	200286	642.18		
			UNITED WAY CONTRIBUTIONS	642.18
2/16/2010	200646	637.18		
			UNITED WAY CONTRIBUTIONS	637.18
Vendor Total		**1,279.36**		
FYTD for UNITED WAY OF INLAND VALLEYS		**15,018.00**		
UNITED WAY, INLAND VALLEYS				
2/16/2010	200647	268.67		
			EMPLOYEE GIVING CMPGN	268.67
Vendor Total		**268.67**		
FYTD for UNITED WAY, INLAND VALLEYS		**1,171.28**		
USA MOBILITY/ARCH WIRELESS				
2/16/2010	200648	79.52		
			PAGER SVC-PARK RANGERS/FEB-10	2.03
			PAGER SVC-TRANSP DIV/FEB-10	5.08
			PAGER SVC-PD CITZ PATRL/FEB-10	33.53
			PAGER SVC-ANIMAL SVCS/FEB-10	38.88
Vendor Total		**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**650.16**		

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VA CONSULTING, INC.					
	2/1/2010	200287	10,822.01		
				HEACOCK ST BRIDGE RPLCMNT PROJ	10,822.01
	2/16/2010	200649	23,830.45		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,059.64
				AUTO MALL IMPRVMNTS PROJ SVCS	873.06
				AUTO MALL IMPRVMNTS PROJ SVCS	20,897.75
	2/22/2010	200771	683.52		
				AUTO MALL IMPRVMNTS PROJ SVCS	683.52
	Vendor Total		**35,335.98**		
FYTD for VA CONSULTING, INC.			**272,063.71**		
VACATE PEST ELIMINATION COMPANY					
	2/8/2010	200514	1,365.00		
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR.	55.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-MARB HOBBY SHOP	45.00
				PEST CNTRL-STARS BLDG/MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP. TRLR	45.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				GOPHER CNTRL-MV UTILITY SUBST.	40.00
	Vendor Total		**1,365.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**12,275.00**		
VALI COOPER & ASSOCIATES, INC.					
	2/22/2010	200772	10,710.00		
				TEMP STAFFING SVCS-CAP PROJS	10,710.00
	Vendor Total		**10,710.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**120,577.50**		

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VANDER HAWK CONSULTING, LLC					
	2/16/2010	200650	11,130.00		
				ANNL PAVEMNT MGMT UPDATE SVCS	11,130.00
	Vendor Total		**11,130.00**		
FYTD for VANDER HAWK CONSULTING, LLC			**45,393.00**		
VAS ASSOCIATES, INC.					
	2/22/2010	200773	16,200.00		
				TEMP STAFFING SVCS-CAP PROJS	1,315.00
				TEMP STAFFING SVCS-CAP PROJS	14,885.00
	Vendor Total		**16,200.00**		
FYTD for VAS ASSOCIATES, INC.			**147,645.00**		
VASQUEZ, ERIKA					
	2/1/2010	200288	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for VASQUEZ, ERIKA			**47.00**		
VEGA, ELIZABETH					
	2/22/2010	200774	46.00		
				REFUND-ANML SVC FEES	31.00
				REFUND-ANML SVC FEES	15.00
	Vendor Total		**46.00**		
FYTD for VEGA, ELIZABETH			**46.00**		
VERITEXT LOS ANGELES REPORTING CO.					
	2/16/2010	200651	2,440.70		
				TRANSCRIPTION SVCS	862.50
				TRANSCRIPTION SVCS	610.75
				TRANSCRIPTION SVCS	275.00
				TRANSCRIPTION SVCS	252.50
				TRANSCRIPTION SVCS	439.95
	Vendor Total		**2,440.70**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**2,440.70**		
VERIZON					
	2/16/2010	200652	1,700.96		
				BACKBONE CHRGS	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**13,430.93**		

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VERIZON CALIFORNIA					
	2/1/2010	200289	619.80		
				PHONE CHRGS FOR ERC	619.80
	2/16/2010	200654	8,673.57		
				TELEPHONE CHRGS	173.38
				TELEPHONE CHRGS	198.71
				TELEPHONE CHRGS	184.08
				TELEPHONE CHRGS	494.01
				TELEPHONE CHRGS	223.79
				TELEPHONE CHRGS	113.76
				TELEPHONE CHRGS	219.24
				TELEPHONE CHRGS	189.09
				TELEPHONE CHRGS	61.81
				TELEPHONE CHRGS	218.21
				TELEPHONE CHRGS	137.74
				TELEPHONE CHRGS	325.93
				TELEPHONE CHRGS	119.05
				TELEPHONE CHRGS	479.56
				TELEPHONE CHRGS	291.37
				TELEPHONE CHRGS	167.75
				TELEPHONE CHRGS	64.13
				TELEPHONE CHRGS	289.08
				TELEPHONE CHRGS	18.80
				TELEPHONE CHRGS	133.29
				TELEPHONE CHRGS	216.07
				TELEPHONE CHRGS	11.94
				TELEPHONE CHRGS	11.93
				TELEPHONE CHRGS	41.22
				TELEPHONE CHRGS	25.90
				TELEPHONE CHRGS	42.85
				TELEPHONE CHRGS	23.40
				TELEPHONE CHRGS	20.61
				TELEPHONE CHRGS	24.13
				TELEPHONE CHRGS	133.31
				TELEPHONE CHRGS	80.73
				TELEPHONE CHRGS	40.18
				TELEPHONE CHRGS	56.46
				TELEPHONE CHRGS	213.29
				TELEPHONE CHRGS	55.10
				TELEPHONE CHRGS	22.80
				TELEPHONE CHRGS	92.76
				TELEPHONE CHRGS	215.32
				TELEPHONE CHRGS	3,242.79
	Vendor Total		**9,293.37**		
FYTD for VERIZON CALIFORNIA			**77,910.64**		
VICTOR MEDICAL CO					
	2/1/2010	200290	1,170.15		
				ANIMAL MEDICAL SUPPLIES	1,170.15
	Vendor Total		**1,170.15**		
FYTD for VICTOR MEDICAL CO			**9,898.75**		

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VIGIL, ERNEST					
	2/8/2010	200515	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,549.84**		
VILLARREAL, MARIO					
	2/22/2010	200775	90.00		
				REFUND-CREMATION FEE	90.00
	Vendor Total		**90.00**		
FYTD for VILLARREAL, MARIO			**90.00**		
VINCENT, CLARENCE					
	2/8/2010	200516	161.24		
				RETIREE MEDICAL BENEFIT	161.24
	Vendor Total		**161.24**		
FYTD for VINCENT, CLARENCE			**1,693.02**		
VINCENT, LONNIE					
	2/22/2010	200776	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for VINCENT, LONNIE			**404.50**		
VIRANI, HUSSAIN					
	2/16/2010	200655	100.00		
				REFUND-CITATION FEE	100.00
	Vendor Total		**100.00**		
FYTD for VIRANI, HUSSAIN			**100.00**		
VISION SERVICE PLAN					
	2/16/2010	200656	4,114.86		
				EMPLOYEE VISION INSURANCE	4,114.86
	Vendor Total		**4,114.86**		
FYTD for VISION SERVICE PLAN			**35,612.64**		
VISTA PAINT CORPORATION					
	2/8/2010	200517	158.02		
				SUPPLIES FOR GRAFFITI RMVL PRG	41.00
				PAINT FOR GRAFFITI RMVL PRGM	117.02
	2/22/2010	200777	530.25		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	530.25
	Vendor Total		**688.27**		
FYTD for VISTA PAINT CORPORATION			**9,951.26**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VON MIZENER, ERIC					
	2/1/2010	200291	85.13		
				EXPENSE REIMBURSEMENT	85.13
	Vendor Total		**85.13**		
FYTD for VON MIZENER, ERIC			**85.13**		
VOYAGER FLEET SYSTEM, INC.					
	2/22/2010	200778	1,436.43		
				CNG FUEL FOR STREET PRGM	1,099.38
				CNG FUEL FOR DRAIN MAINT PRGM	337.05
	Vendor Total		**1,436.43**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**15,724.39**		
VULCAN MATERIALS CO, INC.					
	2/8/2010	200518	181.00		
				ASPHALTIC MATERIAL PICK UP	90.80
				ASPHALTIC MATERIAL PICK UP	90.20
	2/22/2010	200779	6,019.87		
				ASPHALTIC MATERIAL PICK UP	1,848.75
				ASPHALTIC MATERIAL PICK UP	2,390.33
				ASPHALTIC MATERIAL PICK UP	895.29
				ASPHALTIC MATERIAL PICK UP	255.28
				ASPHALTIC MATERIAL PICK UP	252.13
				ASPHALTIC MATERIAL PICK UP	219.95
				ASPHALTIC MATERIAL PICK UP	158.14
	Vendor Total		**6,200.87**		
FYTD for VULCAN MATERIALS CO, INC.			**92,907.18**		
WAGGONER JR., GLENN C.					
	2/8/2010	200519	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**2,549.84**		
WAGNER, GARY D.					
	2/8/2010	200520	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**2,543.56**		
WAGY, CARYLON					
	2/8/2010	200521	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**2,549.84**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WALLACE, DONNA					
	2/8/2010	200522	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for WALLACE, DONNA			**86.00**		
WARD, DOROTHY M.					
	2/22/2010	200780	404.50		
				REFUND-CITATION FEE	404.50
	Vendor Total		**404.50**		
FYTD for WARD, DOROTHY M.			**404.50**		
WASSON, KIRK					
	2/16/2010	200658	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for WASSON, KIRK			**1,140.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	2/1/2010	200292	1,244.51		
				JAN-10 STORAGE BIN RENTALS	1,244.51
	2/22/2010	200781	1,244.51		
				FEB-10 STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**10,850.69**		
WELLS FARGO CORPORATE TRUST					
	2/1/2010	91301	776.30		
				INTEREST VARIABLE RATE BOND	776.30
	Vendor Total		**776.30**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,625,709.59**		
WEST GROUP					
	2/1/2010	200293	2,059.76		
				LEGAL PUBLICATIONS SUBSCRPTNS	1,972.76
				LEGAL PUBLICATIONS SUBSCRPTNS	87.00
	2/16/2010	200659	184.12		
				JAN-10 ONLINE CHRGS-LEGAL INFO	184.12
	2/22/2010	200782	82.67		
				LEGAL PUBLICATIONS SUBSCRPTNS	82.67
	Vendor Total		**2,326.55**		
FYTD for WEST GROUP			**6,263.54**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEST, JAMES					
	2/22/2010	200783	25.00		
				REFUND-CITATION FEE	25.00
	Vendor Total		**25.00**		
FYTD for WEST, JAMES			**25.00**		
WESTERN MUNICIPAL WATER DISTRICT					
	2/22/2010	200784	343.17		
				WATER CHRGS-MARB BALLFLDS	236.35
				WATER CHRGS-MFPCC LNDSCP	51.52
				WATER CHRGS-MFPCC BLDG.	55.30
	Vendor Total		**343.17**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,596.93**		
WHALEN, TERRY					
	2/8/2010	200524	33.50		
				REFUND-CITATION FEE	33.50
	Vendor Total		**33.50**		
FYTD for WHALEN, TERRY			**33.50**		
WHEELING, MYRNA R.					
	2/8/2010	200525	50.00		
				REFUND-CITATION FEE	50.00
	Vendor Total		**50.00**		
FYTD for WHEELING, MYRNA R.			**50.00**		
WHIPPLE, LEWIS & LINDA					
	2/22/2010	200785	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**75.00**		
WIELIN, RONALD A.					
	2/8/2010	200526	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,549.84**		
WILGING, ROBERT OR RUTH					
	2/22/2010	200786	54.50		
				REFUND-CITATION FEE	54.50
	Vendor Total		**54.50**		
FYTD for WILGING, ROBERT OR RUTH			**54.50**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN AND ASSOCIATES					
	2/1/2010	200294	10,203.06		
				PLAN CHECK SVCS	10,203.06
	2/22/2010	200787	23,421.37		
				PLAN CHECK SVCS	8,373.37
				CONTRACT BLDG OFFICIAL SVCS	15,048.00
	Vendor Total		**33,624.43**		
FYTD for WILLDAN AND ASSOCIATES			**216,659.74**		
WILLIAMS, COURTNEY					
	2/16/2010	200660	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**304.00**		
WILLIAMS, NANCY L.					
	2/8/2010	200527	3.85		
				MILEAGE REIMBURSEMENT	3.85
	Vendor Total		**3.85**		
FYTD for WILLIAMS, NANCY L.			**215.63**		
WILSON-BEILKE, DENESE					
	2/8/2010	200528	625.68		
				RETIREE MEDICAL BENEFIT	625.68
	Vendor Total		**625.68**		
FYTD for WILSON-BEILKE, DENESE			**625.68**		
WRCRCA					
	2/16/2010	200661	13,566.00		
				RESIDENTIAL SINGLE FAMILY	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**185,656.00**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.					
	2/1/2010	200295	3,535.00		
				DEC-09 DAY PORTER SVCS	1,080.00
				CLEANING SVCS-CRC	2,115.00
				CLEANING SVCS-CRC	340.00
	2/16/2010	200662	22,786.38		
				JAN-10 JANTRL SVCS-MARCH FLD	716.85
				SPCL CLEANING SVCS-SR CTR	260.00
				FEB-10 JANTRL SVCS-SNNYMD ELEM	184.10
				FEB-10 JANTRL SVCS-RNBW RIDGE	310.19
				FEB-10 JANTRL SVCS-RED MAPLE	310.19
				FEB-10 JANTRL SVCS-CITY HALL	4,588.23
				FEB-10 JANTRL SVCS-CITY YARD	346.90
				FEB-10 JANTRL SVCS-TRANSP TRLR	98.40
				FEB-10 JANTRL SVCS-ESA ANNEX	735.73
				FEB-10 JANTRL SVCS-FAC. ANNEX	124.29
				FEB-10 JANTRL SVCS-LIBRARY	1,771.79
				FEB-10 JANTRL SVCS-GOLF SHOP	644.70
				FEB-10 JANTRL SVCS-PSB	5,564.25
				FEB-10 JANTRL SVCS-GANG TSK FC	112.82
				FEB-10 JANTRL SVCS-MVTV STUDIO	58.05
				FEB-10 JANTRL SVCS-SENIOR CTR	1,916.18
				FEB-10 JANTRL SVCS-STARS HDQTR	298.87
				FEB-10 JANTRL SVCS-SNNYMD MIDD	152.10
				FEB-10 JANTRL SVCS-TWNGATE CC	691.38
				FEB-10 JANTRL SVCS-TS ANNEX	453.43
				FEB-10 JANTRL SVCS-CRC	3,447.93
	2/22/2010	200788	1,248.96		
				FEB-10 JANTRL SVCS-EMP RES CTR	348.96
				JAN-10 DAY PORTER SVCS	900.00
	Vendor Total		**27,570.34**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**202,883.01**		

City of Moreno Valley

Check Register

For Period 2/1/2010 through 2/28/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	2/1/2010	200296	720.84		
				COPIER MAINT/SUPPLY DEC-09	107.00
				COPIER MAINT/EXC PRINTS DEC-09	613.84
	2/8/2010	200529	2,227.21		
				COPIER MAINT-PD RECORDS/DEC-09	59.03
				EXC PRINTS-PD RECORDS/DEC-09	407.09
				COPIER MAINT-DETECTIVES/DEC-09	65.00
				EXC PRINTS-DETECTIVES/DEC-09	1,642.09
				COPIER MAINT-DETECT. FAX-QTRLY	54.00
	2/16/2010	200663	1,418.03		
				COPIER MAINT/SUPPLY JAN-10	65.00
				COPIER EQUIP/MAINT JAN-10	359.34
				COPIER MAINT/SUPPLY JAN-10	779.48
				COPIER EXC PRINTS CHRG JAN-10	214.21
	2/22/2010	200789	1,331.83		
				COPIER MAINT-PD RECORDS/JAN-10	59.03
				EXC PRINTS-PD RECORDS/JAN-10	138.93
				COPIER MAINT-STARS PRGM/JAN-10	107.00
				EXC PRINTS CHRG-STARS/JAN-10	1,026.87
	Vendor Total		**5,697.91**		
FYTD for XEROX			**45,860.69**		
ZAMORA, KATRINA					
	2/8/2010	200530	31.20		
				REFUND-DANCE CLASS	31.20
	Vendor Total		**31.20**		
FYTD for ZAMORA, KATRINA			**31.20**		
ZUMAR INDUSTRIES, INC.					
	2/8/2010	200531	387.91		
				SIGNS/BLANKS FOR TRANSP. DIV.	387.91
	2/16/2010	200664	28.55		
				SIGNS-CITY HALL PARKING LOT	28.55
	Vendor Total		**416.46**		
FYTD for ZUMAR INDUSTRIES, INC.			**27,261.62**		

Subtotal **1,357,884.49**

GRAND TOTAL **11,074,851.58**

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MV00053925

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

DEVELOPER – RIDGE MORENO VALLEY, LLC AND
RIDGE MORENO VALLEY II, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089,

2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California.

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 26, 2009, the City Council approved the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, Ridge Moreno Valley LLC, and Ridge Moreno Valley II, LLC. The Agreement required that Irrevocable Offers of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. The storm drain improvements and easements were required within Parcel Map 32326. The IOD's were recorded and the storm drain improvements were constructed according to approved plans and the approved Agreement.

DISCUSSION

The City has received a request from the RCFC&WCD to quitclaim the referenced storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, and 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8. Per the Agreement, the City is required to convey the necessary rights of way to the RCFC&WCD in order to allow the RCFC&WCD to operate and maintain the drainage facilities located within said storm drain easements.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further

processing and recordation. *This alternative would allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California. Do not direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation. *This alternative would not allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Quitclaim Deed for Instrument Number 2006-0437088
Attachment 3 - Quitclaim Deed for Instrument Number 2006-0437089
Attachment 4 - Quitclaim Deed for Instrument Number 2009-0597445
Attachment 5 - Quitclaim Deed for Instrument Number 2009-0597446
Attachment 6 - Quitclaim Deed for Instrument Number 2009-0657601
Attachment 7 – Resolution

Prepared By
Vicente Giron
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 PM 32326 - Quitclaim Deeds.doc

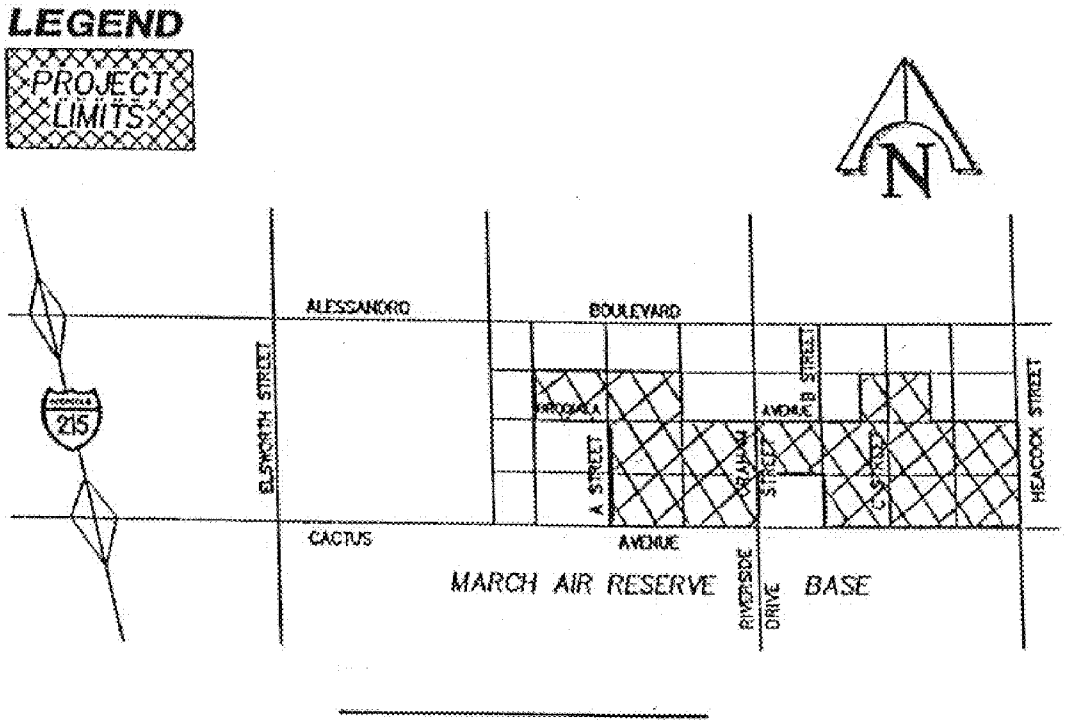

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT Attachment 1	PM 32326 VICINITY MAP Page 1 of 2

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PM 32326 - Attachment 1.pdf

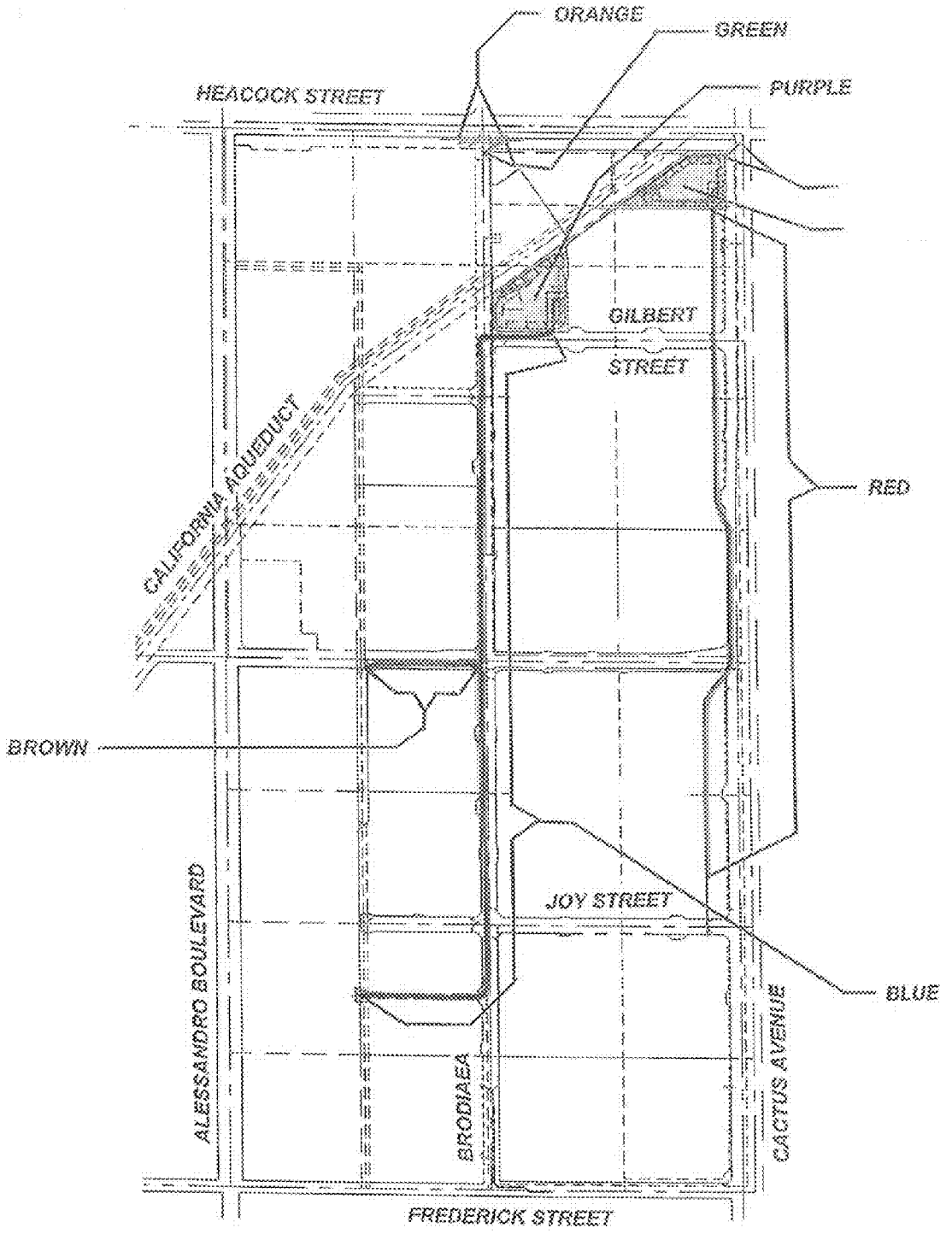

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PM 32326 VICINITY MAP Page 2 of 2

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-13-10 PM 32326 - Attachment 1.pdf

MV00053931

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4736-503

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Parcel C as described in Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437088, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 2

DOC # 2006-0437088
06/16/2006 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		5						
					1			✓	LC
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

1 C LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JW Bowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY'S SIGNATURE

2006-0437088
06/16/2006 08:00A
2 of 5

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES
14 CH

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

APA 5/99 VALLEY-SIERRA 800-362-3369

Item No. A.5

MV00053934

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOT 6, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT SOUTH 89°34'09" EAST THEREON 294.02 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT 6; THENCE NORTH 00°20'21" EAST 596.11 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°29'23" A DISTANCE OF 27.68 FEET; THENCE TANGENT TO SAID CURVE NORTH 79°09'02" WEST 35.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 22.50 FEET; THENCE NORTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 44°28'05" A DISTANCE OF 17.46 FEET TO A RADIAL THEREOF WHICH BEARS SOUTH 64°19'03" WEST.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 6.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 89°34'17" WEST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOT 7, BLOCK 242 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 22.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DISTANT NORTH 89°34'09" WEST THEREON 87.23 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT 7; THENCE NORTH 00°26'36" EAST 181.80 FEET.

EXCEPTING THEREFROM THE SOUTHERLY 63.00 FEET OF SAID LOT 7.

PARCEL C:

THAT PORTION OF LOT 1, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, DESCRIBED AS FOLLOWS:

2006-0437088
06/16/2006 08:00A
3 of 5

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE NORTHERLY 39.00 FEET OF SAID LOT 1 WITH THE WESTERLY LINE OF THE WESTERLY 83.50 FEET OF SAID LOT 1; THENCE SOUTH 00°25'53" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 29.30 FEET; THENCE NORTH 29°33'31" WEST 33.83 FEET TO A POINT IN SAID SOUTHERLY LINE; THENCE SOUTH 89°34'31" EAST ALONG SAID SOUTHERLY LINE 16.91 FEET TO THE "POINT OF BEGINNING".

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R3
JN 11-0244-01
JAPRIL 29, 2006

2006-0437088
06/16/2006 08:00A
4 of 5

Item No. A.5

MV00053936

EXHIBIT B
FOR
BRODIAEA AVENUE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

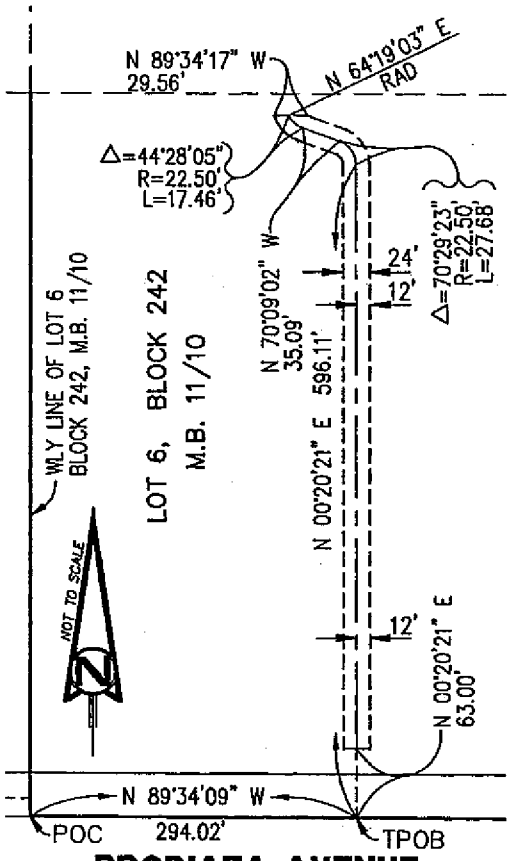

BRODIAEA AVENUE

PARCEL A

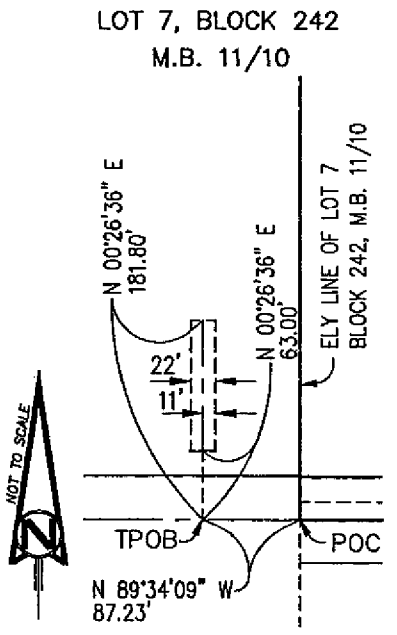

BRODIAEA AVENUE

PARCEL B

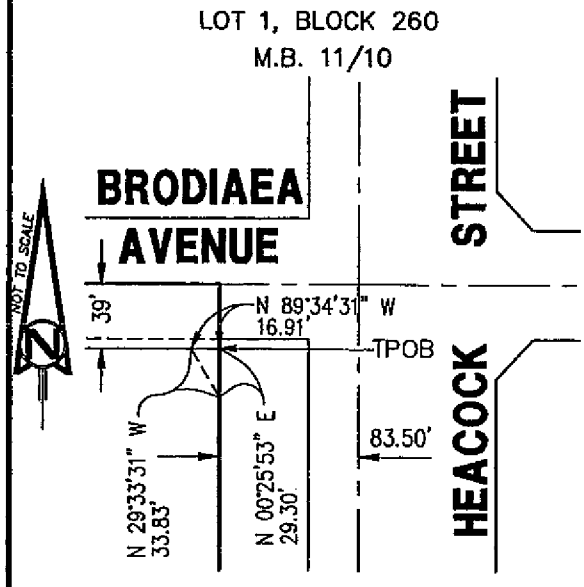

PARCEL C

PROFESSIONAL LAND SURVEYOR
ROBERT B. STANFORD
L.S. 4457
EXPIRATION
9-30-2007
SURVEYOR
STATE OF CALIFORNIA

PREPARED BY OR UNDER THE SUPERVISION OF

ROBERT B. STANFORD JR. DATE 6/2/06

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/1

JUL. 24, 2006 14:10 H:\PROJ\1102440\EXHIBITS\DRAINAGE-EXHIBITS\LEGH-B.DWG

RCFC PARCEL NO. 4736-503

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00053939

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326
Line B

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded June 16, 2006, as Instrument No. 2006-0437089, records of said County, attached for reference purposes.

RCFC Parcel No. 4736-500 referenced as Parcel A
RCFC Parcel No. 4736-501 referenced as Parcel B
RCFC Parcel No. 4736-502 referenced as Parcel C

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Attachment 3

(SEAL)

DOC # 2006-0437089
06/16/2006 08:00A Fee:NC
Page 1 of 6
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on 5/17/2006 **as Instrument No.** 2006-0359398

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

C
LC

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 6/14/06

By: JWBowers
James W. Bowers
Title: Vice President

(Notary Attached)

ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Orange } SS.

On June 14, 2006 (DATE) before me, Carleen Kezeor, Notary Public (NOTARY)
personally appeared James W. Bowers (SIGNER(S))

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signatures(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

CARLEEN KEZEOR
Comm. # 1572538
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires May 7, 2009

WITNESS my hand and official seal.

Carleen Kezeor
NOTARY SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ OTHER: managing member vice-president

DESCRIPTION OF ATTACHED DOCUMENT

Irrevocable Offer of Dedication
TITLE OR TYPE OF DOCUMENT

five (5)
NUMBER OF PAGES

6-14-06
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Ridge Property Trust.

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here

APA 5/99

VALLEY-SIERRA, 800-362-3369

2006-0437889
06/16/2006 09:00A
2 of 6

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENTS
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

PARCEL A:

THAT PORTION OF LOTS 7 AND 8, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE SOUTH 89°35'02" EAST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°35'02" EAST 614.06 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°25'53" EAST AND WHICH PASSES THROUGH THE EASTERLY TERMINUS OF SAID 28.00 FOOT STRIP OF LAND.

PARCEL B:

THAT PORTION OF LOTS 6 AND 7, BLOCK 260 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 28.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF HEACOCK STREET AND CACTUS AVENUE AS SAID CENTERLINES ARE SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE ALONG SAID CENTERLINE OF CACTUS AVENUE NORTH 89°35'02" WEST 1030.29 FEET; THENCE NORTH 00°26'28" EAST 165.00 FEET; THENCE NORTH 89°35'02" WEST 39.00 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING NORTH 89°35'02" WEST 758.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°21'31" A DISTANCE OF 22.27 FEET; THENCE TANGENT TO SAID CURVE SOUTH 62°03'27" WEST 96.00 FEET TO A POINT IN A LINE PARALLEL WITH AND A 114.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID CACTUS AVENUE.

THE SIDE LINES OF THE ABOVE DESCRIBED 28.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE BEGINNING THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 00°26'28" EAST AND WHICH PASSES THROUGH THE "TRUE POINT OF BEGINNING" AND SHALL BE PROLONGED OR SHORTEN AT THE END THEREOF SO AS TO TERMINATE AT SAID PARALLEL LINE.

PARCEL C:

THAT PORTION OF LOTS 7 AND 8, BLOCK 259 OF MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF

2006-0437089
06/16/2006 08:00A
3 of 6

RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11 PAGE 10, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, WHICH LIES WITHIN A STRIP OF LAND 24.00 FEET WIDE THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WESTERLY LINE OF SAID LOT 7 DISTANT NORTH 00°25'48" EAST THEREON 232.00 FEET FROM THE CENTERLINE OF CACTUS AVENUE AS SHOWN ON MAP FILED IN BOOK 73 PAGES 95 TO 99 INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY OF RIVERSIDE; THENCE SOUTH 89°33'53" EAST 332.79 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING SOUTH 89°33'53" EAST 792.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°25'45" A DISTANCE OF 30.18 FEET; THENCE TANGENT TO SAID CURVE SOUTH 51°08'09" EAST 142.17 FEET.

THE SIDE LINES OF THE ABOVE DESCRIBED 24.00 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED AT THE END THEREOF SO AS TO TERMINATE IN A LINE WHICH BEARS NORTH 43°08'34" EAST AND WHICH PASSES THROUGH THE END OF SAID 24.00 FOOT STRIP OF LAND.

ROBERT B. STANFORD JR., LS 4457
EXPIRES: SEPTEMBER 30, 2007

DATE: 4-29-06

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
Exp. Sept. 30, 2007
No. 4457
STATE OF CALIFORNIA

LD-HZ –084-R2
JN 11-0244-01
April 29, 2006, 2006

2006-0437089
06/16/2006 08:00A
4 of 6

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

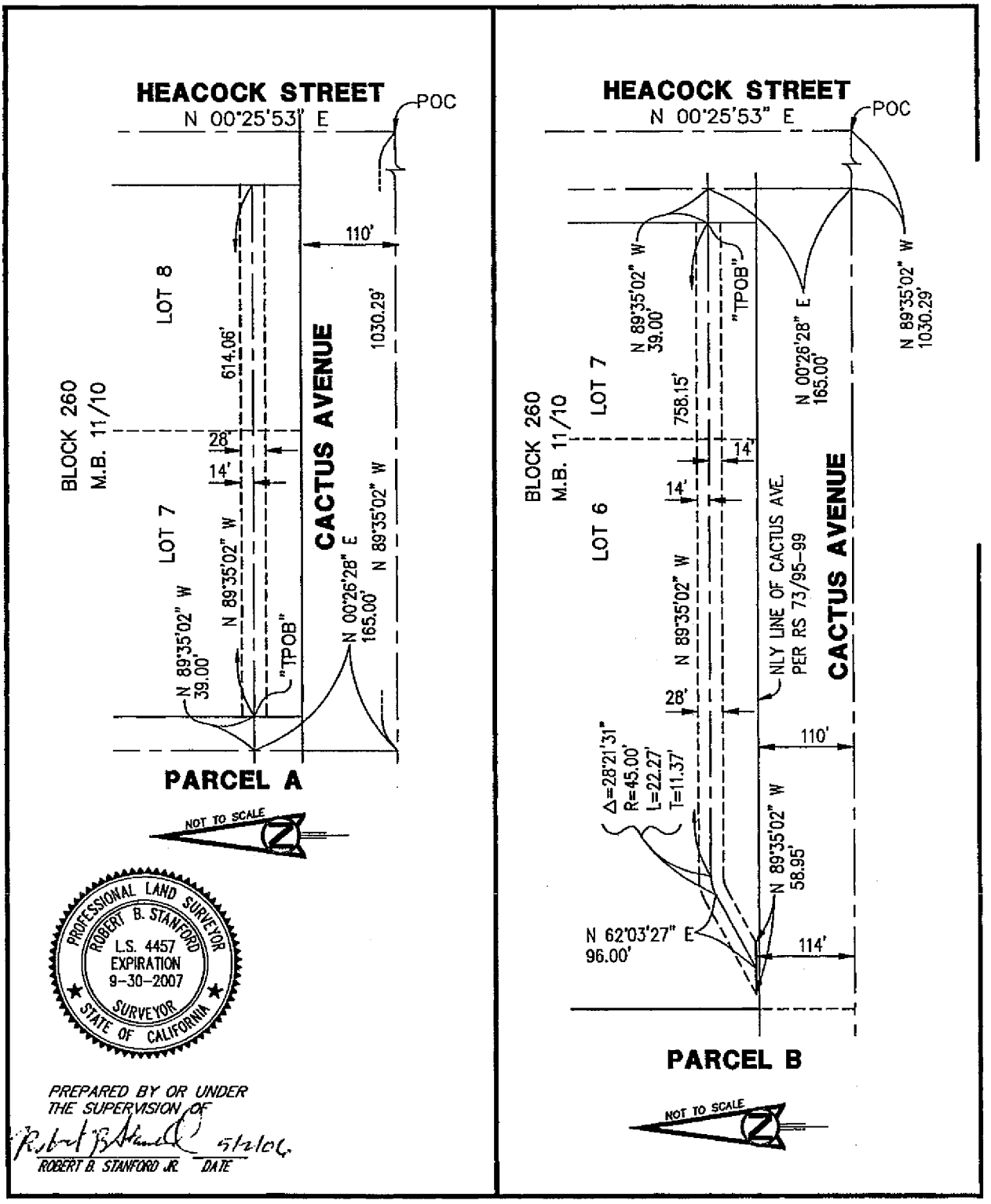

COOPERATIVE AGREEMENT
PARCEL MAP 32326
1/2

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2006-0437089
06/16/2006 08:00A
5 of 6

EXHIBIT B
FOR
CENTERPOINTE STORM DRAIN
DRAINAGE FACILITIES AND APPURTENANT STRUCTURES

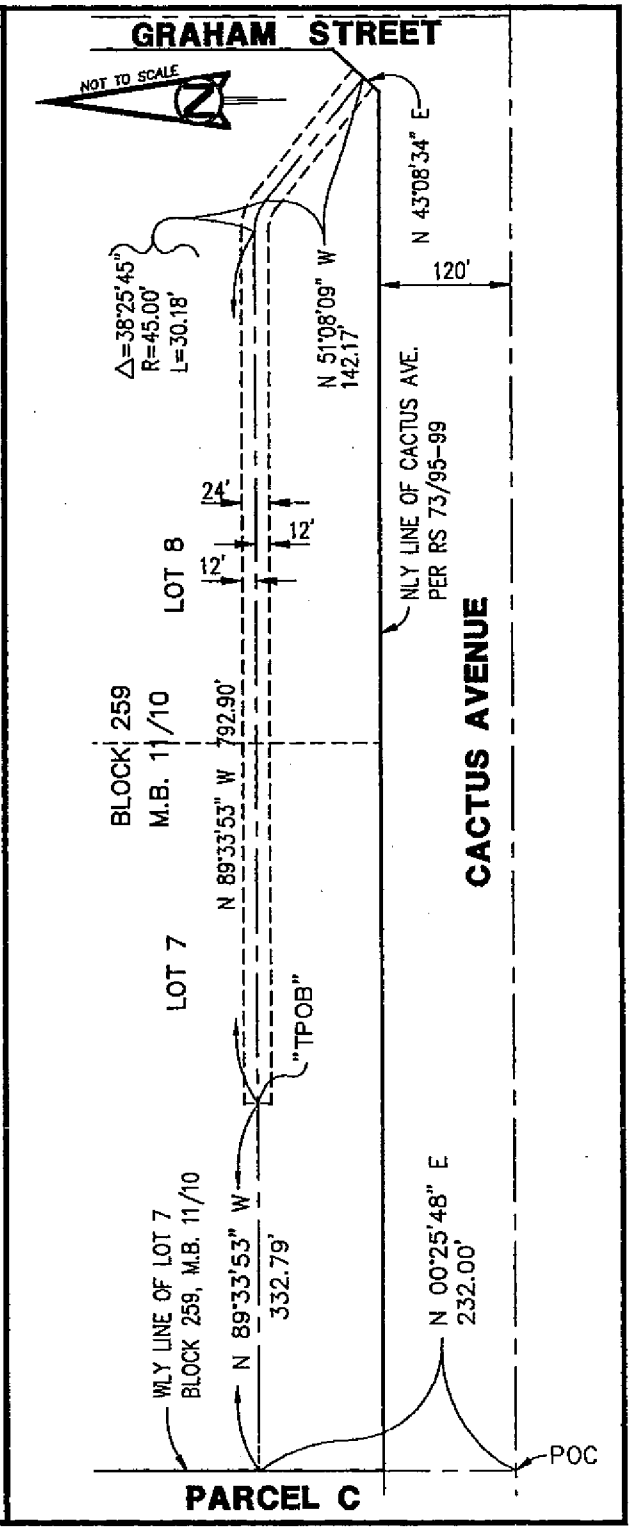

COOPERATIVE AGREEMENT
PARCEL MAP 32326
2/2

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2006-0437089
06/16/2006 08:00A
6 of 6

Item No. A.5

MV00053946

RCFC PARCEL NOS. 4736-500,
501 & 502

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Graham Street SD
Project No. 4-0-00633
Parcel Map 32326
Line E

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4633-500

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597445, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 4

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead-Graham St. SD
Project No. 4-0-00633
Parcel Map 32326

DOC # 2009-0597445
11/18/2009 08:00A Fee:NC
Page 1 of 5
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

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C
509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

(Notary Attached)

11/16/09

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers, a notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

Irrevocable offer of Dedication
3 pages total
Dated 11/16/09

-143-

2009-0597445
11/18/2009 08:00A
2 of 5

Item No. A.5

MV00053950

EXHIBIT "A"
LEGAL DESCRIPTION
(EASEMENT FOR STORM DRAIN PURPOSES)

THAT PORTION OF LOT 8, BLOCK 242, BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11, PAGE 10, OF MAPS, RECORDS OF THE COUNTY OF SAN BERNARDINO, SAID STATE, WHICH LIES WITH IN A STRIP OF LAND 25.00 FEET WIDE LYING 11.00 FEET ON THE NORTHERLY SIDE AND 14.00 FEET ON THE SOUTHERLY SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF GRAHAM STREET AS DESCRIBED IN THAT CERTAIN PARCEL OF LAND TO THE COUNTY OF RIVERSIDE RECORDED NOVEMBER 28, 1972 AS INSTRUMENT NO. 157189, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF RIVERSIDE WITH A LINE PARALLEL WITH AND 51.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY LINE OF SAID LOT 8;

THENCE ALONG SAID PARALLEL LINE NORTH 89°34'17" WEST 35.00 FEET.

CONTAINING 875 SQUARE FEET, MORE OR LESS.

REFERENCE IS MADE TO EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR MY DIRECT SUPERVISION.

DATE: 3-13-09

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –165 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05

2009-0597445
11/18/2009 08:00A
3 of 5

EXHIBIT "B"
STORM DRAIN AND ACCESS EASEMENT
CITY OF MORENO VALLEY

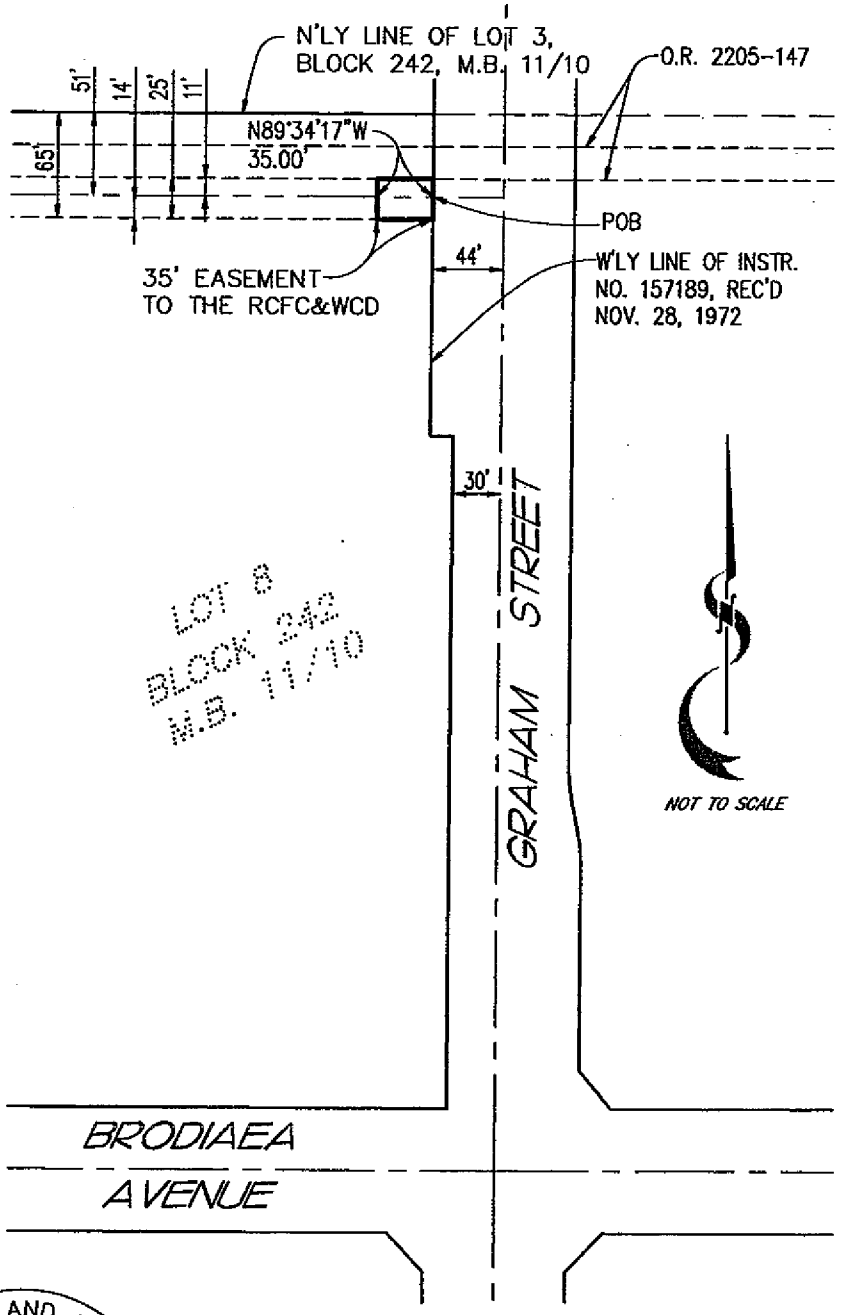

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 3-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 1 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 09, 2009 15:35 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT-AC-RCFC-WCD.DWG

2009-0597445
11/18/2009 08:00A
4 of 5

Item No. A.5

MV00053952

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE
PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

Item No. A.5

-146-

2009-0597445
11/18/2009 08:00A
5 of 5

MV00053953

RCFC PARCEL NO. 4633-500

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

This page intentionally left blank.

MV00053955

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
Line A

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded November 18, 2009, as Instrument No. 2009-0597446, records of said County, attached for reference purposes.

RCFC Parcel No. 4737-500A referenced as Parcel A
RCFC Parcel No. 4737-500B referenced as Parcel B
RCFC Parcel No. 4737-500C referenced as Parcel C
RCFC Parcel No. 4737-500D referenced as Parcel D

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 5

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on August 11, 2009 as Instrument No. 2009-0417410

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

Sunnymead Centerpointe SD
Project No. 4-0-00736
Parcel Map 32326

DOC # 2009-0597446
11/18/2009 08:00A Fee:NC
Page 1 of 7
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 509
nchg cc					T:		CTY	UNI	

C 509

IRREVOCABLE OFFER OF DEDICATION

RIDGE MORENO VALLEY, LLC, a Delaware limited liability company, doing business in California as RIDGE MORENO VALLEY PROPERTY, LLC hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal descriptions attached hereto as Exhibits "A-1", "A-2" and shown on Exhibits "B-1", "B-2" and made a part hereof.

RIDGE MORENO VALLEY, LLC,
a Delaware limited liability company,
doing business in California as
RIDGE MORENO VALLEY PROPERTY, LLC:

By: Ridge 191, LLC,
a Delaware limited liability company
Its Managing Member:
By: Ridge Property Trust,
a Maryland real estate investment trust
Its Managing Member:

Dated: 11-16-2009

By: Dennis Rice
Dennis Rice, President

See Attached Notary Certificate 11/16/09

(Notary Attached)

ACKNOWLEDGMENT

State of California
County of Los Angeles

On Nov 16, 2009 before me, Ronald W. Chambers A Notary public,
(here insert name and title of the officer)

personally appeared Dennis Rice

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

RONALD W. CHAMBERS
Commission # 1756091
Notary Public - California
Los Angeles County
My Comm. Expires Jul 8, 2011

Signature

(Seal)

IRRevocable offer of Dedication
5 pages total
Dated 11/16/09

2

EXHIBIT "A-1"
LEGAL DESCRIPTION

PARCEL A: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE EASTERLY 18.50 FEET PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 1.

CONTAINING 10,400 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

PARCEL B: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID PARCEL 1;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°34'17" WEST 36.32 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE SOUTH 89°34'17" EAST 36.31 FEET TO THE EASTERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID EASTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,271 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-1".

DATE: 3-13-09

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –162-R2
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

2009-0597446
11/18/2009 08:00R
3 of 7

EXHIBIT "B-1"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

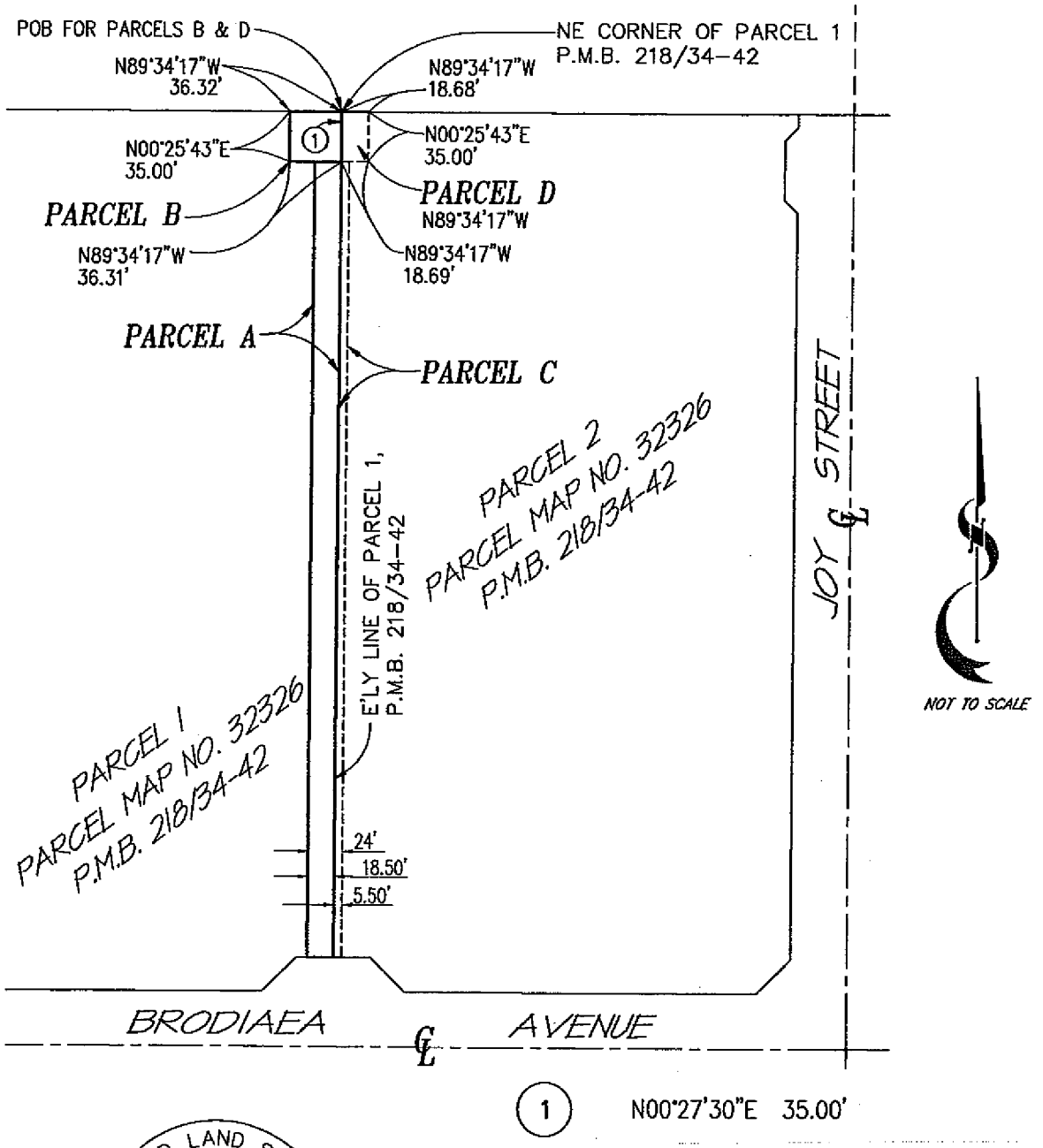

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: [signature]

DATE: 2-13-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 1 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 02, 2009 11:21 H:\PROJ\1102440\EXHIBITS\PARCEL 3\EXHIBIT-SD_LINEA-162.DWG

EXHIBIT "A-2"
LEGAL DESCRIPTION

PARCEL C: (EASEMENT FOR STORM DRAINS AND APPURTENANT STRUCTURES)

THE WESTERLY 5.50 FEET OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTHERLY 35.00 FEET OF SAID PARCEL 2.

CONTAINING 3,092 SQUARE FEET, MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

PARCEL D: (EASEMENT FOR MAINTENANCE OF DRAINAGE FACILITIES)

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 32326, IN THE CITY OF MORENO VALLEY, COUNTY RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID PARCEL 2;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 2, SOUTH 89°34'17" EAST 18.68 FEET;

THENCE AT RIGHT ANGLES TO SAID NORTHERLY LINE, SOUTH 00°25'43" WEST 35.00 FEET;

THENCE PARALLEL TO SAID NORTHERLY LINE NORTH 89°34'17" WEST 18.69 FEET TO THE WESTERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID WESTERLY LINE NORTH 00°27'30" EAST 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 654 SQUARE FEET MORE OR LESS.

THE HEREIN ABOVE DESCRIBED PARCEL IS SHOWN ON EXHIBIT "B-2".

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

DATE: 3-13-09

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ –163 R1
JN 11-0244-01
MARCH 11, 2009
T.B. 717/D-6
APN: 297-170-05 AND 66

EXHIBIT "B-2"
STORM DRAIN AND MAINTENANCE EASEMENT
P.M. 32326
CITY OF MORENO VALLEY

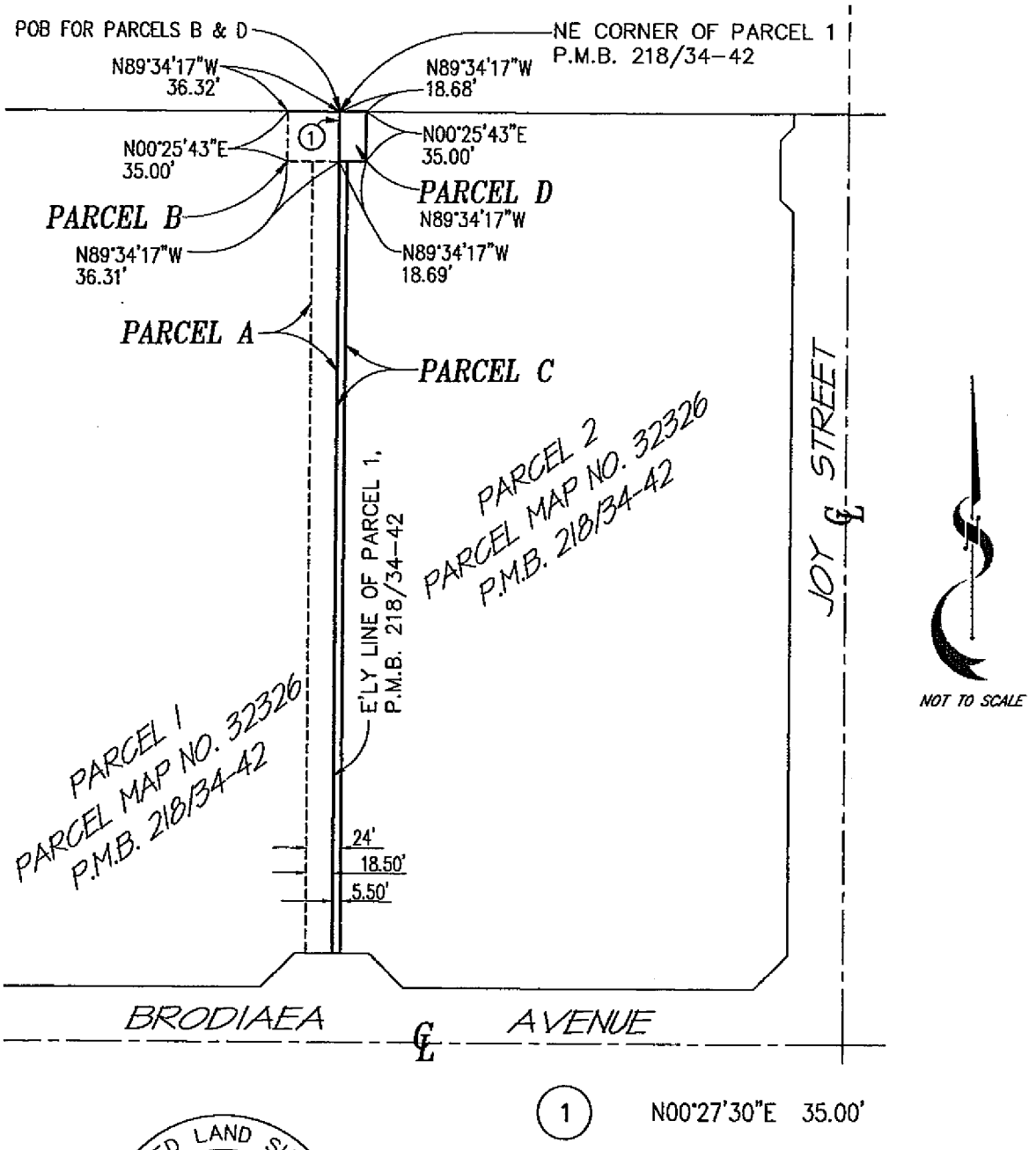

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY: Robert B. Stanford

DATE: 3-12-09

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HUITT-ZOLLARS

3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764
909/941-7799 • 909/941-7789 FAX

SHEET 2 OF 2 SHEETS	
DRAWN BY	MAYM
DATE	03-11-2009
JOB NO.	11-0244-01

MAR. 02, 2009 11:31 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT-SD_LINEA-163.DWG

-155-

2009-0597446
11/18/2009 08:00A

Item No. A.5

MV00053962

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

SEE ATTACHED NOTARY CERTIFICATE

ON PAGE 1

Date: 11/18/09

Signature:

Print Name: AMI VEISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

Item No. A.5

-156-

2009-0597446
11/18/2009 08:00A
7 of 7

MV00053963

RCFC PARCEL NOS. 4737-500A, 500B, 500C & 500D

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

This page intentionally left blank.

MV00053965

Recorded at request of, and return to:
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX $ NONE

RCFC Parcel No. 4737-501

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the CITY OF MORENO VALLEY, a municipal corporation, does hereby remise, release, and forever quitclaim to RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT all right, title and interest in and to easement, situated in the, City of Moreno Valley, County of Riverside, State of California, described in:

Irrevocable Offer of Dedication recorded December 23, 2009, as Instrument No. 2009-0657601, records of said County, attached for reference purposes.

CITY OF MORENO VALLEY, a municipal corporation:

Date _____

By: _____
BONNIE FLICKINGER, Mayor

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment 6

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the County of Riverside consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on October 17, 2008 as Instrument No. 2008-0557898

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501

NO FEE (GOV. CODE 6103)

DOC # 2009-0657601
12/23/2009

Customer Copy Label
The paper to which this label is affixed has not been compared with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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					T:		CTY	UNI	

Sunnymead Brodiaea Ave. SD
Project No. 4-0-00737
Parcel Map 32326
(Line A)

IRREVOCABLE OFFER OF DEDICATION

MORENO VALLEY CENTERPOINTE LLC,
hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, a storm drain easement for flood control and drainage purposes for the construction, use, repair, reconstruction, inspection, operation and maintenance of storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described in legal description attached hereto as Exhibits "A" and "B" and made a part hereof.

The District will request for the public to quitclaim to the grantors herein or to their successors or assigns all of the interests conveyed by this said easement as will no longer be necessary to the District by reason of the approval of the extension of Sunnymead Brodiaea Avenue Storm Drain, Line A, as evidenced by the District's issuance of a Notice to Proceed for such.

MORENO VALLEY CENTERPOINTE LLC:

Dated: 1-14-2009

By: [signature]

V. Prabhu Dhalla

Title: managing share holder

Dated: _____

By: _____

_____

Title: _____

(Notary Attached)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 1-14-2009 (Date) before me, Alice S. Reed, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared V. Prabhu Dhalla (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed the instrument.

ALICE S. REED
Commission # 1549086
Notary Public - California
Riverside County
My Comm. Expires Feb 28, 2009

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

WITNESS my hand and official seal.

Signature Alice S. Reed (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

©2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-876-6827

EXHIBIT "A"

EASEMENT FOR STORM DRAIN FACILITIES
TO
RIVERSIDE COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

THAT PORTION OF LOT 3, BLOCK 242 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COUNTY., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA. AS PER MAP FILED IN BOOK 11 PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY WHICH LIES WITHIN A STRIP OF LAND 26.00 FEET WIDE THE SOUTHERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 32326 AS PER MAP FILED IN BOOK 218 PAGES 34 TO 42 INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, DISTANT ALONG SAID NORTHERLY LINE NORTH 89°34'17" WEST 37.77 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 1; THENCE ALONG SAID NORTHERLY LINE AND THE NORTHERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 32326, SOUTH 89°34'17" EAST 71.00 FEET.

CONTAINING 1846 SQUARE FEET MORE OR LESS.

DATE: 12/19/2008

ROBERT B. STANFORD JR. PLS 4457
EXPIRES SEPTEMBER 30, 2009

LICENSED LAND SURVEYOR
ROBERT B. STANFORD, JR.
4457
EXP. 9-30-09
STATE OF CALIFORNIA

LD-HZ --151
11-0244-01
JULY 14, 2008
T.B. 717/ C-6

EXHIBIT "B"

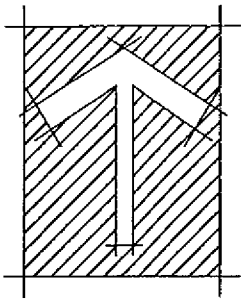

NOT TO SCALE

LOT 3, BLOCK 242
M.B. 10 -- 11

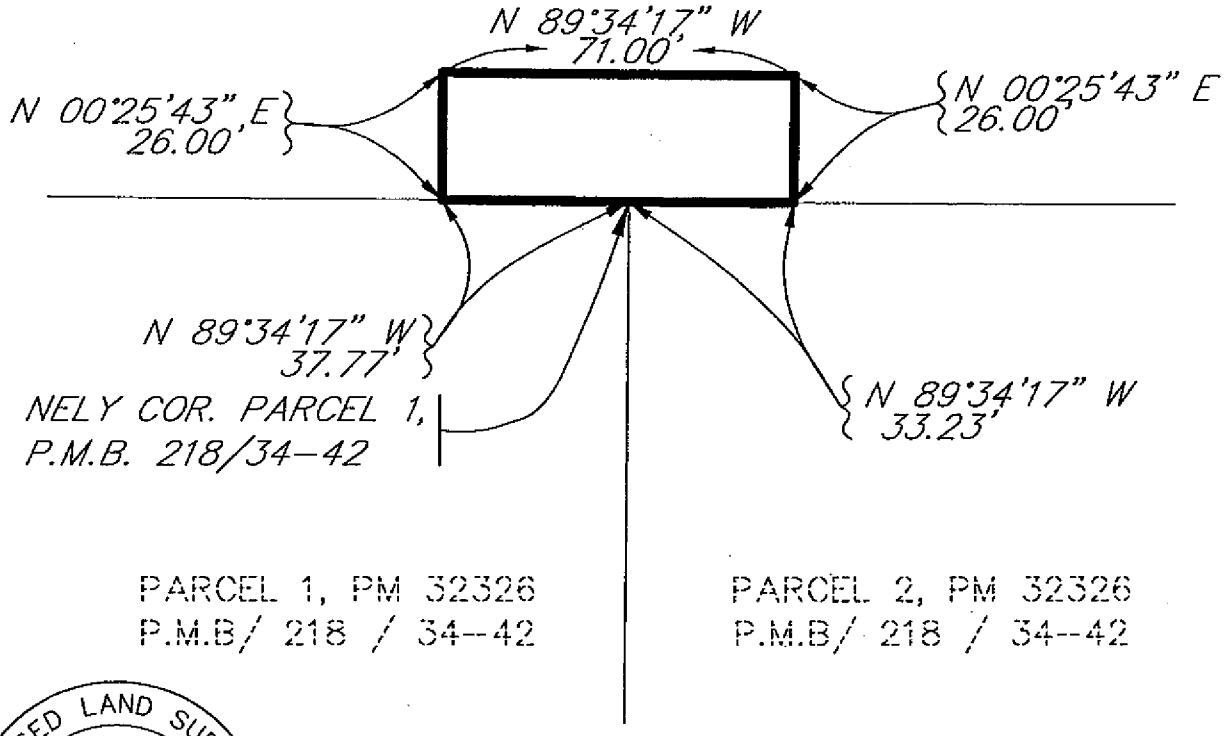

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

ROBERT B. STANFORD JR.
EXPIRES: SEPTEMBER 30, 2009

DATE: DECEMBER 19, 2008

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONVERSERVATION DISTRICT

HUITT-ZOLLARS
Huitt-Zollars, Inc. Ontario
3990 CONCOURS STREET, SUITE 450 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799

LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

ON EXHIBIT "B":
LOT 3. BLOCK 242
M.B. 10-11

PARCEL 1, PM 32326
P.M.B. / 218 / 34-42

PARCEL 2, PM 32326
P.M.B. / 218 / 34-42

Date: 8/11/2009

Signature: [signature]

Print Name: AMI URISTA

ACR 601P-AS4RE0 (Rev. 09/2005) Available in Alternate Formats

MV00053971

RCFC PARCEL NO. 4737-501

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the quitclaim deed, dated _____ from **the CITY OF MORENO VALLEY** to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date_____

By: _____
Warren D. Williams
General Manager-Chief Engineer

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MV00053973

RESOLUTION NO. 2010-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC STORM DRAIN EASEMENTS PER IRREVOCABLE OFFERS OF DEDICATIONS RECORDED AS INSTRUMENT NUMBERS 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, AND 2009-0657601 IN THE OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA AND EXECUTION OF QUITCLAIM DEEDS ACCORDING TO THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE CITY OF MORENO VALLEY, RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC

WHEREAS, the City Engineer has determined that the public storm drain easements were recorded by Ridge Moreno Valley, LLC and Ridge Moreno Valley II, LLC at the request of the Riverside County Flood Control and Water Conservation District, within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 according to the approved Second Amended and Restated Cooperative Agreement on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 in order to quitclaim the easements to the Riverside County Flood Control and Water Conservation District per the Cooperative Agreement, and

WHEREAS, it is in accordance with Government Code, Section 27281, for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the said public storm drain easements within Parcel Map 32326, Parcels 1 - 4, 6, 8; MB 11/12, Block 242, Lot 3; and MB 11/10, Block 242, Lot 8 are accepted and execution of quitclaim deeds of said easements is authorized.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____ City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

NORTH SIDE OF BRODIAEA AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET

DEVELOPER: RIDGE MORENO VALLEY, LLC
201 COVINA AVENUE
LONG BEACH, CA 90803

RECOMMENDED ACTION

Staff recommends that the City Council

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

On January 10, 2006, the City Council approved the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the City of Moreno Valley, and Ridge Moreno Valley LLC. The Agreement required that an Irrevocable Offer of Dedication (IOD) to the public, for certain storm drain easements, be recorded prior to the beginning of the construction of improvements. In addition, certain storm drain easements were required to be shown on Parcel Map 32326. The IOD was recorded on June 16, 2006 and the parcel map was recorded on August 15, 2006 as required.

DISCUSSION

The City has been notified by the RCFC&WCD that the referenced storm drain easements, within Parcel Map 32326, Parcels 1, 2, and 3 are no longer necessary due to realignment in the storm drain system. Subsequent to the recordation of the IOD and parcel map, the storm drain improvements were constructed according to revised plans. The RCFC&WC and the City have obtained additional easements that encompass the actual location of the storm drain system. Therefore, there is no longer a public need for the easement Parcels A and B, as described in the IOD, nor a public need for the easement, as described in the Easement Note No. 4, on the recorded parcel map.

ALTERNATIVES

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements, described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easement is no longer, nor will be in the future, useful for public storm drain purposes.*

2. Do not adopt the proposed Resolution, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326. *The said easements will remain as public service easements for storm drain purposes; however, the easements are no longer, nor will be in the future, useful for public storm drain purposes.*

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the RCFC&WCD. The public has been notified by publication of agenda.

ATTACHMENTS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution

Prepared By
Vicente Giron,
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

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

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

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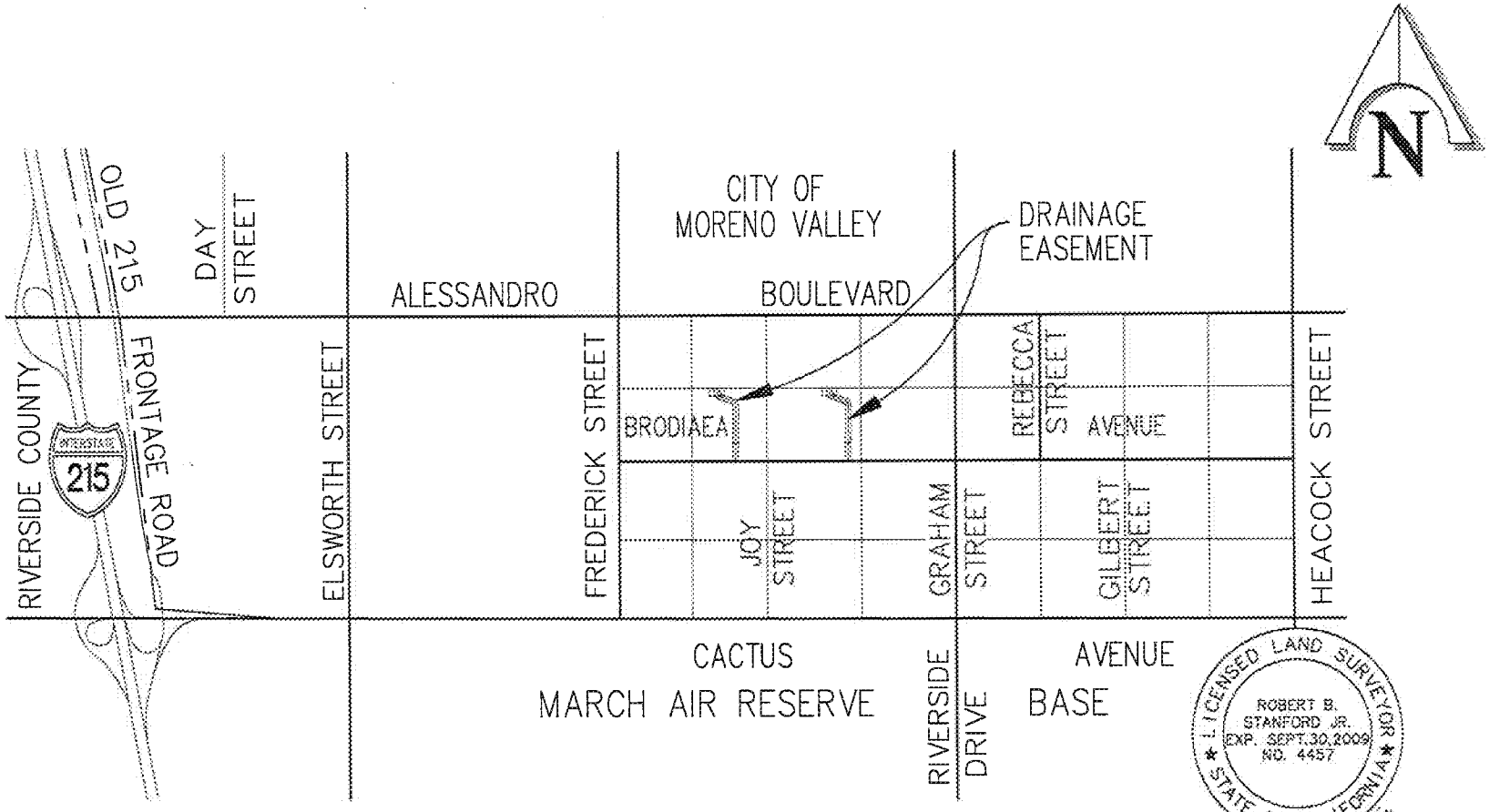

LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA

BY:
DATE: 2/16/2012

VICINITY MAP

NOT TO SCALE

(T.B. MAP PG 717 COORDS C6)

SHEET 1 OF 2 SHEETS

HUITT-ZOLLARS	CITY OF MORENO VALLEY	PARCEL MAP NO. 32326
3990 CONCOURS ST. • Suite 450 • Ontario, CA 91764 909/941-7799 • 909/941-7789 FAX	PUBLIC WORK – LAND DEVELOPMENT ATTACHMENT 1	VICINITY MAP

FEB. 25, 2010 09:10 H:\PROJ\11024401\EXHIBITS\PARCEL 3\EXHIBIT01.DWG

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MV00053981

RESOLUTION NO. 2010-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326

WHEREAS, the City Council of the City of Moreno Valley, California, was offered certain drainage easements for public service located within Parcel Map 32326; and

WHEREAS, these certain drainage easements were never accepted by the City of Moreno Valley and are obsolete due to drainage improvements being constructed per an alternate alignment within Parcel Map 32326; and

WHEREAS, no public money was expended for maintenance of said easements

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

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described drainage easements are summarily vacated and abandoned:

That said drainage easements are located in the City of Moreno Valley, County of Riverside, State of California described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of Parcel Map 32326 as illustrated on Attachment 1 and made a part hereof.

Excepting and reserving from the vacation any easement for existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove or renew such facilities, pursuant to Section 8340 of the Streets and Highway Code.

Attachment 2

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described Drainage Dedication revert to the owner of the underlying fee thereof, free from use as an easement for drainage purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

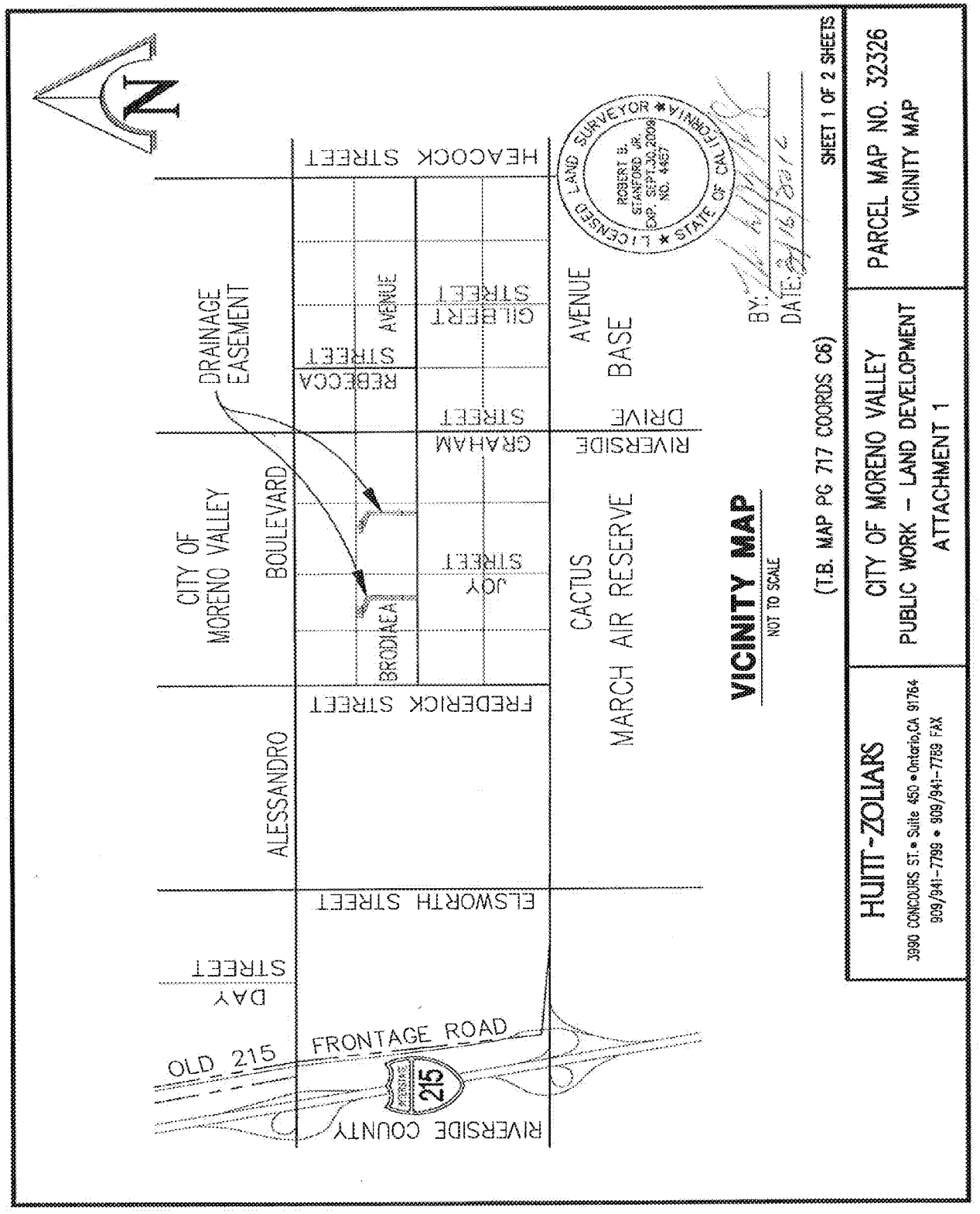
N
HEACOCK STREET
DRAINAGE EASEMENT
REBECCA STREET
AVENUE
GILBERT STREET
AVENUE
BASE
CITY OF MORENO VALLEY
BOULEVARD
GRAHAM STREET
RIVERSIDE DRIVE
JOY STREET
BRODIAEA
CACTUS
MARCH AIR RESERVE
FREDERICK STREET
ALESSANDRO
ELSWORTH STREET
DAY STREET
OLD 215
FRONTAGE ROAD
215
RIVERSIDE COUNTY
VICINITY MAP
NOT TO SCALE
(T.B. MAP PG 717 COORDS C6)
LICENSED LAND SURVEYOR
ROBERT B. STANFORD JR.
EXP. SEPT.30,2009
NO. 4457
STATE OF CALIFORNIA
BY:
DATE
SHEET 1 OF 2 SHEETS
PARCEL MAP NO. 32326
VICINITY MAP
CITY OF MORENO VALLEY
PUBLIC WORK – LAND DEVELOPMENT
ATTACHMENT 1
HUITT-ZOLLARS
3990 CONCOURS ST. • Suite 450 • Ontario,CA 91764
909/941-7799 • 909/941-7789 FAX

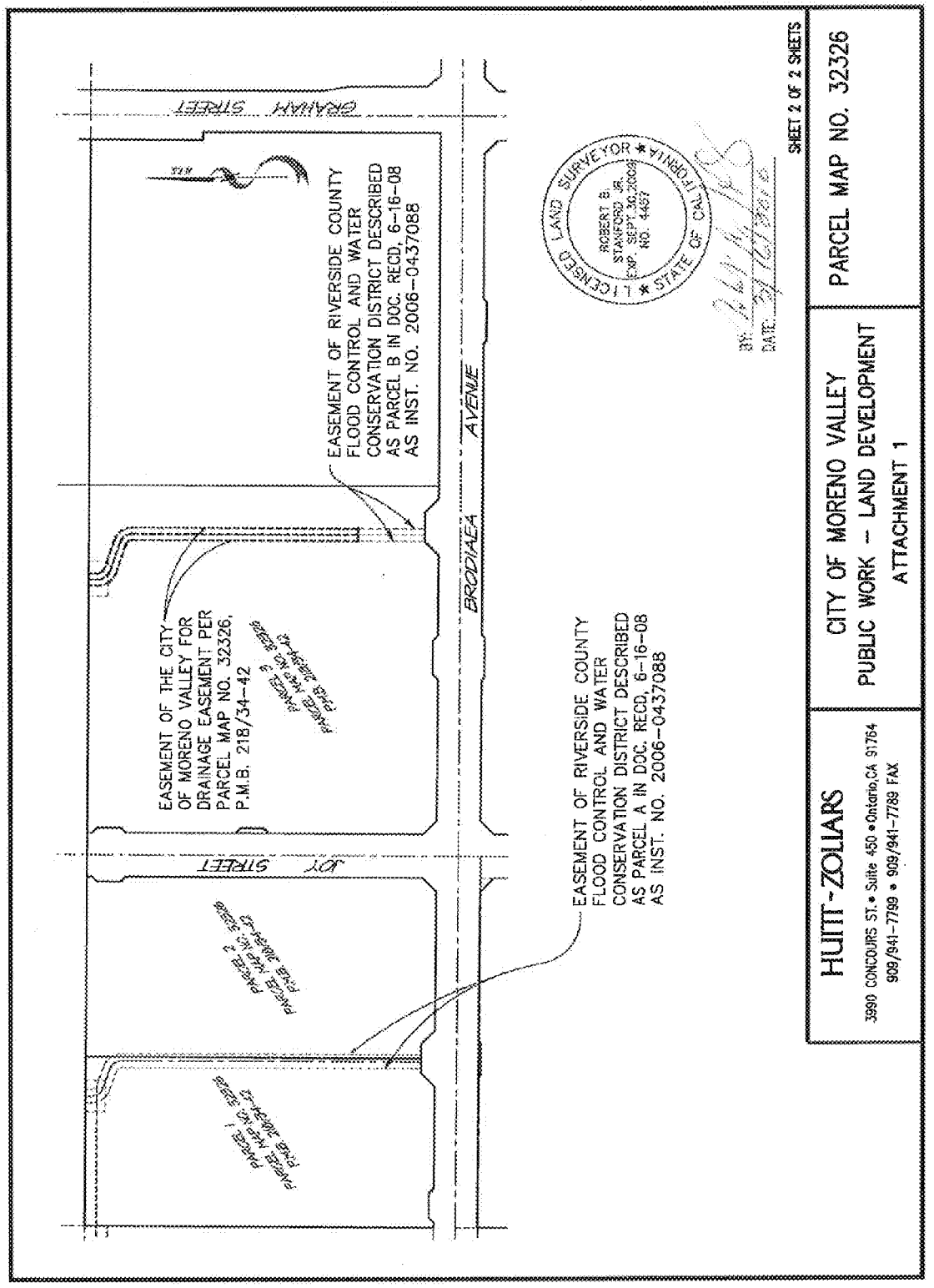

Resolution No. 2010-__
Date Adopted: April 27, 2010

Item No. A.6

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MV00053987

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015.

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

BACKGROUND

The Riverside County Transportation Commission Ordinance No. 02-001, as enacted pursuant to the provisions of Division 25 of the Public Utilities Code, specifies that local cities and counties must submit an annual Five-Year CIP for Measure "A" funds. RCTC requires local agencies to submit their 2011-2015 Five Year CIP for Measure "A" by May 7, 2010. The program is subject to amendment after review and approval by RCTC.

The City of Moreno Valley has received Measure "A" funds (local sales tax) for expenditures on local streets since November 1989.

DISCUSSION

Measure "A" is a major funding source for transportation infrastructure improvements. The total amount of funding received from FY 1989/1990 through FY 2008/2009 is $53.8 million. The City is scheduled to receive $2,279,000 in Measure "A" revenue by FY 2009/2010 year-end and $2,270,000 in funding for FY 2010/2011. The City's Measure "A" Fund Balance also receives revenue from several supplementary sources:

- Interest income
- Federal-aid awards
- State grants
- County/Local grants
- Sale of plans and specs

The total revenue received from these integral funding sources since FY 1989/1990 is in excess of $22 million. Because Measure "A" funds are used to provide required City matching funds for federal, state and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" Fund Balance. The sale of plans and specs for projects going out to bid is designated as an additional source of income although this revenue is to recoup the cost incurred in the printing and publishing of the documents. The income received from these supplemental revenue sources, combined with the annual Measure "A" revenue from RCTC provides the funding to construct multi-million dollar projects.

RCTC requires all local jurisdictions to submit an annual five-year CIP for continued receipt of Measure "A" local streets and roads funds. As required by RCTC, the attached tables include the actual FY 2009-2010 Measure "A" budget approved by Council, as well any budget appropriation adjustments during the fiscal year. Additional tables include proposed projects for FY 2010-2011 and planned projects for FY 2011-2012 through FY 2014-2015. The listed projects are consistent with the City's Capital Improvement Program. All identified projects meet the criteria for Measure "A" funding.

The projects are included in the Measure "A" Five-Year CIP to satisfy RCTC Ordinance No. 02-001. Although RCTC requires this information by May 7, 2010, the City Council may make any changes to the list of projects as part of the City's annual budget approval process. City staff can forward the amended Measure "A" project list to RCTC once the City's budget is approved.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure "A" funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes.

ALTERNATIVES

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative supports a major funding source for roadway and other infrastructure improvements.*

2. Do not approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program FY 2011-2015, do not authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015, and do not authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process. *This alternative eliminates Measure "A" funding.*

FISCAL IMPACT

The timely approval and submittal of the Five-Year CIP by May 7, 2010, ensures continued receipt of Measure "A" funds for FY 2010-2011. Measure "A" funds can only be used for transportation purposes.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The City of Moreno Valley is required to submit an annual Five-Year CIP for Measure "A" projects and a MOE certification for continued receipt of Measure "A" funds.

ATTACHMENTS

ATTACHMENT "A" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Fund Program, FY 2009-2010 Approved Budget
ATTACHMENT "B" - Riverside County Transportation Commission, Measure "A" Local Streets and Roads Five Year CIP, FY 2011-2015
ATTACHMENT "C" – MOE Certification Statement
ATTACHMENT "D" – MOE Projection for FY 2009-2010

Prepared By
Linda Wilson
Senior Management Analyst

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

Department Head Approval
Chris Vogt, P.E.
Public Works Director/City Engineer

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

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RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 1 of 2
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

Fiscal Year 2009/2010						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Funding 1,000s
1	54150	Measure A Program Budget	Program Budget	Provide functions for transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	436	436
2		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,279,000.	182	182
3	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program.	3,706 [1]	77
4	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000 each completed by City maintenance staff .	765	765
5	65320	Bicycle Lane	Bicycle Lane	Local match funding for BTA grant awards to stripe Class II bike lanes to connect discontinuous segments of the Aqueduct Bike Trail.	127 [2]	-
6	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Freeway Ramp & Traffic Signal	Project completed February 2010.	1,269	1,269
7	66626	Graham St./Bay Ave. Traffic Signal	Traffic Signal	Project completed November 2008. Carryover funds were for a one-year warrant period.	11	11
8	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	46	46
9	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed.	226	226
10	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
11	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Continue design.	3,913 [3]	1,279
12	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median	Project deferred. Return funds to Fund Balance.	147	147
13	66728	Cottonwood Ave. at Oliver St. Striping/Channelization/Rd Safety	Street Improvements	Project completed July 2009.	25	25
14	66729	Heacock Street South Extension	Street Improvements	Alignment and traffic study.	35	35
15	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Complete design.	258 [4]	30
16	66827	Moreno Beach/Rte 60 Right Turn Lane Improvements	Street Improvements	Project on hold. Return funds to Fund Balance.	89	89
17	66828	Roadside Safety Improvements/Elder Ave. W/o Nason St.	Street Improvements	Project completed July 2009.	48	48
18	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Traffic signal design.	35	35

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2009 / 2010 APPROVED BUDGET

Agency: City of Moreno Valley
Page 2 of 2
Prepared by: Linda Wilson
Phone No: 951-413-3132
Date: May 7, 2010

19	66927	Redlands Blvd./SR-60 WB Ramp Traffic Signal	Traffic Signal	Complete design.	46	46
20	67123	Indian St./Cactus Ave. Intersection Imprv. and Storm Drain	Street & Strom Drain Improvements	Completed January 2009. Project closeout January 2010.	31	31
21	67128	Sunnymead Blvd./Frederick St. to Perris Blvd.	Street Improvements	Median construction October 2009 to May 2010.	6,106 [5]	-
22	67425	Heacock St./Gentian-Poppystone & Frederick-Sunnymead	Street Improvements	Project completed. Project closeout June 2010.	146	146
23	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed.	1,165 [6]	23
24	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Bicycle Trail	Project completed October 2009.	713	713
25	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	190	190
26	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Sidewalk Improvements	Construction May 2010 to July 2010.	215 [7]	21
27	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	292	292
28	85020	Surface Recycling	Rehabilitation	On-going annual program.	153	153
29	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	307	307
30	89720	SR-60/Nason St. Interchange	IC Imprv EB/WB Ramps	Design, utility relocation, right of way and construction. Estimated construction start date is June 2010.	13,705 [8]	6,089
31	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Sidewalk Improvements	Complete design.	254 [9]	44
				FY 2009/2010 Total	**34,841** *	**12,955** *

* Includes FY 08/09 carryover funds.

[1] Traffic Congestion Relief (Prop 42) - $1,468,274; Proposition 1B - $2,160,978

[2] FY 08/09 BTA Award - $126,982

[3] STPL Funds - $1,967,000 (reprogrammed to SR-60/Nason FY 10/11); DIF Arterial Streets - $667,048

[4] HBRRP Funds - $360,000 for design (remaining balance - $228,067)

[8] 2005 Lease Revenue Bonds - $3,228,855; RDA Funds - $1,263,584; TE Grant - $1,614,000 (remaining balance - $1,406,900). Grant budgeted in Measure A. RDA funds will be used as local match.

[6] TUMF Funds - $679,953; DIF Arterial Streets - $462,239

[7] SR2S Grant - $215,820 (remaining balance - $193,283)

[8] STPL ROW Funds - $1,350,082 - (remaining balance - $1,346,321); STPL Construction Funds - $1,770,219; Federal Demo Construction Funds - $4,500,000

[9] SR2S Grant - $210,000

MV00053993

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley

Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2010/2011						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
1	54150	Measure A Program Budget	Program Budget	Provide cost effective administrative functions for essential transportation projects and services: annual update of 5-Year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.	438	438
2		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,270,000.	182	182
3	New	Crack Seal (Slurry Seal)	Program Budget	Facilities pavement rehabilitation work and crack sealing as needed to prepare for the next slurry seal cycle.	50	50
4	New	City-Wide Traffic Signals	Program Budget	Maintain the City's traffic signal system. Inspect construction of new signals and interconnects.	695	695
5	New	City-Wide Concrete Maintenance	Program Budget	Ensure the safety and convenience of pedestrians using City sidewalks and ensure the proper drainage of City streets by keeping all City sidewalks, curbs, gutters and cross-gutters in good repair.	240	240
6	New	City-Wide Sign and Striping	Program Budget	Maintain City traffic control devices including signs, legends, striping and pavement markings.	812	812
7	New	City-Wide Transportation Operations	Program Budget	Review and mitigate collisions and provide for the safe and efficient operation of the City's transportation system.	120	120
8	56339	Pavement Rehab-Operations & Maintenance (PROM) Program	Rehabilitation	Rehabilitation projects under $30,000/each completed by City maintenance staff .	202	202
8	66625	SR-60 Eastbound Ramps/Redlands Bvld. Traffic Signal	Traffic Signal	Project completed February 2010. Carryover funds are for a one-year warranty period.	9	9
9	66627	Perris Blvd SB Lane to SR-60 WB On-Ramp	Street Improvements	Complete design.	460	460
10	66628	Cottonwood Ave./Pattilynn Dr. School Crossing Traffic Signal	Traffic Signal	Project completed. Carryover funds are for a one-year warranty period.	2	2
11	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
12	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Complete design. Estimated construction date: November 2011.	498	498
13	66729	Heacock Street South Extension	Street Improvements	Complete alignment and traffic study.	20	20
14	66825	Heacock St. Bridge/PVSD Lateral "A"	Bridge	Construction: October 2010 to December 2011	2,609 [1]	299
15	66829	Nason St./Riverside Co. Regional Medical Center TS	Traffic Signal	Construction: January 2011 to July 2011.	242	242

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 2 of 6
Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2010/2011						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
16	67428	Pigeon Pass Rd. Widening/Climbing Rose Dr. to NCL	Street Improvements	Project completed July 2009. Carryover funds are for a one-year warranty period.	23 [2]	13
17	67524	Aqueduct Bikeway Improvement/Indian St. to Fay Ave.	Park	Project completed October 2009. Carryover funds are for a one-year warranty period.	5	5
18	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100	100
19	82828	Indian St./Alessandro Blvd Sidewalk Improvements	Street Improvements	Construction: May 2010 to July 2010.	100 [3]	10
20	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	50	50
21	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
22	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	1,488	388
23	89720	SR-60/Nason St. Interchange	Street Improvements	Design, utility relocation, right of way and construction. Construction: June 2010 to May 2011	12,409 [4]	1,710
24	New A	Dracaea Ave. Sidewalk/Morrison St. to Mascot Ln.	Street Improvements	Construction October 2010 to November 2010.	232 [5]	22
25	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal		20	20
				FY 2010/2011 Total	**21,326** *	**6,907** *

* Includes FY 09/10 carryover funds.

[1] HBRRP Funds - $360,000 for design (remaining balance - $78,983); $2,230,956 construction funding

[2] DIF Arterial Streets - $10,000

[3] SR2S Grant - $215,820 (remaining balance - $90,000)

[4] STPL Construction Funds - $4,737,219; Federal Demo Construction Funds - $4,500,000; DIF Interchange Improvements - $1,740,000

[5] SR2S Grant - $210,000

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 3 of 6
Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2011/2012						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
26	54150	Measure A Program Budget	Program Budget	On-going annual program.	442	442
27		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,325,000.	186	186
28	66629	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
29	66722	Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to NCL	Street Improvements	Construction: November 2011 to May 2012.	1,027	1,027
30	82824	Residential Traffic Management Program (Speed Hump Program)	Street Improvements	On-going annual program for design and construction of speed humps.	100	100
31	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
32	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
33	New D	Lasselle St./Margaret Ave. Traffic Signal	Traffic Signal	Construction	175	175
			FY 2011/2012 Total	**FY 2011/2012 Total**	**2,325 ***	**2,325 ***

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00053996

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 4 of 6
Prepared by: Linda Wilson
Date: May 7, 2010

Fiscal Year 2012/2013						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
34	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
35		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,394,000.	192	192
36	56339	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,420 [6]	170
37	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
38	66727	Alessandro Blvd. Raised Median at Gaye St. to Perris Blvd.	Median		470	470
39	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
40	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	492	492
41	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
42	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2012/2013 Total	**3,644**	**2,394**

[6] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00053997

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 5 of 6
Prepared by: Linda Wilson
Date: May 26, 2009

Fiscal Year 2013/2014						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
43	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
44		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,490,000.	199	199
45	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,596 [7]	346
46	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
47	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
48	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	875	875
49	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
50	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2013/2014 Total	**3,740 ***	**2,490 ***

[7] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00053998

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2011 - 2015

Agency: City of Moreno Valley
Page 6 of 6
Prepared by: Linda Wilson
Date: May 26, 2009

Fiscal Year 2014/2015						
Item No.	Business Unit	Project Name/Limits	Project Type	Status	Total Cost 1,000s	Measure A Funding
51	54150	Measure A Program Budget	Program Budget	On-going annual program.	400	400
52		Indirect Cost Rate	Overhead	Estimated amount of overhead costs to be distributed to Measure A projects based on projected revenue of $2,615,000.	209	209
53	56330	Citywide Annual Pavement Resurfacing Program	Rehabilitation	On-going annual program	1,586 [8]	336
54	66629	Annual ADA Compliant Curb Ramp Upgrades	Sidewalk Improvements	On-going program for design and construction of ADA compliant curb ramps.	200	200
55	82824	Residential Traffic Management Program (Speed Hump Program)	Speed Hump	On-going annual program for design and construction of speed humps.	100	100
56	84830	Pavement Rehabilitation Program (formerly Slurry Seal Program)	Resurface	On-going annual program.	1,000	1,000
57	85020	Surface Recycling	Rehabilitation	On-going annual program.	120	120
58	85523	Street Improvement Program (SIP)	Street Improvements	On-going annual program.	250	250
				FY 2014/2015 Total	**3,865 ***	**2,615 ***

[8] Traffic Congestion Relief (Prop 42) - $1,250,000

*** The projects listed have a recommended appropriation matching the projected revenue forecast by RCTC, dated February 8, 2010. The projects will include carryover from previous years and will be prioritized during the appropriate fiscal year as part of the City budget process.**

MV00053999

MAINTENANCE OF EFFORT
CERTIFICATION STATEMENT

The undersigned hereby agrees and certifies for the City of Moreno Valley that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort base year amounts approved by the Commission at its July 8, 2009 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds.

Date: _____

_____
William Bopf
Interim City Manager

ATTEST:

_____
City Clerk

Reviewed By: _____
Steve Elam
Interim Financial & Administrative Services Director

Reviewed By: _____
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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MV00054001

CITY OF MORENO VALLEY
MOE Projection
for FY 2009-10

County of Riverside Measure "A" 1/2 Cent Sales Tax

Fund	Description	2009-10 Projected Actuals
010	53110 Public Works - Transportation Engineering	893,021
010	53310 Public Works - Traffic Signal Maintenance	674,533
010	54110 Public Works - Street Projects Engineering	9,214
121	Gas Tax Transfer from General Fund	644,153
		$2,220,921

ATTACHMENT "D"

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MV00054003

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant to the City Manager

AGENDA DATE: April 27, 2010

TITLE: Resolution Opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

BACKGROUND

The City of Moreno Valley's Electric Utility (MVU) was established in 2001 and began providing service to customers in February 2004. MVU currently provides service to more than 5,400 customers and new development in the utility's service area is conditioned to take service from MVU.

DISCUSSION

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act, would amend California's Constitution by requiring a two-thirds supermajority vote to approve the use of public funds specifically for the expansion of a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

To date, Proposition 16 is solely sponsored by the Pacific Gas and Electric Company (PG&E) which has committed to spending as much as $35 million on a campaign to get the measure approved by California voters. The initiative was originally titled the "Taxpayers Right to Vote Act," however the San Francisco Local Agency Formation Commission argued that the title was misleading and the Attorney General renamed it

to its current title. Although the initiative met the signature requirements to be placed on the June 2010 statewide ballot, the City of Moreno Valley has joined several public entities in filing a lawsuit to strike Proposition 16 from the ballot due to numerous misleading statements included in the initiative.

Agencies that are opposed to Proposition 16 include the League of California Cities, California Municipal Utilities Association, California Association of Realtors, TURN (The Utility Reform Network), Sacramento Municipal Utility District, and numerous cities and utilities. The Moreno Valley Chamber of Commerce has adopted an "oppose" position for the measure. In addition to PG&E, Proposition 16 is supported by the California Chamber of Commerce and the California Taxpayers' Association.

Note: Elected officials and employees of public agencies are prohibited from using public funds or resources to support or oppose ballot initiatives. However, the City and staff are allowed to educate the public on initiatives and public agencies may take an official position on an initiative during an open meeting.

FISCAL IMPACT

Proposition 16 would impact the Moreno Valley Electric Utility because the supermajority vote requirement would make it virtually impossible for the utility to grow. The measure would also result in additional costs to MVU because each time the utility wanted to expand its distribution system, it would require an election.

CITY COUNCIL GOALS

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

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

SUMMARY

Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers," would amend California's Constitution by requiring a two-thirds supermajority vote to create or expand a municipal electric utility. By requiring supermajority approval, Proposition 16 would make it virtually impossible for public agencies such as MVU to provide any energy services to new customers.

ATTACHMENTS

Attachment: Resolution No. 2010-27

Prepared By:
Michelle Dawson
Assistant to the City Manager

Department Head Approval:
Rick C. Hartmann
Interim Assistant City Manager

Concurred By:
George Hanson
Electric Utility Division Manager

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

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MV00054007

CITY OF MORENO VALLEY
RESOLUTION NO. 2010-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS" MEASURE

WHEREAS, the City of Moreno Valley owns and operates a municipal electric utility known as the Moreno Valley Utility; and

WHEREAS, Moreno Valley Utility provides safe and reliable electricity to its residents and businesses; and

WHEREAS, Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" has qualified for the June 8, 2010 statewide ballot; and

WHEREAS, the initiative would require a public electricity provider to obtain a two-thirds voter majority of both the voters in the existing territory and the voters in any proposed expanded territory any time prior to expending funds for expansion or construction of facilities outside current boundaries or to establish service within existing boundaries; and

WHEREAS, Proposition 16 would limit the Moreno Valley Utility's ability to expand its electric service territory while adding significant taxpayer-funded costs for special elections; and

WHEREAS, Proposition 16 is an infringement on local control as cities and their municipal utilities work to provide the best service possible for their constituents.

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

The City Council of the City of Moreno Valley formally opposes Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Act.

APPROVED AND ADOPTED this 27th day of April, 2010.

Signed:

_____
Mayor
City of Moreno Valley

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MV00054009

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: TRACT 31319 – PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE

DEVELOPER – BELLA VISTA MORENO VALLEY LLC
7177 BROCKTON AVENUE, SUITE 215
RIVERSIDE, CA 92506

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system.

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 4, 2003, the Community and Economic Development Department of the City of Moreno Valley approved Tentative Tract Map 31319. The tentative tract map is a proposal to subdivide 31 lots.

On May 23, 2006, the City Council approved Tract Map 31319 and accepted the Agreement for Public Improvements and security for the project. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,017,000 and a Material & Labor Bond in the amount of $508,500 issued by Western Insurance Company. Bella Vista Moreno Valley LLC has requested a partial reduction to the Faithful Performance security for the public improvements that have been completed.

The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, storm drain, water, and sewer. These public improvements received ongoing inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The punch list work remaining to be completed includes but is not limited to: final asphalt concrete pavement cap, final adjustment to grade for manholes and water valves, installation of sidewalk, driveway approaches, wheelchair ramps, mail boxes, monuments, and water meters.

As stated in the Subdivision Map Act (SMA), the City is able to retain an additional amount of security up to 200 percent of the cost estimate of the remaining work, (Section 66499.7.d), but in this case the City has determined that the hard and soft cost contingency should be a total of 65 percent. The City will also retain the appropriate amount for warranty purposes, and potential legal costs in addition to the amount estimated for the work remaining to be completed.

Partial reductions will only be considered when the remaining work does not exceed 20 percent of the total work required (SMA Section 66499.7.d). Lastly, a partial reduction does not necessarily deem the improvements accepted into the City's maintained street system unless noted in the recommended actions of this staff report. Therefore, the developer must continue to maintain the improvements until such time as the City accepts the improvements into the City's maintained street system (SMA Section 66499.7.d).

DISCUSSION

Public Works, Land Development staff has identified that $614,469 worth of public improvements have been completed in accordance with the approved plans and the standards of the City of Moreno Valley. It is therefore appropriate to accept those improvements as complete and to provide a partial reduction of $614,469 to the Faithful Performance security. Ninety days after the partial Faithful Performance security reduction, the portion of the Material and Labor security associated with the completed improvements will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The portion of the 10% Faithful Performance security associated with the completed improvements will be held for the

one-year guarantee and warranty period. At the end of the guarantee and warranty period, the security will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

The remaining Faithful Performance Security, remaining Material and Labor bond, final warranty portion of the Faithful Performance bond and the remaining security held for hard cost contingency, soft cost contingency, and potential legal costs will be eligible for reduction once the project is 100% complete and is accepted by City Council. At that time the City will take over the maintenance of the project.

ALTERNATIVES

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

2. Do not accept the partial Public Improvements, as complete, but not into the City's maintained street system. Do not authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received. *The required partial improvements have been completed according to City of Moreno Valley standards.*

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Faithful Performance Partial Bond Reduction Breakdown

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\4-27-10 Tract 31319 - Partial Security Reduction - Not Accepting Streets.doc

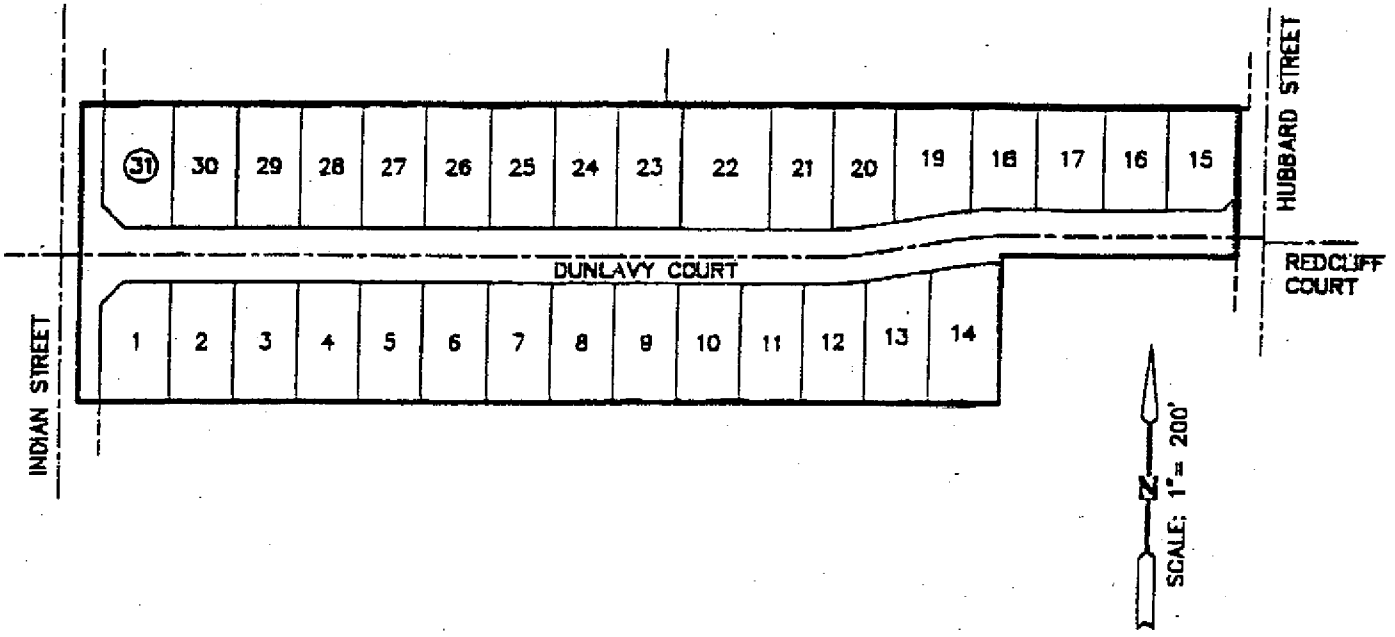

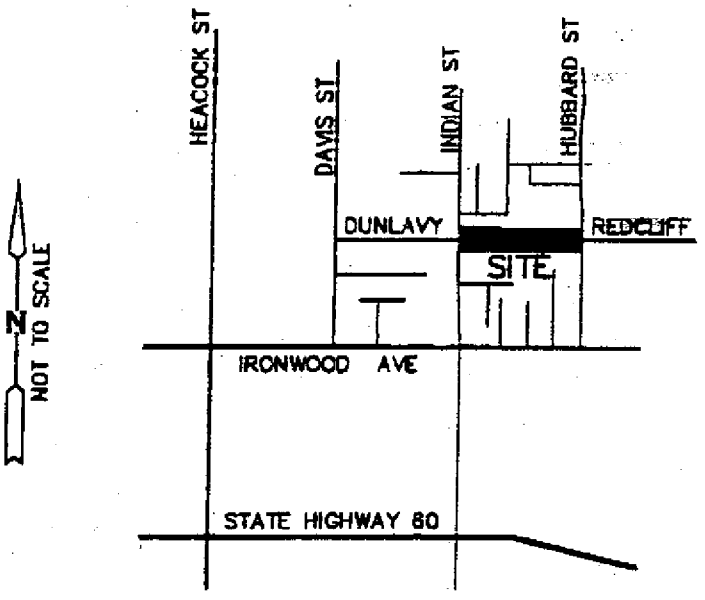

VICINITY MAP – NO SCALE

THOMAS BROS. PG. 717
COORD. F-1 (2005)

CITY OF MORENO VALLEY PUBLIC WORKS – LAND DEVELOPMENT	PROJECT NO. TR. 31319

EXHIBIT "A"

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MV00054015

Tract 31319 - Faithful Performance Partial Bond Reduction Breakdown

AC Cap	$33,312
Slurry Seal (Based on Type II)	$5,741
R&R Curb and Gutter	$2,400
4" Thick Concrete Sidewalk per M.V. Std. No 210	$4,950
Driveway Approach - 6"	$4,557
Erosion Control	$5,000
Service Connections and Clean-outs	$4,750
Water Meters	$400
Sub-total	$61,110
Hard Cost Contingency (20%)	$12,222
Soft Cost Contingency (45%)	$27,500
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$101,700
Total	**$402,532**
Original bond amount	$1,017,000
Amount Being Retained	$402,532
Amount Being Reduced	**$614,469**

Notes:

The following requirements will need to be met prior to processing the partial bond reduction: payment of the Partial Bond Reduction Fee, payment of any outstanding inspection, plan check fees, submittal of ADP fee receipt, and an active business license with the City of Moreno Valley.

There will be requirements that must be met prior to the bond reduction at 100% completion. They may include, but are not limited to: additional payment of the Partial Bond Reduction Fee, EMWD Clearance, submittal of center line street ties, submittal of letter from engineer/surveyor stating they have been paid for their services associated with the center line street ties, clearance from Parks & Community Services, payment of any outstanding fees, etc.

This partial bond reduction will not include acceptance of any streets associated with the project into the City's street maintained system and therefore the maintenance of the streets will remain the responsibility of the developer until such time as the City recognizes the streets are complete per City standard and accepted into the City's street maintained system via City Council approval.

3/18/10

Mark W. Sambito, P.E.
Land Development - Engineering Division Manager

Developer - Print Name

3/22/10

Developer Signature Date

SIGN, DATE AND RETURN TO THE LAND DEVELOPMENT DIVISION, FAX (951) 413.3158.

EXHIBIT "B"

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MV00054017

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00054019

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – TOWNGATE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a.) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b.) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On October 1, 2008, the Special Districts Division of the Public Works Department received valid proposals from seven landscape contracting firms in response to its Request for Proposals for the subject project. On December 9, 2008, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of parkways and medians of the Towngate Specific Plan to Spectrum Care Landscape & Irrigation Management, Inc., Foothill Ranch, California. The contract amount for the initial twelve-month term was $157,615.00 ($148,000.00 for Base Service; $9,615.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the first of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Spectrum Care Landscape & Irrigation Management, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Services, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Spectrum Care Landscape & Irrigation Management, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to

Spectrum Care Landscape & Irrigation Management, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Towngate Specific Plan.

2. **Do not approve the Extension Agreement** for Project E-1/09 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Towngate Specific Plan.

FISCAL IMPACT

The sum of $125,946.76 will be encumbered in Account 00182.78220.6261 and $22,053.24 will be encumbered in Account 00182.78281.6261 by open purchase order. Upon staff approval monthly disbursements of $12,333.33 to pay for base services will be made to Spectrum Care Landscape & Irrigation Management, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $5,900.00 in Account 00182.78220.6261 and $1.000.00 in Account 00182.78281.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Spectrum Care Landscape & Irrigation Management, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $154,900.00. The above amounts have been budgeted for Zone E-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Towngate Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Spectrum Care Landscape & Irrigation Management, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Spectrum Care Landscape & Irrigation Management, Inc for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-1/09 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-1 • Towngate

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Median

Landscaped Parkway

Zone E-1 Parcels

ATTACHMENT 1

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E1_8.5x11.mxd
November 29, 2007

MORENO VALLEY

Item No. B.3

MV00054024

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MV00054025

EXTENSION AGREEMENT
PROJECT NO. E-1/09– TOWNGATE
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **SPECTRUM CARE LANDSCAPE AND IRRIGATION, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated FEBRUARY 27, 2009, referencing Project No. E-1/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **TWELVE THOUSAND THREE HUNDRED THIRTY-THREE AND 00/100 DOLLARS ($12.333.33)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED FORTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo.** .

    b. Additional parkway areas, turf (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.025/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California, and;

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a.) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b.) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 17, 2008, the Special Districts Division of the Public Works Department received proposals submitted by seven landscape contracting firms in response to its Request for Proposals for the subject project. On November 25, 2008, upon the recommendation of staff, the MVCSD Board awarded the contract for landscape maintenance of Hidden Springs parkways and paseos to Tropical Plaza Nursery, Inc., Villa Park, California. The contract amount for the initial term was $218,900.00 ($188,400.00 for Base Service; $30,500.00 for estimated Additional Work).

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Tropical Plaza Nursery, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Tropical Plaza Nursery, Inc. for another year.

ALTERNATIVES

1. **Approve the Amendment to the Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base Service and estimated Additional Work to Tropical Plaza Nursery, Inc., at the start of Fiscal Year 2010/11. Extension of this contract will ensure uninterrupted landscape maintenance service is provided for the Hidden Springs parkways and paseos.

2. **Do not approve the Amendment to Contract Agreement** for Project E-2/09 to extend the term of the contract for an additional one-year period. Choosing this alternative may disrupt the continuity of parkway and paseo landscape service for the Hidden Springs specific plan.

FISCAL IMPACT

The sum of $188,400.00 will be encumbered in Account 00182.78230.6261 by open purchase order. Upon staff approval monthly disbursements of $15,700.00 to pay for base services will be made to Tropical Plaza Nursery, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $30,900.00 in Account 00182.78230.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Tropical Plaza Nursery, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $219,300.00. The above amounts have been budgeted for Zone E-2 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. **The parcel charges collected may only be used for landscape maintenance services of parkways and paseos in the Hidden Springs specific plan.** This action will not impact the City's General Fund.

CITY COUNCIL GOALS

Community image, neighborhood pride and cleanliness
Continuing regular maintenance of MVCSD parkways and paseos in the Hidden Springs specific plan promotes community pride, ensures quality development, and enhances neighborhood preservation.

Public facilities and capital projects
Continuing maintenance of MVCSD parkways and paseos ensures that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Tropical Plaza Nursery, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-2/09 Vicinity Map

2. Copy of Extension Agreement

Prepared by: Daniel Monto
Senior Landscape Services Inspector

Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by: Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-2 • Hidden Springs

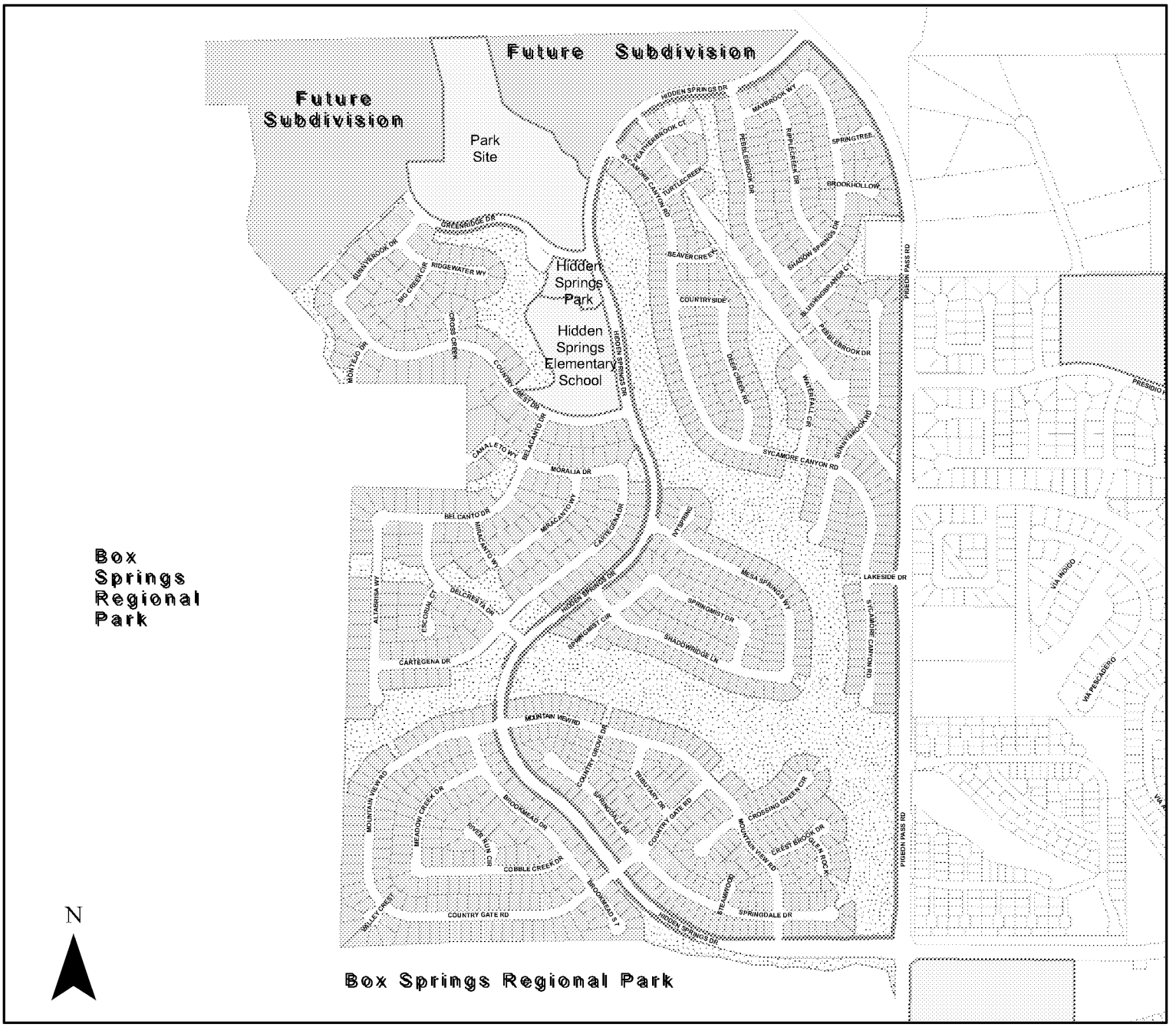

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Landscaped Parkway

Landscaped Open Space

Zone E-2 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E2_8.5x11.mxd
November 29, 2007

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

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MV00054033

EXTENSION AGREEMENT
PROJECT NO. E-2/09– HIDDEN SPRINGS
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Tropical Plaza Nursery, Inc.** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated March 10, 2009, referencing Project No. E-2/09 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the first extension of the Agreement AND THE Agreement may be extended for up to two (2) additional twelve (12) month periods with the concurrence of both parties.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00).**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.015/sq. ft./mo.** .

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

Approved as to form this ____ day of_____, 20____.

_____
City Attorney, in the capacity
of General Legal Counsel to the
Moreno Valley Community Services
District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH-EAST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a.) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b.) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

On March 13, 2007, the Special Districts Division of the Public Works Department received valid proposals from three landscape contracting firms in response to its Request for Proposals for the subject project. On May 22, 2007, upon the recommendation of staff, the City Council, acting in their capacity as the Board of Directors of the MVCSD, voted to award the contract for landscape maintenance of Moreno Valley Ranch-East parkways and medians to Bemus Landscape, Inc., San Clemente, California. The contract amount for the initial twelve-month term was $196,378.00 ($183,000.00 for Base Service; $13,378.00 for estimated Additional Work). The Contractor was awarded a one-year extension on May 27, 2008. The amount of the contract extension totaled $203,700.00 ($190,320.00 for Base Service; $13,380.00 for estimated Additional Work). The Contractor was awarded a second one-year extension on June 9, 2009. The amount of the contract extension totaled $203,700.00 ($192,223.20 for Base Service; $13,715.00 for estimated Additional Work). Staff is recommending that the Contractor be awarded the third of three possible contract extensions, as discussed below.

DISCUSSION

On December 1, 2009, MVCSD staff discussed with Bemus Landscape, Inc., the vendor's performance to date, the possibility of the MVCSD extending the term of the contract, and the Extension Agreement drafted by staff (see Attachment 2). Key provisions of the document are as follows:

1. Extension of the contract term to June 30, 2011.

This vendor has provided a satisfactory service level over the last year and has expressed a desire to extend the contract based on terms negotiated with staff on December 1, 2009. Staff feels that the agreed-upon terms are reasonable, a zero percent (0%) increase in the current compensation amount for providing Base Service, this number is consistent with the regional Consumer Price Index (CPI) for the year ending in October 2009. Therefore, based on performance and price, staff recommends that the MVCSD retain the services of Bemus Landscape, Inc. for another year.

ALTERNATIVES

1. **Approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period; authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc.; and authorize the Purchasing Manager to issue open purchase orders for Base

Service and estimated Additional Work to Bemus Landscape, Inc. at the start of Fiscal Year 2010/11. Approval of this Extension Agreement will ensure uninterrupted landscape maintenance service is provided for the Moreno Valley Ranch-East parkways and medians.

2. **Do not approve the Extension Agreement** for Project E-4/07 to extend the term of the contract for an additional one-year period. Disapproval of this Extension Agreement may disrupt the continuity of parkway and median landscape service for the eastern portion of the Moreno Valley Ranch Specific Plan.

FISCAL IMPACT

The sum of $187,810.10 will be encumbered in Account 00182.78250.6261 and $4,413.10 will be encumbered in Account 00182.78282.6261 by open purchase order. Upon staff approval monthly disbursements of $16,018.60 to pay for base services will be made to Bemus Landscape, Inc. Staff also requests that the MVCSD Board authorize the encumbrance of $15,000.00 in Account 00182.78250.6261 and $700.00 in Account 00182.78282.6261 to cover the cost of performing estimated Additional Work (e.g., repairs/replacements due to vandalism, theft, Acts of God, normal wear and tear) under terms of this Extension Agreement anticipated to be performed during the coming fiscal year by Bemus Landscape, Inc. Combined cost of Base Contract services and Estimated Additional Work performed by this firm shall not exceed $207,923.20. The above amounts have been budgeted for Zone E-4 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the eastern portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By approving the Extension Agreement with Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The MVCSD furnishes ongoing landscape maintenance for expanded parkways and medians within its Extensive Landscape Zone (Zone E) through the use of contract services. At the end of the initial term these maintenance agreements may be renewed for up to three additional twelve month periods. Staff is recommending that the Board exercise its option to extend the current Agreement with Bemus Landscape, Inc. for an additional twelve months.

NOTIFICATION

Not applicable.

ATTACHMENTS

1. Project E-4/07 Vicinity Maps
2. Copy of Extension Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4 • Moreno Valley Ranch - East

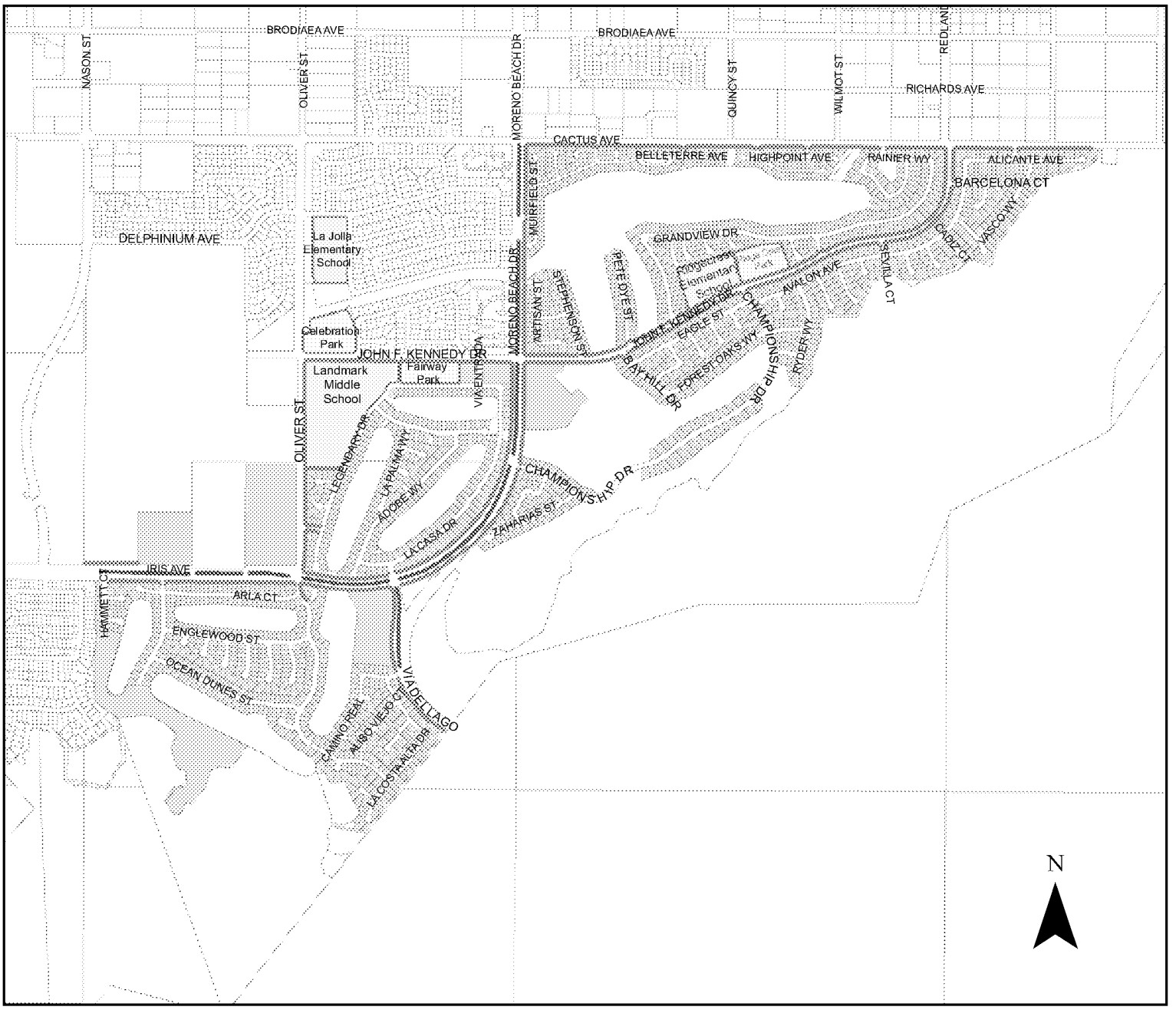

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Landscaped Parkway

Landscaped Median

Zone E-4 Parcels

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E4_8.5x11.mxd
October 12, 2009

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 1

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MV00054041

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-4A • Daybreak - Internal Landscape Maintenance

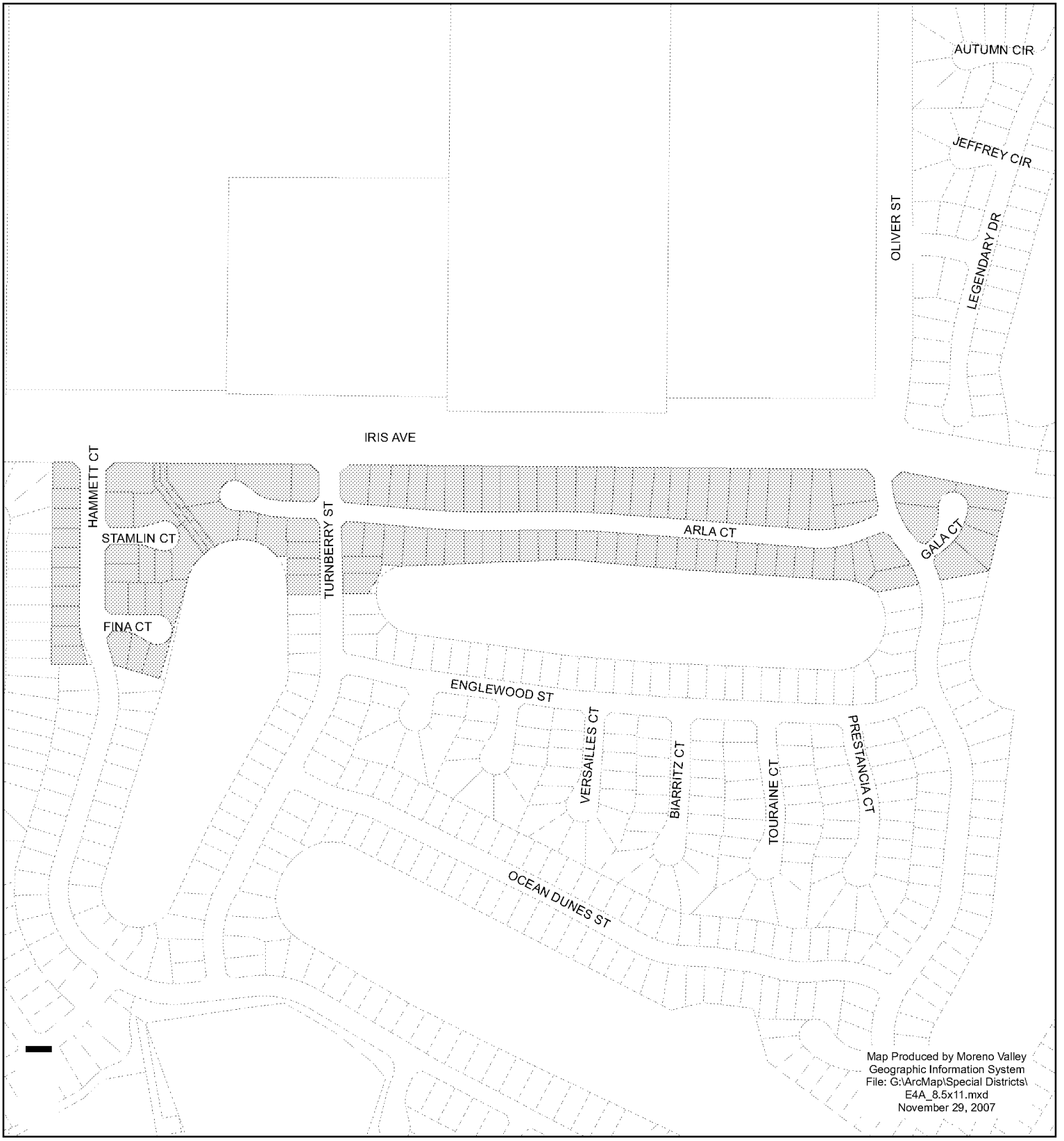

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Landscaped Open Space

Zone E-4A Parcels

MORENO VALLEY WATER

Item No. B.5

MV00054042

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MV00054043

EXTENSION AGREEMENT
PROJECT NO. E-4/07
MORENO VALLEY RANCH - EAST
MAINTENANCE OF LANDSCAPING AND IRRIGATION

THIS AGREEMENT is made and entered into by and between the Moreno Valley Community Services District (hereafter, "District") and **Bemus Landscape, Inc.,** (hereafter, "Contractor").

WHEREAS, the District and Contractor entered into an agreement dated May 24, 2007, referencing Project No. E-4/07 regarding maintenance of District landscaping and irrigation systems (hereafter, "Agreement").

WHEREAS, pursuant to the terms of the Agreement, both parties wish to extend the Agreement by a period of twelve (12) months under the following additional terms:

1. The extension period shall commence on **July 1, 2010**, and shall terminate on **June 30, 2011.**

2. In accordance with paragraph 5(b) of the Agreement, this Extension shall be considered the third and final extension of the Agreement.

3. Notwithstanding paragraph 3(b) of the Agreement, for the period of this Extension and except where additional compensation is specifically provided for in the Agreement, the District will pay the Contractor for all work (labor, materials, supplies, equipment, etc.) performed under this Extension the total amount of **SIXTEEN THOUSAND EIGHTEEN AND 60/100 DOLLARS ($16,018.60)** per month, one month in arrears, on the last day of the month. The total contract amount for the twelve (12) month extension period shall not exceed **ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20)**

4. Notwithstanding paragraph 3(f) of the Agreement, the unit cost set forth in the Additional Work Price List, Section B. for any landscape areas added to the project during the period of this Extension shall be as follows:

    a. Additional parkway areas, turf (trees up to 18-feet height, as applicable). **$0.0182/ sq. ft. / mo**.

    b. Additional parkway areas, planters (trees up to 18-feet height, shrubs, ground cover included, as applicable). **$0.0131/ sq. ft. / mo**.

5. Notwithstanding paragraph 3(h) of the Agreement, for the period of this Extension and except as specifically approved by subsequent action of the District Board of Directors, the Director may not authorize additional work pursuant to this Extension or the original Agreement in excess of the cumulative total of **FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00).**

6. Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect.

ATTACHMENT 2

Dated:_____

MORENO VALLEY COMMUNITY SERVICES DISTRICT

By:_____
Mayor, acting in the capacity
of President to the Moreno
Valley Community Services District

CONTRACTOR:

_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	
Company Name	(Corporate Seal)

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare, and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

    a. ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

    b. TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project DSG-1/10 were placed in The Press-Enterprise on December 14, 2009 and December 28, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from eighteen (18) landscape maintenance firms attended the mandatory pre-submittal meeting on January 6, 2010. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on January 14, 2010 by thirteen (13) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 12% more compensation than the second ranked contractor, TruGreen Landcare, while proposing to provide 10% less man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with TruGreen Landcare.

The Branch Manager for TruGreen Landcare and management staff reviewed his firm's proposal on February 4, 2010. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the DSG-1E, DSG-2 and M areas of the MVCSD, staff determined that a recommendation to award the DSG-1/10 contract to TruGreen Landcare would be in the best interests of the MVCSD and the property owners in Zone DSG-1.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 14 acres of parkway and median landscaping and irrigation located in the DSG-1 Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from TruGreen Landcare, as being in the best interests of the MVCSD and DSG-1 property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. TruGreen Landcare's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the DSG-1 parkway and median landscape areas.*

2. **Do not accept the proposal** from TruGreen Landcare, and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00181.78110.6261	$177,958.60
Additional Work	
00181.78110.6261	$ 21,700.00
Total P.O. Amounts	**$199,658.60**

The above amounts have been budgeted for Zone DSG-1 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the Tracts of Zone DSG-1. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of TruGreen Landcare, the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project DSG-1/10, authorize the Board President to execute the Agreement with TruGreen Landcare, and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to TruGreen Landcare for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones DSG-1 Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

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MV00054051

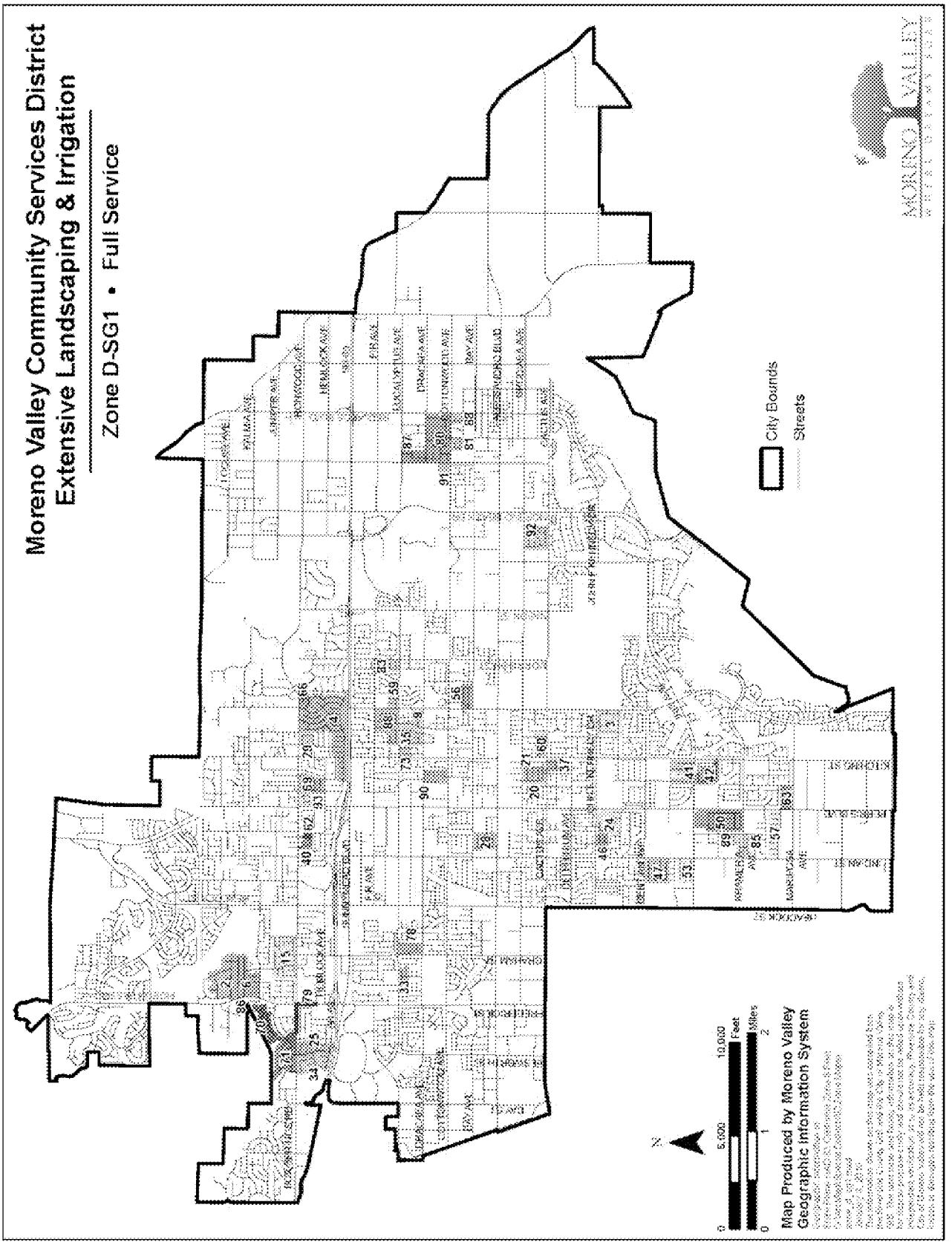

ATTACHMENT 1

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MV00054053

PROJECT DSG-1/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	MARINA	TRUGREEN	EXCEL	GREEN IT UP	MARIPOSA	AGAVE	MIDORI	SPECTRUM	BEMUS	DWORSKY	TROPICAL	MERCHANTS
Dan Monto	84.5	85	83.5	85	75.5	75	74.5	80	79	83	78.5	68.5
Ralph Scharfenberg	84.5	77	86.5	85.5	76.5	71	70.5	77	77.5	84.5	81.5	73
Edgar Marquez	83	87	84	82	75.5	69	68	80	80	81	77	72.5
SCHEDULE I TOTAL	**252**	**249**	**254**	**252.5**	**227.5**	**215**	**213**	**237**	**236.5**	**248.5**	**237**	**214**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	GREEN IT UP
Dan Monto	79.5	84.5	82	81
Ralph Scharfenberg	79.5	77.5	85.5	81.5
Edgar Marquez	78.5	81	82	73
SCHEDULE II TOTAL	237.5	243	249.5	235.5
GRAND TOTAL (Schedule I + Schedule II)	489.5	492	503.5	488

ATTACHMENT 2

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MV00054055

Moreno Valley Community Services District
R.F.P. # DSG-1/10

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: TruGreen Landcare
Address: 1616 Marlborough Ave. Bld. S
City: Riverside, Ca 92507
Business Phone: 951-688-6880 Fax No.: 951-686-1436
Other Contact Number: _____
Social Security Number: _____
Business License Number: 07754
Federal Tax I.D. Number: 36-4313318
Contractors' License Number & Classification: 774548 C-27, C-61, D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District

acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/$2,000,000 aggregate
Property Damage	$1,000,000 per occurrence/$2,000,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued

after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

To Contractor: TruGreen Landcare
Riverside, CA 92507
951-688-6880
[Telephone number]
951-686-1436
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: April 27, 2010

TITLE: AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Moreno Valley Community Services District (MVCSD):

1. Approve the attached Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California, and;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc., and;

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

    a. ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

    b. THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Advertisements requesting proposals for Project E-3/10 were placed in The Press-Enterprise on November 30, 2009 and December 7, 2009. Copies of the complete RFP document were also sent to F.W. Dodge-McGraw-Hill and Bid America for publishing both in print and on-line. In addition, the RFP document was also posted on the City's website.

Representatives from ten (10) landscape maintenance firms attended the mandatory pre-submittal meeting on December 9, 2009. At this meeting staff explained in detail the information requested in the RFP, and the proposal submittal and selection process.

Proposals were submitted on December 17, 2009 by seven (7) firms. A panel of three staff members of the Special Districts Division of the Public Works Department reviewed the submitted proposals. Their analysis of the proposals from the first and second ranked companies found that the top-scoring firm, Excel Landscape, was asking for 22% more compensation than the second ranked contractor, Bemus Landscape, Inc., while proposing to provide only 1% more man-hours. Because of this fee-for-service disparity, the panel recommended entering into negotiations with Bemus Landscape, Inc.

The Operations Manager for Bemus Landscape, Inc. met with management staff on February 18, 2009 to review his firm's proposal. Based on this discussion, interviews with the firm's municipal references, and the satisfactory performance over the past three and one-half years providing landscape maintenance services in the E-4 area of the MVCSD, staff determined that a recommendation to award the E-3/10 contract to Bemus Landscape, Inc. would be in the best interests of the MVCSD and the property owners in Moreno Valley Ranch-West.

DISCUSSION

Key provisions of the Agreement include:

1. The furnishing of contract labor, specified materials, and equipment necessary to maintain over 29 acres of extensive parkway and median landscaping and irrigation located in the E-3 and E-3A Service Areas.

2. The MVCSD will furnish the necessary utilities (water, electricity, and irrigation system control communication service), certain ancillary materials, and staff field inspection services to manage the irrigation systems and coordinate contractor operations.

3. The Agreement has an initial term of twelve months, commencing on July 1, 2010, and terminating on June 30, 2011. The MVCSD, at its option, may enter into negotiations with the contractor to extend the Agreement for additional one-

year periods, not to exceed a total of four such extensions (Section 1. paragraph b. of Agreement Exhibit D).

ALTERNATIVES

1. **Accept the proposal** from Bemus Landscape, Inc., as being in the best interests of the MVCSD and Moreno Valley Ranch – West property owners, and authorize the issuance of a purchase order at the start of the 2010/11 Fiscal Year, contingent upon execution of the Agreement, and submittal of satisfactory proofs of insurance, and payment and performance bonds. Bemus Landscape's proposal was complete, comprehensive, and accurate. The firm's municipal references and the level of care they provide on agency contracts of comparable type indicate its ability to perform satisfactorily under the scope of this Agreement. *By accepting this proposal, the MVCSD will ensure continuity of service to the Moreno Valley Ranch-West parkway and median landscape areas.*

2. **Do not accept the proposal** from Bemus Landscape, Inc., and direct staff to publish a second solicitation of proposals. *This alternative would consume considerable additional staff time and resources, with no assurance of receiving a more favorable result for the MVCSD.*

FISCAL IMPACT

The necessary annual purchase orders for the initial term of this contract are set forth below.

Purchase Order Type/Fund/Business Unit	2010/2011 Fiscal Year P.O. Amount
Base Contract	
00182.78240.6261	$127,500.00
00182.78283.6261	$ 12,000.00
Additional Work	
00182.78240.6261	$ 10,245.00
00182.78283.6261	$ 3,000.00
Total P.O. Amounts	**$152,745.00**

The above amounts have been budgeted for Zone E-3 for the coming fiscal year, with costs to be recovered through annual MVCSD charges. The parcel charges collected may only be used for landscape maintenance services of parkways and medians in the western portion of the Moreno Valley Ranch Specific Plan. This action will not impact the City's General Fund.

CITY COUNCIL GOALS

By accepting the proposal of Bemus Landscape, Inc., the MVCSD Board will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

The actions before the MVCSD Board are to approve the attached Agreement for Project E-3/10, authorize the Board President to execute the Agreement with Bemus Landscape, Inc., and authorize the Purchasing Division Manager, at the start of Fiscal Year 2010/11, to issue purchase orders to Bemus Landscape, Inc. for twelve months of base maintenance services and anticipated Additional Work.

NOTIFICATION

Not applicable.

ATTACHMENTS

Attachment 1. Zones E-3 and E-3A Vicinity Maps

Attachment 2. Proposal Recap Sheet

Attachment 3. Copy of Agreement

Prepared By
Daniel Monto
Senior Landscape Services Inspector

Department Head Approval
Chris A. Vogt
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

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

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MV00054069

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3 • Moreno Valley Ranch - West

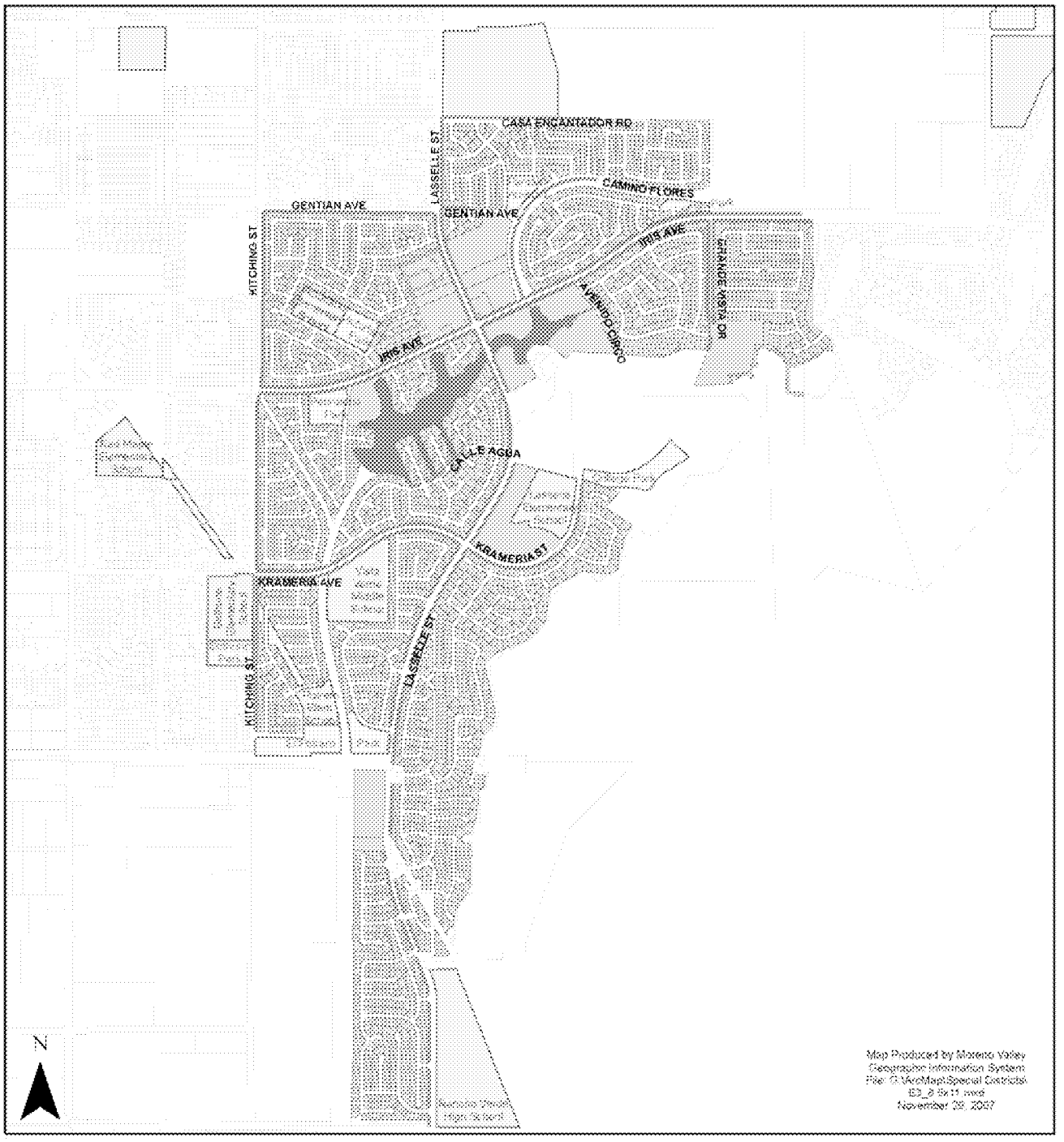

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

Landscaped Parkway

Zone E-3 Parcels

MORENO VALLEY

ATTACHMENT 1

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MV00054071

Moreno Valley Community Services District
Extensive Landscaping & Irrigation

Zone E-3A • Lasselle Powerline Parkway

Map Produced by Moreno Valley Geographic Information System
File: G:\ArcMap\Special Districts\E3A_8.5x11.mxd
November 29, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

Landscaped Parkway

Zone E-3A Parcels

MORENO VALLEY WATER

Item No. B.7

MV00054072

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MV00054073

PROJECT E-3/10
PROPOSAL SCORING RECAP SHEET
PROPOSAL EVALUATION SHEET

EVALUATOR	**MARINA**	**TRUGREEN**	**EXCEL**	**BEMUS**	**MARIPOSA**	**AGAVE**	**MIDORI**
Dan Monto	76	80	90	76	75	46.5	71
Bob Florez	81	79.5	87.5	86	76.5	48	73
Tony Silvas	82	75.5	84	74	79	39	66
SCHEDULE I TOTAL	**239**	**235**	**261.5**	**236**	**230.5**	**133.5**	**210**

CONTRACT PROPOSAL SHEET

Evaluator	MARINA	TRUGREEN	EXCEL	BEMUS
Dan Monto	70	78	89	76
Bob Florez	76	79	87	85
Tony Silvas	77	75	83	75
SCHEDULE II TOTAL	223	232	259	236
GRAND TOTAL (Schedule I + Schedule II)	462	467	520.5	472

ATTACHMENT 2

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MV00054075

Moreno Valley Community Services District
R.F.P. # E-3/10
Moreno Valley Ranch-West

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement, effective as of the day signed by the City Manager (acting in the capacity of District Manager To the Moreno Valley Community Services District) or Mayor (acting in the capacity of President to the Moreno Valley Community Services District), is made between the Moreno Valley Community Services District, a Community Services District established pursuant to Section 61000 and following of the California Government Code, hereinafter referred to as the "District", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon District policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

1. **CONTRACTOR INFORMATION**:

Contractor's Name: Bemus Landscape Inc.
Address: P.O. Box 74268
City: San Clemente State: CA Zip: 92571
Business Phone: 888-557-7910 Fax No.: 888-557-7911
Other Contact Number: _____
Social Security Number: _____
Business License Number: 00797
Federal Tax I.D. Number: 33-0157191
Contractors' License Number & Classification: 492084 C-27/ A / D-49

2. **CONTRACTOR SERVICES, FEES, AND RELEVANT DATES**:

A. The Contractor's scope of service, performance specifications, and/or additional terms and conditions are described in Exhibit "A" attached hereto and incorporated herein by this reference.
B. The District's responsibility, other than payment, is described in Exhibit "B" attached hereto and incorporated herein by this reference.
C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
D. The Contractor Starting Date is July 1, 2010 and the Contractor Ending Date is June 30, 2011. Any provisions for extending the term of the Contract for subsequent terms are provided in Exhibit "D" attached hereto and incorporated herein by this reference. The District acknowledges that it will not unreasonably withhold approval of the

Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Contractor's Proposal submittal documents, including but not limited to the Notice Requesting Proposals, Instruction To Proposers, Bid Schedule, Additional Work Price List, Contract Proposal, Proposed Project Work Schedules, Proposed Annual Material Schedule, Contractor Information, Certification of Non-Discrimination, and List of Subcontractors, are described in Exhibit "E" attached hereto and incorporated by this reference.

3. **STANDARD TERMS AND CONDITIONS**:

A. Control of Work. Except for compliance with specifications and performance standards provided for in Exhibit "A," Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The District will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the District, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the District, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the District.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the District. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the District shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City of Moreno Valley (City), the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley

Community Services District (District), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

F. District Indemnification. The District agrees to indemnify, defend and save the Contractor and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City's, RDA's and the District's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the District under this Agreement, or are caused or claim to be caused by the negligent acts of the City, RDA, and the District, their officers, agents or employees, or its subcontractor(s) or any person acting for the District or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the Contractor, its officers, agent, employees, or subcontractors.

G. Insurance Requirements. Where determined applicable by the District, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

☒ General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury $1,000,000 per occurrence/$2,000,000 aggregate
Property Damage $1,000,000 per occurrence/$2,000,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

☒ Worker's Compensation Insurance—in such amounts as will fully

comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and District against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

☒ Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on City/RDA/District premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

☐ Insurance requirements waived with Risk Manager's approval.
By: _____ Date: _____
(Risk Manager)

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "F" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

> Solely as respect to services done by or on behalf of the named insured for the Moreno Valley Community Services District, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or

registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the District unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The District and the Contractor agree that to the extent permitted by law, until final approval by the District, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Termination.
   a. Either party may terminate this Agreement upon breach of the Agreement by the other party. In the event the District terminates the Agreement, the Contractor shall perform no further services under the Agreement unless the notice of termination authorizes such further work.
   b. The District may terminate this Agreement without fault on the part of the Contractor by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the District. The District shall pay the Contractor within thirty (30) days after the date of termination for all non-objected services performed by the Contractor in accordance herewith through the date of termination.

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The District will not withhold any sums from compensation payable to Contractor, except as provided for in Exhibit "C". Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the District's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on District / City Employees. The Contractor shall not employ any District or City employee or official in the work performed pursuant to this Agreement. No officer or employee of the District or City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

N. Notices. All notices, requests, demands or other communications ("notice") under this Contract by any party shall be in writing, shall be properly addressed as set forth below (or to such other address as any party may later designate), and shall be sufficiently given on the date: (a) of service if served personally upon the person to whom notice is to be given, (b) receipt is confirmed with the addressee by telephone if a notice is sent by telex, telecopier, facsimile or other telecommunication facility, or (c) of receipt if a notice is sent by courier or by registered or certified mail, return receipt requested, postage prepaid:

To Contractor: Bemus Landscape, Inc.
P.O. Box 74268
[Post Office Box, if applicable]
San Clemente, CA 92571
888-557-7911
[Telephone number]

888-557-7911
[Fax number]
With a copy to:

_____
[Attorney for Contractor, if applicable]

_____
[Street Address]

_____
[Post Office Box, if applicable]

_____
[City, State, Zip Code]

_____
[Telephone number]
( )_____
[Fax number]
( )_____

To CSD: MORENO VALLEY COMMUNITY SERVICES DISTRICT
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Daniel Monto
Telephone number: (951) 413-3480
Fax Number: (951) 413-3498

With a copy to: City Attorney's Office [if applicable]
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: City Attorney
Telephone number: (951) 413-3036
Fax number: (951) 413-3034

SIGNATURE PAGE TO FOLLOW

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

Moreno Valley Community Services District

By: _____
Mayor, acting in the capacity of
President of the Board of Directors
of the Moreno Valley
Community Services District

Date: _____

Contractor

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00054085

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: April 27, 2010

TITLE: RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUNDS (SERAF) PAYMENT

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley.

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010.

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Payment).

3. Authorize the Financial & Administrative Services Department (FASD) to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

BACKGROUND

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. Redevelopment agencies are collectively mandated to place $1.7 billion in the SERAF in fiscal year 2009-2010. Each redevelopment agency must allocate the specified amount to the County Auditor-Controller to be deposited into

the SERAF on or before May 10, 2010. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237.

Since 1992, the Legislature has required redevelopment agencies to make pass through payments to the Educational Revenue Augmentation Fund (ERAF). The RDA has made ERAF payments seven times, in 1992-1993, 1993-1994, 1994-1995, 2002-2003, 2003-2004, 2004-2005, and 2005-2006, for a total of $3,316,892.

DISCUSSION

Redevelopment agencies in California are required to shift $1.7 billion in tax increment revenues to K-12 schools during the 2009-2010 fiscal year via the SERAF. The RDA's share of the SERAF for fiscal year 2009-2010 is $5,258,237. On February, 16, 2010, the RDA notified Riverside County Auditor-Controller that it intends to fund its SERAF obligation, via wire transfer on May 10, 2010, pursuant to Section 33692 of the Health and Safety Code.

At the time the RDA Board approved the RDA's fiscal year 2009-2010 budget in July, 2009, the final SERAF shift amount was unknown. In November 2009, staff was notified by the California Department of Finance that the RDA's SERAF obligation for fiscal year 2009-2010 was $5,258,237.

The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court in Sacramento County, California, in the case identified as Redevelopment Association et al. v. Genest et al., Case No. 34-2009-80000359-CU-WM-GDS (CRA v. Genest). This case considers, among other things:

- Whether the duties of county auditors to deposit funds received from redevelopment agencies in each county's SERAF are inconsistent with various State and federal constitutional provisions, are unlawful under the Health and Safety Code, and therefore are unenforceable,
- Whether the State's take of funds would provide any benefit to schools,
- Whether the take of funds is a valid use of redevelopment funds under Article XVI, Section 16 of the State constitution, and
- Whether the State's action violates Proposition 13 (1978) and Proposition 1A (2004).

The judge may issue a decision on the case in favor of redevelopment agencies before the May 10 deadline for transmitting the SERAF payments. However, there is no certainty as to how long the court proceeding might last or if the judge will invalidate the SERAF payments, and therefore, staff recommends that the RDA Board approve the proposed Budget Appropriation Adjustment to fund the state-mandated SERAF payment.

ALTERNATIVES

1. Approve state-mandated shift of tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds

(SERAF) for the 2009-2010 fiscal year; appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance), and authorize the FASD staff to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff recommends this alternative.* This alternative will ensure the RDA's compliance with State laws, pending the outcome of the current litigation.

2. Decline to approve state-mandated shift of RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for the 2009-2010 fiscal year; or appropriate the funds, and to direct the FASD staff not to wire transfer the payment in the amount of $5,258,237 to the Riverside County Auditor-Controller. *Staff does not recommend this alternative*. This alternative will result in noncompliance with State laws and the possible withholding of future tax increment revenues or property tax revenues, by the County, to meet this obligation.

FISCAL IMPACT

The recommended actions to shift RDA tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) will pose no fiscal impact to the General Fund. If approved, $5,258,237 will be appropriate from the RDA Tax Increment Fund (Fund 895 fund balance) to account number 895.91510.6723.728 (RDA SERAF Payment).

From	To	Amount
895 Fund Balance	895.91510.6723.728	$5,258,237

Under state law, the RDA Tax Increment funds are restricted for uses in RDA related activities and operations, and can not be used to fund general government operations.

SUMMARY

In June 2009, the State legislators and the Governor approved budget bill ABX4 that required redevelopment agencies to shift $1.7 billion of redevelopment funds to a Supplemental Educational Revenue Augmentation Funds in FY 2009-2010. The RDA's share of the SERAF is $5,258,237. The validity of the legislation mandating this SERAF transfer is currently being challenged in the Superior Court. To ensure compliance with state laws, pending the outcome of the litigation, staff is requesting an approval of state-mandated shift of tax increment revenues by appropriate $5,258,237 from RDA's fund balance to be deposited in the Riverside County Auditor-Controller's SERAF on May 10, 2010.

Prepared By:
Annie Clark
Sr. Financial Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

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

MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00054091

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: April 27, 2010

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a 25% mark-up for non-residents, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 1, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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MV00054101

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 1, 2010.

APPROVED AND ADOPTED this 27th day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: April 27, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: April 27, 2010

MV00054105

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
~~Nuisance Abatement Administrative Fee~~ [Moved to Section 5 - Fire]			
~~Level 1 (4 hrs or less)~~	~~Each~~	~~$ 240.00~~	
~~Level 2 (more than 4 hrs)~~	~~Hourly~~	~~$ 89.00~~	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$ 2,828.00	
Agreement	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential		$ 486.00	
Non-Residential		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent		100% of original fee	
Land Development Grading Revision/4th and Subsequent Reviews		$71 per sheet	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 203.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

	Unit	Fee	
Planning			
Plot Plan			
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~	
		$140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

	Unit	Fee	
Planning			
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00 +	
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00 +	
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance		$ 2,618.00	Plus applicable notice and posting fees
Administrative Variance		$ 474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
*Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Animal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

Animal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
H&S 122125- 122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moreno-valley.ca.us/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moreno-valley.ca.us/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

enewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

ecords Request	Unit	Fee	
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

Section 5 - Fire

Other Fees (Cont)	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing/Photocopying (black & white)	per Page	$ 0.20
Copies		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25
Lost Materials	per Item	Actual Cost

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 25%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Adult Contract Classes (18 Years or Older)				
Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee **	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth Sports				
Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball #	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Activities and Programs				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Classes				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Special Events				
Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee				
Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial)	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit)	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit)	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest*				

* Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)		
On-Line Registration has no applicable category association.		
Transactions < $150		
Percentage of Transaction cost		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 25%.

Athletic Field Reservation

Facilities have no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and Unorganized Group Play per field~~	N/A	Per Hour	$	5.00
~~Unorganized~~ Adult ~~&~~ Youth Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use – Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use – Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

Facilities have no applicable category association.

~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar				
Facilities have no applicable category association.				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
Facilities have no applicable category association.				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
Facilities have no applicable category association.				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~25.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
Facilities have no applicable category association.				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association.				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Golf Course

This program has no applicable category association.

Fee Description	Policy Category	Unit		Resident Fee
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitchen	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, ~~government agencies, Federal, State, County and educational institutions~~. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
3		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
4		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 $200.00 - $1,500.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependant on Event Liability)			$*
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include: Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE/FACILITY USE FEES

Service/Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 8 - Police

Exhibit "A"

	Unit	Fee	
BC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

Exhibit "A"

	Unit	Fee	
econd Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 261.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the Moreno Valley Electric Rates document. Both documents are available online at http://www.ci.moreno-valley.ca.us/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

Deposit, which will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

LEGAL AND OTHER DOCUMENTS

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum fee)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer

MAP CHECKING

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,0001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~Or as directed by the City Engineer. Not to exceed total City cost.~~ Amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

	Unit	Fee	
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee
STOCKPILE/BORROW SITE PLAN		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
0-5,000CY *		$ 584.00 *
5,001-100,000 CY *		$ 1,009.00 *
> 100,000 CY		$ 1,401.00
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00
Revisions (Stockpile/Borrow Plans)		
Minor	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.
PRECISE GRADING PLAN CHECK		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Subdivisions and Custom Homes Plus	Each	$ 1,837.00 +
	per Lot	$ 70.00
Non Subdivisions		
On-site Improvement Plan Check Fee		
0-5,000CY		$ 1,838.00
5,001-100,000 CY Plus		$ 1,838.00 +
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00
> 100,000 CY Plus		$ 7,234.00 +
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping ~~(Landscape Drawings)~~ ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
Meeting and Teleconferences	~~per Hour~~ Each		$ 206.00		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	~~per Hour~~ Each	$ 250.00
Subsequent Teleconferences	~~per Hour~~ Each	$ 150.00

OTHER PLAN CHECK FEES

~~Developer Requested Expedition of Plan, Map and Document Review~~	~~Regular plan, map and document review fee + 25%~~

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,714.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,221.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
> $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~196.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer but not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$	205.00
Block Party Permit Processing	Each	$	82.00
Flood Plain Determination (Community Rating System)	per Lot	$	20.00
Elevation Certification (Mobile Home Park)	Each	$	155.00

Section 9 - Public Works

	Unit	Fee	
Land Development			
OTHER FEES			
Advanced Energy Fees			
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		
MISCELLANEOUS LAND DEVELOPMENT FEES			
City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
Tree Planting		
15 Gallon	Each	$ 190.00
24" Box	Each	$ 270.00
Tree Removal	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Advance Funding Agreement - Initial Deposit		$	100,000.00	
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing *				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

Section 9 - Public Works

Exhibit "A"

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under it's own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	Residential				Commercial			Office	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
ibraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
rark Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

JITS LEGEND
J = Dwelling Unit for residential development types
F = 1,000 gross square feet of building area for commercial, industrial and office development types

PLEMENTATION NOTES:

th respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

th respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the velopment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

with respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
ecommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00054193

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Mayor Richard A. Stewart on March Joint Powers Commission (MJPC)

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MV00054195

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: April 27, 2010

TITLE: Funding alternatives and assistance for the construction of Highland Fairview's Eucalyptus Avenue street improvements utilizing the State-Local Partnership Program Grant funds.

RECOMMENDED ACTION

Staff is seeking City Council direction on the matter.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Last August, Staff met with representatives of Highland Fairview to discuss the City filing on behalf of Highland Fairview for four State-Local Partnership Program (SLPP) grant applications. The four projects were: the construction of Eucalyptus Avenue, Redlands Boulevard, and Theodore Street associated with its Highland Fairview Corporate Park (HFCP) project and Cactus Avenue associated with its AquaBella age-restricted housing project.

Highland Fairview proceeded to prepare the SLPP grant applications and filed the request for funding on August 17. Then-City Manager Robert Gutierrez signed the application packet as required by the SLPP Guidelines.

On Friday, September 25, 2009, the City received notice from the Commission and Department of Transportation, Local Assistance staff that two of Highland Fairview's proposed projects for SLPP 1B competitive grant funds were being recommended to the Commission for funding. The two SLPP applications were: Cactus Avenue Street Improvements and Eucalyptus Avenue Street Improvements. Each application requested funding in the amount of $1 million.

The California Transportation Commission took action to approve Highland Fairview's grant applications for the two projects on October 15.

Recently, representatives of Highland Fairview met with Interim City Manager William L. Bopf and Economic Development Director Barry Foster to discuss alternative funding sources to construct only one of the two street improvement projects: Eucalyptus Avenue. (The Cactus Avenue Street Improvement project has been placed on hold.) The SLPP grant process requires an agency (i.e., City of Moreno Valley) requesting funds to demonstrate evidence of matching 'qualified' fees. (The Eucalyptus Avenue improvement project is estimated to cost $6,265,915 as stated in the SLPP grant application). In order to move forward with the Project utilizing SLPP Grant funds, Staff has outlined four funding options for the City Council consideration (discussed later in the Staff Report).

DISCUSSION

Overview of SLPP Grant

By way of background, The Highway Safety, Traffic Reduction, Air Quality, and Port Act of 2006 commonly referred to as Proposition 1B, includes funds for two SLPPs. The first program is a formula program for voter-approved taxes and fees in which Measure A qualifies. The second program is a competitive grant program and is the source of Highland Fairview's request. The California Transportation Commission (CTC) will be the responsible agency in awarding funds and Caltrans will have local oversight.

A brief summary of the SLPP grant is as follows:

- The SLPP requires a local match (100%) of a uniform traffic mitigation fee up to a grant request of $1,000,000. The Countywide Transportation Uniform Mitigation fee (TUMF) and the City's Development Impact Fee (DIF) programs would qualify as matching funds.
- The City is the grant applicant in that the funds must be distributed by the City from its TUMF/DIF program. The State would reimburse the City for the improvements on a dollar-for-dollar match up to $1 million.
- The project must pay all qualified workers a prevailing wage and comply with the Public Contract Code. The City would serve as the "lead agency" for the project.
- The projects must be constructed in 2010. The SLPP Guidelines state the grant recipient may have two additional years to complete the project. (Note: The funds for the grants will derive from State of California bond proceeds which have not been sold and therefore, may permit flexibility in the 2010 construction date.)
- A request for SLPP grant funds must include the signature of the Chief Executive Officer or other authorized officer of the implementing agency in order for the application to be considered.

- The City will commit to have the available funds upon submittal of a SLPP grant proposal to CTC.

Highland Fairview's Proposed Eucalyptus Avenue Street Improvement Project
The Eucalyptus Avenue Street Improvements (the "Project") are a condition of approval of the Highland Fairview Corporate Park project approved by the City Council in February 2009. The proposed Project includes the dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for the entire one mile length. When complete, this segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way, and extensive landscaping. The total Project costs estimated by Highland Fairview are $6,265,915.

Funding Alternatives
As requested by the City Council, Staff is presenting four options for consideration to assist in the funding of the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project. The four options are:

OPTION ONE
Highland Fairview to construct Eucalyptus Avenue

OPTION TWO
City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview

OPTION THREE
City of Moreno Valley constructs Eucalyptus Avenue with existing DIF

OPTION FOUR
City of Moreno Valley constructs Eucalyptus Avenue with developer funds underwritten by City reserves

All four options are described in detail on Exhibits "A", "B", "C", and "D" attached. Each Exhibit describes the Goal, Requirement(s) of the Project, Funding Method(s), Results, Obstacles, and Required City Council Action.

Also for the City Council's information, Staff has attached a list of CIP projects that could be reprioritized (Exhibit "E") and Highland Fairview's SLPP Grant Proposal (Exhibit "F").

ALTERNATIVES

1. Instruct Staff to pursue one of the four options described on Exhibits "A" "B", "C", and "D" attached.

2. Not approve one of the four options and direct Staff to explore other funding options as directed by the City Council.

3. Take no action. This alternative would provide no financial assistance to Highland Fairview's Eucalyptus Avenue improvements.

FISCAL IMPACT

Brief overviews of the fiscal impacts of the four options are as follows:

Option One: The City would not contribute funds for the construction of the street improvements. Highland Fairview would bear the cost of the street improvements and may not be eligible for SLPP Grant funds. Option One would not have a fiscal impact on the City.

Option Two: Highland Fairview would deposit the entire amount of the estimated cost to construct the street improvements ($6.3 million) with the City. The City would take the lead in preparing the plans and specifications and publicly bid the project. All requirement of the Public Contract Code must be complied with including the paying of prevailing wage for all workers on the job. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Three: The City Council would reprioritize its CIP projects funded by Development Impact Fees or DIF for fiscal year 2009-10 in an amount of $6.3 million for the construction of the street improvements. The CIP projects that are reprioritized would not be constructed until DIF funds are available. Highland Fairview would be required to pay its DIF and those street improvement costs not covered by DIF. The fiscal impact to the City could be significant in that a number of CIP projects would not be completed as planned. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

Option Four: The City Council would reprioritize CIP projects adding thereto, the Eucalyptus Street improvements funded by the redemption of the 2007 Tax Allocation Bonds, Series B in the amount of $7 million. The redemption of a portion of the bonds would serve as 'collateral' for the construction of the street improvements. Highland Fairview would deposit $2 million for the City to drawdown to pay for work completed by contractors. Highland Fairview would replenish the account when the dollar amount

falls below $2 million. City Staff would be responsible for oversight and management of the project in which Staff time should be reimbursed.

If the City Council elects to assist Highland Fairview with the project using options two or three, Staff would have to fully analyze the availability of DIF and/or other funding sources to insure the project can be constructed as stated in the SLPP Grant Application.

SUMMARY

On behalf of Highland Fairview, the City applied for a SLPP Grant to construct certain street improvements in connection with it corporate park and AquaBella projects. Eucalyptus Avenue was awarded SLPP Grant funds and Highland Fairview is seeking City assistance to construct the improvements. Staff has outlined four options for the City Council to consider. The options have various fiscal impacts on the City's ability to fund CIP projects today and in the future.

CITY COUNCIL GOALS

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

ATTACHMENTS/EXHIBITS

Exhibit "A" – OPTION ONE: Highland Fairview to construct Eucalyptus Avenue
Exhibit "B" – OPTION TWO: City of Moreno Valley constructs Eucalyptus Avenue with funds deposited by Highland Fairview
Exhibit "C" – OPTION THREE: City of Moreno Valley construct Eucalyptus Avenue with existing DIF
Exhibit "D" – OPTION FOUR: City of Moreno Valley construct Eucalyptus Avenue with developer funds underwritten by City reserves
Exhibit "E" – Proposed list of DIF Project for Reprioritization
Exhibit "F" – SLPP Grant dated August 14, 2009

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

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

Exhibit "A"

OPTION ONE
Highland Fairview to Construct Eucalyptus Avenue

Goal:	Funding and Constructing the Eucalyptus Avenue Improvements for the Highland Fairview Corporate Park/Skechers project
Requirement(s):	A) City permits required (including inspections)
Funding Method(s):	Highland Fairview to fully fund the project – approximately $6.3 million; and therefore, Highland Fairview may not be eligible for SLPP grant funds.
Results:	A) Highland Fairview administers the construction project – may be the most expeditious means to construct the street improvements (i.e., California Contract Code/prevailing wage issues may not apply) B) Highland Fairview can construct underground utilities and street improvements as one operation C) The street improvements would be constructed to City standards D) Eucalyptus Avenue would be dedicated to the City upon completion E) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
Obstacles:	A) Requires Highland Fairview to fund the project B) Highland Fairview may not receive up to $1 million (based on reimbursement by the State) in SLPP Grant funds
Required City Action:	NA (FYI – only City Council action would be the acceptance of Improvements upon completion)

Exhibit "B"

OPTION TWO
City of Moreno Valley Constructs Eucalyptus Avenue with Funds Deposited by Highland Fairview

Goal: Funding and Constructing the Eucalyptus Avenue improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the required funds to construct the project
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. Reimbursement will occur after the Project is completed and may be less than $1.0 million.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the required funds with the City before the City Council awards the contract. The funds will include:
    1) The applicable DIF must be paid by Highland Fairview at the start of the Project.
    2) DIF payment – approximately 60 percent of the DIF is for arterial streets and can be used for the Project's matching funds.(Sixty (60) percent will

not provide enough funding to fully construct the street improvements.)

3) The SLPP grant funds cannot be credited to the Project until the Project is completed. Therefore, that amount must be advanced by the developer, Highland Fairview.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10 – funding source of Highland Fairview

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "C"

OPTION THREE
City of Moreno Valley Constructs Eucalyptus Avenue with Existing DIF

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):
A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepared bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the project to its CIP Plan
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):
A) Highland Fairview to deposit the all required DIF and all other funds to construct the project (the street improvements may cost more than the DIF collected)
B) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds received. The full $1.0 million may not be received and only after the Project is completed.

Results:
A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy

Obstacles:
A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit all the required funds with the City before the City Council awards the contract
C) Existing DIF projects for Fiscal Year 2009-10 would not be constructed. The breach of existing projects under construction may expose the City to legal challenges.

Required City Action:
A) Amend CIP Plan to include Eucalyptus Avenue

improvements as a “Funded Project” for Fiscal Year 2009-10 and defund other street improvement projects. The reprioritization of DIF projects or DIF projects placed on hold may result in lost funds that have already been expended (i.e., matching funds).

B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue improvement project

C) Instruct Staff to collect the necessary funds plus a ten percent (10%) contingency to construct the street improvements

Exhibit "D"

OPTION FOUR
City of Moreno Valley Constructs Eucalyptus Avenue with Developer Funds Underwritten by City Reserves

Goal: Funding and Constructing the Eucalyptus Avenue street improvements for the Highland Fairview Corporate Park/Skechers project

Requirement(s):

A) City permits required (including inspections)
B) Compliance with Public Contract Code (i.e., prepare bid documents, plans and specifications, advertisement, bid opening, award of contract/agreement) including the paying of prevailing wages
C) City to add the Project to its CIP Plan – (Reprioritization of CIP project list to include Eucalyptus Avenue improvements.)
D) City is the contracting agency (i.e., lead agency)
E) Parcel map, road easement or other conveyance to permit the City to enter the property for the purposes of constructing the street improvements

Funding Method(s):

A) Highland Fairview to deposit $2 million to insure prompt payments to contractors within 30 days (per Public Contract Code) and be responsible for the entire cost of the street improvements
B) Highland Fairview must execute an agreement with the City and provide $2.0 million and grant the City quick full access to said fund. The developer, Highland Fairview will replenish the funds whenever the City draws down funds for payment of work or the City will stop all work on the Project.
C) City will redeem a portion of the 2007 Tax Allocation Bonds, Series "B" to cover the costs of the street improvements plus a ten percent (10%) contingency – to be used as collateral only. (Note: Due to significant General Fund budgetary deficit facing the City in FY 2010-11, redemption of up to $7 million of the 2007 Tax Allocation Bonds, Series "B" will also be submitted for Council's consideration as a Deficit Reduction Option. If both actions are authorized by Council, $14 million of the $22.5 million bond issue will be redeemed and no longer available for redevelopment purposes.) The redemption of the Bonds in the amount of $7 million for the project

must be backed by some form of security guaranteeing the City collateral of the street improvement project.

D) City will credit Highland Fairview up to $1 million (based on reimbursement by the State) in SLPP Grant funds, when received. The full $1.0 million may not be received and only after the Project is completed.

Results:

A) The project would be a "traditional" public works construction project
B) Highland Fairview may be eligible for DIF Reimbursement per City Council adopted policy
C) Other DIF projects would not have to be defunded and will be completed without interruption
D) Highland Fairview will have the street improvements completed with minimum impact on its fund balance
E) Highland Fairview will pay its DIF (i.e., Highland Fairview will not have to draw down its funds until work is completed.)
G) If the Project is completed as planned, the City will never have to use the pledged reserves

Obstacles:

A) Highland Fairview must complete all utility work within the street right-of-way prior to the City authorizing its contractor to begin work
B) Requires Highland Fairview to deposit the $2 million to cover the City's expenses to pay contractors. This amount must remain at $2.0 million throughout the Project's life except when $2.0 million remains for the completion less retention.
C) The construction of the street improvements would be placed on hold if there are insufficient funds in the developer's account which could place the City in a liable position if other funding sources could not be identified.

Required City Action:

A) Amend CIP Plan to include Eucalyptus Avenue improvements as a "Funded Project" for Fiscal Year 2009-10
B) Instruct Staff to prepare plans and specifications to advertise the Eucalyptus Avenue street improvement project
C) Authorize the City Manager to proceed with the redemption of $7 million of the 2007 Tax Allocation Bond, Series "B", to be used as collateral for the street improvement project
D) Instruct the City Manager to prepare an agreement with Highland Fairview outlining the terms and condition of the

City underwriting the cost of the street improvements for review and approval by the City Council. The agreement shall also require Highland Fairview provided sufficient surety or security of the City's' $7 million.

E) Instruct Staff to collect the $2 million deposit to construct the street improvements upon the execution of the agreement between the City and Highland Fairview

Exhibit "E"
Proposed List of DIF Projects for Reprioritization

	DIF Funded Projects Not Recommended for Re-Appropriation Consideration			
		(Updated on January13, 2010)		
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78526	Perris Blvd Widening/South City Limits to Cactus	$ 704,078	$ 670,000	**ROW Appraisals Underway. M**atching funds for $1.521 million in TUMF funds for ROW
78527	Cactus Ave EB 3rd Lane Imprv/I-215-Veterans Way	$ 316,715	$ -	**Design Done -** budget is practically expended.
78626	Reche Vista Realignment - Perris/Heacock N. City Limits	$ 548,149	$ 280,000	**Environmental and Design Underway with active contracts -** DIF funds are matching funds for $1.967 million in Federal STPL funds - budget is 80% expended.
78725	Pigeon Pass Widening/Climbing Rose to N. City Limits	$ 15,000	$ 3,000	**Project closeout work underway -** Construction Done - budget is 80% expended.
78726	Perris Blvd Widening/Ironwood to Manzanita	$ 742,665	$ 300,000	**ROW Acquisition Phase Underway -** DIF funds are matching funds for $631,000 in TUMF funds for ROW.
83127	Lasselle/Bay Street Improvement	$ 135,255	$ 20,000	**Construction done**
83227	Lasselle/Cottonwood Street Improvement	$ 147,393	$ 20,000	**Construction done**
83125	Graham Street Bridge/Sunnymead-Hemlock	$ 100,000	$ -	**Preliminary Project Report completed**
78827	Heacock Street Improvement/Hemlock St. to Ironwood Ave	$ 344,000	$ 140,000	**Design Almost done & ROW Acquisition Underway**
83327	Kitching/Eucalyptus Ave Improvement	$ 5,000	$ -	**Project closeout completed**
83328	Cactus EB 3rd Lane Improv/Veterans Way to Heacock	$ 398,506	$ -	**Design Almost Done -** budget is practically expended.
	Total Fund 416	$ 3,456,761	$ 1,433,000	
Fund 501	2005 Lease Revenue Bonds - Debt Serviced by DIF			
82125	Sunnymead Blvd - Frederick St to Perris Blvd	$ 2,196,392	$ -	**Construction underway -** Funds already expended as part of design and construction.
82425	Kitching Street - Alessandro Blvd to Gentian	$ 2,754,515	$ 2,100,000	**Construction Bids Opened and Award Scheduled for 1/26/10 Council Mtg. -** Portions of funds already expended in design and bid phases.
82625	Ironwood Ave - Heacock St to Perris Blvd	$ 1,046,670	$ 1,000,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid and remainder for Edison Pole Relocation**
82725	Lasselle - Alessandro Blvd to John F. Kennedy Blvd	$ 657,208	$ -	**Construction** 95% done - DIF monies is match for TUMF.
	Total Fund 501	$ 6,654,785	$ 3,100,000	
	Not Recommended for Re-appropriation Grand Total	$10,111,546	$ 4,533,000	

MV00054209

	DIF Funded Projects for Re-Appropriation Consideration			
Account	Project Description	FY 2009-10 Total	Potential FY 2009-10 DIF Savings	Comments
Fund 416	DIF Arterial Streets Capital Projects			
78624	Infill Projects at Various Locations	354,182	330,000	**Minimal Design Related work expended -** Loss of funding will result in continued bottlenecks in arterial roadways.
78825	Heacock St. / San Michele Ave to Gentian Ave	301,952	275,000	**Minimal Design Closeout work expended -** insufficient funding for construction
78727	Ironwood Ave - Heacock St to Perris Blvd	1,116,000	900,000	**Storm Drain Line H-1A as part of Indian Basin project almost ready for Bid (set aside) and Needed SCE Relocation funding -** Loss of funds would significantly delay this project.
83128	Iris Ave Street Improvements / Indian-Perris	216,000	80,000	**Construction Done -** warranty walk remains
83428	Moreno Beach Widening/Cactus Ave to Auto Mall	370,000	275,000	**Contractual Preliminary engineering work has started -** approximately 25% monies expended.
	Consideration for Reappropriation Total	2,358,134	**1,860,000**	
	Grand Total of all Funding and Savings	12,469,680	6,393,000	
w:prem/cpd/admin/grants/slpp				

Exhibit "F"

Highland Fairview's
Proposition 1B Local Partnership
Program Grant Application

City of Moreno Valley
Eucalyptus Avenue

August 14, 2009

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

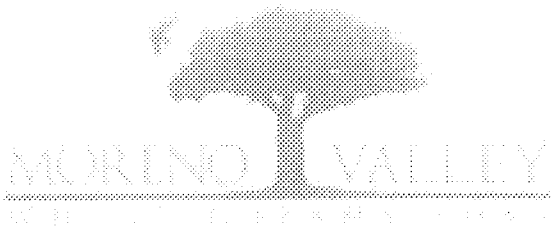

Friday, August 14, 2009

MORENO VALLEY

August 13, 2009

Brian G. Rhinehart, Executive Director
California Transportation Commission
Mail Station 52, Room 2231
1120 N Street
Sacramento, CA 95814

Re:	Application for Proposition 1B State Local Partnership Competitive Grant Program
Applicant:	City of Moreno Valley
Project:	Eucalyptus Street Improvements
Funding Request:	$1,000,000.00

Dear Mr. Rhinehart,

The City of Moreno Valley is pleased to submit an application to the Proposition 1B State Local Partnership Competitive Grant Program for the Eucalyptus Street Improvements Project. The City respectfully requests $1,000,000.00 in capital grant funds for this important street improvement project, which will provide access to the Eastern Portion of Moreno Valley.

Specifically, the Eucalyptus Street Improvements Project includes the following improvements:

- Grading
- Utilities
- Street Paving
- Sidewalks
- Bike Trails
- Lighting

I am pleased to officially endorse the City's funding application for this project.

If you have any questions regarding the City's application, please do not hesitate to contact me at (951) 413-3020.

Thank you in advance for your time and the City looks forward to your review of our request.

Sincerely,

Robert G. Gutierrez
City Manager

CITY MANAGER'S OFFICE

MV00054213

2008 Project Programming Request
(Project Information)

Caltrans

Manual Instructions

☐ New Project	☐ Amendment (Existing Project)	Date:	08/15/08

Caltrans District	EA	PPNO	MPO ID	TCRP No.
08				

County	Route/Corridor	Project Sponsor/Lead Agency	MPO	Element
	Eucalyptus	City of Moreno Valley	SCAG	CO

Project Title

Eucalyptus Avenue Improvements

PM Bk	PM Ahd	Project Mgr/Contact	Phone	E-mail Address
		Rick Hartmann	951-413-3030	rickh@moval.org

Location, Project Limits, Description, Scope of Work, Legislative Description

Location: Eucalyptus Avenue between Redlands Blvd and Theodore Avenue in Moreno Valley, CA. Scope of work: Dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include two full travel lanes, raised landscaped median, a 12-foot landscaped parkway, and major sidewalk, public access improvements for its entire one mile length.

Component	Implementing Agency	AB 3080	Letter of No Prejudice
PA&ED	City of Moreno Valley	☐	☐
PS&E	City of Moreno Valley	☐	☐
Right of Way	City of Moreno Valley	☐	☐
Construction	City of Moreno Valley	☐	☐

Legislative Districts

Assembly:	63, 64 and 66	Senate:	37
Congressional:	45		

Purpose and Need

This program completes a major section of the roadway extensions that are necessary for Eucalyptus Avenue to extend across the entire City of Moreno Valley.

Project Benefits

Eucalyptus Avenue is one of the most important arterial highway links in the City's Circulation Plan. It presently extends through the westerly portion of the City of Moreno Valley but will ultimately extend from east to west across the entire City, providing an important link in the circulation network for the City, but perhaps more importantly, serving as an alternative to SR60 running east-west through the region.

Project Milestone		Date
Project Study Report Approved		N/A
Begin Environmental (PA&ED) Phase		Complete
Circulate Draft Environmental Document	Document Type: N/A	Complete
Draft Project Report		N/A
End Environmental Phase (PA&ED Milestone)		Complete
Begin Design (PS&E) Phase		Prh Compl
End Design Phase (Ready to List for Advertisement Milestone)		N/A
Begin Right of Way Phase		N/A
End Right of Way Phase (Right of Way Certification Milestone)		N/A
Begin Construction Phase (Contract Award Milestone)		Fall 2009
End Construction Phase (Construction Contract Acceptance Milestone)		Fall 2011
Begin Closeout Phase		N/A
End Closeout Phase (Closeout Report)		N/A

Form Version Date: 10/1/07

2008 Project Programming Request
(Funding Information)

Amount in thousands and dollars in the programmed year

Date: [illegible]

County	CT District	PPNO	TCRP Project No.	EA
	08			

Project Title: Broadway Avenue Improvements

Existing Total Project Cost									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Implementing Agency
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON									
TOTAL									
Proposed Total Project Cost									
E&P (PA&ED)									
PS&E		118,000	744,875					862,875	
RW SUP (CT)									
CON SUP (CT)			90,000	120,000	30,000			240,000	
RW									
CON			1,936,864	2,380,473	848,819			5,166,156	
TOTAL		118,000	2,771,825	2,755,473	878,819			6,269,116	

Fund No. 1:	Uniform Development Impact Fees								Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E		118,000	744,875					862,875	
RW SUP (CT)									
CON SUP (CT)			90,000	120,000				240,000	
RW									
CON			936,864	1,598,264				2,535,128	
TOTAL		118,000	1,771,825	1,718,264				3,638,089	

Fund No. 2:	Multi Local Partnership Program Grant								Program Code
Existing Funding									
Component	Prior	08/09	09/10	10/11	11/12	12/13	13/14+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON									
TOTAL									
Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
RW SUP (CT)									
CON SUP (CT)									
RW									
CON			1,000,000					1,000,000	
TOTAL			1,000,000					1,000,000	

Form Version Date: 10/1/07

2 of 8

2008 Project Programming Request
(Funding Information)

(dollars in thousands and rounded to the programmed year) Date: 08/11/08

County	CT District	PPNO	TCRP Project No.	EA
	08			

Project Title: Eucalyptus Avenue Improvements

Fund No. 1: Developer — Program Code

Existing Funding									
Components	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)					31,000			31,000	
R/W									
CON				1,484,217	845,618			2,129,835	
TOTAL				1,484,217	876,618			2,160,835	

Fund No. 2: — Program Code

Existing Funding									
Components	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund No. 3: — Program Code

Existing Funding									
Components	Prior	06/07	07/08	08/09	09/10	10/11	11/12	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposed Funding									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Proposition 1B State Local Partnership Program

City of Moreno Valley

Eucalyptus Avenue

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3. Project Funding
4. Project Benefits
5. Supporting Transportation and Land Use Planning Goals
6. Appendix
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    b. Designated Truck Route Map
    c. City Circulation Plan
    d. Master Plan of Trails
    e. Bikeway Plan
    f. WRCOG Regional Highway System Map
    g. Street Improvement Plans

City of Moreno Valley Proposition 1B State Local Partnership Program Application

Eucalyptus Avenue

Narrative

1. Proposed Capital Improvement Project

The City of Moreno Valley is seeking State Local Partnership Program funds for the Eucalyptus Avenue project, which includes dedication, grading and improvement of more than one-half of the ultimate 110-foot street right-of-way which will include one-half width of the street (two full travel lanes), one additional travel lane, a raised landscaped median, a 12-foot landscaped parkway, and major sidewalk and public access improvements for its entire one mile length. When complete, the segment of Eucalyptus Avenue will include three full travel lanes, turn pockets, bus turnouts, emergency access, provisions for future traffic signals, street lighting/signing/striping, full sidewalks, trail right-of-way and extensive landscaping.

The project specifically targets Eucalyptus Avenue between Redlands Boulevard and Theodore Avenue.

Eucalyptus Avenue is one of the most important arterial highway links in the City of Moreno Valley's Circulation Plan. It presently extends through the westerly portion of the City, but will ultimately extend from east to west across the entire City, providing an important link in the City's circulation network. And perhaps more importantly, it will serve as a secondary highway system and alternative route to State Route 60, running east-west through the region. Presently, the next-closest parallel highway southerly of State Route 60 is Alessandro Boulevard, approximately 1.5 miles away.

As development on the east side of Moreno Valley progresses, the extension of Eucalyptus Avenue will serve as a significant component in the growth of the community and the creation of critical jobs-producing development. This one-mile length of Eucalyptus Avenue will also provide substantial and immediate circulation improvements to serve the needs of the approved employment centers in the immediate area which are estimated to provide 2,500 permanent employees, 1,100 construction jobs, and $157 million in economic benefits to the region.

The project improvements are an incremental part of the development of Eucalyptus Avenue, which will ultimately run across the entire City. This link will be developed in conjunction with other adjacent arterial improvements to provide a complete street system providing access to approved and pending employment centers in the area. The construction of these initial increments will encourage additional growth which will facilitate further roadway improvements.

2. Project Status

The Eucalyptus Avenue project is covered by a fully certified EIR and design drawings are in the final approval stage. Construction is scheduled to commence in Fall 2009 with an estimated completion date of 2011.

3. Project Funding

Total project costs are estimated at $6,285,915. The City of Moreno Valley respectfully requests $1,000,000 in State Local Partnership Program competitive grant funds.

Additionally, $3,105,080 in Development Impact Fees (uniform developer fees) are allocated for this segment of Eucalyptus Avenue. $2,159,835 million will be funded by a local developer.

While the City of Moreno Valley is part of the Riverside County Transportation Commission (which will receive SLPP formula funding), the Commission is not drawing down formula funds at this time. In communication exchanges with the Commission, they have decided to draw down funds at a future date for large projects scheduled to commence construction in 2011.

4. Project Benefits

Economic Benefit. The construction of Eucalyptus Avenue will facilitate the development of several employment center projects in the immediate vicinity, bringing thousands of jobs and millions of dollars in economic growth to the Moreno Valley area. A well-designed primary and secondary highway system to provide safe, efficient access to project sites is a significant consideration in the decision to develop such much-needed projects.

Air Quality. The construction of Eucalyptus Avenue will improve local air quality by providing circulation alternatives to distribute traffic on multiple routes, thereby minimizing congestion and accompanying negative environmental effects associated with idling vehicles. This project includes a raised landscaped median and an adjacent landscaped parkway/trail area introducing additional landscape improvements to the vicinity.

Multi-Modal. The ultimate Eucalyptus Avenue street improvements accommodate multiple modes of transit. A major four-lane arterial highway, sidewalks, a bike trail, a multi-use trail, and public transit facilities (bus turnouts) will encourage alternate modes of travel, as well as recreational uses.

More specifically, the Eucalyptus improvements include the development of pedestrian sidewalks, and the accommodation of multi-use trails and hike trails where none exist today. Several bus turn-outs are provided in the Eucalyptus plans which will accommodate the expansion of public transit to the area. Adjacent development has been designed to accommodate these bus turnouts and also to provide convenient paths of travel into nearby projects.

Safety and Safety Improvements. Eucalyptus Avenue will provide a significant element of safety to the region by providing a parallel alternative to State Route 60 in the event of an emergency. In addition, the proposed street improvements will enhance the safety of pedestrians and cyclists as well as the motoring public by providing well-designed, efficient facilities, minimizing opportunities for conflict. These facilities will also provide safe, efficient alternative modes of travel to and from major employment centers in the community.

Cost Effectiveness. The Eucalyptus project will be constructed according to the City's latest design and construction standards and is expected to have a useful life of more than 25 years. The proposed improvements also tie in to future improvements that will be constructed to accommodate growth as a result of residential, commercial and industrial development in this growth-targeted area of the City.

Matching Funds: Matching funds in the total of $3,108,000 are provided through City Development Impact Fees (uniform developer fees.) The City has made Eucalyptus Avenue a priority for these funds due to significant interest in private development in the project area as well as its important role as a regionally significant arterial.

Reliability: The proposed project will construct a new section of Eucalyptus Avenue to link Redlands Boulevard and Theodore Street. This is important for reliability because currently, the traveling public must use other, less direct routes to travel from east to west within the city and also to access the state highway system. This new direct link will allow the public to reasonably expect travel can occur quicker with fewer delays.

5. Supporting Transportation and Land Use Planning Goals

Eucalyptus Avenue improvements are included in the following plans:

- City's Master Circulation Plan
- City's Development Impact Fee (DIF) Program
- City's Capital Improvement Plan

6. Appendix

Chapter 3.42 COMMERCIAL AND INDUSTRIAL DEVELOPMENT IMPACT FEES

Note

* Prior ordinance history: Ords. 350 and 632.

3.42.010 Purpose and intent.

A. This chapter establishes commercial and industrial development impact fees, consisting of each of the fees set forth. The commercial and industrial development impact fee is intended to recover from each new commercial, industrial and other nonresidential development, its reasonable share, as determined in accordance with Government Code Section 66000, et. seq., of the cost of each type of public facility and infrastructure improvements for which a fee is established hereunder needed to serve the development on which the fee is imposed; to ensure implementation of, and consistency with, the city's general plan; and to protect the public health, safety and welfare by ensuring that adequate public facilities and related improvements will be constructed and made available to serve new nonresidential development concurrent with the need.

B. The city council has determined that the fees established by this chapter shall be collected from applicants of development projects for the cost of public facilities and infrastructure improvements that serve or will benefit each commercial, industrial and other non-residential development, and to reimburse the city for expenditures previously made which benefit that development in accordance with the city's adopted development impact fee study, as updated and readopted from time to time.

C. The fees imposed under this chapter are in addition to any other fees, dedications, construction requirements or other exactions imposed as a condition of approval for the development project, or under the provisions of any state or federal law, other provisions of this code, or city resolutions and policies.

D. Wherever used, terms describing types of facilities and/or infrastructure improvements shall have the meaning given to them in the city's general plan and/or capital improvement plan, as adopted and amended from time to time. (Ord. 695 § 1.2 (part), 2003)

3.42.020 Compliance with chapter.

No commercial, industrial or other nonresidential development project shall be approved unless the public facility improvements necessary to serve the development project exist or will be constructed as a condition of approval of the project to satisfy the requirements of the city's general plan and/or capital improvement program, as approved from time to time. No developer, property owner, or other person or entity shall be eligible to receive building permits, nor any occupancy permits, for any commercial, industrial or other nonresidential development project unless the provisions of this chapter have first been complied with and the fees required hereunder have been paid for that project. The requirements of this chapter are hereby imposed as a condition of development approval for each commercial, industrial and other nonresidential development project in addition to being a requirement of this code. The city may impose such additional conditions of approval as are necessary or appropriate to implement the purposes of this chapter, including, but not limited to, construction of public facility improvements and/or reimbursement agreements for constructed improvements in accordance with city policies and procedures. (Ord. 695 § 1.2 (part), 2003)

3.42.030 Arterial streets commercial and industrial development impact fees.

Arterial streets commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the arterial street improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. The fees referred to in this section were calculated to include only the arterial street improvements and do not include costs for freeway interchange improvements, local streets, or collector streets. (Ord. 695 § 1.2 (part), 2005)

3.42.040 Traffic signals commercial and industrial development impact fees.

Traffic signals commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the traffic signal improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.050 Interchange improvements commercial and industrial development impact fees.

Interchange improvements commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the interchange improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.060 Fire facilities commercial and industrial development impact fees.

Fire facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, fire service facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.070 Police facilities commercial and industrial development impact fees.

Police facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, police services facilities provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.080 City Hall facilities commercial and industrial development impact fees.

City Hall commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, City Hall facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.090 Corporate yard facilities commercial and industrial development impact fees.

Corporate yard facilities commercial and industrial development impact fees shall be paid by applicants for commercial and industrial projects as set forth in this section and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this section are paid. Fees collected pursuant to this section shall be deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, the city corporate yard facilities and improvements provided for in the city's general plan and its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.100 Maintenance equipment commercial and industrial development impact fees.

Maintenance equipment commercial and industrial development impact fees shall be paid by applicants for commercial and industrial development projects as set forth in this chapter and in the amounts adopted by the city council by resolution from time to time. No building permit, nor occupancy permit, shall be issued for any new commercial, industrial or other nonresidential building or structure unless the fees specified in this chapter are paid. Fees collected pursuant to this chapter shall be deposited into a separate fund and used only for the purpose of acquiring, to the extent permitted by law, the major maintenance equipment needs of the city provided for in its adopted capital improvement program, as amended from time to time. (Ord. 695 § 1.2 (part), 2005)

3.42.110 Credit for improvements provided by developers.

Credit against a commercial and industrial development impact fee may be given for qualifying facilities and improvements constructed as part of each commercial and industrial development project in accordance with city policies and procedures. The applicant shall be responsible for providing sufficient evidence of the eligibility and

cost of such facilities and improvements to the satisfaction of the city's public works director/city engineer, who will determine whether the evidence is satisfactory to render a fee credit, and will determine the amount of fee credit, which shall not exceed the projected costs of such facilities and improvements for purposes of establishing the affected impact fee. (Ord. 695 § 1.2 (part), 2005)

3.42.130 Credit for existing development.

If the development project involves improvements, or a change of use to an already existing development, commercial and industrial development impact fees will only be applied to the portion of the project that represents an increase in demand for city facilities. (Ord. 695 § 1.2 (part), 2005)

3.42.150 Adoption of fees and fee revisions.

The amount of any commercial and industrial development impact fee may be amended annually or from time to time by a resolution of the city council in accordance with the procedures and based upon the findings set forth in Government Code Section 66000, et seq., for such fees. The city council may authorize by resolution annual adjustments to the commercial and industrial development impact fees to account for the escalation in construction costs, based upon the figures published in the Engineering News Record's Building Cost Index—20 Cities Annual Average. Land costs may be evaluated annually and adjusted, as necessary, based on the current market conditions at the time. (Ord. 695 § 1.2 (part), 2005)

3.42.140 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective. (Ord. 695 § 1.2 (part), 2005)

City of Moreno Valley
Adopted Bicycle Master Plan
Legend
Bike Lane
Bike Route
Class I Multi-Use Trail
Class IV Separated Bikeway
Destination
Bicycle Track Routes
Map

MORENO
VALLEY
FIGURE 14
CIRCULATION PLAN

Item No. G.2

MORENO
VALLEY
PHASE 2A
DRAINAGE PLAN

Figure 4.1
The Regional
System of
Highways &
Arterials for
Western
Riverside
County
Riverside County
Regional System
of Highways
& Arterials
Legend
Freeway
Expressway
Arterial
Local
Freeway
Expressway
Arterial
Local

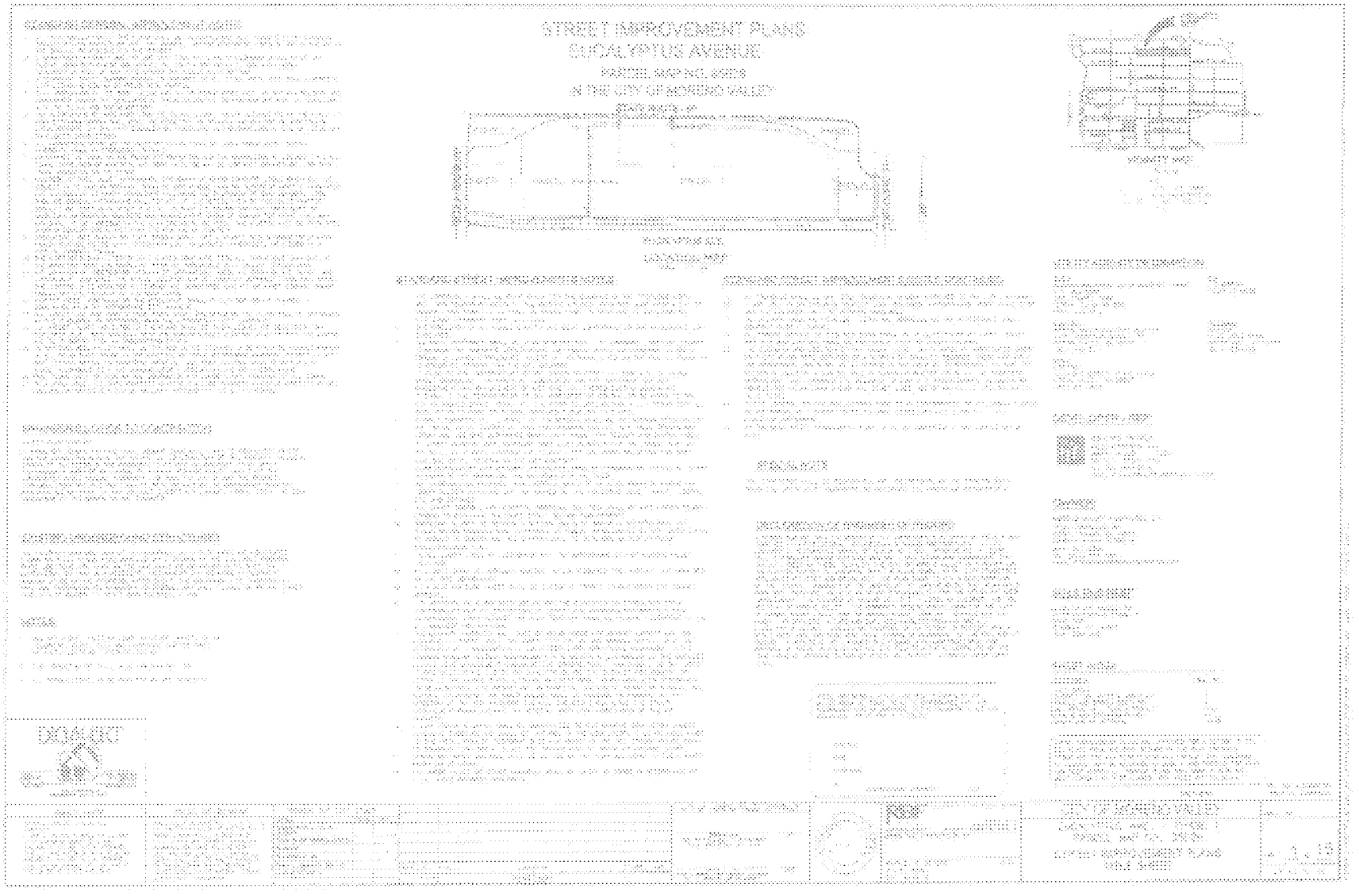
STREET IMPROVEMENT PLANS
EUCALYPTUS AVENUE
PARCEL MAP NO. 30628
IN THE CITY OF MORENO VALLEY
DRAWN BY
DATE
DRAWN BY
DATE
DRAWN BY
DATE

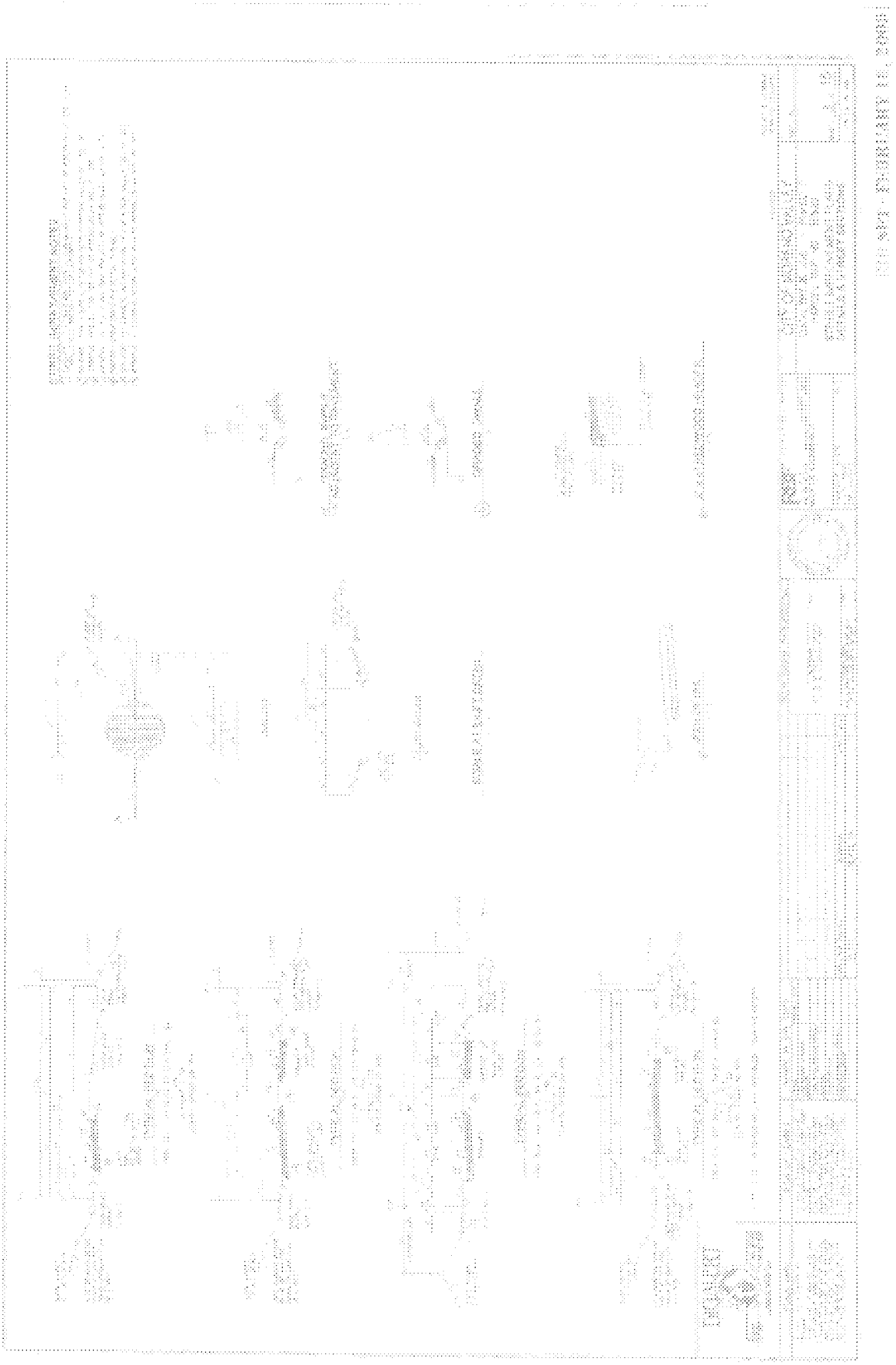

MV00054233

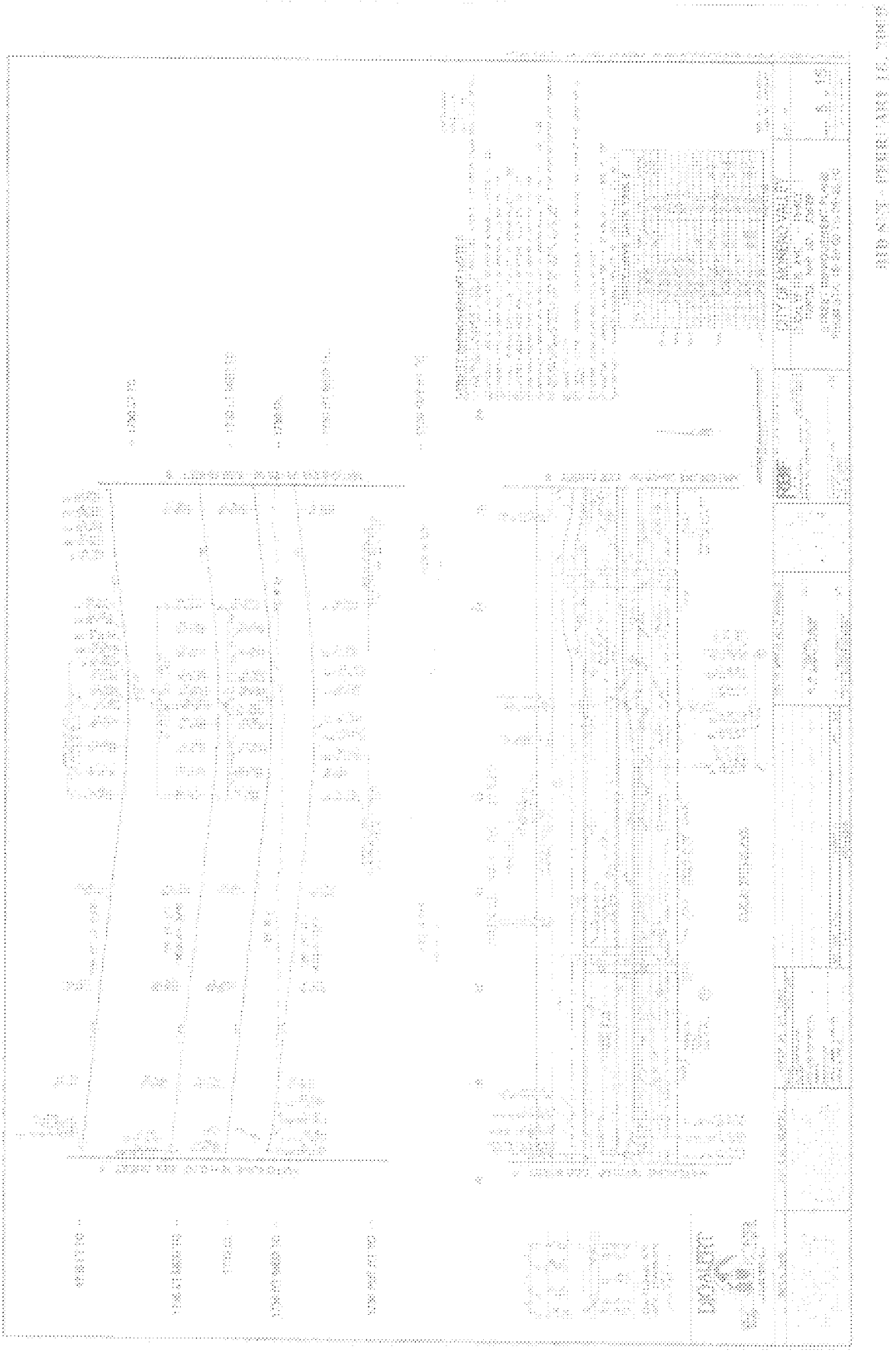

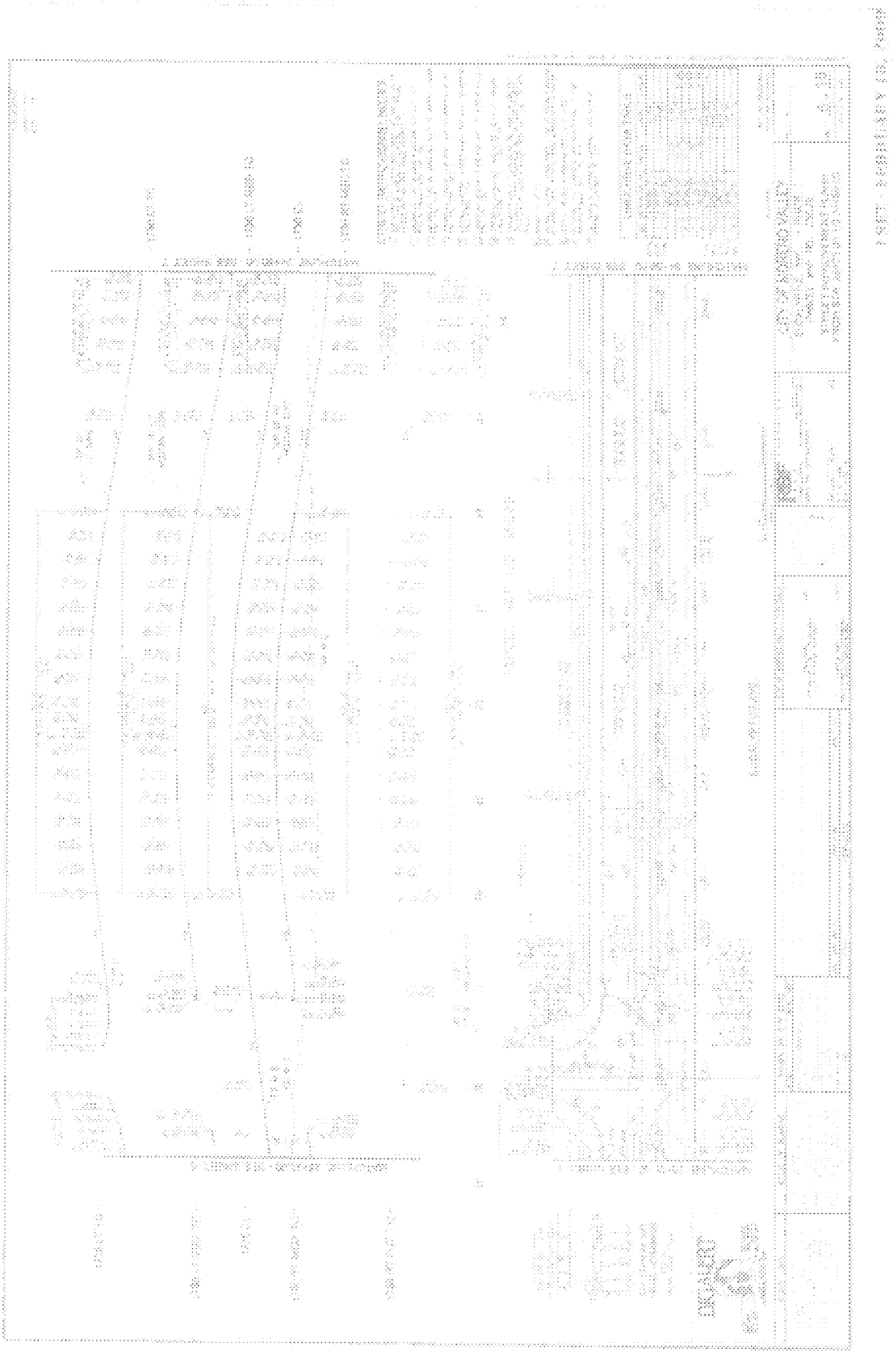

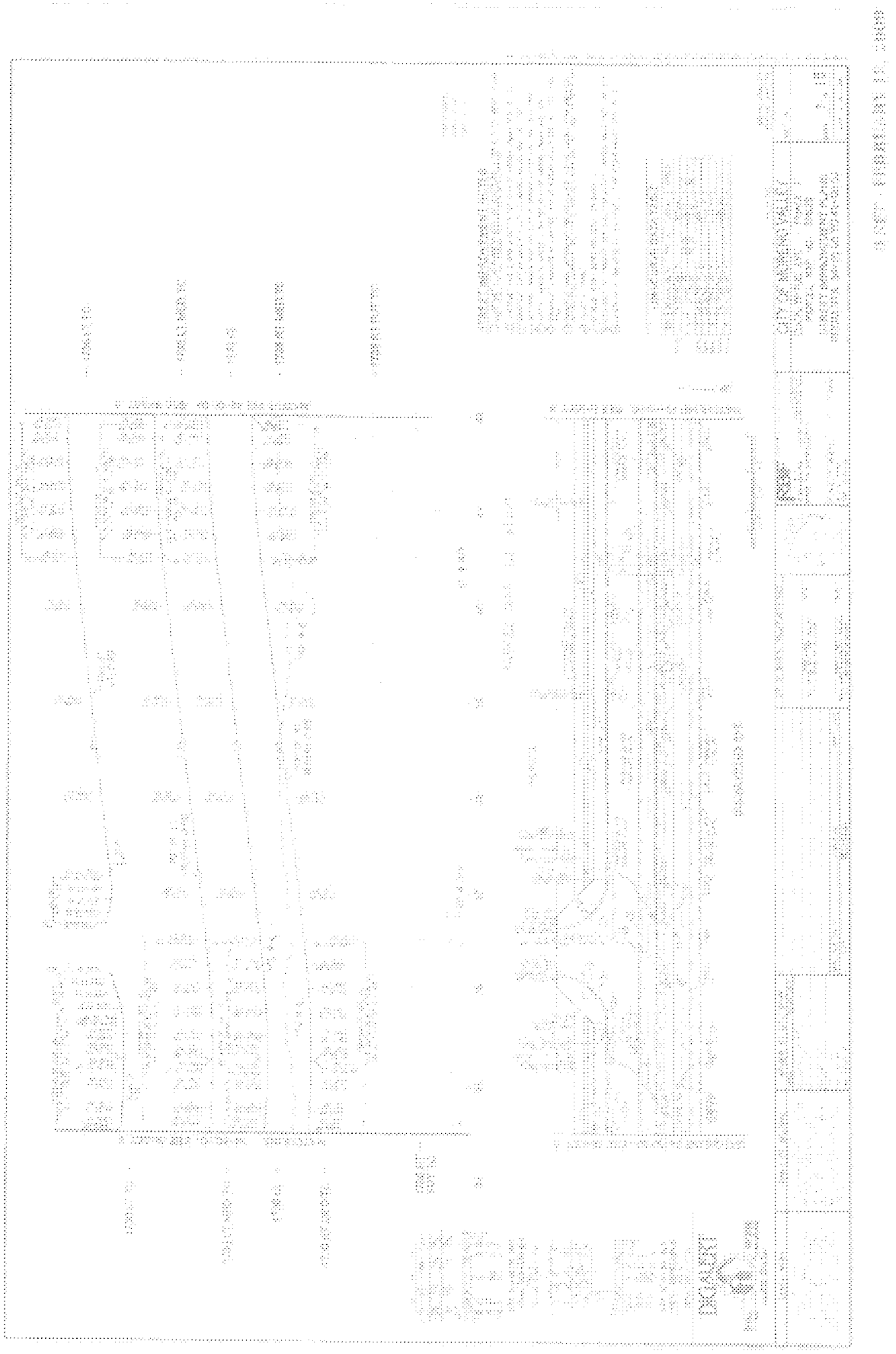

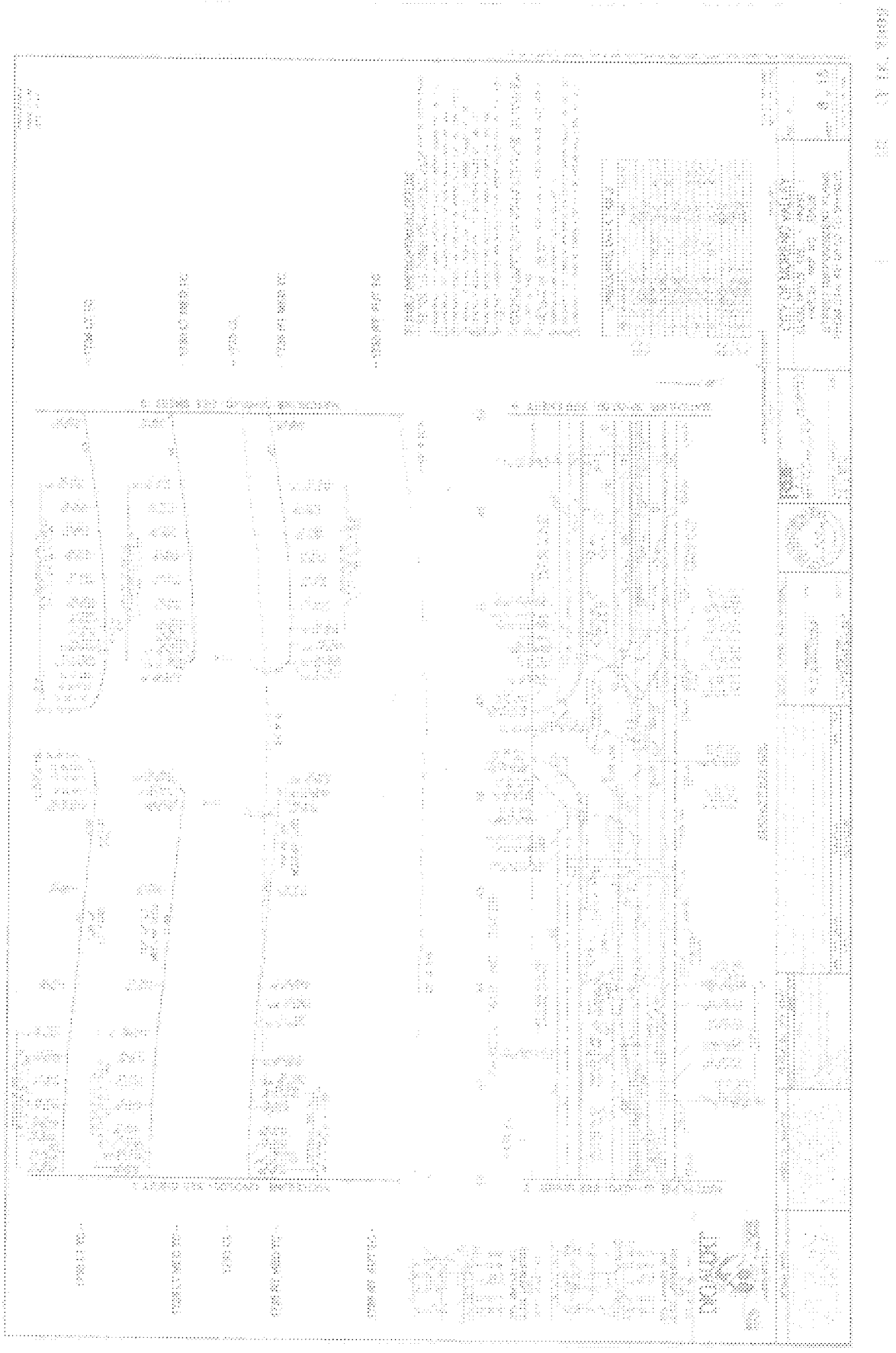

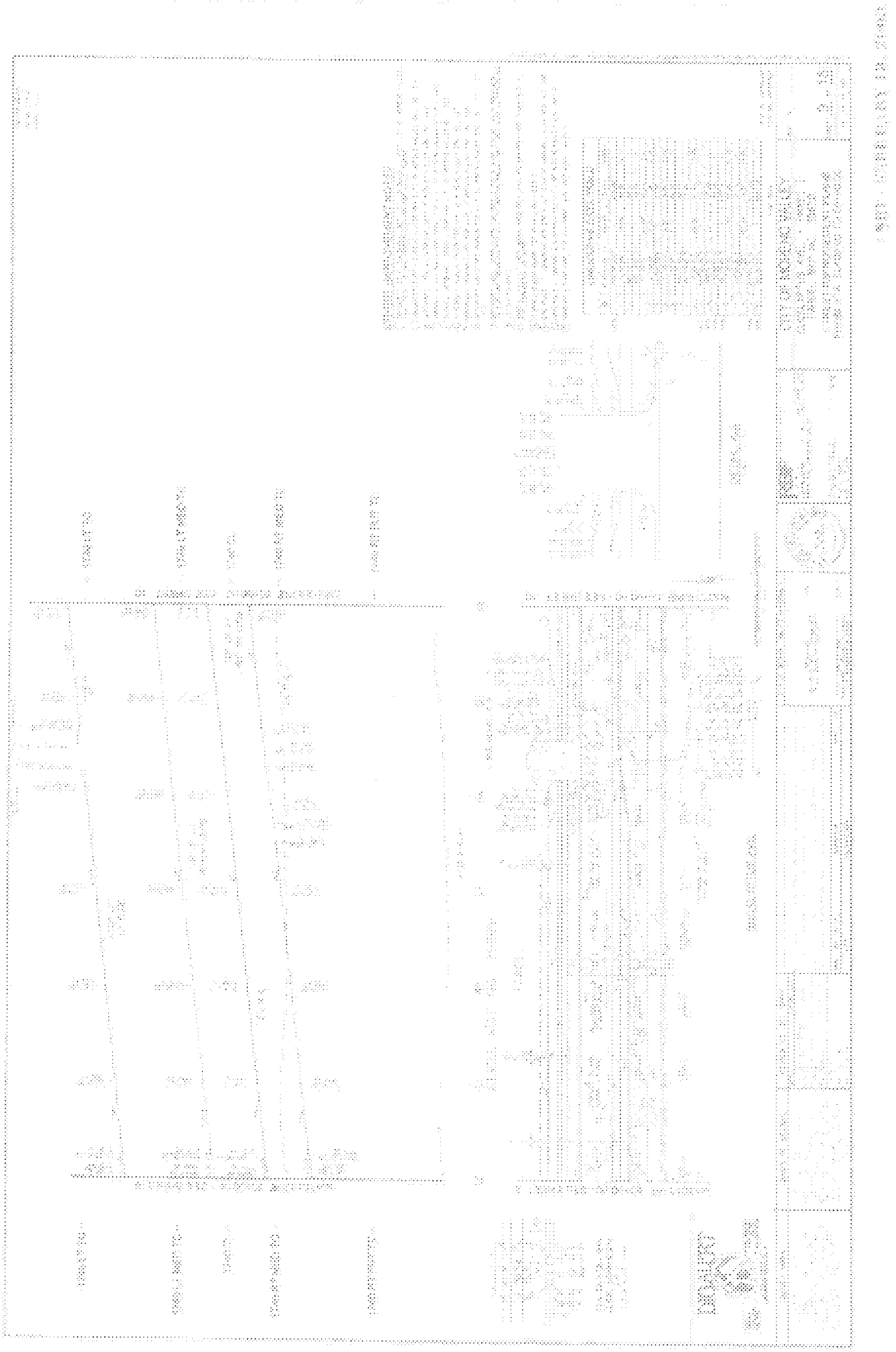

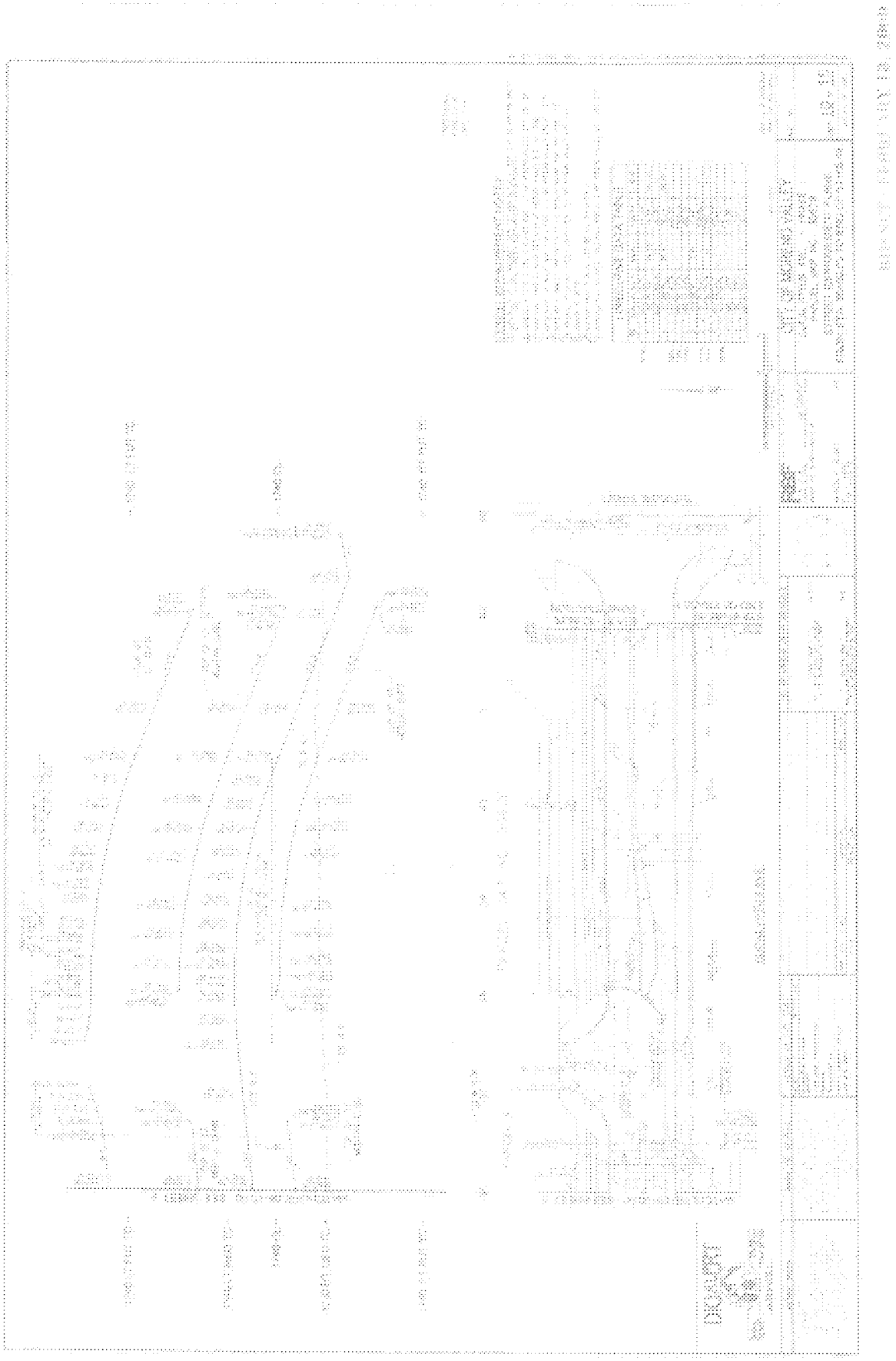

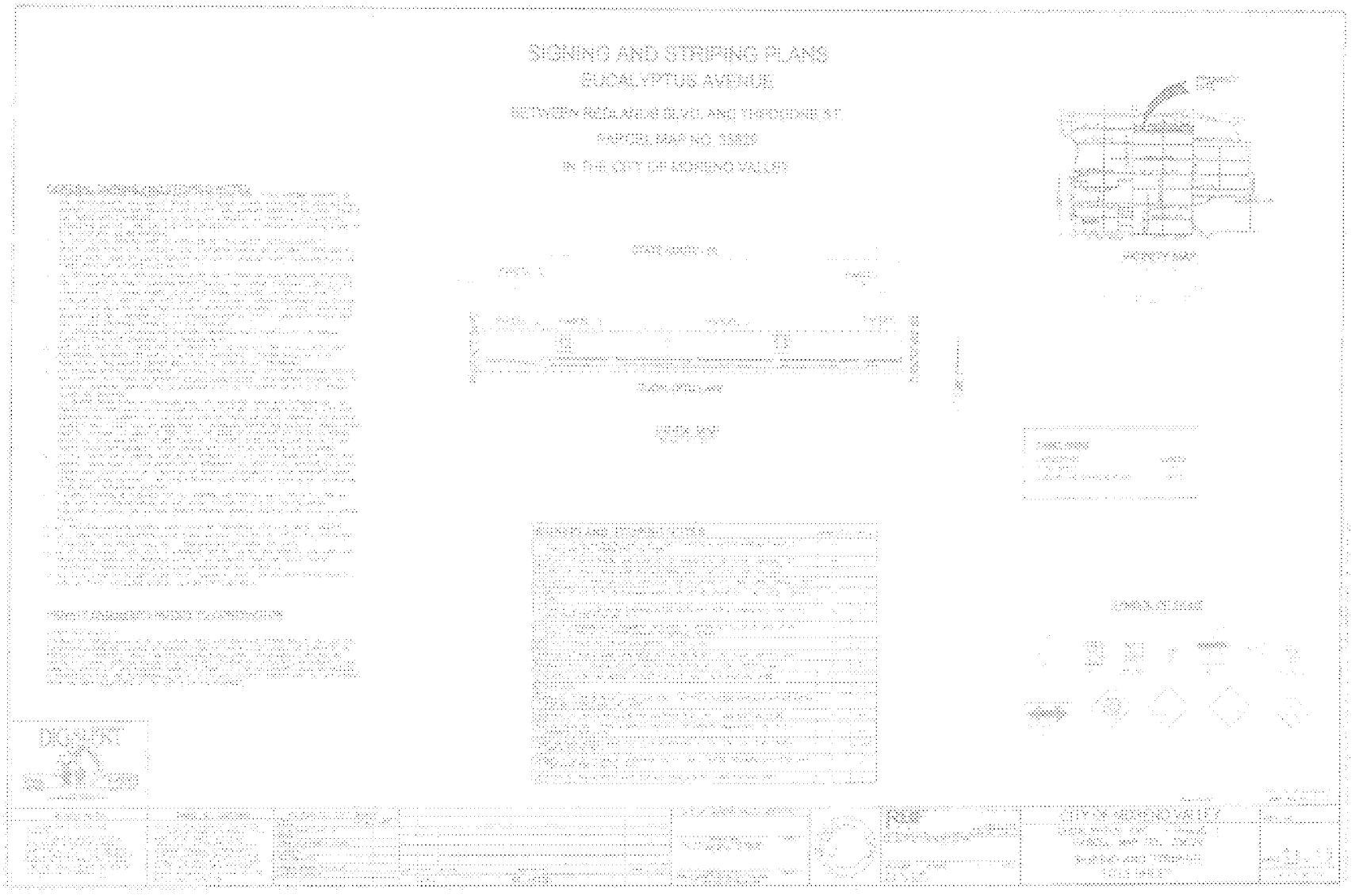
SIGNING AND STRIPING PLANS
EUCALYPTUS AVENUE
BETWEEN INDIANA BLVD. AND THORNTON ST.
PARCEL MAP NO. 5525
IN THE CITY OF MORENO VALLEY
DO NOT

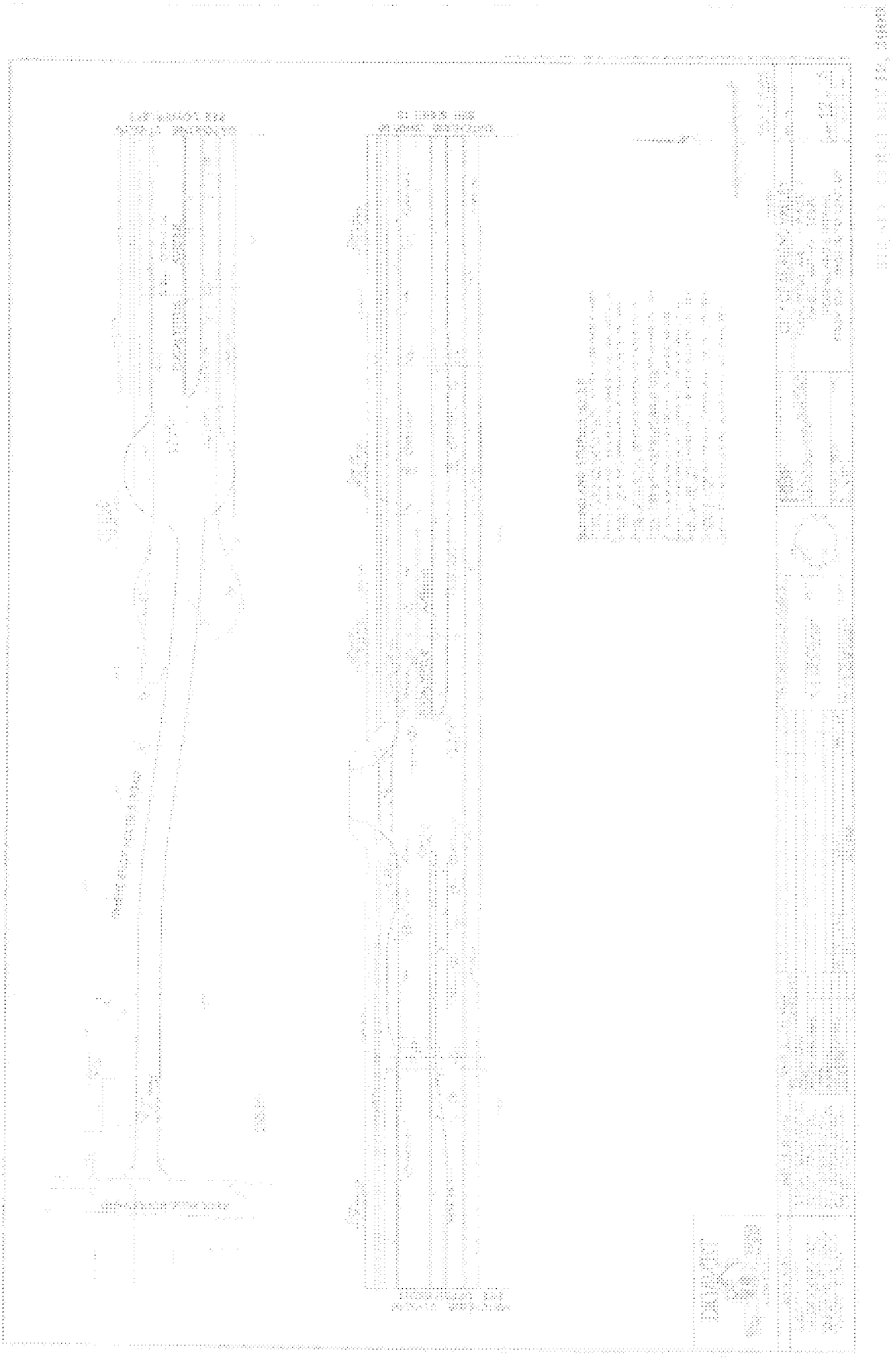

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MV00054243

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: April 27, 2010 (continued from April 13, 2010)

TITLE: Neighborhood Identification Signs, Citywide and for Rancho Belago

RECOMMENDED ACTION

Staff recommends that the City Council provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

BACKGROUND

At a March 16, 2010 Study Session, the City Council considered potential funding sources for the manufacture, installation and maintenance of neighborhood identification signs. The Council directed staff to return to a future regular Council meeting with proposed policy language which would reflect the Council's support for neighborhood identification signs throughout the City. The Council also discussed the prospect of the Mayor's appointment of an ad hoc committee which would be tasked to further explore ways by which neighborhood identification signs might be funded.

At its regular meeting of March 23, 2010, the City Council pursued discussion focusing broadly on the Rancho Belago Community Signage Design Submittal proposed by the Rancho Belago Economic Council. The City Council directed staff to provide options for consideration regarding funding responsibilities and approach to installation for that proposed sign program.

DISCUSSION

Staff has prepared a resolution (see attached) which, if adopted, would formalize the City Council's general support for neighborhood identification signs throughout Moreno Valley. It represents the Council's philosophical endorsement of neighborhood identification signs as a tool for underscoring and promoting the distinctive history, features and sense-of-place enjoyed by various neighborhoods within the City.

With respect to the proposed sign program for Rancho Belago, there are options for 1) funding the manufacture, installation and maintenance of signs; and 2) for approaching the timing of sign program implementation.

Manufacture, installation and maintenance funding options

- Rancho Belago proponents/developer(s) assume total expense (*for the complete sign program, this includes approximately $351,000 materials-installation and an annual maintenance cost of approximately $28,000*).

- City assumes total expense utilizing General Fund resources (*see above approximate costs*).

- Rancho Belago proponents/developer(s) and City share total expenses (*according to percentage to be negotiated between parties*).

- Rancho Belago proponents/developer(s) assume cost for manufacture-installation, while City assumes cost for on-going maintenance (*see above approximate costs*).

Sign program implementation options

- Focus on a *comprehensive installation scenario* as anticipated by the "Rancho Belago Community Signage Design Submittal". Such involves a total of 149 signs (comprised of 6 'sign types') to be installed throughout Rancho Belago at an approximate total cost of $351,000, and an estimated annual maintenance cost of $28,000. Not all of these signs would be installed at the same time: for example "Light Pole Mounted Community Amenity Directional Signage" would be installed over time, after certain other sign types.

- Focus on a *phased installation scenario* as depicted in the attached "RANCHO BELAGO SIGN PROGRAM-Proposed Phase One" recently submitted by Highland Fairview Properties. This proposal identifies a first phase installation of free-standing and pole-mounted signs for a total of 22 signs at a manufacture and installation cost of $178,400.

SUMMARY

The City Council has expressed general support for the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of neighborhoods, communities and locales throughout Moreno Valley.

In regards to the comprehensive sign program proposed for Rancho Belago, there are options for funding sign installation (and maintenance) and for the timing of sign installation.

ATTACHMENTS/EXHIBITS

1) Proposed Resolution
2) Rancho Belago Sign Program-Proposed Phase One
3) Rancho Belago Community Signage Design Submittal
   (to be distributed separately)

Prepared By:
Name Kyle Kollar
Title Interim Director of Community Development

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

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MV00054247

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SUPPORTING THE USE OF NEIGHBORHOOD IDENTIFICATION SIGNS

WHEREAS, the City of Moreno Valley has various areas, neighborhoods and communities which exhibit distinctive history, location, features or sense of place; and

WHEREAS, residents, property owners, business proprietors and others may want to utilize signs of various types to identify, describe and promote the uniqueness and distinctiveness of certain areas, neighborhoods and communities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that it is the City's policy to support and endorse the use of signs to identify, describe and promote the unique and distinctive aspects, features, location or history of various neighborhoods, communities and locales within the City of Moreno Valley.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RANCHO BELAGO SIGN PROGRAM
Proposed Phase One

Sign Location	Sign Types	
	Free-standing	Pole-mounted
1	1	
2		1
3	4	
4	1	
5	4	
6	4	
7	2	
8	2	
9		2
10		1
TOTAL	18	4

Manufacture and Installation Cost Estimate:

18 free-standing signs at $9,300 =	$167,400
4 pole-mounted signs at $2,750 =	$ 11,000
TOTAL	$178,400

ATTACHMENT 2

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

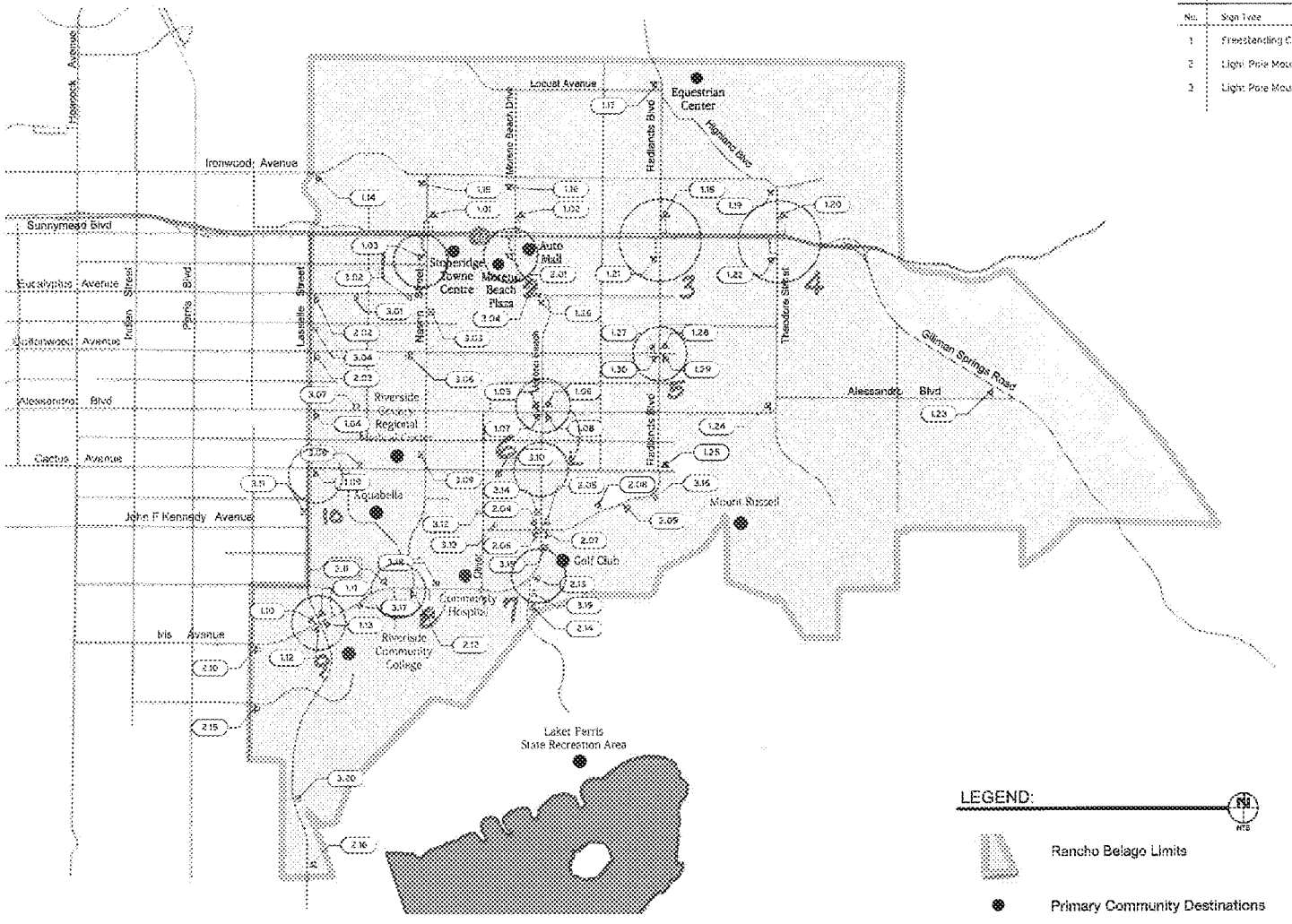

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL
RANCHO BELAGO

Item No. G.3

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00054253

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

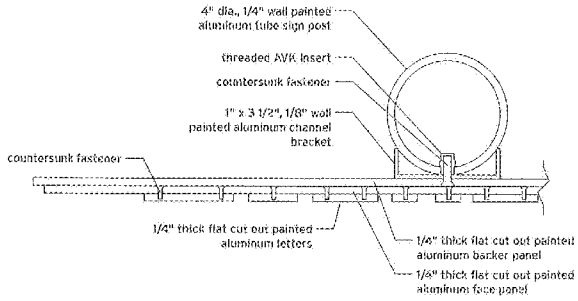

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut cut painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

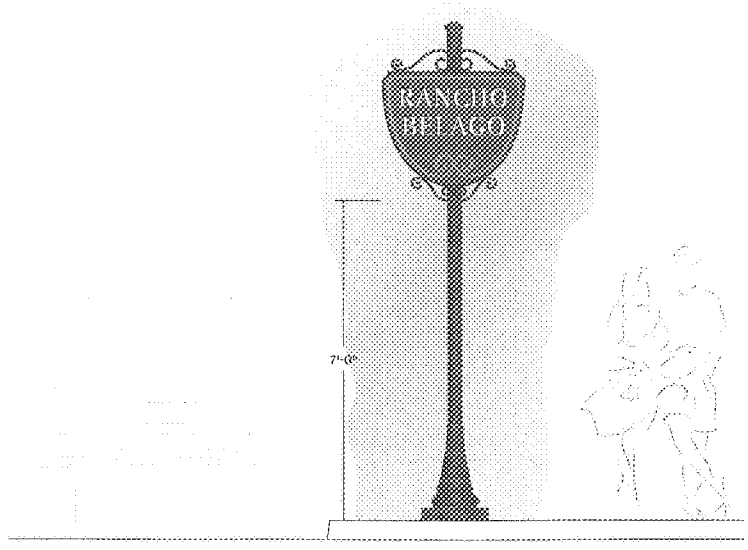

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 1; Freestanding Community Identification Sign

Sheet Number: RB - 1.0

Date: 06-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

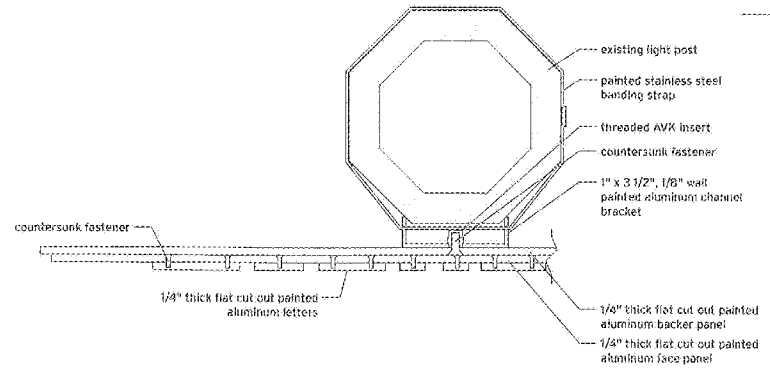

A Details

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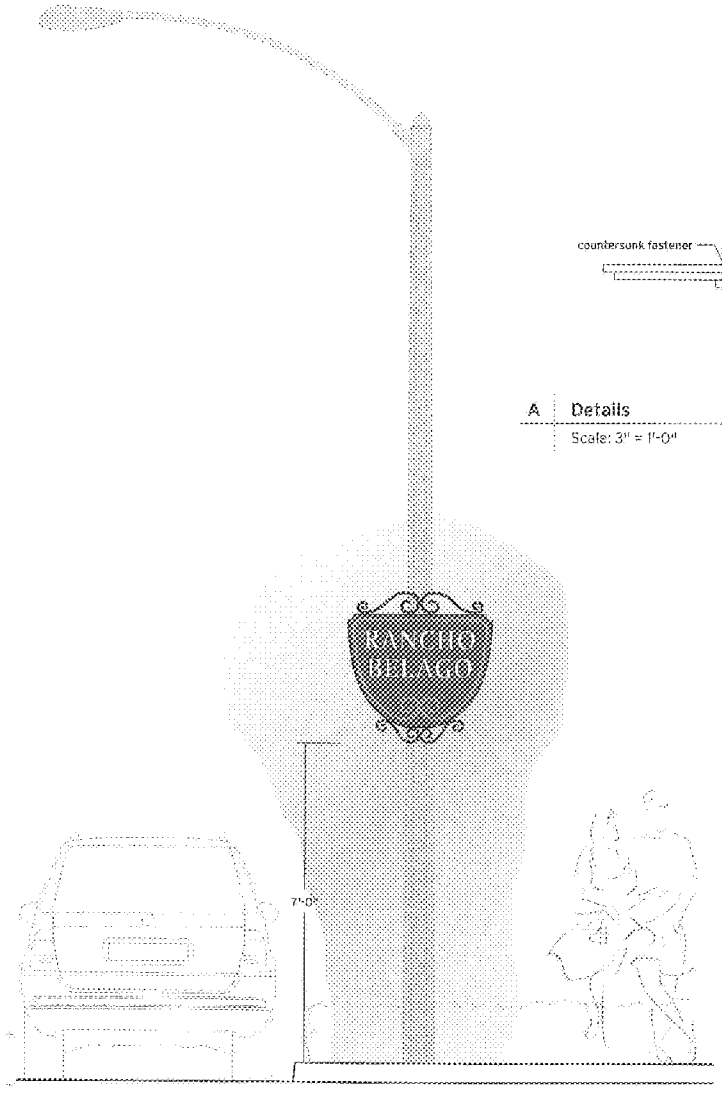

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago
Community Signage

Sheet Title: Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number: RB - 2.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
08-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street Light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the proccess of being selected.

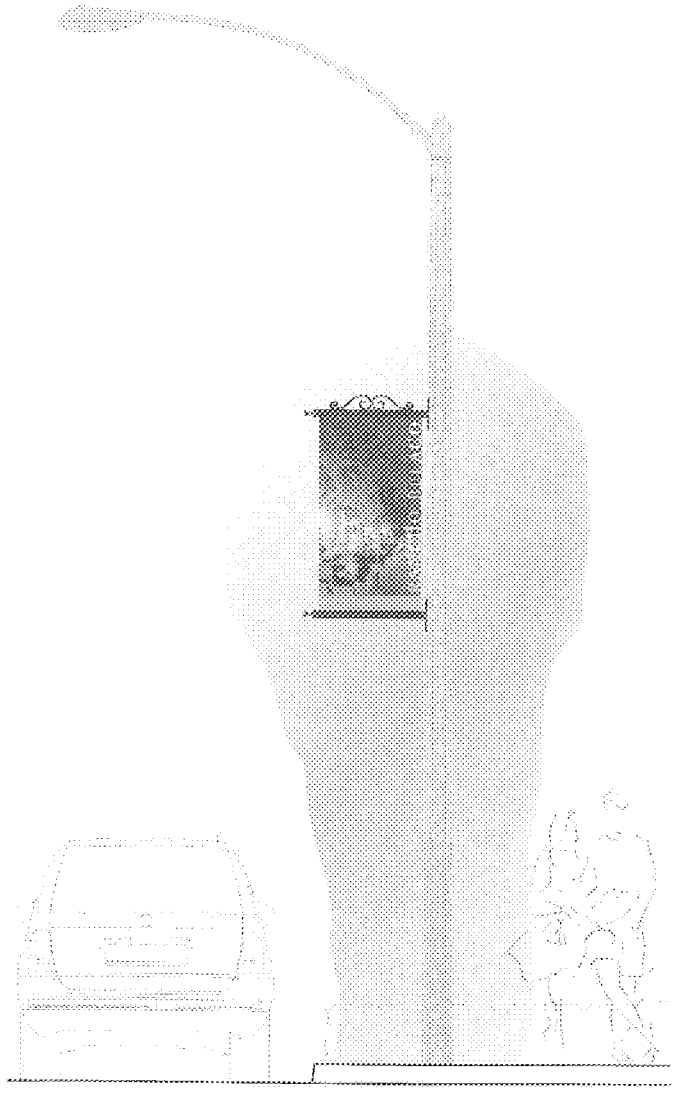

1 Elevation

Scale: 3/8" = 1'-0"

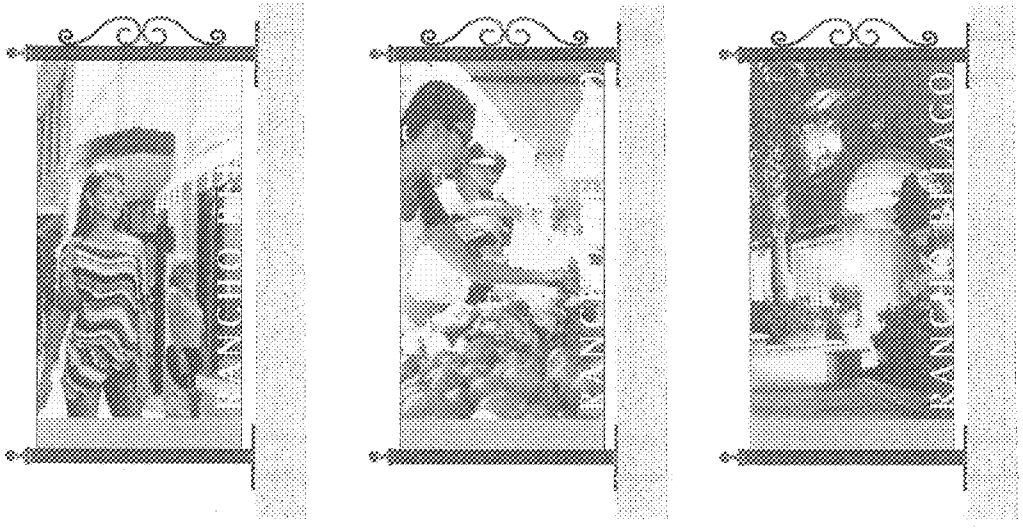

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

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Laguna Hills, CA 92653
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Fax: (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners

Sheet Number
RB - 3.0

Date
08-10-07

MV00054259

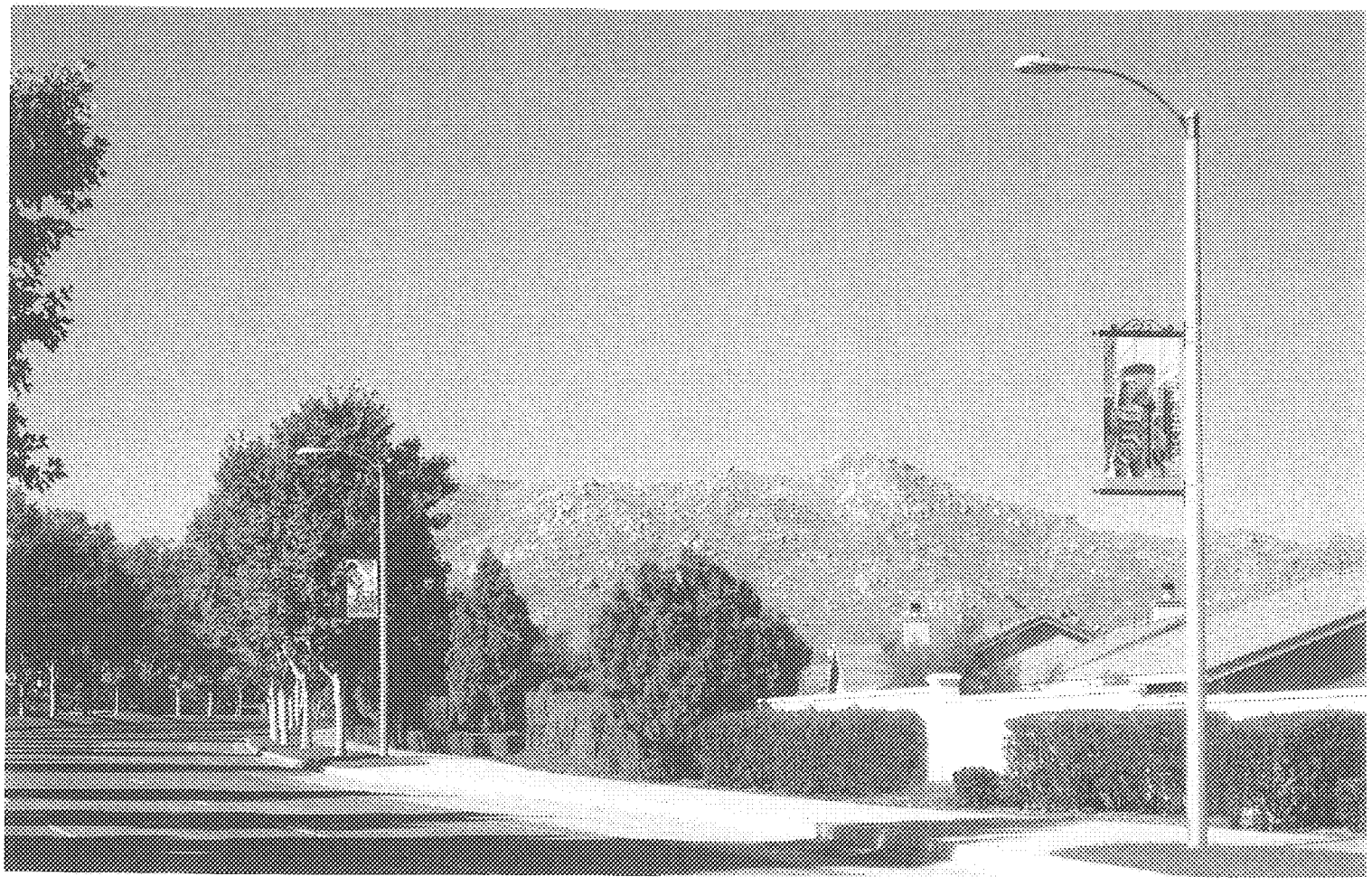

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1

Date
08-10-07

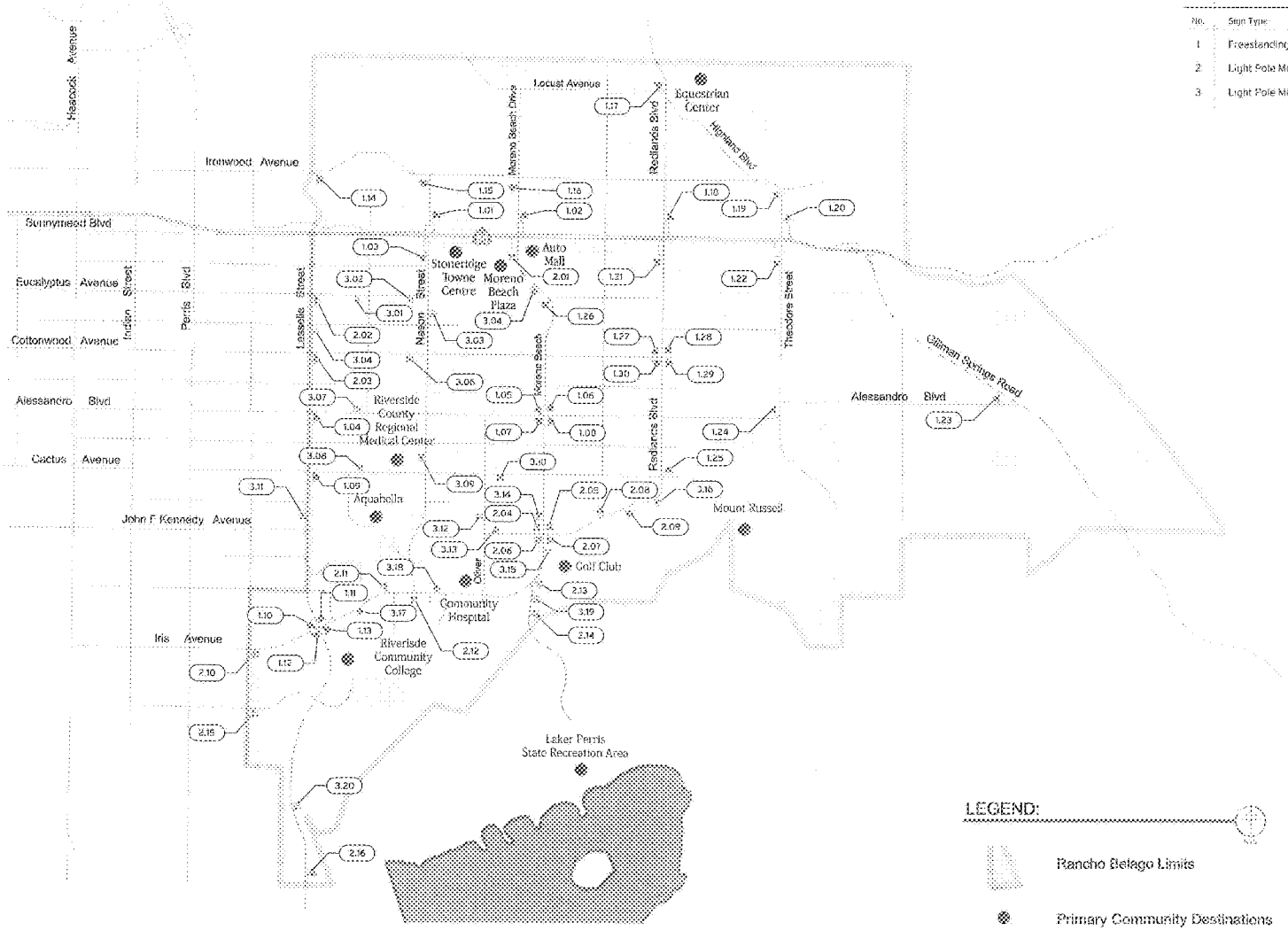

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	51

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP 1

Date: 08-10-07

MV00054261

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project themed post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative final and base cladding.

2 Details

Scale: 1" = 1'-0"

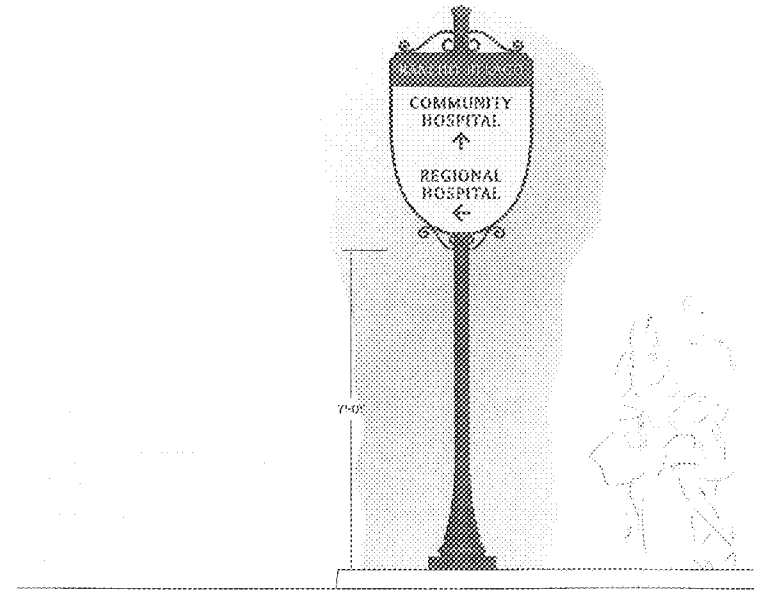

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

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Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project: Rancho Belago Community Signage

Sheet Title: Sign Type 4; Freestanding Community Amenity Directional Sign

Sheet Number: RB - 4.0

Date: 08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4;
Freestanding Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 3/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

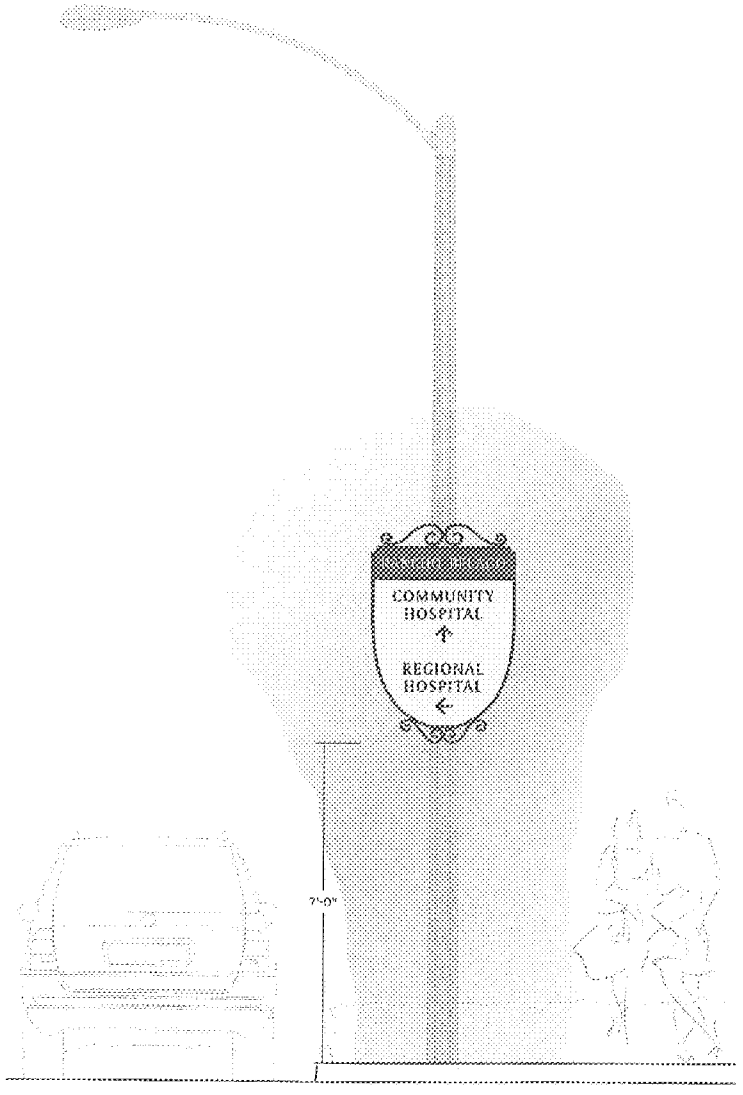

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

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Laguna Hills, CA 92653
(949) 360-5750
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

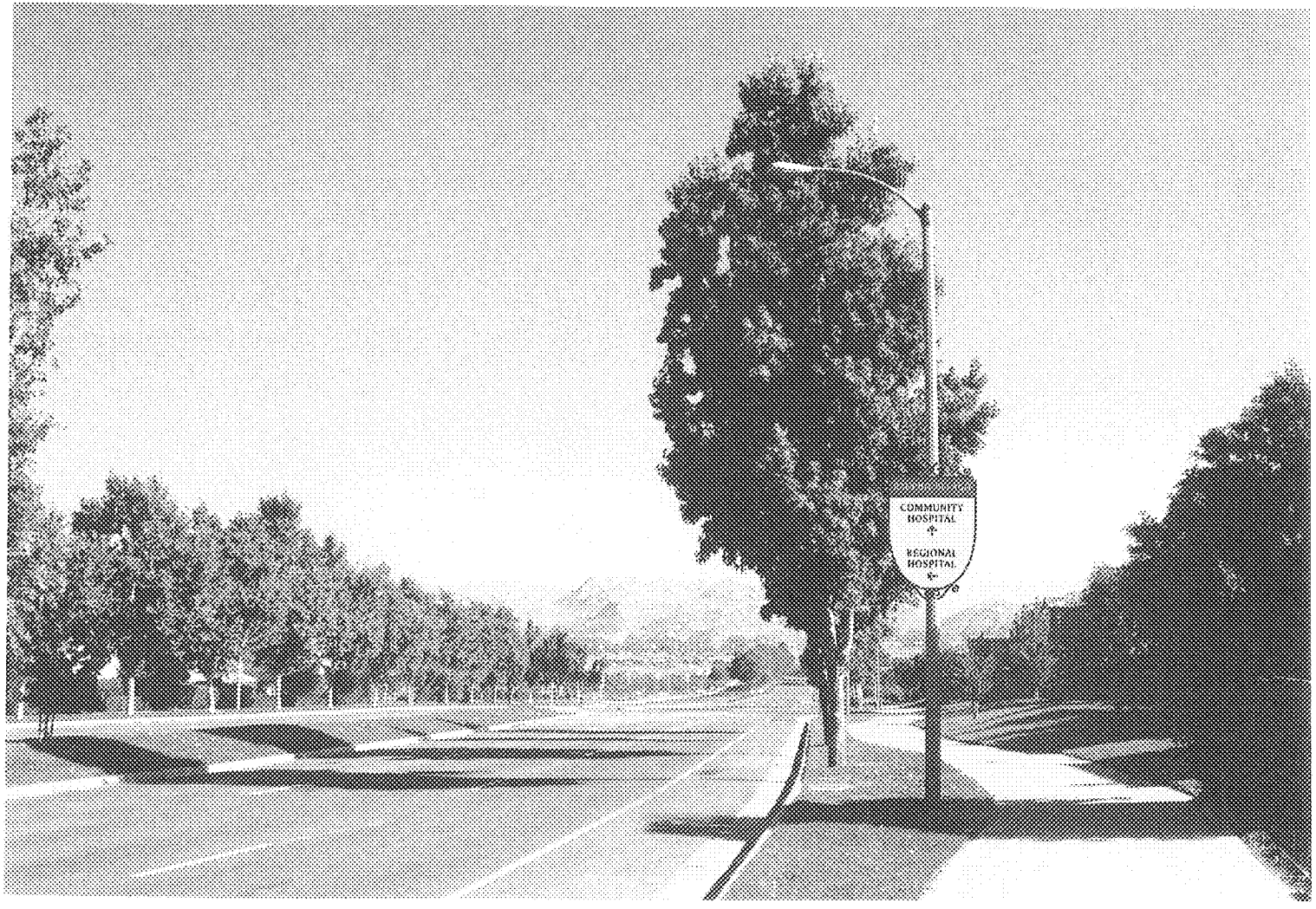

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belage
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

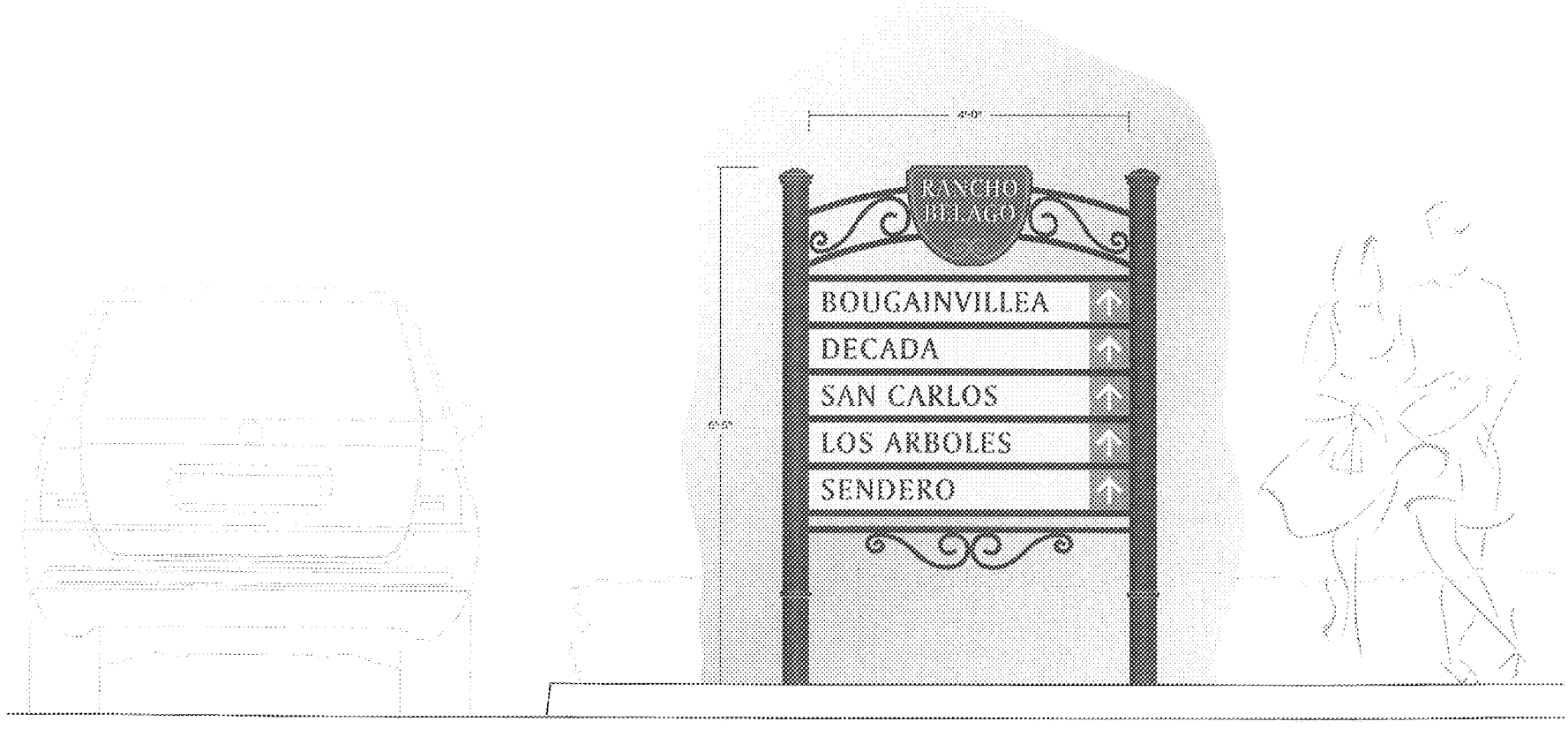

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign -
Photo Simulation

Sheet Number
RB - 6.1

Date
08-10-07

Community Directional Signs

No	Sign Type	Quantity
4	Freestanding Community Amenity Directional Sign	5
5	Light Pole Mounted Community Amenity Directional Sign	9
6	Residential Product Directional Sign (locations not shown)	

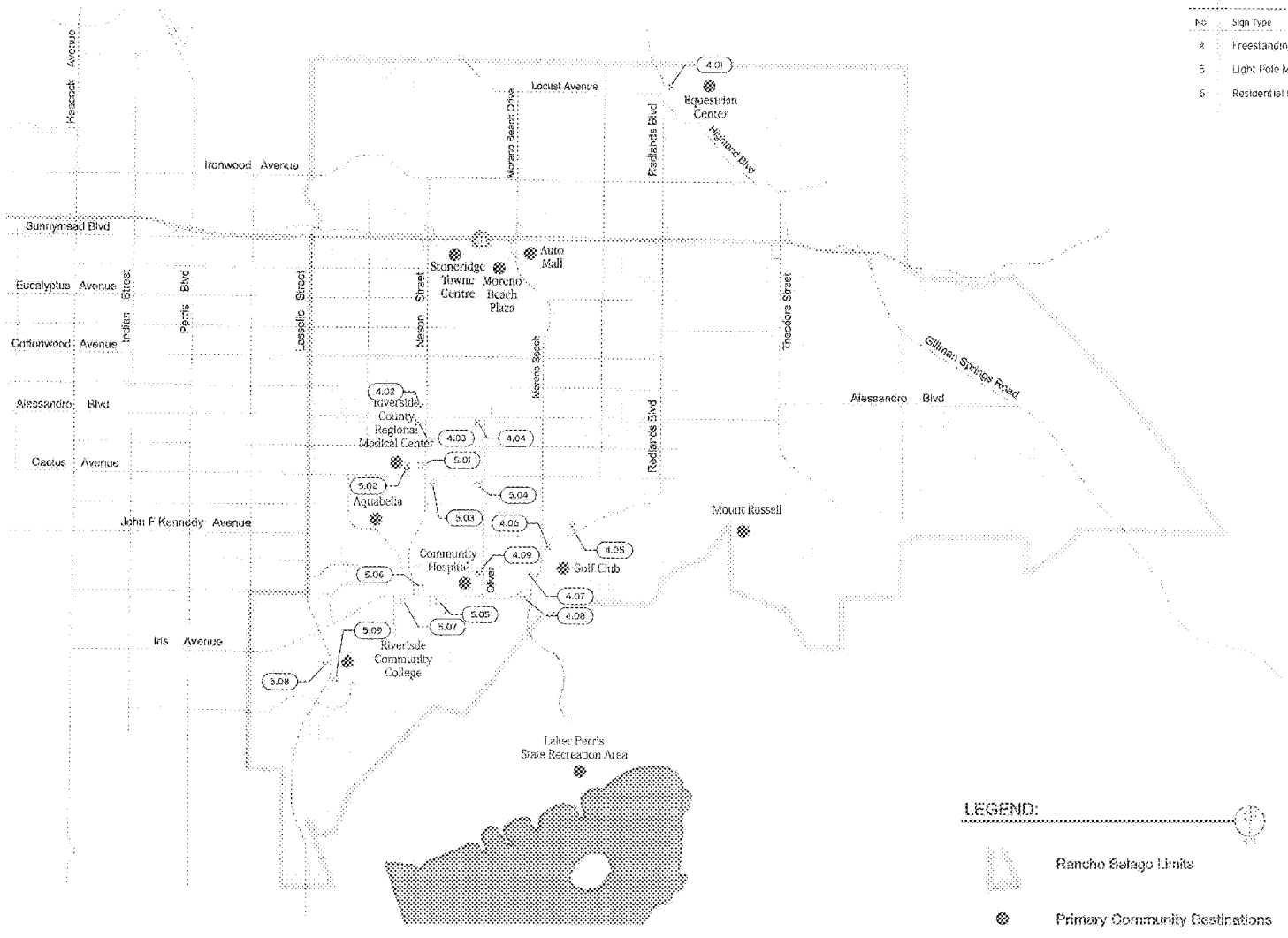

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Directional Sign Location Plan

Sheet Number: RB-SP 2

Date: 08-10-07

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MV00054269

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00054271

ORDINANCE NO. 810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA07-0005 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTERS 9.01, 9.02, 9.07 AND 9.15 AND INTRODUCE TWO NEW MIXED USE DEVELOPMENT ZONING DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. PRIOR ENACTMENTS REPEALED:

1.1 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on April 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Chapters 9.01, 9.02, 9.07 and 9.15 of the Municipal Code and the introduction of two new mixed used development zoning districts that are consistent with and intended to implement the concept of mixed use as stated in the General Plan Update in 2006. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDED:

3.1 Chapter 9.01 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.01 ADMINISTRATION

9.01.090 Zoning Districts.

A. Districts Created. In order to provide a uniform basis for regulating the use of land, buildings and structures, and to establish minimum site development regulations and performance standards applicable to sites within the city, the city is divided into the following districts:

1. Residential Districts.
a. Rural residential (RR) district;
b. Hillside residential (HR) district;
c. Residential 1 (R1) district (forty thousand (40,000) square feet minimum lot size);
d. Residential 2 (R2) district (twenty thousand (20,000) square feet minimum lot size);
e. Residential agriculture 2 (RA2) district (twenty thousand (20,000) square feet minimum lot size);
f. Residential 3 (R3) district (ten thousand (10,000) square feet minimum lot size);
g. Residential 5 (R5) district (seven thousand two hundred (7,200) square feet minimum lot size);
h. Residential 10 (R10) district;
i. Residential 15 (R15) district;
j. Residential 20 (R20) district;
k. Residential 30 (R30) district;
l. Residential single-family 10 (RS10) district.
2. Mixed Use Districts.
a. Mixed Use Development 1 (MUD1) district;
b. Mixed Use Development 2 (MUD2) district.
3. Commercial Districts.
a. Neighborhood commercial (NC) district;
b. Community commercial (CC) district;
c. Village commercial (VC) district;
d. Tourist recreation commercial (TRC) district;
e. Office commercial (OC) district;
f. Office (O) district.
4. Employment Districts.

a. Business park (BP) district;
b. Business park-mixed use (BPX) district;
c. Industrial (I) district.
5. Open Space and Agricultural Districts.
a. Open space (OS) district;
b. Agriculture (AG) district.
6. Special Districts.
a. Public (P) district;
b. Specific plan (SP) district, precise zoning adopted separately and reflected on zoning atlas;
c. Medical use overlay (MUO) district;
d. Airport installation compatibility use zone (AICUZ);
e. Outdoor advertising display overlay (OADO).

Parenthesis () following district name is abbreviation appearing on zoning atlas maps.

B. Adoption of Official Zoning Atlas.

1. The boundaries of the zoning districts established pursuant to subsection A of this section are delineated upon that certain map(s) entitled "Official Zoning Atlas of the city of Moreno Valley," sometimes referred to as the "zoning map." The zoning atlas, together with all pages, legends, notations, references, boundaries, and other information thereon, is attached to and incorporated by reference in the ordinance adopting this title and is incorporated into this title by reference.

2. A copy of the official zoning atlas shall be kept on file with the city clerk and community development director and shall be made available to the public. Changes in the boundaries of any district shall be made by ordinance pursuant to Section 9.02.050 of this title, and shall be reflected on the official zoning atlas. The community development director shall be responsible for keeping official records relative to zoning atlas amendments.

C. Determination of Zoning District Boundaries.

1. Wherever a lot or site is divided by the boundary between districts, the regulations applicable within each district shall apply to each portion of the site situated in a separate district.

2. The following rules shall apply for determining the boundaries of any district on the zoning atlas:

a. Although zoning district boundaries depicted on the official zoning atlas may follow street or other right-of-way boundary lines, the district boundary shall not be construed to be the right-of-way boundary. The centerline of the right-of-way shall be the district boundary;

b. In unsubdivided property, where a district boundary divides a lot, the location of the district boundary, unless the same shall be indicated by dimensions, shall be determined by use of the scale appearing on the zoning atlas;

c. A symbol or symbols indicating the classification of property on the zoning atlas shall in each instance apply to the whole of the areas within the zoning district boundaries;

d. Where a public street, alley or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley or right-of-way adjacent to that abutting property.

(Ord. 797 § 2.1, 2009; Ord. 726 § 4.1, 2006; Ord. 694 § 1.1 (part), 2005; Ord. 671 § 2, 2004; Ord. 564 § 2.2, 2000; Ord. 475 § 1.4 (part), 1995; Ord. 468 § 1.1, 1995; Ord. 359 (part), 1992)"

3.2 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

9.02.020 Permitted uses

The following tables contain columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit. Where the table indicates, a use is allowed with conditional use permit, unless otherwise expressly provided, all district uses and other standards and requirements shall apply.

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Adult Businesses															A		A	A		A	A	A	A	
Agricultural Uses—Crops Only	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Agricultural (involving structures)																				X				
Aircraft Landing Facilities															C		C	C	C	C				
Ambulance Service															♦				♦	X	X	X	X	
Amusement Parks, Fairgrounds															♦					X				
Animal Raising (see Section 9.09.090 of this title)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Appliance Repair Shops													X	X	X					X	X		X	
Arcades, Video Machines													♦	♦	X	♦								
Athletic Clubs and Spas												X	X	X	X		X			X	X	X	X	
Auction Houses															X								X	
Auditoriums												♦	♦		♦	♦	♦	♦	♦	♦	♦	♦	♦	

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Auto Electronic Accessories and Installation															X					X	X		X	
Automobile Fleet Storage																				X	X			
Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle and Boat Sales and Incidental Minor Repairs and Accessory Installations															♦					X	X			
Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work)														♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
Automotive, Boat, Motorcycle and RV Repair—Minor—includes brake, muffler and tire installation and repair														♦	X					X	X		X	
Automotive Paint and Body Repair—Major Engine Overhaul															♦					X				
Auto Rentals															X						X	X	X	
Auto Supply Stores													X	X	X					X	X		X	
Bakery Shops													X	X	X	X							X	
Bakery—Commercial																				X				
Banks—Financial Institutions												X	X	X	X	X	X	X				X	X	
Barber and Beauty Colleges													X	X	X		X	X				X	X	
Boat Sales New and Used Including Repairs and Accessory Installation															♦					X				

Permitted Uses Table 9.02.020-1

X -	Indicates stated use is permitted subject to district requirements.
C -	Indicates stated use is allowed with a conditional use permit.
♦ -	Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
A -	Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Boarding and Rooming Houses									X	X	X	X	X											
Bowling Alley													X	X	X									
Building Material Sales With outdoor storage															♦ ♦					X	X			
Building Material Storage Yards																				X				
Bus, Rail and Taxi Stations															♦									
Business Equipment Sales (includes repairs)												X	X	X	X	X	X						X	
Business Schools												X	X	X	X		X	X			X	X	X	X
Business Supply Stores												X	X	X	X		X			X	X		X	
Cabinet Shop																				X	X	X	X	
Caretakers Residence[1]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	
Car Wash Accessory to auto related use														X ♦	X ♦					X X				
Catering Service													X	X	X							X	X	
Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required)	C	C	C	C	C	C	C	C	C	C	C													
Churches[2]	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	C	♦	♦	♦	♦	♦	♦	♦	

[1] Do not consider residential use per distance requirement.
[2] The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Clubs								♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦					C
Commercial Radio or Television Stations																								
With on-site antenna															♦					♦	♦	♦	♦	
Without on-site antenna															X					X	X	X	X	
Communications Facilities	(See Section 9.09.040 of this title)																							
Computer Sales																								
With service and repairs												X	X	X	X		X			X	X		X	
Service and repair only													X	X	X					X	X	X	X	
Contractors Storage Yard																				X				
Convalescent Homes/Assisted Living							C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦					
Convenience Stores																								
With or without drive-through													X	X	X									
With alcohol sales													♦	♦	♦									
Convention Hall, Trade Show, Exhibit Building with Incidental Food Services															♦		♦		♦			♦	♦	
Copy Shops												X	X	X	X	X	X	X		X	X	X	X	
Country Club	C	C	C	C	C	C	C	C	C	C	C													
Dancing, Art, Music and Similar Schools												X	X	X	X	X	X	X			X	X	X	
Day Care Centers	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	C

Permitted Uses Table 9.02.020-1

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A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Delicatessens												X	X	X	X	X	X				X	X	X	
Diaper Supply Service																								
Laundry with fleet storage																				X				
Disposal company																				X				
Drapery Shops													X	X	X	X								
Dressmaking Shops													X	X	X	X								
Driving School												X	X	X	X		X	X			X	X	X	
Drug Stores													X	X	X	X								
Dry Cleaning or Laundry																								
a. Dry Cleaning												X	X	X	X	X	X						X	
b. Laundromat												X	X	X	X	X	X							
c. Laundry Commercial																				X	X			
Electronic and TV Repair Shop												X	X	X	X					X	X		X	
Equestrian Centers, Riding Academies, Commercial Stables Including Incidental Sales of Feed and Tack	C	C	C	C	C										♦									C
Exterminators															C					X	X	X	X	
Feed and Grain Stores														X	X	X								
Fire and Police Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Floor Covering Stores (may include incidental repairs with installation service)													X	X	X					X				

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.

C - Indicates stated use is allowed with a conditional use permit.

♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.

A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Fraternity/Sorority								C	C	C	C													
Frozen Food Locker																				X	X			
Gasoline Dispensing Non-retail accessory to an auto-related use															X					X	X	X	X	
Glass Shops and Glass Studios –Stained, etc.													X	X	X					X	X		X	
Golf Courses or Golf Driving Ranges With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C													♦
Gymnasiums													X	X	X	X							X	
Handicapped Housing								X	X	X	X	C	C											
Health Club, Spa													X	X	X	X							X	
Heavy Equipment Sales and Rentals															X					X	X			
Homeless Shelters															C		C	C	X	C			C	
Hospitals															♦		♦	♦				C	C	C
Hotels a. With 20% or less of the units containing kitchens b. With over 20% of the units containing kitchens												C C	X C		X C		C C				X C	X C	X C	
Ice Cream Stores – Including Yogurt Sales												X	X	X	X	X	X						X	
Impound Yards																				X				
Jewelry Stores													X	X	X	X								
Kennel and Catteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦	C			

Permitted Uses Table 9.02.020-1

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Laboratories (medical and dental)												X	X	X	X		X	X		X	X	X	X	
Libraries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	
Liquor Stores													♦	♦	♦									
Live/work unit												X	X											
Locksmith Shops													X	X	X	X				X	X	X	X	
Lodge Halls and Similar Facilities												♦	♦	♦	♦		♦					♦	♦	
Lumberyards															X					X				
Mail Order House															X					X	X	X	X	
Manufacturing and Assembly a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced																				X	X	X	X	
Manufacturing and Assembly b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced																				X	X			
c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage																				X	X			
d. Retail sales of goods produced or warehoused on-site[3]																				X	X	X	X	

[3] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

	Permitted Uses Table 9.02.020-1
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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Medical Clinics/Medical Care																								
Inpatient Care												X	X	X	X		X	X		X	X	X	X	
Urgent Care												X	X	X	X		X	X						
Mobile Home Parks	C	C	C	C	C	C	C	C	C	C	C													
Mobile Home Sales or Rentals (Outdoor Display)															X									
Mortuaries																								
With cremation services													♦	♦	♦						X	X		
No cremation services			C	C	C	C	C	C	C	C	C										X	X		
Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper and Printing Shops													X	X	X					X	X	X	X	
Nursery, (Plant) Wholesale and distribution	X	X	X	X																X	X			X
Offices (Administrative and Professional)												X	X	X	X	X	X	X			X	X	X	
Open Air Theaters																			C					C
Orphanages	C	C	C	C	C	C	C	C	C	C	C													
Painting Contractor																				X	X			
Parcel Delivery Terminals																				X	X	X	X	
Parking Lot												C	C	C	X	X	C					X		
Parks and Recreation Facilities (Public)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors)												X	X	X	X	X	X						X	

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Pharmacy[4]												X	X	X	X	X	X							
Photo Studios												X	X	X	X	X	X						X	
Plumbing Shops															X								X	
Plumbing Supply Stores for Contractors																					X	X	X	
Pool Hall													♦	♦	♦									
Postal Services												X	X	X	X	X	X				X	X	X	
Pottery Sales with Outdoor Sales													X	X	X	X				X			X	
Public Administration, Buildings and Civic Centers												X	X	X	X	X	X	X	X	X	X	X	X	
Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦	♦	♦	♦	♦	X	X	♦	♦	C
Racetracks															C				C					
Record Store													X	X	X	X								
Recording Studio												X	X	X	X	X	X	X		X	X	X	X	
Recreational Facilities (Private) such as Tennis Club, Polo Club, With Limited Associated Incidental Uses	C	C	C	C	C	C	C	C	C	C	C		♦	♦	♦	♦								
Recycling, Large Collection Facility[5]															♦					X	X			
Recycling, Small Collection Facility												X	X	X	X	X	X							

[4] Permitted in the OC and VOR districts only as a support medical office facility. .

[5] Large collection facilities may be established within an existing building through the "tenant improvement" process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Recycling Processing Centers																				X	X	X	X	
Refreshment Stands												X	X	X	X	X	X	X	X	X	X	X	X	
Rental Service																								
Within an enclosed structure (furniture, office, party supplies)													X	X	X	X				X	X	X	X	
With outdoor storage and display (vehicles, equipment, etc.)														♦	♦					X	X			
Research and Development												X					X	X		X	X	X	X	
Residential																								
Single-family	X	X	X	X	X	X	X	X	X	X	X													
Multifamily									X	X	X	X	X											
Residential																								
Manufactured home park (see mobile home parks)																								
Residential Care Facility (for 7 or more persons)	C	C	C	C	C	C	C	C	C	C	C													
Restaurants (Eating and Drinking Establishments)																								
With entertainment															♦									
Without entertainment												X	X	X	X	X	X						X	
With alcoholic beverage sales												X	X	X	X	X	X						X	
With outdoor seating												X	X	X	X	X	X						X	
Restaurants (Fast-Food)																								
With drive-through														♦	♦								♦	
Without drive-through													X	X	X								X	
Retail Sales													X	X	X	X								
Support Retail Sales												X					X							

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Sandwich Shops[6]												X	X	X	X	X	X	X[6]						
Schools, Private	C	C	C	C	C	C	C	C	C	C	C	♦	♦	♦	♦		♦	♦				♦	♦	
Senior Housing	X	X	X	X	X	X	X	X	X	X	X	X	X				X	X						
Shoe Shine Stands												X	X	X	X		X	X				X	X	
Shoe Repair Shop													X	X	X	X								
Sign Shop													X	X	X	X				X	X	X	X	
Skating Rinks															X									
Stationery Stores												X	X	X	X	X	X					X	X	
Statue Shop																								
Outdoor display															♦					X	X			
Storage Lots and Mini-Warehouses																								
Indoor															C					X				
Outdoor															C					X				
Swim Schools/Center With Incidental Commercial Uses	C	C	C	C	C	C	C	C	C	C	C				X									
Taxidermist															X					X	X			
Theaters (excludes open air)													X	X	X									
Tire Recapping																				X				
Trade and Vocational Schools												X	X		X		X	X			X	X	X	

[6] Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.

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	HR	RR	R1	RA2	R2	R3	R5	RS10	R10	R15	R20	MUD1	MUD2	NC	CC	VC	OC	O	P	I	LI	BP	BPX	OS
Transfer, Moving and Storage Facilities																					X	X		
Truck Wash																					X	X		
Upholstery Shops															X					X	X		X	
Vehicle Storage Yards																								
Indoor															X					X	X			
Outdoor															C					X	X			
Vending Machine Service and Repair																				X	X	X	X	
Veterinarian (including animal hospital)																								
All activities within an enclosed structure													X	X	X							X	X	
With outdoor activities															♦							♦	♦	
Weight Reduction Center												X	X	X	X	X	X							
Wholesale, Storage, and Distribution																								
All activities indoors (50,000 square feet or less)																				X	X	X	X	
All activities indoors (more than 50,000 square feet)																				X	X			
All activities outdoors																				X				
Retail sales of goods warehoused on-site[7]																				X	X	X	X	
Wrecking Yard																				♦				

[7] Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).

Zoning District Key

HR	Hillside Residential District
RR	Rural Residential District
R1	Residential 1 District (40,000 square feet minimum lot size)
RA2	Residential Agriculture 2 (20,000 square feet minimum lot size)
R2	Residential 2 District (20,000 square feet minimum lot size)
R3	Residential 3 District (10,000 square feet minimum lot size)
R5	Residential 5 District (7,200 square feet minimum lot size)
RS10	Residential Single-Family 10 District (4,500 square feet minimum lot size)
R10	Residential 10 District (Up to 10 Dwelling Units per net acre)
R15	Residential 15 District (Up to 15 Dwelling Units per net acre)
R20	Residential 20 District (Up to 20 Dwelling Units per net acre)
MUD1	Mixed Use District 1 (Up to 15 Dwelling Units per net acre)
MUD2	Mixed Use District 2 (Up to 30 Dwelling Units per net acre)
NC	Neighborhood Commercial District
CC	Community Commercial District
VC	Village Commercial District
OC	Office Commercial District
O	Office District
P	Public District
I	Industrial District
LI	Light Industrial District
BP	Business Park District
BPX	Busines Park-Mixed Use District
OS	Open Space District

(Ord. 693 § 2 (part) (Exh. A), 2005: Ord. 684 § 2 (part), 2005; Ord. 655 § 2, 2004: Ord. 613 § 6, 2002; Ord. 604 § 2.1, 2002; Ord. 590 § 2 (part), 2001; Ord. 575 § 2.2 (part), 2000; Ord. 567 § 2, 2000; Ord. 558 § 2, 2000; Ord. 540 § 1.1, 1998; Ord. 528 § 1.7, 1997; Ord. 513 § 1.1, 1997; Ord. 508 § 1.2, 1996; Ord. 488 § 1.2, 1996; Ord. 474 § 1.1, 1995; Ord. 468 § 1.2, 1995; Ord. 464 § 1.1, 1995; Ord. 449 § 1.1, 1995: Ord. 433 § 1.1, 1994; Ord. 398 §§ 1.6, 1.8, 1993; Ord. 386 § 1.1, 1993; Ord. 359 (part), 1992)

3.3 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.090 MIXED USE DISTRICT 1

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 1 (MUD1) is to create a zone which allows for office, support commercial and residential uses. This mixed use zone will provide for enhancement of each component – residential, office or support commercial – and the opportunity to develop each use or mix uses in various combinations.

MUD1 has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD1 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, it is the intent of this district to limit the first floor to office or service commercial uses. While the office development remains the primary intent, it is anticipated that the addition of a residential component as a secondary use will increase the level of activity in these areas and provide better linkage and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a Floor Area Ratio of 1.00. (GP 9.2.4.6)

Residential uses are permitted with office uses on a separate parcel or in a separate structure, as part of the same structure (office in front, residence in the back, for example), and/or as a mixed use large scale development. It allows for expansion in the number of residential units on a parcel with existing residences, heretofore prohibited because of the office-only designation.

B. In addition to the above, the MUD1 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
7. To provide compatibility between non-residential uses and adjoining residential uses; and
8. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD1. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD1 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the minimum required site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in Section 9.07.090.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.090
Mixed Use District 1 Site Development Standards

Requirement	**MUD1**
1. Maximum density	15 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	20 feet[2]
6. Street side building setback[1]	20 feet[2]
7. Side yard building setback[3]	10 feet
8. Rear yard building setback[3]	20 feet
9. Maximum floor area ratio[4]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[5]	10 feet
12. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5

14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Subject to site plan review, it may be possible to reduce the front setback to ten feet for buildings other than front facing garages.
[3]See Section 9.08.030 regarding accessory structures.
[4]Calculations of FAR shall not include underground parking.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front building and street side setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common

open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   i. Balconies and/or decks
   ii. Towers
   iii. Recessed window openings
   iv. Lattice/covered walkways
   v. Plazas and/or fountains

b. Accent Elements
   i. Awnings
   ii. Decorative windows
   iii. Window box planters
   iv. Benches, seating walls and other street furniture
   v. Raised planters, flower pots, hanging pots
   vi. Pedestrian scale lighting in plazas, walkways, etc.
   vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a “tot lot” or tables or benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.090) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. If a parcel in the MUD1 zone is not located along an arterial or greater street, then the first floor may be developed with a residential use. However, if the parcel is located along an arterial street or greater, the first floor shall be limited to office or service commercial uses

(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

2.4 Chapter 9.07 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

"Chapter 9.07.100 MIXED USE DISTRICT 2

A. Purpose and Intent. It is the purpose of this chapter to provide regulations which implement those goals, objectives, and policies of the General Plan regarding mixed-use development within the city. This chapter is also to serve residents and businesses through the establishment of a well-defined pattern of mixed use areas which are conveniently located, efficient and attractive, with safe pedestrian and vehicular circulation.

The intent of the Mixed Use District 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00. (GP 9.2.4.5)

The MUD2 district has been established to encourage the development and redevelopment of specific areas of the City into quality, dynamic, pedestrian-oriented environments by permitting a combination of commercial, office, service, entertainment, and residential uses within these areas. In the MUD2 district, new development shall emphasize the interface between uses and pedestrian connections in addition to site aesthetics and amenities. All development shall be constructed in a manner that provides interaction between adjacent uses whether the uses are part of the same development or are located in adjacent development within the same district. The landscaping, placement of street furniture, lighting and similar amenities shall be such that it will enhance the pedestrian quality of the mixed-use development. Building design should provide for "informal" surveillance of shared areas by residents, business tenants, and uses of the development.

Residential uses are permitted when integrated with commercial uses, in the same or a separate structure on a single parcel, or on a separate parcel as part of a larger mixed use development. The addition of, or expansion in, the number of residential units on a parcel with existing residences is also permitted.

The underlying focus of the MUD2 is the enhancement of commercial uses with residential uses as a secondary use. Therefore, non-residential uses shall occur on the first floor facing the public right-of-way. Residential uses may occur above the first floor and/or be located away from the public right-of-way.

B. In addition to the above, the MUD2 is intended to achieve the following purposes:

1. To provide appropriately located areas for compatible non-residential uses to enhance and serve adjacent residential neighborhoods;
2. To provide flexibility for the development of vertical and horizontal mixed uses;
3. To ensure and maintain a high quality of life;
4. To provide adequate light, air, privacy, open space, and protection from objectionable noise and odors;
5. To provide adequate open space, off-street parking and loading areas to meet the needs of the mixed-use development;
6. To provide compatibility between non-residential uses and adjoining residential uses; and
7. To ensure high standards of site planning, architecture and landscape design for mixed-use development within the city. (Ord. 359 (part), 1992)

C. Permitted uses for the MUD2. Unless otherwise expressly provided in this title; permitted uses are limited to those described in the permitted uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord 359 (part), 1992)

D. MUD2 site development standards. The following table sets forth minimum site development standards for the district. All sites shall conform to the dimensions set forth in this section. A development may, however, be a combination of many parcels totaling at least the required minimum site size, as long as its design is integrated and unified. In addition, projects must comply with the special requirements enumerated in

Section 9.07.100.E, the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies, and programs.

Table 9.07.100
Mixed Use District 2 Site Development Standards

Requirement	MUD2
1. Maximum density	30 units per acre
2. Minimum site area	1 acre
3. Minimum site width	100 feet
4. Minimum site depth	100 feet
5. Front building setback[1]	Minimum 0 feet with an average of 10 feet required
6. Street side building setback[1]	Minimum 0 feet with an average of 10 feet required
7. Minimum interior side yard building setback	0 or 5 feet
8. Minimum rear yard building setback	10 feet -see special requirements
9. Maximum floor area ratio[2]	1.00
10. Maximum building and structure height	50 feet
11. Minimum distance between buildings[3]	10 feet
123. Residential Open Space	See special requirements
13. Parking setbacks	Minimum 20 feet front and street side yard; minimum 10 feet rear yard and side yard See also 9.07.100.E.4 and E5
14. Setback landscaping	All setbacks exclusive of required walkways and driveways will be landscaped planting areas.

[1]Measured from property line after dedications for public rights-of-way.
[2]Calculations of FAR shall not include underground parking.
[3]See Section 9.08.030 regarding accessory structures.

On legal lots of record existing immediately prior to the date of adoption of this title, and which otherwise comply with all other provisions in this title and with all land use regulations existing immediately prior to adoption of this title, if any such lots contain less than the minimum depths required by this section they need not provide a front building setback or landscaping greater than twenty (20) percent of the depth of the property (excluding right-of-way area). The creation of new lots within these districts shall conform to these minimum dimensions, except in the case of condominium lots or lots within an integrated center containing shared parking and access, in which case no minimums are established. Parcels created within integrated centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as a conceptual development plan for the entire center has been developed and approved and easements for reciprocal access, parking and maintenance are provided.

E. Special Requirements

1. Wherever a lot in any mixed-use districts abuts a lot in any residential district, a minimum setback equal to the building height but not less than ten (10) feet shall be required. A minimum of ten (10) feet nearest the district boundary line shall be landscaped.

2. Where off-street parking areas or drive-through aisles are situated so as to be visible from any street, screening in the form of a landscaped earthen berm, shrubs or decorative wall three feet in height shall be erected between the street and the parking area.

3. In all mixed-use districts, required front and street side building setback areas shall be landscaped. Such landscaping shall consist of plant materials except for necessary walks and drives.

4. Permitted uses shall be required to meet the City's parking requirements per Municipal Code Section 9.11, unless a parking study is approved by the community development director. Shared parking is encouraged.

5. Required parking for mixed use development may be determined by a parking study approved by the community development director. The parking study shall demonstrate the benefit of shared parking and overall parking reduction.

6. Visitor parking may share the required parking provided for non-residential uses.

7. Tandem parking shall not be permitted except for residential uses where more than one space has been provided per unit.

8. A minimum of 150 square feet of private open space shall be provided per downstairs residential unit and a minimum of 100 square feet of private open space per upstairs residential unit. A minimum of 300 square feet of useable active common open space shall be provided per residential dwelling unit in the project. Required common open space within a mixed use project shall be designed primarily for the use of the residential component.

9. Architecture and design shall rely on color and materials to preserve a sense of place. While the architecture and design are not restricted to one style, they are required to be compatible with adjoining development. At least two elements from the architectural list and three from the accent list shall be included in the design of each project:

a. Architectural Elements
   - i. Balconies and/or decks
   - ii. Towers
   - iii. Recessed window openings
   - iv. Lattice/covered walkways
   - v. Plazas and/or fountains

b. Accent Elements
   - i. Awnings
   - ii. Decorative windows
   - iii. Window box planters
   - iv. Benches, seating walls and other street furniture
   - v. Raised planters, flower pots, hanging pots
   - vi. Pedestrian scale lighting in plazas, walkways, etc.

vii. Decorative pavement treatments at entries, pedestrian walkways, and/or plazas

10. Except as otherwise specified in this section, structures shall be constructed either on the property line or be set back at least three feet from the rear or interior side property line.

11. A wider sidewalk may be permitted to the building face in lieu of landscaping to provide for pedestrian activities, outdoor dining, and view sheds into commercial projects. Street furniture, plazas, planters, enhanced paving and the like are amenities to be located in this area.

12. Semi-private and private spaces shall be clearly defined. Public and semi-private space shall be configured to maximize visibility and access.

13. Separate primary access points, circulation and parking should be provided for commercial and residential uses where possible. These access points should be visible from the street.

14. On corner sites, a side street residential entry or entries should be provided. At mid-block, residential entries should be separate and distinct from retail or office entries or lobbies.

15. Mixed use projects may be subject to noise impacts from vehicular and pedestrian traffic as well as from adjacent commercial activity. The residential component of the mixed use should orient bedrooms away from noise sources where possible. Sound-deadening construction materials and techniques shall be used where necessary.

16. In courtyard projects, common open space shall serve for circulation, as a buffer between structures, and as a source of daylight and air to courtyard facing rooms. Common rooftop decks above the second floor are permitted.

17. Common open space in residential projects shall include plant materials (trees, shrubs, ground cover) and gathering places such as a "tot lot" or tables and benches.

18. Landscaping for the residential component of a mixed use project shall include screening at the property line at the first and second floor levels to provide privacy from or for neighboring sites.

19. Landscaping shall be provided adjacent to rear drive aisles or walk ways to buffer adjacent uses.

20. The project design shall consider privacy for the residential component with respect to other residential units, passersby, and adjacent development:

a. Windows, balconies and decks should be oriented to direct view or overlook of adjacent residential uses, and they should be designed to maximize sunlight into units;
b. In mixed use areas, minimum setbacks (see Table 9.07.100) shall be maintained for the first story of a residential use (except a stairway) from the front property line.

21. Off-street parking and loading areas for non-residential uses shall be designed to minimize impact on residential components. Such areas shall be located away from the residences and/or screened effectively from any adjacent residential uses. Depending on the specific site, this may include covered parking to minimize noise and visual impacts to dwelling units above, and screen walls, gates and landscaping along travel ways to reduce impacts on adjacent dwelling units.

22. MUD2 development shall occur along arterials or greater streets or in areas of high density development. Residential uses are not permitted on the first floor for parcels facing an arterial or greater street.
(Ord. 643 § 2.1, 2003; Ord. 616 §§ 2.2.3, 2.2.4, 2003; Ord. 590 § 2 (part), 2001; Ord. 560 § 2.1, 2000; Ord. 497 § 1.4, 1996; Ord. 359 (part), 1992)"

3.5 Chapter 9.15 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised by adding a definition for 'live/work units'. This new definition will be placed alphabetically in Section 9.15.030 between the definitions for "Lighting (Minimum Maintained)" and "Livestock" as follows:

"Chapter 9.15 DEFINITIONS

9.15.030 Definitions.

Lighting (Minimum Maintained). "Minimum maintained lighting" means a method of measuring light at the ground level.

"Live/work unit" means a residential dwelling unit where there is one or more rooms containing working space located within, adjacent to, or near the residential unit, and one or more individuals living in the residential unit regularly use the working space to earn their livelihood, usually in professional or design related activities.

"Livestock" means and includes cows, bulls, calves and heifers, except pigs."

SECTION 4: EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of April, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 11, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 11, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the

MV00054297

Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the

MV00054298

Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

MV00054299

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO

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AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

   Resolution No. 2010-31

   A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

   Resolution No. 2010-32

   A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for

MV00054303

new priorities for implementation of capital projects.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

MV00054304

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00054306

a) City Manager Recruitment

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

ADJOURNMENT - IN MEMORY OF SERGEANT CARLTON ALLEN -

MV00054307

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Proclamation Recognizing Ronald Powell

3. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:53 PM
April 27, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Richard A. Stewart

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant to the City Manager
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Chris Vogt	Public Works Director/City Engineer
Steve Curley	Fire Chief
Paul Smus	Acting Principal Librarian

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A8).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,

RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA

AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

   Resolution No. 2010-26

   A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE

OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per

Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items A2, B2, C2 and D2, which were pulled for a separate vote. Motion by m/Council Member William H Batey II s/ by Mayor Pro Tem Robin Hastings
Approved by a vote of 5-0

Motion to approve Items A2, B2, C2 and D2. Motion by m/Mayor Pro Tem Robin Hastings s/ by Council Member William H Batey II
Approved by a vote of 3-0-2, Council Member Stewart and Council Member Molina abstained

E. PUBLIC HEARINGS

Mayor Flickinger opened the public testimony of the public hearing; there being none, public testimony was closed.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to continue Item E1 to the May 11, 2010 meeting by m/Council Member Richard Stewart, s/Council Member William H Batey II Approved by a vote of 5-0

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)

Council Member Richard A. Stewart gave an update on the March Joint Powers Authority trip to Washington, D.C. The group saw Congressman Darryl Issa, Congressman Ken Calvert, Congresswoman Bono Mack, and dealt with issues with the region and March. Other meetings included: the Under Secretary for Veterans Administration regarding expansion of the cemetery, relocation of U.S. Vets, and tried to get a VA presence at March Health Care such as a Counseling Center, Information Center or an Out-Patient Center; the Under Secretary for the Department of Commerce regarding the Free Trade Zone; the Deputy Secretary's of the Navy and an Army Facilities Under Secretary. Trying to move the different facilities out of the area where March Health Care is going; the Department of Agriculture to see about getting some of their land they're not using; the Under Secretary's of the U.S. Air Force regarding a telephone problem that's being dealt with at the base; went to the Pentagon and met with a Three Star General who is head of the Air Force Reserve regarding general issues at the base and went to NASA regarding a Space Shuttle, but because it's pending, they are prohibited from talking about it. March Health Care is getting ready to break ground.

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE

CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's Office)

Mayor Flickinger opened the agenda for public comments, which were received from Steven Cruz, Deanna Reeder, Debra Coggins-Ortiz, Alex Ortiz, and Iddo Benzeevi.

Recommendation: That the City Council:
Provide direction on the matter.

No action was taken. Option 1 will come back to a public meeting.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Marcelo Coe, Deanna Reeder, Pete Bleckert, Debra Coggins-Ortiz, Alex Ortiz, Raul Wilson, Darryl Terrel and Iddo Benzeevi.

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Motion to approve Amended Resolution No. 2010-22 to read: Provide direction as deems appropriate and adopt Resolution No. 2010-22 encouraging the use of neighborhood identification signs.
Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote of 5-0

Motion to accept the Rancho Belago design as indicated in the attachment to G3 except that Council directs staff to contact the City of Beverly Hills for determining what it would take to make the design acceptable and not in conflict with Beverly Hills' signs, and for staff to implement the changes sufficient to make it so acceptable. Staff would then bring that design back to Council for approval and implementation at the next Council meeting.

Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote 3-2

Motion to allocate from the reserve up to a maximum of $85,000 to implement the first phase of the sign program for Rancho Belago which will include the maintenance, installation, and production of the signs up to that dollar amount.

Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote 3-2, Mayor Pro Tem Hastings and Mayor Flickinger opposed

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

There will be five public meetings for citizens to participate in on the budget study, and the full budget and deficit reduction plan will be on the website around May 5, so they have an opportunity to look at everything and participate in the public process.

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

Motion to adopt by m/Council Member William H Batey II, s/Mayor Pro Tem Robin Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Mitchell Whitaker
1. In support of DUI checkpoints

Anthony Acosta
1. Continue the sobriety checkpoints

Dianna Preston
1. Support for the DUI checkpoints

Carmen Bernal
1. Supporting DUI checkpoints

Tanna Montecino
1. Support DUI checkpoints

Pete Sergantes
1. Supports DUI checkpoints

Deanna Reeder
1. Congratulations to Bonnie and Robin for standing up to Iddo
2. Supports parks
3. Emails

Lory Gleason
1. Supports DUI checkpoints

Marcia Amino
1. Robert Gutierrez

Tom Jerele, Sr.
1. Democracy
2. Thank you for the concerts
3. Rancho Belago Signs

Timothy Taggart
1. Support of DUI checkpoints

Daryl Terrell
1. City's future and budget

Raul Wilson
1. Alcohol
2. City credit cards

Louise Palomarez
1. Credit cards
2. Public Comments
3. Sierra Club
4. Rancho Belago signs

Debra Coggins-Ortiz
1. Thank you to Robin and Bonnie for standing up to Iddo
2. Extra money for 4th of July and Air Show
3. Racial problems in schools
4. Iddo Benzeevi
5. Mexican Political Association

Alex Ortiz
1. Thank you to Council and staff
2. We live in a country where you can speak your mind

Pete Bleckert
1. Feel the pain for lost loved ones
2. Eliminate the bridge to no where
3. Public Works' $50,000 piece of ruined equipment
4. Laura Froelich

Emil Dragovich, Jr.
1. Supports DUI checkpoints

Iddo Benzeevi
1. Rancho Belago signs

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member William H. Batey II

1. Comments going down racial lines are embarrassing. Mr. Benzeevi didn't

create any racial divides. He wants to put up a building and create jobs.

2. The checkpoints are valuable to public safety, and would rather have more of them. Abide by the law or there is a consequence.

3. Congratulations to all the top readers that were recognized tonight.

Council Member Jesse Molina

1. There is a need to have better control of the checkpoints. Put them where the drunk drivers are. Put the checkpoints on holidays. There are excessive checkpoints. Put them all around the city, and make them later. Sorry for your losses. Roving patrols outside of bars are better.

2. When someone comes out and says they are racial, it's disturbing. Quit trying to pit someone against someone else. It has gone on too long.

A break was taken and reconvened at 10:05 p.m.

Council Member Jesse Molina Continued

3. Requested staff to start working with him and be let in on stuff.

4. There is only good in Iddo Benzeevi. It's the same group of people opposing him because he wants to bring jobs and put Moreno Valley on the map. Are we going to reach the level of Arizona. Wants to live in harmony, and make this community prosperous. We have to put our differences aside and look at the bigger picture.

Council Member Richard A. Stewart

1. At the time the City Manager chose to retire he was not convicted of anything, and he chose to retire under a golden handshake. City Council followed the advice of our Labor Law Attorney and followed the request of the Upland Police Department. As far as the domestic violence allegation was concerned, it was a misdemeanor conviction for a non-violent crime. It was resolved, and it's over with.

2. Los Angeles is trying to raise $12.5M to preserve the land around the Hollywood sign. They received money from all over the world. They also had several large donors. Los Angeles has people of means in their city. Moreno Valley does not. The way Iddo was treated tonight, why would anyone of means want to live in our city and bring jobs. He wants to be part of this community.

3. The businesses we have been working with have been in the redevelopment area. Outside of redevelopment areas it's very hard to do

anything because there isn't a big pot of money.

4. There are racial problems in the schools. Schools are working on it. There's crime. It has been getting addressed with some very aggressive policing. Crime is down.

5. Checkpoints are grant funded. It's the year of the checkpoints. The City is going along with the State program. Roving checkpoints have been done. This state is not Arizona. We use the DMV as an immigration enforcement tool.

6. Carlton Allen, nicknamed Hollywood, a police officer from here, passed away. He worked with the volunteers. He was in his early 40's with a family. Please keep his family in your thoughts and prayers, and the same with Raul Wilson. What happened to his son was tragic.

Mayor Pro Tem Robin Hastings

1. It is appreciated that Ms. Reeder and Ms. Ortiz came up here and said they had sent some emails. When you shout fire, you have responsibility if people get trampled running out of the building. Will pay for any staff report Ms. Reeder would like to see if that's going to help get the correct information out.

2. The wrong credit card was used. The next day it was paid with a personal check. That's all a matter of record, and it's the only time the CalCard was used. Will provide you with any documentation you would like to see.

3. Does the inconvenience of DUI checkpoints outweigh the good? No it does not. The State pays for them because they know they work.

4. Attended the Moreno Valley HOA meeting last week, and there were probably about 125 people there. No less than ten people came up and stated they think the Moreno Valley Police Department is doing a great job. Typically the bad things are heard. The police department should be commended for doing a terrific job.

5. Comments were made about how much money Council makes. The county car was returned, no car allowance is taken, took the same cut in city pay that every other city employee took, and took an 18 1/2 percent cut in pay for the county. When you talk about reducing your income, and struggling and not noticing the difference, perhaps maybe some presumptions are made that shouldn't be made. The pay is around $1,000 per month for the hours put in by Council.

6. Send emails, call, or write. Show the courtesy you would like shown to you.

Mayor Bonnie Flickinger

1. You can examine the credit card records anytime you want to for as many years as you want to. It has a limit on the amount that can be spent. The cards are very well controlled in the amount that can be charged.

2. Thank you to the speakers tonight. Government by the people means everyone is listened to. Especially pleased that the people came in to support the checkpoints. It's nice to have the other side.

3. The Air Show is at the Base this weekend, and it is free admission and parking. It is open from 8:00 a.m. to 5:00 p.m.

4. Check the Dan Bernstein column in the Press Enterprise tomorrow.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *ENCO Utility Services Moreno Valley, LLC, v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 478023

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

City Manager Recruitment (Status)

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:23 p.m. by unanimous informal consent in memory of Bill Lowell, a long-time resident of Moreno Valley.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00054327

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: May 11, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of April 21 – May 4, 2010.

Reports on Reimbursable Activities April 21 – May 4, 2010		
Council Member	Date	Meeting
William H. Batey II	4/28/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	4/30/10	Distinguished Flying Cross National Memorial Groundbreaking Ceremony
Bonnie Flickinger	4/28/10	UCR Citizens University Committee
Robin N. Hastings		None
Jesse L. Molina	4/30/10	Distinguished Flying Cross National Memorial Groundbreaking Ceremony
	5/4/10	Moreno Valley Hispanic Chamber of Commerce Adelante
Richard A. Stewart	4/30/10	Distinguished Flying Cross National Memorial Groundbreaking Ceremony

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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MV00054329

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: TRACT MAP 32142 – CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – EMPIRE LAND, LLC
3536 CONCOURS STREET, SUITE 300
ONTARIO, CA 91764

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Tract Map 32142 is a condominium project consisting of 172 residential units located south of Iris Avenue and east of Lasselle Street that was conditionally approved requiring construction of certain public improvements to Lasselle Street and Avenida de Circo. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, wheelchair ramps, signage, landscaping, storm drain, catch basin, sewer, and water facilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $734,000 issued by Arch Insurance Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of

Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

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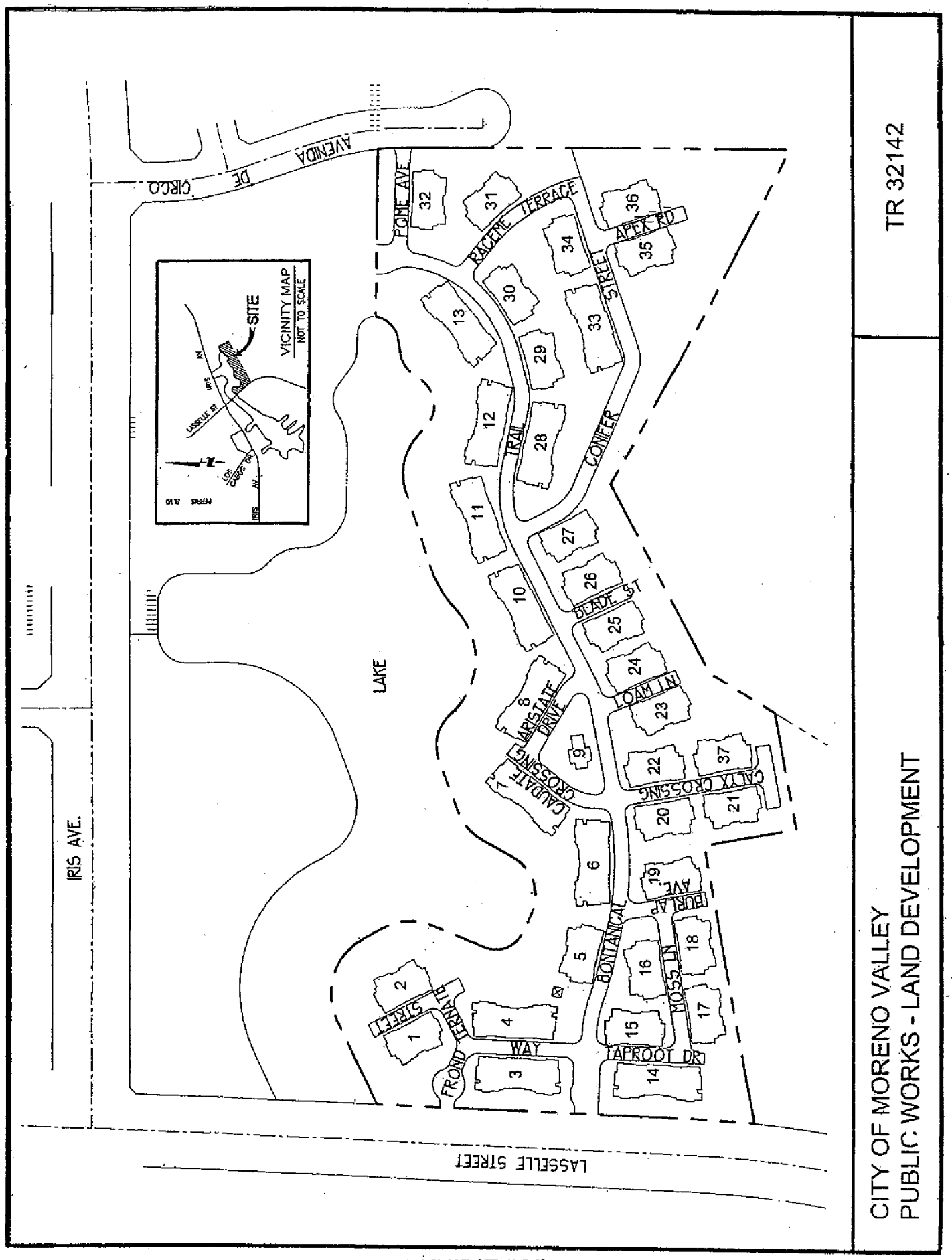

EXHIBIT "A"

Item No. A.4

MV00054334

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MV00054335

RESOLUTION NO. 2010-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN TRACT MAP 32142 AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Empire Land, LLC on the portions of Lasselle Street and Avenida de Circo associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Tract Map 32142 and accept the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Tract Map 32142 are complete, and the portions of Lasselle Street and Avenida de Circo associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 11th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project.

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

BACKGROUND

The overall purpose of the Nason Bridge Project is to provide operational improvements to facilitate traffic movement at and near the SR-60/Nason Street interchange, alleviate traffic congestion, and address existing bridge deficiencies at this interchange. This project is needed to improve safety, bring the bridge features up to current standards, and provide acceptable levels of service along the facility.

On March 14, 2006, the City Council approved an Agreement to Reimburse Transportation Uniform Mitigation Fee (TUMF) Funds between Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for Nason/SR-60 Interchange.

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project development activities including final design, utility relocation engineering, and right-of-way acquisition.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services.

On January 13, 2009, the City Council approved the SR-60/Nason Overcrossing project as an RDA Tax Allocation Bond-funded project.

DISCUSSION

The City has been progressing in the steps necessary for the acquisition of right-of-way, utility relocation and other necessary steps to complete the design of the SR-60/Nason Street Overcrossing Improvements Project. The goal is to begin construction of the project by September 2011, contingent upon completion of the SR-60/Nason Interchange Ramp Improvements Project (Project No. 98-25897).

Caltrans, pursuant to the Project Development Cooperative Agreement and the Caltrans Right- of-Way Manual, Section 17.04.09.01, requires that the City Council of Moreno Valley adopt a resolution to later hear Resolutions of Necessity for the project and subsequently submit them to Caltrans for approval. A Resolution of Necessity is a required resolution authorizing condemnation of property necessary for the project and the filing an eminent domain action to acquire said property through condemnation. Caltrans requires the local entity (the City) to obtain prior approval on a project-by-project basis from Caltrans before proceeding to hear Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project. Adoption of the proposed resolution does not commit the City Council to hear future Resolutions of Necessity to acquire property necessary for the project or to adopt future Resolutions of Necessity to acquire property necessary for the project by condemnation. Due to the lead time required for Caltrans approval of this action, staff recommends adopting this resolution at this time in the event that Resolutions of Necessity become necessary.

The City has retained the law firm of Singer & Coffin, APC to act as its Special Eminent Domain Counsel to prepare, review, process and approve the Resolution of Necessity packages for the project. Staff does not anticipate any condemnation actions for this project as there are no additional properties to be acquired, and the utility companies are cooperatively working with the City to relocate their facilities.

ALTERNATIVES

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project and authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required. *This alternative will allow necessary approvals to be in place so the project continues to proceed without interruption.*

2. Do not approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project and do not authorize and do not direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required. *This alternative may delay the construction of needed improvements.*

FISCAL IMPACT

There is no fiscal impact related to the adoption of this resolution. The project is currently funded by 2007 Redevelopment Agency Tax Allocation Bond (Series A) proceeds (Fund 897) and developer funds. **These funds have been allocated for the SR-60/Nason Street Overcrossing Improvements project and cannot be utilized for operational activities.** There is no impact to the General Fund.

AVAILABLE FUNDS

FY 2009/2010 Developer In-Lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2009/2010 2007 RDA Bond Funds (Account 897.91728)	$17,724,000
Available Funds	**$17,754,000**

ESTIMATED COST

SR-60/Nason Bridge Design and Right-of-Way/Utilities	$ 1,640,000
SR-60/Nason Bridge Construction	$16,114,000
Estimated Cost	**$17,754,000**

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	September 2010
Begin Construction*	September 2011
Complete Construction	November 2012

**** Contingent upon completion of SR-60/Nason Interchange Ramp Project (Project No. 98-25897)***

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

The City Council is asked to adopt the proposed Resolution in order to later hear Resolutions of Necessity should acquisition through condemnation become necessary for the SR 60/Nason Street Overcrossing Improvements Project.

ATTACHMENTS/EXHIBITS

Attachment "A" – Proposed Resolution of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

Concurred By:
Barry Foster
Economic Development Director

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

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MV00054343

RESOLUTION NO. 2010-29

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT

WHEREAS, the City of Moreno Valley ("City") is empowered to acquire by eminent domain any property to carry out its powers or functions pursuant to Government Code Sections 37350, 37350.5 and 40404 and Code of Civil Procedure Section 1240.110; and

WHEREAS, property may properly be acquired by eminent domain for state highway purposes pursuant to Streets and Highways Code Section 102; and

WHEREAS, City has approved the design of State Route 60/Nason Street Overcrossing Improvements and also previously approved a Project Development Cooperative Agreement with the State of California for said project, a project on the State of California Highway System. The Cooperative Agreement with the State of California Department of Transportation ("Caltrans") provides that City will perform right-of-way activities as set forth in the Cooperative Agreement for said project; and

WHEREAS, all local public agency projects on the State of California Highway System, within the existing or proposed State of California rights-of-way, are subject to the requirements of the Caltrans Right-of-Way Manual, and recently adopted provisions of the Caltrans Right-of-Way Manual now require a City Council to pass a resolution by a two-thirds vote, making an election to hear all the Resolutions of Necessity for the project; and

WHEREAS, City will follow State statute requirements and the Caltrans Right-of-Way Manual processes in the issuance of the Notice of Intent to adopt a Resolution of Necessity and in the adoption of a Resolution of Necessity, and the City's Special Eminent Domain Counsel is designated to process and approve the resolution package(s).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley, by a two-thirds vote, will hear the Resolutions of Necessity associated with the construction of the State Route 60/Nason Street Overcrossing Improvements Project.

Attachment "A"

Resolution No. 2010-_____

Date Adopted: May 11, 2010

BE IT FURTHER RESOLVED that City designates the law firm of Singer & Coffin, APC, as its Special Eminent Domain Counsel to prepare, review, process and approve the Resolution of Necessity packages for this project.

APPROVED AND ADOPTED this ____ day of _____, 2010.

By: _____
Bonnie Flickinger, Mayor

ATTEST:

By: _____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

By: _____
Bob Hansen, City Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720).

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

BACKGROUND

On May 29, 2008, the City Manager executed an agreement for Professional Consultant Services with OPC for on-call right-of-way services. On July 23, 2008, a purchase order for $87,478 was issued to OPC after they were selected as the most responsive firm to propose for right-of-way acquisition services for the SR-60/Nason Project.

On June 23, 2009, the City Council authorized a $104,520 increase to the Purchase Order with Overland Pacific & Cutler ($87,000 plus 20% contingency) for extended negotiation and eminent domain support services for the SR-60/Nason Street Interchange Improvements project. Appraisals have been completed and offers have been made in accordance with federal and state requirements.

DISCUSSION

Caltrans has completed certification of the right of way in order to construct the SR-60/Nason Street Interchange Improvements project. The City has the right of possession for all right of way and is continuing eminent domain proceedings for APN 487-250-004. The City needs to provide continuing support to Caltrans, owners, the eminent domain attorney, and the Federal Highway Administration during the construction phase of the project.

OPC has been retained to provide right-of-way services under their current on-call agreement which expires on May 15, 2010. OPC has submitted a proposal for $50,400 to provide additional right-of-way support services, federally-required project audit services, and related construction coordination. This change order brings the purchase order total to $254,919 ($249,500 plus contingency) and their professional services agreement should be extended to May 30, 2012, for the close-out of the project.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720) and authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval. *This alternative will allow for the completion of the needed right-of-way activities.*

2. Do not authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720) and do not authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure “A” funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The

allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION, RIGHT-OF-WAY AND CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$100,000
Utility Relocation (EMWD & SCE)	$ 1,951,000
Habitat Mitigation and Monitoring	$ 345,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,827,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	May 2010
Interchange Construction Start Date*	September 2010
Interchange Construction End Date	September 2011

**pending Caltrans approval*

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

To provide continuing support to maintain the project schedule and acquire right-of-way for the Nason Street interchange improvements, staff recommends increasing the purchase order with OPC by $50,400 and extending the contract termination date to May 30, 2012, to perform activities associated with right-of-way land acquisition for the SR-60/Nason Street Interchange Improvements project (Account 125.89720).

ATTACHMENTS

Attachment "A" – Change Order
Attachment "B" – Proposal from Overland Pacific & Cutler

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE: 3/18/10	**VENDOR NAME:**	Overland Pacific & Cutler Inc.	
	VENDOR NO.#	ORIGINAL PO NUMBER	
	2165482	36018	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 36018 by $50,400 for extended eminent domain support services. SR-60/Nason Street Interchange Improvements Project No. 98-25897	$50,400.00

Notes:	Per amendment to on-call agreement signed by the City Manager on 5/18/09. Executed agreement and insurance certificate are on file with the Purchasing Division.	**Change Order Sub Total from Above:**	$50,400.00
		Original P.O. and Prior Change OrderAmount:	$204,519.00
		Revised Total Spend:	**$254,919.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: DB 3-18-10 Marge Lazarus	Date:			
Divison Manager ($5k)	Date:	100.0%	125.89720.7200	$254,919.00
Department Head ($15K)	Date:			
Financial & Admin. Svcs. Director ($30K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$254,919.00

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Attachment "A"

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MV00054351

OVERLAND PACIFIC & CUTLER, INC.

2280 Market Street, Suite 340
Riverside, CA 92501
951.683.2353 ph
951.683.3901 fax
www.OPCservices.com

March 18, 2010

Ms. Margery A. Lazarus
Senior Engineer, P.E.
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Additional Services No. 5
State Route 60/Nason Street Interchange Improvements
Project No. 98-25897 (Caltrans EA 08-323001)

Dear Ms. Lazarus:

Pursuant to the City's request, we respectfully submit this Request for Additional Services to our contract for additional negotiation, project management, eminent domain litigation support, eminent domain expert witnesses, construction coordination and final project close out services for the above-referenced project.

The request for additional services primarily stems from extensive property owner negotiations, project management and Caltrans coordination services to obtain right of way certification. The property ownerships, Target, Kohl's, FJL-MVP, LLC, Fung and Callender, are large, complex corporations which will require extensive negotiation with in-house legal departments and corporation counsel to reach a settlement. Due to the undisclosed voluntary foreclosure of the FJL-MVP, LLC parcel, additional acquisition and project management services will be required to obtain the necessary property interests now held by Wal-Mart and Bank of America which were not originally anticipated.

In addition to the above, additional services are necessary to complete the project and are being added to OPC's scope of services, including eminent domain litigation support and construction coordination services. The scopes of services are discussed below:

Attachment "B"

Eminent Domain Litigation Support Services: OPC will provide all services necessary to coordinate with and support all efforts of the City's Eminent Domain Counsel, Hugh Coffin of Singer & Coffin, APC, in the eminent domain litigation against the Donald Callender Trust, as necessary. This includes retaining eminent domain expert witness appraisers and coordinating their services with the City and Mr. Coffin.

Eminent Domain Expert Witnesses Services (Sub-consultants): Pursuant to Mr. Coffin's direction, OPC will retain Lidgard and Associates to provide valuation and benefit analysis for the City's valuation and expert witness exchange in accordance with the proposal attached hereto.

Construction Coordination Services: OPC will provide coordination services between the City, Project Engineer and Construction Contractor and the property owners during construction of the project. This includes all owner notifications, enforcing agreement terms, monitoring temporary construction easement compliance, monitoring the SCE easement on the Fung parcel to termination and possible additional acquisitions of property not initially anticipated prior to project construction.

Final Project Close Out: Pursuant to federal funding requirements, Caltrans will conduct a complete file audit to insure compliance with state and federal acquisition procedures. OPC will perform all final file administration and will coordinate with Caltrans to perform a file audit. Further, OPC will prepare the right of way conveyance deeds and coordinate with Caltrans to convey the necessary right of way at project completion.

OPC proposes to perform the additional services described above for a fee of $50,400. Project management, acquisition/negotiation, eminent domain litigation support, construction coordination and final project close out services will be invoiced on an hourly not-to-exceed basis in accordance with our established hourly rate schedule attached hereto. Fees for eminent domain expert witness services will be performed on a fixed fee basis as itemized in the attached proposal.

Project Management OPC will manage and coordinate the various right of way activities with the City, subconsultants and Caltrans local district.	**$15,000**
Acquisition/Negotiation OPC will perform all acquisition activities described in this proposal.	**$10,000**
Eminent Domain Litigation Support OPC will retain the expert witness appraisers	**$5,000**

and coordinate with the City's Eminent Domain Counsel, as needed.

Eminent Domain Expert Witnesses **$6,850**
Lidgard & Associates will provide all appraisal and expert witness services itemized in attached proposals.

Construction Coordination **$5,000**
OPC will coordinate with the City, Resident Engineer and Contractor to coordinate construction of the project.

Final Project Close Out **$8,550**
OPC will perform all file close out administration, coordinate with Caltrans and conduct a final file audit and convey all necessary right of way to Caltrans at project completion.

Project Budget **$199,100**

Amount of Change Order #4 **$50,400**

Amended Project Budget **$249,500**

In addition to the above items, below is a chart of the sub-consultants and additional services amendments. OPC requests that the balance of: i) $24,705 for Donahue and Associates; ii) $1,885 for Lidgard and Associates; iii) $2,890 for Hennessey & Hennessey; and iv) $2,275 for Lawyers Title Company be transferred to OPC for project management and acquisition related tasks.

Invoice #	Donahue and Associates	Lidgard and Associates	Hennessey & Hennessey	Lawyers Title Company
808227	$12,980	$0	$0	$0
809342	$12,020	$9,515	$0	$0
810336	$0	$0	$9,610	$0
812037	$1,080	$0	$0	$0
901125	$0	$3,750	$1,300	$0
906096	$2,800	$3,250	$0	$0
907081	$0	$0	$0	$5,475
D-30276	$12,120	$0	$0	$0
Total	**$41,000**	**$16,515**	**$10,910**	**$5,475**
Original Budget	$25,000	$12,000	$10,800	$0
Amendment #1	$1,080	$0	$1,600	$0

Amendment #2	$11,800	$3,750	$1,400	$0
Amendment #3	$15,700	$2,650	$0	$7,750
Amendment #4	$12,125	$0	$0	$0
Total	$65,705	$18,400	$13,800	$7,750
Billed to Date	($41,000)	($16,515)	($10,910)	($5,475)
Remaining Budget	**$24,705**	**$1,885**	**$2,890**	**$2,275**

If you have any questions or concerns regarding the above, please do not hesitate to contact me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM
PROJECT NO. 09-22679828

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On November 10, 2009, the City Council awarded a construction contract in the amount of $91,585 to Peterson-Chase, for the Citywide Bridge Maintenance Program. A Purchase Order in the amount of $114,481, which included a 25% contingency, was issued to the Contractor.

DISCUSSION

The Citywide Bridge Maintenance Program included preservation and repair items of work for six bridges within the City of Moreno Valley. Four of these bridges, John F. Kennedy Drive Bridge, west of Kitching Street (Bridge No.56C0332), the Oleander Flood Control Channel Bridge at Perris Boulevard (Bridge No. 56C0511), the Krameria Street Bridge (Bridge No. 56C0396), and the Perris Valley Storm Drain Bridge at Perris Boulevard (Bridge No. 56C0464), received Methacrylate deck treatment to seal cracks. Also included in the maintenance work was the repair of a masonry wall at the Moreno Beach Drive Storm Drain Channel Bridge (Bridge No. 56C0419). Additionally the project replaced an approach metal beam guard railing and repaired a bridge rail at the Redlands Boulevard Overcrossing at SR-60 (Bridge No.56C0488).

There was one Contract Change Order for this project. Contract Change Order No. 1 (FINAL) decreased the contract total by ($10,360.16). The final contract total cost was $81,224.84, which did not exceed the $114,481.00 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706; direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706; do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; do not authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Proposition 1B (Fund 226) monies. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. **There is no impact to the General Fund.**

AVAILABLE BUDGET:
Fiscal Year 2009/2010 Budget (Account No. 226.79828)..... $258,000

FINAL CONSTRUCTION RELATED COSTS:
Contractor Construction Cost $81,000
Project Administration, Design Support, Testing and Inspection $35,000
Miscellaneous Costs..... $1,000
Total Construction-related Costs $117,000

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

Peterson-Chase has completed the Citywide Bridge Maintenance Program project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Peterson-Chase, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Vicinity Map

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

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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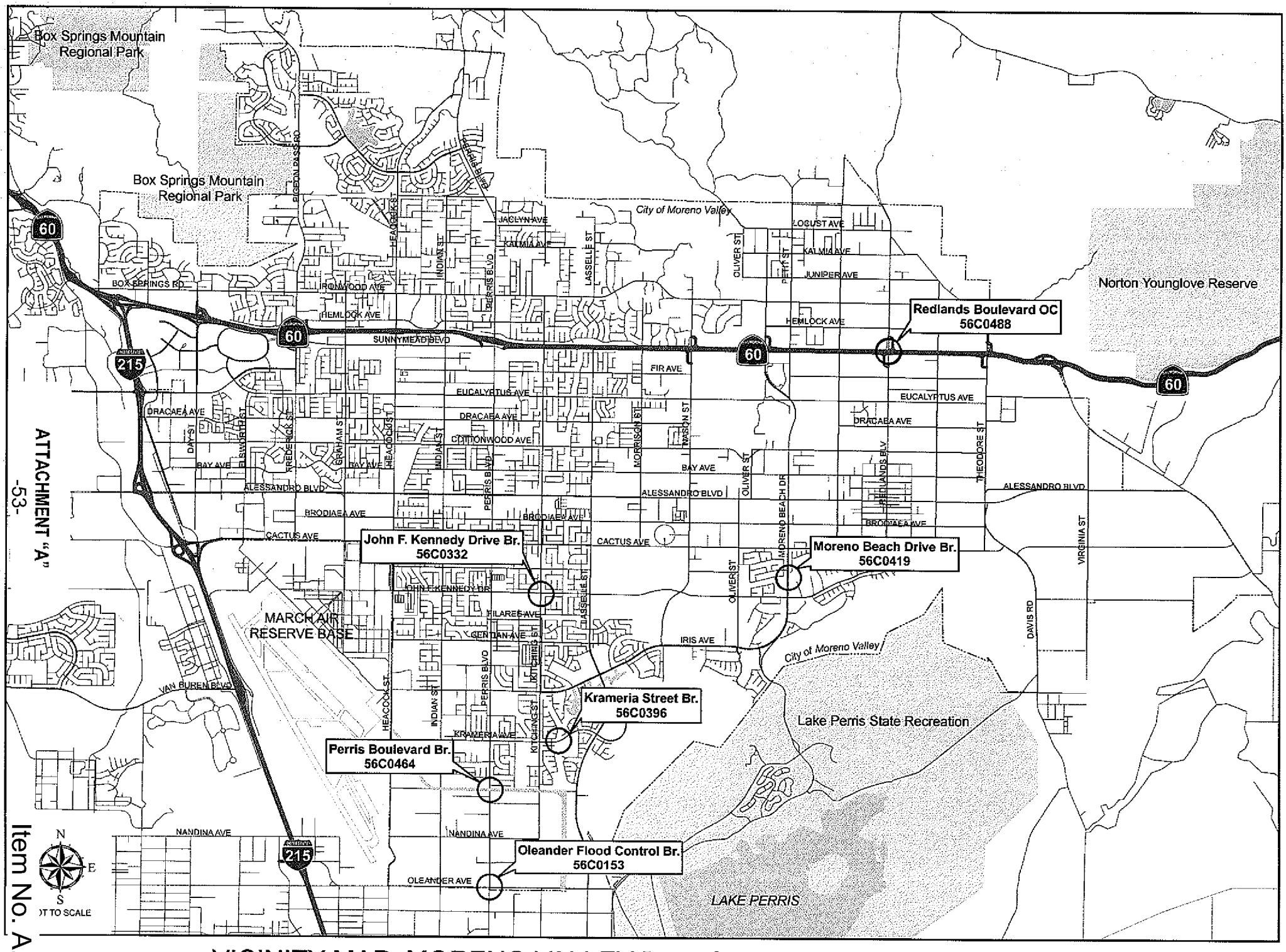

VICINITY MAP: MORENO VALLEY BRIDGE MAINTENANCE PROGRAM

ATTACHMENT "A"

Item No. A.7

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MV00054361

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 11, 2010

TITLE: Resolution to join ICLEI as a full member and pledge to take a leadership role in promoting public awareness about the causes and impacts of climate change.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **Approve** Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

ICLEI-Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development. The organization also provides technical information on measuring and reducing greenhouse gases, including a model for organizational and community-wide greenhouse gas inventories. Locally, the cities of Riverside, Murrieta, Temecula, Lake Elsinore, and Palm Springs are members of ICLEI.

Membership in ICLEI would require the City to commit to five milestones to reduce both greenhouse gas and air pollution emissions throughout the community as follows:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress;

Local government actions taken to reduce greenhouse gas emissions and increase energy efficiency have provided multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures and saving money for the local government, its businesses and its residents.

DISCUSSION

The City has adopted a number of energy and water saving initiatives that have and will continue to reduce the level of greenhouse gases that would otherwise be emitted in the City. Examples of City initiatives are alternative energy incentives offered by Moreno Valley Utilities, the recently adopted water wise landscape ordinance, the use of LED lighting in traffic signals and activities related to the City's membership in the Riverside County Clean Cities Coalition and Community Energy Partnership. The reduction in greenhouse gases is also greatly affected by State and Federal regulations related to building standards, truck diesel emission standards and passenger vehicle mileage standards, and incentives for alternative energy.

The City has received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce City organization and community-wide energy use and consequently greenhouse gas emissions, including an Energy Efficiency and Climate Action Strategy. One of the initiatives is to conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction. The five milestones required for ICLEI membership will be addressed by the Strategy.

The greenhouse gas emissions inventory and forecast work products are intended to provide the basis for a coordinated City effort to address resource efficiency for the City as an organization and the community as a whole.

ICLEI will provide the following support to City Staff:

- Regular notice of new publications and tools, grant opportunities, and progress being made by other Member jurisdictions

- ICLEI's key climate resources including the Milestones Guide, software access and technical trainings, data collection forms for conducting the emissions inventory, and other publications to assist with emissions reduction planning and related climate protection activities

- Invitations to ICLEI regional, national and international workshops and events
- Registration discounts and, when available, travel and lodging subsidies for ICLEI workshops and events
- Contact with US and international ICLEI Members and liaisons
- Resource recommendations outside of ICLEI
- Support in publicizing climate protection successes such as talking points and customizable press releases
- Ongoing technical assistance and support as the jurisdiction progresses in its work

The above-referenced activities will provide valuable information to assist in the preparation of the City's Energy Efficiency & Climate Action Strategy.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Deny the proposal.

FISCAL IMPACT

Membership dues are based on City population. The City of Moreno Valley falls within the 100,001 – 200,000 population category and membership dues are $1,750. The membership fees will be paid from the Energy Efficiency and Conservation Block Grant program account (229.80512).

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Membership in ICLEI will provide assistance in the preparation of the City's Energy Efficiency & Climate Action Strategy. The greenhouse gas emissions inventory and forecast will determine the source and quantity of greenhouse gas emissions in the City and are intended to provide the basis for a coordinated City effort to address resource

efficiency for the City as an organization and the community as a whole.

NOTIFICATION

Not applicable.

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-30

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle A. Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

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

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE

WHEREAS, scientific consensus has developed that carbon dioxide (CO_2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, the 2007 Fourth Assessment Report from the Intergovernmental Panel on Climate Change (IPCC) states that it is very likely that most of the observed increases in globally averaged temperatures since the mid-20th century are due to human-induced greenhouse gas emissions; and

WHEREAS, in 2006 the U.S. National Climatic Data Center confirmed clear evidence of human influences on climate due to changes in greenhouse gases; and

WHEREAS, the U.S. Conference of Mayors endorsed the 2005 U.S. Mayors' Climate Protection Agreement initiated by Seattle Mayor Nickels and signed by more than 900 mayors in the United States as of March 2009; and

WHEREAS, the Urban Environmental Accords adopted by local government delegates during UN World Environment Day 2005 call for reduced emissions through energy efficiency, land use and transportation planning, waste reduction, and wiser energy management; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth's climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem likely due to human activities; and

WHEREAS, the 2000 U.S. Global Change Research Program's (USGCRP) First National Assessment indicated that global warming has begun; and

WHEREAS, 162 countries including the United States pledged under the United Nations Framework Convention on Climate Change to reduce their greenhouse gas emissions; and

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, ICLEI – Local Governments for Sustainability is a membership association of local governments committed to advancing climate protection and sustainable development;

Section 1

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE TO JOIN ICLEI AS A FULL MEMBER AND PLEDGES TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE.

Section 2

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY AGREES TO UNDERTAKE ICLEI'S FIVE MILESTONES TO REDUCE BOTH GREENHOUSE GAS AND AIR POLLUTION EMISSIONS THROUGHOUT THE COMMUNITY, AS FOLLOWS:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress; and

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ requesting assistance from ICLEI as it progresses through these milestones.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE
PROJECT NO. 08-12585523

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

BACKGROUND

The Street Improvement Program (SIP) for conversion of private streets to public streets is a multi-year Capital Improvement Program to facilitate construction of selected streets. The streets to be improved are selected from a list of streets demonstrating the

need for improvement per established review criteria for public road, utility, and public service purposes.

The City Council approved the Fiscal Year 2009/2010 Capital Improvement Plan Budget with the following streets listed for improvements in the SIP: Partida Drive, from Juniper Avenue to Carillo Court, Carillo Court from west end to east end, and Kimberly Avenue, from Wilmot Street to Redlands Boulevard. Partida Drive and Carillo Court are graded unpaved roads with some rock materials for a driving surface. Kimberly Avenue is partially paved with deteriorating asphalt concrete. When the project construction is complete, the streets will be paved with twenty-four (24) feet (two lanes) of asphalt concrete.

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In March 2010, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

DISCUSSION

This project is part of the City's ongoing SIP. The project will include street reconstruction, drainage, driveways, mailbox relocation, and roadway striping. The program work includes acceptance of the right-of-way, construction of the street improvements, and acceptance of the streets into the City's maintained road system. This project was determined as a Class 1 Categorical Exemption (CE) pursuant to Section 15301 of the State CEQA Guidelines. The project will improve the following three (3) streets:

STREET NAME	FROM	TO
Partida Drive	Juniper Street	Carillo Court
Carillo Court	west end	east end
Kimberly Avenue	Wilmot Street	Redlands Boulevard

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 1:00 p.m., on April 6, 2010, for the subject project. The eight (8) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**C & C Grading & Paving, Inc.**	**$194,663.90**
2.	All American Asphalt	$202,000.00
3.	KAD Paving Company	$202,785.00
4.	International Paving Services, Inc.	$207,973.00
5.	Cooley Construction, Inc.	$272,854.50
6.	PALP, Inc., dba Excel Paving Company	$274,767.20
7.	Vance Corporation	$278,660.00
8.	Elite Bobcat Services, Inc.	$287,052.00

Engineer's Estimate $196,210.00

Staff has reviewed the bid by C & C Grading & Paving, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by C & C Grading & Paving, Inc. in their bid.

The project was bid on the basis of a Base Bid and one (1) Additive Bid. The Base Bid includes Partida Drive, and Carrillo Court, and Additive Bid "A" includes Kimberly Avenue. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Bid. Staff recommends, and this Report reflects, the award of the Contract to cover all three (3) streets, the Base Bid plus the Additive Bid "A" option.

ALTERNATIVES

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder, authorize the City Manager to execute a contract with C & C Grading & Paving, Inc. in the form attached hereto, authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder, do not authorize the City Manager to execute a contract with C & C Grading & Paving, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and will be financed by Measure A funds (Fund 125). The funding for this project is restricted to capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE CONSTRUCTION FUNDS IN STREET IMPROVEMENT PROGRAM (SIP):

Fiscal Year 2009/2010 (Account No. 125.85523)	$307,000
Expenditures in Fiscal Year 2009/2010	$17,000
Total Available Funds in Fiscal Year 2009/2010	**$290,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 15% contingency)	$224,000
Construction Surveying Costs	$16,000
Construction Geotechnical Costs	$8,000
Project Administration and Inspection Services	$35,000
Total Estimated Construction Related Costs	**$283,000**

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	May 2010
Start Construction	June 2010
Complete Construction	October 2010

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Partida Drive, from Juniper Avenue to Carillo Court, Carillo Court from west end to east end, and Kimberly Avenue, from Wilmot Street to Redlands Boulevard will be improved as part of the Fiscal Year 2009/2010 SIP. The project will include street reconstruction, drainage, driveways, mailbox relocation, and roadway striping.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement – C & C Grading & Paving, Inc.

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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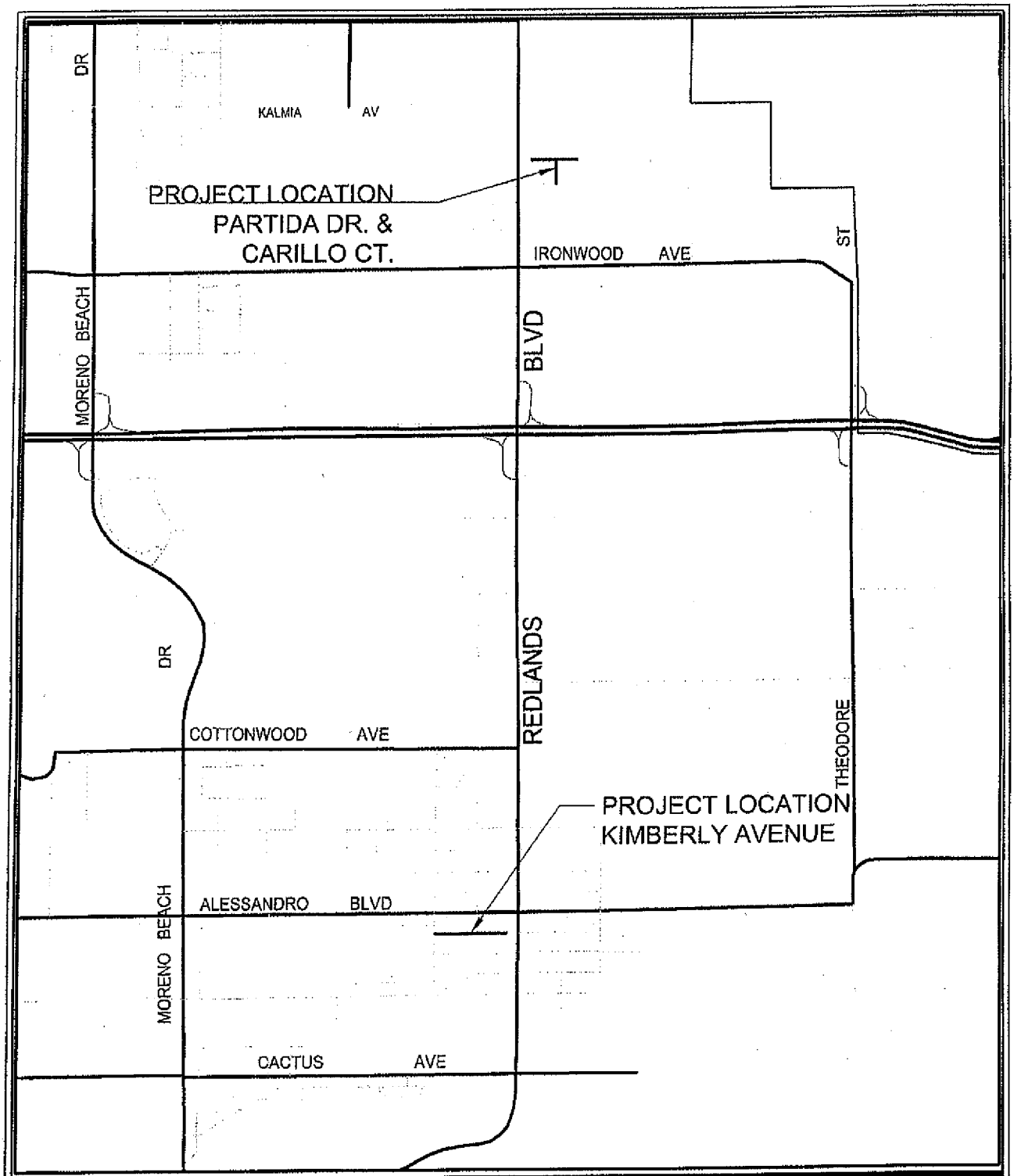

Public Works Department Capital Projects Division	LOCATION MAP
Scale: None Attachment "A"	PROJECT NO. 08-12585523 STREET IMPROVEMENT PROGRAM PARTIDA DR., CARILLO CT., & KIMBERLY AVE.

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MV00054377

Agreement No._____

AGREEMENT

PROJECT NO. 08-12585523

STREET IMPROVEMENT PROGRAM
Partida Drive from Carillo Court to Juniper Avenue,
Carillo Court, and
Kimberly Avenue from Wilmot Street to Redlands Boulevard

THIS Contract Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **C & C Grading & Paving, Inc.** hereinafter called the "Contractor."

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

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **none**, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$194,663.90,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **Sixty (60) working days** if only the Base Bid Items are awarded or **Ninety (90) working days** if the Base Bid Items and the Additive Bid A Items are awarded, after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

Attachment "B"

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $500.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

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

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 08-12585523

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

(Name of Contractor)

License No./
Classification: _____
Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

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CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

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

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

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

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 08-12585523

STREET IMPROVEMENT PROGRAM
Partida Drive from Carillo Court to Juniper Avenue,
Carillo Court, and Kimberly Avenue from Wilmot Street to Redlands Boulevard

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **C & C Grading & Paving, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 08-12585523**, is hereby referred to and made a part hereof; and

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

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

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

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

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 08-12585523

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 2010.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____2010

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

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

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

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

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

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

INSTRUCTIONS FOR COMPLETING THIS FORM

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

MV00054387

BOND NO._____

PREMIUM $_____

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

PROJECT NO. 08-12585523

STREET IMPROVEMENT PROGRAM
Partida Drive from Carillo Court to Juniper Avenue,
Carillo Court, and Kimberly Avenue from Wilmot Street to Redlands Boulevard

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **C & C Grading & Paving, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 08-12585523**, is hereby referred to and made a part hereof; and

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

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

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

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

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 08-12585523

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 2010.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____2010

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

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

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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

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MV00054391

A10. ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

MV00054393

MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00054395

MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00054397

MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00054399

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: May 11, 2010

TITLE: PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan and,
2. Approve the proposed 2010/11 Annual Action Plan.

BACKGROUND

Every year the Department of Housing and Urban Development (HUD) allocates federal grant monies to the City of Moreno Valley for use in programs that provide decent housing and/or expand employment opportunities for low-to-moderate income persons (see Attachment A for the 2009 Income Limit table). These grants are known as Community Development Block Grant (CDBG) and the HOME Investment Partnership Program (HOME).

Grants are provided on an annual basis to Entitlement Cities (eligible, selected cities with a population exceeding 50,000), with allocation amounts varying each year based on a formula that considers the extent of poverty, population, housing overcrowding, the age of housing and the population growth lag in relationship to other metropolitan areas. Moreno Valley has been classified by HUD as an Entitlement City since 1995.

In accordance with HUD requirements, CDBG Target Areas must be established so that Entitlement Cities may concentrate their programs in areas determined to contain at least

51% of residents earning low-to-moderate incomes. For a map of the CDBG Target Areas see Attachment B.

HUD requires Entitlement Cities (such as Moreno Valley) to prepare a Consolidated Plan that directs CDBG activities for a five year period. FY 2010/11 marks the third year of the City's FY 2008-2013 Consolidated Plan. Entitlement Cities also adopt Annual Action Plan updates of the Consolidated Plan each year. The Annual Action Plan more specifically identifies the activities for which the City will allocate both CDBG and HOME funds for the upcoming program year. This staff report requests that the City Council conduct a Public Hearing to review and adopt the Annual Action Plan for FY 2010/11, which must be received by HUD no later than May 13, 2010.

Eligible CDBG grant activities can range from social services to capital improvements to economic development programs. HOME funds must be used toward the development of affordable housing projects. Attachment C details eligible and ineligible activities for both programs.

In past years, the City of Moreno Valley has used CDBG to fund a variety of eligible programs including capital improvement projects, code enforcement activities, social service programs, and economic development programs. CDBG regulations allow Entitlement Cities to dedicate up to a maximum 15% of their annual CDBG allocation to the provision of social services. Social services can include but are not limited to the following:

- Homeless and Emergency services,
- Programs for elderly, disabled, or youth,
- Public safety/crime prevention services, or
- Specialized counseling and treatment.

Social services can be provided directly by the Entitlement City or CDBG social service funds can be granted to certified non-profit organizations (known as sub-recipients) to provide the desired services or programs.

DISCUSSION

At the City Council meeting of March 23, 2010, staff proposed subrecipients based on an estimated budget. On March 31, 2010 HUD released the actual grant allocations. The City of Moreno Valley's CDBG allocation for FY 2010/11 is $1,941,611. This is an increase of $147,694 from last year. In addition there is $505,000 in project savings from last fiscal year, for a total budget of $2,446,611 in the CDBG program for FY 2010/11.

Attachment D is the proposed Annual Action Plan for Fiscal Year 2010/11. The Annual Action Plan details the specific projects and allocated funding for the upcoming program year. In conformance with HUD requirements, the Annual Action Plan was made available for public review from April 8, 2010 through May 8, 2010. To date, there have been no public comments received. Any public comments received will be incorporated into the Action Plan as an attachment. The following tables detail the funding allocations approved by the City Council at the March 23, 2010 Public Hearing. These allocations are included in the Annual Action Plan and will be approved once the document is adopted.

2010/11 CDBG PROGRAMS AND BUDGET

The goal of the CDBG Program is to respond to the needs of low and moderate income persons and neighborhoods. The CDBG program administration is subject to a cap of 20% of the total CDBG allocation. In addition, CDBG social service activities are capped at 15% of the total allocation. The anticipated budget and funding allocations are shown in the following tables.

CDBG PROGRAM BUDGET

Funding Category	*Funding Allocation*
2010/11 CDBG Allocation	$1,941,611
Unallocated funds from previous years savings*	$505,000
TOTAL AVAILABLE CDBG FUNDS	$2,446,611
Program Administration (20% maximum of annual grant)	$388,322
Public Social Services (15% maximum of annual grant)	$291,241
Facilities	$50,000
Rehabilitation	$10,000
Code Enforcement	$396,407
Economic Development	$805,641
TOTAL PLANNED CDBG BUDGET	$1,941,611

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Projects and $55,000 in projected savings from 2009/10 administrative activities

1) CDBG PROGRAM ADMINISTRATION

HUD limits program administration costs to twenty percent (20%) of the annual CDBG allocation. The FY 2010/11 cap for program administration is $388,322. Funding under this category provides for program management by Economic Development Department staff and Fair Housing Services (required by HUD). The Fair Housing Services are free to the public and include: community education on fair housing rights and responsibilities, investigation of public complaints and discriminatory practices, and landlord/tenant mediation.

2) SOCIAL SERVICES

Social services are subject to a fifteen percent (15%) maximum limit of the annual CDBG allocation. The maximum social service cap for 2010/11 is $291,241.

FY 2010/11 recommendations encompass a wide range of programs and services including: 1) public safety services; 2) emergency and transitional shelter for

homeless families; 3) youth services; 4) emergency food distribution; and 5) youth career development programs. The projects listed in Attachment E reflect the community priorities adopted by the City Council on January 12, 2010 and programs the City Council approved for funding at the March 23, 2010 Public Hearing. It also includes funding recommendations for an additional $22,292 in social service funding made available after HUD released the FY 2010/11 allocations. Staff is recommending that the additional dollars be applied first to successful programs that experienced slight reduction from last years allocation due to limited funding such as CAP and Moreno Valley Educators (the programs have now been increased back to the full level they were at last fiscal year). Staff is also recommending increasing the allocation to programs with high demand due to the economy and those whose funding request initially could not be accommodated, such as the one-on-one foreclosure mitigation counseling program offered by the Fair Housing Council of Riverside. Additional recommendations include: 1) increasing the Neighborhood Clean-Up Program from $13,350 to $15,000, 2) increasing the Salvation Army Food Program from $4,600 to $5,000, 3) funding the Riverside County Volunteer Center '211' (telephone referral) Program in the amount of $5,000, and 4) enhancing the Problem Oriented Policing Program funding from $25,000 to $28,241.

3) PUBLIC FACILITIES

In an alliance with Arbor Education and Training, the City is proposing to assist in the establishment of a Youth Opportunity Center (YOC) in the City's CDBG Target Area. The Center will require approximately 4,000 sq. ft. of space where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. Arbor presently operates two other YOC's through Riverside County. The proposed $50,000 in CDBG funding would be used for help in leasing a building and/or for needed tenant improvements. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.

4) REHABILITATION

CDBG regulations allow for specific housing rehabilitation activities. The additional funding received under the CDBG allocation have enabled staff to recommend funding of the Habitat for Humanity 'Helping Hands' Mobile Home Rehabilitation Program. This program provides for the supplies and materials that volunteers shall use to help eligible low income households make exterior improvements to their mobile homes. The program was designed to provide assistance mainly to elderly or disabled persons whom are unable to maintain the exterior of their property and are facing penalties that could lead to eviction. Staff feels this program will supplement the City's existing Mobile Home Grant Program by relieving it of having to subsidize less critical exterior repairs (which are often general clean-up or

cosmetic) and instead focus grant dollars on the more expensive code related improvements.

5) CODE ENFORCEMENT

City code enforcement is an important service partially funded by CDBG. The Code Compliance officers provide proactive code compliance within the CDBG-designated Target Areas. Staff is recommending maintaining general Code Enforcement and the 'Foreclosure Strike Team' at its current funding level to allow continued foreclosure enforcement efforts on bank-owned properties.

Staff is also recommending that a portion of the monies from the final allocation be used toward funding Fire Prevention Division's Neighborhood Improvement Task Force. This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family properties in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing.

6) ECONOMIC DEVELOPMENT

a. Small Business Counseling Services

Funding is recommended for Small Business Counseling Services. The Inland Empire Small Business Development Center (SBDC) provides one-on-one counseling services, workshops and seminars free of charge to Moreno Valley businesses. In 2010/11, SBDC plans to enhance their services by offering classes on utilizing accounting and financial management software.

b. Employment Resource Annex

Continued funding is recommended for the Employment Resource Center. The Employment Resource Center is an office located in the Towngate Center where unemployed or under-employed Moreno Valley residents are able to utilize computers and other standard office equipment to access the internet to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment free of charge. The Center also partners with major employers either in or locating to the City to conduct employment recruitments. Due to popular demand, an expansion is being planned for the upcoming fiscal year. An additional 20 computers, classroom space, and career coaching services, will be added to enhance the existing facility and allow it to serve more residents.

c. Moreno Valley New Business Incentive Program

Continued funding is recommended for the New Business Incentive Program intended to incentivize the attraction of businesses to Moreno Valley. HUD

allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income level persons) and the boosting of sales tax revenues. Several major retailers have utilized this program.

d. Family Service Association Meal Program Facilities

A local non-profit Family Services Association plans to construct a kitchen facility in the City's CDBG Target Area where meals will be prepared for its local meals and nutrition programs including for the participants of its many daycare centers in the community. The facility will also provide needed storage capability for FSA's day care centers, which are being expanded in Moreno Valley including two more in the target area. The proposed $50,000 in CDBG funding would be used for assistance in acquiring a building for the site, and in lieu of the City's CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.

e. 'Lord's Gym'

The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet in today's world by focusing on sports programs. The facility offers a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring. A new facility shall open in an 11,000 sq. ft. space located in the Canyon Springs Plaza. The proposed $20,000 in CDBG funding would be used for tenant improvements, and in lieu of the City's CDBG assistance the 'Lord's Gym' must create or retain a minimum of one full time permanent job which are held by or made available to low and moderate income level person.

2010/11 HOME PROGRAMS AND ESTIMATED BUDGET

The City will receive a HOME program allocation of $666,589 in FY 2010/11. This is an increase of $145 from the previous year. In addition, there is $23,000 in previous year project savings, providing a total budget of $689,589 in HOME funds for the upcoming program year.

The HOME Program generally funds city-sponsored programs and projects. Program administration has a cap of 10% of the total HOME allocation. In addition, a minimum of 15% of the funds must be used by a Community Housing Development Organization (CHDO) to increase the supply of affordable housing for low-income families. The anticipated HOME budget and funding allocation is shown in the following table.

HOME PROGRAM BUDGET

Funding Category	*Funding Allocation*
2010/11 HOME Allocation	$666,589
Unallocated funds from previous year savings	$23,000
TOTAL AVAILABLE HOME FUNDS	**$689,589**
Program Administration (maximum 10% of allocation)	$66,659
FY 09/10 CHDO (required 15% of allocation)	$99,988
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,942
TOTAL ALLOCATION OF HOME FUNDS	**$689,589**

2010/11 RECOMMENDED HOME PROJECTS AND PROGRAMS

1) HOME PROGRAM ADMINISTRATION

Program Administration costs are subject to a ten (10%) cap. Grant funding under this category provides for project management by Economic Development staff.

2) COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-A-SIDE

HUD mandates that a minimum of fifteen (15%) of HOME funds be allocated toward affordable housing projects to be undertaken by qualified CHDOs. Over FY 10/11 $99,988 must be allocated to CHDO-directed projects for potential affordable housing development. Staff will bring recommendations for CHDO allocation to the City Council later in the year.

3) HOME IMPROVEMENT LOAN PROGRAM (HILP)

The HILP program provides deferred loans for homeowner-occupants to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, provide for adequate handicap accessibility (if needed), and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.

4) MOBILE HOME GRANT

The City's Mobile Home Grant program provides a $10,000 maximum grant to rehabilitate income-eligible owner-occupied mobilehomes that are located in an established Moreno Valley mobilehome park from which a space is being rented. For FY 10/11, staff recommended an increase to the program funding to help further address health and safety related code issues.

5) MULTI-FAMILY AFFORDABLE HOUSING

Funding is being reserved for future multifamily affordable housing project opportunities that may arise during FY 10/11.

ALTERNATIVES

Alternative 1 – Staff recommends that the City Council conduct a public hearing to provide the public with an opportunity to comment on the proposed Annual Action Plan and adopt the Annual Action Plan for Fiscal Year 2010/11. **Staff recommends this alternative.**

Alternative 2 – Do not approve the Annual Action Plan for Fiscal Year 2010/11. **Staff does not recommend this alternative because it would result in a failure to meet the HUD deadline for submission of this document.**

FISCAL IMPACT

Available CDBG funds for FY 2010/11 total $1,941,611. These funds will provide funding for a variety of improvements and services. The total of HOME funds available is $666,589. These funds will provide funding for affordable housing projects. Together, the CDBG and HOME programs will afford a variety of affordable housing and neighborhood preservation efforts in Moreno Valley. The following represent the budgets for the two funds – CDBG and HOME[1].

Fund	Business Unit No/Name	Amounts
	CDBG Account	$1,941,611
285	73852 CDBG Administration	
289	73952 CDBG Programs	
285	74052 Code and Neighborhood Enforcement	
176	77110 - HOME	$666,589

The proposed program funding selections have NO impact on the City's General Fund. CDBG funding must be used for eligible activities in Target Areas that contain at least 51%

[1] This report features the 2010/11 annual budget for CDBG and HOME with actual allocation amounts released on March 31, 2010. Total program budgets will include carry over funds not featured in this report. Funding accounts shown are where the final allocations (future monies) will be applied.

of residents earning low to moderate incomes. Eligible programs or projects must meet one of three HUD national objectives, in accordance with City Council adopted community priorities.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

CDBG and HOME funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY

Many of the proposed CDBG and HOME projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT

A positive environment for the development of Moreno Valley's future will be created through a variety of community-based CDBG and HOME programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS

CDBG and HOME programs such as: Code Enforcement, Neighborhood Policing, Public Infrastructure Improvements and Housing Rehabilitation will help to preserve, rehabilitate and improve existing neighborhoods.

SUMMARY

HUD requires that grantee Entitlement Cities such as Moreno Valley, prepare an Annual Action Plan for the Community Development Block Program. The Annual Action Plan details the activities and projects the City will undertake in Fiscal Year 2010/11 using CDBG and HOME grant funds. The Annual Action Plan must be submitted to HUD no later than May 13, 2010.

The City Council established CDBG funding priorities at the January 12, 2010 meeting. At the March 23, 2010 Public Hearing, Council reviewed funding recommendations made by staff and the 2010 CDBG Technical Review Committee for the 2010/11 CDBG and HOME Programs. Staff now recommends that the City Council conduct a public hearing and approve the proposed 2010/11 Annual Action Plan for submittal to HUD.

NOTIFICATION

Notice of this meeting was published in the Press-Enterprise newspaper on April 28, 2010.

ATTACHMENTS/EXHIBITS

ATTACHMENT A	2009 Income Limits
ATTACHMENT B	CDBG Target Area Map
ATTACHMENT C	Eligible/Ineligible Activities
ATTACHMENT D	Annual Action Plan for Fiscal Year 2010/11
ATTACHMENT E	CDBG Funding Allocations FY 2010/11

Prepared By:
Isa Rojas
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

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ATTACHMENT A

2009 INCOME LIMITS

Effective April 2, 2009 – Revised Annually

Neighborhood Preservation Division

Annual Income Level	% of Area Median	Number of Persons In Household							
		1	2	3	4	5	6	7	8
Extremely Low Income	30%	$14,000	$16,000	$18,000	$20,000	$21,600	$23,200	$24,800	$26,400
Very Low Income	50%	$23,300	$26,650	$29,950	$33,300	$35,950	$38,650	$41,300	$43,950
60% Limits (HOME)	60%	$27,960	$31,980	$35,940	$39,960	$43,140	$46,380	$49,560	$52,740
Low Income	80%	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350
Median Income	100%	$45,150	$51,600	$58,050	**$64,500**	$69,650	$74,800	$80,000	$85,150
Moderate Income	120%	$54,200	$61,900	$69,650	$77,400	$83,600	$89,800	$96,000	$102,150

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MV00054411

City of Moreno Valley CDBG Target Areas

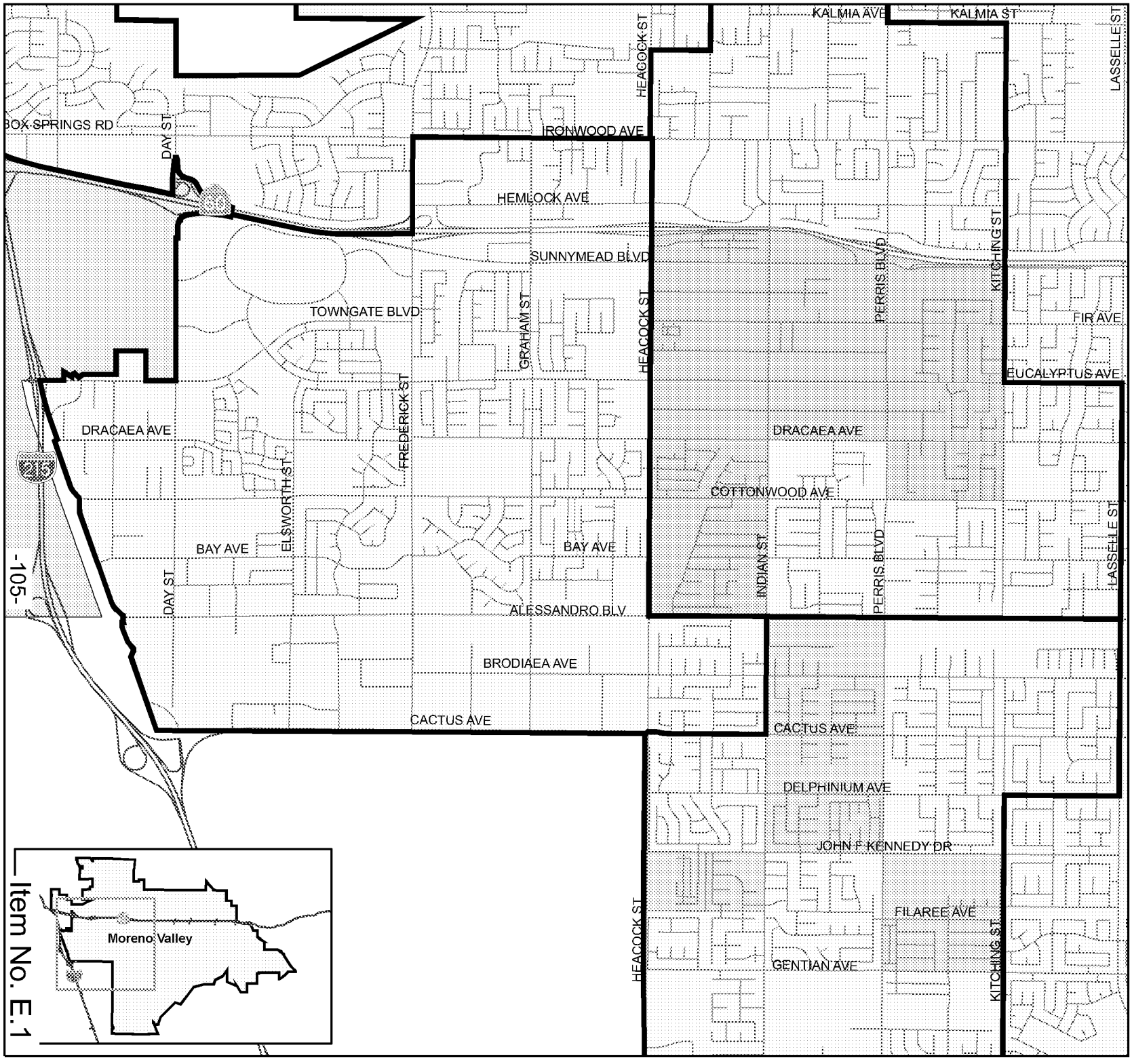

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY
WHERE DREAMS SOAR

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MV00054413

ATTACHMENT C

Eligible CDBG Activities

- Acquisition, design, construction, rehabilitation, or installation of certain publicly owned facilities such as:

  - Parks, playgrounds and recreational facilities.
  - Senior centers, except 24-hour care facilities.
  - Neighborhood facilities.
  - Fire protection facilities and equipment.
  - Parking facilities.
  - Street improvements.
  - Flood, drainage, or sewer facilities.
  - Other improvements vital to a community's development.

- Acquisition of property that is: of historic value; appropriate for beautification or conservation of open spaces; appropriate for low or moderate income housing.
- Clearance and demolition of buildings and land which may be a health hazard to the community. Interim assistance or temporary help to alleviate harmful or dangerous conditions.
- Removal of architectural barriers which restrict the mobility of handicapped persons.
- Rehabilitation and preservation of buildings and improvements, both publicly and privately owned.
- Code enforcement in designated target areas.
- Historic preservation activities.
- Eligible economic development activities.
- Eligible planning and environmental design costs.
- Public services including, but not limited to: fair housing activities, public safety services, homeless services, senior citizen services, educational programs, youth services, drug abuse counseling & treatment and recreation programs.

Ineligible CDBG Activities

- Buildings for the general conduct of government, such as city halls, courthouses, and police stations.
- Stadiums, sports arenas, auditoriums, museums and central libraries
  (Note: branch libraries may be built in CDBG Target Areas).
- Purchase of equipment such as construction equipment, fire protection equipment, furnishings, and personal property.
- Schools
- Airports, subways, bus or other stations.
- Hospitals, nursing homes, and other medical facilities.
- Treatment works for liquid industrial wastes or sewage.
- Expenses of general government for operation and maintenance of public facilities.
- Political activities.

- Direct income payments to residents.

Eligible HOME Activities

- Incentives provided by Participating Jurisdictions (the City of Moreno Valley is a Participating Jurisdiction) to develop and support affordable rental housing and homeownership affordability through acquisition, new construction, reconstruction, or rehabilitation of non-luxury housing (including manufactured housing).
- Operating expenses and capacity building costs for eligible Community Housing Development Organizations (CHDO).
- Eligible administrative and planning costs.

Ineligible HOME Activities

- Project reserve accounts or operating subsidies.
- Tenant-based rental assistance for the special purposes of the Section 8 program.
- To provide non-federal matching contributions.
- To provide assistance to annual contributions for the operation of public housing.
- Modernization of public housing.
- Prepayment of low-income housing mortgages.
- Assistance to a project previously assisted with HOME funds during the period of affordability.

Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME)

Annual Action Plan 2010-2011

July 1, 2010 through June 30, 2011

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

SECTION 1 – INTRODUCTION

The Economic Development Department is the lead agency in developing the Consolidated and Annual Action Plans for the City of Moreno Valley. The Annual Action Plan addresses the City's plan for use of Community Development Block Grant ("CDBG") and Home Investment Partnership ("HOME") Funds during the 2010/11 Fiscal Year from July 1, 2010 through June 30, 2011. The Annual Action Plan is based upon the approved 2008-2013 Consolidated Plan prepared for both programs. The Annual Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

The Action Plan provides a basis for assessing performance. It outlines programs for the upcoming program year as well as the proposed accomplishments over the five-year period of the Consolidated Plan. At the end of the program year a Consolidated Annual Performance and Evaluation Report (CAPER) provides information on the annual programmatic accomplishments.

The overall goals of the CDBG and HOME Programs, as included in the Consolidated Plan, are to develop viable urban communities by providing (1) decent housing, (2) a suitable living environment and (3) expanded economic opportunities principally for low and moderate-income persons.

(1). *Decent housing* includes assisting homeless persons, retention of the affordable housing stock, increasing the availability of permanent housing in standard condition and affordable cost to low-income and moderate-income persons.

(2). A *suitable living environment* includes improving the safety and livability of neighborhoods, increasing access to quality public and private facilities and services, and the revitalization of deteriorating or deteriorated neighborhoods.

(3). *Expanded economic opportunities* includes job creation and retention, as well as establishment, stabilization and expansion of small businesses.

The primary means towards this end is to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing.

MORENO VALLEY
WHERE DREAMS SOAR

SECTION 1 – INTRODUCTION
EXECUTIVE SUMMARY

CONSOLIDATED PLAN

Moreno Valley's Consolidated Plan is a comprehensive five-year strategy that addresses the use of Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Grant funds to meet decent housing, suitable living environment, and expanded economic opportunity goals for low- and moderate-income city residents.

ANNUAL ACTION PLAN

The Annual Action Plan identifies specific projects, programs, and resources that will be implemented during the program year with CDBG and HOME Grant funds, consistent with the Consolidated Plan. In fiscal year 2010/11, the City of Moreno Valley will be receiving approximately $1,941,611 in new CDBG funds, and $666,589 in HOME funds. These funds will be used to support housing and community development activities.

Activities meeting Consolidated Plan goals fit into one or more of the following strategies:

- Homeless Strategy
- Special Needs Strategy
- Housing/Fair Housing Strategy
- Community and Economic Development Strategy

For each strategy identified in the Consolidated Plan, a list of activities, resources available, and goals are provided for the upcoming program year.

The Action Plan also addresses other actions such as the anti-poverty strategy, institutional structure to carry out the activities, coordination with other agencies, public housing, a monitoring plan and plans for meeting underserved needs.

Additionally, as part of the grant requirements, a form application SF 424 is included as well as a Citizen Participation Plan, public comments received and required certifications by the City.

PERFORMANCE MEASUREMENT SYSTEM

A Performance Measurement System was developed by the City of Moreno Valley as requested by HUD in September 2003. This system will be used to evaluate the effectiveness of HUD CPD program funds in meeting community needs. Attachment H details specific performance measurements for each program receiving CDBG and HOME funds during FY 2010/11.

GEOGRAPHIC DISTRIBUTION & CDBG TARGET AREAS

Moreno Valley's CDBG Target Areas encompass some of the oldest areas in the city. The City's CDBG Target Areas generally include neighborhoods identified locally as Edgemont, Central Sunnymead, Eastgate and Warner Ranch. Significant portions of the target areas lack adequate infrastructure such as curbs, gutters, street improvements, sidewalks, water and sewer lines, storm drains, and street lighting. The majority of proposed projects are distributed within the CDBG target areas, because these areas have the greatest concentrations of low-and moderate-income individuals. Other projects such as the Redevelopment (RDA) Agency's housing programs target low- and moderate-income individuals citywide.

SECTION 1 – INTRODUCTION
AVAILABLE RESOURCES

The City of Moreno Valley will utilize a variety of Federal, State, and local funding sources to achieve the community and housing priorities identified. Specific funding resources will be utilized based upon availability, opportunities, and constraints of each particular project or program.

The City is committed to utilizing each funding source to its highest and best use. Therefore, the City will leverage the resources identified in this section to facilitate various programs and projects. Specific resources available to address the needs identified in the plan are included under the Annual Action Plan Section.

The following includes a description of both the resources the City currently uses and those for which funding may be pursued.

Federal Resources

Community Development Block Grant Program (CDBG)

Moreno Valley receives an annual CDBG allocation to meet the following three broad national objectives:

- Benefit to low and moderate income households;
- Removal of slum or blight; or
- Meet urgent community needs.

Approximately 90% of the funding has been used to benefit persons of low and moderate income. Programs and projects funded generally include public services, code compliance activities, and economic development activities. The City's grant allocation available for fiscal year 2010/11 is $1,941,611. Table 1-A details the available CDBG funds. Table 1-B details the allocations for FY 2010/11.

TABLE 1-A
FY 2010/11 CDBG AVAILABLE FUNDING

Funding Category	Funding Allocation
2010/11 CDBG Allocation	$1,941,611
Unallocated funds from previous years savings*	$505,000
TOTAL AVAILABLE CDBG FUNDS	$2,446,611
Program Administration (20% maximum of annual grant)	$388,322
Public Social Services (15% maximum of annual grant)	$291,241
Facilities	$80,000
Rehabilitation	$10,000
Code Enforcement	$396,407
Economic Development	$805,641
TOTAL PLANNED CDBG BUDGET	$1,941,611

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Projects and $55,000 in projected savings from 2009/10 administrative activities

TABLE 1-B
CDBG FUNDING ALLOCATIONS FY 2010/11

ADMINISTRATION (20% CAP - $388,322)	
CDBG Program Administration	$338,869
Fair Housing Services	$49,453
SOCIAL SERVICES (15% CAP - $291,241)	
Community Foreclosure Prevention Workshops	$44,000
Community Assistance Food Program (CAP)	$30,600
Friends of the Moreno Valley Senior Center (MoVan)	$30,000
Moreno Valley Police Dept., Problem Orienting Policing (POP) Team	$28,241
Fair Housing Council of Riverside County – Foreclosure Prevention / Mitigation	$25,000
Lutheran Social Services Transitional Center (MARB)	$15,000
Path of Life Ministries King Hall Family Shelter (MARB)	$15,000
PW Enhancement Center – Emergency & Homeless Services	$15,000
Neighborhood Clean-up Program	$15,000
Assistance League of Riverside - Operation School Bell	$10,000
CASA for Riverside County	$10,000
God's Helping Hand Ministries Food Program	$9,000
Operation Safehouse Shelter for Youth	$8,000
Alternatives to Domestic Violence - Prevention and Outreach Program	$7,500
Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
Moreno Valley Community Educators - Tutoring Program	$6,400
Salvation Army Food Program	$5,000
Volunteer Center '211' Program	$5,000
FACILITIES	
Youth Opportunity Center	$50,000
REHABILITATION	
Habitat for Humanity Mobile Home Grant Program	$10,000
CODE ENFORCEMENT	
Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
Code Enforcement - Foreclosure 'Strike Team'	$103,017
Fire Prevention 'Improvement Task Force'	$30,000
ECONOMIC DEVELOPMENT	
MV New Business Incentive Program	$540,000
Community Employment Resource Center	$145,641
Small Business Development Center	$50,000
Family Service Association Meal Program Facilities	$50,000
Lord's Gym	$20,000
TOTAL CDBG FUNDING ALLOCATIONS	**$1,941,611**

HOME Investment Partnership Program (HOME)

HOME Investment Partnership funding is provided to the City to:

- assist with affordable rental housing
- promote home ownership through acquisition
- construction,
- reconstruction,
- and/or rehabilitation of affordable housing.

Moreno Valley became an Entitlement City for HOME funds during FY 1995/96.

The City of Moreno Valley's HOME allocation for FY 2010/11 is $666,589. Table 1-C details the estimated HOME funds available for FY 2010/11. Table 1-D details the anticipated funding allocations for program year 2010/11. The funding allocations are for new and continuing projects and programs that will be implemented in FY 2010/11.

TABLE 1-C

FY 2010/11 HOME ESTIMATED FUNDING	
2010/11 HOME Allocation	**$666,589**
Previous Year Un-used and Available Funds	$23,000
Total Available HOME Funds	**$689,589**

* $23,000 in projected savings from 2009/10 administrative activities

TABLE 1-D

HOME FUNDING ALLOCATIONS FY 2010/11	
Program Administration (maximum 10% of allocation)	$66,659
FY 09/10 CHDO (required 15% of allocation)	$99,988
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,942
TOTAL ALLOCATION OF HOME FUNDS	**$689,589**

A. Local Resources

- ***Community Redevelopment Agency of the City of Moreno Valley***

As required by California Redevelopment Law, the Redevelopment Agency expends 20% of its tax increment revenue funding affordable housing projects. RDA (Housing Set-Aside) revenue projections for FY 2010/11 indicate an estimated 20% set-aside funding of $3.8 million.

- ***Homelessness Prevention and Rapid Re-housing Program (HPRP)***

In 2009 the City was provided with a one-time HPRP grant allocation of $732,872 under the American Recovery Re-investment Act of 2009. The purpose of the HPRP grant is

to provide homelessness prevention assistance to households who would otherwise become homeless in the current economic crisis and to rapidly re-house individuals and families who are currently homeless as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42U.S.C. 11302). Moreno Valley has established 6 activities that assist families facing homelessness, including: case management, rent/arrears assistance, security deposit assistance, utility/arrears assistance, legal assistance, and administration.

- ***Community Development Block Grant – Recovery (CDBG-R)***

The City was also provided with a one-time CDBG-R grant valued at $472,872 under the American Recovery Re-investment Act of 2009. Moreno Valley's CDBG-R program establishes 4 projects (plus administration) aimed at stimulating the economy by creating jobs, modernizing infrastructure, and promoting energy efficiency.

- ***Neighborhood Stabilization Program (NSP)***

Under the Housing and Economic Recovery Act (HERA), the City of Moreno Valley received a CDBG allocation of $11,390,116, to formulate the Neighborhood Stabilization Program (NSP) which is designed to stabilize neighborhoods most impacted by foreclosures. The City's NSP Program is comprised of four activities: 1) single family residential acquisition, rehabilitation, and resale (SFR-ARR), 2) multi-family residential acquisition, rehabilitation, and resale (MFR-ARR), 3) Homebuyers Assistance Program (HAP), and 4) Administration. In partnership with selected Development Partners, the City acquires and rehabilitates single family residences for the purpose of resale to homebuyers earning up to 120% of the Area Median Income (AMI), and multi-family residences for the purpose of rental to households earning up to 50% AMI. Of the total $11,390,116 allocation received, the funds have been budgeted accordingly:

ACTIVITY	BUDGET
SFR-ARR	$5,203,576.00
MFR-ARR	$4,047,529.00
HAP	$1,000,000.00
ADMINISTRATION	$1,139,011.00

In FY09/10, the City acquired almost thirty single family properties obligating/expending approximately $4.4 million of the SFR-ARR budget. During FY10/11, the City will continue with its SFR-ARR efforts to expending the remaining budget as well as program income generated from the sale of the single family properties. During FY10/11, the City will expend $381,000 of the MFR-ARR NSP budget rehabilitating two apartment buildings totaling 27 dwelling units located on Myers Avenue. The properties were acquired during the end of FY09/10 for $1,930,500. Approximately $2.4 million has been allocated to the acquisition and rehabilitation of this project.

- ***Riverside County Housing Authority***

The County of Riverside serves as the local housing authority for the region. The County operates 469 Section 8 housing and public housing facilities throughout the

County including those located in Moreno Valley. Sources of funds available to city residents through the Housing Authority are primarily limited to Section 8, Capital Fund Program (formerly the Comprehensive Grant Program), and the Public Housing programs.

B. Private Resources

For-Profit Organizations

- ***Community Reinvestment Act (CRA)***

The city encourages increased cooperation between lending institutions and the communities they serve to meet CRA requirements for the development of affordable housing.

Non-Profit Organizations

Currently, a number of non-profit organizations facilitate a variety of social services and housing activities in Moreno Valley. The City encourages and supports non-profit organizations that apply for funding from various sources.

C. Leveraging and Matching Funds – HOME

The primary source of fund leveraging will occur in conjunction with activities carried out through Redevelopment Agency 20% Set-Aside funds. Specific matching fund activities include housing rehabilitation and development programs for single family, multi-family, and mobile home units. The following table summarizes FY 2010/11 HOME activities and match sources:

TABLE 1-E*
HOME MATCH

HOME BUDGET FISCAL YEAR 2010/11	Continuing from Prior Years	2010/11 Allocation	Total Request	RDA Match 25%+
Administration (10% Cap)	$0	$66,659	$66,659	$0
Community Housing Development Organization (15% Min.)	$189,908	$99,988	$289,896	$0
Home Improvement Loan Program	$0	$240,000	$240,000	$0
Multi-Family Affordable Housing Program	$339,688	$182,942	$522,630	$4,300,000
Mobile Home Grant Program	$0	$100,000	$100,000	$0
GRAND TOTAL	**$529,596**	**$689,589**	**$1,219,185**	**$4,300,000**

* This table does not include total budgets available for the various projects. The available amounts may vary due to other funding sources such as RDA, NSP, etc.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN

The city will pursue housing, community development, and economic development activities to meet the needs of very-low, low, and moderate-income persons in Moreno Valley. To accomplish this, the city plans to expend CDBG, HOME, and other funds as available, such as Homelessness Prevention and Rapid Rehousing Program (HPRP), Neighborhood Stabilization Program (NSP), and Community Development Block Program – Recovery (CDBG-R) to meet community needs. The Consolidated Plan has several strategies for meeting community needs. The following objectives were identified in the Strategic Plan portion of the Consolidated Plan.

HOMELESS STRATEGY – TABLE 2-A, page 10
Objective 1. Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.

SPECIAL NEEDS STRATEGY – TABLE 2-B, page 14
Objective 1. Provide supportive housing and public services to meet the needs of special needs persons.

HOUSING STRATEGY – TABLE 2-C, page 15
Objective 1. - Rehabilitation of existing and construction of new single-family homes, multi-family housing, and mobile homes to create or maintain decent, affordable housing for low and moderate-income residents.
Objective 2. - Create home ownership opportunities for low and moderate-income residents.
Objective 3. - Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.
Objective 4. - Provide fair housing and landlord/tenant services to educate and assist residents on their rights and responsibilities.

COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY – TABLE 2-D, page 25
Objective 1. - Promote expanded employment opportunities in order to create or retain low and moderate-income jobs.
Objective 2. - Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.
Objective 3. - Support social service programs available to serve low and moderate-income residents.
Objective 4. - Provide employment training and placement programs available to serve low and moderate-income residents

The following tables detail the activities the City will undertake to address these objectives in FY 2010/11. The tables identify available funding, the geographic areas covered by the activity, and the target populations. Additional project information is provided in the Community 2020 tables enclosed as Attachment B.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN (Continued)
HOMELESS STRATEGY

The Five Year Goals and Proposed Accomplishments under the homeless strategy are to assist 2500 homeless persons and persons threatened with homelessness with housing and public service activities. The following programs for FY 2010/11 will be implemented to meet this goal.

TABLE 2-A

HOMELESS STRATEGY	
OBJECTIVE 1: Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.	
PROGRAM:	**PATH OF LIFE MINISTRIES – KING HALL FAMILY SHELTER**
PROGRAM DESCRIPTION:	Program provides long term (up to 2 years) shelter to homeless families and individuals with children. Residents may live at the shelter for a maximum of two years. While living at the shelter families are provided comprehensive counseling and support services that will assist them in becoming self sufficient. The shelter is located on March Air Reserve Base.
RESOURCES	CDBG Funds 2010/11 $15,000
TARGET POPULATION	Homeless families and homeless individuals with children
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**LUTHERAN SOCIAL SERVICES TRANSITIONAL SHELTER PROGRAM**
PROGRAM DESCRIPTION:	A long term (up to 2 years) shelter program that provides assistance to homeless women and children through a comprehensive transitional living program. Counseling, education assessments and other services are provided to assist participants in gaining self sufficiency. Through the City's HPRP Program, Lutheran Social Services also provides assistance with utility payments arrears and security deposits to families at risk of homelessness.
RESOURCES:	CDBG Funds 2010/11 $15,000 HPRP Funds $65,938
TARGET POPULATION:	Homeless Women and Children
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**P. W. ENHANCEMENT CENTER (PWEC)**
PROGRAM DESCRIPTION:	Emergency motel vouchers, shelter placement, security deposit and rental assistance for homeless persons and persons threatened with homelessness. Also provides emergency and supportive services to needy households including food distribution, money management, job preparedness, child development and counseling.
RESOURCES:	CDBG Funds 2010/11 $15,000 HPRP Funds $64,063
TARGET POPULATION:	Homeless; Low and Moderate-Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**OPERATION SAFEHOUSE**
PROGRAM DESCRIPTION:	Operation Safehouse provides emergency shelter, counseling and comprehensive support services for homeless/run-away youth aged 12 – 17, with a goal of family reunification.
RESOURCES:	CDBG Funds 2010/11 $8,000
TARGET POPULATION:	Abused, Neglected, and Homeless Youth
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
PROGRAM DESCRIPTION:	CAP provides emergency and supplemental food, utility payment assistance, and social services referrals to Moreno Valley families in need.
RESOURCES:	CDBG Funds 2010/11 $30,600
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**GOD'S HELPING HAND FOOD AND EMERGENCY SERVICES PROGRAM**
PROGRAM DESCRIPTION:	Emergency and supplemental food, clothing, utility assistance, and social services referrals to Moreno Valley persons and families in need.
RESOURCES:	CDBG Funds 2010/11 $9,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**ASSISTANCE LEAGUE OF RIVERSIDE OPERATION SCHOOL BELL**
PROGRAM DESCRIPTION:	Program provides new essential clothing and school supplies, a backpack, hygiene kit to low income children identified by teachers or school officials as homeless or needy.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Elementary school aged children from low income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**FORECLOSURE PREVENTION WORKSHOPS**
PROGRAM DESCRIPTION:	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The seven workshops held over 09/10 attracted approximately 600 struggling homeowners.
RESOURCES:	CDBG Funds 2010/11 $44,000
TARGET POPULATION:	Low-income homeowners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**CATHOLIC CHARITIES**
PROGRAM DESCRIPTION:	Provides assistance with rental subsidy and rental arrears payments through the City's HPRP program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**INLAND LEGAL SERVICES**
PROGRAM DESCRIPTION:	Free legal advice\services related to housing issues. Offers tenant legal services for evictions and other related legal needs. Funding also allows for expanded service hours.
RESOURCES:	HPRP Funds $40,000
TARGET POPULATION:	Low-income homeowners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**SALVATION ARMY FOOD PROGRAM**
PROGRAM DESCRIPTION:	The Food Pantry offers needy residents emergency food. Funding shall allow for the hire of a part-time driver to pick up food from collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons in the coming year.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**FAMILY SERVICES ASSOCIATION (FSA)**
PROGRAM DESCRIPTION:	FSA provides case management and assistance with rent subsidies and/or rental arrears payments. Program is funded through the City HPRP program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**VOLUNTEER CENTER**
PROGRAM DESCRIPTION:	Provides assistance with rental subsidy and rental arrears payments through the City's HPRP Program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**FAIR HOUSING SERVICES – FORECLOSURE PREVENTION AND MITIGATION PROGRAM**
PROGRAM DESCRIPTION:	Program provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. It also offers financial assessments, budget management, mortgage education, training to potential homebuyers, and referral services.
RESOURCES:	CDBG Funds 2010/11 $25,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

ASSISTANCE AVAILABLE TO PERSONS THREATENED WITH HOMELESSNESS

In order to prevent low-income families from becoming homeless, local non-profit organizations (i.e. Catholic Charities, Gods Helping Hand, P.W. Enhancement Center), provide one-time emergency rental/mortgage assistance. The goal is to prevent homelessness for persons who missed a rent/mortgage payment due to extenuating circumstances. Some low-income families live "paycheck to paycheck" which makes it difficult for them to pay for the basic necessities when an emergency expense arises. The emergency rental/mortgage assistance program greatly benefits families on the threshold of becoming homeless.

For those families at risk of homelessness due to foreclosure, the city will continue conducting a series of foreclosure prevention workshops to assist with mitigation of the foreclosure and provide valuable referrals. The City will also continue to offer programs under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) grant provided in 2008/09 under the American Recovery Act. This emergency legislation was established specifically to address the issue of potential homelessness due to the economic crisis. Funds were dedicated to providing various forms of assistance to qualifying families including: monthly rental assistance, rental arrears, security deposit assistance, utility payments and arrears, motel vouchers, legal assistance, and individual case management.

There are several programs administered by Riverside County that aid in the prevention of homelessness. For example, the Emergency Food and Shelter Program meets the needs of the hungry and homeless by providing funds to provide the following housing assistance (as determined by the Local Board in funded jurisdictions): lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill; and minimal repairs to allow a sheltering facility to function during the program year.

CONTINUUM OF CARE

The City will continue to actively participate in Riverside County's Continuum of Care Consortium. The Continuum of Care Consortium consists of local government agencies and local non-profits that work together to address homeless issues in the region. Continuum of Care grant funding is provided to local public and non-profit agencies to provide homeless services, emergency and transitional shelter. Periodic meetings provide an opportunity for networking and working towards the common goal.

The County of Riverside is the lead agency charged with developing the Continuum of Care's 10 Year Strategy to End Homelessness. A working group of local government agency staff and other community stakeholders has been formed to develop this 10 year plan. The City of Moreno Valley has assigned a staff person to participate in this working group (which meets monthly) to assist in the accomplishment of the goal of ending homelessness in ten (10) years.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
SPECIAL NEEDS STRATEGY

The Five Year Goals and Proposed Accomplishments under the special needs strategy are to assist 15,000 special needs persons, including the elderly and disabled, with housing and public services. In FY 2010/11, the following programs will be implemented to meet this goal.

TABLE 2-B

SPECIAL NEEDS STRATEGY	
OBJECTIVE 1: Provide supportive housing and public services to meet the needs of special needs persons.	
PROGRAM:	**SENIOR VAN TRANSPORTATION SERVICES (MoVan)**
PROGRAM DESCRIPTION:	The MoVan is used to transport the elderly and adult handicapped to medical appointments and other needed destinations for a small donation or at no cost. The MoVan is a specially equipped 17-passenger bus with two wheel chair tie-downs is available 7 hours a day/ 5 days a week.
RESOURCES:	CDBG Funds 2010/11 $30,000
TARGET POPULATION:	Special Needs Persons – Elderly and Disabled
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**ARC OF RIVERSIDE COUNTY**
PROGRAM DESCRIPTION:	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to on-site LVN, and to help continue other existing services.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Special Needs Persons – Disabled
GEOGRAPHIC AREAS:	Citywide

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
HOUSING STRATEGY

The Five Year Goals and Proposed Accomplishments under the housing strategy are to:

1. To rehabilitate or construct a minimum of 400 housing units.
2. To provide home ownership to 5 households.
3. To provide increased, proactive Code Compliance, Neighborhood Cleanups and public safety activities to assist 3000 households in the CDBG Target Areas.
4. To assist 2,500 persons with fair housing and landlord/tenant services.

In FY 2010/11, the following programs will be implemented to meet the goals of each Objective:

TABLE 2-C

HOUSING STRATEGY	
OBJECTIVE 1: Rehabilitation of existing housing and/or construction of new single-family homes, multi-family housing and mobile homes to create or maintain decent, affordable housing for low and moderate income residents.	
PROGRAM:	**MOBILE HOME GRANT PROGRAM**
PROGRAM DESCRIPTION:	Program offers rehabilitation grants of up to $10,000 to low-income owner occupants of mobile home coaches located in rental parks within the City to repair and eliminate substandard conditions.
RESOURCES:	HOME Funds $100,000
TARGET POPULATION:	Low Income Mobile Home Owners
GEOGRAPHIC AREAS:	Citywide

HOUSING STRATEGY

OBJECTIVE 1: (Continued)

PROGRAM:	**HOME IMPROVEMENT LOAN PROGRAM (HILP)**
PROGRAM DESCRIPTION:	3% deferred loans for income qualified homeowners to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.
RESOURCES:	HOME Funds 2010/11 $240,000
TARGET POPULATION:	Low and Moderate Income Home Owners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**MULTI-FAMILY AFFORDABLE HOUSING PROJECTS**
PROGRAM DESCRIPTION:	Construction or rehabilitation of affordable multi-family housing units. New construction will provide additional affordable housing within the community for low income renters. The rehabilitation of current housing stock will improve the amount of decent housing in the community.
RESOURCES:	HOME Funds 2010/11 $182,942
TARGET POPULATION:	Low- income renters
GEOGRAPHIC AREAS:	CDBG Target Area

HOUSING STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**SINGLE FAMILY ACQUISITION, REHABILITATION, AND RESALE PROGRAM (SFR-ARR)**
PROGRAM DESCRIPTION:	Funded by the Neighborhood Stabilization Program grant, the SFR-ARR program purchases, repairs, then re-sells foreclosed and abandoned properties to qualifying families earning up to 120% of the area median income.
RESOURCES:	NSP Funds $5,203,575
TARGET POPULATION:	Low and Moderate Income families
GEOGRAPHIC AREAS:	NSP Target Census Tracts

PROGRAM:	**MULTI-FAMILY ACQUISITION REHABILITATION AND RESALE (MFR-ARR)**
PROGRAM DESCRIPTION:	Funded by the Neighborhood Stabilization Program grant, the MFR-ARR program purchases, repairs, foreclosed and abandoned multi-family apartments and makes them available to renters earning up to 50% of the area median income.
RESOURCES:	NSP Funds $4,047,529
TARGET POPULATION:	Low and Moderate Income renters
GEOGRAPHIC AREAS:	NSP Target Census Tracts

HOUSING STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**CHDO – COMMUNITY HOUSING DEVELOPMENT ORG, Unprogrammed**
PROGRAM DESCRIPTION:	15% CHDO Set aside money for the future rehabilitation or construction of affordable housing for very low income residents. Specific project to be selected at a later date.
RESOURCES:	HOME CHDO Funds 2010/11 $99,988
TARGET POPULATION:	Very Low- income households
GEOGRAPHIC AREAS:	CDBG Target Area
PROGRAM:	**HABITAT FOR HUMANITY – MOBILE HOME REHABILITATION PROGRAM**
PROGRAM DESCRIPTION:	Program provides for the supplies and materials that volunteers shall use to help eligible low income households make exterior improvements to their mobile homes. The program was designed to provide assistance mainly to elderly or disabled persons whom are unable to maintain the exterior of their property and are facing penalties that could lead to eviction. Program will supplement the City's existing Mobile Home Grant Program by relieving it of having to subsidize less critical exterior repairs (which are often general clean-up or cosmetic) and focus more grant dollars on the code related improvements.
RESOURCES:	CDBG Funds $10,000
TARGET POPULATION:	Low Income Mobile Home Owners
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

OBJECTIVE 2: Create home ownership opportunities for low and moderate-income residents

PROGRAM:	**HOMEBUYER ASSISTANCE PROGRAM (HAP)**
PROGRAM DESCRIPTION:	Provides down payment assistance of up to 20% of the purchase price, for first time homebuyers purchasing resale homes up to the maximum FHA 203b limit. Loans are deferred for 30 years with no interest.
RESOURCES:	Neighborhood Stabilization Funds 2010/11 $1 million Redevelopment Funds 2010/11 $500,000
TARGET POPULATION:	Low and moderate income households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**OAKWOOD AFFORDABLE HOUSING PROJECT**
PROGRAM DESCRIPTION:	Development of 240 apartment units for low income renters. The project is currently under construction.
RESOURCES:	Redevelopment Housing Set-aside Funds $ 3 million
TARGET POPULATION:	Low-income renters
GEOGRAPHIC AREAS:	RDA Project Area

PROGRAM:	**RANCHO DORADO AFFORDABLE HOUSING DEVELOPMENT**
PROGRAM DESCRIPTION:	Development of apartment units for low income renters. Phase 1 of the project is currently under construction. Phase 2 is competing for State Tax Credit funding. The project will provide 148 affordable units once constructed.
RESOURCES:	Redevelopment Housing Set-aside Funds Phase 1 $4,750,000 Phase 2 $4,750,000
TARGET POPULATION:	Low-income renters
GEOGRAPHIC AREAS:	RDA Project Area

HOUSING STRATEGY

OBJECTIVE 3: Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.

PROGRAM:	**NEIGHBORHOOD CODE COMPLIANCE**
PROGRAM DESCRIPTION:	City Code Compliance Officers provide enhanced, proactive inspection and enforcement services within the CDBG Target Areas to eliminate substandard housing and poor property maintenance conditions. Many low-income tenants are unable to pay for improvements that are the responsibility of the property owner. Increased code enforcement seeks compliance from property owners and assists in eliminating the substandard conditions.
RESOURCES:	CDBG Funds 2010/11 $263,390
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	CDBG Target Areas

PROGRAM:	**PROBLEM ORIENTED POLICING (POP) PROGRAM**
PROGRAM DESCRIPTION:	Addresses crime prevention through problem solving to increase public safety in low-income neighborhoods and reduce the number of calls for service. Public safety continues to be identified as a high priority by residents and the city. Continued support of the program will help to maintain the safety of area residents and the city's neighborhoods.
RESOURCES:	CDBG Funds 2010/11 $28,241
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CODE ENFORCEMENT - CITY FORECLOSURE STRIKE TEAM**
PROGRAM DESCRIPTION:	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.
RESOURCES:	CDBG Funds 2010/11 $103,017
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas
PROGRAM:	**NEIGHBORHOOD CLEAN-UP PROGRAM**
PROGRAM DESCRIPTION:	This neighborhood program assists in the revitalization of older neighborhoods. Funds will be used to conduct large-scale neighborhood clean-ups (utilizing commercial sized dumpsters and skip loaders) providing haul away and other services to residents within the targeted neighborhoods. Each clean-up typically assists an average of 125 properties.
RESOURCES:	CDBG $15,000
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**FIRE PREVENTION – 'IMPROVEMENT TASK FORCE'**
PROGRAM DESCRIPTION:	This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family units in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing.
RESOURCES:	CDBG Funds 2010/11 $30,000
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

OBJECTIVE 4: Provide fair housing and landlord/tenant services to educate and assist residents on their rights and responsibilities.

PROGRAM:	**FAIR HOUSING SERVICES**
PROGRAM DESCRIPTION:	The Fair Housing Council of Riverside County provides a full range of fair housing services including education, discrimination investigation, landlord/tenant mediation, enforcement, and training and technical assistance. All services designed to affirmatively further fair housing.
RESOURCES:	CDBG Funds 2010/11 $49,453
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

CITY EFFORTS TO ADDRESS LEAD-BASED PAINT HAZARDS

The City provides four consumer loan products that are impacted by the requirements of lead based paint disclosure. Applicants for the City's Mobile Home Grant Program, the Homebuyers Assistance Program, Home Improvement Loan Program, and the Homeowners Assistance for Minor Rehabilitation Program are given a lead-based paint disclosure booklet and sign an acknowledgment that is included in the loan application. If the home was constructed prior to 1978, the City contracts with Home Safe for a lead-based paint inspection of the property. If the property is found to contain lead-based paint, mitigation measures are incorporated as a part of the revitalization work. Since the HAP loan is down payment assistance, the lead-based paint mitigations are the responsibility of the Seller prior to the title transfer. Both buyer and seller receive the disclosure materials as a part of the loan application process.

SECTION 2 – *AFFORDABLE AND FAIR HOUSING*

Zoning

While not specifically addressed as a barrier to affordable housing, the City will begin re-evaluation of some areas that have been re-zoned to non-residential uses. In most cases, the areas re-zoned are older areas of the City that may offer more affordable housing. The City will continue to review the policies in its Housing Element for consistency with the Consolidated Plan and identify areas in need of improvement.

Strategies to Promote Affordable Housing

The City of Moreno Valley will undertake the following strategies to promote and foster affordable housing:

- Actively support projects that apply for State and Federal funds, on a case-by-case basis.
- Continue to develop and maintain affordable housing through the use of CDBG funds, HOME funds, Redevelopment Agency Housing Set-aside funds, and Neighborhood Stabilization Program funds.
- Complete infrastructure plans for various areas of the City to reduce-up front design costs for construction of improvements.
- Continue to implement Permit streamlining to encourage the development of affordable housing in the City.
- Continue to allocate funding for Code Compliance services in the CDBG target areas to address code compliance issues and encourage housing and property maintenance.

ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING

The City updated its Analysis of Impediments to Fair Housing Choice Report in 2008. The following proposed actions were identified during the process. The recommended actions are directed to the City, lending institutions, and other service agencies that assist Moreno Valley residents. Listed below are the key actions that the City could take to continue its efforts to affirmatively further fair housing:

1. Private Sector Actions

Action 1.1 Hate crime victim services are needed because families may feel threatened and unwanted. The City will develop a directory of victim services.

Action 1.2 Numerous professional organizations guide the day-to-day practice of real estate agents and property management companies. These day-to-day practices impact the delivery of housing on a fair and equal basis. The City will continue to maintain an awareness of these organizations and how they affect housing in Moreno Valley.

Action 1.3 The City will encourage the Press-Enterprise to identify in its Fair Housing Notice the agencies that can respond to fair housing questions. Such agencies would include the Fair Housing Council of Riverside County (FHCRC).

Action 1.4 The City will encourage the Press-Enterprise to publish a "no pets" disclaimer that indicates rental housing owners must provide reasonable accommodations, including "service animals" and "companion animals" for disabled persons.

Action 1.5 The City will encourage the Fair Housing Council to prepare a summary of reasonable accommodation requirements and transmit this information to the owners and managers of Moreno Valley's large apartment communities. The information may also provide a link to the State Department of Fair Employment and Housing video on reasonable accommodations.

2. Public Sector Actions

Action 2.1 The City will continue to support fair housing services in order to ameliorate the impacts of housing discrimination and to inform residents on how to recognize and avoid predatory lending, panic selling, and steering.

Action 2.2 The City's Home Improvement and Homeowner's Assistance Programs will continue to assist loan applicants that may have previously been denied through private banks and institutions, with low interest and deferred loans. The deferred loans would not increase an applicant's debt-to-income ratio. In addition, the City can be somewhat more lenient than a private lender insofar as past credit history.

Action 2.3 Using HPRP funds, the City will fund expanded hours for the provision of income – eligible families facing unlawful eviction and homelessness.

Action 2.4 Over the few years, homeowners in the City, as in other Inland Empire communities, are late with their monthly loan payments and, thus, are receiving notices of default and facing foreclosure and possible bankruptcy. The fair housing services provided by the FHCRC have been augmented to help struggling homeowners.

Action 2.5 The City will continue to provide Foreclosure Prevention Workshops throughout Moreno Valley. Two workshop series will be held, each delivering 5 workshops to help struggling homeowners prevent foreclosure. The City will produce a 1-hour video on the subject, to be available on the City's website.

Action 2.6 The City will assist the County of Riverside Housing Authority by transmitting information contained in the Fair Housing Community Profile (Technical Appendix A of the Analysis of impediments to Fair Housing Choice). That information will include the areas of minority and low-income concentrations and an inventory of rental housing communities located outside these areas. In this way, the Housing Authority will have specific geographic information to counsel Section 8 tenants and seek owners outside areas of concentration. This information will be transmitted to the Housing Authority during the first year of the five-year Fair Housing Action Plan.

Action 2.7 The City's Website also will provide a link to the State Department of Fair Employment and Housing's (DFEH) six-minute video on reasonable accommodations for tenants.

ACTIONS TO BE TAKEN DURING PROGRAM YEARS 2008-2009 TO 2012-2013 OF THE CONSOLIDATED PLAN

Program Year 2010-2011

- Continue to contract the FHCRC to provide fair housing services to Moreno Valley's residents.
- Prepare a listing or directory of hate crime victim services.
- Provide the public fair housing information by preparing Q&A documents on topics such as service and companion animal guidelines and accessibility guidelines.
- Conduct annual coordination meetings with the FHCRC, Inland Valley Association of Realtors and the Apartment Association of the Greater Inland Empire to discuss emerging fair housing issues.
- Transmit to the County of Riverside Housing Authority information on areas of minority and low income populations. This information will help the Housing Authority to counsel Section 8 tenants and to conduct landlord outreach to the owners and managers of apartments located outside these areas.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY

The Five Year Goals and Proposed Accomplishments under the Community and Economic Development Strategy are to:

1. To assist 400 local small businesses with counseling services and loan programs.
2. To construct infrastructure improvements that will assist 250 parcels located within CDBG Target Areas.
3. To assist 50,000 low and moderate income residents with public service activities (other than homeless or special needs activities).
4. To assist 150 low and moderate income residents with employment training and placement opportunities.

The following tables outline the activities that the city will undertake during Program Year 2010/11 to meet the Consolidated Plan Goals and Objectives.

TABLE 2-D

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY	
OBJECTIVE 1: Promote expanded economic opportunities in order to create or retain low and moderate income jobs.	
PROGRAM:	**SMALL BUSINESS COUNSELING SERVICES**
PROGRAM DESCRIPTION:	Counseling services for local small businesses in business planning, finances, marketing, etc. The goal is to create and/or retain low-income jobs in the community.
RESOURCES:	CDBG Funds FY 2010/11 $50,000
TARGET POPULATION:	Low income small business owners and employees
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**EMPLOYMENT RESOURCE CENTER**
PROGRAM DESCRIPTION:	The Center will provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost.
RESOURCES:	CDBG Funds 2010/11 $145,641
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**MORENO VALLEY NEW BUSINESS INCENTIVE PROGRAM**
PROGRAM DESCRIPTION:	The New Business Incentive Program is intended to attract major employers to locate in large, vacant retail space in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community through loans, grants or interest subsidies. The program intent is to create full-time permanent jobs which, per a formal agreement with the employer, a certain number shall be held by or made available to low and moderate income persons.
RESOURCES:	CDBG Funds 2010/11 $540,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**FAMILY SERVICE ASSOCIATION - MEAL PROGRAM FACILITY**
PROGRAM DESCRIPTION:	The local Family Services Association plans to construct a kitchen facility in the City's CDBG Target Area where meals will be prepared for the participants of its daycare centers. CDBG funding would be used for help in acquiring a building for the site. In lieu of the CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.
RESOURCES:	CDBG Funds 2010/11 $50,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**LORD'S GYM**
PROGRAM DESCRIPTION:	The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet by focusing on sports. The facility offers a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring. A new facility shall open in Moreno Valley. The proposed CDBG funding will be used toward tenant improvements. In lieu of the CDBG assistance, the 'Lord's Gym' must create or retain a minimum of one full time permanent job held by or made available to low and moderate income level person.
RESOURCES:	CDBG Funds 2010/11 $20,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

OBJECTIVE 2: Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.

PROGRAM:	**SHEILA STREET PARK**
PROGRAM DESCRIPTION:	Project will design and construct a neighborhood park to be located at the former car was site in the Sheila Street Neighborhood.
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $400,000
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Warner Ranch Neighborhood in Moreno Valley

PROGRAM:	**VOUGHT STREET SIDEWALK IMPROVEMENTS**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Vought Street from Boeing Street to Pan Am Boulevard and on Boeing Street from Vought Street to Temco Street
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $388,183
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

PROGRAM:	**BOEING-MCDONNEL SIDEWALK IMPROVEMENTS, #2**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Boeing Street and McDonnel Street from Bay Avenue to Vought Street
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $586,447
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 2 CONTINUED)

PROGRAM:	**TEMCO STREET SIDEWALK IMPROVEMENTS**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Temco Street from Boeing Street to Pan Am Boulevard
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $291,028
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

OBJECTIVE 3: Support public service programs available to serve low and moderate income residents.

PROGRAM:	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
PROGRAM DESCRIPTION:	CAP provides emergency and supplemental food, utility payment assistance, and social services referrals to Moreno Valley families in need.
RESOURCES:	CDBG Funds 2010/11 $30,600
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**GOD'S HELPING HAND FOOD PROGRAM**
PROGRAM DESCRIPTION:	Emergency and supplemental food, clothing and social services referrals to Moreno Valley persons and families in need.
RESOURCES:	CDBG Funds 2010/11 $9,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CHILD ABUSE PREVENTION & EDUCATION PROGRAM**
PROGRAM DESCRIPTION:	The Riverside Area Rape Crisis Center provides a child abuse prevention program designed to educate children (K-12th grade) through the Moreno Valley schools. They also provide counseling and support services to abuse victims and their families.
RESOURCES:	CDBG Funds 2010/11 $7,500
TARGET POPULATION:	K-12 students
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**SALVATION ARMY FOOD PROGRAM**
PROGRAM DESCRIPTION:	The Food Pantry offers needy residents emergency food. Funding shall allow for the hire of a part-time driver to pick up food from collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons in the coming year.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**ASSISTANCE LEAGUE OF RIVERSIDE OPERATION SCHOOL BELL**
PROGRAM DESCRIPTION:	Program provides a backpack, hygiene kit and back-to-school clothing through a "shopping" experience to children identified by teachers or school officials as being in need.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Elementary school aged children from homeless and low income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**ALTERNATIVES TO DOMESTIC VIOLENCE**
PROGRAM DESCRIPTION:	Alternatives to Domestic Violence provides services to victims of domestic violence. These services include an Outreach Counseling Center which offers a 24-hour crisis line, counseling, support groups, court advocacy, and an emergency shelter for battered women and abused children.
RESOURCES:	CDBG Funds 2010/11 $7,500
TARGET POPULATION:	Victims of Domestic Violence
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CASA for RIVERSIDE COUNTY**
PROGRAM DESCRIPTION:	Advocacy for Abused and Neglected Children. CASA offers court appointed monitoring services to foster youth. CDBG funds will be used to fund the salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Abused/Neglected Youth
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**VOLUNTEER CENTER '211 PROGRAM'**
PROGRAM DESCRIPTION:	The '211 Program' is a quality telephone referral system available 24 hours a day, 7 days a week that residents may use to access information on public and private facilities and services in the City.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY	
OBJECTIVE 4: Provide employment training and placement programs available to serve low and moderate income residents.	
PROGRAM:	**MORENO VALLEY COMMUNITY EDUCATORS**
PROGRAM DESCRIPTION:	Offers low income, 'at risk' youth tutoring, mentoring, and standardized test preparation and also includes programs for adults that provides for GED preparation, parenting, resume writing, interview skills and other workforce development skills.
RESOURCES:	CDBG Funds 2010/11 $6,400
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**YOUTH OPPORTUNITY CENTER (YOC)**
PROGRAM DESCRIPTION:	The Center will offer local youth access to an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. The proposed $50,000 in CDBG funding would be used for tenant improvements.
RESOURCES:	CDBG Funds 2010/11 $50,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

SECTION 3 –OTHER ACTIONS

ANTI-POVERTY STRATEGY

The City identified several programs in its strategy to produce and preserve affordable housing. Programs include: the Neighborhood Stabilization Program (NSP), the Home Improvement Loan Program, Mobilehome Rehabilitation Grant Program, and the Homebuyer Assistance Program. The implementation of these programs and the re-evaluation of zoning in specific neighborhoods will assist in maintaining livable conditions for lower income persons. These programs, when coupled with the various social services, such as shelter and food services, and counseling programs, (including homeless prevention programs) provide residents opportunities to utilize programs at

little or no cost, thereby reducing financial burden. The City's current structure limits the ability to directly reduce the numbers of households with incomes below the poverty line. However, by utilizing multiple programs and working with County, private, and nonprofit agencies the City can work to reduce the number of persons with incomes below the poverty line.

The City has established several goals to reduce poverty among its population:

1. Economic Development and Job Creation/Retention

The City partners with the Inland Empire Small Business Development Center (SBDC) to provide small business counseling services and specialized training to local businesses with the goal that the services will create and/or retain low and moderate income jobs.

Last year, the City implemented 2 new programs aimed at relieving area unemployment and creating new jobs. The New Business Incentive Program continues this year to function as a tool to assist in the attraction of retail business to Moreno Valley providing full-time jobs to low-and-moderate income individuals. The Employment Resource Center provides a centrally located office where certified low-to-moderate income persons may utilize computers and other office equipment to assist in building their resumes and run job searches. The City continues to implement a $479, 292 Community Development Block Grant – Recovery, received in 2009, that incentivizes job creation.

2. Housing Programs

The City identified several programs in its strategy to produce and preserve affordable housing. The implementation of programs such as:

- the Homebuyer Assistance Program,
- the Homeownership Opportunity Program,
- the Home Improvement Loan Programs, and
- the Mobile Home Grant Program,
- NSP Acquisition, Rehabilitation, Resale of Single Family Homes,
- NSP Acquisition Rehabilitation, Rental of Multi Family Apartments
- New Affordable Housing Development
- Homelessness Prevention and Rapid Re-Housing Program (HPRP)

will assist in maintaining livable conditions for lower income persons. Four areas of the city were designated Revitalization Areas by HUD. The City is exploring opportunities to acquire and rehabilitate HUD owned properties within these areas to be sold to low-income homebuyers.

3. Public Service Providers

Public service organizations provide direct assistance to low-income persons, including the elderly, homeless, disabled, and persons threatened with homelessness. They assist with (obtaining and maintaining adequate housing) emergency assistance to meet immediate and urgent individual and family needs, including shelter; and remove

obstacles blocking the achievement of self-sufficiency. These programs, when coupled with the various social services, provide city residents opportunities to utilize programs at little or no cost, thereby reducing financial burden. The Homelessness Prevention and Rapid Re-housing grant of $732,872 received in 2009, also utilizes Public Service providers to distribute emergency assistance to families facing homelessness.

4. Coordination of Efforts

The City's goal is to continue to establish collaborative relationships between governmental and social service agencies to assure the effective delivery of services to low-income individuals. One example is the Riverside County Continuum of Care. The Continuum of Care group consists of several local non-profit agencies along with governmental agencies, such as the City of Moreno Valley, who meet periodically to share information, coordinate efforts to assist homeless persons and plan future activities. While the City's ability to directly reduce the numbers of households with incomes below the poverty line is limited, the City will attempt to reduce the number by utilizing multiple programs and working with the county, private and non-profit agencies.

Planning and Meeting Obstacles

The City will continue to evaluate and monitor priority community development needs, including those needs that may be currently underserved. The City will also work toward identifying, assessing and overcoming obstacles to meeting underserved community development needs.

SECTION 3 –OTHER ACTIONS

INSTITUTIONAL STRUCTURE AND COORDINATION

The institutional structure described in the Consolidated Plan demonstrates the diverse types of organizations needed to accomplish its program goals. The City will work with a variety of public and private agencies to accomplish the Consolidated Plan goals set forth in this Strategic Plan.

In addition, coordination with other public and private agencies is necessary in order to establish solid working relationships that will enable all service providers to better assist those in need. The City enjoys a cooperative relationship with surrounding jurisdictions and agencies, as well as nonprofit organizations.

Public Agencies

City staff will work to partner with Riverside County agencies such as the Departments of Mental Health and Public Social Services, to address regional homeless issues. The City meets on a regular basis with the Riverside County Department of Public Social Services as part of the Continuum of Care process to assist homeless persons. The Continuum of Care Consortium consists of local government agencies as well as non-profit agencies that work together to address homeless issues in the region. Continuum of Care grant funding is provided to local public and non-profit agencies to provide homeless services and shelter. Periodic meetings provide an opportunity for networking and working towards the common goal. Riverside County's Economic Development Agency also partners with the City to provide employment assistance services at the City's Employment Resource Center, as well as support services for at-risk youth at the Youth opportunity Center (under development).

In addition, the City also works with state and federal agencies through several grant programs to facilitate services and programs, which meet housing and safety needs in the community. The City is a member of the March Joint Powers Authority (JPA). The JPA is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned March Air Reserve Base (MARB).

Public Housing Authority

The Riverside County Housing Authority administers public housing and Section 8 for Moreno Valley residents. Issues relating to public housing are included in the Consolidated Plan for Riverside County. The City will work with the Riverside County Housing Authority when possible to improve the living environment of public housing and Section 8 residents.

Non-Profit Organizations

The City utilizes a variety of nonprofit organizations to address community needs, such as homelessness, special needs, fair housing and food distribution services. The City will provide information and updates to local social service agencies regarding the

availability of private affordable housing opportunities in Moreno Valley. The City will also inform and educate private housing entities on the services, programs, and referrals provided by local social service agencies to persons seeking housing. Distribution of this information may be through a variety of methods including direct mailing, public service announcements, and personal contacts by city staff. Many of the objectives identified in the Strategic Plan and associated annual programs are carried out by non-profit organizations. These organizations are the primary service providers for Moreno Valley's homeless, special needs and low-income populations. CDBG funds are allocated to these organizations to carry out activities benefiting these populations.

HOME funds are provided to non-profit agencies for rehabilitation and new construction of affordable housing units in the city. The City will work with its Community Housing Development Organizations (CHDO's), Riverside Housing Development Corporation (RHDC), and Habitat for Humanity to accomplish the housing goals.

As a result of working with the CHDO's, the City has been able to address a wide variety of community needs including housing programs, public services, and public safety. The City will continue to work with these entities throughout the program year.

SECTION 3 – OTHER ACTIONS
MONITORING

MONITORING OF CDBG PROGRAMS

Monitoring serves as an effective tool to ensure that expenditures of federal funds are consistent with CDBG National Objectives and achieve program/project goals. The following outlines monitoring requirements for Moreno Valley CDBG program:

Subrecipients – When an organization becomes a City subrecipient, they must sign a contract with the City in which the various scopes of work, time lines, and documentation requirements are outlined. On a monthly basis, each Subrecipient must submit detailed information regarding the number, ethnicity, and income level of individuals benefiting from CDBG funds. Quarterly summary reports are required of some agencies in which further information is provided on activities accomplished in that quarter. The City conducts an on-site inspection of each agency at least once per year, preferably toward the end of the funding cycle. A sample Subrecipient Monitoring Form is attached as Attachment G.

Construction Projects – All construction projects comply with Federal Labor and Procurement Procedures as well as the various affirmative action and equal opportunity requirements required by various federal and state laws. The CDBG Management Analyst oversees and reviews contract preparation at each step from bid preparation, contract document preparation, pre-construction meetings, and ongoing project inspections. All public notices that solicit bids for capital projects are submitted to minority newspapers such as El Chicano, the San Bernardino American and the Precinct Reporter in order to give minority-owned businesses the opportunity to bid on the CDBG capital projects.

MONITORING OF HOME PROGRAMS

Multi-Family Affordable Housing Programs

The City requires property owners who have received funds under the Rental Rehabilitation Program or Multifamily Affordable Housing Program to recertify their tenant's eligibility annually. They report information and provide documentation related to the property, unit occupancy, tenant information and financial reporting. Forms and applicable documentation such as Federal income tax returns are to be completed by tenants of reserved (affordable) units and submitted with the report. If the unit was occupied by multiple tenants, then a copy of the application, rental agreement and the dates of residency must be provided. In addition, a copy of "Determining Affordable Rent" is provided to the owner for the reserved units. A city Building Inspector will conduct a property inspection to determine if the property is in compliance with code requirements and in good condition. The City will work with a recertification consulting service to ensure that the information is accurate and complete. Examples of the checklists used to monitor the affordable units under the Rental Rehabilitation Loan Program are also included in Attachment G.

Single Family Housing Programs – For Owner-Occupants

The City's Homebuyer Assistance Program offers a low-interest, silent second, down-payment assistance loans to income qualified individuals.

Loan terms include an equity sharing arrangement in lieu of interest on the deferred loan. When the property is sold or transferred, the City will receive a share of the gain on sale in addition to the original amount loaned. The percentage of the equity share percentage is calculated by dividing the original loan amount by the original purchase price.

Example: *If the HAP loan amount was $10,000 and the original purchase price was $90,000, the equity share percentage would be 11%. The equity share percentage is then multiplied by the gain on the sale (as determined by the sales price or the property value determined by a professional appraisal) to determine the City's Share of the profit on the sale. If the gain on the sale were $15,000, the City's share would be 11% of $15,000, or $1,650. The total repayment to the City would be $11,650.*

In addition, a Deed of Trust is recorded to serve as loan collateral (security). The securing deed may take first, second, or third position if it does not exceed the one hundred percent (100%) loan-to-value ratio.

Displacement and Relocation

The City does not have any plans to displace or relocate any residents from their homes using CDBG or HOME funds. If a project necessitated displacement or relocation, it would be done in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

PROPOSED ACCOMPLISHMENTS

The following table details each of the goals and objectives identified in the Strategic Plan and the proposed accomplishments over the five-year period of the Consolidated Plan. Following the close of the program year on June 30th, the City has 90 days to complete a Consolidated Annual Performance and Evaluation Report (CAPER) for public review and submittal to HUD. The CAPER will include the following table to track the accomplishments during the entire five-year period. Annual goals will be identified in the Annual Action Plan.

TABLE 3-A
PROPOSED FIVE-YEAR ACCOMPLISHMENTS (SAMPLE TABLE. INTENTIONALLY BLANK.)

Priority	Five-Year Goal / Proposed Accomplishments	Complete per Program Year					Summary of Progress
		08/09	09/10	10/11	11/12	12/13	
HOMELESS STRATEGY							
OBJECTIVE: Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.							
1.1	To assist 2500 homeless persons and persons threatened with homelessness with housing and public service activities.						Goal: Completed:
SPECIAL NEEDS STRATEGY							
OBJECTIVE: Provide supportive housing and public services to meet the needs of special needs persons.							
2.1	To assist 15,000 special needs persons, including the elderly and disabled, with housing and public services.						Goal: Completed:
HOUSING STRATEGY							
OBJECTIVE: Rehabilitation of existing and construction of new single-family homes, multi-family housing and mobile homes to create or maintain decent, affordable housing for low and moderate income residents.							
3.1	To rehabilitate or construct a minimum of 400 housing units.						Goal: Completed:
OBJECTIVE: Create home ownership opportunities for low and moderate income residents.							
3.2	To provide home ownership to 5 households.						Goal: Completed:
OBJECTIVE: Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.							
3.3	To provide increased, proactive Code Enforcement, Neighborhood Cleanups and public safety activities to assist 3,000 households.						Goal: Completed:
OBJECTIVE: Provide fair housing services to educate households on their rights and responsibilities and assist residents with fair housing issues.							
3.4	To assist 2,500 households with fair housing services.						Goal: Completed:

COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY							
Priority	**Five-Year Goal / Proposed Accomplishments**	**Complete per Program Year**					**Summary of Progress**
OBJECTIVE: Promote expanded economic opportunities in order to create or retain low and moderate income jobs.							
4.1	To assist 400 local small businesses with counseling services and loan programs.						**Goal:** **Completed:**
OBJECTIVE: Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.							
4.2	To construct infrastructure improvements that will assist 250 parcels located within CDBG Target Areas.						**Goal:** **Completed:**
OBJECTIVE: Support public service programs available to serve low and moderate income residents.							
4.3	To assist 50,000 low and moderate income residents with public service activities (other than homeless or special needs activities).						**Goal:** **Completed:**
OBJECTIVE: Provide employment training programs available to serve low and moderate income residents.							
4.4	To assist 150 low and moderate income residents with employment training and placement.						**Goal:** **Completed:**

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SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
FORM APPLICATION SF424

Form Application SF 424

(behind this page)

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

*1. Type of Submission:
- ☐ Preapplication
- ☒ Application
- ☐ Changed/Corrected Application

*2. Type of Application
- ☐ New
- ☒ Continuation
- ☐ Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier: B-09-MC-06-0567

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Moreno Valley

*b. Employer/Taxpayer Identification Number (EIN/TIN): 33-0076484

*c. Organizational DUNS: 177134186

d. Address:

*Street 1: 14177 Frederick Street
Street 2: PO BOX 88005
*City: Moreno Valley
County:
*State: CA
Province:
*Country: USA
*Zip / Postal Code 92553

e. Organizational Unit:

Department Name: ECONOMIC DEVELOPMENT

Division Name: NEIGHBORHOOD PRESERVATION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms. *First Name: Isa
Middle Name:
*Last Name: Rojas
Suffix:

Title: Management Analyst

Organizational Affiliation:

*Telephone Number: 951-413-3227 Fax Number: 951-413-3459

*Email: IsaR@MoVal.org

MV00054465

Application for Federal Assistance SF-424 Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grant Program

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Moreno Valley, CA

***15. Descriptive Title of Applicant's Project:**

Annual Action Plan for FY 2010/11 Community Development Block Grant funding. Programs/projects receiving new allocations for funding includes public services (landlord/tenant mediation, homeless\transitional housing shelters, emergency food assistance, youth programs, and elderly programs) code enforcement, and economic development programs.

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 43rd and 44th *b. Program/Project: 43rd and 44th

17. Proposed Project:

*a. Start Date: July 1, 2009 *b. End Date: June 30, 2010

18. Estimated Funding ($):

*a. Federal	$1,941,611
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	$1,941,611

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Bopf

Suffix:

*Title: INTERIM CITY MANAGER

*Telephone Number: 951-413-3453 Fax Number: 951-413-3459

* Email: billbopf@moval.org

*Signature of Authorized Representative: *Date Signed:

Authorized for Local Reproduction Standard Form 424 (Revised 10/2005)
Prescribed by OMB Circular A-102

Application for Federal Assistance SF-424 Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

NA

Application for Federal Assistance SF-424 Version 02

*1. Type of Submission:
- ☐ Preapplication
- ☒ Application
- ☐ Changed/Corrected Application

*2. Type of Application
- ☐ New
- ☒ Continuation
- ☐ Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier: M-09-MC-06-0551

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: CITY OF MORENO VALLEY

*b. Employer/Taxpayer Identification Number (EIN/TIN): 33-0076484

*c. Organizational DUNS: 177134186

d. Address:

*Street 1: 14177 FREDERICK STREET
Street 2: PO BOX 88005
*City: MORENO VALLEY
County: RIVERSIDE
*State: CA
Province:
*Country: USA
*Zip / Postal Code 92552-0805

e. Organizational Unit:

Department Name: ECONOMIC DEVELOPMENT

Division Name: NEIGHBORHOOD PRESERVATION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: MS. *First Name: ISA
Middle Name:
*Last Name: ROJAS
Suffix:

Title: MANAGEMENT ANALYST

Organizational Affiliation:

*Telephone Number: 951-413-3227 Fax Number: 951-413-3459

*Email: IsaR@moval.org

Application for Federal Assistance SF-424 Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development (HUD)

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Parntnership Program

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Moreno Valley, CA

***15. Descriptive Title of Applicant's Project:**

Annual Action Plan for FY 2010/11 HOME funding. Programs/projects receiving new allocations for funding include Mobile Home Grant Program, Home Improvement Loan Program, and Multi-family Affordable Housing Program.

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 43rd and 44th *b. Program/Project: 43rd and 44th

17. Proposed Project:

*a. Start Date: July 1, 2010 *b. End Date: June 30, 2011

18. Estimated Funding ($):

*a. Federal	$666,589
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	$666,589

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Bopf

Suffix:

*Title: Interim City Manager

*Telephone Number: 951-413-3453 Fax Number: 951-413-3459

* Email: billbopf@moval.org

*Signature of Authorized Representative: *Date Signed:

Authorized for Local Reproduction Standard Form 424 (Revised 10/2005)
Prescribed by OMB Circular A-102

Application for Federal Assistance SF-424 Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A

SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
CITIZEN PARTICIPATION

CITIZEN PARTICIPATION PROCESS

In preparing the 2010/11 Action Plan, the City took an assertive approach to encourage citizen participation. HUD regulations require that cities consult with public and private community-based non-profit organizations to obtain input on the housing and non-housing needs of low- and moderate-income and homeless members of the community. Those with special needs are included as well. To meet this requirement, the City prepared a Citizen Participation Plan (Attachment D), which outlines the process for encouraging citizen participation in the development of the Action Plan.

Citizen participation was accomplished through a series of meetings, public notices and announcements. City staff hosted community meetings and invited area residents, non-profit organizations and surrounding jurisdictions to provide input on the needs of the community. Public meetings to determine needs were held at the Moreno Valley Conference and Recreation Center and the Senior Center. In addition, several focused meetings with local agencies, surrounding jurisdictions and City committees were also conducted. Information and notification of these meetings was distributed through correspondence, flyers and public notices. Table 4-A, on the following page, outlines the citizen participation schedule.

The information compiled from the meetings (as outlined in the above schedule) was used in determining the needs in the community and the development of strategies. Citizen Comments are included as Attachment E. Organizations that participated in meetings or consultations included the following:

- Moreno Valley Citizens
- Coachella Valley Housing Coalition
- Cultural Heritage Performers
- Fair Housing Council of Riverside
- Mexican Political Association
- MoVan and the Community Assistance Program (CAP)
- Transforming Community Action Program
- United Democrats of Moreno Valley

The proposed Action Plan was available for a 30-day public examination and comment period from April 8, 2010 through May 8, 2010.

The Action Plan was available for public review at the following locations:

- City of Moreno Valley Economic Development Department – City Hall
- Moreno Valley Senior Center
- City of Moreno Valley Corporate Yard

- Moreno Valley City Library

No Public comments on the Annual Action Plan were received during the public review period. Comments received at public meetings and hearings are included in Attachment E.

TABLE 4-A
CITIZEN PARTICIPATION SCHEDULE

Annual Action Plan FY 2010-2011 CDBG & HOME Programs Citizen Participation Schedule	
November 27, 2009	Notice of Community Needs Meetings *(Publish in Newspaper & Mail Out)*
December 10, 2009	Community Needs Assessment Meeting – Conference & Recreation Center (6:00 p.m. to 8:00 p.m.)
December 14, 2009	Community Needs Assessment Meeting - Senior Community Center (6:00 p.m. to 8:00 p.m.)
December 30, 2009	Publish Notice of Public Hearing to Adopt CDBG/HOME Program Objectives and Policies
January 12, 2010	City Council Meeting – Adopt CDBG/HOME Program Objectives and Policies *(Public Hearing)*
January 14, 2010	City CDBG/HOME Applications Distributed & Notice of Funding Availability Published (Technical Assistance Available on Request)
February 4, 2010	Non-Profit and Outside Agency Applications Due
February 9-11, 2010	Technical Review Committee Reviews Public Service and Community Needs Applications; Applicant Oral Presentations
February 11, 2010	Final Technical Committee Project Review & Recommendation
March 10, 2010	Publish Notice of Public Hearing for March 23, 2010 City Council Meeting
March 18, 2010	Publish Notice of Annual Action Plan Review Period (April 1 – May 1, 10)
March 23, 2010	City Council Meeting - CDBG/HOME Project Selection *(Public Hearing)*
April 1, 2010	Begin Annual Action Plan 30-Day Review Period
April 28, 2010	Publish Notice of Public Hearing to Approve the Annual Action Plan
May 1, 2010	Close of 30-day Public Comment Period for Annual Action Plan
May 11, 2010	City Council Meeting - Review Citizen Comments & Approve the Annual Action Plan *(Public Hearing)*
May 13, 2010	Submittal of Annual Action Plan to HUD

SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
CERTIFICATIONS

(Behind this page)

CERTIFICATIONS FY 2010-2011

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the City of Moreno Valley certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, and it has concluded an analysis of impediments to fair housing choice within the jurisdiction, and will take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential ant displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;
(b) The grantee's policy of maintaining a drug-free workplace;
(c) Any available drug counseling, rehabilitation, and employee assistance programs; and
(d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -

(a) Abide by the terms of the statement; and
(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

_____ _____
Signature/Authorized Official Date

William Bopf, Interim City Manager

Specific CDBG Certifications

The City of Moreno Valley certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2008-2009 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

   However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-Discrimination laws -- The grant will be conducted and administered in conformity within title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint – Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

_____ _____

Signature/Authorized Official Date

William Bopf, Interim City Manager

Specific HOME Certifications

The City of Moreno Valley certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

_____ _____
Signature/Authorized Official Date

William Bopf, Interim City Manager

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.

2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).

6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)
City Hall
14177 Frederick Street
Moreno Valley, CA 92552

(X) Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Non-procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

ATTACHMENT A – DEFINITIONS OF TERMS AND ACRONYMS USED

List of acronyms used in this document:

CDBG: Community Development Block Grant

CDBG-R: Community Development Block Grant, Recovery Program

HOME: HOME Investment Partnership Grant

HPRP: Homelessness Prevention and Rapid Re-housing Program

HUD: U.S. Department of Housing and Urban Development

NSP: Neighborhood Stabilization Program

RDA: Community Redevelopment Agency of the City of Moreno Valley

This glossary is designed to provide a comprehensive list of terms used in this Consolidated Plan and future annual plans.

Affordable Housing: Affordable housing is generally defined as housing where the occupant is paying no more than 30 percent of gross income for gross housing costs, including utility costs.

AIDS and Related Diseases: The disease of acquired immune deficiency syndrome or any conditions arising from the etiologic agent for acquired immune deficiency syndrome.

Alcohol/Other Drug Addiction: A serious and persistent alcohol or other drug addiction that significantly limits a person's ability to live independently.

Assisted Household or Person: For the purpose of specifying one-year goals for assisting households or persons, a household or person is assisted if, during the coming Federal fiscal year, they will benefit from one or more programs included in the jurisdiction's investment plan. A renter is benefited if the person takes occupancy of affordable housing that is newly acquired, newly rehabilitated, or newly constructed, and/or receives rental assistance. An existing homeowner is benefited during the year if the home's rehabilitation is completed. A first-time homebuyer is benefited if a home is purchased during the year. A homeless person is benefited during the year if the person becomes an occupant of transitional or permanent housing. A non-homeless person with special needs is considered as being benefited, however only if the provision of supportive services is linked to the acquisition, rehabilitation, or new construction of

a housing unit and/or the provision of rental assistance during the year. Households or persons who will benefit from more than one program activity must be counted only once. To be included in the goals, the housing unity must, at a minimum, satisfy the HUD Section 8 Housing Quality Standards (see 24 CFR section 882.109) See also instructions for completing Table 3B of the CHAS and Table 1 of the Annual Performance Report.

Committed: Generally means there has been a legally binding commitment of funds to a specific project to undertake specific activities.

Consolidated Plan: The document that is submitted to HUD that serves as the planning document (comprehensive housing affordability strategy and community development plan) of the jurisdiction and an application for funding under any of the Community Planning and Development formula grant programs (CDBG, ESG, HOME, or HOPWA), which is prepared in accordance with the process prescribed in 24CFR part 91.

Cost Burden: The extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data published by the U.S. Census Bureau.

Disabled Household: A household composed of one or more persons at least one of whom is an adult (a person of at least 18 years of age) who has a disability. A person shall be considered to have a disability if the person is determined to have a physical, mental or emotional impairment that: (1) is expected to be of long-continued and indefinite duration, (2) substantially impeded his or her ability to live independently, and (3) is such a nature that the ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if he or she has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001-6006). The term also includes the surviving member or members of any household described in the first sentence of this paragraph who were living in an assisted unit with the deceased member of the household at the time of his or her death.

Economic Independence and Self-Sufficiency Programs: Programs undertaken by Public Housing Agencies (PHAs) to promote economic independence and self-sufficiency for participating families. Such programs may include Project Self-Sufficiency and Operation Bootstrap programs that originated under earlier Section 8 rental certificate and rental voucher initiatives, as well as the Family Self-Sufficiency program. In addition, PHAs may operate locally developed programs or conduct a variety of special projects designed to promote economic independence and self-sufficiency.

Elderly Household: For HUD rental programs, a one or two person household in which the head of the household or spouse is at least 62 years of age.

Emergency Shelter: Any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

Extremely Low-Income Family: Family whose income is between 0 and 30 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Existing Homeowner: An owner-occupant of residential property who holds legal title to the property and who uses the property as his/her principal residence.

Family: Family means all persons living in the same household who are related by birth, marriage or adoption.

Family Self-Sufficiency (FSS) Program: A program enacted by Section 554 of the National Affordable Housing Act which directs Public Housing Agencies (PHAs) and Indian Housing Authorities (IHAs) to use Section 8 assistance under the rental certificate and rental voucher programs, together with public and private resources to provide supportive services, to enable participating families to achieve economic independence and self-sufficiency.

Federal Preference for Admission: The preference given to otherwise eligible applicants under HUD's rental assistance programs who, at the time they seek housing assistance, are involuntarily displaced, living in substandard housing, or paying more than 50% of family income for rent. (See, for example, 24 CFR 882.219.)

First-Time Homebuyer: An individual or family who has not owned a home during the three-year period preceding the HUD-assisted purchase of a home that must be used as the principal residence of the homebuyer, except that any individual who is a displaced homemaker (as defined in 24 CFR 92) or a single parent (as defined in 24 CFR 92) may not be excluded from consideration as a first-time homebuyer on the basis that the individual, while a homemaker or married, owned a home with his or her spouse or resided in a home owned by the spouse.

For Rent: Year round housing units that are vacant and offered/available for rent. (U.S. Census definition)

For Sale: Year round housing units that are vacant and offered/available for sale only. (U.S. Census definition)

Frail Elderly: An elderly person who is unable to perform at least 3 activities of daily living (i.e., eating, dressing, bathing, grooming, and household management activities). (See 24 CFR 889.105.)

Group Quarters: Facilities providing living quarters that are not classified as housing units. (U.S. Census definition). Examples include: prisons, nursing homes, dormitories, military barracks, and shelters.

HOME: The HOME Investment Partnerships Program, which is authorized by Title II of the National Affordable Housing Act.

Homeless Family: Family that includes at least one parent or guardian and one child under the age of 18, a homeless pregnant woman, or a homeless person in the process of securing legal custody of a person under the age of 18.

Homeless Individual/Homeless Person: An unaccompanied youth (17 years or younger) or an adult (18 years or older) without children, who is homeless (not imprisoned or otherwise detained pursuant to an Act of Congress or a State law), including the following: (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is: (i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or (iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Homeless Subpopulations: Include but are not limited to the following categories of homeless persons: severely mentally ill only, alcohol/drug addicted only, severely mentally ill and alcohol/drug addicted, fleeing domestic violence, youth, and persons with HIV/AIDS.

Homeless Youth: Unaccompanied person 17 years of age or younger who is living in situations described by terms "sheltered" or "unsheltered".

Household: All the persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

Housing Problems: Households with housing problems include those that: (1) occupy units meeting the definition of Physical Defects; (2) meet the definition of overcrowded; and (3) meet the definition of cost burden greater than 30%.

Housing Unit: An occupied or vacant house, apartment, or single room (SRO housing) that is intended as separate living quarters. (U.S. Census definition)

Institutions/Institutional: Group quarters for persons under care or custody. (U.S. Census definition)

Jurisdiction: A State or unit of general local government.

Large Family/Household: Family/household of five or more persons.

Large Related: A household of 5 or more persons that includes at least one person related to the householder by blood, marriage or adoption.

LIHTC: (Federal) Low Income Housing Tax Credit.

Low- and Moderate-Income Household: A household having an income equal to or less than the Section 8 low-income limit established by HUD.

Low- and Moderate-Income Person: A member of a family having an income equal to or less than the Section 8 low-income limit established by HUD. Unrelated individuals will be considered as one-person families for this purpose.

Low-Income Family/Household: Low-income families/households whose incomes do not exceed 50 percent of the median family/household income for the area, as determined by HUD with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Middle-Income Family/Household: Family/household whose income is between 80 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This corresponds to the term "moderate income family" under the CHAS statute, 42 U.S.C. 12705.)

Moderate-Income Family/Household: Family/household whose income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Non-Homeless Persons with Special Needs: Includes frail elderly persons, persons with AIDS, disabled families, and families participating in organized programs to achieve economic self-sufficiency.

Non-Institutional: Group quarters for persons not under care or custody. (U.S. Census definition used)

Occupied Housing Unit: A housing unit that is the usual place of residence of the occupant(s).

Other Household: A household of one or more persons that does not meet the definition of a Small Related household, Large Related household or Elderly Household.

Other Income: Household whose incomes exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This term corresponds to moderate-income in the CDBG Program.)

Other Vacant: Vacant year round housing units that are not For Rent or For Sale. This category would include Awaiting Occupancy or Held.

Overcrowded: For purposes of describing relative housing needs, a housing unit containing more than one person per room, as defined by the U.S. Census Bureau, for which data are made available by the Census Bureau. (See 24 CFR 791.402(b).)

Owner: A household that owns the housing unit it occupies. (U.S. Census definition)

Physical Defects: A housing unit lacking complete kitchen or bathroom (U.S. Census definition). Jurisdictions may expand upon the Census definition.

Primary Housing Activity: A means of providing or producing affordable housing -- such as rental assistance, production, rehabilitation or acquisition -- that will be allocated significant resources and/or pursued intensively for addressing a particular housing need. (See also, "Secondary Housing Activity".)

Project-Based (Rental) Assistance: Rental Assistance provided for a project, not for a specific tenant. Tenants receiving project-based rental assistance give up the right to that assistance upon moving from the project.

Public Housing CIAP: Public Housing Comprehensive Improvement Assistance Program.

Public Housing MROP: Public Housing Major Reconstruction of Obsolete Projects.

Rent Burden > 30% (Cost Burden): The extent to which gross rents, including utility costs, exceed 30 percent of gross income, based on data published by the U.S. Census Bureau.

Rent Burden > 50% (Severe Cost Burden): The extent to which gross rents, including utility costs, exceed 50 percent of gross income, based on data published by the U.S. Census Bureau.

Rental Assistance: Rental assistance payments provided as either project-based rental assistance or tenant-based rental assistance.

Renter: A household that rents the housing unit it occupies, including both units rented for cash and units occupied without cash payment of rent. (U.S. Census definition)

Renter Occupied Unit: Any occupied housing unit that is not owner occupied, including units rented for cash and those occupied without payment of cash rent.

Secondary Housing Activity: A means of providing or producing affordable housing -- such as rental assistance, production, rehabilitation, or acquisition -- that will receive fewer resources and less emphasis than primary housing activities for addressing a particular housing need. (See also, "Primary Housing Activity".)

Section 215: Section 215 of Title II of the National Affordable Housing Act. Section 215 defines "affordable" housing projects under the HOME program.

Service Needs: The particular services identified for special needs populations, which typically may include transportation, personal care, housekeeping, counseling, meals, case management, personal emergency response, and other services to prevent premature institutionalization and assist individuals to continue living independently.

Severe Cost Burden: The extent to which gross housing costs, including utility costs, exceed 50 percent of gross income, based on data published by the U.S. Census Bureau.

Severe Mental Illness: A serious and persistent mental or emotional impairment that significantly limits a person's ability to live independently.

Sheltered: Families and persons whose primary nighttime residence is a supervised publicly or privately operated shelter, including emergency shelters, transitional housing for the homeless, domestic violence shelters, residential shelters for runaway and homeless youth, and any hotel/motel/apartment voucher arrangement paid because the person is homeless. This term does not include persons living doubled up or in overcrowded or substandard conventional housing. Facilities that offer permanent shelter are not shelters, nor are the residents to be considered homeless.

Small Related: A household of 2 to 4 persons that includes at least one person related to the householder by birth, marriage, or adoption.

Substandard Condition and not Suitable for Rehab: By local definition, dwelling units that are in such poor condition as to be neither structurally not financially feasible for rehabilitation.

Substandard Condition but Suitable for Rehab: By local definition, dwelling units that do not meet standard conditions but are both financially and structurally feasible for rehabilitation. This

does not include units that require only cosmetic work, correction or minor livability problems or maintenance work. The jurisdiction must define this term (i.e., standard condition, financially and structurally feasible for rehab) and include this definition in the Appendix (Glossary of Terms) portion of its CHAS submission.

Substantial Amendment: A major change in an approved housing strategy. It involves a change to the five-year strategy, which may be occasioned by a decision to undertake activities or programs inconsistent with that strategy.

Substantial Rehabilitation: Rehabilitation of residential property at an average cost for the project in excess of $25,000 per dwelling unit.

Supportive Housing: Housing, including Housing Units and Group Quarters, that provides a supportive environment and include a planned service component.

Supportive Service Need in FSS Plan: The plan that PHAs administering a Family Self-Sufficiency program are required to develop to identify the services they will provide to participating families and the source of funding for those services. The supportive services may include child care; transportation; remedial education; education for completion of secondary or post secondary schooling; job training, preparation and counseling; substance abuse treatment and counseling; training in homemaking and parenting skills; money management, and household management; counseling home ownership; job development and placement; follow-up assistance after job placement; and other appropriate services.

Supportive Services: Services provided to residents of supportive housing for the purpose of facilitating the independence of residents. Some examples are case management, medical or psychological counseling and supervision, childcare, transportation, and job training.

Tenant-Based (Rental) Assistance: A form of rental assistance in which the assisted tenant may move from a dwelling unit with a right to continued assistance. The assistance is provided for the tenant, not for the project.

Total Vacant Housing Units: Unoccupied year round housing units. (U.S. Census definition)

Transitional housing: A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, or a longer period approved by HUD. For purposes of the HOME program, there is no HUD-approved time period for moving to independent living.

Unsheltered: Families and individuals whose primary nighttime residence is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., streets, parks, alleys).

Vacant Awaiting Occupancy or Held: Vacant year round housing units that have been rented or sold and are currently awaiting occupancy, and vacant year round housing units that are held by owners or renters for occasional use. (U.S. Census definition)

Vacant Housing Unit: Unoccupied year-round housing units that are available or intended for occupancy at any time during the year.

Very Low-Income: Households whose incomes do not exceed 30 percent of the median area income for the area, as determined by HUD, with adjustments for smaller and larger families and for areas with unusually high or low incomes or where needed because of prevailing levels of construction costs or fair market rents. (This term corresponds to low-income households in the CDBG Program.) For the purpose of further distinguishing needs within this category, two subgroups (0 to 30% and 31 to 50% of MFI) have been established in the CHAS tables and narratives.)

Worst-Case Needs: Unassisted, very low income renter households who pay more than half of their income for rent, live in seriously substandard housing (which includes homeless people) or have been involuntarily displaced.

Year Round Housing Units: Occupied and vacant housing units intended for year round use. (U.S. Census definition.) Housing units for seasonal or migratory use are excluded.

ATTACHMENT B - FY 2010-2011 ANNUAL ACTION PLAN ACTIVITIES

CDBG Programs

Project ID	Local ID	Agency / Program	Funding
0001	2010-11-01-21A	CDBG Program Administration	$ 338,869.00
0002	2010-11-02-21D	Fair Housing Council - Fair Housing Services	$ 49,453.00
0003	2010-11-03-05G	Alternatives to Domestic Violence	$ 7,500.00
0004	2010-11-04-05	Community Assistance Program (CAP)	$ 30,600.00
0005	2010-11-05-05A	Friends of the Moreno Valley Senior Center - (MoVan)	$ 30,000.00
0006	2010-11-06-05	God's Helping Hand - Emergency Food Distribution	$ 9,000.00
0007	2010-11-07-05	Lutheran Social Services - Transitional Living Shelter	$ 15,000.00
0008	2010-11-08-05D	Operation Safehouse	$ 8,000.00
0009	2010-11-09-05	P.W. Enhancement Center - Emergency Motel Vouchers	$ 15,000.00
0010	2010-11-10-05I	Problem Oriented Policing	$ 28,241.00
0011	2010-11-11-05N	Riverside Area Rape Crisis Center - Child Abuse Prevention	$ 7,500.00
0012	2010-11-12-05	Path of Life Transitional Family Shelter	$ 15,000.00
0013	2010-11-13-05D	Moreno Valley Community Educators	$ 6,400.00
0014	2010-11-14-05	Salvation Army Food Program	$ 5,000.00
0015	2010-11-15-05D	Assistance League of Riverside - Operation School Bell	$ 10,000.00
0016	2010-11-16-05B	ARC of Riverside County	$ 5,000.00
0017	2010-11-17-05N	CASA for Riverside County	$ 10,000.00
0018	2010-11-18-15	Code Enforcement - Foreclosure Stike Team	$ 103,017.00
0019	2010-11-19-15	Neighborhood Code Enforcement Program	$ 263,390.00
0020	2010-11-20-18A	MV New Business Incentive Program	$ 540,000.00
0021	2010-11-21-18B	Community Employment Resource Center	$ 145,641.00
0022	2010-11-22-18B	Small Business Counseling Services	$ 50,000.00
0023	2010-11-23-05	Fair Housing Council - Foreclosure Prevention\Mitigation	$ 25,000.00
0024	2010-11-24-03D	Youth Opportunity Center - Tenant Improvements	$ 50,000.00
0025	2010-11-25-05	Community Foreclosure Prevention Workshops	$ 44,000.00
0026	2010-11-26-15	Neighborhood Clean-ups	$ 15,000.00
0027	2010-11-27-05	Volunteer Center '211' Telephone Referral Program	$ 5,000.00
0028	2010-11-28-15	Fire Prevention 'Improvement Task Force'	$ 30,000.00
0029	2010-11-29-14A	Habitat for Humanity Mobile Home Grant Program	$ 10,000.00
0030	2010-11-30-17C	Family Services Association Meal Program Facilities	$ 50,000.00
0031	2010-11-31-17C	Lord's Gym	$ 20,000.00
		Total CDBG Funding	**$ 1,941,611.00**

HOME Programs

Project ID	Local ID	Program	Funding
0032	2010-11-32-21A	HOME Program Administration	$ 66,659.00
0033	2010-11-33-26B	CHDO funds	$ 99,988.00
0034	2010-11-34-14A	Mobile Home Grant Program (MHG)	$ 100,000.00
0035	2010-11-35-14B	Multi-Family Affordable Housing Program	$ 182,942.00
0036	2010-11-36-14A	Home Improvement Loan Program	$ 240,000.00
		Total HOME Funding	**$ 689,589.00**

CPD Consolidated Plan
Listing of Proposed Projects

›ject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0001	CDBG Program Administration	21A General Program Administration	CDBG	$338,869
			ESG	
2009-10-01-21A	Planning and Administration	570.206	HOME	
			HOPWA	
	Comprehensive planning and administration of CDBG program.		TOTAL	$338,869
			Total Other Funding	$0

General CDBG program administration for FY 2010/11.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00054495

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0002	Fair Housing Council - Fair Housing Services	21D Fair Housing Activities (subject to 20% Admin cap)	CDBG	$49,453
2009-10-02-21D	Housing Objective		ESG	
			HOME	
	Objective Description: Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services, and assist homeless persons and those threatened with homelessness.	570.206	HOPWA	
		3,700 People (General)	TOTAL	$49,453
			Total Other Funding	$0
	Project Description: Provides a full range of fair housing services that promote fair housing rights and obligations. The primary goal is to give impetus to, and actualize activities that affirmatively further fair housing in the City of Moreno Valley through the three basic areas of education, training and technical assistance, landlord/tenant mediation and enforcement. Provide assistance to victims of illegal housing discrimination. An estimated 3,700 Moreno Valley residents will be served.			
	Help the Homeless?	No	Start Date: 07/01/10	
	Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
	Eligibility:			
	Subrecipient:	Subrecipient Public 570.500(c)		
	Location(s): 23890 Alessandro Boulevard, Ste. A1 Moreno Valley, CA 92553	Addresses		

CPD Consolidated Plan
Listing of Proposed Projects

oject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0003	Alternatives to Domestic Violence	05G Battered and Abused Spouses	CDBG	$7,500
			ESG	
2010-11-03-05G	Public Services	570.201(e)	HOME	
	Public Service Objective To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	800 People (General)	HOPWA	
			TOTAL	$7,500
			Total Other Funding	$0
	Project Description: Provides services to victims of violent crimes (battered women and their children). An estimated 800 Moreno Valley residents will be served by this program annually. These services include an Outreach Counseling Center which offers a 24 hour crisis line, counseling, support groups, court advocacy, and an emergency shelter for battered women and abused children.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low/Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	
P.O. Box 910, Riverside, CA 92502		

MV00054497

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0004	Community Assistance Program	05 Public Services (General)	CDBG	$30,600
			ESG	
2010-11-04-05	Public Service Objective	570.201(e)	HOME	
	Objective Description:		HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	12,000 People (General)	TOTAL	$30,600
			Total Other Funding	$0

Project Description:
The Community Assistance Program (CAP) will provide emergency and supplemental food and clothing to low and moderate income persons. Also provides utility payments and social service referrals.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

24594 Sunnymead Boulevard, Moreno Valley, CA 92553

MV00054498

CPD Consolidated Plan
Listing of Proposed Projects

ɔject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0005	Friends of the Moreno Vlly Sr Cntr--(MoVan)	05A Senior Services	CDBG	$30,000
			ESG	
2010-11-05-05A	Senior Programs	570.201(e)	HOME	
	Objective Description:		HOPWA	
	Provide services to senior residents of the City, which may include transportation and activities.	3,400 Elderly	TOTAL	$30,000
			Total Other Funding	$0

Project Description:
The Friends of the Moreno Valley Senior Center own and operate the MoVan which is used to transport the elderly and adult handicapped to medical appointments and other needed destinations. The MoVan is a 17-passenger bus with two wheel chair tie-downs. The MoVan operates 7 hours per day/5 days per week and serves over 3,400 persons annually. Minimal fares charged only if able to pay.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

25075 Fir Avenue, Moreno Valley, CA 92553

MV00054499

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0006	God's Helping Hand - Emergency Food Distribution	05 Public Services (General)	CDBG	$9,000
			ESG	
2010-11-06-05	Public Services Objective:	570.201(e)	HOME	
			HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	8,750 People (General)	TOTAL	$9,000
			Total Other Funding	$0

Project Description:
Program provides food (three meals a day for five days) to low-income Moreno Valley residents and families. Also provides social services referrals and emergency clothing. The organization anticipates assisting 8,750 Moreno Valley residents.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

13958 Highway 215, Moreno Valley, CA 92553

MV00054500

CPD Consolidated Plan
Listing of Proposed Projects

oject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0007	Lutheran Social Services - Transitional Living Program	05 - Public Service (General)	CDBG	$15,000
			ESG	
2010-11-07-05	Housing Objective:	570.201(e)	HOME	
	Objective description:		HOPWA	
	Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services, and assist homeless persons and those threatened with homelessness.	55 People (General)	TOTAL	$15,000
			Total Other Funding	$0
	Project Description: Project povides assistance to homeless women and children through a comprehensive transitional living program. While in the program, participants develop a "Strategic Family Plan" in order to attain the skills necessary for independent living. Counseling, education assessments and other services are provided to assist participants with gaining independence.			

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

23310 Meyer Drive, Riverside, CA 92518

MV00054501

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0008	Operation Safehouse	05D - Public Service (Youth Service)	CDBG	$8,000
			ESG	
2010-11-08-05D	Public Service Objective:	570.201(e)	HOME	
			HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	80 Homeless Youth	TOTAL	$8,000
			Total Other Funding	$0

Project Description:
Operation Safehouse is a 17-bed youth shelter located in a residential neighborhood which is staffed 24 hours per day. Provides shelter, food, counseling, clothing and support services for runaway/throwaway children in a safe and supervised environment.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

9685 Hayes Street, Riverside, CA

MV00054502

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0009	P.W. Enhancement Cntr - Emergency Motel Vouchers	05 Public Services (General)	CDBG	$15,000
			ESG	
2010-11-09-05	Homeless Service Objective:	50 People (General)	HOME	
			HOPWA	
	To provide supportive housing and public services to meet the needs of homeless persons or those threatened with homelessness		TOTAL	$15,000
			Total Other Funding	$0

Project Description:
The P.W. Enhancement Center provides emergency and supportive services to needy households including food distribution, budgeting and money management, and job preparedness. Funding will be provided to assist the homeless by providing emergency motel vouchers and rental assistance to needy families and individuals.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

24490 Sunnymead Blvd., Moreno Valley, CA 92553

MV00054503

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0010	Problem Oriented Policing (POP)	05I Crime Awareness	CDBG	$28,211
			ESG	
2010-11-10-05I	Anti-Crime Programs	570.201(e)	HOME	
			HOPWA	
	Public Safety - To provide a safe and secure environment for residents and businesses through the Neighborhood Policing Program. Annual Program Goal - Continue to increase public safety in low-income neighborhoods (CDBG Target Areas) and reduce the number of calls for service.	250 People (General)	TOTAL	$28,211
			Total Other Funding	$0

Project Description:
Police Officers will be assigned to the CDBG Target Areas for the purpose of continuing the Community Based Problem Oriented Policing Program (POP). The program is designed to reduce crime, promote neighborhood pride, and bring law enforcement to a personal community level. The specific purpose of the program include reduction of crime within the designated areas and the improvement/removal of blight.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	

CT: 042405 BG: 1 County: 06065
CT: 042405 BG: 2 County: 06065
CT: 042504 BG: 1 County: 06065
CT: 042504 BG: 2 County: 06065
CT: 042505 BG: 1 County: 06065
CT: 042505 BG: 2 County: 06065
CT: 042508 BG: 1 County: 06065
CT: 042512 BG: 2 County: 06065
CT: 042514 BG: 1 County: 06065
CT: 042515 BG: 1 County 06065
CT: 042515 BG: 2 County: 06065
CT: 042516 BG: 1 County: 06065
CT: 042516 BG: 2 County: 06065
CT: 042519 BG: 1 County: 06065
CT: 042509 BG: 1 County: 06065
CT: 042509 BG: 2 County: 06065
CT: 042511 BG: 1 County: 06065
CT: 042520 BG: 1 County: 06065
CT: 042605 BG: 6 County: 06065

CPD Consolidated Plan
Listing of Proposed Projects

oject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0011	Riverside Rape Crisis - Child Abuse Prevention Progrm	05N Abused and Neglected Children	CDBG	$7,500
			ESG	
2010-11-11-05N	Public Service Objective:	570.201(e)	HOME	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	5,500 Youth	TOTAL	$7,500
			Total Other Funding	$0

Project Description:
Child abuse prevention and education programs designed to reach children (K through 12) and adults are presented at the elementary, middle and high school levels. The program is also designed to reach bilingual and Special Education students, adults, and teen support groups. Also provides counseling and support services to abuse victims and their families.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipiet Public 570.500(c)	
Location(s): 1845 Chicago Ave. Ste. A, Riverside, CA 92507	Community Wide	

MV00054505

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0012	Path of Life Transitional Shelter	05 - Public Services (general)	CDBG	$15,000
			ESG	
2010-11-12-05	Homeless Services	570.201(e)	HOME	
			HOPWA	
	To provide transitional housing services to families with children (both single and married couples)	142 Homeless people		
			TOTAL	$15,000
			Total Other Funding	$0

Project Description:
The King Hall Transitional Housing Project will offer transitional and emergency shelter care to women with children, single women, and homeless families. Services include shelter, assessment of needs, life skills coaching, goal setting, job training, budget planning, education, and supportive services.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses

23701 Meyer Drive, (MARB) Riverside, CA 92518

MV00054506

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0013	Moreno Valley Community Educators	05D Public Services (Youth)	CDBG	$6,400
			ESG	
2010-11-13-05D	Project Description:	570.201(e)	HOME	
			HOPWA	
	The program offers low income, 'at risk' children ages 5-18 free tutoring (all subjects), mentoring, standardized test preparation, and computer literacy 4:30 pm to 6:30 pm 3 nights per week. CDBG funding will allow the center to purchase supplies, expand its hours, and include programs for young adults such as GED preparation, parenting, resume writing, interview skills and other workforce development skills.	40	TOTAL	$6,400
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552

MV00054507

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0014	Salvation Army Food Program	05 Public Services General	CDBG	$5,000
			ESG	
2010-11-14-05D	Public Services	570.201(e)	HOME	
			HOPWA	
	The Food Pantry offers needy residents emergency food on Mondays and Tuesdays from 8:30 a.m.-12:30 p.m. Funding allows for the hire of a much needed part-time driver to pick up food from their collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons this coming year.	22,000	TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipiet Public 570.500(c)	
Location(s):	Community Wide	

14068 Graham Street Moreno Valley, CA 92533

MV00054508

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishment	Funding Sources	
0015	Assistance League of Riverside - OPERATION SCHOOL BELL		CDBG	$10,000
			ESG	
2010-11-15-05D	Public Services (Youth Services)	570.201(e)	HOME	
			HOPWA	
		280		
			TOTAL	$10,000
	The project will provide new school clothing to 280 needy Moreno Valley children. Children are referred by Moreno Valley Unified School District staff. Each child referred will receive 6 pairs of socks and underwear, 2 pairs of pants, 3 shirts, 1 sweatshirt, 1 jacket, 1 shoe voucher, 1 backpack, 1 new reading book, 1 used book, and a personal hygiene kit.		Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele
Subrecipient:	Subrecipiet Public 570.500(c)
Location(s):	Community Wide

3707 Sunnyside Dr. Riverside, CA 92506

MV00054509

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0016	ARC of Riverside County	Disaled Services	CDBG	$5,000
			ESG	
2010-11-16-05B	Services for the Disabled	570.201(c)	HOME	
			HOPWA	
	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to an on-site LVN, and to help continue other existing services.	50-100 Youth	TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	

12199 Heacock St., Ste. 5, Moreno Valley 92557

MV00054510

CPD Consolidated Plan
Listing of Proposed Projects

ject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0017	CASA for Riverside County	05N - Public Service (Abused Youth Services	CDBG	$10,000
			ESG	
2010-11-17-05N	Public Services Objective - Abused Foster Youth	570.201(e)	HOME	
			HOPWA	
	CASA offers court appointed monitoring services to foster youth. A CASA volunteer consistently monitors the foster child, advocates for their best interest and follows their progress regardless of a change in foster family. The CASA volunteer (advocate) reports to court on the child's behalf assisting to ensure the child is placed in a safe, permanent home with hope for a positive future. CDBG funds will be used for salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.	57 foster youth	TOTAL	$10,000
			Total Other Funding	$0

Help the Homeless? Yes
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility: 570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses
Southwest Justice Center, 30755 D. Auld Rd., Ste 1226 Murrieta, CA 92563

MV00054511

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0018	Code Enforcement City Foreclosure Strike Team	15 Code Enforcement	CDBG	$103,017
			ESG	
2010-11-18-15	Other	570.206	HOME	
	Project Description:		HOPWA	
	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.		TOTAL	$103,017

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility: 570.208(a)(1) - Low / Mod Area
Subrecipient: Local Government
Location(s): CT & BG's

CT: 042405 BG: 1 County: 06065
CT: 042405 BG: 2 County: 06065
CT: 042504 BG: 1 County: 06065
CT: 042504 BG: 2 County: 06065
CT: 042505 BG: 1 County: 06065
CT: 042505 BG: 2 County: 06065
CT: 042508 BG: 1 County: 06065
CT: 042509 BG: 1 County: 06065
CT: 042509 BG: 2 County: 06065
CT: 042511 BG: 1 County: 06065
CT: 042512 BG: 2 County: 06065
CT: 042514 BG: 1 County: 06065
CT: 042515 BG: 1 County 06065
CT: 042515 BG: 2 County: 06065
CT: 042516 BG: 1 County: 06065
CT: 042516 BG: 2 County: 06065
CT: 042519 BG: 1 County: 06065
CT: 042520 BG: 1 County: 06065
CT: 042605 BG: 6 County: 06065

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0019	Neighborhood Code Enforcement Program	15 Code Enforcement	CDBG	$263,390
			ESG	
2010-11-19-15	Other	570.206	HOME	
	Project Description:		HOPWA	
	The Code & Neighborhood Services Division will provide proactive code enforcement activities within the CDBG Target Areas. The program will reduce blight and substandard housing conditions and promote improved property and building maintenance habits of property owners and tenants. These goals will be achieved through investigation and enforcement of zoning, housing, building, and health and safety codes.		TOTAL	$263,390

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(1) - Low / Mod Area
Subrecipient:	Local Government
Location(s):	CT & BG's

MV00054513

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0020	Moreno Valley Retail Business Incentive Program	18A ED Technical Assistance	CDBG	$540,000
			ESG	
2010-11-20-18A	Direct Assistance to For Profits The economic downtown has lead to job loss for many residents. As of February 2010, the City's unemployment rate exceeded 17%. Funding is recommended for the continuation of a New Business Incentive Program intended to attract major employers to locate in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues.	570.203(b)	HOME HOPWA	
			TOTAL	$540,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses

14177 Frederick Street Moreno Valley, CA 92552

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0021	EMPLOYMENT RESOURCE CENTER	18B ED Technical Assistance	CDBG	$145,641
			ESG	
2010-11-21-18B	Economic Development	570.203(b)	HOME	
			HOPWA	
	The economic downtown has lead to job loss for many residents. As of February 2010, the City's estimated unemployment rate exceeded 17%. The ERC will continue to provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost. The site has also been used to conduct job training as well as employee recruitments for several Moreno Valley businesses. During the first year of operation, the Center had over 13,000 patrons visit the site.		TOTAL	$145,641
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses
12625 Frederick Street Moreno Valley	

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0022	Small Business Counseling Services	18B ED Technical Assistance	CDBG	$50,000
			ESG	
2010-11-22-18B	Economic Development	570.203(b)	HOME	
			HOPWA	
	The goals of the community and economic development strategy in the Consolidated Plan are to promote expanded economic opportunities in order to create or retain low and moderate income jobs, provide infrastructure improvements in CDBG Target Areas, and support public service programs available to serve low and moderate income residents.	100 Businesses	TOTAL	$50,000
			Total Other Funding	$0
	The Inland Empire Small Business Development Center (SBDC) provides technical assistance and training to Moreno Valley small businesses. Training and seminars include such topics as financial management, marketing, taxes, developing a business plan and expanding a home-based business. It is anticipated that the seminars, training and counseling will create or retain low income jobs.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(4) Job Creation or Retention	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

1157 Spruce Street, Riverside, CA

MV00054516

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0023	Fair Housing Council - Foreclosure Prevention & Mitigation Counseling		CDBG	$25,000
			ESG	
2010-11-23-05	Housing		HOME	
		Public Service 570.201(e)	HOPWA	
	Project provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. Program also offers budget management, financial assessments, mortgage education and training to potential homebuyers, and referral services.	Limited Clientele 570.208(a)(2)		
			TOTAL	$25,000
		750 people		
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses

23890 Alessandro Boulevard, Moreno Valley, CA 92553

MV00054517

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0024	Youth Opportunity Center	03D Youth Centers	CDBG	$50,000
			ESG	
2010-11-24-03D	Economic Development	570.203(b)	HOME	
	Project Description:		HOPWA	
	The project would establish a 2,000 sq. ft. center where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. Grant would serve as the required matching funds that would be used for the building acquisition or for needed tenant improvements in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.		TOTAL	$50,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses
14177 Frederick St., Moreno Valley, CA	

MV00054518

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0025	Community Foreclosure Prevention Workshops		CDBG	$44,000
			ESG	
2010-11-25-05	Housing		HOME	
		Public Services 570.201(e)	HOPWA	
	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The City is expected to partner with agencies such as: the Riverside County Fair Housing Council, Springboard Consumer Credit Counselors, Employment Development Department, the County Tax Assessors Office, HUD, the IRS, and others to provide a complete and comprehensive program.	570.208(a) Low – Moderate Income	TOTAL	$44,000
		300 people	Total Other Funding	$0

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility:
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses

14177 Frederick St. Moreno Valley, CA 92552

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0026	Neighborhood Clean-ups	15 Code Enforcement	CDBG	$15,000
			ESG	
2010-11-26-15	Other	570.206	HOME	
			HOPWA	
	The program proposes to provide 3 large scale clean-ups to be held in select neighborhoods within the CDBG Target Areas identified as the 'most distressed.' The clean-ups will utilize industrial size dumpsters and skip loaders. The objective is to eliminate blight, prevent deterioration of properties, and remove conditions that negatively impact health, safety, or public welfare. On average each event benefits approximately 100 residences.		TOTAL	$15,000

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	
14177 Frederick st. Moreno Valley, CA		

MV00054520

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0027	211 of Riverside County	05 General Public Service	CDBG	$5,000
			ESG	
2010-11-27-05	Volunteer Center of Riverside County	570.201(e)	HOME	
			HOPWA	
	211 Riverside is an on going phone system that provides 24 hour, 7 days a week information and referrals to social service programs. Due to the economy, calls to 211 have increased. Funding is requested to cover staffing costs to handle increased call loads.		TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00054521

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0028	Fire Prevention Div. - Neighborhood Improvement Task Force	15 Code Enforcement	CDBG	$30,000
2010-11-28-15	Other	570.206	ESG HOME	
	Project Description: This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family units in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing		HOPWA TOTAL	$30,000

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location CDBG Target Area		

MV00054522

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0029	Habitat for Humanity Mobile Home Grant Program		CDBG ESG	
2010-11-29-14A	Housing	570.202	HOME HOPWA	$10,000.00
		12 Households (General)		
			TOTAL	$10,000.00
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.			
			Total Other Funding	$0.00

Project Description:
Program offers assistance to income-qualified mobile home owners for rehabilitation of exterior substandard conditions. Work is performed by volunteers. Program aims to assist those who are unable to do repairs themselevs and where lack of maintenance may lead to eviction.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:
Subrecipient: Local Government
Location(s): N/A

MV00054523

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0030	FSA Meal Program Facility	17C - Commercial/Industrial Building Acquisition, Construction, Rehabilitation	CDBG	$50,000
			ESG	
2010-11-30-17C	Economic Development	570.203(a)	HOME	
	Project Description:		HOPWA	
	Family Services Association (a local non-profit) plans to construct a kitchen facility in the CDBG Target Area where meals will be prepared for its local meals and nutrition programs including for the participants of its many daycare centers in the community. The proposed $50,000 in CDBG funding would be used for assistance in acquiring a building for the site, and in lieu of the City's CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.		TOTAL	$50,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10	
Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
Eligibility:	570.203(a)		
Subrecipient:			
Location(s):	Addresses		
14177 Frederick St., Moreno Valley, CA			

MV00054524

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0031	Lord's Gym	17C - Commercial/Industrial Building Acquisition, Construction, Rehabilitation	CDBG	$20,000
2010-11-31-17C	Economic Development	570.203(a)	ESG HOME	
	Project Description: The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet in today's world by focusing on sports programs. The facility is new to the area and will offer a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring.The proposed $20,000 in CDBG funding would be used for tenant improvements, and in lieu of the CDBG assistance the 'Lord's Gym' must create or retain a minimum of one full-time permanent job which are held by or made available to low and moderate income level person.		HOPWA TOTAL Total Other Funding	 $20,000 $0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.203(a)	
Subrecipient:		
Location(s):	Addresses	
14177 Frederick St., Moreno Valley, CA		

MV00054525

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0032	HOME Program Administration	21A General Program Administration	CDBG	
			ESG	
2010-11-32-21A	Planning and Administration		HOME	$66,659.00
			HOPWA	
	Comprehensive planning and administration of programs.	0 N/A		
			TOTAL	$66,659.00
			Total Other Funding	$0.00

HOME program administration for FY 2010/2011

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	
14177 Frederick St. Moreno Valley, Ca 92553		

MV00054526

CPD Consolidated Plan
Listing of Proposed Projects

ject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0033	CHDO Funds	22 Unprogrammed	CDBG	
			ESG	
2010-11-33-22	Housing		HOME	$99,988.00
			HOPWA	
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.		TOTAL	$99,988.00
			Total Other Funding	$0.00
	Project Description: Funding shall be reserved\provided to a Community Housing Development Organization (CHDO) to construct or rehabilitate multi-family rental units in the CDBG Target Area. These units will be affordable to low income households.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00054527

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0034	Mobile Home Grant Program		CDBG	
			ESG	
2010-11-34-14A	Housing	570.202	HOME	$100,000.00
			HOPWA	
		10 Households (General)		
			TOTAL	$100,000.00
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant servic			
			Total Other Funding	$0.00
	Project Description: Program offers grants of up to $10,000 to income-qualified owners of mobile home coaches for the rehabilitation of substandard conditions.			

Help the Homeless?	No	Start Date: 07/01/10	
Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
Eligibility:			
Subrecipient:	Local Government		
Location(s):	N/A		

MV00054528

CPD Consolidated Plan
Listing of Proposed Projects

ject ID/ al ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishme	Funding Sources	
0035	Multi-family Affordable Housing Program (MFA)		CDBG	
			ESG	
2010-11-35 -14B	Housing Housing Objective Description: Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.		HOME	$182,942.00
			HOPWA	
			TOTAL	$182,942.00
	Project Description: Program funds will assist in the construction of new affordable multi-family housing units. New construction will provide additional affordable housing within the community.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.202	
Subrecipient:	Local Government	
Location(s):	N/A	

MV00054529

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0036	Home Improvement Loan Program		CDBG	
			ESG	
2010-11-36-14A	Housing	6 households	HOME	$240,000.00
			HOPWA	
	Housing Objective Description: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant service.		TOTAL	$240,000.00
			Total Other Funding	$0.00
	Project Description: The HILP provides 3% deferred loans for homeowners to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00054530

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Ph: 951.687.0551
Fx: 951.687.0994
sierramemorialchapel.com

Riverside Recycling
686-2129
Hours: 8:15am-4:15pm
Monday-Saturday
Must be in yard by 3:30pm
MUST PRESENT COUPON
A Division of Riverside Scrap Iron & Metal Corp.
riversidemetalrecycling.com
Expires 3/16/10

CITY OF MORENO VALLEY
NOTICE OF PUBLIC HEARING

CDBG & HOME PROGRAMS
FOR FISCAL YEAR 2010/2011 ANNUAL ACTION PLAN

The Moreno Valley City Council of the City of Moreno Valley will hold a PUBLIC HEARING to review and select the programs and projects requesting Community Development Block Grant (CDBG) and HOME Incentive Partnership Program (HOME) Funds of FY 2010/11:

The Public Hearing will be held on Tuesday, March 23, 2010 at 6:30 p.m. at the following location:

City Council Chambers
Moreno Valley City Hall
14177 Frederick Street
Moreno Valley, CA 92552

The City anticipates receiving an estimated $1,793,000 in new CDBG funds and $666,000 in HOME funds in FY 2010/2011. Please note that at least 70% of the CDBG funding will be allocated to projects serving lower income residents. The public is invited to attend and give input regarding the programs proposed for funding. Once approved at the City level, the programs will be incorporated into the 2010/11 Annual Action Plan and submitted to the Department of Housing and Urban Development (HUD) for Federal approval.

The Action Plan is the annual update to the City's adopted 5-Year Consolidated Plan that covers the period from July 1, 2008 through June 30, 2013 (FY 2008 – FY 2013). The Consolidated Plan is a planning document that identifies priority housing and non-housing community development needs, development of strategies, project selections, and funding distributions. The City's required to provide an Annual Action Plan Update each year that incorporates how new CDBG and HOME funds will be used to facilitate the strategies and address the needs identified in the Consolidated Plan. Current needs identified in the community include: housing, youth career development, public social services, economic development (job creation), and crime prevention.

For more information, please contact Isa Rojas, Management Analyst in the Economic Development Department (951) 413-3450.

With the advan
surgical robotic
prostate surgery
Hospital. Our
dexterity and p
or incontinence. And our patients m
and much faster recoveries. If you or
call the Center for Surgical and Spec
information or a physician referral.

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ATTACHMENT D – CITIZEN PARTICIPATION PLAN

INTRODUCTION

The City of Moreno Valley is required by law to have a detailed Citizen Participation Plan that contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of CDBG and HOME funds. The Moreno Valley Citizen Participation Plan was developed pursuant to the U.S. Department of Housing and Urban Development (HUD), Consolidated Submission for Community Planning and Development Programs as required under 24CFR Part 91 and Part 8. The Citizen Participation Plan provides the method and process by which the City of Moreno Valley will encourage citizen participation in the development of its Consolidated Plan. Through this plan, citizens will be afforded the opportunity to provide input regarding housing and community development needs, issues and problems affecting low- and moderate-income persons, development of strategies, project selections and funding distributions.

Encouraging Public Participation

The law requires that the City's Citizen Participation Plan both provide for and encourage public participation, emphasizing involvement by low- and moderate-income people – especially those living in low- and moderate-income neighborhoods (see CDBG Target Area Map). Also, HUD expects the City to take whatever actions are appropriate to encourage participation of minorities, people who do not speak English, and people with disabilities.

The City also maintains a distribution list of persons, agencies, and organizations that have expressed interest in the City's CDBG or HOME programs. Notifications of events, such as the Community Needs meetings, are mailed directly to those on the distribution list to encourage public participation.

The Role of Low Income People

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing: decent housing, a suitable living environment, and growing economic opportunities – all principally for low- and moderate-income people.

The City of Moreno Valley will provide the Riverside County Public Housing Authority with a copy of all Public Notices that are published during the Consolidated Plan process. The City encourages input from residents of the Public Housing developments and via the Public Housing Authority, residents are notified of Community Needs Meetings as well as Public Hearings.

Because the amount of federal CDBG and HOME money the City receives each year is mostly based upon the severity of both poverty and substandard housing conditions in the City, it is necessary that public participation genuinely involve low-income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process, including:

- Identifying needs
- Setting priorities among these needs, deciding how much money should be allocated to each high-priority need and suggesting the types of programs to meet high-priority needs
- Overseeing the way in which programs are carried out

The Various Stages of the Consolidated Plan Process

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general, these stages or events include:

A. Identification of community and housing needs (includes Public Hearing)
B. Preparation of a draft use of funds for the upcoming year, call the Proposed Annual Action Plan (includes Public Hearing)
C. Formal approval by the City Council of the Final Annual Action Plan (includes Public Hearing)
D. In the case where is it necessary to change the use of money already budgeted in an Action Plan or change priorities, a Substantial Amendment will be proposed (includes Public Hearing)
E. After the program year is complete, a Consolidated Annual Performance and Evaluation Report (CAPER) is drafted for public review and comment and then sent to HUD

The Program Year

The program year for Moreno Valley coincides with the City's fiscal year from July 1 through June 30.

PUBLIC NOTICES

Items Covered by the Public Notice Requirement

Advance Public Notice is provided once a federally required document is available for public review and comment, such as the Annual Action Plan or Consolidated Plan. In addition, advance public notice of all public hearings and public meetings is provided at least two weeks in advance.

Public Notice Schedule

Advance notice of all available documents, public hearings and public meetings are provided at least two weeks in advance. The notices will give residents a clear understanding of the event being announced.

The following is a general timeline of when public notices are published:

November-January	Notice of Community Needs Meetings
December-January	Notice of Public Hearing to Identify Community Needs
January	Notice of Funding Availability and Application Process for Funding
March	Notice of Public Hearing to Discuss Proposed Consolidated/Action Plan
March-April	Notice of Consolidated/Action Plan Availability for Public Review
April-May	Notice of Public Hearing to Adopt Final Consolidated/Action Plan
As Needed	Notice of Availability of Amendment to Consolidated/Action Plan
As Needed	Notice of Public Hearing to Amend Consolidated/Action Plan

Forms of Public Notice

Public notices are published in the Press-Enterprise as display advertisements in the non-legal section of the newspaper. A copy of the public notice will be sent to any person or organization requesting to be on the mailing list.

PUBLIC ACCESS TO INFORMATION

As required by law, the City will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual and past use of funds covered by the Citizen Participation Plan. Regarding the past use of funds, the law requires reasonable public access to records about any uses of these funds during the previous five years.

Also, the City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

Standard Documents

Standard documents include:

- The proposed and final Annual Action Plans
- The proposed and final Five-Year Consolidated Plan
- Proposed and final Substantial Amendments to either an Annual Action Plan or the Five-Year Consolidated Plan
- Consolidated Annual Performance and Evaluation Report
- Citizen Participation Plan

Availability of Standard Documents

All documents are available for immediate public review at City Hall in the Economic Development Department. Copies of standard documents that are not currently posted for public review will be provided to the public within five working days of the request at no cost. Copies of draft documents such as the Action Plan and CAPER are available at several locations for public review. These locations are: the Library, the Senior Center, City Hall, and the Purchasing Division at the City Corporate Yard. Documents remain at each of the for the entire required review time that is specified in the applicable public notice. All final documents are available for public review at City Hall during normal business hours.

PUBLIC HEARINGS

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

The law requires a minimum of two public hearings at two different stages of the process. The City will conduct three public hearings at the following stages of the process: Identifying Needs, Proposed Annual Action Plan, and the Final Annual Action Plan. Public hearings are also conducted for amendments to the Annual Action Plan as needed.

Access to Public Hearings

Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan, including a display advertisement in the non-legal section of the newspaper at least two weeks prior to the public hearing. Public hearings are conducted during the regularly scheduled City Council meetings.

Public Hearings and Populations with Unique Needs

All public hearings will be held at locations accessible to people with disabilities and provisions will be made for people with disabilities when requests are made within at least five working days prior to a hearing. Translators will be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

Conduct of Public Hearings

To ensure that public hearings are meaningful to residents, each public hearing will be conducted in the presence of the City Council. Each resident choosing to speak will be allowed a maximum of five minutes to make a verbal presentation.

The following is a general timeline of when public hearings are conducted during the process:

January	Public Hearing to Identify Community Needs
March	Public Hearing to Discuss CDBG and HOME Proposed Projects
May	Public Hearing to Adopt Final Consolidated Plan Amendment/ Action Plan
As Needed	Public Hearing to Amend Consolidated Plan Amendment/ Action Plan

STAGES IN THE PROCESS

A. IDENTIFYING NEEDS

Because the housing and community development needs of low- and moderate-income people are so great and so diverse, priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason the Consolidated Plan exists.

A public hearing is required to obtain residents' opinions about needs and what priority those needs have. In order to encourage public involvement, two public community needs meetings are conducted in two separate locations to determine the specific needs and priorities identified by low- and moderate-income people. After information is gathered from the community needs meetings, a public hearing is conducted to allow residents to express comments regarding the needs of the City's low- and moderate-income population.

The public hearing about community needs will be completed at least 15 days before a draft Annual Action Plan is published for comment, so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan.

B. THE PROPOSED ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

The law governing the Citizen Participation Plan calls for improved accountability of jurisdiction to the public. In that spirit and in compliance with the terms of the law, the City will use the following procedures.

At the beginning of this stage, the City will provide the public with an estimate of the amount of CDBG and HOME funds it expects to receive in the upcoming year, along with a

description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds that will be used in ways that will benefit low- and moderate-income people.

The plans of the City to minimize the extent to which low- and moderate-income people will have to leave their homes as a result of the use of these federal dollars (called "displacement") will also be available at this time. This "anti-displacement plan" will also describe how the City will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.

Technical Assistance

City staff will work with organizations and individuals representative of low- and moderate-income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing a proposal form.

Availability of a Proposed Annual Action Plan

Within 3 weeks after the Public Hearing about the Proposed Annual Action Plan, the City will make the Proposed Annual Action Plan available to the public. In addition, copies will be available at the locations specified above in the section, "Public Access to Information". A Public Notice will be published at least two weeks prior to the document's availability. The term "notice" described earlier in the section on "Public Notice" will be used.

Also, the date the Proposed Annual Action Plan is available to the public will be at least 30 days prior to the date a Final Annual Action Plan is approved by the City Council so that low- and moderate-income people will have a reasonable opportunity to examine it and to submit comments.

Public Hearing and Further Action

A public hearing about the Proposed Annual Action Plan will be conducted by the City Council within 30 days before it is available to the public. In addition, this public hearing will be held so that there are at least another 30 days before the Final Annual Action Plan is approved by the City Council so that the elected officials can consider the public's comments from the public hearing.

In preparing a Final Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Annual Action Plan will have a section that presents all comments and explains why any comments were not accepted.

C. THE FINAL ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

Copies of the Final Annual Action Plan will be made available to the public at City Hall for review. Copies can be obtained free of charge and within five business days of the request.

D. AMENDMENTS TO THE ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

The Final Annual Action Plan will be amended any time there is: a change in one of the Priorities presented on the HUD-required Priority Table, a change in the use of money to an activity not mentioned in the Final Annual Action Plan, or, a change in the purpose, location, scope of beneficiaries of an activity. The public will be notified whenever there is an amendment.

Substantial Amendments

The following will be considered "substantial" amendments:

1. A change in the use of CDBG or HOME money from one activity to another.
2. The elimination of an activity originally described in the Annual Action Plan.
3. The addition of an activity not originally described in the Annual Action Plan.
4. A change in the purpose of an activity, such as a change in the type of activity or its ultimate objective – for example, a change in a construction project from housing to commercial.
5. A meaningful change in the location of an activity.
6. A change in the type or characteristics of people benefiting from the activity. Among the "characteristics" are:
   a. The HUD-recognized income levels of: 0-30 percent of area median income; between 31 percent and 50 percent of AMI; and between 51 percent and 80 percent of AMI
   b. Race or ethnicity
   c. Renter or homeowner

d. Single households, small ones (two to four persons), large ones (five or more persons)

7. A 20% percent decrease in the number of low- and moderate-income people benefiting from an activity.
8. A change in the scope of an activity, such that there is a 20% percent increase or decrease in the amount of money allocated to the activity.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

1. There will be advance notice of the availability of a proposed Substantial Amendment 30 days before there is a public hearing.
2. A detailed written description of the proposed Substantial Amendment will be made available to the public. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
3. There will be a public hearing regarding the proposed Substantial Amendment conducted by the City Council. This public hearing will not take place until the public has had 30 days to review the proposed Substantial Amendment.
4. The public hearing will be held no sooner than two weeks prior to submission to HUD.
5. In preparing the Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments and explains why any comments were not accepted.

E. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Every year the City must send into HUD a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year. In

general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low- and moderate-income people.

Public Notice and Public Hearing for Consolidated Annual Performance and Evaluation Report (CAPER)

There must be reasonable notice that the Consolidated Annual Performance and Evaluation Report (CAPER) is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for the CAPER:

1. There will be advance notice of the availability of the CAPER two weeks in advance.
2. A complete copy of the CAPER will be made available to the public at the locations indicated earlier in the Citizen Participation Plan under "Public Access to Information".
3. The public will have a minimum of 15 days to review and provide comments on the CAPER.
4. In preparing the CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public. The CAPER sent to HUD will have a section that presents all comments and explains why any comments were not accepted.

Contents of the CAPER

The CAPER provides details on the actions taken by the City during the previous program year and accomplishments completed during the year. Accomplishments include the number of low- and moderate-income persons served and the ethnicity of those individuals. Also provided are expenditures taken during the year and funds spent undertaking each activity.

COMPLAINT PROCEDURES

Comments, suggestions or complaints may be addressed to the Economic Development Department as follows:

City of Moreno Valley
Economic Development Department
Attention: Neighborhood Preservation Division
14177 Frederick Street, P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-34507

All written complaints from the public will receive a meaningful written response within 15 working days after receipt.

CHANGES TO THE CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had a reasonable chance to review and comment on proposed substantial changes to it.

ATTACHMENT E

COMMUNITY NEEDS ASSESSMENT MEETING
Conference & Recreation Center
December 10, 2009
6:00 p.m. – 8:00 p.m.

Staff members present at the meeting:
Donna Moeller, Housing Program Specialist
Isa Rojas, Management Analyst
Michele Patterson, Redevelopment & Neighborhood Programs Administrator

Community members present at the meeting:

- James Cosey, representing the Transforming Community Action Program, a martial arts and social skills/behavior program for foster youth
- Rosalio Hernandez, Community Member (and family)

Donna Moeller presented an overview of the CDBG and HOME programs, including historical funding levels, identified priorities, and projects underway in the current program year. Attendees were advised that the purpose of the Needs Assessment Meeting was to solicit input from local residents and service providers on the current needs of the community, and attendees were asked to speak on behalf of their agency or to state their concerns and issues. The reference materials packet was reviewed with attendees.

The following is a summary of needs assessment comments made by meeting attendees:

- The primary focus of the grant funding should be on programs for youth, including after school programs, academic enrichment programs, social skills development and behavior programs, mentoring, computer literacy, tutoring, and the establishment of a Boys & Girls Club or YMCA.

- A particular focus should be directed to emancipating foster care youth to provide life skills training, employment training and opportunities, counseling and supportive services.

- The need for access to comprehensive social service program information was discussed. The meeting participants felt the Countywide 211 Referral Network was cumbersome and lacking in current resource information. It was stated that the City should take a proactive role in disseminating information to the community.

- The particular needs of tenants being displaced from housing due to property owner foreclosure was discussed. Information was provided by City staff on the HPRP funding, which can assist with rental subsidy, security deposits, 1st month's rent, utility payments and motel vouchers. It was agreed, however, that this funding is limited and will not meet the needs of the community as a whole.

COMMUNITY NEEDS ASSESSMENT MEETING
Community Senior Center
December 14, 2009
6:00 p.m. – 8:00 p.m.

Staff members present at the meeting:
Donna Moeller, Housing Program Specialist
Michele Patterson, Redevelopment & Neighborhood Programs Administrator

Community members present at the meeting:

- Emmanuel Martinez, Coachella Valley Housing Coalition, a non profit affordable housing developer
- Harnethia Mansell, Cultural Heritage Performers, a youth performing arts and education agency
- Dorothy Grzeskowiak, representing the MoVan and the Community Assistance Program (CAP)
- Monica Lopez, Fair Housing Program Manager with the Fair Housing Council of Riverside County
- Sheena Wright, Foreclosure Prevention/Loss Mitigation Specialist, Fair Housing Council of Riverside County
- Christopher Johseffe, representing the United Democrats of Moreno Valley
- Raul Wilson, representing the Mexican Political Association (MPA)

Donna Moeller presented an overview of the CDBG and HOME programs, including historical funding levels, identified priorities, and projects underway in the current program year. Attendees were advised that the purpose of the Needs Assessment Meeting was to solicit input from local residents and service providers on the current needs of the community, and attendees were asked to speak on behalf of their agency or to state their concerns and issues. The reference materials packet was reviewed with attendees.

The following is a summary of needs assessment comments made by meeting attendees:

- There was consensus among the participants that funding and programs should focus on youth. There is a continued need for after school programs to provide tutoring, academic enrichment, mentoring, artistic and performing arts development, computer literacy, life skills training, job skills training, transportation to and from available programs, and programs designed to keep kids safe and occupied during the critical 3:00 pm to 6:00 pm time period.

- The need for additional sports facilities, particularly soccer fields, was noted.

- It was reported that fair housing discrimination incidents continue to rise in Moreno Valley. Race and disabled accommodations are the 2 highest complaint categories. It was felt there is a need for additional trainings for property owners/management companies as well as testing and audit services to measure compliance. Both activities will require additional funding to the City's fair housing provider.

- The foreclosure crisis continues to be a critical need to address. The benefits of the ongoing foreclosure prevention workshops were acknowledged. An increasing new segment of underserved in this area are tenants who are losing their homes due to property owner foreclosure, and tenants being victims of various rental fraud schemes. Funding is needed to expand the workshops to specifically address the rights and options for tenants.

- The Fair Housing Council continues to receive requests for, and to provide, First Time Homebuyer education.

- Comments were received that additional capital improvements are needed in the Edgemont area, particularly the installation of sidewalks.

- There was recurring discussion among a limited number of attendees that prior CDBG funding has not benefited the residents of Moreno Valley:

    - It was commented that public service dollars should not be awarded to any agency located outside of Moreno Valley because there is a belief that the funds are spent on non-Moreno Valley residents.
    - Two participants believed it is a misappropriation of funds to utilize CDBG dollars to support programs that the City must provide through the general fund (ie. Code Enforcement and Police Services).
    - Two participants opposed the allocation of CDBG funds to any for-profit business through retail incentives or other economic development programs.

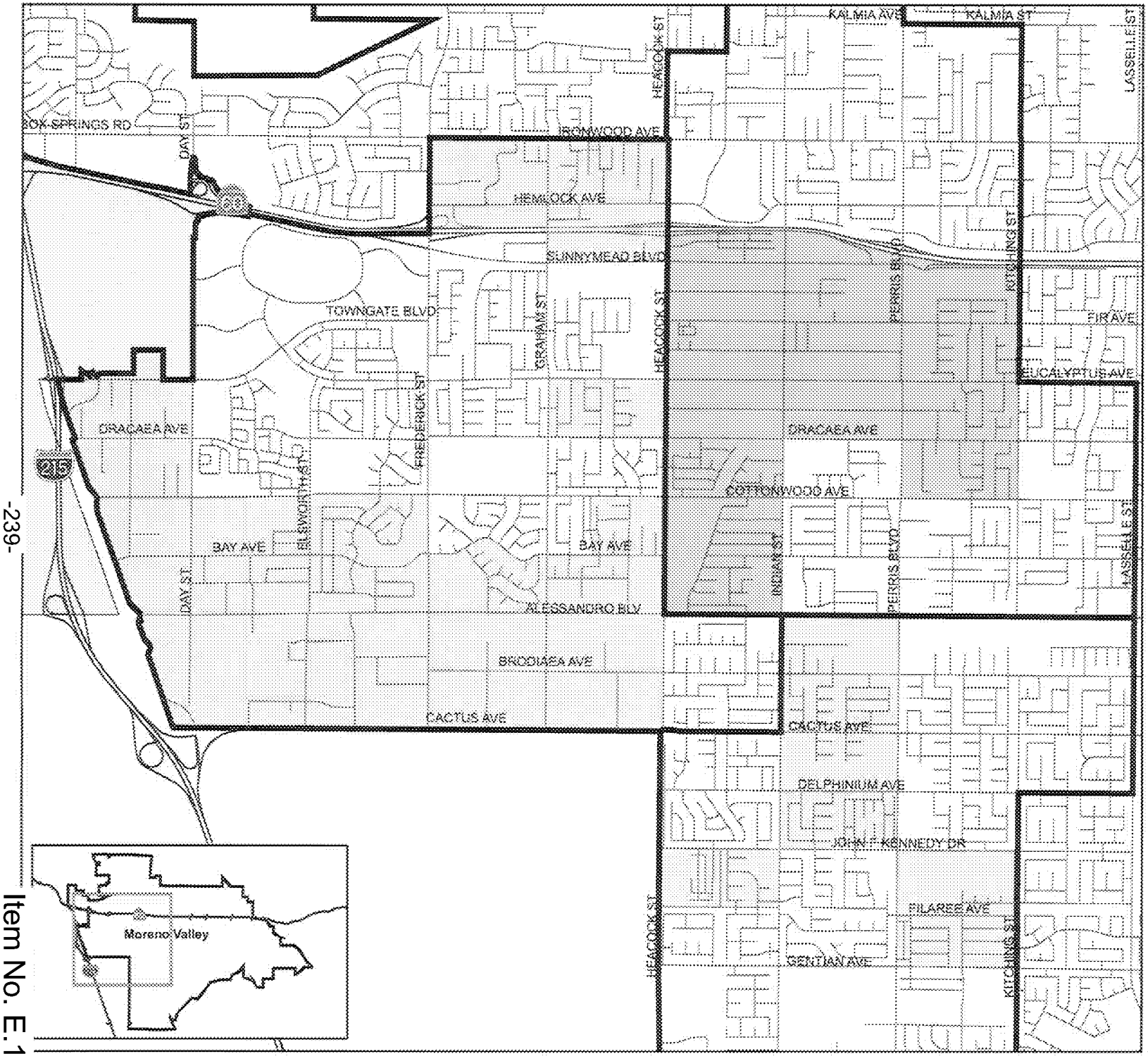

City of Moreno Valley CDBG Target Areas

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY

City of Moreno Valley
Redevelopment Area

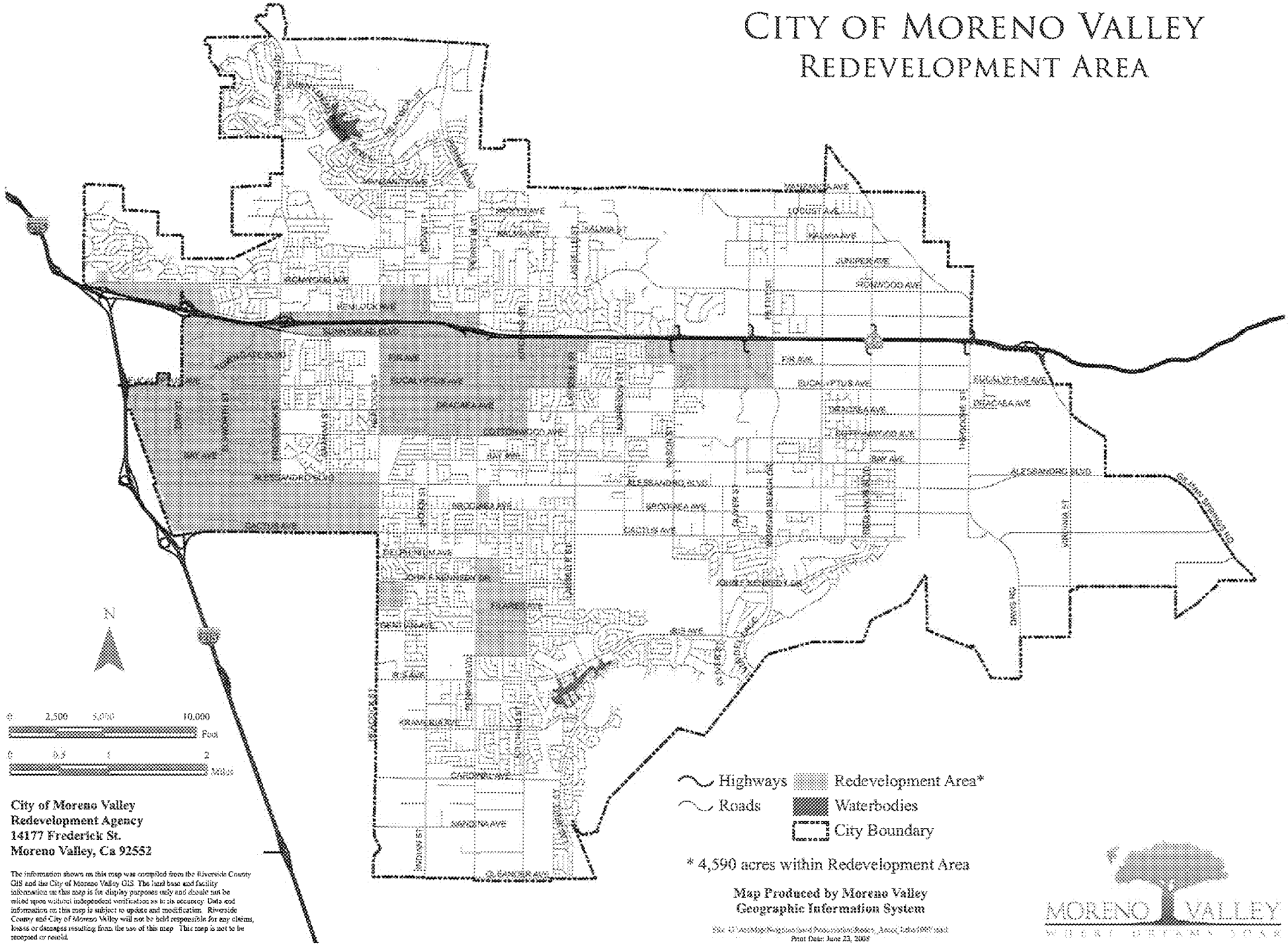

City of Moreno Valley
Redevelopment Agency
14177 Frederick St.
Moreno Valley, Ca 92552

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MV00054547

City of Moreno Valley
Revitalization Areas

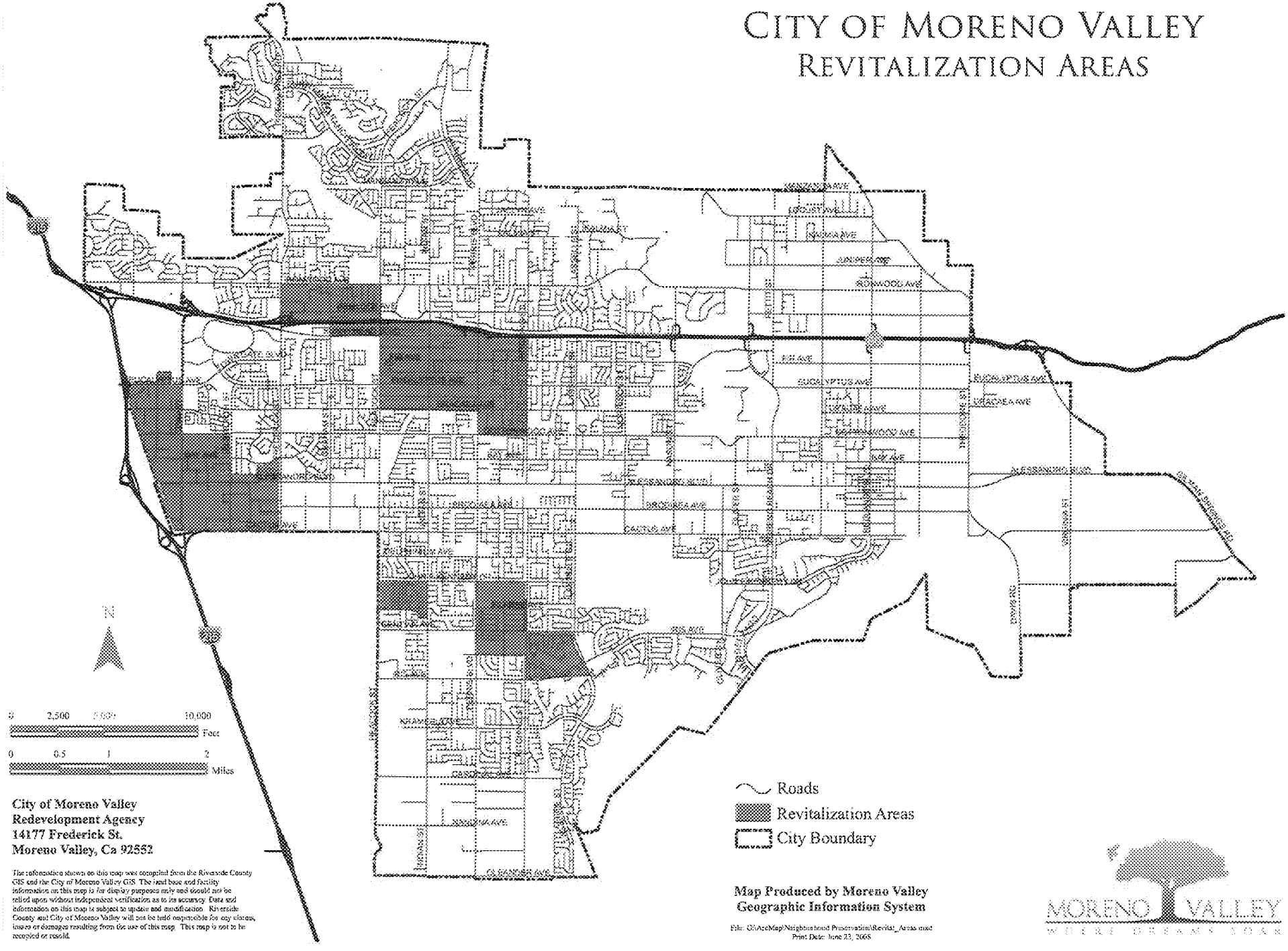

City of Moreno Valley
Redevelopment Agency
14177 Frederick St.
Moreno Valley, Ca 92552

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Map Produced by Moreno Valley Geographic Information System

File: G:\ArcMap\Neighborhood Preservation\Revital_Areas.mxd
Print Date: June 23, 2008

MORENO VALLEY
WHERE DREAMS SOAR

CITY OF MORENO VALLEY
ECONOMIC DEVELOPMENT DEPARTMENT
NEIGHBORHOOD PRESERVATION DIVISION

Community Development Block Grant
"Subrecipient Monitoring Form"

GENERAL INFORMATION:

Interviewer:_____

Interviewer:_____

Project Name: _____

Location:_____

Agency:_____

Project Began:_____

Project Ended:_____

Date:_____

Name(s) and Title(s) of Person(s) Interviewed:

CDBG REGULATIONS

1. What efforts has the Subrecipient made to ensure that employees understand applicable CDBG program requirements?

2. Does the Subrecipient maintain adequate records to comply with CDBG program requirements, including records retention? *(circle one)* Yes No

3. Comments:

INTERNAL CONTROLS

1. Has the Subrecipient ensured that financial management systems are maintained in accordance with 24 CFR, Part 85.20(b), as applicable? *(circle one)* Yes No

   If yes, what are the financial management standards?

2. If Subrecipient employees work on both CDBG-eligible and non-CDBG eligible activities, what system does the Subrecipient have in place to ensure that appropriate time distribution records are kept?

3. Is the Subrecipient in compliance with the procurement and/or subcontracting requirements of 24 CFR, Part 85.36, as applicable? *(circle one)* Yes No

4. Does the Subrecipient significantly review for evidence of conflicts of interest either between the Subrecipient and the employees or between the Subrecipient and its contractors (such as obtaining information on background of staff or board directors and seeking specific assurances from contractors, vendors, and suppliers)? *(circle one)* Yes No

SUBRECIPIENT AGREEMENT (24 CFR, PART 570.503)

1. Does the "Scope of Services" contain a description of the types and amounts of services or products that will result from use of CDBG funds in sufficient detail to allow for effective monitoring? *(circle one)* Yes No

   Give examples of any deficiencies found:

2. Is a deadline designated for accomplishment of each of the major services or projects identified in the "Scope of Services" (reference 24 CFR, Part 570.503(b)(1))? *(circle one)* Yes No

   Give examples of any deficiencies found:

3. Are the costs for carrying out the "Scope of Services" presented in sufficient detail to provide an adequate base for comparison of planned and actual performance (reference 24 CFR, Part 570.403(b)(1))? *(circle one)* Yes No

   Describe any deficiencies:

4. Are the documents presented and required of the Subrecipient in order to receive payment of CDBG funds adequate to ensure that payments are eligible and reasonable in relation to actual performance and that funds are not being requested in excess of immediate needs? *(circle one)* Yes No

   If not, please explain:

5. Where special documentation is required by the contract or project activity type such as but not limited to, necessary or appropriate determinations, or lead-based paint, is such documentation being maintained by the Subrecipient? *(circle one)* Yes No

   If not, what is lacking?

6. Where special income documentation is required by the contract or project activity type, is such documentation being maintained by the Subrecipient? *(circle one)* Yes No

   Indicate type of verification required:

7. Are current income limits being utilized for the program? *(circle one)* Yes No

8. Does the Agreement specify that program income is to be retained by the Subrecipient? *(circle one)* Yes No

   If yes, what provisions are made to ensure that such income is recorded and reported, and that it will be used in accordance with CDBG regulations?

9. Has Subrecipient been informed of requirement to submit an annual audit of City funded portion for the program per the CDBG Agreement? Audit shall be performed by a Certified Public Accountant or other independent auditor. *(circle one)* Yes No

REPORTING

1. Does the Subrecipient submit reports such as progress or financial reports on a timely and periodic basis (reference 24 CFR, Part 570.503(b)(2))? *(circle one)* Yes No

   If yes, please describe:

2. How frequently are these reports required to be submitted?

3. Has Subrecipient submitted written reports and is the information submitted sufficient to assess Subrecipient performance against the specifications in the "Scope of Services"? *(circle one)* Yes No

   If not, please explain:

4. Is the reported data verified by the City? *(circle one)* Yes No

   If yes, how does the recipient verify actual beneficiaries of a project?

PROGRAM INCOME MONITORING

1. How does the Subrecipient keep track of generated program income and ensure accurate reporting?

2. Has the Subrecipient established revenue accounts to record program income?

3. If program income is retained by Subrecipient, does the Subrecipient check to determine that:

   a. Program income is being used before new grant funds are requested?

   b. Such income is being used in accordance with CDBG rules and regulations?

ON-SITE REVIEW OF SUBRECIPIENTS BY CITY

1. Did a representative from the City of Moreno Valley monitor this Subrecipient on site? *(circle one)* Yes No

2. Based on this review, does there appear to be any significant differences between actual performance and the reported performance submitted to the City? *(circle one)* Yes No

   If yes, please describe:

3. In reviewing the activities and costs charged by the Subrecipient to the CDBG program, are there any costs that appear clearly unreasonable? *(circle one)* Yes No

4. Are there any expenditures that warrant further review? *(circle one)* Yes No
   If yes, please explain:

SUMMARY

1. Is it evident that the Subrecipient is adequately managing and monitoring its activities? *(circle one)* Yes No

   If not, try to identify the apparent causes of the problem(s). What action is recommended? Does the Subrecipient need additional technical assistance in any particular area? Are there elements of the Sub-recipients management system that are particularly successful? Please note below any general observations, positive and/or negative, which would contribute to a determination as to whether the Subrecipient has an adequate management and monitoring system in place to ensure compliance with regulations and accomplishment of goals and objectives.

FINDINGS:

CONCERNS:

RECOMMENDED ACTIONS:

POSITIVE OBSERVATIONS:

_____ _____
Signature of Reviewer Date

_____
Name and Title

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MV00054553

ATTACHMENT E

CDBG FUNDING ALLOCATIONS FY 2010/11

ADMINISTRATION (20% CAP - $388,322)	
CDBG Program Administration	$338,869
Fair Housing Services	$49,453
SOCIAL SERVICES (15% CAP - $291,241)	
Community Foreclosure Prevention Workshops	$44,000
Community Assistance Food Program (CAP)	$30,600
Friends of the Moreno Valley Senior Center (MoVan)	$30,000
Moreno Valley Police Dept., Problem Orienting Policing (POP) Team	$28,241
Fair Housing Council of Riverside County – Foreclosure Prevention / Mitigation	$25,000
Lutheran Social Services Transitional Center (MARB)	$15,000
Path of Life Ministries King Hall Family Shelter (MARB)	$15,000
PW Enhancement Center – Emergency & Homeless Services	$15,000
Neighborhood Clean-up Program	$15,000
Assistance League of Riverside - Operation School Bell	$10,000
CASA for Riverside County	$10,000
God's Helping Hand Ministries Food Program	$9,000
Operation Safehouse Shelter for Youth	$8,000
Alternatives to Domestic Violence - Prevention and Outreach Program	$7,500
Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
Moreno Valley Community Educators - Tutoring Program	$6,400
Salvation Army Food Program	$5,000
Volunteer Center '211' Program	$5,000
ARC of Riverside – Disabled Adult Day care Facility	$5,000
FACILITIES	
Youth Opportunity Center	$50,000
REHABILITATION	
Habitat for Humanity Mobile Home Grant Program	$10,000
CODE ENFORCEMENT	
Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
Code Enforcement - Foreclosure 'Strike Team'	$103,017
Fire Prevention 'Improvement Task Force'	$30,000
ECONOMIC DEVELOPMENT	
MV New Business Incentive Program	$540,000
Community Employment Resource Center	$145,641
Small Business Development Center	$50,000
Family Service Association Meal Program Facilities	$50,000
Lord's Gym	$20,000
TOTAL CDBG FUNDING ALLOCATIONS	**$1,941,611**

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MV00054555

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 11, 2010

TITLE: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and Plot Plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall conduct a public hearing to:

1. **RECOGNIZE** that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. **APPROVE** Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions;

3. **RECOMMEND** that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

ADVISORY BOARD RECOMMENDATIONS

On March 24, 2010, the Recreational Trails Board conducted a meeting and revisited the multi-use trail issue at the request of the applicant to modify the trail or have the City acquire the trail easement and complete all required trail improvements. At said meeting, the Board recommended that the City Council deny the applicant's request to modify conditions to either modify or remove the trail from the project or have the City acquire the trail easement and install trail improvements.

BACKGROUND

On February 10, 2009, the City Council, approved Highland Fairview Properties request for Tentative Parcel Map No. 35629 to subdivide a 158 gross acre site (265.3 acres with offsite improvements and drainage) into four buildable parcels and two parcels dedicated for future freeway improvement purposes, and a first phase plot plan for a 1,820,000 square foot distribution warehouse on approximately 83 acres. The Highland Fairview Corporate Park project includes approximately 2,620,000 square feet of industrial and commercial building area in three phases on four parcels.

On April 14, 2009, Highland Fairview submitted a written request to the City Council to consider approximately five different issues of project approval and modify approximately 56 conditions of approval related to the issues.

On May 14, 2009, three applications were submitted to the Planning Division requesting modifications of conditions. The first application (PA09-0013) included a General Plan Amendment to cover the request for the possible removal or modification of a required multi-use trail on future Eucalyptus Avenue. The second and third applications included all other requests to modify conditions of approval for both the Plot Plan (P09-038) and the Tentative Parcel Map (P09-039).

On June 10, 2009, the proposed modifications of conditions for the Corporate Park Project were provided to the Project Review Staff Committee (PRSC) for review. Based on this review, staff suggested that non-General Plan related conditions of approval could go to City Council for review separately and ahead of General Plan related

conditions of approval. Pursuant to the City's Municipal Code, all General Plan changes must go to the Planning Commission for a recommendation prior to consideration by the City Council. The non-General Plan related conditions include the item on required Highway 60 landscape, the multi-use trail if it was not requested to be modified/removed and the modification to Land Development and Transportation conditions of approval that address dedication and improvement of public improvements. In addition, staff asked Highland Fairview to provide a letter to staff that clarified the policy issues related to requests.

On September 3, 2009, a letter was provided by Highland Fairview Properties that modified the specific issues and conditions of approval that were requested to be revised. Staff conducted meetings with Highland Fairview staff to discuss items that were requested to be modified.

In October of 2009, the applicant requested in e-mail correspondence that staff not move forward with the modifications of conditions while other more pressing items related to ongoing project litigation proceedings were being worked out.

In a letter dated February 8, 2010, the applicant requested that the item be reinstated for review and further modified the original request to reduce the issues related to the project approval down to three items as follows:

- Remove the right of way landscape requirement along Highway 60.
- Eliminate or modify conditions of approval related to a required General Plan Multi-Use Trail along future Eucalyptus Avenue
- Modify various conditions of approval related to the dedication and improvement of public improvements

DISCUSSION

The following is a summary of items and issues regarding the applicant's request to modify various project approved conditions of approval:

Remove the right of way landscape requirement along Highway 60.

The applicant is seeking relief from a particular condition of approval within the map and plot plan that requires landscaping within the improved areas of the Caltrans right-of-way adjacent to Highway 60.

In the early 1990's, the City adopted the Highway 60 Corridor Specific Plan which included design criteria for landscaping and other improvements in the freeway right-of-way. While the land use portion of that Plan was later rescinded by the City, the freeway design criteria were retained. The Moreno Valley Mall and a few other commercial projects were required to install freeway landscaping in advance of the adoption of the 60 Corridor Plan and a few residential projects have been conditioned to

install or participate in freeway landscaping with varying levels of implementation. Freeway landscaping was installed by Caltrans in the mid-1990's consistent with the Plan. Some of this landscaping has thrived while others have suffered over the intervening years. In recent years, the Moreno Beach Plaza and Stoneridge Centre projects were not conditioned to provide freeway landscaping given the existence of City directed/funded interchange projects covering their frontage areas. Also of note are two proposed warehouse industrial projects in close proximity to the project, Prologis and Ridge Realty. Each has been advised of the likely imposition of a requirement to participate in freeway landscaping. The three projects combined represent approximately two miles of the City's freeway frontage.

In the case of landscape along Highway 60, staff does not have the authority to eliminate the condition because it derives from an adopted City policy document, the "Highway 60 Corridor Specific Plan". Staff is seeking policy direction from City Council as to whether or not to retain or modify this condition of approval. An alternative that the Planning Division has offered to Highland Fairview is the placement of interim landscape of seasonal wildflower ground cover with temporary irrigation in the right of way area in lieu of typical trees/shrubs and permanent irrigation. An erosion control hydroseed mix and temporary irrigation to establish the ground cover has been suggested by Highland Fairview as a less costly alternative, which is acceptable to Planning. During the summer months when wildflowers die out, maintenance would need to be provided by the property owner to remove weeds and dried out vegetation prior to the next growing season. The map and plot plan conditions of approval for Highway 60 landscape have been modified to reflect an erosion control landscape palette along Highway 60 without permanent irrigation. All right of way parcels will include the erosion control hydroseed mix, including the two large parcels in between Highway 60 and Parcels 2, 3, and 4.

Eliminate or modify a required General Plan Multi-Use Trail along future Eucalyptus Avenue.

The applicant has requested that several conditions of approval be modified related to the dedication and improvement of the multi-use trails on the project site.

Two specific changes to the Master Plan of Trails were proposed by the applicant and approved by City Council with the approval of the Highland Fairview Corporate Park project (including Skechers) in February of 2009. The first included the elimination of a multi-use trail over Highway 60 that was contingent on the feasibility of a freeway bridge. This trail link was originally designated to run along the Sinclair Street alignment, which was proposed to link to a required trail on the south side of Fir Avenue (future Eucalyptus Avenue) between Sinclair Street and Redlands Boulevard. The second change was the applicant's request to move a planned multi-use trail from the south to the north side of future Eucalyptus Avenue to provide one continuous trail on the north side of Eucalyptus Avenue from Quincy Street to Theodore Street.

Highland Fairview Properties have stated in their most recent letter of February 8, 2010 that there is a lack of nexus between the project and the requirement of providing the multi-use trail. Staff believes that there is a viable nexus given the trail's designation in the adopted General Plan multi-use trail plan. The trail provides a linkage with the overall General Plan trail system between Quincy and Theodore Streets. With the elimination of the Sinclair Street overcrossing trail, the extension of the trail along Eucalyptus Avenue east to Theodore Street provides connection to the trail crossing on Theodore Street. A multi-use trail provides for many uses, including horseback riding, walking paths for pedestrians, jogging paths for exercise, and bicycling.

The applicant requests that if the trails are constructed, the City acquire the easement and provide all improvements and on-going maintenance related to the trail. It is not common practice of the City to acquire an easement for a required General Plan multi-use trail or pay for trail improvements. All private developers are currently responsible for dedicating an easement and paying for the improvements to construct multi-use trails as a condition of their project approval. As in all cases, the City will maintain the required trail once it is improved by the developer and accepted by the City for maintenance.

The Recreational Trails Board reviewed proposed changes to the trail system on two separate occasions prior to project approval in February 2009 and concurred with the applicant's request to remove the Sinclair Street trail extension over Highway 60, change the location of the trail from the south side to the north side of future Eucalyptus Avenue and mitigate the trail elimination over Highway 60 by extending the trail from former Sinclair Street to Theodore Street. Based on review of the most recent proposal by the Trails Board at their meeting on March 24, 2010, the Board considered and recommended that the City Council deny the applicant's request to modify conditions and reiterated its support for the approved trail conditions.

An alternative approach that was suggested to Highland Fairview Properties was to look at the timing of when the trail would need to be provided. As per project conditions of approval, the trail is required for each phase of development as it is being completed. The trail would be required for the Phase 1 of the Skechers building but would not be required for Phase 2 and 3 until those phases are constructed. An alternative approach to consider would be the deferral of the entire trail development until Phase 2. This would provide a full segment of the trail at one time instead of in pieces. Some type of security may be required for this approach.

An additional alternative to providing a trail on the north side of the future Eucalyptus Avenue would be to change the trail location back to its original General Plan designation along the south side of future Eucalyptus Avenue in the buffer area approved for the Highland Fairview Corporate Park project. If this approach is recommended, it would require a General Plan Amendment to change the Master Plan of Trails Map and further study and possible modification of the approved Environmental Impact Report (EIR) for the project. The General Plan amendment also would need to be sent back to the Recreational Trails Board and the Planning Commission for review

and recommendation to the City Council. The Tentative Parcel Map south boundary, currently at the south Eucalyptus Avenue right of way, may need to be adjusted to the south to include the trail.

Modify various conditions of approval Related to the dedication and improvement of public improvements

The applicant has requested that all pertinent conditions of approval requiring the dedication and improvement of public facilities be modified to only require fair-share contribution by the project for the dedication and improvement of all public infrastructures. They further requested that improvement credits and reimbursement agreements be developed and entered into between the City and the project proponent for any amount the project contributes in excess of its pro-rata share for such improvements. This request primarily includes Land Development and Transportation Division's conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for its "fair share" is not in keeping with the intent of the Municipal Code. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The DIF program spreads the cost of arterial street and traffic signal improvements City wide such that there is a nexus between the trips generated by a project (the impact on the City wide system of arterial streets and traffic signals) and the cost of transportation improvements needed to mitigate the impact. That nexus translates into development impact fees paid by the developer. Highland Fairview is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. Therefore, the developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue only. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

The developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and may contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any available reimbursements for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

The Land Development Division, based on a memorandum submitted as part of the Project Review Staff Committee (PRSC) minutes provided to Highland Fairview on June 10, 2009, indicated that originally approved Public Work's conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the existing project conditions of approval as approved

previously meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR. The requested changes would require a separate nexus study from the approved City-wide nexus study for the DIF program and would not be equitable to other developers nor provide a viable funding program for the City-wide circulation system. Therefore, both the Land Development and Transportation Divisions do not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Public Works conditions of approval.

The Land Development and Transportation Divisions have included a synopsis of the applicant's request to modify conditions of approval and the City's response to these proposed modifications in a memorandum format. Since the request by the applicant to amend project conditions is extensive in nature, for Council's information, this document is attached to the staff report to highlight the City's approach to each condition being requested for modification.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval, and deny or amend modified condition language as included in Exhibits A and B to the attached resolutions.

3. Consider the proposed amendments to approved project conditions of approval included in the attached applicant request letter dated February 8, 2010, and include additional amendments to conditions not included within the attached resolutions.

4. Refer the proposed amendments to the Planning Commission for further review. Recommendation of any location changes to the required multi-use trail would require a General Plan amendment to be forwarded to the Recreational Trails Board and the Planning Commission for review and consideration prior to a final decision by the City Council.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Based on review of the various applicant requested project condition modifications for the Highland Fairview Corporate Park/Skechers project, the Land Development and Planning Divisions have agreed to modify a few of the approved conditions related to Highway 60 landscape and the multi-use trail, only to clarify the developer's responsibility to dedicate an easement and construct the trail,. The Highway 60 Corridor Specific Plan requires that landscape be provided in the entire Highway 60 freeway right of way area adjacent to the site. A compromise to typical landscape and irrigation required within Highway 60 Corridor Specific Plan standards would be an allowance of an interim hydroseed mix planted, maintained to provide both an appealing visual landscape and erosion control mechanism along the freeway until such time that the parcels are transferred over to the City or Caltrans. The Trails Board has recommended that all conditions of approval regarding the multi-use trail not be modified, with the applicant to provide the easement and provide related trail improvements as is required with all other private projects.

NOTIFICATION

Notice of the project was provided to property owners within 300 feet of the project and to the general public through local newspaper publishing and on-site sign postings.

ATTACHMENTS

1. Public Hearing Notice
2 Letter dated February 8, 2010, from Highland Fairview Properties requesting modification of project approved conditions.
3. Internal Land Development memorandum dated February 11, 2010 on various proposed conditions of approval.
4. Letter dated March 18, 2010, from Highland Fairview Properties regarding proposed hydroseed landscape for Highway 60 right of way areas.
5. Internal Transportation Division memorandum dated April 19, 2010 on various proposed conditions of approval.
6. Letter dated April 22, 2010, from Michael Brandman Associates regarding an environmental analysis of modification of project conditions.
7. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Map Conditions of Approval.
8. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Plot Plan Conditions of Approval
9. Modification of Conditions Resolution – Tentative Parcel Map, with attached modified conditions of approval included within Exhibits A through B.
10. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

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

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MV00054565

Notice of
PUBLIC HEARING

This may affect your property. Please read.
Notice is hereby given that a Public Hearing will be held at a regular meeting of the City Council of the City of Moreno Valley on the following item(s):

CASE: P09-038 and P09-039 (Modification of Project Conditions of Approval)

APPLICANT: Highland Fairview Properties

OWNER: Highland Fairview Properties

REPRESENTATIVE: Wayne Peterson

LOCATION: North side of future Eucalyptus Ave. (Fir Ave.), east of Redlands Blvd., west of Theodore St. and south of Highway 60.

PROPOSAL: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements.

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report (P07-157), including a Statement of Overriding Considerations and Mitigation Monitoring Program was originally certified and approved for the project. Pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines).

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council or City Clerk at, or prior to, the Public Hearing.

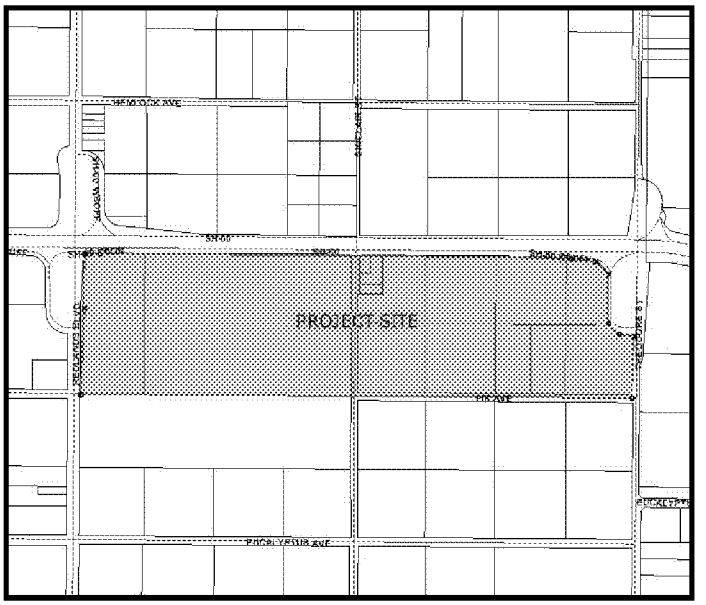

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: May 11, 2010 at 6:30 PM
CONTACT PLANNER: Mark Gross
PHONE: (951) 413-3215

ATTACHMENT 1

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MV00054567

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

February 8, 2010

Mark Gross
Senior Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

SUBJECT: Highland Fairview Corporate Park – Proposed Revisions to Conditions of Approval

Dear Mark:

In May 2009, Highland Fairview officially submitted a request (PA09-0013) to modify certain Conditions of Approval which were imposed on the Highland Fairview Corporate Park project. Highland Fairview would like to hereby modify our previous application to request changes to conditions relating to the following three important issues:

1. **SR60 Landscaping**
   Existing Condition: Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual.

   Requested Action: Highland Fairview requests the removal of this condition.

   Justification: This condition has been inconsistently applied along SR60 within the city. In those instances where it has been applied, it has provided only marginal landscaping that struggles from sparse installation, little or no maintenance and inadequate irrigation. Over the years, the City's SR60 Design Manual has been arbitrarily applied and inconsistently enforced, resulting in a haphazard landscape treatment along SR60 throughout the City. Today, the freeway frontage is a random mixture of sparse, struggling landscaping, mixed with long stretches of barren, unmaintained land. Clearly there has not been a consistent application of the SR60 Design Manual criteria. In addition, and perhaps most importantly, Caltrans staff has indicated informally that they will not allow such improvements in the freeway right-of-way nor will they commit to any maintenance whatsoever.

ATTACHMENT 2

However, to the great benefit to the motoring public and the City, the approved HFCP project includes a high level of landscape treatment along SR60 that has never been seen in Moreno Valley. Millions of dollars are being spent to create an attractive edge to the project which will feature trees, shrubs and ground cover that has been designed to work in concert with the architecture of the future buildings to create a pleasant experience for the motoring public as they pass by the Highland Fairview Corporate Park site. This project landscaping will produce an edge treatment for SR60 far beyond that which was envisioned in the Design Manual.

The condition should be deleted.

2. **Multi-Use Trails**
   Existing Condition: Several conditions imposed on the TPM and the Plot Plan require the dedication and improvement of multi-use trails on the project site.

   Requested Action: Delete and/or modify all trail-related conditions to require that: 1) the project reserve the necessary land for potential future multi-use trails, 2) site grading provide for the future multi-use trails, 3) the multi-use trail areas be landscaped and maintained in a manner consistent with immediately adjacent areas until such time as the City purchases the land and constructs the multi-use trails, and 4) the on-going maintenance of the multi-use trails, when built, be borne by the City for the benefit of the public.

   Justification: There is a complete lack of nexus between the project and the requirement to dedicate and improve multi-use trails on the project site. The project creates absolutely no demand for these trails, therefore there is no nexus. The trails can be accommodated in the project design but the impacted land (or appropriate easements) should be acquired by the City, the trails should be constructed by the City and the trails should be maintained by the City. Further, there should be a sunset clause in the conditions such that if the City does not acquire the impacted land or easements within five years of the recordation of the Final Map for the project, the City's option to acquire the land or easements will expire.

3. **Dedication and Improvement of Public Improvements**
   Existing Conditions: The project approval contains dozens of conditions requiring the dedication and improvement of public facilities (streets, parkways, trails, etc.) far in excess of the demand which the project creates for such facilities.

   Requested Action: Modify all related conditions to require a fair-share contribution by the project for the dedication and improvement of all public infrastructure improvements. Improvement credits and Reimbursement Agreements should be entered into between the City and HF for any amount contributed in excess of its actual pro-rata share of such improvements.

Justification: These conditions fail to meet the requirement for a direct nexus between the project and required public improvements as required by law. Such conditions impose an unjust and decidedly unequal burden on some projects while other projects and the city benefit unfairly at the expense of one taxpayer.

Attached is a list of the conditions which are related to the changes requested above. Other conditions may be impacted as a result of our detailed discussions with staff.

We look forward to discussing these issues with staff, the Planning Commission and the City Council at the earliest possible opportunity. If questions arise during the City's review of this request, please do not hesitate to contact me directly.

Sincerely,

Iddo Benzeevi
President and CEO

Requested Changes to Conditions of Approval for TPM 35629
City Council Resolution 2009-10

SR 60 Landscaping

a) Delete Condition P14

Multi-Use Trails

a) Modify Condition LD68(b) to add: "Said multi-use trail easement shall be labeled 'future,' and is contingent upon City acquisition of said easement from the landowner."
b) Modify Condition LD68(c) to add, "The City will maintain all multi-use trails."
c) Modify Condition LD70(a)(viii) to add, "The future trail area shall be designed and graded with the project and shall be landscaped consistent with adjacent land. The City may acquire an easement for a multi-use trail from the property owner and construct and maintain a multi-use trail."
d) Modify Condition LD91 to add "(optional)" after the words "multi-use trail."
e) The entire set of Conditions of Approval from the Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired from the landowner by the City. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvement of Public Improvements

a) Modify Conditions LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and the Parks and Community Services Department conditions to add, "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedication and/or improvement obligations."

Requested Changes to Conditions of Approval for Plot Plan PA07-0091
City Council Resolution 2009-11

SR 60 Landscaping

a) Delete Condition P10

Multi-Use Trails

a) The entire set of Conditions of Approval from Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired by the City from the landowner. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvements of Public Infrastructure

a) Modify Condition PD80, PD81, PD82, PD83, PD84, PD85, LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15 TE18, and the Parks and Community Services Department conditions to add "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedications and/or improvements."

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MV00054573

CITY OF MORENO VALLEY
Public Works Department
Land Development

MEMORANDUM

To: Mark Gross, Case Planner

From: Clement Jimenez, Senior Engineer, 951.413.3121, clementj@moval.org

Date: February 11, 2010

Subject: PA09-0013; Second Review Comments

Project Information

Case Number:	PA09-0013	Related Case No:	PA07-0088 thru PA07-0091, P07-157 and P08-057
APN:	488-350-001 through 002 and 488-360-001 through 012		
Case Type:	GPA, Amended PP and Amended TM 35629 (Modification of Conditions)		
Environmental:	EIR		
Applicant:	Highland Fairview		
Owner:	Highland Fairview		
Representative:	Wayne Peterson		
Location:	N side of Eucalyptus, E of Redlands, W of Theodore and S of Highway 60		
Proposal:	A request to modify conditions of approval from the recently approved Highland Fairview Corporate Park Project and Tentative Parcel Map (PA07-0090) as well as Plot Plan (PA07-0091) to cover such items as the removal of Highway 60 landscape, removing a required multi-use trail along the project frontage and the modification of conditions related to the dedication and improvement of public improvements. A General Plan Amendment is required for removal of any multi-use trail.		

The following is the Land Development Division's response to Highland Fairview's letter dated February 8, 2010 addressed to Mark Gross, Senior Planner. Highland Fairview's letter states that some conditions, including some of those from Land Development, "fail to meet the requirements for a direct nexus between the project and required public improvements as required by law":

The Land Development Division is confident that the conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the conditions of approval as approved meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR Traffic Study and the Subdivision Map Act.

ATTACHMENT 3

Therefore, the Land Development Division does not support Highland Fairview's proposal to modify

or make additions to wording of certain, specified Land Development conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for his "fair share" is not in keeping with the intent of the Municipal Code. This would also create a significant amount of additional effort to determine and split associated costs, which are subjective and open to interpretation by all parties involved. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The Developer is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. It is important to note that the developer chose to create the tentative parcel map such that the entire width of Eucalyptus Avenue lies within the tentative parcel map boundary, that is to say that the south right-of-way line of Eucalyptus Avenue coincides with the south map boundary. Therefore, the developer was conditioned to construct full-width improvements on Eucalyptus Avenue. The developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

However, the developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and suggests the developer contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any reimbursements available for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

For completeness, the following is a list of Land Development conditions of approval that Highland Fairview has requested to revise:

TPM 35629

SR 60 Landscaping

(a) P14: Land Development defers the response to this item to the Panning Division. Please note that COA LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) LD68(b): The Land Development Division conditions of approval pertaining to the multi-use trail are consistent with Section 66475.1 of the Subdivision Map Act and the Parks and Community Services Department conditions of approval. Land Development does not recommend revising the conditions of approval to reference the trail as "future" unless otherwise agreed to by the Parks and Community Services Department. It is important to note that the 20-foot wide easement area includes a multi-use trail and sidewalk. Regardless of the disposition of the trail, an easement will be required for the sidewalk which is to be constructed by the developer and maintained by the City.

(b) LD68(c): The Land Development Division agrees to the requested additional language to include the statement "The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c), with the concurrence of the Parks and Community Services Department.

(c) LD70(a)(viii): The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

(d) LD91: The Land Development Division does not agree with the addition of the word "optional" after the word "trail", as construction of the trail is not optional, unless the Condition of Approval is otherwise revised by the Parks and Community Services Department.

(e) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including a multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail consistent with the conditions of approval from the Parks and Community Services Department. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails are consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

Plot Plan PA07-0091

SR 60 Landscaping

(a) P10: Land Development defers the response to this item to the Panning Division. Please note that COA for TPM 35629 LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and

Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails is consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

March 18, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92553

SUBJECT: Highland Fairview Corporate Park – TPM 35629, Condition P14

Dear John,

When Brian and I met with you and Mark Gross on February 17th to discuss a Lot Line Adjustment proposal for the Highland Fairview Corporate Park (HFCP) project, we also discussed the proposed landscaping along the future SR60 right-of-way (TPM Condition P14). We discussed the details of the grading of the future right-of-way and Caltrans' refusal to allow any landscaping, irrigation or maintenance within its right-of-way. We discussed the concept of installing a decorative, low-maintenance hydroseeded landscape treatment within the future dedication area and Highland Fairview (HF) agreed to present a proposal along those lines to satisfy the intent of Condition P14.

Attached for your review is an exhibit that illustrates the location of the future freeway dedication area in relation to existing SR60 and the future HFCP project. The exhibit also includes a typical section indicating post-grading elevations and the area to be hydroseeded.

Also attached is information from S & S Seeds, Inc., a California seed supplier that specializes in native plants materials for landscape and erosion control purposes. HF proposes to apply the "Southwest Desert Wildflower Seed Mix" to the future dedication area, resulting in "bright, showy, spring flowers that will re-seed year after year, with or without irrigation." We are confident that this proposal meets the intent of TPM Condition P14 and would request your concurrence.

Thank you for your continued assistance.

Sincerely,

Wayne

Wayne Peterson
Vice President, Community Planning

ATTACHMENT 4

S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA
93014-1275

(805) 684-0436
(805) 684-2798 fax

We are a wholesale company providing wildflower, grass and California native plant seeds for Reclamation, Erosion Control and Landscape projects.

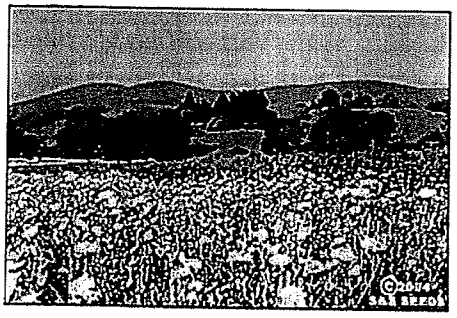

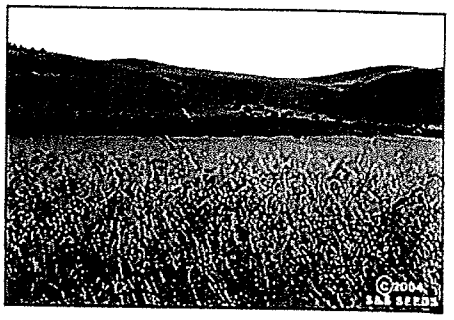

Site specific or regional mixes are available. Our professional staff can work with you in order to provide the best possible seed mix for your site.

Wholesale seeds for:

- Reclamation, Erosion Control and Landscaping
- Wildflowers, Grasses, Native California Plants
- Trees, Shrubs and Ground Covers

Download our complete **Seed Selection Guide** now. (Adobe pdf, 3.5 MB)

Get a Seeding design from the Experts. We specialize in custom seed mixes for any project. Please submit the SEED MIX DESIGN CRITERIA form and our Professional Staff will get back to you with a customized mix for the site specific needs of your project.

We are now a distributor of Terra Novo, Inc.'s **EARTHGUARD®** and **ULTRATACK™** soil erosion control products

Greenfix America® Erosion Control Blankets
We are now a distributor for Greenfix America! Their products are designed to meet a complex variety of erosion control and vegetation problems. For slope protection, channel lining, reclamation, turf reinforcement and specialized landscaping, Greenfix America has a product that provides the solutions.

View product information and technical data for the Green Spec line of rolled erosion control products.

Looking for a plant with specific characteristics? Check out the S & S Seeds Online Plant Database.

Click here for our upcoming trade show schedule!

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA
93014-1275

(805) 684-0436
(805) 684-2798 fax

About S&S Seeds, Inc
S&S Services
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Contact Us
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Reclamation/Erosion
Grass (Native & Turf)
Ground Cover Mixes
Pasture Mixes
Plant Database
Erosion Control
BMP's Cost vs. Benefit
Request Information
Seed Store

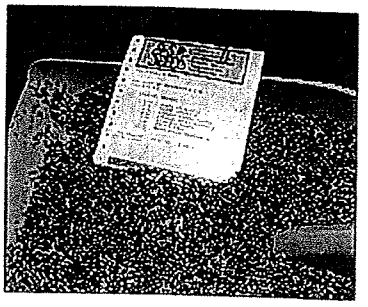

Get a Seeding design from the Experts. We specialize in custom seed mixes for any project. Please submit the SEED MIX DESIGN CRITERIA form and our Professional Staff will get back to you with a customized mix for the site specific needs of your project.

For all projects over 2 acres our Professional Staff will review your soils reports, microclimates and water requirements, bringing our 30+ YEARS of EXPERIENCE to bear to complete your project perfectly. Let S&S Consultancy Services take care of all your growing problems.

View details on S&S Services available.

Ornamental, Flowering, Ground Cover & Shrubs Mix

A mixture of annual and perennial species well adapted to coastal and coastal inland conditions. Will provide many months of spring color with or without irrigation. Grows 2' - 3' tall.

California Native Seed Mix

A mixture of annual and perennial wildflowers and native shrubs. May be used for irrigated or non-irrigated sites. Will flower most of the year when irrigated. Grows 2' - 3' tall with shrubs up to 4' tall.

Intermountain Wildflower Seed Mix

A mixture of annual and perennial species. Can be used by itself or in conjunction with grasses and shrubs. Best in full sun or light. Grows 2' - 3' tall.

Low Profile Seed Mix

A mixture of low growing annual and perennial flowers. Will provide bright spring color in non-irrigated settings or flower color year round when irrigated. Grows 1' - 2' tall.

Shady Wildflower Seed Mix

A mixture of annual and perennial wildflowers which provides bright spring colr in shady or partially sunny sites. Flowering will be nearly continuous if irrigated. Grows 2' - 3' tall.

Southwest Desert Wildflower Seed Mix

A hardy mixture of annual species. Will grow bright, showy, spring flowers that will reseed year after year, with or without irrigation. Grows 1' - 2' tall.

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

Other Products | New! Erosion Control Blankets

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S&S Seeds, Inc.
6155 Carpinteria Ave
P.O. Box 1275
Carpinteria, CA 93014 US
info@ssseeds.com
Tel: 805-684-0436
Fax: 805-684-2798

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Southwest Desert Wildflower Mix

Southwest Desert Wildflower Mix

This hardy mixture of 12 annual species will provide bright, showy spring flowers that will reseeds year after year, with or without irrigation. Numerous perennial species are available to add to this mixture, if desired.

Mix contains:

- *Castilleja exserta* (Owl's Clover)
- *Centaurea cyanus Dwarf* (Corn Flower)
- *Clarkia amoena* (Farewell to Spring)
- *Dimorphotheca sinuata* (Africa Daisy)
- *Eschscholzia californica* (California Poppy)
- *Lasthenia californica* (Dwarf Goldfields)
- *Layia platyglossa* (Tidytips)
- *Linum grandiflorum rubrum* (Scarlet Flax)
- *Lupinus bicolor* (Pigmy-leaved Lupine)
- *Nemophila menziesii* (Baby Blue Eyes)
- *Papaver rhoeas* (Flanders Poppy)
- *Phacelia campanularia* (California Bluebells)

Seeding rate: 20 lbs per acre

Height range: 12-24 inches

Price is for one pound.

Product ID: sou_des_wil

1

Price: $ 45.00

Catalog Front Page

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Contact Information
S&S Seeds, Inc.
6155 Carpinteria Ave
Carpinteria, CA 93013 US
info@ssseeds.com

Customer Care
S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA 93014 US
info@ssseeds.com

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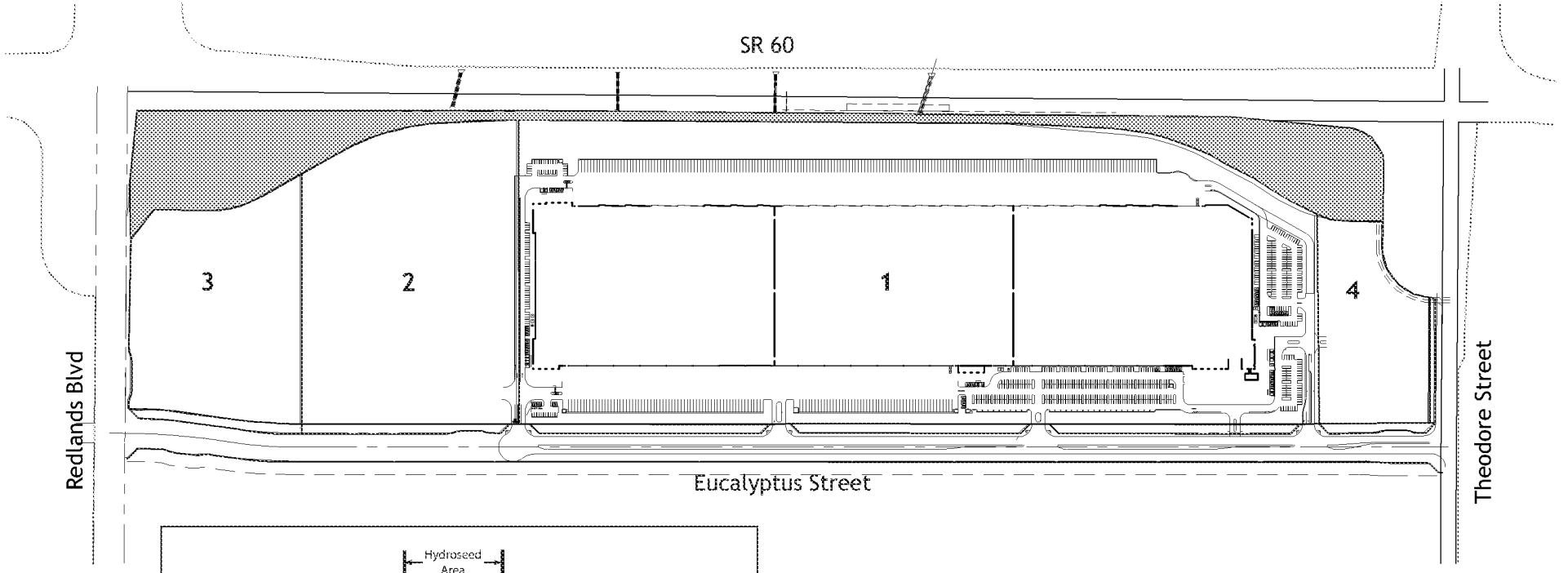

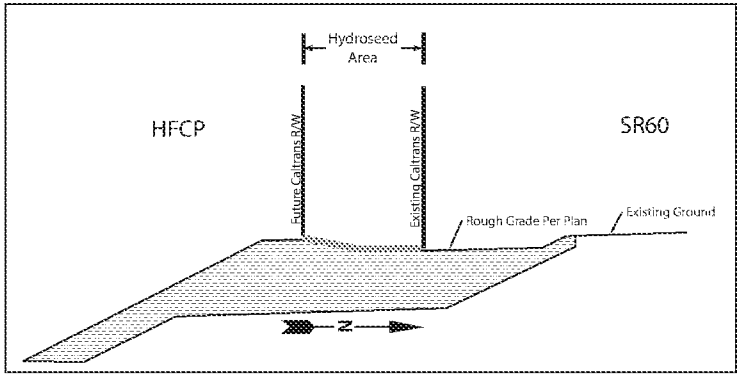

Hydro Seed Notes:

- Proposed seed to provide a mix of flowers, require no irrigation and regenerate each year.
- Proposed application rate per acre:
  - 2000 lb fiber mulch
  - 400 lb commercial fertilizer
  - 180 lb binder
  - 25 lb low profile wild flowers

Not to scale
March 5, 2010

Caltrans Right-of-Way Landscape Exhibit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

ghland Fairview Corporate Park/Design/HF Work/Caltrans Right-of-Way Landscape Exhibit

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MV00054583

MORENO VALLEY
WHERE DREAMS SOAR

Public Works
Transportation Engineering Division

MEMORANDUM

To: Mark Gross, Senior Planner

From: Michael Lloyd, Senior Engineer

Date: April 19, 2010

Subject: **Review Comments for PA09-0013 – Request to Revise Conditions of Approval for Project PA07-0088 through 0091, P07-157, and P08-057.**

Transportation Engineering Division - Review Comments

Per the April 19, 2010 meeting with Highland Fairview regarding the conditions of approval for PA07-0088 through 0091, P07-157, and P08-057, the Transportation Engineering Division has reviewed the request to add "fair share" language to conditions P80 through P85. As you are aware, conditions P80 through P85 are the Mitigation Measures MM TT-1 through MM TT(C)-3 from the EIR. The following is our response to each condition:

- P80: MM TT-1 was included in the EIR to mitigate the direct impacts of additional truck traffic due to Phase 1 of the proposed project. A "fair share" contribution in substitution of the project applicant constructing the turn lane additions would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P81: MM TT-2 addresses future phase impacts at the SR-60 interchanges with Theodore Street and Redlands Boulevard. Both the mitigation measure and the condition specifically states "the project applicant shall contribute to the costs of the interim intersection improvements…said contribution shall be on a fair-share basis."
- P82: MM TT-3 addresses the intersection of Redlands Boulevard at Eucalyptus Avenue. The improvements required shall be determined based upon the findings of the supplemental traffic study identified in MM TT-2. The improvements that will be necessary at the Redlands Boulevard and Eucalyptus Avenue intersection are a direct result of the project and are therefore mitigation to a direct impact. A "fair share" contribution in substitution of the project applicant constructing the intersection improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P83: MM TT(C)-1 is a repeat of MM TT-1.

ATTACHMENT 5

- P84: MM TT (C)-2 addresses cumulative impacts along Redlands Boulevard. The condition states "the project shall participate on a fair share basis."
- P85: MM TT(C)-3 addresses cumulative impacts at the SR-60 ramps to/from Redlands Boulevard and Theodore Street. The condition states "the developer shall contribute to the costs on a fair share basis."

Therefore, it is the Transportation Engineering Division's recommendation that conditions P80 through P85 **not** be modified. Conditions P81, P84, and P85 already contain fair share language as appropriate. Conditions P80, P82, and P83 are a result of direct impacts due to the project, and a fair share contribution in place of the applicant providing the specified improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measures.

W:\TrafficEng\Land Development\Development Review\Comments\PA09\0013 2nd.DOC

Michael Brandman Associates

Fresno
559.497.0310

Irvine
714.508.4100

Palm Springs
760.322.8847

Sacramento
916.447.1100

San Bernardino
909.884.2255

San Ramon
925.830.2733

April 22, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: **Highland Fairview Corporate Park – CEQA Evaluation of Proposed Revisions to Conditions of Approval**

Dear Mr. Terell:

Michael Brandman Associates (MBA) has reviewed Highland Fairview's request to delete or revise various Conditions of Approval as applied to the Highland Fairview Corporate Park project. Pursuant to the City's request, we offer the following comments regarding the implications of this request with respect to the certified EIR for Highland Fairview Corporate Park.

SR60 Landscaping

Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual. Highland Fairview has requested the deletion of this condition for reasons cited in their February 8, 2010 letter to the City.

To reduce the project impact on scenic vistas and visual character, the EIR included the following mitigation measure:

Mitigation Measure MM A-2.

> *Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften views of long expanses of the upper elevations of buildings. Examples of alternate treatment measures may include, but not be limited to the following:*
> - *Use of color; or*
> - *Texture variation; or*
> - *Roof line variation.*

The EIR at Exhibits 5.1-10 and 5.1-11 included view sections and elevations to illustrate conceptual treatments that would effectively implement MM A-2. MM A-2 does not require installation of landscaping consistent with the "State Highway 60 Corridor Design Manual". The removal of Condition of Approval P14 on TPM 35629 would not raise any substantial new scenic or visual issues and would not conflict with the EIR. Once implemented by the City through the adopted Mitigation Monitoring Program, on-site landscaping included with the project will satisfy MM A-2. No changes to the EIR are needed.

ATTACHMENT 6

Multi-Use Trails

Several conditions imposed on the TPM and the Plot Plan requires the dedication and improvement of multi-use trails on the project site. Highland Fairview has requested that those conditions be modified to require the project to set aside the land and do the grading for the trails, and have the City install and maintain the actual trail improvements. Highland Fairview has requested this change for reasons cited in their February 8, 2010 letter to the City. The EIR references the provision of a multi-use trail on the project site in two locations as follows:

1) The EIR at Project Design Features for Green Building Section 3.3.4 (page 3-26) references a multi-use trail as follows:

- "The project's circulation system will include a multi-use trail on the northern portion of the future Eucalyptus Avenue."

2) The EIR in Land Use and Planning, Project Impacts Section 5.9.4 (p.5.9-17, last paragraph), references this same multi-use trail as a design feature to offset impacts as follows:

> "To offset the removal of the Sinclair Avenue crossing segment from the Master Plan of Trails, the proposed project includes as a design feature a multi-use trail along the north side of new Eucalyptus Avenue from Redlands Boulevard to Theodore Street."

The analysis that follows in the EIR relies upon the implementation of this trail to establish consistency with the adopted Master Plan of Trails. Highland Fairview's proposed change has to do with responsibility for the physical construction of the trail and its on-going maintenance, and the proposed change would not have an impact on the physical environment in that the land area for the trail would still be dedicated and graded by Highland Fairview. Provided that this trail is ultimately built, no conflict with the findings of the EIR is apparent.

Other Dedications and Public Improvements

It is our understanding that Highland Fairview also requests modifications to various conditions requiring dedication and improvement of public facilities (streets, parkways, trails, etc.). The request involves modifying such conditions to require a fair-share contribution by the project for dedication and improvement of public infrastructure. Provided that the language in EIR Traffic Mitigation Measures MM TT-1 through MM TT-3, and MM TT(C)-1 through MM TT(C)-3, does not change with respect to improvement responsibilities, we see no inconsistencies with the EIR associated with Highland Fairview's request. As there are no other infrastructure provision mitigation measures in the EIR and Mitigation Monitoring Program, the identification of responsibility for other public improvements is moot and falls back to the Conditions of Approval completely. No changes to the EIR are needed.

In summary, MBA concludes that the certified EIR remains adequate for the overall project and the proposed changes to the conditions that apply to SR 60 landscaping, multi-use trails and all proposed changes related to dedications and improvements conditions.

If you have any questions in this regard, please contact me directly at 714.508.4100.

Sincerely,

Thomas F. Holm, AICP, Principal/Vice President Environmental Services
Michael Brandman Associates
220 Commerce, Suite 200
Irvine, CA 92602

TFH:jwi
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MV00054589

CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
FOR
TENTATIVE PARCEL MAP No. 35629
Case No: PA07-0090 - To include P08-057 (Phasing Plan)
A.P.N.: 488-350-001 through 002 and 488-360-001 through 012.

Approval Date: **February 10, 2009**
Expiration Date: **February 10, 2112**

The following conditions are attached for the following departments:

_x_ Planning (P), including School District (S), Post Office (PO), Building (B)
_x_ Fire Prevention Bureau (F)
_x_ Public Works, Land Development (LD)
_x_ Public Works, Special Districts (SD)
_x_ Public Works – Transportation (TE)
_x_ Parks & Community Services (PCS)
_x_ Police (PD)
_x_ Moreno Valley Utilities
___ Other (Specify or Delete)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply). All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code. (Advisory)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080) (Advisory)

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020) (Advisory)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the site.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P7. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval. (Advisory)

PRIOR TO GRADING

P8. (GP) Prior to approval of any grading permit, the developer shall submit a tree plan to the Planning Division for review and approval. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigtion plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director or designee. (GP Objective 4.4, 4.5, DG)

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord) (Advisory)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG) (Advisory)

P11. Prior to approval of a precise grading plan, landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees. (Advisory)

P12. ((GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area. (Advisory)

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval. (MC 9.14.100)**

P15. **A qualified archaeologist and or tribal monitors from any affected Native American Indian tribes shall be present during grading to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity. The monitoring archaeologist shall be empowered to halt grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The consultant (i.e. archaeologist) shall consult with any and all affected Native American Indian tribes in the area on any Treatment Plan prepared for the project.**

P16. **(GP) Prior to the issuance of precise grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.**

P17. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps, or alternative design as approved by the Community Development Director. (MC 9.08.070)**

P18. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an Property Owners Association (POA) or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

PRIOR TO RECORDATION OF FINAL MAP

P19. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080) (Advisory)

P20. (R) Prior to recordation of the final map, final median enhancement/landscape/irrigation plans shall be reviewed and approved by the Planning Division, and Public Works Department - Special Districts Administration for review and approval by each division. (GP - Circulation Master Plan)

P21. (R) Prior to final map recordation any required trail easements shall be provided. (Advisory)

P22. (R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:

a. The document to convey title
b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- **The developer shall promote the use of native plants and trees and drought tolerant species to the extent feasible.**

- **(R) All lots designated for open space and or detention basins, shall be included as an easement to or transfer title to; and maintained by a Property Owners Association (POA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite POA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.**

- **Maintenance of any and all common facilities.**

PRIOR TO BUILDING PERMIT

P23. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P24. (BP) Prior to issuance of building permits for applicable lettered lots, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P25. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require additional plot plan review and approval from the Planning Commission.

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal (Advisory)

markg/PA07-0088 through PA07-0091/MapCoa's

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0090 Tentative Parcel Map No. 35629
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions. (Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the tentative parcel map by the Planning Commission, the Developer shall submit the approved tentative parcel map on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

(Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Map Approval or Recordation

LD26. (MA) Prior to approval of the final map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. (Advisory)

LD27. (MA) Prior to approval of the final map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer. (Advisory)

LD28. (MA) Prior to approval of the final map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A Public Improvement Agreement (PIA) will be required to be executed. (Advisory)

LD29. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

(Advisory)

LD30. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public works Department. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD31. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD32. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD33. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD34. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.
(Advisory)

LD35. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD36. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD37. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD38. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD39. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD40. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD41. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD42. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

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LD43. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD44. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

Prior to Certificate of Occupancy

LD45. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD47. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD48. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be

constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD49. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD50. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD51. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD52. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD53. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency

overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD54. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review and approval. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD55. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD56. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to Parcels G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) to provide maintenance access to these parcels until such time that the City accepts the dedication. Surrounding grading shall not prohibit runoff from leaving these parcels.

LD57. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD58. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD59. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and

road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD60. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

b. Along the frontage of Parcel 4 of PM 35629, east side of Theodore Street, east edge of the northbound travel lane to be constructed in Phase 2.

c. Along the frontage of Parcel 3 of PM 35629, west side of Redlands Boulevard, west edge of the southbound travel lane to be constructed in Phase 3.

d. Along the frontage of Parcel 3 of PM 35629, south side of Eucalyptus Avenue, south edge of the eastbound travel lane to be constructed in Phase 3.

e. At proposed pavement transitions at edge of pavement.

f. As required by the City Public Works Inspector(s).

LD61. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD62. (IPA) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD63. (IPA) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across

Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD64. (IPA) Prior to approval of improvement plans for any master drainage plan facilities, a right-of-entry agreement shall be executed with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for said facilities.

LD65. (MA) Prior to parcel map approval, the map shall show a varying width lettered parcel along the project's north boundary and adjacent to SR-60, shown as Parcel G on the tentative parcel map, to be irrevocably offered for dedication to the City for highway and road purposes. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the developer shall keep the parcel clear of permanent and/or temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer. Existing utilities shall be relocated outside of the dedicated parcel as conditioned hereon. New utilities shall not be placed within the dedicated parcel without City Engineer approval except for extension of existing storm drain culverts and proposed water line from north of the SR-60 in the Sinclair Street alignment. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated parcel, without prior City approval, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plans.

LD66. (MA) Prior to parcel map approval, the map shall show an irrevocable offer of dedication to the City for highway and road purposes, identified as Parcel 5 and Parcel 6 on the tentative parcel map (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map) for an eastbound on-ramp at the Redlands Boulevard interchange and an eastbound off-ramp at the Theodore Street interchange, respectively. The map shall reflect Parcels 5 and 6 as lettered parcels prior to map approval. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the parcel shall be kept clear of permanent and temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment, other than those needed to conform to the grades and improvements shown on the approved tentative parcel map. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer as conditioned hereon. Existing utilities shall be relocated outside of the dedicated parcel. New utilities shall not be placed within the dedicated parcel without prior City Engineer approval. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated

parcel, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plan.

LD67. (MA) Prior to parcel map approval, if the developer proposes to grade the site such that a slope is created for future freeway on- and/or off-ramp improvements within Parcels G, 5 and/or 6 (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map), the developer shall obtain City approval such that the slope will coordinate closely with the future ramp improvements. It may be required that the developer grant a construction easement to the City, ultimately to Caltrans, at no cost to the City or Caltrans, in the future to facilitate the interchange improvements in order to make any necessary adjustments to the slope, drainage, and related features located within and/or outside of Parcels G, 5 and/or 6. In no event shall the exercise of this easement disrupt any existing development or damage any site improvements.

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

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e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD69. (MA) Prior to parcel map approval, a reciprocal access agreement between adjacent development parcels shall be submitted to the City for review and approval processing for concurrent recording with the final parcel map. Alternatively, the reciprocal access among parcels can be established in the covenants, conditions, and restrictions (CCRs) if any, and recorded concurrent with the map.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be

completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

   i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

   ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

   iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

   iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

   v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

   vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

   vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above.

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

LD71. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer.

LD72. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD73. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD74. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD75. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD76. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all

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required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD77. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD78. (CO) Prior to occupancy of the proposed building in Phase 1, the parcel map shall record along with all the offers of dedication for right-of-way and easements made on the map.

LD79. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD80. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD81. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD82. (CO) Prior to occupancy of any buildings, a cooperative (tri-party) agreement among the developer, the City and RCFC&WCD regarding the operation and maintenance of said facilities shall be executed.

LD83. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be

utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD84. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD85. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients, organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD86. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD87. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD88. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

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c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

In the future, when planning applications for development of Parcels 2 and 4 are submitted to the City, additional conditions of approval for on-site development of those parcels will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcels 2 and 4.

LD89. (PPA) Prior to approval of a plot plan for any project on Parcel 4 of PM 35629, proposed pad and site elevations shall be coordinated with the most current design available for the Theodore Street interchange improvement plans. The plot plan shall show the proposed relocation corridor within the future right-of-way of Theodore Street for the overhead electrical power poles along Theodore Street for overhead utility lines larger than 115,000 volts.

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be constructed

within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.

Phase 3 – Development Associated with Parcel 3 of PM 35629

In the future, when a planning application for development of Parcel 3 is submitted to the City, additional conditions of approval for on-site development of that parcel will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcel 3.

LD92. (PPA) Prior to approval of a plot plan for any project on Parcel 3 of PM 35629, proposed pad and site elevations shall be coordinated with the most current available Redlands Boulevard interchange improvement plans.

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided within an 18-foot wide bike trail and pedestrian access easement: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Tentative Parcel Map

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0090 (Map).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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MV00054621

CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
PLOT PLAN (PA07-0091)
APN: 488-350-001 through 002 and 488-360-001 through 012.

APPROVAL DATE: **February 10, 2009**
EXPIRATION DATE: **February 10, 2012**

_x_ **Planning (P), including School District (S), Post Office (PO), Building (B)**
_x_ **Fire Prevention Bureau (F)**
_x_ **Public Works, Land Development (LD)**
_x_ **Public Works, Special Districts (SD)**
_x_ **Public Works – Transportation Engineering (TE)**
_x_ **Parks & Community Services (PCS)**
_x_ **Police (PD)**
_x_ **Moreno Valley Utilities**
___ **Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230) (Advisory)

P2. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020) (Advisory)

P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P4. **A drought tolerant, low water using landscape palette shall be utilized throughout the project.**

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P6. **Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)**

P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be consistent with this approval. (Advisory)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigation plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P9. **(GP) Prior to approval of any precise grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.**

P10. **(GP) Prior to approval of any grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way**

adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Community Development Department - Planning Division for review and approval. (MC 9.14.100)

P11. **(GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P12. **(GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)**

P13. **(GP) Decorative pedestrian pathways shall be shown on the precise grading plan. (Advisory) (GP Objective 46.8, DG)**

P14. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps or alternative design as approved by the Community Development Director. (MC 9.08.070)

P15. (GP) Prior to approval of a precise grading plan, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.
E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of all trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.
L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to achieve the overall 40 foot spacing requirement .

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

PRIOR TO BUILDING PERMITS

P16. (BP) Prior to issuance of building permits, the Community Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas

meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG) (Advisory)

P17. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG) (Advisory)

P18. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) (Advisory)

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord) (Advisory)

P20. (P) Prior to issuance of building permits, final landscaping and irrigation plans shall be approved by the Planning Division prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12

parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)

C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of all trash enclosures shall be provided.

J. Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.

K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.

L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be possible for areas outside of the line of sight. An alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas.

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

P21. Prior to the issuance of building permits, landscape and irrigation plans for common areas maintained by the Property Owner's Association shall be submitted to the Community Development Department – Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's

Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix w/irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins.

P22. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community Development Director.

P23. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community Development Director. (MC 9.08.070)

P24. (BP) Prior to issuance of a building permit for Phase 1, proof of a driveway reciprocal access easement between Parcels 1 and 4 shall be provided to the Public Works and Community Development Department.

P25. (BP) Downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community Development Director. This item shall be noted on the final plot plan drawings.

P26. (BP) Prior to the issuance of building permits, evidence of a reciprocal access easement agreement for Parcel 4, including the maintenance of trees and other landscape materials would be required.

P27. (BP) Prior to the issuance of building permits, a full elevation set, including the northeast focal point of the building adjacent to Highway 60 and Theodore Street, shall be submitted. Said elevations shall be reviewed and approved by the Planning Commission prior to the release of any building permits.

P28. (BP) Prior to the issuance of building permits, the precise grade or final landscape plans shall include decorative paving at all driveway locations.

PRIOR TO CERTIFICATE OF OCCUPANCY

P29. (CO) Prior to issuance of Certificates of Occupancy or building final, all required landscaping, buildings, lighting, parking lot improvements including, but limited to paving and striping, and irrigation shall be installed for the required phase. (DC 9.03.040) (Advisory)

P30. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed and installed for the required phase according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070) (Advisory).

P31. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, all required landscaping and irrigation, including basins, shall be reviewed by the Community Development Department - Planning Division. The landscaping shall be installed for the required phase in accordance with the City's Landscape Standards the approved landscape plans, and conditions of approval included in the grading and building sections above. (Advisory)

P32. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 right of way.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P33. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA) (Advisory)

P34. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require submittal of separate plot plans and review and approval from the Planning Commission.

MITIGATION MEASURES

P35. MM A-1 - During project construction, the construction site manager or supervisor shall ensure that construction lighting shall be limited to lighting within the work area and light trespass shall be avoided though directional lighting, shielding, and other similar control measures.

P36. MM A-2. Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften

views of long expanses of the upper elevations of buildings. Examples of alternative treatment measures may include, but not be limited to the following:

- Use of color; or
- Texture variation; or
- Roof line variation.

P37. MM AQ-1. Prior to construction of the project, the project applicant shall comply with SCAQMD Rule 403 by providing a Fugitive Dust Control Plan that describes the application of best management practices to control fugitive dust during construction. Best management practices shall include:

- Application of water on disturbed soils a minimum of three times per day;
- Covering haul vehicles;
- Replanting disturbed areas as soon as practical;
- Restricting vehicle speeds on unpaved roads to 15 mph;
- Suspension of all grading activities during high wind speeds in excess of 25 mph.
- A Large Operation notification shall be submitted to the SCAQMD prior to construction.
- Project applicant to designate a person(s) to monitor the dust control program and to order increased watering, as necessary.
- Post a sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.
- Complete all roadways, driveways, sidewalks, etc. as soon as possible; building pads should be developed as soon as possible after grading unless seeding, polymer, water, landscaping, soil binders, or similar means are applied within five working days after grading completion to minimize fugitive dust.
- Street sweeping shall be accomplished as needed to remove soil transport to adjacent areas; sweeping shall require use of equipment certified under SCAQMD Rule 1186.1.

P38. MM AQ-2. The project applicant shall meet CARB standards by assuring use of lowest emission construction equipment reasonably available for use on this project. The construction fleet average shall meet or exceed Tier II level and the applicant shall provide incentives in the bidding process in selecting construction contractors that propose the lowest-emission construction equipment (i.e., high pressure injectors; smaller engine sizes; electric equipment; gasoline powered equipment with catalytic converters; and alternatively fueled construction equipment).

The applicant shall also provide incentives in the bidding process in selecting

grading and construction contractors that propose the use of equipment using Level III diesel particulate filters.

P39. MM AQ-3. During project construction, construction equipment shall be properly maintained in accordance with manufacturer's specifications; maintenance shall include proper tuning and timing of engines. During maintenance, precautions shall be taken to ensure that fuel is not leaked onto the ground. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction and subject to inspection by the SCAQMD.

P40. MM AQ-4. During project construction, the project applicant shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of five (5) minutes.

P41. MM AQ-5. Prior to issuance of a grading permit, the project applicant shall provide a traffic control plan to the City of Moreno Valley that will describe in detail safe detours around the project construction site with temporary traffic control (e.g., flag person) during construction-related truck hauling activities, as required by the City. Construction activities that affect traffic flow on the arterial system shall be minimized by scheduling such activities to off-peak hours. Construction truck travel shall be routed to minimize travel on congested streets and near to sensitive receptor areas. Construction traffic shall gain access to the project site via Theodore Street and Eucalyptus Avenue to the greatest extent possible to minimize traffic and dust along Redlands Boulevard. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones.

P42. MM AQ-6. All paints shall be low VOC paints and applied using either high volume low-pressure (HVLP) spray equipment or by hand application. For a list of low VOC paints, refer to the website www.aqmd.gov/prdas/brochures/paintguide.html.

P43. MM AQ-7A. Construction Phases. Prior to the issuance of grading permits, the developer shall provide documentation to the City of Moreno Valley indicating that construction workers will be encouraged to carpool to the greatest extent practical, including providing information on park and ride programs available to workers. The project shall also provide for lunch

services onsite during construction to minimize the need for offsite vehicle trips. Workers shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P44. MM AQ-7B. Occupancy. Prior to the issuance of occupancy permits, the project applicant shall provide documentation to the City of Moreno Valley indicating that tenant workers will be encouraged to carpool to the greatest extent practical including providing information on park and ride programs available to employees. Employees shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P45. MM AQ-8. During project construction, onsite electrical hook-ups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators.

P46. MM AQ-9. During construction, rumble or bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads, or wash off trucks or any equipment leaving the site with each trip.

P47. MM-AQ-10. Offsite construction improvements shall be limited to an 8-hour day during daylight hours.

P48. Operations- MM AQ-11. All project entrances shall be posted with signs which state:

a) Diesel trucks servicing the project shall not idle for more than 3 minutes; and

b) Telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

P49. MM AQ-12. Electricity shall be provided in the loading dock areas for transportation refrigeration units visiting the site, if any.

P50. MM AQ-13. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area.

P51. MM AQ-14. Electrical hookups shall be provided for transport refrigeration units within the Commercial component (Phases II and III) to eliminate the need for idling of diesel-powered transport refrigeration units.

P52. MM AQ-15. The project applicant shall include in all new lease documents the requirement that the tenants shall utilize only trucks using refrigeration units capable of utilizing electrical hook-ups for deliveries to the tenant.

P53. MM AQ-16. The project applicant shall encourage its tenants to do the following: have a compressed workweek schedule for its employees; include electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; require or provide incentives to use California Air Resources Board certified particulate filters that meet level III requirements; use "clean" trucks, such as 2007 or newer model year or 2010 compliant; use electric yard trucks; use trucks with a SmartWay 1.25 rating; and electrify auxiliary power units. The applicant shall provide documentation of its efforts to the satisfaction of the City.

P54. MM AQ-17. The project shall be designed such that the check-in point for trucks is inside the facility property to ensure that there are no trucks queuing outside the facility.

P55. MM AQ-18. Food services shall be provided onsite.

P56. MM AQ-19. Prior to the Issuance of Occupancy Permits, written evidence shall be provided to the Planning and Transportation Engineering Divisions that the project applicant shall include in all new lease documents the requirement that the tenant shall provide employees with incentives for carpooling or impose a parking fee.

P57. MM AQ-20. The property owners association shall maximize use of electrical equipment for landscape maintenance.

P58. MM AQ-21. Prior to the issuance of a certificate of occupancy for Phase 3, traffic signals, including interconnect hardware installed, or paid for, in whole or in part, by the project applicant shall be synchronized by the applicant, to the satisfaction of the City Engineer.

P59. MM BR-1. To avoid impacts to nesting birds covered under the MBTA, vegetation removal activities involving established perennial vegetation located in the urban/developed plant community shall be avoided during avian nesting season (February 15 through August 31). If the nesting season cannot be avoided, a nesting bird survey shall be provided no more than thirty (30) days prior to vegetation removal activities. If no active nests are observed, construction activity may proceed with no further monitoring. If active nests are observed, a biological monitor shall be present during any construction activity within the vicinity of the nest. Construction activity may encroach within the vicinity of the nesting birds at the discretion of the biological monitor. Construction activity may proceed once the nestlings have fledged the nest.

P60. MM BR-2. (GP) Prior to issuance of a grading permit, the applicant shall pay the mandatory mitigation fee for the SKRHCP. The mitigation fee is a per/acre fee based on the entire property footprint and is used to purchase land that contains occupied Stephens' kangaroo rat habitat for the purpose of conserving a large core population.

P61. MM BR-3. (GP) A pre-construction clearance survey for burrowing owl shall be provided. The pre-construction survey shall be conducted by a qualified biologist no more than thirty (30) days prior to any grading or ground disturbing activities.

If construction is to be initiated during the breeding season (February 1 through August 31) and burrowing owl is determined to occupy any portion of the study area during the 30-day pre-construction survey, consultation with the CDFG and USFWS shall take place and no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. No disturbance to active burrows shall occur without appropriate permitting through the MBTA and/or CDFG.

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, passive relocation may be conducted following consultation with the CDFG and USFWS. Construction activity may occur within 500 feet of the active nests at the discretion of the biological monitor.

P62. MM BR-4. (GP) Prior to issuance of a building permit, the applicant shall pay the mandatory mitigation fee for the MSHCP. The mitigation fee is a per unit fee based on the residential development and a per square feet fee based on commercial or industrial development. This will satisfy mitigation required

for Impact 5.4-5 and 5.4-6.

P63. MM CR-1. (GP) Prior to the issuance of a grading permit, a City-approved Project Archaeologist shall be retained to initiate and supervise cultural resource mitigation-monitoring during project-related earthmoving in all areas of the project, subject to certain constraints found in MM CR-2.

P64. MM CR-2. Project-related archaeological monitoring shall include the following constraints:

1. All construction-related earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative;
2. Once 50 percent of the earth to be moved has been examined by the Project Archaeologist, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected;
3. If buried cultural resources are detected during monitoring, monitoring must continue until 100 percent of virgin earth within the study area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.
4. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. Grading should continue in other areas of the site while particular find are investigated; and
5. If cultural artifacts are uncovered during grading, they shall be examined by a professional archaeologist subject to MM CR-3, and decisions shall be made as to mitigation, treatment and/or disposition in consultation with the culturally affiliated Tribe(s), as determined by the City. A mitigation-monitoring report must accompany the artifacts.

P65. MM CR-3. Should buried prehistoric cultural resources be encountered during monitoring, the resources shall be evaluated for significance in consultation with the culturally affiliated Tribe(s), as determined by the City, following CEQA Guidelines prior to continuance of grading in the area.

P66. MM CR-4. The City of Moreno Valley shall designate culturally affiliated Tribe(s) to monitor the project. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor all activities

monitored by the Project Archaeologist.

P67. MM CR-5. (GP) Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the project, subject to certain constraints found below:

1. Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place.
2. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
3. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens, and,
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

P68. MM CR-6. Although considered unlikely, there is always the possibility that ground-disturbing activities may uncover previously unknown human remains. Should this occur, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed.

In the event of an accidental discovery or recognition of any human remains, California Health & Safety Code 7050.5 and California Public Resource Code (PRC) Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a determination as to disposition and treatment is made. The Riverside County Coroner shall be contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours to allow the NAHC to identify the person or persons it believes to be the "most likely descendant" (MLD) of the deceased Native American. The MLD may make recommendations and enter into consultation with the

landowner, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

P69. The project will be subject to the City's Grading Ordinance and all applicable California Building Codes. MM GEO-1. During excavation and grading activities a qualified engineering geologist shall observe the in-grading excavation to confirm the absence of any fault features within the building site. If any currently unknown fault features are observed, such features shall be evaluated by the geologist and, if determined necessary, remediation measures or other measures as appropriate shall be implemented to address such features in accordance with applicable City and State requirements. The geologist's record of observations shall be summarized in a final report to be submitted to the City at the conclusion of excavation/grading activities.

P70. MM HH-1. The fire protection system shall be designed per National Fire Protection Agency (NFPA) 13 to provide an Early Suppression Fast Response (ESFR) sprinkler system protection. Temperature rating of sprinkler heads to be per the Fire Department's requirements.

P71. MM HH-2. A complete on-site fire protection underground system shall be provided per NFPA 24 and specific requirements of the local authorities. This system shall include hydrants, sectional valves, backflow prevention, and Fire Department connections.

P72. MM HH-3. Riser assemblies shall include mechanical alarm valves. System control valves shall either be riser mounted with wall post extensions or exterior post indicator valves as required by the local authority. All required devices for central station alarm system interface shall be provided.

P73. MM HH-4. System design, material, and installation shall comply with NFPA 13 and the other previous NFPA standards. It shall also comply with CBC and UFC standards. Approvals will also be obtained from the owner's insurance authority.

P74. MM LU-1. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area. (MM AQ-13)

P75. MM N-1. No Construction Vehicles on Redlands Boulevard south of Future Eucalyptus Avenue. Other than construction vehicles necessary for identified offsite improvements within Redlands Boulevard, no construction vehicles shall be allowed in the vicinity of any residences on Redlands Boulevard south of existing Fir/future Eucalyptus Avenue. The prohibition for construction traffic shall apply to all phases of the proposed project.

*P76. MM N-2. No nighttime grading or construction within 1,200 Feet of Residences south of Future Eucalyptus Avenue. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. No grading or construction activities shall occur at night (8 p.m. to 7 a.m.) within 1,200 feet from any noise-sensitive land uses (i.e. occupied residences including yard areas, schools, etc.) located south of SR-60 (Exhibit 5.11-6 shows the current location of occupied residences). Prior to the issuance of a grading permit, the project applicant shall submit a Noise Reduction Compliance Plan (NRCP) to the City as part of the grading permit submittal showing the limits of nighttime construction based on the location of occupied residential dwellings and their associated parcels, and other noise sensitive uses. The limits of nighttime grading or construction shall be shown on the NRCP and grading plan submitted to the City.

The limits of construction allowed at night shall be staked or posted on site, and contractors will be provided with a copy of the plan showing the limits of nighttime construction.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, nighttime construction and grading activities shall be prohibited within 1,200 feet of such residences. Compliance shall be demonstrated through a modification of the NRCP.

With the implementation of this mitigation measure, the loudest noise level that would be experienced at any developed residential parcel would be less than 55 dBA (Leq) during the nighttime, and this level would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the Noise Reduction Compliance Plan (NRCP) and periodic monitoring of noise levels at developed residential parcels within 1,200 feet of the project site.

P77. MM N-3. Daytime Construction Noise. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. If project site grading activities must occur within 560 feet of noise-sensitive land uses during the daytime (7 a.m. to 8 p.m.), then temporary sound barriers of sufficient height and density to reduce daytime noise levels to 60 dBA (Leq) or less shall be placed between the grading activities and the noise-sensitive land uses. Prior to the issuance of a grading permit, the developer shall submit a NRCP to the City as part of the grading permit submittal showing the limits of daytime construction based on the 560 foot setback in relation to the location of occupied residential dwellings and their associated parcels and other noises sensitive uses.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, the NRCP shall be modified to show a the revised new 560 foot setback for day time construction and grading activities in relation to the new residences.

With the implementation of this mitigation measure the loudest noise level that would be experienced at any developed residential parcel would be less than 60 dBA (Leq) during the daytime, and these levels would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the NRCP and periodic monitoring of noise levels at developed residential parcels within 560 feet of the project site. This mitigation measure does not apply to off-site construction.

P78. MM N-4. Require Equipment Maintenance. All construction equipment shall be maintained in good working order and fitted with the appropriate silencers, mufflers or acoustic covers where applicable.

P79. MM N-5. Locate Material Stockpiles 1,200 Feet from Residences south of the Freeway. Material stockpiles shall be located at least 1,200 feet from residences south of future Eucalyptus Avenue along Theodore Street and Redlands Boulevard. Remotely locating the stockpiles reduces the noise at the residences from equipment traveling to and from the stockpiles and the noise that is sometimes associated with handling of material.

P80. MM TT-1. (CO)Prior to issuance of Certificate of Occupancy for Phase 1, turn lanes shall be improved along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street

to accommodate truck turning movements. These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P81. MM TT-2. Concurrent with the submittal of the plot plan for Phase 3 of the proposed project, the project applicant shall submit a supplemental traffic study assessing the project's contribution to the traffic impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. Approval of the supplemental traffic study must occur prior to the approval of entitlements for the Phase 3 Plot Plan. The project applicant shall contribute to the costs of the interim intersection improvements required to provide adequate capacity for all phases of the project. Said contribution shall be on a fair-share basis considering the buildout of adjacent areas. Payment of such costs shall be provided prior to the issuance of a building permit for Phase 3. If the timing of Phase 3 of the project precedes the planned interim improvements, the project shall be required to construct interim improvements needed to provide adequate capacity to serve the project.

P82. MM TT-3. The project applicant shall construct the easterly leg of the intersection located at Redlands Boulevard and Eucalyptus Avenue at the ultimate design required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. The design tentatively consists of a dedicated westbound left turn lane, two westbound through lanes and a dedicated westbound right turn lane. Final geometrics shall be determined after receiving the supplemental traffic study identified in MM TT 2. Construction of required improvements shall be completed prior to the issuance of occupancy permits for Phase 3 of the project.

P83. MM TT(C)-1. (CO) Prior to issuance of certificate of occupancy for Phase 1 of the project, turn lanes shall be provided along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street to accommodate truck turning movements These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P84. MM TT(C)-2. The short-range analysis shows project impacts at the Redlands Boulevard interchange and at the Redlands Boulevard/Eucalyptus Avenue intersection. At the interchange, improvements are planned and the project shall participate on a fair share basis if private funding is needed. If the timing of Phase 3 of the project precedes the planned interchange

improvements, the project shall contribute to interim improvement to provide adequate capacity until the ultimate improvements are completed. These interim improvements include additions of left and right turn lanes at Redlands Boulevard, SR 60 Ramps, and Eucalyptus Avenue. The interim improvements would be the shared responsibility of the proposed project and cumulative projects. Fair share participation and/or contribution to interim improvements, as applicable, shall be required prior to the issuance of a building permit for Phase 3 of the project

P85. MM TT(C)-3. At the time of the submittal of the plot plan for Phase 3 of the proposed project, the applicant shall submit a supplemental traffic study assessing the project's contribution to the impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. The developer shall contribute to the costs on a fair share basis of the intersection improvements required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. If the timing of Phase 3 of the project precedes the planned improvements, the project shall be required to construct interim improvements to provide adequate capacity until the ultimate improvements are completed.

P86. MM W-1. Prior to issuance of a Precise Grading Permit, Planting and Irrigation Plans shall be submitted for review and prior to the issuance of a building permit, approved by the City. Such plans shall contain the following components:

- The plans shall incorporate water conservation principles as detailed in the Moreno Valley Municipal Code § 9.17.030 Landscape and irrigation design standards.
- Plant types shall be grouped together according to their water, soil, sun and shade requirements and in relationship to the buildings. Plants with different water needs shall be irrigated separately.
- Plans shall be designed in accordance with soil tests to determine appropriate specifications of soil amendments and to facilitate selection of water-efficient plant species suitable for the site. Soil amendments such as compost shall be provided to improve water-holding capacity of soil, where soil conditions warrant.
- All exposed surfaces of non-turf areas within the developed landscape area shall be mulched with a minimum three inch (3") layer of material, except in areas with groundcover planted from flats where mulch depth shall be one and one half inches (1.5").
- Turf areas shall be limited to public gathering areas and used in compliance with City approved water budget formula(s) and specifications.

- All irrigation systems shall be designed to prevent runoff, over-spray, low head drainage (occurs where sprinkler systems are installed in sloped areas) and other similar conditions where water flows offsite on to adjacent property, non-irrigated areas, walk, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible.
- Landscaped areas shall be provided with a) smart irrigation controllers which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions; b) rain-sensing devices to prevent irrigation during rainy weather; c) anti-drain check valves installed at strategic points to minimize or prevent low-head drainage; and d) pressure regulators when the static water pressure exceeds the maximum recommended operating pressure of the irrigation system.
- The planting areas shall be grouped in relation to moisture control zones based on similarity of water requirements (i.e., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas; top of slope separate from toe of slope).

P87. MM GCC-1. The project shall be designed to meet applicable 2008 Title 24 energy efficiency requirements, or any more stringent requirements that may be adopted prior to the issuance of building permits for the project.

P88. MM GCC-2. All buildings shall be designed with "cool roofs" using products certified by the Cool Roof Rating Council, and exposed roof surfaces shall use "cool paints."

P89. MM GCC-3. The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, to meet the project's Phase 1 office electricity needs.

P90. MM GCC-4. The design and operation of the project shall use ENERGY STAR-qualified energy efficient products for heating and cooling systems, and for built-in appliances and lighting.

P91. MM GCC-5. To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the Community Development Director, Public Works Director, Building Official and Transportation Division Manager:

a) Onsite secure, weather-protected bicycle storage parking shall be provided. Onsite showers (one for males and one for females) and lockers for employees shall be provided in each building. Onsite convenient bicycle parking shall be provided for retail customers.

b) Any traffic lights installed as part of this project shall use Light Emitting Diodes.

c) Pedestrian and bicycle connections shall be provided to surrounding areas consistent with the Existing General Plan.

d) A Transportation Management Association (TMA) shall be established for the project by the applicant. The TMA shall coordinate its efforts with other TMAs in the City and encourage and coordinate carpooling by occupants of the project. The TMA shall advertise its services to the building occupants. The TMA shall offer transit or other incentives to the employees to reduce greenhouse gas emissions. A shuttle shall be provided during any one hour period where the number of employees using public transit exceeds 20 during the period. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordinating rides. Within two months after project completion, the TMA shall submit a plan to the City that outlines the measures the TMA has implemented and contact information.

e) There shall be preferential parking for carpools, vanpools, and alternatively fueled vehicles.

P92. MM GCC-6. The project shall provide a minimum of two electric vehicle-charging stations.

P93. MM GCC-7. During onsite construction phases of mass grading, fine grading, and building (excluding asphalt paving, trenching, and offsite improvements), off-road construction equipment shall use biodiesel fuel (a minimum of B20, or 20 percent of biodiesel). Construction equipment exempt from this measure include those with warranties that would be voided if B20 biodiesel fuel is used. Prior to issuance of grading permits, the applicant shall provide documentation to the City that verifies that certain equipment are exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required.

P94 .MM GCC-8. Prior to issuance of a grading permit, the project shall have in place a City-approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during project construction. A

similar Plan shall be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during on-going operation of the warehouse and office portions of the project. The Plans shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.

P95. MM GCC-9. The project shall be certifiable under Leadership in Energy and Environmental Design (LEED). The project shall obtain the following credits from the LEED for New Construction & Major Renovations, version 2.2 (or equivalent): Sustainable Sites Credit 7.1: Heat Island Effect, Non-Roof; LEED Energy & Atmosphere Credit 1, Optimize Energy Performance, in part through installing skylights and utilizing energy efficient lighting. Demonstration of certifiability shall be provided to the satisfaction of the City, prior to the issuance of building permits.

P96. MM GCC-10. The project shall be designed to accommodate trucks utilizing "SmartWay Truck Efficiency" emission reduction features. Trailer tails (extenders) are incompatible with loading docks and are exempt from this measure.

P97. MM GCC-11. Every truck that enters the site with a gross vehicle weight rating over 10,000 pounds shall have an Engine Certification Label. If it does not have the label, it shall be prohibited from entering the project site.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building

occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required. (Advisory)

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process. (Advisory)

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project. (Advisory)

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. (Advisory)

*** Modified by the City Council at their meeting on 2/10/09**

Markg/2007/PA07-0088 thorough PA07-0091

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0091 Plot Plan
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
(Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the plot plan by the Planning Commission, the Developer shall submit the approved plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site. (Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan. (Advisory)

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD26. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD27. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD28. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD29. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

(Advisory)

LD30. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD31. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD32. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD33. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD34. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD35. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD36. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD37. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

LD38. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD39. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. (Advisory)

LD40. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

LD41. (BP) Prior to issuance of a building permit, Parcel Map 35629 shall record.

Prior to Certificate of Occupancy

LD42. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD43. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD44. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD45. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD47. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD48. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD49. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other

mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD50. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD51. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD52. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD53. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to all graded areas resulting from the grading associated with the project.

LD54. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD55. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication

shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD56. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD57. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

LD58. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD59. (IP) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD60. (IP) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD61. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction

sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD62. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD63. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD64. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD65. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD66. (BP) Prior to issuance of a building permit, PM 35629 shall record along with all the offers of dedication for right-of-way and easements made on the map. Alternatively, offers of dedication for right-of-way and easements may record by separate instrument.

LD67. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a

proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD68. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD69. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD70. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD71. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD72. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD73. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients,

organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD74. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD75. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD76. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Plot Plan

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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MV00054663

RESOLUTION NO. 2010-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and construction of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 9

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to

Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir Avenue), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

   The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing and responsibility of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The originally approved map met the intent of the General Plan with the approved General Plan Amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF),Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities

in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future).. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Parcel Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. <u>The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.</u>

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. <u>The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and</u>

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00054677

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Parcel Map No. 35629 (Clean Copy Version)

<u>Land Development Division modified conditions of approval</u>

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00054683

RESOLUTION NO. 2010-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

ATTACHMENT 10

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meeting on May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations –** The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

   FACT:. The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, possible timing and responsibility of an easement and construction of a required multi-use trail along the project frontage and modification of various Public Works conditions of approval for dedication and improvement of public improvements is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. **Location, Design and Operation –** The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site. The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future). The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it

revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0090, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00054691

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00054693

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 11, 2010 (Continued from April 27, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 15, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, which was then continued to May 11, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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MV00054703

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 15, 2010.

APPROVED AND ADOPTED this 11th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

MORENO VALLEY
WHERE DREAMS SOAR

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00054707

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 203.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance	$	2,618.00	Plus applicable notice and posting fees
Administrative Variance	$	474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

mal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Animal Services

		Unit	Fee
Licensing			
Dog (altered)			
	1 year	Each	$ 10.00
	2 year	Each	$ 19.00
	3 year	Each	$ 26.00
Dog (unaltered)			
	1 year	Each	$ 41.00
	2 year	Each	$ 60.00
	3 year	Each	$ 78.00
Potentially Dangerous/Vicious		Each	$ 77.00
Economic Hardship* (altered only)		Each	$ 6.00

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

Late Fee		Each	$ 19.00
Transfer Fee		Each	$ 6.00
Lost Tag Replacement		Each	$ 6.00
Kennel			
Class I Dog			
	1 year	Each	$ 128.00
	2 year	Each	$ 189.00
Class II Dog			
	1 year	Each	$ 194.00
	2 year	Each	$ 251.00
Cattery			
	1 year	Each	$ 128.00
	2 year	Each	$ 189.00
Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

mal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

ewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

ivity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Records Request			
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

Section 5 - Fire

Other Fees (Cont)

	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work; not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00
On-Line Registration Processing Fee (This fee is charged by the on-line provider)		
On-Line Registration has no applicable category association.		
Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction		$ 0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction		$ 5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction		$ 10.00

* $2.00 minimum

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Adult Contract Classes (18 Years or Older)				
Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Classes				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~1 Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~
~~** Excludes Program Registration Fee~~				

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Special Events				
Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee				
Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt**	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)			
On-Line Registration has no applicable category association.			
Transactions < $150			
Percentage of Transaction cost plus			6.50% *
Fixed Fee per Transaction		$	0.50 *
Transactions from $150 to $500			
Percentage of Transaction cost plus			3.50%
Fixed Fee per Transaction		$	5.00
Transactions over $500			
Percentage of Transaction cost plus			2.50%
Fixed Fee per Transaction		$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and Unorganized Group Play per field~~	N/A	Per Hour	$	5.00
~~Unorganized Adult & Youth~~ Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use – Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use – Annual Maintenance fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	~~100.00 75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	~~175.00 350.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	~~50.00 35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	~~$50.00 $35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
~~Park Reservation for Park Area~~	~~N/A~~	~~Per Day~~	~~$~~	~~25.00~~
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Golf Course

Fee Description	Policy Category	Unit		Resident Fee
~~This program has no applicable category association~~				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 35.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 35.00
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. Federal, State, County and educational institutions. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$750.00 $200.00 - $750.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE/FACILITY USE FEES

Service/Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

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Section 8 - Police

Exhibit "A"

	Unit	Fee	
ABC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
ice Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Second Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

Exhibit "A"

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On-site mod by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee	
MASS/ROUGH GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY		$ 584.00	
5,001-100,000 CY		$ 1,009.00	
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	$250	~~$ 306.00~~		
All Teleconferences	per Hour	$150	~~$ 306.00~~		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,244.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$3,227	~~$ 3,334.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~198.00~~ $96.00	Straight Time Over Time

STORM WATER MANAGEMENT INSPECTION

Storm Water Pollution Abatement Program

Projects Under Construction		
Construction Site Inspection		$ 402.00
Existing Businesses		
NPDES Industrial Site Initial Inspection	Each	$ 451.00
Follow-up Compliance Inspection	Each	$ 211.00
NPDES Commercial Site Initial Inspection	Each	$ 331.00
Follow-up Compliance Inspection	Each	$ 211.00
NPDES Restaurant Initial Inspection (CAP)	Each	$ 271.00
Follow-up Compliance Inspection	Each	$ 211.00

Water Quality Basin Landscape Inspection

0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre	$ 1,777.00

PENALTY FEES

Inspection and Testing work in Right-of-Way without Encroachment Permit	$ 603.00
Failure to Schedule Inspection Prior to Performing Work *	$ 122.00

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer, fee not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time
OTHER PERMITS				
Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each		$ 205.00	
Block Party Permit Processing	Each		$ 82.00	
Flood Plain Determination (Community Rating System)	per Lot		$ 20.00	
Elevation Certification (Mobile Home Park)	Each		$ 155.00	

Land Development

OTHER FEES

Advanced Energy Fees

	Unit	Fee	
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		

MISCELLANEOUS LAND DEVELOPMENT FEES

City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Exhibit "A"

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee	
Land and Assessment Division Applications			
with amended assessment diagram		$ 900.00	+
	per Parcel	$ 25.00	
without amended assessment diagram		$ 1,500.00	+
	per Parcel	$ 35.00	
Special District Formation Application	Each	$ 5,000.00	
Special District Formation/Bond Issuance	Each	1% of bond issue	$50,000 min
Special Tax Report	Each	City Cost	$10 min
Annual Levy Report	Each	City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$ 46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.			
Fixed Charge Tax Bill Revisions	per Parcel	County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)		City Cost	$10 min
Mail Ballot Processing			
Administrative Fee	per Proceeding	$ 1,574.00	
Ballot Fee	per Ballot	$ 3.00	

Section 9 - Public Works

Exhibit "A"

pecial Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75
Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer' s gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, " public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle' s engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18″ from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				----- Commercial -----			-------Office-------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
Libraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
P Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
A nal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

U S LEGEND
D Dwelling Unit for residential development types
K 1,000 gross square feet of building area for commercial, industrial and office development types

Exhibit "A"

I EMENTATION NOTES:

W espect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

W espect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the D opment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

Impact Fee Type	---------- Residential ----------				----- Commercial -----		Industrial General	------ Office ------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional		Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
Recommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
F at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
F at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00054795

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

b) **Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)**

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MV00054797

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 11, 2010

TITLE: FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

BACKGROUND

The Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan were distributed to the City Council on April 13th and April 27th, respectively, for their advance review. An overview of both documents will be provided on May 11, 2010 to begin the deliberation process that will lead to budget adoption.

The FY 2010-11 Preliminary Base Operating Budget does not include capital improvements. Instead, these are compiled in a separately issued Proposed Capital Improvement Plan (CIP), which is a multi-year plan that identifies and prioritizes funding for future capital improvements such as land acquisitions, buildings and infrastructure.

The City previously implemented a recommended "best practice" of utilizing a Two-Year Budget, with the second year of the budget representing a greatly streamlined process of applying an inflationary factor to most ongoing expenditure categories. However, in the current economic environment such an approach is not practical, since all budgeted expenditures must be carefully evaluated and adjusted to remain within the City's revenue constraints. Therefore, the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan represent a one-year expenditure plan, along with various budget balancing solutions, developed to provide the highest possible service levels to the Community over the upcoming fiscal year, given the reduced revenues that are projected to be available.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). Options for closing this remaining $11 million gap are presented in the Deficit Reduction Plan and summarized below:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions is significantly greater than the projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during FY 2010-11 be less than projected, additional solutions have already been identified that can be quickly implemented.

Given the challenges and policy decisions related to adopting a balanced General Fund budget for FY 2010-11, a number of City Council meetings have been designated for budget deliberations, including two Study Sessions, as shown below.

Date	Meeting / Event	Action
May 11	Regular Council Meeting	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 15	Study Session	Continued Discussion of Operating Budget & DRP
June 22	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget

ALTERNATIVES

The following alternatives are available to the City Council:

1. Receive the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan.

CITY COUNCIL GOALS

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

SUMMARY

The FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan were previously submitted for the City Council's advance review and are hereby presented to begin the deliberation process leading to budget adoption. Following the overview presentation of both documents on May 11, 2010, Council will have a series of meetings, including two Study Sessions, in which to deliberate and provide direction to staff regarding the various solutions for balancing the budget. Final budget deliberations and budget adoption are scheduled for June 22, 2010; with June 29, 2010 available as a back-up City Council meeting for budget adoption if needed.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

- Preliminary Base Operating Budget for Fiscal Year 2010-11
- Deficit Reduction Plan for Fiscal Year 2010-11
  (Both documents have been provided under separate cover.)

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

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

Overview of Preliminary Base Operating Budget & Deficit Reduction Plan

Fiscal Year 2010-11

May 11, 2010

Presentation Overview

- Budget Development Process
- Revenue & Expenditure Projections
- Projected General Fund Operating Deficit
- Budgetary Adjustments to Reduce Deficit
- Budget Issues
- Methodology for Addressing Net Projected Deficit; i.e., Deficit Reduction Plan
- Budget Review Schedule leading to Budget Adoption

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Budget Development Process

- "Preliminary Base" vs. "Proposed" Operating Budget
- Reflects continuation of service levels and staffing at current levels.
- Also includes continuation of personnel-related cost-saving measures implemented 7/1/09:
  - Suspension of cost-of-living adjustment (COLA);
  - Suspension of merit salary increases; and
  - 10% across-the-board salary reduction implemented via a 36-hour reduced work week.
- Since revenues will not be adequate to support current service levels, policy decisions will be needed regarding which service levels to reduce.
- Options for reducing service levels are contained in the Deficit Reduction Plan.

Total City Revenues

$180,916,700

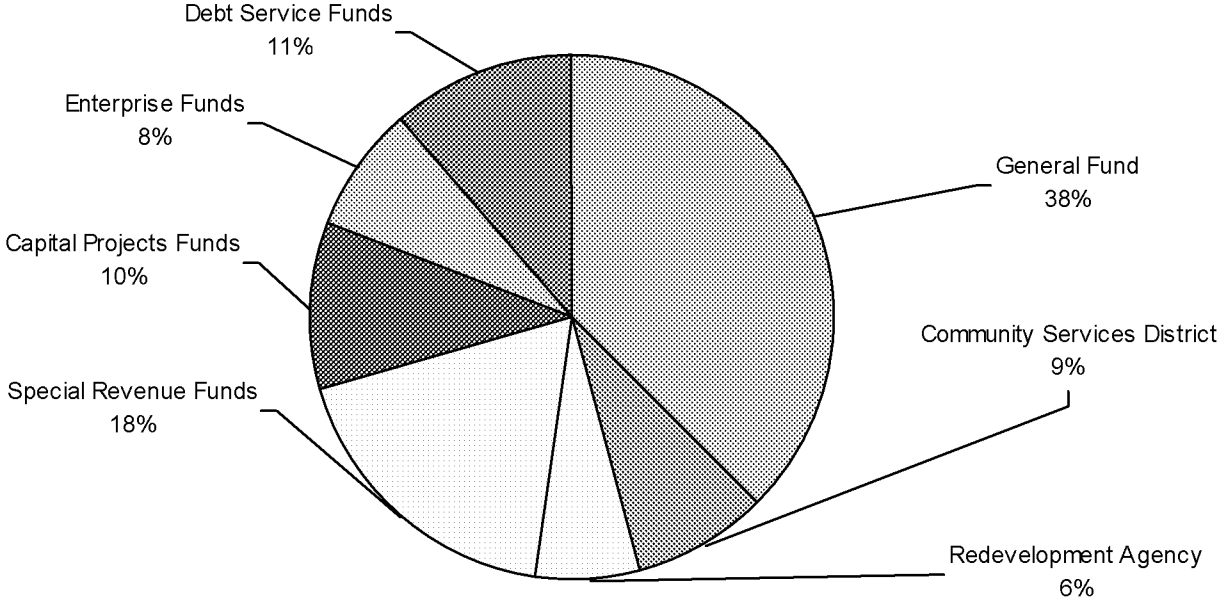

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Total City Operating Budget

$185,454,700

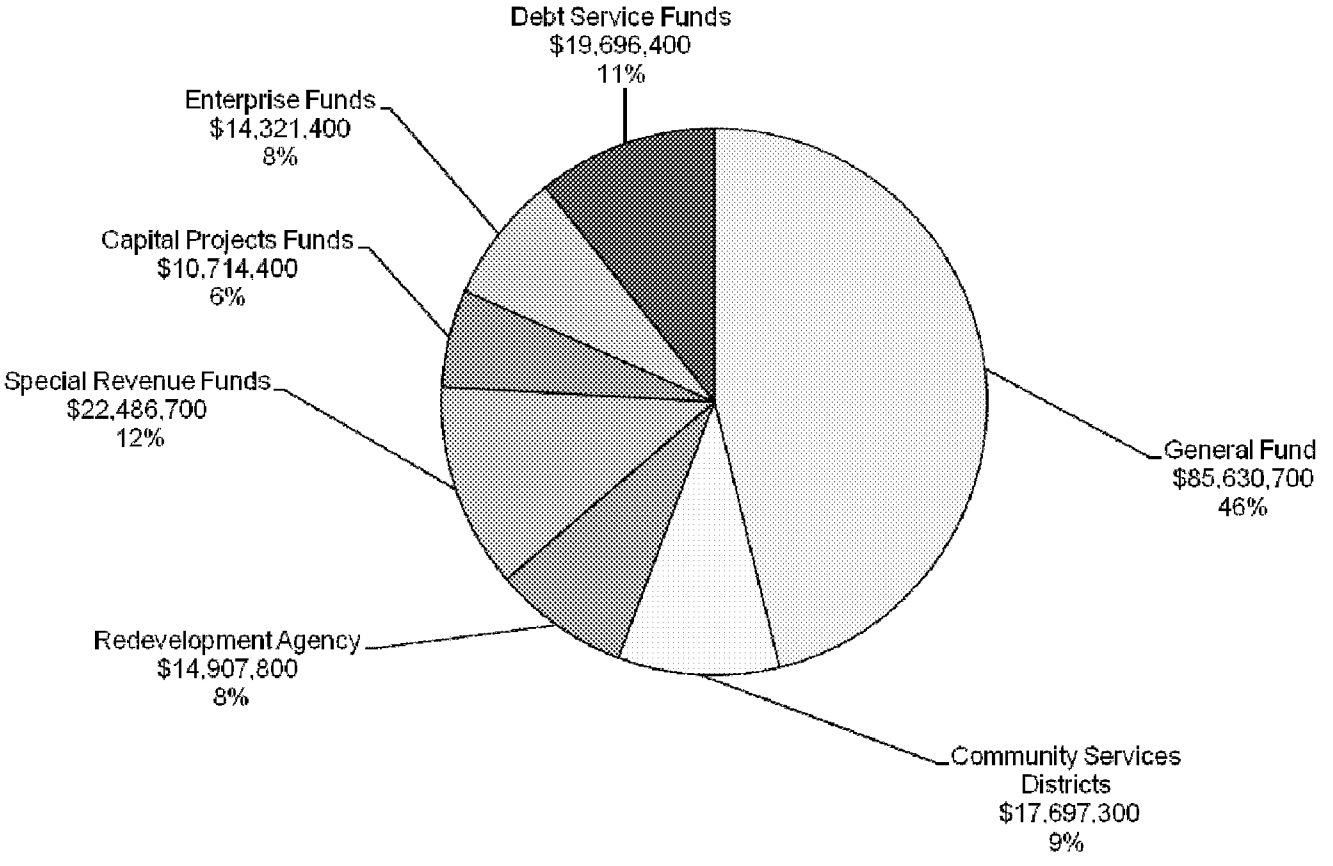

General Fund Operating Expenditures

$85,630,700

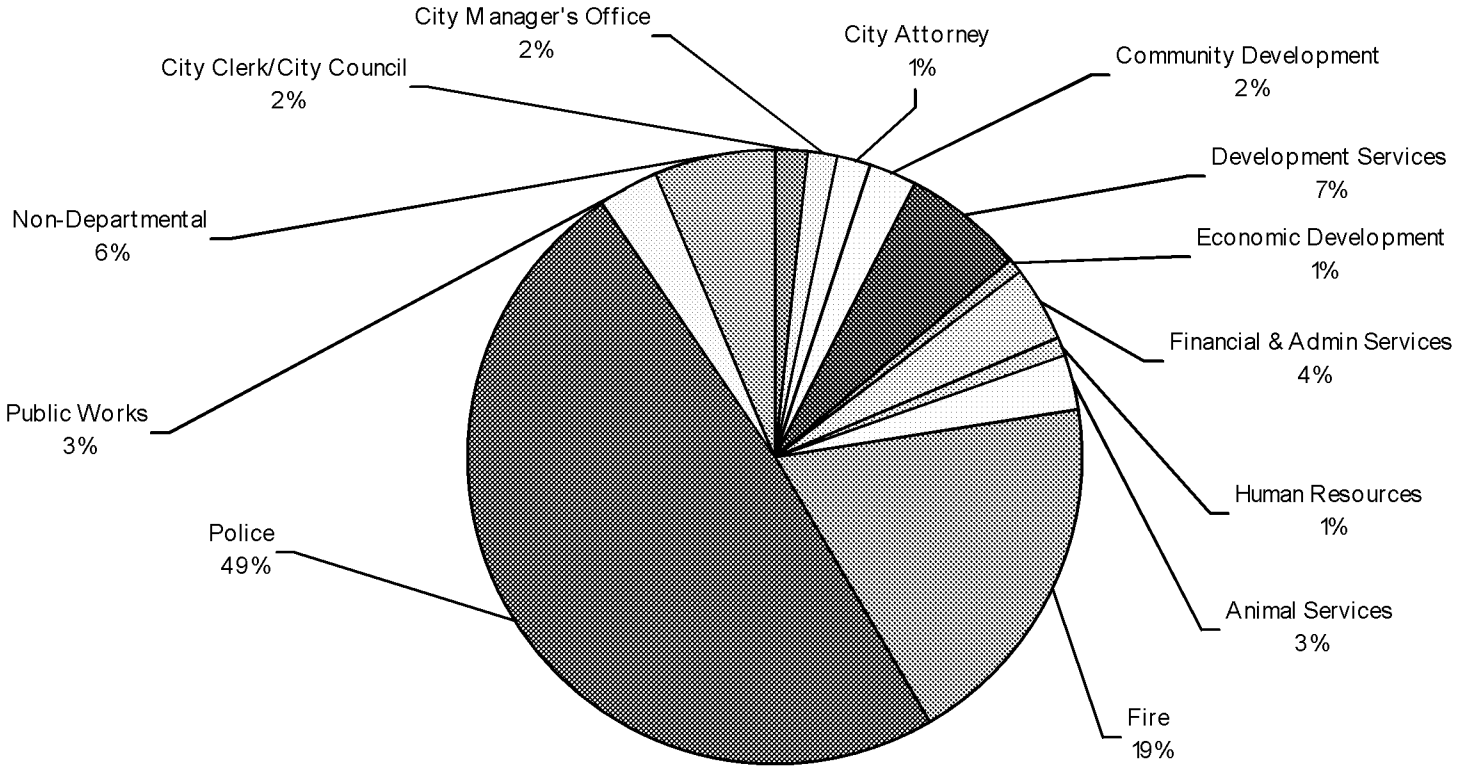

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General Fund Operating Revenues

$67,754,400

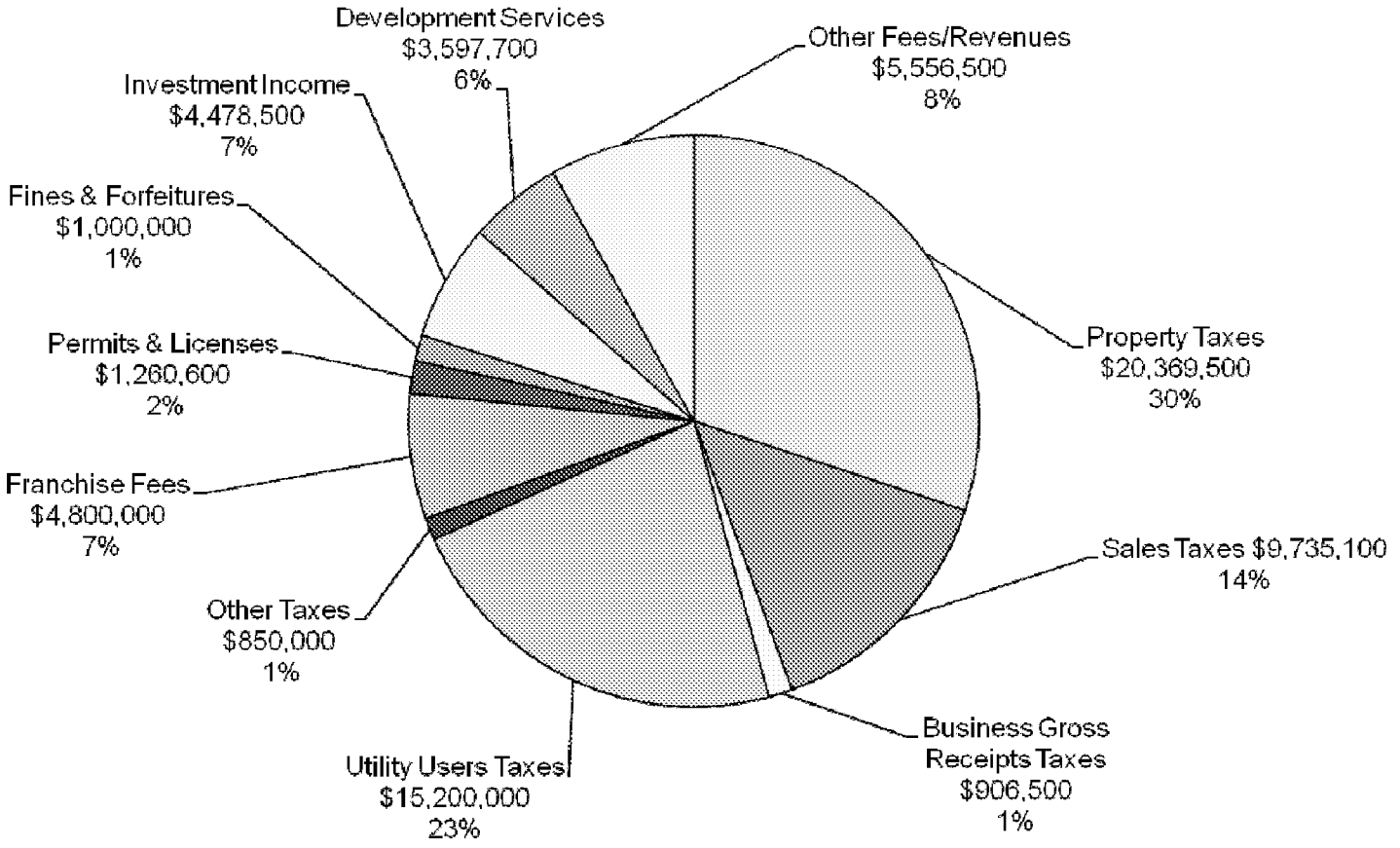

General Fund Operating Revenues

Revenue Source	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Budget	FY 09-10 Projected	FY 10-11 Budget
Utility Users Tax	$15,186,616	$15,081,286	$14,970,000	$15,500,000	$15,200,000
Property Tax In-Lieu of VLF	16,728,600	16,791,078	14,100,000	13,670,400	11,773,400
Sales Tax	11,694,525	10,451,942	9,735,000	9,735,000	9,735,100
Property Tax	14,361,253	12,790,196	11,700,001	10,052,300	8,596,100
Other	7,127,734	6,936,944	7,997,494	7,852,240	6,143,100
Franchise Fees	4,478,698	4,997,024	4,400,000	4,800,000	4,800,000
Investment Income	7,810,625	5,691,596	4,350,000	4,500,000	4,478,500
Development Services	9,168,587	9,973,714	4,119,921	3,163,660	3,597,700
Parking Control Fees	1,300,405	1,094,064	1,250,000	1,095,000	1,164,000
Fines & Forfeitures	1,003,467	1,082,366	1,000,000	1,000,000	1,000,000
Gross Receipts Tax	1,111,021	1,051,701	906,500	650,000	906,500
Vehicle License Fees	800,667	865,718	400,000	400,000	360,000
TOTAL	**$ 90,772,198**	**$ 86,807,629**	**$ 74,928,916**	**$ 72,418,600**	**$ 67,754,400**

General Fund Revenue Trends

General Fund Revenue History & Projection

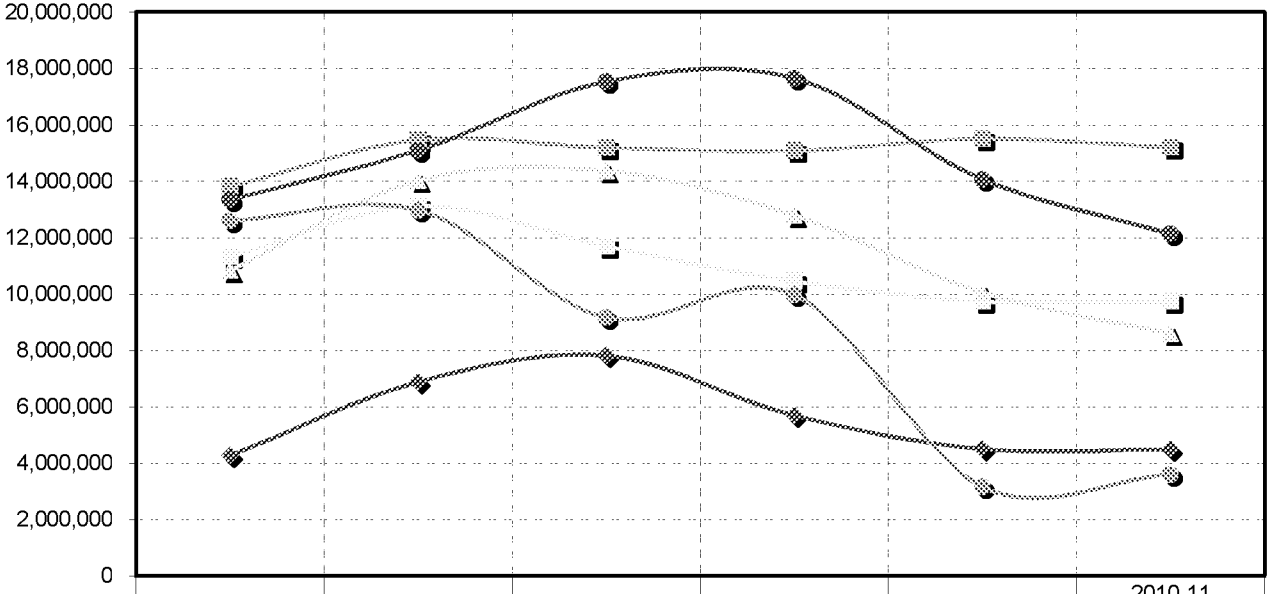

	2005-06 Actuals	2006-07 Actuals	2007-08 Actuals	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
Utility User's Taxes	13,811,740	15,463,291	15,186,616	15,081,286	15,500,000	15,200,000
VLF/Property Tax in-Lieu	13,345,933	15,093,313	17,529,267	17,656,796	14,070,400	12,133,400
Sales Taxes	11,317,841	13,116,271	11,694,525	10,451,942	9,735,000	9,735,100
Property Taxes	10,831,005	14,022,134	14,361,253	12,790,195	10,052,300	8,596,100
Investment Income	4,273,225	6,878,647	7,810,625	5,691,596	4,500,000	4,478,500
Development Svcs	12,592,570	12,976,966	9,168,587	9,973,715	3,163,660	3,597,700

Continuing Weak Economy

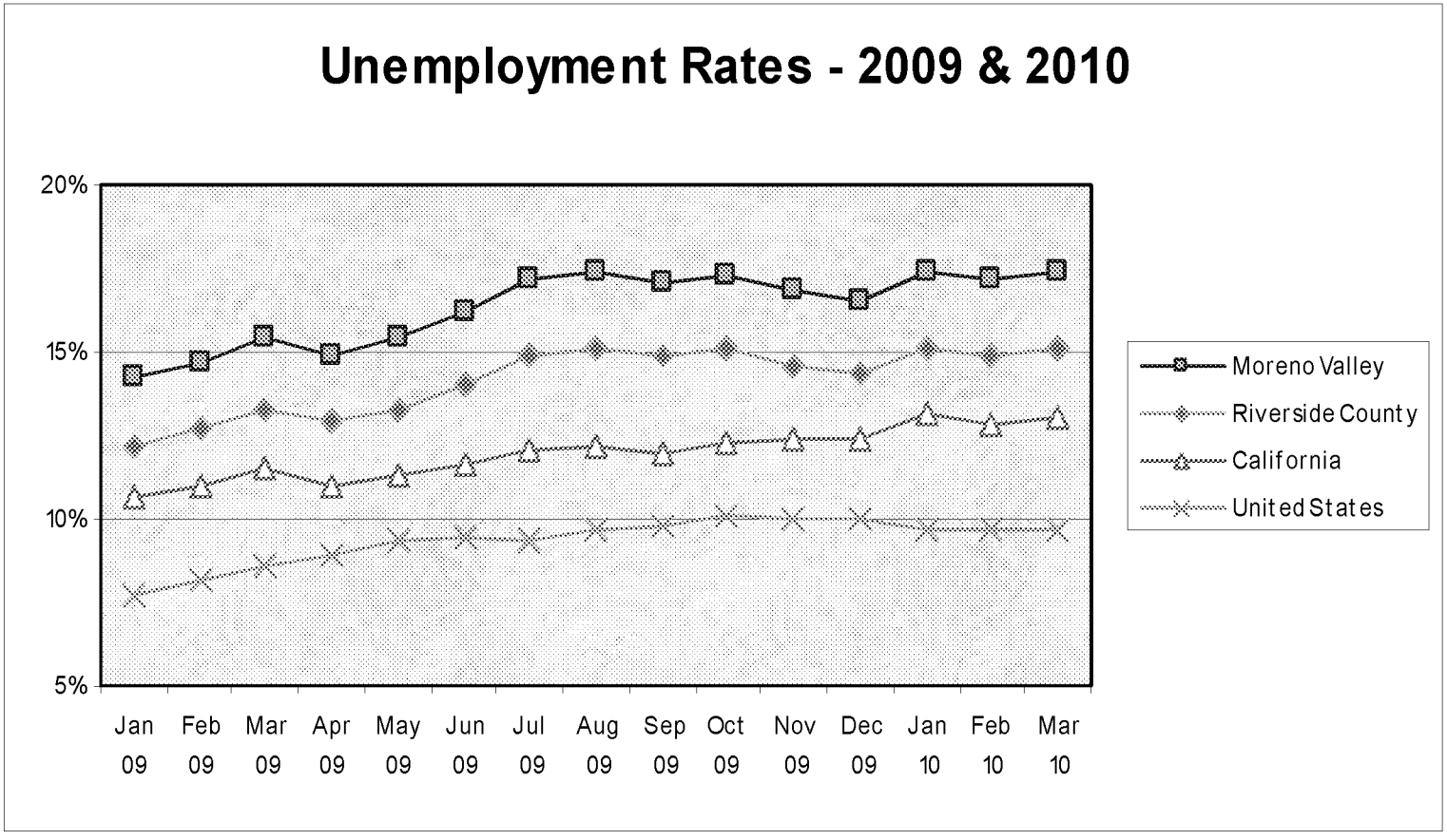

General Fund Expenditure Trends

General Fund Expenditure History & Projection

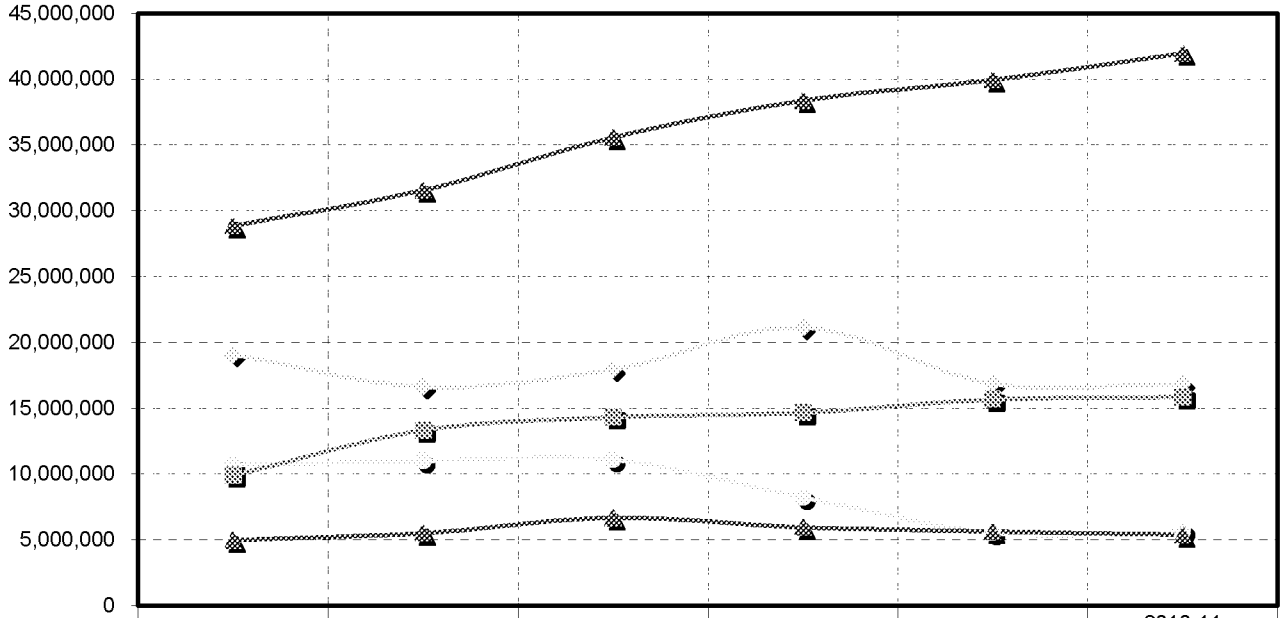

	2005-06 Actual	2006-07 Actual	2007-08 Actual	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
General Government	19,071,322	16,613,462	17,937,033	21,123,523	16,850,252	16,836,937
Development Services	10,675,852	10,993,001	11,075,793	8,202,310	5,527,270	5,631,060
Police	28,851,553	31,553,610	35,581,734	38,370,806	39,943,700	41,960,324
Fire	9,896,036	13,307,842	14,299,522	14,648,139	15,659,100	15,840,550
Other Public safety	4,955,539	5,514,208	6,666,238	5,936,736	5,620,978	5,361,800

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General Fund Operating Budget Revenues & Expenditures

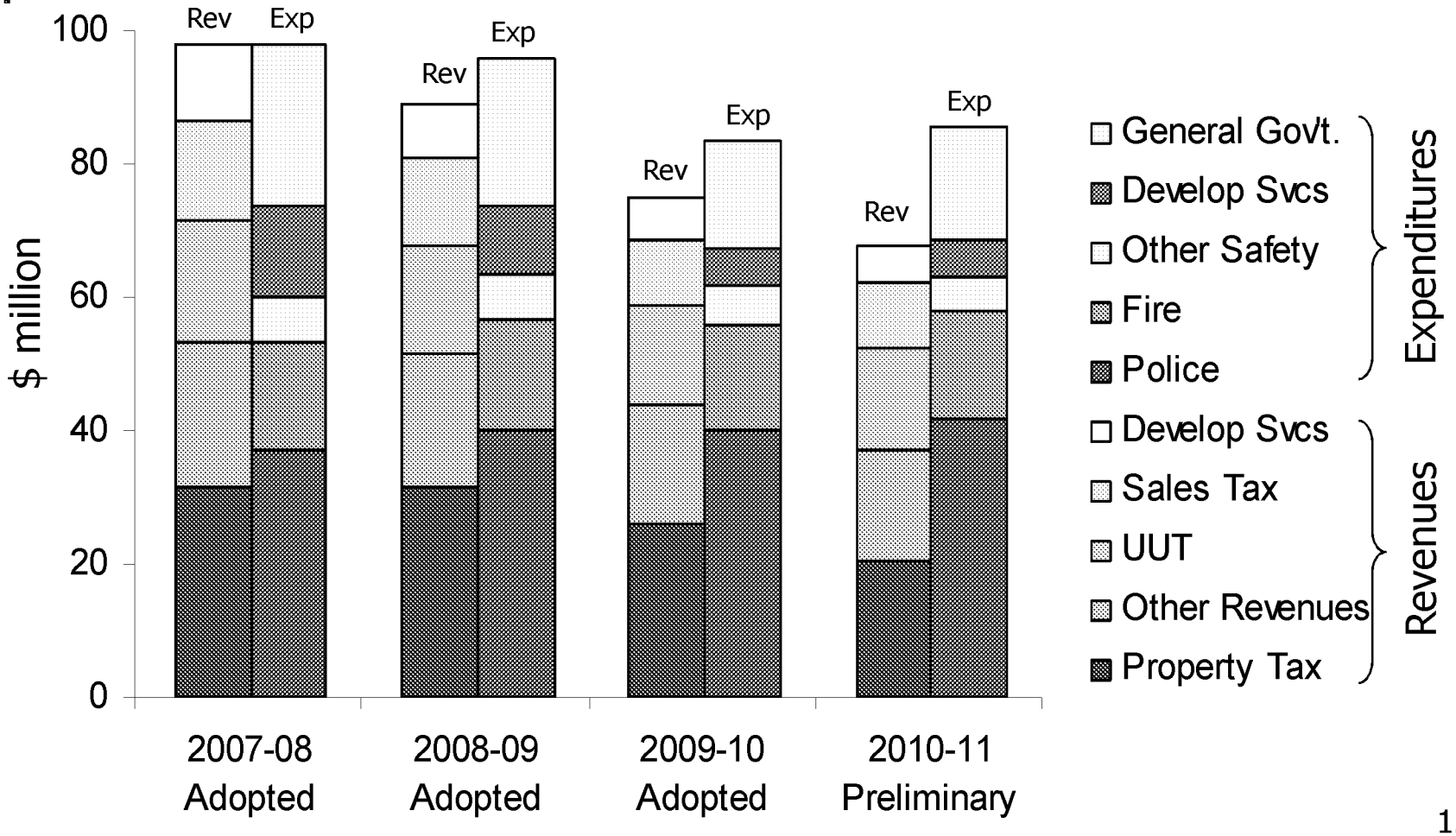

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Budgetary Adjustments to Reduce General Fund Deficit

- Current fiscal year savings: $1.5m
- Transfers to return previous General Fund subsidies:
  - Gas Tax: $500k
  - Public Education/Government Access: $339k
  - CSD Zone A/Parks: $800k
- Other transfers:
  - EOC Project: $1.1m
  - Equipment Replacement Fund: $2.1m
  - Facility Construction Fund: $776k
- Total Adjustments: $7.1 million

Budget Issues

- Re-establish funding for Budget Officer position: $98,700
- Supplement Emergency Operations Grant with General Fund Subsidy: $43,100
- Increase in NPDES Regulatory Fee: $76,000
- Total Budget Issues: $217,800

General Fund – Net Budgetary Deficit

Projected General Fund Operating Deficit		**$17,876,300**
Budgetary Adjustments:		
- Current year savings	($1,520,800)	
- Transfers to return GF Subsidies	($1,639,100)	
- Other Transfers	($3,979,100)	
- Total Adjustments		($7,139,000)
Budget Issues:		
- Re-establish funding for Budget Officer	$98,700	
- Supplement Emergency Operations Grant	$43,100	
- Increase in NPDES Regulatory Fee	$76,000	
- Total Budget Issues		$217,800
Net Budgetary Deficit (Deficit Reduction Plan)		**$10,955,100**

Deficit Reduction Plan

- Originally intended to provide options for offsetting projected GF deficit of $10.4 million (Five-year Financial Forecast) plus contingency for revenue reductions and State actions.
- With declining property taxes, projected GF operating deficit grew to $17.8 million; then reduced to $11 million net of carryover savings and adjustments.
- Will need more than $11 million in savings if State takes actions that impact local revenues; also need contingency for revenue reductions during FY 2010-11.
- Total solutions presented in Plan are $20.1 million, as follows:
  - Potential Revenue Enhancements: $0.3 million
  - Potential Expenditure Reductions: $13.8 million
  - Potential Use of GF Reserves: $6 million

Deficit Reduction Savings Targets
(based on Adopted FY 2009-10 Budget)

- General Government business units: 35%
- Development Services business units: 35%
- Internal Service Funds: 35%
  - Maintenance & Operations
  - Facilities Maintenance
  - Technology Services
  - General Liability
  - Workers' Compensation
- Public Safety & related business units: 10%
  - Police
  - Fire
  - Animal Services
  - Code Compliance
  - Emergency Operations
  - Crossing Guards
  - Graffiti Abatement
- Library: 10%

Deficit Reduction Options

- Consist of following elements:
  - Description
  - Internal Service Impact (None-Minimal / Moderate / High)
  - External Service Impact (None-Minimal / Moderate / High)
  - Staffing Impact
  - Budgetary Savings
- Focus is on "programmatic" rather than "line-item" reductions.
- Prioritized by Department Heads based on service level impacts.

Public Safety Options

- Police & Fire options reviewed with Public Safety Subcommittee on May 10, 2010.
- Contractual noticing requirements:
  - Police: Service level reduction of 10% or greater requires 12-month notification; if less than 10%, will be implemented as soon as practicable.
  - Fire: Service/staffing level reduction requires 120-day notice.

Calendar for Review & Deliberation of Budget & Deficit Reduction Plan

Date	Meeting / Event	Action
May 11	Regular Council Meeting	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 15	Study Session	Continued Discussion of Operating Budget & DRP
June 22	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget

Summary

- FY 2010-11 will be one of the most challenging budgets faced by the City in recent years.
- Projected General Fund operating deficit of $17.8 million; reduced to $11 million with current year savings and various "one-time" adjustments.
- Solutions for overcoming this projected $11 million net deficit are presented in Deficit Reduction Plan.
- Deliberation on budget balancing solutions begins next week with detailed review of Deficit Reduction Plan during the May 18th Study Session.
- Five (5) Council meetings are scheduled for continued budget discussions, leading to budget adoption on June 22nd;with June 29th available as back-up meeting if needed.

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MV00054823

Preliminary Base

OPERATING BUDGET

FISCAL YEAR 2010-11

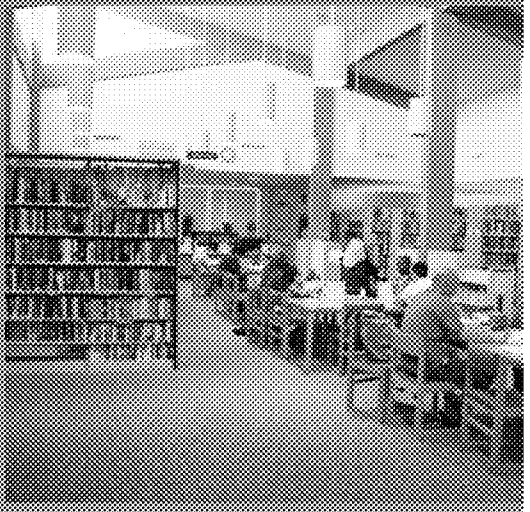

CITY OF MORENO VALLEY

Item No. G.2

MV00054824

Preliminary Base OPERATING BUDGET

FISCAL YEAR 2010-11

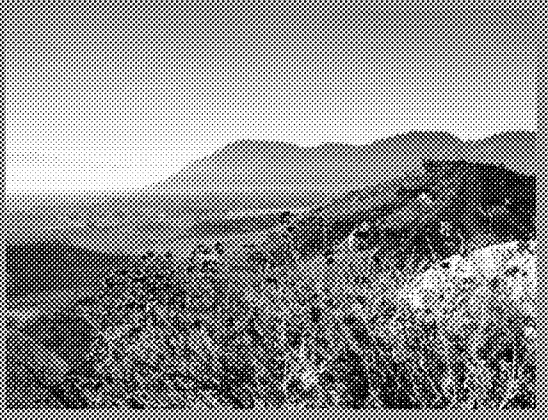

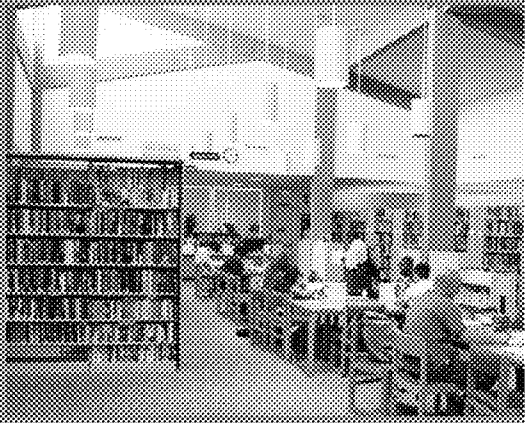

CITY COUNCIL

Bonnie Flickinger
Mayor

Robin N. Hastings
Mayor Pro Tem

William H. Batey II
Council Member

Jesse L. Molina
Council Member

Richard A. Stewart
Council Member

ADMINISTRATION

William L. Bopf
Interim City Manager

Steve Elam
Interim Financial & Administrative Services Director

Prepared by the
Financial & Administrative Services Department

14177 Frederick Street
Moreno Valley, CA 92552-0805
951.413.3088

CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
FISCAL YEAR 2010-11 Preliminary Base Operating Budget

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FISCAL YEAR 2010-11 Preliminary Base Operating Budget

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City of Moreno Valley

2010-11 Preliminary Base Operating budget

Introduction

Preliminary Base OPERATING BUDGET

FISCAL YEAR 2010-11

To: Honorable Mayor, Members of the City Council and Citizens of Moreno Valley

INTRODUCTION

The Preliminary Base Operating Budget presents projected operating revenues and expenditures for the fiscal year beginning July 1, 2010 and ending June 30, 2011. The budget includes all component units of the City, including the Community Services District and Redevelopment Agency. In this budget message, particular attention will be given to the City's General Fund, which is the most significantly impacted by the current economic recession.

The Preliminary Base Operating Budget does not include capital improvements. Instead, these are compiled in a separately issued Proposed Capital Improvement Plan (CIP), which is a multi-year plan that identifies and prioritizes funding for future capital improvements such as land acquisitions, buildings and infrastructure.

The City previously implemented a recommended best practice of utilizing a Two-Year Operating Budget, with the second year of the budget representing a greatly streamlined process of applying an inflationary factor to most expenditure categories. However, in the current economic environment such an approach is not practical, since all budgeted expenditures must be carefully evaluated in accordance with the City's revenue constraints. Therefore, the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget represents a one-year financial plan developed to provide the highest possible service levels to the Community over the upcoming fiscal year, given the reduced revenues that are projected to be available.

During these challenging economic times, the City Council will also be kept apprised of the City's financial condition through First Quarter and Mid-Year Budget Reviews. This practice has been utilized the past two years and will be continued during FY 2010-11 so that adjustments in staffing and other budgetary resources may be made per Council's direction based on the revenues that have been received to date and that are projected by fiscal year end.

"PRELIMINARY BASE" VS. "PROPOSED" OPERATING BUDGET

The budget that is hereby submitted is considered to be a "Preliminary Base" Operating Budget rather than the City Manager's "Proposed" Operating Budget. This is because the General Fund budget is not balanced and, therefore, is not proposed for adoption at this time. **The General Fund expenditures included in the Preliminary Base Operating Budget reflect maintenance of service levels and staffing at their current levels. However, projected General Fund operating revenues will not be adequate to support current service levels; therefore policy decisions will need to be made by the City Council regarding which service levels to reduce, or how to augment operating revenues to maintain current service levels.** Specific options for balancing the General Fund budget will be presented for Council's consideration in the Deficit Reduction Plan, which will be released April 27, 2010. Decisions made regarding numerous options presented in the Plan will enable the Council to once again adopt a balanced General Fund budget. The Deficit Reduction Plan is discussed in more detail in the General Fund section of this budget message.

The Preliminary Base Operating Budget reflects the significant staffing reductions implemented by departments over the past two fiscal years, which have reduced the City's career workforce by approximately 25%. The budget also includes a continuation of the cost-saving measures related to employee compensation that were implemented effective July 1, 2009. These measures include a 10% across-the-board salary reduction, implemented via a 36-hour reduced work week, and suspension of employee merit increases and cost-of-living adjustments. The savings from these items, which were agreed to by all employee groups, represent an overall budgetary reduction of approximately $3.2 million in the Preliminary Base Operating Budget (all funds); with approximately $1.4 million of this savings benefitting the General Fund.

FY 2010-11 OPERATING BUDGET EXPENDITURE SUMMARY

Following is a summary of the expenditures included in the FY 2010-11 Preliminary Base Operating Budget by major fund and component unit:

Fund / Component Unit	FY 2010-11 Preliminary Base Budget
General Fund	$85,630,700
Community Services District (CSD):	
Zone A – Parks & Community Services	8,446,400
Zone L – Library Services	2,161,300
Other CSD Zones	7,089,600
Redevelopment Agency	14,907,800
Special Revenue Funds	22,486,700
Capital Projects Funds	10,714,400
Enterprise Funds	14,321,400
Debt Service Funds	19,696,400
Total City Operating Budget	**$185,454,700**

ECONOMIC OUTLOOK

The Preliminary Base Operating Budget for FY 2010-11 reflects the continuing economic recession which began in late 2007. Most major revenue sources have declined since that time, prompting significant staffing reductions and other expenditure reductions to offset the City's declining revenues. Reserves have also been utilized to help offset the declining revenues the past two fiscal years in order to adopt balanced budgets.

In particular, the continuing problems in the housing sector, the cooling of the manufacturing sector, and the cutback in consumer spending have combined to significantly impact the local economy and the City's revenues. The reduction in both residential and commercial property assessed valuation is having a particularly significant impact on the City's property tax revenues. Continuing high unemployment at all levels also remains a major concern. Although the national unemployment rate remains high at 9.7%, it is much worse locally with California at 12.8%, Riverside County at 14.9%, and Moreno Valley at 17.2% as of February 2010 reporting. The unemployment trends since January 2009 are depicted in the following chart:

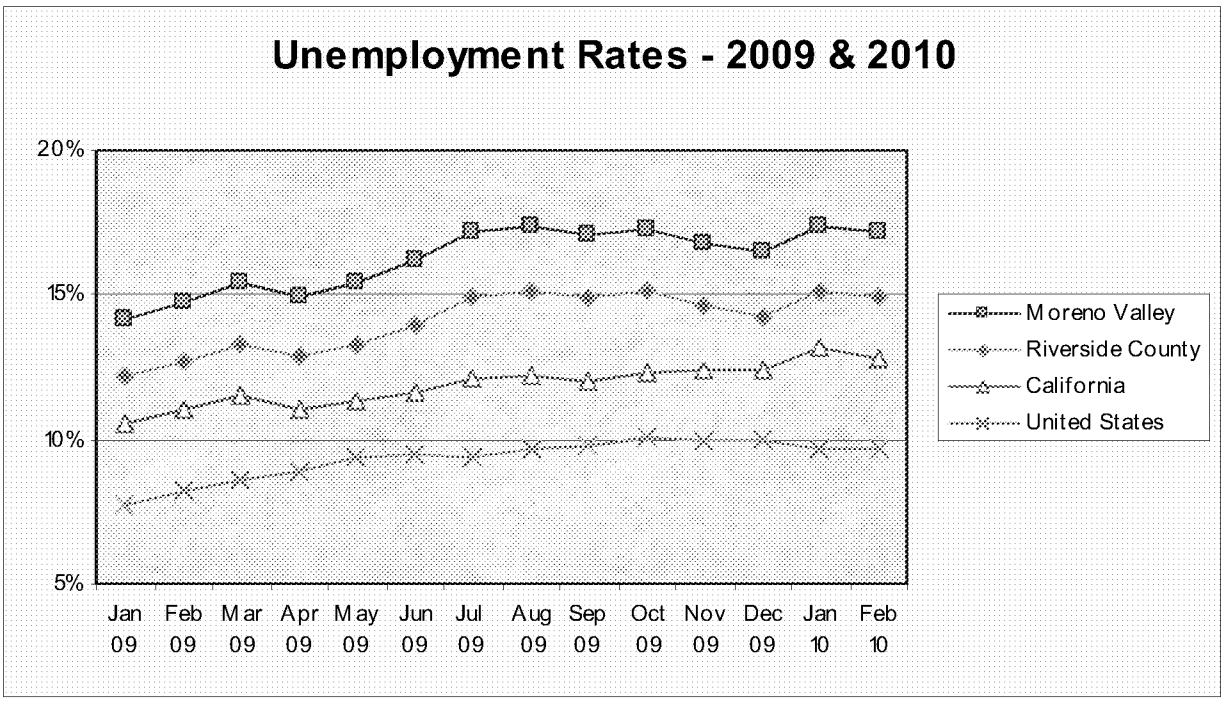

GENERAL FUND

General Fund Revenue Projections for FY 2010-11

During stable economic times, various analytical tools and financial models are used to develop revenue projections. However, during uncertain economic times such as we

are now experiencing, projections based on historical trends are of little value. Therefore, in developing the revenue projections that follow, staff relied primarily on current economic data, short-term results since the recession began, and outside expertise on some of the major revenue sources such as Property Tax, Sales Tax and Utility User's Tax.

Revenue Highlights and Assumptions for FY 2010-11

To understand the underlying strengths and weaknesses of the major General Fund revenue sources for FY 2010-11, the following highlights and assumptions are presented below.

Utility User's Tax (UUT) is currently the General Fund's largest revenue source, representing 23% of total revenue. Historically, it has also been the most stable revenue source. Prior to FY 2007-08, UUT experienced an average growth rate of 13% over the previous four years. While residential property foreclosures, combined with commercial vacancies, will cause components of the UUT to decline, current trends in the water, wireless telephone, and cable industries are combining to keep projected FY 2010-11 UUT revenue only slightly less than the current fiscal year at $15.2 million.

Property Tax in-Lieu of Vehicle License Fees (VLF) used to be the General Fund's largest revenue source. However, due to declining property values, this revenue source has fallen and will continue to do so next fiscal year. It is projected to be $11.8 million for FY 2010-11, representing 17% of total General Fund revenue.

Property Tax, which is historically the General Fund's third largest revenue source, is projected to fall to the fourth largest revenue source at $8.6 million in FY 2010-11, representing a decrease of $1.4 million from FY 2009-10 and a $4.2 million decrease from FY 2008-09. At this level, it will comprise approximately 13% of total General Fund revenue. Information received from the County Assessor is that overall assessed valuation in the City will decline by 14% next fiscal year versus this fiscal year. This substantial reduction in property tax reflects a decline in residential and commercial assessed valuation, combined with a negative inflationary adjustment of -0.237% under Proposition 13 for those properties that were not reassessed under Proposition 8 as a result of market values falling below the assessed values allowed under Proposition 13. This is the first time there has been a negative inflationary adjustment since Proposition 13 was enacted in 1978.

Sales Tax, including Property Tax in-Lieu of Sales Tax, which was created as a result of the State's "triple flip", is projected to be $9.7 million in FY 2010-11, comprising 14% of total General Fund revenue. No increase in sales tax revenues are projected for the next fiscal year due to current high unemployment levels and the expected slow economic recovery, which will continue to adversely impact consumer spending.

Franchise Fees are projected to be $4.8 million in FY 2010-11, holding constant with the FY 2009-10 projected actual level. This represents 7% of total General Fund Revenue.

Investment Income is projected to be $4.5 million, or 7% of General Fund revenue. This represents an increase compared to the budget for FY 2009-10, due to an expected increase in short-term rates, offset by a reduction in the total principal invested due to declining revenues.

Development Services revenue is projected to be $3.6 million, representing 6% of General Fund revenue. Compared to FY 2009-10, this projection represents a decline of 13.7%, reflecting the slump in residential and commercial development. Historically, it has been the General Fund's most volatile revenue source, growing to nearly $13 million in FY 2006-07 before starting its current decline.

Parking Control Fees are estimated to be $1.2 million for FY 2010-11 with minimal growth over the FY 2009-10 projected actual level. The estimate is based on the expected number of citations to be issued in FY 2010-11.

Fines and Forfeitures are projected at $1 million for FY 2010-11. For the past four years, this revenue has remained at the same level.

Gross Receipts Tax is projected to be $0.9 million in FY 2010-11, representing the same level as FY 2009-10.

Shown below are the FY 2010-11 General Fund revenue projections, along with current year budget and projected actuals, as well as the actual revenues received the past two fiscal years.

Revenue Source	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Budget	FY 09-10 Projected	FY 10-11 Budget
Utility Users Tax	$15,186,616	$15,081,286	$14,970,000	$15,500,000	$15,200,000
Property Tax In-Lieu of VLF	16,728,600	16,791,078	14,100,000	13,670,400	11,773,400
Sales Tax	11,694,525	10,451,942	9,735,000	9,735,000	9,735,100
Property Tax	14,361,253	12,790,196	11,700,001	10,052,300	8,596,100
Other	7,127,734	6,936,944	7,997,494	7,852,240	6,143,100
Franchise Fees	4,478,698	4,997,024	4,400,000	4,800,000	4,800,000
Investment Income	7,810,625	5,691,596	4,350,000	4,500,000	4,478,500
Development Svcs.	9,168,587	9,973,714	4,119,921	3,163,660	3,597,700
Parking Control Fees	1,300,405	1,094,064	1,250,000	1,095,000	1,164,000
Fines & Forfeitures	1,003,467	1,082,366	1,000,000	1,000,000	1,000,000
Gross Receipts Tax	1,111,021	1,051,701	906,500	650,000	906,500
Vehicle License Fees	800,667	865,718	400,000	400,000	360,000
TOTAL	**$ 90,772,198**	**$ 86,807,629**	**$ 74,928,916**	**$ 72,418,600**	**$ 67,754,400**

The following chart depicts the City's top six General Fund revenues for the past four fiscal years along with projections for FY 2009-10 and the estimates included in the FY

2010-11 Preliminary Base Budget. Vehicle License Fees (VLF) and Property Tax in-lieu of VLF have been combined since both revenue sources relate to VLF; only the method of payment by the State has changed so that now most of the VLF is paid in the form of Property Tax.

General Fund Revenue History & Projection

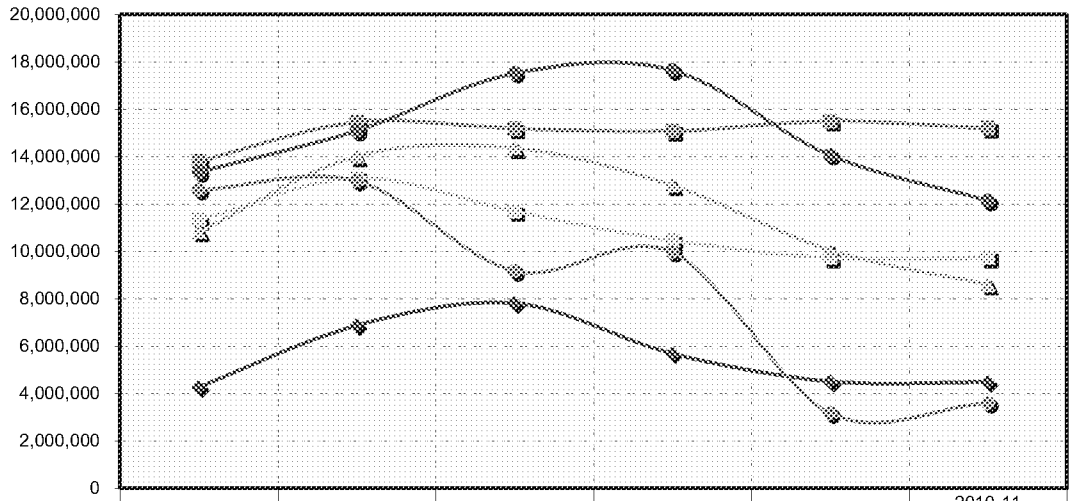

	2005-06 Actuals	2006-07 Actuals	2007-08 Actuals	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
Utility User's Taxes	13,811,740	15,463,291	15,186,616	15,081,286	15,500,000	15,200,000
VLF/Property Tax in-Lieu	13,345,933	15,093,313	17,529,267	17,656,796	14,070,400	12,133,400
Sales Taxes	11,317,841	13,116,271	11,694,525	10,451,942	9,735,000	9,735,100
Property Taxes	10,831,005	14,022,134	14,361,253	12,790,195	10,052,300	8,596,100
Investment Income	4,273,225	6,878,647	7,810,625	5,691,596	4,500,000	4,478,500
Development Svcs	12,592,570	12,976,966	9,168,587	9,973,715	3,163,660	3,597,700

General Fund Expenditure Projections for FY 2010-11

Following is a summary of the General Fund Preliminary Base Operating Budget expenditures for FY 2010-11.

2010-11 General Fund Preliminary Base Operating Budget

General Government		
City Council	667,300	
City Attorney	1,252,500	
City Clerk	748,800	
City Manager	1,549,000	
Community Development	422,300	
Economic Development	685,500	
Financial & Administrative Services	3,154,200	
Human Resources	985,200	
Public Works	1,900,700	
Non-Departmental	5,471,400	
General Government Sub-total		16,836,900

Development Services		5,631,100
Public Safety		
Police	41,960,300	
Fire	15,840,600	
Other Public Safety Programs	5,361,800	
Public Safety Sub-total		63,162,700
2010-11 General Fund Preliminary Base Operating Budget		**$85,630,700**

The expenditure projections reflected above assume no changes in staffing or service levels from FY 2009-10. This is because any further reductions from current levels will require policy direction from the City Council. The only significant expenditure increase is in the Police Department, representing an expected 5% contract rate increase per the Riverside County Sheriff's office. Organization charts depicting each department's staffing and the positions previously defunded are included along with the departmental descriptions and mission statements beginning on page 2.

The following chart depicts the General Fund expenditure history for the last four fiscal years, along with the FY 2009-10 Projected Actual and FY 2010-11 Preliminary Base Budget amounts.

General Fund Expenditure History & Projection

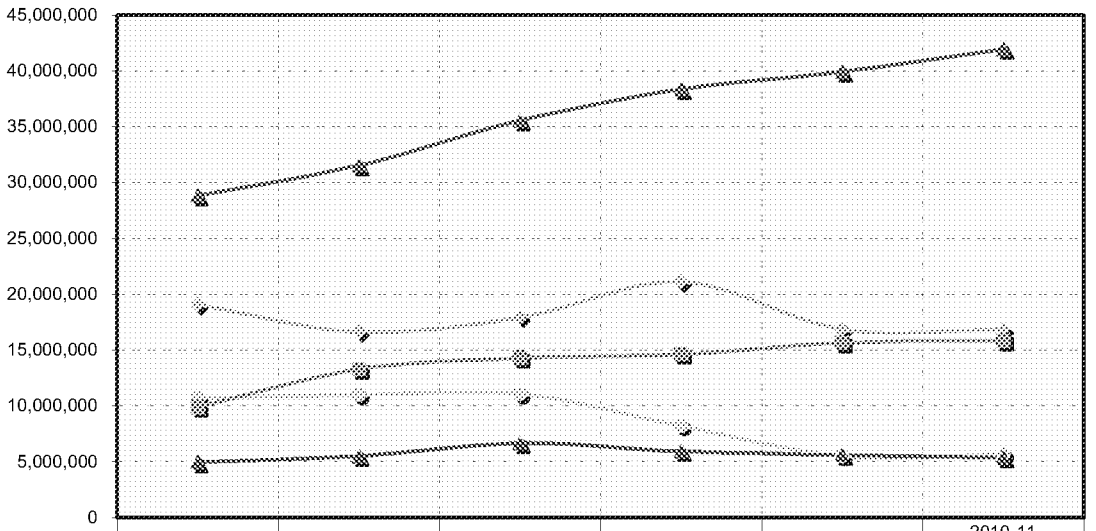

	2005-06 Actual	2006-07 Actual	2007-08 Actual	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
General Government	19,071,322	16,613,462	17,937,033	21,123,523	16,850,252	16,836,937
Development Services	10,675,852	10,993,001	11,075,793	8,202,310	5,527,270	5,631,060
Police	28,851,553	31,553,610	35,581,734	38,370,806	39,943,700	41,960,324
Fire	9,896,036	13,307,842	14,299,522	14,648,139	15,659,100	15,840,550
Other Public safety	4,955,539	5,514,208	6,666,238	5,936,736	5,620,978	5,361,800

Projected General Fund Operating Deficit for FY 2010-11

Deducting the projected General Fund operating expenditures of $85.6 million from the projected General Fund operating revenues of $67.8 million, results in a projected General Fund operating deficit of $17.8 million.

The following chart highlights how the General Fund operating deficit has grown the past few years as a result of the economic recession. The bar on the left of each grouping represents revenues; the bar on the right of each grouping represents expenditures.

General Fund Operating Budget
Revenues & Expenditures

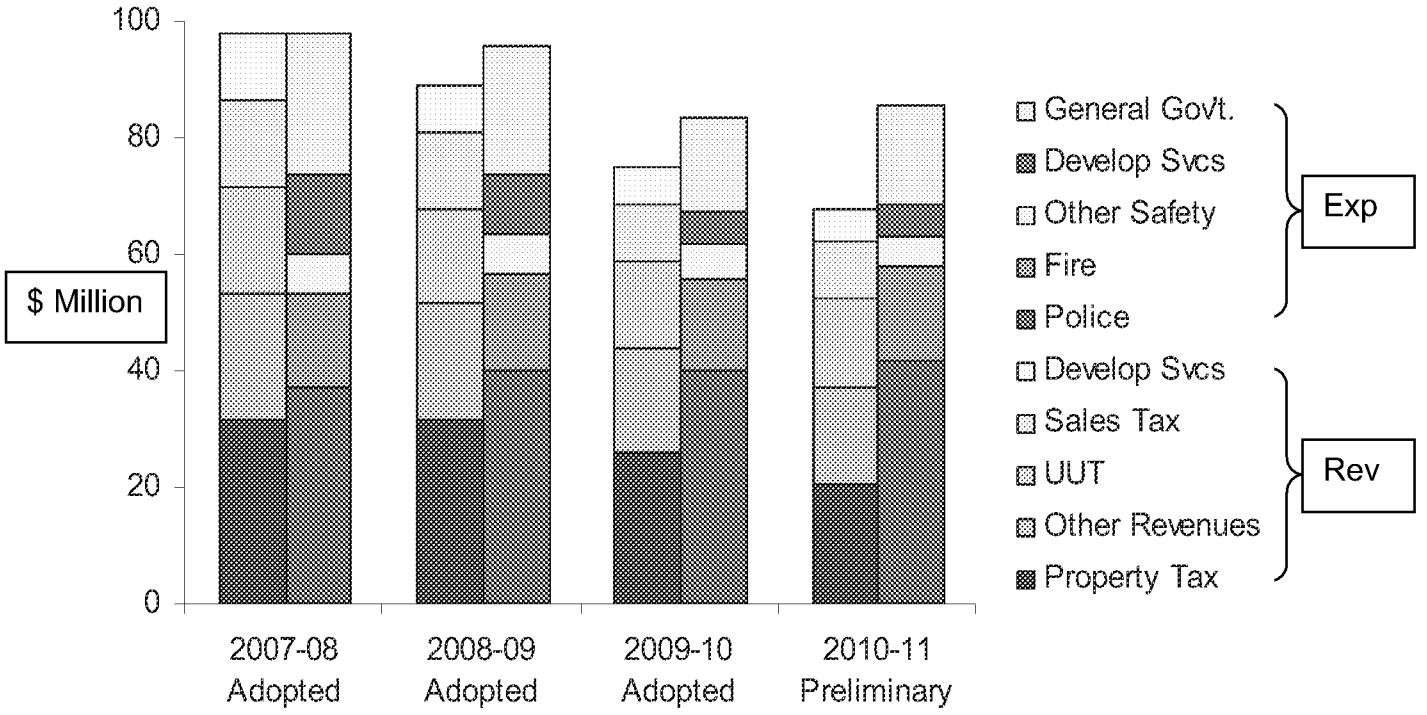

As shown above, the FY 2007-08 budget was adopted with operating revenues and expenditures completely balanced. By FY 2008-09, there was an operating deficit of $7.0 million which had to be backfilled through a combination of prior-year savings, transfers, and reserves. This operating deficit increased to $8.6 million in FY 2009-10, despite a significant reduction in the expenditure budget realized through implementation of a Deficit Reduction Plan; with the deficit again backfilled with prior-year savings and reserves. For FY 2010-11, the projected operating deficit will increase to $17.8 million. This projected deficit will be addressed through a combination of solutions including anticipated prior-year savings, additional transfers, and a Deficit Reduction Plan.

Budgetary Adjustments to Reduce Deficit

Facing such a significant budgetary deficit next fiscal year, staff evaluated a number of potential adjustments that can be made to reduce the deficit. Following an analysis by the Budget Review Committee, staff was given the direction to proceed with the following adjustments:

Current year savings that can be carried over to next fiscal year:

In conjunction with the FY 2010-11 budget review process, projected actual amounts for FY 2009-10 were developed. In addition to the FY 2009-10 department-projected savings of $796,100, as reported to the City Council during the Mid-Year Budget Review on February 23, 2010, to help keep this fiscal year's budget in balance, an additional 2009-10 savings of $1,520,800 was identified that will be carried over to help balance next fiscal year's budget.

Transfers to return previous General Fund subsidies:

Based on previous General Fund subsidies and current fund balance, the following transfers to the General Fund can be made, while keeping a minimum reserve of 12% of operating expenditures, consistent with the General Fund:

▪ Gas Tax	$500,000
▪ Public Education/Government Access (PEG)	$339,100
▪ CSD Zone A (Parks)	$800,000
▪ Total expected savings	$1,639,100

Other transfers

Transfers to the General Fund from two other funds will be made following an analysis of the funds:

▪ EOC Project Fund (Return of surplus project funds that were contributed from the General Fund)	$1,100,700
▪ Equipment Replacement Fund (Fully depreciated assets that no longer need to be replaced)	$2,102,400
▪ Facility Construction Fund (Preliminary contribution to Veterans Memorial Project; funded by 2005 Lease Revenue Bonds)	$776,000
▪ Total other transfers	$3,979,100

Following is a summary of the total budgetary adjustments that will be implemented to reduce the projected FY 2010-11 General Fund deficit of $17.8 million:

Projected Deficit		$17,876,300
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	($1,520,800)	
- Transfers to return previous General Fund subsidies	($1,639,100)	
- Other transfers	($3,979,100)	
- Total Budgetary Adjustments		($7,139,000)
Remaining Deficit		$10,737,300

Budget Issues

Despite facing a significant budgetary deficit in FY 2010-11, departments were provided the opportunity to submit proposed Budget Issues to identify areas in which budgetary increases were needed to maintain critical service levels. There are three (3) such Budget Issues that I am recommending for implementation, as presented below:

Budget Issue No. 1: Re-establish funding for Budget Officer position, which was defunded in FY 2009-10
Requesting Department: Financial & Administrative Services
FY 2010-11 Cost: $98,700
General Fund Cost: $98,700

The position of Budget Officer was established in FY 2007-08. The position was created to relieve the Financial Operations Division of responsibility for preparing and monitoring the City's budget, which was becoming increasing complex and time consuming to prepare and monitor. Financial Operations staff did not have the time or staffing resources to devote to the budget process, which was impacting the City's ability to effectively manage its budget.

With the economic downturn that began in late 2007, the need for a Budget Officer was accentuated, as there was an increased need for timely and comprehensive reporting on the City's monthly performance relative to its adopted budget, including Monthly Financial Reports to City management and First Quarter and Mid-Year Budget Reviews for the City Council. There was also a need to thoroughly review all City Council staff reports for their fiscal impact, which previously had been done on only a cursory basis.

Following an open recruitment, the City's first Budget Officer was hired in December 2008. The impact of the position was immediately realized, with improvements in the budget development process, deficit reduction planning and analysis, automation of various budgetary reports, streamlined Budget Appropriation Adjustment process, thorough analysis of cost-saving scenarios, and improved departmental coordination.

With the retirement of the Financial Operations Division Manager in June 2009, and the need for departmental cost savings, the Budget Officer assumed responsibilities of the Financial Operations Division Manager in addition to the Budget Officer duties. While this dual role has enabled essential budgetary and financial work to be accomplished, it has required a significant number of extra hours to be worked beyond the normal work schedule by a number of staff in the Financial Operations Division. The workload impact had been exacerbated by other staffing reductions in the Financial Operations Division, with five (5) of the Division's (fourteen) 14 career positions defunded, representing a vacancy factor of 36%.

Unlike some operational areas within the City, in which the workload has diminished along with the failing economy, the workload in the Financial Operations Division has actually increased, as there is an increased need for budgetary reporting and financial analysis related to labor negotiations and various cost reduction scenarios. Additionally, the City's budget process has become increasingly complex, with significant time devoted to deficit reduction planning and implementation.

There is a critical need to re-establish funding for the Budget Officer position in order to relieve the Financial Operations Division staff of having to perform all budgetary functions, in addition to their normal duties which include Accounts Payable, Payroll, monthly financial close, grant accounting, audit coordination, and year-end financial reporting including the State Controller's Report and Comprehensive Annual Financial Report (CAFR). Without re-establishment of the Budget Officer position, there will be an ongoing need for Financial Operations staff to work an extensive number of hours in addition to their regular work schedule; often times 12-14 hours days and weekends, despite the City's reduced work week of 36 hours.

Cost summary of Budget Issue:

Salaries	$71,100
Employee Benefits	$27,100
Services	--
Supplies	$500
Capital Outlay	--
Total Expenditures	**$98,700**

Budget Issue No. 2: Reallocate Emergency Operations & Volunteer Services Specialist Salary/Benefits Between Grant Fund and General Fund
Requesting Department: Fire Department
FY 2010-11 Cost: $43,100
General Fund Cost: $43,100

The Emergency Management Preparedness Grant (Business Unit 13410) is expected to have a $30,200 shortfall for FY 2010-11 between the revenue collected and the budgeted expenditures. This budget was originally established to allow accurate tracking of expenditures that are eligible for grant reimbursements from a variety of

Emergency Management grants. The grants this business unit receives, and/or applies for, typically require matching funds from the City ranging from 5% to 50% for salaries and purchases related to grant activities. In the past, the City has elected to transfer the matching funds from the General Fund into Business Unit 13410 at the end of the fiscal year to balance this budget. Unfortunately, with the difficult economic times the City is facing, this can no longer occur and this business unit must balance its expenses with its revenue.

The Emergency Operations & Volunteer Services Specialist assigned to Business Unit 13410 is partially funded by a Community Emergency Response Team (CERT) grant and by the Emergency Management Performance Grant (EMPG). The CERT grant does not require matching funds for any CERT-related purchases and hours worked by the employee for CERT-related activities. In contrast, the EMPG grant requires 50% matching funds from the City, leaving this position without full funding from any one grant or combination of grants. As there is no General Fund allocation to this business unit, the Fire Department is requesting to reallocate funding for this position between the grant budget and the General Fund budget, in order to meet the matching fund requirements of the EMPG grant.

Cost summary of Budget Issue:

Salaries	$23,500
Employee Benefits	$13,100
Services	$6,500
Supplies	--
Capital Outlay	--
Total Expenditures	**$43,100**

Budget Issue No. 3: Increase in NPDES Regulatory Fees
Requesting Department: Public Works
FY 2010-11 Cost: $76,000
General Fund Cost: $76,000

The Riverside County Flood Control and Water Conservation District (RCFCWCD) is the permittee and the City of Moreno Valley is a co-permittee to the Santa Ana River Watershed National Pollutant Discharge Elimination System (NPDES) Urban Storm Water Runoff Management Program.

The City, as well as other co-permittees and the RCFCWCD are parties to an NPDES Implementation Agreement. The agreement allows the parties to share NPDES program costs that benefit the co-permittees. It is estimated that Moreno Valley's share of the costs will be $76,000 for the FY 2010-11 budget.

The RCFCWCD is depleting a NPDES reserve fund to address State and Federal NPDES mandates on behalf of the co-permittees. A new NPDES permit was issued on January 29, 2010 to RCFCWCD and the co-permittees. Additional State and Federal

mandates are in the permit. The existing Implementation Agreement will be amended to address the new permit mandates and associated costs for FY 2010-11 and beyond. The shared cost of the co-permittees is estimated to be $500,000. Moreno Valley's estimated prorated share for FY 2010/11 is $76,000. There are no City-designated revenue sources to fund these NPDES permit costs.

If the City elects not to fund the prorated share of the Implementation Agreement, the City cannot benefit from NPDES area-wide programs funded by the RCFCWCD and other co-permittees. The City would have to implement the same programs without the benefit of the RCFCWCD resources at an additional estimated annual cost of $1.05 million. If the City elects not to fund the programs it will subject itself to fines as provided in the Federal Clean Water Act of $37,500 per day for each violation.

Cost summary of Budget Issue:

Salaries	--
Employee Benefits	--
Services	$76,000
Supplies	--
Capital Outlay	--
Total Expenditures	**$76,000**

If each of the three recommended Budget Issues is approved by the City Council, it will increase the FY 2010-11 General Fund budget by $217,800, as summarized below:

Budget Issue	Requesting Department	General Fund Amount
Re-establish Funding for Budget Officer Position	Financial & Administrative Services	$98,700
Supplement Emergency Operations Grant with General Fund Subsidy	Fire	$43,100
Increase in NPDES Regulatory Fees	Public Works	$76,000
Total General Fund Budget Increase		**$217,800**

Balancing the General Fund Budget through the Deficit Reduction Plan

Adding the additional funding of $217,800 related to the above Budget Issues to the projected General Fund deficit (net of adjustments) of $10,737,300 results in a total projected General Fund deficit of $10,955,100. Solutions for addressing this deficit will be presented in the FY 2010-11 Deficit Reduction Plan, which will be submitted to the City Council on April 27, 2010.

OTHER KEY FUNDS

The following summaries relate to other major funds within the City. Although the FY 2010-11 Preliminary Base Operating Budget reflects deficits for these funds, they will be balanced through a combination of proposed Deficit Reduction Options (detailed in the Deficit Reduction Plan) and utilization of available fund balance.

Community Services District (CSD) Zone A - Parks & Community Services

This fund accounts for the administration and maintenance of the Parks & Community Services facilities and programs. Major revenue sources for this fund come from property tax and parcel fees. Other sources of revenue include recreation fees for various classes and programs offered to residents and non-residents alike. The fund also receives rental income for the use of City ball fields, the Conference & Recreation Center, the Senior Center, and the Towngate Community Center.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	7,997,600
Expenditures	(8,446,400)
Surplus (Deficit)	($448,800)

Community Services District (CSD) Zone L - Library Service Fund

This fund accounts for the operations necessary to process and administer the Library service program. The primary revenue source for this fund is property tax. Other revenue sources include library fees and fines, inter-library book loans, library donations and state grants.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	1,744,600
Expenditures	(2,161,300)
Surplus (Deficit)	($416,700)

State Gasoline Tax Fund

This fund is used to account for the City's share of state gas tax revenue restricted for street improvement and maintenance. The revenue is apportioned under the Streets and Highways Code of the State of California. The main revenue source for this fund includes the City's allocation of the State's Highway Users Tax.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	3,709,500
Expenditures	(3,957,000)
Surplus (Deficit)	($247,500)

Electric Utility

This fund is used to account for the operations of the City's electric utility. Its basic purpose is to purchase and distribute electricity to customers in newly developed areas of the City. The City began serving its first customers in February 2004, and now serves more than 5,400 customers.

The main revenue source for this fund is derived from charges for services rendered to customers of the Electric Utility for the distribution of electricity. The Electric Utility provides service to residential, commercial, and industrial customers.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	13,869,500
Expenditures	(14,321,400)
Surplus (Deficit)	($451,900)

STATE BUDGET CONCERNS

The Governor's preliminary FY 2010-11 budget reflects a projected General Fund deficit of $6.6 billion at the end of FY 2009-10, assuming no corrective action prior to fiscal year-end, followed by an additional $12.3 billion General Fund deficit in FY 2010-11; for a total deficit of $18.9 billion. Some analysts believe the deficit is actually larger; perhaps $22 billion or more. The Governor declared a state of fiscal emergency on January 8, 2010, calling the Legislature into special session to begin taking action on the budget deficit. Very little information has been forthcoming from Sacramento regarding solutions to this budget deficit since that time. Based on past actions of the State Legislature, it is likely that some of the budget solutions will adversely impact local government, despite some of the legislative protections that have been previously enacted. As deliberations progress on the City's budget, staff will also closely monitor information coming out of Sacramento. Due to the potential for State actions that may adversely impact the City's budget, the City's Deficit Reduction Plan has identified solutions in excess of what will be needed to balance the City's General Fund budget, as a contingency to offset potential State budgetary actions.

SUMMARY

The prolonged economic recession has resulted in three challenging fiscal years for the City. After adopting a budget in FY 2007-08 in which General Fund operating revenues completely matched operating expenditures, revenues began declining; resulting in the need for significant expenditure reductions to ensure that expenditures remained within the General Fund revenues. The next two fiscal years (2008-09 and 2009-10) became more challenging as General Fund operating revenues continued their decline, resulting in growing operating deficits that had to be overcome with aggressive cost-cutting measures including workforce reductions, return of General Fund subsidies previously made to from other funds, and use of reserves. FY 2010-11 will be even more challenging than the previous two years, as the projected General Fund operating deficit will grow to $17.8 million. A number of transfers and other budget adjustments have been identified, which will reduce this expected deficit to $10.7 million. Adding three recommended Budget Issues (which represent additional budgeted expenditures) that are critically needed, results in a projected General Fund deficit of nearly $11 million for FY 2010-11. Actions to be taken by the State of California in response to its estimated deficit of $18.9 billion or more could further impact the City's budget. To enable the City Council to adopt a balanced budget for FY 2010-11, a Deficit Reduction Plan is being developed for release on April 27, 2010. This plan will identify a number of Deficit Reduction Options that may be implemented to offset the projected deficit as well as to mitigate potential State actions that would adversely impact the City's budget.

Given the challenges and policy decisions related to adopting a balanced General Fund budget for FY 2010-11, a number of City Council meetings have been designated for budget deliberations, included two Study Sessions, as shown below.

Date	Meeting / Event	Action
April 27	Distribution	Release of FY 2010-11 Deficit Reduction Plan
Week of May 3	Individual Council Member Briefings	Review of FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan
May 11	Regular Council Meeting	Presentation of FY 2010-11 Budget
May 18	Study Session	Discussion of FY 2010-11 Budget
May 25	Regular Council Meeting	Continued Discussion of FY 2010-11 Budget
June 8	Regular Council Meeting	Continued Discussion of FY 2010-11 Budget
June 15	Study Session	Continued Discussion of FY 2010-11 Budget
June 22	Regular Council Meeting	Continued Discussion of FY 2010-11 Budget; Adoption of FY 2010-11 Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Budget

In closing, I would like to express my sincere appreciation to all City departments for their work in preparing the FY 2010-11 Preliminary Base Operating Budget and the Deficit Reduction Plan that is undergoing final review and scheduled to be released on April 27, 2010. City employees are also to be commended for their ongoing commitment to providing essential City services during such challenging times, and especially considering the significant increase in workload that has occurred in many cases due to staffing reductions, and the compensation reductions that have been implemented.

Following departmental submittal of the proposed budgets and Deficit Reduction Options for FY 2010-11, the members of the Budget Review Committee met with each department and thoroughly reviewed all submittals. I want to express my thanks to the members of the Budget Review Committee for their focus, time commitment, and teamwork during this process.

Finally, I want to thank the Budget Preparation Team for their hard work and extra efforts in preparing the FY 2010-11 Preliminary Base Operating Budget.

Budget Review Committee
William L. Bopf, Interim City Manager
Rick Hartmann, Interim Assistant City Manager
Steve Elam, Interim Financial & Administrative Services Director
Cynthia Fortune, Financial Operations Division Manager
Michelle Dawson, Assistant to the City Manager

Budget Preparation Team
Cynthia Fortune, Financial Operations Division Manager
Steve Hargis, Acting Treasury Operations Division Manager
Dolly Gonzales, Interim Principal Accountant
Dawn Jorge, Senior Accountant
Carol Vasquez, Payroll Supervisor
Marylou Antero, Accounts Payable Supervisor
Sandra Contreras, Senior Payroll Technician
Tammy Brooks, Senior Administrative Assistant
Kathy Gross, Executive Assistant I
Meleisa Mendonca, Senior Graphics Designer

Special thanks and recognition are in order for Cynthia Fortune, due to the extensive work and many long hours spent in reviewing, analyzing and preparing the budget.

Respectively submitted,

William L. Bopf
Interim City Manager

City of Moreno Valley

2010-11 Preliminary Base Operating budget

Department Description, Mission & Organization Chart

CITY COUNCIL

Department Description

The City Council is comprised of five members elected by the district to serve staggered four-year terms. It is the policy-making body of the community, serving 186,301 residents. Council appoints the City Manager, City Attorney, City Clerk and City Treasurer, as well as various members of the City's advisory boards and commissions. Resources have been allocated to provide City membership in such intergovernmental associations as the League of California Cities, Western Riverside Council of Governments (WRCOG), and Southern California Association of Governments (SCAG) in order to develop networking relationships with policy makers and administrators whose actions affect the City of Moreno Valley.

City Council Goals

- Diversity and Preserve the City's Revenue Base

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

- Improve Governmental Relationships

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

- Enhance Community Safety

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

- Improve the Community's Image

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

- Improve Public Infrastructure

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

- Create a Positive Environment

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

CITY ATTORNEY

Department Description

The Office of the City Attorney at present consists of three full-time attorneys, an Executive Assistant I and a Legal Secretary. This office provides a wide range of legal services to the City organization. It provides legal advice to the City Council, City Manager, City staff and City Boards, Committees and Commissions. It conducts or oversees all litigation involving the City, working in conjunction with the Risk Manager regarding tort liability cases and with the Human Resources Manager regarding personnel issues and workers' compensation. The office also oversees or actively prosecutes City code violations in cases where no violation of State law is charged or the District Attorney has decided not to include City code violations in related criminal prosecutions. The office prepares or reviews ordinances, resolutions, contracts, and other legal documents relating to the City's business.

The City Attorney's Office represents the City government rather than individuals and has an attorney-client relationship with the City Council (as an entity), as its primary clients, and secondarily, with other city boards, officers and employees within the scope of their duties for the City. The role of the City Attorney is sometimes confused by the public with either the District Attorney, who prosecutes criminal actions under State law, or Legal Aid Services, which provides low or no-cost legal services to the general public who cannot afford private legal representation. Consequently, the office receives frequent requests from members of the public for legal advice or information. These requests are handled as courteously as possible providing information without giving legal advice, which could create an attorney-client relationship in conflict with the City Attorney's official duties.

Department Mission Statement

The mission of the office of the City Attorney is to provide professional, cost effective, ethical, and high quality legal advice and services to the City Council and City staff in all matters of law, to effectively represent the City in legal proceedings, and to prepare or review all ordinances, resolutions, contracts, and other legal documents necessary or desirable to conduct the business of the City.

CITY ATTORNEY'S OFFICE

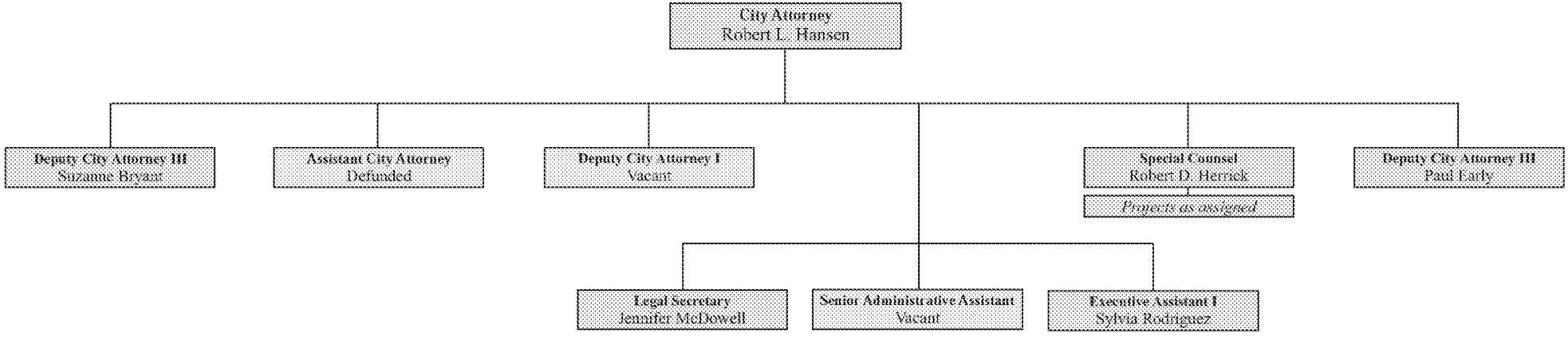

KEY: Active | Defunded

Updated March 2010

MV00054849

CITY CLERK

Department Description

The City Clerk serves as the Secretary to the City Council, is responsible for the preparation of agendas, the recording and maintenance of all Council actions, filing of public notices, coordination and administration of all City records, documents and public files. The City Clerk advertises and receives bids, conducts all bid openings, maintains the City's municipal code, receives all claims filed against the City, serves as the official custodian of the City seal, conducts all elections, receives nomination papers and is the filing officer for all requirements of the California Fair Political Practices Commission.

Department Mission Statement

The mission of the City Clerk's office is to provide courteous and expeditious dissemination of material and information to City departments, the general public, media and other agencies; produce and maintain agendas, minutes, recordings, and indexing of all City Council actions, filing of public notices, coordination and administration of City records; conduct elections of the highest quality by ensuring all legal requirements, local and state, are met by all candidates and committees, and assuring the registered voters in the City the opportunity to express their freedom of choice by voting.

CITY CLERK'S OFFICE

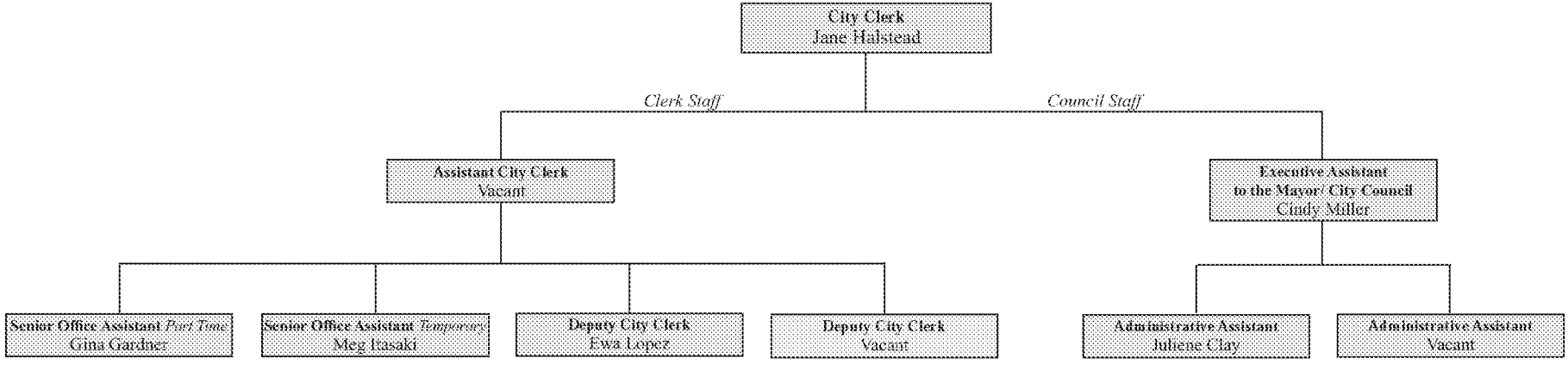

KEY: Active | Defunded

Updated March 2010

MV00054851

CITY MANAGER'S OFFICE

Department Description

❒ Administration

The City Manager serves as the chief administrative officer of the City. Under City Council direction, the City Manager is responsible for the efficient management of all City business. Professional leadership is provided from this Office to the Executive Management Team to enable them to serve the community in a responsive and resourceful manner. Functions of the City Manager's Office include coordination of the implementation of City Council policies and programs; providing overall direction to the departments that administer City programs and services; coordinating intergovernmental relations and legislative advocacy; and administration of the City's communications, media relations, and public information programs.

❒ Media and Communications

The Media and Communications Division serves as the City's media relations/public information office; provides graphic design and special events coordination services to City departments; manages the operations and video productions of the City's government access cable TV channel MVTV-3; monitors state-issued cable television/video service franchise agreements and manages content on the City's public Web site and employee Intranet.

Department Mission Statement

The City Manager's Office is committed to providing and coordinating excellent staff support and sound policy recommendations to the City Council, leading the organization in an effective, efficient, and principled manner, and providing organizational support and direction to the department

CITY MANAGER'S OFFICE

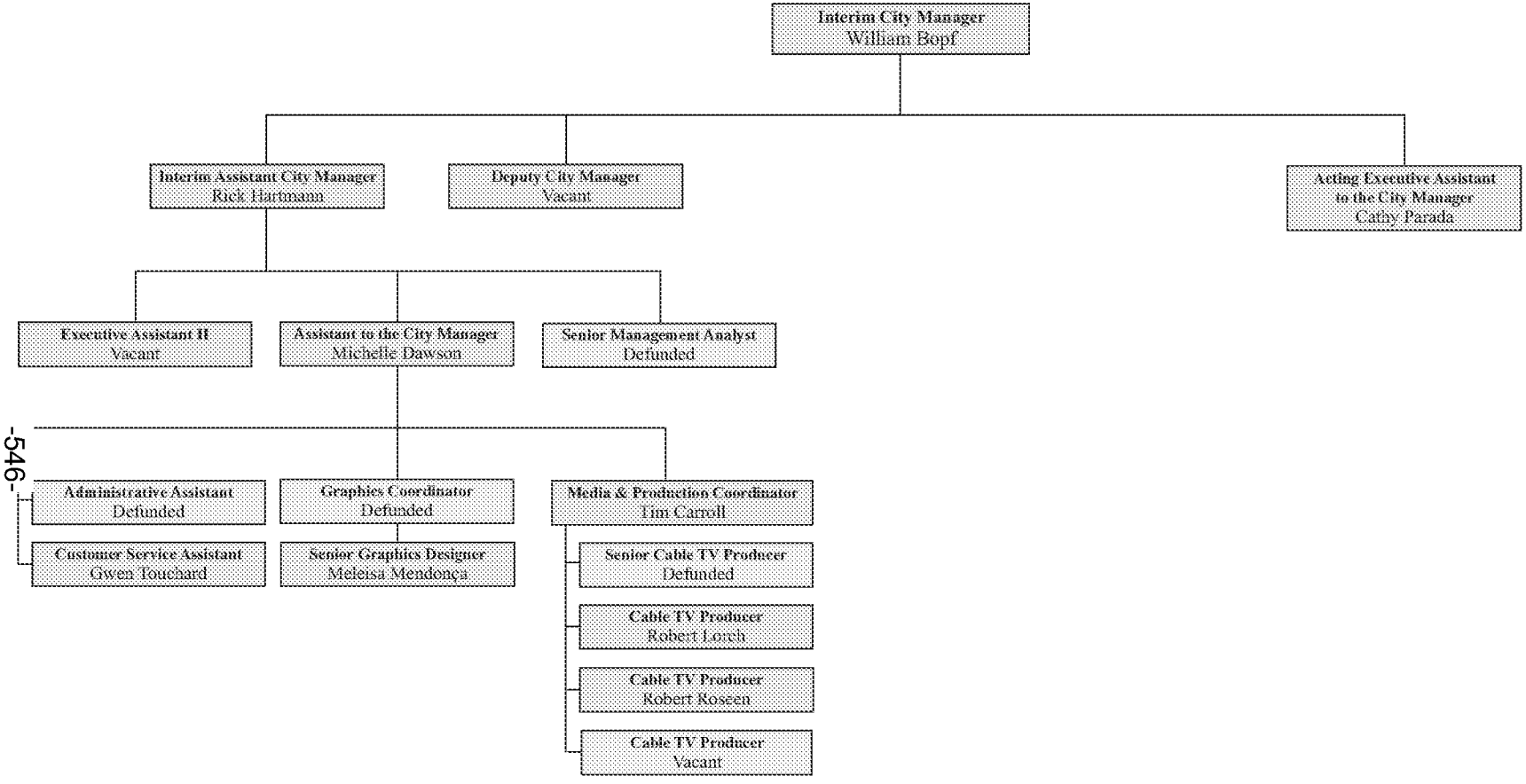

KEY: Active | Defunded

Updated March 2010

MV00054853

COMMUNITY DEVELOPMENT DEPARTMENT

Department Description

The Community Development Department consists of four separate divisions: Administration, Building and Safety, Code & Neighborhood Services, and Planning. Department activities are funded from a variety of resources including: General fund, development services fees, and fines.

- Administration

  The Administration program manages and coordinates the activities of all divisions within the department.

  - Counter Operations

  This program is responsible for overseeing and coordinating the Development Services One-Stop Counter activities. The Development Services Assistance Desk provides information, applications, handouts and materials to the general public and development community to assist them in processing their service needs and directs them to the appropriate development services divisions for service. Counter activities include the processing of express permits, business licenses, temporary use permits, home occupation permits, tenant improvements, signs, special events, land development issues, fire and building inspections, code enforcement inquiries and other related activities.

- Building & Safety Division

  The Building and Safety Division provides structural, mechanical, electrical and plumbing plans examination services and conducts field inspections of buildings under construction to ensure that the City's built environment corresponds to local and State-mandated construction codes.

- Code & Neighborhood Services Division

  The Code & Neighborhood Services Division is responsible for the enforcement of codes, relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, weed abatement, business licenses and graffiti restitution. In addition, the Division is responsible for addressing illegal dumping, littering, neighborhood cleanup and related inter-agency and interdepartmental coordination of beautification programs.

- Planning The Planning Division processes land use applications in accordance with the provisions of the City's Development Code, General Plan, Landscape Guidelines and Specifications and Design Guidelines, applicable Specific Plan requirements, the California Environmental Quality Act (CEQA), and other State and Federal requirements. Land use applications range from minor projects, such as new signs

and home occupancy permits, to major projects such as residential subdivisions, commercial centers and industrial parks.

The Planning Division is also responsible for maintaining and updating the City's General Plan. Special studies are conducted on an on-going basis to evaluate and implement changes to existing planning documents such as the Municipal Code development standards, Specific Plans and General Plan.

The Division provides staff support for the City's Planning Commission, and Environmental and Cultural Preservation Board.

Department Mission Statement

The mission of the Community Development Department is to facilitate the development and implementation of planning, land use, building and safety, beautification, and code compliance policies within the City of Moreno Valley in order to provide a well-planned, safe, and desirable living and working environment, now and in the future.

Community Development Department

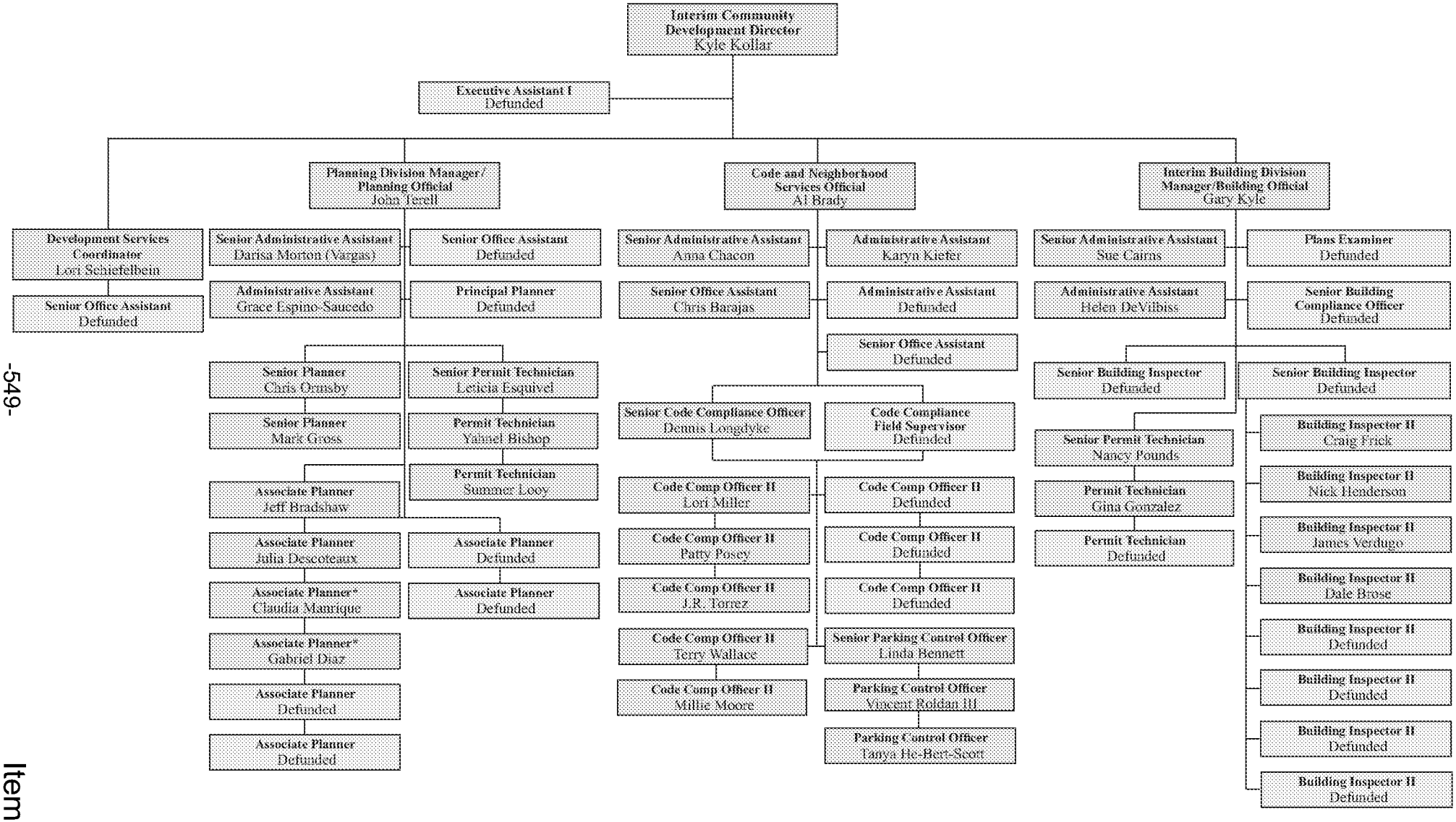

Active | Defunded | * Previously defunded, currently funded outside of General Fund

Updated March 2010

ECONOMIC DEVELOPMENT DEPARTMENT

Department Description

The Economic Development Department is responsible for business attraction and retention activities, redevelopment of blighted areas, infrastructure improvements in the redevelopment project area, neighborhood revitalization and the creation of affordable housing in the community.

- Economic Development Administration

  Economic Development Administration promotes the City of Moreno Valley as a place to do business. Economic Development facilitates the development of quality jobs and dynamic retail centers to increase assessed property valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community. Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection assistance, ombudsman service, and much more.

- Neighborhood Preservation Division

  The Neighborhood Preservation Division oversees the operation of the City's redevelopment, affordable housing, and Community Development Block Grant programs.

  - Redevelopment

    The Redevelopment Program implements the Redevelopment Plan and offers programs and projects aimed at improving the Redevelopment Project Area. Activities include capital projects (sidewalks, streets, and water and drainage lines) and business development assistance.

  - Housing

    The Housing Program provides and array of programs and projects aimed at improving and expanding the City's affordable housing opportunities. Activities include rehabilitation loan programs, homebuyer down payment assistance, infill housing, and creating new affordable housing opportunities in the community.

  - Community Development Block Grant (CDBG) and other Grant Programs

    CDBG funds programs and projects which benefit the City's low and moderate income population and older neighborhoods. These activities include capital improvement projects, targeted code enforcement, job creation and neighborhood policing. Other grant programs managed by Neighborhood Preservation include Neighborhood Stabilization Program, Employment Resource Center, and Youth Job Training.

Department Mission Statement

The mission of the Economic Development Department is to facilitate new investment in the community through new business attraction and business retention, along with preserving and enhancing older neighborhoods to improve the overall quality of life in Moreno Valley.

Economic Development Department

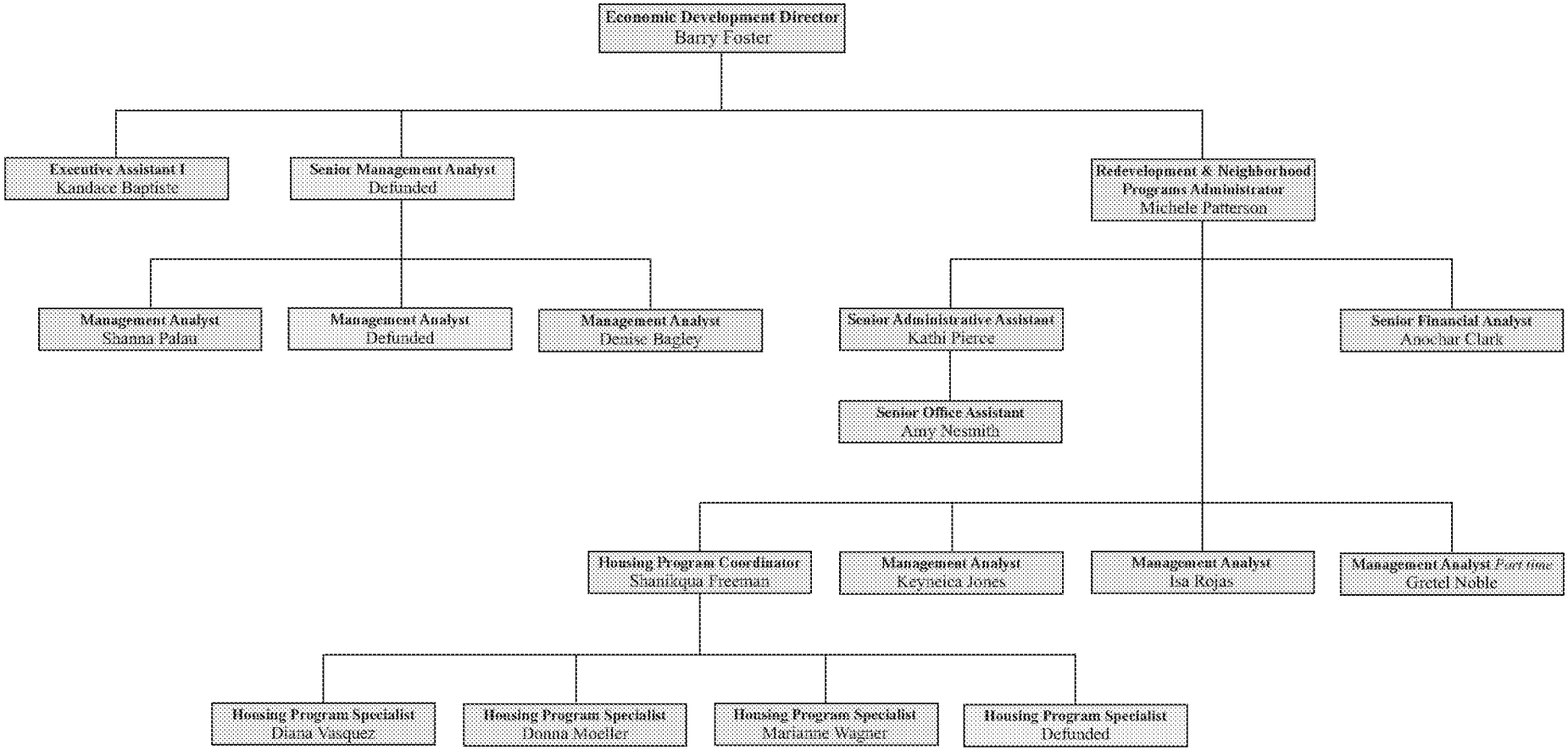

KEY: Active | Defunded

Updated March 2010

MV00054859

FINANCIAL & ADMINISTRATIVE SERVICES DEPARTMENT

Department Description

The Financial & Administrative Services Department provides a wide range of support services to other City departments. These services include budget coordination; financial reporting; payroll; billing and accounts receivable; purchasing and central stores; accounts payable; cash management and investing; business licensing and cashiering; technology services including network administration and security, enterprise systems and database administration, geographic information systems, backbone infrastructure and telecommunications; and maintenance services for all City facilities. Additionally, the department provides oversight for the public safety function of animal control services. Following is a description of the major functions that comprise the department.

- Budget Office

  Coordinates preparation of the City-wide budget; produces internal monthly financial reports; and prepares First Quarter and Mid-Year Budget Reviews to keep the City Council apprised regarding the status of the current fiscal year's budget.

- Financial Operations

  This division provides full accounting services including internal and external reporting for the City, Community Services District and Redevelopment Agency; payroll; accounts payable; and debt administration. This division also administers the annual audit process and is responsible for determining the propriety and legality of all financial transactions in accordance with laws, regulations, accounting standards, and Council and administrative policy.

- Treasury Operations

  This division's primary responsibilities include accounts receivable, business licensing and cashiering, daily cash management, oversight of the investment portfolio, and implementation of controls to safeguard cash. This division is also responsible for developing and conducting revenue audits to ensure compliance with City ordinances and other laws and regulations that govern City revenues.

- Purchasing & Facilities

  This newly-consolidated division serves a dual function. With respect to the Purchasing function its primary responsibilities include centralized purchasing services through the use of requisitions, requests for proposals, and invitations to bid for all City operations; and ensuring full, open, and fair competition while maximizing the value received in the procurement process and conforming to the Purchasing Ordinance and accepted purchasing practices. The division is also responsible for providing City-wide mail services. With respect to the Facilities Maintenance function, the division is responsible for the City-wide maintenance,

repair, modification, modernization and revitalization of City-controlled facilities and buildings. The division provides management of in-house and contract services to meet emergency, routine and long-term facility maintenance and operations. In addition to the day-to-day maintenance operations, the division oversees a preventative maintenance program; procurement and installation of office furnishings; custodial, pest control and locksmith services; and fire and security systems.

- Technology Services

  This division is responsible for the centralized design, maintenance, security and support of the City's communication infrastructure, computer network, and telephone/radio systems. Four sections in this division provide city-wide support for the computer network and security, including desktop support and Internet access; support for databases and various enterprise software applications including Enterprise Resource Planning (ERP) system, Permits system, Document Imaging system, Citizen Relationship Management (CRM) system, Work Order system, and Geographic Information System (GIS); and the communications backbone, telephone system and two-way radio communications.

- Animal Services

  This division provides a full range of animal care and control services. These services include the investigation of animal bites and reports of animal cruelty; administration of nuisance ordinances; control of stray animals; and animal licensing. In addition, the division maintains an animal shelter to care for impounded animals, process lost-and-found pets, facilitate pet adoptions, provide education for pet owners, and care for sick and injured animals through a veterinary clinic adjoining the shelter.

Department Mission Statement

The mission of the Financial & Administrative Services Department is to effectively manage the City's finances and safeguard its assets through adherence to the highest ethical standards, sound internal controls, and meaningful financial reporting; enhance public safety through the Animal Services function; and provide a high level of staff support and automation through the internal service functions of Purchasing, Facilities Maintenance and Technology Services.

Financial & Administrative Services Department

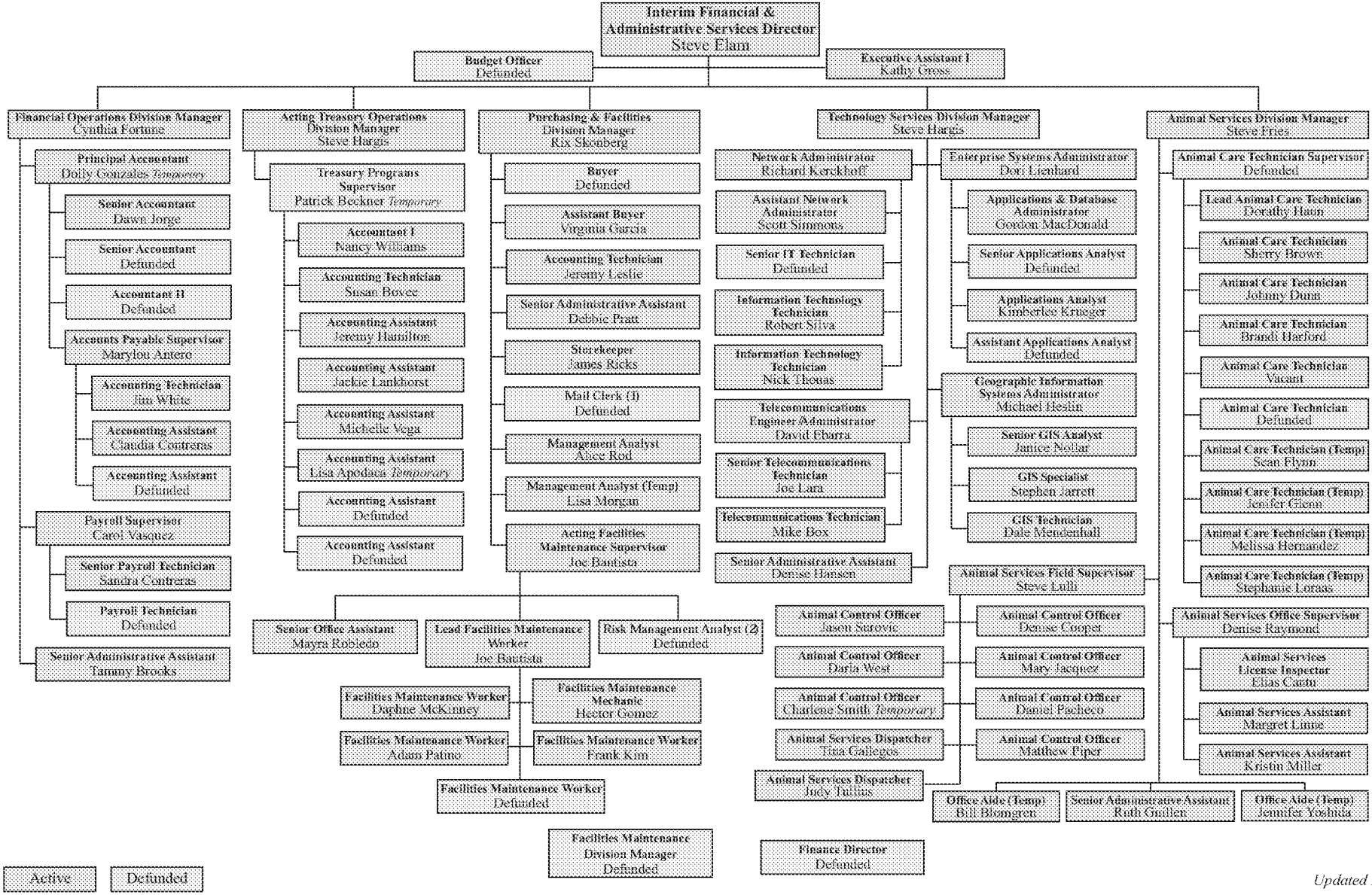

Updated March 2010

Item No. G.2

MV000054862

FIRE DEPARTMENT

Department Description

The City of Moreno Valley Fire Department operates six fire stations and a Fire Prevention Bureau providing fire suppression, emergency medical, rescue, hazardous materials response, and fire prevention services to the citizens of Moreno Valley. The equipment used by the department has the versatility to respond to both urban and rural emergency conditions. Through a Cooperative Fire Services Agreement with the Riverside County Fire Department, the City has access to additional emergency equipment such as brush engines, aircraft, hazardous materials unit, fire crews, and breathing support units.

- Fire Operations

  The Moreno Valley Fire Chief directs an integrated fire services program within the City. The emergency response level provides one Chief Officer, six three-person Engine Companies and three four-person Truck Companies. Each Engine Company is staffed by at least one paramedic who can provide advance life support.

- Fire Prevention

  The Fire Marshal, under direction of the Fire Chief, supervises the Fire Prevention Bureau. The Fire Prevention Bureau conducts fire and life safety inspections as well as plan reviews for new construction, existing buildings, and special events.

- Volunteers

  There are approximately 25 volunteer firefighters who enhance the fire protection needs of the City by providing additional staffing on the fire engines when they are available.

- Fire Explorers

  The Fire Explorer Program is designed to educate youths about the fire service field and to assist them in preparing for a career with the Fire Department. They receive training on fire tactics, hose lays, first aid, and fire prevention programs.

- Emergency Operations & Volunteer Program

  The Emergency Operations & Volunteer Program includes emergency management mitigation, preparedness, response and recovery; employee and citizen emergency training; and coordination of volunteer groups such as the Community Emergency Response Team (CERT), Emergency Response Force (ERF), and Moreno Valley Amateur Communications Emergency Services/Radio Amateur Civil Emergency Services (MV ACES/RACES).

Department Mission Statement

The Moreno Valley Fire Department serves the community with pride, integrity, and professionalism while providing quality emergency services to protect and preserve life and property of its citizens when exposed to fires, medical emergencies, natural or man made disasters, hazardous materials incidents, and rescue emergencies in a safe, efficient and cost effective manner as a result of a cooperative, regionalized fire and rescue delivery system with the Riverside County Fire Department.

FIRE DEPARTMENT

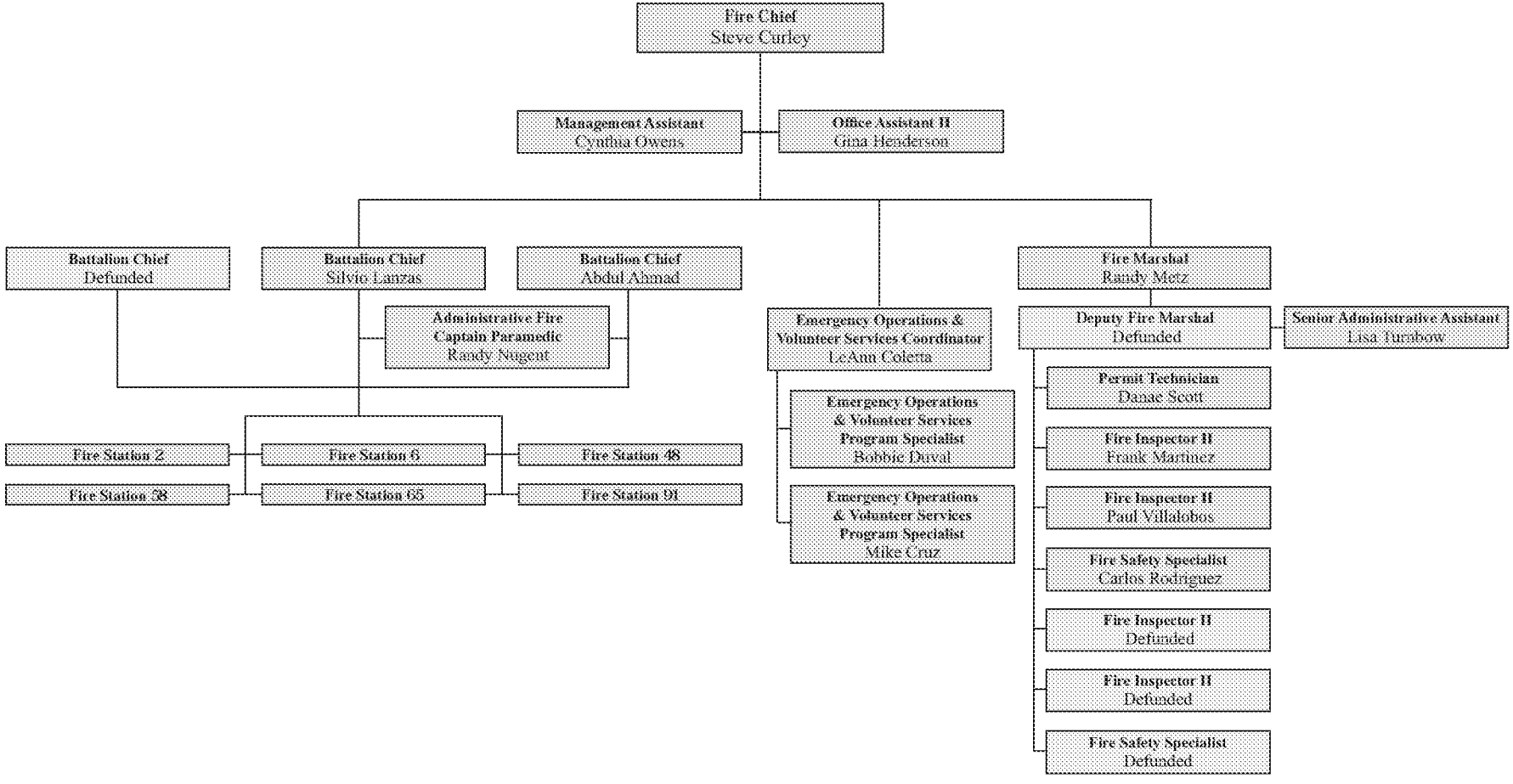

KEY: Active | Defunded

Updated March 2010

MV00054865

HUMAN RESOURCES DEPARTMENT

Department Description

This department is responsible for the centralized human resource and risk management functions within the City including recruitment, selection, classification, compensation, Equal Employment Opportunity (EEO), training, employee benefit administration, employee relations, liability, workers' compensation, and emergency operations and volunteer services. The Human Resources Director is the first line of contact with employees in orientation, assistance and grievance counseling; and provides staff support to the Assistant City Manager, who is the designated Employee Relations Officer.

- Risk Management

  This division is responsible for maintaining reserves and excess insurance coverage for the general liability and workers' compensation programs, and maintaining property insurance for City facilities. Other responsibilities include management of claims made against the City; assignment of lawsuits to outside counsel; tracking of legal expenses and reserves; managing the city-wide safety program including safety-related employee training; and management of the security guard program.

Department Mission Statement

To balance service and regulatory requirements in providing internal and external customers equitable services and consistent policies and procedures in a variety of Human Resource functions including recruitment, selection, retention, training, benefits, Workers' Compensation, EEO, interpretation and application of personnel rules and regulations, and related support services. To identify risks to City assets and put in place programs to help mitigate or eliminate those risks. To enhance public safety through our Emergency Operations/Volunteer Services functions; and through various programs, we strive to assist the City in achieving its mission and vision, and assure a safe and discriminatory-free work environment for our employees, prospective employees, visitors and the community at large.

Human Resources Department

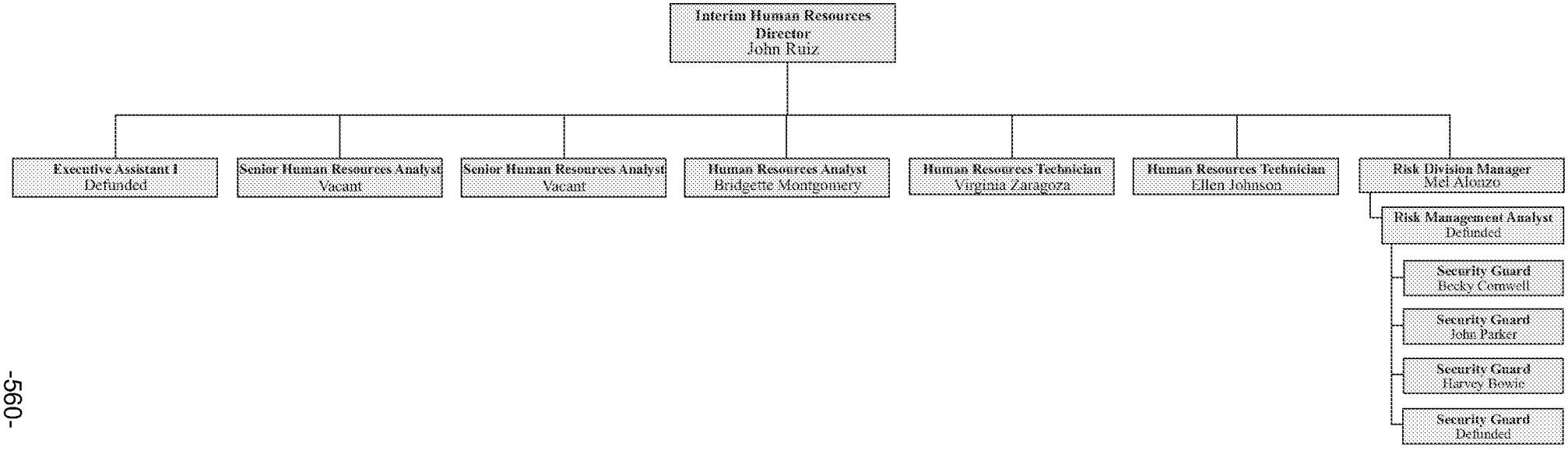

KEY: Active | Defunded

Updated March 2010

MV00054867

LIBRARY SERVICES

Department Description

The Library provides a full range of services via traditional delivery methods and through various computerized venues.

- Reference Desk

  Reference staff provide homework and other research assistance, assist patrons using the online catalog and electronic databases, and select new materials. Additional typical duties include preparing recommended reading lists, reviewing materials, planning and implementing programs for adults, cataloging new materials, answering telephone reference questions, and handling inter-library loans.

- Children's Programs

  Dedicated children's staff help our youngest patrons with homework needs; recommend reading materials, and select new materials. They also perform outreach activities at various schools and conduct library group tours, to foster a love for reading and learning in all children.

- Circulation Desk

  Circulation staff assists patrons with all aspects of Library use, filling in at public desks when public services staff is busy with other functions. Patron registrations, materials check-in and check-out, account inquiries, and all other related activities such as fines and fees collection are handled by this staff. They also mend materials, shelve books as they are returned to the library, process donations, and handle all library displays.

- Computer Lab

  The computer lab consists of 15 adult-use computers (including one for express 15-minute increments) and 10 children's computers. Printing is available in color and in black-and-white. The library's microfilm and microfiche collection can be accessed through a microform reader that digitizes articles for printing or saving to a flash drive. Staff is always available to help.

Department Mission Statement

The goal of the Moreno Valley Public Library is to provide services that will contribute to the educational development and cultural vitality of Moreno Valley. To achieve this goal, the Library's mission is to provide access to a broad range of information resources, offering a program of informational, educational, recreational, and cultural enrichment opportunities for all patrons in the Moreno Valley area.

LIBRARY

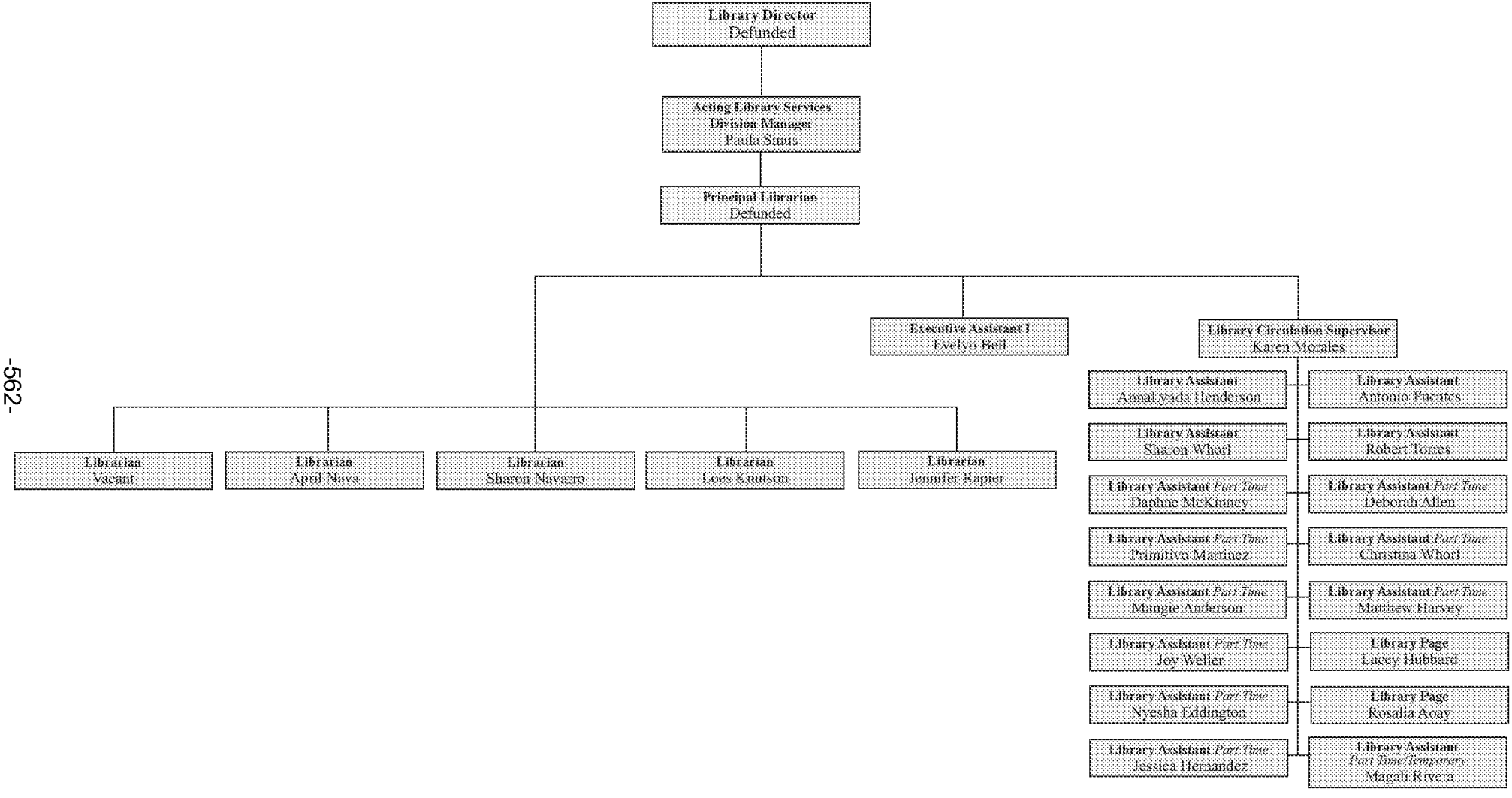

KEY: Active | Defunded

** Defunded 10 Temporary Positions.*

Updated March 2010

MV00054869

PARKS AND COMMUNITY SERVICES DEPARTMENT

Department Description

Plan, design and oversee development of new park sites and facilities, maintain parks and facilities in a safe and aesthetically pleasing manner, maintain and oversee development of the multi-use trail system, provide a wide range of programs for the community including athletic leagues, classes, trips and outings, child care, teen and senior activities, schedule use of facilities, plan, organize and promote special events, and enforce the park rules and regulations and promotion of safe use of park facilities.

- Parks and Community Services Administration

  Administers the Parks and Community Services department in order to plan, design and oversee the wide range of programs offered to the residents of Moreno Valley.

- Recreation Division

  - Senior Program

    Plan, design and oversee the wide range of programs offered to the City's senior citizen community.

  - Recreation Program

    Plan, design and oversee the wide range of recreational programs offered for the City residents; schedule and supervise use of sports facilities.

  - Community Services

    Plan, design and oversee community service needs. Additionally to produce the Recreation Activity Guide and City Newsline three times per year.

  - Community Events

    Plan, design and oversee recreation community events and programs such as the 4th of July parade and festival.

  - Child Care Grant

    Plan, design and oversee the Child Care Grant program offered by the City, which provides after-school day care to the City's residents.

- Parks Division

  - Park Ranger Program

Maintain safety in the City's parks through patrol services, enforcement of park rules and regulations, and the promotion of safe use of park facilities.

- Contract Maintenance

  Administration of maintenance of the "linear parks" for the City including the Senior Center, City Hall, multi-use trails, and the Aqueduct Bikeway.

- Golf Course Program

  Administration of the Cottonwood Golf Center operations.

- CSD Public Facilities

  Responsible for providing the maintenance program for the CSD city-owned buildings, such as the Senior Center, March Field Park Community Center, Pro Shop/Recreation Center, Conference and Recreation Center and TownGate Community Center.

Department Mission Statement

The mission of the Parks and Community Services Department is to provide an enriching environment that offers recreational, educational and social opportunities for all citizens.

Parks & Community Services Department

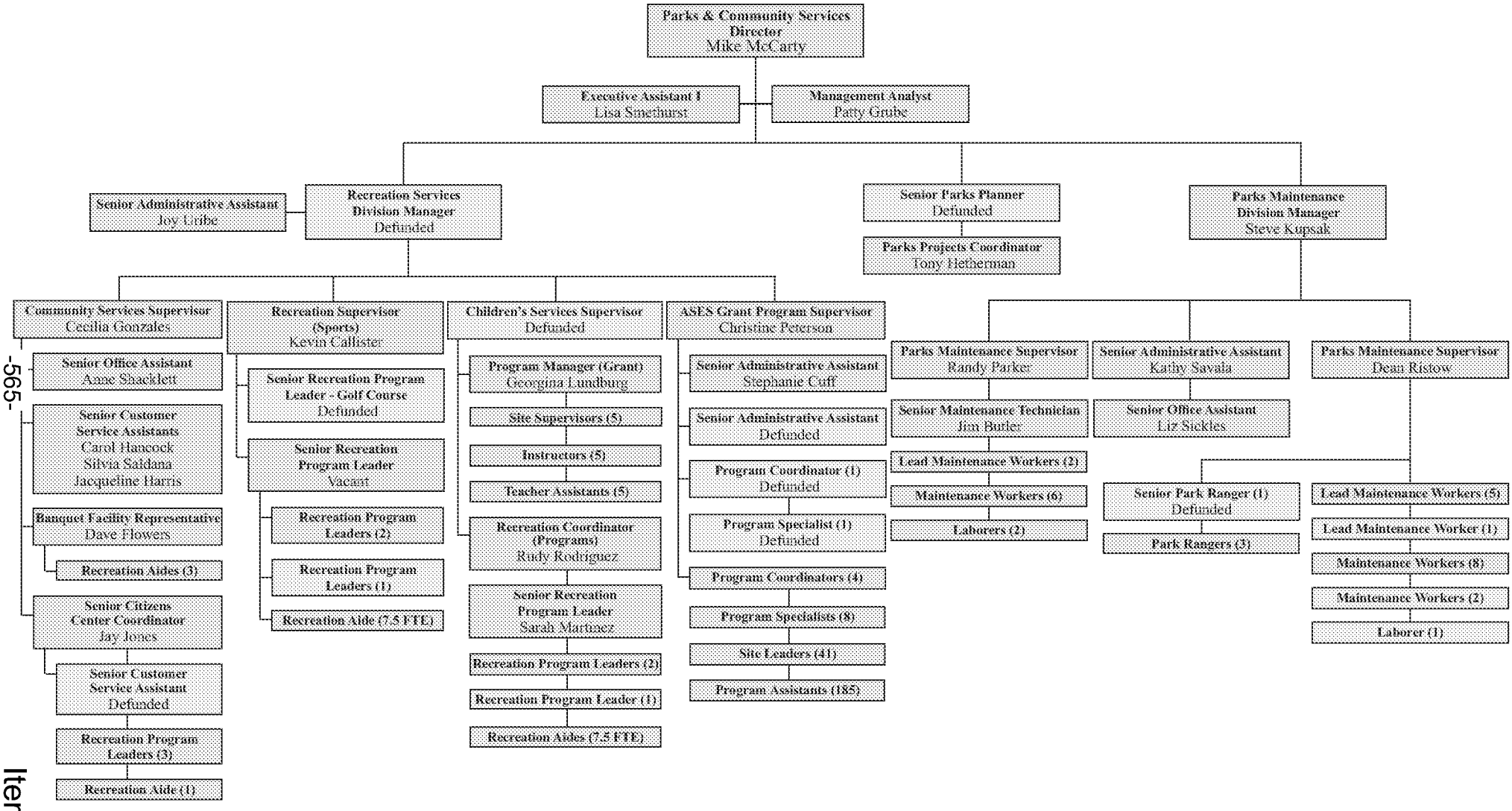

Updated March 2010

Item No. G.2

MV000054872

POLICE DEPARTMENT

Department Description

The Moreno Valley Police Department (MVPD) is a full-service law enforcement agency serving the citizens of Moreno Valley. The MVPD is comprised of five operating divisions. These divisions manage the City's resources as well as accomplish the mission of the MVPD. The MVPD is comprised of the Administrative division, the Detective division, the Patrol division, the Special Enforcement Teams division, and the Traffic division.

- Administrative Division

  The Administrative division is responsible for operating the MVPD facility, and the Accounting Unit.

- Detective Division

  The Detective division is responsible for the MVPD Detective Unit, the Burglary Suppression Team, and the Crime Analysis Unit.

- Patrol Division

  The Patrol division is responsible for Patrol Zone areas of the MVPD, the Mall Unit, the TRU Unit, the Problem Solving Oriented Policing (POP) Team, and the MVPD Reserves.

- Special Enforcement Teams Division

  The Special Enforcement Teams Division is responsible for (SET) Special Enforcement Team (gangs, street drug crimes, and career criminal team), the MVPD School Resource Unit, and the RCRMC Unit.

- Traffic Division

  The Traffic division is responsible for traffic enforcement, traffic accident investigation and prevention, providing public awareness education, the MVPD Business Office, the Community Services Unit, and the MVPD Volunteer Forces.

Department Mission Statement

The mission of the MVPD is to protect the lives and property of our citizens, to identify and bring to justice those who violate the law, and to provide public service related law enforcement. The MVPD offers law enforcement-related programs to promote safe, lawful behavior, respond effectively to emergencies, investigate and apprehend criminals, and involve citizens in enhancing their safety.

POLICE DEPARTMENT

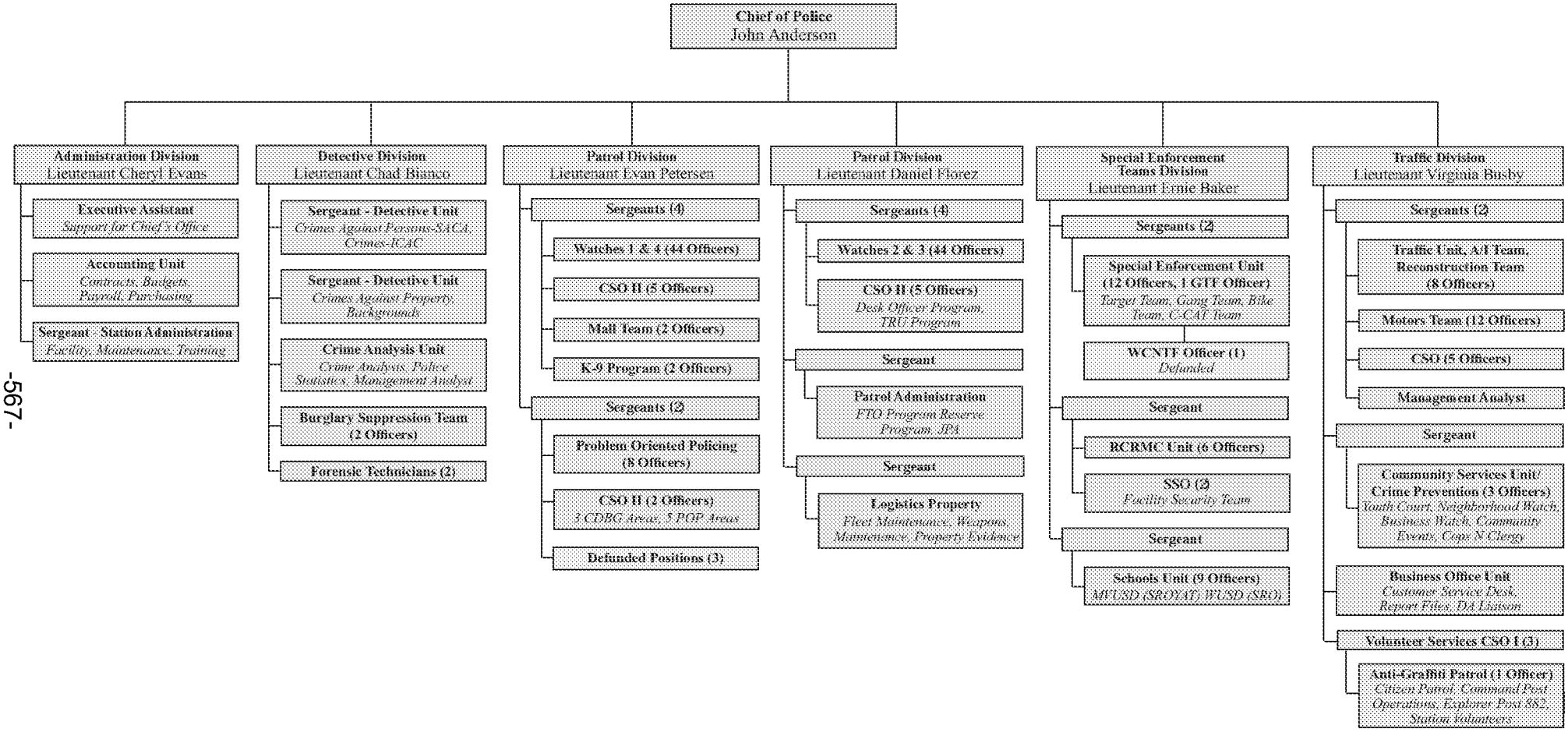

KEY: Active | Defunded

Updated March 2010

MV000054874

PUBLIC WORKS DEPARTMENT

Department Description

The Public Works Department is the largest "non-public safety" full-service department in the City of Moreno Valley consisting of seven. The Public Works department is responsible for public works administration, city engineering, maintenance of public facilities located within the street right-of-way, special landscape and lighting districts, electric service to new development in residential, commercial and industrial areas, solid waste collection and disposal, design and construction of City-built capital improvements, and administration of traffic facilities and related activities.

- Public Works Administration

  Public Works Administration is responsible for the oversight of six subordinate divisions comprising the Public Works Department and analysis of regional, state and federal legislative actions concerning public works issues. Public Works Administration also coordinates with local and regional agencies for flood control, water and wastewater supply and disposal, planning for public utilities, and emergency response to disasters.

- Capital Projects Division

  Capital Projects is responsible for implementation of the City's infrastructure of the capital improvement program. The Division is responsible for engineering design and contract administration, Requests for Proposal (RFP's) and construction for City-funded capital projects which include constructing storm drains, widening roads, installing and upgrading traffic signals, improving roadway conditions, curb and gutter installations and replacements, upgrade of roadway medians, bikeways, bridges and facilities. The Division also provides Real Property services to all departments in the City. These services include acquisitions/negotiations, appraisal reviews, cost estimates, legal description review, title and escrow services and oversee and coordinate Right-of-Way consulting services.

- Electric Utility Division/ Moreno Valley Utility ("MVU")

  The Electric Utility Division, or Moreno Valley Utility ("MVU"), is responsible for providing reliable electric service to residential, commercial, and industrial customers of new developments within the City of Moreno Valley. MVU is responsible for resource management and planning (power contracts), finance administration, legislative and regulatory compliance, strategic planning, and public benefit program development and implementation. MVU is also responsible for managing a long term agreement with ENCO Utility Services Moreno Valley, LLC ("ENCO") that was approved in late 2003. Under that agreement, ENCO provides operations and maintenance, construction support, customer service, meter reading, billing, emergency response, and other services.

- Land Development Division

  The Land Development Division is responsible for the review and approval of all private development projects within the City including tentative maps, tract and parcel maps, lot line adjustments, monument inspection, environmental impact, and soil and hydrology reports. This Division generates entitlement conditions of approval and development agreements, establishes bond amounts for development projects, reviews and approves storm drain, street improvement and grading plans, and provides inspection services for all development-related projects. The Storm Water Management Section implements a Watershed Management Program integrating programs and policies including best management practices to reduce pollutants in urban runoff and flooding of property.

- Maintenance and Operations Division

  The Maintenance and Operations Division maintains public streets, drainage systems, and adjacent rights of way, including: pavement repair & rehabilitation; crack sealing; curb, gutter and sidewalk removal and replacement; storm drain and catch basin inspection and cleaning; parkway tree trimming and removals; street sweeping; right-of-way litter and weed abatement; and public and private property graffiti abatement. Additionally, this Division maintains vehicles, equipment, and related services for the entire City. Lastly, this Division is responsible for administration of the City's solid waste services, environmental grants and AB 939 recycling programs and compliance.

- Special Districts Division

  Special Districts each year evaluates, establishes and administrates a wide range of special financing districts for construction and acquisition of public infrastructure, as well as manages special benefit programs that offer street lighting, parkway landscape and improved median landscape maintenance services to residential neighborhoods and commercial/industrial areas throughout the City of Moreno Valley. To pay for each financed district or program service, Special Districts annually submits for collection on the Riverside County property tax bill a levy of Community Services District charges, special taxes and/or assessments, nuisance abatement fees, National Pollutant Discharge Elimination System rates, and solid waste delinquencies.

- Transportation Division

  The Transportation Engineering Division is responsible for improving safety and mobility of the walking, cycling, and motoring public. Emphasis is placed on both the regional and sub-regional arterial roadway system to address increased vehicular traffic demand. Focused efforts provide for street and intersection widening, improved access management, new and modified traffic signals, modified signing and striping, building continuous flow intersections (roundabouts), and Intelligent Transportation System (ITS) implementation. Additionally, staff maintains the highest degree of maintenance and functionality for the 167 existing traffic signals to

minimize vehicle delay and congestion. Signal coordination is provided on multiple jurisdiction arterial roadways to allow seamless and efficient traffic flow. Transportation Engineering is also responsible to administer the school crossing guard, red light camera enforcement, and residential speed management programs, and perform all studies relating to the Traffic Safety Commission.

Department Mission Statement

The mission of the department is to ensure the City roadway system and traffic control is safe, public properties are protected from damage due to flooding, earth movement, and other natural or man-made conditions, adequate public infrastructure is planned for and provided, and existing and future special districts are administered efficiently and effectively while maintaining a high standard of quality.

PUBLIC WORKS DEPARTMENT

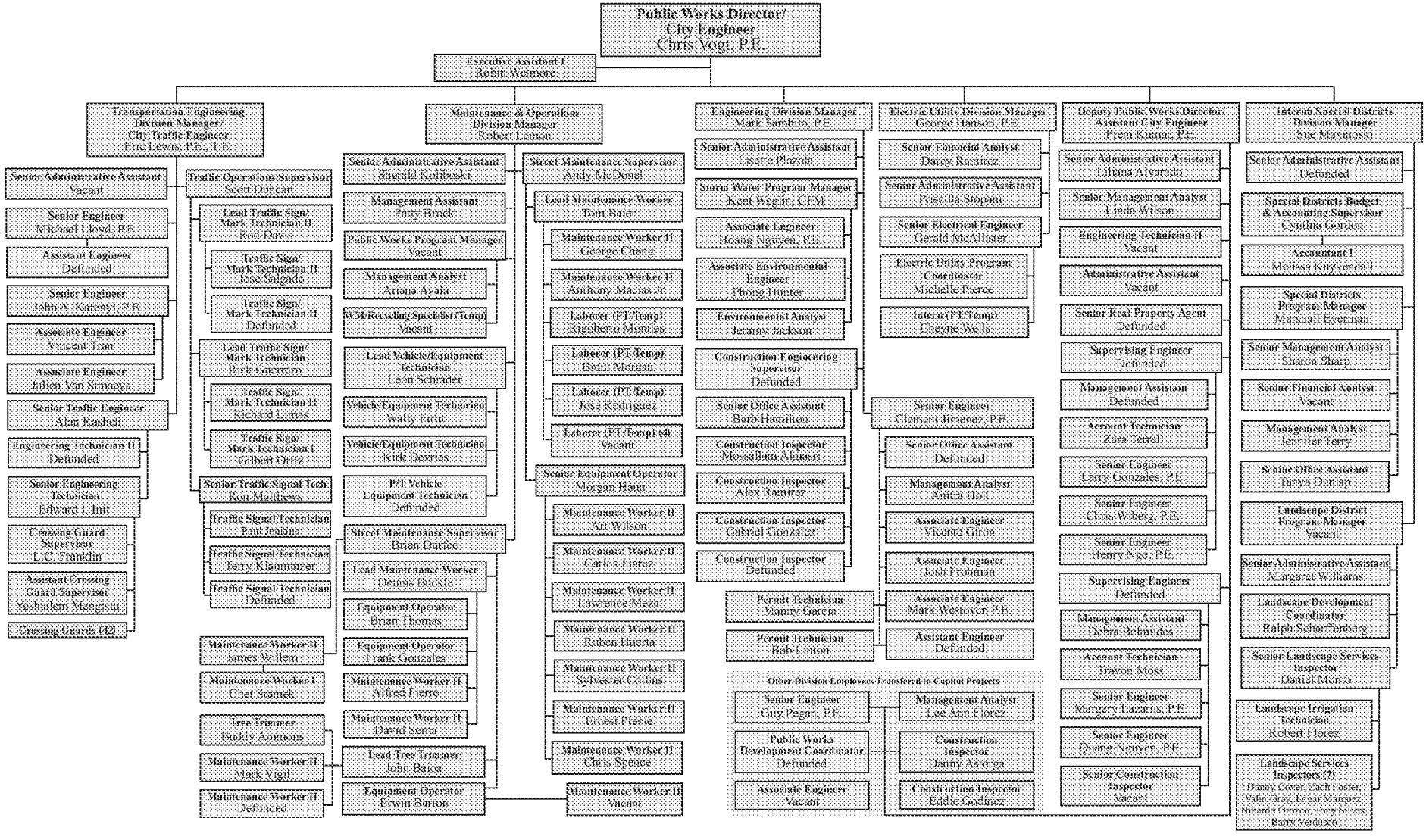

KEY: Active | Defunded

Updated March 2010

Item No. G.2

City of Moreno Valley

2010-11 Preliminary Base Operating budget

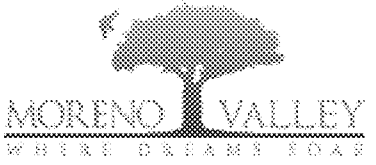

Summaries

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Total Citywide Operating Expenditures

Fund Type		Operating Budget
General	$	85,630,700
Community Services District		17,697,300
Redevelopment Agency		14,907,800
Special Revenue Funds		22,486,700
Capital Projects Funds		10,714,400
Enterprise Fund		14,321,400
Debt Service Funds		19,696,400
Total	$	185,454,700

Internal Service Funds (ISF) expenditures are charged to all user funds. The cost of these ISF services are already included in all the funds listed above.

Total City Budget
2010-11 Preliminary Base Operating Expenditures
$185,454,700

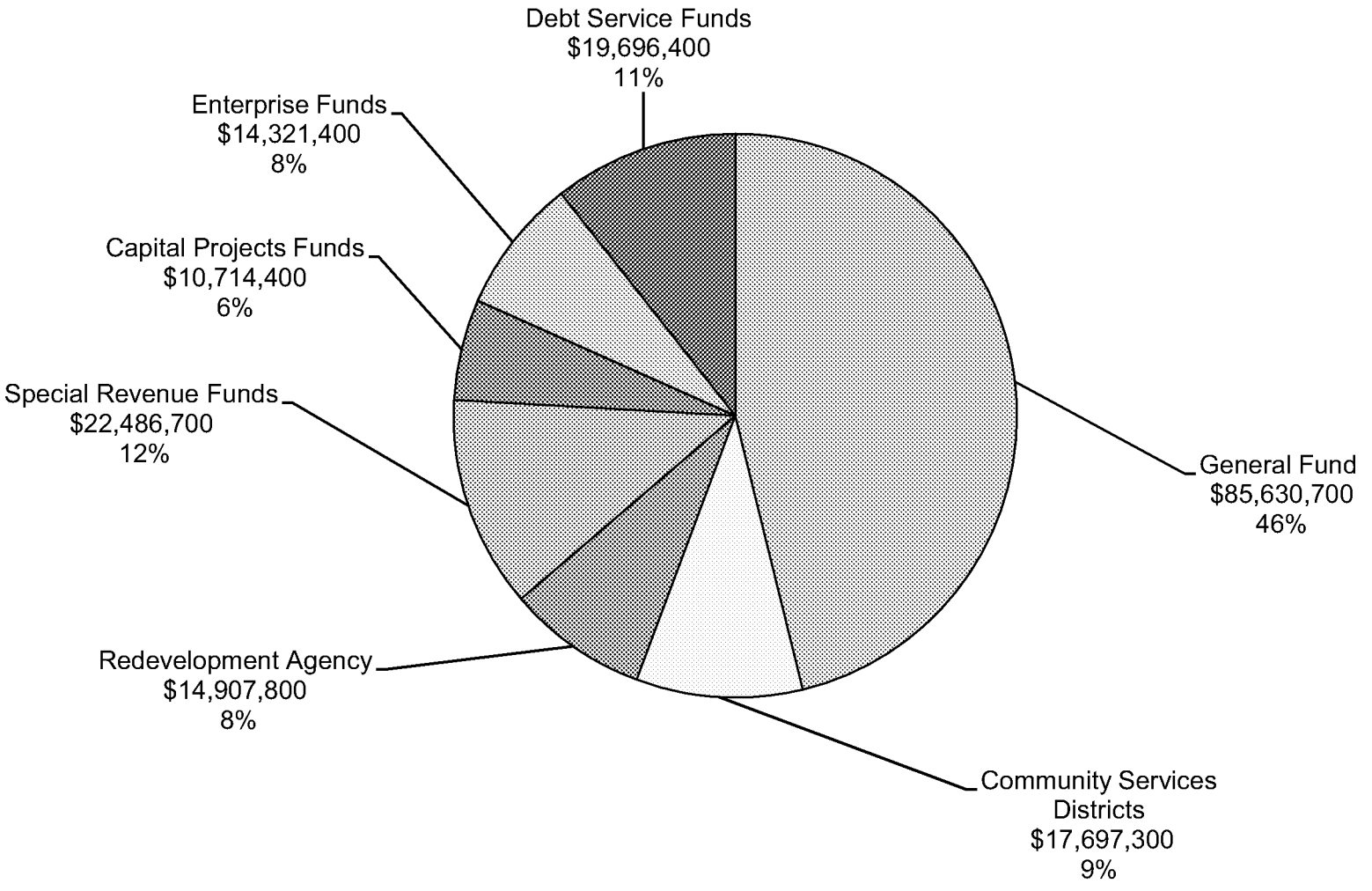

General Fund
2010-11 Preliminary Base Operating Revenues
$67,754,400

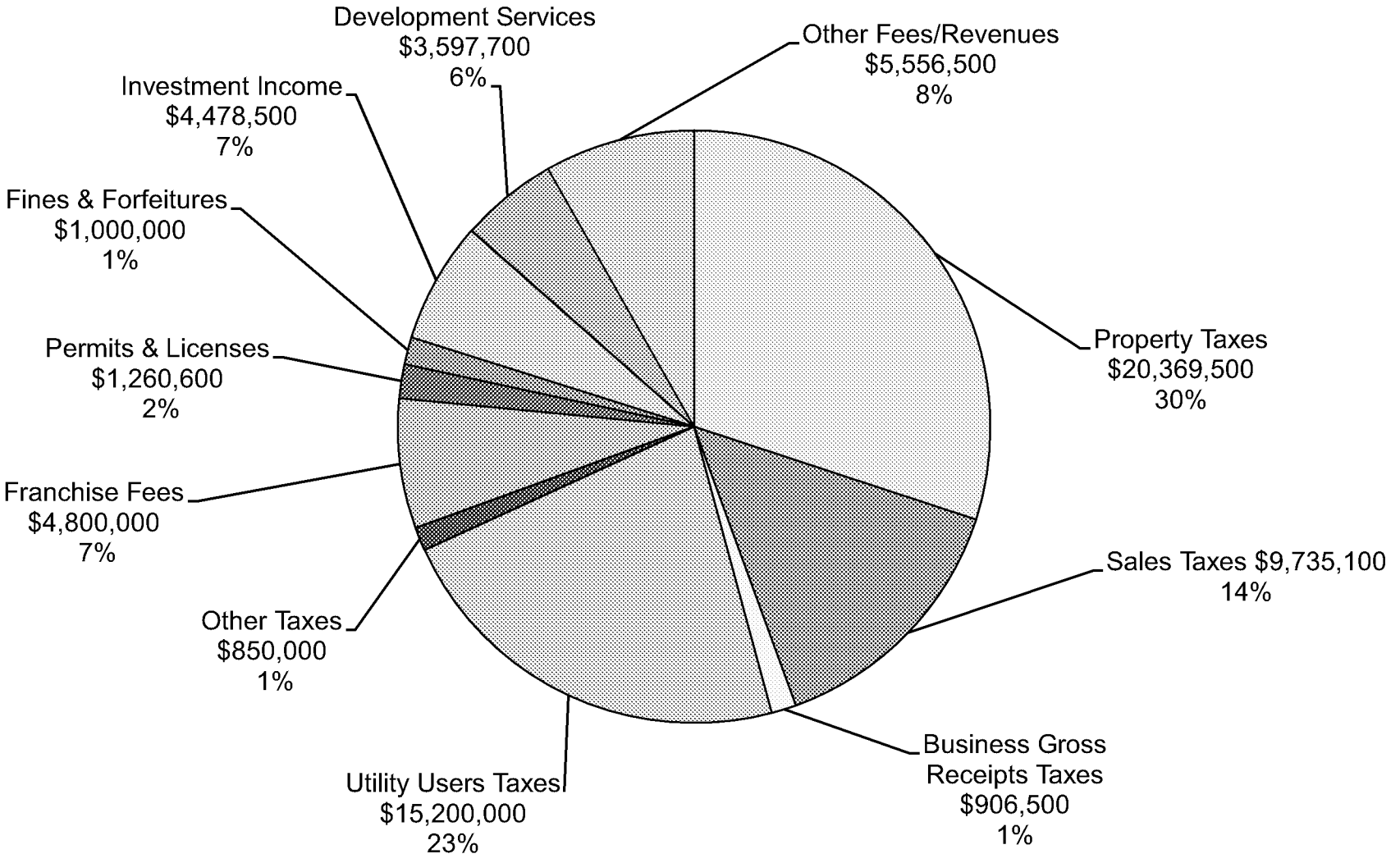

MV00054882

General Fund
2010-11 Preliminary Base Operating Expenditures
$85,630,700

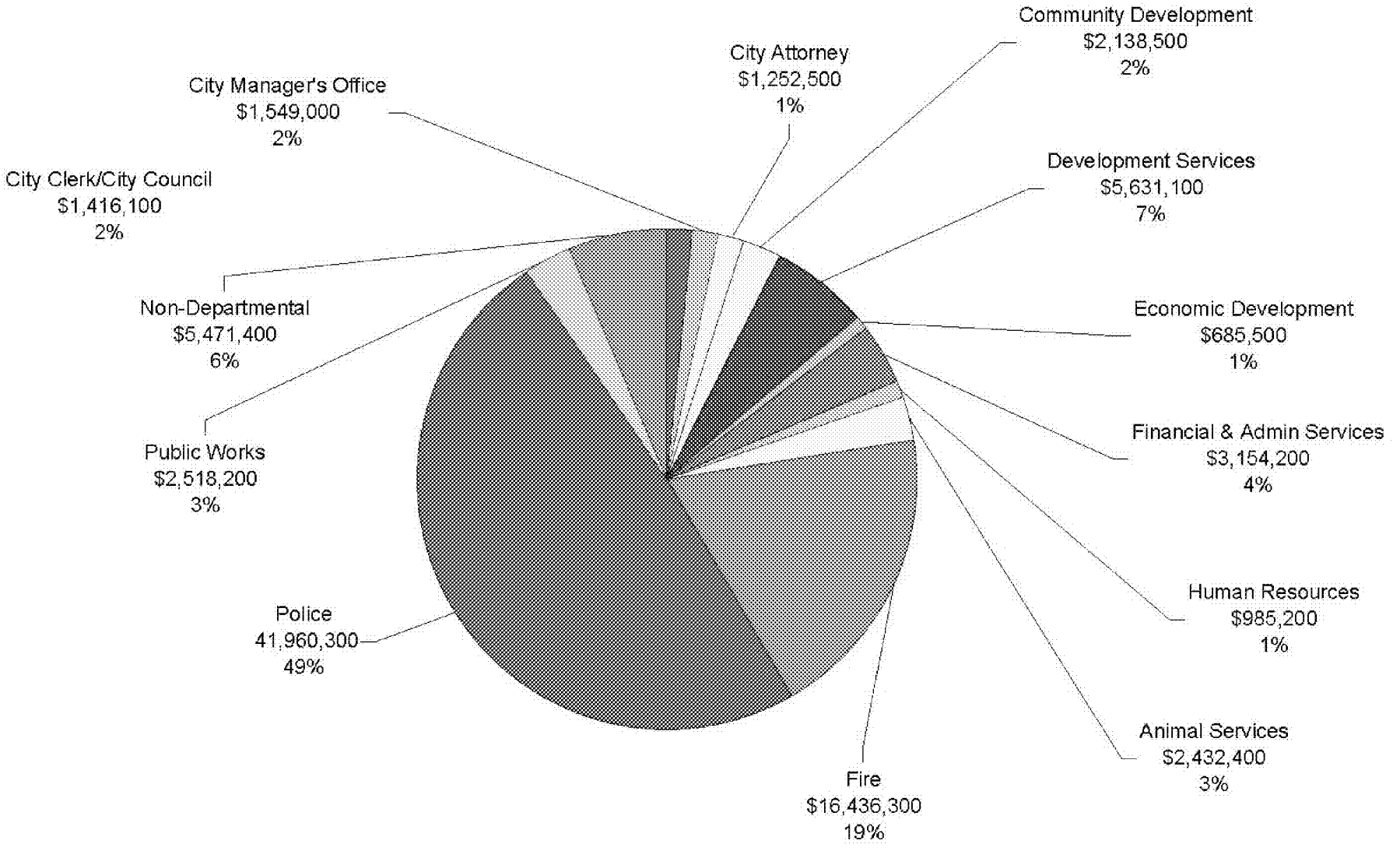

City of Moreno Valley
2010-11 Preliminary Base Operating Budget

Description	General Fund	Community Services District	Redevelopment Agency	Special Revenue Funds	Capital Projects Funds	Enterprise Fund	Internal Service Funds	Debt Service Funds	Adjustment for Internal Service Funds (1)	Total
Source of Funds										
Revenues:										
Property Taxes	20,369,500	3,043,389	8,767,604	-	8,400	-	-	2,700	-	32,191,593
Gas Taxes	-	-	-	2,702,500	-	-	-	-	-	2,702,500
Sales Taxes	9,735,100	-	780,000	-	-	-	-	750,000	-	11,265,100
Business Gross Receipts Taxes	906,500	-	-	-	-	-	-	-	-	906,500
Utility Users Taxes	15,200,000	-	-	-	-	-	-	-	-	15,200,000
Other Taxes	850,000	-	-	967,800	-	-	-	1,694,100	-	3,511,900
Franchise Fees	4,800,000	-	-	-	-	-	-	-	-	4,800,000
Parcel Fees	-	9,746,400	-	-	-	-	-	-	-	9,746,400
Development Fees	-	-	-	412,800	-	-	-	-	-	412,800
Motor Vehicle Fees	360,000	-	-	-	-	-	-	-	-	360,000
Other Fees	5,103,100	1,158,800	-	262,247	-	(119,500)	-	-	-	6,404,647
Fees for Service	-	-	-	-	-	13,644,000	-	-	-	13,644,000
Permits & Licenses	1,260,600	-	-	-	-	-	-	-	-	1,260,600
Fines & Forfeitures	1,000,000	-	-	-	-	-	-	-	-	1,000,000
Administrative Charges	2,691,500	-	-	763,500	-	-	9,842,600	-	(9,842,600)	3,455,000
Interest Income	4,478,500	81,400	2,019,600	612,800	100,900	-	-	351,200	-	7,644,400
Bond Proceeds	-	-	-	-	-	-	-	12,300,000	-	12,300,000
Miscellaneous Revenues	751,100	508,700	-	2,257,600	32,000	345,000	3,478,300	-	(3,478,300)	3,894,400
Grants/Intergovernmental Revenues	248,500	27,000	-	23,205,126	6,000,000	-	-	-	-	29,480,626
Transfers In	-	818,100	-	1,646,400	12,743,300	-	-	5,528,416	-	20,736,216
Total Revenues	**67,754,400**	**15,383,789**	**11,567,204**	**32,830,773**	**18,884,600**	**13,869,500**	**13,320,900**	**20,626,416**	**(13,320,900)**	**180,916,682**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Source of Funds	**67,754,400**	**15,383,789**	**11,567,204**	**32,830,773**	**18,884,600**	**13,869,500**	**13,320,900**	**20,626,416**	**(13,320,900)**	**180,916,682**
Use of Funds										
Program Expenditures:										
Operating										
Personnel Services	15,820,222	6,902,000	1,136,300	10,078,553	-	765,400	3,492,600	-	(3,492,600)	34,702,475
Contractual Services	58,556,594	6,766,600	6,144,545	5,387,766	18,800	10,529,300	5,050,600	78,483	(5,050,600)	87,482,088
Materials & Supplies	959,412	818,600	11,000	1,728,800	-	4,800	915,300	-	(915,300)	3,522,612
Debt Service	-	-	4,868,894	16,500	6,400	2,222,600	-	8,909,633	-	16,024,027
Fixed Charges	7,447,443	3,151,900	344,400	1,190,552	285,300	711,800	1,579,500	-	(1,579,500)	13,131,395
Transfers Out	2,666,900	51,800	2,402,698	4,084,493	-	-	822,025	10,708,300	(822,025)	19,914,191
Operating Expenditures	**85,450,571**	**17,690,900**	**14,907,837**	**22,486,664**	**310,500**	**14,233,900**	**11,860,025**	**19,696,416**	**(11,860,025)**	**174,776,788**
Capital										
Fixed Assets	180,100	6,400	-	-	10,403,900	87,500	689,700	-	(689,700)	10,677,900
Capital Expenditures	**180,100**	**6,400**	**-**	**-**	**10,403,900**	**87,500**	**689,700**	**-**	**(689,700)**	**10,677,900**
Total Program Expenditures	**85,630,671**	**17,697,300**	**14,907,837**	**22,486,664**	**10,714,400**	**14,321,400**	**12,549,725**	**19,696,416**	**(12,549,725)**	**185,454,688**
Increase in Reserve for Contingencies										-
Total Use of Funds	**85,630,671**	**17,697,300**	**14,907,837**	**22,486,664**	**10,714,400**	**14,321,400**	**12,549,725**	**19,696,416**	**(12,549,725)**	**185,454,688**
Net Change to Fund Balance	**(17,876,271)**	**(2,313,511)**	**(3,340,633)**	**10,344,109**	**8,170,200**	**(451,900)**	**771,175**	**930,000**	**(771,175)**	**(4,538,006)**

(1) These Internal Service Funds (ISF) revenue & expense budgets are charged to all user funds; the cost of these ISF services are already included in other funds' budgets.

Therefore, their exclusion from the total budget reflects the true level of City revenues & expenditures.

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund

Description	General Fund 010	Development Services 011	Fire Services 133	Total
Revenues				
Property Taxes	16,046,100	-	4,323,400	20,369,500
Gas Taxes	-	-	-	-
Sales Taxes	9,735,100	-	-	9,735,100
Business Gross Receipts Taxes	906,500	-	-	906,500
Utility Users Taxes	15,200,000	-	-	15,200,000
Other Taxes	850,000	-	-	850,000
Franchise Fees	4,800,000	-	-	4,800,000
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	360,000	-	-	360,000
Other Fees	2,152,100	2,850,300	100,700	5,103,100
Fees for Service	-	-	-	-
Permits & Licenses	520,000	740,600	-	1,260,600
Fines & Forfeitures	1,000,000	-	-	1,000,000
Administrative Charges	2,691,500	-	-	2,691,500
Interest Income	4,478,500	-	-	4,478,500
Bond Proceeds	-	-	-	-
Miscellaneous Revenues	694,900	6,800	49,400	751,100
Grants/Intergovernmental Revenues	248,500	-	-	248,500
Transfers In	-	-	-	-
Total Operating Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-
Total Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Expenditures				
Operating:				
Personnel Services	11,267,622	3,851,300	701,300	15,820,222
Contractual Services	44,060,244	498,400	13,997,950	58,556,594
Materials & Supplies	838,752	73,860	46,800	959,412
Debt Service	-	-	-	-
Fixed Charges	5,195,443	1,157,500	1,094,500	7,447,443
Transfers Out	2,666,900	-	-	2,666,900
Total Operating Expenditures	**64,028,961**	**5,581,060**	**15,840,550**	**85,450,571**
Capital :				
Fixed Assets	130,100	50,000	-	180,100
Total Capital Expenditures	**130,100**	**50,000**	**-**	**180,100**
Total Program Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Increase in Reserve for Contingencies				-
Total Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Net Revenues Over (Under) Expenditures	**(4,475,861)**	**(2,033,360)**	**(11,367,050)**	**(17,876,271)**

MV000054885

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District

Description	Zone L Library 131	Zone A Parks & Community Services 161	Zone B St Light 171	Zone C Art Light 172	Zone D Std Ldscp 181	Zone E Ext Ldscp 182	Zone M Median 183	ZONE S 185	CFD #4M 186	Total
Revenues										
Property Taxes	1,201,200	1,586,789	116,100	139,300	-	-	-	-	-	3,043,389
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	4,682,200	929,900	426,100	1,091,500	2,403,100	126,200	52,400	35,000	9,746,400
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	33,000	991,400	700	5,600	50,000	100	78,000	-	-	1,158,800
Fees for Service	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	-	-	-	9,000	1,300	69,600	1,500	-	-	81,400
Bond Proceeds	-	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	58,500	447,400	-	-	-	2,800	-	-	-	508,700
Grants/Intergovernmental Revenues	27,000	-	-	-	-	-	-	-	-	27,000
Transfers In	424,900	289,800	-	-	-	-	103,400	-	-	818,100
Total Operating Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	
Total Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Expenditures										
Operating:										
Personnel Services	1,315,600	4,229,400	132,400	37,200	479,300	593,800	86,000	28,300	-	6,902,000
Contractual Services	135,900	1,645,900	1,418,100	665,000	746,500	1,870,100	154,400	81,700	29,000	6,766,600
Materials & Supplies	225,900	435,100	3,500	3,200	44,900	88,000	15,500	2,500	-	818,600
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	483,900	2,129,600	64,000	62,900	147,300	233,500	17,200	7,500	6,000	3,151,900
Transfers Out	-	-	-	-	-	51,800	-	-	-	51,800
Total Operating Expenditures	**2,161,300**	**8,440,000**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,690,900**
Capital :										
Fixed Assets	-	6,400	-	-	-	-	-	-	-	6,400
Total Capital Expenditures	**-**	**6,400**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**6,400**
Total Program Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Increase in Reserve for Contingencies										
Total Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Net Revenues Over (Under) Expenditures	**(416,700)**	**(448,811)**	**(571,300)**	**(208,300)**	**(275,200)**	**(361,600)**	**36,000**	**(67,600)**	**-**	**(2,313,511)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Redevelopment Agency

Description	RDA Administration 891	RDA Housing 894	RDA Tax Increment 895	RDA 2007 TAB Series A Debt Service 896	RDA 2007 TAB Series A Cap Prj 897	RDA 2007 TAB Series B Debt Service 898	Total
Revenues							
Property Taxes	-	-	8,767,604	-	-	-	8,767,604
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	780,000	-	-	-	780,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	318,500	800,000	1,100	900,000	-	2,019,600
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Expenditures							
Operating:							
Personnel Services	396,500	739,800	-	-	-	-	1,136,300
Contractual Services	251,870	5,689,400	200,000	3,275	-	-	6,144,545
Materials & Supplies	6,100	4,900	-	-	-	-	11,000
Debt Service	-	-	2,278,594	2,180,300	-	410,000	4,868,894
Fixed Charges	200,000	144,400	-	-	-	-	344,400
Transfers Out	-	-	2,402,698	-	-	-	2,402,698
Total Operating Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Increase in Reserve for Contingencies							
Total Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Net Revenues Over (Under) Expenditures	**(854,470)**	**(6,260,000)**	**5,466,312**	**(2,182,475)**	**900,000**	**(410,000)**	**(3,340,633)**

MV00054887

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Gas Tax Fund 121	SCAG Article 3 122	Measure A 125	SLESF - AB3229 Police Grant 130	Public/Education/ Gov't Access Program 132	EMPG- Emergency Mgmt Preparedness 134	OTS Police Grant 136	Air Quality Management 137	CDBG 01/02 144	Special District Admin 149
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	2,702,500	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	9,500
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	761,000
Interest Income	5,000	9,000	300,000	-	-	-	-	7,000	-	13,000
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	2,000	-	1,000	-	250,000	-	-	200,000	-	-
Grants/Intergovernmental Revenues	-	-	10,009,820	100,000	-	64,000	107,000	-	-	-
Transfers In	1,000,000	-	-	-	300,000	-	-	-	-	-
Total Operating Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Expenditures										
Operating:										
Personnel Services	3,161,900	-	248,900	-	257,600	73,200	-	82,181	-	800,500
Contractual Services	145,900	-	137,000	100,000	5,100	3,000	117,000	15,000	30,000	31,100
Materials & Supplies	632,500	-	6,000	-	6,600	11,500	-	-	-	12,700
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	16,752	-	46,000	-	177,900	6,500	-	-	-	385,900
Transfers Out	-	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Increase in Reserve for Contingencies										
Total Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Net Revenues Over (Under) Expenditures	**(247,552)**	**9,000**	**9,872,920**	**-**	**102,800**	**(30,200)**	**(10,000)**	**109,819**	**(30,000)**	**(446,700)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Storm Water Maintenance 151	NPDES 152	Beverage Container Recycling 153	Child Care Grant 160	ASES Program Grant 162	HOME (Federal) 176	CFD #1 184	Homelessness Prevention Program 198	CDBG Recovery Act of 2009 199
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	967,800	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	227,747	-	25,000	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	2,500	-	-	-	-	-	-	-
Interest Income	-	-	-	-	25,000	-	13,000	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	394,300	-	-	1,367,400	-	-	-	-
Grants/Intergovernmental Revenues	421,400	165,300	-	797,300	4,499,200	390,000	-	183,218	137,192
Transfers In	182,000	139,095	-	-	-	-	25,305	-	-
Total Operating Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-
Total Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Expenditures									
Operating:									
Personnel Services	318,000	517,300	13,200	643,200	3,145,100	36,900	411,100	-	26,829
Contractual Services	76,800	238,260	-	185,300	1,858,200	358,000	343,200	183,218	110,363
Materials & Supplies	123,600	9,200	-	42,000	767,700	-	53,400	-	-
Debt Service	-	-	-	16,500	-	-	-	-	-
Fixed Charges	56,700	96,600	-	55,800	188,500	-	143,500	-	-
Transfers Out	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Increase in Reserve for Contingencies									
Total Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Net Revenues Over (Under) Expenditures	**28,300**	**67,582**	**(13,200)**	**(120,500)**	**(67,900)**	**(4,900)**	**54,905**	**-**	**-**

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Arterial Street Development Impact Fee 201	Traffic Signal Development Impact Fee 202	Fire Facility Development Impact Fee 203	Police Facility Development Impact Fee 204	Park Land Facility Dev. Impact Fee 205	Quimby In-Lieu Park Fees 206	Recreation Center Dev. Impact Fee 207	Libraries Development Impact Fee 208	City Hall Development Impact Fee 209	Corporate Yard Dev. Impact Fee 210
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	71,200	17,700	27,500	21,800	65,700	30,000	51,900	52,100	28,800	16,000
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	33,500	9,000	13,600	-	25,000	22,600	-	46,600	25,700	500
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,413,675	-	254,008	676,810	-	-	-	-	-	-
Total Operating Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,308,975)**	**26,700**	**(212,908)**	**(655,010)**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Interchange Imprvmnts Dev. Impact Fee 211	Maintenance Equipt. Dev. Impact Fee 212	Animal Shelter Dev. Impact Fee 213	Traffic Congestion Relief 225	FHWA TRANSIMS Deployment 227	Economic Stimulus Fund 228	JAG - PD - 2009 Fund 230	Fire - Emergency Svcs Fund 233	JAG - PD - 2010 Fund 262	CDBG 05/06 280
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	20,600	3,400	6,100	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	20,500	800	-	32,000	-	10,000	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	14,000	-	-
Grants/Intergovernmental Revenues	-	-	-	1,830,944	186,600	1,300,000	78,100	-	435,700	10,000
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	20,000	-	66,443	-	-	-
Contractual Services	-	-	-	-	10,000	-	5,775	-	-	-
Materials & Supplies	-	-	-	-	-	-	5,900	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,740,000	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,698,900)**	**4,200**	**6,100**	**1,862,944**	**156,600**	**1,310,000**	**(18)**	**14,000**	**435,700**	**10,000**

MV00054891

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	CDBG 07/08 282	CDBG 08/09 283	CDBG10/11 285	Used Oil Block Grant 14 293	TRI16-06-1 Target Rubberized 295	MV Foundation Donations 370	Arts Commission 371	Celebration Park Endowment 380	Total
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	2,702,500
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	967,800
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	412,800
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	262,247
Fees for Service	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	763,500
Interest Income	-	-	-	-	-	-	-	1,000	612,800
Bond Proceeds	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	27,900	-	-	1,000	-	2,257,600
Grants/Intergovernmental Revenues	14,700	418,652	2,000,000	-	56,000	-	-	-	23,205,126
Transfers In	-	-	-	-	-	-	-	-	1,646,400
Total Operating Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	
Total Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Expenditures									
Operating:									
Personnel Services	-	-	242,000	14,200	-	-	-	-	10,078,553
Contractual Services	-	-	1,420,600	12,900	-	50	1,000	-	5,387,766
Materials & Supplies	-	-	1,700	-	56,000	-	-	-	1,728,800
Debt Service	-	-	-	-	-	-	-	-	16,500
Fixed Charges	-	-	15,600	800	-	-	-	-	1,190,552
Transfers Out	-	-	-	-	-	-	-	-	4,084,493
Total Operating Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Increase in Reserve for Contingencies									
Total Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Net Revenues Over (Under) Expenditures	**14,700**	**418,652**	**320,100**	**-**	**-**	**(50)**	**-**	**1,000**	**10,344,109**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	PW General Capital Projects 414	TUMF Capital Projects 415	DIF Arterial Streets Capital Projects 416	DIF Traffic Signal Capital Projects 417	DIF Interchange Improvements 418	2005 Lease Revenue Bonds - Cap/Admin 501	Centerpoint 87-4 Cap/Admin 512
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	900	-	-	-	-	100,000	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	30,000	-	1,000	1,000	-	-	-
Grants/Intergovernmental Revenues	-	6,000,000	-	-	-	-	-
Transfers In	-	-	295,000	-	1,740,000	-	-
Total Operating Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies							
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**

MV000054893

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	Towngate Impr Special Tax Capital/Admin 513	2007 Towngate Spcl Tax Ref Capital/Admin 515	Warner Ranch Assmnt Dist 518	Auto Mall Cap/Admin 528	CFD #5 Stoneridge Cap/Admin 529	CFD #41 Infra Cap/Admin 530	Total
Revenues							
Property Taxes	-	-	8,400	-	-	-	8,400
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	100,900
Bond Proceeds	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	-	-	-	32,000
Grants/Intergovernmental Revenues	-	-	-	-	-	-	6,000,000
Transfers In	38,250	145,650	-	62,500	54,000	10,407,900	12,743,300
Total Operating Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	3,700	3,700	-	3,700	3,700	4,000	18,800
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	6,400	-	-	-	6,400
Fixed Charges	34,500	141,900	700	58,200	50,000	-	285,300
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**4,000**	**310,500**
Capital :							
Fixed Assets	-	-	-	-	-	10,403,900	10,403,900
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**10,403,900**	**10,403,900**
Total Program Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Increase in Reserve for Contingencies							
Total Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Net Revenues Over (Under) Expenditures	**50**	**50**	**1,300**	**600**	**300**	**-**	**8,170,200**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Enterprise Fund

Description	Electric Utility Fund 601	2007 Taxable Lease Revenue Bonds 602	2005 Lease Revenue Bonds 603	Total
Revenues				
Property Taxes	-	-	-	-
Gas Taxes	-	-	-	-
Sales Taxes	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-
Utility Users Taxes	-	-	-	-
Other Taxes	-	-	-	-
Franchise Fees	-	-	-	-
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	-	-	-	-
Other Fees	(119,500)	-	-	(119,500)
Fees for Service	13,644,000	-	-	13,644,000
Permits & Licenses	-	-	-	-
Fines & Forfeitures	-	-	-	-
Administrative Charges	-	-	-	-
Interest Income	-	-	-	-
Bond Proceeds	-	-	-	
Miscellaneous Revenues	345,000	-	-	345,000
Grants/Intergovernmental Revenues	-	-	-	-
Transfers In	-	-	-	-
Total Operating Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	
Total Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Expenditures				
Operating:				
Personnel Services	765,400	-	-	765,400
Contractual Services	10,525,500	3,800	-	10,529,300
Materials & Supplies	4,800	-	-	4,800
Debt Service	77,400	1,827,000	318,200	2,222,600
Fixed Charges	711,800	-	-	711,800
Transfers Out	-	-	-	-
Total Operating Expenditures	**12,084,900**	**1,830,800**	**318,200**	**14,233,900**
Capital :				
Fixed Assets	87,500	-	-	87,500
Total Capital Expenditures	87,500	-	-	87,500
Total Program Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Increase in Reserve for Contingencies				
Total Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Net Revenues Over (Under) Expenditures	**1,697,100**	**(1,830,800)**	**(318,200)**	**(451,900)**

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	General Liability 741	Workers' Compensation 745	Technology Services 750	Facilities 754	Equipment Maintenance 755	Equipment Replacement Reserve 757	Total
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	1,031,000	-	4,018,000	4,079,100	714,500	-	9,842,600
Interest Income	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	300	870,800	264,600	32,300	3,800	2,306,500	3,478,300
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Expenditures							
Operating:							
Personnel Services	116,200	52,100	2,024,500	1,037,300	262,500	-	3,492,600
Contractual Services	1,182,700	462,100	1,359,000	2,036,800	10,000	-	5,050,600
Materials & Supplies	4,000	3,400	401,400	123,500	383,000	-	915,300
Debt Service	-	-	-	-	-	-	-
Fixed Charges	59,200	204,500	517,300	454,700	59,800	284,000	1,579,500
Transfers Out	-	-	-	822,025	-	-	822,025
Total Operating Expenditures	**1,362,100**	**722,100**	**4,302,200**	**4,474,325**	**715,300**	**284,000**	**11,860,025**
Capital :							
Fixed Assets	-	-	597,700	-	-	92,000	689,700
Total Capital Expenditures	**-**	**-**	**597,700**	**-**	**-**	**92,000**	**689,700**
Total Program Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Increase in Reserve for Contingencies							
Total Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Net Revenues Over (Under) Expenditures	**(330,800)**	**148,700**	**(617,300)**	**(362,925)**	**3,000**	**1,930,500**	**771,175**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	2005 Lease Revenue Bonds 301	2007 Towngate Improvement Tax Ref 313	2007 Towngate Special Tax Ref 315	Assessment Dist. 98-1 316	City Hall COP 97 321	Pub. Safety Lease Rev. Bond 325	Auto Mall 328	Automall CFD#5 Stoneridge 329	CFD #4! Infra Debt Service 330	OPA Sales Tax #2 340	Total
Revenues											
Property Taxes	-	-	-	2,700	-	-	-	-	-	-	2,700
Gas Taxes	-	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	750,000	-	-	-	750,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	114,400	-	-	-	-	1,217,600	362,100	-	-	1,694,100
Franchise Fees	-	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-	-
Interest Income	-	100	500	-	-	-	500	100	-	350,000	351,200
Bond Proceeds	-	-	-	-	-	-	-	-	12,300,000	-	12,300,000
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-	-
Transfers In	2,644,491	279,500	1,158,200	-	822,025	404,200	220,000	-	-	-	5,528,416
Total Operating Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Reserves	-	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-	-
Total Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Expenditures											
Operating:											
Personnel Services	-	-	-	-	-	-	-	-	-	-	-
Contractual Services	5,000	-	-	-	70,000	3,483	-	-	-	-	78,483
Materials & Supplies	-	-	-	-	-	-	-	-	-	-	-
Debt Service	2,639,491	355,300	1,012,500	2,400	752,025	400,717	2,354,300	307,600	1,085,300	-	8,909,633
Fixed Charges	-	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	38,250	145,650	-	-	-	62,500	54,000	10,407,900	-	10,708,300
Total Operating Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Capital :											
Fixed Assets	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Increase in Reserve for Contingencies											
Total Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Net Revenues Over (Under) Expenditur	**-**	**450**	**550**	**300**	**-**	**-**	**(228,700)**	**600**	**806,800**	**350,000**	**930,000**

CITY OF MORENO VALLEY
Expenditure Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	GENERAL FUND	$ 66,910,340	$ 77,497,224	15.82%	$ 62,494,697	$ 62,382,239	(19.50%)	$ 64,159,061	2.66%
011	DEVELOPMENT SVC FUND	11,075,793	8,202,310	(25.94%)	6,101,459	5,600,080	(31.73%)	5,631,060	(7.71%)
133	FIRE SVC OPERATIONS FUND	14,299,522	14,648,139	2.44%	15,809,802	15,659,100	6.90%	15,840,550	0.19%
	TOTAL GENERAL FUND	92,285,655	100,347,673	8.74%	84,405,958	83,641,419	(16.65%)	85,630,671	1.45%
121	GAS TAX FUND	4,655,544	4,184,420	(10.12%)	3,519,567	3,825,712	(8.57%)	3,957,052	12.43%
122	SCAG ARTICLE 3 FUND	64,853		(100.00%)			-		-
125	MEASURE "A" FUND	347,607	207,501	(40.31%)	435,943	298,383	43.80%	437,900	0.45%
128	ABC-POLICE GRANT FUND	13,397	(237)	(101.77%)			(100.00%)		-
130	SLESF-CCAT GRT-PD-AB322	366,264	179,327	(51.04%)	275,851	120,000	(33.08%)	100,000	(63.75%)
131	LIBRARY SERVICES FUND	2,239,469	2,112,524	(5.67%)	2,203,786	2,136,122	1.12%	2,161,300	(1.93%)
132	PUB/EDUC/GOVT ACCESS PR	756,581	532,905	(29.56%)	456,283	436,100	(18.17%)	447,200	(1.99%)
134	EMPG-EMERGNCY MGMT PREP	102,852	157,804	53.43%	208,089	97,025	(38.52%)	94,200	(54.73%)
136	OTS - POLICE FUND	116,074	116,619	0.47%	571,268	488,863	319.20%	117,000	(79.52%)
137	AIR QUALITY MGT FUND	15,014	131,085	773.09%	150,810	172,302	31.44%	97,181	(35.56%)
144	CDBG FY 01/02 FUND	30,000	30,000	-	30,000	30,000	-	30,000	-
146	CDBG FY 03/04 FUND	7,899		(100.00%)			-		-
148	CDBG PRIOR TO 95/96 FUN	13,547		(100.00%)			-		-
149	SPCL DIST ADMIN FUND	1,278,560	1,269,255	(0.73%)	1,380,358	1,169,779	(7.84%)	1,230,200	(10.88%)
151	STORM WATER MAINTENANCE	662,186	938,567	41.74%	575,102	574,911	(38.75%)	575,100	(0.00%)
152	STORM WATER MANAGEMENT	753,623	791,843	5.07%	969,635	863,909	9.10%	861,360	(11.17%)
153	BEVERAGE CONTAINER RECY	47,678	47,193	(1.02%)	47,483		(100.00%)	13,200	(72.20%)
160	CHILD CARE GRANT FUND	734,949	700,745	(4.65%)	889,107	766,456	9.38%	942,800	6.04%
161	ZONE "A" PARKS FUND	8,822,280	8,730,642	(1.04%)	8,612,880	8,051,417	(7.78%)	8,446,400	(1.93%)
162	STARS PROGRAM GRANT FUN	9,111,747	8,917,142	(2.14%)	5,620,287	5,891,600	(33.93%)	5,959,500	6.04%
171	ZONE "B" ST LGHT FUND	1,342,584	1,460,254	8.76%	1,606,197	1,647,740	12.84%	1,618,000	0.73%
172	ZONE "C" ART LGHT FUND	605,475	678,468	12.06%	738,286	735,754	8.44%	788,300	6.77%
176	HOME (FEDERAL) FUND	135,341	82,396	(39.12%)	397,128	381,423	362.91%	394,900	(0.56%)
181	ZONE "D" STD LDSC FUND	1,171,779	1,200,118	2.42%	1,343,499	1,222,314	1.85%	1,418,000	5.55%
182	ZONE "E" EXT LDSC FUND	2,502,417	2,493,873	(0.34%)	2,948,968	2,561,159	2.70%	2,837,200	(3.79%)
183	ZONE "M" MEDIAN FUND	155,237	163,887	5.57%	326,765	253,568	54.72%	273,100	(16.42%)
184	CFD#1	774,212	715,271	(7.61%)	986,315	824,400	15.26%	951,200	(3.56%)
185	ZONE "S"	47	6,162	13,010.64%	92,219	58,634	851.54%	120,000	30.13%
186	CFD #4M	6,003	21,924	265.22%	35,000	33,700	53.71%	35,000	-
193	EPA GRANT - BOX SPRINGS	203,560	182,166	(10.51%)	99,108	74,443	(59.13%)		(100.00%)

CITY OF MORENO VALLEY
Expenditure Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
194	JAG GRANT - CODE FUND		47,405	100.00%	32,452	32,452	(31.54%)	-	(100.00%)
196	ETA JOB TRAINING GRANT			-	118,886	118,886	100.00%		(100.00%)
197	NEIGHBORHOOD STABILIZAT		321	100.00%	11,390,116	11,390,116	N/A		(100.00%)
198	HOMELESSNESS PREVENTION			-	732,872	549,654	100.00%	183,218	(75.00%)
199	CDBG RECOVERY ACT OF 20			-	479,292	342,100	100.00%	137,192	(71.38%)
201	ARTERIAL STS DEV IMPACT	4,345,362	5,437,525	25.13%	2,955,942	2,955,942	(45.64%)	1,413,675	(52.18%)
202	TRAFFIC SIGS DEV IMPACT	838,735	360,618	(57.00%)	1,374,380	1,374,380	281.12%	-	(100.00%)
203	FIRE FACIL DEV IMPACT F	255,808	256,015	0.08%	257,328	257,328	0.51%	254,008	(1.29%)
204	POLICE FACIL DEV IMPACT	1,408	675,005	47,840.70%	675,493	675,493	0.07%	676,810	0.19%
205	PARKLD FACIL DEV IMPACT	4,171,616	(105,000)	(102.52%)			(100.00%)		-
206	QUIMBY IN-LIEU PARK FEE	101,224	31,000	(69.37%)			(100.00%)		-
207	RECREATN CTR DEV IMPACT	326,020		(100.00%)			-		-
208	LIBRARIES DEV IMPACT FE	1,920,743		(100.00%)			-		-
209	CITY HALL DEV IMPACT FE	2,336		(100.00%)			-		-
210	CORPORATE YD DEV IMPACT	56,530		(100.00%)			-		-
211	INTERCHANGE IMPROVMNTS	2,433		(100.00%)			-	1,740,000	100.00%
212	MAINTENANCE EQUIPMENT D	112		(100.00%)			-		-
213	ANIMAL SHELTER DEV IMPA	188,286		(100.00%)			-		-
227	FHWA TRANSIMS		102,212	100.00%	180,951	151,182	47.91%	30,000	(83.42%)
230	2009-DJ-BX-1178 JAG GRA			-	105,979	27,861	100.00%	78,118	(26.29%)
231	ICEP TASK FORCE FUND			-	50,668		-		(100.00%)
258	JAG - PD - 05 FUND	70,925	1,004	(98.58%)			(100.00%)		-
259	JAG - PD - 07 FUND	183,861		(100.00%)			-		-
260	JAG- PD- 08 FUND			-	29,699	29,879	100.00%		(100.00%)
261	2008 COPS TECH PRGRM GR		32,706	100.00%	107,589	107,589	228.96%		(100.00%)
262	JAG 2009 SB-59-2366 FUN			-	435,672	435,672	100.00%		(100.00%)
282	CDBG FY07/08 FUND	922,857		(100.00%)			-		-
283	CDBG FY08/09 FUND		824,183	100.00%	1,645		(100.00%)		(100.00%)
284	CDBG FY09/10 FUND			-	1,891,378	1,732,313	100.00%		(100.00%)
285	CDBG FY10/11 FUND			-			-	1,679,900	100.00%
290	UBG11 USED OIL RECYCLG	22,014		(100.00%)			-		-
291	UBG12 USED OIL RECYCLG	42,006	785	(98.13%)			(100.00%)		-
292	UBG13 USED OIL RECYCLG	283	44,192	15,515.55%	3,919	3,919	(91.13%)		(100.00%)
293	UBG14 USED OIL RECYCLG			-	39,925	18,263	100.00%	27,900	(30.12%)
294	TCA2-06-22 LOCAL GOVT W	10,399		(100.00%)			-		-

CITY OF MORENO VALLEY
Expenditure Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
295	TRI16-06-1 TARGETED RUB		47,950	100.00%	84,000	28,000	(41.61%)	56,000	(33.33%)
301	2005 LEASE REV BONDS-D	2,689,228	3,686,100	37.07%	2,647,499	2,648,515	(28.15%)	2,644,491	(0.11%)
303	TWNGT IMP DEBT SERV FUN	4,289,347	962,039	(77.57%)			(100.00%)		-
305	TWNGT REF DEBT SERV FUN	13,573,261	4,363,634	(67.85%)			(100.00%)		-
313	TWNGT IMPV SPCL TAX REF	195,491	4,396,940	2,149.18%	396,279	396,279	(90.99%)	393,550	(0.69%)
315	TWNGT SPCL TAX REFNDG D	616,772	14,614,340	2,269.49%	1,149,131	1,149,131	(92.14%)	1,158,150	0.78%
316	ASSMT DIST 98-1-DEBT SV	3,443	2,863	(16.85%)	2,611	2,611	(8.80%)	2,400	(8.08%)
321	CH COP 97 DEBT SERV FUN	811,668	695,961	(14.26%)	859,540	820,175	17.85%	822,025	(4.36%)
325	PUB SAFTY BOND DEBT SER	428,759	404,321	(5.70%)	404,169	404,169	(0.04%)	404,200	0.01%
328	AUTOML REFIN-CFD #3 DBT	2,635,370	2,131,560	(19.12%)	2,522,240	2,522,240	18.33%	2,416,800	(4.18%)
329	CFD#5 STONERIDGE DEBT S	347,954	341,872	(1.75%)	357,315	357,315	4.52%	361,600	1.20%
330	CFD #4I - INFRA DEBT SR			-	1,153,384		-	11,493,200	896.48%
335	COP 93 DEBT SERV FUND	2,000	5,000	150.00%	3,250		(100.00%)		(100.00%)
340	OPA SALES TAX #2 FUND	385,926	394,359	2.19%			(100.00%)		-
369	CTRPT 87-4 AGENCY FUND	869,255	399,082	(54.09%)			(100.00%)		-
370	MV FOUNDATION - DONATIO	1,254	50	(96.01%)		50	-	50	100.00%
371	ARTS COMMISSION		450	100.00%		1,000	122.22%	1,000	100.00%
412	FACILITY CONST FUND		67,040	100.00%	700,000		(100.00%)		(100.00%)
413	CAP IMPROVEMENT FUND		38,487	100.00%			(100.00%)		-
416	DIF ARTERIAL STREETS CA	7,214,399		(100.00%)			-		-
417	DIF TRAFFIC SIGNAL CAPI	513,902		(100.00%)			-		-
434	FIRE SERVICES CAP FUND		98,000	100.00%			(100.00%)		-
501	2005 LEASE REV BONDS-C	1,374,223	309,148	(77.50%)			(100.00%)		-
504	TWNGT IMP CAP-ADMIN FUN	40,013	3,038	(92.41%)			(100.00%)		-
506	TWNGT REF CAP-ADMIN FUN	136,875		(100.00%)			-		-
512	CTRPT 87-4 CAP-ADMIN FU	58,786	58,787	0.00%	55,350		(100.00%)	-	(100.00%)
513	TWNGT IMPV SPCL TAX CAP		4,014	100.00%	38,250	35,035	772.82%	38,200	(0.13%)
515	2007 TWNGT SPCLTAX REF		57	100.00%	139,750	138,375	N/A	145,600	4.19%
518	WARNER RANCH ASDST FUND	2,693	2,693	-	7,188	7,188	166.91%	7,100	(1.22%)
528	AUTOMALL CAP-ADMIN FUND	1,080,561	148,446	(86.26%)	148,940	148,940	0.33%	61,900	(58.44%)
529	CFD#5 STONERIDGE CAP/AD	2,306,243	2,228,520	(3.37%)	516,770	516,520	(76.82%)	53,700	(89.61%)
530	CFD #4I - INFRA CAP/ADM			-	5,850,000		-	10,407,900	77.91%
601	ELECTRIC FUND	10,926,171	12,441,800	13.87%	13,635,672	12,755,102	2.52%	12,172,400	(10.73%)
602	2007 TAXABLE LEASE REV	1,467,760	2,620,388	78.53%	1,835,552	1,835,602	(29.95%)	1,830,800	(0.26%)
603	2005 LEASE REVENUE BOND	38,230	693,216	1,713.28%	323,486	322,963	(53.41%)	318,200	(1.63%)

CITY OF MORENO VALLEY
Expenditure Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
741	GENERAL LIABILITY INS F	1,932,703	660,932	(65.80%)	1,215,861	1,269,453	92.07%	1,362,100	12.03%
745	WORKER'S COMP FUND	1,296,863	522,828	(59.69%)	871,875	874,021	67.17%	722,100	(17.18%)
750	MANAGEMENT INFO SYSTEM	3,836,405	3,966,273	3.39%	5,794,136	4,749,709	19.75%	4,899,900	(15.43%)
751	CENTRAL SERVICES FUND	289,835		(100.00%)			-		-
752	GRAPHIC SUPPORT FUND	20,563		(100.00%)			-		-
754	FACILITIES FUND	4,037,217	4,056,491	0.48%	5,822,784	5,187,036	27.87%	4,474,325	(23.16%)
755	EQUIPMENT MAINTENANCE F	986,549	821,533	(16.73%)	715,775	715,800	(12.87%)	715,300	(0.07%)
757	EQUIPMENT REPLACEMENT R	1,178,657	1,347,889	14.36%	406,050	383,752	(71.53%)	376,000	(7.40%)
891	RDA ADMIN FUND	1,032,544	846,919	(17.98%)	886,552	842,673	(0.50%)	854,470	(3.62%)
892	RDA CAP PROJECT FUND	142,552		(100.00%)			-		-
894	RDA HOUSING FUND	3,878,281	798,122	(79.42%)	6,194,851	4,295,684	438.22%	6,578,500	6.19%
895	RDA TAX INCREMENT FUND	11,963,889	12,936,214	8.13%	3,353,599	8,579,584	(33.68%)	4,881,292	45.55%
896	RDA 2007TABS, Series A	43,857,564	2,846,359	(93.51%)	2,175,559	2,178,559	(23.46%)	2,183,575	0.37%
897	RDA 2007TABS, SERIES A	2,375		(100.00%)			-		-
898	RDA 2007TABS, Series B	561,197	721,949	28.64%	325,000	600,000	(16.89%)	410,000	26.15%
	GRAND TOTAL EXPENDITURES	**269,812,170**	**224,793,162**	**(16.69%)**	**200,382,496**	**190,325,643**	**(15.33%)**	**198,004,413**	**(1.19%)**
	Less Internal Service Funds (1)	13,578,792	11,375,946		14,826,481	13,179,771		12,549,725	
	NET EXPENDITURES	**$ 256,233,378**	**$ 213,417,216**	**(16.71%)**	**$ 185,556,015**	**$ 177,145,872**	**(17.00%)**	**$ 185,454,688**	**(0.05%)**

(1) These Internal Service Funds (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

MV00054901

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund Capital Expenditures Reserve Summary

	2009-2010 Projected Actual	2010-2011 Preliminary Base
Beginning Unallocated Reserve Balance	12,448,100 (1)	4,003,700
Capital Reserve Funding Sources:		
1. Balance of Development Services Reserve	2,300,000	-
Sub-Total	2,300,000	-
Capital Reserve Funding Uses:		
1. Reduction in Development Services Reserve for operating expenditures	2,300,000	
2. Reduction in Reserve for operating expenditures	4,308,500	
3. FY 2008-09 savings for FY 2009-10 operating expenditures	3,652,900	
4. Equipment Maintenance Fund	100,000	
5. Civil Penalties Fund	198,000	
6. Fire Emergency Fund	185,000	-
		-
Sub-Total	10,744,400	-
Ending Unallocated Capital Reserve Available	$ 4,003,700	$ 4,003,700

Notes:

(1) Audited figures at June 30, 2009

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund Other Reserves Summary

	2009-10 Projected Actual	2010-11 Preliminary Base
Electric Utility Revolving Line of Credit		
Beginning Reserve Balance	4,600,000 (1)	4,600,000
Sub-Total	-	-
Ending Reserve Balance	$ 4,600,000	$ 4,600,000
Development Services		
Beginning Reserve Balance	2,300,000 (1)	0
Increases (Decreases) to Reserve:		
1. Use for operating expenditures	(2,300,000)	
Sub-Total	(2,300,000)	-
Ending Reserve Balance	$ -	$ -
Post-Employment Retirement Benefits		
Beginning Reserve Balance	120,000 (1)	
Increases (Decreases) to Reserve:		
1. Reduce Post- Employment Reserve for GASB 45	(120,000)	
		0
Sub-Total	(120,000)	-
Ending Reserve Balance	$ -	$ -

MV00054903

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund Other Reserves Summary

	2009-10 Projected Actual	2010-11 Preliminary Base
Future Debt Service Reserve		
Beginning Reserve Balance	1,000,000 (1)	1,000,000
Increases (Decreases) to Reserve:		
1. Transfer to Debt Service Reserve	-	-
Sub-Total	-	-
Ending Reserve Balance	$ 1,000,000	$ 1,000,000
Advances Receivable		
Beginning Reserve Balance	28,899,300 (1)	28,899,300
Increases (Decreases) to Reserve:	-	-
Sub-Total	-	-
Ending Reserve Balance	$ 28,899,300	$ 28,899,300

Notes:

(1) Audited amount at June 30, 2009

City of Moreno Valley
FY 2010-11 Preliminary Base Operating Budget
Fixed Assets

Fund	OneWorld Business Unit	Object	Subsidiary	Asset Description	FY 2009-10 Revised Budget	FY 2009-10 Projections	Unused Amount - Return to Fund Balance	Carryover to FY 2010-11	FY 2010-11 New Request	FY 2010-11 Total
GENERAL FUND										
010	62210	6642	648	Police Service Dog, including training	-	-	-	-	16,100	16,100
				Sub-total 010.62210	-	-	-	-	16,100	16,100
010	63110	6642	645	Vehicle Replacement for Ford F 250 VIN#1FTNX20L4YED04129	-	-	-	-	55,200	55,200
				Sub-total 010.63110	-	-	-	-	55,200	55,200
010	66021	7200		Records Management System	112,800	-	-	112,800	-	112,800
				Sub-total 010.66021	112,800	-	-	112,800	-	112,800
Total Company/Fund 010					**112,800**	**-**	**-**	**112,800**	**71,300**	**184,100**
DEVELOPMENT SERVICES FUND										
011	52913	7200		PW - HLFV Interchanges Project	50,000	-	-	50,000	-	50,000
				Sub-total 011.52913	50,000	-	-	50,000	-	50,000
Total Company/ Fund 011					**50,000**	**-**	**-**	**50,000**	**-**	**50,000**
ZONE A										
161	73110	6622	622	Funding for unforseen necessary building improvements	-	-	-	-	15,000	15,000
				Sub-total 161.73110	-	-	-	-	15,000	15,000
161	76530	6621	622	CRC Flatform Enhancements	19,400	-	-	19,400	-	19,400
161	76530	6622	622	Funding for unforseen necessary building improvements	-	-	-	-	10,000	10,000
				Sub-total 161.76530	19,400	-	-	19,400	10,000	29,400
Total Company/Fund 161					**19,400**	**-**	**-**	**19,400**	**25,000**	**44,400**
CFD#4I INFRA CAP/ADMIN FND										
530	93630	6631		Street Improvements	5,800,000	-	5,800,000	-	10,403,900	10,403,900
				Sub-total 530.93630	5,800,000	-	5,800,000	-	10,403,900	10,403,900
Total Company/ Fund 530					**5,800,000**	**-**	**5,800,000**	**-**	**10,403,900**	**10,403,900**
ELECTRIC FUND										
601	60110	6631		Plan Checks & Inspection Fees, Residential/Commercial Meters	484,360	225,000	259,360	-	87,500	87,500
				Sub-total 601.60110	484,360	225,000	259,360	-	87,500	87,500
Total Company/ Fund 601					**484,360**	**225,000**	**259,360**	**-**	**87,500**	**87,500**

City of Moreno Valley
FY 2010-11 Preliminary Base Operating Budget
Fixed Assets

Fund	OneWorld Business Unit	Object	Subsidiary	Asset Description	FY 2009-10 Revised Budget	FY 2009-10 Projections	Unused Amount - Return to Fund Balance	Carryover to FY 2010-11	FY 2010-11 New Request	FY 2010-11 Total
MANAGEMENT INFO SYSTEM FUND										
750	32010	6661	662	New Technology Software	85,000	9,000	76,000	-	50,000	50,000
				Sub-total 750.32010	85,000	9,000	76,000	-	50,000	50,000
750	32110	6661	661	New Technology Hardware	-	-	-	-	91,200	91,200
750	32110	6661	661	Network Access Control System	-	-	-	-	62,000	62,000
750	32110	6661	662	New Technology Software	50,000	-	50,000	-	110,000	110,000
750	32110	6662	661	Replacement Servers	35,000	23,000	12,000	-	65,000	65,000
				Sub-total 750.32110	85,000	23,000	62,000	-	328,200	328,200
750	32210	6641	647	New Technology Radio Hardware	-	-	-	-	110,000	110,000
750	32210	6641	648	New Technology Test Equipment	10,000	-	10,000	-	20,000	20,000
750	32210	6661	661	New Technology Telephony Hardware	40,000	-	-	40,000	-	40,000
750	32210	6661	661	UPS For EOC Equipment Room	8,500	-	-	8,500	-	8,500
750	32210	6661	662	New Technology Software	25,000	-	25,000	-	25,000	25,000
				Sub-total 750.32210	83,500	-	35,000	48,500	155,000	203,500
750	32510	6662	661	GPS Pathfinder PRO XRS	10,000	10,000	-	-	16,000	16,000
				Sub-total 750.32510	10,000	10,000	-	-	16,000	16,000
Total Company/ Fund 750					**263,500**	**42,000**	**173,000**	**48,500**	**549,200**	**597,700**
EQUIPMENT REPLACEMENT FUND										
757	99401	6699		Funding for fixed asset replacements	54,000	-	-	54,000	-	54,000
				Sub-total 757.99401	54,000	-	-	54,000	-	54,000
757	99402	6699		Funding for fixed asset replacements	38,000	-	-	38,000	-	38,000
				Sub-total 757.99402	38,000	-	-	38,000	-	38,000
Total Company/ Fund 757					**92,000**	**-**	**-**	**92,000**	**-**	**92,000**
TOTAL FIXED ASSETS					**6,822,060**	**267,000**	**6,232,360**	**322,700**	**11,136,900**	**11,459,600**
Less Internal Service Funds (1)					355,500	42,000	173,000	140,500	549,200	689,700
Less Replacement Funding from Internal Service Fund (2)					92,000	-	-	92,000	92,000	92,000
NET FIXED ASSETS					**$ 6,374,560**	**$ 225,000**	**$ 6,059,360**	**$ 90,200**	**$ 10,495,700**	**$ 10,677,900**

(1) These Internal Service Funds (ISF) expenditures are charged to all user funds and the cost of these ISF services are already in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

(2) The Replacement Funding received from Internal Service Funds for fixed assets reduces the budget needed for fixed asset purchases. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

CITY OF MORENO VALLEY

FY 2010-11 Preliminary Base Operating Budget

Transfers

Transfers In

Co	BU	Obj	Subled		Operating	Capital	Total
121	1210	4701	99110	Transfer from Fund 010	1,000,000		1,000,000
131	1310	4701	99110	Transfer from Fund 010	424,900		424,900
132	1320	4701	99110	Transfer from Fund 010	300,000		300,000
151	1510	4701	99110	Transfer from Fund 010	182,000		182,000
152	1520	4701	99110	Transfer from Fund 010	112,600		112,600
161	1610	4701	99110	Transfer from Fund 010	289,800		289,800
183	1830	4701	99110	Transfer from Fund 010	103,400		103,400
325	3250	4701	99110	Transfer from Fund 010	254,200		254,200
152	1520	4701	78210	Transfer from Fund 182	26,495		26,495
184	1840	4701	78210	Transfer from Fund 182	25,305		25,305
301	3010	4701	20110	Transfer from Fund 201	1,118,675		1,118,675
301	3010	4701	20310	Transfer from Fund 203	254,008		254,008
301	3010	4701	20410	Transfer from Fund 204	676,810		676,810
301	3010	4701	91510	Transfer from Fund 895	594,998		594,998
513	5130	4701	93710	Transfer from Fund 313	38,250		38,250
515	5150	4701	93810	Transfer from Fund 315	145,650		145,650
528	5280	4701	92710	Transfer from Fund 328	62,500		62,500
529	5290	4701	93410	Transfer from Fund 329	54,000		54,000
530	5300	4701	93610	Transfer from Fund 330	10,407,900		10,407,900
416	4160	4701	20110	Transfer from Fund 201		295,000	295,000
418	4180	4701	21112	Transfer from Fund 211		1,740,000	1,740,000
321	3210	4701	75411	Transfer from Fund 754	822,025		822,025
313	3130	4701	91510	Transfer from Fund 895	279,500		279,500
315	3150	4701	91510	Transfer from Fund 895	1,158,200		1,158,200
325	3250	4701	91510	Transfer from Fund 895	150,000		150,000
328	3280	4701	91510	Transfer from Fund 895	220,000		220,000
			GRAND TOTAL TRANSFERS		**18,701,216**	**2,035,000**	**20,736,216**
			Less Internal Service Funds [1]		-	-	-
			NET TRANSFERS		**18,701,216**	**2,035,000**	**20,736,216**

Transfers Out

Co	BU	Obj	Subled		Operating	Capital	Total
010	99110	6923	121	Transfer to Fund 121	1,000,000		1,000,000
010	99110	6923	131	Transfer to Fund 131	424,900		424,900
010	99110	6923	132	Transfer to Fund 132	300,000		300,000
010	99110	6923	151	Transfer to Fund 151	182,000		182,000
010	99110	6923	152	Transfer to Fund 152	112,600		112,600
010	99110	6923	161	Transfer to Fund 161	289,800		289,800
010	99110	6923	183	Transfer to Fund 183	103,400		103,400
010	99110	6923	325	Transfer to Fund 325	254,200		254,200
182	78210	6923	152	Transfer to Fund 152	26,495		26,495
182	78210	6923	184	Transfer to Fund 184	25,305		25,305
201	20110	6923	301	Transfer to Fund 301	1,118,675		1,118,675
203	20310	6923	301	Transfer to Fund 301	254,008		254,008
204	20410	6923	301	Transfer to Fund 301	676,810		676,810
895	91510	6923	301	Transfer to Fund 301	594,998		594,998
313	93710	6923	513	Transfer to Fund 513	38,250		38,250
315	93810	6923	515	Transfer to Fund 515	145,650		145,650
328	92710	6923	528	Transfer to Fund 528	62,500		62,500
329	93410	6923	529	Transfer to Fund 529	54,000		54,000
330	93610	6923	530	Transfer to Fund 530	10,407,900		10,407,900
201	20110	6923	416	Transfer to Fund 416		295,000	295,000
211	21112	6923	418	Transfer to Fund 418		1,740,000	1,740,000
754	75411	6923	321	Transfer to Fund 321	822,025		822,025
895	91510	6923	313	Transfer to Fund 313	279,500		279,500
895	91510	6923	315	Transfer to Fund 315	1,158,200		1,158,200
895	91510	6923	325	Transfer to Fund 325	150,000		150,000
895	91510	6923	328	Transfer to Fund 328	220,000		220,000
			GRAND TOTAL TRANSFERS		**18,701,216**	**2,035,000**	**20,736,216**
			Less Internal Service Funds		822,025	-	822,025
			NET TRANSFERS		**17,879,191**	**2,035,000**	**19,914,191**

(1) These Internal Service Funds (ISF) transfers are costs of ISF services that are charged to all user funds. Therefore, their exclusion from the total budget reflects the true level of City transfers.

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City of Moreno Valley

2010-11 Preliminary Base Operating budget

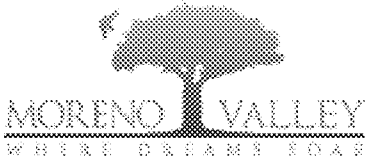

Revenues

CITY OF MORENO VALLEY
Revenue Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	GENERAL FUND	$ 74,632,901	$ 70,303,863	(5.80%)	$ 64,409,549	$ 64,227,743	(8.64%)	$ 59,683,200	(7.34%)
011	DEVELOPMENT SVC FUND	9,168,588	9,973,715	8.78%	4,119,921	3,163,660	(68.28%)	3,597,700	(12.68%)
133	FIRE SVC OPERATIONS FUND	14,046,222	14,709,681	4.72%	6,399,446	5,027,197	(65.82%)	4,473,500	(30.10%)
	TOTAL GENERAL FUND	97,847,711	94,987,259	(2.92%)	74,928,916	72,418,600	(23.76%)	67,754,400	(9.58%)
121	GAS TAX FUND	4,657,323	4,708,679	1.10%	3,545,175	3,829,391	(18.67%)	3,709,500	4.64%
122	SCAG ARTICLE 3 FUND	184,178	79,909	(56.61%)		9,000	(88.74%)	9,000	100.00%
125	MEASURE "A" FUND	6,282,059	5,561,887	(11.46%)	9,223,839	5,177,263	(6.92%)	10,310,820	11.78%
128	ABC-POLICE GRANT FUND	18,463	(5,303)	(128.72%)			(100.00%)		-
129	LLEBG-PD FUND	2,190	11	(99.50%)			(100.00%)		-
130	SLESF-CCAT GRT-PD-AB322	365,661	166,699	(54.41%)	278,356	120,000	(28.01%)	100,000	(64.07%)
131	LIBRARY SERVICES FUND	2,239,470	2,388,862	6.67%	2,167,915	1,948,547	(18.43%)	1,744,600	(19.53%)
132	PUB/EDUC/GOVT ACCESS PR	756,580	741,420	(2.00%)	550,000	550,000	(25.82%)	550,000	-
134	EMPG-EMERGNCY MGMT PREP	67,469	194,213	187.86%	100,000	64,058	(67.02%)	64,000	(36.00%)
136	OTS - POLICE FUND	116,074	102,853	(11.39%)	566,440	473,863	360.72%	107,000	(81.11%)
137	AIR QUALITY MGT FUND	242,787	171,386	(29.41%)	210,492	207,000	20.78%	207,000	(1.66%)
146	CDBG FY 03/04 FUND	1,048		(100.00%)			-		-
147	CDBG FY 04/05 FUND	6,331		(100.00%)			-		-
149	SPCL DIST ADMIN FUND	943,585	967,219	2.50%	985,778	876,539	(9.38%)	783,500	(20.52%)
151	STORM WATER MAINTENANCE	619,566	1,001,072	61.58%	596,891	597,000	(40.36%)	603,400	1.09%
152	STORM WATER MANAGEMENT	1,215,352	777,076	(36.06%)	951,732	874,300	12.51%	928,942	(2.39%)
153	BEVERAGE CONTAINER RECY	46,394	47,342	2.04%	47,349	47,349	0.01%		(100.00%)
157	UBG10 USED OIL RECYCLG	(2)		(100.00%)			-		-
160	CHILD CARE GRANT FUND	763,657	731,787	(4.17%)	940,900	764,400	4.46%	822,300	(12.60%)
161	ZONE "A" PARKS FUND	8,820,737	8,925,136	1.18%	9,031,045	8,574,212	(3.93%)	7,997,589	(11.44%)
162	STARS PROGRAM GRANT FUN	9,168,578	9,020,130	(1.62%)	5,986,902	6,349,412	(29.61%)	5,891,600	(1.59%)
171	ZONE "B" ST LGHT FUND	1,083,776	1,057,961	(2.38%)	1,057,447	1,052,326	(0.53%)	1,046,700	(1.02%)
172	ZONE "C" ART LGHT FUND	603,697	596,621	(1.17%)	584,977	584,922	(1.96%)	580,000	(0.85%)
176	HOME (FEDERAL) FUND	1,023,060	209,267	(79.54%)	379,961	386,203	84.55%	390,000	2.64%
181	ZONE "D" STD LDSC FUND	1,146,946	1,126,941	(1.74%)	1,140,599	1,101,626	(2.25%)	1,142,800	0.19%
182	ZONE "E" EXT LDSC FUND	2,555,459	2,504,156	(2.01%)	2,507,183	2,476,813	(1.09%)	2,475,600	(1.26%)
183	ZONE "M" MEDIAN FUND	217,659	236,600	8.70%	270,967	255,581	8.02%	309,100	14.07%
184	CFD#1	907,450	1,053,599	16.11%	997,760	903,700	(14.23%)	1,006,105	0.84%
185	ZONE "S"	52,344	27,943	(46.62%)	53,986	28,442	1.79%	52,400	(2.94%)
186	CFD #4M	52,500	36,210	(31.03%)	35,000	35,000	(3.34%)	35,000	-
193	EPA GRANT - BOX SPRINGS	63,912	125,903	96.99%	19,578	60,566	(51.89%)		(100.00%)
194	JAG GRANT - CODE FUND	3,835	49,412	1,188.45%	23,595	24,226	(50.97%)		(100.00%)

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CITY OF MORENO VALLEY
Revenue Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
195	WORKFORCE HOUSING PROGR			-	1,200,741	1,200,741	100.00%		(100.00%)
196	ETA JOB TRAINING GRANT			-	121,386	118,886	100.00%		(100.00%)
197	NEIGHBORHOOD STABILIZAT			-	11,390,116	11,390,116	100.00%		(100.00%)
198	HOMELESSNESS PREVENTION			-	732,872	549,654	100.00%	183,218	(75.00%)
199	CDBG RECOVERY ACT OF 20			-	479,292	342,100	100.00%	137,192	(71.38%)
201	ARTERIAL STS DEV IMPACT	8,115,145	398,743	(95.09%)	1,083,400	113,982	(71.41%)	104,700	(90.34%)
202	TRAFFIC SIGS DEV IMPACT	793,431	32,876	(95.86%)	170,729	35,543	8.11%	26,700	(84.36%)
203	FIRE FACIL DEV IMPACT F	155,296	72,748	(53.16%)	78,952	74,113	1.88%	41,100	(47.94%)
204	POLICE FACIL DEV IMPACT	115,955	56,993	(50.85%)	58,984	35,977	(36.87%)	21,800	(63.04%)
205	PARKLD FACIL DEV IMPACT	364,015	90,938	(75.02%)	142,200	166,500	83.09%	90,700	(36.22%)
206	QUIMBY IN-LIEU PARK FEE	165,683	41,402	(75.01%)	90,000	91,700	121.49%	52,600	(41.56%)
207	RECREATN CTR DEV IMPACT	12,272	3,155	(74.29%)	14,436	95,000	2,911.09%	51,900	259.52%
208	LIBRARIES DEV IMPACT FE	273,769	175,188	(36.01%)	116,863	181,000	3.32%	98,700	(15.54%)
209	CITY HALL DEV IMPACT FE	187,405	82,035	(56.23%)	82,380	91,617	11.68%	54,500	(33.84%)
210	CORPORATE YD DEV IMPACT	95,283	13,978	(85.33%)	13,783	29,281	109.48%	16,500	19.71%
211	INTERCHANGE IMPROVMNTS	282,863	158,908	(43.82%)	74,143	63,439	(60.08%)	41,100	(44.57%)
212	MAINTENANCE EQUIPMENT D	7,444	(6,507)	(187.41%)	3,262	4,831	(174.24%)	4,200	28.76%
213	ANIMAL SHELTER DEV IMPA	8,339	10,314	23.68%		11,200	8.59%	6,100	100.00%
225	TRAFF CONGESTION RELIEF	12,110	1,584,679	12,985.71%	1,779,098	1,687,479	6.49%	1,862,944	4.71%
226	PROP 1B	2,902,673		(100.00%)	2,682,869		-		(100.00%)
227	FHWA TRANSIMS		116,444	100.00%	186,556		(100.00%)	186,600	0.02%
228	ECONOMIC STIMULUS FUND			-	1,310,000		-	1,310,000	-
229	EECBG FUND			-	1,684,300		-		(100.00%)
230	2009-DJ-BX-1178 JAG GRA			-	105,989	105,989	100.00%	78,100	(26.31%)
231	ICEP TASK FORCE FUND			-	50,668		-		(100.00%)
233	EMERGENCY SVCS AGENCY F			-			-	14,000	100.00%
258	JAG - PD - 05 FUND	64,310	4	(99.99%)			(100.00%)		-
259	JAG - PD - 07 FUND	85,001		(100.00%)			-		-
260	JAG- PD- 08 FUND		603	100.00%		29,879	4,855.06%		-
261	2008 COPS TECH PRGRM GR		32,355	100.00%		107,589	232.53%		-
262	JAG 2009 SB-59-2366 FUN			-	435,672	435,672	100.00%	435,700	0.01%
271	BUFFER ZONE PROTECTION	(128)		(100.00%)			-		-
280	CDBG FY05/06 FUND	549,115	332,524	(39.44%)	10,000		(100.00%)	10,000	-
281	CDBG FY06/07 FUND	(4,530)	1	(100.02%)			(100.00%)		-
282	CDBG FY07/08 FUND	909,461	388,637	(57.27%)	405,675	402,800	3.64%	14,700	(96.38%)
283	CDBG FY08/09 FUND		1,414,902	100.00%	3,013,471	607,000	(57.10%)	418,652	(86.11%)
284	CDBG FY09/10 FUND			-		1,745,300	100.00%		-

CITY OF MORENO VALLEY
Revenue Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
285	CDBG FY10/11 FUND			-			-	2,000,000	100.00%
290	UBG11 USED OIL RECYCLG	21,857		(100.00%)			-		-
291	UBG12 USED OIL RECYCLG	42,006	785	(98.13%)			(100.00%)		-
292	UBG13 USED OIL RECYCLG	283	44,192	15,515.55%			(100.00%)		-
293	UBG14 USED OIL RECYCLG			-	41,988	18,263	100.00%	27,900	(33.55%)
294	TCA2-06-22 LOCAL GOVT W	10,399		(100.00%)			-		-
295	TRI16-06-1 TARGETED RUB		47,950	100.00%	84,000	28,000	(41.61%)	56,000	(33.33%)
301	2005 LEASE REV BONDS-D	3,575,960	4,403,104	23.13%	2,678,517	2,643,817	(39.96%)	2,644,491	(1.27%)
303	TWNGT IMP DEBT SERV FUN	454,514	3,965,920	772.56%			(100.00%)		-
305	TWNGT REF DEBT SERV FUN	78,950	13,465,179	16,955.32%			(100.00%)		-
313	TWNGT IMPV SPCL TAX REF	4,077,367	1,356,595	(66.73%)	404,628	393,928	(70.96%)	394,000	(2.63%)
315	TWNGT SPCL TAX REFNDG D	13,003,349	5,142,558	(60.45%)	489,726	404,631	(92.13%)	1,158,700	136.60%
316	ASSMT DIST 98-1-DEBT SV	3,249	4,042	24.41%	2,612	2,612	(35.38%)	2,700	3.37%
321	CH COP 97 DEBT SERV FUN	811,498	645,569	(20.45%)	859,540		(100.00%)	822,025	(4.36%)
325	PUB SAFTY BOND DEBT SER	422,035	406,226	(3.75%)	404,169	404,169	(0.51%)	404,200	0.01%
328	AUTOML REFIN-CFD #3 DBT	3,269,386	2,176,282	(33.43%)	2,448,489	2,237,989	2.84%	2,188,100	(10.63%)
329	CFD#5 STONERIDGE DEBT S	356,740	345,045	(3.28%)	382,015	362,115	4.95%	362,200	(5.19%)
330	CFD #4I - INFRA DEBT SR			-	10,600,000		-	12,300,000	16.04%
335	COP 93 DEBT SERV FUND			-			-		-
340	OPA SALES TAX #2 FUND	385,926	394,359	2.19%	350,000		(100.00%)	350,000	-
369	CTRPT 87-4 AGENCY FUND	421,446	242,476	(42.47%)	1,950		(100.00%)	-	(100.00%)
370	MV FOUNDATION - DONATIO	207,626	84,185	(59.45%)			(100.00%)		-
371	ARTS COMMISSION		542	100.00%		1,500	176.75%	1,000	100.00%
380	CELEBRATION PARK ENDOWM	1,789	1,385	(22.58%)	1,000		(100.00%)	1,000	-
381	EQUESTRIAN TRAIL ENDOWM	366	359	(1.91%)			(100.00%)		-
412	FACILITY CONST FUND	1,972,060	2,511,992	27.38%			(100.00%)		-
414	PW GENERAL CAPITAL PROJ	299,171	1,100	(99.63%)	30,900	30,000	2,627.27%	30,900	-
415	TUMF CAPITAL PROJECTS F	2,281,141	7,515,550	229.46%	8,000,000	6,698,670	(10.87%)	6,000,000	(25.00%)
416	DIF ARTERIAL STREETS CA	3,202,852	4,217,246	31.67%	1,838,894	1,838,912	(56.40%)	296,000	(83.90%)
417	DIF TRAFFIC SIGNAL CAPI	834,492	363,117	(56.49%)	1,375,380	1,376,879	279.18%	1,000	(99.93%)
418	DIF INTERCHANGE IMPRV C			-			-	1,740,000	100.00%
434	FIRE SERVICES CAP FUND	459		(100.00%)			-		-
461	PARKS & RECREATION CAP	6,066,113	165,950	(97.26%)			(100.00%)		-
501	2005 LEASE REV BONDS-C	1,540,670	506,746	(67.11%)	100,000		(100.00%)	100,000	-
502	TWNGT B CAP-ADMIN FUND	78,760		(100.00%)			-		-
506	TWNGT REF CAP-ADMIN FUN		392,244	100.00%			(100.00%)		-
512	CTRPT 87-4 CAP-ADMIN FU	181,525	58,787	(67.61%)			(100.00%)		-

CITY OF MORENO VALLEY
Revenue Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
513	TWNGT IMPV SPCL TAX CAP		3,700	100.00%	38,250	38,250	933.78%	38,250	-
515	2007 TWNGT SPCLTAX REF			-	139,750	139,750	100.00%	145,650	4.22%
518	WARNER RANCH ASDST FUND	8,415	9,263	10.08%	8,325	8,325	(10.13%)	8,400	0.90%
528	AUTOMALL CAP-ADMIN FUND	512,462	148,446	(71.03%)	148,940	148,940	0.33%	62,500	(58.04%)
529	CFD#5 STONERIDGE CAP/AD	272,445	72,768	(73.29%)	54,000	54,000	(25.79%)	54,000	-
530	CFD #4I - INFRA CAP/ADM			-	50,000		-	10,407,900	20,715.80%
601	ELECTRIC FUND	9,974,644	12,488,845	25.21%	15,546,492	13,494,317	8.05%	13,869,500	(10.79%)
602	2007 TAXABLE LEASE REV	425,194	994,705	133.94%	41,410	-	(100.00%)	-	(100.00%)
603	2005 LEASE REVENUE BOND		112,731	100.00%		-	(100.00%)	-	-
741	GENERAL LIABILITY INS F	1,432,726	1,292,474	(9.79%)	1,031,201	1,031,201	(20.21%)	1,031,300	0.01%
745	WORKER'S COMP FUND	1,796,878	1,344,853	(25.16%)	870,770	870,770	(35.25%)	870,800	0.00%
750	MANAGEMENT INFO SYSTEM	4,422,786	3,926,115	(11.23%)	4,282,435	4,282,435	9.08%	4,282,600	0.00%
751	CENTRAL SERVICES FUND	114,497	(37,373)	(132.64%)			(100.00%)		-
754	FACILITIES FUND	4,253,956	4,606,852	8.30%	4,211,259	4,211,259	(8.59%)	4,111,400	(2.37%)
755	EQUIPMENT MAINTENANCE F	978,989	825,974	(15.63%)	718,206	718,206	(13.05%)	718,300	0.01%
757	EQUIPMENT REPLACEMENT R	2,217,697	2,332,056	5.16%	2,306,405		(100.00%)	2,306,500	0.00%
891	RDA ADMIN FUND	1,033,174	891,072	(13.75%)		833,505	(6.46%)	-	-
892	RDA CAP PROJECT FUND	179,221	80,356	(55.16%)		1,253,600	1,460.06%	-	-
894	RDA HOUSING FUND	5,501,564	4,970,700	(9.65%)	562,577	4,408,333	(11.31%)	318,500	(43.39%)
895	RDA TAX INCREMENT FUND	14,185,628	13,649,635	(3.78%)	11,434,098	11,066,165	(18.93%)	10,347,604	(9.50%)
896	RDA 2007TABS, Series A	43,857,787	2,846,135	(93.51%)	1,100	-	(100.00%)	1,100	-
897	RDA 2007TABS, SERIES A	42,560,339	908,155	(97.87%)	1,000,000	1,000,000	10.11%	900,000	(10.00%)
898	RDA 2007TABS, Series B	561,197	721,949	28.64%		600,000	(16.89%)	-	-
911	THE DISASTER FUND	10,645		(100.00%)			-		-
	GRAND TOTAL REVENUES	**$ 335,072,994**	**$ 243,242,066**	**(27.41%)**	**$ 217,239,646**	**$ 190,108,268**	**(21.84%)**	**$ 194,237,582**	**(10.59%)**
	Less Internal Service Funds (1)	15,217,529	14,290,951		13,420,276	11,113,871		13,320,900	
	NET REVENUES	**$ 319,855,465**	**$ 228,951,115**	**(28.42%)**	**$ 203,819,370**	**$ 178,994,397**	**(21.82%)**	**$ 180,916,682**	**(11.24%)**

(1) These Internal Service Funds (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.

CITY OF MORENO VALLEY
Revenue Detail by Fund

				2007-08	2008-09		2009-10			2010-11	
Fund #	Object		Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	4110	11	Property Tax - Secured	6,418,161	5,418,069	(15.58%)	5,071,270	4,225,500	(22.01%)	3,588,200	(29.24%)
010	4110	12	Property Tax - Unsecured	222,582	254,095	14.16%	249,930	258,200	1.62%	219,500	(12.18%)
010	4110	13	Property Tax - Prior Years	94,218	107,996	14.62%	57,739	75,000	(30.55%)	64,500	11.71%
010	4110	14	Property Tax - Homeowner Exem	81,872	76,094	(7.06%)	19,247	66,403	(12.74%)	56,500	193.55%
010	4110	16	Property Tax - Teeter/Del Tax	685,799	532,158	(22.40%)	51,615	400,000	(24.83%)	344,000	566.47%
010	4110	20	Property Tax in Lieu-VLF	16,728,600	16,791,078	0.37%	14,100,000	13,670,400	(18.59%)	11,773,400	(16.50%)
010	4121	10	Sales Tax - General	7,216,887	6,521,841	(9.63%)	6,164,916	6,461,250	(0.93%)	6,265,000	1.62%
010	4121	11	Sales Tax - Note No. 1	666,768	468,604	(29.72%)	500,000	500,000	6.70%	400,000	(20.00%)
010	4121	12	Sales Tax - Note No. 2	59,327	394,359	564.72%	380,000	340,000	(13.78%)	380,000	-
010	4121	20	Property Tax in Lieu-Sales Ta	3,751,543	3,067,138	(18.24%)	2,690,084	2,433,750	(20.65%)	2,690,100	0.00%
010	4131		Transient Occupancy Tax	593,009	497,936	(16.03%)	400,000	400,000	(19.67%)	400,000	-
010	4136	10	Business Gross Rcpts - A	465,289	409,872	(11.91%)	344,470	253,000	(38.27%)	344,500	0.01%
010	4136	11	Business Gross Rcpts - B	532,808	525,605	(1.35%)	480,445	325,000	(38.17%)	480,400	(0.01%)
010	4136	12	Business Gross Rcpts - C	112,925	116,225	2.92%	81,585	72,000	(38.05%)	81,600	0.02%
010	4151		Documentary Transfer Tax	575,003	598,084	4.01%	550,000	450,000	(24.76%)	450,000	(18.18%)
010	4161		Utility User's Tax	15,186,616	15,081,286	(0.69%)	14,970,000	15,500,000	2.78%	15,200,000	1.54%
010	4211		Franchise Fees	4,381,882	4,876,055	11.28%	4,329,416	4,730,000	(3.00%)	4,730,000	9.25%
010	4212		Franchise In Lieu Fees	96,816	120,969	24.95%	70,584	70,000	(42.13%)	70,000	(0.83%)
010	4214		Police Fees	243,244	373,325	53.48%	310,000	350,000	(6.25%)	310,000	-
010	4221		Animal ServicesFees	187,139	165,083	(11.79%)	153,000	114,400	(30.70%)	115,000	(24.84%)
010	4225		Parking Control Fees	1,300,405	1,094,064	(15.87%)	1,250,000	1,095,000	0.09%	1,164,000	(6.88%)
010	4226	10	Admin. Citation Fees - Code	157,812	331,965	110.35%	112,000	100,050	(69.86%)	100,000	(10.71%)
010	4226	12	Admin. Citation Fees - PD	115,196	145,750	26.52%	95,000	95,050	(34.79%)	100,000	5.26%
010	4226	13	Admin. Citation Fees - A/C	50,107	34,224	(31.70%)	22,000	16,450	(51.93%)	17,000	(22.73%)
010	4227		Red Light Photo Enf Fees	45,095	330,004	631.80%	200,000		(100.00%)		(100.00%)
010	4230		Special Inspection Fees		97,390	100.00%	54,000	140,000	43.75%	140,000	159.26%
010	4234		Graffiti Abatement Fees	1,175	1,200	2.13%	1,000	1,000	(16.67%)	1,000	-
010	4258	10	Motor Veh-in-Lieu Fees	800,667	865,718	8.12%	400,000	400,000	(53.80%)	360,000	(10.00%)
010	4259		False Alarm Fees	166,921	154,875	(7.22%)	110,000	150,000	(3.15%)	140,000	27.27%
010	4277		Nuisance Abatement Fees	200,956	180,235	(10.31%)	75,000	50,000	(72.26%)	40,000	(46.67%)
010	4278		Solid Waste Delinquencies	2,300	2,300	-	2,000	2,000	(13.04%)	2,300	15.00%
010	4280		Other Fees		193	100.00%			(100.00%)		-
010	4281		First Aid Class Fees	20,295	22,142	9.10%	22,000	22,000	(0.64%)	22,000	-
010	4292		FEMA Cert Fees	810	1,457	79.88%	705	1,200	(17.64%)	800	13.48%
010	4366		Film Permits	1,179	786	(33.33%)			(100.00%)		-
010	4391		Other Permits	1,182	928	(21.49%)			(100.00%)		-
010	4411		Animal Licenses	251,491	287,890	14.47%	249,500	218,500	(24.10%)	220,000	(11.82%)
010	4441		Business License	411,025	364,414	(11.34%)	330,000	300,000	(17.68%)	300,000	(9.09%)
010	4505		Business License Penalty	74,731	50,632	(32.25%)	30,000	30,000	(40.75%)	40,000	33.33%
010	4506		Park'g Cntrl Penalts-Handicap	46,600	76,839	64.89%	55,000	75,000	(2.39%)	75,000	36.36%
010	4510		Animal Services Violations	61,392	30,734	(49.94%)	35,000	33,000	7.37%	33,000	(5.71%)
010	4511		Ani. Control Taxable Sales	11,533	8,292	(28.10%)	8,000	6,000	(27.64%)	6,000	(25.00%)
010	4512		A/C Non-Tax Sales (Adoptions)	47,184	50,730	7.52%	45,000	38,000	(25.09%)	38,000	(15.56%)

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	4513		Ani. Control Forfeited Deposi	11,844	7,252	(38.77%)	11,400	10,200	40.65%	10,000	(12.28%)
010	4514		Animal Services	79,939	84,910	6.22%	87,000	87,000	2.46%	87,000	-
010	4515		Animal Svcs. - Donations	10,572	15	(99.86%)	13,530	10,030	66,766.67%		(100.00%)
010	4517		Civil Penalties		197,697	100.00%		34,000	(82.80%)		-
010	4525		Towngate Mall Police Reim.	401,120	424,522	5.83%	440,555	440,560	3.78%	200,000	(54.60%)
010	4530		In-House Copier Charges		142,452	100.00%			(100.00%)		-
010	4534		Reimbursements-Interfund			-	22,038		-		(100.00%)
010	4539		Car Pool Charges		1,866	100.00%		1,000	(46.41%)		-
010	4540		Developer Reimbursement		164	100.00%			(100.00%)		-
010	4547		CalCard Rebates	33,827	11,614	(65.67%)	9,000	(28,400)	(344.53%)	9,000	-
010	4550		Administrative Charges	571,796	542,928	(5.05%)	2,968,896	2,968,800	446.81%	2,691,500	(9.34%)
010	4551		Donations	(4,337)		(100.00%)			-		-
010	4552		First Aid Class Materials	2,885	3,635	26.00%	3,000	3,000	(17.47%)	3,000	-
010	4555		Reimbursement Agreement		59,893	100.00%	90,000	90,000	50.27%	96,900	7.67%
010	4556	10	Interest Income - Investments	6,165,265	4,214,285	(31.64%)	3,650,000	3,315,000	(21.34%)	3,370,000	(7.67%)
010	4556	11	Interest Income - Other	7,547	5,381	(28.70%)		20,000	271.68%		-
010	4556	13	Interest Inc. - RDA Loan	564,135	721,949	27.97%		560,000	(22.43%)	410,000	100.00%
010	4556	15	Interest Income - Mall Note	800,496	468,604	(41.46%)	400,000	320,000	(31.71%)	400,000	-
010	4556	22	Interest Income - CRC Note	273,182	281,377	3.00%	300,000	285,000	1.29%	298,500	(0.50%)
010	4558		Unrealized Gains/Losses	799,984	(1,019,597)	(227.45%)			(100.00%)		-
010	4563		Lease Payments - Sub-Agents	7,835		(100.00%)			-		-
010	4567		Fixed Asset Trade-In Allow.	11,741		(100.00%)			-		-
010	4568		Fixed Asset Sales/Gains		1,272	100.00%			(100.00%)		-
010	4570		Claims, Judgemnts, Settlmnt	58,289	26,986	(53.70%)		21,500	(20.33%)		-
010	4571		Legal Cost Recovery	2,150	46,564	2,065.77%		15,400	(66.93%)		-
010	4572		Graffiti Restitution	13,289	(3,126)	(123.52%)	2,000		(100.00%)	2,000	-
010	4574		Other Misc. Revenue	48,353	121,636	151.56%	60,000	(32,100)	(126.39%)	60,000	-
010	4587	1	CDBG Reimb- Neighbrhd Policin	119,253	59,261	(50.31%)	35,000	35,000	(40.94%)	35,000	-
010	4587	2	CDBG Reimb- Code Compliance	255,000	255,000	-	366,326	366,300	43.65%		(100.00%)
010	4612		County Grant Revenue	976		(100.00%)			-		-
010	4645		Riverside Co. Landfill Tippin	48,202	42,064	(12.73%)	50,000	48,500	15.30%	48,500	(3.00%)
010	4647		Abandoned Vehicle Abatement	240,890	223,488	(7.22%)	191,000	225,000	0.68%	200,000	4.71%
010	4652		Asset Forfeitures	99,819		(100.00%)			-		-
010	4653		Fines & Forfeitures	1,003,467	1,082,366	7.86%	1,000,000	1,000,000	(7.61%)	1,000,000	-
010	4655		SB90 State Mandated Costs	38,735	173,610	348.20%			(100.00%)		-
010	4660		Reimbursements - Other Govts	976		(100.00%)			-		-
010	4701		Transfers	897,127	1,597,161	78.03%	639,298	963,800	(39.66%)		(100.00%)
GENERAL FUND Total				**74,632,901**	**70,303,863**	(5.80%)	**64,409,549**	**64,227,743**	(8.64%)	**59,683,200**	(7.34%)
011	4226	11	Admin. Citation Fees - B & S	50,757	49,356	(2.76%)	40,000	7,450	(84.91%)	20,000	(50.00%)
011	4230		Special Inspection Fees	6,030	4,711	(21.87%)	4,000	40,200	753.32%	30,000	650.00%
011	4239		Transp Inspection Fees	107,780	10,349	(90.40%)	24,000	24,000	131.91%	14,700	(38.75%)
011	4240		Utility Inspection Fees	50,000	99,000	98.00%			(100.00%)		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
011	4241 10	Bldg. & Safety Plan Check F	894,369	450,517	(49.63%)	350,000	306,300	(32.01%)	350,000	-
011	4241 12	Mechanical Plan Check Fees	150		(100.00%)			-		-
011	4241 15	Fire Plan Check Fees	188,559	109,100	(42.14%)	102,033	87,900	(19.43%)	90,500	(11.30%)
011	4241 16	Engineering Plan Check Fees	2,682,292	1,725,619	(35.67%)	1,087,248	839,300	(51.36%)	927,900	(14.66%)
011	4241 20	Transportation Plan Check Fee	162,149	81,715	(49.60%)	83,000	83,000	1.57%	70,800	(14.70%)
011	4249	Fire Inspection Fees	305,395	168,079	(44.96%)	147,630	109,200	(35.03%)	93,200	(36.87%)
011	4256	Engineering Inspection Fees	1,686,175	963,622	(42.85%)	652,146	376,600	(60.92%)	401,700	(38.40%)
011	4267	Planning Fees	1,117,010	786,394	(29.60%)	850,000	650,000	(17.34%)	850,000	-
011	4280	Other Fees	4,417	1,766	(60.02%)	2,500	1,500	(15.06%)	1,500	(40.00%)
011	4311	Building Permits	1,162,265	896,945	(22.83%)	600,000	484,070	(46.03%)	600,000	-
011	4312	Electrical Permits	157,851	110,593	(29.94%)	60,000	47,100	(57.41%)	35,000	(41.67%)
011	4313	Mechanical Permits	72,860	49,035	(32.70%)	35,000	43,600	(11.08%)	40,000	14.29%
011	4314	Plumbing Permits	102,723	68,378	(33.43%)	45,000	20,200	(70.46%)	22,000	(51.11%)
011	4317	Fire Inspection Permits	10,082	7,289	(27.70%)	4,024	4,400	(39.64%)	4,800	19.28%
011	4331	Sign Permits	30,180	27,266	(9.66%)	15,000	15,900	(41.69%)	16,000	6.67%
011	4351	Encroachment Permits	22,228	14,038	(36.85%)	9,840	21,500	53.16%	21,500	118.50%
011	4355	Grading Permits	4,260	2,868	(32.68%)	1,850	1,230	(57.11%)	1,300	(29.73%)
011	4540	Developer Reimbursement	161,367	1,633	(98.99%)			(100.00%)		-
011	4567	Fixed Asset Trade-In Allow.	3,660		(100.00%)			-		-
011	4570	Claims, Judgemnts, Settlmnt	101,670	40,253	(60.41%)			(100.00%)		-
011	4574	Other Misc. Revenue	8,286	5,085	(38.63%)	6,500		(100.00%)	6,500	-
011	4592	Admin Fees - SB1473		104	100.00%	150	210	101.92%	300	100.00%
011	4701	Transfers	76,073	4,300,000	5,552.47%			(100.00%)		-
DEVELOPMENT SVC FUND Total			**9,168,588**	**9,973,715**	8.78%	**4,119,921**	**3,163,660**	(68.28%)	**3,597,700**	(12.68%)
133	4110 26	Structural Fire Tax	6,858,622	6,401,783	(6.66%)	6,250,200	5,027,197	(21.47%)	4,323,400	(30.83%)
133	4226 14	Admin. Citation Fees - Fire			-	27,500		-		(100.00%)
133	4241 15	Fire Plan Check Fees		274	100.00%			(100.00%)		-
133	4249	Fire Inspection Fees		38,391	100.00%	17,632		(100.00%)	38,300	117.22%
133	4259	False Alarm Fees	14,881	14,961	0.54%	15,500		(100.00%)	11,100	(28.39%)
133	4277	Nuisance Abatement Fees			-	24,000		-	51,300	113.75%
133	4317	Fire Inspection Permits		21	100.00%			(100.00%)		-
133	4563	Lease Payments - Sub-Agents	11,000	12,000	9.09%	12,000		(100.00%)	6,000	(50.00%)
133	4567	Fixed Asset Trade-In Allow.	800		(100.00%)			-		-
133	4574	Other Misc. Revenue		6	100.00%			(100.00%)		-
133	4582	Cell Tower Rental Income	40,577	41,708	2.79%	38,614		(100.00%)	43,400	12.39%
133	4615	Emergency Svc Agncy Fines (Co	44,830	20,909	(53.36%)	14,000		(100.00%)		(100.00%)
133	4701	Transfers	7,075,512	8,179,628	15.60%			(100.00%)		-
FIRE SVC OPERATIONS FUND Total			**14,046,222**	**14,709,681**	4.72%	**6,399,446**	**5,027,197**	(65.82%)	**4,473,500**	(30.10%)
					-			-		-
GRAND TOTAL GENERAL FUND			**97,847,711**	**94,987,259**	(2.92%)	**74,928,916**	**72,418,600**	(23.76%)	**67,754,400**	(9.58%)
					-			-		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
121	4171 10	State Gas Tax 2107	1,428,485	1,314,670	(7.97%)	1,140,000	1,272,320	(3.22%)	1,219,250	6.95%
121	4171 11	State Gas Tax 2107.5	10,000	10,000	-	10,000	10,000	-	10,000	-
121	4171 12	State Gas Tax 2106	693,702	589,622	(15.00%)	570,000	563,080	(4.50%)	609,620	6.95%
121	4171 13	State Gas Tax 2105	1,067,489	987,777	(7.47%)	807,500	954,800	(3.34%)	863,630	6.95%
121	4540	Developer Reimbursement	1,463	306	(79.08%)			(100.00%)		-
121	4556 10	Interest Income - Investments	30,608	9,207	(69.92%)	15,675	5,000	(45.69%)	5,000	(68.10%)
121	4558	Unrealized Gains/Losses	5,804	(2,083)	(135.89%)			(100.00%)		-
121	4570	Claims, Judgemnts, Settlmnt	11,906	20,694	73.81%	1,000	4,155	(79.92%)	1,000	-
121	4574	Other Misc. Revenue	2,073	228	(89.00%)	1,000	20,036	8,687.72%	1,000	-
121	4701	Transfers	1,405,793	1,778,258	26.50%	1,000,000	1,000,000	(43.77%)	1,000,000	-
GAS TAX FUND Total			**4,657,323**	**4,708,679**	1.10%	**3,545,175**	**3,829,391**	(18.67%)	**3,709,500**	4.64%
122	4556 10	Interest Income - Investments	15,818	11,534	(27.08%)		9,000	(21.97%)	9,000	100.00%
122	4558	Unrealized Gains/Losses	2,059	(2,618)	(227.15%)			(100.00%)		-
122	4574	Other Misc. Revenue		1,903	100.00%			(100.00%)		-
122	4651	County Article 3	166,301	69,090	(58.45%)			(100.00%)		-
SCAG ARTICLE 3 FUND Total			**184,178**	**79,909**	(56.61%)	-	**9,000**	(88.74%)	**9,000**	100.00%
125	4540	Developer Reimbursement	66,000		(100.00%)			-		-
125	4550	Administrative Charges	3,720		(100.00%)			-		-
125	4556 10	Interest Income - Investments	498,724	469,173	(5.93%)	300,000	300,000	(36.06%)	300,000	-
125	4556 11	Interest Income - Other		3,514	100.00%			(100.00%)		-
125	4558	Unrealized Gains/Losses	56,394	(98,655)	(274.94%)			(100.00%)		-
125	4574	Other Misc. Revenue	4,394	6,728	53.12%	1,000	1,000	(85.14%)	1,000	-
125	4610	Federal Grant Revenue	4,902	535,698	10,828.15%			(100.00%)		-
125	4611	State Grant Revenue	142,097		(100.00%)	215,820	78,000	100.00%	425,820	97.30%
125	4650	RCTC Sales Tax	4,339,194	3,493,188	(19.50%)	2,705,000	2,279,000	(34.76%)	2,270,000	(16.08%)
125	4659	Federal Reimbursements	1,101,781	1,152,241	4.58%	6,002,019	2,519,263	118.64%	7,314,000	21.86%
125	4701	Transfers	64,853		(100.00%)			-		-
MEASURE "A" FUND Total			**6,282,059**	**5,561,887**	(11.46%)	**9,223,839**	**5,177,263**	(6.92%)	**10,310,820**	11.78%
128	4611	State Grant Revenue	18,463	(5,303)	(128.72%)			(100.00%)		-
ABC-POLICE GRANT FUND Total			**18,463**	**(5,303)**	(128.72%)	-	-	(100.00%)	-	-
129	4558	Unrealized Gains/Losses	2,190	11	(99.50%)			(100.00%)		-
LLEBG-PD FUND Total			**2,190**	**11**	(99.50%)	-	-	(100.00%)	-	-
130	4556 10	Interest Income - Investments	17,610	(736)	(104.18%)	2,505		(100.00%)		(100.00%)
130	4558	Unrealized Gains/Losses	1,032	(4,381)	(524.52%)			(100.00%)		-
130	4611	State Grant Revenue	347,019	171,816	(50.49%)	275,851	120,000	(30.16%)	100,000	(63.75%)
SLESF-CCAT GRT-PD-AB322 Total			**365,661**	**166,699**	(54.41%)	**278,356**	**120,000**	(28.01%)	**100,000**	(64.07%)
131	4110 10	Property Tax - Library	1,900,686	1,769,151	(6.92%)	1,609,500	1,400,000	(20.87%)	1,201,200	(25.37%)
131	4213	Library Fees	57,096	41,460	(27.39%)	33,000	19,000	(54.17%)	33,000	-
131	4508	Library Fines	55,150	56,001	1.54%	56,500	43,600	(22.14%)	56,500	-
131	4551	Donations	907	6,559	623.15%	12,000	25,747	292.54%	2,000	(83.33%)
131	4611	State Grant Revenue	69,324	92,775	33.83%			(100.00%)		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
131	4656		Interlibrary Book Loans		17,868	100.00%	32,000	35,200	97.00%	27,000	(15.63%)
131	4701		Transfers	156,307	405,048	159.14%	424,915	425,000	4.93%	424,900	(0.00%)
	LIBRARY SERVICES FUND Total			**2,239,470**	**2,388,862**	6.67%	**2,167,915**	**1,948,547**	(18.43%)	**1,744,600**	(19.53%)
132	4542		PEG Grant	308,869	359,991	16.55%	250,000	250,000	(30.55%)	250,000	-
132	4701		Transfers	447,711	381,429	(14.80%)	300,000	300,000	(21.35%)	300,000	-
	PUB/EDUC/GOVT ACCESS PR Total			**756,580**	**741,420**	(2.00%)	**550,000**	**550,000**	(25.82%)	**550,000**	-
134	4612		County Grant Revenue	67,469	83,123	23.20%	100,000	64,058	(22.94%)	64,000	(36.00%)
134	4701		Transfers		111,090	100.00%			(100.00%)		-
	EMPG-EMERGNCY MGMT PREP Total			**67,469**	**194,213**	187.86%	**100,000**	**64,058**	(67.02%)	**64,000**	(36.00%)
136	4611		State Grant Revenue	116,074	102,853	(11.39%)	566,440	473,863	360.72%	107,000	(81.11%)
	OTS - POLICE FUND Total			**116,074**	**102,853**	(11.39%)	**566,440**	**473,863**	360.72%	**107,000**	(81.11%)
137	4556	10	Interest Income - Investments	24,288	22,113	(8.96%)	10,492	7,000	(68.34%)	7,000	(33.28%)
137	4558		Unrealized Gains/Losses	2,957	(6,995)	(336.56%)			(100.00%)		-
137	4573		Air Quality Incentives	215,542	155,925	(27.66%)	200,000	200,000	28.27%	200,000	-
137	4574		Other Misc. Revenue		343	100.00%			(100.00%)		-
	AIR QUALITY MGT FUND Total			**242,787**	**171,386**	(29.41%)	**210,492**	**207,000**	20.78%	**207,000**	(1.66%)
146	4610		Federal Grant Revenue	1,048		(100.00%)			-		-
	CDBG FY 03/04 FUND Total			**1,048**	-	(100.00%)	-	-	-	-	-
147	4574		Other Misc. Revenue	(330)		(100.00%)			-		-
147	4610		Federal Grant Revenue	2,271		(100.00%)			-		-
147	4701		Transfers	4,390		(100.00%)			-		-
	CDBG FY 04/05 FUND Total			**6,331**	-	(100.00%)	-	-	-	-	-
149	4280		Other Fees	31,506	13,418	(57.41%)	10,000	9,480	(29.35%)	9,500	(5.00%)
149	4550		Administrative Charges	831,356	875,148	5.27%	933,470	847,350	(3.18%)	761,000	(18.48%)
149	4556	10	Interest Income - Investments	65,158	36,926	(43.33%)	42,308	19,709	(46.63%)	13,000	(69.27%)
149	4558		Unrealized Gains/Losses	10,565	(6,087)	(157.61%)			(100.00%)		-
149	4570		Claims, Judgemnts, Settlmnt		47,814	100.00%			(100.00%)		-
149	4701		Transfers	5,000		(100.00%)			-		-
	SPCL DIST ADMIN FUND Total			**943,585**	**967,219**	2.50%	**985,778**	**876,539**	(9.38%)	**783,500**	(20.52%)
151	4612		County Grant Revenue	365,313	393,587	7.74%	414,913	420,000	6.71%	421,400	1.56%
151	4701		Transfers	254,253	607,485	138.93%	181,978	177,000	(70.86%)	182,000	0.01%
	STORM WATER MAINTENANCE Total			**619,566**	**1,001,072**	61.58%	**596,891**	**597,000**	(40.36%)	**603,400**	1.09%
152	4128		Special Tax Proceeds	(17,500)		(100.00%)			-		-
152	4241	16	Engineering Plan Check Fees	68,854	51,198	(25.64%)	112,478	91,600	78.91%	51,245	(54.44%)
152	4241	18	Plan Chk Fees - WQP/Bioswale	65,261	29,492	(54.81%)	28,734	13,200	(55.24%)	11,850	(58.76%)
152	4248	10	Insp Fees - Construction Site	152,063	33,573	(77.92%)	118,592	48,100	43.27%	50,652	(57.29%)
152	4248	11	Insp Fees - WQP/Bioswales	33,713		(100.00%)	23,706	12,000	100.00%	24,000	1.24%
152	4248	12	Insp Fees - Business		5,627	100.00%	60,324	60,000	966.29%	90,000	49.19%
152	4269	11	Parcel Fees - Teeter/Del	70,239	42,997	(38.78%)			(100.00%)		-
152	4280		Other Fees	3,827		(100.00%)			-		-

MV00054917

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
152	4549		Utility Rates	281,956	346,449	22.87%	368,904	369,000	6.51%	394,300	6.88%
152	4550		Administrative Charges	2,500	13,000	420.00%	2,500	2,500	(80.77%)	2,500	-
152	4612		County Grant Revenue	109,119	117,565	7.74%	123,935	165,300	40.60%	165,300	33.38%
152	4701		Transfers	445,320	137,175	(69.20%)	112,559	112,600	(17.92%)	139,095	23.58%
	STORM WATER MANAGEMENT Total			**1,215,352**	**777,076**	(36.06%)	**951,732**	**874,300**	12.51%	**928,942**	(2.39%)
153	4569		Waste Managmt. Recycling	46,394	47,342	2.04%	47,349	47,349	0.01%		(100.00%)
	BEVERAGE CONTAINER RECY Total			**46,394**	**47,342**	2.04%	**47,349**	**47,349**	0.01%	-	(100.00%)
157	4556	10	Interest Income - Investments	198		(100.00%)			-		-
157	4569		Waste Managmt. Recycling	(439)		(100.00%)			-		-
157	4701		Transfers	239		(100.00%)			-		-
	UBG10 USED OIL RECYCLG Total			**(2)**	-	(100.00%)	-	-	-	-	-
160	4284		Grant Program Fees	31,095	26,542	(14.64%)	26,000	23,000	(13.34%)	25,000	(3.85%)
160	4610		Federal Grant Revenue	5,422	4,734	(12.69%)	4,900	1,400	(70.43%)	2,000	(59.18%)
160	4611		State Grant Revenue	698,432	633,034	(9.36%)	870,000	700,000	10.58%	755,300	(13.18%)
160	4616		FOOD PROGRAM REVENUE	28,708	36,436	26.92%	40,000	40,000	9.78%	40,000	-
160	4701		Transfers		31,041	100.00%			(100.00%)		-
	CHILD CARE GRANT FUND Total			**763,657**	**731,787**	(4.17%)	**940,900**	**764,400**	4.46%	**822,300**	(12.60%)
161	4110	11	Property Tax - Secured	2,029,798	1,898,568	(6.47%)	2,007,900	1,597,477	(15.86%)	1,373,830	(31.58%)
161	4110	12	Property Tax - Unsecured	86,028	98,119	14.05%	104,760	98,144	0.03%	84,404	(19.43%)
161	4110	13	Property Tax - Prior Years	9,553	9,605	0.54%	4,365	4,365	(54.55%)	3,754	(14.00%)
161	4110	14	Property Tax - Homeowner Exem	29,164	28,212	(3.26%)	26,190	25,117	(10.97%)	21,601	(17.52%)
161	4110	16	Property Tax - Teeter/Del Tax	261,141	204,323	(21.76%)	66,348	120,000	(41.27%)	103,200	55.54%
161	4110	18	ERAF	323		(100.00%)			-		-
161	4234		Graffiti Abatement Fees	2,900	3,090	6.55%	4,227	3,600	16.50%	4,000	(5.37%)
161	4241	16	Engineering Plan Check Fees	56,216	13,905	(75.27%)		6,600	(52.54%)	33,600	100.00%
161	4256		Engineering Inspection Fees	19,500	98,586	405.57%	30,000	11,700	(88.13%)	6,000	(80.00%)
161	4269	10	Parcel Fees	4,343,135	4,599,306	5.90%	4,983,038	4,600,000	0.02%	4,335,300	(13.00%)
161	4269	11	Parcel Fees - Teeter/Del	433,073	346,894	(19.90%)	129,758	346,900	0.00%	346,900	167.34%
161	4276	1	Rec Fees-After School Fun Clu	60		(100.00%)			-		-
161	4276	3	Rec Fees-Golf Green Fees	53,260	66,701	25.24%	62,000	60,000	(10.05%)	62,000	-
161	4276	5	Rec Fees-Lights	70,191	116,999	66.69%	100,000	170,000	45.30%	170,000	70.00%
161	4276	6	Rec Fees-Middle School Sports	71,490	8,530	(88.07%)		(50)	(100.59%)		-
161	4276	7	Rec Fees-Mini Camp	98,190	88,928	(9.43%)	99,450	65,000	(26.91%)	80,000	(19.56%)
161	4276	8	Rec Fees-Mobile Stage	675		(100.00%)			-		-
161	4276	9	Rec Fees-Park Reservations	29,066	29,962	3.08%	30,000	29,000	(3.21%)	30,000	-
161	4276	10	Rec Fees-Recreation Center	100	24	(76.00%)			(100.00%)		-
161	4276	11	Rec Fees-Sunshine Social	5,225	10,460	100.19%	9,600	6,000	(42.64%)	7,000	(27.08%)
161	4276	12	Rec Fees-Teen Programs	281	356	26.69%			(100.00%)		-
161	4276	13	Rec Fees-Time for Tots	119,249	116,793	(2.06%)	151,800	110,000	(5.82%)	110,000	(27.54%)
161	4276	14	Rec Fees-Miscellaneous		1,145	100.00%		2,800	144.54%	3,200	100.00%
161	4276	15	Rec Fees-Babysitting	3,563	924	(74.07%)			(100.00%)		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
161	4276	16	Rec Fees-Gym Fees	55,279	32,089	(41.95%)	35,000	25,000	(22.09%)	30,000	(14.29%)
161	4276	17	Rec Fees- Security Guards		4,794	100.00%			(100.00%)		-
161	4280		Other Fees	3,365	6,145	82.62%	3,000	3,000	(51.18%)	3,000	-
161	4283	1	Senior Center Fees-Sr Program	4,681	4,809	2.73%	4,700	5,200	8.13%	5,000	6.38%
161	4283	2	Senior Center Fees-Trips/Tour	577	491	(14.90%)	1,000	500	1.83%	300	(70.00%)
161	4285	1	Ballfields-Long Term Use	51,210	56,608	10.54%	60,000	80,000	41.32%	80,000	33.33%
161	4286		Equestrian Center		385	100.00%			(100.00%)		-
161	4287		Senior Center Rentals	37,952	35,089	(7.54%)	37,000	34,000	(3.10%)	37,000	-
161	4288	2	Adult Sports-Softball	42,810	42,460	(0.82%)	34,700	45,000	5.98%	45,000	29.68%
161	4288	3	Adult Sports-Tournaments		1,500	100.00%		12,000	700.00%	12,000	100.00%
161	4288	5	Adult Sports-Volley ball	2,711	3,828	41.20%	5,000	3,000	(21.63%)	3,000	(40.00%)
161	4288	6	Adult Sports- Soccer		1,900	100.00%		12,000	531.58%	12,000	100.00%
161	4289	1	Youth Sports-Pee Wee Basketba	1,985	3,371	69.82%	9,490	4,000	18.66%	4,000	(57.85%)
161	4289	2	Youth Sports-Spudball	4,344	4,380	0.83%	4,500	5,700	30.14%	5,000	11.11%
161	4289	3	Youth Sports-Youth Basketball	3,811	26,587	597.64%	21,920	45,000	69.26%	45,000	105.29%
161	4289	4	Youth Sports-Yth Flag Footbal	6,303	5,040	(20.04%)	4,956	2,700	(46.43%)	2,500	(49.56%)
161	4289	5	Youth Sports-Pee Wee Flag Ftb			-	3,000	6,500	100.00%	6,500	116.67%
161	4289	6	Youth Sports- Pee Wee Soccer		5,805	100.00%	5,500	6,000	3.36%	6,000	9.09%
161	4289	7	Youth Sports- Junior Soccer		1,649	100.00%	1,500	1,600	(2.97%)	1,600	6.67%
161	4289	8	Youth Sports- Youth Volleybal			-	5,525		-		(100.00%)
161	4289	9	Youth Sports- Youth Soccer			-	8,125	6,000	100.00%	7,000	(13.85%)
161	4290	1	Contract Programs-Adults	20,643	19,666	(4.73%)	18,000	25,000	27.12%	21,000	16.67%
161	4290	2	Contract Programs-Youth	55,634	75,608	35.90%	63,000	100,000	32.26%	90,000	42.86%
161	4290	4	Cntrct Prog-Youth Sports	490		(100.00%)			-		-
161	4291	1	Spl Seasonal Events-4th of Ju	9,087	10,640	17.09%	9,000	7,900	(25.75%)	9,000	-
161	4291	2	Spl Seasonal Events-Christmas	1,677	1,262	(24.75%)	1,320	1,200	(4.91%)	1,200	(9.09%)
161	4291	3	Spl Seasonal Events-Easter	1,967	3,402	72.95%	2,000	2,500	(26.51%)	2,500	25.00%
161	4291	4	Spl Seasonal Events-Youth Fes		1,150	100.00%	1,000	700	(39.13%)	1,000	-
161	4294	1	Skate Park Fees	17,635	39,378	123.29%	22,000	22,000	(44.13%)	22,000	-
161	4294	2	Skate Park Equipt Rental	3,254	6,102	87.52%	5,000	5,000	(18.06%)	5,000	-
161	4294	5	Skate Park - Snacks		467	100.00%	10,000	15,500	3,219.06%	15,000	50.00%
161	4296		Registration Fees		9,547	100.00%	10,000	13,500	41.41%	14,000	40.00%
161	4523	1	Golf Sales: Cart/Club Rental	2,230	1,292	(42.06%)	1,300	800	(38.08%)	800	(38.46%)
161	4523	2	Golf Sales: Misc. Equip/Supp	1,693	1,007	(40.52%)	930	200	(80.14%)	200	(78.49%)
161	4523	3	Golf Sales: Soda/Beer/Food	657	491	(25.27%)	1,000	100	(79.63%)	100	(90.00%)
161	4543		Pepsi Revenue		15,950	100.00%	15,950	9,900	(37.93%)	15,000	(5.96%)
161	4548	1	Towngate Center Rentals	68,881	57,013	(17.23%)	60,000	51,000	(10.55%)	50,000	(16.67%)
161	4548	2	CRC Banquet Rm. Rentals	249,736	216,543	(13.29%)	180,000	180,000	(16.88%)	180,000	-
161	4548	3	Mobile Home Rentals	4,800	6,000	25.00%	4,800	4,800	(20.00%)	4,800	-
161	4548	5	Headstart Rent	600		(100.00%)			-		-
161	4551		Donations	9,475	16,799	77.30%	10,000	5,000	(70.24%)	10,000	-
161	4556	10	Interest Income - Investments	(22,679)	25,054	(210.47%)		14,000	(44.12%)		-
161	4558		Unrealized Gains/Losses	1,463	(6,942)	(574.50%)			(100.00%)		-

MV00054919

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
161	4563		Lease Payments - Sub-Agents	42,859	45,905	7.11%	45,714	46,000	0.21%	48,000	5.00%
161	4567		Fixed Asset Trade-in Allow.	2,575		(100.00%)			-		-
161	4568		Fixed Asset Sales/Gains		175,000	100.00%			(100.00%)		-
161	4570		Claims, Judgemnts, Settlmnt	3,641	112	(96.92%)		1,600	1,328.57%		-
161	4574		Other Misc. Revenue	2,859	131	(95.42%)	500	200	52.67%	500	-
161	4582		Cell Tower Rental Income	67,551	98,399	45.67%	137,720	134,000	36.18%	138,000	0.20%
161	4586		Metrolink Ticket Sales	90		(100.00%)			-		-
161	4591	2	Donations - Sponsorship			-		2,000	100.00%		-
161	4614		Other Grant Revenue	3,000		(100.00%)			-		-
161	4701		Transfers	333,710	126,800	(62.00%)	377,459	377,459	197.68%	289,800	(23.22%)
ZONE "A" PARKS FUND Total				**8,820,737**	**8,925,136**	1.18%	**9,031,045**	**8,574,212**	(3.93%)	**7,997,589**	(11.44%)
162	4556	10	Interest Income - Investments	148,477	25,655	(82.72%)	52,000	25,000	(2.55%)	25,000	(51.92%)
162	4558		Unrealized Gains/Losses	8,672	1,247	(85.62%)			(100.00%)		-
162	4574		Other Misc. Revenue	375	24,850	6,526.67%	8,000	3,000	(87.93%)	3,000	(62.50%)
162	4587	3	CDBG Reimb- ASES Transportatn	6,680		(100.00%)			-		-
162	4598	1	Contributions - FY06/07	54,849	1,452,998	2,549.09%			(100.00%)		-
162	4598	2	Contributions - FY07/08	91,700	1,916,977	1,990.49%			(100.00%)		-
162	4598	3	Contributions - FY08/09		447,210	100.00%	1,383,000	1,822,212	307.46%	1,364,400	(1.34%)
162	4611		State Grant Revenue	8,606,150	4,802,074	(44.20%)	4,149,000	4,093,200	(14.76%)	4,093,200	(1.34%)
162	4616		FOOD PROGRAM REVENUE	251,675	349,119	38.72%	394,902	406,000	16.29%	406,000	2.81%
STARS PROGRAM GRANT FUN Total				**9,168,578**	**9,020,130**	(1.62%)	**5,986,902**	**6,349,412**	(29.61%)	**5,891,600**	(1.59%)
171	4110	11	Property Tax - Secured	103,540	97,116	(6.20%)	106,845	106,845	10.02%	106,900	0.05%
171	4110	12	Property Tax - Unsecured	4,515	4,990	10.52%	8,000	8,000	60.32%	8,000	-
171	4110	13	Property Tax - Prior Years	501	546	8.98%			(100.00%)		-
171	4110	14	Property Tax - Homeowner Exem	1,483	1,441	(2.83%)	1,200	1,200	(16.72%)	1,200	-
171	4110	16	Property Tax - Teeter/Del Tax	12,664	10,423	(17.70%)			(100.00%)		-
171	4253		Advanced Energy Fees	14,610	1,840	(87.41%)	3,500	665	(63.86%)	700	(80.00%)
171	4269	10	Parcel Fees	807,443	861,683	6.72%	854,756	854,801	(0.80%)	854,900	0.02%
171	4269	11	Parcel Fees - Teeter/Del	98,210	68,103	(30.66%)	75,000	75,000	10.13%	75,000	-
171	4280		Other Fees	767	790	3.00%	750		(100.00%)		(100.00%)
171	4556	10	Interest Income - Investments	33,594	15,214	(54.71%)	7,396	5,815	(61.78%)		(100.00%)
171	4558		Unrealized Gains/Losses	6,449	(4,185)	(164.89%)			(100.00%)		-
ZONE "B" ST LGHT FUND Total				**1,083,776**	**1,057,961**	(2.38%)	**1,057,447**	**1,052,326**	(0.53%)	**1,046,700**	(1.02%)
172	4110	11	Property Tax - Secured	125,114	120,973	(3.31%)	135,600	135,600	12.09%	134,300	(0.96%)
172	4110	12	Property Tax - Unsecured	5,635	6,082	7.93%	5,000	5,000	(17.79%)	4,000	(20.00%)
172	4110	13	Property Tax - Prior Years	626	1,796	186.90%			(100.00%)		-
172	4110	14	Property Tax - Homeowner Exem	1,808	1,815	0.39%	1,500	1,500	(17.36%)	1,000	(33.33%)
172	4110	16	Property Tax - Teeter/Del Tax	16,169	13,129	(18.80%)			(100.00%)		-
172	4110	18	ERAF	21		(100.00%)			-		-
172	4253		Advanced Energy Fees	6,303	4,511	(28.43%)	2,300	5,205	15.38%	5,600	143.48%
172	4269	10	Parcel Fees	368,316	396,311	7.60%	393,544	391,560	(1.20%)	391,600	(0.49%)
172	4269	11	Parcel Fees - Teeter/Del	48,001	33,470	(30.27%)	35,000	34,500	3.08%	34,500	(1.43%)

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
172	4556 10	Interest Income - Investments	27,454	19,214	(30.01%)	12,033	11,557	(39.85%)	9,000	(25.21%)
172	4558	Unrealized Gains/Losses	4,250	(680)	(116.00%)			(100.00%)		-
ZONE "C" ART LGHT FUND Total			**603,697**	**596,621**	(1.17%)	**584,977**	**584,922**	(1.96%)	**580,000**	(0.85%)
176	4556 13	Interest Inc. - RDA Loan			-		100	100.00%		-
176	4556 16	Interest Income - HILP	1,770		(100.00%)			-		-
176	4556 20	Interest Inc. - Rental Rehab	19,634		(100.00%)			-		-
176	4562 1	Princ. Repayment- HILP	18,268		(100.00%)			-		-
176	4562 5	Princ. Repayment- Rental Reha	1,881	10,346	450.03%		4,703	(54.54%)		-
176	4599	Revenue Close to Bal Sheet		(37,079)	100.00%			(100.00%)		-
176	4610	Federal Grant Revenue	981,507	236,000	(75.96%)	379,961	381,400	61.61%	390,000	2.64%
HOME (FEDERAL) FUND Total			**1,023,060**	**209,267**	(79.54%)	**379,961**	**386,203**	84.55%	**390,000**	2.64%
181	4235	Landscape Inspection Fees	38,322		(100.00%)			-	35,000	100.00%
181	4241 14	Landscape Plan Check Fees			-	10,000	8,000	100.00%	15,000	50.00%
181	4269 10	Parcel Fees	970,047	1,064,658	9.75%	1,031,944	999,445	(6.13%)	999,500	(3.14%)
181	4269 11	Parcel Fees - Teeter/Del	125,985	83,441	(33.77%)	92,000	92,000	10.26%	92,000	-
181	4280	Other Fees	46		(100.00%)		125	100.00%		-
181	4556 10	Interest Income - Investments	9,026	3,437	(61.92%)	6,655	2,056	(40.18%)	1,300	(80.47%)
181	4558	Unrealized Gains/Losses	1,807	(25,075)	(1,487.66%)			(100.00%)		-
181	4570	Claims, Judgemnts, Settlmnt	1,713		(100.00%)			-		-
181	4574	Other Misc. Revenue		480	100.00%			(100.00%)		-
ZONE "D" STD LDSC FUND Total			**1,146,946**	**1,126,941**	(1.74%)	**1,140,599**	**1,101,626**	(2.25%)	**1,142,800**	0.19%
182	4235	Landscape Inspection Fees	11,438		(100.00%)			-		-
182	4241 14	Landscape Plan Check Fees	13,743	1,660	(87.92%)	8,000		(100.00%)		(100.00%)
182	4269 10	Parcel Fees	2,013,741	2,219,469	10.22%	2,211,365	2,211,041	(0.38%)	2,211,100	(0.01%)
182	4269 11	Parcel Fees - Teeter/Del	327,363	170,322	(47.97%)	192,000	192,000	12.73%	192,000	-
182	4280	Other Fees	1,017	206	(79.74%)	100	238	15.53%	100	-
182	4555	Reimbursement Agreement	2,369	2,425	2.36%	2,400	2,768	14.14%	2,800	16.67%
182	4556 10	Interest Income - Investments	159,075	112,878	(29.04%)	93,318	70,766	(37.31%)	69,600	(25.42%)
182	4558	Unrealized Gains/Losses	24,862	(4,083)	(116.42%)			(100.00%)		-
182	4570	Claims, Judgemnts, Settlmnt	1,642		(100.00%)			-		-
182	4574	Other Misc. Revenue	209	1,279	511.96%			(100.00%)		-
ZONE "E" EXT LDSC FUND Total			**2,555,459**	**2,504,156**	(2.01%)	**2,507,183**	**2,476,813**	(1.09%)	**2,475,600**	(1.26%)
183	4235	Landscape Inspection Fees	45,490	11,853	(73.94%)	34,500	12,000	1.24%	48,000	39.13%
183	4241 14	Landscape Plan Check Fees	778	27,620	3,450.13%	20,000	12,000	(56.55%)	30,000	50.00%
183	4269 10	Parcel Fees	61,914	87,976	42.09%	101,054	118,181	34.33%	118,200	16.97%
183	4269 11	Parcel Fees - Teeter/Del	2,250	5,751	155.60%	8,000	8,000	39.11%	8,000	-
183	4280	Other Fees	1,490		(100.00%)			-		-
183	4556 10	Interest Income - Investments			-	4,013	2,000	100.00%	1,500	(62.62%)
183	4570	Claims, Judgemnts, Settlmnt	2,337		(100.00%)			-		-
183	4701	Transfers	103,400	103,400	-	103,400	103,400	-	103,400	-
ZONE "M" MEDIAN FUND Total			**217,659**	**236,600**	8.70%	**270,967**	**255,581**	8.02%	**309,100**	14.07%

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
184	4128		Special Tax Proceeds	839,028	1,017,266	21.24%	959,760	865,700	(14.90%)	967,800	0.84%
184	4556	10	Interest Income - Investments	14,117	16,172	14.56%	13,000	13,000	(19.61%)	13,000	-
184	4558		Unrealized Gains/Losses	1,930	(339)	(117.56%)			(100.00%)		-
184	4701		Transfers	52,375	20,500	(60.86%)	25,000	25,000	21.95%	25,305	1.22%
CFD#1 Total				**907,450**	**1,053,599**	16.11%	**997,760**	**903,700**	(14.23%)	**1,006,105**	0.84%
185	4269	10	Parcel Fees	50,805	24,700	(51.38%)	47,342	25,942	5.03%	47,400	0.12%
185	4269	11	Parcel Fees - Teeter/Del	1,539	1,471	(4.42%)	5,000	2,000	35.96%	5,000	-
185	4280		Other Fees		100	100.00%			(100.00%)		-
185	4556	10	Interest Income - Investments		1,672	100.00%	1,644	500	(70.10%)		(100.00%)
ZONE "S" Total				**52,344**	**27,943**	(46.62%)	**53,986**	**28,442**	1.79%	**52,400**	(2.94%)
186	4269	10	Parcel Fees	52,500	35,000	(33.33%)	32,000	32,000	(8.57%)	32,000	-
186	4269	11	Parcel Fees - Teeter/Del			-	3,000	3,000	100.00%	3,000	-
186	4556	10	Interest Income - Investments		1,210	100.00%			(100.00%)		-
CFD #4M Total				**52,500**	**36,210**	(31.03%)	**35,000**	**35,000**	(3.34%)	**35,000**	-
193	4556	10	Interest Income - Investments	7,096	1,709	(75.92%)	500	550	(67.82%)		(100.00%)
193	4558		Unrealized Gains/Losses	772	(346)	(144.82%)			(100.00%)		-
193	4585		EPA Grant - Box Springs Water	56,044	124,540	122.22%	19,078	60,016	(51.81%)		(100.00%)
EPA GRANT - BOX SPRINGS Total				**63,912**	**125,903**	96.99%	**19,578**	**60,566**	(51.89%)	-	(100.00%)
194	4556	10	Interest Income - Investments	3,320	2,179	(34.37%)		631	(71.04%)		-
194	4558		Unrealized Gains/Losses	515	(172)	(133.40%)			(100.00%)		-
194	4610		Federal Grant Revenue		47,405	100.00%	23,595	23,595	(50.23%)		(100.00%)
JAG GRANT - CODE FUND Total				**3,835**	**49,412**	1,188.45%	**23,595**	**24,226**	(50.97%)	-	(100.00%)
195	4610		Federal Grant Revenue			-	1,200,741	1,200,741	100.00%		(100.00%)
WORKFORCE HOUSING PROGR Total				-	-	-	**1,200,741**	**1,200,741**	100.00%	-	(100.00%)
196	4556	10	Interest Income - Investments			-	2,500		-		(100.00%)
196	4610		Federal Grant Revenue			-	118,886	118,886	100.00%		(100.00%)
ETA JOB TRAINING GRANT Total				-	-	-	**121,386**	**118,886**	100.00%	-	(100.00%)
197	4610		Federal Grant Revenue			-	11,390,116	11,390,116	100.00%		(100.00%)
NEIGHBORHOOD STABILIZAT Total				-	-	-	**11,390,116**	**11,390,116**	100.00%	-	(100.00%)
198	4610		Federal Grant Revenue			-	732,872	549,654	100.00%	183,218	(75.00%)
HOMELESSNESS PREVENTION Total				-	-	-	**732,872**	**549,654**	100.00%	**183,218**	(75.00%)
199	4610		Federal Grant Revenue			-	479,292	342,100	100.00%	137,192	(71.38%)
CDBG RECOVERY ACT OF 20 Total				-	-	-	**479,292**	**342,100**	100.00%	**137,192**	(71.38%)
201	4250	10	Dev Impact Fee: Res-Single	188,839	1,586	(99.16%)	72,496	33,800	2,031.15%	18,500	(74.48%)
201	4250	11	Dev Impact Fee: Res-Multiple	126,840	111,366	(12.20%)	202,944	96,600	(13.26%)	52,700	(74.03%)
201	4250	12	Dev Impact Fee: Comm-Nhbd/Com	131,228	141,178	7.58%	118,298	(77,718)	(155.05%)		(100.00%)
201	4250	13	Dev Impact Fee: Comm-Regional	19,675		(100.00%)			-		-
201	4250	15	Dev Impact Fee: Indust-Genera			-	640,500		-		(100.00%)
201	4250	16	Dev Impact Fee: Office	82,505	8,412	(89.80%)			(100.00%)		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
201	4556 10	Interest Income - Investments	284,227	134,764	(52.59%)	49,162	61,300	(54.51%)	33,500	(31.86%)
201	4558	Unrealized Gains/Losses	67,432	(70)	(100.10%)			(100.00%)		-
201	4570	Claims, Judgemnts, Settlmnt		1,507	100.00%			(100.00%)		-
201	4701	Transfers	7,214,399		(100.00%)			-		-
	ARTERIAL STS DEV IMPACT Total		**8,115,145**	**398,743**	(95.09%)	**1,083,400**	**113,982**	(71.41%)	**104,700**	(90.34%)
202	4250 10	Dev Impact Fee: Res-Single	26,374	199	(99.25%)	9,072	6,100	2,965.33%	3,400	(62.52%)
202	4250 11	Dev Impact Fee: Res-Multiple	794	13,101	1,550.00%	25,408	26,100	99.22%	14,300	(43.72%)
202	4250 12	Dev Impact Fee: Comm-Nhbd/Com	28,665	20,561	(28.27%)	17,895	(11,757)	(157.18%)		(100.00%)
202	4250 13	Dev Impact Fee: Comm-Regional	3,907		(100.00%)			-		-
202	4250 15	Dev Impact Fee: Indust-Genera	149,248		(100.00%)	97,000		-		(100.00%)
202	4250 16	Dev Impact Fee: Office	12,455	1,270	(89.80%)	4,392		(100.00%)		(100.00%)
202	4556 10	Interest Income - Investments	44,786	32,087	(28.35%)	16,962	15,100	(52.94%)	9,000	(46.94%)
202	4558	Unrealized Gains/Losses	13,300	(34,342)	(358.21%)			(100.00%)		-
202	4701	Transfers	513,902		(100.00%)			-		-
	TRAFFIC SIGS DEV IMPACT Total		**793,431**	**32,876**	(95.86%)	**170,729**	**35,543**	8.11%	**26,700**	(84.36%)
203	4250 10	Dev Impact Fee: Res-Single	26,952	27,431	1.78%	10,400	40,500	47.64%	22,000	111.54%
203	4250 11	Dev Impact Fee: Res-Multiple	10,440	9,166	(12.20%)	16,704	10,100	10.19%	5,500	(67.07%)
203	4250 12	Dev Impact Fee: Comm-Nhbd/Com	3,382	8,809	160.47%	2,111	(1,387)	(115.75%)		(100.00%)
203	4250 13	Dev Impact Fee: Comm-Regional	7,028	3,511	(50.04%)			(100.00%)		-
203	4250 15	Dev Impact Fee: Indust-Genera	44,621		(100.00%)	29,000		-		(100.00%)
203	4250 16	Dev Impact Fee: Office	2,878	293	(89.82%)	660		(100.00%)		(100.00%)
203	4556 10	Interest Income - Investments	51,883	32,087	(38.16%)	20,077	24,900	(22.40%)	13,600	(32.26%)
203	4558	Unrealized Gains/Losses	8,112	(8,549)	(205.39%)			(100.00%)		-
	FIRE FACIL DEV IMPACT F Total		**155,296**	**72,748**	(53.16%)	**78,952**	**74,113**	1.88%	**41,100**	(47.94%)
204	4250 10	Dev Impact Fee: Res-Single	19,347	19,672	1.68%	7,424	29,000	47.42%	15,800	112.82%
204	4250 11	Dev Impact Fee: Res-Multiple	14,720	12,924	(12.20%)	23,552	11,000	(14.89%)	6,000	(74.52%)
204	4250 12	Dev Impact Fee: Comm-Nhbd/Com	9,809	25,546	160.43%	6,123	(4,023)	(115.75%)		(100.00%)
204	4250 13	Dev Impact Fee: Comm-Regional	12,495	6,241	(50.05%)			(100.00%)		-
204	4250 15	Dev Impact Fee: Indust-Genera	32,311		(100.00%)	21,000		-		(100.00%)
204	4250 16	Dev Impact Fee: Office	4,896	499	(89.81%)	885		(100.00%)		(100.00%)
204	4556 10	Interest Income - Investments	22,769		(100.00%)			-		-
204	4558	Unrealized Gains/Losses	(392)	(7,889)	1,912.50%			(100.00%)		-
	POLICE FACIL DEV IMPACT Total		**115,955**	**56,993**	(50.85%)	**58,984**	**35,977**	(36.87%)	**21,800**	(63.04%)
205	4250 10	Dev Impact Fee: Res-Single	96,052	1,362	(98.58%)	45,000	4,900	259.77%	2,700	(94.00%)
205	4250 11	Dev Impact Fee: Res-Multiple	108,920	38,122	(65.00%)	40,500	115,800	203.76%	63,000	55.56%
205	4556 10	Interest Income - Investments	120,835	51,339	(57.51%)	56,700	45,800	(10.79%)	25,000	(55.91%)
205	4558	Unrealized Gains/Losses	38,208	115	(99.70%)			(100.00%)		-
	PARKLD FACIL DEV IMPACT Total		**364,015**	**90,938**	(75.02%)	**142,200**	**166,500**	83.09%	**90,700**	(36.22%)
206	4250 10	Dev Impact Fee: Res-Single	58,534	817	(98.60%)	34,650	3,000	267.20%	1,600	(95.38%)
206	4250 11	Dev Impact Fee: Res-Multiple	3,268		(100.00%)		47,300	100.00%	28,400	100.00%
206	4556 10	Interest Income - Investments	79,481	54,547	(31.37%)	55,350	41,400	(24.10%)	22,600	(59.17%)

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
206	4558	Unrealized Gains/Losses	24,400	(13,962)	(157.22%)			(100.00%)		-
	QUIMBY IN-LIEU PARK FEE Total		**165,683**	**41,402**	(75.01%)	**90,000**	**91,700**	121.49%	**52,600**	(41.56%)
207	4250 10	Dev Impact Fee: Res-Single	8,878	8,191	(7.74%)	5,310	12,700	55.05%	7,000	31.83%
207	4250 11	Dev Impact Fee: Res-Multiple	6,760	7,943	17.50%	9,126	82,300	936.13%	44,900	392.00%
207	4556 10	Interest Income - Investments			-			-		-
207	4558	Unrealized Gains/Losses	(3,366)	(12,979)	285.59%			(100.00%)		-
	RECREATN CTR DEV IMPACT Total		**12,272**	**3,155**	(74.29%)	**14,436**	**95,000**	2,911.09%	**51,900**	259.52%
208	4250 10	Dev Impact Fee: Res-Single	33,005	34,502	4.54%	13,008	50,800	47.24%	27,700	112.95%
208	4250 11	Dev Impact Fee: Res-Multiple	28,480	25,005	(12.20%)	45,568	44,700	78.76%	24,400	(46.45%)
208	4556 10	Interest Income - Investments	177,626	115,512	(34.97%)	58,287	85,500	(25.98%)	46,600	(20.05%)
208	4558	Unrealized Gains/Losses	34,658	169	(99.51%)			(100.00%)		-
	LIBRARIES DEV IMPACT FE Total		**273,769**	**175,188**	(36.01%)	**116,863**	**181,000**	3.32%	**98,700**	(15.54%)
209	4250 10	Dev Impact Fee: Res-Single	24,808	22,324	(10.01%)	8,464	34,800	55.89%	20,800	145.75%
209	4250 11	Dev Impact Fee: Res-Multiple	8,480	9,964	17.50%	13,568	11,000	10.40%	6,000	(55.78%)
209	4250 12	Dev Impact Fee: Comm-Nhbd/Com	3,129	8,148	160.40%	1,953	(1,283)	(115.75%)	2,000	2.41%
209	4250 13	Dev Impact Fee: Comm-Regional	8,200	4,096	(50.05%)			(100.00%)		-
209	4250 15	Dev Impact Fee: Indust-Genera	40,005		(100.00%)	26,000		-		(100.00%)
209	4250 16	Dev Impact Fee: Office	2,663	272	(89.79%)			(100.00%)		-
209	4556 10	Interest Income - Investments	80,769	64,173	(20.55%)	32,395	47,100	(26.60%)	25,700	(20.67%)
209	4558	Unrealized Gains/Losses	19,351	(26,942)	(239.23%)			(100.00%)		-
	CITY HALL DEV IMPACT FE Total		**187,405**	**82,035**	(56.23%)	**82,380**	**91,617**	11.68%	**54,500**	(33.84%)
210	4250 10	Dev Impact Fee: Res-Single	13,738	12,576	(8.46%)	4,768	19,600	55.85%	10,700	124.41%
210	4250 11	Dev Impact Fee: Res-Multiple	33,225	5,593	(83.17%)	7,616	9,700	73.43%	5,300	(30.41%)
210	4250 12	Dev Impact Fee: Comm-Nhbd/Com	2,241	5,836	160.42%	1,399	(919)	(115.75%)		(100.00%)
210	4250 13	Dev Impact Fee: Comm-Regional	8,004	3,998	(50.05%)			(100.00%)		-
210	4250 16	Dev Impact Fee: Office	1,847	188	(89.82%)			(100.00%)		-
210	4556 10	Interest Income - Investments	28,589	696	(97.57%)		900	29.31%	500	100.00%
210	4558	Unrealized Gains/Losses	7,639	(14,909)	(295.17%)			(100.00%)		-
	CORPORATE YD DEV IMPACT Total		**95,283**	**13,978**	(85.33%)	**13,783**	**29,281**	109.48%	**16,500**	19.71%
211	4250 10	Dev Impact Fee: Res-Single	25,152	22,192	(11.77%)	8,384	34,500	55.46%	18,800	124.24%
211	4250 11	Dev Impact Fee: Res-Multiple	734	12,111	1,550.00%	23,488	3,200	(73.58%)	1,800	(92.34%)
211	4250 12	Dev Impact Fee: Comm-Nhbd/Com	28,919	75,317	160.44%	18,053	(11,861)	(115.75%)		(100.00%)
211	4250 15	Dev Impact Fee: Indust-Genera	150,017		(100.00%)			-		-
211	4250 16	Dev Impact Fee: Office	12,584	1,283	(89.80%)			(100.00%)		-
211	4556 10	Interest Income - Investments	58,257	48,130	(17.38%)	24,218	37,600	(21.88%)	20,500	(15.35%)
211	4558	Unrealized Gains/Losses	7,200	(125)	(101.74%)			(100.00%)		-
	INTERCHANGE IMPROVMNTS Total		**282,863**	**158,908**	(43.82%)	**74,143**	**63,439**	(60.08%)	**41,100**	(44.57%)
212	4250 10	Dev Impact Fee: Res-Single	2,400	2,110	(12.08%)	800	3,300	56.40%	1,800	125.00%
212	4250 11	Dev Impact Fee: Res-Multiple	40	660	1,550.00%		200	(69.70%)	100	100.00%
212	4250 12	Dev Impact Fee: Comm-Nhbd/Com	169	440	160.36%		(69)	(115.68%)		-
212	4250 15	Dev Impact Fee: Indust-Genera	2,308		(100.00%)	1,500		-	1,500	-

CITY OF MORENO VALLEY
Revenue Detail by Fund

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212	4250 16	Dev Impact Fee: Office	172	18	(89.53%)			(100.00%)		-
212	4556 10	Interest Income - Investments	2,098	2,014	(4.00%)	962	1,400	(30.49%)	800	(16.84%)
212	4558	Unrealized Gains/Losses	257	(11,749)	(4,671.60%)			(100.00%)		-
	MAINTENANCE EQUIPMENT D Total		**7,444**	**(6,507)**	(187.41%)	**3,262**	**4,831**	(174.24%)	**4,200**	28.76%
213	4250 10	Dev Impact Fee: Res-Single	7,296	6,451	(11.58%)		10,000	55.01%	5,500	100.00%
213	4250 11	Dev Impact Fee: Res-Multiple	266	4,389	1,550.00%		1,200	(72.66%)	600	100.00%
213	4558	Unrealized Gains/Losses	777	(526)	(167.70%)			(100.00%)		-
	ANIMAL SHELTER DEV IMPA Total		**8,339**	**10,314**	23.68%	**-**	**11,200**	8.59%	**6,100**	100.00%
225	4556 10	Interest Income - Investments		29,106	100.00%	40,000	32,000	9.94%	32,000	(20.00%)
225	4558	Unrealized Gains/Losses	12,110	(5,026)	(141.50%)			(100.00%)		-
225	4611	State Grant Revenue		1,560,599	100.00%	1,739,098	1,655,479	6.08%	1,830,944	5.28%
	TRAFF CONGESTION RELIEF Total		**12,110**	**1,584,679**	12,985.71%	**1,779,098**	**1,687,479**	6.49%	**1,862,944**	4.71%
226	4661	Prop 1B	2,902,673		(100.00%)	2,682,869		-		(100.00%)
	PROP 1B Total		**2,902,673**	**-**	(100.00%)	**2,682,869**	**-**	-	**-**	(100.00%)
227	4659	Federal Reimbursements		93,944	100.00%	186,556		(100.00%)	186,600	0.02%
227	4701	Transfers		22,500	100.00%			(100.00%)		-
	FHWA TRANSIMS Total		**-**	**116,444**	100.00%	**186,556**	**-**	(100.00%)	**186,600**	0.02%
228	4556 10	Interest Income - Investments			-	10,000		-	10,000	-
228	4610	Federal Grant Revenue			-	1,300,000		-	1,300,000	-
	ECONOMIC STIMULUS FUND Total		**-**	**-**	-	**1,310,000**	**-**	-	**1,310,000**	-
229	4610	Federal Grant Revenue			-	1,684,300		-		(100.00%)
	EECBG FUND Total		**-**	**-**	-	**1,684,300**	**-**	-	**-**	(100.00%)
230	4610	Federal Grant Revenue			-	105,989	105,989	100.00%	78,100	(26.31%)
	2009-DJ-BX-1178 JAG GRA Total		**-**	**-**	-	**105,989**	**105,989**	100.00%	**78,100**	(26.31%)
231	4555	Reimbursement Agreement			-	50,668		-		(100.00%)
	ICEP TASK FORCE FUND Total		**-**	**-**	-	**50,668**	**-**	-	**-**	(100.00%)
233	4615	Emergency Svc Agncy Fines (Co			-			-	14,000	100.00%
	EMERGENCY SVCS AGENCY F Total		**-**	**-**	-	**-**	**-**	-	**14,000**	100.00%
258	4556 10	Interest Income - Investments	4,908		(100.00%)			-		-
258	4558	Unrealized Gains/Losses	773	4	(99.48%)			(100.00%)		-
258	4610	Federal Grant Revenue	58,629		(100.00%)			-		-
	JAG - PD - 05 FUND Total		**64,310**	**4**	(99.99%)	**-**	**-**	(100.00%)	**-**	-
259	4556 10	Interest Income - Investments	928		(100.00%)			-		-
259	4610	Federal Grant Revenue	84,073		(100.00%)			-		-
	JAG - PD - 07 FUND Total		**85,001**	**-**	(100.00%)	**-**	**-**	-	**-**	-
260	4556 10	Interest Income - Investments		603	100.00%		29,879	4,855.06%		-
	JAG- PD- 08 FUND Total		**-**	**603**	100.00%	**-**	**29,879**	4,855.06%	**-**	-
261	4556 10	Interest Income - Investments			-		107,589	100.00%		-

MV000054925

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
261	4558	Unrealized Gains/Losses		(351)	100.00%			(100.00%)		-
261	4610	Federal Grant Revenue		32,706	100.00%			(100.00%)		-
	2008 COPS TECH PRGRM GR Total		-	**32,355**	100.00%	-	**107,589**	232.53%	-	-
262	4610	Federal Grant Revenue			-	435,672	435,672	100.00%	435,700	0.01%
	JAG 2009 SB-59-2366 FUN Total		-	-	-	**435,672**	**435,672**	100.00%	**435,700**	0.01%
271	4556 10	Interest Income - Investments	1		(100.00%)			-		-
271	4558	Unrealized Gains/Losses	(129)		(100.00%)			-		-
	BUFFER ZONE PROTECTION Total		**(128)**	-	(100.00%)	-	-	-	-	-
280	4558	Unrealized Gains/Losses	(126)	(3)	(97.62%)			(100.00%)		-
280	4574	Other Misc. Revenue	1,420		(100.00%)			-		-
280	4610	Federal Grant Revenue	530,765	332,527	(37.35%)	10,000		(100.00%)	10,000	-
280	4701	Transfers	17,056		(100.00%)			-		-
	CDBG FY05/06 FUND Total		**549,115**	**332,524**	(39.44%)	**10,000**	-	(100.00%)	**10,000**	-
281	4558	Unrealized Gains/Losses	(519)	1	(100.19%)			(100.00%)		-
281	4610	Federal Grant Revenue	(4,011)		(100.00%)			-		-
	CDBG FY06/07 FUND Total		**(4,530)**	**1**	(100.02%)	-	-	(100.00%)	-	-
282	4574	Other Misc. Revenue	563	622	10.48%			(100.00%)		-
282	4610	Federal Grant Revenue	908,898	388,015	(57.31%)	405,675	402,800	3.81%	14,700	(96.38%)
	CDBG FY07/08 FUND Total		**909,461**	**388,637**	(57.27%)	**405,675**	**402,800**	3.64%	**14,700**	(96.38%)
283	4574	Other Misc. Revenue		1,463	100.00%			(100.00%)		-
283	4610	Federal Grant Revenue		1,413,439	100.00%	3,013,471	607,000	(57.06%)	418,652	(86.11%)
	CDBG FY08/09 FUND Total		-	**1,414,902**	100.00%	**3,013,471**	**607,000**	(57.10%)	**418,652**	(86.11%)
284	4610	Federal Grant Revenue			-		1,745,300	100.00%		-
	CDBG FY09/10 FUND Total		-	-	-	-	**1,745,300**	100.00%	-	-
285	4610	Federal Grant Revenue			-			-	2,000,000	100.00%
	CDBG FY10/11 FUND Total		-	-	-	-	-	-	**2,000,000**	100.00%
290	4569	Waste Managmt. Recycling	21,857		(100.00%)			-		-
	UBG11 USED OIL RECYCLG Total		**21,857**	-	(100.00%)	-	-	-	-	-
291	4569	Waste Managmt. Recycling	42,006	785	(98.13%)			(100.00%)		-
	UBG12 USED OIL RECYCLG Total		**42,006**	**785**	(98.13%)	-	-	(100.00%)	-	-
292	4569	Waste Managmt. Recycling	283	44,192	15,515.55%			(100.00%)		-
	UBG13 USED OIL RECYCLG Total		**283**	**44,192**	15,515.55%	-	-	(100.00%)	-	-
293	4569	Waste Managmt. Recycling			-	41,988	18,263	100.00%	27,900	(33.55%)
	UBG14 USED OIL RECYCLG Total		-	-	-	**41,988**	**18,263**	100.00%	**27,900**	(33.55%)
294	4611	State Grant Revenue	10,399		(100.00%)			-		-
	TCA2-06-22 LOCAL GOVT W Total		**10,399**	-	(100.00%)	-	-	-	-	-
295	4611	0		47,950	100.00%	84,000	28,000	(41.61%)	56,000	(33.33%)
	TRI16-06-1 TARGETED RUB Total		-	**47,950**	100.00%	**84,000**	**28,000**	(41.61%)	**56,000**	(33.33%)

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
301	4556 10	Interest Income - Investments	229,516	59,700	(73.99%)	35,000	300	(99.50%)		(100.00%)
301	4701	Transfers	3,346,444	4,343,404	29.79%	2,643,517	2,643,517	(39.14%)	2,644,491	0.04%
	2005 LEASE REV BONDS-D Total		**3,575,960**	**4,403,104**	23.13%	**2,678,517**	**2,643,817**	(39.96%)	**2,644,491**	(1.27%)
303	4128	Special Tax Proceeds	441,558		(100.00%)			-		-
303	4556 10	Interest Income - Investments	12,956		(100.00%)			-		-
303	4701	Transfers		3,965,920	100.00%			(100.00%)		-
	TWNGT IMP DEBT SERV FUN Total		**454,514**	**3,965,920**	772.56%	-	-	(100.00%)	-	-
305	4556 10	Interest Income - Investments	78,950		(100.00%)			-		-
305	4701	Transfers		13,465,179	100.00%			(100.00%)		-
	TWNGT REF DEBT SERV FUN Total		**78,950**	**13,465,179**	16,955.32%	-	-	(100.00%)	-	-
313	4128	Special Tax Proceeds		108,495	100.00%	114,369	114,369	5.41%	114,400	0.03%
313	4556 10	Interest Income - Investments	59,522	4,908	(91.75%)	10,800	100	(97.96%)	100	(99.07%)
313	4577	Bond Proceeds	4,017,845		(100.00%)			-		-
313	4701	Transfers		1,243,192	100.00%	279,459	279,459	(77.52%)	279,500	0.01%
	TWNGT IMPV SPCL TAX REF Total		**4,077,367**	**1,356,595**	(66.73%)	**404,628**	**393,928**	(70.96%)	**394,000**	(2.63%)
315	4556 10	Interest Income - Investments	31,197	18,593	(40.40%)	85,595	500	(97.31%)	500	(99.42%)
315	4577	Bond Proceeds	10,899,584		(100.00%)			-		-
315	4701	Transfers	2,072,568	5,123,965	147.23%	404,131	404,131	(92.11%)	1,158,200	186.59%
	TWNGT SPCL TAX REFNDG D Total		**13,003,349**	**5,142,558**	(60.45%)	**489,726**	**404,631**	(92.13%)	**1,158,700**	136.60%
316	4110 15	Property Tax - Bond Assessmen	3,249	4,042	24.41%	2,612	2,612	(35.38%)	2,700	3.37%
	ASSMT DIST 98-1-DEBT SV Total		**3,249**	**4,042**	24.41%	**2,612**	**2,612**	(35.38%)	**2,700**	3.37%
321	4556 10	Interest Income - Investments			-			-		-
321	4701	Transfers	811,498	645,569	(20.45%)	859,540		(100.00%)	822,025	(4.36%)
	CH COP 97 DEBT SERV FUN Total		**811,498**	**645,569**	(20.45%)	**859,540**	-	(100.00%)	**822,025**	(4.36%)
325	4556 10	Interest Income - Investments	20,791	3,804	(81.70%)			(100.00%)		-
325	4701	Transfers	401,244	402,422	0.29%	404,169	404,169	0.43%	404,200	0.01%
	PUB SAFTY BOND DEBT SER Total		**422,035**	**406,226**	(3.75%)	**404,169**	**404,169**	(0.51%)	**404,200**	0.01%
328	4121 10	Sales Tax - General	1,010,858	848,814	(16.03%)	1,000,000	800,000	(5.75%)	750,000	(25.00%)
328	4128	Special Tax Proceeds	1,088,427	1,212,731	11.42%	1,217,525	1,217,525	0.40%	1,217,600	0.01%
328	4556 10	Interest Income - Investments	51,811	11,711	(77.40%)	11,000	500	(95.73%)	500	(95.45%)
328	4701	Transfers	1,118,290	103,026	(90.79%)	219,964	219,964	113.50%	220,000	0.02%
	AUTOML REFIN-CFD #3 DBT Total		**3,269,386**	**2,176,282**	(33.43%)	**2,448,489**	**2,237,989**	2.84%	**2,188,100**	(10.63%)
329	4128	Special Tax Proceeds	198,306	344,701	73.82%	362,015	362,015	5.02%	362,100	0.02%
329	4556 10	Interest Income - Investments	8,434	344	(95.92%)	20,000	100	(70.93%)	100	(99.50%)
329	4701	Transfers	150,000		(100.00%)			-		-
	CFD#5 STONERIDGE DEBT S Total		**356,740**	**345,045**	(3.28%)	**382,015**	**362,115**	4.95%	**362,200**	(5.19%)
330	4577	Bond Proceeds			-	10,600,000		-	12,300,000	16.04%
	CFD #4I - INFRA DEBT SR Total		-	-	-	**10,600,000**	-	-	**12,300,000**	16.04%
335	4556 10	Interest Income - Investments			-			-		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
	COP 93 DEBT SERV FUND Total			-	-	-	-	-	-	-	-
340	4556	25	Interest Income - Price Club	385,926	394,359	2.19%	350,000		(100.00%)	350,000	-
	OPA SALES TAX #2 FUND Total			**385,926**	**394,359**	2.19%	**350,000**	-	(100.00%)	**350,000**	-
369	4110	15	Property Tax - Bond Assessmen	407,793	240,120	(41.12%)			(100.00%)		-
369	4556	10	Interest Income - Investments	13,653	2,356	(82.74%)	1,950		(100.00%)	-	(100.00%)
	CTRPT 87-4 AGENCY FUND Total			**421,446**	**242,476**	(42.47%)	**1,950**	-	(100.00%)	-	(100.00%)
370	4590	1	Donations - MV Library	5,496		(100.00%)			-		-
370	4590	2	Donations - 2007 Mayor's Cup	129,091		(100.00%)			-		-
370	4590	3	Donations - Comedy Night	73,039		(100.00%)			-		-
370	4590	4	Donations - 2008 Mayor's Cup		84,185	100.00%			(100.00%)		-
	MV FOUNDATION - DONATIO Total			**207,626**	**84,185**	(59.45%)	-	-	(100.00%)	-	-
371	4591	1	Donations - Arts Commission		542	100.00%		1,500	176.75%	1,000	100.00%
	ARTS COMMISSION Total			-	**542**	100.00%	-	**1,500**	176.75%	**1,000**	100.00%
380	4556	10	Interest Income - Investments	1,403	1,734	23.59%	1,000		(100.00%)	1,000	-
380	4558		Unrealized Gains/Losses	386	(349)	(190.41%)			(100.00%)		-
	CELEBRATION PARK ENDOWM Total			**1,789**	**1,385**	(22.58%)	**1,000**	-	(100.00%)	**1,000**	-
381	4556	10	Interest Income - Investments	237	359	51.48%			(100.00%)		-
381	4558		Unrealized Gains/Losses	129		(100.00%)			-		-
	EQUESTRIAN TRAIL ENDOWM Total			**366**	**359**	(1.91%)	-	-	(100.00%)	-	-
412	4551		Donations	20		(100.00%)			-		-
412	4701		Transfers	1,972,040	2,511,992	27.38%			(100.00%)		-
	FACILITY CONST FUND Total			**1,972,060**	**2,511,992**	27.38%	-	-	(100.00%)	-	-
414	4540		Developer Reimbursement			-	30,000	30,000	100.00%	30,000	-
414	4555		Reimbursement Agreement	299,171	1,100	(99.63%)			(100.00%)		-
414	4556	10	Interest Income - Investments			-	900		-	900	-
	PW GENERAL CAPITAL PROJ Total			**299,171**	**1,100**	(99.63%)	**30,900**	**30,000**	2,627.27%	**30,900**	-
415	4540		Developer Reimbursement	89,300	2,470	(97.23%)			(100.00%)		-
415	4556	10	Interest Income - Investments		1,532	100.00%			(100.00%)		-
415	4574		Other Misc. Revenue	8,333	6,633	(20.40%)		(130)	(101.96%)		-
415	4660		Reimbursements - Other Govts	2,183,508	7,504,915	243.71%	8,000,000	6,698,800	(10.74%)	6,000,000	(25.00%)
	TUMF CAPITAL PROJECTS F Total			**2,281,141**	**7,515,550**	229.46%	**8,000,000**	**6,698,670**	(10.87%)	**6,000,000**	(25.00%)
416	4574		Other Misc. Revenue		1,018	100.00%	1,000	1,018	-	1,000	-
416	4701		Transfers	3,202,852	4,216,228	31.64%	1,837,894	1,837,894	(56.41%)	295,000	(83.95%)
	DIF ARTERIAL STREETS CA Total			**3,202,852**	**4,217,246**	31.67%	**1,838,894**	**1,838,912**	(56.40%)	**296,000**	(83.90%)
417	4574		Other Misc. Revenue		2,499	100.00%	1,000	2,499	-	1,000	-
417	4701		Transfers	834,492	360,618	(56.79%)	1,374,380	1,374,380	281.12%	-	(100.00%)
	DIF TRAFFIC SIGNAL CAPI Total			**834,492**	**363,117**	(56.49%)	**1,375,380**	**1,376,879**	279.18%	**1,000**	(99.93%)
418	4701		Transfers			-			-	1,740,000	100.00%

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
		DIF INTERCHANGE IMPRV C Total	-	-	-	-	-	-	**1,740,000**	100.00%
434	4574	Other Misc. Revenue	459		(100.00%)			-		-
		FIRE SERVICES CAP FUND Total	**459**	-	(100.00%)	-	-	-	-	-
461	4574	Other Misc. Revenue		204	100.00%			(100.00%)		-
461	4611	State Grant Revenue	1,040,430		(100.00%)			-		-
461	4659	Federal Reimbursements	763,328		(100.00%)			-		-
461	4660	Reimbursements - Other Govts		239,746	100.00%			(100.00%)		-
461	4701	Transfers	4,262,355	(74,000)	(101.74%)			(100.00%)		-
		PARKS & RECREATION CAP Total	**6,066,113**	**165,950**	(97.26%)	-	-	(100.00%)	-	-
501	4540	Developer Reimbursement	1,500		(100.00%)			-		-
501	4556 10	Interest Income - Investments	1,374,223	309,287	(77.49%)	100,000		(100.00%)	100,000	-
501	4574	Other Misc. Revenue	947	12,459	1,215.63%			(100.00%)		-
501	4701	Transfers	164,000	185,000	12.80%			(100.00%)		-
		2005 LEASE REV BONDS-C Total	**1,540,670**	**506,746**	(67.11%)	**100,000**	-	(100.00%)	**100,000**	-
502	4701	Transfers	78,760		(100.00%)			-		-
		TWNGT B CAP-ADMIN FUND Total	**78,760**	-	(100.00%)	-	-	-	-	-
506	4701	Transfers		392,244	100.00%			(100.00%)		-
		TWNGT REF CAP-ADMIN FUN Total	-	**392,244**	100.00%	-	-	(100.00%)	-	-
512	4550	Administrative Charges		58,787	100.00%			(100.00%)		-
512	4701	Transfers	181,525		(100.00%)			-		-
		CTRPT 87-4 CAP-ADMIN FU Total	**181,525**	**58,787**	(67.61%)	-	-	(100.00%)	-	-
513	4701	Transfers		3,700	100.00%	38,250	38,250	933.78%	38,250	-
		TWNGT IMPV SPCL TAX CAP Total	-	**3,700**	100.00%	**38,250**	**38,250**	933.78%	**38,250**	-
515	4701	Transfers			-	139,750	139,750	100.00%	145,650	4.22%
		2007 TWNGT SPCLTAX REF Total	-	-	-	**139,750**	**139,750**	100.00%	**145,650**	4.22%
518	4110 15	Property Tax - Bond Assessmen	8,415	9,263	10.08%	8,325	8,325	(10.13%)	8,400	0.90%
		WARNER RANCH ASDST FUND Total	**8,415**	**9,263**	10.08%	**8,325**	**8,325**	(10.13%)	**8,400**	0.90%
528	4701	Transfers	512,462	148,446	(71.03%)	148,940	148,940	0.33%	62,500	(58.04%)
		AUTOMALL CAP-ADMIN FUND Total	**512,462**	**148,446**	(71.03%)	**148,940**	**148,940**	0.33%	**62,500**	(58.04%)
529	4556 10	Interest Income - Investments	175,974	22,768	(87.06%)			(100.00%)		-
529	4701	Transfers	96,471	50,000	(48.17%)	54,000	54,000	8.00%	54,000	-
		CFD#5 STONERIDGE CAP/AD Total	**272,445**	**72,768**	(73.29%)	**54,000**	**54,000**	(25.79%)	**54,000**	-
530	4701	Transfers			-	50,000		-	10,407,900	20,715.80%
		CFD #4I - INFRA CAP/ADM Total	-	-	-	**50,000**	-	-	**10,407,900**	20,715.80%
601	4241 16	Engineering Plan Check Fees	114,338	284,067	148.44%	264,400	50,000	(82.40%)	26,500	(89.98%)
601	4253	Advanced Energy Fees	12,385		(100.00%)			-		-
601	4293	Electricity Fees	(74,415)	(110,826)	48.93%	(142,738)	(140,000)	26.32%	(146,000)	2.29%
601	4540	Developer Reimbursement	24,000		(100.00%)			-		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
601	4548 4	Rental Revenue - ENCO	45,412	46,095	1.50%	44,000	56,000	21.49%	56,000	27.27%
601	4556 10	Interest Income - Investments		74,322	100.00%			(100.00%)		-
601	4558	Unrealized Gains/Losses		(15,961)	100.00%			(100.00%)		-
601	4568	Fixed Asset Sales/Gains		43,100	100.00%			(100.00%)		-
601	4570	Claims, Judgemnts, Settlmnt	18,182		(100.00%)			-		-
601	4574	Other Misc. Revenue	193,416	265,192	37.11%	249,600	285,000	7.47%	285,000	14.18%
601	4575	Replacement Charge Revenue	1,561	3,917	150.93%	3,917	3,917	-	4,000	2.12%
601	4701	Transfers	88,183		(100.00%)			-		-
601	5115	Generation	6,137,420	7,558,249	23.15%	9,515,881	8,869,980	17.35%	9,360,000	(1.64%)
601	5120	Distribution	2,595,414	3,504,486	35.03%	4,757,941	3,801,420	8.47%	3,640,000	(23.50%)
601	5125	Transmission	298,914	464,285	55.32%			(100.00%)		-
601	5150	Special Charges	151,172	155,083	2.59%	139,800	83,000	(46.48%)	144,000	3.00%
601	5155	Public Purpose Programs	368,662	216,836	(41.18%)	713,691	485,000	123.67%	500,000	(29.94%)
ELECTRIC FUND Total			**9,974,644**	**12,488,845**	25.21%	**15,546,492**	**13,494,317**	8.05%	**13,869,500**	(10.79%)
602	4556 10	Interest Income - Investments	425,194	63,912	(84.97%)	41,410		(100.00%)		(100.00%)
602	4556 11	Interest Income - Other		8,761	100.00%			(100.00%)		-
602	4701	Transfers		922,032	100.00%			(100.00%)		-
2007 TAXABLE LEASE REV Total			**425,194**	**994,705**	133.94%	**41,410**	-	(100.00%)	-	(100.00%)
603	4701	Transfers		112,731	100.00%			(100.00%)		-
2005 LEASE REVENUE BOND Total			-	**112,731**	100.00%	-	-	(100.00%)	-	-
741	4550	Administrative Charges	1,414,014	1,289,728	(8.79%)	1,030,903	1,030,903	(20.07%)	1,031,000	0.01%
741	4570	Claims, Judgemnts, Settlmnt	18,712	2,448	(86.92%)			(100.00%)		-
741	4575	Replacement Charge Revenue		298	100.00%	298	298	-	300	0.67%
GENERAL LIABILITY INS F Total			**1,432,726**	**1,292,474**	(9.79%)	**1,031,201**	**1,031,201**	(20.21%)	**1,031,300**	0.01%
745	4566	Accum. Worker's Comp. Chg.	1,258,169	1,085,915	(13.69%)	870,770	870,770	(19.81%)	870,800	0.00%
745	4574	Other Misc. Revenue	149		(100.00%)			-		-
745	4660	Reimbursements - Other Govts	38,560	258,938	571.52%			(100.00%)		-
745	4701	Transfers	500,000		(100.00%)			-		-
WORKER'S COMP FUND Total			**1,796,878**	**1,344,853**	(25.16%)	**870,770**	**870,770**	(35.25%)	**870,800**	0.00%
750	4550	Administrative Charges	4,027,508	3,609,221	(10.39%)	4,017,915	4,017,915	11.32%	4,018,000	0.00%
750	4570	Claims, Judgemnts, Settlmnt	14,487	120	(99.17%)			(100.00%)		-
750	4574	Other Misc. Revenue	3,026	2,254	(25.51%)			(100.00%)		-
750	4575	Replacement Charge Revenue	212,765	264,520	24.32%	264,520	264,520	-	264,600	0.03%
750	4611	State Grant Revenue		50,000	100.00%			(100.00%)		-
750	4701	Transfers	165,000		(100.00%)			-		-
MANAGEMENT INFO SYSTEM Total			**4,422,786**	**3,926,115**	(11.23%)	**4,282,435**	**4,282,435**	9.08%	**4,282,600**	0.00%
751	4530	In-House Copier Charges	149,496		(100.00%)			-		-
751	4539	Car Pool Charges	1,552		(100.00%)			-		-
751	4550	Administrative Charges	(36,551)	36,730	(200.49%)			(100.00%)		-
751	4568	Fixed Asset Sales/Gains		(74,103)	100.00%			(100.00%)		-

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
	CENTRAL SERVICES FUND Total		**114,497**	**(37,373)**	(132.64%)	-	-	(100.00%)	-	-
754	4529	Security Guard Reim.	538		(100.00%)			-		-
754	4550	Administrative Charges	3,942,198	4,574,565	16.04%	4,079,014	4,079,014	(10.83%)	4,079,100	0.00%
754	4553	Employee Beverage Service	2,988	3,429	14.76%	3,060	3,060	(10.76%)	3,100	1.31%
754	4555	Reimbursement Agreement	1,563	1,363	(12.80%)	1,690	1,690	23.99%	1,700	0.59%
754	4575	Replacement Charge Revenue	56,669	27,495	(51.48%)	27,495	27,495	-	27,500	0.02%
754	4701	Transfers	250,000		(100.00%)	100,000	100,000	100.00%		(100.00%)
	FACILITIES FUND Total		**4,253,956**	**4,606,852**	8.30%	**4,211,259**	**4,211,259**	(8.59%)	**4,111,400**	(2.37%)
755	4550	Administrative Charges	977,765	822,229	(15.91%)	714,461	714,461	(13.11%)	714,500	0.01%
755	4575	Replacement Charge Revenue	1,224	3,745	205.96%	3,745	3,745	-	3,800	1.47%
	EQUIPMENT MAINTENANCE F Total		**978,989**	**825,974**	(15.63%)	**718,206**	**718,206**	(13.05%)	**718,300**	0.01%
757	4574	Other Misc. Revenue	295	25,385	8,505.08%			(100.00%)		-
757	4575	Replacement Charge Revenue	2,217,402	2,306,671	4.03%	2,306,405		(100.00%)	2,306,500	0.00%
	EQUIPMENT REPLACEMENT R Total		**2,217,697**	**2,332,056**	5.16%	**2,306,405**	-	(100.00%)	**2,306,500**	0.00%
891	4574	Other Misc. Revenue	5	7,000	###########			(100.00%)		-
891	4701	Transfers	1,033,169	884,072	(14.43%)		833,505	(5.72%)		-
	RDA ADMIN FUND Total		**1,033,174**	**891,072**	(13.75%)	-	**833,505**	(6.46%)	-	-
892	4556 11	Interest Income - Other	1,959	1,959	-			(100.00%)		-
892	4574	Other Misc. Revenue	3,394	2,719	(19.89%)			(100.00%)		-
892	4701	Transfers	173,868	75,678	(56.47%)		1,253,600	1,556.49%		-
	RDA CAP PROJECT FUND Total		**179,221**	**80,356**	(55.16%)	-	**1,253,600**	1,460.06%	-	-
894	4556 10	Interest Income - Investments	416,123	180,229	(56.69%)	450,000	200,000	10.97%	200,000	(55.56%)
894	4556 16	Interest Income - HILP	150		(100.00%)			-		-
894	4556 20	Interest Inc. - Rental Rehab	16,659	20,489	22.99%			(100.00%)		-
894	4556 26	Interest Inc. - Land Transfe		170,841	100.00%	112,577	120,000	(29.76%)	118,500	5.26%
894	4558	Unrealized Gains/Losses	60,908	(46,850)	(176.92%)			(100.00%)		-
894	4562 2	Princ. Repayment- HAP	21,207		(100.00%)			-		-
894	4562 5	Princ. Repayment- Rental Reha	24,027	123,717	414.91%			(100.00%)		-
894	4562 7	Princ. Repayment -Land Xfer		197,504	100.00%	140,720		(100.00%)		(100.00%)
894	4568	Fixed Asset Sales/Gains	439,510	101,640	(76.87%)			(100.00%)		-
894	4574	Other Misc. Revenue	90	4,631	5,045.56%		1,000	(78.41%)		-
894	4599	Revenue Close to Bal Sheet	(60,686)	(328,139)	440.72%	(140,720)		(100.00%)		(100.00%)
894	4701	Transfers	4,583,576	4,546,638	(0.81%)		4,087,333	(10.10%)		-
	RDA HOUSING FUND Total		**5,501,564**	**4,970,700**	(9.65%)	**562,577**	**4,408,333**	(11.31%)	**318,500**	(43.39%)
895	4110 55	Tax Increment	23,890,555	23,775,956	(0.48%)	20,920,514	20,249,360	(14.83%)	18,552,905	(11.32%)
895	4110 56	Tax Increment Pass Thru	(11,525,104)	(10,293,931)	(10.68%)	(8,911,303)	(8,567,823)	(16.77%)	(7,695,249)	(13.65%)
895	4110 58	Flood Control Agrmnt Pass Thr		(1,188,798)	100.00%	(1,046,026)	(997,468)	(16.09%)	(927,645)	(11.32%)
895	4110 59	MVUSD Agreement Pass Thru	(706,881)	(757,632)	7.18%	(797,891)	(1,197,891)	58.11%	(844,766)	5.87%
895	4110 60	Val Verde USD Agrmnt Pass Thr	(6,534)	(6,951)	6.38%	(7,375)	(7,375)	6.10%	(7,809)	5.88%
895	4110 61	RCC Agreement Pass Thru	(141,502)	(152,919)	8.07%	(159,720)	(159,720)	4.45%	(169,103)	5.87%

MV00054931

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
895	4110 62	PerrisAreaElmSch Agrmnt Pass	(2,438)	(2,593)	6.36%	(2,752)	(2,752)	6.13%	(2,913)	5.85%
895	4110 63	Perris Jr High Agrmnt Pass Th	(1,627)	(1,730)	6.33%	(1,836)	(1,836)	6.13%	(1,944)	5.88%
895	4110 64	Co. Supt of Schls Agrmnt Pass	(113,695)	(120,941)	6.37%	(128,333)	(128,330)	6.11%	(135,872)	5.87%
895	4121 11	Sales Tax - Note No. 1	532,345	468,604	(11.97%)	500,000	500,000	6.70%	400,000	(20.00%)
895	4121 12	Sales Tax - Note No. 2	385,926	394,359	2.19%	380,000	380,000	(3.64%)	380,000	-
895	4556 10	Interest Income - Investments	848,488	1,171,360	38.05%	688,820	1,000,000	(14.63%)	800,000	16.14%
895	4556 11	Interest Income - Other	17,250	15,675	(9.13%)			(100.00%)		-
895	4558	Unrealized Gains/Losses	64,357	(100,824)	(256.66%)			(100.00%)		-
895	4562	Principal Repayment		31,500	100.00%			(100.00%)		-
895	4568	Fixed Asset Sales/Gains		450,000	100.00%			(100.00%)		-
895	4579	Interfund Loan Proceeds	133,728		(100.00%)			-		-
895	4599	Revenue Close to Bal Sheet		(31,500)	100.00%			(100.00%)		-
895	4701	Transfers	810,760		(100.00%)			-		-
	RDA TAX INCREMENT FUND Total		**14,185,628**	**13,649,635**	(3.78%)	**11,434,098**	**11,066,165**	(18.93%)	**10,347,604**	(9.50%)
896	4556 10	Interest Income - Investments	729	664	(8.92%)	1,100		(100.00%)	1,100	-
896	4577	Bond Proceeds	43,495,000		(100.00%)			-		-
896	4701	Transfers	362,058	2,845,471	685.92%			(100.00%)		-
897	4556 10	Interest Income - Investments	921,083	1,171,006	27.13%	1,000,000	1,000,000	(14.60%)	900,000	(10.00%)
897	4558	Unrealized Gains/Losses	(1,468)	(262,851)	17,805.38%			(100.00%)		-
897	4701	Transfers	41,640,724		(100.00%)			-		-
	RDA 2007TABS, Series A Total		**86,418,126**	**3,754,290**	(95.66%)	**1,001,100**	**1,000,000**	(73.36%)	**901,100**	(9.99%)
898	4556 10	Interest Income - Investments	141,684		(100.00%)			-		-
898	4701	Transfers	419,513	721,949	72.09%		600,000	(16.89%)		-
	RDA 2007TABS, Series B Total		**561,197**	**721,949**	28.64%	-	**600,000**	(16.89%)	-	-
911	4610	Federal Grant Revenue	10,645		(100.00%)			-		-
	THE DISASTER FUND Total		**10,645**	-	(100.00%)	-	-	-	-	-
	Grand Total		**335,072,994**	**243,242,066**	**(27.41%)**	**217,239,646**	**190,108,268**	**(21.84%)**	**194,237,582**	**(10.59%)**
	Less Internal Service Funds [1]		15,217,529	14,290,951		13,420,276	11,113,871		13,320,900	
	NET REVENUES		**$ 319,855,465**	**$ 228,951,115**	**(28.42%)**	**$ 203,819,370**	**$ 178,994,397**	**(21.82%)**	**$ 180,916,682**	**(11.24%)**

(1) These Internal Service Funds (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues

City of Moreno Valley

2010-11 Preliminary Base Operating budget

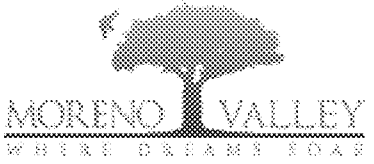

General Fund

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund

Description	General Fund 010	Development Services 011	Fire Services 133	Total
Revenues				
Property Taxes	16,046,100	-	4,323,400	20,369,500
Gas Taxes	-	-	-	-
Sales Taxes	9,735,100	-	-	9,735,100
Business Gross Receipts Taxes	906,500	-	-	906,500
Utility Users Taxes	15,200,000	-	-	15,200,000
Other Taxes	850,000	-	-	850,000
Franchise Fees	4,800,000	-	-	4,800,000
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	360,000	-	-	360,000
Other Fees	2,152,100	2,850,300	100,700	5,103,100
Fees for Service	-	-	-	-
Permits & Licenses	520,000	740,600	-	1,260,600
Fines & Forfeitures	1,000,000	-	-	1,000,000
Administrative Charges	2,691,500	-	-	2,691,500
Interest Income	4,478,500	-	-	4,478,500
Bond Proceeds	-	-	-	-
Miscellaneous Revenues	694,900	6,800	49,400	751,100
Grants/Intergovernmental Revenues	248,500	-	-	248,500
Transfers In	-	-	-	-
Total Operating Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-
Total Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Expenditures				
Operating:				
Personnel Services	11,267,622	3,851,300	701,300	15,820,222
Contractual Services	44,060,244	498,400	13,997,950	58,556,594
Materials & Supplies	838,752	73,860	46,800	959,412
Debt Service	-	-	-	-
Fixed Charges	5,195,443	1,157,500	1,094,500	7,447,443
Transfers Out	2,666,900	-	-	2,666,900
Total Operating Expenditures	**64,028,961**	**5,581,060**	**15,840,550**	**85,450,571**
Capital :				
Fixed Assets	130,100	50,000	-	180,100
Total Capital Expenditures	**130,100**	**50,000**	**-**	**180,100**
Total Program Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Increase in Reserve for Contingencies				-
Total Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Net Revenues Over (Under) Expenditures	**(4,475,861)**	**(2,033,360)**	**(11,367,050)**	**(17,876,271)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - General Government

Description	City Council 010.11110	City Manager's Office 010.12110	City Clerk 010.13110	Economic Development 010.21110	City Attorney 010.22110	Media & Communications 010.23510
Expenditures						
Operating:						
Personnel Services	452,600	824,100	399,900	170,295	954,127	94,700
Contractual Services	74,800	97,200	99,700	437,929	165,991	147,800
Materials & Supplies	6,900	4,600	27,940	18,600	29,912	1,600
Debt Service	-	-	-	-	-	-
Fixed Charges	133,000	133,800	108,500	58,627	102,516	25,700
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	667,300	1,059,700	636,040	685,451	1,252,546	269,800
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	667,300	1,059,700	636,040	685,451	1,252,546	269,800

MV000054935

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - General Government

Description	Human Resources 010.24110	Graphics Support 010.25210	Financial & Admin. Svcs - Administration 010.31110	Financial & Admin. Svcs - Finance/ Financial Ops. 010.31210	Financial & Admin. Svcs - Finance/ Treasury Ops. 010.31410	Financial & Admin. Svcs - Finance/ Purchasing 010.31510
Expenditures						
Operating:						
Personnel Services	593,400	116,900	255,600	923,900	546,500	364,700
Contractual Services	266,100	35,900	2,500	76,400	308,100	4,500
Materials & Supplies	18,200	8,500	2,100	27,000	15,300	9,500
Debt Service	-	-	-	-	-	-
Fixed Charges	107,500	58,200	93,300	224,700	138,700	161,400
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	985,200	219,500	353,500	1,252,000	1,008,600	540,100
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	985,200	219,500	353,500	1,252,000	1,008,600	540,100

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - General Government

Description	CDD Graffiti Abatement 010.41410	Advance Planning 010.41610	CDD Code Compliance 010.45310	CDD Code Compliance Grant 010.45312	Records Mgmt System 010.66021	Non-Departmental 010.99110	Total
Expenditures							
Operating:							
Personnel Services	23,300	407,300	988,300	-	-	280,000	7,395,622
Contractual Services	500	2,000	313,300	18,400	-	2,175,000	4,226,120
Materials & Supplies	400	900	58,700	-	-	-	230,152
Debt Service	-	-	-	-	-	-	-
Fixed Charges	4,900	12,100	308,400	-	-	349,500	2,020,843
Transfers Out	-	-	-	-	-	2,666,900	2,666,900
Total Operating Expenditures	29,100	422,300	1,668,700	18,400	-	5,471,400	16,539,637
Capital:							
Fixed Assets	-	-	-	-	112,800	-	112,800
Total Capital Expenditures	-	-	-	-	112,800	-	112,800
Total Program Expenditures	29,100	422,300	1,668,700	18,400	112,800	5,471,400	16,652,437

MV00054937

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Public Works

Description	PW Admin 010.51110	Cap Proj Admin 010.51310	PW Solid Waste 010.51510	PW Transportation Engineering 010.53110	PW Traffic Signal Maintenance 010.53310	PW Capital Projects Engineering 010.54110	PW Graffiti Removal 010.55810	PW Tree Trimming 010.56710	Total
Expenditures									
Operating:									
Personnel Services	94,700	112,200	151,300	600,200	314,200	-	-	-	1,272,600
Contractual Services	6,800	-	23,000	13,100	183,400	-	-	-	226,300
Materials & Supplies	3,900	-	2,500	16,800	149,700	-	-	-	172,900
Debt Service	-	-	-	-	-	-	-	-	-
Fixed Charges	69,500	(112,200)	12,600	177,500	47,700	8,900	4,500	20,400	228,900
Transfers Out	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	174,900	-	189,400	807,600	695,000	8,900	4,500	20,400	1,900,700
Capital:									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-	-
Total Program Expenditures	174,900	-	189,400	807,600	695,000	8,900	4,500	20,400	1,900,700

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Public Safety

Description	Police Administration 010.62110	Police Patrol and Investigation 010.62210	Police Traffic Enforcement 010.62310	Police Detective Unit 010.62410	Police Crime Prevention 010.62510	Police Crime Prevention - POP 010.62610
Expenditures						
Operating:						
Personnel Services	184,400	-	90,200	-	-	-
Contractual Services	1,695,324	22,744,909	5,897,316	1,215,600	1,073,900	2,542,275
Materials & Supplies	50,000	16,700	114,900	15,200	24,000	7,200
Debt Service	-	-	-	-	-	-
Fixed Charges	1,732,900	9,300	198,800	7,600	24,900	12,300
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	3,662,624	22,770,909	6,301,216	1,238,400	1,122,800	2,561,775
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	3,662,624	22,770,909	6,301,216	1,238,400	1,122,800	2,561,775

MV00054939

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Public Safety

Description	Police Special Enforcement 010.62710	Police Towngate Mall Patrol 010.62910	Animal Services 010.63110	Emergency Operations & Volunteer Svcs 010.64110	Crossing Guards 010.72110	Total
Expenditures						
Operating:						
Personnel Services	-	-	1,606,000	143,700	575,100	2,599,400
Contractual Services	3,766,400	495,300	158,300	14,700	3,800	39,607,824
Materials & Supplies	21,000	700	158,600	24,800	2,600	435,700
Debt Service	-	-	-	-	-	-
Fixed Charges	19,200	-	492,200	412,500	36,000	2,945,700
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	3,806,600	496,000	2,415,100	595,700	617,500	45,588,624
Capital:						
Fixed Assets	-	-	17,300	-	-	17,300
Total Capital Expenditures	-	-	17,300	-	-	17,300
Total Program Expenditures	3,806,600	496,000	2,432,400	595,700	617,500	45,605,924

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Development Services

Description	Development Svcs Admin Support 011.41010	CDD Administration 011.41110	CDD Planning Commission 011.41210	CDD Planning 011.41310	CDD Building & Safety 011.45410	Fire Prevention Inspections 011.45810	PW Land Development 011.52310	PW Inspection Services 011.52710
Expenditures								
Operating:								
Personnel Services	353,500	225,100	45,200	532,200	746,000	113,700	906,500	558,900
Contractual Services	-	8,100	10,100	9,400	301,800	13,700	134,700	20,600
Materials & Supplies	-	16,700	2,600	7,600	25,900	5,560	4,400	11,100
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	7,800	133,900	16,300	203,700	234,600	155,200	300,500	80,200
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	361,300	383,800	74,200	752,900	1,308,300	288,160	1,346,100	670,800
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	361,300	383,800	74,200	752,900	1,308,300	288,160	1,346,100	670,800

MV00054941

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Development Services

Description	PW - HLFV Project 011.52910	PW - Verizon FTTP 011.52911	PW - Sunesys, LLC 011.52912	PW - HLFV Interchngs 011.52913	PW - EMWD Sunnymead Pipe 011.52913	PW - Transp Dev Svcs 011.53210	PW - Transp Insp Svcs 011.53410	Total
Expenditures								
Operating:								
Personnel Services	-	72,800	2,400	-	-	262,900	32,100	3,851,300
Contractual Services	-	-	-	-	-	-	-	498,400
Materials & Supplies	-	-	-	-	-	-	-	73,860
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	15,700	9,600	1,157,500
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	-	72,800	2,400	-	-	278,600	41,700	5,581,060
Capital:								
Fixed Assets	-	-	-	50,000	-	-	-	50,000
Total Capital Expenditures	-	-	-	50,000	-	-	-	50,000
Total Program Expenditures	-	72,800	2,400	50,000	-	278,600	41,700	5,631,060

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Fire Service Operations

Description	Fire Prevention 133.45910	Fire Operations 133.65110	Total
Expenditures			
Operating:			
Personnel Services	546,800	154,500	701,300
Contractual Services	109,650	13,888,300	13,997,950
Materials & Supplies	6,600	40,200	46,800
Debt Service	-	-	-
Fixed Charges	35,100	1,059,400	1,094,500
Transfers Out	-	-	-
Total Operating Expenditures	698,150	15,142,400	15,840,550
Capital:			
Fixed Assets	-	-	-
Total Capital Expenditures	-	-	-
Total Program Expenditures	698,150	15,142,400	15,840,550

MV00054943

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Council FUND: 010

PROGRAM NUMBER: 11110

PROGRAM OBJECTIVE: To provide administrative and clerical support to the Mayor and City Council members; respond to public inquiries via telephone and in person; facilitate Council requests; draft correspondence; prepare Council recognitions; coordinate receptions; schedule meetings; act as Council liaison, as directed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 421,904	$ 395,127	(6.35%)	$ 425,719	$ 385,000	(2.56%)	$ 452,600	6.31%
Contractual Services	76,062	55,503	(27.03%)	84,022	78,600	41.61%	74,800	(10.98%)
Materials & Supplies	7,946	6,637	(16.47%)	8,600	7,300	9.99%	6,900	(19.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	150,328	142,809	(5.00%)	133,179	180,620	26.48%	133,000	(0.13%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 656,240	$ 600,076	(8.56%)	$ 651,520	$ 651,520	8.57%	$ 667,300	2.42%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 656,240	$ 600,076	(8.56%)	$ 651,520	$ 651,520	8.57%	$ 667,300	2.42%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Manager's Office FUND: 010

PROGRAM NUMBER: 12110

PROGRAM OBJECTIVE: To coordinate the implementation of Council policies and programs; provide overall direction to departments that administer City programs and services; coordinate intergovernmental relations and legislative advocacy; and administer the City's communications, media relations, and public information programs.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,012,280	$ 831,656	(17.84%)	$ 876,666	$ 999,941	20.23%	$ 824,100	(6.00%)
Contractual Services	165,308	140,237	(15.17%)	127,209	100,100	(28.62%)	97,200	(23.59%)
Materials & Supplies	7,372	6,927	(6.04%)	5,450	4,100	(40.81%)	4,600	(15.60%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	143,449	144,468	0.71%	134,038	134,000	(7.25%)	133,800	(0.18%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,328,409	$ 1,123,288	(15.44%)	$ 1,143,363	$ 1,238,141	10.22%	$ 1,059,700	(7.32%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,328,409	$ 1,123,288	(15.44%)	$ 1,143,363	$ 1,238,141	10.22%	$ 1,059,700	(7.32%)

MV000054945

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Clerk - Administration FUND: 010

PROGRAM NUMBER: 13110

PROGRAM OBJECTIVE: To coordinate, assemble, and disseminate the agenda packets; serve as clerk to the City Council; record and maintain all Council actions; prepare and distribute minutes of City Council meetings; serve as custodian of official City records and City seal; facilitate access to such records; coordinate municipal elections; receive nomination papers, campaign statements and all required filings pursuant to the Fair Political Practices Commission; advertise and receive bids; and conduct bid openings.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 556,602	$ 385,897	(30.67%)	$ 402,789	$ 322,850	(16.34%)	$ 399,900	(0.72%)
Contractual Services	65,512	139,902	113.55%	65,500	37,720	(73.04%)	99,700	52.21%
Materials & Supplies	40,404	35,820	(11.35%)	43,230	35,750	(0.20%)	27,940	(35.37%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	132,708	113,883	(14.19%)	108,589	223,780	96.50%	108,500	(0.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 795,226	$ 675,502	(15.06%)	$ 620,108	$ 620,100	(8.20%)	$ 636,040	2.57%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 795,226	$ 675,502	(15.06%)	$ 620,108	$ 620,100	(8.20%)	$ 636,040	2.57%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Economic Development FUND: 010

21110

PROGRAM OBJECTIVE: To encourage and facilitate growth in the Moreno Valley economy to increase assessed valuation, increase sales tax, and create family-supporting jobs, through a program incorporating marketing, business attraction, expansion and retention activities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 287,643	$ 251,818	(12.45%)	$ 182,899	$ 157,393	(37.50%)	$ 170,295	(6.89%)
Contractual Services	325,847	315,836	(3.07%)	436,929	309,520	(2.00%)	437,929	0.23%
Materials & Supplies	14,812	10,588	(28.52%)	18,600	14,200	34.11%	18,600	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	62,843	65,375	4.03%	58,627	58,627	(10.32%)	58,627	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 691,145	$ 643,617	(6.88%)	$ 697,055	$ 539,740	(16.14%)	$ 685,451	(1.66%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 691,145	$ 643,617	(6.88%)	$ 697,055	$ 539,740	(16.14%)	$ 685,451	(1.66%)

MV00054947

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Attorney FUND: 010

PROGRAM NUMBER: 22110

PROGRAM OBJECTIVE: To provide a wide range of legal services for the City organization including the highest quality expert legal advice to the City Council and staff, City Boards, Committees and Commissions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 872,250	$ 948,439	8.73%	$ 822,281	$ 816,447	(13.92%)	$ 954,127	16.03%
Contractual Services	62,407	135,071	116.44%	222,081	212,486	57.31%	165,991	(25.26%)
Materials & Supplies	41,549	40,517	(2.48%)	29,912	18,561	(54.19%)	29,912	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	113,368	107,944	(4.78%)	102,516	102,516	(5.03%)	102,516	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,089,574	$ 1,231,971	13.07%	$ 1,176,790	$ 1,150,010	(6.65%)	$ 1,252,546	6.44%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,089,574	$ 1,231,971	13.07%	$ 1,176,790	$ 1,150,010	(6.65%)	$ 1,252,546	6.44%

MV000054948

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Media & Communications FUND: 010

PROGRAM NUMBER: 23510

PROGRAM OBJECTIVE: To administer a comprehensive media communications and marketing program for the City to communicate City interests to the community's residents and businesses.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 169,092	$ 171,349	1.33%	$ 114,032	$ 94,900	(44.62%)	$ 94,700	(16.95%)
Contractual Services	176,210	64,250	(63.54%)	153,623	118,600	84.59%	147,800	(3.79%)
Materials & Supplies	4,894	2,615	(46.57%)	1,975	1,495	(42.83%)	1,600	(18.99%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	36,974	26,072	(29.49%)	25,748	25,600	(1.81%)	25,700	(0.19%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 387,170	$ 264,286	(31.74%)	$ 295,378	$ 240,595	(8.96%)	$ 269,800	(8.66%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 387,170	$ 264,286	(31.74%)	$ 295,378	$ 240,595	(8.96%)	$ 269,800	(8.66%)

MV000054949

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Graphics Support FUND: 010

PROGRAM NUMBER: 25210

PROGRAM OBJECTIVE: To administer a comprehensive graphics support program for all City departments.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 268,352	$ 135,705	(49.43%)	$ 123,222	$ 110,700	(18.43%)	$ 116,900	(5.13%)
Contractual Services	40,305	21,718	(46.12%)	36,758	26,000	19.72%	35,900	(2.33%)
Materials & Supplies	20,708	4,262	(79.42%)	8,800	8,100	90.05%	8,500	(3.41%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	77,258	62,591	(18.98%)	58,486	73,400	17.27%	58,200	(0.49%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 406,623	$ 224,276	(44.84%)	$ 227,266	$ 218,200	(2.71%)	$ 219,500	(3.42%)
Capital Expenditures								
Fixed Assets	20,451	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 20,451	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 427,074	$ 224,276	(47.49%)	$ 227,266	$ 218,200	(2.71%)	$ 219,500	(3.42%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Administration FUND: 010

PROGRAM NUMBER: 31110

PROGRAM OBJECTIVE: To oversee and provide administrative support for the seven functional areas that comprise the department including: Budget Office, Financial Operations, Treasury Operations, Purchasing, Facilities Maintenance, Technology Services, and Animal Services.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 407,626	$ 325,305	(20.20%)	$ 323,626	$ 361,000	10.97%	$ 255,600	(21.02%)
Contractual Services	5,954	2,871	(51.78%)	3,400	2,500	(12.92%)	2,500	(26.47%)
Materials & Supplies	4,023	2,299	(42.85%)	9,775	2,100	(8.66%)	2,100	(78.52%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	106,874	84,947	(20.52%)	93,259	93,300	9.83%	93,300	0.04%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 524,477	$ 415,422	(20.79%)	$ 430,060	$ 458,900	10.47%	$ 353,500	(17.80%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 524,477	$ 415,422	(20.79%)	$ 430,060	$ 458,900	10.47%	$ 353,500	(17.80%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Financial Operations FUND: 010

PROGRAM NUMBER: 31210

PROGRAM OBJECTIVE: To ensure propriety and legality of City financial transactions according to authorized budgets and accounting standards; to provide complete and timely reporting of the City's financial position; and to support City departments in their need for reliable financial information and other fiscal services.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,328,597	$ 1,260,918	(5.09%)	$ 900,461	$ 926,327	(26.54%)	$ 923,900	2.60%
Contractual Services	102,282	72,813	(28.81%)	115,110	135,745	86.43%	76,400	(33.63%)
Materials & Supplies	32,735	26,455	(19.18%)	26,920	25,460	(3.76%)	27,000	0.30%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	255,520	238,887	(6.51%)	224,696	224,156	(6.17%)	224,700	0.00%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,719,134	$ 1,599,073	(6.98%)	$ 1,267,187	$ 1,311,688	(17.97%)	$ 1,252,000	(1.20%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,719,134	$ 1,599,073	(6.98%)	$ 1,267,187	$ 1,311,688	(17.97%)	$ 1,252,000	(1.20%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Treasury Operations FUND: 010

PROGRAM NUMBER: 31410

PROGRAM OBJECTIVE: To safeguard the City's money while maintaining liquidity and a reasonable return on its investment; to identify and recommend revenue enhancement and cost cutting opportunities; and to provide reliable and timely financial information and other fiscal services to City departments and the general public.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 817,737	$ 765,794	(6.35%)	$ 633,660	$ 633,660	(17.25%)	$ 546,500	(13.76%)
Contractual Services	151,498	111,777	(26.22%)	159,087	153,087	36.96%	308,100	93.67%
Materials & Supplies	34,705	24,446	(29.56%)	15,262	15,262	(37.57%)	15,300	0.25%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	154,386	146,291	(5.24%)	138,751	138,751	(5.15%)	138,700	(0.04%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,158,326	$ 1,048,308	(9.50%)	$ 946,760	$ 940,760	(10.26%)	$ 1,008,600	6.53%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,158,326	$ 1,048,308	(9.50%)	$ 946,760	$ 940,760	(10.26%)	$ 1,008,600	6.53%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Purchasing FUND: 010

PROGRAM NUMBER: 31510

PROGRAM OBJECTIVE: To provide effective and efficient management of the City's procurement activities, consistent with all rules and regulations of the Purchasing Ordinance and Administrative Policies, and in keeping with accepted public procurement practices.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 478,794	$ 508,885	6.28%	$ 391,636	$ 391,636	(23.04%)	$ 364,700	(6.88%)
Contractual Services	5,048	130,017	2,475.61%	4,895	4,414	(96.61%)	4,500	(8.07%)
Materials & Supplies	3,459	11,754	239.81%	9,684	8,668	(26.25%)	9,500	(1.90%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	101,764	169,894	66.95%	161,571	161,571	(4.90%)	161,400	(0.11%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 589,065	$ 820,550	39.30%	$ 567,786	$ 566,289	(30.99%)	$ 540,100	(4.88%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 589,065	$ 820,550	39.30%	$ 567,786	$ 566,289	(30.99%)	$ 540,100	(4.88%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Graffiti Abatement FUND: 010

PROGRAM NUMBER: 41410

PROGRAM OBJECTIVE: To investigate, document, civilly prosecute and secure restitution for graffiti City-wide for the purpose of reducing the vandalism to private and public property.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 39,857	$ 27,869	(30.08%)	$ 25,114	$ 1,600	(94.26%)	$ 23,300	(7.22%)
Contractual Services	-	-	-	500	400	100.00%	500	-
Materials & Supplies	57	44	(22.81%)	538	300	581.82%	400	(25.65%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	7,558	4,733	(37.38%)	4,961	4,961	4.82%	4,900	(1.23%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 47,472	$ 32,646	(31.23%)	$ 31,113	$ 7,261	(77.76%)	$ 29,100	(6.47%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 47,472	$ 32,646	(31.23%)	$ 31,113	$ 7,261	(77.76%)	$ 29,100	(6.47%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Advance Planning FUND: 010

PROGRAM NUMBER: 41610

PROGRAM OBJECTIVE: To administer the review and preparation of policy related to planning and development. This includes the preparation of City initiated updates to the General Plan and Title 9 of the Municipal Code. The City must ensure compliance with State mandated requirements pertaining to planning and zoning. In addition, advanced planning facilitates addressing regional issues by coordinating efforts with other regional agencies, such as Western Riverside Council of Governments (WRCOG), the Southern California Association of Governments (SCAG), the Riverside County Transportation Commission (RCTC), and the Regional Conservation Authority (RCA).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 519,167	$ 490,743	(5.47%)	$ 482,799	$ 405,587	(17.35%)	$ 407,300	(15.64%)
Contractual Services	898	202	(77.51%)	2,652	2,050	914.85%	2,000	(24.59%)
Materials & Supplies	77	-	(100.00%)	1,800	900	100.00%	900	(50.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	17,892	13,810	(22.81%)	12,232	12,232	(11.43%)	12,100	(1.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 538,034	$ 504,755	(6.19%)	$ 499,483	$ 420,769	(16.64%)	$ 422,300	(15.45%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 538,034	$ 504,755	(6.19%)	$ 499,483	$ 420,769	(16.64%)	$ 422,300	(15.45%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Code Compliance FUND: 010

PROGRAM NUMBER: 45310

PROGRAM OBJECTIVE: To respond to citizen complaints and to pro-actively identify and address code violations on public and private property to protect the health and safety of the community and to ensure the highest level of voluntary resolution of issues City-wide.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,160,083	$ 1,335,450	15.12%	$ 1,326,415	$ 1,299,404	(2.70%)	$ 988,300	(25.49%)
Contractual Services	607,349	391,753	(35.50%)	331,890	313,274	(20.03%)	313,300	(5.60%)
Materials & Supplies	70,885	70,624	(0.37%)	59,878	59,480	(15.78%)	58,700	(1.97%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	350,970	307,830	(12.29%)	308,711	308,711	0.29%	308,400	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,189,287	$ 2,105,657	(3.82%)	$ 2,026,894	$ 1,980,869	(5.93%)	$ 1,668,700	(17.67%)
Capital Expenditures								
Fixed Assets	141,080	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 141,080	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,330,367	$ 2,105,657	(9.64%)	$ 2,026,894	$ 1,980,869	(5.93%)	$ 1,668,700	(17.67%)

MV00054957

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Code Compliance - CDBG FUND: 010

PROGRAM NUMBER: 45311

PROGRAM OBJECTIVE: To respond to citizen complaints and to pro-actively identify and address code violations on public and private property to protect the health and safety of the community within the Community Development Block Grant area.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 201,780	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	1,506	-	(100.00%)	-	-	-	-	-
Materials & Supplies	6,161	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	16,568	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 226,015	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 226,015	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Code Compliance - JAG FUND: 010

PROGRAM NUMBER: 45312

PROGRAM OBJECTIVE: Provide additional enhancement funding to the current Anti-Graffiti Program from the Edward Byrne Memorial Justice Assistance Grant (JAG) grant.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	22,038	3,548	100.00%	18,400	(16.51%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 22,038	$ 3,548	100.00%	$ 18,400	(16.51%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 22,038	$ 3,548	100.00%	$ 18,400	(16.51%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Records Management System FUND: 010

PROGRAM NUMBER: 66021

PROGRAM OBJECTIVE: To implement a records management system by purchasing a high-end scanner, scanning workstations, DVD writer, file server, scanning licenses, OCR licenses, database licenses, and an internet search engine. The software includes: SIRE AgendaPlus to create Council meeting agendas, manage agenda items and post complete agenda packets on the internet; and Granicus to provide Web streaming videos of Council meetings and to facilitate the preparation of minutes.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	44,095	-	(100.00%)	112,853	112,800	100.00%	112,800	(0.05%)
Total Capital Expenditures	$ 44,095	$ -	(100.00%)	$ 112,853	$ 112,800	100.00%	$ 112,800	-
Total Program Budget	$ 44,095	$ -	(100.00%)	$ 112,853	$ 112,800	100.00%	$ 112,800	(0.05%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Non-Departmental FUND: 010

PROGRAM NUMBER: 99110

PROGRAM OBJECTIVE: To provide appropriate funds for those activities that support the General Fund and are not directly assignable to any one department or program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 163,197	$ 141,540	(13.27%)	$ 250,000	$ 250,000	76.63%	$ 280,000	12.00%
Contractual Services	411,634	2,131,061	417.71%	1,811,000	1,867,233	(12.38%)	2,175,000	20.10%
Materials & Supplies	-	1,195	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	131,782	99,532	(24.47%)	229,432	249,532	150.71%	349,500	52.33%
Transfers Out	10,425,833	18,434,583	76.82%	2,666,840	2,854,415	(84.52%)	2,666,900	0.00%
Total Operating Expenditures	$ 11,132,446	$ 20,807,911	86.91%	$ 4,957,272	$ 5,221,180	(74.91%)	$ 5,471,400	10.37%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 11,132,446	$ 20,807,911	86.91%	$ 4,957,272	$ 5,221,180	(74.91%)	$ 5,471,400	10.37%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Administration FUND: 010

PROGRAM NUMBER: 51110

PROGRAM OBJECTIVE: Review and process all staff reports for the department that consists of Capital Projects, Transportation, Special Districts, Land Development, Electric Utility and Maintenance and Operations. Provide analysis of legislative actions concerning public works issues and coordinate with local agencies for flood control, water quality, solid waste disposal, and planning for public utilities. Prepare the annual Capital Improvement Project list for each fiscal year budget and coordinate the annual update of the 5-Year Capital Plan for the City. Promote the department throughout the year by participating in public relation activities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 128,129	$ 146,698	14.49%	$ 91,276	$ 110,277	(24.83%)	$ 94,700	3.75%
Contractual Services	14,505	4,888	(66.30%)	6,910	6,910	41.37%	6,800	(1.59%)
Materials & Supplies	7,328	3,630	(50.46%)	3,525	4,725	30.17%	3,900	10.64%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	76,042	74,245	(2.36%)	69,627	69,621	(6.23%)	69,500	(0.18%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 226,004	$ 229,461	1.53%	$ 171,338	$ 191,533	(16.53%)	$ 174,900	2.08%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 226,004	$ 229,461	1.53%	$ 171,338	$ 191,533	(16.53%)	$ 174,900	2.08%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Capital Projects Admin FUND: 010

PROGRAM NUMBER: 51310

PROGRAM OBJECTIVE: To manage the design and construction of an integrated program of City funded capital improvement projects by providing project engineering and contract administration services resulting in a cost effective, well planned and aesthetically pleasing community.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 601	100.00%	$ 112,112	$ 112,112	18,554.24%	$ 112,200	0.08%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	(112,112)	(112,112)	100.00%	(112,200)	0.08%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 601	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 601	100.00%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Solid Waste FUND: 010

PROGRAM NUMBER: 51510

PROGRAM OBJECTIVE: Ensure that the City meets the State required mandate of diverting 50% of the City's waste stream through recycling activities. Administer grants related to recycling of beverage containers and used oil. Administer the agreement between the City and the City's solid waste hauler. This entails annual rate adjustments and an annual delinquent solid waste tax roll public hearing and processing. Respond to customer service complaints and inquiries regarding solid waste and recycling. Issue and maintain all self-haul permits.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 102,447	$ 121,080	18.19%	$ 161,951	$ 141,899	17.19%	$ 151,300	(6.58%)
Contractual Services	11,199	24,231	116.37%	16,890	24,724	2.03%	23,000	36.18%
Materials & Supplies	405	4,933	1,118.02%	2,425	4,775	(3.20%)	2,500	3.09%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	17,083	12,048	(29.47%)	12,766	12,875	6.86%	12,600	(1.30%)
Transfers Out	239	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 131,373	$ 162,292	23.54%	$ 194,032	$ 184,273	13.54%	$ 189,400	(2.39%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 131,373	$ 162,292	23.54%	$ 194,032	$ 184,273	13.54%	$ 189,400	(2.39%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Transportation Engineering FUND: 010

PROGRAM NUMBER: 53110

PROGRAM OBJECTIVE: To plan for the surface transportation system needed by the city including freeways, surface streets, intersections, traffic signals, driveways, bikeways, and sidewalks. Also, design, oversee construction, and operate the city's traffic signal system.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 854,617	$ 635,472	(25.64%)	$ 593,718	$ 581,135	(8.55%)	$ 600,200	1.09%
Contractual Services	40,974	175,884	329.26%	263,287	117,500	(33.19%)	13,100	(95.02%)
Materials & Supplies	19,353	20,769	7.32%	16,600	16,602	(20.06%)	16,800	1.20%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	207,322	185,231	(10.66%)	177,784	177,784	(4.02%)	177,500	(0.16%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,122,266	$ 1,017,356	(9.35%)	$ 1,051,389	$ 893,021	(12.22%)	$ 807,600	(23.19%)
Capital Expenditures								
Fixed Assets	26,130	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 26,130	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,148,396	$ 1,017,356	(11.41%)	$ 1,051,389	$ 893,021	(12.22%)	$ 807,600	(23.19%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Traffic Signal Maintenance FUND: 010

PROGRAM NUMBER: 53310

PROGRAM OBJECTIVE: Maintain the city's traffic signal system. Inspect construction of new signals and interconnects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 319,357	$ 332,946	4.26%	$ 322,211	$ 322,311	(3.19%)	$ 314,200	(2.49%)
Contractual Services	150,193	176,016	17.19%	173,285	191,900	9.02%	183,400	5.84%
Materials & Supplies	177,508	137,190	(22.71%)	76,000	112,500	(18.00%)	149,700	96.97%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	58,071	48,346	(16.75%)	47,822	47,822	(1.08%)	47,700	(0.26%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 705,129	$ 694,498	(1.51%)	$ 619,318	$ 674,533	(2.87%)	$ 695,000	12.22%
Capital Expenditures								
Fixed Assets	21,388	95,257	345.38%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 21,388	$ 95,257	345.38%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 726,517	$ 789,755	8.70%	$ 619,318	$ 674,533	(14.59%)	$ 695,000	12.22%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Capital Projects Engineering FUND: 010

PROGRAM NUMBER: 54110

PROGRAM OBJECTIVE: To provide for depreciation of public works engineering project hardware equipment for autocad stations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	233	100.00%	232	259	11.33%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,373	9,221	(11.11%)	8,955	8,955	(2.88%)	8,900	(0.61%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,373	$ 9,454	(8.86%)	$ 9,187	$ 9,214	(2.53%)	$ 8,900	(3.12%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,373	$ 9,454	(8.86%)	$ 9,187	$ 9,214	(2.53%)	$ 8,900	(3.12%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Street Maintenance FUND: 010

PROGRAM NUMBER: 55110

PROGRAM OBJECTIVE: To ensure the safety and convenience of all those who use our City streets by providing preventive maintenance and repair to paved and unpaved roads, and by keeping all road shoulders graded and free of weeds and litter.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	52	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 52	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	15,583	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 15,583	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 15,583	$ 52	(99.67%)	$ -	$ -	(100.00%)	$ -	-

MV000054968

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Signing & Striping FUND: 010

PROGRAM NUMBER: 55410

PROGRAM OBJECTIVE: Maintain city traffic control devices including signs, legends, striping, and pavement markings.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	9	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	8,943	3	(99.97%)	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 8,943	$ 12	(99.87%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	23,700	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 23,700	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 32,643	$ 12	(99.96%)	$ -	$ -	(100.00%)	$ -	-

MV000054969

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Graffiti Removal FUND: 010

PROGRAM NUMBER: 55810

PROGRAM OBJECTIVE: To enhance the image of the City and to discourage the recurrence of graffiti by removing graffiti from both public and private property within twenty-four hours after it is reported by the public or observed by the City's removal crew.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	7,196	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	3,916	4,588	17.16%	4,588	4,588	-	4,500	(1.92%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 11,112	$ 4,588	(58.71%)	$ 4,588	$ 4,588	-	$ 4,500	(1.92%)
Capital Expenditures								
Fixed Assets	33,385	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 33,385	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 44,497	$ 4,588	(89.69%)	$ 4,588	$ 4,588	-	$ 4,500	(1.92%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Tree Trimming FUND: 010

PROGRAM NUMBER: 56710

PROGRAM OBJECTIVE: To ensure the safety, health and aesthetics of the City street tree inventory by trimming, removing and planting street trees, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	27,953	20,414	(26.97%)	20,414	20,414	-	20,400	(0.07%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 27,953	$ 20,414	(26.97%)	$ 20,414	$ 20,414	-	$ 20,400	(0.07%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 27,953	$ 20,414	(26.97%)	$ 20,414	$ 20,414	-	$ 20,400	(0.07%)

MV00054971

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Administration FUND: 010

PROGRAM NUMBER: 62110

PROGRAM OBJECTIVE: To coordinate the operations of the MVPD facility, which includes Community Services, the Business Office, Accounting, and the Volunteer Forces.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 217,286	$ 177,894	(18.13%)	$ 192,734	$ 192,734	8.34%	$ 184,400	(4.32%)
Contractual Services	1,202,725	1,463,102	21.65%	1,619,415	1,583,415	8.22%	1,695,324	4.69%
Materials & Supplies	82,602	60,440	(26.83%)	50,897	49,763	(17.66%)	50,000	(1.76%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,216,220	1,704,110	40.12%	1,733,151	1,733,151	1.70%	1,732,900	(0.01%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,718,833	$ 3,405,546	25.26%	$ 3,596,197	$ 3,559,063	4.51%	$ 3,662,624	1.85%
Capital Expenditures								
Fixed Assets	8,720	-	(100.00%)	3,000	3,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ 8,720	$ -	(100.00%)	$ 3,000	$ 3,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 2,727,553	$ 3,405,546	24.86%	$ 3,599,197	$ 3,562,063	4.60%	$ 3,662,624	1.76%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Patrol and Investigation FUND: 010

PROGRAM NUMBER: 62210

PROGRAM OBJECTIVE: Dedicated to interaction with the community, to provide professional and rapid response to reported crimes, and the detection of in-progress crimes.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	20,449,837	21,412,634	4.71%	21,570,409	21,578,609	0.78%	22,744,909	5.44%
Materials & Supplies	16,809	14,228	(15.35%)	16,634	17,470	22.79%	16,700	0.40%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	4,980	9,387	88.49%	9,387	9,387	-	9,300	(0.93%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 20,471,626	$ 21,436,249	4.71%	$ 21,596,430	$ 21,605,466	0.79%	$ 22,770,909	5.44%
Capital Expenditures								
Fixed Assets	-	-	-	6,000	12,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 6,000	$ 12,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 20,471,626	$ 21,436,249	4.71%	$ 21,602,430	$ 21,617,466	0.85%	$ 22,770,909	5.41%

MV00054973

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Traffic Enforcement FUND: 010

PROGRAM NUMBER: 62310

PROGRAM OBJECTIVE: To proactively enforce hazardous traffic violations through education and enforcement, to reduce the number of injury collisions within the City, to utilize traffic safety check points to ensure compliance with drivers licensing requirements and to provide highly trained personnel for reconstruction of serious and fatal traffic collisions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 89,153	$ 91,504	2.64%	$ 92,341	$ 92,341	0.91%	$ 90,200	(2.32%)
Contractual Services	4,629,364	5,189,801	12.11%	5,653,178	5,632,172	8.52%	5,897,316	4.32%
Materials & Supplies	87,822	86,426	(1.59%)	106,912	98,882	14.41%	114,900	7.47%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	50,079	190,359	280.12%	198,924	198,924	4.50%	198,800	(0.06%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 4,856,418	$ 5,558,090	14.45%	$ 6,051,355	$ 6,022,319	8.35%	$ 6,301,216	4.13%
Capital Expenditures								
Fixed Assets	170,617	71,610	(58.03%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 170,617	$ 71,610	(58.03%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 5,027,035	$ 5,629,700	11.99%	$ 6,051,355	$ 6,022,319	6.97%	$ 6,301,216	4.13%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Detective Unit FUND: 010

PROGRAM NUMBER: 62410

PROGRAM OBJECTIVE: To provide assistance and service to the City, while promoting a safe environment for our citizens. Emphasize follow-up investigations on major crimes, and maintain and develop investigative specialties through training and experience to stay ahead of future trends in criminal activity.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	882,623	1,026,666	16.32%	1,145,089	1,128,081	9.88%	1,215,600	6.16%
Materials & Supplies	3,885	10,772	177.27%	14,938	14,938	38.67%	15,200	1.75%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,543	7,683	(27.13%)	7,683	7,683	-	7,600	(1.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 897,051	$ 1,045,121	16.51%	$ 1,167,710	$ 1,150,702	10.10%	$ 1,238,400	6.05%
Capital Expenditures								
Fixed Assets	27,693	12,125	(56.22%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 27,693	$ 12,125	(56.22%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 924,744	$ 1,057,246	14.33%	$ 1,167,710	$ 1,150,702	8.84%	$ 1,238,400	6.05%

MV00054975

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Crime Prevention FUND: 010

PROGRAM NUMBER: 62510

PROGRAM OBJECTIVE: Objectively seek community enrichment and solutions to community problems through policing and cooperation. Conduct on-going interactive presentations and community meetings to accomplish this effort.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	903,740	890,243	(1.49%)	1,028,929	994,009	11.66%	1,073,900	4.37%
Materials & Supplies	23,038	18,327	(20.45%)	23,524	23,524	28.36%	24,000	2.02%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	29,951	23,960	(20.00%)	24,954	24,954	4.15%	24,900	(0.22%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 956,729	$ 932,530	(2.53%)	$ 1,077,407	$ 1,042,487	11.79%	$ 1,122,800	4.21%
Capital Expenditures								
Fixed Assets	-	24,096	100.00%	27,000	-	(100.00%)	-	(100.00%)
Total Capital Expenditures	$ -	$ 24,096	100.00%	$ 27,000	$ -	(100.00%)	$ -	-
Total Program Budget	$ 956,729	$ 956,626	(0.01%)	$ 1,104,407	$ 1,042,487	8.98%	$ 1,122,800	1.67%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Crime Prevention - POP FUND: 010

PROGRAM NUMBER: 62610

PROGRAM OBJECTIVE: To address quality of life issues through proactive law enforcement and problem solving utilizing community oriented policing concepts such as Crime Free Multi-Housing, Safe Streets Now!, and Nuisance Abatements. The Problem Oriented Policing Team will respond quickly to citizen's complaints and inquiries and work in a close partnership with other city, local and state agencies.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	1,948,432	2,130,565	9.35%	2,432,439	2,431,239	14.11%	2,542,275	4.52%
Materials & Supplies	5,882	6,768	15.06%	7,150	7,150	5.64%	7,200	0.70%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	21,657	11,758	(45.71%)	12,427	12,427	5.69%	12,300	(1.02%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,975,971	$ 2,149,091	8.76%	$ 2,452,016	$ 2,450,816	14.04%	$ 2,561,775	4.48%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,975,971	$ 2,149,091	8.76%	$ 2,452,016	$ 2,450,816	14.04%	$ 2,561,775	4.48%

MV00054977

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Special Enforcement FUND: 010

PROGRAM NUMBER: 62710

PROGRAM OBJECTIVE: To focus on the arrests of street level drug dealers, users, manufacturers and traffickers of illegal narcotics by using a variety of approaches to include but not limited to community involvement, WE TIP information, informants and other proactive police techniques. Parole and probation searches are used as a tool in exposing those responsible for the street level drug trade.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,929,559	3,220,922	9.95%	3,433,478	3,579,678	11.14%	3,766,400	9.70%
Materials & Supplies	49,889	18,047	(63.83%)	20,904	20,922	15.93%	21,000	0.46%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	16,018	19,265	20.27%	19,265	19,265	-	19,200	(0.34%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,995,466	$ 3,258,234	8.77%	$ 3,473,647	$ 3,619,865	11.10%	$ 3,806,600	9.59%
Capital Expenditures								
Fixed Assets	75,844	38,378	(49.40%)	7,702	-	(100.00%)	-	(100.00%)
Total Capital Expenditures	$ 75,844	$ 38,378	(49.40%)	$ 7,702	$ -	(100.00%)	$ -	-
Total Program Budget	$ 3,071,310	$ 3,296,612	7.34%	$ 3,481,349	$ 3,619,865	9.81%	$ 3,806,600	9.34%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Towngate Mall Patrol FUND: 010

PROGRAM NUMBER: 62910

PROGRAM OBJECTIVE: Establish a closer working relationship with Mall Security and store managers to create a healthier business climate and higher level of public safety.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	426,354	439,619	3.11%	477,339	477,339	8.58%	495,300	3.76%
Materials & Supplies	-	119	100.00%	706	706	493.28%	700	(0.85%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	411	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 426,765	$ 439,738	3.04%	$ 478,045	$ 478,045	8.71%	$ 496,000	3.76%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 426,765	$ 439,738	3.04%	$ 478,045	$ 478,045	8.71%	$ 496,000	3.76%

MV000054979

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Animal Services FUND: 010

PROGRAM NUMBER: 63110

PROGRAM OBJECTIVE: To provide a comprehensive animal control program to all citizens of Moreno Valley and contracted cities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,623,453	$ 1,614,612	(0.54%)	$ 1,621,696	$ 1,599,600	(0.93%)	$ 1,606,000	(0.97%)
Contractual Services	202,581	166,657	(17.73%)	177,739	167,950	0.78%	158,300	(10.94%)
Materials & Supplies	189,152	215,456	13.91%	168,675	169,000	(21.56%)	158,600	(5.97%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	503,758	510,803	1.40%	492,003	492,001	(3.68%)	492,200	0.04%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,518,944	$ 2,507,528	(0.45%)	$ 2,460,113	$ 2,428,551	(3.15%)	$ 2,415,100	(1.83%)
Capital Expenditures								
Fixed Assets	196,976	-	(100.00%)	-	-	-	17,300	100.00%
Total Capital Expenditures	$ 196,976	$ -	(100.00%)	$ -	$ -	-	$ 17,300	100.00%
Total Program Budget	$ 2,715,920	$ 2,507,528	(7.67%)	$ 2,460,113	$ 2,428,551	(3.15%)	$ 2,432,400	(1.13%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Emergency Operations & Volunteer Services FUND: 010

PROGRAM NUMBER: 64110

PROGRAM OBJECTIVE: To administer the City's Volunteer/Disaster Services programs including CPR and CERT training.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 205,021	$ 184,377	(10.07%)	$ 146,328	$ 146,328	(20.64%)	$ 143,700	(1.80%)
Contractual Services	28,403	22,671	(20.18%)	14,811	14,811	(34.67%)	14,700	(0.75%)
Materials & Supplies	43,134	19,932	(53.79%)	21,921	16,921	(15.11%)	24,800	13.13%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	366,671	398,900	8.79%	412,782	412,782	3.48%	412,500	(0.07%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 643,229	$ 625,880	(2.70%)	$ 595,842	$ 590,842	(5.60%)	$ 595,700	(0.02%)
Capital Expenditures								
Fixed Assets	46,860	32,250	(31.18%)	7,750	7,750	(75.97%)	-	(100.00%)
Total Capital Expenditures	$ 46,860	$ 32,250	(31.18%)	$ 7,750	$ 7,750	(75.97%)	$ -	(100.00%)
Total Program Budget	$ 690,089	$ 658,130	(4.63%)	$ 603,592	$ 598,592	(9.05%)	$ 595,700	(1.31%)

MV00054981

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Crossing Guards FUND: 010

PROGRAM NUMBER: 72110

PROGRAM OBJECTIVE: Train and provide school crossing guards to the Moreno Valley and Val Verde Unified School Districts.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 593,563	$ 582,142	(1.92%)	$ 559,950	$ 559,950	(3.81%)	$ 575,100	2.71%
Contractual Services	4,481	3,305	(26.24%)	3,605	3,650	10.44%	3,800	5.41%
Materials & Supplies	2,054	3,459	68.40%	2,550	2,600	(24.83%)	2,600	1.96%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	56,279	43,869	(22.05%)	36,021	36,021	(17.89%)	36,000	(0.06%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 656,377	$ 632,775	(3.60%)	$ 602,126	$ 602,221	(4.83%)	$ 617,500	2.55%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 656,377	$ 632,775	(3.60%)	$ 602,126	$ 602,221	(4.83%)	$ 617,500	2.55%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Development Services Admin Support FUND: 011

PROGRAM NUMBER: 41010

PROGRAM OBJECTIVE: To provide administrative oversight to the City's development services function, including support from the office of the City Manager and City Attorney.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 507,962	$ 472,255	(7.03%)	$ 337,411	$ 316,716	(32.94%)	$ 353,500	4.77%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	11,275	8,051	(28.59%)	7,784	67,784	741.93%	7,800	0.21%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 519,237	$ 480,306	(7.50%)	$ 345,195	$ 384,500	(19.95%)	$ 361,300	4.67%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 519,237	$ 480,306	(7.50%)	$ 345,195	$ 384,500	(19.95%)	$ 361,300	4.67%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Administration FUND: 011

PROGRAM NUMBER: 41110

PROGRAM OBJECTIVE: To lead and coordinate the activities of the following Community Development divisions and programs: Development Services Counter Operations; Building & Safety; Code & Neighborhood Services and Planning.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 451,871	$ 400,382	(11.39%)	$ 241,298	$ 230,280	(42.48%)	$ 225,100	(6.71%)
Contractual Services	29,263	12,760	(56.40%)	61,990	7,710	(39.58%)	8,100	(86.93%)
Materials & Supplies	26,963	12,255	(54.55%)	19,866	14,226	16.08%	16,700	(15.94%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	136,501	141,753	3.85%	134,033	134,033	(5.45%)	133,900	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 644,598	$ 567,150	(12.01%)	$ 457,187	$ 386,249	(31.90%)	$ 383,800	(16.05%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 644,598	$ 567,150	(12.01%)	$ 457,187	$ 386,249	(31.90%)	$ 383,800	(16.05%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Planning Commission FUND: 011

PROGRAM NUMBER: 41210

PROGRAM OBJECTIVE: To assist the City Council with land use planning and ensure implementation of the City's General Plan by reviewing and approving major projects, zone changes and code amendments in accordance with adopted land use policies.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 50,559	$ 46,161	(8.70%)	$ 42,756	$ 44,503	(3.59%)	$ 45,200	5.72%
Contractual Services	18,126	10,625	(41.38%)	12,450	10,039	(5.52%)	10,100	(18.88%)
Materials & Supplies	3,840	3,108	(19.06%)	1,700	2,600	(16.34%)	2,600	52.94%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	23,862	19,157	(19.72%)	16,421	16,421	(14.28%)	16,300	(0.74%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 96,387	$ 79,051	(17.99%)	$ 73,327	$ 73,563	(6.94%)	$ 74,200	1.19%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 96,387	$ 79,051	(17.99%)	$ 73,327	$ 73,563	(6.94%)	$ 74,200	1.19%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Planning FUND: 011

PROGRAM NUMBER: 41310

PROGRAM OBJECTIVE: To recommend and implement land use policies within the City; process land use applications in accordance with the adopted development policies and regulations, including the provision of counter service, technical and environmental review, and the preparation of conditions of approval; the preparation and processing of updates and revisions to the General Plan, Municipal Code, Landscape Standards and Design Guidelines; and to provide staff support for the Planning Commission, Ecological Protection Board, Cultural Preservation Board, and Project Review Staff Committee.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,171,490	$ 945,820	(19.26%)	$ 623,320	$ 532,256	(43.73%)	$ 532,200	(14.62%)
Contractual Services	52,642	83,452	58.53%	59,229	7,770	(90.69%)	9,400	(84.13%)
Materials & Supplies	12,019	11,830	(1.57%)	8,800	7,700	(34.91%)	7,600	(13.64%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	248,896	212,083	(14.79%)	203,906	203,906	(3.86%)	203,700	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,485,047	$ 1,253,185	(15.61%)	$ 895,255	$ 751,632	(40.02%)	$ 752,900	(15.90%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,485,047	$ 1,253,185	(15.61%)	$ 895,255	$ 751,632	(40.02%)	$ 752,900	(15.90%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Building & Safety FUND: 011

PROGRAM NUMBER: 45410

PROGRAM OBJECTIVE: To promulgate code proposals, issue permits, provide plan check and inspection services, conduct code enforcement and provide assistance to citizens in complying with jurisdictional and State building codes to ensure the safety of the citizens of Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,592,530	$ 1,559,594	(2.07%)	$ 897,766	$ 611,309	(60.80%)	$ 746,000	(16.90%)
Contractual Services	634,702	382,078	(39.80%)	377,220	341,307	(10.67%)	301,800	(19.99%)
Materials & Supplies	49,798	67,571	35.69%	24,075	20,575	(69.55%)	25,900	7.58%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	299,041	239,428	(19.93%)	234,746	234,746	(1.96%)	234,600	(0.06%)
Transfers Out	221	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 2,576,292	$ 2,248,671	(12.72%)	$ 1,533,807	$ 1,207,937	(46.28%)	$ 1,308,300	(14.70%)
Capital Expenditures								
Fixed Assets	76,073	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 76,073	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,652,365	$ 2,248,671	(15.22%)	$ 1,533,807	$ 1,207,937	(46.28%)	$ 1,308,300	(14.70%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Prevention Inspections FUND: 011

PROGRAM NUMBER: 45810

PROGRAM OBJECTIVE: To conduct plan checks and development inspections to ensure the safe operation of businesses within the City.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 752,196	$ 251,245	(66.60%)	$ 126,828	$ 134,400	(46.51%)	$ 113,700	(10.35%)
Contractual Services	79,812	13,244	(83.41%)	13,980	15,000	13.26%	13,700	(2.00%)
Materials & Supplies	17,343	10,172	(41.35%)	5,791	2,800	(72.47%)	5,560	(3.99%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	138,899	165,661	19.27%	155,374	155,600	(6.07%)	155,200	(0.11%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 988,250	$ 440,322	(55.44%)	$ 301,973	$ 307,800	(30.10%)	$ 288,160	(4.57%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 988,250	$ 440,322	(55.44%)	$ 301,973	$ 307,800	(30.10%)	$ 288,160	(4.57%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Land Development FUND: 011

PROGRAM NUMBER: 52310

PROGRAM OBJECTIVE: To coordinate professional engineering services for new development ensuring an integrated program of infrastructure improvements by providing review and approval of tentative tract maps, tract and parcel maps, lot line adjustments, processing of sureties and public improvement agreements and environmental impact, geotechnical, and hydrology/hydraulics reports.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,726,570	$ 1,354,976	(21.52%)	$ 903,203	$ 903,203	(33.34%)	$ 906,500	0.37%
Contractual Services	487,552	45,773	(90.61%)	94,038	93,900	105.14%	134,700	43.24%
Materials & Supplies	30,061	7,356	(75.53%)	7,556	7,700	4.68%	4,400	(41.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	345,126	313,336	(9.21%)	300,798	300,798	(4.00%)	300,500	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,589,309	$ 1,721,441	(33.52%)	$ 1,305,595	$ 1,305,601	(24.16%)	$ 1,346,100	3.10%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,589,309	$ 1,721,441	(33.52%)	$ 1,305,595	$ 1,305,601	(24.16%)	$ 1,346,100	3.10%

MV000054989

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Inspection Services FUND: 011

PROGRAM NUMBER: 52710

PROGRAM OBJECTIVE: To provide public works inspection services for land development and capital projects ensuring compliance with City development standards.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 729,347	$ 473,558	(35.07%)	$ 577,278	$ 576,028	21.64%	$ 558,900	(3.18%)
Contractual Services	387,785	11,163	(97.12%)	8,247	9,300	(16.69%)	20,600	149.79%
Materials & Supplies	26,303	18,361	(30.19%)	13,690	13,800	(24.84%)	11,100	(18.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	105,064	80,844	(23.05%)	80,377	80,377	(0.58%)	80,200	(0.22%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,248,499	$ 583,926	(53.23%)	$ 679,592	$ 679,505	16.37%	$ 670,800	(1.29%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,248,499	$ 583,926	(53.23%)	$ 679,592	$ 679,505	16.37%	$ 670,800	(1.29%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - HLFV Project FUND: 011

PROGRAM NUMBER: 52910

PROGRAM OBJECTIVE: To provide public works plan check and inspection services for Highand Fairview/Mass Grading project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 61,830	$ 3,645	(94.10%)	$ 22,876	$ 22,876	527.60%	$ -	(100.00%)
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	159	8	(94.97%)	-	5	(37.50%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 61,989	$ 3,653	(94.11%)	$ 22,876	$ 22,881	526.36%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 61,989	$ 3,653	(94.11%)	$ 22,876	$ 22,881	526.36%	$ -	(100.00%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Verizon FTTP FUND: 011

PROGRAM NUMBER: 52911

PROGRAM OBJECTIVE: To provide public works plan check and inspection services for Highand Fairview/Mass Grading project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 93,736	$ 200,629	114.04%	$ 85,000	$ 72,300	(63.96%)	$ 72,800	(14.35%)
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	15	511	3,306.67%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	12,816	100.00%	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 93,751	$ 201,140	114.55%	$ 85,000	$ 85,116	(57.68%)	$ 72,800	(14.35%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 93,751	$ 201,140	114.55%	$ 85,000	$ 85,116	(57.68%)	$ 72,800	(14.35%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Sunesys, LLC FUND: 011

PROGRAM NUMBER: 52912

PROGRAM OBJECTIVE: To provide Public Works plan check and inspection services for Sunesys, LLC.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 8,382	$ 2,171	(74.10%)	$ 2,200	$ 4,060	87.01%	$ 2,400	9.09%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	4	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 8,382	$ 2,175	(74.05%)	$ 2,200	$ 4,060	86.67%	$ 2,400	9.09%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 8,382	$ 2,175	(74.05%)	$ 2,200	$ 4,060	86.67%	$ 2,400	9.09%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Highland Fairview Interchanges FUND: 011

PROGRAM NUMBER: 52913

PROGRAM OBJECTIVE: To provide Public Works plan check and inspection services for Highland Fairview Interchanges.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 5,270	$ 6,760	28.27%	$ -	$ 2,520	(62.72%)	$ -	-
Contractual Services	87	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 5,357	$ 6,760	26.19%	$ -	$ 2,520	(62.72%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	88,116	85,480	100.00%	50,000	(43.26%)
Total Capital Expenditures	$ -	$ -	-	$ 88,116	$ 85,480	100.00%	$ 50,000	(41.51%)
Total Program Budget	$ 5,357	$ 6,760	26.19%	$ 88,116	$ 88,000	1,201.78%	$ 50,000	(43.26%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW EMWD Sunnymead Pipeline FUND: 011

PROGRAM NUMBER: 52914

PROGRAM OBJECTIVE: To provide Public Works inspection services for EMWD Sunnymead Pipeline project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 852	100.00%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 852	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	50,000	98,148	96.30%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 50,000	$ 98,148	96.30%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 50,000	$ 99,000	98.00%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Transportation Development Services FUND: 011

PROGRAM NUMBER: 53210

PROGRAM OBJECTIVE: To provide technical support, with respect to development impacts to traffic safety, traffic operation, circulation and access to the Planning and Land Development divisions, the Planning Commission and City Council. The increased demand in Development Review services will be accommodated while the standard level of service for other traffic-engineering related services, currently provided by Transportation Engineering divisions, can still be maintained.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 450,182	$ 427,592	(5.02%)	$ 237,566	$ 229,466	(46.34%)	$ 262,900	10.66%
Contractual Services	10	19	90.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	14,649	16,660	13.73%	15,787	15,787	(5.24%)	15,700	(0.55%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 464,841	$ 444,271	(4.43%)	$ 253,353	$ 245,253	(44.80%)	$ 278,600	9.97%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 464,841	$ 444,271	(4.43%)	$ 253,353	$ 245,253	(44.80%)	$ 278,600	9.97%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Transportation Inspection Services FUND: 011

PROGRAM NUMBER: 53410

PROGRAM OBJECTIVE: To ensure all traffic signs, traffic markings, traffic signals and other traffic control devices installed by developers and contractors, are constructed properly per City guidelines and procedures and operate safely and efficiently. The increased demand in inspection of new roadway improvements will be accommodated while the standard level of service for other traffic-engineering related services, currently provided by Transportation Engineering divisions, can still be maintained.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 65,782	$ 46,752	(28.93%)	$ 25,846	$ 25,846	(44.72%)	$ 32,100	24.20%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	75	68	(9.33%)	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	13,368	8,964	(32.94%)	9,643	9,643	7.57%	9,600	(0.45%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 79,225	$ 55,784	(29.59%)	$ 35,489	$ 35,489	(36.38%)	$ 41,700	17.50%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 79,225	$ 55,784	(29.59%)	$ 35,489	$ 35,489	(36.38%)	$ 41,700	17.50%

MV00054997

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Document Imaging - Building & Safety FUND: 133

PROGRAM NUMBER: 74626

PROGRAM OBJECTIVE: To account for funding appropriated for the Document Imaging project for the Building & Safety Division.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	88,558	15,476	(82.52%)	22,494	22,494	45.35%	-	(100.00%)
Total Capital Expenditures	$ 88,558	$ 15,476	(82.52%)	$ 22,494	$ 22,494	45.35%	$ -	(100.00%)
Total Program Budget	$ 88,558	$ 15,476	(82.52%)	$ 22,494	$ 22,494	45.35%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Prevention FUND: 133

PROGRAM NUMBER: 45910

PROGRAM OBJECTIVE: To conduct required inspections of industrial, commercial, educational, governmental, health care and other institutional facilities to ensure public safety in those occupancies within the City.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 115,928	$ 558,208	381.51%	$ 560,484	$ 541,200	(3.05%)	$ 546,800	(2.44%)
Contractual Services	12,096	89,515	640.04%	89,685	108,000	20.65%	109,650	22.26%
Materials & Supplies	3,782	4,476	18.35%	6,529	8,000	78.73%	6,600	1.09%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	62,737	34,183	(45.51%)	35,322	35,400	3.56%	35,100	(0.63%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 194,543	$ 686,382	252.82%	$ 692,020	$ 692,600	0.91%	$ 698,150	0.89%
Capital Expenditures								
Fixed Assets	15,709	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 15,709	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 210,252	$ 686,382	226.46%	$ 692,020	$ 692,600	0.91%	$ 698,150	0.89%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Operations FUND: 133

PROGRAM NUMBER: 65110

PROGRAM OBJECTIVE: To provide basic fire suppression, training, education and emergency preparedness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 115,946	$ 137,883	18.92%	$ 160,678	$ 147,000	6.61%	$ 154,500	(3.84%)
Contractual Services	12,553,705	12,571,099	0.14%	13,862,443	13,707,900	9.04%	13,888,300	0.19%
Materials & Supplies	175,473	17,399	(90.08%)	35,051	52,000	198.87%	40,200	14.69%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,053,939	1,119,071	6.18%	1,059,610	1,059,600	(5.31%)	1,059,400	(0.02%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 13,899,063	$ 13,845,452	(0.39%)	$ 15,117,782	$ 14,966,500	8.10%	$ 15,142,400	0.16%
Capital Expenditures								
Fixed Assets	190,207	116,304	(38.85%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 190,207	$ 116,304	(38.85%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 14,089,270	$ 13,961,756	(0.91%)	$ 15,117,782	$ 14,966,500	7.20%	$ 15,142,400	0.16%

City of Moreno Valley

2010-11 Preliminary Base Operating budget

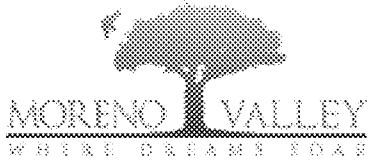

Community Services Districts

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District

Description	Zone L Library 131	Zone A Parks & Community Services 161	Zone B St Light 171	Zone C Art Light 172	Zone D Std Ldscp 181	Zone E Ext Ldscp 182	Zone M Median 183	ZONE S 185	CFD #4M 186	Total
Revenues										
Property Taxes	1,201,200	1,586,789	116,100	139,300	-	-	-	-	-	3,043,389
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	4,682,200	929,900	426,100	1,091,500	2,403,100	126,200	52,400	35,000	9,746,400
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	33,000	991,400	700	5,600	50,000	100	78,000	-	-	1,158,800
Fees for Service	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	-	-	-	9,000	1,300	69,600	1,500	-	-	81,400
Bond Proceeds	-	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	58,500	447,400	-	-	-	2,800	-	-	-	508,700
Grants/Intergovernmental Revenues	27,000	-	-	-	-	-	-	-	-	27,000
Transfers In	424,900	289,800	-	-	-	-	103,400	-	-	818,100
Total Operating Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	
Total Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Expenditures										
Operating:										
Personnel Services	1,315,600	4,229,400	132,400	37,200	479,300	593,800	86,000	28,300	-	6,902,000
Contractual Services	135,900	1,645,900	1,418,100	665,000	746,500	1,870,100	154,400	81,700	29,000	6,766,600
Materials & Supplies	225,900	435,100	3,500	3,200	44,900	88,000	15,500	2,500	-	818,600
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	483,900	2,129,600	64,000	62,900	147,300	233,500	17,200	7,500	6,000	3,151,900
Transfers Out	-	-	-	-	-	51,800	-	-	-	51,800
Total Operating Expenditures	**2,161,300**	**8,440,000**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,690,900**
Capital :										
Fixed Assets	-	6,400	-	-	-	-	-	-	-	6,400
Total Capital Expenditures	**-**	**6,400**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**6,400**
Total Program Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Increase in Reserve for Contingencies										
Total Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Net Revenues Over (Under) Expenditures	**(416,700)**	**(448,811)**	**(571,300)**	**(208,300)**	**(275,200)**	**(361,600)**	**36,000**	**(67,600)**	**-**	**(2,313,511)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services Districts

Description	Zone L Library 131.21310	Zone B Residential Street Lighting Admin. 171.77810	Zone C Arterial Street Lighting Admin. 172.77910	Zone D Standard Landscape Maint. 181.78110	Zone M Median Fund 183.18310	Zone S Sunnymead Bl. Maint. 185.18510	CFD #4M 186.18610	Total
Expenditures								
Operating:								
Personnel Services	1,315,600	132,400	37,200	479,300	86,000	28,300	-	2,078,800
Contractual Services	135,900	1,418,100	685,000	746,500	154,400	81,700	29,000	3,250,600
Materials & Supplies	225,900	3,500	3,200	44,900	15,500	2,500	-	295,500
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	483,900	64,000	62,900	147,300	17,200	7,500	6,000	788,800
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	2,161,300	1,618,000	788,300	1,418,000	273,100	120,000	35,000	6,413,700
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	2,161,300	1,618,000	788,300	1,418,000	273,100	120,000	35,000	6,413,700

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District
Zone A Parks and Community Services - Fund 161

Description	Senior Programs 73110	Parks & Community Services Administration 75910	Park Ranger Program 76010	Recreation Programs 76105	Park Maintenance 76210	Contractual Park Maintenance 76310	Golf Course Program 76410
Expenditures							
Personnel Services	220,200	323,500	286,000	996,000	1,657,500	56,550	197,200
Contractual Services	28,700	44,300	4,600	114,300	749,400	375,000	72,400
Materials & Supplies	40,000	2,600	9,500	95,600	162,200	17,200	18,800
Debt Service	-	-	-	-	-	-	-
Fixed Charges	266,000	99,600	34,800	624,400	302,100	12,100	69,100
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	554,900	470,000	334,900	1,830,300	2,871,200	460,850	357,500
Capital:							
Fixed Assets	(13,000)	-	-	-	-	-	-
Total Capital Expenditures	(13,000)	-	-	-	-	-	-
Total Program Expenditures	541,900	470,000	334,900	1,830,300	2,871,200	460,850	357,500

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District
Zone A Parks and Community Services - Fund 161

Description	Conference and Recreation Center 76510	Banquet Center 76530	Park Projects Programs 76810	Community Services 77210	Community Events 77310	Non-Departmental - Zone A 99916	Total
Expenditures							
Personnel Services	154,100	99,450	131,900	72,700	34,300	-	4,229,400
Contractual Services	88,000	22,100	4,200	11,600	131,300	-	1,645,900
Materials & Supplies	8,600	21,300	3,500	42,600	13,200	-	435,100
Debt Service	-	-	-	-	-	-	-
Fixed Charges	280,200	138,800	18,600	15,900	17,700	250,300	2,129,600
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	530,900	281,650	158,200	142,800	196,500	250,300	8,440,000
Capital:							
Fixed Assets	-	19,400	-	-	-	-	6,400
Total Capital Expenditures	-	19,400	-	-	-	-	6,400
Total Program Expenditures	530,900	301,050	158,200	142,800	196,500	250,300	8,446,400

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Commuity Services Districts
Zone E - Fund 182

Description	Extensive Landscape Maintenance 78210	Extensive Landscape - Towngate 78220	Extensive Landscape - Hidden Springs 78230	Extensive Landscape - Warmington 78240	Extensive Landscape - Landmark 78250	Extensive Landscape - Cactus Comm. Center 78260	Extensive Landscape - MV Development 78270	Extensive Landscape - Centerpointe 78280
Expenditures								
Operating:								
Personnel Services	593,800	-	-	-	-	-	-	-
Contractual Services	35,500	231,600	383,900	287,500	355,400	-	57,600	88,700
Materials & Supplies	38,300	6,300	3,300	9,900	11,200	-	1,600	1,500
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	233,500	-	-	-	-	-	-	-
Transfers Out	51,800	-	-	-	-	-	-	-
Total Operating Expenditures	952,900	237,900	387,200	297,400	366,600	-	59,200	90,200
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	952,900	237,900	387,200	297,400	366,600	-	59,200	90,200

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Commuity Services Districts
Zone E - Fund 182

Description	Renaissance Park 78281	Daybreak Div 78282	Zone E3A 78283	E8 - Promontory Park 78284	E15 - Celebrations 78285	E14 - Mahogany 78286	E12 - Stoneridge 78287	Total
Expenditures								
Operating:								
Personnel Services	-	-	-	-	-	-	-	593,800
Contractual Services	43,200	7,100	27,100	162,000	47,800	80,600	62,100	1,870,100
Materials & Supplies	1,200	300	1,400	6,600	3,400	1,200	1,800	88,000
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	233,500
Transfers Out	-	-	-	-	-	-	-	51,800
Total Operating Expenditures	44,400	7,400	28,500	168,600	51,200	81,800	63,900	2,837,200
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	44,400	7,400	28,500	168,600	51,200	81,800	63,900	2,837,200

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Library FUND: 131

PROGRAM NUMBER: 21310

PROGRAM OBJECTIVE: To provide a full range of library services to all the residents of the City through both traditional delivery methods and various computerized venues.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,542,762	$ 1,310,397	(15.06%)	$ 1,338,815	$ 1,274,756	(2.72%)	$ 1,315,600	(1.73%)
Contractual Services	158,887	166,465	4.77%	144,776	126,477	(24.02%)	135,900	(6.13%)
Materials & Supplies	145,570	145,206	(0.25%)	236,076	250,720	72.67%	225,900	(4.31%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	392,250	490,456	25.04%	484,119	484,169	(1.28%)	483,900	(0.05%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,239,469	$ 2,112,524	(5.67%)	$ 2,203,786	$ 2,136,122	1.12%	$ 2,161,300	(1.93%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,239,469	$ 2,112,524	(5.67%)	$ 2,203,786	$ 2,136,122	1.12%	$ 2,161,300	(1.93%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Senior Programs FUND: 161

PROGRAM NUMBER: 73110

PROGRAM OBJECTIVE: To plan, design, and oversee the wide range of programs offered to the City's Senior Citizen community.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 232,431	$ 236,030	1.55%	$ 234,995	$ 205,400	(12.98%)	$ 220,200	(6.30%)
Contractual Services	5,991	67,164	1,021.08%	17,535	16,100	(76.03%)	28,700	63.67%
Materials & Supplies	25,546	31,324	22.62%	28,200	30,234	(3.48%)	40,000	41.84%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	351,591	270,470	(23.07%)	266,259	266,000	(1.65%)	266,000	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 615,559	$ 604,988	(1.72%)	$ 546,989	$ 517,734	(14.42%)	$ 554,900	1.45%
Capital Expenditures								
Fixed Assets	-	-	-	80,000	-	-	(13,000)	(116.25%)
Total Capital Expenditures	$ -	$ -	-	$ 80,000	$ -	-	$ (13,000)	100.00%
Total Program Budget	$ 615,559	$ 604,988	(1.72%)	$ 626,989	$ 517,734	(14.42%)	$ 541,900	(13.57%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Parks & Community Services Administration FUND: 161

PROGRAM NUMBER: 75910

PROGRAM OBJECTIVE: To administer the Parks and Community Services department in order to plan, design, and oversee the wide range of programs offered to the residents of Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 363,060	$ 351,890	(3.08%)	$ 341,523	$ 345,100	(1.93%)	$ 323,500	(5.28%)
Contractual Services	53,033	81,841	54.32%	44,221	41,900	(48.80%)	44,300	0.18%
Materials & Supplies	5,985	2,845	(52.46%)	2,450	2,700	(5.10%)	2,600	6.12%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	60,785	79,241	30.36%	99,962	102,900	29.86%	99,600	(0.36%)
Transfers Out	370	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 483,233	$ 515,817	6.74%	$ 488,156	$ 492,600	(4.50%)	$ 470,000	(3.72%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 483,233	$ 515,817	6.74%	$ 488,156	$ 492,600	(4.50%)	$ 470,000	(3.72%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Park Ranger Program FUND: 161

PROGRAM NUMBER: 76010

PROGRAM OBJECTIVE: To maintain safety in the City's parks through patrol services, enforcement of park rules and regulations, and the promotion of safe use of park facilities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 359,246	$ 304,107	(15.35%)	$ 346,835	$ 236,200	(22.33%)	$ 286,000	(17.54%)
Contractual Services	10,401	7,378	(29.06%)	4,090	3,500	(52.56%)	4,600	12.47%
Materials & Supplies	29,320	21,316	(27.30%)	9,000	10,000	(53.09%)	9,500	5.56%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	30,456	26,162	(14.10%)	35,042	34,900	33.40%	34,800	(0.69%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 429,423	$ 358,963	(16.41%)	$ 394,967	$ 284,600	(20.72%)	$ 334,900	(15.21%)
Capital Expenditures								
Fixed Assets	18,966	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 18,966	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 448,389	$ 358,963	(19.94%)	$ 394,967	$ 284,600	(20.72%)	$ 334,900	(15.21%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Recreation Programs FUND: 161

PROGRAM NUMBER: 76105

PROGRAM OBJECTIVE: To plan, design, and oversee the wide range of recreation programs offered to the entire City; schedule and supervise use of sports activities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,176,855	$ 1,043,036	(11.37%)	$ 1,048,439	$ 974,900	(6.53%)	$ 996,000	(5.00%)
Contractual Services	88,639	133,868	51.03%	95,359	109,608	(18.12%)	114,300	19.86%
Materials & Supplies	93,725	88,954	(5.09%)	82,775	89,600	0.73%	95,600	15.49%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	440,838	575,895	30.64%	624,692	624,700	8.47%	624,400	(0.05%)
Transfers Out	1,363	31,041	2,177.40%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,801,420	$ 1,872,794	3.96%	$ 1,851,265	$ 1,798,808	(3.95%)	$ 1,830,300	(1.13%)
Capital Expenditures								
Fixed Assets	147,284	-	(100.00%)	7,265	7,300	100.00%	-	(100.00%)
Total Capital Expenditures	$ 147,284	$ -	(100.00%)	$ 7,265	$ 7,300	100.00%	$ -	(100.00%)
Total Program Budget	$ 1,948,704	$ 1,872,794	(3.90%)	$ 1,858,530	$ 1,806,108	(3.56%)	$ 1,830,300	(1.52%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Park Maintenance FUND: 161

PROGRAM NUMBER: 76210

PROGRAM OBJECTIVE: To oversee and maintain parks in a safe and aesthetically pleasing manner.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,705,031	$ 1,619,058	(5.04%)	$ 1,699,402	$ 1,450,700	(10.40%)	$ 1,657,500	(2.47%)
Contractual Services	597,724	646,492	8.16%	660,023	702,300	8.63%	749,400	13.54%
Materials & Supplies	219,557	183,675	(16.34%)	159,930	158,100	(13.92%)	162,200	1.42%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	331,098	240,736	(27.29%)	302,333	302,333	25.59%	302,100	(0.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,853,410	$ 2,689,961	(5.73%)	$ 2,821,688	$ 2,613,433	(2.84%)	$ 2,871,200	1.75%
Capital Expenditures								
Fixed Assets	8,101	29,700	266.62%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 8,101	$ 29,700	266.62%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 2,861,511	$ 2,719,661	(4.96%)	$ 2,821,688	$ 2,613,433	(3.91%)	$ 2,871,200	1.75%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Contract Park Maintenance FUND: 161

PROGRAM NUMBER: 76310

PROGRAM OBJECTIVE: To provide maintenance of the "linear parks" for the City including the senior Center and City Hall.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 63,917	$ 63,331	(0.92%)	$ 59,743	$ 56,600	(10.63%)	$ 56,550	(5.34%)
Contractual Services	410,749	332,215	(19.12%)	362,084	386,000	16.19%	375,000	3.57%
Materials & Supplies	21,698	17,484	(19.42%)	17,903	15,100	(13.64%)	17,200	(3.93%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,414	1,246	(11.88%)	12,232	12,232	881.70%	12,100	(1.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 497,778	$ 414,276	(16.77%)	$ 451,962	$ 469,932	13.43%	$ 460,850	1.97%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 497,778	$ 414,276	(16.77%)	$ 451,962	$ 469,932	13.43%	$ 460,850	1.97%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Golf Course Program FUND: 161

PROGRAM NUMBER: 76410

PROGRAM OBJECTIVE: To administer the Park El Moreno Golf Course contract and operations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 200,086	$ 195,783	(2.15%)	$ 210,136	$ 176,600	(9.80%)	$ 197,200	(6.16%)
Contractual Services	54,403	66,835	22.85%	65,642	68,300	2.19%	72,400	10.30%
Materials & Supplies	26,273	22,346	(14.95%)	19,300	16,900	(24.37%)	18,800	(2.59%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	125,214	58,722	(53.10%)	69,377	69,400	18.18%	69,100	(0.40%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 405,976	$ 343,686	(15.34%)	$ 364,455	$ 331,200	(3.63%)	$ 357,500	(1.91%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 405,976	$ 343,686	(15.34%)	$ 364,455	$ 331,200	(3.63%)	$ 357,500	(1.91%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Conference and Recreation Center FUND: 161

PROGRAM NUMBER: 76510

PROGRAM OBJECTIVE: To provide a Conference and Recreation Center facility that is divided into two separate and distinct programming areas that can host a variety of activities concurrently; including a banquet room, a gymnasium and a fitness facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 151,663	$ 137,812	(9.13%)	$ 172,201	$ 145,100	5.29%	$ 154,100	(10.51%)
Contractual Services	78,195	85,876	9.82%	83,500	93,900	9.34%	88,000	5.39%
Materials & Supplies	11,607	7,372	(36.49%)	8,450	5,900	(19.97%)	8,600	1.78%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	269,947	292,238	8.26%	280,369	280,500	(4.02%)	280,200	(0.06%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 511,412	$ 523,298	2.32%	$ 544,520	$ 525,400	0.40%	$ 530,900	(2.50%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 511,412	$ 523,298	2.32%	$ 544,520	$ 525,400	0.40%	$ 530,900	(2.50%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Banquet Recreation Center FUND: 161

PROGRAM NUMBER: 76530

PROGRAM OBJECTIVE: To provide the City with a Banquet Facility and Community Meeting rooms at the Community and Recreation Center that can host a variety of programs, activities and special memorable occasions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 103,525	$ 104,361	0.81%	$ 102,733	$ 98,000	(6.10%)	$ 99,450	(3.20%)
Contractual Services	19,408	19,122	(1.47%)	22,270	22,900	19.76%	22,100	(0.76%)
Materials & Supplies	21,205	8,024	(62.16%)	11,677	11,300	40.83%	21,300	82.41%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	134,292	142,365	6.01%	139,002	138,900	(2.43%)	138,800	(0.15%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 278,430	$ 273,872	(1.64%)	$ 275,682	$ 271,100	(1.01%)	$ 281,650	2.16%
Capital Expenditures								
Fixed Assets	-	21,704	100.00%	39,406	5,000	(76.96%)	19,400	(50.77%)
Total Capital Expenditures	$ -	$ 21,704	100.00%	$ 39,406	$ 5,000	(76.96%)	$ 19,400	288.00%
Total Program Budget	$ 278,430	$ 295,576	6.16%	$ 315,088	$ 276,100	(6.59%)	$ 301,050	(4.46%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Parks Projects Program FUND: 161

PROGRAM NUMBER: 76810

PROGRAM OBJECTIVE: Fees charged to developers for plan checking and inspections of newly developed parks, trails, and Class-I bikeways. The fees provide Parks and Community Services 100% cost recovery for these services provided by staff and contract personnel.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 144,920	$ 130,812	(9.74%)	$ 134,716	$ 127,400	(2.61%)	$ 131,900	(2.09%)
Contractual Services	4,246	3,191	(24.85%)	3,704	3,100	(2.85%)	4,200	13.39%
Materials & Supplies	3,912	3,590	(8.23%)	3,978	3,700	3.06%	3,500	(12.02%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	20,654	14,148	(31.50%)	18,838	18,800	32.88%	18,600	(1.26%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 173,732	$ 151,741	(12.66%)	$ 161,236	$ 153,000	0.83%	$ 158,200	(1.88%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 173,732	$ 151,741	(12.66%)	$ 161,236	$ 153,000	0.83%	$ 158,200	(1.88%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Community Services FUND: 161

PROGRAM NUMBER: 77210

PROGRAM OBJECTIVE: To plan, design, and oversee recreation community services needs. Additionally, to produce the Recreation Activity Guide and City Newsline three times per year.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 79,664	$ 58,751	(26.25%)	$ 76,920	$ 70,700	20.34%	$ 72,700	(5.49%)
Contractual Services	40,701	53,640	31.79%	11,640	11,600	(78.37%)	11,600	(0.34%)
Materials & Supplies	3,122	468	(85.01%)	42,471	42,600	9,002.56%	42,600	0.30%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	14,127	8,625	(38.95%)	16,138	15,900	84.35%	15,900	(1.47%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 137,614	$ 121,484	(11.72%)	$ 147,169	$ 140,800	15.90%	$ 142,800	(2.97%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 137,614	$ 121,484	(11.72%)	$ 147,169	$ 140,800	15.90%	$ 142,800	(2.97%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Community Events FUND: 161

PROGRAM NUMBER: 77310

PROGRAM OBJECTIVE: To plan, design, and oversee recreation community events and programs such as the 4th of July parade and festival, and the Summer Concerts.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 38,749	$ 40,302	4.01%	$ 36,265	$ 37,300	(7.45%)	$ 34,300	(5.42%)
Contractual Services	157,101	111,600	(28.96%)	122,913	121,910	9.24%	131,300	6.82%
Materials & Supplies	14,720	4,929	(66.51%)	10,700	13,200	167.80%	13,200	23.36%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,291	1,217	(5.73%)	17,933	17,800	1,362.61%	17,700	(1.30%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 211,861	$ 158,048	(25.40%)	$ 187,811	$ 190,210	20.35%	$ 196,500	4.63%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 211,861	$ 158,048	(25.40%)	$ 187,811	$ 190,210	20.35%	$ 196,500	4.63%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Non-Departmental Zone A FUND: 161

PROGRAM NUMBER: 99916

PROGRAM OBJECTIVE: To provide appropriate funds for those activities that support Zone A and are not directly assignable to any one department or program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	248,079	250,309	0.90%	250,309	250,300	(0.00%)	250,300	(0.00%)
Transfers Out	-	400,000	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 248,079	$ 650,309	162.14%	$ 250,309	$ 250,300	(61.51%)	$ 250,300	(0.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 248,079	$ 650,309	162.14%	$ 250,309	$ 250,300	(61.51%)	$ 250,300	(0.00%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Residential Street Lighting Admin. FUND: 171

PROGRAM NUMBER: 77810

PROGRAM OBJECTIVE: To monitor over 5,589 residential streetlights to assure safe vehicular travel within residential areas of Moreno Valley by responding to service requests within 24 hours to Southern California Edison.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 149,749	$ 141,345	(5.61%)	$ 124,130	$ 132,883	(5.99%)	$ 132,400	6.66%
Contractual Services	1,019,326	1,227,559	20.43%	1,415,080	1,407,680	14.67%	1,418,100	0.21%
Materials & Supplies	3,107	27,861	796.72%	3,030	43,220	55.13%	3,500	15.51%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	99,018	63,490	(35.88%)	63,957	63,957	0.74%	64,000	0.07%
Transfers Out	71,383	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,342,583	$ 1,460,255	8.76%	$ 1,606,197	$ 1,647,740	12.84%	$ 1,618,000	0.73%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,342,583	$ 1,460,255	8.76%	$ 1,606,197	$ 1,647,740	12.84%	$ 1,618,000	0.73%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Arterial Street Lighting Admin. FUND: 172

PROGRAM NUMBER: 77910

PROGRAM OBJECTIVE: To provide orderly development and maintenance of arterial streetlight services for the residents in Zone C. Monitoring of streetlights to assure safe vehicular travel on major thoroughfares in Moreno Valley and responding to service requests to Southern California Edison.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 39,513	$ 36,723	(7.06%)	$ 41,358	$ 37,375	1.78%	$ 37,200	(10.05%)
Contractual Services	481,224	577,319	19.97%	631,230	632,388	9.54%	685,000	8.52%
Materials & Supplies	2,233	1,741	(22.03%)	2,732	3,025	73.75%	3,200	17.13%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	64,955	62,686	(3.49%)	62,966	62,966	0.45%	62,900	(0.10%)
Transfers Out	17,550	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 605,475	$ 678,469	12.06%	$ 738,286	$ 735,754	8.44%	$ 788,300	6.77%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 605,475	$ 678,469	12.06%	$ 738,286	$ 735,754	8.44%	$ 788,300	6.77%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Standard Landscape Maint. Admin. FUND: 181

PROGRAM NUMBER: 78110

PROGRAM OBJECTIVE: Monitor 75 residential tracts supporting 30 acres of parkway landscaping to assure orderly development and maintenance of standard landscape services for the residents in Zone D.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 423,158	$ 444,981	5.16%	$ 458,337	$ 392,935	(11.70%)	$ 479,300	4.57%
Contractual Services	572,034	575,268	0.57%	675,040	626,055	8.83%	746,500	10.59%
Materials & Supplies	44,261	32,859	(25.76%)	62,817	56,019	70.48%	44,900	(28.52%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	131,952	147,010	11.41%	147,305	147,305	0.20%	147,300	(0.00%)
Transfers Out	375	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,171,780	$ 1,200,118	2.42%	$ 1,343,499	$ 1,222,314	1.85%	$ 1,418,000	5.55%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,171,780	$ 1,200,118	2.42%	$ 1,343,499	$ 1,222,314	1.85%	$ 1,418,000	5.55%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape Maint. Admin. FUND: 182

PROGRAM NUMBER: 78210

PROGRAM OBJECTIVE: Monitor 7 sub-zones of Zone E supporting 130 acres of extensive landscaping to assure orderly development and maintenance of extensive landscape services for the residents in Zone E.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 611,181	$ 614,554	0.55%	$ 645,950	$ 593,949	(3.35%)	$ 593,800	(8.07%)
Contractual Services	49,292	24,724	(49.84%)	38,556	34,403	39.15%	35,500	(7.93%)
Materials & Supplies	37,404	40,254	7.62%	39,646	38,828	(3.54%)	38,300	(3.40%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	265,675	236,644	(10.93%)	233,490	233,490	(1.33%)	233,500	0.00%
Transfers Out	172,185	20,500	(88.09%)	25,000	51,778	152.58%	51,800	107.20%
Total Operating Expenditures	$ 1,135,737	$ 936,676	(17.53%)	$ 982,642	$ 952,448	1.68%	$ 952,900	(3.03%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,135,737	$ 936,676	(17.53%)	$ 982,642	$ 952,448	1.68%	$ 952,900	(3.03%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Towngate FUND: 182

PROGRAM NUMBER: 78220

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-1.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	157,169	193,514	23.12%	223,950	229,285	18.48%	231,600	3.42%
Materials & Supplies	5,507	4,410	(19.92%)	6,750	6,500	47.39%	6,300	(6.67%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 162,676	$ 197,924	21.67%	$ 230,700	$ 235,785	19.13%	$ 237,900	3.12%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 162,676	$ 197,924	21.67%	$ 230,700	$ 235,785	19.13%	$ 237,900	3.12%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Hidden Springs FUND: 182

PROGRAM NUMBER: 78230

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-2.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	268,198	284,603	6.12%	358,545	341,475	19.98%	383,900	7.07%
Materials & Supplies	3,726	2,913	(21.82%)	3,630	3,230	10.88%	3,300	(9.09%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 271,924	$ 287,516	5.73%	$ 362,175	$ 344,705	19.89%	$ 387,200	6.91%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 271,924	$ 287,516	5.73%	$ 362,175	$ 344,705	19.89%	$ 387,200	6.91%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Warmington FUND: 182

PROGRAM NUMBER: 78240

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-3.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	318,281	425,896	33.81%	462,990	239,665	(43.73%)	287,500	(37.90%)
Materials & Supplies	9,000	15,224	69.16%	10,250	10,050	(33.99%)	9,900	(3.41%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 327,281	$ 441,120	34.78%	$ 473,240	$ 249,715	(43.39%)	$ 297,400	(37.16%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 327,281	$ 441,120	34.78%	$ 473,240	$ 249,715	(43.39%)	$ 297,400	(37.16%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Landmark FUND: 182

PROGRAM NUMBER: 78250

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-4.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	270,176	287,966	6.58%	302,150	302,330	4.99%	355,400	17.62%
Materials & Supplies	11,392	12,832	12.64%	13,230	12,600	(1.81%)	11,200	(15.34%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 281,568	$ 300,798	6.83%	$ 315,380	$ 314,930	4.70%	$ 366,600	16.24%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 281,568	$ 300,798	6.83%	$ 315,380	$ 314,930	4.70%	$ 366,600	16.24%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - MV Development FUND: 182

PROGRAM NUMBER: 78270

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-16.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	43,205	46,193	6.92%	52,675	52,675	14.03%	57,600	9.35%
Materials & Supplies	569	1,512	165.73%	1,700	1,050	(30.56%)	1,600	(5.88%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 43,774	$ 47,705	8.98%	$ 54,375	$ 53,725	12.62%	$ 59,200	8.87%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 43,774	$ 47,705	8.98%	$ 54,375	$ 53,725	12.62%	$ 59,200	8.87%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Centerpointe FUND: 182

PROGRAM NUMBER: 78280

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-7.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	100,832	63,538	(36.99%)	83,425	76,815	20.90%	88,700	6.32%
Materials & Supplies	447	1,766	295.08%	1,900	2,400	35.90%	1,500	(21.05%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 101,279	$ 65,304	(35.52%)	$ 85,325	$ 79,215	21.30%	$ 90,200	5.71%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 101,279	$ 65,304	(35.52%)	$ 85,325	$ 79,215	21.30%	$ 90,200	5.71%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E1-A Renaissance Park FUND: 182

PROGRAM NUMBER: 78281

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E1-A.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	18,015	19,189	6.52%	41,345	41,345	115.46%	43,200	4.49%
Materials & Supplies	948	767	(19.09%)	1,200	1,000	30.38%	1,200	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 18,963	$ 19,956	5.24%	$ 42,545	$ 42,345	112.19%	$ 44,400	4.36%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 18,963	$ 19,956	5.24%	$ 42,545	$ 42,345	112.19%	$ 44,400	4.36%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E4-A Daybreak Div. FUND: 182

PROGRAM NUMBER: 78282

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E4-A.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	4,666	5,372	15.13%	7,115	7,115	32.45%	7,100	(0.21%)
Materials & Supplies	249	-	(100.00%)	361	261	100.00%	300	(16.90%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 4,915	$ 5,372	9.30%	$ 7,476	$ 7,376	37.30%	$ 7,400	(1.02%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,915	$ 5,372	9.30%	$ 7,476	$ 7,376	37.30%	$ 7,400	(1.02%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E3A FUND: 182

PROGRAM NUMBER: 78283

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E3A.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	24,162	27,134	12.30%	33,625	31,885	17.51%	27,100	(19.41%)
Materials & Supplies	249	347	39.36%	1,570	1,400	303.46%	1,400	(10.83%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 24,411	$ 27,481	12.58%	$ 35,195	$ 33,285	21.12%	$ 28,500	(19.02%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 24,411	$ 27,481	12.58%	$ 35,195	$ 33,285	21.12%	$ 28,500	(19.02%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E8 - Promontory Park FUND: 182

PROGRAM NUMBER: 78284

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E8.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	25,830	32,562	26.06%	164,195	74,580	129.04%	162,000	(1.34%)
Materials & Supplies	249	244	(2.01%)	8,330	3,950	1,518.85%	6,600	(20.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 26,079	$ 32,806	25.79%	$ 172,525	$ 78,530	139.38%	$ 168,600	(2.28%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 26,079	$ 32,806	25.79%	$ 172,525	$ 78,530	139.38%	$ 168,600	(2.28%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E15 - Celebrations FUND: 182

PROGRAM NUMBER: 78285

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E15.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	16,193	17,834	10.13%	45,305	34,300	92.33%	47,800	5.51%
Materials & Supplies	249	-	(100.00%)	4,630	450	100.00%	3,400	(26.57%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 16,442	$ 17,834	8.47%	$ 49,935	$ 34,750	94.85%	$ 51,200	2.53%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 16,442	$ 17,834	8.47%	$ 49,935	$ 34,750	94.85%	$ 51,200	2.53%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E14 - Mahogany FUND: 182

PROGRAM NUMBER: 78286

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E14.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	56,009	71,400	27.48%	75,965	78,190	9.51%	80,600	6.10%
Materials & Supplies	249	337	35.34%	1,600	1,000	196.74%	1,200	(25.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 56,258	$ 71,737	27.51%	$ 77,565	$ 79,190	10.39%	$ 81,800	5.46%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 56,258	$ 71,737	27.51%	$ 77,565	$ 79,190	10.39%	$ 81,800	5.46%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E12 - Stoneridge FUND: 182

PROGRAM NUMBER: 78287

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E12.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	28,996	40,924	41.14%	57,690	53,360	30.39%	62,100	7.64%
Materials & Supplies	2,118	717	(66.15%)	2,200	1,800	151.05%	1,800	(18.18%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 31,114	$ 41,641	33.83%	$ 59,890	$ 55,160	32.47%	$ 63,900	6.70%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 31,114	$ 41,641	33.83%	$ 59,890	$ 55,160	32.47%	$ 63,900	6.70%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone M - Median Fund FUND: 183

PROGRAM NUMBER: 18310

PROGRAM OBJECTIVE: To provide orderly development and maintenance of medians within the City of Moreno Valley designated as Zone M.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 50,292	$ 36,333	(27.76%)	$ 99,532	$ 86,651	138.49%	$ 86,000	(13.60%)
Contractual Services	96,999	114,100	17.63%	178,981	133,175	16.72%	154,400	(13.73%)
Materials & Supplies	6,236	4,077	(34.62%)	31,170	16,660	308.63%	15,500	(50.27%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,710	9,376	448.30%	17,082	17,082	82.19%	17,200	0.69%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 155,237	$ 163,886	5.57%	$ 326,765	$ 253,568	54.72%	$ 273,100	(16.42%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 155,237	$ 163,886	5.57%	$ 326,765	$ 253,568	54.72%	$ 273,100	(16.42%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone S - Sunnymead Blvd. Maintenance FUND: 185

PROGRAM NUMBER: 18510

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for commercial sites on Sunnymead Blvd.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 3,789	100.00%	$ 18,564	$ 18,564	389.94%	$ 28,300	52.45%
Contractual Services	47	1,805	3,740.43%	63,850	31,620	1,651.80%	81,700	27.96%
Materials & Supplies	-	568	100.00%	2,305	950	67.25%	2,500	8.46%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	7,500	7,500	100.00%	7,500	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 47	$ 6,162	13,010.64%	$ 92,219	$ 58,634	851.54%	$ 120,000	30.13%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 47	$ 6,162	13,010.64%	$ 92,219	$ 58,634	851.54%	$ 120,000	30.13%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #4M FUND: 186

PROGRAM NUMBER: 18610

PROGRAM OBJECTIVE: Community Service District to provide for the maintenance and administration cost of the detention basis within Centerpointe Business Park.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 2,195	100.00%	$ -	$ 700	(68.11%)	$ -	-
Contractual Services	3	3,230	107,566.67%	29,000	27,000	735.91%	29,000	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	6,000	16,500	175.00%	6,000	6,000	(63.64%)	6,000	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 6,003	$ 21,925	265.23%	$ 35,000	$ 33,700	53.71%	$ 35,000	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 6,003	$ 21,925	265.23%	$ 35,000	$ 33,700	53.71%	$ 35,000	-

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City of Moreno Valley

2010-11 Preliminary Base Operating budget

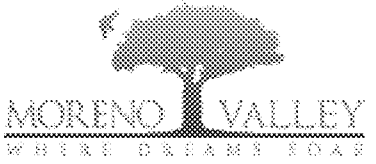

Redevelopment Agency

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Redevelopment Agency

Description	RDA Administration 891	RDA Housing 894	RDA Tax Increment 895	RDA 2007 TAB Series A Debt Service 896	RDA 2007 TAB Series A Cap Prj 897	RDA 2007 TAB Series B Debt Service 898	Total
Revenues							
Property Taxes	-	-	8,767,604	-	-	-	8,767,604
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	780,000	-	-	-	780,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	318,500	800,000	1,100	900,000	-	2,019,600
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Expenditures							
Operating:							
Personnel Services	396,500	739,800	-	-	-	-	1,136,300
Contractual Services	251,870	5,689,400	200,000	3,275	-	-	6,144,545
Materials & Supplies	6,100	4,900	-	-	-	-	11,000
Debt Service	-	-	2,278,594	2,180,300	-	410,000	4,868,894
Fixed Charges	200,000	144,400	-	-	-	-	344,400
Transfers Out	-	-	2,402,698	-	-	-	2,402,698
Total Operating Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Increase in Reserve for Contingencies							
Total Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Net Revenues Over (Under) Expenditures	**(854,470)**	**(6,260,000)**	**5,466,312**	**(2,182,475)**	**900,000**	**(410,000)**	**(3,340,633)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Redevelopment Agency (RDA)

Description	RDA Administration 891.91110	RDA Housing 894.91310	Alessandro & Day Project Phase 1 894.61120	Rancho Dorado Project 894.80329	RDA Tax Increment 895.91510	RDA 2007 TAB Series A 896.91610	RDA 2007 TAB Series B 898.91910	Total
Expenditures								
Operating:								
Personnel Services	396,500	739,800	-	-	-	-	-	1,136,300
Contractual Services	251,870	639,400	1,800,000	3,250,000	200,000	3,275	-	6,144,545
Materials & Supplies	6,100	4,900	-	-	-	-	-	11,000
Debt Service	-	-	-	-	2,278,594	2,180,300	410,000	4,868,894
Fixed Charges	200,000	144,400	-	-	-	-	-	344,400
Transfers Out	-	-	-	-	2,402,698	-	-	2,402,698
Total Operating Expenditures	854,470	1,528,500	1,800,000	3,250,000	4,881,292	2,183,575	410,000	14,907,837
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	854,470	1,528,500	1,800,000	3,250,000	4,881,292	2,183,575	410,000	14,907,837

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Administration FUND: 891

PROGRAM NUMBER: 91110

PROGRAM OBJECTIVE: To pursue implementation of the City's Redevelopment Plan by expanding commercial development/employment opportunities, and through capital improvements that enhance the physical, social, and economic conditions in the Redevelopment Project Area.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 653,015	$ 531,928	(18.54%)	$ 386,726	$ 396,394	(25.48%)	$ 396,500	2.53%
Contractual Services	148,035	99,121	(33.04%)	293,464	241,217	143.36%	251,870	(14.17%)
Materials & Supplies	4,806	6,207	29.15%	6,150	4,850	(21.86%)	6,100	(0.81%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	226,652	209,663	(7.50%)	200,212	200,212	(4.51%)	200,000	(0.11%)
Transfers Out	36	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,032,544	$ 846,919	(17.98%)	$ 886,552	$ 842,673	(0.50%)	$ 854,470	(3.62%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,032,544	$ 846,919	(17.98%)	$ 886,552	$ 842,673	(0.50%)	$ 854,470	(3.62%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Capital Projects FUND: 892

PROGRAM NUMBER: 99992

PROGRAM OBJECTIVE: To meet General Fund loan debt service.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	142,552	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 142,552	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 142,552	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Housing FUND: 894

PROGRAM NUMBER: 91310

PROGRAM OBJECTIVE: To develop and implement housing programs and projects, resulting in the improvements and expansion of the City's affordable housing opportunities as they relate specifically to the Redevelopment area. Provide down-payment and rehabilitation assistance to low/moderate income homeowners, facilitate rehabilitation of single-family homes, provide assistance to develop new multi-family housing, develop single-family infill homes and rehabilitate existing multi-family housing to benefit low/moderate income families.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 750,474	$ 770,442	2.66%	$ 818,721	$ 811,397	5.32%	$ 739,800	(9.64%)
Contractual Services	160,815	166,367	3.45%	474,638	335,835	101.86%	639,400	34.71%
Materials & Supplies	8,703	5,315	(38.93%)	6,940	3,900	(26.62%)	4,900	(29.39%)
Debt Service	(3,565,233)	(427,945)	(88.00%)	-	-	(100.00%)	-	-
Fixed Charges	1,551,985	139,513	(91.01%)	144,552	144,552	3.61%	144,400	(0.11%)
Transfers Out	36	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ (1,093,220)	$ 653,692	(159.80%)	$ 1,444,851	$ 1,295,684	98.21%	$ 1,528,500	5.79%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ (1,093,220)	$ 653,692	(159.80%)	$ 1,444,851	$ 1,295,684	98.21%	$ 1,528,500	5.79%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Alessandro and Day Street Land Acquisition FUND: 894

PROGRAM NUMBER: 80327

PROGRAM OBJECTIVE: This property lies at the northeast corner of Alessandro and Day Street and is comprised of approximately 13 parcels totaling 8.75 acres. The property is currently zoned for both commercial and residential development. The Agency will be acquiring the property with Housing Set aside Funds and anticipates working with a developer to create an affordable housing project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	4,971,500	144,430	(97.09%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 4,971,500	$ 144,430	(97.09%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 4,971,500	$ 144,430	(97.09%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Rancho Dorado Project FUND: 894

PROGRAM NUMBER: 80329

PROGRAM OBJECTIVE: The proposed project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado is a two-phase, 150- unit affordable housing project. A unique component of the project that will come in the first phase is that 15 units are proposed as permanent supportive housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. The Agency will provide $4,750,000 in gap financing assistance for the first phase of Rancho Dorado, as well as $ 4,750,000 for the second phase, using the RDA's 20% affordable housing set-aside funds. The second phase will be completed in fiscal year 2010-2011, for a total project cost of $ 9,500,000.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	4,750,000	3,000,000	100.00%	3,250,000	(31.58%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 4,750,000	$ 3,000,000	100.00%	$ 3,250,000	(31.58%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 4,750,000	$ 3,000,000	100.00%	$ 3,250,000	(31.58%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Alessandro and Day Project Phase I

FUND: 894

PROGRAM NUMBER: 61120

PROGRAM OBJECTIVE: The proposed project will be located at the northeast corner of Day Street and Alessandro Boulevard. The project will consist of 224 rent restricted units, plus two manager's units. The proposed project will include a variety of amenities including a community center with an on-site library, a pool, play equipment, and open spaces. To better compete for 9% tax credit equity financing, the project will be constructed in two phases. Using RDA's 20% affordable housing set-aside funds, the Agency will provide a total $8,850,000 for the total project ($4,950,000 for Phase 1 and $3,900,000 for Phase 2).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	1,800,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 1,800,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 1,800,000	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Tax Increment FUND: 895

PROGRAM NUMBER: 91510

PROGRAM OBJECTIVE: To maintain and administer the tax increment funds for debt service and transfers.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	204,610	269,497	31.71%	270,000	242,602	(9.98%)	200,000	(25.93%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	1,529,619	1,315,181	(14.02%)	1,437,397	6,690,780	408.73%	2,278,594	58.52%
Fixed Charges	210,000	-	(100.00%)	-	-	-	-	-
Transfers Out	9,580,150	11,351,536	18.49%	1,646,202	1,646,202	(85.50%)	2,402,698	45.95%
Total Operating Expenditures	$ 11,524,379	$ 12,936,214	12.25%	$ 3,353,599	$ 8,579,584	(33.68%)	$ 4,881,292	45.55%
Capital Expenditures								
Fixed Assets	439,510	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 439,510	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 11,963,889	$ 12,936,214	8.13%	$ 3,353,599	$ 8,579,584	(33.68%)	$ 4,881,292	45.55%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA 2007 TABS, Series A Debt Service FUND: 896

PROGRAM NUMBER: 91610

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the 2007 Tax Allocation Bonds - Series A issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	3,275	100.00%	275	3,275	-	3,275	1,090.91%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	2,216,840	2,843,084	28.25%	2,175,284	2,175,284	(23.49%)	2,180,300	0.23%
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	41,640,724	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 43,857,564	$ 2,846,359	(93.51%)	$ 2,175,559	$ 2,178,559	(23.46%)	$ 2,183,575	0.37%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 43,857,564	$ 2,846,359	(93.51%)	$ 2,175,559	$ 2,178,559	(23.46%)	$ 2,183,575	0.37%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA 2007 TABS, Series B Debt Service FUND: 898

PROGRAM NUMBER: 91910

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the 2007 Tax Allocation Bonds - Series B issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	561,197	721,949	28.64%	325,000	600,000	(16.89%)	410,000	26.15%
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 561,197	$ 721,949	28.64%	$ 325,000	$ 600,000	(16.89%)	$ 410,000	26.15%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 561,197	$ 721,949	28.64%	$ 325,000	$ 600,000	(16.89%)	$ 410,000	26.15%

City of Moreno Valley

2010-11 Preliminary Base Operating budget

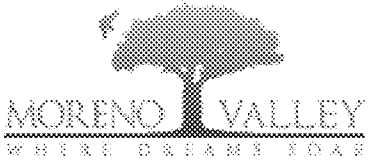

Special Revenue Funds

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Gas Tax Fund 121	SCAG Article 3 122	Measure A 125	SLESF - AB3229 Police Grant 130	Public/Education/ Gov't Access Program 132	EMPG- Emergency Mgmt Preparedness 134	OTS Police Grant 136	Air Quality Management 137	CDBG 01/02 144	Special District Admin 149
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	2,702,500	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	9,500
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	761,000
Interest Income	5,000	9,000	300,000	-	-	-	-	7,000	-	13,000
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	2,000	-	1,000	-	250,000	-	-	200,000	-	-
Grants/Intergovernmental Revenues	-	-	10,009,820	100,000	-	64,000	107,000	-	-	-
Transfers In	1,000,000	-	-	-	300,000	-	-	-	-	-
Total Operating Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Expenditures										
Operating:										
Personnel Services	3,161,900	-	248,900	-	257,600	73,200	-	82,181	-	800,500
Contractual Services	145,900	-	137,000	100,000	5,100	3,000	117,000	15,000	30,000	31,100
Materials & Supplies	632,500	-	6,000	-	6,600	11,500	-	-	-	12,700
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	16,752	-	46,000	-	177,900	6,500	-	-	-	385,900
Transfers Out	-	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Increase in Reserve for Contingencies										
Total Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Net Revenues Over (Under) Expenditures	**(247,552)**	**9,000**	**9,872,920**	**-**	**102,800**	**(30,200)**	**(10,000)**	**109,819**	**(30,000)**	**(446,700)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Storm Water Maintenance 151	NPDES 152	Beverage Container Recycling 153	Child Care Grant 160	ASES Program Grant 162	HOME (Federal) 176	CFD #1 184	Homelessness Prevention Program 198	CDBG Recovery Act of 2009 199
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	967,800	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	227,747	-	25,000	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	2,500	-	-	-	-	-	-	-
Interest Income	-	-	-	-	25,000	-	13,000	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	394,300	-	-	1,367,400	-	-	-	-
Grants/Intergovernmental Revenues	421,400	165,300	-	797,300	4,499,200	390,000	-	183,218	137,192
Transfers In	182,000	139,095	-	-	-	-	25,305	-	-
Total Operating Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-
Total Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Expenditures									
Operating:									
Personnel Services	318,000	517,300	13,200	643,200	3,145,100	36,900	411,100	-	26,829
Contractual Services	76,800	238,260	-	185,300	1,858,200	358,000	343,200	183,218	110,363
Materials & Supplies	123,600	9,200	-	42,000	767,700	-	53,400	-	-
Debt Service	-	-	-	16,500	-	-	-	-	-
Fixed Charges	56,700	96,600	-	55,800	188,500	-	143,500	-	-
Transfers Out	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Increase in Reserve for Contingencies									
Total Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Net Revenues Over (Under) Expenditures	**28,300**	**67,582**	**(13,200)**	**(120,500)**	**(67,900)**	**(4,900)**	**54,905**	**-**	**-**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Arterial Street Development Impact Fee 201	Traffic Signal Development Impact Fee 202	Fire Facility Development Impact Fee 203	Police Facility Development Impact Fee 204	Park Land Facility Dev. Impact Fee 205	Quimby In-Lieu Park Fees 206	Recreation Center Dev. Impact Fee 207	Libraries Development Impact Fee 208	City Hall Development Impact Fee 209	Corporate Yard Dev. Impact Fee 210
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	71,200	17,700	27,500	21,800	65,700	30,000	51,900	52,100	28,800	16,000
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	33,500	9,000	13,600	-	25,000	22,600	-	46,600	25,700	500
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,413,675	-	254,008	676,810	-	-	-	-	-	-
Total Operating Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,308,975)**	**26,700**	**(212,908)**	**(655,010)**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Interchange Imprvmnts Dev. Impact Fee 211	Maintenance Equipt. Dev. Impact Fee 212	Animal Shelter Dev. Impact Fee 213	Traffic Congestion Relief 225	FHWA TRANSIMS Deployment 227	Economic Stimulus Fund 228	JAG - PD - 2009 Fund 230	Fire - Emergency Svcs Fund 233	JAG - PD - 2010 Fund 262	CDBG 05/06 280
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	20,600	3,400	6,100	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	20,500	800	-	32,000	-	10,000	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	14,000	-	-
Grants/Intergovernmental Revenues	-	-	-	1,830,944	186,600	1,300,000	78,100	-	435,700	10,000
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	20,000	-	66,443	-	-	-
Contractual Services	-	-	-	-	10,000	-	5,775	-	-	-
Materials & Supplies	-	-	-	-	-	-	5,900	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,740,000	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,698,900)**	**4,200**	**6,100**	**1,862,944**	**156,600**	**1,310,000**	**(18)**	**14,000**	**435,700**	**10,000**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	CDBG 07/08 282	CDBG 08/09 283	CDBG10/11 285	Used Oil Block Grant 14 293	TRI16-06-1 Target Rubberized 295	MV Foundation Donations 370	Arts Commission 371	Celebration Park Endowment 380	Total
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	2,702,500
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	967,800
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	412,800
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	262,247
Fees for Service	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	763,500
Interest Income	-	-	-	-	-	-	-	1,000	612,800
Bond Proceeds	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	27,900	-	-	1,000	-	2,257,600
Grants/Intergovernmental Revenues	14,700	418,652	2,000,000	-	56,000	-	-	-	23,205,126
Transfers In	-	-	-	-	-	-	-	-	1,646,400
Total Operating Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	
Total Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Expenditures									
Operating:									
Personnel Services	-	-	242,000	14,200	-	-	-	-	10,078,553
Contractual Services	-	-	1,420,600	12,900	-	50	1,000	-	5,387,766
Materials & Supplies	-	-	1,700	-	56,000	-	-	-	1,728,800
Debt Service	-	-	-	-	-	-	-	-	16,500
Fixed Charges	-	-	15,600	800	-	-	-	-	1,190,552
Transfers Out	-	-	-	-	-	-	-	-	4,084,493
Total Operating Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Increase in Reserve for Contingencies									
Total Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Net Revenues Over (Under) Expenditures	**14,700**	**418,652**	**320,100**	**-**	**-**	**(50)**	**-**	**1,000**	**10,344,109**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Infrastructure Project Engineering 121.54130	Public Works - Street Maintenance 121.55130	Public Works - Concrete Maintenance 121.55230	Public Works - Signing & Striping 121.55430	Public Works - Graffiti Removal 121.55830	Public Works - Tree Trimming 121.56730	Measure A Admin 125.54150
Expenditures							
Operating:							
Personnel Services	585,100	1,185,300	278,700	506,500	273,800	332,500	248,900
Contractual Services	15,000	76,800	6,500	18,500	4,900	24,200	137,000
Materials & Supplies	41,700	243,600	65,700	199,600	54,200	27,700	6,000
Debt Service	-	-	-	-	-	-	-
Fixed Charges	(336,748)	237,400	9,400	86,900	7,200	12,600	46,000
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	305,052	1,743,100	360,300	811,500	340,100	397,000	437,900
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	305,052	1,743,100	360,300	811,500	340,100	397,000	437,900

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Enforcement Services AB 3229 130.62890	Public/Education/ Gov't Access Program 132.13210	Emergency Mgmt Preparedness Grant 134.13410	AL0842 Avoid the 30 Program 136.13613	AL1029 DUI Enforcement & Awareness 136.13616	CT10272 Click It or Ticket 136.13617	SC10272 Sobriety Checkpoint 136.13618
Expenditures							
Operating:							
Personnel Services	-	257,600	73,200	-	-	-	-
Contractual Services	100,000	5,100	3,000	10,000	49,100	3,900	54,000
Materials & Supplies	-	6,600	11,500	-	-	-	-
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	177,900	6,500	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	100,000	447,200	94,200	10,000	49,100	3,900	54,000
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	100,000	447,200	94,200	10,000	49,100	3,900	54,000

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Public Works Air Quality Management 137.53710	CDBG Family Services Assoc. Loan 144.73812	PW - Special Districts Administration 149.51710	PW - Street Sweeping 151.52610	PW - Catch Basin Maintenance 151.52810	NPDES Administration 152.52210	Inspections 152.52410
Expenditures							
Operating:							
Personnel Services	82,181	-	800,500	127,300	190,700	278,100	114,400
Contractual Services	15,000	30,000	31,100	71,200	5,600	122,400	2,900
Materials & Supplies	-	-	12,700	115,300	8,300	6,800	2,200
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	385,900	53,200	3,500	84,000	12,600
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	97,181	30,000	1,230,200	367,000	208,100	491,300	132,100
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	97,181	30,000	1,230,200	367,000	208,100	491,300	132,100

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Plan Checks 152.52510	Regulatory Permits/ Agreements 152.53010	Beverage Container Recycling 153.51535	Child Care Grant 160.75710	STARS Program Grant - FY08/09 162.16212	STARS Program Grant - FY10/11 162.16214
Expenditures						
Operating:						
Personnel Services	124,800	-	13,200	643,200	1,900	3,143,200
Contractual Services	400	112,560	-	185,300	-	1,858,200
Materials & Supplies	200	-	-	42,000	-	767,700
Debt Service	-	-	-	16,500	-	-
Fixed Charges	-	-	-	55,800	-	188,500
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	125,400	112,560	13,200	942,800	1,900	5,957,600
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	125,400	112,560	13,200	942,800	1,900	5,957,600

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	HOME Administration 176.77110	CFD #1 184.18410	Homelessness Prevention Program 198.19810	CDBG Recovery Act of 2009 199.19910	Arterial Streets Dev. Impact Fee 201.20110	Fire Facility Dev. Impact Fee 203.20310
Expenditures						
Operating:						
Personnel Services	36,900	411,100	-	26,829	-	-
Contractual Services	358,000	343,200	183,218	110,363	-	-
Materials & Supplies	-	53,400	-	-	-	-
Debt Service	-	-	-	-	-	-
Fixed Charges	-	143,500	-	-	-	-
Transfers Out	-	-	-	-	1,413,675	254,008
Total Operating Expenditures	394,900	951,200	183,218	137,192	1,413,675	254,008
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	394,900	951,200	183,218	137,192	1,413,675	254,008

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Police Facility Dev. Impact Fee 204.20410	Interchange Improvements DIF 211.21112	FHWA TRANSIMS Deployment 227.22710	2009-DJ-BX-1178 JAG Grant 230.23010	CDBG Admin - FY10/11 Fund 285.73852	CDBG Social Programs - FY10/11 Fund 285.73952
Expenditures						
Operating:						
Personnel Services	-	-	20,000	66,443	242,000	-
Contractual Services	-	-	10,000	5,775	78,200	976,000
Materials & Supplies	-	-	-	5,900	1,700	-
Debt Service	-	-	-	-	-	-
Fixed Charges	-	-	-	-	15,600	-
Transfers Out	676,810	1,740,000	-	-	-	-
Total Operating Expenditures	676,810	1,740,000	30,000	78,118	337,500	976,000
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	676,810	1,740,000	30,000	78,118	337,500	976,000

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	CDBG Code Compliance - FY10/11 Fund 285.74052	Used Oil Block Grant 14 293.51555	TRI16-06-1 Target Rubberized 295.51559	Moreno Valley Foundation 370.37010	Arts Commission 371.37110	Total
Expenditures						
Operating:						
Personnel Services	-	14,200	-	-	-	10,078,553
Contractual Services	366,400	12,900	-	50	1,000	5,387,766
Materials & Supplies	-	-	56,000	-	-	1,728,800
Debt Service	-	-	-	-	-	16,500
Fixed Charges	-	800	-	-	-	1,190,552
Transfers Out	-	-	-	-	-	4,084,493
Total Operating Expenditures	366,400	27,900	56,000	50	1,000	22,486,664
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	366,400	27,900	56,000	50	1,000	22,486,664

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Infrastructure Project Engineering FUND: 121

PROGRAM NUMBER: 54130

PROGRAM OBJECTIVE: To manage the design and construction of an integrated program of City funded capital improvement projects by providing project engineering management and contract administration services resulting in a cost effective, well planned and aesthetically pleasing community.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 573,807	$ 288,090	(49.79%)	$ 563,393	$ 742,534	157.74%	$ 585,100	3.85%
Contractual Services	31,835	17,548	(44.88%)	15,050	12,975	(26.06%)	15,000	(0.33%)
Materials & Supplies	48,716	50,882	4.45%	41,700	39,186	(22.99%)	41,700	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	352,465	307,838	(12.66%)	(423,209)	(318,116)	(203.34%)	(336,748)	(20.43%)
Transfers Out	-	439,000	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,006,823	$ 1,103,358	9.59%	$ 196,934	$ 476,579	(56.81%)	$ 305,052	54.90%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,006,823	$ 1,103,358	9.59%	$ 196,934	$ 476,579	(56.81%)	$ 305,052	54.90%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Street Maintenance FUND: 121

PROGRAM NUMBER: 55130

PROGRAM OBJECTIVE: To ensure the safety and convenience of all those who use our City streets by providing preventive maintenance and repair to paved and unpaved roads, and by keeping all road shoulders graded and free of weeds and litter.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,030,704	$ 794,202	(22.95%)	$ 871,873	$ 828,989	4.38%	$ 1,185,300	35.95%
Contractual Services	101,138	71,448	(29.36%)	169,740	176,240	146.67%	76,800	(54.75%)
Materials & Supplies	264,513	229,566	(13.21%)	194,480	237,145	3.30%	243,600	25.26%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	233,895	246,979	5.59%	237,617	237,617	(3.79%)	237,400	(0.09%)
Transfers Out	192	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,630,442	$ 1,342,195	(17.68%)	$ 1,473,710	$ 1,479,991	10.27%	$ 1,743,100	18.28%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,630,442	$ 1,342,195	(17.68%)	$ 1,473,710	$ 1,479,991	10.27%	$ 1,743,100	18.28%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Concrete Maintenance FUND: 121

PROGRAM NUMBER: 55230

PROGRAM OBJECTIVE: To ensure the safety and convenience of all those using our City's sidewalks and ensure the proper drainage of City streets by keeping all City sidewalks, curbs, gutters and cross-gutters in a state of repair.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 269,791	$ 187,044	(30.67%)	$ 186,209	$ 185,820	(0.65%)	$ 278,700	49.67%
Contractual Services	5,930	7,762	30.89%	5,115	6,720	(13.42%)	6,500	27.08%
Materials & Supplies	49,970	35,357	(29.24%)	62,350	65,150	84.26%	65,700	5.37%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,600	11,039	4.14%	9,540	9,540	(13.58%)	9,400	(1.47%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 336,291	$ 241,202	(28.28%)	$ 263,214	$ 267,230	10.79%	$ 360,300	36.88%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 336,291	$ 241,202	(28.28%)	$ 263,214	$ 267,230	10.79%	$ 360,300	36.88%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Signing & Striping FUND: 121

PROGRAM NUMBER: 55430

PROGRAM OBJECTIVE: Maintain city traffic control devices including signs, legends, striping, and pavement markings.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 514,817	$ 459,617	(10.72%)	$ 521,775	$ 531,575	15.66%	$ 506,500	(2.93%)
Contractual Services	12,948	9,806	(24.27%)	18,100	18,250	86.11%	18,500	2.21%
Materials & Supplies	278,922	239,881	(14.00%)	199,950	209,800	(12.54%)	199,600	(0.18%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	114,327	85,194	(25.48%)	87,033	87,033	2.16%	86,900	(0.15%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 921,014	$ 794,498	(13.74%)	$ 826,858	$ 846,658	6.57%	$ 811,500	(1.86%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 921,014	$ 794,498	(13.74%)	$ 826,858	$ 846,658	6.57%	$ 811,500	(1.86%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Graffiti Removal FUND: 121

PROGRAM NUMBER: 55830

PROGRAM OBJECTIVE: To enhance the image of the City and to discourage the recurrence of graffiti by removing graffiti from both public and private property within twenty-four hours after it is reported by the public or observed by the City's removal crew.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 267,136	$ 259,683	(2.79%)	$ 283,962	$ 284,073	9.39%	$ 273,800	(3.58%)
Contractual Services	14,931	12,947	(13.29%)	3,370	5,370	(58.52%)	4,900	45.40%
Materials & Supplies	53,074	49,899	(5.98%)	59,050	59,050	18.34%	54,200	(8.21%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,793	8,470	(21.52%)	7,354	7,354	(13.18%)	7,200	(2.09%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 345,934	$ 330,999	(4.32%)	$ 353,736	$ 355,847	7.51%	$ 340,100	(3.85%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 345,934	$ 330,999	(4.32%)	$ 353,736	$ 355,847	7.51%	$ 340,100	(3.85%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Tree Maintenance FUND: 121

PROGRAM NUMBER: 56730

PROGRAM OBJECTIVE: To ensure the safety, health and aesthetics of the City street tree inventory by trimming and removing street trees, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 345,063	$ 315,760	(8.49%)	$ 350,159	$ 340,452	7.82%	$ 332,500	(5.04%)
Contractual Services	19,380	14,986	(22.67%)	16,625	20,625	37.63%	24,200	45.56%
Materials & Supplies	38,785	27,588	(28.87%)	25,605	25,605	(7.19%)	27,700	8.18%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	11,812	13,833	17.11%	12,726	12,726	(8.00%)	12,600	(0.99%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 415,040	$ 372,167	(10.33%)	$ 405,115	$ 399,408	7.32%	$ 397,000	(2.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 415,040	$ 372,167	(10.33%)	$ 405,115	$ 399,408	7.32%	$ 397,000	(2.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Sidewalk Construction FUND: 122

PROGRAM NUMBER: 72210

PROGRAM OBJECTIVE: To supplement sidewalk related capital projects in other funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	64,853	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 64,853	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 64,853	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Measure A Admin FUND: 125

PROGRAM NUMBER: 54150

PROGRAM OBJECTIVE: To provide cost-effective administrative functions for essential transportation projects and services: budget preparation, annual update of 5-year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 133,508	$ 147,324	10.35%	$ 156,277	$ 156,277	6.08%	$ 248,900	59.27%
Contractual Services	211,979	58,441	(72.43%)	227,560	91,000	55.71%	137,000	(39.80%)
Materials & Supplies	-	-	-	6,000	5,000	100.00%	6,000	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	2,121	1,735	(18.20%)	46,106	46,106	2,557.41%	46,000	(0.23%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 347,608	$ 207,500	(40.31%)	$ 435,943	$ 298,383	43.80%	$ 437,900	0.45%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 347,608	$ 207,500	(40.31%)	$ 435,943	$ 298,383	43.80%	$ 437,900	0.45%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ABC Police Grant FUND: 128

PROGRAM NUMBER: 62630

PROGRAM OBJECTIVE: A program of education and proactive enforcement designed to deal with problematic ABC licensed establishments designed to eliminate problems and reduce repeat calls for service at ABC locations within the City.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	13,397	(237)	(101.77%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 13,397	$ (237)	(101.77%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,397	$ (237)	(101.77%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police SLESF-CCAT Grant AB3229 FUND: 130

PROGRAM NUMBER: 62890

PROGRAM OBJECTIVE: To provide supplemental specialized law enforcement services for the City through the AB 3229 Grant.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	366,264	179,327	(51.04%)	275,851	120,000	(33.08%)	100,000	(63.75%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 366,264	$ 179,327	(51.04%)	$ 275,851	$ 120,000	(33.08%)	$ 100,000	(63.75%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 366,264	$ 179,327	(51.04%)	$ 275,851	$ 120,000	(33.08%)	$ 100,000	(63.75%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: EMPG Emerg Mgmt Preparedness Grant FUND: 134

PROGRAM NUMBER: 13410

PROGRAM OBJECTIVE: To administer and fund terrorism preparedness, EOC, emergency planning, and management of CERT.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 65,895	$ 70,954	7.68%	$ 73,179	$ 73,179	3.14%	$ 73,200	0.03%
Contractual Services	2,477	-	(100.00%)	3,000	-	-	3,000	-
Materials & Supplies	27,052	80,335	196.97%	125,298	17,234	(78.55%)	11,500	(90.82%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	7,427	6,515	(12.28%)	6,612	6,612	1.49%	6,500	(1.69%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 102,851	$ 157,804	53.43%	$ 208,089	$ 97,025	(38.52%)	$ 94,200	(54.73%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 102,851	$ 157,804	53.43%	$ 208,089	$ 97,025	(38.52%)	$ 94,200	(54.73%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: OTS - Police Fund FUND: 136

PROGRAM NUMBER: 13610

PROGRAM OBJECTIVE: To administer grant funds from the California Office of Traffic Safety for projects relating to traffic safety through the California Traffic Safety Program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	38,249	(13,636)	(135.65%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	13,766	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 52,015	$ (13,636)	(126.22%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 52,015	$ (13,636)	(126.22%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: SC08272 Sobriety Checkpoint FUND: 136

PROGRAM NUMBER: 13611

PROGRAM OBJECTIVE: The goal of the Sobriety Checkpoint Program for Local Law Enforcement Agencies is to reduce the number of victims killed and injured in alcohol involved crashes in cities participating in this program. The Moreno Valley Police Department will conduct sobriety checkpoints in Moreno Valley in accordance with the contract to enforce this program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	54,059	14,528	(73.13%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 54,059	$ 14,528	(73.13%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 54,059	$ 14,528	(73.13%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CT08272 Click It or Ticket FUND: 136

PROGRAM NUMBER: 13612

PROGRAM OBJECTIVE: The goal of the California Click It or Ticket (CIOT) project is to increase seat belt use statewide to 95% by July 31, 2008. Through the combined efforts of state and local agencies, a seat belt national campaign will be conducted during a 21-day mobilization period, May 12-June, 2008, in support of the national Click It or Ticket mobilization.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	10,000	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,000	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,000	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: AL0842 Avoid the 30 Program FUND: 136

PROGRAM NUMBER: 13613

PROGRAM OBJECTIVE: This grant allows the City of Riverside to reimburse designated Police agencies that participate in the program for authorized DUI operations on an Overtime basis (150% of their hourly rate).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	5,551	100.00%	4,827	15,000	170.22%	10,000	107.17%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 5,551	100.00%	$ 4,827	$ 15,000	170.22%	$ 10,000	107.17%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 5,551	100.00%	$ 4,827	$ 15,000	170.22%	$ 10,000	107.17%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CT09272 Click It or Ticket FUND: 136

PROGRAM NUMBER: 13614

PROGRAM OBJECTIVE: This seatbelt enforcement Next Generation Click It or Ticket program scheduled to run from Oct. 1, 2008 through Sept. 8, 2009, will place additional officers in the field during these campaigns to enforce the seatbelt & child safety laws.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	31,222	100.00%	-	7,510	(75.94%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 31,222	100.00%	$ -	$ 7,510	(75.94%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 31,222	100.00%	$ -	$ 7,510	(75.94%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: SC09272 Sobriety Checkpoint FUND: 136

PROGRAM NUMBER: 13615

PROGRAM OBJECTIVE: The goal of the Sobriety Checkpoint Program for Local Law Enforcement Agencies is to reduce the number of victims killed and injured in alcohol involved crashes in cities participating in this program. The Moreno Valley Police Department will conduct sobriety checkpoints in Moreno Valley in accordance with the contract to enforce this program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	78,953	100.00%	115,093	35,520	(55.01%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 78,953	100.00%	$ 115,093	$ 35,520	(55.01%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 78,953	100.00%	$ 115,093	$ 35,520	(55.01%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: AL1029 DUI Enforcement & Awareness FUND: 136

PROGRAM NUMBER: 13616

PROGRAM OBJECTIVE: The goal of the DUI Enforcement and Awareness Program is to conduct law enforcement operations involving DUI/Driver's License Checkpoints, DUI saturation patrols, stakeout operations of known DUI offenders, and driver's license court sting operations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	196,615	196,615	100.00%	49,100	(75.03%)
Materials & Supplies	-	-	-	20,515	-	-	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 217,130	$ 196,615	100.00%	$ 49,100	(77.39%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 217,130	$ 196,615	100.00%	$ 49,100	(77.39%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CT10272 Click It or Ticket FUND: 136

PROGRAM NUMBER: 13617

PROGRAM OBJECTIVE: This seatbelt enforcement mini-grant program scheduled to run from Oct. 1, 2009 through Sept. 8, 2010, will place additional officers in the field during these campaigns to enforce the seatbelt & child safety laws.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	18,659	18,659	100.00%	3,900	(79.10%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 18,659	$ 18,659	100.00%	$ 3,900	(79.10%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 18,659	$ 18,659	100.00%	$ 3,900	(79.10%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: SC10272 Sobriety Checkpoint FUND: 136

PROGRAM NUMBER: 13618

PROGRAM OBJECTIVE: The goal of the Sobriety Checkpoint Program for Local Law Enforcement Agencies is to reduce the number of victims killed and injured in alcohol involved crashes in cities participating in this program. The Moreno Valley Police Department will conduct sobriety checkpoints in Moreno Valley in accordance with the contract to enforce this program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	215,559	215,559	100.00%	54,000	(74.95%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 215,559	$ 215,559	100.00%	$ 54,000	(74.95%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 215,559	$ 215,559	100.00%	$ 54,000	(74.95%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works Air Quality Management FUND: 137

PROGRAM NUMBER: 53710

PROGRAM OBJECTIVE: To administer the City's Air Quality Management District funds and program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 87,772	100.00%	$ 87,968	$ 65,977	(24.83%)	$ 82,181	(6.58%)
Contractual Services	15,014	43,164	187.49%	62,842	106,325	146.33%	15,000	(76.13%)
Materials & Supplies	-	150	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 15,014	$ 131,086	773.09%	$ 150,810	$ 172,302	31.44%	$ 97,181	(35.56%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 15,014	$ 131,086	773.09%	$ 150,810	$ 172,302	31.44%	$ 97,181	(35.56%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG - Family Services Association Loan FUND: 144

PROGRAM NUMBER: 73812

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Family Services Association.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	30,000	30,000	-	30,000	30,000	-	30,000	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 30,000	$ 30,000	-	$ 30,000	$ 30,000	-	$ 30,000	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 30,000	$ 30,000	-	$ 30,000	$ 30,000	-	$ 30,000	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FY 03/04 FUND: 146

PROGRAM NUMBER: 73806

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	7,899	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 7,899	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 7,899	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FUND: 148

PROGRAM NUMBER: 73824

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	13,547	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 13,547	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,547	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works - Special Districts Administration FUND: 149

PROGRAM NUMBER: 51710

PROGRAM OBJECTIVE: Administer five Community Services District zones that provide street lighting and landscape services, and the levy of fixed charges for bond debt, CSD fees, nuisance abatement, and solid waste delinquencies within required timeframes with less than 5% discrepancies in data input.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 782,138	$ 876,044	12.01%	$ 861,315	$ 681,001	(22.26%)	$ 800,500	(7.06%)
Contractual Services	81,176	49,495	(39.03%)	72,805	43,570	(11.97%)	31,100	(57.28%)
Materials & Supplies	13,575	8,397	(38.14%)	13,020	11,990	42.79%	12,700	(2.46%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	399,671	335,318	(16.10%)	433,218	433,218	29.20%	385,900	(10.92%)
Transfers Out	2,000	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,278,560	$ 1,269,254	(0.73%)	$ 1,380,358	$ 1,169,779	(7.84%)	$ 1,230,200	(10.88%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,278,560	$ 1,269,254	(0.73%)	$ 1,380,358	$ 1,169,779	(7.84%)	$ 1,230,200	(10.88%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works - Street Sweeping FUND: 151

PROGRAM NUMBER: 52610

PROGRAM OBJECTIVE: To ensure the safety and cleanliness of our City streets by sweeping all City streets twice/month, and by providing emergency sweeping service, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 235,653	$ 122,144	(48.17%)	$ 142,252	$ 164,648	34.80%	$ 127,300	(10.51%)
Contractual Services	61,392	73,999	20.54%	70,560	70,700	(4.46%)	71,200	0.91%
Materials & Supplies	89,635	100,395	12.00%	89,900	95,050	(5.32%)	115,300	28.25%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	30,705	54,106	76.21%	53,349	53,349	(1.40%)	53,200	(0.28%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 417,385	$ 350,644	(15.99%)	$ 356,061	$ 383,747	9.44%	$ 367,000	3.07%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 417,385	$ 350,644	(15.99%)	$ 356,061	$ 383,747	9.44%	$ 367,000	3.07%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works - Catch Basin Maintenance FUND: 151

PROGRAM NUMBER: 52810

PROGRAM OBJECTIVE: To ensure the safety and cleanliness of our City streets and the City's maintained storm drain system by cleaning all catch basins, connector pipes and culverts on an annual basis, and by providing emergency service, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 205,892	$ 171,056	(16.92%)	$ 201,444	$ 169,017	(1.19%)	$ 190,700	(5.33%)
Contractual Services	9,972	6,394	(35.88%)	5,360	5,360	(16.17%)	5,600	4.48%
Materials & Supplies	18,242	6,252	(65.73%)	8,660	13,210	111.29%	8,300	(4.16%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	5,340	4,504	(15.66%)	3,577	3,577	(20.58%)	3,500	(2.15%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 239,446	$ 188,206	(21.40%)	$ 219,041	$ 191,164	1.57%	$ 208,100	(4.99%)
Capital Expenditures								
Fixed Assets	5,355	399,716	7,364.35%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 5,355	$ 399,716	7,364.35%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 244,801	$ 587,922	140.16%	$ 219,041	$ 191,164	(67.48%)	$ 208,100	(4.99%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: NPDES Administration FUND: 152

PROGRAM NUMBER: 52210

PROGRAM OBJECTIVE: To administer the City's National Pollutant Discharge Elimination System (NPDES) program. This program requires the City to obtain a permit from the Regional Water Quality Control Board. The City must ensure that discharge of storm water into various drainage channels and washes throughout the community will comply with the standards set by the Regional Water Quality Control Board.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 280,096	$ 272,372	(2.76%)	$ 282,882	$ 280,841	3.11%	$ 278,100	(1.69%)
Contractual Services	171,284	81,960	(52.15%)	204,715	154,500	88.51%	122,400	(40.21%)
Materials & Supplies	2,510	2,330	(7.17%)	24,924	4,000	71.67%	6,800	(72.72%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	68,536	84,171	22.81%	84,396	84,396	0.27%	84,000	(0.47%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 522,426	$ 440,833	(15.62%)	$ 596,917	$ 523,737	18.81%	$ 491,300	(17.69%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 522,426	$ 440,833	(15.62%)	$ 596,917	$ 523,737	18.81%	$ 491,300	(17.69%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Inspections FUND: 152

PROGRAM NUMBER: 52410

PROGRAM OBJECTIVE: To provide compliance inspections of construction sites and existing businesses at a frequency mandated in the current National Pollutant Discharge Elimination System (NPDES) permit for the Santa Ana River Watershed Region to ensure storm water and non-storm water discharges to the City's streets and storm drains are in compliance with the City's storm water ordinance and applicable NPDES permit provisions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 105,484	$ 115,936	9.91%	$ 115,922	$ 91,775	(20.84%)	$ 114,400	(1.31%)
Contractual Services	3,214	2,257	(29.78%)	2,940	1,900	(15.82%)	2,900	(1.36%)
Materials & Supplies	6,036	654	(89.17%)	2,150	1,200	83.49%	2,200	2.33%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	5,529	12,386	124.02%	12,794	12,794	3.29%	12,600	(1.52%)
Transfers Out	1,500	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 121,763	$ 131,233	7.78%	$ 133,806	$ 107,669	(17.96%)	$ 132,100	(1.27%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 121,763	$ 131,233	7.78%	$ 133,806	$ 107,669	(17.96%)	$ 132,100	(1.27%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Plan Checks FUND: 152

PROGRAM NUMBER: 52510

PROGRAM OBJECTIVE: To provide plan check services for storm water and non-storm water plans and studies that address water quality impacts associated with new development and redevelopment projects to ensure these projects implement Best Management Practices (BMPs) with respect to the current National Pollutant Discharge Elimination System (NPDES) permit for the Santa Ana River Watershed Region and meeting the "maximum extent practicable" standard.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 29,068	$ 128,882	343.38%	$ 126,203	$ 126,203	(2.08%)	$ 124,800	(1.11%)
Contractual Services	5,915	-	(100.00%)	-	-	-	400	100.00%
Materials & Supplies	-	187	100.00%	150	200	6.95%	200	33.33%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 34,983	$ 129,069	268.95%	$ 126,353	$ 126,403	(2.07%)	$ 125,400	(0.75%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 34,983	$ 129,069	268.95%	$ 126,353	$ 126,403	(2.07%)	$ 125,400	(0.75%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Regulatory Permits/Agreements FUND: 152

PROGRAM NUMBER: 53010

PROGRAM OBJECTIVE: Responsible for city-wide storm water and non-storm water pollution prevention compliance work products and programs prepared in response to unfunded state and Federal permit mandates not otherwise funded by local special storm water related tax, levy and fee revenues. This includes securing local revenues for payment of state, Federal and intergovernmental storm water permit and cost-sharing agreements, updating local Master Drainage Plans including preparing applicable guidance documents, managing/preparing resource impact analyses for state and Federal permit mandates, etc.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	74,450	90,709	21.84%	112,559	106,100	16.97%	112,560	0.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 74,450	$ 90,709	21.84%	$ 112,559	$ 106,100	16.97%	$ 112,560	0.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 74,450	$ 90,709	21.84%	$ 112,559	$ 106,100	16.97%	$ 112,560	0.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Beverage Container Recycling FUND: 153

PROGRAM NUMBER: 51535

PROGRAM OBJECTIVE: To promote beverage container recycling and litter abatement throughout the community with the use of the Department of Conservation Beverage Container Recycling Grant that is issued annually.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 30,985	$ 36,793	18.74%	$ 38,183	$ -	(100.00%)	$ 13,200	(65.43%)
Contractual Services	15,780	10,129	(35.81%)	8,782	-	(100.00%)	-	(100.00%)
Materials & Supplies	630	-	(100.00%)	300	-	-	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	283	272	(3.89%)	218	-	(100.00%)	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 47,678	$ 47,194	(1.02%)	$ 47,483	$ -	(100.00%)	$ 13,200	(72.20%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 47,678	$ 47,194	(1.02%)	$ 47,483	$ -	(100.00%)	$ 13,200	(72.20%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Child Care Grant FUND: 160

PROGRAM NUMBER: 75710

PROGRAM OBJECTIVE: To plan, design, and oversee the Child Care grant program offered by the City which provides after-school day care to the City's residents.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 587,940	$ 552,033	(6.11%)	$ 598,786	$ 597,236	8.19%	$ 643,200	7.42%
Contractual Services	41,205	37,884	(8.06%)	183,190	39,620	4.58%	185,300	1.15%
Materials & Supplies	42,587	33,260	(21.90%)	26,500	48,700	46.42%	42,000	58.49%
Debt Service	24,659	24,659	-	24,658	24,700	0.17%	16,500	(33.08%)
Fixed Charges	37,900	52,910	39.60%	55,973	56,200	6.22%	55,800	(0.31%)
Transfers Out	660	-	(100.00%)	-	-	-	-	-
Total Operating Exenditures	$ 734,951	$ 700,746	(4.65%)	$ 889,107	$ 766,456	9.38%	$ 942,800	6.04%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 734,951	$ 700,746	(4.65%)	$ 889,107	$ 766,456	9.38%	$ 942,800	6.04%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ASES Program Grant 06-07 FUND: 162

PROGRAM NUMBER: 16210

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	193,906	1,452,998	649.33%	-	-	(100.00%)	-	-
Materials & Supplies	3,404,032	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Exenditures	$ 3,597,938	$ 1,452,998	(59.62%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	308,643	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 308,643	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 3,906,581	$ 1,452,998	(62.81%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ASES Program Grant 07-08 FUND: 162

PROGRAM NUMBER: 16211

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 2,444,903	$ (42,229)	(101.73%)	$ -	$ -	(100.00%)	$ -	-
Contractual Services	1,273,071	1,917,117	50.59%	-	-	(100.00%)	-	-
Materials & Supplies	1,259,973	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	208,240	-	(100.00%)	-	-	-	-	-
Transfers Out	1,112	-	(100.00%)	-	-	-	-	-
Total Operating Exenditures	$ 5,187,299	$ 1,874,888	(63.86%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	17,866	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 17,866	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 5,205,165	$ 1,874,888	(63.98%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: STARS Program Grant - FY08/09 FUND: 162

PROGRAM NUMBER: 16212

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 3,558,592	100.00%	$ -	$ -	(100.00%)	$ 1,900	100.00%
Contractual Services	-	907,791	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	887,176	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	235,698	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 5,589,257	100.00%	$ -	$ -	(100.00%)	$ 1,900	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 5,589,257	100.00%	$ -	$ -	(100.00%)	$ 1,900	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: STARS Program Grant - FY09/10 FUND: 162

PROGRAM NUMBER: 16213

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 2,975,015	$ 3,090,900	100.00%	$ -	(100.00%)
Contractual Services	-	-	-	1,842,867	1,841,500	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	613,846	770,500	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	188,559	188,700	100.00%	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 5,620,287	$ 5,891,600	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 5,620,287	$ 5,891,600	100.00%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: STARS Program Grant - FY10/11 FUND: 162

PROGRAM NUMBER: 16214

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 3,143,200	100.00%
Contractual Services	-	-	-	-	-	-	1,858,200	100.00%
Materials & Supplies	-	-	-	-	-	-	767,700	100.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	188,500	100.00%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 5,957,600	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 5,957,600	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: HOME Administration FUND: 176

PROGRAM NUMBER: 77110

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing downpayment rehabilitation assistance in the way of deferred, low interest loans.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 65,341	$ 42,794	(34.51%)	$ 45,809	$ 46,423	8.48%	$ 36,900	(19.45%)
Contractual Services	133,267	157,090	17.88%	351,319	335,000	113.25%	358,000	1.90%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	(63,267)	(117,488)	85.70%	-	-	(100.00%)	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 135,341	$ 82,396	(39.12%)	$ 397,128	$ 381,423	362.91%	$ 394,900	(0.56%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 135,341	$ 82,396	(39.12%)	$ 397,128	$ 381,423	362.91%	$ 394,900	(0.56%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #1 FUND: 184

PROGRAM NUMBER: 18410

PROGRAM OBJECTIVE: Community Facilities District #1 provides funding for maintenance of new neighborhood parks, trails, and Class I bikeways.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 280,779	$ 285,341	1.62%	$ 455,393	$ 343,300	20.31%	$ 411,100	(9.73%)
Contractual Services	273,004	236,220	(13.47%)	318,010	285,600	20.90%	343,200	7.92%
Materials & Supplies	61,149	63,895	4.49%	54,363	48,000	(24.88%)	53,400	(1.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	159,280	104,458	(34.42%)	143,549	143,500	37.38%	143,500	(0.03%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 774,212	$ 689,914	(10.89%)	$ 971,315	$ 820,400	18.91%	$ 951,200	(2.07%)
Capital Expenditures								
Fixed Assets	-	25,357	100.00%	15,000	4,000	(84.23%)	-	(100.00%)
Total Capital Expenditures	$ -	$ 25,357	100.00%	$ 15,000	$ 4,000	(84.23%)	$ -	(100.00%)
Total Program Budget	$ 774,212	$ 715,271	(7.61%)	$ 986,315	$ 824,400	15.26%	$ 951,200	(3.56%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: EPA Grant - Box Springs Water FUND: 193

PROGRAM NUMBER: 19310

PROGRAM OBJECTIVE: The purpose the of the project is to identify the water and sewer infrastructure improvements required in the Box Springs Mutual Water Company service area. The City's goal is to identify the appropriate system elements and associated cost necessary to upgrade the existing water system (and sewer system as necessary) in the area to provide safe domestic water service and fire suppression flows sufficient to meet modern requirements and allow redevelopment of the area.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 6,452	$ 6,070	(5.92%)	$ -	$ 3,220	(46.95%)	$ -	-
Contractual Services	197,108	176,096	(10.66%)	92,108	71,218	(59.56%)	-	(100.00%)
Materials & Supplies	-	-	-	-	5	100.00%	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 203,560	$ 182,166	(10.51%)	$ 92,108	$ 74,443	(59.13%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	7,000	-	-	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 7,000	$ -	-	$ -	-
Total Program Budget	$ 203,560	$ 182,166	(10.51%)	$ 99,108	$ 74,443	(59.13%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG Grant - Code & Neighborhood FUND: 194

PROGRAM NUMBER: 19410

PROGRAM OBJECTIVE: To use an Edward Byrne Memorial Justice Assistance Grant to update the existing graffiti program to current technologies.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	39,000	100.00%	32,452	32,452	(16.79%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 39,000	100.00%	$ 32,452	$ 32,452	(16.79%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	8,405	100.00%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ -	$ 8,405	100.00%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ -	$ 47,405	100.00%	$ 32,452	$ 32,452	(31.54%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ETA Job Training Grant Program FUND: 196

PROGRAM NUMBER: 19610

PROGRAM OBJECTIVE: Provide job training to youth between the ages of 17 and 24 in the warehousing, distribution, and logistics, industries.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	118,886	118,886	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 118,886	$ 118,886	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 118,886	$ 118,886	100.00%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Neighborhood Stabilization Program FUND: 197

PROGRAM NUMBER: 19710

PROGRAM OBJECTIVE: In accordance with the Housing and Economic Recovery Act of 2008 (HERA), HUD has provided emergency CDBG grants to states, cities, and counties to address the foreclosure crisis. The City of Moreno Valley has been allocated $11,390,116 to implement an 18-month Neighborhood Stabilization Program (NSP) aimed at assisting low- to moderate-income households, while targeting the areas of the City most affected by foreclosures. The City's NSP program will include: Activity 1 -- Acquisition, Rehabilitation, and Rental of Multi-family Homes, Activity 2 -- First Time Homebuyer Down Payment Assistance Program, and Activity 3 - Acquisition, Rehabilitation, Resale of Single Family Homes.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 123	100.00%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	-	198	100.00%	11,390,116	11,390,116	N/A	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 321	100.00%	$ 11,390,116	$ 11,390,116	N/A	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 321	100.00%	$ 11,390,116	$ 11,390,116	N/A	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Homelessness Prevention Program FUND: 198

PROGRAM NUMBER: 19810

PROGRAM OBJECTIVE: To assist households that would otherwise become homeless (many, due to the economic crises) or rapidly re-house those who are homeless or at risk of homelessness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ 17,000	100.00%	$ -	-
Contractual Services	-	-	-	732,872	532,654	100.00%	183,218	(75.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 732,872	$ 549,654	100.00%	$ 183,218	(75.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 732,872	$ 549,654	100.00%	$ 183,218	(75.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Recovery Act of 2009 FUND: 199

PROGRAM NUMBER: 19910

PROGRAM OBJECTIVE: Authorized under the American Recovery and Reinvestment Act, this grant fund will be used in implementing activities that benefit the low and moderate-income population in accordance with the Recovery Act objectives.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 47,929	$ 11,100	100.00%	$ 26,829	(44.02%)
Contractual Services	-	-	-	431,363	331,000	100.00%	110,363	(74.42%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 479,292	$ 342,100	100.00%	$ 137,192	(71.38%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 479,292	$ 342,100	100.00%	$ 137,192	(71.38%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Arterial Streets Development Impact Fee FUND: 201

PROGRAM NUMBER: 20110

PROGRAM OBJECTIVE: To collect and manage the development impact fees for arterial streets.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	97,324	100.00%	-	-	(100.00%)	-	-
Transfers Out	4,345,362	5,340,201	22.89%	2,955,942	2,955,942	(44.65%)	1,413,675	(52.18%)
Total Operating Expenditures	$ 4,345,362	$ 5,437,525	25.13%	$ 2,955,942	$ 2,955,942	(45.64%)	$ 1,413,675	(52.18%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,345,362	$ 5,437,525	25.13%	$ 2,955,942	$ 2,955,942	(45.64%)	$ 1,413,675	(52.18%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Traffic Signal Development Impact Fee FUND: 202

PROGRAM NUMBER: 20210

PROGRAM OBJECTIVE: To collect and manage the development impact fees for traffic signals.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	838,735	360,618	(57.00%)	1,374,380	1,374,380	281.12%	-	(100.00%)
Total Operating Expenditures	$ 838,735	$ 360,618	(57.00%)	$ 1,374,380	$ 1,374,380	281.12%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 838,735	$ 360,618	(57.00%)	$ 1,374,380	$ 1,374,380	281.12%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Facility Development Impact Fee FUND: 203

PROGRAM NUMBER: 20310

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Fire Facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	255,808	256,015	0.08%	257,328	257,328	0.51%	254,008	(1.29%)
Total Operating Expenditures	$ 255,808	$ 256,015	0.08%	$ 257,328	$ 257,328	0.51%	$ 254,008	(1.29%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 255,808	$ 256,015	0.08%	$ 257,328	$ 257,328	0.51%	$ 254,008	(1.29%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Facility Development Impact Fee FUND: 204

PROGRAM NUMBER: 20410

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Police Facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	1,408	675,005	47,840.70%	675,493	675,493	0.07%	676,810	0.19%
Total Operating Expenditures	$ 1,408	$ 675,005	47,840.70%	$ 675,493	$ 675,493	0.07%	$ 676,810	0.19%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,408	$ 675,005	47,840.70%	$ 675,493	$ 675,493	0.07%	$ 676,810	0.19%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Parkland Facility Development Impact Fee FUND: 205

PROGRAM NUMBER: 20510

PROGRAM OBJECTIVE: To collect and manage the development impact fees for Parkland Facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	4,171,616	(105,000)	(102.52%)	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 4,171,616	$ (105,000)	(102.52%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,171,616	$ (105,000)	(102.52%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Quimby In-Lieu Park Fees FUND: 206

PROGRAM NUMBER: 20610

PROGRAM OBJECTIVE: To collect and manage the development impact fees for parks.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	101,224	31,000	(69.37%)	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 101,224	$ 31,000	(69.37%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 101,224	$ 31,000	(69.37%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Recreation Center Development Impact Fee FUND: 207

PROGRAM NUMBER: 20710

PROGRAM OBJECTIVE: To collect and manage the development impact fees for Recreation Center.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	326,020	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 326,020	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 326,020	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Libraries Development Impact Fee FUND: 208

PROGRAM NUMBER: 20810

PROGRAM OBJECTIVE: To collect and manage the development impact fees for Libraries.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	1,920,743	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,920,743	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,920,743	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Hall Development Impact Fee FUND: 209

PROGRAM NUMBER: 20910

PROGRAM OBJECTIVE: To collect and manage the development impact fees for City Hall.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	2,336	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 2,336	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,336	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Corporate Yard Development Impact Fee FUND: 210

PROGRAM NUMBER: 21010

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Corporate Yard.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	56,530	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 56,530	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 56,530	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Interchange Improvements DIF FUND: 211

PROGRAM NUMBER: 21112

PROGRAM OBJECTIVE: To account for the collection and transfer of development impact fees, in coordination with the Western Riverside Council of Government (WRCOG) Transportation Uniform Mitigation Fee (TUMF) program, to fund interchange improvements needed to serve future development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	2,433	-	(100.00%)	-	-	-	1,740,000	100.00%
Total Operating Expenditures	$ 2,433	$ -	(100.00%)	$ -	$ -	-	$ 1,740,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,433	$ -	(100.00%)	$ -	$ -	-	$ 1,740,000	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Maintenance Equipment DIF FUND: 212

PROGRAM NUMBER: 21212

PROGRAM OBJECTIVE: To account for the collection and transfer of development impact fees to fund additional maintenance equipment that will be needed to handle the increased demands associated with new development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	112	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 112	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 112	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Animal Shelter Development Impact Fee FUND: 213

PROGRAM NUMBER: 21312

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Animal Shelter.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	188,286	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 188,286	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 188,286	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: FHWA TRANSIMS Deployment FUND: 227

PROGRAM NUMBER: 22710

PROGRAM OBJECTIVE: To construct a new citywide traffic model using the TRANSIMS program and analyze impacts of land-use changes on the circulation system. Funded by a contract from the FHWA.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 83,935	100.00%	$ 107,915	$ 88,146	5.02%	$ 20,000	(81.47%)
Contractual Services	-	16,829	100.00%	68,036	58,036	244.86%	10,000	(85.30%)
Materials & Supplies	-	1,448	100.00%	5,000	5,000	245.30%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 102,212	100.00%	$ 180,951	$ 151,182	47.91%	$ 30,000	(83.42%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 102,212	100.00%	$ 180,951	$ 151,182	47.91%	$ 30,000	(83.42%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2009-DJ-BX-1178 JAG GRANT FUND: 230

PROGRAM NUMBER: 23010

PROGRAM OBJECTIVE: This grant funding will be used for Specialized Code Enforcement Program; two (2) part-time temporary employees will be hired to target City-wide code violations during the evenings and weekends when Code Compliance has minimal resources available to respond to code violations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 88,979	$ 22,536	100.00%	$ 66,443	(25.33%)
Contractual Services	-	-	-	7,800	2,025	100.00%	5,775	(25.96%)
Materials & Supplies	-	-	-	9,200	3,300	100.00%	5,900	(35.87%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 105,979	$ 27,861	100.00%	$ 78,118	(26.29%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 105,979	$ 27,861	100.00%	$ 78,118	(26.29%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ICEP Task Force FUND: 231

PROGRAM NUMBER: 23110

PROGRAM OBJECTIVE: The mission of the ICEP Task Force is to achieve maximum coordination and cooperation among agency participants in an effort to identify and rescue juveniles who are sexually exploited through prostitution activities; identify, investigate, apprehend and prosecute pimps and other criminals associated with child exploitation and prostitution offenses.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	50,668	-	-	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 50,668	$ -	-	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 50,668	$ -	-	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - PD - 05 FUND: 258

PROGRAM NUMBER: 62582

PROGRAM OBJECTIVE: Grant-funded program for the creation of an additional Community Service Officer I for the Traffic Division who will be able to handle minor traffic collisions, write parking citations and assist with traffic reconstruction.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	70,925	1,004	(98.58%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 70,925	$ 1,004	(98.58%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 70,925	$ 1,004	(98.58%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - PD - 07 FUND: 259

PROGRAM NUMBER: 62584

PROGRAM OBJECTIVE: Grant-funded program for the creation of an additional Community Service Officer I for the Traffic Division who will be able to handle minor traffic collisions, write parking citations and assist with traffic reconstruction.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	183,861	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 183,861	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 183,861	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - PD - 08 FUND: 260

PROGRAM NUMBER: 62586

PROGRAM OBJECTIVE: To purchase secure cellular data, transfer equipment, installation and 2 years of cellular service, for use with the Automated License Plate Reader (ALPR). In addition, approximately 93 2GB flash drives for issuance to law enforcement personnel.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	5,832	5,832	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	1,787	1,787	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 7,619	$ 7,619	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	22,080	22,260	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 22,080	$ 22,260	100.00%	$ -	(100.00%)
Total Program Budget	$ -	$ -	-	$ 29,699	$ 29,879	100.00%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - COPS Technology Program Grant FUND: 261

PROGRAM NUMBER: 62588

PROGRAM OBJECTIVE: To develop and enhance technology for law enforcement.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	32,706	100.00%	29,665	29,665	(9.30%)	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 32,706	100.00%	$ 29,665	$ 29,665	(9.30%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	77,924	77,924	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 77,924	$ 77,924	100.00%	$ -	(100.00%)
Total Program Budget	$ -	$ 32,706	100.00%	$ 107,589	$ 107,589	228.96%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG 2009 SB-59-2366 Grant FUND: 262

PROGRAM NUMBER: 26210

PROGRAM OBJECTIVE: To purchase a forensic 3D laser scanner, electronic equipment inventory system, electronic equipment for training purposes, cellular phone forensic equipment, night vision equipment, GPS tracking devise, digital video recorder, GPS devises and wearable video camera. Available funds will alse be used to enhance the Public Safety Building Surveillance Equipment, upgrade the Data Command post and supplement funds to continue anti-graffiti

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	60,105	60,105	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	55,517	55,517	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 115,622	$ 115,622	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	320,050	320,050	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 320,050	$ 320,050	100.00%	$ -	(100.00%)
Total Program Budget	$ -	$ -	-	$ 435,672	$ 435,672	100.00%	$ -	(100.00%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FY 07/08 FUND: 282

PROGRAM NUMBER: 73818

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 282,269	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	49,162	-	(100.00%)	-	-	-	-	-
Materials & Supplies	3,841	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	22,322	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 357,594	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 357,594	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs FY 07/08 FUND: 282

PROGRAM NUMBER: 73916

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	315,315	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 315,315	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 315,315	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance FY 07/08 FUND: 282

PROGRAM NUMBER: 74016

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ (7,196)	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	255,475	-	(100.00%)	-	-	-	-	-
Materials & Supplies	1,667	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 249,946	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 249,946	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FY 08/09 FUND: 283

PROGRAM NUMBER: 73828

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 231,821	100.00%	$ 1,645	$ -	(100.00%)	$ -	(100.00%)
Contractual Services	-	46,747	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	3,169	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	15,487	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 297,224	100.00%	$ 1,645	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 297,224	100.00%	$ 1,645	$ -	(100.00%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs FY 08/09 FUND: 283

PROGRAM NUMBER: 73918

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	271,959	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 271,959	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 271,959	100.00%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance FY 08/09 FUND: 283

PROGRAM NUMBER: 74018

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	255,000	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 255,000	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 255,000	100.00%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Admin - FY09/10 Fund FUND: 284

PROGRAM NUMBER: 73839

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 240,745	$ 242,060	100.00%	$ -	(100.00%)
Contractual Services	-	-	-	79,277	62,647	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	1,700	950	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	15,648	15,648	100.00%	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 337,370	$ 321,305	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 337,370	$ 321,305	100.00%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs - FY09/10 Fund FUND: 284

PROGRAM NUMBER: 73939

PROGRAM OBJECTIVE: The City will provide Community Development Block Grant (CDBG) funds to sub-recipients to provide public services such as food distribution, homelessness prevention, senior van transportation, emergency shelter services, transitional housing, child abuse prevention, domestic violence services, special needs services, and problem-oriented policing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	1,187,601	1,044,601	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 1,187,601	$ 1,044,601	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 1,187,601	$ 1,044,601	100.00%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance - FY09/10 Fund FUND: 284

PROGRAM NUMBER: 74039

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	366,407	366,407	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 366,407	$ 366,407	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 366,407	$ 366,407	100.00%	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Admin - FY10/11 Fund FUND: 285

PROGRAM NUMBER: 73852

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 242,000	100.00%
Contractual Services	-	-	-	-	-	-	78,200	100.00%
Materials & Supplies	-	-	-	-	-	-	1,700	100.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	15,600	100.00%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 337,500	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 337,500	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs - FY10/11 Fund FUND: 285

PROGRAM NUMBER: 73952

PROGRAM OBJECTIVE: The City will provide Community Development Block Grant (CDBG) funds to sub-recipients to provide public services such as food distribution, homelessness prevention, senior van transportation, emergency shelter services, transitional housing, child abuse prevention, domestic violence services, special needs services, and problem-oriented policing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	976,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 976,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 976,000	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance - FY10/11 Fund FUND: 285

PROGRAM NUMBER: 74052

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	366,400	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 366,400	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 366,400	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG11 Used Oil Recycling 05/06 FUND: 290

PROGRAM NUMBER: 51549

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of the California Integrated Waste Management Board Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,016	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	20,998	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 22,014	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 22,014	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG12 Use Oil Recycling 06/07 FUND: 291

PROGRAM NUMBER: 51551

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of the California Integrated Waste Management Board Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 30,846	$ 785	(97.46%)	$ -	$ -	(100.00%)	$ -	-
Contractual Services	11,160	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 42,006	$ 785	(98.13%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 42,006	$ 785	(98.13%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG13 Use Oil Recycling 07/08 FUND: 292

PROGRAM NUMBER: 51553

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of the California Integrated Waste Management Board Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 30,926	100.00%	$ 184	$ 3,828	(87.62%)	$ -	(100.00%)
Contractual Services	-	12,178	100.00%	3,735	91	(99.25%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	283	1,088	284.45%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 283	$ 44,192	15,515.55%	$ 3,919	$ 3,919	(91.13%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 283	$ 44,192	15,515.55%	$ 3,919	$ 3,919	(91.13%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG14 Used Oil Recycling 08/09 FUND: 293

PROGRAM NUMBER: 51555

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of CalRecycle Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 34,790	$ 5,363	100.00%	$ 14,200	(59.18%)
Contractual Services	-	-	-	4,265	12,900	100.00%	12,900	202.46%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	870	-	-	800	(8.05%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 39,925	$ 18,263	100.00%	$ 27,900	(30.12%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 39,925	$ 18,263	100.00%	$ 27,900	(30.12%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: TCA2-06-22 - 2006/2007 Local Govt Waste Tire Clean-up & Amnesty Event Grant Program FUND: 294

PROGRAM NUMBER: 51557

PROGRAM OBJECTIVE: To promote the recycling of used tires, reduce the number of waste tires disposed at landfills, illegally dumped, and stockpiled on private property by accepting tires at Household Hazardous Waste events for recycling with the use of California Integrated Waste Management Board Grant Funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	10,399	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,399	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,399	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Targeted Rubberized Asphalt Concrete Incentive Grant Program FUND: 295

PROGRAM NUMBER: 51559

PROGRAM OBJECTIVE: To utilize rubberized asphalt concrete on street pavement rehabilitation projects and offset the cost differential between rubberized asphalt and conventional asphalt with the use of California Integrated Waste Management Board Grant Funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	11,553	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	36,397	100.00%	84,000	28,000	(23.07%)	56,000	(33.33%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 47,950	100.00%	$ 84,000	$ 28,000	(41.61%)	$ 56,000	(33.33%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 47,950	100.00%	$ 84,000	$ 28,000	(41.61%)	$ 56,000	(33.33%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Moreno Valley Foundation FUND: 370

PROGRAM NUMBER: 37010

PROGRAM OBJECTIVE: To account for the financial activities of the Moreno Valley Community Foundation whose purpose is to raise funds for the City Library.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	775	50	(93.55%)	-	50	-	50	100.00%
Materials & Supplies	479	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,254	$ 50	(96.01%)	$ -	$ 50	-	$ 50	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,254	$ 50	(96.01%)	$ -	$ 50	-	$ 50	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Arts Commission FUND: 371

PROGRAM NUMBER: 37110

PROGRAM OBJECTIVE: To encourage, stimulate, promote and foster programs for the cultural enrichment of the City and thereby contribute to the quality of life in Moreno Valley and develop an awareness of the value of the arts in Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	450	100.00%	-	1,000	122.22%	1,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 450	100.00%	$ -	$ 1,000	122.22%	$ 1,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 450	100.00%	$ -	$ 1,000	122.22%	$ 1,000	100.00%

City of Moreno Valley

2010-11 Preliminary Base Operating budget

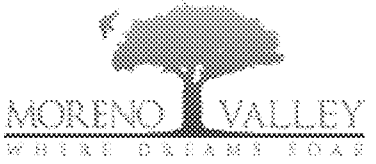

Capital Projects Funds

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	PW General Capital Projects 414	TUMF Capital Projects 415	DIF Arterial Streets Capital Projects 416	DIF Traffic Signal Capital Projects 417	DIF Interchange Improvements 418	2005 Lease Revenue Bonds - Cap/Admin 501	Centerpoint 87-4 Cap/Admin 512
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	900	-	-	-	-	100,000	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	30,000	-	1,000	1,000	-	-	-
Grants/Intergovernmental Revenues	-	6,000,000	-	-	-	-	-
Transfers In	-	-	295,000	-	1,740,000	-	-
Total Operating Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies							
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	Towngate Impr Special Tax Capital/Admin 513	2007 Towngate Spcl Tax Ref Capital/Admin 515	Warner Ranch Assmnt Dist 518	Auto Mall Cap/Admin 528	CFD #5 Stoneridge Cap/Admin 529	CFD #41 Infra Cap/Admin 530	Total
Revenues							
Property Taxes	-	-	8,400	-	-	-	8,400
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	100,900
Bond Proceeds	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	-	-	-	32,000
Grants/Intergovernmental Revenues	-	-	-	-	-	-	6,000,000
Transfers In	38,250	145,650	-	62,500	54,000	10,407,900	12,743,300
Total Operating Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	3,700	3,700	-	3,700	3,700	4,000	18,800
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	6,400	-	-	-	6,400
Fixed Charges	34,500	141,900	700	58,200	50,000	-	285,300
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**4,000**	**310,500**
Capital :							
Fixed Assets	-	-	-	-	-	10,403,900	10,403,900
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**10,403,900**	**10,403,900**
Total Program Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Increase in Reserve for Contingencies							
Total Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Net Revenues Over (Under) Expenditures	**50**	**50**	**1,300**	**600**	**300**	**-**	**8,170,200**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	Centerpointe 87-4 Capital/Admin. 512.92330	Towngate Impr Special Tax Capital/Admin. 513.93730	2007 Towngate Spcl Tax Ref Capital/Admin. 515.93830	Warner Ranch Assessment District 518.91810	Auto Mall Capital/Admin. 528.92430	CFD #5 Stoneridge Capital/Admin 529.93430	CFD #4I Infra Cap/Admin Fund 530.93630	Total
Expenditures								
Operating:								
Personnel Services	-	-	-	-	-	-	-	-
Contractual Services	-	3,700	3,700	-	3,700	3,700	4,000	18,800
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	6,400	-	-	-	6,400
Fixed Charges	-	34,500	141,900	700	58,200	50,000	-	285,300
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	-	38,200	145,600	7,100	61,900	53,700	4,000	310,500
Capital:								
Fixed Assets	-	-	-	-	-	-	10,403,900	10,403,900
Total Capital Expenditures	-	-	-	-	-	-	10,403,900	10,403,900
Total Program Expenditures	-	38,200	145,600	7,100	61,900	53,700	10,407,900	10,714,400

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Operating Transfers Out of 412 FUND: 412

PROGRAM NUMBER: 99914

PROGRAM OBJECTIVE: To provide appropriate funds for activities that are not directly assignable to any one department or program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	67,040	100.00%	700,000	-	(100.00%)	-	(100.00%)
Total Operating Expenditures	$ -	$ 67,040	100.00%	$ 700,000	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 67,040	100.00%	$ 700,000	$ -	(100.00%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Operating Transfers Out of Fund 413 FUND: 413

PROGRAM NUMBER: 99913

PROGRAM OBJECTIVE: To meet COP 93 debt service.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	38,487	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 38,487	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 38,487	100.00%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Capital

FUND: 434

PROGRAM NUMBER: 65210

PROGRAM OBJECTIVE: To administer fire related capital projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	98,000	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 98,000	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 98,000	100.00%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2005 Lease Revenue Bonds Cap/Admin FUND: 501

PROGRAM NUMBER: 93330

PROGRAM OBJECTIVE: To provide resources to finance the following capital improvements: Sunnymead Boulevard, Public Safety Building Expansion, Kitching Street, Electric Utility Infrastructure, Ironwood/Heacock, Ironwood/Box Springs, Laselle Street and Fire Station No. 58.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	28	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	1,374,223	309,120	(77.51%)	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,374,223	$ 309,148	(77.50%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,374,223	$ 309,148	(77.50%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Improvement Area 1-Capital/Admin. FUND: 504

PROGRAM NUMBER: 92830

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	5,513	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	34,500	-	(100.00%)	-	-	-	-	-
Transfers Out	-	3,038	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 40,013	$ 3,038	(92.41%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 40,013	$ 3,038	(92.41%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Refunding-Capital/Admin. FUND: 506

PROGRAM NUMBER: 92230

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	4,000	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	132,875	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 136,875	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 136,875	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Centerpointe 87-4 Capital/Admin. FUND: 512

PROGRAM NUMBER: 92330

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	3,786	3,787	0.03%	5,350	-	(100.00%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	55,000	55,000	-	50,000	-	(100.00%)	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 58,786	$ 58,787	0.00%	$ 55,350	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 58,786	$ 58,787	0.00%	$ 55,350	$ -	(100.00%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Improvement Special Tax Capital/Admin FUND: 513

PROGRAM NUMBER: 93730

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	4,014	100.00%	3,750	3,750	(6.58%)	3,700	(1.33%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	34,500	31,285	100.00%	34,500	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 4,014	100.00%	$ 38,250	$ 35,035	772.82%	$ 38,200	(0.13%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 4,014	100.00%	$ 38,250	$ 35,035	772.82%	$ 38,200	(0.13%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Towngate Special Tax Ref Capital/Admin FUND: 515

PROGRAM NUMBER: 93830

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	57	100.00%	6,875	5,500	9,549.12%	3,700	(46.18%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	132,875	132,875	100.00%	141,900	6.79%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 57	100.00%	$ 139,750	$ 138,375	242,663.16%	$ 145,600	4.19%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 57	100.00%	$ 139,750	$ 138,375	242,663.16%	$ 145,600	4.19%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Warner Ranch Assessment District FUND: 518

PROGRAM NUMBER: 91810

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	4	5	25.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	1,959	1,959	-	6,458	6,458	229.66%	6,400	(0.90%)
Fixed Charges	730	730	-	730	730	-	700	(4.11%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,693	$ 2,694	0.04%	$ 7,188	$ 7,188	166.82%	$ 7,100	(1.22%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,693	$ 2,694	0.04%	$ 7,188	$ 7,188	166.82%	$ 7,100	(1.22%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Auto Mall Capital/Admin. FUND: 528

PROGRAM NUMBER: 92430

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	3,755	3,756	0.03%	3,750	3,750	(0.16%)	3,700	(1.33%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	148,940	144,690	(2.85%)	145,190	145,190	0.35%	58,200	(59.91%)
Transfers Out	927,865	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,080,560	$ 148,446	(86.26%)	$ 148,940	$ 148,940	0.33%	$ 61,900	(58.44%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,080,560	$ 148,446	(86.26%)	$ 148,940	$ 148,940	0.33%	$ 61,900	(58.44%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #5 Stoneridge Cap/Admin FUND: 529

PROGRAM NUMBER: 93430

PROGRAM OBJECTIVE: Issue Special Tax Bonds to fund public infrastructure at Stoneridge Towne Centre located on approximately 56 acres. The CFD will provide for the collection and payment of principal, interest, and administration costs associated with the infrastructure, which includes street improvements along Nason Street, Eucalyptus Avenue, Dracaea Avenue and Fir Avenue.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	5,388	49,898	826.10%	4,000	3,750	(92.48%)	3,700	(7.50%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	30,000	50,000	66.67%	50,000	50,000	-	50,000	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 35,388	$ 99,898	182.29%	$ 54,000	$ 53,750	(46.20%)	$ 53,700	(0.56%)
Capital Expenditures								
Fixed Assets	2,270,856	2,128,623	(6.26%)	462,770	462,770	(78.26%)	-	(100.00%)
Total Capital Expenditures	$ 2,270,856	$ 2,128,623	(6.26%)	$ 462,770	$ 462,770	(78.26%)	$ -	(100.00%)
Total Program Budget	$ 2,306,244	$ 2,228,521	(3.37%)	$ 516,770	$ 516,520	(76.82%)	$ 53,700	(89.61%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #4I Infra Cap/Admin Fund FUND: 530

PROGRAM NUMBER: 93630

PROGRAM OBJECTIVE: To provide for the cost associated with debt service consultants and administration expenditures related with the acquisition or construction of capital projects at Centerpointe Business Park.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	4,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	50,000	-	-	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 50,000	$ -	-	$ 4,000	(92.00%)
Capital Expenditures								
Fixed Assets	-	-	-	5,800,000	-	-	10,403,900	79.38%
Total Capital Expenditures	$ -	$ -	-	$ 5,800,000	$ -	-	$ 10,403,900	100.00%
Total Program Budget	$ -	$ -	-	$ 5,850,000	$ -	-	$ 10,407,900	77.91%

City of Moreno Valley

2010-11 Preliminary Base Operating budget

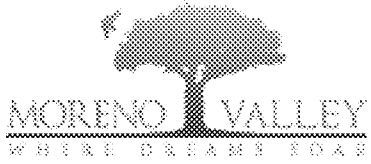

Enterprise Fund

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Enterprise Funds

Description	Electric Utility Fund 601	2007 Taxable Lease Revenue Bonds 602	2005 Lease Revenue Bonds 603	Total
Revenues				
Property Taxes	-	-	-	-
Gas Taxes	-	-	-	-
Sales Taxes	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-
Utility Users Taxes	-	-	-	-
Other Taxes	-	-	-	-
Franchise Fees	-	-	-	-
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	-	-	-	-
Other Fees	(119,500)	-	-	(119,500)
Fees for Service	13,644,000	-	-	13,644,000
Permits & Licenses	-	-	-	-
Fines & Forfeitures	-	-	-	-
Administrative Charges	-	-	-	-
Interest Income	-	-	-	-
Bond Proceeds	-	-	-	
Miscellaneous Revenues	345,000	-	-	345,000
Grants/Intergovernmental Revenues	-	-	-	-
Transfers In	-	-	-	-
Total Operating Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	
Total Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Expenditures				
Operating:				
Personnel Services	765,400	-	-	765,400
Contractual Services	10,525,500	3,800	-	10,529,300
Materials & Supplies	4,800	-	-	4,800
Debt Service	77,400	1,827,000	318,200	2,222,600
Fixed Charges	711,800	-	-	711,800
Transfers Out	-	-	-	-
Total Operating Expenditures	**12,084,900**	**1,830,800**	**318,200**	**14,233,900**
Capital :				
Fixed Assets	87,500	-	-	87,500
Total Capital Expenditures	87,500	-	-	87,500
Total Program Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Increase in Reserve for Contingencies				
Total Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Net Revenues Over (Under) Expenditures	**1,697,100**	**(1,830,800)**	**(318,200)**	**(451,900)**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Enterprise Fund

Description	Electric Utility Fund 601.60110	Public Purpose Program 601.61010	2007 Taxable Lease Revenue Bonds 602.60210	2005 Lease Revenue Bonds 603.60310	Total
Expenditures					
Operating:					
Personnel Services	765,400	-	-	-	765,400
Contractual Services	10,025,500	500,000	3,800	-	10,529,300
Materials & Supplies	4,800	-	-	-	4,800
Debt Service	77,400	-	1,827,000	318,200	2,222,600
Fixed Charges	711,800	-	-	-	711,800
Transfers Out	-	-	-	-	-
Total Operating Expenditures	11,584,900	500,000	1,830,800	318,200	14,233,900
Capital:					
Fixed Assets	87,500	-	-	-	87,500
Total Capital Expenditures	87,500	-	-	-	87,500
Total Program Expenditures	11,672,400	500,000	1,830,800	318,200	14,321,400

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Electric Utility Fund FUND: 601

PROGRAM NUMBER: 60110

PROGRAM OBJECTIVE: To provide electrical energy to new development within the City of Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 684,632	$ 765,934	11.88%	$ 772,245	$ 772,245	0.82%	$ 765,400	(0.89%)
Contractual Services	9,157,073	10,444,656	14.06%	10,592,255	9,890,600	(5.30%)	10,025,500	(5.35%)
Materials & Supplies	16,247	4,511	(72.23%)	5,325	4,800	6.41%	4,800	(9.86%)
Debt Service	48,325	23,622	(51.12%)	114,103	114,150	383.24%	77,400	(32.17%)
Fixed Charges	860,873	839,682	(2.46%)	953,693	1,263,307	50.45%	711,800	(25.36%)
Transfers Out	150,000	300,000	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 10,917,150	$ 12,378,405	13.38%	$ 12,437,621	$ 12,045,102	(2.69%)	$ 11,584,900	(6.86%)
Capital Expenditures								
Fixed Assets	-	-	-	484,360	225,000	100.00%	87,500	(81.93%)
Total Capital Expenditures	$ -	$ -	-	$ 484,360	$ 225,000	100.00%	$ 87,500	(61.11%)
Total Program Budget	$ 10,917,150	$ 12,378,405	13.38%	$ 12,921,981	$ 12,270,102	(0.87%)	$ 11,672,400	(9.67%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Purpose Program FUND: 601

PROGRAM NUMBER: 61010

PROGRAM OBJECTIVE: To provide public benefit programs funded through a non-bypassable surcharge on electric utilities. Types of programs will include energy efficiency programs for commercial and industrial customers and low income assistance programs.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	9,021	63,098	599.46%	713,691	485,000	668.65%	500,000	(29.94%)
Materials & Supplies	-	296	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 9,021	$ 63,394	602.74%	$ 713,691	$ 485,000	665.06%	$ 500,000	(29.94%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 9,021	$ 63,394	602.74%	$ 713,691	$ 485,000	665.06%	$ 500,000	(29.94%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Taxable Lease Revenue Bonds FUND: 602

PROGRAM NUMBER: 60210

PROGRAM OBJECTIVE: To provide taxable resources to finance the Electric Utility Infrastructure.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,875	3,650	26.96%	3,750	3,800	4.11%	3,800	1.33%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	1,464,885	1,452,746	(0.83%)	1,831,802	1,831,802	26.09%	1,827,000	(0.26%)
Fixed Charges	-	241,960	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	922,032	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,467,760	$ 2,620,388	78.53%	$ 1,835,552	$ 1,835,602	(29.95%)	$ 1,830,800	(0.26%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,467,760	$ 2,620,388	78.53%	$ 1,835,552	$ 1,835,602	(29.95%)	$ 1,830,800	(0.26%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2005 Lease Revenue Bonds FUND: 603

PROGRAM NUMBER: 60310

PROGRAM OBJECTIVE: To provide resources to finance the Electric Utility Infrastructure.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	523	-	-	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	38,230	226,930	493.59%	322,963	322,963	42.32%	318,200	(1.47%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	466,286	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 38,230	$ 693,216	1,713.28%	$ 323,486	$ 322,963	(53.41%)	$ 318,200	(1.63%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 38,230	$ 693,216	1,713.28%	$ 323,486	$ 322,963	(53.41%)	$ 318,200	(1.63%)

City of Moreno Valley

2010-11 Preliminary Base Operating budget

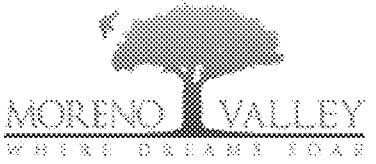

Internal Service Funds

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	General Liability 741	Workers' Compensation 745	Technology Services 750	Facilities 754	Equipment Maintenance 755	Equipment Replacement Reserve 757	Total
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	1,031,000	-	4,018,000	4,079,100	714,500	-	9,842,600
Interest Income	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	300	870,800	264,600	32,300	3,800	2,306,500	3,478,300
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Expenditures							
Operating:							
Personnel Services	116,200	52,100	2,024,500	1,037,300	262,500	-	3,492,600
Contractual Services	1,182,700	462,100	1,359,000	2,036,800	10,000	-	5,050,600
Materials & Supplies	4,000	3,400	401,400	123,500	383,000	-	915,300
Debt Service	-	-	-	-	-	-	-
Fixed Charges	59,200	204,500	517,300	454,700	59,800	284,000	1,579,500
Transfers Out	-	-	-	822,025	-	-	822,025
Total Operating Expenditures	**1,362,100**	**722,100**	**4,302,200**	**4,474,325**	**715,300**	**284,000**	**11,860,025**
Capital :							
Fixed Assets	-	-	597,700	-	-	92,000	689,700
Total Capital Expenditures	**-**	**-**	**597,700**	**-**	**-**	**92,000**	**689,700**
Total Program Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Increase in Reserve for Contingencies							
Total Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Net Revenues Over (Under) Expenditures	**(330,800)**	**148,700**	**(617,300)**	**(362,925)**	**3,000**	**1,930,500**	**771,175**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	General Liability Administration 741.74110	Workers' Compensation Administration 745.74510	Enterprise Applications Systems 750.32010	Hardware & Operating Systems 750.32110	Telephony Communications 750.32210	GIS 750.32510	Facilities 754.75410
Expenditures							
Operating:							
Personnel Services	116,200	52,100	504,200	588,600	419,000	512,700	857,300
Contractual Services	1,182,700	462,100	702,300	275,100	152,600	229,000	118,200
Materials & Supplies	4,000	3,400	32,800	221,700	120,400	26,500	21,200
Debt Service	-	-	-	-	-	-	-
Fixed Charges	59,200	204,500	23,600	318,600	156,200	18,900	164,300
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	1,362,100	722,100	1,262,900	1,404,000	848,200	787,100	1,161,000
Capital:							
Fixed Assets	-	-	50,000	328,200	203,500	16,000	-
Total Capital Expenditures	-	-	50,000	328,200	203,500	16,000	-
Total Program Expenditures	1,362,100	722,100	1,312,900	1,732,200	1,051,700	803,100	1,161,000

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Facilities City Hall 754.75411	Facilities Corp. Yard 754.75412	Facilities Transp. Trailer 754.75413	Facilities PSB 754.75414	Facilities Library 754.75415	Facilities Pro Shop 754.75416	Facilities MVTV Studio 754.75417
Expenditures							
Operating:							
Personnel Services	600	400	-	400	300	300	200
Contractual Services	406,900	78,200	3,100	338,500	81,700	26,600	11,100
Materials & Supplies	36,000	10,700	600	6,100	2,600	800	300
Debt Service	-	-	-	-	-	-	-
Fixed Charges	164,400	31,300	1,700	7,100	-	-	-
Transfers Out	822,025	-	-	-	-	-	-
Total Operating Expenditures	1,429,925	120,600	5,400	352,100	84,600	27,700	11,600
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	1,429,925	120,600	5,400	352,100	84,600	27,700	11,600

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Facilities Animal Shelter 754.75418	Facilities Senior Center 754.75419	Facilities TownGate CC 754.75421	Facilities March Field CC 754.75422	Facilities TS Annex 754.75423	Facilities CRC 754.75424	Facilities ESA Annex 754.75426
Expenditures							
Operating:							
Personnel Services	300	200	200	200	200	500	200
Contractual Services	101,400	80,900	36,800	32,200	23,700	252,700	11,300
Materials & Supplies	6,000	2,900	900	700	1,100	9,600	1,000
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	9,800	-	-	69,500	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	107,700	93,800	37,900	33,100	94,500	262,800	12,500
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	107,700	93,800	37,900	33,100	94,500	262,800	12,500

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Facilities Maintenance Annex 1 754.75429	Facilities Maintenance F.S. #2 754.75430	Facilities Maintenance F.S. #6 754.75431	Facilities Maintenance F.S. #48 754.75432	Facilities Maintenance F.S. #58 (Eucalyptus) 754.75433	Facilities Maintenance F.S. #65 754.75434	Facilities Maintenance F.S. #91 754.75435
Expenditures							
Operating:							
Personnel Services	200	200	200	200	200	200	200
Contractual Services	17,100	48,000	48,900	43,900	48,100	42,100	49,700
Materials & Supplies	1,400	2,900	2,900	2,900	2,400	2,900	1,900
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	18,700	51,100	52,000	47,000	50,700	45,200	51,800
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	18,700	51,100	52,000	47,000	50,700	45,200	51,800

MV00055183

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Security Guards 754.75436	Facilities Maintenance MV Utilities Field Office 754.75437	Veteran's Memorial 754.75438	Emergency Operations Center 754.75439	Equipment Maintenance 755.75510	Fixed Asset Replacement - COMV 757.99401	Fixed Asset Replacement - CSD 757.99402	Total
Expenditures								
Operating:								
Personnel Services	174,200	200	-	200	262,500	-	-	3,492,600
Contractual Services	42,600	5,100	8,000	80,000	10,000	-	-	5,050,600
Materials & Supplies	100	1,300	3,000	1,300	383,000	-	-	915,300
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	6,600	-	-	-	59,800	239,100	44,900	1,579,500
Transfers Out	-	-	-	-	-	-	-	822,025
Total Operating Expenditures	223,500	6,600	11,000	81,500	715,300	239,100	44,900	11,860,025
Capital:								
Fixed Assets	-	-	-	-	-	54,000	38,000	689,700
Total Capital Expenditures	-	-	-	-	-	54,000	38,000	689,700
Total Program Expenditures	223,500	6,600	11,000	81,500	715,300	293,100	82,900	12,549,725

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: General Liability Administration FUND: 741

PROGRAM NUMBER: 74110

PROGRAM OBJECTIVE: To administer the City's risk management program including insurance premiums, adjusting fees, legal expenses and reserves.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 181,210	$ 132,520	(26.87%)	$ 118,695	$ 117,363	(11.44%)	$ 116,200	(2.10%)
Contractual Services	1,114,843	793,229	(28.85%)	1,033,768	1,089,792	37.39%	1,182,700	14.41%
Materials & Supplies	2,375	885	(62.74%)	4,100	3,000	238.98%	4,000	(2.44%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	134,000	(265,702)	(298.29%)	59,298	59,298	(122.32%)	59,200	(0.17%)
Transfers Out	500,274	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,932,702	$ 660,932	(65.80%)	$ 1,215,861	$ 1,269,453	92.07%	$ 1,362,100	12.03%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,932,702	$ 660,932	(65.80%)	$ 1,215,861	$ 1,269,453	92.07%	$ 1,362,100	12.03%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Workers' Compensation Administration FUND: 745

PROGRAM NUMBER: 74510

PROGRAM OBJECTIVE: To manage and administer employee disability and injury costs with emphasis placed on employee training in occupational safety, safety awareness and employee health and fitness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 182,544	$ 40,717	(77.69%)	$ 55,731	$ 55,731	36.87%	$ 52,100	(6.52%)
Contractual Services	573,930	437,222	(23.82%)	462,150	466,796	6.76%	462,100	(0.01%)
Materials & Supplies	2,656	1,573	(40.78%)	3,450	950	(39.61%)	3,400	(1.45%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	505,394	(11,320)	(102.24%)	350,544	350,544	(3,196.68%)	204,500	(41.66%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,264,524	$ 468,192	(62.97%)	$ 871,875	$ 874,021	86.68%	$ 722,100	(17.18%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,264,524	$ 468,192	(62.97%)	$ 871,875	$ 874,021	86.68%	$ 722,100	(17.18%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Workers' Compensation Claims FUND: 745

PROGRAM NUMBER: 74511

PROGRAM OBJECTIVE: To manage and administer employee disability and injury costs with emphasis placed on employee training in occupational safety, safety awareness and employee health and fitness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 32,219	$ 54,588	69.43%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	119	49	(58.82%)	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 32,338	$ 54,637	68.96%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 32,338	$ 54,637	68.96%	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Enterprise Applications Systems FUND: 750

PROGRAM NUMBER: 32010

PROGRAM OBJECTIVE: To administer the City's enterprise software systems including programming and integration.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,085,527	$ 613,571	(43.48%)	$ 513,289	$ 513,289	(16.34%)	$ 504,200	(1.77%)
Contractual Services	340,399	587,661	72.64%	975,186	771,245	31.24%	702,300	(27.98%)
Materials & Supplies	10,916	3,380	(69.04%)	61,512	21,580	538.46%	32,800	(46.68%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	43,733	36,741	(15.99%)	23,536	23,536	(35.94%)	23,600	0.27%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,480,575	$ 1,241,353	(16.16%)	$ 1,573,523	$ 1,329,650	7.11%	$ 1,262,900	(19.74%)
Capital Expenditures								
Fixed Assets	-	-	-	86,540	9,000	100.00%	50,000	(42.22%)
Total Capital Expenditures	$ -	$ -	-	$ 86,540	$ 9,000	100.00%	$ 50,000	455.56%
Total Program Budget	$ 1,480,575	$ 1,241,353	(16.16%)	$ 1,660,063	$ 1,338,650	7.84%	$ 1,312,900	(20.91%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Hardware & Operating Systems FUND: 750

PROGRAM NUMBER: 32110

PROGRAM OBJECTIVE: To administer the City's wide area and local area network including desktop hardware and operating systems.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 636,837	$ 724,891	13.83%	$ 608,318	$ 568,318	(21.60%)	$ 588,600	(3.24%)
Contractual Services	169,602	133,593	(21.23%)	248,560	243,460	82.24%	275,100	10.68%
Materials & Supplies	220,117	160,348	(27.15%)	319,809	202,969	26.58%	221,700	(30.68%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	481,262	385,953	(19.80%)	318,730	318,730	(17.42%)	318,600	(0.04%)
Transfers Out	194	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,508,012	$ 1,404,785	(6.85%)	$ 1,495,417	$ 1,333,477	(5.08%)	$ 1,404,000	(6.11%)
Capital Expenditures								
Fixed Assets	1	-	(100.00%)	337,000	173,000	100.00%	328,200	(2.61%)
Total Capital Expenditures	$ 1	$ -	(100.00%)	$ 337,000	$ 173,000	100.00%	$ 328,200	89.71%
Total Program Budget	$ 1,508,013	$ 1,404,785	(6.85%)	$ 1,832,417	$ 1,506,477	7.24%	$ 1,732,200	(5.47%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Communications FUND: 750

PROGRAM NUMBER: 32210

PROGRAM OBJECTIVE: To provide and administer the City's comprehensive voice, data, video, and radio communications programs, including support of two City-owned amateur radio repeaters. This includes all services utilizing the common communications network that interconnects City facilities, offices, and end-users.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 176,107	$ 470,000	166.88%	$ 433,646	$ 433,646	(7.73%)	$ 419,000	(3.38%)
Contractual Services	28,651	90,558	216.07%	149,545	131,670	45.40%	152,600	2.04%
Materials & Supplies	30,009	36,923	23.04%	115,450	61,550	66.70%	120,400	4.29%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	76,905	179,421	133.30%	156,470	156,470	(12.79%)	156,200	(0.17%)
Transfers Out	-	-	-	5,000	-	-	-	(100.00%)
Total Operating Expenditures	$ 311,672	$ 776,902	149.27%	$ 860,111	$ 783,336	0.83%	$ 848,200	(1.38%)
Capital Expenditures								
Fixed Assets	-	-	-	439,804	317,505	100.00%	203,500	(53.73%)
Total Capital Expenditures	$ -	$ -	-	$ 439,804	$ 317,505	100.00%	$ 203,500	(35.91%)
Total Program Budget	$ 311,672	$ 776,902	149.27%	$ 1,299,915	$ 1,100,841	41.70%	$ 1,051,700	(19.09%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Radio Communications FUND: 750

PROGRAM NUMBER: 32310

PROGRAM OBJECTIVE: To administer the City's comprehensive 2-way radio communications program including support of two City owned amateur radio repeaters.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 123,852	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	13,463	-	(100.00%)	-	-	-	-	-
Materials & Supplies	39,552	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	36,452	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 213,319	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 213,319	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Backbone Communications FUND: 750

PROGRAM NUMBER: 32410

PROGRAM OBJECTIVE: To provide communication services utilizing a common communications network, interconnecting all City offices and end-users to enable the sharing of voice, data and video applications.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 127,752	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	76,562	-	(100.00%)	-	-	-	-	-
Materials & Supplies	27,275	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	91,238	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 322,827	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 322,827	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: GIS FUND: 750

PROGRAM NUMBER: 32510

PROGRAM OBJECTIVE: To provide and administer the City's Geographic Information Systems for City staff as well as citizen access to GIS resources. This includes all resources necessary to provide for the timely updating of orthophotographic images, County Assessor parcel information, or any other information related to City-maintained geographic information.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 364,414	100.00%	$ 526,138	$ 526,138	44.38%	$ 512,700	(2.55%)
Contractual Services	-	154,883	100.00%	368,910	190,910	23.26%	229,000	(37.93%)
Materials & Supplies	-	12,195	100.00%	37,190	37,190	204.96%	26,500	(28.74%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	11,741	100.00%	19,003	19,003	61.85%	18,900	(0.54%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 543,233	100.00%	$ 951,241	$ 773,241	42.34%	$ 787,100	(17.26%)
Capital Expenditures								
Fixed Assets	-	-	-	50,500	30,500	100.00%	16,000	(68.32%)
Total Capital Expenditures	$ -	$ -	-	$ 50,500	$ 30,500	100.00%	$ 16,000	(47.54%)
Total Program Budget	$ -	$ 543,233	100.00%	$ 1,001,741	$ 803,741	47.96%	$ 803,100	(19.83%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Central Stores FUND: 751

PROGRAM NUMBER: 75110

PROGRAM OBJECTIVE: To provide effective and efficient management of centralized receiving and delivery of purchased goods, and to provide for the timely and economical receiving and distribution of City mail for all office locations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 144,167	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	122,678	-	(100.00%)	-	-	-	-	-
Materials & Supplies	9,039	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	13,952	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 289,836	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	(1)	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ (1)	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 289,835	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Graphics Support FUND: 752

PROGRAM NUMBER: 75210

PROGRAM OBJECTIVE: To administer a comprehensive graphics support program for all City departments.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	20,563	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 20,563	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 20,563	$ -	(100.00%)	$ -	$ -	-	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities FUND: 754

PROGRAM NUMBER: 75410

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned general public facilities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 835,311	$ 963,476	15.34%	$ 887,569	$ 757,700	(21.36%)	$ 857,300	(3.41%)
Contractual Services	51,905	30,075	(42.06%)	278,990	239,000	694.68%	118,200	(57.63%)
Materials & Supplies	23,473	23,848	1.60%	20,654	16,900	(29.13%)	21,200	2.64%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	218,076	157,479	(27.79%)	159,289	159,300	1.16%	164,300	3.15%
Transfers Out	895	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,129,660	$ 1,174,878	4.00%	$ 1,346,502	$ 1,172,900	(0.17%)	$ 1,161,000	(13.78%)
Capital Expenditures								
Fixed Assets	-	-	-	41,884	-	-	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 41,884	$ -	-	$ -	-
Total Program Budget	$ 1,129,660	$ 1,174,878	4.00%	$ 1,388,386	$ 1,172,900	(0.17%)	$ 1,161,000	(16.38%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - City Hall FUND: 754

PROGRAM NUMBER: 75411

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned City Hall facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 3,485	$ 1,217	(65.08%)	$ 500	$ 500	(58.92%)	$ 600	20.00%
Contractual Services	355,992	339,016	(4.77%)	422,425	371,700	9.64%	406,900	(3.68%)
Materials & Supplies	45,814	36,097	(21.21%)	35,000	36,000	(0.27%)	36,000	2.86%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	63,339	164,398	159.55%	164,365	164,400	0.00%	164,400	0.02%
Transfers Out	811,498	645,569	(20.45%)	859,540	859,500	33.14%	822,025	(4.36%)
Total Operating Expenditures	$ 1,280,128	$ 1,186,297	(7.33%)	$ 1,481,830	$ 1,432,100	20.72%	$ 1,429,925	(3.50%)
Capital Expenditures								
Fixed Assets	-	-	-	410,000	410,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 410,000	$ 410,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 1,280,128	$ 1,186,297	(7.33%)	$ 1,891,830	$ 1,842,100	55.28%	$ 1,429,925	(24.42%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Corp. Yard FUND: 754

PROGRAM NUMBER: 75412

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Corporate Yard facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 653	$ 284	(56.51%)	$ 300	$ 300	5.63%	$ 400	33.33%
Contractual Services	71,482	70,523	(1.34%)	79,671	74,900	6.21%	78,200	(1.85%)
Materials & Supplies	11,098	9,985	(10.03%)	11,220	11,200	12.17%	10,700	(4.63%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	31,143	32,991	5.93%	31,274	31,300	(5.13%)	31,300	0.08%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 114,376	$ 113,783	(0.52%)	$ 122,465	$ 117,700	3.44%	$ 120,600	(1.52%)
Capital Expenditures								
Fixed Assets	-	-	-	170,900	-	-	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 170,900	$ -	-	$ -	-
Total Program Budget	$ 114,376	$ 113,783	(0.52%)	$ 293,365	$ 117,700	3.44%	$ 120,600	(58.89%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Transp. Trailer FUND: 754

PROGRAM NUMBER: 75413

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Transportation Trailer.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	3,460	2,762	(20.17%)	3,020	2,900	5.00%	3,100	2.65%
Materials & Supplies	102	756	641.18%	500	600	5.82%	600	20.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,738	1,738	-	1,738	1,700	(2.19%)	1,700	(2.19%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 5,300	$ 5,256	(0.83%)	$ 5,258	$ 5,400	2.74%	$ 5,400	2.70%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 5,300	$ 5,256	(0.83%)	$ 5,258	$ 5,400	2.74%	$ 5,400	2.70%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - PSB

FUND: 754

PROGRAM NUMBER: 75414

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Public Safety Building facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 241	$ 54	(77.59%)	$ 300	$ 300	455.56%	$ 400	33.33%
Contractual Services	306,556	307,728	0.38%	333,780	323,600	5.16%	338,500	1.41%
Materials & Supplies	8,564	6,350	(25.85%)	5,650	6,100	(3.94%)	6,100	7.96%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	2,405	100.00%	7,116	7,100	195.22%	7,100	(0.22%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 315,361	$ 316,537	0.37%	$ 346,846	$ 337,100	6.50%	$ 352,100	1.51%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 315,361	$ 316,537	0.37%	$ 346,846	$ 337,100	6.50%	$ 352,100	1.51%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Library

FUND: 754

PROGRAM NUMBER: 75415

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned and leased Library facilities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 627	$ 225	(64.11%)	$ -	$ 200	(11.11%)	$ 300	100.00%
Contractual Services	80,833	79,918	(1.13%)	81,720	77,800	(2.65%)	81,700	(0.02%)
Materials & Supplies	3,121	2,800	(10.29%)	2,600	2,600	(7.14%)	2,600	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	(131)	15	(111.45%)	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 84,450	$ 82,958	(1.77%)	$ 84,320	$ 80,600	(2.84%)	$ 84,600	0.33%
Capital Expenditures								
Fixed Assets	-	-	-	13,000	11,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 13,000	$ 11,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 84,450	$ 82,958	(1.77%)	$ 97,320	$ 91,600	10.42%	$ 84,600	(13.07%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Pro Shop FUND: 754

PROGRAM NUMBER: 75416

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Pro Shop facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 150	$ 700	100.00%	$ 300	100.00%
Contractual Services	24,668	22,621	(8.30%)	26,675	24,500	8.31%	26,600	(0.28%)
Materials & Supplies	749	699	(6.68%)	750	800	14.45%	800	6.67%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 25,417	$ 23,320	(8.25%)	$ 27,575	$ 26,000	11.49%	$ 27,700	0.45%
Capital Expenditures								
Fixed Assets	-	-	-	46,000	46,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 46,000	$ 46,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 25,417	$ 23,320	(8.25%)	$ 73,575	$ 72,000	208.75%	$ 27,700	(62.35%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - MVTV Studio FUND: 754

PROGRAM NUMBER: 75417

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned MVTV Studio facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 49	$ -	(100.00%)	$ 50	$ 100	100.00%	$ 200	300.00%
Contractual Services	9,748	8,798	(9.75%)	10,010	11,100	26.17%	11,100	10.89%
Materials & Supplies	20	471	2,255.00%	200	300	(36.31%)	300	50.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 9,817	$ 9,269	(5.58%)	$ 10,260	$ 11,500	24.07%	$ 11,600	13.06%
Capital Expenditures								
Fixed Assets	-	-	-	46,000	46,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 46,000	$ 46,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 9,817	$ 9,269	(5.58%)	$ 56,260	$ 57,500	520.35%	$ 11,600	(79.38%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Animal Shelter FUND: 754

PROGRAM NUMBER: 75418

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Animal Shelter facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 223	$ 564	152.91%	$ 200	$ 200	(64.54%)	$ 300	50.00%
Contractual Services	85,666	91,005	6.23%	95,850	96,800	6.37%	101,400	5.79%
Materials & Supplies	2,677	6,957	159.88%	5,900	6,000	(13.76%)	6,000	1.69%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 88,566	$ 98,526	11.25%	$ 101,950	$ 103,000	4.54%	$ 107,700	5.64%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 88,566	$ 98,526	11.25%	$ 101,950	$ 103,000	4.54%	$ 107,700	5.64%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Senior Center FUND: 754

PROGRAM NUMBER: 75419

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Senior Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 8	$ 122	1,425.00%	$ 50	$ 100	(18.03%)	$ 200	300.00%
Contractual Services	85,052	75,645	(11.06%)	95,505	97,500	28.89%	80,900	(15.29%)
Materials & Supplies	3,255	4,113	26.36%	2,400	2,900	(29.49%)	2,900	20.83%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	5,840	5,970	2.23%	9,737	9,700	62.48%	9,800	0.65%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 94,155	$ 85,850	(8.82%)	$ 107,692	$ 110,200	28.36%	$ 93,800	(12.90%)
Capital Expenditures								
Fixed Assets	-	-	-	111,000	75,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 111,000	$ 75,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 94,155	$ 85,850	(8.82%)	$ 218,692	$ 185,200	115.73%	$ 93,800	(57.11%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - TownGate CC FUND: 754

PROGRAM NUMBER: 75421

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Towngate Community Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 281	$ 121	(56.94%)	$ 100	$ 100	(17.36%)	$ 200	100.00%
Contractual Services	28,188	31,438	11.53%	37,225	36,800	17.06%	36,800	(1.14%)
Materials & Supplies	542	1,460	169.37%	900	900	(38.36%)	900	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 29,011	$ 33,019	13.82%	$ 38,225	$ 37,800	14.48%	$ 37,900	(0.85%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 29,011	$ 33,019	13.82%	$ 38,225	$ 37,800	14.48%	$ 37,900	(0.85%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - March Field CC FUND: 754

PROGRAM NUMBER: 75422

PROGRAM OBJECTIVE: To provide the maintenance program for the March Field Community Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 34	100.00%	$ 100	$ -	(100.00%)	$ 200	100.00%
Contractual Services	38,591	31,936	(17.24%)	37,675	28,200	(11.70%)	32,200	(14.53%)
Materials & Supplies	252	194	(23.02%)	750	500	157.73%	700	(6.67%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 38,843	$ 32,164	(17.19%)	$ 38,525	$ 28,700	(10.77%)	$ 33,100	(14.08%)
Capital Expenditures								
Fixed Assets	-	-	-	54,000	54,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 54,000	$ 54,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 38,843	$ 32,164	(17.19%)	$ 92,525	$ 82,700	157.12%	$ 33,100	(64.23%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - TS Annex FUND: 754

PROGRAM NUMBER: 75423

PROGRAM OBJECTIVE: To provide the maintenance program for the City leased Tech Services Annex facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ 100	100.00%	$ 200	100.00%
Contractual Services	16,752	19,816	18.29%	23,900	22,300	12.54%	23,700	(0.84%)
Materials & Supplies	2,181	986	(54.79%)	1,280	1,100	11.56%	1,100	(14.06%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	100,055	63,860	(36.18%)	69,500	67,000	4.92%	69,500	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 118,988	$ 84,662	(28.85%)	$ 94,680	$ 90,500	6.90%	$ 94,500	(0.19%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 118,988	$ 84,662	(28.85%)	$ 94,680	$ 90,500	6.90%	$ 94,500	(0.19%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - CRC

FUND: 754

PROGRAM NUMBER: 75424

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Conference and Recreation Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,096	$ 374	(65.88%)	$ 400	$ 400	6.95%	$ 500	25.00%
Contractual Services	211,676	215,003	1.57%	252,760	247,600	15.16%	252,700	(0.02%)
Materials & Supplies	8,923	8,621	(3.38%)	9,650	9,600	11.36%	9,600	(0.52%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	485	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 221,695	$ 224,483	1.26%	$ 262,810	$ 257,600	14.75%	$ 262,800	(0.00%)
Capital Expenditures								
Fixed Assets	-	-	-	167,248	165,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 167,248	$ 165,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 221,695	$ 224,483	1.26%	$ 430,058	$ 422,600	88.25%	$ 262,800	(38.89%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Facilities Annex FUND: 754

PROGRAM NUMBER: 75425

PROGRAM OBJECTIVE: To provide the maintenance program for the City leased Facilities Annex facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	6,143	6,143	-	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 6,143	$ 6,143	-	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 6,143	$ 6,143	-	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - ESA Annex FUND: 754

PROGRAM NUMBER: 75426

PROGRAM OBJECTIVE: To provide the maintenance program for the City leased Enterprise Services Administration Annex facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 200	100.00%
Contractual Services	12,732	11,363	(10.75%)	11,205	11,300	(0.55%)	11,300	0.85%
Materials & Supplies	815	1,604	96.81%	800	1,000	(37.66%)	1,000	25.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	621	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 13,547	$ 13,588	0.30%	$ 12,005	$ 12,300	(9.48%)	$ 12,500	4.12%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,547	$ 13,588	0.30%	$ 12,005	$ 12,300	(9.48%)	$ 12,500	4.12%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Warner Ranch Police Station Satellite Office FUND: 754

PROGRAM NUMBER: 75428

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Warner Ranch Police Station Satellite Office facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 168	100.00%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	11,963	763	(93.62%)	-	-	(100.00%)	-	-
Materials & Supplies	513	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 12,476	$ 931	(92.54%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 12,476	$ 931	(92.54%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Annex 1 FUND: 754

PROGRAM NUMBER: 75429

PROGRAM OBJECTIVE: To Provide the maintenance program for the City owned Annex 1 facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 150	$ -	-	$ 200	33.33%
Contractual Services	13,987	15,248	9.02%	38,700	12,100	(20.65%)	17,100	(55.81%)
Materials & Supplies	184	584	217.39%	15,100	1,100	88.36%	1,400	(90.73%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 14,171	$ 15,832	11.72%	$ 53,950	$ 13,200	(16.62%)	$ 18,700	(65.34%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 14,171	$ 15,832	11.72%	$ 53,950	$ 13,200	(16.62%)	$ 18,700	(65.34%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #2 FUND: 754

PROGRAM NUMBER: 75430

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #2.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 100	$ 100	100.00%	$ 200	100.00%
Contractual Services	30,513	35,467	16.24%	50,425	42,900	20.96%	48,000	(4.81%)
Materials & Supplies	1,118	1,613	44.28%	3,050	2,900	79.79%	2,900	(4.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 31,631	$ 37,080	17.23%	$ 53,575	$ 45,900	23.79%	$ 51,100	(4.62%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 31,631	$ 37,080	17.23%	$ 53,575	$ 45,900	23.79%	$ 51,100	(4.62%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #6 FUND: 754

PROGRAM NUMBER: 75431

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #6.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 66	$ 71	7.58%	$ 100	$ -	(100.00%)	$ 200	100.00%
Contractual Services	42,526	33,572	(21.06%)	52,500	46,400	38.21%	48,900	(6.86%)
Materials & Supplies	1,972	5,406	174.14%	3,250	2,400	(55.60%)	2,900	(10.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 44,564	$ 39,049	(12.38%)	$ 55,850	$ 48,800	24.97%	$ 52,000	(6.89%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 44,564	$ 39,049	(12.38%)	$ 55,850	$ 48,800	24.97%	$ 52,000	(6.89%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #48 FUND: 754

PROGRAM NUMBER: 75432

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #48.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 100	$ 100	100.00%	$ 200	100.00%
Contractual Services	24,389	31,736	30.12%	46,450	37,900	19.42%	43,900	(5.49%)
Materials & Supplies	1,129	1,157	2.48%	3,250	2,900	150.65%	2,900	(10.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	878	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 25,518	$ 33,771	32.34%	$ 49,800	$ 40,900	21.11%	$ 47,000	(5.62%)
Capital Expenditures								
Fixed Assets	-	-	-	51,308	51,300	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 51,308	$ 51,300	100.00%	$ -	(100.00%)
Total Program Budget	$ 25,518	$ 33,771	32.34%	$ 101,108	$ 92,200	173.02%	$ 47,000	(53.52%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #58 FUND: 754

PROGRAM NUMBER: 75433

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #58.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 15	100.00%	$ 100	$ 100	566.67%	$ 200	100.00%
Contractual Services	9,900	25,770	160.30%	49,500	42,300	64.14%	48,100	(2.83%)
Materials & Supplies	174	1,169	571.84%	2,300	2,200	88.20%	2,400	4.35%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,074	$ 26,954	167.56%	$ 51,900	$ 44,600	65.47%	$ 50,700	(2.31%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,074	$ 26,954	167.56%	$ 51,900	$ 44,600	65.47%	$ 50,700	(2.31%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #65 FUND: 754

PROGRAM NUMBER: 75434

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #65.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 59	$ 60	1.69%	$ 100	$ 100	66.67%	$ 200	100.00%
Contractual Services	28,790	111,947	288.84%	43,150	37,600	(66.41%)	42,100	(2.43%)
Materials & Supplies	841	2,505	197.86%	3,050	2,900	15.77%	2,900	(4.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 29,690	$ 114,512	285.69%	$ 46,300	$ 40,600	(64.55%)	$ 45,200	(2.38%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 29,690	$ 114,512	285.69%	$ 46,300	$ 40,600	(64.55%)	$ 45,200	(2.38%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #91 FUND: 754

PROGRAM NUMBER: 75435

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #91.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 90	100.00%	$ 100	$ 100	11.11%	$ 200	100.00%
Contractual Services	28,249	39,404	39.49%	52,770	46,900	19.02%	49,700	(5.82%)
Materials & Supplies	1,163	1,437	23.56%	2,550	1,900	32.22%	1,900	(25.49%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 29,412	$ 40,931	39.16%	$ 55,420	$ 48,900	19.47%	$ 51,800	(6.53%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 29,412	$ 40,931	39.16%	$ 55,420	$ 48,900	19.47%	$ 51,800	(6.53%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Security Guards FUND: 754

PROGRAM NUMBER: 75436

PROGRAM OBJECTIVE: To provide a visible deterrent in areas where a high volume of foot traffic and resident interaction takes place, primarily to observe and assist staff as the need arises; patrol the perimeter of buildings; patrol the parking lots; and assist residents as requested.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 180,310	$ 156,447	(13.23%)	$ 192,671	$ 192,071	22.77%	$ 174,200	(9.59%)
Contractual Services	72,733	79,004	8.62%	42,600	10,000	(87.34%)	42,600	-
Materials & Supplies	719	-	(100.00%)	150	130	100.00%	100	(33.33%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	9,834	8,294	(15.66%)	6,635	6,635	(20.00%)	6,600	(0.53%)
Transfers Out	95	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 263,691	$ 243,745	(7.56%)	$ 242,056	$ 208,836	(14.32%)	$ 223,500	(7.67%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 263,691	$ 243,745	(7.56%)	$ 242,056	$ 208,836	(14.32%)	$ 223,500	(7.67%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Station #58 (Bay Ave.) FUND: 754

PROGRAM NUMBER: 75437

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #58 (Bay Ave).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 50	$ 100	100.00%	$ 200	300.00%
Contractual Services	-	4,502	100.00%	7,600	3,300	(26.70%)	5,100	(32.89%)
Materials & Supplies	-	647	100.00%	1,300	1,200	85.47%	1,300	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 5,149	100.00%	$ 8,950	$ 4,600	(10.66%)	$ 6,600	(26.26%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 5,149	100.00%	$ 8,950	$ 4,600	(10.66%)	$ 6,600	(26.26%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Veterans Memorial FUND: 754

PROGRAM NUMBER: 75438

PROGRAM OBJECTIVE: To provide the maintenance program for the Veterans Memorial.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	65	6,049	9,206.15%	9,000	6,500	7.46%	8,000	(11.11%)
Materials & Supplies	468	1,759	275.85%	3,700	2,500	42.13%	3,000	(18.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 533	$ 7,808	1,364.92%	$ 12,700	$ 9,000	15.27%	$ 11,000	(13.39%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 533	$ 7,808	1,364.92%	$ 12,700	$ 9,000	15.27%	$ 11,000	(13.39%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Emergency Operations Center FUND: 754

PROGRAM NUMBER: 75439

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Emergency Operations Center.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 200	100.00%
Contractual Services	-	-	-	-	-	-	80,000	100.00%
Materials & Supplies	-	-	-	-	-	-	1,300	100.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 81,500	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 81,500	100.00%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Equipment Maintenance FUND: 755

PROGRAM NUMBER: 75510

PROGRAM OBJECTIVE: To maintain the City's inventory of vehicles and equipment in such a fashion so as to ensure full operational life, minimal breakdowns, and operator safety.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 327,335	$ 346,068	5.72%	$ 259,770	$ 266,795	(22.91%)	$ 262,500	1.05%
Contractual Services	88,170	15,306	(82.64%)	10,022	10,022	(34.52%)	10,000	(0.22%)
Materials & Supplies	511,573	398,898	(22.03%)	385,965	378,965	(5.00%)	383,000	(0.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	58,217	61,261	5.23%	60,018	60,018	(2.03%)	59,800	(0.36%)
Transfers Out	1,255	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 986,550	$ 821,533	(16.73%)	$ 715,775	$ 715,800	(12.87%)	$ 715,300	(0.07%)
Capital Expenditures								
Fixed Assets	(1)	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ (1)	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 986,549	$ 821,533	(16.73%)	$ 715,775	$ 715,800	(12.87%)	$ 715,300	(0.07%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fixed Asset Replacement - COMV FUND: 757

PROGRAM NUMBER: 99401

PROGRAM OBJECTIVE: To manage and account for the replacement of COMV assets.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	259,460	262,010	0.98%	239,167	239,167	(8.72%)	239,100	(0.03%)
Transfers Out	786,765	1,039,798	32.16%	34,298	12,000	(98.85%)	-	(100.00%)
Total Operating Expenditures	$ 1,046,225	$ 1,301,808	24.43%	$ 273,465	$ 251,167	(80.71%)	$ 239,100	(12.57%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	54,000	100.00%
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ 54,000	100.00%
Total Program Budget	$ 1,046,225	$ 1,301,808	24.43%	$ 273,465	$ 251,167	(80.71%)	$ 293,100	7.18%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fixed Asset Replacement - CSD FUND: 757

PROGRAM NUMBER: 99402

PROGRAM OBJECTIVE: To manage and account for the replacement of CSD assets.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	72,048	27,115	(62.37%)	44,945	44,945	65.76%	44,900	(0.10%)
Transfers Out	60,385	18,966	(68.59%)	87,640	87,640	362.09%	-	(100.00%)
Total Operating Expenditures	$ 132,433	$ 46,081	(65.20%)	$ 132,585	$ 132,585	187.72%	$ 44,900	(66.13%)
Capital Expenditures								
Fixed Assets	(1)	-	(100.00%)	-	-	-	38,000	100.00%
Total Capital Expenditures	$ (1)	$ -	(100.00%)	$ -	$ -	-	$ 38,000	100.00%
Total Program Budget	$ 132,432	$ 46,081	(65.20%)	$ 132,585	$ 132,585	187.72%	$ 82,900	(37.47%)

City of Moreno Valley

2010-11 Preliminary Base Operating budget

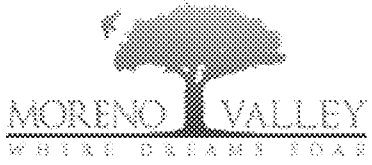

Debt Service Funds

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	2005 Lease Revenue Bonds 301	2007 Towngate Improvement Tax Ref 313	2007 Towngate Special Tax Ref 315	Assessment Dist. 98-1 316	City Hall COP 97 321	Pub. Safety Lease Rev. Bond 325	Auto Mall 328	Automall CFD#5 Stoneridge 329	CFD #4! Infra Debt Service 330	OPA Sales Tax #2 340	Total
Revenues											
Property Taxes	-	-	-	2,700	-	-	-	-	-	-	2,700
Gas Taxes	-	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	750,000	-	-	-	750,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	114,400	-	-	-	-	1,217,600	362,100	-	-	1,694,100
Franchise Fees	-	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-	-
Interest Income	-	100	500	-	-	-	500	100	-	350,000	351,200
Bond Proceeds	-	-	-	-	-	-	-	-	12,300,000	-	12,300,000
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-	-
Transfers In	2,644,491	279,500	1,158,200	-	822,025	404,200	220,000	-	-	-	5,528,416
Total Operating Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Reserves	-	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-	-
Total Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Expenditures											
Operating:											
Personnel Services	-	-	-	-	-	-	-	-	-	-	-
Contractual Services	5,000	-	-	-	70,000	3,483	-	-	-	-	78,483
Materials & Supplies	-	-	-	-	-	-	-	-	-	-	-
Debt Service	2,639,491	355,300	1,012,500	2,400	752,025	400,717	2,354,300	307,600	1,085,300	-	8,909,633
Fixed Charges	-	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	38,250	145,650	-	-	-	62,500	54,000	10,407,900	-	10,708,300
Total Operating Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Capital :											
Fixed Assets	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Increase in Reserve for Contingencies											
Total Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Net Revenues Over (Under) Expenditur	**-**	**450**	**550**	**300**	**-**	**-**	**(228,700)**	**600**	**806,800**	**350,000**	**930,000**

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	2005 Lease Revenue Bonds 301.93310	2007 Towngate Improvement Tax Ref 313.93710	2007 Towngate Special Tax Ref 315.93810	Assessment Dist. 98-1 316.93110	City Hall Certificates of Participation Series 97 321.92010
Expenditures					
Operating:					
Personnel Services	-	-	-	-	-
Contractual Services	5,000	-	-	-	70,000
Materials & Supplies	-	-	-	-	-
Debt Service	2,639,491	355,300	1,012,500	2,400	752,025
Fixed Charges	-	-	-	-	-
Transfers Out	-	38,250	145,650	-	-
Total Operating Expenditures	2,644,491	393,550	1,158,150	2,400	822,025
Capital:					
Fixed Assets	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-
Total Program Expenditures	2,644,491	393,550	1,158,150	2,400	822,025

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	Public Safety Lease Revenue Bonds 1997 325.92110	Automall Refinancing CFD 3 328.92710	Automall CFD #5 Stoneridge 329.93410	CFD # 4I Infra Debt Srv Fund 330.93610	Total
Expenditures					
Operating:					
Personnel Services	-	-	-	-	-
Contractual Services	3,483	-	-	-	78,483
Materials & Supplies	-	-	-	-	-
Debt Service	400,717	2,354,300	307,600	1,085,300	8,909,633
Fixed Charges	-	-	-	-	-
Transfers Out	-	62,500	54,000	10,407,900	10,708,300
Total Operating Expenditures	404,200	2,416,800	361,600	11,493,200	19,696,416
Capital:					
Fixed Assets	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-
Total Program Expenditures	404,200	2,416,800	361,600	11,493,200	19,696,416

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2005 Lease Revenue Bonds FUND: 301

PROGRAM NUMBER: 93310

PROGRAM OBJECTIVE: To provide resources to finance the following capital improvements: Sunnymead Boulevard, Public Safety Building Expansion, Kitching Street, Electric Utility Infrastructure, Ironwood/Heacock, Ironwood/Box Springs, Laselle Street and Fire Station No. 58.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,875	5,372	86.85%	3,834	5,000	(6.92%)	5,000	30.41%
Materials & Supplies	-	-	-	150	-	-	-	(100.00%)
Debt Service	2,686,353	2,645,965	(1.50%)	2,643,515	2,643,515	(0.09%)	2,639,491	(0.15%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	1,034,763	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 2,689,228	$ 3,686,100	37.07%	$ 2,647,499	$ 2,648,515	(28.15%)	$ 2,644,491	(0.11%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,689,228	$ 3,686,100	37.07%	$ 2,647,499	$ 2,648,515	(28.15%)	$ 2,644,491	(0.11%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Improvement Area 1 FUND: 303

PROGRAM NUMBER: 92810

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the Improvement Area No. 1 Bond issued April 1, 1993.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	4,210,588	-	(100.00%)	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	78,760	962,039	1,121.48%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 4,289,348	$ 962,039	(77.57%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,289,348	$ 962,039	(77.57%)	$ -	$ -	(100.00%)	$ -	-

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Refunding FUND: 305

PROGRAM NUMBER: 92210

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the refinancing of Towngate Special Tax Bonds, Series A and B, issued June 1, 1994.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	13,828	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	12,891,225	-	(100.00%)	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	668,208	4,363,634	553.04%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 13,573,261	$ 4,363,634	(67.85%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,573,261	$ 4,363,634	(67.85%)	$ -	$ -	(100.00%)	$ -	-

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Towngate Improvement Tax Refunding Debt Service FUND: 313

PROGRAM NUMBER: 93710

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to CFD No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Refunding Bonds issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	195,491	395,859	102.49%	358,029	358,029	(9.56%)	355,300	(0.76%)
Fixed Charges	-	34,500	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	3,966,581	100.00%	38,250	38,250	(99.04%)	38,250	-
Total Operating Expenditures	$ 195,491	$ 4,396,940	2,149.18%	$ 396,279	$ 396,279	(90.99%)	$ 393,550	(0.69%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 195,491	$ 4,396,940	2,149.18%	$ 396,279	$ 396,279	(90.99%)	$ 393,550	(0.69%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Towngate Special Tax Refunding Debt Service FUND: 315

PROGRAM NUMBER: 93810

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to Towngate Community Facilities District 87-1 2007 Special Tax Refunding Bonds issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	5,405	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	616,772	1,010,881	63.90%	1,009,381	1,009,381	(0.15%)	1,012,500	0.31%
Fixed Charges	-	132,875	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	13,465,179	100.00%	139,750	139,750	(98.96%)	145,650	4.22%
Total Operating Expenditures	$ 616,772	$ 14,614,340	2,269.49%	$ 1,149,131	$ 1,149,131	(92.14%)	$ 1,158,150	0.78%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 616,772	$ 14,614,340	2,269.49%	$ 1,149,131	$ 1,149,131	(92.14%)	$ 1,158,150	0.78%

MV00055235

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Assessment Dist. 98-1 FUND: 316

PROGRAM NUMBER: 93110

PROGRAM OBJECTIVE: To account for revenue received as a result of Assessment District 98-1, a 1911 Act Bond, and the payment of principal and interest related to the Assessment District 98-1 Limited Obligation Improvement Bonds issued on May 1, 2000, for street improvements relating to Vinewood Place.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	3,443	2,813	(18.30%)	2,561	2,561	(8.96%)	2,400	(6.29%)
Fixed Charges	-	50	100.00%	50	50	-	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 3,443	$ 2,863	(16.85%)	$ 2,611	$ 2,611	(8.80%)	$ 2,400	(8.08%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 3,443	$ 2,863	(16.85%)	$ 2,611	$ 2,611	(8.80%)	$ 2,400	(8.08%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Hall Certificates of Participation, Series 1997 FUND: 321

PROGRAM NUMBER: 92010

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the Certificates of Participation issued May 1, 1997.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	68,966	38,227	(44.57%)	64,540	70,000	83.12%	70,000	8.46%
Materials & Supplies	6	-	(100.00%)	-	-	-	-	-
Debt Service	742,697	657,734	(11.44%)	795,000	750,175	14.05%	752,025	(5.41%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 811,669	$ 695,961	(14.26%)	$ 859,540	$ 820,175	17.85%	$ 822,025	(4.36%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 811,669	$ 695,961	(14.26%)	$ 859,540	$ 820,175	17.85%	$ 822,025	(4.36%)

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Safety Lease Revenue Bonds 1997 FUND: 325

PROGRAM NUMBER: 92110

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the lease revenue bonds issued November 1, 1997.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	29,515	3,900	(86.79%)	3,250	3,250	(16.67%)	3,483	7.17%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	399,244	400,421	0.29%	400,919	400,919	0.12%	400,717	(0.05%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 428,759	$ 404,321	(5.70%)	$ 404,169	$ 404,169	(0.04%)	$ 404,200	0.01%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 428,759	$ 404,321	(5.70%)	$ 404,169	$ 404,169	(0.04%)	$ 404,200	0.01%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Automall Refinancing CFD 3 FUND: 328

PROGRAM NUMBER: 92710

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the refinancing Auto Mall Special Tax Bonds issued.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	2,122,908	1,983,114	(6.59%)	2,373,300	2,373,300	19.68%	2,354,300	(0.80%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	512,462	148,446	(71.03%)	148,940	148,940	0.33%	62,500	(58.04%)
Total Operating Expenditures	$ 2,635,370	$ 2,131,560	(19.12%)	$ 2,522,240	$ 2,522,240	18.33%	$ 2,416,800	(4.18%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,635,370	$ 2,131,560	(19.12%)	$ 2,522,240	$ 2,522,240	18.33%	$ 2,416,800	(4.18%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Automall CFD #5 - Stoneridge FUND: 329

PROGRAM NUMBER: 93410

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the CFD No. 5 special tax bonds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	9	3,260	36,122.22%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	248,475	288,613	16.15%	303,315	303,315	5.09%	307,600	1.41%
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	99,471	50,000	(49.73%)	54,000	54,000	8.00%	54,000	-
Total Operating Expenditures	$ 347,955	$ 341,873	(1.75%)	$ 357,315	$ 357,315	4.52%	$ 361,600	1.20%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 347,955	$ 341,873	(1.75%)	$ 357,315	$ 357,315	4.52%	$ 361,600	1.20%

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #4I Infra Debt Service Fund FUND: 330

PROGRAM NUMBER: 93610

PROGRAM OBJECTIVE: Issue Special Tax Bonds to fund public infrastructure at Centerpointe Business Park. The CFD will provide for the collection and payment of principal, interest, and administration costs associated with the infrastructure and street improvements.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	1,103,384	-	-	1,085,300	(1.64%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	50,000	-	-	10,407,900	N/A
Total Operating Expenditures	$ -	$ -	-	$ 1,153,384	$ -	-	$ 11,493,200	896.48%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 1,153,384	$ -	-	$ 11,493,200	896.48%

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Certificates of Participation, Series 1993 FUND: 335

PROGRAM NUMBER: 92510

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the Certificates of Participation issued October 1,1993.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,000	5,000	150.00%	3,250	-	(100.00%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,000	$ 5,000	150.00%	$ 3,250	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,000	$ 5,000	150.00%	$ 3,250	$ -	(100.00%)	$ -	(100.00%)

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: OPA Sales Tax #2 FUND: 340

PROGRAM NUMBER: 93010

PROGRAM OBJECTIVE: To account for the accumulation of 50% of sales tax revenue for the payment of principal and interest related to the ownership participation agreements between the Redevelopment Agency and certain retail stores.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	385,926	394,359	2.19%	-	-	(100.00%)	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 385,926	$ 394,359	2.19%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 385,926	$ 394,359	2.19%	$ -	$ -	(100.00%)	$ -	-

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Centerpointe 87-4 Agency Fund FUND: 369

PROGRAM NUMBER: 92245

PROGRAM OBJECTIVE: This fund is used to account for the receipt and remittance of special assessments for the Assessment District 87-4 Limited Obligation Improvement Bonds. The bonds are not secured by the general taxing power of the City, the State of California or any other political subdivision thereof, and neither the City nor the State, nor any potential subdivision thereof, has pledged its full faith and credit for the payment thereof.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	687,730	340,295	(50.52%)	-	-	(100.00%)	-	-
Fixed Charges	-	58,787	100.00%	-	-	(100.00%)	-	-
Transfers Out	181,525	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 869,255	$ 399,082	(54.09%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 869,255	$ 399,082	(54.09%)	$ -	$ -	(100.00%)	$ -	-

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Deficit Reduction Plan

Fiscal Year 2010-11

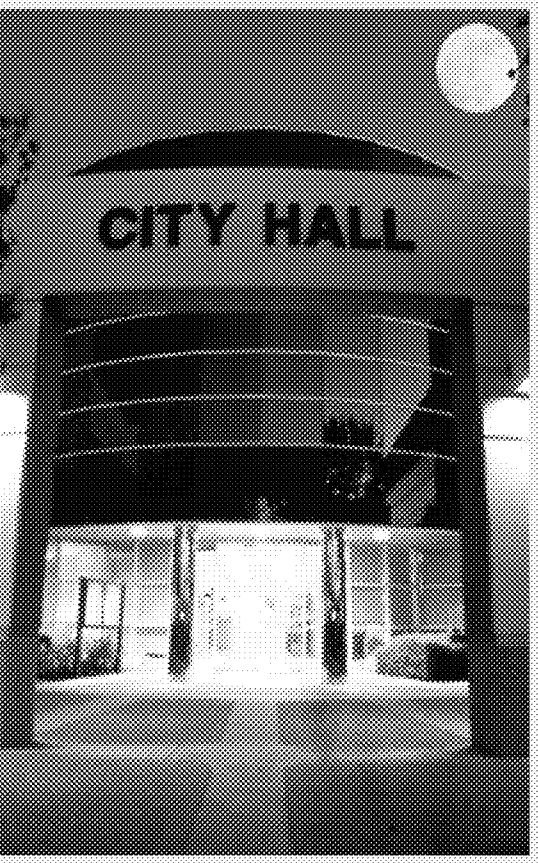

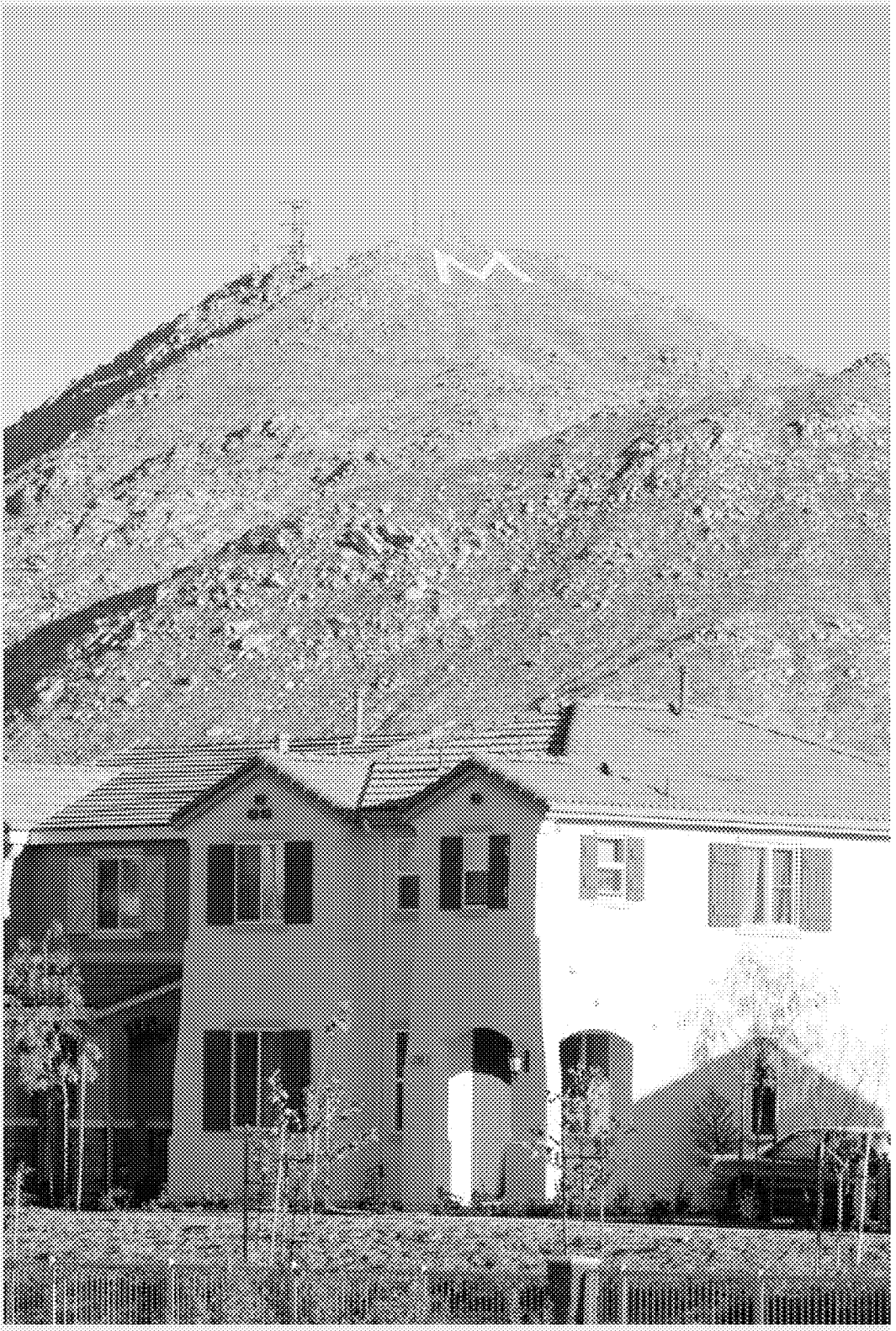

City of Moreno Valley

Item No. G.2

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Deficit Reduction Plan

Fiscal Year 2010-11

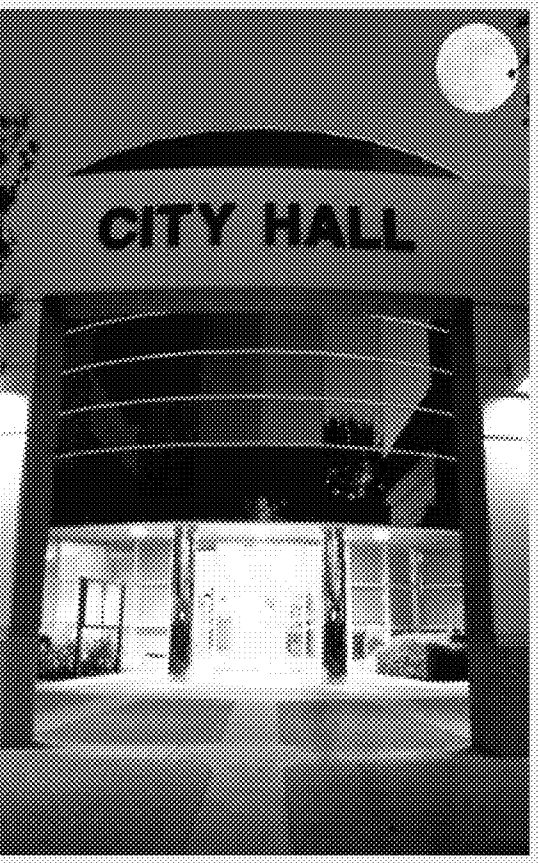

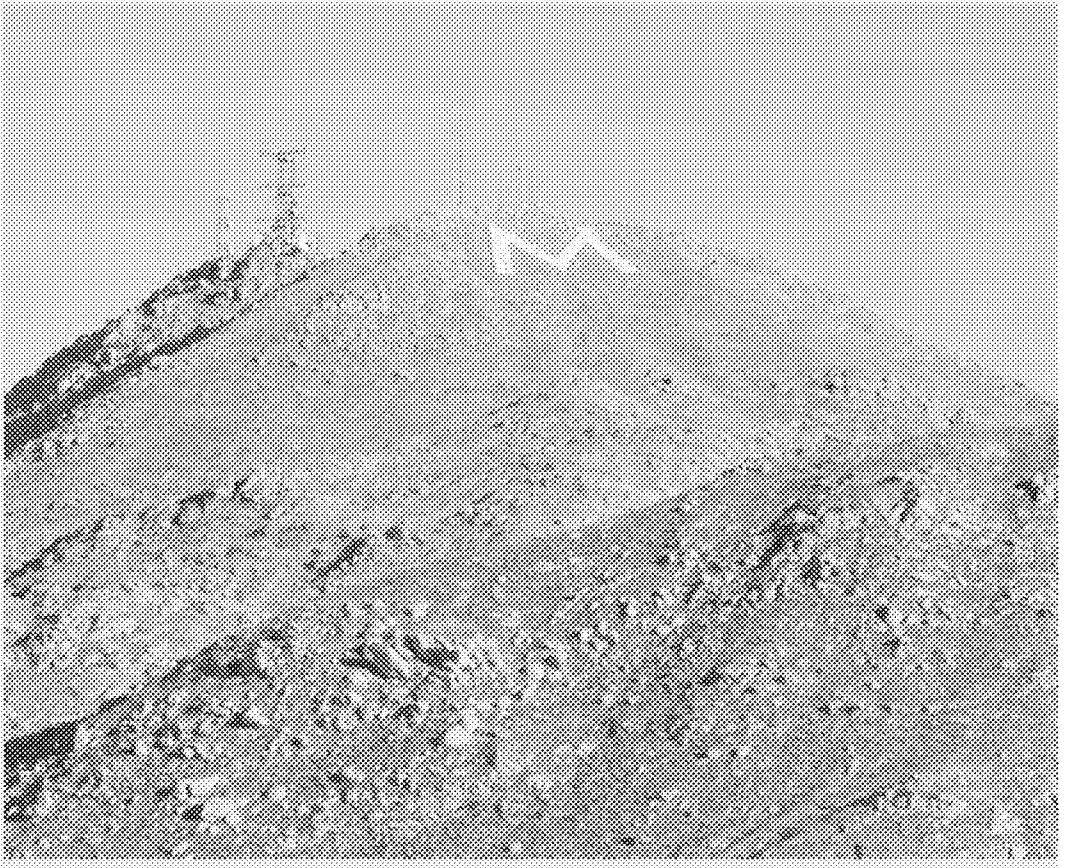

City Council

Bonnie Flickinger
Mayor

Robin N. Hastings
Mayor Pro Tem

William H. Batey II
Council Member

Jesse L. Molina
Council Member

Richard A. Stewart
Council Member

Administration

William L. Bopf
Interim City Manager

Steve Elam
Interim Financial & Administrative Services Director

Prepared by the
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City of Moreno Valley

Item No. G.2

MV00055247

CITY OF MORENO VALLEY
DEFICIT REDUCTION PLAN
FY 2010-11

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City of Moreno Valley

Deficit Reduction Plan 2010-11

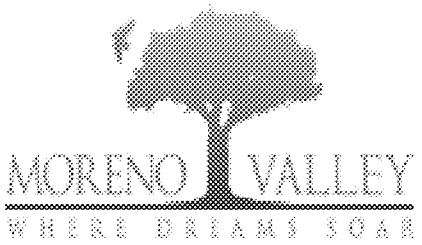

City Manager's Deficit Reduction Plan Message

DEFICIT REDUCTION PLAN

FISCAL YEAR 2010-11

To: Honorable Mayor, Members of the City Council and Citizens of Moreno Valley

Introduction

On April 13, 2010, the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget was distributed to the City Council and staff. This "preliminary" budget reflected a projected General Fund operating deficit of $17.8 million due to the continuing impact of the economic recession on the City's major revenue sources. The projected General Fund operating deficit is based on the following estimates for FY 2010-11:

General Fund Operating Revenues:	$67.8 million
General Fund Operating Expenditures:	$85.6 million
Projected General Fund Operating Deficit	($17.8 million)

The following chart highlights how the General Fund operating deficit has grown the past few years as a result of the economic recession. The bar on the left of each grouping represents revenues; the bar on the right of each grouping represents expenditures.

General Fund Operating Budget
Revenues & Expenditures

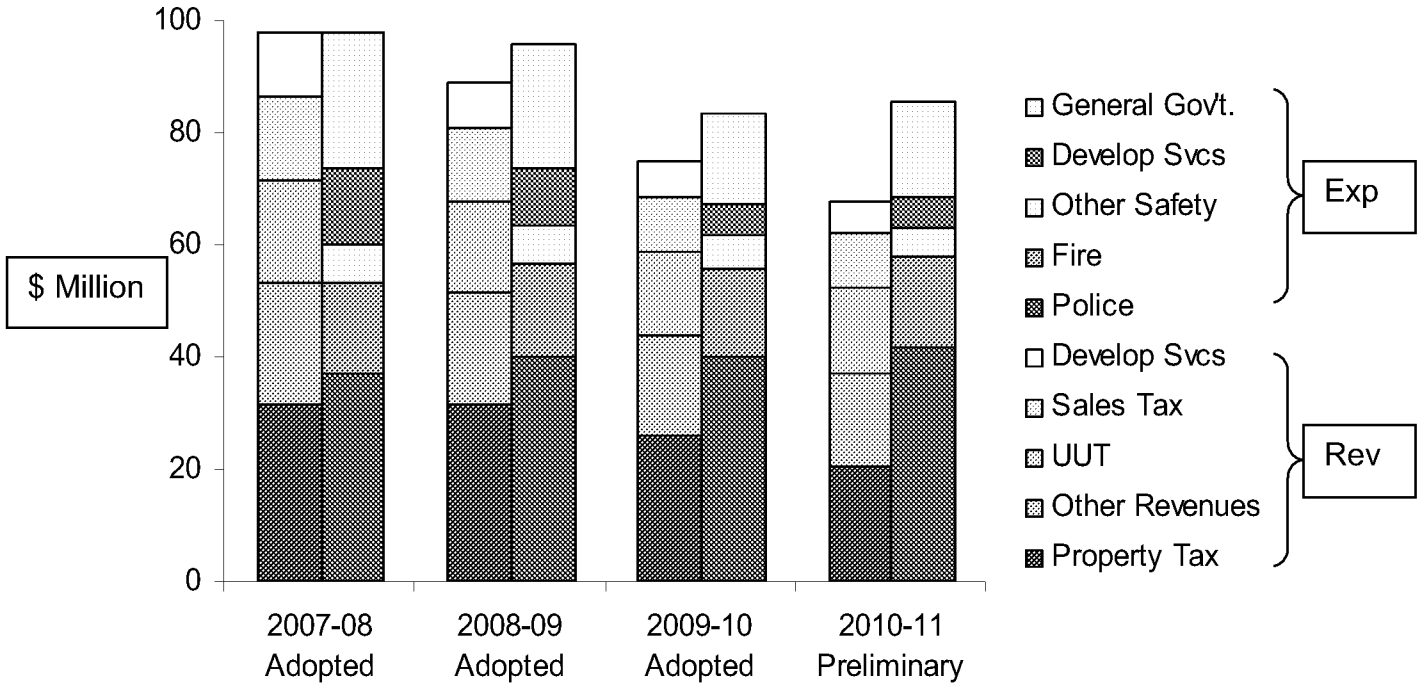

As shown in the previous chart, the FY 2007-08 budget was adopted with operating revenues and expenditures completely balanced. By FY 2008-09, there was an operating deficit of $7.0 million which had to be backfilled through a combination of prior-year savings, transfers, and reserves. This operating deficit increased to $8.6 million in FY 2009-10, despite a significant reduction in the expenditure budget realized through implementation of a Deficit Reduction Plan; with the deficit again backfilled with prior-year savings and reserves. For FY 2010-11, the projected operating deficit will increase to $17.8 million. This projected deficit will be addressed through a combination of solutions including anticipated prior-year savings, additional transfers, and the Deficit Reduction Plan.

Budget Adjustments

Facing such a significant budgetary deficit next fiscal year, staff evaluated a number of potential adjustments that can be made to reduce the deficit. Following an analysis by the Budget Review Committee, staff was given the direction to proceed with the following adjustments:

Current year savings that can be carried over to next fiscal year

In conjunction with the FY 2010-11 budget development process, projections were made of FY 2009-10 year-end expenditures. In addition to the department-projected savings of $796,100, which were reported to the City Council during the Mid-Year Budget Review on February 23, 2010 and needed to keep this fiscal year's budget in balance, an additional 2009-10 savings of $1,520,800 was identified that will be carried over to help balance next fiscal year's budget. Any budget appropriations approved by the City Council through the balance of this fiscal year will reduce this savings.

Transfers to return previous General Fund subsidies

Based on previous General Fund subsidies and current fund balance, the following transfers to the General Fund can be made, while keeping a minimum reserve of 12% of operating expenditures, consistent with the General Fund:

▪ Gas Tax	$500,000
▪ Public Education/Government Access (PEG)	$339,100
▪ CSD Zone A (Parks)	$800,000
▪ Total transfers of previous subsidies	$1,639,100

Other transfers

Transfers to the General Fund from two other funds will be made following an analysis of the funds:

▪ EOC Project Fund (Return of surplus project funds that were contributed from the General Fund)	$1,100,700

- Equipment Replacement Fund (Fully depreciated assets that no longer need to be replaced) — $2,102,400

- Facility Construction Fund (Preliminary contribution to Veterans Memorial Project; funded by 2005 Lease Revenue Bonds) — $776,000

- Total other transfers — $3,979,100

Following is a summary of the total budgetary adjustments that will be implemented to reduce the projected FY 2010-11 General Fund deficit of $17.8 million:

Projected Deficit		$17,876,300
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	($1,520,800)	
- Transfers to return previous General Fund subsidies	($1,639,100)	
- Other transfers	($3,979,100)	
- Total Budgetary Adjustments		($7,139,000)
Remaining Deficit		$10,737,300

The budget adjustments of $7.1 million, as shown above, will significantly reduce the projected deficit. However, it should be noted that a number of these adjustments are considered to be "one-time" in nature and will not be available on a recurring basis. Therefore, the true operating deficit of $17.8 million is cause for concern on a go-forward basis.

Budget Issues

Despite facing a significant budgetary deficit in FY 2010-11, departments were provided the opportunity to submit proposed Budget Issues to identify areas in which budgetary increases were needed to maintain critical service levels. There are three (3) such Budget Issues that are recommended for implementation, as summarized below. Details regarding these budget issues are presented in the Preliminary Base Operating Budget.

Budget Issue	Requesting Department	General Fund Amount
Re-establish Funding for Budget Officer Position	Financial & Administrative Services	$98,700
Supplement Emergency Operations Grant with General Fund Subsidy	Fire	$43,100
Increase in NPDES Regulatory Fees	Public Works	$76,000
Total General Fund Budget Increase		**$217,800**

Balancing the General Fund Budget through the Deficit Reduction Plan

Adding the additional funding of $217,800 for the recommended Budget Issues to the projected General Fund deficit (net of adjustments) of $10,737,300 results in a total projected General Fund deficit of $10,955,100. Solutions for addressing this deficit are presented in the FY 2010-11 Deficit Reduction Plan that is hereby submitted for Council's consideration.

Deficit Reduction Plan Guidelines

The City has utilized a deficit reduction planning model the past two years to identify potential budgetary reductions that can be implemented to achieve a balanced General Fund budget. Following are the guidelines that were utilized to prepare the FY 2010-11 Deficit Reduction Plan:

- Deficit reduction options will be identified to cover the anticipated budgetary deficit, which was $10.4 million based on the FY 2009-10 Five-Year Financial Plan. This projected deficit was also used for planning purposes at the time the Deficit Reduction Plan preparation commenced in December 2009.

- It is prudent to prepare for an even larger deficit in the event that the final revenue estimates are less than those reflected in the Five-Year Financial Plan, or if there are unanticipated expenditure increases. (This guideline was validated when the projected General Fund deficit increased to $17.8 million, primarily due to declining property tax revenue projections.)

- The City's projected General Fund deficit could also be impacted by future actions of the State of California to confiscate or divert local government revenues to help balance the State's budget. (The State rarely adopts its annual budget prior to July 1st. Therefore, the City may adopt a balanced budget in June; then have the State take subsequent actions that impact the City's budget.)

- Based on the above factors, the FY 2010-11 Deficit Reduction Plan has been structured to identify total General Fund balancing solutions of $20.1 million as summarized below:

  - Potential Revenue Enhancements: $288,400
  - Potential Expenditure Reductions (net of Offsets): $13,845,734
  - Potential Use of General Fund Reserves: $6,000,000
  - Total Potential Solutions: $20,134,134

- Although the dollar value of all solutions is significantly greater than projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during the fiscal year be less than projected,

additional solutions have already been identified that can be quickly implemented.

Deficit Reduction Savings Targets

- In order to achieve the General Fund expenditure reduction target of $14 million, which was specified in the Deficit Reduction Plan preparation guidelines, Deficit Reduction Options (DROs) were developed by departments based on the following percentages of the FY 2009-10 Adopted Budget.

  - General Government business units: 35%

  - Development Services business units: 35%

  - Internal Service Funds: 35%
    - Maintenance & Operations
    - Facilities Maintenance
    - Technology Services
    - General Liability
    - Workers' Compensation

  - Public Safety & related business units: 10%
    - Police
    - Fire
    - Animal Services
    - Code Compliance
    - Emergency Operations
    - Crossing Guards
    - Graffiti Abatement

  - Library business unit: 10%

- Funds other than the General Fund that receive a General Fund subsidy were required to submit DROs equaling the amount of their FY 2009-10 General Fund subsidy and/or their projected FY 2010-11 operating deficit, as follows:

  - Gas Tax: $1,000,000
  - Public Education/Government (PEG) Fund: $300,000
  - CSD/Zone L (Library) Fund: $212,000
  - Stormwater Maintenance Fund: $182,000

- Funds not identified above were not required to submit DROs, as they do not have projected deficits for FY 2010-11 or have adequate fund balance to absorb an operating deficit. (Examples are Redevelopment Agency (RDA) and Electric Utility.)

Guidelines for Developing DROs

The following guidelines were provided to departments for use in their DRO preparation:

- DROs can relate to revenue enhancement as well as cost reduction measures.

- Each DRO must be completed in a comprehensive manner so it can be evaluated relative to other DROs. DROs consist of the following elements:
  - Description of cost reduction or revenue enhancement;
  - Internal Service Impact (None or Minimal / Moderate / High);
  - External Service Impact (None or Minimal / Moderate / High);
  - Staffing Impact;
  - Cost reduction itemization;
  - Revenue impact, if any.

- DROs should focus on elimination or reduction of non-mandated (discretionary) programs rather than further "line-item" reductions that would impair a department's ability to deliver essential services.

- Each DRO must be prioritized by the respective Department Head based on its service level impact and other key considerations. (Note: Priority 1 would be the first item recommended by a Department Head for consideration based on its service level impact; Priority 2 would be the next item recommended for consideration, etc.)

- FY 2010-11 DROs cannot include items already implemented in previous Deficit Reduction Plans; i.e., they must represent new savings that can be achieved in the FY 2010-11 Preliminary Base Operating Budget.

Staffing Impacts of DROs

The departmental DRO summaries identify any staffing impacts associated with each DRO, including the number of positions impacted; whether the positions are temporary or career, filled or vacant, City employees or contract employees (such as Police or Fire); and whether the employee would be transferred to another division within the department or laid off.

Council Deliberation on DROs

Following briefing sessions with each Council Member the week of May 3rd, an overview of the Preliminary Base Operating Budget and Deficit Reduction Plan will be presented during the City Council meeting of May 11, 2010. During the ensuing Study Session of May 18, 2010, time will be allocated for the City Council to ask each Department Head and staff detailed questions regarding their DROs. Additional questions or follow-up issues regarding DROs may also be addressed during the Regular Council Meetings of May 25th and June 8th, as well as the second Study Session on June 15th, prior to scheduled budget adoption on June 22, 2010.

Public Safety DROs

In addition to the Study Sessions and Regular Council Meetings devoted to discussion of the Preliminary Base Operating Budget and Deficit Reduction Plan, discussion of the Police Department and Fire Department DROs has been scheduled for the Public Safety Subcommittee meeting of May 10, 2010.

When reviewing the Police Department and Fire Department DROs, the following provisions in the respective contracts should be noted.

Police Services Contract

Variation in Level of Service: Variation in the level of service shall be made by amendment, as provided for in Section 12 of this Agreement, and under the following terms:

If City requests an increase in the level of service to be provided under this Agreement, County agrees to provide such increased level of service as soon as is practicable, consistent with the ability of the Sheriff to do so.

If City elects to reduce the level of service provided herein by ten percent (10%) or greater, City must give notice in writing to County not less than twelve (12) calendar months prior to the effective date of such reduction. If City elects to reduce the level of service provided herein by less than ten percent (10%), County agrees to reduce the level of service accordingly as soon as it is practicable. The level of service, however, may not be reduced to below the minimum level, as determined by County, required to ensure public and officer safety.

Fire Services Contract

In the event CITY desires a reduction in CAL FIRE or COUNTY civil service employees or services assigned to CITY as provided in Exhibit A of the Fire Service Contract, CITY shall provide one hundred twenty (120) days written notice of the required reduction.

DROs Outside of the General Fund

The majority of DROs included in the Deficit Reduction Plan relate to the General Fund. However, those DROs not related to the General Fund are included to help offset projected operating deficits for FY 2010-11 or, in the case of some of the Internal Service Fund DROs, because they contribute to General Fund savings through the cost allocation process. Therefore, it is recommended that each of the DROs outside of the General Fund be implemented.

Proposed DRO Offsets

Three (3) DRO Offsets have been proposed, which would reinstate partial funding for associated DROs to mitigate the service level impacts, should the City Council direct

staff to implement these DROs. If each of the three recommended DRO Offsets is approved by the City Council, it will reduce the General Fund DRO savings by $72,517. This amount has already been reflected in the departmental saving totals. Detailed information on the three proposed DRO Offsets is included following the DRO departmental summaries, starting on page 22. The three items are also summarized below:

DRO Offset Description	Requesting Department	DRO No.	General Fund Amount
Funding for one (1) Temporary, P/T Animal Control Officer	Financial & Administrative Services	12-a	$17,900
Funding for one (1) Temporary, P/T Librarian	Library	3-a	$21,840
Funding for two (2) Temporary, P/T Maintenance Worker IIs	Public Works	3-a	$32,417
Total Proposed General Fund DRO Offsets			**$72,157**

Summary

The prolonged economic recession has resulted in three challenging fiscal years for the City. After adopting a budget in FY 2007-08 in which General Fund operating revenues fully matched operating expenditures, revenues began declining; resulting in the need for significant expenditure reductions to ensure that expenditures remained within the General Fund revenues. The next two fiscal years (2008-09 and 2009-10) became more challenging as General Fund operating revenues continued their decline, resulting in growing operating deficits that had to be overcome with aggressive cost-cutting measures including workforce reductions, return of General Fund subsidies previously made to other funds, and use of reserves. FY 2010-11 will be even more challenging than the previous two years, as the projected General Fund operating deficit will grow to $17.8 million. A number of transfers and other budget adjustments have been identified, which will reduce this expected deficit to $10.7 million. Adding three recommended Budget Issues (which represent additional budgeted expenditures) that are critically needed, results in a projected General Fund deficit of nearly $11 million for FY 2010-11. Actions taken by the State of California in response to its estimated budget deficit of $18.9 billion or more could further impact the City's budget. To enable adoption of a balanced budget for FY 2010-11, a Deficit Reduction Plan is hereby submitted for City Council's review and consideration. This Plan has identified a number of solutions, totaling $20.1 million for the General Fund, that can be implemented to balance the FY 2010-11 Preliminary Base Operating Budget as follows:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions, as shown on the previous page, is significantly greater than the projected budgetary deficit (net of adjustments and Budget Issues) of $11 million, it provides the City Council with a wide range of options for balancing the budget. Additionally, if the State takes actions that adversely impact the City's revenues, or if actual revenues received during FY 2010-11 are less than projected, additional solutions have already been identified that can be quickly implemented. This "scalable" approach to deficit reduction planning has been beneficial to the City since it was first utilized in FY 2008-09.

After three years of aggressive cost-cutting measures that have been required to offset the declining revenues resulting from the economic recession, departments have once again responded to a very challenging budget for FY 2010-11 by identifying a number of potential solutions to allow a balanced budget to be adopted. I sincerely appreciate the cooperation of each Department Head and their staff in identifying meaningful solutions to overcome the projected budgetary deficit for FY 2010-11. The City Council has made a strong commitment to adopting a balanced budget prior to the start of each fiscal year. The FY 2010-11 Deficit Reduction Plan presents the Council with options for continuing this sound fiscal practice and adopting a balanced budget in June for the upcoming fiscal year that starts July 1, 2010.

Respectively submitted,

William L. Bopf
Interim City Manager

City of Moreno Valley

Deficit Reduction Plan 2010-11

Deficit Reduction Option Summary

Deficit Reduction Option Summary

Department		Savings
General Fund - Revenue Enhancements:		
Community Development	$	180,800
Financial & Administrative Services		72,400
Fire		35,200
	$	**288,400**
General Fund - Deficit Reduction Options:		
City Council/City Clerk	$	226,914
City Attorney		390,951
City Manager		524,073
Community Development		348,278
Economic Development		244,578
Financial & Administrative Services		1,837,700
Fire		1,784,772
Human Resources		757,625
Police		3,991,245
Public Works		3,811,755
	$	**13,917,891**
DRO Offsets:		
Financial & Administrative Services	$	(17,900)
Library		(21,840)
Public Works		(32,417)
	$	**(72,157)**
Use of Reserves:		
Non-Department	**$**	**6,000,000**
NET - General Fund	**$**	**20,134,134**
Other Funds - Deficit Reduction Options:		
Financial & Administrative Services ISF - non-General Fund	$	4,105,600
Human Resources ISF - non-General Fund		619,875
Library		212,000
Parks & Community Services		245,200
Total Other Funds:	**$**	**5,182,675**

City of Moreno Valley

Deficit Reduction Plan 2010-11

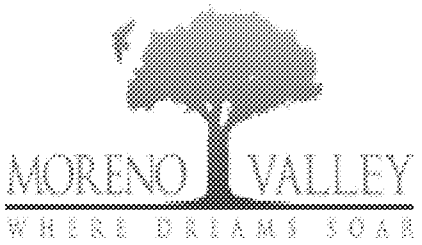

Department DRO Summaries

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary)			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time)			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	2	
Total FTC		2
Part-time (P/T)		
Filled - Lay-off		1
Temporary (Temp)		
Filled - Lay-off		1
Total City Council/City Clerk		**4**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	2	
Filled - Transfer to other funding sources	-	
Vacant	1	
Total FTC		3
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total City Attorney		**3**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position			X			X						37,268	37,268
City Manager Total										**2**					**$524,073**	**$524,073**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	2	
Total FTC		2
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total City Manager		**2**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager @ 62% with a Senior Management Analyst position @ 40%.	X			X								119,289	119,289
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X			1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000
9	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X						60,000	60,000
Community Development Department Total										**1**					**$529,078**	**$529,078**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

April 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
DRO Position Summary Listing																
FTC (Full-time Career)																
Filled - Lay-off												-				
Filled - Transfer to other funding sources												-				
Vacant												1				
Total FTC													1			
Part-time (P/T)																
Filled - Lay-off													-			
Temporary (Temp)																
Filled - Lay-off													-			
Total Community Development													1			

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	-	
Total FTC		-
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Economic Development		**-**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						243,200	243,200
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off		
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off		
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off		
			Animal Care Technician			X			X	1		FTC	Vacant			
			Office Aide			X			X	1		Temp	Filled	Lay-off		
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes			X			X						242,800	242,800
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off		
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
	Financial & Administrative Services Department Total									**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	11	
Filled - Transfer to other funding sources	-	
Vacant	2	
Total FTC		13
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		2
Total Financial & Administrative Services		**15**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			* **Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.														
	Fire Department Total									**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	11	
Vacant	-	
Total FTC		11
Part-time (P/T)		
Filled - Lay-off		1
Temporary (Temp)		
Filled - Lay-off		-
Total Fire		**12**

April 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review)	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review)	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	-	
Total FTC		-
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Human Resources		**-**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23)*			X			X						(21,840)	(21,840)
	Library Total									**1**					**$190,160**	**($21,840)**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	1	
Total FTC		1
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Library		**1**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC)	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Closure of Cottonwood Golf Course which will include the defunding of the following positions			X			X						179,200	0
			Golf Course Maintenance Worker			X			X	1		FTC	Filled	Transfer		
			Recreation Aides			X			X	6		Temp	Filled	Transfer		
	Parks & Community Services Department Total									**8**					**$245,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	1	
Vacant	1	
Total FTC		2
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Transfer to other funding sources		6
Total Parks & Community Services		**8**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						1,198,036	1,198,036
			Motorcycle Officer			X			X		4	FTC	Filled	Transfer		
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer		
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X						921,190	921,190
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer		
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X						921,190	921,190
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer		
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X						920,830	920,830
			Patrol Officer			X			X		4	FTC	Filled	Transfer		
	Police Department Total										**17**				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	17	
Vacant	-	
Total FTC		17
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Police		**17**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24)*		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

MV00055275

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer position, thereby leaving one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transportation Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

MV00055277

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 22	Public Works	Transportation Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X						292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X						695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
			* **MOE NOTE:** DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.													
Public Works Department Total										**35**					**$3,779,338**	**$3,779,338**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing		
FTC (Full-time Career)		
Filled - Lay-off	6	
Filled - Transfer to other funding sources	18	
Vacant	3	
Total FTC		27
Part-time (P/T)		
Filled - Lay-off		1
Temporary (Temp)		
Filled - Lay-off	3	
Filled - Transfer to other funding sources	-	
Vacant	4	
Total Temporary		7
Total Public Works		**35**

MV00055279

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
Non-Department Total															**$6,000,000**	**$6,000,000**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
GRAND TOTAL CITY-WIDE										**70**	**28**				**$25,316,809**	**$20,134,134**

City - DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	19	
Filled - Transfer to other funding sources	19	
Vacant	13	
Total FTC		51
Part-time (P/T)		
Filled - Lay-off		3
Temporary (Temp)		
Filled - Lay-off	6	
Filled - Transfer to other funding sources	6	
Vacant	4	
Total Temporary		16
TOTAL CITY		**70**

Contract (Police & Fire) - DRO Position Summary Listing

FTC (Full-time Career)		
Fire - Filled - Transfer to other funding sources	11	
Police - Filled - Transfer to other funding sources	17	
Total FTC		28
TOTAL CONTRACT (Police & Fire)		**28**

City of Moreno Valley

Deficit Reduction Plan 2010-11

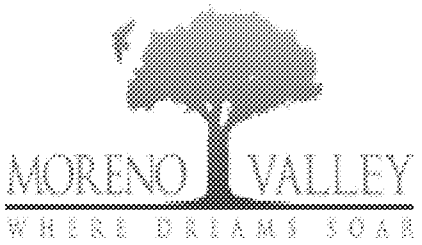

Proposed DRO Offsets

Proposed DRO Offsets

To help mitigate the service level impacts of three (3) DROs, should the City Council direct staff to implement them, associated DRO Offsets are proposed to reinstate partial funding for these items, as follows:

Department: Financial & Administrative Services
DRO No. 12-a *(page 8)*
Description: Funding for one (1) Temporary, Part-Time Animal Control Officer (ACO) should a filled Full-Time Career ACO position be defunded
General Fund Cost: $17,900

Animal Control Officers (ACOs) play a critical role in providing public safety services to the community. These unique essential services include responding to and removing threats posed by potentially dangerous and vicious animals, removing high-risk rabies carriers, and conveying rabies specimens to the Riverside County Public Health's Laboratory. In addition, Animal Control Officers respond to sick and injured stray animals, place biting animals under quarantine, investigate allegations of animal abuse and neglect, along with responding to a variety of routine animal nuisance complaints. Animal Control Officers are a major component of the Field Services section of the Animal Services Division and are a 24/7 operation responsible to effectively respond to service requests and emergency calls through the operation of a night truck every evening.

Defunding one full-time Animal Control Officer position and one part-time temporary Animal Control Officer will reduce the field response staff from our current staffing level of 7 authorized Animal Control Officers (6 full-time and 1 temporary part-time) to a staffing level of 71% or 5 full-time ACOs. The specific areas of concern with a workforce reduction for this work unit are diminishing the field service coverage, resulting in routine service requests being carried over to the next day, thereby extending response times for both routine and emergency traffic. Additionally, by having fewer ACOs to work the night truck, any further workforce reduction could result in increased fatigue among remaining officers, which may diminish effectiveness and increase the chances of injury.

Hiring a part-time temporary Animal Control Officer at an hourly rate of $17.82, Grade C-15, Step A of the ACO Salary Schedule, for the allowable temp total not to exceed 960 hours during FY 10-11 totals $17,900. This will provide 19 hours per week to provide a reasonable response, minimizing the need to carry over routine service requests, thus maintaining a reasonable level of response times to all service requests, as well as providing an additional ACO to participate in the night truck rotation.

Cost summary of DRO Offset:

Salaries	$17,900
Employee Benefits	--
Services	--
Supplies	--
Capital Outlay	--
Total Expenditures	**$17,900**

Department: Library
DRO No. 3-a *(page 12)*
Description: Funding for one (1) Temporary, Part-Time Librarian should the vacant Full-Time Career Librarian position be defunded
FY 2010-11 Cost: $21,840
General Fund Cost: $21,840 (General Fund Subsidy to CSD Zone L)

Librarians provide unique services, such as reference, cataloging, collection development, and children's and teen programming, that other staff is not qualified to provide.

Defunding one full-time Librarian position will reduce the staff to four full-time Librarians. The Library is open 53 hours a week. At least one Librarian needs to be on duty during all open hours, plus one hour before opening to supervise cash handling, computer and copier start-ups, and other opening duties, for a total of 58 hours a week. The Librarians should cover three service points per hour and provide storytimes 4-6 hours a week. The ideal Librarian service coverage should be approximately 170 hours a week.

The five Librarians have been providing approximately 109 hours a week of the above coverage. Reducing one Librarian will mean a reduction of 36 staff hours per week, of which approximately 21 hours were service coverage hours. This will lower coverage to 88 hours per week, which will impact the service level to patrons.

Hiring a part-time temporary Librarian at an hourly rate of $22.75, which is Step A of the Librarian Salary Schedule, for the allowable temp total of 960 hours for one year would total $21,840. This would add approximately 18 hours a week to the Reference desk coverage, bringing the covered hours back up to approximately 106 hours a week.

Additionally, if Librarians are not available to assist citizens to find and reserve the materials they need, they may not utilize the Library's services. This could reduce the Library's circulation, thereby possibly reducing one revenue fund provided by the State Library. A part-time Librarian to keep the service hours close to current levels may help keep the circulation, and therefore the revenue, from reduction.

Cost summary of DRO Offset:

Salaries	$21,840
Employee Benefits	--
Services	--
Supplies	--
Capital Outlay	--
Total Expenditures	**$21,840**

Department: Public Works
DRO No. 3-a *(page 15)*
Description: Funding for two (2) Temporary, Part-time Laborers should the vacant Full-Time Career Maintenance Worker II position be defunded
FY 2010-11 Cost: $32,417
General Fund Cost: $32,417

As part of the Public Works Department's DRO submittal, a DRO (DRO No.3) is proposed to defund (1) vacant Maintenance Worker II position (Position No. 0351) on the Catch Basin Maintenance Crew. Catch Basin Maintenance requires a two-person crew to monitor and clean the City's storm water drainage system, including 1,900 catch basins City-wide. This program is required to ensure that the City is in compliance with its National Pollutants Discharge Elimination Systems (NPDES) requirements.

If Public Works DRO No. 3 is implemented, it will result in a one-person Catch Basin Crew, which is not feasible from an operational and safety standpoint. This DRO Offset proposes to fund two (2) Temporary, Part-Time Laborers, with each working approximately 960 hours/year, to replace the (1) career full-time Maintenance Worker II position. This will allow continued operation of crew functions and maintenance of existing service levels, although in a less effective manner than the current operation. The Catch Basin Maintenance Crew will be less effective due to the loss of a second crewmember with a commercial driver's license, which is required to drive the commercial vacuum truck operated by this crew. (Maintenance Worker II classification requires a Class B commercial driver's license; Labor classification requires only a Class C general driver's license). All required driving will be performed by a second crewmember, an Equipment Operator, and no back-up will exist for driving the commercial vacuum truck.

A comparison of the fully burdened personnel costs of the vacant Maintenance Worker II versus the (2) Temporary, Part-Time Laborers is $71,300 versus $32,400. This DRO Offset is only necessary if the associated Publics Works DRO No. 3 is implemented.

Cost summary of DRO Offset:

Salaries	$32,417
Employee Benefits	--
Services	--
Supplies	--
Capital Outlay	--
Total Expenditures	**$32,417**

MV00055285

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

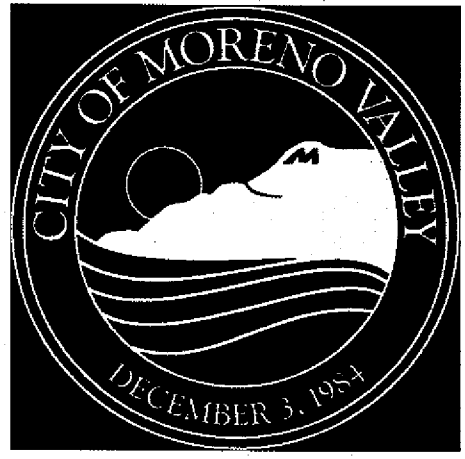

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00055291

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00055293

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00055295

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS
FY 2009-2010

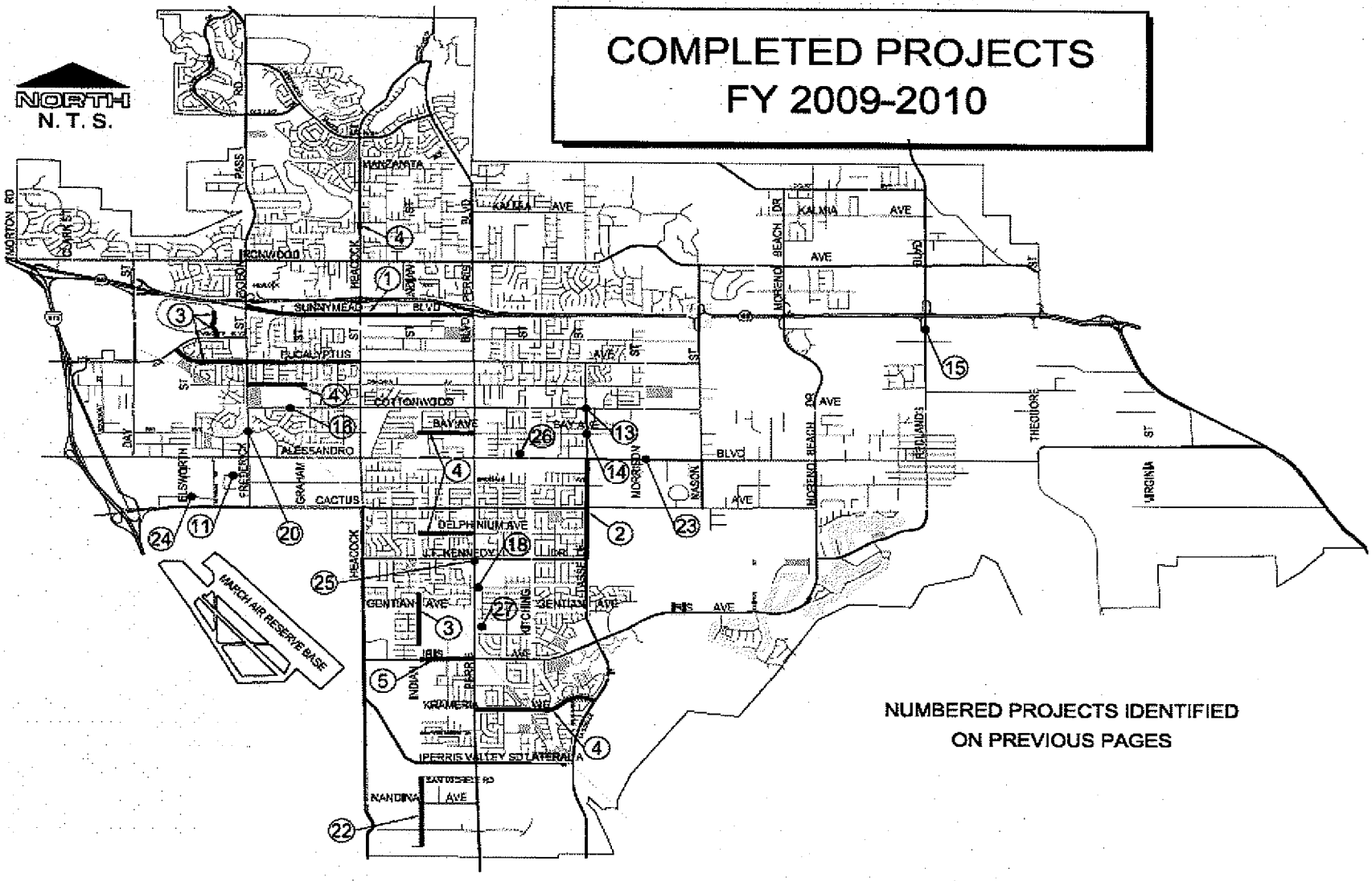

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

MV00055297

Completed Projects FY 2009-2010

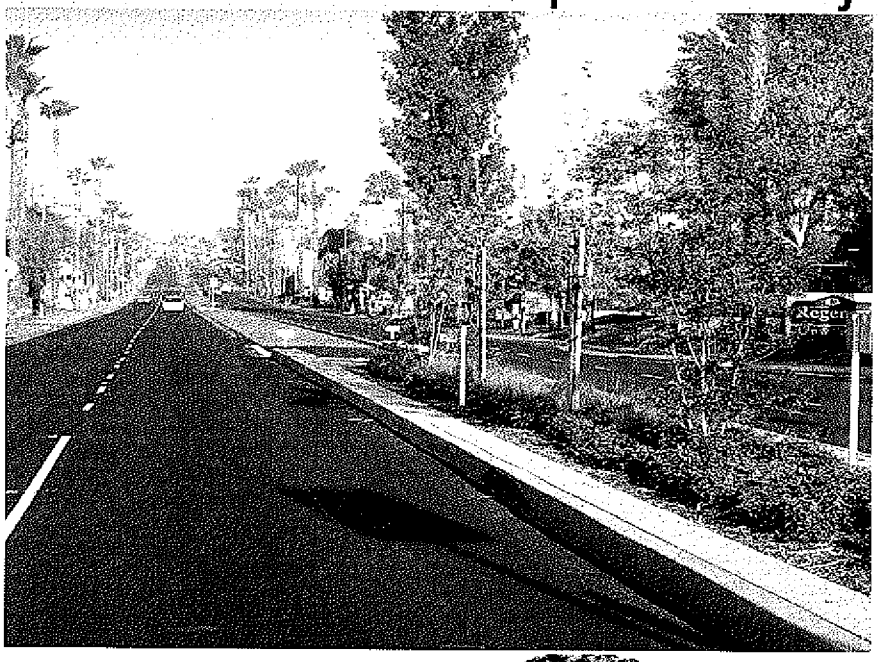

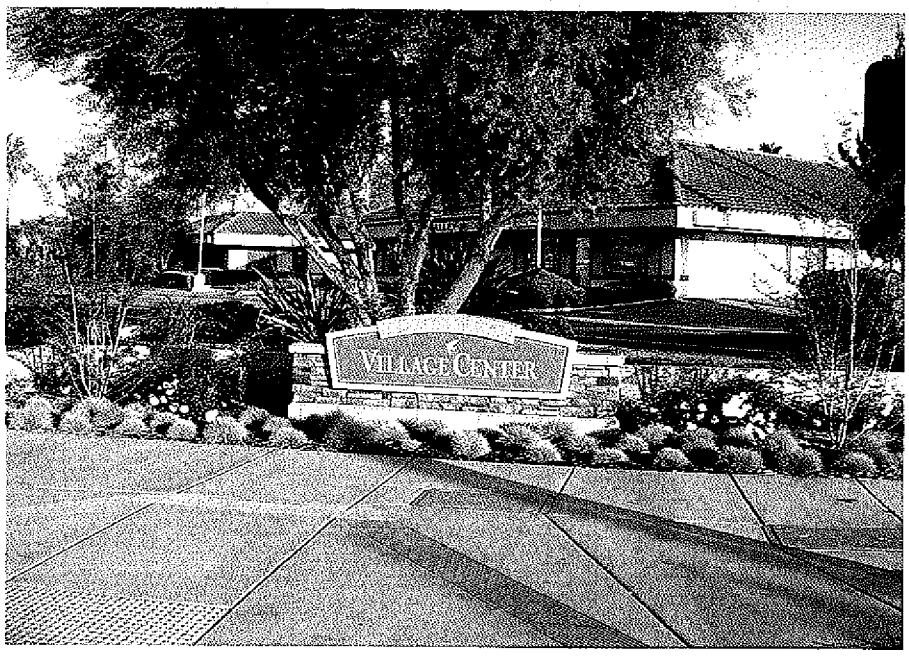

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

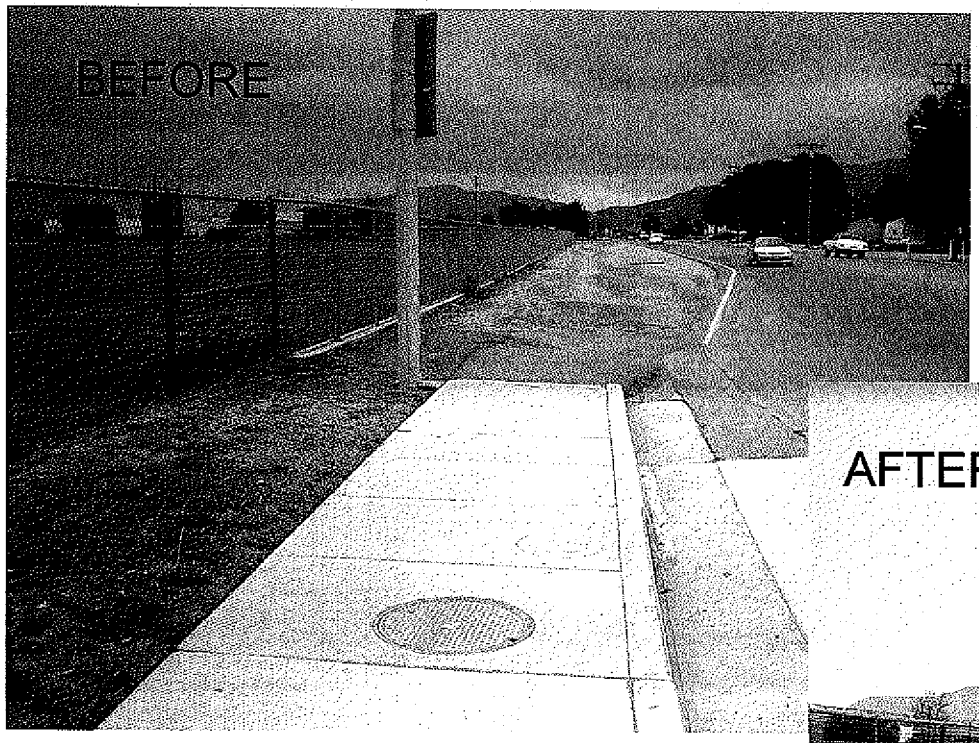

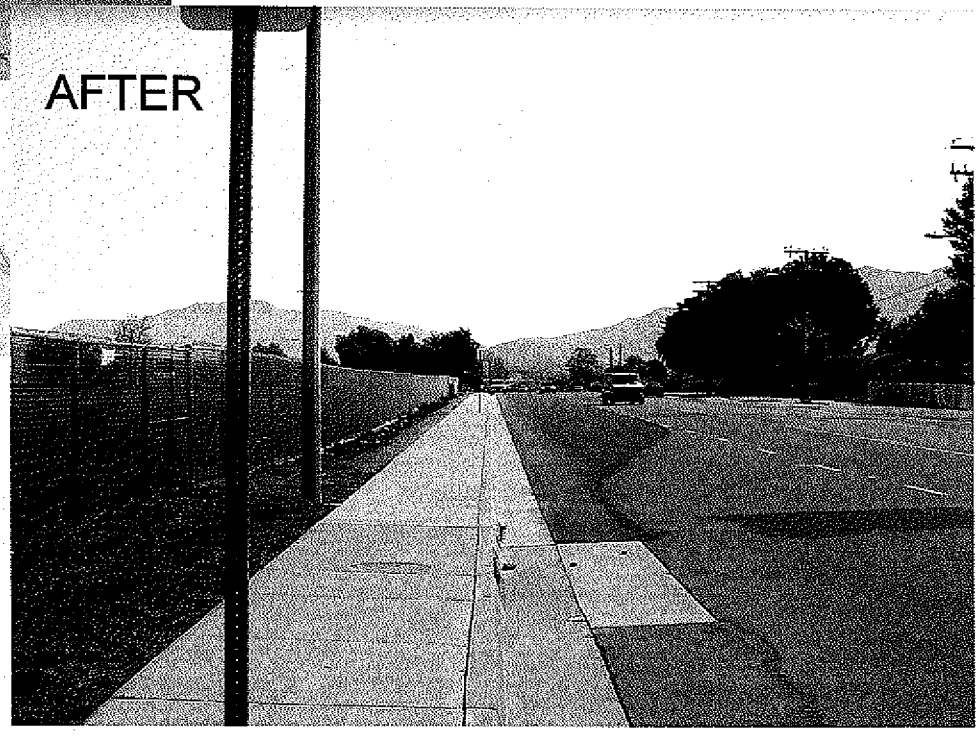

Iris Avenue from Indian Street to Perris Boulevard

MV00055299

Completed Projects FY 2009-2010

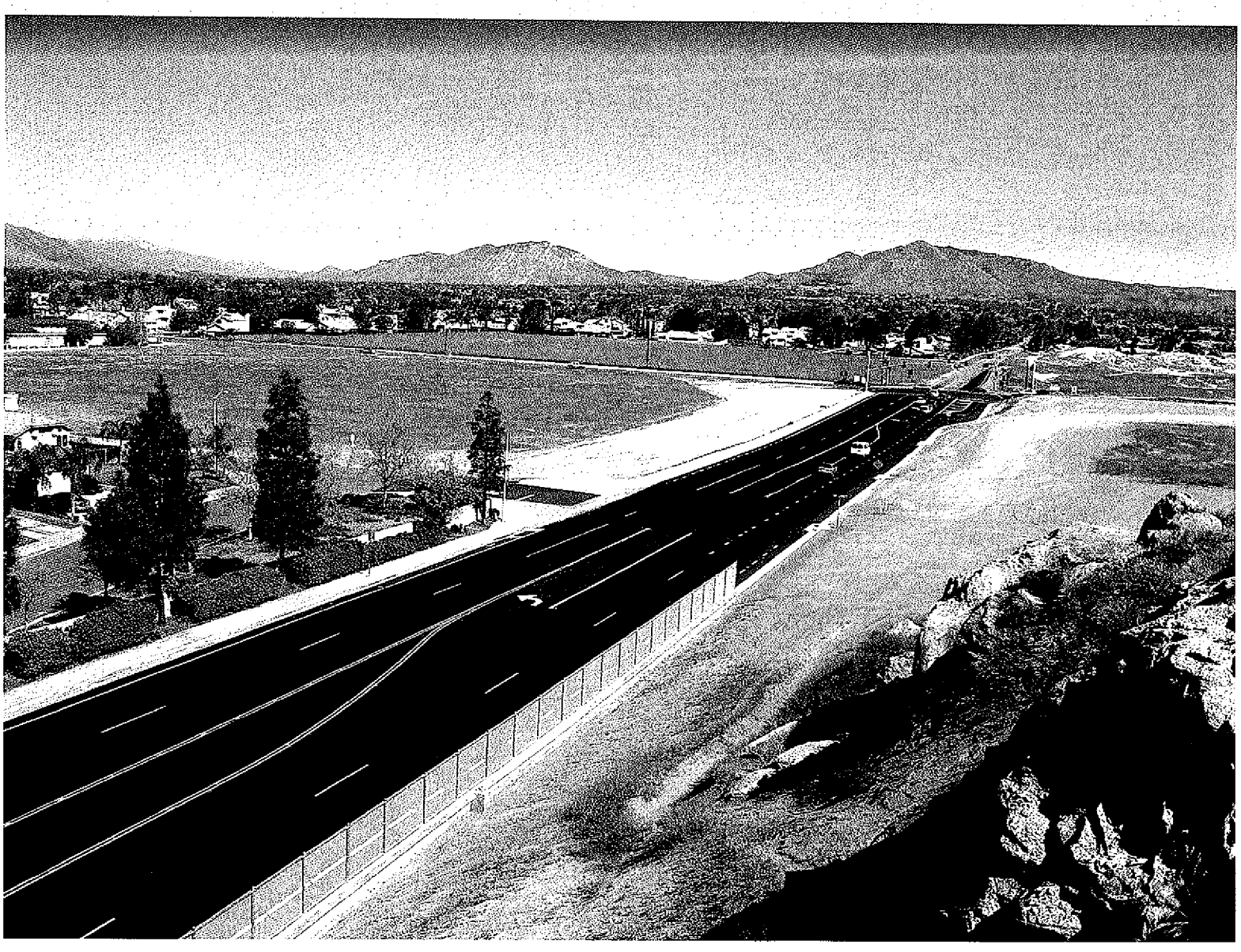

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

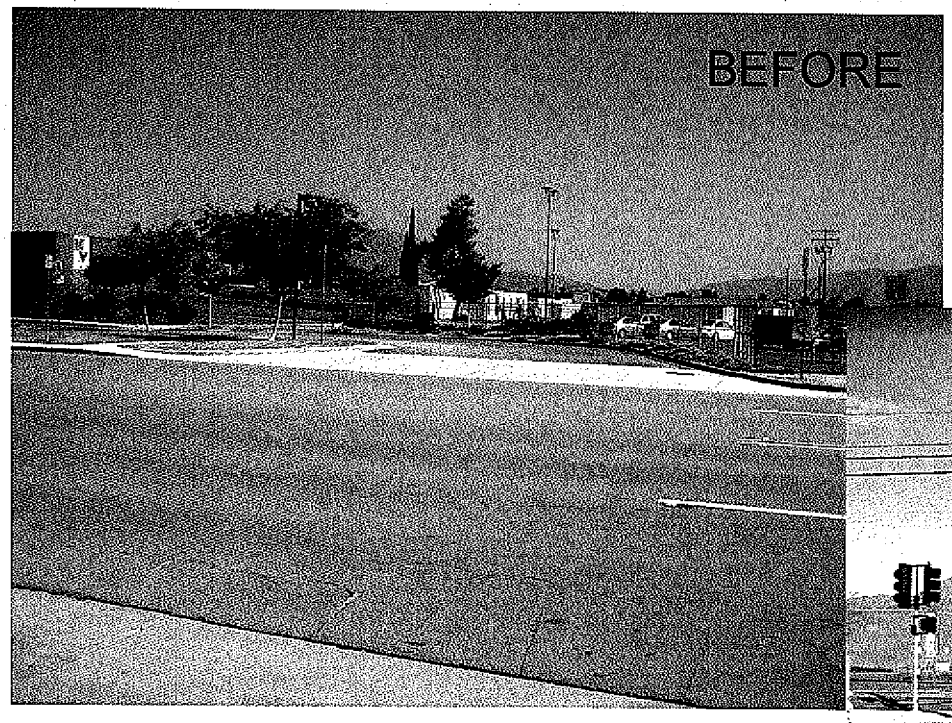

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00055301

Completed Projects FY 2009-2010

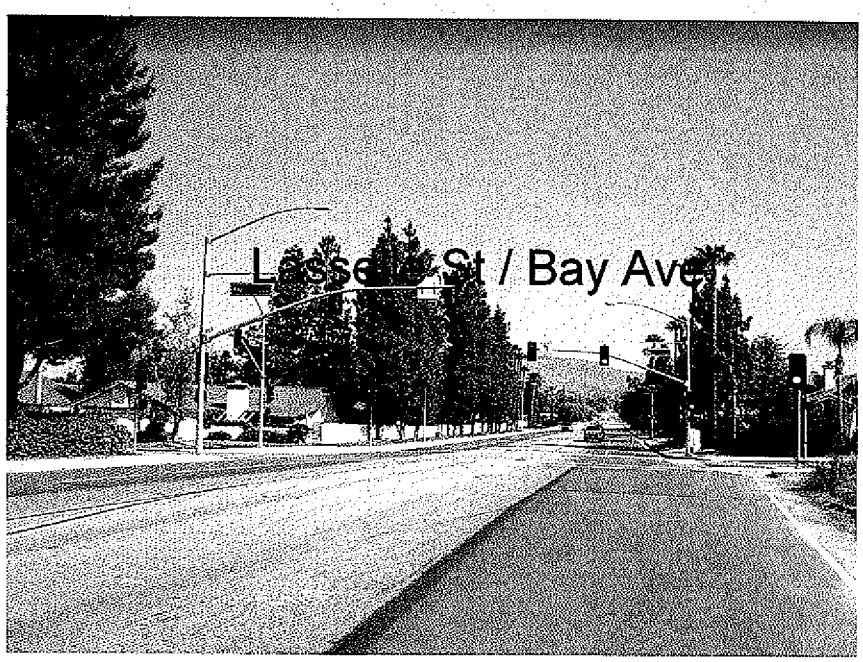

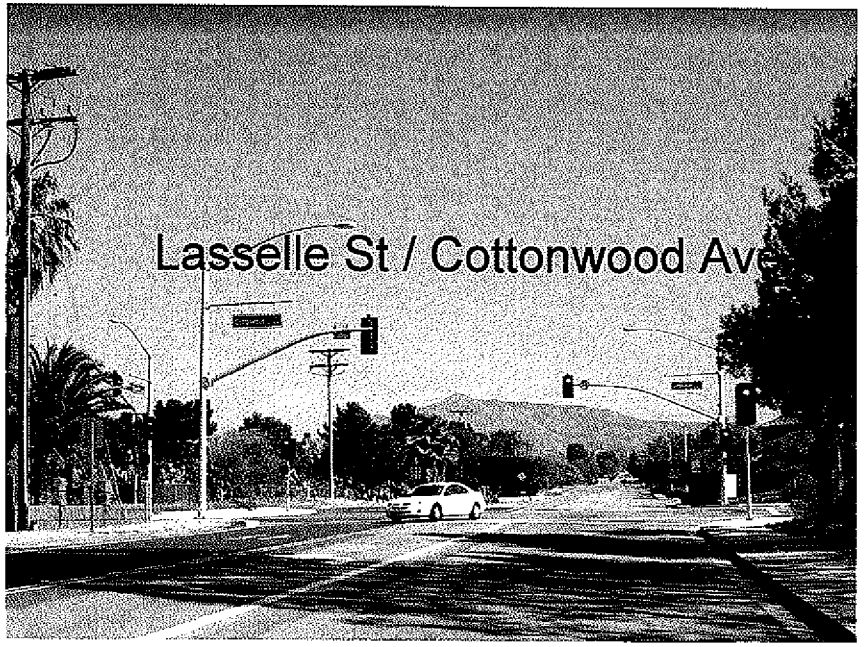

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

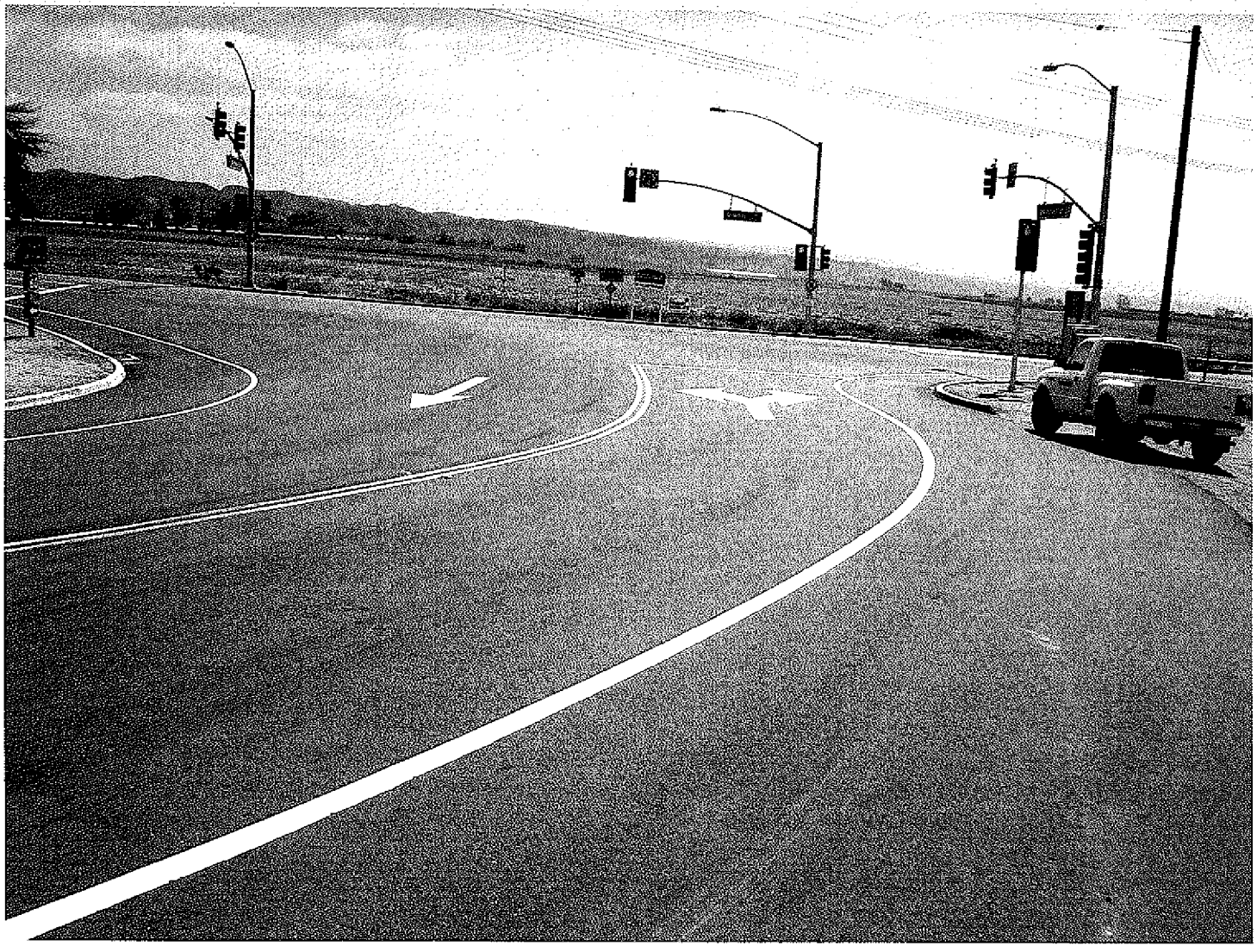

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

MV00055303

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00055305

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00055307

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00055309

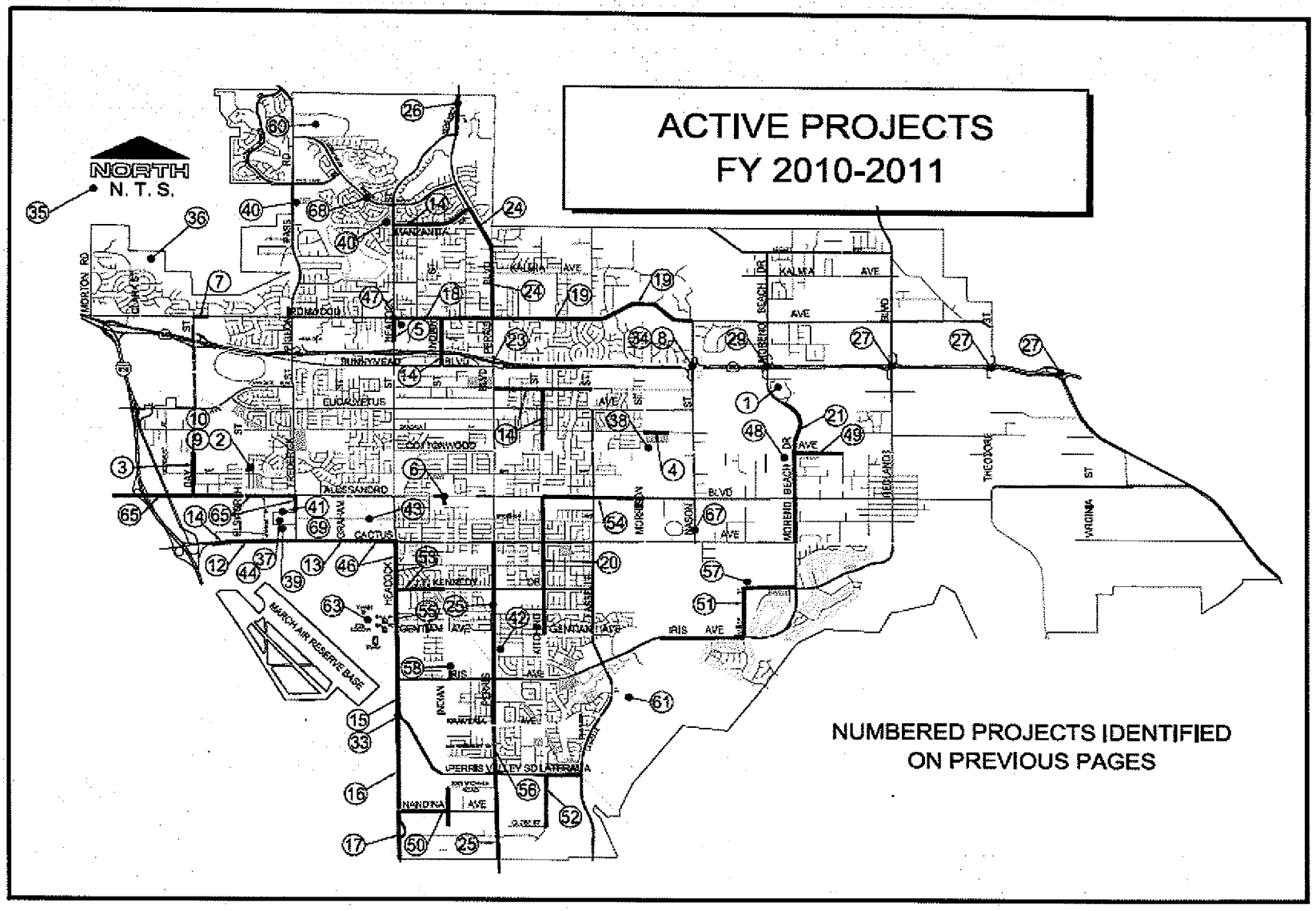

Item No. G.3

MV00055310

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

Active Projects FY 2010-2011

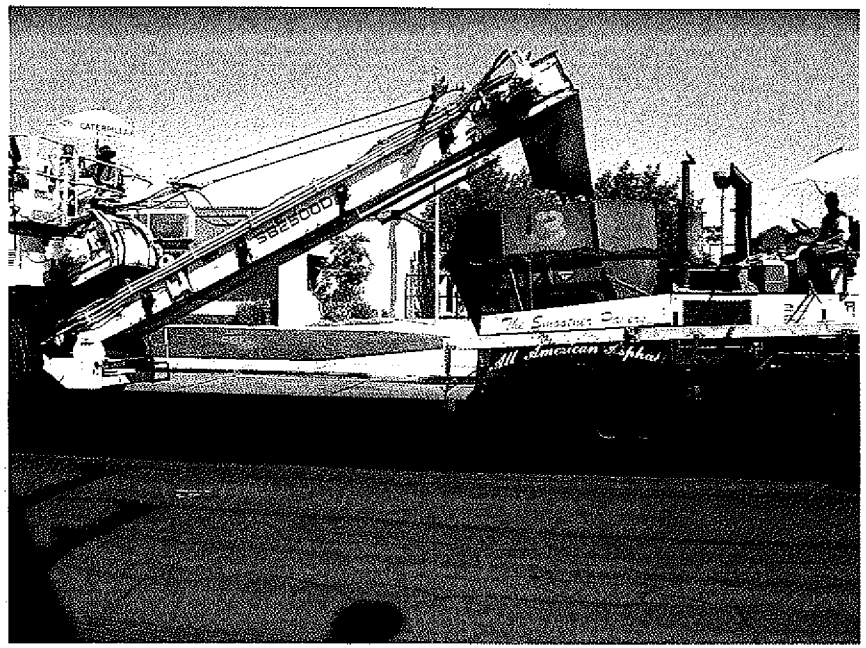

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

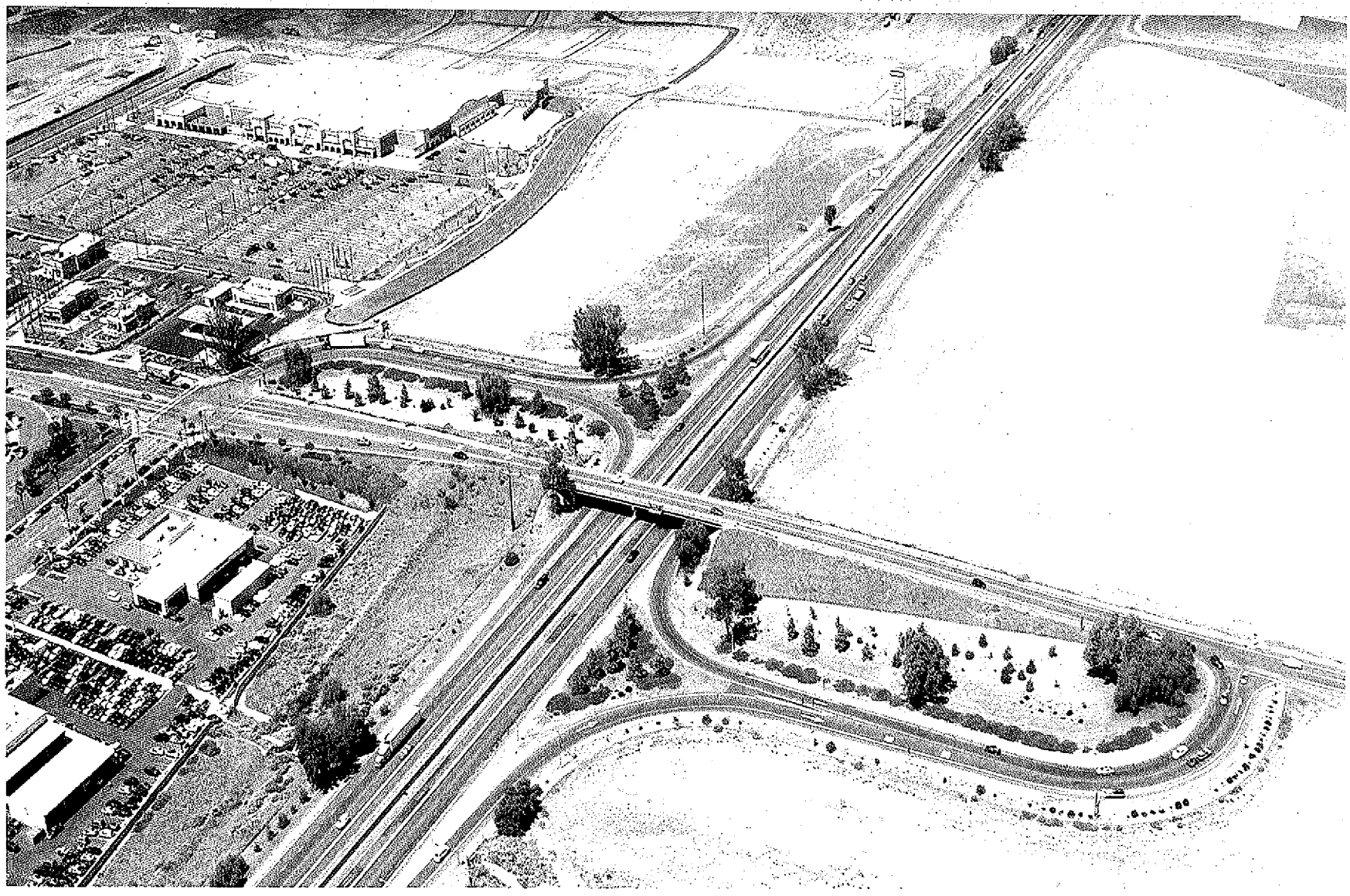

SR-60 / Moreno Beach Drive Interchange

MV00055313

Active Projects FY 2010-2011

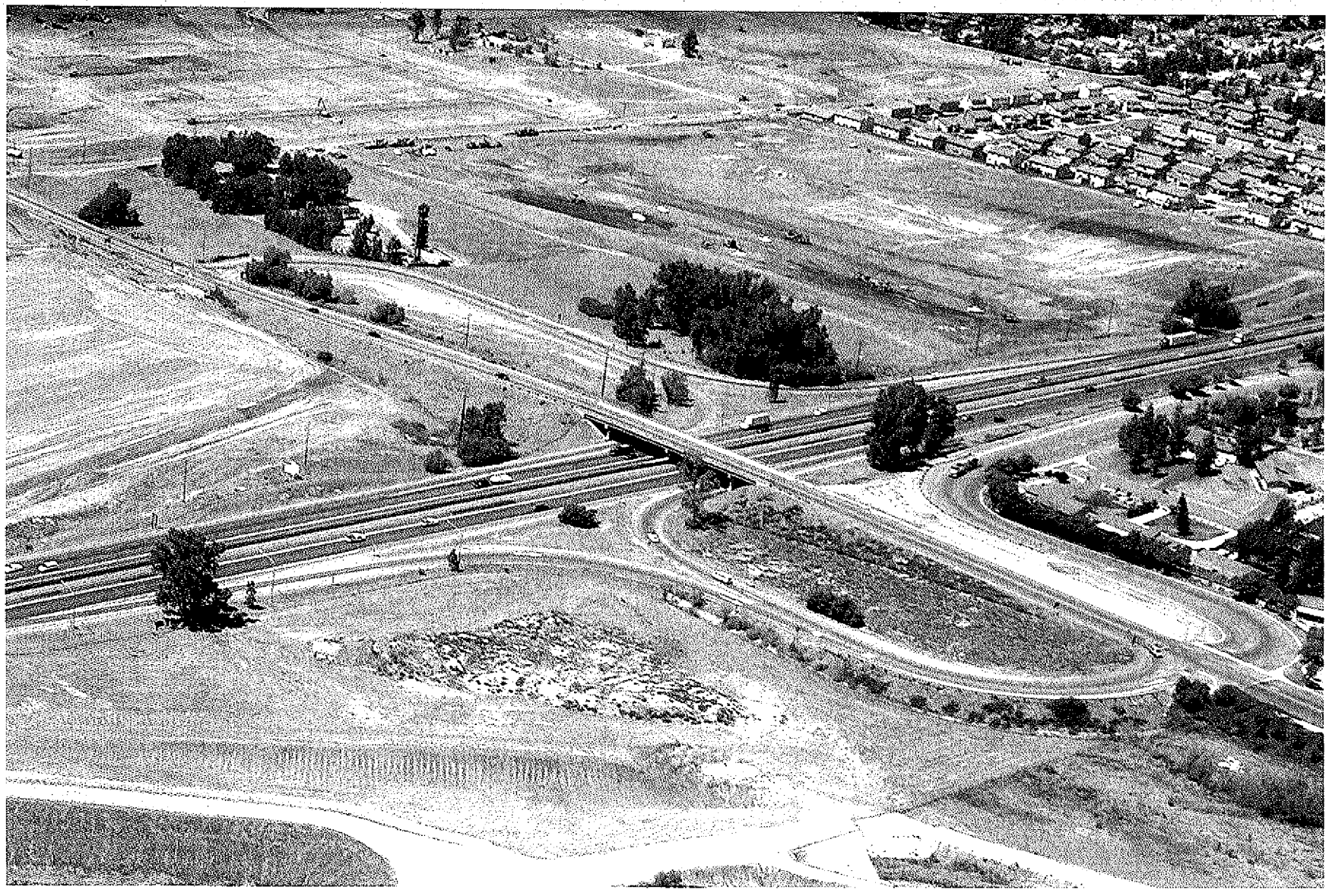

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00055315

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00055317

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS
FY 2010-2011

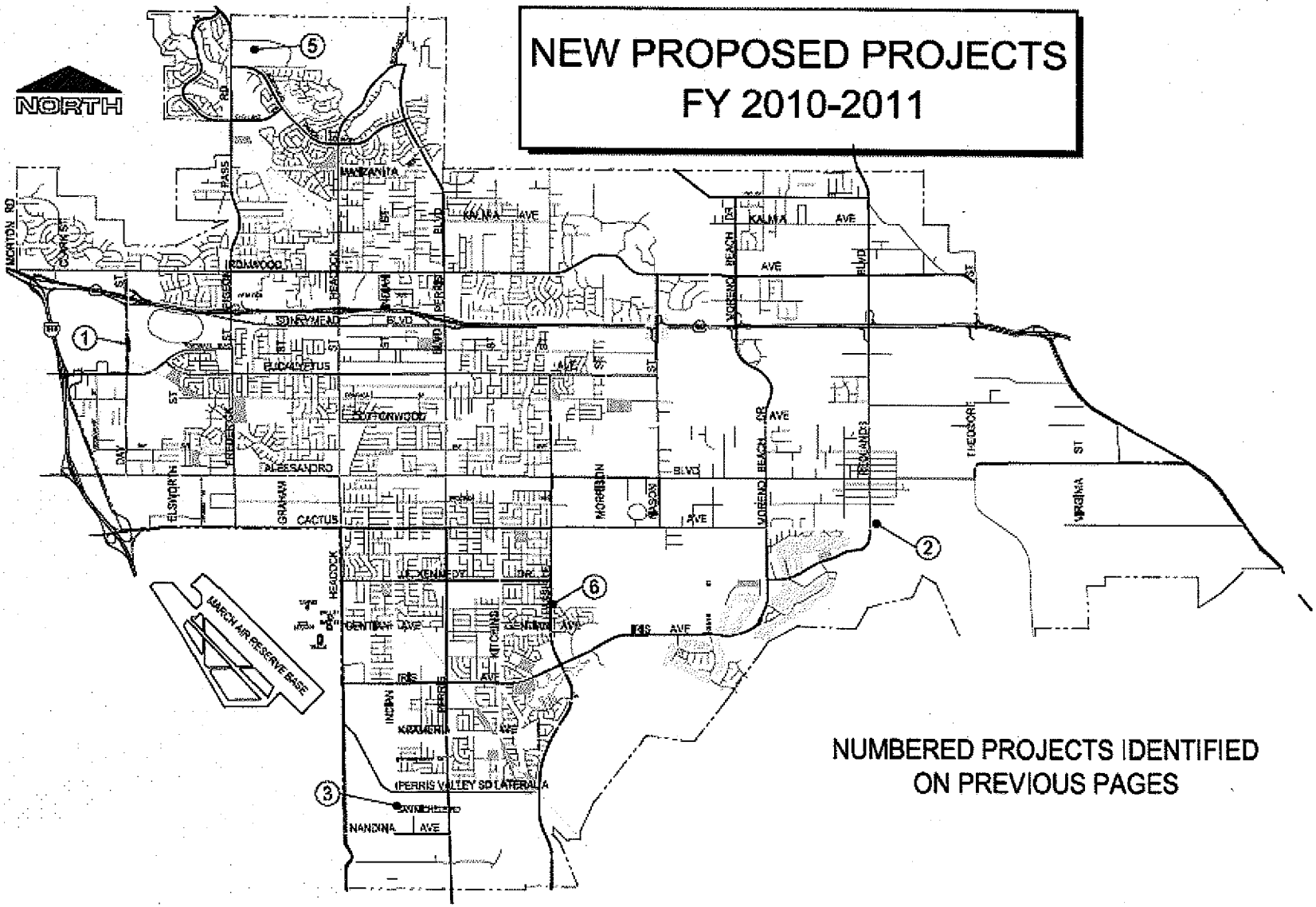

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

MV00055321

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

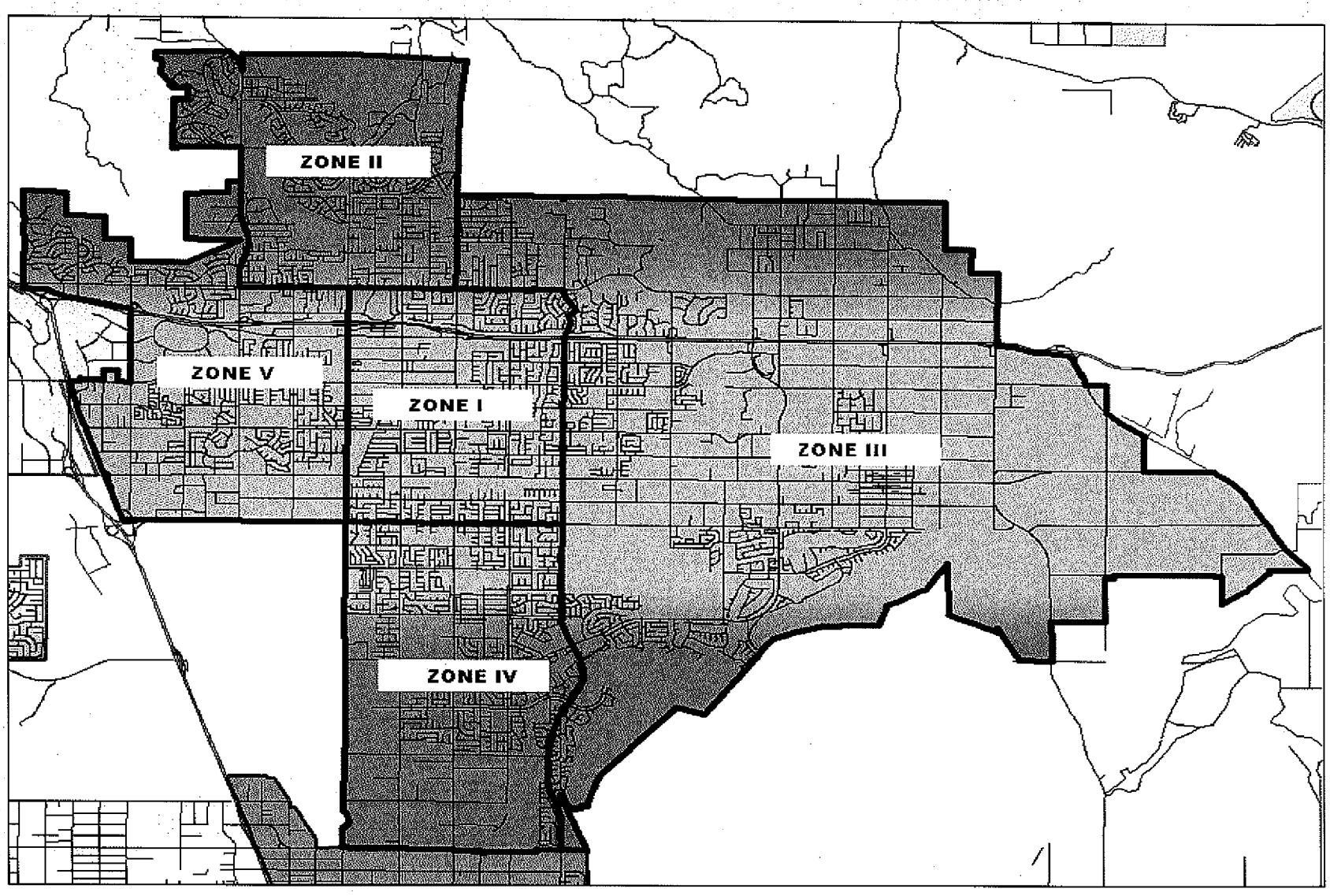

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

MV00055323

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00055325

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00055327

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00055329

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00055331

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00055333

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE MORENO VALLEY MUNICPAL CODE RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing offenses and amending Section 6.04.080 relating to notice of nuisance violations.

BACKGROUND

Staff has reported an increase over the past two years of incidents related to trespassing and drinking in public. Trespass is currently regulated by Section 602 of the California Penal Code. However, the various sections of the penal code do not provide a comprehensive approach to general trespass on private property. As a result of the fact specific nuances of state trespassing laws, very few instances of what is commonly thought to be trespassing actually is enforceable under state law.

Likewise, state law deals with intoxication in public but requires a very specific set of facts in order to convict for public intoxication. Moreno Valley currently does not have

any laws to prevent or restrict the consumption of alcohol in public, even when such consumption does not rise to the level of public intoxication.

Reports of increased public nuisance activity related to trespass and drinking have increased. These reports include trespassing and holding parties in vacant, abandoned or foreclosed properties, skateboarding in business parking lots, loitering and drinking at liquor stores, especially those associated with an attached or nearby recycling center.

DISCUSSION

In order to combat some of these nuisance conditions, the City Attorney's Office was asked to create new ordinance addressing trespassing and drinking in public. The proposed ordinance is laid out in three sections. The first section prohibits the drinking of an alcoholic beverage on or within public places, including streets and sidewalks. The penalties for drinking in public can range from a $100 Administrative Citation up to a misdemeanor violation for repeat offenders with maximum penalties of a $1,000.00 fine and up to six months in jail. The act of possessing an open container of alcohol (without drinking) constitutes a lesser charge with a maximum penalty of $500 and no jail time.

The second proposed section addresses trespassing on private property. A violation of this section constitutes a misdemeanor as well and may be enforced through Administrative Citations of a criminal complaint. Trespassing is prohibited on properly posted property or upon property where the owner, or the owner's agent, has asked an individual to remove himself therefrom and that person refuses to leave. A property owner can provide a written authorization to the police department to act as there agent to remove trespassers from their property. This could be used by banks to allow officers to remove and/or arrest individuals trespassing in vacant homes as well as by business entities that have recurring problems with unauthorized persons using their facilities or parking lots.

The third section relates to trespassing on publicly owned property. It allows for the "banning" of certain individuals who violate the law, rule or policy of a public park or facility for up to one year. The failure of a banned individual to remove himself from the property or his subsequent return would constitute a trespass violation. Both trespass sections provide exceptions for statutorily or constitutionally protected activity such as labor picketing or anti-discrimination provisions.

Additionally, it has been discovered that current code provisions relating to providing notice of code violations require service of the notice personally or by mailing and posting the subject property where the nuisance is occurring. The proposed ordinance changes this language to provide that notice may be service personally, mailed to the property owner, or posted on the subject property. This provides a more economical approach and ensures that affected property owners will receive the proper notice.

These new tools will provide the police department the ability to quickly and easily enforce these local crimes without the burdens imposed by the state law. Furthermore, these violations will be prosecuted and tracked by the City Attorney's Office. This allows the City to track repeat violators and ensure that proper penalties, restitution, stay away orders and other terms of probation are in effect against repeat offenders.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinance for adoption. The ordinance would take effect thirty-one (31) days after adoption.

2. Direct staff to make changes to the ordinance and return to City Council on a later date with a revised Ordinance.

3. Take no action.

FISCAL IMPACT

No significant fiscal impacts are projected although some additional revenue will be realized through fine collection.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

ATTACHMENTS/EXHIBITS

1. Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

Prepared by: Paul J. Early, Deputy City Attorney III

Department Head Approval, Robert L. Hansen, City Attorney

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

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MV00055337

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 11, 2010

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal")
2) Proposed Resolution Adopting the Rancho Belago Sign Program

Prepared By:

Kyle Kollar
Interim Director of Community Development

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

ATTACHMENT 1

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

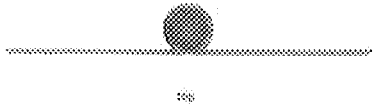

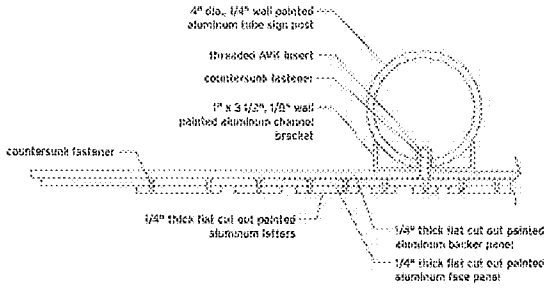

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

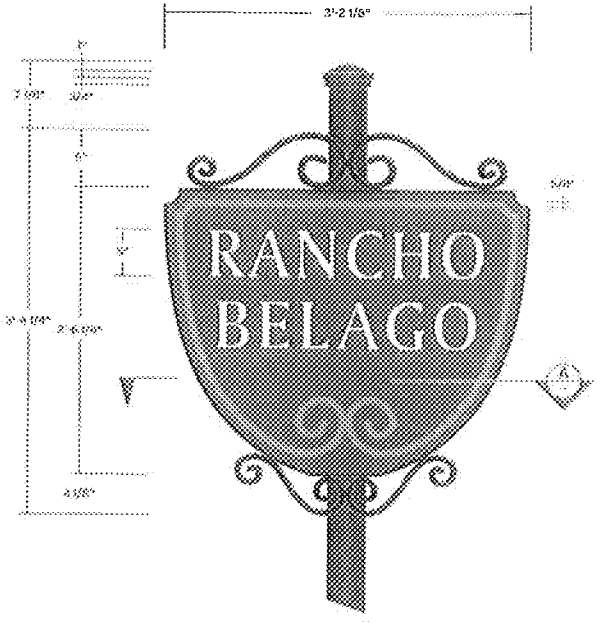

front side

2 Details

Scale: 1" = 1'-0"

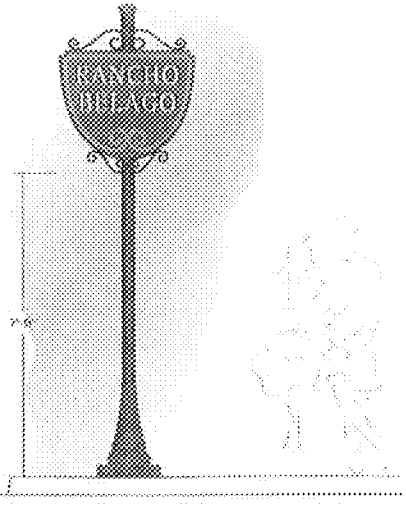

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV00055351

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
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Fax: (949) 643-2053

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

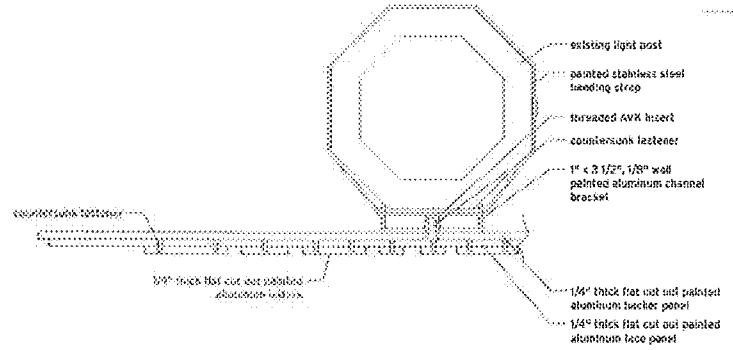

A Details

Scale: 3" = 1'-0"

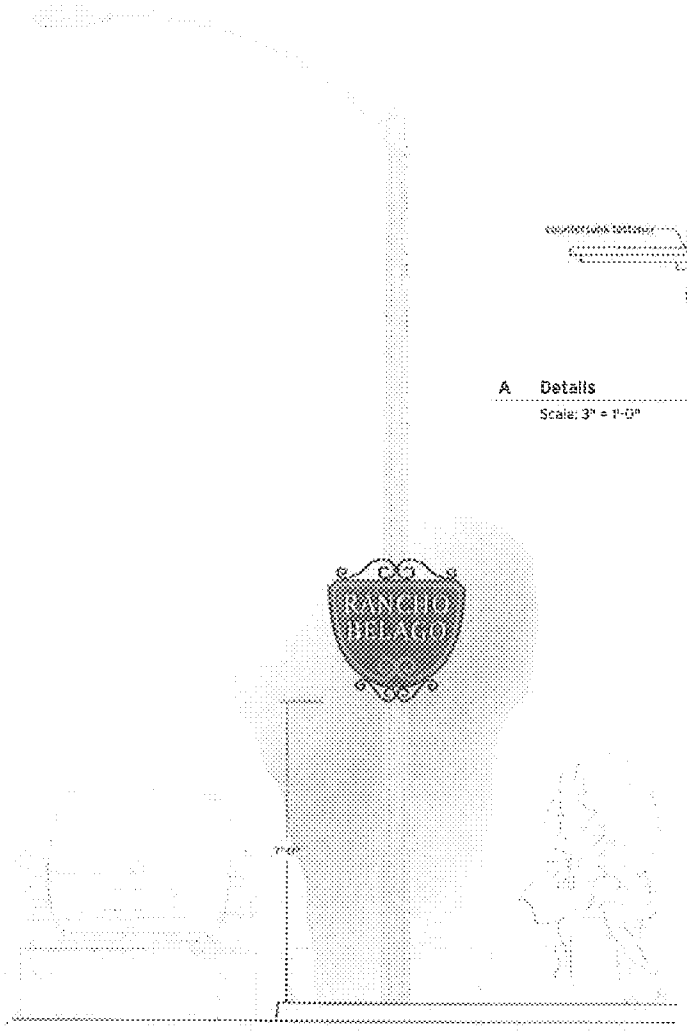

1 Elevation

Scale: 3/8" = 1'-0"

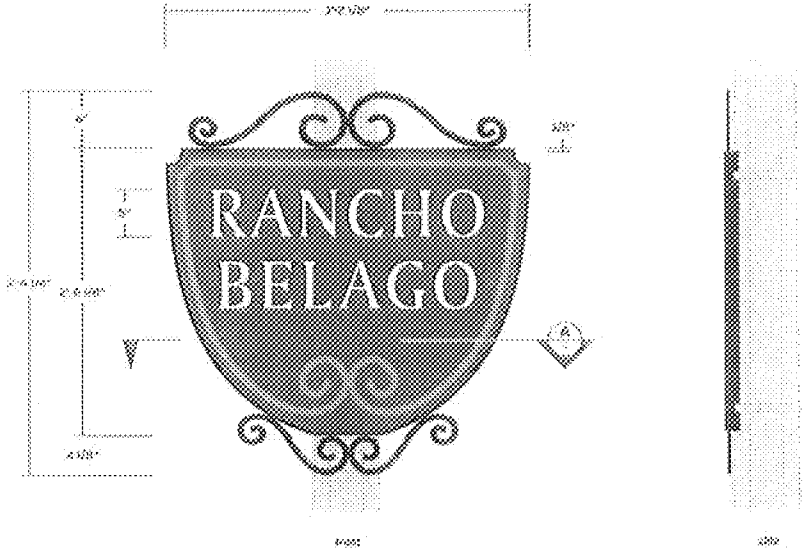

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alisras Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

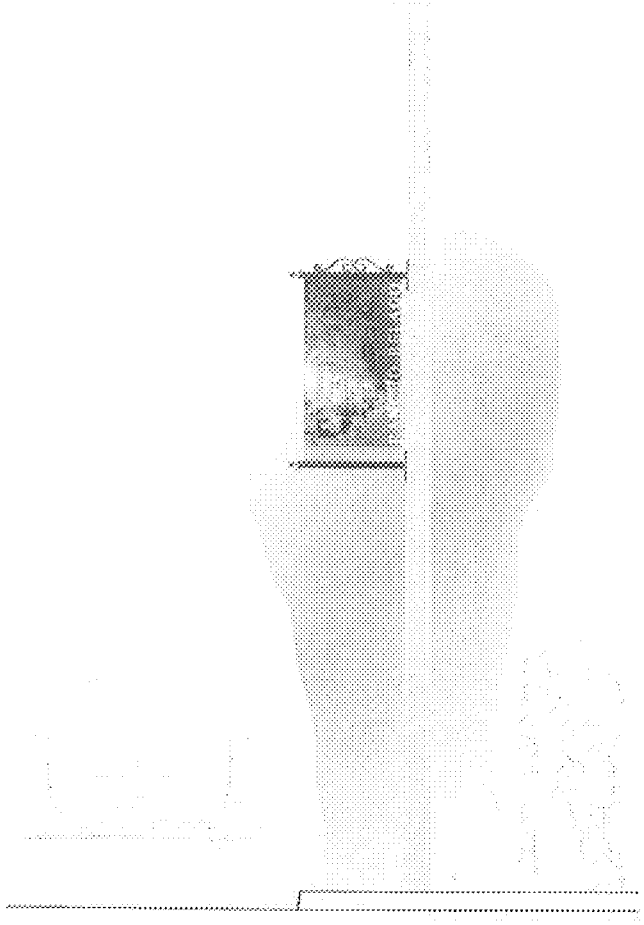

1 Elevation

Scale: 3/8" = 1'-0"

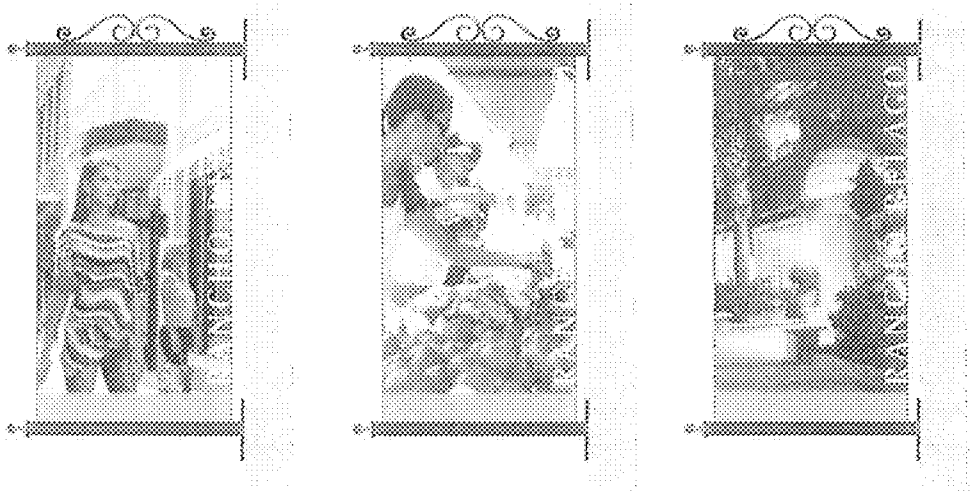

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2862

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3;
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
06-16-07

MV00055355

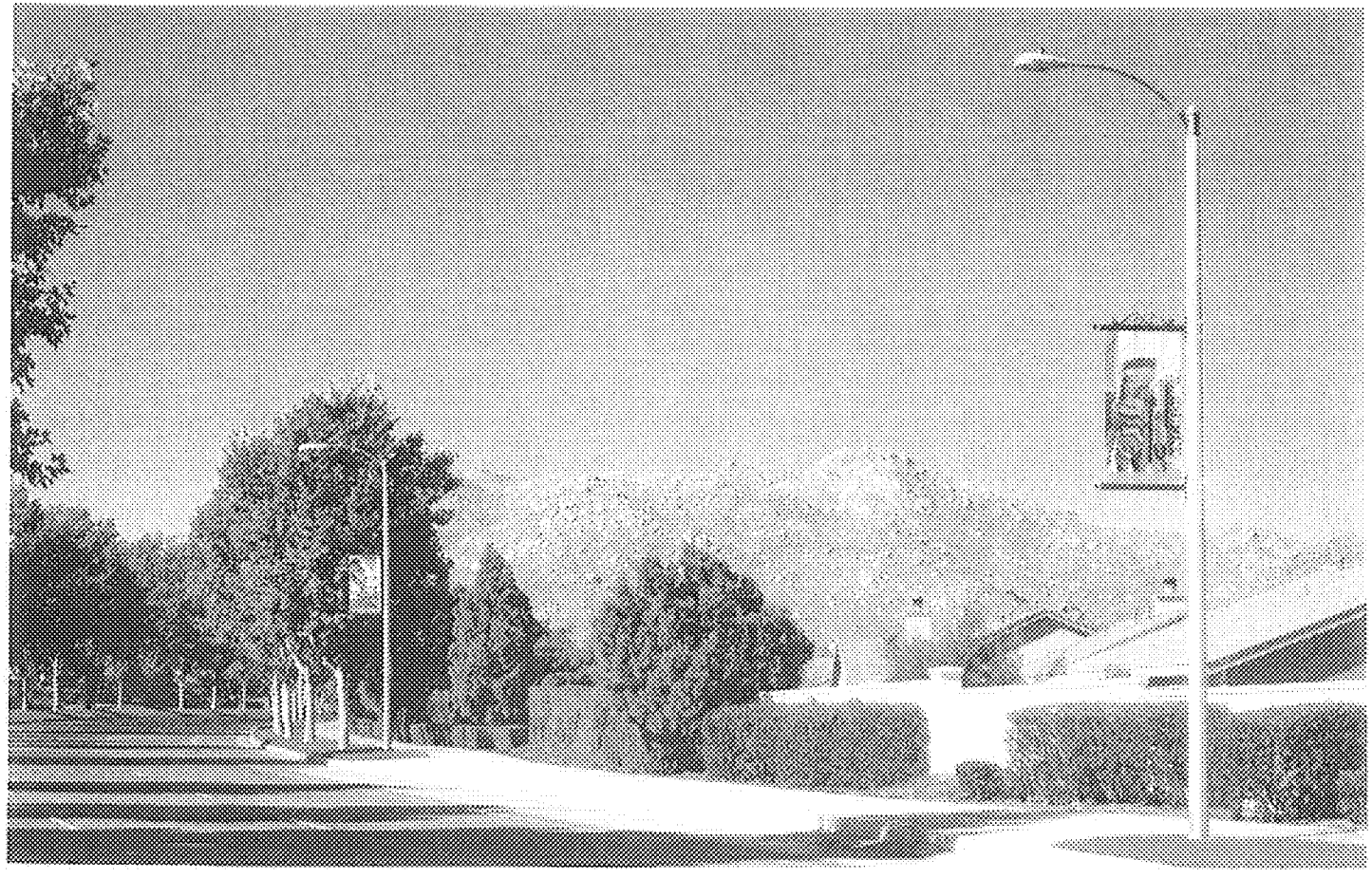

1 **Typical Photo Simulation**
Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1
date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	36
3	Light Pole Mounted Community Identification Banners	51

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP1

Date: 08-10-07

MV00055357

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

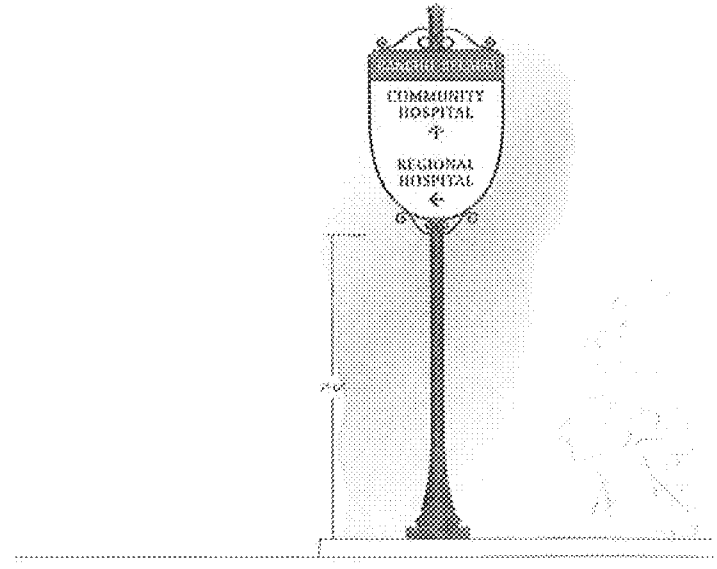

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2652

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 843 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV000055359

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet 1 of
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sign number
RB - 5.1

Date
08-10-07

MV00055361

Residential Product Directional Sign

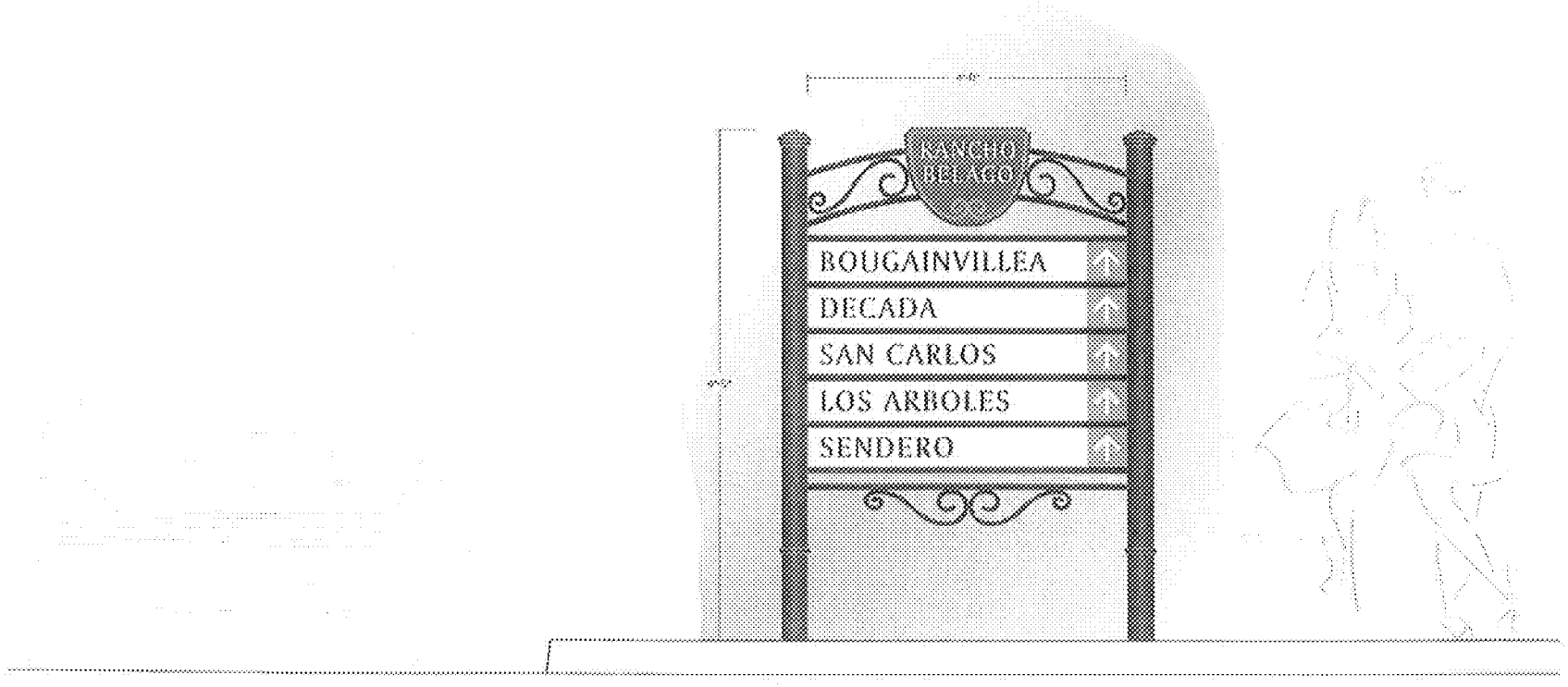

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sign Type:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

3 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00055367

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing Moreno Valley College

2. Proclamation Recognizing National Fair Housing Month - April 2010

3. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
April 13, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Mayor Pro Tem Hastings

INVOCATION - Reverend Marvin Thomas, Crosspoint Community Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member

Absent

Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Hargis	Technology Services Division Manager
William Bopf	Interim City Manager
Robert Hansen	City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director

MV00055369

Steve Kupsak Parks Maintenance Division Manager

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Items A11 & A12) and Pete Bleckert (Item C3).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of March 17 - April 6, 2010.

A.4 APPROVAL OF THE 2010/2011 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152 (Report of: Public Works Department)

Recommendation:
1. Approve the County Service Area (CSA) 152 Budget for FY 2010/2011 in the amount of $586,696; and

2. Authorize the levy of CSA 152 Assessment at $8.15 per Benefit Assessment Unit (BAU) for FY 2010/2011.

A.5 PA04-0168 - COMMERCIAL BUILDING - REDUCE FAITHFUL PERFORMANCE CASH SECURITY AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF NANDINA AVENUE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED

MV00055370

STREET SYSTEM - DEVELOPER: BUNKER FAMILY TRUST LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-20 authorizing the acceptance of the public improvements within PA04-0168 as complete and accepting the portion of Nandina Avenue associated with the project into the City's maintained street system; and

   Resolution No. 2010-20

   A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within PA04-0168, and Accepting the Portion of Nandina Avenue Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Cash Security and exonerate the final 10% of the Faithful Performance Cash Security in one year when all clearances are received.

A.6 TENTATIVE PARCEL MAP 33532 LINE F – EXECUTE THE TERMINATION AGREEMENT FOR THE COOPERATIVE AGREEMENT FOR MORENO MASTER DRAINAGE PLAN LINE F, STAGE 2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON STREET TO WEST OF OLIVER STREET, DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Termination Agreement which nullifies the Cooperative Agreement for Line F, Stage 2 recorded June 30, 2008 as Document No. 2008-0355993; and

2. Direct the City Clerk to forward the Termination Agreement to Riverside County Flood Control and Water Conservation District for final action by the District's Board of Supervisors.

A.7 TENTATIVE PARCEL MAP 33532 – EXONERATION OF BONDS FOR EROSION CONTROL AGREEMENT, SOUTH OF DELPHINIUM AVENUE TO NORTH OR IRIS AVENUE, AND FROM WEST OF FUTURE NASON

MV00055371

STREET TO WEST OF OLIVER STREET; DEVELOPER – MORENO VALLEY PROPERTIES, L.P., A DELAWARE LIMITED PARTNERSHIP, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:
Authorize the City Engineer to execute the exoneration of the Faithful Performance and Material and Labor securities associated with the Parcel Map 33532 erosion control improvements.

A.8 2009 ANNUAL REPORT OF THE PLANNING COMMISSION (Report of: Community Development Department)

Recommendation:

1. RECEIVE AND FILE the 2009 Annual Report of the Planning Commission; and

2. AUTHORIZE transmittal to the California State Office of Planning and Research in accordance with Government Code Section 65040.5.

A.9 ADOPT ORDINANCE NO. 808, THEREBY APPROVING PA07-0007, AMENDING VARIOUS SECTIONS OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 5-0 VOTE) (Report of: Community Development Department)

Recommendation:

ADOPT Ordinance No. 808, thereby approving PA07-0007, amending various sections of Title 9 of the City of Moreno Valley Municipal Code.

Ordinance No. 808

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Moreno Valley Municipal Code Regulations Regarding: (1) Trash Enclosures, (2) Parking Standards for Nail Salons and Hotels, (3) On Street Parking Standards for Cul-De-Sac Lots, and Flag Lot Width Standards, (4) Service Station Design, (5) Retaining Walls, (6) Consolidate Parking and Circulation Section of Design Guidelines Into Chapter 9.11 Parking and Loading Requirements, (7) Parking Lot Planter Islands, (8) Add a Dimension Standard for Trailer Parking Spaces and a Requirement for the Number of Trailer Parking Spaces Required, (9) Permitting Personal Services in the (OC) Office Commercial and (BPX) Business Park Mixed Use Zones, (10) Adding Sections 9.03.040 (E)(7) and 9.03.040 (F)(3) to the Residential Site Development Standards That Was

MV00055372

Inadvertently Left Out of the Code Amendment Approved on September 22, 2009

A.10 CONFIRMATION OF APPOINTMENT OF THE VAL VERDE PARENT-TEACHER COUNCIL REPRESENTATIVE TO THE TRAFFIC SAFETY COMMISSION (Report of: City Clerk's Department)

Recommendation:
Confirm the appointment of Edward C. 'Pete' Rodine to the Traffic Safety Commission as the Val Verde Parent Teacher Council representative for a term expiring June 30, 2012.

A.11 PA07-0090 – ACCEPT THE AGREEMENT FOR EROSION CONTROL SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Erosion Control Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required Erosion Control is not completed within said timeframe.

A.12 PA07-0090 – ACCEPT THE AGREEMENT FOR ROUGH GRADING SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK (MATERIAL TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Public Works Department)

Recommendation:
1. Accept the Agreement for Rough Grading Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time

MV00055373

extensions amendments to the agreement, subject to City Attorney approval, if the required Rough Grading is not completed within said timeframe.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 SECOND AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation:
Approve the Second Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 23, 2010 (Report of: City Clerk)

MV00055374

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

E. PUBLIC HEARINGS

E.1 A PUBLIC HEARING ON A MUNICIPAL CODE AMENDMENT (PA07-0005) AND A GENERAL PLAN AMENDMENT (PA10-0004) RELATED TO MIXED USE DEVELOPMENT. THE MUNICIPAL CODE AMENDMENT PROPOSES CHANGES TO VARIOUS CHAPTERS IN TITLE 9 INCLUDING THE PERMITTED USES TABLE 9.02.020-1 ALONG WITH THE CREATION OF TWO NEW CODE SECTIONS ESTABLISHING DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN THE MUD1 AND MUD2 ZONES AND THE ADDITION OF A DEFINITION FOR THE "LIVE/WORK UNIT" LAND USE. THE GENERAL PLAN AMENDMENT PROPOSES TO REVISE POLICY 2.4.6 BY CHANGING THE MAXIMUM DENSITY FOR THE RESIDENTIAL/OFFICE (R/O) DESIGNATION FROM 15 TO 30 DWELLING UNITS PER ACRE. (Report of: Community Development Department)

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Kathleen Dale and Thomas R. Jerele Sr.

Associate Planner Jeff Bradshaw announced the following revisions to the agenda item - the wording "revise Policy 2.4.6. by changing the maximum density for the Residential/Office (R/O) Designation from 15 to 30 dwelling units per acre" was changed to **"revise Policy 2.4.5. by changing the maximum density for the Mixed-Use (MU) Designation from 20 to 30 dwelling units per acre."**

Recommendation: That the City Council:

1. After conducting a public hearing for the action taken by the Planning Commission on February 25, 2010, recommending approval of Municipal Code Amendment PA07-0005 and General Plan Amendment (PA10-0004),

   RECOGNIZE that applications PA07-0005 (Municipal Code Amendment) and PA10-0004 (General Plan Amendment) will not have a significant effect on the environment and are therefore exempt from the provisions of the California Environmental Quality Act (CEQA), per CEQA Guidelines

MV00055375

Section 15305, Minor Alterations to Land Use Limitations, as Class 5 Categorical Exemptions;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

2. INTRODUCE Ordinance No. 810 thereby APPROVING Municipal Code Amendment PA07-0005, based on the findings in the City Council Ordinance; and

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

3. ADOPT City Council Resolution No. 2010-21 thereby APPROVING General Plan Amendment PA10-0004, based on the findings in the City Council Resolution.

Resolution No. 2010-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PA10-0004) to Revise Policy 2.4.5 by Changing the Maximum Density for the Mixed-Use (MU) Designation From 20 To 30 Dwelling Units Per Acre

Motion to Approve revised Resolution No. 2010-21 by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Mayor Pro Tem Robin N. Hastings on Western Riverside Council of Governments (WRCOG) - Census Video

Mayor Pro Tem Hastings reported the following:
1) Senator Feinstein has moved forward with recommending approval of $4 million for AB 811 implementation; is hoping for very positive results
2) Encouraged everyone to return the census forms - it's important to have accurate count to secure federal and state funding

b) Report by Mayor Pro Tem Robin N. Hastings on March Joint Powers Commission (MJPC)

Mayor Pro Tem Hastings reported approval of the development agreement with March HealthCare that will create about 12,700 construction jobs and 7,200 full-time health care and related jobs; it is a huge and wonderful project and is very pleased and excited to have it moving forward

G.2 NEIGHBORHOOD IDENTIFICATION SIGNS POLICY OPTIONS (Report of: Community Development Department)

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Mayor Flickinger read a letter from the City Attorney of Beverly Hills regarding Rancho Belago shield design.

Motion to continue the item by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Commended staff for working in a timely and efficient manner on processing Highland Fairview development documents for Sketchers project; all the deadlines were met
2) Mayor Flickinger was elected vice-chair of RCTC Western Riverside County Programs and Projects Committee and also joined the board of directors of UCR Citizens University Committee
3) Today the Council received a draft copy of budget for the next year that reflects nearly $17 million shortfall; the Council and staff are working hard to reduce this shortfall; about 5-6 public meetings will be held before budget adoptions; encouraged citizens to attend these meetings; Citizen's Guide to the Preliminary Operating Budget is posted on the Web site
4) Starting this week, City Manager's Update will be posted on the City's Web site; encouraged residents to view it periodically to find out what is going on in Moreno Valley
5) Four Foreclosure Prevention workshops will be conducted, one in each Council District; first one is scheduled on April 26 at Vista High Middle School in District 2; dates for workshops are listed on the Web site; video version is being taped and it will be shown on MVTV-3 for those who cannot attend
6) Burlington Coat Factory remains number 2 among stores recently opened; Frazee Paint Distribution Center is hoping to open this month; the newly opened Hampton Inn remains a top performing hotel across the country
9) A new program is being developed - Shop MoVal will feauture displays at kiosks, Press Enterprise, Your Villa magazine and with a more substantial presence on MVTV-3 and City's Web site

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 809, APPROVING PA08-0019 CHANGE OF ZONE FROM OFFICE COMMERCIAL/RESIDENTIAL 15 (OC/R) TO NEIGHBORHOOD COMMERCIAL, BASED ON THE FINDINGS IN THE ORDINANCE, AND THE REVISED ZONING ATLAS PAGE ATTACHED TO THE ORDINANCE AS EXHIBIT A (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 23, 2010 ON A 4-0-1 VOTE, HASTINGS ABSENT) (Report of: Community Development Department)

MV00055378

Recommendation: That the City Council:

Adopt Ordinance No. 809.

Ordinance No. 809

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA08-0019 to Change the Land Use District From Office Commercial and Residential 15 (R15/O) to Neighborhood Commercial (NC). The Project Consists of Two Lots With a Total of 1.34 Acres Located on the Southwest Corner of Dracaea Avenue and Day Street Assessors Parcel Numbers 263-180-007 and 263-180-080

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 3-0-2, Council Member Jesse L. Molina, Council Member Richard A. Stewart absent.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Deanna Reeder
1) Neighborhood identification signs (Item G2)

Thomas R. Jerele Sr
1) Ballot initiative sponsored by League of California Cities to protect local funds

Dwayne Lewis
1) Withdrew his speaker's slip and will address the full Council at the next meeting

Marcia Amino
1) Money spent on changing the City's image
2) Inquired about progress on street lights issue and if city's owned streetlights are under the same rules as Edison's streetlights
2) Gang problem - inquired what kinds of proactive programs are in place in the City
3) Increased budget deficit

Pete Bleckert
1) Budget/expenditures

MV00055379

Daryl Terrell
1) Standing against adversity; hopes and dreams

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Mayor Pro Tem Hastings
1) Responded to speaker's comments about budget - other government agencies, including the County, are facing budget deficits also; in addition, the State is looking into taking funds from the local governments; the budget picture doesn't look good, but local government needs to work efficiently to provide core services to the residents
2) League of California Cities sponsored an initiative to protect local funds; encouraged everyone to vote on it; still working on retaining RDA funds; it is a very tough time right now, but tough times don't last, tough people do
3) Regarding Rancho Belago signs - expressed concerns about it while the City is facing a budget deficit
4) A very productive townhall meeting with two Homeowners Associations, staff and POP team was held at Moreno Valley Ranch - about 125 residents attended; thanked everybody who attended

Council Member Batey
1) Responded to speaker's comments regarding Edgemont District water issue - Box Spring Mutual Water District is a private, for profit company with own governing board and shareholders making decisions on water rates, maintenance and service; the District collects money and the District, not the City Council, is responsible for upgrades. According to the study, it will cost over $15 million to upgrade and increase capacity of the system; the Council tried the best to partner with the board and provide seed money for improvements, but so far, not much has been done. It is a serious issue, as the lack of system improvements is holding other projects in that area.
A meeting with the major water districts, the County Supervisors' office and the City is set up at the end of May to develop a long term plan to bring necessary improvements; a lot of work needs to be done, and it will take about five to ten years to upgrade the system
2) Regarding streetlights in Edgemont area - Edgemont is a separate district and it is responsible for the streetlights, not the City; residents need to request the board to install streetlights, as the board votes and makes those decisions

Mayor Flickinger
1) Responded to speaker's comments about deficit situation - the City is in a deficit situation because the revenues are down; the Council has to

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figure out how to provide services with less money than before
2) Responded to the comment regarding gangs in the City - the Public Safety Subcommittee had a presentation by the Police Department's Antigangs Team regarding this subject two days ago - the gangs that were previously active in the City have been shot down by the Police Department - we are tough on gangs and not allowing them to take over our city; there is no a serious gang problem in the City
3) Encouraged residents to watch American Idol on Channel 11, where Moreno Valley resident Andrew Garcia is a finalist in the national competition
4) Received a lot of e-mails supporting DUI checkpoints, which make street safer, save lives and keep citizens safe
5) The City has return only about 52 percent of the census forms; encouraged residents to return the forms to keep services funded by federal grants
6) The next round of City's foreclosure prevention workshops starts April 26 at Vista High Middle School
7) On April 22 and May 6, at 6 p.m. at City Hall, Southern California Association of Governements will be holding workshops to divise a vision document that will focus on the long-term plans for Alessandro corridor from Freeway 215 to Lasselle Street; looking for input from the public
8) Congratulated students at Moreno Valley and Riverside colleges for voting to continue free rides on RTA buses for all the students; buses are free for the next 5 years
9) Requested to agendize for next study session a discussion regarding expenditures for March Field air show and July 4th celebration; seconded by Mayor Pro Tem Hastings

CLOSED SESSION

Canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:45 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

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Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 11, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor
Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 11, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the

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Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the

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Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

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Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO

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AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

   Resolution No. 2010-31

   A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

   Resolution No. 2010-32

   A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for

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new priorities for implementation of capital projects.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00055395

a) City Manager Recruitment

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

ADJOURNMENT - IN MEMORY OF SERGEANT CARLTON ALLEN -

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-MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Proclamation Recognizing Ronald Powell

3. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:53 PM
April 27, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Richard A. Stewart

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Chris Vogt	Public Works Director/City Engineer
Steve Curley	Fire Chief
Paul Smus	Acting Principal Librarian

MV00055398

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A8).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,

RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA

MV00055400

AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

   Resolution No. 2010-26

   A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE

MV00055402

OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per

Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

MV00055405

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items A2, B2, C2 and D2, which were pulled for a separate vote. Motion by m/Council Member William H Batey II s/ by Mayor Pro Tem Robin Hastings
Approved by a vote of 5-0

Motion to approve Items A2, B2, C2 and D2. Motion by m/Mayor Pro Tem Robin Hastings s/ by Council Member William H Batey II
Approved by a vote of 3-0-2, Council Member Stewart and Council Member Molina abstained

E. PUBLIC HEARINGS

Mayor Flickinger opened the public testimony of the public hearing; there being none, public testimony was closed.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

MV00055406

proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to continue Item E1 to the May 11, 2010 meeting by m/Council Member Richard Stewart, s/Council Member William H Batey II Approved by a vote of 5-0

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)

Council Member Richard A. Stewart gave an update on the March Joint Powers Authority trip to Washington, D.C. The group saw Congressman Darryl Issa, Congressman Ken Calvert, Congresswoman Bono Mack, and dealt with issues with the region and March. Other meetings included: the Under Secretary for Veterans Administration regarding expansion of the cemetery, relocation of U.S. Vets, and tried to get a VA presence at March Health Care such as a Counseling Center, Information Center or an Out-Patient Center; the Under Secretary for the Department of Commerce regarding the Free Trade Zone; the Deputy Secretary's of the Navy and an Army Facilities Under Secretary. Trying to move the different facilities out of the area where March Health Care is going; the Department of Agriculture to see about getting some of their land they're not using; the Under Secretary's of the U.S. Air Force regarding a telephone problem that's being dealt with at the base; went to the Pentagon and met with a Three Star General who is head of the Air Force Reserve regarding general issues at the base and went to NASA regarding a Space Shuttle, but because it's pending, they are prohibited from talking about it. March Health Care is getting ready to break ground.

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE

MV00055407

CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's Office)

Mayor Flickinger opened the agenda for public comments, which were received from Steven Cruz, Deanna Reeder, Debra Coggins-Ortiz, Alex Ortiz, and Iddo Benzeevi.

Recommendation: That the City Council:
Provide direction on the matter.

No action was taken. Option 1 will come back to a public meeting.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Marcelo Coe, Deanna Reeder, Pete Bleckert, Debra Coggins-Ortiz, Alex Ortiz, Raul Wilson, Darryl Terrel and Iddo Benzeevi.

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Motion to approve Amended Resolution No. 2010-22 to read: Provide direction as deems appropriate and adopt Resolution No. 2010-22 encouraging the use of neighborhood identification signs.
Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote of 5-0

Motion to accept the Rancho Belago design as indicated in the attachment to G3 except that Council directs staff to contact the City of Beverly Hills for determining what it would take to make the design acceptable and not in conflict with Beverly Hills' signs, and for staff to implement the changes sufficient to make it so acceptable. Staff would then bring that design back to Council for approval and implementation at the next Council meeting.

MV00055408

Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote 3-2

Motion to allocate from the reserve up to a maximum of $85,000 to implement the first phase of the sign program for Rancho Belago which will include the maintenance, installation, and production of the signs up to that dollar amount.

Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote 3-2, Mayor Pro Tem Hastings and Mayor Flickinger opposed

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

There will be five public meetings for citizens to participate in on the budget study, and the full budget and deficit reduction plan will be on the website around May 5, so they have an opportunity to look at everything and participate in the public process.

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

MV00055409

Motion to adopt by m/Council Member William H Batey II, s/Mayor Pro Tem Robin Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Mitchell Whitaker
1. In support of DUI checkpoints

Anthony Acosta
1. Continue the sobriety checkpoints

Dianna Preston
1. Support for the DUI checkpoints

Carmen Bernal
1. Supporting DUI checkpoints

Tanna Montecino
1. Support DUI checkpoints

Pete Sergantes
1. Supports DUI checkpoints

Deanna Reeder
1. Congratulations to Bonnie and Robin for standing up to Iddo
2. Supports parks
3. Emails

Lory Gleason
1. Supports DUI checkpoints

Marcia Amino
1. Robert Gutierrez

Tom Jerele, Sr.
1. Democracy
2. Thank you for the concerts
3. Rancho Belago Signs

MV00055410

Timothy Taggart
1. Support of DUI checkpoints

Daryl Terrell
1. City's future and budget

Raul Wilson
1. Alcohol
2. City credit cards

Louise Palomarez
1. Credit cards
2. Public Comments
3. Sierra Club
4. Rancho Belago signs

Debra Coggins-Ortiz
1. Thank you to Robin and Bonnie for standing up to Iddo
2. Extra money for 4th of July and Air Show
3. Racial problems in schools
4. Iddo Benzeevi
5. Mexican Political Association

Alex Ortiz
1. Thank you to Council and staff
2. We live in a country where you can speak your mind

Pete Bleckert
1. Feel the pain for lost loved ones
2. Eliminate the bridge to no where
3. Public Works' $50,000 piece of ruined equipment
4. Laura Froelich

Emil Dragovich, Jr.
1. Supports DUI checkpoints

Iddo Benzeevi
1. Rancho Belago signs

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member William H. Batey II

1. Comments going down racial lines are embarrassing. Mr. Benzeevi didn't

MV00055411

create any racial divides. He wants to put up a building and create jobs.

2. The checkpoints are valuable to public safety, and would rather have more of them. Abide by the law or there is a consequence.

3. Congratulations to all the top readers that were recognized tonight.

Council Member Jesse Molina

1. There is a need to have better control of the checkpoints. Put them where the drunk drivers are. Put the checkpoints on holidays. There are excessive checkpoints. Put them all around the city, and make them later. Sorry for your losses. Roving patrols outside of bars are better.

2. When someone comes out and says they are racial, it's disturbing. Quit trying to pit someone against someone else. It has gone on too long.

A break was taken and reconvened at 10:05 p.m.

Council Member Jesse Molina Continued

3. Requested staff to start working with him and be let in on stuff.

4. There is only good in Iddo Benzeevi. It's the same group of people opposing him because he wants to bring jobs and put Moreno Valley on the map. Are we going to reach the level of Arizona. Wants to live in harmony, and make this community prosperous. We have to put our differences aside and look at the bigger picture.

Council Member Richard A. Stewart

1. At the time the City Manager chose to retire he was not convicted of anything, and he chose to retire under a golden handshake. City Council followed the advice of our Labor Law Attorney and followed the request of the Upland Police Department. As far as the domestic violence allegation was concerned, it was a misdemeanor conviction for a non-violent crime. It was resolved, and it's over with.

2. Los Angeles is trying to raise $12.5M to preserve the land around the Hollywood sign. They received money from all over the world. They also had several large donors. Los Angeles has people of means in their city. Moreno Valley does not. The way Iddo was treated tonight, why would anyone of means want to live in our city and bring jobs. He wants to be part of this community.

3. The businesses we have been working with have been in the redevelopment area. Outside of redevelopment areas it's very hard to do

MV00055412

anything because there isn't a big pot of money.

4. There are racial problems in the schools. Schools are working on it. There's crime. It has been getting addressed with some very aggressive policing. Crime is down.

5. Checkpoints are grant funded. It's the year of the checkpoints. The City is going along with the State program. Roving checkpoints have been done. This state is not Arizona. We use the DMV as an immigration enforcement tool.

6. Carlton Allen, nicknamed Hollywood, a police officer from here, passed away. He worked with the volunteers. He was in his early 40's with a family. Please keep his family in your thoughts and prayers, and the same with Raul Wilson. What happened to his son was tragic.

Mayor Pro Tem Robin Hastings

1. It is appreciated that Ms. Reeder and Ms. Ortiz came up here and said they had sent some emails. When you shout fire, you have responsibility if people get trampled running out of the building. Will pay for any staff report Ms. Reeder would like to see if that's going to help get the correct information out.

2. The wrong credit card was used. The next day it was paid with a personal check. That's all a matter of record, and it's the only time the CalCard was used. Will provide you with any documentation you would like to see.

3. Does the inconvenience of DUI checkpoints outweigh the good? No it does not. The State pays for them because they know they work.

4. Attended the Moreno Valley HOA meeting last week, and there were probably about 125 people there. No less than ten people came up and stated they think the Moreno Valley Police Department is doing a great job. Typically the bad things are heard. The police department should be commended for doing a terrific job.

5. Comments were made about how much money Council makes. The county car was returned, no car allowance is taken, took the same cut in city pay that every other city employee took, and took an 18 1/2 percent cut in pay for the county. When you talk about reducing your income, and struggling and not noticing the difference, perhaps maybe some presumptions are made that shouldn't be made. The pay is around $1,000 per month for the hours put in by Council.

6. Send emails, call, or write. Show the courtesy you would like shown to you.

Mayor Bonnie Flickinger

1. You can examine the credit card records anytime you want to for as many years as you want to. It has a limit on the amount that can be spent. The cards are very well controlled in the amount that can be charged.

2. Thank you to the speakers tonight. Government by the people means everyone is listened to. Especially pleased that the people came in to support the checkpoints. It's nice to have the other side.

3. The Air Show is at the Base this weekend, and it is free admission and parking. It is open from 8:00 a.m. to 5:00 p.m.

4. Check the Dan Bernstein column in the Press Enterprise tomorrow.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *ENCO Utility Services Moreno Valley, LLC, v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 478023

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

City Manager Recruitment (Status)

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:23 p.m. by unanimous informal consent in memory of Bill Lowell, a long-time resident of Moreno Valley.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: May 11, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of April 21 – May 4, 2010.

Reports on Reimbursable Activities April 21 – May 4, 2010		
Council Member	Date	Meeting
William H. Batey II	4/28/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	4/30/10	Distinguished Flying Cross National Memorial Groundbreaking Ceremony
Bonnie Flickinger	4/28/10	UCR Citizens University Committee
Robin N. Hastings		None
Jesse L. Molina	4/30/10	Distinguished Flying Cross National Memorial Groundbreaking Ceremony
	5/4/10	Moreno Valley Hispanic Chamber of Commerce Adelante
Richard A. Stewart	4/30/10	Distinguished Flying Cross National Memorial Groundbreaking Ceremony

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:

Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: TRACT MAP 32142 – CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – EMPIRE LAND, LLC
3536 CONCOURS STREET, SUITE 300
ONTARIO, CA 91764

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Tract Map 32142 is a condominium project consisting of 172 residential units located south of Iris Avenue and east of Lasselle Street that was conditionally approved requiring construction of certain public improvements to Lasselle Street and Avenida de Circo. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, wheelchair ramps, signage, landscaping, storm drain, catch basin, sewer, and water facilities. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $734,000 issued by Arch Insurance Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of

Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\5-11-10 Tract 32142 90% Bond Reduction.doc

EXHIBIT "A"

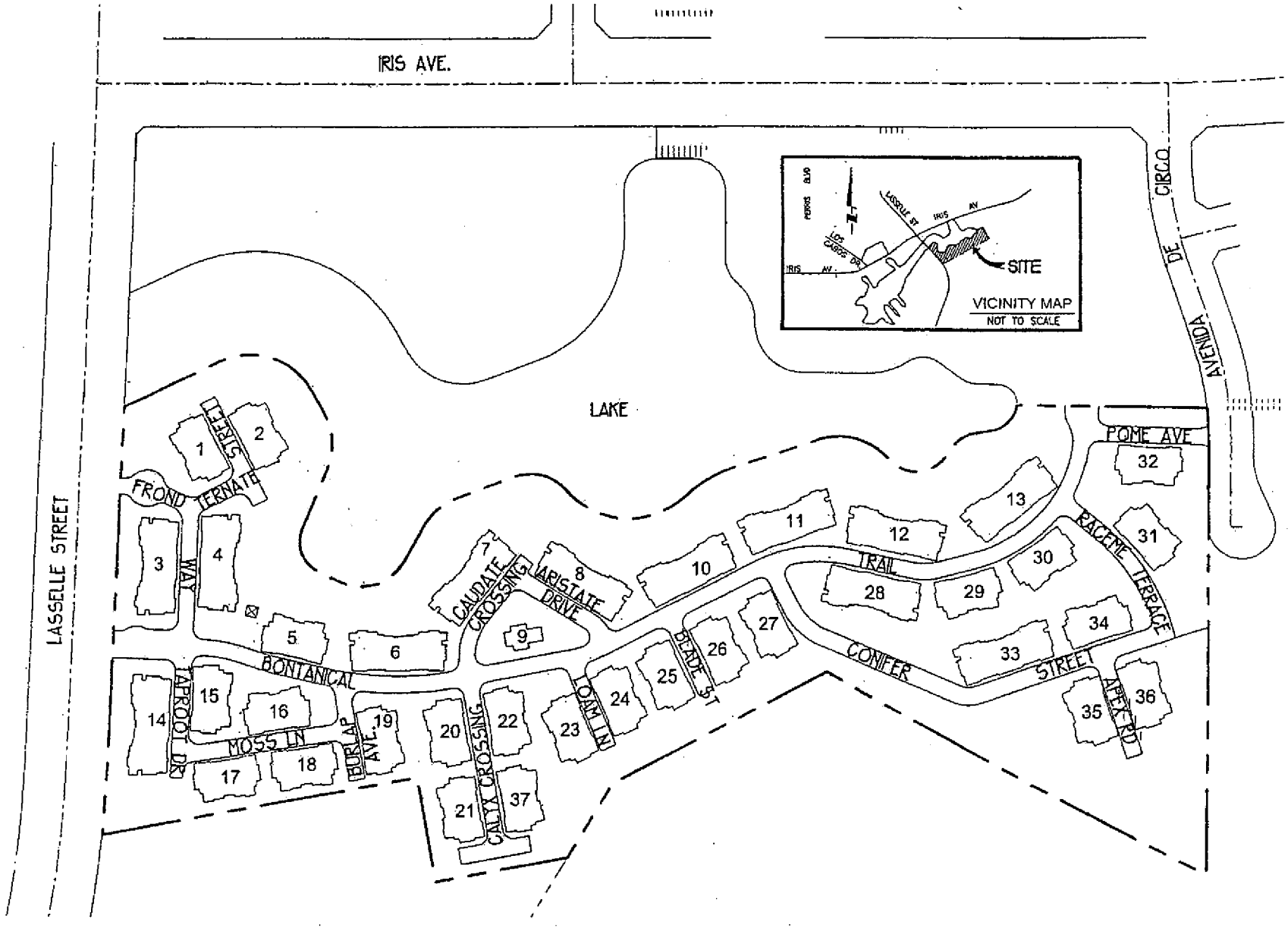

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT

TR 32142

MV00055422

RESOLUTION NO. 2010-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN TRACT MAP 32142 AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Empire Land, LLC on the portions of Lasselle Street and Avenida de Circo associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Tract Map 32142 and accept the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Tract Map 32142 are complete, and the portions of Lasselle Street and Avenida de Circo associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 11th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"
RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project.

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

BACKGROUND

The overall purpose of the Nason Bridge Project is to provide operational improvements to facilitate traffic movement at and near the SR-60/Nason Street interchange, alleviate traffic congestion, and address existing bridge deficiencies at this interchange. This project is needed to improve safety, bring the bridge features up to current standards, and provide acceptable levels of service along the facility.

On March 14, 2006, the City Council approved an Agreement to Reimburse Transportation Uniform Mitigation Fee (TUMF) Funds between Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley for Nason/SR-60 Interchange.

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project development activities including final design, utility relocation engineering, and right-of-way acquisition.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services.

On January 13, 2009, the City Council approved the SR-60/Nason Overcrossing project as an RDA Tax Allocation Bond-funded project.

DISCUSSION

The City has been progressing in the steps necessary for the acquisition of right-of-way, utility relocation and other necessary steps to complete the design of the SR-60/Nason Street Overcrossing Improvements Project. The goal is to begin construction of the project by September 2011, contingent upon completion of the SR-60/Nason Interchange Ramp Improvements Project (Project No. 98-25897).

Caltrans, pursuant to the Project Development Cooperative Agreement and the Caltrans Right- of-Way Manual, Section 17.04.09.01, requires that the City Council of Moreno Valley adopt a resolution to later hear Resolutions of Necessity for the project and subsequently submit them to Caltrans for approval. A Resolution of Necessity is a required resolution authorizing condemnation of property necessary for the project and the filing an eminent domain action to acquire said property through condemnation. Caltrans requires the local entity (the City) to obtain prior approval on a project-by-project basis from Caltrans before proceeding to hear Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project. Adoption of the proposed resolution does not commit the City Council to hear future Resolutions of Necessity to acquire property necessary for the project or to adopt future Resolutions of Necessity to acquire property necessary for the project by condemnation. Due to the lead time required for Caltrans approval of this action, staff recommends adopting this resolution at this time in the event that Resolutions of Necessity become necessary.

The City has retained the law firm of Singer & Coffin, APC to act as its Special Eminent Domain Counsel to prepare, review, process and approve the Resolution of Necessity packages for the project. Staff does not anticipate any condemnation actions for this project as there are no additional properties to be acquired, and the utility companies are cooperatively working with the City to relocate their facilities.

ALTERNATIVES

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project and authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required. *This alternative will allow necessary approvals to be in place so the project continues to proceed without interruption.*

2. Do not approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project and do not authorize and do not direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required. *This alternative may delay the construction of needed improvements.*

FISCAL IMPACT

There is no fiscal impact related to the adoption of this resolution. The project is currently funded by 2007 Redevelopment Agency Tax Allocation Bond (Series A) proceeds (Fund 897) and developer funds. **These funds have been allocated for the SR-60/Nason Street Overcrossing Improvements project and cannot be utilized for operational activities.** There is no impact to the General Fund.

AVAILABLE FUNDS

FY 2009/2010 Developer In-Lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2009/2010 2007 RDA Bond Funds (Account 897.91728)	$17,724,000
Available Funds	**$17,754,000**

ESTIMATED COST

SR-60/Nason Bridge Design and Right-of-Way/Utilities	$ 1,640,000
SR-60/Nason Bridge Construction	$16,114,000
Estimated Cost	**$17,754,000**

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	September 2010
Begin Construction*	September 2011
Complete Construction	November 2012

**** Contingent upon completion of SR-60/Nason Interchange Ramp Project (Project No. 98-25897)***

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

The City Council is asked to adopt the proposed Resolution in order to later hear Resolutions of Necessity should acquisition through condemnation become necessary for the SR 60/Nason Street Overcrossing Improvements Project.

ATTACHMENTS/EXHIBITS

Attachment "A" – Proposed Resolution of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

Concurred By:
Barry Foster
Economic Development Director

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

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RESOLUTION NO. 2010-29

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT

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WHEREAS, the City of Moreno Valley ("City") is empowered to acquire by eminent domain any property to carry out its powers or functions pursuant to Government Code Sections 37350, 37350.5 and 40404 and Code of Civil Procedure Section 1240.110; and

WHEREAS, property may properly be acquired by eminent domain for state highway purposes pursuant to Streets and Highways Code Section 102; and

WHEREAS, City has approved the design of State Route 60/Nason Street Overcrossing Improvements and also previously approved a Project Development Cooperative Agreement with the State of California for said project, a project on the State of California Highway System. The Cooperative Agreement with the State of California Department of Transportation ("Caltrans") provides that City will perform right-of-way activities as set forth in the Cooperative Agreement for said project; and

WHEREAS, all local public agency projects on the State of California Highway System, within the existing or proposed State of California rights-of-way, are subject to the requirements of the Caltrans Right-of-Way Manual, and recently adopted provisions of the Caltrans Right-of-Way Manual now require a City Council to pass a resolution by a two-thirds vote, making an election to hear all the Resolutions of Necessity for the project; and

WHEREAS, City will follow State statute requirements and the Caltrans Right-of-Way Manual processes in the issuance of the Notice of Intent to adopt a Resolution of Necessity and in the adoption of a Resolution of Necessity, and the City's Special Eminent Domain Counsel is designated to process and approve the resolution package(s).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley, by a two-thirds vote, will hear the Resolutions of Necessity associated with the construction of the State Route 60/Nason Street Overcrossing Improvements Project.

MV00055430

BE IT FURTHER RESOLVED that City designates the law firm of Singer & Coffin, APC, as its Special Eminent Domain Counsel to prepare, review, process and approve the Resolution of Necessity packages for this project.

Attachment "A"

APPROVED AND ADOPTED this ____ day of _____, 2010.

By: _____
Bonnie Flickinger, Mayor

ATTEST:

By: _____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

By: _____
Bob Hansen, City Attorney

MV00055431

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720).

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

BACKGROUND

On May 29, 2008, the City Manager executed an agreement for Professional Consultant Services with OPC for on-call right-of-way services. On July 23, 2008, a purchase order for $87,478 was issued to OPC after they were selected as the most responsive firm to propose for right-of-way acquisition services for the SR-60/Nason Project.

On June 23, 2009, the City Council authorized a $104,520 increase to the Purchase Order with Overland Pacific & Cutler ($87,000 plus 20% contingency) for extended negotiation and eminent domain support services for the SR-60/Nason Street Interchange Improvements project. Appraisals have been completed and offers have been made in accordance with federal and state requirements.

DISCUSSION

Caltrans has completed certification of the right of way in order to construct the SR-60/Nason Street Interchange Improvements project. The City has the right of possession for all right of way and is continuing eminent domain proceedings for APN 487-250-004. The City needs to provide continuing support to Caltrans, owners, the eminent domain attorney, and the Federal Highway Administration during the construction phase of the project.

OPC has been retained to provide right-of-way services under their current on-call agreement which expires on May 15, 2010. OPC has submitted a proposal for $50,400 to provide additional right-of-way support services, federally-required project audit services, and related construction coordination. This change order brings the purchase order total to $254,919 ($249,500 plus contingency) and their professional services agreement should be extended to May 30, 2012, for the close-out of the project.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720) and authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval. *This alternative will allow for the completion of the needed right-of-way activities.*

2. Do not authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720) and do not authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval. *This alternative will delay the needed improvements.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure “A” funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The

allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION, RIGHT-OF-WAY AND CONSTRUCTION COSTS

Estimated Interchange Construction Costs	$100,000
Utility Relocation (EMWD & SCE)	$ 1,951,000
Habitat Mitigation and Monitoring	$ 345,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,827,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	May 2010
Interchange Construction Start Date*	September 2010
Interchange Construction End Date	September 2011

**pending Caltrans approval*

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

To provide continuing support to maintain the project schedule and acquire right-of-way for the Nason Street interchange improvements, staff recommends increasing the purchase order with OPC by $50,400 and extending the contract termination date to May 30, 2012, to perform activities associated with right-of-way land acquisition for the SR-60/Nason Street Interchange Improvements project (Account 125.89720).

ATTACHMENTS

Attachment "A" – Change Order
Attachment "B" – Proposal from Overland Pacific & Cutler

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**3/18/10**	**VENDOR NAME:**	Overland Pacific & Cutler Inc.
		VENDOR NO.#	ORIGINAL PO NUMBER
		2165482	36018
	Project Number:		

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 36018 by $50,400 for extended eminent domain support services. SR-60/Nason Street Interchange Improvements Project No. 98-25897	$50,400.00

Notes:	Per amendment to on-call agreement signed by the City Manager on 5/18/09. Executed agreement and insurance certificate are on file with the Purchasing Division.	**Change Order Sub Total from Above:**	$50,400.00
		Original P.O. and Prior Change OrderAmount:	$204,519.00
		Revised Total Spend:	**$254,919.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: DB 3-18-10 Marge Lazarus	Date:			
Divison Manager ($5k)	Date:	100.0%	125.89720.7200	$254,919.00
Department Head ($15K)	Date:			
Financial & Admin. Svcs. Director ($30K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$254,919.00

V 1.3

Attachment "A"

MV00055436

OVERLAND PACIFIC & CUTLER, INC.

2280 Market Street, Suite 340
Riverside, CA 92501
951.683.2353 ph
951.683.3901 fax
www.OPCservices.com

March 18, 2010

Ms. Margery A. Lazarus
Senior Engineer, P.E.
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Additional Services No. 5
State Route 60/Nason Street Interchange Improvements
Project No. 98-25897 (Caltrans EA 08-323001)

Dear Ms. Lazarus:

Pursuant to the City's request, we respectfully submit this Request for Additional Services to our contract for additional negotiation, project management, eminent domain litigation support, eminent domain expert witnesses, construction coordination and final project close out services for the above-referenced project.

The request for additional services primarily stems from extensive property owner negotiations, project management and Caltrans coordination services to obtain right of way certification. The property ownerships, Target, Kohl's, FJL-MVP, LLC, Fung and Callender, are large, complex corporations which will require extensive negotiation with in-house legal departments and corporation counsel to reach a settlement. Due to the undisclosed voluntary foreclosure of the FJL-MVP, LLC parcel, additional acquisition and project management services will be required to obtain the necessary property interests now held by Wal-Mart and Bank of America which were not originally anticipated.

In addition to the above, additional services are necessary to complete the project and are being added to OPC's scope of services, including eminent domain litigation support and construction coordination services. The scopes of services are discussed below:

Attachment "B"

Eminent Domain Litigation Support Services: OPC will provide all services necessary to coordinate with and support all efforts of the City's Eminent Domain Counsel, Hugh Coffin of Singer & Coffin, APC, in the eminent domain litigation against the Donald Callender Trust, as necessary. This includes retaining eminent domain expert witness appraisers and coordinating their services with the City and Mr. Coffin.

Eminent Domain Expert Witnesses Services (Sub-consultants): Pursuant to Mr. Coffin's direction, OPC will retain Lidgard and Associates to provide valuation and benefit analysis for the City's valuation and expert witness exchange in accordance with the proposal attached hereto.

Construction Coordination Services: OPC will provide coordination services between the City, Project Engineer and Construction Contractor and the property owners during construction of the project. This includes all owner notifications, enforcing agreement terms, monitoring temporary construction easement compliance, monitoring the SCE easement on the Fung parcel to termination and possible additional acquisitions of property not initially anticipated prior to project construction.

Final Project Close Out: Pursuant to federal funding requirements, Caltrans will conduct a complete file audit to insure compliance with state and federal acquisition procedures. OPC will perform all final file administration and will coordinate with Caltrans to perform a file audit. Further, OPC will prepare the right of way conveyance deeds and coordinate with Caltrans to convey the necessary right of way at project completion.

OPC proposes to perform the additional services described above for a fee of $50,400. Project management, acquisition/negotiation, eminent domain litigation support, construction coordination and final project close out services will be invoiced on an hourly not-to-exceed basis in accordance with our established hourly rate schedule attached hereto. Fees for eminent domain expert witness services will be performed on a fixed fee basis as itemized in the attached proposal.

Project Management OPC will manage and coordinate the various right of way activities with the City, subconsultants and Caltrans local district.	**$15,000**
Acquisition/Negotiation OPC will perform all acquisition activities described in this proposal.	**$10,000**
Eminent Domain Litigation Support OPC will retain the expert witness appraisers	**$5,000**

and coordinate with the City's Eminent Domain Counsel, as needed.

Eminent Domain Expert Witnesses **$6,850**
Lidgard & Associates will provide all appraisal and expert witness services itemized in attached proposals.

Construction Coordination **$5,000**
OPC will coordinate with the City, Resident Engineer and Contractor to coordinate construction of the project.

Final Project Close Out **$8,550**
OPC will perform all file close out administration, coordinate with Caltrans and conduct a final file audit and convey all necessary right of way to Caltrans at project completion.

Project Budget **$199,100**

Amount of Change Order #4 **$50,400**

Amended Project Budget **$249,500**

In addition to the above items, below is a chart of the sub-consultants and additional services amendments. OPC requests that the balance of: i) $24,705 for Donahue and Associates; ii) $1,885 for Lidgard and Associates; iii) $2,890 for Hennessey & Hennessey; and iv) $2,275 for Lawyers Title Company be transferred to OPC for project management and acquisition related tasks.

Invoice #	Donahue and Associates	Lidgard and Associates	Hennessey & Hennessey	Lawyers Title Company
808227	$12,980	$0	$0	$0
809342	$12,020	$9,515	$0	$0
810336	$0	$0	$9,610	$0
812037	$1,080	$0	$0	$0
901125	$0	$3,750	$1,300	$0
906096	$2,800	$3,250	$0	$0
907081	$0	$0	$0	$5,475
D-30276	$12,120	$0	$0	$0
Total	**$41,000**	**$16,515**	**$10,910**	**$5,475**
Original Budget	$25,000	$12,000	$10,800	$0
Amendment #1	$1,080	$0	$1,600	$0

Amendment #2	$11,800	$3,750	$1,400	$0
Amendment #3	$15,700	$2,650	$0	$7,750
Amendment #4	$12,125	$0	$0	$0
Total	$65,705	$18,400	$13,800	$7,750
Billed to Date	($41,000)	($16,515)	($10,910)	($5,475)
Remaining Budget	**$24,705**	**$1,885**	**$2,890**	**$2,275**

If you have any questions or concerns regarding the above, please do not hesitate to contact me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM
PROJECT NO. 09-22679828

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On November 10, 2009, the City Council awarded a construction contract in the amount of $91,585 to Peterson-Chase, for the Citywide Bridge Maintenance Program. A Purchase Order in the amount of $114,481, which included a 25% contingency, was issued to the Contractor.

DISCUSSION

The Citywide Bridge Maintenance Program included preservation and repair items of work for six bridges within the City of Moreno Valley. Four of these bridges, John F. Kennedy Drive Bridge, west of Kitching Street (Bridge No.56C0332), the Oleander Flood Control Channel Bridge at Perris Boulevard (Bridge No. 56C0511), the Krameria Street Bridge (Bridge No. 56C0396), and the Perris Valley Storm Drain Bridge at Perris Boulevard (Bridge No. 56C0464), received Methacrylate deck treatment to seal cracks. Also included in the maintenance work was the repair of a masonry wall at the Moreno Beach Drive Storm Drain Channel Bridge (Bridge No. 56C0419). Additionally the project replaced an approach metal beam guard railing and repaired a bridge rail at the Redlands Boulevard Overcrossing at SR-60 (Bridge No.56C0488).

There was one Contract Change Order for this project. Contract Change Order No. 1 (FINAL) decreased the contract total by ($10,360.16). The final contract total cost was $81,224.84, which did not exceed the $114,481.00 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706; direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706; do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; do not authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Proposition 1B (Fund 226) monies. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. **There is no impact to the General Fund.**

AVAILABLE BUDGET:
Fiscal Year 2009/2010 Budget (Account No. 226.79828)..... $258,000

FINAL CONSTRUCTION RELATED COSTS:
Contractor Construction Cost $81,000
Project Administration, Design Support, Testing and Inspection $35,000
Miscellaneous Costs..... $1,000
Total Construction-related Costs $117,000

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

SUMMARY

Peterson-Chase has completed the Citywide Bridge Maintenance Program project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Peterson-Chase, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Vicinity Map

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

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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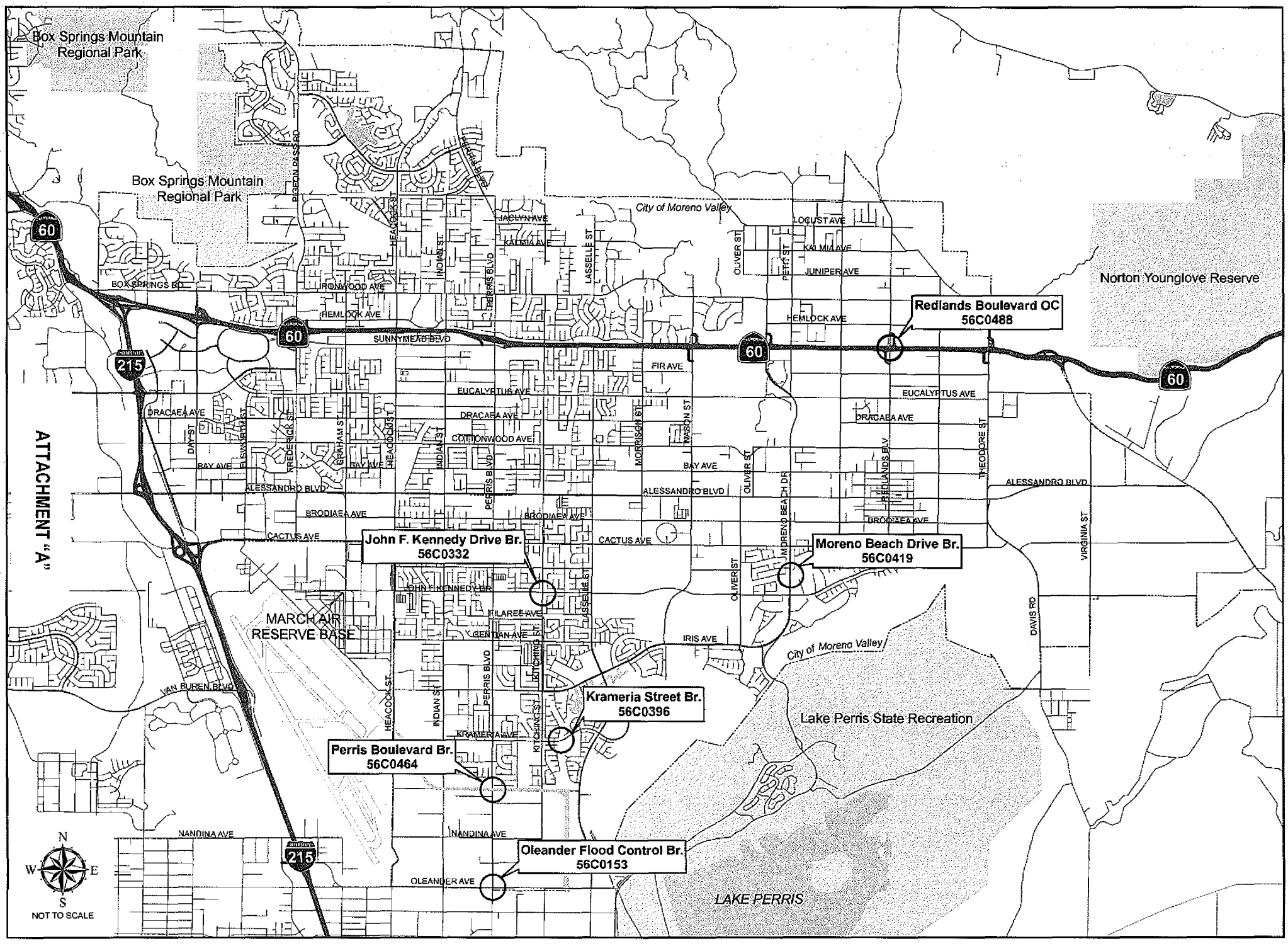

ATTACHMENT "A"

VICINITY MAP: MORENO VALLEY BRIDGE MAINTENANCE PROGRAM

MV00055445

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 11, 2010

TITLE: Resolution to join ICLEI as a full member and pledge to take a leadership role in promoting public awareness about the causes and impacts of climate change.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **Approve** Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

ICLEI-Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development. The organization also provides technical information on measuring and reducing greenhouse gases, including a model for organizational and community-wide greenhouse gas inventories. Locally, the cities of Riverside, Murrieta, Temecula, Lake Elsinore, and Palm Springs are members of ICLEI.

Membership in ICLEI would require the City to commit to five milestones to reduce both greenhouse gas and air pollution emissions throughout the community as follows:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress;

Local government actions taken to reduce greenhouse gas emissions and increase energy efficiency have provided multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures and saving money for the local government, its businesses and its residents.

DISCUSSION

The City has adopted a number of energy and water saving initiatives that have and will continue to reduce the level of greenhouse gases that would otherwise be emitted in the City. Examples of City initiatives are alternative energy incentives offered by Moreno Valley Utilities, the recently adopted water wise landscape ordinance, the use of LED lighting in traffic signals and activities related to the City's membership in the Riverside County Clean Cities Coalition and Community Energy Partnership. The reduction in greenhouse gases is also greatly affected by State and Federal regulations related to building standards, truck diesel emission standards and passenger vehicle mileage standards, and incentives for alternative energy.

The City has received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce City organization and community-wide energy use and consequently greenhouse gas emissions, including an Energy Efficiency and Climate Action Strategy. One of the initiatives is to conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction. The five milestones required for ICLEI membership will be addressed by the Strategy.

The greenhouse gas emissions inventory and forecast work products are intended to provide the basis for a coordinated City effort to address resource efficiency for the City as an organization and the community as a whole.

ICLEI will provide the following support to City Staff:

- Regular notice of new publications and tools, grant opportunities, and progress being made by other Member jurisdictions

- ICLEI's key climate resources including the Milestones Guide, software access and technical trainings, data collection forms for conducting the emissions inventory, and other publications to assist with emissions reduction planning and related climate protection activities

- Invitations to ICLEI regional, national and international workshops and events
- Registration discounts and, when available, travel and lodging subsidies for ICLEI workshops and events
- Contact with US and international ICLEI Members and liaisons
- Resource recommendations outside of ICLEI
- Support in publicizing climate protection successes such as talking points and customizable press releases
- Ongoing technical assistance and support as the jurisdiction progresses in its work

The above-referenced activities will provide valuable information to assist in the preparation of the City's Energy Efficiency & Climate Action Strategy.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Deny the proposal.

FISCAL IMPACT

Membership dues are based on City population. The City of Moreno Valley falls within the 100,001 – 200,000 population category and membership dues are $1,750. The membership fees will be paid from the Energy Efficiency and Conservation Block Grant program account (229.80512).

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Membership in ICLEI will provide assistance in the preparation of the City's Energy Efficiency & Climate Action Strategy. The greenhouse gas emissions inventory and forecast will determine the source and quantity of greenhouse gas emissions in the City and are intended to provide the basis for a coordinated City effort to address resource

efficiency for the City as an organization and the community as a whole.

NOTIFICATION

Not applicable.

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-30

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle A. Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

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

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE

WHEREAS, scientific consensus has developed that carbon dioxide (CO_2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, the 2007 Fourth Assessment Report from the Intergovernmental Panel on Climate Change (IPCC) states that it is very likely that most of the observed increases in globally averaged temperatures since the mid-20th century are due to human-induced greenhouse gas emissions; and

WHEREAS, in 2006 the U.S. National Climatic Data Center confirmed clear evidence of human influences on climate due to changes in greenhouse gases; and

WHEREAS, the U.S. Conference of Mayors endorsed the 2005 U.S. Mayors' Climate Protection Agreement initiated by Seattle Mayor Nickels and signed by more than 900 mayors in the United States as of March 2009; and

WHEREAS, the Urban Environmental Accords adopted by local government delegates during UN World Environment Day 2005 call for reduced emissions through energy efficiency, land use and transportation planning, waste reduction, and wiser energy management; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth's climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem likely due to human activities; and

WHEREAS, the 2000 U.S. Global Change Research Program's (USGCRP) First National Assessment indicated that global warming has begun; and

WHEREAS, 162 countries including the United States pledged under the United Nations Framework Convention on Climate Change to reduce their greenhouse gas emissions; and

ATTACHMENT 1

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, ICLEI – Local Governments for Sustainability is a membership association of local governments committed to advancing climate protection and sustainable development;

Section 1

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE TO JOIN ICLEI AS A FULL MEMBER AND PLEDGES TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE.

Section 2

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY AGREES TO UNDERTAKE ICLEI'S FIVE MILESTONES TO REDUCE BOTH GREENHOUSE GAS AND AIR POLLUTION EMISSIONS THROUGHOUT THE COMMUNITY, AS FOLLOWS:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress; and

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ requesting assistance from ICLEI as it progresses through these milestones.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE
PROJECT NO. 08-12585523

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

BACKGROUND

The Street Improvement Program (SIP) for conversion of private streets to public streets is a multi-year Capital Improvement Program to facilitate construction of selected streets. The streets to be improved are selected from a list of streets demonstrating the

need for improvement per established review criteria for public road, utility, and public service purposes.

The City Council approved the Fiscal Year 2009/2010 Capital Improvement Plan Budget with the following streets listed for improvements in the SIP: Partida Drive, from Juniper Avenue to Carillo Court, Carillo Court from west end to east end, and Kimberly Avenue, from Wilmot Street to Redlands Boulevard. Partida Drive and Carillo Court are graded unpaved roads with some rock materials for a driving surface. Kimberly Avenue is partially paved with deteriorating asphalt concrete. When the project construction is complete, the streets will be paved with twenty-four (24) feet (two lanes) of asphalt concrete.

The design and construction documents have been prepared by in-house staff as a cost saving solution for the City. In March 2010, the Plans and Specifications were approved by the City Engineer, and the project was advertised for construction bids.

DISCUSSION

This project is part of the City's ongoing SIP. The project will include street reconstruction, drainage, driveways, mailbox relocation, and roadway striping. The program work includes acceptance of the right-of-way, construction of the street improvements, and acceptance of the streets into the City's maintained road system. This project was determined as a Class 1 Categorical Exemption (CE) pursuant to Section 15301 of the State CEQA Guidelines. The project will improve the following three (3) streets:

STREET NAME	FROM	TO
Partida Drive	Juniper Street	Carillo Court
Carillo Court	west end	east end
Kimberly Avenue	Wilmot Street	Redlands Boulevard

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 1:00 p.m., on April 6, 2010, for the subject project. The eight (8) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**C & C Grading & Paving, Inc.**	**$194,663.90**
2.	All American Asphalt	$202,000.00
3.	KAD Paving Company	$202,785.00
4.	International Paving Services, Inc.	$207,973.00
5.	Cooley Construction, Inc.	$272,854.50
6.	PALP, Inc., dba Excel Paving Company	$274,767.20
7.	Vance Corporation	$278,660.00
8.	Elite Bobcat Services, Inc.	$287,052.00

Engineer's Estimate $196,210.00

Staff has reviewed the bid by C & C Grading & Paving, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by C & C Grading & Paving, Inc. in their bid.

The project was bid on the basis of a Base Bid and one (1) Additive Bid. The Base Bid includes Partida Drive, and Carrillo Court, and Additive Bid "A" includes Kimberly Avenue. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Bid. Staff recommends, and this Report reflects, the award of the Contract to cover all three (3) streets, the Base Bid plus the Additive Bid "A" option.

ALTERNATIVES

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder, authorize the City Manager to execute a contract with C & C Grading & Paving, Inc. in the form attached hereto, authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties, and authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney. *This alternative will allow for the timely construction of needed improvements.*

2. Do not award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder, do not authorize the City Manager to execute a contract with C & C Grading & Paving, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties, and do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney. *This alternative will delay the construction of these needed improvements.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and will be financed by Measure A funds (Fund 125). The funding for this project is restricted to capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE CONSTRUCTION FUNDS IN STREET IMPROVEMENT PROGRAM (SIP):

Fiscal Year 2009/2010 (Account No. 125.85523)	$307,000
Expenditures in Fiscal Year 2009/2010	$17,000
Total Available Funds in Fiscal Year 2009/2010	**$290,000**

ESTIMATED CONSTRUCTION RELATED COSTS:

Construction (Includes 15% contingency)	$224,000
Construction Surveying Costs	$16,000
Construction Geotechnical Costs	$8,000
Project Administration and Inspection Services	$35,000
Total Estimated Construction Related Costs	**$283,000**

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	May 2010
Start Construction	June 2010
Complete Construction	October 2010

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Partida Drive, from Juniper Avenue to Carillo Court, Carillo Court from west end to east end, and Kimberly Avenue, from Wilmot Street to Redlands Boulevard will be improved as part of the Fiscal Year 2009/2010 SIP. The project will include street reconstruction, drainage, driveways, mailbox relocation, and roadway striping.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement – C & C Grading & Paving, Inc.

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

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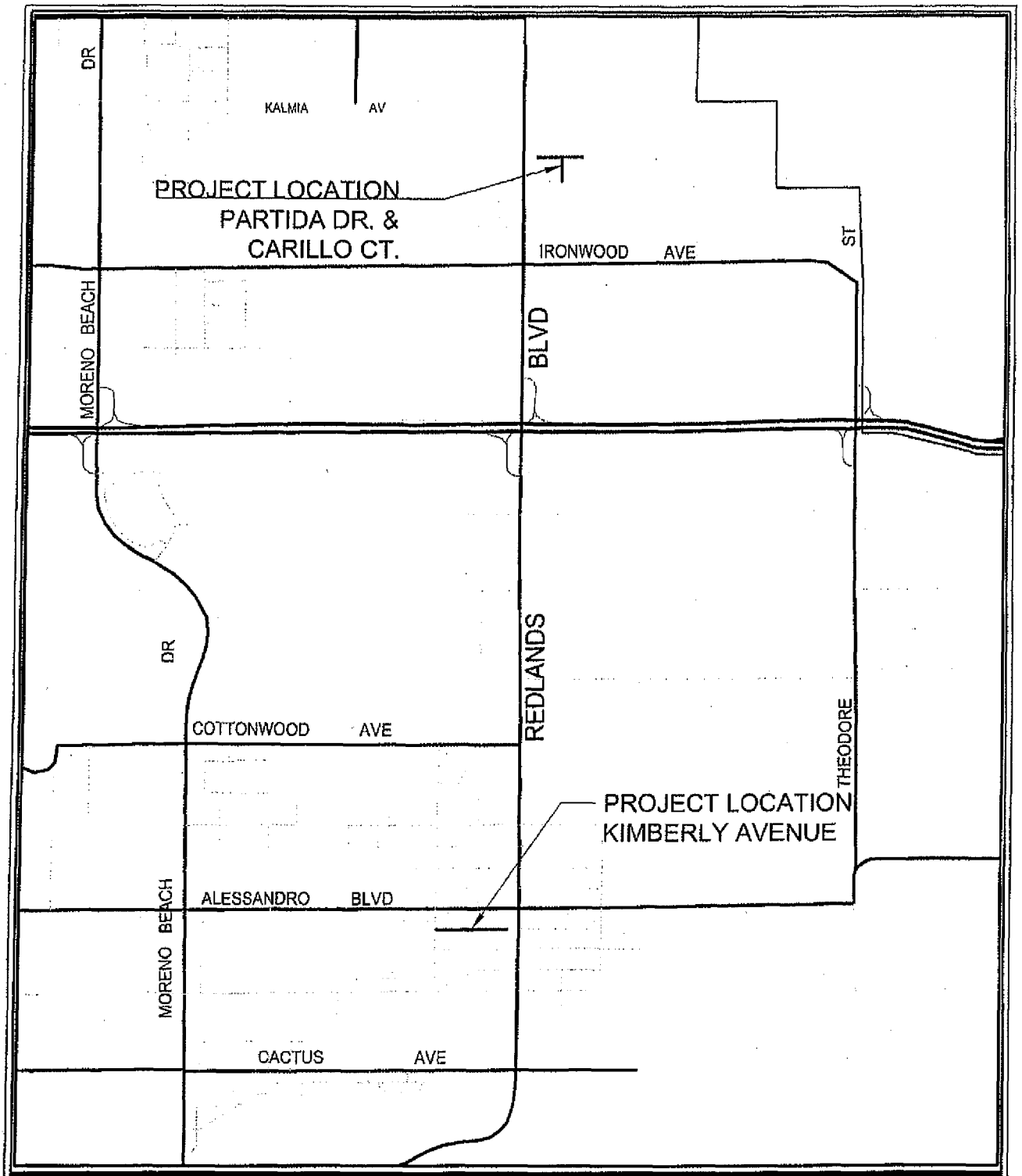

Public Works Department Capital Projects Division	LOCATION MAP
Scale: None Attachment "A"	PROJECT NO. 08-12585523 STREET IMPROVEMENT PROGRAM PARTIDA DR., CARILLO CT., & KIMBERLY AVE.

Agreement No._____

AGREEMENT

PROJECT NO. 08-12585523

STREET IMPROVEMENT PROGRAM
Partida Drive from Carillo Court to Juniper Avenue,
Carillo Court, and
Kimberly Avenue from Wilmot Street to Redlands Boulevard

THIS Contract Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **C & C Grading & Paving, Inc.** hereinafter called the "Contractor."

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

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **none**, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$194,663.90,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **Sixty (60) working days** if only the Base Bid Items are awarded or **Ninety (90) working days** if the Base Bid Items and the Additive Bid A Items are awarded, after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

Attachment "B"

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $500.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' Compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

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

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 08-12585523

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

(Name of Contractor)

License No./
Classification: _____
Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

W:\CapProj\CapProj\PROJECTS\Henry - 08-12585523 - SIP for Priv St\Kimberly-Partida-Carrillo\Construction\ Contractor\Agreement\ Agreement.DOC

MV00055465

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

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

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

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

ADDITIONAL OPTIONAL INFORMATION

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

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 08-12585523

STREET IMPROVEMENT PROGRAM
Partida Drive from Carillo Court to Juniper Avenue,
Carillo Court, and Kimberly Avenue from Wilmot Street to Redlands Boulevard

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **C & C Grading & Paving, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 08-12585523**, is hereby referred to and made a part hereof; and

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

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

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

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

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 08-12585523

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 2010.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____2010

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

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

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

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

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

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

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- Securely attach this document to the signed document

BOND NO._____

PREMIUM $_____

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

PROJECT NO. 08-12585523

STREET IMPROVEMENT PROGRAM
Partida Drive from Carillo Court to Juniper Avenue,
Carillo Court, and Kimberly Avenue from Wilmot Street to Redlands Boulevard

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **C & C Grading & Paving, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **Project No. 08-12585523**, is hereby referred to and made a part hereof; and

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

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

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

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

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 08-12585523

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 2010.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____2010

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

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

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

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

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- Signature of the notary public must match the signature on file with the office of the county clerk.
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- Securely attach this document to the signed document.

MORENO VALLEY
WHERE DREAMS SOAR

City Attorney's Office

MEMORANDUM

To: Mayor and City Council

From: Jennifer McDowell, Legal Secretary

Date: May 10, 2010

Subject: ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney), Item A10 on May 11, 2010 City Council Agenda

cc: Agenda packet distribution list

Attached is the Staff Report, which was not available at the time of agenda preparation.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert L. Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: Consideration and Approval of Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023.

RECOMMENDED ACTION

Review and approve the attached Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

This case concerns two agreements entered into in 2003 by ENCO Utility Services Moreno Valley, LLC ("ENCO") and the City of Moreno Valley wherein ENCO agreed to provide professional services to Moreno Valley, including designing, maintaining operating and constructing the Moreno Valley Electric Utility ("MVU"). The City contends in the lawsuit that during the negotiations preceding the agreements, ENCO prepared and presented detailed financial projections (the "2003 Pro Forma") to Moreno Valley that contained factual errors and assumptions that were material to the terms of the agreements. ENCO denies these allegations and asserts that even if material errors were made in the 2003 Pro Forma, the City should have caught these errors through its consultants. Among the key assumptions supporting the 2003 Pro Forma were that: 1) Moreno Valley would cease to incur certain charges under the Southern California Edison Wholesale Distribution Access Tariff ("WDAT") after Moreno Valley built and energized a new electrical substation in 2010 and; 2) the capital expenditures required for the first ten years of the MVU's operation would be slightly under $10

million, and would be almost entirely related to the construction of the substation. Both of these assumptions were wrong. The City is seeking money damages for these errors.

ENCO also contends that the City owes it $207,651.73 for services it provided in behalf of the City to developers. However, ENCO is unable to provide work order authorizations for this work as required by the agreements.

A mediation of these disputes was held before retired California Supreme Court Justice Edward Panelli on April 21, 2010. After six hours of "shuttle diplomacy" by Justice Panelli during which he assessed the relative strengths of each party's case, Justice Panelli recommended to ENCO that it drop its demand for payment of $207,651.73 in engineering services and offer a settlement of $1.25 million to the City. This settlement would include a two year extension of the contract, to which ENCO will probably be entitled to under the contract anyway, due to reduced electricity sales. ENCO agreed to these settlement terms and they are now before the City Council for consideration.

DISCUSSION

The agreements with ENCO limit ENCO's liability to the City for negligence to $2 million. The City's attorneys estimate that it would cost the City an additional $500,000.00 to prepare and try this case before a jury. There is no guarantee that the City will prevail in trial, or that an award of damages would be greater than the offered settlement amount. Therefore, it is recommended that the City Council approve this settlement and authorize the Mayor to execute the settlement agreement to end this litigation.

ALTERNATIVES

1. Approve the settlement agreement and authorize the Mayor to execute same in behalf of the City.

2. Not approve the settlement agreement and instruct the City Attorney to continue the litigation through trial and appeals, if necessary.

FISCAL IMPACT

If alternative 1 is adopted, the City would receive payment of $1.25 million into the Enterprise Fund and would no longer incur legal fees in the continued litigation of this matter.

If alternative 2 is adopted, the City would incur an additional $500,000.00 in ongoing attorneys fees and costs to prepare and try this matter before a jury. In addition, there would be additional fees and cost associated with any appeals after the trial.

CITY COUNCIL GOALS

Settlement of this litigation would preserve revenue by eliminating ongoing litigation costs and would infuse the Enterprise Fund with $1.25 million, in furtherance of the City Council's goal of Revenue Diversification and Preservation.

ATTACHMENTS/EXHIBITS

1. Proposed Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023.

Prepared By:
Name Robert L. Hansen
Title City Attorney

Department Head Approval:
Name Robert L. Hansen
Title City Attorney

Concurred By:
Name
Title

(Optional field) Reports requiring inter-departmental coordination must include names of all affected department heads.

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

SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE OF CLAIMS

This Settlement Agreement and Mutual General Release of Claims (the "Agreement") made and effective April 21, 2010, is entered into by and between Plaintiff and Cross-Defendant ENCO Utility Services Moreno Valley, LLC ("ENCO") and Defendant and Cross-Complainant City of Moreno Valley ("the City").

WHEREAS, there is now pending in the California Superior Court, Riverside County, an action entitled ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023, in which ENCO asserts claims against the City for declaratory and injunctive relief and the City asserts cross-claims against ENCO for breaches of contract, breaches of fiduciary duty, rescission and declaratory relief (the "Litigation");

WHEREAS, on August 14, 2007, ENCO filed a claim for damages with the City pursuant to California Government Code Section 910, et seq. (the "Claim");

WHEREAS, the allegations in the Litigation and the Claim relate to the October 7, 2003 Professional Services Agreement ("PSA") between the City and ENCO;

WHEREAS, the parties desire to fully resolve disputes between them, including but not limited to all matters raised in, or which could have been raised in, the Litigation and the Claim;

NOW, THEREFORE, in consideration for the terms, conditions, covenants, representations, warranties, and promises contained in this Agreement, the parties agree as follows:

1. Within 15 business days of the execution of this Agreement by both parties, ENCO shall deliver a settlement payment in the sum of $1,250,000 by wire transfer to counsel for the City.

2. The parties further agree that the Term of the PSA shall be extended two years to December 31, 2020. Other than the extension of the Term of the PSA, all other provisions of the PSA remain unchanged and in force.

3. Within 10 business days of the receipt of the settlement payment by the City, the parties, through their counsel, shall file and serve a Request for Dismissal with Prejudice of the Litigation, each side to bear its own attorneys' fees and costs. Within 10 business days of receipt of a signed and conformed copy of the dismissal as entered by the Court, ENCO shall provide a copy thereof to counsel for the City.

4. ENCO hereby unconditionally releases and forever discharges the City and each of its current and former related entities, predecessors, successors, assigns, elected officials, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which ENCO now has, claims to have, or at any time heretofore had or claimed to have against the City, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

5. The City hereby unconditionally releases and forever discharges ENCO and each of its current and former related entities, predecessors, successors, assigns, equity holders,

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members, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, insurers and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which the City now has, claims to have, or at any time heretofore had or claimed to have against ENCO, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

6. The parties hereby acknowledge that there is a risk that, subsequent to the execution of this Agreement, they may discover or incur claims which were unknown or unanticipated at the time this Agreement was executed, including, without limitation, unknown or unanticipated claims which arise from, are based upon or are related to the issues and matters raised in, or which could have been raised in, the Litigation or the Claim which, if known on the date this Agreement was executed, may have materially affected their decision to execute this Agreement. The parties each acknowledge that they are assuming the risk of such unanticipated claims and agree that this Agreement applies thereto. The parties expressly waive the benefits of Section 1542 of the California Civil Code, which provides:

> **A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.**

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Effective upon execution of this Agreement, the parties waive and relinquish all rights and benefits which they have or may have under Section 1542 or the law of any other state or jurisdiction to the same or similar effect to the full extent that they may lawfully waive and relinquish all rights and benefits pertaining to the subject matter of this Agreement. The parties hereby acknowledge that the foregoing waiver of the provisions of Section 1542 of the California Civil Code was separately bargained for. Each of the parties understands and acknowledges the significance and consequences of this waiver of California Civil Code Section 1542 and confirms that it has either discussed or been given an opportunity to discuss such matters with counsel of that party's choice.

7. In entering into this Agreement, the parties represent that they have relied upon the legal advice of attorneys of their own choice; that the terms of this Agreement have been completely explained to them by their attorneys; and that they fully understand and voluntarily accept those terms. The parties further represent that they do not rely and have not relied upon any representation or statement made by any party or any other person with regard to the subject matter, basis or effect of this Agreement, other than the express provisions contained in this Agreement. Each Party acknowledges that the Agreement has been fully read, reviewed and understood by its authorized signatory and that each Party signs the same freely and voluntarily.

8. It is understood and agreed that this Agreement shall be binding upon and inure to the benefit of the parties and the related parties identified in paragraphs 3 and 4, above.

9. The parties warrant and represent that they have not assigned or transferred, or purported to assign or transfer, to any person or entity, any claim or cause of action arising out of or related to the Litigation or the Claim, or any portions thereof or interest therein.

10. The parties, without further consideration, agree to execute and deliver additional documents and take such additional actions as may be necessary to consummate the subject matter of this Agreement.

11. No breach of any provision in this Agreement can be waived except by a writing executed by all of the parties to this Agreement. Waiver of any breach shall not be deemed to be a waiver of any other breach of the same or any other provisions hereof.

12. If any action, at law or in equity, including an action for declaratory relief, is brought to enforce, or interpret or for alleged breach of the provisions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief to which it may be entitled.

13. The parties understand and agree that this Agreement is given in connection with the compromise of disputed claims and that the undersigned parties deny liability to each other. This Agreement shall never or for any purpose be considered as an admission of liability on the part of either of the parties.

14. Any notice required pursuant to this Agreement shall be addressed as follows:

For ENCO:

Charles J. Malaret, Esq.
Morgan, Lewis & Bockius LLP
300 South Grand Avenue, 22nd Floor
Los Angeles, California 90071

For the City:

Robert E. Darby, Esq.
Fulbright & Jaworski, L.L.P.
555 South Flower Street, Suite 4100
Los Angeles, California 90071

15. This Agreement is also subject to the following miscellaneous provisions:

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(a) This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by, the laws of the State of California.

(b) Should any provision of this Agreement be declared or determined by any court to be illegal or invalid, the validity of the remaining part, terms or provisions shall not be affected and the illegal or invalid part, term or provision shall be deemed not a part of this Agreement.

(c) This Agreement may be executed in one or more counterparts, but shall be interpreted and construed as if signed in one document.

(d) This Agreement constitutes the entire agreement between the parties and all other prior agreements, arrangements or understandings, oral or written, are merged into and superseded by the terms of this Agreement which may not be altered, amended, modified or otherwise changed except by a writing signed by the duly authorized representatives of the parties to this Agreement.

(e) This Agreement has been prepared based on the joint efforts of the parties. This Agreement is to be construed simply and fairly and not strictly for or against any of the parties. No provision in this Agreement is to be interpreted for or against either party because that party or its legal representative drafted such provision.

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IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the date and year set forth opposite their respective signatures below.

DATED: May 7, 2010

ENCO Utility Services Moreno Valley, LLC

By: _____

Its: Director

DATED: May ___, 2010

CITY OF MORENO VALLEY

By: _____

Its: _____

APPROVED AS TO FORM:

MORGAN, LEWIS & BOCKIUS LLP

By: _____

Charles J. Malaret
Attorneys for ENCO Utility Services
Moreno Valley LLC

FULBRIGHT & JAWORSKI L.L.P.

By: _____

Robert E. Darby
Attorneys for City of Moreno Valley

DB2/21696308.5

MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: May 11, 2010

TITLE: PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan and,
2. Approve the proposed 2010/11 Annual Action Plan.

BACKGROUND

Every year the Department of Housing and Urban Development (HUD) allocates federal grant monies to the City of Moreno Valley for use in programs that provide decent housing and/or expand employment opportunities for low-to-moderate income persons (see Attachment A for the 2009 Income Limit table). These grants are known as Community Development Block Grant (CDBG) and the HOME Investment Partnership Program (HOME).

Grants are provided on an annual basis to Entitlement Cities (eligible, selected cities with a population exceeding 50,000), with allocation amounts varying each year based on a formula that considers the extent of poverty, population, housing overcrowding, the age of housing and the population growth lag in relationship to other metropolitan areas. Moreno Valley has been classified by HUD as an Entitlement City since 1995.

In accordance with HUD requirements, CDBG Target Areas must be established so that Entitlement Cities may concentrate their programs in areas determined to contain at least

51% of residents earning low-to-moderate incomes. For a map of the CDBG Target Areas see Attachment B.

HUD requires Entitlement Cities (such as Moreno Valley) to prepare a Consolidated Plan that directs CDBG activities for a five year period. FY 2010/11 marks the third year of the City's FY 2008-2013 Consolidated Plan. Entitlement Cities also adopt Annual Action Plan updates of the Consolidated Plan each year. The Annual Action Plan more specifically identifies the activities for which the City will allocate both CDBG and HOME funds for the upcoming program year. This staff report requests that the City Council conduct a Public Hearing to review and adopt the Annual Action Plan for FY 2010/11, which must be received by HUD no later than May 13, 2010.

Eligible CDBG grant activities can range from social services to capital improvements to economic development programs. HOME funds must be used toward the development of affordable housing projects. Attachment C details eligible and ineligible activities for both programs.

In past years, the City of Moreno Valley has used CDBG to fund a variety of eligible programs including capital improvement projects, code enforcement activities, social service programs, and economic development programs. CDBG regulations allow Entitlement Cities to dedicate up to a maximum 15% of their annual CDBG allocation to the provision of social services. Social services can include but are not limited to the following:

- Homeless and Emergency services,
- Programs for elderly, disabled, or youth,
- Public safety/crime prevention services, or
- Specialized counseling and treatment.

Social services can be provided directly by the Entitlement City or CDBG social service funds can be granted to certified non-profit organizations (known as sub-recipients) to provide the desired services or programs.

DISCUSSION

At the City Council meeting of March 23, 2010, staff proposed subrecipients based on an estimated budget. On March 31, 2010 HUD released the actual grant allocations. The City of Moreno Valley's CDBG allocation for FY 2010/11 is $1,941,611. This is an increase of $147,694 from last year. In addition there is $505,000 in project savings from last fiscal year, for a total budget of $2,446,611 in the CDBG program for FY 2010/11.

Attachment D is the proposed Annual Action Plan for Fiscal Year 2010/11. The Annual Action Plan details the specific projects and allocated funding for the upcoming program year. In conformance with HUD requirements, the Annual Action Plan was made available for public review from April 8, 2010 through May 8, 2010. To date, there have been no public comments received. Any public comments received will be incorporated into the Action Plan as an attachment. The following tables detail the funding allocations approved by the City Council at the March 23, 2010 Public Hearing. These allocations are included in the Annual Action Plan and will be approved once the document is adopted.

2010/11 CDBG PROGRAMS AND BUDGET

The goal of the CDBG Program is to respond to the needs of low and moderate income persons and neighborhoods. The CDBG program administration is subject to a cap of 20% of the total CDBG allocation. In addition, CDBG social service activities are capped at 15% of the total allocation. The anticipated budget and funding allocations are shown in the following tables.

CDBG PROGRAM BUDGET

Funding Category	*Funding Allocation*
2010/11 CDBG Allocation	$1,941,611
Unallocated funds from previous years savings*	$505,000
TOTAL AVAILABLE CDBG FUNDS	$2,446,611
Program Administration (20% maximum of annual grant)	$388,322
Public Social Services (15% maximum of annual grant)	$291,241
Facilities	$50,000
Rehabilitation	$10,000
Code Enforcement	$396,407
Economic Development	$805,641
TOTAL PLANNED CDBG BUDGET	$1,941,611

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Projects and $55,000 in projected savings from 2009/10 administrative activities

1) CDBG PROGRAM ADMINISTRATION

HUD limits program administration costs to twenty percent (20%) of the annual CDBG allocation. The FY 2010/11 cap for program administration is $388,322. Funding under this category provides for program management by Economic Development Department staff and Fair Housing Services (required by HUD). The Fair Housing Services are free to the public and include: community education on fair housing rights and responsibilities, investigation of public complaints and discriminatory practices, and landlord/tenant mediation.

2) SOCIAL SERVICES

Social services are subject to a fifteen percent (15%) maximum limit of the annual CDBG allocation. The maximum social service cap for 2010/11 is $291,241.

FY 2010/11 recommendations encompass a wide range of programs and services including: 1) public safety services; 2) emergency and transitional shelter for

homeless families; 3) youth services; 4) emergency food distribution; and 5) youth career development programs. The projects listed in Attachment E reflect the community priorities adopted by the City Council on January 12, 2010 and programs the City Council approved for funding at the March 23, 2010 Public Hearing. It also includes funding recommendations for an additional $22,292 in social service funding made available after HUD released the FY 2010/11 allocations. Staff is recommending that the additional dollars be applied first to successful programs that experienced slight reduction from last years allocation due to limited funding such as CAP and Moreno Valley Educators (the programs have now been increased back to the full level they were at last fiscal year). Staff is also recommending increasing the allocation to programs with high demand due to the economy and those whose funding request initially could not be accommodated, such as the one-on-one foreclosure mitigation counseling program offered by the Fair Housing Council of Riverside. Additional recommendations include: 1) increasing the Neighborhood Clean-Up Program from $13,350 to $15,000, 2) increasing the Salvation Army Food Program from $4,600 to $5,000, 3) funding the Riverside County Volunteer Center '211' (telephone referral) Program in the amount of $5,000, and 4) enhancing the Problem Oriented Policing Program funding from $25,000 to $28,241.

3) PUBLIC FACILITIES

In an alliance with Arbor Education and Training, the City is proposing to assist in the establishment of a Youth Opportunity Center (YOC) in the City's CDBG Target Area. The Center will require approximately 4,000 sq. ft. of space where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. Arbor presently operates two other YOC's through Riverside County. The proposed $50,000 in CDBG funding would be used for help in leasing a building and/or for needed tenant improvements. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.

4) REHABILITATION

CDBG regulations allow for specific housing rehabilitation activities. The additional funding received under the CDBG allocation have enabled staff to recommend funding of the Habitat for Humanity 'Helping Hands' Mobile Home Rehabilitation Program. This program provides for the supplies and materials that volunteers shall use to help eligible low income households make exterior improvements to their mobile homes. The program was designed to provide assistance mainly to elderly or disabled persons whom are unable to maintain the exterior of their property and are facing penalties that could lead to eviction. Staff feels this program will supplement the City's existing Mobile Home Grant Program by relieving it of having to subsidize less critical exterior repairs (which are often general clean-up or

cosmetic) and instead focus grant dollars on the more expensive code related improvements.

5) CODE ENFORCEMENT

City code enforcement is an important service partially funded by CDBG. The Code Compliance officers provide proactive code compliance within the CDBG-designated Target Areas. Staff is recommending maintaining general Code Enforcement and the 'Foreclosure Strike Team' at its current funding level to allow continued foreclosure enforcement efforts on bank-owned properties.

Staff is also recommending that a portion of the monies from the final allocation be used toward funding Fire Prevention Division's Neighborhood Improvement Task Force. This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family properties in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing.

6) ECONOMIC DEVELOPMENT

a. Small Business Counseling Services

Funding is recommended for Small Business Counseling Services. The Inland Empire Small Business Development Center (SBDC) provides one-on-one counseling services, workshops and seminars free of charge to Moreno Valley businesses. In 2010/11, SBDC plans to enhance their services by offering classes on utilizing accounting and financial management software.

b. Employment Resource Annex

Continued funding is recommended for the Employment Resource Center. The Employment Resource Center is an office located in the Towngate Center where unemployed or under-employed Moreno Valley residents are able to utilize computers and other standard office equipment to access the internet to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment free of charge. The Center also partners with major employers either in or locating to the City to conduct employment recruitments. Due to popular demand, an expansion is being planned for the upcoming fiscal year. An additional 20 computers, classroom space, and career coaching services, will be added to enhance the existing facility and allow it to serve more residents.

c. Moreno Valley New Business Incentive Program

Continued funding is recommended for the New Business Incentive Program intended to incentivize the attraction of businesses to Moreno Valley. HUD

allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income level persons) and the boosting of sales tax revenues. Several major retailers have utilized this program.

d. Family Service Association Meal Program Facilities

A local non-profit Family Services Association plans to construct a kitchen facility in the City's CDBG Target Area where meals will be prepared for its local meals and nutrition programs including for the participants of its many daycare centers in the community. The facility will also provide needed storage capability for FSA's day care centers, which are being expanded in Moreno Valley including two more in the target area. The proposed $50,000 in CDBG funding would be used for assistance in acquiring a building for the site, and in lieu of the City's CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.

e. 'Lord's Gym'

The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet in today's world by focusing on sports programs. The facility offers a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring. A new facility shall open in an 11,000 sq. ft. space located in the Canyon Springs Plaza. The proposed $20,000 in CDBG funding would be used for tenant improvements, and in lieu of the City's CDBG assistance the 'Lord's Gym' must create or retain a minimum of one full time permanent job which are held by or made available to low and moderate income level person.

2010/11 HOME PROGRAMS AND ESTIMATED BUDGET

The City will receive a HOME program allocation of $666,589 in FY 2010/11. This is an increase of $145 from the previous year. In addition, there is $23,000 in previous year project savings, providing a total budget of $689,589 in HOME funds for the upcoming program year.

The HOME Program generally funds city-sponsored programs and projects. Program administration has a cap of 10% of the total HOME allocation. In addition, a minimum of 15% of the funds must be used by a Community Housing Development Organization (CHDO) to increase the supply of affordable housing for low-income families. The anticipated HOME budget and funding allocation is shown in the following table.

HOME PROGRAM BUDGET

Funding Category	*Funding Allocation*
2010/11 HOME Allocation	$666,589
Unallocated funds from previous year savings	$23,000
TOTAL AVAILABLE HOME FUNDS	**$689,589**
Program Administration (maximum 10% of allocation)	$66,659
FY 09/10 CHDO (required 15% of allocation)	$99,988
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,942
TOTAL ALLOCATION OF HOME FUNDS	**$689,589**

2010/11 RECOMMENDED HOME PROJECTS AND PROGRAMS

1) HOME PROGRAM ADMINISTRATION

Program Administration costs are subject to a ten (10%) cap. Grant funding under this category provides for project management by Economic Development staff.

2) COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-A-SIDE

HUD mandates that a minimum of fifteen (15%) of HOME funds be allocated toward affordable housing projects to be undertaken by qualified CHDOs. Over FY 10/11 $99,988 must be allocated to CHDO-directed projects for potential affordable housing development. Staff will bring recommendations for CHDO allocation to the City Council later in the year.

3) HOME IMPROVEMENT LOAN PROGRAM (HILP)

The HILP program provides deferred loans for homeowner-occupants to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, provide for adequate handicap accessibility (if needed), and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.

4) MOBILE HOME GRANT

The City's Mobile Home Grant program provides a $10,000 maximum grant to rehabilitate income-eligible owner-occupied mobilehomes that are located in an established Moreno Valley mobilehome park from which a space is being rented. For FY 10/11, staff recommended an increase to the program funding to help further address health and safety related code issues.

5) MULTI-FAMILY AFFORDABLE HOUSING

Funding is being reserved for future multifamily affordable housing project opportunities that may arise during FY 10/11.

ALTERNATIVES

Alternative 1 – Staff recommends that the City Council conduct a public hearing to provide the public with an opportunity to comment on the proposed Annual Action Plan and adopt the Annual Action Plan for Fiscal Year 2010/11. **Staff recommends this alternative.**

Alternative 2 – Do not approve the Annual Action Plan for Fiscal Year 2010/11. **Staff does not recommend this alternative because it would result in a failure to meet the HUD deadline for submission of this document.**

FISCAL IMPACT

Available CDBG funds for FY 2010/11 total $1,941,611. These funds will provide funding for a variety of improvements and services. The total of HOME funds available is $666,589. These funds will provide funding for affordable housing projects. Together, the CDBG and HOME programs will afford a variety of affordable housing and neighborhood preservation efforts in Moreno Valley. The following represent the budgets for the two funds – CDBG and HOME[1].

Fund	Business Unit No/Name	Amounts
	CDBG Account	$1,941,611
285	73852 CDBG Administration	
289	73952 CDBG Programs	
285	74052 Code and Neighborhood Enforcement	
176	77110 - HOME	$666,589

The proposed program funding selections have NO impact on the City's General Fund. CDBG funding must be used for eligible activities in Target Areas that contain at least 51%

[1] This report features the 2010/11 annual budget for CDBG and HOME with actual allocation amounts released on March 31, 2010. Total program budgets will include carry over funds not featured in this report. Funding accounts shown are where the final allocations (future monies) will be applied.

of residents earning low to moderate incomes. Eligible programs or projects must meet one of three HUD national objectives, in accordance with City Council adopted community priorities.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

CDBG and HOME funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY

Many of the proposed CDBG and HOME projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT

A positive environment for the development of Moreno Valley's future will be created through a variety of community-based CDBG and HOME programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS

CDBG and HOME programs such as: Code Enforcement, Neighborhood Policing, Public Infrastructure Improvements and Housing Rehabilitation will help to preserve, rehabilitate and improve existing neighborhoods.

SUMMARY

HUD requires that grantee Entitlement Cities such as Moreno Valley, prepare an Annual Action Plan for the Community Development Block Program. The Annual Action Plan details the activities and projects the City will undertake in Fiscal Year 2010/11 using CDBG and HOME grant funds. The Annual Action Plan must be submitted to HUD no later than May 13, 2010.

The City Council established CDBG funding priorities at the January 12, 2010 meeting. At the March 23, 2010 Public Hearing, Council reviewed funding recommendations made by staff and the 2010 CDBG Technical Review Committee for the 2010/11 CDBG and HOME Programs. Staff now recommends that the City Council conduct a public hearing and approve the proposed 2010/11 Annual Action Plan for submittal to HUD.

NOTIFICATION

Notice of this meeting was published in the Press-Enterprise newspaper on April 28, 2010.

ATTACHMENTS/EXHIBITS

ATTACHMENT A	2009 Income Limits
ATTACHMENT B	CDBG Target Area Map
ATTACHMENT C	Eligible/Ineligible Activities
ATTACHMENT D	Annual Action Plan for Fiscal Year 2010/11
ATTACHMENT E	CDBG Funding Allocations FY 2010/11

Prepared By:
Isa Rojas
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

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ATTACHMENT A

2009 INCOME LIMITS

Effective April 2, 2009 – Revised Annually

Neighborhood Preservation Division

Annual Income Level	% of Area Median	Number of Persons In Household							
		1	2	3	4	5	6	7	8
Extremely Low Income	30%	$14,000	$16,000	$18,000	$20,000	$21,600	$23,200	$24,800	$26,400
Very Low Income	50%	$23,300	$26,650	$29,950	$33,300	$35,950	$38,650	$41,300	$43,950
60% Limits (HOME)	60%	$27,960	$31,980	$35,940	$39,960	$43,140	$46,380	$49,560	$52,740
Low Income	80%	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350
Median Income	100%	$45,150	$51,600	$58,050	**$64,500**	$69,650	$74,800	$80,000	$85,150
Moderate Income	120%	$54,200	$61,900	$69,650	$77,400	$83,600	$89,800	$96,000	$102,150

ATTACHMENT B

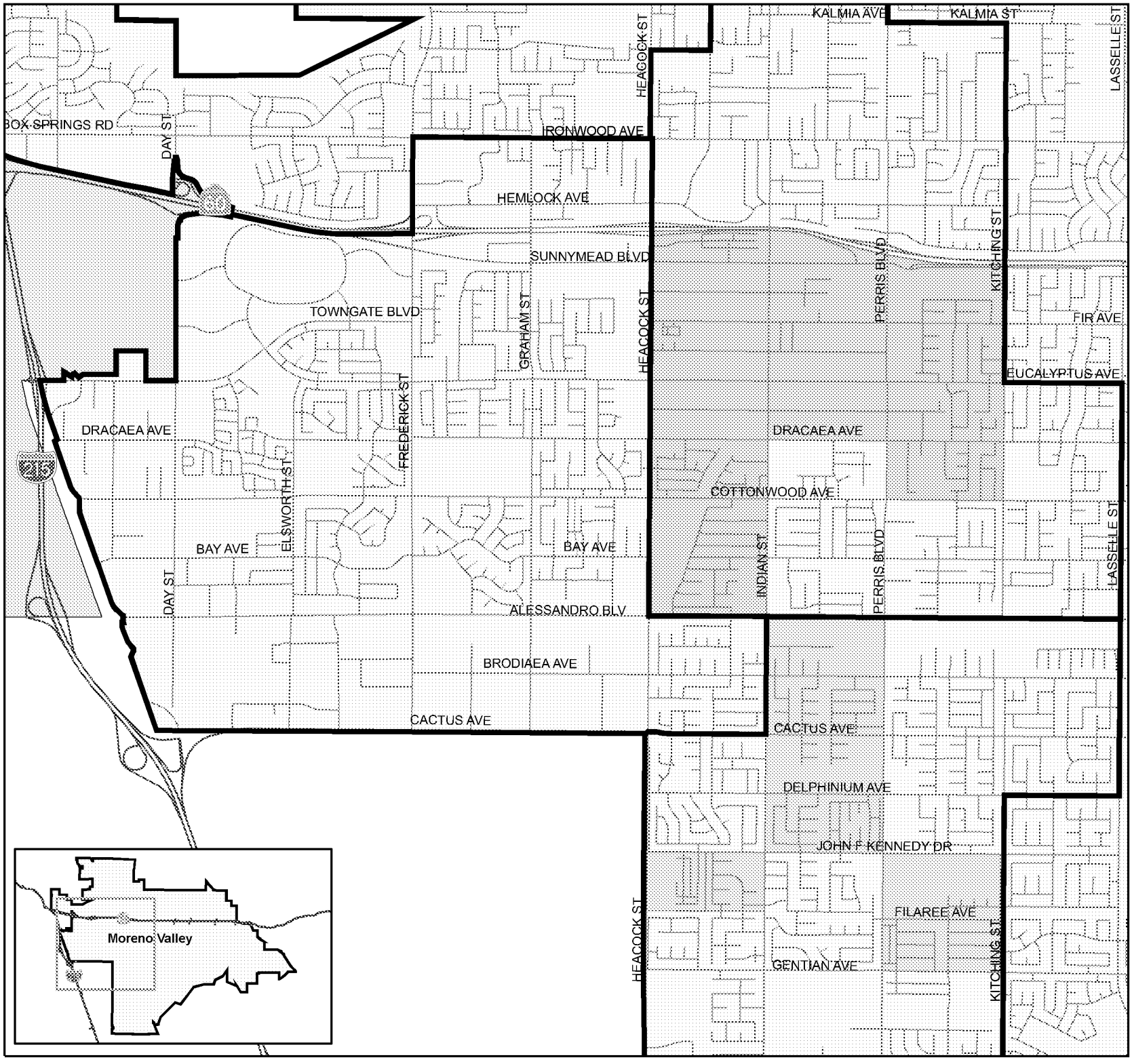

City of Moreno Valley CDBG Target Areas

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY
WHERE DREAMS SOAR

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ATTACHMENT C

Eligible CDBG Activities

- Acquisition, design, construction, rehabilitation, or installation of certain publicly owned facilities such as:

  - Parks, playgrounds and recreational facilities.
  - Senior centers, except 24-hour care facilities.
  - Neighborhood facilities.
  - Fire protection facilities and equipment.
  - Parking facilities.
  - Street improvements.
  - Flood, drainage, or sewer facilities.
  - Other improvements vital to a community's development.

- Acquisition of property that is: of historic value; appropriate for beautification or conservation of open spaces; appropriate for low or moderate income housing.
- Clearance and demolition of buildings and land which may be a health hazard to the community. Interim assistance or temporary help to alleviate harmful or dangerous conditions.
- Removal of architectural barriers which restrict the mobility of handicapped persons.
- Rehabilitation and preservation of buildings and improvements, both publicly and privately owned.
- Code enforcement in designated target areas.
- Historic preservation activities.
- Eligible economic development activities.
- Eligible planning and environmental design costs.
- Public services including, but not limited to: fair housing activities, public safety services, homeless services, senior citizen services, educational programs, youth services, drug abuse counseling & treatment and recreation programs.

Ineligible CDBG Activities

- Buildings for the general conduct of government, such as city halls, courthouses, and police stations.
- Stadiums, sports arenas, auditoriums, museums and central libraries
  (Note: branch libraries may be built in CDBG Target Areas).
- Purchase of equipment such as construction equipment, fire protection equipment, furnishings, and personal property.
- Schools
- Airports, subways, bus or other stations.
- Hospitals, nursing homes, and other medical facilities.
- Treatment works for liquid industrial wastes or sewage.
- Expenses of general government for operation and maintenance of public facilities.
- Political activities.

- Direct income payments to residents.

MV00055499

Eligible HOME Activities

- Incentives provided by Participating Jurisdictions (the City of Moreno Valley is a Participating Jurisdiction) to develop and support affordable rental housing and homeownership affordability through acquisition, new construction, reconstruction, or rehabilitation of non-luxury housing (including manufactured housing).
- Operating expenses and capacity building costs for eligible Community Housing Development Organizations (CHDO).
- Eligible administrative and planning costs.

Ineligible HOME Activities

- Project reserve accounts or operating subsidies.
- Tenant-based rental assistance for the special purposes of the Section 8 program.
- To provide non-federal matching contributions.
- To provide assistance to annual contributions for the operation of public housing.
- Modernization of public housing.
- Prepayment of low-income housing mortgages.
- Assistance to a project previously assisted with HOME funds during the period of affordability.

MV00055500

ATTACHMENT D

Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME)

Annual Action Plan 2010-2011

July 1, 2010 through June 30, 2011

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

SECTION 1 – INTRODUCTION

The Economic Development Department is the lead agency in developing the Consolidated and Annual Action Plans for the City of Moreno Valley. The Annual Action Plan addresses the City's plan for use of Community Development Block Grant ("CDBG") and Home Investment Partnership ("HOME") Funds during the 2010/11 Fiscal Year from July 1, 2010 through June 30, 2011. The Annual Action Plan is based upon the approved 2008-2013 Consolidated Plan prepared for both programs. The Annual Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

The Action Plan provides a basis for assessing performance. It outlines programs for the upcoming program year as well as the proposed accomplishments over the five-year period of the Consolidated Plan. At the end of the program year a Consolidated Annual Performance and Evaluation Report (CAPER) provides information on the annual programmatic accomplishments.

The overall goals of the CDBG and HOME Programs, as included in the Consolidated Plan, are to develop viable urban communities by providing (1) decent housing, (2) a suitable living environment and (3) expanded economic opportunities principally for low and moderate-income persons.

(1). *Decent housing* includes assisting homeless persons, retention of the affordable housing stock, increasing the availability of permanent housing in standard condition and affordable cost to low-income and moderate-income persons.

(2). A *suitable living environment* includes improving the safety and livability of neighborhoods, increasing access to quality public and private facilities and services, and the revitalization of deteriorating or deteriorated neighborhoods.

(3). *Expanded economic opportunities* includes job creation and retention, as well as establishment, stabilization and expansion of small businesses.

The primary means towards this end is to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing.

MORENO VALLEY
WHERE DREAMS SOAR

SECTION 1 – INTRODUCTION
EXECUTIVE SUMMARY

CONSOLIDATED PLAN

Moreno Valley's Consolidated Plan is a comprehensive five-year strategy that addresses the use of Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Grant funds to meet decent housing, suitable living environment, and expanded economic opportunity goals for low- and moderate-income city residents.

ANNUAL ACTION PLAN

The Annual Action Plan identifies specific projects, programs, and resources that will be implemented during the program year with CDBG and HOME Grant funds, consistent with the Consolidated Plan. In fiscal year 2010/11, the City of Moreno Valley will be receiving approximately $1,941,611 in new CDBG funds, and $666,589 in HOME funds. These funds will be used to support housing and community development activities.

Activities meeting Consolidated Plan goals fit into one or more of the following strategies:

- Homeless Strategy
- Special Needs Strategy
- Housing/Fair Housing Strategy
- Community and Economic Development Strategy

For each strategy identified in the Consolidated Plan, a list of activities, resources available, and goals are provided for the upcoming program year.

The Action Plan also addresses other actions such as the anti-poverty strategy, institutional structure to carry out the activities, coordination with other agencies, public housing, a monitoring plan and plans for meeting underserved needs.

Additionally, as part of the grant requirements, a form application SF 424 is included as well as a Citizen Participation Plan, public comments received and required certifications by the City.

PERFORMANCE MEASUREMENT SYSTEM

A Performance Measurement System was developed by the City of Moreno Valley as requested by HUD in September 2003. This system will be used to evaluate the effectiveness of HUD CPD program funds in meeting community needs. Attachment H details specific performance measurements for each program receiving CDBG and HOME funds during FY 2010/11.

GEOGRAPHIC DISTRIBUTION & CDBG TARGET AREAS

Moreno Valley's CDBG Target Areas encompass some of the oldest areas in the city. The City's CDBG Target Areas generally include neighborhoods identified locally as Edgemont, Central Sunnymead, Eastgate and Warner Ranch. Significant portions of the target areas lack adequate infrastructure such as curbs, gutters, street improvements, sidewalks, water and sewer lines, storm drains, and street lighting. The majority of proposed projects are distributed within the CDBG target areas, because these areas have the greatest concentrations of low-and moderate-income individuals. Other projects such as the Redevelopment (RDA) Agency's housing programs target low- and moderate-income individuals citywide.

SECTION 1 – INTRODUCTION
AVAILABLE RESOURCES

The City of Moreno Valley will utilize a variety of Federal, State, and local funding sources to achieve the community and housing priorities identified. Specific funding resources will be utilized based upon availability, opportunities, and constraints of each particular project or program.

The City is committed to utilizing each funding source to its highest and best use. Therefore, the City will leverage the resources identified in this section to facilitate various programs and projects. Specific resources available to address the needs identified in the plan are included under the Annual Action Plan Section.

The following includes a description of both the resources the City currently uses and those for which funding may be pursued.

Federal Resources

Community Development Block Grant Program (CDBG)

Moreno Valley receives an annual CDBG allocation to meet the following three broad national objectives:

- Benefit to low and moderate income households;
- Removal of slum or blight; or
- Meet urgent community needs.

Approximately 90% of the funding has been used to benefit persons of low and moderate income. Programs and projects funded generally include public services, code compliance activities, and economic development activities. The City's grant allocation available for fiscal year 2010/11 is $1,941,611. Table 1-A details the available CDBG funds. Table 1-B details the allocations for FY 2010/11.

TABLE 1-A
FY 2010/11 CDBG AVAILABLE FUNDING

Funding Category	Funding Allocation
2010/11 CDBG Allocation	$1,941,611
Unallocated funds from previous years savings*	$505,000
TOTAL AVAILABLE CDBG FUNDS	$2,446,611
Program Administration (20% maximum of annual grant)	$388,322
Public Social Services (15% maximum of annual grant)	$291,241
Facilities	$80,000
Rehabilitation	$10,000
Code Enforcement	$396,407
Economic Development	$805,641
TOTAL PLANNED CDBG BUDGET	$1,941,611

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Projects and $55,000 in projected savings from 2009/10 administrative activities

TABLE 1-B
CDBG FUNDING ALLOCATIONS FY 2010/11

ADMINISTRATION (20% CAP - $388,322)	
CDBG Program Administration	$338,869
Fair Housing Services	$49,453
SOCIAL SERVICES (15% CAP - $291,241)	
Community Foreclosure Prevention Workshops	$44,000
Community Assistance Food Program (CAP)	$30,600
Friends of the Moreno Valley Senior Center (MoVan)	$30,000
Moreno Valley Police Dept., Problem Orienting Policing (POP) Team	$28,241
Fair Housing Council of Riverside County – Foreclosure Prevention / Mitigation	$25,000
Lutheran Social Services Transitional Center (MARB)	$15,000
Path of Life Ministries King Hall Family Shelter (MARB)	$15,000
PW Enhancement Center – Emergency & Homeless Services	$15,000
Neighborhood Clean-up Program	$15,000
Assistance League of Riverside - Operation School Bell	$10,000
CASA for Riverside County	$10,000
God's Helping Hand Ministries Food Program	$9,000
Operation Safehouse Shelter for Youth	$8,000
Alternatives to Domestic Violence - Prevention and Outreach Program	$7,500
Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
Moreno Valley Community Educators - Tutoring Program	$6,400
Salvation Army Food Program	$5,000
Volunteer Center '211' Program	$5,000
FACILITIES	
Youth Opportunity Center	$50,000
REHABILITATION	
Habitat for Humanity Mobile Home Grant Program	$10,000
CODE ENFORCEMENT	
Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
Code Enforcement - Foreclosure 'Strike Team'	$103,017
Fire Prevention 'Improvement Task Force'	$30,000
ECONOMIC DEVELOPMENT	
MV New Business Incentive Program	$540,000
Community Employment Resource Center	$145,641
Small Business Development Center	$50,000
Family Service Association Meal Program Facilities	$50,000
Lord's Gym	$20,000
TOTAL CDBG FUNDING ALLOCATIONS	**$1,941,611**

HOME Investment Partnership Program (HOME)

HOME Investment Partnership funding is provided to the City to:

- assist with affordable rental housing
- promote home ownership through acquisition
- construction,
- reconstruction,
- and/or rehabilitation of affordable housing.

Moreno Valley became an Entitlement City for HOME funds during FY 1995/96.

The City of Moreno Valley's HOME allocation for FY 2010/11 is $666,589. Table 1-C details the estimated HOME funds available for FY 2010/11. Table 1-D details the anticipated funding allocations for program year 2010/11. The funding allocations are for new and continuing projects and programs that will be implemented in FY 2010/11.

TABLE 1-C

FY 2010/11 HOME ESTIMATED FUNDING	
2010/11 HOME Allocation	**$666,589**
Previous Year Un-used and Available Funds	$23,000
Total Available HOME Funds	**$689,589**

* $23,000 in projected savings from 2009/10 administrative activities

TABLE 1-D

HOME FUNDING ALLOCATIONS FY 2010/11	
Program Administration (maximum 10% of allocation)	$66,659
FY 09/10 CHDO (required 15% of allocation)	$99,988
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,942
TOTAL ALLOCATION OF HOME FUNDS	**$689,589**

A. Local Resources

- ***Community Redevelopment Agency of the City of Moreno Valley***

As required by California Redevelopment Law, the Redevelopment Agency expends 20% of its tax increment revenue funding affordable housing projects. RDA (Housing Set-Aside) revenue projections for FY 2010/11 indicate an estimated 20% set-aside funding of $3.8 million.

- ***Homelessness Prevention and Rapid Re-housing Program (HPRP)***

In 2009 the City was provided with a one-time HPRP grant allocation of $732,872 under the American Recovery Re-investment Act of 2009. The purpose of the HPRP grant is

to provide homelessness prevention assistance to households who would otherwise become homeless in the current economic crisis and to rapidly re-house individuals and families who are currently homeless as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42U.S.C. 11302). Moreno Valley has established 6 activities that assist families facing homelessness, including: case management, rent/arrears assistance, security deposit assistance, utility/arrears assistance, legal assistance, and administration.

- ***Community Development Block Grant – Recovery (CDBG-R)***

The City was also provided with a one-time CDBG-R grant valued at $472,872 under the American Recovery Re-investment Act of 2009. Moreno Valley's CDBG-R program establishes 4 projects (plus administration) aimed at stimulating the economy by creating jobs, modernizing infrastructure, and promoting energy efficiency.

- ***Neighborhood Stabilization Program (NSP)***

Under the Housing and Economic Recovery Act (HERA), the City of Moreno Valley received a CDBG allocation of $11,390,116, to formulate the Neighborhood Stabilization Program (NSP) which is designed to stabilize neighborhoods most impacted by foreclosures. The City's NSP Program is comprised of four activities: 1) single family residential acquisition, rehabilitation, and resale (SFR-ARR), 2) multi-family residential acquisition, rehabilitation, and resale (MFR-ARR), 3) Homebuyers Assistance Program (HAP), and 4) Administration. In partnership with selected Development Partners, the City acquires and rehabilitates single family residences for the purpose of resale to homebuyers earning up to 120% of the Area Median Income (AMI), and multi-family residences for the purpose of rental to households earning up to 50% AMI. Of the total $11,390,116 allocation received, the funds have been budgeted accordingly:

ACTIVITY	BUDGET
SFR-ARR	$5,203,576.00
MFR-ARR	$4,047,529.00
HAP	$1,000,000.00
ADMINISTRATION	$1,139,011.00

In FY09/10, the City acquired almost thirty single family properties obligating/expending approximately $4.4 million of the SFR-ARR budget. During FY10/11, the City will continue with its SFR-ARR efforts to expending the remaining budget as well as program income generated from the sale of the single family properties. During FY10/11, the City will expend $381,000 of the MFR-ARR NSP budget rehabilitating two apartment buildings totaling 27 dwelling units located on Myers Avenue. The properties were acquired during the end of FY09/10 for $1,930,500. Approximately $2.4 million has been allocated to the acquisition and rehabilitation of this project.

- ***Riverside County Housing Authority***

The County of Riverside serves as the local housing authority for the region. The County operates 469 Section 8 housing and public housing facilities throughout the

County including those located in Moreno Valley. Sources of funds available to city residents through the Housing Authority are primarily limited to Section 8, Capital Fund Program (formerly the Comprehensive Grant Program), and the Public Housing programs.

B. Private Resources

For-Profit Organizations

- ***Community Reinvestment Act (CRA)***

The city encourages increased cooperation between lending institutions and the communities they serve to meet CRA requirements for the development of affordable housing.

Non-Profit Organizations

Currently, a number of non-profit organizations facilitate a variety of social services and housing activities in Moreno Valley. The City encourages and supports non-profit organizations that apply for funding from various sources.

C. Leveraging and Matching Funds – HOME

The primary source of fund leveraging will occur in conjunction with activities carried out through Redevelopment Agency 20% Set-Aside funds. Specific matching fund activities include housing rehabilitation and development programs for single family, multi-family, and mobile home units. The following table summarizes FY 2010/11 HOME activities and match sources:

TABLE 1-E*
HOME MATCH

HOME BUDGET FISCAL YEAR 2010/11	Continuing from Prior Years	2010/11 Allocation	Total Request	RDA Match 25%+
Administration (10% Cap)	$0	$66,659	$66,659	$0
Community Housing Development Organization (15% Min.)	$189,908	$99,988	$289,896	$0
Home Improvement Loan Program	$0	$240,000	$240,000	$0
Multi-Family Affordable Housing Program	$339,688	$182,942	$522,630	$4,300,000
Mobile Home Grant Program	$0	$100,000	$100,000	$0
GRAND TOTAL	**$529,596**	**$689,589**	**$1,219,185**	**$4,300,000**

* This table does not include total budgets available for the various projects. The available amounts may vary due to other funding sources such as RDA, NSP, etc.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN

The city will pursue housing, community development, and economic development activities to meet the needs of very-low, low, and moderate-income persons in Moreno Valley. To accomplish this, the city plans to expend CDBG, HOME, and other funds as available, such as Homelessness Prevention and Rapid Rehousing Program (HPRP), Neighborhood Stabilization Program (NSP), and Community Development Block Program – Recovery (CDBG-R) to meet community needs. The Consolidated Plan has several strategies for meeting community needs. The following objectives were identified in the Strategic Plan portion of the Consolidated Plan.

HOMELESS STRATEGY – TABLE 2-A, page 10
Objective 1. Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.

SPECIAL NEEDS STRATEGY – TABLE 2-B, page 14
Objective 1. Provide supportive housing and public services to meet the needs of special needs persons.

HOUSING STRATEGY – TABLE 2-C, page 15
Objective 1. - Rehabilitation of existing and construction of new single-family homes, multi-family housing, and mobile homes to create or maintain decent, affordable housing for low and moderate-income residents.
Objective 2. - Create home ownership opportunities for low and moderate-income residents.
Objective 3. - Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.
Objective 4. - Provide fair housing and landlord/tenant services to educate and assist residents on their rights and responsibilities.

COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY – TABLE 2-D, page 25
Objective 1. - Promote expanded employment opportunities in order to create or retain low and moderate-income jobs.
Objective 2. - Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.
Objective 3. - Support social service programs available to serve low and moderate-income residents.
Objective 4. - Provide employment training and placement programs available to serve low and moderate-income residents

The following tables detail the activities the City will undertake to address these objectives in FY 2010/11. The tables identify available funding, the geographic areas covered by the activity, and the target populations. Additional project information is provided in the Community 2020 tables enclosed as Attachment B.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN (Continued)
HOMELESS STRATEGY

The Five Year Goals and Proposed Accomplishments under the homeless strategy are to assist 2500 homeless persons and persons threatened with homelessness with housing and public service activities. The following programs for FY 2010/11 will be implemented to meet this goal.

TABLE 2-A

HOMELESS STRATEGY	
OBJECTIVE 1: Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.	
PROGRAM:	**PATH OF LIFE MINISTRIES – KING HALL FAMILY SHELTER**
PROGRAM DESCRIPTION:	Program provides long term (up to 2 years) shelter to homeless families and individuals with children. Residents may live at the shelter for a maximum of two years. While living at the shelter families are provided comprehensive counseling and support services that will assist them in becoming self sufficient. The shelter is located on March Air Reserve Base.
RESOURCES	CDBG Funds 2010/11 $15,000
TARGET POPULATION	Homeless families and homeless individuals with children
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**LUTHERAN SOCIAL SERVICES TRANSITIONAL SHELTER PROGRAM**
PROGRAM DESCRIPTION:	A long term (up to 2 years) shelter program that provides assistance to homeless women and children through a comprehensive transitional living program. Counseling, education assessments and other services are provided to assist participants in gaining self sufficiency. Through the City's HPRP Program, Lutheran Social Services also provides assistance with utility payments arrears and security deposits to families at risk of homelessness.
RESOURCES:	CDBG Funds 2010/11 $15,000 HPRP Funds $65,938
TARGET POPULATION:	Homeless Women and Children
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**P. W. ENHANCEMENT CENTER (PWEC)**
PROGRAM DESCRIPTION:	Emergency motel vouchers, shelter placement, security deposit and rental assistance for homeless persons and persons threatened with homelessness. Also provides emergency and supportive services to needy households including food distribution, money management, job preparedness, child development and counseling.
RESOURCES:	CDBG Funds 2010/11 $15,000 HPRP Funds $64,063
TARGET POPULATION:	Homeless; Low and Moderate-Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**OPERATION SAFEHOUSE**
PROGRAM DESCRIPTION:	Operation Safehouse provides emergency shelter, counseling and comprehensive support services for homeless/run-away youth aged 12 – 17, with a goal of family reunification.
RESOURCES:	CDBG Funds 2010/11 $8,000
TARGET POPULATION:	Abused, Neglected, and Homeless Youth
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
PROGRAM DESCRIPTION:	CAP provides emergency and supplemental food, utility payment assistance, and social services referrals to Moreno Valley families in need.
RESOURCES:	CDBG Funds 2010/11 $30,600
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**GOD'S HELPING HAND FOOD AND EMERGENCY SERVICES PROGRAM**
PROGRAM DESCRIPTION:	Emergency and supplemental food, clothing, utility assistance, and social services referrals to Moreno Valley persons and families in need.
RESOURCES:	CDBG Funds 2010/11 $9,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM: **ASSISTANCE LEAGUE OF RIVERSIDE OPERATION SCHOOL BELL**

PROGRAM DESCRIPTION: Program provides new essential clothing and school supplies, a backpack, hygiene kit to low income children identified by teachers or school officials as homeless or needy.

RESOURCES: CDBG Funds 2010/11 $10,000

TARGET POPULATION: Elementary school aged children from low income families

GEOGRAPHIC AREAS: Citywide

PROGRAM: **FORECLOSURE PREVENTION WORKSHOPS**

PROGRAM DESCRIPTION: Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The seven workshops held over 09/10 attracted approximately 600 struggling homeowners.

RESOURCES: CDBG Funds 2010/11 $44,000

TARGET POPULATION: Low-income homeowners

GEOGRAPHIC AREAS: Citywide

PROGRAM: **CATHOLIC CHARITIES**

PROGRAM DESCRIPTION: Provides assistance with rental subsidy and rental arrears payments through the City's HPRP program.

RESOURCES: HPRP Funds $161,667

TARGET POPULATION: Low and Moderate Income Households

GEOGRAPHIC AREAS: Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**INLAND LEGAL SERVICES**
PROGRAM DESCRIPTION:	Free legal advice\services related to housing issues. Offers tenant legal services for evictions and other related legal needs. Funding also allows for expanded service hours.
RESOURCES:	HPRP Funds $40,000
TARGET POPULATION:	Low-income homeowners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**SALVATION ARMY FOOD PROGRAM**
PROGRAM DESCRIPTION:	The Food Pantry offers needy residents emergency food. Funding shall allow for the hire of a part-time driver to pick up food from collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons in the coming year.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**FAMILY SERVICES ASSOCIATION (FSA)**
PROGRAM DESCRIPTION:	FSA provides case management and assistance with rent subsidies and/or rental arrears payments. Program is funded through the City HPRP program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**VOLUNTEER CENTER**
PROGRAM DESCRIPTION:	Provides assistance with rental subsidy and rental arrears payments through the City's HPRP Program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**FAIR HOUSING SERVICES – FORECLOSURE PREVENTION AND MITIGATION PROGRAM**
PROGRAM DESCRIPTION:	Program provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. It also offers financial assessments, budget management, mortgage education, training to potential homebuyers, and referral services.
RESOURCES:	CDBG Funds 2010/11 $25,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

ASSISTANCE AVAILABLE TO PERSONS THREATENED WITH HOMELESSNESS

In order to prevent low-income families from becoming homeless, local non-profit organizations (i.e. Catholic Charities, Gods Helping Hand, P.W. Enhancement Center), provide one-time emergency rental/mortgage assistance. The goal is to prevent homelessness for persons who missed a rent/mortgage payment due to extenuating circumstances. Some low-income families live "paycheck to paycheck" which makes it difficult for them to pay for the basic necessities when an emergency expense arises. The emergency rental/mortgage assistance program greatly benefits families on the threshold of becoming homeless.

For those families at risk of homelessness due to foreclosure, the city will continue conducting a series of foreclosure prevention workshops to assist with mitigation of the foreclosure and provide valuable referrals. The City will also continue to offer programs under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) grant provided in 2008/09 under the American Recovery Act. This emergency legislation was established specifically to address the issue of potential homelessness due to the economic crisis. Funds were dedicated to providing various forms of assistance to qualifying families including: monthly rental assistance, rental arrears, security deposit assistance, utility payments and arrears, motel vouchers, legal assistance, and individual case management.

There are several programs administered by Riverside County that aid in the prevention of homelessness. For example, the Emergency Food and Shelter Program meets the needs of the hungry and homeless by providing funds to provide the following housing assistance (as determined by the Local Board in funded jurisdictions): lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill; and minimal repairs to allow a sheltering facility to function during the program year.

CONTINUUM OF CARE

The City will continue to actively participate in Riverside County's Continuum of Care Consortium. The Continuum of Care Consortium consists of local government agencies and local non-profits that work together to address homeless issues in the region. Continuum of Care grant funding is provided to local public and non-profit agencies to provide homeless services, emergency and transitional shelter. Periodic meetings provide an opportunity for networking and working towards the common goal.

The County of Riverside is the lead agency charged with developing the Continuum of Care's 10 Year Strategy to End Homelessness. A working group of local government agency staff and other community stakeholders has been formed to develop this 10 year plan. The City of Moreno Valley has assigned a staff person to participate in this working group (which meets monthly) to assist in the accomplishment of the goal of ending homelessness in ten (10) years.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
SPECIAL NEEDS STRATEGY

The Five Year Goals and Proposed Accomplishments under the special needs strategy are to assist 15,000 special needs persons, including the elderly and disabled, with housing and public services. In FY 2010/11, the following programs will be implemented to meet this goal.

TABLE 2-B

SPECIAL NEEDS STRATEGY	
OBJECTIVE 1: Provide supportive housing and public services to meet the needs of special needs persons.	
PROGRAM:	**SENIOR VAN TRANSPORTATION SERVICES (MoVan)**
PROGRAM DESCRIPTION:	The MoVan is used to transport the elderly and adult handicapped to medical appointments and other needed destinations for a small donation or at no cost. The MoVan is a specially equipped 17-passenger bus with two wheel chair tie-downs is available 7 hours a day/ 5 days a week.
RESOURCES:	CDBG Funds 2010/11 $30,000
TARGET POPULATION:	Special Needs Persons – Elderly and Disabled
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**ARC OF RIVERSIDE COUNTY**
PROGRAM DESCRIPTION:	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to on-site LVN, and to help continue other existing services.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Special Needs Persons – Disabled
GEOGRAPHIC AREAS:	Citywide

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
HOUSING STRATEGY

The Five Year Goals and Proposed Accomplishments under the housing strategy are to:

1. To rehabilitate or construct a minimum of 400 housing units.
2. To provide home ownership to 5 households.
3. To provide increased, proactive Code Compliance, Neighborhood Cleanups and public safety activities to assist 3000 households in the CDBG Target Areas.
4. To assist 2,500 persons with fair housing and landlord/tenant services.

In FY 2010/11, the following programs will be implemented to meet the goals of each Objective:

TABLE 2-C

HOUSING STRATEGY	
OBJECTIVE 1: Rehabilitation of existing housing and/or construction of new single-family homes, multi-family housing and mobile homes to create or maintain decent, affordable housing for low and moderate income residents.	
PROGRAM:	**MOBILE HOME GRANT PROGRAM**
PROGRAM DESCRIPTION:	Program offers rehabilitation grants of up to $10,000 to low-income owner occupants of mobile home coaches located in rental parks within the City to repair and eliminate substandard conditions.
RESOURCES:	HOME Funds $100,000
TARGET POPULATION:	Low Income Mobile Home Owners
GEOGRAPHIC AREAS:	Citywide

HOUSING STRATEGY

OBJECTIVE 1: (Continued)

PROGRAM:	**HOME IMPROVEMENT LOAN PROGRAM (HILP)**
PROGRAM DESCRIPTION:	3% deferred loans for income qualified homeowners to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.
RESOURCES:	HOME Funds 2010/11 $240,000
TARGET POPULATION:	Low and Moderate Income Home Owners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**MULTI-FAMILY AFFORDABLE HOUSING PROJECTS**
PROGRAM DESCRIPTION:	Construction or rehabilitation of affordable multi-family housing units. New construction will provide additional affordable housing within the community for low income renters. The rehabilitation of current housing stock will improve the amount of decent housing in the community.
RESOURCES:	HOME Funds 2010/11 $182,942
TARGET POPULATION:	Low- income renters
GEOGRAPHIC AREAS:	CDBG Target Area

HOUSING STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**SINGLE FAMILY ACQUISITION, REHABILITATION, AND RESALE PROGRAM (SFR-ARR)**
PROGRAM DESCRIPTION:	Funded by the Neighborhood Stabilization Program grant, the SFR-ARR program purchases, repairs, then re-sells foreclosed and abandoned properties to qualifying families earning up to 120% of the area median income.
RESOURCES:	NSP Funds $5,203,575
TARGET POPULATION:	Low and Moderate Income families
GEOGRAPHIC AREAS:	NSP Target Census Tracts

PROGRAM:	**MULTI-FAMILY ACQUISITION REHABILITATION AND RESALE (MFR-ARR)**
PROGRAM DESCRIPTION:	Funded by the Neighborhood Stabilization Program grant, the MFR-ARR program purchases, repairs, foreclosed and abandoned multi-family apartments and makes them available to renters earning up to 50% of the area median income.
RESOURCES:	NSP Funds $4,047,529
TARGET POPULATION:	Low and Moderate Income renters
GEOGRAPHIC AREAS:	NSP Target Census Tracts

HOUSING STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**CHDO – COMMUNITY HOUSING DEVELOPMENT ORG, Unprogrammed**
PROGRAM DESCRIPTION:	15% CHDO Set aside money for the future rehabilitation or construction of affordable housing for very low income residents. Specific project to be selected at a later date.
RESOURCES:	HOME CHDO Funds 2010/11 $99,988
TARGET POPULATION:	Very Low- income households
GEOGRAPHIC AREAS:	CDBG Target Area
PROGRAM:	**HABITAT FOR HUMANITY – MOBILE HOME REHABILITATION PROGRAM**
PROGRAM DESCRIPTION:	Program provides for the supplies and materials that volunteers shall use to help eligible low income households make exterior improvements to their mobile homes. The program was designed to provide assistance mainly to elderly or disabled persons whom are unable to maintain the exterior of their property and are facing penalties that could lead to eviction. Program will supplement the City's existing Mobile Home Grant Program by relieving it of having to subsidize less critical exterior repairs (which are often general clean-up or cosmetic) and focus more grant dollars on the code related improvements.
RESOURCES:	CDBG Funds $10,000
TARGET POPULATION:	Low Income Mobile Home Owners
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

OBJECTIVE 2: Create home ownership opportunities for low and moderate-income residents

PROGRAM:	**HOMEBUYER ASSISTANCE PROGRAM (HAP)**
PROGRAM DESCRIPTION:	Provides down payment assistance of up to 20% of the purchase price, for first time homebuyers purchasing resale homes up to the maximum FHA 203b limit. Loans are deferred for 30 years with no interest.
RESOURCES:	Neighborhood Stabilization Funds 2010/11 $1 million Redevelopment Funds 2010/11 $500,000
TARGET POPULATION:	Low and moderate income households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**OAKWOOD AFFORDABLE HOUSING PROJECT**
PROGRAM DESCRIPTION:	Development of 240 apartment units for low income renters. The project is currently under construction.
RESOURCES:	Redevelopment Housing Set-aside Funds $ 3 million
TARGET POPULATION:	Low-income renters
GEOGRAPHIC AREAS:	RDA Project Area

PROGRAM:	**RANCHO DORADO AFFORDABLE HOUSING DEVELOPMENT**
PROGRAM DESCRIPTION:	Development of apartment units for low income renters. Phase 1 of the project is currently under construction. Phase 2 is competing for State Tax Credit funding. The project will provide 148 affordable units once constructed.
RESOURCES:	Redevelopment Housing Set-aside Funds Phase 1 $4,750,000 Phase 2 $4,750,000
TARGET POPULATION:	Low-income renters
GEOGRAPHIC AREAS:	RDA Project Area

HOUSING STRATEGY

OBJECTIVE 3: Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.

PROGRAM:	**NEIGHBORHOOD CODE COMPLIANCE**
PROGRAM DESCRIPTION:	City Code Compliance Officers provide enhanced, proactive inspection and enforcement services within the CDBG Target Areas to eliminate substandard housing and poor property maintenance conditions. Many low-income tenants are unable to pay for improvements that are the responsibility of the property owner. Increased code enforcement seeks compliance from property owners and assists in eliminating the substandard conditions.
RESOURCES:	CDBG Funds 2010/11 $263,390
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	CDBG Target Areas

PROGRAM:	**PROBLEM ORIENTED POLICING (POP) PROGRAM**
PROGRAM DESCRIPTION:	Addresses crime prevention through problem solving to increase public safety in low-income neighborhoods and reduce the number of calls for service. Public safety continues to be identified as a high priority by residents and the city. Continued support of the program will help to maintain the safety of area residents and the city's neighborhoods.
RESOURCES:	CDBG Funds 2010/11 $28,241
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY	
(OBJECTIVE 3 CONTINUED)	
PROGRAM:	**CODE ENFORCEMENT - CITY FORECLOSURE STRIKE TEAM**
PROGRAM DESCRIPTION:	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.
RESOURCES:	CDBG Funds 2010/11 $103,017
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas
PROGRAM:	**NEIGHBORHOOD CLEAN-UP PROGRAM**
PROGRAM DESCRIPTION:	This neighborhood program assists in the revitalization of older neighborhoods. Funds will be used to conduct large-scale neighborhood clean-ups (utilizing commercial sized dumpsters and skip loaders) providing haul away and other services to residents within the targeted neighborhoods. Each clean-up typically assists an average of 125 properties.
RESOURCES:	CDBG $15,000
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**FIRE PREVENTION – 'IMPROVEMENT TASK FORCE'**
PROGRAM DESCRIPTION:	This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family units in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing.
RESOURCES:	CDBG Funds 2010/11 $30,000
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

OBJECTIVE 4: Provide fair housing and landlord/tenant services to educate and assist residents on their rights and responsibilities.

PROGRAM:	**FAIR HOUSING SERVICES**
PROGRAM DESCRIPTION:	The Fair Housing Council of Riverside County provides a full range of fair housing services including education, discrimination investigation, landlord/tenant mediation, enforcement, and training and technical assistance. All services designed to affirmatively further fair housing.
RESOURCES:	CDBG Funds 2010/11 $49,453
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

CITY EFFORTS TO ADDRESS LEAD-BASED PAINT HAZARDS

The City provides four consumer loan products that are impacted by the requirements of lead based paint disclosure. Applicants for the City's Mobile Home Grant Program, the Homebuyers Assistance Program, Home Improvement Loan Program, and the Homeowners Assistance for Minor Rehabilitation Program are given a lead-based paint disclosure booklet and sign an acknowledgment that is included in the loan application. If the home was constructed prior to 1978, the City contracts with Home Safe for a lead-based paint inspection of the property. If the property is found to contain lead-based paint, mitigation measures are incorporated as a part of the revitalization work. Since the HAP loan is down payment assistance, the lead-based paint mitigations are the responsibility of the Seller prior to the title transfer. Both buyer and seller receive the disclosure materials as a part of the loan application process.

SECTION 2 – *AFFORDABLE AND FAIR HOUSING*

Zoning

While not specifically addressed as a barrier to affordable housing, the City will begin re-evaluation of some areas that have been re-zoned to non-residential uses. In most cases, the areas re-zoned are older areas of the City that may offer more affordable housing. The City will continue to review the policies in its Housing Element for consistency with the Consolidated Plan and identify areas in need of improvement.

Strategies to Promote Affordable Housing

The City of Moreno Valley will undertake the following strategies to promote and foster affordable housing:

- Actively support projects that apply for State and Federal funds, on a case-by-case basis.
- Continue to develop and maintain affordable housing through the use of CDBG funds, HOME funds, Redevelopment Agency Housing Set-aside funds, and Neighborhood Stabilization Program funds.
- Complete infrastructure plans for various areas of the City to reduce-up front design costs for construction of improvements.
- Continue to implement Permit streamlining to encourage the development of affordable housing in the City.
- Continue to allocate funding for Code Compliance services in the CDBG target areas to address code compliance issues and encourage housing and property maintenance.

ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING

The City updated its Analysis of Impediments to Fair Housing Choice Report in 2008. The following proposed actions were identified during the process. The recommended actions are directed to the City, lending institutions, and other service agencies that assist Moreno Valley residents. Listed below are the key actions that the City could take to continue its efforts to affirmatively further fair housing:

1. Private Sector Actions

Action 1.1 Hate crime victim services are needed because families may feel threatened and unwanted. The City will develop a directory of victim services.

Action 1.2 Numerous professional organizations guide the day-to-day practice of real estate agents and property management companies. These day-to-day practices impact the delivery of housing on a fair and equal basis. The City will continue to maintain an awareness of these organizations and how they affect housing in Moreno Valley.

Action 1.3 The City will encourage the Press-Enterprise to identify in its Fair Housing Notice the agencies that can respond to fair housing questions. Such agencies would include the Fair Housing Council of Riverside County (FHCRC).

Action 1.4 The City will encourage the Press-Enterprise to publish a "no pets" disclaimer that indicates rental housing owners must provide reasonable accommodations, including "service animals" and "companion animals" for disabled persons.

Action 1.5 The City will encourage the Fair Housing Council to prepare a summary of reasonable accommodation requirements and transmit this information to the owners and managers of Moreno Valley's large apartment communities. The information may also provide a link to the State Department of Fair Employment and Housing video on reasonable accommodations.

2. Public Sector Actions

Action 2.1 The City will continue to support fair housing services in order to ameliorate the impacts of housing discrimination and to inform residents on how to recognize and avoid predatory lending, panic selling, and steering.

Action 2.2 The City's Home Improvement and Homeowner's Assistance Programs will continue to assist loan applicants that may have previously been denied through private banks and institutions, with low interest and deferred loans. The deferred loans would not increase an applicant's debt-to-income ratio. In addition, the City can be somewhat more lenient than a private lender insofar as past credit history.

Action 2.3 Using HPRP funds, the City will fund expanded hours for the provision of income – eligible families facing unlawful eviction and homelessness.

Action 2.4 Over the few years, homeowners in the City, as in other Inland Empire communities, are late with their monthly loan payments and, thus, are receiving notices of default and facing foreclosure and possible bankruptcy. The fair housing services provided by the FHCRC have been augmented to help struggling homeowners.

Action 2.5 The City will continue to provide Foreclosure Prevention Workshops throughout Moreno Valley. Two workshop series will be held, each delivering 5 workshops to help struggling homeowners prevent foreclosure. The City will produce a 1-hour video on the subject, to be available on the City's website.

Action 2.6 The City will assist the County of Riverside Housing Authority by transmitting information contained in the Fair Housing Community Profile (Technical Appendix A of the Analysis of impediments to Fair Housing Choice). That information will include the areas of minority and low-income concentrations and an inventory of rental housing communities located outside these areas. In this way, the Housing Authority will have specific geographic information to counsel Section 8 tenants and seek owners outside areas of concentration. This information will be transmitted to the Housing Authority during the first year of the five-year Fair Housing Action Plan.

Action 2.7 The City's Website also will provide a link to the State Department of Fair Employment and Housing's (DFEH) six-minute video on reasonable accommodations for tenants.

ACTIONS TO BE TAKEN DURING PROGRAM YEARS 2008-2009 TO 2012-2013 OF THE CONSOLIDATED PLAN

Program Year 2010-2011

- Continue to contract the FHCRC to provide fair housing services to Moreno Valley's residents.
- Prepare a listing or directory of hate crime victim services.
- Provide the public fair housing information by preparing Q&A documents on topics such as service and companion animal guidelines and accessibility guidelines.
- Conduct annual coordination meetings with the FHCRC, Inland Valley Association of Realtors and the Apartment Association of the Greater Inland Empire to discuss emerging fair housing issues.
- Transmit to the County of Riverside Housing Authority information on areas of minority and low income populations. This information will help the Housing Authority to counsel Section 8 tenants and to conduct landlord outreach to the owners and managers of apartments located outside these areas.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY

The Five Year Goals and Proposed Accomplishments under the Community and Economic Development Strategy are to:

1. To assist 400 local small businesses with counseling services and loan programs.
2. To construct infrastructure improvements that will assist 250 parcels located within CDBG Target Areas.
3. To assist 50,000 low and moderate income residents with public service activities (other than homeless or special needs activities).
4. To assist 150 low and moderate income residents with employment training and placement opportunities.

The following tables outline the activities that the city will undertake during Program Year 2010/11 to meet the Consolidated Plan Goals and Objectives.

TABLE 2-D

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY	
OBJECTIVE 1: Promote expanded economic opportunities in order to create or retain low and moderate income jobs.	
PROGRAM:	**SMALL BUSINESS COUNSELING SERVICES**
PROGRAM DESCRIPTION:	Counseling services for local small businesses in business planning, finances, marketing, etc. The goal is to create and/or retain low-income jobs in the community.
RESOURCES:	CDBG Funds FY 2010/11 $50,000
TARGET POPULATION:	Low income small business owners and employees
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**EMPLOYMENT RESOURCE CENTER**
PROGRAM DESCRIPTION:	The Center will provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost.
RESOURCES:	CDBG Funds 2010/11 $145,641
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**MORENO VALLEY NEW BUSINESS INCENTIVE PROGRAM**
PROGRAM DESCRIPTION:	The New Business Incentive Program is intended to attract major employers to locate in large, vacant retail space in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community through loans, grants or interest subsidies. The program intent is to create full-time permanent jobs which, per a formal agreement with the employer, a certain number shall be held by or made available to low and moderate income persons.
RESOURCES:	CDBG Funds 2010/11 $540,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**FAMILY SERVICE ASSOCIATION - MEAL PROGRAM FACILITY**
PROGRAM DESCRIPTION:	The local Family Services Association plans to construct a kitchen facility in the City's CDBG Target Area where meals will be prepared for the participants of its daycare centers. CDBG funding would be used for help in acquiring a building for the site. In lieu of the CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.
RESOURCES:	CDBG Funds 2010/11 $50,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**LORD'S GYM**
PROGRAM DESCRIPTION:	The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet by focusing on sports. The facility offers a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring. A new facility shall open in Moreno Valley. The proposed CDBG funding will be used toward tenant improvements. In lieu of the CDBG assistance, the 'Lord's Gym' must create or retain a minimum of one full time permanent job held by or made available to low and moderate income level person.
RESOURCES:	CDBG Funds 2010/11 $20,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

OBJECTIVE 2: Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.

PROGRAM:	**SHEILA STREET PARK**
PROGRAM DESCRIPTION:	Project will design and construct a neighborhood park to be located at the former car was site in the Sheila Street Neighborhood.
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $400,000
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Warner Ranch Neighborhood in Moreno Valley

PROGRAM:	**VOUGHT STREET SIDEWALK IMPROVEMENTS**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Vought Street from Boeing Street to Pan Am Boulevard and on Boeing Street from Vought Street to Temco Street
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $388,183
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

PROGRAM:	**BOEING-MCDONNEL SIDEWALK IMPROVEMENTS, #2**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Boeing Street and McDonnel Street from Bay Avenue to Vought Street
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $586,447
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 2 CONTINUED)

PROGRAM:	**TEMCO STREET SIDEWALK IMPROVEMENTS**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Temco Street from Boeing Street to Pan Am Boulevard
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $291,028
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

OBJECTIVE 3: Support public service programs available to serve low and moderate income residents.

PROGRAM:	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
PROGRAM DESCRIPTION:	CAP provides emergency and supplemental food, utility payment assistance, and social services referrals to Moreno Valley families in need.
RESOURCES:	CDBG Funds 2010/11 $30,600
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**GOD'S HELPING HAND FOOD PROGRAM**
PROGRAM DESCRIPTION:	Emergency and supplemental food, clothing and social services referrals to Moreno Valley persons and families in need.
RESOURCES:	CDBG Funds 2010/11 $9,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CHILD ABUSE PREVENTION & EDUCATION PROGRAM**
PROGRAM DESCRIPTION:	The Riverside Area Rape Crisis Center provides a child abuse prevention program designed to educate children (K-12th grade) through the Moreno Valley schools. They also provide counseling and support services to abuse victims and their families.
RESOURCES:	CDBG Funds 2010/11 $7,500
TARGET POPULATION:	K-12 students
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**SALVATION ARMY FOOD PROGRAM**
PROGRAM DESCRIPTION:	The Food Pantry offers needy residents emergency food. Funding shall allow for the hire of a part-time driver to pick up food from collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons in the coming year.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**ASSISTANCE LEAGUE OF RIVERSIDE OPERATION SCHOOL BELL**
PROGRAM DESCRIPTION:	Program provides a backpack, hygiene kit and back-to-school clothing through a "shopping" experience to children identified by teachers or school officials as being in need.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Elementary school aged children from homeless and low income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**ALTERNATIVES TO DOMESTIC VIOLENCE**
PROGRAM DESCRIPTION:	Alternatives to Domestic Violence provides services to victims of domestic violence. These services include an Outreach Counseling Center which offers a 24-hour crisis line, counseling, support groups, court advocacy, and an emergency shelter for battered women and abused children.
RESOURCES:	CDBG Funds 2010/11 $7,500
TARGET POPULATION:	Victims of Domestic Violence
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CASA for RIVERSIDE COUNTY**
PROGRAM DESCRIPTION:	Advocacy for Abused and Neglected Children. CASA offers court appointed monitoring services to foster youth. CDBG funds will be used to fund the salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Abused/Neglected Youth
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**VOLUNTEER CENTER '211 PROGRAM'**
PROGRAM DESCRIPTION:	The '211 Program' is a quality telephone referral system available 24 hours a day, 7 days a week that residents may use to access information on public and private facilities and services in the City.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY	
OBJECTIVE 4: Provide employment training and placement programs available to serve low and moderate income residents.	
PROGRAM:	**MORENO VALLEY COMMUNITY EDUCATORS**
PROGRAM DESCRIPTION:	Offers low income, 'at risk' youth tutoring, mentoring, and standardized test preparation and also includes programs for adults that provides for GED preparation, parenting, resume writing, interview skills and other workforce development skills.
RESOURCES:	CDBG Funds 2010/11 $6,400
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**YOUTH OPPORTUNITY CENTER (YOC)**
PROGRAM DESCRIPTION:	The Center will offer local youth access to an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. The proposed $50,000 in CDBG funding would be used for tenant improvements.
RESOURCES:	CDBG Funds 2010/11 $50,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

SECTION 3 –OTHER ACTIONS

ANTI-POVERTY STRATEGY

The City identified several programs in its strategy to produce and preserve affordable housing. Programs include: the Neighborhood Stabilization Program (NSP), the Home Improvement Loan Program, Mobilehome Rehabilitation Grant Program, and the Homebuyer Assistance Program. The implementation of these programs and the re-evaluation of zoning in specific neighborhoods will assist in maintaining livable conditions for lower income persons. These programs, when coupled with the various social services, such as shelter and food services, and counseling programs, (including homeless prevention programs) provide residents opportunities to utilize programs at

little or no cost, thereby reducing financial burden. The City's current structure limits the ability to directly reduce the numbers of households with incomes below the poverty line. However, by utilizing multiple programs and working with County, private, and nonprofit agencies the City can work to reduce the number of persons with incomes below the poverty line.

The City has established several goals to reduce poverty among its population:

1. Economic Development and Job Creation/Retention

The City partners with the Inland Empire Small Business Development Center (SBDC) to provide small business counseling services and specialized training to local businesses with the goal that the services will create and/or retain low and moderate income jobs.

Last year, the City implemented 2 new programs aimed at relieving area unemployment and creating new jobs. The New Business Incentive Program continues this year to function as a tool to assist in the attraction of retail business to Moreno Valley providing full-time jobs to low-and-moderate income individuals. The Employment Resource Center provides a centrally located office where certified low-to-moderate income persons may utilize computers and other office equipment to assist in building their resumes and run job searches. The City continues to implement a $479, 292 Community Development Block Grant – Recovery, received in 2009, that incentivizes job creation.

2. Housing Programs

The City identified several programs in its strategy to produce and preserve affordable housing. The implementation of programs such as:

- the Homebuyer Assistance Program,
- the Homeownership Opportunity Program,
- the Home Improvement Loan Programs, and
- the Mobile Home Grant Program,
- NSP Acquisition, Rehabilitation, Resale of Single Family Homes,
- NSP Acquisition Rehabilitation, Rental of Multi Family Apartments
- New Affordable Housing Development
- Homelessness Prevention and Rapid Re-Housing Program (HPRP)

will assist in maintaining livable conditions for lower income persons. Four areas of the city were designated Revitalization Areas by HUD. The City is exploring opportunities to acquire and rehabilitate HUD owned properties within these areas to be sold to low-income homebuyers.

3. Public Service Providers

Public service organizations provide direct assistance to low-income persons, including the elderly, homeless, disabled, and persons threatened with homelessness. They assist with (obtaining and maintaining adequate housing) emergency assistance to meet immediate and urgent individual and family needs, including shelter; and remove

obstacles blocking the achievement of self-sufficiency. These programs, when coupled with the various social services, provide city residents opportunities to utilize programs at little or no cost, thereby reducing financial burden. The Homelessness Prevention and Rapid Re-housing grant of $732,872 received in 2009, also utilizes Public Service providers to distribute emergency assistance to families facing homelessness.

4. Coordination of Efforts

The City's goal is to continue to establish collaborative relationships between governmental and social service agencies to assure the effective delivery of services to low-income individuals. One example is the Riverside County Continuum of Care. The Continuum of Care group consists of several local non-profit agencies along with governmental agencies, such as the City of Moreno Valley, who meet periodically to share information, coordinate efforts to assist homeless persons and plan future activities. While the City's ability to directly reduce the numbers of households with incomes below the poverty line is limited, the City will attempt to reduce the number by utilizing multiple programs and working with the county, private and non-profit agencies.

Planning and Meeting Obstacles

The City will continue to evaluate and monitor priority community development needs, including those needs that may be currently underserved. The City will also work toward identifying, assessing and overcoming obstacles to meeting underserved community development needs.

SECTION 3 –OTHER ACTIONS
INSTITUTIONAL STRUCTURE AND COORDINATION

The institutional structure described in the Consolidated Plan demonstrates the diverse types of organizations needed to accomplish its program goals. The City will work with a variety of public and private agencies to accomplish the Consolidated Plan goals set forth in this Strategic Plan.

In addition, coordination with other public and private agencies is necessary in order to establish solid working relationships that will enable all service providers to better assist those in need. The City enjoys a cooperative relationship with surrounding jurisdictions and agencies, as well as nonprofit organizations.

Public Agencies

City staff will work to partner with Riverside County agencies such as the Departments of Mental Health and Public Social Services, to address regional homeless issues. The City meets on a regular basis with the Riverside County Department of Public Social Services as part of the Continuum of Care process to assist homeless persons. The Continuum of Care Consortium consists of local government agencies as well as non-profit agencies that work together to address homeless issues in the region. Continuum of Care grant funding is provided to local public and non-profit agencies to provide homeless services and shelter. Periodic meetings provide an opportunity for networking and working towards the common goal. Riverside County's Economic Development Agency also partners with the City to provide employment assistance services at the City's Employment Resource Center, as well as support services for at-risk youth at the Youth opportunity Center (under development).

In addition, the City also works with state and federal agencies through several grant programs to facilitate services and programs, which meet housing and safety needs in the community. The City is a member of the March Joint Powers Authority (JPA). The JPA is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned March Air Reserve Base (MARB).

Public Housing Authority

The Riverside County Housing Authority administers public housing and Section 8 for Moreno Valley residents. Issues relating to public housing are included in the Consolidated Plan for Riverside County. The City will work with the Riverside County Housing Authority when possible to improve the living environment of public housing and Section 8 residents.

Non-Profit Organizations

The City utilizes a variety of nonprofit organizations to address community needs, such as homelessness, special needs, fair housing and food distribution services. The City will provide information and updates to local social service agencies regarding the

availability of private affordable housing opportunities in Moreno Valley. The City will also inform and educate private housing entities on the services, programs, and referrals provided by local social service agencies to persons seeking housing. Distribution of this information may be through a variety of methods including direct mailing, public service announcements, and personal contacts by city staff. Many of the objectives identified in the Strategic Plan and associated annual programs are carried out by non-profit organizations. These organizations are the primary service providers for Moreno Valley's homeless, special needs and low-income populations. CDBG funds are allocated to these organizations to carry out activities benefiting these populations.

HOME funds are provided to non-profit agencies for rehabilitation and new construction of affordable housing units in the city. The City will work with its Community Housing Development Organizations (CHDO's), Riverside Housing Development Corporation (RHDC), and Habitat for Humanity to accomplish the housing goals.

As a result of working with the CHDO's, the City has been able to address a wide variety of community needs including housing programs, public services, and public safety. The City will continue to work with these entities throughout the program year.

SECTION 3 – OTHER ACTIONS

MONITORING

MONITORING OF CDBG PROGRAMS

Monitoring serves as an effective tool to ensure that expenditures of federal funds are consistent with CDBG National Objectives and achieve program/project goals. The following outlines monitoring requirements for Moreno Valley CDBG program:

Subrecipients – When an organization becomes a City subrecipient, they must sign a contract with the City in which the various scopes of work, time lines, and documentation requirements are outlined. On a monthly basis, each Subrecipient must submit detailed information regarding the number, ethnicity, and income level of individuals benefiting from CDBG funds. Quarterly summary reports are required of some agencies in which further information is provided on activities accomplished in that quarter. The City conducts an on-site inspection of each agency at least once per year, preferably toward the end of the funding cycle. A sample Subrecipient Monitoring Form is attached as Attachment G.

Construction Projects – All construction projects comply with Federal Labor and Procurement Procedures as well as the various affirmative action and equal opportunity requirements required by various federal and state laws. The CDBG Management Analyst oversees and reviews contract preparation at each step from bid preparation, contract document preparation, pre-construction meetings, and ongoing project inspections. All public notices that solicit bids for capital projects are submitted to minority newspapers such as El Chicano, the San Bernardino American and the Precinct Reporter in order to give minority-owned businesses the opportunity to bid on the CDBG capital projects.

MONITORING OF HOME PROGRAMS

Multi-Family Affordable Housing Programs

The City requires property owners who have received funds under the Rental Rehabilitation Program or Multifamily Affordable Housing Program to recertify their tenant's eligibility annually. They report information and provide documentation related to the property, unit occupancy, tenant information and financial reporting. Forms and applicable documentation such as Federal income tax returns are to be completed by tenants of reserved (affordable) units and submitted with the report. If the unit was occupied by multiple tenants, then a copy of the application, rental agreement and the dates of residency must be provided. In addition, a copy of "Determining Affordable Rent" is provided to the owner for the reserved units. A city Building Inspector will conduct a property inspection to determine if the property is in compliance with code requirements and in good condition. The City will work with a recertification consulting service to ensure that the information is accurate and complete. Examples of the checklists used to monitor the affordable units under the Rental Rehabilitation Loan Program are also included in Attachment G.

Single Family Housing Programs – For Owner-Occupants

The City's Homebuyer Assistance Program offers a low-interest, silent second, down-payment assistance loans to income qualified individuals.

Loan terms include an equity sharing arrangement in lieu of interest on the deferred loan. When the property is sold or transferred, the City will receive a share of the gain on sale in addition to the original amount loaned. The percentage of the equity share percentage is calculated by dividing the original loan amount by the original purchase price.

Example: *If the HAP loan amount was $10,000 and the original purchase price was $90,000, the equity share percentage would be 11%. The equity share percentage is then multiplied by the gain on the sale (as determined by the sales price or the property value determined by a professional appraisal) to determine the City's Share of the profit on the sale. If the gain on the sale were $15,000, the City's share would be 11% of $15,000, or $1,650. The total repayment to the City would be $11,650.*

In addition, a Deed of Trust is recorded to serve as loan collateral (security). The securing deed may take first, second, or third position if it does not exceed the one hundred percent (100%) loan-to-value ratio.

Displacement and Relocation

The City does not have any plans to displace or relocate any residents from their homes using CDBG or HOME funds. If a project necessitated displacement or relocation, it would be done in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

PROPOSED ACCOMPLISHMENTS

The following table details each of the goals and objectives identified in the Strategic Plan and the proposed accomplishments over the five-year period of the Consolidated Plan. Following the close of the program year on June 30th, the City has 90 days to complete a Consolidated Annual Performance and Evaluation Report (CAPER) for public review and submittal to HUD. The CAPER will include the following table to track the accomplishments during the entire five-year period. Annual goals will be identified in the Annual Action Plan.

TABLE 3-A
PROPOSED FIVE-YEAR ACCOMPLISHMENTS (SAMPLE TABLE. INTENTIONALLY BLANK.)

Priority	Five-Year Goal / Proposed Accomplishments	Complete per Program Year					Summary of Progress
		08/09	09/10	10/11	11/12	12/13	
HOMELESS STRATEGY							
OBJECTIVE: Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.							
1.1	To assist 2500 homeless persons and persons threatened with homelessness with housing and public service activities.						Goal: Completed:
SPECIAL NEEDS STRATEGY							
OBJECTIVE: Provide supportive housing and public services to meet the needs of special needs persons.							
2.1	To assist 15,000 special needs persons, including the elderly and disabled, with housing and public services.						Goal: Completed:
HOUSING STRATEGY							
OBJECTIVE: Rehabilitation of existing and construction of new single-family homes, multi-family housing and mobile homes to create or maintain decent, affordable housing for low and moderate income residents.							
3.1	To rehabilitate or construct a minimum of 400 housing units.						Goal: Completed:
OBJECTIVE: Create home ownership opportunities for low and moderate income residents.							
3.2	To provide home ownership to 5 households.						Goal: Completed:
OBJECTIVE: Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.							
3.3	To provide increased, proactive Code Enforcement, Neighborhood Cleanups and public safety activities to assist 3,000 households.						Goal: Completed:
OBJECTIVE: Provide fair housing services to educate households on their rights and responsibilities and assist residents with fair housing issues.							
3.4	To assist 2,500 households with fair housing services.						Goal: Completed:

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COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY							
Priority	**Five-Year Goal / Proposed Accomplishments**	**Complete per Program Year**					**Summary of Progress**
OBJECTIVE: Promote expanded economic opportunities in order to create or retain low and moderate income jobs.							
4.1	To assist 400 local small businesses with counseling services and loan programs.						**Goal:** **Completed:**
OBJECTIVE: Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.							
4.2	To construct infrastructure improvements that will assist 250 parcels located within CDBG Target Areas.						**Goal:** **Completed:**
OBJECTIVE: Support public service programs available to serve low and moderate income residents.							
4.3	To assist 50,000 low and moderate income residents with public service activities (other than homeless or special needs activities).						**Goal:** **Completed:**
OBJECTIVE: Provide employment training programs available to serve low and moderate income residents.							
4.4	To assist 150 low and moderate income residents with employment training and placement.						**Goal:** **Completed:**

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SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
FORM APPLICATION SF424

Form Application SF 424

(behind this page)

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

*1. Type of Submission:
- ☐ Preapplication
- ☒ Application
- ☐ Changed/Corrected Application

*2. Type of Application
- ☐ New
- ☒ Continuation
- ☐ Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier: B-09-MC-06-0567

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Moreno Valley

*b. Employer/Taxpayer Identification Number (EIN/TIN): 33-0076484

*c. Organizational DUNS: 177134186

d. Address:

*Street 1: 14177 Frederick Street

Street 2: PO BOX 88005

*City: Moreno Valley

County:

*State: CA

Province:

*Country: USA

*Zip / Postal Code 92553

e. Organizational Unit:

Department Name: ECONOMIC DEVELOPMENT

Division Name: NEIGHBORHOOD PRESERVATION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms.

*First Name: Isa

Middle Name:

*Last Name: Rojas

Suffix:

Title: Management Analyst

Organizational Affiliation:

*Telephone Number: 951-413-3227

Fax Number: 951-413-3459

*Email: IsaR@MoVal.org

Application for Federal Assistance SF-424 Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grant Program

***12 Funding Opportunity Number:**

***Title:**

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Moreno Valley, CA

***15. Descriptive Title of Applicant's Project:**

Annual Action Plan for FY 2010/11 Community Development Block Grant funding. Programs/projects receiving new allocations for funding includes public services (landlord/tenant mediation, homeless\transitional housing shelters, emergency food assistance, youth programs, and elderly programs) code enforcement, and economic development programs.

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 43rd and 44th *b. Program/Project: 43rd and 44th

17. Proposed Project:

*a. Start Date: July 1, 2009 *b. End Date: June 30, 2010

18. Estimated Funding ($):

*a. Federal	$1,941,611
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	$1,941,611

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Bopf

Suffix:

*Title: INTERIM CITY MANAGER

*Telephone Number: 951-413-3453 Fax Number: 951-413-3459

* Email: billbopf@moval.org

*Signature of Authorized Representative: *Date Signed:

Authorized for Local Reproduction Standard Form 424 (Revised 10/2005)
Prescribed by OMB Circular A-102

Application for Federal Assistance SF-424 Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

NA

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

*1. Type of Submission:	*2. Type of Application	* If Revision, select appropriate letter(s)
☐ Preapplication	☐ New	
☒ Application	☒ Continuation	*Other (Specify)
☐ Changed/Corrected Application	☐ Revision	

3. Date Received:

4. Applicant Identifier: M-09-MC-06-0551

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: CITY OF MORENO VALLEY

*b. Employer/Taxpayer Identification Number (EIN/TIN): 33-0076484

*c. Organizational DUNS: 177134186

d. Address:

*Street 1: 14177 FREDERICK STREET

Street 2: PO BOX 88005

*City: MORENO VALLEY

County: RIVERSIDE

*State: CA

Province:

*Country: USA

*Zip / Postal Code 92552-0805

e. Organizational Unit:

Department Name: ECONOMIC DEVELOPMENT

Division Name: NEIGHBORHOOD PRESERVATION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: MS. *First Name: ISA

Middle Name:

*Last Name: ROJAS

Suffix:

Title: MANAGEMENT ANALYST

Organizational Affiliation:

*Telephone Number: 951-413-3227 Fax Number: 951-413-3459

*Email: IsaR@moval.org

Application for Federal Assistance SF-424 Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development (HUD)

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnership Program

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Moreno Valley, CA

***15. Descriptive Title of Applicant's Project:**

Annual Action Plan for FY 2010/11 HOME funding. Programs/projects receiving new allocations for funding include Mobile Home Grant Program, Home Improvement Loan Program, and Multi-family Affordable Housing Program.

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 43rd and 44th *b. Program/Project: 43rd and 44th

17. Proposed Project:

*a. Start Date: July 1, 2010 *b. End Date: June 30, 2011

18. Estimated Funding ($):

*a. Federal	$666,589
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	$666,589

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Bopf

Suffix:

*Title: Interim City Manager

*Telephone Number: 951-413-3453 Fax Number: 951-413-3459

* Email: billbopf@moval.org

*Signature of Authorized Representative: *Date Signed:

Application for Federal Assistance SF-424 Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A

SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
CITIZEN PARTICIPATION

CITIZEN PARTICIPATION PROCESS

In preparing the 2010/11 Action Plan, the City took an assertive approach to encourage citizen participation. HUD regulations require that cities consult with public and private community-based non-profit organizations to obtain input on the housing and non-housing needs of low- and moderate-income and homeless members of the community. Those with special needs are included as well. To meet this requirement, the City prepared a Citizen Participation Plan (Attachment D), which outlines the process for encouraging citizen participation in the development of the Action Plan.

Citizen participation was accomplished through a series of meetings, public notices and announcements. City staff hosted community meetings and invited area residents, non-profit organizations and surrounding jurisdictions to provide input on the needs of the community. Public meetings to determine needs were held at the Moreno Valley Conference and Recreation Center and the Senior Center. In addition, several focused meetings with local agencies, surrounding jurisdictions and City committees were also conducted. Information and notification of these meetings was distributed through correspondence, flyers and public notices. Table 4-A, on the following page, outlines the citizen participation schedule.

The information compiled from the meetings (as outlined in the above schedule) was used in determining the needs in the community and the development of strategies. Citizen Comments are included as Attachment E. Organizations that participated in meetings or consultations included the following:

- Moreno Valley Citizens
- Coachella Valley Housing Coalition
- Cultural Heritage Performers
- Fair Housing Council of Riverside
- Mexican Political Association
- MoVan and the Community Assistance Program (CAP)
- Transforming Community Action Program
- United Democrats of Moreno Valley

The proposed Action Plan was available for a 30-day public examination and comment period from April 8, 2010 through May 8, 2010.

The Action Plan was available for public review at the following locations:

- City of Moreno Valley Economic Development Department – City Hall
- Moreno Valley Senior Center
- City of Moreno Valley Corporate Yard

- Moreno Valley City Library

No Public comments on the Annual Action Plan were received during the public review period. Comments received at public meetings and hearings are included in Attachment E.

TABLE 4-A
CITIZEN PARTICIPATION SCHEDULE

Annual Action Plan FY 2010-2011 CDBG & HOME Programs Citizen Participation Schedule	
November 27, 2009	Notice of Community Needs Meetings *(Publish in Newspaper & Mail Out)*
December 10, 2009	Community Needs Assessment Meeting – Conference & Recreation Center (6:00 p.m. to 8:00 p.m.)
December 14, 2009	Community Needs Assessment Meeting - Senior Community Center (6:00 p.m. to 8:00 p.m.)
December 30, 2009	Publish Notice of Public Hearing to Adopt CDBG/HOME Program Objectives and Policies
January 12, 2010	City Council Meeting – Adopt CDBG/HOME Program Objectives and Policies *(Public Hearing)*
January 14, 2010	City CDBG/HOME Applications Distributed & Notice of Funding Availability Published (Technical Assistance Available on Request)
February 4, 2010	Non-Profit and Outside Agency Applications Due
February 9-11, 2010	Technical Review Committee Reviews Public Service and Community Needs Applications; Applicant Oral Presentations
February 11, 2010	Final Technical Committee Project Review & Recommendation
March 10, 2010	Publish Notice of Public Hearing for March 23, 2010 City Council Meeting
March 18, 2010	Publish Notice of Annual Action Plan Review Period (April 1 – May 1, 10)
March 23, 2010	City Council Meeting - CDBG/HOME Project Selection *(Public Hearing)*
April 1, 2010	Begin Annual Action Plan 30-Day Review Period
April 28, 2010	Publish Notice of Public Hearing to Approve the Annual Action Plan
May 1, 2010	Close of 30-day Public Comment Period for Annual Action Plan
May 11, 2010	City Council Meeting - Review Citizen Comments & Approve the Annual Action Plan *(Public Hearing)*
May 13, 2010	Submittal of Annual Action Plan to HUD

SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
CERTIFICATIONS

(Behind this page)

CERTIFICATIONS FY 2010-2011

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the City of Moreno Valley certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, and it has concluded an analysis of impediments to fair housing choice within the jurisdiction, and will take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential ant displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;
(b) The grantee's policy of maintaining a drug-free workplace;
(c) Any available drug counseling, rehabilitation, and employee assistance programs; and
(d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -

(a) Abide by the terms of the statement; and
(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

_____ _____

Signature/Authorized Official Date

William Bopf, Interim City Manager

Specific CDBG Certifications

The City of Moreno Valley certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2008-2009 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

   However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-Discrimination laws -- The grant will be conducted and administered in conformity within title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint – Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

_____ _____

Signature/Authorized Official Date

William Bopf, Interim City Manager

Specific HOME Certifications

The City of Moreno Valley certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

_____ _____

Signature/Authorized Official Date

William Bopf, Interim City Manager

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.

2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).

6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)
City Hall
14177 Frederick Street
Moreno Valley, CA 92552

(X) Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Non-procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

ATTACHMENT A – DEFINITIONS OF TERMS AND ACRONYMS USED

List of acronyms used in this document:

CDBG: Community Development Block Grant

CDBG-R: Community Development Block Grant, Recovery Program

HOME: HOME Investment Partnership Grant

HPRP: Homelessness Prevention and Rapid Re-housing Program

HUD: U.S. Department of Housing and Urban Development

NSP: Neighborhood Stabilization Program

RDA: Community Redevelopment Agency of the City of Moreno Valley

This glossary is designed to provide a comprehensive list of terms used in this Consolidated Plan and future annual plans.

Affordable Housing: Affordable housing is generally defined as housing where the occupant is paying no more than 30 percent of gross income for gross housing costs, including utility costs.

AIDS and Related Diseases: The disease of acquired immune deficiency syndrome or any conditions arising from the etiologic agent for acquired immune deficiency syndrome.

Alcohol/Other Drug Addiction: A serious and persistent alcohol or other drug addiction that significantly limits a person's ability to live independently.

Assisted Household or Person: For the purpose of specifying one-year goals for assisting households or persons, a household or person is assisted if, during the coming Federal fiscal year, they will benefit from one or more programs included in the jurisdiction's investment plan. A renter is benefited if the person takes occupancy of affordable housing that is newly acquired, newly rehabilitated, or newly constructed, and/or receives rental assistance. An existing homeowner is benefited during the year if the home's rehabilitation is completed. A first-time homebuyer is benefited if a home is purchased during the year. A homeless person is benefited during the year if the person becomes an occupant of transitional or permanent housing. A non-homeless person with special needs is considered as being benefited, however only if the provision of supportive services is linked to the acquisition, rehabilitation, or new construction of

a housing unit and/or the provision of rental assistance during the year. Households or persons who will benefit from more than one program activity must be counted only once. To be included in the goals, the housing unity must, at a minimum, satisfy the HUD Section 8 Housing Quality Standards (see 24 CFR section 882.109) See also instructions for completing Table 3B of the CHAS and Table 1 of the Annual Performance Report.

Committed: Generally means there has been a legally binding commitment of funds to a specific project to undertake specific activities.

Consolidated Plan: The document that is submitted to HUD that serves as the planning document (comprehensive housing affordability strategy and community development plan) of the jurisdiction and an application for funding under any of the Community Planning and Development formula grant programs (CDBG, ESG, HOME, or HOPWA), which is prepared in accordance with the process prescribed in 24CFR part 91.

Cost Burden: The extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data published by the U.S. Census Bureau.

Disabled Household: A household composed of one or more persons at least one of whom is an adult (a person of at least 18 years of age) who has a disability. A person shall be considered to have a disability if the person is determined to have a physical, mental or emotional impairment that: (1) is expected to be of long-continued and indefinite duration, (2) substantially impeded his or her ability to live independently, and (3) is such a nature that the ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if he or she has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001-6006). The term also includes the surviving member or members of any household described in the first sentence of this paragraph who were living in an assisted unit with the deceased member of the household at the time of his or her death.

Economic Independence and Self-Sufficiency Programs: Programs undertaken by Public Housing Agencies (PHAs) to promote economic independence and self-sufficiency for participating families. Such programs may include Project Self-Sufficiency and Operation Bootstrap programs that originated under earlier Section 8 rental certificate and rental voucher initiatives, as well as the Family Self-Sufficiency program. In addition, PHAs may operate locally developed programs or conduct a variety of special projects designed to promote economic independence and self-sufficiency.

Elderly Household: For HUD rental programs, a one or two person household in which the head of the household or spouse is at least 62 years of age.

Emergency Shelter: Any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

Extremely Low-Income Family: Family whose income is between 0 and 30 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Existing Homeowner: An owner-occupant of residential property who holds legal title to the property and who uses the property as his/her principal residence.

Family: Family means all persons living in the same household who are related by birth, marriage or adoption.

Family Self-Sufficiency (FSS) Program: A program enacted by Section 554 of the National Affordable Housing Act which directs Public Housing Agencies (PHAs) and Indian Housing Authorities (IHAs) to use Section 8 assistance under the rental certificate and rental voucher programs, together with public and private resources to provide supportive services, to enable participating families to achieve economic independence and self-sufficiency.

Federal Preference for Admission: The preference given to otherwise eligible applicants under HUD's rental assistance programs who, at the time they seek housing assistance, are involuntarily displaced, living in substandard housing, or paying more than 50% of family income for rent. (See, for example, 24 CFR 882.219.)

First-Time Homebuyer: An individual or family who has not owned a home during the three-year period preceding the HUD-assisted purchase of a home that must be used as the principal residence of the homebuyer, except that any individual who is a displaced homemaker (as defined in 24 CFR 92) or a single parent (as defined in 24 CFR 92) may not be excluded from consideration as a first-time homebuyer on the basis that the individual, while a homemaker or married, owned a home with his or her spouse or resided in a home owned by the spouse.

For Rent: Year round housing units that are vacant and offered/available for rent. (U.S. Census definition)

For Sale: Year round housing units that are vacant and offered/available for sale only. (U.S. Census definition)

Frail Elderly: An elderly person who is unable to perform at least 3 activities of daily living (i.e., eating, dressing, bathing, grooming, and household management activities). (See 24 CFR 889.105.)

Group Quarters: Facilities providing living quarters that are not classified as housing units. (U.S. Census definition). Examples include: prisons, nursing homes, dormitories, military barracks, and shelters.

HOME: The HOME Investment Partnerships Program, which is authorized by Title II of the National Affordable Housing Act.

Homeless Family: Family that includes at least one parent or guardian and one child under the age of 18, a homeless pregnant woman, or a homeless person in the process of securing legal custody of a person under the age of 18.

Homeless Individual/Homeless Person: An unaccompanied youth (17 years or younger) or an adult (18 years or older) without children, who is homeless (not imprisoned or otherwise detained pursuant to an Act of Congress or a State law), including the following: (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is: (i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or (iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Homeless Subpopulations: Include but are not limited to the following categories of homeless persons: severely mentally ill only, alcohol/drug addicted only, severely mentally ill and alcohol/drug addicted, fleeing domestic violence, youth, and persons with HIV/AIDS.

Homeless Youth: Unaccompanied person 17 years of age or younger who is living in situations described by terms "sheltered" or "unsheltered".

Household: All the persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

Housing Problems: Households with housing problems include those that: (1) occupy units meeting the definition of Physical Defects; (2) meet the definition of overcrowded; and (3) meet the definition of cost burden greater than 30%.

Housing Unit: An occupied or vacant house, apartment, or single room (SRO housing) that is intended as separate living quarters. (U.S. Census definition)

Institutions/Institutional: Group quarters for persons under care or custody. (U.S. Census definition)

Jurisdiction: A State or unit of general local government.

Large Family/Household: Family/household of five or more persons.

Large Related: A household of 5 or more persons that includes at least one person related to the householder by blood, marriage or adoption.

LIHTC: (Federal) Low Income Housing Tax Credit.

Low- and Moderate-Income Household: A household having an income equal to or less than the Section 8 low-income limit established by HUD.

Low- and Moderate-Income Person: A member of a family having an income equal to or less than the Section 8 low-income limit established by HUD. Unrelated individuals will be considered as one-person families for this purpose.

Low-Income Family/Household: Low-income families/households whose incomes do not exceed 50 percent of the median family/household income for the area, as determined by HUD with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Middle-Income Family/Household: Family/household whose income is between 80 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This corresponds to the term "moderate income family" under the CHAS statute, 42 U.S.C. 12705.)

Moderate-Income Family/Household: Family/household whose income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Non-Homeless Persons with Special Needs: Includes frail elderly persons, persons with AIDS, disabled families, and families participating in organized programs to achieve economic self-sufficiency.

Non-Institutional: Group quarters for persons not under care or custody. (U.S. Census definition used)

Occupied Housing Unit: A housing unit that is the usual place of residence of the occupant(s).

Other Household: A household of one or more persons that does not meet the definition of a Small Related household, Large Related household or Elderly Household.

Other Income: Household whose incomes exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This term corresponds to moderate-income in the CDBG Program.)

Other Vacant: Vacant year round housing units that are not For Rent or For Sale. This category would include Awaiting Occupancy or Held.

Overcrowded: For purposes of describing relative housing needs, a housing unit containing more than one person per room, as defined by the U.S. Census Bureau, for which data are made available by the Census Bureau. (See 24 CFR 791.402(b).)

Owner: A household that owns the housing unit it occupies. (U.S. Census definition)

Physical Defects: A housing unit lacking complete kitchen or bathroom (U.S. Census definition). Jurisdictions may expand upon the Census definition.

Primary Housing Activity: A means of providing or producing affordable housing -- such as rental assistance, production, rehabilitation or acquisition -- that will be allocated significant resources and/or pursued intensively for addressing a particular housing need. (See also, "Secondary Housing Activity".)

Project-Based (Rental) Assistance: Rental Assistance provided for a project, not for a specific tenant. Tenants receiving project-based rental assistance give up the right to that assistance upon moving from the project.

Public Housing CIAP: Public Housing Comprehensive Improvement Assistance Program.

Public Housing MROP: Public Housing Major Reconstruction of Obsolete Projects.

Rent Burden > 30% (Cost Burden): The extent to which gross rents, including utility costs, exceed 30 percent of gross income, based on data published by the U.S. Census Bureau.

Rent Burden > 50% (Severe Cost Burden): The extent to which gross rents, including utility costs, exceed 50 percent of gross income, based on data published by the U.S. Census Bureau.

Rental Assistance: Rental assistance payments provided as either project-based rental assistance or tenant-based rental assistance.

Renter: A household that rents the housing unit it occupies, including both units rented for cash and units occupied without cash payment of rent. (U.S. Census definition)

Renter Occupied Unit: Any occupied housing unit that is not owner occupied, including units rented for cash and those occupied without payment of cash rent.

Secondary Housing Activity: A means of providing or producing affordable housing -- such as rental assistance, production, rehabilitation, or acquisition -- that will receive fewer resources and less emphasis than primary housing activities for addressing a particular housing need. (See also, "Primary Housing Activity".)

Section 215: Section 215 of Title II of the National Affordable Housing Act. Section 215 defines "affordable" housing projects under the HOME program.

Service Needs: The particular services identified for special needs populations, which typically may include transportation, personal care, housekeeping, counseling, meals, case management, personal emergency response, and other services to prevent premature institutionalization and assist individuals to continue living independently.

Severe Cost Burden: The extent to which gross housing costs, including utility costs, exceed 50 percent of gross income, based on data published by the U.S. Census Bureau.

Severe Mental Illness: A serious and persistent mental or emotional impairment that significantly limits a person's ability to live independently.

Sheltered: Families and persons whose primary nighttime residence is a supervised publicly or privately operated shelter, including emergency shelters, transitional housing for the homeless, domestic violence shelters, residential shelters for runaway and homeless youth, and any hotel/motel/apartment voucher arrangement paid because the person is homeless. This term does not include persons living doubled up or in overcrowded or substandard conventional housing. Facilities that offer permanent shelter are not shelters, nor are the residents to be considered homeless.

Small Related: A household of 2 to 4 persons that includes at least one person related to the householder by birth, marriage, or adoption.

Substandard Condition and not Suitable for Rehab: By local definition, dwelling units that are in such poor condition as to be neither structurally not financially feasible for rehabilitation.

Substandard Condition but Suitable for Rehab: By local definition, dwelling units that do not meet standard conditions but are both financially and structurally feasible for rehabilitation. This

does not include units that require only cosmetic work, correction or minor livability problems or maintenance work. The jurisdiction must define this term (i.e., standard condition, financially and structurally feasible for rehab) and include this definition in the Appendix (Glossary of Terms) portion of its CHAS submission.

Substantial Amendment: A major change in an approved housing strategy. It involves a change to the five-year strategy, which may be occasioned by a decision to undertake activities or programs inconsistent with that strategy.

Substantial Rehabilitation: Rehabilitation of residential property at an average cost for the project in excess of $25,000 per dwelling unit.

Supportive Housing: Housing, including Housing Units and Group Quarters, that provides a supportive environment and include a planned service component.

Supportive Service Need in FSS Plan: The plan that PHAs administering a Family Self-Sufficiency program are required to develop to identify the services they will provide to participating families and the source of funding for those services. The supportive services may include child care; transportation; remedial education; education for completion of secondary or post secondary schooling; job training, preparation and counseling; substance abuse treatment and counseling; training in homemaking and parenting skills; money management, and household management; counseling home ownership; job development and placement; follow-up assistance after job placement; and other appropriate services.

Supportive Services: Services provided to residents of supportive housing for the purpose of facilitating the independence of residents. Some examples are case management, medical or psychological counseling and supervision, childcare, transportation, and job training.

Tenant-Based (Rental) Assistance: A form of rental assistance in which the assisted tenant may move from a dwelling unit with a right to continued assistance. The assistance is provided for the tenant, not for the project.

Total Vacant Housing Units: Unoccupied year round housing units. (U.S. Census definition)

Transitional housing: A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, or a longer period approved by HUD. For purposes of the HOME program, there is no HUD-approved time period for moving to independent living.

Unsheltered: Families and individuals whose primary nighttime residence is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., streets, parks, alleys).

Vacant Awaiting Occupancy or Held: Vacant year round housing units that have been rented or sold and are currently awaiting occupancy, and vacant year round housing units that are held by owners or renters for occasional use. (U.S. Census definition)

Vacant Housing Unit: Unoccupied year-round housing units that are available or intended for occupancy at any time during the year.

Very Low-Income: Households whose incomes do not exceed 30 percent of the median area income for the area, as determined by HUD, with adjustments for smaller and larger families and for areas with unusually high or low incomes or where needed because of prevailing levels of construction costs or fair market rents. (This term corresponds to low-income households in the CDBG Program.) For the purpose of further distinguishing needs within this category, two subgroups (0 to 30% and 31 to 50% of MFI) have been established in the CHAS tables and narratives.)

Worst-Case Needs: Unassisted, very low income renter households who pay more than half of their income for rent, live in seriously substandard housing (which includes homeless people) or have been involuntarily displaced.

Year Round Housing Units: Occupied and vacant housing units intended for year round use. (U.S. Census definition.) Housing units for seasonal or migratory use are excluded.

ATTACHMENT B - FY 2010-2011 ANNUAL ACTION PLAN ACTIVITIES

CDBG Programs

Project ID	Local ID	Agency / Program	Funding
0001	2010-11-01-21A	CDBG Program Administration	$ 338,869.00
0002	2010-11-02-21D	Fair Housing Council - Fair Housing Services	$ 49,453.00
0003	2010-11-03-05G	Alternatives to Domestic Violence	$ 7,500.00
0004	2010-11-04-05	Community Assistance Program (CAP)	$ 30,600.00
0005	2010-11-05-05A	Friends of the Moreno Valley Senior Center - (MoVan)	$ 30,000.00
0006	2010-11-06-05	God's Helping Hand - Emergency Food Distribution	$ 9,000.00
0007	2010-11-07-05	Lutheran Social Services - Transitional Living Shelter	$ 15,000.00
0008	2010-11-08-05D	Operation Safehouse	$ 8,000.00
0009	2010-11-09-05	P.W. Enhancement Center - Emergency Motel Vouchers	$ 15,000.00
0010	2010-11-10-05I	Problem Oriented Policing	$ 28,241.00
0011	2010-11-11-05N	Riverside Area Rape Crisis Center - Child Abuse Prevention	$ 7,500.00
0012	2010-11-12-05	Path of Life Transitional Family Shelter	$ 15,000.00
0013	2010-11-13-05D	Moreno Valley Community Educators	$ 6,400.00
0014	2010-11-14-05	Salvation Army Food Program	$ 5,000.00
0015	2010-11-15-05D	Assistance League of Riverside - Operation School Bell	$ 10,000.00
0016	2010-11-16-05B	ARC of Riverside County	$ 5,000.00
0017	2010-11-17-05N	CASA for Riverside County	$ 10,000.00
0018	2010-11-18-15	Code Enforcement - Foreclosure Stike Team	$ 103,017.00
0019	2010-11-19-15	Neighborhood Code Enforcement Program	$ 263,390.00
0020	2010-11-20-18A	MV New Business Incentive Program	$ 540,000.00
0021	2010-11-21-18B	Community Employment Resource Center	$ 145,641.00
0022	2010-11-22-18B	Small Business Counseling Services	$ 50,000.00
0023	2010-11-23-05	Fair Housing Council - Foreclosure Prevention\Mitigation	$ 25,000.00
0024	2010-11-24-03D	Youth Opportunity Center - Tenant Improvements	$ 50,000.00
0025	2010-11-25-05	Community Foreclosure Prevention Workshops	$ 44,000.00
0026	2010-11-26-15	Neighborhood Clean-ups	$ 15,000.00
0027	2010-11-27-05	Volunteer Center '211' Telephone Referral Program	$ 5,000.00
0028	2010-11-28-15	Fire Prevention 'Improvement Task Force'	$ 30,000.00
0029	2010-11-29-14A	Habitat for Humanity Mobile Home Grant Program	$ 10,000.00
0030	2010-11-30-17C	Family Services Association Meal Program Facilities	$ 50,000.00
0031	2010-11-31-17C	Lord's Gym	$ 20,000.00
		Total CDBG Funding	**$ 1,941,611.00**

HOME Programs

Project ID	Local ID	Program	Funding
0032	2010-11-32-21A	HOME Program Administration	$ 66,659.00
0033	2010-11-33-26B	CHDO funds	$ 99,988.00
0034	2010-11-34-14A	Mobile Home Grant Program (MHG)	$ 100,000.00
0035	2010-11-35-14B	Multi-Family Affordable Housing Program	$ 182,942.00
0036	2010-11-36-14A	Home Improvement Loan Program	$ 240,000.00
		Total HOME Funding	**$ 689,589.00**

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0001	CDBG Program Administration	21A General Program Administration	CDBG	$338,869
			ESG	
2009-10-01-21A	Planning and Administration	570.206	HOME	
			HOPWA	
	Comprehensive planning and administration of CDBG program.		TOTAL	$338,869
			Total Other Funding	$0

General CDBG program administration for FY 2010/11.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00055580

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0002	Fair Housing Council - Fair Housing Services	21D Fair Housing Activities (subject to 20% Admin cap)	CDBG	$49,453
2009-10-02-21D	Housing Objective		ESG	
			HOME	
	Objective Description: Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services, and assist homeless persons and those threatened with homelessness.	570.206	HOPWA	
		3,700 People (General)	TOTAL	$49,453
			Total Other Funding	$0
	Project Description: Provides a full range of fair housing services that promote fair housing rights and obligations. The primary goal is to give impetus to, and actualize activities that affirmatively further fair housing in the City of Moreno Valley through the three basic areas of education, training and technical assistance, landlord/tenant mediation and enforcement. Provide assistance to victims of illegal housing discrimination. An estimated 3,700 Moreno Valley residents will be served.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	
23890 Alessandro Boulevard, Ste. A1 Moreno Valley, CA 92553		

MV00055581

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0003	Alternatives to Domestic Violence	05G Battered and Abused Spouses	CDBG	$7,500
			ESG	
2010-11-03-05G	Public Services	570.201(e)	HOME	
	Public Service Objective To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	800 People (General)	HOPWA	
			TOTAL	$7,500
			Total Other Funding	$0
	Project Description: Provides services to victims of violent crimes (battered women and their children). An estimated 800 Moreno Valley residents will be served by this program annually. These services include an Outreach Counseling Center which offers a 24 hour crisis line, counseling, support groups, court advocacy, and an emergency shelter for battered women and abused children.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low/Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	
P.O. Box 910, Riverside, CA 92502		

MV00055582

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0004	Community Assistance Program	05 Public Services (General)	CDBG	$30,600
			ESG	
2010-11-04-05	Public Service Objective	570.201(e)	HOME	
	Objective Description:		HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	12,000 People (General)	TOTAL	$30,600
			Total Other Funding	$0

Project Description:
The Community Assistance Program (CAP) will provide emergency and supplemental food and clothing to low and moderate income persons. Also provides utility payments and social service referrals.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

24594 Sunnymead Boulevard, Moreno Valley, CA 92553

MV00055583

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0005	Friends of the Moreno Vlly Sr Cntr--(MoVan)	05A Senior Services	CDBG	$30,000
			ESG	
2010-11-05-05A	Senior Programs	570.201(e)	HOME	
	Objective Description:		HOPWA	
	Provide services to senior residents of the City, which may include transportation and activities.	3,400 Elderly	TOTAL	$30,000
			Total Other Funding	$0

Project Description:
The Friends of the Moreno Valley Senior Center own and operate the MoVan which is used to transport the elderly and adult handicapped to medical appointments and other needed destinations. The MoVan is a 17-passenger bus with two wheel chair tie-downs. The MoVan operates 7 hours per day/5 days per week and serves over 3,400 persons annually. Minimal fares charged only if able to pay.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

25075 Fir Avenue, Moreno Valley, CA 92553

MV00055584

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0006	God's Helping Hand - Emergency Food Distribution	05 Public Services (General)	CDBG	$9,000
			ESG	
2010-11-06-05	Public Services Objective:	570.201(e)	HOME	
			HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	8,750 People (General)	TOTAL	$9,000
			Total Other Funding	$0

Project Description:
Program provides food (three meals a day for five days) to low-income Moreno Valley residents and families. Also provides social services referrals and emergency clothing. The organization anticipates assisting 8,750 Moreno Valley residents.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

13958 Highway 215, Moreno Valley, CA 92553

MV00055585

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0007	Lutheran Social Services - Transitional Living Program	05 - Public Service (General)	CDBG	$15,000
			ESG	
2010-11-07-05	Housing Objective:	570.201(e)	HOME	
	Objective description:		HOPWA	
	Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services, and assist homeless persons and those threatened with homelessness.	55 People (General)	TOTAL	$15,000
			Total Other Funding	$0
	Project Description: Project povides assistance to homeless women and children through a comprehensive transitional living program. While in the program, participants develop a "Strategic Family Plan" in order to attain the skills necessary for independent living. Counseling, education assessments and other services are provided to assist participants with gaining independence.			

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

23310 Meyer Drive, Riverside, CA 92518

MV00055586

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0008	Operation Safehouse	05D - Public Service (Youth Service)	CDBG	$8,000
			ESG	
2010-11-08-05D	Public Service Objective:	570.201(e)	HOME	
			HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	80 Homeless Youth	TOTAL	$8,000
			Total Other Funding	$0

Project Description:
Operation Safehouse is a 17-bed youth shelter located in a residential neighborhood which is staffed 24 hours per day. Provides shelter, food, counseling, clothing and support services for runaway/throwaway children in a safe and supervised environment.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses

9685 Hayes Street, Riverside, CA

MV00055587

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0009	P.W. Enhancement Cntr - Emergency Motel Vouchers	05 Public Services (General)	CDBG	$15,000
			ESG	
2010-11-09-05	Homeless Service Objective:	50 People (General)	HOME	
			HOPWA	
	To provide supportive housing and public services to meet the needs of homeless persons or those threatened with homelessness		TOTAL	$15,000
			Total Other Funding	$0

Project Description:
The P.W. Enhancement Center provides emergency and supportive services to needy households including food distribution, budgeting and money management, and job preparedness. Funding will be provided to assist the homeless by providing emergency motel vouchers and rental assistance to needy families and individuals.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

24490 Sunnymead Blvd., Moreno Valley, CA 92553

MV00055588

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0010	Problem Oriented Policing (POP)	05I Crime Awareness	CDBG	$28,211
			ESG	
2010-11-10-05I	Anti-Crime Programs	570.201(e)	HOME	
			HOPWA	
	Public Safety - To provide a safe and secure environment for residents and businesses through the Neighborhood Policing Program. Annual Program Goal - Continue to increase public safety in low-income neighborhoods (CDBG Target Areas) and reduce the number of calls for service.	250 People (General)	TOTAL	$28,211
			Total Other Funding	$0

Project Description:
Police Officers will be assigned to the CDBG Target Areas for the purpose of continuing the Community Based Problem Oriented Policing Program (POP). The program is designed to reduce crime, promote neighborhood pride, and bring law enforcement to a personal community level. The specific purpose of the program include reduction of crime within the designated areas and the improvement/removal of blight.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	

CT: 042405 BG: 1 County: 06065
CT: 042405 BG: 2 County: 06065
CT: 042504 BG: 1 County: 06065
CT: 042504 BG: 2 County: 06065
CT: 042505 BG: 1 County: 06065
CT: 042505 BG: 2 County: 06065
CT: 042508 BG: 1 County: 06065
CT: 042512 BG: 2 County: 06065
CT: 042514 BG: 1 County: 06065
CT: 042515 BG: 1 County 06065
CT: 042515 BG: 2 County: 06065
CT: 042516 BG: 1 County: 06065
CT: 042516 BG: 2 County: 06065
CT: 042519 BG: 1 County: 06065
CT: 042509 BG: 1 County: 06065
CT: 042509 BG: 2 County: 06065
CT: 042511 BG: 1 County: 06065
CT: 042520 BG: 1 County: 06065
CT: 042605 BG: 6 County: 06065

MV00055589

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0011	Riverside Rape Crisis - Child Abuse Prevention Progrm	05N Abused and Neglected Children	CDBG	$7,500
			ESG	
2010-11-11-05N	Public Service Objective:	570.201(e)	HOME	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	5,500 Youth	TOTAL	$7,500
			Total Other Funding	$0

Project Description:
Child abuse prevention and education programs designed to reach children (K through 12) and adults are presented at the elementary, middle and high school levels. The program is also designed to reach bilingual and Special Education students, adults, and teen support groups. Also provides counseling and support services to abuse victims and their families.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipiet Public 570.500(c)	
Location(s): 1845 Chicago Ave. Ste. A, Riverside, CA 92507	Community Wide	

MV00055590

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0012	Path of Life Transitional Shelter	05 - Public Services (general)	CDBG	$15,000
			ESG	
2010-11-12-05	Homeless Services	570.201(e)	HOME	
			HOPWA	
	To provide transitional housing services to families with children (both single and married couples)	142 Homeless people		
			TOTAL	$15,000
			Total Other Funding	$0

Project Description:
The King Hall Transitional Housing Project will offer transitional and emergency shelter care to women with children, single women, and homeless families. Services include shelter, assessment of needs, life skills coaching, goal setting, job training, budget planning, education, and supportive services.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses

23701 Meyer Drive, (MARB) Riverside, CA 92518

MV00055591

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0013	Moreno Valley Community Educators	05D Public Services (Youth)	CDBG	$6,400
			ESG	
2010-11-13-05D	Project Description:	570.201(e)	HOME	
			HOPWA	
	The program offers low income, 'at risk' children ages 5-18 free tutoring (all subjects), mentoring, standardized test preparation, and computer literacy 4:30 pm to 6:30 pm 3 nights per week. CDBG funding will allow the center to purchase supplies, expand its hours, and include programs for young adults such as GED preparation, parenting, resume writing, interview skills and other workforce development skills.	40	TOTAL	$6,400
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552

MV00055592

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0014	Salvation Army Food Program	05 Public Services General	CDBG	$5,000
			ESG	
2010-11-14-05D	Public Services	570.201(e)	HOME	
			HOPWA	
	The Food Pantry offers needy residents emergency food on Mondays and Tuesdays from 8:30 a.m.-12:30 p.m. Funding allows for the hire of a much needed part-time driver to pick up food from their collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons this coming year.	22,000	TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipiet Public 570.500(c)	
Location(s):	Community Wide	

14068 Graham Street Moreno Valley, CA 92533

MV00055593

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishment	Funding Sources	
0015	Assistance League of Riverside - OPERATION SCHOOL BELL		CDBG	$10,000
			ESG	
2010-11-15-05D	Public Services (Youth Services)	570.201(e)	HOME	
			HOPWA	
		280		
			TOTAL	$10,000
	The project will provide new school clothing to 280 needy Moreno Valley children. Children are referred by Moreno Valley Unified School District staff. Each child referred will receive 6 pairs of socks and underwear, 2 pairs of pants, 3 shirts, 1 sweatshirt, 1 jacket, 1 shoe voucher, 1 backpack, 1 new reading book, 1 used book, and a personal hygiene kit.		Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele
Subrecipient:	Subrecipiet Public 570.500(c)
Location(s):	Community Wide

3707 Sunnyside Dr. Riverside, CA 92506

MV00055594

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0016	ARC of Riverside County	Disaled Services	CDBG	$5,000
			ESG	
2010-11-16-05B	Services for the Disabled	570.201(c)	HOME	
			HOPWA	
	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to an on-site LVN, and to help continue other existing services.	50-100 Youth	TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	

12199 Heacock St., Ste. 5, Moreno Valley 92557

MV00055595

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0017	CASA for Riverside County	05N - Public Service (Abused Youth Service:	CDBG	$10,000
			ESG	
2010-11-17-05N	Public Services Objective - Abused Foster Youth	570.201(e)	HOME	
			HOPWA	
	CASA offers court appointed monitoring services to foster youth. A CASA volunteer consistently monitors the foster child, advocates for their best interest and follows their progress regardless of a change in foster family. The CASA volunteer (advocate) reports to court on the child's behalf assisting to ensure the child is placed in a safe, permanent home with hope for a positive future. CDBG funds will be used for salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.	57 foster youth	TOTAL	$10,000
			Total Other Funding	$0

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility: 570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses
Southwest Justice Center, 30755 D. Auld Rd., Ste 1226 Murrieta, CA 92563

MV00055596

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0018	Code Enforcement City Foreclosure Strike Team	15 Code Enforcement	CDBG	$103,017
			ESG	
2010-11-18-15	Other	570.206	HOME	
	Project Description:		HOPWA	
	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.		TOTAL	$103,017

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility: 570.208(a)(1) - Low / Mod Area
Subrecipient: Local Government
Location(s): CT & BG's

CT: 042405 BG: 1 County: 06065
CT: 042405 BG: 2 County: 06065
CT: 042504 BG: 1 County: 06065
CT: 042504 BG: 2 County: 06065
CT: 042505 BG: 1 County: 06065
CT: 042505 BG: 2 County: 06065
CT: 042508 BG: 1 County: 06065
CT: 042509 BG: 1 County: 06065
CT: 042509 BG: 2 County: 06065
CT: 042511 BG: 1 County: 06065
CT: 042512 BG: 2 County: 06065
CT: 042514 BG: 1 County: 06065
CT: 042515 BG: 1 County 06065
CT: 042515 BG: 2 County: 06065
CT: 042516 BG: 1 County: 06065
CT: 042516 BG: 2 County: 06065
CT: 042519 BG: 1 County: 06065
CT: 042520 BG: 1 County: 06065
CT: 042605 BG: 6 County: 06065

MV00055597

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0019	Neighborhood Code Enforcement Program	15 Code Enforcement	CDBG	$263,390
			ESG	
2010-11-19-15	Other	570.206	HOME	
	Project Description:		HOPWA	
	The Code & Neighborhood Services Division will provide proactive code enforcement activities within the CDBG Target Areas. The program will reduce blight and substandard housing conditions and promote improved property and building maintenance habits of property owners and tenants. These goals will be achieved through investigation and enforcement of zoning, housing, building, and health and safety codes.		TOTAL	$263,390

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(1) - Low / Mod Area
Subrecipient:	Local Government
Location(s):	CT & BG's

MV00055598

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0020	Moreno Valley Retail Business Incentive Program	18A ED Technical Assistance	CDBG	$540,000
			ESG	
2010-11-20-18A	Direct Assistance to For Profits The economic downtown has lead to job loss for many residents. As of February 2010, the City's unemployment rate exceeded 17%. Funding is recommended for the continuation of a New Business Incentive Program intended to attract major employers to locate in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues.	570.203(b)	HOME	
			HOPWA	
			TOTAL	$540,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses

14177 Frederick Street Moreno Valley, CA 92552

MV00055599

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0021	EMPLOYMENT RESOURCE CENTER	18B ED Technical Assistance	CDBG	$145,641
			ESG	
2010-11-21-18B	Economic Development	570.203(b)	HOME	
			HOPWA	
	The economic downtown has lead to job loss for many residents. As of February 2010, the City's estimated unemployment rate exceeded 17%. The ERC will continue to provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost. The site has also been used to conduct job training as well as employee recruitments for several Moreno Valley businesses. During the first year of operation, the Center had over 13,000 patrons visit the site.		TOTAL	$145,641
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses
12625 Frederick Street Moreno Valley	

MV00055600

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0022	Small Business Counseling Services	18B ED Technical Assistance	CDBG	$50,000
			ESG	
2010-11-22-18B	Economic Development	570.203(b)	HOME	
			HOPWA	
	The goals of the community and economic development strategy in the Consolidated Plan are to promote expanded economic opportunities in order to create or retain low and moderate income jobs, provide infrastructure improvements in CDBG Target Areas, and support public service programs available to serve low and moderate income residents.	100 Businesses	TOTAL	$50,000
			Total Other Funding	$0
	The Inland Empire Small Business Development Center (SBDC) provides technical assistance and training to Moreno Valley small businesses. Training and seminars include such topics as financial management, marketing, taxes, developing a business plan and expanding a home-based business. It is anticipated that the seminars, training and counseling will create or retain low income jobs.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(4) Job Creation or Retention	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

1157 Spruce Street, Riverside, CA

MV00055601

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0023	Fair Housing Council - Foreclosure Prevention & Mitigation Counseling		CDBG	$25,000
			ESG	
2010-11-23-05	Housing		HOME	
		Public Service 570.201(e)	HOPWA	
	Project provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. Program also offers budget management, financial assessments, mortgage education and training to potential homebuyers, and referral services.	Limited Clientele 570.208(a)(2)		
			TOTAL	$25,000
		750 people		
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses

23890 Alessandro Boulevard, Moreno Valley, CA 92553

MV00055602

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0024	Youth Opportunity Center	03D Youth Centers	CDBG	$50,000
			ESG	
2010-11-24-03D	Economic Development	570.203(b)	HOME	
	Project Description:		HOPWA	
	The project would establish a 2,000 sq. ft. center where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. Grant would serve as the required matching funds that would be used for the building acquisition or for needed tenant improvements in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.		TOTAL	$50,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses
14177 Frederick St., Moreno Valley, CA	

MV00055603

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0025	Community Foreclosure Prevention Workshops		CDBG	$44,000
			ESG	
2010-11-25-05	Housing		HOME	
		Public Services 570.201(e)	HOPWA	
	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The City is expected to partner with agencies such as: the Riverside County Fair Housing Council, Springboard Consumer Credit Counselors, Employment Development Department, the County Tax Assessors Office, HUD, the IRS, and others to provide a complete and comprehensive program.	570.208(a) Low – Moderate Income	TOTAL	$44,000
		300 people	Total Other Funding	$0

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility:
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses

14177 Frederick St. Moreno Valley, CA 92552

MV00055604

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0026	Neighborhood Clean-ups	15 Code Enforcement	CDBG	$15,000
			ESG	
2010-11-26-15	Other	570.206	HOME	
			HOPWA	
	The program proposes to provide 3 large scale clean-ups to be held in select neighborhoods within the CDBG Target Areas identified as the 'most distressed.' The clean-ups will utilize industrial size dumpsters and skip loaders. The objective is to eliminate blight, prevent deterioration of properties, and remove conditions that negatively impact health, safety, or public welfare. On average each event benefits approximately 100 residences.		TOTAL	$15,000

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	
14177 Frederick st. Moreno Valley, CA		

MV00055605

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0027	211 of Riverside County	05 General Public Service	CDBG	$5,000
			ESG	
2010-11-27-05	Volunteer Center of Riverside County	570.201(e)	HOME	
			HOPWA	
	211 Riverside is an on going phone system that provides 24 hour, 7 days a week information and referrals to social service programs. Due to the economy, calls to 211 have increased. Funding is requested to cover staffing costs to handle increased call loads.		TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00055606

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0028	Fire Prevention Div. - Neighborhood Improvement Task Force	15 Code Enforcement	CDBG	$30,000
2010-11-28-15	Other	570.206	ESG HOME	
	Project Description: This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family units in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing		HOPWA TOTAL	$30,000

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location CDBG Target Area		

MV00055607

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0029	Habitat for Humanity Mobile Home Grant Program		CDBG ESG	
2010-11-29-14A	Housing	570.202	HOME HOPWA	$10,000.00
		12 Households (General)		
			TOTAL	$10,000.00
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.			
			Total Other Funding	$0.00

Project Description:
Program offers assistance to income-qualified mobile home owners for rehabilitation of exterior substandard conditions. Work is performed by volunteers. Program aims to assist those who are unable to do repairs themselevs and where lack of maintenance may lead to eviction.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:
Subrecipient: Local Government
Location(s): N/A

MV00055608

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0030	FSA Meal Program Facility	17C - Commercial/Industrial Building Acquisition, Construction, Rehabilitation	CDBG	$50,000
			ESG	
2010-11-30-17C	Economic Development	570.203(a)	HOME	
	Project Description:		HOPWA	
	Family Services Association (a local non-profit) plans to construct a kitchen facility in the CDBG Target Area where meals will be prepared for its local meals and nutrition programs including for the participants of its many daycare centers in the community. The proposed $50,000 in CDBG funding would be used for assistance in acquiring a building for the site, and in lieu of the City's CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.		TOTAL	$50,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10	
Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
Eligibility:	570.203(a)		
Subrecipient:			
Location(s):	Addresses		
14177 Frederick St., Moreno Valley, CA			

MV00055609

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0031	Lord's Gym	17C - Commercial/Industrial Building Acquisition, Construction, Rehabilitation	CDBG	$20,000
2010-11-31-17C	Economic Development	570.203(a)	ESG	
			HOME	
	Project Description:		HOPWA	
	The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet in today's world by focusing on sports programs. The facility is new to the area and will offer a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring.The proposed $20,000 in CDBG funding would be used for tenant improvements, and in lieu of the CDBG assistance the 'Lord's Gym' must create or retain a minimum of one full-time permanent job which are held by or made available to low and moderate income level person.		TOTAL	$20,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.203(a)	
Subrecipient:		
Location(s):	Addresses	
14177 Frederick St., Moreno Valley, CA		

MV00055610

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0032	HOME Program Administration	21A General Program Administration	CDBG	
			ESG	
2010-11-32-21A	Planning and Administration		HOME	$66,659.00
			HOPWA	
	Comprehensive planning and administration of programs.	0 N/A		
			TOTAL	$66,659.00
			Total Other Funding	$0.00

HOME program administration for FY 2010/2011

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:
Subrecipient: Local Government
Location(s): N/A
14177 Frederick St. Moreno Valley, Ca 92553

MV00055611

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0033	CHDO Funds	22 Unprogrammed	CDBG	
			ESG	
2010-11-33-22	Housing		HOME	$99,988.00
			HOPWA	
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.		TOTAL	$99,988.00
			Total Other Funding	$0.00
	Project Description: Funding shall be reserved\provided to a Community Housing Development Organization (CHDO) to construct or rehabilitate multi-family rental units in the CDBG Target Area. These units will be affordable to low income households.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00055612

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0034	Mobile Home Grant Program		CDBG	
			ESG	
2010-11-34-14A	Housing	570.202	HOME	$100,000.00
			HOPWA	
		10 Households (General)		
			TOTAL	$100,000.00
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant servic			
			Total Other Funding	$0.00
	Project Description: Program offers grants of up to $10,000 to income-qualified owners of mobile home coaches for the rehabilitation of substandard conditions.			

Help the Homeless?	No	Start Date: 07/01/10	
Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
Eligibility:			
Subrecipient:	Local Government		
Location(s):	N/A		

MV00055613

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishme	Funding Sources	
0035	Multi-family Affordable Housing Program (MFA)		CDBG	
			ESG	
2010-11-35 -14B	Housing Housing Objective Description: Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services. Project Description: Program funds will assist in the construction of new affordable multi-family housing units. New construction will provide additional affordable housing within the community.		HOME	$182,942.00
			HOPWA	
			TOTAL	$182,942.00

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.202	
Subrecipient:	Local Government	
Location(s):	N/A	

MV00055614

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0036	Home Improvement Loan Program		CDBG	
			ESG	
2010-11-36-14A	Housing	6 households	HOME	$240,000.00
			HOPWA	
	Housing Objective Description: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant service.		TOTAL	$240,000.00
			Total Other Funding	$0.00
	Project Description: The HILP provides 3% deferred loans for homeowners to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00055615

4933 LA SIERRA AVENUE
RIVERSIDE, CA 92505
Web Casting and Video Tributes
Ph: 951.687.0551
Fx: 951.687.0994
sierramemorialchapel.com

Riverside Recycling
686-2129
Hours: 8:15am-4:15pm
Monday-Saturday
Must be in yard by 3:30pm
MUST PRESENT COUPON
A Division of Riverside Scrap Iron & Metal Corp.
riversidemetalrecycling.com
Expires 3/16/10

CITY OF MORENO VALLEY
NOTICE OF PUBLIC HEARING

CDBG & HOME PROGRAMS
FOR FISCAL YEAR 2010/2011 ANNUAL ACTION PLAN

The Moreno Valley City Council of the City of Moreno Valley will hold a PUBLIC HEARING to review and select the programs and projects requesting Community Development Block Grant (CDBG) and HOME Incentive Partnership Program (HOME) Funds of FY 2010/11:

The Public Hearing will be held on Tuesday, March 23, 2010 at 6:30 p.m. at the following location:

City Council Chambers
Moreno Valley City Hall
14177 Frederick Street
Moreno Valley, CA 92552

The City anticipates receiving an estimated $1,793,000 in new CDBG funds and $666,000 in HOME funds in FY 2010/2011. Please note that at least 70% of the CDBG funding will be allocated to projects serving lower income residents. The public is invited to attend and give input regarding the programs proposed for funding. Once approved at the City level, the programs will be incorporated into the 2010/11 Annual Action Plan and submitted to the Department of Housing and Urban Development (HUD) for Federal approval.

The Action Plan is the annual update to the City's adopted 5-Year Consolidated Plan that covers the period from July 1, 2008 through June 30, 2013 (FY 2008 – FY 2013). The Consolidated Plan is a planning document that identifies priority housing and non-housing community development needs, development of strategies, project selections, and funding distributions. The City's required to provide an Annual Action Plan Update each year that incorporates how new CDBG and HOME funds will be used to facilitate the strategies and address the needs identified in the Consolidated Plan. Current needs identified in the community include: housing, youth career development, public social services, economic development (job creation), and crime prevention.

For more information, please contact Isa Rojas, Management Analyst in the Economic Development Department (951) 413-3450.

With the advan
surgical robotic
prostate surgery
Hospital. Our
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and much faster recoveries. If you or
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information or a physician referral.

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ATTACHMENT D – CITIZEN PARTICIPATION PLAN

INTRODUCTION

The City of Moreno Valley is required by law to have a detailed Citizen Participation Plan that contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of CDBG and HOME funds. The Moreno Valley Citizen Participation Plan was developed pursuant to the U.S. Department of Housing and Urban Development (HUD), Consolidated Submission for Community Planning and Development Programs as required under 24CFR Part 91 and Part 8. The Citizen Participation Plan provides the method and process by which the City of Moreno Valley will encourage citizen participation in the development of its Consolidated Plan. Through this plan, citizens will be afforded the opportunity to provide input regarding housing and community development needs, issues and problems affecting low- and moderate-income persons, development of strategies, project selections and funding distributions.

Encouraging Public Participation

The law requires that the City's Citizen Participation Plan both provide for and encourage public participation, emphasizing involvement by low- and moderate-income people – especially those living in low- and moderate-income neighborhoods (see CDBG Target Area Map). Also, HUD expects the City to take whatever actions are appropriate to encourage participation of minorities, people who do not speak English, and people with disabilities.

The City also maintains a distribution list of persons, agencies, and organizations that have expressed interest in the City's CDBG or HOME programs. Notifications of events, such as the Community Needs meetings, are mailed directly to those on the distribution list to encourage public participation.

The Role of Low Income People

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing: decent housing, a suitable living environment, and growing economic opportunities – all principally for low- and moderate-income people.

The City of Moreno Valley will provide the Riverside County Public Housing Authority with a copy of all Public Notices that are published during the Consolidated Plan process. The City encourages input from residents of the Public Housing developments and via the Public Housing Authority, residents are notified of Community Needs Meetings as well as Public Hearings.

Because the amount of federal CDBG and HOME money the City receives each year is mostly based upon the severity of both poverty and substandard housing conditions in the City, it is necessary that public participation genuinely involve low-income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process, including:

- Identifying needs
- Setting priorities among these needs, deciding how much money should be allocated to each high-priority need and suggesting the types of programs to meet high-priority needs
- Overseeing the way in which programs are carried out

The Various Stages of the Consolidated Plan Process

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general, these stages or events include:

A. Identification of community and housing needs (includes Public Hearing)
B. Preparation of a draft use of funds for the upcoming year, call the Proposed Annual Action Plan (includes Public Hearing)
C. Formal approval by the City Council of the Final Annual Action Plan (includes Public Hearing)
D. In the case where is it necessary to change the use of money already budgeted in an Action Plan or change priorities, a Substantial Amendment will be proposed (includes Public Hearing)
E. After the program year is complete, a Consolidated Annual Performance and Evaluation Report (CAPER) is drafted for public review and comment and then sent to HUD

The Program Year

The program year for Moreno Valley coincides with the City's fiscal year from July 1 through June 30.

PUBLIC NOTICES

Items Covered by the Public Notice Requirement

Advance Public Notice is provided once a federally required document is available for public review and comment, such as the Annual Action Plan or Consolidated Plan. In addition, advance public notice of all public hearings and public meetings is provided at least two weeks in advance.

Public Notice Schedule

Advance notice of all available documents, public hearings and public meetings are provided at least two weeks in advance. The notices will give residents a clear understanding of the event being announced.

The following is a general timeline of when public notices are published:

November-January	Notice of Community Needs Meetings
December-January	Notice of Public Hearing to Identify Community Needs
January	Notice of Funding Availability and Application Process for Funding
March	Notice of Public Hearing to Discuss Proposed Consolidated/Action Plan
March-April	Notice of Consolidated/Action Plan Availability for Public Review
April-May	Notice of Public Hearing to Adopt Final Consolidated/Action Plan
As Needed	Notice of Availability of Amendment to Consolidated/Action Plan
As Needed	Notice of Public Hearing to Amend Consolidated/Action Plan

Forms of Public Notice

Public notices are published in the Press-Enterprise as display advertisements in the non-legal section of the newspaper. A copy of the public notice will be sent to any person or organization requesting to be on the mailing list.

PUBLIC ACCESS TO INFORMATION

As required by law, the City will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual and past use of funds covered by the Citizen Participation Plan. Regarding the past use of funds, the law requires reasonable public access to records about any uses of these funds during the previous five years.

Also, the City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

Standard Documents

Standard documents include:

- The proposed and final Annual Action Plans
- The proposed and final Five-Year Consolidated Plan
- Proposed and final Substantial Amendments to either an Annual Action Plan or the Five-Year Consolidated Plan
- Consolidated Annual Performance and Evaluation Report
- Citizen Participation Plan

Availability of Standard Documents

All documents are available for immediate public review at City Hall in the Economic Development Department. Copies of standard documents that are not currently posted for public review will be provided to the public within five working days of the request at no cost. Copies of draft documents such as the Action Plan and CAPER are available at several locations for public review. These locations are: the Library, the Senior Center, City Hall, and the Purchasing Division at the City Corporate Yard. Documents remain at each of the for the entire required review time that is specified in the applicable public notice. All final documents are available for public review at City Hall during normal business hours.

PUBLIC HEARINGS

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

The law requires a minimum of two public hearings at two different stages of the process. The City will conduct three public hearings at the following stages of the process: Identifying Needs, Proposed Annual Action Plan, and the Final Annual Action Plan. Public hearings are also conducted for amendments to the Annual Action Plan as needed.

Access to Public Hearings

Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan, including a display advertisement in the non-legal section of the newspaper at least two weeks prior to the public hearing. Public hearings are conducted during the regularly scheduled City Council meetings.

Public Hearings and Populations with Unique Needs

All public hearings will be held at locations accessible to people with disabilities and provisions will be made for people with disabilities when requests are made within at least five working days prior to a hearing. Translators will be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

Conduct of Public Hearings

To ensure that public hearings are meaningful to residents, each public hearing will be conducted in the presence of the City Council. Each resident choosing to speak will be allowed a maximum of five minutes to make a verbal presentation.

The following is a general timeline of when public hearings are conducted during the process:

January	Public Hearing to Identify Community Needs
March	Public Hearing to Discuss CDBG and HOME Proposed Projects
May	Public Hearing to Adopt Final Consolidated Plan Amendment/ Action Plan
As Needed	Public Hearing to Amend Consolidated Plan Amendment/ Action Plan

STAGES IN THE PROCESS

A. IDENTIFYING NEEDS

Because the housing and community development needs of low- and moderate-income people are so great and so diverse, priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason the Consolidated Plan exists.

A public hearing is required to obtain residents' opinions about needs and what priority those needs have. In order to encourage public involvement, two public community needs meetings are conducted in two separate locations to determine the specific needs and priorities identified by low- and moderate-income people. After information is gathered from the community needs meetings, a public hearing is conducted to allow residents to express comments regarding the needs of the City's low- and moderate-income population.

The public hearing about community needs will be completed at least 15 days before a draft Annual Action Plan is published for comment, so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan.

B. THE PROPOSED ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

The law governing the Citizen Participation Plan calls for improved accountability of jurisdiction to the public. In that spirit and in compliance with the terms of the law, the City will use the following procedures.

At the beginning of this stage, the City will provide the public with an estimate of the amount of CDBG and HOME funds it expects to receive in the upcoming year, along with a

description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds that will be used in ways that will benefit low- and moderate-income people.

The plans of the City to minimize the extent to which low- and moderate-income people will have to leave their homes as a result of the use of these federal dollars (called "displacement") will also be available at this time. This "anti-displacement plan" will also describe how the City will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.

Technical Assistance

City staff will work with organizations and individuals representative of low- and moderate-income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing a proposal form.

Availability of a Proposed Annual Action Plan

Within 3 weeks after the Public Hearing about the Proposed Annual Action Plan, the City will make the Proposed Annual Action Plan available to the public. In addition, copies will be available at the locations specified above in the section, "Public Access to Information". A Public Notice will be published at least two weeks prior to the document's availability. The term "notice" described earlier in the section on "Public Notice" will be used.

Also, the date the Proposed Annual Action Plan is available to the public will be at least 30 days prior to the date a Final Annual Action Plan is approved by the City Council so that low- and moderate-income people will have a reasonable opportunity to examine it and to submit comments.

Public Hearing and Further Action

A public hearing about the Proposed Annual Action Plan will be conducted by the City Council within 30 days before it is available to the public. In addition, this public hearing will be held so that there are at least another 30 days before the Final Annual Action Plan is approved by the City Council so that the elected officials can consider the public's comments from the public hearing.

In preparing a Final Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Annual Action Plan will have a section that presents all comments and explains why any comments were not accepted.

C. THE FINAL ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

Copies of the Final Annual Action Plan will be made available to the public at City Hall for review. Copies can be obtained free of charge and within five business days of the request.

D. AMENDMENTS TO THE ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

The Final Annual Action Plan will be amended any time there is: a change in one of the Priorities presented on the HUD-required Priority Table, a change in the use of money to an activity not mentioned in the Final Annual Action Plan, or, a change in the purpose, location, scope of beneficiaries of an activity. The public will be notified whenever there is an amendment.

Substantial Amendments

The following will be considered "substantial" amendments:

1. A change in the use of CDBG or HOME money from one activity to another.
2. The elimination of an activity originally described in the Annual Action Plan.
3. The addition of an activity not originally described in the Annual Action Plan.
4. A change in the purpose of an activity, such as a change in the type of activity or its ultimate objective – for example, a change in a construction project from housing to commercial.
5. A meaningful change in the location of an activity.
6. A change in the type or characteristics of people benefiting from the activity. Among the "characteristics" are:
   a. The HUD-recognized income levels of: 0-30 percent of area median income; between 31 percent and 50 percent of AMI; and between 51 percent and 80 percent of AMI
   b. Race or ethnicity
   c. Renter or homeowner

d. Single households, small ones (two to four persons), large ones (five or more persons)

7. A 20% percent decrease in the number of low- and moderate-income people benefiting from an activity.
8. A change in the scope of an activity, such that there is a 20% percent increase or decrease in the amount of money allocated to the activity.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

1. There will be advance notice of the availability of a proposed Substantial Amendment 30 days before there is a public hearing.
2. A detailed written description of the proposed Substantial Amendment will be made available to the public. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
3. There will be a public hearing regarding the proposed Substantial Amendment conducted by the City Council. This public hearing will not take place until the public has had 30 days to review the proposed Substantial Amendment.
4. The public hearing will be held no sooner than two weeks prior to submission to HUD.
5. In preparing the Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments and explains why any comments were not accepted.

E. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Every year the City must send into HUD a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year. In

general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low- and moderate-income people.

Public Notice and Public Hearing for Consolidated Annual Performance and Evaluation Report (CAPER)

There must be reasonable notice that the Consolidated Annual Performance and Evaluation Report (CAPER) is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for the CAPER:

1. There will be advance notice of the availability of the CAPER two weeks in advance.
2. A complete copy of the CAPER will be made available to the public at the locations indicated earlier in the Citizen Participation Plan under "Public Access to Information".
3. The public will have a minimum of 15 days to review and provide comments on the CAPER.
4. In preparing the CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public. The CAPER sent to HUD will have a section that presents all comments and explains why any comments were not accepted.

Contents of the CAPER

The CAPER provides details on the actions taken by the City during the previous program year and accomplishments completed during the year. Accomplishments include the number of low- and moderate-income persons served and the ethnicity of those individuals. Also provided are expenditures taken during the year and funds spent undertaking each activity.

COMPLAINT PROCEDURES

Comments, suggestions or complaints may be addressed to the Economic Development Department as follows:

City of Moreno Valley
Economic Development Department
Attention: Neighborhood Preservation Division
14177 Frederick Street, P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-34507

All written complaints from the public will receive a meaningful written response within 15 working days after receipt.

CHANGES TO THE CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had a reasonable chance to review and comment on proposed substantial changes to it.

ATTACHMENT E

COMMUNITY NEEDS ASSESSMENT MEETING
Conference & Recreation Center
December 10, 2009
6:00 p.m. – 8:00 p.m.

Staff members present at the meeting:
Donna Moeller, Housing Program Specialist
Isa Rojas, Management Analyst
Michele Patterson, Redevelopment & Neighborhood Programs Administrator

Community members present at the meeting:

- James Cosey, representing the Transforming Community Action Program, a martial arts and social skills/behavior program for foster youth
- Rosalio Hernandez, Community Member (and family)

Donna Moeller presented an overview of the CDBG and HOME programs, including historical funding levels, identified priorities, and projects underway in the current program year. Attendees were advised that the purpose of the Needs Assessment Meeting was to solicit input from local residents and service providers on the current needs of the community, and attendees were asked to speak on behalf of their agency or to state their concerns and issues. The reference materials packet was reviewed with attendees.

The following is a summary of needs assessment comments made by meeting attendees:

- The primary focus of the grant funding should be on programs for youth, including after school programs, academic enrichment programs, social skills development and behavior programs, mentoring, computer literacy, tutoring, and the establishment of a Boys & Girls Club or YMCA.

- A particular focus should be directed to emancipating foster care youth to provide life skills training, employment training and opportunities, counseling and supportive services.

- The need for access to comprehensive social service program information was discussed. The meeting participants felt the Countywide 211 Referral Network was cumbersome and lacking in current resource information. It was stated that the City should take a proactive role in disseminating information to the community.

- The particular needs of tenants being displaced from housing due to property owner foreclosure was discussed. Information was provided by City staff on the HPRP funding, which can assist with rental subsidy, security deposits, 1st month's rent, utility payments and motel vouchers. It was agreed, however, that this funding is limited and will not meet the needs of the community as a whole.

MV00055628

COMMUNITY NEEDS ASSESSMENT MEETING
Community Senior Center
December 14, 2009
6:00 p.m. – 8:00 p.m.

Staff members present at the meeting:
Donna Moeller, Housing Program Specialist
Michele Patterson, Redevelopment & Neighborhood Programs Administrator

Community members present at the meeting:

- Emmanuel Martinez, Coachella Valley Housing Coalition, a non profit affordable housing developer
- Harnethia Mansell, Cultural Heritage Performers, a youth performing arts and education agency
- Dorothy Grzeskowiak, representing the MoVan and the Community Assistance Program (CAP)
- Monica Lopez, Fair Housing Program Manager with the Fair Housing Council of Riverside County
- Sheena Wright, Foreclosure Prevention/Loss Mitigation Specialist, Fair Housing Council of Riverside County
- Christopher Johseffe, representing the United Democrats of Moreno Valley
- Raul Wilson, representing the Mexican Political Association (MPA)

Donna Moeller presented an overview of the CDBG and HOME programs, including historical funding levels, identified priorities, and projects underway in the current program year. Attendees were advised that the purpose of the Needs Assessment Meeting was to solicit input from local residents and service providers on the current needs of the community, and attendees were asked to speak on behalf of their agency or to state their concerns and issues. The reference materials packet was reviewed with attendees.

The following is a summary of needs assessment comments made by meeting attendees:

- There was consensus among the participants that funding and programs should focus on youth. There is a continued need for after school programs to provide tutoring, academic enrichment, mentoring, artistic and performing arts development, computer literacy, life skills training, job skills training, transportation to and from available programs, and programs designed to keep kids safe and occupied during the critical 3:00 pm to 6:00 pm time period.

- The need for additional sports facilities, particularly soccer fields, was noted.

MV00055629

- It was reported that fair housing discrimination incidents continue to rise in Moreno Valley. Race and disabled accommodations are the 2 highest complaint categories. It was felt there is a need for additional trainings for property owners/management companies as well as testing and audit services to measure compliance. Both activities will require additional funding to the City's fair housing provider.

- The foreclosure crisis continues to be a critical need to address. The benefits of the ongoing foreclosure prevention workshops were acknowledged. An increasing new segment of underserved in this area are tenants who are losing their homes due to property owner foreclosure, and tenants being victims of various rental fraud schemes. Funding is needed to expand the workshops to specifically address the rights and options for tenants.

- The Fair Housing Council continues to receive requests for, and to provide, First Time Homebuyer education.

- Comments were received that additional capital improvements are needed in the Edgemont area, particularly the installation of sidewalks.

- There was recurring discussion among a limited number of attendees that prior CDBG funding has not benefited the residents of Moreno Valley:

    - It was commented that public service dollars should not be awarded to any agency located outside of Moreno Valley because there is a belief that the funds are spent on non-Moreno Valley residents.
    - Two participants believed it is a misappropriation of funds to utilize CDBG dollars to support programs that the City must provide through the general fund (ie. Code Enforcement and Police Services).
    - Two participants opposed the allocation of CDBG funds to any for-profit business through retail incentives or other economic development programs.

MV00055630

City of Moreno Valley CDBG Target Areas

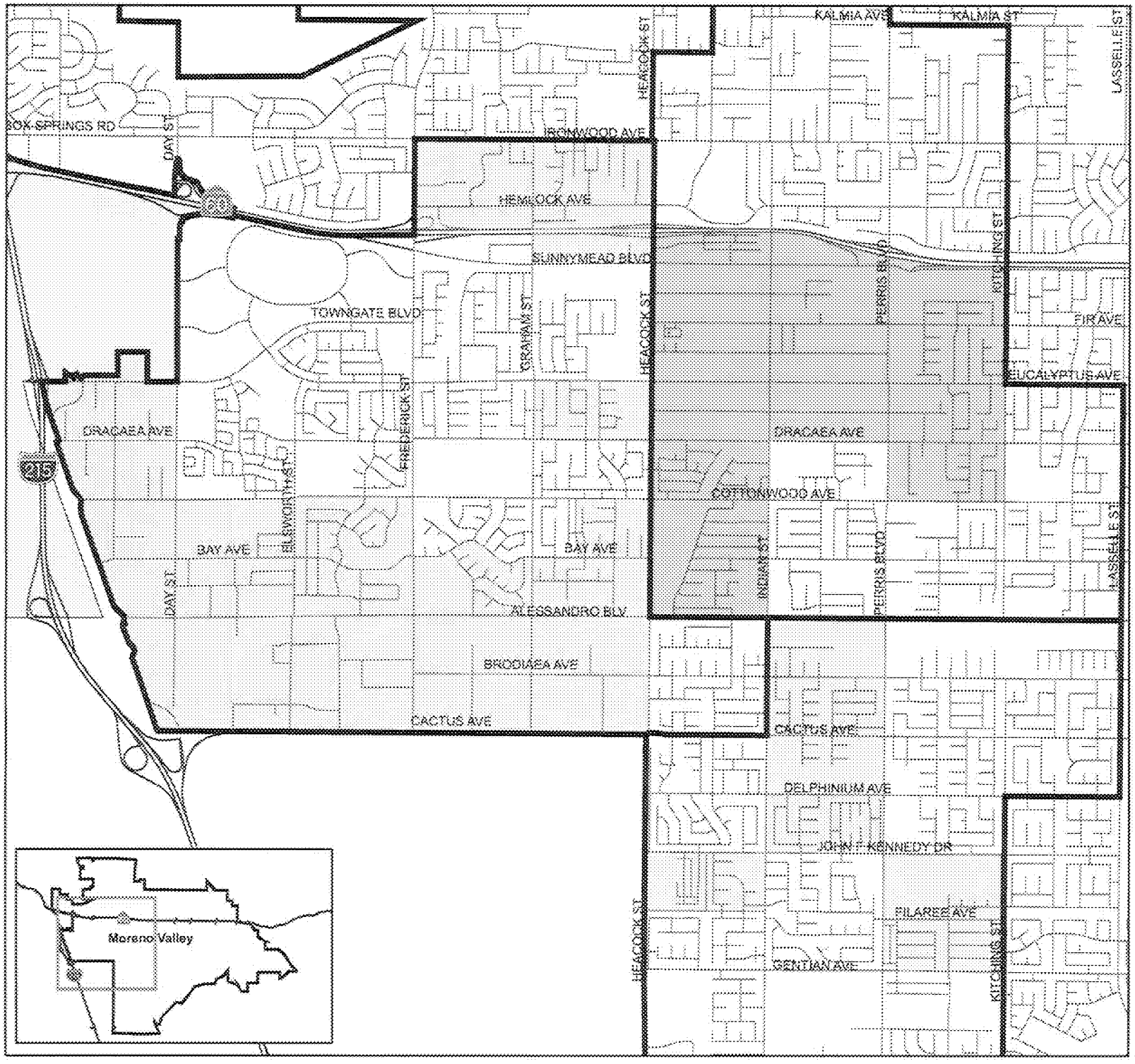

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY
WHERE DREAMS TAKE

MV00055631

City of Moreno Valley
Redevelopment Area

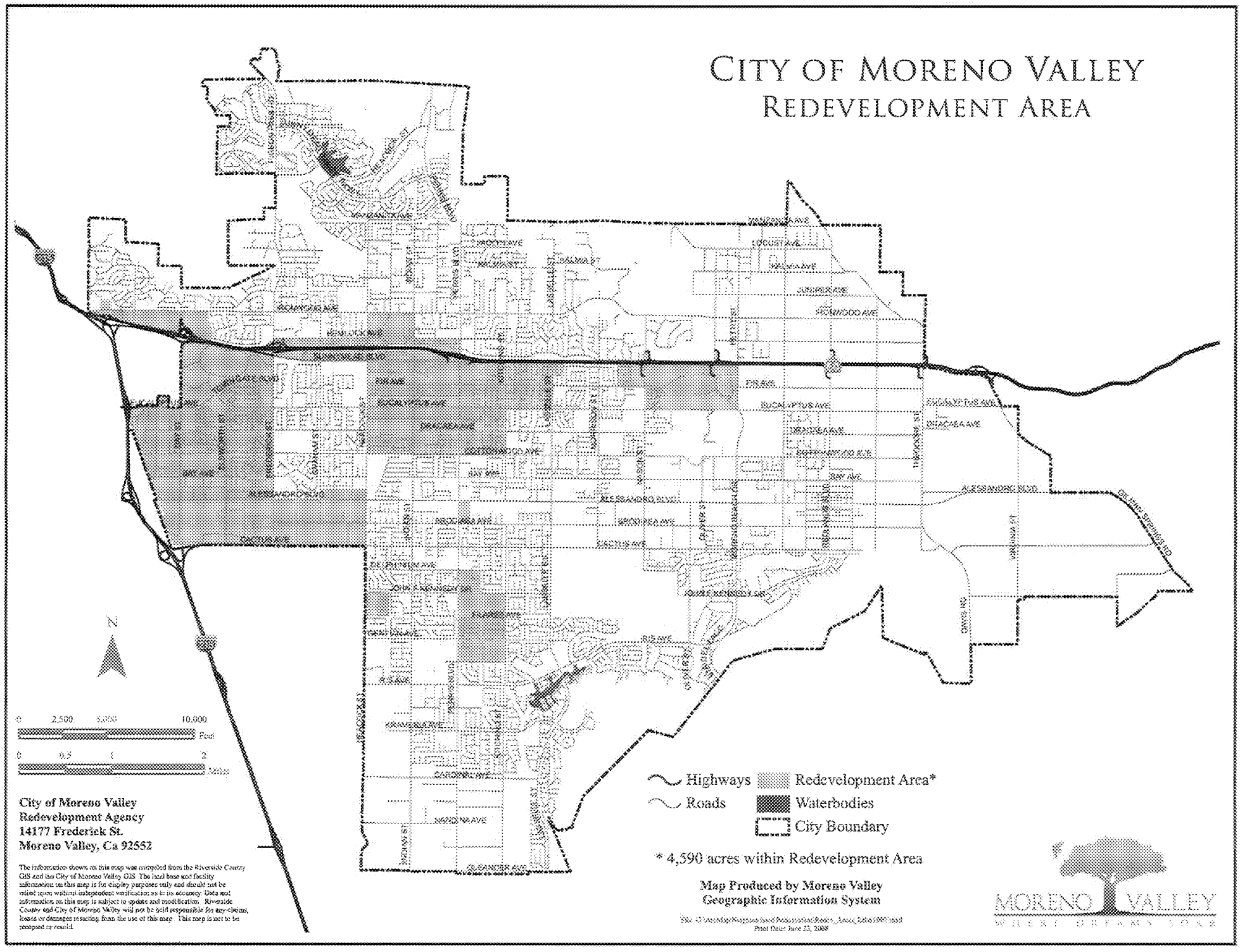

City of Moreno Valley
Redevelopment Agency
14177 Frederick St.
Moreno Valley, Ca 92552

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MV00055632

City of Moreno Valley
Revitalization Areas

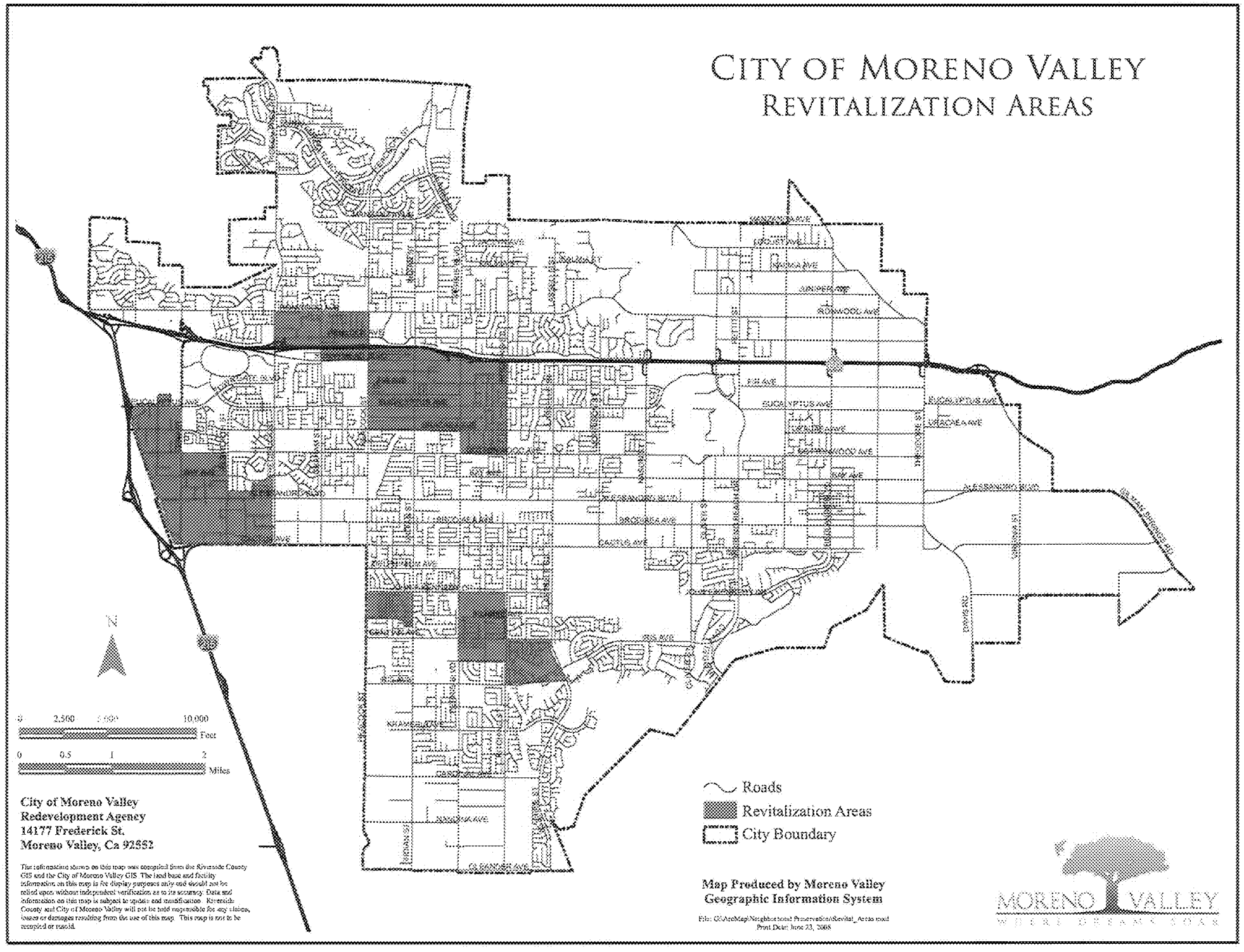

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Map Produced by Moreno Valley
Geographic Information System

File: G:\ArcMap\Neighborhood Preservation\Revital_Areas.mxd
Print Date: June 23, 2008

MV00055633

MORENO VALLEY
WHERE DREAMS SOAR

CITY OF MORENO VALLEY
ECONOMIC DEVELOPMENT DEPARTMENT
NEIGHBORHOOD PRESERVATION DIVISION

Community Development Block Grant
"Subrecipient Monitoring Form"

GENERAL INFORMATION:

Interviewer:_____

Interviewer:_____

Project Name: _____

Location:_____

Agency:_____

Project Began:_____

Project Ended:_____

Date:_____

Name(s) and Title(s) of Person(s) Interviewed:

CDBG REGULATIONS

1. What efforts has the Subrecipient made to ensure that employees understand applicable CDBG program requirements?

2. Does the Subrecipient maintain adequate records to comply with CDBG program requirements, including records retention? *(circle one)* Yes No

3. Comments:

INTERNAL CONTROLS

1. Has the Subrecipient ensured that financial management systems are maintained in accordance with 24 CFR, Part 85.20(b), as applicable? *(circle one)* Yes No

   If yes, what are the financial management standards?

2. If Subrecipient employees work on both CDBG-eligible and non-CDBG eligible activities, what system does the Subrecipient have in place to ensure that appropriate time distribution records are kept?

3. Is the Subrecipient in compliance with the procurement and/or subcontracting requirements of 24 CFR, Part 85.36, as applicable? *(circle one)* Yes No

4. Does the Subrecipient significantly review for evidence of conflicts of interest either between the Subrecipient and the employees or between the Subrecipient and its contractors (such as obtaining information on background of staff or board directors and seeking specific assurances from contractors, vendors, and suppliers)? *(circle one)* Yes No

SUBRECIPIENT AGREEMENT (24 CFR, PART 570.503)

1. Does the "Scope of Services" contain a description of the types and amounts of services or products that will result from use of CDBG funds in sufficient detail to allow for effective monitoring? *(circle one)* Yes No

   Give examples of any deficiencies found:

2. Is a deadline designated for accomplishment of each of the major services or projects identified in the "Scope of Services" (reference 24 CFR, Part 570.503(b)(1))? *(circle one)* Yes No

   Give examples of any deficiencies found:

3. Are the costs for carrying out the "Scope of Services" presented in sufficient detail to provide an adequate base for comparison of planned and actual performance (reference 24 CFR, Part 570.403(b)(1))? *(circle one)* Yes No

   Describe any deficiencies:

4. Are the documents presented and required of the Subrecipient in order to receive payment of CDBG funds adequate to ensure that payments are eligible and reasonable in relation to actual performance and that funds are not being requested in excess of immediate needs? *(circle one)* Yes No

   If not, please explain:

5. Where special documentation is required by the contract or project activity type such as but not limited to, necessary or appropriate determinations, or lead-based paint, is such documentation being maintained by the Subrecipient? *(circle one)* Yes No

   If not, what is lacking?

6. Where special income documentation is required by the contract or project activity type, is such documentation being maintained by the Subrecipient? *(circle one)* Yes No

   Indicate type of verification required:

7. Are current income limits being utilized for the program? *(circle one)* Yes No

8. Does the Agreement specify that program income is to be retained by the Subrecipient? *(circle one)* Yes No

   If yes, what provisions are made to ensure that such income is recorded and reported, and that it will be used in accordance with CDBG regulations?

9. Has Subrecipient been informed of requirement to submit an annual audit of City funded portion for the program per the CDBG Agreement? Audit shall be performed by a Certified Public Accountant or other independent auditor. *(circle one)* Yes No

REPORTING

1. Does the Subrecipient submit reports such as progress or financial reports on a timely and periodic basis (reference 24 CFR, Part 570.503(b)(2))? *(circle one)* Yes No

   If yes, please describe:

2. How frequently are these reports required to be submitted?

3. Has Subrecipient submitted written reports and is the information submitted sufficient to assess Subrecipient performance against the specifications in the "Scope of Services"? *(circle one)* Yes No

   If not, please explain:

4. Is the reported data verified by the City? *(circle one)* Yes No

   If yes, how does the recipient verify actual beneficiaries of a project?

PROGRAM INCOME MONITORING

1. How does the Subrecipient keep track of generated program income and ensure accurate reporting?

2. Has the Subrecipient established revenue accounts to record program income?

3. If program income is retained by Subrecipient, does the Subrecipient check to determine that:

   a. Program income is being used before new grant funds are requested?

   b. Such income is being used in accordance with CDBG rules and regulations?

ON-SITE REVIEW OF SUBRECIPIENTS BY CITY

1. Did a representative from the City of Moreno Valley monitor this Subrecipient on site? *(circle one)* Yes No

2. Based on this review, does there appear to be any significant differences between actual performance and the reported performance submitted to the City? *(circle one)* Yes No

   If yes, please describe:

3. In reviewing the activities and costs charged by the Subrecipient to the CDBG program, are there any costs that appear clearly unreasonable? *(circle one)* Yes No

4. Are there any expenditures that warrant further review? *(circle one)* Yes No
   If yes, please explain:

SUMMARY

1. Is it evident that the Subrecipient is adequately managing and monitoring its activities? *(circle one)* Yes No

   If not, try to identify the apparent causes of the problem(s). What action is recommended? Does the Subrecipient need additional technical assistance in any particular area? Are there elements of the Sub-recipients management system that are particularly successful? Please note below any general observations, positive and/or negative, which would contribute to a determination as to whether the Subrecipient has an adequate management and monitoring system in place to ensure compliance with regulations and accomplishment of goals and objectives.

FINDINGS:

CONCERNS:

RECOMMENDED ACTIONS:

POSITIVE OBSERVATIONS:

_____ _____
Signature of Reviewer Date

_____
Name and Title

ATTACHMENT E

CDBG FUNDING ALLOCATIONS FY 2010/11

ADMINISTRATION (20% CAP - $388,322)	
CDBG Program Administration	$338,869
Fair Housing Services	$49,453
SOCIAL SERVICES (15% CAP - $291,241)	
Community Foreclosure Prevention Workshops	$44,000
Community Assistance Food Program (CAP)	$30,600
Friends of the Moreno Valley Senior Center (MoVan)	$30,000
Moreno Valley Police Dept., Problem Orienting Policing (POP) Team	$28,241
Fair Housing Council of Riverside County – Foreclosure Prevention / Mitigation	$25,000
Lutheran Social Services Transitional Center (MARB)	$15,000
Path of Life Ministries King Hall Family Shelter (MARB)	$15,000
PW Enhancement Center – Emergency & Homeless Services	$15,000
Neighborhood Clean-up Program	$15,000
Assistance League of Riverside - Operation School Bell	$10,000
CASA for Riverside County	$10,000
God's Helping Hand Ministries Food Program	$9,000
Operation Safehouse Shelter for Youth	$8,000
Alternatives to Domestic Violence - Prevention and Outreach Program	$7,500
Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
Moreno Valley Community Educators - Tutoring Program	$6,400
Salvation Army Food Program	$5,000
Volunteer Center '211' Program	$5,000
ARC of Riverside – Disabled Adult Day care Facility	$5,000
FACILITIES	
Youth Opportunity Center	$50,000
REHABILITATION	
Habitat for Humanity Mobile Home Grant Program	$10,000
CODE ENFORCEMENT	
Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
Code Enforcement - Foreclosure 'Strike Team'	$103,017
Fire Prevention 'Improvement Task Force'	$30,000
ECONOMIC DEVELOPMENT	
MV New Business Incentive Program	$540,000
Community Employment Resource Center	$145,641
Small Business Development Center	$50,000
Family Service Association Meal Program Facilities	$50,000
Lord's Gym	$20,000
TOTAL CDBG FUNDING ALLOCATIONS	**$1,941,611**

City Manager's Office

MORENO VALLEY
CITY MANAGER'S OFFICE

MEMORANDUM

To: Mayor Bonnie Flickinger and Members of the City Council

From: William L. Bopf, Interim City Manager WLB

Date: May 6, 2010

Subject: Requested Revisions to Highland Fairview Development Conditions Item E-2 "A PUBLIC HEARING TO MODIFY VARIOUS CONDITIONS OF APPROVAL FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCITON OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENT"

This memorandum is being provided to provide further clarification to the subject staff report that I approved for the agenda (Item E-2). To summarize, the applicant is requesting three basic waivers or modifications.

1. The first one is to modify the Trail condition. The options for this one are fairly clear.
2. The second one deals with the landscape requirement on the 60 freeway. The requested change does not appear to cause any real problems.
3. The request to deal with the concept of "Fair-Share" with regard to the condition to provide public improvements is very significant. This request is very serious and has considerable conflict with existing Council Policies and development practices.

I will elaborate on the concerns and conflicts of the 3rd waivers with existing policies and development conditions.

1. Developers when constructing new roads serving these projects on arteriel roads that are required, construct a median and an adjacent travel lane on each side of the median. Then when they build their project they are required to construct the second travel lane adjacent to this project.
2. The developers are required to pay their Development Impact Fees (DIF) which is established by a Nexus Study (that's their Fair-Share).
3. The project that impacts streets of Regional Significance are covered by their TUMF Fees (their Fair-Share) also established by a Nexus Study.
4. If a developer constructs more improvements than is required for his project then required he may be eligible for reimbursement under established policies. Those reimbursements are paid in order of priority as funds become available.

Problems:

If the City Council modifies the condition of approval for the Highland Fairview Project regarding an alternative "Fair-Share" formula, the following problems exist:

1. The modification will run contra to the whole DIF Nexus Study causing other developers to protest.
2. If the condition on the arterial street to provide a median and a travel lane in each direction is modified, it will be difficult to require other developers to comply with this requirement in the future.
3. Reimbursement for work in excess of the developer's requirement is already covered by Council Resolution 2008-104 (attached). This policy requires that reimbursements are only paid in order of priority with other developers. We have several million dollars of reimbursements that are already in line before the subject project. To change this policy could lead to a legal challenge by other developers.

In summary, my recommendation to the City Council is that the condition for waiving any of the public improvement obligations be denied. You will find a similar discussion on page 6 and 7 of the staff report (attached).

WLB/kg

Attachments

c: Chris Vogt, Public Works Director/City Engineer
Rick Hartmann, Interim Assistant City Manager
Bob Hansen, City Attorney
Kyle Kollar, Interim Community Development Director

MV00055640

Attachment "F"

RESOLUTION No. 2008 – 104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CONCERNING THE PRIORITIZATION OF DEVELOPMENT IMPACT FEES (DIF) AND TRANSPORTATION UNIFORM MITIGATION FEES (TUMF) AND REPEAL RESOLUTION NO. 2006-19

WHEREAS, the City Council of the City of Moreno Valley, has adopted a Development Impact Fee (DIF) for the construction of local circulation improvements, including General Plan arterials, traffic signals, and freeway interchanges, and vital public facilities, and

WHEREAS, the City Council of the City of Moreno Valley, along with other jurisdictions in the Western Riverside County, has adopted a Transportation Uniform Mitigation Fee (TUMF) for the purposes of constructing major circulation improvements of local and regional benefits, and

WHEREAS, the City Council of the City of Moreno Valley, endeavors to manage these funds in a manner to provide the greatest possible benefits to the City.

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

1. City Council Resolution No. 2006-19 is hereby repealed in its entirety.

2. DIF revenues shall be prioritized in the following manner: A) retirement of bonded indebtedness incurred for the construction of DIF eligible projects; B) a reserve to provide reimbursements to developers that build DIF eligible projects. The City will set aside ten percent (10%) of the gross DIF revenues collected each Fiscal Year in DIF obligation for developer reimbursements. The Financial and Administrative Services Department shall set these funds aside in conjunction with the issuance of the Comprehensive Annual Financial Report; and C) construction of DIF eligible projects

The current year DIF revenue and available DIF reserves and fund balance shall first be applied to current year debt service (principal and interest) of all DIF-related bonded indebtedness. Per City Council policy, a two-year debt service reserve shall exist and shall only be used in the event that current year DIF revenue pledged as the financing source for bonded indebtedness is insufficient to cover the current year debt service obligation. Should the reserve ever be exhausted to cover debt service and require the use of General Fund loans to cover annual debt service, the prioritization of DIF revenues shall then be: A)

loan repayment to the General Fund; B) replenishment of the two-year reserve; C) current year debt service; D) a reserve to provide reimbursements to developers to build DIF eligible projects; and E) construction of DIF eligible projects.

3. City staff is directed to monitor DIF credits and reimbursements that are issued by the City to assess their impact on the City's ability to allocate revenues for other City priorities.

4. To the maximum extent permitted by the TUMF program requirements, the City shall condition new developments to participate in the construction of TUMF network improvements in lieu of payment of TUMF. For projects that are jointly funded by TUMF and DIF, TUMF expenditures should be prioritized first.

5. As permitted under the TUMF program requirements, the City shall pursue the creation of financing districts that may allow a property owner, in lieu of payment of the TUMF, to participate in such a financing district for the following facilities: A) a regionally significant transportation improvement as defined as those facilities that typically are proposed to have six lanes at build-out and extend between multiple jurisdictions, or discrete usable segments thereof, as determined by Western Riverside Council of Governments (WRCOG); B) any interchange on an interchange on an interstate or state highway with an estimated construction cost of $10 million or more; and C) any bridge located on a regionally significant arterial.

APPROVED AND ADOPTED this 26th day of August, 2008.

William H. Batey II, Mayor

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Robert D. Herrick, City Attorney

and recommendation to the City Council. The Tentative Parcel Map south boundary, currently at the south Eucalyptus Avenue right of way, may need to be adjusted to the south to include the trail.

Modify various conditions of approval Related to the dedication and improvement of public improvements

The applicant has requested that all pertinent conditions of approval requiring the dedication and improvement of public facilities be modified to only require fair-share contribution by the project for the dedication and improvement of all public infrastructures. They further requested that improvement credits and reimbursement agreements be developed and entered into between the City and the project proponent for any amount the project contributes in excess of its pro-rata share for such improvements. This request primarily includes Land Development and Transportation Division's conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for its "fair share" is not in keeping with the intent of the Municipal Code. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The DIF program spreads the cost of arterial street and traffic signal improvements City wide such that there is a nexus between the trips generated by a project (the impact on the City wide system of arterial streets and traffic signals) and the cost of transportation improvements needed to mitigate the impact. That nexus translates into development impact fees paid by the developer. Highland Fairview is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. Therefore, the developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue only. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

The developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and may contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any available reimbursements for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

The Land Development Division, based on a memorandum submitted as part of the Project Review Staff Committee (PRSC) minutes provided to Highland Fairview on June 10, 2009, indicated that originally approved Public Work's conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the existing project conditions of approval as approved

previously meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR. The requested changes would require a separate nexus study from the approved City-wide nexus study for the DIF program and would not be equitable to other developers nor provide a viable funding program for the City-wide circulation system. Therefore, both the Land Development and Transportation Divisions do not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Public Works conditions of approval.

The Land Development and Transportation Divisions have included a synopsis of the applicant's request to modify conditions of approval and the City's response to these proposed modifications in a memorandum format. Since the request by the applicant to amend project conditions is extensive in nature, for Council's information, this document is attached to the staff report to highlight the City's approach to each condition being requested for modification.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval, and deny or amend modified condition language as included in Exhibits A and B to the attached resolutions.

3. Consider the proposed amendments to approved project conditions of approval included in the attached applicant request letter dated February 8, 2010, and include additional amendments to conditions not included within the attached resolutions.

4. Refer the proposed amendments to the Planning Commission for further review. Recommendation of any location changes to the required multi-use trail would require a General Plan amendment to be forwarded to the Recreational Trails Board and the Planning Commission for review and consideration prior to a final decision by the City Council.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

City Manager's Office

MORENO VALLEY
CITY MANAGER'S OFFICE

MEMORANDUM

To: Mayor Bonnie Flickinger and Members of the City Council

From: William L. Bopf, Interim City Manager WLB

Date: May 6, 2010

Subject: Further background on Highland Fairview Project

I have been told a number of times that the City has not provided any financial assistance to the Highland Fairview Project. This has not been done because:

1. The project is not in the Redevelopment Project area.
2. The project is not in one of the CDBG qualifying areas.
3. The project will generate very little Sales Tax.

Our assistance programs all depend on one or a combination of the factors cited above. Several of our existing developments do meet one or more of the above criteria and they have been assisted in several ways.

If the project generates significant sale tax, we share that sales tax under an operating covenant.

If the projects agree to hire low and moderate income employees and they are located in one of the CDBG areas, we provide them approximately $25,000 each for five to ten qualifying continual jobs. This could amount to $100,000 to $200,000 of assistance.

We cannot share Property Tax, which by the way this City receives only 14% of the total paid, for more than a period of one year. To do it longer would require another action each year.

If the City Council wanted to assist Highland Fairview, Sketchers could be assisted up to $200,000 over a three year period for five to ten low and moderate income jobs. To accomplish this, the City Council would have to agree that although Sketcher's is not in a CDBG area, the assistance does benefit low and moderate income clients.

WLB/kg

c: Chris Vogt, Public Works Director/City Engineer
Rick Hartmann, Interim Assistant City Manager
Bob Hansen, City Attorney
Kyle Kollar, Interim Community Development Director

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 11, 2010

TITLE: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and Plot Plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall conduct a public hearing to:

1. **RECOGNIZE** that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. **APPROVE** Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions;

3. **RECOMMEND** that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

ADVISORY BOARD RECOMMENDATIONS

On March 24, 2010, the Recreational Trails Board conducted a meeting and revisited the multi-use trail issue at the request of the applicant to modify the trail or have the City acquire the trail easement and complete all required trail improvements. At said meeting, the Board recommended that the City Council deny the applicant's request to modify conditions to either modify or remove the trail from the project or have the City acquire the trail easement and install trail improvements.

BACKGROUND

On February 10, 2009, the City Council, approved Highland Fairview Properties request for Tentative Parcel Map No. 35629 to subdivide a 158 gross acre site (265.3 acres with offsite improvements and drainage) into four buildable parcels and two parcels dedicated for future freeway improvement purposes, and a first phase plot plan for a 1,820,000 square foot distribution warehouse on approximately 83 acres. The Highland Fairview Corporate Park project includes approximately 2,620,000 square feet of industrial and commercial building area in three phases on four parcels.

On April 14, 2009, Highland Fairview submitted a written request to the City Council to consider approximately five different issues of project approval and modify approximately 56 conditions of approval related to the issues.

On May 14, 2009, three applications were submitted to the Planning Division requesting modifications of conditions. The first application (PA09-0013) included a General Plan Amendment to cover the request for the possible removal or modification of a required multi-use trail on future Eucalyptus Avenue. The second and third applications included all other requests to modify conditions of approval for both the Plot Plan (P09-038) and the Tentative Parcel Map (P09-039).

On June 10, 2009, the proposed modifications of conditions for the Corporate Park Project were provided to the Project Review Staff Committee (PRSC) for review. Based on this review, staff suggested that non-General Plan related conditions of approval could go to City Council for review separately and ahead of General Plan related

conditions of approval. Pursuant to the City's Municipal Code, all General Plan changes must go to the Planning Commission for a recommendation prior to consideration by the City Council. The non-General Plan related conditions include the item on required Highway 60 landscape, the multi-use trail if it was not requested to be modified/removed and the modification to Land Development and Transportation conditions of approval that address dedication and improvement of public improvements. In addition, staff asked Highland Fairview to provide a letter to staff that clarified the policy issues related to requests.

On September 3, 2009, a letter was provided by Highland Fairview Properties that modified the specific issues and conditions of approval that were requested to be revised. Staff conducted meetings with Highland Fairview staff to discuss items that were requested to be modified.

In October of 2009, the applicant requested in e-mail correspondence that staff not move forward with the modifications of conditions while other more pressing items related to ongoing project litigation proceedings were being worked out.

In a letter dated February 8, 2010, the applicant requested that the item be reinstated for review and further modified the original request to reduce the issues related to the project approval down to three items as follows:

- Remove the right of way landscape requirement along Highway 60.
- Eliminate or modify conditions of approval related to a required General Plan Multi-Use Trail along future Eucalyptus Avenue
- Modify various conditions of approval related to the dedication and improvement of public improvements

DISCUSSION

The following is a summary of items and issues regarding the applicant's request to modify various project approved conditions of approval:

Remove the right of way landscape requirement along Highway 60.

The applicant is seeking relief from a particular condition of approval within the map and plot plan that requires landscaping within the improved areas of the Caltrans right-of-way adjacent to Highway 60.

In the early 1990's, the City adopted the Highway 60 Corridor Specific Plan which included design criteria for landscaping and other improvements in the freeway right-of-way. While the land use portion of that Plan was later rescinded by the City, the freeway design criteria were retained. The Moreno Valley Mall and a few other commercial projects were required to install freeway landscaping in advance of the adoption of the 60 Corridor Plan and a few residential projects have been conditioned to

install or participate in freeway landscaping with varying levels of implementation. Freeway landscaping was installed by Caltrans in the mid-1990's consistent with the Plan. Some of this landscaping has thrived while others have suffered over the intervening years. In recent years, the Moreno Beach Plaza and Stoneridge Centre projects were not conditioned to provide freeway landscaping given the existence of City directed/funded interchange projects covering their frontage areas. Also of note are two proposed warehouse industrial projects in close proximity to the project, Prologis and Ridge Realty. Each has been advised of the likely imposition of a requirement to participate in freeway landscaping. The three projects combined represent approximately two miles of the City's freeway frontage.

In the case of landscape along Highway 60, staff does not have the authority to eliminate the condition because it derives from an adopted City policy document, the "Highway 60 Corridor Specific Plan". Staff is seeking policy direction from City Council as to whether or not to retain or modify this condition of approval. An alternative that the Planning Division has offered to Highland Fairview is the placement of interim landscape of seasonal wildflower ground cover with temporary irrigation in the right of way area in lieu of typical trees/shrubs and permanent irrigation. An erosion control hydroseed mix and temporary irrigation to establish the ground cover has been suggested by Highland Fairview as a less costly alternative, which is acceptable to Planning. During the summer months when wildflowers die out, maintenance would need to be provided by the property owner to remove weeds and dried out vegetation prior to the next growing season. The map and plot plan conditions of approval for Highway 60 landscape have been modified to reflect an erosion control landscape palette along Highway 60 without permanent irrigation. All right of way parcels will include the erosion control hydroseed mix, including the two large parcels in between Highway 60 and Parcels 2, 3, and 4.

Eliminate or modify a required General Plan Multi-Use Trail along future Eucalyptus Avenue.

The applicant has requested that several conditions of approval be modified related to the dedication and improvement of the multi-use trails on the project site.

Two specific changes to the Master Plan of Trails were proposed by the applicant and approved by City Council with the approval of the Highland Fairview Corporate Park project (including Skechers) in February of 2009. The first included the elimination of a multi-use trail over Highway 60 that was contingent on the feasibility of a freeway bridge. This trail link was originally designated to run along the Sinclair Street alignment, which was proposed to link to a required trail on the south side of Fir Avenue (future Eucalyptus Avenue) between Sinclair Street and Redlands Boulevard. The second change was the applicant's request to move a planned multi-use trail from the south to the north side of future Eucalyptus Avenue to provide one continuous trail on the north side of Eucalyptus Avenue from Quincy Street to Theodore Street.

Highland Fairview Properties have stated in their most recent letter of February 8, 2010 that there is a lack of nexus between the project and the requirement of providing the multi-use trail. Staff believes that there is a viable nexus given the trail's designation in the adopted General Plan multi-use trail plan. The trail provides a linkage with the overall General Plan trail system between Quincy and Theodore Streets. With the elimination of the Sinclair Street overcrossing trail, the extension of the trail along Eucalyptus Avenue east to Theodore Street provides connection to the trail crossing on Theodore Street. A multi-use trail provides for many uses, including horseback riding, walking paths for pedestrians, jogging paths for exercise, and bicycling.

The applicant requests that if the trails are constructed, the City acquire the easement and provide all improvements and on-going maintenance related to the trail. It is not common practice of the City to acquire an easement for a required General Plan multi-use trail or pay for trail improvements. All private developers are currently responsible for dedicating an easement and paying for the improvements to construct multi-use trails as a condition of their project approval. As in all cases, the City will maintain the required trail once it is improved by the developer and accepted by the City for maintenance.

The Recreational Trails Board reviewed proposed changes to the trail system on two separate occasions prior to project approval in February 2009 and concurred with the applicant's request to remove the Sinclair Street trail extension over Highway 60, change the location of the trail from the south side to the north side of future Eucalyptus Avenue and mitigate the trail elimination over Highway 60 by extending the trail from former Sinclair Street to Theodore Street. Based on review of the most recent proposal by the Trails Board at their meeting on March 24, 2010, the Board considered and recommended that the City Council deny the applicant's request to modify conditions and reiterated its support for the approved trail conditions.

An alternative approach that was suggested to Highland Fairview Properties was to look at the timing of when the trail would need to be provided. As per project conditions of approval, the trail is required for each phase of development as it is being completed. The trail would be required for the Phase 1 of the Skechers building but would not be required for Phase 2 and 3 until those phases are constructed. An alternative approach to consider would be the deferral of the entire trail development until Phase 2. This would provide a full segment of the trail at one time instead of in pieces. Some type of security may be required for this approach.

An additional alternative to providing a trail on the north side of the future Eucalyptus Avenue would be to change the trail location back to its original General Plan designation along the south side of future Eucalyptus Avenue in the buffer area approved for the Highland Fairview Corporate Park project. If this approach is recommended, it would require a General Plan Amendment to change the Master Plan of Trails Map and further study and possible modification of the approved Environmental Impact Report (EIR) for the project. The General Plan amendment also would need to be sent back to the Recreational Trails Board and the Planning Commission for review

and recommendation to the City Council. The Tentative Parcel Map south boundary, currently at the south Eucalyptus Avenue right of way, may need to be adjusted to the south to include the trail.

Modify various conditions of approval Related to the dedication and improvement of public improvements

The applicant has requested that all pertinent conditions of approval requiring the dedication and improvement of public facilities be modified to only require fair-share contribution by the project for the dedication and improvement of all public infrastructures. They further requested that improvement credits and reimbursement agreements be developed and entered into between the City and the project proponent for any amount the project contributes in excess of its pro-rata share for such improvements. This request primarily includes Land Development and Transportation Division's conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for its "fair share" is not in keeping with the intent of the Municipal Code. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The DIF program spreads the cost of arterial street and traffic signal improvements City wide such that there is a nexus between the trips generated by a project (the impact on the City wide system of arterial streets and traffic signals) and the cost of transportation improvements needed to mitigate the impact. That nexus translates into development impact fees paid by the developer. Highland Fairview is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. Therefore, the developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue only. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

The developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and may contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any available reimbursements for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

The Land Development Division, based on a memorandum submitted as part of the Project Review Staff Committee (PRSC) minutes provided to Highland Fairview on June 10, 2009, indicated that originally approved Public Work's conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the existing project conditions of approval as approved

previously meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR. The requested changes would require a separate nexus study from the approved City-wide nexus study for the DIF program and would not be equitable to other developers nor provide a viable funding program for the City-wide circulation system. Therefore, both the Land Development and Transportation Divisions do not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Public Works conditions of approval.

The Land Development and Transportation Divisions have included a synopsis of the applicant's request to modify conditions of approval and the City's response to these proposed modifications in a memorandum format. Since the request by the applicant to amend project conditions is extensive in nature, for Council's information, this document is attached to the staff report to highlight the City's approach to each condition being requested for modification.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval, and deny or amend modified condition language as included in Exhibits A and B to the attached resolutions.

3. Consider the proposed amendments to approved project conditions of approval included in the attached applicant request letter dated February 8, 2010, and include additional amendments to conditions not included within the attached resolutions.

4. Refer the proposed amendments to the Planning Commission for further review. Recommendation of any location changes to the required multi-use trail would require a General Plan amendment to be forwarded to the Recreational Trails Board and the Planning Commission for review and consideration prior to a final decision by the City Council.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Based on review of the various applicant requested project condition modifications for the Highland Fairview Corporate Park/Skechers project, the Land Development and Planning Divisions have agreed to modify a few of the approved conditions related to Highway 60 landscape and the multi-use trail, only to clarify the developer's responsibility to dedicate an easement and construct the trail,. The Highway 60 Corridor Specific Plan requires that landscape be provided in the entire Highway 60 freeway right of way area adjacent to the site. A compromise to typical landscape and irrigation required within Highway 60 Corridor Specific Plan standards would be an allowance of an interim hydroseed mix planted, maintained to provide both an appealing visual landscape and erosion control mechanism along the freeway until such time that the parcels are transferred over to the City or Caltrans. The Trails Board has recommended that all conditions of approval regarding the multi-use trail not be modified, with the applicant to provide the easement and provide related trail improvements as is required with all other private projects.

NOTIFICATION

Notice of the project was provided to property owners within 300 feet of the project and to the general public through local newspaper publishing and on-site sign postings.

ATTACHMENTS

1. Public Hearing Notice
2. Letter dated February 8, 2010, from Highland Fairview Properties requesting modification of project approved conditions.
3. Internal Land Development memorandum dated February 11, 2010 on various proposed conditions of approval.
4. Letter dated March 18, 2010, from Highland Fairview Properties regarding proposed hydroseed landscape for Highway 60 right of way areas.
5. Internal Transportation Division memorandum dated April 19, 2010 on various proposed conditions of approval.
6. Letter dated April 22, 2010, from Michael Brandman Associates regarding an environmental analysis of modification of project conditions.
7. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Map Conditions of Approval.
8. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Plot Plan Conditions of Approval
9. Modification of Conditions Resolution – Tentative Parcel Map, with attached modified conditions of approval included within Exhibits A through B.
10. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

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

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held at a regular meeting of the City Council of the City of Moreno Valley on the following item(s):

CASE: P09-038 and P09-039 (Modification of Project Conditions of Approval)

APPLICANT: Highland Fairview Properties

OWNER: Highland Fairview Properties

REPRESENTATIVE: Wayne Peterson

LOCATION: North side of future Eucalyptus Ave. (Fir Ave.), east of Redlands Blvd., west of Theodore St. and south of Highway 60.

PROPOSAL: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements.

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report (P07-157), including a Statement of Overriding Considerations and Mitigation Monitoring Program was originally certified and approved for the project. Pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines).

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council or City Clerk at, or prior to, the Public Hearing.

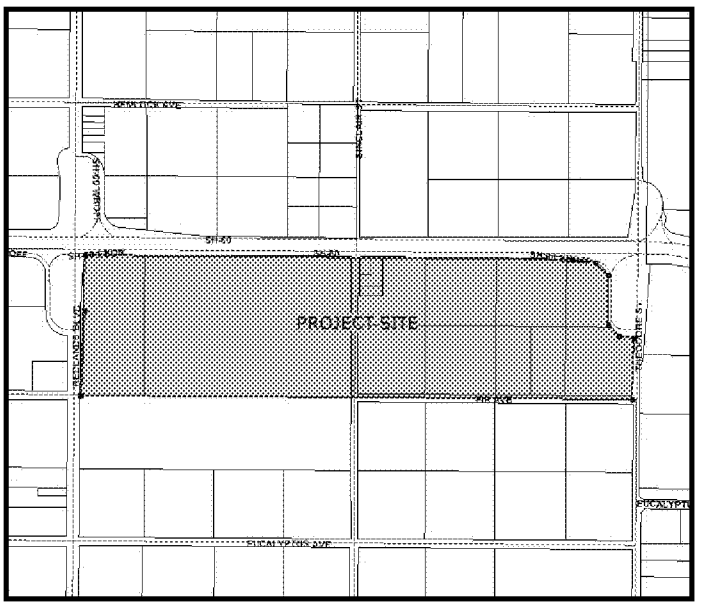

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: May 11, 2010 at 6:30 PM
CONTACT PLANNER: Mark Gross
PHONE: (951) 413-3215

ATTACHMENT 1

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

February 8, 2010

Mark Gross
Senior Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

SUBJECT: Highland Fairview Corporate Park – Proposed Revisions to Conditions of Approval

Dear Mark:

In May 2009, Highland Fairview officially submitted a request (PA09-0013) to modify certain Conditions of Approval which were imposed on the Highland Fairview Corporate Park project. Highland Fairview would like to hereby modify our previous application to request changes to conditions relating to the following three important issues:

1. **SR60 Landscaping**
   Existing Condition: Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual.

   Requested Action: Highland Fairview requests the removal of this condition.

   Justification: This condition has been inconsistently applied along SR60 within the city. In those instances where it has been applied, it has provided only marginal landscaping that struggles from sparse installation, little or no maintenance and inadequate irrigation. Over the years, the City's SR60 Design Manual has been arbitrarily applied and inconsistently enforced, resulting in a haphazard landscape treatment along SR60 throughout the City. Today, the freeway frontage is a random mixture of sparse, struggling landscaping, mixed with long stretches of barren, unmaintained land. Clearly there has not been a consistent application of the SR60 Design Manual criteria. In addition, and perhaps most importantly, Caltrans staff has indicated informally that they will not allow such improvements in the freeway right-of-way nor will they commit to any maintenance whatsoever.

ATTACHMENT 2

However, to the great benefit to the motoring public and the City, the approved HFCP project includes a high level of landscape treatment along SR60 that has never been seen in Moreno Valley. Millions of dollars are being spent to create an attractive edge to the project which will feature trees, shrubs and ground cover that has been designed to work in concert with the architecture of the future buildings to create a pleasant experience for the motoring public as they pass by the Highland Fairview Corporate Park site. This project landscaping will produce an edge treatment for SR60 far beyond that which was envisioned in the Design Manual.

The condition should be deleted.

2. **Multi-Use Trails**
   Existing Condition: Several conditions imposed on the TPM and the Plot Plan require the dedication and improvement of multi-use trails on the project site.

   Requested Action: Delete and/or modify all trail-related conditions to require that: 1) the project reserve the necessary land for potential future multi-use trails, 2) site grading provide for the future multi-use trails, 3) the multi-use trail areas be landscaped and maintained in a manner consistent with immediately adjacent areas until such time as the City purchases the land and constructs the multi-use trails, and 4) the on-going maintenance of the multi-use trails, when built, be borne by the City for the benefit of the public.

   Justification: There is a complete lack of nexus between the project and the requirement to dedicate and improve multi-use trails on the project site. The project creates absolutely no demand for these trails, therefore there is no nexus. The trails can be accommodated in the project design but the impacted land (or appropriate easements) should be acquired by the City, the trails should be constructed by the City and the trails should be maintained by the City. Further, there should be a sunset clause in the conditions such that if the City does not acquire the impacted land or easements within five years of the recordation of the Final Map for the project, the City's option to acquire the land or easements will expire.

3. **Dedication and Improvement of Public Improvements**
   Existing Conditions: The project approval contains dozens of conditions requiring the dedication and improvement of public facilities (streets, parkways, trails, etc.) far in excess of the demand which the project creates for such facilities.

   Requested Action: Modify all related conditions to require a fair-share contribution by the project for the dedication and improvement of all public infrastructure improvements. Improvement credits and Reimbursement Agreements should be entered into between the City and HF for any amount contributed in excess of its actual pro-rata share of such improvements.

Justification: These conditions fail to meet the requirement for a direct nexus between the project and required public improvements as required by law. Such conditions impose an unjust and decidedly unequal burden on some projects while other projects and the city benefit unfairly at the expense of one taxpayer.

Attached is a list of the conditions which are related to the changes requested above. Other conditions may be impacted as a result of our detailed discussions with staff.

We look forward to discussing these issues with staff, the Planning Commission and the City Council at the earliest possible opportunity. If questions arise during the City's review of this request, please do not hesitate to contact me directly.

Sincerely,

Iddo Benzeevi
President and CEO

Requested Changes to Conditions of Approval for TPM 35629
City Council Resolution 2009-10

SR 60 Landscaping

a) Delete Condition P14

Multi-Use Trails

a) Modify Condition LD68(b) to add: "Said multi-use trail easement shall be labeled 'future,' and is contingent upon City acquisition of said easement from the landowner."
b) Modify Condition LD68(c) to add, "The City will maintain all multi-use trails."
c) Modify Condition LD70(a)(viii) to add, "The future trail area shall be designed and graded with the project and shall be landscaped consistent with adjacent land. The City may acquire an easement for a multi-use trail from the property owner and construct and maintain a multi-use trail."
d) Modify Condition LD91 to add "(optional)" after the words "multi-use trail."
e) The entire set of Conditions of Approval from the Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired from the landowner by the City. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvement of Public Improvements

a) Modify Conditions LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and the Parks and Community Services Department conditions to add, "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedication and/or improvement obligations."

Requested Changes to Conditions of Approval for Plot Plan PA07-0091
City Council Resolution 2009-11

SR 60 Landscaping

a) Delete Condition P10

Multi-Use Trails

a) The entire set of Conditions of Approval from Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired by the City from the landowner. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvements of Public Infrastructure

a) Modify Condition PD80, PD81, PD82, PD83, PD84, PD85, LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15 TE18, and the Parks and Community Services Department conditions to add "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedications and/or improvements."

CITY OF MORENO VALLEY
Public Works Department
Land Development

MEMORANDUM

To: Mark Gross, Case Planner

From: Clement Jimenez, Senior Engineer, 951.413.3121, clementj@moval.org

Date: February 11, 2010

Subject: PA09-0013; Second Review Comments

Project Information

Case Number:	PA09-0013	Related Case No:	PA07-0088 thru PA07-0091, P07-157 and P08-057
APN:	488-350-001 through 002 and 488-360-001 through 012		
Case Type:	GPA, Amended PP and Amended TM 35629 (Modification of Conditions)		
Environmental:	EIR		
Applicant:	Highland Fairview		
Owner:	Highland Fairview		
Representative:	Wayne Peterson		
Location:	N side of Eucalyptus, E of Redlands, W of Theodore and S of Highway 60		
Proposal:	A request to modify conditions of approval from the recently approved Highland Fairview Corporate Park Project and Tentative Parcel Map (PA07-0090) as well as Plot Plan (PA07-0091) to cover such items as the removal of Highway 60 landscape, removing a required multi-use trail along the project frontage and the modification of conditions related to the dedication and improvement of public improvements. A General Plan Amendment is required for removal of any multi-use trail.		

The following is the Land Development Division's response to Highland Fairview's letter dated February 8, 2010 addressed to Mark Gross, Senior Planner. Highland Fairview's letter states that some conditions, including some of those from Land Development, "fail to meet the requirements for a direct nexus between the project and required public improvements as required by law":

The Land Development Division is confident that the conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the conditions of approval as approved meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR Traffic Study and the Subdivision Map Act.

ATTACHMENT 3

Therefore, the Land Development Division does not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Land Development conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for his "fair share" is not in keeping with the intent of the Municipal Code. This would also create a significant amount of additional effort to determine and split associated costs, which are subjective and open to interpretation by all parties involved. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The Developer is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. It is important to note that the developer chose to create the tentative parcel map such that the entire width of Eucalyptus Avenue lies within the tentative parcel map boundary, that is to say that the south right-of-way line of Eucalyptus Avenue coincides with the south map boundary. Therefore, the developer was conditioned to construct full-width improvements on Eucalyptus Avenue. The developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

However, the developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and suggests the developer contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any reimbursements available for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

For completeness, the following is a list of Land Development conditions of approval that Highland Fairview has requested to revise:

TPM 35629

SR 60 Landscaping

(a) P14: Land Development defers the response to this item to the Panning Division. Please note that COA LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) LD68(b): The Land Development Division conditions of approval pertaining to the multi-use trail are consistent with Section 66475.1 of the Subdivision Map Act and the Parks and Community Services Department conditions of approval. Land Development does not recommend revising the conditions of approval to reference the trail as "future" unless otherwise agreed to by the Parks and Community Services Department. It is important to note that the 20-foot wide easement area includes a multi-use trail and sidewalk. Regardless of the disposition of the trail, an easement will be required for the sidewalk which is to be constructed by the developer and maintained by the City.

(b) LD68(c): The Land Development Division agrees to the requested additional language to include the statement "The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c), with the

concurrence of the Parks and Community Services Department.

(c) LD70(a)(viii): The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

(d) LD91: The Land Development Division does not agree with the addition of the word "optional" after the word "trail", as construction of the trail is not optional, unless the Condition of Approval is otherwise revised by the Parks and Community Services Department.

(e) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including a multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail consistent with the conditions of approval from the Parks and Community Services Department. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails are consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

<u>Plot Plan PA07-0091</u>

SR 60 Landscaping

(a) P10: Land Development defers the response to this item to the Panning Division. Please note that COA for TPM 35629 LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the

trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails is consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

March 18, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92553

SUBJECT: Highland Fairview Corporate Park – TPM 35629, Condition P14

Dear John,

When Brian and I met with you and Mark Gross on February 17th to discuss a Lot Line Adjustment proposal for the Highland Fairview Corporate Park (HFCP) project, we also discussed the proposed landscaping along the future SR60 right-of-way (TPM Condition P14). We discussed the details of the grading of the future right-of-way and Caltrans' refusal to allow any landscaping, irrigation or maintenance within its right-of-way. We discussed the concept of installing a decorative, low-maintenance hydroseeded landscape treatment within the future dedication area and Highland Fairview (HF) agreed to present a proposal along those lines to satisfy the intent of Condition P14.

Attached for your review is an exhibit that illustrates the location of the future freeway dedication area in relation to existing SR60 and the future HFCP project. The exhibit also includes a typical section indicating post-grading elevations and the area to be hydroseeded.

Also attached is information from S & S Seeds, Inc., a California seed supplier that specializes in native plants materials for landscape and erosion control purposes. HF proposes to apply the "Southwest Desert Wildflower Seed Mix" to the future dedication area, resulting in "bright, showy, spring flowers that will re-seed year after year, with or without irrigation." We are confident that this proposal meets the intent of TPM Condition P14 and would request your concurrence.

Thank you for your continued assistance.

Sincerely,

Wayne

Wayne Peterson
Vice President, Community Planning

ATTACHMENT 4

About S&S Seeds, Inc
S&S Services
Newsletter
Contact Us
Wildflower/Shrub Mixes
Reclamation/Erosion
Grass (Native & Turf)
Ground Cover Mixes
Pasture Mixes
Plant Database
Erosion Control
BMP's Cost vs. Benefit
Request Information
Seed Store

Welcome to SSSeeds.com!

S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA
93014-1275

(805) 684-0436
(805) 684-2798 fax

We are a wholesale company providing wildflower, grass and California native plant seeds for Reclamation, Erosion Control and Landscape projects.

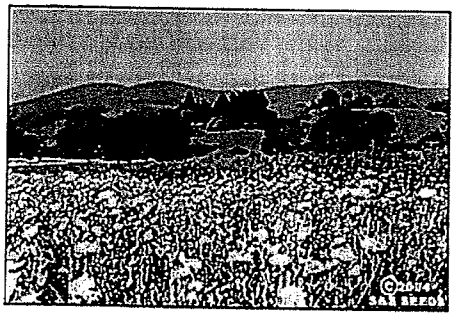

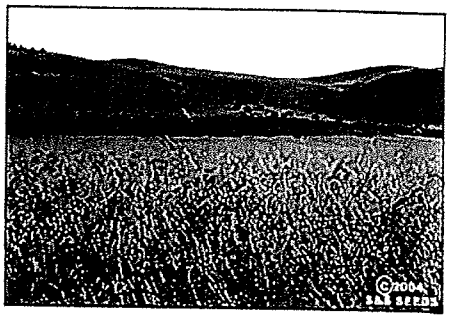

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MV00055667

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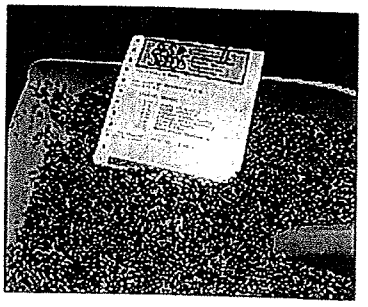

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Ornamental, Flowering, Ground Cover & Shrubs Mix

A mixture of annual and perennial species well adapted to coastal and coastal inland conditions. Will provide many months of spring color with or without irrigation. Grows 2' - 3' tall.

California Native Seed Mix

A mixture of annual and perennial wildflowers and native shrubs. May be used for irrigated or non-irrigated sites. Will flower most of the year when irrigated. Grows 2' - 3' tall with shrubs up to 4' tall.

Intermountain Wildflower Seed Mix

A mixture of annual and perennial species. Can be used by itself or in conjunction with grasses and shrubs. Best in full sun or light. Grows 2' - 3' tall.

Low Profile Seed Mix

A mixture of low growing annual and perennial flowers. Will provide bright spring color in non-irrigated settings or flower color year round when irrigated. Grows 1' - 2' tall.

Shady Wildflower Seed Mix

A mixture of annual and perennial wildflowers which provides bright spring colr in shady or partially sunny sites. Flowering will be nearly continuous if irrigated. Grows 2' - 3' tall.

Southwest Desert Wildflower Seed Mix

A hardy mixture of annual species. Will grow bright, showy, spring flowers that will reseed year after year, with or without irrigation. Grows 1' - 2' tall.

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

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Southwest Desert Wildflower Mix

Southwest Desert Wildflower Mix

This hardy mixture of 12 annual species will provide bright, showy spring flowers that will reseeds year after year, with or without irrigation. Numerous perennial species are available to add to this mixture, if desired.

Mix contains:

- *Castilleja exserta* (Owl's Clover)
- *Centaurea cyanus Dwarf* (Corn Flower)
- *Clarkia amoena* (Farewell to Spring)
- *Dimorphotheca sinuata* (Africa Daisy)
- *Eschscholzia californica* (California Poppy)
- *Lasthenia californica* (Dwarf Goldfields)
- *Layia platyglossa* (Tidytips)
- *Linum grandiflorum rubrum* (Scarlet Flax)
- *Lupinus bicolor* (Pigmy-leaved Lupine)
- *Nemophila menziesii* (Baby Blue Eyes)
- *Papaver rhoeas* (Flanders Poppy)
- *Phacelia campanularia* (California Bluebells)

Seeding rate: 20 lbs per acre

Height range: 12-24 inches

Price is for one pound.

Product ID: sou_des_wil

1

Price: $ 45.00

Catalog Front Page

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Contact Information
S&S Seeds, Inc.
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info@ssseeds.com

Customer Care
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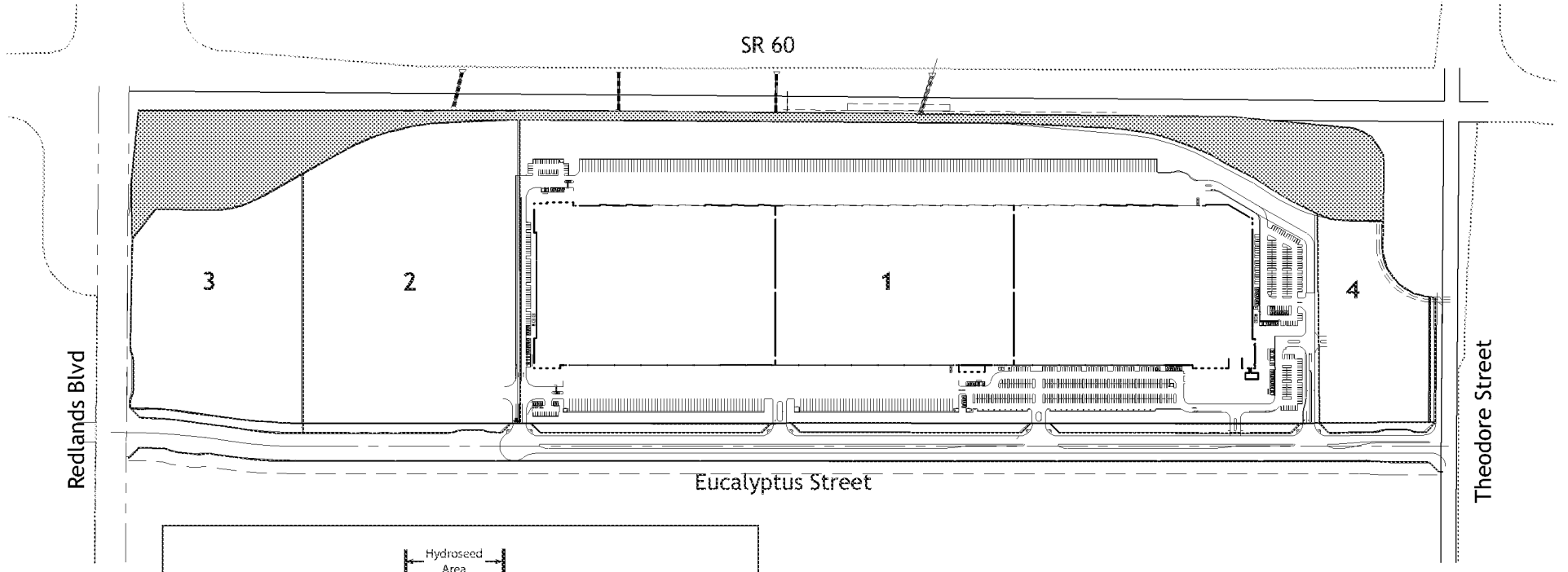

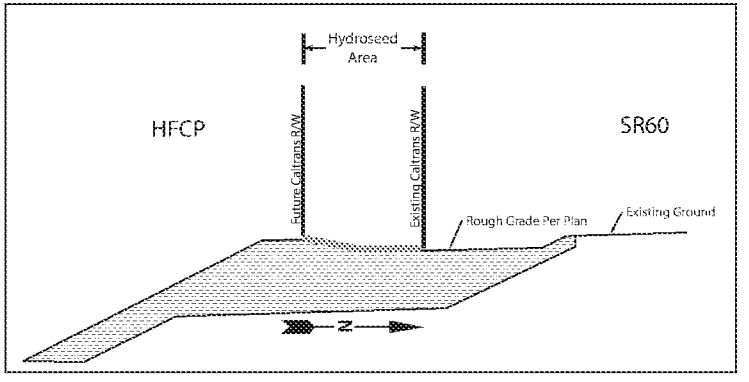

Hydro Seed Notes:

- Proposed seed to provide a mix of flowers, require no irrigation and regenerate each year.
- Proposed application rate per acre:
  - 2000 lb fiber mulch
  - 400 lb commercial fertilizer
  - 180 lb binder
  - 25 lb low profile wild flowers

Not to scale
March 5, 2010

Caltrans Right-of-Way Landscape Exhibit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:/Highland Fairview Corporate Park/Design/HF Work/Caltrans Right-of-Way Landscape Exhibit

MV00055670

MORENO VALLEY
WHERE DREAMS SOAR

Public Works
Transportation Engineering Division

MEMORANDUM

To: Mark Gross, Senior Planner

From: Michael Lloyd, Senior Engineer

Date: April 19, 2010

Subject: **Review Comments for PA09-0013 – Request to Revise Conditions of Approval for Project PA07-0088 through 0091, P07-157, and P08-057.**

Transportation Engineering Division - Review Comments

Per the April 19, 2010 meeting with Highland Fairview regarding the conditions of approval for PA07-0088 through 0091, P07-157, and P08-057, the Transportation Engineering Division has reviewed the request to add "fair share" language to conditions P80 through P85. As you are aware, conditions P80 through P85 are the Mitigation Measures MM TT-1 through MM TT(C)-3 from the EIR. The following is our response to each condition:

- P80: MM TT-1 was included in the EIR to mitigate the direct impacts of additional truck traffic due to Phase 1 of the proposed project. A "fair share" contribution in substitution of the project applicant constructing the turn lane additions would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P81: MM TT-2 addresses future phase impacts at the SR-60 interchanges with Theodore Street and Redlands Boulevard. Both the mitigation measure and the condition specifically states "the project applicant shall contribute to the costs of the interim intersection improvements… said contribution shall be on a fair-share basis."
- P82: MM TT-3 addresses the intersection of Redlands Boulevard at Eucalyptus Avenue. The improvements required shall be determined based upon the findings of the supplemental traffic study identified in MM TT-2. The improvements that will be necessary at the Redlands Boulevard and Eucalyptus Avenue intersection are a direct result of the project and are therefore mitigation to a direct impact. A "fair share" contribution in substitution of the project applicant constructing the intersection improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P83: MM TT(C)-1 is a repeat of MM TT-1.

MV00055671

- P84: MM TT (C)-2 addresses cumulative impacts along Redlands Boulevard. The condition states "the project shall participate on a fair share basis."
- P85: MM TT(C)-3 addresses cumulative impacts at the SR-60 ramps to/from Redlands Boulevard and Theodore Street. The condition states "the developer shall contribute to the costs on a fair share basis."

Therefore, it is the Transportation Engineering Division's recommendation that conditions P80 through P85 **not** be modified. Conditions P81, P84, and P85 already contain fair share language as appropriate. Conditions P80, P82, and P83 are a result of direct impacts due to the project, and a fair share contribution in place of the applicant providing the specified improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measures.

MV00055672

Michael Brandman Associates

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916.447.1100

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909.884.2255

San Ramon
925.830.2733

April 22, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: **Highland Fairview Corporate Park – CEQA Evaluation of Proposed Revisions to Conditions of Approval**

Dear Mr. Terell:

Michael Brandman Associates (MBA) has reviewed Highland Fairview's request to delete or revise various Conditions of Approval as applied to the Highland Fairview Corporate Park project. Pursuant to the City's request, we offer the following comments regarding the implications of this request with respect to the certified EIR for Highland Fairview Corporate Park.

SR60 Landscaping

Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual. Highland Fairview has requested the deletion of this condition for reasons cited in their February 8, 2010 letter to the City.

To reduce the project impact on scenic vistas and visual character, the EIR included the following mitigation measure:

Mitigation Measure MM A-2.

> *Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften views of long expanses of the upper elevations of buildings. Examples of alternate treatment measures may include, but not be limited to the following:*
> - *Use of color; or*
> - *Texture variation; or*
> - *Roof line variation.*

The EIR at Exhibits 5.1-10 and 5.1-11 included view sections and elevations to illustrate conceptual treatments that would effectively implement MM A-2. MM A-2 does not require installation of landscaping consistent with the "State Highway 60 Corridor Design Manual". The removal of Condition of Approval P14 on TPM 35629 would not raise any substantial new scenic or visual issues and would not conflict with the EIR. Once implemented by the City through the adopted Mitigation Monitoring Program, on-site landscaping included with the project will satisfy MM A-2. No changes to the EIR are needed.

ATTACHMENT 6

Multi-Use Trails

Several conditions imposed on the TPM and the Plot Plan requires the dedication and improvement of multi-use trails on the project site. Highland Fairview has requested that those conditions be modified to require the project to set aside the land and do the grading for the trails, and have the City install and maintain the actual trail improvements. Highland Fairview has requested this change for reasons cited in their February 8, 2010 letter to the City. The EIR references the provision of a multi-use trail on the project site in two locations as follows:

1) The EIR at Project Design Features for Green Building Section 3.3.4 (page 3-26) references a multi-use trail as follows:

- "The project's circulation system will include a multi-use trail on the northern portion of the future Eucalyptus Avenue."

2) The EIR in Land Use and Planning, Project Impacts Section 5.9.4 (p.5.9-17, last paragraph), references this same multi-use trail as a design feature to offset impacts as follows:

> "To offset the removal of the Sinclair Avenue crossing segment from the Master Plan of Trails, the proposed project includes as a design feature a multi-use trail along the north side of new Eucalyptus Avenue from Redlands Boulevard to Theodore Street."

The analysis that follows in the EIR relies upon the implementation of this trail to establish consistency with the adopted Master Plan of Trails. Highland Fairview's proposed change has to do with responsibility for the physical construction of the trail and its on-going maintenance, and the proposed change would not have an impact on the physical environment in that the land area for the trail would still be dedicated and graded by Highland Fairview. Provided that this trail is ultimately built, no conflict with the findings of the EIR is apparent.

Other Dedications and Public Improvements

It is our understanding that Highland Fairview also requests modifications to various conditions requiring dedication and improvement of public facilities (streets, parkways, trails, etc.). The request involves modifying such conditions to require a fair-share contribution by the project for dedication and improvement of public infrastructure. Provided that the language in EIR Traffic Mitigation Measures MM TT-1 through MM TT-3, and MM TT(C)-1 through MM TT(C)-3, does not change with respect to improvement responsibilities, we see no inconsistencies with the EIR associated with Highland Fairview's request. As there are no other infrastructure provision mitigation measures in the EIR and Mitigation Monitoring Program, the identification of responsibility for other public improvements is moot and falls back to the Conditions of Approval completely. No changes to the EIR are needed.

In summary, MBA concludes that the certified EIR remains adequate for the overall project and the proposed changes to the conditions that apply to SR 60 landscaping, multi-use trails and all proposed changes related to dedications and improvements conditions.

If you have any questions in this regard, please contact me directly at 714.508.4100.

Sincerely,

Thomas F. Holm, AICP, Principal/Vice President Environmental Services
Michael Brandman Associates
220 Commerce, Suite 200
Irvine, CA 92602

TFH:jwi
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CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
FOR
TENTATIVE PARCEL MAP No. 35629
Case No: PA07-0090 - To include P08-057 (Phasing Plan)
A.P.N.: 488-350-001 through 002 and 488-360-001 through 012.

Approval Date: **February 10, 2009**
Expiration Date: **February 10, 2112**

The following conditions are attached for the following departments:

_x_ Planning (P), including School District (S), Post Office (PO), Building (B)
_x_ Fire Prevention Bureau (F)
_x_ Public Works, Land Development (LD)
_x_ Public Works, Special Districts (SD)
_x_ Public Works – Transportation (TE)
_x_ Parks & Community Services (PCS)
_x_ Police (PD)
_x_ Moreno Valley Utilities
___ Other (Specify or Delete)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply). All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code. (Advisory)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

ATTACHMENT 7

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080) (Advisory)

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020) (Advisory)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the site.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P7. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval. (Advisory)

PRIOR TO GRADING

P8. (GP) Prior to approval of any grading permit, the developer shall submit a tree plan to the Planning Division for review and approval. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigtion plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director or designee. (GP Objective 4.4, 4.5, DG)

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord) (Advisory)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG) (Advisory)

P11. Prior to approval of a precise grading plan, landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees. (Advisory)

P12. ((GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area. (Advisory)

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval. (MC 9.14.100)**

P15. **A qualified archaeologist and or tribal monitors from any affected Native American Indian tribes shall be present during grading to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity. The monitoring archaeologist shall be empowered to halt grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The consultant (i.e. archaeologist) shall consult with any and all affected Native American Indian tribes in the area on any Treatment Plan prepared for the project.**

P16. **(GP) Prior to the issuance of precise grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.**

P17. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps, or alternative design as approved by the Community Development Director. (MC 9.08.070)**

P18. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an Property Owners Association (POA) or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

PRIOR TO RECORDATION OF FINAL MAP

P19. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080) (Advisory)

P20. (R) Prior to recordation of the final map, final median enhancement/landscape/irrigation plans shall be reviewed and approved by the Planning Division, and Public Works Department - Special Districts Administration for review and approval by each division. (GP - Circulation Master Plan)

P21. (R) Prior to final map recordation any required trail easements shall be provided. (Advisory)

P22. (R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:

a. The document to convey title
b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- **The developer shall promote the use of native plants and trees and drought tolerant species to the extent feasible.**

- **(R) All lots designated for open space and or detention basins, shall be included as an easement to or transfer title to; and maintained by a Property Owners Association (POA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite POA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.**

- **Maintenance of any and all common facilities.**

PRIOR TO BUILDING PERMIT

P23. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P24. (BP) Prior to issuance of building permits for applicable lettered lots, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P25. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require additional plot plan review and approval from the Planning Commission.

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal (Advisory)

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0090 Tentative Parcel Map No. 35629
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions. (Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the tentative parcel map by the Planning Commission, the Developer shall submit the approved tentative parcel map on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

(Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Map Approval or Recordation

LD26. (MA) Prior to approval of the final map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. (Advisory)

LD27. (MA) Prior to approval of the final map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer. (Advisory)

LD28. (MA) Prior to approval of the final map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A Public Improvement Agreement (PIA) will be required to be executed. (Advisory)

LD29. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

(Advisory)

LD30. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public works Department. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD31. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD32. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD33. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD34. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.
(Advisory)

LD35. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD36. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD37. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD38. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD39. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD40. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD41. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD42. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

LD43. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD44. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

Prior to Certificate of Occupancy

LD45. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD47. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD48. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be

constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD49. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD50. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD51. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD52. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD53. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency

overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD54. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review and approval. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD55. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD56. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to Parcels G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) to provide maintenance access to these parcels until such time that the City accepts the dedication. Surrounding grading shall not prohibit runoff from leaving these parcels.

LD57. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD58. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD59. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and

road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD60. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

b. Along the frontage of Parcel 4 of PM 35629, east side of Theodore Street, east edge of the northbound travel lane to be constructed in Phase 2.

c. Along the frontage of Parcel 3 of PM 35629, west side of Redlands Boulevard, west edge of the southbound travel lane to be constructed in Phase 3.

d. Along the frontage of Parcel 3 of PM 35629, south side of Eucalyptus Avenue, south edge of the eastbound travel lane to be constructed in Phase 3.

e. At proposed pavement transitions at edge of pavement.

f. As required by the City Public Works Inspector(s).

LD61. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD62. (IPA) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD63. (IPA) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across

Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD64. (IPA) Prior to approval of improvement plans for any master drainage plan facilities, a right-of-entry agreement shall be executed with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for said facilities.

LD65. (MA) Prior to parcel map approval, the map shall show a varying width lettered parcel along the project's north boundary and adjacent to SR-60, shown as Parcel G on the tentative parcel map, to be irrevocably offered for dedication to the City for highway and road purposes. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the developer shall keep the parcel clear of permanent and/or temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer. Existing utilities shall be relocated outside of the dedicated parcel as conditioned hereon. New utilities shall not be placed within the dedicated parcel without City Engineer approval except for extension of existing storm drain culverts and proposed water line from north of the SR-60 in the Sinclair Street alignment. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated parcel, without prior City approval, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plans.

LD66. (MA) Prior to parcel map approval, the map shall show an irrevocable offer of dedication to the City for highway and road purposes, identified as Parcel 5 and Parcel 6 on the tentative parcel map (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map) for an eastbound on-ramp at the Redlands Boulevard interchange and an eastbound off-ramp at the Theodore Street interchange, respectively. The map shall reflect Parcels 5 and 6 as lettered parcels prior to map approval. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the parcel shall be kept clear of permanent and temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment, other than those needed to conform to the grades and improvements shown on the approved tentative parcel map. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer as conditioned hereon. Existing utilities shall be relocated outside of the dedicated parcel. New utilities shall not be placed within the dedicated parcel without prior City Engineer approval. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated

parcel, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plan.

LD67. (MA) Prior to parcel map approval, if the developer proposes to grade the site such that a slope is created for future freeway on- and/or off-ramp improvements within Parcels G, 5 and/or 6 (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map), the developer shall obtain City approval such that the slope will coordinate closely with the future ramp improvements. It may be required that the developer grant a construction easement to the City, ultimately to Caltrans, at no cost to the City or Caltrans, in the future to facilitate the interchange improvements in order to make any necessary adjustments to the slope, drainage, and related features located within and/or outside of Parcels G, 5 and/or 6. In no event shall the exercise of this easement disrupt any existing development or damage any site improvements.

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD69. (MA) Prior to parcel map approval, a reciprocal access agreement between adjacent development parcels shall be submitted to the City for review and approval processing for concurrent recording with the final parcel map. Alternatively, the reciprocal access among parcels can be established in the covenants, conditions, and restrictions (CCRs) if any, and recorded concurrent with the map.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be

completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

   i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

   ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

   iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

   iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

   v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

   vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

   vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above.

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

LD71. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer.

LD72. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD73. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD74. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD75. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD76. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all

required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD77. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD78. (CO) Prior to occupancy of the proposed building in Phase 1, the parcel map shall record along with all the offers of dedication for right-of-way and easements made on the map.

LD79. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD80. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD81. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD82. (CO) Prior to occupancy of any buildings, a cooperative (tri-party) agreement among the developer, the City and RCFC&WCD regarding the operation and maintenance of said facilities shall be executed.

LD83. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be

utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD84. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD85. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients, organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD86. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD87. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD88. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

In the future, when planning applications for development of Parcels 2 and 4 are submitted to the City, additional conditions of approval for on-site development of those parcels will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcels 2 and 4.

LD89. (PPA) Prior to approval of a plot plan for any project on Parcel 4 of PM 35629, proposed pad and site elevations shall be coordinated with the most current design available for the Theodore Street interchange improvement plans. The plot plan shall show the proposed relocation corridor within the future right-of-way of Theodore Street for the overhead electrical power poles along Theodore Street for overhead utility lines larger than 115,000 volts.

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be constructed

within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.

Phase 3 – Development Associated with Parcel 3 of PM 35629

In the future, when a planning application for development of Parcel 3 is submitted to the City, additional conditions of approval for on-site development of that parcel will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcel 3.

LD92. (PPA) Prior to approval of a plot plan for any project on Parcel 3 of PM 35629, proposed pad and site elevations shall be coordinated with the most current available Redlands Boulevard interchange improvement plans.

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided within an 18-foot wide bike trail and pedestrian access easement: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Tentative Parcel Map

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0090 (Map).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
PLOT PLAN (PA07-0091)
APN: 488-350-001 through 002 and 488-360-001 through 012.

APPROVAL DATE: **February 10, 2009**
EXPIRATION DATE: **February 10, 2012**

_x_ **Planning (P), including School District (S), Post Office (PO), Building (B)**
_x_ **Fire Prevention Bureau (F)**
_x_ **Public Works, Land Development (LD)**
_x_ **Public Works, Special Districts (SD)**
_x_ **Public Works – Transportation Engineering (TE)**
_x_ **Parks & Community Services (PCS)**
_x_ **Police (PD)**
_x_ **Moreno Valley Utilities**
___ **Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230) (Advisory)

P2. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of

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Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

ATTACHMENT 8

the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020) (Advisory)

P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P4. **A drought tolerant, low water using landscape palette shall be utilized throughout the project.**

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P6. **Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)**

P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be consistent with this approval. (Advisory)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigation plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P9. **(GP) Prior to approval of any precise grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.**

P10. **(GP) Prior to approval of any grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way**

adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Community Development Department - Planning Division for review and approval. (MC 9.14.100)

P11. **(GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P12. **(GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)**

P13. **(GP) Decorative pedestrian pathways shall be shown on the precise grading plan. (Advisory) (GP Objective 46.8, DG)**

P14. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps or alternative design as approved by the Community Development Director. (MC 9.08.070)

P15. (GP) Prior to approval of a precise grading plan, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of all trash enclosures shall be provided.

J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**

K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.

L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to achieve the overall 40 foot spacing requirement .

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

PRIOR TO BUILDING PERMITS

P16. (BP) Prior to issuance of building permits, the Community Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas

meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG) (Advisory)

P17. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG) (Advisory)

P18. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) (Advisory)

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord) (Advisory)

P20. (P) Prior to issuance of building permits, final landscaping and irrigation plans shall be approved by the Planning Division prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12

parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)

C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of all trash enclosures shall be provided.

J. Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.

K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.

L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be possible for areas outside of the line of sight. An alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas.

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

P21. Prior to the issuance of building permits, landscape and irrigation plans for common areas maintained by the Property Owner's Association shall be submitted to the Community Development Department – Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's

Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix w/irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins.

P22. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community Development Director.

P23. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community Development Director. (MC 9.08.070)

P24. (BP) Prior to issuance of a building permit for Phase 1, proof of a driveway reciprocal access easement between Parcels 1 and 4 shall be provided to the Public Works and Community Development Department.

P25. (BP) Downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community Development Director. This item shall be noted on the final plot plan drawings.

P26. (BP) Prior to the issuance of building permits, evidence of a reciprocal access easement agreement for Parcel 4, including the maintenance of trees and other landscape materials would be required.

P27. (BP) Prior to the issuance of building permits, a full elevation set, including the northeast focal point of the building adjacent to Highway 60 and Theodore Street, shall be submitted. Said elevations shall be reviewed and approved by the Planning Commission prior to the release of any building permits.

P28. (BP) Prior to the issuance of building permits, the precise grade or final landscape plans shall include decorative paving at all driveway locations.

PRIOR TO CERTIFICATE OF OCCUPANCY

P29. (CO) Prior to issuance of Certificates of Occupancy or building final, all required landscaping, buildings, lighting, parking lot improvements including, but limited to paving and striping, and irrigation shall be installed for the required phase. (DC 9.03.040) (Advisory)

P30. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed and installed for the required phase according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070) (Advisory).

P31. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, all required landscaping and irrigation, including basins, shall be reviewed by the Community Development Department - Planning Division. The landscaping shall be installed for the required phase in accordance with the City's Landscape Standards the approved landscape plans, and conditions of approval included in the grading and building sections above. (Advisory)

P32. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 right of way.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P33. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA) (Advisory)

P34. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require submittal of separate plot plans and review and approval from the Planning Commission.

MITIGATION MEASURES

P35. MM A-1 - During project construction, the construction site manager or supervisor shall ensure that construction lighting shall be limited to lighting within the work area and light trespass shall be avoided though directional lighting, shielding, and other similar control measures.

P36. MM A-2. Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften

views of long expanses of the upper elevations of buildings. Examples of alternative treatment measures may include, but not be limited to the following:

- Use of color; or
- Texture variation; or
- Roof line variation.

P37. MM AQ-1. Prior to construction of the project, the project applicant shall comply with SCAQMD Rule 403 by providing a Fugitive Dust Control Plan that describes the application of best management practices to control fugitive dust during construction. Best management practices shall include:

- Application of water on disturbed soils a minimum of three times per day;
- Covering haul vehicles;
- Replanting disturbed areas as soon as practical;
- Restricting vehicle speeds on unpaved roads to 15 mph;
- Suspension of all grading activities during high wind speeds in excess of 25 mph.
- A Large Operation notification shall be submitted to the SCAQMD prior to construction.
- Project applicant to designate a person(s) to monitor the dust control program and to order increased watering, as necessary.
- Post a sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.
- Complete all roadways, driveways, sidewalks, etc. as soon as possible; building pads should be developed as soon as possible after grading unless seeding, polymer, water, landscaping, soil binders, or similar means are applied within five working days after grading completion to minimize fugitive dust.
- Street sweeping shall be accomplished as needed to remove soil transport to adjacent areas; sweeping shall require use of equipment certified under SCAQMD Rule 1186.1.

P38. MM AQ-2. The project applicant shall meet CARB standards by assuring use of lowest emission construction equipment reasonably available for use on this project. The construction fleet average shall meet or exceed Tier II level and the applicant shall provide incentives in the bidding process in selecting construction contractors that propose the lowest-emission construction equipment (i.e., high pressure injectors; smaller engine sizes; electric equipment; gasoline powered equipment with catalytic converters; and alternatively fueled construction equipment).

The applicant shall also provide incentives in the bidding process in selecting

grading and construction contractors that propose the use of equipment using Level III diesel particulate filters.

P39. MM AQ-3. During project construction, construction equipment shall be properly maintained in accordance with manufacturer's specifications; maintenance shall include proper tuning and timing of engines. During maintenance, precautions shall be taken to ensure that fuel is not leaked onto the ground. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction and subject to inspection by the SCAQMD.

P40. MM AQ-4. During project construction, the project applicant shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of five (5) minutes.

P41. MM AQ-5. Prior to issuance of a grading permit, the project applicant shall provide a traffic control plan to the City of Moreno Valley that will describe in detail safe detours around the project construction site with temporary traffic control (e.g., flag person) during construction-related truck hauling activities, as required by the City. Construction activities that affect traffic flow on the arterial system shall be minimized by scheduling such activities to off-peak hours. Construction truck travel shall be routed to minimize travel on congested streets and near to sensitive receptor areas. Construction traffic shall gain access to the project site via Theodore Street and Eucalyptus Avenue to the greatest extent possible to minimize traffic and dust along Redlands Boulevard. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones.

P42. MM AQ-6. All paints shall be low VOC paints and applied using either high volume low-pressure (HVLP) spray equipment or by hand application. For a list of low VOC paints, refer to the website www.aqmd.gov/prdas/brochures/paintguide.html.

P43. MM AQ-7A. Construction Phases. Prior to the issuance of grading permits, the developer shall provide documentation to the City of Moreno Valley indicating that construction workers will be encouraged to carpool to the greatest extent practical, including providing information on park and ride programs available to workers. The project shall also provide for lunch

services onsite during construction to minimize the need for offsite vehicle trips. Workers shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P44. MM AQ-7B. Occupancy. Prior to the issuance of occupancy permits, the project applicant shall provide documentation to the City of Moreno Valley indicating that tenant workers will be encouraged to carpool to the greatest extent practical including providing information on park and ride programs available to employees. Employees shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P45. MM AQ-8. During project construction, onsite electrical hook-ups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators.

P46. MM AQ-9. During construction, rumble or bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads, or wash off trucks or any equipment leaving the site with each trip.

P47. MM-AQ-10. Offsite construction improvements shall be limited to an 8-hour day during daylight hours.

P48. Operations- MM AQ-11. All project entrances shall be posted with signs which state:

a) Diesel trucks servicing the project shall not idle for more than 3 minutes; and

b) Telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

P49. MM AQ-12. Electricity shall be provided in the loading dock areas for transportation refrigeration units visiting the site, if any.

P50. MM AQ-13. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area.

P51. MM AQ-14. Electrical hookups shall be provided for transport refrigeration units within the Commercial component (Phases II and III) to eliminate the need for idling of diesel-powered transport refrigeration units.

P52. MM AQ-15. The project applicant shall include in all new lease documents the requirement that the tenants shall utilize only trucks using refrigeration units capable of utilizing electrical hook-ups for deliveries to the tenant.

P53. MM AQ-16. The project applicant shall encourage its tenants to do the following: have a compressed workweek schedule for its employees; include electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; require or provide incentives to use California Air Resources Board certified particulate filters that meet level III requirements; use "clean" trucks, such as 2007 or newer model year or 2010 compliant; use electric yard trucks; use trucks with a SmartWay 1.25 rating; and electrify auxiliary power units. The applicant shall provide documentation of its efforts to the satisfaction of the City.

P54. MM AQ-17. The project shall be designed such that the check-in point for trucks is inside the facility property to ensure that there are no trucks queuing outside the facility.

P55. MM AQ-18. Food services shall be provided onsite.

P56. MM AQ-19. Prior to the Issuance of Occupancy Permits, written evidence shall be provided to the Planning and Transportation Engineering Divisions that the project applicant shall include in all new lease documents the requirement that the tenant shall provide employees with incentives for carpooling or impose a parking fee.

P57. MM AQ-20. The property owners association shall maximize use of electrical equipment for landscape maintenance.

P58. MM AQ-21. Prior to the issuance of a certificate of occupancy for Phase 3, traffic signals, including interconnect hardware installed, or paid for, in whole or in part, by the project applicant shall be synchronized by the applicant, to the satisfaction of the City Engineer.

P59. MM BR-1. To avoid impacts to nesting birds covered under the MBTA, vegetation removal activities involving established perennial vegetation located in the urban/developed plant community shall be avoided during avian nesting season (February 15 through August 31). If the nesting season cannot be avoided, a nesting bird survey shall be provided no more than thirty (30) days prior to vegetation removal activities. If no active nests are observed, construction activity may proceed with no further monitoring. If active nests are observed, a biological monitor shall be present during any construction activity within the vicinity of the nest. Construction activity may encroach within the vicinity of the nesting birds at the discretion of the biological monitor. Construction activity may proceed once the nestlings have fledged the nest.

P60. MM BR-2. (GP) Prior to issuance of a grading permit, the applicant shall pay the mandatory mitigation fee for the SKRHCP. The mitigation fee is a per/acre fee based on the entire property footprint and is used to purchase land that contains occupied Stephens' kangaroo rat habitat for the purpose of conserving a large core population.

P61. MM BR-3. (GP) A pre-construction clearance survey for burrowing owl shall be provided. The pre-construction survey shall be conducted by a qualified biologist no more than thirty (30) days prior to any grading or ground disturbing activities.

If construction is to be initiated during the breeding season (February 1 through August 31) and burrowing owl is determined to occupy any portion of the study area during the 30-day pre-construction survey, consultation with the CDFG and USFWS shall take place and no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. No disturbance to active burrows shall occur without appropriate permitting through the MBTA and/or CDFG.

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, passive relocation may be conducted following consultation with the CDFG and USFWS. Construction activity may occur within 500 feet of the active nests at the discretion of the biological monitor.

P62. MM BR-4. (GP) Prior to issuance of a building permit, the applicant shall pay the mandatory mitigation fee for the MSHCP. The mitigation fee is a per unit fee based on the residential development and a per square feet fee based on commercial or industrial development. This will satisfy mitigation required

for Impact 5.4-5 and 5.4-6.

P63. MM CR-1. (GP) Prior to the issuance of a grading permit, a City-approved Project Archaeologist shall be retained to initiate and supervise cultural resource mitigation-monitoring during project-related earthmoving in all areas of the project, subject to certain constraints found in MM CR-2.

P64. MM CR-2. Project-related archaeological monitoring shall include the following constraints:

1. All construction-related earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative;
2. Once 50 percent of the earth to be moved has been examined by the Project Archaeologist, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected;
3. If buried cultural resources are detected during monitoring, monitoring must continue until 100 percent of virgin earth within the study area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.
4. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. Grading should continue in other areas of the site while particular find are investigated; and
5. If cultural artifacts are uncovered during grading, they shall be examined by a professional archaeologist subject to MM CR-3, and decisions shall be made as to mitigation, treatment and/or disposition in consultation with the culturally affiliated Tribe(s), as determined by the City. A mitigation-monitoring report must accompany the artifacts.

P65. MM CR-3. Should buried prehistoric cultural resources be encountered during monitoring, the resources shall be evaluated for significance in consultation with the culturally affiliated Tribe(s), as determined by the City, following CEQA Guidelines prior to continuance of grading in the area.

P66. MM CR-4. The City of Moreno Valley shall designate culturally affiliated Tribe(s) to monitor the project. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor all activities

monitored by the Project Archaeologist.

P67. MM CR-5. (GP) Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the project, subject to certain constraints found below:

1. Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place.
2. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
3. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens, and,
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

P68. MM CR-6. Although considered unlikely, there is always the possibility that ground-disturbing activities may uncover previously unknown human remains. Should this occur, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed.

In the event of an accidental discovery or recognition of any human remains, California Health & Safety Code 7050.5 and California Public Resource Code (PRC) Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a determination as to disposition and treatment is made. The Riverside County Coroner shall be contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours to allow the NAHC to identify the person or persons it believes to be the "most likely descendant" (MLD) of the deceased Native American. The MLD may make recommendations and enter into consultation with the

landowner, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

P69. The project will be subject to the City's Grading Ordinance and all applicable California Building Codes. MM GEO-1. During excavation and grading activities a qualified engineering geologist shall observe the in-grading excavation to confirm the absence of any fault features within the building site. If any currently unknown fault features are observed, such features shall be evaluated by the geologist and, if determined necessary, remediation measures or other measures as appropriate shall be implemented to address such features in accordance with applicable City and State requirements. The geologist's record of observations shall be summarized in a final report to be submitted to the City at the conclusion of excavation/grading activities.

P70. MM HH-1. The fire protection system shall be designed per National Fire Protection Agency (NFPA) 13 to provide an Early Suppression Fast Response (ESFR) sprinkler system protection. Temperature rating of sprinkler heads to be per the Fire Department's requirements.

P71. MM HH-2. A complete on-site fire protection underground system shall be provided per NFPA 24 and specific requirements of the local authorities. This system shall include hydrants, sectional valves, backflow prevention, and Fire Department connections.

P72. MM HH-3. Riser assemblies shall include mechanical alarm valves. System control valves shall either be riser mounted with wall post extensions or exterior post indicator valves as required by the local authority. All required devices for central station alarm system interface shall be provided.

P73. MM HH-4. System design, material, and installation shall comply with NFPA 13 and the other previous NFPA standards. It shall also comply with CBC and UFC standards. Approvals will also be obtained from the owner's insurance authority.

P74. MM LU-1. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area. (MM AQ-13)

P75. MM N-1. No Construction Vehicles on Redlands Boulevard south of Future Eucalyptus Avenue. Other than construction vehicles necessary for identified offsite improvements within Redlands Boulevard, no construction vehicles shall be allowed in the vicinity of any residences on Redlands Boulevard south of existing Fir/future Eucalyptus Avenue. The prohibition for construction traffic shall apply to all phases of the proposed project.

*P76. MM N-2. No nighttime grading or construction within 1,200 Feet of Residences south of Future Eucalyptus Avenue. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. No grading or construction activities shall occur at night (8 p.m. to 7 a.m.) within 1,200 feet from any noise-sensitive land uses (i.e. occupied residences including yard areas, schools, etc.) located south of SR-60 (Exhibit 5.11-6 shows the current location of occupied residences). Prior to the issuance of a grading permit, the project applicant shall submit a Noise Reduction Compliance Plan (NRCP) to the City as part of the grading permit submittal showing the limits of nighttime construction based on the location of occupied residential dwellings and their associated parcels, and other noise sensitive uses. The limits of nighttime grading or construction shall be shown on the NRCP and grading plan submitted to the City.

The limits of construction allowed at night shall be staked or posted on site, and contractors will be provided with a copy of the plan showing the limits of nighttime construction.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, nighttime construction and grading activities shall be prohibited within 1,200 feet of such residences. Compliance shall be demonstrated through a modification of the NRCP.

With the implementation of this mitigation measure, the loudest noise level that would be experienced at any developed residential parcel would be less than 55 dBA (Leq) during the nighttime, and this level would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the Noise Reduction Compliance Plan (NRCP) and periodic monitoring of noise levels at developed residential parcels within 1,200 feet of the project site.

P77. MM N-3. Daytime Construction Noise. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. If project site grading activities must occur within 560 feet of noise-sensitive land uses during the daytime (7 a.m. to 8 p.m.), then temporary sound barriers of sufficient height and density to reduce daytime noise levels to 60 dBA (Leq) or less shall be placed between the grading activities and the noise-sensitive land uses. Prior to the issuance of a grading permit, the developer shall submit a NRCP to the City as part of the grading permit submittal showing the limits of daytime construction based on the 560 foot setback in relation to the location of occupied residential dwellings and their associated parcels and other noises sensitive uses.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, the NRCP shall be modified to show a the revised new 560 foot setback for day time construction and grading activities in relation to the new residences.

With the implementation of this mitigation measure the loudest noise level that would be experienced at any developed residential parcel would be less than 60 dBA (Leq) during the daytime, and these levels would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the NRCP and periodic monitoring of noise levels at developed residential parcels within 560 feet of the project site. This mitigation measure does not apply to off-site construction.

P78. MM N-4. Require Equipment Maintenance. All construction equipment shall be maintained in good working order and fitted with the appropriate silencers, mufflers or acoustic covers where applicable.

P79. MM N-5. Locate Material Stockpiles 1,200 Feet from Residences south of the Freeway. Material stockpiles shall be located at least 1,200 feet from residences south of future Eucalyptus Avenue along Theodore Street and Redlands Boulevard. Remotely locating the stockpiles reduces the noise at the residences from equipment traveling to and from the stockpiles and the noise that is sometimes associated with handling of material.

P80. MM TT-1. (CO)Prior to issuance of Certificate of Occupancy for Phase 1, turn lanes shall be improved along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street

to accommodate truck turning movements. These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P81. MM TT-2. Concurrent with the submittal of the plot plan for Phase 3 of the proposed project, the project applicant shall submit a supplemental traffic study assessing the project's contribution to the traffic impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. Approval of the supplemental traffic study must occur prior to the approval of entitlements for the Phase 3 Plot Plan. The project applicant shall contribute to the costs of the interim intersection improvements required to provide adequate capacity for all phases of the project. Said contribution shall be on a fair-share basis considering the buildout of adjacent areas. Payment of such costs shall be provided prior to the issuance of a building permit for Phase 3. If the timing of Phase 3 of the project precedes the planned interim improvements, the project shall be required to construct interim improvements needed to provide adequate capacity to serve the project.

P82. MM TT-3. The project applicant shall construct the easterly leg of the intersection located at Redlands Boulevard and Eucalyptus Avenue at the ultimate design required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. The design tentatively consists of a dedicated westbound left turn lane, two westbound through lanes and a dedicated westbound right turn lane. Final geometrics shall be determined after receiving the supplemental traffic study identified in MM TT 2. Construction of required improvements shall be completed prior to the issuance of occupancy permits for Phase 3 of the project.

P83. MM TT(C)-1. (CO) Prior to issuance of certificate of occupancy for Phase 1 of the project, turn lanes shall be provided along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street to accommodate truck turning movements These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P84. MM TT(C)-2. The short-range analysis shows project impacts at the Redlands Boulevard interchange and at the Redlands Boulevard/Eucalyptus Avenue intersection. At the interchange, improvements are planned and the project shall participate on a fair share basis if private funding is needed. If the timing of Phase 3 of the project precedes the planned interchange

improvements, the project shall contribute to interim improvement to provide adequate capacity until the ultimate improvements are completed. These interim improvements include additions of left and right turn lanes at Redlands Boulevard, SR 60 Ramps, and Eucalyptus Avenue. The interim improvements would be the shared responsibility of the proposed project and cumulative projects. Fair share participation and/or contribution to interim improvements, as applicable, shall be required prior to the issuance of a building permit for Phase 3 of the project

P85. MM TT(C)-3. At the time of the submittal of the plot plan for Phase 3 of the proposed project, the applicant shall submit a supplemental traffic study assessing the project's contribution to the impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. The developer shall contribute to the costs on a fair share basis of the intersection improvements required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. If the timing of Phase 3 of the project precedes the planned improvements, the project shall be required to construct interim improvements to provide adequate capacity until the ultimate improvements are completed.

P86. MM W-1. Prior to issuance of a Precise Grading Permit, Planting and Irrigation Plans shall be submitted for review and prior to the issuance of a building permit, approved by the City. Such plans shall contain the following components:

- The plans shall incorporate water conservation principles as detailed in the Moreno Valley Municipal Code § 9.17.030 Landscape and irrigation design standards.
- Plant types shall be grouped together according to their water, soil, sun and shade requirements and in relationship to the buildings. Plants with different water needs shall be irrigated separately.
- Plans shall be designed in accordance with soil tests to determine appropriate specifications of soil amendments and to facilitate selection of water-efficient plant species suitable for the site. Soil amendments such as compost shall be provided to improve water-holding capacity of soil, where soil conditions warrant.
- All exposed surfaces of non-turf areas within the developed landscape area shall be mulched with a minimum three inch (3") layer of material, except in areas with groundcover planted from flats where mulch depth shall be one and one half inches (1.5").
- Turf areas shall be limited to public gathering areas and used in compliance with City approved water budget formula(s) and specifications.

- All irrigation systems shall be designed to prevent runoff, over-spray, low head drainage (occurs where sprinkler systems are installed in sloped areas) and other similar conditions where water flows offsite on to adjacent property, non-irrigated areas, walk, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible.
- Landscaped areas shall be provided with a) smart irrigation controllers which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions; b) rain-sensing devices to prevent irrigation during rainy weather; c) anti-drain check valves installed at strategic points to minimize or prevent low-head drainage; and d) pressure regulators when the static water pressure exceeds the maximum recommended operating pressure of the irrigation system.
- The planting areas shall be grouped in relation to moisture control zones based on similarity of water requirements (i.e., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas; top of slope separate from toe of slope).

P87. MM GCC-1. The project shall be designed to meet applicable 2008 Title 24 energy efficiency requirements, or any more stringent requirements that may be adopted prior to the issuance of building permits for the project.

P88. MM GCC-2. All buildings shall be designed with "cool roofs" using products certified by the Cool Roof Rating Council, and exposed roof surfaces shall use "cool paints."

P89. MM GCC-3. The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, to meet the project's Phase 1 office electricity needs.

P90. MM GCC-4. The design and operation of the project shall use ENERGY STAR-qualified energy efficient products for heating and cooling systems, and for built-in appliances and lighting.

P91. MM GCC-5. To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the Community Development Director, Public Works Director, Building Official and Transportation Division Manager:

a) Onsite secure, weather-protected bicycle storage parking shall be provided. Onsite showers (one for males and one for females) and lockers for employees shall be provided in each building. Onsite convenient bicycle parking shall be provided for retail customers.

b) Any traffic lights installed as part of this project shall use Light Emitting Diodes.

c) Pedestrian and bicycle connections shall be provided to surrounding areas consistent with the Existing General Plan.

d) A Transportation Management Association (TMA) shall be established for the project by the applicant. The TMA shall coordinate its efforts with other TMAs in the City and encourage and coordinate carpooling by occupants of the project. The TMA shall advertise its services to the building occupants. The TMA shall offer transit or other incentives to the employees to reduce greenhouse gas emissions. A shuttle shall be provided during any one hour period where the number of employees using public transit exceeds 20 during the period. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordinating rides. Within two months after project completion, the TMA shall submit a plan to the City that outlines the measures the TMA has implemented and contact information.

e) There shall be preferential parking for carpools, vanpools, and alternatively fueled vehicles.

P92. MM GCC-6. The project shall provide a minimum of two electric vehicle-charging stations.

P93. MM GCC-7. During onsite construction phases of mass grading, fine grading, and building (excluding asphalt paving, trenching, and offsite improvements), off-road construction equipment shall use biodiesel fuel (a minimum of B20, or 20 percent of biodiesel). Construction equipment exempt from this measure include those with warranties that would be voided if B20 biodiesel fuel is used. Prior to issuance of grading permits, the applicant shall provide documentation to the City that verifies that certain equipment are exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required.

P94 .MM GCC-8. Prior to issuance of a grading permit, the project shall have in place a City-approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during project construction. A

similar Plan shall be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during on-going operation of the warehouse and office portions of the project. The Plans shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.

P95. MM GCC-9. The project shall be certifiable under Leadership in Energy and Environmental Design (LEED). The project shall obtain the following credits from the LEED for New Construction & Major Renovations, version 2.2 (or equivalent): Sustainable Sites Credit 7.1: Heat Island Effect, Non-Roof; LEED Energy & Atmosphere Credit 1, Optimize Energy Performance, in part through installing skylights and utilizing energy efficient lighting. Demonstration of certifiability shall be provided to the satisfaction of the City, prior to the issuance of building permits.

P96. MM GCC-10. The project shall be designed to accommodate trucks utilizing "SmartWay Truck Efficiency" emission reduction features. Trailer tails (extenders) are incompatible with loading docks and are exempt from this measure.

P97. MM GCC-11. Every truck that enters the site with a gross vehicle weight rating over 10,000 pounds shall have an Engine Certification Label. If it does not have the label, it shall be prohibited from entering the project site.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building

occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required. (Advisory)

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process. (Advisory)

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project. (Advisory)

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. (Advisory)

*** Modified by the City Council at their meeting on 2/10/09**

Markg/2007/PA07-0088 thorough PA07-0091

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0091 Plot Plan
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
(Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the plot plan by the Planning Commission, the Developer shall submit the approved plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site. (Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan. (Advisory)

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD26. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD27. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD28. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD29. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

(Advisory)

LD30. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD31. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD32. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD33. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD34. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD35. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD36. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD37. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

LD38. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD39. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. (Advisory)

LD40. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

LD41. (BP) Prior to issuance of a building permit, Parcel Map 35629 shall record.

Prior to Certificate of Occupancy

LD42. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD43. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD44. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD45. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD47. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD48. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD49. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other

mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD50. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD51. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD52. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD53. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to all graded areas resulting from the grading associated with the project.

LD54. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD55. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication

shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD56. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD57. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

LD58. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD59. (IP) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD60. (IP) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD61. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction

sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD62. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD63. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD64. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD65. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD66. (BP) Prior to issuance of a building permit, PM 35629 shall record along with all the offers of dedication for right-of-way and easements made on the map. Alternatively, offers of dedication for right-of-way and easements may record by separate instrument.

LD67. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a

proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD68. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD69. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD70. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD71. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD72. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD73. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients,

organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD74. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD75. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD76. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Plot Plan

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

RESOLUTION NO. 2010-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and construction of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 9

MV00055748

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to

Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir Avenue), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

   FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

   The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

   The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing and responsibility of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The originally approved map met the intent of the General Plan with the approved General Plan Amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF),Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities

in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future).. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

MV00055755

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Parcel Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. <u>The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.</u>

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. <u>The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and</u>

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Parcel Map No. 35629 (Clean Copy Version)

<u>Land Development Division modified conditions of approval</u>

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

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j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

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i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

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b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

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Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

RESOLUTION NO. 2010-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

ATTACHMENT 10

MV00055766

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meeting on May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations** – The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

   FACT:. The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, possible timing and responsibility of an easement and construction of a required multi-use trail along the project frontage and modification of various Public Works conditions of approval for dedication and improvement of public improvements is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. **Location, Design and Operation –** The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site. The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future). The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it

revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0090, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

<u>Planning Division modified conditions of approval</u>

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

CITY OF MORENO VALLEY
Community Development Department
Planning Division

MEMORANDUM

To: Mayor and City Council

From: Mark Gross, AICP, Senior Planner via John Terell, AICP, Planning Official

Date: May 10, 2010

Subject: Additional attachment for Item E2 on the May 11, 2010 City Council Meeting Agenda

The Planning Division is providing a draft copy of the Recreational Trails Board meeting minutes for March 24, 2010. Please include as an additional attachment to the staff report under separate cover for Item E2 on the May 11, 2010 City Council meeting agenda.

If you should have any questions on the attached document, please contact Mark Gross at Extension 3215.

Approved by: Kyle A. Kollar, Interim Community Development Director

MG

Attachment

Markg/2009/P09-038-039/ CC Memo to include Trails Board Minutes

MINUTES
CITY OF MORENO VALLEY
RECREATIONAL TRAILS BOARD
REGULAR MEETING – 7:00 P.M.
March 24, 2010

CALL TO ORDER

The regular meeting of the City of Moreno Valley Recreational Trails Board was called to order by Chair Nelson at 7:00 p.m. on March 24, 2010 at the Moreno Valley Conference and Recreation Center, 14075 Frederick Street, Moreno Valley, California.

ROLL CALL

Present: Gilbert Brooks
Jennifer Chandler *
Jackie LeSan
Radene Ramos Hiers
Kim Nelson, Chairperson

Absent: Margie Breitkreuz
Brenda Jackson, Vice Chairperson

Staff: Steve Kupsak
Mark Gross
Tony Hetherman
Kathy Savala

Applicant: Iddo Benzeevi
Wayne Peterson
Jerry Stephens

**Arrived at 7:05 p.m.*

A. CONSENT CALENDAR

A1. ADOPTION OF RECREATIONAL TRAILS BOARD MEETING MINUTES OF JANUARY 27, 2010
Recommendation: The Recreational Trails Board adopts the meeting minutes and receives the report for file.

Motion by Board Member LeSan, seconded by Board Member Hiers that the Board receive and file report A1. Call for the vote: 4 Ayes, 0 Noes, 3 Absent.

B. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION FOR SEPARATE ACTION

A2. PARKS AND COMMUNITY SERVICES DIRECTOR'S REPORT

Recommendation: The Recreational Trails Board receives the report for file.

Board Member LeSan requested information about the monopine at the Cottonwood Equestrian Station Cell Tower.

Motion by Board Member LeSan, seconded by Board Member Hiers that the Board receive and file report A2. Call for the vote: 4 Ayes, 0 Noes, 3 Absent.

C. DISCUSSION CALENDAR

C1. HIGHLAND FAIRVIEW – PROPOSED REVISIONS TO CONDITIONS OF APPROVAL
Recommendation: The Recreational Trails Board receives the report for file.

Iddo Benzeevi, Applicant, discussed his firm's request that several conditions of approval related to the dedication and improvement of the multi-use trail on the Highland Fairview project site be deleted or modified. Mr. Benzeevi discussed his justification that there is no nexus between the project and the requirement to dedicate and improve multi-use trails on the project site, and does not feel his firm should be responsible for the financial commitment to build the trails citing the current economic climate.

The Board questioned Mr. Benzeevi regarding why he wanted them to change their recommendation to City Council.

The Board reached consensus to uphold their recommendation of January 23, 2008 and recommend City Council deny modification of the approved conditions of approval to remove the multi-use trail or make it a responsibility of the City to acquire the trail easement and construct trail improvements.

Motion by Board Member Chandler, seconded by Board Member LeSan that the Board recommend City Council deny the request to modify approved conditions of approval. Call for the vote: 5 Ayes, 0 Noes, 2 Absent.

MV00055776

PUBLIC COMMENTS

None.

CLOSING COMMENTS

Staff

Steve Kupsak introduced new Board Member Vivian Johnswhye-Brock.

Mr. Kupsak discussed:

- The public's continuing use of Moreno Valley Equestrian Center and the Dog Park.
- The trails grant and advised it was still being reviewed.
- Meeting the new Park Superintendent at Lake Perris.

Board

Board Member Brooks said he was injured and might not be able to participate in the Hike to the Top on March 27, 2010.

The Board brought the following items to staff's attention:

- MVEC - there is no water to the area above the arena so a valve must be shut off somewhere.
- MVEC - Sue Gilchrest is no longer volunteering but they will be happy to volunteer.
- MVEC - There is erosion in the vicinity of the concrete culvert area just east of the arena near the entry to the large concrete pipe.
- MVEC - When entry gate off of Locust is closed, vehicles hauling horse trailers do not have an advanced notice. Backing up or turning around is a bit of an issue. Posting a sign during closures may help in letting the drivers know to use the Redlands Boulevard entry.

ADJOURNMENT

The meeting was unanimously adjourned at 7:58 p.m. to the next regular meeting of May 26, 2010 at 7:00 p.m. at the Conference and Recreation Center.

Submitted by:	Submitted by:	Submitted by:
Steve Kupsak Parks Maintenance Division Manager	Kathy Savala Recording Secretary	Kim Nelson Chairperson

MV00055777

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 11, 2010 (Continued from April 27, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 15, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, which was then continued to May 11, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 15, 2010.

APPROVED AND ADOPTED this 11th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

MORENO VALLEY
WHERE DREAMS SOAR

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00055789

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00055790

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Section 3 - Community Development

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

MV00055795

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Section 3 - Community Development

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

MV00055797

Section 3 - Community Development

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

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Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 203.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

	Unit	Fee	
Planning			
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

	Unit	Fee	
Planning			
Variance from Standards			
Public Hearing Variance	$	2,618.00	Plus applicable notice and posting fees
Administrative Variance	$	474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

MV00055806

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

MV00055807

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

MV00055808

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00
	*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.			
	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

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Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

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Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

MV00055812

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

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Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

Renewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

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Section 5 - Fire

Exhibit "A"

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

	Unit	Fee
Records Request		
Photographs, color print (4"x6")		$ 5.00
Fire Incident Reports (paid to County of Riverside)		$ 19.00
Fire Inspection Reports (up to 8 1/2"x14")		
First 10 pages	per Report	$ 6.00
Additional pages	per Page	$ 1.00
Hourly Rates		
Fire Marshal		$ 140.00
Deputy Fire Marshal		$ 105.00
Fire Safety Specialists		$ 106.00
Fire Safety Inspector		$ 106.00
Overtime		Position time + 50%
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee
Other Fees		
False Alarm		
Residential		$ 100.00
Commercial		$ 200.00
Fire Permit Issuance Fee		$ 21.00

The fully-burdened wage rate including overhead; not to exceed actual City costs.

Section 5 - Fire

Other Fees (Cont)

	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work; not to exceed actual City costs.~~

Section 5 - Fire

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Adult Contract Classes (18 Years or Older)				
Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth/Teen Classes

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~1 Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~

~~** Excludes Program Registration Fee~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Special Events

Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee

Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt**	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and Unorganized Group Play per field~~	N/A	Per Hour	$	5.00
~~Unorganized Adult & Youth~~ Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use — Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use — Annual Maintenance fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	~~100.00 75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	~~175.00 350.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	~~50.00 35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	~~$50.00 $35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
This program has no applicable category association				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00055841

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00055842

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 35.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 35.00
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 180.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, Federal, State, County and educational institutions. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$750.00 $200.00 - $750.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00055845

Section 7 - Parks and Community Services

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

Service / Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00055847

Section 8 - Police

Exhibit "A"

	Unit	Fee	
ABC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

MV00055848

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

	Unit	Fee	
Second Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

MV00055850

Section 9 - Public Works

Exhibit "A"

Administration

	Unit	Fee
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Section 9 - Public Works

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

MV00055854

Section 9 - Public Works

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On-site approved by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

MV00055855

Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

	Unit	Fee	
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

MV00055856

Section 9 - Public Works

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY		$ 584.00	
5,001-100,000 CY		$ 1,009.00	
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

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Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	$250	~~$ 306.00~~		
All Teleconferences	per Hour	$150	~~$ 306.00~~		

MV00055859

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,244.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$3,227	~~$ 3,334.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

MV00055861

Section 9 - Public Works

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~198.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

MV00055862

Land Development

	Unit	Fee		
PERMITS - ADMINISTRATION FEES				
Grading or Inspection: Permit Issuance	Each	$ 82.00		
Construction Permit Issuance	Each	$ 82.00		
Newspaper Rack Annual Permit Issuance	Each	$ 82.00		
Annual Utility Blanket Permit Administration	Each	$ 82.00		
Second Driveway Approach Application	Each	$ 82.00		
PERMITS - INSPECTION FEES				
Concrete Sidewalk				
0-100 Linear Feet	Each	$ 66.00	+	
> 100 Linear Feet	per Linear Foot	$ 1.00		
Parkway Drains	Each	$ 144.00		
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00		
Driveways				
Commercial	Each	$ 144.00		
Residential	Each	$ 203.00		
Excavation-Street Crossing	per Linear Foot	$ 2.00		$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50		$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00		
All Other Potholes	Each	$ 77.00		
Bores/Splice Pits	Each	$ 52.00		

MV00055863

Section 9 - Public Works

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer, fee not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$	205.00
Block Party Permit Processing	Each	$	82.00
Flood Plain Determination (Community Rating System)	per Lot	$	20.00
Elevation Certification (Mobile Home Park)	Each	$	155.00

MV00055864

Section 9 - Public Works

Land Development

OTHER FEES

Advanced Energy Fees

	Unit	Fee	
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		

MISCELLANEOUS LAND DEVELOPMENT FEES

City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

Section 9 - Public Works

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

MV00055868

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

MV00055869

Section 9 - Public Works

	Unit	Fee
Transportation Engineering		
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

MV00055870

Section 10 - Miscellaneous Fees and Charges

Exhibit "A"

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

MV00055871

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18″ from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				----- Commercial -----			-------Office-------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
Libraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
Park Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

UNITS LEGEND

DU = Dwelling Unit for residential development types

KSF = 1,000 gross square feet of building area for commercial, industrial and office development types

MV00055875

IMPLEMENTATION NOTES:

With respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

With respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				----- Commercial -----			------ Office ------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
Recommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

MV00055876

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

b) **Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 11, 2010

TITLE: FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

BACKGROUND

The Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan were distributed to the City Council on April 13th and April 27th, respectively, for their advance review. An overview of both documents will be provided on May 11, 2010 to begin the deliberation process that will lead to budget adoption.

The FY 2010-11 Preliminary Base Operating Budget does not include capital improvements. Instead, these are compiled in a separately issued Proposed Capital Improvement Plan (CIP), which is a multi-year plan that identifies and prioritizes funding for future capital improvements such as land acquisitions, buildings and infrastructure.

The City previously implemented a recommended "best practice" of utilizing a Two-Year Budget, with the second year of the budget representing a greatly streamlined process of applying an inflationary factor to most ongoing expenditure categories. However, in the current economic environment such an approach is not practical, since all budgeted expenditures must be carefully evaluated and adjusted to remain within the City's revenue constraints. Therefore, the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan represent a one-year expenditure plan, along with various budget balancing solutions, developed to provide the highest possible service levels to the Community over the upcoming fiscal year, given the reduced revenues that are projected to be available.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). Options for closing this remaining $11 million gap are presented in the Deficit Reduction Plan and summarized below:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions is significantly greater than the projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during FY 2010-11 be less than projected, additional solutions have already been identified that can be quickly implemented.

Given the challenges and policy decisions related to adopting a balanced General Fund budget for FY 2010-11, a number of City Council meetings have been designated for budget deliberations, including two Study Sessions, as shown below.

Date	Meeting / Event	Action
May 11	Regular Council Meeting	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 15	Study Session	Continued Discussion of Operating Budget & DRP
June 22	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget

ALTERNATIVES

The following alternatives are available to the City Council:

1. Receive the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan.

CITY COUNCIL GOALS

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

SUMMARY

The FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan were previously submitted for the City Council's advance review and are hereby presented to begin the deliberation process leading to budget adoption. Following the overview presentation of both documents on May 11, 2010, Council will have a series of meetings, including two Study Sessions, in which to deliberate and provide direction to staff regarding the various solutions for balancing the budget. Final budget deliberations and budget adoption are scheduled for June 22, 2010; with June 29, 2010 available as a back-up City Council meeting for budget adoption if needed.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

- Preliminary Base Operating Budget for Fiscal Year 2010-11
- Deficit Reduction Plan for Fiscal Year 2010-11
  (Both documents have been provided under separate cover.)

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

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

Overview of Preliminary Base Operating Budget & Deficit Reduction Plan

Fiscal Year 2010-11

May 11, 2010

MV00055883

Presentation Overview

- Budget Development Process
- Revenue & Expenditure Projections
- Projected General Fund Operating Deficit
- Budgetary Adjustments to Reduce Deficit
- Budget Issues
- Methodology for Addressing Net Projected Deficit; i.e., Deficit Reduction Plan
- Budget Review Schedule leading to Budget Adoption

MV00055884

Budget Development Process

- "Preliminary Base" vs. "Proposed" Operating Budget
- Reflects continuation of service levels and staffing at current levels.
- Also includes continuation of personnel-related cost-saving measures implemented 7/1/09:
  - Suspension of cost-of-living adjustment (COLA);
  - Suspension of merit salary increases; and
  - 10% across-the-board salary reduction implemented via a 36-hour reduced work week.
- Since revenues will not be adequate to support current service levels, policy decisions will be needed regarding which service levels to reduce.
- Options for reducing service levels are contained in the Deficit Reduction Plan.

MV00055885

Total City Revenues

$180,916,700

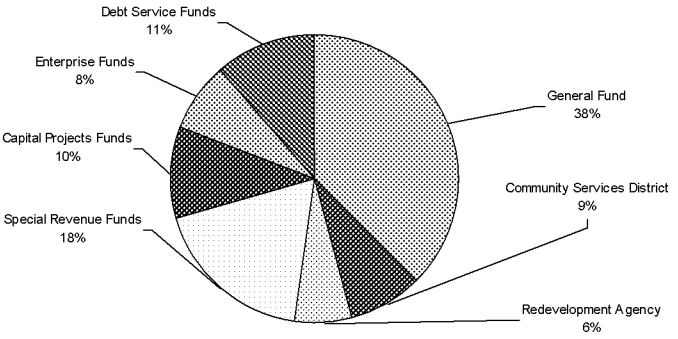

MV00055886

Total City Operating Budget

$185,454,700

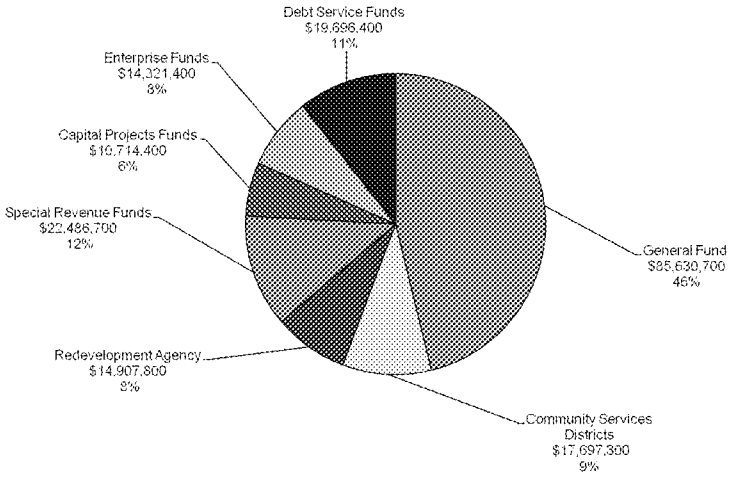

General Fund Operating Expenditures

$85,630,700

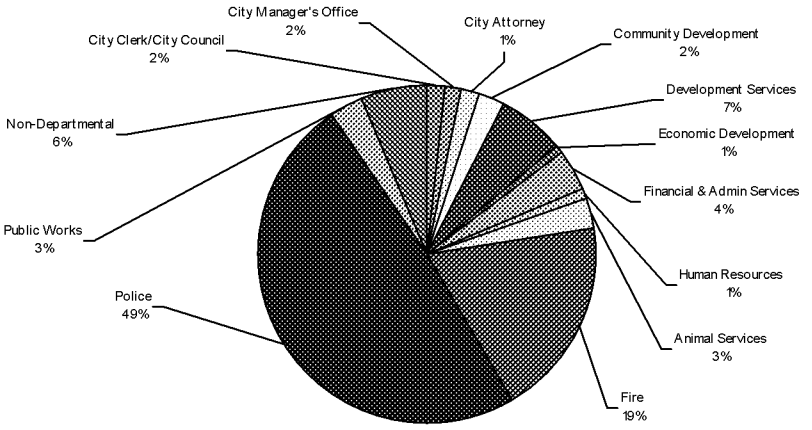

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General Fund Operating Revenues

$67,754,400

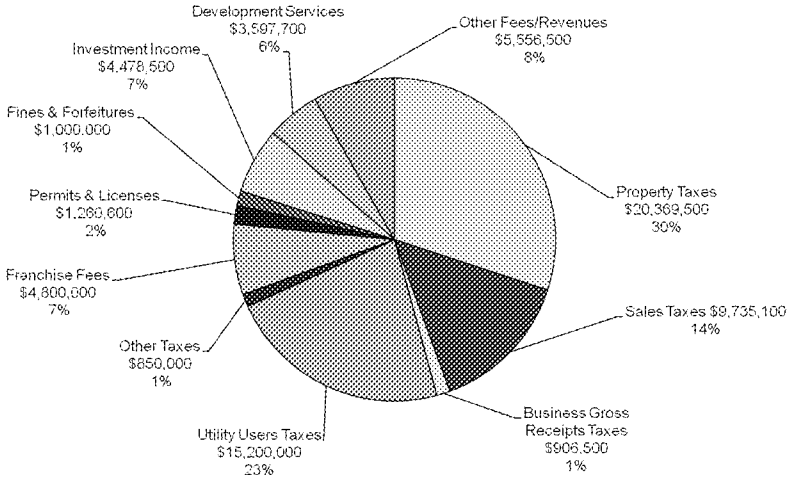

MV00055889

General Fund Operating Revenues

Revenue Source	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Budget	FY 09-10 Projected	FY 10-11 Budget
Utility Users Tax	$15,186,616	$15,081,286	$14,970,000	$15,500,000	$15,200,000
Property Tax In-Lieu of VLF	16,728,600	16,791,078	14,100,000	13,670,400	11,773,400
Sales Tax	11,694,525	10,451,942	9,735,000	9,735,000	9,735,100
Property Tax	14,361,253	12,790,196	11,700,001	10,052,300	8,596,100
Other	7,127,734	6,936,944	7,997,494	7,852,240	6,143,100
Franchise Fees	4,478,698	4,997,024	4,400,000	4,800,000	4,800,000
Investment Income	7,810,625	5,691,596	4,350,000	4,500,000	4,478,500
Development Services	9,168,587	9,973,714	4,119,921	3,163,660	3,597,700
Parking Control Fees	1,300,405	1,094,064	1,250,000	1,095,000	1,164,000
Fines & Forfeitures	1,003,467	1,082,366	1,000,000	1,000,000	1,000,000
Gross Receipts Tax	1,111,021	1,051,701	906,500	650,000	906,500
Vehicle License Fees	800,667	865,718	400,000	400,000	360,000
TOTAL	**$ 90,772,198**	**$ 86,807,629**	**$ 74,928,916**	**$ 72,418,600**	**$ 67,754,400**

MV00055890

General Fund Revenue Trends

General Fund Revenue History & Projection

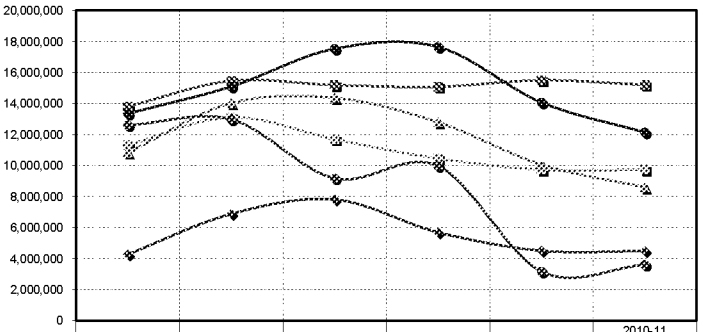

	2005-06 Actuals	2006-07 Actuals	2007-08 Actuals	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
Utility User's Taxes	13,811,740	15,463,291	15,186,616	15,081,286	15,500,000	15,200,000
VLF/Property Tax in-Lieu	13,345,933	15,093,313	17,529,267	17,656,796	14,070,400	12,133,400
Sales Taxes	11,317,841	13,116,271	11,694,525	10,451,942	9,735,000	9,735,100
Property Taxes	10,831,005	14,022,134	14,361,253	12,790,195	10,052,300	8,596,100
Investment Income	4,273,225	6,878,647	7,810,625	5,691,596	4,500,000	4,478,500
Development Svcs	12,592,570	12,976,966	9,168,587	9,973,715	3,163,660	3,597,700

MV00055891

Continuing Weak Economy

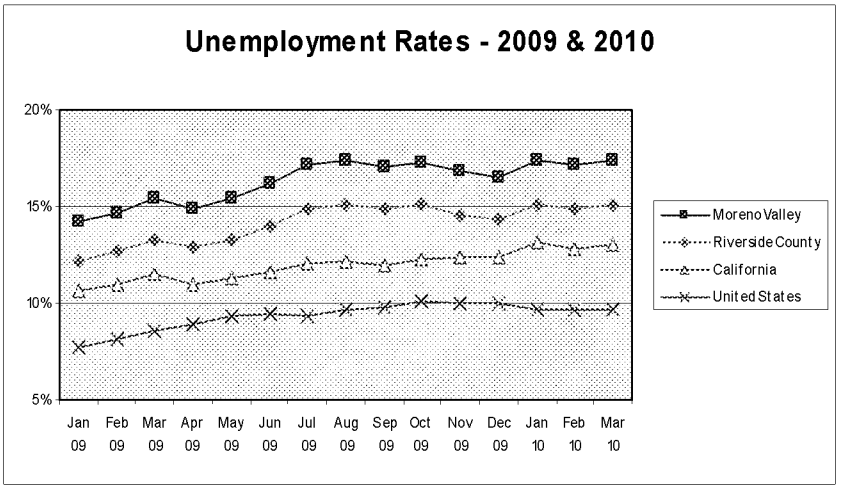

General Fund Expenditure Trends

General Fund Expenditure History & Projection

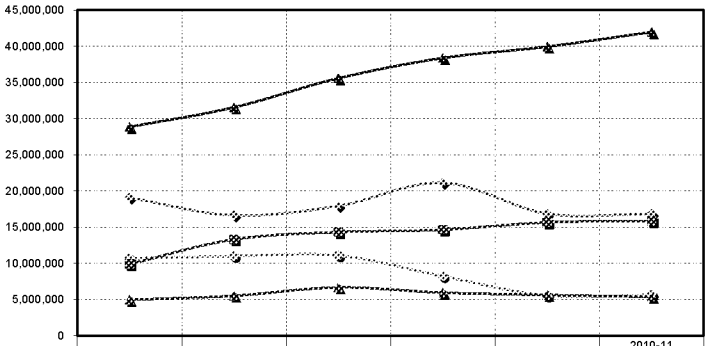

	2005-06 Actual	2006-07 Actual	2007-08 Actual	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
General Government	19,071,322	16,613,462	17,937,033	21,123,523	16,850,252	16,836,937
Development Services	10,675,852	10,993,001	11,075,793	8,202,310	5,527,270	5,631,060
Police	28,851,553	31,553,610	35,581,734	38,370,806	39,943,700	41,960,324
Fire	9,896,036	13,307,842	14,299,522	14,648,139	15,659,100	15,840,550
Other Public safety	4,955,539	5,514,208	6,666,238	5,936,736	5,620,978	5,361,800

MV00055893

General Fund Operating Budget Revenues & Expenditures

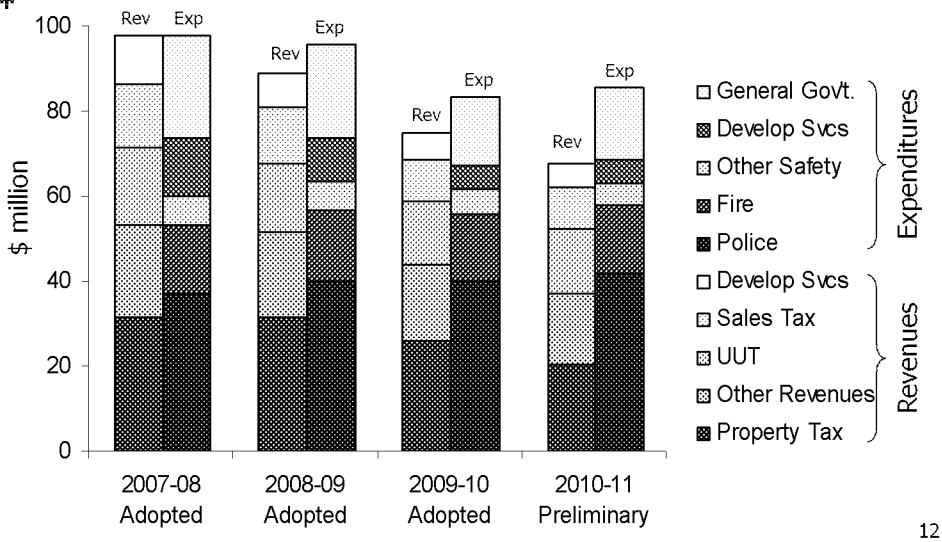

MV00055894

Budgetary Adjustments to Reduce General Fund Deficit

- Current fiscal year savings: $1.5m
- Transfers to return previous General Fund subsidies:
  - Gas Tax: $500k
  - Public Education/Government Access: $339k
  - CSD Zone A/Parks: $800k
- Other transfers:
  - EOC Project: $1.1m
  - Equipment Replacement Fund: $2.1m
  - Facility Construction Fund: $776k
- Total Adjustments: $7.1 million

MV00055895

Budget Issues

- Re-establish funding for Budget Officer position: $98,700
- Supplement Emergency Operations Grant with General Fund Subsidy: $43,100
- Increase in NPDES Regulatory Fee: $76,000
- Total Budget Issues: $217,800

MV00055896

General Fund – Net Budgetary Deficit

Projected General Fund Operating Deficit		**$17,876,300**
Budgetary Adjustments:		
- Current year savings	($1,520,800)	
- Transfers to return GF Subsidies	($1,639,100)	
- Other Transfers	($3,979,100)	
- Total Adjustments		($7,139,000)
Budget Issues:		
- Re-establish funding for Budget Officer	$98,700	
- Supplement Emergency Operations Grant	$43,100	
- Increase in NPDES Regulatory Fee	$76,000	
- Total Budget Issues		$217,800
Net Budgetary Deficit (Deficit Reduction Plan)		**$10,955,100**

MV00055897

Deficit Reduction Plan

- Originally intended to provide options for offsetting projected GF deficit of $10.4 million (Five-year Financial Forecast) plus contingency for revenue reductions and State actions.
- With declining property taxes, projected GF operating deficit grew to $17.8 million; then reduced to $11 million net of carryover savings and adjustments.
- Will need more than $11 million in savings if State takes actions that impact local revenues; also need contingency for revenue reductions during FY 2010-11.
- Total solutions presented in Plan are $20.1 million, as follows:
  - Potential Revenue Enhancements: $0.3 million
  - Potential Expenditure Reductions: $13.8 million
  - Potential Use of GF Reserves: $6 million

MV00055898

Deficit Reduction Savings Targets

(based on Adopted FY 2009-10 Budget)

- General Government business units: 35%
- Development Services business units: 35%
- Internal Service Funds: 35%
  - Maintenance & Operations
  - Facilities Maintenance
  - Technology Services
  - General Liability
  - Workers' Compensation
- Public Safety & related business units: 10%
  - Police
  - Fire
  - Animal Services
  - Code Compliance
  - Emergency Operations
  - Crossing Guards
  - Graffiti Abatement
- Library: 10%

MV00055899

Deficit Reduction Options

- Consist of following elements:
  - Description
  - Internal Service Impact (None-Minimal / Moderate / High)
  - External Service Impact (None-Minimal / Moderate / High)
  - Staffing Impact
  - Budgetary Savings
- Focus is on "programmatic" rather than "line-item" reductions.
- Prioritized by Department Heads based on service level impacts.

MV00055900

Public Safety Options

- Police & Fire options reviewed with Public Safety Subcommittee on May 10, 2010.
- Contractual noticing requirements:
  - Police: Service level reduction of 10% or greater requires 12-month notification; if less than 10%, will be implemented as soon as practicable.
  - Fire: Service/staffing level reduction requires 120-day notice.

MV00055901

Calendar for Review & Deliberation of Budget & Deficit Reduction Plan

Date	Meeting / Event	Action
May 11	Regular Council Meeting	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP
June 15	Study Session	Continued Discussion of Operating Budget & DRP
June 22	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget

MV00055902

Summary

- FY 2010-11 will be one of the most challenging budgets faced by the City in recent years.
- Projected General Fund operating deficit of $17.8 million; reduced to $11 million with current year savings and various "one-time" adjustments.
- Solutions for overcoming this projected $11 million net deficit are presented in Deficit Reduction Plan.
- Deliberation on budget balancing solutions begins next week with detailed review of Deficit Reduction Plan during the May 18th Study Session.
- Five (5) Council meetings are scheduled for continued budget discussions, leading to budget adoption on June 22nd;with June 29th available as back-up meeting if needed.

MV00055903

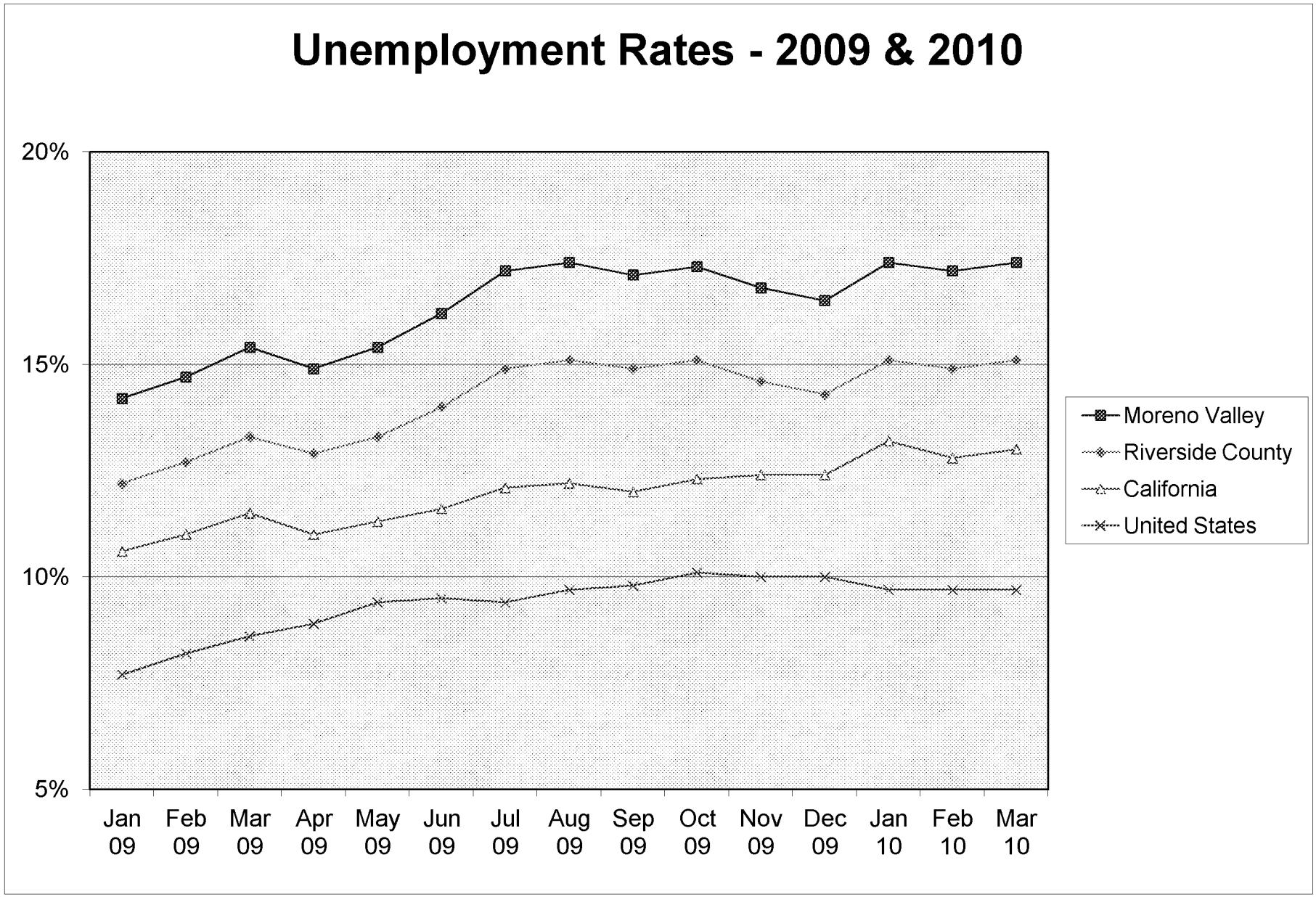
Unemployment Rates - 2009 & 2010
20%
15%
10%
5%
Jan 09
Feb 09
Mar 09
Apr 09
May 09
Jun 09
Jul 09
Aug 09
Sep 09
Oct 09
Nov 09
Dec 09
Jan 10
Feb 10
Mar 10
Moreno Valley
Riverside County
California
United States

	A	B	C	D	E	F	G	H	I
1	**Unemployment Rates - 2009 & 2010**								
2							*(Memo only)*		
3		Moreno Valley	Riverside County	California	United States		San Bernardino County		
4	Jan 09	14.2%	12.2%	10.6%	7.7%		11.6%		
5	Feb 09	14.7%	12.7%	11.0%	8.2%		12.0%		
6	Mar 09	15.4%	13.3%	11.5%	8.6%		12.7%		
7	Apr 09	14.9%	12.9%	11.0%	8.9%		12.5%		
8	May 09	15.4%	13.3%	11.3%	9.4%		13.0%		
9	Jun 09	16.2%	14.0%	11.6%	9.5%		13.7%		
10	Jul 09	17.2%	14.9%	12.1%	9.4%		14.1%		
11	Aug 09	17.4%	15.1%	12.2%	9.7%		14.1%		
12	Sep 09	17.1%	14.9%	12.0%	9.8%		13.8%		
13	Oct 09	17.3%	15.1%	12.3%	10.1%		14.0%		
14	Nov 09	16.8%	14.6%	12.4%	10.0%		13.8%		
15	Dec 09	16.5%	14.3%	12.4%	10.0%		13.6%		
16	Jan 10	17.4%	15.1%	13.2%	9.7%		14.8%		
17	Feb 10	17.2%	14.9%	12.8%	9.7%		14.4%		
18	Mar 10	17.4%	15.1%	13.0%	9.7%		14.8%		
19									
20									
21									
22									
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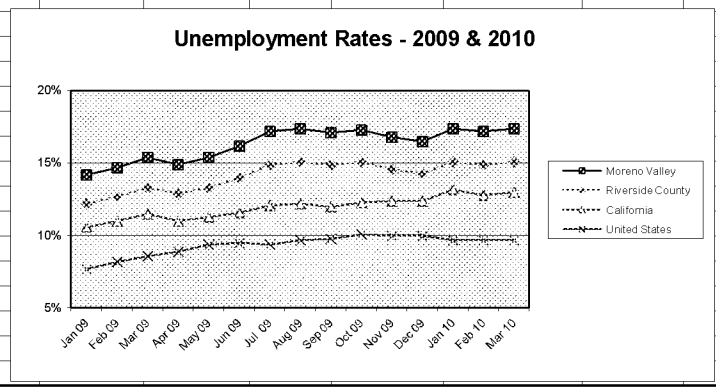

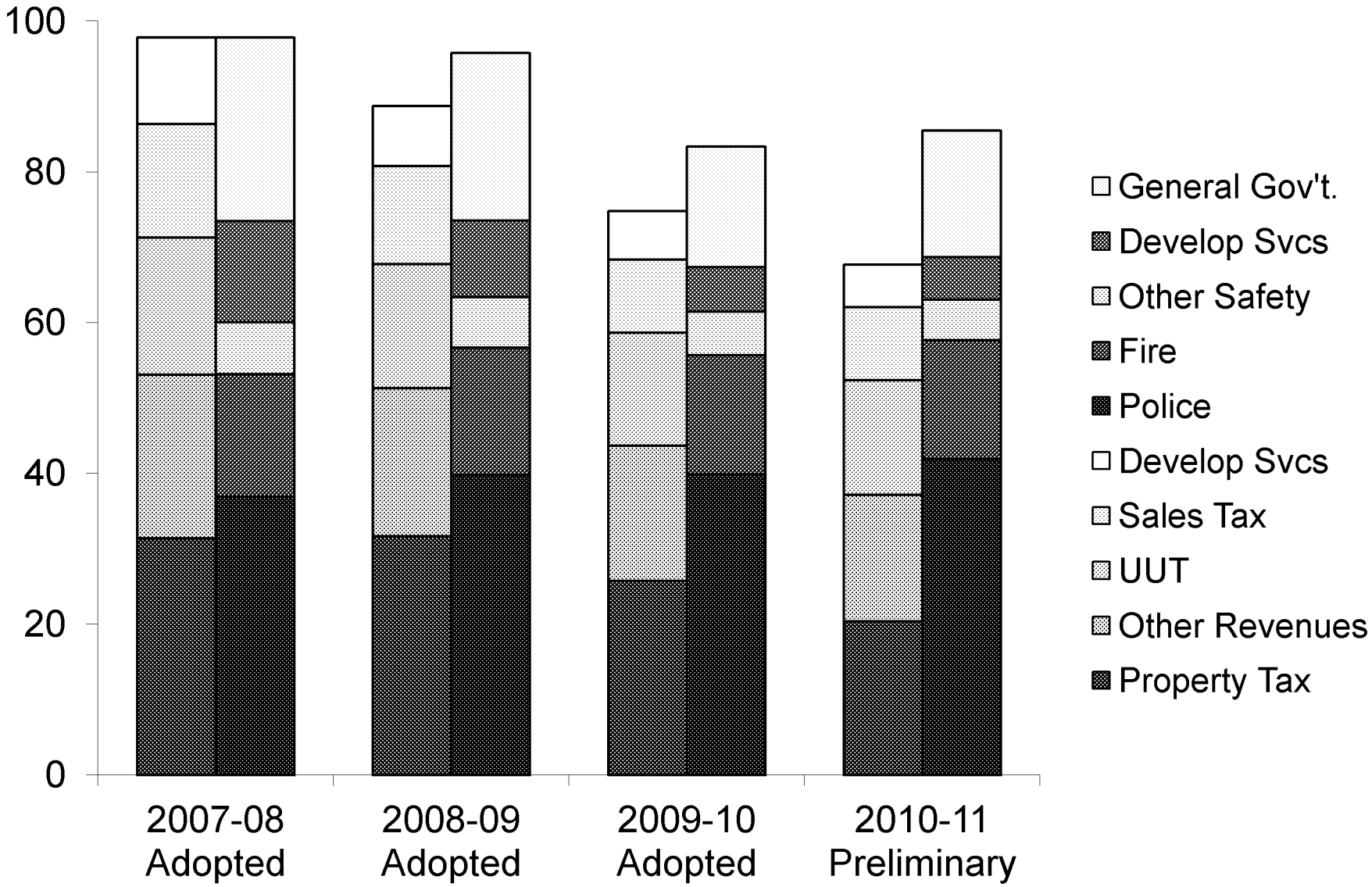
100
80
60
40
20
0
2007-08 Adopted
2008-09 Adopted
2009-10 Adopted
2010-11 Preliminary
General Gov't.
Develop Svcs
Other Safety
Fire
Police
Develop Svcs
Sales Tax
UUT
Other Revenues
Property Tax

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1															
2			Axis Labels			Property Tax	Other Revenues	UUT	Sales Tax	Develop Svcs	Police	Fire	Other Safety	Develop Svcs	General Gov't.
3		2007-08 Adopted	0		Slot 1										
4		2008-09 Adopted	0		Slot 2	31.4	21.7	18.2	15.1	11.5					
5		2009-10 Adopted	0		Slot 3						36.9	16.3	6.9	13.4	24.4
6		2010-11 Preliminary	0		Slot 4										
7					Slot 5	31.7	19.6	16.5	13.0	8.0					
8					Slot 6						39.8	16.9	6.7	10.2	22.2
9					Slot 7										
10					Slot 8	25.8	17.9	15.0	9.7	6.4					
11					Slot 9						39.9	15.8	5.8	5.9	16.0
12					Slot 10										
13					Slot 11	20.4	16.8	15.2	9.7	5.6					
14					Slot 12						41.9	15.8	5.4	5.6	16.8
15					Slot 13										

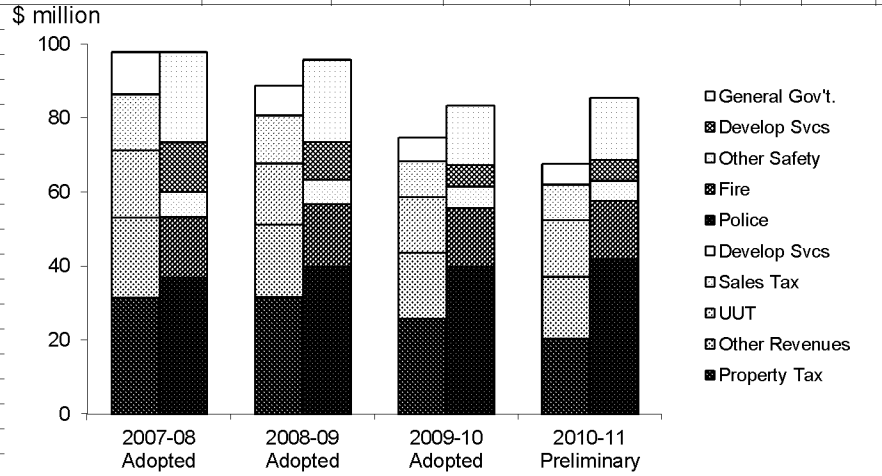

	A	B	C	D	E	F	G	H	I	J	K
1		Property Tax	Other Revenues	UUT	Sales Tax	Develop Svcs	Police	Fire	Other Safety	Develop Svcs	General Gov't.
2	2007-08	31.4	21.7	18.2	15.1	11.5	36.9	16.3	6.9	13.4	24.4
3	2008-09	31.7	19.6	16.5	13.0	8.0	39.8	16.9	6.7	10.2	22.2
4	2009-10	25.8	17.9	15.0	9.7	6.4	39.9	15.8	5.8	5.9	16.0
5	2010-11	20.4	16.8	15.2	9.7	5.6	41.9	15.8	5.4	5.6	16.8

$180,916,700

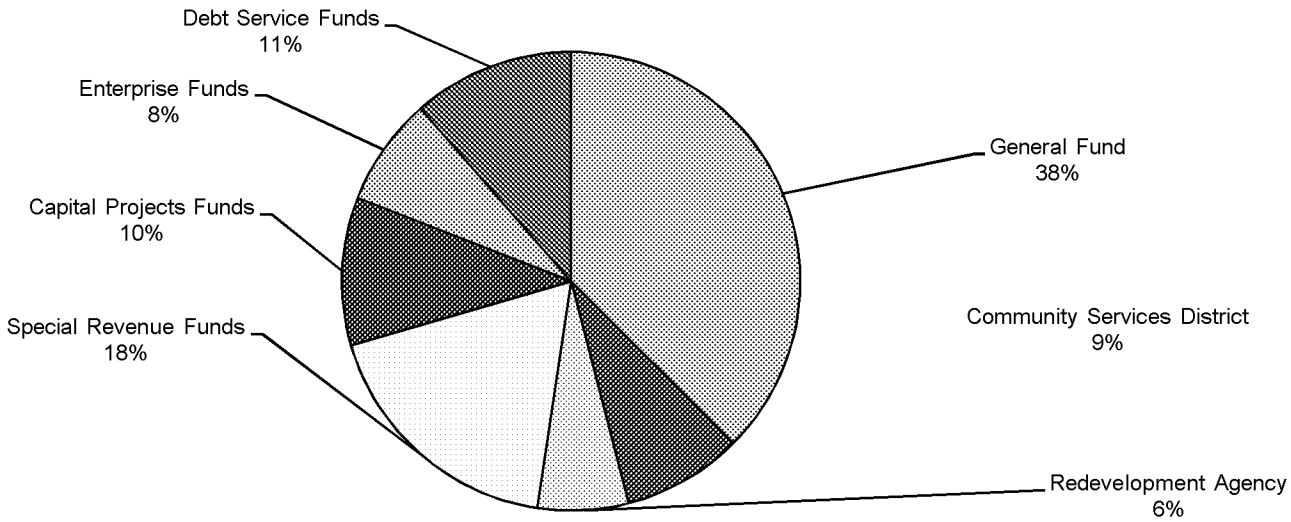
Debt Service Funds
11%
Enterprise Funds
8%
Capital Projects Funds
10%
Special Revenue Funds
18%
General Fund
38%
Community Services District
9%
Redevelopment Agency
6%

	A	B	C
1	Graph 4		
2	2010-11 City-wide Revenues		
3			
4	**Category**	**Amount**	**Percent**
5	General Fund	67,754,400	37%
6	Community Services District	15,383,800	9%
7	Redevelopment Agency	11,567,200	6%
8	Special Revenue Funds	32,830,800	18%
9	Capital Projects Funds	18,884,600	10%
10	Enterprise Funds	13,869,500	8%
11	Debt Service Funds	20,626,400	11%
12		**180,916,700**	100%
13			

$85,630,700

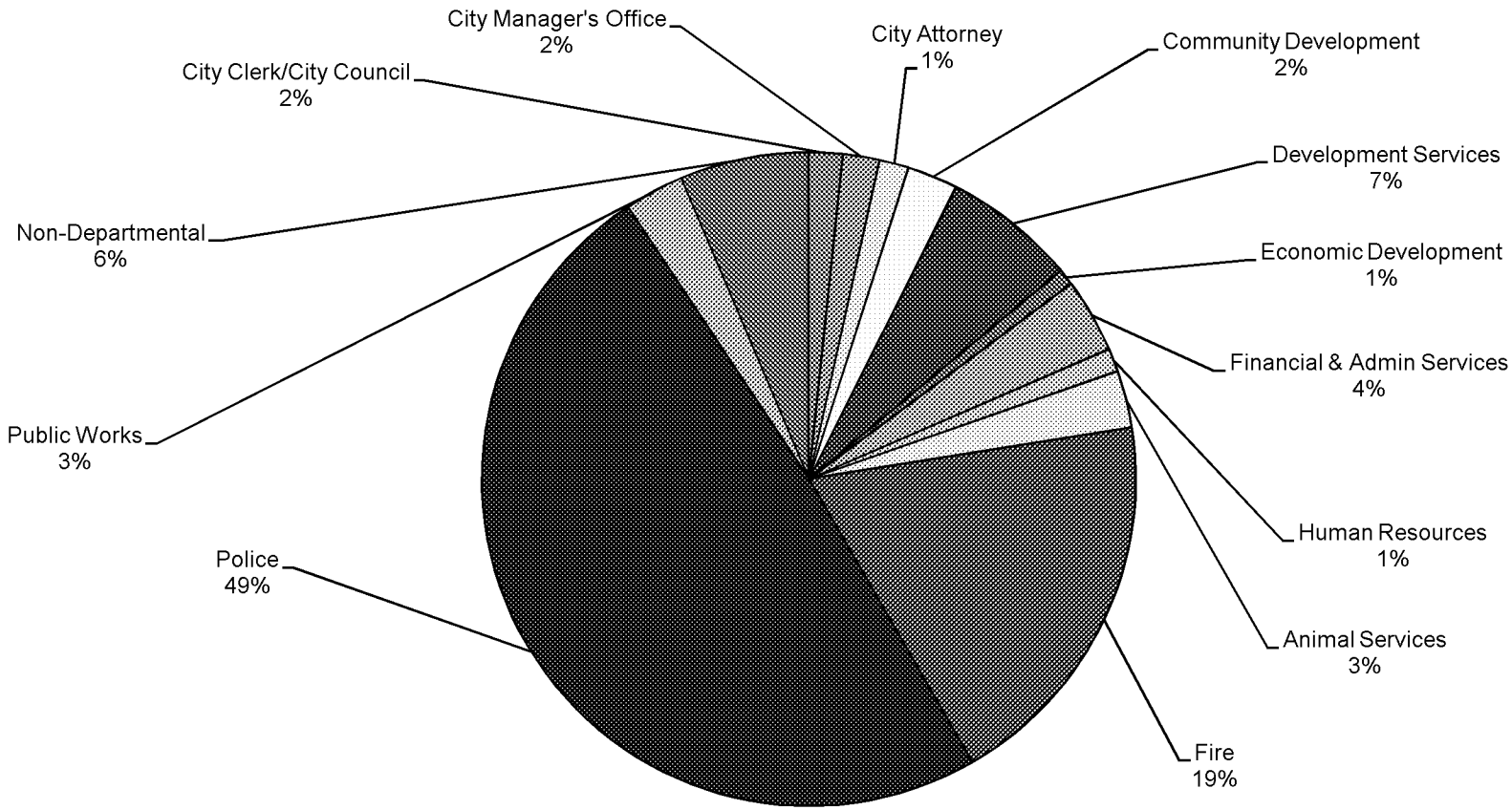
City Manager's Office
2%
City Attorney
1%
Community Development
2%
City Clerk/City Council
2%
Development Services
7%
Non-Departmental
6%
Economic Development
1%
Financial & Admin Services
4%
Public Works
3%
Human Resources
1%
Police
49%
Animal Services
3%
Fire
19%

	A	B	C
1	Graph #3		
2	2010-11 General Fund Expense		
3			
4	**Category**	**Amount**	**Percent**
5	City Clerk/City Council	1,416,100	2%
6	City Manager's Office	1,549,000	2%
7	City Attorney	1,252,500	1%
8	Community Development	2,138,500	2%
9	Development Services	5,631,100	7%
10	Economic Development	685,500	1%
11	Financial & Admin Services	3,154,200	4%
12	Human Resources	985,200	1%
13	Animal Services	2,432,400	3%
14	Fire	16,436,300	19%
15	Police	41,960,300	49%
16	Public Works	2,518,200	3%
17	Non-Departmental	5,471,400	6%
18		**85,630,700**	100%
19			

Preliminary Base

OPERATING BUDGET

FISCAL YEAR 2010-11

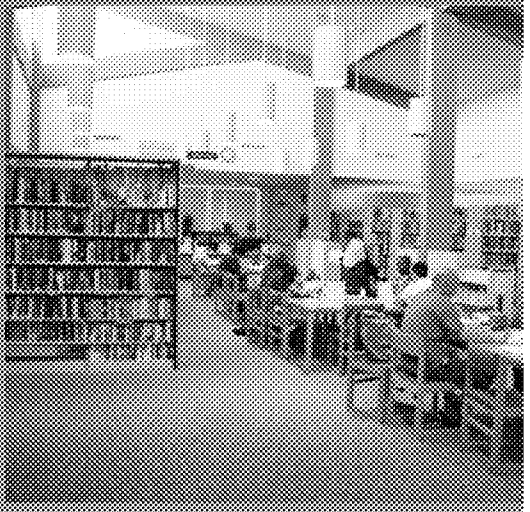

CITY OF MORENO VALLEY

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Preliminary Base OPERATING BUDGET

FISCAL YEAR 2010-11

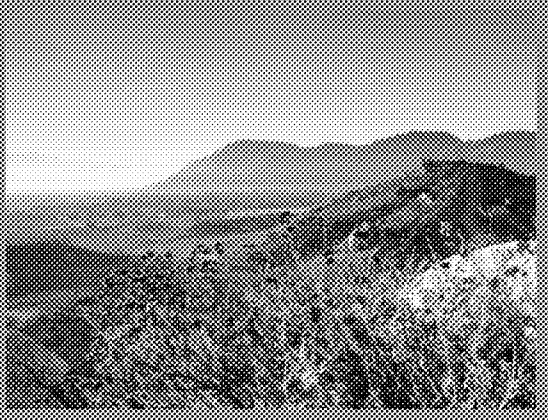

CITY COUNCIL

Bonnie Flickinger
Mayor

Robin N. Hastings
Mayor Pro Tem

William H. Batey II
Council Member

Jesse L. Molina
Council Member

Richard A. Stewart
Council Member

ADMINISTRATION

William L. Bopf
Interim City Manager

Steve Elam
Interim Financial & Administrative Services Director

Prepared by the
Financial & Administrative Services Department

14177 Frederick Street
Moreno Valley, CA 92552-0805
951.413.3088

CITY OF MORENO VALLEY

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CITY OF MORENO VALLEY
FISCAL YEAR 2010-11 Preliminary Base Operating Budget

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CITY OF MORENO VALLEY
FISCAL YEAR 2010-11 Preliminary Base Operating Budget

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Debt Service Funds	383

City of Moreno Valley

2010-11 Preliminary Base Operating budget

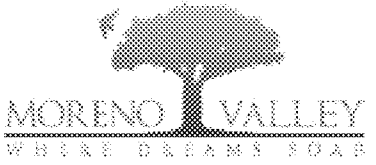

Introduction

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Preliminary Base OPERATING BUDGET

FISCAL YEAR 2010-11

To: Honorable Mayor, Members of the City Council and Citizens of Moreno Valley

INTRODUCTION

The Preliminary Base Operating Budget presents projected operating revenues and expenditures for the fiscal year beginning July 1, 2010 and ending June 30, 2011. The budget includes all component units of the City, including the Community Services District and Redevelopment Agency. In this budget message, particular attention will be given to the City's General Fund, which is the most significantly impacted by the current economic recession.

The Preliminary Base Operating Budget does not include capital improvements. Instead, these are compiled in a separately issued Proposed Capital Improvement Plan (CIP), which is a multi-year plan that identifies and prioritizes funding for future capital improvements such as land acquisitions, buildings and infrastructure.

The City previously implemented a recommended best practice of utilizing a Two-Year Operating Budget, with the second year of the budget representing a greatly streamlined process of applying an inflationary factor to most expenditure categories. However, in the current economic environment such an approach is not practical, since all budgeted expenditures must be carefully evaluated in accordance with the City's revenue constraints. Therefore, the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget represents a one-year financial plan developed to provide the highest possible service levels to the Community over the upcoming fiscal year, given the reduced revenues that are projected to be available.

During these challenging economic times, the City Council will also be kept apprised of the City's financial condition through First Quarter and Mid-Year Budget Reviews. This practice has been utilized the past two years and will be continued during FY 2010-11 so that adjustments in staffing and other budgetary resources may be made per Council's direction based on the revenues that have been received to date and that are projected by fiscal year end.

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"PRELIMINARY BASE" VS. "PROPOSED" OPERATING BUDGET

The budget that is hereby submitted is considered to be a "Preliminary Base" Operating Budget rather than the City Manager's "Proposed" Operating Budget. This is because the General Fund budget is not balanced and, therefore, is not proposed for adoption at this time. **The General Fund expenditures included in the Preliminary Base Operating Budget reflect maintenance of service levels and staffing at their current levels. However, projected General Fund operating revenues will not be adequate to support current service levels; therefore policy decisions will need to be made by the City Council regarding which service levels to reduce, or how to augment operating revenues to maintain current service levels.** Specific options for balancing the General Fund budget will be presented for Council's consideration in the Deficit Reduction Plan, which will be released April 27, 2010. Decisions made regarding numerous options presented in the Plan will enable the Council to once again adopt a balanced General Fund budget. The Deficit Reduction Plan is discussed in more detail in the General Fund section of this budget message.

The Preliminary Base Operating Budget reflects the significant staffing reductions implemented by departments over the past two fiscal years, which have reduced the City's career workforce by approximately 25%. The budget also includes a continuation of the cost-saving measures related to employee compensation that were implemented effective July 1, 2009. These measures include a 10% across-the-board salary reduction, implemented via a 36-hour reduced work week, and suspension of employee merit increases and cost-of-living adjustments. The savings from these items, which were agreed to by all employee groups, represent an overall budgetary reduction of approximately $3.2 million in the Preliminary Base Operating Budget (all funds); with approximately $1.4 million of this savings benefitting the General Fund.

FY 2010-11 OPERATING BUDGET EXPENDITURE SUMMARY

Following is a summary of the expenditures included in the FY 2010-11 Preliminary Base Operating Budget by major fund and component unit:

Fund / Component Unit	FY 2010-11 Preliminary Base Budget
General Fund	$85,630,700
Community Services District (CSD):	
Zone A – Parks & Community Services	8,446,400
Zone L – Library Services	2,161,300
Other CSD Zones	7,089,600
Redevelopment Agency	14,907,800
Special Revenue Funds	22,486,700
Capital Projects Funds	10,714,400
Enterprise Funds	14,321,400
Debt Service Funds	19,696,400
Total City Operating Budget	**$185,454,700**

MV00055919

ECONOMIC OUTLOOK

The Preliminary Base Operating Budget for FY 2010-11 reflects the continuing economic recession which began in late 2007. Most major revenue sources have declined since that time, prompting significant staffing reductions and other expenditure reductions to offset the City's declining revenues. Reserves have also been utilized to help offset the declining revenues the past two fiscal years in order to adopt balanced budgets.

In particular, the continuing problems in the housing sector, the cooling of the manufacturing sector, and the cutback in consumer spending have combined to significantly impact the local economy and the City's revenues. The reduction in both residential and commercial property assessed valuation is having a particularly significant impact on the City's property tax revenues. Continuing high unemployment at all levels also remains a major concern. Although the national unemployment rate remains high at 9.7%, it is much worse locally with California at 12.8%, Riverside County at 14.9%, and Moreno Valley at 17.2% as of February 2010 reporting. The unemployment trends since January 2009 are depicted in the following chart:

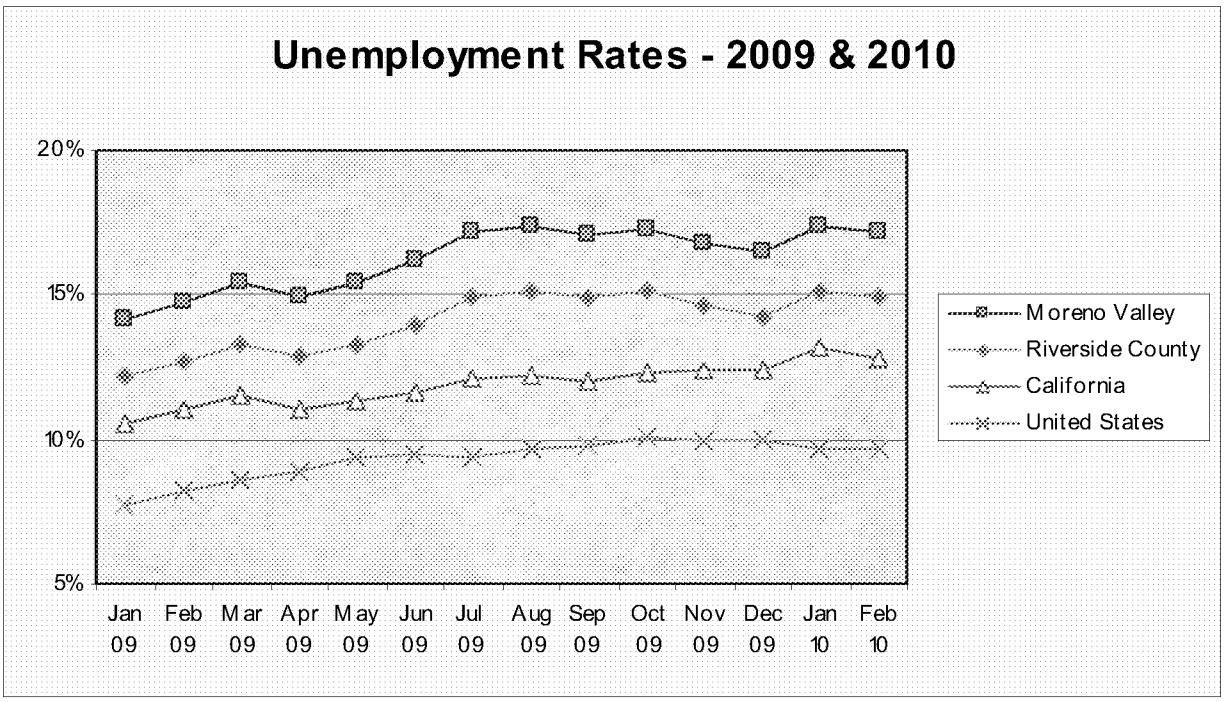

GENERAL FUND

General Fund Revenue Projections for FY 2010-11

During stable economic times, various analytical tools and financial models are used to develop revenue projections. However, during uncertain economic times such as we

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are now experiencing, projections based on historical trends are of little value. Therefore, in developing the revenue projections that follow, staff relied primarily on current economic data, short-term results since the recession began, and outside expertise on some of the major revenue sources such as Property Tax, Sales Tax and Utility User's Tax.

Revenue Highlights and Assumptions for FY 2010-11

To understand the underlying strengths and weaknesses of the major General Fund revenue sources for FY 2010-11, the following highlights and assumptions are presented below.

Utility User's Tax (UUT) is currently the General Fund's largest revenue source, representing 23% of total revenue. Historically, it has also been the most stable revenue source. Prior to FY 2007-08, UUT experienced an average growth rate of 13% over the previous four years. While residential property foreclosures, combined with commercial vacancies, will cause components of the UUT to decline, current trends in the water, wireless telephone, and cable industries are combining to keep projected FY 2010-11 UUT revenue only slightly less than the current fiscal year at $15.2 million.

Property Tax in-Lieu of Vehicle License Fees (VLF) used to be the General Fund's largest revenue source. However, due to declining property values, this revenue source has fallen and will continue to do so next fiscal year. It is projected to be $11.8 million for FY 2010-11, representing 17% of total General Fund revenue.

Property Tax, which is historically the General Fund's third largest revenue source, is projected to fall to the fourth largest revenue source at $8.6 million in FY 2010-11, representing a decrease of $1.4 million from FY 2009-10 and a $4.2 million decrease from FY 2008-09. At this level, it will comprise approximately 13% of total General Fund revenue. Information received from the County Assessor is that overall assessed valuation in the City will decline by 14% next fiscal year versus this fiscal year. This substantial reduction in property tax reflects a decline in residential and commercial assessed valuation, combined with a negative inflationary adjustment of -0.237% under Proposition 13 for those properties that were not reassessed under Proposition 8 as a result of market values falling below the assessed values allowed under Proposition 13. This is the first time there has been a negative inflationary adjustment since Proposition 13 was enacted in 1978.

Sales Tax, including Property Tax in-Lieu of Sales Tax, which was created as a result of the State's "triple flip", is projected to be $9.7 million in FY 2010-11, comprising 14% of total General Fund revenue. No increase in sales tax revenues are projected for the next fiscal year due to current high unemployment levels and the expected slow economic recovery, which will continue to adversely impact consumer spending.

Franchise Fees are projected to be $4.8 million in FY 2010-11, holding constant with the FY 2009-10 projected actual level. This represents 7% of total General Fund Revenue.

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Investment Income is projected to be $4.5 million, or 7% of General Fund revenue. This represents an increase compared to the budget for FY 2009-10, due to an expected increase in short-term rates, offset by a reduction in the total principal invested due to declining revenues.

Development Services revenue is projected to be $3.6 million, representing 6% of General Fund revenue. Compared to FY 2009-10, this projection represents a decline of 13.7%, reflecting the slump in residential and commercial development. Historically, it has been the General Fund's most volatile revenue source, growing to nearly $13 million in FY 2006-07 before starting its current decline.

Parking Control Fees are estimated to be $1.2 million for FY 2010-11 with minimal growth over the FY 2009-10 projected actual level. The estimate is based on the expected number of citations to be issued in FY 2010-11.

Fines and Forfeitures are projected at $1 million for FY 2010-11. For the past four years, this revenue has remained at the same level.

Gross Receipts Tax is projected to be $0.9 million in FY 2010-11, representing the same level as FY 2009-10.

Shown below are the FY 2010-11 General Fund revenue projections, along with current year budget and projected actuals, as well as the actual revenues received the past two fiscal years.

Revenue Source	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Budget	FY 09-10 Projected	FY 10-11 Budget
Utility Users Tax	$15,186,616	$15,081,286	$14,970,000	$15,500,000	$15,200,000
Property Tax In-Lieu of VLF	16,728,600	16,791,078	14,100,000	13,670,400	11,773,400
Sales Tax	11,694,525	10,451,942	9,735,000	9,735,000	9,735,100
Property Tax	14,361,253	12,790,196	11,700,001	10,052,300	8,596,100
Other	7,127,734	6,936,944	7,997,494	7,852,240	6,143,100
Franchise Fees	4,478,698	4,997,024	4,400,000	4,800,000	4,800,000
Investment Income	7,810,625	5,691,596	4,350,000	4,500,000	4,478,500
Development Svcs.	9,168,587	9,973,714	4,119,921	3,163,660	3,597,700
Parking Control Fees	1,300,405	1,094,064	1,250,000	1,095,000	1,164,000
Fines & Forfeitures	1,003,467	1,082,366	1,000,000	1,000,000	1,000,000
Gross Receipts Tax	1,111,021	1,051,701	906,500	650,000	906,500
Vehicle License Fees	800,667	865,718	400,000	400,000	360,000
TOTAL	**$ 90,772,198**	**$ 86,807,629**	**$ 74,928,916**	**$ 72,418,600**	**$ 67,754,400**

The following chart depicts the City's top six General Fund revenues for the past four fiscal years along with projections for FY 2009-10 and the estimates included in the FY

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2010-11 Preliminary Base Budget. Vehicle License Fees (VLF) and Property Tax in-lieu of VLF have been combined since both revenue sources relate to VLF; only the method of payment by the State has changed so that now most of the VLF is paid in the form of Property Tax.

General Fund Revenue History & Projection

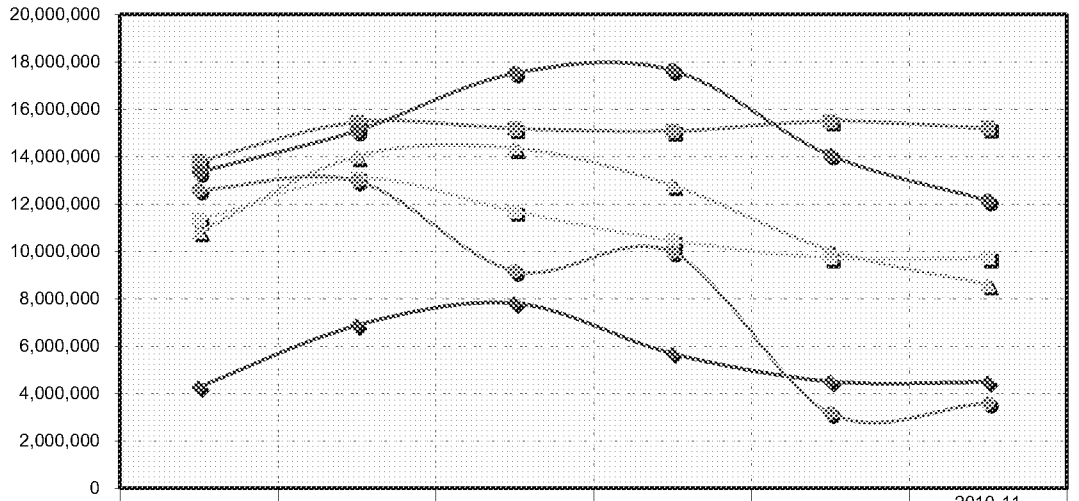

	2005-06 Actuals	2006-07 Actuals	2007-08 Actuals	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
Utility User's Taxes	13,811,740	15,463,291	15,186,616	15,081,286	15,500,000	15,200,000
VLF/Property Tax in-Lieu	13,345,933	15,093,313	17,529,267	17,656,796	14,070,400	12,133,400
Sales Taxes	11,317,841	13,116,271	11,694,525	10,451,942	9,735,000	9,735,100
Property Taxes	10,831,005	14,022,134	14,361,253	12,790,195	10,052,300	8,596,100
Investment Income	4,273,225	6,878,647	7,810,625	5,691,596	4,500,000	4,478,500
Development Svcs	12,592,570	12,976,966	9,168,587	9,973,715	3,163,660	3,597,700

General Fund Expenditure Projections for FY 2010-11

Following is a summary of the General Fund Preliminary Base Operating Budget expenditures for FY 2010-11.

2010-11 General Fund Preliminary Base Operating Budget

General Government		
City Council	667,300	
City Attorney	1,252,500	
City Clerk	748,800	
City Manager	1,549,000	
Community Development	422,300	
Economic Development	685,500	
Financial & Administrative Services	3,154,200	
Human Resources	985,200	
Public Works	1,900,700	
Non-Departmental	5,471,400	
General Government Sub-total		16,836,900

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Development Services		5,631,100
Public Safety		
Police	41,960,300	
Fire	15,840,600	
Other Public Safety Programs	5,361,800	
Public Safety Sub-total		63,162,700
2010-11 General Fund Preliminary Base Operating Budget		**$85,630,700**

The expenditure projections reflected above assume no changes in staffing or service levels from FY 2009-10. This is because any further reductions from current levels will require policy direction from the City Council. The only significant expenditure increase is in the Police Department, representing an expected 5% contract rate increase per the Riverside County Sheriff's office. Organization charts depicting each department's staffing and the positions previously defunded are included along with the departmental descriptions and mission statements beginning on page 2.

The following chart depicts the General Fund expenditure history for the last four fiscal years, along with the FY 2009-10 Projected Actual and FY 2010-11 Preliminary Base Budget amounts.

General Fund Expenditure History & Projection

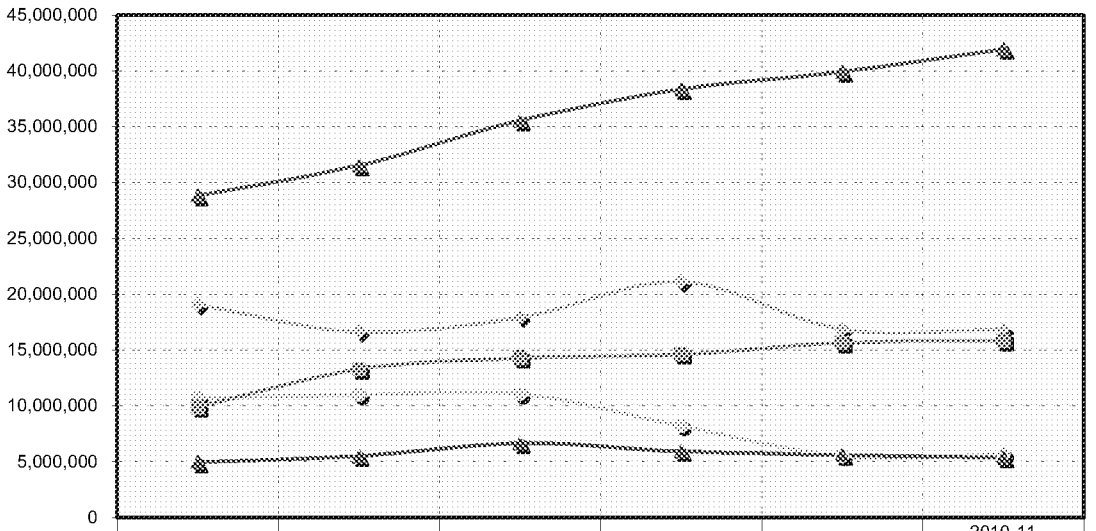

	2005-06 Actual	2006-07 Actual	2007-08 Actual	2008-09 Actuals	2009-10 Projection	2010-11 Preliminary Base
General Government	19,071,322	16,613,462	17,937,033	21,123,523	16,850,252	16,836,937
Development Services	10,675,852	10,993,001	11,075,793	8,202,310	5,527,270	5,631,060
Police	28,851,553	31,553,610	35,581,734	38,370,806	39,943,700	41,960,324
Fire	9,896,036	13,307,842	14,299,522	14,648,139	15,659,100	15,840,550
Other Public safety	4,955,539	5,514,208	6,666,238	5,936,736	5,620,978	5,361,800

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Projected General Fund Operating Deficit for FY 2010-11

Deducting the projected General Fund operating expenditures of $85.6 million from the projected General Fund operating revenues of $67.8 million, results in a projected General Fund operating deficit of $17.8 million.

The following chart highlights how the General Fund operating deficit has grown the past few years as a result of the economic recession. The bar on the left of each grouping represents revenues; the bar on the right of each grouping represents expenditures.

General Fund Operating Budget
Revenues & Expenditures

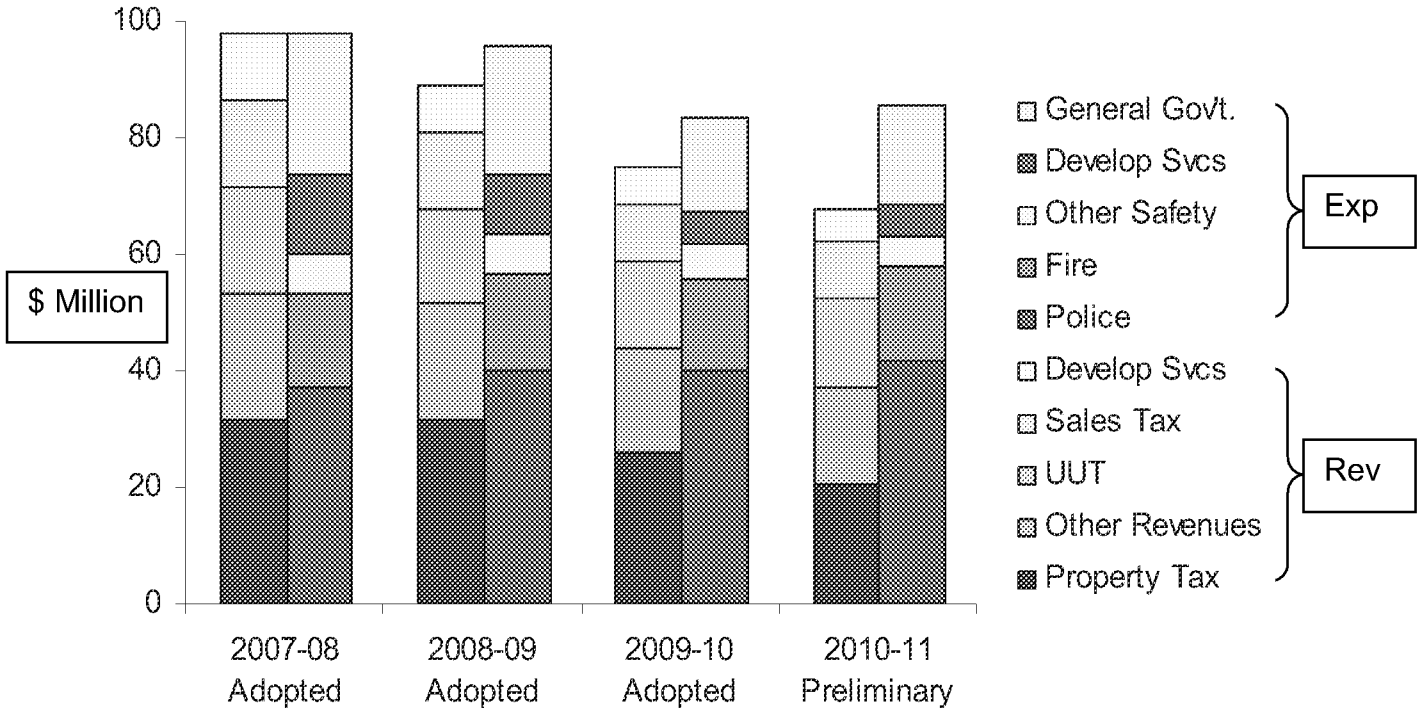

As shown above, the FY 2007-08 budget was adopted with operating revenues and expenditures completely balanced. By FY 2008-09, there was an operating deficit of $7.0 million which had to be backfilled through a combination of prior-year savings, transfers, and reserves. This operating deficit increased to $8.6 million in FY 2009-10, despite a significant reduction in the expenditure budget realized through implementation of a Deficit Reduction Plan; with the deficit again backfilled with prior-year savings and reserves. For FY 2010-11, the projected operating deficit will increase to $17.8 million. This projected deficit will be addressed through a combination of solutions including anticipated prior-year savings, additional transfers, and a Deficit Reduction Plan.

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Budgetary Adjustments to Reduce Deficit

Facing such a significant budgetary deficit next fiscal year, staff evaluated a number of potential adjustments that can be made to reduce the deficit. Following an analysis by the Budget Review Committee, staff was given the direction to proceed with the following adjustments:

Current year savings that can be carried over to next fiscal year:

In conjunction with the FY 2010-11 budget review process, projected actual amounts for FY 2009-10 were developed. In addition to the FY 2009-10 department-projected savings of $796,100, as reported to the City Council during the Mid-Year Budget Review on February 23, 2010, to help keep this fiscal year's budget in balance, an additional 2009-10 savings of $1,520,800 was identified that will be carried over to help balance next fiscal year's budget.

Transfers to return previous General Fund subsidies:

Based on previous General Fund subsidies and current fund balance, the following transfers to the General Fund can be made, while keeping a minimum reserve of 12% of operating expenditures, consistent with the General Fund:

▪ Gas Tax	$500,000
▪ Public Education/Government Access (PEG)	$339,100
▪ CSD Zone A (Parks)	$800,000
▪ Total expected savings	$1,639,100

Other transfers

Transfers to the General Fund from two other funds will be made following an analysis of the funds:

▪ EOC Project Fund (Return of surplus project funds that were contributed from the General Fund)	$1,100,700
▪ Equipment Replacement Fund (Fully depreciated assets that no longer need to be replaced)	$2,102,400
▪ Facility Construction Fund (Preliminary contribution to Veterans Memorial Project; funded by 2005 Lease Revenue Bonds)	$776,000
▪ Total other transfers	$3,979,100

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Following is a summary of the total budgetary adjustments that will be implemented to reduce the projected FY 2010-11 General Fund deficit of $17.8 million:

Projected Deficit		$17,876,300
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	($1,520,800)	
- Transfers to return previous General Fund subsidies	($1,639,100)	
- Other transfers	($3,979,100)	
- Total Budgetary Adjustments		($7,139,000)
Remaining Deficit		$10,737,300

Budget Issues

Despite facing a significant budgetary deficit in FY 2010-11, departments were provided the opportunity to submit proposed Budget Issues to identify areas in which budgetary increases were needed to maintain critical service levels. There are three (3) such Budget Issues that I am recommending for implementation, as presented below:

Budget Issue No. 1: Re-establish funding for Budget Officer position, which was defunded in FY 2009-10
Requesting Department: Financial & Administrative Services
FY 2010-11 Cost: $98,700
General Fund Cost: $98,700

The position of Budget Officer was established in FY 2007-08. The position was created to relieve the Financial Operations Division of responsibility for preparing and monitoring the City's budget, which was becoming increasing complex and time consuming to prepare and monitor. Financial Operations staff did not have the time or staffing resources to devote to the budget process, which was impacting the City's ability to effectively manage its budget.

With the economic downturn that began in late 2007, the need for a Budget Officer was accentuated, as there was an increased need for timely and comprehensive reporting on the City's monthly performance relative to its adopted budget, including Monthly Financial Reports to City management and First Quarter and Mid-Year Budget Reviews for the City Council. There was also a need to thoroughly review all City Council staff reports for their fiscal impact, which previously had been done on only a cursory basis.

Following an open recruitment, the City's first Budget Officer was hired in December 2008. The impact of the position was immediately realized, with improvements in the budget development process, deficit reduction planning and analysis, automation of various budgetary reports, streamlined Budget Appropriation Adjustment process, thorough analysis of cost-saving scenarios, and improved departmental coordination.

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With the retirement of the Financial Operations Division Manager in June 2009, and the need for departmental cost savings, the Budget Officer assumed responsibilities of the Financial Operations Division Manager in addition to the Budget Officer duties. While this dual role has enabled essential budgetary and financial work to be accomplished, it has required a significant number of extra hours to be worked beyond the normal work schedule by a number of staff in the Financial Operations Division. The workload impact had been exacerbated by other staffing reductions in the Financial Operations Division, with five (5) of the Division's (fourteen) 14 career positions defunded, representing a vacancy factor of 36%.

Unlike some operational areas within the City, in which the workload has diminished along with the failing economy, the workload in the Financial Operations Division has actually increased, as there is an increased need for budgetary reporting and financial analysis related to labor negotiations and various cost reduction scenarios. Additionally, the City's budget process has become increasingly complex, with significant time devoted to deficit reduction planning and implementation.

There is a critical need to re-establish funding for the Budget Officer position in order to relieve the Financial Operations Division staff of having to perform all budgetary functions, in addition to their normal duties which include Accounts Payable, Payroll, monthly financial close, grant accounting, audit coordination, and year-end financial reporting including the State Controller's Report and Comprehensive Annual Financial Report (CAFR). Without re-establishment of the Budget Officer position, there will be an ongoing need for Financial Operations staff to work an extensive number of hours in addition to their regular work schedule; often times 12-14 hours days and weekends, despite the City's reduced work week of 36 hours.

Cost summary of Budget Issue:

Salaries	$71,100
Employee Benefits	$27,100
Services	--
Supplies	$500
Capital Outlay	--
Total Expenditures	**$98,700**

Budget Issue No. 2: Reallocate Emergency Operations & Volunteer Services Specialist Salary/Benefits Between Grant Fund and General Fund
Requesting Department: Fire Department
FY 2010-11 Cost: $43,100
General Fund Cost: $43,100

The Emergency Management Preparedness Grant (Business Unit 13410) is expected to have a $30,200 shortfall for FY 2010-11 between the revenue collected and the budgeted expenditures. This budget was originally established to allow accurate tracking of expenditures that are eligible for grant reimbursements from a variety of

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Emergency Management grants. The grants this business unit receives, and/or applies for, typically require matching funds from the City ranging from 5% to 50% for salaries and purchases related to grant activities. In the past, the City has elected to transfer the matching funds from the General Fund into Business Unit 13410 at the end of the fiscal year to balance this budget. Unfortunately, with the difficult economic times the City is facing, this can no longer occur and this business unit must balance its expenses with its revenue.

The Emergency Operations & Volunteer Services Specialist assigned to Business Unit 13410 is partially funded by a Community Emergency Response Team (CERT) grant and by the Emergency Management Performance Grant (EMPG). The CERT grant does not require matching funds for any CERT-related purchases and hours worked by the employee for CERT-related activities. In contrast, the EMPG grant requires 50% matching funds from the City, leaving this position without full funding from any one grant or combination of grants. As there is no General Fund allocation to this business unit, the Fire Department is requesting to reallocate funding for this position between the grant budget and the General Fund budget, in order to meet the matching fund requirements of the EMPG grant.

Cost summary of Budget Issue:

Salaries	$23,500
Employee Benefits	$13,100
Services	$6,500
Supplies	--
Capital Outlay	--
Total Expenditures	**$43,100**

Budget Issue No. 3: Increase in NPDES Regulatory Fees
Requesting Department: Public Works
FY 2010-11 Cost: $76,000
General Fund Cost: $76,000

The Riverside County Flood Control and Water Conservation District (RCFCWCD) is the permittee and the City of Moreno Valley is a co-permittee to the Santa Ana River Watershed National Pollutant Discharge Elimination System (NPDES) Urban Storm Water Runoff Management Program.

The City, as well as other co-permittees and the RCFCWCD are parties to an NPDES Implementation Agreement. The agreement allows the parties to share NPDES program costs that benefit the co-permittees. It is estimated that Moreno Valley's share of the costs will be $76,000 for the FY 2010-11 budget.

The RCFCWCD is depleting a NPDES reserve fund to address State and Federal NPDES mandates on behalf of the co-permittees. A new NPDES permit was issued on January 29, 2010 to RCFCWCD and the co-permittees. Additional State and Federal

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mandates are in the permit. The existing Implementation Agreement will be amended to address the new permit mandates and associated costs for FY 2010-11 and beyond. The shared cost of the co-permittees is estimated to be $500,000. Moreno Valley's estimated prorated share for FY 2010/11 is $76,000. There are no City-designated revenue sources to fund these NPDES permit costs.

If the City elects not to fund the prorated share of the Implementation Agreement, the City cannot benefit from NPDES area-wide programs funded by the RCFCWCD and other co-permittees. The City would have to implement the same programs without the benefit of the RCFCWCD resources at an additional estimated annual cost of $1.05 million. If the City elects not to fund the programs it will subject itself to fines as provided in the Federal Clean Water Act of $37,500 per day for each violation.

Cost summary of Budget Issue:

Salaries	--
Employee Benefits	--
Services	$76,000
Supplies	--
Capital Outlay	--
Total Expenditures	**$76,000**

If each of the three recommended Budget Issues is approved by the City Council, it will increase the FY 2010-11 General Fund budget by $217,800, as summarized below:

Budget Issue	Requesting Department	General Fund Amount
Re-establish Funding for Budget Officer Position	Financial & Administrative Services	$98,700
Supplement Emergency Operations Grant with General Fund Subsidy	Fire	$43,100
Increase in NPDES Regulatory Fees	Public Works	$76,000
Total General Fund Budget Increase		**$217,800**

Balancing the General Fund Budget through the Deficit Reduction Plan

Adding the additional funding of $217,800 related to the above Budget Issues to the projected General Fund deficit (net of adjustments) of $10,737,300 results in a total projected General Fund deficit of $10,955,100. Solutions for addressing this deficit will be presented in the FY 2010-11 Deficit Reduction Plan, which will be submitted to the City Council on April 27, 2010.

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OTHER KEY FUNDS

The following summaries relate to other major funds within the City. Although the FY 2010-11 Preliminary Base Operating Budget reflects deficits for these funds, they will be balanced through a combination of proposed Deficit Reduction Options (detailed in the Deficit Reduction Plan) and utilization of available fund balance.

Community Services District (CSD) Zone A - Parks & Community Services

This fund accounts for the administration and maintenance of the Parks & Community Services facilities and programs. Major revenue sources for this fund come from property tax and parcel fees. Other sources of revenue include recreation fees for various classes and programs offered to residents and non-residents alike. The fund also receives rental income for the use of City ball fields, the Conference & Recreation Center, the Senior Center, and the Towngate Community Center.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	7,997,600
Expenditures	(8,446,400)
Surplus (Deficit)	($448,800)

Community Services District (CSD) Zone L - Library Service Fund

This fund accounts for the operations necessary to process and administer the Library service program. The primary revenue source for this fund is property tax. Other revenue sources include library fees and fines, inter-library book loans, library donations and state grants.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	1,744,600
Expenditures	(2,161,300)
Surplus (Deficit)	($416,700)

State Gasoline Tax Fund

This fund is used to account for the City's share of state gas tax revenue restricted for street improvement and maintenance. The revenue is apportioned under the Streets and Highways Code of the State of California. The main revenue source for this fund includes the City's allocation of the State's Highway Users Tax.

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Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	3,709,500
Expenditures	(3,957,000)
Surplus (Deficit)	($247,500)

Electric Utility

This fund is used to account for the operations of the City's electric utility. Its basic purpose is to purchase and distribute electricity to customers in newly developed areas of the City. The City began serving its first customers in February 2004, and now serves more than 5,400 customers.

The main revenue source for this fund is derived from charges for services rendered to customers of the Electric Utility for the distribution of electricity. The Electric Utility provides service to residential, commercial, and industrial customers.

Operating Category	FY 2010-11 Preliminary Base Budget
Revenues	13,869,500
Expenditures	(14,321,400)
Surplus (Deficit)	($451,900)

STATE BUDGET CONCERNS

The Governor's preliminary FY 2010-11 budget reflects a projected General Fund deficit of $6.6 billion at the end of FY 2009-10, assuming no corrective action prior to fiscal year-end, followed by an additional $12.3 billion General Fund deficit in FY 2010-11; for a total deficit of $18.9 billion. Some analysts believe the deficit is actually larger; perhaps $22 billion or more. The Governor declared a state of fiscal emergency on January 8, 2010, calling the Legislature into special session to begin taking action on the budget deficit. Very little information has been forthcoming from Sacramento regarding solutions to this budget deficit since that time. Based on past actions of the State Legislature, it is likely that some of the budget solutions will adversely impact local government, despite some of the legislative protections that have been previously enacted. As deliberations progress on the City's budget, staff will also closely monitor information coming out of Sacramento. Due to the potential for State actions that may adversely impact the City's budget, the City's Deficit Reduction Plan has identified solutions in excess of what will be needed to balance the City's General Fund budget, as a contingency to offset potential State budgetary actions.

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SUMMARY

The prolonged economic recession has resulted in three challenging fiscal years for the City. After adopting a budget in FY 2007-08 in which General Fund operating revenues completely matched operating expenditures, revenues began declining; resulting in the need for significant expenditure reductions to ensure that expenditures remained within the General Fund revenues. The next two fiscal years (2008-09 and 2009-10) became more challenging as General Fund operating revenues continued their decline, resulting in growing operating deficits that had to be overcome with aggressive cost-cutting measures including workforce reductions, return of General Fund subsidies previously made to from other funds, and use of reserves. FY 2010-11 will be even more challenging than the previous two years, as the projected General Fund operating deficit will grow to $17.8 million. A number of transfers and other budget adjustments have been identified, which will reduce this expected deficit to $10.7 million. Adding three recommended Budget Issues (which represent additional budgeted expenditures) that are critically needed, results in a projected General Fund deficit of nearly $11 million for FY 2010-11. Actions to be taken by the State of California in response to its estimated deficit of $18.9 billion or more could further impact the City's budget. To enable the City Council to adopt a balanced budget for FY 2010-11, a Deficit Reduction Plan is being developed for release on April 27, 2010. This plan will identify a number of Deficit Reduction Options that may be implemented to offset the projected deficit as well as to mitigate potential State actions that would adversely impact the City's budget.

Given the challenges and policy decisions related to adopting a balanced General Fund budget for FY 2010-11, a number of City Council meetings have been designated for budget deliberations, included two Study Sessions, as shown below.

Date	Meeting / Event	Action
April 27	Distribution	Release of FY 2010-11 Deficit Reduction Plan
Week of May 3	Individual Council Member Briefings	Review of FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan
May 11	Regular Council Meeting	Presentation of FY 2010-11 Budget
May 18	Study Session	Discussion of FY 2010-11 Budget
May 25	Regular Council Meeting	Continued Discussion of FY 2010-11 Budget
June 8	Regular Council Meeting	Continued Discussion of FY 2010-11 Budget
June 15	Study Session	Continued Discussion of FY 2010-11 Budget
June 22	Regular Council Meeting	Continued Discussion of FY 2010-11 Budget; Adoption of FY 2010-11 Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Budget

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In closing, I would like to express my sincere appreciation to all City departments for their work in preparing the FY 2010-11 Preliminary Base Operating Budget and the Deficit Reduction Plan that is undergoing final review and scheduled to be released on April 27, 2010. City employees are also to be commended for their ongoing commitment to providing essential City services during such challenging times, and especially considering the significant increase in workload that has occurred in many cases due to staffing reductions, and the compensation reductions that have been implemented.

Following departmental submittal of the proposed budgets and Deficit Reduction Options for FY 2010-11, the members of the Budget Review Committee met with each department and thoroughly reviewed all submittals. I want to express my thanks to the members of the Budget Review Committee for their focus, time commitment, and teamwork during this process.

Finally, I want to thank the Budget Preparation Team for their hard work and extra efforts in preparing the FY 2010-11 Preliminary Base Operating Budget.

Budget Review Committee
William L. Bopf, Interim City Manager
Rick Hartmann, Interim Assistant City Manager
Steve Elam, Interim Financial & Administrative Services Director
Cynthia Fortune, Financial Operations Division Manager
Michelle Dawson, Assistant to the City Manager

Budget Preparation Team
Cynthia Fortune, Financial Operations Division Manager
Steve Hargis, Acting Treasury Operations Division Manager
Dolly Gonzales, Interim Principal Accountant
Dawn Jorge, Senior Accountant
Carol Vasquez, Payroll Supervisor
Marylou Antero, Accounts Payable Supervisor
Sandra Contreras, Senior Payroll Technician
Tammy Brooks, Senior Administrative Assistant
Kathy Gross, Executive Assistant I
Meleisa Mendonca, Senior Graphics Designer

Special thanks and recognition are in order for Cynthia Fortune, due to the extensive work and many long hours spent in reviewing, analyzing and preparing the budget.

Respectively submitted,

William L. Bopf
Interim City Manager

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City of Moreno Valley

2010-11 Preliminary Base Operating budget

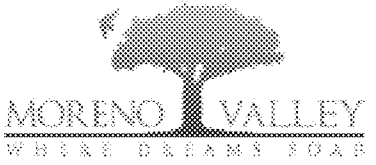

Department Description, Mission & Organization Chart

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CITY COUNCIL

Department Description

The City Council is comprised of five members elected by the district to serve staggered four-year terms. It is the policy-making body of the community, serving 186,301 residents. Council appoints the City Manager, City Attorney, City Clerk and City Treasurer, as well as various members of the City's advisory boards and commissions. Resources have been allocated to provide City membership in such intergovernmental associations as the League of California Cities, Western Riverside Council of Governments (WRCOG), and Southern California Association of Governments (SCAG) in order to develop networking relationships with policy makers and administrators whose actions affect the City of Moreno Valley.

City Council Goals

- Diversity and Preserve the City's Revenue Base

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

- Improve Governmental Relationships

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

- Enhance Community Safety

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

- Improve the Community's Image

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

- Improve Public Infrastructure

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

- Create a Positive Environment

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

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CITY ATTORNEY

Department Description

The Office of the City Attorney at present consists of three full-time attorneys, an Executive Assistant I and a Legal Secretary. This office provides a wide range of legal services to the City organization. It provides legal advice to the City Council, City Manager, City staff and City Boards, Committees and Commissions. It conducts or oversees all litigation involving the City, working in conjunction with the Risk Manager regarding tort liability cases and with the Human Resources Manager regarding personnel issues and workers' compensation. The office also oversees or actively prosecutes City code violations in cases where no violation of State law is charged or the District Attorney has decided not to include City code violations in related criminal prosecutions. The office prepares or reviews ordinances, resolutions, contracts, and other legal documents relating to the City's business.

The City Attorney's Office represents the City government rather than individuals and has an attorney-client relationship with the City Council (as an entity), as its primary clients, and secondarily, with other city boards, officers and employees within the scope of their duties for the City. The role of the City Attorney is sometimes confused by the public with either the District Attorney, who prosecutes criminal actions under State law, or Legal Aid Services, which provides low or no-cost legal services to the general public who cannot afford private legal representation. Consequently, the office receives frequent requests from members of the public for legal advice or information. These requests are handled as courteously as possible providing information without giving legal advice, which could create an attorney-client relationship in conflict with the City Attorney's official duties.

Department Mission Statement

The mission of the office of the City Attorney is to provide professional, cost effective, ethical, and high quality legal advice and services to the City Council and City staff in all matters of law, to effectively represent the City in legal proceedings, and to prepare or review all ordinances, resolutions, contracts, and other legal documents necessary or desirable to conduct the business of the City.

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City Attorney's Office

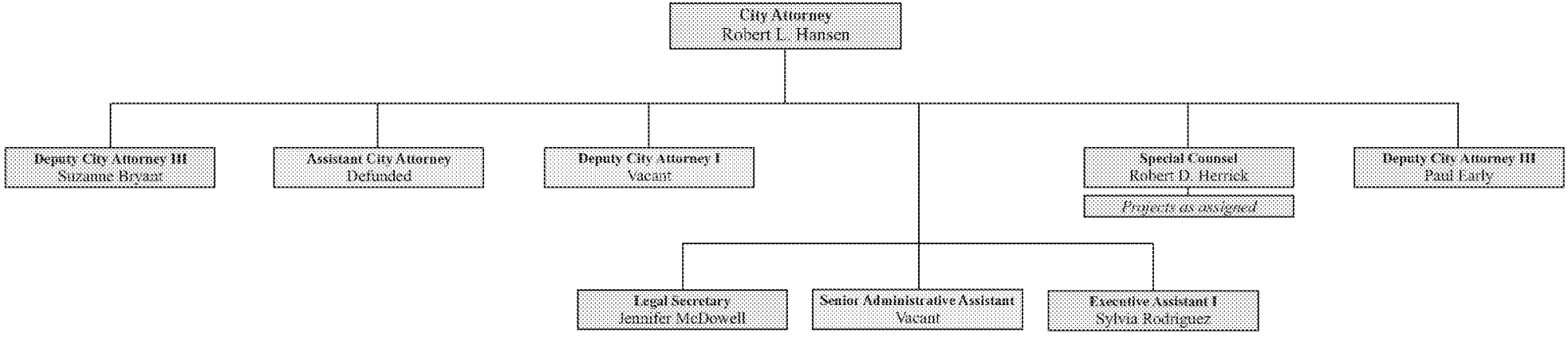

KEY: Active | Defunded

Updated March 2010

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CITY CLERK

Department Description

The City Clerk serves as the Secretary to the City Council, is responsible for the preparation of agendas, the recording and maintenance of all Council actions, filing of public notices, coordination and administration of all City records, documents and public files. The City Clerk advertises and receives bids, conducts all bid openings, maintains the City's municipal code, receives all claims filed against the City, serves as the official custodian of the City seal, conducts all elections, receives nomination papers and is the filing officer for all requirements of the California Fair Political Practices Commission.

Department Mission Statement

The mission of the City Clerk's office is to provide courteous and expeditious dissemination of material and information to City departments, the general public, media and other agencies; produce and maintain agendas, minutes, recordings, and indexing of all City Council actions, filing of public notices, coordination and administration of City records; conduct elections of the highest quality by ensuring all legal requirements, local and state, are met by all candidates and committees, and assuring the registered voters in the City the opportunity to express their freedom of choice by voting.

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CITY CLERK'S OFFICE

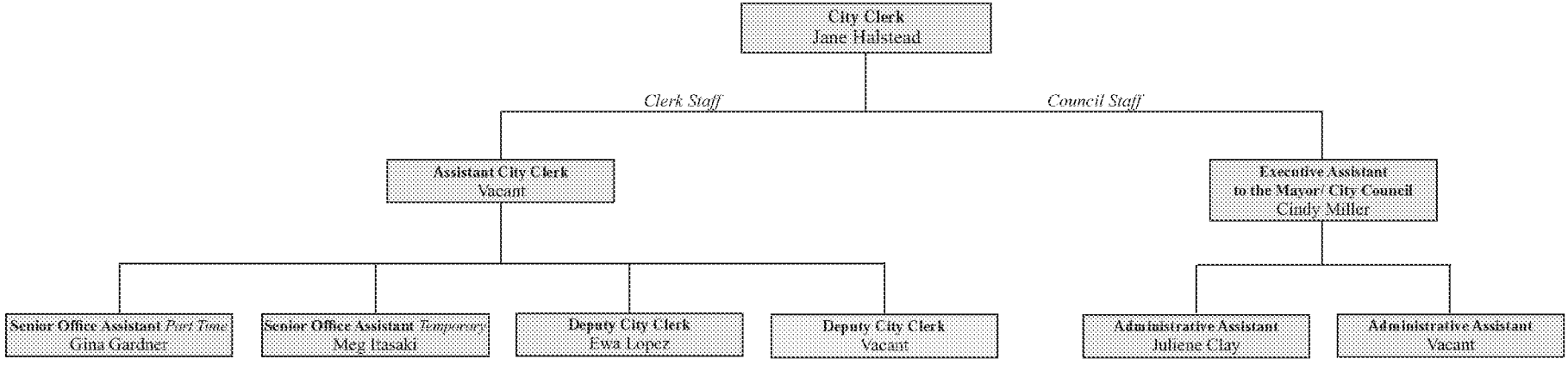

KEY: Active | Defunded

Updated March 2010

CITY MANAGER'S OFFICE

Department Description

❒ Administration

The City Manager serves as the chief administrative officer of the City. Under City Council direction, the City Manager is responsible for the efficient management of all City business. Professional leadership is provided from this Office to the Executive Management Team to enable them to serve the community in a responsive and resourceful manner. Functions of the City Manager's Office include coordination of the implementation of City Council policies and programs; providing overall direction to the departments that administer City programs and services; coordinating intergovernmental relations and legislative advocacy; and administration of the City's communications, media relations, and public information programs.

❒ Media and Communications

The Media and Communications Division serves as the City's media relations/public information office; provides graphic design and special events coordination services to City departments; manages the operations and video productions of the City's government access cable TV channel MVTV-3; monitors state-issued cable television/video service franchise agreements and manages content on the City's public Web site and employee Intranet.

Department Mission Statement

The City Manager's Office is committed to providing and coordinating excellent staff support and sound policy recommendations to the City Council, leading the organization in an effective, efficient, and principled manner, and providing organizational support and direction to the department

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CITY MANAGER'S OFFICE

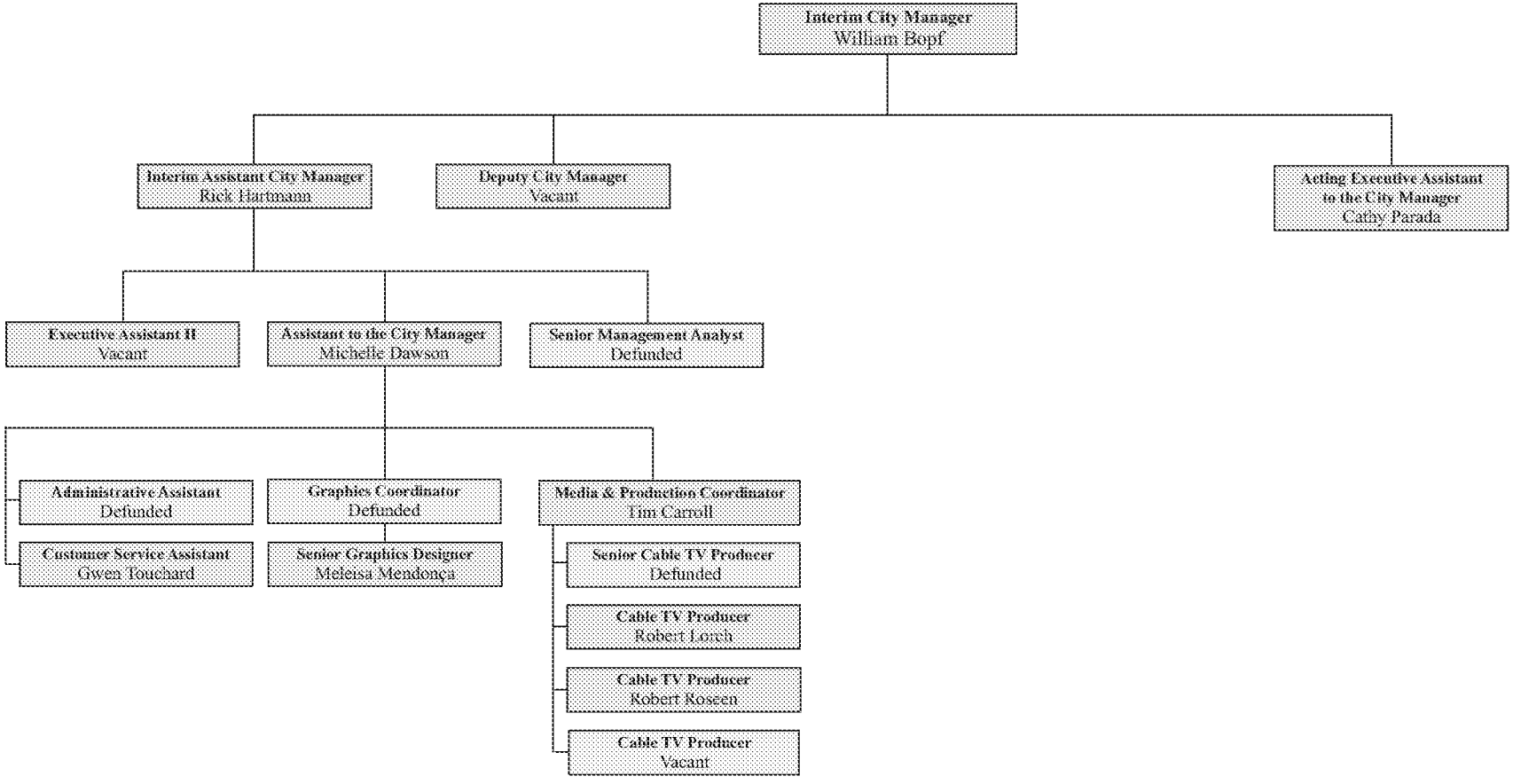

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Updated March 2010

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COMMUNITY DEVELOPMENT DEPARTMENT

Department Description

The Community Development Department consists of four separate divisions: Administration, Building and Safety, Code & Neighborhood Services, and Planning. Department activities are funded from a variety of resources including: General fund, development services fees, and fines.

- Administration

  The Administration program manages and coordinates the activities of all divisions within the department.

  - Counter Operations

  This program is responsible for overseeing and coordinating the Development Services One-Stop Counter activities. The Development Services Assistance Desk provides information, applications, handouts and materials to the general public and development community to assist them in processing their service needs and directs them to the appropriate development services divisions for service. Counter activities include the processing of express permits, business licenses, temporary use permits, home occupation permits, tenant improvements, signs, special events, land development issues, fire and building inspections, code enforcement inquiries and other related activities.

- Building & Safety Division

  The Building and Safety Division provides structural, mechanical, electrical and plumbing plans examination services and conducts field inspections of buildings under construction to ensure that the City's built environment corresponds to local and State-mandated construction codes.

- Code & Neighborhood Services Division

  The Code & Neighborhood Services Division is responsible for the enforcement of codes, relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, weed abatement, business licenses and graffiti restitution. In addition, the Division is responsible for addressing illegal dumping, littering, neighborhood cleanup and related inter-agency and interdepartmental coordination of beautification programs.

- Planning The Planning Division processes land use applications in accordance with the provisions of the City's Development Code, General Plan, Landscape Guidelines and Specifications and Design Guidelines, applicable Specific Plan requirements, the California Environmental Quality Act (CEQA), and other State and Federal requirements. Land use applications range from minor projects, such as new signs

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and home occupancy permits, to major projects such as residential subdivisions, commercial centers and industrial parks.

The Planning Division is also responsible for maintaining and updating the City's General Plan. Special studies are conducted on an on-going basis to evaluate and implement changes to existing planning documents such as the Municipal Code development standards, Specific Plans and General Plan.

The Division provides staff support for the City's Planning Commission, and Environmental and Cultural Preservation Board.

Department Mission Statement

The mission of the Community Development Department is to facilitate the development and implementation of planning, land use, building and safety, beautification, and code compliance policies within the City of Moreno Valley in order to provide a well-planned, safe, and desirable living and working environment, now and in the future.

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Community Development Department

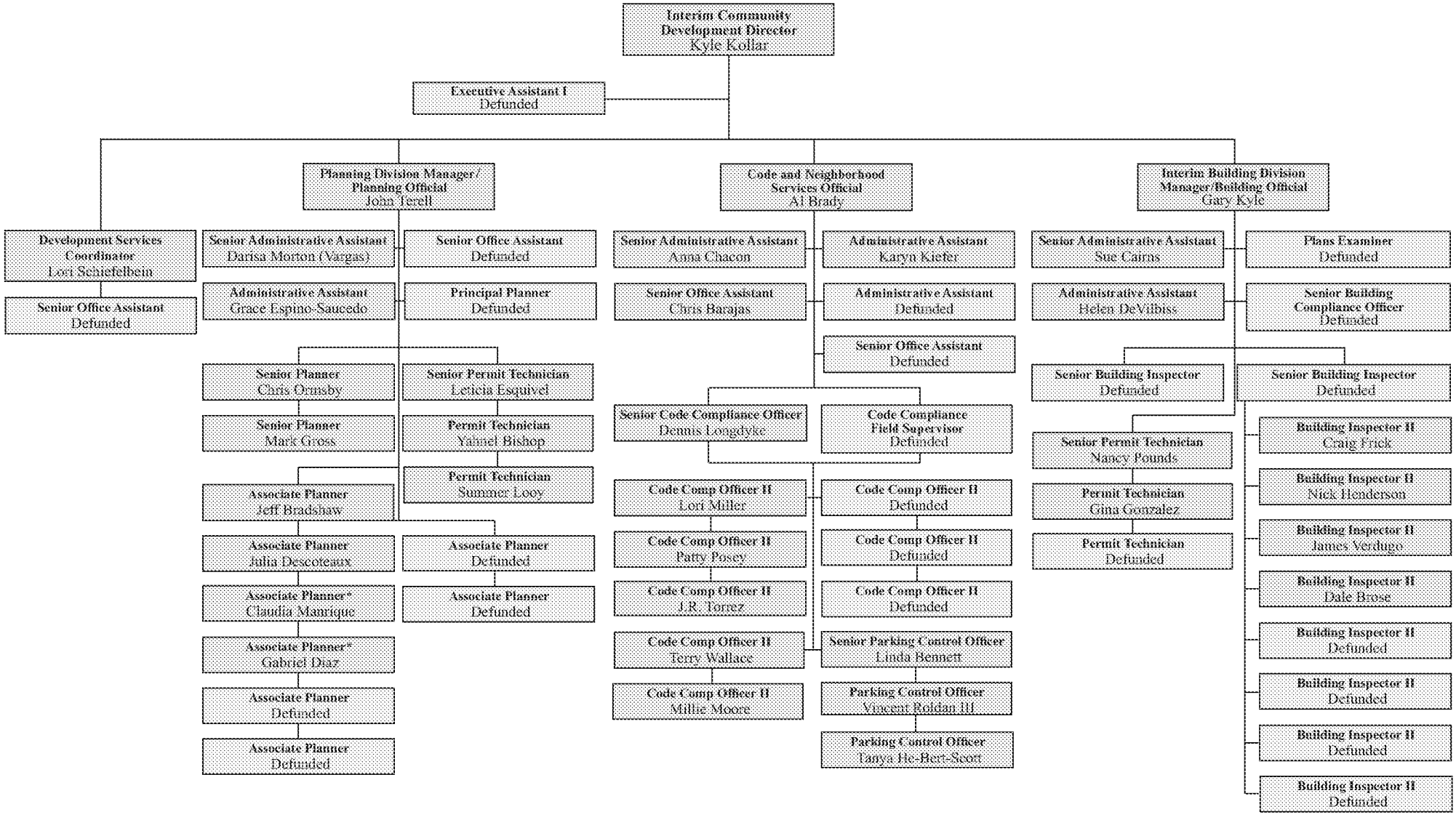

KEY: Active | Defunded

** Previously defunded, currently funded outside of General Fund*

Updated March 2010

MV00055945

ECONOMIC DEVELOPMENT DEPARTMENT

Department Description

The Economic Development Department is responsible for business attraction and retention activities, redevelopment of blighted areas, infrastructure improvements in the redevelopment project area, neighborhood revitalization and the creation of affordable housing in the community.

- Economic Development Administration

  Economic Development Administration promotes the City of Moreno Valley as a place to do business. Economic Development facilitates the development of quality jobs and dynamic retail centers to increase assessed property valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community. Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection assistance, ombudsman service, and much more.

- Neighborhood Preservation Division

  The Neighborhood Preservation Division oversees the operation of the City's redevelopment, affordable housing, and Community Development Block Grant programs.

  - Redevelopment

    The Redevelopment Program implements the Redevelopment Plan and offers programs and projects aimed at improving the Redevelopment Project Area. Activities include capital projects (sidewalks, streets, and water and drainage lines) and business development assistance.

  - Housing

    The Housing Program provides and array of programs and projects aimed at improving and expanding the City's affordable housing opportunities. Activities include rehabilitation loan programs, homebuyer down payment assistance, infill housing, and creating new affordable housing opportunities in the community.

  - Community Development Block Grant (CDBG) and other Grant Programs

    CDBG funds programs and projects which benefit the City's low and moderate income population and older neighborhoods. These activities include capital improvement projects, targeted code enforcement, job creation and neighborhood policing. Other grant programs managed by Neighborhood Preservation include Neighborhood Stabilization Program, Employment Resource Center, and Youth Job Training.

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Department Mission Statement

The mission of the Economic Development Department is to facilitate new investment in the community through new business attraction and business retention, along with preserving and enhancing older neighborhoods to improve the overall quality of life in Moreno Valley.

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Economic Development Department

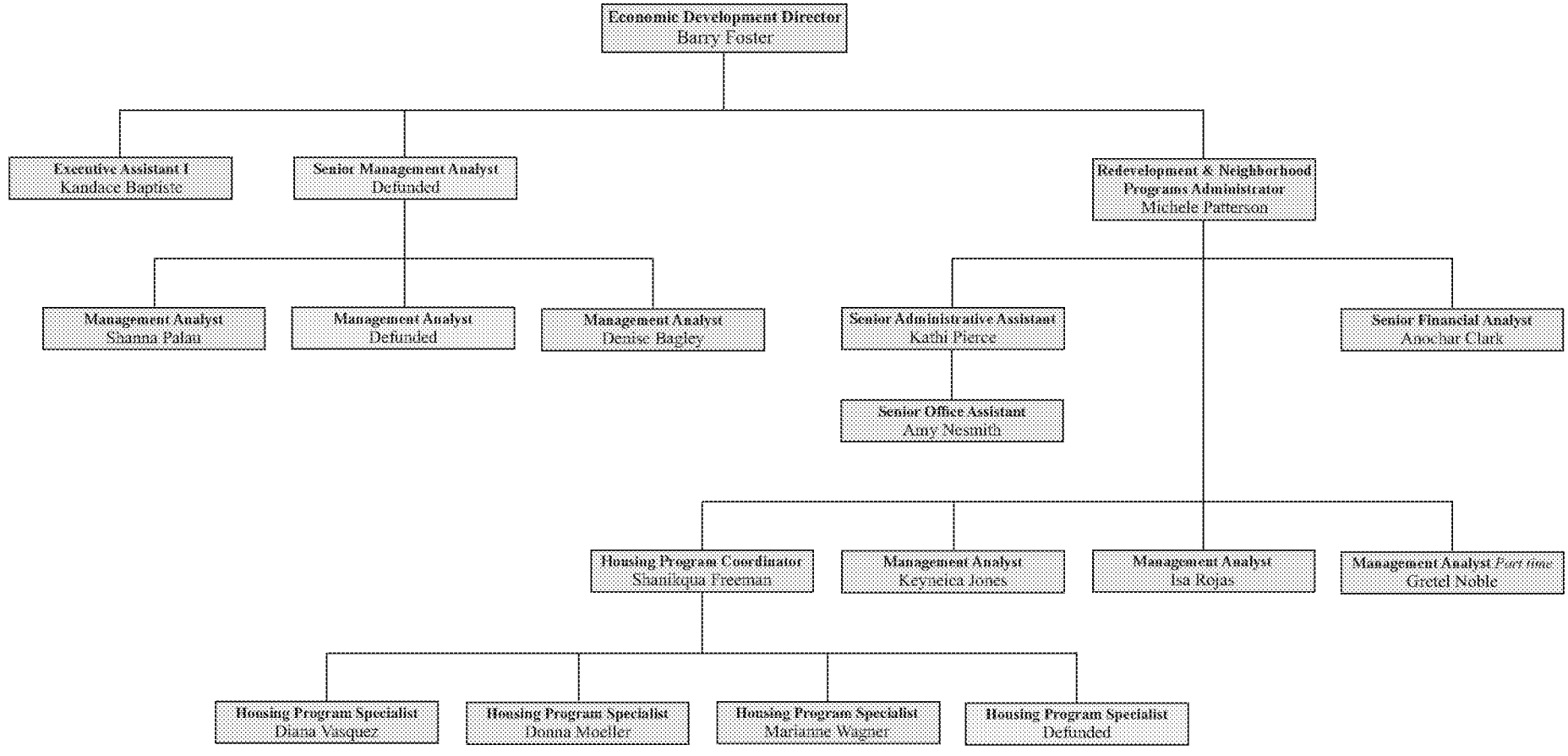

KEY: Active | Defunded

Updated March 2010

MV00055948

FINANCIAL & ADMINISTRATIVE SERVICES DEPARTMENT

Department Description

The Financial & Administrative Services Department provides a wide range of support services to other City departments. These services include budget coordination; financial reporting; payroll; billing and accounts receivable; purchasing and central stores; accounts payable; cash management and investing; business licensing and cashiering; technology services including network administration and security, enterprise systems and database administration, geographic information systems, backbone infrastructure and telecommunications; and maintenance services for all City facilities. Additionally, the department provides oversight for the public safety function of animal control services. Following is a description of the major functions that comprise the department.

- Budget Office

  Coordinates preparation of the City-wide budget; produces internal monthly financial reports; and prepares First Quarter and Mid-Year Budget Reviews to keep the City Council apprised regarding the status of the current fiscal year's budget.

- Financial Operations

  This division provides full accounting services including internal and external reporting for the City, Community Services District and Redevelopment Agency; payroll; accounts payable; and debt administration. This division also administers the annual audit process and is responsible for determining the propriety and legality of all financial transactions in accordance with laws, regulations, accounting standards, and Council and administrative policy.

- Treasury Operations

  This division's primary responsibilities include accounts receivable, business licensing and cashiering, daily cash management, oversight of the investment portfolio, and implementation of controls to safeguard cash. This division is also responsible for developing and conducting revenue audits to ensure compliance with City ordinances and other laws and regulations that govern City revenues.

- Purchasing & Facilities

  This newly-consolidated division serves a dual function. With respect to the Purchasing function its primary responsibilities include centralized purchasing services through the use of requisitions, requests for proposals, and invitations to bid for all City operations; and ensuring full, open, and fair competition while maximizing the value received in the procurement process and conforming to the Purchasing Ordinance and accepted purchasing practices. The division is also responsible for providing City-wide mail services. With respect to the Facilities Maintenance function, the division is responsible for the City-wide maintenance,

MV00055949

repair, modification, modernization and revitalization of City-controlled facilities and buildings. The division provides management of in-house and contract services to meet emergency, routine and long-term facility maintenance and operations. In addition to the day-to-day maintenance operations, the division oversees a preventative maintenance program; procurement and installation of office furnishings; custodial, pest control and locksmith services; and fire and security systems.

- Technology Services

  This division is responsible for the centralized design, maintenance, security and support of the City's communication infrastructure, computer network, and telephone/radio systems. Four sections in this division provide city-wide support for the computer network and security, including desktop support and Internet access; support for databases and various enterprise software applications including Enterprise Resource Planning (ERP) system, Permits system, Document Imaging system, Citizen Relationship Management (CRM) system, Work Order system, and Geographic Information System (GIS); and the communications backbone, telephone system and two-way radio communications.

- Animal Services

  This division provides a full range of animal care and control services. These services include the investigation of animal bites and reports of animal cruelty; administration of nuisance ordinances; control of stray animals; and animal licensing. In addition, the division maintains an animal shelter to care for impounded animals, process lost-and-found pets, facilitate pet adoptions, provide education for pet owners, and care for sick and injured animals through a veterinary clinic adjoining the shelter.

Department Mission Statement

The mission of the Financial & Administrative Services Department is to effectively manage the City's finances and safeguard its assets through adherence to the highest ethical standards, sound internal controls, and meaningful financial reporting; enhance public safety through the Animal Services function; and provide a high level of staff support and automation through the internal service functions of Purchasing, Facilities Maintenance and Technology Services.

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Financial & Administrative Services Department

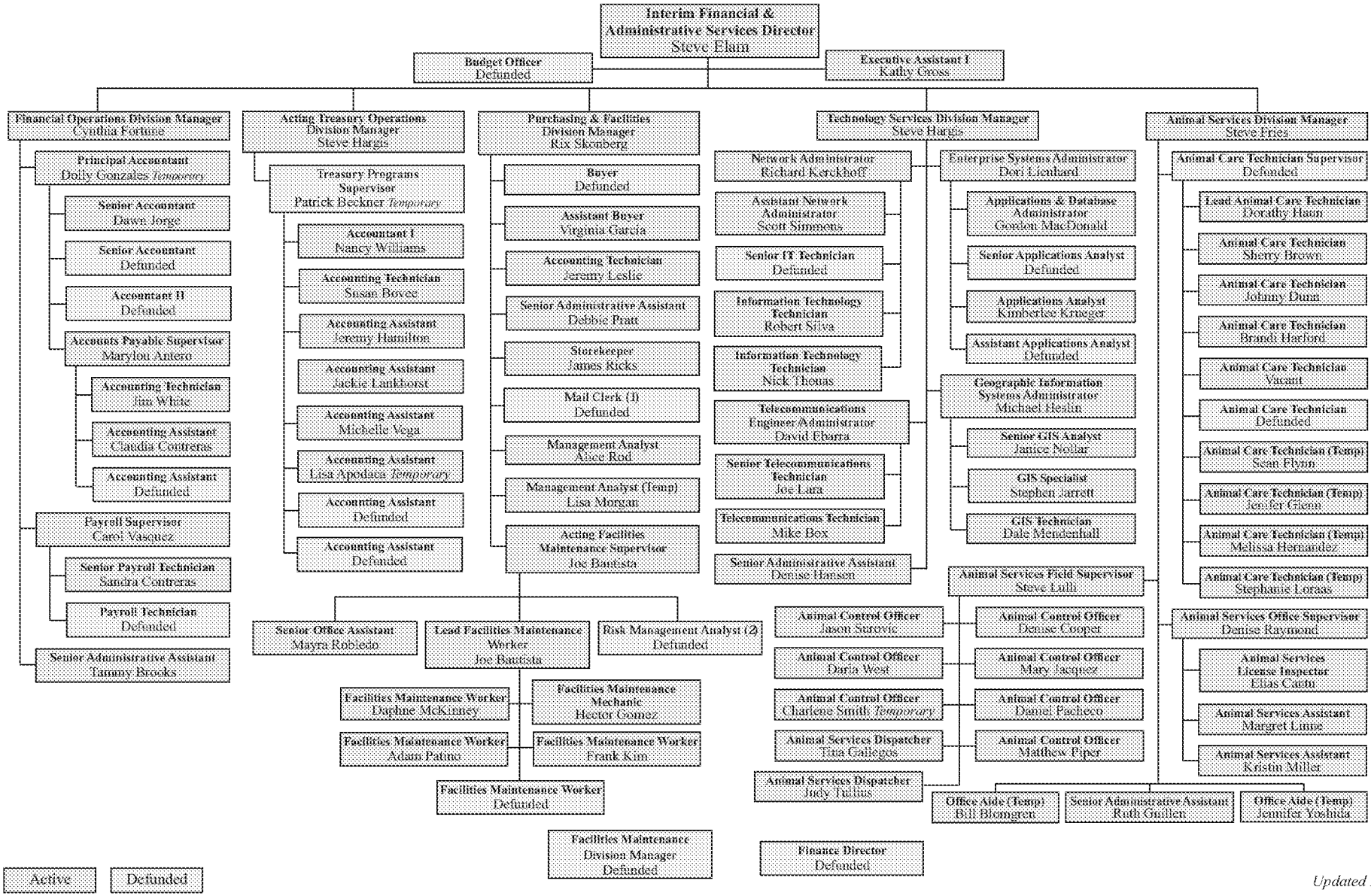

KEY: Active | Defunded

Updated March 2010

MV00055951

FIRE DEPARTMENT

Department Description

The City of Moreno Valley Fire Department operates six fire stations and a Fire Prevention Bureau providing fire suppression, emergency medical, rescue, hazardous materials response, and fire prevention services to the citizens of Moreno Valley. The equipment used by the department has the versatility to respond to both urban and rural emergency conditions. Through a Cooperative Fire Services Agreement with the Riverside County Fire Department, the City has access to additional emergency equipment such as brush engines, aircraft, hazardous materials unit, fire crews, and breathing support units.

- Fire Operations

  The Moreno Valley Fire Chief directs an integrated fire services program within the City. The emergency response level provides one Chief Officer, six three-person Engine Companies and three four-person Truck Companies. Each Engine Company is staffed by at least one paramedic who can provide advance life support.

- Fire Prevention

  The Fire Marshal, under direction of the Fire Chief, supervises the Fire Prevention Bureau. The Fire Prevention Bureau conducts fire and life safety inspections as well as plan reviews for new construction, existing buildings, and special events.

- Volunteers

  There are approximately 25 volunteer firefighters who enhance the fire protection needs of the City by providing additional staffing on the fire engines when they are available.

- Fire Explorers

  The Fire Explorer Program is designed to educate youths about the fire service field and to assist them in preparing for a career with the Fire Department. They receive training on fire tactics, hose lays, first aid, and fire prevention programs.

- Emergency Operations & Volunteer Program

  The Emergency Operations & Volunteer Program includes emergency management mitigation, preparedness, response and recovery; employee and citizen emergency training; and coordination of volunteer groups such as the Community Emergency Response Team (CERT), Emergency Response Force (ERF), and Moreno Valley Amateur Communications Emergency Services/Radio Amateur Civil Emergency Services (MV ACES/RACES).

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Department Mission Statement

The Moreno Valley Fire Department serves the community with pride, integrity, and professionalism while providing quality emergency services to protect and preserve life and property of its citizens when exposed to fires, medical emergencies, natural or man made disasters, hazardous materials incidents, and rescue emergencies in a safe, efficient and cost effective manner as a result of a cooperative, regionalized fire and rescue delivery system with the Riverside County Fire Department.

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Fire Department

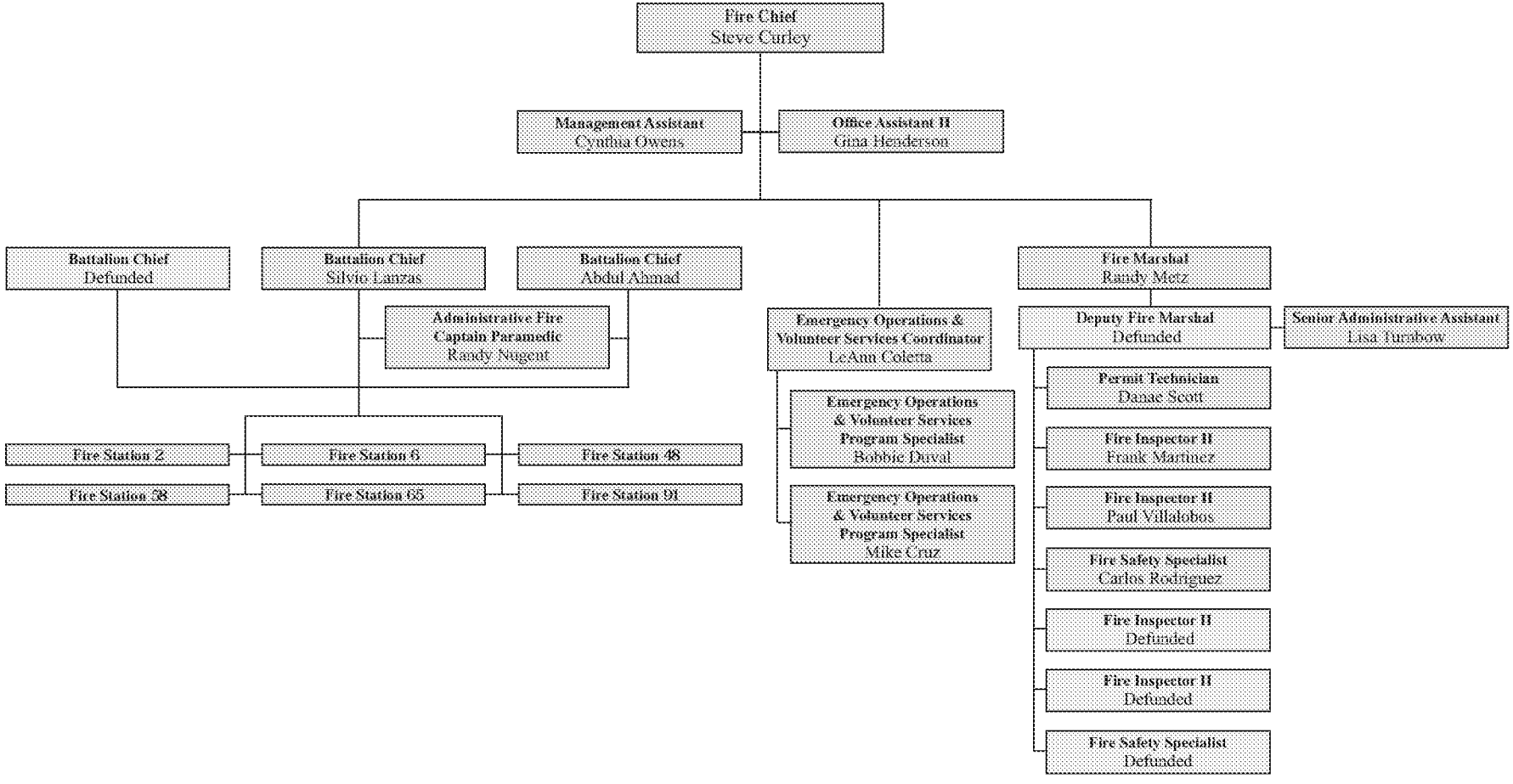

KEY: Active | Defunded

Updated March 2010

MV00055954

HUMAN RESOURCES DEPARTMENT

Department Description

This department is responsible for the centralized human resource and risk management functions within the City including recruitment, selection, classification, compensation, Equal Employment Opportunity (EEO), training, employee benefit administration, employee relations, liability, workers' compensation, and emergency operations and volunteer services. The Human Resources Director is the first line of contact with employees in orientation, assistance and grievance counseling; and provides staff support to the Assistant City Manager, who is the designated Employee Relations Officer.

- Risk Management

  This division is responsible for maintaining reserves and excess insurance coverage for the general liability and workers' compensation programs, and maintaining property insurance for City facilities. Other responsibilities include management of claims made against the City; assignment of lawsuits to outside counsel; tracking of legal expenses and reserves; managing the city-wide safety program including safety-related employee training; and management of the security guard program.

Department Mission Statement

To balance service and regulatory requirements in providing internal and external customers equitable services and consistent policies and procedures in a variety of Human Resource functions including recruitment, selection, retention, training, benefits, Workers' Compensation, EEO, interpretation and application of personnel rules and regulations, and related support services. To identify risks to City assets and put in place programs to help mitigate or eliminate those risks. To enhance public safety through our Emergency Operations/Volunteer Services functions; and through various programs, we strive to assist the City in achieving its mission and vision, and assure a safe and discriminatory-free work environment for our employees, prospective employees, visitors and the community at large.

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Human Resources Department

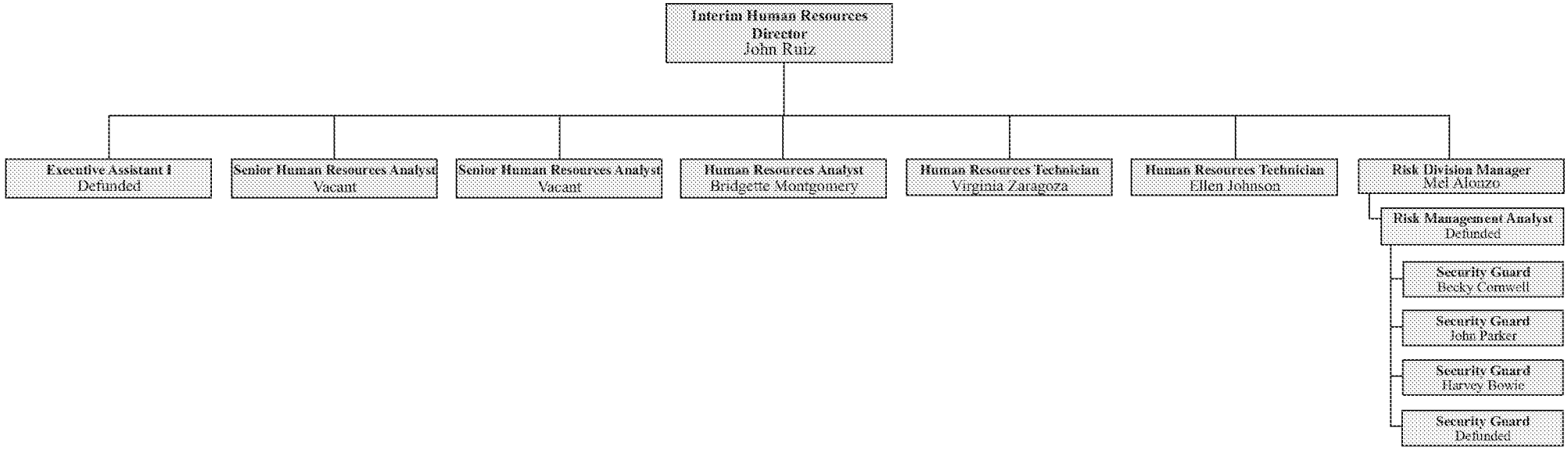

KEY: Active | Defunded

Updated March 2010

MV00055956

LIBRARY SERVICES

Department Description

The Library provides a full range of services via traditional delivery methods and through various computerized venues.

- Reference Desk

  Reference staff provide homework and other research assistance, assist patrons using the online catalog and electronic databases, and select new materials. Additional typical duties include preparing recommended reading lists, reviewing materials, planning and implementing programs for adults, cataloging new materials, answering telephone reference questions, and handling inter-library loans.

- Children's Programs

  Dedicated children's staff help our youngest patrons with homework needs; recommend reading materials, and select new materials. They also perform outreach activities at various schools and conduct library group tours, to foster a love for reading and learning in all children.

- Circulation Desk

  Circulation staff assists patrons with all aspects of Library use, filling in at public desks when public services staff is busy with other functions. Patron registrations, materials check-in and check-out, account inquiries, and all other related activities such as fines and fees collection are handled by this staff. They also mend materials, shelve books as they are returned to the library, process donations, and handle all library displays.

- Computer Lab

  The computer lab consists of 15 adult-use computers (including one for express 15-minute increments) and 10 children's computers. Printing is available in color and in black-and-white. The library's microfilm and microfiche collection can be accessed through a microform reader that digitizes articles for printing or saving to a flash drive. Staff is always available to help.

Department Mission Statement

The goal of the Moreno Valley Public Library is to provide services that will contribute to the educational development and cultural vitality of Moreno Valley. To achieve this goal, the Library's mission is to provide access to a broad range of information resources, offering a program of informational, educational, recreational, and cultural enrichment opportunities for all patrons in the Moreno Valley area.

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LIBRARY

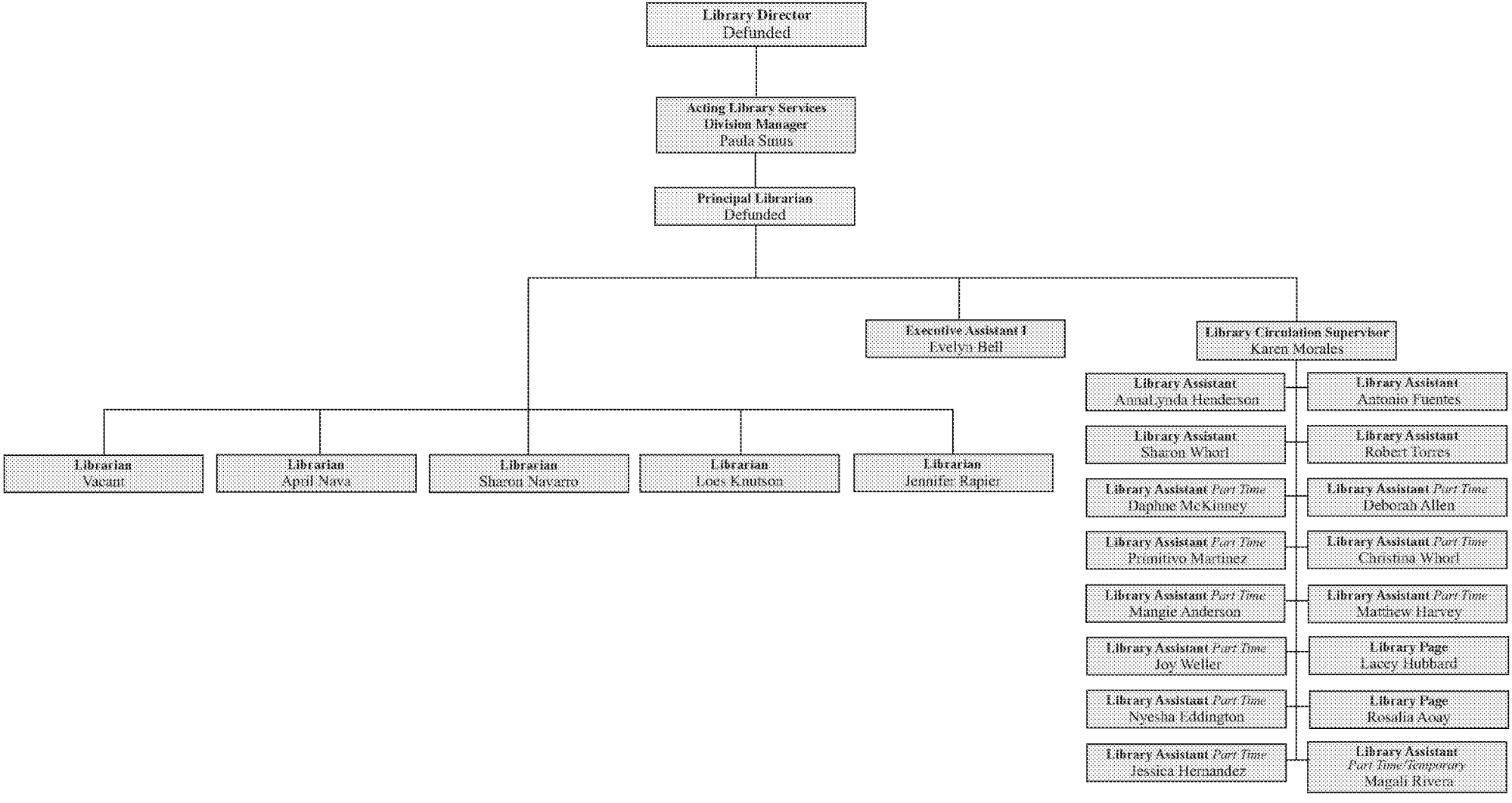

KEY: Active | Defunded

** Defunded 10 Temporary Positions.*

Updated March 2010

MV00055958

PARKS AND COMMUNITY SERVICES DEPARTMENT

Department Description

Plan, design and oversee development of new park sites and facilities, maintain parks and facilities in a safe and aesthetically pleasing manner, maintain and oversee development of the multi-use trail system, provide a wide range of programs for the community including athletic leagues, classes, trips and outings, child care, teen and senior activities, schedule use of facilities, plan, organize and promote special events, and enforce the park rules and regulations and promotion of safe use of park facilities.

- Parks and Community Services Administration

  Administers the Parks and Community Services department in order to plan, design and oversee the wide range of programs offered to the residents of Moreno Valley.

- Recreation Division

  - Senior Program

    Plan, design and oversee the wide range of programs offered to the City's senior citizen community.

  - Recreation Program

    Plan, design and oversee the wide range of recreational programs offered for the City residents; schedule and supervise use of sports facilities.

  - Community Services

    Plan, design and oversee community service needs. Additionally to produce the Recreation Activity Guide and City Newsline three times per year.

  - Community Events

    Plan, design and oversee recreation community events and programs such as the 4th of July parade and festival.

  - Child Care Grant

    Plan, design and oversee the Child Care Grant program offered by the City, which provides after-school day care to the City's residents.

- Parks Division

  - Park Ranger Program

MV00055959

Maintain safety in the City's parks through patrol services, enforcement of park rules and regulations, and the promotion of safe use of park facilities.

- Contract Maintenance

  Administration of maintenance of the "linear parks" for the City including the Senior Center, City Hall, multi-use trails, and the Aqueduct Bikeway.

- Golf Course Program

  Administration of the Cottonwood Golf Center operations.

- CSD Public Facilities

  Responsible for providing the maintenance program for the CSD city-owned buildings, such as the Senior Center, March Field Park Community Center, Pro Shop/Recreation Center, Conference and Recreation Center and TownGate Community Center.

Department Mission Statement

The mission of the Parks and Community Services Department is to provide an enriching environment that offers recreational, educational and social opportunities for all citizens.

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Parks & Community Services Department

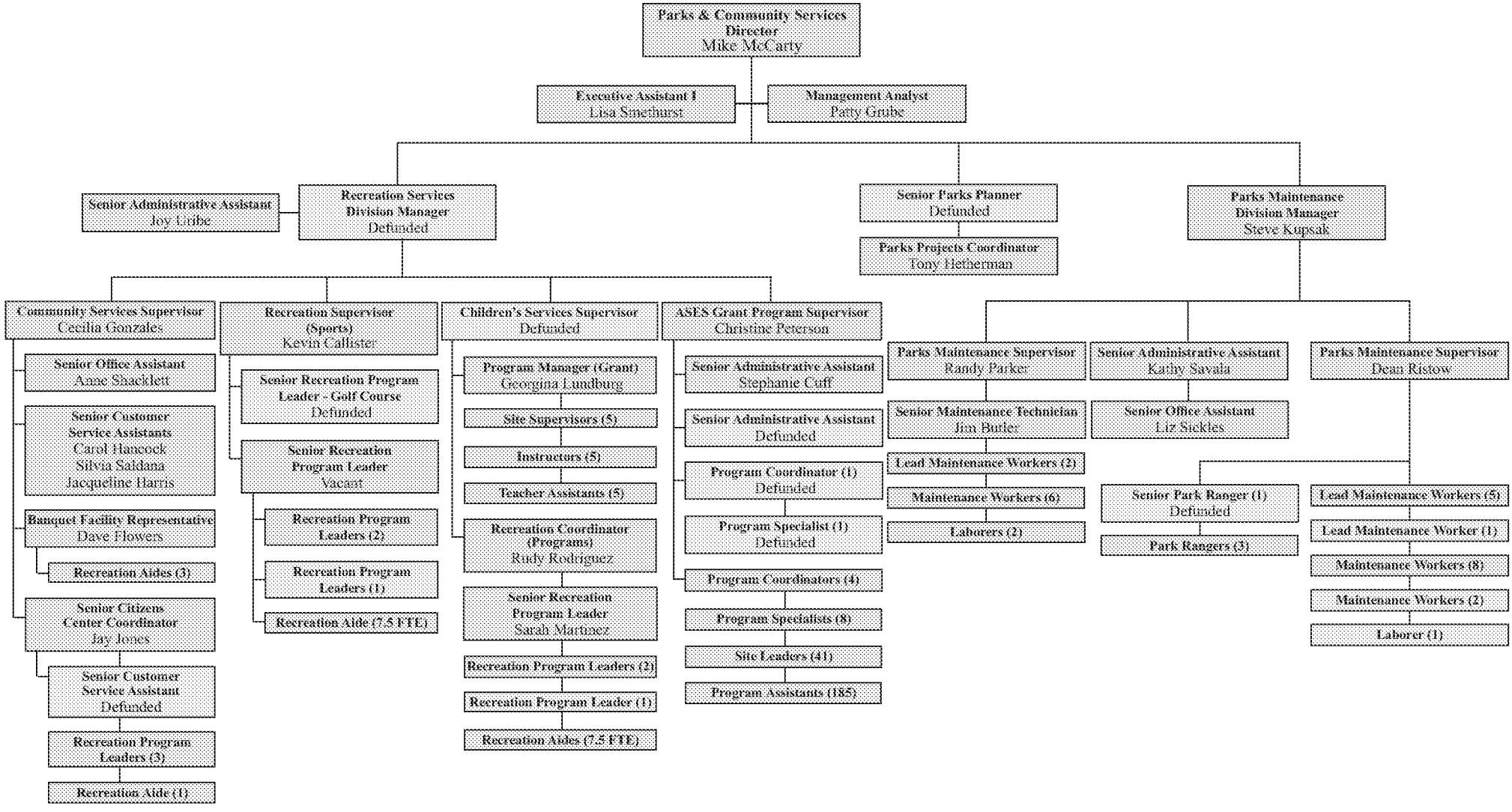

KEY: Active | Defunded

Updated March 2010

MV00055961

POLICE DEPARTMENT

Department Description

The Moreno Valley Police Department (MVPD) is a full-service law enforcement agency serving the citizens of Moreno Valley. The MVPD is comprised of five operating divisions. These divisions manage the City's resources as well as accomplish the mission of the MVPD. The MVPD is comprised of the Administrative division, the Detective division, the Patrol division, the Special Enforcement Teams division, and the Traffic division.

- Administrative Division

  The Administrative division is responsible for operating the MVPD facility, and the Accounting Unit.

- Detective Division

  The Detective division is responsible for the MVPD Detective Unit, the Burglary Suppression Team, and the Crime Analysis Unit.

- Patrol Division

  The Patrol division is responsible for Patrol Zone areas of the MVPD, the Mall Unit, the TRU Unit, the Problem Solving Oriented Policing (POP) Team, and the MVPD Reserves.

- Special Enforcement Teams Division

  The Special Enforcement Teams Division is responsible for (SET) Special Enforcement Team (gangs, street drug crimes, and career criminal team), the MVPD School Resource Unit, and the RCRMC Unit.

- Traffic Division

  The Traffic division is responsible for traffic enforcement, traffic accident investigation and prevention, providing public awareness education, the MVPD Business Office, the Community Services Unit, and the MVPD Volunteer Forces.

Department Mission Statement

The mission of the MVPD is to protect the lives and property of our citizens, to identify and bring to justice those who violate the law, and to provide public service related law enforcement. The MVPD offers law enforcement-related programs to promote safe, lawful behavior, respond effectively to emergencies, investigate and apprehend criminals, and involve citizens in enhancing their safety.

MV00055962

Police Department

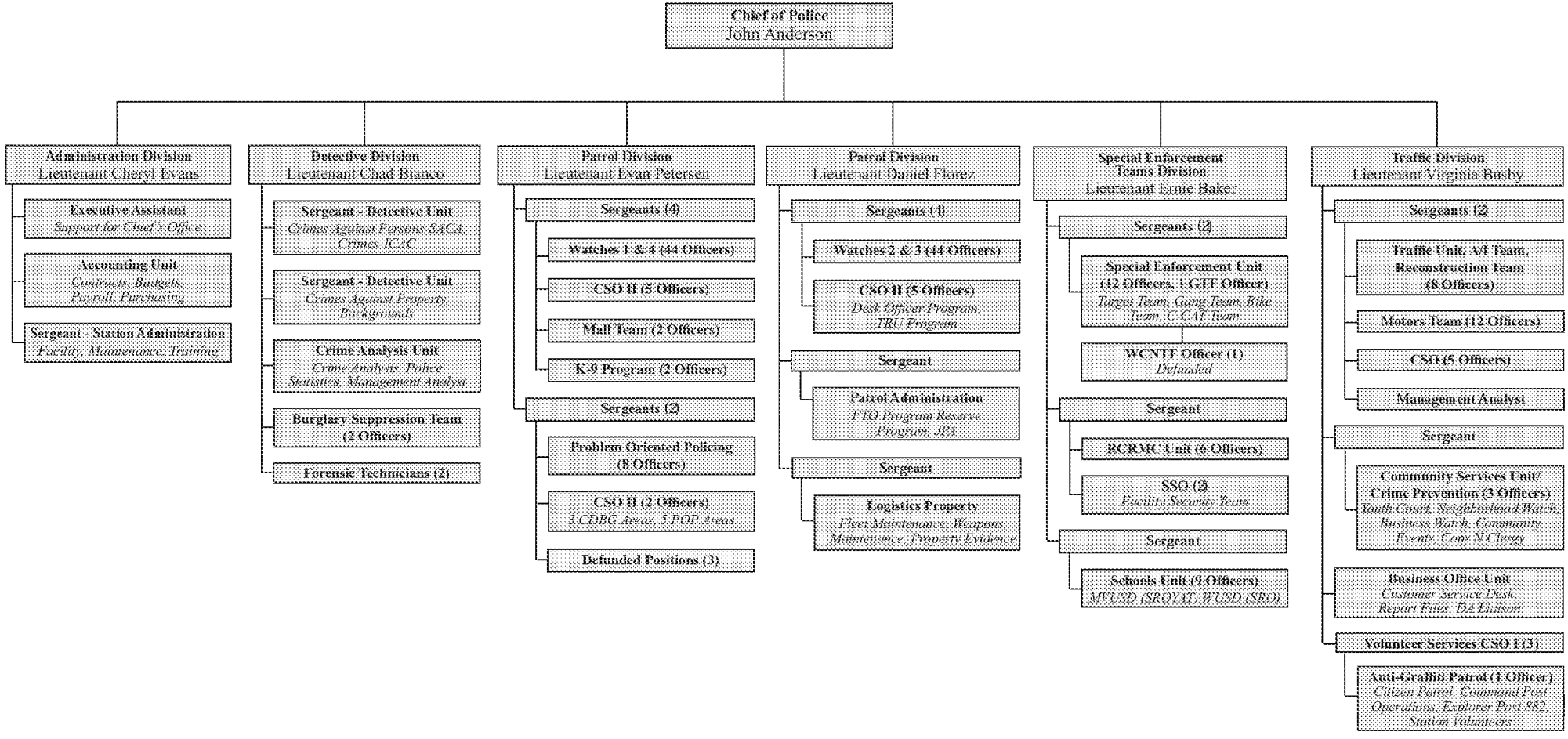

KEY: Active | Defunded

Updated March 2010

MV00055963

PUBLIC WORKS DEPARTMENT

Department Description

The Public Works Department is the largest "non-public safety" full-service department in the City of Moreno Valley consisting of seven. The Public Works department is responsible for public works administration, city engineering, maintenance of public facilities located within the street right-of-way, special landscape and lighting districts, electric service to new development in residential, commercial and industrial areas, solid waste collection and disposal, design and construction of City-built capital improvements, and administration of traffic facilities and related activities.

- Public Works Administration

  Public Works Administration is responsible for the oversight of six subordinate divisions comprising the Public Works Department and analysis of regional, state and federal legislative actions concerning public works issues. Public Works Administration also coordinates with local and regional agencies for flood control, water and wastewater supply and disposal, planning for public utilities, and emergency response to disasters.

- Capital Projects Division

  Capital Projects is responsible for implementation of the City's infrastructure of the capital improvement program. The Division is responsible for engineering design and contract administration, Requests for Proposal (RFP's) and construction for City-funded capital projects which include constructing storm drains, widening roads, installing and upgrading traffic signals, improving roadway conditions, curb and gutter installations and replacements, upgrade of roadway medians, bikeways, bridges and facilities. The Division also provides Real Property services to all departments in the City. These services include acquisitions/negotiations, appraisal reviews, cost estimates, legal description review, title and escrow services and oversee and coordinate Right-of-Way consulting services.

- Electric Utility Division/ Moreno Valley Utility ("MVU")

  The Electric Utility Division, or Moreno Valley Utility ("MVU"), is responsible for providing reliable electric service to residential, commercial, and industrial customers of new developments within the City of Moreno Valley. MVU is responsible for resource management and planning (power contracts), finance administration, legislative and regulatory compliance, strategic planning, and public benefit program development and implementation. MVU is also responsible for managing a long term agreement with ENCO Utility Services Moreno Valley, LLC ("ENCO") that was approved in late 2003. Under that agreement, ENCO provides operations and maintenance, construction support, customer service, meter reading, billing, emergency response, and other services.

MV00055964

- Land Development Division

  The Land Development Division is responsible for the review and approval of all private development projects within the City including tentative maps, tract and parcel maps, lot line adjustments, monument inspection, environmental impact, and soil and hydrology reports. This Division generates entitlement conditions of approval and development agreements, establishes bond amounts for development projects, reviews and approves storm drain, street improvement and grading plans, and provides inspection services for all development-related projects. The Storm Water Management Section implements a Watershed Management Program integrating programs and policies including best management practices to reduce pollutants in urban runoff and flooding of property.

- Maintenance and Operations Division

  The Maintenance and Operations Division maintains public streets, drainage systems, and adjacent rights of way, including: pavement repair & rehabilitation; crack sealing; curb, gutter and sidewalk removal and replacement; storm drain and catch basin inspection and cleaning; parkway tree trimming and removals; street sweeping; right-of-way litter and weed abatement; and public and private property graffiti abatement. Additionally, this Division maintains vehicles, equipment, and related services for the entire City. Lastly, this Division is responsible for administration of the City's solid waste services, environmental grants and AB 939 recycling programs and compliance.

- Special Districts Division

  Special Districts each year evaluates, establishes and administrates a wide range of special financing districts for construction and acquisition of public infrastructure, as well as manages special benefit programs that offer street lighting, parkway landscape and improved median landscape maintenance services to residential neighborhoods and commercial/industrial areas throughout the City of Moreno Valley. To pay for each financed district or program service, Special Districts annually submits for collection on the Riverside County property tax bill a levy of Community Services District charges, special taxes and/or assessments, nuisance abatement fees, National Pollutant Discharge Elimination System rates, and solid waste delinquencies.

- Transportation Division

  The Transportation Engineering Division is responsible for improving safety and mobility of the walking, cycling, and motoring public. Emphasis is placed on both the regional and sub-regional arterial roadway system to address increased vehicular traffic demand. Focused efforts provide for street and intersection widening, improved access management, new and modified traffic signals, modified signing and striping, building continuous flow intersections (roundabouts), and Intelligent Transportation System (ITS) implementation. Additionally, staff maintains the highest degree of maintenance and functionality for the 167 existing traffic signals to

MV00055965

minimize vehicle delay and congestion. Signal coordination is provided on multiple jurisdiction arterial roadways to allow seamless and efficient traffic flow. Transportation Engineering is also responsible to administer the school crossing guard, red light camera enforcement, and residential speed management programs, and perform all studies relating to the Traffic Safety Commission.

Department Mission Statement

The mission of the department is to ensure the City roadway system and traffic control is safe, public properties are protected from damage due to flooding, earth movement, and other natural or man-made conditions, adequate public infrastructure is planned for and provided, and existing and future special districts are administered efficiently and effectively while maintaining a high standard of quality.

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PUBLIC WORKS DEPARTMENT

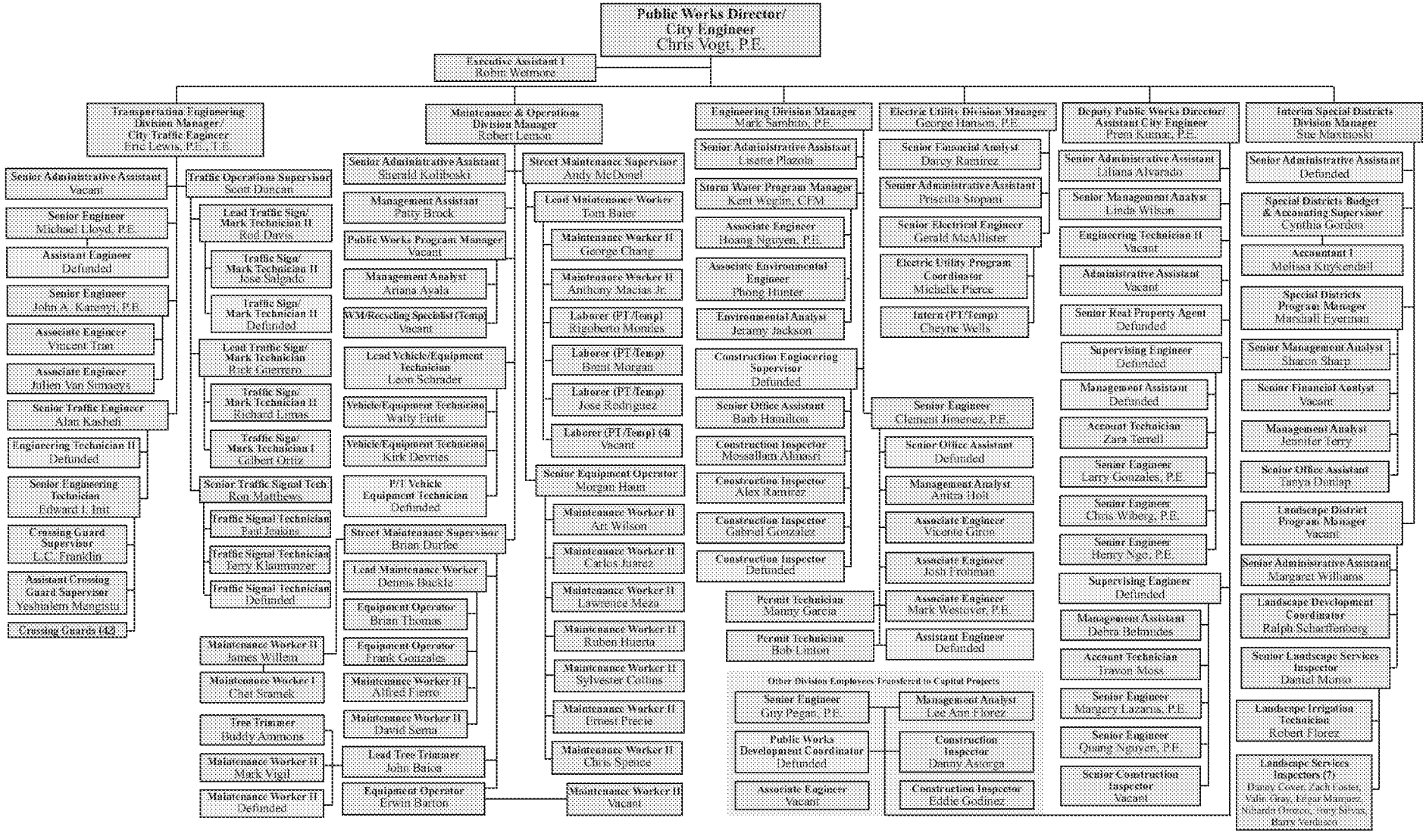

KEY: Active | Defunded

Updated March 2010

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City of Moreno Valley

2010-11 Preliminary Base Operating budget

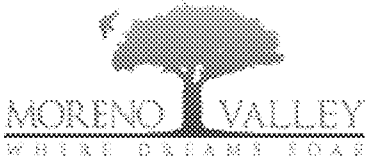

Summaries

MV00055968

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Total Citywide Operating Expenditures

Fund Type		Operating Budget
General	$	85,630,700
Community Services District		17,697,300
Redevelopment Agency		14,907,800
Special Revenue Funds		22,486,700
Capital Projects Funds		10,714,400
Enterprise Fund		14,321,400
Debt Service Funds		19,696,400
Total	$	185,454,700

Internal Service Funds (ISF) expenditures are charged to all user funds. The cost of these ISF services are already included in all the funds listed above.

MV00055969

Total City Budget
2010-11 Preliminary Base Operating Expenditures
$185,454,700

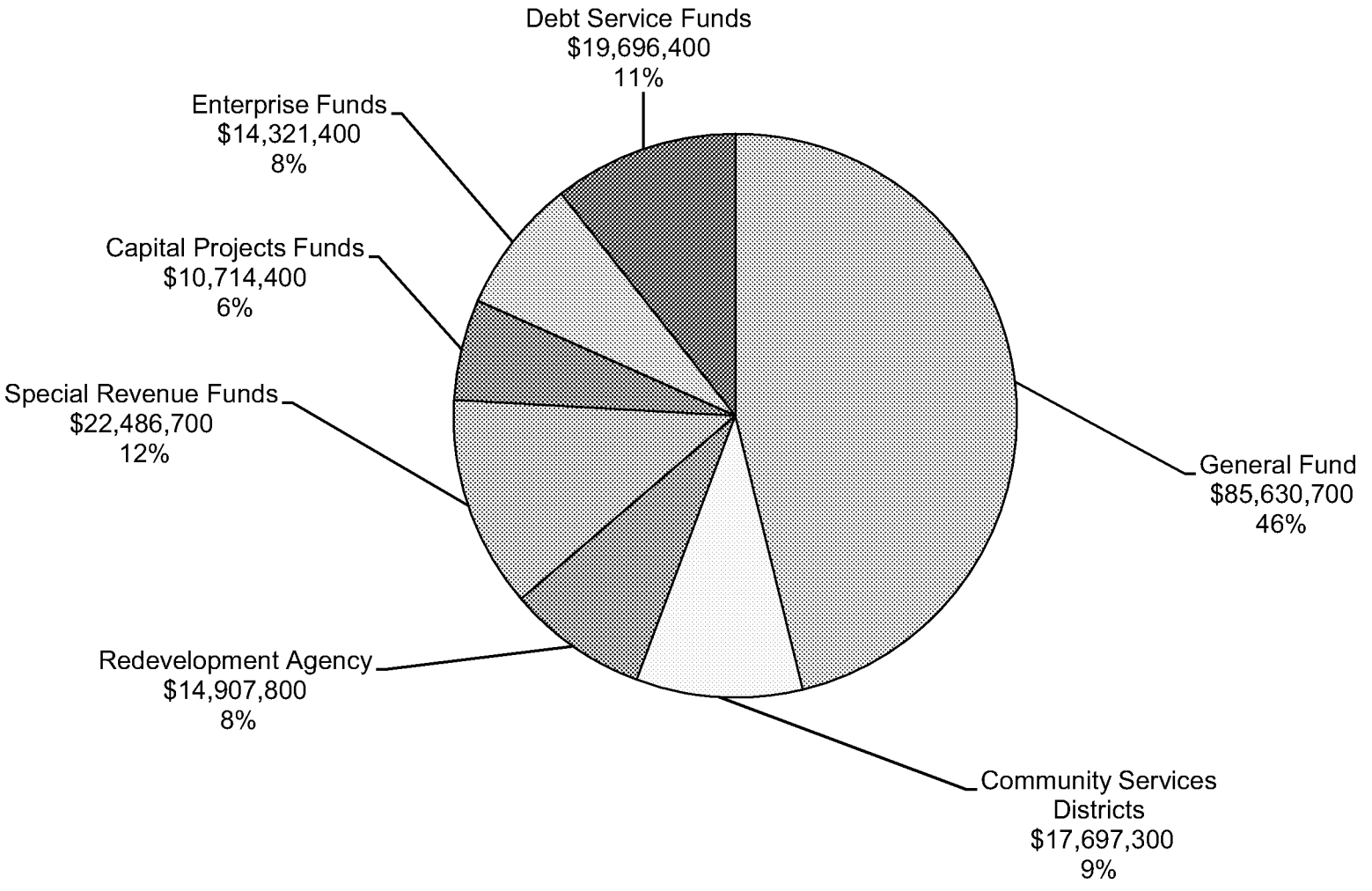

MV00055970

General Fund
2010-11 Preliminary Base Operating Revenues
$67,754,400

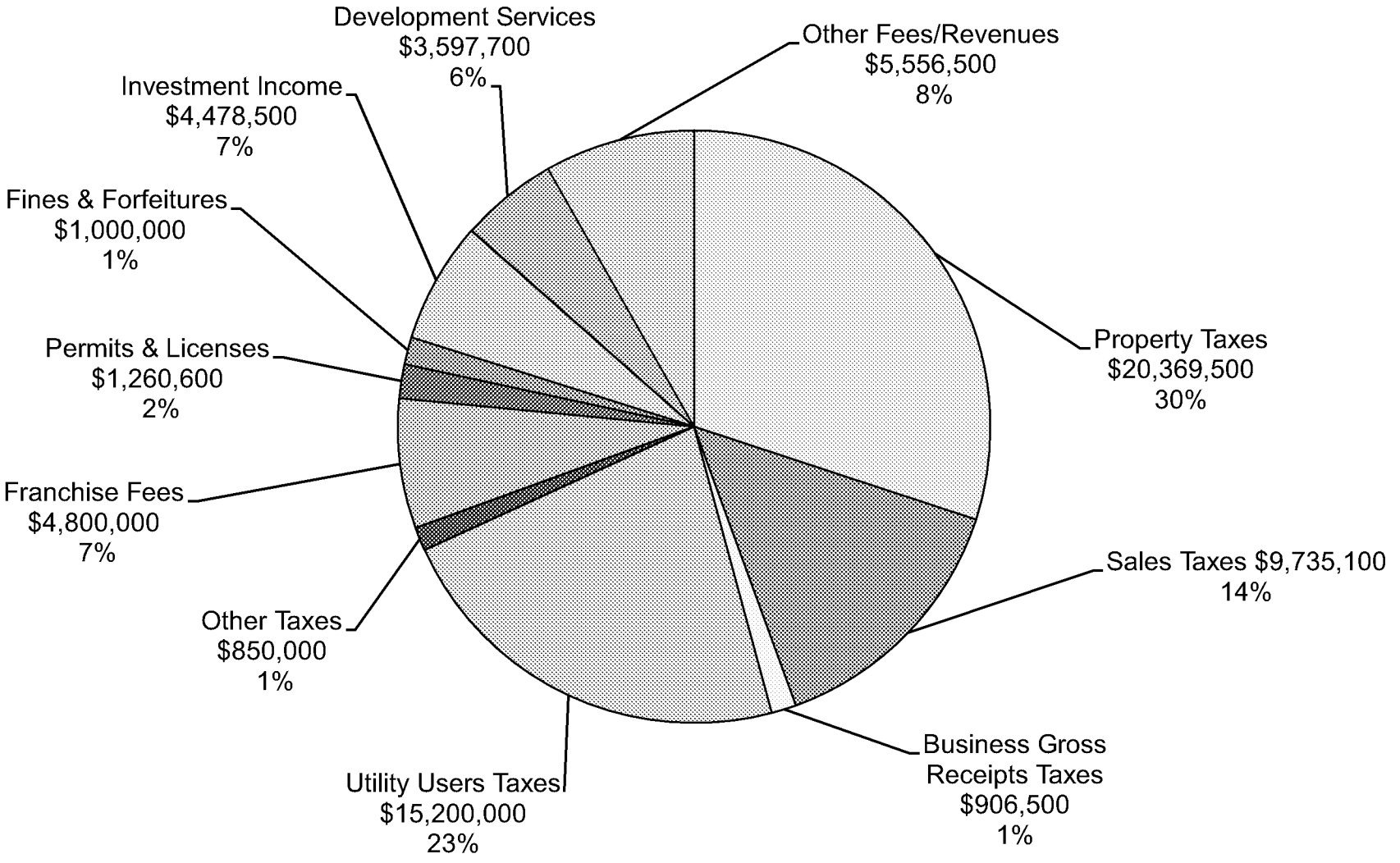

MV00055971

General Fund
2010-11 Preliminary Base Operating Expenditures
$85,630,700

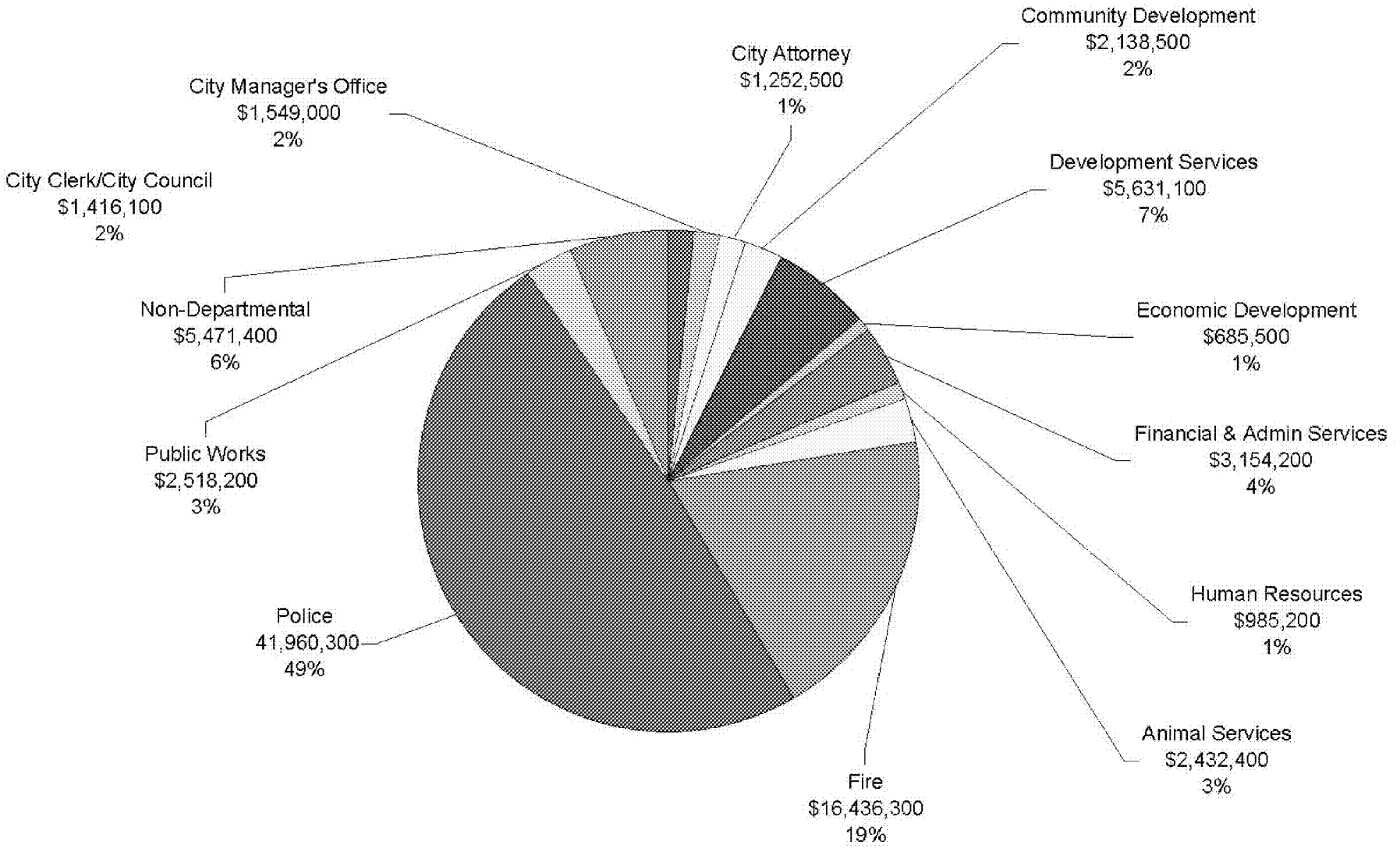

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City of Moreno Valley
2010-11 Preliminary Base Operating Budget

Description	General Fund	Community Services District	Redevelopment Agency	Special Revenue Funds	Capital Projects Funds	Enterprise Fund	Internal Service Funds	Debt Service Funds	Adjustment for Internal Service Funds (1)	Total
Source of Funds										
Revenues:										
Property Taxes	20,369,500	3,043,389	8,767,604	-	8,400	-	-	2,700	-	32,191,593
Gas Taxes	-	-	-	2,702,500	-	-	-	-	-	2,702,500
Sales Taxes	9,735,100	-	780,000	-	-	-	-	750,000	-	11,265,100
Business Gross Receipts Taxes	906,500	-	-	-	-	-	-	-	-	906,500
Utility Users Taxes	15,200,000	-	-	-	-	-	-	-	-	15,200,000
Other Taxes	850,000	-	-	967,800	-	-	-	1,694,100	-	3,511,900
Franchise Fees	4,800,000	-	-	-	-	-	-	-	-	4,800,000
Parcel Fees	-	9,746,400	-	-	-	-	-	-	-	9,746,400
Development Fees	-	-	-	412,800	-	-	-	-	-	412,800
Motor Vehicle Fees	360,000	-	-	-	-	-	-	-	-	360,000
Other Fees	5,103,100	1,158,800	-	262,247	-	(119,500)	-	-	-	6,404,647
Fees for Service	-	-	-	-	-	13,644,000	-	-	-	13,644,000
Permits & Licenses	1,260,600	-	-	-	-	-	-	-	-	1,260,600
Fines & Forfeitures	1,000,000	-	-	-	-	-	-	-	-	1,000,000
Administrative Charges	2,691,500	-	-	763,500	-	-	9,842,600	-	(9,842,600)	3,455,000
Interest Income	4,478,500	81,400	2,019,600	612,800	100,900	-	-	351,200	-	7,644,400
Bond Proceeds	-	-	-	-	-	-	-	12,300,000	-	12,300,000
Miscellaneous Revenues	751,100	508,700	-	2,257,600	32,000	345,000	3,478,300	-	(3,478,300)	3,894,400
Grants/Intergovernmental Revenues	248,500	27,000	-	23,205,126	6,000,000	-	-	-	-	29,480,626
Transfers In	-	818,100	-	1,646,400	12,743,300	-	-	5,528,416	-	20,736,216
Total Revenues	**67,754,400**	**15,383,789**	**11,567,204**	**32,830,773**	**18,884,600**	**13,869,500**	**13,320,900**	**20,626,416**	**(13,320,900)**	**180,916,682**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Source of Funds	**67,754,400**	**15,383,789**	**11,567,204**	**32,830,773**	**18,884,600**	**13,869,500**	**13,320,900**	**20,626,416**	**(13,320,900)**	**180,916,682**
Use of Funds										
Program Expenditures:										
Operating										
Personnel Services	15,820,222	6,902,000	1,136,300	10,078,553	-	765,400	3,492,600	-	(3,492,600)	34,702,475
Contractual Services	58,556,594	6,766,600	6,144,545	5,387,766	18,800	10,529,300	5,050,600	78,483	(5,050,600)	87,482,088
Materials & Supplies	959,412	818,600	11,000	1,728,800	-	4,800	915,300	-	(915,300)	3,522,612
Debt Service	-	-	4,868,894	16,500	6,400	2,222,600	-	8,909,633	-	16,024,027
Fixed Charges	7,447,443	3,151,900	344,400	1,190,552	285,300	711,800	1,579,500	-	(1,579,500)	13,131,395
Transfers Out	2,666,900	51,800	2,402,698	4,084,493	-	-	822,025	10,708,300	(822,025)	19,914,191
Operating Expenditures	**85,450,571**	**17,690,900**	**14,907,837**	**22,486,664**	**310,500**	**14,233,900**	**11,860,025**	**19,696,416**	**(11,860,025)**	**174,776,788**
Capital										
Fixed Assets	180,100	6,400	-	-	10,403,900	87,500	689,700	-	(689,700)	10,677,900
Capital Expenditures	**180,100**	**6,400**	**-**	**-**	**10,403,900**	**87,500**	**689,700**	**-**	**(689,700)**	**10,677,900**
Total Program Expenditures	**85,630,671**	**17,697,300**	**14,907,837**	**22,486,664**	**10,714,400**	**14,321,400**	**12,549,725**	**19,696,416**	**(12,549,725)**	**185,454,688**
Increase in Reserve for Contingencies										-
Total Use of Funds	**85,630,671**	**17,697,300**	**14,907,837**	**22,486,664**	**10,714,400**	**14,321,400**	**12,549,725**	**19,696,416**	**(12,549,725)**	**185,454,688**
Net Change to Fund Balance	**(17,876,271)**	**(2,313,511)**	**(3,340,633)**	**10,344,109**	**8,170,200**	**(451,900)**	**771,175**	**930,000**	**(771,175)**	**(4,538,006)**

(1) These Internal Service Funds (ISF) revenue & expense budgets are charged to all user funds; the cost of these ISF services are already included in other funds' budgets.

Therefore, their exclusion from the total budget reflects the true level of City revenues & expenditures.

MV00055973

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund

Description	General Fund 010	Development Services 011	Fire Services 133	Total
Revenues				
Property Taxes	16,046,100	-	4,323,400	20,369,500
Gas Taxes	-	-	-	-
Sales Taxes	9,735,100	-	-	9,735,100
Business Gross Receipts Taxes	906,500	-	-	906,500
Utility Users Taxes	15,200,000	-	-	15,200,000
Other Taxes	850,000	-	-	850,000
Franchise Fees	4,800,000	-	-	4,800,000
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	360,000	-	-	360,000
Other Fees	2,152,100	2,850,300	100,700	5,103,100
Fees for Service	-	-	-	-
Permits & Licenses	520,000	740,600	-	1,260,600
Fines & Forfeitures	1,000,000	-	-	1,000,000
Administrative Charges	2,691,500	-	-	2,691,500
Interest Income	4,478,500	-	-	4,478,500
Bond Proceeds	-	-	-	-
Miscellaneous Revenues	694,900	6,800	49,400	751,100
Grants/Intergovernmental Revenues	248,500	-	-	248,500
Transfers In	-	-	-	-
Total Operating Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-
Total Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Expenditures				
Operating:				
Personnel Services	11,267,622	3,851,300	701,300	15,820,222
Contractual Services	44,060,244	498,400	13,997,950	58,556,594
Materials & Supplies	838,752	73,860	46,800	959,412
Debt Service	-	-	-	-
Fixed Charges	5,195,443	1,157,500	1,094,500	7,447,443
Transfers Out	2,666,900	-	-	2,666,900
Total Operating Expenditures	**64,028,961**	**5,581,060**	**15,840,550**	**85,450,571**
Capital :				
Fixed Assets	130,100	50,000	-	180,100
Total Capital Expenditures	**130,100**	**50,000**	**-**	**180,100**
Total Program Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Increase in Reserve for Contingencies				-
Total Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Net Revenues Over (Under) Expenditures	**(4,475,861)**	**(2,033,360)**	**(11,367,050)**	**(17,876,271)**

MV00055974

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District

Description	Zone L Library 131	Zone A Parks & Community Services 161	Zone B St Light 171	Zone C Art Light 172	Zone D Std Ldscp 181	Zone E Ext Ldscp 182	Zone M Median 183	ZONE S 185	CFD #4M 186	Total
Revenues										
Property Taxes	1,201,200	1,586,789	116,100	139,300	-	-	-	-	-	3,043,389
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	4,682,200	929,900	426,100	1,091,500	2,403,100	126,200	52,400	35,000	9,746,400
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	33,000	991,400	700	5,600	50,000	100	78,000	-	-	1,158,800
Fees for Service	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	-	-	-	9,000	1,300	69,600	1,500	-	-	81,400
Bond Proceeds	-	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	58,500	447,400	-	-	-	2,800	-	-	-	508,700
Grants/Intergovernmental Revenues	27,000	-	-	-	-	-	-	-	-	27,000
Transfers In	424,900	289,800	-	-	-	-	103,400	-	-	818,100
Total Operating Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	
Total Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Expenditures										
Operating:										
Personnel Services	1,315,600	4,229,400	132,400	37,200	479,300	593,800	86,000	28,300	-	6,902,000
Contractual Services	135,900	1,645,900	1,418,100	665,000	746,500	1,870,100	154,400	81,700	29,000	6,766,600
Materials & Supplies	225,900	435,100	3,500	3,200	44,900	88,000	15,500	2,500	-	818,600
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	483,900	2,129,600	64,000	62,900	147,300	233,500	17,200	7,500	6,000	3,151,900
Transfers Out	-	-	-	-	-	51,800	-	-	-	51,800
Total Operating Expenditures	**2,161,300**	**8,440,000**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,690,900**
Capital :										
Fixed Assets	-	6,400	-	-	-	-	-	-	-	6,400
Total Capital Expenditures	**-**	**6,400**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**6,400**
Total Program Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Increase in Reserve for Contingencies										
Total Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Net Revenues Over (Under) Expenditures	**(416,700)**	**(448,811)**	**(571,300)**	**(208,300)**	**(275,200)**	**(361,600)**	**36,000**	**(67,600)**	**-**	**(2,313,511)**

MV00055975

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Redevelopment Agency

Description	RDA Administration 891	RDA Housing 894	RDA Tax Increment 895	RDA 2007 TAB Series A Debt Service 896	RDA 2007 TAB Series A Cap Prj 897	RDA 2007 TAB Series B Debt Service 898	Total
Revenues							
Property Taxes	-	-	8,767,604	-	-	-	8,767,604
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	780,000	-	-	-	780,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	318,500	800,000	1,100	900,000	-	2,019,600
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Expenditures							
Operating:							
Personnel Services	396,500	739,800	-	-	-	-	1,136,300
Contractual Services	251,870	5,689,400	200,000	3,275	-	-	6,144,545
Materials & Supplies	6,100	4,900	-	-	-	-	11,000
Debt Service	-	-	2,278,594	2,180,300	-	410,000	4,868,894
Fixed Charges	200,000	144,400	-	-	-	-	344,400
Transfers Out	-	-	2,402,698	-	-	-	2,402,698
Total Operating Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Increase in Reserve for Contingencies							
Total Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Net Revenues Over (Under) Expenditures	**(854,470)**	**(6,260,000)**	**5,466,312**	**(2,182,475)**	**900,000**	**(410,000)**	**(3,340,633)**

MV00055976

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Gas Tax Fund 121	SCAG Article 3 122	Measure A 125	SLESF - AB3229 Police Grant 130	Public/Education/ Gov't Access Program 132	EMPG- Emergency Mgmt Preparedness 134	OTS Police Grant 136	Air Quality Management 137	CDBG 01/02 144	Special District Admin 149
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	2,702,500	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	9,500
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	761,000
Interest Income	5,000	9,000	300,000	-	-	-	-	7,000	-	13,000
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	2,000	-	1,000	-	250,000	-	-	200,000	-	-
Grants/Intergovernmental Revenues	-	-	10,009,820	100,000	-	64,000	107,000	-	-	-
Transfers In	1,000,000	-	-	-	300,000	-	-	-	-	-
Total Operating Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Expenditures										
Operating:										
Personnel Services	3,161,900	-	248,900	-	257,600	73,200	-	82,181	-	800,500
Contractual Services	145,900	-	137,000	100,000	5,100	3,000	117,000	15,000	30,000	31,100
Materials & Supplies	632,500	-	6,000	-	6,600	11,500	-	-	-	12,700
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	16,752	-	46,000	-	177,900	6,500	-	-	-	385,900
Transfers Out	-	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Increase in Reserve for Contingencies										
Total Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Net Revenues Over (Under) Expenditures	**(247,552)**	**9,000**	**9,872,920**	**-**	**102,800**	**(30,200)**	**(10,000)**	**109,819**	**(30,000)**	**(446,700)**

MV00055977

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Storm Water Maintenance 151	NPDES 152	Beverage Container Recycling 153	Child Care Grant 160	ASES Program Grant 162	HOME (Federal) 176	CFD #1 184	Homelessness Prevention Program 198	CDBG Recovery Act of 2009 199
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	967,800	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	227,747	-	25,000	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	2,500	-	-	-	-	-	-	-
Interest Income	-	-	-	-	25,000	-	13,000	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	394,300	-	-	1,367,400	-	-	-	-
Grants/Intergovernmental Revenues	421,400	165,300	-	797,300	4,499,200	390,000	-	183,218	137,192
Transfers In	182,000	139,095	-	-	-	-	25,305	-	-
Total Operating Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-
Total Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Expenditures									
Operating:									
Personnel Services	318,000	517,300	13,200	643,200	3,145,100	36,900	411,100	-	26,829
Contractual Services	76,800	238,260	-	185,300	1,858,200	358,000	343,200	183,218	110,363
Materials & Supplies	123,600	9,200	-	42,000	767,700	-	53,400	-	-
Debt Service	-	-	-	16,500	-	-	-	-	-
Fixed Charges	56,700	96,600	-	55,800	188,500	-	143,500	-	-
Transfers Out	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Increase in Reserve for Contingencies									
Total Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Net Revenues Over (Under) Expenditures	**28,300**	**67,582**	**(13,200)**	**(120,500)**	**(67,900)**	**(4,900)**	**54,905**	**-**	**-**

MV00055978

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Arterial Street Development Impact Fee 201	Traffic Signal Development Impact Fee 202	Fire Facility Development Impact Fee 203	Police Facility Development Impact Fee 204	Park Land Facility Dev. Impact Fee 205	Quimby In-Lieu Park Fees 206	Recreation Center Dev. Impact Fee 207	Libraries Development Impact Fee 208	City Hall Development Impact Fee 209	Corporate Yard Dev. Impact Fee 210
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	71,200	17,700	27,500	21,800	65,700	30,000	51,900	52,100	28,800	16,000
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	33,500	9,000	13,600	-	25,000	22,600	-	46,600	25,700	500
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,413,675	-	254,008	676,810	-	-	-	-	-	-
Total Operating Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,308,975)**	**26,700**	**(212,908)**	**(655,010)**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**

MV00055979

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Interchange Imprvmnts Dev. Impact Fee 211	Maintenance Equipt. Dev. Impact Fee 212	Animal Shelter Dev. Impact Fee 213	Traffic Congestion Relief 225	FHWA TRANSIMS Deployment 227	Economic Stimulus Fund 228	JAG - PD - 2009 Fund 230	Fire - Emergency Svcs Fund 233	JAG - PD - 2010 Fund 262	CDBG 05/06 280
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	20,600	3,400	6,100	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	20,500	800	-	32,000	-	10,000	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	14,000	-	-
Grants/Intergovernmental Revenues	-	-	-	1,830,944	186,600	1,300,000	78,100	-	435,700	10,000
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	20,000	-	66,443	-	-	-
Contractual Services	-	-	-	-	10,000	-	5,775	-	-	-
Materials & Supplies	-	-	-	-	-	-	5,900	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,740,000	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,698,900)**	**4,200**	**6,100**	**1,862,944**	**156,600**	**1,310,000**	**(18)**	**14,000**	**435,700**	**10,000**

MV00055980

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	CDBG 07/08 282	CDBG 08/09 283	CDBG10/11 285	Used Oil Block Grant 14 293	TRI16-06-1 Target Rubberized 295	MV Foundation Donations 370	Arts Commission 371	Celebration Park Endowment 380	Total
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	2,702,500
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	967,800
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	412,800
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	262,247
Fees for Service	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	763,500
Interest Income	-	-	-	-	-	-	-	1,000	612,800
Bond Proceeds	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	27,900	-	-	1,000	-	2,257,600
Grants/Intergovernmental Revenues	14,700	418,652	2,000,000	-	56,000	-	-	-	23,205,126
Transfers In	-	-	-	-	-	-	-	-	1,646,400
Total Operating Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	
Total Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Expenditures									
Operating:									
Personnel Services	-	-	242,000	14,200	-	-	-	-	10,078,553
Contractual Services	-	-	1,420,600	12,900	-	50	1,000	-	5,387,766
Materials & Supplies	-	-	1,700	-	56,000	-	-	-	1,728,800
Debt Service	-	-	-	-	-	-	-	-	16,500
Fixed Charges	-	-	15,600	800	-	-	-	-	1,190,552
Transfers Out	-	-	-	-	-	-	-	-	4,084,493
Total Operating Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Increase in Reserve for Contingencies									
Total Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Net Revenues Over (Under) Expenditures	**14,700**	**418,652**	**320,100**	**-**	**-**	**(50)**	**-**	**1,000**	**10,344,109**

MV00055981

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	PW General Capital Projects 414	TUMF Capital Projects 415	DIF Arterial Streets Capital Projects 416	DIF Traffic Signal Capital Projects 417	DIF Interchange Improvements 418	2005 Lease Revenue Bonds - Cap/Admin 501	Centerpoint 87-4 Cap/Admin 512
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	900	-	-	-	-	100,000	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	30,000	-	1,000	1,000	-	-	-
Grants/Intergovernmental Revenues	-	6,000,000	-	-	-	-	-
Transfers In	-	-	295,000	-	1,740,000	-	-
Total Operating Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies							
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**

MV00055982

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	Towngate Impr Special Tax Capital/Admin 513	2007 Towngate Spcl Tax Ref Capital/Admin 515	Warner Ranch Assmnt Dist 518	Auto Mall Cap/Admin 528	CFD #5 Stoneridge Cap/Admin 529	CFD #41 Infra Cap/Admin 530	Total
Revenues							
Property Taxes	-	-	8,400	-	-	-	8,400
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	100,900
Bond Proceeds	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	-	-	-	32,000
Grants/Intergovernmental Revenues	-	-	-	-	-	-	6,000,000
Transfers In	38,250	145,650	-	62,500	54,000	10,407,900	12,743,300
Total Operating Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	3,700	3,700	-	3,700	3,700	4,000	18,800
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	6,400	-	-	-	6,400
Fixed Charges	34,500	141,900	700	58,200	50,000	-	285,300
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**4,000**	**310,500**
Capital :							
Fixed Assets	-	-	-	-	-	10,403,900	10,403,900
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**10,403,900**	**10,403,900**
Total Program Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Increase in Reserve for Contingencies							
Total Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Net Revenues Over (Under) Expenditures	**50**	**50**	**1,300**	**600**	**300**	**-**	**8,170,200**

MV00055983

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Enterprise Fund

Description	Electric Utility Fund 601	2007 Taxable Lease Revenue Bonds 602	2005 Lease Revenue Bonds 603	Total
Revenues				
Property Taxes	-	-	-	-
Gas Taxes	-	-	-	-
Sales Taxes	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-
Utility Users Taxes	-	-	-	-
Other Taxes	-	-	-	-
Franchise Fees	-	-	-	-
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	-	-	-	-
Other Fees	(119,500)	-	-	(119,500)
Fees for Service	13,644,000	-	-	13,644,000
Permits & Licenses	-	-	-	-
Fines & Forfeitures	-	-	-	-
Administrative Charges	-	-	-	-
Interest Income	-	-	-	-
Bond Proceeds	-	-	-	
Miscellaneous Revenues	345,000	-	-	345,000
Grants/Intergovernmental Revenues	-	-	-	-
Transfers In	-	-	-	-
Total Operating Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	
Total Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Expenditures				
Operating:				
Personnel Services	765,400	-	-	765,400
Contractual Services	10,525,500	3,800	-	10,529,300
Materials & Supplies	4,800	-	-	4,800
Debt Service	77,400	1,827,000	318,200	2,222,600
Fixed Charges	711,800	-	-	711,800
Transfers Out	-	-	-	-
Total Operating Expenditures	**12,084,900**	**1,830,800**	**318,200**	**14,233,900**
Capital :				
Fixed Assets	87,500	-	-	87,500
Total Capital Expenditures	87,500	-	-	87,500
Total Program Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Increase in Reserve for Contingencies				
Total Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Net Revenues Over (Under) Expenditures	**1,697,100**	**(1,830,800)**	**(318,200)**	**(451,900)**

MV00055984

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	General Liability 741	Workers' Compensation 745	Technology Services 750	Facilities 754	Equipment Maintenance 755	Equipment Replacement Reserve 757	Total
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	1,031,000	-	4,018,000	4,079,100	714,500	-	9,842,600
Interest Income	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	300	870,800	264,600	32,300	3,800	2,306,500	3,478,300
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Expenditures							
Operating:							
Personnel Services	116,200	52,100	2,024,500	1,037,300	262,500	-	3,492,600
Contractual Services	1,182,700	462,100	1,359,000	2,036,800	10,000	-	5,050,600
Materials & Supplies	4,000	3,400	401,400	123,500	383,000	-	915,300
Debt Service	-	-	-	-	-	-	-
Fixed Charges	59,200	204,500	517,300	454,700	59,800	284,000	1,579,500
Transfers Out	-	-	-	822,025	-	-	822,025
Total Operating Expenditures	**1,362,100**	**722,100**	**4,302,200**	**4,474,325**	**715,300**	**284,000**	**11,860,025**
Capital :							
Fixed Assets	-	-	597,700	-	-	92,000	689,700
Total Capital Expenditures	**-**	**-**	**597,700**	**-**	**-**	**92,000**	**689,700**
Total Program Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Increase in Reserve for Contingencies							
Total Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Net Revenues Over (Under) Expenditures	**(330,800)**	**148,700**	**(617,300)**	**(362,925)**	**3,000**	**1,930,500**	**771,175**

MV00055985

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	2005 Lease Revenue Bonds 301	2007 Towngate Improvement Tax Ref 313	2007 Towngate Special Tax Ref 315	Assessment Dist. 98-1 316	City Hall COP 97 321	Pub. Safety Lease Rev. Bond 325	Auto Mall 328	Automall CFD#5 Stoneridge 329	CFD #4! Infra Debt Service 330	OPA Sales Tax #2 340	Total
Revenues											
Property Taxes	-	-	-	2,700	-	-	-	-	-	-	2,700
Gas Taxes	-	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	750,000	-	-	-	750,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	114,400	-	-	-	-	1,217,600	362,100	-	-	1,694,100
Franchise Fees	-	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-	-
Interest Income	-	100	500	-	-	-	500	100	-	350,000	351,200
Bond Proceeds	-	-	-	-	-	-	-	-	12,300,000	-	12,300,000
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-	-
Transfers In	2,644,491	279,500	1,158,200	-	822,025	404,200	220,000	-	-	-	5,528,416
Total Operating Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Reserves	-	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-	-
Total Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Expenditures											
Operating:											
Personnel Services	-	-	-	-	-	-	-	-	-	-	-
Contractual Services	5,000	-	-	-	70,000	3,483	-	-	-	-	78,483
Materials & Supplies	-	-	-	-	-	-	-	-	-	-	-
Debt Service	2,639,491	355,300	1,012,500	2,400	752,025	400,717	2,354,300	307,600	1,085,300	-	8,909,633
Fixed Charges	-	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	38,250	145,650	-	-	-	62,500	54,000	10,407,900	-	10,708,300
Total Operating Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Capital :											
Fixed Assets	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Increase in Reserve for Contingencies											
Total Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Net Revenues Over (Under) Expenditur	**-**	**450**	**550**	**300**	**-**	**-**	**(228,700)**	**600**	**806,800**	**350,000**	**930,000**

MV00055986

CITY OF MORENO VALLEY
Expenditure Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	GENERAL FUND	$ 66,910,340	$ 77,497,224	15.82%	$ 62,494,697	$ 62,382,239	(19.50%)	$ 64,159,061	2.66%
011	DEVELOPMENT SVC FUND	11,075,793	8,202,310	(25.94%)	6,101,459	5,600,080	(31.73%)	5,631,060	(7.71%)
133	FIRE SVC OPERATIONS FUND	14,299,522	14,648,139	2.44%	15,809,802	15,659,100	6.90%	15,840,550	0.19%
	TOTAL GENERAL FUND	92,285,655	100,347,673	8.74%	84,405,958	83,641,419	(16.65%)	85,630,671	1.45%
121	GAS TAX FUND	4,655,544	4,184,420	(10.12%)	3,519,567	3,825,712	(8.57%)	3,957,052	12.43%
122	SCAG ARTICLE 3 FUND	64,853		(100.00%)			-		-
125	MEASURE "A" FUND	347,607	207,501	(40.31%)	435,943	298,383	43.80%	437,900	0.45%
128	ABC-POLICE GRANT FUND	13,397	(237)	(101.77%)			(100.00%)		-
130	SLESF-CCAT GRT-PD-AB322	366,264	179,327	(51.04%)	275,851	120,000	(33.08%)	100,000	(63.75%)
131	LIBRARY SERVICES FUND	2,239,469	2,112,524	(5.67%)	2,203,786	2,136,122	1.12%	2,161,300	(1.93%)
132	PUB/EDUC/GOVT ACCESS PR	756,581	532,905	(29.56%)	456,283	436,100	(18.17%)	447,200	(1.99%)
134	EMPG-EMERGNCY MGMT PREP	102,852	157,804	53.43%	208,089	97,025	(38.52%)	94,200	(54.73%)
136	OTS - POLICE FUND	116,074	116,619	0.47%	571,268	488,863	319.20%	117,000	(79.52%)
137	AIR QUALITY MGT FUND	15,014	131,085	773.09%	150,810	172,302	31.44%	97,181	(35.56%)
144	CDBG FY 01/02 FUND	30,000	30,000	-	30,000	30,000	-	30,000	-
146	CDBG FY 03/04 FUND	7,899		(100.00%)			-		-
148	CDBG PRIOR TO 95/96 FUN	13,547		(100.00%)			-		-
149	SPCL DIST ADMIN FUND	1,278,560	1,269,255	(0.73%)	1,380,358	1,169,779	(7.84%)	1,230,200	(10.88%)
151	STORM WATER MAINTENANCE	662,186	938,567	41.74%	575,102	574,911	(38.75%)	575,100	(0.00%)
152	STORM WATER MANAGEMENT	753,623	791,843	5.07%	969,635	863,909	9.10%	861,360	(11.17%)
153	BEVERAGE CONTAINER RECY	47,678	47,193	(1.02%)	47,483		(100.00%)	13,200	(72.20%)
160	CHILD CARE GRANT FUND	734,949	700,745	(4.65%)	889,107	766,456	9.38%	942,800	6.04%
161	ZONE "A" PARKS FUND	8,822,280	8,730,642	(1.04%)	8,612,880	8,051,417	(7.78%)	8,446,400	(1.93%)
162	STARS PROGRAM GRANT FUN	9,111,747	8,917,142	(2.14%)	5,620,287	5,891,600	(33.93%)	5,959,500	6.04%
171	ZONE "B" ST LGHT FUND	1,342,584	1,460,254	8.76%	1,606,197	1,647,740	12.84%	1,618,000	0.73%
172	ZONE "C" ART LGHT FUND	605,475	678,468	12.06%	738,286	735,754	8.44%	788,300	6.77%
176	HOME (FEDERAL) FUND	135,341	82,396	(39.12%)	397,128	381,423	362.91%	394,900	(0.56%)
181	ZONE "D" STD LDSC FUND	1,171,779	1,200,118	2.42%	1,343,499	1,222,314	1.85%	1,418,000	5.55%
182	ZONE "E" EXT LDSC FUND	2,502,417	2,493,873	(0.34%)	2,948,968	2,561,159	2.70%	2,837,200	(3.79%)
183	ZONE "M" MEDIAN FUND	155,237	163,887	5.57%	326,765	253,568	54.72%	273,100	(16.42%)
184	CFD#1	774,212	715,271	(7.61%)	986,315	824,400	15.26%	951,200	(3.56%)
185	ZONE "S"	47	6,162	13,010.64%	92,219	58,634	851.54%	120,000	30.13%
186	CFD #4M	6,003	21,924	265.22%	35,000	33,700	53.71%	35,000	-
193	EPA GRANT - BOX SPRINGS	203,560	182,166	(10.51%)	99,108	74,443	(59.13%)		(100.00%)

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CITY OF MORENO VALLEY
Expenditure Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
194	JAG GRANT - CODE FUND		47,405	100.00%	32,452	32,452	(31.54%)	-	(100.00%)
196	ETA JOB TRAINING GRANT			-	118,886	118,886	100.00%		(100.00%)
197	NEIGHBORHOOD STABILIZAT		321	100.00%	11,390,116	11,390,116	N/A		(100.00%)
198	HOMELESSNESS PREVENTION			-	732,872	549,654	100.00%	183,218	(75.00%)
199	CDBG RECOVERY ACT OF 20			-	479,292	342,100	100.00%	137,192	(71.38%)
201	ARTERIAL STS DEV IMPACT	4,345,362	5,437,525	25.13%	2,955,942	2,955,942	(45.64%)	1,413,675	(52.18%)
202	TRAFFIC SIGS DEV IMPACT	838,735	360,618	(57.00%)	1,374,380	1,374,380	281.12%	-	(100.00%)
203	FIRE FACIL DEV IMPACT F	255,808	256,015	0.08%	257,328	257,328	0.51%	254,008	(1.29%)
204	POLICE FACIL DEV IMPACT	1,408	675,005	47,840.70%	675,493	675,493	0.07%	676,810	0.19%
205	PARKLD FACIL DEV IMPACT	4,171,616	(105,000)	(102.52%)			(100.00%)		-
206	QUIMBY IN-LIEU PARK FEE	101,224	31,000	(69.37%)			(100.00%)		-
207	RECREATN CTR DEV IMPACT	326,020		(100.00%)			-		-
208	LIBRARIES DEV IMPACT FE	1,920,743		(100.00%)			-		-
209	CITY HALL DEV IMPACT FE	2,336		(100.00%)			-		-
210	CORPORATE YD DEV IMPACT	56,530		(100.00%)			-		-
211	INTERCHANGE IMPROVMNTS	2,433		(100.00%)			-	1,740,000	100.00%
212	MAINTENANCE EQUIPMENT D	112		(100.00%)			-		-
213	ANIMAL SHELTER DEV IMPA	188,286		(100.00%)			-		-
227	FHWA TRANSIMS		102,212	100.00%	180,951	151,182	47.91%	30,000	(83.42%)
230	2009-DJ-BX-1178 JAG GRA			-	105,979	27,861	100.00%	78,118	(26.29%)
231	ICEP TASK FORCE FUND			-	50,668		-		(100.00%)
258	JAG - PD - 05 FUND	70,925	1,004	(98.58%)			(100.00%)		-
259	JAG - PD - 07 FUND	183,861		(100.00%)			-		-
260	JAG- PD- 08 FUND			-	29,699	29,879	100.00%		(100.00%)
261	2008 COPS TECH PRGRM GR		32,706	100.00%	107,589	107,589	228.96%		(100.00%)
262	JAG 2009 SB-59-2366 FUN			-	435,672	435,672	100.00%		(100.00%)
282	CDBG FY07/08 FUND	922,857		(100.00%)			-		-
283	CDBG FY08/09 FUND		824,183	100.00%	1,645		(100.00%)		(100.00%)
284	CDBG FY09/10 FUND			-	1,891,378	1,732,313	100.00%		(100.00%)
285	CDBG FY10/11 FUND			-			-	1,679,900	100.00%
290	UBG11 USED OIL RECYCLG	22,014		(100.00%)			-		-
291	UBG12 USED OIL RECYCLG	42,006	785	(98.13%)			(100.00%)		-
292	UBG13 USED OIL RECYCLG	283	44,192	15,515.55%	3,919	3,919	(91.13%)		(100.00%)
293	UBG14 USED OIL RECYCLG			-	39,925	18,263	100.00%	27,900	(30.12%)
294	TCA2-06-22 LOCAL GOVT W	10,399		(100.00%)			-		-

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CITY OF MORENO VALLEY
Expenditure Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
295	TRI16-06-1 TARGETED RUB		47,950	100.00%	84,000	28,000	(41.61%)	56,000	(33.33%)
301	2005 LEASE REV BONDS-D	2,689,228	3,686,100	37.07%	2,647,499	2,648,515	(28.15%)	2,644,491	(0.11%)
303	TWNGT IMP DEBT SERV FUN	4,289,347	962,039	(77.57%)			(100.00%)		-
305	TWNGT REF DEBT SERV FUN	13,573,261	4,363,634	(67.85%)			(100.00%)		-
313	TWNGT IMPV SPCL TAX REF	195,491	4,396,940	2,149.18%	396,279	396,279	(90.99%)	393,550	(0.69%)
315	TWNGT SPCL TAX REFNDG D	616,772	14,614,340	2,269.49%	1,149,131	1,149,131	(92.14%)	1,158,150	0.78%
316	ASSMT DIST 98-1-DEBT SV	3,443	2,863	(16.85%)	2,611	2,611	(8.80%)	2,400	(8.08%)
321	CH COP 97 DEBT SERV FUN	811,668	695,961	(14.26%)	859,540	820,175	17.85%	822,025	(4.36%)
325	PUB SAFTY BOND DEBT SER	428,759	404,321	(5.70%)	404,169	404,169	(0.04%)	404,200	0.01%
328	AUTOML REFIN-CFD #3 DBT	2,635,370	2,131,560	(19.12%)	2,522,240	2,522,240	18.33%	2,416,800	(4.18%)
329	CFD#5 STONERIDGE DEBT S	347,954	341,872	(1.75%)	357,315	357,315	4.52%	361,600	1.20%
330	CFD #4I - INFRA DEBT SR			-	1,153,384		-	11,493,200	896.48%
335	COP 93 DEBT SERV FUND	2,000	5,000	150.00%	3,250		(100.00%)		(100.00%)
340	OPA SALES TAX #2 FUND	385,926	394,359	2.19%			(100.00%)		-
369	CTRPT 87-4 AGENCY FUND	869,255	399,082	(54.09%)			(100.00%)		-
370	MV FOUNDATION - DONATIO	1,254	50	(96.01%)		50	-	50	100.00%
371	ARTS COMMISSION		450	100.00%		1,000	122.22%	1,000	100.00%
412	FACILITY CONST FUND		67,040	100.00%	700,000		(100.00%)		(100.00%)
413	CAP IMPROVEMENT FUND		38,487	100.00%			(100.00%)		-
416	DIF ARTERIAL STREETS CA	7,214,399		(100.00%)			-		-
417	DIF TRAFFIC SIGNAL CAPI	513,902		(100.00%)			-		-
434	FIRE SERVICES CAP FUND		98,000	100.00%			(100.00%)		-
501	2005 LEASE REV BONDS-C	1,374,223	309,148	(77.50%)			(100.00%)		-
504	TWNGT IMP CAP-ADMIN FUN	40,013	3,038	(92.41%)			(100.00%)		-
506	TWNGT REF CAP-ADMIN FUN	136,875		(100.00%)			-		-
512	CTRPT 87-4 CAP-ADMIN FU	58,786	58,787	0.00%	55,350		(100.00%)	-	(100.00%)
513	TWNGT IMPV SPCL TAX CAP		4,014	100.00%	38,250	35,035	772.82%	38,200	(0.13%)
515	2007 TWNGT SPCLTAX REF		57	100.00%	139,750	138,375	N/A	145,600	4.19%
518	WARNER RANCH ASDST FUND	2,693	2,693	-	7,188	7,188	166.91%	7,100	(1.22%)
528	AUTOMALL CAP-ADMIN FUND	1,080,561	148,446	(86.26%)	148,940	148,940	0.33%	61,900	(58.44%)
529	CFD#5 STONERIDGE CAP/AD	2,306,243	2,228,520	(3.37%)	516,770	516,520	(76.82%)	53,700	(89.61%)
530	CFD #4I - INFRA CAP/ADM			-	5,850,000		-	10,407,900	77.91%
601	ELECTRIC FUND	10,926,171	12,441,800	13.87%	13,635,672	12,755,102	2.52%	12,172,400	(10.73%)
602	2007 TAXABLE LEASE REV	1,467,760	2,620,388	78.53%	1,835,552	1,835,602	(29.95%)	1,830,800	(0.26%)
603	2005 LEASE REVENUE BOND	38,230	693,216	1,713.28%	323,486	322,963	(53.41%)	318,200	(1.63%)

MV00055989

CITY OF MORENO VALLEY
Expenditure Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
741	GENERAL LIABILITY INS F	1,932,703	660,932	(65.80%)	1,215,861	1,269,453	92.07%	1,362,100	12.03%
745	WORKER'S COMP FUND	1,296,863	522,828	(59.69%)	871,875	874,021	67.17%	722,100	(17.18%)
750	MANAGEMENT INFO SYSTEM	3,836,405	3,966,273	3.39%	5,794,136	4,749,709	19.75%	4,899,900	(15.43%)
751	CENTRAL SERVICES FUND	289,835		(100.00%)			-		-
752	GRAPHIC SUPPORT FUND	20,563		(100.00%)			-		-
754	FACILITIES FUND	4,037,217	4,056,491	0.48%	5,822,784	5,187,036	27.87%	4,474,325	(23.16%)
755	EQUIPMENT MAINTENANCE F	986,549	821,533	(16.73%)	715,775	715,800	(12.87%)	715,300	(0.07%)
757	EQUIPMENT REPLACEMENT R	1,178,657	1,347,889	14.36%	406,050	383,752	(71.53%)	376,000	(7.40%)
891	RDA ADMIN FUND	1,032,544	846,919	(17.98%)	886,552	842,673	(0.50%)	854,470	(3.62%)
892	RDA CAP PROJECT FUND	142,552		(100.00%)			-		-
894	RDA HOUSING FUND	3,878,281	798,122	(79.42%)	6,194,851	4,295,684	438.22%	6,578,500	6.19%
895	RDA TAX INCREMENT FUND	11,963,889	12,936,214	8.13%	3,353,599	8,579,584	(33.68%)	4,881,292	45.55%
896	RDA 2007TABS, Series A	43,857,564	2,846,359	(93.51%)	2,175,559	2,178,559	(23.46%)	2,183,575	0.37%
897	RDA 2007TABS, SERIES A	2,375		(100.00%)			-		-
898	RDA 2007TABS, Series B	561,197	721,949	28.64%	325,000	600,000	(16.89%)	410,000	26.15%
	GRAND TOTAL EXPENDITURES	**269,812,170**	**224,793,162**	**(16.69%)**	**200,382,496**	**190,325,643**	**(15.33%)**	**198,004,413**	**(1.19%)**
	Less Internal Service Funds (1)	13,578,792	11,375,946		14,826,481	13,179,771		12,549,725	
	NET EXPENDITURES	**$ 256,233,378**	**$ 213,417,216**	**(16.71%)**	**$ 185,556,015**	**$ 177,145,872**	**(17.00%)**	**$ 185,454,688**	**(0.05%)**

(1) These Internal Service Funds (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

MV00055990

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund Capital Expenditures Reserve Summary

	2009-2010 Projected Actual	2010-2011 Preliminary Base
Beginning Unallocated Reserve Balance	12,448,100 (1)	4,003,700
Capital Reserve Funding Sources:		
1. Balance of Development Services Reserve	2,300,000	-
Sub-Total	2,300,000	-
Capital Reserve Funding Uses:		
1. Reduction in Development Services Reserve for operating expenditures	2,300,000	
2. Reduction in Reserve for operating expenditures	4,308,500	
3. FY 2008-09 savings for FY 2009-10 operating expenditures	3,652,900	
4. Equipment Maintenance Fund	100,000	
5. Civil Penalties Fund	198,000	
6. Fire Emergency Fund	185,000	-
		-
Sub-Total	10,744,400	-
Ending Unallocated Capital Reserve Available	$ 4,003,700	$ 4,003,700

Notes:

(1) Audited figures at June 30, 2009

MV00055991

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund Other Reserves Summary

	2009-10 Projected Actual	2010-11 Preliminary Base
Electric Utility Revolving Line of Credit		
Beginning Reserve Balance	4,600,000 (1)	4,600,000
Sub-Total	-	-
Ending Reserve Balance	$ 4,600,000	$ 4,600,000
Development Services		
Beginning Reserve Balance	2,300,000 (1)	0
Increases (Decreases) to Reserve:		
1. Use for operating expenditures	(2,300,000)	
Sub-Total	(2,300,000)	-
Ending Reserve Balance	$ -	$ -
Post-Employment Retirement Benefits		
Beginning Reserve Balance	120,000 (1)	
Increases (Decreases) to Reserve:		
1. Reduce Post- Employment Reserve for GASB 45	(120,000)	
		0
Sub-Total	(120,000)	-
Ending Reserve Balance	$ -	$ -

MV00055992

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund Other Reserves Summary

	2009-10 Projected Actual	2010-11 Preliminary Base
Future Debt Service Reserve		
Beginning Reserve Balance	1,000,000 (1)	1,000,000
Increases (Decreases) to Reserve:		
1. Transfer to Debt Service Reserve	-	-
Sub-Total	-	-
Ending Reserve Balance	$ 1,000,000	$ 1,000,000
Advances Receivable		
Beginning Reserve Balance	28,899,300 (1)	28,899,300
Increases (Decreases) to Reserve:	-	-
Sub-Total	-	-
Ending Reserve Balance	$ 28,899,300	$ 28,899,300

Notes:

(1) Audited amount at June 30, 2009

MV00055993

City of Moreno Valley
FY 2010-11 Preliminary Base Operating Budget
Fixed Assets

Fund	OneWorld Business Unit	Object	Subsidiary	Asset Description	FY 2009-10 Revised Budget	FY 2009-10 Projections	Unused Amount - Return to Fund Balance	Carryover to FY 2010-11	FY 2010-11 New Request	FY 2010-11 Total
GENERAL FUND										
010	62210	6642	648	Police Service Dog, including training	-	-	-	-	16,100	16,100
				Sub-total 010.62210	-	-	-	-	16,100	16,100
010	63110	6642	645	Vehicle Replacement for Ford F 250 VIN#1FTNX20L4YED04129	-	-	-	-	55,200	55,200
				Sub-total 010.63110	-	-	-	-	55,200	55,200
010	66021	7200		Records Management System	112,800	-	-	112,800	-	112,800
				Sub-total 010.66021	112,800	-	-	112,800	-	112,800
Total Company/Fund 010					**112,800**	**-**	**-**	**112,800**	**71,300**	**184,100**
DEVELOPMENT SERVICES FUND										
011	52913	7200		PW - HLFV Interchanges Project	50,000	-	-	50,000	-	50,000
				Sub-total 011.52913	50,000	-	-	50,000	-	50,000
Total Company/ Fund 011					**50,000**	**-**	**-**	**50,000**	**-**	**50,000**
ZONE A										
161	73110	6622	622	Funding for unforseen necessary building improvements	-	-	-	-	15,000	15,000
				Sub-total 161.73110	-	-	-	-	15,000	15,000
161	76530	6621	622	CRC Flatform Enhancements	19,400	-	-	19,400	-	19,400
161	76530	6622	622	Funding for unforseen necessary building improvements	-	-	-	-	10,000	10,000
				Sub-total 161.76530	19,400	-	-	19,400	10,000	29,400
Total Company/Fund 161					**19,400**	**-**	**-**	**19,400**	**25,000**	**44,400**
CFD#4I INFRA CAP/ADMIN FND										
530	93630	6631		Street Improvements	5,800,000	-	5,800,000	-	10,403,900	10,403,900
				Sub-total 530.93630	5,800,000	-	5,800,000	-	10,403,900	10,403,900
Total Company/ Fund 530					**5,800,000**	**-**	**5,800,000**	**-**	**10,403,900**	**10,403,900**
ELECTRIC FUND										
601	60110	6631		Plan Checks & Inspection Fees, Residential/Commercial Meters	484,360	225,000	259,360	-	87,500	87,500
				Sub-total 601.60110	484,360	225,000	259,360	-	87,500	87,500
Total Company/ Fund 601					**484,360**	**225,000**	**259,360**	**-**	**87,500**	**87,500**

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City of Moreno Valley
FY 2010-11 Preliminary Base Operating Budget
Fixed Assets

Fund	OneWorld Business Unit	Object	Subsidiary	Asset Description	FY 2009-10 Revised Budget	FY 2009-10 Projections	Unused Amount - Return to Fund Balance	Carryover to FY 2010-11	FY 2010-11 New Request	FY 2010-11 Total
MANAGEMENT INFO SYSTEM FUND										
750	32010	6661	662	New Technology Software	85,000	9,000	76,000	-	50,000	50,000
				Sub-total 750.32010	85,000	9,000	76,000	-	50,000	50,000
750	32110	6661	661	New Technology Hardware	-	-	-	-	91,200	91,200
750	32110	6661	661	Network Access Control System	-	-	-	-	62,000	62,000
750	32110	6661	662	New Technology Software	50,000	-	50,000	-	110,000	110,000
750	32110	6662	661	Replacement Servers	35,000	23,000	12,000	-	65,000	65,000
				Sub-total 750.32110	85,000	23,000	62,000	-	328,200	328,200
750	32210	6641	647	New Technology Radio Hardware	-	-	-	-	110,000	110,000
750	32210	6641	648	New Technology Test Equipment	10,000	-	10,000	-	20,000	20,000
750	32210	6661	661	New Technology Telephony Hardware	40,000	-	-	40,000	-	40,000
750	32210	6661	661	UPS For EOC Equipment Room	8,500	-	-	8,500	-	8,500
750	32210	6661	662	New Technology Software	25,000	-	25,000	-	25,000	25,000
				Sub-total 750.32210	83,500	-	35,000	48,500	155,000	203,500
750	32510	6662	661	GPS Pathfinder PRO XRS	10,000	10,000	-	-	16,000	16,000
				Sub-total 750.32510	10,000	10,000	-	-	16,000	16,000
Total Company/ Fund 750					**263,500**	**42,000**	**173,000**	**48,500**	**549,200**	**597,700**
EQUIPMENT REPLACEMENT FUND										
757	99401	6699		Funding for fixed asset replacements	54,000	-	-	54,000	-	54,000
				Sub-total 757.99401	54,000	-	-	54,000	-	54,000
757	99402	6699		Funding for fixed asset replacements	38,000	-	-	38,000	-	38,000
				Sub-total 757.99402	38,000	-	-	38,000	-	38,000
Total Company/ Fund 757					**92,000**	**-**	**-**	**92,000**	**-**	**92,000**
TOTAL FIXED ASSETS					**6,822,060**	**267,000**	**6,232,360**	**322,700**	**11,136,900**	**11,459,600**
Less Internal Service Funds[1]					355,500	42,000	173,000	140,500	549,200	689,700
Less Replacement Funding from Internal Service Fund[2]					92,000	-	-	92,000	92,000	92,000
NET FIXED ASSETS					**$ 6,374,560**	**$ 225,000**	**$ 6,059,360**	**$ 90,200**	**$ 10,495,700**	**$ 10,677,900**

(1) These Internal Service Funds (ISF) expenditures are charged to all user funds and the cost of these ISF services are already in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

(2) The Replacement Funding received from Internal Service Funds for fixed assets reduces the budget needed for fixed asset purchases. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

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CITY OF MORENO VALLEY

FY 2010-11 Preliminary Base Operating Budget

Transfers

Transfers In

Co	BU	Obj	Subled		Operating	Capital	Total
121	1210	4701	99110	Transfer from Fund 010	1,000,000		1,000,000
131	1310	4701	99110	Transfer from Fund 010	424,900		424,900
132	1320	4701	99110	Transfer from Fund 010	300,000		300,000
151	1510	4701	99110	Transfer from Fund 010	182,000		182,000
152	1520	4701	99110	Transfer from Fund 010	112,600		112,600
161	1610	4701	99110	Transfer from Fund 010	289,800		289,800
183	1830	4701	99110	Transfer from Fund 010	103,400		103,400
325	3250	4701	99110	Transfer from Fund 010	254,200		254,200
152	1520	4701	78210	Transfer from Fund 182	26,495		26,495
184	1840	4701	78210	Transfer from Fund 182	25,305		25,305
301	3010	4701	20110	Transfer from Fund 201	1,118,675		1,118,675
301	3010	4701	20310	Transfer from Fund 203	254,008		254,008
301	3010	4701	20410	Transfer from Fund 204	676,810		676,810
301	3010	4701	91510	Transfer from Fund 895	594,998		594,998
513	5130	4701	93710	Transfer from Fund 313	38,250		38,250
515	5150	4701	93810	Transfer from Fund 315	145,650		145,650
528	5280	4701	92710	Transfer from Fund 328	62,500		62,500
529	5290	4701	93410	Transfer from Fund 329	54,000		54,000
530	5300	4701	93610	Transfer from Fund 330	10,407,900		10,407,900
416	4160	4701	20110	Transfer from Fund 201		295,000	295,000
418	4180	4701	21112	Transfer from Fund 211		1,740,000	1,740,000
321	3210	4701	75411	Transfer from Fund 754	822,025		822,025
313	3130	4701	91510	Transfer from Fund 895	279,500		279,500
315	3150	4701	91510	Transfer from Fund 895	1,158,200		1,158,200
325	3250	4701	91510	Transfer from Fund 895	150,000		150,000
328	3280	4701	91510	Transfer from Fund 895	220,000		220,000
			GRAND TOTAL TRANSFERS		**18,701,216**	**2,035,000**	**20,736,216**
			Less Internal Service Funds [1]		-	-	-
			NET TRANSFERS		**18,701,216**	**2,035,000**	**20,736,216**

Transfers Out

Co	BU	Obj	Subled		Operating	Capital	Total
010	99110	6923	121	Transfer to Fund 121	1,000,000		1,000,000
010	99110	6923	131	Transfer to Fund 131	424,900		424,900
010	99110	6923	132	Transfer to Fund 132	300,000		300,000
010	99110	6923	151	Transfer to Fund 151	182,000		182,000
010	99110	6923	152	Transfer to Fund 152	112,600		112,600
010	99110	6923	161	Transfer to Fund 161	289,800		289,800
010	99110	6923	183	Transfer to Fund 183	103,400		103,400
010	99110	6923	325	Transfer to Fund 325	254,200		254,200
182	78210	6923	152	Transfer to Fund 152	26,495		26,495
182	78210	6923	184	Transfer to Fund 184	25,305		25,305
201	20110	6923	301	Transfer to Fund 301	1,118,675		1,118,675
203	20310	6923	301	Transfer to Fund 301	254,008		254,008
204	20410	6923	301	Transfer to Fund 301	676,810		676,810
895	91510	6923	301	Transfer to Fund 301	594,998		594,998
313	93710	6923	513	Transfer to Fund 513	38,250		38,250
315	93810	6923	515	Transfer to Fund 515	145,650		145,650
328	92710	6923	528	Transfer to Fund 528	62,500		62,500
329	93410	6923	529	Transfer to Fund 529	54,000		54,000
330	93610	6923	530	Transfer to Fund 530	10,407,900		10,407,900
201	20110	6923	416	Transfer to Fund 416		295,000	295,000
211	21112	6923	418	Transfer to Fund 418		1,740,000	1,740,000
754	75411	6923	321	Transfer to Fund 321	822,025		822,025
895	91510	6923	313	Transfer to Fund 313	279,500		279,500
895	91510	6923	315	Transfer to Fund 315	1,158,200		1,158,200
895	91510	6923	325	Transfer to Fund 325	150,000		150,000
895	91510	6923	328	Transfer to Fund 328	220,000		220,000
			GRAND TOTAL TRANSFERS		**18,701,216**	**2,035,000**	**20,736,216**
			Less Internal Service Funds		822,025	-	822,025
			NET TRANSFERS		**17,879,191**	**2,035,000**	**19,914,191**

(1) These Internal Service Funds (ISF) transfers are costs of ISF services that are charged to all user funds. Therefore, their exclusion from the total budget reflects the true level of City transfers.

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City of Moreno Valley

2010-11 Preliminary Base Operating budget

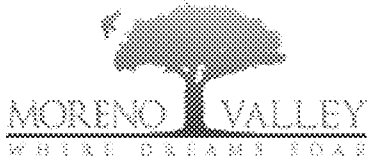

Revenues

MV00055997

CITY OF MORENO VALLEY
Revenue Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	GENERAL FUND	$ 74,632,901	$ 70,303,863	(5.80%)	$ 64,409,549	$ 64,227,743	(8.64%)	$ 59,683,200	(7.34%)
011	DEVELOPMENT SVC FUND	9,168,588	9,973,715	8.78%	4,119,921	3,163,660	(68.28%)	3,597,700	(12.68%)
133	FIRE SVC OPERATIONS FUND	14,046,222	14,709,681	4.72%	6,399,446	5,027,197	(65.82%)	4,473,500	(30.10%)
	TOTAL GENERAL FUND	97,847,711	94,987,259	(2.92%)	74,928,916	72,418,600	(23.76%)	67,754,400	(9.58%)
121	GAS TAX FUND	4,657,323	4,708,679	1.10%	3,545,175	3,829,391	(18.67%)	3,709,500	4.64%
122	SCAG ARTICLE 3 FUND	184,178	79,909	(56.61%)		9,000	(88.74%)	9,000	100.00%
125	MEASURE "A" FUND	6,282,059	5,561,887	(11.46%)	9,223,839	5,177,263	(6.92%)	10,310,820	11.78%
128	ABC-POLICE GRANT FUND	18,463	(5,303)	(128.72%)			(100.00%)		-
129	LLEBG-PD FUND	2,190	11	(99.50%)			(100.00%)		-
130	SLESF-CCAT GRT-PD-AB322	365,661	166,699	(54.41%)	278,356	120,000	(28.01%)	100,000	(64.07%)
131	LIBRARY SERVICES FUND	2,239,470	2,388,862	6.67%	2,167,915	1,948,547	(18.43%)	1,744,600	(19.53%)
132	PUB/EDUC/GOVT ACCESS PR	756,580	741,420	(2.00%)	550,000	550,000	(25.82%)	550,000	-
134	EMPG-EMERGNCY MGMT PREP	67,469	194,213	187.86%	100,000	64,058	(67.02%)	64,000	(36.00%)
136	OTS - POLICE FUND	116,074	102,853	(11.39%)	566,440	473,863	360.72%	107,000	(81.11%)
137	AIR QUALITY MGT FUND	242,787	171,386	(29.41%)	210,492	207,000	20.78%	207,000	(1.66%)
146	CDBG FY 03/04 FUND	1,048		(100.00%)			-		-
147	CDBG FY 04/05 FUND	6,331		(100.00%)			-		-
149	SPCL DIST ADMIN FUND	943,585	967,219	2.50%	985,778	876,539	(9.38%)	783,500	(20.52%)
151	STORM WATER MAINTENANCE	619,566	1,001,072	61.58%	596,891	597,000	(40.36%)	603,400	1.09%
152	STORM WATER MANAGEMENT	1,215,352	777,076	(36.06%)	951,732	874,300	12.51%	928,942	(2.39%)
153	BEVERAGE CONTAINER RECY	46,394	47,342	2.04%	47,349	47,349	0.01%		(100.00%)
157	UBG10 USED OIL RECYCLG	(2)		(100.00%)			-		-
160	CHILD CARE GRANT FUND	763,657	731,787	(4.17%)	940,900	764,400	4.46%	822,300	(12.60%)
161	ZONE "A" PARKS FUND	8,820,737	8,925,136	1.18%	9,031,045	8,574,212	(3.93%)	7,997,589	(11.44%)
162	STARS PROGRAM GRANT FUN	9,168,578	9,020,130	(1.62%)	5,986,902	6,349,412	(29.61%)	5,891,600	(1.59%)
171	ZONE "B" ST LGHT FUND	1,083,776	1,057,961	(2.38%)	1,057,447	1,052,326	(0.53%)	1,046,700	(1.02%)
172	ZONE "C" ART LGHT FUND	603,697	596,621	(1.17%)	584,977	584,922	(1.96%)	580,000	(0.85%)
176	HOME (FEDERAL) FUND	1,023,060	209,267	(79.54%)	379,961	386,203	84.55%	390,000	2.64%
181	ZONE "D" STD LDSC FUND	1,146,946	1,126,941	(1.74%)	1,140,599	1,101,626	(2.25%)	1,142,800	0.19%
182	ZONE "E" EXT LDSC FUND	2,555,459	2,504,156	(2.01%)	2,507,183	2,476,813	(1.09%)	2,475,600	(1.26%)
183	ZONE "M" MEDIAN FUND	217,659	236,600	8.70%	270,967	255,581	8.02%	309,100	14.07%
184	CFD#1	907,450	1,053,599	16.11%	997,760	903,700	(14.23%)	1,006,105	0.84%
185	ZONE "S"	52,344	27,943	(46.62%)	53,986	28,442	1.79%	52,400	(2.94%)
186	CFD #4M	52,500	36,210	(31.03%)	35,000	35,000	(3.34%)	35,000	-
193	EPA GRANT - BOX SPRINGS	63,912	125,903	96.99%	19,578	60,566	(51.89%)		(100.00%)
194	JAG GRANT - CODE FUND	3,835	49,412	1,188.45%	23,595	24,226	(50.97%)		(100.00%)

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CITY OF MORENO VALLEY
Revenue Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
195	WORKFORCE HOUSING PROGR			-	1,200,741	1,200,741	100.00%		(100.00%)
196	ETA JOB TRAINING GRANT			-	121,386	118,886	100.00%		(100.00%)
197	NEIGHBORHOOD STABILIZAT			-	11,390,116	11,390,116	100.00%		(100.00%)
198	HOMELESSNESS PREVENTION			-	732,872	549,654	100.00%	183,218	(75.00%)
199	CDBG RECOVERY ACT OF 20			-	479,292	342,100	100.00%	137,192	(71.38%)
201	ARTERIAL STS DEV IMPACT	8,115,145	398,743	(95.09%)	1,083,400	113,982	(71.41%)	104,700	(90.34%)
202	TRAFFIC SIGS DEV IMPACT	793,431	32,876	(95.86%)	170,729	35,543	8.11%	26,700	(84.36%)
203	FIRE FACIL DEV IMPACT F	155,296	72,748	(53.16%)	78,952	74,113	1.88%	41,100	(47.94%)
204	POLICE FACIL DEV IMPACT	115,955	56,993	(50.85%)	58,984	35,977	(36.87%)	21,800	(63.04%)
205	PARKLD FACIL DEV IMPACT	364,015	90,938	(75.02%)	142,200	166,500	83.09%	90,700	(36.22%)
206	QUIMBY IN-LIEU PARK FEE	165,683	41,402	(75.01%)	90,000	91,700	121.49%	52,600	(41.56%)
207	RECREATN CTR DEV IMPACT	12,272	3,155	(74.29%)	14,436	95,000	2,911.09%	51,900	259.52%
208	LIBRARIES DEV IMPACT FE	273,769	175,188	(36.01%)	116,863	181,000	3.32%	98,700	(15.54%)
209	CITY HALL DEV IMPACT FE	187,405	82,035	(56.23%)	82,380	91,617	11.68%	54,500	(33.84%)
210	CORPORATE YD DEV IMPACT	95,283	13,978	(85.33%)	13,783	29,281	109.48%	16,500	19.71%
211	INTERCHANGE IMPROVMNTS	282,863	158,908	(43.82%)	74,143	63,439	(60.08%)	41,100	(44.57%)
212	MAINTENANCE EQUIPMENT D	7,444	(6,507)	(187.41%)	3,262	4,831	(174.24%)	4,200	28.76%
213	ANIMAL SHELTER DEV IMPA	8,339	10,314	23.68%		11,200	8.59%	6,100	100.00%
225	TRAFF CONGESTION RELIEF	12,110	1,584,679	12,985.71%	1,779,098	1,687,479	6.49%	1,862,944	4.71%
226	PROP 1B	2,902,673		(100.00%)	2,682,869		-		(100.00%)
227	FHWA TRANSIMS		116,444	100.00%	186,556		(100.00%)	186,600	0.02%
228	ECONOMIC STIMULUS FUND			-	1,310,000		-	1,310,000	-
229	EECBG FUND			-	1,684,300		-		(100.00%)
230	2009-DJ-BX-1178 JAG GRA			-	105,989	105,989	100.00%	78,100	(26.31%)
231	ICEP TASK FORCE FUND			-	50,668		-		(100.00%)
233	EMERGENCY SVCS AGENCY F			-			-	14,000	100.00%
258	JAG - PD - 05 FUND	64,310	4	(99.99%)			(100.00%)		-
259	JAG - PD - 07 FUND	85,001		(100.00%)			-		-
260	JAG- PD- 08 FUND		603	100.00%		29,879	4,855.06%		-
261	2008 COPS TECH PRGRM GR		32,355	100.00%		107,589	232.53%		-
262	JAG 2009 SB-59-2366 FUN			-	435,672	435,672	100.00%	435,700	0.01%
271	BUFFER ZONE PROTECTION	(128)		(100.00%)			-		-
280	CDBG FY05/06 FUND	549,115	332,524	(39.44%)	10,000		(100.00%)	10,000	-
281	CDBG FY06/07 FUND	(4,530)	1	(100.02%)			(100.00%)		-
282	CDBG FY07/08 FUND	909,461	388,637	(57.27%)	405,675	402,800	3.64%	14,700	(96.38%)
283	CDBG FY08/09 FUND		1,414,902	100.00%	3,013,471	607,000	(57.10%)	418,652	(86.11%)
284	CDBG FY09/10 FUND			-		1,745,300	100.00%		-

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CITY OF MORENO VALLEY
Revenue Summary by Fund

Fund #	Fund Description	2007-08 Actual	2008-09 Actual	2008-09 % Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	2009-10 % Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	2010-11 % Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
285	CDBG FY10/11 FUND			-			-	2,000,000	100.00%
290	UBG11 USED OIL RECYCLG	21,857		(100.00%)			-		-
291	UBG12 USED OIL RECYCLG	42,006	785	(98.13%)			(100.00%)		-
292	UBG13 USED OIL RECYCLG	283	44,192	15,515.55%			(100.00%)		-
293	UBG14 USED OIL RECYCLG			-	41,988	18,263	100.00%	27,900	(33.55%)
294	TCA2-06-22 LOCAL GOVT W	10,399		(100.00%)			-		-
295	TRI16-06-1 TARGETED RUB		47,950	100.00%	84,000	28,000	(41.61%)	56,000	(33.33%)
301	2005 LEASE REV BONDS-D	3,575,960	4,403,104	23.13%	2,678,517	2,643,817	(39.96%)	2,644,491	(1.27%)
303	TWNGT IMP DEBT SERV FUN	454,514	3,965,920	772.56%			(100.00%)		-
305	TWNGT REF DEBT SERV FUN	78,950	13,465,179	16,955.32%			(100.00%)		-
313	TWNGT IMPV SPCL TAX REF	4,077,367	1,356,595	(66.73%)	404,628	393,928	(70.96%)	394,000	(2.63%)
315	TWNGT SPCL TAX REFNDG D	13,003,349	5,142,558	(60.45%)	489,726	404,631	(92.13%)	1,158,700	136.60%
316	ASSMT DIST 98-1-DEBT SV	3,249	4,042	24.41%	2,612	2,612	(35.38%)	2,700	3.37%
321	CH COP 97 DEBT SERV FUN	811,498	645,569	(20.45%)	859,540		(100.00%)	822,025	(4.36%)
325	PUB SAFTY BOND DEBT SER	422,035	406,226	(3.75%)	404,169	404,169	(0.51%)	404,200	0.01%
328	AUTOML REFIN-CFD #3 DBT	3,269,386	2,176,282	(33.43%)	2,448,489	2,237,989	2.84%	2,188,100	(10.63%)
329	CFD#5 STONERIDGE DEBT S	356,740	345,045	(3.28%)	382,015	362,115	4.95%	362,200	(5.19%)
330	CFD #4I - INFRA DEBT SR			-	10,600,000		-	12,300,000	16.04%
335	COP 93 DEBT SERV FUND			-			-		-
340	OPA SALES TAX #2 FUND	385,926	394,359	2.19%	350,000		(100.00%)	350,000	-
369	CTRPT 87-4 AGENCY FUND	421,446	242,476	(42.47%)	1,950		(100.00%)	-	(100.00%)
370	MV FOUNDATION - DONATIO	207,626	84,185	(59.45%)			(100.00%)		-
371	ARTS COMMISSION		542	100.00%		1,500	176.75%	1,000	100.00%
380	CELEBRATION PARK ENDOWM	1,789	1,385	(22.58%)	1,000		(100.00%)	1,000	-
381	EQUESTRIAN TRAIL ENDOWM	366	359	(1.91%)			(100.00%)		-
412	FACILITY CONST FUND	1,972,060	2,511,992	27.38%			(100.00%)		-
414	PW GENERAL CAPITAL PROJ	299,171	1,100	(99.63%)	30,900	30,000	2,627.27%	30,900	-
415	TUMF CAPITAL PROJECTS F	2,281,141	7,515,550	229.46%	8,000,000	6,698,670	(10.87%)	6,000,000	(25.00%)
416	DIF ARTERIAL STREETS CA	3,202,852	4,217,246	31.67%	1,838,894	1,838,912	(56.40%)	296,000	(83.90%)
417	DIF TRAFFIC SIGNAL CAPI	834,492	363,117	(56.49%)	1,375,380	1,376,879	279.18%	1,000	(99.93%)
418	DIF INTERCHANGE IMPRV C			-			-	1,740,000	100.00%
434	FIRE SERVICES CAP FUND	459		(100.00%)			-		-
461	PARKS & RECREATION CAP	6,066,113	165,950	(97.26%)			(100.00%)		-
501	2005 LEASE REV BONDS-C	1,540,670	506,746	(67.11%)	100,000		(100.00%)	100,000	-
502	TWNGT B CAP-ADMIN FUND	78,760		(100.00%)			-		-
506	TWNGT REF CAP-ADMIN FUN		392,244	100.00%			(100.00%)		-
512	CTRPT 87-4 CAP-ADMIN FU	181,525	58,787	(67.61%)			(100.00%)		-

MV00056000

CITY OF MORENO VALLEY
Revenue Summary by Fund

		2007-08	2008-09		2009-10			2010-11	
Fund #	Fund Description	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
513	TWNGT IMPV SPCL TAX CAP		3,700	100.00%	38,250	38,250	933.78%	38,250	-
515	2007 TWNGT SPCLTAX REF			-	139,750	139,750	100.00%	145,650	4.22%
518	WARNER RANCH ASDST FUND	8,415	9,263	10.08%	8,325	8,325	(10.13%)	8,400	0.90%
528	AUTOMALL CAP-ADMIN FUND	512,462	148,446	(71.03%)	148,940	148,940	0.33%	62,500	(58.04%)
529	CFD#5 STONERIDGE CAP/AD	272,445	72,768	(73.29%)	54,000	54,000	(25.79%)	54,000	-
530	CFD #4I - INFRA CAP/ADM			-	50,000		-	10,407,900	20,715.80%
601	ELECTRIC FUND	9,974,644	12,488,845	25.21%	15,546,492	13,494,317	8.05%	13,869,500	(10.79%)
602	2007 TAXABLE LEASE REV	425,194	994,705	133.94%	41,410	-	(100.00%)	-	(100.00%)
603	2005 LEASE REVENUE BOND		112,731	100.00%		-	(100.00%)	-	-
741	GENERAL LIABILITY INS F	1,432,726	1,292,474	(9.79%)	1,031,201	1,031,201	(20.21%)	1,031,300	0.01%
745	WORKER'S COMP FUND	1,796,878	1,344,853	(25.16%)	870,770	870,770	(35.25%)	870,800	0.00%
750	MANAGEMENT INFO SYSTEM	4,422,786	3,926,115	(11.23%)	4,282,435	4,282,435	9.08%	4,282,600	0.00%
751	CENTRAL SERVICES FUND	114,497	(37,373)	(132.64%)			(100.00%)		-
754	FACILITIES FUND	4,253,956	4,606,852	8.30%	4,211,259	4,211,259	(8.59%)	4,111,400	(2.37%)
755	EQUIPMENT MAINTENANCE F	978,989	825,974	(15.63%)	718,206	718,206	(13.05%)	718,300	0.01%
757	EQUIPMENT REPLACEMENT R	2,217,697	2,332,056	5.16%	2,306,405		(100.00%)	2,306,500	0.00%
891	RDA ADMIN FUND	1,033,174	891,072	(13.75%)		833,505	(6.46%)	-	-
892	RDA CAP PROJECT FUND	179,221	80,356	(55.16%)		1,253,600	1,460.06%	-	-
894	RDA HOUSING FUND	5,501,564	4,970,700	(9.65%)	562,577	4,408,333	(11.31%)	318,500	(43.39%)
895	RDA TAX INCREMENT FUND	14,185,628	13,649,635	(3.78%)	11,434,098	11,066,165	(18.93%)	10,347,604	(9.50%)
896	RDA 2007TABS, Series A	43,857,787	2,846,135	(93.51%)	1,100	-	(100.00%)	1,100	-
897	RDA 2007TABS, SERIES A	42,560,339	908,155	(97.87%)	1,000,000	1,000,000	10.11%	900,000	(10.00%)
898	RDA 2007TABS, Series B	561,197	721,949	28.64%		600,000	(16.89%)	-	-
911	THE DISASTER FUND	10,645		(100.00%)			-		-
	GRAND TOTAL REVENUES	**$ 335,072,994**	**$ 243,242,066**	**(27.41%)**	**$ 217,239,646**	**$ 190,108,268**	**(21.84%)**	**$ 194,237,582**	**(10.59%)**
	Less Internal Service Funds (1)	15,217,529	14,290,951		13,420,276	11,113,871		13,320,900	
	NET REVENUES	**$ 319,855,465**	**$ 228,951,115**	**(28.42%)**	**$ 203,819,370**	**$ 178,994,397**	**(21.82%)**	**$ 180,916,682**	**(11.24%)**

(1) These Internal Service Funds (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.

MV00056001

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	4110	11	Property Tax - Secured	6,418,161	5,418,069	(15.58%)	5,071,270	4,225,500	(22.01%)	3,588,200	(29.24%)
010	4110	12	Property Tax - Unsecured	222,582	254,095	14.16%	249,930	258,200	1.62%	219,500	(12.18%)
010	4110	13	Property Tax - Prior Years	94,218	107,996	14.62%	57,739	75,000	(30.55%)	64,500	11.71%
010	4110	14	Property Tax - Homeowner Exem	81,872	76,094	(7.06%)	19,247	66,403	(12.74%)	56,500	193.55%
010	4110	16	Property Tax - Teeter/Del Tax	685,799	532,158	(22.40%)	51,615	400,000	(24.83%)	344,000	566.47%
010	4110	20	Property Tax in Lieu-VLF	16,728,600	16,791,078	0.37%	14,100,000	13,670,400	(18.59%)	11,773,400	(16.50%)
010	4121	10	Sales Tax - General	7,216,887	6,521,841	(9.63%)	6,164,916	6,461,250	(0.93%)	6,265,000	1.62%
010	4121	11	Sales Tax - Note No. 1	666,768	468,604	(29.72%)	500,000	500,000	6.70%	400,000	(20.00%)
010	4121	12	Sales Tax - Note No. 2	59,327	394,359	564.72%	380,000	340,000	(13.78%)	380,000	-
010	4121	20	Property Tax in Lieu-Sales Ta	3,751,543	3,067,138	(18.24%)	2,690,084	2,433,750	(20.65%)	2,690,100	0.00%
010	4131		Transient Occupancy Tax	593,009	497,936	(16.03%)	400,000	400,000	(19.67%)	400,000	-
010	4136	10	Business Gross Rcpts - A	465,289	409,872	(11.91%)	344,470	253,000	(38.27%)	344,500	0.01%
010	4136	11	Business Gross Rcpts - B	532,808	525,605	(1.35%)	480,445	325,000	(38.17%)	480,400	(0.01%)
010	4136	12	Business Gross Rcpts - C	112,925	116,225	2.92%	81,585	72,000	(38.05%)	81,600	0.02%
010	4151		Documentary Transfer Tax	575,003	598,084	4.01%	550,000	450,000	(24.76%)	450,000	(18.18%)
010	4161		Utility User's Tax	15,186,616	15,081,286	(0.69%)	14,970,000	15,500,000	2.78%	15,200,000	1.54%
010	4211		Franchise Fees	4,381,882	4,876,055	11.28%	4,329,416	4,730,000	(3.00%)	4,730,000	9.25%
010	4212		Franchise In Lieu Fees	96,816	120,969	24.95%	70,584	70,000	(42.13%)	70,000	(0.83%)
010	4214		Police Fees	243,244	373,325	53.48%	310,000	350,000	(6.25%)	310,000	-
010	4221		Animal ServicesFees	187,139	165,083	(11.79%)	153,000	114,400	(30.70%)	115,000	(24.84%)
010	4225		Parking Control Fees	1,300,405	1,094,064	(15.87%)	1,250,000	1,095,000	0.09%	1,164,000	(6.88%)
010	4226	10	Admin. Citation Fees - Code	157,812	331,965	110.35%	112,000	100,050	(69.86%)	100,000	(10.71%)
010	4226	12	Admin. Citation Fees - PD	115,196	145,750	26.52%	95,000	95,050	(34.79%)	100,000	5.26%
010	4226	13	Admin. Citation Fees - A/C	50,107	34,224	(31.70%)	22,000	16,450	(51.93%)	17,000	(22.73%)
010	4227		Red Light Photo Enf Fees	45,095	330,004	631.80%	200,000		(100.00%)		(100.00%)
010	4230		Special Inspection Fees		97,390	100.00%	54,000	140,000	43.75%	140,000	159.26%
010	4234		Graffiti Abatement Fees	1,175	1,200	2.13%	1,000	1,000	(16.67%)	1,000	-
010	4258	10	Motor Veh-in-Lieu Fees	800,667	865,718	8.12%	400,000	400,000	(53.80%)	360,000	(10.00%)
010	4259		False Alarm Fees	166,921	154,875	(7.22%)	110,000	150,000	(3.15%)	140,000	27.27%
010	4277		Nuisance Abatement Fees	200,956	180,235	(10.31%)	75,000	50,000	(72.26%)	40,000	(46.67%)
010	4278		Solid Waste Delinquencies	2,300	2,300	-	2,000	2,000	(13.04%)	2,300	15.00%
010	4280		Other Fees		193	100.00%			(100.00%)		-
010	4281		First Aid Class Fees	20,295	22,142	9.10%	22,000	22,000	(0.64%)	22,000	-
010	4292		FEMA Cert Fees	810	1,457	79.88%	705	1,200	(17.64%)	800	13.48%
010	4366		Film Permits	1,179	786	(33.33%)			(100.00%)		-
010	4391		Other Permits	1,182	928	(21.49%)			(100.00%)		-
010	4411		Animal Licenses	251,491	287,890	14.47%	249,500	218,500	(24.10%)	220,000	(11.82%)
010	4441		Business License	411,025	364,414	(11.34%)	330,000	300,000	(17.68%)	300,000	(9.09%)
010	4505		Business License Penalty	74,731	50,632	(32.25%)	30,000	30,000	(40.75%)	40,000	33.33%
010	4506		Park'g Cntrl Penalts-Handicap	46,600	76,839	64.89%	55,000	75,000	(2.39%)	75,000	36.36%
010	4510		Animal Services Violations	61,392	30,734	(49.94%)	35,000	33,000	7.37%	33,000	(5.71%)
010	4511		Ani. Control Taxable Sales	11,533	8,292	(28.10%)	8,000	6,000	(27.64%)	6,000	(25.00%)
010	4512		A/C Non-Tax Sales (Adoptions)	47,184	50,730	7.52%	45,000	38,000	(25.09%)	38,000	(15.56%)

MV00056002

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
010	4513		Ani. Control Forfeited Deposi	11,844	7,252	(38.77%)	11,400	10,200	40.65%	10,000	(12.28%)
010	4514		Animal Services	79,939	84,910	6.22%	87,000	87,000	2.46%	87,000	-
010	4515		Animal Svcs. - Donations	10,572	15	(99.86%)	13,530	10,030	66,766.67%		(100.00%)
010	4517		Civil Penalties		197,697	100.00%		34,000	(82.80%)		-
010	4525		Towngate Mall Police Reim.	401,120	424,522	5.83%	440,555	440,560	3.78%	200,000	(54.60%)
010	4530		In-House Copier Charges		142,452	100.00%			(100.00%)		-
010	4534		Reimbursements-Interfund			-	22,038		-		(100.00%)
010	4539		Car Pool Charges		1,866	100.00%		1,000	(46.41%)		-
010	4540		Developer Reimbursement		164	100.00%			(100.00%)		-
010	4547		CalCard Rebates	33,827	11,614	(65.67%)	9,000	(28,400)	(344.53%)	9,000	-
010	4550		Administrative Charges	571,796	542,928	(5.05%)	2,968,896	2,968,800	446.81%	2,691,500	(9.34%)
010	4551		Donations	(4,337)		(100.00%)			-		-
010	4552		First Aid Class Materials	2,885	3,635	26.00%	3,000	3,000	(17.47%)	3,000	-
010	4555		Reimbursement Agreement		59,893	100.00%	90,000	90,000	50.27%	96,900	7.67%
010	4556	10	Interest Income - Investments	6,165,265	4,214,285	(31.64%)	3,650,000	3,315,000	(21.34%)	3,370,000	(7.67%)
010	4556	11	Interest Income - Other	7,547	5,381	(28.70%)		20,000	271.68%		-
010	4556	13	Interest Inc. - RDA Loan	564,135	721,949	27.97%		560,000	(22.43%)	410,000	100.00%
010	4556	15	Interest Income - Mall Note	800,496	468,604	(41.46%)	400,000	320,000	(31.71%)	400,000	-
010	4556	22	Interest Income - CRC Note	273,182	281,377	3.00%	300,000	285,000	1.29%	298,500	(0.50%)
010	4558		Unrealized Gains/Losses	799,984	(1,019,597)	(227.45%)			(100.00%)		-
010	4563		Lease Payments - Sub-Agents	7,835		(100.00%)			-		-
010	4567		Fixed Asset Trade-In Allow.	11,741		(100.00%)			-		-
010	4568		Fixed Asset Sales/Gains		1,272	100.00%			(100.00%)		-
010	4570		Claims, Judgemnts, Settlmnt	58,289	26,986	(53.70%)		21,500	(20.33%)		-
010	4571		Legal Cost Recovery	2,150	46,564	2,065.77%		15,400	(66.93%)		-
010	4572		Graffiti Restitution	13,289	(3,126)	(123.52%)	2,000		(100.00%)	2,000	-
010	4574		Other Misc. Revenue	48,353	121,636	151.56%	60,000	(32,100)	(126.39%)	60,000	-
010	4587	1	CDBG Reimb- Neighbrhd Policin	119,253	59,261	(50.31%)	35,000	35,000	(40.94%)	35,000	-
010	4587	2	CDBG Reimb- Code Compliance	255,000	255,000	-	366,326	366,300	43.65%		(100.00%)
010	4612		County Grant Revenue	976		(100.00%)			-		-
010	4645		Riverside Co. Landfill Tippin	48,202	42,064	(12.73%)	50,000	48,500	15.30%	48,500	(3.00%)
010	4647		Abandoned Vehicle Abatement	240,890	223,488	(7.22%)	191,000	225,000	0.68%	200,000	4.71%
010	4652		Asset Forfeitures	99,819		(100.00%)			-		-
010	4653		Fines & Forfeitures	1,003,467	1,082,366	7.86%	1,000,000	1,000,000	(7.61%)	1,000,000	-
010	4655		SB90 State Mandated Costs	38,735	173,610	348.20%			(100.00%)		-
010	4660		Reimbursements - Other Govts	976		(100.00%)			-		-
010	4701		Transfers	897,127	1,597,161	78.03%	639,298	963,800	(39.66%)		(100.00%)
GENERAL FUND Total				**74,632,901**	**70,303,863**	(5.80%)	**64,409,549**	**64,227,743**	(8.64%)	**59,683,200**	(7.34%)
011	4226	11	Admin. Citation Fees - B & S	50,757	49,356	(2.76%)	40,000	7,450	(84.91%)	20,000	(50.00%)
011	4230		Special Inspection Fees	6,030	4,711	(21.87%)	4,000	40,200	753.32%	30,000	650.00%
011	4239		Transp Inspection Fees	107,780	10,349	(90.40%)	24,000	24,000	131.91%	14,700	(38.75%)
011	4240		Utility Inspection Fees	50,000	99,000	98.00%			(100.00%)		-

MV00056003

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
011	4241 10	Bldg. & Safety Plan Check F	894,369	450,517	(49.63%)	350,000	306,300	(32.01%)	350,000	-
011	4241 12	Mechanical Plan Check Fees	150		(100.00%)			-		-
011	4241 15	Fire Plan Check Fees	188,559	109,100	(42.14%)	102,033	87,900	(19.43%)	90,500	(11.30%)
011	4241 16	Engineering Plan Check Fees	2,682,292	1,725,619	(35.67%)	1,087,248	839,300	(51.36%)	927,900	(14.66%)
011	4241 20	Transportation Plan Check Fee	162,149	81,715	(49.60%)	83,000	83,000	1.57%	70,800	(14.70%)
011	4249	Fire Inspection Fees	305,395	168,079	(44.96%)	147,630	109,200	(35.03%)	93,200	(36.87%)
011	4256	Engineering Inspection Fees	1,686,175	963,622	(42.85%)	652,146	376,600	(60.92%)	401,700	(38.40%)
011	4267	Planning Fees	1,117,010	786,394	(29.60%)	850,000	650,000	(17.34%)	850,000	-
011	4280	Other Fees	4,417	1,766	(60.02%)	2,500	1,500	(15.06%)	1,500	(40.00%)
011	4311	Building Permits	1,162,265	896,945	(22.83%)	600,000	484,070	(46.03%)	600,000	-
011	4312	Electrical Permits	157,851	110,593	(29.94%)	60,000	47,100	(57.41%)	35,000	(41.67%)
011	4313	Mechanical Permits	72,860	49,035	(32.70%)	35,000	43,600	(11.08%)	40,000	14.29%
011	4314	Plumbing Permits	102,723	68,378	(33.43%)	45,000	20,200	(70.46%)	22,000	(51.11%)
011	4317	Fire Inspection Permits	10,082	7,289	(27.70%)	4,024	4,400	(39.64%)	4,800	19.28%
011	4331	Sign Permits	30,180	27,266	(9.66%)	15,000	15,900	(41.69%)	16,000	6.67%
011	4351	Encroachment Permits	22,228	14,038	(36.85%)	9,840	21,500	53.16%	21,500	118.50%
011	4355	Grading Permits	4,260	2,868	(32.68%)	1,850	1,230	(57.11%)	1,300	(29.73%)
011	4540	Developer Reimbursement	161,367	1,633	(98.99%)			(100.00%)		-
011	4567	Fixed Asset Trade-In Allow.	3,660		(100.00%)			-		-
011	4570	Claims, Judgemnts, Settlmnt	101,670	40,253	(60.41%)			(100.00%)		-
011	4574	Other Misc. Revenue	8,286	5,085	(38.63%)	6,500		(100.00%)	6,500	-
011	4592	Admin Fees - SB1473		104	100.00%	150	210	101.92%	300	100.00%
011	4701	Transfers	76,073	4,300,000	5,552.47%			(100.00%)		-
DEVELOPMENT SVC FUND Total			**9,168,588**	**9,973,715**	8.78%	**4,119,921**	**3,163,660**	(68.28%)	**3,597,700**	(12.68%)
133	4110 26	Structural Fire Tax	6,858,622	6,401,783	(6.66%)	6,250,200	5,027,197	(21.47%)	4,323,400	(30.83%)
133	4226 14	Admin. Citation Fees - Fire			-	27,500		-		(100.00%)
133	4241 15	Fire Plan Check Fees		274	100.00%			(100.00%)		-
133	4249	Fire Inspection Fees		38,391	100.00%	17,632		(100.00%)	38,300	117.22%
133	4259	False Alarm Fees	14,881	14,961	0.54%	15,500		(100.00%)	11,100	(28.39%)
133	4277	Nuisance Abatement Fees			-	24,000		-	51,300	113.75%
133	4317	Fire Inspection Permits		21	100.00%			(100.00%)		-
133	4563	Lease Payments - Sub-Agents	11,000	12,000	9.09%	12,000		(100.00%)	6,000	(50.00%)
133	4567	Fixed Asset Trade-In Allow.	800		(100.00%)			-		-
133	4574	Other Misc. Revenue		6	100.00%			(100.00%)		-
133	4582	Cell Tower Rental Income	40,577	41,708	2.79%	38,614		(100.00%)	43,400	12.39%
133	4615	Emergency Svc Agncy Fines (Co	44,830	20,909	(53.36%)	14,000		(100.00%)		(100.00%)
133	4701	Transfers	7,075,512	8,179,628	15.60%			(100.00%)		-
FIRE SVC OPERATIONS FUND Total			**14,046,222**	**14,709,681**	4.72%	**6,399,446**	**5,027,197**	(65.82%)	**4,473,500**	(30.10%)
					-			-		-
GRAND TOTAL GENERAL FUND			**97,847,711**	**94,987,259**	(2.92%)	**74,928,916**	**72,418,600**	(23.76%)	**67,754,400**	(9.58%)
					-			-		-

MV00056004

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
121	4171 10	State Gas Tax 2107	1,428,485	1,314,670	(7.97%)	1,140,000	1,272,320	(3.22%)	1,219,250	6.95%
121	4171 11	State Gas Tax 2107.5	10,000	10,000	-	10,000	10,000	-	10,000	-
121	4171 12	State Gas Tax 2106	693,702	589,622	(15.00%)	570,000	563,080	(4.50%)	609,620	6.95%
121	4171 13	State Gas Tax 2105	1,067,489	987,777	(7.47%)	807,500	954,800	(3.34%)	863,630	6.95%
121	4540	Developer Reimbursement	1,463	306	(79.08%)			(100.00%)		-
121	4556 10	Interest Income - Investments	30,608	9,207	(69.92%)	15,675	5,000	(45.69%)	5,000	(68.10%)
121	4558	Unrealized Gains/Losses	5,804	(2,083)	(135.89%)			(100.00%)		-
121	4570	Claims, Judgemnts, Settlmnt	11,906	20,694	73.81%	1,000	4,155	(79.92%)	1,000	-
121	4574	Other Misc. Revenue	2,073	228	(89.00%)	1,000	20,036	8,687.72%	1,000	-
121	4701	Transfers	1,405,793	1,778,258	26.50%	1,000,000	1,000,000	(43.77%)	1,000,000	-
GAS TAX FUND Total			**4,657,323**	**4,708,679**	1.10%	**3,545,175**	**3,829,391**	(18.67%)	**3,709,500**	4.64%
122	4556 10	Interest Income - Investments	15,818	11,534	(27.08%)		9,000	(21.97%)	9,000	100.00%
122	4558	Unrealized Gains/Losses	2,059	(2,618)	(227.15%)			(100.00%)		-
122	4574	Other Misc. Revenue		1,903	100.00%			(100.00%)		-
122	4651	County Article 3	166,301	69,090	(58.45%)			(100.00%)		-
SCAG ARTICLE 3 FUND Total			**184,178**	**79,909**	(56.61%)	-	**9,000**	(88.74%)	**9,000**	100.00%
125	4540	Developer Reimbursement	66,000		(100.00%)			-		-
125	4550	Administrative Charges	3,720		(100.00%)			-		-
125	4556 10	Interest Income - Investments	498,724	469,173	(5.93%)	300,000	300,000	(36.06%)	300,000	-
125	4556 11	Interest Income - Other		3,514	100.00%			(100.00%)		-
125	4558	Unrealized Gains/Losses	56,394	(98,655)	(274.94%)			(100.00%)		-
125	4574	Other Misc. Revenue	4,394	6,728	53.12%	1,000	1,000	(85.14%)	1,000	-
125	4610	Federal Grant Revenue	4,902	535,698	10,828.15%			(100.00%)		-
125	4611	State Grant Revenue	142,097		(100.00%)	215,820	78,000	100.00%	425,820	97.30%
125	4650	RCTC Sales Tax	4,339,194	3,493,188	(19.50%)	2,705,000	2,279,000	(34.76%)	2,270,000	(16.08%)
125	4659	Federal Reimbursements	1,101,781	1,152,241	4.58%	6,002,019	2,519,263	118.64%	7,314,000	21.86%
125	4701	Transfers	64,853		(100.00%)			-		-
MEASURE "A" FUND Total			**6,282,059**	**5,561,887**	(11.46%)	**9,223,839**	**5,177,263**	(6.92%)	**10,310,820**	11.78%
128	4611	State Grant Revenue	18,463	(5,303)	(128.72%)			(100.00%)		-
ABC-POLICE GRANT FUND Total			**18,463**	**(5,303)**	(128.72%)	-	-	(100.00%)	-	-
129	4558	Unrealized Gains/Losses	2,190	11	(99.50%)			(100.00%)		-
LLEBG-PD FUND Total			**2,190**	**11**	(99.50%)	-	-	(100.00%)	-	-
130	4556 10	Interest Income - Investments	17,610	(736)	(104.18%)	2,505		(100.00%)		(100.00%)
130	4558	Unrealized Gains/Losses	1,032	(4,381)	(524.52%)			(100.00%)		-
130	4611	State Grant Revenue	347,019	171,816	(50.49%)	275,851	120,000	(30.16%)	100,000	(63.75%)
SLESF-CCAT GRT-PD-AB322 Total			**365,661**	**166,699**	(54.41%)	**278,356**	**120,000**	(28.01%)	**100,000**	(64.07%)
131	4110 10	Property Tax - Library	1,900,686	1,769,151	(6.92%)	1,609,500	1,400,000	(20.87%)	1,201,200	(25.37%)
131	4213	Library Fees	57,096	41,460	(27.39%)	33,000	19,000	(54.17%)	33,000	-
131	4508	Library Fines	55,150	56,001	1.54%	56,500	43,600	(22.14%)	56,500	-
131	4551	Donations	907	6,559	623.15%	12,000	25,747	292.54%	2,000	(83.33%)
131	4611	State Grant Revenue	69,324	92,775	33.83%			(100.00%)		-

MV00056005

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
131	4656		Interlibrary Book Loans		17,868	100.00%	32,000	35,200	97.00%	27,000	(15.63%)
131	4701		Transfers	156,307	405,048	159.14%	424,915	425,000	4.93%	424,900	(0.00%)
	LIBRARY SERVICES FUND Total			**2,239,470**	**2,388,862**	6.67%	**2,167,915**	**1,948,547**	(18.43%)	**1,744,600**	(19.53%)
132	4542		PEG Grant	308,869	359,991	16.55%	250,000	250,000	(30.55%)	250,000	-
132	4701		Transfers	447,711	381,429	(14.80%)	300,000	300,000	(21.35%)	300,000	-
	PUB/EDUC/GOVT ACCESS PR Total			**756,580**	**741,420**	(2.00%)	**550,000**	**550,000**	(25.82%)	**550,000**	-
134	4612		County Grant Revenue	67,469	83,123	23.20%	100,000	64,058	(22.94%)	64,000	(36.00%)
134	4701		Transfers		111,090	100.00%			(100.00%)		-
	EMPG-EMERGNCY MGMT PREP Total			**67,469**	**194,213**	187.86%	**100,000**	**64,058**	(67.02%)	**64,000**	(36.00%)
136	4611		State Grant Revenue	116,074	102,853	(11.39%)	566,440	473,863	360.72%	107,000	(81.11%)
	OTS - POLICE FUND Total			**116,074**	**102,853**	(11.39%)	**566,440**	**473,863**	360.72%	**107,000**	(81.11%)
137	4556	10	Interest Income - Investments	24,288	22,113	(8.96%)	10,492	7,000	(68.34%)	7,000	(33.28%)
137	4558		Unrealized Gains/Losses	2,957	(6,995)	(336.56%)			(100.00%)		-
137	4573		Air Quality Incentives	215,542	155,925	(27.66%)	200,000	200,000	28.27%	200,000	-
137	4574		Other Misc. Revenue		343	100.00%			(100.00%)		-
	AIR QUALITY MGT FUND Total			**242,787**	**171,386**	(29.41%)	**210,492**	**207,000**	20.78%	**207,000**	(1.66%)
146	4610		Federal Grant Revenue	1,048		(100.00%)			-		-
	CDBG FY 03/04 FUND Total			**1,048**	-	(100.00%)	-	-	-	-	-
147	4574		Other Misc. Revenue	(330)		(100.00%)			-		-
147	4610		Federal Grant Revenue	2,271		(100.00%)			-		-
147	4701		Transfers	4,390		(100.00%)			-		-
	CDBG FY 04/05 FUND Total			**6,331**	-	(100.00%)	-	-	-	-	-
149	4280		Other Fees	31,506	13,418	(57.41%)	10,000	9,480	(29.35%)	9,500	(5.00%)
149	4550		Administrative Charges	831,356	875,148	5.27%	933,470	847,350	(3.18%)	761,000	(18.48%)
149	4556	10	Interest Income - Investments	65,158	36,926	(43.33%)	42,308	19,709	(46.63%)	13,000	(69.27%)
149	4558		Unrealized Gains/Losses	10,565	(6,087)	(157.61%)			(100.00%)		-
149	4570		Claims, Judgemnts, Settlmnt		47,814	100.00%			(100.00%)		-
149	4701		Transfers	5,000		(100.00%)			-		-
	SPCL DIST ADMIN FUND Total			**943,585**	**967,219**	2.50%	**985,778**	**876,539**	(9.38%)	**783,500**	(20.52%)
151	4612		County Grant Revenue	365,313	393,587	7.74%	414,913	420,000	6.71%	421,400	1.56%
151	4701		Transfers	254,253	607,485	138.93%	181,978	177,000	(70.86%)	182,000	0.01%
	STORM WATER MAINTENANCE Total			**619,566**	**1,001,072**	61.58%	**596,891**	**597,000**	(40.36%)	**603,400**	1.09%
152	4128		Special Tax Proceeds	(17,500)		(100.00%)			-		-
152	4241	16	Engineering Plan Check Fees	68,854	51,198	(25.64%)	112,478	91,600	78.91%	51,245	(54.44%)
152	4241	18	Plan Chk Fees - WQP/Bioswale	65,261	29,492	(54.81%)	28,734	13,200	(55.24%)	11,850	(58.76%)
152	4248	10	Insp Fees - Construction Site	152,063	33,573	(77.92%)	118,592	48,100	43.27%	50,652	(57.29%)
152	4248	11	Insp Fees - WQP/Bioswales	33,713		(100.00%)	23,706	12,000	100.00%	24,000	1.24%
152	4248	12	Insp Fees - Business		5,627	100.00%	60,324	60,000	966.29%	90,000	49.19%
152	4269	11	Parcel Fees - Teeter/Del	70,239	42,997	(38.78%)			(100.00%)		-
152	4280		Other Fees	3,827		(100.00%)			-		-

MV00056006

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
152	4549		Utility Rates	281,956	346,449	22.87%	368,904	369,000	6.51%	394,300	6.88%
152	4550		Administrative Charges	2,500	13,000	420.00%	2,500	2,500	(80.77%)	2,500	-
152	4612		County Grant Revenue	109,119	117,565	7.74%	123,935	165,300	40.60%	165,300	33.38%
152	4701		Transfers	445,320	137,175	(69.20%)	112,559	112,600	(17.92%)	139,095	23.58%
	STORM WATER MANAGEMENT Total			**1,215,352**	**777,076**	(36.06%)	**951,732**	**874,300**	12.51%	**928,942**	(2.39%)
153	4569		Waste Managmt. Recycling	46,394	47,342	2.04%	47,349	47,349	0.01%		(100.00%)
	BEVERAGE CONTAINER RECY Total			**46,394**	**47,342**	2.04%	**47,349**	**47,349**	0.01%	-	(100.00%)
157	4556	10	Interest Income - Investments	198		(100.00%)			-		-
157	4569		Waste Managmt. Recycling	(439)		(100.00%)			-		-
157	4701		Transfers	239		(100.00%)			-		-
	UBG10 USED OIL RECYCLG Total			**(2)**	-	(100.00%)	-	-	-	-	-
160	4284		Grant Program Fees	31,095	26,542	(14.64%)	26,000	23,000	(13.34%)	25,000	(3.85%)
160	4610		Federal Grant Revenue	5,422	4,734	(12.69%)	4,900	1,400	(70.43%)	2,000	(59.18%)
160	4611		State Grant Revenue	698,432	633,034	(9.36%)	870,000	700,000	10.58%	755,300	(13.18%)
160	4616		FOOD PROGRAM REVENUE	28,708	36,436	26.92%	40,000	40,000	9.78%	40,000	-
160	4701		Transfers		31,041	100.00%			(100.00%)		-
	CHILD CARE GRANT FUND Total			**763,657**	**731,787**	(4.17%)	**940,900**	**764,400**	4.46%	**822,300**	(12.60%)
161	4110	11	Property Tax - Secured	2,029,798	1,898,568	(6.47%)	2,007,900	1,597,477	(15.86%)	1,373,830	(31.58%)
161	4110	12	Property Tax - Unsecured	86,028	98,119	14.05%	104,760	98,144	0.03%	84,404	(19.43%)
161	4110	13	Property Tax - Prior Years	9,553	9,605	0.54%	4,365	4,365	(54.55%)	3,754	(14.00%)
161	4110	14	Property Tax - Homeowner Exem	29,164	28,212	(3.26%)	26,190	25,117	(10.97%)	21,601	(17.52%)
161	4110	16	Property Tax - Teeter/Del Tax	261,141	204,323	(21.76%)	66,348	120,000	(41.27%)	103,200	55.54%
161	4110	18	ERAF	323		(100.00%)			-		-
161	4234		Graffiti Abatement Fees	2,900	3,090	6.55%	4,227	3,600	16.50%	4,000	(5.37%)
161	4241	16	Engineering Plan Check Fees	56,216	13,905	(75.27%)		6,600	(52.54%)	33,600	100.00%
161	4256		Engineering Inspection Fees	19,500	98,586	405.57%	30,000	11,700	(88.13%)	6,000	(80.00%)
161	4269	10	Parcel Fees	4,343,135	4,599,306	5.90%	4,983,038	4,600,000	0.02%	4,335,300	(13.00%)
161	4269	11	Parcel Fees - Teeter/Del	433,073	346,894	(19.90%)	129,758	346,900	0.00%	346,900	167.34%
161	4276	1	Rec Fees-After School Fun Clu	60		(100.00%)			-		-
161	4276	3	Rec Fees-Golf Green Fees	53,260	66,701	25.24%	62,000	60,000	(10.05%)	62,000	-
161	4276	5	Rec Fees-Lights	70,191	116,999	66.69%	100,000	170,000	45.30%	170,000	70.00%
161	4276	6	Rec Fees-Middle School Sports	71,490	8,530	(88.07%)		(50)	(100.59%)		-
161	4276	7	Rec Fees-Mini Camp	98,190	88,928	(9.43%)	99,450	65,000	(26.91%)	80,000	(19.56%)
161	4276	8	Rec Fees-Mobile Stage	675		(100.00%)			-		-
161	4276	9	Rec Fees-Park Reservations	29,066	29,962	3.08%	30,000	29,000	(3.21%)	30,000	-
161	4276	10	Rec Fees-Recreation Center	100	24	(76.00%)			(100.00%)		-
161	4276	11	Rec Fees-Sunshine Social	5,225	10,460	100.19%	9,600	6,000	(42.64%)	7,000	(27.08%)
161	4276	12	Rec Fees-Teen Programs	281	356	26.69%			(100.00%)		-
161	4276	13	Rec Fees-Time for Tots	119,249	116,793	(2.06%)	151,800	110,000	(5.82%)	110,000	(27.54%)
161	4276	14	Rec Fees-Miscellaneous		1,145	100.00%		2,800	144.54%	3,200	100.00%
161	4276	15	Rec Fees-Babysitting	3,563	924	(74.07%)			(100.00%)		-

MV00056007

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
161	4276	16	Rec Fees-Gym Fees	55,279	32,089	(41.95%)	35,000	25,000	(22.09%)	30,000	(14.29%)
161	4276	17	Rec Fees- Security Guards		4,794	100.00%			(100.00%)		-
161	4280		Other Fees	3,365	6,145	82.62%	3,000	3,000	(51.18%)	3,000	-
161	4283	1	Senior Center Fees-Sr Program	4,681	4,809	2.73%	4,700	5,200	8.13%	5,000	6.38%
161	4283	2	Senior Center Fees-Trips/Tour	577	491	(14.90%)	1,000	500	1.83%	300	(70.00%)
161	4285	1	Ballfields-Long Term Use	51,210	56,608	10.54%	60,000	80,000	41.32%	80,000	33.33%
161	4286		Equestrian Center		385	100.00%			(100.00%)		-
161	4287		Senior Center Rentals	37,952	35,089	(7.54%)	37,000	34,000	(3.10%)	37,000	-
161	4288	2	Adult Sports-Softball	42,810	42,460	(0.82%)	34,700	45,000	5.98%	45,000	29.68%
161	4288	3	Adult Sports-Tournaments		1,500	100.00%		12,000	700.00%	12,000	100.00%
161	4288	5	Adult Sports-Volley ball	2,711	3,828	41.20%	5,000	3,000	(21.63%)	3,000	(40.00%)
161	4288	6	Adult Sports- Soccer		1,900	100.00%		12,000	531.58%	12,000	100.00%
161	4289	1	Youth Sports-Pee Wee Basketba	1,985	3,371	69.82%	9,490	4,000	18.66%	4,000	(57.85%)
161	4289	2	Youth Sports-Spudball	4,344	4,380	0.83%	4,500	5,700	30.14%	5,000	11.11%
161	4289	3	Youth Sports-Youth Basketball	3,811	26,587	597.64%	21,920	45,000	69.26%	45,000	105.29%
161	4289	4	Youth Sports-Yth Flag Footbal	6,303	5,040	(20.04%)	4,956	2,700	(46.43%)	2,500	(49.56%)
161	4289	5	Youth Sports-Pee Wee Flag Ftb			-	3,000	6,500	100.00%	6,500	116.67%
161	4289	6	Youth Sports- Pee Wee Soccer		5,805	100.00%	5,500	6,000	3.36%	6,000	9.09%
161	4289	7	Youth Sports- Junior Soccer		1,649	100.00%	1,500	1,600	(2.97%)	1,600	6.67%
161	4289	8	Youth Sports- Youth Volleybal			-	5,525		-		(100.00%)
161	4289	9	Youth Sports- Youth Soccer			-	8,125	6,000	100.00%	7,000	(13.85%)
161	4290	1	Contract Programs-Adults	20,643	19,666	(4.73%)	18,000	25,000	27.12%	21,000	16.67%
161	4290	2	Contract Programs-Youth	55,634	75,608	35.90%	63,000	100,000	32.26%	90,000	42.86%
161	4290	4	Cntrct Prog-Youth Sports	490		(100.00%)			-		-
161	4291	1	Spl Seasonal Events-4th of Ju	9,087	10,640	17.09%	9,000	7,900	(25.75%)	9,000	-
161	4291	2	Spl Seasonal Events-Christmas	1,677	1,262	(24.75%)	1,320	1,200	(4.91%)	1,200	(9.09%)
161	4291	3	Spl Seasonal Events-Easter	1,967	3,402	72.95%	2,000	2,500	(26.51%)	2,500	25.00%
161	4291	4	Spl Seasonal Events-Youth Fes		1,150	100.00%	1,000	700	(39.13%)	1,000	-
161	4294	1	Skate Park Fees	17,635	39,378	123.29%	22,000	22,000	(44.13%)	22,000	-
161	4294	2	Skate Park Equipt Rental	3,254	6,102	87.52%	5,000	5,000	(18.06%)	5,000	-
161	4294	5	Skate Park - Snacks		467	100.00%	10,000	15,500	3,219.06%	15,000	50.00%
161	4296		Registration Fees		9,547	100.00%	10,000	13,500	41.41%	14,000	40.00%
161	4523	1	Golf Sales: Cart/Club Rental	2,230	1,292	(42.06%)	1,300	800	(38.08%)	800	(38.46%)
161	4523	2	Golf Sales: Misc. Equip/Supp	1,693	1,007	(40.52%)	930	200	(80.14%)	200	(78.49%)
161	4523	3	Golf Sales: Soda/Beer/Food	657	491	(25.27%)	1,000	100	(79.63%)	100	(90.00%)
161	4543		Pepsi Revenue		15,950	100.00%	15,950	9,900	(37.93%)	15,000	(5.96%)
161	4548	1	Towngate Center Rentals	68,881	57,013	(17.23%)	60,000	51,000	(10.55%)	50,000	(16.67%)
161	4548	2	CRC Banquet Rm. Rentals	249,736	216,543	(13.29%)	180,000	180,000	(16.88%)	180,000	-
161	4548	3	Mobile Home Rentals	4,800	6,000	25.00%	4,800	4,800	(20.00%)	4,800	-
161	4548	5	Headstart Rent	600		(100.00%)			-		-
161	4551		Donations	9,475	16,799	77.30%	10,000	5,000	(70.24%)	10,000	-
161	4556	10	Interest Income - Investments	(22,679)	25,054	(210.47%)		14,000	(44.12%)		-
161	4558		Unrealized Gains/Losses	1,463	(6,942)	(574.50%)			(100.00%)		-

MV00056008

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object		Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
161	4563		Lease Payments - Sub-Agents	42,859	45,905	7.11%	45,714	46,000	0.21%	48,000	5.00%
161	4567		Fixed Asset Trade-in Allow.	2,575		(100.00%)			-		-
161	4568		Fixed Asset Sales/Gains		175,000	100.00%			(100.00%)		-
161	4570		Claims, Judgemnts, Settlmnt	3,641	112	(96.92%)		1,600	1,328.57%		-
161	4574		Other Misc. Revenue	2,859	131	(95.42%)	500	200	52.67%	500	-
161	4582		Cell Tower Rental Income	67,551	98,399	45.67%	137,720	134,000	36.18%	138,000	0.20%
161	4586		Metrolink Ticket Sales	90		(100.00%)			-		-
161	4591	2	Donations - Sponsorship			-		2,000	100.00%		-
161	4614		Other Grant Revenue	3,000		(100.00%)			-		-
161	4701		Transfers	333,710	126,800	(62.00%)	377,459	377,459	197.68%	289,800	(23.22%)
ZONE "A" PARKS FUND Total				**8,820,737**	**8,925,136**	1.18%	**9,031,045**	**8,574,212**	(3.93%)	**7,997,589**	(11.44%)
162	4556	10	Interest Income - Investments	148,477	25,655	(82.72%)	52,000	25,000	(2.55%)	25,000	(51.92%)
162	4558		Unrealized Gains/Losses	8,672	1,247	(85.62%)			(100.00%)		-
162	4574		Other Misc. Revenue	375	24,850	6,526.67%	8,000	3,000	(87.93%)	3,000	(62.50%)
162	4587	3	CDBG Reimb- ASES Transportatn	6,680		(100.00%)			-		-
162	4598	1	Contributions - FY06/07	54,849	1,452,998	2,549.09%			(100.00%)		-
162	4598	2	Contributions - FY07/08	91,700	1,916,977	1,990.49%			(100.00%)		-
162	4598	3	Contributions - FY08/09		447,210	100.00%	1,383,000	1,822,212	307.46%	1,364,400	(1.34%)
162	4611		State Grant Revenue	8,606,150	4,802,074	(44.20%)	4,149,000	4,093,200	(14.76%)	4,093,200	(1.34%)
162	4616		FOOD PROGRAM REVENUE	251,675	349,119	38.72%	394,902	406,000	16.29%	406,000	2.81%
STARS PROGRAM GRANT FUN Total				**9,168,578**	**9,020,130**	(1.62%)	**5,986,902**	**6,349,412**	(29.61%)	**5,891,600**	(1.59%)
171	4110	11	Property Tax - Secured	103,540	97,116	(6.20%)	106,845	106,845	10.02%	106,900	0.05%
171	4110	12	Property Tax - Unsecured	4,515	4,990	10.52%	8,000	8,000	60.32%	8,000	-
171	4110	13	Property Tax - Prior Years	501	546	8.98%			(100.00%)		-
171	4110	14	Property Tax - Homeowner Exem	1,483	1,441	(2.83%)	1,200	1,200	(16.72%)	1,200	-
171	4110	16	Property Tax - Teeter/Del Tax	12,664	10,423	(17.70%)			(100.00%)		-
171	4253		Advanced Energy Fees	14,610	1,840	(87.41%)	3,500	665	(63.86%)	700	(80.00%)
171	4269	10	Parcel Fees	807,443	861,683	6.72%	854,756	854,801	(0.80%)	854,900	0.02%
171	4269	11	Parcel Fees - Teeter/Del	98,210	68,103	(30.66%)	75,000	75,000	10.13%	75,000	-
171	4280		Other Fees	767	790	3.00%	750		(100.00%)		(100.00%)
171	4556	10	Interest Income - Investments	33,594	15,214	(54.71%)	7,396	5,815	(61.78%)		(100.00%)
171	4558		Unrealized Gains/Losses	6,449	(4,185)	(164.89%)			(100.00%)		-
ZONE "B" ST LGHT FUND Total				**1,083,776**	**1,057,961**	(2.38%)	**1,057,447**	**1,052,326**	(0.53%)	**1,046,700**	(1.02%)
172	4110	11	Property Tax - Secured	125,114	120,973	(3.31%)	135,600	135,600	12.09%	134,300	(0.96%)
172	4110	12	Property Tax - Unsecured	5,635	6,082	7.93%	5,000	5,000	(17.79%)	4,000	(20.00%)
172	4110	13	Property Tax - Prior Years	626	1,796	186.90%			(100.00%)		-
172	4110	14	Property Tax - Homeowner Exem	1,808	1,815	0.39%	1,500	1,500	(17.36%)	1,000	(33.33%)
172	4110	16	Property Tax - Teeter/Del Tax	16,169	13,129	(18.80%)			(100.00%)		-
172	4110	18	ERAF	21		(100.00%)			-		-
172	4253		Advanced Energy Fees	6,303	4,511	(28.43%)	2,300	5,205	15.38%	5,600	143.48%
172	4269	10	Parcel Fees	368,316	396,311	7.60%	393,544	391,560	(1.20%)	391,600	(0.49%)
172	4269	11	Parcel Fees - Teeter/Del	48,001	33,470	(30.27%)	35,000	34,500	3.08%	34,500	(1.43%)

MV00056009

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
172	4556 10	Interest Income - Investments	27,454	19,214	(30.01%)	12,033	11,557	(39.85%)	9,000	(25.21%)
172	4558	Unrealized Gains/Losses	4,250	(680)	(116.00%)			(100.00%)		-
ZONE "C" ART LGHT FUND Total			**603,697**	**596,621**	(1.17%)	**584,977**	**584,922**	(1.96%)	**580,000**	(0.85%)
176	4556 13	Interest Inc. - RDA Loan			-		100	100.00%		-
176	4556 16	Interest Income - HILP	1,770		(100.00%)			-		-
176	4556 20	Interest Inc. - Rental Rehab	19,634		(100.00%)			-		-
176	4562 1	Princ. Repayment- HILP	18,268		(100.00%)			-		-
176	4562 5	Princ. Repayment- Rental Reha	1,881	10,346	450.03%		4,703	(54.54%)		-
176	4599	Revenue Close to Bal Sheet		(37,079)	100.00%			(100.00%)		-
176	4610	Federal Grant Revenue	981,507	236,000	(75.96%)	379,961	381,400	61.61%	390,000	2.64%
HOME (FEDERAL) FUND Total			**1,023,060**	**209,267**	(79.54%)	**379,961**	**386,203**	84.55%	**390,000**	2.64%
181	4235	Landscape Inspection Fees	38,322		(100.00%)			-	35,000	100.00%
181	4241 14	Landscape Plan Check Fees			-	10,000	8,000	100.00%	15,000	50.00%
181	4269 10	Parcel Fees	970,047	1,064,658	9.75%	1,031,944	999,445	(6.13%)	999,500	(3.14%)
181	4269 11	Parcel Fees - Teeter/Del	125,985	83,441	(33.77%)	92,000	92,000	10.26%	92,000	-
181	4280	Other Fees	46		(100.00%)		125	100.00%		-
181	4556 10	Interest Income - Investments	9,026	3,437	(61.92%)	6,655	2,056	(40.18%)	1,300	(80.47%)
181	4558	Unrealized Gains/Losses	1,807	(25,075)	(1,487.66%)			(100.00%)		-
181	4570	Claims, Judgemnts, Settlmnt	1,713		(100.00%)			-		-
181	4574	Other Misc. Revenue		480	100.00%			(100.00%)		-
ZONE "D" STD LDSC FUND Total			**1,146,946**	**1,126,941**	(1.74%)	**1,140,599**	**1,101,626**	(2.25%)	**1,142,800**	0.19%
182	4235	Landscape Inspection Fees	11,438		(100.00%)			-		-
182	4241 14	Landscape Plan Check Fees	13,743	1,660	(87.92%)	8,000		(100.00%)		(100.00%)
182	4269 10	Parcel Fees	2,013,741	2,219,469	10.22%	2,211,365	2,211,041	(0.38%)	2,211,100	(0.01%)
182	4269 11	Parcel Fees - Teeter/Del	327,363	170,322	(47.97%)	192,000	192,000	12.73%	192,000	-
182	4280	Other Fees	1,017	206	(79.74%)	100	238	15.53%	100	-
182	4555	Reimbursement Agreement	2,369	2,425	2.36%	2,400	2,768	14.14%	2,800	16.67%
182	4556 10	Interest Income - Investments	159,075	112,878	(29.04%)	93,318	70,766	(37.31%)	69,600	(25.42%)
182	4558	Unrealized Gains/Losses	24,862	(4,083)	(116.42%)			(100.00%)		-
182	4570	Claims, Judgemnts, Settlmnt	1,642		(100.00%)			-		-
182	4574	Other Misc. Revenue	209	1,279	511.96%			(100.00%)		-
ZONE "E" EXT LDSC FUND Total			**2,555,459**	**2,504,156**	(2.01%)	**2,507,183**	**2,476,813**	(1.09%)	**2,475,600**	(1.26%)
183	4235	Landscape Inspection Fees	45,490	11,853	(73.94%)	34,500	12,000	1.24%	48,000	39.13%
183	4241 14	Landscape Plan Check Fees	778	27,620	3,450.13%	20,000	12,000	(56.55%)	30,000	50.00%
183	4269 10	Parcel Fees	61,914	87,976	42.09%	101,054	118,181	34.33%	118,200	16.97%
183	4269 11	Parcel Fees - Teeter/Del	2,250	5,751	155.60%	8,000	8,000	39.11%	8,000	-
183	4280	Other Fees	1,490		(100.00%)			-		-
183	4556 10	Interest Income - Investments			-	4,013	2,000	100.00%	1,500	(62.62%)
183	4570	Claims, Judgemnts, Settlmnt	2,337		(100.00%)			-		-
183	4701	Transfers	103,400	103,400	-	103,400	103,400	-	103,400	-
ZONE "M" MEDIAN FUND Total			**217,659**	**236,600**	8.70%	**270,967**	**255,581**	8.02%	**309,100**	14.07%

MV00056010

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
184	4128	Special Tax Proceeds	839,028	1,017,266	21.24%	959,760	865,700	(14.90%)	967,800	0.84%
184	4556 10	Interest Income - Investments	14,117	16,172	14.56%	13,000	13,000	(19.61%)	13,000	-
184	4558	Unrealized Gains/Losses	1,930	(339)	(117.56%)			(100.00%)		-
184	4701	Transfers	52,375	20,500	(60.86%)	25,000	25,000	21.95%	25,305	1.22%
CFD#1 Total			**907,450**	**1,053,599**	16.11%	**997,760**	**903,700**	(14.23%)	**1,006,105**	0.84%
185	4269 10	Parcel Fees	50,805	24,700	(51.38%)	47,342	25,942	5.03%	47,400	0.12%
185	4269 11	Parcel Fees - Teeter/Del	1,539	1,471	(4.42%)	5,000	2,000	35.96%	5,000	-
185	4280	Other Fees		100	100.00%			(100.00%)		-
185	4556 10	Interest Income - Investments		1,672	100.00%	1,644	500	(70.10%)		(100.00%)
ZONE "S" Total			**52,344**	**27,943**	(46.62%)	**53,986**	**28,442**	1.79%	**52,400**	(2.94%)
186	4269 10	Parcel Fees	52,500	35,000	(33.33%)	32,000	32,000	(8.57%)	32,000	-
186	4269 11	Parcel Fees - Teeter/Del			-	3,000	3,000	100.00%	3,000	-
186	4556 10	Interest Income - Investments		1,210	100.00%			(100.00%)		-
CFD #4M Total			**52,500**	**36,210**	(31.03%)	**35,000**	**35,000**	(3.34%)	**35,000**	-
193	4556 10	Interest Income - Investments	7,096	1,709	(75.92%)	500	550	(67.82%)		(100.00%)
193	4558	Unrealized Gains/Losses	772	(346)	(144.82%)			(100.00%)		-
193	4585	EPA Grant - Box Springs Water	56,044	124,540	122.22%	19,078	60,016	(51.81%)		(100.00%)
EPA GRANT - BOX SPRINGS Total			**63,912**	**125,903**	96.99%	**19,578**	**60,566**	(51.89%)	-	(100.00%)
194	4556 10	Interest Income - Investments	3,320	2,179	(34.37%)		631	(71.04%)		-
194	4558	Unrealized Gains/Losses	515	(172)	(133.40%)			(100.00%)		-
194	4610	Federal Grant Revenue		47,405	100.00%	23,595	23,595	(50.23%)		(100.00%)
JAG GRANT - CODE FUND Total			**3,835**	**49,412**	1,188.45%	**23,595**	**24,226**	(50.97%)	-	(100.00%)
195	4610	Federal Grant Revenue			-	1,200,741	1,200,741	100.00%		(100.00%)
WORKFORCE HOUSING PROGR Total			-	-	-	**1,200,741**	**1,200,741**	100.00%	-	(100.00%)
196	4556 10	Interest Income - Investments			-	2,500		-		(100.00%)
196	4610	Federal Grant Revenue			-	118,886	118,886	100.00%		(100.00%)
ETA JOB TRAINING GRANT Total			-	-	-	**121,386**	**118,886**	100.00%	-	(100.00%)
197	4610	Federal Grant Revenue			-	11,390,116	11,390,116	100.00%		(100.00%)
NEIGHBORHOOD STABILIZAT Total			-	-	-	**11,390,116**	**11,390,116**	100.00%	-	(100.00%)
198	4610	Federal Grant Revenue			-	732,872	549,654	100.00%	183,218	(75.00%)
HOMELESSNESS PREVENTION Total			-	-	-	**732,872**	**549,654**	100.00%	**183,218**	(75.00%)
199	4610	Federal Grant Revenue			-	479,292	342,100	100.00%	137,192	(71.38%)
CDBG RECOVERY ACT OF 20 Total			-	-	-	**479,292**	**342,100**	100.00%	**137,192**	(71.38%)
201	4250 10	Dev Impact Fee: Res-Single	188,839	1,586	(99.16%)	72,496	33,800	2,031.15%	18,500	(74.48%)
201	4250 11	Dev Impact Fee: Res-Multiple	126,840	111,366	(12.20%)	202,944	96,600	(13.26%)	52,700	(74.03%)
201	4250 12	Dev Impact Fee: Comm-Nhbd/Com	131,228	141,178	7.58%	118,298	(77,718)	(155.05%)		(100.00%)
201	4250 13	Dev Impact Fee: Comm-Regional	19,675		(100.00%)			-		-
201	4250 15	Dev Impact Fee: Indust-Genera			-	640,500		-		(100.00%)
201	4250 16	Dev Impact Fee: Office	82,505	8,412	(89.80%)			(100.00%)		-

MV00056011

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
201	4556 10	Interest Income - Investments	284,227	134,764	(52.59%)	49,162	61,300	(54.51%)	33,500	(31.86%)
201	4558	Unrealized Gains/Losses	67,432	(70)	(100.10%)			(100.00%)		-
201	4570	Claims, Judgemnts, Settlmnt		1,507	100.00%			(100.00%)		-
201	4701	Transfers	7,214,399		(100.00%)			-		-
	ARTERIAL STS DEV IMPACT Total		**8,115,145**	**398,743**	(95.09%)	**1,083,400**	**113,982**	(71.41%)	**104,700**	(90.34%)
202	4250 10	Dev Impact Fee: Res-Single	26,374	199	(99.25%)	9,072	6,100	2,965.33%	3,400	(62.52%)
202	4250 11	Dev Impact Fee: Res-Multiple	794	13,101	1,550.00%	25,408	26,100	99.22%	14,300	(43.72%)
202	4250 12	Dev Impact Fee: Comm-Nhbd/Com	28,665	20,561	(28.27%)	17,895	(11,757)	(157.18%)		(100.00%)
202	4250 13	Dev Impact Fee: Comm-Regional	3,907		(100.00%)			-		-
202	4250 15	Dev Impact Fee: Indust-Genera	149,248		(100.00%)	97,000		-		(100.00%)
202	4250 16	Dev Impact Fee: Office	12,455	1,270	(89.80%)	4,392		(100.00%)		(100.00%)
202	4556 10	Interest Income - Investments	44,786	32,087	(28.35%)	16,962	15,100	(52.94%)	9,000	(46.94%)
202	4558	Unrealized Gains/Losses	13,300	(34,342)	(358.21%)			(100.00%)		-
202	4701	Transfers	513,902		(100.00%)			-		-
	TRAFFIC SIGS DEV IMPACT Total		**793,431**	**32,876**	(95.86%)	**170,729**	**35,543**	8.11%	**26,700**	(84.36%)
203	4250 10	Dev Impact Fee: Res-Single	26,952	27,431	1.78%	10,400	40,500	47.64%	22,000	111.54%
203	4250 11	Dev Impact Fee: Res-Multiple	10,440	9,166	(12.20%)	16,704	10,100	10.19%	5,500	(67.07%)
203	4250 12	Dev Impact Fee: Comm-Nhbd/Com	3,382	8,809	160.47%	2,111	(1,387)	(115.75%)		(100.00%)
203	4250 13	Dev Impact Fee: Comm-Regional	7,028	3,511	(50.04%)			(100.00%)		-
203	4250 15	Dev Impact Fee: Indust-Genera	44,621		(100.00%)	29,000		-		(100.00%)
203	4250 16	Dev Impact Fee: Office	2,878	293	(89.82%)	660		(100.00%)		(100.00%)
203	4556 10	Interest Income - Investments	51,883	32,087	(38.16%)	20,077	24,900	(22.40%)	13,600	(32.26%)
203	4558	Unrealized Gains/Losses	8,112	(8,549)	(205.39%)			(100.00%)		-
	FIRE FACIL DEV IMPACT F Total		**155,296**	**72,748**	(53.16%)	**78,952**	**74,113**	1.88%	**41,100**	(47.94%)
204	4250 10	Dev Impact Fee: Res-Single	19,347	19,672	1.68%	7,424	29,000	47.42%	15,800	112.82%
204	4250 11	Dev Impact Fee: Res-Multiple	14,720	12,924	(12.20%)	23,552	11,000	(14.89%)	6,000	(74.52%)
204	4250 12	Dev Impact Fee: Comm-Nhbd/Com	9,809	25,546	160.43%	6,123	(4,023)	(115.75%)		(100.00%)
204	4250 13	Dev Impact Fee: Comm-Regional	12,495	6,241	(50.05%)			(100.00%)		-
204	4250 15	Dev Impact Fee: Indust-Genera	32,311		(100.00%)	21,000		-		(100.00%)
204	4250 16	Dev Impact Fee: Office	4,896	499	(89.81%)	885		(100.00%)		(100.00%)
204	4556 10	Interest Income - Investments	22,769		(100.00%)			-		-
204	4558	Unrealized Gains/Losses	(392)	(7,889)	1,912.50%			(100.00%)		-
	POLICE FACIL DEV IMPACT Total		**115,955**	**56,993**	(50.85%)	**58,984**	**35,977**	(36.87%)	**21,800**	(63.04%)
205	4250 10	Dev Impact Fee: Res-Single	96,052	1,362	(98.58%)	45,000	4,900	259.77%	2,700	(94.00%)
205	4250 11	Dev Impact Fee: Res-Multiple	108,920	38,122	(65.00%)	40,500	115,800	203.76%	63,000	55.56%
205	4556 10	Interest Income - Investments	120,835	51,339	(57.51%)	56,700	45,800	(10.79%)	25,000	(55.91%)
205	4558	Unrealized Gains/Losses	38,208	115	(99.70%)			(100.00%)		-
	PARKLD FACIL DEV IMPACT Total		**364,015**	**90,938**	(75.02%)	**142,200**	**166,500**	83.09%	**90,700**	(36.22%)
206	4250 10	Dev Impact Fee: Res-Single	58,534	817	(98.60%)	34,650	3,000	267.20%	1,600	(95.38%)
206	4250 11	Dev Impact Fee: Res-Multiple	3,268		(100.00%)		47,300	100.00%	28,400	100.00%
206	4556 10	Interest Income - Investments	79,481	54,547	(31.37%)	55,350	41,400	(24.10%)	22,600	(59.17%)

MV00056012

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
206	4558	Unrealized Gains/Losses	24,400	(13,962)	(157.22%)			(100.00%)		-
	QUIMBY IN-LIEU PARK FEE Total		**165,683**	**41,402**	(75.01%)	**90,000**	**91,700**	121.49%	**52,600**	(41.56%)
207	4250 10	Dev Impact Fee: Res-Single	8,878	8,191	(7.74%)	5,310	12,700	55.05%	7,000	31.83%
207	4250 11	Dev Impact Fee: Res-Multiple	6,760	7,943	17.50%	9,126	82,300	936.13%	44,900	392.00%
207	4556 10	Interest Income - Investments			-			-		-
207	4558	Unrealized Gains/Losses	(3,366)	(12,979)	285.59%			(100.00%)		-
	RECREATN CTR DEV IMPACT Total		**12,272**	**3,155**	(74.29%)	**14,436**	**95,000**	2,911.09%	**51,900**	259.52%
208	4250 10	Dev Impact Fee: Res-Single	33,005	34,502	4.54%	13,008	50,800	47.24%	27,700	112.95%
208	4250 11	Dev Impact Fee: Res-Multiple	28,480	25,005	(12.20%)	45,568	44,700	78.76%	24,400	(46.45%)
208	4556 10	Interest Income - Investments	177,626	115,512	(34.97%)	58,287	85,500	(25.98%)	46,600	(20.05%)
208	4558	Unrealized Gains/Losses	34,658	169	(99.51%)			(100.00%)		-
	LIBRARIES DEV IMPACT FE Total		**273,769**	**175,188**	(36.01%)	**116,863**	**181,000**	3.32%	**98,700**	(15.54%)
209	4250 10	Dev Impact Fee: Res-Single	24,808	22,324	(10.01%)	8,464	34,800	55.89%	20,800	145.75%
209	4250 11	Dev Impact Fee: Res-Multiple	8,480	9,964	17.50%	13,568	11,000	10.40%	6,000	(55.78%)
209	4250 12	Dev Impact Fee: Comm-Nhbd/Com	3,129	8,148	160.40%	1,953	(1,283)	(115.75%)	2,000	2.41%
209	4250 13	Dev Impact Fee: Comm-Regional	8,200	4,096	(50.05%)			(100.00%)		-
209	4250 15	Dev Impact Fee: Indust-Genera	40,005		(100.00%)	26,000		-		(100.00%)
209	4250 16	Dev Impact Fee: Office	2,663	272	(89.79%)			(100.00%)		-
209	4556 10	Interest Income - Investments	80,769	64,173	(20.55%)	32,395	47,100	(26.60%)	25,700	(20.67%)
209	4558	Unrealized Gains/Losses	19,351	(26,942)	(239.23%)			(100.00%)		-
	CITY HALL DEV IMPACT FE Total		**187,405**	**82,035**	(56.23%)	**82,380**	**91,617**	11.68%	**54,500**	(33.84%)
210	4250 10	Dev Impact Fee: Res-Single	13,738	12,576	(8.46%)	4,768	19,600	55.85%	10,700	124.41%
210	4250 11	Dev Impact Fee: Res-Multiple	33,225	5,593	(83.17%)	7,616	9,700	73.43%	5,300	(30.41%)
210	4250 12	Dev Impact Fee: Comm-Nhbd/Com	2,241	5,836	160.42%	1,399	(919)	(115.75%)		(100.00%)
210	4250 13	Dev Impact Fee: Comm-Regional	8,004	3,998	(50.05%)			(100.00%)		-
210	4250 16	Dev Impact Fee: Office	1,847	188	(89.82%)			(100.00%)		-
210	4556 10	Interest Income - Investments	28,589	696	(97.57%)		900	29.31%	500	100.00%
210	4558	Unrealized Gains/Losses	7,639	(14,909)	(295.17%)			(100.00%)		-
	CORPORATE YD DEV IMPACT Total		**95,283**	**13,978**	(85.33%)	**13,783**	**29,281**	109.48%	**16,500**	19.71%
211	4250 10	Dev Impact Fee: Res-Single	25,152	22,192	(11.77%)	8,384	34,500	55.46%	18,800	124.24%
211	4250 11	Dev Impact Fee: Res-Multiple	734	12,111	1,550.00%	23,488	3,200	(73.58%)	1,800	(92.34%)
211	4250 12	Dev Impact Fee: Comm-Nhbd/Com	28,919	75,317	160.44%	18,053	(11,861)	(115.75%)		(100.00%)
211	4250 15	Dev Impact Fee: Indust-Genera	150,017		(100.00%)			-		-
211	4250 16	Dev Impact Fee: Office	12,584	1,283	(89.80%)			(100.00%)		-
211	4556 10	Interest Income - Investments	58,257	48,130	(17.38%)	24,218	37,600	(21.88%)	20,500	(15.35%)
211	4558	Unrealized Gains/Losses	7,200	(125)	(101.74%)			(100.00%)		-
	INTERCHANGE IMPROVMNTS Total		**282,863**	**158,908**	(43.82%)	**74,143**	**63,439**	(60.08%)	**41,100**	(44.57%)
212	4250 10	Dev Impact Fee: Res-Single	2,400	2,110	(12.08%)	800	3,300	56.40%	1,800	125.00%
212	4250 11	Dev Impact Fee: Res-Multiple	40	660	1,550.00%		200	(69.70%)	100	100.00%
212	4250 12	Dev Impact Fee: Comm-Nhbd/Com	169	440	160.36%		(69)	(115.68%)		-
212	4250 15	Dev Impact Fee: Indust-Genera	2,308		(100.00%)	1,500		-	1,500	-

MV00056013

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
212	4250 16	Dev Impact Fee: Office	172	18	(89.53%)			(100.00%)		-
212	4556 10	Interest Income - Investments	2,098	2,014	(4.00%)	962	1,400	(30.49%)	800	(16.84%)
212	4558	Unrealized Gains/Losses	257	(11,749)	(4,671.60%)			(100.00%)		-
	MAINTENANCE EQUIPMENT D Total		**7,444**	**(6,507)**	(187.41%)	**3,262**	**4,831**	(174.24%)	**4,200**	28.76%
213	4250 10	Dev Impact Fee: Res-Single	7,296	6,451	(11.58%)		10,000	55.01%	5,500	100.00%
213	4250 11	Dev Impact Fee: Res-Multiple	266	4,389	1,550.00%		1,200	(72.66%)	600	100.00%
213	4558	Unrealized Gains/Losses	777	(526)	(167.70%)			(100.00%)		-
	ANIMAL SHELTER DEV IMPA Total		**8,339**	**10,314**	23.68%	**-**	**11,200**	8.59%	**6,100**	100.00%
225	4556 10	Interest Income - Investments		29,106	100.00%	40,000	32,000	9.94%	32,000	(20.00%)
225	4558	Unrealized Gains/Losses	12,110	(5,026)	(141.50%)			(100.00%)		-
225	4611	State Grant Revenue		1,560,599	100.00%	1,739,098	1,655,479	6.08%	1,830,944	5.28%
	TRAFF CONGESTION RELIEF Total		**12,110**	**1,584,679**	12,985.71%	**1,779,098**	**1,687,479**	6.49%	**1,862,944**	4.71%
226	4661	Prop 1B	2,902,673		(100.00%)	2,682,869		-		(100.00%)
	PROP 1B Total		**2,902,673**	**-**	(100.00%)	**2,682,869**	**-**	-	**-**	(100.00%)
227	4659	Federal Reimbursements		93,944	100.00%	186,556		(100.00%)	186,600	0.02%
227	4701	Transfers		22,500	100.00%			(100.00%)		-
	FHWA TRANSIMS Total		**-**	**116,444**	100.00%	**186,556**	**-**	(100.00%)	**186,600**	0.02%
228	4556 10	Interest Income - Investments			-	10,000		-	10,000	-
228	4610	Federal Grant Revenue			-	1,300,000		-	1,300,000	-
	ECONOMIC STIMULUS FUND Total		**-**	**-**	-	**1,310,000**	**-**	-	**1,310,000**	-
229	4610	Federal Grant Revenue			-	1,684,300		-		(100.00%)
	EECBG FUND Total		**-**	**-**	-	**1,684,300**	**-**	-	**-**	(100.00%)
230	4610	Federal Grant Revenue			-	105,989	105,989	100.00%	78,100	(26.31%)
	2009-DJ-BX-1178 JAG GRA Total		**-**	**-**	-	**105,989**	**105,989**	100.00%	**78,100**	(26.31%)
231	4555	Reimbursement Agreement			-	50,668		-		(100.00%)
	ICEP TASK FORCE FUND Total		**-**	**-**	-	**50,668**	**-**	-	**-**	(100.00%)
233	4615	Emergency Svc Agncy Fines (Co			-			-	14,000	100.00%
	EMERGENCY SVCS AGENCY F Total		**-**	**-**	-	**-**	**-**	-	**14,000**	100.00%
258	4556 10	Interest Income - Investments	4,908		(100.00%)			-		-
258	4558	Unrealized Gains/Losses	773	4	(99.48%)			(100.00%)		-
258	4610	Federal Grant Revenue	58,629		(100.00%)			-		-
	JAG - PD - 05 FUND Total		**64,310**	**4**	(99.99%)	**-**	**-**	(100.00%)	**-**	-
259	4556 10	Interest Income - Investments	928		(100.00%)			-		-
259	4610	Federal Grant Revenue	84,073		(100.00%)			-		-
	JAG - PD - 07 FUND Total		**85,001**	**-**	(100.00%)	**-**	**-**	-	**-**	-
260	4556 10	Interest Income - Investments		603	100.00%		29,879	4,855.06%		-
	JAG- PD- 08 FUND Total		**-**	**603**	100.00%	**-**	**29,879**	4,855.06%	**-**	-
261	4556 10	Interest Income - Investments			-		107,589	100.00%		-

MV00056014

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
261	4558	Unrealized Gains/Losses		(351)	100.00%			(100.00%)		-
261	4610	Federal Grant Revenue		32,706	100.00%			(100.00%)		-
	2008 COPS TECH PRGRM GR Total		-	**32,355**	100.00%	-	**107,589**	232.53%	-	-
262	4610	Federal Grant Revenue			-	435,672	435,672	100.00%	435,700	0.01%
	JAG 2009 SB-59-2366 FUN Total		-	-	-	**435,672**	**435,672**	100.00%	**435,700**	0.01%
271	4556 10	Interest Income - Investments	1		(100.00%)			-		-
271	4558	Unrealized Gains/Losses	(129)		(100.00%)			-		-
	BUFFER ZONE PROTECTION Total		**(128)**	-	(100.00%)	-	-	-	-	-
280	4558	Unrealized Gains/Losses	(126)	(3)	(97.62%)			(100.00%)		-
280	4574	Other Misc. Revenue	1,420		(100.00%)			-		-
280	4610	Federal Grant Revenue	530,765	332,527	(37.35%)	10,000		(100.00%)	10,000	-
280	4701	Transfers	17,056		(100.00%)			-		-
	CDBG FY05/06 FUND Total		**549,115**	**332,524**	(39.44%)	**10,000**	-	(100.00%)	**10,000**	-
281	4558	Unrealized Gains/Losses	(519)	1	(100.19%)			(100.00%)		-
281	4610	Federal Grant Revenue	(4,011)		(100.00%)			-		-
	CDBG FY06/07 FUND Total		**(4,530)**	**1**	(100.02%)	-	-	(100.00%)	-	-
282	4574	Other Misc. Revenue	563	622	10.48%			(100.00%)		-
282	4610	Federal Grant Revenue	908,898	388,015	(57.31%)	405,675	402,800	3.81%	14,700	(96.38%)
	CDBG FY07/08 FUND Total		**909,461**	**388,637**	(57.27%)	**405,675**	**402,800**	3.64%	**14,700**	(96.38%)
283	4574	Other Misc. Revenue		1,463	100.00%			(100.00%)		-
283	4610	Federal Grant Revenue		1,413,439	100.00%	3,013,471	607,000	(57.06%)	418,652	(86.11%)
	CDBG FY08/09 FUND Total		-	**1,414,902**	100.00%	**3,013,471**	**607,000**	(57.10%)	**418,652**	(86.11%)
284	4610	Federal Grant Revenue			-		1,745,300	100.00%		-
	CDBG FY09/10 FUND Total		-	-	-	-	**1,745,300**	100.00%	-	-
285	4610	Federal Grant Revenue			-			-	2,000,000	100.00%
	CDBG FY10/11 FUND Total		-	-	-	-	-	-	**2,000,000**	100.00%
290	4569	Waste Managmt. Recycling	21,857		(100.00%)			-		-
	UBG11 USED OIL RECYCLG Total		**21,857**	-	(100.00%)	-	-	-	-	-
291	4569	Waste Managmt. Recycling	42,006	785	(98.13%)			(100.00%)		-
	UBG12 USED OIL RECYCLG Total		**42,006**	**785**	(98.13%)	-	-	(100.00%)	-	-
292	4569	Waste Managmt. Recycling	283	44,192	15,515.55%			(100.00%)		-
	UBG13 USED OIL RECYCLG Total		**283**	**44,192**	15,515.55%	-	-	(100.00%)	-	-
293	4569	Waste Managmt. Recycling			-	41,988	18,263	100.00%	27,900	(33.55%)
	UBG14 USED OIL RECYCLG Total		-	-	-	**41,988**	**18,263**	100.00%	**27,900**	(33.55%)
294	4611	State Grant Revenue	10,399		(100.00%)			-		-
	TCA2-06-22 LOCAL GOVT W Total		**10,399**	-	(100.00%)	-	-	-	-	-
295	4611	0		47,950	100.00%	84,000	28,000	(41.61%)	56,000	(33.33%)
	TRI16-06-1 TARGETED RUB Total		-	**47,950**	100.00%	**84,000**	**28,000**	(41.61%)	**56,000**	(33.33%)

MV00056015

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
301	4556 10	Interest Income - Investments	229,516	59,700	(73.99%)	35,000	300	(99.50%)		(100.00%)
301	4701	Transfers	3,346,444	4,343,404	29.79%	2,643,517	2,643,517	(39.14%)	2,644,491	0.04%
	2005 LEASE REV BONDS-D Total		**3,575,960**	**4,403,104**	23.13%	**2,678,517**	**2,643,817**	(39.96%)	**2,644,491**	(1.27%)
303	4128	Special Tax Proceeds	441,558		(100.00%)			-		-
303	4556 10	Interest Income - Investments	12,956		(100.00%)			-		-
303	4701	Transfers		3,965,920	100.00%			(100.00%)		-
	TWNGT IMP DEBT SERV FUN Total		**454,514**	**3,965,920**	772.56%	-	-	(100.00%)	-	-
305	4556 10	Interest Income - Investments	78,950		(100.00%)			-		-
305	4701	Transfers		13,465,179	100.00%			(100.00%)		-
	TWNGT REF DEBT SERV FUN Total		**78,950**	**13,465,179**	16,955.32%	-	-	(100.00%)	-	-
313	4128	Special Tax Proceeds		108,495	100.00%	114,369	114,369	5.41%	114,400	0.03%
313	4556 10	Interest Income - Investments	59,522	4,908	(91.75%)	10,800	100	(97.96%)	100	(99.07%)
313	4577	Bond Proceeds	4,017,845		(100.00%)			-		-
313	4701	Transfers		1,243,192	100.00%	279,459	279,459	(77.52%)	279,500	0.01%
	TWNGT IMPV SPCL TAX REF Total		**4,077,367**	**1,356,595**	(66.73%)	**404,628**	**393,928**	(70.96%)	**394,000**	(2.63%)
315	4556 10	Interest Income - Investments	31,197	18,593	(40.40%)	85,595	500	(97.31%)	500	(99.42%)
315	4577	Bond Proceeds	10,899,584		(100.00%)			-		-
315	4701	Transfers	2,072,568	5,123,965	147.23%	404,131	404,131	(92.11%)	1,158,200	186.59%
	TWNGT SPCL TAX REFNDG D Total		**13,003,349**	**5,142,558**	(60.45%)	**489,726**	**404,631**	(92.13%)	**1,158,700**	136.60%
316	4110 15	Property Tax - Bond Assessmen	3,249	4,042	24.41%	2,612	2,612	(35.38%)	2,700	3.37%
	ASSMT DIST 98-1-DEBT SV Total		**3,249**	**4,042**	24.41%	**2,612**	**2,612**	(35.38%)	**2,700**	3.37%
321	4556 10	Interest Income - Investments			-			-		-
321	4701	Transfers	811,498	645,569	(20.45%)	859,540		(100.00%)	822,025	(4.36%)
	CH COP 97 DEBT SERV FUN Total		**811,498**	**645,569**	(20.45%)	**859,540**	-	(100.00%)	**822,025**	(4.36%)
325	4556 10	Interest Income - Investments	20,791	3,804	(81.70%)			(100.00%)		-
325	4701	Transfers	401,244	402,422	0.29%	404,169	404,169	0.43%	404,200	0.01%
	PUB SAFTY BOND DEBT SER Total		**422,035**	**406,226**	(3.75%)	**404,169**	**404,169**	(0.51%)	**404,200**	0.01%
328	4121 10	Sales Tax - General	1,010,858	848,814	(16.03%)	1,000,000	800,000	(5.75%)	750,000	(25.00%)
328	4128	Special Tax Proceeds	1,088,427	1,212,731	11.42%	1,217,525	1,217,525	0.40%	1,217,600	0.01%
328	4556 10	Interest Income - Investments	51,811	11,711	(77.40%)	11,000	500	(95.73%)	500	(95.45%)
328	4701	Transfers	1,118,290	103,026	(90.79%)	219,964	219,964	113.50%	220,000	0.02%
	AUTOML REFIN-CFD #3 DBT Total		**3,269,386**	**2,176,282**	(33.43%)	**2,448,489**	**2,237,989**	2.84%	**2,188,100**	(10.63%)
329	4128	Special Tax Proceeds	198,306	344,701	73.82%	362,015	362,015	5.02%	362,100	0.02%
329	4556 10	Interest Income - Investments	8,434	344	(95.92%)	20,000	100	(70.93%)	100	(99.50%)
329	4701	Transfers	150,000		(100.00%)			-		-
	CFD#5 STONERIDGE DEBT S Total		**356,740**	**345,045**	(3.28%)	**382,015**	**362,115**	4.95%	**362,200**	(5.19%)
330	4577	Bond Proceeds			-	10,600,000		-	12,300,000	16.04%
	CFD #4I - INFRA DEBT SR Total		-	-	-	**10,600,000**	-	-	**12,300,000**	16.04%
335	4556 10	Interest Income - Investments			-			-		-

MV00056016

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
	COP 93 DEBT SERV FUND Total		-	-	-	-	-	-	-	-
340	4556 25	Interest Income - Price Club	385,926	394,359	2.19%	350,000		(100.00%)	350,000	-
	OPA SALES TAX #2 FUND Total		**385,926**	**394,359**	2.19%	**350,000**	-	(100.00%)	**350,000**	-
369	4110 15	Property Tax - Bond Assessmen	407,793	240,120	(41.12%)			(100.00%)		-
369	4556 10	Interest Income - Investments	13,653	2,356	(82.74%)	1,950		(100.00%)	-	(100.00%)
	CTRPT 87-4 AGENCY FUND Total		**421,446**	**242,476**	(42.47%)	**1,950**	-	(100.00%)	-	(100.00%)
370	4590 1	Donations - MV Library	5,496		(100.00%)			-		-
370	4590 2	Donations - 2007 Mayor's Cup	129,091		(100.00%)			-		-
370	4590 3	Donations - Comedy Night	73,039		(100.00%)			-		-
370	4590 4	Donations - 2008 Mayor's Cup		84,185	100.00%			(100.00%)		-
	MV FOUNDATION - DONATIO Total		**207,626**	**84,185**	(59.45%)	-	-	(100.00%)	-	-
371	4591 1	Donations - Arts Commission		542	100.00%		1,500	176.75%	1,000	100.00%
	ARTS COMMISSION Total		-	**542**	100.00%	-	**1,500**	176.75%	**1,000**	100.00%
380	4556 10	Interest Income - Investments	1,403	1,734	23.59%	1,000		(100.00%)	1,000	-
380	4558	Unrealized Gains/Losses	386	(349)	(190.41%)			(100.00%)		-
	CELEBRATION PARK ENDOWM Total		**1,789**	**1,385**	(22.58%)	**1,000**	-	(100.00%)	**1,000**	-
381	4556 10	Interest Income - Investments	237	359	51.48%			(100.00%)		-
381	4558	Unrealized Gains/Losses	129		(100.00%)			-		-
	EQUESTRIAN TRAIL ENDOWM Total		**366**	**359**	(1.91%)	-	-	(100.00%)	-	-
412	4551	Donations	20		(100.00%)			-		-
412	4701	Transfers	1,972,040	2,511,992	27.38%			(100.00%)		-
	FACILITY CONST FUND Total		**1,972,060**	**2,511,992**	27.38%	-	-	(100.00%)	-	-
414	4540	Developer Reimbursement			-	30,000	30,000	100.00%	30,000	-
414	4555	Reimbursement Agreement	299,171	1,100	(99.63%)			(100.00%)		-
414	4556 10	Interest Income - Investments			-	900		-	900	-
	PW GENERAL CAPITAL PROJ Total		**299,171**	**1,100**	(99.63%)	**30,900**	**30,000**	2,627.27%	**30,900**	-
415	4540	Developer Reimbursement	89,300	2,470	(97.23%)			(100.00%)		-
415	4556 10	Interest Income - Investments		1,532	100.00%			(100.00%)		-
415	4574	Other Misc. Revenue	8,333	6,633	(20.40%)		(130)	(101.96%)		-
415	4660	Reimbursements - Other Govts	2,183,508	7,504,915	243.71%	8,000,000	6,698,800	(10.74%)	6,000,000	(25.00%)
	TUMF CAPITAL PROJECTS F Total		**2,281,141**	**7,515,550**	229.46%	**8,000,000**	**6,698,670**	(10.87%)	**6,000,000**	(25.00%)
416	4574	Other Misc. Revenue		1,018	100.00%	1,000	1,018	-	1,000	-
416	4701	Transfers	3,202,852	4,216,228	31.64%	1,837,894	1,837,894	(56.41%)	295,000	(83.95%)
	DIF ARTERIAL STREETS CA Total		**3,202,852**	**4,217,246**	31.67%	**1,838,894**	**1,838,912**	(56.40%)	**296,000**	(83.90%)
417	4574	Other Misc. Revenue		2,499	100.00%	1,000	2,499	-	1,000	-
417	4701	Transfers	834,492	360,618	(56.79%)	1,374,380	1,374,380	281.12%	-	(100.00%)
	DIF TRAFFIC SIGNAL CAPI Total		**834,492**	**363,117**	(56.49%)	**1,375,380**	**1,376,879**	279.18%	**1,000**	(99.93%)
418	4701	Transfers			-			-	1,740,000	100.00%

MV00056017

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
		DIF INTERCHANGE IMPRV C Total	-	-	-	-	-	-	**1,740,000**	100.00%
434	4574	Other Misc. Revenue	459		(100.00%)			-		-
		FIRE SERVICES CAP FUND Total	**459**	-	(100.00%)	-	-	-	-	-
461	4574	Other Misc. Revenue		204	100.00%			(100.00%)		-
461	4611	State Grant Revenue	1,040,430		(100.00%)			-		-
461	4659	Federal Reimbursements	763,328		(100.00%)			-		-
461	4660	Reimbursements - Other Govts		239,746	100.00%			(100.00%)		-
461	4701	Transfers	4,262,355	(74,000)	(101.74%)			(100.00%)		-
		PARKS & RECREATION CAP Total	**6,066,113**	**165,950**	(97.26%)	-	-	(100.00%)	-	-
501	4540	Developer Reimbursement	1,500		(100.00%)			-		-
501	4556 10	Interest Income - Investments	1,374,223	309,287	(77.49%)	100,000		(100.00%)	100,000	-
501	4574	Other Misc. Revenue	947	12,459	1,215.63%			(100.00%)		-
501	4701	Transfers	164,000	185,000	12.80%			(100.00%)		-
		2005 LEASE REV BONDS-C Total	**1,540,670**	**506,746**	(67.11%)	**100,000**	-	(100.00%)	**100,000**	-
502	4701	Transfers	78,760		(100.00%)			-		-
		TWNGT B CAP-ADMIN FUND Total	**78,760**	-	(100.00%)	-	-	-	-	-
506	4701	Transfers		392,244	100.00%			(100.00%)		-
		TWNGT REF CAP-ADMIN FUN Total	-	**392,244**	100.00%	-	-	(100.00%)	-	-
512	4550	Administrative Charges		58,787	100.00%			(100.00%)		-
512	4701	Transfers	181,525		(100.00%)			-		-
		CTRPT 87-4 CAP-ADMIN FU Total	**181,525**	**58,787**	(67.61%)	-	-	(100.00%)	-	-
513	4701	Transfers		3,700	100.00%	38,250	38,250	933.78%	38,250	-
		TWNGT IMPV SPCL TAX CAP Total	-	**3,700**	100.00%	**38,250**	**38,250**	933.78%	**38,250**	-
515	4701	Transfers			-	139,750	139,750	100.00%	145,650	4.22%
		2007 TWNGT SPCLTAX REF Total	-	-	-	**139,750**	**139,750**	100.00%	**145,650**	4.22%
518	4110 15	Property Tax - Bond Assessmen	8,415	9,263	10.08%	8,325	8,325	(10.13%)	8,400	0.90%
		WARNER RANCH ASDST FUND Total	**8,415**	**9,263**	10.08%	**8,325**	**8,325**	(10.13%)	**8,400**	0.90%
528	4701	Transfers	512,462	148,446	(71.03%)	148,940	148,940	0.33%	62,500	(58.04%)
		AUTOMALL CAP-ADMIN FUND Total	**512,462**	**148,446**	(71.03%)	**148,940**	**148,940**	0.33%	**62,500**	(58.04%)
529	4556 10	Interest Income - Investments	175,974	22,768	(87.06%)			(100.00%)		-
529	4701	Transfers	96,471	50,000	(48.17%)	54,000	54,000	8.00%	54,000	-
		CFD#5 STONERIDGE CAP/AD Total	**272,445**	**72,768**	(73.29%)	**54,000**	**54,000**	(25.79%)	**54,000**	-
530	4701	Transfers			-	50,000		-	10,407,900	20,715.80%
		CFD #4I - INFRA CAP/ADM Total	-	-	-	**50,000**	-	-	**10,407,900**	20,715.80%
601	4241 16	Engineering Plan Check Fees	114,338	284,067	148.44%	264,400	50,000	(82.40%)	26,500	(89.98%)
601	4253	Advanced Energy Fees	12,385		(100.00%)			-		-
601	4293	Electricity Fees	(74,415)	(110,826)	48.93%	(142,738)	(140,000)	26.32%	(146,000)	2.29%
601	4540	Developer Reimbursement	24,000		(100.00%)			-		-

MV00056018

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
601	4548 4	Rental Revenue - ENCO	45,412	46,095	1.50%	44,000	56,000	21.49%	56,000	27.27%
601	4556 10	Interest Income - Investments		74,322	100.00%			(100.00%)		-
601	4558	Unrealized Gains/Losses		(15,961)	100.00%			(100.00%)		-
601	4568	Fixed Asset Sales/Gains		43,100	100.00%			(100.00%)		-
601	4570	Claims, Judgemnts, Settlmnt	18,182		(100.00%)			-		-
601	4574	Other Misc. Revenue	193,416	265,192	37.11%	249,600	285,000	7.47%	285,000	14.18%
601	4575	Replacement Charge Revenue	1,561	3,917	150.93%	3,917	3,917	-	4,000	2.12%
601	4701	Transfers	88,183		(100.00%)			-		-
601	5115	Generation	6,137,420	7,558,249	23.15%	9,515,881	8,869,980	17.35%	9,360,000	(1.64%)
601	5120	Distribution	2,595,414	3,504,486	35.03%	4,757,941	3,801,420	8.47%	3,640,000	(23.50%)
601	5125	Transmission	298,914	464,285	55.32%			(100.00%)		-
601	5150	Special Charges	151,172	155,083	2.59%	139,800	83,000	(46.48%)	144,000	3.00%
601	5155	Public Purpose Programs	368,662	216,836	(41.18%)	713,691	485,000	123.67%	500,000	(29.94%)
ELECTRIC FUND Total			**9,974,644**	**12,488,845**	25.21%	**15,546,492**	**13,494,317**	8.05%	**13,869,500**	(10.79%)
602	4556 10	Interest Income - Investments	425,194	63,912	(84.97%)	41,410		(100.00%)		(100.00%)
602	4556 11	Interest Income - Other		8,761	100.00%			(100.00%)		-
602	4701	Transfers		922,032	100.00%			(100.00%)		-
2007 TAXABLE LEASE REV Total			**425,194**	**994,705**	133.94%	**41,410**	-	(100.00%)	-	(100.00%)
603	4701	Transfers		112,731	100.00%			(100.00%)		-
2005 LEASE REVENUE BOND Total			-	**112,731**	100.00%	-	-	(100.00%)	-	-
741	4550	Administrative Charges	1,414,014	1,289,728	(8.79%)	1,030,903	1,030,903	(20.07%)	1,031,000	0.01%
741	4570	Claims, Judgemnts, Settlmnt	18,712	2,448	(86.92%)			(100.00%)		-
741	4575	Replacement Charge Revenue		298	100.00%	298	298	-	300	0.67%
GENERAL LIABILITY INS F Total			**1,432,726**	**1,292,474**	(9.79%)	**1,031,201**	**1,031,201**	(20.21%)	**1,031,300**	0.01%
745	4566	Accum. Worker's Comp. Chg.	1,258,169	1,085,915	(13.69%)	870,770	870,770	(19.81%)	870,800	0.00%
745	4574	Other Misc. Revenue	149		(100.00%)			-		-
745	4660	Reimbursements - Other Govts	38,560	258,938	571.52%			(100.00%)		-
745	4701	Transfers	500,000		(100.00%)			-		-
WORKER'S COMP FUND Total			**1,796,878**	**1,344,853**	(25.16%)	**870,770**	**870,770**	(35.25%)	**870,800**	0.00%
750	4550	Administrative Charges	4,027,508	3,609,221	(10.39%)	4,017,915	4,017,915	11.32%	4,018,000	0.00%
750	4570	Claims, Judgemnts, Settlmnt	14,487	120	(99.17%)			(100.00%)		-
750	4574	Other Misc. Revenue	3,026	2,254	(25.51%)			(100.00%)		-
750	4575	Replacement Charge Revenue	212,765	264,520	24.32%	264,520	264,520	-	264,600	0.03%
750	4611	State Grant Revenue		50,000	100.00%			(100.00%)		-
750	4701	Transfers	165,000		(100.00%)			-		-
MANAGEMENT INFO SYSTEM Total			**4,422,786**	**3,926,115**	(11.23%)	**4,282,435**	**4,282,435**	9.08%	**4,282,600**	0.00%
751	4530	In-House Copier Charges	149,496		(100.00%)			-		-
751	4539	Car Pool Charges	1,552		(100.00%)			-		-
751	4550	Administrative Charges	(36,551)	36,730	(200.49%)			(100.00%)		-
751	4568	Fixed Asset Sales/Gains		(74,103)	100.00%			(100.00%)		-

MV00056019

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
	CENTRAL SERVICES FUND Total		114,497	(37,373)	(132.64%)	-	-	(100.00%)	-	-
754	4529	Security Guard Reim.	538		(100.00%)			-		-
754	4550	Administrative Charges	3,942,198	4,574,565	16.04%	4,079,014	4,079,014	(10.83%)	4,079,100	0.00%
754	4553	Employee Beverage Service	2,988	3,429	14.76%	3,060	3,060	(10.76%)	3,100	1.31%
754	4555	Reimbursement Agreement	1,563	1,363	(12.80%)	1,690	1,690	23.99%	1,700	0.59%
754	4575	Replacement Charge Revenue	56,669	27,495	(51.48%)	27,495	27,495	-	27,500	0.02%
754	4701	Transfers	250,000		(100.00%)	100,000	100,000	100.00%		(100.00%)
	FACILITIES FUND Total		4,253,956	4,606,852	8.30%	4,211,259	4,211,259	(8.59%)	4,111,400	(2.37%)
755	4550	Administrative Charges	977,765	822,229	(15.91%)	714,461	714,461	(13.11%)	714,500	0.01%
755	4575	Replacement Charge Revenue	1,224	3,745	205.96%	3,745	3,745	-	3,800	1.47%
	EQUIPMENT MAINTENANCE F Total		978,989	825,974	(15.63%)	718,206	718,206	(13.05%)	718,300	0.01%
757	4574	Other Misc. Revenue	295	25,385	8,505.08%			(100.00%)		-
757	4575	Replacement Charge Revenue	2,217,402	2,306,671	4.03%	2,306,405		(100.00%)	2,306,500	0.00%
	EQUIPMENT REPLACEMENT R Total		2,217,697	2,332,056	5.16%	2,306,405	-	(100.00%)	2,306,500	0.00%
891	4574	Other Misc. Revenue	5	7,000	###########			(100.00%)		-
891	4701	Transfers	1,033,169	884,072	(14.43%)		833,505	(5.72%)		-
	RDA ADMIN FUND Total		1,033,174	891,072	(13.75%)	-	833,505	(6.46%)	-	-
892	4556 11	Interest Income - Other	1,959	1,959	-			(100.00%)		-
892	4574	Other Misc. Revenue	3,394	2,719	(19.89%)			(100.00%)		-
892	4701	Transfers	173,868	75,678	(56.47%)		1,253,600	1,556.49%		-
	RDA CAP PROJECT FUND Total		179,221	80,356	(55.16%)	-	1,253,600	1,460.06%	-	-
894	4556 10	Interest Income - Investments	416,123	180,229	(56.69%)	450,000	200,000	10.97%	200,000	(55.56%)
894	4556 16	Interest Income - HILP	150		(100.00%)			-		-
894	4556 20	Interest Inc. - Rental Rehab	16,659	20,489	22.99%			(100.00%)		-
894	4556 26	Interest Inc. - Land Transfe		170,841	100.00%	112,577	120,000	(29.76%)	118,500	5.26%
894	4558	Unrealized Gains/Losses	60,908	(46,850)	(176.92%)			(100.00%)		-
894	4562 2	Princ. Repayment- HAP	21,207		(100.00%)			-		-
894	4562 5	Princ. Repayment- Rental Reha	24,027	123,717	414.91%			(100.00%)		-
894	4562 7	Princ. Repayment -Land Xfer		197,504	100.00%	140,720		(100.00%)		(100.00%)
894	4568	Fixed Asset Sales/Gains	439,510	101,640	(76.87%)			(100.00%)		-
894	4574	Other Misc. Revenue	90	4,631	5,045.56%		1,000	(78.41%)		-
894	4599	Revenue Close to Bal Sheet	(60,686)	(328,139)	440.72%	(140,720)		(100.00%)		(100.00%)
894	4701	Transfers	4,583,576	4,546,638	(0.81%)		4,087,333	(10.10%)		-
	RDA HOUSING FUND Total		5,501,564	4,970,700	(9.65%)	562,577	4,408,333	(11.31%)	318,500	(43.39%)
895	4110 55	Tax Increment	23,890,555	23,775,956	(0.48%)	20,920,514	20,249,360	(14.83%)	18,552,905	(11.32%)
895	4110 56	Tax Increment Pass Thru	(11,525,104)	(10,293,931)	(10.68%)	(8,911,303)	(8,567,823)	(16.77%)	(7,695,249)	(13.65%)
895	4110 58	Flood Control Agrmnt Pass Thr		(1,188,798)	100.00%	(1,046,026)	(997,468)	(16.09%)	(927,645)	(11.32%)
895	4110 59	MVUSD Agreement Pass Thru	(706,881)	(757,632)	7.18%	(797,891)	(1,197,891)	58.11%	(844,766)	5.87%
895	4110 60	Val Verde USD Agrmnt Pass Thr	(6,534)	(6,951)	6.38%	(7,375)	(7,375)	6.10%	(7,809)	5.88%
895	4110 61	RCC Agreement Pass Thru	(141,502)	(152,919)	8.07%	(159,720)	(159,720)	4.45%	(169,103)	5.87%

MV00056020

CITY OF MORENO VALLEY
Revenue Detail by Fund

Fund #	Object	Description	2007-08 Actual	2008-09 Actual	% Increase/ (Decrease) over/(under) 2007-08 Actual	2009-10 Adjusted Budget	2009-10 Projected Actual	% Increase/ (Decrease) over/(under) 2008-09 Actual	2010-11 Preliminary Base	% Increase/ (Decrease) over/(under) 2009-10 Adjusted Budget
895	4110 62	PerrisAreaElmSch Agrmnt Pass	(2,438)	(2,593)	6.36%	(2,752)	(2,752)	6.13%	(2,913)	5.85%
895	4110 63	Perris Jr High Agrmnt Pass Th	(1,627)	(1,730)	6.33%	(1,836)	(1,836)	6.13%	(1,944)	5.88%
895	4110 64	Co. Supt of Schls Agrmnt Pass	(113,695)	(120,941)	6.37%	(128,333)	(128,330)	6.11%	(135,872)	5.87%
895	4121 11	Sales Tax - Note No. 1	532,345	468,604	(11.97%)	500,000	500,000	6.70%	400,000	(20.00%)
895	4121 12	Sales Tax - Note No. 2	385,926	394,359	2.19%	380,000	380,000	(3.64%)	380,000	-
895	4556 10	Interest Income - Investments	848,488	1,171,360	38.05%	688,820	1,000,000	(14.63%)	800,000	16.14%
895	4556 11	Interest Income - Other	17,250	15,675	(9.13%)			(100.00%)		-
895	4558	Unrealized Gains/Losses	64,357	(100,824)	(256.66%)			(100.00%)		-
895	4562	Principal Repayment		31,500	100.00%			(100.00%)		-
895	4568	Fixed Asset Sales/Gains		450,000	100.00%			(100.00%)		-
895	4579	Interfund Loan Proceeds	133,728		(100.00%)			-		-
895	4599	Revenue Close to Bal Sheet		(31,500)	100.00%			(100.00%)		-
895	4701	Transfers	810,760		(100.00%)			-		-
	RDA TAX INCREMENT FUND Total		**14,185,628**	**13,649,635**	(3.78%)	**11,434,098**	**11,066,165**	(18.93%)	**10,347,604**	(9.50%)
896	4556 10	Interest Income - Investments	729	664	(8.92%)	1,100		(100.00%)	1,100	-
896	4577	Bond Proceeds	43,495,000		(100.00%)			-		-
896	4701	Transfers	362,058	2,845,471	685.92%			(100.00%)		-
897	4556 10	Interest Income - Investments	921,083	1,171,006	27.13%	1,000,000	1,000,000	(14.60%)	900,000	(10.00%)
897	4558	Unrealized Gains/Losses	(1,468)	(262,851)	17,805.38%			(100.00%)		-
897	4701	Transfers	41,640,724		(100.00%)			-		-
	RDA 2007TABS, Series A Total		**86,418,126**	**3,754,290**	(95.66%)	**1,001,100**	**1,000,000**	(73.36%)	**901,100**	(9.99%)
898	4556 10	Interest Income - Investments	141,684		(100.00%)			-		-
898	4701	Transfers	419,513	721,949	72.09%		600,000	(16.89%)		-
	RDA 2007TABS, Series B Total		**561,197**	**721,949**	28.64%	-	**600,000**	(16.89%)	-	-
911	4610	Federal Grant Revenue	10,645		(100.00%)			-		-
	THE DISASTER FUND Total		**10,645**	-	(100.00%)	-	-	-	-	-
	Grand Total		**335,072,994**	**243,242,066**	**(27.41%)**	**217,239,646**	**190,108,268**	**(21.84%)**	**194,237,582**	**(10.59%)**
	Less Internal Service Funds [1]		15,217,529	14,290,951		13,420,276	11,113,871		13,320,900	
	NET REVENUES		**$ 319,855,465**	**$ 228,951,115**	**(28.42%)**	**$ 203,819,370**	**$ 178,994,397**	**(21.82%)**	**$ 180,916,682**	**(11.24%)**

(1) These Internal Service Funds (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues

MV00056021

City of Moreno Valley

2010-11 Preliminary Base Operating budget

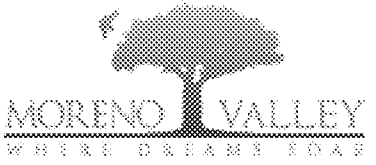

General Fund

MV000056022

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund

Description	General Fund 010	Development Services 011	Fire Services 133	Total
Revenues				
Property Taxes	16,046,100	-	4,323,400	20,369,500
Gas Taxes	-	-	-	-
Sales Taxes	9,735,100	-	-	9,735,100
Business Gross Receipts Taxes	906,500	-	-	906,500
Utility Users Taxes	15,200,000	-	-	15,200,000
Other Taxes	850,000	-	-	850,000
Franchise Fees	4,800,000	-	-	4,800,000
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	360,000	-	-	360,000
Other Fees	2,152,100	2,850,300	100,700	5,103,100
Fees for Service	-	-	-	-
Permits & Licenses	520,000	740,600	-	1,260,600
Fines & Forfeitures	1,000,000	-	-	1,000,000
Administrative Charges	2,691,500	-	-	2,691,500
Interest Income	4,478,500	-	-	4,478,500
Bond Proceeds	-	-	-	-
Miscellaneous Revenues	694,900	6,800	49,400	751,100
Grants/Intergovernmental Revenues	248,500	-	-	248,500
Transfers In	-	-	-	-
Total Operating Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-
Total Revenues	**59,683,200**	**3,597,700**	**4,473,500**	**67,754,400**
Expenditures				
Operating:				
Personnel Services	11,267,622	3,851,300	701,300	15,820,222
Contractual Services	44,060,244	498,400	13,997,950	58,556,594
Materials & Supplies	838,752	73,860	46,800	959,412
Debt Service	-	-	-	-
Fixed Charges	5,195,443	1,157,500	1,094,500	7,447,443
Transfers Out	2,666,900	-	-	2,666,900
Total Operating Expenditures	**64,028,961**	**5,581,060**	**15,840,550**	**85,450,571**
Capital :				
Fixed Assets	130,100	50,000	-	180,100
Total Capital Expenditures	**130,100**	**50,000**	**-**	**180,100**
Total Program Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Increase in Reserve for Contingencies				-
Total Expenditures	**64,159,061**	**5,631,060**	**15,840,550**	**85,630,671**
Net Revenues Over (Under) Expenditures	**(4,475,861)**	**(2,033,360)**	**(11,367,050)**	**(17,876,271)**

MV00056023

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - General Government

Description	City Council 010.11110	City Manager's Office 010.12110	City Clerk 010.13110	Economic Development 010.21110	City Attorney 010.22110	Media & Communications 010.23510
Expenditures						
Operating:						
Personnel Services	452,600	824,100	399,900	170,295	954,127	94,700
Contractual Services	74,800	97,200	99,700	437,929	165,991	147,800
Materials & Supplies	6,900	4,600	27,940	18,600	29,912	1,600
Debt Service	-	-	-	-	-	-
Fixed Charges	133,000	133,800	108,500	58,627	102,516	25,700
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	667,300	1,059,700	636,040	685,451	1,252,546	269,800
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	667,300	1,059,700	636,040	685,451	1,252,546	269,800

MV000056024

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - General Government

Description	Human Resources 010.24110	Graphics Support 010.25210	Financial & Admin. Svcs - Administration 010.31110	Financial & Admin. Svcs - Finance/ Financial Ops. 010.31210	Financial & Admin. Svcs - Finance/ Treasury Ops. 010.31410	Financial & Admin. Svcs - Finance/ Purchasing 010.31510
Expenditures						
Operating:						
Personnel Services	593,400	116,900	255,600	923,900	546,500	364,700
Contractual Services	266,100	35,900	2,500	76,400	308,100	4,500
Materials & Supplies	18,200	8,500	2,100	27,000	15,300	9,500
Debt Service	-	-	-	-	-	-
Fixed Charges	107,500	58,200	93,300	224,700	138,700	161,400
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	985,200	219,500	353,500	1,252,000	1,008,600	540,100
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	985,200	219,500	353,500	1,252,000	1,008,600	540,100

MV000056025

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - General Government

Description	CDD Graffiti Abatement 010.41410	Advance Planning 010.41610	CDD Code Compliance 010.45310	CDD Code Compliance Grant 010.45312	Records Mgmt System 010.66021	Non-Departmental 010.99110	Total
Expenditures							
Operating:							
Personnel Services	23,300	407,300	988,300	-	-	280,000	7,395,622
Contractual Services	500	2,000	313,300	18,400	-	2,175,000	4,226,120
Materials & Supplies	400	900	58,700	-	-	-	230,152
Debt Service	-	-	-	-	-	-	-
Fixed Charges	4,900	12,100	308,400	-	-	349,500	2,020,843
Transfers Out	-	-	-	-	-	2,666,900	2,666,900
Total Operating Expenditures	29,100	422,300	1,668,700	18,400	-	5,471,400	16,539,637
Capital:							
Fixed Assets	-	-	-	-	112,800	-	112,800
Total Capital Expenditures	-	-	-	-	112,800	-	112,800
Total Program Expenditures	29,100	422,300	1,668,700	18,400	112,800	5,471,400	16,652,437

MV00056026

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Public Works

Description	PW Admin 010.51110	Cap Proj Admin 010.51310	PW Solid Waste 010.51510	PW Transportation Engineering 010.53110	PW Traffic Signal Maintenance 010.53310	PW Capital Projects Engineering 010.54110	PW Graffiti Removal 010.55810	PW Tree Trimming 010.56710	Total
Expenditures									
Operating:									
Personnel Services	94,700	112,200	151,300	600,200	314,200	-	-	-	1,272,600
Contractual Services	6,800	-	23,000	13,100	183,400	-	-	-	226,300
Materials & Supplies	3,900	-	2,500	16,800	149,700	-	-	-	172,900
Debt Service	-	-	-	-	-	-	-	-	-
Fixed Charges	69,500	(112,200)	12,600	177,500	47,700	8,900	4,500	20,400	228,900
Transfers Out	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	174,900	-	189,400	807,600	695,000	8,900	4,500	20,400	1,900,700
Capital:									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-	-
Total Program Expenditures	174,900	-	189,400	807,600	695,000	8,900	4,500	20,400	1,900,700

MV00056027

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Public Safety

Description	Police Administration 010.62110	Police Patrol and Investigation 010.62210	Police Traffic Enforcement 010.62310	Police Detective Unit 010.62410	Police Crime Prevention 010.62510	Police Crime Prevention - POP 010.62610
Expenditures						
Operating:						
Personnel Services	184,400	-	90,200	-	-	-
Contractual Services	1,695,324	22,744,909	5,897,316	1,215,600	1,073,900	2,542,275
Materials & Supplies	50,000	16,700	114,900	15,200	24,000	7,200
Debt Service	-	-	-	-	-	-
Fixed Charges	1,732,900	9,300	198,800	7,600	24,900	12,300
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	3,662,624	22,770,909	6,301,216	1,238,400	1,122,800	2,561,775
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	3,662,624	22,770,909	6,301,216	1,238,400	1,122,800	2,561,775

MV00056028

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Public Safety

Description	Police Special Enforcement 010.62710	Police Towngate Mall Patrol 010.62910	Animal Services 010.63110	Emergency Operations & Volunteer Svcs 010.64110	Crossing Guards 010.72110	Total
Expenditures						
Operating:						
Personnel Services	-	-	1,606,000	143,700	575,100	2,599,400
Contractual Services	3,766,400	495,300	158,300	14,700	3,800	39,607,824
Materials & Supplies	21,000	700	158,600	24,800	2,600	435,700
Debt Service	-	-	-	-	-	-
Fixed Charges	19,200	-	492,200	412,500	36,000	2,945,700
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	3,806,600	496,000	2,415,100	595,700	617,500	45,588,624
Capital:						
Fixed Assets	-	-	17,300	-	-	17,300
Total Capital Expenditures	-	-	17,300	-	-	17,300
Total Program Expenditures	3,806,600	496,000	2,432,400	595,700	617,500	45,605,924

MV00056029

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Development Services

Description	Development Svcs Admin Support 011.41010	CDD Administration 011.41110	CDD Planning Commission 011.41210	CDD Planning 011.41310	CDD Building & Safety 011.45410	Fire Prevention Inspections 011.45810	PW Land Development 011.52310	PW Inspection Services 011.52710
Expenditures								
Operating:								
Personnel Services	353,500	225,100	45,200	532,200	746,000	113,700	906,500	558,900
Contractual Services	-	8,100	10,100	9,400	301,800	13,700	134,700	20,600
Materials & Supplies	-	16,700	2,600	7,600	25,900	5,560	4,400	11,100
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	7,800	133,900	16,300	203,700	234,600	155,200	300,500	80,200
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	361,300	383,800	74,200	752,900	1,308,300	288,160	1,346,100	670,800
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	361,300	383,800	74,200	752,900	1,308,300	288,160	1,346,100	670,800

MV00056030

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Development Services

Description	PW - HLFV Project 011.52910	PW - Verizon FTTP 011.52911	PW - Sunesys, LLC 011.52912	PW - HLFV Interchngs 011.52913	PW - EMWD Sunnymead Pipe 011.52913	PW - Transp Dev Svcs 011.53210	PW - Transp Insp Svcs 011.53410	Total
Expenditures								
Operating:								
Personnel Services	-	72,800	2,400	-	-	262,900	32,100	3,851,300
Contractual Services	-	-	-	-	-	-	-	498,400
Materials & Supplies	-	-	-	-	-	-	-	73,860
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	15,700	9,600	1,157,500
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	-	72,800	2,400	-	-	278,600	41,700	5,581,060
Capital:								
Fixed Assets	-	-	-	50,000	-	-	-	50,000
Total Capital Expenditures	-	-	-	50,000	-	-	-	50,000
Total Program Expenditures	-	72,800	2,400	50,000	-	278,600	41,700	5,631,060

MV00056031

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
General Fund - Fire Service Operations

Description	Fire Prevention 133.45910	Fire Operations 133.65110	Total
Expenditures			
Operating:			
Personnel Services	546,800	154,500	701,300
Contractual Services	109,650	13,888,300	13,997,950
Materials & Supplies	6,600	40,200	46,800
Debt Service	-	-	-
Fixed Charges	35,100	1,059,400	1,094,500
Transfers Out	-	-	-
Total Operating Expenditures	698,150	15,142,400	15,840,550
Capital:			
Fixed Assets	-	-	-
Total Capital Expenditures	-	-	-
Total Program Expenditures	698,150	15,142,400	15,840,550

MV00056032

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Council FUND: 010

PROGRAM NUMBER: 11110

PROGRAM OBJECTIVE: To provide administrative and clerical support to the Mayor and City Council members; respond to public inquiries via telephone and in person; facilitate Council requests; draft correspondence; prepare Council recognitions; coordinate receptions; schedule meetings; act as Council liaison, as directed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 421,904	$ 395,127	(6.35%)	$ 425,719	$ 385,000	(2.56%)	$ 452,600	6.31%
Contractual Services	76,062	55,503	(27.03%)	84,022	78,600	41.61%	74,800	(10.98%)
Materials & Supplies	7,946	6,637	(16.47%)	8,600	7,300	9.99%	6,900	(19.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	150,328	142,809	(5.00%)	133,179	180,620	26.48%	133,000	(0.13%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 656,240	$ 600,076	(8.56%)	$ 651,520	$ 651,520	8.57%	$ 667,300	2.42%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 656,240	$ 600,076	(8.56%)	$ 651,520	$ 651,520	8.57%	$ 667,300	2.42%

MV00056033

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Manager's Office FUND: 010

PROGRAM NUMBER: 12110

PROGRAM OBJECTIVE: To coordinate the implementation of Council policies and programs; provide overall direction to departments that administer City programs and services; coordinate intergovernmental relations and legislative advocacy; and administer the City's communications, media relations, and public information programs.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,012,280	$ 831,656	(17.84%)	$ 876,666	$ 999,941	20.23%	$ 824,100	(6.00%)
Contractual Services	165,308	140,237	(15.17%)	127,209	100,100	(28.62%)	97,200	(23.59%)
Materials & Supplies	7,372	6,927	(6.04%)	5,450	4,100	(40.81%)	4,600	(15.60%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	143,449	144,468	0.71%	134,038	134,000	(7.25%)	133,800	(0.18%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,328,409	$ 1,123,288	(15.44%)	$ 1,143,363	$ 1,238,141	10.22%	$ 1,059,700	(7.32%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,328,409	$ 1,123,288	(15.44%)	$ 1,143,363	$ 1,238,141	10.22%	$ 1,059,700	(7.32%)

MV00056034

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Clerk - Administration FUND: 010

PROGRAM NUMBER: 13110

PROGRAM OBJECTIVE: To coordinate, assemble, and disseminate the agenda packets; serve as clerk to the City Council; record and maintain all Council actions; prepare and distribute minutes of City Council meetings; serve as custodian of official City records and City seal; facilitate access to such records; coordinate municipal elections; receive nomination papers, campaign statements and all required filings pursuant to the Fair Political Practices Commission; advertise and receive bids; and conduct bid openings.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 556,602	$ 385,897	(30.67%)	$ 402,789	$ 322,850	(16.34%)	$ 399,900	(0.72%)
Contractual Services	65,512	139,902	113.55%	65,500	37,720	(73.04%)	99,700	52.21%
Materials & Supplies	40,404	35,820	(11.35%)	43,230	35,750	(0.20%)	27,940	(35.37%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	132,708	113,883	(14.19%)	108,589	223,780	96.50%	108,500	(0.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 795,226	$ 675,502	(15.06%)	$ 620,108	$ 620,100	(8.20%)	$ 636,040	2.57%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 795,226	$ 675,502	(15.06%)	$ 620,108	$ 620,100	(8.20%)	$ 636,040	2.57%

MV00056035

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Economic Development FUND: 010

21110

PROGRAM OBJECTIVE: To encourage and facilitate growth in the Moreno Valley economy to increase assessed valuation, increase sales tax, and create family-supporting jobs, through a program incorporating marketing, business attraction, expansion and retention activities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 287,643	$ 251,818	(12.45%)	$ 182,899	$ 157,393	(37.50%)	$ 170,295	(6.89%)
Contractual Services	325,847	315,836	(3.07%)	436,929	309,520	(2.00%)	437,929	0.23%
Materials & Supplies	14,812	10,588	(28.52%)	18,600	14,200	34.11%	18,600	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	62,843	65,375	4.03%	58,627	58,627	(10.32%)	58,627	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 691,145	$ 643,617	(6.88%)	$ 697,055	$ 539,740	(16.14%)	$ 685,451	(1.66%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 691,145	$ 643,617	(6.88%)	$ 697,055	$ 539,740	(16.14%)	$ 685,451	(1.66%)

MV00056036

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Attorney FUND: 010

PROGRAM NUMBER: 22110

PROGRAM OBJECTIVE: To provide a wide range of legal services for the City organization including the highest quality expert legal advice to the City Council and staff, City Boards, Committees and Commissions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 872,250	$ 948,439	8.73%	$ 822,281	$ 816,447	(13.92%)	$ 954,127	16.03%
Contractual Services	62,407	135,071	116.44%	222,081	212,486	57.31%	165,991	(25.26%)
Materials & Supplies	41,549	40,517	(2.48%)	29,912	18,561	(54.19%)	29,912	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	113,368	107,944	(4.78%)	102,516	102,516	(5.03%)	102,516	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,089,574	$ 1,231,971	13.07%	$ 1,176,790	$ 1,150,010	(6.65%)	$ 1,252,546	6.44%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,089,574	$ 1,231,971	13.07%	$ 1,176,790	$ 1,150,010	(6.65%)	$ 1,252,546	6.44%

MV00056037

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Media & Communications FUND: 010

PROGRAM NUMBER: 23510

PROGRAM OBJECTIVE: To administer a comprehensive media communications and marketing program for the City to communicate City interests to the community's residents and businesses.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 169,092	$ 171,349	1.33%	$ 114,032	$ 94,900	(44.62%)	$ 94,700	(16.95%)
Contractual Services	176,210	64,250	(63.54%)	153,623	118,600	84.59%	147,800	(3.79%)
Materials & Supplies	4,894	2,615	(46.57%)	1,975	1,495	(42.83%)	1,600	(18.99%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	36,974	26,072	(29.49%)	25,748	25,600	(1.81%)	25,700	(0.19%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 387,170	$ 264,286	(31.74%)	$ 295,378	$ 240,595	(8.96%)	$ 269,800	(8.66%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 387,170	$ 264,286	(31.74%)	$ 295,378	$ 240,595	(8.96%)	$ 269,800	(8.66%)

MV00056038

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Graphics Support FUND: 010

PROGRAM NUMBER: 25210

PROGRAM OBJECTIVE: To administer a comprehensive graphics support program for all City departments.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 268,352	$ 135,705	(49.43%)	$ 123,222	$ 110,700	(18.43%)	$ 116,900	(5.13%)
Contractual Services	40,305	21,718	(46.12%)	36,758	26,000	19.72%	35,900	(2.33%)
Materials & Supplies	20,708	4,262	(79.42%)	8,800	8,100	90.05%	8,500	(3.41%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	77,258	62,591	(18.98%)	58,486	73,400	17.27%	58,200	(0.49%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 406,623	$ 224,276	(44.84%)	$ 227,266	$ 218,200	(2.71%)	$ 219,500	(3.42%)
Capital Expenditures								
Fixed Assets	20,451	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 20,451	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 427,074	$ 224,276	(47.49%)	$ 227,266	$ 218,200	(2.71%)	$ 219,500	(3.42%)

MV00056039

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Administration FUND: 010

PROGRAM NUMBER: 31110

PROGRAM OBJECTIVE: To oversee and provide administrative support for the seven functional areas that comprise the department including: Budget Office, Financial Operations, Treasury Operations, Purchasing, Facilities Maintenance, Technology Services, and Animal Services.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 407,626	$ 325,305	(20.20%)	$ 323,626	$ 361,000	10.97%	$ 255,600	(21.02%)
Contractual Services	5,954	2,871	(51.78%)	3,400	2,500	(12.92%)	2,500	(26.47%)
Materials & Supplies	4,023	2,299	(42.85%)	9,775	2,100	(8.66%)	2,100	(78.52%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	106,874	84,947	(20.52%)	93,259	93,300	9.83%	93,300	0.04%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 524,477	$ 415,422	(20.79%)	$ 430,060	$ 458,900	10.47%	$ 353,500	(17.80%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 524,477	$ 415,422	(20.79%)	$ 430,060	$ 458,900	10.47%	$ 353,500	(17.80%)

MV00056040

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Financial Operations FUND: 010

PROGRAM NUMBER: 31210

PROGRAM OBJECTIVE: To ensure propriety and legality of City financial transactions according to authorized budgets and accounting standards; to provide complete and timely reporting of the City's financial position; and to support City departments in their need for reliable financial information and other fiscal services.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,328,597	$ 1,260,918	(5.09%)	$ 900,461	$ 926,327	(26.54%)	$ 923,900	2.60%
Contractual Services	102,282	72,813	(28.81%)	115,110	135,745	86.43%	76,400	(33.63%)
Materials & Supplies	32,735	26,455	(19.18%)	26,920	25,460	(3.76%)	27,000	0.30%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	255,520	238,887	(6.51%)	224,696	224,156	(6.17%)	224,700	0.00%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,719,134	$ 1,599,073	(6.98%)	$ 1,267,187	$ 1,311,688	(17.97%)	$ 1,252,000	(1.20%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,719,134	$ 1,599,073	(6.98%)	$ 1,267,187	$ 1,311,688	(17.97%)	$ 1,252,000	(1.20%)

MV00056041

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Treasury Operations FUND: 010

PROGRAM NUMBER: 31410

PROGRAM OBJECTIVE: To safeguard the City's money while maintaining liquidity and a reasonable return on its investment; to identify and recommend revenue enhancement and cost cutting opportunities; and to provide reliable and timely financial information and other fiscal services to City departments and the general public.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 817,737	$ 765,794	(6.35%)	$ 633,660	$ 633,660	(17.25%)	$ 546,500	(13.76%)
Contractual Services	151,498	111,777	(26.22%)	159,087	153,087	36.96%	308,100	93.67%
Materials & Supplies	34,705	24,446	(29.56%)	15,262	15,262	(37.57%)	15,300	0.25%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	154,386	146,291	(5.24%)	138,751	138,751	(5.15%)	138,700	(0.04%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,158,326	$ 1,048,308	(9.50%)	$ 946,760	$ 940,760	(10.26%)	$ 1,008,600	6.53%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,158,326	$ 1,048,308	(9.50%)	$ 946,760	$ 940,760	(10.26%)	$ 1,008,600	6.53%

MV00056042

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Financial & Administrative Services - Purchasing FUND: 010

PROGRAM NUMBER: 31510

PROGRAM OBJECTIVE: To provide effective and efficient management of the City's procurement activities, consistent with all rules and regulations of the Purchasing Ordinance and Administrative Policies, and in keeping with accepted public procurement practices.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 478,794	$ 508,885	6.28%	$ 391,636	$ 391,636	(23.04%)	$ 364,700	(6.88%)
Contractual Services	5,048	130,017	2,475.61%	4,895	4,414	(96.61%)	4,500	(8.07%)
Materials & Supplies	3,459	11,754	239.81%	9,684	8,668	(26.25%)	9,500	(1.90%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	101,764	169,894	66.95%	161,571	161,571	(4.90%)	161,400	(0.11%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 589,065	$ 820,550	39.30%	$ 567,786	$ 566,289	(30.99%)	$ 540,100	(4.88%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 589,065	$ 820,550	39.30%	$ 567,786	$ 566,289	(30.99%)	$ 540,100	(4.88%)

MV00056043

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Graffiti Abatement FUND: 010

PROGRAM NUMBER: 41410

PROGRAM OBJECTIVE: To investigate, document, civilly prosecute and secure restitution for graffiti City-wide for the purpose of reducing the vandalism to private and public property.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 39,857	$ 27,869	(30.08%)	$ 25,114	$ 1,600	(94.26%)	$ 23,300	(7.22%)
Contractual Services	-	-	-	500	400	100.00%	500	-
Materials & Supplies	57	44	(22.81%)	538	300	581.82%	400	(25.65%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	7,558	4,733	(37.38%)	4,961	4,961	4.82%	4,900	(1.23%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 47,472	$ 32,646	(31.23%)	$ 31,113	$ 7,261	(77.76%)	$ 29,100	(6.47%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 47,472	$ 32,646	(31.23%)	$ 31,113	$ 7,261	(77.76%)	$ 29,100	(6.47%)

MV00056044

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Advance Planning FUND: 010

PROGRAM NUMBER: 41610

PROGRAM OBJECTIVE: To administer the review and preparation of policy related to planning and development. This includes the preparation of City initiated updates to the General Plan and Title 9 of the Municipal Code. The City must ensure compliance with State mandated requirements pertaining to planning and zoning. In addition, advanced planning facilitates addressing regional issues by coordinating efforts with other regional agencies, such as Western Riverside Council of Governments (WRCOG), the Southern California Association of Governments (SCAG), the Riverside County Transportation Commission (RCTC), and the Regional Conservation Authority (RCA).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 519,167	$ 490,743	(5.47%)	$ 482,799	$ 405,587	(17.35%)	$ 407,300	(15.64%)
Contractual Services	898	202	(77.51%)	2,652	2,050	914.85%	2,000	(24.59%)
Materials & Supplies	77	-	(100.00%)	1,800	900	100.00%	900	(50.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	17,892	13,810	(22.81%)	12,232	12,232	(11.43%)	12,100	(1.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 538,034	$ 504,755	(6.19%)	$ 499,483	$ 420,769	(16.64%)	$ 422,300	(15.45%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 538,034	$ 504,755	(6.19%)	$ 499,483	$ 420,769	(16.64%)	$ 422,300	(15.45%)

MV00056045

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Code Compliance FUND: 010

PROGRAM NUMBER: 45310

PROGRAM OBJECTIVE: To respond to citizen complaints and to pro-actively identify and address code violations on public and private property to protect the health and safety of the community and to ensure the highest level of voluntary resolution of issues City-wide.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,160,083	$ 1,335,450	15.12%	$ 1,326,415	$ 1,299,404	(2.70%)	$ 988,300	(25.49%)
Contractual Services	607,349	391,753	(35.50%)	331,890	313,274	(20.03%)	313,300	(5.60%)
Materials & Supplies	70,885	70,624	(0.37%)	59,878	59,480	(15.78%)	58,700	(1.97%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	350,970	307,830	(12.29%)	308,711	308,711	0.29%	308,400	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,189,287	$ 2,105,657	(3.82%)	$ 2,026,894	$ 1,980,869	(5.93%)	$ 1,668,700	(17.67%)
Capital Expenditures								
Fixed Assets	141,080	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 141,080	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,330,367	$ 2,105,657	(9.64%)	$ 2,026,894	$ 1,980,869	(5.93%)	$ 1,668,700	(17.67%)

MV00056046

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Code Compliance - CDBG FUND: 010

PROGRAM NUMBER: 45311

PROGRAM OBJECTIVE: To respond to citizen complaints and to pro-actively identify and address code violations on public and private property to protect the health and safety of the community within the Community Development Block Grant area.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 201,780	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	1,506	-	(100.00%)	-	-	-	-	-
Materials & Supplies	6,161	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	16,568	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 226,015	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 226,015	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056047

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Code Compliance - JAG FUND: 010

PROGRAM NUMBER: 45312

PROGRAM OBJECTIVE: Provide additional enhancement funding to the current Anti-Graffiti Program from the Edward Byrne Memorial Justice Assistance Grant (JAG) grant.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	22,038	3,548	100.00%	18,400	(16.51%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 22,038	$ 3,548	100.00%	$ 18,400	(16.51%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 22,038	$ 3,548	100.00%	$ 18,400	(16.51%)

MV00056048

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Records Management System FUND: 010

PROGRAM NUMBER: 66021

PROGRAM OBJECTIVE: To implement a records management system by purchasing a high-end scanner, scanning workstations, DVD writer, file server, scanning licenses, OCR licenses, database licenses, and an internet search engine. The software includes: SIRE AgendaPlus to create Council meeting agendas, manage agenda items and post complete agenda packets on the internet; and Granicus to provide Web streaming videos of Council meetings and to facilitate the preparation of minutes.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	44,095	-	(100.00%)	112,853	112,800	100.00%	112,800	(0.05%)
Total Capital Expenditures	$ 44,095	$ -	(100.00%)	$ 112,853	$ 112,800	100.00%	$ 112,800	-
Total Program Budget	$ 44,095	$ -	(100.00%)	$ 112,853	$ 112,800	100.00%	$ 112,800	(0.05%)

MV00056049

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Non-Departmental FUND: 010

PROGRAM NUMBER: 99110

PROGRAM OBJECTIVE: To provide appropriate funds for those activities that support the General Fund and are not directly assignable to any one department or program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 163,197	$ 141,540	(13.27%)	$ 250,000	$ 250,000	76.63%	$ 280,000	12.00%
Contractual Services	411,634	2,131,061	417.71%	1,811,000	1,867,233	(12.38%)	2,175,000	20.10%
Materials & Supplies	-	1,195	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	131,782	99,532	(24.47%)	229,432	249,532	150.71%	349,500	52.33%
Transfers Out	10,425,833	18,434,583	76.82%	2,666,840	2,854,415	(84.52%)	2,666,900	0.00%
Total Operating Expenditures	$ 11,132,446	$ 20,807,911	86.91%	$ 4,957,272	$ 5,221,180	(74.91%)	$ 5,471,400	10.37%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 11,132,446	$ 20,807,911	86.91%	$ 4,957,272	$ 5,221,180	(74.91%)	$ 5,471,400	10.37%

MV00056050

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Administration FUND: 010

PROGRAM NUMBER: 51110

PROGRAM OBJECTIVE: Review and process all staff reports for the department that consists of Capital Projects, Transportation, Special Districts, Land Development, Electric Utility and Maintenance and Operations. Provide analysis of legislative actions concerning public works issues and coordinate with local agencies for flood control, water quality, solid waste disposal, and planning for public utilities. Prepare the annual Capital Improvement Project list for each fiscal year budget and coordinate the annual update of the 5-Year Capital Plan for the City. Promote the department throughout the year by participating in public relation activities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 128,129	$ 146,698	14.49%	$ 91,276	$ 110,277	(24.83%)	$ 94,700	3.75%
Contractual Services	14,505	4,888	(66.30%)	6,910	6,910	41.37%	6,800	(1.59%)
Materials & Supplies	7,328	3,630	(50.46%)	3,525	4,725	30.17%	3,900	10.64%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	76,042	74,245	(2.36%)	69,627	69,621	(6.23%)	69,500	(0.18%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 226,004	$ 229,461	1.53%	$ 171,338	$ 191,533	(16.53%)	$ 174,900	2.08%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 226,004	$ 229,461	1.53%	$ 171,338	$ 191,533	(16.53%)	$ 174,900	2.08%

MV00056051

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Capital Projects Admin FUND: 010

PROGRAM NUMBER: 51310

PROGRAM OBJECTIVE: To manage the design and construction of an integrated program of City funded capital improvement projects by providing project engineering and contract administration services resulting in a cost effective, well planned and aesthetically pleasing community.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 601	100.00%	$ 112,112	$ 112,112	18,554.24%	$ 112,200	0.08%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	(112,112)	(112,112)	100.00%	(112,200)	0.08%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 601	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 601	100.00%	$ -	$ -	(100.00%)	$ -	-

MV00056052

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Solid Waste FUND: 010

PROGRAM NUMBER: 51510

PROGRAM OBJECTIVE: Ensure that the City meets the State required mandate of diverting 50% of the City's waste stream through recycling activities. Administer grants related to recycling of beverage containers and used oil. Administer the agreement between the City and the City's solid waste hauler. This entails annual rate adjustments and an annual delinquent solid waste tax roll public hearing and processing. Respond to customer service complaints and inquiries regarding solid waste and recycling. Issue and maintain all self-haul permits.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 102,447	$ 121,080	18.19%	$ 161,951	$ 141,899	17.19%	$ 151,300	(6.58%)
Contractual Services	11,199	24,231	116.37%	16,890	24,724	2.03%	23,000	36.18%
Materials & Supplies	405	4,933	1,118.02%	2,425	4,775	(3.20%)	2,500	3.09%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	17,083	12,048	(29.47%)	12,766	12,875	6.86%	12,600	(1.30%)
Transfers Out	239	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 131,373	$ 162,292	23.54%	$ 194,032	$ 184,273	13.54%	$ 189,400	(2.39%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 131,373	$ 162,292	23.54%	$ 194,032	$ 184,273	13.54%	$ 189,400	(2.39%)

MV00056053

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Transportation Engineering FUND: 010

PROGRAM NUMBER: 53110

PROGRAM OBJECTIVE: To plan for the surface transportation system needed by the city including freeways, surface streets, intersections, traffic signals, driveways, bikeways, and sidewalks. Also, design, oversee construction, and operate the city's traffic signal system.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 854,617	$ 635,472	(25.64%)	$ 593,718	$ 581,135	(8.55%)	$ 600,200	1.09%
Contractual Services	40,974	175,884	329.26%	263,287	117,500	(33.19%)	13,100	(95.02%)
Materials & Supplies	19,353	20,769	7.32%	16,600	16,602	(20.06%)	16,800	1.20%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	207,322	185,231	(10.66%)	177,784	177,784	(4.02%)	177,500	(0.16%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,122,266	$ 1,017,356	(9.35%)	$ 1,051,389	$ 893,021	(12.22%)	$ 807,600	(23.19%)
Capital Expenditures								
Fixed Assets	26,130	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 26,130	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,148,396	$ 1,017,356	(11.41%)	$ 1,051,389	$ 893,021	(12.22%)	$ 807,600	(23.19%)

MV00056054

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Traffic Signal Maintenance FUND: 010

PROGRAM NUMBER: 53310

PROGRAM OBJECTIVE: Maintain the city's traffic signal system. Inspect construction of new signals and interconnects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 319,357	$ 332,946	4.26%	$ 322,211	$ 322,311	(3.19%)	$ 314,200	(2.49%)
Contractual Services	150,193	176,016	17.19%	173,285	191,900	9.02%	183,400	5.84%
Materials & Supplies	177,508	137,190	(22.71%)	76,000	112,500	(18.00%)	149,700	96.97%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	58,071	48,346	(16.75%)	47,822	47,822	(1.08%)	47,700	(0.26%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 705,129	$ 694,498	(1.51%)	$ 619,318	$ 674,533	(2.87%)	$ 695,000	12.22%
Capital Expenditures								
Fixed Assets	21,388	95,257	345.38%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 21,388	$ 95,257	345.38%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 726,517	$ 789,755	8.70%	$ 619,318	$ 674,533	(14.59%)	$ 695,000	12.22%

MV00056055

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Capital Projects Engineering FUND: 010

PROGRAM NUMBER: 54110

PROGRAM OBJECTIVE: To provide for depreciation of public works engineering project hardware equipment for autocad stations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	233	100.00%	232	259	11.33%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,373	9,221	(11.11%)	8,955	8,955	(2.88%)	8,900	(0.61%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,373	$ 9,454	(8.86%)	$ 9,187	$ 9,214	(2.53%)	$ 8,900	(3.12%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,373	$ 9,454	(8.86%)	$ 9,187	$ 9,214	(2.53%)	$ 8,900	(3.12%)

MV00056056

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Street Maintenance FUND: 010

PROGRAM NUMBER: 55110

PROGRAM OBJECTIVE: To ensure the safety and convenience of all those who use our City streets by providing preventive maintenance and repair to paved and unpaved roads, and by keeping all road shoulders graded and free of weeds and litter.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	52	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 52	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	15,583	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 15,583	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 15,583	$ 52	(99.67%)	$ -	$ -	(100.00%)	$ -	-

MV00056057

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Signing & Striping FUND: 010

PROGRAM NUMBER: 55410

PROGRAM OBJECTIVE: Maintain city traffic control devices including signs, legends, striping, and pavement markings.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	9	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	8,943	3	(99.97%)	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 8,943	$ 12	(99.87%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	23,700	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 23,700	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 32,643	$ 12	(99.96%)	$ -	$ -	(100.00%)	$ -	-

MV00056058

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Graffiti Removal FUND: 010

PROGRAM NUMBER: 55810

PROGRAM OBJECTIVE: To enhance the image of the City and to discourage the recurrence of graffiti by removing graffiti from both public and private property within twenty-four hours after it is reported by the public or observed by the City's removal crew.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	7,196	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	3,916	4,588	17.16%	4,588	4,588	-	4,500	(1.92%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 11,112	$ 4,588	(58.71%)	$ 4,588	$ 4,588	-	$ 4,500	(1.92%)
Capital Expenditures								
Fixed Assets	33,385	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 33,385	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 44,497	$ 4,588	(89.69%)	$ 4,588	$ 4,588	-	$ 4,500	(1.92%)

MV00056059

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Tree Trimming FUND: 010

PROGRAM NUMBER: 56710

PROGRAM OBJECTIVE: To ensure the safety, health and aesthetics of the City street tree inventory by trimming, removing and planting street trees, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	27,953	20,414	(26.97%)	20,414	20,414	-	20,400	(0.07%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 27,953	$ 20,414	(26.97%)	$ 20,414	$ 20,414	-	$ 20,400	(0.07%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 27,953	$ 20,414	(26.97%)	$ 20,414	$ 20,414	-	$ 20,400	(0.07%)

MV00056060

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Administration FUND: 010

PROGRAM NUMBER: 62110

PROGRAM OBJECTIVE: To coordinate the operations of the MVPD facility, which includes Community Services, the Business Office, Accounting, and the Volunteer Forces.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 217,286	$ 177,894	(18.13%)	$ 192,734	$ 192,734	8.34%	$ 184,400	(4.32%)
Contractual Services	1,202,725	1,463,102	21.65%	1,619,415	1,583,415	8.22%	1,695,324	4.69%
Materials & Supplies	82,602	60,440	(26.83%)	50,897	49,763	(17.66%)	50,000	(1.76%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,216,220	1,704,110	40.12%	1,733,151	1,733,151	1.70%	1,732,900	(0.01%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,718,833	$ 3,405,546	25.26%	$ 3,596,197	$ 3,559,063	4.51%	$ 3,662,624	1.85%
Capital Expenditures								
Fixed Assets	8,720	-	(100.00%)	3,000	3,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ 8,720	$ -	(100.00%)	$ 3,000	$ 3,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 2,727,553	$ 3,405,546	24.86%	$ 3,599,197	$ 3,562,063	4.60%	$ 3,662,624	1.76%

MV00056061

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Patrol and Investigation FUND: 010

PROGRAM NUMBER: 62210

PROGRAM OBJECTIVE: Dedicated to interaction with the community, to provide professional and rapid response to reported crimes, and the detection of in-progress crimes.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	20,449,837	21,412,634	4.71%	21,570,409	21,578,609	0.78%	22,744,909	5.44%
Materials & Supplies	16,809	14,228	(15.35%)	16,634	17,470	22.79%	16,700	0.40%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	4,980	9,387	88.49%	9,387	9,387	-	9,300	(0.93%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 20,471,626	$ 21,436,249	4.71%	$ 21,596,430	$ 21,605,466	0.79%	$ 22,770,909	5.44%
Capital Expenditures								
Fixed Assets	-	-	-	6,000	12,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 6,000	$ 12,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 20,471,626	$ 21,436,249	4.71%	$ 21,602,430	$ 21,617,466	0.85%	$ 22,770,909	5.41%

MV00056062

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Traffic Enforcement FUND: 010

PROGRAM NUMBER: 62310

PROGRAM OBJECTIVE: To proactively enforce hazardous traffic violations through education and enforcement, to reduce the number of injury collisions within the City, to utilize traffic safety check points to ensure compliance with drivers licensing requirements and to provide highly trained personnel for reconstruction of serious and fatal traffic collisions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 89,153	$ 91,504	2.64%	$ 92,341	$ 92,341	0.91%	$ 90,200	(2.32%)
Contractual Services	4,629,364	5,189,801	12.11%	5,653,178	5,632,172	8.52%	5,897,316	4.32%
Materials & Supplies	87,822	86,426	(1.59%)	106,912	98,882	14.41%	114,900	7.47%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	50,079	190,359	280.12%	198,924	198,924	4.50%	198,800	(0.06%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 4,856,418	$ 5,558,090	14.45%	$ 6,051,355	$ 6,022,319	8.35%	$ 6,301,216	4.13%
Capital Expenditures								
Fixed Assets	170,617	71,610	(58.03%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 170,617	$ 71,610	(58.03%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 5,027,035	$ 5,629,700	11.99%	$ 6,051,355	$ 6,022,319	6.97%	$ 6,301,216	4.13%

MV00056063

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Detective Unit FUND: 010

PROGRAM NUMBER: 62410

PROGRAM OBJECTIVE: To provide assistance and service to the City, while promoting a safe environment for our citizens. Emphasize follow-up investigations on major crimes, and maintain and develop investigative specialties through training and experience to stay ahead of future trends in criminal activity.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	882,623	1,026,666	16.32%	1,145,089	1,128,081	9.88%	1,215,600	6.16%
Materials & Supplies	3,885	10,772	177.27%	14,938	14,938	38.67%	15,200	1.75%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,543	7,683	(27.13%)	7,683	7,683	-	7,600	(1.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 897,051	$ 1,045,121	16.51%	$ 1,167,710	$ 1,150,702	10.10%	$ 1,238,400	6.05%
Capital Expenditures								
Fixed Assets	27,693	12,125	(56.22%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 27,693	$ 12,125	(56.22%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 924,744	$ 1,057,246	14.33%	$ 1,167,710	$ 1,150,702	8.84%	$ 1,238,400	6.05%

MV00056064

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Crime Prevention FUND: 010

PROGRAM NUMBER: 62510

PROGRAM OBJECTIVE: Objectively seek community enrichment and solutions to community problems through policing and cooperation. Conduct on-going interactive presentations and community meetings to accomplish this effort.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	903,740	890,243	(1.49%)	1,028,929	994,009	11.66%	1,073,900	4.37%
Materials & Supplies	23,038	18,327	(20.45%)	23,524	23,524	28.36%	24,000	2.02%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	29,951	23,960	(20.00%)	24,954	24,954	4.15%	24,900	(0.22%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 956,729	$ 932,530	(2.53%)	$ 1,077,407	$ 1,042,487	11.79%	$ 1,122,800	4.21%
Capital Expenditures								
Fixed Assets	-	24,096	100.00%	27,000	-	(100.00%)	-	(100.00%)
Total Capital Expenditures	$ -	$ 24,096	100.00%	$ 27,000	$ -	(100.00%)	$ -	-
Total Program Budget	$ 956,729	$ 956,626	(0.01%)	$ 1,104,407	$ 1,042,487	8.98%	$ 1,122,800	1.67%

MV00056065

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Crime Prevention - POP FUND: 010

PROGRAM NUMBER: 62610

PROGRAM OBJECTIVE: To address quality of life issues through proactive law enforcement and problem solving utilizing community oriented policing concepts such as Crime Free Multi-Housing, Safe Streets Now!, and Nuisance Abatements. The Problem Oriented Policing Team will respond quickly to citizen's complaints and inquiries and work in a close partnership with other city, local and state agencies.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	1,948,432	2,130,565	9.35%	2,432,439	2,431,239	14.11%	2,542,275	4.52%
Materials & Supplies	5,882	6,768	15.06%	7,150	7,150	5.64%	7,200	0.70%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	21,657	11,758	(45.71%)	12,427	12,427	5.69%	12,300	(1.02%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,975,971	$ 2,149,091	8.76%	$ 2,452,016	$ 2,450,816	14.04%	$ 2,561,775	4.48%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,975,971	$ 2,149,091	8.76%	$ 2,452,016	$ 2,450,816	14.04%	$ 2,561,775	4.48%

MV00056066

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Special Enforcement FUND: 010

PROGRAM NUMBER: 62710

PROGRAM OBJECTIVE: To focus on the arrests of street level drug dealers, users, manufacturers and traffickers of illegal narcotics by using a variety of approaches to include but not limited to community involvement, WE TIP information, informants and other proactive police techniques. Parole and probation searches are used as a tool in exposing those responsible for the street level drug trade.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,929,559	3,220,922	9.95%	3,433,478	3,579,678	11.14%	3,766,400	9.70%
Materials & Supplies	49,889	18,047	(63.83%)	20,904	20,922	15.93%	21,000	0.46%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	16,018	19,265	20.27%	19,265	19,265	-	19,200	(0.34%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,995,466	$ 3,258,234	8.77%	$ 3,473,647	$ 3,619,865	11.10%	$ 3,806,600	9.59%
Capital Expenditures								
Fixed Assets	75,844	38,378	(49.40%)	7,702	-	(100.00%)	-	(100.00%)
Total Capital Expenditures	$ 75,844	$ 38,378	(49.40%)	$ 7,702	$ -	(100.00%)	$ -	-
Total Program Budget	$ 3,071,310	$ 3,296,612	7.34%	$ 3,481,349	$ 3,619,865	9.81%	$ 3,806,600	9.34%

MV00056067

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Towngate Mall Patrol FUND: 010

PROGRAM NUMBER: 62910

PROGRAM OBJECTIVE: Establish a closer working relationship with Mall Security and store managers to create a healthier business climate and higher level of public safety.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	426,354	439,619	3.11%	477,339	477,339	8.58%	495,300	3.76%
Materials & Supplies	-	119	100.00%	706	706	493.28%	700	(0.85%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	411	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 426,765	$ 439,738	3.04%	$ 478,045	$ 478,045	8.71%	$ 496,000	3.76%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 426,765	$ 439,738	3.04%	$ 478,045	$ 478,045	8.71%	$ 496,000	3.76%

MV00056068

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Animal Services FUND: 010

PROGRAM NUMBER: 63110

PROGRAM OBJECTIVE: To provide a comprehensive animal control program to all citizens of Moreno Valley and contracted cities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,623,453	$ 1,614,612	(0.54%)	$ 1,621,696	$ 1,599,600	(0.93%)	$ 1,606,000	(0.97%)
Contractual Services	202,581	166,657	(17.73%)	177,739	167,950	0.78%	158,300	(10.94%)
Materials & Supplies	189,152	215,456	13.91%	168,675	169,000	(21.56%)	158,600	(5.97%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	503,758	510,803	1.40%	492,003	492,001	(3.68%)	492,200	0.04%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,518,944	$ 2,507,528	(0.45%)	$ 2,460,113	$ 2,428,551	(3.15%)	$ 2,415,100	(1.83%)
Capital Expenditures								
Fixed Assets	196,976	-	(100.00%)	-	-	-	17,300	100.00%
Total Capital Expenditures	$ 196,976	$ -	(100.00%)	$ -	$ -	-	$ 17,300	100.00%
Total Program Budget	$ 2,715,920	$ 2,507,528	(7.67%)	$ 2,460,113	$ 2,428,551	(3.15%)	$ 2,432,400	(1.13%)

MV00056069

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Emergency Operations & Volunteer Services FUND: 010

PROGRAM NUMBER: 64110

PROGRAM OBJECTIVE: To administer the City's Volunteer/Disaster Services programs including CPR and CERT training.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 205,021	$ 184,377	(10.07%)	$ 146,328	$ 146,328	(20.64%)	$ 143,700	(1.80%)
Contractual Services	28,403	22,671	(20.18%)	14,811	14,811	(34.67%)	14,700	(0.75%)
Materials & Supplies	43,134	19,932	(53.79%)	21,921	16,921	(15.11%)	24,800	13.13%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	366,671	398,900	8.79%	412,782	412,782	3.48%	412,500	(0.07%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 643,229	$ 625,880	(2.70%)	$ 595,842	$ 590,842	(5.60%)	$ 595,700	(0.02%)
Capital Expenditures								
Fixed Assets	46,860	32,250	(31.18%)	7,750	7,750	(75.97%)	-	(100.00%)
Total Capital Expenditures	$ 46,860	$ 32,250	(31.18%)	$ 7,750	$ 7,750	(75.97%)	$ -	(100.00%)
Total Program Budget	$ 690,089	$ 658,130	(4.63%)	$ 603,592	$ 598,592	(9.05%)	$ 595,700	(1.31%)

MV00056070

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Crossing Guards FUND: 010

PROGRAM NUMBER: 72110

PROGRAM OBJECTIVE: Train and provide school crossing guards to the Moreno Valley and Val Verde Unified School Districts.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 593,563	$ 582,142	(1.92%)	$ 559,950	$ 559,950	(3.81%)	$ 575,100	2.71%
Contractual Services	4,481	3,305	(26.24%)	3,605	3,650	10.44%	3,800	5.41%
Materials & Supplies	2,054	3,459	68.40%	2,550	2,600	(24.83%)	2,600	1.96%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	56,279	43,869	(22.05%)	36,021	36,021	(17.89%)	36,000	(0.06%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 656,377	$ 632,775	(3.60%)	$ 602,126	$ 602,221	(4.83%)	$ 617,500	2.55%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 656,377	$ 632,775	(3.60%)	$ 602,126	$ 602,221	(4.83%)	$ 617,500	2.55%

MV00056071

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Development Services Admin Support FUND: 011

PROGRAM NUMBER: 41010

PROGRAM OBJECTIVE: To provide administrative oversight to the City's development services function, including support from the office of the City Manager and City Attorney.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 507,962	$ 472,255	(7.03%)	$ 337,411	$ 316,716	(32.94%)	$ 353,500	4.77%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	11,275	8,051	(28.59%)	7,784	67,784	741.93%	7,800	0.21%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 519,237	$ 480,306	(7.50%)	$ 345,195	$ 384,500	(19.95%)	$ 361,300	4.67%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 519,237	$ 480,306	(7.50%)	$ 345,195	$ 384,500	(19.95%)	$ 361,300	4.67%

MV00056072

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Administration FUND: 011

PROGRAM NUMBER: 41110

PROGRAM OBJECTIVE: To lead and coordinate the activities of the following Community Development divisions and programs: Development Services Counter Operations; Building & Safety; Code & Neighborhood Services and Planning.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 451,871	$ 400,382	(11.39%)	$ 241,298	$ 230,280	(42.48%)	$ 225,100	(6.71%)
Contractual Services	29,263	12,760	(56.40%)	61,990	7,710	(39.58%)	8,100	(86.93%)
Materials & Supplies	26,963	12,255	(54.55%)	19,866	14,226	16.08%	16,700	(15.94%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	136,501	141,753	3.85%	134,033	134,033	(5.45%)	133,900	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 644,598	$ 567,150	(12.01%)	$ 457,187	$ 386,249	(31.90%)	$ 383,800	(16.05%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 644,598	$ 567,150	(12.01%)	$ 457,187	$ 386,249	(31.90%)	$ 383,800	(16.05%)

MV00056073

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Planning Commission FUND: 011

PROGRAM NUMBER: 41210

PROGRAM OBJECTIVE: To assist the City Council with land use planning and ensure implementation of the City's General Plan by reviewing and approving major projects, zone changes and code amendments in accordance with adopted land use policies.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 50,559	$ 46,161	(8.70%)	$ 42,756	$ 44,503	(3.59%)	$ 45,200	5.72%
Contractual Services	18,126	10,625	(41.38%)	12,450	10,039	(5.52%)	10,100	(18.88%)
Materials & Supplies	3,840	3,108	(19.06%)	1,700	2,600	(16.34%)	2,600	52.94%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	23,862	19,157	(19.72%)	16,421	16,421	(14.28%)	16,300	(0.74%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 96,387	$ 79,051	(17.99%)	$ 73,327	$ 73,563	(6.94%)	$ 74,200	1.19%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 96,387	$ 79,051	(17.99%)	$ 73,327	$ 73,563	(6.94%)	$ 74,200	1.19%

MV00056074

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Planning FUND: 011

PROGRAM NUMBER: 41310

PROGRAM OBJECTIVE: To recommend and implement land use policies within the City; process land use applications in accordance with the adopted development policies and regulations, including the provision of counter service, technical and environmental review, and the preparation of conditions of approval; the preparation and processing of updates and revisions to the General Plan, Municipal Code, Landscape Standards and Design Guidelines; and to provide staff support for the Planning Commission, Ecological Protection Board, Cultural Preservation Board, and Project Review Staff Committee.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,171,490	$ 945,820	(19.26%)	$ 623,320	$ 532,256	(43.73%)	$ 532,200	(14.62%)
Contractual Services	52,642	83,452	58.53%	59,229	7,770	(90.69%)	9,400	(84.13%)
Materials & Supplies	12,019	11,830	(1.57%)	8,800	7,700	(34.91%)	7,600	(13.64%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	248,896	212,083	(14.79%)	203,906	203,906	(3.86%)	203,700	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,485,047	$ 1,253,185	(15.61%)	$ 895,255	$ 751,632	(40.02%)	$ 752,900	(15.90%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,485,047	$ 1,253,185	(15.61%)	$ 895,255	$ 751,632	(40.02%)	$ 752,900	(15.90%)

MV00056075

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDD Building & Safety FUND: 011

PROGRAM NUMBER: 45410

PROGRAM OBJECTIVE: To promulgate code proposals, issue permits, provide plan check and inspection services, conduct code enforcement and provide assistance to citizens in complying with jurisdictional and State building codes to ensure the safety of the citizens of Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,592,530	$ 1,559,594	(2.07%)	$ 897,766	$ 611,309	(60.80%)	$ 746,000	(16.90%)
Contractual Services	634,702	382,078	(39.80%)	377,220	341,307	(10.67%)	301,800	(19.99%)
Materials & Supplies	49,798	67,571	35.69%	24,075	20,575	(69.55%)	25,900	7.58%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	299,041	239,428	(19.93%)	234,746	234,746	(1.96%)	234,600	(0.06%)
Transfers Out	221	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 2,576,292	$ 2,248,671	(12.72%)	$ 1,533,807	$ 1,207,937	(46.28%)	$ 1,308,300	(14.70%)
Capital Expenditures								
Fixed Assets	76,073	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 76,073	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,652,365	$ 2,248,671	(15.22%)	$ 1,533,807	$ 1,207,937	(46.28%)	$ 1,308,300	(14.70%)

MV00056076

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Prevention Inspections FUND: 011

PROGRAM NUMBER: 45810

PROGRAM OBJECTIVE: To conduct plan checks and development inspections to ensure the safe operation of businesses within the City.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 752,196	$ 251,245	(66.60%)	$ 126,828	$ 134,400	(46.51%)	$ 113,700	(10.35%)
Contractual Services	79,812	13,244	(83.41%)	13,980	15,000	13.26%	13,700	(2.00%)
Materials & Supplies	17,343	10,172	(41.35%)	5,791	2,800	(72.47%)	5,560	(3.99%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	138,899	165,661	19.27%	155,374	155,600	(6.07%)	155,200	(0.11%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 988,250	$ 440,322	(55.44%)	$ 301,973	$ 307,800	(30.10%)	$ 288,160	(4.57%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 988,250	$ 440,322	(55.44%)	$ 301,973	$ 307,800	(30.10%)	$ 288,160	(4.57%)

MV00056077

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Land Development FUND: 011

PROGRAM NUMBER: 52310

PROGRAM OBJECTIVE: To coordinate professional engineering services for new development ensuring an integrated program of infrastructure improvements by providing review and approval of tentative tract maps, tract and parcel maps, lot line adjustments, processing of sureties and public improvement agreements and environmental impact, geotechnical, and hydrology/hydraulics reports.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,726,570	$ 1,354,976	(21.52%)	$ 903,203	$ 903,203	(33.34%)	$ 906,500	0.37%
Contractual Services	487,552	45,773	(90.61%)	94,038	93,900	105.14%	134,700	43.24%
Materials & Supplies	30,061	7,356	(75.53%)	7,556	7,700	4.68%	4,400	(41.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	345,126	313,336	(9.21%)	300,798	300,798	(4.00%)	300,500	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,589,309	$ 1,721,441	(33.52%)	$ 1,305,595	$ 1,305,601	(24.16%)	$ 1,346,100	3.10%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,589,309	$ 1,721,441	(33.52%)	$ 1,305,595	$ 1,305,601	(24.16%)	$ 1,346,100	3.10%

MV00056078

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Inspection Services FUND: 011

PROGRAM NUMBER: 52710

PROGRAM OBJECTIVE: To provide public works inspection services for land development and capital projects ensuring compliance with City development standards.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 729,347	$ 473,558	(35.07%)	$ 577,278	$ 576,028	21.64%	$ 558,900	(3.18%)
Contractual Services	387,785	11,163	(97.12%)	8,247	9,300	(16.69%)	20,600	149.79%
Materials & Supplies	26,303	18,361	(30.19%)	13,690	13,800	(24.84%)	11,100	(18.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	105,064	80,844	(23.05%)	80,377	80,377	(0.58%)	80,200	(0.22%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,248,499	$ 583,926	(53.23%)	$ 679,592	$ 679,505	16.37%	$ 670,800	(1.29%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,248,499	$ 583,926	(53.23%)	$ 679,592	$ 679,505	16.37%	$ 670,800	(1.29%)

MV00056079

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - HLFV Project FUND: 011

PROGRAM NUMBER: 52910

PROGRAM OBJECTIVE: To provide public works plan check and inspection services for Highand Fairview/Mass Grading project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 61,830	$ 3,645	(94.10%)	$ 22,876	$ 22,876	527.60%	$ -	(100.00%)
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	159	8	(94.97%)	-	5	(37.50%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 61,989	$ 3,653	(94.11%)	$ 22,876	$ 22,881	526.36%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 61,989	$ 3,653	(94.11%)	$ 22,876	$ 22,881	526.36%	$ -	(100.00%)

MV00056080

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Verizon FTTP FUND: 011

PROGRAM NUMBER: 52911

PROGRAM OBJECTIVE: To provide public works plan check and inspection services for Highand Fairview/Mass Grading project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 93,736	$ 200,629	114.04%	$ 85,000	$ 72,300	(63.96%)	$ 72,800	(14.35%)
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	15	511	3,306.67%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	12,816	100.00%	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 93,751	$ 201,140	114.55%	$ 85,000	$ 85,116	(57.68%)	$ 72,800	(14.35%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 93,751	$ 201,140	114.55%	$ 85,000	$ 85,116	(57.68%)	$ 72,800	(14.35%)

MV00056081

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Sunesys, LLC FUND: 011

PROGRAM NUMBER: 52912

PROGRAM OBJECTIVE: To provide Public Works plan check and inspection services for Sunesys, LLC.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 8,382	$ 2,171	(74.10%)	$ 2,200	$ 4,060	87.01%	$ 2,400	9.09%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	4	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 8,382	$ 2,175	(74.05%)	$ 2,200	$ 4,060	86.67%	$ 2,400	9.09%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 8,382	$ 2,175	(74.05%)	$ 2,200	$ 4,060	86.67%	$ 2,400	9.09%

MV00056082

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Highland Fairview Interchanges FUND: 011

PROGRAM NUMBER: 52913

PROGRAM OBJECTIVE: To provide Public Works plan check and inspection services for Highland Fairview Interchanges.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 5,270	$ 6,760	28.27%	$ -	$ 2,520	(62.72%)	$ -	-
Contractual Services	87	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 5,357	$ 6,760	26.19%	$ -	$ 2,520	(62.72%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	88,116	85,480	100.00%	50,000	(43.26%)
Total Capital Expenditures	$ -	$ -	-	$ 88,116	$ 85,480	100.00%	$ 50,000	(41.51%)
Total Program Budget	$ 5,357	$ 6,760	26.19%	$ 88,116	$ 88,000	1,201.78%	$ 50,000	(43.26%)

MV00056083

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW EMWD Sunnymead Pipeline FUND: 011

PROGRAM NUMBER: 52914

PROGRAM OBJECTIVE: To provide Public Works inspection services for EMWD Sunnymead Pipeline project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 852	100.00%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 852	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	50,000	98,148	96.30%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 50,000	$ 98,148	96.30%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 50,000	$ 99,000	98.00%	$ -	$ -	(100.00%)	$ -	-

MV00056084

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Transportation Development Services FUND: 011

PROGRAM NUMBER: 53210

PROGRAM OBJECTIVE: To provide technical support, with respect to development impacts to traffic safety, traffic operation, circulation and access to the Planning and Land Development divisions, the Planning Commission and City Council. The increased demand in Development Review services will be accommodated while the standard level of service for other traffic-engineering related services, currently provided by Transportation Engineering divisions, can still be maintained.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 450,182	$ 427,592	(5.02%)	$ 237,566	$ 229,466	(46.34%)	$ 262,900	10.66%
Contractual Services	10	19	90.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	14,649	16,660	13.73%	15,787	15,787	(5.24%)	15,700	(0.55%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 464,841	$ 444,271	(4.43%)	$ 253,353	$ 245,253	(44.80%)	$ 278,600	9.97%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 464,841	$ 444,271	(4.43%)	$ 253,353	$ 245,253	(44.80%)	$ 278,600	9.97%

MV00056085

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Transportation Inspection Services FUND: 011

PROGRAM NUMBER: 53410

PROGRAM OBJECTIVE: To ensure all traffic signs, traffic markings, traffic signals and other traffic control devices installed by developers and contractors, are constructed properly per City guidelines and procedures and operate safely and efficiently. The increased demand in inspection of new roadway improvements will be accommodated while the standard level of service for other traffic-engineering related services, currently provided by Transportation Engineering divisions, can still be maintained.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 65,782	$ 46,752	(28.93%)	$ 25,846	$ 25,846	(44.72%)	$ 32,100	24.20%
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	75	68	(9.33%)	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	13,368	8,964	(32.94%)	9,643	9,643	7.57%	9,600	(0.45%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 79,225	$ 55,784	(29.59%)	$ 35,489	$ 35,489	(36.38%)	$ 41,700	17.50%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 79,225	$ 55,784	(29.59%)	$ 35,489	$ 35,489	(36.38%)	$ 41,700	17.50%

MV00056086

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Document Imaging - Building & Safety FUND: 133

PROGRAM NUMBER: 74626

PROGRAM OBJECTIVE: To account for funding appropriated for the Document Imaging project for the Building & Safety Division.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	88,558	15,476	(82.52%)	22,494	22,494	45.35%	-	(100.00%)
Total Capital Expenditures	$ 88,558	$ 15,476	(82.52%)	$ 22,494	$ 22,494	45.35%	$ -	(100.00%)
Total Program Budget	$ 88,558	$ 15,476	(82.52%)	$ 22,494	$ 22,494	45.35%	$ -	(100.00%)

MV00056087

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Prevention FUND: 133

PROGRAM NUMBER: 45910

PROGRAM OBJECTIVE: To conduct required inspections of industrial, commercial, educational, governmental, health care and other institutional facilities to ensure public safety in those occupancies within the City.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 115,928	$ 558,208	381.51%	$ 560,484	$ 541,200	(3.05%)	$ 546,800	(2.44%)
Contractual Services	12,096	89,515	640.04%	89,685	108,000	20.65%	109,650	22.26%
Materials & Supplies	3,782	4,476	18.35%	6,529	8,000	78.73%	6,600	1.09%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	62,737	34,183	(45.51%)	35,322	35,400	3.56%	35,100	(0.63%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 194,543	$ 686,382	252.82%	$ 692,020	$ 692,600	0.91%	$ 698,150	0.89%
Capital Expenditures								
Fixed Assets	15,709	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 15,709	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 210,252	$ 686,382	226.46%	$ 692,020	$ 692,600	0.91%	$ 698,150	0.89%

MV00056088

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Operations FUND: 133

PROGRAM NUMBER: 65110

PROGRAM OBJECTIVE: To provide basic fire suppression, training, education and emergency preparedness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 115,946	$ 137,883	18.92%	$ 160,678	$ 147,000	6.61%	$ 154,500	(3.84%)
Contractual Services	12,553,705	12,571,099	0.14%	13,862,443	13,707,900	9.04%	13,888,300	0.19%
Materials & Supplies	175,473	17,399	(90.08%)	35,051	52,000	198.87%	40,200	14.69%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,053,939	1,119,071	6.18%	1,059,610	1,059,600	(5.31%)	1,059,400	(0.02%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 13,899,063	$ 13,845,452	(0.39%)	$ 15,117,782	$ 14,966,500	8.10%	$ 15,142,400	0.16%
Capital Expenditures								
Fixed Assets	190,207	116,304	(38.85%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 190,207	$ 116,304	(38.85%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 14,089,270	$ 13,961,756	(0.91%)	$ 15,117,782	$ 14,966,500	7.20%	$ 15,142,400	0.16%

MV00056089

City of Moreno Valley

2010-11 Preliminary Base Operating budget

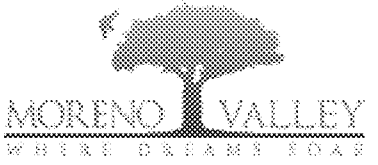

Community Services Districts

MV00056090

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District

Description	Zone L Library 131	Zone A Parks & Community Services 161	Zone B St Light 171	Zone C Art Light 172	Zone D Std Ldscp 181	Zone E Ext Ldscp 182	Zone M Median 183	ZONE S 185	CFD #4M 186	Total
Revenues										
Property Taxes	1,201,200	1,586,789	116,100	139,300	-	-	-	-	-	3,043,389
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	4,682,200	929,900	426,100	1,091,500	2,403,100	126,200	52,400	35,000	9,746,400
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	33,000	991,400	700	5,600	50,000	100	78,000	-	-	1,158,800
Fees for Service	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	-	-	-	9,000	1,300	69,600	1,500	-	-	81,400
Bond Proceeds	-	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	58,500	447,400	-	-	-	2,800	-	-	-	508,700
Grants/Intergovernmental Revenues	27,000	-	-	-	-	-	-	-	-	27,000
Transfers In	424,900	289,800	-	-	-	-	103,400	-	-	818,100
Total Operating Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	
Total Revenues	**1,744,600**	**7,997,589**	**1,046,700**	**580,000**	**1,142,800**	**2,475,600**	**309,100**	**52,400**	**35,000**	**15,383,789**
Expenditures										
Operating:										
Personnel Services	1,315,600	4,229,400	132,400	37,200	479,300	593,800	86,000	28,300	-	6,902,000
Contractual Services	135,900	1,645,900	1,418,100	665,000	746,500	1,870,100	154,400	81,700	29,000	6,766,600
Materials & Supplies	225,900	435,100	3,500	3,200	44,900	88,000	15,500	2,500	-	818,600
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	483,900	2,129,600	64,000	62,900	147,300	233,500	17,200	7,500	6,000	3,151,900
Transfers Out	-	-	-	-	-	51,800	-	-	-	51,800
Total Operating Expenditures	**2,161,300**	**8,440,000**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,690,900**
Capital :										
Fixed Assets	-	6,400	-	-	-	-	-	-	-	6,400
Total Capital Expenditures	**-**	**6,400**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**6,400**
Total Program Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Increase in Reserve for Contingencies										
Total Expenditures	**2,161,300**	**8,446,400**	**1,618,000**	**788,300**	**1,418,000**	**2,837,200**	**273,100**	**120,000**	**35,000**	**17,697,300**
Net Revenues Over (Under) Expenditures	**(416,700)**	**(448,811)**	**(571,300)**	**(208,300)**	**(275,200)**	**(361,600)**	**36,000**	**(67,600)**	**-**	**(2,313,511)**

MV00056091

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services Districts

Description	Zone L Library 131.21310	Zone B Residential Street Lighting Admin. 171.77810	Zone C Arterial Street Lighting Admin. 172.77910	Zone D Standard Landscape Maint. 181.78110	Zone M Median Fund 183.18310	Zone S Sunnymead Bl. Maint. 185.18510	CFD #4M 186.18610	Total
Expenditures								
Operating:								
Personnel Services	1,315,600	132,400	37,200	479,300	86,000	28,300	-	2,078,800
Contractual Services	135,900	1,418,100	685,000	746,500	154,400	81,700	29,000	3,250,600
Materials & Supplies	225,900	3,500	3,200	44,900	15,500	2,500	-	295,500
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	483,900	64,000	62,900	147,300	17,200	7,500	6,000	788,800
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	2,161,300	1,618,000	788,300	1,418,000	273,100	120,000	35,000	6,413,700
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	2,161,300	1,618,000	788,300	1,418,000	273,100	120,000	35,000	6,413,700

MV00056092

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District
Zone A Parks and Community Services - Fund 161

Description	Senior Programs 73110	Parks & Community Services Administration 75910	Park Ranger Program 76010	Recreation Programs 76105	Park Maintenance 76210	Contractual Park Maintenance 76310	Golf Course Program 76410
Expenditures							
Personnel Services	220,200	323,500	286,000	996,000	1,657,500	56,550	197,200
Contractual Services	28,700	44,300	4,600	114,300	749,400	375,000	72,400
Materials & Supplies	40,000	2,600	9,500	95,600	162,200	17,200	18,800
Debt Service	-	-	-	-	-	-	-
Fixed Charges	266,000	99,600	34,800	624,400	302,100	12,100	69,100
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	554,900	470,000	334,900	1,830,300	2,871,200	460,850	357,500
Capital:							
Fixed Assets	(13,000)	-	-	-	-	-	-
Total Capital Expenditures	(13,000)	-	-	-	-	-	-
Total Program Expenditures	541,900	470,000	334,900	1,830,300	2,871,200	460,850	357,500

MV00056093

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Community Services District
Zone A Parks and Community Services - Fund 161

Description	Conference and Recreation Center 76510	Banquet Center 76530	Park Projects Programs 76810	Community Services 77210	Community Events 77310	Non-Departmental - Zone A 99916	Total
Expenditures							
Personnel Services	154,100	99,450	131,900	72,700	34,300	-	4,229,400
Contractual Services	88,000	22,100	4,200	11,600	131,300	-	1,645,900
Materials & Supplies	8,600	21,300	3,500	42,600	13,200	-	435,100
Debt Service	-	-	-	-	-	-	-
Fixed Charges	280,200	138,800	18,600	15,900	17,700	250,300	2,129,600
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	530,900	281,650	158,200	142,800	196,500	250,300	8,440,000
Capital:							
Fixed Assets	-	19,400	-	-	-	-	6,400
Total Capital Expenditures	-	19,400	-	-	-	-	6,400
Total Program Expenditures	530,900	301,050	158,200	142,800	196,500	250,300	8,446,400

MV00056094

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Commuity Services Districts
Zone E - Fund 182

Description	Extensive Landscape Maintenance 78210	Extensive Landscape - Towngate 78220	Extensive Landscape - Hidden Springs 78230	Extensive Landscape - Warmington 78240	Extensive Landscape - Landmark 78250	Extensive Landscape - Cactus Comm. Center 78260	Extensive Landscape - MV Development 78270	Extensive Landscape - Centerpointe 78280
Expenditures								
Operating:								
Personnel Services	593,800	-	-	-	-	-	-	-
Contractual Services	35,500	231,600	383,900	287,500	355,400	-	57,600	88,700
Materials & Supplies	38,300	6,300	3,300	9,900	11,200	-	1,600	1,500
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	233,500	-	-	-	-	-	-	-
Transfers Out	51,800	-	-	-	-	-	-	-
Total Operating Expenditures	952,900	237,900	387,200	297,400	366,600	-	59,200	90,200
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	952,900	237,900	387,200	297,400	366,600	-	59,200	90,200

MV00056095

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Commuity Services Districts
Zone E - Fund 182

Description	Renaissance Park 78281	Daybreak Div 78282	Zone E3A 78283	E8 - Promontory Park 78284	E15 - Celebrations 78285	E14 - Mahogany 78286	E12 - Stoneridge 78287	Total
Expenditures								
Operating:								
Personnel Services	-	-	-	-	-	-	-	593,800
Contractual Services	43,200	7,100	27,100	162,000	47,800	80,600	62,100	1,870,100
Materials & Supplies	1,200	300	1,400	6,600	3,400	1,200	1,800	88,000
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	233,500
Transfers Out	-	-	-	-	-	-	-	51,800
Total Operating Expenditures	44,400	7,400	28,500	168,600	51,200	81,800	63,900	2,837,200
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	44,400	7,400	28,500	168,600	51,200	81,800	63,900	2,837,200

MV00056096

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Library FUND: 131

PROGRAM NUMBER: 21310

PROGRAM OBJECTIVE: To provide a full range of library services to all the residents of the City through both traditional delivery methods and various computerized venues.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,542,762	$ 1,310,397	(15.06%)	$ 1,338,815	$ 1,274,756	(2.72%)	$ 1,315,600	(1.73%)
Contractual Services	158,887	166,465	4.77%	144,776	126,477	(24.02%)	135,900	(6.13%)
Materials & Supplies	145,570	145,206	(0.25%)	236,076	250,720	72.67%	225,900	(4.31%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	392,250	490,456	25.04%	484,119	484,169	(1.28%)	483,900	(0.05%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,239,469	$ 2,112,524	(5.67%)	$ 2,203,786	$ 2,136,122	1.12%	$ 2,161,300	(1.93%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,239,469	$ 2,112,524	(5.67%)	$ 2,203,786	$ 2,136,122	1.12%	$ 2,161,300	(1.93%)

MV00056097

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Senior Programs FUND: 161

PROGRAM NUMBER: 73110

PROGRAM OBJECTIVE: To plan, design, and oversee the wide range of programs offered to the City's Senior Citizen community.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 232,431	$ 236,030	1.55%	$ 234,995	$ 205,400	(12.98%)	$ 220,200	(6.30%)
Contractual Services	5,991	67,164	1,021.08%	17,535	16,100	(76.03%)	28,700	63.67%
Materials & Supplies	25,546	31,324	22.62%	28,200	30,234	(3.48%)	40,000	41.84%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	351,591	270,470	(23.07%)	266,259	266,000	(1.65%)	266,000	(0.10%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 615,559	$ 604,988	(1.72%)	$ 546,989	$ 517,734	(14.42%)	$ 554,900	1.45%
Capital Expenditures								
Fixed Assets	-	-	-	80,000	-	-	(13,000)	(116.25%)
Total Capital Expenditures	$ -	$ -	-	$ 80,000	$ -	-	$ (13,000)	100.00%
Total Program Budget	$ 615,559	$ 604,988	(1.72%)	$ 626,989	$ 517,734	(14.42%)	$ 541,900	(13.57%)

MV00056098

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Parks & Community Services Administration FUND: 161

PROGRAM NUMBER: 75910

PROGRAM OBJECTIVE: To administer the Parks and Community Services department in order to plan, design, and oversee the wide range of programs offered to the residents of Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 363,060	$ 351,890	(3.08%)	$ 341,523	$ 345,100	(1.93%)	$ 323,500	(5.28%)
Contractual Services	53,033	81,841	54.32%	44,221	41,900	(48.80%)	44,300	0.18%
Materials & Supplies	5,985	2,845	(52.46%)	2,450	2,700	(5.10%)	2,600	6.12%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	60,785	79,241	30.36%	99,962	102,900	29.86%	99,600	(0.36%)
Transfers Out	370	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 483,233	$ 515,817	6.74%	$ 488,156	$ 492,600	(4.50%)	$ 470,000	(3.72%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 483,233	$ 515,817	6.74%	$ 488,156	$ 492,600	(4.50%)	$ 470,000	(3.72%)

MV00056099

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Park Ranger Program FUND: 161

PROGRAM NUMBER: 76010

PROGRAM OBJECTIVE: To maintain safety in the City's parks through patrol services, enforcement of park rules and regulations, and the promotion of safe use of park facilities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 359,246	$ 304,107	(15.35%)	$ 346,835	$ 236,200	(22.33%)	$ 286,000	(17.54%)
Contractual Services	10,401	7,378	(29.06%)	4,090	3,500	(52.56%)	4,600	12.47%
Materials & Supplies	29,320	21,316	(27.30%)	9,000	10,000	(53.09%)	9,500	5.56%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	30,456	26,162	(14.10%)	35,042	34,900	33.40%	34,800	(0.69%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 429,423	$ 358,963	(16.41%)	$ 394,967	$ 284,600	(20.72%)	$ 334,900	(15.21%)
Capital Expenditures								
Fixed Assets	18,966	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 18,966	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 448,389	$ 358,963	(19.94%)	$ 394,967	$ 284,600	(20.72%)	$ 334,900	(15.21%)

MV00056100

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Recreation Programs FUND: 161

PROGRAM NUMBER: 76105

PROGRAM OBJECTIVE: To plan, design, and oversee the wide range of recreation programs offered to the entire City; schedule and supervise use of sports activities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,176,855	$ 1,043,036	(11.37%)	$ 1,048,439	$ 974,900	(6.53%)	$ 996,000	(5.00%)
Contractual Services	88,639	133,868	51.03%	95,359	109,608	(18.12%)	114,300	19.86%
Materials & Supplies	93,725	88,954	(5.09%)	82,775	89,600	0.73%	95,600	15.49%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	440,838	575,895	30.64%	624,692	624,700	8.47%	624,400	(0.05%)
Transfers Out	1,363	31,041	2,177.40%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,801,420	$ 1,872,794	3.96%	$ 1,851,265	$ 1,798,808	(3.95%)	$ 1,830,300	(1.13%)
Capital Expenditures								
Fixed Assets	147,284	-	(100.00%)	7,265	7,300	100.00%	-	(100.00%)
Total Capital Expenditures	$ 147,284	$ -	(100.00%)	$ 7,265	$ 7,300	100.00%	$ -	(100.00%)
Total Program Budget	$ 1,948,704	$ 1,872,794	(3.90%)	$ 1,858,530	$ 1,806,108	(3.56%)	$ 1,830,300	(1.52%)

MV00056101

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Park Maintenance FUND: 161

PROGRAM NUMBER: 76210

PROGRAM OBJECTIVE: To oversee and maintain parks in a safe and aesthetically pleasing manner.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,705,031	$ 1,619,058	(5.04%)	$ 1,699,402	$ 1,450,700	(10.40%)	$ 1,657,500	(2.47%)
Contractual Services	597,724	646,492	8.16%	660,023	702,300	8.63%	749,400	13.54%
Materials & Supplies	219,557	183,675	(16.34%)	159,930	158,100	(13.92%)	162,200	1.42%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	331,098	240,736	(27.29%)	302,333	302,333	25.59%	302,100	(0.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,853,410	$ 2,689,961	(5.73%)	$ 2,821,688	$ 2,613,433	(2.84%)	$ 2,871,200	1.75%
Capital Expenditures								
Fixed Assets	8,101	29,700	266.62%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 8,101	$ 29,700	266.62%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 2,861,511	$ 2,719,661	(4.96%)	$ 2,821,688	$ 2,613,433	(3.91%)	$ 2,871,200	1.75%

MV00056102

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Contract Park Maintenance FUND: 161

PROGRAM NUMBER: 76310

PROGRAM OBJECTIVE: To provide maintenance of the "linear parks" for the City including the senior Center and City Hall.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 63,917	$ 63,331	(0.92%)	$ 59,743	$ 56,600	(10.63%)	$ 56,550	(5.34%)
Contractual Services	410,749	332,215	(19.12%)	362,084	386,000	16.19%	375,000	3.57%
Materials & Supplies	21,698	17,484	(19.42%)	17,903	15,100	(13.64%)	17,200	(3.93%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,414	1,246	(11.88%)	12,232	12,232	881.70%	12,100	(1.08%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 497,778	$ 414,276	(16.77%)	$ 451,962	$ 469,932	13.43%	$ 460,850	1.97%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 497,778	$ 414,276	(16.77%)	$ 451,962	$ 469,932	13.43%	$ 460,850	1.97%

MV00056103

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Golf Course Program FUND: 161

PROGRAM NUMBER: 76410

PROGRAM OBJECTIVE: To administer the Park El Moreno Golf Course contract and operations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 200,086	$ 195,783	(2.15%)	$ 210,136	$ 176,600	(9.80%)	$ 197,200	(6.16%)
Contractual Services	54,403	66,835	22.85%	65,642	68,300	2.19%	72,400	10.30%
Materials & Supplies	26,273	22,346	(14.95%)	19,300	16,900	(24.37%)	18,800	(2.59%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	125,214	58,722	(53.10%)	69,377	69,400	18.18%	69,100	(0.40%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 405,976	$ 343,686	(15.34%)	$ 364,455	$ 331,200	(3.63%)	$ 357,500	(1.91%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 405,976	$ 343,686	(15.34%)	$ 364,455	$ 331,200	(3.63%)	$ 357,500	(1.91%)

MV00056104

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Conference and Recreation Center FUND: 161

PROGRAM NUMBER: 76510

PROGRAM OBJECTIVE: To provide a Conference and Recreation Center facility that is divided into two separate and distinct programming areas that can host a variety of activities concurrently; including a banquet room, a gymnasium and a fitness facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 151,663	$ 137,812	(9.13%)	$ 172,201	$ 145,100	5.29%	$ 154,100	(10.51%)
Contractual Services	78,195	85,876	9.82%	83,500	93,900	9.34%	88,000	5.39%
Materials & Supplies	11,607	7,372	(36.49%)	8,450	5,900	(19.97%)	8,600	1.78%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	269,947	292,238	8.26%	280,369	280,500	(4.02%)	280,200	(0.06%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 511,412	$ 523,298	2.32%	$ 544,520	$ 525,400	0.40%	$ 530,900	(2.50%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 511,412	$ 523,298	2.32%	$ 544,520	$ 525,400	0.40%	$ 530,900	(2.50%)

MV00056105

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Banquet Recreation Center FUND: 161

PROGRAM NUMBER: 76530

PROGRAM OBJECTIVE: To provide the City with a Banquet Facility and Community Meeting rooms at the Community and Recreation Center that can host a variety of programs, activities and special memorable occasions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 103,525	$ 104,361	0.81%	$ 102,733	$ 98,000	(6.10%)	$ 99,450	(3.20%)
Contractual Services	19,408	19,122	(1.47%)	22,270	22,900	19.76%	22,100	(0.76%)
Materials & Supplies	21,205	8,024	(62.16%)	11,677	11,300	40.83%	21,300	82.41%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	134,292	142,365	6.01%	139,002	138,900	(2.43%)	138,800	(0.15%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 278,430	$ 273,872	(1.64%)	$ 275,682	$ 271,100	(1.01%)	$ 281,650	2.16%
Capital Expenditures								
Fixed Assets	-	21,704	100.00%	39,406	5,000	(76.96%)	19,400	(50.77%)
Total Capital Expenditures	$ -	$ 21,704	100.00%	$ 39,406	$ 5,000	(76.96%)	$ 19,400	288.00%
Total Program Budget	$ 278,430	$ 295,576	6.16%	$ 315,088	$ 276,100	(6.59%)	$ 301,050	(4.46%)

MV00056106

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Parks Projects Program FUND: 161

PROGRAM NUMBER: 76810

PROGRAM OBJECTIVE: Fees charged to developers for plan checking and inspections of newly developed parks, trails, and Class-I bikeways. The fees provide Parks and Community Services 100% cost recovery for these services provided by staff and contract personnel.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 144,920	$ 130,812	(9.74%)	$ 134,716	$ 127,400	(2.61%)	$ 131,900	(2.09%)
Contractual Services	4,246	3,191	(24.85%)	3,704	3,100	(2.85%)	4,200	13.39%
Materials & Supplies	3,912	3,590	(8.23%)	3,978	3,700	3.06%	3,500	(12.02%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	20,654	14,148	(31.50%)	18,838	18,800	32.88%	18,600	(1.26%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 173,732	$ 151,741	(12.66%)	$ 161,236	$ 153,000	0.83%	$ 158,200	(1.88%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 173,732	$ 151,741	(12.66%)	$ 161,236	$ 153,000	0.83%	$ 158,200	(1.88%)

MV00056107

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Community Services FUND: 161

PROGRAM NUMBER: 77210

PROGRAM OBJECTIVE: To plan, design, and oversee recreation community services needs. Additionally, to produce the Recreation Activity Guide and City Newsline three times per year.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 79,664	$ 58,751	(26.25%)	$ 76,920	$ 70,700	20.34%	$ 72,700	(5.49%)
Contractual Services	40,701	53,640	31.79%	11,640	11,600	(78.37%)	11,600	(0.34%)
Materials & Supplies	3,122	468	(85.01%)	42,471	42,600	9,002.56%	42,600	0.30%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	14,127	8,625	(38.95%)	16,138	15,900	84.35%	15,900	(1.47%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 137,614	$ 121,484	(11.72%)	$ 147,169	$ 140,800	15.90%	$ 142,800	(2.97%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 137,614	$ 121,484	(11.72%)	$ 147,169	$ 140,800	15.90%	$ 142,800	(2.97%)

MV00056108

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Community Events FUND: 161

PROGRAM NUMBER: 77310

PROGRAM OBJECTIVE: To plan, design, and oversee recreation community events and programs such as the 4th of July parade and festival, and the Summer Concerts.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 38,749	$ 40,302	4.01%	$ 36,265	$ 37,300	(7.45%)	$ 34,300	(5.42%)
Contractual Services	157,101	111,600	(28.96%)	122,913	121,910	9.24%	131,300	6.82%
Materials & Supplies	14,720	4,929	(66.51%)	10,700	13,200	167.80%	13,200	23.36%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,291	1,217	(5.73%)	17,933	17,800	1,362.61%	17,700	(1.30%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 211,861	$ 158,048	(25.40%)	$ 187,811	$ 190,210	20.35%	$ 196,500	4.63%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 211,861	$ 158,048	(25.40%)	$ 187,811	$ 190,210	20.35%	$ 196,500	4.63%

MV00056109

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Non-Departmental Zone A FUND: 161

PROGRAM NUMBER: 99916

PROGRAM OBJECTIVE: To provide appropriate funds for those activities that support Zone A and are not directly assignable to any one department or program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	248,079	250,309	0.90%	250,309	250,300	(0.00%)	250,300	(0.00%)
Transfers Out	-	400,000	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 248,079	$ 650,309	162.14%	$ 250,309	$ 250,300	(61.51%)	$ 250,300	(0.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 248,079	$ 650,309	162.14%	$ 250,309	$ 250,300	(61.51%)	$ 250,300	(0.00%)

MV00056110

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Residential Street Lighting Admin. FUND: 171

PROGRAM NUMBER: 77810

PROGRAM OBJECTIVE: To monitor over 5,589 residential streetlights to assure safe vehicular travel within residential areas of Moreno Valley by responding to service requests within 24 hours to Southern California Edison.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 149,749	$ 141,345	(5.61%)	$ 124,130	$ 132,883	(5.99%)	$ 132,400	6.66%
Contractual Services	1,019,326	1,227,559	20.43%	1,415,080	1,407,680	14.67%	1,418,100	0.21%
Materials & Supplies	3,107	27,861	796.72%	3,030	43,220	55.13%	3,500	15.51%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	99,018	63,490	(35.88%)	63,957	63,957	0.74%	64,000	0.07%
Transfers Out	71,383	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,342,583	$ 1,460,255	8.76%	$ 1,606,197	$ 1,647,740	12.84%	$ 1,618,000	0.73%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,342,583	$ 1,460,255	8.76%	$ 1,606,197	$ 1,647,740	12.84%	$ 1,618,000	0.73%

MV00056111

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Arterial Street Lighting Admin. FUND: 172

PROGRAM NUMBER: 77910

PROGRAM OBJECTIVE: To provide orderly development and maintenance of arterial streetlight services for the residents in Zone C. Monitoring of streetlights to assure safe vehicular travel on major thoroughfares in Moreno Valley and responding to service requests to Southern California Edison.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 39,513	$ 36,723	(7.06%)	$ 41,358	$ 37,375	1.78%	$ 37,200	(10.05%)
Contractual Services	481,224	577,319	19.97%	631,230	632,388	9.54%	685,000	8.52%
Materials & Supplies	2,233	1,741	(22.03%)	2,732	3,025	73.75%	3,200	17.13%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	64,955	62,686	(3.49%)	62,966	62,966	0.45%	62,900	(0.10%)
Transfers Out	17,550	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 605,475	$ 678,469	12.06%	$ 738,286	$ 735,754	8.44%	$ 788,300	6.77%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 605,475	$ 678,469	12.06%	$ 738,286	$ 735,754	8.44%	$ 788,300	6.77%

MV00056112

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Standard Landscape Maint. Admin. FUND: 181

PROGRAM NUMBER: 78110

PROGRAM OBJECTIVE: Monitor 75 residential tracts supporting 30 acres of parkway landscaping to assure orderly development and maintenance of standard landscape services for the residents in Zone D.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 423,158	$ 444,981	5.16%	$ 458,337	$ 392,935	(11.70%)	$ 479,300	4.57%
Contractual Services	572,034	575,268	0.57%	675,040	626,055	8.83%	746,500	10.59%
Materials & Supplies	44,261	32,859	(25.76%)	62,817	56,019	70.48%	44,900	(28.52%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	131,952	147,010	11.41%	147,305	147,305	0.20%	147,300	(0.00%)
Transfers Out	375	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,171,780	$ 1,200,118	2.42%	$ 1,343,499	$ 1,222,314	1.85%	$ 1,418,000	5.55%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,171,780	$ 1,200,118	2.42%	$ 1,343,499	$ 1,222,314	1.85%	$ 1,418,000	5.55%

MV00056113

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape Maint. Admin. FUND: 182

PROGRAM NUMBER: 78210

PROGRAM OBJECTIVE: Monitor 7 sub-zones of Zone E supporting 130 acres of extensive landscaping to assure orderly development and maintenance of extensive landscape services for the residents in Zone E.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 611,181	$ 614,554	0.55%	$ 645,950	$ 593,949	(3.35%)	$ 593,800	(8.07%)
Contractual Services	49,292	24,724	(49.84%)	38,556	34,403	39.15%	35,500	(7.93%)
Materials & Supplies	37,404	40,254	7.62%	39,646	38,828	(3.54%)	38,300	(3.40%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	265,675	236,644	(10.93%)	233,490	233,490	(1.33%)	233,500	0.00%
Transfers Out	172,185	20,500	(88.09%)	25,000	51,778	152.58%	51,800	107.20%
Total Operating Expenditures	$ 1,135,737	$ 936,676	(17.53%)	$ 982,642	$ 952,448	1.68%	$ 952,900	(3.03%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,135,737	$ 936,676	(17.53%)	$ 982,642	$ 952,448	1.68%	$ 952,900	(3.03%)

MV00056114

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Towngate FUND: 182

PROGRAM NUMBER: 78220

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-1.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	157,169	193,514	23.12%	223,950	229,285	18.48%	231,600	3.42%
Materials & Supplies	5,507	4,410	(19.92%)	6,750	6,500	47.39%	6,300	(6.67%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 162,676	$ 197,924	21.67%	$ 230,700	$ 235,785	19.13%	$ 237,900	3.12%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 162,676	$ 197,924	21.67%	$ 230,700	$ 235,785	19.13%	$ 237,900	3.12%

MV00056115

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Hidden Springs FUND: 182

PROGRAM NUMBER: 78230

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-2.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	268,198	284,603	6.12%	358,545	341,475	19.98%	383,900	7.07%
Materials & Supplies	3,726	2,913	(21.82%)	3,630	3,230	10.88%	3,300	(9.09%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 271,924	$ 287,516	5.73%	$ 362,175	$ 344,705	19.89%	$ 387,200	6.91%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 271,924	$ 287,516	5.73%	$ 362,175	$ 344,705	19.89%	$ 387,200	6.91%

MV00056116

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Warmington FUND: 182

PROGRAM NUMBER: 78240

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-3.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	318,281	425,896	33.81%	462,990	239,665	(43.73%)	287,500	(37.90%)
Materials & Supplies	9,000	15,224	69.16%	10,250	10,050	(33.99%)	9,900	(3.41%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 327,281	$ 441,120	34.78%	$ 473,240	$ 249,715	(43.39%)	$ 297,400	(37.16%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 327,281	$ 441,120	34.78%	$ 473,240	$ 249,715	(43.39%)	$ 297,400	(37.16%)

MV00056117

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Landmark FUND: 182

PROGRAM NUMBER: 78250

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-4.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	270,176	287,966	6.58%	302,150	302,330	4.99%	355,400	17.62%
Materials & Supplies	11,392	12,832	12.64%	13,230	12,600	(1.81%)	11,200	(15.34%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 281,568	$ 300,798	6.83%	$ 315,380	$ 314,930	4.70%	$ 366,600	16.24%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 281,568	$ 300,798	6.83%	$ 315,380	$ 314,930	4.70%	$ 366,600	16.24%

MV00056118

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - MV Development FUND: 182

PROGRAM NUMBER: 78270

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-16.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	43,205	46,193	6.92%	52,675	52,675	14.03%	57,600	9.35%
Materials & Supplies	569	1,512	165.73%	1,700	1,050	(30.56%)	1,600	(5.88%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 43,774	$ 47,705	8.98%	$ 54,375	$ 53,725	12.62%	$ 59,200	8.87%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 43,774	$ 47,705	8.98%	$ 54,375	$ 53,725	12.62%	$ 59,200	8.87%

MV00056119

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Extensive Landscape - Centerpointe FUND: 182

PROGRAM NUMBER: 78280

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E-7.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	100,832	63,538	(36.99%)	83,425	76,815	20.90%	88,700	6.32%
Materials & Supplies	447	1,766	295.08%	1,900	2,400	35.90%	1,500	(21.05%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 101,279	$ 65,304	(35.52%)	$ 85,325	$ 79,215	21.30%	$ 90,200	5.71%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 101,279	$ 65,304	(35.52%)	$ 85,325	$ 79,215	21.30%	$ 90,200	5.71%

MV00056120

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E1-A Renaissance Park FUND: 182

PROGRAM NUMBER: 78281

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E1-A.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	18,015	19,189	6.52%	41,345	41,345	115.46%	43,200	4.49%
Materials & Supplies	948	767	(19.09%)	1,200	1,000	30.38%	1,200	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 18,963	$ 19,956	5.24%	$ 42,545	$ 42,345	112.19%	$ 44,400	4.36%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 18,963	$ 19,956	5.24%	$ 42,545	$ 42,345	112.19%	$ 44,400	4.36%

MV00056121

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E4-A Daybreak Div. FUND: 182

PROGRAM NUMBER: 78282

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E4-A.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	4,666	5,372	15.13%	7,115	7,115	32.45%	7,100	(0.21%)
Materials & Supplies	249	-	(100.00%)	361	261	100.00%	300	(16.90%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 4,915	$ 5,372	9.30%	$ 7,476	$ 7,376	37.30%	$ 7,400	(1.02%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,915	$ 5,372	9.30%	$ 7,476	$ 7,376	37.30%	$ 7,400	(1.02%)

MV00056122

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E3A FUND: 182

PROGRAM NUMBER: 78283

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E3A.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	24,162	27,134	12.30%	33,625	31,885	17.51%	27,100	(19.41%)
Materials & Supplies	249	347	39.36%	1,570	1,400	303.46%	1,400	(10.83%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 24,411	$ 27,481	12.58%	$ 35,195	$ 33,285	21.12%	$ 28,500	(19.02%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 24,411	$ 27,481	12.58%	$ 35,195	$ 33,285	21.12%	$ 28,500	(19.02%)

MV00056123

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E8 - Promontory Park FUND: 182

PROGRAM NUMBER: 78284

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E8.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	25,830	32,562	26.06%	164,195	74,580	129.04%	162,000	(1.34%)
Materials & Supplies	249	244	(2.01%)	8,330	3,950	1,518.85%	6,600	(20.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 26,079	$ 32,806	25.79%	$ 172,525	$ 78,530	139.38%	$ 168,600	(2.28%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 26,079	$ 32,806	25.79%	$ 172,525	$ 78,530	139.38%	$ 168,600	(2.28%)

MV00056124

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E15 - Celebrations FUND: 182

PROGRAM NUMBER: 78285

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E15.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	16,193	17,834	10.13%	45,305	34,300	92.33%	47,800	5.51%
Materials & Supplies	249	-	(100.00%)	4,630	450	100.00%	3,400	(26.57%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 16,442	$ 17,834	8.47%	$ 49,935	$ 34,750	94.85%	$ 51,200	2.53%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 16,442	$ 17,834	8.47%	$ 49,935	$ 34,750	94.85%	$ 51,200	2.53%

MV00056125

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E14 - Mahogany FUND: 182

PROGRAM NUMBER: 78286

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E14.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	56,009	71,400	27.48%	75,965	78,190	9.51%	80,600	6.10%
Materials & Supplies	249	337	35.34%	1,600	1,000	196.74%	1,200	(25.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 56,258	$ 71,737	27.51%	$ 77,565	$ 79,190	10.39%	$ 81,800	5.46%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 56,258	$ 71,737	27.51%	$ 77,565	$ 79,190	10.39%	$ 81,800	5.46%

MV00056126

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone E12 - Stoneridge FUND: 182

PROGRAM NUMBER: 78287

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for the residents in Zone E12.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	28,996	40,924	41.14%	57,690	53,360	30.39%	62,100	7.64%
Materials & Supplies	2,118	717	(66.15%)	2,200	1,800	151.05%	1,800	(18.18%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 31,114	$ 41,641	33.83%	$ 59,890	$ 55,160	32.47%	$ 63,900	6.70%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 31,114	$ 41,641	33.83%	$ 59,890	$ 55,160	32.47%	$ 63,900	6.70%

MV00056127

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone M - Median Fund FUND: 183

PROGRAM NUMBER: 18310

PROGRAM OBJECTIVE: To provide orderly development and maintenance of medians within the City of Moreno Valley designated as Zone M.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 50,292	$ 36,333	(27.76%)	$ 99,532	$ 86,651	138.49%	$ 86,000	(13.60%)
Contractual Services	96,999	114,100	17.63%	178,981	133,175	16.72%	154,400	(13.73%)
Materials & Supplies	6,236	4,077	(34.62%)	31,170	16,660	308.63%	15,500	(50.27%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,710	9,376	448.30%	17,082	17,082	82.19%	17,200	0.69%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 155,237	$ 163,886	5.57%	$ 326,765	$ 253,568	54.72%	$ 273,100	(16.42%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 155,237	$ 163,886	5.57%	$ 326,765	$ 253,568	54.72%	$ 273,100	(16.42%)

MV00056128

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Zone S - Sunnymead Blvd. Maintenance FUND: 185

PROGRAM NUMBER: 18510

PROGRAM OBJECTIVE: To provide orderly development and maintenance of extensive landscape services for commercial sites on Sunnymead Blvd.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 3,789	100.00%	$ 18,564	$ 18,564	389.94%	$ 28,300	52.45%
Contractual Services	47	1,805	3,740.43%	63,850	31,620	1,651.80%	81,700	27.96%
Materials & Supplies	-	568	100.00%	2,305	950	67.25%	2,500	8.46%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	7,500	7,500	100.00%	7,500	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 47	$ 6,162	13,010.64%	$ 92,219	$ 58,634	851.54%	$ 120,000	30.13%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 47	$ 6,162	13,010.64%	$ 92,219	$ 58,634	851.54%	$ 120,000	30.13%

MV00056129

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #4M FUND: 186

PROGRAM NUMBER: 18610

PROGRAM OBJECTIVE: Community Service District to provide for the maintenance and administration cost of the detention basis within Centerpointe Business Park.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 2,195	100.00%	$ -	$ 700	(68.11%)	$ -	-
Contractual Services	3	3,230	107,566.67%	29,000	27,000	735.91%	29,000	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	6,000	16,500	175.00%	6,000	6,000	(63.64%)	6,000	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 6,003	$ 21,925	265.23%	$ 35,000	$ 33,700	53.71%	$ 35,000	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 6,003	$ 21,925	265.23%	$ 35,000	$ 33,700	53.71%	$ 35,000	-

MV00056130

City of Moreno Valley

2010-11 Preliminary Base Operating budget

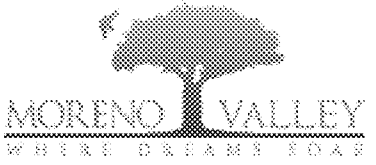

Redevelopment Agency

MV00056131

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Redevelopment Agency

Description	RDA Administration 891	RDA Housing 894	RDA Tax Increment 895	RDA 2007 TAB Series A Debt Service 896	RDA 2007 TAB Series A Cap Prj 897	RDA 2007 TAB Series B Debt Service 898	Total
Revenues							
Property Taxes	-	-	8,767,604	-	-	-	8,767,604
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	780,000	-	-	-	780,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	318,500	800,000	1,100	900,000	-	2,019,600
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**-**	**318,500**	**10,347,604**	**1,100**	**900,000**	**-**	**11,567,204**
Expenditures							
Operating:							
Personnel Services	396,500	739,800	-	-	-	-	1,136,300
Contractual Services	251,870	5,689,400	200,000	3,275	-	-	6,144,545
Materials & Supplies	6,100	4,900	-	-	-	-	11,000
Debt Service	-	-	2,278,594	2,180,300	-	410,000	4,868,894
Fixed Charges	200,000	144,400	-	-	-	-	344,400
Transfers Out	-	-	2,402,698	-	-	-	2,402,698
Total Operating Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Increase in Reserve for Contingencies							
Total Expenditures	**854,470**	**6,578,500**	**4,881,292**	**2,183,575**	**-**	**410,000**	**14,907,837**
Net Revenues Over (Under) Expenditures	**(854,470)**	**(6,260,000)**	**5,466,312**	**(2,182,475)**	**900,000**	**(410,000)**	**(3,340,633)**

MV00056132

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Redevelopment Agency (RDA)

Description	RDA Administration 891.91110	RDA Housing 894.91310	Alessandro & Day Project Phase 1 894.61120	Rancho Dorado Project 894.80329	RDA Tax Increment 895.91510	RDA 2007 TAB Series A 896.91610	RDA 2007 TAB Series B 898.91910	Total
Expenditures								
Operating:								
Personnel Services	396,500	739,800	-	-	-	-	-	1,136,300
Contractual Services	251,870	639,400	1,800,000	3,250,000	200,000	3,275	-	6,144,545
Materials & Supplies	6,100	4,900	-	-	-	-	-	11,000
Debt Service	-	-	-	-	2,278,594	2,180,300	410,000	4,868,894
Fixed Charges	200,000	144,400	-	-	-	-	-	344,400
Transfers Out	-	-	-	-	2,402,698	-	-	2,402,698
Total Operating Expenditures	854,470	1,528,500	1,800,000	3,250,000	4,881,292	2,183,575	410,000	14,907,837
Capital:								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-	-
Total Program Expenditures	854,470	1,528,500	1,800,000	3,250,000	4,881,292	2,183,575	410,000	14,907,837

MV00056133

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Administration FUND: 891

PROGRAM NUMBER: 91110

PROGRAM OBJECTIVE: To pursue implementation of the City's Redevelopment Plan by expanding commercial development/employment opportunities, and through capital improvements that enhance the physical, social, and economic conditions in the Redevelopment Project Area.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 653,015	$ 531,928	(18.54%)	$ 386,726	$ 396,394	(25.48%)	$ 396,500	2.53%
Contractual Services	148,035	99,121	(33.04%)	293,464	241,217	143.36%	251,870	(14.17%)
Materials & Supplies	4,806	6,207	29.15%	6,150	4,850	(21.86%)	6,100	(0.81%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	226,652	209,663	(7.50%)	200,212	200,212	(4.51%)	200,000	(0.11%)
Transfers Out	36	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,032,544	$ 846,919	(17.98%)	$ 886,552	$ 842,673	(0.50%)	$ 854,470	(3.62%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,032,544	$ 846,919	(17.98%)	$ 886,552	$ 842,673	(0.50%)	$ 854,470	(3.62%)

MV00056134

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Capital Projects FUND: 892

PROGRAM NUMBER: 99992

PROGRAM OBJECTIVE: To meet General Fund loan debt service.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	142,552	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 142,552	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 142,552	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056135

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Housing FUND: 894

PROGRAM NUMBER: 91310

PROGRAM OBJECTIVE: To develop and implement housing programs and projects, resulting in the improvements and expansion of the City's affordable housing opportunities as they relate specifically to the Redevelopment area. Provide down-payment and rehabilitation assistance to low/moderate income homeowners, facilitate rehabilitation of single-family homes, provide assistance to develop new multi-family housing, develop single-family infill homes and rehabilitate existing multi-family housing to benefit low/moderate income families.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 750,474	$ 770,442	2.66%	$ 818,721	$ 811,397	5.32%	$ 739,800	(9.64%)
Contractual Services	160,815	166,367	3.45%	474,638	335,835	101.86%	639,400	34.71%
Materials & Supplies	8,703	5,315	(38.93%)	6,940	3,900	(26.62%)	4,900	(29.39%)
Debt Service	(3,565,233)	(427,945)	(88.00%)	-	-	(100.00%)	-	-
Fixed Charges	1,551,985	139,513	(91.01%)	144,552	144,552	3.61%	144,400	(0.11%)
Transfers Out	36	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ (1,093,220)	$ 653,692	(159.80%)	$ 1,444,851	$ 1,295,684	98.21%	$ 1,528,500	5.79%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ (1,093,220)	$ 653,692	(159.80%)	$ 1,444,851	$ 1,295,684	98.21%	$ 1,528,500	5.79%

MV00056136

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Alessandro and Day Street Land Acquisition FUND: 894

PROGRAM NUMBER: 80327

PROGRAM OBJECTIVE: This property lies at the northeast corner of Alessandro and Day Street and is comprised of approximately 13 parcels totaling 8.75 acres. The property is currently zoned for both commercial and residential development. The Agency will be acquiring the property with Housing Set aside Funds and anticipates working with a developer to create an affordable housing project.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	4,971,500	144,430	(97.09%)	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 4,971,500	$ 144,430	(97.09%)	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 4,971,500	$ 144,430	(97.09%)	$ -	$ -	(100.00%)	$ -	-

MV00056137

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Rancho Dorado Project FUND: 894

PROGRAM NUMBER: 80329

PROGRAM OBJECTIVE: The proposed project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado is a two-phase, 150- unit affordable housing project. A unique component of the project that will come in the first phase is that 15 units are proposed as permanent supportive housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. The Agency will provide $4,750,000 in gap financing assistance for the first phase of Rancho Dorado, as well as $ 4,750,000 for the second phase, using the RDA's 20% affordable housing set-aside funds. The second phase will be completed in fiscal year 2010-2011, for a total project cost of $ 9,500,000.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	4,750,000	3,000,000	100.00%	3,250,000	(31.58%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 4,750,000	$ 3,000,000	100.00%	$ 3,250,000	(31.58%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 4,750,000	$ 3,000,000	100.00%	$ 3,250,000	(31.58%)

MV00056138

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Alessandro and Day Project Phase I FUND: 894

PROGRAM NUMBER: 61120

PROGRAM OBJECTIVE: The proposed project will be located at the northeast corner of Day Street and Alessandro Boulevard. The project will consist of 224 rent restricted units, plus two manager's units. The proposed project will include a variety of amenities including a community center with an on-site library, a pool, play equipment, and open spaces. To better compete for 9% tax credit equity financing, the project will be constructed in two phases. Using RDA's 20% affordable housing set-aside funds, the Agency will provide a total $8,850,000 for the total project ($4,950,000 for Phase 1 and $3,900,000 for Phase 2).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	1,800,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 1,800,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 1,800,000	100.00%

MV00056139

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA Tax Increment FUND: 895

PROGRAM NUMBER: 91510

PROGRAM OBJECTIVE: To maintain and administer the tax increment funds for debt service and transfers.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	204,610	269,497	31.71%	270,000	242,602	(9.98%)	200,000	(25.93%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	1,529,619	1,315,181	(14.02%)	1,437,397	6,690,780	408.73%	2,278,594	58.52%
Fixed Charges	210,000	-	(100.00%)	-	-	-	-	-
Transfers Out	9,580,150	11,351,536	18.49%	1,646,202	1,646,202	(85.50%)	2,402,698	45.95%
Total Operating Expenditures	$ 11,524,379	$ 12,936,214	12.25%	$ 3,353,599	$ 8,579,584	(33.68%)	$ 4,881,292	45.55%
Capital Expenditures								
Fixed Assets	439,510	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 439,510	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 11,963,889	$ 12,936,214	8.13%	$ 3,353,599	$ 8,579,584	(33.68%)	$ 4,881,292	45.55%

MV00056140

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA 2007 TABS, Series A Debt Service FUND: 896

PROGRAM NUMBER: 91610

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the 2007 Tax Allocation Bonds - Series A issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	3,275	100.00%	275	3,275	-	3,275	1,090.91%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	2,216,840	2,843,084	28.25%	2,175,284	2,175,284	(23.49%)	2,180,300	0.23%
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	41,640,724	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 43,857,564	$ 2,846,359	(93.51%)	$ 2,175,559	$ 2,178,559	(23.46%)	$ 2,183,575	0.37%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 43,857,564	$ 2,846,359	(93.51%)	$ 2,175,559	$ 2,178,559	(23.46%)	$ 2,183,575	0.37%

MV00056141

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: RDA 2007 TABS, Series B Debt Service FUND: 898

PROGRAM NUMBER: 91910

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the 2007 Tax Allocation Bonds - Series B issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	561,197	721,949	28.64%	325,000	600,000	(16.89%)	410,000	26.15%
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 561,197	$ 721,949	28.64%	$ 325,000	$ 600,000	(16.89%)	$ 410,000	26.15%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 561,197	$ 721,949	28.64%	$ 325,000	$ 600,000	(16.89%)	$ 410,000	26.15%

MV00056142

City of Moreno Valley

2010-11 Preliminary Base Operating budget

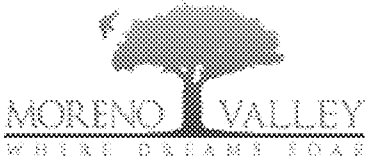

Special Revenue Funds

MV00056143

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Gas Tax Fund 121	SCAG Article 3 122	Measure A 125	SLESF - AB3229 Police Grant 130	Public/Education/ Gov't Access Program 132	EMPG- Emergency Mgmt Preparedness 134	OTS Police Grant 136	Air Quality Management 137	CDBG 01/02 144	Special District Admin 149
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	2,702,500	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	9,500
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	761,000
Interest Income	5,000	9,000	300,000	-	-	-	-	7,000	-	13,000
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	2,000	-	1,000	-	250,000	-	-	200,000	-	-
Grants/Intergovernmental Revenues	-	-	10,009,820	100,000	-	64,000	107,000	-	-	-
Transfers In	1,000,000	-	-	-	300,000	-	-	-	-	-
Total Operating Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**3,709,500**	**9,000**	**10,310,820**	**100,000**	**550,000**	**64,000**	**107,000**	**207,000**	**-**	**783,500**
Expenditures										
Operating:										
Personnel Services	3,161,900	-	248,900	-	257,600	73,200	-	82,181	-	800,500
Contractual Services	145,900	-	137,000	100,000	5,100	3,000	117,000	15,000	30,000	31,100
Materials & Supplies	632,500	-	6,000	-	6,600	11,500	-	-	-	12,700
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	16,752	-	46,000	-	177,900	6,500	-	-	-	385,900
Transfers Out	-	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Increase in Reserve for Contingencies										
Total Expenditures	**3,957,052**	**-**	**437,900**	**100,000**	**447,200**	**94,200**	**117,000**	**97,181**	**30,000**	**1,230,200**
Net Revenues Over (Under) Expenditures	**(247,552)**	**9,000**	**9,872,920**	**-**	**102,800**	**(30,200)**	**(10,000)**	**109,819**	**(30,000)**	**(446,700)**

MV00056144

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Storm Water Maintenance 151	NPDES 152	Beverage Container Recycling 153	Child Care Grant 160	ASES Program Grant 162	HOME (Federal) 176	CFD #1 184	Homelessness Prevention Program 198	CDBG Recovery Act of 2009 199
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	967,800	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	227,747	-	25,000	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	2,500	-	-	-	-	-	-	-
Interest Income	-	-	-	-	25,000	-	13,000	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	394,300	-	-	1,367,400	-	-	-	-
Grants/Intergovernmental Revenues	421,400	165,300	-	797,300	4,499,200	390,000	-	183,218	137,192
Transfers In	182,000	139,095	-	-	-	-	25,305	-	-
Total Operating Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-
Total Revenues	**603,400**	**928,942**	**-**	**822,300**	**5,891,600**	**390,000**	**1,006,105**	**183,218**	**137,192**
Expenditures									
Operating:									
Personnel Services	318,000	517,300	13,200	643,200	3,145,100	36,900	411,100	-	26,829
Contractual Services	76,800	238,260	-	185,300	1,858,200	358,000	343,200	183,218	110,363
Materials & Supplies	123,600	9,200	-	42,000	767,700	-	53,400	-	-
Debt Service	-	-	-	16,500	-	-	-	-	-
Fixed Charges	56,700	96,600	-	55,800	188,500	-	143,500	-	-
Transfers Out	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Increase in Reserve for Contingencies									
Total Expenditures	**575,100**	**861,360**	**13,200**	**942,800**	**5,959,500**	**394,900**	**951,200**	**183,218**	**137,192**
Net Revenues Over (Under) Expenditures	**28,300**	**67,582**	**(13,200)**	**(120,500)**	**(67,900)**	**(4,900)**	**54,905**	**-**	**-**

MV00056145

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Arterial Street Development Impact Fee 201	Traffic Signal Development Impact Fee 202	Fire Facility Development Impact Fee 203	Police Facility Development Impact Fee 204	Park Land Facility Dev. Impact Fee 205	Quimby In-Lieu Park Fees 206	Recreation Center Dev. Impact Fee 207	Libraries Development Impact Fee 208	City Hall Development Impact Fee 209	Corporate Yard Dev. Impact Fee 210
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	71,200	17,700	27,500	21,800	65,700	30,000	51,900	52,100	28,800	16,000
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	33,500	9,000	13,600	-	25,000	22,600	-	46,600	25,700	500
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**104,700**	**26,700**	**41,100**	**21,800**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,413,675	-	254,008	676,810	-	-	-	-	-	-
Total Operating Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,413,675**	**-**	**254,008**	**676,810**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,308,975)**	**26,700**	**(212,908)**	**(655,010)**	**90,700**	**52,600**	**51,900**	**98,700**	**54,500**	**16,500**

MV00056146

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Interchange Imprvmnts Dev. Impact Fee 211	Maintenance Equipt. Dev. Impact Fee 212	Animal Shelter Dev. Impact Fee 213	Traffic Congestion Relief 225	FHWA TRANSIMS Deployment 227	Economic Stimulus Fund 228	JAG - PD - 2009 Fund 230	Fire - Emergency Svcs Fund 233	JAG - PD - 2010 Fund 262	CDBG 05/06 280
Revenues										
Property Taxes	-	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-
Development Fees	20,600	3,400	6,100	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-
Interest Income	20,500	800	-	32,000	-	10,000	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenues	-	-	-	-	-	-	-	14,000	-	-
Grants/Intergovernmental Revenues	-	-	-	1,830,944	186,600	1,300,000	78,100	-	435,700	10,000
Transfers In	-	-	-	-	-	-	-	-	-	-
Total Operating Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Reserves	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-
Total Revenues	**41,100**	**4,200**	**6,100**	**1,862,944**	**186,600**	**1,310,000**	**78,100**	**14,000**	**435,700**	**10,000**
Expenditures										
Operating:										
Personnel Services	-	-	-	-	20,000	-	66,443	-	-	-
Contractual Services	-	-	-	-	10,000	-	5,775	-	-	-
Materials & Supplies	-	-	-	-	-	-	5,900	-	-	-
Debt Service	-	-	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-	-	-
Transfers Out	1,740,000	-	-	-	-	-	-	-	-	-
Total Operating Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Capital :										
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Increase in Reserve for Contingencies										
Total Expenditures	**1,740,000**	**-**	**-**	**-**	**30,000**	**-**	**78,118**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**(1,698,900)**	**4,200**	**6,100**	**1,862,944**	**156,600**	**1,310,000**	**(18)**	**14,000**	**435,700**	**10,000**

MV00056147

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	CDBG 07/08 282	CDBG 08/09 283	CDBG10/11 285	Used Oil Block Grant 14 293	TRI16-06-1 Target Rubberized 295	MV Foundation Donations 370	Arts Commission 371	Celebration Park Endowment 380	Total
Revenues									
Property Taxes	-	-	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-	-	2,702,500
Sales Taxes	-	-	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-	-	967,800
Franchise Fees	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	412,800
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	262,247
Fees for Service	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	763,500
Interest Income	-	-	-	-	-	-	-	1,000	612,800
Bond Proceeds	-	-	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	27,900	-	-	1,000	-	2,257,600
Grants/Intergovernmental Revenues	14,700	418,652	2,000,000	-	56,000	-	-	-	23,205,126
Transfers In	-	-	-	-	-	-	-	-	1,646,400
Total Operating Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Reserves	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	
Total Revenues	**14,700**	**418,652**	**2,000,000**	**27,900**	**56,000**	**-**	**1,000**	**1,000**	**32,830,773**
Expenditures									
Operating:									
Personnel Services	-	-	242,000	14,200	-	-	-	-	10,078,553
Contractual Services	-	-	1,420,600	12,900	-	50	1,000	-	5,387,766
Materials & Supplies	-	-	1,700	-	56,000	-	-	-	1,728,800
Debt Service	-	-	-	-	-	-	-	-	16,500
Fixed Charges	-	-	15,600	800	-	-	-	-	1,190,552
Transfers Out	-	-	-	-	-	-	-	-	4,084,493
Total Operating Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Capital :									
Fixed Assets	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Increase in Reserve for Contingencies									
Total Expenditures	**-**	**-**	**1,679,900**	**27,900**	**56,000**	**50**	**1,000**	**-**	**22,486,664**
Net Revenues Over (Under) Expenditures	**14,700**	**418,652**	**320,100**	**-**	**-**	**(50)**	**-**	**1,000**	**10,344,109**

MV00056148

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Infrastructure Project Engineering 121.54130	Public Works - Street Maintenance 121.55130	Public Works - Concrete Maintenance 121.55230	Public Works - Signing & Striping 121.55430	Public Works - Graffiti Removal 121.55830	Public Works - Tree Trimming 121.56730	Measure A Admin 125.54150
Expenditures							
Operating:							
Personnel Services	585,100	1,185,300	278,700	506,500	273,800	332,500	248,900
Contractual Services	15,000	76,800	6,500	18,500	4,900	24,200	137,000
Materials & Supplies	41,700	243,600	65,700	199,600	54,200	27,700	6,000
Debt Service	-	-	-	-	-	-	-
Fixed Charges	(336,748)	237,400	9,400	86,900	7,200	12,600	46,000
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	305,052	1,743,100	360,300	811,500	340,100	397,000	437,900
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	305,052	1,743,100	360,300	811,500	340,100	397,000	437,900

MV00056149

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Enforcement Services AB 3229 130.62890	Public/Education/ Gov't Access Program 132.13210	Emergency Mgmt Preparedness Grant 134.13410	AL0842 Avoid the 30 Program 136.13613	AL1029 DUI Enforcement & Awareness 136.13616	CT10272 Click It or Ticket 136.13617	SC10272 Sobriety Checkpoint 136.13618
Expenditures							
Operating:							
Personnel Services	-	257,600	73,200	-	-	-	-
Contractual Services	100,000	5,100	3,000	10,000	49,100	3,900	54,000
Materials & Supplies	-	6,600	11,500	-	-	-	-
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	177,900	6,500	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	100,000	447,200	94,200	10,000	49,100	3,900	54,000
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	100,000	447,200	94,200	10,000	49,100	3,900	54,000

MV00056150

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Public Works Air Quality Management 137.53710	CDBG Family Services Assoc. Loan 144.73812	PW - Special Districts Administration 149.51710	PW - Street Sweeping 151.52610	PW - Catch Basin Maintenance 151.52810	NPDES Administration 152.52210	Inspections 152.52410
Expenditures							
Operating:							
Personnel Services	82,181	-	800,500	127,300	190,700	278,100	114,400
Contractual Services	15,000	30,000	31,100	71,200	5,600	122,400	2,900
Materials & Supplies	-	-	12,700	115,300	8,300	6,800	2,200
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	385,900	53,200	3,500	84,000	12,600
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	97,181	30,000	1,230,200	367,000	208,100	491,300	132,100
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	97,181	30,000	1,230,200	367,000	208,100	491,300	132,100

MV00056151

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Plan Checks 152.52510	Regulatory Permits/ Agreements 152.53010	Beverage Container Recycling 153.51535	Child Care Grant 160.75710	STARS Program Grant - FY08/09 162.16212	STARS Program Grant - FY10/11 162.16214
Expenditures						
Operating:						
Personnel Services	124,800	-	13,200	643,200	1,900	3,143,200
Contractual Services	400	112,560	-	185,300	-	1,858,200
Materials & Supplies	200	-	-	42,000	-	767,700
Debt Service	-	-	-	16,500	-	-
Fixed Charges	-	-	-	55,800	-	188,500
Transfers Out	-	-	-	-	-	-
Total Operating Expenditures	125,400	112,560	13,200	942,800	1,900	5,957,600
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	125,400	112,560	13,200	942,800	1,900	5,957,600

MV00056152

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	HOME Administration 176.77110	CFD #1 184.18410	Homelessness Prevention Program 198.19810	CDBG Recovery Act of 2009 199.19910	Arterial Streets Dev. Impact Fee 201.20110	Fire Facility Dev. Impact Fee 203.20310
Expenditures						
Operating:						
Personnel Services	36,900	411,100	-	26,829	-	-
Contractual Services	358,000	343,200	183,218	110,363	-	-
Materials & Supplies	-	53,400	-	-	-	-
Debt Service	-	-	-	-	-	-
Fixed Charges	-	143,500	-	-	-	-
Transfers Out	-	-	-	-	1,413,675	254,008
Total Operating Expenditures	394,900	951,200	183,218	137,192	1,413,675	254,008
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	394,900	951,200	183,218	137,192	1,413,675	254,008

MV00056153

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	Police Facility Dev. Impact Fee 204.20410	Interchange Improvements DIF 211.21112	FHWA TRANSIMS Deployment 227.22710	2009-DJ-BX-1178 JAG Grant 230.23010	CDBG Admin - FY10/11 Fund 285.73852	CDBG Social Programs - FY10/11 Fund 285.73952
Expenditures						
Operating:						
Personnel Services	-	-	20,000	66,443	242,000	-
Contractual Services	-	-	10,000	5,775	78,200	976,000
Materials & Supplies	-	-	-	5,900	1,700	-
Debt Service	-	-	-	-	-	-
Fixed Charges	-	-	-	-	15,600	-
Transfers Out	676,810	1,740,000	-	-	-	-
Total Operating Expenditures	676,810	1,740,000	30,000	78,118	337,500	976,000
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	676,810	1,740,000	30,000	78,118	337,500	976,000

MV00056154

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Special Revenue Funds

Description	CDBG Code Compliance - FY10/11 Fund 285.74052	Used Oil Block Grant 14 293.51555	TRI16-06-1 Target Rubberized 295.51559	Moreno Valley Foundation 370.37010	Arts Commission 371.37110	Total
Expenditures						
Operating:						
Personnel Services	-	14,200	-	-	-	10,078,553
Contractual Services	366,400	12,900	-	50	1,000	5,387,766
Materials & Supplies	-	-	56,000	-	-	1,728,800
Debt Service	-	-	-	-	-	16,500
Fixed Charges	-	800	-	-	-	1,190,552
Transfers Out	-	-	-	-	-	4,084,493
Total Operating Expenditures	366,400	27,900	56,000	50	1,000	22,486,664
Capital:						
Fixed Assets	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-
Total Program Expenditures	366,400	27,900	56,000	50	1,000	22,486,664

MV000056155

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Infrastructure Project Engineering FUND: 121

PROGRAM NUMBER: 54130

PROGRAM OBJECTIVE: To manage the design and construction of an integrated program of City funded capital improvement projects by providing project engineering management and contract administration services resulting in a cost effective, well planned and aesthetically pleasing community.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 573,807	$ 288,090	(49.79%)	$ 563,393	$ 742,534	157.74%	$ 585,100	3.85%
Contractual Services	31,835	17,548	(44.88%)	15,050	12,975	(26.06%)	15,000	(0.33%)
Materials & Supplies	48,716	50,882	4.45%	41,700	39,186	(22.99%)	41,700	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	352,465	307,838	(12.66%)	(423,209)	(318,116)	(203.34%)	(336,748)	(20.43%)
Transfers Out	-	439,000	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,006,823	$ 1,103,358	9.59%	$ 196,934	$ 476,579	(56.81%)	$ 305,052	54.90%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,006,823	$ 1,103,358	9.59%	$ 196,934	$ 476,579	(56.81%)	$ 305,052	54.90%

MV00056156

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Street Maintenance FUND: 121

PROGRAM NUMBER: 55130

PROGRAM OBJECTIVE: To ensure the safety and convenience of all those who use our City streets by providing preventive maintenance and repair to paved and unpaved roads, and by keeping all road shoulders graded and free of weeds and litter.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,030,704	$ 794,202	(22.95%)	$ 871,873	$ 828,989	4.38%	$ 1,185,300	35.95%
Contractual Services	101,138	71,448	(29.36%)	169,740	176,240	146.67%	76,800	(54.75%)
Materials & Supplies	264,513	229,566	(13.21%)	194,480	237,145	3.30%	243,600	25.26%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	233,895	246,979	5.59%	237,617	237,617	(3.79%)	237,400	(0.09%)
Transfers Out	192	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,630,442	$ 1,342,195	(17.68%)	$ 1,473,710	$ 1,479,991	10.27%	$ 1,743,100	18.28%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,630,442	$ 1,342,195	(17.68%)	$ 1,473,710	$ 1,479,991	10.27%	$ 1,743,100	18.28%

MV00056157

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW - Concrete Maintenance FUND: 121

PROGRAM NUMBER: 55230

PROGRAM OBJECTIVE: To ensure the safety and convenience of all those using our City's sidewalks and ensure the proper drainage of City streets by keeping all City sidewalks, curbs, gutters and cross-gutters in a state of repair.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 269,791	$ 187,044	(30.67%)	$ 186,209	$ 185,820	(0.65%)	$ 278,700	49.67%
Contractual Services	5,930	7,762	30.89%	5,115	6,720	(13.42%)	6,500	27.08%
Materials & Supplies	49,970	35,357	(29.24%)	62,350	65,150	84.26%	65,700	5.37%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,600	11,039	4.14%	9,540	9,540	(13.58%)	9,400	(1.47%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 336,291	$ 241,202	(28.28%)	$ 263,214	$ 267,230	10.79%	$ 360,300	36.88%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 336,291	$ 241,202	(28.28%)	$ 263,214	$ 267,230	10.79%	$ 360,300	36.88%

MV00056158

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Signing & Striping FUND: 121

PROGRAM NUMBER: 55430

PROGRAM OBJECTIVE: Maintain city traffic control devices including signs, legends, striping, and pavement markings.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 514,817	$ 459,617	(10.72%)	$ 521,775	$ 531,575	15.66%	$ 506,500	(2.93%)
Contractual Services	12,948	9,806	(24.27%)	18,100	18,250	86.11%	18,500	2.21%
Materials & Supplies	278,922	239,881	(14.00%)	199,950	209,800	(12.54%)	199,600	(0.18%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	114,327	85,194	(25.48%)	87,033	87,033	2.16%	86,900	(0.15%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 921,014	$ 794,498	(13.74%)	$ 826,858	$ 846,658	6.57%	$ 811,500	(1.86%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 921,014	$ 794,498	(13.74%)	$ 826,858	$ 846,658	6.57%	$ 811,500	(1.86%)

MV00056159

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Graffiti Removal FUND: 121

PROGRAM NUMBER: 55830

PROGRAM OBJECTIVE: To enhance the image of the City and to discourage the recurrence of graffiti by removing graffiti from both public and private property within twenty-four hours after it is reported by the public or observed by the City's removal crew.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 267,136	$ 259,683	(2.79%)	$ 283,962	$ 284,073	9.39%	$ 273,800	(3.58%)
Contractual Services	14,931	12,947	(13.29%)	3,370	5,370	(58.52%)	4,900	45.40%
Materials & Supplies	53,074	49,899	(5.98%)	59,050	59,050	18.34%	54,200	(8.21%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	10,793	8,470	(21.52%)	7,354	7,354	(13.18%)	7,200	(2.09%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 345,934	$ 330,999	(4.32%)	$ 353,736	$ 355,847	7.51%	$ 340,100	(3.85%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 345,934	$ 330,999	(4.32%)	$ 353,736	$ 355,847	7.51%	$ 340,100	(3.85%)

MV00056160

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: PW Tree Maintenance FUND: 121

PROGRAM NUMBER: 56730

PROGRAM OBJECTIVE: To ensure the safety, health and aesthetics of the City street tree inventory by trimming and removing street trees, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 345,063	$ 315,760	(8.49%)	$ 350,159	$ 340,452	7.82%	$ 332,500	(5.04%)
Contractual Services	19,380	14,986	(22.67%)	16,625	20,625	37.63%	24,200	45.56%
Materials & Supplies	38,785	27,588	(28.87%)	25,605	25,605	(7.19%)	27,700	8.18%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	11,812	13,833	17.11%	12,726	12,726	(8.00%)	12,600	(0.99%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 415,040	$ 372,167	(10.33%)	$ 405,115	$ 399,408	7.32%	$ 397,000	(2.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 415,040	$ 372,167	(10.33%)	$ 405,115	$ 399,408	7.32%	$ 397,000	(2.00%)

MV00056161

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Sidewalk Construction FUND: 122

PROGRAM NUMBER: 72210

PROGRAM OBJECTIVE: To supplement sidewalk related capital projects in other funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	64,853	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 64,853	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 64,853	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056162

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Measure A Admin FUND: 125

PROGRAM NUMBER: 54150

PROGRAM OBJECTIVE: To provide cost-effective administrative functions for essential transportation projects and services: budget preparation, annual update of 5-year CIP, revisions to Standard Plans, annual update to DBE specifications, development of DBE AADPL, preparation of grant applications, quarterly utility coordination, MSHCP reporting, and project engineering and right of way services for unfunded new projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 133,508	$ 147,324	10.35%	$ 156,277	$ 156,277	6.08%	$ 248,900	59.27%
Contractual Services	211,979	58,441	(72.43%)	227,560	91,000	55.71%	137,000	(39.80%)
Materials & Supplies	-	-	-	6,000	5,000	100.00%	6,000	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	2,121	1,735	(18.20%)	46,106	46,106	2,557.41%	46,000	(0.23%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 347,608	$ 207,500	(40.31%)	$ 435,943	$ 298,383	43.80%	$ 437,900	0.45%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 347,608	$ 207,500	(40.31%)	$ 435,943	$ 298,383	43.80%	$ 437,900	0.45%

MV00056163

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ABC Police Grant FUND: 128

PROGRAM NUMBER: 62630

PROGRAM OBJECTIVE: A program of education and proactive enforcement designed to deal with problematic ABC licensed establishments designed to eliminate problems and reduce repeat calls for service at ABC locations within the City.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	13,397	(237)	(101.77%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 13,397	$ (237)	(101.77%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,397	$ (237)	(101.77%)	$ -	$ -	(100.00%)	$ -	-

MV00056164

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police SLESF-CCAT Grant AB3229 FUND: 130

PROGRAM NUMBER: 62890

PROGRAM OBJECTIVE: To provide supplemental specialized law enforcement services for the City through the AB 3229 Grant.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	366,264	179,327	(51.04%)	275,851	120,000	(33.08%)	100,000	(63.75%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 366,264	$ 179,327	(51.04%)	$ 275,851	$ 120,000	(33.08%)	$ 100,000	(63.75%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 366,264	$ 179,327	(51.04%)	$ 275,851	$ 120,000	(33.08%)	$ 100,000	(63.75%)

MV00056165

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: EMPG Emerg Mgmt Preparedness Grant FUND: 134

PROGRAM NUMBER: 13410

PROGRAM OBJECTIVE: To administer and fund terrorism preparedness, EOC, emergency planning, and management of CERT.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 65,895	$ 70,954	7.68%	$ 73,179	$ 73,179	3.14%	$ 73,200	0.03%
Contractual Services	2,477	-	(100.00%)	3,000	-	-	3,000	-
Materials & Supplies	27,052	80,335	196.97%	125,298	17,234	(78.55%)	11,500	(90.82%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	7,427	6,515	(12.28%)	6,612	6,612	1.49%	6,500	(1.69%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 102,851	$ 157,804	53.43%	$ 208,089	$ 97,025	(38.52%)	$ 94,200	(54.73%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 102,851	$ 157,804	53.43%	$ 208,089	$ 97,025	(38.52%)	$ 94,200	(54.73%)

MV00056166

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: OTS - Police Fund FUND: 136

PROGRAM NUMBER: 13610

PROGRAM OBJECTIVE: To administer grant funds from the California Office of Traffic Safety for projects relating to traffic safety through the California Traffic Safety Program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	38,249	(13,636)	(135.65%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	13,766	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 52,015	$ (13,636)	(126.22%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 52,015	$ (13,636)	(126.22%)	$ -	$ -	(100.00%)	$ -	-

MV00056167

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: SC08272 Sobriety Checkpoint FUND: 136

PROGRAM NUMBER: 13611

PROGRAM OBJECTIVE: The goal of the Sobriety Checkpoint Program for Local Law Enforcement Agencies is to reduce the number of victims killed and injured in alcohol involved crashes in cities participating in this program. The Moreno Valley Police Department will conduct sobriety checkpoints in Moreno Valley in accordance with the contract to enforce this program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	54,059	14,528	(73.13%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 54,059	$ 14,528	(73.13%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 54,059	$ 14,528	(73.13%)	$ -	$ -	(100.00%)	$ -	-

MV00056168

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CT08272 Click It or Ticket FUND: 136

PROGRAM NUMBER: 13612

PROGRAM OBJECTIVE: The goal of the California Click It or Ticket (CIOT) project is to increase seat belt use statewide to 95% by July 31, 2008. Through the combined efforts of state and local agencies, a seat belt national campaign will be conducted during a 21-day mobilization period, May 12-June, 2008, in support of the national Click It or Ticket mobilization.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	10,000	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,000	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,000	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056169

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: AL0842 Avoid the 30 Program FUND: 136

PROGRAM NUMBER: 13613

PROGRAM OBJECTIVE: This grant allows the City of Riverside to reimburse designated Police agencies that participate in the program for authorized DUI operations on an Overtime basis (150% of their hourly rate).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	5,551	100.00%	4,827	15,000	170.22%	10,000	107.17%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 5,551	100.00%	$ 4,827	$ 15,000	170.22%	$ 10,000	107.17%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 5,551	100.00%	$ 4,827	$ 15,000	170.22%	$ 10,000	107.17%

MV00056170

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CT09272 Click It or Ticket FUND: 136

PROGRAM NUMBER: 13614

PROGRAM OBJECTIVE: This seatbelt enforcement Next Generation Click It or Ticket program scheduled to run from Oct. 1, 2008 through Sept. 8, 2009, will place additional officers in the field during these campaigns to enforce the seatbelt & child safety laws.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	31,222	100.00%	-	7,510	(75.94%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 31,222	100.00%	$ -	$ 7,510	(75.94%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 31,222	100.00%	$ -	$ 7,510	(75.94%)	$ -	-

MV00056171

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: SC09272 Sobriety Checkpoint FUND: 136

PROGRAM NUMBER: 13615

PROGRAM OBJECTIVE: The goal of the Sobriety Checkpoint Program for Local Law Enforcement Agencies is to reduce the number of victims killed and injured in alcohol involved crashes in cities participating in this program. The Moreno Valley Police Department will conduct sobriety checkpoints in Moreno Valley in accordance with the contract to enforce this program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	78,953	100.00%	115,093	35,520	(55.01%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 78,953	100.00%	$ 115,093	$ 35,520	(55.01%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 78,953	100.00%	$ 115,093	$ 35,520	(55.01%)	$ -	(100.00%)

MV00056172

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: AL1029 DUI Enforcement & Awareness FUND: 136

PROGRAM NUMBER: 13616

PROGRAM OBJECTIVE: The goal of the DUI Enforcement and Awareness Program is to conduct law enforcement operations involving DUI/Driver's License Checkpoints, DUI saturation patrols, stakeout operations of known DUI offenders, and driver's license court sting operations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	196,615	196,615	100.00%	49,100	(75.03%)
Materials & Supplies	-	-	-	20,515	-	-	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 217,130	$ 196,615	100.00%	$ 49,100	(77.39%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 217,130	$ 196,615	100.00%	$ 49,100	(77.39%)

MV00056173

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CT10272 Click It or Ticket FUND: 136

PROGRAM NUMBER: 13617

PROGRAM OBJECTIVE: This seatbelt enforcement mini-grant program scheduled to run from Oct. 1, 2009 through Sept. 8, 2010, will place additional officers in the field during these campaigns to enforce the seatbelt & child safety laws.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	18,659	18,659	100.00%	3,900	(79.10%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 18,659	$ 18,659	100.00%	$ 3,900	(79.10%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 18,659	$ 18,659	100.00%	$ 3,900	(79.10%)

MV00056174

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: SC10272 Sobriety Checkpoint FUND: 136

PROGRAM NUMBER: 13618

PROGRAM OBJECTIVE: The goal of the Sobriety Checkpoint Program for Local Law Enforcement Agencies is to reduce the number of victims killed and injured in alcohol involved crashes in cities participating in this program. The Moreno Valley Police Department will conduct sobriety checkpoints in Moreno Valley in accordance with the contract to enforce this program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	215,559	215,559	100.00%	54,000	(74.95%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 215,559	$ 215,559	100.00%	$ 54,000	(74.95%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 215,559	$ 215,559	100.00%	$ 54,000	(74.95%)

MV00056175

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works Air Quality Management FUND: 137

PROGRAM NUMBER: 53710

PROGRAM OBJECTIVE: To administer the City's Air Quality Management District funds and program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 87,772	100.00%	$ 87,968	$ 65,977	(24.83%)	$ 82,181	(6.58%)
Contractual Services	15,014	43,164	187.49%	62,842	106,325	146.33%	15,000	(76.13%)
Materials & Supplies	-	150	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 15,014	$ 131,086	773.09%	$ 150,810	$ 172,302	31.44%	$ 97,181	(35.56%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 15,014	$ 131,086	773.09%	$ 150,810	$ 172,302	31.44%	$ 97,181	(35.56%)

MV00056176

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG - Family Services Association Loan FUND: 144

PROGRAM NUMBER: 73812

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Family Services Association.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	30,000	30,000	-	30,000	30,000	-	30,000	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 30,000	$ 30,000	-	$ 30,000	$ 30,000	-	$ 30,000	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 30,000	$ 30,000	-	$ 30,000	$ 30,000	-	$ 30,000	-

MV00056177

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FY 03/04 FUND: 146

PROGRAM NUMBER: 73806

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	7,899	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 7,899	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 7,899	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056178

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FUND: 148

PROGRAM NUMBER: 73824

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	13,547	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 13,547	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,547	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056179

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works - Special Districts Administration FUND: 149

PROGRAM NUMBER: 51710

PROGRAM OBJECTIVE: Administer five Community Services District zones that provide street lighting and landscape services, and the levy of fixed charges for bond debt, CSD fees, nuisance abatement, and solid waste delinquencies within required timeframes with less than 5% discrepancies in data input.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 782,138	$ 876,044	12.01%	$ 861,315	$ 681,001	(22.26%)	$ 800,500	(7.06%)
Contractual Services	81,176	49,495	(39.03%)	72,805	43,570	(11.97%)	31,100	(57.28%)
Materials & Supplies	13,575	8,397	(38.14%)	13,020	11,990	42.79%	12,700	(2.46%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	399,671	335,318	(16.10%)	433,218	433,218	29.20%	385,900	(10.92%)
Transfers Out	2,000	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,278,560	$ 1,269,254	(0.73%)	$ 1,380,358	$ 1,169,779	(7.84%)	$ 1,230,200	(10.88%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,278,560	$ 1,269,254	(0.73%)	$ 1,380,358	$ 1,169,779	(7.84%)	$ 1,230,200	(10.88%)

MV00056180

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works - Street Sweeping FUND: 151

PROGRAM NUMBER: 52610

PROGRAM OBJECTIVE: To ensure the safety and cleanliness of our City streets by sweeping all City streets twice/month, and by providing emergency sweeping service, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 235,653	$ 122,144	(48.17%)	$ 142,252	$ 164,648	34.80%	$ 127,300	(10.51%)
Contractual Services	61,392	73,999	20.54%	70,560	70,700	(4.46%)	71,200	0.91%
Materials & Supplies	89,635	100,395	12.00%	89,900	95,050	(5.32%)	115,300	28.25%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	30,705	54,106	76.21%	53,349	53,349	(1.40%)	53,200	(0.28%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 417,385	$ 350,644	(15.99%)	$ 356,061	$ 383,747	9.44%	$ 367,000	3.07%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 417,385	$ 350,644	(15.99%)	$ 356,061	$ 383,747	9.44%	$ 367,000	3.07%

MV00056181

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Works - Catch Basin Maintenance FUND: 151

PROGRAM NUMBER: 52810

PROGRAM OBJECTIVE: To ensure the safety and cleanliness of our City streets and the City's maintained storm drain system by cleaning all catch basins, connector pipes and culverts on an annual basis, and by providing emergency service, as needed.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 205,892	$ 171,056	(16.92%)	$ 201,444	$ 169,017	(1.19%)	$ 190,700	(5.33%)
Contractual Services	9,972	6,394	(35.88%)	5,360	5,360	(16.17%)	5,600	4.48%
Materials & Supplies	18,242	6,252	(65.73%)	8,660	13,210	111.29%	8,300	(4.16%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	5,340	4,504	(15.66%)	3,577	3,577	(20.58%)	3,500	(2.15%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 239,446	$ 188,206	(21.40%)	$ 219,041	$ 191,164	1.57%	$ 208,100	(4.99%)
Capital Expenditures								
Fixed Assets	5,355	399,716	7,364.35%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ 5,355	$ 399,716	7,364.35%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ 244,801	$ 587,922	140.16%	$ 219,041	$ 191,164	(67.48%)	$ 208,100	(4.99%)

MV00056182

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: NPDES Administration FUND: 152

PROGRAM NUMBER: 52210

PROGRAM OBJECTIVE: To administer the City's National Pollutant Discharge Elimination System (NPDES) program. This program requires the City to obtain a permit from the Regional Water Quality Control Board. The City must ensure that discharge of storm water into various drainage channels and washes throughout the community will comply with the standards set by the Regional Water Quality Control Board.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 280,096	$ 272,372	(2.76%)	$ 282,882	$ 280,841	3.11%	$ 278,100	(1.69%)
Contractual Services	171,284	81,960	(52.15%)	204,715	154,500	88.51%	122,400	(40.21%)
Materials & Supplies	2,510	2,330	(7.17%)	24,924	4,000	71.67%	6,800	(72.72%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	68,536	84,171	22.81%	84,396	84,396	0.27%	84,000	(0.47%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 522,426	$ 440,833	(15.62%)	$ 596,917	$ 523,737	18.81%	$ 491,300	(17.69%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 522,426	$ 440,833	(15.62%)	$ 596,917	$ 523,737	18.81%	$ 491,300	(17.69%)

MV00056183

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Inspections FUND: 152

PROGRAM NUMBER: 52410

PROGRAM OBJECTIVE: To provide compliance inspections of construction sites and existing businesses at a frequency mandated in the current National Pollutant Discharge Elimination System (NPDES) permit for the Santa Ana River Watershed Region to ensure storm water and non-storm water discharges to the City's streets and storm drains are in compliance with the City's storm water ordinance and applicable NPDES permit provisions.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 105,484	$ 115,936	9.91%	$ 115,922	$ 91,775	(20.84%)	$ 114,400	(1.31%)
Contractual Services	3,214	2,257	(29.78%)	2,940	1,900	(15.82%)	2,900	(1.36%)
Materials & Supplies	6,036	654	(89.17%)	2,150	1,200	83.49%	2,200	2.33%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	5,529	12,386	124.02%	12,794	12,794	3.29%	12,600	(1.52%)
Transfers Out	1,500	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 121,763	$ 131,233	7.78%	$ 133,806	$ 107,669	(17.96%)	$ 132,100	(1.27%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 121,763	$ 131,233	7.78%	$ 133,806	$ 107,669	(17.96%)	$ 132,100	(1.27%)

MV00056184

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Plan Checks FUND: 152

PROGRAM NUMBER: 52510

PROGRAM OBJECTIVE: To provide plan check services for storm water and non-storm water plans and studies that address water quality impacts associated with new development and redevelopment projects to ensure these projects implement Best Management Practices (BMPs) with respect to the current National Pollutant Discharge Elimination System (NPDES) permit for the Santa Ana River Watershed Region and meeting the "maximum extent practicable" standard.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 29,068	$ 128,882	343.38%	$ 126,203	$ 126,203	(2.08%)	$ 124,800	(1.11%)
Contractual Services	5,915	-	(100.00%)	-	-	-	400	100.00%
Materials & Supplies	-	187	100.00%	150	200	6.95%	200	33.33%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 34,983	$ 129,069	268.95%	$ 126,353	$ 126,403	(2.07%)	$ 125,400	(0.75%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 34,983	$ 129,069	268.95%	$ 126,353	$ 126,403	(2.07%)	$ 125,400	(0.75%)

MV00056185

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Regulatory Permits/Agreements FUND: 152

PROGRAM NUMBER: 53010

PROGRAM OBJECTIVE: Responsible for city-wide storm water and non-storm water pollution prevention compliance work products and programs prepared in response to unfunded state and Federal permit mandates not otherwise funded by local special storm water related tax, levy and fee revenues. This includes securing local revenues for payment of state, Federal and intergovernmental storm water permit and cost-sharing agreements, updating local Master Drainage Plans including preparing applicable guidance documents, managing/preparing resource impact analyses for state and Federal permit mandates, etc.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	74,450	90,709	21.84%	112,559	106,100	16.97%	112,560	0.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 74,450	$ 90,709	21.84%	$ 112,559	$ 106,100	16.97%	$ 112,560	0.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 74,450	$ 90,709	21.84%	$ 112,559	$ 106,100	16.97%	$ 112,560	0.00%

MV00056186

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Beverage Container Recycling FUND: 153

PROGRAM NUMBER: 51535

PROGRAM OBJECTIVE: To promote beverage container recycling and litter abatement throughout the community with the use of the Department of Conservation Beverage Container Recycling Grant that is issued annually.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 30,985	$ 36,793	18.74%	$ 38,183	$ -	(100.00%)	$ 13,200	(65.43%)
Contractual Services	15,780	10,129	(35.81%)	8,782	-	(100.00%)	-	(100.00%)
Materials & Supplies	630	-	(100.00%)	300	-	-	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	283	272	(3.89%)	218	-	(100.00%)	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 47,678	$ 47,194	(1.02%)	$ 47,483	$ -	(100.00%)	$ 13,200	(72.20%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 47,678	$ 47,194	(1.02%)	$ 47,483	$ -	(100.00%)	$ 13,200	(72.20%)

MV00056187

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Child Care Grant FUND: 160

PROGRAM NUMBER: 75710

PROGRAM OBJECTIVE: To plan, design, and oversee the Child Care grant program offered by the City which provides after-school day care to the City's residents.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 587,940	$ 552,033	(6.11%)	$ 598,786	$ 597,236	8.19%	$ 643,200	7.42%
Contractual Services	41,205	37,884	(8.06%)	183,190	39,620	4.58%	185,300	1.15%
Materials & Supplies	42,587	33,260	(21.90%)	26,500	48,700	46.42%	42,000	58.49%
Debt Service	24,659	24,659	-	24,658	24,700	0.17%	16,500	(33.08%)
Fixed Charges	37,900	52,910	39.60%	55,973	56,200	6.22%	55,800	(0.31%)
Transfers Out	660	-	(100.00%)	-	-	-	-	-
Total Operating Exenditures	$ 734,951	$ 700,746	(4.65%)	$ 889,107	$ 766,456	9.38%	$ 942,800	6.04%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 734,951	$ 700,746	(4.65%)	$ 889,107	$ 766,456	9.38%	$ 942,800	6.04%

MV00056188

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ASES Program Grant 06-07 FUND: 162

PROGRAM NUMBER: 16210

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	193,906	1,452,998	649.33%	-	-	(100.00%)	-	-
Materials & Supplies	3,404,032	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Exenditures	$ 3,597,938	$ 1,452,998	(59.62%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	308,643	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 308,643	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 3,906,581	$ 1,452,998	(62.81%)	$ -	$ -	(100.00%)	$ -	-

MV00056189

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ASES Program Grant 07-08 FUND: 162

PROGRAM NUMBER: 16211

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 2,444,903	$ (42,229)	(101.73%)	$ -	$ -	(100.00%)	$ -	-
Contractual Services	1,273,071	1,917,117	50.59%	-	-	(100.00%)	-	-
Materials & Supplies	1,259,973	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	208,240	-	(100.00%)	-	-	-	-	-
Transfers Out	1,112	-	(100.00%)	-	-	-	-	-
Total Operating Exenditures	$ 5,187,299	$ 1,874,888	(63.86%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	17,866	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 17,866	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 5,205,165	$ 1,874,888	(63.98%)	$ -	$ -	(100.00%)	$ -	-

MV00056190

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: STARS Program Grant - FY08/09 FUND: 162

PROGRAM NUMBER: 16212

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 3,558,592	100.00%	$ -	$ -	(100.00%)	$ 1,900	100.00%
Contractual Services	-	907,791	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	887,176	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	235,698	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 5,589,257	100.00%	$ -	$ -	(100.00%)	$ 1,900	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 5,589,257	100.00%	$ -	$ -	(100.00%)	$ 1,900	100.00%

MV00056191

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: STARS Program Grant - FY09/10 FUND: 162

PROGRAM NUMBER: 16213

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 2,975,015	$ 3,090,900	100.00%	$ -	(100.00%)
Contractual Services	-	-	-	1,842,867	1,841,500	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	613,846	770,500	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	188,559	188,700	100.00%	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 5,620,287	$ 5,891,600	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 5,620,287	$ 5,891,600	100.00%	$ -	(100.00%)

MV00056192

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: STARS Program Grant - FY10/11 FUND: 162

PROGRAM NUMBER: 16214

PROGRAM OBJECTIVE: The purpose of the ASES grant program is to provide literacy, academic enrichment, and safe, constructive alternatives after school for students in kindergarten through grade nine at no cost to the participants. We provide an educational and literacy element which includes tutoring and/or homework assistance designed to help students meet state standards in one or more of the academic subjects and an educational enrichment element which includes an array of additional services, programs, and activities that reinforce and complement the regular academic program to support positive youth development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 3,143,200	100.00%
Contractual Services	-	-	-	-	-	-	1,858,200	100.00%
Materials & Supplies	-	-	-	-	-	-	767,700	100.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	188,500	100.00%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 5,957,600	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 5,957,600	100.00%

MV00056193

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: HOME Administration FUND: 176

PROGRAM NUMBER: 77110

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing downpayment rehabilitation assistance in the way of deferred, low interest loans.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 65,341	$ 42,794	(34.51%)	$ 45,809	$ 46,423	8.48%	$ 36,900	(19.45%)
Contractual Services	133,267	157,090	17.88%	351,319	335,000	113.25%	358,000	1.90%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	(63,267)	(117,488)	85.70%	-	-	(100.00%)	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 135,341	$ 82,396	(39.12%)	$ 397,128	$ 381,423	362.91%	$ 394,900	(0.56%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 135,341	$ 82,396	(39.12%)	$ 397,128	$ 381,423	362.91%	$ 394,900	(0.56%)

MV00056194

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #1 FUND: 184

PROGRAM NUMBER: 18410

PROGRAM OBJECTIVE: Community Facilities District #1 provides funding for maintenance of new neighborhood parks, trails, and Class I bikeways.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 280,779	$ 285,341	1.62%	$ 455,393	$ 343,300	20.31%	$ 411,100	(9.73%)
Contractual Services	273,004	236,220	(13.47%)	318,010	285,600	20.90%	343,200	7.92%
Materials & Supplies	61,149	63,895	4.49%	54,363	48,000	(24.88%)	53,400	(1.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	159,280	104,458	(34.42%)	143,549	143,500	37.38%	143,500	(0.03%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 774,212	$ 689,914	(10.89%)	$ 971,315	$ 820,400	18.91%	$ 951,200	(2.07%)
Capital Expenditures								
Fixed Assets	-	25,357	100.00%	15,000	4,000	(84.23%)	-	(100.00%)
Total Capital Expenditures	$ -	$ 25,357	100.00%	$ 15,000	$ 4,000	(84.23%)	$ -	(100.00%)
Total Program Budget	$ 774,212	$ 715,271	(7.61%)	$ 986,315	$ 824,400	15.26%	$ 951,200	(3.56%)

MV00056195

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: EPA Grant - Box Springs Water FUND: 193

PROGRAM NUMBER: 19310

PROGRAM OBJECTIVE: The purpose the of the project is to identify the water and sewer infrastructure improvements required in the Box Springs Mutual Water Company service area. The City's goal is to identify the appropriate system elements and associated cost necessary to upgrade the existing water system (and sewer system as necessary) in the area to provide safe domestic water service and fire suppression flows sufficient to meet modern requirements and allow redevelopment of the area.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 6,452	$ 6,070	(5.92%)	$ -	$ 3,220	(46.95%)	$ -	-
Contractual Services	197,108	176,096	(10.66%)	92,108	71,218	(59.56%)	-	(100.00%)
Materials & Supplies	-	-	-	-	5	100.00%	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 203,560	$ 182,166	(10.51%)	$ 92,108	$ 74,443	(59.13%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	7,000	-	-	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 7,000	$ -	-	$ -	-
Total Program Budget	$ 203,560	$ 182,166	(10.51%)	$ 99,108	$ 74,443	(59.13%)	$ -	(100.00%)

MV00056196

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG Grant - Code & Neighborhood FUND: 194

PROGRAM NUMBER: 19410

PROGRAM OBJECTIVE: To use an Edward Byrne Memorial Justice Assistance Grant to update the existing graffiti program to current technologies.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	39,000	100.00%	32,452	32,452	(16.79%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 39,000	100.00%	$ 32,452	$ 32,452	(16.79%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	8,405	100.00%	-	-	(100.00%)	-	-
Total Capital Expenditures	$ -	$ 8,405	100.00%	$ -	$ -	(100.00%)	$ -	-
Total Program Budget	$ -	$ 47,405	100.00%	$ 32,452	$ 32,452	(31.54%)	$ -	(100.00%)

MV00056197

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ETA Job Training Grant Program FUND: 196

PROGRAM NUMBER: 19610

PROGRAM OBJECTIVE: Provide job training to youth between the ages of 17 and 24 in the warehousing, distribution, and logistics, industries.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	118,886	118,886	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 118,886	$ 118,886	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 118,886	$ 118,886	100.00%	$ -	(100.00%)

MV00056198

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Neighborhood Stabilization Program FUND: 197

PROGRAM NUMBER: 19710

PROGRAM OBJECTIVE: In accordance with the Housing and Economic Recovery Act of 2008 (HERA), HUD has provided emergency CDBG grants to states, cities, and counties to address the foreclosure crisis. The City of Moreno Valley has been allocated $11,390,116 to implement an 18-month Neighborhood Stabilization Program (NSP) aimed at assisting low- to moderate-income households, while targeting the areas of the City most affected by foreclosures. The City's NSP program will include: Activity 1 -- Acquisition, Rehabilitation, and Rental of Multi-family Homes, Activity 2 -- First Time Homebuyer Down Payment Assistance Program, and Activity 3 - Acquisition, Rehabilitation, Resale of Single Family Homes.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 123	100.00%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	-	198	100.00%	11,390,116	11,390,116	N/A	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 321	100.00%	$ 11,390,116	$ 11,390,116	N/A	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 321	100.00%	$ 11,390,116	$ 11,390,116	N/A	$ -	(100.00%)

MV00056199

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Homelessness Prevention Program FUND: 198

PROGRAM NUMBER: 19810

PROGRAM OBJECTIVE: To assist households that would otherwise become homeless (many, due to the economic crises) or rapidly re-house those who are homeless or at risk of homelessness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ 17,000	100.00%	$ -	-
Contractual Services	-	-	-	732,872	532,654	100.00%	183,218	(75.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 732,872	$ 549,654	100.00%	$ 183,218	(75.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 732,872	$ 549,654	100.00%	$ 183,218	(75.00%)

MV00056200

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Recovery Act of 2009 FUND: 199

PROGRAM NUMBER: 19910

PROGRAM OBJECTIVE: Authorized under the American Recovery and Reinvestment Act, this grant fund will be used in implementing activities that benefit the low and moderate-income population in accordance with the Recovery Act objectives.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 47,929	$ 11,100	100.00%	$ 26,829	(44.02%)
Contractual Services	-	-	-	431,363	331,000	100.00%	110,363	(74.42%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 479,292	$ 342,100	100.00%	$ 137,192	(71.38%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 479,292	$ 342,100	100.00%	$ 137,192	(71.38%)

MV00056201

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Arterial Streets Development Impact Fee FUND: 201

PROGRAM NUMBER: 20110

PROGRAM OBJECTIVE: To collect and manage the development impact fees for arterial streets.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	97,324	100.00%	-	-	(100.00%)	-	-
Transfers Out	4,345,362	5,340,201	22.89%	2,955,942	2,955,942	(44.65%)	1,413,675	(52.18%)
Total Operating Expenditures	$ 4,345,362	$ 5,437,525	25.13%	$ 2,955,942	$ 2,955,942	(45.64%)	$ 1,413,675	(52.18%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,345,362	$ 5,437,525	25.13%	$ 2,955,942	$ 2,955,942	(45.64%)	$ 1,413,675	(52.18%)

MV00056202

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Traffic Signal Development Impact Fee FUND: 202

PROGRAM NUMBER: 20210

PROGRAM OBJECTIVE: To collect and manage the development impact fees for traffic signals.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	838,735	360,618	(57.00%)	1,374,380	1,374,380	281.12%	-	(100.00%)
Total Operating Expenditures	$ 838,735	$ 360,618	(57.00%)	$ 1,374,380	$ 1,374,380	281.12%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 838,735	$ 360,618	(57.00%)	$ 1,374,380	$ 1,374,380	281.12%	$ -	(100.00%)

MV00056203

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Facility Development Impact Fee FUND: 203

PROGRAM NUMBER: 20310

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Fire Facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	255,808	256,015	0.08%	257,328	257,328	0.51%	254,008	(1.29%)
Total Operating Expenditures	$ 255,808	$ 256,015	0.08%	$ 257,328	$ 257,328	0.51%	$ 254,008	(1.29%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 255,808	$ 256,015	0.08%	$ 257,328	$ 257,328	0.51%	$ 254,008	(1.29%)

MV00056204

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Police Facility Development Impact Fee FUND: 204

PROGRAM NUMBER: 20410

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Police Facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	1,408	675,005	47,840.70%	675,493	675,493	0.07%	676,810	0.19%
Total Operating Expenditures	$ 1,408	$ 675,005	47,840.70%	$ 675,493	$ 675,493	0.07%	$ 676,810	0.19%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,408	$ 675,005	47,840.70%	$ 675,493	$ 675,493	0.07%	$ 676,810	0.19%

MV000056205

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Parkland Facility Development Impact Fee FUND: 205

PROGRAM NUMBER: 20510

PROGRAM OBJECTIVE: To collect and manage the development impact fees for Parkland Facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	4,171,616	(105,000)	(102.52%)	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 4,171,616	$ (105,000)	(102.52%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,171,616	$ (105,000)	(102.52%)	$ -	$ -	(100.00%)	$ -	-

MV00056206

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Quimby In-Lieu Park Fees FUND: 206

PROGRAM NUMBER: 20610

PROGRAM OBJECTIVE: To collect and manage the development impact fees for parks.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	101,224	31,000	(69.37%)	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 101,224	$ 31,000	(69.37%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 101,224	$ 31,000	(69.37%)	$ -	$ -	(100.00%)	$ -	-

MV00056207

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Recreation Center Development Impact Fee FUND: 207

PROGRAM NUMBER: 20710

PROGRAM OBJECTIVE: To collect and manage the development impact fees for Recreation Center.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	326,020	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 326,020	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 326,020	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV000056208

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Libraries Development Impact Fee FUND: 208

PROGRAM NUMBER: 20810

PROGRAM OBJECTIVE: To collect and manage the development impact fees for Libraries.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	1,920,743	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,920,743	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,920,743	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056209

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Hall Development Impact Fee FUND: 209

PROGRAM NUMBER: 20910

PROGRAM OBJECTIVE: To collect and manage the development impact fees for City Hall.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	2,336	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 2,336	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,336	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056210

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Corporate Yard Development Impact Fee FUND: 210

PROGRAM NUMBER: 21010

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Corporate Yard.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	56,530	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 56,530	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 56,530	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056211

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Interchange Improvements DIF FUND: 211

PROGRAM NUMBER: 21112

PROGRAM OBJECTIVE: To account for the collection and transfer of development impact fees, in coordination with the Western Riverside Council of Government (WRCOG) Transportation Uniform Mitigation Fee (TUMF) program, to fund interchange improvements needed to serve future development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	2,433	-	(100.00%)	-	-	-	1,740,000	100.00%
Total Operating Expenditures	$ 2,433	$ -	(100.00%)	$ -	$ -	-	$ 1,740,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,433	$ -	(100.00%)	$ -	$ -	-	$ 1,740,000	100.00%

MV00056212

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Maintenance Equipment DIF FUND: 212

PROGRAM NUMBER: 21212

PROGRAM OBJECTIVE: To account for the collection and transfer of development impact fees to fund additional maintenance equipment that will be needed to handle the increased demands associated with new development.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	112	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 112	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 112	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056213

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Animal Shelter Development Impact Fee FUND: 213

PROGRAM NUMBER: 21312

PROGRAM OBJECTIVE: To collect and manage the development impact fees for the Animal Shelter.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	188,286	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 188,286	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 188,286	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056214

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: FHWA TRANSIMS Deployment FUND: 227

PROGRAM NUMBER: 22710

PROGRAM OBJECTIVE: To construct a new citywide traffic model using the TRANSIMS program and analyze impacts of land-use changes on the circulation system. Funded by a contract from the FHWA.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 83,935	100.00%	$ 107,915	$ 88,146	5.02%	$ 20,000	(81.47%)
Contractual Services	-	16,829	100.00%	68,036	58,036	244.86%	10,000	(85.30%)
Materials & Supplies	-	1,448	100.00%	5,000	5,000	245.30%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 102,212	100.00%	$ 180,951	$ 151,182	47.91%	$ 30,000	(83.42%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 102,212	100.00%	$ 180,951	$ 151,182	47.91%	$ 30,000	(83.42%)

MV00056215

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2009-DJ-BX-1178 JAG GRANT FUND: 230

PROGRAM NUMBER: 23010

PROGRAM OBJECTIVE: This grant funding will be used for Specialized Code Enforcement Program; two (2) part-time temporary employees will be hired to target City-wide code violations during the evenings and weekends when Code Compliance has minimal resources available to respond to code violations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 88,979	$ 22,536	100.00%	$ 66,443	(25.33%)
Contractual Services	-	-	-	7,800	2,025	100.00%	5,775	(25.96%)
Materials & Supplies	-	-	-	9,200	3,300	100.00%	5,900	(35.87%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 105,979	$ 27,861	100.00%	$ 78,118	(26.29%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 105,979	$ 27,861	100.00%	$ 78,118	(26.29%)

MV00056216

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: ICEP Task Force FUND: 231

PROGRAM NUMBER: 23110

PROGRAM OBJECTIVE: The mission of the ICEP Task Force is to achieve maximum coordination and cooperation among agency participants in an effort to identify and rescue juveniles who are sexually exploited through prostitution activities; identify, investigate, apprehend and prosecute pimps and other criminals associated with child exploitation and prostitution offenses.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	50,668	-	-	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 50,668	$ -	-	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 50,668	$ -	-	$ -	(100.00%)

MV00056217

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - PD - 05 FUND: 258

PROGRAM NUMBER: 62582

PROGRAM OBJECTIVE: Grant-funded program for the creation of an additional Community Service Officer I for the Traffic Division who will be able to handle minor traffic collisions, write parking citations and assist with traffic reconstruction.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	70,925	1,004	(98.58%)	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 70,925	$ 1,004	(98.58%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 70,925	$ 1,004	(98.58%)	$ -	$ -	(100.00%)	$ -	-

MV00056218

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - PD - 07 FUND: 259

PROGRAM NUMBER: 62584

PROGRAM OBJECTIVE: Grant-funded program for the creation of an additional Community Service Officer I for the Traffic Division who will be able to handle minor traffic collisions, write parking citations and assist with traffic reconstruction.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	183,861	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ 183,861	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 183,861	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056219

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - PD - 08 FUND: 260

PROGRAM NUMBER: 62586

PROGRAM OBJECTIVE: To purchase secure cellular data, transfer equipment, installation and 2 years of cellular service, for use with the Automated License Plate Reader (ALPR). In addition, approximately 93 2GB flash drives for issuance to law enforcement personnel.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	5,832	5,832	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	1,787	1,787	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 7,619	$ 7,619	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	22,080	22,260	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 22,080	$ 22,260	100.00%	$ -	(100.00%)
Total Program Budget	$ -	$ -	-	$ 29,699	$ 29,879	100.00%	$ -	(100.00%)

MV00056220

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG - COPS Technology Program Grant FUND: 261

PROGRAM NUMBER: 62588

PROGRAM OBJECTIVE: To develop and enhance technology for law enforcement.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	32,706	100.00%	29,665	29,665	(9.30%)	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 32,706	100.00%	$ 29,665	$ 29,665	(9.30%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	77,924	77,924	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 77,924	$ 77,924	100.00%	$ -	(100.00%)
Total Program Budget	$ -	$ 32,706	100.00%	$ 107,589	$ 107,589	228.96%	$ -	(100.00%)

MV00056221

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: JAG 2009 SB-59-2366 Grant FUND: 262

PROGRAM NUMBER: 26210

PROGRAM OBJECTIVE: To purchase a forensic 3D laser scanner, electronic equipment inventory system, electronic equipment for training purposes, cellular phone forensic equipment, night vision equipment, GPS tracking devise, digital video recorder, GPS devises and wearable video camera. Available funds will alse be used to enhance the Public Safety Building Surveillance Equipment, upgrade the Data Command post and supplement funds to continue anti-graffiti

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	60,105	60,105	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	55,517	55,517	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 115,622	$ 115,622	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	320,050	320,050	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 320,050	$ 320,050	100.00%	$ -	(100.00%)
Total Program Budget	$ -	$ -	-	$ 435,672	$ 435,672	100.00%	$ -	(100.00%)

MV00056222

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FY 07/08 FUND: 282

PROGRAM NUMBER: 73818

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 282,269	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	49,162	-	(100.00%)	-	-	-	-	-
Materials & Supplies	3,841	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	22,322	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 357,594	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 357,594	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056223

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs FY 07/08 FUND: 282

PROGRAM NUMBER: 73916

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	315,315	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 315,315	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 315,315	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056224

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance FY 07/08 FUND: 282

PROGRAM NUMBER: 74016

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ (7,196)	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	255,475	-	(100.00%)	-	-	-	-	-
Materials & Supplies	1,667	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 249,946	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 249,946	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056225

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Administration FY 08/09 FUND: 283

PROGRAM NUMBER: 73828

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 231,821	100.00%	$ 1,645	$ -	(100.00%)	$ -	(100.00%)
Contractual Services	-	46,747	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	3,169	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	15,487	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 297,224	100.00%	$ 1,645	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 297,224	100.00%	$ 1,645	$ -	(100.00%)	$ -	(100.00%)

MV00056226

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs FY 08/09 FUND: 283

PROGRAM NUMBER: 73918

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	271,959	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 271,959	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 271,959	100.00%	$ -	$ -	(100.00%)	$ -	-

MV00056227

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance FY 08/09 FUND: 283

PROGRAM NUMBER: 74018

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	255,000	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 255,000	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 255,000	100.00%	$ -	$ -	(100.00%)	$ -	-

MV00056228

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Admin - FY09/10 Fund FUND: 284

PROGRAM NUMBER: 73839

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 240,745	$ 242,060	100.00%	$ -	(100.00%)
Contractual Services	-	-	-	79,277	62,647	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	1,700	950	100.00%	-	(100.00%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	15,648	15,648	100.00%	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 337,370	$ 321,305	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 337,370	$ 321,305	100.00%	$ -	(100.00%)

MV00056229

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs - FY09/10 Fund FUND: 284

PROGRAM NUMBER: 73939

PROGRAM OBJECTIVE: The City will provide Community Development Block Grant (CDBG) funds to sub-recipients to provide public services such as food distribution, homelessness prevention, senior van transportation, emergency shelter services, transitional housing, child abuse prevention, domestic violence services, special needs services, and problem-oriented policing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	1,187,601	1,044,601	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 1,187,601	$ 1,044,601	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 1,187,601	$ 1,044,601	100.00%	$ -	(100.00%)

MV00056230

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance - FY09/10 Fund FUND: 284

PROGRAM NUMBER: 74039

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	366,407	366,407	100.00%	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 366,407	$ 366,407	100.00%	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 366,407	$ 366,407	100.00%	$ -	(100.00%)

MV00056231

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Admin - FY10/11 Fund FUND: 285

PROGRAM NUMBER: 73852

PROGRAM OBJECTIVE: To administer Community Development Block Grant funds received from the Department of Housing and Urban Development (HUD) and provide services: Fair Housing Counseling/Tenant Mediation, Code Enforcement, and Capital Projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 242,000	100.00%
Contractual Services	-	-	-	-	-	-	78,200	100.00%
Materials & Supplies	-	-	-	-	-	-	1,700	100.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	15,600	100.00%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 337,500	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 337,500	100.00%

MV00056232

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Social Programs - FY10/11 Fund FUND: 285

PROGRAM NUMBER: 73952

PROGRAM OBJECTIVE: The City will provide Community Development Block Grant (CDBG) funds to sub-recipients to provide public services such as food distribution, homelessness prevention, senior van transportation, emergency shelter services, transitional housing, child abuse prevention, domestic violence services, special needs services, and problem-oriented policing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	976,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 976,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 976,000	100.00%

MV00056233

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CDBG Code Compliance - FY10/11 Fund FUND: 285

PROGRAM NUMBER: 74052

PROGRAM OBJECTIVE: To develop and implement programs and projects that expand the supply of affordable housing for low and very low income families. Revitalize and stabilize neighborhoods to expand the City's affordable housing opportunities by providing down payment home and mobile home rehabilitation assistance through low interest loans and grants.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	366,400	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 366,400	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 366,400	100.00%

MV00056234

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG11 Used Oil Recycling 05/06 FUND: 290

PROGRAM NUMBER: 51549

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of the California Integrated Waste Management Board Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,016	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	20,998	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 22,014	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 22,014	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056235

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG12 Use Oil Recycling 06/07 FUND: 291

PROGRAM NUMBER: 51551

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of the California Integrated Waste Management Board Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 30,846	$ 785	(97.46%)	$ -	$ -	(100.00%)	$ -	-
Contractual Services	11,160	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 42,006	$ 785	(98.13%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 42,006	$ 785	(98.13%)	$ -	$ -	(100.00%)	$ -	-

MV00056236

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG13 Use Oil Recycling 07/08 FUND: 292

PROGRAM NUMBER: 51553

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of the California Integrated Waste Management Board Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 30,926	100.00%	$ 184	$ 3,828	(87.62%)	$ -	(100.00%)
Contractual Services	-	12,178	100.00%	3,735	91	(99.25%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	283	1,088	284.45%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 283	$ 44,192	15,515.55%	$ 3,919	$ 3,919	(91.13%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 283	$ 44,192	15,515.55%	$ 3,919	$ 3,919	(91.13%)	$ -	(100.00%)

MV00056237

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: UBG14 Used Oil Recycling 08/09 FUND: 293

PROGRAM NUMBER: 51555

PROGRAM OBJECTIVE: To promote used oil recycling throughout the community by means of public education; and offer convenient used oil collection sites to the public with the use of CalRecycle Used Oil Block Grant funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 34,790	$ 5,363	100.00%	$ 14,200	(59.18%)
Contractual Services	-	-	-	4,265	12,900	100.00%	12,900	202.46%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	870	-	-	800	(8.05%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 39,925	$ 18,263	100.00%	$ 27,900	(30.12%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 39,925	$ 18,263	100.00%	$ 27,900	(30.12%)

MV00056238

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: TCA2-06-22 - 2006/2007 Local Govt Waste Tire Clean-up & Amnesty Event Grant Program FUND: 294

PROGRAM NUMBER: 51557

PROGRAM OBJECTIVE: To promote the recycling of used tires, reduce the number of waste tires disposed at landfills, illegally dumped, and stockpiled on private property by accepting tires at Household Hazardous Waste events for recycling with the use of California Integrated Waste Management Board Grant Funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	10,399	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,399	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,399	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056239

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Targeted Rubberized Asphalt Concrete Incentive Grant Program FUND: 295

PROGRAM NUMBER: 51559

PROGRAM OBJECTIVE: To utilize rubberized asphalt concrete on street pavement rehabilitation projects and offset the cost differential between rubberized asphalt and conventional asphalt with the use of California Integrated Waste Management Board Grant Funds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	11,553	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	36,397	100.00%	84,000	28,000	(23.07%)	56,000	(33.33%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 47,950	100.00%	$ 84,000	$ 28,000	(41.61%)	$ 56,000	(33.33%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 47,950	100.00%	$ 84,000	$ 28,000	(41.61%)	$ 56,000	(33.33%)

MV00056240

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Moreno Valley Foundation FUND: 370

PROGRAM NUMBER: 37010

PROGRAM OBJECTIVE: To account for the financial activities of the Moreno Valley Community Foundation whose purpose is to raise funds for the City Library.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	775	50	(93.55%)	-	50	-	50	100.00%
Materials & Supplies	479	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,254	$ 50	(96.01%)	$ -	$ 50	-	$ 50	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,254	$ 50	(96.01%)	$ -	$ 50	-	$ 50	100.00%

MV00056241

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Arts Commission FUND: 371

PROGRAM NUMBER: 37110

PROGRAM OBJECTIVE: To encourage, stimulate, promote and foster programs for the cultural enrichment of the City and thereby contribute to the quality of life in Moreno Valley and develop an awareness of the value of the arts in Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	450	100.00%	-	1,000	122.22%	1,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 450	100.00%	$ -	$ 1,000	122.22%	$ 1,000	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 450	100.00%	$ -	$ 1,000	122.22%	$ 1,000	100.00%

MV00056242

City of Moreno Valley

2010-11 Preliminary Base Operating budget

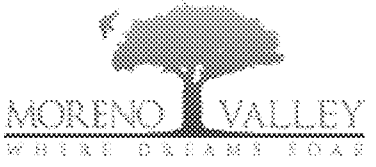

Capital Projects Funds

MV00056243

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	PW General Capital Projects 414	TUMF Capital Projects 415	DIF Arterial Streets Capital Projects 416	DIF Traffic Signal Capital Projects 417	DIF Interchange Improvements 418	2005 Lease Revenue Bonds - Cap/Admin 501	Centerpoint 87-4 Cap/Admin 512
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	900	-	-	-	-	100,000	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	30,000	-	1,000	1,000	-	-	-
Grants/Intergovernmental Revenues	-	6,000,000	-	-	-	-	-
Transfers In	-	-	295,000	-	1,740,000	-	-
Total Operating Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Capital :							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Increase in Reserve for Contingencies							
Total Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Net Revenues Over (Under) Expenditures	**30,900**	**6,000,000**	**296,000**	**1,000**	**1,740,000**	**100,000**	**-**

MV00056244

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	Towngate Impr Special Tax Capital/Admin 513	2007 Towngate Spcl Tax Ref Capital/Admin 515	Warner Ranch Assmnt Dist 518	Auto Mall Cap/Admin 528	CFD #5 Stoneridge Cap/Admin 529	CFD #4I Infra Cap/Admin 530	Total
Revenues							
Property Taxes	-	-	8,400	-	-	-	8,400
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	100,900
Bond Proceeds	-	-	-	-	-	-	
Miscellaneous Revenues	-	-	-	-	-	-	32,000
Grants/Intergovernmental Revenues	-	-	-	-	-	-	6,000,000
Transfers In	38,250	145,650	-	62,500	54,000	10,407,900	12,743,300
Total Operating Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	
Total Revenues	**38,250**	**145,650**	**8,400**	**62,500**	**54,000**	**10,407,900**	**18,884,600**
Expenditures							
Operating:							
Personnel Services	-	-	-	-	-	-	-
Contractual Services	3,700	3,700	-	3,700	3,700	4,000	18,800
Materials & Supplies	-	-	-	-	-	-	-
Debt Service	-	-	6,400	-	-	-	6,400
Fixed Charges	34,500	141,900	700	58,200	50,000	-	285,300
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**4,000**	**310,500**
Capital :							
Fixed Assets	-	-	-	-	-	10,403,900	10,403,900
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**10,403,900**	**10,403,900**
Total Program Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Increase in Reserve for Contingencies							
Total Expenditures	**38,200**	**145,600**	**7,100**	**61,900**	**53,700**	**10,407,900**	**10,714,400**
Net Revenues Over (Under) Expenditures	**50**	**50**	**1,300**	**600**	**300**	**-**	**8,170,200**

MV00056245

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Capital Projects Funds

Description	Centerpointe 87-4 Capital/Admin. 512.92330	Towngate Impr Special Tax Capital/Admin. 513.93730	2007 Towngate Spcl Tax Ref Capital/Admin. 515.93830	Warner Ranch Assessment District 518.91810	Auto Mall Capital/Admin. 528.92430	CFD #5 Stoneridge Capital/Admin 529.93430	CFD #4I Infra Cap/Admin Fund 530.93630	Total
Expenditures								
Operating:								
Personnel Services	-	-	-	-	-	-	-	-
Contractual Services	-	3,700	3,700	-	3,700	3,700	4,000	18,800
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	6,400	-	-	-	6,400
Fixed Charges	-	34,500	141,900	700	58,200	50,000	-	285,300
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	-	38,200	145,600	7,100	61,900	53,700	4,000	310,500
Capital:								
Fixed Assets	-	-	-	-	-	-	10,403,900	10,403,900
Total Capital Expenditures	-	-	-	-	-	-	10,403,900	10,403,900
Total Program Expenditures	-	38,200	145,600	7,100	61,900	53,700	10,407,900	10,714,400

MV00056246

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Operating Transfers Out of 412 FUND: 412

PROGRAM NUMBER: 99914

PROGRAM OBJECTIVE: To provide appropriate funds for activities that are not directly assignable to any one department or program.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	67,040	100.00%	700,000	-	(100.00%)	-	(100.00%)
Total Operating Expenditures	$ -	$ 67,040	100.00%	$ 700,000	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 67,040	100.00%	$ 700,000	$ -	(100.00%)	$ -	(100.00%)

MV00056247

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Operating Transfers Out of Fund 413 FUND: 413

PROGRAM NUMBER: 99913

PROGRAM OBJECTIVE: To meet COP 93 debt service.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	38,487	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 38,487	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 38,487	100.00%	$ -	$ -	(100.00%)	$ -	-

MV00056248

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Capital FUND: 434

PROGRAM NUMBER: 65210

PROGRAM OBJECTIVE: To administer fire related capital projects.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	98,000	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 98,000	100.00%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 98,000	100.00%	$ -	$ -	(100.00%)	$ -	-

MV00056249

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2005 Lease Revenue Bonds Cap/Admin FUND: 501

PROGRAM NUMBER: 93330

PROGRAM OBJECTIVE: To provide resources to finance the following capital improvements: Sunnymead Boulevard, Public Safety Building Expansion, Kitching Street, Electric Utility Infrastructure, Ironwood/Heacock, Ironwood/Box Springs, Laselle Street and Fire Station No. 58.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	28	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	1,374,223	309,120	(77.51%)	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,374,223	$ 309,148	(77.50%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,374,223	$ 309,148	(77.50%)	$ -	$ -	(100.00%)	$ -	-

MV00056250

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Improvement Area 1-Capital/Admin. FUND: 504

PROGRAM NUMBER: 92830

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	5,513	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	34,500	-	(100.00%)	-	-	-	-	-
Transfers Out	-	3,038	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 40,013	$ 3,038	(92.41%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 40,013	$ 3,038	(92.41%)	$ -	$ -	(100.00%)	$ -	-

MV00056251

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Refunding-Capital/Admin. FUND: 506

PROGRAM NUMBER: 92230

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	4,000	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	132,875	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 136,875	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 136,875	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056252

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Centerpointe 87-4 Capital/Admin. FUND: 512

PROGRAM NUMBER: 92330

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	3,786	3,787	0.03%	5,350	-	(100.00%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	55,000	55,000	-	50,000	-	(100.00%)	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 58,786	$ 58,787	0.00%	$ 55,350	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 58,786	$ 58,787	0.00%	$ 55,350	$ -	(100.00%)	$ -	(100.00%)

MV00056253

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Improvement Special Tax Capital/Admin FUND: 513

PROGRAM NUMBER: 93730

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	4,014	100.00%	3,750	3,750	(6.58%)	3,700	(1.33%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	34,500	31,285	100.00%	34,500	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 4,014	100.00%	$ 38,250	$ 35,035	772.82%	$ 38,200	(0.13%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 4,014	100.00%	$ 38,250	$ 35,035	772.82%	$ 38,200	(0.13%)

MV00056254

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Towngate Special Tax Ref Capital/Admin FUND: 515

PROGRAM NUMBER: 93830

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	57	100.00%	6,875	5,500	9,549.12%	3,700	(46.18%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	132,875	132,875	100.00%	141,900	6.79%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 57	100.00%	$ 139,750	$ 138,375	242,663.16%	$ 145,600	4.19%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 57	100.00%	$ 139,750	$ 138,375	242,663.16%	$ 145,600	4.19%

MV00056255

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Warner Ranch Assessment District FUND: 518

PROGRAM NUMBER: 91810

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	4	5	25.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	1,959	1,959	-	6,458	6,458	229.66%	6,400	(0.90%)
Fixed Charges	730	730	-	730	730	-	700	(4.11%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,693	$ 2,694	0.04%	$ 7,188	$ 7,188	166.82%	$ 7,100	(1.22%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,693	$ 2,694	0.04%	$ 7,188	$ 7,188	166.82%	$ 7,100	(1.22%)

MV00056256

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Auto Mall Capital/Admin. FUND: 528

PROGRAM NUMBER: 92430

PROGRAM OBJECTIVE: To account for the acquisition or construction of capital facilities financed through special assessment financing.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	3,755	3,756	0.03%	3,750	3,750	(0.16%)	3,700	(1.33%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	148,940	144,690	(2.85%)	145,190	145,190	0.35%	58,200	(59.91%)
Transfers Out	927,865	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,080,560	$ 148,446	(86.26%)	$ 148,940	$ 148,940	0.33%	$ 61,900	(58.44%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,080,560	$ 148,446	(86.26%)	$ 148,940	$ 148,940	0.33%	$ 61,900	(58.44%)

MV00056257

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #5 Stoneridge Cap/Admin FUND: 529

PROGRAM NUMBER: 93430

PROGRAM OBJECTIVE: Issue Special Tax Bonds to fund public infrastructure at Stoneridge Towne Centre located on approximately 56 acres. The CFD will provide for the collection and payment of principal, interest, and administration costs associated with the infrastructure, which includes street improvements along Nason Street, Eucalyptus Avenue, Dracaea Avenue and Fir Avenue.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	5,388	49,898	826.10%	4,000	3,750	(92.48%)	3,700	(7.50%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	30,000	50,000	66.67%	50,000	50,000	-	50,000	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 35,388	$ 99,898	182.29%	$ 54,000	$ 53,750	(46.20%)	$ 53,700	(0.56%)
Capital Expenditures								
Fixed Assets	2,270,856	2,128,623	(6.26%)	462,770	462,770	(78.26%)	-	(100.00%)
Total Capital Expenditures	$ 2,270,856	$ 2,128,623	(6.26%)	$ 462,770	$ 462,770	(78.26%)	$ -	(100.00%)
Total Program Budget	$ 2,306,244	$ 2,228,521	(3.37%)	$ 516,770	$ 516,520	(76.82%)	$ 53,700	(89.61%)

MV00056258

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #4I Infra Cap/Admin Fund FUND: 530

PROGRAM NUMBER: 93630

PROGRAM OBJECTIVE: To provide for the cost associated with debt service consultants and administration expenditures related with the acquisition or construction of capital projects at Centerpointe Business Park.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	4,000	100.00%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	50,000	-	-	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ 50,000	$ -	-	$ 4,000	(92.00%)
Capital Expenditures								
Fixed Assets	-	-	-	5,800,000	-	-	10,403,900	79.38%
Total Capital Expenditures	$ -	$ -	-	$ 5,800,000	$ -	-	$ 10,403,900	100.00%
Total Program Budget	$ -	$ -	-	$ 5,850,000	$ -	-	$ 10,407,900	77.91%

MV00056259

City of Moreno Valley

2010-11 Preliminary Base Operating budget

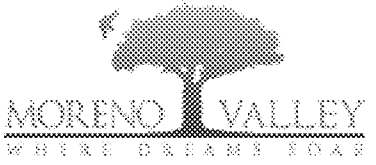

Enterprise Fund

MV000056260

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Enterprise Funds

Description	Electric Utility Fund 601	2007 Taxable Lease Revenue Bonds 602	2005 Lease Revenue Bonds 603	Total
Revenues				
Property Taxes	-	-	-	-
Gas Taxes	-	-	-	-
Sales Taxes	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-
Utility Users Taxes	-	-	-	-
Other Taxes	-	-	-	-
Franchise Fees	-	-	-	-
Parcel Fees	-	-	-	-
Development Fees	-	-	-	-
Motor Vehicle Fees	-	-	-	-
Other Fees	(119,500)	-	-	(119,500)
Fees for Service	13,644,000	-	-	13,644,000
Permits & Licenses	-	-	-	-
Fines & Forfeitures	-	-	-	-
Administrative Charges	-	-	-	-
Interest Income	-	-	-	-
Bond Proceeds	-	-	-	
Miscellaneous Revenues	345,000	-	-	345,000
Grants/Intergovernmental Revenues	-	-	-	-
Transfers In	-	-	-	-
Total Operating Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Reserves	-	-	-	-
Anticipated Prior Year Savings	-	-	-	
Total Revenues	**13,869,500**	**-**	**-**	**13,869,500**
Expenditures				
Operating:				
Personnel Services	765,400	-	-	765,400
Contractual Services	10,525,500	3,800	-	10,529,300
Materials & Supplies	4,800	-	-	4,800
Debt Service	77,400	1,827,000	318,200	2,222,600
Fixed Charges	711,800	-	-	711,800
Transfers Out	-	-	-	-
Total Operating Expenditures	**12,084,900**	**1,830,800**	**318,200**	**14,233,900**
Capital :				
Fixed Assets	87,500	-	-	87,500
Total Capital Expenditures	87,500	-	-	87,500
Total Program Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Increase in Reserve for Contingencies				
Total Expenditures	**12,172,400**	**1,830,800**	**318,200**	**14,321,400**
Net Revenues Over (Under) Expenditures	**1,697,100**	**(1,830,800)**	**(318,200)**	**(451,900)**

MV00056261

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Enterprise Fund

Description	Electric Utility Fund 601.60110	Public Purpose Program 601.61010	2007 Taxable Lease Revenue Bonds 602.60210	2005 Lease Revenue Bonds 603.60310	Total
Expenditures					
Operating:					
Personnel Services	765,400	-	-	-	765,400
Contractual Services	10,025,500	500,000	3,800	-	10,529,300
Materials & Supplies	4,800	-	-	-	4,800
Debt Service	77,400	-	1,827,000	318,200	2,222,600
Fixed Charges	711,800	-	-	-	711,800
Transfers Out	-	-	-	-	-
Total Operating Expenditures	11,584,900	500,000	1,830,800	318,200	14,233,900
Capital:					
Fixed Assets	87,500	-	-	-	87,500
Total Capital Expenditures	87,500	-	-	-	87,500
Total Program Expenditures	11,672,400	500,000	1,830,800	318,200	14,321,400

MV00056262

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Electric Utility Fund FUND: 601

PROGRAM NUMBER: 60110

PROGRAM OBJECTIVE: To provide electrical energy to new development within the City of Moreno Valley.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 684,632	$ 765,934	11.88%	$ 772,245	$ 772,245	0.82%	$ 765,400	(0.89%)
Contractual Services	9,157,073	10,444,656	14.06%	10,592,255	9,890,600	(5.30%)	10,025,500	(5.35%)
Materials & Supplies	16,247	4,511	(72.23%)	5,325	4,800	6.41%	4,800	(9.86%)
Debt Service	48,325	23,622	(51.12%)	114,103	114,150	383.24%	77,400	(32.17%)
Fixed Charges	860,873	839,682	(2.46%)	953,693	1,263,307	50.45%	711,800	(25.36%)
Transfers Out	150,000	300,000	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 10,917,150	$ 12,378,405	13.38%	$ 12,437,621	$ 12,045,102	(2.69%)	$ 11,584,900	(6.86%)
Capital Expenditures								
Fixed Assets	-	-	-	484,360	225,000	100.00%	87,500	(81.93%)
Total Capital Expenditures	$ -	$ -	-	$ 484,360	$ 225,000	100.00%	$ 87,500	(61.11%)
Total Program Budget	$ 10,917,150	$ 12,378,405	13.38%	$ 12,921,981	$ 12,270,102	(0.87%)	$ 11,672,400	(9.67%)

MV00056263

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Purpose Program FUND: 601

PROGRAM NUMBER: 61010

PROGRAM OBJECTIVE: To provide public benefit programs funded through a non-bypassable surcharge on electric utilities. Types of programs will include energy efficiency programs for commercial and industrial customers and low income assistance programs.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	9,021	63,098	599.46%	713,691	485,000	668.65%	500,000	(29.94%)
Materials & Supplies	-	296	100.00%	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 9,021	$ 63,394	602.74%	$ 713,691	$ 485,000	665.06%	$ 500,000	(29.94%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 9,021	$ 63,394	602.74%	$ 713,691	$ 485,000	665.06%	$ 500,000	(29.94%)

MV00056264

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Taxable Lease Revenue Bonds FUND: 602

PROGRAM NUMBER: 60210

PROGRAM OBJECTIVE: To provide taxable resources to finance the Electric Utility Infrastructure.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,875	3,650	26.96%	3,750	3,800	4.11%	3,800	1.33%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	1,464,885	1,452,746	(0.83%)	1,831,802	1,831,802	26.09%	1,827,000	(0.26%)
Fixed Charges	-	241,960	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	922,032	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 1,467,760	$ 2,620,388	78.53%	$ 1,835,552	$ 1,835,602	(29.95%)	$ 1,830,800	(0.26%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,467,760	$ 2,620,388	78.53%	$ 1,835,552	$ 1,835,602	(29.95%)	$ 1,830,800	(0.26%)

MV00056265

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2005 Lease Revenue Bonds FUND: 603

PROGRAM NUMBER: 60310

PROGRAM OBJECTIVE: To provide resources to finance the Electric Utility Infrastructure.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	523	-	-	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	38,230	226,930	493.59%	322,963	322,963	42.32%	318,200	(1.47%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	466,286	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 38,230	$ 693,216	1,713.28%	$ 323,486	$ 322,963	(53.41%)	$ 318,200	(1.63%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 38,230	$ 693,216	1,713.28%	$ 323,486	$ 322,963	(53.41%)	$ 318,200	(1.63%)

MV00056266

City of Moreno Valley

2010-11 Preliminary Base Operating budget

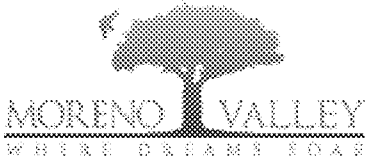

Internal Service Funds

MV00056267

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	General Liability 741	Workers' Compensation 745	Technology Services 750	Facilities 754	Equipment Maintenance 755	Equipment Replacement Reserve 757	Total
Revenues							
Property Taxes	-	-	-	-	-	-	-
Gas Taxes	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	-
Business Gross Receipts Taxes	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-
Other Taxes	-	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-
Permits & Licenses	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-
Administrative Charges	1,031,000	-	4,018,000	4,079,100	714,500	-	9,842,600
Interest Income	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-
Miscellaneous Revenues	300	870,800	264,600	32,300	3,800	2,306,500	3,478,300
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-
Transfers In	-	-	-	-	-	-	-
Total Operating Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Reserves	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-
Total Revenues	**1,031,300**	**870,800**	**4,282,600**	**4,111,400**	**718,300**	**2,306,500**	**13,320,900**
Expenditures							
Operating:							
Personnel Services	116,200	52,100	2,024,500	1,037,300	262,500	-	3,492,600
Contractual Services	1,182,700	462,100	1,359,000	2,036,800	10,000	-	5,050,600
Materials & Supplies	4,000	3,400	401,400	123,500	383,000	-	915,300
Debt Service	-	-	-	-	-	-	-
Fixed Charges	59,200	204,500	517,300	454,700	59,800	284,000	1,579,500
Transfers Out	-	-	-	822,025	-	-	822,025
Total Operating Expenditures	**1,362,100**	**722,100**	**4,302,200**	**4,474,325**	**715,300**	**284,000**	**11,860,025**
Capital :							
Fixed Assets	-	-	597,700	-	-	92,000	689,700
Total Capital Expenditures	**-**	**-**	**597,700**	**-**	**-**	**92,000**	**689,700**
Total Program Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Increase in Reserve for Contingencies							
Total Expenditures	**1,362,100**	**722,100**	**4,899,900**	**4,474,325**	**715,300**	**376,000**	**12,549,725**
Net Revenues Over (Under) Expenditures	**(330,800)**	**148,700**	**(617,300)**	**(362,925)**	**3,000**	**1,930,500**	**771,175**

MV00056268

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	General Liability Administration 741.74110	Workers' Compensation Administration 745.74510	Enterprise Applications Systems 750.32010	Hardware & Operating Systems 750.32110	Telephony Communications 750.32210	GIS 750.32510	Facilities 754.75410
Expenditures							
Operating:							
Personnel Services	116,200	52,100	504,200	588,600	419,000	512,700	857,300
Contractual Services	1,182,700	462,100	702,300	275,100	152,600	229,000	118,200
Materials & Supplies	4,000	3,400	32,800	221,700	120,400	26,500	21,200
Debt Service	-	-	-	-	-	-	-
Fixed Charges	59,200	204,500	23,600	318,600	156,200	18,900	164,300
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	1,362,100	722,100	1,262,900	1,404,000	848,200	787,100	1,161,000
Capital:							
Fixed Assets	-	-	50,000	328,200	203,500	16,000	-
Total Capital Expenditures	-	-	50,000	328,200	203,500	16,000	-
Total Program Expenditures	1,362,100	722,100	1,312,900	1,732,200	1,051,700	803,100	1,161,000

MV00056269

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Facilities City Hall 754.75411	Facilities Corp. Yard 754.75412	Facilities Transp. Trailer 754.75413	Facilities PSB 754.75414	Facilities Library 754.75415	Facilities Pro Shop 754.75416	Facilities MVTV Studio 754.75417
Expenditures							
Operating:							
Personnel Services	600	400	-	400	300	300	200
Contractual Services	406,900	78,200	3,100	338,500	81,700	26,600	11,100
Materials & Supplies	36,000	10,700	600	6,100	2,600	800	300
Debt Service	-	-	-	-	-	-	-
Fixed Charges	164,400	31,300	1,700	7,100	-	-	-
Transfers Out	822,025	-	-	-	-	-	-
Total Operating Expenditures	1,429,925	120,600	5,400	352,100	84,600	27,700	11,600
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	1,429,925	120,600	5,400	352,100	84,600	27,700	11,600

MV00056270

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Facilities Animal Shelter 754.75418	Facilities Senior Center 754.75419	Facilities TownGate CC 754.75421	Facilities March Field CC 754.75422	Facilities TS Annex 754.75423	Facilities CRC 754.75424	Facilities ESA Annex 754.75426
Expenditures							
Operating:							
Personnel Services	300	200	200	200	200	500	200
Contractual Services	101,400	80,900	36,800	32,200	23,700	252,700	11,300
Materials & Supplies	6,000	2,900	900	700	1,100	9,600	1,000
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	9,800	-	-	69,500	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	107,700	93,800	37,900	33,100	94,500	262,800	12,500
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	107,700	93,800	37,900	33,100	94,500	262,800	12,500

MV00056271

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Facilities Maintenance Annex 1 754.75429	Facilities Maintenance F.S. #2 754.75430	Facilities Maintenance F.S. #6 754.75431	Facilities Maintenance F.S. #48 754.75432	Facilities Maintenance F.S. #58 (Eucalyptus) 754.75433	Facilities Maintenance F.S. #65 754.75434	Facilities Maintenance F.S. #91 754.75435
Expenditures							
Operating:							
Personnel Services	200	200	200	200	200	200	200
Contractual Services	17,100	48,000	48,900	43,900	48,100	42,100	49,700
Materials & Supplies	1,400	2,900	2,900	2,900	2,400	2,900	1,900
Debt Service	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Total Operating Expenditures	18,700	51,100	52,000	47,000	50,700	45,200	51,800
Capital:							
Fixed Assets	-	-	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-	-	-
Total Program Expenditures	18,700	51,100	52,000	47,000	50,700	45,200	51,800

MV00056272

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Internal Service Funds

Description	Security Guards 754.75436	Facilities Maintenance MV Utilities Field Office 754.75437	Veteran's Memorial 754.75438	Emergency Operations Center 754.75439	Equipment Maintenance 755.75510	Fixed Asset Replacement - COMV 757.99401	Fixed Asset Replacement - CSD 757.99402	Total
Expenditures								
Operating:								
Personnel Services	174,200	200	-	200	262,500	-	-	3,492,600
Contractual Services	42,600	5,100	8,000	80,000	10,000	-	-	5,050,600
Materials & Supplies	100	1,300	3,000	1,300	383,000	-	-	915,300
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	6,600	-	-	-	59,800	239,100	44,900	1,579,500
Transfers Out	-	-	-	-	-	-	-	822,025
Total Operating Expenditures	223,500	6,600	11,000	81,500	715,300	239,100	44,900	11,860,025
Capital:								
Fixed Assets	-	-	-	-	-	54,000	38,000	689,700
Total Capital Expenditures	-	-	-	-	-	54,000	38,000	689,700
Total Program Expenditures	223,500	6,600	11,000	81,500	715,300	293,100	82,900	12,549,725

MV00056273

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: General Liability Administration FUND: 741

PROGRAM NUMBER: 74110

PROGRAM OBJECTIVE: To administer the City's risk management program including insurance premiums, adjusting fees, legal expenses and reserves.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 181,210	$ 132,520	(26.87%)	$ 118,695	$ 117,363	(11.44%)	$ 116,200	(2.10%)
Contractual Services	1,114,843	793,229	(28.85%)	1,033,768	1,089,792	37.39%	1,182,700	14.41%
Materials & Supplies	2,375	885	(62.74%)	4,100	3,000	238.98%	4,000	(2.44%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	134,000	(265,702)	(298.29%)	59,298	59,298	(122.32%)	59,200	(0.17%)
Transfers Out	500,274	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,932,702	$ 660,932	(65.80%)	$ 1,215,861	$ 1,269,453	92.07%	$ 1,362,100	12.03%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,932,702	$ 660,932	(65.80%)	$ 1,215,861	$ 1,269,453	92.07%	$ 1,362,100	12.03%

MV00056274

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Workers' Compensation Administration FUND: 745

PROGRAM NUMBER: 74510

PROGRAM OBJECTIVE: To manage and administer employee disability and injury costs with emphasis placed on employee training in occupational safety, safety awareness and employee health and fitness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 182,544	$ 40,717	(77.69%)	$ 55,731	$ 55,731	36.87%	$ 52,100	(6.52%)
Contractual Services	573,930	437,222	(23.82%)	462,150	466,796	6.76%	462,100	(0.01%)
Materials & Supplies	2,656	1,573	(40.78%)	3,450	950	(39.61%)	3,400	(1.45%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	505,394	(11,320)	(102.24%)	350,544	350,544	(3,196.68%)	204,500	(41.66%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,264,524	$ 468,192	(62.97%)	$ 871,875	$ 874,021	86.68%	$ 722,100	(17.18%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 1,264,524	$ 468,192	(62.97%)	$ 871,875	$ 874,021	86.68%	$ 722,100	(17.18%)

MV00056275

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Workers' Compensation Claims FUND: 745

PROGRAM NUMBER: 74511

PROGRAM OBJECTIVE: To manage and administer employee disability and injury costs with emphasis placed on employee training in occupational safety, safety awareness and employee health and fitness.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 32,219	$ 54,588	69.43%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	119	49	(58.82%)	-	-	(100.00%)	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 32,338	$ 54,637	68.96%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 32,338	$ 54,637	68.96%	$ -	$ -	(100.00%)	$ -	-

MV00056276

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Enterprise Applications Systems FUND: 750

PROGRAM NUMBER: 32010

PROGRAM OBJECTIVE: To administer the City's enterprise software systems including programming and integration.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,085,527	$ 613,571	(43.48%)	$ 513,289	$ 513,289	(16.34%)	$ 504,200	(1.77%)
Contractual Services	340,399	587,661	72.64%	975,186	771,245	31.24%	702,300	(27.98%)
Materials & Supplies	10,916	3,380	(69.04%)	61,512	21,580	538.46%	32,800	(46.68%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	43,733	36,741	(15.99%)	23,536	23,536	(35.94%)	23,600	0.27%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 1,480,575	$ 1,241,353	(16.16%)	$ 1,573,523	$ 1,329,650	7.11%	$ 1,262,900	(19.74%)
Capital Expenditures								
Fixed Assets	-	-	-	86,540	9,000	100.00%	50,000	(42.22%)
Total Capital Expenditures	$ -	$ -	-	$ 86,540	$ 9,000	100.00%	$ 50,000	455.56%
Total Program Budget	$ 1,480,575	$ 1,241,353	(16.16%)	$ 1,660,063	$ 1,338,650	7.84%	$ 1,312,900	(20.91%)

MV00056277

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Hardware & Operating Systems FUND: 750

PROGRAM NUMBER: 32110

PROGRAM OBJECTIVE: To administer the City's wide area and local area network including desktop hardware and operating systems.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 636,837	$ 724,891	13.83%	$ 608,318	$ 568,318	(21.60%)	$ 588,600	(3.24%)
Contractual Services	169,602	133,593	(21.23%)	248,560	243,460	82.24%	275,100	10.68%
Materials & Supplies	220,117	160,348	(27.15%)	319,809	202,969	26.58%	221,700	(30.68%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	481,262	385,953	(19.80%)	318,730	318,730	(17.42%)	318,600	(0.04%)
Transfers Out	194	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,508,012	$ 1,404,785	(6.85%)	$ 1,495,417	$ 1,333,477	(5.08%)	$ 1,404,000	(6.11%)
Capital Expenditures								
Fixed Assets	1	-	(100.00%)	337,000	173,000	100.00%	328,200	(2.61%)
Total Capital Expenditures	$ 1	$ -	(100.00%)	$ 337,000	$ 173,000	100.00%	$ 328,200	89.71%
Total Program Budget	$ 1,508,013	$ 1,404,785	(6.85%)	$ 1,832,417	$ 1,506,477	7.24%	$ 1,732,200	(5.47%)

MV00056278

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Communications FUND: 750

PROGRAM NUMBER: 32210

PROGRAM OBJECTIVE: To provide and administer the City's comprehensive voice, data, video, and radio communications programs, including support of two City-owned amateur radio repeaters. This includes all services utilizing the common communications network that interconnects City facilities, offices, and end-users.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 176,107	$ 470,000	166.88%	$ 433,646	$ 433,646	(7.73%)	$ 419,000	(3.38%)
Contractual Services	28,651	90,558	216.07%	149,545	131,670	45.40%	152,600	2.04%
Materials & Supplies	30,009	36,923	23.04%	115,450	61,550	66.70%	120,400	4.29%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	76,905	179,421	133.30%	156,470	156,470	(12.79%)	156,200	(0.17%)
Transfers Out	-	-	-	5,000	-	-	-	(100.00%)
Total Operating Expenditures	$ 311,672	$ 776,902	149.27%	$ 860,111	$ 783,336	0.83%	$ 848,200	(1.38%)
Capital Expenditures								
Fixed Assets	-	-	-	439,804	317,505	100.00%	203,500	(53.73%)
Total Capital Expenditures	$ -	$ -	-	$ 439,804	$ 317,505	100.00%	$ 203,500	(35.91%)
Total Program Budget	$ 311,672	$ 776,902	149.27%	$ 1,299,915	$ 1,100,841	41.70%	$ 1,051,700	(19.09%)

MV00056279

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Radio Communications FUND: 750

PROGRAM NUMBER: 32310

PROGRAM OBJECTIVE: To administer the City's comprehensive 2-way radio communications program including support of two City owned amateur radio repeaters.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 123,852	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	13,463	-	(100.00%)	-	-	-	-	-
Materials & Supplies	39,552	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	36,452	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 213,319	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 213,319	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056280

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Backbone Communications FUND: 750

PROGRAM NUMBER: 32410

PROGRAM OBJECTIVE: To provide communication services utilizing a common communications network, interconnecting all City offices and end-users to enable the sharing of voice, data and video applications.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 127,752	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	76,562	-	(100.00%)	-	-	-	-	-
Materials & Supplies	27,275	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	91,238	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 322,827	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 322,827	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056281

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: GIS FUND: 750

PROGRAM NUMBER: 32510

PROGRAM OBJECTIVE: To provide and administer the City's Geographic Information Systems for City staff as well as citizen access to GIS resources. This includes all resources necessary to provide for the timely updating of orthophotographic images, County Assessor parcel information, or any other information related to City-maintained geographic information.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 364,414	100.00%	$ 526,138	$ 526,138	44.38%	$ 512,700	(2.55%)
Contractual Services	-	154,883	100.00%	368,910	190,910	23.26%	229,000	(37.93%)
Materials & Supplies	-	12,195	100.00%	37,190	37,190	204.96%	26,500	(28.74%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	11,741	100.00%	19,003	19,003	61.85%	18,900	(0.54%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 543,233	100.00%	$ 951,241	$ 773,241	42.34%	$ 787,100	(17.26%)
Capital Expenditures								
Fixed Assets	-	-	-	50,500	30,500	100.00%	16,000	(68.32%)
Total Capital Expenditures	$ -	$ -	-	$ 50,500	$ 30,500	100.00%	$ 16,000	(47.54%)
Total Program Budget	$ -	$ 543,233	100.00%	$ 1,001,741	$ 803,741	47.96%	$ 803,100	(19.83%)

MV00056282

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Central Stores FUND: 751

PROGRAM NUMBER: 75110

PROGRAM OBJECTIVE: To provide effective and efficient management of centralized receiving and delivery of purchased goods, and to provide for the timely and economical receiving and distribution of City mail for all office locations.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 144,167	$ -	(100.00%)	$ -	$ -	-	$ -	-
Contractual Services	122,678	-	(100.00%)	-	-	-	-	-
Materials & Supplies	9,039	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	13,952	-	(100.00%)	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 289,836	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	(1)	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ (1)	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 289,835	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056283

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Graphics Support FUND: 752

PROGRAM NUMBER: 75210

PROGRAM OBJECTIVE: To administer a comprehensive graphics support program for all City departments.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	20,563	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 20,563	$ -	(100.00%)	$ -	$ -	-	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 20,563	$ -	(100.00%)	$ -	$ -	-	$ -	-

MV00056284

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities FUND: 754

PROGRAM NUMBER: 75410

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned general public facilities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 835,311	$ 963,476	15.34%	$ 887,569	$ 757,700	(21.36%)	$ 857,300	(3.41%)
Contractual Services	51,905	30,075	(42.06%)	278,990	239,000	694.68%	118,200	(57.63%)
Materials & Supplies	23,473	23,848	1.60%	20,654	16,900	(29.13%)	21,200	2.64%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	218,076	157,479	(27.79%)	159,289	159,300	1.16%	164,300	3.15%
Transfers Out	895	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 1,129,660	$ 1,174,878	4.00%	$ 1,346,502	$ 1,172,900	(0.17%)	$ 1,161,000	(13.78%)
Capital Expenditures								
Fixed Assets	-	-	-	41,884	-	-	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 41,884	$ -	-	$ -	-
Total Program Budget	$ 1,129,660	$ 1,174,878	4.00%	$ 1,388,386	$ 1,172,900	(0.17%)	$ 1,161,000	(16.38%)

MV00056285

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - City Hall FUND: 754

PROGRAM NUMBER: 75411

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned City Hall facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 3,485	$ 1,217	(65.08%)	$ 500	$ 500	(58.92%)	$ 600	20.00%
Contractual Services	355,992	339,016	(4.77%)	422,425	371,700	9.64%	406,900	(3.68%)
Materials & Supplies	45,814	36,097	(21.21%)	35,000	36,000	(0.27%)	36,000	2.86%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	63,339	164,398	159.55%	164,365	164,400	0.00%	164,400	0.02%
Transfers Out	811,498	645,569	(20.45%)	859,540	859,500	33.14%	822,025	(4.36%)
Total Operating Expenditures	$ 1,280,128	$ 1,186,297	(7.33%)	$ 1,481,830	$ 1,432,100	20.72%	$ 1,429,925	(3.50%)
Capital Expenditures								
Fixed Assets	-	-	-	410,000	410,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 410,000	$ 410,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 1,280,128	$ 1,186,297	(7.33%)	$ 1,891,830	$ 1,842,100	55.28%	$ 1,429,925	(24.42%)

MV00056286

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Corp. Yard FUND: 754

PROGRAM NUMBER: 75412

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Corporate Yard facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 653	$ 284	(56.51%)	$ 300	$ 300	5.63%	$ 400	33.33%
Contractual Services	71,482	70,523	(1.34%)	79,671	74,900	6.21%	78,200	(1.85%)
Materials & Supplies	11,098	9,985	(10.03%)	11,220	11,200	12.17%	10,700	(4.63%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	31,143	32,991	5.93%	31,274	31,300	(5.13%)	31,300	0.08%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 114,376	$ 113,783	(0.52%)	$ 122,465	$ 117,700	3.44%	$ 120,600	(1.52%)
Capital Expenditures								
Fixed Assets	-	-	-	170,900	-	-	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 170,900	$ -	-	$ -	-
Total Program Budget	$ 114,376	$ 113,783	(0.52%)	$ 293,365	$ 117,700	3.44%	$ 120,600	(58.89%)

MV00056287

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Transp. Trailer FUND: 754

PROGRAM NUMBER: 75413

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Transportation Trailer.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	3,460	2,762	(20.17%)	3,020	2,900	5.00%	3,100	2.65%
Materials & Supplies	102	756	641.18%	500	600	5.82%	600	20.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	1,738	1,738	-	1,738	1,700	(2.19%)	1,700	(2.19%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 5,300	$ 5,256	(0.83%)	$ 5,258	$ 5,400	2.74%	$ 5,400	2.70%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 5,300	$ 5,256	(0.83%)	$ 5,258	$ 5,400	2.74%	$ 5,400	2.70%

MV00056288

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - PSB FUND: 754

PROGRAM NUMBER: 75414

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Public Safety Building facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 241	$ 54	(77.59%)	$ 300	$ 300	455.56%	$ 400	33.33%
Contractual Services	306,556	307,728	0.38%	333,780	323,600	5.16%	338,500	1.41%
Materials & Supplies	8,564	6,350	(25.85%)	5,650	6,100	(3.94%)	6,100	7.96%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	2,405	100.00%	7,116	7,100	195.22%	7,100	(0.22%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 315,361	$ 316,537	0.37%	$ 346,846	$ 337,100	6.50%	$ 352,100	1.51%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 315,361	$ 316,537	0.37%	$ 346,846	$ 337,100	6.50%	$ 352,100	1.51%

MV00056289

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Library FUND: 754

PROGRAM NUMBER: 75415

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned and leased Library facilities.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 627	$ 225	(64.11%)	$ -	$ 200	(11.11%)	$ 300	100.00%
Contractual Services	80,833	79,918	(1.13%)	81,720	77,800	(2.65%)	81,700	(0.02%)
Materials & Supplies	3,121	2,800	(10.29%)	2,600	2,600	(7.14%)	2,600	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	(131)	15	(111.45%)	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 84,450	$ 82,958	(1.77%)	$ 84,320	$ 80,600	(2.84%)	$ 84,600	0.33%
Capital Expenditures								
Fixed Assets	-	-	-	13,000	11,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 13,000	$ 11,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 84,450	$ 82,958	(1.77%)	$ 97,320	$ 91,600	10.42%	$ 84,600	(13.07%)

MV00056290

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Pro Shop FUND: 754

PROGRAM NUMBER: 75416

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Pro Shop facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 150	$ 700	100.00%	$ 300	100.00%
Contractual Services	24,668	22,621	(8.30%)	26,675	24,500	8.31%	26,600	(0.28%)
Materials & Supplies	749	699	(6.68%)	750	800	14.45%	800	6.67%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 25,417	$ 23,320	(8.25%)	$ 27,575	$ 26,000	11.49%	$ 27,700	0.45%
Capital Expenditures								
Fixed Assets	-	-	-	46,000	46,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 46,000	$ 46,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 25,417	$ 23,320	(8.25%)	$ 73,575	$ 72,000	208.75%	$ 27,700	(62.35%)

MV00056291

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - MVTV Studio FUND: 754

PROGRAM NUMBER: 75417

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned MVTV Studio facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 49	$ -	(100.00%)	$ 50	$ 100	100.00%	$ 200	300.00%
Contractual Services	9,748	8,798	(9.75%)	10,010	11,100	26.17%	11,100	10.89%
Materials & Supplies	20	471	2,255.00%	200	300	(36.31%)	300	50.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 9,817	$ 9,269	(5.58%)	$ 10,260	$ 11,500	24.07%	$ 11,600	13.06%
Capital Expenditures								
Fixed Assets	-	-	-	46,000	46,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 46,000	$ 46,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 9,817	$ 9,269	(5.58%)	$ 56,260	$ 57,500	520.35%	$ 11,600	(79.38%)

MV00056292

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Animal Shelter FUND: 754

PROGRAM NUMBER: 75418

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Animal Shelter facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 223	$ 564	152.91%	$ 200	$ 200	(64.54%)	$ 300	50.00%
Contractual Services	85,666	91,005	6.23%	95,850	96,800	6.37%	101,400	5.79%
Materials & Supplies	2,677	6,957	159.88%	5,900	6,000	(13.76%)	6,000	1.69%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 88,566	$ 98,526	11.25%	$ 101,950	$ 103,000	4.54%	$ 107,700	5.64%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 88,566	$ 98,526	11.25%	$ 101,950	$ 103,000	4.54%	$ 107,700	5.64%

MV00056293

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Senior Center FUND: 754

PROGRAM NUMBER: 75419

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Senior Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 8	$ 122	1,425.00%	$ 50	$ 100	(18.03%)	$ 200	300.00%
Contractual Services	85,052	75,645	(11.06%)	95,505	97,500	28.89%	80,900	(15.29%)
Materials & Supplies	3,255	4,113	26.36%	2,400	2,900	(29.49%)	2,900	20.83%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	5,840	5,970	2.23%	9,737	9,700	62.48%	9,800	0.65%
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 94,155	$ 85,850	(8.82%)	$ 107,692	$ 110,200	28.36%	$ 93,800	(12.90%)
Capital Expenditures								
Fixed Assets	-	-	-	111,000	75,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 111,000	$ 75,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 94,155	$ 85,850	(8.82%)	$ 218,692	$ 185,200	115.73%	$ 93,800	(57.11%)

MV00056294

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - TownGate CC FUND: 754

PROGRAM NUMBER: 75421

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Towngate Community Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 281	$ 121	(56.94%)	$ 100	$ 100	(17.36%)	$ 200	100.00%
Contractual Services	28,188	31,438	11.53%	37,225	36,800	17.06%	36,800	(1.14%)
Materials & Supplies	542	1,460	169.37%	900	900	(38.36%)	900	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 29,011	$ 33,019	13.82%	$ 38,225	$ 37,800	14.48%	$ 37,900	(0.85%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 29,011	$ 33,019	13.82%	$ 38,225	$ 37,800	14.48%	$ 37,900	(0.85%)

MV00056295

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - March Field CC FUND: 754

PROGRAM NUMBER: 75422

PROGRAM OBJECTIVE: To provide the maintenance program for the March Field Community Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 34	100.00%	$ 100	$ -	(100.00%)	$ 200	100.00%
Contractual Services	38,591	31,936	(17.24%)	37,675	28,200	(11.70%)	32,200	(14.53%)
Materials & Supplies	252	194	(23.02%)	750	500	157.73%	700	(6.67%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 38,843	$ 32,164	(17.19%)	$ 38,525	$ 28,700	(10.77%)	$ 33,100	(14.08%)
Capital Expenditures								
Fixed Assets	-	-	-	54,000	54,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 54,000	$ 54,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 38,843	$ 32,164	(17.19%)	$ 92,525	$ 82,700	157.12%	$ 33,100	(64.23%)

MV00056296

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - TS Annex FUND: 754

PROGRAM NUMBER: 75423

PROGRAM OBJECTIVE: To provide the maintenance program for the City leased Tech Services Annex facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ 100	100.00%	$ 200	100.00%
Contractual Services	16,752	19,816	18.29%	23,900	22,300	12.54%	23,700	(0.84%)
Materials & Supplies	2,181	986	(54.79%)	1,280	1,100	11.56%	1,100	(14.06%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	100,055	63,860	(36.18%)	69,500	67,000	4.92%	69,500	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 118,988	$ 84,662	(28.85%)	$ 94,680	$ 90,500	6.90%	$ 94,500	(0.19%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 118,988	$ 84,662	(28.85%)	$ 94,680	$ 90,500	6.90%	$ 94,500	(0.19%)

MV00056297

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - CRC

FUND: 754

PROGRAM NUMBER: 75424

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Conference and Recreation Center facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 1,096	$ 374	(65.88%)	$ 400	$ 400	6.95%	$ 500	25.00%
Contractual Services	211,676	215,003	1.57%	252,760	247,600	15.16%	252,700	(0.02%)
Materials & Supplies	8,923	8,621	(3.38%)	9,650	9,600	11.36%	9,600	(0.52%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	485	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 221,695	$ 224,483	1.26%	$ 262,810	$ 257,600	14.75%	$ 262,800	(0.00%)
Capital Expenditures								
Fixed Assets	-	-	-	167,248	165,000	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 167,248	$ 165,000	100.00%	$ -	(100.00%)
Total Program Budget	$ 221,695	$ 224,483	1.26%	$ 430,058	$ 422,600	88.25%	$ 262,800	(38.89%)

MV00056298

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Facilities Annex FUND: 754

PROGRAM NUMBER: 75425

PROGRAM OBJECTIVE: To provide the maintenance program for the City leased Facilities Annex facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	6,143	6,143	-	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 6,143	$ 6,143	-	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 6,143	$ 6,143	-	$ -	$ -	(100.00%)	$ -	-

MV00056299

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - ESA Annex FUND: 754

PROGRAM NUMBER: 75426

PROGRAM OBJECTIVE: To provide the maintenance program for the City leased Enterprise Services Administration Annex facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 200	100.00%
Contractual Services	12,732	11,363	(10.75%)	11,205	11,300	(0.55%)	11,300	0.85%
Materials & Supplies	815	1,604	96.81%	800	1,000	(37.66%)	1,000	25.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	621	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 13,547	$ 13,588	0.30%	$ 12,005	$ 12,300	(9.48%)	$ 12,500	4.12%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,547	$ 13,588	0.30%	$ 12,005	$ 12,300	(9.48%)	$ 12,500	4.12%

MV00056300

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Warner Ranch Police Station Satellite Office FUND: 754

PROGRAM NUMBER: 75428

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Warner Ranch Police Station Satellite Office facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 168	100.00%	$ -	$ -	(100.00%)	$ -	-
Contractual Services	11,963	763	(93.62%)	-	-	(100.00%)	-	-
Materials & Supplies	513	-	(100.00%)	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 12,476	$ 931	(92.54%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 12,476	$ 931	(92.54%)	$ -	$ -	(100.00%)	$ -	-

MV00056301

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - Annex 1 FUND: 754

PROGRAM NUMBER: 75429

PROGRAM OBJECTIVE: To Provide the maintenance program for the City owned Annex 1 facility.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 150	$ -	-	$ 200	33.33%
Contractual Services	13,987	15,248	9.02%	38,700	12,100	(20.65%)	17,100	(55.81%)
Materials & Supplies	184	584	217.39%	15,100	1,100	88.36%	1,400	(90.73%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 14,171	$ 15,832	11.72%	$ 53,950	$ 13,200	(16.62%)	$ 18,700	(65.34%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 14,171	$ 15,832	11.72%	$ 53,950	$ 13,200	(16.62%)	$ 18,700	(65.34%)

MV00056302

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #2 FUND: 754

PROGRAM NUMBER: 75430

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #2.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 100	$ 100	100.00%	$ 200	100.00%
Contractual Services	30,513	35,467	16.24%	50,425	42,900	20.96%	48,000	(4.81%)
Materials & Supplies	1,118	1,613	44.28%	3,050	2,900	79.79%	2,900	(4.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 31,631	$ 37,080	17.23%	$ 53,575	$ 45,900	23.79%	$ 51,100	(4.62%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 31,631	$ 37,080	17.23%	$ 53,575	$ 45,900	23.79%	$ 51,100	(4.62%)

MV00056303

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #6 FUND: 754

PROGRAM NUMBER: 75431

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #6.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 66	$ 71	7.58%	$ 100	$ -	(100.00%)	$ 200	100.00%
Contractual Services	42,526	33,572	(21.06%)	52,500	46,400	38.21%	48,900	(6.86%)
Materials & Supplies	1,972	5,406	174.14%	3,250	2,400	(55.60%)	2,900	(10.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 44,564	$ 39,049	(12.38%)	$ 55,850	$ 48,800	24.97%	$ 52,000	(6.89%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 44,564	$ 39,049	(12.38%)	$ 55,850	$ 48,800	24.97%	$ 52,000	(6.89%)

MV00056304

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #48 FUND: 754

PROGRAM NUMBER: 75432

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #48.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 100	$ 100	100.00%	$ 200	100.00%
Contractual Services	24,389	31,736	30.12%	46,450	37,900	19.42%	43,900	(5.49%)
Materials & Supplies	1,129	1,157	2.48%	3,250	2,900	150.65%	2,900	(10.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	878	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 25,518	$ 33,771	32.34%	$ 49,800	$ 40,900	21.11%	$ 47,000	(5.62%)
Capital Expenditures								
Fixed Assets	-	-	-	51,308	51,300	100.00%	-	(100.00%)
Total Capital Expenditures	$ -	$ -	-	$ 51,308	$ 51,300	100.00%	$ -	(100.00%)
Total Program Budget	$ 25,518	$ 33,771	32.34%	$ 101,108	$ 92,200	173.02%	$ 47,000	(53.52%)

MV00056305

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #58 FUND: 754

PROGRAM NUMBER: 75433

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #58.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 15	100.00%	$ 100	$ 100	566.67%	$ 200	100.00%
Contractual Services	9,900	25,770	160.30%	49,500	42,300	64.14%	48,100	(2.83%)
Materials & Supplies	174	1,169	571.84%	2,300	2,200	88.20%	2,400	4.35%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 10,074	$ 26,954	167.56%	$ 51,900	$ 44,600	65.47%	$ 50,700	(2.31%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 10,074	$ 26,954	167.56%	$ 51,900	$ 44,600	65.47%	$ 50,700	(2.31%)

MV00056306

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #65 FUND: 754

PROGRAM NUMBER: 75434

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #65.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 59	$ 60	1.69%	$ 100	$ 100	66.67%	$ 200	100.00%
Contractual Services	28,790	111,947	288.84%	43,150	37,600	(66.41%)	42,100	(2.43%)
Materials & Supplies	841	2,505	197.86%	3,050	2,900	15.77%	2,900	(4.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 29,690	$ 114,512	285.69%	$ 46,300	$ 40,600	(64.55%)	$ 45,200	(2.38%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 29,690	$ 114,512	285.69%	$ 46,300	$ 40,600	(64.55%)	$ 45,200	(2.38%)

MV00056307

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Facilities - F.S. #91 FUND: 754

PROGRAM NUMBER: 75435

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #91.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ 90	100.00%	$ 100	$ 100	11.11%	$ 200	100.00%
Contractual Services	28,249	39,404	39.49%	52,770	46,900	19.02%	49,700	(5.82%)
Materials & Supplies	1,163	1,437	23.56%	2,550	1,900	32.22%	1,900	(25.49%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 29,412	$ 40,931	39.16%	$ 55,420	$ 48,900	19.47%	$ 51,800	(6.53%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 29,412	$ 40,931	39.16%	$ 55,420	$ 48,900	19.47%	$ 51,800	(6.53%)

MV00056308

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Security Guards FUND: 754

PROGRAM NUMBER: 75436

PROGRAM OBJECTIVE: To provide a visible deterrent in areas where a high volume of foot traffic and resident interaction takes place, primarily to observe and assist staff as the need arises; patrol the perimeter of buildings; patrol the parking lots; and assist residents as requested.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 180,310	$ 156,447	(13.23%)	$ 192,671	$ 192,071	22.77%	$ 174,200	(9.59%)
Contractual Services	72,733	79,004	8.62%	42,600	10,000	(87.34%)	42,600	-
Materials & Supplies	719	-	(100.00%)	150	130	100.00%	100	(33.33%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	9,834	8,294	(15.66%)	6,635	6,635	(20.00%)	6,600	(0.53%)
Transfers Out	95	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 263,691	$ 243,745	(7.56%)	$ 242,056	$ 208,836	(14.32%)	$ 223,500	(7.67%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 263,691	$ 243,745	(7.56%)	$ 242,056	$ 208,836	(14.32%)	$ 223,500	(7.67%)

MV00056309

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fire Station #58 (Bay Ave.) FUND: 754

PROGRAM NUMBER: 75437

PROGRAM OBJECTIVE: To provide the maintenance program for Fire Station #58 (Bay Ave).

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ 50	$ 100	100.00%	$ 200	300.00%
Contractual Services	-	4,502	100.00%	7,600	3,300	(26.70%)	5,100	(32.89%)
Materials & Supplies	-	647	100.00%	1,300	1,200	85.47%	1,300	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ 5,149	100.00%	$ 8,950	$ 4,600	(10.66%)	$ 6,600	(26.26%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ 5,149	100.00%	$ 8,950	$ 4,600	(10.66%)	$ 6,600	(26.26%)

MV00056310

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Veterans Memorial FUND: 754

PROGRAM NUMBER: 75438

PROGRAM OBJECTIVE: To provide the maintenance program for the Veterans Memorial.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	65	6,049	9,206.15%	9,000	6,500	7.46%	8,000	(11.11%)
Materials & Supplies	468	1,759	275.85%	3,700	2,500	42.13%	3,000	(18.92%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 533	$ 7,808	1,364.92%	$ 12,700	$ 9,000	15.27%	$ 11,000	(13.39%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 533	$ 7,808	1,364.92%	$ 12,700	$ 9,000	15.27%	$ 11,000	(13.39%)

MV00056311

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Emergency Operations Center FUND: 754

PROGRAM NUMBER: 75439

PROGRAM OBJECTIVE: To provide the maintenance program for the City owned Emergency Operations Center.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ 200	100.00%
Contractual Services	-	-	-	-	-	-	80,000	100.00%
Materials & Supplies	-	-	-	-	-	-	1,300	100.00%
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ -	$ -	-	$ -	$ -	-	$ 81,500	100.00%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ -	$ -	-	$ 81,500	100.00%

MV00056312

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Equipment Maintenance FUND: 755

PROGRAM NUMBER: 75510

PROGRAM OBJECTIVE: To maintain the City's inventory of vehicles and equipment in such a fashion so as to ensure full operational life, minimal breakdowns, and operator safety.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ 327,335	$ 346,068	5.72%	$ 259,770	$ 266,795	(22.91%)	$ 262,500	1.05%
Contractual Services	88,170	15,306	(82.64%)	10,022	10,022	(34.52%)	10,000	(0.22%)
Materials & Supplies	511,573	398,898	(22.03%)	385,965	378,965	(5.00%)	383,000	(0.77%)
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	58,217	61,261	5.23%	60,018	60,018	(2.03%)	59,800	(0.36%)
Transfers Out	1,255	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 986,550	$ 821,533	(16.73%)	$ 715,775	$ 715,800	(12.87%)	$ 715,300	(0.07%)
Capital Expenditures								
Fixed Assets	(1)	-	(100.00%)	-	-	-	-	-
Total Capital Expenditures	$ (1)	$ -	(100.00%)	$ -	$ -	-	$ -	-
Total Program Budget	$ 986,549	$ 821,533	(16.73%)	$ 715,775	$ 715,800	(12.87%)	$ 715,300	(0.07%)

MV00056313

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fixed Asset Replacement - COMV FUND: 757

PROGRAM NUMBER: 99401

PROGRAM OBJECTIVE: To manage and account for the replacement of COMV assets.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	259,460	262,010	0.98%	239,167	239,167	(8.72%)	239,100	(0.03%)
Transfers Out	786,765	1,039,798	32.16%	34,298	12,000	(98.85%)	-	(100.00%)
Total Operating Expenditures	$ 1,046,225	$ 1,301,808	24.43%	$ 273,465	$ 251,167	(80.71%)	$ 239,100	(12.57%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	54,000	100.00%
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ 54,000	100.00%
Total Program Budget	$ 1,046,225	$ 1,301,808	24.43%	$ 273,465	$ 251,167	(80.71%)	$ 293,100	7.18%

MV00056314

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Fixed Asset Replacement - CSD FUND: 757

PROGRAM NUMBER: 99402

PROGRAM OBJECTIVE: To manage and account for the replacement of CSD assets.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	72,048	27,115	(62.37%)	44,945	44,945	65.76%	44,900	(0.10%)
Transfers Out	60,385	18,966	(68.59%)	87,640	87,640	362.09%	-	(100.00%)
Total Operating Expenditures	$ 132,433	$ 46,081	(65.20%)	$ 132,585	$ 132,585	187.72%	$ 44,900	(66.13%)
Capital Expenditures								
Fixed Assets	(1)	-	(100.00%)	-	-	-	38,000	100.00%
Total Capital Expenditures	$ (1)	$ -	(100.00%)	$ -	$ -	-	$ 38,000	100.00%
Total Program Budget	$ 132,432	$ 46,081	(65.20%)	$ 132,585	$ 132,585	187.72%	$ 82,900	(37.47%)

MV00056315

City of Moreno Valley

2010-11 Preliminary
Base Operating budget

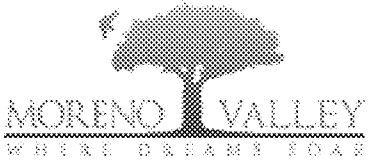

Debt Service Funds

MV00056316

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	2005 Lease Revenue Bonds 301	2007 Towngate Improvement Tax Ref 313	2007 Towngate Special Tax Ref 315	Assessment Dist. 98-1 316	City Hall COP 97 321	Pub. Safety Lease Rev. Bond 325	Auto Mall 328	Automall CFD#5 Stoneridge 329	CFD #4! Infra Debt Service 330	OPA Sales Tax #2 340	Total
Revenues											
Property Taxes	-	-	-	2,700	-	-	-	-	-	-	2,700
Gas Taxes	-	-	-	-	-	-	-	-	-	-	-
Sales Taxes	-	-	-	-	-	-	750,000	-	-	-	750,000
Business Gross Receipts Taxes	-	-	-	-	-	-	-	-	-	-	-
Utility Users Taxes	-	-	-	-	-	-	-	-	-	-	-
Other Taxes	-	114,400	-	-	-	-	1,217,600	362,100	-	-	1,694,100
Franchise Fees	-	-	-	-	-	-	-	-	-	-	-
Parcel Fees	-	-	-	-	-	-	-	-	-	-	-
Development Fees	-	-	-	-	-	-	-	-	-	-	-
Motor Vehicle Fees	-	-	-	-	-	-	-	-	-	-	-
Other Fees	-	-	-	-	-	-	-	-	-	-	-
Fees for Service	-	-	-	-	-	-	-	-	-	-	
Permits & Licenses	-	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	-	-	-	-	-	-	-	-	-	-	-
Administrative Charges	-	-	-	-	-	-	-	-	-	-	-
Interest Income	-	100	500	-	-	-	500	100	-	350,000	351,200
Bond Proceeds	-	-	-	-	-	-	-	-	12,300,000	-	12,300,000
Miscellaneous Revenues	-	-	-	-	-	-	-	-	-	-	-
Grants/Intergovernmental Revenues	-	-	-	-	-	-	-	-	-	-	-
Transfers In	2,644,491	279,500	1,158,200	-	822,025	404,200	220,000	-	-	-	5,528,416
Total Operating Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Reserves	-	-	-	-	-	-	-	-	-	-	-
Anticipated Prior Year Savings	-	-	-	-	-	-	-	-	-	-	-
Total Revenues	**2,644,491**	**394,000**	**1,158,700**	**2,700**	**822,025**	**404,200**	**2,188,100**	**362,200**	**12,300,000**	**350,000**	**20,626,416**
Expenditures											
Operating:											
Personnel Services	-	-	-	-	-	-	-	-	-	-	-
Contractual Services	5,000	-	-	-	70,000	3,483	-	-	-	-	78,483
Materials & Supplies	-	-	-	-	-	-	-	-	-	-	-
Debt Service	2,639,491	355,300	1,012,500	2,400	752,025	400,717	2,354,300	307,600	1,085,300	-	8,909,633
Fixed Charges	-	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	38,250	145,650	-	-	-	62,500	54,000	10,407,900	-	10,708,300
Total Operating Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Capital :											
Fixed Assets	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditures	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Total Program Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Increase in Reserve for Contingencies											
Total Expenditures	**2,644,491**	**393,550**	**1,158,150**	**2,400**	**822,025**	**404,200**	**2,416,800**	**361,600**	**11,493,200**	**-**	**19,696,416**
Net Revenues Over (Under) Expenditur	**-**	**450**	**550**	**300**	**-**	**-**	**(228,700)**	**600**	**806,800**	**350,000**	**930,000**

MV00056317

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	2005 Lease Revenue Bonds 301.93310	2007 Towngate Improvement Tax Ref 313.93710	2007 Towngate Special Tax Ref 315.93810	Assessment Dist. 98-1 316.93110	City Hall Certificates of Participation Series 97 321.92010
Expenditures					
Operating:					
Personnel Services	-	-	-	-	-
Contractual Services	5,000	-	-	-	70,000
Materials & Supplies	-	-	-	-	-
Debt Service	2,639,491	355,300	1,012,500	2,400	752,025
Fixed Charges	-	-	-	-	-
Transfers Out	-	38,250	145,650	-	-
Total Operating Expenditures	2,644,491	393,550	1,158,150	2,400	822,025
Capital:					
Fixed Assets	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-
Total Program Expenditures	2,644,491	393,550	1,158,150	2,400	822,025

MV00056318

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
Debt Service Funds

Description	Public Safety Lease Revenue Bonds 1997 325.92110	Automall Refinancing CFD 3 328.92710	Automall CFD #5 Stoneridge 329.93410	CFD # 4I Infra Debt Srv Fund 330.93610	Total
Expenditures					
Operating:					
Personnel Services	-	-	-	-	-
Contractual Services	3,483	-	-	-	78,483
Materials & Supplies	-	-	-	-	-
Debt Service	400,717	2,354,300	307,600	1,085,300	8,909,633
Fixed Charges	-	-	-	-	-
Transfers Out	-	62,500	54,000	10,407,900	10,708,300
Total Operating Expenditures	404,200	2,416,800	361,600	11,493,200	19,696,416
Capital:					
Fixed Assets	-	-	-	-	-
Total Capital Expenditures	-	-	-	-	-
Total Program Expenditures	404,200	2,416,800	361,600	11,493,200	19,696,416

MV00056319

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2005 Lease Revenue Bonds FUND: 301

PROGRAM NUMBER: 93310

PROGRAM OBJECTIVE: To provide resources to finance the following capital improvements: Sunnymead Boulevard, Public Safety Building Expansion, Kitching Street, Electric Utility Infrastructure, Ironwood/Heacock, Ironwood/Box Springs, Laselle Street and Fire Station No. 58.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,875	5,372	86.85%	3,834	5,000	(6.92%)	5,000	30.41%
Materials & Supplies	-	-	-	150	-	-	-	(100.00%)
Debt Service	2,686,353	2,645,965	(1.50%)	2,643,515	2,643,515	(0.09%)	2,639,491	(0.15%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	1,034,763	100.00%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 2,689,228	$ 3,686,100	37.07%	$ 2,647,499	$ 2,648,515	(28.15%)	$ 2,644,491	(0.11%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,689,228	$ 3,686,100	37.07%	$ 2,647,499	$ 2,648,515	(28.15%)	$ 2,644,491	(0.11%)

MV00056320

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Improvement Area 1 FUND: 303

PROGRAM NUMBER: 92810

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the Improvement Area No. 1 Bond issued April 1, 1993.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	4,210,588	-	(100.00%)	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	78,760	962,039	1,121.48%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 4,289,348	$ 962,039	(77.57%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 4,289,348	$ 962,039	(77.57%)	$ -	$ -	(100.00%)	$ -	-

MV00056321

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Towngate Refunding FUND: 305

PROGRAM NUMBER: 92210

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the refinancing of Towngate Special Tax Bonds, Series A and B, issued June 1, 1994.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	13,828	-	(100.00%)	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	12,891,225	-	(100.00%)	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	668,208	4,363,634	553.04%	-	-	(100.00%)	-	-
Total Operating Expenditures	$ 13,573,261	$ 4,363,634	(67.85%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 13,573,261	$ 4,363,634	(67.85%)	$ -	$ -	(100.00%)	$ -	-

MV00056322

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Towngate Improvement Tax Refunding Debt Service FUND: 313

PROGRAM NUMBER: 93710

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to CFD No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Refunding Bonds issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	195,491	395,859	102.49%	358,029	358,029	(9.56%)	355,300	(0.76%)
Fixed Charges	-	34,500	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	3,966,581	100.00%	38,250	38,250	(99.04%)	38,250	-
Total Operating Expenditures	$ 195,491	$ 4,396,940	2,149.18%	$ 396,279	$ 396,279	(90.99%)	$ 393,550	(0.69%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 195,491	$ 4,396,940	2,149.18%	$ 396,279	$ 396,279	(90.99%)	$ 393,550	(0.69%)

MV00056323

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: 2007 Towngate Special Tax Refunding Debt Service FUND: 315

PROGRAM NUMBER: 93810

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to Towngate Community Facilities District 87-1 2007 Special Tax Refunding Bonds issued December, 2007.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	5,405	100.00%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	616,772	1,010,881	63.90%	1,009,381	1,009,381	(0.15%)	1,012,500	0.31%
Fixed Charges	-	132,875	100.00%	-	-	(100.00%)	-	-
Transfers Out	-	13,465,179	100.00%	139,750	139,750	(98.96%)	145,650	4.22%
Total Operating Expenditures	$ 616,772	$ 14,614,340	2,269.49%	$ 1,149,131	$ 1,149,131	(92.14%)	$ 1,158,150	0.78%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 616,772	$ 14,614,340	2,269.49%	$ 1,149,131	$ 1,149,131	(92.14%)	$ 1,158,150	0.78%

MV00056324

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Assessment Dist. 98-1 FUND: 316

PROGRAM NUMBER: 93110

PROGRAM OBJECTIVE: To account for revenue received as a result of Assessment District 98-1, a 1911 Act Bond, and the payment of principal and interest related to the Assessment District 98-1 Limited Obligation Improvement Bonds issued on May 1, 2000, for street improvements relating to Vinewood Place.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	3,443	2,813	(18.30%)	2,561	2,561	(8.96%)	2,400	(6.29%)
Fixed Charges	-	50	100.00%	50	50	-	-	(100.00%)
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 3,443	$ 2,863	(16.85%)	$ 2,611	$ 2,611	(8.80%)	$ 2,400	(8.08%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 3,443	$ 2,863	(16.85%)	$ 2,611	$ 2,611	(8.80%)	$ 2,400	(8.08%)

MV000056325

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: City Hall Certificates of Participation, Series 1997 FUND: 321

PROGRAM NUMBER: 92010

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the Certificates of Participation issued May 1, 1997.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	68,966	38,227	(44.57%)	64,540	70,000	83.12%	70,000	8.46%
Materials & Supplies	6	-	(100.00%)	-	-	-	-	-
Debt Service	742,697	657,734	(11.44%)	795,000	750,175	14.05%	752,025	(5.41%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 811,669	$ 695,961	(14.26%)	$ 859,540	$ 820,175	17.85%	$ 822,025	(4.36%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 811,669	$ 695,961	(14.26%)	$ 859,540	$ 820,175	17.85%	$ 822,025	(4.36%)

MV00056326

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Public Safety Lease Revenue Bonds 1997 FUND: 325

PROGRAM NUMBER: 92110

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the lease revenue bonds issued November 1, 1997.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	29,515	3,900	(86.79%)	3,250	3,250	(16.67%)	3,483	7.17%
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	399,244	400,421	0.29%	400,919	400,919	0.12%	400,717	(0.05%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 428,759	$ 404,321	(5.70%)	$ 404,169	$ 404,169	(0.04%)	$ 404,200	0.01%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 428,759	$ 404,321	(5.70%)	$ 404,169	$ 404,169	(0.04%)	$ 404,200	0.01%

MV00056327

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Automall Refinancing CFD 3 FUND: 328

PROGRAM NUMBER: 92710

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the refinancing Auto Mall Special Tax Bonds issued.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	2,122,908	1,983,114	(6.59%)	2,373,300	2,373,300	19.68%	2,354,300	(0.80%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	512,462	148,446	(71.03%)	148,940	148,940	0.33%	62,500	(58.04%)
Total Operating Expenditures	$ 2,635,370	$ 2,131,560	(19.12%)	$ 2,522,240	$ 2,522,240	18.33%	$ 2,416,800	(4.18%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,635,370	$ 2,131,560	(19.12%)	$ 2,522,240	$ 2,522,240	18.33%	$ 2,416,800	(4.18%)

MV00056328

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Automall CFD #5 - Stoneridge FUND: 329

PROGRAM NUMBER: 93410

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the CFD No. 5 special tax bonds.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	9	3,260	36,122.22%	-	-	(100.00%)	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	248,475	288,613	16.15%	303,315	303,315	5.09%	307,600	1.41%
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	99,471	50,000	(49.73%)	54,000	54,000	8.00%	54,000	-
Total Operating Expenditures	$ 347,955	$ 341,873	(1.75%)	$ 357,315	$ 357,315	4.52%	$ 361,600	1.20%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 347,955	$ 341,873	(1.75%)	$ 357,315	$ 357,315	4.52%	$ 361,600	1.20%

MV00056329

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: CFD #4I Infra Debt Service Fund FUND: 330

PROGRAM NUMBER: 93610

PROGRAM OBJECTIVE: Issue Special Tax Bonds to fund public infrastructure at Centerpointe Business Park. The CFD will provide for the collection and payment of principal, interest, and administration costs associated with the infrastructure and street improvements.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	1,103,384	-	-	1,085,300	(1.64%)
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	50,000	-	-	10,407,900	N/A
Total Operating Expenditures	$ -	$ -	-	$ 1,153,384	$ -	-	$ 11,493,200	896.48%
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ -	$ -	-	$ 1,153,384	$ -	-	$ 11,493,200	896.48%

MV00056330

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Certificates of Participation, Series 1993 FUND: 335

PROGRAM NUMBER: 92510

PROGRAM OBJECTIVE: To account for the accumulation of resources for and the payment of principal and interest related to the Certificates of Participation issued October 1,1993.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	2,000	5,000	150.00%	3,250	-	(100.00%)	-	(100.00%)
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 2,000	$ 5,000	150.00%	$ 3,250	$ -	(100.00%)	$ -	(100.00%)
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 2,000	$ 5,000	150.00%	$ 3,250	$ -	(100.00%)	$ -	(100.00%)

MV00056331

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: OPA Sales Tax #2 FUND: 340

PROGRAM NUMBER: 93010

PROGRAM OBJECTIVE: To account for the accumulation of 50% of sales tax revenue for the payment of principal and interest related to the ownership participation agreements between the Redevelopment Agency and certain retail stores.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	385,926	394,359	2.19%	-	-	(100.00%)	-	-
Fixed Charges	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-
Total Operating Expenditures	$ 385,926	$ 394,359	2.19%	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 385,926	$ 394,359	2.19%	$ -	$ -	(100.00%)	$ -	-

MV00056332

City of Moreno Valley
2010-11 Preliminary Base Operating Budget
PROGRAM SUMMARY

PROGRAM NAME: Centerpointe 87-4 Agency Fund FUND: 369

PROGRAM NUMBER: 92245

PROGRAM OBJECTIVE: This fund is used to account for the receipt and remittance of special assessments for the Assessment District 87-4 Limited Obligation Improvement Bonds. The bonds are not secured by the general taxing power of the City, the State of California or any other political subdivision thereof, and neither the City nor the State, nor any potential subdivision thereof, has pledged its full faith and credit for the payment thereof.

BUDGET SUMMARY:

	2007-08	2008-09		2009-10			2010-11	
	Actual	Actual	% Increase/ (Decrease) over/(under) 2007-08	Adjusted Budget	Projected Actual	% Increase/ (Decrease) over/(under) 2008-09	Preliminary Base Budget	% Increase/ (Decrease) over/(under) 2009-10 Adj. Budget
Operating Expenditures								
Personnel Services	$ -	$ -	-	$ -	$ -	-	$ -	-
Contractual Services	-	-	-	-	-	-	-	-
Materials & Supplies	-	-	-	-	-	-	-	-
Debt Service	687,730	340,295	(50.52%)	-	-	(100.00%)	-	-
Fixed Charges	-	58,787	100.00%	-	-	(100.00%)	-	-
Transfers Out	181,525	-	(100.00%)	-	-	-	-	-
Total Operating Expenditures	$ 869,255	$ 399,082	(54.09%)	$ -	$ -	(100.00%)	$ -	-
Capital Expenditures								
Fixed Assets	-	-	-	-	-	-	-	-
Total Capital Expenditures	$ -	$ -	-	$ -	$ -	-	$ -	-
Total Program Budget	$ 869,255	$ 399,082	(54.09%)	$ -	$ -	(100.00%)	$ -	-

MV00056333

Deficit Reduction Plan

Fiscal Year 2010-11

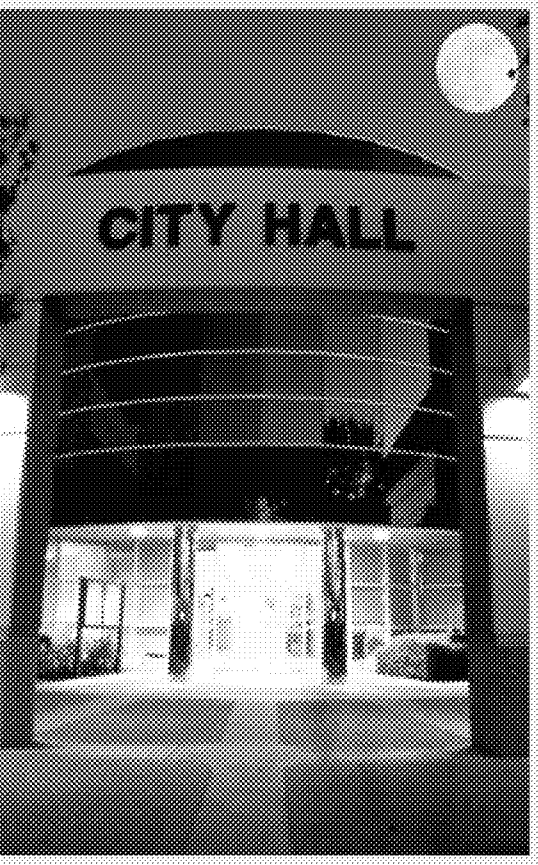

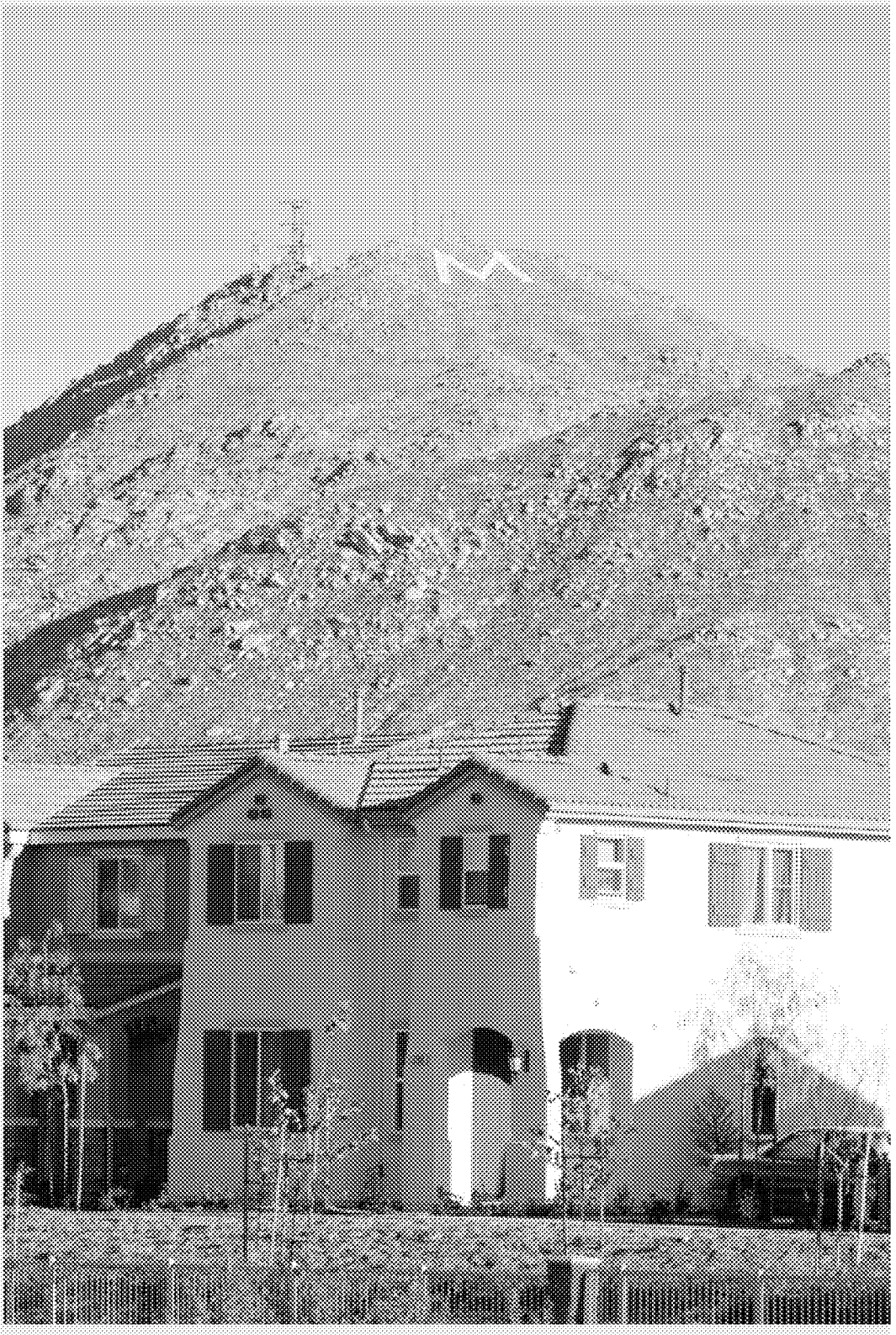

City of Moreno Valley

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Deficit Reduction Plan

Fiscal Year 2010-11

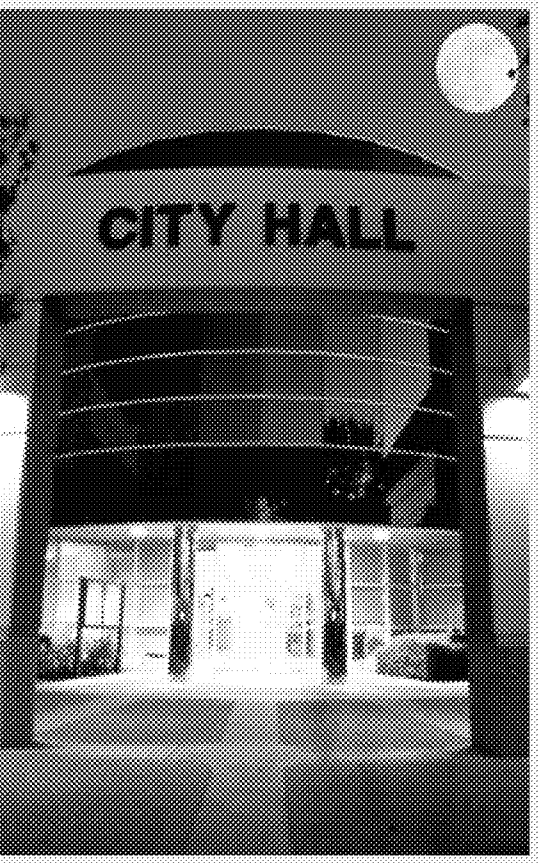

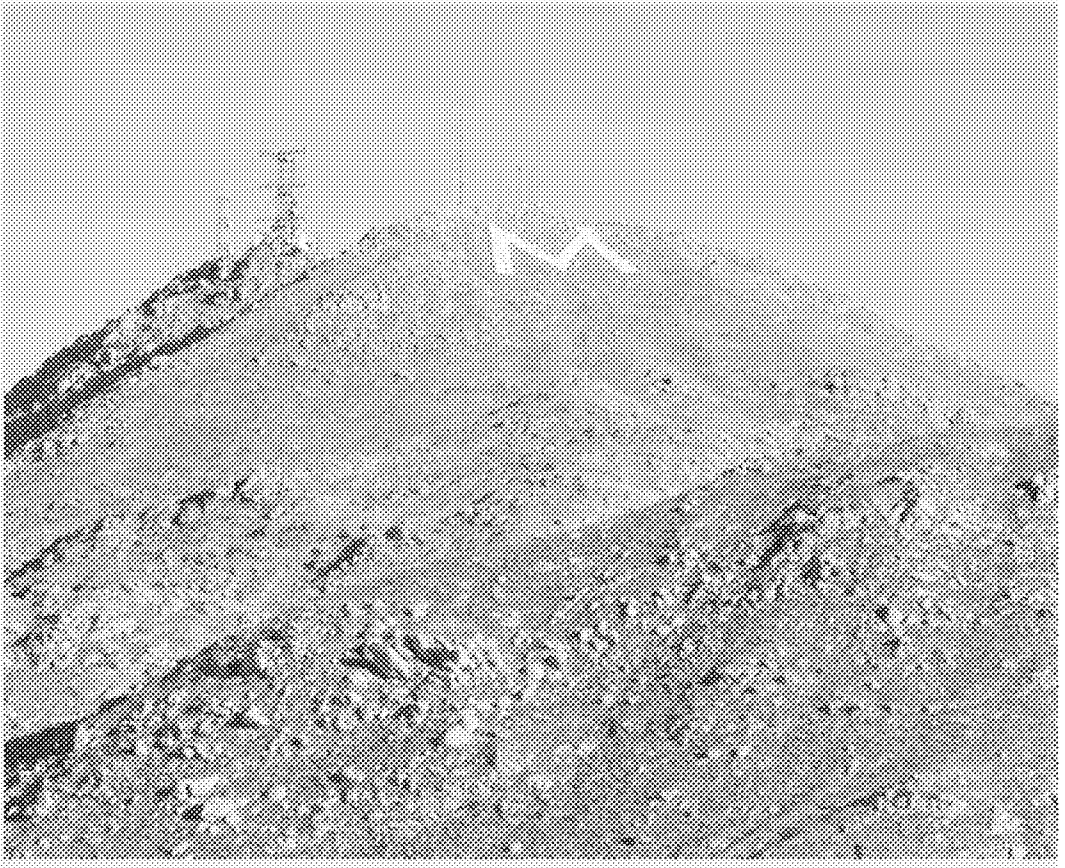

City Council

Bonnie Flickinger
Mayor

Robin N. Hastings
Mayor Pro Tem

William H. Batey II
Council Member

Jesse L. Molina
Council Member

Richard A. Stewart
Council Member

Administration

William L. Bopf
Interim City Manager

Steve Elam
Interim Financial & Administrative Services Director

Prepared by the
Financial & Administrative Services Department

14177 Frederick Street
Moreno Valley, CA 92552-0805
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City of Moreno Valley

CITY OF MORENO VALLEY
DEFICIT REDUCTION PLAN
FY 2010-11

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City of Moreno Valley

Deficit Reduction Plan 2010-11

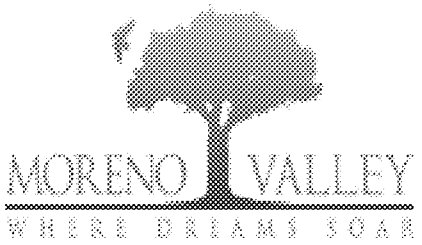

City Manager's Deficit Reduction Plan Message

DEFICIT REDUCTION PLAN

FISCAL YEAR 2010-11

To: Honorable Mayor, Members of the City Council and Citizens of Moreno Valley

Introduction

On April 13, 2010, the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget was distributed to the City Council and staff. This "preliminary" budget reflected a projected General Fund operating deficit of $17.8 million due to the continuing impact of the economic recession on the City's major revenue sources. The projected General Fund operating deficit is based on the following estimates for FY 2010-11:

General Fund Operating Revenues:	$67.8 million
General Fund Operating Expenditures:	$85.6 million
Projected General Fund Operating Deficit	($17.8 million)

The following chart highlights how the General Fund operating deficit has grown the past few years as a result of the economic recession. The bar on the left of each grouping represents revenues; the bar on the right of each grouping represents expenditures.

General Fund Operating Budget
Revenues & Expenditures

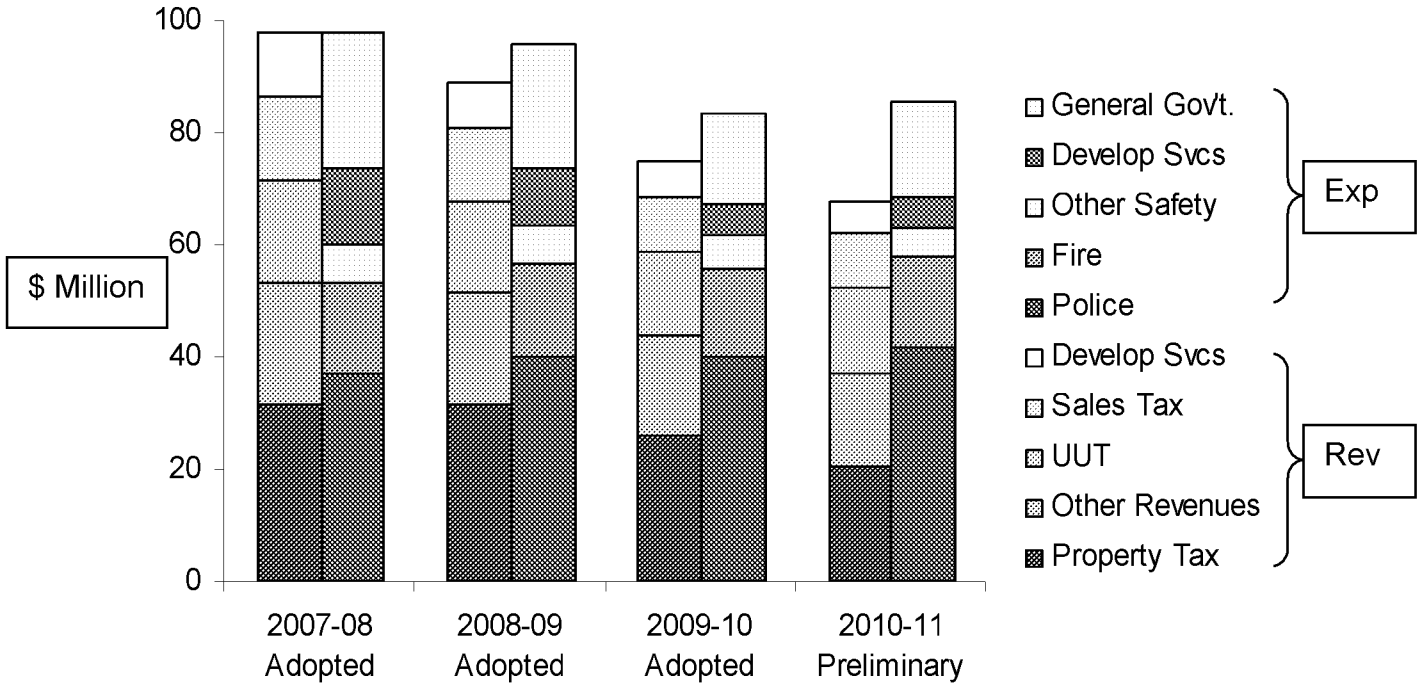

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As shown in the previous chart, the FY 2007-08 budget was adopted with operating revenues and expenditures completely balanced. By FY 2008-09, there was an operating deficit of $7.0 million which had to be backfilled through a combination of prior-year savings, transfers, and reserves. This operating deficit increased to $8.6 million in FY 2009-10, despite a significant reduction in the expenditure budget realized through implementation of a Deficit Reduction Plan; with the deficit again backfilled with prior-year savings and reserves. For FY 2010-11, the projected operating deficit will increase to $17.8 million. This projected deficit will be addressed through a combination of solutions including anticipated prior-year savings, additional transfers, and the Deficit Reduction Plan.

Budget Adjustments

Facing such a significant budgetary deficit next fiscal year, staff evaluated a number of potential adjustments that can be made to reduce the deficit. Following an analysis by the Budget Review Committee, staff was given the direction to proceed with the following adjustments:

Current year savings that can be carried over to next fiscal year

In conjunction with the FY 2010-11 budget development process, projections were made of FY 2009-10 year-end expenditures. In addition to the department-projected savings of $796,100, which were reported to the City Council during the Mid-Year Budget Review on February 23, 2010 and needed to keep this fiscal year's budget in balance, an additional 2009-10 savings of $1,520,800 was identified that will be carried over to help balance next fiscal year's budget. Any budget appropriations approved by the City Council through the balance of this fiscal year will reduce this savings.

Transfers to return previous General Fund subsidies

Based on previous General Fund subsidies and current fund balance, the following transfers to the General Fund can be made, while keeping a minimum reserve of 12% of operating expenditures, consistent with the General Fund:

▪ Gas Tax	$500,000
▪ Public Education/Government Access (PEG)	$339,100
▪ CSD Zone A (Parks)	$800,000
▪ Total transfers of previous subsidies	$1,639,100

Other transfers

Transfers to the General Fund from two other funds will be made following an analysis of the funds:

▪ EOC Project Fund (Return of surplus project funds that were contributed from the General Fund)	$1,100,700

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- Equipment Replacement Fund (Fully depreciated assets that no longer need to be replaced) — $2,102,400
- Facility Construction Fund (Preliminary contribution to Veterans Memorial Project; funded by 2005 Lease Revenue Bonds) — $776,000
- Total other transfers — $3,979,100

Following is a summary of the total budgetary adjustments that will be implemented to reduce the projected FY 2010-11 General Fund deficit of $17.8 million:

Projected Deficit		$17,876,300
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	($1,520,800)	
- Transfers to return previous General Fund subsidies	($1,639,100)	
- Other transfers	($3,979,100)	
- Total Budgetary Adjustments		($7,139,000)
Remaining Deficit		$10,737,300

The budget adjustments of $7.1 million, as shown above, will significantly reduce the projected deficit. However, it should be noted that a number of these adjustments are considered to be "one-time" in nature and will not be available on a recurring basis. Therefore, the true operating deficit of $17.8 million is cause for concern on a go-forward basis.

Budget Issues

Despite facing a significant budgetary deficit in FY 2010-11, departments were provided the opportunity to submit proposed Budget Issues to identify areas in which budgetary increases were needed to maintain critical service levels. There are three (3) such Budget Issues that are recommended for implementation, as summarized below. Details regarding these budget issues are presented in the Preliminary Base Operating Budget.

Budget Issue	Requesting Department	General Fund Amount
Re-establish Funding for Budget Officer Position	Financial & Administrative Services	$98,700
Supplement Emergency Operations Grant with General Fund Subsidy	Fire	$43,100
Increase in NPDES Regulatory Fees	Public Works	$76,000
Total General Fund Budget Increase		**$217,800**

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Balancing the General Fund Budget through the Deficit Reduction Plan

Adding the additional funding of $217,800 for the recommended Budget Issues to the projected General Fund deficit (net of adjustments) of $10,737,300 results in a total projected General Fund deficit of $10,955,100. Solutions for addressing this deficit are presented in the FY 2010-11 Deficit Reduction Plan that is hereby submitted for Council's consideration.

Deficit Reduction Plan Guidelines

The City has utilized a deficit reduction planning model the past two years to identify potential budgetary reductions that can be implemented to achieve a balanced General Fund budget. Following are the guidelines that were utilized to prepare the FY 2010-11 Deficit Reduction Plan:

- Deficit reduction options will be identified to cover the anticipated budgetary deficit, which was $10.4 million based on the FY 2009-10 Five-Year Financial Plan. This projected deficit was also used for planning purposes at the time the Deficit Reduction Plan preparation commenced in December 2009.

- It is prudent to prepare for an even larger deficit in the event that the final revenue estimates are less than those reflected in the Five-Year Financial Plan, or if there are unanticipated expenditure increases. (This guideline was validated when the projected General Fund deficit increased to $17.8 million, primarily due to declining property tax revenue projections.)

- The City's projected General Fund deficit could also be impacted by future actions of the State of California to confiscate or divert local government revenues to help balance the State's budget. (The State rarely adopts its annual budget prior to July 1st. Therefore, the City may adopt a balanced budget in June; then have the State take subsequent actions that impact the City's budget.)

- Based on the above factors, the FY 2010-11 Deficit Reduction Plan has been structured to identify total General Fund balancing solutions of $20.1 million as summarized below:

  - Potential Revenue Enhancements: $288,400
  - Potential Expenditure Reductions (net of Offsets): $13,845,734
  - Potential Use of General Fund Reserves: $6,000,000
  - Total Potential Solutions: $20,134,134

- Although the dollar value of all solutions is significantly greater than projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during the fiscal year be less than projected,

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additional solutions have already been identified that can be quickly implemented.

Deficit Reduction Savings Targets

- In order to achieve the General Fund expenditure reduction target of $14 million, which was specified in the Deficit Reduction Plan preparation guidelines, Deficit Reduction Options (DROs) were developed by departments based on the following percentages of the FY 2009-10 Adopted Budget.

  - General Government business units: 35%

  - Development Services business units: 35%

  - Internal Service Funds: 35%
    - Maintenance & Operations
    - Facilities Maintenance
    - Technology Services
    - General Liability
    - Workers' Compensation

  - Public Safety & related business units: 10%
    - Police
    - Fire
    - Animal Services
    - Code Compliance
    - Emergency Operations
    - Crossing Guards
    - Graffiti Abatement

  - Library business unit: 10%

- Funds other than the General Fund that receive a General Fund subsidy were required to submit DROs equaling the amount of their FY 2009-10 General Fund subsidy and/or their projected FY 2010-11 operating deficit, as follows:

  - Gas Tax: $1,000,000
  - Public Education/Government (PEG) Fund: $300,000
  - CSD/Zone L (Library) Fund: $212,000
  - Stormwater Maintenance Fund: $182,000

- Funds not identified above were not required to submit DROs, as they do not have projected deficits for FY 2010-11 or have adequate fund balance to absorb an operating deficit. (Examples are Redevelopment Agency (RDA) and Electric Utility.)

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Guidelines for Developing DROs

The following guidelines were provided to departments for use in their DRO preparation:

- DROs can relate to revenue enhancement as well as cost reduction measures.

- Each DRO must be completed in a comprehensive manner so it can be evaluated relative to other DROs. DROs consist of the following elements:
  - Description of cost reduction or revenue enhancement;
  - Internal Service Impact (None or Minimal / Moderate / High);
  - External Service Impact (None or Minimal / Moderate / High);
  - Staffing Impact;
  - Cost reduction itemization;
  - Revenue impact, if any.

- DROs should focus on elimination or reduction of non-mandated (discretionary) programs rather than further "line-item" reductions that would impair a department's ability to deliver essential services.

- Each DRO must be prioritized by the respective Department Head based on its service level impact and other key considerations. (Note: Priority 1 would be the first item recommended by a Department Head for consideration based on its service level impact; Priority 2 would be the next item recommended for consideration, etc.)

- FY 2010-11 DROs cannot include items already implemented in previous Deficit Reduction Plans; i.e., they must represent new savings that can be achieved in the FY 2010-11 Preliminary Base Operating Budget.

Staffing Impacts of DROs

The departmental DRO summaries identify any staffing impacts associated with each DRO, including the number of positions impacted; whether the positions are temporary or career, filled or vacant, City employees or contract employees (such as Police or Fire); and whether the employee would be transferred to another division within the department or laid off.

Council Deliberation on DROs

Following briefing sessions with each Council Member the week of May 3rd, an overview of the Preliminary Base Operating Budget and Deficit Reduction Plan will be presented during the City Council meeting of May 11, 2010. During the ensuing Study Session of May 18, 2010, time will be allocated for the City Council to ask each Department Head and staff detailed questions regarding their DROs. Additional questions or follow-up issues regarding DROs may also be addressed during the Regular Council Meetings of May 25th and June 8th, as well as the second Study Session on June 15th, prior to scheduled budget adoption on June 22, 2010.

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Public Safety DROs

In addition to the Study Sessions and Regular Council Meetings devoted to discussion of the Preliminary Base Operating Budget and Deficit Reduction Plan, discussion of the Police Department and Fire Department DROs has been scheduled for the Public Safety Subcommittee meeting of May 10, 2010.

When reviewing the Police Department and Fire Department DROs, the following provisions in the respective contracts should be noted.

Police Services Contract

Variation in Level of Service: Variation in the level of service shall be made by amendment, as provided for in Section 12 of this Agreement, and under the following terms:

If City requests an increase in the level of service to be provided under this Agreement, County agrees to provide such increased level of service as soon as is practicable, consistent with the ability of the Sheriff to do so.

If City elects to reduce the level of service provided herein by ten percent (10%) or greater, City must give notice in writing to County not less than twelve (12) calendar months prior to the effective date of such reduction. If City elects to reduce the level of service provided herein by less than ten percent (10%), County agrees to reduce the level of service accordingly as soon as it is practicable. The level of service, however, may not be reduced to below the minimum level, as determined by County, required to ensure public and officer safety.

Fire Services Contract

In the event CITY desires a reduction in CAL FIRE or COUNTY civil service employees or services assigned to CITY as provided in Exhibit A of the Fire Service Contract, CITY shall provide one hundred twenty (120) days written notice of the required reduction.

DROs Outside of the General Fund

The majority of DROs included in the Deficit Reduction Plan relate to the General Fund. However, those DROs not related to the General Fund are included to help offset projected operating deficits for FY 2010-11 or, in the case of some of the Internal Service Fund DROs, because they contribute to General Fund savings through the cost allocation process. Therefore, it is recommended that each of the DROs outside of the General Fund be implemented.

Proposed DRO Offsets

Three (3) DRO Offsets have been proposed, which would reinstate partial funding for associated DROs to mitigate the service level impacts, should the City Council direct

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staff to implement these DROs. If each of the three recommended DRO Offsets is approved by the City Council, it will reduce the General Fund DRO savings by $72,517. This amount has already been reflected in the departmental saving totals. Detailed information on the three proposed DRO Offsets is included following the DRO departmental summaries, starting on page 22. The three items are also summarized below:

DRO Offset Description	Requesting Department	DRO No.	General Fund Amount
Funding for one (1) Temporary, P/T Animal Control Officer	Financial & Administrative Services	12-a	$17,900
Funding for one (1) Temporary, P/T Librarian	Library	3-a	$21,840
Funding for two (2) Temporary, P/T Maintenance Worker IIs	Public Works	3-a	$32,417
Total Proposed General Fund DRO Offsets			**$72,157**

Summary

The prolonged economic recession has resulted in three challenging fiscal years for the City. After adopting a budget in FY 2007-08 in which General Fund operating revenues fully matched operating expenditures, revenues began declining; resulting in the need for significant expenditure reductions to ensure that expenditures remained within the General Fund revenues. The next two fiscal years (2008-09 and 2009-10) became more challenging as General Fund operating revenues continued their decline, resulting in growing operating deficits that had to be overcome with aggressive cost-cutting measures including workforce reductions, return of General Fund subsidies previously made to other funds, and use of reserves. FY 2010-11 will be even more challenging than the previous two years, as the projected General Fund operating deficit will grow to $17.8 million. A number of transfers and other budget adjustments have been identified, which will reduce this expected deficit to $10.7 million. Adding three recommended Budget Issues (which represent additional budgeted expenditures) that are critically needed, results in a projected General Fund deficit of nearly $11 million for FY 2010-11. Actions taken by the State of California in response to its estimated budget deficit of $18.9 billion or more could further impact the City's budget. To enable adoption of a balanced budget for FY 2010-11, a Deficit Reduction Plan is hereby submitted for City Council's review and consideration. This Plan has identified a number of solutions, totaling $20.1 million for the General Fund, that can be implemented to balance the FY 2010-11 Preliminary Base Operating Budget as follows:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

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Although the dollar value of all solutions, as shown on the previous page, is significantly greater than the projected budgetary deficit (net of adjustments and Budget Issues) of $11 million, it provides the City Council with a wide range of options for balancing the budget. Additionally, if the State takes actions that adversely impact the City's revenues, or if actual revenues received during FY 2010-11 are less than projected, additional solutions have already been identified that can be quickly implemented. This "scalable" approach to deficit reduction planning has been beneficial to the City since it was first utilized in FY 2008-09.

After three years of aggressive cost-cutting measures that have been required to offset the declining revenues resulting from the economic recession, departments have once again responded to a very challenging budget for FY 2010-11 by identifying a number of potential solutions to allow a balanced budget to be adopted. I sincerely appreciate the cooperation of each Department Head and their staff in identifying meaningful solutions to overcome the projected budgetary deficit for FY 2010-11. The City Council has made a strong commitment to adopting a balanced budget prior to the start of each fiscal year. The FY 2010-11 Deficit Reduction Plan presents the Council with options for continuing this sound fiscal practice and adopting a balanced budget in June for the upcoming fiscal year that starts July 1, 2010.

Respectively submitted,

William L. Bopf
Interim City Manager

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City of Moreno Valley

Deficit Reduction Plan 2010-11

Deficit Reduction Option Summary

Deficit Reduction Option Summary

Department		Savings
General Fund - Revenue Enhancements:		
Community Development	$	180,800
Financial & Administrative Services		72,400
Fire		35,200
	$	**288,400**
General Fund - Deficit Reduction Options:		
City Council/City Clerk	$	226,914
City Attorney		390,951
City Manager		524,073
Community Development		348,278
Economic Development		244,578
Financial & Administrative Services		1,837,700
Fire		1,784,772
Human Resources		757,625
Police		3,991,245
Public Works		3,811,755
	$	**13,917,891**
DRO Offsets:		
Financial & Administrative Services	$	(17,900)
Library		(21,840)
Public Works		(32,417)
	$	**(72,157)**
Use of Reserves:		
Non-Department	**$**	**6,000,000**
NET - General Fund	**$**	**20,134,134**
Other Funds - Deficit Reduction Options:		
Financial & Administrative Services ISF - non-General Fund	$	4,105,600
Human Resources ISF - non-General Fund		619,875
Library		212,000
Parks & Community Services		245,200
Total Other Funds:	**$**	**5,182,675**

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City of Moreno Valley

Deficit Reduction Plan 2010-11

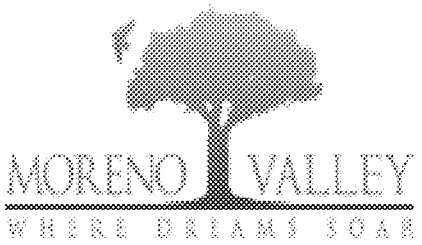

Department DRO Summaries

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary)			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time)			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	2	
Total FTC		2
Part-time (P/T)		
Filled - Lay-off		1
Temporary (Temp)		
Filled - Lay-off		1
Total City Council/City Clerk		**4**

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City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	2	
Filled - Transfer to other funding sources	-	
Vacant	1	
Total FTC		3
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total City Attorney		**3**

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City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position			X			X						37,268	37,268
City Manager Total										**2**					**$524,073**	**$524,073**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	2	
Total FTC		2
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total City Manager		**2**

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City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager @ 62% with a Senior Management Analyst position @ 40%.	X			X								119,289	119,289
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X			1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000
9	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X						60,000	60,000
Community Development Department Total										**1**					**$529,078**	**$529,078**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

MV00056353

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
			DRO Position Summary Listing													
			FTC (Full-time Career)													
			Filled - Lay-off									-				
			Filled - Transfer to other funding sources									-				
			Vacant									1				
			Total FTC										1			
			Part-time (P/T)													
			Filled - Lay-off										-			
			Temporary (Temp)													
			Filled - Lay-off										-			
			Total Community Development										1			

MV00056354

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	-	
Total FTC		-
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Economic Development		**-**

MV00056355

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						243,200	243,200
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off		
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off		
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off		
			Animal Care Technician			X			X	1		FTC	Vacant			
			Office Aide			X			X	1		Temp	Filled	Lay-off		
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

MV00056356

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes			X			X						242,800	242,800
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off		
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
	Financial & Administrative Services Department Total									**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	11	
Filled - Transfer to other funding sources	-	
Vacant	2	
Total FTC		13
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		2
Total Financial & Administrative Services		**15**

MV00056357

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			* **Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.														
	Fire Department Total									**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	11	
Vacant	-	
Total FTC		11
Part-time (P/T)		
Filled - Lay-off		1
Temporary (Temp)		
Filled - Lay-off		-
Total Fire		**12**

April 2010

MV00056358

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review)	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review)	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	-	
Total FTC		-
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Human Resources		**-**

MV00056359

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23)*			X			X						(21,840)	(21,840)
	Library Total									**1**					**$190,160**	**($21,840)**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	-	
Vacant	1	
Total FTC		1
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Library		**1**

MV00056360

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC)	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Closure of Cottonwood Golf Course which will include the defunding of the following positions			X			X						179,200	0
			Golf Course Maintenance Worker			X			X	1		FTC	Filled	Transfer		
			Recreation Aides			X			X	6		Temp	Filled	Transfer		
	Parks & Community Services Department Total									**8**					**$245,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	1	
Vacant	1	
Total FTC		2
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Transfer to other funding sources		6
Total Parks & Community Services		**8**

MV00056361

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						1,198,036	1,198,036
			Motorcycle Officer			X			X		4	FTC	Filled	Transfer		
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer		
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X						921,190	921,190
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer		
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X						921,190	921,190
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer		
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X						920,830	920,830
			Patrol Officer			X			X		4	FTC	Filled	Transfer		
	Police Department Total										**17**				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	-	
Filled - Transfer to other funding sources	17	
Vacant	-	
Total FTC		17
Part-time (P/T)		
Filled - Lay-off		-
Temporary (Temp)		
Filled - Lay-off		-
Total Police		**17**

MV00056362

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24)*		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

MV00056363

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

MV00056364

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer position, thereby leaving one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transportation Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

MV00056365

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 22	Public Works	Transportation Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X						292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X						695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

MV00056366

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
			* **MOE NOTE:** DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.													
Public Works Department Total										**35**					**$3,779,338**	**$3,779,338**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing		
FTC (Full-time Career)		
Filled - Lay-off	6	
Filled - Transfer to other funding sources	18	
Vacant	3	
Total FTC		27
Part-time (P/T)		
Filled - Lay-off		1
Temporary (Temp)		
Filled - Lay-off	3	
Filled - Transfer to other funding sources	-	
Vacant	4	
Total Temporary		7
Total Public Works		**35**

MV00056367

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
Non-Department Total															**$6,000,000**	**$6,000,000**

MV00056368

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
GRAND TOTAL CITY-WIDE										**70**	**28**				**$25,316,809**	**$20,134,134**

City - DRO Position Summary Listing

FTC (Full-time Career)		
Filled - Lay-off	19	
Filled - Transfer to other funding sources	19	
Vacant	13	
Total FTC		51
Part-time (P/T)		
Filled - Lay-off		3
Temporary (Temp)		
Filled - Lay-off	6	
Filled - Transfer to other funding sources	6	
Vacant	4	
Total Temporary		16
TOTAL CITY		**70**

Contract (Police & Fire) - DRO Position Summary Listing

FTC (Full-time Career)		
Fire - Filled - Transfer to other funding sources	11	
Police - Filled - Transfer to other funding sources	17	
Total FTC		28
TOTAL CONTRACT (Police & Fire)		**28**

MV00056369

City of Moreno Valley

Deficit Reduction Plan 2010-11

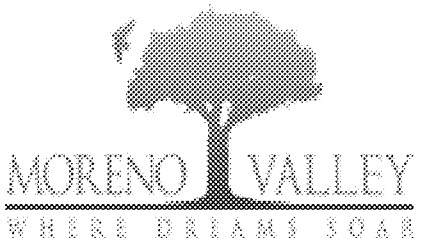

Proposed DRO Offsets

Proposed DRO Offsets

To help mitigate the service level impacts of three (3) DROs, should the City Council direct staff to implement them, associated DRO Offsets are proposed to reinstate partial funding for these items, as follows:

Department: Financial & Administrative Services
DRO No. 12-a *(page 8)*
Description: Funding for one (1) Temporary, Part-Time Animal Control Officer (ACO) should a filled Full-Time Career ACO position be defunded
General Fund Cost: $17,900

Animal Control Officers (ACOs) play a critical role in providing public safety services to the community. These unique essential services include responding to and removing threats posed by potentially dangerous and vicious animals, removing high-risk rabies carriers, and conveying rabies specimens to the Riverside County Public Health's Laboratory. In addition, Animal Control Officers respond to sick and injured stray animals, place biting animals under quarantine, investigate allegations of animal abuse and neglect, along with responding to a variety of routine animal nuisance complaints. Animal Control Officers are a major component of the Field Services section of the Animal Services Division and are a 24/7 operation responsible to effectively respond to service requests and emergency calls through the operation of a night truck every evening.

Defunding one full-time Animal Control Officer position and one part-time temporary Animal Control Officer will reduce the field response staff from our current staffing level of 7 authorized Animal Control Officers (6 full-time and 1 temporary part-time) to a staffing level of 71% or 5 full-time ACOs. The specific areas of concern with a workforce reduction for this work unit are diminishing the field service coverage, resulting in routine service requests being carried over to the next day, thereby extending response times for both routine and emergency traffic. Additionally, by having fewer ACOs to work the night truck, any further workforce reduction could result in increased fatigue among remaining officers, which may diminish effectiveness and increase the chances of injury.

Hiring a part-time temporary Animal Control Officer at an hourly rate of $17.82, Grade C-15, Step A of the ACO Salary Schedule, for the allowable temp total not to exceed 960 hours during FY 10-11 totals $17,900. This will provide 19 hours per week to provide a reasonable response, minimizing the need to carry over routine service requests, thus maintaining a reasonable level of response times to all service requests, as well as providing an additional ACO to participate in the night truck rotation.

Cost summary of DRO Offset:

Salaries	$17,900
Employee Benefits	--
Services	--
Supplies	--
Capital Outlay	--
Total Expenditures	**$17,900**

MV00056371

Department: Library
DRO No. 3-a *(page 12)*
Description: Funding for one (1) Temporary, Part-Time Librarian should the vacant Full-Time Career Librarian position be defunded
FY 2010-11 Cost: $21,840
General Fund Cost: $21,840 (General Fund Subsidy to CSD Zone L)

Librarians provide unique services, such as reference, cataloging, collection development, and children's and teen programming, that other staff is not qualified to provide.

Defunding one full-time Librarian position will reduce the staff to four full-time Librarians. The Library is open 53 hours a week. At least one Librarian needs to be on duty during all open hours, plus one hour before opening to supervise cash handling, computer and copier start-ups, and other opening duties, for a total of 58 hours a week. The Librarians should cover three service points per hour and provide storytimes 4-6 hours a week. The ideal Librarian service coverage should be approximately 170 hours a week.

The five Librarians have been providing approximately 109 hours a week of the above coverage. Reducing one Librarian will mean a reduction of 36 staff hours per week, of which approximately 21 hours were service coverage hours. This will lower coverage to 88 hours per week, which will impact the service level to patrons.

Hiring a part-time temporary Librarian at an hourly rate of $22.75, which is Step A of the Librarian Salary Schedule, for the allowable temp total of 960 hours for one year would total $21,840. This would add approximately 18 hours a week to the Reference desk coverage, bringing the covered hours back up to approximately 106 hours a week.

Additionally, if Librarians are not available to assist citizens to find and reserve the materials they need, they may not utilize the Library's services. This could reduce the Library's circulation, thereby possibly reducing one revenue fund provided by the State Library. A part-time Librarian to keep the service hours close to current levels may help keep the circulation, and therefore the revenue, from reduction.

Cost summary of DRO Offset:

Salaries	$21,840
Employee Benefits	--
Services	--
Supplies	--
Capital Outlay	--
Total Expenditures	**$21,840**

MV00056372

Department: Public Works
DRO No. 3-a *(page 15)*
Description: Funding for two (2) Temporary, Part-time Laborers should the vacant Full-Time Career Maintenance Worker II position be defunded
FY 2010-11 Cost: $32,417
General Fund Cost: $32,417

As part of the Public Works Department's DRO submittal, a DRO (DRO No.3) is proposed to defund (1) vacant Maintenance Worker II position (Position No. 0351) on the Catch Basin Maintenance Crew. Catch Basin Maintenance requires a two-person crew to monitor and clean the City's storm water drainage system, including 1,900 catch basins City-wide. This program is required to ensure that the City is in compliance with its National Pollutants Discharge Elimination Systems (NPDES) requirements.

If Public Works DRO No. 3 is implemented, it will result in a one-person Catch Basin Crew, which is not feasible from an operational and safety standpoint. This DRO Offset proposes to fund two (2) Temporary, Part-Time Laborers, with each working approximately 960 hours/year, to replace the (1) career full-time Maintenance Worker II position. This will allow continued operation of crew functions and maintenance of existing service levels, although in a less effective manner than the current operation. The Catch Basin Maintenance Crew will be less effective due to the loss of a second crewmember with a commercial driver's license, which is required to drive the commercial vacuum truck operated by this crew. (Maintenance Worker II classification requires a Class B commercial driver's license; Labor classification requires only a Class C general driver's license). All required driving will be performed by a second crewmember, an Equipment Operator, and no back-up will exist for driving the commercial vacuum truck.

A comparison of the fully burdened personnel costs of the vacant Maintenance Worker II versus the (2) Temporary, Part-Time Laborers is $71,300 versus $32,400. This DRO Offset is only necessary if the associated Publics Works DRO No. 3 is implemented.

Cost summary of DRO Offset:

Salaries	$32,417
Employee Benefits	--
Services	--
Supplies	--
Capital Outlay	--
Total Expenditures	**$32,417**

MV00056373

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

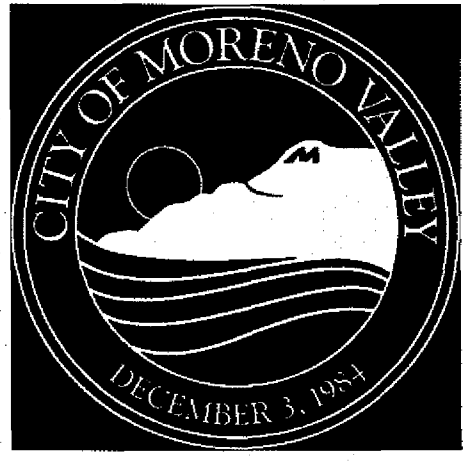

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00056379

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

MV00056380

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00056381

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

MV00056382

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00056383

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

MV00056384

COMPLETED PROJECTS
FY 2009-2010

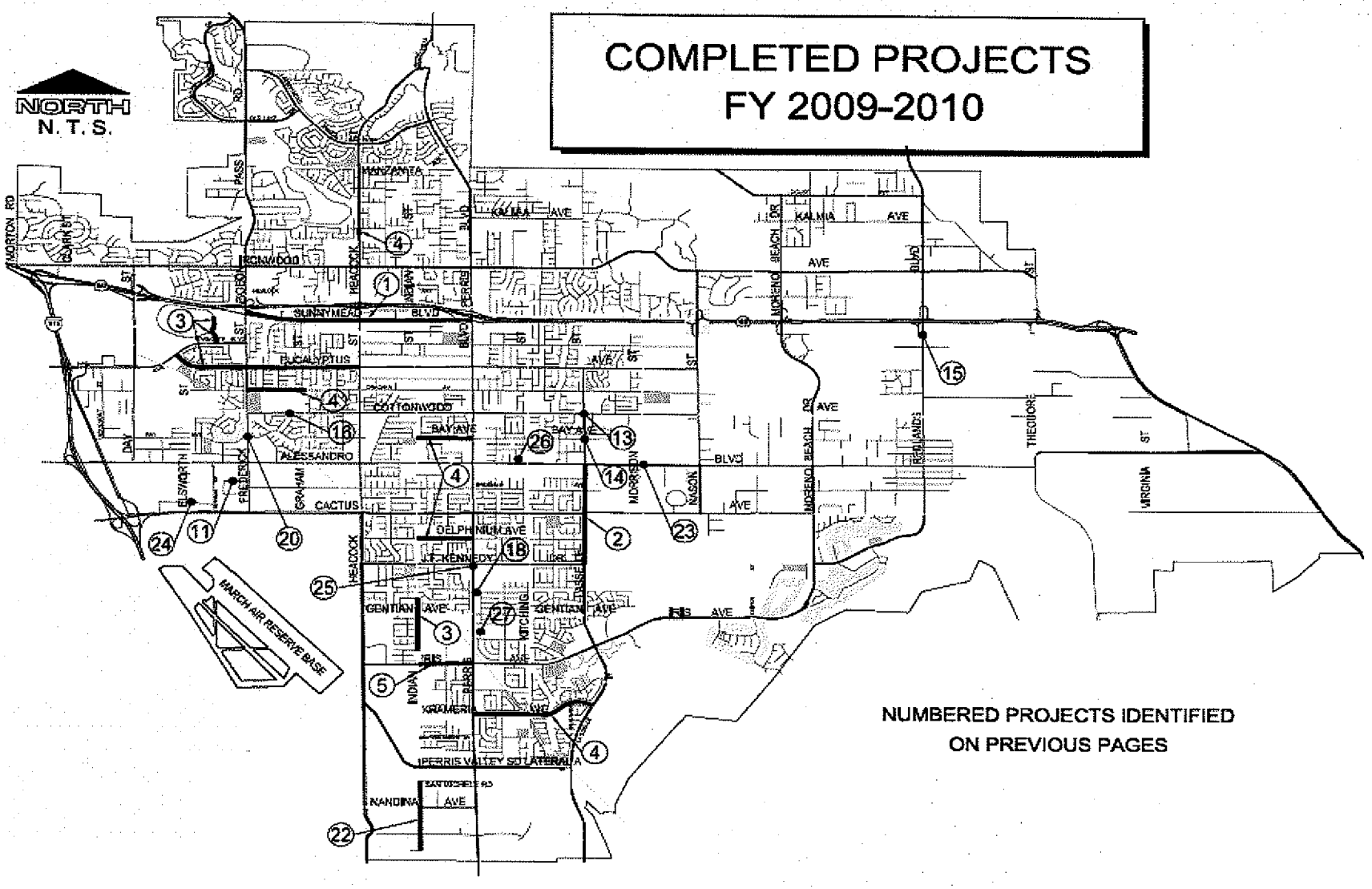

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

MV00056385

Completed Projects FY 2009-2010

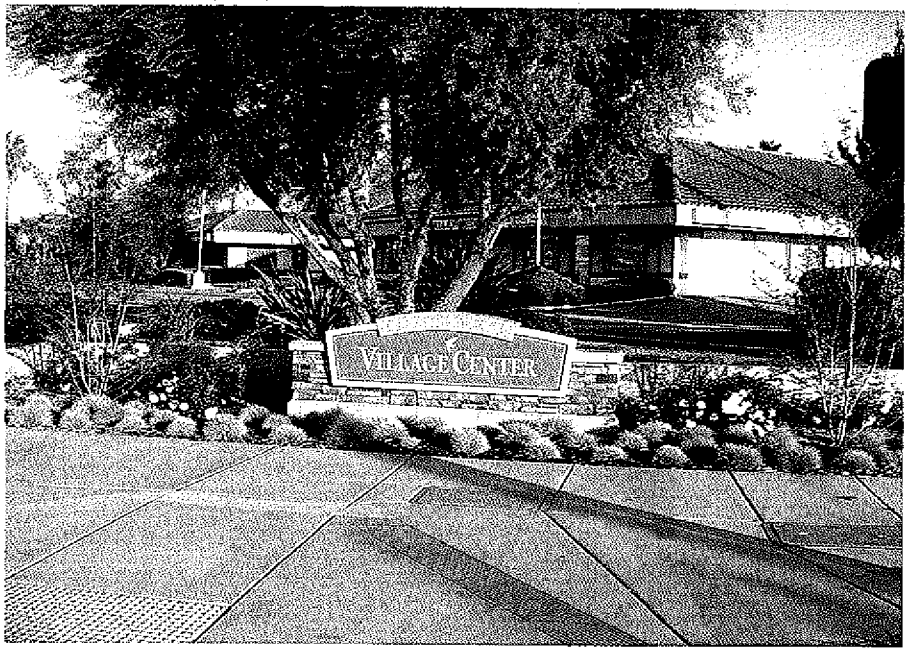

Sunnymead Boulevard from Frederick Street to Perris Boulevard

MV00056386

Completed Projects FY 2009-2010

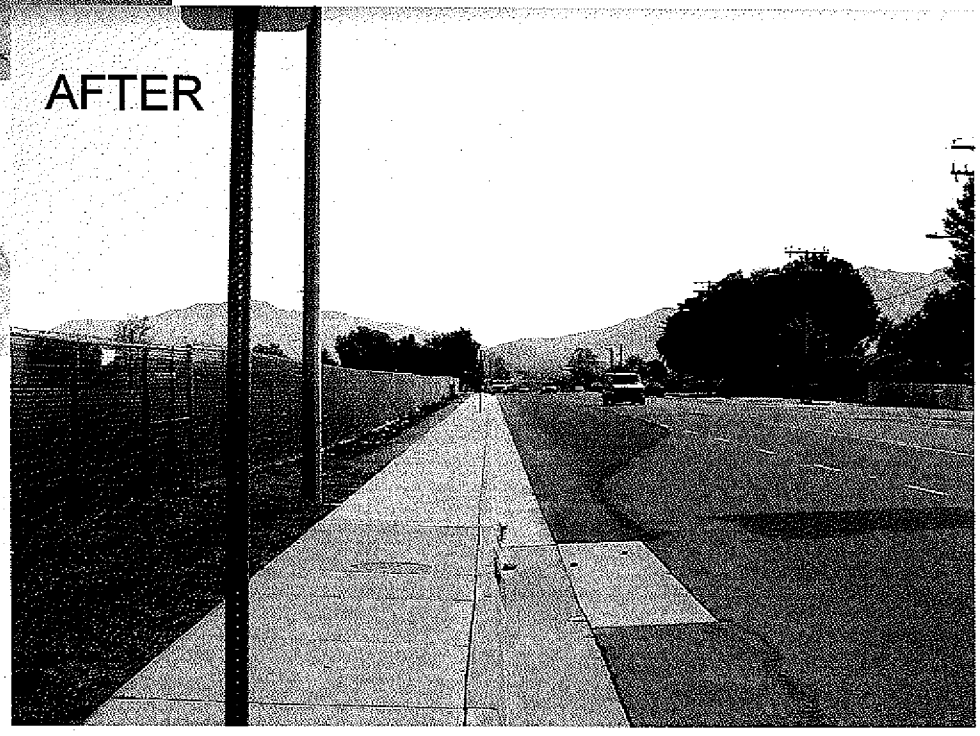

Iris Avenue from Indian Street to Perris Boulevard

MV00056387

Completed Projects FY 2009-2010

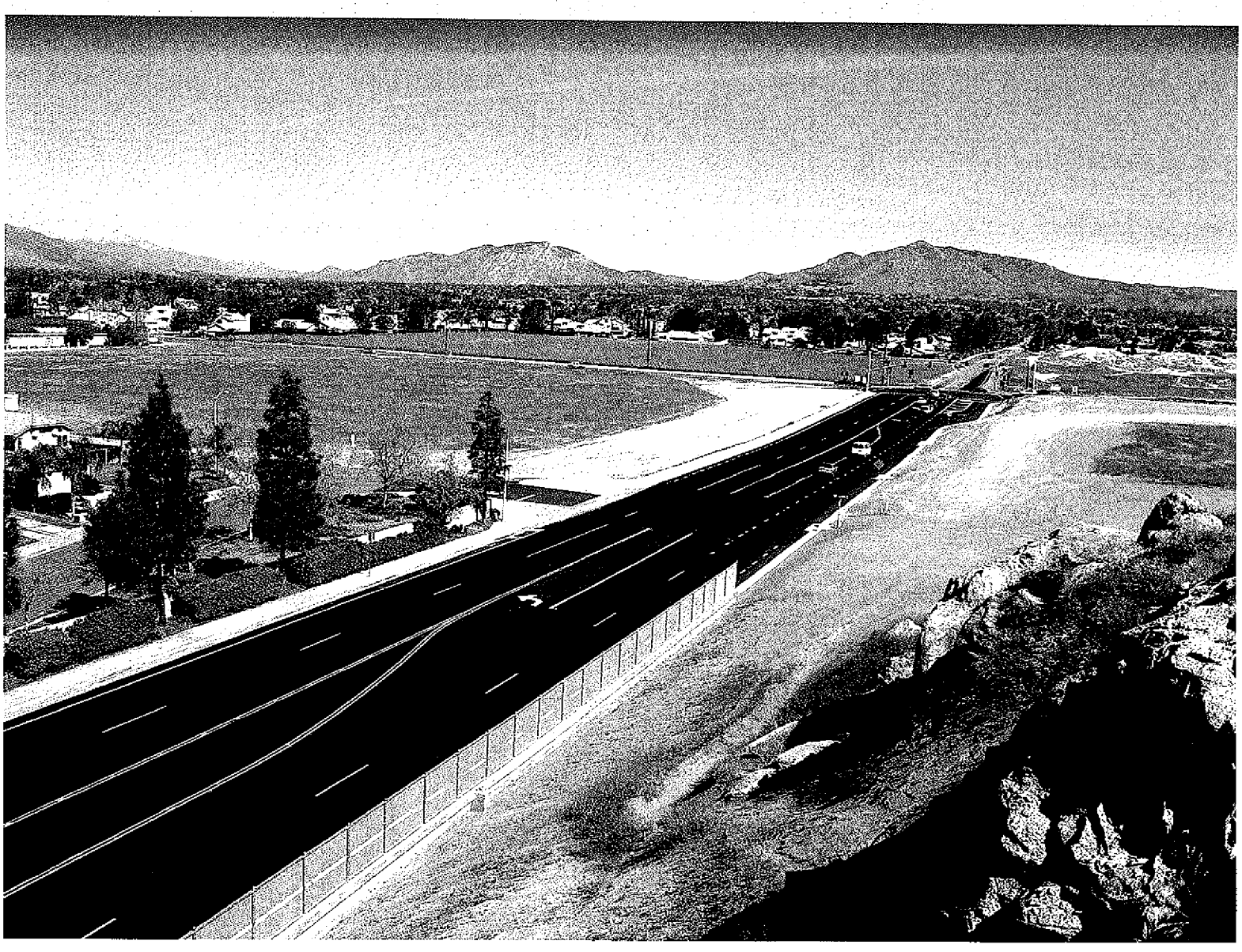

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

MV00056388

Completed Projects FY 2009-2010

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00056389

Completed Projects FY 2009-2010

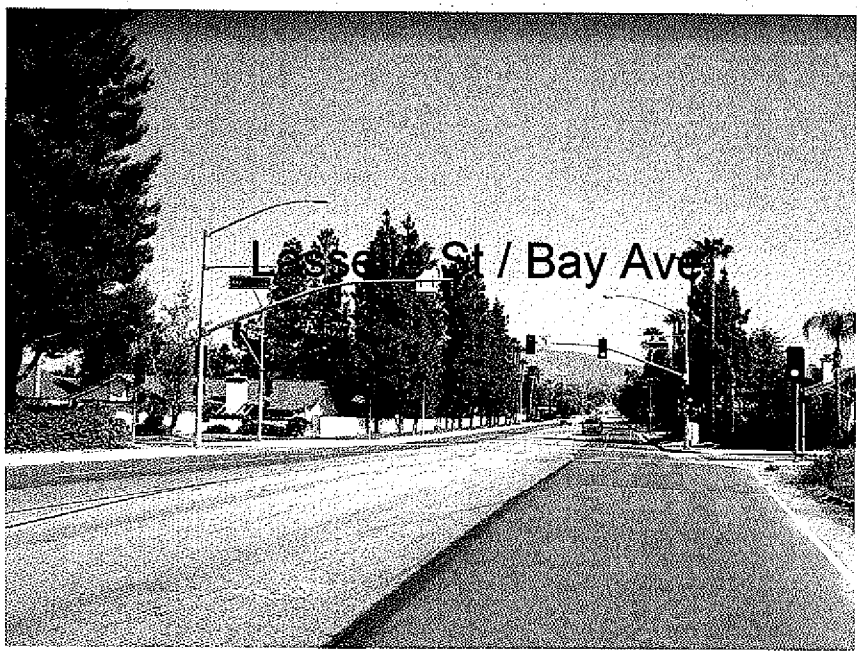

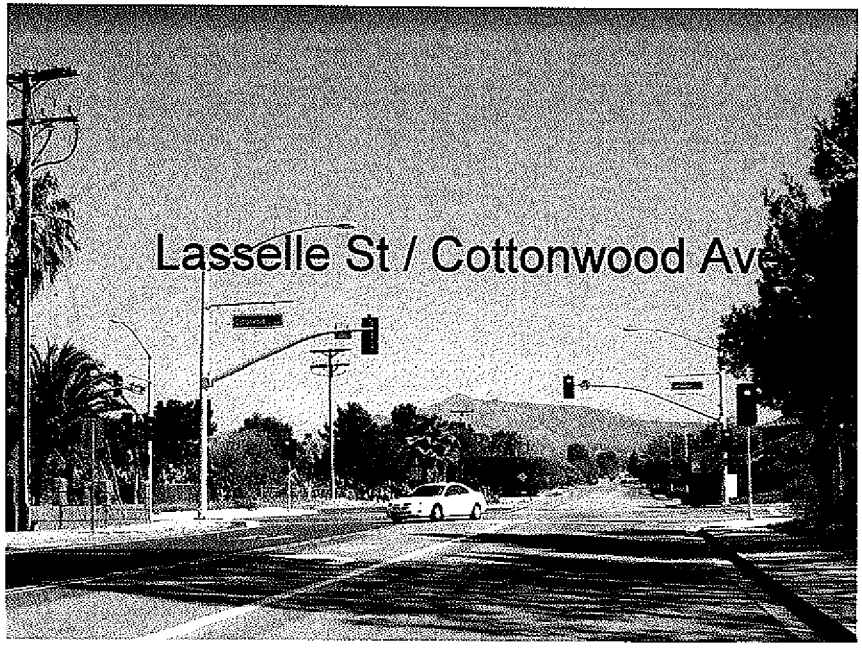

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

MV00056390

Completed Projects FY 2009-2010

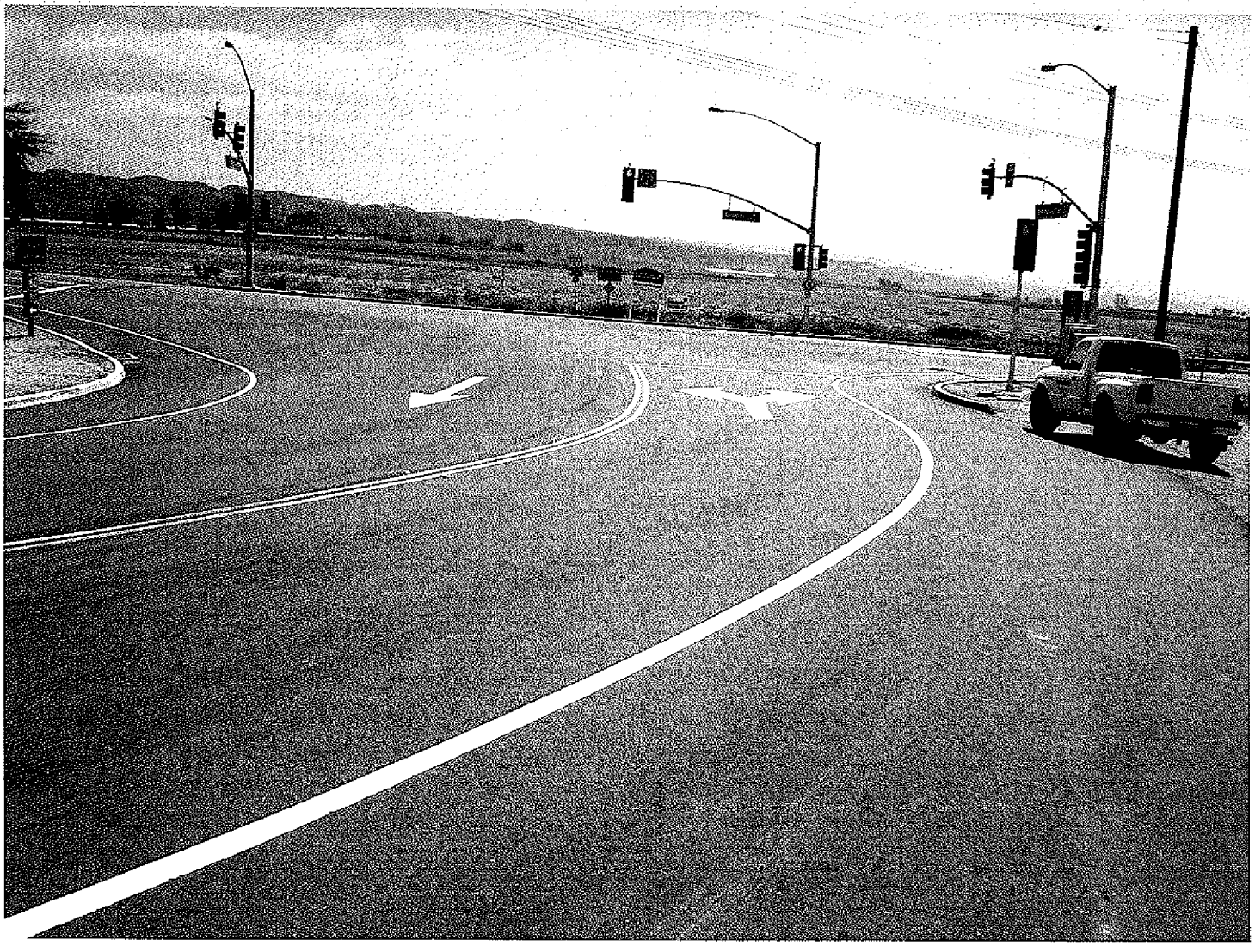

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

MV00056391

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

MV00056392

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00056393

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

MV00056394

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00056395

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

MV00056396

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00056397

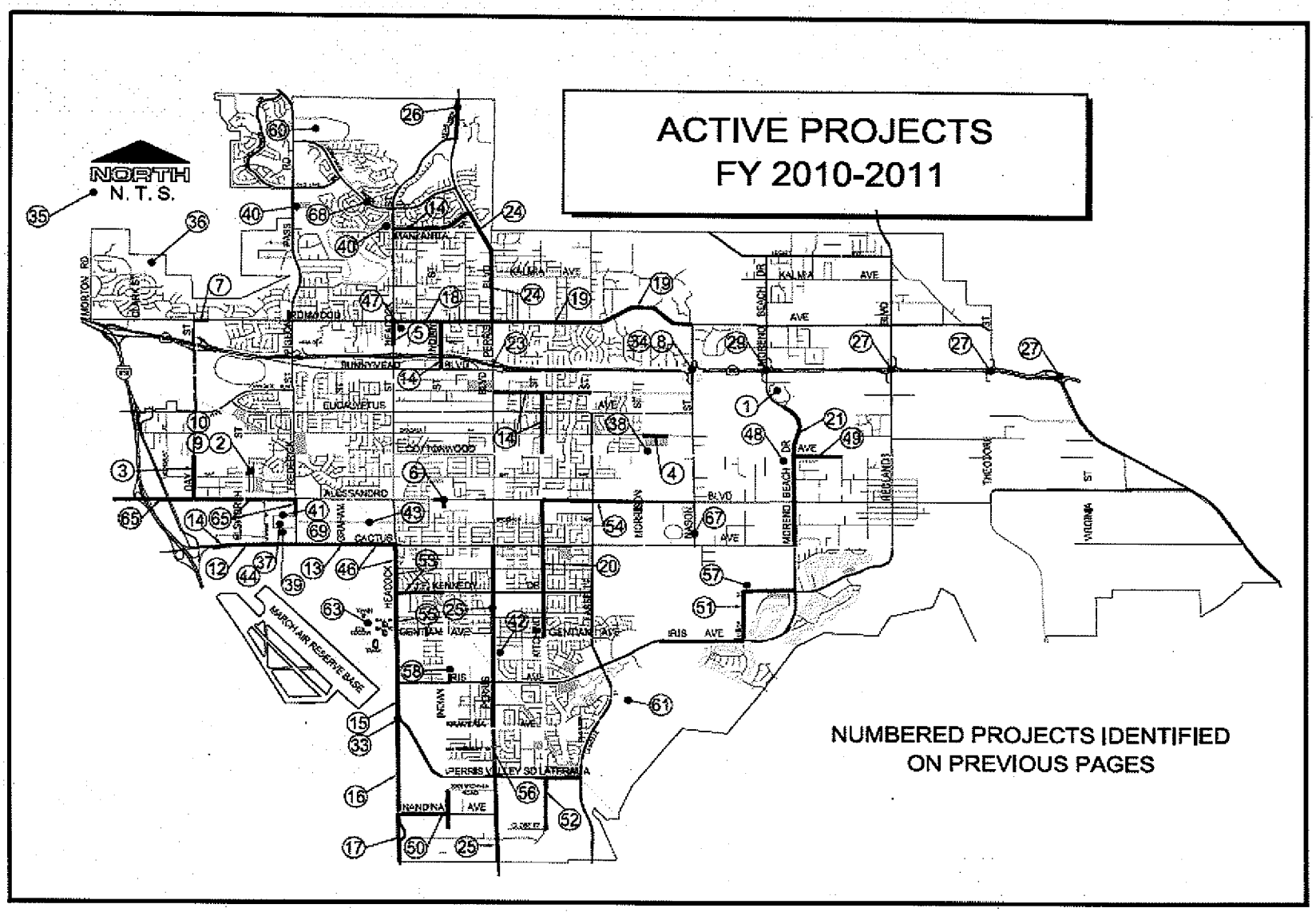
ACTIVE PROJECTS
FY 2010-2011
NORTH
N.T.S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
PERRIS VALLEY SD LATERAL A

MV00056398

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00056399

Active Projects FY 2010-2011

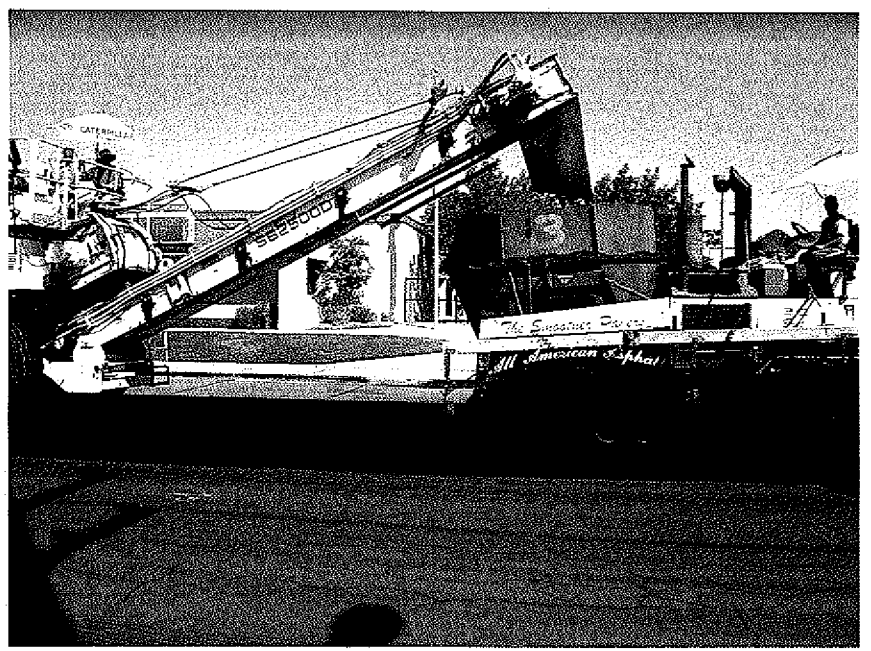

Citywide Annual Pavement Resurfacing Program

MV00056400

Active Projects FY 2010-2011

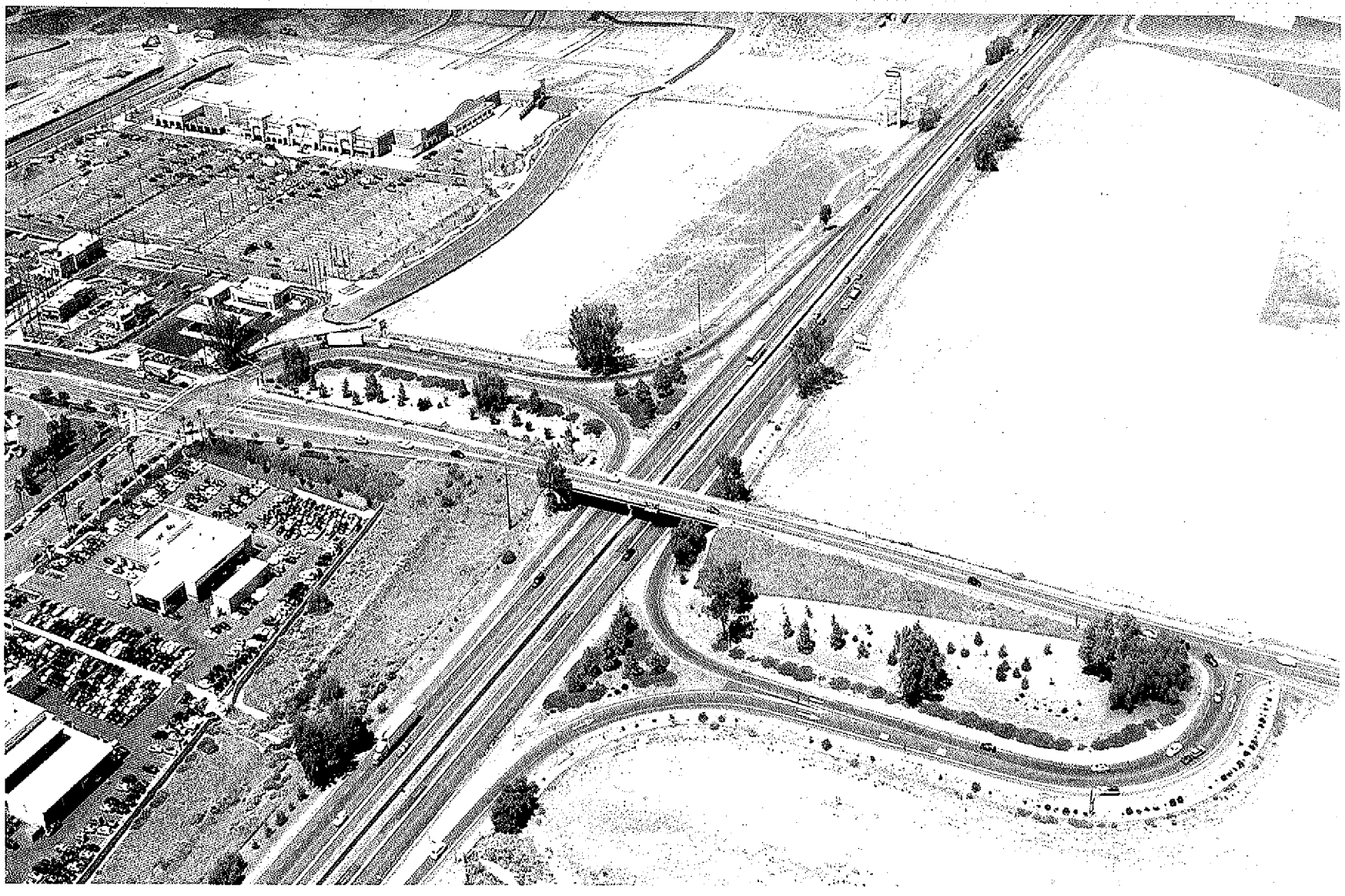

SR-60 / Moreno Beach Drive Interchange

MV00056401

Active Projects FY 2010-2011

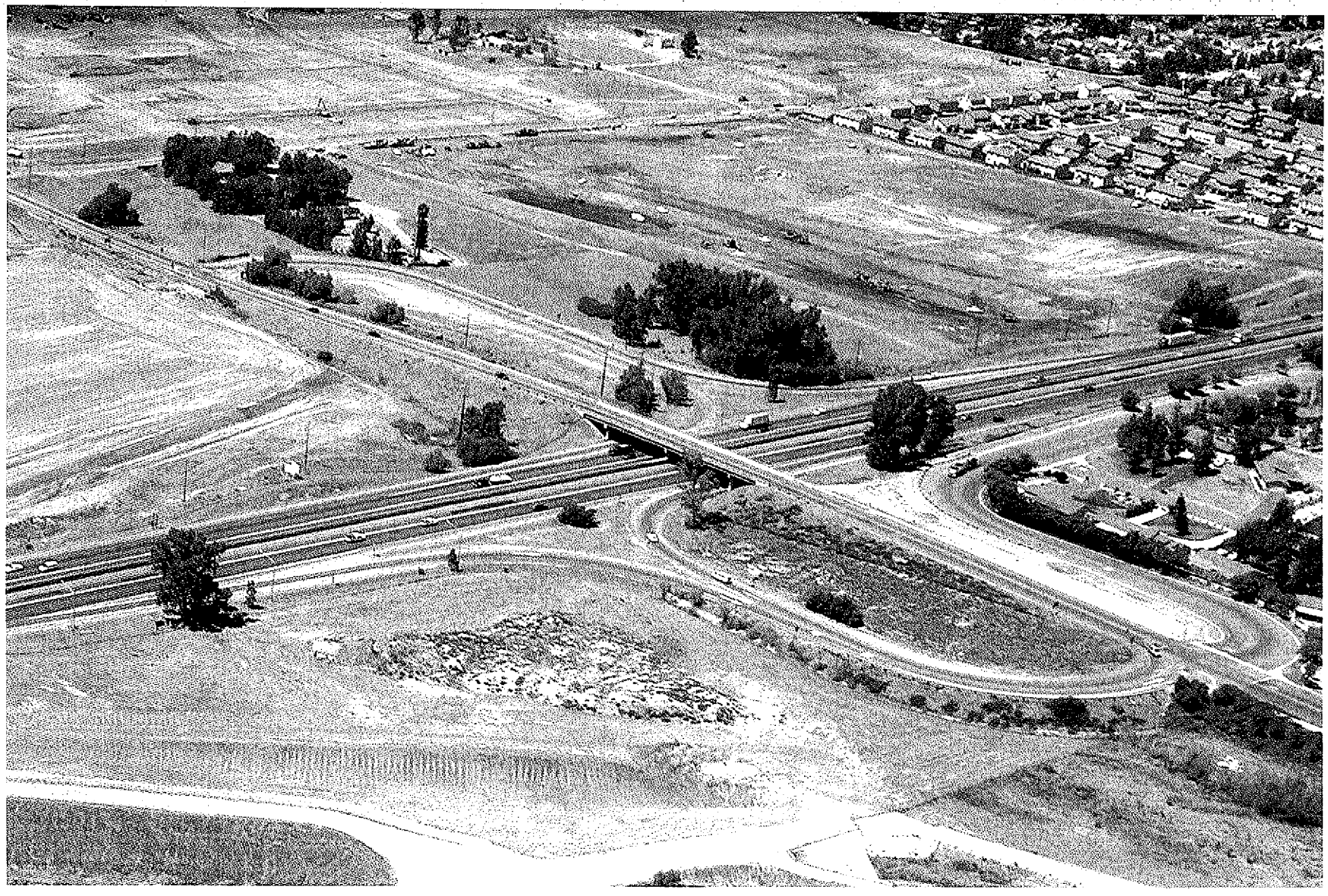

SR-60 / Nason Street Interchange

MV00056402

Active Projects FY 2010-2011

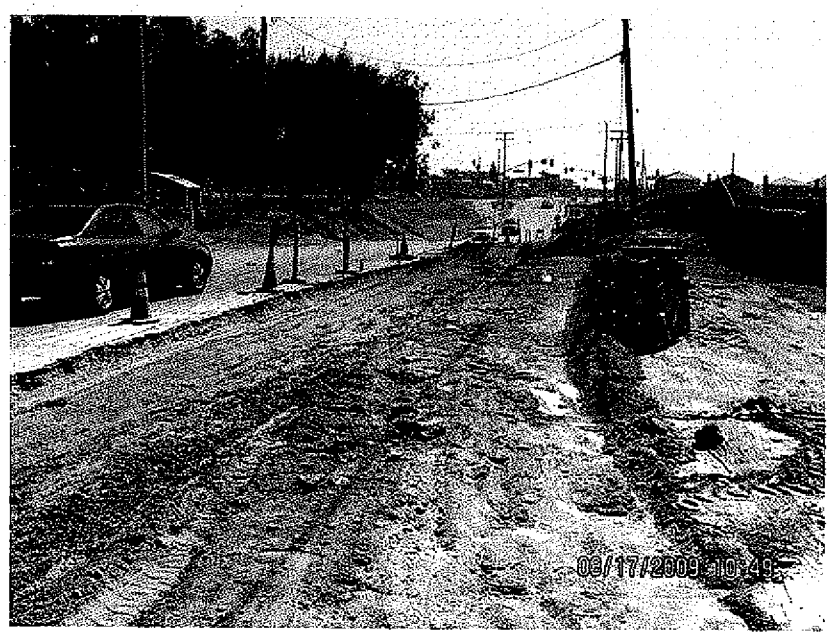

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00056403

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

MV00056404

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00056405

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

MV00056406

NEW PROPOSED PROJECTS
FY 2010-2011

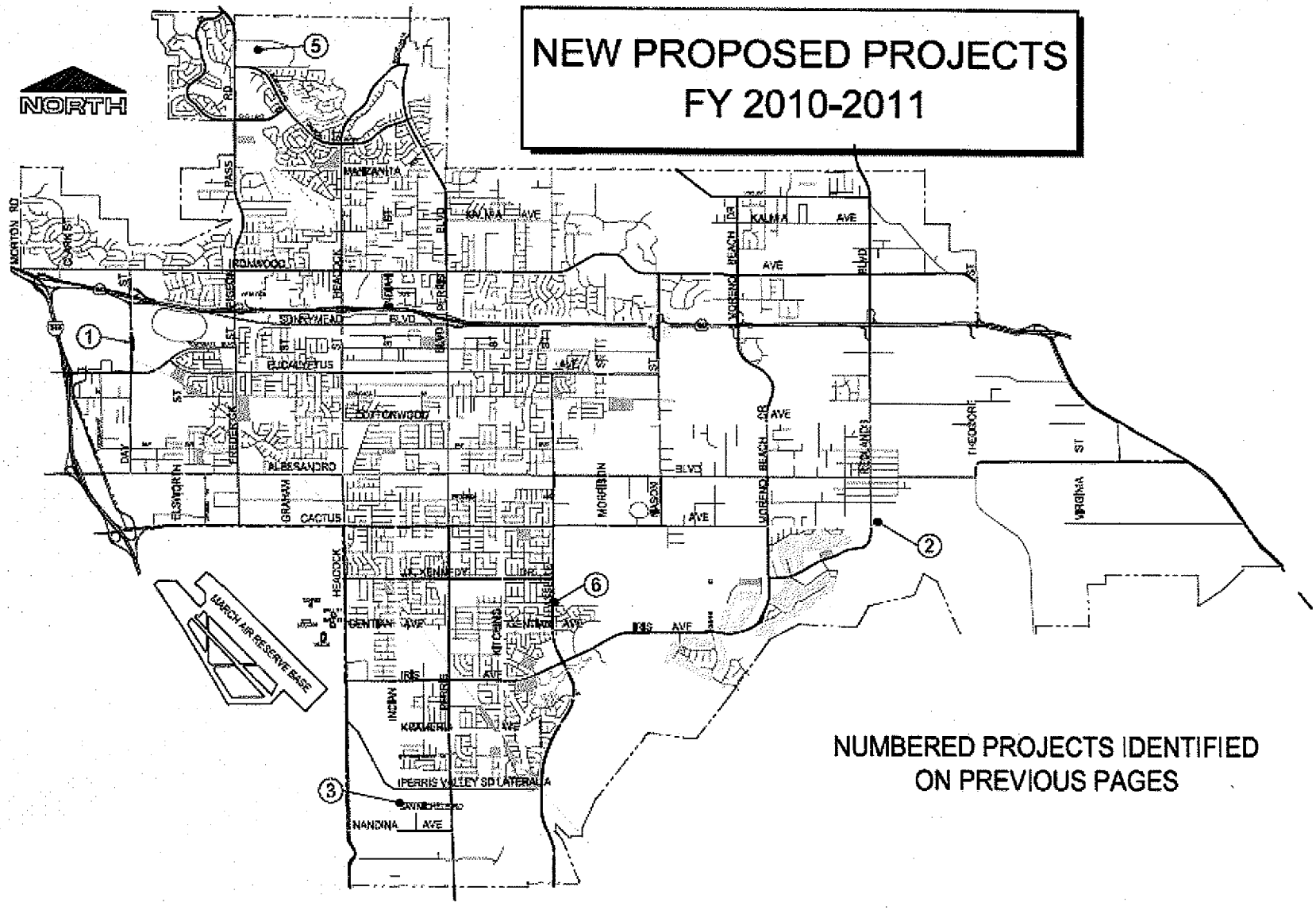

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

MV00056407

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

MV00056408

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

MV00056409

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

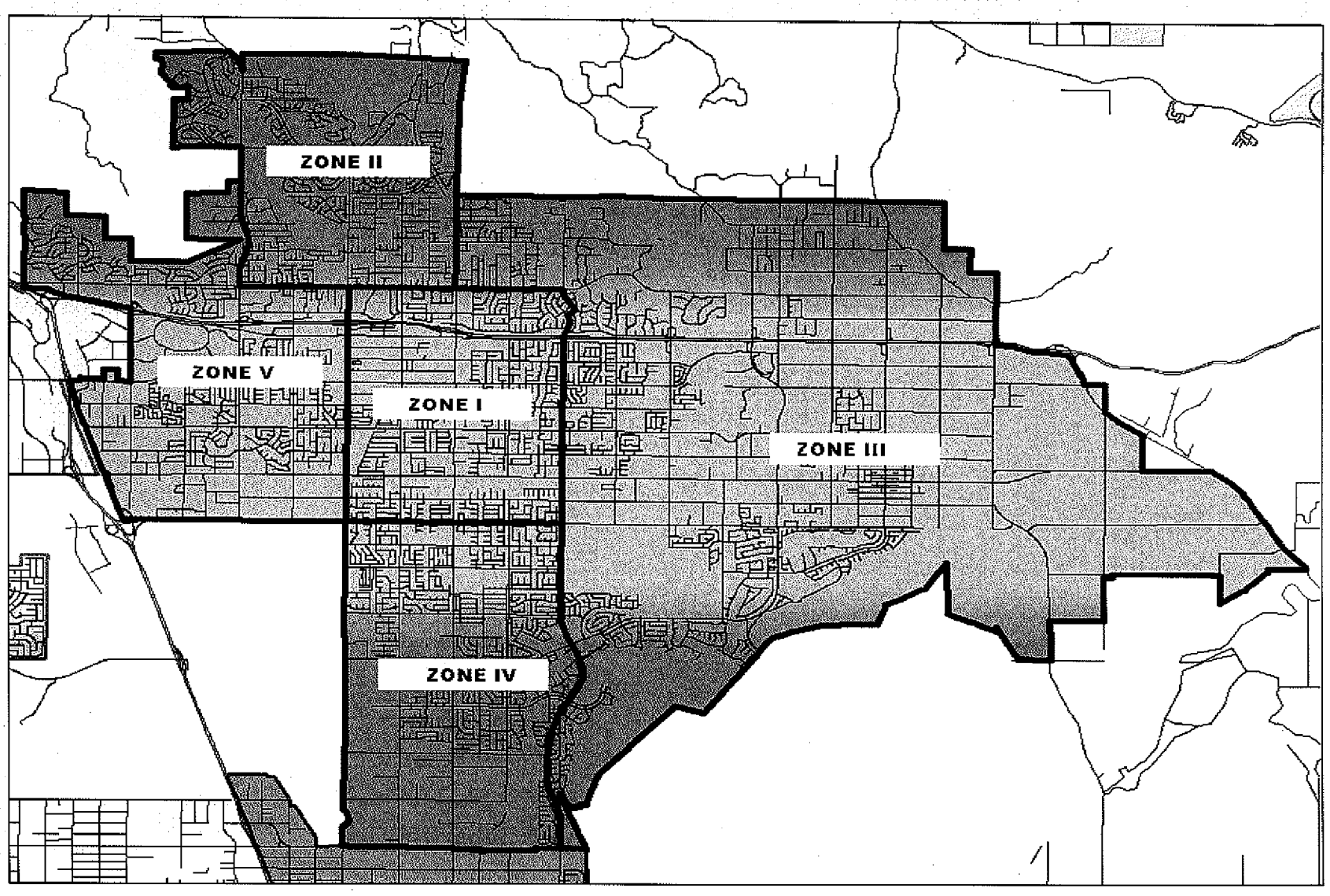

MV00056410

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

MV00056411

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

MV00056412

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00056413

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

MV00056414

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00056415

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

MV00056416

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00056417

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

MV00056418

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00056419

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

MV00056420

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE MORENO VALLEY MUNICPAL CODE RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing offenses and amending Section 6.04.080 relating to notice of nuisance violations.

BACKGROUND

Staff has reported an increase over the past two years of incidents related to trespassing and drinking in public. Trespass is currently regulated by Section 602 of the California Penal Code. However, the various sections of the penal code do not provide a comprehensive approach to general trespass on private property. As a result of the fact specific nuances of state trespassing laws, very few instances of what is commonly thought to be trespassing actually is enforceable under state law.

Likewise, state law deals with intoxication in public but requires a very specific set of facts in order to convict for public intoxication. Moreno Valley currently does not have

any laws to prevent or restrict the consumption of alcohol in public, even when such consumption does not rise to the level of public intoxication.

Reports of increased public nuisance activity related to trespass and drinking have increased. These reports include trespassing and holding parties in vacant, abandoned or foreclosed properties, skateboarding in business parking lots, loitering and drinking at liquor stores, especially those associated with an attached or nearby recycling center.

DISCUSSION

In order to combat some of these nuisance conditions, the City Attorney's Office was asked to create new ordinance addressing trespassing and drinking in public. The proposed ordinance is laid out in three sections. The first section prohibits the drinking of an alcoholic beverage on or within public places, including streets and sidewalks. The penalties for drinking in public can range from a $100 Administrative Citation up to a misdemeanor violation for repeat offenders with maximum penalties of a $1,000.00 fine and up to six months in jail. The act of possessing an open container of alcohol (without drinking) constitutes a lesser charge with a maximum penalty of $500 and no jail time.

The second proposed section addresses trespassing on private property. A violation of this section constitutes a misdemeanor as well and may be enforced through Administrative Citations of a criminal complaint. Trespassing is prohibited on properly posted property or upon property where the owner, or the owner's agent, has asked an individual to remove himself therefrom and that person refuses to leave. A property owner can provide a written authorization to the police department to act as there agent to remove trespassers from their property. This could be used by banks to allow officers to remove and/or arrest individuals trespassing in vacant homes as well as by business entities that have recurring problems with unauthorized persons using their facilities or parking lots.

The third section relates to trespassing on publicly owned property. It allows for the "banning" of certain individuals who violate the law, rule or policy of a public park or facility for up to one year. The failure of a banned individual to remove himself from the property or his subsequent return would constitute a trespass violation. Both trespass sections provide exceptions for statutorily or constitutionally protected activity such as labor picketing or anti-discrimination provisions.

Additionally, it has been discovered that current code provisions relating to providing notice of code violations require service of the notice personally or by mailing and posting the subject property where the nuisance is occurring. The proposed ordinance changes this language to provide that notice may be service personally, mailed to the property owner, or posted on the subject property. This provides a more economical approach and ensures that affected property owners will receive the proper notice.

These new tools will provide the police department the ability to quickly and easily enforce these local crimes without the burdens imposed by the state law. Furthermore, these violations will be prosecuted and tracked by the City Attorney's Office. This allows the City to track repeat violators and ensure that proper penalties, restitution, stay away orders and other terms of probation are in effect against repeat offenders.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinance for adoption. The ordinance would take effect thirty-one (31) days after adoption.

2. Direct staff to make changes to the ordinance and return to City Council on a later date with a revised Ordinance.

3. Take no action.

FISCAL IMPACT

No significant fiscal impacts are projected although some additional revenue will be realized through fine collection.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

ATTACHMENTS/EXHIBITS

1. Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

Prepared by: Paul J. Early, Deputy City Attorney III

Department Head Approval, Robert L. Hansen, City Attorney

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

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00056430

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 11, 2010

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal")
2) Proposed Resolution Adopting the Rancho Belago Sign Program

Prepared By:

Kyle Kollar
Interim Director of Community Development

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

ATTACHMENT 1

MV00056434

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor

28432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00056435

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

MV00056436

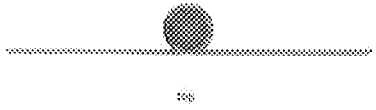

top

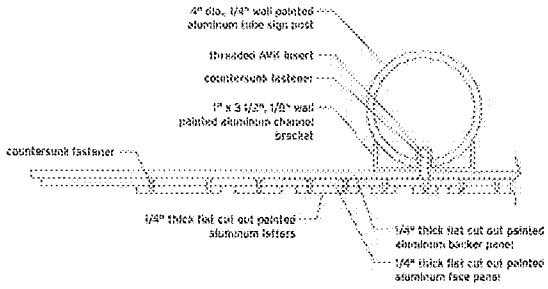

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

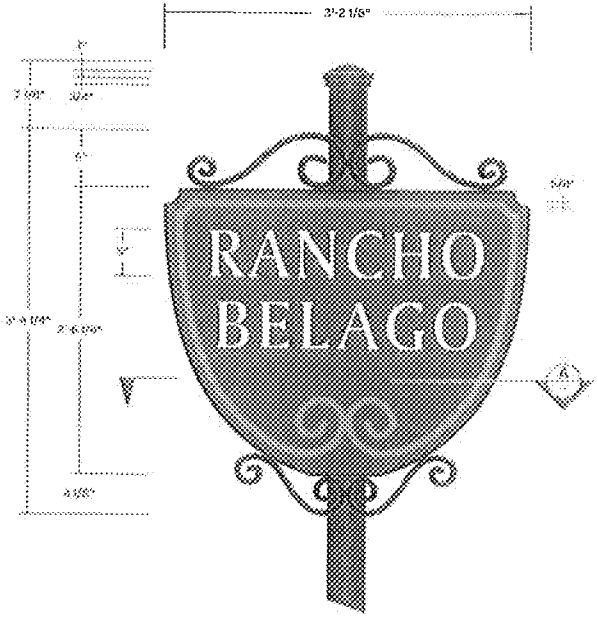

front

side

2 Details

Scale: 1" = 1'-0"

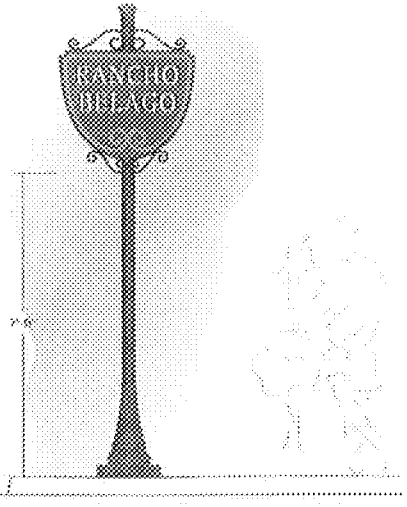

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV00056437

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26632 Lake Mission Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

MV00056438

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

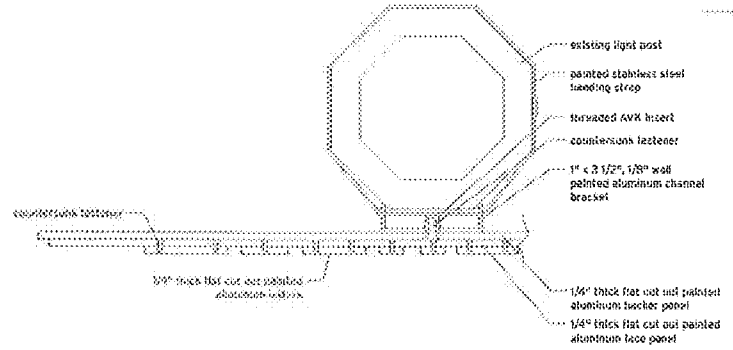

A Details

Scale: 3" = 1'-0"

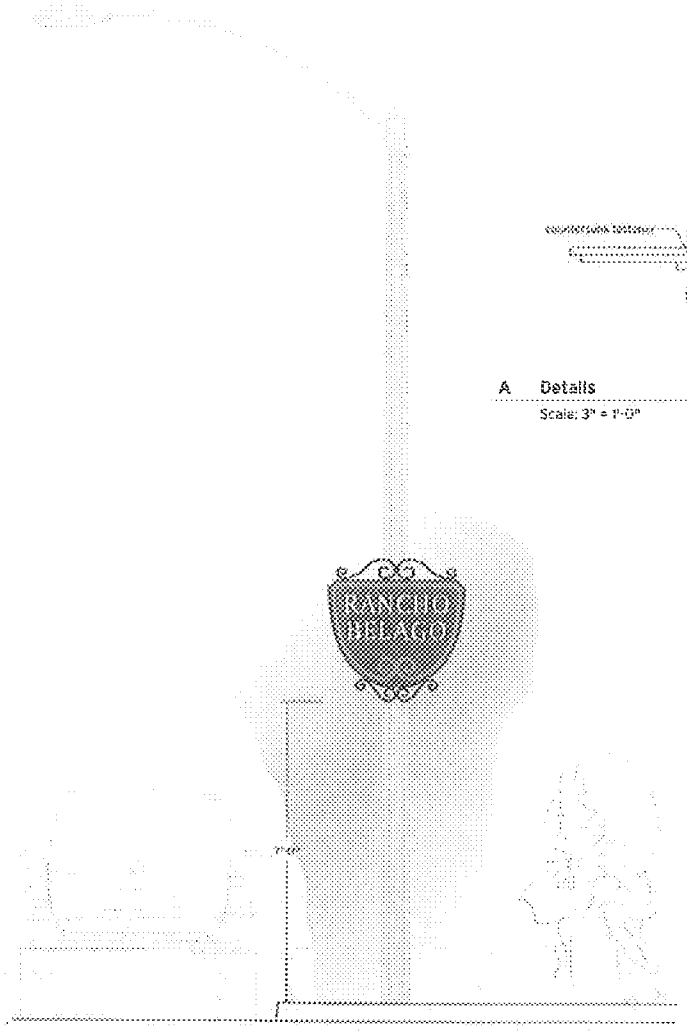

1 Elevation

Scale: 3/8" = 1'-0"

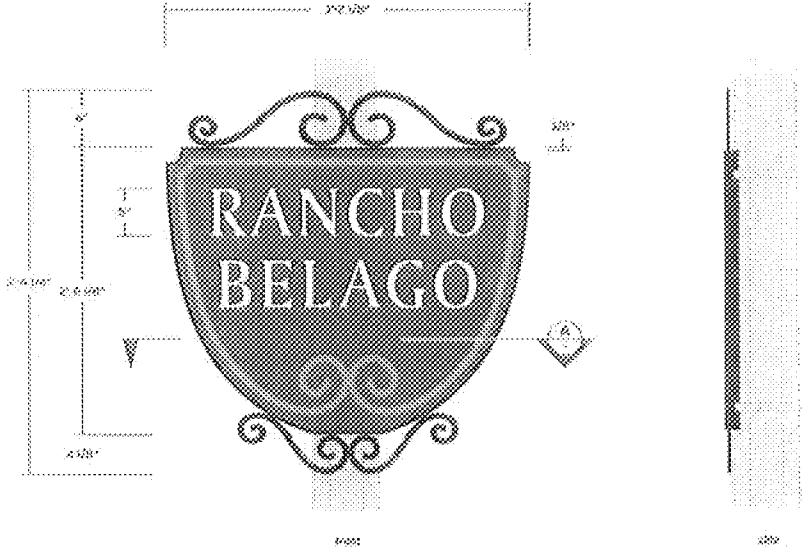

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

MV00056439

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alisras Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belagio
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

MV00056440

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

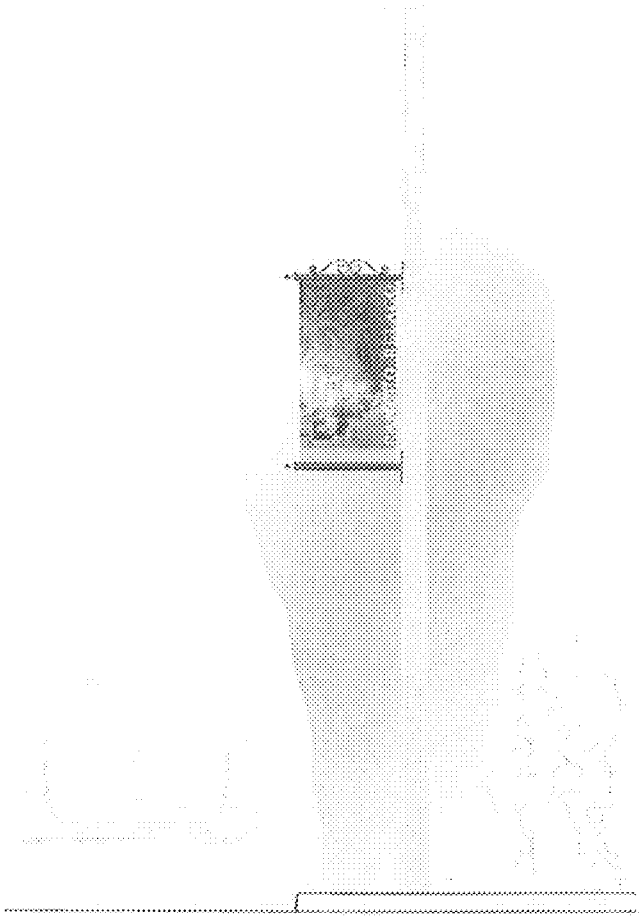

1. Elevation

Scale: 3/8" = 1'-0"

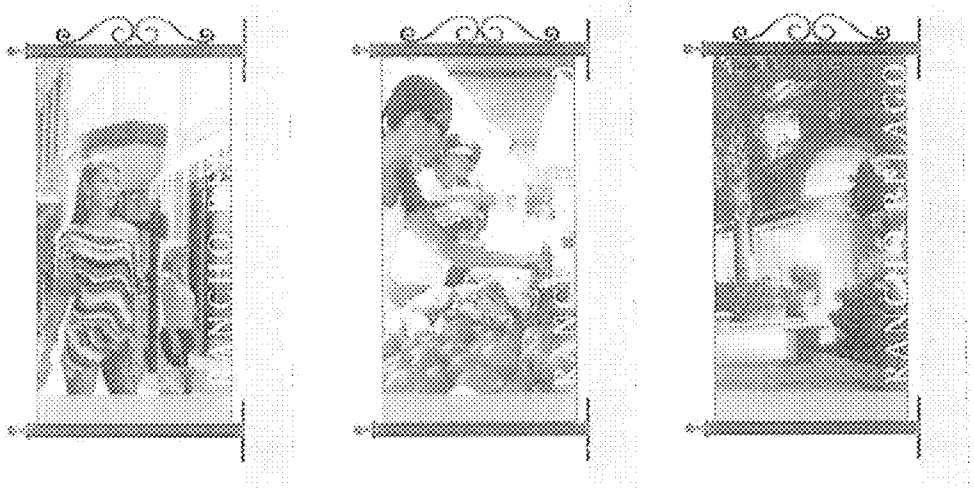

2. Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2862

Project
Rancho Delago
Community Signage

Sign Type 3:
Light Pole Mounted Community Identification Banners

Drawing
RB - 3.0

Date
06-10-07

MV00056441

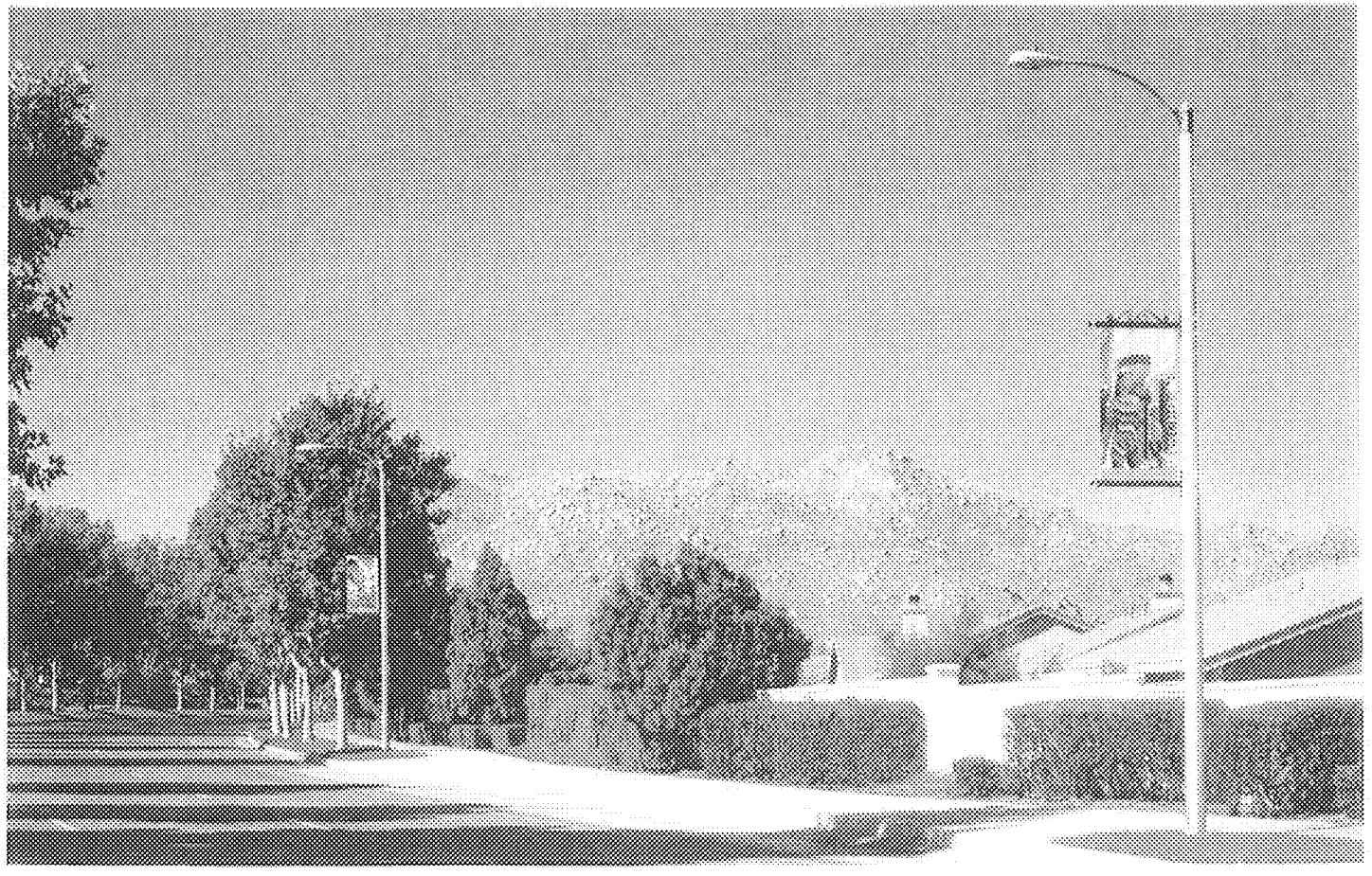

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Lake Alicia Avenue
Laguna Hills, CA 92653
(949) 350-5750
Fax (949) 642-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners :
Photo Simulation

Sheet Number
RB - 3.1

Date
06-10-07

MV00056442

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	20
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	10

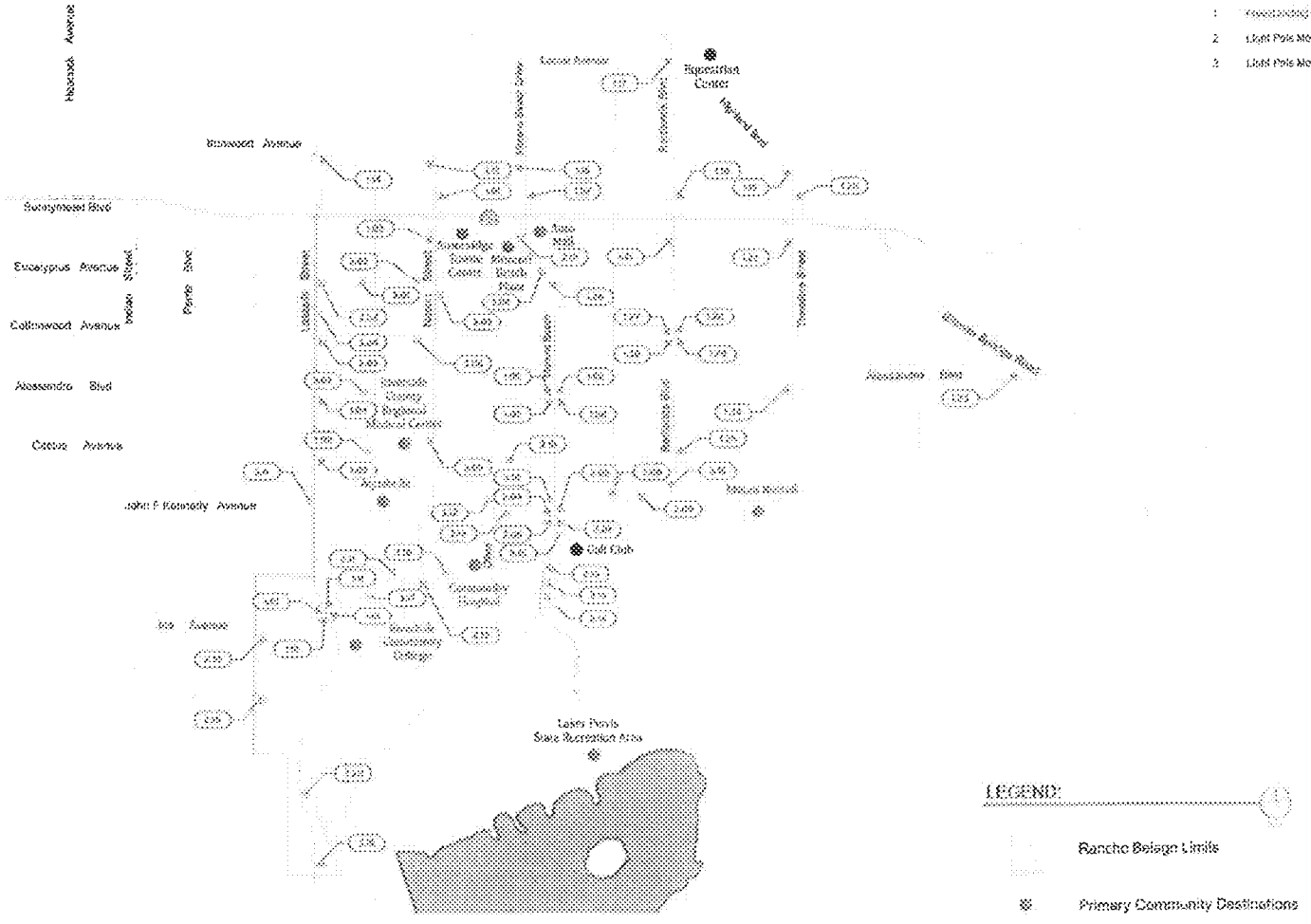

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Los Alamos Avenue
Laguna Hills, CA 92653
(949) 380-5750
Fax: (949) 6[illegible]

Project
Rancho Belago
Community Signage

Sheet Title
Community Identification Sign
Location Plan

Sheet Number
RB-SP 1

Date
08-10-07

MV00056443

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

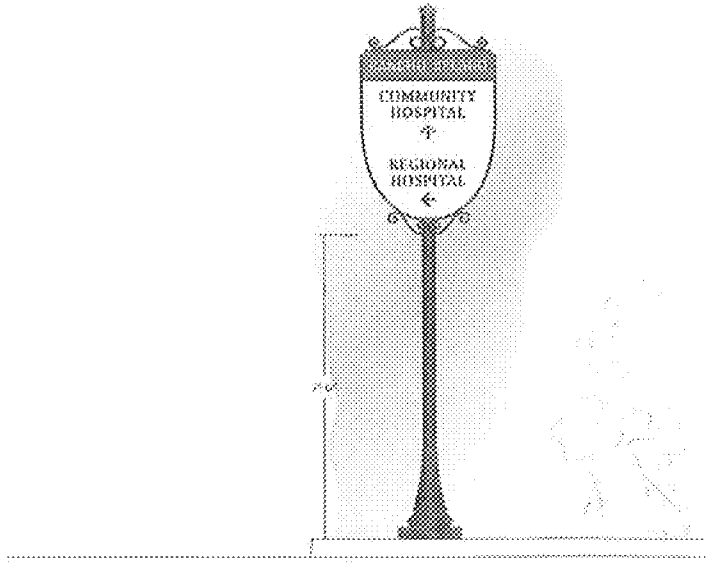

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2652

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

MV00056444

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26437 Los Alisos Avenue
Laguna Niguel, CA 92653
(949) 360 5750
Fax: (949) 543 2853

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00056445

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26422 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2663

Owner
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

MV00056446

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-9750
Fax (949) 643-0651

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type S:
Light Pole Mounted Community
Activity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00056447

Residential Product Directional Sign

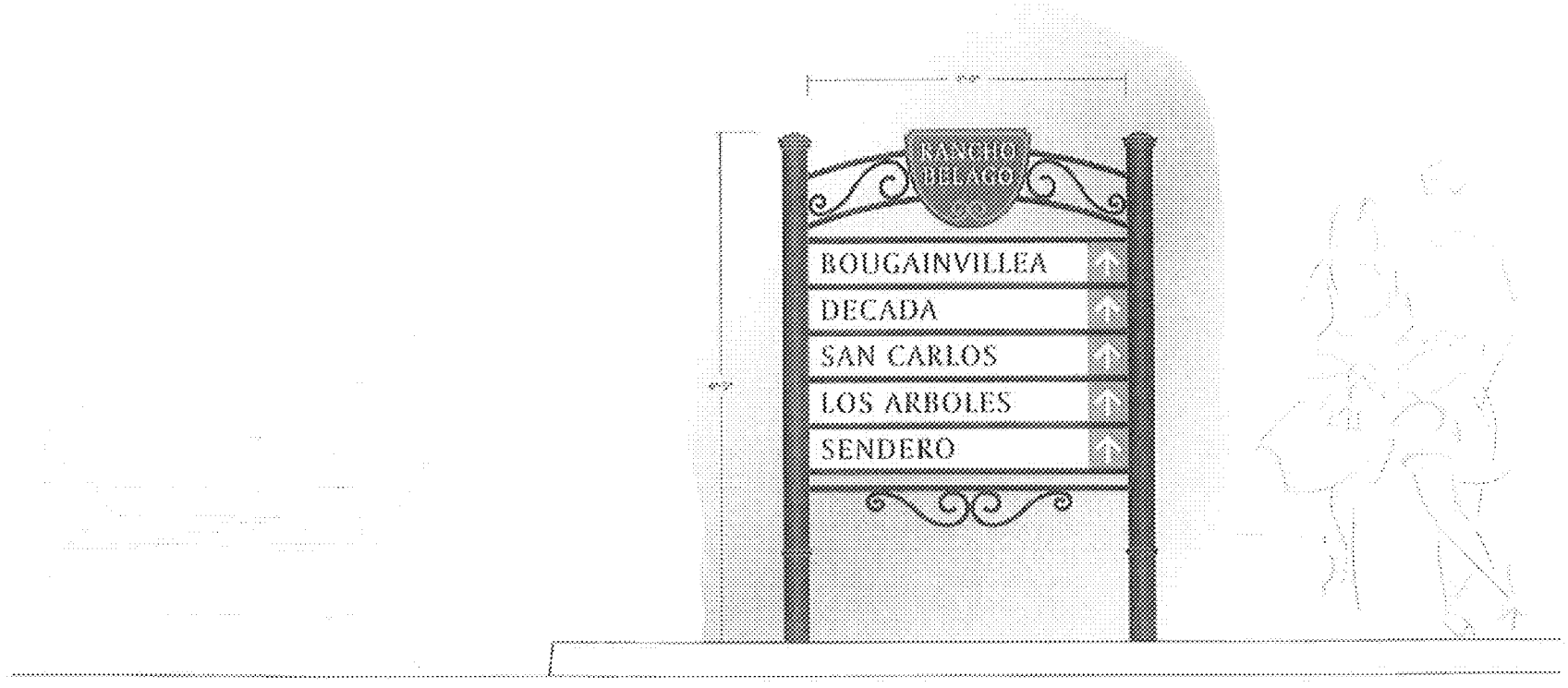

1 Elevation

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Description
Sign Type B:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

MV00056448

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alondras Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

MV00056449

Community Directional Signs

No.	Sign Type	Quantity
	Freestanding Community Amenity Directional Sign	9
	Light Pole Mounted Community Amenity Directional Sign	9
	Residential Precinct Directional Sign (locations not shown)	

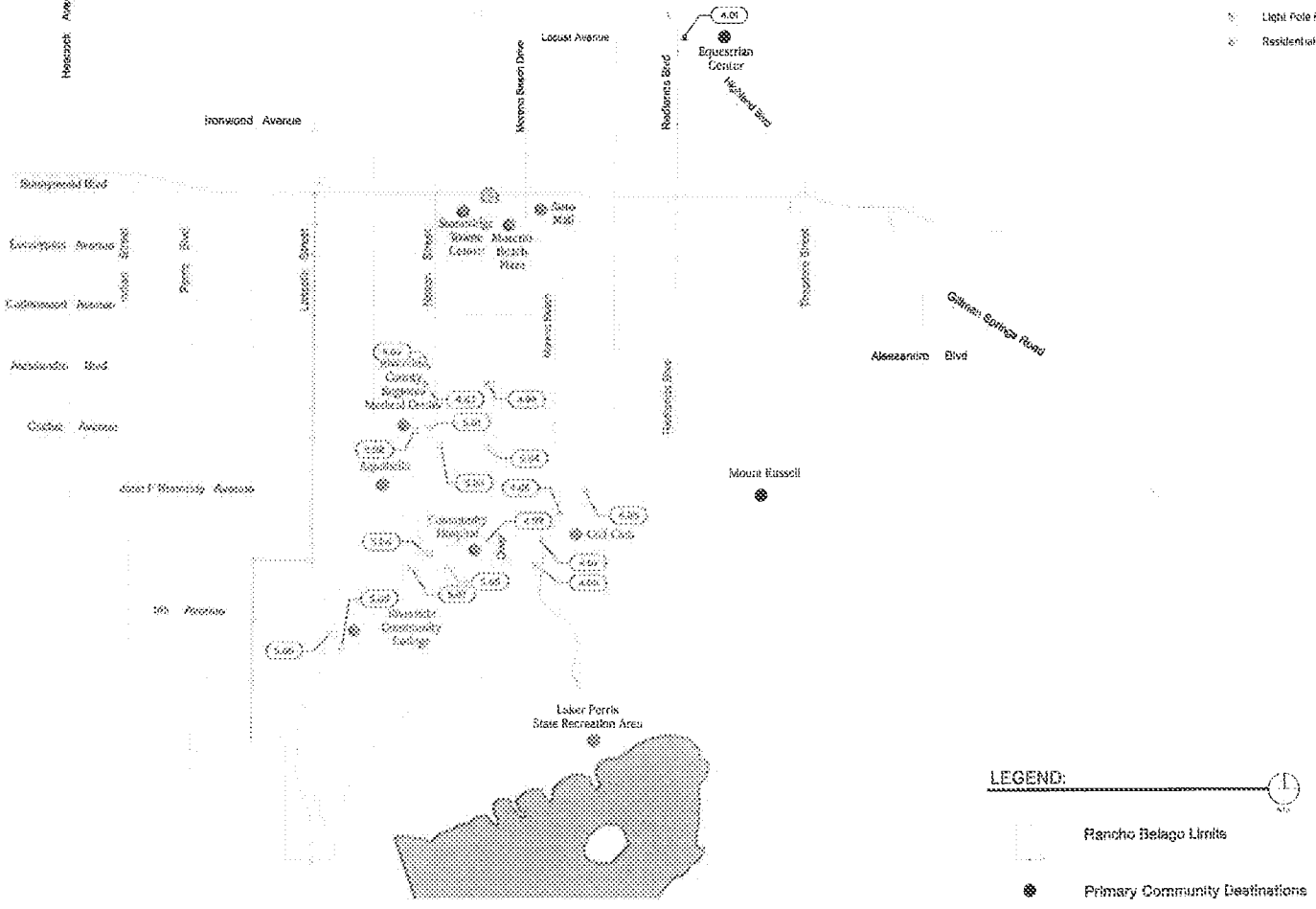

1 | Sign Locations

Scale: n.t.s.

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Community Directional Sign
Location Plan

Sheet Number
RB-SP 2

Date
08-10-07

MV00056450

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 2

Resolution No. 2010-____
Date Adopted:

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00056452

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 11, 2010

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

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

MV00056455

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 11, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00056456

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the

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Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the

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Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO

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AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

   Resolution No. 2010-31

   A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

   Resolution No. 2010-32

   A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for

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new priorities for implementation of capital projects.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

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a) City Manager Recruitment

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

ADJOURNMENT - IN MEMORY OF SERGEANT CARLTON ALLEN -

MV00056467

Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME)

Annual Action Plan 2010-2011

July 1, 2010 through June 30, 2011

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

SECTION 1 – INTRODUCTION

The Economic Development Department is the lead agency in developing the Consolidated and Annual Action Plans for the City of Moreno Valley. The Annual Action Plan addresses the City's plan for use of Community Development Block Grant ("CDBG") and Home Investment Partnership ("HOME") Funds during the 2010/11 Fiscal Year from July 1, 2010 through June 30, 2011. The Annual Action Plan is based upon the approved 2008-2013 Consolidated Plan prepared for both programs. The Annual Action Plan facilitates the strategy outlined in the Consolidated Plan by addressing community needs through various mechanisms.

The Action Plan provides a basis for assessing performance. It outlines programs for the upcoming program year as well as the proposed accomplishments over the five-year period of the Consolidated Plan. At the end of the program year a Consolidated Annual Performance and Evaluation Report (CAPER) provides information on the annual programmatic accomplishments.

The overall goals of the CDBG and HOME Programs, as included in the Consolidated Plan, are to develop viable urban communities by providing (1) decent housing, (2) a suitable living environment and (3) expanded economic opportunities principally for low and moderate-income persons.

(1). *Decent housing* includes assisting homeless persons, retention of the affordable housing stock, increasing the availability of permanent housing in standard condition and affordable cost to low-income and moderate-income persons.

(2). A *suitable living environment* includes improving the safety and livability of neighborhoods, increasing access to quality public and private facilities and services, and the revitalization of deteriorating or deteriorated neighborhoods.

(3). *Expanded economic opportunities* includes job creation and retention, as well as establishment, stabilization and expansion of small businesses.

The primary means towards this end is to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing.

MORENO VALLEY
WHERE DREAMS SOAR

SECTION 1 – INTRODUCTION
EXECUTIVE SUMMARY

CONSOLIDATED PLAN

Moreno Valley's Consolidated Plan is a comprehensive five-year strategy that addresses the use of Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Grant funds to meet decent housing, suitable living environment, and expanded economic opportunity goals for low- and moderate-income city residents.

ANNUAL ACTION PLAN

The Annual Action Plan identifies specific projects, programs, and resources that will be implemented during the program year with CDBG and HOME Grant funds, consistent with the Consolidated Plan. In fiscal year 2010/11, the City of Moreno Valley will be receiving approximately $1,941,611 in new CDBG funds, and $666,589 in HOME funds. These funds will be used to support housing and community development activities.

Activities meeting Consolidated Plan goals fit into one or more of the following strategies:

- Homeless Strategy
- Special Needs Strategy
- Housing/Fair Housing Strategy
- Community and Economic Development Strategy

For each strategy identified in the Consolidated Plan, a list of activities, resources available, and goals are provided for the upcoming program year.

The Action Plan also addresses other actions such as the anti-poverty strategy, institutional structure to carry out the activities, coordination with other agencies, public housing, a monitoring plan and plans for meeting underserved needs.

Additionally, as part of the grant requirements, a form application SF 424 is included as well as a Citizen Participation Plan, public comments received and required certifications by the City.

PERFORMANCE MEASUREMENT SYSTEM

A Performance Measurement System was developed by the City of Moreno Valley as requested by HUD in September 2003. This system will be used to evaluate the effectiveness of HUD CPD program funds in meeting community needs. Attachment H details specific performance measurements for each program receiving CDBG and HOME funds during FY 2010/11.

GEOGRAPHIC DISTRIBUTION & CDBG TARGET AREAS

Moreno Valley's CDBG Target Areas encompass some of the oldest areas in the city. The City's CDBG Target Areas generally include neighborhoods identified locally as Edgemont, Central Sunnymead, Eastgate and Warner Ranch. Significant portions of the target areas lack adequate infrastructure such as curbs, gutters, street improvements, sidewalks, water and sewer lines, storm drains, and street lighting. The majority of proposed projects are distributed within the CDBG target areas, because these areas have the greatest concentrations of low-and moderate-income individuals. Other projects such as the Redevelopment (RDA) Agency's housing programs target low- and moderate-income individuals citywide.

SECTION 1 – INTRODUCTION
AVAILABLE RESOURCES

The City of Moreno Valley will utilize a variety of Federal, State, and local funding sources to achieve the community and housing priorities identified. Specific funding resources will be utilized based upon availability, opportunities, and constraints of each particular project or program.

The City is committed to utilizing each funding source to its highest and best use. Therefore, the City will leverage the resources identified in this section to facilitate various programs and projects. Specific resources available to address the needs identified in the plan are included under the Annual Action Plan Section.

The following includes a description of both the resources the City currently uses and those for which funding may be pursued.

Federal Resources

Community Development Block Grant Program (CDBG)

Moreno Valley receives an annual CDBG allocation to meet the following three broad national objectives:

- Benefit to low and moderate income households;
- Removal of slum or blight; or
- Meet urgent community needs.

Approximately 90% of the funding has been used to benefit persons of low and moderate income. Programs and projects funded generally include public services, code compliance activities, and economic development activities. The City's grant allocation available for fiscal year 2010/11 is $1,941,611. Table 1-A details the available CDBG funds. Table 1-B details the allocations for FY 2010/11.

TABLE 1-A
FY 2010/11 CDBG AVAILABLE FUNDING

Funding Category	Funding Allocation
2010/11 CDBG Allocation	$1,941,611
Unallocated funds from previous years savings*	$505,000
TOTAL AVAILABLE CDBG FUNDS	$2,446,611
Program Administration (20% maximum of annual grant)	$388,322
Public Social Services (15% maximum of annual grant)	$291,241
Facilities	$80,000
Rehabilitation	$10,000
Code Enforcement	$396,407
Economic Development	$805,641
TOTAL PLANNED CDBG BUDGET	$1,941,611

*$450,000 in projected savings from the Temco, Vought, and Boeing Sidewalk Improvement Projects and $55,000 in projected savings from 2009/10 administrative activities

TABLE 1-B
CDBG FUNDING ALLOCATIONS FY 2010/11

ADMINISTRATION (20% CAP - $388,322)	
CDBG Program Administration	$338,869
Fair Housing Services	$49,453
SOCIAL SERVICES (15% CAP - $291,241)	
Community Foreclosure Prevention Workshops	$44,000
Community Assistance Food Program (CAP)	$30,600
Friends of the Moreno Valley Senior Center (MoVan)	$30,000
Moreno Valley Police Dept., Problem Orienting Policing (POP) Team	$28,241
Fair Housing Council of Riverside County – Foreclosure Prevention / Mitigation	$25,000
Lutheran Social Services Transitional Center (MARB)	$15,000
Path of Life Ministries King Hall Family Shelter (MARB)	$15,000
PW Enhancement Center – Emergency & Homeless Services	$15,000
Neighborhood Clean-up Program	$15,000
Assistance League of Riverside - Operation School Bell	$10,000
CASA for Riverside County	$10,000
God's Helping Hand Ministries Food Program	$9,000
Operation Safehouse Shelter for Youth	$8,000
Alternatives to Domestic Violence - Prevention and Outreach Program	$7,500
Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
Moreno Valley Community Educators - Tutoring Program	$6,400
Salvation Army Food Program	$5,000
Volunteer Center '211' Program	$5,000
FACILITIES	
Youth Opportunity Center	$50,000
REHABILITATION	
Habitat for Humanity Mobile Home Grant Program	$10,000
CODE ENFORCEMENT	
Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
Code Enforcement - Foreclosure 'Strike Team'	$103,017
Fire Prevention 'Improvement Task Force'	$30,000
ECONOMIC DEVELOPMENT	
MV New Business Incentive Program	$540,000
Community Employment Resource Center	$145,641
Small Business Development Center	$50,000
Family Service Association Meal Program Facilities	$50,000
Lord's Gym	$20,000
TOTAL CDBG FUNDING ALLOCATIONS	**$1,941,611**

HOME Investment Partnership Program (HOME)

HOME Investment Partnership funding is provided to the City to:

- assist with affordable rental housing
- promote home ownership through acquisition
- construction,
- reconstruction,
- and/or rehabilitation of affordable housing.

Moreno Valley became an Entitlement City for HOME funds during FY 1995/96.

The City of Moreno Valley's HOME allocation for FY 2010/11 is $666,589. Table 1-C details the estimated HOME funds available for FY 2010/11. Table 1-D details the anticipated funding allocations for program year 2010/11. The funding allocations are for new and continuing projects and programs that will be implemented in FY 2010/11.

TABLE 1-C

FY 2010/11 HOME ESTIMATED FUNDING	
2010/11 HOME Allocation	**$666,589**
Previous Year Un-used and Available Funds	$23,000
Total Available HOME Funds	**$689,589**

* $23,000 in projected savings from 2009/10 administrative activities

TABLE 1-D

HOME FUNDING ALLOCATIONS FY 2010/11	
Program Administration (maximum 10% of allocation)	$66,659
FY 09/10 CHDO (required 15% of allocation)	$99,988
Home Improvement Loan Program (HILP)	$240,000
Mobile Home Grant Program	$100,000
Multifamily Affordable Housing	$182,942
TOTAL ALLOCATION OF HOME FUNDS	**$689,589**

A. Local Resources

- ***Community Redevelopment Agency of the City of Moreno Valley***

As required by California Redevelopment Law, the Redevelopment Agency expends 20% of its tax increment revenue funding affordable housing projects. RDA (Housing Set-Aside) revenue projections for FY 2010/11 indicate an estimated 20% set-aside funding of $3.8 million.

- ***Homelessness Prevention and Rapid Re-housing Program (HPRP)***

In 2009 the City was provided with a one-time HPRP grant allocation of $732,872 under the American Recovery Re-investment Act of 2009. The purpose of the HPRP grant is

to provide homelessness prevention assistance to households who would otherwise become homeless in the current economic crisis and to rapidly re-house individuals and families who are currently homeless as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42U.S.C. 11302). Moreno Valley has established 6 activities that assist families facing homelessness, including: case management, rent/arrears assistance, security deposit assistance, utility/arrears assistance, legal assistance, and administration.

- ***Community Development Block Grant – Recovery (CDBG-R)***

The City was also provided with a one-time CDBG-R grant valued at $472,872 under the American Recovery Re-investment Act of 2009. Moreno Valley's CDBG-R program establishes 4 projects (plus administration) aimed at stimulating the economy by creating jobs, modernizing infrastructure, and promoting energy efficiency.

- ***Neighborhood Stabilization Program (NSP)***

Under the Housing and Economic Recovery Act (HERA), the City of Moreno Valley received a CDBG allocation of $11,390,116, to formulate the Neighborhood Stabilization Program (NSP) which is designed to stabilize neighborhoods most impacted by foreclosures. The City's NSP Program is comprised of four activities: 1) single family residential acquisition, rehabilitation, and resale (SFR-ARR), 2) multi-family residential acquisition, rehabilitation, and resale (MFR-ARR), 3) Homebuyers Assistance Program (HAP), and 4) Administration. In partnership with selected Development Partners, the City acquires and rehabilitates single family residences for the purpose of resale to homebuyers earning up to 120% of the Area Median Income (AMI), and multi-family residences for the purpose of rental to households earning up to 50% AMI. Of the total $11,390,116 allocation received, the funds have been budgeted accordingly:

ACTIVITY	BUDGET
SFR-ARR	$5,203,576.00
MFR-ARR	$4,047,529.00
HAP	$1,000,000.00
ADMINISTRATION	$1,139,011.00

In FY09/10, the City acquired almost thirty single family properties obligating/expending approximately $4.4 million of the SFR-ARR budget. During FY10/11, the City will continue with its SFR-ARR efforts to expending the remaining budget as well as program income generated from the sale of the single family properties. During FY10/11, the City will expend $381,000 of the MFR-ARR NSP budget rehabilitating two apartment buildings totaling 27 dwelling units located on Myers Avenue. The properties were acquired during the end of FY09/10 for $1,930,500. Approximately $2.4 million has been allocated to the acquisition and rehabilitation of this project.

- ***Riverside County Housing Authority***

The County of Riverside serves as the local housing authority for the region. The County operates 469 Section 8 housing and public housing facilities throughout the

County including those located in Moreno Valley. Sources of funds available to city residents through the Housing Authority are primarily limited to Section 8, Capital Fund Program (formerly the Comprehensive Grant Program), and the Public Housing programs.

B. Private Resources

For-Profit Organizations

- ***Community Reinvestment Act (CRA)***

The city encourages increased cooperation between lending institutions and the communities they serve to meet CRA requirements for the development of affordable housing.

Non-Profit Organizations

Currently, a number of non-profit organizations facilitate a variety of social services and housing activities in Moreno Valley. The City encourages and supports non-profit organizations that apply for funding from various sources.

C. Leveraging and Matching Funds – HOME

The primary source of fund leveraging will occur in conjunction with activities carried out through Redevelopment Agency 20% Set-Aside funds. Specific matching fund activities include housing rehabilitation and development programs for single family, multi-family, and mobile home units. The following table summarizes FY 2010/11 HOME activities and match sources:

TABLE 1-E*
HOME MATCH

HOME BUDGET FISCAL YEAR 2010/11	Continuing from Prior Years	2010/11 Allocation	Total Request	RDA Match 25%+
Administration (10% Cap)	$0	$66,659	$66,659	$0
Community Housing Development Organization (15% Min.)	$189,908	$99,988	$289,896	$0
Home Improvement Loan Program	$0	$240,000	$240,000	$0
Multi-Family Affordable Housing Program	$339,688	$182,942	$522,630	$4,300,000
Mobile Home Grant Program	$0	$100,000	$100,000	$0
GRAND TOTAL	**$529,596**	**$689,589**	**$1,219,185**	**$4,300,000**

* This table does not include total budgets available for the various projects. The available amounts may vary due to other funding sources such as RDA, NSP, etc.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN

The city will pursue housing, community development, and economic development activities to meet the needs of very-low, low, and moderate-income persons in Moreno Valley. To accomplish this, the city plans to expend CDBG, HOME, and other funds as available, such as Homelessness Prevention and Rapid Rehousing Program (HPRP), Neighborhood Stabilization Program (NSP), and Community Development Block Program – Recovery (CDBG-R) to meet community needs. The Consolidated Plan has several strategies for meeting community needs. The following objectives were identified in the Strategic Plan portion of the Consolidated Plan.

HOMELESS STRATEGY – TABLE 2-A, page 10
Objective 1. Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.

SPECIAL NEEDS STRATEGY – TABLE 2-B, page 14
Objective 1. Provide supportive housing and public services to meet the needs of special needs persons.

HOUSING STRATEGY – TABLE 2-C, page 15
Objective 1. - Rehabilitation of existing and construction of new single-family homes, multi-family housing, and mobile homes to create or maintain decent, affordable housing for low and moderate-income residents.
Objective 2. - Create home ownership opportunities for low and moderate-income residents.
Objective 3. - Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.
Objective 4. - Provide fair housing and landlord/tenant services to educate and assist residents on their rights and responsibilities.

COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY – TABLE 2-D, page 25
Objective 1. - Promote expanded employment opportunities in order to create or retain low and moderate-income jobs.
Objective 2. - Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.
Objective 3. - Support social service programs available to serve low and moderate-income residents.
Objective 4. - Provide employment training and placement programs available to serve low and moderate-income residents

The following tables detail the activities the City will undertake to address these objectives in FY 2010/11. The tables identify available funding, the geographic areas covered by the activity, and the target populations. Additional project information is provided in the Community 2020 tables enclosed as Attachment B.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN (Continued)
HOMELESS STRATEGY

The Five Year Goals and Proposed Accomplishments under the homeless strategy are to assist 2500 homeless persons and persons threatened with homelessness with housing and public service activities. The following programs for FY 2010/11 will be implemented to meet this goal.

TABLE 2-A

HOMELESS STRATEGY	
OBJECTIVE 1: Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.	
PROGRAM:	**PATH OF LIFE MINISTRIES – KING HALL FAMILY SHELTER**
PROGRAM DESCRIPTION:	Program provides long term (up to 2 years) shelter to homeless families and individuals with children. Residents may live at the shelter for a maximum of two years. While living at the shelter families are provided comprehensive counseling and support services that will assist them in becoming self sufficient. The shelter is located on March Air Reserve Base.
RESOURCES	CDBG Funds 2010/11 $15,000
TARGET POPULATION	Homeless families and homeless individuals with children
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**LUTHERAN SOCIAL SERVICES TRANSITIONAL SHELTER PROGRAM**
PROGRAM DESCRIPTION:	A long term (up to 2 years) shelter program that provides assistance to homeless women and children through a comprehensive transitional living program. Counseling, education assessments and other services are provided to assist participants in gaining self sufficiency. Through the City's HPRP Program, Lutheran Social Services also provides assistance with utility payments arrears and security deposits to families at risk of homelessness.
RESOURCES:	CDBG Funds 2010/11 $15,000 HPRP Funds $65,938
TARGET POPULATION:	Homeless Women and Children
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**P. W. ENHANCEMENT CENTER (PWEC)**
PROGRAM DESCRIPTION:	Emergency motel vouchers, shelter placement, security deposit and rental assistance for homeless persons and persons threatened with homelessness. Also provides emergency and supportive services to needy households including food distribution, money management, job preparedness, child development and counseling.
RESOURCES:	CDBG Funds 2010/11 $15,000 HPRP Funds $64,063
TARGET POPULATION:	Homeless; Low and Moderate-Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**OPERATION SAFEHOUSE**
PROGRAM DESCRIPTION:	Operation Safehouse provides emergency shelter, counseling and comprehensive support services for homeless/run-away youth aged 12 – 17, with a goal of family reunification.
RESOURCES:	CDBG Funds 2010/11 $8,000
TARGET POPULATION:	Abused, Neglected, and Homeless Youth
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
PROGRAM DESCRIPTION:	CAP provides emergency and supplemental food, utility payment assistance, and social services referrals to Moreno Valley families in need.
RESOURCES:	CDBG Funds 2010/11 $30,600
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**GOD'S HELPING HAND FOOD AND EMERGENCY SERVICES PROGRAM**
PROGRAM DESCRIPTION:	Emergency and supplemental food, clothing, utility assistance, and social services referrals to Moreno Valley persons and families in need.
RESOURCES:	CDBG Funds 2010/11 $9,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**ASSISTANCE LEAGUE OF RIVERSIDE OPERATION SCHOOL BELL**
PROGRAM DESCRIPTION:	Program provides new essential clothing and school supplies, a backpack, hygiene kit to low income children identified by teachers or school officials as homeless or needy.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Elementary school aged children from low income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**FORECLOSURE PREVENTION WORKSHOPS**
PROGRAM DESCRIPTION:	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The seven workshops held over 09/10 attracted approximately 600 struggling homeowners.
RESOURCES:	CDBG Funds 2010/11 $44,000
TARGET POPULATION:	Low-income homeowners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**CATHOLIC CHARITIES**
PROGRAM DESCRIPTION:	Provides assistance with rental subsidy and rental arrears payments through the City's HPRP program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**INLAND LEGAL SERVICES**
PROGRAM DESCRIPTION:	Free legal advice\services related to housing issues. Offers tenant legal services for evictions and other related legal needs. Funding also allows for expanded service hours.
RESOURCES:	HPRP Funds $40,000
TARGET POPULATION:	Low-income homeowners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**SALVATION ARMY FOOD PROGRAM**
PROGRAM DESCRIPTION:	The Food Pantry offers needy residents emergency food. Funding shall allow for the hire of a part-time driver to pick up food from collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons in the coming year.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

HOMELESS STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**FAMILY SERVICES ASSOCIATION (FSA)**
PROGRAM DESCRIPTION:	FSA provides case management and assistance with rent subsidies and/or rental arrears payments. Program is funded through the City HPRP program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**VOLUNTEER CENTER**
PROGRAM DESCRIPTION:	Provides assistance with rental subsidy and rental arrears payments through the City's HPRP Program.
RESOURCES:	HPRP Funds $161,667
TARGET POPULATION:	Low and moderate income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**FAIR HOUSING SERVICES – FORECLOSURE PREVENTION AND MITIGATION PROGRAM**
PROGRAM DESCRIPTION:	Program provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. It also offers financial assessments, budget management, mortgage education, training to potential homebuyers, and referral services.
RESOURCES:	CDBG Funds 2010/11 $25,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

ASSISTANCE AVAILABLE TO PERSONS THREATENED WITH HOMELESSNESS

In order to prevent low-income families from becoming homeless, local non-profit organizations (i.e. Catholic Charities, Gods Helping Hand, P.W. Enhancement Center), provide one-time emergency rental/mortgage assistance. The goal is to prevent homelessness for persons who missed a rent/mortgage payment due to extenuating circumstances. Some low-income families live "paycheck to paycheck" which makes it difficult for them to pay for the basic necessities when an emergency expense arises. The emergency rental/mortgage assistance program greatly benefits families on the threshold of becoming homeless.

For those families at risk of homelessness due to foreclosure, the city will continue conducting a series of foreclosure prevention workshops to assist with mitigation of the foreclosure and provide valuable referrals. The City will also continue to offer programs under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) grant provided in 2008/09 under the American Recovery Act. This emergency legislation was established specifically to address the issue of potential homelessness due to the economic crisis. Funds were dedicated to providing various forms of assistance to qualifying families including: monthly rental assistance, rental arrears, security deposit assistance, utility payments and arrears, motel vouchers, legal assistance, and individual case management.

There are several programs administered by Riverside County that aid in the prevention of homelessness. For example, the Emergency Food and Shelter Program meets the needs of the hungry and homeless by providing funds to provide the following housing assistance (as determined by the Local Board in funded jurisdictions): lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill; and minimal repairs to allow a sheltering facility to function during the program year.

CONTINUUM OF CARE

The City will continue to actively participate in Riverside County's Continuum of Care Consortium. The Continuum of Care Consortium consists of local government agencies and local non-profits that work together to address homeless issues in the region. Continuum of Care grant funding is provided to local public and non-profit agencies to provide homeless services, emergency and transitional shelter. Periodic meetings provide an opportunity for networking and working towards the common goal.

The County of Riverside is the lead agency charged with developing the Continuum of Care's 10 Year Strategy to End Homelessness. A working group of local government agency staff and other community stakeholders has been formed to develop this 10 year plan. The City of Moreno Valley has assigned a staff person to participate in this working group (which meets monthly) to assist in the accomplishment of the goal of ending homelessness in ten (10) years.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
SPECIAL NEEDS STRATEGY

The Five Year Goals and Proposed Accomplishments under the special needs strategy are to assist 15,000 special needs persons, including the elderly and disabled, with housing and public services. In FY 2010/11, the following programs will be implemented to meet this goal.

TABLE 2-B

SPECIAL NEEDS STRATEGY	
OBJECTIVE 1: Provide supportive housing and public services to meet the needs of special needs persons.	
PROGRAM:	**SENIOR VAN TRANSPORTATION SERVICES (MoVan)**
PROGRAM DESCRIPTION:	The MoVan is used to transport the elderly and adult handicapped to medical appointments and other needed destinations for a small donation or at no cost. The MoVan is a specially equipped 17-passenger bus with two wheel chair tie-downs is available 7 hours a day/ 5 days a week.
RESOURCES:	CDBG Funds 2010/11 $30,000
TARGET POPULATION:	Special Needs Persons – Elderly and Disabled
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**ARC OF RIVERSIDE COUNTY**
PROGRAM DESCRIPTION:	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to on-site LVN, and to help continue other existing services.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Special Needs Persons – Disabled
GEOGRAPHIC AREAS:	Citywide

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
HOUSING STRATEGY

The Five Year Goals and Proposed Accomplishments under the housing strategy are to:

1. To rehabilitate or construct a minimum of 400 housing units.
2. To provide home ownership to 5 households.
3. To provide increased, proactive Code Compliance, Neighborhood Cleanups and public safety activities to assist 3000 households in the CDBG Target Areas.
4. To assist 2,500 persons with fair housing and landlord/tenant services.

In FY 2010/11, the following programs will be implemented to meet the goals of each Objective:

TABLE 2-C

HOUSING STRATEGY	
OBJECTIVE 1: Rehabilitation of existing housing and/or construction of new single-family homes, multi-family housing and mobile homes to create or maintain decent, affordable housing for low and moderate income residents.	
PROGRAM:	**MOBILE HOME GRANT PROGRAM**
PROGRAM DESCRIPTION:	Program offers rehabilitation grants of up to $10,000 to low-income owner occupants of mobile home coaches located in rental parks within the City to repair and eliminate substandard conditions.
RESOURCES:	HOME Funds $100,000
TARGET POPULATION:	Low Income Mobile Home Owners
GEOGRAPHIC AREAS:	Citywide

HOUSING STRATEGY

OBJECTIVE 1: (Continued)

PROGRAM:	**HOME IMPROVEMENT LOAN PROGRAM (HILP)**
PROGRAM DESCRIPTION:	3% deferred loans for income qualified homeowners to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.
RESOURCES:	HOME Funds 2010/11 $240,000
TARGET POPULATION:	Low and Moderate Income Home Owners
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**MULTI-FAMILY AFFORDABLE HOUSING PROJECTS**
PROGRAM DESCRIPTION:	Construction or rehabilitation of affordable multi-family housing units. New construction will provide additional affordable housing within the community for low income renters. The rehabilitation of current housing stock will improve the amount of decent housing in the community.
RESOURCES:	HOME Funds 2010/11 $182,942
TARGET POPULATION:	Low- income renters
GEOGRAPHIC AREAS:	CDBG Target Area

HOUSING STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**SINGLE FAMILY ACQUISITION, REHABILITATION, AND RESALE PROGRAM (SFR-ARR)**
PROGRAM DESCRIPTION:	Funded by the Neighborhood Stabilization Program grant, the SFR-ARR program purchases, repairs, then re-sells foreclosed and abandoned properties to qualifying families earning up to 120% of the area median income.
RESOURCES:	NSP Funds $5,203,575
TARGET POPULATION:	Low and Moderate Income families
GEOGRAPHIC AREAS:	NSP Target Census Tracts

PROGRAM:	**MULTI-FAMILY ACQUISITION REHABILITATION AND RESALE (MFR-ARR)**
PROGRAM DESCRIPTION:	Funded by the Neighborhood Stabilization Program grant, the MFR-ARR program purchases, repairs, foreclosed and abandoned multi-family apartments and makes them available to renters earning up to 50% of the area median income.
RESOURCES:	NSP Funds $4,047,529
TARGET POPULATION:	Low and Moderate Income renters
GEOGRAPHIC AREAS:	NSP Target Census Tracts

HOUSING STRATEGY	
(OBJECTIVE 1 CONTINUED)	
PROGRAM:	**CHDO – COMMUNITY HOUSING DEVELOPMENT ORG, Unprogrammed**
PROGRAM DESCRIPTION:	15% CHDO Set aside money for the future rehabilitation or construction of affordable housing for very low income residents. Specific project to be selected at a later date.
RESOURCES:	HOME CHDO Funds 2010/11 $99,988
TARGET POPULATION:	Very Low- income households
GEOGRAPHIC AREAS:	CDBG Target Area
PROGRAM:	**HABITAT FOR HUMANITY – MOBILE HOME REHABILITATION PROGRAM**
PROGRAM DESCRIPTION:	Program provides for the supplies and materials that volunteers shall use to help eligible low income households make exterior improvements to their mobile homes. The program was designed to provide assistance mainly to elderly or disabled persons whom are unable to maintain the exterior of their property and are facing penalties that could lead to eviction. Program will supplement the City's existing Mobile Home Grant Program by relieving it of having to subsidize less critical exterior repairs (which are often general clean-up or cosmetic) and focus more grant dollars on the code related improvements.
RESOURCES:	CDBG Funds $10,000
TARGET POPULATION:	Low Income Mobile Home Owners
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

OBJECTIVE 2: Create home ownership opportunities for low and moderate-income residents

PROGRAM:	**HOMEBUYER ASSISTANCE PROGRAM (HAP)**
PROGRAM DESCRIPTION:	Provides down payment assistance of up to 20% of the purchase price, for first time homebuyers purchasing resale homes up to the maximum FHA 203b limit. Loans are deferred for 30 years with no interest.
RESOURCES:	Neighborhood Stabilization Funds 2010/11 $1 million Redevelopment Funds 2010/11 $500,000
TARGET POPULATION:	Low and moderate income households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**OAKWOOD AFFORDABLE HOUSING PROJECT**
PROGRAM DESCRIPTION:	Development of 240 apartment units for low income renters. The project is currently under construction.
RESOURCES:	Redevelopment Housing Set-aside Funds $ 3 million
TARGET POPULATION:	Low-income renters
GEOGRAPHIC AREAS:	RDA Project Area

PROGRAM:	**RANCHO DORADO AFFORDABLE HOUSING DEVELOPMENT**
PROGRAM DESCRIPTION:	Development of apartment units for low income renters. Phase 1 of the project is currently under construction. Phase 2 is competing for State Tax Credit funding. The project will provide 148 affordable units once constructed.
RESOURCES:	Redevelopment Housing Set-aside Funds Phase 1 $4,750,000 Phase 2 $4,750,000
TARGET POPULATION:	Low-income renters
GEOGRAPHIC AREAS:	RDA Project Area

HOUSING STRATEGY

OBJECTIVE 3: Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.

PROGRAM:	**NEIGHBORHOOD CODE COMPLIANCE**
PROGRAM DESCRIPTION:	City Code Compliance Officers provide enhanced, proactive inspection and enforcement services within the CDBG Target Areas to eliminate substandard housing and poor property maintenance conditions. Many low-income tenants are unable to pay for improvements that are the responsibility of the property owner. Increased code enforcement seeks compliance from property owners and assists in eliminating the substandard conditions.
RESOURCES:	CDBG Funds 2010/11 $263,390
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	CDBG Target Areas

PROGRAM:	**PROBLEM ORIENTED POLICING (POP) PROGRAM**
PROGRAM DESCRIPTION:	Addresses crime prevention through problem solving to increase public safety in low-income neighborhoods and reduce the number of calls for service. Public safety continues to be identified as a high priority by residents and the city. Continued support of the program will help to maintain the safety of area residents and the city's neighborhoods.
RESOURCES:	CDBG Funds 2010/11 $28,241
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CODE ENFORCEMENT - CITY FORECLOSURE STRIKE TEAM**
PROGRAM DESCRIPTION:	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.
RESOURCES:	CDBG Funds 2010/11 $103,017
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas
PROGRAM:	**NEIGHBORHOOD CLEAN-UP PROGRAM**
PROGRAM DESCRIPTION:	This neighborhood program assists in the revitalization of older neighborhoods. Funds will be used to conduct large-scale neighborhood clean-ups (utilizing commercial sized dumpsters and skip loaders) providing haul away and other services to residents within the targeted neighborhoods. Each clean-up typically assists an average of 125 properties.
RESOURCES:	CDBG $15,000
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**FIRE PREVENTION – 'IMPROVEMENT TASK FORCE'**
PROGRAM DESCRIPTION:	This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family units in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing.
RESOURCES:	CDBG Funds 2010/11 $30,000
TARGET POPULATION:	CDBG Target Area Neighborhoods
GEOGRAPHIC AREAS:	CDBG Target Areas

HOUSING STRATEGY

OBJECTIVE 4: Provide fair housing and landlord/tenant services to educate and assist residents on their rights and responsibilities.

PROGRAM:	**FAIR HOUSING SERVICES**
PROGRAM DESCRIPTION:	The Fair Housing Council of Riverside County provides a full range of fair housing services including education, discrimination investigation, landlord/tenant mediation, enforcement, and training and technical assistance. All services designed to affirmatively further fair housing.
RESOURCES:	CDBG Funds 2010/11 $49,453
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

CITY EFFORTS TO ADDRESS LEAD-BASED PAINT HAZARDS

The City provides four consumer loan products that are impacted by the requirements of lead based paint disclosure. Applicants for the City's Mobile Home Grant Program, the Homebuyers Assistance Program, Home Improvement Loan Program, and the Homeowners Assistance for Minor Rehabilitation Program are given a lead-based paint disclosure booklet and sign an acknowledgment that is included in the loan application. If the home was constructed prior to 1978, the City contracts with Home Safe for a lead-based paint inspection of the property. If the property is found to contain lead-based paint, mitigation measures are incorporated as a part of the revitalization work. Since the HAP loan is down payment assistance, the lead-based paint mitigations are the responsibility of the Seller prior to the title transfer. Both buyer and seller receive the disclosure materials as a part of the loan application process.

SECTION 2 – *AFFORDABLE AND FAIR HOUSING*

Zoning

While not specifically addressed as a barrier to affordable housing, the City will begin re-evaluation of some areas that have been re-zoned to non-residential uses. In most cases, the areas re-zoned are older areas of the City that may offer more affordable housing. The City will continue to review the policies in its Housing Element for consistency with the Consolidated Plan and identify areas in need of improvement.

Strategies to Promote Affordable Housing

The City of Moreno Valley will undertake the following strategies to promote and foster affordable housing:

- Actively support projects that apply for State and Federal funds, on a case-by-case basis.
- Continue to develop and maintain affordable housing through the use of CDBG funds, HOME funds, Redevelopment Agency Housing Set-aside funds, and Neighborhood Stabilization Program funds.
- Complete infrastructure plans for various areas of the City to reduce-up front design costs for construction of improvements.
- Continue to implement Permit streamlining to encourage the development of affordable housing in the City.
- Continue to allocate funding for Code Compliance services in the CDBG target areas to address code compliance issues and encourage housing and property maintenance.

ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING

The City updated its Analysis of Impediments to Fair Housing Choice Report in 2008. The following proposed actions were identified during the process. The recommended actions are directed to the City, lending institutions, and other service agencies that assist Moreno Valley residents. Listed below are the key actions that the City could take to continue its efforts to affirmatively further fair housing:

1. Private Sector Actions

Action 1.1 Hate crime victim services are needed because families may feel threatened and unwanted. The City will develop a directory of victim services.

Action 1.2 Numerous professional organizations guide the day-to-day practice of real estate agents and property management companies. These day-to-day practices impact the delivery of housing on a fair and equal basis. The City will continue to maintain an awareness of these organizations and how they affect housing in Moreno Valley.

Action 1.3 The City will encourage the Press-Enterprise to identify in its Fair Housing Notice the agencies that can respond to fair housing questions. Such agencies would include the Fair Housing Council of Riverside County (FHCRC).

Action 1.4 The City will encourage the Press-Enterprise to publish a "no pets" disclaimer that indicates rental housing owners must provide reasonable accommodations, including "service animals" and "companion animals" for disabled persons.

Action 1.5 The City will encourage the Fair Housing Council to prepare a summary of reasonable accommodation requirements and transmit this information to the owners and managers of Moreno Valley's large apartment communities. The information may also provide a link to the State Department of Fair Employment and Housing video on reasonable accommodations.

2. Public Sector Actions

Action 2.1 The City will continue to support fair housing services in order to ameliorate the impacts of housing discrimination and to inform residents on how to recognize and avoid predatory lending, panic selling, and steering.

Action 2.2 The City's Home Improvement and Homeowner's Assistance Programs will continue to assist loan applicants that may have previously been denied through private banks and institutions, with low interest and deferred loans. The deferred loans would not increase an applicant's debt-to-income ratio. In addition, the City can be somewhat more lenient than a private lender insofar as past credit history.

Action 2.3 Using HPRP funds, the City will fund expanded hours for the provision of income – eligible families facing unlawful eviction and homelessness.

Action 2.4 Over the few years, homeowners in the City, as in other Inland Empire communities, are late with their monthly loan payments and, thus, are receiving notices of default and facing foreclosure and possible bankruptcy. The fair housing services provided by the FHCRC have been augmented to help struggling homeowners.

Action 2.5 The City will continue to provide Foreclosure Prevention Workshops throughout Moreno Valley. Two workshop series will be held, each delivering 5 workshops to help struggling homeowners prevent foreclosure. The City will produce a 1-hour video on the subject, to be available on the City's website.

Action 2.6 The City will assist the County of Riverside Housing Authority by transmitting information contained in the Fair Housing Community Profile (Technical Appendix A of the Analysis of impediments to Fair Housing Choice). That information will include the areas of minority and low-income concentrations and an inventory of rental housing communities located outside these areas. In this way, the Housing Authority will have specific geographic information to counsel Section 8 tenants and seek owners outside areas of concentration. This information will be transmitted to the Housing Authority during the first year of the five-year Fair Housing Action Plan.

Action 2.7 The City's Website also will provide a link to the State Department of Fair Employment and Housing's (DFEH) six-minute video on reasonable accommodations for tenants.

ACTIONS TO BE TAKEN DURING PROGRAM YEARS 2008-2009 TO 2012-2013 OF THE CONSOLIDATED PLAN

Program Year 2010-2011

- Continue to contract the FHCRC to provide fair housing services to Moreno Valley's residents.
- Prepare a listing or directory of hate crime victim services.
- Provide the public fair housing information by preparing Q&A documents on topics such as service and companion animal guidelines and accessibility guidelines.
- Conduct annual coordination meetings with the FHCRC, Inland Valley Association of Realtors and the Apartment Association of the Greater Inland Empire to discuss emerging fair housing issues.
- Transmit to the County of Riverside Housing Authority information on areas of minority and low income populations. This information will help the Housing Authority to counsel Section 8 tenants and to conduct landlord outreach to the owners and managers of apartments located outside these areas.

SECTION 2 –ACTIVITIES TO BE UNDERTAKEN
COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY

The Five Year Goals and Proposed Accomplishments under the Community and Economic Development Strategy are to:

1. To assist 400 local small businesses with counseling services and loan programs.
2. To construct infrastructure improvements that will assist 250 parcels located within CDBG Target Areas.
3. To assist 50,000 low and moderate income residents with public service activities (other than homeless or special needs activities).
4. To assist 150 low and moderate income residents with employment training and placement opportunities.

The following tables outline the activities that the city will undertake during Program Year 2010/11 to meet the Consolidated Plan Goals and Objectives.

TABLE 2-D

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY	
OBJECTIVE 1: Promote expanded economic opportunities in order to create or retain low and moderate income jobs.	
PROGRAM:	**SMALL BUSINESS COUNSELING SERVICES**
PROGRAM DESCRIPTION:	Counseling services for local small businesses in business planning, finances, marketing, etc. The goal is to create and/or retain low-income jobs in the community.
RESOURCES:	CDBG Funds FY 2010/11 $50,000
TARGET POPULATION:	Low income small business owners and employees
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**EMPLOYMENT RESOURCE CENTER**
PROGRAM DESCRIPTION:	The Center will provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost.
RESOURCES:	CDBG Funds 2010/11 $145,641
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**MORENO VALLEY NEW BUSINESS INCENTIVE PROGRAM**
PROGRAM DESCRIPTION:	The New Business Incentive Program is intended to attract major employers to locate in large, vacant retail space in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community through loans, grants or interest subsidies. The program intent is to create full-time permanent jobs which, per a formal agreement with the employer, a certain number shall be held by or made available to low and moderate income persons.
RESOURCES:	CDBG Funds 2010/11 $540,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**FAMILY SERVICE ASSOCIATION - MEAL PROGRAM FACILITY**
PROGRAM DESCRIPTION:	The local Family Services Association plans to construct a kitchen facility in the City's CDBG Target Area where meals will be prepared for the participants of its daycare centers. CDBG funding would be used for help in acquiring a building for the site. In lieu of the CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.
RESOURCES:	CDBG Funds 2010/11 $50,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 1 CONTINUED)

PROGRAM:	**LORD'S GYM**
PROGRAM DESCRIPTION:	The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet by focusing on sports. The facility offers a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring. A new facility shall open in Moreno Valley. The proposed CDBG funding will be used toward tenant improvements. In lieu of the CDBG assistance, the 'Lord's Gym' must create or retain a minimum of one full time permanent job held by or made available to low and moderate income level person.
RESOURCES:	CDBG Funds 2010/11 $20,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

OBJECTIVE 2: Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.

PROGRAM:	**SHEILA STREET PARK**
PROGRAM DESCRIPTION:	Project will design and construct a neighborhood park to be located at the former car was site in the Sheila Street Neighborhood.
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $400,000
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Warner Ranch Neighborhood in Moreno Valley

PROGRAM:	**VOUGHT STREET SIDEWALK IMPROVEMENTS**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Vought Street from Boeing Street to Pan Am Boulevard and on Boeing Street from Vought Street to Temco Street
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $388,183
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

PROGRAM:	**BOEING-MCDONNEL SIDEWALK IMPROVEMENTS, #2**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Boeing Street and McDonnel Street from Bay Avenue to Vought Street
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $586,447
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 2 CONTINUED)

PROGRAM:	**TEMCO STREET SIDEWALK IMPROVEMENTS**
PROGRAM DESCRIPTION:	Project will design and construct sidewalks on Temco Street from Boeing Street to Pan Am Boulevard
RESOURCES:	(On-going, previous year) CDBG Funds FY 2008/09 $291,028
TARGET POPULATION:	CDBG Target Areas
GEOGRAPHIC AREAS:	Edgemont Neighborhood in Moreno Valley

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

OBJECTIVE 3: Support public service programs available to serve low and moderate income residents.

PROGRAM:	**COMMUNITY ASSISTANCE PROGRAM (CAP)**
PROGRAM DESCRIPTION:	CAP provides emergency and supplemental food, utility payment assistance, and social services referrals to Moreno Valley families in need.
RESOURCES:	CDBG Funds 2010/11 $30,600
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**GOD'S HELPING HAND FOOD PROGRAM**
PROGRAM DESCRIPTION:	Emergency and supplemental food, clothing and social services referrals to Moreno Valley persons and families in need.
RESOURCES:	CDBG Funds 2010/11 $9,000
TARGET POPULATION:	Low and Moderate Income Households
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CHILD ABUSE PREVENTION & EDUCATION PROGRAM**
PROGRAM DESCRIPTION:	The Riverside Area Rape Crisis Center provides a child abuse prevention program designed to educate children (K-12th grade) through the Moreno Valley schools. They also provide counseling and support services to abuse victims and their families.
RESOURCES:	CDBG Funds 2010/11 $7,500
TARGET POPULATION:	K-12 students
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**SALVATION ARMY FOOD PROGRAM**
PROGRAM DESCRIPTION:	The Food Pantry offers needy residents emergency food. Funding shall allow for the hire of a part-time driver to pick up food from collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons in the coming year.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**ASSISTANCE LEAGUE OF RIVERSIDE OPERATION SCHOOL BELL**
PROGRAM DESCRIPTION:	Program provides a backpack, hygiene kit and back-to-school clothing through a "shopping" experience to children identified by teachers or school officials as being in need.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Elementary school aged children from homeless and low income families
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**ALTERNATIVES TO DOMESTIC VIOLENCE**
PROGRAM DESCRIPTION:	Alternatives to Domestic Violence provides services to victims of domestic violence. These services include an Outreach Counseling Center which offers a 24-hour crisis line, counseling, support groups, court advocacy, and an emergency shelter for battered women and abused children.
RESOURCES:	CDBG Funds 2010/11 $7,500
TARGET POPULATION:	Victims of Domestic Violence
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY

(OBJECTIVE 3 CONTINUED)

PROGRAM:	**CASA for RIVERSIDE COUNTY**
PROGRAM DESCRIPTION:	Advocacy for Abused and Neglected Children. CASA offers court appointed monitoring services to foster youth. CDBG funds will be used to fund the salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.
RESOURCES:	CDBG Funds 2010/11 $10,000
TARGET POPULATION:	Abused/Neglected Youth
GEOGRAPHIC AREAS:	Citywide

PROGRAM:	**VOLUNTEER CENTER '211 PROGRAM'**
PROGRAM DESCRIPTION:	The '211 Program' is a quality telephone referral system available 24 hours a day, 7 days a week that residents may use to access information on public and private facilities and services in the City.
RESOURCES:	CDBG Funds 2010/11 $5,000
TARGET POPULATION:	Low and moderate income persons
GEOGRAPHIC AREAS:	Citywide

COMMUNITY & ECONOMIC DEVELOPMENT STRATEGY	
OBJECTIVE 4: Provide employment training and placement programs available to serve low and moderate income residents.	
PROGRAM:	**MORENO VALLEY COMMUNITY EDUCATORS**
PROGRAM DESCRIPTION:	Offers low income, 'at risk' youth tutoring, mentoring, and standardized test preparation and also includes programs for adults that provides for GED preparation, parenting, resume writing, interview skills and other workforce development skills.
RESOURCES:	CDBG Funds 2010/11 $6,400
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide
PROGRAM:	**YOUTH OPPORTUNITY CENTER (YOC)**
PROGRAM DESCRIPTION:	The Center will offer local youth access to an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. The proposed $50,000 in CDBG funding would be used for tenant improvements.
RESOURCES:	CDBG Funds 2010/11 $50,000
TARGET POPULATION:	Low and Moderate Income Persons
GEOGRAPHIC AREAS:	Citywide

SECTION 3 –OTHER ACTIONS

ANTI-POVERTY STRATEGY

The City identified several programs in its strategy to produce and preserve affordable housing. Programs include: the Neighborhood Stabilization Program (NSP), the Home Improvement Loan Program, Mobilehome Rehabilitation Grant Program, and the Homebuyer Assistance Program. The implementation of these programs and the re-evaluation of zoning in specific neighborhoods will assist in maintaining livable conditions for lower income persons. These programs, when coupled with the various social services, such as shelter and food services, and counseling programs, (including homeless prevention programs) provide residents opportunities to utilize programs at

little or no cost, thereby reducing financial burden. The City's current structure limits the ability to directly reduce the numbers of households with incomes below the poverty line. However, by utilizing multiple programs and working with County, private, and nonprofit agencies the City can work to reduce the number of persons with incomes below the poverty line.

The City has established several goals to reduce poverty among its population:

1. Economic Development and Job Creation/Retention

The City partners with the Inland Empire Small Business Development Center (SBDC) to provide small business counseling services and specialized training to local businesses with the goal that the services will create and/or retain low and moderate income jobs.

Last year, the City implemented 2 new programs aimed at relieving area unemployment and creating new jobs. The New Business Incentive Program continues this year to function as a tool to assist in the attraction of retail business to Moreno Valley providing full-time jobs to low-and-moderate income individuals. The Employment Resource Center provides a centrally located office where certified low-to-moderate income persons may utilize computers and other office equipment to assist in building their resumes and run job searches. The City continues to implement a $479, 292 Community Development Block Grant – Recovery, received in 2009, that incentivizes job creation.

2. Housing Programs

The City identified several programs in its strategy to produce and preserve affordable housing. The implementation of programs such as:

- the Homebuyer Assistance Program,
- the Homeownership Opportunity Program,
- the Home Improvement Loan Programs, and
- the Mobile Home Grant Program,
- NSP Acquisition, Rehabilitation, Resale of Single Family Homes,
- NSP Acquisition Rehabilitation, Rental of Multi Family Apartments
- New Affordable Housing Development
- Homelessness Prevention and Rapid Re-Housing Program (HPRP)

will assist in maintaining livable conditions for lower income persons. Four areas of the city were designated Revitalization Areas by HUD. The City is exploring opportunities to acquire and rehabilitate HUD owned properties within these areas to be sold to low-income homebuyers.

3. Public Service Providers

Public service organizations provide direct assistance to low-income persons, including the elderly, homeless, disabled, and persons threatened with homelessness. They assist with (obtaining and maintaining adequate housing) emergency assistance to meet immediate and urgent individual and family needs, including shelter; and remove

obstacles blocking the achievement of self-sufficiency. These programs, when coupled with the various social services, provide city residents opportunities to utilize programs at little or no cost, thereby reducing financial burden. The Homelessness Prevention and Rapid Re-housing grant of $732,872 received in 2009, also utilizes Public Service providers to distribute emergency assistance to families facing homelessness.

4. Coordination of Efforts

The City's goal is to continue to establish collaborative relationships between governmental and social service agencies to assure the effective delivery of services to low-income individuals. One example is the Riverside County Continuum of Care. The Continuum of Care group consists of several local non-profit agencies along with governmental agencies, such as the City of Moreno Valley, who meet periodically to share information, coordinate efforts to assist homeless persons and plan future activities. While the City's ability to directly reduce the numbers of households with incomes below the poverty line is limited, the City will attempt to reduce the number by utilizing multiple programs and working with the county, private and non-profit agencies.

Planning and Meeting Obstacles

The City will continue to evaluate and monitor priority community development needs, including those needs that may be currently underserved. The City will also work toward identifying, assessing and overcoming obstacles to meeting underserved community development needs.

SECTION 3 –OTHER ACTIONS

INSTITUTIONAL STRUCTURE AND COORDINATION

The institutional structure described in the Consolidated Plan demonstrates the diverse types of organizations needed to accomplish its program goals. The City will work with a variety of public and private agencies to accomplish the Consolidated Plan goals set forth in this Strategic Plan.

In addition, coordination with other public and private agencies is necessary in order to establish solid working relationships that will enable all service providers to better assist those in need. The City enjoys a cooperative relationship with surrounding jurisdictions and agencies, as well as nonprofit organizations.

Public Agencies

City staff will work to partner with Riverside County agencies such as the Departments of Mental Health and Public Social Services, to address regional homeless issues. The City meets on a regular basis with the Riverside County Department of Public Social Services as part of the Continuum of Care process to assist homeless persons. The Continuum of Care Consortium consists of local government agencies as well as non-profit agencies that work together to address homeless issues in the region. Continuum of Care grant funding is provided to local public and non-profit agencies to provide homeless services and shelter. Periodic meetings provide an opportunity for networking and working towards the common goal. Riverside County's Economic Development Agency also partners with the City to provide employment assistance services at the City's Employment Resource Center, as well as support services for at-risk youth at the Youth opportunity Center (under development).

In addition, the City also works with state and federal agencies through several grant programs to facilitate services and programs, which meet housing and safety needs in the community. The City is a member of the March Joint Powers Authority (JPA). The JPA is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned March Air Reserve Base (MARB).

Public Housing Authority

The Riverside County Housing Authority administers public housing and Section 8 for Moreno Valley residents. Issues relating to public housing are included in the Consolidated Plan for Riverside County. The City will work with the Riverside County Housing Authority when possible to improve the living environment of public housing and Section 8 residents.

Non-Profit Organizations

The City utilizes a variety of nonprofit organizations to address community needs, such as homelessness, special needs, fair housing and food distribution services. The City will provide information and updates to local social service agencies regarding the

availability of private affordable housing opportunities in Moreno Valley. The City will also inform and educate private housing entities on the services, programs, and referrals provided by local social service agencies to persons seeking housing. Distribution of this information may be through a variety of methods including direct mailing, public service announcements, and personal contacts by city staff. Many of the objectives identified in the Strategic Plan and associated annual programs are carried out by non-profit organizations. These organizations are the primary service providers for Moreno Valley's homeless, special needs and low-income populations. CDBG funds are allocated to these organizations to carry out activities benefiting these populations.

HOME funds are provided to non-profit agencies for rehabilitation and new construction of affordable housing units in the city. The City will work with its Community Housing Development Organizations (CHDO's), Riverside Housing Development Corporation (RHDC), and Habitat for Humanity to accomplish the housing goals.

As a result of working with the CHDO's, the City has been able to address a wide variety of community needs including housing programs, public services, and public safety. The City will continue to work with these entities throughout the program year.

SECTION 3 – OTHER ACTIONS
MONITORING

MONITORING OF CDBG PROGRAMS

Monitoring serves as an effective tool to ensure that expenditures of federal funds are consistent with CDBG National Objectives and achieve program/project goals. The following outlines monitoring requirements for Moreno Valley CDBG program:

Subrecipients – When an organization becomes a City subrecipient, they must sign a contract with the City in which the various scopes of work, time lines, and documentation requirements are outlined. On a monthly basis, each Subrecipient must submit detailed information regarding the number, ethnicity, and income level of individuals benefiting from CDBG funds. Quarterly summary reports are required of some agencies in which further information is provided on activities accomplished in that quarter. The City conducts an on-site inspection of each agency at least once per year, preferably toward the end of the funding cycle. A sample Subrecipient Monitoring Form is attached as Attachment G.

Construction Projects – All construction projects comply with Federal Labor and Procurement Procedures as well as the various affirmative action and equal opportunity requirements required by various federal and state laws. The CDBG Management Analyst oversees and reviews contract preparation at each step from bid preparation, contract document preparation, pre-construction meetings, and ongoing project inspections. All public notices that solicit bids for capital projects are submitted to minority newspapers such as El Chicano, the San Bernardino American and the Precinct Reporter in order to give minority-owned businesses the opportunity to bid on the CDBG capital projects.

MONITORING OF HOME PROGRAMS

Multi-Family Affordable Housing Programs

The City requires property owners who have received funds under the Rental Rehabilitation Program or Multifamily Affordable Housing Program to recertify their tenant's eligibility annually. They report information and provide documentation related to the property, unit occupancy, tenant information and financial reporting. Forms and applicable documentation such as Federal income tax returns are to be completed by tenants of reserved (affordable) units and submitted with the report. If the unit was occupied by multiple tenants, then a copy of the application, rental agreement and the dates of residency must be provided. In addition, a copy of "Determining Affordable Rent" is provided to the owner for the reserved units. A city Building Inspector will conduct a property inspection to determine if the property is in compliance with code requirements and in good condition. The City will work with a recertification consulting service to ensure that the information is accurate and complete. Examples of the checklists used to monitor the affordable units under the Rental Rehabilitation Loan Program are also included in Attachment G.

Single Family Housing Programs – For Owner-Occupants

The City's Homebuyer Assistance Program offers a low-interest, silent second, down-payment assistance loans to income qualified individuals.

Loan terms include an equity sharing arrangement in lieu of interest on the deferred loan. When the property is sold or transferred, the City will receive a share of the gain on sale in addition to the original amount loaned. The percentage of the equity share percentage is calculated by dividing the original loan amount by the original purchase price.

Example: *If the HAP loan amount was $10,000 and the original purchase price was $90,000, the equity share percentage would be 11%. The equity share percentage is then multiplied by the gain on the sale (as determined by the sales price or the property value determined by a professional appraisal) to determine the City's Share of the profit on the sale. If the gain on the sale were $15,000, the City's share would be 11% of $15,000, or $1,650. The total repayment to the City would be $11,650.*

In addition, a Deed of Trust is recorded to serve as loan collateral (security). The securing deed may take first, second, or third position if it does not exceed the one hundred percent (100%) loan-to-value ratio.

Displacement and Relocation

The City does not have any plans to displace or relocate any residents from their homes using CDBG or HOME funds. If a project necessitated displacement or relocation, it would be done in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

PROPOSED ACCOMPLISHMENTS

The following table details each of the goals and objectives identified in the Strategic Plan and the proposed accomplishments over the five-year period of the Consolidated Plan. Following the close of the program year on June 30th, the City has 90 days to complete a Consolidated Annual Performance and Evaluation Report (CAPER) for public review and submittal to HUD. The CAPER will include the following table to track the accomplishments during the entire five-year period. Annual goals will be identified in the Annual Action Plan.

TABLE 3-A
PROPOSED FIVE-YEAR ACCOMPLISHMENTS (SAMPLE TABLE. INTENTIONALLY BLANK.)

Priority	Five-Year Goal / Proposed Accomplishments	Complete per Program Year					Summary of Progress
		08/09	09/10	10/11	11/12	12/13	
HOMELESS STRATEGY							
OBJECTIVE: Provide supportive housing and public services to meet the needs of homeless persons and persons threatened with homelessness.							
1.1	To assist 2500 homeless persons and persons threatened with homelessness with housing and public service activities.						Goal: Completed:
SPECIAL NEEDS STRATEGY							
OBJECTIVE: Provide supportive housing and public services to meet the needs of special needs persons.							
2.1	To assist 15,000 special needs persons, including the elderly and disabled, with housing and public services.						Goal: Completed:
HOUSING STRATEGY							
OBJECTIVE: Rehabilitation of existing and construction of new single-family homes, multi-family housing and mobile homes to create or maintain decent, affordable housing for low and moderate income residents.							
3.1	To rehabilitate or construct a minimum of 400 housing units.						Goal: Completed:
OBJECTIVE: Create home ownership opportunities for low and moderate income residents.							
3.2	To provide home ownership to 5 households.						Goal: Completed:
OBJECTIVE: Improve the safety and livability in the CDBG Target Areas to create a suitable living environment.							
3.3	To provide increased, proactive Code Enforcement, Neighborhood Cleanups and public safety activities to assist 3,000 households.						Goal: Completed:
OBJECTIVE: Provide fair housing services to educate households on their rights and responsibilities and assist residents with fair housing issues.							
3.4	To assist 2,500 households with fair housing services.						Goal: Completed:

COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY							
Priority	**Five-Year Goal / Proposed Accomplishments**	**Complete per Program Year**					**Summary of Progress**
OBJECTIVE: Promote expanded economic opportunities in order to create or retain low and moderate income jobs.							
4.1	To assist 400 local small businesses with counseling services and loan programs.						**Goal:** **Completed:**
OBJECTIVE: Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities.							
4.2	To construct infrastructure improvements that will assist 250 parcels located within CDBG Target Areas.						**Goal:** **Completed:**
OBJECTIVE: Support public service programs available to serve low and moderate income residents.							
4.3	To assist 50,000 low and moderate income residents with public service activities (other than homeless or special needs activities).						**Goal:** **Completed:**
OBJECTIVE: Provide employment training programs available to serve low and moderate income residents.							
4.4	To assist 150 low and moderate income residents with employment training and placement.						**Goal:** **Completed:**

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SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
FORM APPLICATION SF424

Form Application SF 424

(behind this page)

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

*1. Type of Submission:	*2. Type of Application	* If Revision, select appropriate letter(s)
☐ Preapplication	☐ New	
☒ Application	☒ Continuation	*Other (Specify)
☐ Changed/Corrected Application	☐ Revision	

3. Date Received:

4. Applicant Identifier: B-09-MC-06-0567

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Moreno Valley

*b. Employer/Taxpayer Identification Number (EIN/TIN): 33-0076484

*c. Organizational DUNS: 177134186

d. Address:

*Street 1: 14177 Frederick Street

Street 2: PO BOX 88005

*City: Moreno Valley

County:

*State: CA

Province:

*Country: USA

*Zip / Postal Code 92553

e. Organizational Unit:

Department Name: ECONOMIC DEVELOPMENT

Division Name: NEIGHBORHOOD PRESERVATION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms. *First Name: Isa

Middle Name:

*Last Name: Rojas

Suffix:

Title: Management Analyst

Organizational Affiliation:

*Telephone Number: 951-413-3227 Fax Number: 951-413-3459

*Email: IsaR@MoVal.org

MV00056517

Application for Federal Assistance SF-424 Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grant Program

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Moreno Valley, CA

***15. Descriptive Title of Applicant's Project:**

Annual Action Plan for FY 2010/11 Community Development Block Grant funding. Programs/projects receiving new allocations for funding includes public services (landlord/tenant mediation, homeless\transitional housing shelters, emergency food assistance, youth programs, and elderly programs) code enforcement, and economic development programs.

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 43rd and 44th *b. Program/Project: 43rd and 44th

17. Proposed Project:

*a. Start Date: July 1, 2009 *b. End Date: June 30, 2010

18. Estimated Funding ($):

*a. Federal	$1,941,611
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	$1,941,611

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Bopf

Suffix:

*Title: INTERIM CITY MANAGER

*Telephone Number: 951-413-3453 Fax Number: 951-413-3459

* Email: billbopf@moval.org

*Signature of Authorized Representative: *Date Signed:

Authorized for Local Reproduction Standard Form 424 (Revised 10/2005)
Prescribed by OMB Circular A-102

Application for Federal Assistance SF-424 Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

NA

Application for Federal Assistance SF-424 Version 02

*1. Type of Submission:	*2. Type of Application	* If Revision, select appropriate letter(s)
☐ Preapplication	☐ New	
☒ Application	☒ Continuation	*Other (Specify)
☐ Changed/Corrected Application	☐ Revision	

3. Date Received:

4. Applicant Identifier: M-09-MC-06-0551

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: CITY OF MORENO VALLEY

*b. Employer/Taxpayer Identification Number (EIN/TIN): 33-0076484

*c. Organizational DUNS: 177134186

d. Address:

*Street 1: 14177 FREDERICK STREET
Street 2: PO BOX 88005
*City: MORENO VALLEY
County: RIVERSIDE
*State: CA
Province:
*Country: USA
*Zip / Postal Code 92552-0805

e. Organizational Unit:

Department Name: ECONOMIC DEVELOPMENT

Division Name: NEIGHBORHOOD PRESERVATION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: MS. *First Name: ISA
Middle Name:
*Last Name: ROJAS
Suffix:

Title: MANAGEMENT ANALYST

Organizational Affiliation:

*Telephone Number: 951-413-3227 Fax Number: 951-413-3459

*Email: IsaR@moval.org

Application for Federal Assistance SF-424 Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development (HUD)

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Parntnership Program

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Moreno Valley, CA

***15. Descriptive Title of Applicant's Project:**

Annual Action Plan for FY 2010/11 HOME funding. Programs/projects receiving new allocations for funding include Mobile Home Grant Program, Home Improvement Loan Program, and Multi-family Affordable Housing Program.

OMB Number: 4040-0004
Expiration Date: 01/31/2009

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 43rd and 44th *b. Program/Project: 43rd and 44th

17. Proposed Project:

*a. Start Date: July 1, 2010 *b. End Date: June 30, 2011

18. Estimated Funding ($):

*a. Federal	$666,589
*b. Applicant	
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	$666,589

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Bopf

Suffix:

*Title: Interim City Manager

*Telephone Number: 951-413-3453 Fax Number: 951-413-3459

* Email: billbopf@moval.org

*Signature of Authorized Representative: *Date Signed:

Authorized for Local Reproduction Standard Form 424 (Revised 10/2005)
Prescribed by OMB Circular A-102

Application for Federal Assistance SF-424 Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A

SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
CITIZEN PARTICIPATION

CITIZEN PARTICIPATION PROCESS

In preparing the 2010/11 Action Plan, the City took an assertive approach to encourage citizen participation. HUD regulations require that cities consult with public and private community-based non-profit organizations to obtain input on the housing and non-housing needs of low- and moderate-income and homeless members of the community. Those with special needs are included as well. To meet this requirement, the City prepared a Citizen Participation Plan (Attachment D), which outlines the process for encouraging citizen participation in the development of the Action Plan.

Citizen participation was accomplished through a series of meetings, public notices and announcements. City staff hosted community meetings and invited area residents, non-profit organizations and surrounding jurisdictions to provide input on the needs of the community. Public meetings to determine needs were held at the Moreno Valley Conference and Recreation Center and the Senior Center. In addition, several focused meetings with local agencies, surrounding jurisdictions and City committees were also conducted. Information and notification of these meetings was distributed through correspondence, flyers and public notices. Table 4-A, on the following page, outlines the citizen participation schedule.

The information compiled from the meetings (as outlined in the above schedule) was used in determining the needs in the community and the development of strategies. Citizen Comments are included as Attachment E. Organizations that participated in meetings or consultations included the following:

- Moreno Valley Citizens
- Coachella Valley Housing Coalition
- Cultural Heritage Performers
- Fair Housing Council of Riverside
- Mexican Political Association
- MoVan and the Community Assistance Program (CAP)
- Transforming Community Action Program
- United Democrats of Moreno Valley

The proposed Action Plan was available for a 30-day public examination and comment period from April 8, 2010 through May 8, 2010.

The Action Plan was available for public review at the following locations:

- City of Moreno Valley Economic Development Department – City Hall
- Moreno Valley Senior Center
- City of Moreno Valley Corporate Yard

- Moreno Valley City Library

No Public comments on the Annual Action Plan were received during the public review period. Comments received at public meetings and hearings are included in Attachment E.

TABLE 4-A
CITIZEN PARTICIPATION SCHEDULE

Annual Action Plan FY 2010-2011 CDBG & HOME Programs Citizen Participation Schedule	
November 27, 2009	Notice of Community Needs Meetings *(Publish in Newspaper & Mail Out)*
December 10, 2009	Community Needs Assessment Meeting – Conference & Recreation Center (6:00 p.m. to 8:00 p.m.)
December 14, 2009	Community Needs Assessment Meeting - Senior Community Center (6:00 p.m. to 8:00 p.m.)
December 30, 2009	Publish Notice of Public Hearing to Adopt CDBG/HOME Program Objectives and Policies
January 12, 2010	City Council Meeting – Adopt CDBG/HOME Program Objectives and Policies *(Public Hearing)*
January 14, 2010	City CDBG/HOME Applications Distributed & Notice of Funding Availability Published (Technical Assistance Available on Request)
February 4, 2010	Non-Profit and Outside Agency Applications Due
February 9-11, 2010	Technical Review Committee Reviews Public Service and Community Needs Applications; Applicant Oral Presentations
February 11, 2010	Final Technical Committee Project Review & Recommendation
March 10, 2010	Publish Notice of Public Hearing for March 23, 2010 City Council Meeting
March 18, 2010	Publish Notice of Annual Action Plan Review Period (April 1 – May 1, 10)
March 23, 2010	City Council Meeting - CDBG/HOME Project Selection *(Public Hearing)*
April 1, 2010	Begin Annual Action Plan 30-Day Review Period
April 28, 2010	Publish Notice of Public Hearing to Approve the Annual Action Plan
May 1, 2010	Close of 30-day Public Comment Period for Annual Action Plan
May 11, 2010	City Council Meeting - Review Citizen Comments & Approve the Annual Action Plan *(Public Hearing)*
May 13, 2010	Submittal of Annual Action Plan to HUD

SECTION 4 – ADDITIONAL GRANT REQUIREMENTS
CERTIFICATIONS

(Behind this page)

CERTIFICATIONS FY 2010-2011

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the City of Moreno Valley certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, and it has concluded an analysis of impediments to fair housing choice within the jurisdiction, and will take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential ant displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;
(b) The grantee's policy of maintaining a drug-free workplace;
(c) Any available drug counseling, rehabilitation, and employee assistance programs; and
(d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -

(a) Abide by the terms of the statement; and
(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

_____ _____
Signature/Authorized Official Date

William Bopf, Interim City Manager

Specific CDBG Certifications

The City of Moreno Valley certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2008-2009 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

   However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-Discrimination laws -- The grant will be conducted and administered in conformity within title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint – Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

_____ _____

Signature/Authorized Official Date

William Bopf, Interim City Manager

Specific HOME Certifications

The City of Moreno Valley certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

_____ _____
Signature/Authorized Official Date

William Bopf, Interim City Manager

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.

2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).

6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)
City Hall
14177 Frederick Street
Moreno Valley, CA 92552

(X) Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Non-procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

ATTACHMENT A – DEFINITIONS OF TERMS AND ACRONYMS USED

List of acronyms used in this document:

CDBG: Community Development Block Grant

CDBG-R: Community Development Block Grant, Recovery Program

HOME: HOME Investment Partnership Grant

HPRP: Homelessness Prevention and Rapid Re-housing Program

HUD: U.S. Department of Housing and Urban Development

NSP: Neighborhood Stabilization Program

RDA: Community Redevelopment Agency of the City of Moreno Valley

This glossary is designed to provide a comprehensive list of terms used in this Consolidated Plan and future annual plans.

Affordable Housing: Affordable housing is generally defined as housing where the occupant is paying no more than 30 percent of gross income for gross housing costs, including utility costs.

AIDS and Related Diseases: The disease of acquired immune deficiency syndrome or any conditions arising from the etiologic agent for acquired immune deficiency syndrome.

Alcohol/Other Drug Addiction: A serious and persistent alcohol or other drug addiction that significantly limits a person's ability to live independently.

Assisted Household or Person: For the purpose of specifying one-year goals for assisting households or persons, a household or person is assisted if, during the coming Federal fiscal year, they will benefit from one or more programs included in the jurisdiction's investment plan. A renter is benefited if the person takes occupancy of affordable housing that is newly acquired, newly rehabilitated, or newly constructed, and/or receives rental assistance. An existing homeowner is benefited during the year if the home's rehabilitation is completed. A first-time homebuyer is benefited if a home is purchased during the year. A homeless person is benefited during the year if the person becomes an occupant of transitional or permanent housing. A non-homeless person with special needs is considered as being benefited, however only if the provision of supportive services is linked to the acquisition, rehabilitation, or new construction of

a housing unit and/or the provision of rental assistance during the year. Households or persons who will benefit from more than one program activity must be counted only once. To be included in the goals, the housing unity must, at a minimum, satisfy the HUD Section 8 Housing Quality Standards (see 24 CFR section 882.109) See also instructions for completing Table 3B of the CHAS and Table 1 of the Annual Performance Report.

Committed: Generally means there has been a legally binding commitment of funds to a specific project to undertake specific activities.

Consolidated Plan: The document that is submitted to HUD that serves as the planning document (comprehensive housing affordability strategy and community development plan) of the jurisdiction and an application for funding under any of the Community Planning and Development formula grant programs (CDBG, ESG, HOME, or HOPWA), which is prepared in accordance with the process prescribed in 24CFR part 91.

Cost Burden: The extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data published by the U.S. Census Bureau.

Disabled Household: A household composed of one or more persons at least one of whom is an adult (a person of at least 18 years of age) who has a disability. A person shall be considered to have a disability if the person is determined to have a physical, mental or emotional impairment that: (1) is expected to be of long-continued and indefinite duration, (2) substantially impeded his or her ability to live independently, and (3) is such a nature that the ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if he or she has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001-6006). The term also includes the surviving member or members of any household described in the first sentence of this paragraph who were living in an assisted unit with the deceased member of the household at the time of his or her death.

Economic Independence and Self-Sufficiency Programs: Programs undertaken by Public Housing Agencies (PHAs) to promote economic independence and self-sufficiency for participating families. Such programs may include Project Self-Sufficiency and Operation Bootstrap programs that originated under earlier Section 8 rental certificate and rental voucher initiatives, as well as the Family Self-Sufficiency program. In addition, PHAs may operate locally developed programs or conduct a variety of special projects designed to promote economic independence and self-sufficiency.

Elderly Household: For HUD rental programs, a one or two person household in which the head of the household or spouse is at least 62 years of age.

Emergency Shelter: Any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

Extremely Low-Income Family: Family whose income is between 0 and 30 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Existing Homeowner: An owner-occupant of residential property who holds legal title to the property and who uses the property as his/her principal residence.

Family: Family means all persons living in the same household who are related by birth, marriage or adoption.

Family Self-Sufficiency (FSS) Program: A program enacted by Section 554 of the National Affordable Housing Act which directs Public Housing Agencies (PHAs) and Indian Housing Authorities (IHAs) to use Section 8 assistance under the rental certificate and rental voucher programs, together with public and private resources to provide supportive services, to enable participating families to achieve economic independence and self-sufficiency.

Federal Preference for Admission: The preference given to otherwise eligible applicants under HUD's rental assistance programs who, at the time they seek housing assistance, are involuntarily displaced, living in substandard housing, or paying more than 50% of family income for rent. (See, for example, 24 CFR 882.219.)

First-Time Homebuyer: An individual or family who has not owned a home during the three-year period preceding the HUD-assisted purchase of a home that must be used as the principal residence of the homebuyer, except that any individual who is a displaced homemaker (as defined in 24 CFR 92) or a single parent (as defined in 24 CFR 92) may not be excluded from consideration as a first-time homebuyer on the basis that the individual, while a homemaker or married, owned a home with his or her spouse or resided in a home owned by the spouse.

For Rent: Year round housing units that are vacant and offered/available for rent. (U.S. Census definition)

For Sale: Year round housing units that are vacant and offered/available for sale only. (U.S. Census definition)

Frail Elderly: An elderly person who is unable to perform at least 3 activities of daily living (i.e., eating, dressing, bathing, grooming, and household management activities). (See 24 CFR 889.105.)

Group Quarters: Facilities providing living quarters that are not classified as housing units. (U.S. Census definition). Examples include: prisons, nursing homes, dormitories, military barracks, and shelters.

HOME: The HOME Investment Partnerships Program, which is authorized by Title II of the National Affordable Housing Act.

Homeless Family: Family that includes at least one parent or guardian and one child under the age of 18, a homeless pregnant woman, or a homeless person in the process of securing legal custody of a person under the age of 18.

Homeless Individual/Homeless Person: An unaccompanied youth (17 years or younger) or an adult (18 years or older) without children, who is homeless (not imprisoned or otherwise detained pursuant to an Act of Congress or a State law), including the following: (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is: (i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or (iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Homeless Subpopulations: Include but are not limited to the following categories of homeless persons: severely mentally ill only, alcohol/drug addicted only, severely mentally ill and alcohol/drug addicted, fleeing domestic violence, youth, and persons with HIV/AIDS.

Homeless Youth: Unaccompanied person 17 years of age or younger who is living in situations described by terms "sheltered" or "unsheltered".

Household: All the persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

Housing Problems: Households with housing problems include those that: (1) occupy units meeting the definition of Physical Defects; (2) meet the definition of overcrowded; and (3) meet the definition of cost burden greater than 30%.

Housing Unit: An occupied or vacant house, apartment, or single room (SRO housing) that is intended as separate living quarters. (U.S. Census definition)

Institutions/Institutional: Group quarters for persons under care or custody. (U.S. Census definition)

Jurisdiction: A State or unit of general local government.

Large Family/Household: Family/household of five or more persons.

Large Related: A household of 5 or more persons that includes at least one person related to the householder by blood, marriage or adoption.

LIHTC: (Federal) Low Income Housing Tax Credit.

Low- and Moderate-Income Household: A household having an income equal to or less than the Section 8 low-income limit established by HUD.

Low- and Moderate-Income Person: A member of a family having an income equal to or less than the Section 8 low-income limit established by HUD. Unrelated individuals will be considered as one-person families for this purpose.

Low-Income Family/Household: Low-income families/households whose incomes do not exceed 50 percent of the median family/household income for the area, as determined by HUD with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Middle-Income Family/Household: Family/household whose income is between 80 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This corresponds to the term "moderate income family" under the CHAS statute, 42 U.S.C. 12705.)

Moderate-Income Family/Household: Family/household whose income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families/households, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Non-Homeless Persons with Special Needs: Includes frail elderly persons, persons with AIDS, disabled families, and families participating in organized programs to achieve economic self-sufficiency.

Non-Institutional: Group quarters for persons not under care or custody. (U.S. Census definition used)

Occupied Housing Unit: A housing unit that is the usual place of residence of the occupant(s).

Other Household: A household of one or more persons that does not meet the definition of a Small Related household, Large Related household or Elderly Household.

Other Income: Household whose incomes exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This term corresponds to moderate-income in the CDBG Program.)

Other Vacant: Vacant year round housing units that are not For Rent or For Sale. This category would include Awaiting Occupancy or Held.

Overcrowded: For purposes of describing relative housing needs, a housing unit containing more than one person per room, as defined by the U.S. Census Bureau, for which data are made available by the Census Bureau. (See 24 CFR 791.402(b).)

Owner: A household that owns the housing unit it occupies. (U.S. Census definition)

Physical Defects: A housing unit lacking complete kitchen or bathroom (U.S. Census definition). Jurisdictions may expand upon the Census definition.

Primary Housing Activity: A means of providing or producing affordable housing -- such as rental assistance, production, rehabilitation or acquisition -- that will be allocated significant resources and/or pursued intensively for addressing a particular housing need. (See also, "Secondary Housing Activity".)

Project-Based (Rental) Assistance: Rental Assistance provided for a project, not for a specific tenant. Tenants receiving project-based rental assistance give up the right to that assistance upon moving from the project.

Public Housing CIAP: Public Housing Comprehensive Improvement Assistance Program.

Public Housing MROP: Public Housing Major Reconstruction of Obsolete Projects.

Rent Burden > 30% (Cost Burden): The extent to which gross rents, including utility costs, exceed 30 percent of gross income, based on data published by the U.S. Census Bureau.

Rent Burden > 50% (Severe Cost Burden): The extent to which gross rents, including utility costs, exceed 50 percent of gross income, based on data published by the U.S. Census Bureau.

Rental Assistance: Rental assistance payments provided as either project-based rental assistance or tenant-based rental assistance.

Renter: A household that rents the housing unit it occupies, including both units rented for cash and units occupied without cash payment of rent. (U.S. Census definition)

Renter Occupied Unit: Any occupied housing unit that is not owner occupied, including units rented for cash and those occupied without payment of cash rent.

Secondary Housing Activity: A means of providing or producing affordable housing -- such as rental assistance, production, rehabilitation, or acquisition -- that will receive fewer resources and less emphasis than primary housing activities for addressing a particular housing need. (See also, "Primary Housing Activity".)

Section 215: Section 215 of Title II of the National Affordable Housing Act. Section 215 defines "affordable" housing projects under the HOME program.

Service Needs: The particular services identified for special needs populations, which typically may include transportation, personal care, housekeeping, counseling, meals, case management, personal emergency response, and other services to prevent premature institutionalization and assist individuals to continue living independently.

Severe Cost Burden: The extent to which gross housing costs, including utility costs, exceed 50 percent of gross income, based on data published by the U.S. Census Bureau.

Severe Mental Illness: A serious and persistent mental or emotional impairment that significantly limits a person's ability to live independently.

Sheltered: Families and persons whose primary nighttime residence is a supervised publicly or privately operated shelter, including emergency shelters, transitional housing for the homeless, domestic violence shelters, residential shelters for runaway and homeless youth, and any hotel/motel/apartment voucher arrangement paid because the person is homeless. This term does not include persons living doubled up or in overcrowded or substandard conventional housing. Facilities that offer permanent shelter are not shelters, nor are the residents to be considered homeless.

Small Related: A household of 2 to 4 persons that includes at least one person related to the householder by birth, marriage, or adoption.

Substandard Condition and not Suitable for Rehab: By local definition, dwelling units that are in such poor condition as to be neither structurally not financially feasible for rehabilitation.

Substandard Condition but Suitable for Rehab: By local definition, dwelling units that do not meet standard conditions but are both financially and structurally feasible for rehabilitation. This

does not include units that require only cosmetic work, correction or minor livability problems or maintenance work. The jurisdiction must define this term (i.e., standard condition, financially and structurally feasible for rehab) and include this definition in the Appendix (Glossary of Terms) portion of its CHAS submission.

Substantial Amendment: A major change in an approved housing strategy. It involves a change to the five-year strategy, which may be occasioned by a decision to undertake activities or programs inconsistent with that strategy.

Substantial Rehabilitation: Rehabilitation of residential property at an average cost for the project in excess of $25,000 per dwelling unit.

Supportive Housing: Housing, including Housing Units and Group Quarters, that provides a supportive environment and include a planned service component.

Supportive Service Need in FSS Plan: The plan that PHAs administering a Family Self-Sufficiency program are required to develop to identify the services they will provide to participating families and the source of funding for those services. The supportive services may include child care; transportation; remedial education; education for completion of secondary or post secondary schooling; job training, preparation and counseling; substance abuse treatment and counseling; training in homemaking and parenting skills; money management, and household management; counseling home ownership; job development and placement; follow-up assistance after job placement; and other appropriate services.

Supportive Services: Services provided to residents of supportive housing for the purpose of facilitating the independence of residents. Some examples are case management, medical or psychological counseling and supervision, childcare, transportation, and job training.

Tenant-Based (Rental) Assistance: A form of rental assistance in which the assisted tenant may move from a dwelling unit with a right to continued assistance. The assistance is provided for the tenant, not for the project.

Total Vacant Housing Units: Unoccupied year round housing units. (U.S. Census definition)

Transitional housing: A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, or a longer period approved by HUD. For purposes of the HOME program, there is no HUD-approved time period for moving to independent living.

Unsheltered: Families and individuals whose primary nighttime residence is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., streets, parks, alleys).

Vacant Awaiting Occupancy or Held: Vacant year round housing units that have been rented or sold and are currently awaiting occupancy, and vacant year round housing units that are held by owners or renters for occasional use. (U.S. Census definition)

Vacant Housing Unit: Unoccupied year-round housing units that are available or intended for occupancy at any time during the year.

Very Low-Income: Households whose incomes do not exceed 30 percent of the median area income for the area, as determined by HUD, with adjustments for smaller and larger families and for areas with unusually high or low incomes or where needed because of prevailing levels of construction costs or fair market rents. (This term corresponds to low-income households in the CDBG Program.) For the purpose of further distinguishing needs within this category, two subgroups (0 to 30% and 31 to 50% of MFI) have been established in the CHAS tables and narratives.)

Worst-Case Needs: Unassisted, very low income renter households who pay more than half of their income for rent, live in seriously substandard housing (which includes homeless people) or have been involuntarily displaced.

Year Round Housing Units: Occupied and vacant housing units intended for year round use. (U.S. Census definition.) Housing units for seasonal or migratory use are excluded.

ATTACHMENT B - FY 2010-2011 ANNUAL ACTION PLAN ACTIVITIES

CDBG Programs

Project ID	Local ID	Agency / Program	Funding
0001	2010-11-01-21A	CDBG Program Administration	$ 338,869.00
0002	2010-11-02-21D	Fair Housing Council - Fair Housing Services	$ 49,453.00
0003	2010-11-03-05G	Alternatives to Domestic Violence	$ 7,500.00
0004	2010-11-04-05	Community Assistance Program (CAP)	$ 30,600.00
0005	2010-11-05-05A	Friends of the Moreno Valley Senior Center - (MoVan)	$ 30,000.00
0006	2010-11-06-05	God's Helping Hand - Emergency Food Distribution	$ 9,000.00
0007	2010-11-07-05	Lutheran Social Services - Transitional Living Shelter	$ 15,000.00
0008	2010-11-08-05D	Operation Safehouse	$ 8,000.00
0009	2010-11-09-05	P.W. Enhancement Center - Emergency Motel Vouchers	$ 15,000.00
0010	2010-11-10-05I	Problem Oriented Policing	$ 28,241.00
0011	2010-11-11-05N	Riverside Area Rape Crisis Center - Child Abuse Prevention	$ 7,500.00
0012	2010-11-12-05	Path of Life Transitional Family Shelter	$ 15,000.00
0013	2010-11-13-05D	Moreno Valley Community Educators	$ 6,400.00
0014	2010-11-14-05	Salvation Army Food Program	$ 5,000.00
0015	2010-11-15-05D	Assistance League of Riverside - Operation School Bell	$ 10,000.00
0016	2010-11-16-05B	ARC of Riverside County	$ 5,000.00
0017	2010-11-17-05N	CASA for Riverside County	$ 10,000.00
0018	2010-11-18-15	Code Enforcement - Foreclosure Stike Team	$ 103,017.00
0019	2010-11-19-15	Neighborhood Code Enforcement Program	$ 263,390.00
0020	2010-11-20-18A	MV New Business Incentive Program	$ 540,000.00
0021	2010-11-21-18B	Community Employment Resource Center	$ 145,641.00
0022	2010-11-22-18B	Small Business Counseling Services	$ 50,000.00
0023	2010-11-23-05	Fair Housing Council - Foreclosure Prevention\Mitigation	$ 25,000.00
0024	2010-11-24-03D	Youth Opportunity Center - Tenant Improvements	$ 50,000.00
0025	2010-11-25-05	Community Foreclosure Prevention Workshops	$ 44,000.00
0026	2010-11-26-15	Neighborhood Clean-ups	$ 15,000.00
0027	2010-11-27-05	Volunteer Center '211' Telephone Referral Program	$ 5,000.00
0028	2010-11-28-15	Fire Prevention 'Improvement Task Force'	$ 30,000.00
0029	2010-11-29-14A	Habitat for Humanity Mobile Home Grant Program	$ 10,000.00
0030	2010-11-30-17C	Family Services Association Meal Program Facilities	$ 50,000.00
0031	2010-11-31-17C	Lord's Gym	$ 20,000.00
		Total CDBG Funding	**$ 1,941,611.00**

HOME Programs

Project ID	Local ID	Program	Funding
0032	2010-11-32-21A	HOME Program Administration	$ 66,659.00
0033	2010-11-33-26B	CHDO funds	$ 99,988.00
0034	2010-11-34-14A	Mobile Home Grant Program (MHG)	$ 100,000.00
0035	2010-11-35-14B	Multi-Family Affordable Housing Program	$ 182,942.00
0036	2010-11-36-14A	Home Improvement Loan Program	$ 240,000.00
		Total HOME Funding	**$ 689,589.00**

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0001	CDBG Program Administration	21A General Program Administration	CDBG	$338,869
			ESG	
2009-10-01-21A	Planning and Administration	570.206	HOME	
			HOPWA	
	Comprehensive planning and administration of CDBG program.		TOTAL	$338,869
			Total Other Funding	$0

General CDBG program administration for FY 2010/11.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00056547

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0002	Fair Housing Council - Fair Housing Services	21D Fair Housing Activities (subject to 20% Admin cap)	CDBG	$49,453
2009-10-02-21D	Housing Objective		ESG	
			HOME	
	Objective Description: Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services, and assist homeless persons and those threatened with homelessness.	570.206	HOPWA	
		3,700 People (General)	TOTAL	$49,453
			Total Other Funding	$0
	Project Description: Provides a full range of fair housing services that promote fair housing rights and obligations. The primary goal is to give impetus to, and actualize activities that affirmatively further fair housing in the City of Moreno Valley through the three basic areas of education, training and technical assistance, landlord/tenant mediation and enforcement. Provide assistance to victims of illegal housing discrimination. An estimated 3,700 Moreno Valley residents will be served.			
	Help the Homeless?	No	Start Date: 07/01/10	
	Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
	Eligibility:			
	Subrecipient:	Subrecipient Public 570.500(c)		
	Location(s): 23890 Alessandro Boulevard, Ste. A1 Moreno Valley, CA 92553	Addresses		

MV00056548

CPD Consolidated Plan
Listing of Proposed Projects

oject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0003	Alternatives to Domestic Violence	05G Battered and Abused Spouses	CDBG	$7,500
			ESG	
2010-11-03-05G	Public Services	570.201(e)	HOME	
	Public Service Objective To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	800 People (General)	HOPWA	
			TOTAL	$7,500
			Total Other Funding	$0
	Project Description: Provides services to victims of violent crimes (battered women and their children). An estimated 800 Moreno Valley residents will be served by this program annually. These services include an Outreach Counseling Center which offers a 24 hour crisis line, counseling, support groups, court advocacy, and an emergency shelter for battered women and abused children.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low/Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	
P.O. Box 910, Riverside, CA 92502		

MV00056549

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0004	Community Assistance Program	05 Public Services (General)	CDBG	$30,600
			ESG	
2010-11-04-05	Public Service Objective	570.201(e)	HOME	
	Objective Description:		HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	12,000 People (General)	TOTAL	$30,600
			Total Other Funding	$0

Project Description:
The Community Assistance Program (CAP) will provide emergency and supplemental food and clothing to low and moderate income persons. Also provides utility payments and social service referrals.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

24594 Sunnymead Boulevard, Moreno Valley, CA 92553

MV00056550

CPD Consolidated Plan
Listing of Proposed Projects

ɔject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0005	Friends of the Moreno Vlly Sr Cntr--(MoVan)	05A Senior Services	CDBG	$30,000
			ESG	
2010-11-05-05A	Senior Programs	570.201(e)	HOME	
	Objective Description:		HOPWA	
	Provide services to senior residents of the City, which may include transportation and activities.	3,400 Elderly	TOTAL	$30,000
			Total Other Funding	$0

Project Description:
The Friends of the Moreno Valley Senior Center own and operate the MoVan which is used to transport the elderly and adult handicapped to medical appointments and other needed destinations. The MoVan is a 17-passenger bus with two wheel chair tie-downs. The MoVan operates 7 hours per day/5 days per week and serves over 3,400 persons annually. Minimal fares charged only if able to pay.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

25075 Fir Avenue, Moreno Valley, CA 92553

MV00056551

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0006	God's Helping Hand - Emergency Food Distribution	05 Public Services (General)	CDBG	$9,000
			ESG	
2010-11-06-05	Public Services Objective:	570.201(e)	HOME	
			HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	8,750 People (General)	TOTAL	$9,000
			Total Other Funding	$0

Project Description:
Program provides food (three meals a day for five days) to low-income Moreno Valley residents and families. Also provides social services referrals and emergency clothing. The organization anticipates assisting 8,750 Moreno Valley residents.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

13958 Highway 215, Moreno Valley, CA 92553

MV00056552

CPD Consolidated Plan
Listing of Proposed Projects

oject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0007	Lutheran Social Services - Transitional Living Program	05 - Public Service (General)	CDBG	$15,000
			ESG	
2010-11-07-05	Housing Objective:	570.201(e)	HOME	
	Objective description:		HOPWA	
	Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services, and assist homeless persons and those threatened with homelessness.	55 People (General)	TOTAL	$15,000
			Total Other Funding	$0
	Project Description: Project povides assistance to homeless women and children through a comprehensive transitional living program. While in the program, participants develop a "Strategic Family Plan" in order to attain the skills necessary for independent living. Counseling, education assessments and other services are provided to assist participants with gaining independence.			

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

23310 Meyer Drive, Riverside, CA 92518

MV00056553

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0008	Operation Safehouse	05D - Public Service (Youth Service)	CDBG	$8,000
			ESG	
2010-11-08-05D	Public Service Objective:	570.201(e)	HOME	
			HOPWA	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	80 Homeless Youth	TOTAL	$8,000
			Total Other Funding	$0

Project Description:
Operation Safehouse is a 17-bed youth shelter located in a residential neighborhood which is staffed 24 hours per day. Provides shelter, food, counseling, clothing and support services for runaway/throwaway children in a safe and supervised environment.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

9685 Hayes Street, Riverside, CA

MV00056554

CPD Consolidated Plan
Listing of Proposed Projects

ɔject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0009	P.W. Enhancement Cntr - Emergency Motel Vouchers	05 Public Services (General)	CDBG	$15,000
			ESG	
2010-11-09-05	Homeless Service Objective:	50 People (General)	HOME	
			HOPWA	
	To provide supportive housing and public services to meet the needs of homeless persons or those threatened with homelessness		TOTAL	$15,000
			Total Other Funding	$0

Project Description:
The P.W. Enhancement Center provides emergency and supportive services to needy households including food distribution, budgeting and money management, and job preparedness. Funding will be provided to assist the homeless by providing emergency motel vouchers and rental assistance to needy families and individuals.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

24490 Sunnymead Blvd., Moreno Valley, CA 92553

MV00056555

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0010	Problem Oriented Policing (POP)	05I Crime Awareness	CDBG	$28,211
			ESG	
2010-11-10-05I	Anti-Crime Programs	570.201(e)	HOME	
			HOPWA	
	Public Safety - To provide a safe and secure environment for residents and businesses through the Neighborhood Policing Program. Annual Program Goal - Continue to increase public safety in low-income neighborhoods (CDBG Target Areas) and reduce the number of calls for service.	250 People (General)	TOTAL	$28,211
			Total Other Funding	$0

Project Description:
Police Officers will be assigned to the CDBG Target Areas for the purpose of continuing the Community Based Problem Oriented Policing Program (POP). The program is designed to reduce crime, promote neighborhood pride, and bring law enforcement to a personal community level. The specific purpose of the program include reduction of crime within the designated areas and the improvement/removal of blight.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	

CT: 042405 BG: 1 County: 06065
CT: 042405 BG: 2 County: 06065
CT: 042504 BG: 1 County: 06065
CT: 042504 BG: 2 County: 06065
CT: 042505 BG: 1 County: 06065
CT: 042505 BG: 2 County: 06065
CT: 042508 BG: 1 County: 06065
CT: 042512 BG: 2 County: 06065
CT: 042514 BG: 1 County: 06065
CT: 042515 BG: 1 County 06065
CT: 042515 BG: 2 County: 06065
CT: 042516 BG: 1 County: 06065
CT: 042516 BG: 2 County: 06065
CT: 042519 BG: 1 County: 06065
CT: 042509 BG: 1 County: 06065
CT: 042509 BG: 2 County: 06065
CT: 042511 BG: 1 County: 06065
CT: 042520 BG: 1 County: 06065
CT: 042605 BG: 6 County: 06065

CPD Consolidated Plan
Listing of Proposed Projects

oject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0011	Riverside Rape Crisis - Child Abuse Prevention Progrm	05N Abused and Neglected Children	CDBG	$7,500
			ESG	
2010-11-11-05N	Public Service Objective:	570.201(e)	HOME	
	To provide a variety of public services such as children's activities, educational programs, food distribution, counseling services, etc. to facilitate opportunities for low-income persons.	5,500 Youth	TOTAL	$7,500
			Total Other Funding	$0
	Project Description: Child abuse prevention and education programs designed to reach children (K through 12) and adults are presented at the elementary, middle and high school levels. The program is also designed to reach bilingual and Special Education students, adults, and teen support groups. Also provides counseling and support services to abuse victims and their families.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipiet Public 570.500(c)	
Location(s): 1845 Chicago Ave. Ste. A, Riverside, CA 92507	Community Wide	

MV00056557

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0012	Path of Life Transitional Shelter	05 - Public Services (general)	CDBG	$15,000
			ESG	
2010-11-12-05	Homeless Services	570.201(e)	HOME	
			HOPWA	
	To provide transitional housing services to families with children (both single and married couples)	142 Homeless people		
			TOTAL	$15,000
			Total Other Funding	$0

Project Description:
The King Hall Transitional Housing Project will offer transitional and emergency shelter care to women with children, single women, and homeless families. Services include shelter, assessment of needs, life skills coaching, goal setting, job training, budget planning, education, and supportive services.

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses

23701 Meyer Drive, (MARB) Riverside, CA 92518

MV00056558

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0013	Moreno Valley Community Educators	05D Public Services (Youth)	CDBG	$6,400
			ESG	
2010-11-13-05D	Project Description:	570.201(e)	HOME	
			HOPWA	
	The program offers low income, 'at risk' children ages 5-18 free tutoring (all subjects), mentoring, standardized test preparation, and computer literacy 4:30 pm to 6:30 pm 3 nights per week. CDBG funding will allow the center to purchase supplies, expand its hours, and include programs for young adults such as GED preparation, parenting, resume writing, interview skills and other workforce development skills.	40	TOTAL	$6,400
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

23910 Alessandro Blvd. Ste. A Moreno Valley, CA 92552

MV00056559

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0014	Salvation Army Food Program	05 Public Services General	CDBG	$5,000
			ESG	
2010-11-14-05D	Public Services	570.201(e)	HOME	
			HOPWA	
	The Food Pantry offers needy residents emergency food on Mondays and Tuesdays from 8:30 a.m.-12:30 p.m. Funding allows for the hire of a much needed part-time driver to pick up food from their collaborative partners such as Wal-mart, 2nd Harvest, March ARB, and United Natural Foods. The program expects to assist over 22,000 persons this coming year.	22,000	TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	Yes	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele	
Subrecipient:	Subrecipiet Public 570.500(c)	
Location(s):	Community Wide	

14068 Graham Street Moreno Valley, CA 92533

MV00056560

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishment	Funding Sources	
0015	Assistance League of Riverside - OPERATION SCHOOL BELL		CDBG	$10,000
			ESG	
2010-11-15-05D	Public Services (Youth Services)	570.201(e)	HOME	
			HOPWA	
		280		
			TOTAL	$10,000
	The project will provide new school clothing to 280 needy Moreno Valley children. Children are referred by Moreno Valley Unified School District staff. Each child referred will receive 6 pairs of socks and underwear, 2 pairs of pants, 3 shirts, 1 sweatshirt, 1 jacket, 1 shoe voucher, 1 backpack, 1 new reading book, 1 used book, and a personal hygiene kit.		Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(2) - Low / Mod Limited Clientele
Subrecipient:	Subrecipiet Public 570.500(c)
Location(s):	Community Wide

3707 Sunnyside Dr. Riverside, CA 92506

MV00056561

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0016	ARC of Riverside County	Disaled Services	CDBG	$5,000
			ESG	
2010-11-16-05B	Services for the Disabled	570.201(c)	HOME	
			HOPWA	
	The ARC of Riverside County serves adults with developmental disabilities at one of the only centers of its kind located in the City. Activities are aimed at increasing interaction, self esteem, and independence. ARC proposes to use grant dollars to provide specialized medical training to an on-site LVN, and to help continue other existing services.	50-100 Youth	TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	

12199 Heacock St., Ste. 5, Moreno Valley 92557

MV00056562

CPD Consolidated Plan
Listing of Proposed Projects

ject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0017	CASA for Riverside County	05N - Public Service (Abused Youth Services	CDBG	$10,000
			ESG	
2010-11-17-05N	Public Services Objective - Abused Foster Youth	570.201(e)	HOME	
			HOPWA	
	CASA offers court appointed monitoring services to foster youth. A CASA volunteer consistently monitors the foster child, advocates for their best interest and follows their progress regardless of a change in foster family. The CASA volunteer (advocate) reports to court on the child's behalf assisting to ensure the child is placed in a safe, permanent home with hope for a positive future. CDBG funds will be used for salary of one supervisor who will train volunteers that in turn will provide service to 57 Moreno Valley foster children over the program year.	57 foster youth	TOTAL	$10,000
			Total Other Funding	$0

Help the Homeless? Yes
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility: 570.208(a)(2)(A) - Low / Mod Limited Clientele
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses
Southwest Justice Center, 30755 D. Auld Rd., Ste 1226 Murrieta, CA 92563

MV00056563

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0018	Code Enforcement City Foreclosure Strike Team	15 Code Enforcement	CDBG	$103,017
			ESG	
2010-11-18-15	Other	570.206	HOME	
	Project Description:		HOPWA	
	This team will address code enforcement activities specific to foreclosures and abandoned homes in the CDBG target area. The objective is to identify these properties within the Target area then pursue property inspections and maintenance activities. The Strike Team is also responsible for working with trustees, lenders, real estate agents, and property managers to obtain code compliance for properties in default/foreclosure in CDBG target areas.		TOTAL	$103,017

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility: 570.208(a)(1) - Low / Mod Area
Subrecipient: Local Government
Location(s): CT & BG's

CT: 042405 BG: 1 County: 06065
CT: 042405 BG: 2 County: 06065
CT: 042504 BG: 1 County: 06065
CT: 042504 BG: 2 County: 06065
CT: 042505 BG: 1 County: 06065
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CT: 042508 BG: 1 County: 06065
CT: 042509 BG: 1 County: 06065
CT: 042509 BG: 2 County: 06065
CT: 042511 BG: 1 County: 06065
CT: 042512 BG: 2 County: 06065
CT: 042514 BG: 1 County: 06065
CT: 042515 BG: 1 County 06065
CT: 042515 BG: 2 County: 06065
CT: 042516 BG: 1 County: 06065
CT: 042516 BG: 2 County: 06065
CT: 042519 BG: 1 County: 06065
CT: 042520 BG: 1 County: 06065
CT: 042605 BG: 6 County: 06065

MV00056564

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0019	Neighborhood Code Enforcement Program	15 Code Enforcement	CDBG	$263,390
			ESG	
2010-11-19-15	Other	570.206	HOME	
	Project Description:		HOPWA	
	The Code & Neighborhood Services Division will provide proactive code enforcement activities within the CDBG Target Areas. The program will reduce blight and substandard housing conditions and promote improved property and building maintenance habits of property owners and tenants. These goals will be achieved through investigation and enforcement of zoning, housing, building, and health and safety codes.		TOTAL	$263,390

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(1) - Low / Mod Area
Subrecipient:	Local Government
Location(s):	CT & BG's

MV00056565

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0020	Moreno Valley Retail Business Incentive Program	18A ED Technical Assistance	CDBG	$540,000
			ESG	
2010-11-20-18A	Direct Assistance to For Profits The economic downtown has lead to job loss for many residents. As of February 2010, the City's unemployment rate exceeded 17%. Funding is recommended for the continuation of a New Business Incentive Program intended to attract major employers to locate in the TownGate, Centerpointe Business Park, and the Moreno Valley Industrial areas of the community. HUD allows Entitlement Cities to use CDBG funds to assist private, for-profit businesses through loans, grants or interest subsidies, so long as the activity provides a public benefit, which in this case would be the creation of full-time permanent jobs (of which 51% are held by or made available to low and moderate income persons) and the boosting of sales tax revenues.	570.203(b)	HOME	
			HOPWA	
			TOTAL	$540,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(4) Job Creation or Retention	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

14177 Frederick Street Moreno Valley, CA 92552

MV00056566

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0021	EMPLOYMENT RESOURCE CENTER	18B ED Technical Assistance	CDBG	$145,641
			ESG	
2010-11-21-18B	Economic Development	570.203(b)	HOME	
			HOPWA	
	The economic downtown has lead to job loss for many residents. As of February 2010, the City's estimated unemployment rate exceeded 17%. The ERC will continue to provide low and moderate income individuals computer/internet access to search for employment opportunities, prepare resumes, fax job applications, and/or apply for unemployment at no cost. The site has also been used to conduct job training as well as employee recruitments for several Moreno Valley businesses. During the first year of operation, the Center had over 13,000 patrons visit the site.		TOTAL	$145,641
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:	570.208(a)(4) Job Creation or Retention
Subrecipient:	Subrecipient Public 570.500(c)
Location(s):	Addresses
12625 Frederick Street Moreno Valley	

MV00056567

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0022	Small Business Counseling Services	18B ED Technical Assistance	CDBG	$50,000
			ESG	
2010-11-22-18B	Economic Development	570.203(b)	HOME	
			HOPWA	
	The goals of the community and economic development strategy in the Consolidated Plan are to promote expanded economic opportunities in order to create or retain low and moderate income jobs, provide infrastructure improvements in CDBG Target Areas, and support public service programs available to serve low and moderate income residents.	100 Businesses	TOTAL	$50,000
			Total Other Funding	$0
	The Inland Empire Small Business Development Center (SBDC) provides technical assistance and training to Moreno Valley small businesses. Training and seminars include such topics as financial management, marketing, taxes, developing a business plan and expanding a home-based business. It is anticipated that the seminars, training and counseling will create or retain low income jobs.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(4) Job Creation or Retention	
Subrecipient:	Subrecipient Public 570.500(c)	
Location(s):	Addresses	

1157 Spruce Street, Riverside, CA

MV00056568

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0023	Fair Housing Council - Foreclosure Prevention & Mitigation Counseling		CDBG	$25,000
			ESG	
2010-11-23-05	Housing		HOME	
		Public Service 570.201(e)	HOPWA	
	Project provides homeowners that are at risk of or currently loosing their homes to foreclosure with assistance negotiating with lenders and one-on-one counseling. Program also offers budget management, financial assessments, mortgage education and training to potential homebuyers, and referral services.	Limited Clientele 570.208(a)(2)		
			TOTAL	$25,000
		750 people		
			Total Other Funding	$0

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility:
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses

23890 Alessandro Boulevard, Moreno Valley, CA 92553

MV00056569

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0024	Youth Opportunity Center	03D Youth Centers	CDBG	$50,000
			ESG	
2010-11-24-03D	Economic Development	570.203(b)	HOME	
	Project Description:		HOPWA	
	The project would establish a 2,000 sq. ft. center where Moreno Valley youths could access an array of educational services (tutoring, GED, and college preparation programs), job coaching and placement, support groups, and volunteer/civic engagement coordination. Grant would serve as the required matching funds that would be used for the building acquisition or for needed tenant improvements in a lease opportunity. The YOC would be open six days a week, Monday through Saturday, and be open late on weekday afternoons so that the youth could visit after school.		TOTAL	$50,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility: 570.208(a)(4) Job Creation or Retention
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses
14177 Frederick St., Moreno Valley, CA

MV00056570

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0025	Community Foreclosure Prevention Workshops		CDBG	$44,000
			ESG	
2010-11-25-05	Housing		HOME	
		Public Services 570.201(e)	HOPWA	
	Program will fund workshops aimed at providing much needed foreclosure prevention education services to struggling homeowners in the community. The City is expected to partner with agencies such as: the Riverside County Fair Housing Council, Springboard Consumer Credit Counselors, Employment Development Department, the County Tax Assessors Office, HUD, the IRS, and others to provide a complete and comprehensive program.	570.208(a) Low – Moderate Income	TOTAL	$44,000
		300 people	Total Other Funding	$0

Help the Homeless? No
Help those with HIV or AIDS? No

Start Date: 07/01/10
Completion Date: 06/30/11

Eligibility:
Subrecipient: Subrecipient Public 570.500(c)
Location(s): Addresses

14177 Frederick St. Moreno Valley, CA 92552

MV00056571

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0026	Neighborhood Clean-ups	15 Code Enforcement	CDBG	$15,000
			ESG	
2010-11-26-15	Other	570.206	HOME	
			HOPWA	
	The program proposes to provide 3 large scale clean-ups to be held in select neighborhoods within the CDBG Target Areas identified as the 'most distressed.' The clean-ups will utilize industrial size dumpsters and skip loaders. The objective is to eliminate blight, prevent deterioration of properties, and remove conditions that negatively impact health, safety, or public welfare. On average each event benefits approximately 100 residences.		TOTAL	$15,000

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location(s):	CT & BG's	
14177 Frederick st. Moreno Valley, CA		

MV00056572

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0027	211 of Riverside County	05 General Public Service	CDBG	$5,000
			ESG	
2010-11-27-05	Volunteer Center of Riverside County	570.201(e)	HOME	
			HOPWA	
	211 Riverside is an on going phone system that provides 24 hour, 7 days a week information and referrals to social service programs. Due to the economy, calls to 211 have increased. Funding is requested to cover staffing costs to handle increased call loads.		TOTAL	$5,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00056573

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0028	Fire Prevention Div. - Neighborhood Improvement Task Force	15 Code Enforcement	CDBG	$30,000
2010-11-28-15	Other	570.206	ESG HOME	
	Project Description: This Task Force would conduct approximately 200 inspections to the exterior and interior of multi-family units in the Target Area. The goal is to document fire and life safety issues, pursue corrective action, ensure the units meet the minimum City standards, and promote safer low-income housing		HOPWA TOTAL	$30,000

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.208(a)(1) - Low / Mod Area	
Subrecipient:	Local Government	
Location CDBG Target Area		

MV00056574

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0029	Habitat for Humanity Mobile Home Grant Program		CDBG ESG	
2010-11-29-14A	Housing	570.202	HOME HOPWA	$10,000.00
		12 Households (General)		
			TOTAL	$10,000.00
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.			
			Total Other Funding	$0.00

Project Description:
Program offers assistance to income-qualified mobile home owners for rehabilitation of exterior substandard conditions. Work is performed by volunteers. Program aims to assist those who are unable to do repairs themselevs and where lack of maintenance may lead to eviction.

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11

Eligibility:
Subrecipient: Local Government
Location(s): N/A

MV00056575

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0030	FSA Meal Program Facility	17C - Commercial/Industrial Building Acquisition, Construction, Rehabilitation	CDBG	$50,000
			ESG	
2010-11-30-17C	Economic Development	570.203(a)	HOME	
	Project Description:		HOPWA	
	Family Services Association (a local non-profit) plans to construct a kitchen facility in the CDBG Target Area where meals will be prepared for its local meals and nutrition programs including for the participants of its many daycare centers in the community. The proposed $50,000 in CDBG funding would be used for assistance in acquiring a building for the site, and in lieu of the City's CDBG assistance FSA must create a minimum of two full time permanent jobs which are held by or made available to low and moderate income level persons.		TOTAL	$50,000
			Total Other Funding	$0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.203(a)	
Subrecipient:		
Location(s):	Addresses	
14177 Frederick St., Moreno Valley, CA		

MV00056576

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0031	Lord's Gym	17C - Commercial/Industrial Building Acquisition, Construction, Rehabilitation	CDBG	$20,000
2010-11-31-17C	Economic Development	570.203(a)	ESG HOME	
	Project Description: The 'Lord's Gym' is a non-profit organization aimed at providing young people in the community with a safe outlet in today's world by focusing on sports programs. The facility is new to the area and will offer a sports and fitness center with weight room, basketball courts, computer room, wellness clinic, and classrooms for life care and mentoring.The proposed $20,000 in CDBG funding would be used for tenant improvements, and in lieu of the CDBG assistance the 'Lord's Gym' must create or retain a minimum of one full-time permanent job which are held by or made available to low and moderate income level person.		HOPWA TOTAL Total Other Funding	 $20,000 $0

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.203(a)	
Subrecipient:		
Location(s):	Addresses	
14177 Frederick St., Moreno Valley, CA		

MV00056577

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0032	HOME Program Administration	21A General Program Administration	CDBG	
			ESG	
2010-11-32-21A	Planning and Administration		HOME	$66,659.00
			HOPWA	
	Comprehensive planning and administration of programs.	0 N/A		
			TOTAL	$66,659.00
			Total Other Funding	$0.00

HOME program administration for FY 2010/2011

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	
14177 Frederick St. Moreno Valley, Ca 92553		

MV00056578

CPD Consolidated Plan
Listing of Proposed Projects

ject ID/ cal ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0033	CHDO Funds	22 Unprogrammed	CDBG	
			ESG	
2010-11-33-22	Housing		HOME	$99,988.00
			HOPWA	
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.		TOTAL	$99,988.00
			Total Other Funding	$0.00
	Project Description: Funding shall be reserved\provided to a Community Housing Development Organization (CHDO) to construct or rehabilitate multi-family rental units in the CDBG Target Area. These units will be affordable to low income households.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00056579

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0034	Mobile Home Grant Program		CDBG	
			ESG	
2010-11-34-14A	Housing	570.202	HOME	$100,000.00
			HOPWA	
		10 Households (General)		
			TOTAL	$100,000.00
	Housing objectives: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant servic			
			Total Other Funding	$0.00
	Project Description: Program offers grants of up to $10,000 to income-qualified owners of mobile home coaches for the rehabilitation of substandard conditions.			

Help the Homeless?	No	Start Date: 07/01/10	
Help those with HIV or AIDS?	No	Completion Date: 06/30/11	
Eligibility:			
Subrecipient:	Local Government		
Location(s):	N/A		

MV00056580

CPD Consolidated Plan
Listing of Proposed Projects

ject ID/ al ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishme	Funding Sources	
0035	Multi-family Affordable Housing Program (MFA)		CDBG	
			ESG	
2010-11-35 -14B	Housing Housing Objective Description: Rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant services.		HOME	$182,942.00
			HOPWA	
			TOTAL	$182,942.00
	Project Description: Program funds will assist in the construction of new affordable multi-family housing units. New construction will provide additional affordable housing within the community.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:	570.202	
Subrecipient:	Local Government	
Location(s):	N/A	

MV00056581

CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0036	Home Improvement Loan Program		CDBG	
			ESG	
2010-11-36-14A	Housing	6 households	HOME	$240,000.00
			HOPWA	
	Housing Objective Description: rehabilitation of existing single-family homes, multi-family housing and mobile homes, create home ownership opportunities, improve the safety and livability in the CDBG Target Areas, to provide fair housing and landlord/tenant service.		TOTAL	$240,000.00
			Total Other Funding	$0.00
	Project Description: The HILP provides 3% deferred loans for homeowners to rehabilitate single-family homes. The purpose is to eliminate substandard housing conditions, improve handicap accessibility, and improve the aesthetics of older neighborhoods, thereby contributing to their preservation and revitalization.			

Help the Homeless?	No	Start Date: 07/01/10
Help those with HIV or AIDS?	No	Completion Date: 06/30/11
Eligibility:		
Subrecipient:	Local Government	
Location(s):	N/A	

MV00056582

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Expires 3/16/10

CITY OF MORENO VALLEY
NOTICE OF PUBLIC HEARING

CDBG & HOME PROGRAMS
FOR FISCAL YEAR 2010/2011 ANNUAL ACTION PLAN

The Moreno Valley City Council of the City of Moreno Valley will hold a PUBLIC HEARING to review and select the programs and projects requesting Community Development Block Grant (CDBG) and HOME Incentive Partnership Program (HOME) Funds of FY 2010/11:

The Public Hearing will be held on Tuesday, March 23, 2010 at 6:30 p.m. at the following location:

City Council Chambers
Moreno Valley City Hall
14177 Frederick Street
Moreno Valley, CA 92552

The City anticipates receiving an estimated $1,793,000 in new CDBG funds and $666,000 in HOME funds in FY 2010/2011. Please note that at least 70% of the CDBG funding will be allocated to projects serving lower income residents. The public is invited to attend and give input regarding the programs proposed for funding. Once approved at the City level, the programs will be incorporated into the 2010/11 Annual Action Plan and submitted to the Department of Housing and Urban Development (HUD) for Federal approval.

The Action Plan is the annual update to the City's adopted 5-Year Consolidated Plan that covers the period from July 1, 2008 through June 30, 2013 (FY 2008 – FY 2013). The Consolidated Plan is a planning document that identifies priority housing and non-housing community development needs, development of strategies, project selections, and funding distributions. The City's required to provide an Annual Action Plan Update each year that incorporates how new CDBG and HOME funds will be used to facilitate the strategies and address the needs identified in the Consolidated Plan. Current needs identified in the community include: housing, youth career development, public social services, economic development (job creation), and crime prevention.

For more information, please contact Isa Rojas, Management Analyst in the Economic Development Department (951) 413-3450.

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MV00056583

ATTACHMENT D – CITIZEN PARTICIPATION PLAN

INTRODUCTION

The City of Moreno Valley is required by law to have a detailed Citizen Participation Plan that contains the City's policies and procedures for public involvement in the Consolidated Plan process and the use of CDBG and HOME funds. The Moreno Valley Citizen Participation Plan was developed pursuant to the U.S. Department of Housing and Urban Development (HUD), Consolidated Submission for Community Planning and Development Programs as required under 24CFR Part 91 and Part 8. The Citizen Participation Plan provides the method and process by which the City of Moreno Valley will encourage citizen participation in the development of its Consolidated Plan. Through this plan, citizens will be afforded the opportunity to provide input regarding housing and community development needs, issues and problems affecting low- and moderate-income persons, development of strategies, project selections and funding distributions.

Encouraging Public Participation

The law requires that the City's Citizen Participation Plan both provide for and encourage public participation, emphasizing involvement by low- and moderate-income people – especially those living in low- and moderate-income neighborhoods (see CDBG Target Area Map). Also, HUD expects the City to take whatever actions are appropriate to encourage participation of minorities, people who do not speak English, and people with disabilities.

The City also maintains a distribution list of persons, agencies, and organizations that have expressed interest in the City's CDBG or HOME programs. Notifications of events, such as the Community Needs meetings, are mailed directly to those on the distribution list to encourage public participation.

The Role of Low Income People

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing: decent housing, a suitable living environment, and growing economic opportunities – all principally for low- and moderate-income people.

The City of Moreno Valley will provide the Riverside County Public Housing Authority with a copy of all Public Notices that are published during the Consolidated Plan process. The City encourages input from residents of the Public Housing developments and via the Public Housing Authority, residents are notified of Community Needs Meetings as well as Public Hearings.

Because the amount of federal CDBG and HOME money the City receives each year is mostly based upon the severity of both poverty and substandard housing conditions in the City, it is necessary that public participation genuinely involve low-income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process, including:

- Identifying needs
- Setting priorities among these needs, deciding how much money should be allocated to each high-priority need and suggesting the types of programs to meet high-priority needs
- Overseeing the way in which programs are carried out

The Various Stages of the Consolidated Plan Process

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general, these stages or events include:

A. Identification of community and housing needs (includes Public Hearing)
B. Preparation of a draft use of funds for the upcoming year, call the Proposed Annual Action Plan (includes Public Hearing)
C. Formal approval by the City Council of the Final Annual Action Plan (includes Public Hearing)
D. In the case where is it necessary to change the use of money already budgeted in an Action Plan or change priorities, a Substantial Amendment will be proposed (includes Public Hearing)
E. After the program year is complete, a Consolidated Annual Performance and Evaluation Report (CAPER) is drafted for public review and comment and then sent to HUD

The Program Year

The program year for Moreno Valley coincides with the City's fiscal year from July 1 through June 30.

PUBLIC NOTICES

Items Covered by the Public Notice Requirement

Advance Public Notice is provided once a federally required document is available for public review and comment, such as the Annual Action Plan or Consolidated Plan. In addition, advance public notice of all public hearings and public meetings is provided at least two weeks in advance.

Public Notice Schedule

Advance notice of all available documents, public hearings and public meetings are provided at least two weeks in advance. The notices will give residents a clear understanding of the event being announced.

The following is a general timeline of when public notices are published:

November-January	Notice of Community Needs Meetings
December-January	Notice of Public Hearing to Identify Community Needs
January	Notice of Funding Availability and Application Process for Funding
March	Notice of Public Hearing to Discuss Proposed Consolidated/Action Plan
March-April	Notice of Consolidated/Action Plan Availability for Public Review
April-May	Notice of Public Hearing to Adopt Final Consolidated/Action Plan
As Needed	Notice of Availability of Amendment to Consolidated/Action Plan
As Needed	Notice of Public Hearing to Amend Consolidated/Action Plan

Forms of Public Notice

Public notices are published in the Press-Enterprise as display advertisements in the non-legal section of the newspaper. A copy of the public notice will be sent to any person or organization requesting to be on the mailing list.

PUBLIC ACCESS TO INFORMATION

As required by law, the City will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual and past use of funds covered by the Citizen Participation Plan. Regarding the past use of funds, the law requires reasonable public access to records about any uses of these funds during the previous five years.

Also, the City will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

Standard Documents

Standard documents include:

- The proposed and final Annual Action Plans
- The proposed and final Five-Year Consolidated Plan
- Proposed and final Substantial Amendments to either an Annual Action Plan or the Five-Year Consolidated Plan
- Consolidated Annual Performance and Evaluation Report
- Citizen Participation Plan

Availability of Standard Documents

All documents are available for immediate public review at City Hall in the Economic Development Department. Copies of standard documents that are not currently posted for public review will be provided to the public within five working days of the request at no cost. Copies of draft documents such as the Action Plan and CAPER are available at several locations for public review. These locations are: the Library, the Senior Center, City Hall, and the Purchasing Division at the City Corporate Yard. Documents remain at each of the for the entire required review time that is specified in the applicable public notice. All final documents are available for public review at City Hall during normal business hours.

PUBLIC HEARINGS

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

The law requires a minimum of two public hearings at two different stages of the process. The City will conduct three public hearings at the following stages of the process: Identifying Needs, Proposed Annual Action Plan, and the Final Annual Action Plan. Public hearings are also conducted for amendments to the Annual Action Plan as needed.

Access to Public Hearings

Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan, including a display advertisement in the non-legal section of the newspaper at least two weeks prior to the public hearing. Public hearings are conducted during the regularly scheduled City Council meetings.

Public Hearings and Populations with Unique Needs

All public hearings will be held at locations accessible to people with disabilities and provisions will be made for people with disabilities when requests are made within at least five working days prior to a hearing. Translators will be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

Conduct of Public Hearings

To ensure that public hearings are meaningful to residents, each public hearing will be conducted in the presence of the City Council. Each resident choosing to speak will be allowed a maximum of five minutes to make a verbal presentation.

The following is a general timeline of when public hearings are conducted during the process:

January	Public Hearing to Identify Community Needs
March	Public Hearing to Discuss CDBG and HOME Proposed Projects
May	Public Hearing to Adopt Final Consolidated Plan Amendment/ Action Plan
As Needed	Public Hearing to Amend Consolidated Plan Amendment/ Action Plan

STAGES IN THE PROCESS

A. IDENTIFYING NEEDS

Because the housing and community development needs of low- and moderate-income people are so great and so diverse, priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason the Consolidated Plan exists.

A public hearing is required to obtain residents' opinions about needs and what priority those needs have. In order to encourage public involvement, two public community needs meetings are conducted in two separate locations to determine the specific needs and priorities identified by low- and moderate-income people. After information is gathered from the community needs meetings, a public hearing is conducted to allow residents to express comments regarding the needs of the City's low- and moderate-income population.

The public hearing about community needs will be completed at least 15 days before a draft Annual Action Plan is published for comment, so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan.

B. THE PROPOSED ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

The law governing the Citizen Participation Plan calls for improved accountability of jurisdiction to the public. In that spirit and in compliance with the terms of the law, the City will use the following procedures.

At the beginning of this stage, the City will provide the public with an estimate of the amount of CDBG and HOME funds it expects to receive in the upcoming year, along with a

description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds that will be used in ways that will benefit low- and moderate-income people.

The plans of the City to minimize the extent to which low- and moderate-income people will have to leave their homes as a result of the use of these federal dollars (called "displacement") will also be available at this time. This "anti-displacement plan" will also describe how the City will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.

Technical Assistance

City staff will work with organizations and individuals representative of low- and moderate-income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing a proposal form.

Availability of a Proposed Annual Action Plan

Within 3 weeks after the Public Hearing about the Proposed Annual Action Plan, the City will make the Proposed Annual Action Plan available to the public. In addition, copies will be available at the locations specified above in the section, "Public Access to Information". A Public Notice will be published at least two weeks prior to the document's availability. The term "notice" described earlier in the section on "Public Notice" will be used.

Also, the date the Proposed Annual Action Plan is available to the public will be at least 30 days prior to the date a Final Annual Action Plan is approved by the City Council so that low- and moderate-income people will have a reasonable opportunity to examine it and to submit comments.

Public Hearing and Further Action

A public hearing about the Proposed Annual Action Plan will be conducted by the City Council within 30 days before it is available to the public. In addition, this public hearing will be held so that there are at least another 30 days before the Final Annual Action Plan is approved by the City Council so that the elected officials can consider the public's comments from the public hearing.

In preparing a Final Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Annual Action Plan will have a section that presents all comments and explains why any comments were not accepted.

C. THE FINAL ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

Copies of the Final Annual Action Plan will be made available to the public at City Hall for review. Copies can be obtained free of charge and within five business days of the request.

D. AMENDMENTS TO THE ANNUAL ACTION PLAN (AND/OR FIVE-YEAR STRATEGY)

The Final Annual Action Plan will be amended any time there is: a change in one of the Priorities presented on the HUD-required Priority Table, a change in the use of money to an activity not mentioned in the Final Annual Action Plan, or, a change in the purpose, location, scope of beneficiaries of an activity. The public will be notified whenever there is an amendment.

Substantial Amendments

The following will be considered "substantial" amendments:

1. A change in the use of CDBG or HOME money from one activity to another.
2. The elimination of an activity originally described in the Annual Action Plan.
3. The addition of an activity not originally described in the Annual Action Plan.
4. A change in the purpose of an activity, such as a change in the type of activity or its ultimate objective – for example, a change in a construction project from housing to commercial.
5. A meaningful change in the location of an activity.
6. A change in the type or characteristics of people benefiting from the activity. Among the "characteristics" are:
   a. The HUD-recognized income levels of: 0-30 percent of area median income; between 31 percent and 50 percent of AMI; and between 51 percent and 80 percent of AMI
   b. Race or ethnicity
   c. Renter or homeowner

d. Single households, small ones (two to four persons), large ones (five or more persons)

7. A 20% percent decrease in the number of low- and moderate-income people benefiting from an activity.
8. A change in the scope of an activity, such that there is a 20% percent increase or decrease in the amount of money allocated to the activity.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

1. There will be advance notice of the availability of a proposed Substantial Amendment 30 days before there is a public hearing.
2. A detailed written description of the proposed Substantial Amendment will be made available to the public. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information".
3. There will be a public hearing regarding the proposed Substantial Amendment conducted by the City Council. This public hearing will not take place until the public has had 30 days to review the proposed Substantial Amendment.
4. The public hearing will be held no sooner than two weeks prior to submission to HUD.
5. In preparing the Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendment will have a section that presents all comments and explains why any comments were not accepted.

E. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Every year the City must send into HUD a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year. In

general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low- and moderate-income people.

Public Notice and Public Hearing for Consolidated Annual Performance and Evaluation Report (CAPER)

There must be reasonable notice that the Consolidated Annual Performance and Evaluation Report (CAPER) is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for the CAPER:

1. There will be advance notice of the availability of the CAPER two weeks in advance.
2. A complete copy of the CAPER will be made available to the public at the locations indicated earlier in the Citizen Participation Plan under "Public Access to Information".
3. The public will have a minimum of 15 days to review and provide comments on the CAPER.
4. In preparing the CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public. The CAPER sent to HUD will have a section that presents all comments and explains why any comments were not accepted.

Contents of the CAPER

The CAPER provides details on the actions taken by the City during the previous program year and accomplishments completed during the year. Accomplishments include the number of low- and moderate-income persons served and the ethnicity of those individuals. Also provided are expenditures taken during the year and funds spent undertaking each activity.

COMPLAINT PROCEDURES

Comments, suggestions or complaints may be addressed to the Economic Development Department as follows:

City of Moreno Valley
Economic Development Department
Attention: Neighborhood Preservation Division
14177 Frederick Street, P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-34507

All written complaints from the public will receive a meaningful written response within 15 working days after receipt.

CHANGES TO THE CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had a reasonable chance to review and comment on proposed substantial changes to it.

ATTACHMENT E

COMMUNITY NEEDS ASSESSMENT MEETING
Conference & Recreation Center
December 10, 2009
6:00 p.m. – 8:00 p.m.

Staff members present at the meeting:
Donna Moeller, Housing Program Specialist
Isa Rojas, Management Analyst
Michele Patterson, Redevelopment & Neighborhood Programs Administrator

Community members present at the meeting:

- James Cosey, representing the Transforming Community Action Program, a martial arts and social skills/behavior program for foster youth
- Rosalio Hernandez, Community Member (and family)

Donna Moeller presented an overview of the CDBG and HOME programs, including historical funding levels, identified priorities, and projects underway in the current program year. Attendees were advised that the purpose of the Needs Assessment Meeting was to solicit input from local residents and service providers on the current needs of the community, and attendees were asked to speak on behalf of their agency or to state their concerns and issues. The reference materials packet was reviewed with attendees.

The following is a summary of needs assessment comments made by meeting attendees:

- The primary focus of the grant funding should be on programs for youth, including after school programs, academic enrichment programs, social skills development and behavior programs, mentoring, computer literacy, tutoring, and the establishment of a Boys & Girls Club or YMCA.

- A particular focus should be directed to emancipating foster care youth to provide life skills training, employment training and opportunities, counseling and supportive services.

- The need for access to comprehensive social service program information was discussed. The meeting participants felt the Countywide 211 Referral Network was cumbersome and lacking in current resource information. It was stated that the City should take a proactive role in disseminating information to the community.

- The particular needs of tenants being displaced from housing due to property owner foreclosure was discussed. Information was provided by City staff on the HPRP funding, which can assist with rental subsidy, security deposits, 1st month's rent, utility payments and motel vouchers. It was agreed, however, that this funding is limited and will not meet the needs of the community as a whole.

COMMUNITY NEEDS ASSESSMENT MEETING
Community Senior Center
December 14, 2009
6:00 p.m. – 8:00 p.m.

Staff members present at the meeting:
Donna Moeller, Housing Program Specialist
Michele Patterson, Redevelopment & Neighborhood Programs Administrator

Community members present at the meeting:

- Emmanuel Martinez, Coachella Valley Housing Coalition, a non profit affordable housing developer
- Harnethia Mansell, Cultural Heritage Performers, a youth performing arts and education agency
- Dorothy Grzeskowiak, representing the MoVan and the Community Assistance Program (CAP)
- Monica Lopez, Fair Housing Program Manager with the Fair Housing Council of Riverside County
- Sheena Wright, Foreclosure Prevention/Loss Mitigation Specialist, Fair Housing Council of Riverside County
- Christopher Johseffe, representing the United Democrats of Moreno Valley
- Raul Wilson, representing the Mexican Political Association (MPA)

Donna Moeller presented an overview of the CDBG and HOME programs, including historical funding levels, identified priorities, and projects underway in the current program year. Attendees were advised that the purpose of the Needs Assessment Meeting was to solicit input from local residents and service providers on the current needs of the community, and attendees were asked to speak on behalf of their agency or to state their concerns and issues. The reference materials packet was reviewed with attendees.

The following is a summary of needs assessment comments made by meeting attendees:

- There was consensus among the participants that funding and programs should focus on youth. There is a continued need for after school programs to provide tutoring, academic enrichment, mentoring, artistic and performing arts development, computer literacy, life skills training, job skills training, transportation to and from available programs, and programs designed to keep kids safe and occupied during the critical 3:00 pm to 6:00 pm time period.

- The need for additional sports facilities, particularly soccer fields, was noted.

- It was reported that fair housing discrimination incidents continue to rise in Moreno Valley. Race and disabled accommodations are the 2 highest complaint categories. It was felt there is a need for additional trainings for property owners/management companies as well as testing and audit services to measure compliance. Both activities will require additional funding to the City's fair housing provider.

- The foreclosure crisis continues to be a critical need to address. The benefits of the ongoing foreclosure prevention workshops were acknowledged. An increasing new segment of underserved in this area are tenants who are losing their homes due to property owner foreclosure, and tenants being victims of various rental fraud schemes. Funding is needed to expand the workshops to specifically address the rights and options for tenants.

- The Fair Housing Council continues to receive requests for, and to provide, First Time Homebuyer education.

- Comments were received that additional capital improvements are needed in the Edgemont area, particularly the installation of sidewalks.

- There was recurring discussion among a limited number of attendees that prior CDBG funding has not benefited the residents of Moreno Valley:

    - It was commented that public service dollars should not be awarded to any agency located outside of Moreno Valley because there is a belief that the funds are spent on non-Moreno Valley residents.
    - Two participants believed it is a misappropriation of funds to utilize CDBG dollars to support programs that the City must provide through the general fund (ie. Code Enforcement and Police Services).
    - Two participants opposed the allocation of CDBG funds to any for-profit business through retail incentives or other economic development programs.

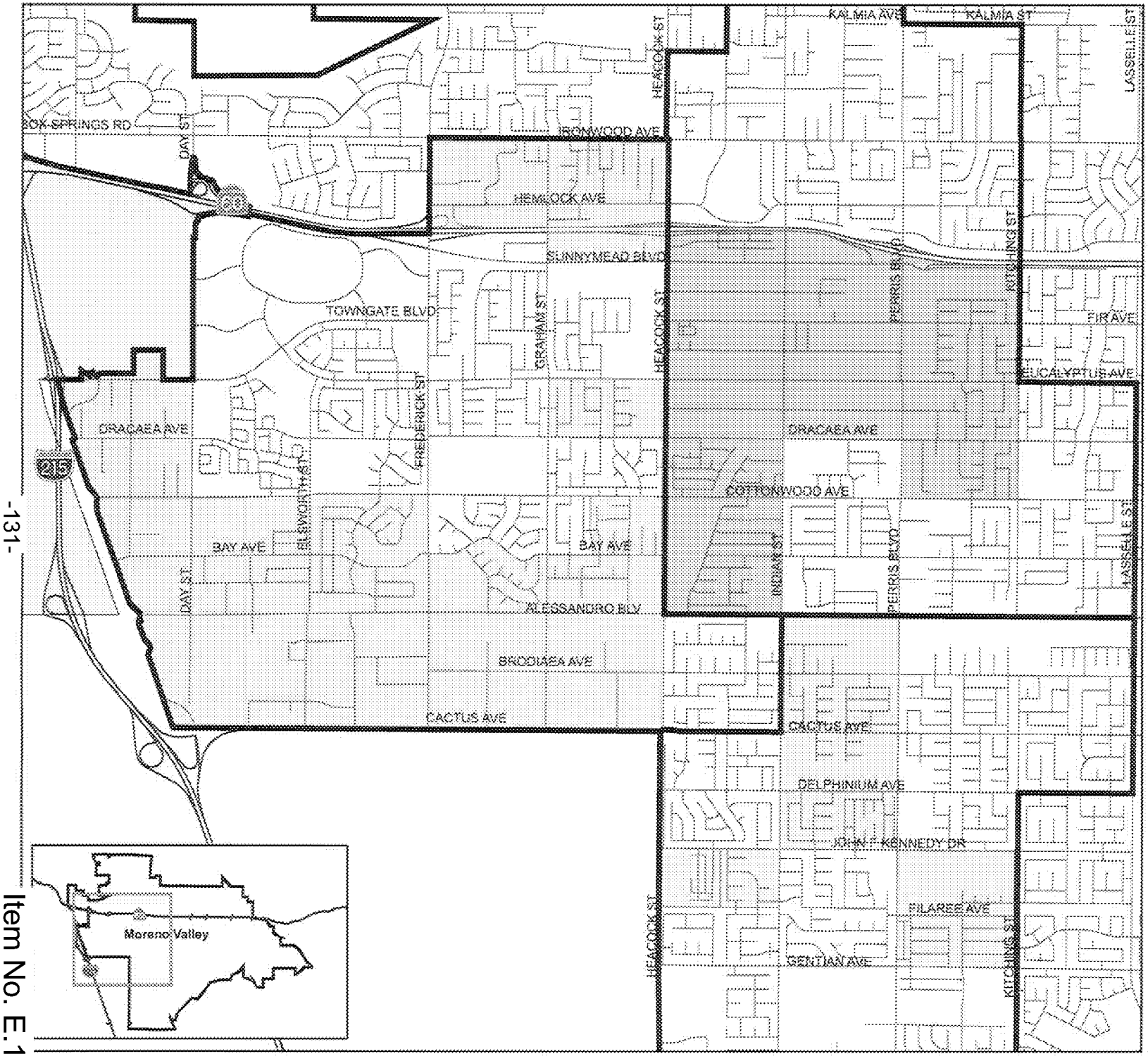

City of Moreno Valley CDBG Target Areas

CDBG Districts

- District 1
- District 4
- District 5
- Council District Boundaries
- Moreno Valley
- Riverside

N

0 1,250 2,500 Feet

0 0.25 0.5 Miles

Map Produced by Moreno Valley Geographic Information System

Geographic Information in:
State Plane NAD 83 California Zone 6 Feet
G:\ArcMap\Code\
CDBG_target_areas_1007.mxd
October 30, 2007

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

MORENO VALLEY

City of Moreno Valley
Redevelopment Area

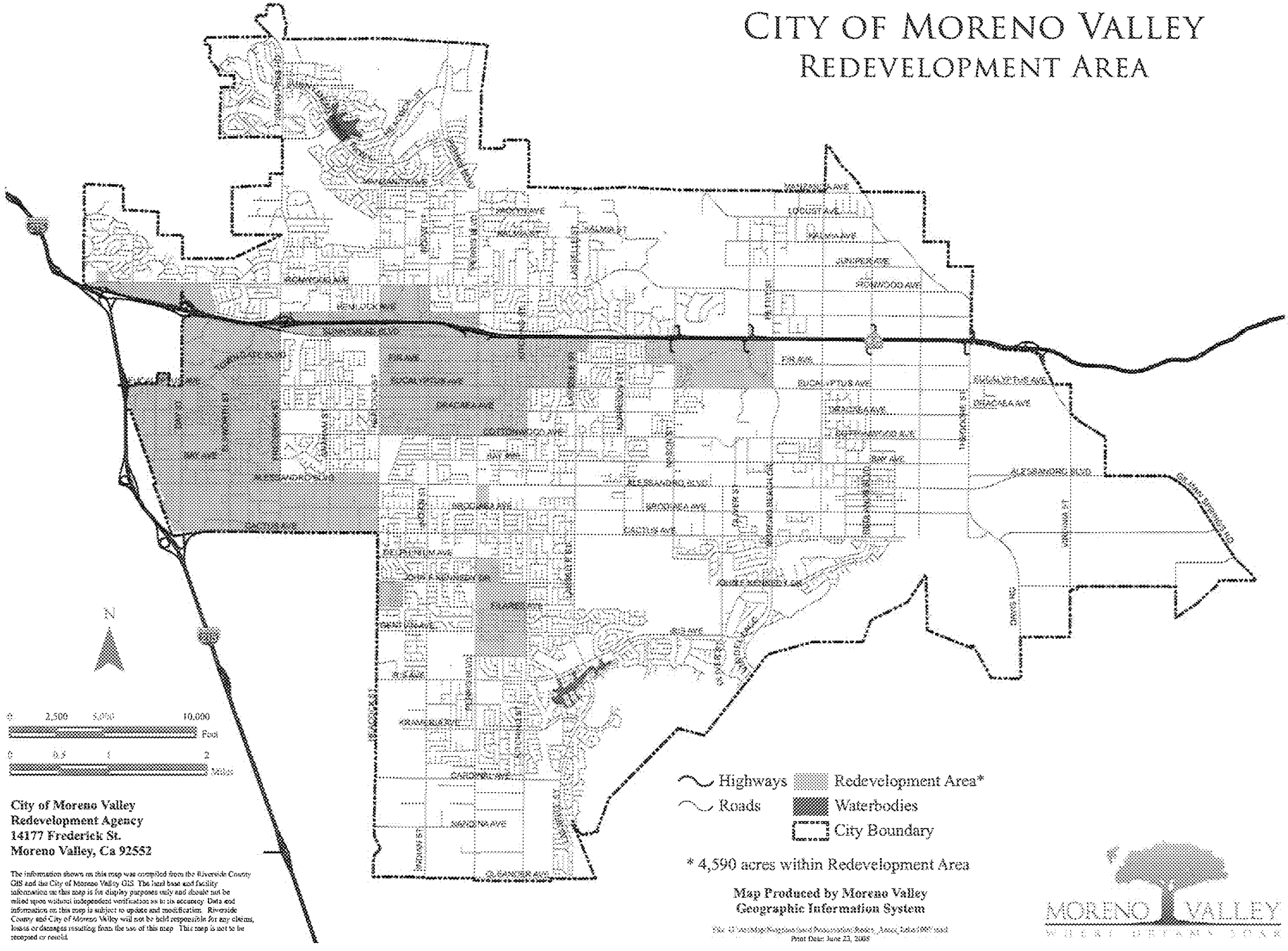

City of Moreno Valley
Redevelopment Agency
14177 Frederick St.
Moreno Valley, Ca 92552

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City of Moreno Valley
Revitalization Areas

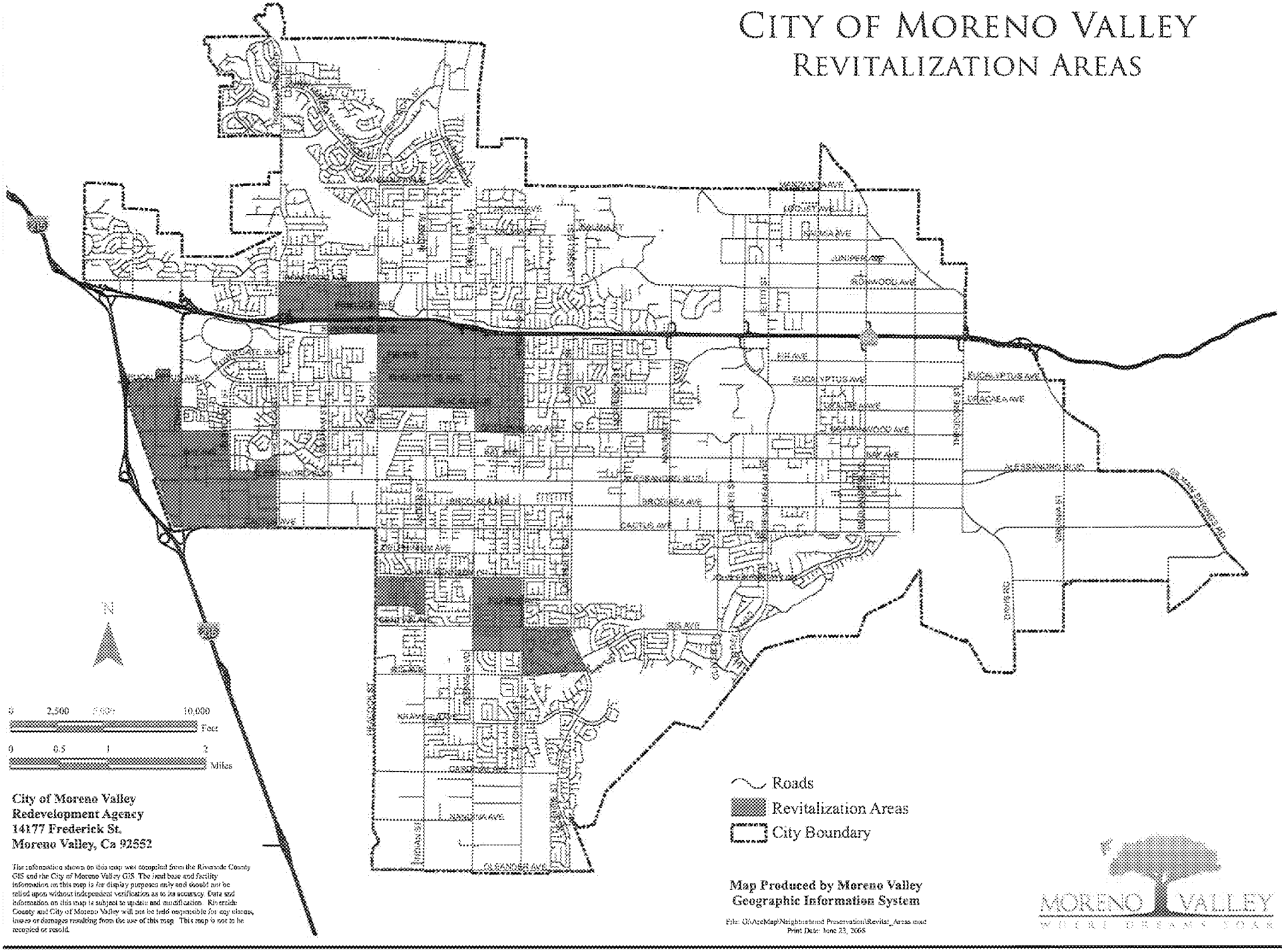

City of Moreno Valley
Redevelopment Agency
14177 Frederick St.
Moreno Valley, Ca 92552

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Map Produced by Moreno Valley Geographic Information System

File: G:\ArcMap\Neighborhood Preservation\Revital_Areas.mxd
Print Date: June 23, 2008

MORENO VALLEY
WHERE DREAMS SOAR

CITY OF MORENO VALLEY
ECONOMIC DEVELOPMENT DEPARTMENT
NEIGHBORHOOD PRESERVATION DIVISION

Community Development Block Grant
"Subrecipient Monitoring Form"

GENERAL INFORMATION:

Interviewer:_____

Interviewer:_____

Project Name: _____

Location:_____

Agency:_____

Project Began:_____

Project Ended:_____

Date:_____

Name(s) and Title(s) of Person(s) Interviewed:

CDBG REGULATIONS

1. What efforts has the Subrecipient made to ensure that employees understand applicable CDBG program requirements?

2. Does the Subrecipient maintain adequate records to comply with CDBG program requirements, including records retention? *(circle one)* Yes No

3. Comments:

INTERNAL CONTROLS

1. Has the Subrecipient ensured that financial management systems are maintained in accordance with 24 CFR, Part 85.20(b), as applicable? *(circle one)* Yes No

   If yes, what are the financial management standards?

2. If Subrecipient employees work on both CDBG-eligible and non-CDBG eligible activities, what system does the Subrecipient have in place to ensure that appropriate time distribution records are kept?

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3. Is the Subrecipient in compliance with the procurement and/or subcontracting requirements of 24 CFR, Part 85.36, as applicable? *(circle one)* Yes No

4. Does the Subrecipient significantly review for evidence of conflicts of interest either between the Subrecipient and the employees or between the Subrecipient and its contractors (such as obtaining information on background of staff or board directors and seeking specific assurances from contractors, vendors, and suppliers)? *(circle one)* Yes No

SUBRECIPIENT AGREEMENT (24 CFR, PART 570.503)

1. Does the "Scope of Services" contain a description of the types and amounts of services or products that will result from use of CDBG funds in sufficient detail to allow for effective monitoring? *(circle one)* Yes No

   Give examples of any deficiencies found:

2. Is a deadline designated for accomplishment of each of the major services or projects identified in the "Scope of Services" (reference 24 CFR, Part 570.503(b)(1))? *(circle one)* Yes No

   Give examples of any deficiencies found:

3. Are the costs for carrying out the "Scope of Services" presented in sufficient detail to provide an adequate base for comparison of planned and actual performance (reference 24 CFR, Part 570.403(b)(1))? *(circle one)* Yes No

   Describe any deficiencies:

4. Are the documents presented and required of the Subrecipient in order to receive payment of CDBG funds adequate to ensure that payments are eligible and reasonable in relation to actual performance and that funds are not being requested in excess of immediate needs? *(circle one)* Yes No

   If not, please explain:

5. Where special documentation is required by the contract or project activity type such as but not limited to, necessary or appropriate determinations, or lead-based paint, is such documentation being maintained by the Subrecipient? *(circle one)* Yes No

   If not, what is lacking?

6. Where special income documentation is required by the contract or project activity type, is such documentation being maintained by the Subrecipient? *(circle one)* Yes No

   Indicate type of verification required:

7. Are current income limits being utilized for the program? *(circle one)* Yes No

8. Does the Agreement specify that program income is to be retained by the Subrecipient? *(circle one)* Yes No

   If yes, what provisions are made to ensure that such income is recorded and reported, and that it will be used in accordance with CDBG regulations?

9. Has Subrecipient been informed of requirement to submit an annual audit of City funded portion for the program per the CDBG Agreement? Audit shall be performed by a Certified Public Accountant or other independent auditor. *(circle one)* Yes No

REPORTING

1. Does the Subrecipient submit reports such as progress or financial reports on a timely and periodic basis (reference 24 CFR, Part 570.503(b)(2))? *(circle one)* Yes No

   If yes, please describe:

2. How frequently are these reports required to be submitted?

3. Has Subrecipient submitted written reports and is the information submitted sufficient to assess Subrecipient performance against the specifications in the "Scope of Services"? *(circle one)* Yes No

   If not, please explain:

4. Is the reported data verified by the City? *(circle one)* Yes No

   If yes, how does the recipient verify actual beneficiaries of a project?

PROGRAM INCOME MONITORING

1. How does the Subrecipient keep track of generated program income and ensure accurate reporting?

2. Has the Subrecipient established revenue accounts to record program income?

3. If program income is retained by Subrecipient, does the Subrecipient check to determine that:

   a. Program income is being used before new grant funds are requested?

   b. Such income is being used in accordance with CDBG rules and regulations?

ON-SITE REVIEW OF SUBRECIPIENTS BY CITY

1. Did a representative from the City of Moreno Valley monitor this Subrecipient on site? *(circle one)* Yes No

2. Based on this review, does there appear to be any significant differences between actual performance and the reported performance submitted to the City? *(circle one)* Yes No

   If yes, please describe:

3. In reviewing the activities and costs charged by the Subrecipient to the CDBG program, are there any costs that appear clearly unreasonable? *(circle one)* Yes No

4. Are there any expenditures that warrant further review? *(circle one)* Yes No
   If yes, please explain:

SUMMARY

1. Is it evident that the Subrecipient is adequately managing and monitoring its activities? *(circle one)* Yes No

   If not, try to identify the apparent causes of the problem(s). What action is recommended? Does the Subrecipient need additional technical assistance in any particular area? Are there elements of the Sub-recipients management system that are particularly successful? Please note below any general observations, positive and/or negative, which would contribute to a determination as to whether the Subrecipient has an adequate management and monitoring system in place to ensure compliance with regulations and accomplishment of goals and objectives.

FINDINGS:

CONCERNS:

RECOMMENDED ACTIONS:

POSITIVE OBSERVATIONS:

_____ _____
Signature of Reviewer Date

_____
Name and Title

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ATTACHMENT E

CDBG FUNDING ALLOCATIONS FY 2010/11

ADMINISTRATION (20% CAP - $388,322)	
CDBG Program Administration	$338,869
Fair Housing Services	$49,453
SOCIAL SERVICES (15% CAP - $291,241)	
Community Foreclosure Prevention Workshops	$44,000
Community Assistance Food Program (CAP)	$30,600
Friends of the Moreno Valley Senior Center (MoVan)	$30,000
Moreno Valley Police Dept., Problem Orienting Policing (POP) Team	$28,241
Fair Housing Council of Riverside County – Foreclosure Prevention / Mitigation	$25,000
Lutheran Social Services Transitional Center (MARB)	$15,000
Path of Life Ministries King Hall Family Shelter (MARB)	$15,000
PW Enhancement Center – Emergency & Homeless Services	$15,000
Neighborhood Clean-up Program	$15,000
Assistance League of Riverside - Operation School Bell	$10,000
CASA for Riverside County	$10,000
God's Helping Hand Ministries Food Program	$9,000
Operation Safehouse Shelter for Youth	$8,000
Alternatives to Domestic Violence - Prevention and Outreach Program	$7,500
Riverside Area Rape Crisis Center - Child Abuse Prevention Program	$7,500
Moreno Valley Community Educators - Tutoring Program	$6,400
Salvation Army Food Program	$5,000
Volunteer Center '211' Program	$5,000
ARC of Riverside – Disabled Adult Day care Facility	$5,000
FACILITIES	
Youth Opportunity Center	$50,000
REHABILITATION	
Habitat for Humanity Mobile Home Grant Program	$10,000
CODE ENFORCEMENT	
Code & Neighborhood Enforcement Program (CDBG Target Areas)	$263,390
Code Enforcement - Foreclosure 'Strike Team'	$103,017
Fire Prevention 'Improvement Task Force'	$30,000
ECONOMIC DEVELOPMENT	
MV New Business Incentive Program	$540,000
Community Employment Resource Center	$145,641
Small Business Development Center	$50,000
Family Service Association Meal Program Facilities	$50,000
Lord's Gym	$20,000
TOTAL CDBG FUNDING ALLOCATIONS	**$1,941,611**

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MV00056607

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 11, 2010

TITLE: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and Plot Plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall conduct a public hearing to:

1. **RECOGNIZE** that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. **APPROVE** Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions;

3. **RECOMMEND** that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

ADVISORY BOARD RECOMMENDATIONS

On March 24, 2010, the Recreational Trails Board conducted a meeting and revisited the multi-use trail issue at the request of the applicant to modify the trail or have the City acquire the trail easement and complete all required trail improvements. At said meeting, the Board recommended that the City Council deny the applicant's request to modify conditions to either modify or remove the trail from the project or have the City acquire the trail easement and install trail improvements.

BACKGROUND

On February 10, 2009, the City Council, approved Highland Fairview Properties request for Tentative Parcel Map No. 35629 to subdivide a 158 gross acre site (265.3 acres with offsite improvements and drainage) into four buildable parcels and two parcels dedicated for future freeway improvement purposes, and a first phase plot plan for a 1,820,000 square foot distribution warehouse on approximately 83 acres. The Highland Fairview Corporate Park project includes approximately 2,620,000 square feet of industrial and commercial building area in three phases on four parcels.

On April 14, 2009, Highland Fairview submitted a written request to the City Council to consider approximately five different issues of project approval and modify approximately 56 conditions of approval related to the issues.

On May 14, 2009, three applications were submitted to the Planning Division requesting modifications of conditions. The first application (PA09-0013) included a General Plan Amendment to cover the request for the possible removal or modification of a required multi-use trail on future Eucalyptus Avenue. The second and third applications included all other requests to modify conditions of approval for both the Plot Plan (P09-038) and the Tentative Parcel Map (P09-039).

On June 10, 2009, the proposed modifications of conditions for the Corporate Park Project were provided to the Project Review Staff Committee (PRSC) for review. Based on this review, staff suggested that non-General Plan related conditions of approval could go to City Council for review separately and ahead of General Plan related

conditions of approval. Pursuant to the City's Municipal Code, all General Plan changes must go to the Planning Commission for a recommendation prior to consideration by the City Council. The non-General Plan related conditions include the item on required Highway 60 landscape, the multi-use trail if it was not requested to be modified/removed and the modification to Land Development and Transportation conditions of approval that address dedication and improvement of public improvements. In addition, staff asked Highland Fairview to provide a letter to staff that clarified the policy issues related to requests.

On September 3, 2009, a letter was provided by Highland Fairview Properties that modified the specific issues and conditions of approval that were requested to be revised. Staff conducted meetings with Highland Fairview staff to discuss items that were requested to be modified.

In October of 2009, the applicant requested in e-mail correspondence that staff not move forward with the modifications of conditions while other more pressing items related to ongoing project litigation proceedings were being worked out.

In a letter dated February 8, 2010, the applicant requested that the item be reinstated for review and further modified the original request to reduce the issues related to the project approval down to three items as follows:

- Remove the right of way landscape requirement along Highway 60.
- Eliminate or modify conditions of approval related to a required General Plan Multi-Use Trail along future Eucalyptus Avenue
- Modify various conditions of approval related to the dedication and improvement of public improvements

DISCUSSION

The following is a summary of items and issues regarding the applicant's request to modify various project approved conditions of approval:

Remove the right of way landscape requirement along Highway 60.

The applicant is seeking relief from a particular condition of approval within the map and plot plan that requires landscaping within the improved areas of the Caltrans right-of-way adjacent to Highway 60.

In the early 1990's, the City adopted the Highway 60 Corridor Specific Plan which included design criteria for landscaping and other improvements in the freeway right-of-way. While the land use portion of that Plan was later rescinded by the City, the freeway design criteria were retained. The Moreno Valley Mall and a few other commercial projects were required to install freeway landscaping in advance of the adoption of the 60 Corridor Plan and a few residential projects have been conditioned to

install or participate in freeway landscaping with varying levels of implementation. Freeway landscaping was installed by Caltrans in the mid-1990's consistent with the Plan. Some of this landscaping has thrived while others have suffered over the intervening years. In recent years, the Moreno Beach Plaza and Stoneridge Centre projects were not conditioned to provide freeway landscaping given the existence of City directed/funded interchange projects covering their frontage areas. Also of note are two proposed warehouse industrial projects in close proximity to the project, Prologis and Ridge Realty. Each has been advised of the likely imposition of a requirement to participate in freeway landscaping. The three projects combined represent approximately two miles of the City's freeway frontage.

In the case of landscape along Highway 60, staff does not have the authority to eliminate the condition because it derives from an adopted City policy document, the "Highway 60 Corridor Specific Plan". Staff is seeking policy direction from City Council as to whether or not to retain or modify this condition of approval. An alternative that the Planning Division has offered to Highland Fairview is the placement of interim landscape of seasonal wildflower ground cover with temporary irrigation in the right of way area in lieu of typical trees/shrubs and permanent irrigation. An erosion control hydroseed mix and temporary irrigation to establish the ground cover has been suggested by Highland Fairview as a less costly alternative, which is acceptable to Planning. During the summer months when wildflowers die out, maintenance would need to be provided by the property owner to remove weeds and dried out vegetation prior to the next growing season. The map and plot plan conditions of approval for Highway 60 landscape have been modified to reflect an erosion control landscape palette along Highway 60 without permanent irrigation. All right of way parcels will include the erosion control hydroseed mix, including the two large parcels in between Highway 60 and Parcels 2, 3, and 4.

Eliminate or modify a required General Plan Multi-Use Trail along future Eucalyptus Avenue.

The applicant has requested that several conditions of approval be modified related to the dedication and improvement of the multi-use trails on the project site.

Two specific changes to the Master Plan of Trails were proposed by the applicant and approved by City Council with the approval of the Highland Fairview Corporate Park project (including Skechers) in February of 2009. The first included the elimination of a multi-use trail over Highway 60 that was contingent on the feasibility of a freeway bridge. This trail link was originally designated to run along the Sinclair Street alignment, which was proposed to link to a required trail on the south side of Fir Avenue (future Eucalyptus Avenue) between Sinclair Street and Redlands Boulevard. The second change was the applicant's request to move a planned multi-use trail from the south to the north side of future Eucalyptus Avenue to provide one continuous trail on the north side of Eucalyptus Avenue from Quincy Street to Theodore Street.

Highland Fairview Properties have stated in their most recent letter of February 8, 2010 that there is a lack of nexus between the project and the requirement of providing the multi-use trail. Staff believes that there is a viable nexus given the trail's designation in the adopted General Plan multi-use trail plan. The trail provides a linkage with the overall General Plan trail system between Quincy and Theodore Streets. With the elimination of the Sinclair Street overcrossing trail, the extension of the trail along Eucalyptus Avenue east to Theodore Street provides connection to the trail crossing on Theodore Street. A multi-use trail provides for many uses, including horseback riding, walking paths for pedestrians, jogging paths for exercise, and bicycling.

The applicant requests that if the trails are constructed, the City acquire the easement and provide all improvements and on-going maintenance related to the trail. It is not common practice of the City to acquire an easement for a required General Plan multi-use trail or pay for trail improvements. All private developers are currently responsible for dedicating an easement and paying for the improvements to construct multi-use trails as a condition of their project approval. As in all cases, the City will maintain the required trail once it is improved by the developer and accepted by the City for maintenance.

The Recreational Trails Board reviewed proposed changes to the trail system on two separate occasions prior to project approval in February 2009 and concurred with the applicant's request to remove the Sinclair Street trail extension over Highway 60, change the location of the trail from the south side to the north side of future Eucalyptus Avenue and mitigate the trail elimination over Highway 60 by extending the trail from former Sinclair Street to Theodore Street. Based on review of the most recent proposal by the Trails Board at their meeting on March 24, 2010, the Board considered and recommended that the City Council deny the applicant's request to modify conditions and reiterated its support for the approved trail conditions.

An alternative approach that was suggested to Highland Fairview Properties was to look at the timing of when the trail would need to be provided. As per project conditions of approval, the trail is required for each phase of development as it is being completed. The trail would be required for the Phase 1 of the Skechers building but would not be required for Phase 2 and 3 until those phases are constructed. An alternative approach to consider would be the deferral of the entire trail development until Phase 2. This would provide a full segment of the trail at one time instead of in pieces. Some type of security may be required for this approach.

An additional alternative to providing a trail on the north side of the future Eucalyptus Avenue would be to change the trail location back to its original General Plan designation along the south side of future Eucalyptus Avenue in the buffer area approved for the Highland Fairview Corporate Park project. If this approach is recommended, it would require a General Plan Amendment to change the Master Plan of Trails Map and further study and possible modification of the approved Environmental Impact Report (EIR) for the project. The General Plan amendment also would need to be sent back to the Recreational Trails Board and the Planning Commission for review

and recommendation to the City Council. The Tentative Parcel Map south boundary, currently at the south Eucalyptus Avenue right of way, may need to be adjusted to the south to include the trail.

Modify various conditions of approval Related to the dedication and improvement of public improvements

The applicant has requested that all pertinent conditions of approval requiring the dedication and improvement of public facilities be modified to only require fair-share contribution by the project for the dedication and improvement of all public infrastructures. They further requested that improvement credits and reimbursement agreements be developed and entered into between the City and the project proponent for any amount the project contributes in excess of its pro-rata share for such improvements. This request primarily includes Land Development and Transportation Division's conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for its "fair share" is not in keeping with the intent of the Municipal Code. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The DIF program spreads the cost of arterial street and traffic signal improvements City wide such that there is a nexus between the trips generated by a project (the impact on the City wide system of arterial streets and traffic signals) and the cost of transportation improvements needed to mitigate the impact. That nexus translates into development impact fees paid by the developer. Highland Fairview is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. Therefore, the developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue only. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

The developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and may contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any available reimbursements for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

The Land Development Division, based on a memorandum submitted as part of the Project Review Staff Committee (PRSC) minutes provided to Highland Fairview on June 10, 2009, indicated that originally approved Public Work's conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the existing project conditions of approval as approved

previously meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR. The requested changes would require a separate nexus study from the approved City-wide nexus study for the DIF program and would not be equitable to other developers nor provide a viable funding program for the City-wide circulation system. Therefore, both the Land Development and Transportation Divisions do not support Highland Fairview's proposal to modify or make additions to wording of certain, specified Public Works conditions of approval.

The Land Development and Transportation Divisions have included a synopsis of the applicant's request to modify conditions of approval and the City's response to these proposed modifications in a memorandum format. Since the request by the applicant to amend project conditions is extensive in nature, for Council's information, this document is attached to the staff report to highlight the City's approach to each condition being requested for modification.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval, and deny or amend modified condition language as included in Exhibits A and B to the attached resolutions.

3. Consider the proposed amendments to approved project conditions of approval included in the attached applicant request letter dated February 8, 2010, and include additional amendments to conditions not included within the attached resolutions.

4. Refer the proposed amendments to the Planning Commission for further review. Recommendation of any location changes to the required multi-use trail would require a General Plan amendment to be forwarded to the Recreational Trails Board and the Planning Commission for review and consideration prior to a final decision by the City Council.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Based on review of the various applicant requested project condition modifications for the Highland Fairview Corporate Park/Skechers project, the Land Development and Planning Divisions have agreed to modify a few of the approved conditions related to Highway 60 landscape and the multi-use trail, only to clarify the developer's responsibility to dedicate an easement and construct the trail,. The Highway 60 Corridor Specific Plan requires that landscape be provided in the entire Highway 60 freeway right of way area adjacent to the site. A compromise to typical landscape and irrigation required within Highway 60 Corridor Specific Plan standards would be an allowance of an interim hydroseed mix planted, maintained to provide both an appealing visual landscape and erosion control mechanism along the freeway until such time that the parcels are transferred over to the City or Caltrans. The Trails Board has recommended that all conditions of approval regarding the multi-use trail not be modified, with the applicant to provide the easement and provide related trail improvements as is required with all other private projects.

NOTIFICATION

Notice of the project was provided to property owners within 300 feet of the project and to the general public through local newspaper publishing and on-site sign postings.

ATTACHMENTS

1. Public Hearing Notice
2. Letter dated February 8, 2010, from Highland Fairview Properties requesting modification of project approved conditions.
3. Internal Land Development memorandum dated February 11, 2010 on various proposed conditions of approval.
4. Letter dated March 18, 2010, from Highland Fairview Properties regarding proposed hydroseed landscape for Highway 60 right of way areas.
5. Internal Transportation Division memorandum dated April 19, 2010 on various proposed conditions of approval.
6. Letter dated April 22, 2010, from Michael Brandman Associates regarding an environmental analysis of modification of project conditions.
7. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Map Conditions of Approval.
8. Approved Highland Fairview Corporate Park - Planning, Land Development and Parks Plot Plan Conditions of Approval
9. Modification of Conditions Resolution – Tentative Parcel Map, with attached modified conditions of approval included within Exhibits A through B.
10. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

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

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MV00056617

Notice of
PUBLIC HEARING

This may affect your property. Please read.
Notice is hereby given that a Public Hearing will be held at a regular meeting of the City Council of the City of Moreno Valley on the following item(s):

CASE: P09-038 and P09-039 (Modification of Project Conditions of Approval)

APPLICANT: Highland Fairview Properties

OWNER: Highland Fairview Properties

REPRESENTATIVE: Wayne Peterson

LOCATION: North side of future Eucalyptus Ave. (Fir Ave.), east of Redlands Blvd., west of Theodore St. and south of Highway 60.

PROPOSAL: A public hearing for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements.

ENVIRONMENTAL DETERMINATION: An Environmental Impact Report (P07-157), including a Statement of Overriding Considerations and Mitigation Monitoring Program was originally certified and approved for the project. Pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines).

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council or City Clerk at, or prior to, the Public Hearing.

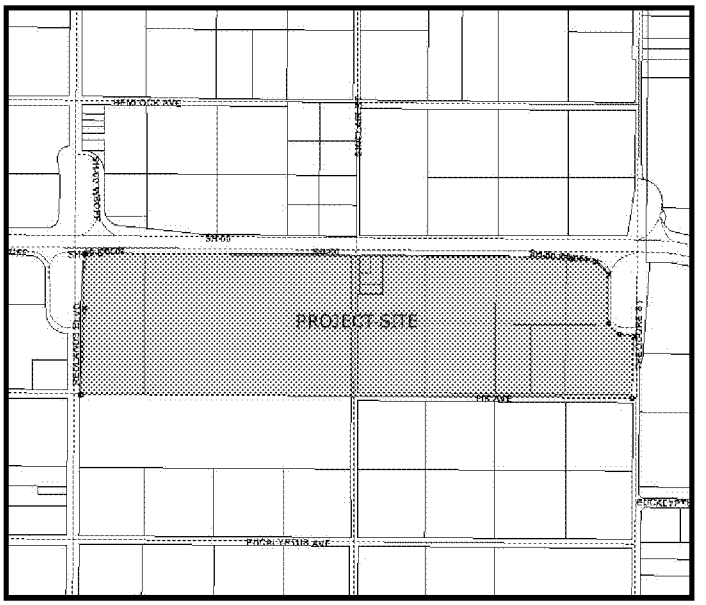

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: May 11, 2010 at 6:30 PM
CONTACT PLANNER: Mark Gross
PHONE: (951) 413-3215

ATTACHMENT 1

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MV00056619

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

February 8, 2010

Mark Gross
Senior Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

SUBJECT: Highland Fairview Corporate Park – Proposed Revisions to Conditions of Approval

Dear Mark:

In May 2009, Highland Fairview officially submitted a request (PA09-0013) to modify certain Conditions of Approval which were imposed on the Highland Fairview Corporate Park project. Highland Fairview would like to hereby modify our previous application to request changes to conditions relating to the following three important issues:

1. **SR60 Landscaping**
   Existing Condition: Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual.

   Requested Action: Highland Fairview requests the removal of this condition.

   Justification: This condition has been inconsistently applied along SR60 within the city. In those instances where it has been applied, it has provided only marginal landscaping that struggles from sparse installation, little or no maintenance and inadequate irrigation. Over the years, the City's SR60 Design Manual has been arbitrarily applied and inconsistently enforced, resulting in a haphazard landscape treatment along SR60 throughout the City. Today, the freeway frontage is a random mixture of sparse, struggling landscaping, mixed with long stretches of barren, unmaintained land. Clearly there has not been a consistent application of the SR60 Design Manual criteria. In addition, and perhaps most importantly, Caltrans staff has indicated informally that they will not allow such improvements in the freeway right-of-way nor will they commit to any maintenance whatsoever.

ATTACHMENT 2

However, to the great benefit to the motoring public and the City, the approved HFCP project includes a high level of landscape treatment along SR60 that has never been seen in Moreno Valley. Millions of dollars are being spent to create an attractive edge to the project which will feature trees, shrubs and ground cover that has been designed to work in concert with the architecture of the future buildings to create a pleasant experience for the motoring public as they pass by the Highland Fairview Corporate Park site. This project landscaping will produce an edge treatment for SR60 far beyond that which was envisioned in the Design Manual.

The condition should be deleted.

2. **Multi-Use Trails**
   Existing Condition: Several conditions imposed on the TPM and the Plot Plan require the dedication and improvement of multi-use trails on the project site.

   Requested Action: Delete and/or modify all trail-related conditions to require that: 1) the project reserve the necessary land for potential future multi-use trails, 2) site grading provide for the future multi-use trails, 3) the multi-use trail areas be landscaped and maintained in a manner consistent with immediately adjacent areas until such time as the City purchases the land and constructs the multi-use trails, and 4) the on-going maintenance of the multi-use trails, when built, be borne by the City for the benefit of the public.

   Justification: There is a complete lack of nexus between the project and the requirement to dedicate and improve multi-use trails on the project site. The project creates absolutely no demand for these trails, therefore there is no nexus. The trails can be accommodated in the project design but the impacted land (or appropriate easements) should be acquired by the City, the trails should be constructed by the City and the trails should be maintained by the City. Further, there should be a sunset clause in the conditions such that if the City does not acquire the impacted land or easements within five years of the recordation of the Final Map for the project, the City's option to acquire the land or easements will expire.

3. **Dedication and Improvement of Public Improvements**
   Existing Conditions: The project approval contains dozens of conditions requiring the dedication and improvement of public facilities (streets, parkways, trails, etc.) far in excess of the demand which the project creates for such facilities.

   Requested Action: Modify all related conditions to require a fair-share contribution by the project for the dedication and improvement of all public infrastructure improvements. Improvement credits and Reimbursement Agreements should be entered into between the City and HF for any amount contributed in excess of its actual pro-rata share of such improvements.

Justification: These conditions fail to meet the requirement for a direct nexus between the project and required public improvements as required by law. Such conditions impose an unjust and decidedly unequal burden on some projects while other projects and the city benefit unfairly at the expense of one taxpayer.

Attached is a list of the conditions which are related to the changes requested above. Other conditions may be impacted as a result of our detailed discussions with staff.

We look forward to discussing these issues with staff, the Planning Commission and the City Council at the earliest possible opportunity. If questions arise during the City's review of this request, please do not hesitate to contact me directly.

Sincerely,

Iddo Benzeevi
President and CEO

Requested Changes to Conditions of Approval for TPM 35629
City Council Resolution 2009-10

SR 60 Landscaping

a) Delete Condition P14

Multi-Use Trails

a) Modify Condition LD68(b) to add: "Said multi-use trail easement shall be labeled 'future,' and is contingent upon City acquisition of said easement from the landowner."
b) Modify Condition LD68(c) to add, "The City will maintain all multi-use trails."
c) Modify Condition LD70(a)(viii) to add, "The future trail area shall be designed and graded with the project and shall be landscaped consistent with adjacent land. The City may acquire an easement for a multi-use trail from the property owner and construct and maintain a multi-use trail."
d) Modify Condition LD91 to add "(optional)" after the words "multi-use trail."
e) The entire set of Conditions of Approval from the Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired from the landowner by the City. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvement of Public Improvements

a) Modify Conditions LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and the Parks and Community Services Department conditions to add, "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedication and/or improvement obligations."

Requested Changes to Conditions of Approval for Plot Plan PA07-0091
City Council Resolution 2009-11

SR 60 Landscaping

a) Delete Condition P10

Multi-Use Trails

a) The entire set of Conditions of Approval from Parks and Community Services Department needs to be re-written to differentiate between bike trails and multi-use trails. Future multi-use trails will be graded with the project. Easements for the multi-use trails will be acquired by the City from the landowner. The City shall be responsible for the construction and the maintenance of the multi-use trails.

Dedication and Improvements of Public Infrastructure

a) Modify Condition PD80, PD81, PD82, PD83, PD84, PD85, LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15 TE18, and the Parks and Community Services Department conditions to add "All dedications and improvements to public infrastructure shall be on a fair-share basis. The value of required dedications and/or improvements beyond the project's fair-share obligation shall be established as a credit against which the Subdivider may draw to offset other public infrastructure dedications and/or improvements."

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MV00056625

CITY OF MORENO VALLEY
Public Works Department
Land Development

MEMORANDUM

To: Mark Gross, Case Planner

From: Clement Jimenez, Senior Engineer, 951.413.3121, clementj@moval.org

Date: February 11, 2010

Subject: PA09-0013; Second Review Comments

Project Information

Case Number:	PA09-0013	Related Case No:	PA07-0088 thru PA07-0091, P07-157 and P08-057
APN:	488-350-001 through 002 and 488-360-001 through 012		
Case Type:	GPA, Amended PP and Amended TM 35629 (Modification of Conditions)		
Environmental:	EIR		
Applicant:	Highland Fairview		
Owner:	Highland Fairview		
Representative:	Wayne Peterson		
Location:	N side of Eucalyptus, E of Redlands, W of Theodore and S of Highway 60		
Proposal:	A request to modify conditions of approval from the recently approved Highland Fairview Corporate Park Project and Tentative Parcel Map (PA07-0090) as well as Plot Plan (PA07-0091) to cover such items as the removal of Highway 60 landscape, removing a required multi-use trail along the project frontage and the modification of conditions related to the dedication and improvement of public improvements. A General Plan Amendment is required for removal of any multi-use trail.		

The following is the Land Development Division's response to Highland Fairview's letter dated February 8, 2010 addressed to Mark Gross, Senior Planner. Highland Fairview's letter states that some conditions, including some of those from Land Development, "fail to meet the requirements for a direct nexus between the project and required public improvements as required by law":

The Land Development Division is confident that the conditions of approval for both the tentative parcel map and plot plan meet the requirements of the City's Municipal Code. Furthermore, the conditions of approval as approved meet the nexus requirement of the law because the street improvements conditioned are consistent with the EIR Traffic Study and the Subdivision Map Act.

ATTACHMENT 3

Therefore, the Land Development Division does not support Highland Fairview's proposal to modify

or make additions to wording of certain, specified Land Development conditions of approval.

Municipal Code Section 9.14.100 clearly states that developments are required to construct full half-width street improvements plus one lane in the opposite direction along the project frontage. The developer's request to only be financially responsible for his "fair share" is not in keeping with the intent of the Municipal Code. This would also create a significant amount of additional effort to determine and split associated costs, which are subjective and open to interpretation by all parties involved. All perimeter streets associated with the project are Development Impact Fee (DIF) program streets for which the developer may be eligible to receive credits and reimbursements for those ultimate, qualifying improvements. The Developer is not conditioned to construct ultimate improvements on Redlands Boulevard nor Theodore Street; only along Eucalyptus Avenue. It is important to note that the developer chose to create the tentative parcel map such that the entire width of Eucalyptus Avenue lies within the tentative parcel map boundary, that is to say that the south right-of-way line of Eucalyptus Avenue coincides with the south map boundary. Therefore, the developer was conditioned to construct full-width improvements on Eucalyptus Avenue. The developer is eligible for credits and reimbursements for qualifying improvements on Eucalyptus Avenue. The Land Development Division does not support additional reimbursements be given to the developer beyond that which the developer is eligible to receive through the DIF program.

However, the developer may choose to pursue reimbursement for other public improvements not covered by the DIF program (i.e. sewer/water and master storm drain), and suggests the developer contact Eastern Municipal Water District and Riverside County Flood Control and Water Conservation District respectively for any reimbursements available for the over-sizing of certain utilities associated with the construction of trunk sewer lines, water main lines, reclaimed water lines and flood control facilities.

For completeness, the following is a list of Land Development conditions of approval that Highland Fairview has requested to revise:

TPM 35629

SR 60 Landscaping

(a) P14: Land Development defers the response to this item to the Panning Division. Please note that COA LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) LD68(b): The Land Development Division conditions of approval pertaining to the multi-use trail are consistent with Section 66475.1 of the Subdivision Map Act and the Parks and Community Services Department conditions of approval. Land Development does not recommend revising the conditions of approval to reference the trail as "future" unless otherwise agreed to by the Parks and Community Services Department. It is important to note that the 20-foot wide easement area includes a multi-use trail and sidewalk. Regardless of the disposition of the trail, an easement will be required for the sidewalk which is to be constructed by the developer and maintained by the City.

(b) LD68(c): The Land Development Division agrees to the requested additional language to include the statement "The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c), with the concurrence of the Parks and Community Services Department.

(c) LD70(a)(viii): The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

(d) LD91: The Land Development Division does not agree with the addition of the word "optional" after the word "trail", as construction of the trail is not optional, unless the Condition of Approval is otherwise revised by the Parks and Community Services Department.

(e) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including a multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail consistent with the conditions of approval from the Parks and Community Services Department. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD2, LD4, LD27, LD46, LD65, LD66, LD68, LD70, LD78, LD90, LD91, LD93, TE17, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails are consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

Plot Plan PA07-0091

SR 60 Landscaping

(a) P10: Land Development defers the response to this item to the Panning Division. Please note that COA for TPM 35629 LD65 and LD66 require that the developer establish and maintain a minimal level of landscaping sufficient to achieve adequate erosion and sediment control, and slope stabilization.

Multi-Use Trails

(a) All Parks COAs: The Land Development Division feels that the approved conditions of approval are consistent with Section 66475.1 of the Subdivision Map Act, but will yield to the direction provided by the Parks and Community Services Department on the matter of differentiating between bike trail and multi-use trail. The Land Development Division agrees to the addition of certain language to the condition, but with some modifications as follows: "The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and

Community Services Department and Land Development LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c)."

Dedication and Improvement of Public Improvements

(a) LD43, LD44, LD66, TE3, TE11, TE13, TE14, TE15, TE18 and All Parks COAs: The noted conditions of approval pertaining to the dedication necessary for roadway and public trails is consistent with Sections 66475 and 66479 of the Subdivision Map Act, the City of Moreno Valley Municipal Code, General Plan Circulation Element and the typical conditions placed upon any development frontage within the City. Land Development does not recommend modifying these conditions of approval.

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

March 18, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92553

SUBJECT: Highland Fairview Corporate Park – TPM 35629, Condition P14

Dear John,

When Brian and I met with you and Mark Gross on February 17th to discuss a Lot Line Adjustment proposal for the Highland Fairview Corporate Park (HFCP) project, we also discussed the proposed landscaping along the future SR60 right-of-way (TPM Condition P14). We discussed the details of the grading of the future right-of-way and Caltrans' refusal to allow any landscaping, irrigation or maintenance within its right-of-way. We discussed the concept of installing a decorative, low-maintenance hydroseeded landscape treatment within the future dedication area and Highland Fairview (HF) agreed to present a proposal along those lines to satisfy the intent of Condition P14.

Attached for your review is an exhibit that illustrates the location of the future freeway dedication area in relation to existing SR60 and the future HFCP project. The exhibit also includes a typical section indicating post-grading elevations and the area to be hydroseeded.

Also attached is information from S & S Seeds, Inc., a California seed supplier that specializes in native plants materials for landscape and erosion control purposes. HF proposes to apply the "Southwest Desert Wildflower Seed Mix" to the future dedication area, resulting in "bright, showy, spring flowers that will re-seed year after year, with or without irrigation." We are confident that this proposal meets the intent of TPM Condition P14 and would request your concurrence.

Thank you for your continued assistance.

Sincerely,

Wayne

Wayne Peterson
Vice President, Community Planning

ATTACHMENT 4

S&S Seeds, Inc.
P.O. Box 1275
Carpinteria, CA
93014-1275

(805) 684-0436
(805) 684-2798 fax

We are a wholesale company providing wildflower, grass and California native plant seeds for Reclamation, Erosion Control and Landscape projects.

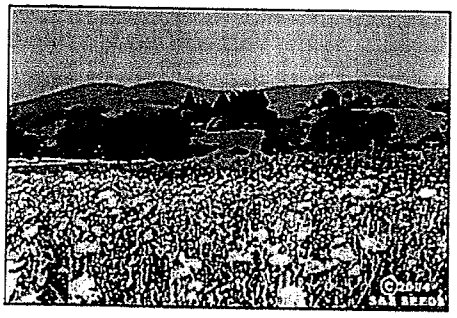

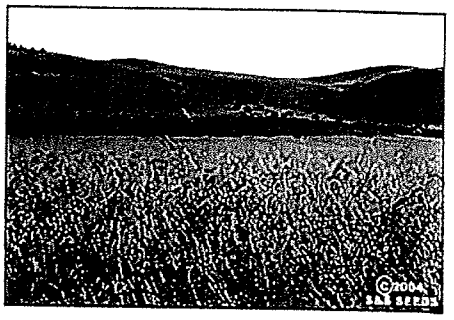

Site specific or regional mixes are available. Our professional staff can work with you in order to provide the best possible seed mix for your site.

Wholesale seeds for:

- Reclamation, Erosion Control and Landscaping
- Wildflowers, Grasses, Native California Plants
- Trees, Shrubs and Ground Covers

Download our complete **Seed Selection Guide** now. (Adobe pdf, 3.5 MB)

Get a Seeding design from the Experts. We specialize in custom seed mixes for any project. Please submit the SEED MIX DESIGN CRITERIA form and our Professional Staff will get back to you with a customized mix for the site specific needs of your project.

We are now a distributor of Terra Novo, Inc.'s **EARTHGUARD®** and **ULTRATACK™** soil erosion control products

Greenfix America® Erosion Control Blankets
We are now a distributor for Greenfix America! Their products are designed to meet a complex variety of erosion control and vegetation problems. For slope protection, channel lining, reclamation, turf reinforcement and specialized landscaping, Greenfix America has a product that provides the solutions.

View product information and technical data for the Green Spec line of rolled erosion control products.

Looking for a plant with specific characteristics? Check out the S & S Seeds Online Plant Database.

Click here for our upcoming trade show schedule!

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

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P.O. Box 1275
Carpinteria, CA
93014-1275

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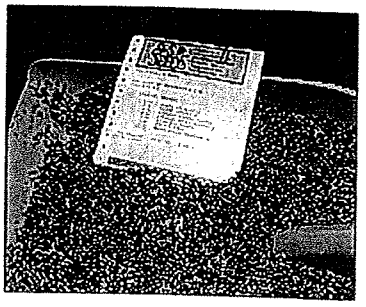

Get a Seeding design from the Experts. We specialize in custom seed mixes for any project. Please submit the SEED MIX DESIGN CRITERIA form and our Professional Staff will get back to you with a customized mix for the site specific needs of your project.

For all projects over 2 acres our Professional Staff will review your soils reports, microclimates and water requirements, bringing our 30+ YEARS of EXPERIENCE to bear to complete your project perfectly. Let S&S Consultancy Services take care of all your growing problems.

View details on S&S Services available.

Ornamental, Flowering, Ground Cover & Shrubs Mix

A mixture of annual and perennial species well adapted to coastal and coastal inland conditions. Will provide many months of spring color with or without irrigation. Grows 2' - 3' tall.

California Native Seed Mix

A mixture of annual and perennial wildflowers and native shrubs. May be used for irrigated or non-irrigated sites. Will flower most of the year when irrigated. Grows 2' - 3' tall with shrubs up to 4' tall.

Intermountain Wildflower Seed Mix

A mixture of annual and perennial species. Can be used by itself or in conjunction with grasses and shrubs. Best in full sun or light. Grows 2' - 3' tall.

Low Profile Seed Mix

A mixture of low growing annual and perennial flowers. Will provide bright spring color in non-irrigated settings or flower color year round when irrigated. Grows 1' - 2' tall.

Shady Wildflower Seed Mix

A mixture of annual and perennial wildflowers which provides bright spring colr in shady or partially sunny sites. Flowering will be nearly continuous if irrigated. Grows 2' - 3' tall.

Southwest Desert Wildflower Seed Mix

A hardy mixture of annual species. Will grow bright, showy, spring flowers that will reseed year after year, with or without irrigation. Grows 1' - 2' tall.

Seed Mixes: Wildflowers | Turfgrasses | Reclamation / Erosion

Other Products | New! Erosion Control Blankets

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S&S Seeds, Inc.
6155 Carpinteria Ave
P.O. Box 1275
Carpinteria, CA 93014 US
info@ssseeds.com
Tel: 805-684-0436
Fax: 805-684-2798

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«Back

Southwest Desert Wildflower Mix

Southwest Desert Wildflower Mix

This hardy mixture of 12 annual species will provide bright, showy spring flowers that will reseeds year after year, with or without irrigation. Numerous perennial species are available to add to this mixture, if desired.

Mix contains:

- *Castilleja exserta* (Owl's Clover)
- *Centaurea cyanus Dwarf* (Corn Flower)
- *Clarkia amoena* (Farewell to Spring)
- *Dimorphotheca sinuata* (Africa Daisy)
- *Eschscholzia californica* (California Poppy)
- *Lasthenia californica* (Dwarf Goldfields)
- *Layia platyglossa* (Tidytips)
- *Linum grandiflorum rubrum* (Scarlet Flax)
- *Lupinus bicolor* (Pigmy-leaved Lupine)
- *Nemophila menziesii* (Baby Blue Eyes)
- *Papaver rhoeas* (Flanders Poppy)
- *Phacelia campanularia* (California Bluebells)

Seeding rate: 20 lbs per acre

Height range: 12-24 inches

Price is for one pound.

Product ID: sou_des_wil

1 [redacted]

Price: $ 45.00

Catalog Front Page View Cart

Contact Information
S&S Seeds, Inc.
6155 Carpinteria Ave
Carpinteria, CA 93013 US
info@ssseeds.com

Customer Care
S&S Seeds, Inc.
P.O. Box 1275
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Terms and Conditions

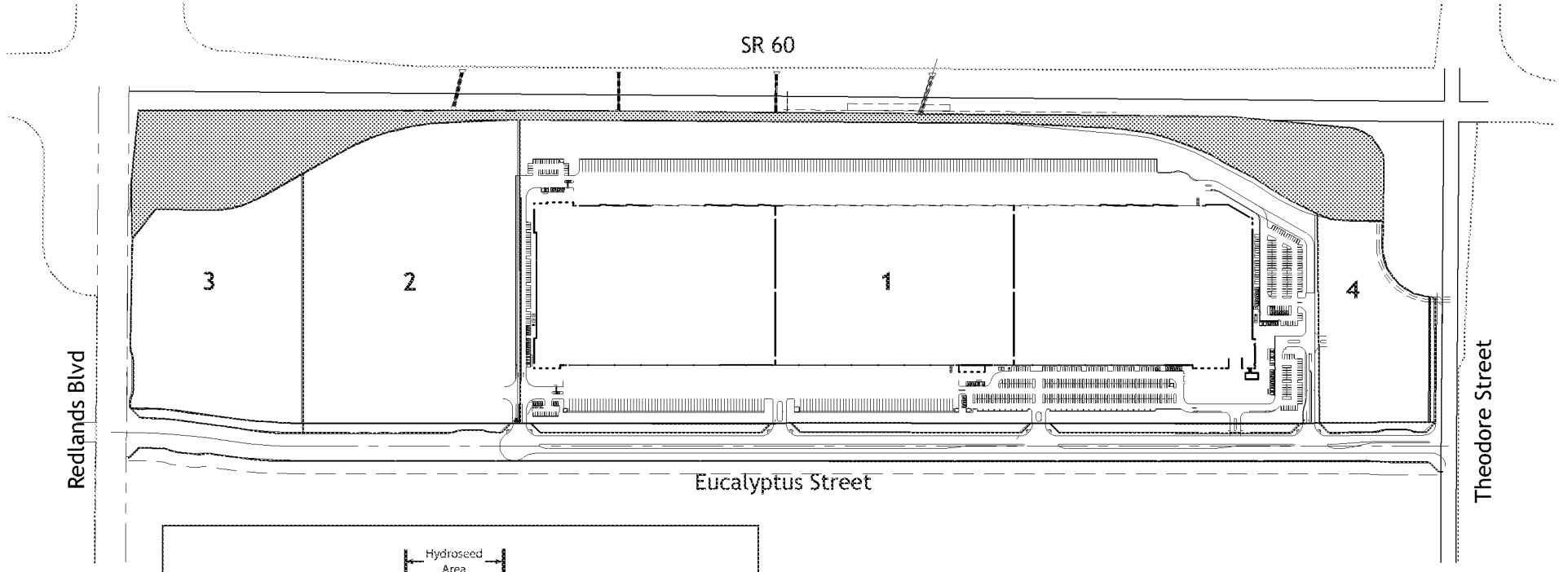

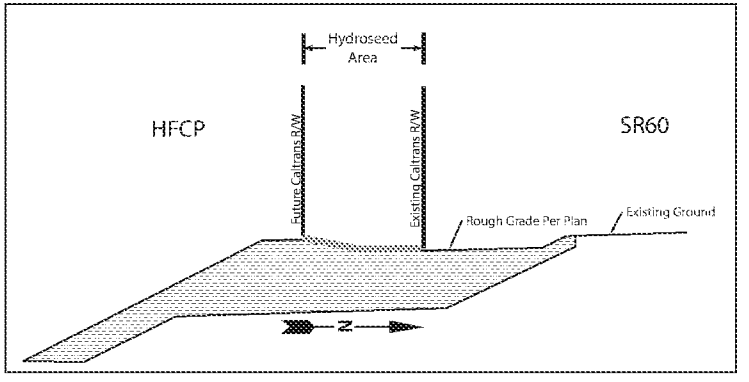

Hydro Seed Notes:

- Proposed seed to provide a mix of flowers, require no irrigation and regenerate each year.
- Proposed application rate per acre:
  - 2000 lb fiber mulch
  - 400 lb commercial fertilizer
  - 180 lb binder
  - 25 lb low profile wild flowers

Not to scale
March 5, 2010

Caltrans Right-of-Way Landscape Exhibit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

ghland Fairview Corporate Park/Design/HF Work/Caltrans Right-of-Way Landscape Exhibit

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MV00056635

MORENO VALLEY
WHERE DREAMS SOAR

Public Works
Transportation Engineering Division

MEMORANDUM

To: Mark Gross, Senior Planner

From: Michael Lloyd, Senior Engineer

Date: April 19, 2010

Subject: **Review Comments for PA09-0013 – Request to Revise Conditions of Approval for Project PA07-0088 through 0091, P07-157, and P08-057.**

Transportation Engineering Division - Review Comments

Per the April 19, 2010 meeting with Highland Fairview regarding the conditions of approval for PA07-0088 through 0091, P07-157, and P08-057, the Transportation Engineering Division has reviewed the request to add "fair share" language to conditions P80 through P85. As you are aware, conditions P80 through P85 are the Mitigation Measures MM TT-1 through MM TT(C)-3 from the EIR. The following is our response to each condition:

- P80: MM TT-1 was included in the EIR to mitigate the direct impacts of additional truck traffic due to Phase 1 of the proposed project. A "fair share" contribution in substitution of the project applicant constructing the turn lane additions would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P81: MM TT-2 addresses future phase impacts at the SR-60 interchanges with Theodore Street and Redlands Boulevard. Both the mitigation measure and the condition specifically states "the project applicant shall contribute to the costs of the interim intersection improvements…said contribution shall be on a fair-share basis."
- P82: MM TT-3 addresses the intersection of Redlands Boulevard at Eucalyptus Avenue. The improvements required shall be determined based upon the findings of the supplemental traffic study identified in MM TT-2. The improvements that will be necessary at the Redlands Boulevard and Eucalyptus Avenue intersection are a direct result of the project and are therefore mitigation to a direct impact. A "fair share" contribution in substitution of the project applicant constructing the intersection improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measure.
- P83: MM TT(C)-1 is a repeat of MM TT-1.

ATTACHMENT 5

- P84: MM TT (C)-2 addresses cumulative impacts along Redlands Boulevard. The condition states "the project shall participate on a fair share basis."
- P85: MM TT(C)-3 addresses cumulative impacts at the SR-60 ramps to/from Redlands Boulevard and Theodore Street. The condition states "the developer shall contribute to the costs on a fair share basis."

Therefore, it is the Transportation Engineering Division's recommendation that conditions P80 through P85 **not** be modified. Conditions P81, P84, and P85 already contain fair share language as appropriate. Conditions P80, P82, and P83 are a result of direct impacts due to the project, and a fair share contribution in place of the applicant providing the specified improvements would contradict the findings of the EIR and not satisfy the intent of the mitigation measures.

W:\TrafficEng\Land Development\Development Review\Comments\PA09\0013 2nd.DOC

Michael Brandman Associates

Fresno
559.497.0310

Irvine
714.508.4100

Palm Springs
760.322.8847

Sacramento
916.447.1100

San Bernardino
909.884.2255

San Ramon
925.830.2733

April 22, 2010

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: **Highland Fairview Corporate Park – CEQA Evaluation of Proposed Revisions to Conditions of Approval**

Dear Mr. Terell:

Michael Brandman Associates (MBA) has reviewed Highland Fairview's request to delete or revise various Conditions of Approval as applied to the Highland Fairview Corporate Park project. Pursuant to the City's request, we offer the following comments regarding the implications of this request with respect to the certified EIR for Highland Fairview Corporate Park.

SR60 Landscaping

Condition of Approval P14 on Tentative Parcel Map TPM 35629 (Resolution 2009-10) requires the preparation and processing of plans for the installation of landscaping and irrigation within the SR60 right-of-way adjacent to the project site in compliance with the SR60 Design Manual. Highland Fairview has requested the deletion of this condition for reasons cited in their February 8, 2010 letter to the City.

To reduce the project impact on scenic vistas and visual character, the EIR included the following mitigation measure:

Mitigation Measure MM A-2.

> *Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften views of long expanses of the upper elevations of buildings. Examples of alternate treatment measures may include, but not be limited to the following:*
> - *Use of color; or*
> - *Texture variation; or*
> - *Roof line variation.*

The EIR at Exhibits 5.1-10 and 5.1-11 included view sections and elevations to illustrate conceptual treatments that would effectively implement MM A-2. MM A-2 does not require installation of landscaping consistent with the "State Highway 60 Corridor Design Manual". The removal of Condition of Approval P14 on TPM 35629 would not raise any substantial new scenic or visual issues and would not conflict with the EIR. Once implemented by the City through the adopted Mitigation Monitoring Program, on-site landscaping included with the project will satisfy MM A-2. No changes to the EIR are needed.

ATTACHMENT 6

Multi-Use Trails

Several conditions imposed on the TPM and the Plot Plan requires the dedication and improvement of multi-use trails on the project site. Highland Fairview has requested that those conditions be modified to require the project to set aside the land and do the grading for the trails, and have the City install and maintain the actual trail improvements. Highland Fairview has requested this change for reasons cited in their February 8, 2010 letter to the City. The EIR references the provision of a multi-use trail on the project site in two locations as follows:

1) The EIR at Project Design Features for Green Building Section 3.3.4 (page 3-26) references a multi-use trail as follows:

- "The project's circulation system will include a multi-use trail on the northern portion of the future Eucalyptus Avenue."

2) The EIR in Land Use and Planning, Project Impacts Section 5.9.4 (p.5.9-17, last paragraph), references this same multi-use trail as a design feature to offset impacts as follows:

> "To offset the removal of the Sinclair Avenue crossing segment from the Master Plan of Trails, the proposed project includes as a design feature a multi-use trail along the north side of new Eucalyptus Avenue from Redlands Boulevard to Theodore Street."

The analysis that follows in the EIR relies upon the implementation of this trail to establish consistency with the adopted Master Plan of Trails. Highland Fairview's proposed change has to do with responsibility for the physical construction of the trail and its on-going maintenance, and the proposed change would not have an impact on the physical environment in that the land area for the trail would still be dedicated and graded by Highland Fairview. Provided that this trail is ultimately built, no conflict with the findings of the EIR is apparent.

Other Dedications and Public Improvements

It is our understanding that Highland Fairview also requests modifications to various conditions requiring dedication and improvement of public facilities (streets, parkways, trails, etc.). The request involves modifying such conditions to require a fair-share contribution by the project for dedication and improvement of public infrastructure. Provided that the language in EIR Traffic Mitigation Measures MM TT-1 through MM TT-3, and MM TT(C)-1 through MM TT(C)-3, does not change with respect to improvement responsibilities, we see no inconsistencies with the EIR associated with Highland Fairview's request. As there are no other infrastructure provision mitigation measures in the EIR and Mitigation Monitoring Program, the identification of responsibility for other public improvements is moot and falls back to the Conditions of Approval completely. No changes to the EIR are needed.

In summary, MBA concludes that the certified EIR remains adequate for the overall project and the proposed changes to the conditions that apply to SR 60 landscaping, multi-use trails and all proposed changes related to dedications and improvements conditions.

If you have any questions in this regard, please contact me directly at 714.508.4100.

Sincerely,

Thomas F. Holm, AICP, Principal/Vice President Environmental Services
Michael Brandman Associates
220 Commerce, Suite 200
Irvine, CA 92602

TFH:jwi
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MV00056641

CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
FOR
TENTATIVE PARCEL MAP No. 35629
Case No: PA07-0090 - To include P08-057 (Phasing Plan)
A.P.N.: 488-350-001 through 002 and 488-360-001 through 012.

Approval Date: **February 10, 2009**
Expiration Date: **February 10, 2112**

The following conditions are attached for the following departments:

_x_ Planning (P), including School District (S), Post Office (PO), Building (B)
_x_ Fire Prevention Bureau (F)
_x_ Public Works, Land Development (LD)
_x_ Public Works, Special Districts (SD)
_x_ Public Works – Transportation (TE)
_x_ Parks & Community Services (PCS)
_x_ Police (PD)
_x_ Moreno Valley Utilities
___ Other (Specify or Delete)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply). All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code. (Advisory)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080) (Advisory)

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020) (Advisory)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the site.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P7. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval. (Advisory)

PRIOR TO GRADING

P8. (GP) Prior to approval of any grading permit, the developer shall submit a tree plan to the Planning Division for review and approval. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigtion plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director or designee. (GP Objective 4.4, 4.5, DG)

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord) (Advisory)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG) (Advisory)

P11. Prior to approval of a precise grading plan, landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees. (Advisory)

P12. ((GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area. (Advisory)

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval. (MC 9.14.100)**

P15. **A qualified archaeologist and or tribal monitors from any affected Native American Indian tribes shall be present during grading to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity. The monitoring archaeologist shall be empowered to halt grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The consultant (i.e. archaeologist) shall consult with any and all affected Native American Indian tribes in the area on any Treatment Plan prepared for the project.**

P16. **(GP) Prior to the issuance of precise grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.**

P17. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps, or alternative design as approved by the Community Development Director. (MC 9.08.070)**

P18. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an Property Owners Association (POA) or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

PRIOR TO RECORDATION OF FINAL MAP

P19. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080) (Advisory)

P20. (R) Prior to recordation of the final map, final median enhancement/landscape/irrigation plans shall be reviewed and approved by the Planning Division, and Public Works Department - Special Districts Administration for review and approval by each division. (GP - Circulation Master Plan)

P21. (R) Prior to final map recordation any required trail easements shall be provided. (Advisory)

P22. (R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:

a. The document to convey title
b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- **The developer shall promote the use of native plants and trees and drought tolerant species to the extent feasible.**

- **(R) All lots designated for open space and or detention basins, shall be included as an easement to or transfer title to; and maintained by a Property Owners Association (POA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite POA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.**

- **Maintenance of any and all common facilities.**

PRIOR TO BUILDING PERMIT

P23. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P24. (BP) Prior to issuance of building permits for applicable lettered lots, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P25. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require additional plot plan review and approval from the Planning Commission.

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal (Advisory)

markg/PA07-0088 through PA07-0091/MapCoa's

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0090 Tentative Parcel Map No. 35629
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions. (Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the tentative parcel map by the Planning Commission, the Developer shall submit the approved tentative parcel map on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

(Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Map Approval or Recordation

LD26. (MA) Prior to approval of the final map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. (Advisory)

LD27. (MA) Prior to approval of the final map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer. (Advisory)

LD28. (MA) Prior to approval of the final map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A Public Improvement Agreement (PIA) will be required to be executed. (Advisory)

LD29. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.

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i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or

ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to record the final map prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

(Advisory)

LD30. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public works Department. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD31. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD32. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD33. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD34. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.
(Advisory)

LD35. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD36. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD37. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD38. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD39. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD40. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD41. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD42. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

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LD43. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD44. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

Prior to Certificate of Occupancy

LD45. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD47. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD48. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be

constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD49. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD50. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD51. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD52. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD53. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency

overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD54. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review and approval. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD55. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD56. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to Parcels G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) to provide maintenance access to these parcels until such time that the City accepts the dedication. Surrounding grading shall not prohibit runoff from leaving these parcels.

LD57. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD58. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD59. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and

road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD60. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

b. Along the frontage of Parcel 4 of PM 35629, east side of Theodore Street, east edge of the northbound travel lane to be constructed in Phase 2.

c. Along the frontage of Parcel 3 of PM 35629, west side of Redlands Boulevard, west edge of the southbound travel lane to be constructed in Phase 3.

d. Along the frontage of Parcel 3 of PM 35629, south side of Eucalyptus Avenue, south edge of the eastbound travel lane to be constructed in Phase 3.

e. At proposed pavement transitions at edge of pavement.

f. As required by the City Public Works Inspector(s).

LD61. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD62. (IPA) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD63. (IPA) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across

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Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD64. (IPA) Prior to approval of improvement plans for any master drainage plan facilities, a right-of-entry agreement shall be executed with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for said facilities.

LD65. (MA) Prior to parcel map approval, the map shall show a varying width lettered parcel along the project's north boundary and adjacent to SR-60, shown as Parcel G on the tentative parcel map, to be irrevocably offered for dedication to the City for highway and road purposes. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the developer shall keep the parcel clear of permanent and/or temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer. Existing utilities shall be relocated outside of the dedicated parcel as conditioned hereon. New utilities shall not be placed within the dedicated parcel without City Engineer approval except for extension of existing storm drain culverts and proposed water line from north of the SR-60 in the Sinclair Street alignment. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated parcel, without prior City approval, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plans.

LD66. (MA) Prior to parcel map approval, the map shall show an irrevocable offer of dedication to the City for highway and road purposes, identified as Parcel 5 and Parcel 6 on the tentative parcel map (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map) for an eastbound on-ramp at the Redlands Boulevard interchange and an eastbound off-ramp at the Theodore Street interchange, respectively. The map shall reflect Parcels 5 and 6 as lettered parcels prior to map approval. Until such time the City accepts the irrevocable offer of dedication for the lettered parcel, the parcel shall be kept clear of permanent and temporary improvements, features, and obstructions, including but not limited to, those resulting from grading or water quality treatment, other than those needed to conform to the grades and improvements shown on the approved tentative parcel map. Minimal level of landscaping sufficient to achieve adequate erosion and sediment control consisting of native plants or other plant material as approved by the Planning Division shall be planted and maintained by the developer as conditioned hereon. Existing utilities shall be relocated outside of the dedicated parcel. New utilities shall not be placed within the dedicated parcel without prior City Engineer approval. If permanent or temporary improvements, features, plant material, hardscape, or obstructions are placed within the dedicated

parcel, the developer shall pay any and all costs associated with the removal and restoration to conform to the approved grading plan.

LD67. (MA) Prior to parcel map approval, if the developer proposes to grade the site such that a slope is created for future freeway on- and/or off-ramp improvements within Parcels G, 5 and/or 6 (Parcels 5 and 6 to be shown as lettered parcels on the final parcel map), the developer shall obtain City approval such that the slope will coordinate closely with the future ramp improvements. It may be required that the developer grant a construction easement to the City, ultimately to Caltrans, at no cost to the City or Caltrans, in the future to facilitate the interchange improvements in order to make any necessary adjustments to the slope, drainage, and related features located within and/or outside of Parcels G, 5 and/or 6. In no event shall the exercise of this easement disrupt any existing development or damage any site improvements.

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

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e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD69. (MA) Prior to parcel map approval, a reciprocal access agreement between adjacent development parcels shall be submitted to the City for review and approval processing for concurrent recording with the final parcel map. Alternatively, the reciprocal access among parcels can be established in the covenants, conditions, and restrictions (CCRs) if any, and recorded concurrent with the map.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be

completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

   i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

   ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

   iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

   iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

   v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

   vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

   vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above.

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

LD71. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer.

LD72. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD73. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD74. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD75. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD76. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all

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required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD77. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD78. (CO) Prior to occupancy of the proposed building in Phase 1, the parcel map shall record along with all the offers of dedication for right-of-way and easements made on the map.

LD79. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD80. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD81. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD82. (CO) Prior to occupancy of any buildings, a cooperative (tri-party) agreement among the developer, the City and RCFC&WCD regarding the operation and maintenance of said facilities shall be executed.

LD83. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be

utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD84. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD85. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients, organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD86. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD87. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD88. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

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c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

In the future, when planning applications for development of Parcels 2 and 4 are submitted to the City, additional conditions of approval for on-site development of those parcels will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcels 2 and 4.

LD89. (PPA) Prior to approval of a plot plan for any project on Parcel 4 of PM 35629, proposed pad and site elevations shall be coordinated with the most current design available for the Theodore Street interchange improvement plans. The plot plan shall show the proposed relocation corridor within the future right-of-way of Theodore Street for the overhead electrical power poles along Theodore Street for overhead utility lines larger than 115,000 volts.

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. In addition, the following improvements shall be constructed

within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.

Phase 3 – Development Associated with Parcel 3 of PM 35629

In the future, when a planning application for development of Parcel 3 is submitted to the City, additional conditions of approval for on-site development of that parcel will be added to these special conditions of approval associated with off-site and perimeter infrastructure improvements that apply to the development of Parcel 3.

LD92. (PPA) Prior to approval of a plot plan for any project on Parcel 3 of PM 35629, proposed pad and site elevations shall be coordinated with the most current available Redlands Boulevard interchange improvement plans.

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided within an 18-foot wide bike trail and pedestrian access easement: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Tentative Parcel Map

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0090 (Map).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL
PLOT PLAN (PA07-0091)
APN: 488-350-001 through 002 and 488-360-001 through 012.

APPROVAL DATE: **February 10, 2009**
EXPIRATION DATE: **February 10, 2012**

_x_ **Planning (P), including School District (S), Post Office (PO), Building (B)**
_x_ **Fire Prevention Bureau (F)**
_x_ **Public Works, Land Development (LD)**
_x_ **Public Works, Special Districts (SD)**
_x_ **Public Works – Transportation Engineering (TE)**
_x_ **Parks & Community Services (PCS)**
_x_ **Police (PD)**
_x_ **Moreno Valley Utilities**
___ **Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. All conditions identified as Advisory restate existing codes, ordinances, regulations or policies that apply to the project.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230) (Advisory)

P2. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020) (Advisory)

P3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030) (Advisory)

P4. **A drought tolerant, low water using landscape palette shall be utilized throughout the project.**

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030) (Advisory)

P6. **Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)**

P7. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be consistent with this approval. (Advisory)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the landscape/irrigation plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P9. **(GP) Prior to approval of any precise grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.**

P10. **(GP) Prior to approval of any grading permits, the developer shall submit final landscape and irrigation plans within the State Highway 60 right-of-way**

adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Community Development Department - Planning Division for review and approval. (MC 9.14.100)

P11. **(GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P12. **(GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)**

P13. **(GP) Decorative pedestrian pathways shall be shown on the precise grading plan. (Advisory) (GP Objective 46.8, DG)**

P14. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for all fences and walls required or proposed on site, included, but not limited to the 11 foot screening wall along the perimeter of the site including pilasters and caps or alternative design as approved by the Community Development Director. (MC 9.08.070)

P15. (GP) Prior to approval of a precise grading plan, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.
E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. Landscaping on three sides of all trash enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.
L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to achieve the overall 40 foot spacing requirement .

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

PRIOR TO BUILDING PERMITS

P16. (BP) Prior to issuance of building permits, the Community Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas

meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG) (Advisory)

P17. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG) (Advisory)

P18. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) (Advisory)

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord) (Advisory)

P20. (P) Prior to issuance of building permits, final landscaping and irrigation plans shall be approved by the Planning Division prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along all public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12

parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)

C. All diamond planters shall be included at an interval of one per 3 parking stalls.

D. Drought tolerant landscape shall be provided.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60 to provide proper screening of trucks.

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of all trash enclosures shall be provided.

J. Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.

K. A minimum size of 36" box mature trees shall be placed along the freeway or northern elevations of the building.

L. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be possible for areas outside of the line of sight. An alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas.

M. Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.

P21. Prior to the issuance of building permits, landscape and irrigation plans for common areas maintained by the Property Owner's Association shall be submitted to the Community Development Department – Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's

Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix w/irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins.

P22. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community Development Director.

P23. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community Development Director. (MC 9.08.070)

P24. (BP) Prior to issuance of a building permit for Phase 1, proof of a driveway reciprocal access easement between Parcels 1 and 4 shall be provided to the Public Works and Community Development Department.

P25. (BP) Downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community Development Director. This item shall be noted on the final plot plan drawings.

P26. (BP) Prior to the issuance of building permits, evidence of a reciprocal access easement agreement for Parcel 4, including the maintenance of trees and other landscape materials would be required.

P27. (BP) Prior to the issuance of building permits, a full elevation set, including the northeast focal point of the building adjacent to Highway 60 and Theodore Street, shall be submitted. Said elevations shall be reviewed and approved by the Planning Commission prior to the release of any building permits.

P28. (BP) Prior to the issuance of building permits, the precise grade or final landscape plans shall include decorative paving at all driveway locations.

PRIOR TO CERTIFICATE OF OCCUPANCY

P29. (CO) Prior to issuance of Certificates of Occupancy or building final, all required landscaping, buildings, lighting, parking lot improvements including, but limited to paving and striping, and irrigation shall be installed for the required phase. (DC 9.03.040) (Advisory)

P30. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed and installed for the required phase according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070) (Advisory).

P31. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, all required landscaping and irrigation, including basins, shall be reviewed by the Community Development Department - Planning Division. The landscaping shall be installed for the required phase in accordance with the City's Landscape Standards the approved landscape plans, and conditions of approval included in the grading and building sections above. (Advisory)

P32. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 right of way.

OTHER CONDITIONS NOT TIED TO GRADING, BUILDING OR OCCUPANCY

P33. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA) (Advisory)

P34. Three building phases are included under Tentative Parcel Map No. 35629, while a plot plan (PA07-0091) has been included for Phase 1. All development under Phases 2 and 3 (Parcels 2, 3 and 4) would require submittal of separate plot plans and review and approval from the Planning Commission.

MITIGATION MEASURES

P35. MM A-1 - During project construction, the construction site manager or supervisor shall ensure that construction lighting shall be limited to lighting within the work area and light trespass shall be avoided though directional lighting, shielding, and other similar control measures.

P36. MM A-2. Enhanced architectural and landscaping treatment shall be utilized along the building frontage with State Route (SR) 60 to minimize or soften

views of long expanses of the upper elevations of buildings. Examples of alternative treatment measures may include, but not be limited to the following:

- Use of color; or
- Texture variation; or
- Roof line variation.

P37. MM AQ-1. Prior to construction of the project, the project applicant shall comply with SCAQMD Rule 403 by providing a Fugitive Dust Control Plan that describes the application of best management practices to control fugitive dust during construction. Best management practices shall include:

- Application of water on disturbed soils a minimum of three times per day;
- Covering haul vehicles;
- Replanting disturbed areas as soon as practical;
- Restricting vehicle speeds on unpaved roads to 15 mph;
- Suspension of all grading activities during high wind speeds in excess of 25 mph.
- A Large Operation notification shall be submitted to the SCAQMD prior to construction.
- Project applicant to designate a person(s) to monitor the dust control program and to order increased watering, as necessary.
- Post a sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.
- Complete all roadways, driveways, sidewalks, etc. as soon as possible; building pads should be developed as soon as possible after grading unless seeding, polymer, water, landscaping, soil binders, or similar means are applied within five working days after grading completion to minimize fugitive dust.
- Street sweeping shall be accomplished as needed to remove soil transport to adjacent areas; sweeping shall require use of equipment certified under SCAQMD Rule 1186.1.

P38. MM AQ-2. The project applicant shall meet CARB standards by assuring use of lowest emission construction equipment reasonably available for use on this project. The construction fleet average shall meet or exceed Tier II level and the applicant shall provide incentives in the bidding process in selecting construction contractors that propose the lowest-emission construction equipment (i.e., high pressure injectors; smaller engine sizes; electric equipment; gasoline powered equipment with catalytic converters; and alternatively fueled construction equipment).

The applicant shall also provide incentives in the bidding process in selecting

grading and construction contractors that propose the use of equipment using Level III diesel particulate filters.

P39. MM AQ-3. During project construction, construction equipment shall be properly maintained in accordance with manufacturer's specifications; maintenance shall include proper tuning and timing of engines. During maintenance, precautions shall be taken to ensure that fuel is not leaked onto the ground. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction and subject to inspection by the SCAQMD.

P40. MM AQ-4. During project construction, the project applicant shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of five (5) minutes.

P41. MM AQ-5. Prior to issuance of a grading permit, the project applicant shall provide a traffic control plan to the City of Moreno Valley that will describe in detail safe detours around the project construction site with temporary traffic control (e.g., flag person) during construction-related truck hauling activities, as required by the City. Construction activities that affect traffic flow on the arterial system shall be minimized by scheduling such activities to off-peak hours. Construction truck travel shall be routed to minimize travel on congested streets and near to sensitive receptor areas. Construction traffic shall gain access to the project site via Theodore Street and Eucalyptus Avenue to the greatest extent possible to minimize traffic and dust along Redlands Boulevard. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones.

P42. MM AQ-6. All paints shall be low VOC paints and applied using either high volume low-pressure (HVLP) spray equipment or by hand application. For a list of low VOC paints, refer to the website www.aqmd.gov/prdas/brochures/paintguide.html.

P43. MM AQ-7A. Construction Phases. Prior to the issuance of grading permits, the developer shall provide documentation to the City of Moreno Valley indicating that construction workers will be encouraged to carpool to the greatest extent practical, including providing information on park and ride programs available to workers. The project shall also provide for lunch

services onsite during construction to minimize the need for offsite vehicle trips. Workers shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P44. MM AQ-7B. Occupancy. Prior to the issuance of occupancy permits, the project applicant shall provide documentation to the City of Moreno Valley indicating that tenant workers will be encouraged to carpool to the greatest extent practical including providing information on park and ride programs available to employees. Employees shall be informed in writing and a letter placed on file at the City of Moreno Valley documenting the efforts to encourage carpooling.

P45. MM AQ-8. During project construction, onsite electrical hook-ups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators.

P46. MM AQ-9. During construction, rumble or bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads, or wash off trucks or any equipment leaving the site with each trip.

P47. MM-AQ-10. Offsite construction improvements shall be limited to an 8-hour day during daylight hours.

P48. Operations- MM AQ-11. All project entrances shall be posted with signs which state:

a) Diesel trucks servicing the project shall not idle for more than 3 minutes; and

b) Telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

P49. MM AQ-12. Electricity shall be provided in the loading dock areas for transportation refrigeration units visiting the site, if any.

P50. MM AQ-13. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area.

P51. MM AQ-14. Electrical hookups shall be provided for transport refrigeration units within the Commercial component (Phases II and III) to eliminate the need for idling of diesel-powered transport refrigeration units.

P52. MM AQ-15. The project applicant shall include in all new lease documents the requirement that the tenants shall utilize only trucks using refrigeration units capable of utilizing electrical hook-ups for deliveries to the tenant.

P53. MM AQ-16. The project applicant shall encourage its tenants to do the following: have a compressed workweek schedule for its employees; include electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; require or provide incentives to use California Air Resources Board certified particulate filters that meet level III requirements; use "clean" trucks, such as 2007 or newer model year or 2010 compliant; use electric yard trucks; use trucks with a SmartWay 1.25 rating; and electrify auxiliary power units. The applicant shall provide documentation of its efforts to the satisfaction of the City.

P54. MM AQ-17. The project shall be designed such that the check-in point for trucks is inside the facility property to ensure that there are no trucks queuing outside the facility.

P55. MM AQ-18. Food services shall be provided onsite.

P56. MM AQ-19. Prior to the Issuance of Occupancy Permits, written evidence shall be provided to the Planning and Transportation Engineering Divisions that the project applicant shall include in all new lease documents the requirement that the tenant shall provide employees with incentives for carpooling or impose a parking fee.

P57. MM AQ-20. The property owners association shall maximize use of electrical equipment for landscape maintenance.

P58. MM AQ-21. Prior to the issuance of a certificate of occupancy for Phase 3, traffic signals, including interconnect hardware installed, or paid for, in whole or in part, by the project applicant shall be synchronized by the applicant, to the satisfaction of the City Engineer.

P59. MM BR-1. To avoid impacts to nesting birds covered under the MBTA, vegetation removal activities involving established perennial vegetation located in the urban/developed plant community shall be avoided during avian nesting season (February 15 through August 31). If the nesting season cannot be avoided, a nesting bird survey shall be provided no more than thirty (30) days prior to vegetation removal activities. If no active nests are observed, construction activity may proceed with no further monitoring. If active nests are observed, a biological monitor shall be present during any construction activity within the vicinity of the nest. Construction activity may encroach within the vicinity of the nesting birds at the discretion of the biological monitor. Construction activity may proceed once the nestlings have fledged the nest.

P60. MM BR-2. (GP) Prior to issuance of a grading permit, the applicant shall pay the mandatory mitigation fee for the SKRHCP. The mitigation fee is a per/acre fee based on the entire property footprint and is used to purchase land that contains occupied Stephens' kangaroo rat habitat for the purpose of conserving a large core population.

P61. MM BR-3. (GP) A pre-construction clearance survey for burrowing owl shall be provided. The pre-construction survey shall be conducted by a qualified biologist no more than thirty (30) days prior to any grading or ground disturbing activities.

If construction is to be initiated during the breeding season (February 1 through August 31) and burrowing owl is determined to occupy any portion of the study area during the 30-day pre-construction survey, consultation with the CDFG and USFWS shall take place and no construction activity shall take place within 500 feet of an active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. No disturbance to active burrows shall occur without appropriate permitting through the MBTA and/or CDFG.

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, passive relocation may be conducted following consultation with the CDFG and USFWS. Construction activity may occur within 500 feet of the active nests at the discretion of the biological monitor.

P62. MM BR-4. (GP) Prior to issuance of a building permit, the applicant shall pay the mandatory mitigation fee for the MSHCP. The mitigation fee is a per unit fee based on the residential development and a per square feet fee based on commercial or industrial development. This will satisfy mitigation required

for Impact 5.4-5 and 5.4-6.

P63. MM CR-1. (GP) Prior to the issuance of a grading permit, a City-approved Project Archaeologist shall be retained to initiate and supervise cultural resource mitigation-monitoring during project-related earthmoving in all areas of the project, subject to certain constraints found in MM CR-2.

P64. MM CR-2. Project-related archaeological monitoring shall include the following constraints:

1. All construction-related earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative;
2. Once 50 percent of the earth to be moved has been examined by the Project Archaeologist, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected;
3. If buried cultural resources are detected during monitoring, monitoring must continue until 100 percent of virgin earth within the study area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.
4. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. Grading should continue in other areas of the site while particular find are investigated; and
5. If cultural artifacts are uncovered during grading, they shall be examined by a professional archaeologist subject to MM CR-3, and decisions shall be made as to mitigation, treatment and/or disposition in consultation with the culturally affiliated Tribe(s), as determined by the City. A mitigation-monitoring report must accompany the artifacts.

P65. MM CR-3. Should buried prehistoric cultural resources be encountered during monitoring, the resources shall be evaluated for significance in consultation with the culturally affiliated Tribe(s), as determined by the City, following CEQA Guidelines prior to continuance of grading in the area.

P66. MM CR-4. The City of Moreno Valley shall designate culturally affiliated Tribe(s) to monitor the project. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor all activities

monitored by the Project Archaeologist.

P67. MM CR-5. (GP) Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the project, subject to certain constraints found below:

1. Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place.
2. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
3. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens, and,
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

P68. MM CR-6. Although considered unlikely, there is always the possibility that ground-disturbing activities may uncover previously unknown human remains. Should this occur, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed.

In the event of an accidental discovery or recognition of any human remains, California Health & Safety Code 7050.5 and California Public Resource Code (PRC) Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a determination as to disposition and treatment is made. The Riverside County Coroner shall be contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours to allow the NAHC to identify the person or persons it believes to be the "most likely descendant" (MLD) of the deceased Native American. The MLD may make recommendations and enter into consultation with the

landowner, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

P69. The project will be subject to the City's Grading Ordinance and all applicable California Building Codes. MM GEO-1. During excavation and grading activities a qualified engineering geologist shall observe the in-grading excavation to confirm the absence of any fault features within the building site. If any currently unknown fault features are observed, such features shall be evaluated by the geologist and, if determined necessary, remediation measures or other measures as appropriate shall be implemented to address such features in accordance with applicable City and State requirements. The geologist's record of observations shall be summarized in a final report to be submitted to the City at the conclusion of excavation/grading activities.

P70. MM HH-1. The fire protection system shall be designed per National Fire Protection Agency (NFPA) 13 to provide an Early Suppression Fast Response (ESFR) sprinkler system protection. Temperature rating of sprinkler heads to be per the Fire Department's requirements.

P71. MM HH-2. A complete on-site fire protection underground system shall be provided per NFPA 24 and specific requirements of the local authorities. This system shall include hydrants, sectional valves, backflow prevention, and Fire Department connections.

P72. MM HH-3. Riser assemblies shall include mechanical alarm valves. System control valves shall either be riser mounted with wall post extensions or exterior post indicator valves as required by the local authority. All required devices for central station alarm system interface shall be provided.

P73. MM HH-4. System design, material, and installation shall comply with NFPA 13 and the other previous NFPA standards. It shall also comply with CBC and UFC standards. Approvals will also be obtained from the owner's insurance authority.

P74. MM LU-1. A deed restricted area to the south of the project property line, precluding the establishment of sensitive receptors, is required. The documents necessary to execute the deed restriction shall be submitted to the City of Moreno Valley prior to the issuance of a building permit. Prior to the issuance of a Certificate of Occupancy, the area depicted on Exhibit 5.3-1 'Proposed Buffer Area' from the southern property line of the project between Redlands Boulevard and Theodore Street shall be deed-restricted in a manner

acceptable to the City of Moreno Valley to preclude the establishment of sensitive receptors including residences, hospitals, convalescent homes, day-care centers, and schools within this area. (MM AQ-13)

P75. MM N-1. No Construction Vehicles on Redlands Boulevard south of Future Eucalyptus Avenue. Other than construction vehicles necessary for identified offsite improvements within Redlands Boulevard, no construction vehicles shall be allowed in the vicinity of any residences on Redlands Boulevard south of existing Fir/future Eucalyptus Avenue. The prohibition for construction traffic shall apply to all phases of the proposed project.

*P76. MM N-2. No nighttime grading or construction within 1,200 Feet of Residences south of Future Eucalyptus Avenue. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. No grading or construction activities shall occur at night (8 p.m. to 7 a.m.) within 1,200 feet from any noise-sensitive land uses (i.e. occupied residences including yard areas, schools, etc.) located south of SR-60 (Exhibit 5.11-6 shows the current location of occupied residences). Prior to the issuance of a grading permit, the project applicant shall submit a Noise Reduction Compliance Plan (NRCP) to the City as part of the grading permit submittal showing the limits of nighttime construction based on the location of occupied residential dwellings and their associated parcels, and other noise sensitive uses. The limits of nighttime grading or construction shall be shown on the NRCP and grading plan submitted to the City.

The limits of construction allowed at night shall be staked or posted on site, and contractors will be provided with a copy of the plan showing the limits of nighttime construction.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, nighttime construction and grading activities shall be prohibited within 1,200 feet of such residences. Compliance shall be demonstrated through a modification of the NRCP.

With the implementation of this mitigation measure, the loudest noise level that would be experienced at any developed residential parcel would be less than 55 dBA (Leq) during the nighttime, and this level would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the Noise Reduction Compliance Plan (NRCP) and periodic monitoring of noise levels at developed residential parcels within 1,200 feet of the project site.

P77. MM N-3. Daytime Construction Noise. City grading hours are from 7 a.m. to 8 p.m., Monday through Friday. If project site grading activities must occur within 560 feet of noise-sensitive land uses during the daytime (7 a.m. to 8 p.m.), then temporary sound barriers of sufficient height and density to reduce daytime noise levels to 60 dBA (Leq) or less shall be placed between the grading activities and the noise-sensitive land uses. Prior to the issuance of a grading permit, the developer shall submit a NRCP to the City as part of the grading permit submittal showing the limits of daytime construction based on the 560 foot setback in relation to the location of occupied residential dwellings and their associated parcels and other noises sensitive uses.

In the event any new residential units or other noise sensitive land uses are built and occupied in the vicinity of the project site prior to completion of Phase 1 construction, the NRCP shall be modified to show a the revised new 560 foot setback for day time construction and grading activities in relation to the new residences.

With the implementation of this mitigation measure the loudest noise level that would be experienced at any developed residential parcel would be less than 60 dBA (Leq) during the daytime, and these levels would be consistent with the limits established in the City's Noise Ordinance. Compliance with these standards during Phase 1 construction of the project should be assured through the NRCP and periodic monitoring of noise levels at developed residential parcels within 560 feet of the project site. This mitigation measure does not apply to off-site construction.

P78. MM N-4. Require Equipment Maintenance. All construction equipment shall be maintained in good working order and fitted with the appropriate silencers, mufflers or acoustic covers where applicable.

P79. MM N-5. Locate Material Stockpiles 1,200 Feet from Residences south of the Freeway. Material stockpiles shall be located at least 1,200 feet from residences south of future Eucalyptus Avenue along Theodore Street and Redlands Boulevard. Remotely locating the stockpiles reduces the noise at the residences from equipment traveling to and from the stockpiles and the noise that is sometimes associated with handling of material.

P80. MM TT-1. (CO)Prior to issuance of Certificate of Occupancy for Phase 1, turn lanes shall be improved along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street

to accommodate truck turning movements. These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P81. MM TT-2. Concurrent with the submittal of the plot plan for Phase 3 of the proposed project, the project applicant shall submit a supplemental traffic study assessing the project's contribution to the traffic impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. Approval of the supplemental traffic study must occur prior to the approval of entitlements for the Phase 3 Plot Plan. The project applicant shall contribute to the costs of the interim intersection improvements required to provide adequate capacity for all phases of the project. Said contribution shall be on a fair-share basis considering the buildout of adjacent areas. Payment of such costs shall be provided prior to the issuance of a building permit for Phase 3. If the timing of Phase 3 of the project precedes the planned interim improvements, the project shall be required to construct interim improvements needed to provide adequate capacity to serve the project.

P82. MM TT-3. The project applicant shall construct the easterly leg of the intersection located at Redlands Boulevard and Eucalyptus Avenue at the ultimate design required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. The design tentatively consists of a dedicated westbound left turn lane, two westbound through lanes and a dedicated westbound right turn lane. Final geometrics shall be determined after receiving the supplemental traffic study identified in MM TT 2. Construction of required improvements shall be completed prior to the issuance of occupancy permits for Phase 3 of the project.

P83. MM TT(C)-1. (CO) Prior to issuance of certificate of occupancy for Phase 1 of the project, turn lanes shall be provided along Theodore Street at SR-60 and at Eucalyptus Avenue. In addition, minor pavement shall be added to the Eastbound and West bound State Route 60 Freeway ramp intersections with Theodore Street to accommodate truck turning movements These proposed improvements should enhance safety and improve mobility between the freeway and Eucalyptus Avenue.

P84. MM TT(C)-2. The short-range analysis shows project impacts at the Redlands Boulevard interchange and at the Redlands Boulevard/Eucalyptus Avenue intersection. At the interchange, improvements are planned and the project shall participate on a fair share basis if private funding is needed. If the timing of Phase 3 of the project precedes the planned interchange

improvements, the project shall contribute to interim improvement to provide adequate capacity until the ultimate improvements are completed. These interim improvements include additions of left and right turn lanes at Redlands Boulevard, SR 60 Ramps, and Eucalyptus Avenue. The interim improvements would be the shared responsibility of the proposed project and cumulative projects. Fair share participation and/or contribution to interim improvements, as applicable, shall be required prior to the issuance of a building permit for Phase 3 of the project

P85. MM TT(C)-3. At the time of the submittal of the plot plan for Phase 3 of the proposed project, the applicant shall submit a supplemental traffic study assessing the project's contribution to the impacts at the Redlands Boulevard intersection with SR-60 ramps, as well as Theodore Street at SR-60. The developer shall contribute to the costs on a fair share basis of the intersection improvements required to provide adequate capacity for all phases of the project and buildout of the adjacent areas. If the timing of Phase 3 of the project precedes the planned improvements, the project shall be required to construct interim improvements to provide adequate capacity until the ultimate improvements are completed.

P86. MM W-1. Prior to issuance of a Precise Grading Permit, Planting and Irrigation Plans shall be submitted for review and prior to the issuance of a building permit, approved by the City. Such plans shall contain the following components:

- The plans shall incorporate water conservation principles as detailed in the Moreno Valley Municipal Code § 9.17.030 Landscape and irrigation design standards.
- Plant types shall be grouped together according to their water, soil, sun and shade requirements and in relationship to the buildings. Plants with different water needs shall be irrigated separately.
- Plans shall be designed in accordance with soil tests to determine appropriate specifications of soil amendments and to facilitate selection of water-efficient plant species suitable for the site. Soil amendments such as compost shall be provided to improve water-holding capacity of soil, where soil conditions warrant.
- All exposed surfaces of non-turf areas within the developed landscape area shall be mulched with a minimum three inch (3") layer of material, except in areas with groundcover planted from flats where mulch depth shall be one and one half inches (1.5").
- Turf areas shall be limited to public gathering areas and used in compliance with City approved water budget formula(s) and specifications.

- All irrigation systems shall be designed to prevent runoff, over-spray, low head drainage (occurs where sprinkler systems are installed in sloped areas) and other similar conditions where water flows offsite on to adjacent property, non-irrigated areas, walk, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible.
- Landscaped areas shall be provided with a) smart irrigation controllers which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions; b) rain-sensing devices to prevent irrigation during rainy weather; c) anti-drain check valves installed at strategic points to minimize or prevent low-head drainage; and d) pressure regulators when the static water pressure exceeds the maximum recommended operating pressure of the irrigation system.
- The planting areas shall be grouped in relation to moisture control zones based on similarity of water requirements (i.e., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas; top of slope separate from toe of slope).

P87. MM GCC-1. The project shall be designed to meet applicable 2008 Title 24 energy efficiency requirements, or any more stringent requirements that may be adopted prior to the issuance of building permits for the project.

P88. MM GCC-2. All buildings shall be designed with "cool roofs" using products certified by the Cool Roof Rating Council, and exposed roof surfaces shall use "cool paints."

P89. MM GCC-3. The project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, to meet the project's Phase 1 office electricity needs.

P90. MM GCC-4. The design and operation of the project shall use ENERGY STAR-qualified energy efficient products for heating and cooling systems, and for built-in appliances and lighting.

P91. MM GCC-5. To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the Community Development Director, Public Works Director, Building Official and Transportation Division Manager:

a) Onsite secure, weather-protected bicycle storage parking shall be provided. Onsite showers (one for males and one for females) and lockers for employees shall be provided in each building. Onsite convenient bicycle parking shall be provided for retail customers.

b) Any traffic lights installed as part of this project shall use Light Emitting Diodes.

c) Pedestrian and bicycle connections shall be provided to surrounding areas consistent with the Existing General Plan.

d) A Transportation Management Association (TMA) shall be established for the project by the applicant. The TMA shall coordinate its efforts with other TMAs in the City and encourage and coordinate carpooling by occupants of the project. The TMA shall advertise its services to the building occupants. The TMA shall offer transit or other incentives to the employees to reduce greenhouse gas emissions. A shuttle shall be provided during any one hour period where the number of employees using public transit exceeds 20 during the period. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordinating rides. Within two months after project completion, the TMA shall submit a plan to the City that outlines the measures the TMA has implemented and contact information.

e) There shall be preferential parking for carpools, vanpools, and alternatively fueled vehicles.

P92. MM GCC-6. The project shall provide a minimum of two electric vehicle-charging stations.

P93. MM GCC-7. During onsite construction phases of mass grading, fine grading, and building (excluding asphalt paving, trenching, and offsite improvements), off-road construction equipment shall use biodiesel fuel (a minimum of B20, or 20 percent of biodiesel). Construction equipment exempt from this measure include those with warranties that would be voided if B20 biodiesel fuel is used. Prior to issuance of grading permits, the applicant shall provide documentation to the City that verifies that certain equipment are exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required.

P94 .MM GCC-8. Prior to issuance of a grading permit, the project shall have in place a City-approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during project construction. A

similar Plan shall be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during on-going operation of the warehouse and office portions of the project. The Plans shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.

P95. MM GCC-9. The project shall be certifiable under Leadership in Energy and Environmental Design (LEED). The project shall obtain the following credits from the LEED for New Construction & Major Renovations, version 2.2 (or equivalent): Sustainable Sites Credit 7.1: Heat Island Effect, Non-Roof; LEED Energy & Atmosphere Credit 1, Optimize Energy Performance, in part through installing skylights and utilizing energy efficient lighting. Demonstration of certifiability shall be provided to the satisfaction of the City, prior to the issuance of building permits.

P96. MM GCC-10. The project shall be designed to accommodate trucks utilizing "SmartWay Truck Efficiency" emission reduction features. Trailer tails (extenders) are incompatible with loading docks and are exempt from this measure.

P97. MM GCC-11. Every truck that enters the site with a gross vehicle weight rating over 10,000 pounds shall have an Engine Certification Label. If it does not have the label, it shall be prohibited from entering the project site.

<u>Building and Safety Division</u>

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building

occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required. (Advisory)

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process. (Advisory)

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project. (Advisory)

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes. (Advisory)

*** Modified by the City Council at their meeting on 2/10/09**

Markg/2007/PA07-0088 thorough PA07-0091

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA07-0088 Change of Zone
PA07-0089 General Plan Amendment
PA07-0091 Plot Plan
APN 488-350-001, 002 and APN 488360-001 thru -012

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010) (Advisory)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (Advisory)

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040) (Advisory)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a

good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition per the Subdivision Map Act. (GC 66462.5) (Advisory)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit. (Advisory)

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
(Advisory)

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110) (Advisory)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are

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allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer. (Advisory)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110) (Advisory)

LD10. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction. (Advisory)

LD11. (G) Upon approval of the plot plan by the Planning Commission, the Developer shall submit the approved plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

Prior to Grading Plan Approval or Grading Permit

LD12. (GPA) The grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD13. (GPA) Grading plans shall comply with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site. (Advisory)

LD14. (GPA) Prior to grading plan approval, the developer shall select treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer. (Advisory)

LD15. (GPA, IP) Prior to approval of the grading plans or improvement plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act) (Advisory)

LD16. (GPA) Prior to the rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall:

a. Submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

   i. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
   ii. Incorporates Source Control BMPs and provides a detailed description of their implementation;

   iii. Incorporates Treatment Control BMPs and provides information regarding design considerations;

   iv. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

   v. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

b. Record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP. A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department.

(Advisory)

LD17. (GPA) Prior to rough grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. (Advisory)

LD18. (GPA) Prior to rough grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan. (Advisory)

LD19. (GPA) Prior to grading permit issuance, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the City's Storm Water Program Manager on compact disk(s) in Microsoft Word format. The developer is required to bring the SWPPP to the grading pre-construction meeting. (Advisory)

LD20. (GPA) Prior to the approval of the grading plans, the developer shall pay any applicable remaining grading plan check fee. (Advisory)

LD21. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer. (Advisory)

LD22. (GP) Prior to the issuance of a grading permit, the developer shall submit a letter of permission to grade for a specific duration recorded against each offsite parcel and an easement for slope purposes at final map recordation. (Advisory)

LD23. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD24. (GP) Prior to issuance of a grading permit, the following securities shall be submitted to the City:

a. Security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project (MC 8.21.070)

b. Erosion control security as a guarantee of the completion and maintenance of the erosion control systems required as a condition of approval of the project. The amount of the security shall be equal to one hundred (100) percent of the total estimated cost of the

erosion control system(s). The permittee's estimate of such cost shall be based on the established unit costs available form the city and shall be subject to the review and approval of the city engineer. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the city engineer. The remainder of the erosion control security shall be subject to the approval of the City Engineer and City Attorney, and consist of one or more of the following:

i. Cash deposit;
ii. Bond
iii. Certificate of Deposit
iv. Letter of Credit, in City format, from one or more local financial institution(s) subject to regulation by the state or federal government. (MC 8.21.150)

(Advisory)

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees. (Advisory)

Prior to Improvement Plan Approval or Construction Permit

LD26. (IPA) Improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required. (Advisory)

LD27. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210) (Advisory)

LD28. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. Securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements. (Advisory)

LD29. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer per City Standard No. 706A. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

(Advisory)

LD30. (IPA) Improvement plans, including design plan and profile information, shall be based upon a centerline profile, extending beyond the project boundaries approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries. (Advisory)

LD31. (IPA) Improvement plans, shall reflect the City's moratorium on trench repair pavement cuts on any streets less than three years old or on slurry sealed streets less than one year old unless specifically approved by the City Engineer. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer. (Advisory)

LD32. (IPA) Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110) (Advisory)

LD33. (IPA) If the project's hydrology study proposes to use any portion of a public street right-of-way to accommodate storm flows, said study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow will be contained within the street right-of-way. On major streets (Minor Arterial or larger), at least one lane in each direction shall remain open and not be used to carry surface flows. When any of these criteria is exceeded, additional drainage facilities shall be installed as approved by the Public Works Department Land Development Division. (MC 9.14.110) (Advisory)

LD34. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. (Advisory)

LD35. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100) (Advisory)

LD36. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer. (Advisory)

LD37. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department. (Advisory)

LD38. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees. (Advisory)

Prior to Building Permit

LD39. (BP) The developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction sequencing as approved by the City Engineer. (Advisory)

LD40. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) per City code and Land Development Division requirements. (AB939, MC 8.80) (Advisory)

LD41. (BP) Prior to issuance of a building permit, Parcel Map 35629 shall record.

Prior to Certificate of Occupancy

LD42. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD43. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, unless otherwise approved by the City Engineer, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

(Advisory)

LD44. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130) (Advisory)

LD45. (CO) Prior to issuance of a certificate of occupancy or building final, the Developer must comply with the following:

a. Any required water quality basins, associated treatment control BMPs, and associated hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack.

b. An Engineer's Line and Grade Certification shall be provided to the City.

c. Said facilities shall pass a flow test per City test procedures. (Advisory)

LD46. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board. (Advisory)

Prior to Acceptance of Streets into the City Maintained Road System

LD47. (AOS) Aggregate slurry, per Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance street(s) into the City maintained road system at the discretion of the City Engineer. (Advisory)

SPECIAL CONDITIONS

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD48. (RGPA) Prior to rough grading plan approval, the developer shall obtain written concurrence from Riverside County Flood Control and Water Conservation District (RCFC&WCD) for any proposed modifications to the Moreno Area Drainage Plan as well as for the acceptance of a small new additional tributary area resulting from the project's proposed grading.

LD49. (RGPA) Prior to rough grading plan approval, it shall be clearly demonstrated on the final drainage study that the potential increased rate of runoff resulting from the development of this site is mitigated. During identified storm events peak flow rates and velocity leaving the site in the developed condition shall be no larger than that of the pre-developed condition. The following shall be analyzed in the final drainage study: 1, 3, 6 and 24-hour storm duration for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures or other

mitigation, beyond those shown on the tentative parcel map and preliminary drainage study, may be required and shall include those into the design and construction of appropriate drainage facilities.

LD50. (RGPA) Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. Emergency overflow area elevations shall be a minimum of 1' below the proposed building pad elevation in close proximity. This may include, but not be limited to, an emergency spillway in the basin and an emergency overflow at any sump catch basin location. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD51. (RGPA) Prior to rough grading plan approval, all easements, existing, proposed, temporary, and those to be quitclaimed shall be shown on the plan complete with type of easement, easement width, as applicable, instrument number and date of recordation. Copies of the existing easement documents shall be submitted to the City (upon request) for review. Those easements to be quitclaimed shall be coordinated with the appropriate easement holder, including but not limited to, those associated with the electrical utility lines traversing Parcel 1 and the water line running along the entire map's north boundary adjacent to SR-60 and its on-/off-ramps, as shown and labeled on the tentative parcel map. The above referenced water line shall be relocated outside the existing and ultimate SR-60 right-of-way and preferably within Eucalyptus Avenue.

LD52. (RGPA) Not withstanding what is shown on the tentative parcel map and grading plan, no grading on Caltrans property shall be permitted without an encroachment permit.

LD53. (RGPA) Prior to rough grading plan approval, the plan shall show a minimum 15-foot wide maintenance access road from a public street to all graded areas resulting from the grading associated with the project.

LD54. (PGPA) Prior to precise grading plan approval, the precise grading plan shall be consistent with the rough grading plan and approved plot plan, in terms of, but not limited to, pad and grade elevations, proposed water quality treatment control best management practices and locations including detention and infiltration basins, proposed building, parking lot, landscape area, slope, and project entrance locations. (Advisory)

LD55. (PGPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show any driveway approach up to 40' in width to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50' if the entrance is to accommodate truck traffic, 35' otherwise, and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be a 4-foot wide pedestrian sidewalk area at 2% maximum cross slope behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication

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shall be made on PM 35629. Any entrance greater than 40' in width shall be designed as a street intersection. (Advisory)

LD56. (IPA) If it is necessary to adjust the boundary of Parcel G, 5, and 6 (Parcels 5 and 6 to be designated as lettered parcels on the final parcel map) resulting in the need for additional right-of-way for highway and road purposes, it shall be dedicated to the City at no cost to the City. If it is necessary to adjust the boundary resulting in excess right-of-way not needed for highway and road purposes, the City and the developer shall pursue the appropriate mechanism to transfer or convey public property back to the developer.

LD57. (IPA) Prior to improvement plan approval, the plans shall show redwood headers, or other pavement edge treatment as approved by the City Engineer, at all edge-of-pavement locations in the public right-of-way. If redwood header board is approved, the redwood header shall be installed per the City Standard, using a nominal minimum of 2" wide by 6" deep board. This shall include, but not be limited to, the following locations:

a. Along the frontage of Parcels 1, 2 and 4 of PM 35629, south side of Eucalyptus Avenue, south edge of the east bound travel lane to be constructed in Phase 1.

LD58. (IPA) Storm drain improvement plans shall show the connection of the proposed private storm drain system to the proposed public storm drain system at the public street right-of-way. A storm drain manhole shall be placed at the right-of-way to mark the beginning of the publicly maintained portion of this storm drain.

LD59. (IP) Prior to commencing any work within Caltrans right-of-way, the developer shall obtain an encroachment permit from Caltrans. Work within Caltrans right-of-way may include that work associated with storm drain connections to existing freeway culverts, water line removal, water line extension from north of the freeway including jack and bore operation, power pole relocation and/or undergrounding, and any grading.

LD60. (IP) Prior to approval of improvement plans, the developer shall secure any off-site easements from the off-site property owner(s). This includes but is not limited to the drainage easement for the proposed spreading basin south of the project, the slope easement along the south side of Eucalyptus Avenue, the drainage easement for the culvert outlet across Eucalyptus Avenue near Theodore Street, the utility easement for the temporary overhead electrical lines, and any others that may be necessary for the construction and maintenance of offsite utility and infrastructure improvements.

LD61. (BP) Prior to issuance of a building permit, final line and grade certification shall be provided by the licensed engineer of record stating the building pad is in substantial conformance with the approved grading plan. For Parcel 1, the developer shall coordinate with Land Development staff to facilitate partial pad certification in conjunction with construction

sequencing as approved by the City Engineer. The relocation and/or abandonment of existing utilities and quitclaim of existing easements shall be coordinated with the sequencing of the Parcel 1 development such that these do not interfere or encumber the particular building area being developed at any given time.

LD62. (BP) Prior to building permit issuance this project shall cause the quitclaim of all existing easements, especially those easements underneath proposed building footprints shall be quitclaimed. This shall include, but not be limited to, the water line easement and power line easement. All utilities shall be relocated, as necessary, prior to quitclaiming the easements. All new easements shall be granted prior to utility relocations and quitclaims of existing easements.

LD63. (BP) Prior to building permit issuance, the developer shall remove, or cause the removal, of any sign or other structure, as applicable, on the project site, including that portion within Parcels G, 5 and 6, as shown on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered parcels on the final parcel map), to be dedicated to the City for the future freeway expansion, unless other arrangements are made with and approved by the City Engineer. The developer shall record easements for, provide access to, etc. any sign or structure that might remain, as approved by the City Engineer.

LD64. (BP) Prior to building permit issuance, the developer shall submit to the City a recorded agreement pertaining to the maintenance of and access to the temporary spreading basin to be constructed on the land south and adjacent to this project map, identified as APN# 488-350-002.

LD65. (BP) Prior to building permit issuance of the proposed building in Phase 1, the developer shall submit to the City for review and approval all required off-site (outside of the map boundary) easements, including but not limited to, a roadway slope easement along the south side of Eucalyptus Avenue, drainage easements at low points along the south side of Eucalyptus Avenue where rip rap and other drainage improvements are proposed, a drainage easement for the culvert headwall, rip rap and grading on the south side of Eucalyptus Avenue, just west of Theodore Street, an easement for any work outside of the Sinclair Street right-of-way north of SR-60 for work associated with the construction of the water line. These easements shall record prior to occupancy, after the City has reviewed and approved them prior to building permit issuance.

LD66. (BP) Prior to issuance of a building permit, PM 35629 shall record along with all the offers of dedication for right-of-way and easements made on the map. Alternatively, offers of dedication for right-of-way and easements may record by separate instrument.

LD67. (CO) Prior to occupancy for the proposed building in Phase 1, the developer shall obtain an encroachment permit from Caltrans and complete the following jack and bore operation for the installation of a

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proposed water line underneath SR-60 to be located within Sinclair Street right-of-way north of the freeway. The developer shall apply Caltrans crossing requirements to the portion of the water line that will lie within Parcel G of the tentative parcel map.

LD68. (CO) Prior to occupancy of the proposed building in Phase 1, all overhead utility lines less than 115,000 volts fronting or within the entire map boundary shall be placed underground per Section 9.14.030C of the City Municipal Code except those along the west side of Theodore Street, the terminus of the facility over SR-60 at Sinclair Street, and the interim service from Redlands Boulevard and Dracaea Avenue northerly to the project site.

LD69. (CO) Prior to occupancy of the proposed building in Phase 1, existing utilities shall be relocated outside of Parcels G, 5, and 6, as identified on the tentative parcel map (Parcels 5 and 6 to be dedicated as lettered lots on the final parcel map), being offered for dedication for highway and road purposes.

LD70. (CO) Prior to occupancy of the proposed building in Phase 1, the developer shall bring overhead electrical service to the building from the nearest source identified by the developer to be located on the west side of Redlands Boulevard near Dracaea Avenue. This will require the developer to bore under Redlands Boulevard to the east side of Redlands Boulevard.

LD71. (RGPA) In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method per ASTM D3385 shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included as an amendment to the Final WQMP prior to issuance of the first occupancy. (Advisory)

LD72. (RGPA) The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0090 - Highlands -Parcel 1 of TPM 35629 Logistics Building. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to rough grading plan approval. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation. (Advisory)

LD73. (RGPA) The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients,

organic compounds, oxygen demanding substances, and pathogens. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs. (Advisory)

LD74. (RGPA) Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of combined detention and infiltration basins with underdrain systems. Final design details of these detention and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance Document. (Advisory)

LD75. (RGPA) The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD76. (GP) The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

(Advisory)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
Case No. PA07-0091 Plot Plan

PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the Community Services district (CSD) shall be located along the west side of Theodore Street. The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued will be returned to the developer.

As approved on TPM 35629, a multi-use trail within an approximate 10' - 11' wide easement to the CSD shall be located along the north side of Eucalyptus Street (currently Fir Avenue), within the development. Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director, an in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and

modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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MV00056715

RESOLUTION NO. 2010-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and construction of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 9

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meeting May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to

Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir Avenue), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

   The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing and responsibility of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The originally approved map met the intent of the General Plan with the approved General Plan Amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF),Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities

in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future).. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Parcel Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. <u>The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.</u>

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. <u>The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and</u>

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00056729

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Parcel Map No. 35629 (Clean Copy Version)

<u>Land Development Division modified conditions of approval</u>

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show a minimum 20-foot wide multi-use trail and pedestrian access easement along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional 10-foot street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show an 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a minimum 18-foot wide bike trail and pedestrian access easement directly behind and adjacent to the proposed Theodore Street west right-of-way.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.

viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and

acceptance of all improvements, with the exception of the landscaping per LD68(c).

ix. A 17-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00056735

RESOLUTION NO. 2010-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

ATTACHMENT 10

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meeting on May 11, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, timing and responsibility of the required multi-use trail and modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations –** The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

   FACT:. The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, possible timing and responsibility of an easement and construction of a required multi-use trail along the project frontage and modification of various Public Works conditions of approval for dedication and improvement of public improvements is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing and responsibility of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. **Location, Design and Operation –** The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site. The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future). The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it

revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0090, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00056743

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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MV00056745

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 11, 2010 (Continued from April 27, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 15, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

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

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of April 27, 2010, which was then continued to May 11, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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MV00056755

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 15, 2010.

APPROVED AND ADOPTED this 11th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

MORENO VALLEY
WHERE DREAMS SOAR

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00056759

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Building and Safety

	Unit	Fee

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 203.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance		$ 2,618.00	Plus applicable notice and posting fees
Administrative Variance		$ 474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

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Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

mal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00
	*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.			
	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

mal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

ewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

ivity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Records Request			
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

Section 5 - Fire

Other Fees (Cont)	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work; not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00
On-Line Registration Processing Fee (This fee is charged by the on-line provider)		
On-Line Registration has no applicable category association.		
Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction		$ 0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction		$ 5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction		$ 10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

Exhibit "A"

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Fee Description	Policy Category	Unit		Resident Fee

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

** Exclude Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth Sports				
Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Activities and Programs				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Classes				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~1 Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~
~~** Excludes Program Registration Fee~~				

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Special Events				
Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee				
Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt**	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)			
On-Line Registration has no applicable category association.			
Transactions < $150			
Percentage of Transaction cost plus			6.50% *
Fixed Fee per Transaction		$	0.50 *
Transactions from $150 to $500			
Percentage of Transaction cost plus			3.50%
Fixed Fee per Transaction		$	5.00
Transactions over $500			
Percentage of Transaction cost plus			2.50%
Fixed Fee per Transaction		$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and Unorganized Group Play per field~~	N/A	Per Hour	$	5.00
~~Unorganized Adult & Youth~~ Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use — Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use — Annual Maintenance fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	~~100.00 75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	~~175.00 350.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	~~50.00 35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	~~$50.00 $35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
~~Park Reservation for Park Area~~	~~N/A~~	~~Per Day~~	~~$~~	~~25.00~~
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
This program has no applicable category association				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
~~This program has no applicable category association~~				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 35.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 35.00
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. Federal, State, County and educational institutions. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$750.00 $200.00 - $750.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE/FACILITY USE FEES

Service/Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 8 - Police

Exhibit "A"

	Unit	Fee	
ABC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
ice Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

Exhibit "A"

	Unit	Fee	
Second Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

Exhibit "A"

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On-site mod by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee	
MASS/ROUGH GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY		$ 584.00	
5,001-100,000 CY		$ 1,009.00	
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	$250	~~$ 306.00~~		
All Teleconferences	per Hour	$150	~~$ 306.00~~		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, or Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,244.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$3,227	~~$ 3,334.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~198.00~~ $96.00	Straight Time Over Time

STORM WATER MANAGEMENT INSPECTION

Storm Water Pollution Abatement Program

Projects Under Construction		
Construction Site Inspection		$ 402.00
Existing Businesses		
NPDES Industrial Site Initial Inspection	Each	$ 451.00
Follow-up Compliance Inspection	Each	$ 211.00
NPDES Commercial Site Initial Inspection	Each	$ 331.00
Follow-up Compliance Inspection	Each	$ 211.00
NPDES Restaurant Initial Inspection (CAP)	Each	$ 271.00
Follow-up Compliance Inspection	Each	$ 211.00

Water Quality Basin Landscape Inspection

0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre	$ 1,777.00

PENALTY FEES

Inspection and Testing work in Right-of-Way without Encroachment Permit	$ 603.00
Failure to Schedule Inspection Prior to Performing Work *	$ 122.00

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer, fee not to exceed total City cost~~	
	*minimum of 1 hour		$96.00	Over Time
OTHER PERMITS				
Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each		$ 205.00	
Block Party Permit Processing	Each		$ 82.00	
Flood Plain Determination (Community Rating System)	per Lot		$ 20.00	
Elevation Certification (Mobile Home Park)	Each		$ 155.00	

Land Development

OTHER FEES

Advanced Energy Fees

	Unit	Fee	
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		

MISCELLANEOUS LAND DEVELOPMENT FEES

City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Exhibit "A"

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee	
Land and Assessment Division Applications			
with amended assessment diagram		$ 900.00	+
	per Parcel	$ 25.00	
without amended assessment diagram		$ 1,500.00	+
	per Parcel	$ 35.00	
Special District Formation Application	Each	$ 5,000.00	
Special District Formation/Bond Issuance	Each	1% of bond issue	$50,000 min
Special Tax Report	Each	City Cost	$10 min
Annual Levy Report	Each	City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$ 46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.			
Fixed Charge Tax Bill Revisions	per Parcel	County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)		City Cost	$10 min
Mail Ballot Processing			
Administrative Fee	per Proceeding	$ 1,574.00	
Ballot Fee	per Ballot	$ 3.00	

Section 9 - Public Works

Exhibit "A"

pecial Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer' s gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, " public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle' s engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18″ from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				----- Commercial -----			-------Office-------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
Libraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
F Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
A nal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

U S LEGEND
D Dwelling Unit for residential development types
K 1,000 gross square feet of building area for commercial, industrial and office development types

I EMENTATION NOTES:

W espect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

W espect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the D opment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

Impact Fee Type	---------- Residential ----------				----- Commercial -----		Industrial General	------ Office ------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional		Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
Recommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
F at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
F at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00056847

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 11, 2010

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

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

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

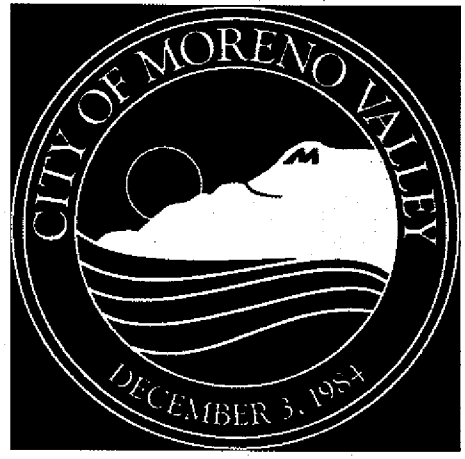

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00056853

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00056855

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00056857

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS
FY 2009-2010

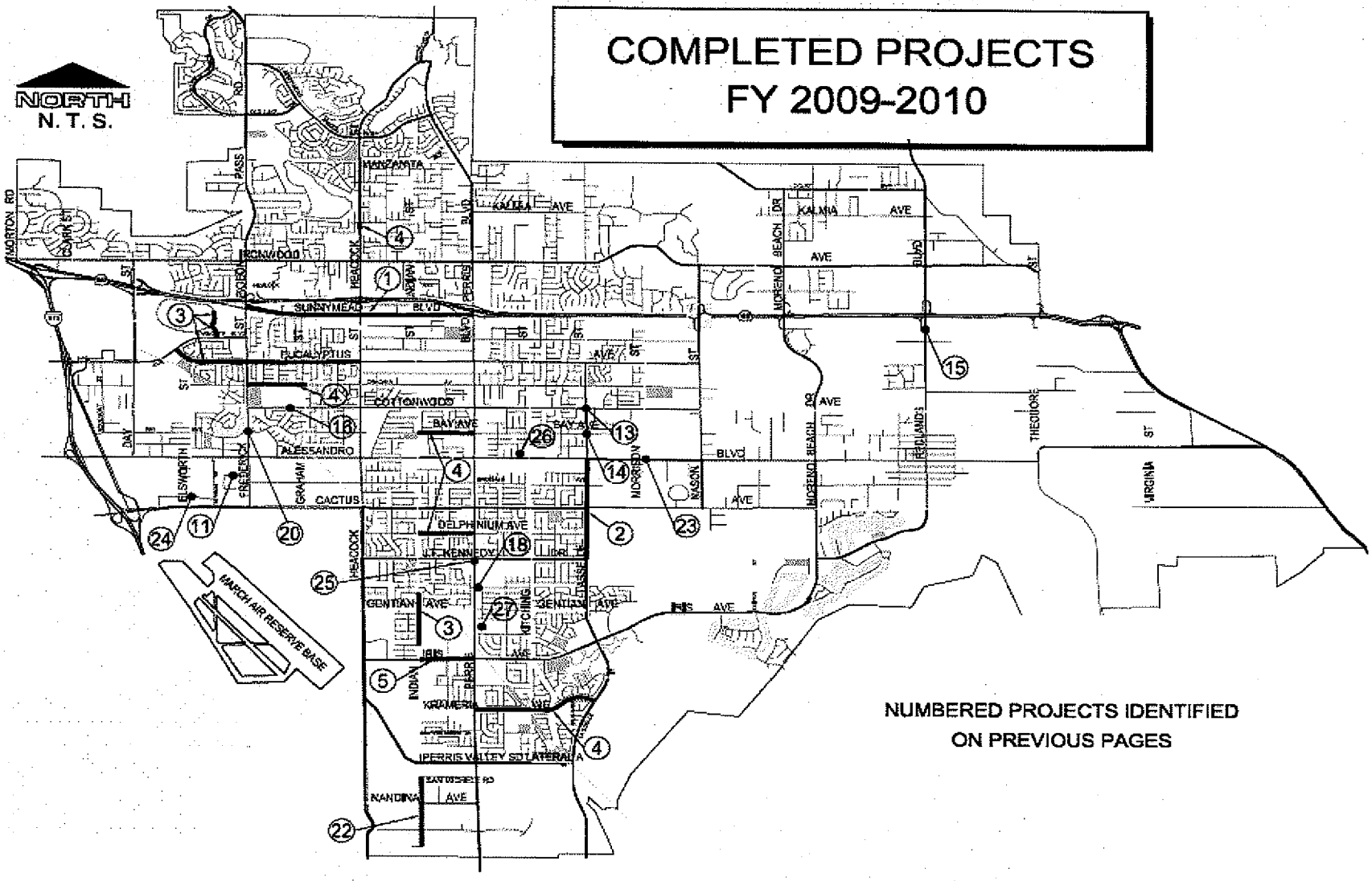

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Completed Projects FY 2009-2010

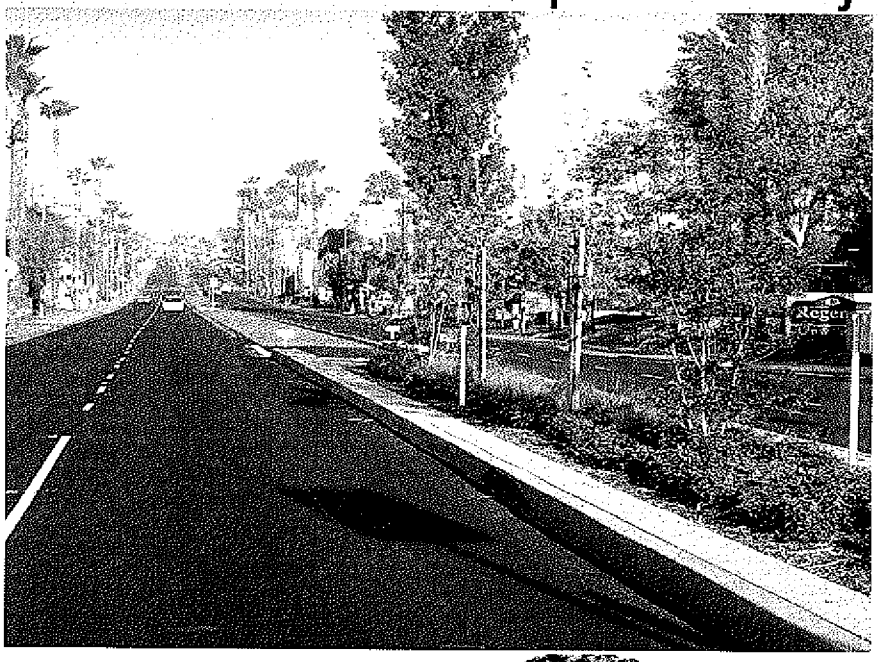

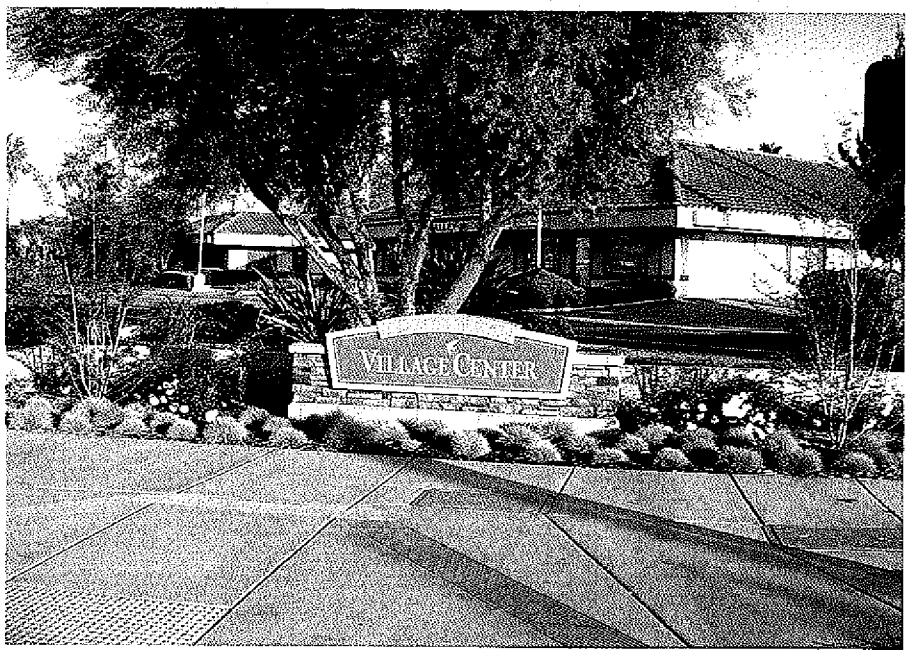

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

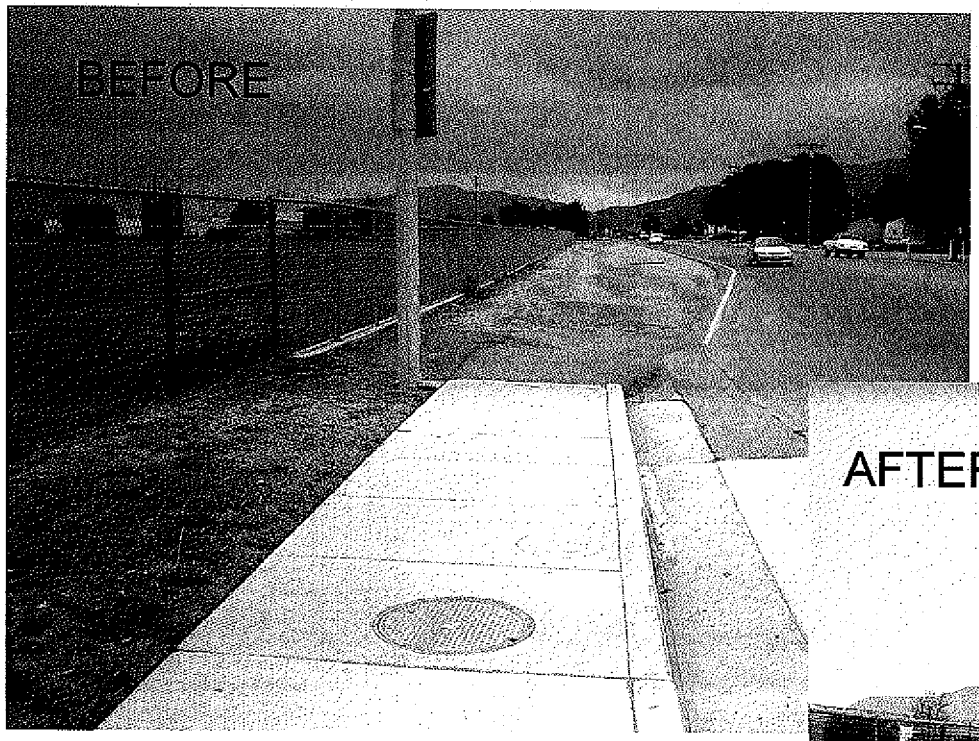

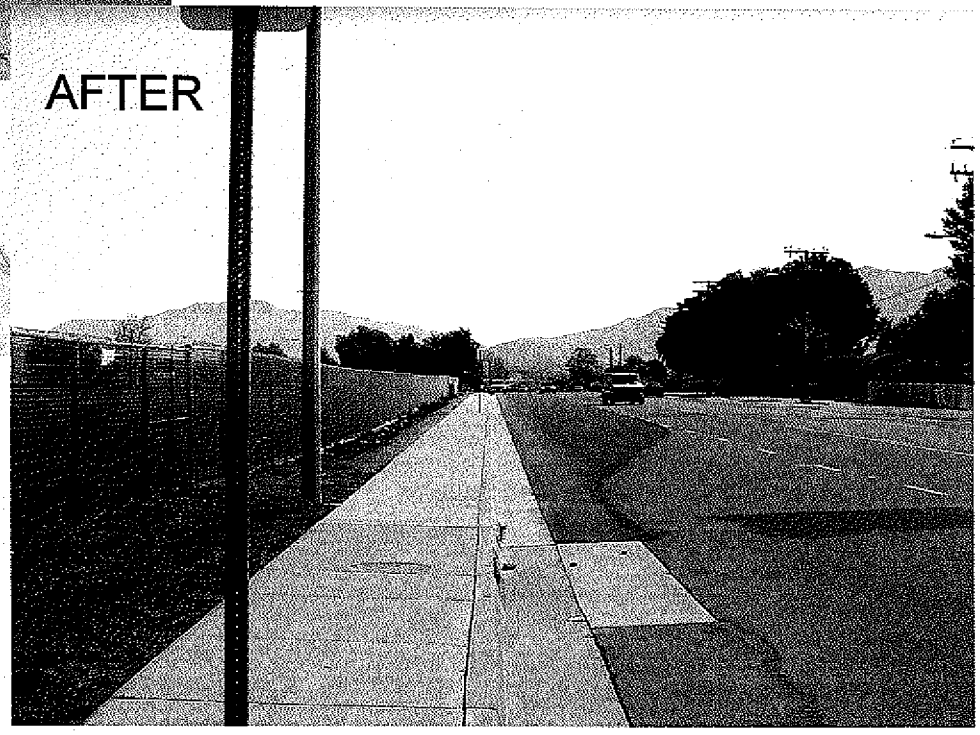

Iris Avenue from Indian Street to Perris Boulevard

MV00056861

Completed Projects FY 2009-2010

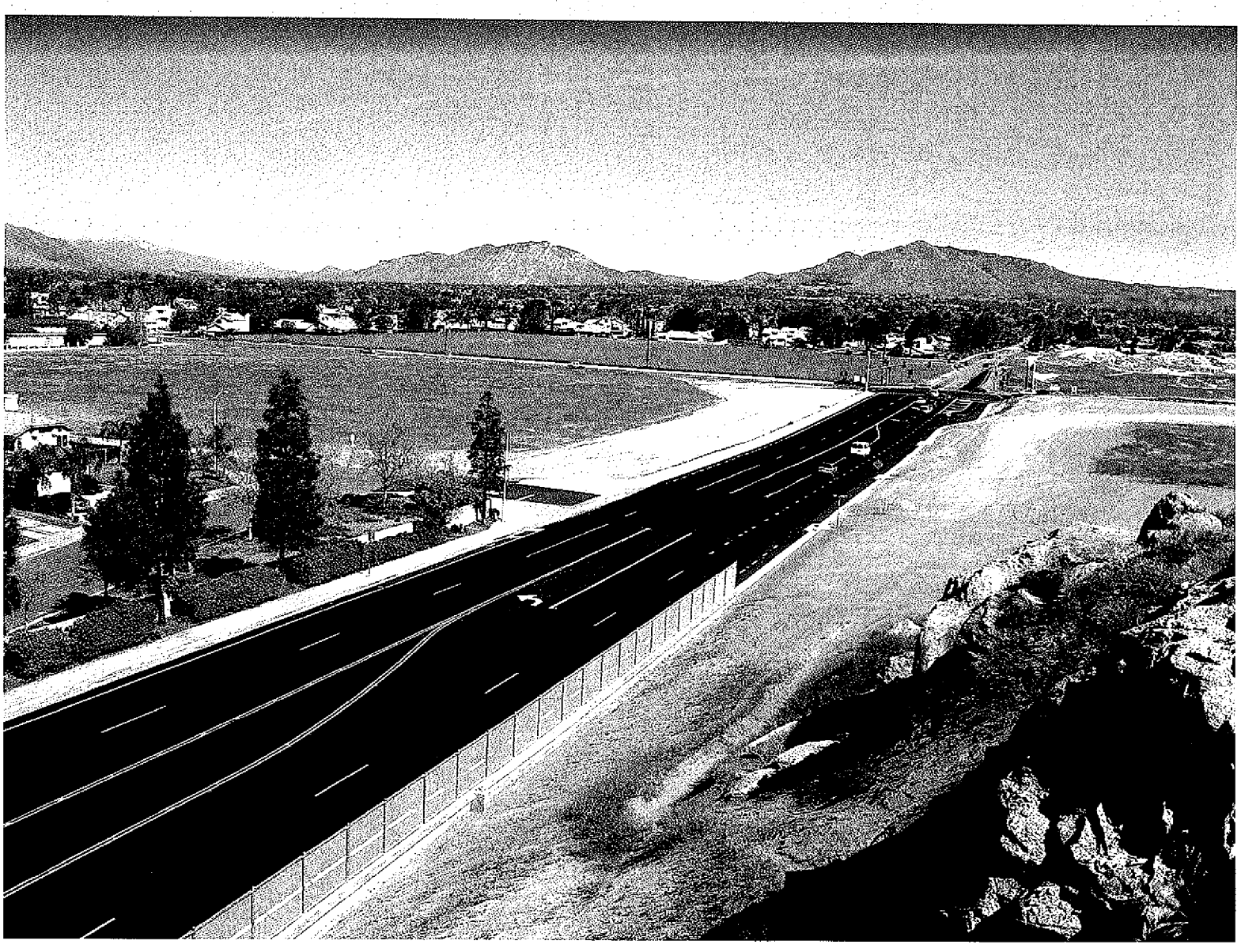

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

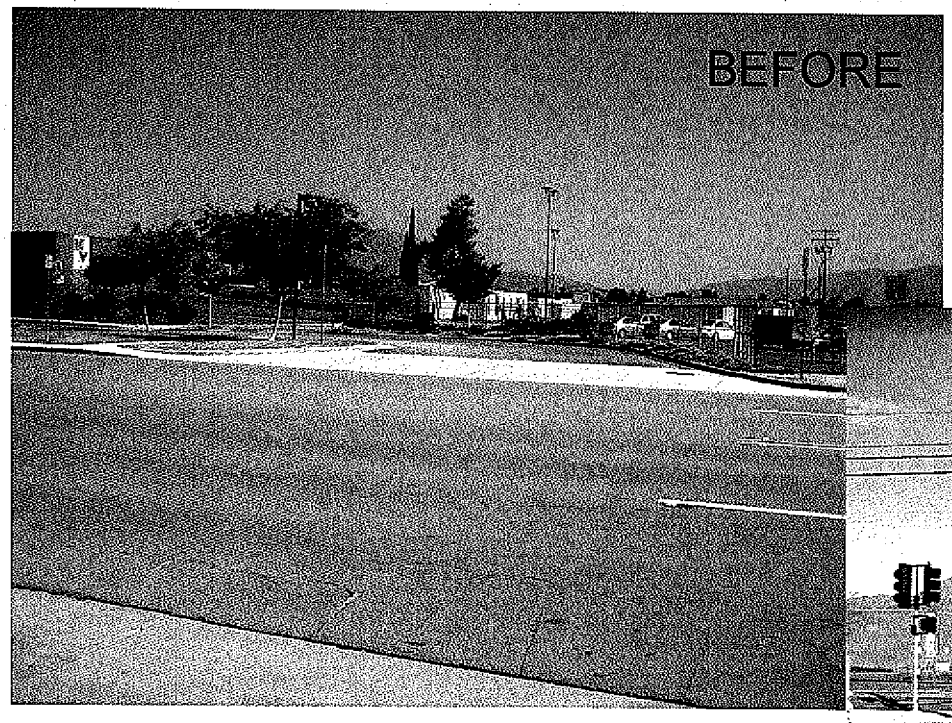

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00056863

Completed Projects FY 2009-2010

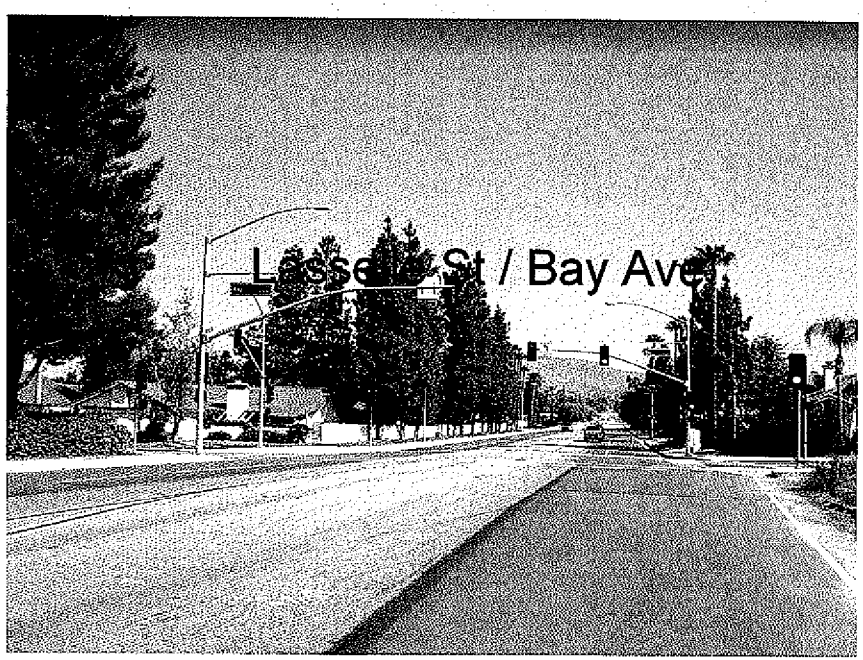

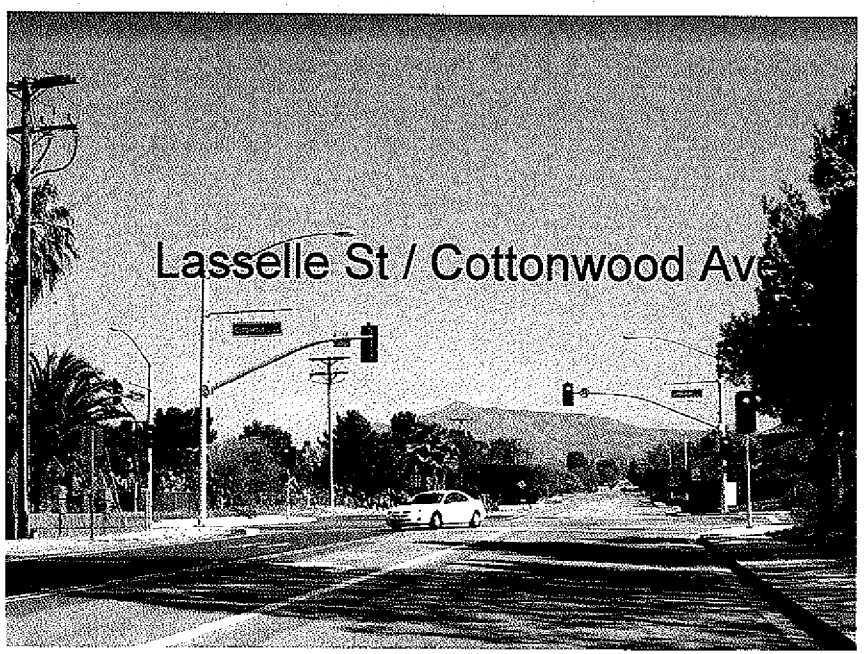

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

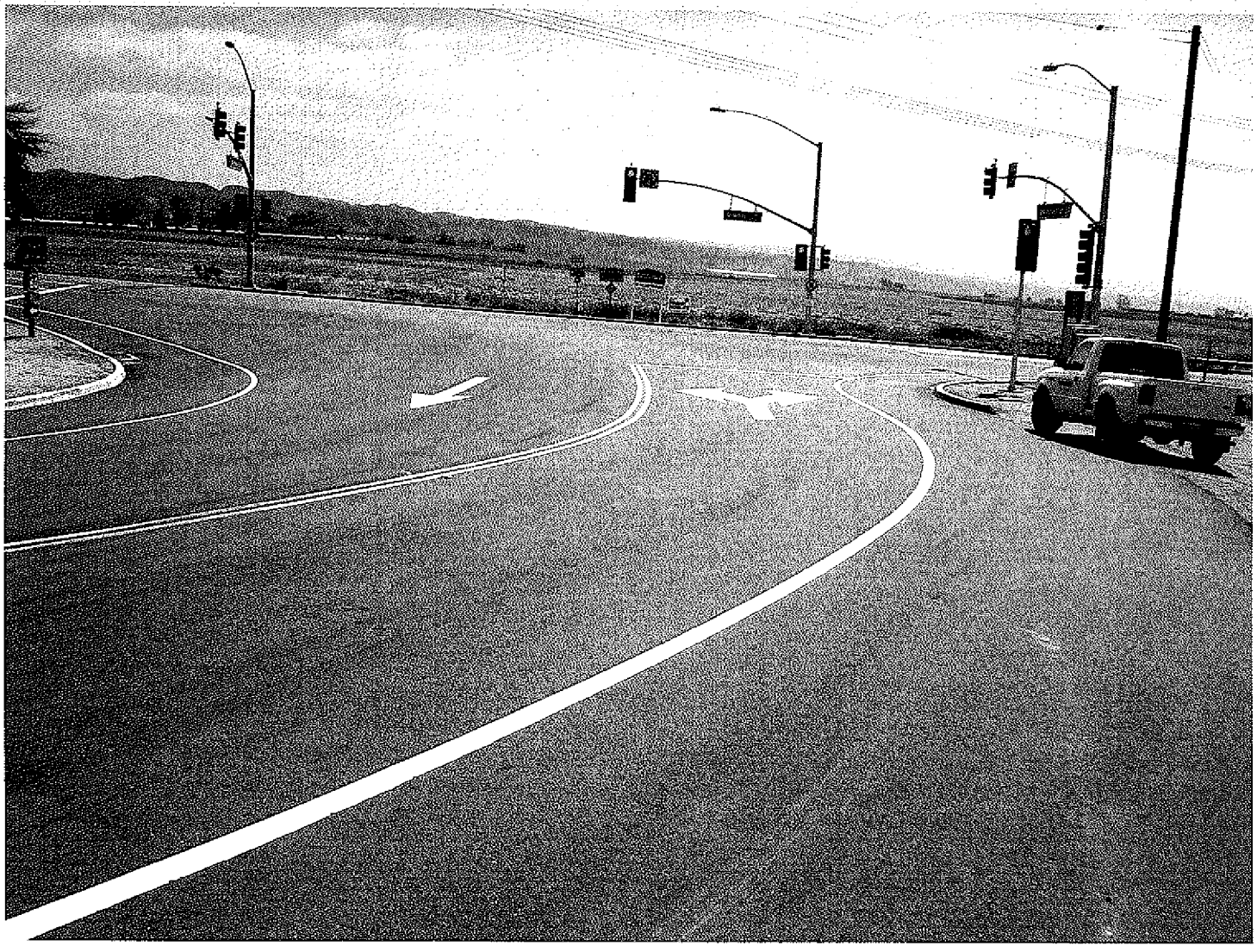

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

MV00056865

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00056867

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00056869

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00056871

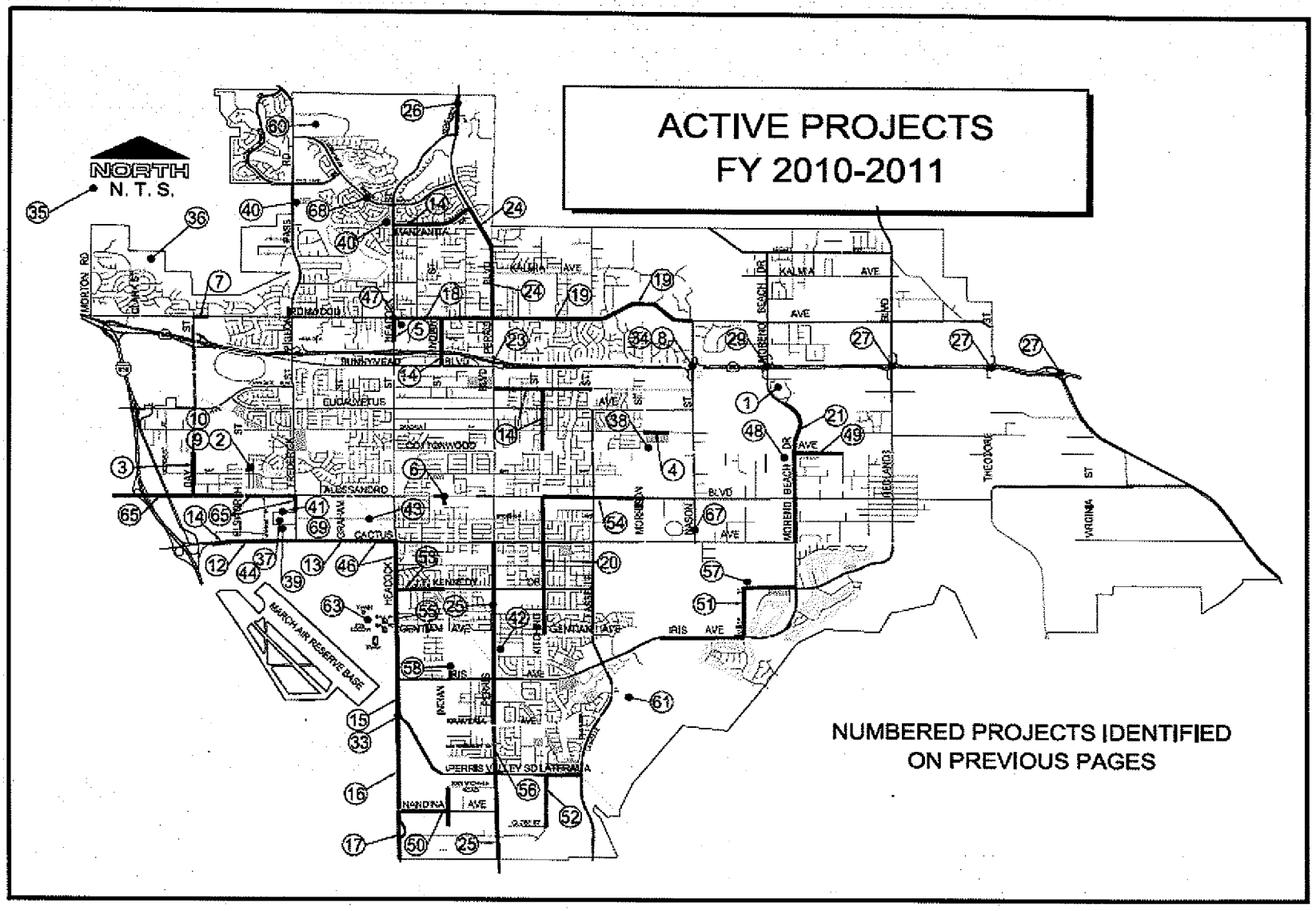

Item No. G.3

MV00056872

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00056873

Active Projects FY 2010-2011

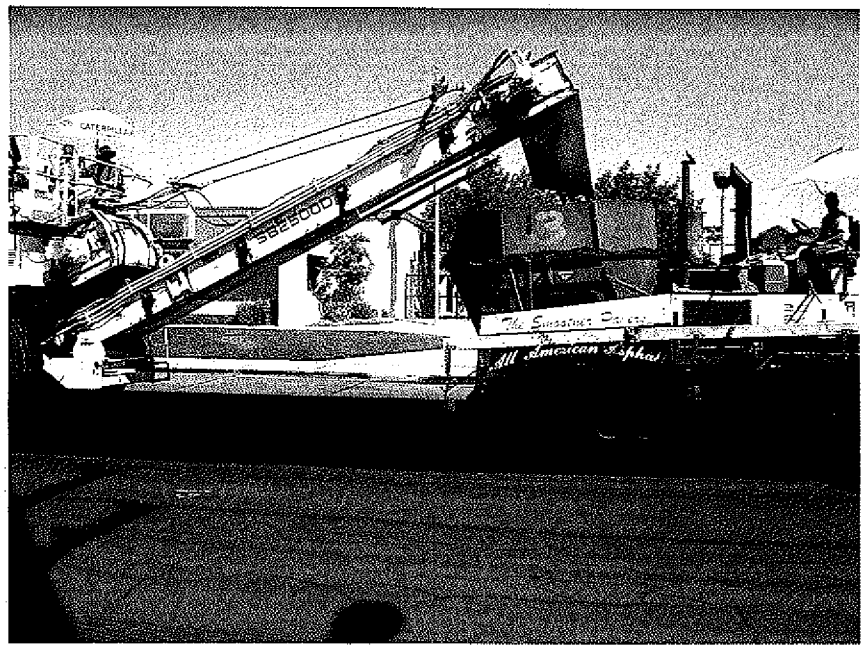

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

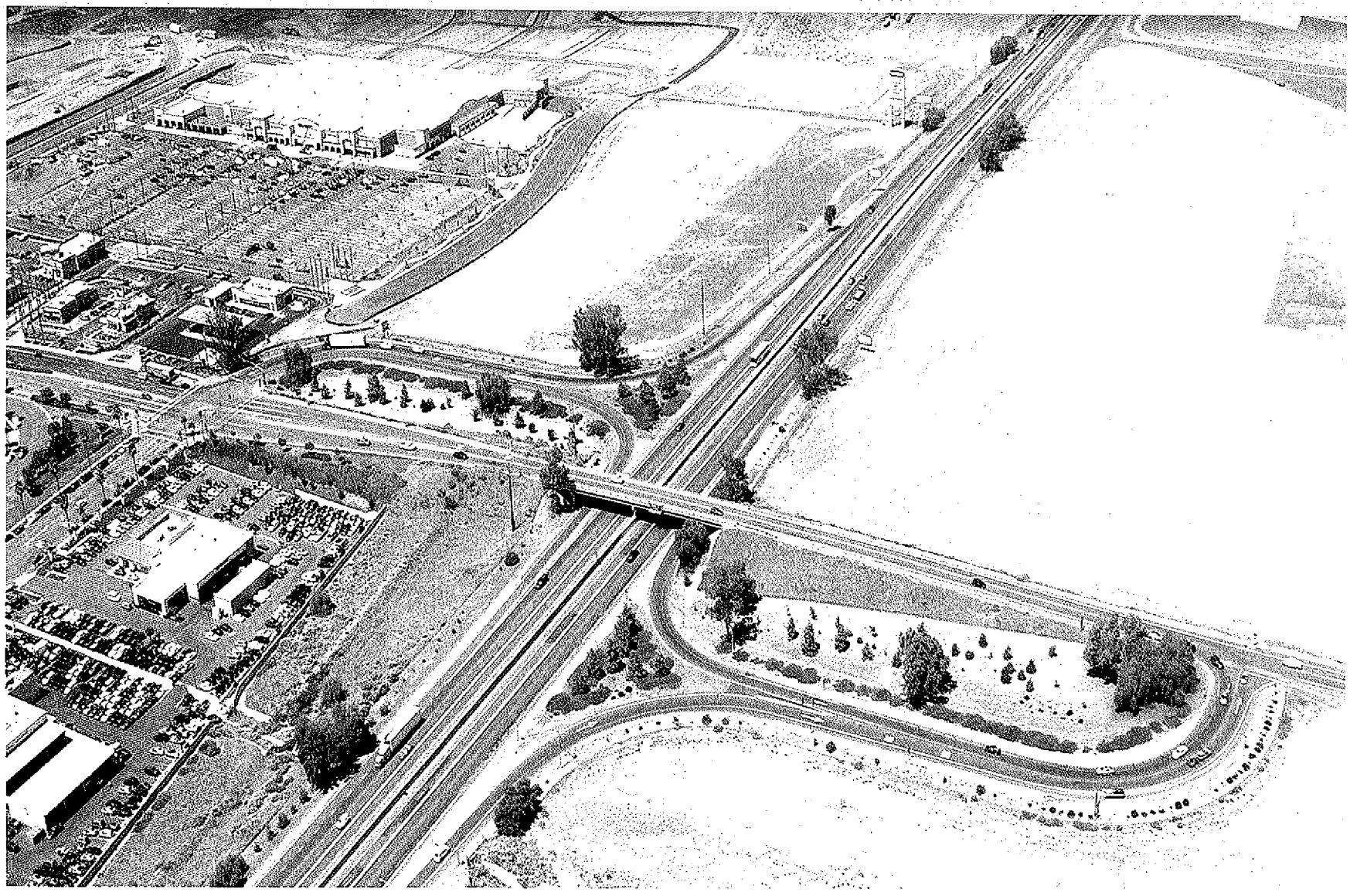

SR-60 / Moreno Beach Drive Interchange

MV00056875

Active Projects FY 2010-2011

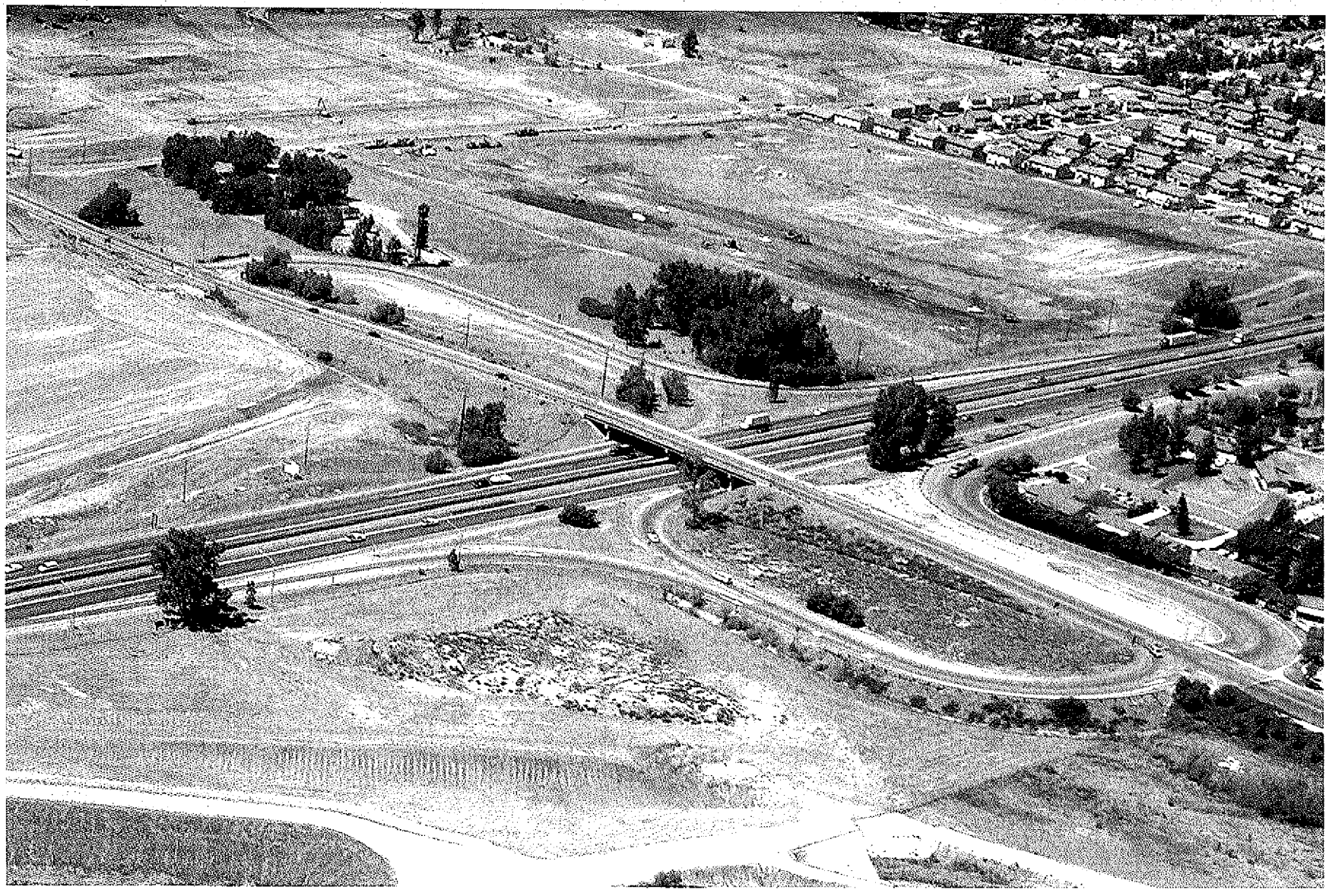

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00056877

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00056879

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS
FY 2010-2011

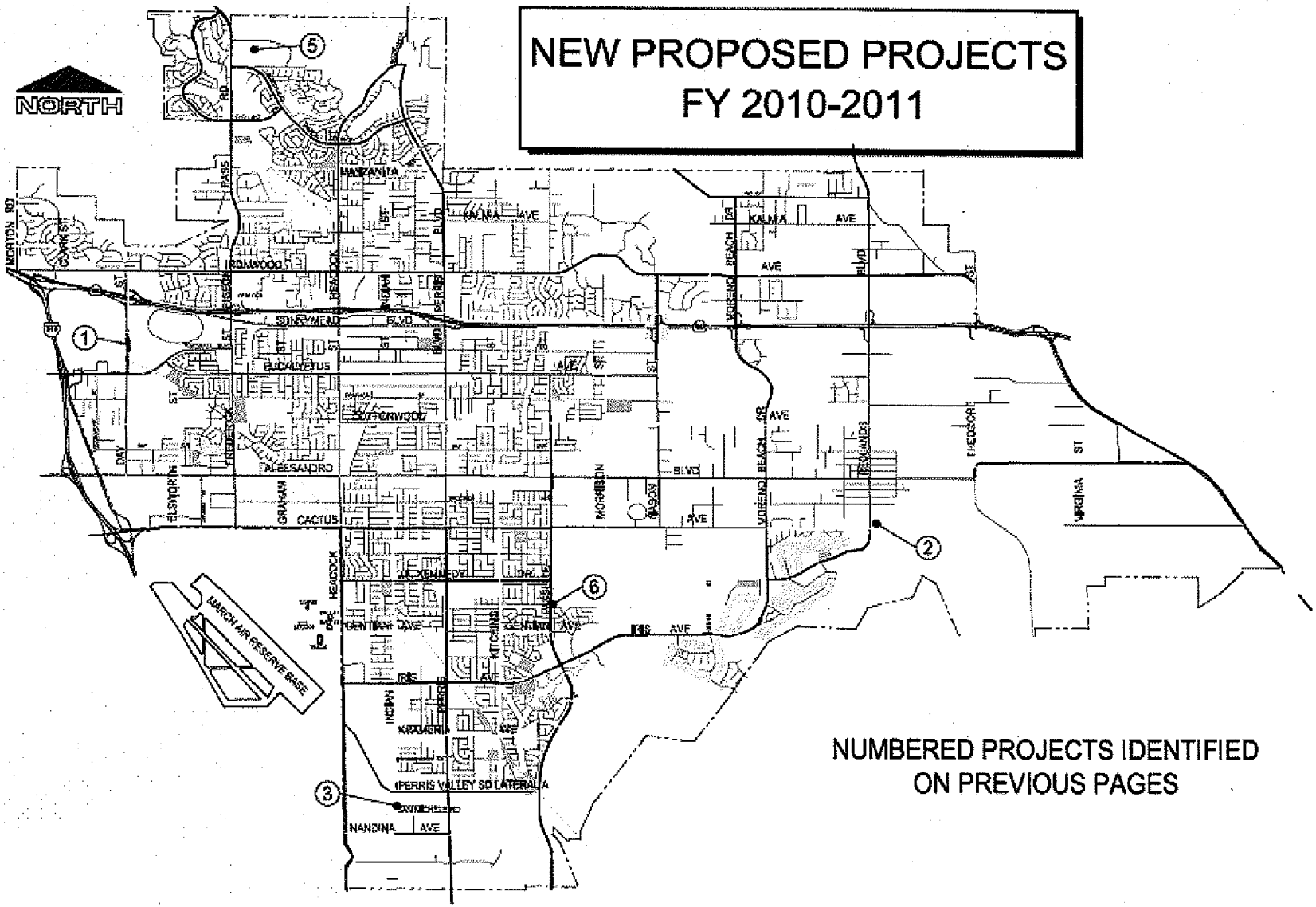

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

MV00056881

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

MV000056883

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

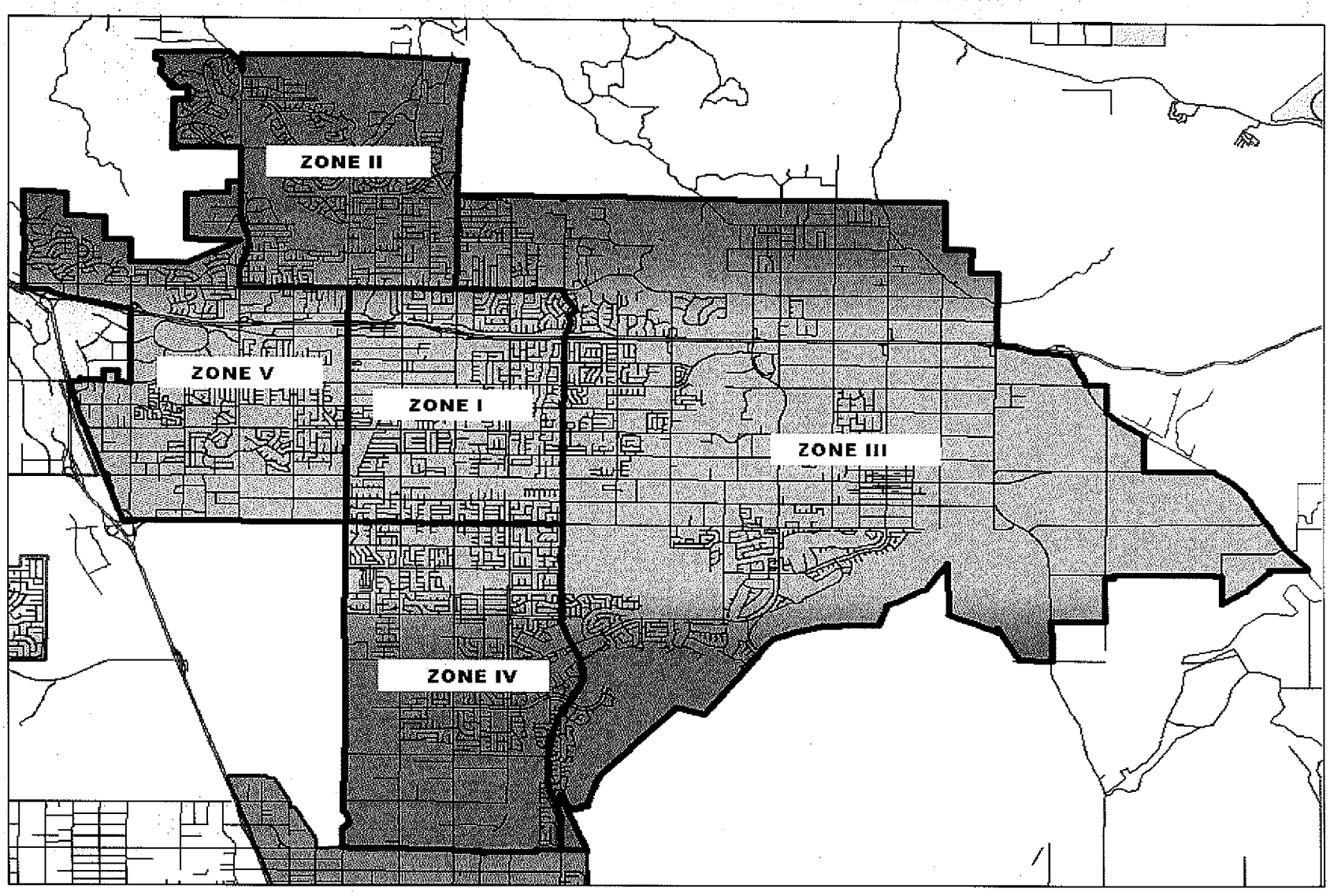

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

MV00056885

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00056887

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00056889

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00056891

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00056893

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00056895

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE MORENO VALLEY MUNICPAL CODE RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing offenses and amending Section 6.04.080 relating to notice of nuisance violations.

BACKGROUND

Staff has reported an increase over the past two years of incidents related to trespassing and drinking in public. Trespass is currently regulated by Section 602 of the California Penal Code. However, the various sections of the penal code do not provide a comprehensive approach to general trespass on private property. As a result of the fact specific nuances of state trespassing laws, very few instances of what is commonly thought to be trespassing actually is enforceable under state law.

Likewise, state law deals with intoxication in public but requires a very specific set of facts in order to convict for public intoxication. Moreno Valley currently does not have

any laws to prevent or restrict the consumption of alcohol in public, even when such consumption does not rise to the level of public intoxication.

Reports of increased public nuisance activity related to trespass and drinking have increased. These reports include trespassing and holding parties in vacant, abandoned or foreclosed properties, skateboarding in business parking lots, loitering and drinking at liquor stores, especially those associated with an attached or nearby recycling center.

DISCUSSION

In order to combat some of these nuisance conditions, the City Attorney's Office was asked to create new ordinance addressing trespassing and drinking in public. The proposed ordinance is laid out in three sections. The first section prohibits the drinking of an alcoholic beverage on or within public places, including streets and sidewalks. The penalties for drinking in public can range from a $100 Administrative Citation up to a misdemeanor violation for repeat offenders with maximum penalties of a $1,000.00 fine and up to six months in jail. The act of possessing an open container of alcohol (without drinking) constitutes a lesser charge with a maximum penalty of $500 and no jail time.

The second proposed section addresses trespassing on private property. A violation of this section constitutes a misdemeanor as well and may be enforced through Administrative Citations of a criminal complaint. Trespassing is prohibited on properly posted property or upon property where the owner, or the owner's agent, has asked an individual to remove himself therefrom and that person refuses to leave. A property owner can provide a written authorization to the police department to act as there agent to remove trespassers from their property. This could be used by banks to allow officers to remove and/or arrest individuals trespassing in vacant homes as well as by business entities that have recurring problems with unauthorized persons using their facilities or parking lots.

The third section relates to trespassing on publicly owned property. It allows for the "banning" of certain individuals who violate the law, rule or policy of a public park or facility for up to one year. The failure of a banned individual to remove himself from the property or his subsequent return would constitute a trespass violation. Both trespass sections provide exceptions for statutorily or constitutionally protected activity such as labor picketing or anti-discrimination provisions.

Additionally, it has been discovered that current code provisions relating to providing notice of code violations require service of the notice personally or by mailing and posting the subject property where the nuisance is occurring. The proposed ordinance changes this language to provide that notice may be service personally, mailed to the property owner, or posted on the subject property. This provides a more economical approach and ensures that affected property owners will receive the proper notice.

These new tools will provide the police department the ability to quickly and easily enforce these local crimes without the burdens imposed by the state law. Furthermore, these violations will be prosecuted and tracked by the City Attorney's Office. This allows the City to track repeat violators and ensure that proper penalties, restitution, stay away orders and other terms of probation are in effect against repeat offenders.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinance for adoption. The ordinance would take effect thirty-one (31) days after adoption.

2. Direct staff to make changes to the ordinance and return to City Council on a later date with a revised Ordinance.

3. Take no action.

FISCAL IMPACT

No significant fiscal impacts are projected although some additional revenue will be realized through fine collection.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

ATTACHMENTS/EXHIBITS

1. Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

Prepared by: Paul J. Early, Deputy City Attorney III

Department Head Approval, Robert L. Hansen, City Attorney

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

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MV00056899

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 11, 2010

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal")
2) Proposed Resolution Adopting the Rancho Belago Sign Program

Prepared By:

Kyle Kollar
Interim Director of Community Development

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

ATTACHMENT 1

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

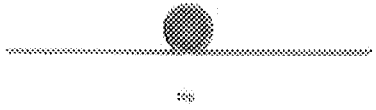

top

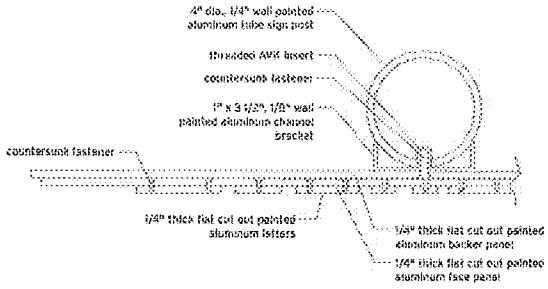

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

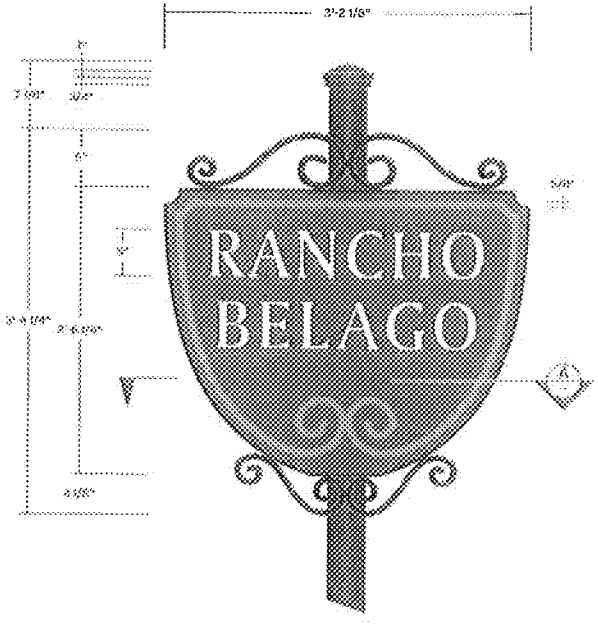

front

side

2 Details

Scale: 1" = 1'-0"

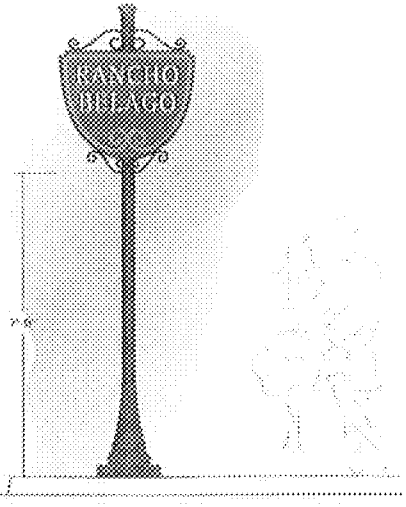

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV00056913

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2053

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

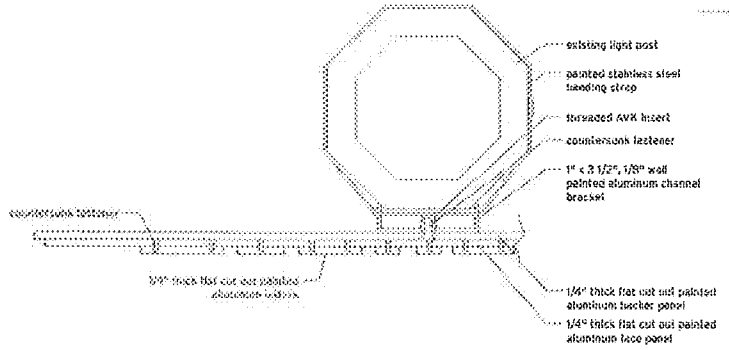

A Details

Scale: 3" = 1'-0"

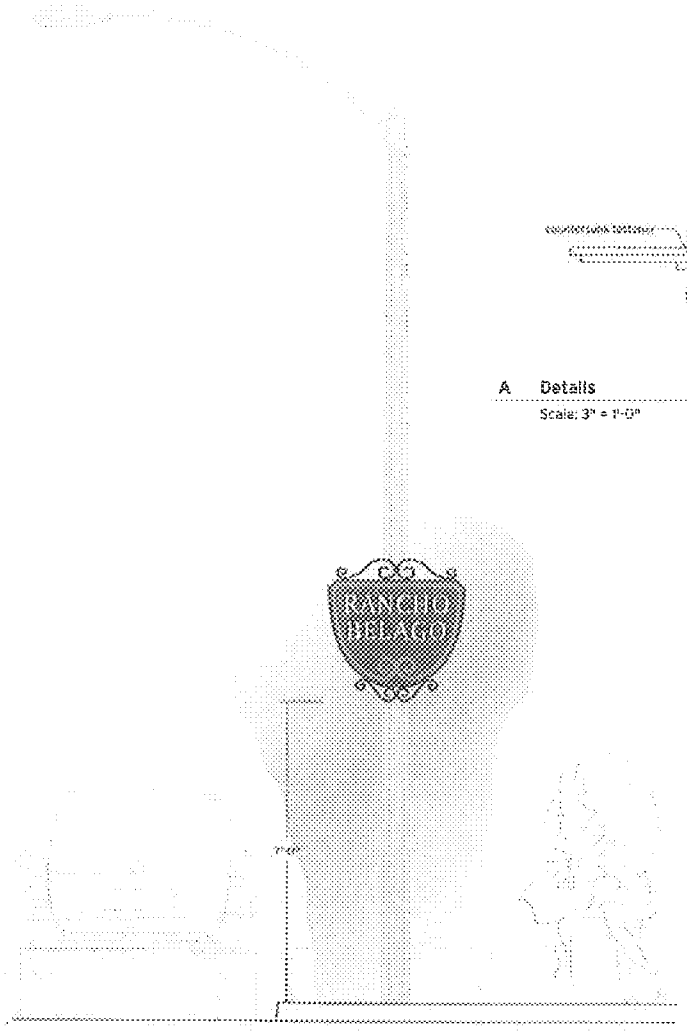

1 Elevation

Scale: 3/8" = 1'-0"

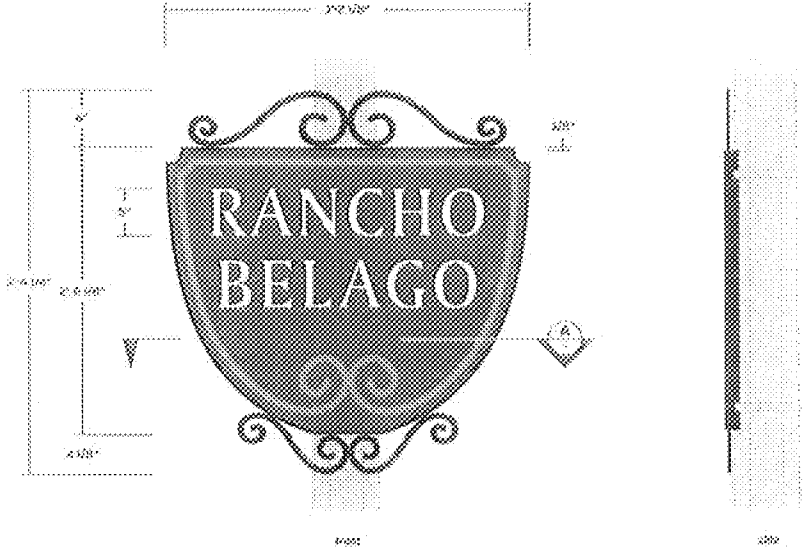

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alisras Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

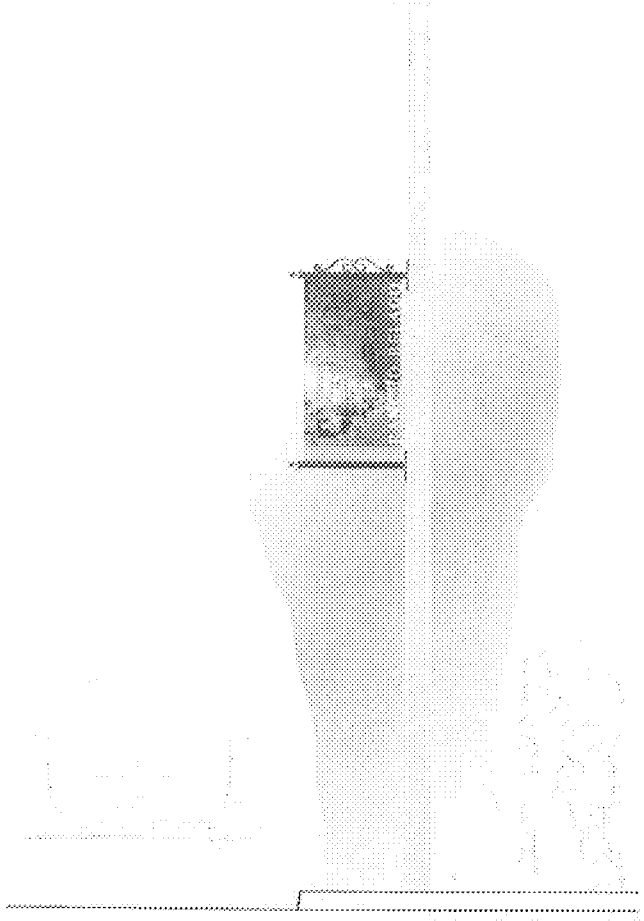

1 Elevation

Scale: 3/8" = 1'-0"

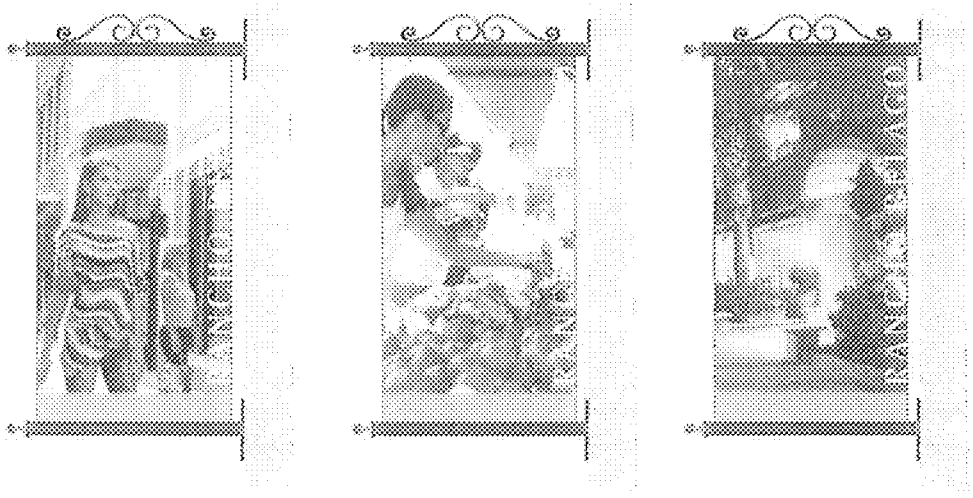

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2862

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3;
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
06-16-07

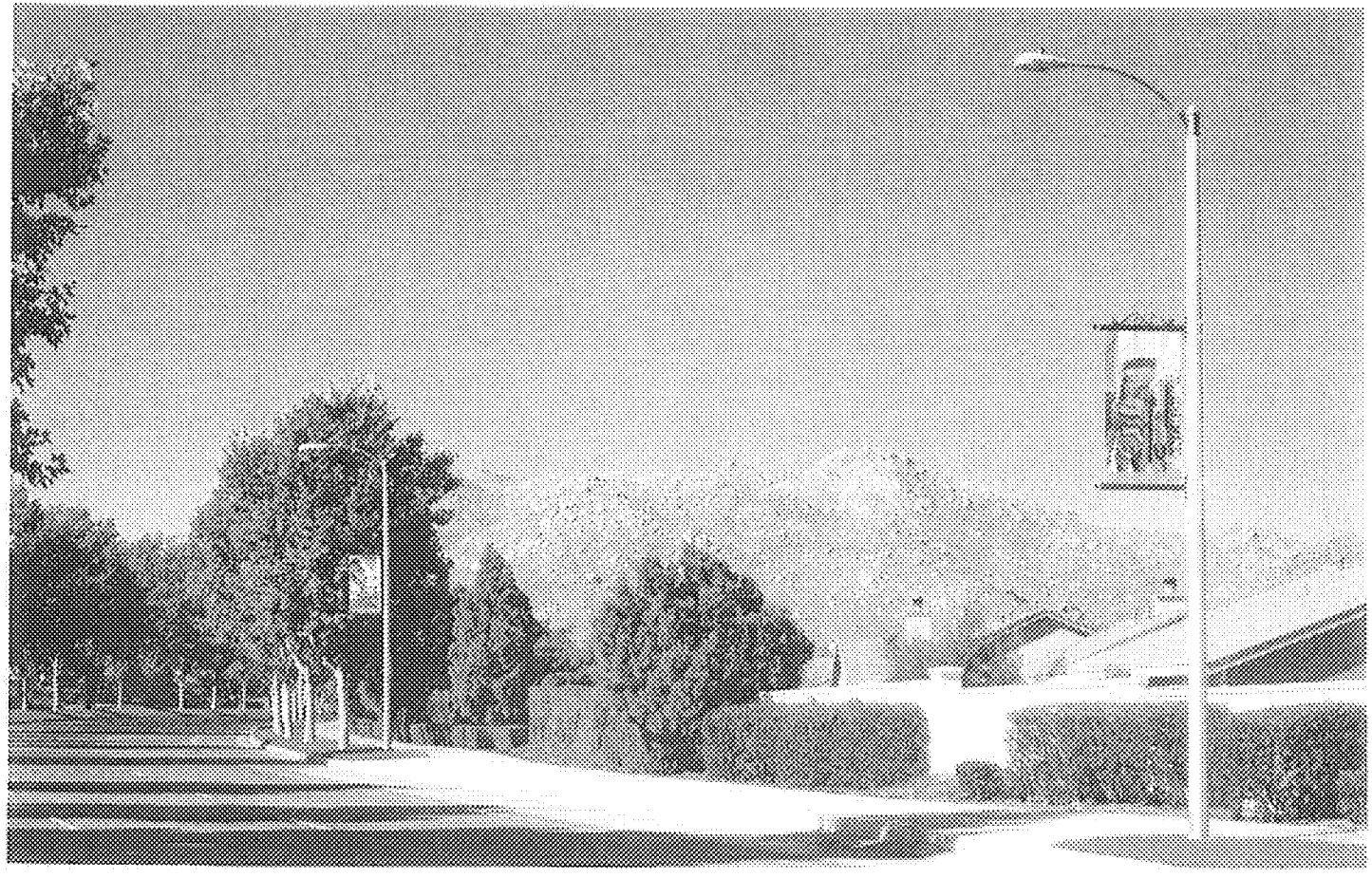

1 **Typical Photo Simulation**
Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1
date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	36
3	Light Pole Mounted Community Identification Banners	51

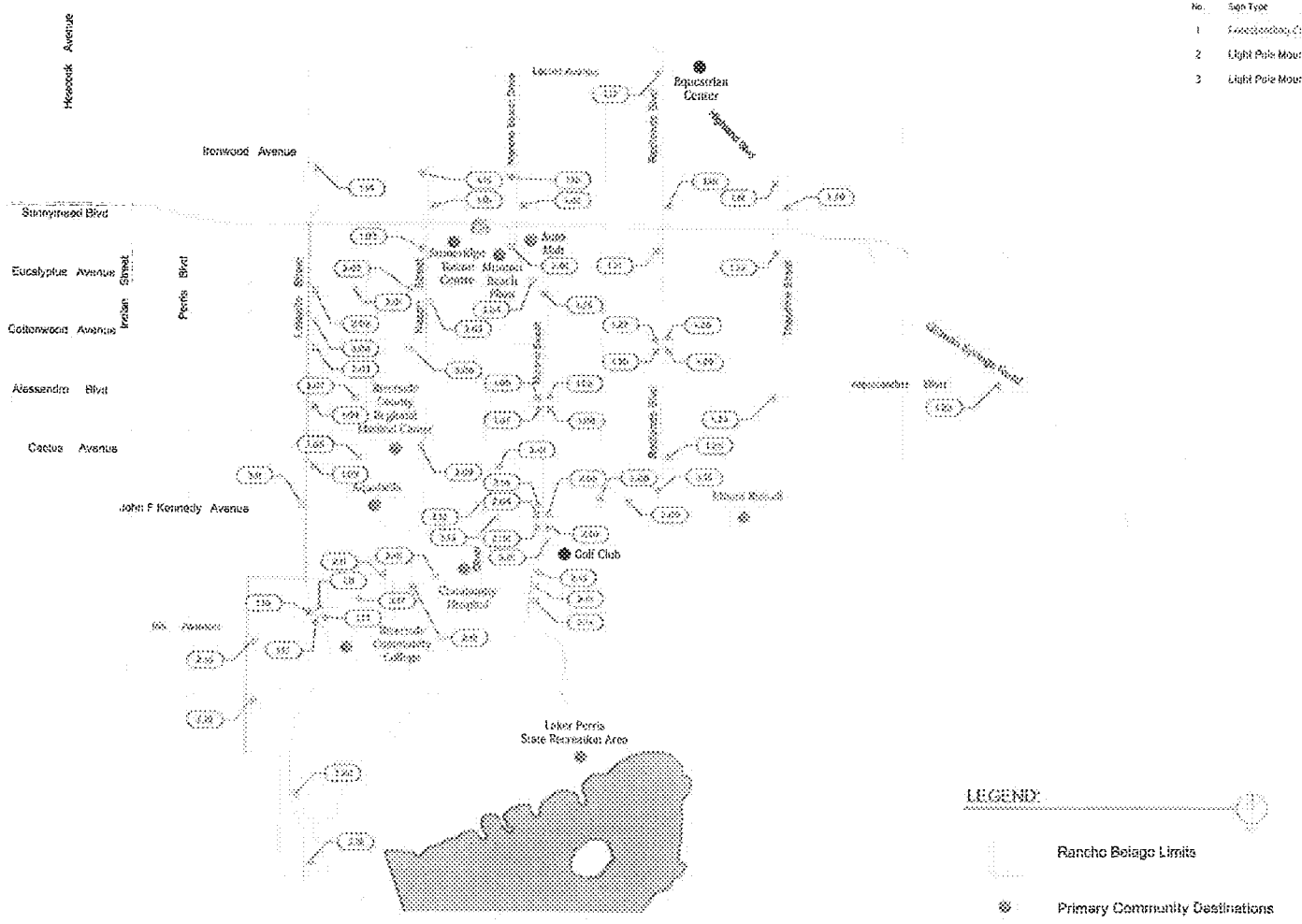

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP1

Date: 08-10-07

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

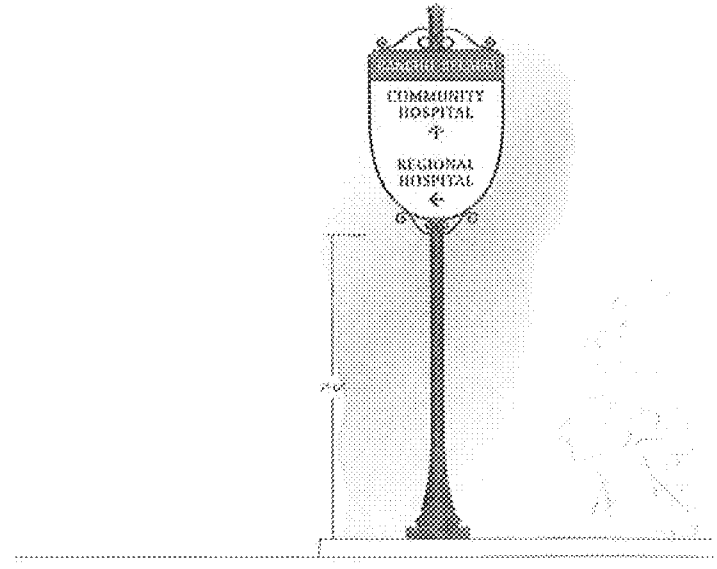

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2652

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 843 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00056921

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet 1 of
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sign number
RB - 5.1

Date
08-10-07

MV000056923

Residential Product Directional Sign

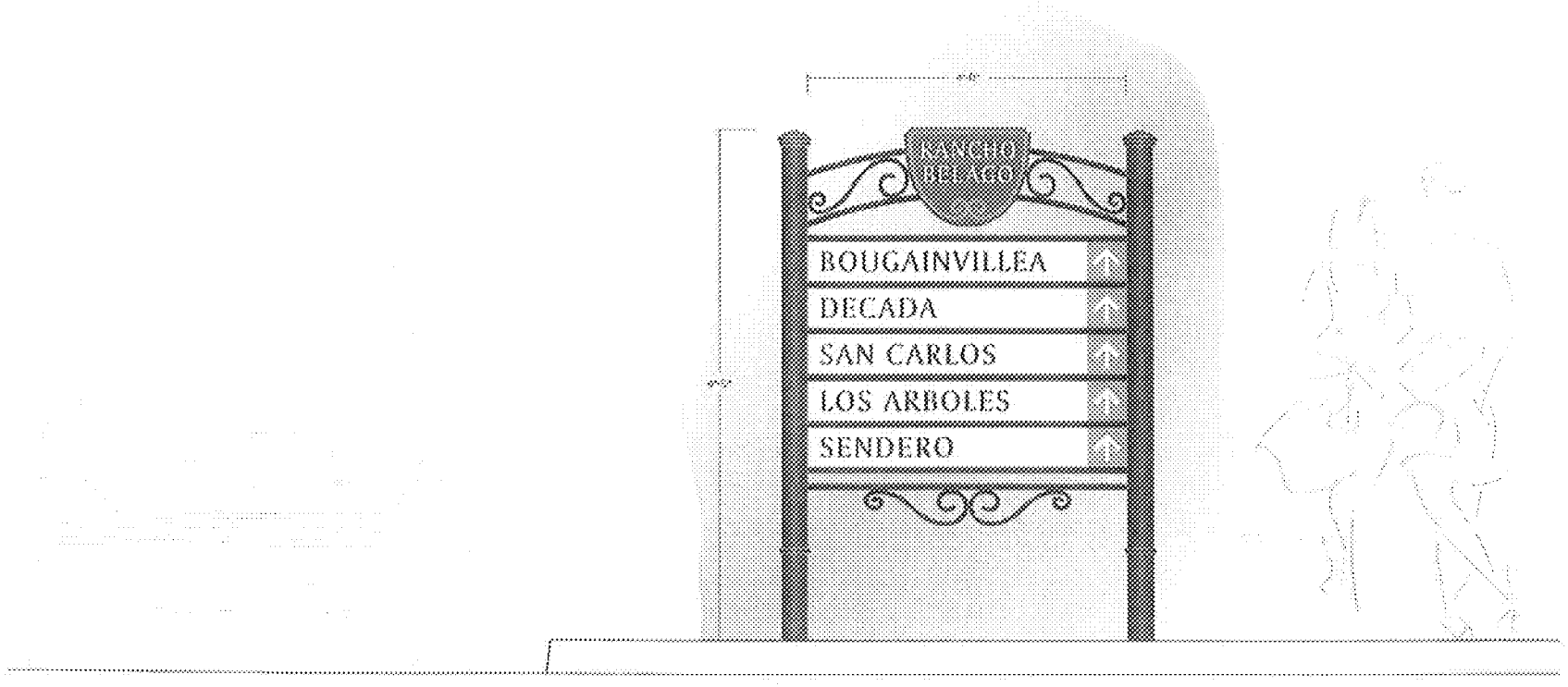

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sign Type:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

3 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

MV000056925

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 2

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

-MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 27, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Riverside Transit Agency – Moreno Valley/Perris Transportation NOW "Air Aware" Project Contest Winners

2. Proclamation Recognizing Ronald Powell

3. Recognition of the 2010 William H. Batey II Annual Reading Contest Winners

4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:53 PM
April 27, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Richard A. Stewart

INVOCATION - Pastor Charles Campbell, Koinonia Evangelistic Center

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Kyle Kollar	Interim Community Development Director
John Ruiz	Interim Human Resources Director
Barry Foster	Economic Development Director
Mike McCarty	Parks & Community Services Director
Chris Vogt	Public Works Director/City Engineer
Steve Curley	Fire Chief
Paul Smus	Acting Principal Librarian

MV00056929

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

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A8).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

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

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 7-20, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR FEBRUARY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-24, approving the Check Register for the month of February, 2010 in the amount of $11,074,851.58.

Resolution No. 2010-24

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of February, 2010

A.5 PARCEL MAP 32326 – ACCEPTANCE OF STORM DRAIN EASEMENTS AND EXECUTION OF QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER THE SECOND AMENDED AND RESTATED COOPERATIVE AGREEMENT BETWEEN CITY OF MORENO VALLEY, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,

MV00056930

RIDGE MORENO VALLEY, LLC, AND RIDGE MORENO VALLEY II, LLC, DEVELOPER: RIDGE MORENO VALLEY, LLC AND RIDGE MORENO VALLEY II, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt proposed Resolution No. 2010-25 authorizing the acceptance of the public storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California;

   Resolution No. 2010-25

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Storm Drain Easements Per Irrevocable Offers of Dedications Recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California and Execution of Quitclaim Deeds According to the Second Amended and Restated Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, the City of Moreno Valley, Ridge Moreno Valley, LLC, and Ridge Moreno Valley II, LLC

2. Authorize the Mayor to execute the Quitclaim Deeds transferring all right, title and interest in and to the storm drain easements per Irrevocable Offers of Dedications recorded as Instrument Numbers 2006-0437088, 2006-0437089, 2009-0597445, 2009-0597446, and 2009-0657601 in the Official Records of Riverside County, California; and

3. Direct the City Clerk to forward the signed Quitclaim Deeds and Adopted Resolution No. 2010-25 to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.6 PM 32326 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION OF PUBLIC STORM DRAIN EASEMENTS DESCRIBED AS PARCELS A AND B IN THE OFFER OF DEDICATION RECORDED AS INSTRUMENT NO. 2006-0437088 LOCATED ON PARCELS 1, 2, AND 3 OF PARCEL MAP 32326 AND THE STORM DRAIN EASEMENT AS DESCRIBED IN THE EASEMENT NOTE NO. 4 LOCATED ON PARCEL 3 OF PARCEL MAP 32326, NORTH SIDE OF BRODIAEA

MV00056931

AVENUE BETWEEN FREDERICK STREET AND GRAHAM STREET - DEVELOPER: RIDGE MORENO VALLEY, LLC, LONG BEACH, CA 90803 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-26, summarily vacating the storm drain easements described as Parcels A and B in the Offer of Dedication recorded as Instrument No. 2006-0437088 located on Parcels 1, 2, and 3 of Parcel Map 32326 and the storm drain easement as described in the Easement Note No. 4 located on Parcel 3 of the Parcel Map 32326; and

   Resolution No. 2010-26

   A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of Public Storm Drain Easements Described as Parcels A and B in the Offer of Dedication Recorded as Instrument No. 2006-0437088 Located on Parcels 1, 2, and 3 of Parcel Map 32326 and the Storm Drain Easement as Described in the Easement Note No. 4 Located on Parcel 3 of Parcel Map 32326

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

A.7 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE "A" LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2011-2015 (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Five-Year Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015;

2. Authorize submittal of the RCTC Measure "A" Local Streets and Roads CIP and MOE for the RCTC Measure "A" Local Funds Program, FY 2011-2015; and

3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure "A" projects as part of the upcoming FY 2010-2011 budget approval process.

A.8 RESOLUTION OPPOSING PROPOSITION 16, THE "NEW TWO-THIRDS VOTE REQUIREMENT OF LOCAL PUBLIC ELECTRICITY PROVIDERS" ACT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-27 opposing Proposition 16, the "New Two-Thirds Vote Requirement of Local Public Electricity Providers" Act.

Resolution No. 2010-27

A Resolution of the City Council of the City of Moreno Valley Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers" Measure

A.9 TRACT 31319 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITY AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: BELLA VISTA MORENO VALLEY LLC, RIVERSIDE CA 92506 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance security, exonerate the portion of the Material and Labor security associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the portion of the 10% warranty Faithful Performance security associated with the completed improvements in one year when all clearances are received.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - PROJECT NO. E-1/09 - MAINTENANCE

MV00056933

OF EXTENSIVE LANDSCAPING AND IRRIGATION - TOWNGATE (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-1/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Spectrum Care Landscape & Irrigation Management, Inc. of Foothill Ranch, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Spectrum Care Landscape & Irrigation Management, Inc. in the amounts of:

   a) ONE HUNDRED FOURTY-EIGHT THOUSAND AND 00/100 DOLLARS ($148,000.00) for twelve months of base maintenance service, and

   b) SIX THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($6,900.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.4 EXTENSION OF CONTRACT - PROJECT NO. E-2/09 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - HIDDEN SPRINGS (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to the Contract Agreement for MVCSD Project E-2/09 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Tropical Plaza Nursery, Inc. of Villa Park, California; and

3. Authorize the Purchasing Manager, at the start of Fiscal Year 2010/11, to issue open purchase orders to Tropical Plaza Nursery, Inc. in the amounts of:

   a) ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS ($188,400.00) for twelve months of base maintenance service, and

   b) THIRTY THOUSAND NINE HUNDRED AND 00/100 DOLLARS ($30,900.00) for anticipated Additional Work per

Section 5 of the Extension Agreement.

B.5 EXTENSION OF CONTRACT - PROJECT NO. E-4/07 - MAINTENANCE OF EXTENSIVE LANDSCAPING AND IRRIGATION - MORENO VALLEY RANCH EAST (Report of: Public Works Department)

Recommendation:

1. Approve the Extension Agreement for MVCSD Project E-4/07 to extend the term of the contract for an additional one-year period;

2. Authorize the President of the MVCSD Board to execute said Amendment with Bemus Landscape, Inc. of San Clemente, California; and

3. Authorize the Purchasing Manager, on July 1, 2010, to issue open purchase orders to Bemus Landscape, Inc. in the amounts of:

   a) ONE HUNDRED NINETY-TWO THOUSAND TWO HUNDRED TWENTY-THREE AND 20/100 DOLLARS ($192,223.20) for twelve months of base maintenance service, and

   b) FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS ($15,700.00) for anticipated Additional Work per Section 5 of the Extension Agreement.

B.6 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. DSG-1/10 – MAINTENANCE OF PARKWAY AND MEDIAN LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project DSG-1/10 (the "Agreement") with TruGreen Landcare, Riverside, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with TruGreen Landcare; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to TruGreen Landcare, in the amounts of:

   a) ONE HUNDRED SEVENTY-SEVEN THOUSAND NINE HUNDRED FIFTY EIGHT AND 60/100 ($177,958.60) DOLLARS for twelve (12) months of base maintenance services and;

b) TWENTY-ONE THOUSAND SEVEN HUNDRED AND 00/100 ($21,700.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

B.7 AWARD OF CONTRACT – MORENO VALLEY COMMUNITY SERVICES DISTRICT PROJECT NO. E-3/10 – MAINTENANCE OF REDUCED-SERVICE-LEVEL PARKWAY LANDSCAPING AND IRRIGATION – MORENO VALLEY RANCH - WEST (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for MVCSD Project E-3/10 (the "Agreement") with Bemus Landscape, Inc., San Clemente, California;

2. Authorize the President of the MVCSD Board to execute said Agreement with Bemus Landscape, Inc.; and

3. Authorize the Purchasing Division Manager on July 1, 2010, to issue purchase orders to Bemus Landscape, Inc., in the amounts of:

   a) ONE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED AND 00/100 ($139,500.00) DOLLARS for twelve (12) months of base maintenance services and;

   b) THIRTEEN THOUSAND TWO HUNDRED FORTY-FIVE AND 00/100 ($13,245.00) DOLLARS for anticipated Additional Work, per Section 2. Paragraph e. of Agreement Exhibit C.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 RDA BUDGET APPROPRIATION ADJUSTMENT TO FUND THE REQUIRED SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (Report of: Economic Development Department)

Recommendation:

1. Approve the state-mandated shift of the RDA's tax increment revenues to the State of California's Supplemental Educational Revenue Augmentation Funds (SERAF) for fiscal year 2009-2010;

2. Appropriate $5,258,237 from RDA Tax Increment Fund (Fund 895 fund balance) to 895.91510.6723.728 (RDA SERAF Repayment); and

3. Authorize the Financial & Administrative Services Department to wire transfer a payment in the amount of $5,258,237 to the Riverside County Auditor-Controller.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 13, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items A2, B2, C2 and D2, which were pulled for a separate vote. Motion by m/Council Member William H Batey II s/ by Mayor Pro Tem Robin Hastings
Approved by a vote of 5-0

Motion to approve Items A2, B2, C2 and D2. Motion by m/Mayor Pro Tem Robin Hastings s/ by Council Member William H Batey II
Approved by a vote of 3-0-2, Council Member Stewart and Council Member Molina abstained

E. PUBLIC HEARINGS

Mayor Flickinger opened the public testimony of the public hearing; there being none, public testimony was closed.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

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proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to continue Item E1 to the May 11, 2010 meeting by m/Council Member Richard Stewart, s/Council Member William H Batey II Approved by a vote of 5-0

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

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Report by Council Member Richard A. Stewart on March Joint Powers Commission (MJPC)

Council Member Richard A. Stewart gave an update on the March Joint Powers Authority trip to Washington, D.C. The group saw Congressman Darryl Issa, Congressman Ken Calvert, Congresswoman Bono Mack, and dealt with issues with the region and March. Other meetings included: the Under Secretary for Veterans Administration regarding expansion of the cemetery, relocation of U.S. Vets, and tried to get a VA presence at March Health Care such as a Counseling Center, Information Center or an Out-Patient Center; the Under Secretary for the Department of Commerce regarding the Free Trade Zone; the Deputy Secretary's of the Navy and an Army Facilities Under Secretary. Trying to move the different facilities out of the area where March Health Care is going; the Department of Agriculture to see about getting some of their land they're not using; the Under Secretary's of the U.S. Air Force regarding a telephone problem that's being dealt with at the base; went to the Pentagon and met with a Three Star General who is head of the Air Force Reserve regarding general issues at the base and went to NASA regarding a Space Shuttle, but because it's pending, they are prohibited from talking about it. March Health Care is getting ready to break ground.

G.2 FUNDING ALTERNATIVES AND ASSISTANCE FOR THE

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CONSTRUCTION OF HIGHLAND FAIRVIEW'S EUCALYPTUS AVENUE STREET IMPROVEMENTS UTILIZING THE STATE-LOCAL PARTNERSHIP PROGRAM GRANT FUNDS (Report of: City Manager's Office)

Mayor Flickinger opened the agenda for public comments, which were received from Steven Cruz, Deanna Reeder, Debra Coggins-Ortiz, Alex Ortiz, and Iddo Benzeevi.

Recommendation: That the City Council:
Provide direction on the matter.

No action was taken. Option 1 will come back to a public meeting.

G.3 NEIGHBORHOOD IDENTIFICATION SIGNS, CITYWIDE AND FOR RANCHO BELAGO (CONTINUED FROM APRIL 13, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Marcelo Coe, Deanna Reeder, Pete Bleckert, Debra Coggins-Ortiz, Alex Ortiz, Raul Wilson, Darryl Terrel and Iddo Benzeevi.

Recommendation: That the City Council:

Provide direction as it deems appropriate and adopt Resolution No. 2010-22 supporting the use of neighborhood identification signs.

Resolution No. 2010-22

A Resolution of The City Council of The City of Moreno Valley, California, Supporting The Use of Neighborhood Identification Signs

Motion to approve Amended Resolution No. 2010-22 to read: Provide direction as deems appropriate and adopt Resolution No. 2010-22 encouraging the use of neighborhood identification signs.
Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote of 5-0

Motion to accept the Rancho Belago design as indicated in the attachment to G3 except that Council directs staff to contact the City of Beverly Hills for determining what it would take to make the design acceptable and not in conflict with Beverly Hills' signs, and for staff to implement the changes sufficient to make it so acceptable. Staff would then bring that design back to Council for approval and implementation at the next Council meeting.

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Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote 3-2

Motion to allocate from the reserve up to a maximum of $85,000 to implement the first phase of the sign program for Rancho Belago which will include the maintenance, installation, and production of the signs up to that dollar amount.

Motion to approve by m/Council Member Richard A. Stewart, s/Council Member Jesse Molina
Approved by a vote 3-2, Mayor Pro Tem Hastings and Mayor Flickinger opposed

G.4 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

There will be five public meetings for citizens to participate in on the budget study, and the full budget and deficit reduction plan will be on the website around May 5, so they have an opportunity to look at everything and participate in the public process.

H. LEGISLATIVE ACTIONS

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

H.2 ORDINANCES - 2ND READING AND ADOPTION

H.2 .1 ADOPT ORDINANCE NO. 810 THEREBY APPROVING MUNICIPAL CODE AMENDMENT PA07-0005, BASED ON THE FINDINGS IN THE CITY COUNCIL ORDINANCE (RECEIVED FIRST READING AND INTRODUCTION ON APRIL 13, 2010 ON A 3-0-2 VOTE, MOLINA AND STEWART ABSENT) (Report of: Community Development Department)

Recommendation: That the City Council:

Adopt Ordinance No. 810.

Ordinance No. 810

An Ordinance of the City Council of the City of Moreno Valley, California, Approving Application PA07-0005 Amending the Municipal Code to Make Changes to Chapters 9.01, 9.02, 9.07 and 9.15 and Introduce Two New Mixed Use Development Zoning Districts

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Motion to adopt by m/Council Member William H Batey II, s/Mayor Pro Tem Robin Hastings
Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Mitchell Whitaker
1. In support of DUI checkpoints

Anthony Acosta
1. Continue the sobriety checkpoints

Dianna Preston
1. Support for the DUI checkpoints

Carmen Bernal
1. Supporting DUI checkpoints

Tanna Montecino
1. Support DUI checkpoints

Pete Sergantes
1. Supports DUI checkpoints

Deanna Reeder
1. Congratulations to Bonnie and Robin for standing up to Iddo
2. Supports parks
3. Emails

Lory Gleason
1. Supports DUI checkpoints

Marcia Amino
1. Robert Gutierrez

Tom Jerele, Sr.
1. Democracy
2. Thank you for the concerts
3. Rancho Belago Signs

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Timothy Taggart
1. Support of DUI checkpoints

Daryl Terrell
1. City's future and budget

Raul Wilson
1. Alcohol
2. City credit cards

Louise Palomarez
1. Credit cards
2. Public Comments
3. Sierra Club
4. Rancho Belago signs

Debra Coggins-Ortiz
1. Thank you to Robin and Bonnie for standing up to Iddo
2. Extra money for 4th of July and Air Show
3. Racial problems in schools
4. Iddo Benzeevi
5. Mexican Political Association

Alex Ortiz
1. Thank you to Council and staff
2. We live in a country where you can speak your mind

Pete Bleckert
1. Feel the pain for lost loved ones
2. Eliminate the bridge to no where
3. Public Works' $50,000 piece of ruined equipment
4. Laura Froelich

Emil Dragovich, Jr.
1. Supports DUI checkpoints

Iddo Benzeevi
1. Rancho Belago signs

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member William H. Batey II

1. Comments going down racial lines are embarrassing. Mr. Benzeevi didn't

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create any racial divides. He wants to put up a building and create jobs.

2. The checkpoints are valuable to public safety, and would rather have more of them. Abide by the law or there is a consequence.

3. Congratulations to all the top readers that were recognized tonight.

Council Member Jesse Molina

1. There is a need to have better control of the checkpoints. Put them where the drunk drivers are. Put the checkpoints on holidays. There are excessive checkpoints. Put them all around the city, and make them later. Sorry for your losses. Roving patrols outside of bars are better.

2. When someone comes out and says they are racial, it's disturbing. Quit trying to pit someone against someone else. It has gone on too long.

A break was taken and reconvened at 10:05 p.m.

Council Member Jesse Molina Continued

3. Requested staff to start working with him and be let in on stuff.

4. There is only good in Iddo Benzeevi. It's the same group of people opposing him because he wants to bring jobs and put Moreno Valley on the map. Are we going to reach the level of Arizona. Wants to live in harmony, and make this community prosperous. We have to put our differences aside and look at the bigger picture.

Council Member Richard A. Stewart

1. At the time the City Manager chose to retire he was not convicted of anything, and he chose to retire under a golden handshake. City Council followed the advice of our Labor Law Attorney and followed the request of the Upland Police Department. As far as the domestic violence allegation was concerned, it was a misdemeanor conviction for a non-violent crime. It was resolved, and it's over with.

2. Los Angeles is trying to raise $12.5M to preserve the land around the Hollywood sign. They received money from all over the world. They also had several large donors. Los Angeles has people of means in their city. Moreno Valley does not. The way Iddo was treated tonight, why would anyone of means want to live in our city and bring jobs. He wants to be part of this community.

3. The businesses we have been working with have been in the redevelopment area. Outside of redevelopment areas it's very hard to do

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anything because there isn't a big pot of money.

4. There are racial problems in the schools. Schools are working on it. There's crime. It has been getting addressed with some very aggressive policing. Crime is down.

5. Checkpoints are grant funded. It's the year of the checkpoints. The City is going along with the State program. Roving checkpoints have been done. This state is not Arizona. We use the DMV as an immigration enforcement tool.

6. Carlton Allen, nicknamed Hollywood, a police officer from here, passed away. He worked with the volunteers. He was in his early 40's with a family. Please keep his family in your thoughts and prayers, and the same with Raul Wilson. What happened to his son was tragic.

Mayor Pro Tem Robin Hastings

1. It is appreciated that Ms. Reeder and Ms. Ortiz came up here and said they had sent some emails. When you shout fire, you have responsibility if people get trampled running out of the building. Will pay for any staff report Ms. Reeder would like to see if that's going to help get the correct information out.

2. The wrong credit card was used. The next day it was paid with a personal check. That's all a matter of record, and it's the only time the CalCard was used. Will provide you with any documentation you would like to see.

3. Does the inconvenience of DUI checkpoints outweigh the good? No it does not. The State pays for them because they know they work.

4. Attended the Moreno Valley HOA meeting last week, and there were probably about 125 people there. No less than ten people came up and stated they think the Moreno Valley Police Department is doing a great job. Typically the bad things are heard. The police department should be commended for doing a terrific job.

5. Comments were made about how much money Council makes. The county car was returned, no car allowance is taken, took the same cut in city pay that every other city employee took, and took an 18 1/2 percent cut in pay for the county. When you talk about reducing your income, and struggling and not noticing the difference, perhaps maybe some presumptions are made that shouldn't be made. The pay is around $1,000 per month for the hours put in by Council.

6. Send emails, call, or write. Show the courtesy you would like shown to you.

Mayor Bonnie Flickinger

1. You can examine the credit card records anytime you want to for as many years as you want to. It has a limit on the amount that can be spent. The cards are very well controlled in the amount that can be charged.

2. Thank you to the speakers tonight. Government by the people means everyone is listened to. Especially pleased that the people came in to support the checkpoints. It's nice to have the other side.

3. The Air Show is at the Base this weekend, and it is free admission and parking. It is open from 8:00 a.m. to 5:00 p.m.

4. Check the Dan Bernstein column in the Press Enterprise tomorrow.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *ENCO Utility Services Moreno Valley, LLC, v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 478023

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

City Manager Recruitment (Status)

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:23 p.m. by unanimous informal consent in memory of Bill Lowell, a long-time resident of Moreno Valley.

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Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 25, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing Veterans Appreciation Month – May 2010

3. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

4. Proclamation Recognizing Mental Health Month – May 2010

5. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 25, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

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4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest

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Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN

MV00056954

(PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

1. Approve revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

   Resolution No. 2010-35

   A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

2. Approve revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

   Resolution No. 2010-36

   A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of

Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

MV00056956

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

MV00056957

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

MV00056958

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as

MV00056959

deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00056960

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00056961

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00056962

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 11, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Flickinger

INVOCATION - Council Richard Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial & Admin. Director
Robert Hansen	City Attorney
William Bopf	Interim City Manager
Rick Hartmann	Interim Assistant City Manager
Cheryl Evans	Lieutenant Admin.
Abdul Ahmad	Battalion Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

AGENDA ORDER

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Motion to Continue Item G4 to a date uncertain by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to waive the attorney-client privilege for the "Legal Advice Regarding Trademark Issues Pertaining to the Rancho Belago Sign Program," thus making it a public document (pertaining to Item G5) by Council Member Richard A. Stewart, s/ Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A10), and Deanna Reeder (Item A10; e-mails issue - Item D2).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor

Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has

been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

Item continued to the next City Council meeting

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to continue Item A10 to the next City Council Meeting by Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Item A8 and Item A10 which were pulled for a separate vote, by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE

EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

Resolution No. 2010-31

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

Resolution No. 2010-32

A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

The presentation was given by an applicant Iddo Benzeevi.

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes DIF fee; supports modifying COA), Raul Wilson (against trails), Louise Palomarez (against trails), Nina Ramos Hiers (supports trails), Radene Ramos Hiers (supports trails), Kim Nelson (for denying request to modify the conditions; for trails), Marcelo Co (for jobs; against trails), Pete Bleckert (against horse trails), Daryl Terrell (for Fairview proposal), and Sam Martinez (for jobs).

Recess;
Reconvened

Motion to convert the existing landscaping to hydro seeding wildflowers by Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

Motion not to change the conditions for trails, leave them as it is, by Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Motion failed by a vote of 2-3, Council Member William H. Batey II, Council Member L. Molina and Council Member Richard A. Stewart opposed.

Council Member Richard A. Stewart made the following motion regarding building a trail, s/Mayor Bonnie Flickinger: accept the full irrevocable dedication; the construction shall be done by Mr. Benzeevi, but it will be deferred until the completion of the certificate of occupancy for Phase III;
Council Member Richard A. Stewart amended the motion adding that the developer be relieved from this condition (building a trail) if the trail is eliminated from the frontage of this project (relocate off his property)

Council Member Richard A. Stewart withdrew his previous motion.
Mayor Flickinger withdrew the second.

Council Member Richard A. Stewart made the following motion, s/Mayor Bonnie Flickinger:
That the final map will show an irrevocable offer of dedication for the

trail along the entire frontage of the project, for all 3 phases, and that this condition, the construction, completion and dedication of the completed trail be deferred until occupancy of Phase III (that way the conditions remain worded the same; just construction and completion of the entire trail will be deferred until Phase III, but the final map will show the irrevocable offer of dedication of the right-of-way)
Approved by a vote of 5-0.

Mayor Bonnie Flickinger made a motion to agendize revising a DIF policy to create the open-ended time element.
Mayor Bonnie Flickinger amended the motion to leave the condition in place as is; Motion failed for lack of a second.

Motion to continue the decision on the DIF issue giving staff and Mr. Benzeevi opportunity to conduct research and analysis by Mayor Bonnie Flickinger, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to bring back draft resolutions on motions made at the meeting for the City Council approval by Council Member Richard A. Steward, s/Mayor Pro Tem Hastings
Approved by a vote of 5-0.

Motion to continue the meeting past 11 p.m. by Council Member William H. Batey II, s/Mayor Pro Tem Hastings
Approve by a vote of 5-0.

Council's direction to staff: televise May 18, 2010 Study Session (because of budget)

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Raul Wilson
1) Spanish interpreter
2) Independent audit

Deanna Reeder
1) Encouraged voting

Valerie Yowell
1) Standards for the rest of development of tract on Nason and Eucalyptus

Marcelo Co
1) Impressed with the decision regarding Item E2; Concerned with time in bringing businesses in
2) Attracting businesses and jobs to the City

Louise Palomarez
1) Public comments
2) Spending tax money

Librada Murillo
1) Priorities for allocating/spending money

Emil Dragovich Jr.
1) DUI checkpoints
2) Expressed appreciation for the City Council members

Tom Jerele Sr. (speaking on behalf of himself and Sundance Center)
1) Acknowledged persons involved in Sunnymead Blvd. improvements
2) Sign modification
3) Trails issue
4) Acknowledged residents contributing to the betterment of the community

Pete Bleckert
1) Proposition 16 & balloting electrical rates

Radene Ramos Hiers
1) Deviation from the General Plan
2) Developers coming to the community
3) Recreational trails
4) Invited residents to joint the rally on Day Street on June 19, 5-6 p.m. to encourage people to spend tax dollars in the City of Moreno Valley

Motion to continue all remaining items to the next Council Meeting by Council Member William H. Batey II, s/Mayor Pro Tem Hastings Approved by a 5-0 vote.

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

CLOSED SESSION - canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:27 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00056978

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: May 25, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

Reports on Reimbursable Activities May 5-18, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	5/10/10	League of California Cities – Riverside County Division General Meeting
	5/14/10	Student of the Year Dinner
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00056980

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MARCH, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-34
Check Register for Month of March, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MARCH, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period March 1, 2010 through March 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period March 1, 2010 through March 31, 2010, in the total amount of $67,977,881.05 is approved.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ALL AMERICAN ASPHALT, INC.				
3/8/2010	200997	77,420.89		
			ANNL PAVEMNT RESURF PROJ SVCS	29,267.69
			ANNL PAVEMNT RESURF PROJ SVCS	48,153.20
3/15/2010	201101	136,404.13		
			HEACOCK/FREDERICK REHAB PROJS	25,800.41
			HEACOCK/FREDERICK REHAB PROJS	110,603.72
	Vendor Total	**213,825.02**		
FYTD for ALL AMERICAN ASPHALT, INC.		**1,057,387.60**		
BANK OF AMERICA				
3/11/2010	91411	91,712.65		
			ACQ & ESCROW 23974 HEMLOCK	91,712.65
	Vendor Total	**91,712.65**		
FYTD for BANK OF AMERICA		**1,533,678.81**		
BEMUS LANDSCAPE, INC.				
3/8/2010	201005	83,004.14		
			LANDSCAPE MAINT-E4	11.67
			LANDSCAPE MAINT-E4	1,535.20
			LANDSCAPE MAINT-E4	81.75
			LANDSCAPE MAINT-S AQDCT	850.50
			LANDSCAPE MAINT-S AQDCT B	735.00
			LANDSCAPE MAINT-SCE/OLD	1,785.00
			LANDSCAPE MAINT-PAN AM SECT	600.00
			LANDSCAPE MAINT-N AQDCT	525.00
			LANDSCAPE MAINT-N OLD LAKE	1,330.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E1	4,591.46
			LANDSCAPE MAINT-E2	9,091.01
			LANDSCAPE MAINT-E3	3,997.58
			LANDSCAPE MAINT-E4	8,960.72
			LANDSCAPE MAINT-E7	1,953.34
			LANDSCAPE MAINT-E8	4,499.55
			LANDSCAPE MAINT-E12	1,465.51
			LANDSCAPE MAINT-E14	2,754.27
			LANDSCAPE MAINT-E15	767.60
			LANDSCAPE MAINT-E16	2,666.40
			LANDSCAPE MAINT-E3A	85.85
			LANDSCAPE MAINT-ZN M	4,366.23
			LANDSCAPE MAINT-DSG1E	8,193.12
			LANDSCAPE MAINT-DSG1W	4,194.53
			LANDSCAPE MAINT-DSG2	1,196.85
			LANDSCAPE MAINT-PLANTS	404.00
			LANDSCAPE MAINT-PLANTS	343.40
	Vendor Total	**83,004.14**		
FYTD for BEMUS LANDSCAPE, INC.		**361,967.66**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BUNKER FAMILY, LLC					
	3/29/2010	201369	126,900.00		
				REFUND-SEC DEPOSIT	126,900.00
	Vendor Total		**126,900.00**		
FYTD for BUNKER FAMILY, LLC			**126,900.00**		
CALPERS					
	3/8/2010	201011	104,804.48		
				ARC PMT LESS PAYOUTS	135,916.66
				ARC PMT LESS PAYOUTS	-31,112.18
	Vendor Total		**104,804.48**		
FYTD for CALPERS			**770,812.56**		
CITIZENS BUSINESS BANK					
	3/11/2010	91412	87,659.83		
				ACQ & ESCROW 15175 RENCHER CRT	87,659.83
	3/23/2010	1003191	96,665.96		
				ACQ & ESCROW 24395 DYNA PLACE	96,665.96
	3/23/2010	1003201	143,705.04		
				ACQ & ESCROW 15736 GRANADA DR.	143,705.04
	Vendor Total		**328,030.83**		
FYTD for CITIZENS BUSINESS BANK			**1,129,121.84**		
CRITICAL SOLUTIONS					
	3/29/2010	201389	30,301.58		
				EMRGNCY OPS CTR PROJ SVCS	30,301.58
	Vendor Total		**30,301.58**		
FYTD for CRITICAL SOLUTIONS			**342,792.03**		
DESERT CONCEPTS CONSTRUCTION, INC					
	3/29/2010	201395	33,298.20		
				PATRIOT PARK PROJ CONSTR SVCS	33,298.20
	Vendor Total		**33,298.20**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC			**33,298.20**		
EMPLOYMENT DEVELOPMENT DEPARTMENT					
	3/15/2010	201127	85,579.89		
				UNEMPLOYMENT INS REIMB CHRGS	85,579.89
	3/12/2010	2601	38,125.91		
				DEP STATE TAX W/H 03/12/10	38,125.91
	3/26/2010	2609	44,860.88		
				DEP STATE TAX W/H 3/26/10	44,860.88
	Vendor Total		**168,566.68**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,036,124.91**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/29/2010	201408	130,029.39		
			BAD DEBT DEDUCTION	-5,146.39
			DISTRIBUTION CHRGS	126,618.83
			SPCL CHRGS/TEMP POWER	8,324.00
			ONLINE UTILITY SVCS	232.95
	Vendor Total	**130,029.39**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ENVIRONMENTAL CONSTRUCTION, INC.				
3/15/2010	201129	61,220.15		
			SUNNYMD BLVD REVIT PROJ SVCS	61,220.15
	Vendor Total	**61,220.15**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,981,423.30**		
FAIRVIEW FORD SALES, INC.				
3/22/2010	201243	51,814.59		
			VEHICLE PURCH-PD	23,994.00
			VEHICLE PURCH-SALES TAX	2,099.47
			VEHICLE PURCH-CA TIRE FEE	8.75
			VEHICLE PURCH-TOW PCKG	650.00
			VEHICLE PURCH-SALES TAX	56.88
			VEHICLE PURCH-TRADE IN	-1,100.00
			VEHICLE PURCH-PARKS	23,997.00
			VEHICLE PURCH-SALES TAX	2,099.74
			VEHICLE PURCH-CA TIRE FEE	8.75
	Vendor Total	**51,814.59**		
FYTD for FAIRVIEW FORD SALES, INC.		**51,814.59**		
FULBRIGHT & JAWORSKI, L.L.P.				
3/15/2010	201137	27,843.06		
			LEGAL SVCS-ELECTR. UTILITY	27,843.06
	Vendor Total	**27,843.06**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**203,705.68**		
HARDY & HARPER, INC.				
3/15/2010	201144	183,930.00		
			2009 ANNL PAVEMNT RESURF PROJ	33,229.74
			RET RELEASE-PAVMNT RESURF PROJ	140,400.00
			RET RELEASE-PAVMNT RESURF PROJ	10,300.26
	Vendor Total	**183,930.00**		
FYTD for HARDY & HARPER, INC.		**1,507,002.63**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ICMA RETIREMENT CORP 457					
	3/26/2010	2607	43,214.54		
				DEF COMP 457 3/26/10	43,214.54
	Vendor Total		**43,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
INTERNAL REVENUE SERVICE					
	3/12/2010	2600	139,007.81		
				DEP FED TAX W/H 03/12/10	139,007.81
	3/26/2010	2608	166,027.31		
				DEP FED TAX W/H 03/26/10	166,027.31
	Vendor Total		**305,035.12**		
FYTD for INTERNAL REVENUE SERVICE			**2,926,619.91**		
JTB SUPPLY CO., INC.					
	3/29/2010	201433	25,670.44		
				P44 CABINET-KITCHING/CACTUS TS	25,670.44
	Vendor Total		**25,670.44**		
FYTD for JTB SUPPLY CO., INC.			**44,797.78**		
LAWYERS TITLE INC					
	3/11/2010	91408	56,677.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	56,677.00
	Vendor Total		**56,677.00**		
FYTD for LAWYERS TITLE INC			**198,412.00**		
LEICA GEOSYSTEMS, INC.					
	3/8/2010	201052	177,797.80		
				LASER SCANNING SYSTEM	165,079.20
				LASER SCANNING SYSTEM-TAX	12,718.60
	Vendor Total		**177,797.80**		
FYTD for LEICA GEOSYSTEMS, INC.			**177,797.80**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/1/2010	200882	28,274.09		
				PERRIS BL WIDENING FROM RAM XP	11,676.51
				PERRIS BL WIDENING FROM RAM XP	16,597.58
	3/8/2010	201054	25,449.75		
				PERRIS BL WIDENING FROM RAM XP	25,449.75
	3/15/2010	201157	38,709.80		
				IRONWOOD AVE-HEACOCK TO PERRIS	24,615.77
				INDIAN BASIN IMPRVMNTS PROJ	14,094.03
	Vendor Total		**92,433.64**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYER HOFFMAN MCCANN P.C.					
	3/8/2010	201056	34,365.00		
				AUDITING SVC-CITY	15,664.00
				AUDITING SVC-SINGLE	5,735.00
				AUDITING SVC-CHILDCARE	4,751.00
				AUDITING SVC-RDA	5,476.68
				AUDITING SVC-RDA	2,738.32
	Vendor Total		**34,365.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**72,359.00**		
MORENO VALLEY CHEVROLET					
	3/15/2010	201165	31,914.00		
				SPECIAL TAX REIMBURSEMENT	31,914.00
	Vendor Total		**31,914.00**		
FYTD for MORENO VALLEY CHEVROLET			**96,914.00**		
MORENO VALLEY UTILITY					
	3/22/2010	201267	51,929.07		
				ELECTRICITY	135.25
				ELECTRICITY	589.98
				ELECTRICITY	222.38
				ELECTRICITY	1,995.17
				ELECTRICITY	10,087.83
				ELECTRICITY	9,663.28
				ELECTRICITY	2,780.72
				ELECTRICITY	4,377.16
				ELECTRICITY	775.15
				ELECTRICITY	1,513.12
				ELECTRICITY	12,106.82
				ELECTRICITY	6,949.85
				ELECTRICITY	204.32
				ELECTRICITY	130.22
				ELECTRICITY	83.69
				ELECTRICITY	62.67
				ELECTRICITY	62.67
				ELECTRICITY	127.77
				ELECTRICITY	61.02
	Vendor Total		**51,929.07**		
FYTD for MORENO VALLEY UTILITY			**578,712.31**		
MURRIETA DEVELOPMENT COMPANY INC.					
	3/22/2010	201269	396,056.03		
				TRAF SIG @ SR-60/REDLANDS BLVD	396,056.03
	Vendor Total		**396,056.03**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**396,056.03**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ONE MORENO VALLEY 240, L.P.				
3/25/2010	1003221	2,250,000.00		
			OAKWOOD AFFORDBLE HOUSING PROJ	2,250,000.00
Vendor Total		**2,250,000.00**		
FYTD for ONE MORENO VALLEY 240, L.P.		**2,250,000.00**		
PALP, INC. DBA EXCEL PAVING COMPANY				
3/22/2010	201276	251,454.55		
			SUNNYMD BLVD REVIT PROJ SVCS	22,561.24
			SUNNYMD BLVD REVIT PROJ SVCS	228,893.31
Vendor Total		**251,454.55**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,880,639.98**		
PERRIS ALESSANDRO, LLC				
3/1/2010	200910	52,000.00		
			REFUND-CASH SEC REDUCTION	52,000.00
Vendor Total		**52,000.00**		
FYTD for PERRIS ALESSANDRO, LLC		**145,600.00**		
PERS HEALTH INSURANCE				
3/4/2010	91403	196,439.38		
			EMPL HEALTH INS 03/04/10	196,439.38
Vendor Total		**196,439.38**		
FYTD for PERS HEALTH INSURANCE		**1,735,744.03**		
PERS RETIREMENT				
3/5/2010	2594	194,826.18		
			PERS RETIREMENT 03/05/10	194,826.18
3/19/2010	2602	194,772.12		
			PERS RETIREMENT 03/19/10	194,772.12
Vendor Total		**389,598.30**		
FYTD for PERS RETIREMENT		**4,134,782.71**		
PETERSON-CHASE GENERAL ENGINEERING CONST				
3/29/2010	201482	73,102.36		
			CITYWIDE BRIDGE MAINT PRGM	73,102.36
Vendor Total		**73,102.36**		
FYTD for PETERSON-CHASE GENERAL ENGINEERING CONST		**73,148.15**		
PRICE FAMILY CHARITABLE TRUST				
3/15/2010	201175	85,245.00		
			SALES TAX REIMBURSEMENT	85,245.00
Vendor Total		**85,245.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**250,452.00**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PW ENHANCEMENT CENTER					
	3/15/2010	880199	28,126.97		
				MOTEL VOUCHER SVCS-HPRP PRGM	10,594.00
				SECURITY DEPOSIT SVCS-HPRP	10,200.00
				COMMUNITY DEV PARTNERSHIP PRGM	7,332.97
	Vendor Total		**28,126.97**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
RICHARD LOPEZ CONSTRUCTION					
	3/1/2010	200918	427,558.38		
				RET. PYMT-INDIAN/GLOBE 12KV	20,239.22
				ELECTRIC UTILITY PROJECTS SVCS	169,704.76
				ELECTRIC UTILITY PROJECTS SVCS	237,614.40
	Vendor Total		**427,558.38**		
FYTD for RICHARD LOPEZ CONSTRUCTION			**609,711.31**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	3/8/2010	201075	59,740.78		
				PUB SFTY BLDG CONVERSION PROJ	9,581.64
				PUB SFTY BLDG CONVERSION PROJ	50,159.14
	Vendor Total		**59,740.78**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**168,500.22**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	3/1/2010	200937	342,382.00		
				ELECTRIC ENERGY PURCHASE	342,382.00
	3/15/2010	201186	328,872.00		
				ELECTRIC ENERGY PURCHASE	328,872.00
	Vendor Total		**671,254.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**671,254.00**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	3/22/2010	201300	144,822.85		
				ELECTRICITY	555.86
				ELECTRICITY	23.90
				ELECTRICITY	264.96
				ELECTRICITY	22.80
				ELECTRICITY	784.38
				ELECTRICITY	133.41
				ELECTRICITY	2,296.63
				ELECTRICITY	569.62
				ELECTRICITY	808.58
				ELECTRICITY	2,499.20
				ELECTRICITY	953.24
				ELECTRICITY	1,407.26
				ELECTRICITY	20.82
				ELECTRICITY	93,602.42
				ELECTRICITY	35,595.36
				ELECTRICITY	4,956.24
				ELECTRICITY	89.64
				ELECTRICITY	20.58
				ELECTRICITY	23.26
				ELECTRICITY	65.52
				ELECTRICITY	81.72
				ELECTRICITY	47.45
	3/29/2010	201513	61,759.72		
				RELOC. OF SCE FACILITIES	61,759.72
	Vendor Total		**206,582.57**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,274,167.02**		
STANDARD INSURANCE CO					
	3/15/2010	201192	30,887.63		
				LIFE & DISABILITY INSURANCE	12,784.66
				LIFE & DISABILITY INSURANCE	18,038.04
				LIFE & DISABILITY INSURANCE	64.93
	Vendor Total		**30,887.63**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		
TCM GROUP					
	3/1/2010	200960	88,774.21		
				SR-60/NASON ST INTRCHNG PROJ	42,996.62
				SR-60/NASON ST INTRCHNG PROJ	45,777.59
	3/29/2010	880255	82,879.01		
				SR-60/NASON ST INTRCHNG PROJ	32,270.26
				SR-60/NASON ST INTRCHNG PROJ	8,054.43
				SR-60/NASON ST INTRCHNG PROJ	42,554.32
	Vendor Total		**171,653.22**		
FYTD for TCM GROUP			**397,572.75**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRUGREEN LANDCARE					
	3/1/2010	200963	25,459.87		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	3/22/2010	201311	33,015.71		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG1-E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				IRRIG REPAIRS	63.55
				IRRIG REPAIRS	6.55
				IRRIG REPAIRS-TRACT #22093	9.59
				IRRIG REPAIRS-TRACT #20715	24.10
				IRRIG REPAIRS-TRACT #19032	48.67
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	Vendor Total		**58,475.58**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		
U.S. BANK					
	3/11/2010	100310	119,152.37		
				ACQ ESCROW-24475 MURAL CT	119,152.37
	Vendor Total		**119,152.37**		
FYTD for U.S. BANK			**119,242.37**		
U.S. BANK/CALCARDS					
	3/2/2010	91402	88,430.24		
				CALCARD PMT CYCLE END 02/22/10	88,430.24
	3/17/2010	91413	72,267.86		
				CALCARD PMT CYCLE END 03/08/10	72,267.86
	3/24/2010	1003212	102,229.40		
				CALCARD PMT CYCLE END 03/22/10	102,229.40
	Vendor Total		**262,927.50**		
FYTD for U.S. BANK/CALCARDS			**1,530,521.24**		
UNION BANK OF CALIFORNIA NA					
	3/11/2010	91409	57,000,000.00		
				PURCH BOND, CHANDLER ASSET MGT	57,000,000.00
	Vendor Total		**57,000,000.00**		
FYTD for UNION BANK OF CALIFORNIA NA			**93,914,675.69**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED CONTRACTORS COMPANY INC.					
	3/1/2010	200967	167,877.00		
				EMRGNCY OPS CTR PROJ SVCS	167,877.00
	3/22/2010	880235	87,669.00		
				EMRGNCY OPS CTR PROJ SVCS	87,669.00
	Vendor Total		**255,546.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,534,500.00**		
VCI TELCOM, INC					
	3/22/2010	201317	27,729.22		
				COMMUNICATION GAP CLOSURE PROJ	26,976.60
				COMMUNICATION GAP CLOSURE PROJ	752.62
	Vendor Total		**27,729.22**		
FYTD for VCI TELCOM, INC			**30,810.25**		
WASTE MANAGEMENT					
	3/15/2010	201207	717,291.63		
				SOLID WST DELINQ LESS FRAN FEE	817,090.34
				SOLID WST DELINQ LESS FRAN FEE	-99,798.71
	Vendor Total		**717,291.63**		
FYTD for WASTE MANAGEMENT			**1,035,558.57**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/1/2010	200985	65,450.00		
				TEMP STAFFING SVCS-CAP PROJS	14,410.00
				TEMP STAFFING SVCS-CAP PROJS	51,040.00
	Vendor Total		**65,450.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
	Subtotal		**66,250,588.85**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
CALIFORNIA NEON PRODUCTS				
3/29/2010	201333	57.50		
			REFUND-BUS LIC OVRPMT	57.50
Vendor Total		**57.50**		
FYTD for CALIFORNIA NEON PRODUCTS		**57.50**		
CVS CORPORATION				
3/15/2010	201096	37.50		
			FALSE ALARM REFUND	37.50
Vendor Total		**37.50**		
FYTD for CVS CORPORATION		**37.50**		
I C E BUILDERS, INC				
3/29/2010	201334	57.00		
			REFUND-BUS LIC OVRPMT	57.00
Vendor Total		**57.00**		
FYTD for I C E BUILDERS, INC		**57.00**		
THIRTY - SEVEN MORENO VALLEY, LLC				
3/29/2010	201335	2,000.00		
			REFUND-BUS LIC OVRPMT	2,000.00
Vendor Total		**2,000.00**		
FYTD for THIRTY - SEVEN MORENO VALLEY, LLC		**2,000.00**		
20/20 RECYCLE CENTERS				
3/29/2010	201336	30.53		
			REFUND-BUS LIC OVRPMT	30.53
Vendor Total		**30.53**		
FYTD for 20/20 RECYCLE CENTERS		**30.53**		
452ND AIR MOBILITY WING				
3/1/2010	200790	25.00		
			AWARDS RECEPTION	25.00
Vendor Total		**25.00**		
FYTD for 452ND AIR MOBILITY WING		**97.00**		
834 EXPLORE POST				
3/15/2010	201097	1,125.00		
			REGISTR-EXPLORER COMP MAR25-28	1,125.00
Vendor Total		**1,125.00**		
FYTD for 834 EXPLORE POST		**1,125.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
A & I REPROGRAPHICS 2406362				
3/1/2010	200791	557.65		
			RPRGRPHC SVCS-KITCHING ST PROJ	557.65
3/22/2010	201212	2,491.51		
			RPRGRPHC SVCS-KITCHING ST PROJ	1,091.35
			RPRGRPHC SVCS-PAVEMNT RESURF	771.80
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	628.36
3/29/2010	201337	2,438.86		
			PARKS MASTER PLAN COPIES	1,834.65
			PARKS MASTER PLAN COPIES	387.55
			SALES TAX	216.66
	Vendor Total	**5,488.02**		
FYTD for A & I REPROGRAPHICS 2406362		**17,450.08**		
A B STAR LIMOUSINE				
3/29/2010	201338	28.50		
			REFUND-BUS LIC OVRPMT	28.50
	Vendor Total	**28.50**		
FYTD for A B STAR LIMOUSINE		**28.50**		
A C P TRUCKING				
3/29/2010	201339	63.74		
			REFUND-BUS LIC OVRPMT	63.74
	Vendor Total	**63.74**		
FYTD for A C P TRUCKING		**63.74**		
ACCOUNTEMPS				
3/1/2010	200792	828.00		
			TEMP SVCS-APODACA W/E 2/12	828.00
3/8/2010	200991	621.00		
			TEMP SVCS-APODACA W/E 2/19	621.00
3/22/2010	201213	1,656.00		
			TEMP SVCS-APODACA W/E 2/26	828.00
			TEMP SVCS-APODACA W/E 3/5	828.00
3/29/2010	201340	828.00		
			TEMP SVCS-APODACA W/E 3/12	828.00
	Vendor Total	**3,933.00**		
FYTD for ACCOUNTEMPS		**7,038.00**		
ACE & SONS CONSTRUCTION, INC				
3/29/2010	201341	32.50		
			REFUND-BUS LIC OVRPMT	32.50
	Vendor Total	**32.50**		
FYTD for ACE & SONS CONSTRUCTION, INC		**32.50**		

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ACE JANITORIAL SERVICE					
	3/29/2010	201342	29.57		
				REFUND-BUS LIC OVRPMT	29.57
	Vendor Total		**29.57**		
FYTD for ACE JANITORIAL SERVICE			**29.57**		
ADAMS, MARK L.					
	3/1/2010	200793	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**2,868.57**		
ADDUS HEALTH CARE					
	3/15/2010	201098	702.50		
				REFUND-CRC DEP 2/23/10	702.50
	Vendor Total		**702.50**		
FYTD for ADDUS HEALTH CARE			**702.50**		
ADLERHORST INTERNATIONAL INC.					
	3/8/2010	200992	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,272.83**		
ADMINSURE					
	3/8/2010	200993	2,600.00		
				WORKMANS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**23,400.00**		
ADVANCED APPLIED ENGINEERING, INC					
	3/29/2010	201343	22.61		
				REFUND-BUS LIC OVRPMT	22.61
	3/29/2010	201344	7,357.50		
				SR-60 WB/REDLANDS BLVD TS PROJ	2,697.50
				SR-60 WB/REDLANDS BLVD TS PROJ	4,660.00
	Vendor Total		**7,380.11**		
FYTD for ADVANCED APPLIED ENGINEERING, INC			**7,380.11**		

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ADVANCED ELECTRIC					
	3/1/2010	200794	795.00		
				ELECT WORK-ERC	795.00
	3/8/2010	200994	763.00		
				ELECT WORK-CRC	62.00
				ELECT WORK-CRC	530.00
				ELECT WORK-CRC	171.00
	3/15/2010	201099	502.00		
				LINE INSTALLED FOR NEW SCANNER	502.00
	3/22/2010	201214	714.00		
				ELECT WORK-PARKS	193.00
				ELECT WORK-PARKS	319.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	140.00
	3/29/2010	201345	7,001.00		
				REPAIR ELECTRICAL SVC-PSB PROJ	198.00
				REPAIR ELECTRICAL SVC-PSB PROJ	6,803.00
	Vendor Total		**9,775.00**		
FYTD for ADVANCED ELECTRIC			**75,102.00**		
AEI-CASC ENGINEERING					
	3/8/2010	200995	466.50		
				CONSULTING SVCS	466.50
	3/29/2010	880240	1,088.50		
				CONSULTING SVCS	1,088.50
	Vendor Total		**1,555.00**		
FYTD for AEI-CASC ENGINEERING			**316,140.09**		
AIR CLEANING SYSTEMS INC.					
	3/1/2010	200795	502.76		
				PLYMOVENT MAINT/REPAIR	13.05
				PLYMOVENT MAINT/REPAIR	218.71
				PLYMOVENT MAINT/REPAIR	271.00
	3/15/2010	201100	195.00		
				PLYMOVENT MAINT/REPAIR	195.00
	Vendor Total		**697.76**		
FYTD for AIR CLEANING SYSTEMS INC.			**697.76**		
ALICEA, RICHARD					
	3/8/2010	200996	97.95		
				MILEAGE REIMBURSEMENT	32.45
				MILEAGE REIMBURSEMENT	65.50
	Vendor Total		**97.95**		
FYTD for ALICEA, RICHARD			**388.35**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALLIANZ LIFE INSURANCE CO				
3/15/2010	201102	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**675.00**		
ALLIED BARTON SECURITY SERVICES, LP				
3/29/2010	201346	26.21		
			REFUND-BUS LIC OVRPMT	26.21
Vendor Total		**26.21**		
FYTD for ALLIED BARTON SECURITY SERVICES, LP		**26.21**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
3/29/2010	201347	4,594.41		
			CDBG SVCS-DOM VIOL PRGM	2,260.77
			CDBG SVCS-DOM VIOL PRGM	2,333.64
Vendor Total		**4,594.41**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**6,308.36**		
AMERICA VIETNAM REALTY & FINANCE				
3/29/2010	201348	24.96		
			REFUND-BUS LIC OVRPMT	24.96
Vendor Total		**24.96**		
FYTD for AMERICA VIETNAM REALTY & FINANCE		**24.96**		
AMERICAN FORENSIC NURSES				
3/1/2010	200796	906.00		
			BLOOD DRAWS	906.00
3/8/2010	200998	1,436.30		
			BLOOD DRAWS	186.80
			BLOOD DRAWS	1,210.00
			BLOOD DRAWS	39.50
3/15/2010	880187	93.40		
			BLOOD DRAWS	93.40
Vendor Total		**2,435.70**		
FYTD for AMERICAN FORENSIC NURSES		**20,560.40**		
AMERICAN LEAK DETECTION #0108				
3/29/2010	201349	35.99		
			REFUND-BUS LIC OVRPMT	35.99
Vendor Total		**35.99**		
FYTD for AMERICAN LEAK DETECTION #0108		**35.99**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AMERICAN PERSONNEL SERVICE, #1419				
3/29/2010	201350	43.80		
			REFUND-BUS LIC OVRPMT	43.80
Vendor Total		**43.80**		
FYTD for AMERICAN PERSONNEL SERVICE, #1419		**43.80**		
AMERICAN PROTECTION SERVICES				
3/22/2010	201215	9,870.85		
			PD INTRVW RM CONFIG-PARTS	7,164.00
			PD INTRVW RM CONFIG-LABOR	2,080.00
			PD INTRVW RM CONFIG-SALES TAX	626.85
Vendor Total		**9,870.85**		
FYTD for AMERICAN PROTECTION SERVICES		**9,870.85**		
AMERICAN ROTARY BROOM CO.				
3/22/2010	201216	1,656.93		
			STREET SWEEPING BROOM KITS	1,097.97
			STREET SWEEPING BROOM KITS	558.96
Vendor Total		**1,656.93**		
FYTD for AMERICAN ROTARY BROOM CO.		**24,954.67**		
AMTECH ELEVATOR SERVICES				
3/15/2010	201103	118.37		
			ELEVATOR SVC-CITY HALL	118.37
3/29/2010	201351	94.91		
			REFUND-BUS LIC OVRPMT	94.91
Vendor Total		**213.28**		
FYTD for AMTECH ELEVATOR SERVICES		**1,582.04**		
ANAYA, KIM REYE				
3/29/2010	201352	35.00		
			MILEAGE REIMBURSEMENT	35.00
Vendor Total		**35.00**		
FYTD for ANAYA, KIM REYE		**35.00**		

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ANIMAL EMERGENCY CLINIC, INC.				
3/1/2010	200797	888.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	668.00
			EMERGENCY VET SVCS	75.00
3/22/2010	201331	275.00		
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
Vendor Total		**1,163.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,184.00**		
ANIMAL HEALTH AND SANITARY SUPPLY				
3/15/2010	201104	1,165.34		
			MISC SUPPLIES-ANML SHLTR	1,165.34
Vendor Total		**1,165.34**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**6,711.99**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
3/29/2010	201353	1,790.00		
			PEST CNTRL-PARKS	665.00
			PEST CNTRL-PAL	255.00
			PEST CNTRL-MARCH FLD	330.00
			PEST CNTRL-PARKS	100.00
			PEST CNTRL-CFD #1	160.00
			PEST CNTRL-GLF CRS	180.00
			PEST CNTRL-STARS	100.00
Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**17,110.00**		
APPLIANCE DISCOUNTERS				
3/29/2010	201354	27.00		
			REFUND-BUS LIC OVRPMT	27.00
Vendor Total		**27.00**		
FYTD for APPLIANCE DISCOUNTERS		**27.00**		
ARCHIVE MANAGEMENT SERVICE				
3/15/2010	201105	1,226.25		
			OFFSITE STORAGE SVCS	1,226.25
Vendor Total		**1,226.25**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**11,978.16**		

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ARDA, VALERIANO JR.					
	3/29/2010	201355	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ARDA, VALERIANO JR.			**20.00**		
ARENAS, MANUEL					
	3/1/2010	200798	17.50		
				REFUND-LOST BOOK FEE	17.50
	Vendor Total		**17.50**		
FYTD for ARENAS, MANUEL			**17.50**		
ARMTECH SECURITY, INC					
	3/29/2010	201356	62.00		
				REFUND-BUS LIC OVRPMT	62.00
	Vendor Total		**62.00**		
FYTD for ARMTECH SECURITY, INC			**62.00**		
ARROWHEAD WATER					
	3/8/2010	200999	175.00		
				WTR PURIF RNTL-ANIMAL SHELTER	50.00
				WTR PURIF RNTL-SENIOR CTR	25.00
				WTR PURIF RNTL-SPECIAL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	3/22/2010	201217	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,022.79**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ASG FACILITY					
	3/8/2010	201000	264.00		
				INSTRUCTOR SVCS-MUAY THAI	204.00
				INSTRUCTOR SVCS-BOXING	60.00
	3/29/2010	201357	196.00		
				INSTRUCTOR SVC-MUAY THAI	136.00
				INSTRUCTOR SVC-BOXING	60.00
	Vendor Total		**460.00**		
FYTD for ASG FACILITY			**1,092.00**		
AT&T MOBILITY					
	3/1/2010	200799	92.14		
				COMMUNICATION SVCS-MBL CMMND	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**826.85**		
AT&T/MCI					
	3/8/2010	201001	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,653.29**		
ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS					
	3/15/2010	201106	150.00		
				3/18/10 THREAT MGMT SEMINAR	150.00
	Vendor Total		**150.00**		
FYTD for ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS			**150.00**		
AUGSTIN RAMOS					
	3/29/2010	201358	22.95		
				REFUND-BUS LIC OVRPMT	22.95
	Vendor Total		**22.95**		
FYTD for AUGSTIN RAMOS			**22.95**		
AUTOMATED GATE SERVICES, INC					
	3/29/2010	201359	59.22		
				REFUND-BUS LIC OVRPMT	59.22
	Vendor Total		**59.22**		
FYTD for AUTOMATED GATE SERVICES, INC			**59.22**		
AUTOMATIC STOREFRONT SERVICE, INC.					
	3/29/2010	201360	193.00		
				DOOR SVC-CRC	193.00
	Vendor Total		**193.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**1,514.31**		

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AV GRAPHICS, INC.					
	3/15/2010	201107	2,648.06		
				ADMIN CITATION BOOKS	2,555.63
				DELIVERY/SHIPPING CHRG	92.43
	Vendor Total		**2,648.06**		
FYTD for AV GRAPHICS, INC.			**8,075.88**		
AYALA, NANNERL A.					
	3/1/2010	200800	57.30		
				REIMB-MMASC WINTER FORUM	57.30
	Vendor Total		**57.30**		
FYTD for AYALA, NANNERL A.			**132.42**		
BACHER, GRACE					
	3/1/2010	200801	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,131.21**		
BAIRES, NALA					
	3/22/2010	201218	52.00		
				REFUND-ANML LIC FEE	52.00
	Vendor Total		**52.00**		
FYTD for BAIRES, NALA			**52.00**		
BALDWIN AUTOMOTIVE, INC					
	3/29/2010	201361	95.00		
				REFUND-BUS LIC OVRPMT	95.00
	Vendor Total		**95.00**		
FYTD for BALDWIN AUTOMOTIVE, INC			**95.00**		
BARNES, DARLENE					
	3/1/2010	200802	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,001.06**		
BARRAGAN, CYNTHIA					
	3/1/2010	200803	156.00		
				REFUND-PICNIC SHLTR FEE	156.00
	Vendor Total		**156.00**		
FYTD for BARRAGAN, CYNTHIA			**156.00**		

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BASIC BACKFLOW					
	3/8/2010	201002	120.00		
				BACKFLOW TESTING-PARKS	120.00
	Vendor Total		**120.00**		
FYTD for BASIC BACKFLOW			**1,294.65**		
BAYTOWN STAR, LLC					
	3/29/2010	201362	50.46		
				REFUND-BUS LIC OVRPMT	50.46
	Vendor Total		**50.46**		
FYTD for BAYTOWN STAR, LLC			**50.46**		
BECKLEY, TRISHA & ANTON					
	3/8/2010	201003	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BECKLEY, TRISHA & ANTON			**75.00**		
BELL, ORROCK & WATASE, INC					
	3/1/2010	200804	1,521.35		
				LEGAL SVCS 2009-20	1,521.35
	3/29/2010	201363	874.65		
				LEGAL SVCS-RISK MGT	617.15
				LEGAL SVCS-RISK MGT	257.50
	Vendor Total		**2,396.00**		
FYTD for BELL, ORROCK & WATASE, INC			**14,615.81**		

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BEMUS LANDSCAPE, INC.					
	3/1/2010	200805	1,542.56		
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-ANNX #1	300.00
	3/15/2010	201108	8,798.75		
				IRRIG DMG REPAIRS-EOC PROJECT	251.17
				LANDSCAPE MAINT-AQDCT/BAY-JFK	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MV UTILITY	480.00
				LANDSCAPE MAINT-ELECTRIC SUBST	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
	3/22/2010	201219	6,408.00		
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-PARKS	1,400.00
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
	3/29/2010	201364	9,971.31		
				LANDSCAPE MAINT-FIRE STNS	2,300.00
				LANDSCAPE MAINT-FIRE STNS	3,468.75
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CRC	1,900.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-AQDCT	360.00
				LANDSCAPE MAINT-AQDCT	400.00
	Vendor Total		**26,720.62**		
FYTD for BEMUS LANDSCAPE, INC.			**361,967.66**		
BENESYST					
	3/22/2010	880214	20.13		
				COBRA SUBSIDY-MAR2010	14.43
				COBRA SUBSIDY-MAR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**20.13**		

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BENESYST, INC.					
	3/8/2010	201006	473.34		
				FLEX ADMIN SVCS	228.34
				FLEX ADMIN SVCS	61.38
				FLEX ADMIN SVCS	183.62
	3/22/2010	201220	584.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	359.00
	Vendor Total		**1,057.68**		
FYTD for BENESYST, INC.			**4,518.32**		
BEN'S ASPHALT, INC					
	3/29/2010	201365	21.31		
				REFUND-BUS LIC OVRPMT	21.31
	Vendor Total		**21.31**		
FYTD for BEN'S ASPHALT, INC			**21.31**		
BEST CALIFORNIA GAS, LTD, #353					
	3/29/2010	201366	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for BEST CALIFORNIA GAS, LTD, #353			**71.85**		
BEST, BEST & KRIEGER, LLP					
	3/1/2010	200806	31.46		
				LEGAL SVCS-GGP	31.46
	Vendor Total		**31.46**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,076.10**		
BIO-TOX LABORATORIES					
	3/8/2010	201007	3,972.53		
				TOXICOLOGY TESTS	17.53
				TOXICOLOGY TESTS	1,416.10
				TOXICOLOGY TESTS	2,538.90
	Vendor Total		**3,972.53**		
FYTD for BIO-TOX LABORATORIES			**32,509.27**		
BLAIR, CHERYL					
	3/8/2010	201008	486.00		
				INSTRUCTOR SVCS-BELLY DANCING	486.00
	Vendor Total		**486.00**		
FYTD for BLAIR, CHERYL			**2,592.00**		

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BLINDS 4 LESS					
	3/29/2010	201367	61.41		
				REFUND-BUS LIC OVRPMT	61.41
	Vendor Total		**61.41**		
FYTD for BLINDS 4 LESS			**61.41**		
BLUE SHIELD OF CALIFORNIA					
	3/15/2010	201109	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,635.93**		
BOBO II, FELIX					
	3/8/2010	201009	84.00		
				MILEAGE REIMBURSEMENT	84.00
	Vendor Total		**84.00**		
FYTD for BOBO II, FELIX			**498.15**		
BOOHER, JACK					
	3/1/2010	200807	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOOHER, JACK			**20.00**		
BOY SCOUTS OF AMERICA					
	3/1/2010	200808	750.00		
				REFUND-RNTL DEP 2/6	750.00
	Vendor Total		**750.00**		
FYTD for BOY SCOUTS OF AMERICA			**750.00**		
BRACAMONTES, MARIA					
	3/22/2010	201221	98.60		
				REFUND-PERMIT FEE	97.60
				REFUND-PERMIT FEE	0.90
				REFUND-PERMIT FEE	0.10
	Vendor Total		**98.60**		
FYTD for BRACAMONTES, MARIA			**98.60**		
BRADIGAN, KATHY					
	3/22/2010	201222	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRADIGAN, KATHY			**75.00**		

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BRANTLINGER, LAWRENCE					
	3/22/2010	201223	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRANTLINGER, LAWRENCE			**75.00**		

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BRODART CO.					
	3/15/2010	201111	5,813.92		
				MISC BOOKS-LIBRARY	100.11
				MISC BOOKS-LIBRARY	194.17
				MISC BOOKS-LIBRARY	75.25
				MISC BOOKS-LIBRARY	40.16
				MISC BOOKS-LIBRARY	16.46
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	302.81
				MISC BOOKS-LIBRARY	428.25
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	22.00
				MISC BOOKS-LIBRARY	25.58
				MISC BOOKS-LIBRARY	652.72
				MISC BOOKS-LIBRARY	56.81
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	33.06
				MISC BOOKS-LIBRARY	297.80
				MISC BOOKS-LIBRARY	658.23
				MISC BOOKS-LIBRARY	440.96
				MISC BOOKS-LIBRARY	752.68
				MISC BOOKS-LIBRARY	52.52
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	127.73
				MISC BOOKS-LIBRARY	269.21
				MISC BOOKS-LIBRARY	24.74
				MISC BOOKS-LIBRARY	462.50
				MISC BOOKS-LIBRARY	294.81
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	81.27
				MISC BOOKS-LIBRARY	40.11
	3/22/2010	201224	2,695.80		
				MISC BOOKS-LIBRARY	247.43
				MISC BOOKS-LIBRARY	199.26
				MISC BOOKS-LIBRARY	80.61
				MISC BOOKS-LIBRARY	322.46
				MISC BOOKS-LIBRARY	1,533.70
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	38.69
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	162.59
	Vendor Total		**8,509.72**		
FYTD for BRODART CO.			**26,218.55**		

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BUCKINGHAM PROPERTY MANAGEMENT					
	3/29/2010	201368	35.02		
				REFUND-BUS LIC OVRPMT	35.02
	Vendor Total		**35.02**		
FYTD for BUCKINGHAM PROPERTY MANAGEMENT			**35.02**		
BUCKINGHAM, STAN					
	3/1/2010	200809	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**956.19**		
BWI - BOOK WHOLESALERS, INC.					
	3/15/2010	201112	689.54		
				MISC BOOKS-LIBRARY	10.50
				MISC BOOKS-LIBRARY	256.07
				MISC BOOKS-LIBRARY	13.11
				MISC BOOKS-LIBRARY	31.41
				MISC BOOKS-LIBRARY	144.48
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	80.99
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	16.35
				MISC BOOKS-LIBRARY	6.85
				MISC BOOKS-LIBRARY	29.57
				MISC BOOKS-LIBRARY	29.73
	3/22/2010	201225	451.40		
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	436.77
	Vendor Total		**1,140.94**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**5,578.08**		
C P CONSTRUCTION COMPANY, INC					
	3/29/2010	201370	46.80		
				REFUND-BUS LIC OVRPMT	46.80
	Vendor Total		**46.80**		
FYTD for C P CONSTRUCTION COMPANY, INC			**46.80**		
CAIN, GREGORY					
	3/1/2010	200810	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,231.12**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION				
3/29/2010	201371	2,237.20		
			WEED ABTMNT-MV EQSTRN CTR	894.88
			WEED ABTMNT-MV EQSTRN CTR	1,342.32
	Vendor Total	**2,237.20**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION		**4,479.20**		
CALAVERAS STANDARD MATERIALS				
3/22/2010	201226	1,482.99		
			CEMENT-PSB PARKING LOT REPAIR	1,482.99
	Vendor Total	**1,482.99**		
FYTD for CALAVERAS STANDARD MATERIALS		**19,370.75**		
CALIFORNIA CENTERS MAGAZINE, INC.				
3/1/2010	200811	3,780.00		
			ADVERTISING SVCS-EDD	3,780.00
	Vendor Total	**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.		**7,560.00**		
CALIFORNIA DEPT OF EDUCATION				
3/1/2010	200812	24,658.50		
			AFTERSCHOOL PRGM-VISTA VERDE	4,103.37
			AFTERSCHOOL PRGM-VISTA VERDE	8,206.73
			AFTERSCHOOL PRGM-RNBW RDG	4,116.13
			AFTERSCHOOL PRGM-RNBW RDG	8,232.27
	Vendor Total	**24,658.50**		
FYTD for CALIFORNIA DEPT OF EDUCATION		**24,658.50**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.				
3/1/2010	200813	770.00		
			ANNUAL CONF-MAR. 23-26, 2010	770.00
	Vendor Total	**770.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.		**3,764.00**		
CALIFORNIA TRANSCRIPTION, LLC				
3/29/2010	880241	205.93		
			TRANSCRIPTION SVCS-PLANNING	205.93
	Vendor Total	**205.93**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,321.69**		

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CALIFORNIA WATERSHED ENGINEERING CORP.				
3/8/2010	201010	358.50		
			CONSULTING SVCS-PA090025	358.50
3/29/2010	880242	717.00		
			CONSULTING SVCS	717.00
	Vendor Total	**1,075.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**1,771.50**		
CAM GUARD SECURITY, INC.				
3/29/2010	201372	21.16		
			REFUND-BUS LIC OVRPMT	21.16
	Vendor Total	**21.16**		
FYTD for CAM GUARD SECURITY, INC.		**21.16**		
CANNON, ANA M.				
3/1/2010	200814	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**956.19**		
CANON BUSINESS SOLUTIONS, INC.				
3/8/2010	201012	2,002.20		
			COPIER SVC-STARS	2,002.20
	Vendor Total	**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**28,143.19**		
CANON FINANCIAL SERVICES, INC.				
3/22/2010	201227	7,590.68		
			COPIER LEASE-BASE	7,059.29
			COPIER LEASE-SALES TAX	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**68,316.12**		
CANTERBURY, JENNIFER				
3/1/2010	200815	20.00		
			REFUND-RABIES DEP	20.00
3/8/2010	201013	50.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**70.00**		
FYTD for CANTERBURY, JENNIFER		**70.00**		

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CARBONE, GABRIELA					
	3/1/2010	200816	264.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	216.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	48.00
	3/22/2010	201228	117.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	117.00
	Vendor Total		**381.00**		
FYTD for CARBONE, GABRIELA			**381.00**		
CARON BROADCASTING, INC					
	3/8/2010	201014	5,700.00		
				RADIO ADVERTISING SVC	5,700.00
	3/29/2010	201373	300.00		
				RADIO ADVERTISING SVC	300.00
	Vendor Total		**6,000.00**		
FYTD for CARON BROADCASTING, INC			**6,000.00**		
CARPENTER, BREANNA					
	3/1/2010	200817	30.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**30.00**		
FYTD for CARPENTER, BREANNA			**30.00**		
CASA BUENA & CASA LYNNDA APARTMENTS, LLC					
	3/29/2010	201374	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for CASA BUENA & CASA LYNNDA APARTMENTS, LLC			**81.00**		
CASKEY, DEBRA C.					
	3/1/2010	200818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,231.12**		
CDI CORPORATION					
	3/29/2010	201375	47.21		
				REFUND-BUS LIC OVRPMT	47.21
	Vendor Total		**47.21**		
FYTD for CDI CORPORATION			**47.21**		

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CELL-CRETE CORPORATION					
	3/29/2010	201376	72.64		
				REFUND-BUS LIC OVRPMT	72.64
	Vendor Total		**72.64**		
FYTD for CELL-CRETE CORPORATION			**72.64**		
CERTIFIED CREDIT REPORTING, INC					
	3/29/2010	201377	55.32		
				CREDIT PROFILE SVCS-RDA	55.32
	Vendor Total		**55.32**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**177.85**		
CHANCY, CHIZURU					
	3/8/2010	201015	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
	Vendor Total		**140.40**		
FYTD for CHANCY, CHIZURU			**1,263.60**		
CHAPMAN, STEVE					
	3/1/2010	200819	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,868.57**		
CHAPPELL, ISAAC					
	3/1/2010	200820	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,868.57**		
CHERRY VALLEY FEED					
	3/8/2010	201016	78.08		
				DOG FOOD-K9 MAX	78.08
	Vendor Total		**78.08**		
FYTD for CHERRY VALLEY FEED			**1,562.79**		
CHRIS FOLSOM INSURANCE AGENCY					
	3/29/2010	201378	41.25		
				REFUND-BUS LIC OVRPMT	41.25
	Vendor Total		**41.25**		
FYTD for CHRIS FOLSOM INSURANCE AGENCY			**41.25**		

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CHRISTIAN, OWEN					
	3/1/2010	200821	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,026.23**		
CIANCIO, ANTHONY					
	3/1/2010	200822	120.00		
				INSTRUCTOR SVCS-SKATEBOARDING	120.00
	3/22/2010	201229	30.00		
				INSTRUCTOR SVCS-SKATEBOARDING	30.00
	Vendor Total		**150.00**		
FYTD for CIANCIO, ANTHONY			**150.00**		

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CINTAS CORPORATION					
	3/1/2010	200823	370.89		
				UNIFORM RNTL SVC-PARKS MAINT	98.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	3/8/2010	201017	52.71		
				UNIFORM RNTL SVC-TRAFFIC	11.23
				UNIFORM RNTL SVC-TRAFFIC	13.85
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/15/2010	201113	108.90		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/22/2010	201230	289.40		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-ST MAINT CREW	47.07
				UNIFORM RNTL SVC-ST MAINT CREW	69.27
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	3/29/2010	201379	133.65		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
Vendor Total		**955.55**		
FYTD for CINTAS CORPORATION		**5,064.10**		
CINTAS DOCUMENT MANAGEMENT				
3/8/2010	201018	47.86		
			ANNUAL DOCUMENT PURGE SVC	47.86
Vendor Total		**47.86**		
FYTD for CINTAS DOCUMENT MANAGEMENT		**47.86**		
CITRUS BELT CHAPTER, I.C.C.				
3/22/2010	201231	200.00		
			3/23/10 SEMINAR-DISABLED ACCES	100.00
			3/23/10 SEMINAR-DISABLED ACCES	100.00
Vendor Total		**200.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**200.00**		
CITY OF FOSTER				
3/15/2010	201114	1,500.00		
			CALOPPS ANNUAL FEE-2010	1,500.00
Vendor Total		**1,500.00**		
FYTD for CITY OF FOSTER		**1,500.00**		
CITY OF INDIO				
3/8/2010	201019	45.00		
			LCC MEETING	45.00
3/22/2010	201232	45.00		
			3/22/10 LCC GENERAL MTG.	45.00
Vendor Total		**90.00**		
FYTD for CITY OF INDIO		**90.00**		
CITY OF MORENO VALLEY VEBA TRUST				
3/15/2010	201115	4,037.50		
			EXEMPT VEBA	4,037.50
Vendor Total		**4,037.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**38,100.00**		
CITY OF RIVERSIDE				
3/1/2010	200824	989.40		
			TRAFFIC SIGNALS SHARED COST	989.40
Vendor Total		**989.40**		
FYTD for CITY OF RIVERSIDE		**1,508.85**		

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CITY OF TUSTIN					
	3/15/2010	201116	275.00		
				MEMBERSHIP RENEWAL-HR DEPT.	275.00
	Vendor Total		**275.00**		
FYTD for CITY OF TUSTIN			**275.00**		
CLARY ROOFING					
	3/29/2010	201380	92.03		
				REFUND-BUS LIC OVRPMT	92.03
	Vendor Total		**92.03**		
FYTD for CLARY ROOFING			**92.03**		
COBBS, JOE					
	3/15/2010	201117	20.00		
				RABIES DEPOSIT REFUND	20.00
	Vendor Total		**20.00**		
FYTD for COBBS, JOE			**95.00**		
COHEN & GOLDFRIED					
	3/22/2010	201233	888.36		
				LEGAL SVCS-GENERAL	888.36
	Vendor Total		**888.36**		
FYTD for COHEN & GOLDFRIED			**8,785.86**		
COLONIAL SUPPLEMENTAL INSURANCE					
	3/1/2010	200825	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	3/29/2010	201381	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**14,275.26**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**71,916.15**		
COMFORT AIR					
	3/29/2010	201382	75.00		
				REFUND-BUS LIC OVRPMT	75.00
	Vendor Total		**75.00**		
FYTD for COMFORT AIR			**75.00**		
COMFORT ZONE HVAC					
	3/29/2010	201383	23.31		
				REFUND-BUS LIC OVRPMT	23.31
	Vendor Total		**23.31**		
FYTD for COMFORT ZONE HVAC			**23.31**		

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COMMUNITY BANK					
	3/10/2010	91405	8,602.32		
				RETENTION PMT-PROJ 08-12556330	8,602.32
	Vendor Total		**8,602.32**		
FYTD for COMMUNITY BANK			**102,331.51**		
COMMUNITY HEALTH CHARITIES					
	3/1/2010	200826	151.47		
				CHC CONTRIBUTIONS	151.47
	3/15/2010	201118	151.47		
				CHC CONTRIBUTIONS	151.47
	3/29/2010	201384	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**454.41**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,715.49**		
CONTINUING EDUCATION OF THE BAR					
	3/1/2010	200827	128.10		
				LEGAL SUBSCRIPTION	128.10
	Vendor Total		**128.10**		
FYTD for CONTINUING EDUCATION OF THE BAR			**647.98**		
CONTRACT CARPET CORPORATION					
	3/29/2010	201385	81.62		
				REFUND-BUS LIC OVRPMT	81.62
	Vendor Total		**81.62**		
FYTD for CONTRACT CARPET CORPORATION			**81.62**		
CONVERSE CONSULTANTS					
	3/29/2010	201386	86.50		
				REFUND-BUS LIC OVRPMT	86.50
	Vendor Total		**86.50**		
FYTD for CONVERSE CONSULTANTS			**86.50**		
CONWAY DATA DBA SITE SELECTION MAGAZINE					
	3/29/2010	201387	5,890.00		
				ADVERTISING SVCS-EDD	5,890.00
	Vendor Total		**5,890.00**		
FYTD for CONWAY DATA DBA SITE SELECTION MAGAZINE			**5,890.00**		
COPPRUE, SAM					
	3/15/2010	201119	41.00		
				LICENSE FEE REFUND	41.00
	Vendor Total		**41.00**		
FYTD for COPPRUE, SAM			**41.00**		

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COSTCO					
	3/1/2010	200828	237.39		
				MISC SUPPLIES-STARS	134.96
				MISC SUPPLIES-STARS	62.76
				MISC SUPPLIES-EDD	39.67
	3/8/2010	201020	794.81		
				MISC SUPPLIES-STARS	196.81
				MISC SUPPLIES-STARS	152.53
				MISC SUPPLIES-STARS	173.34
				MISC SUPPLIES-STARS	272.13
	3/22/2010	201234	763.45		
				MISC SUPPLIES-STARS	124.57
				MISC SUPPLIES-CHILDS PLC	57.39
				MISC SUPPLIES-SKATE PK	581.49
	3/29/2010	201388	2,784.42		
				MISC SUPPLIES-STARS	169.16
				MISC SUPPLIES-STARS	31.07
				MISC SUPPLIES-STARS	163.69
				MISC SUPPLIES-STARS	79.64
				MISC SUPPLIES-STARS	229.12
				MISC SUPPLIES-STARS	316.06
				MISC SUPPLIES-STARS	577.47
				MISC SUPPLIES-STARS	690.17
				MISC SUPPLIES-STARS	284.33
				MISC SUPPLIES-STARS	19.24
				MISC SUPPLIES-STARS	88.18
				MISC SUPPLIES-CHILDS PLC	136.29
	Vendor Total		**4,580.07**		
FYTD for COSTCO			**41,721.33**		
COUNSELING TEAM, THE					
	3/8/2010	201021	1,250.00		
				EMP COUNSELING SVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**10,000.00**		
COUNTRY SQUIRE ESTATES					
	3/15/2010	201120	63.16		
				REFUND-UUT USER TAXES	63.16
	Vendor Total		**63.16**		
FYTD for COUNTRY SQUIRE ESTATES			**443.41**		
COUNTY OF RIVERSIDE - RMAP					
	3/22/2010	201235	41.25		
				RECORDATION RQSTS-LD	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**325.35**		

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COUNTY OF RIVERSIDE-TLMA-GIS				
3/22/2010	201236	1,064.56		
			TRAFFIC SIGNAL INSPECTION	1,064.56
Vendor Total		**1,064.56**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS		**3,864.56**		
CRANE ARCHITECTURAL GROUP				
3/8/2010	201022	1,300.00		
			PUB SFTY BLDG CONVERSION PROJ	1,300.00
Vendor Total		**1,300.00**		
FYTD for CRANE ARCHITECTURAL GROUP		**4,295.00**		
CTAI PACIFIC GREENSCAPE				
3/15/2010	880188	4,897.13		
			LNDSCP MAINT-ZONE DSG1W	4,897.13
Vendor Total		**4,897.13**		
FYTD for CTAI PACIFIC GREENSCAPE		**47,014.04**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
3/8/2010	201023	578.00		
			HEALTH PERMIT FEE-BETHUNE PK	578.00
3/29/2010	201390	6,199.73		
			VECTOR CONTROL SVCS	1,684.59
			VECTOR CONTROL SVCS	4,399.14
			PERMIT RNWL-MORRISON PK	116.00
Vendor Total		**6,777.73**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**31,051.61**		
CUFF, STEPHANIE CERVANTES				
3/1/2010	200829	27.00		
			MILEAGE REIMBURSEMENT	27.00
Vendor Total		**27.00**		
FYTD for CUFF, STEPHANIE CERVANTES		**27.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
3/1/2010	200830	745.00		
			DISPOSAL SVC-ANML SVCS	745.00
3/22/2010	201237	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
Vendor Total		**1,490.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**6,855.00**		

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D R I RESIDENTIAL CORPORATION					
	3/29/2010	201391	93.50		
				REFUND-BUS LIC OVRPMT	93.50
	Vendor Total		**93.50**		
FYTD for D R I RESIDENTIAL CORPORATION			**93.50**		
D.J.L. AUDIO/VIDEO SPECIALISTS					
	3/8/2010	201024	6,247.69		
				TRAINING PODIUM	5,745.00
				TRAINING PODIUM-SALES TAX	502.69
	Vendor Total		**6,247.69**		
FYTD for D.J.L. AUDIO/VIDEO SPECIALISTS			**6,247.69**		
DAACOM COMMUNICATIONS					
	3/29/2010	201392	88.47		
				REFUND-BUS LIC OVRPMT	88.47
	Vendor Total		**88.47**		
FYTD for DAACOM COMMUNICATIONS			**88.47**		
DAILY JOURNAL CORPORATION					
	3/29/2010	201393	5,596.00		
				ADVERTISING SVCS-EDD	2,798.00
				ADVERTISING SVCS-EDD	2,798.00
	Vendor Total		**5,596.00**		
FYTD for DAILY JOURNAL CORPORATION			**5,596.00**		
DALE, KATHLEEN					
	3/1/2010	200831	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,842.95**		
DATA TICKET, INC.					
	3/8/2010	201025	105.00		
				CITATION APPLIC MAINT/SUPPORT	105.00
	3/22/2010	880215	2,510.61		
				CITATION PRCSSNG-CODE	2,510.61
	Vendor Total		**2,615.61**		
FYTD for DATA TICKET, INC.			**122,524.40**		
DATAQUICK CORPORATE HEADQUARTERS					
	3/22/2010	201238	130.50		
				ONLINE SVCS-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,074.50**		

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DAVID LANE APARTMENTS					
	3/29/2010	201394	24.81		
				REFUND-BUS LIC OVRPMT	24.81
	Vendor Total		**24.81**		
FYTD for DAVID LANE APARTMENTS			**24.81**		
DAVID TURCH & ASSOCIATES					
	3/15/2010	201121	13,752.00		
				FEDERAL LEGISLATIVE REP SVCS	13,752.00
	Vendor Total		**13,752.00**		
FYTD for DAVID TURCH & ASSOCIATES			**13,752.00**		
DELTA DENTAL					
	3/8/2010	201026	11,452.43		
				EMPLOYEE DENTAL INSURANCE	11,452.43
	Vendor Total		**11,452.43**		
FYTD for DELTA DENTAL			**103,169.21**		
DELTACARE USA					
	3/8/2010	201027	6,310.50		
				EMPLOYEE DENTAL INSURANCE	6,310.50
	Vendor Total		**6,310.50**		
FYTD for DELTACARE USA			**60,888.21**		
DIAMOND WIRELESS, LLC					
	3/29/2010	201396	33.38		
				REFUND-BUS LIC OVRPMT	33.38
	Vendor Total		**33.38**		
FYTD for DIAMOND WIRELESS, LLC			**33.38**		
DIAZ, MICHAEL					
	3/29/2010	201397	37.60		
				REFUND-KUNG FU CLASS	37.60
	Vendor Total		**37.60**		
FYTD for DIAZ, MICHAEL			**37.60**		
DIEDERICHS & ELCONIN					
	3/8/2010	201028	492.50		
				LEGAL SERVICES	492.50
	Vendor Total		**492.50**		
FYTD for DIEDERICHS & ELCONIN			**50,430.00**		

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DISCOUNT TOBACCO					
	3/29/2010	201398	31.00		
				REFUND-BUS LIC OVRPMT	31.00
	Vendor Total		**31.00**		
FYTD for DISCOUNT TOBACCO			**31.00**		
DLS LANDSCAPE, INC					
	3/29/2010	201399	12,390.00		
				LANDSCAPE MAINT-ZONE A	10,230.00
				LANDSCAPE MAINT-CFD #1	2,160.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**111,510.00**		
DONAHUE APPRAISAL ASSOCIATES					
	3/1/2010	200832	18,300.00		
				PERRIS BLVD WIDENING PROJ SVCS	18,300.00
	3/15/2010	880189	5,140.00		
				PERRIS BLVD WIDENING PROJ SVCS	5,140.00
	Vendor Total		**23,440.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**50,480.00**		
DORY, ALLEEN F.					
	3/1/2010	200833	8.77		
				RETIREE MEDICAL BENEFIT	8.77
	Vendor Total		**8.77**		
FYTD for DORY, ALLEEN F.			**2,558.61**		
DOSS, GWEN					
	3/8/2010	201029	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DOSS, GWEN			**50.00**		
DREXLER, DAVID					
	3/15/2010	201122	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for DREXLER, DAVID			**195.00**		
DURAN, BLANCA					
	3/8/2010	201030	273.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	273.00
	Vendor Total		**273.00**		
FYTD for DURAN, BLANCA			**1,911.00**		

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DURBIN, LYNN J.					
	3/29/2010	201400	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for DURBIN, LYNN J.			**75.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	3/15/2010	201123	4,822.16		
				BACKFLOW TESTING	254.80
				BACKFLOW TESTING	72.80
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	655.20
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING-TR 30320	36.40
				BACKFLOW TESTING-ZONE M	72.80
				BACKFLOW RPLCMNT-E1	568.44
				BACKFLOW RPLCMNT-E1	170.00
				BACKFLOW RPLCMNT-TR 21597	568.44
				BACKFLOW RPLCMNT-TR 21597	170.00
				BACKFLOW RPLCMNT-TR 22371	568.44
				BACKFLOW RPLCMNT-TR 22371	170.00
				BACKFLOW RPLCMNT-TR 20525	532.82
				BACKFLOW RPLCMNT-TR 20525	170.00
				BACKFLOW RPLCMNT-TR 16768	532.82
				BACKFLOW RPLCMNT-TR 16768	170.00
	3/22/2010	201239	72.80		
				BACKFLOW TESTING-ZN M	72.80
	3/29/2010	201401	3,996.22		
				INVESTIG. UNDERGRND SEWER LEAK	97.50
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	689.96
				BACKFLOW RPLCMNT-E2	255.00
	Vendor Total		**8,891.18**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**27,494.35**		
E2I NET DESIGN, LLC					
	3/29/2010	201402	1,310.00		
				DATA CMMND POST UPDATE-PD	500.00
				DATA CMMND POST UPDATE-PD	810.00
	Vendor Total		**1,310.00**		
FYTD for E2I NET DESIGN, LLC			**6,565.00**		

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EADIE AND PAYNE LLP.					
	3/15/2010	201124	3,815.00		
				CONSULTING SVCS-CAFR PREP	2,000.00
				CONSULTING SVCS-CAFR PREP	1,815.00
	Vendor Total		**3,815.00**		
FYTD for EADIE AND PAYNE LLP.			**25,615.00**		
EARTH BASICS CONTRACTING					
	3/29/2010	201403	71.59		
				REFUND-BUS LIC OVRPMT	71.59
	Vendor Total		**71.59**		
FYTD for EARTH BASICS CONTRACTING			**71.59**		

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EASTERN MUNICIPAL WATER DISTRICT					
	3/1/2010	200834	1,916.45		
				WATER CHRGS FOR JANUARY	99.21
				WATER CHRGS FOR JANUARY	80.54
				WATER CHRGS FOR JANUARY	311.30
				WATER CHRGS FOR JANUARY	258.27
				WATER CHRGS FOR JANUARY	1,167.13
	3/8/2010	201031	6,700.43		
				RCLMD WATER-ST. SWEEPING PRGM	72.62
				RCLMD WATER-ST. SWEEPING PRGM	72.62
				RCLMD WATER-DRAIN MAINT PRGM	75.49
				WATER CHRGS FOR FEBRUARY	57.31
				WATER CHRGS FOR FEBRUARY	242.62
				WATER CHRGS FOR FEBRUARY	279.24
				WATER CHRGS FOR FEBRUARY	1,649.20
				WATER CHRGS FOR FEBRUARY	229.12
				WATER CHRGS FOR FEBRUARY	90.34
				WATER CHRGS FOR FEBRUARY	2,087.54
				WATER CHRGS FOR FEBRUARY	575.56
				WATER CHRGS FOR FEBRUARY	610.44
				WATER CHRGS FOR FEBRUARY	14.28
				WATER CHRGS FOR FEBRUARY	166.03
				WATER CHRGS FOR FEBRUARY	40.26
				WATER CHRGS FOR FEBRUARY	282.91
				WATER CHRGS FOR FEBRUARY	36.34
				WATER CHRGS FOR FEBRUARY	118.51
	3/15/2010	201125	6,137.14		
				WATER CHRGS FOR FEBRUARY	57.77
				WATER CHRGS FOR FEBRUARY	587.40
				WATER CHRGS FOR FEBRUARY	34.80
				WATER CHRGS FOR FEBRUARY	894.05
				WATER CHRGS FOR FEBRUARY	1,853.27
				WATER CHRGS FOR FEBRUARY	450.50
				WATER CHRGS FOR FEBRUARY	433.73
				WATER CHRGS FOR FEBRUARY	561.72
				WATER CHRGS FOR FEBRUARY	59.83
				WATER CHRGS FOR FEBRUARY	444.76
				WATER CHRGS FOR FEBRUARY	196.39
				WATER CHRGS FOR FEBRUARY	96.36
				WATER CHRGS FOR FEBRUARY	185.21
				WATER CHRGS FOR FEBRUARY	155.95
				WATER CHRGS FOR FEBRUARY	125.40
	3/22/2010	201240	10,545.32		
				WATER CHRGS FOR FEBRUARY	552.58
				WATER CHRGS FOR FEBRUARY	768.53
				WATER CHRGS FOR FEBRUARY	174.03
				WATER CHRGS FOR FEBRUARY	563.47
				WATER CHRGS FOR FEBRUARY	93.52
				WATER CHRGS FOR FEBRUARY	1,399.73
				WATER CHRGS FOR FEBRUARY	254.88
				WATER CHRGS FOR FEBRUARY	219.67
				WATER CHRGS FOR FEBRUARY	768.00
				WATER CHRGS FOR FEBRUARY	1,054.21

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR FEBRUARY	578.67
			WATER CHRGS FOR FEBRUARY	1,193.84
			WATER CHRGS FOR FEBRUARY	217.16
			WATER CHRGS FOR FEBRUARY	102.22
			WATER CHRGS FOR FEBRUARY	26.39
			WATER CHRGS FOR FEBRUARY	201.20
			WATER CHRGS FOR FEBRUARY	467.16
			WATER CHRGS FOR FEBRUARY	75.36
			WATER CHRGS FOR FEBRUARY	175.52
			WATER CHRGS FOR FEBRUARY	409.03
			WATER CHRGS FOR FEBRUARY	247.21
			WATER CHRGS FOR FEBRUARY	198.10
			WATER CHRGS FOR FEBRUARY	195.29
			WATER CHRGS FOR FEBRUARY	170.15
			WATER CHRGS FOR FEBRUARY	268.33
			WATER CHRGS FOR FEBRUARY	171.07
3/29/2010	201404	4,558.60		
			WATER CHRGS FOR FEBRUARY	55.42
			WATER CHRGS FOR FEBRUARY	379.81
			WATER CHRGS FOR FEBRUARY	328.42
			WATER CHRGS FOR MARCH	9.69
			WATER CHRGS FOR MARCH	248.68
			WATER CHRGS FOR MARCH	1,106.61
			WATER CHRGS FOR MARCH	296.97
			WATER CHRGS FOR MARCH	35.17
			WATER CHRGS FOR MARCH	1,786.34
			WATER CHRGS FOR MARCH	297.15
			WATER CHRGS FOR MARCH	14.34
Vendor Total		**29,857.94**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**856,610.16**		
EDGELANE MOBILE PARK				
3/15/2010	880190	24.43		
			REFUND-UUT USER TAXES	11.91
			REFUND-UUT USER TAXES	12.52
Vendor Total		**24.43**		
FYTD for EDGELANE MOBILE PARK		**86.20**		
EDWARDS TECHNOLOGIES, INC.				
3/29/2010	201405	315.00		
			VIDEO SWITCHER SERVICE	315.00
Vendor Total		**315.00**		
FYTD for EDWARDS TECHNOLOGIES, INC.		**315.00**		
EGGERSTEN, ANNE				
3/1/2010	200835	305.60		
			RETIREE MEDICAL BENEFIT	305.60
Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE		**2,532.63**		

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EL DORADO POINTE - MANAGEMENT					
	3/29/2010	201406	236.46		
				REFUND-BUS LIC OVRPMT	236.46
	Vendor Total		**236.46**		
FYTD for EL DORADO POINTE - MANAGEMENT			**236.46**		
ELITE JANITORIAL, INC.					
	3/8/2010	201032	100.00		
				CLEANING SVCS-DUST MOPS	100.00
	Vendor Total		**100.00**		
FYTD for ELITE JANITORIAL, INC.			**514.86**		
ELLIS, CRYSTAL					
	3/29/2010	201407	29.95		
				REFUND-LOST BOOK FEE	29.95
	Vendor Total		**29.95**		
FYTD for ELLIS, CRYSTAL			**29.95**		
ELTAIRBY, HODA					
	3/8/2010	201033	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for ELTAIRBY, HODA			**86.00**		
EMPIRE MOWER					
	3/15/2010	201126	18.67		
				MISC EQUIPMNT SUPPLIES	18.67
	Vendor Total		**18.67**		
FYTD for EMPIRE MOWER			**403.33**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/1/2010	200836	4,703.15		
			PROF SVC-GIS DATABASE CONV	1,760.10
			PROF SVC-WASTE MGT TRNSFR STN	174.35
			PROF SVC-PM 35629	704.06
			PROF SVC-LIGHT REMOVAL	1,092.50
			PROF SVC-FRAZEE DC	972.14
3/15/2010	201128	3,750.00		
			MAR-10 CABINET LEASE-COTTONWD	52.90
			MAR-10 CABINET LEASE-COTTONWD	1,197.10
			MAR-10 CABINET LEASE-IRIS AVE	103.57
			MAR-10 CABINET LEASE-IRIS AVE	1,146.43
			MAR-10 CABINET LEASE-INDIAN	86.92
			MAR-10 CABINET LEASE-INDIAN	1,163.08
3/22/2010	201241	8,317.96		
			LASELLE ST 12KV CIRC TIE WORK	6,031.85
			6TH CIRCUIT MOVAL SUBST. WORK	2,286.11
Vendor Total		**16,771.11**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ESRI, INC.				
3/22/2010	880216	14,137.50		
			ARCLOGISTICS SOFTWARE LICENSE	8,000.00
			ARCLOGISTICS NAVIG. LICENSE-10	2,000.00
			ARCLOGISTICS TELE ATLAS NA LIC	2,200.00
			ARCLOGISTICS TELE ATLAS LIC-10	800.00
			SALES TAX	1,137.50
Vendor Total		**14,137.50**		
FYTD for ESRI, INC.		**58,674.08**		
EVANS ENGRAVING & AWARDS				
3/1/2010	200837	65.26		
			ENGRAVING SVCS-PLAQUE	32.63
			ENGRAVING SVCS-PLAQUE	32.63
3/8/2010	201034	16.32		
			ENGRAVING SVC-PLAQUE	16.32
3/15/2010	880191	27.19		
			ENGRAVING SVCS-FIREFGHTR AWARD	27.19
3/22/2010	880217	46.76		
			ENGRAVING SVCS-EMP/QTR PLQ	35.88
			ENGRAVING SVCS-NAMEPLATE	10.88
Vendor Total		**155.53**		
FYTD for EVANS ENGRAVING & AWARDS		**1,740.06**		

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EVANS RECREATIONAL INSTALLATION INC.				
3/1/2010	200838	2,835.00		
			TOT LOT EQUIP REPAIRS	404.23
			TOT LOT EQUIP REPAIRS	2,430.77
Vendor Total		**2,835.00**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**8,718.82**		
EWING IRRIGATION PRODUCTS, INC.				
3/8/2010	201035	491.01		
			IRRIGATION SUPPLIES	491.01
Vendor Total		**491.01**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,813.91**		
EXCEL LANDSCAPE, INC				
3/22/2010	201242	8,700.22		
			LANDSCAPE MAINT-E7	2,666.81
			LANDSCAPE MAINT-E15	1,070.36
			LANDSCAPE MAINT-E8	1,501.98
			LANDSCAPE MAINT-E14	3,461.07
Vendor Total		**8,700.22**		
FYTD for EXCEL LANDSCAPE, INC		**188,585.16**		
F RODGERS CORPORATION				
3/29/2010	201409	69.00		
			REFUND-BUS LIC OVRPMT	69.00
Vendor Total		**69.00**		
FYTD for F RODGERS CORPORATION		**69.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
3/29/2010	880243	16,415.43		
			CDBG SVCS-FRCLSR PRVNTN	1,543.26
			CDBG SVCS-FRCLSR PRVNTN	1,643.54
			CDBG SVCS-FRCLSR PRVNTN	1,694.01
			CDBG SVCS-FRCLSR PRVNTN	1,162.49
			CDBG SVCS-FRCLSR PRVNTN	941.33
			CDBG SVCS-FRCLSR PRVNTN	1,422.20
			CDBG SVCS-HOUSING	4,169.46
			CDBG SVCS-HOUSING	2,555.25
			CDBG SVCS-FRCLSR PRVNTN	1,283.89
Vendor Total		**16,415.43**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**39,466.62**		

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FAIRWAY LANDSCAPE & IRRIGATION, INC					
	3/29/2010	201410	23.68		
				REFUND-BUS LIC OVRPMT	23.68
	Vendor Total		**23.68**		
FYTD for FAIRWAY LANDSCAPE & IRRIGATION, INC			**23.68**		
FAMILY FISH MARKET					
	3/29/2010	201411	57.49		
				REFUND-BUS LIC OVRPMT	57.49
	Vendor Total		**57.49**		
FYTD for FAMILY FISH MARKET			**57.49**		
FAMILY SERVICE ASSOCIATION					
	3/15/2010	201130	20,248.37		
				CASE MGMT SVCS-HPRP PRGM	6,607.96
				RENTAL ASSIST SVCS-HPRP PRGM	7,170.80
				RENTAL ARREARS SVCS-HPRP PRGM	6,469.61
	3/29/2010	201412	7,978.97		
				RENTAL ARREARS SVCS-HPR	2,240.87
				RENTAL ASSIST SVCS-HPR	5,738.10
	Vendor Total		**28,227.34**		
FYTD for FAMILY SERVICE ASSOCIATION			**53,952.34**		
FASHION AVENUE					
	3/29/2010	201413	51.74		
				REFUND-BUS LIC OVRPMT	51.74
	Vendor Total		**51.74**		
FYTD for FASHION AVENUE			**51.74**		
FEDERAL EXPRESS					
	3/8/2010	201036	5.87		
				EXPRESS MAILING SVC-RISK MGT	5.87
	3/22/2010	201244	43.17		
				EXPRESS MAILING SVC-HR	43.17
	Vendor Total		**49.04**		
FYTD for FEDERAL EXPRESS			**104.59**		
FEENSTRA, JOHN					
	3/1/2010	200839	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,251.25**		

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FILARSKY & WATT, LLP					
	3/8/2010	201037	156.00		
				LEGAL SERVICES	156.00
	Vendor Total		**156.00**		
FYTD for FILARSKY & WATT, LLP			**6,110.00**		
FIRST AMERICAN CORE LOGIC, INC.					
	3/1/2010	200840	664.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	409.00
				ONLINE PROP INFO-NSP	170.00
	Vendor Total		**664.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**3,350.00**		
FIRST CHOICE SERVICES					
	3/1/2010	200841	117.59		
				EMP PAID COFFEE SVCS-CRC	44.91
				EMP PAID COFFEE SVCS-CITY YARD	72.68
	3/29/2010	880244	524.97		
				EMP PAID COFFEE SVCS	25.24
				EMP PAID COFFEE SVCS	101.50
				EMP PAID COFFEE SVCS	112.97
				EMP PAID COFFEE SVCS	131.16
				EMP PAID COFFEE SVCS	134.10
				EMP PAID COFFEE SVCS	20.00
	Vendor Total		**642.56**		
FYTD for FIRST CHOICE SERVICES			**7,487.49**		
FIRST LEGAL SERVICES, INC.					
	3/29/2010	201414	163.75		
				LEGAL SVCS	163.75
	Vendor Total		**163.75**		
FYTD for FIRST LEGAL SERVICES, INC.			**163.75**		
FITNESS 19 CA 155 11C					
	3/1/2010	200842	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	3/29/2010	201415	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	Vendor Total		**538.00**		
FYTD for FITNESS 19 CA 155 11C			**2,634.00**		

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FLORES, JESSE / JEANNINE					
	3/15/2010	201131	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FLORES, JESSE / JEANNINE			**50.00**		
FOCUS ESTATES, INC					
	3/1/2010	200843	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/15/2010	201132	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/22/2010	201245	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	3/29/2010	201416	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	Vendor Total		**20,000.00**		
FYTD for FOCUS ESTATES, INC			**30,000.00**		
FORM PRINT COMPANY FPC GRAPHICS					
	3/1/2010	200844	2,283.75		
				RECEIPT BOOKS-TREASURY	2,175.00
				RECEIPT BOOKS-TREASURY	108.75
	Vendor Total		**2,283.75**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**8,070.51**		
FORSTER, HAROLD					
	3/15/2010	201133	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FORSTER, HAROLD			**100.00**		
FOSTER, JAMES BARRY					
	3/8/2010	201038	128.00		
				PER DIEM-ICSC 2010 IDEA EXCHNG	128.00
	Vendor Total		**128.00**		
FYTD for FOSTER, JAMES BARRY			**426.15**		
FOSTER, NANCY A.					
	3/1/2010	200845	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**949.91**		

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FOX, ALLAN					
	3/29/2010	201417	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FOX, ALLAN			**75.00**		
FRANCHISE TAX BOARD					
	3/1/2010	200846	1,416.95		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	485.01
				GARNISHMENT	254.00
				GARNISHMENT	76.96
				GARNISHMENT	424.70
	3/15/2010	201134	27.65		
				GARNISHMENT	21.57
				GARNISHMENT	6.08
	3/15/2010	201135	1,028.22		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	98.31
				GARNISHMENT	488.26
				GARNISHMENT	254.00
				GARNISHMENT	112.57
				GARNISHMENT	12.58
	3/29/2010	201418	676.38		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	359.88
				GARNISHMENT	254.00
	Vendor Total		**3,149.20**		
FYTD for FRANCHISE TAX BOARD			**10,188.76**		
FRANKLIN, L. C.					
	3/15/2010	201136	167.50		
				MILEAGE REIMBURSEMENT	167.50
	Vendor Total		**167.50**		
FYTD for FRANKLIN, L. C.			**1,241.70**		
FROST, JOAN CHENG					
	3/22/2010	201246	304.00		
				INSTRUCTION SVC-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for FROST, JOAN CHENG			**1,178.00**		

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FULLER, CHERIE					
	3/22/2010	201247	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for FULLER, CHERIE			**20.00**		
FULLER, NORMA DENISE					
	3/29/2010	201419	228.80		
				CONSULTING SVCS	228.80
	Vendor Total		**228.80**		
FYTD for FULLER, NORMA DENISE			**3,903.90**		
GAMESTOP, INC.					
	3/29/2010	201420	156.13		
				REFUND-BUS LIC OVRPMT	56.56
				REFUND-BUS LIC OVRPMT	44.80
				REFUND-BUS LIC OVRPMT	54.77
	Vendor Total		**156.13**		
FYTD for GAMESTOP, INC.			**156.13**		
GARCIA, JAVIER					
	3/1/2010	200847	370.19		
				REFUND-ANML CITATION	370.19
	Vendor Total		**370.19**		
FYTD for GARCIA, JAVIER			**370.19**		
GASTON, RICHARD					
	3/1/2010	200848	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,868.57**		

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GENERAL SECURITY SERVICES, INC.					
	3/1/2010	200849	628.94		
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC 1/23	153.40
				SECURITY SVCS-TWNGTE 1/30	107.38
	3/8/2010	201039	951.08		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	76.70
				SECURITY SVCS-TWNGTE	76.70
	3/22/2010	880218	2,208.97		
				SECURITY SVCS-SR CTR	291.46
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	368.16
				SECURITY SVCS-LIBRARY	368.16
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-UT	276.13
	3/29/2010	880245	732.49		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	302.97
				SECURITY SVCS-CRC	306.80
	Vendor Total		**4,521.48**		
FYTD for GENERAL SECURITY SERVICES, INC.			**41,736.43**		
GEORGE SALINAS TREE PRESERVATION					
	3/1/2010	200850	8,494.90		
				TREE TRIMMING SVCS-DSG1	894.20
				TREE TRIMMING SVCS-DSG2	1,117.75
				TREE TRIMMING SVCS-E2	6,482.95
	Vendor Total		**8,494.90**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**87,497.47**		
GES EXPOSITION SERVICES					
	3/22/2010	201248	6,018.88		
				TRADESHOW SVCS-VARIOUS	6,018.88
	Vendor Total		**6,018.88**		
FYTD for GES EXPOSITION SERVICES			**6,018.88**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
3/8/2010	201040	2,108.50		
			LEGAL SVCS-COMM PRK SOCCER FLD	1,568.88
			LEGAL SVCS-COMM PRK SOCCER FLD	539.62
3/22/2010	880219	3,999.19		
			LEGAL SVCS-COMM PRK SOCCER FLD	3,999.19
	Vendor Total	**6,107.69**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**133,947.30**		
GIRON, ANGELITA				
3/22/2010	201249	750.00		
			REFUND-RNTL DEP 2/27/10	750.00
	Vendor Total	**750.00**		
FYTD for GIRON, ANGELITA		**750.00**		
GLOBAL TECHNOLOGY SYSTEMS, INC.				
3/15/2010	201138	842.72		
			LI-POLYMER BATTERIES	891.75
			SHIPPING CHARGES	22.72
			CA USE TAX ACCRUAL	-71.75
	Vendor Total	**842.72**		
FYTD for GLOBAL TECHNOLOGY SYSTEMS, INC.		**842.72**		
GLOSTER, GEORGANNE				
3/29/2010	201421	240.00		
			REFUND-SEC GUARD FEE	40.00
			REFUND-RNTL DEP 3/13	200.00
	Vendor Total	**240.00**		
FYTD for GLOSTER, GEORGANNE		**240.00**		
GOD'S HELPING HAND				
3/22/2010	880220	750.00		
			FOOD BANK PRGRM-CDBG	750.00
3/29/2010	880246	750.00		
			CDBG SVCS-FOOD BANK	750.00
	Vendor Total	**1,500.00**		
FYTD for GOD'S HELPING HAND		**6,499.88**		
GONG ENTERPRISES, INC.				
3/8/2010	201041	200.00		
			PLAN CHECK SVCS-TM 32505	200.00
	Vendor Total	**200.00**		
FYTD for GONG ENTERPRISES, INC.		**3,764.50**		

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GOZDECKI, DAN					
	3/8/2010	201042	567.00		
				INSTRUCTOR SVCS-KUNG FU YTH	243.00
				INSTRUCTOR SVCS-KUNG FU ADLT	324.00
	Vendor Total		**567.00**		
FYTD for GOZDECKI, DAN			**5,508.00**		
GRAFFITI TRACKER, INC.					
	3/22/2010	880221	4,000.00		
				GRAFFITI TRACK SVCS	4,000.00
	Vendor Total		**4,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**28,000.00**		
GRANADOS, BONNIE					
	3/1/2010	200851	29.60		
				REFUND-HIP HOP CLASS	29.60
	Vendor Total		**29.60**		
FYTD for GRANADOS, BONNIE			**29.60**		
GRANICUS, INC.					
	3/15/2010	201139	1,655.22		
				PODCASTING MANAGED SVCS	130.00
				PODCASTING MANAGED SVCS	130.00
				MAR-10 MANAGED SVCS	1,350.00
				MAR-10 MANAGED SVCS	45.22
	Vendor Total		**1,655.22**		
FYTD for GRANICUS, INC.			**12,816.98**		
GREGG ELECTRIC, INC					
	3/29/2010	201422	55.87		
				REFUND-BUS LIC OVRPMT	55.87
	Vendor Total		**55.87**		
FYTD for GREGG ELECTRIC, INC			**55.87**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	3/1/2010	200852	5,269.40		
				LEGAL SVCS	2,909.83
				LEGAL SVCS	2,359.57
	3/22/2010	201250	3,759.86		
				LEGAL SVCS-RISK MGT	3,759.86
	Vendor Total		**9,029.26**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,192.09**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRIFFIN, MARLENE C					
	3/1/2010	200853	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,131.21**		
GRIFFIS, CANDACE					
	3/15/2010	201140	10.00		
				REFUND-CITATION OVERPAYMENT	10.00
	Vendor Total		**10.00**		
FYTD for GRIFFIS, CANDACE			**10.00**		
GROUP DELTA CONSULTANTS, INC					
	3/29/2010	201423	360.00		
				PUB SFTY BLDG CONVERSION PROJ	360.00
	Vendor Total		**360.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**360.00**		
GUILLAN, REBECCA S.					
	3/1/2010	200854	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**844.85**		
GUILLIS, LINDA B.					
	3/1/2010	200855	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,868.57**		
GUIMONT, WILLIAM					
	3/15/2010	201141	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for GUIMONT, WILLIAM			**195.00**		
GUTIERREZ, ROBERT					
	3/1/2010	200856	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,574.17**		

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GUZMAN'S CART SERVICE					
	3/15/2010	880192	4,049.00		
				SHOPPING CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**36,441.00**		
H & A M CLEANING SERVICES CO					
	3/29/2010	201424	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for H & A M CLEANING SERVICES CO			**33.50**		
HA, PHUNG					
	3/15/2010	201142	38.06		
				FALSE ALARM REFUND	30.00
				FALSE ALARM REFUND	8.06
	Vendor Total		**38.06**		
FYTD for HA, PHUNG			**38.06**		
HAMLIN, WILLIAM R.					
	3/1/2010	200857	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,922.45**		
HANES, MARTIN D.					
	3/1/2010	200858	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,868.57**		
HANIGAN BUSINESS FORMS					
	3/15/2010	880193	1,598.19		
				PARKING VIOLATION NOTICE BOOKS	1,452.90
				PARKING VIOLATION NOTICE BOOKS	145.29
	Vendor Total		**1,598.19**		
FYTD for HANIGAN BUSINESS FORMS			**7,391.43**		
HANSON, GEORGE					
	3/15/2010	201143	571.00		
				TRAVEL EXP-CMUA ANNL CONF.	342.00
				TRAVEL EXP-CMUA ANNL CONF.	229.00
	Vendor Total		**571.00**		
FYTD for HANSON, GEORGE			**628.27**		

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HARDING, JOHN S.					
	3/1/2010	200859	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,868.57**		
HARRIS & ASSOCIATES, INC.					
	3/22/2010	880222	4,226.40		
				PLAN CHECK SVCS-TR 32716	4,226.40
	Vendor Total		**4,226.40**		
FYTD for HARRIS & ASSOCIATES, INC.			**314,448.02**		
HARTMANN, RICK					
	3/1/2010	200860	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**1,817.31**		
HATFIELD, CHARLES					
	3/1/2010	200861	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,231.12**		
HAUSER, ADRIANA					
	3/29/2010	201425	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for HAUSER, ADRIANA			**2,508.00**		
HDL COREN & CONE					
	3/15/2010	201145	4,387.50		
				JAN-MAR'10 PROP TAX MAINT SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**15,074.91**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	3/1/2010	200862	5,017.37		
				CONTRACT SVCS-4TH QTR SALES TA	900.00
				CONTRACT SVCS-SALES TAX AUDIT	4,117.37
	Vendor Total		**5,017.37**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**11,784.51**		

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HEERY INTERNATIONAL, INC.					
	3/1/2010	200863	4,560.00		
				NEW MAIN LIBRARY PROJ SVCS	4,560.00
	Vendor Total		**4,560.00**		
FYTD for HEERY INTERNATIONAL, INC.			**197,572.75**		
HEFFLEY, ROSS W.					
	3/1/2010	200864	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,231.12**		
HERRICK, ROBERT D.					
	3/1/2010	200865	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,868.57**		
HICKS, MAYRA					
	3/15/2010	201146	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for HICKS, MAYRA			**30.00**		
HIGGS, DEBRA					
	3/1/2010	200866	144.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
	Vendor Total		**144.00**		
FYTD for HIGGS, DEBRA			**864.00**		
HOBBS, DIANN FAYE					
	3/15/2010	201147	150.00		
				REFUND-CITATION OVERPAYMENT	50.00
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**150.00**		
FYTD for HOBBS, DIANN FAYE			**150.00**		
HODGE PRODUCTS, INC.					
	3/1/2010	200867	468.02		
				PADLOCKS-CFD#1	210.00
				PADLOCKS-PARKS	58.02
				PADLOCKS-PARKS	200.00
	Vendor Total		**468.02**		
FYTD for HODGE PRODUCTS, INC.			**468.02**		

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HOFF, JALDA					
	3/15/2010	201148	95.00		
				RABIES & SN DEPOSIT REFUND	20.00
				RABIES & SN DEPOSIT REFUND	75.00
	Vendor Total		**95.00**		
FYTD for HOFF, JALDA			**95.00**		
HOUSE OF BEAUTY					
	3/29/2010	201426	70.50		
				REFUND-BUS LIC OVRPMT	70.50
	Vendor Total		**70.50**		
FYTD for HOUSE OF BEAUTY			**70.50**		
HOUSER, EDITH E.					
	3/1/2010	200868	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,868.57**		
HUNTER, PHUONG					
	3/8/2010	201043	256.50		
				REIMB-CWEA CONF./LONG BEACH	213.00
				REIMB-CWEA CONF./LONG BEACH	43.50
	Vendor Total		**256.50**		
FYTD for HUNTER, PHUONG			**256.50**		
ICMA RETIREMENT CORP 457					
	3/12/2010	2599	10,214.54		
				DEF COMP 457 03/12/10	10,214.54
	Vendor Total		**10,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS					
	3/1/2010	200869	3,308.62		
				ADVERTISING SVCS-EDD	3,308.62
	Vendor Total		**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			**6,617.24**		
IL SORRENTO MOBILE HOME PARK					
	3/29/2010	201427	51.00		
				REFUND-BUS LIC OVRPMT	51.00
	Vendor Total		**51.00**		
FYTD for IL SORRENTO MOBILE HOME PARK			**51.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IL SORRENTO MOBILE PARK				
3/15/2010	201149	218.18		
			REFUND-UUT USER TAXES	218.18
Vendor Total		**218.18**		
FYTD for IL SORRENTO MOBILE PARK		**1,518.06**		
ING USA ANNUITY & LIFE INSURANCE CO.				
3/15/2010	201150	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**4,275.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
3/8/2010	201044	3,729.50		
			NUISANCE ABTMNT SVC-487470013	1,395.00
			NUISANCE ABTMNT SVC-479680001	665.00
			NUISANCE ABTMNT SVC-478181047	1,669.50
3/22/2010	201251	504.00		
			NUISANCE ABTMNT SVC-474152001	277.00
			NUISANCE ABTMNT SVC-474410029	227.00
Vendor Total		**4,233.50**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**10,927.31**		
INLAND EMPIRE MAGAZINE				
3/8/2010	201045	1,295.00		
			ADVERTISING SVC-CRC	1,295.00
Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE		**3,885.00**		
INSIDE PLANTS, INC.				
3/8/2010	201046	316.00		
			PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,844.00**		
INTEGRATED VEGETATION MGMT.				
3/29/2010	201428	20.16		
			REFUND-BUS LIC OVRPMT	20.16
Vendor Total		**20.16**		
FYTD for INTEGRATED VEGETATION MGMT.		**20.16**		

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INTER CITY ENERGY SYSTEMS					
	3/29/2010	201429	54.45		
				REFUND-BUS LIC OVRPMT	54.45
	Vendor Total		**54.45**		
FYTD for INTER CITY ENERGY SYSTEMS			**54.45**		
IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT					
	3/1/2010	200870	700.00		
				ESCROW ACCT-ERP SOFTWARE	672.00
				ESCROW ACCT-ERP SOFTWARE	28.00
	3/15/2010	201151	56.00		
				ESCROW ACCT-ERP SOFTWARE	56.00
	Vendor Total		**756.00**		
FYTD for IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT			**756.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	3/1/2010	200871	937.03		
				OFFSITE DATA STORAGE	937.03
	Vendor Total		**937.03**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**9,624.91**		
ISS SWEEPING, INC.					
	3/22/2010	880223	2,265.70		
				STREET SWEEPING SVCS	750.20
				STREET SWEEPING SVCS	795.50
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**19,019.00**		
J B S MECHANICAL, INC					
	3/29/2010	201430	55.22		
				REFUND-BUS LIC OVRPMT	55.22
	Vendor Total		**55.22**		
FYTD for J B S MECHANICAL, INC			**55.22**		
J D H CONTRACTING					
	3/1/2010	200872	10,895.00		
				CONTRACT SVCS-LIBRARY DOORS	10,895.00
	Vendor Total		**10,895.00**		
FYTD for J D H CONTRACTING			**63,036.84**		

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J H E ROOFING					
	3/29/2010	201431	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for J H E ROOFING			**25.00**		
J L SIERRA TAX SERVICES					
	3/29/2010	201432	35.10		
				REFUND-BUS LIC OVRPMT	35.10
	Vendor Total		**35.10**		
FYTD for J L SIERRA TAX SERVICES			**35.10**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	3/15/2010	201152	75.00		
				LEGAL COURIER DELIVERY SVCS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,778.00**		
JDEDGE SOFTWARE, LLC					
	3/1/2010	880002	12,925.23		
				CONSULTING SVCS-SFTWR DEV	140.57
				CONSULTING SVCS-SFTWR DEV	12,784.66
	3/4/2010	880003	7,185.00		
				CONSULTING SVCS	4,560.00
				CONSULTING SVCS	2,625.00
	3/17/2010	880211	4,080.00		
				CONSULTING SVCS	4,080.00
	Vendor Total		**24,190.23**		
FYTD for JDEDGE SOFTWARE, LLC			**100,252.68**		
JH DESIGN & ASSOCIATES					
	3/29/2010	880247	0.00		
				NAME PLQ DISPLAY-EDD	821.00
				NAME PLQ DISPLAY-EDD	-821.00
	Vendor Total		**0.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	3/15/2010	880194	3,150.00		
				MAR-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**28,350.00**		

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JOHNSON, DELIA					
	3/8/2010	201047	90.00		
				INSTRUCTOR SVCS-AEROBICS	90.00
	Vendor Total		**90.00**		
FYTD for JOHNSON, DELIA			**360.00**		
JOHNSON, MALCOLM					
	3/15/2010	201153	100.00		
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**100.00**		
FYTD for JOHNSON, MALCOLM			**100.00**		
JONES, SUSAN					
	3/1/2010	200873	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,868.57**		
K & M BARBER SHOP					
	3/29/2010	201434	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for K & M BARBER SHOP			**58.00**		
K D'S DONUTS					
	3/29/2010	201435	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K D'S DONUTS			**25.00**		
K J CARPET WHOLESALE					
	3/29/2010	201436	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K J CARPET WHOLESALE			**25.00**		
K-12 SPECIALTIES, INC.					
	3/22/2010	201252	67.65		
				CARPET CLEANING SUPPLIES	67.65
	Vendor Total		**67.65**		
FYTD for K-12 SPECIALTIES, INC.			**202.96**		

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KDM MERIDIAN, INC.					
	3/15/2010	880195	3,115.00		
				SUNNYMD BLVD REVIT PROJ SVCS	3,115.00
	Vendor Total		**3,115.00**		
FYTD for KDM MERIDIAN, INC.			**68,235.00**		
KEPLER, JANELLE					
	3/1/2010	200874	44.95		
				MILEAGE REIMBURSEMENT	21.45
				MILEAGE REIMBURSEMENT	23.50
	3/29/2010	201437	39.00		
				MILEAGE REIMBURSEMENT	39.00
	Vendor Total		**83.95**		
FYTD for KEPLER, JANELLE			**196.15**		
KINCAID DEVELOPMENT					
	3/29/2010	201439	39.46		
				REFUND-BUS LIC OVRPMT	39.46
	Vendor Total		**39.46**		
FYTD for KINCAID DEVELOPMENT			**39.46**		
KING, PATRICIA A.					
	3/1/2010	200875	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,231.12**		
KOA CORPORATION					
	3/8/2010	201048	2,251.00		
				RECHE VISTA DR REALIGNMNT PROJ	2,251.00
	Vendor Total		**2,251.00**		
FYTD for KOA CORPORATION			**185,312.65**		
KOLB, CHARLES E.					
	3/1/2010	200876	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,868.57**		
KOLLAR, KYLE					
	3/1/2010	200877	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**956.19**		

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KUNZE, MARIA					
	3/15/2010	201154	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KUNZE, MARIA			**75.00**		
KUPSAK, STEVE					
	3/15/2010	201155	256.00		
				PER DIEM-CPRS CONFERENCE	256.00
	Vendor Total		**256.00**		
FYTD for KUPSAK, STEVE			**1,756.00**		
KYLE, GARY M.					
	3/1/2010	200878	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,231.12**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	3/22/2010	201253	16,058.05		
				LEGAL SVCS-RISK MGT	16,058.05
	Vendor Total		**16,058.05**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**85,558.09**		
LACAVA, DEANNA					
	3/22/2010	201254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LACAVA, DEANNA			**50.00**		
LAFATA, JOSEPHINE					
	3/1/2010	200879	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,842.95**		
LAINEZ, RAFAEL E.					
	3/22/2010	201255	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LAINEZ, RAFAEL E.			**20.00**		

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LAKESHORE VILLAGE CLEANERS					
	3/29/2010	201440	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LAKESHORE VILLAGE CLEANERS			**50.00**		
LANG, TRACEY					
	3/22/2010	201256	152.00		
				INSTRUCTION SVC-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for LANG, TRACEY			**532.00**		
LANGSTON MOTORSPORTS					
	3/1/2010	200880	260.24		
				MOTORCYCLE RPR-PARTS	175.07
				MOTORCYCLE RPR-LABOR	48.00
				MOTORCYCLE RPR-PARTS	37.17
	3/8/2010	201049	729.89		
				MOTORCYCLE RPR-LABOR	16.00
				MOTORCYCLE RPR-PARTS	21.74
				MOTORCYCLE RPR-LABOR	480.00
				MOTORCYCLE RPR-PARTS	52.15
				MOTORCYCLE RPR-LABOR	160.00
	3/15/2010	201156	122.87		
				SHIFT ASSAULT GLOVES	12.99
				HELMET	99.99
				CA SALES TAX	9.89
	Vendor Total		**1,113.00**		
FYTD for LANGSTON MOTORSPORTS			**1,113.00**		
LARA, ENRIQUE					
	3/8/2010	201050	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LARA, ENRIQUE			**20.00**		
LARRY R. HOOPER					
	3/29/2010	201441	125.00		
				APPRAISAL SVC-MTRL DMG	125.00
	Vendor Total		**125.00**		
FYTD for LARRY R. HOOPER			**125.00**		

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LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB				
3/29/2010	201442	7,500.00		
			GEN LIAB SETTLEMENT	7,500.00
Vendor Total		**7,500.00**		
FYTD for LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB		**7,500.00**		
LAWN TECH EQUIPMENT				
3/8/2010	201051	253.02		
			EQUIPMENT RPR-PARTS	197.46
			EQUIPMENT RPR-LABOR	22.50
			EQUIPMENT RPR-PARTS	33.06
3/22/2010	880224	213.74		
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	31.50
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	47.24
Vendor Total		**466.76**		
FYTD for LAWN TECH EQUIPMENT		**2,758.61**		
LAWYERS TITLE INC				
3/10/2010	91407	15,931.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,931.00
3/17/2010	91414	16,501.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,501.00
3/17/2010	91415	15,051.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,051.00
3/17/2010	91416	8,451.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,451.00
3/10/2010	91406	8,901.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,901.00
Vendor Total		**64,835.00**		
FYTD for LAWYERS TITLE INC		**198,412.00**		
LAYNE CHRISTENSEN COMPANY				
3/29/2010	201443	683.89		
			REFUND-BUS LIC OVRPMT	683.89
Vendor Total		**683.89**		
FYTD for LAYNE CHRISTENSEN COMPANY		**683.89**		
LEIGHTON CONSULTING, INC.				
3/8/2010	201053	947.50		
			LASSELLE ST WIDENING PROJ SVCS	947.50
Vendor Total		**947.50**		
FYTD for LEIGHTON CONSULTING, INC.		**62,802.64**		

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LEKOS ELECTRIC, INC					
	3/29/2010	201444	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LEKOS ELECTRIC, INC			**50.00**		
LEMUS, WENDY					
	3/22/2010	201257	67.00		
				REFUND-GUITAR REGIST	67.00
	Vendor Total		**67.00**		
FYTD for LEMUS, WENDY			**67.00**		
LEWIS, CAROLYN S.					
	3/1/2010	200881	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,839.71**		
LEXISNEXIS					
	3/22/2010	880225	1,480.00		
				LGL ONLINE SVCS-CA	740.00
				LGL ONLINE SVCS-CTY CLRK	370.00
				LGL ONLINE SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**13,715.00**		
LIEBERT, CASSIDY, WHITMORE					
	3/29/2010	201445	245.00		
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
	Vendor Total		**245.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,519.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/29/2010	201446	13,531.65		
				PERRIS BL WIDENING FROM RAM XP	13,531.65
	Vendor Total		**13,531.65**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

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LITTLETON, MICHAEL					
	3/15/2010	201158	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for LITTLETON, MICHAEL			**195.00**		
LIVELY, ANTOINETTE					
	3/8/2010	201055	204.00		
				TRAVEL EXP-CPTED COURSE	195.00
				TRAVEL EXP-CPTED COURSE	9.00
	Vendor Total		**204.00**		
FYTD for LIVELY, ANTOINETTE			**204.00**		
LOGAN, CHARLES					
	3/1/2010	200883	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,089.88**		
LOR GEOTECHNICAL GROUP, INC.					
	3/29/2010	880248	4,885.60		
				SUNNYMD BLVD REVIT PROJ SVCS	1,900.00
				SUNNYMD BLVD REVIT PROJ SVCS	2,985.60
	Vendor Total		**4,885.60**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**60,256.60**		
LUMLEY, ROBERT C.					
	3/1/2010	200884	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,868.57**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
3/29/2010	880249	22,262.00		
			CDBG SVCS-SEC DEPOSITS	162.00
			CDBG SVCS-SEC DEPOSITS	7,000.00
			CDBG SVCS-UT ASSIST	100.00
			CDBG SVCS-UT ASSIST	5,000.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
Vendor Total		**22,262.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**44,314.00**		
M & A TOUCH OF CLASS/ CAR WASH				
3/29/2010	201447	62.10		
			REFUND-BUS LIC OVRPMT	62.10
Vendor Total		**62.10**		
FYTD for M & A TOUCH OF CLASS/ CAR WASH		**62.10**		
M D S CONSULTING				
3/29/2010	201448	88.59		
			REFUND-BUS LIC OVRPMT	88.59
Vendor Total		**88.59**		
FYTD for M D S CONSULTING		**88.59**		
MACKENZIE LANDSCAPE				
3/29/2010	201449	54.41		
			REFUND-BUS LIC OVRPMT	54.41
Vendor Total		**54.41**		
FYTD for MACKENZIE LANDSCAPE		**54.41**		
MARAL, TAVOUKJIAN				
3/15/2010	201159	50.00		
			REFUND-CITATION OVERPAYMENT	50.00
Vendor Total		**50.00**		
FYTD for MARAL, TAVOUKJIAN		**120.00**		

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MARCH JOINT POWERS AUTHORITY					
	3/1/2010	200885	12.31		
				GAS CHARGES	10.06
				GAS CHARGES	2.25
	3/29/2010	201450	9.96		
				GAS CHARGES	8.13
				GAS CHARGES	1.83
	Vendor Total		**22.27**		
FYTD for MARCH JOINT POWERS AUTHORITY			**62.20**		
MARKETEKS	**2410943**				
	3/15/2010	201160	15,735.00		
				INFLATABLE LIGHT TOWERS	15,200.00
				875 WATT BULB (SPARE)	195.00
				CA USE TAX	1,347.06
				SHIPPING	340.00
				CA USE TAX ACCRUAL	-1,347.06
	Vendor Total		**15,735.00**		
FYTD for MARKETEKS	**2410943**		**15,735.00**		
MARTIN, MELINDA					
	3/15/2010	201161	54.50		
				REFUND-CITATION OVERPAYMENT	54.50
	Vendor Total		**54.50**		
FYTD for MARTIN, MELINDA			**54.50**		
MASCO SERVICES OF CALIFORNIA, INC.					
	3/29/2010	201451	45.45		
				REFUND-BUS LIC OVRPMT	45.45
	Vendor Total		**45.45**		
FYTD for MASCO SERVICES OF CALIFORNIA, INC.			**45.45**		
MATHIS, NOLAN					
	3/1/2010	200886	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,604.80**		
MATICH CORPORATION					
	3/22/2010	880226	1,286.17		
				ASPHALTIC MATERIALS	1,286.17
	Vendor Total		**1,286.17**		
FYTD for MATICH CORPORATION			**30,471.00**		

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MAXIM FLOOR SYSTEMS					
	3/29/2010	201452	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for MAXIM FLOOR SYSTEMS			**45.00**		
MAXINOSKI, SUE A.					
	3/1/2010	200887	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,868.57**		
MC GRATH RENTCORP (MOBILE MODULAR)					
	3/29/2010	201453	66.66		
				REFUND-BUS LIC OVRPMT	66.66
	Vendor Total		**66.66**		
FYTD for MC GRATH RENTCORP (MOBILE MODULAR)			**66.66**		
MCALLISTER, GERALD					
	3/1/2010	200888	455.00		
				REIMB-OPC INTEGR./DIAG TRNG	135.00
				PER DIEM-MICROSCADA TRNG	320.00
	3/22/2010	201258	0.00		
				REIMB-ELECTRICAL SFTY SEMINAR	47.80
				REIMB-ELECTRICAL SFTY SEMINAR	-47.80
	Vendor Total		**455.00**		
FYTD for MCALLISTER, GERALD			**507.36**		
MCCARTHY & BERLIN, LLP					
	3/15/2010	880196	2,348.70		
				LEGAL SVCS-ELECTR. UTILITY	2,348.70
	Vendor Total		**2,348.70**		
FYTD for MCCARTHY & BERLIN, LLP			**29,630.99**		
MCCORMICK, JAMES					
	3/8/2010	201057	62.00		
				REFUND-TRAP RNTL/DEP	12.00
				REFUND-TRAP RNTL/DEP	50.00
	Vendor Total		**62.00**		
FYTD for MCCORMICK, JAMES			**62.00**		

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MCDONOUGH, HOLLAND & ALLEN					
	3/22/2010	201259	838.47		
				LEGAL SVCS-RDA	838.47
	Vendor Total		**838.47**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,987.20**		
MCI					
	3/1/2010	200889	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	3/29/2010	201454	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**2,383.04**		
FYTD for MCI			**12,159.14**		
MCI WORLDCOM					
	3/1/2010	200890	1,335.98		
				COMMUNICATION SVCS	1,335.98
	3/22/2010	201260	902.57		
				COMMUNICATION SVCS	902.57
	Vendor Total		**2,238.55**		
FYTD for MCI WORLDCOM			**9,264.12**		
MELAD & ASSOCIATES					
	3/15/2010	201162	3,570.00		
				PLAN CHECK SVCS	3,570.00
	3/22/2010	201261	2,058.13		
				PLAN CHECK SVCS-BLDG/SFTY	2,058.13
	Vendor Total		**5,628.13**		
FYTD for MELAD & ASSOCIATES			**36,228.68**		
MELENDREZ, RICK					
	3/22/2010	201262	1,375.00		
				REFUND-TOURNEY FEE	1,375.00
	Vendor Total		**1,375.00**		
FYTD for MELENDREZ, RICK			**1,375.00**		
MENDONCA, JAMES					
	3/8/2010	201058	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MENDONCA, JAMES			**20.00**		

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MENGISTU, YESHIALEM					
	3/15/2010	201163	111.50		
				MILEAGE REIMBURSEMENT	111.50
	Vendor Total		**111.50**		
FYTD for MENGISTU, YESHIALEM			**877.05**		
MESSIN, LOUIS					
	3/1/2010	200891	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,231.12**		
MEYERS, ROBERT					
	3/8/2010	201059	273.00		
				INSTRUCTOR SVCS-DRAWING	189.00
				INSTRUCTOR SVCS-PHOTO	84.00
	Vendor Total		**273.00**		
FYTD for MEYERS, ROBERT			**2,079.00**		
MILES, ROBERT					
	3/1/2010	200892	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,026.23**		
MINARD, MARK E.					
	3/1/2010	200893	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,678.34**		
MIRACLE RECREATION EQUIPMENT					
	3/22/2010	201263	3,586.43		
				MISC PLAYGROUND EQUIP	3,586.43
	Vendor Total		**3,586.43**		
FYTD for MIRACLE RECREATION EQUIPMENT			**4,768.92**		
MIRANDA, JOANNA					
	3/29/2010	201455	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MIRANDA, JOANNA			**50.00**		

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MISSION LINEN SUPPLY INC					
	3/29/2010	201456	49.85		
				REFUND-BUS LIC OVRPMT	49.85
	Vendor Total		**49.85**		
FYTD for MISSION LINEN SUPPLY INC			**49.85**		
MOELLER, DONNA M.					
	3/29/2010	201457	85.09		
				NBRHD CLN-UP EXP	85.09
	Vendor Total		**85.09**		
FYTD for MOELLER, DONNA M.			**588.79**		
MOLLICA, MIKE					
	3/1/2010	200894	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,809.95**		
MONARCH TRAILS PUBLICATION					
	3/29/2010	201458	60.75		
				REFUND-BUS LIC OVRPMT	60.75
	Vendor Total		**60.75**		
FYTD for MONARCH TRAILS PUBLICATION			**60.75**		
MONTES REALTY					
	3/29/2010	201459	66.75		
				REFUND-BUS LIC OVRPMT	66.75
	Vendor Total		**66.75**		
FYTD for MONTES REALTY			**66.75**		
MONTGOMERY PLUMBING					
	3/29/2010	201460	41.00		
				REFUND-BUS LIC OVRPMT	41.00
	Vendor Total		**41.00**		
FYTD for MONTGOMERY PLUMBING			**41.00**		
MOORE, PATRICIA					
	3/29/2010	201461	300.00		
				REFUND-RNTL DEP	300.00
	Vendor Total		**300.00**		
FYTD for MOORE, PATRICIA			**300.00**		

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MOOSEPOINT TECHNOLOGY, INC.					
	3/1/2010	200895	4,620.00		
				ARCIMS UPGRADE	2,640.00
				ARCIMS UPGRADE	1,980.00
	Vendor Total		**4,620.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.			**19,762.50**		
MORA, PATRICIA A.					
	3/1/2010	200896	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**2,868.57**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE					
	3/22/2010	201264	293.00		
				REFUND-RNTL DEP 2/20/10	293.00
	Vendor Total		**293.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**4,418.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	3/8/2010	201060	195.00		
				STUDENTS/MONTH LUNCHEONS	105.00
				2/24/10 "WAKE UP" MEETING	15.00
				2/24/10 "WAKE UP" MEETING	15.00
				2/24/10 "WAKE UP" MEETING	15.00
				2/24/10 "WAKE UP" MEETING	15.00
				2/24/10 "WAKE UP" MEETING	15.00
				2/24/10 "WAKE UP" MEETING	15.00
	3/15/2010	201164	750.00		
				REFUND-CRC DEP 1/16/10	750.00
	3/22/2010	201265	350.00		
				WAKE-UP MV SPONSORSHIP	350.00
	Vendor Total		**1,295.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**23,025.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	3/12/2010	2598	1,604.00		
				MVCEA DUES 03/12/10	1,604.00
	3/26/2010	2606	1,579.00		
				MVCEA DUES 3/26/10	1,579.00
	Vendor Total		**3,183.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**31,695.50**		

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MORENO VALLEY COMMUNITY EDUCATION CENTER				
3/22/2010	201266	1,110.00		
			TUTORING SVCS-CDBG	555.00
			TUTORING SVCS-CDBG	555.00
Vendor Total		**1,110.00**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**5,444.55**		
MORENO VALLEY GATEWAY, LLC				
3/1/2010	200897	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
3/29/2010	880250	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
Vendor Total		**42,186.86**		
FYTD for MORENO VALLEY GATEWAY, LLC		**189,840.87**		
MORENO VALLEY HEATING & AC				
3/29/2010	201462	37.18		
			REFUND-BUS LIC OVRPMT	37.18
Vendor Total		**37.18**		
FYTD for MORENO VALLEY HEATING & AC		**37.18**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT				
3/15/2010	201166	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**404,706.07**		
MORENO VALLEY UTILITY				
3/29/2010	201463	99.70		
			ELECTRICITY-UT FLD OFF	99.70
Vendor Total		**99.70**		
FYTD for MORENO VALLEY UTILITY		**578,712.31**		
MORGAN, LISA A.				
3/1/2010	200898	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.		**2,868.57**		

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MORIARTY, LILAH					
	3/1/2010	200899	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MORIARTY, LILAH			**20.00**		
MOTHERHOOD MATERNITY #1889					
	3/29/2010	201464	82.61		
				REFUND-BUS LIC OVRPMT	82.61
	Vendor Total		**82.61**		
FYTD for MOTHERHOOD MATERNITY #1889			**82.61**		
MURGA, ROSA & ERNESTO					
	3/22/2010	201268	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MURGA, ROSA & ERNESTO			**20.00**		
NAILS CLUB & SPA					
	3/29/2010	201465	37.80		
				REFUND-BUS LIC OVRPMT	37.80
	Vendor Total		**37.80**		
FYTD for NAILS CLUB & SPA			**37.80**		
NARA, LOWELON					
	3/1/2010	200900	96.00		
				MILEAGE REIMBURSEMENT	96.00
	Vendor Total		**96.00**		
FYTD for NARA, LOWELON			**355.05**		
NATIONWIDE RETIREMENT SOLUTIONS					
	3/12/2010	2596	13,450.55		
				PST DEF COMP FOR FICA 03/12/10	13,450.55
	3/12/2010	2597	21,374.04		
				DEF COMP 457 & 401(A) 03/12/10	21,374.04
	3/26/2010	2604	12,282.46		
				PST DEF COMP FOR FICA 3/26/10	12,282.46
	3/26/2010	2605	21,323.04		
				DEF COMP 457 & 401(A) 3/26/10	21,323.04
	Vendor Total		**68,430.09**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**682,008.42**		

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NAVARRETTE, RALPH					
	3/1/2010	200901	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**956.19**		
NBS GOVERNMENT FINANCE GROUP					
	3/15/2010	880197	4,000.00		
				REBATE CALCULATION SVC	2,250.00
				REBATE CALCULATION SVC	1,750.00
	Vendor Total		**4,000.00**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,500.00**		
NELSON, ROBERT					
	3/1/2010	200902	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,131.21**		
NELSON, RUTH L.					
	3/1/2010	200903	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,868.57**		
NELSON, TIM					
	3/22/2010	201270	342.00		
				INSTRUCTION SVC-9 DAYS	342.00
	Vendor Total		**342.00**		
FYTD for NELSON, TIM			**342.00**		
NETWIG, LENA					
	3/29/2010	201466	27.20		
				REFUND-FIELD RNTL FEE	27.20
	Vendor Total		**27.20**		
FYTD for NETWIG, LENA			**27.20**		
NEUSTAEDTER, CRAIG S					
	3/1/2010	200904	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,868.57**		

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NEW HORIZON MOBILE HOME PARK					
	3/15/2010	201167	17.95		
				REFUND-UUT USER TAXES	8.96
				REFUND-UUT USER TAXES	8.99
	Vendor Total		**17.95**		
FYTD for NEW HORIZON MOBILE HOME PARK			**71.85**		
NEW PHOTO MAKERS, INC					
	3/29/2010	201467	98.89		
				REFUND-BUS LIC OVRPMT	98.89
	Vendor Total		**98.89**		
FYTD for NEW PHOTO MAKERS, INC			**98.89**		
NGO, HIEN QUANG					
	3/22/2010	201271	102.00		
				MILEAGE REIMBURSEMENT	102.00
	Vendor Total		**102.00**		
FYTD for NGO, HIEN QUANG			**102.00**		
NIEBURGER, JUDITH A.					
	3/1/2010	200905	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,612.78**		
NOBEL SYSTEMS					
	3/22/2010	880227	13,000.00		
				PROF SVCS-GIS	5,220.00
				PROF SVCS-GIS	7,780.00
	Vendor Total		**13,000.00**		
FYTD for NOBEL SYSTEMS			**41,840.00**		
NORRIS, CARRIE					
	3/22/2010	201272	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for NORRIS, CARRIE			**95.00**		
NPG CORPORATION					
	3/29/2010	201468	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for NPG CORPORATION			**9,405.00**		

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OAKS, MARY ANN					
	3/29/2010	201469	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**150.00**		
OLIVAS, OVIDIO					
	3/8/2010	201061	18.00		
				REFUND-LIC FEES	9.00
				REFUND-LIC FEES	9.00
	Vendor Total		**18.00**		
FYTD for OLIVAS, OVIDIO			**18.00**		
OLIVE CREST TREATMENT CENTER, INC					
	3/29/2010	201470	6,666.64		
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
	Vendor Total		**6,666.64**		
FYTD for OLIVE CREST TREATMENT CENTER, INC			**6,666.64**		
OLIVE CREST TREATMENT CENTER, INC.					
	3/29/2010	201471	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for OLIVE CREST TREATMENT CENTER, INC.			**2,561.00**		
OLTMANS CONSTRUCTION COMPANY					
	3/29/2010	201472	49.55		
				REFUND-BUS LIC OVRPMT	49.55
	Vendor Total		**49.55**		
FYTD for OLTMANS CONSTRUCTION COMPANY			**49.55**		
OPERATION SAFEHOUSE, INC.					
	3/22/2010	201273	3,752.46		
				SHELTER PRGRM-CDBG	666.67
				SHELTER PRGRM-CDBG	608.91
				SHELTER PRGRM-CDBG	629.04
				SHELTER PRGRM-CDBG	607.96
				SHELTER PRGRM-CDBG	850.68
				SHELTER PRGRM-CDBG	389.20
	Vendor Total		**3,752.46**		
FYTD for OPERATION SAFEHOUSE, INC.			**5,161.40**		

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OVERLAND PACIFIC & CUTLER, INC.					
	3/15/2010	201168	5,880.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	5,880.00
	Vendor Total		**5,880.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**132,509.50**		
OWENS, ROSITA					
	3/1/2010	200906	200.00		
				REFUND-RNTL DEP 2/13	200.00
	Vendor Total		**200.00**		
FYTD for OWENS, ROSITA			**200.00**		
PACHECO TIRES					
	3/29/2010	201473	46.00		
				REFUND-BUS LIC OVRPMT	46.00
	Vendor Total		**46.00**		
FYTD for PACHECO TIRES			**46.00**		
PACIFIC EXTERIORS, INC.					
	3/29/2010	201474	39.00		
				REFUND-BUS LIC OVRPMT	39.00
	Vendor Total		**39.00**		
FYTD for PACIFIC EXTERIORS, INC.			**39.00**		
PACIFIC GREEN HORTICULTURAL SVC					
	3/15/2010	201169	817.83		
				LNDSCP MAINT-ZONE E3	235.54
				LNDSCP MAINT-ZONE E4	433.49
				LNDSCP MAINT-ZONE E1	108.51
				LNDSCP MAINT-ZONE E7	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**9,030.46**		
PACIFIC KILN					
	3/29/2010	201475	403.05		
				REFUND-BUS LIC OVRPMT	403.05
	Vendor Total		**403.05**		
FYTD for PACIFIC KILN			**403.05**		

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PACIFIC SAFETY COUNCIL					
	3/8/2010	201062	8.70		
				SAFETY TRAINING-VIDEO	8.70
	3/22/2010	201274	2,151.64		
				SAFETY TRAINING-VIDEO	8.70
				SAFETY TRAINING-VIDEO	9.24
				SAFETY TRAINING-VIDEO	8.70
				SAFETY TRAINING-WRKSHP	2,125.00
	Vendor Total		**2,160.34**		
FYTD for PACIFIC SAFETY COUNCIL			**5,925.08**		
PACIFIC TELEMANAGEMENT SERVICES					
	3/22/2010	201275	501.12		
				PAYPHONE SVCS-PSB	125.28
				PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total		**501.12**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**2,142.28**		
PAINTING BY ZEB BODE					
	3/1/2010	200907	2,400.00		
				PAINTING SVC-CELEB PARK	2,400.00
	Vendor Total		**2,400.00**		
FYTD for PAINTING BY ZEB BODE			**5,950.00**		
PALP, INC. DBA EXCEL PAVING COMPANY					
	3/29/2010	201476	10,616.67		
				SUNNYMD BLVD REVIT PROJ SVCS	10,616.67
	Vendor Total		**10,616.67**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY			**1,880,639.98**		
PARSONS TRANSPORTATION GROUP, INC.					
	3/1/2010	200908	16,045.25		
				SR-60/MOR BCH DR INTRCHNG PROJ	16,045.25
	3/8/2010	201063	22,448.66		
				SR-60/MOR BCH DR INTRCHNG PROJ	22,448.66
	3/15/2010	201170	15,362.25		
				SR-60/NASON ST OVRCRSSNG PROJ	15,362.25
	3/22/2010	201277	14,190.13		
				SR-60/NASON ST OVRCRSSNG PROJ	14,190.13
	Vendor Total		**68,046.29**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**954,943.60**		

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PATH OF LIFE MINISTRIES					
	3/22/2010	201278	15,000.00		
				SHELTER PRGRM-CDBG	15,000.00
	Vendor Total		**15,000.00**		
FYTD for PATH OF LIFE MINISTRIES			**15,000.00**		
PATRIOT HEATING & A/C					
	3/29/2010	201477	78.50		
				REFUND-BUS LIC OVRPMT	78.50
	Vendor Total		**78.50**		
FYTD for PATRIOT HEATING & A/C			**78.50**		
PATTERSON, ALFREY					
	3/1/2010	200909	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,917.38**		
PAYLESS SHOE SOURCE					
	3/29/2010	201478	176.84		
				REFUND-BUS LIC OVRPMT	91.79
				REFUND-BUS LIC OVRPMT	85.05
	Vendor Total		**176.84**		
FYTD for PAYLESS SHOE SOURCE			**176.84**		
PAYNE, DEVIN					
	3/15/2010	201171	10.00		
				LICENSE FEE REFUND	10.00
	Vendor Total		**10.00**		
FYTD for PAYNE, DEVIN			**10.00**		
PBS & J					
	3/15/2010	880198	2,242.96		
				CITYWIDE BRIDGE MAINT PRGM	1,934.80
				CITYWIDE BRIDGE MAINT PRGM	308.16
	Vendor Total		**2,242.96**		
FYTD for PBS & J			**32,307.82**		
PEDLEY SQUARE VETERINARY CLINIC					
	3/29/2010	201551	7,591.00		
				EMERG AND VETERINARY SVCS	7,591.00
	Vendor Total		**7,591.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**66,083.75**		

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PENHALL COMPANY					
	3/29/2010	201479	20.06		
				REFUND-BUS LIC OVRPMT	20.06
	Vendor Total		**20.06**		
FYTD for PENHALL COMPANY			**20.06**		
PENTON MEDIA, INC.					
	3/29/2010	201480	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**5,400.00**		
PERRY, NORMA					
	3/1/2010	200911	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,868.57**		
PERS LONG TERM CARE PROGRAM					
	3/1/2010	200912	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/15/2010	201172	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/29/2010	201481	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**1,301.61**		
FYTD for PERS LONG TERM CARE PROGRAM			**10,419.79**		
PERVO PAINT CO.					
	3/1/2010	200913	2,203.38		
				LANE MARKINGS & PAINT SUPPLIES	2,203.38
	Vendor Total		**2,203.38**		
FYTD for PERVO PAINT CO.			**39,296.33**		

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PETTY CASH - FINANCE					
	3/22/2010	201279	1,552.35		
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	34.87
				PETTY CASH FUND REPLENISHMENT	45.95
				PETTY CASH FUND REPLENISHMENT	41.58
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	27.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	48.90
				PETTY CASH FUND REPLENISHMENT	15.45
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	9.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	53.50
				PETTY CASH FUND REPLENISHMENT	44.55
				PETTY CASH FUND REPLENISHMENT	14.52
				PETTY CASH FUND REPLENISHMENT	22.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	87.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.25
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	17.04
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.71
				PETTY CASH FUND REPLENISHMENT	36.65
				PETTY CASH FUND REPLENISHMENT	19.96
				PETTY CASH FUND REPLENISHMENT	17.00
				PETTY CASH FUND REPLENISHMENT	28.50
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	32.81
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	85.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	15.09
				PETTY CASH FUND REPLENISHMENT	4.30
				PETTY CASH FUND REPLENISHMENT	64.50
				PETTY CASH FUND REPLENISHMENT	40.00
				PETTY CASH FUND REPLENISHMENT	12.00
				PETTY CASH FUND REPLENISHMENT	78.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	30.25
				PETTY CASH FUND REPLENISHMENT	55.00

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			PETTY CASH FUND REPLENISHMENT	96.50
			PETTY CASH FUND REPLENISHMENT	53.35
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	12.50
			PETTY CASH FUND REPLENISHMENT	33.98
			PETTY CASH FUND REPLENISHMENT	12.98
			PETTY CASH FUND REPLENISHMENT	13.42
Vendor Total		**1,552.35**		
FYTD for PETTY CASH - FINANCE		**6,977.75**		
PHO HA VIETNAMES RESTAURANT				
3/29/2010	201483	51.45		
			REFUND-BUS LIC OVRPMT	51.45
Vendor Total		**51.45**		
FYTD for PHO HA VIETNAMES RESTAURANT		**51.45**		
PILGRIM, JULIEANN & DAVID				
3/22/2010	201280	41.00		
			REFUND-ANML LIC FEE	41.00
Vendor Total		**41.00**		
FYTD for PILGRIM, JULIEANN & DAVID		**41.00**		
PITNEY BOWES				
3/22/2010	201281	257.74		
			POSTAGE MTR RNTL-BASE	192.00
			POSTAGE MTR RNTL-SVC	45.00
			POSTAGE MTR RNTL-TAX	20.74
Vendor Total		**257.74**		
FYTD for PITNEY BOWES		**1,030.96**		
PIZANA, MARIA ELIZABETH				
3/15/2010	201173	25.00		
			REFUND-CITATION OVERPAYMENT	25.00
Vendor Total		**25.00**		
FYTD for PIZANA, MARIA ELIZABETH		**25.00**		
PLAZA HAND CAR WASH				
3/15/2010	201174	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for PLAZA HAND CAR WASH		**1,022.00**		

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POIEMA LANDSCAPE, INC					
	3/29/2010	201484	27.11		
				REFUND-BUS LIC OVRPMT	27.11
	Vendor Total		**27.11**		
FYTD for POIEMA LANDSCAPE, INC			**27.11**		
POIEMA LANDSCAPE, INC.					
	3/1/2010	200914	3,176.93		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,045.93
	3/29/2010	880252	3,464.85		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,333.85
	Vendor Total		**6,641.78**		
FYTD for POIEMA LANDSCAPE, INC.			**27,094.28**		
POLLARD, ROCHELLE					
	3/22/2010	201282	49.00		
				MILEAGE REIMBURSEMENT	49.00
	Vendor Total		**49.00**		
FYTD for POLLARD, ROCHELLE			**49.00**		
POSTMASTER					
	3/8/2010	201064	8,000.00		
				SUMMER REC GUIDE RNWL DEP	4,000.00
				SUMMER REC GUIDE RNWL DEP	4,000.00
	3/29/2010	201485	6,667.28		
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.45
				BULK MAIL POSTAGE	1,333.45
	Vendor Total		**14,667.28**		
FYTD for POSTMASTER			**14,852.28**		
POUK & STEINLE, INC.					
	3/29/2010	201486	20,600.91		
				RETENTION RLS-LASSELLE/BAY TS	13,259.50
				RETENTION RLS-LASSELLE/BAY TS	278.50
				RETENTION RLS-LASSELLE/BAY TS	7,062.91
	Vendor Total		**20,600.91**		
FYTD for POUK & STEINLE, INC.			**334,912.30**		

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POWERTECH ENGINES, INC.					
	3/29/2010	201487	1,234.78		
				STREET SWEEPER REPAIR	286.00
				STREET SWEEPER REPAIR	948.78
	Vendor Total		**1,234.78**		
FYTD for POWERTECH ENGINES, INC.			**1,234.78**		
PRAXAIR DISTRIBUTION, INC.					
	3/29/2010	201488	23.95		
				REFUND-BUS LIC OVRPMT	23.95
	Vendor Total		**23.95**		
FYTD for PRAXAIR DISTRIBUTION, INC.			**23.95**		
PRICE, GEORGE E.					
	3/1/2010	200915	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,868.57**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	3/8/2010	201065	6,222.00		
				KITCHING ST IMPRVMNTS PROJ	6,222.00
	3/22/2010	880228	16,995.50		
				CACTUS AVE WIDENING PROJ-STG1	4,031.00
				CACTUS AVE WIDENING PROJ-STG2	12,964.50
	Vendor Total		**23,217.50**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**424,647.66**		
PROTECTION ONE, INC.					
	3/15/2010	201176	40.00		
				SEC MONITORING SVC-GOLF SHOP	20.00
				SEC MONITORING SVC-MVTV STUDIO	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**360.00**		

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PSOMAS					
	3/8/2010	201066	9,751.58		
				TRAF SIG AT SR60/REDLANDS BLVD	3,701.58
				LASSELLE ST WIDENING PROJ SVCS	2,030.00
				2009 ANNL PAVEMNT RESURF PROJ	4,020.00
	3/22/2010	201283	840.00		
				LASSELLE ST WIDENING PROJ	840.00
	3/29/2010	201489	6,795.00		
				PATRIOT PARK PROJ SVCS	2,505.00
				PATRIOT PARK PROJ SVCS	4,290.00
	Vendor Total		**17,386.58**		
FYTD for PSOMAS			**170,697.76**		
PULLIAM, TRENT D.					
	3/1/2010	200916	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,868.57**		
PW ENHANCEMENT CENTER					
	3/22/2010	880229	1,239.21		
				EMERG SVC PRGRM-CDBG	1,239.21
	Vendor Total		**1,239.21**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
QUALITY ASSURANCE INSPECTIONS					
	3/29/2010	201490	20.23		
				REFUND-BUS LIC OVRPMT	20.23
	Vendor Total		**20.23**		
FYTD for QUALITY ASSURANCE INSPECTIONS			**20.23**		
QUALITY CODE PUBLISHING, LLC					
	3/22/2010	880230	1,316.93		
				PRINTING SVCS-CTY CLRK	1,316.93
	Vendor Total		**1,316.93**		
FYTD for QUALITY CODE PUBLISHING, LLC			**4,707.52**		
R & S OVERHEAD DOORS, INC.					
	3/1/2010	200917	520.00		
				REPAIR SVC-SR CTR GATE	520.00
	Vendor Total		**520.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**24,380.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
R N AUTO ELECTRIC					
	3/29/2010	201491	39.13		
				REFUND-BUS LIC OVRPMT	39.13
	Vendor Total		**39.13**		
FYTD for R N AUTO ELECTRIC			**39.13**		
RALLY MANAGEMENT SERVICES, LLC					
	3/8/2010	201067	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/14	719.28
				TEMP SVCS-HENDERSON W/E 2/21	719.28
	Vendor Total		**1,438.56**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**7,133.66**		
RAMONA SUBWAY, INC					
	3/29/2010	201492	99.13		
				REFUND-BUS LIC OVRPMT	99.13
	Vendor Total		**99.13**		
FYTD for RAMONA SUBWAY, INC			**99.13**		
RAY, DANETRA E.					
	3/15/2010	201177	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for RAY, DANETRA E.			**30.00**		
REDBOX AUTOMATED RETAIL, LLC					
	3/29/2010	201493	106.66		
				REFUND-BUS LIC OVRPMT	106.66
	Vendor Total		**106.66**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**365.66**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	3/15/2010	880200	12,420.00		
				RED LIGHT PHOTO ENFRCMNT SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,780.00**		
REINBOLZ, JOHN					
	3/15/2010	201178	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for REINBOLZ, JOHN			**195.00**		

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REISH LUFTMAN REICHER & COHEN				
3/22/2010	201284	765.00		
			LEGAL SVCS-HR	765.00
3/29/2010	201494	1,275.00		
			LEGAL SVCS-HR	1,275.00
	Vendor Total	**2,040.00**		
FYTD for REISH LUFTMAN REICHER & COHEN		**39,710.50**		
REVENUE EXPERTS, INC.				
3/22/2010	201285	5,278.08		
			CITATION PRCSSNG-ANML SVCS	857.50
			CITATION PRCSSNG-ANML SVCS	1,855.50
			CITATION PRCSSNG-ANML SVCS	2,565.08
	Vendor Total	**5,278.08**		
FYTD for REVENUE EXPERTS, INC.		**33,052.45**		
RGW DESIGN GROUP, INC.				
3/15/2010	880201	2,659.00		
			DESIGN SVCS-PARKS & RECR.	2,659.00
	Vendor Total	**2,659.00**		
FYTD for RGW DESIGN GROUP, INC.		**2,659.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS				
3/8/2010	201068	4,621.41		
			SHADOW MTN PARK LIGHTING PROJ	4,621.41
3/29/2010	201495	1,210.19		
			SHADOW MTN PARK LIGHTING PROJ	1,210.19
	Vendor Total	**5,831.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**6,447.98**		
RICK ENGINEERING COMPANY				
3/8/2010	201069	1,400.00		
			ALESSANDRO/INDIAN SIDEWLK PROJ	132.00
			ALESSANDRO/INDIAN SIDEWLK PROJ	107.06
			ALESSANDRO/INDIAN SIDEWLK PROJ	1,160.94
3/15/2010	201179	787.00		
			COTTONWD/PATTILYNN DR TRAF SIG	787.00
3/29/2010	201496	195.00		
			TRAF SIG-COTTONWD/PATTILYNN DR	195.00
	Vendor Total	**2,382.00**		
FYTD for RICK ENGINEERING COMPANY		**2,882.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RICKERSON, KRISTAL					
	3/22/2010	201286	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RICKERSON, KRISTAL			**20.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	3/1/2010	200919	15,332.01		
				NPDES COST SHARING	15,332.01
	Vendor Total		**15,332.01**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**45,501.71**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	3/29/2010	201497	950.72		
				CDBG SVCS-ABUSE PRVNTN	514.17
				CDBG SVCS-ABUSE PRVNTN	436.55
	Vendor Total		**950.72**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**6,598.64**		
RIVERSIDE COMMUNITY COLLEGE DISTRICT					
	3/8/2010	201070	875.00		
				STAFF TRAINING-1/21/10	875.00
	Vendor Total		**875.00**		
FYTD for RIVERSIDE COMMUNITY COLLEGE DISTRICT			**52,784.41**		
RIVERSIDE COUNTY ASSESSOR					
	3/8/2010	201071	42.00		
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
	Vendor Total		**42.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**195.00**		
RIVERSIDE COUNTY CLERK					
	3/8/2010	201072	17.25		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	8.62
				ENVIRNMTL FEE-CACTUS AVE PROJ.	8.63
	3/15/2010	201180	2,074.25		
				ENVIRNMTL FEE-REDLANDS BL/SR60	2,074.25
	Vendor Total		**2,091.50**		
FYTD for RIVERSIDE COUNTY CLERK			**16,635.75**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY CLERK/RECORDER				
3/1/2010	200920	74.00		
			RECORDATION SVCS	74.00
Vendor Total		**74.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**2,128.30**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				
3/29/2010	201498	100.00		
			RABIES TEST-ANML SVCS	50.00
			RABIES TEST-ANML SVCS	50.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**1,450.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
3/1/2010	200921	1,789.70		
			RADIO SVCS-PD	1,789.70
3/22/2010	201287	274.41		
			RADIO SVCS-TECH SVCS	187.15
			RADIO SVCS-TECH SVCS	9.85
			RADIO SVCS-TECH SVCS	34.01
			VPN CONNECTION SVCS	43.40
3/29/2010	201499	231.01		
			RADIO SVCS-TELECOMM	187.15
			RADIO SVCS-TELECOMM	9.85
			RADIO SVCS-TELECOMM	34.01
Vendor Total		**2,295.12**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**18,972.13**		
RIVERSIDE COUNTY SHERIFF				
3/8/2010	201073	12,610.72		
			BOOKING FEES-PD	12,610.72
Vendor Total		**12,610.72**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,857,823.53**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
3/15/2010	201181	273.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
3/22/2010	201288	0.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	-91.00
Vendor Total		**273.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**9,035.00**		

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RIVERSIDE COUNTY SHERIFF COURT SERVICES					
	3/1/2010	200922	480.11		
				GARNISHMENT	76.77
				GARNISHMENT	403.34
	3/15/2010	201182	524.94		
				GARNISHMENT	122.14
				GARNISHMENT	402.80
	3/29/2010	201500	445.96		
				GARNISHMENT	148.83
				GARNISHMENT	297.13
	Vendor Total		**1,451.01**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**8,107.82**		
RIVERSIDE COUNTY SHERIFF MV					
	3/8/2010	201074	318.30		
				EXTRA DUTY-DUI CK POINT	318.30
	Vendor Total		**318.30**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**9,688.97**		
RLZ ENGINEERING					
	3/15/2010	880202	3,534.00		
				TEMP STAFFING SVCS-CAP PROJS	3,534.00
	Vendor Total		**3,534.00**		
FYTD for RLZ ENGINEERING			**124,229.25**		
ROBINSON, DEBBIE					
	3/1/2010	200923	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROBINSON, DEBBIE			**20.00**		
ROGERS, EUGENE					
	3/1/2010	200924	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,231.12**		
ROLLING RIDGE CLEANERS					
	3/29/2010	201501	40.53		
				REFUND-BUS LIC OVRPMT	40.53
	Vendor Total		**40.53**		
FYTD for ROLLING RIDGE CLEANERS			**40.53**		

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ROSS A GUY & SONS, INC					
	3/29/2010	201502	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for ROSS A GUY & SONS, INC			**57.00**		
ROSS, DAVID T.					
	3/1/2010	200925	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,868.57**		
ROSSON, LOUIS A.					
	3/1/2010	200926	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,469.71**		
RUSSO, JOHN					
	3/1/2010	200927	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,868.57**		
RYMAX ELECTRIC, INC.					
	3/15/2010	201183	2,677.00		
				INSTALL. OF PALM TREE LIGHTS	2,052.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
	3/22/2010	201289	914.12		
				LIGHT REPAIRS-E1	280.00
				LIGHT REPAIRS-E3	329.60
				LIGHT REPAIRS-E7	304.52
	Vendor Total		**3,591.12**		
FYTD for RYMAX ELECTRIC, INC.			**14,422.80**		
S & R BEAUTY SALON					
	3/29/2010	201503	24.00		
				REFUND-BUS LIC OVRPMT	24.00
	Vendor Total		**24.00**		
FYTD for S & R BEAUTY SALON			**24.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SA ASSOCIATES					
	3/1/2010	200928	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	3/22/2010	880231	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	Vendor Total		**20,250.00**		
FYTD for SA ASSOCIATES			**98,512.50**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	3/1/2010	200929	758.00		
				RECERTIFY CONTROL ROOMS	598.82
				RECERTIFY CONTROL ROOMS	159.18
	Vendor Total		**758.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**7,360.21**		
SAN BERNARDINO COUNTY SUPERINTENDENT*					
	3/15/2010	201184	140.00		
				2/3/10 ASES PRGM WORKSHP FOR 7	140.00
	Vendor Total		**140.00**		
FYTD for SAN BERNARDINO COUNTY SUPERINTENDENT*			**240.00**		
SANDERS, JANICE					
	3/22/2010	201290	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SANDERS, JANICE			**57.00**		
SANO ATTORNEY SERVICE					
	3/1/2010	200930	700.00		
				ASSET SEARCH FEE	350.00
				ASSET SEARCH FEE	350.00
	Vendor Total		**700.00**		
FYTD for SANO ATTORNEY SERVICE			**700.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	3/1/2010	200931	66.00		
				YTH BASKETBALL-REGIST	66.00
	3/1/2010	200932	396.00		
				YTH BASKETBALL-PMBF	396.00
	Vendor Total		**462.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**534.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SCOTT PLUMBING, INC					
	3/29/2010	201504	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for SCOTT PLUMBING, INC			**50.00**		
SCREENVISION DIRECT					
	3/1/2010	200933	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	3/29/2010	201505	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	Vendor Total		**2,656.00**		
FYTD for SCREENVISION DIRECT			**6,212.00**		
SECTRAN SECURITY, INC					
	3/1/2010	200934	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-UTILITY	154.50
	3/29/2010	201506	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-SPCL DIST	154.50
	Vendor Total		**927.00**		
FYTD for SECTRAN SECURITY, INC			**4,171.50**		
SEIU					
	3/15/2010	201185	180.50		
				REFUND-CRC DEP 1/30/10	180.50
	Vendor Total		**180.50**		
FYTD for SEIU			**180.50**		
SELLERS, WAYNE					
	3/22/2010	201291	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SELLERS, WAYNE			**50.00**		
SHAH, JAGDISH					
	3/15/2010	880203	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**164,760.00**		

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SHANNON, SAM					
	3/22/2010	201292	50.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**50.00**		
FYTD for SHANNON, SAM			**50.00**		
SHARRETT, SHARON K.					
	3/1/2010	200935	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,655.04**		
SHELDON, STUART H.					
	3/1/2010	200936	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,868.57**		
SHELL OIL CO.					
	3/8/2010	201076	56.93		
				FUEL PURCHASES	10.00
				FUEL PURCHASES	46.93
	3/29/2010	201507	1,353.66		
				FUEL PURCHASE-PW EQUIP	15.77
				FUEL PURCHASE-PD	41.53
				FUEL PURCHASES-PD MTRCYCLES	1,296.36
	Vendor Total		**1,410.59**		
FYTD for SHELL OIL CO.			**15,151.60**		
SHERIFF'S SPECIAL EVENTS					
	3/8/2010	201077	20.00		
				ANNUAL CEREMONY	20.00
	Vendor Total		**20.00**		
FYTD for SHERIFF'S SPECIAL EVENTS			**20.00**		
SHURTLEFF, JEANNETTE L.					
	3/29/2010	201508	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**2,470.00**		

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SIMON, SHERMAN					
	3/29/2010	201509	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for SIMON, SHERMAN			**225.00**		
SINGER & COFFIN, APC					
	3/8/2010	201078	440.00		
				LEGAL SVCS-SR60/NASON ST PROJ	330.00
				LEGAL SVCS-SR60/MOR BEACH PROJ	110.00
	3/15/2010	880204	2,712.50		
				LEGAL SVCS-SR60/NASON ST PROJ	1,792.50
				LEGAL SVCS-SR60/NASON ST PROJ	920.00
	3/22/2010	880232	12,705.00		
				LEGAL SVCS-SR60/NASON ST PROJ	4,537.80
				LEGAL SVCS-SR60/NASON ST PROJ	5,927.20
				LEGAL SVCS-SR60/NASON ST PROJ	2,240.00
	Vendor Total		**15,857.50**		
FYTD for SINGER & COFFIN, APC			**65,162.15**		
SINGLETON-DECUIR, JANISHEIA					
	3/22/2010	201293	85.50		
				MILEAGE REIMBURSEMENT	85.50
	Vendor Total		**85.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**386.85**		
SKONBERG, HEATHER ALLISON					
	3/1/2010	200938	2,500.00		
				CONSULTING SVCS-PERMITS PLUS	2,500.00
	3/29/2010	201510	1,000.00		
				CONSULTING SVCS	1,000.00
	Vendor Total		**3,500.00**		
FYTD for SKONBERG, HEATHER ALLISON			**5,300.00**		
SKY PUBLISHING					
	3/29/2010	201511	1,665.00		
				ADVERTISING SVCS-CRC	1,665.00
	Vendor Total		**1,665.00**		
FYTD for SKY PUBLISHING			**39,671.00**		
SKY TRAILS MOBILE VILLAGE					
	3/15/2010	201187	49.01		
				REFUND-UUT USER TAXES	24.53
				REFUND-UUT USER TAXES	24.48
	Vendor Total		**49.01**		
FYTD for SKY TRAILS MOBILE VILLAGE			**202.41**		

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SLAGERMAN, SUSAN A.					
	3/1/2010	200939	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,431.03**		
SLP COMMUNICATIONS					
	3/25/2010	201332	40.00		
				WOMEN OF DISTINC. LUNCHEON	40.00
	Vendor Total		**40.00**		
FYTD for SLP COMMUNICATIONS			**40.00**		
SMITH, MARIA A.					
	3/1/2010	200940	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,230.51**		
SMITH, PAUL					
	3/22/2010	201294	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SMITH, PAUL			**20.00**		
SMUS, PAULA					
	3/22/2010	201295	39.60		
				MILEAGE REIMBURSEMENT	39.60
	Vendor Total		**39.60**		
FYTD for SMUS, PAULA			**104.72**		
SNYDER, JIM					
	3/15/2010	201188	70.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**70.00**		
FYTD for SNYDER, JIM			**70.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SO. CALIF SCHOOL OF MUSIC				
3/8/2010	201079	1,323.00		
			INSTRUCTOR SVCS-GUITAR	135.00
			INSTRUCTOR SVCS-GUITAR	297.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	135.00
			INSTRUCTOR SVCS-PIANO	135.00
			INSTRUCTOR SVCS-PIANO	108.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	135.00
	Vendor Total	**1,323.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC		**8,790.00**		
SOCO GROUP, INC				
3/22/2010	201296	8,816.83		
			FUEL PURCHASE	4,895.90
			FUEL PURCHASE	3,920.93
	Vendor Total	**8,816.83**		
FYTD for SOCO GROUP, INC		**116,019.60**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				
3/1/2010	200941	77.40		
			INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total	**77.40**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA		**412.80**		
SOLANO, ALEX				
3/1/2010	200942	706.00		
			AUDIO VISUAL SVCS	706.00
	Vendor Total	**706.00**		
FYTD for SOLANO, ALEX		**706.00**		
SOLANO, NORMAN				
3/1/2010	200943	10.00		
			REFUND-ANML LIC FEE	10.00
	Vendor Total	**10.00**		
FYTD for SOLANO, NORMAN		**10.00**		
SOLTIS AND COMPANY, INC.				
3/29/2010	201512	31.12		
			REFUND-BUS LIC OVRPMT	31.12
	Vendor Total	**31.12**		
FYTD for SOLTIS AND COMPANY, INC.		**31.12**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOSA, JORGE					
	3/22/2010	201297	336.00		
				INSTRUCTOR SVC-NINPO	120.00
				INSTRUCTOR SVC-KARATEDO	144.00
				INSTRUCTOR SVC-KARATEDO	72.00
	Vendor Total		**336.00**		
FYTD for SOSA, JORGE			**3,252.00**		
SOTO, TONY					
	3/22/2010	201298	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SOTO, TONY			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	3/1/2010	200945	18,231.28		
				ELECTRICITY	180.63
				ELECTRICITY	5,038.44
				ELECTRICITY	2,596.26
				ELECTRICITY	18.79
				ELECTRICITY	505.05
				ELECTRICITY	1,585.28
				ELECTRICITY	161.95
				ELECTRICITY	3,648.85
				ELECTRICITY	405.78
				ELECTRICITY	232.73
				ELECTRICITY	1,633.93
				ELECTRICITY	199.59
				ELECTRICITY	407.03
				ELECTRICITY	533.81
				ELECTRICITY	154.78
				ELECTRICITY	161.60
				ELECTRICITY	23.56
				ELECTRICITY	19.55
				ELECTRICITY	19.55
				ELECTRICITY	43.13
				ELECTRICITY	167.68
				ELECTRICITY	214.17
				ELECTRICITY	194.51
				ELECTRICITY	61.34
				ELECTRICITY	23.29
	3/1/2010	200946	10,447.31		
				WDAT CHRGS-SUBSTATION	10,447.31
	3/8/2010	201080	6,250.68		
				ELECTRICITY	65.42
				ELECTRICITY	146.28
				ELECTRICITY	1,009.81
				ELECTRICITY	1,749.81
				ELECTRICITY	118.90
				ELECTRICITY	330.80
				ELECTRICITY	746.47
				ELECTRICITY	139.83
				ELECTRICITY	351.19
				ELECTRICITY	21.62
				ELECTRICITY	1,155.87
				ELECTRICITY	161.28
				ELECTRICITY	143.65
				ELECTRICITY	65.01
				ELECTRICITY	44.74
	3/15/2010	201189	4,130.56		
				ELECTRICITY	41.09
				ELECTRICITY	41.32
				ELECTRICITY	912.35
				ELECTRICITY	744.70
				ELECTRICITY	825.04
				ELECTRICITY	454.58
				ELECTRICITY	490.21

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	494.58
			ELECTRICITY	62.41
			ELECTRICITY	64.28
3/15/2010	201190	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
3/22/2010	201299	1,099.13		
			ELECTRICITY-IFA CHARGES	1,099.13
3/29/2010	201514	353.60		
			ELECTRIC CHARGES	353.60
3/29/2010	201515	20,819.84		
			ELECTRICITY	175.70
			ELECTRICITY	5,487.42
			ELECTRICITY	2,492.70
			ELECTRICITY	18.79
			ELECTRICITY	481.21
			ELECTRICITY	1,820.07
			ELECTRICITY	849.28
			ELECTRICITY	162.76
			ELECTRICITY	4,837.11
			ELECTRICITY	411.01
			ELECTRICITY	354.68
			ELECTRICITY	1,828.20
			ELECTRICITY	234.51
			ELECTRICITY	422.23
			ELECTRICITY	513.57
			ELECTRICITY	132.50
			ELECTRICITY	149.54
			ELECTRICITY	278.53
			ELECTRICITY	25.40
			ELECTRICITY	48.01
			ELECTRICITY	28.77
			ELECTRICITY	43.21
			ELECTRICITY	24.64
	Vendor Total	**75,479.13**		

FYTD for SOUTHERN CALIFORNIA EDISON **6,274,167.02**

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA GAS CO.					
	3/22/2010	201301	10,815.57		
				GAS CHARGES	85.29
				GAS CHARGES	1,255.66
				GAS CHARGES	3,517.98
				GAS CHARGES	56.47
				GAS CHARGES	189.75
				GAS CHARGES	1,278.14
				GAS CHARGES	364.11
				GAS CHARGES	92.29
				GAS CHARGES	1,766.97
				GAS CHARGES	403.19
				GAS CHARGES	270.20
				GAS CHARGES	302.56
				GAS CHARGES	203.17
				GAS CHARGES	483.64
				GAS CHARGES	546.15
	Vendor Total		**10,815.57**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**254,659.11**		
SOUTHERN PET SUPPLIES					
	3/8/2010	201081	604.25		
				PET SUPPLIES-RESALE	587.30
				PET SUPPLIES-RESALE	16.95
	Vendor Total		**604.25**		
FYTD for SOUTHERN PET SUPPLIES			**1,516.95**		
SPARKLETTS					
	3/22/2010	201302	13.50		
				WATER SVC-EMRG OP	4.50
				WATER SVC-EMRG OP	4.50
				WATER SVC-SNNYMD ELEM	4.50
	Vendor Total		**13.50**		
FYTD for SPARKLETTS			**366.17**		
SPECK, GARY B.					
	3/1/2010	200947	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**2,868.57**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPECTRUM CARE					
	3/1/2010	200948	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	3/22/2010	880233	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**98,666.64**		
SPECTRUM FLORAL SERVICE					
	3/29/2010	201516	97.98		
				REFUND-BUS LIC OVRPMT	97.98
	Vendor Total		**97.98**		
FYTD for SPECTRUM FLORAL SERVICE			**97.98**		
SPENCER, MARTHA					
	3/1/2010	200949	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,026.23**		
SPORTS INNOVATORS					
	3/15/2010	201191	2,045.00		
				SPORTS OFFICIATING SVCS	2,045.00
	Vendor Total		**2,045.00**		
FYTD for SPORTS INNOVATORS			**22,420.00**		
SPRINT/NEXTEL					
	3/8/2010	201082	143.34		
				ACCT #417544340 -GTF	143.34
	Vendor Total		**143.34**		
FYTD for SPRINT/NEXTEL			**662.32**		
STANDARD INSURANCE CO					
	3/1/2010	200950	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
3/1/2010	200951	2,046.02		
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	276.00
			MONITORING SVCS-CITY YARD	627.00
			MONITORING SVCS-TRNSP TRLR	105.00
			MONITORING SVCS-SENIOR CTR	333.03
			MONITORING SVCS-SPCL DIST	105.00
			MONITORING SVCS-ANML SHLTR	22.52
			MONITORING SVCS-ANML SHLTR	227.47
3/8/2010	201083	166.85		
			MONITORING SVCS-PARKS	166.85
3/15/2010	880205	851.78		
			SECURITY SYSTEM MAINT-PSB	175.00
			SECURITY SYSTEM MAINT-PSB	676.78
3/22/2010	880234	175.00		
			MONITORING SVCS-LIBRARY	175.00
3/29/2010	880253	366.85		
			MONITORING SVCS-PARKS	200.00
			MONITORING SVCS-PARKS	166.85
Vendor Total		**3,606.50**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**24,070.62**		
STATE BOARD OF EQUALIZATION				
3/22/2010	22810	4,054.00		
			SALES & USE TAX 02/01-02/28/10	4,054.00
Vendor Total		**4,054.00**		
FYTD for STATE BOARD OF EQUALIZATION		**31,524.29**		
STATE DISBURSEMENT UNIT				
3/4/2010	2587	1,543.37		
			CHILD SUPPORT W/H 03/04/10	1,543.37
3/18/2010	2595	1,527.23		
			CHILD SUPPORT W/H 03/18/10	1,527.23
Vendor Total		**3,070.60**		
FYTD for STATE DISBURSEMENT UNIT		**35,467.94**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	3/1/2010	200952	3,262.00		
				FINGERPRINTING SVCS	64.00
				FINGERPRINTING SVCS	3,198.00
	3/8/2010	201084	3,472.00		
				FINGERPRINTING SVCS	160.00
				BLOOD ALCHL ANLYS-PD	1,680.00
				BLOOD ALCHL ANLYS-PD	875.00
				BLOOD ALCHL ANLYS-PD	105.00
				FINGERPRINTING SVCS	556.00
				FINGERPRINTING SVCS	96.00
	3/22/2010	201303	2,035.00		
				FINGERPRINTINS SVCS	51.00
				FINGERPRINTINS SVCS	32.00
				FINGERPRINTING SVCS-BL	256.00
				FINGERPRINTING SVCS-EMRG OP	32.00
				FINGERPRINTING SVCS-STARS	1,664.00
	Vendor Total		**8,769.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**45,973.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	3/15/2010	201193	195.83		
				MV UTILITY REFUND	189.56
				MV UTILITY REFUND	6.27
	Vendor Total		**195.83**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**1,078.74**		
STEFFANI, RICHARD					
	3/1/2010	200953	477.00		
				REFUND-ADLT SOFTBALL FEE	477.00
	Vendor Total		**477.00**		
FYTD for STEFFANI, RICHARD			**477.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN					
	3/22/2010	201304	2,163.52		
				TRANSCRIPTION SVCS-PD	2,163.52
	Vendor Total		**2,163.52**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN			**29,480.00**		
STERICYCLE (BFI)					
	3/8/2010	201085	442.16		
				MED WASTE HAULING SVC	442.16
	3/29/2010	880254	442.26		
				MED WASTE HAULING SVCS	442.26
	Vendor Total		**884.42**		
FYTD for STERICYCLE (BFI)			**3,980.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STEVE'S VALLEY NURSERY					
	3/15/2010	201194	117.45		
				SEEDTOPPER FOR PLANTS	117.45
	Vendor Total		**117.45**		
FYTD for STEVE'S VALLEY NURSERY			**117.45**		
STEWART, CLIFFORD					
	3/1/2010	200954	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,745.72**		
STRADLING, YOCCA, CARLSON & RAUTH					
	3/8/2010	201086	867.16		
				LEGAL SERVICES-RDA	400.00
				LEGAL SERVICES-CDBGR	467.16
	3/22/2010	201305	6,758.00		
				LEGAL SVCS-NSP	2,676.83
				LEGAL SVCS-EDD	75.00
				LEGAL SVCS-EDD	2,075.06
				LEGAL SVCS-EDD	150.00
				LEGAL SVCS-EDD	275.00
				LEGAL SVCS-EDD	475.00
				LEGAL SVCS-RISK MGT	53.00
				LEGAL SVCS-EDD	292.94
				LEGAL SVCS-EDD	685.17
	3/29/2010	201517	251.23		
				LEGAL SVCS-EDD	251.23
	Vendor Total		**7,876.39**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,329.78**		
STREICH, TERRY L.					
	3/1/2010	200955	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**549.98**		
STRICKLER ASSOCIATION, THE					
	3/15/2010	201195	4,485.00		
				HOUSING PRGM CONSULTING SVCS	4,485.00
	Vendor Total		**4,485.00**		
FYTD for STRICKLER ASSOCIATION, THE			**30,875.00**		

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STRICKLER II, JOHN W.					
	3/1/2010	200956	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,231.12**		
STROM, BONNIE					
	3/8/2010	201087	1,156.80		
				RETIREE MEDICAL BENEFIT	1,156.80
	Vendor Total		**1,156.80**		
FYTD for STROM, BONNIE			**1,156.80**		
STROM, QUENTIN K.					
	3/1/2010	200957	0.00		
				RETIREE MEDICAL BENEFIT	1,156.80
				RETIREE MEDICAL BENEFIT	-1,156.80
	Vendor Total		**0.00**		
FYTD for STROM, QUENTIN K.			**0.00**		
STRUCTURAL TERMITE PEST CONTROL, INC					
	3/29/2010	201518	24.82		
				REFUND-BUS LIC OVRPMT	24.82
	Vendor Total		**24.82**		
FYTD for STRUCTURAL TERMITE PEST CONTROL, INC			**24.82**		
STUCKEY, HARRIETTE					
	3/1/2010	200958	84.00		
				INSTRUCTOR SVCS-LINE DANCING	84.00
	3/22/2010	201306	117.60		
				INSTRUCTOR SVC-LINE DANCING	117.60
	Vendor Total		**201.60**		
FYTD for STUCKEY, HARRIETTE			**894.60**		
SUBWAY SANDWICH & SALAD					
	3/29/2010	201519	98.86		
				REFUND-BUS LIC OVRPMT	98.86
	Vendor Total		**98.86**		
FYTD for SUBWAY SANDWICH & SALAD			**98.86**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SUNNYMEAD ACE HARDWARE					
	3/1/2010	200959	9.32		
				MISC SUPPLIES-FIRE	9.32
	3/15/2010	201196	167.48		
				MISC SUPPLIES-PD	13.02
				MISC SUPPLIES-PD	10.82
				MISC SUPPLIES-PD	26.51
				MISC SUPPLIES-PD	117.13
	3/29/2010	201520	10.65		
				MISC SUPPLIES-FIRE	10.65
	Vendor Total		**187.45**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,061.84**		
SUNNYMEAD VETERINARY CLINIC					
	3/29/2010	201521	495.00		
				EMERG VET SVCS-ANML SHLTR	495.00
	Vendor Total		**495.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**4,076.00**		
T V PLUS +					
	3/29/2010	201522	37.56		
				REFUND-BUS LIC OVRPMT	37.56
	Vendor Total		**37.56**		
FYTD for T V PLUS +			**37.56**		
T.Y. LIN INTERNATIONAL					
	3/8/2010	201088	19,548.08		
				GRAHAM ST OVRCRSSNG/SR-60 PROJ	19,548.08
	Vendor Total		**19,548.08**		
FYTD for T.Y. LIN INTERNATIONAL			**60,530.79**		
TAITT, PATRICIA					
	3/22/2010	201307	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for TAITT, PATRICIA			**97.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THERMAL-COOL INC.					
	3/1/2010	200961	3,342.64		
				HVAC REPAIRS-FIRE ADMIN AT PSB	1,110.64
				HVAC CONTROLS CONVERTED TO CCN	2,232.00
	3/22/2010	201308	1,810.75		
				HVAC REPAIRS-CITY HALL	279.75
				HVAC REPAIRS-CITY HALL	105.00
				HVAC REPAIRS-PUB SFTY BLDG	1,426.00
	Vendor Total		**5,153.39**		
FYTD for THERMAL-COOL INC.			**18,548.36**		
THRIFTY OIL CO. ECONOMY 348					
	3/29/2010	201524	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for THRIFTY OIL CO. ECONOMY 348			**71.85**		
T-LAND					
	3/29/2010	201523	21.41		
				REFUND-BUS LIC OVRPMT	21.41
	Vendor Total		**21.41**		
FYTD for T-LAND			**21.41**		
TOVEY/SHULTZ CONSTRUCTION, INC.					
	3/29/2010	201525	63.00		
				REFUND-BUS LIC OVRPMT	63.00
	Vendor Total		**63.00**		
FYTD for TOVEY/SHULTZ CONSTRUCTION, INC.			**63.00**		
TRICHE, TARA					
	3/22/2010	201310	1,842.60		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	843.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	133.20
				INSTRUCTOR SVCS-HIP HOP DANCE	333.00
				INSTRUCTOR SVCS-HIP HOP DANCE	44.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,842.60**		
FYTD for TRICHE, TARA			**17,360.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRI-CITY LINEN SUPPLY, INC.					
	3/1/2010	200962	25.50		
				LINEN RENTAL	25.50
	3/8/2010	201089	143.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL	36.00
				LINEN RENTAL	57.00
	3/15/2010	201197	25.00		
				LINEN RENTAL-CRC	25.00
	3/22/2010	201309	25.00		
				LINEN RENTAL-CRC	25.00
	3/29/2010	201526	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**243.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,593.20**		
TRI-STATE HOME IMPROVEMENTS, INC					
	3/29/2010	201527	520.00		
				REFUND-BUS LIC OVRPMT	520.00
	Vendor Total		**520.00**		
FYTD for TRI-STATE HOME IMPROVEMENTS, INC			**520.00**		
TROPICAL PLAZA NURSERY, INC.					
	3/15/2010	201198	18,512.56		
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
				IRRIG REPAIRS-ZONE E-2	595.11
	3/29/2010	201528	900.00		
				LNDSCP WORK-HIDDEN SPRINGS	900.00
	Vendor Total		**19,412.56**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**164,338.07**		
TRUGREEN LANDCARE					
	3/8/2010	201090	4,500.00		
				TRIM 100 PALM TREES-SUNNYMD BL	4,500.00
	3/29/2010	201529	3,160.00		
				REMOVAL OF PALM TREE & STUMPS	550.00
				TREES TRIMMED-VISTA LOMAS PARK	590.00
				TREES TRIMMED-SUNNYMD FIRE STN	1,500.00
				TREES TRIMMED-SUNNYMD FIRE STN	520.00
	Vendor Total		**7,660.00**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRUJILLO, PETER / JUDY					
	3/15/2010	201199	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TRUJILLO, PETER / JUDY			**20.00**		
TUNTLAND, JAMES					
	3/1/2010	200964	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,745.72**		
TYLER, MATTIE					
	3/29/2010	201530	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for TYLER, MATTIE			**30.00**		
U S SECURITY ASSOCIATE					
	3/29/2010	201531	34.57		
				REFUND-BUS LIC OVRPMT	34.57
	Vendor Total		**34.57**		
FYTD for U S SECURITY ASSOCIATE			**34.57**		
U.S. HEALTHWORKS MEDICAL GROUP					
	3/1/2010	200965	37.00		
				EMPLOYEE DOT/DMV EXAM	37.00
	Vendor Total		**37.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,920.00**		
UNDERGROUND SERVICE ALERT					
	3/22/2010	201312	466.50		
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
	Vendor Total		**466.50**		
FYTD for UNDERGROUND SERVICE ALERT			**6,144.00**		

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UNION BANK OF CALIFORNIA				
3/1/2010	200966	976.34		
			INVESTMENT SAFEKEEPING SVCS	291.67
			INVESTMENT SAFEKEEPING SVCS	393.00
			INVESTMENT SAFEKEEPING SVCS	291.67
3/2/2010	91404	3,438.22		
			RETENTION PMT-PROJ 04-89280221	3,438.22
3/22/2010	201313	170.00		
			MONTHLY LOC TRANSFER FEES	170.00
3/22/2010	201314	510.00		
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
3/23/2010	1003171	6,802.24		
			RETENTION PMT-SUNNYMD BLVD PRJ	6,802.24
	Vendor Total	**11,896.80**		
FYTD for UNION BANK OF CALIFORNIA		**287,073.49**		
UNITED POWER GENERATION, INC.				
3/1/2010	200968	1,352.63		
			EMERG GENERATOR RPRS-FS#65	738.50
			EMERG GENERATOR RPRS-FS#2	273.83
			EMERG GENERATOR MAINT-FS #91	261.70
			EMERG GENERATOR MAINT-FS #91	78.60
3/22/2010	201315	4,489.00		
			FIRE ST #91 GENERATOR REPAIRS	4,489.00
	Vendor Total	**5,841.63**		
FYTD for UNITED POWER GENERATION, INC.		**17,745.66**		
UNITED SITE SERVICES OF CA, INC.				
3/15/2010	880206	184.72		
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**184.72**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**9,010.13**		
UNITED STATES TREASURY				
3/1/2010	200969	50.00		
			PAYROLL DED AGREEMENT	50.00
3/15/2010	201200	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
3/29/2010	201532	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**150.00**		
FYTD for UNITED STATES TREASURY		**5,470.00**		

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UNITED WAY OF INLAND VALLEYS				
3/1/2010	200970	637.18		
			UNITED WAY CONTRIBUTIONS	10.00
			UNITED WAY CONTRIBUTIONS	-10.00
			UNITED WAY CONTRIBUTIONS	10.00
			UNITED WAY CONTRIBUTIONS	627.18
3/15/2010	201201	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
3/29/2010	201533	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
	Vendor Total	**1,891.54**		
FYTD for UNITED WAY OF INLAND VALLEYS		**16,909.54**		
USA MOBILITY/ARCH WIRELESS				
3/15/2010	880207	79.52		
			PAGER SVC-PARK RANGERS	2.03
			PAGER SVC-TRANSP DIV	5.08
			PAGER SVC-CITZ PATROL VOLNTRS.	33.53
			PAGER SVC-ANIMAL SVCS	38.88
	Vendor Total	**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**729.68**		
VACATE PEST ELIMINATION COMPANY				
3/15/2010	880208	1,205.00		
			PEST CNTRL-MV UTILITY FLD OFFC	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE C.C.	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRLR	45.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG #1	55.00
			PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
			PEST CNTRL-ASES/STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
	Vendor Total	**1,205.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**13,480.00**		

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VAL VERDE UNIFIED SCHOOL DISTRICT				
3/8/2010	201091	25.00		
			STUDENT/MONTH LUNCHEON	25.00
3/22/2010	201316	483.00		
			REFUND-RNTL DEP	483.00
	Vendor Total	**508.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**10,785.53**		
VALI COOPER & ASSOCIATES, INC.				
3/22/2010	880236	8,820.00		
			TEMP STAFFING SVCS-CAP PROJS	8,820.00
	Vendor Total	**8,820.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**129,397.50**		
VALLEY CITIES GONZALES FENCE CO				
3/29/2010	201534	25.00		
			REFUND-BUS LIC OVRPMT	25.00
	Vendor Total	**25.00**		
FYTD for VALLEY CITIES GONZALES FENCE CO		**25.00**		
VAS ASSOCIATES, INC.				
3/15/2010	880209	16,560.00		
			TEMP STAFFING SVCS-CAP PROJS	16,560.00
	Vendor Total	**16,560.00**		
FYTD for VAS ASSOCIATES, INC.		**164,205.00**		
VASQUEZ, BRENDA				
3/8/2010	201092	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for VASQUEZ, BRENDA		**20.00**		
VAUGHAN, ELENE				
3/15/2010	201202	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for VAUGHAN, ELENE		**75.00**		
VCI TELCOM, INC				
3/29/2010	201535	3,081.03		
			RETENTION RLS-CAMPUS COMM PROJ	2,997.40
			RETENTION RLS-CAMPUS COMM PROJ	83.63
	Vendor Total	**3,081.03**		
FYTD for VCI TELCOM, INC		**30,810.25**		

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VERITEXT LOS ANGELES REPORTING CO.					
	3/22/2010	201318	1,537.45		
				LEGAL SVCS	920.15
				LEGAL SVCS	237.50
				LEGAL SVCS	379.80
	Vendor Total		**1,537.45**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**3,978.15**		
VERIZON					
	3/22/2010	201319	1,700.96		
				COMMUNICATION CHRGS-BACKBONE	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**15,131.89**		

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VERIZON CALIFORNIA					
	3/1/2010	200971	616.53		
				TELEPHONE CHRGS	616.53
	3/15/2010	201204	9,910.91		
				TELEPHONE CHRGS	263.88
				TELEPHONE CHRGS	198.97
				TELEPHONE CHRGS	398.10
				TELEPHONE CHRGS	477.80
				TELEPHONE CHRGS	241.13
				TELEPHONE CHRGS	169.44
				TELEPHONE CHRGS	255.07
				TELEPHONE CHRGS	206.93
				TELEPHONE CHRGS	78.90
				TELEPHONE CHRGS	255.74
				TELEPHONE CHRGS	178.98
				TELEPHONE CHRGS	429.63
				TELEPHONE CHRGS	151.23
				TELEPHONE CHRGS	492.78
				TELEPHONE CHRGS	310.09
				TELEPHONE CHRGS	173.29
				TELEPHONE CHRGS	64.20
				TELEPHONE CHRGS	387.95
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	126.83
				TELEPHONE CHRGS	202.00
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	23.44
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	146.00
				TELEPHONE CHRGS	98.43
				TELEPHONE CHRGS	58.07
				TELEPHONE CHRGS	56.78
				TELEPHONE CHRGS	175.55
				TELEPHONE CHRGS	73.26
				TELEPHONE CHRGS	22.84
				TELEPHONE CHRGS	165.80
				TELEPHONE CHRGS	328.43
				TELEPHONE CHRGS	3,508.76
	3/29/2010	201536	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,145.69**		
FYTD for VERIZON CALIFORNIA			**89,056.33**		

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VICTOR MEDICAL CO					
	3/1/2010	200972	1,273.25		
				ANIMAL MEDICAL SUPPLIES	1,273.25
	3/29/2010	201537	1,405.05		
				ANIMAL MEDICAL SUPPLIES	1,405.05
	Vendor Total		**2,678.30**		
FYTD for VICTOR MEDICAL CO			**12,577.05**		
VIGIL, ERNEST					
	3/1/2010	200973	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,868.57**		
VILLALOBOS, LUIS & MARIA					
	3/29/2010	201538	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for VILLALOBOS, LUIS & MARIA			**50.00**		
VISION SERVICE PLAN					
	3/8/2010	201093	4,267.32		
				EMPLOYEE VISION INSURANCE	4,267.32
	Vendor Total		**4,267.32**		
FYTD for VISION SERVICE PLAN			**39,879.96**		
VISTA PAINT CORPORATION					
	3/1/2010	200974	263.53		
				PAINT FOR PARKS	102.51
				PAINT FOR PARKS GRAFFITI	58.51
				PAINT FOR PARKS GRAFFITI	102.51
	3/22/2010	201320	725.20		
				PAINT FOR PARKS	205.02
				PAINT/SUPPL FOR GRAFFITI RMVL	469.84
				PAINT/SUPPL FOR GRAFFITI RMVL	50.34
	Vendor Total		**988.73**		
FYTD for VISTA PAINT CORPORATION			**10,939.99**		
VOGT, CHRIS					
	3/15/2010	201205	224.00		
				PER DIEM-LCC PW OFFICERS TRNG	224.00
	Vendor Total		**224.00**		
FYTD for VOGT, CHRIS			**494.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
3/22/2010	201321	616.79		
			RENTAL ASSIST SVCS-ADMIN FEES	466.79
			RENTAL ARREARS SVCS-ADMIN FEES	150.00
	Vendor Total	**616.79**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**65,282.23**		
VULCAN MATERIALS CO, INC.				
3/15/2010	201206	1,418.39		
			ASPHALTIC MATERIAL PICK UP	159.41
			ASPHALTIC MATERIAL PICK UP	127.24
			ASPHALTIC MATERIAL PICK UP	190.94
			ASPHALTIC MATERIAL PICK UP	95.70
			ASPHALTIC MATERIAL PICK UP	845.10
	Vendor Total	**1,418.39**		
FYTD for VULCAN MATERIALS CO, INC.		**94,325.57**		
W.R.G. INSPECTIONS				
3/29/2010	201539	4,940.00		
			SUNNYMD BLVD REVIT PROJ SVCS	4,940.00
	Vendor Total	**4,940.00**		
FYTD for W.R.G. INSPECTIONS		**4,940.00**		
WAGGONER JR., GLENN C.				
3/1/2010	200975	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for WAGGONER JR., GLENN C.		**2,868.57**		
WAGNER, GARY D.				
3/1/2010	200976	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for WAGNER, GARY D.		**2,859.15**		
WAGONER, ROBERT				
3/1/2010	200977	348.20		
			RETIREE MEDICAL BENEFIT	348.20
	Vendor Total	**348.20**		
FYTD for WAGONER, ROBERT		**1,724.80**		
WASSON, KIRK				
3/22/2010	880237	418.00		
			INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total	**418.00**		
FYTD for WASSON, KIRK		**1,558.00**		

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WASTE MANAGEMENT OF THE INLAND EMPIRE				
3/22/2010	201322	1,244.51		
			STORAGE BIN RENTALS	1,244.51
Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		**12,095.20**		
WAYNE PERRY CONSTRUCTION				
3/29/2010	201540	40.90		
			REFUND-BUS LIC OVRPMT	40.90
Vendor Total		**40.90**		
FYTD for WAYNE PERRY CONSTRUCTION		**40.90**		
WELLS FARGO CORPORATE TRUST				
3/2/2010	91401	951.63		
			INTEREST VARIABLE RATE BOND	951.63
Vendor Total		**951.63**		
FYTD for WELLS FARGO CORPORATE TRUST		**5,626,661.22**		
WEST COAST ARBORISTS, INC.				
3/15/2010	201208	765.00		
			TRIMMING OF PALM TREES	765.00
Vendor Total		**765.00**		
FYTD for WEST COAST ARBORISTS, INC.		**765.00**		
WEST GOVERNMENT SERVICES				
3/1/2010	200978	500.00		
			"CLEAR" AUTO TRACK SVCS FOR PD	500.00
3/15/2010	201209	500.00		
			"CLEAR" AUTO TRACK SVCS FOR PD	500.00
Vendor Total		**1,000.00**		
FYTD for WEST GOVERNMENT SERVICES		**4,000.00**		
WEST GROUP				
3/22/2010	880238	628.95		
			ONLINE CHRGS-LEGAL INFO	184.12
			LEGAL PUBLICATIONS SUBSRCPTNS	444.83
Vendor Total		**628.95**		
FYTD for WEST GROUP		**6,892.49**		
WESTERN ELEVATOR, INC				
3/29/2010	201541	29.09		
			REFUND-BUS LIC OVRPMT	29.09
Vendor Total		**29.09**		
FYTD for WESTERN ELEVATOR, INC		**29.09**		

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WESTERN FIRE CO., INC					
	3/29/2010	201542	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for WESTERN FIRE CO., INC			**33.50**		
WESTERN INSULATIONS, LP					
	3/29/2010	201543	23.26		
				REFUND-BUS LIC OVRPMT	23.26
	Vendor Total		**23.26**		
FYTD for WESTERN INSULATIONS, LP			**23.26**		
WESTERN MUNICIPAL WATER DISTRICT					
	3/22/2010	201323	55.30		
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**55.30**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,652.23**		
WHEELER PAVING, INC.					
	3/1/2010	200979	20,928.87		
				LASSELLE ST WIDENING PROJ SVCS	2,407.72
				LASSELLE ST WIDENING PROJ SVCS	18,521.15
	Vendor Total		**20,928.87**		
FYTD for WHEELER PAVING, INC.			**1,537,747.52**		
WHIPPLE, LEWIS & LINDA					
	3/22/2010	201324	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**95.00**		
WIELIN, RONALD A.					
	3/1/2010	200980	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,868.57**		
WILLDAN AND ASSOCIATES					
	3/8/2010	201094	1,282.50		
				EASTRIDGE EIR REVIEW SVCS	1,282.50
	3/22/2010	201325	5,713.31		
				PLAN CHECK SVCS	5,713.31
	Vendor Total		**6,995.81**		
FYTD for WILLDAN AND ASSOCIATES			**223,655.55**		

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WILLDAN FINANCIAL SERVICES					
	3/1/2010	200981	1,250.00		
				ANNUAL DISCLOSURE SVCS	1,250.00
	3/15/2010	201210	2,500.00		
				ANNUAL DISCLOSURE SVCS-07 TABS	2,500.00
	3/29/2010	201544	30.77		
				REFUND-BUS LIC OVRPMT	30.77
	Vendor Total		**3,780.77**		
FYTD for WILLDAN FINANCIAL SERVICES			**8,125.77**		
WILLHITE INSURANCE AGENCY, INC					
	3/29/2010	201545	42.84		
				REFUND-BUS LIC OVRPMT	42.84
	Vendor Total		**42.84**		
FYTD for WILLHITE INSURANCE AGENCY, INC			**42.84**		
WILLIAMS, COURTNEY					
	3/22/2010	201326	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**456.00**		
WILLIAMS, ERICA & ARIAZ, ANDREW					
	3/1/2010	200982	26.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	6.00
	Vendor Total		**26.00**		
FYTD for WILLIAMS, ERICA & ARIAZ, ANDREW			**26.00**		
WILLIAMS, JANE L.					
	3/1/2010	200983	244.76		
				RETIREE MEDICAL BENEFIT	244.76
	Vendor Total		**244.76**		
FYTD for WILLIAMS, JANE L.			**1,099.24**		
WILLOUGHBY, LORIA					
	3/1/2010	200984	27.00		
				MILEAGE REIMBURSEMENT	27.00
	3/29/2010	201546	63.00		
				MILEAGE REIMBURSEMENT	63.00
	Vendor Total		**90.00**		
FYTD for WILLOUGHBY, LORIA			**370.50**		

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WINCHESTER ASSOCIATES, INC					
	3/29/2010	201547	45.27		
				REFUND-BUS LIC OVRPMT	45.27
	Vendor Total		**45.27**		
FYTD for WINCHESTER ASSOCIATES, INC			**45.27**		
WINE WAREHOUSE					
	3/29/2010	201548	23.43		
				REFUND-BUS LIC OVRPMT	23.43
	Vendor Total		**23.43**		
FYTD for WINE WAREHOUSE			**23.43**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/22/2010	201327	14,960.00		
				TEMP STAFFING SVCS-CAP PROJS	14,960.00
	3/29/2010	201549	2,831.36		
				IRONWOOD AVE-PERRIS TO NASON	2,831.36
	Vendor Total		**17,791.36**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
WOODWARD, BRYAN					
	3/1/2010	200986	360.00		
				INSTRUCTOR SVCS-DOG TRNG CLASS	360.00
	Vendor Total		**360.00**		
FYTD for WOODWARD, BRYAN			**660.00**		
WRCRCA					
	3/22/2010	201328	13,566.00		
				RESIDENTIAL FEES CLLCTD	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**199,222.00**		

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WURM'S JANITORIAL SERVICES, INC.					
	3/1/2010	200987	3,976.88		
				CLEAN CARPET/UPHOLSTERY-FS#2	379.40
				CLEAN CARPET/UPHOLSTERY-FS#6	687.89
				CLEAN CARPET/UPHOLSTERY-FS#48	336.88
				CLEAN CARPET/UPHOLSTERY-FS#58	195.50
				CLEAN CARPET/UPHOLSTERY-FS#65	336.88
				CLEAN CARPET/UPHOLSTERY-FS#91	435.33
				JANITORIAL SVCS-ANIMAL SHELTER	200.00
				JANITORIAL SVCS-CONF & REC CTR	805.00
				JANITORIAL SVCS-TOWNGATE C.C.	600.00
	3/15/2010	880210	130.00		
				SPCL CLEANING SVCS-SR CTR	130.00
	3/17/2010	880212	1,153.44		
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-EMP RES CTR	348.96
	3/22/2010	880239	22,485.05		
				JANITORIAL SVCS-TOWNGATE C.C.	360.00
				JANITORIAL SVCS-CONF & REC CTR	1,120.00
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FAC ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	3/29/2010	880256	1,345.70		
				JANITORIAL SVCS-SENIOR CTR	390.00
				JANITORIAL SVCS-MARCH FLD PARK	955.70
	Vendor Total		**29,091.07**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**231,974.08**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	3/1/2010	200988	2,718.74		
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	993.56
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	929.60
	3/15/2010	201211	953.73		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	3/22/2010	201329	1,486.48		
				COPIER RNTL/MAINT/EXC PRNTS-PD	23.15
				COPIER RNTL/MAINT/EXC PRNTS-PD	117.20
				COPIER RNTL/MAINT-STARS	107.00
				COPIER EXC PRINTS CHRG-STARS	1,028.83
				COPIER RNTL/MAINT/EXC PRNTS-PD	210.30
	3/29/2010	201550	2,171.40		
				COPIER RNTL/MAINT/PRNTS-PARKS	681.66
				COPIER RNTL/MAINT/PRNTS-PARKS	307.65
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,182.09
	Vendor Total		**7,330.35**		
FYTD for XEROX			**53,191.04**		
YAMASHITA, JULIA J.					
	3/1/2010	200989	289.60		
				RETIREE MEDICAL BENEFIT	289.60
	Vendor Total		**289.60**		
FYTD for YAMASHITA, JULIA J.			**1,503.70**		
YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME					
	3/22/2010	201330	525.00		
				ADVERTISING SVCS	262.50
				ADVERTISING SVCS	262.50
	Vendor Total		**525.00**		
FYTD for YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME			**1,035.00**		
ZEISER KLING CONSULTANTS, INC.					
	3/8/2010	201095	11,076.25		
				TRAF SIG AT SR60/REDLANDS BLVD	2,637.25
				TRAF SIG AT SR60/REDLANDS BLVD	5,504.75
				TRAF SIG AT SR60/REDLANDS BLVD	2,934.25
	Vendor Total		**11,076.25**		
FYTD for ZEISER KLING CONSULTANTS, INC.			**11,076.25**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	3/1/2010	200990	2,865.80		
				SIGNS/HARDWARE FOR TRANSP DIV.	445.02
				SIGNS FOR TRANSP DIV.	2,163.04
				SIGNS/HARDWARE-BICYCLE LN PROJ	257.74
	Vendor Total		**2,865.80**		
FYTD for ZUMAR INDUSTRIES, INC.			**30,127.42**		
	Subtotal		**1,727,292.20**		
	GRAND TOTAL		**67,977,881.05**		

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MV00057116

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Approval of Amendment No.1 to Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Authorize the Mayor to execute Amendment No. 1 to Agreement;

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement; and

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

A TMDL is the amount of a specific pollutant that can be assimilated by a particular water body without causing impairment to its designated uses, i.e., swimming, fishing, municipal water supply, etc. If a water body cannot assimilate the specific pollutant the

water body is determined "impaired" under the federal Clean Water Act. States are required to identify their impaired water bodies, determine the specific pollutant(s) causing impairment and prepare a TMDL. In the 1990's, the Santa Ana Regional Water Quality Control Board (Board) complied with the Clean Water Act and identified Lake Elsinore and Canyon Lake as water bodies impaired by two nutrients, nitrogen and phosphorous as well as other pollutants.

In 2000, the Board identified the federal, State and local agencies as well as the special districts and private parties, collectively "Stakeholders" that directly or indirectly discharge nutrients to Canyon Lake and Lake Elsinore. Moreno Valley was named a Stakeholder. At that time, the Board organized a TMDL Stakeholder Workgroup in which the city was an active participant. Subsequently, the Board prepared a nutrient TMDL report and implementation plan.

On December 20, 2004, the Board adopted Resolution No. R8-2004-0037 incorporating the nutrient TMDL into the Santa Ana River Basin (Basin Plan). On May 19, 2005, the TMDL was approved by the State Water Resources Control Board per Resolution No. 2005-0038 and by the California Office of Administrative Law on July 26, 2005. On September 30, 2005, the United States Environmental Protection Agency (USEPA) Region IX approved the nutrient TMDL. The nutrient TMDL became law based upon the California Water Code and is now enforceable by the State and USEPA.

On January 30, 2006, the Board sent letters to the Stakeholders setting forth a requirement under the California Water Code Section 13267 for each to submit technical reports, plans and schedules for the implementation of the TMDL. On February 16, 2006, the Riverside County Flood Control and Water Conservation District (FCD) staff briefed the City Managers of the affected cities regarding the proposed task force and to review each city's cost share if they joined the task force. On February 21, 2006, staff updated City Council on the TMDL progress. Staff presented the concept of participating in TMDL Task Force as a way for Moreno Valley to comply with the State and federal TMDL mandate.

On July 11, 2006, the City Council agreed the city should participate in the TMDL Task Force and authorized the Mayor to execute the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. The agreement is set to terminate on June 30, 2010, unless extended by mutual agreement of the Task Force Agencies.

DISCUSSION

Amendment No. 1 to Agreement (Attachment No. 1) has been transmitted to the Task Force Agencies for consideration of continued participation in the Task Force for one additional year ending June 30, 2011. This allows the Task Force sufficient time to complete a pollutant modeling analysis for Stakeholder pollutant allocations. Additionally, two new cities, Wildomar and Menifee, incorporated after execution of the Agreement and have requested to be agencies of the Task Force.

Continuing participation in the Task Force provides the city access to additional professional and fiscal resources for the specific purpose to address common TMDL tasks identified in Recital "D" of the executed Agreement (Attachment No. 2). The TMDL Task Force includes two federal agencies, one Joint Powers Authority, two State agencies, the County of Riverside, eleven cities, three special districts, and one agricultural coalition representing farming interests and dairy interests. The Lake Elsinore San Jacinto Watershed Authority is the Task Force Administrator.

The benefits of continued participation in the TMDL Task Force include;

- Having oversight of the Administrator and other water quality professionals hired to manage the various contracts necessary for common TMDL tasks that benefit Moreno Valley;
- Performance goals to ensure the Stakeholders remain in compliance by producing various reports, schedules, and plans by the mandated deadlines that are common to all;
- A greater voice to advocate the city's position to water quality issues affecting the watershed, and;
- Sharing costs for common tasks is sound fiscal management.

ALTERNATIVES

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff recommends this alternative. Alternative One provides Moreno Valley the opportunity to continue to benefit from a pool of resources to address common TMDL tasks thus reduce overall costs and take credit for in-kind services provided by the FCD.

2. Do not approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff does not recommend this alternative. The city must perform the tasks outlined in the TMDL as addressed in the 13267 letter and as now identified in the 2010 NPDES Permit of which the city is a co-permittee. Undertaking the tasks as an individual stakeholder will substantially increase the city's cost of TMDL compliance.

FISCAL IMPACT

Moreno Valley utilizes the General Fund to cover TMDL costs. County Service Area (CSA) 152 could be expanded to address TMDLs. A city-wide mail ballot proceeding would be necessary should City Council wish to increase the CSA 152 levy to address TMDLs. The NPDES Regulatory Rates for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development do not address TMDLs. The Regulatory Rate Schedules could be reviewed and amended to address TMDL costs associated with new development.

Alternative One

Moreno Valley's share as a member of the TMDL Task Force is approximately $65,000 for FY 2010/2011. As a member, Moreno Valley will continue to benefit from shared costs as well as in-kind services provided by the FCD for watershed-wide water sampling mandated as part of the 2010 National Pollutant Discharge Elimination System (NPDES) Permit.

Additionally, grant monies are available for water quality projects. The TMDL Task Force Administrator has available staff to seek grants. The Administrator will apply for grants as they become available which could further reduce the Stakeholders' compliance costs.

Alternative Two

As an individual stakeholder performing the required tasks separately from the TMDL Task Force, Moreno Valley's costs are estimated to be $605,000 FY 2010/2011 per the recent budget approved by the Task Force. Moreno Valley would be required to perform the same mandated tasks as the TMDL Task Force but as a separate stakeholder. The $605,000 does not include the costs for additional city Storm Water Management Program staff or consultants to perform the mandated tasks. Additional fund transfers would be necessary for FY 2010/2011 by approving this alternative.

Following Fiscal Years

At this time, it is not known what Moreno Valley's costs will be in subsequent fiscal years. Compliance with the TMDLs must be achieved by December 31, 2020. It is anticipated Moreno Valley will have TMDL expenditures each fiscal year through 2020. As one or more Stakeholders implement Best Management Practices to achieve compliance with the TMDL, program costs may shift to the other Stakeholders thus increasing their costs. Additionally, the City Managers acting as the NPDES Management Steering Committee for the affected cities may determine other cost sharing models to more equitably split the shared costs between the cities and the county other than the current method of using a population based cost sharing model.

CITY COUNCIL GOALS

Advocacy. Approval of the attached Amendment to Agreement will assist Moreno Valley to develop cooperative intergovernmental relationships with other Task Force Agencies. Being a Task Force Agency will assist staff to advocate City policies, objectives, and goals related to water quality to appropriate governments and agencies.

Revenue Diversification and Preservation. Approval of the attached agreement will assist in leveraging scarce city funds to provide mandated TMDL reports, plans and schedules enforceable under state and Federal laws.

SUMMARY

The Nutrient TMDL for Lake Elsinore and Canyon Lake is in effect. The city received a 13267 letter from the Board stating that it must address the TMDL tasks as approved by the State Water Resources Control Board and USEPA. The TMDL Task Force for Lake Elsinore and Canyon Lake was formed by interested Stakeholders as a vehicle to address the State and federal mandate. Continued participation in the task force allows Moreno Valley to leverage resources necessary to remain in compliance with the TMDL.

There are neither State nor federal funds earmarked for Moreno Valley to perform the mandated tasks. The General Fund provides the funding for Moreno Valley's budgeted costs. Performing the TMDL mandated tasks as an individual stakeholder will substantially increase the city's costs and ignoring the mandates will result in city non-compliance subjecting the city, staff and/or officials to civil and possible criminal actions by the State and/or federal governments.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1—Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 161-184)
Attachment No. 2—Copy of Executed Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 185-222)

Prepared By
Kent Wegelin
Storm Water Program Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark A. Sambito
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057122

AMENDMENT NO. 1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Amendment No. 1 is made this ___ day of _____, 20___, by and among the Task Force Agencies that constitute the Lake Elsinore and Canyon Lake TMDL Task Force.

RECITALS

WHEREAS, the Lake Elsinore and Canyon Lake TMDL Task Force was created pursuant to that certain agreement entitled *"Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force"* dated March 5, 2007 (" Agreement"); and

WHEREAS, it is the purpose of this Amendment No. 1 to the Agreement for all Task Force Agencies to mutually extend the duration of the Agreement one full year and to add the City of Menifee and the City of Wildomar to the Task Force.

NOW, THEREFORE, the parties mutually agree that the Agreement is amended as follows:

1. The duration of the Agreement is extended one full year to **June 30, 2011,** and

2. The following Agencies are hereby added as a "**Task Force Agency**" to the Agreement:

   CITY OF MENIFEE
   CITY OF WILDOMAR

IN WITNESS WHEREOF, the Parties hereto have executed this **Amendment No. 1** on the date opposite their respective signatures. This Amendment becomes effective as of the date of the latest signature page received.

LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY

BY_____

TITLE _____

DATE_____

Attachment No. 1

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE (CLEVELAND NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

MARCH AIR RESERVE BASE JOINT POWERS AUTHORITY

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____ By

WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

_____

JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____ By

DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

_____

Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

COUNTY OF RIVERSIDE

RECOMMENDED FOR APPROVAL:

By_____ By _____

LARRY PARRISH
County Executive Officer

JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____

DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

By _____

Deputy

(SEAL)

MV00057134

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

ATTEST

BY_____
City Clerk

APPROVED AS TO FORM

BY_____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN W ITNESS W HEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MENIFEE

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF WILDOMAR

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN W ITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____

TITLE _____

DATE_____

_____

JEU:cw
P8\
6/6/06

AGREEMENT TO FORM
THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Agreement, entered into as of this 17 day of JULY, 2006, to form the Lake Elsinore and Canyon Lake TMDL Task Force (hereinafter "AGREEMENT") is made by and among the following entities, which are hereinafter sometimes collectively referred to as "TASK FORCE AGENCIES" or individually as "TASK FORCE AGENCY":

United States Department of Agriculture, Forest Service (Forest Service)
US Air Force (March Air Reserve Base)
March Air Reserve Base Joint Powers Authority
California Department of Transportation
California Department of Fish and Game
County of Riverside
City of Beaumont
City of Canyon Lake
City of Hemet
City of Lake Elsinore
City of Moreno Valley
City of Murrieta
City of Perris
City of Riverside
City of San Jacinto
Elsinore Valley Municipal Water District
Eastern Municipal Water District
Western Riverside County Agriculture Coalition on behalf of the Agricultural Operators in the San Jacinto River Basin
Western Riverside County Agriculture Coalition on behalf of the Dairy Operators in the San Jacinto River Basin
Riverside County Flood Control and Water Conservation District

I. RECITALS

A. Whereas, in 1998, the Santa Ana Regional Water Quality Control Board (hereinafter "Regional Board") designated Lake Elsinore and Canyon Lake in the Lake Elsinore and San Jacinto Watersheds (Collectively the "Watersheds") as "impaired water bodies" pursuant to Section 303(d) of the federal Clean Water Act because of high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (NUTRIENTS). As a result of said Section 303 designation, the Clean Water Act requires that total maximum daily loads (hereinafter "TMDLs") be established by the Regional Board for these waterbodies.

B. Whereas, in response to the Section 303(d) designation, the Regional Board adopted a Resolution R8-2004-0037 on December 20, 2004 amending the Water Quality Control Plan for the Santa Ana River Basin (BASIN PLAN AMENDMENT) to incorporate nutrient TMDLs for Canyon Lake and Lake Elsinore. The Basin Plan Amendment specifies, among other things, an Implementation Plan (TMDL IMPLEMENTATION PLAN), which holds specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law. These tasks include development and implementation of a watershed-wide nutrient water quality monitoring program, development of an in-lake nutrient monitoring

program for Canyon Lake and Lake Elsinore, development of a plan and schedule for in-lake sediment nutrient reduction for Lake Elsinore, development of a plan and schedule for evaluating in-lake sediment nutrient strategies for Canyon Lake, updating watershed and in-lake nutrient TMDL water quality models, developing a pollutant trading plan, and reviewing and revising the TMDL to reflect updated data and science.

C. Whereas, the purpose of this AGREEMENT is to form a task force (hereinafter "TASK FORCE") to implement certain tasks identified in the TMDL IMPLEMENTATION PLAN and to pursue TMDL related tasks agreed upon by TASK FORCE AGENCIES, and

D. Whereas, the TASK FORCE AGENCIES agree that the purpose of this TASK FORCE is to (1) review and develop recommendations to update the TMDL BASIN PLAN AMENDMENT based on the best available scientific information, and (2) implement TMDL IMPLEMENTATION PLAN Tasks identified below and jointly assigned to TASK FORCE AGENCIES, and (3) propose appropriate revisions to the TMDL BASIN PLAN AMENDMENT to the Santa Ana RWQCB by June 30, 2010, and (4) allow watershed stakeholders to participate in efforts to meet appropriate water quality standards so that Canyon Lake and/or Lake Elsinore can be de-listed from the Clean Water Act Section 303(d) list of impaired water bodies, and

E. Whereas, hundreds of individual agricultural and dairy operators are subject to the Canyon Lake and Lake Elsinore TMDLs and its component TMDL IMPLEMENTATION PLAN, and

F. Whereas the Western Riverside County Agricultural Coalition(WRCAC) is a non-profit organization representing the interests of agricultural and dairy operators within the San Jacinto Watershed, and

G. Whereas WRCAC's membership is open to any and all agricultural and dairy operators within the San Jacinto watershed, and

H. Whereas, March Air Reserve Base (MARB) is an installation of the United States Air Force, and the San Bernardino and Cleveland National Forest are on federal lands under the administration and management of the Forest Service. Both are agencies of the federal government, and are therefore subject to limitations in their ability to comply with every provision stated herein to the same extent that other non-federal TASK FORCE AGENCIES are able to comply. These limitations are based upon, but not limited to, those identified in the federal Clean Water Act, the federal Antideficiency Act, the principle of sovereign immunity and the holdings of the Supreme Court of the United States, and other binding federal court decisions, as they interpret those sources of federal law. The limitations so mentioned include, but are not limited to, the availability of federal funding to pay for participation in this program, and the ability of MARB and Forest Service to participate directly in sampling, research or data gathering activities which are not located on or near MARB or National Forest System lands or a point source of water discharge arising on MARB or National Forest System lands, or other activities not specifically authorized by the Federal Clean Water Act section 313. To the extent that the limitations described herein prevent MARB or Forest Service from fully participating in any aspect of this program, they reserve the right, in their sole discretion, to participate in the program as a matter of comity. By entering into this agreement, MARB and Forest Service do not authorize any of the TASK FORCE AGENCIES to exercise regulatory authority over them. MARB and Forest Service agree that State and federal regulatory agencies that are or may

become members of this TASK FORCE have regulatory authority over MARB and Forest Service only to the extent permitted by State or Federal Law.

I. Whereas, the TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE, and

J. Whereas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) serves as the Principal Permittee for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) for the Santa Ana Region of Riverside County, and

K. Whereas, the County of Riverside and Cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto are MS4 CO-PERMITTEES for the NPDES MS4 Permit for the Santa Ana Region of Riverside County, and

L. Whereas, the MS4 PRINCIPAL PERMITTEE and MS4 CO-PERMITTEES collectively represent the MS4 PERMITTEES within the San Jacinto Watershed, and

M. Whereas, the NPDES MS4 Permit for the Santa Ana Region of Riverside County is regulated by the REGIONAL BOARD and subject to the requirements of the nutrient TMDLs for Canyon Lake and Lake Elsinore, and

N. Whereas RCFC&WCD has agreed to provide services on behalf of itself as an NPDES MS4 PERMITTEE and on behalf of the MS4 CO-PERMITTEES for the purposes of this AGREEMENT, and

O. Whereas RCFC&WCD has prepared and reviewed the MS4 CO-PERMITTEES cost share allocation with MS4 CO-PERMITTEE staff at the NPDES MS4 Permit Technical Advisory Committee Meetings and with the affected City Managers and County Executive Office, or designated representatives thereof during the NPDES MS4 Permit Management Steering Committee Meeting of February 16, 2006, and

P. Whereas, the TMDL assigned nutrient waste load allocations for supplemental water (herein SUPPLEMENTAL WATER) addition to Lake Elsinore to stabilize the Lake's elevation, and

Q. Whereas, the nutrient waste load allocation for SUPPLEMENTAL WATER, which includes Island Well water, EVMWD treatment plant effluent, and other sources of non-stormwater, may reduce the TMDL waste load allocation and TMDL load allocation of other point and non-point sources because in-lake nutrient capacity was not adjusted to account for increased lake levels associated with the addition of SUPPLEMENTAL WATER, and

R. Whereas, the assumptions regarding load allocations for SUPPLEMENTAL WATER may not be consistent with the actual operation of SUPPLEMENTAL WATER sources, and

S. Whereas, the City of Lake Elsinore and EVMWD previously entered into an agreement to equally share the cost of SUPPLEMENTAL WATER addition to the Lake under the "Lake Elsinore Comprehensive Water Management Agreement", and

T. Whereas, for the purposes of this AGREEMENT, the City of Lake Elsinore shall be acknowledged and recognized as a separate and equal contributor with EVMWD for the cost and voting rights accorded under this AGREEMENT attributed to EVMWD for SUPPLEMENTAL WATER addition, and

U. Whereas, the TASK FORCE AGENCIES have considered many alternative cost sharing methodologies based on TMDL assigned load allocation, load reduction, and permutations thereof; and

V. Whereas, certain TASK FORCE AGENCIES were strong proponents of cost sharing based on load allocation and other TASK FORCE AGENCIES were strong proponents of cost sharing based on load reduction, and

W. Whereas, these TASK FORCE AGENCIES have been unable to agree upon a methodology for distributing costs based on either an allocation or a load reduction methodology; and

X. Whereas, the TASK FORCE AGENCIES have reviewed and agreed upon an interim negotiated cost allocation methodology acceptable to all TASK FORCE AGENCIES for the purposes of initiating the TASK FORCE, based on consideration of TMDL assigned load allocations, load reductions, and permutations thereof, and

Y. Whereas, the TASK FORCE AGENCIES agree that certain nutrient dischargers have been either inappropriately named or not named as responsible parties for various tasks in the BASIN PLAN AMENDMENT; and

Z. Whereas, the TASK FORCE AGENCIES agree that agricultural and dairy lands are converting to urban and open space lands, and

AA. Whereas, the TASK FORCE AGENCIES agree that an amendment to the TMDL to address, at minimum, the proper naming of responsible parties for various tasks in the TMDL IMPLEMENTATION PLAN, to correct the load allocation and waste load allocations to properly address the impacts of SUPPLEMENTAL WATER on Lake Elsinore, and to revise the load allocation and waste load allocations to address the ongoing conversion of agriculture and dairy lands to urban and/or open space should be addressed as part of a revision to the TMDL IMPLEMENTATION PLAN, and

BB. Whereas, the TASK FORCE AGENCIES agree that upon amendment of the existing BASIN PLAN AMENDMENT, including the TMDL IMPLEMENTATION PLAN, by the Regional Board to address, at a minimum, the issues described in Recital Z, the TASK FORCE AGENCIES will amend this AGREEMENT to revise the cost allocation methodology for future fiscal years to incorporate a task-specific cost sharing methodology, based on assigned load allocation or waste load allocation of TASK FORCE AGENCIES, or categories of TASK FORCE AGENCIES, responsible for each TMDL IMPLEMENTATION PLAN task, and

CC. Whereas, MARB agrees to budget for and to participate in the TASK FORCE, provided that sufficient funds are appropriated by the Congress, in FY 06-07 and future years, and on the condition that funding requirements under this agreement do not violate the Anti-deficiency Act, and provided that the Task Force Agencies agree to relocate the proposed monitoring station from Kitching Channel to the Heacock drainage channel, and use any fees provided by MARB, for participation in this program, to establish and monitor this station.

II. COVENANTS

NOW, THEREFORE; in consideration of the foregoing recitals and mutual covenants contained herein, the TASK FORCE AGENCIES agree as follows:

1. Creation of a Task Force. There is hereby created a "Lake Elsinore and Canyon Lake TMDL Task Force" ("TASK FORCE") initially consisting of the TASK FORCE AGENCIES and certain Non-Voting, Non-Funding Members as more specifically provided for in paragraph 2 below.

2. Representation on the Task Force.

   a. Appointment. Concurrently with the execution of this Agreement, each TASK FORCE AGENCY shall, in accordance with such TASK FORCE AGENCY's own governing provisions, appoint one primary representative to the TASK FORCE and one alternate representative to act in the absence of the primary representative (hereinafter collectively referred to as "REPRESENTATIVES" or individually as "REPRESENTATIVE"). The REPRESENTATIVES shall have the authority to act on behalf of its appointing TASK FORCE AGENCY. The REPRESENTATIVES shall serve at the pleasure of the appointing TASK FORCE AGENCY and may be removed at any time, with or without cause by such TASK FORCE AGENCY; provided, however, that the TASK FORCE AGENCIES acknowledge and agree the continuity of representation on the TASK FORCE is important to the overall effectiveness of the TASK FORCE, and the TASK FORCE AGENCIES further agree to ensure such continuity whenever possible.

   b. Additional Agencies. The TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE. Such agencies may join the TASK FORCE on such written terms and conditions as are acceptable to all then existing TASK FORCE AGENCIES of the TASK FORCE, including, but not limited to, agreed-upon cash contributions for past, present, and/or future work, of the TASK FORCE. The inclusion of such agencies as additional TASK FORCE AGENCIES to the TASK FORCE shall be effected by a written amendment to this AGREEMENT signed by all then existing TASK FORCE AGENCIES. Such additional TASK FORCE AGENCIES shall each appoint their TASK FORCE primary REPRESENTATIVE and alternate REPRESENTATIVE as provided in Section II.2.a. above or in said written amendment. The following agencies will be considered for inclusion as additional TASK FORCE AGENCIES in future amendments to this AGREEMENT within the meaning of this section:

      Any other named stakeholder in any future amendments of the BASIN PLAN AMENDMENT.

c. Non-Voting, Non-Funding Members. The Regional Board, Lake Elsinore and San Jacinto Watersheds Authority and the San Jacinto River Watershed Council are hereby appointed as Non-Voting, Non-Funding Members of the TASK FORCE. Additional Non-Voting, Non-Funding Members may be appointed by a majority vote of the TASK FORCE representatives. Non-Voting, Non-Funding Members appointed herein, and any appointed in the future are authorized only to make recommendations upon the functioning of this TASK FORCE and the development of this program. Federal, State and local regulatory agencies acting as Non-Voting, Non-Funding Members, now or in the future, retain authority to regulate TASK FORCE MEMBERS only to the extent that they are so authorized under state and federal law.

d. Dairy and Agricultural Operators. The TASK FORCE AGENCIES acknowledge that the Western Riverside County Agriculture Coalition (WRCAC) shall represent the collective interest of both agricultural and dairy operators in the San Jacinto River Watershed in the TASK FORCE at this time. WRCAC shall appoint two primary TASK FORCE REPRESENTATIVES and two alternate REPRESENTATIVES as provided in Section II.2.a. One set of REPRESENTATIVES shall be designated for agricultural operator interests, the other set of REPRESENTATIVES shall be designated for dairy interests for the purposes of this TASK FORCE.

e. Committees. The TASK FORCE may establish subcommittees, consisting of REPRESENTATIVES and Non-Voting, Non-Funding Members who shall be selected by, and serve at the pleasure of, the TASK FORCE.

f. Task Force Administrator. A TASK FORCE administrator (hereinafter "TASK FORCE ADMINISTRATOR") shall be appointed by the TASK FORCE. The TASK FORCE ADMINISTRATOR shall have the following administrative responsibilities:

(1) Organizing and facilitating TASK FORCE meetings;
(2) Secretarial, clerical, and administrative services;
(3) Managing TASK FORCE funds and preparing annual reports of TASK FORCE assets and expenditures;
(4) Retaining TASK FORCE-authorized consultants; and
(5) Seeking funding grants to assist with achieving the work of the TASK FORCE and other goals and objectives approved by TASK FORCE AGENCIES.

The TASK FORCE AGENCIES hereby appoint the Lake Elsinore and San Jacinto Watersheds Authority as the initial TASK FORCE ADMINISTRATOR.

g. Meetings of the Task Force.

(i) Frequency and Location. The TASK FORCE shall, by resolution or motion, agree upon the time and place for holding its regular meetings. Special meetings may be called at the request of the TASK FORCE ADMINISTRATOR or by a majority of the TASK FORCE REPRESENTATIVES.

(ii) Task Force Chair. The TASK FORCE REPRESENTATIVES shall select a chair and a vice-chair. The term of the chair and vice-chair shall be one year and shall be rotated among the TASK FORCE REPRESENTATIVES interested in serving as chair.

(iii) Quorum. One half or more of the REPRESENTATIVES of the TASK FORCE shall constitute a QUORUM.

(iv) Voting. Actions of the TASK FORCE shall be validly taken only when a QUORUM is present and upon the affirmative vote of a MAJORITY of the TASK FORCE REPRESENTATIVES. A MAJORITY of the REPRESENTATIVES shall be determined as follows:

Each TASK FORCE AGENCY shall have one vote (herein VOTE) assigned for each $1,000 increment of PRO RATA COST SHARE, as described in Paragraph II.5 below, contributed to the TASK FORCE budget developed for a given fiscal year (hereinafter "BUDGET"). A MAJORITY of the REPRESENTATIVES shall consist of greater than 50% of the total VOTES based on the BUDGET for the fiscal year during which the action is taken.

(v) Brown Act. All meetings of the TASK FORCE or any of its committees shall be conducted as may be required by any applicable provisions of the Ralph M. Brown Act (California Government Code §§54950 et seq.). The provisions contained in the Ralph M. Brown Act shall prevail in the event of any conflict with provisions contained in this AGREEMENT.

The TASK FORCE may adopt such additional rules and regulations as may be required for the conduct of its affairs so long as such rules and regulations do not conflict with this AGREEMENT.

3. Work of the Task Force. The TASK FORCE shall perform the following tasks in accordance with guidelines established by the Regional Board:

a. To retain consulting services to review scientific and other assumptions contained within the TMDL. Consultant(s) shall provide a report identifying preliminary TMDL opportunities such as site specific objectives, pollutant trading strategies, and integration strategies. The final

scope of work shall be approved by the Task Force. The report shall specifically consider assumptions supporting the TMDL. The report should also provide preliminary analysis of the ability to achieve in-lake nutrient reductions and verify that load assignments are appropriate. Upon completion of the report, Consultant(s) shall also review work described herein, and make recommendations to ensure that work is specifically designed to resolve any deficiencies, where appropriate. Consultant(s) shall also coordinate development of BASIN PLAN AMENDMENT language, in coordination with the Regional Board, which can be used to revise the TMDLs as part of the Regional Board's Triennial Reviews at a minimum, or no later than by June 2010.

b. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Watershed-wide Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDL, and to determine compliance with interim and final nitrogen and phosphorus allocations, and compliance with the nitrogen and phosphorus TMDLs. Monitoring and management of monitoring data to update the Lake Elsinore and Canyon Lake Nutrient TMDL shall commence immediately upon approval of this AGREEMENT. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

c. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Lake Elsinore and Canyon Lake Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDLs, and to determine compliance with interim and final nitrogen, phosphorus, chlorophyll a and dissolved oxygen numeric targets. In addition, the monitoring program shall determine the relationship between ammonia toxicity and the total nitrogen allocation to ensure that the total nitrogen allocation will prevent ammonia toxicity in Lake Elsinore and Canyon Lake. Monitoring and management of monitoring data shall commence immediately upon approval of this agreement. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

d. TMDL IMPLEMENTATION PLAN Tasks 9 and 10 - Develop and Implement a Plan to Reduce NUTRIENTS in Lake Elsinore sediments and develop a sediment nutrient treatment evaluation plan for Canyon Lake. The plans shall evaluate the efficacy of various in-lake treatment technologies to prevent the release of NUTRIENTS from lake sediments as a long-term strategy for control of NUTRIENTS in the sediment. The program may also include a sediment nutrient monitoring program to evaluate the effectiveness of any technologies that may be implemented. Target Date for Completion: March 31, 2007.

e. TMDL IMPLEMENTATION PLAN Task 11 - Develop and Implement a Plan and Schedule for Updating the Existing Lake Elsinore/San Jacinto

River Watershed Nutrient Model and the Canyon Lake and Lake Elsinore In-Lake Models. Develop and implement a plan and schedule to update and execute Watersheds and in-lake models to track the progress of TMDL efforts. In-lake models should be analyzed as soon as sufficient data becomes available. Target Date for Completion: March 31, 2007.

f. TMDL IMPLEMENTATION PLAN Task 12 - Investigate, Develop and Implement a Pollutant Trading Plan. Investigate the feasibility of pollutant trading in the Watersheds, and develop a feasibility plan for Regional Board review and approval. Target Date for Completion: September 30, 2007.

g. Investigate Long Term TMDL Implementation Structure, Cost Sharing Formula and Funding Sources. Investigate possible long term administrative structures, cost sharing formulas and funding sources that can be used to obtain compliance with the TMDL requirements. Target Date for Completion: June 30, 2010.

h. Other Tasks. The TASK FORCE may undertake such other plans, programs and studies as authorized by the TASK FORCE pursuant to II.2.g. of this AGREEMENT.

i. Limitations on MARB and Forest Service. As described above in Section I.H, MARB is an agency of the federal government and is therefore unable to participate in each and every aspect of Section 3 to the same extent as other TASK FORCE MEMBERS. To the extent that it is unable to participate in any tasks under section 3, it reserves the right, in its sole discretion, to participate to the fullest extent that it is able, as a matter of comity.

4. Budgets. Beginning in FY2007-2008, the total annual budget (BUDGET), adjusted to remove in-kind services, grant funding and funding credits associated with this AGREEMENT shall not exceed $800,000, except as authorized by the TASK FORCE via two-thirds approval via VOTES based on the BUDGET for the then current fiscal year pursuant to II.2.g. of this AGREEMENT. The TASK FORCE ADMINSTRATOR shall prepare and submit a proposed BUDGET for each fiscal year of this AGREEMENT to the TASK FORCE AGENCIES by November 30th. The proposed BUDGET shall include all anticipated costs for the scope(s) of work developed by the TASK FORCE for the next fiscal year. The TASK FORCE REPRESENTATIVES shall approve the BUDGET by December 31st. Each TASK FORCE AGENCY shall pay its PRO-RATA SHARE of the approved fiscal year's TASK FORCE BUDGET and arrears by August 31st of the following year. The BUDGET for the eighteen (18) month period starting January 1, 2006 and extending through June 30, 2007 and estimated fiscal year BUDGETS through June 30, 2010 are included as Attachment A to the AGREEMENT. Approval of this AGREEMENT shall constitute approval of the BUDGET through June 30, 2007. Payment of the BUDGET through June 30, 2007 shall be by August 31, 2006, or within 30 days

of the approval of this AGREEMENT by each TASK FORCE AGENCY, whichever is sooner.

The TASK FORCE ADMINISTRATOR shall endeavor to minimize carry-over fund balances to those necessary to complete work of the TASK FORCE and to maintain contingencies limited to those necessary to ensure work of the TASK FORCE is not impeded. Excess not necessary to complete budgeted work of the TASK FORCE or maintain adequate reserves shall be credited back to the TASK FORCE AGENCIES in the BUDGET consistent with the PRO-RATA SHARE methodology described in Paragraph II.5 below. THE TASK FORCE AGENCIES shall agree to a reasonable reserve balance as part of each year's BUDGET.

After September 30 of each year, the TASK FORCE ADMINSTRATOR shall provide an accounting of all PRO RATA SHARES collected via cash or in-kind contributions. If PRO RATA SHARES collected are less than BUDGET, the TASK FORCE shall meet with Regional Board staff to determine appropriate priorities for scheduled TASK FORCE work and revise BUDGET based on available funds.

5. Pro-Rata Share Calculation. The annual PRO-RATA SHARE shall be calculated in the following manner:

The PRO-RATA SHARE for MS4 CO-PERMITTEES, Agricultural Operators and EVMWD shall be based on the BUDGET reduced by the value of available grant funding identified in Section 1 of Attachment A and in-kind services identified in Section 3 of Attachment A (LINE 1k BUDGET). The PRO-RATA SHARE for MS4 CO-PERMITTEES, and Agricultural Operators shall each be 28.5% of the LINE 1k BUDGET. Based on the prior agreement of EVMWD and the CITY OF LAKE ELSINORE involving the sharing of cost for supplemental water into Lake Elsinore, the PRO-RATE SHARE for EVMWD and the CITY OF LAKE ELSINORE shall each be 14.25% of the LINE 1K BUDGET.

The PRO-RATA SHARE for Dairy shall be 5% of the LINE 1k BUDGET.

The PRO-RATA SHARE for RCFC&WCD shall be the cash value of the in-kind services described in Section 3 of Attachment A.

The PRO-RATA SHARE for all other TASK FORCE AGENCIES shall be as a base amount set forth in the BUDGET.

The PRO-RATA SHARE for additional TASK FORCE AGENCIES shall be per in kind services and/or an amount agreed upon via written amendment of this AGREEMENT per Section II.2.b.

If the estimated funds collected under the PRO-RATA SHARE calculations exceed the BUDGET, the contributions of MS4 CO-PERMITTEES, EVMWD, City of Lake Elsinore, Agricultural Operators, Dairy and other TASK FORCE

AGENCIES contributing in excess of the base amount shall be raised or reduced proportionately based on the percentage of their PRO-RATA SHARE, until the estimated total PRO-RATA SHARES equals the BUDGET.

RCFC&WCD shall provide the TASK FORCE ADMINSTRATOR with annual individual MS4 CO-PERMITTEE cost share distribution of the MS4 CO-PERMITTEES PRO-RATA SHARE for budgets following Fiscal Year 2006-07. The methodology used by RCFC&WCD to calculate the MS4 CO-PERMITEE cost share distribution may be amended at the NPDES MS4 Management Steering Committee.

6. In-Kind Credits. The PRO-RATA SHARE of a TASK FORCE AGENCY shall be reduced by the value of IN-KIND CREDITS provided toward agreed-upon budgeted tasks by, or on behalf, of the TASK FORCE AGENCY(S). Credits shall be applied to each budget period and adjusted at the end of each budget year based on actual verified costs.

7. Modifications to the TASK FORCE PRO-RATA SHARE methodology. The methodology deriving the TASK FORCE PRO-RATA SHARE as provided in Section II.5 of this AGREEMENT may be modified upon written approval of all then existing TASK FORCE AGENCIES whose PRO-RATA SHARE would be affected.

8. The TASK FORCE AGENCIES shall cooperate fully with one another to attain the purposes of this AGREEMENT.

9. Nothing in this AGREEMENT, nor the work set forth in this AGREEMENT, nor any activity approved or carried out by the TASK FORCE AGENCIES hereunder, is intended to be nor shall be interpreted as a waiver by TASK FORCE AGENCIES of the "Maximum Extent Practicable" standard set forth in the Clean Water Act (33 U.S.C. Section 1251 *et seq.)*.

10. Each TASK FORCE AGENCY shall indemnify, defend, and hold each of the other TASK FORCE AGENCIES, including their special districts, officials, agents, officers, and employees, harmless from and against any and all liability and expense arising from any act or omission of such TASK FORCE AGENCY, its officials, agents, officers, and employees, in connection with this AGREEMENT, including but not limited to defense costs, legal fees, claims, actions, and causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage; provided, however, that no TASK FORCE AGENCY shall indemnify another TASK FORCE AGENCY for that TASK FORCE AGENCY's own negligence or willful misconduct.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or

liabilities, to itself, to any third party or to MARB, or the Forest Service, or its employees under this agreement or any activities carried out under authority of this agreement.

11. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the TASK FORCE AGENCIES hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this AGREEMENT to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the TASK FORCE AGENCIES indemnifies, defends, and holds harmless each other TASK FORCE AGENCY for any liability, cost, or expense that may be imposed upon such other TASK FORCE AGENCY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB or Forest Service or their employees under this agreement or any activities carried out under authority of this agreement. Tort liability for federal employees, including employees of MARB and Forest Service, is expressly authorized and limited by the Federal Tort Claims Act, which will control liability of MARB and the Forest Service and their employees under the terms of this agreement.

12. All obligations of CALTRANS under the terms of this AGREEMENT are subject to the appropriation of the resources by the Legislature and the allocation of resources by the California Transportation Commission. This AGREEMENT has been written before ascertaining the availability of Federal or State legislative appropriation of funds, for the mutual benefit of the TASK FORCE AGENCIES in order to avoid program and fiscal delays that would occur if the AGREEMENT were executed after that determination was made. This AGREEMENT is valid and enforceable as to CALTRANS as if sufficient funds have been made available to CAL TRANS by the United States Government or California State Legislature for the purposes set forth in this AGREEMENT. If the United States Government or the California State Legislature does not appropriate sufficient funds for CALTRANS to participate in this AGREEMENT, this AGREEMENT may be amended in writing by the TASK FORCE AGENCIES to reflect any agreed-upon reduction in the percentage of funds contributed by CALTRANS to continue its participation in this AGREEMENT. CALTRANS, however, has the option to withdraw from this AGREEMENT in the event sufficient funds are not appropriated for CAL TRANS. Should CALTRANS exercise its option to withdraw from this AGREEMENT, CALTRANS shall remain responsible for its

share of liability, if any, incurred while participating in this AGREEMENT.

13. No TASK FORCE AGENCY shall have a financial obligation to any other TASK FORCE AGENCY under this AGREEMENT, except as expressly provided herein.

14. Any notices, invoices, reports, correspondence, or other communication concerning this AGREEMENT shall be directed to the TASK FORCE AGENCY REPRESENTATIVE on file with the TASK FORCE ADMINISTRATOR, except that any TASK FORCE AGENCY may change its name or address by giving the other TASK FORCE AGENCIES at least ten days written notice of the new name or address.

15. The TASK FORCE AGENCIES are, and shall at all times remain as to each other, wholly independent entities. No TASK FORCE AGENCY to this AGREEMENT shall have power to incur any debt, obligation, or liability on behalf of any other TASK FORCE AGENCY unless expressly provided to the contrary by this AGREEMENT. No employee, agent, or officer of a TASK FORCE AGENCY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another TASK FORCE AGENCY.

16. This AGREEMENT shall be binding upon and shall inure to the benefit of the respective successors, heirs, and assigns of each TASK FORCE AGENCY.

17. This AGREEMENT shall be governed by, interpreted under and construed and enforced in accordance with the laws of the State of California, except as to the Forest Service and the March Air Reserve Base to whom federal law is applicable.

18. If any provision of this AGREEMENT shall be determined by any court to be invalid, illegal or unenforceable to any extent, the remainder of this AGREEMENT shall not be affected and this AGREEMENT shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this AGREEMENT.

19. Each individual TASK FORCE AGENCY has been represented by its own separate counsel in the preparation and negotiation of this AGREEMENT. Accordingly, this AGREEMENT shall be construed according to its fair language and any ambiguities shall not be resolved against the drafting TASK FORCE AGENCY.

20. Each of the persons signing below on behalf of a TASK FORCE AGENCY represents and warrants that he or she is authorized to sign this AGREEMENT on behalf of such TASK FORCE AGENCY.

21. Duration of Agreement. This AGREEMENT shall terminate June 30, 2010 (unless extended by mutual agreement of all TASK FORCE AGENCIES), provided that all debts and liabilities of the TASK FORCE are satisfied. Notwithstanding the foregoing, each TASK FORCE AGENCY reserves the right

to withdraw from the TASK FORCE at any time, upon sixty (60) days' prior written notice to the TASK FORCE. TASK FORCE contingency, projects and studies underway at the time of withdrawal shall continue to be fully funded by the withdrawing TASK FORCE AGENCY until the end of the fiscal year in which the TASK FORCE AGENCY gave notice to withdraw.

22. Counterparts. This AGREEMENT may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

23. Amendment. This AGREEMENT may not be amended except in a writing signed by all the TASK FORCE AGENCIES.

24. Effective Date. This AGREEMENT shall become effective when it has been executed by all of the TASK FORCE AGENCIES.

LAKE ELSINORE & SAN JACINTO WATERSHEDS PROJECT AUTHORITY

BY Phil Williams
Board Chairman

DATE_____

CITY OF BEAUMONT

BY_____
Mayor

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

CITY OF HEMET

BY_____
Mayor

DATE_____

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

CITY OF MURRIETA

BY_____
Mayor

DATE_____

CITY OF PERRIS

BY_____
Mayor

DATE_____

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____
Board Chairman

DATE_____

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

Robin Lowe

Robin Lowe, Mayor

July 11, 2006

Date

ATTEST:

Stephen B. Clayton

Stephen Clayton, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY _____

TITLE DEPUTY FOREST SUPERVISOR

DATE 7/17/06

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO AND CLEVELAND NATIONAL FOREST MANAGEMENT ZONES)

BY _____

TITLE Forest Supervisor, Cleveland National Forest

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE" .

MARCH JOINT POWERS AUTHORITY

BY: Philip A. Rizzo

TITLE: Executive Director

DATE: September 20, 2006

APPROVED AS TO FORM

By: John Pen
Attorney

MV00057166

STATE OF California)

County of Riverside)

On September 20, 2006 before me, Carey L. Allen, Notary Public, personally appeared Philip A Rizzo,

☒ personally known to me

or

☐ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(s)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s),~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal

Signature of Notary Public

CAREY L. ALLEN
Commission # 1496127
Notary Public - California
Riverside County
My Comm. Expires Jun 24, 2008

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY _____
JEFFREY K. BARNSON, Col, USAFR

TITLE Commander

DATE JUL 6. 2005

APPROVED AS TO FORM

By _____
CHRISTOPHER B. BENNETT, Maj, USAF

TITLE Staff Judge Advocate

DATE JUL 6 2005

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY Michael A. Petronis

TITLE CALTRANS DISTRICT 8 DIRECTOR

DATE October 13, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY _____

TITLE General Manager

DATE July 5, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY _____

TITLE Anthony J. Pack, General Manager

DATE 6/28/06

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY _____

TITLE WRCAC TMDL Task Force Representative

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By _____
DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk of the Board

By _____
Deputy

(SEAL)

AUG 2 9 2

Item No. A.5

MV00057173

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____
LARRY PARRISH
County Executive Officer

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____
DAVID H.K. HUFF
Deputy County Counsel

COUNTY OF RIVERSIDE

By Bob Buster
BOB BUSTER, Chairman
Riverside County Board of Supervisors

ATTEST:

NANCY ROMERO
Clerk of the Board

By_____
Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY _____
Mayor

DATE Nov 21, 2006

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY _____
Mayor

DATE 7/5/06

APPROVED AS TO FORM

By Elizabeth Martyn
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE August 9th 2006

ATTEST:

_____
City Clerk

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY _____
Bonnie Flickinger, Mayor

DATE July 17, 2006

ATTEST

By _____
Alice Reed, City Clerk

APPROVED AS TO FORM

By _____

Bob Herrick, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSIONRE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY: _____
Mayor

DATE: **September 5, 2006**

ATTEST: _____
City Clerk

APPROVED AS TO FORM

BY: _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

Daryl R. Busch

Daryl R. Busch, Mayor

Date: 9/18/06

ATTEST:

Judy L. Haughney

Judy L. Haughney, City Clerk

APPROVED AS TO FORM:
Aleshire & Wynder, LLP

for Anita Luix, Deputy

Eric L. Dunn, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY _____ Michael J. Beck for
Bradley J. Hudson, City Manager

DATE August 7, 2006

Attest: _____
City Clerk

APPROVED AS TO FORM

By Susan Wilson
Dep. City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY _____
Mayor

DATE 7/19/06

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY _____ DATE 7/21/06

Gerard J. Thibeault
Executive Officer

APPROVED AS TO FORM

By _____

Jorge Leon
Legal Counsel

JEU:cw
P8\
6/6/06

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY Michael C. Hoyne

TITLE Deputy Regional Manager

DATE March 5, 2007

APPROVED AS TO FORM

By _____
Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project.

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California.

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

BACKGROUND

Over the past several years, the Nason Street/SR-60 interchange has experienced increased traffic resulting from commercial, residential, and recreational growth. Two separate City projects (98-25897 and 415-70024) are ongoing to improve the interchange. The SR-60/Nason Street Interchange Improvements Project (98-25897) improves the interchange ramps through reconstruction and realignment, while providing a design that will accommodate ultimate overcrossing widening improvements needed to serve anticipated future traffic demand. The City is in the final stages of obtaining Caltrans' approval to advertise the project for bid. The SR-60/Nason Street

Overcrossing project (415-70024) consists of improvements to the Nason Street Overcrossing, which will replace the existing bridge with a wider structure as well as increase the vertical clearance over SR-60.

Proposed improvements are consistent with the City's General Plan.

State Route 60 is on the State Highway System (SHS) and, pursuant to Streets and Highways Code 114 and 130, the State of California and the City are required to enter into a Cooperative Agreement for SHS improvements within the City's jurisdiction. The State's mandated role in the project is oversight responsibility, performed by the Department of Transportation (Caltrans).

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project development activities, including final design, utility relocation engineering, and right-of-way acquisition.

On November 29, 2007, Caltrans approved the Negative Declaration for the project.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services. Design has progressed to the 95% plan stage.

On January 13, 2009, the City Council approved the SR-60/Nason Overcrossing project as an RDA Tax Allocation Bond-funded project.

DISCUSSION

The overcrossing project is expected to be advertised between December 2010 and March 2011 in order to begin construction of the project by September 2011, immediately after completion of the SR-60/Nason Interchange Ramp Improvements Project (98-25897). To proceed with advertisement, the City must follow Caltrans guidelines and procedures in order to obtain their approval. Caltrans requires the local agency to enter into a "Construction Cooperative Agreement" (District Agreement No. 08-1463) in order to proceed with construction. The "Construction Cooperative Agreement" sets forth the City's and Caltrans' responsibilities, both in terms of scope and financial responsibility.

The agreement requires that the City fund 100% of the construction cost, including preparation of contract documents and advertising, awarding and administering the construction contract. Caltrans has agreed to allow the City to advertise, award, and administer the project. Caltrans will provide quality assurance and oversight of all work done by the City at no cost to the City. Caltrans will provide required material source inspections as an invoiced direct cost. The Construction Cooperative Agreement will terminate upon satisfactory completion of the project or on December 31, 2015,

whichever occurs first. The agreement may be extended by mutual agreement should any claims or other legal challenges occur.

ALTERNATIVES

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff recommends this alternative.*

2. Do not approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, do not authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and do not authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff does not recommend this alternative. This alternative will result in delaying the construction of needed improvements.*

FISCAL IMPACT

The project is currently funded with 2007 Redevelopment Agency Tax Allocation Bond (Series A) proceeds (Fund 897) and Developer In-Lieu Street Improvement Funds (Fund 414). These funds have been allocated for SR-60/Nason Street bridge improvements and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS

FY 2009/2010 Developer In-Lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2009/2010 2007 RDA Bond Funds (Account 897.91728)	$17,724,000
Available Funds	**$17,754,000**

ESTIMATED COST

SR-60/Nason Overcrossing Design and Right-of-Way/Utilities	$ 1,640,000
SR-60/Nason Overcrossing Construction	$16,114,000
Estimated Cost	**$17,754,000**

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way ..... September 2010
Advertise Project* ..... December 2010 to March 2011
Begin Construction* ..... September 2011
Complete Construction ..... November 2012

**** Contingent upon completion of SR-60/Nason Interchange Ramp Project***

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This Construction Cooperative Agreement is required by Caltrans and sets forth the details of the City's and Caltrans' responsibilities pertaining to the construction activities for the proposed SR-60/Nason Street Overcrossing.

ATTACHMENT

Attachment "A" – Construction Cooperative Agreement (District Agreement No. 08-1463) (PAGES 229 – 246)

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057190

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation of the State of California, referred to as CITY.

RECITALS

1. CALTRANS and CITY, collectively referred to as PARTNERS, are authorized to enter into a cooperative agreement for improvements within the SHS right of way per Streets and Highways Code sections 114 and/or 130.

2. WORK completed under this agreement will replace the Nason Street Overcrossing in the City of Moreno Valley, referred to as PROJECT.

3. PARTNERS will cooperate to construct the PROJECT.

4. This agreement is separate from and does not modify or supersede prior Cooperative Agreement No. 8-1314.

5. Prior to this agreement, CITY developed the Project Initiation Document; CITY developed the Supplemental Project Report; CITY developed the Plans, Specifications and Estimate; and CITY developed the Right of Way Certification.

6. CITY prepared the environmental documentation for PROJECT.

7. The estimated date for COMPLETION OF WORK is December 31, 2015.

8. PARTNERS now define in this agreement the terms and conditions under which they will accomplish WORK.

DEFINITIONS

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA – The California Environmental Quality Act (California Public Resources Code, sections 21000 et seq.) that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

COMPLETION OF WORK – All PARTNERS have met all scope, cost, and schedule commitments included in this agreement and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

CONSTRUCTION – The project component that includes the activities involved in the administration, acceptance, and final documentation of a construction contract for PROJECT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT –A document signed by PARTNERS that verifies the completion of all scope, cost, and schedule commitments included in this agreement.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at http://www.fhwa.dot.gov/programs.html.

FUNDING PARTNER – A partner who commits a defined dollar amount to WORK.

FUNDING SUMMARY - The table in which PARTNERS designate funding sources, types of funds, and the project components in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The partner responsible for managing the scope, cost, and schedule of a project component to ensure the completion of that component.

IQA – Independent Quality Assurance – Ensuring that IMPLEMENTING AGENCY'S quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan. IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA – The National Environmental Policy Act of 1969 that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one partner's individual actions legally bind the other partners.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout the project's lifecycle.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer shall be independent of the design engineering company and the construction contractor.
SAFETEA-LU – The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, signed into federal law on August 10, 2005.

SCOPE SUMMARY – The table in which PARTNERS designate their commitment to specific scope activities within each project component as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS – State Highway System.

SPONSOR(S) – The partner that accepts the obligation to secure financial resources to fully fund WORK. This includes any additional funds beyond those committed in this agreement necessary to complete the full scope of WORK defined in this agreement or settle claims.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope and cost commitments included in this agreement.

RESPONSIBILITIES

9. CITY is SPONSOR for all WORK.

10. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

11. CALTRANS is the CEQA lead agency for PROJECT.

12. CALTRANS is the NEPA lead agency for PROJECT.

13. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

14. All WORK will be performed in accordance with federal and California laws, regulations, and standards.

    All WORK will be performed in accordance with FHWA STANDARDS and CALTRANS STANDARDS.

15. IMPLEMENTING AGENCY for a project component will provide a Quality Management Plan for that component as part of the PROJECT MANAGEMENT PLAN.

16. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

17. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

18. PARTNERS may, at their own expense, have a representative observe any scope, cost, or schedule commitments performed by the other partner. Observation does not constitute authority over those commitments.

19. Each PARTNER will ensure that all of their personnel participating in WORK are appropriately qualified to perform the tasks assigned to them.

20. PARTNERS will invite each other to participate in the selection and retention of any consultants who participate in WORK. The CITY shall ensure that only well qualified consulting construction management firms are selected to provide Engineering and Inspection services sufficient to the tasks of the PROJECT. The CITY shall confer with STATE prior to and during the selection process. At least one representative from the District 8 Construction Division of the STATE shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. PARTNERS will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations if PROJECT work is done under contract (not completed by a partner's own employees) and is governed by the Labor Code's definition of a "public work" (section 1720(a)(1)).

PARTNERS will include wage requirements in all contracts for "public work" and will require their contractors and consultants to include prevailing wage requirements in all agreement-funded subcontracts for "public work".

22. IMPLEMENTING AGENCY for each project component included in this agreement will be available to help resolve WORK-related problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, at no cost, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If unanticipated cultural, archaeological, paleontological, or other protected resources are discovered during WORK, all work in that area will stop until a qualified professional can evaluate the nature and significance of the discovery and a plan is approved for its removal or protection. CITY will notify CALTRANS within twenty-four (24) hours of any discovery.

25. PARTNERS will hold all administrative draft and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete WORK without the written consent of the partner authorized to release them, unless required or authorized to do so by law.

26. If any partner receives a public records request, pertaining to WORK under this agreement, that partner will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any transferred public documents.

27. If HM-1 or HM-2 is found during WORK, IMPLEMENTING AGENCY for the project component during which it is found will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within existing SHS right of way. CALTRANS will undertake HM-1 MANAGEMENT ACTIVITIES with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within the Project limits outside existing SHS right of way. CITY will undertake or cause to be undertaken HM-1 MANAGEMENT ACTIVITIES with minimum impacts to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM-2 MANAGEMENT ACTIVITIES.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each partner's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each project component will furnish PARTNER with written monthly progress reports during the implementation of WORK in that component.

34. Upon COMPLETION OF WORK, ownership and title to all materials and equipment constructed or installed as part of WORK within SHS right of way become the property of CALTRANS.

35. IMPLEMENTING AGENCY for a project component will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect WORK or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No partner shall prejudice the rights of another partner until after PARTNERS confer on claim.

37. PARTNERS will maintain and make available to each other all WORK-related documents, including financial data, during the term of this agreement and retain those records for four (4) years from the date of termination or COMPLETION OF WORK, or three (3) years from the date of final federal voucher, whichever is later.

38. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

    CALTRANS, the State auditor, FHWA, and CITY will have access to all WORK-related records of each partner for audit, examination, excerpt, or transaction.

    The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation.

    The audited partner will review the preliminary audit, findings, and recommendations, and provide written comments within 60 calendar days of receipt.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

39. PARTNERS consent to service of process by mailing copies by registered or certified mail, postage prepaid. Such service becomes effective 30 calendar days after mailing. However, nothing in this agreement affects PARTNERS' rights to serve process in any other matter permitted by law.

40. The IMPLEMENTING AGENCY will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, SPONSOR(S) will seek out additional funds and PARTNERS will amend this agreement.

41. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

42. If WORK stops for any reason, PARTNERS are still obligated to implement all applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each partner's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

43. Each partner accepts responsibility to complete the activities that they selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

Scope: CONSTRUCTION

44. CITY will advertise, open bids, award, and approve the construction contract in accordance with the Public Contract Code and the California Labor Code.

    CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and FUNDING PARTNERS fully fund WORK.

    By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

45. CITY will provide a RESIDENT ENGINEER and construction support staff who are independent of the design engineering company and construction contractor.

46. CITY will provide a landscape architect licensed in the State of California.

47. CITY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $100,000. All CCOs

affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS *Construction Manual* will be approved by CALTRANS in advance of the CCO work to be performed.

48. If the lowest responsible construction contract bid (plus estimated contingencies, supplemental costs and State Furnished Material costs) is equal to or less than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, the IMPLEMENTING AGENCY may award the contract. If the lowest responsible construction contract bid is greater than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 3 months, this agreement will terminate.

49. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee and to carry liability insurance in accordance with CALTRANS specifications.

50. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT PS&E package a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

51. Upon receipt of both SFM and full payment of CALTRANS' invoice for actual SFM costs, CALTRANS will make the SFM available at a CALTRANS-designated location.

52. CITY will coordinate the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

53. CITY will obtain the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

54. CITY will implement the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404),Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

55. CALTRANS will provide Source Inspection on a reimbursed basis.

56. CITY will provide maintenance for those portions of the SHS within WORK limits until COMPLETION OF WORK, after which, maintenance will be handled through an existing maintenance agreement.

COST

Cost: General

57. CITY will secure funds for all WORK including any additional funds beyond the FUNDING PARTNERS' existing commitments in this agreement. If it becomes necessary to obtain additional funds to complete PROJECT these additional funds will be provided by CITY.

58. The cost of any awards, judgments, or settlements generated by WORK is a WORK cost.

59. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within existing SHS right of way.

60. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to any HM-1 found within PROJECT limits and outside of existing SHS right of way.

61. HM MANAGEMENT ACTIVITIES costs related to HM-2 are a PROJECT CONSTRUCTION cost.

62. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is a WORK cost.

63. The cost to comply with and implement the commitments set forth in the environmental documentation is a WORK cost.

64. The cost to ensure that PROJECT remains in environmental compliance is a WORK cost.

65. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is a WORK cost.

66. Independent of WORK costs, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

67. Independent of WORK costs, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

68. Fines, interest, or penalties levied against any partner will be paid, independent of WORK costs, by the partner whose actions or lack of action caused the levy. That partner will indemnify and defend all other partners.

69. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is a WORK cost.

70. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

71. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, the partner implementing the commitments or conditions accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That partner may request reimbursement for these costs during the amendment process.

72. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

73. FUNDING PARTNERS accept responsibility to provide the funds identified on the FUNDING SUMMARY.

74. SPONSOR(S) accepts responsibility to ensure full funding for the identified scope of work.

Cost: CONSTRUCTION Support

75. The cost to maintain the SHS within WORK limits is a WORK cost until COMPLETION OF WORK, after which, the cost of maintenance will be handled through an existing maintenance agreement.

76. CALTRANS will invoice the CITY for a $20,000.00 deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents Source Inspection costs. The Source Inspection cost is $50,000.00 including indirect costs per Article 80.

    After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

Cost: CONSTRUCTION Capital

77. The cost of all SFM is a CONSTRUCTION capital cost.

CALTRANS will invoice CITY for the actual cost of any SFM.

After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

SCHEDULE

78. PARTNERS will manage the schedule for WORK through the work plan included in the PROJECT MANAGEMENT PLAN.

GENERAL CONDITIONS

79. This agreement will be understood in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any legal action arising from this agreement will be filed and maintained in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides.

80. CALTRANS invoices for support costs including all direct and applicable indirect costs. Applicable indirect costs are determined by the type of funds being used to pay for support. State and federal funds are subject the Program Functional Rate. Local funds (Measure money, developer fees, special assessments, etc.) are subject to the Program Functional Rate and the Administration Rate. CALTRANS establishes the Program Functional Rate and the Administration Rate annually according to State and Federal regulations.

81. All obligations of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

82. Any PARTNER who performs IQA does so for its own benefit, further, that PARTNER cannot be assigned liability due to its IQA activities.

83. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious,

contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS under this agreement.

84. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this agreement.

85. This agreement is not intended to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. This agreement is not intended to affect the legal liability of PARTNERS by imposing any standard of care for completing WORK different from the standards imposed by law.

86. PARTNERS will not assign or attempt to assign agreement obligations to parties not signatory to this agreement.

87. Any ambiguity contained in this agreement will not be interpreted against PARTNERS. PARTNERS waive the provisions of California Civil Code section 1654.

88. A waiver of a partner's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

89. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

90. If any partner defaults in their agreement obligations, the non-defaulting partner(s) will request in writing that the default be remedied within 30 calendar days. If the defaulting partner fails to do so, the non-defaulting partner(s) may initiate dispute resolution.

91. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/CITY Engineer will attempt to negotiate a resolution. If no resolution is reached, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of WORK in accordance with the terms of this agreement. However, if any

partner stops WORK, the other partner(s) may seek equitable relief to ensure that WORK continues.

Except for equitable relief, no partner may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

Any civil complaints will be filed in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing partner will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

92. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

93. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this agreement.

94. This agreement is intended to be PARTNERS' final expression and supersedes all prior oral understanding or writings pertaining to WORK.

95. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

96. PARTNERS will execute an amendment if there are any changes to the commitments made in this agreement.

97. This agreement will terminate upon COMPLETION OF WORK or upon 30 calendar days' written notification to terminate and acceptance between PARTNERS, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

98. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

99. Signatories may execute this agreement through individual signature pages provided that each signature is an original. This agreement is not fully executed until all original signatures are attached.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each partner to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. These changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jason Bennecke, Project Manager
464 West 4th Street, 6th Floor, (MS-1229)
San Bernardino, California 92401-1400
Office Phone: (909) 556-8852
Mobile Phone: (909) 556-8852
Email: jason.bennecke@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
Capital Projects Division, Public Works Department
P. O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By:_____
Raymond W. Wolfe, PhD
District Director

CITY OF MORENO VALLEY

By:_____
William L. Bopf
Interim City Manager

CERTIFIED AS TO FUNDS:

By:_____
Lisa Pacheco
Budget Manager

APPROVED AS TO FORM AND PROCEDURE

By:_____
Robert L. Hansen
City Attorney

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5					Construction (CON) - 270, 285, 290, 295	X	X	
	270				Construction Engineering and General Contract Administration	X	X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing	X	X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		75			Resource Agency Permit Renewal and Extension Requests		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
	275				Construction Engineering and General Contract Administration of Structures Work	X	X	
		10			Office Administration Work for Structures		X	

		20			Field Administration Work for Structures		X	
		30			Contract Change Order Inspection for Structures Work		X	
		40			Safety Tasks for Structures Work		X	
	285				Contract Change Order Administration	X	X	
		05			Contract Change Order Process		X	
		10			Functional Support		X	
	290				Resolve Contract Claims		X	
		05			Analysis of Notices of Potential Claims		X	
		10			Supporting Documentation and Responses to Notices of Potential Claims		X	
		15			Reviewed and Approved Claim Report		X	
		20			District Claim Meeting or Board of Review		X	
		25			Arbitration Hearing		X	
		30			Negotiated Claim Settlement		X	
		35			Technical Support		X	
	295				Accept Contract, Prepare Final Construction Estimate, and Final Report	X	X	
		05			Processed Estimate After Acceptance		X	
		10			Proposed Final Contract Estimate		X	
		15			As-Built Plans		X	
		20			Project History File		X	
		25			Final Report		X	
		30			Processed Final Estimate		X	
		35			Certificate of Environmental Compliance		X	
		40			Long Term Environmental Mitigation/Mitigation Monitoring After Construction Contract Acceptance		X	
		45			Post-Construction Traffic Operations Activities		X	
		99			Other Accept Contract/ Prepare Final Construction Estimate and Final Report		X	

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	Local	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00
		Subtotals by Component	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD
PROJECT NO. 06-12566625

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On June 23, 2009, the City Council awarded the construction contract to Murrieta Development Company, Inc., for the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard. A Purchase Order in the amount of $672,380.97 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

Murrieta Development Company, Inc. completed construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The project consisted of the installation of a traffic signal at the intersection of State Route 60 eastbound ramps and Redlands Boulevard, with street and storm drain improvements and also included minor widening of Redlands Boulevard and the eastbound ramps to accommodate turn lanes.

A Purchase Order in the amount of $672,380.97 was issued. The Contractor completed the project at a total construction cost of $594,370.19 inclusive of Contract Change Order No. 1 (Final) of $9,691.09. The improvements were completed ahead of schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvements Project Budget and is financed by Measure A (Fund 125). These funds can only be used for street related improvements. There is no impact to the General Fund.

AVAILABLE BUDGET:

SR60 Eastbound Ramps/Redlands Blvd Traffic Signal (Acct. No. 125.66625)	$1,269,476
Total Budget	$1,269,476

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$594,370
Construction Survey	$10,500
Construction Geotechnical	$18,100
Caltrans permit	$14,400
Edison Line extension	$6,400
Project Administration and Inspection (City Staff and Consultant)	$37,000
Total Project Construction Costs	$680,770

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Murrieta Development Company, Inc. completed the construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Murrieta Development Company, Inc., and accept the improvements into the City's maintained road system.

ATTACHMENT

Attachment "A" – Location Map (PAGE 251)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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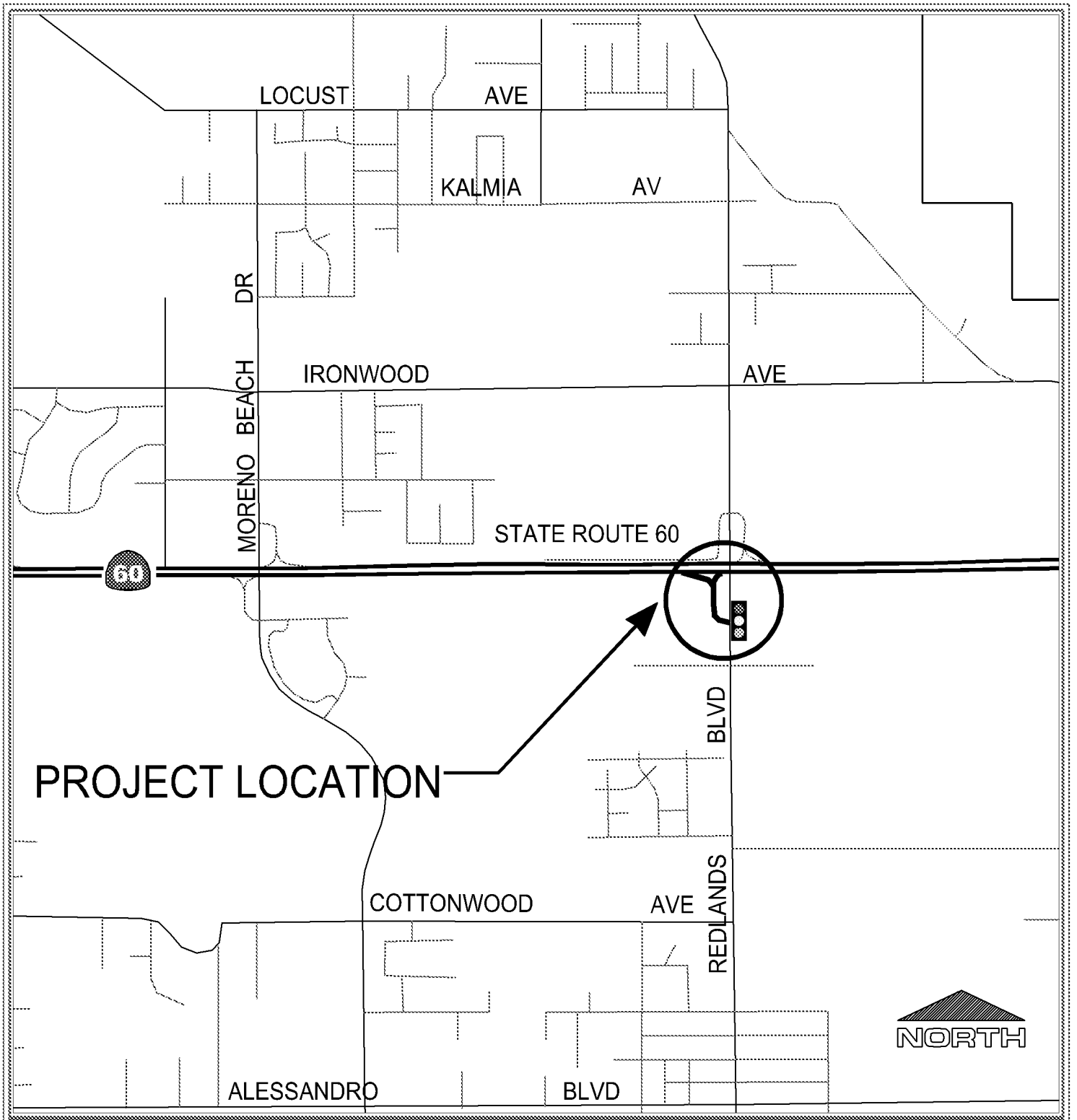

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

STATE ROUTE 60 / REDLANDS BOULEVARD
TRAFFIC SIGNAL ON EAST BOUND ON/OFF RAMPS
PROJECT NUMBER 06-12566625

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MV00057214

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: PA04-0016 – Residential - Accept Agreement and Irrevocable Letters of Credit for Public Improvements

Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway

Developer: Pigeon Pass LLC
434 n. 2nd
Upland, CA 91786

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Planning Commission of the City of Moreno Valley approved PA04-0016 on August 12, 2004. The project is located at the Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway. The plot plan was a proposal to subdivide approximately 9-acre parcel into 31 single-family residential lots. The Conditions of Approval for this project require that the developer provide surety for the required public improvements.

DISCUSSION

The developer of this project has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The street improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, bus turnout, street lights, water quality basins, storm drain, water, and sewer. Accompanying the agreement are an Irrevocable Letter of Credit as Faithful Performance security in the amount of $111,500 and an Irrevocable Letter of Credit as Labor and Material security in the amount of $55,750 issued by California Bank & Trust. The Financial and Administrative Services Department has determined that California Bank & Trust meets the minimum financial strength and stability to meet the obligations of the irrevocable letters of credit.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS/EXHIBITS

Exhibit “A” – Vicinity Map (PG. 257)
Exhibit “B” – Agreement for Public Improvements (PG. 259-267)
Exhibit “C” – Irrevocable Letter of Credit as Faithful Performance Security (PG. 269-270)
Exhibit “D” – Irrevocable Letter of Credit as Labor and Material Security (PG. 271-272)

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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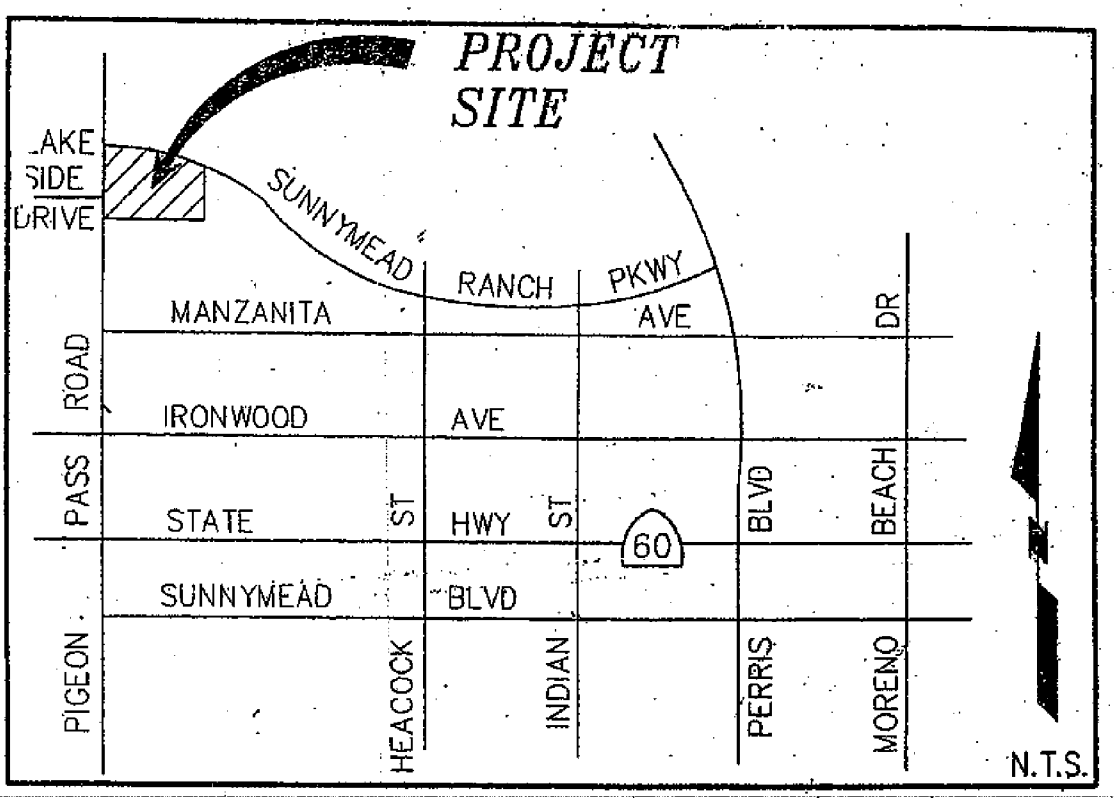

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA04-0016** **TR 31414** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\5-25-10 - PA04-0016 - Exhibit A.doc

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MV00057220

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0016 (TR 31414)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Pigeon Pass LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0016** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$111,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Pigeon Pass LLC
434 N. 2nd Ave.
Upland, CA 91786

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

Pigeon Pass LLC:
Developer by GFR Enterprises, Inc.
Its: Manager

BY: _____
Signature

Felizardo Robles, Jr.
Print/Type Name

Its: President
Title

BY: _____
Signature

Michael R. Aulicino
Print/Type Name

Its.: Chief Financial Officer
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boller - Agreement.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Bernardino

On April 13, 2010 (Date) before me, Susan C. White (Here Insert Name and Title of the Officer),

personally appeared Felizardo Robles Jr. and Michael R. Aulicino (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SUSAN C. WHITE
Commission # 1857286
Notary Public - California
San Bernardino County
My Comm. Expires Jul 10, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Susan C. White
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Public Works, Tract 31414

Document Date: April 13, 2010 Number of Pages: 8

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Felizardo Robles Jr.	Signer's Name: Michael R. Aulicino
☒ Corporate Officer — Title(s): President	☒ Corporate Officer — Title(s): CFO
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: GFR Enterprises Inc.	Signer Is Representing: GFR Enterprises, Inc.
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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MS 3/15/10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 03/15/10

PROJECT: **Tract 31414/PA04-0016** PREPARED BY: **Liz Plazola**

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	83222	S.F.	3017	Ton	16.00	48,269
A.C.	0.3	Thickness (ft.)				
	83222	S.F.	1810	Ton	43.50	78,738
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			2659	L.F.	12.00	31,908
Curb and Gutter - 8"			1226	L.F.	13.00	15,938
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			1165	L.F.	10.00	11,650
Cross Gutter and Spandrel			1501	S.F.	11.00	16,511
Sidewalk			24829	S.F.	4.00	99,316
Driveway Approach - 6"			8866	S.F.	5.50	48,763
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			9247	S.Y.	1.10	10,172
Redwood Header			0	L.F.	4.00	0
Sawcut			3575	L.F.	1.10	3,933
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5050	L.F.	5.00	25,250
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			8	EA.	425.00	3,400
Stop Sign			2	EA.	200.00	400
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			10	EA.	50.00	500
Signs and Posts			4	EA.	200.00	800
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			2874	L.S.	.30	862
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping-median			2000	S.F.	5.00	10,000
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			9	EA.	3,000.00	27,000
Street Lights (22000 lumen)			2	EA.	3,500.00	7,000
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Relocate Power Poles			1	EA.	150,000.00	150,000
Cluster Mail Boxes			3	EA.	3,000.00	9,000
Monuments			54		65.00	3,510
Electrical Utility Infrastructure			0	EA.		0
Electrical Utility Trench			0	L.F.	110.00	0
Electrical Reimbursement						
					SUBTOTAL:	606,119

Monuments: 54 X 65.00 EA. $3,510

Item No. A.8

MV00057225

MMJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	410	L.F.	95.00	38,950
30" Reinforced Concrete Pipe	0	L.F.	110.00	0
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	1	EA.	5000.00	5,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
Ctach Basin	14	LF	450.00	6,300
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	0	EA.	1600.00	0
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	2	EA.	3500.00	7,000
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
Construct local depression	2	EA.	1000.00	2,000
"V" Gutter	23	L.F.	4.00	92
			SUBTOTAL:	63,922

MVJ 3/15/10

EXHIBIT "A"

PROJECT: **Tract 31414/PA04-0016**

DATE: **03/15/10**
PREPARED BY: **Liz Plazola**

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	1441	L.F.	50.00	72,050
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	5	EA.	2,000.00	10,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	3	EA.	1,800.00	5,400
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	3	EA.	1,800.00	5,400
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	31	EA.	350.00	10,850
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Prerssure Reducing Vlave	31		200.00	6,200
Joint at Existing 8"	0	EA.	650.00	0
			SUBTOTAL:	114,900

Item No. A.8

MV00057227

MVJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	1504	L.F.	32.00	48,128
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1116	L.F.	24.00	26,784
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	15	EA.	2,000.00	30,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	3	EA.	2,800.00	8,400
Shallow Manhole	1	EA.	2,000.00	2,000
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	31	EA.	600.00	18,600
Clean Out Lateral	0	EA.	90.00	0
Wyes	56	EA.	90.00	5,040
Pavement Replacement	56	S.F.	3.00	168
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
Backflow valve	7		150.00	1,050
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	140,170

3/15/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: Tract 31414/PA04-0016
PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

IMPROVEMENT TYPE:

ROADWORK	:	$606,119
STORM DRAIN	:	$63,922
WATER SYSTEM	:	$114,900
SEWER SYSTEM	:	$140,170
SURVEY MONUMENTS	:	$3,510
TOTAL COST OF IMPROVEMENTS:		$928,621
+20% CONTINGENCY:		$185,724
GRAND TOTAL:		$1,114,346

BOND AMOUNT:	**$1,115,000**
-90% of Original Bond Amount	$1,003,500
NEW BOND AMOUNT:	**$111,500**

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MV00057230

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1733

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 111,500.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of One Hundred Eleven Thousand Five Hundred and 00/100 USDOLLARS (USD 111,500.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1733 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.

Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
"We hereby certify that Pigeon Pass LLC has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

OR

"We hereby certify that Pigeon Pass LLC has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided relative to Project No. PA04-0016 (TR31414), the amount of the attached draft is in the amount of USD (insert amount) which represents no more than 10% of the amount of this Letter of Credit."

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

Beneficiary may reduce the Letter of Credit amount from time to time by providing us with a release letter purportedly signed by an authorized representative of The City of Moreno Valley indicating this Letter of Credit No. SB06-1733, the amount to be reduced and the new Letter of Credit amount and stating that the work covered by the agreements is completed to the satisfaction of the City.

Exhibit "C"

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Gloz 4-7-10
By Date

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1732

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 55,750.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of Fifty Five Thousand Seven Hundred Fifty and 00/100 USDOLLARS (USD 55,750.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1732 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

> This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.
>
> Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
> "We hereby certify that Pigeon Pass LLC has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

This Letter of Credit may be cancelled prior to the expiration date, only upon our receipt of the original of this Letter of Credit and amendments (if any) and a statement purportedly signed by an authorized representative of City of Moreno Valley stating that Pigeon Pass LLC has fulfilled its obligation and authorize California Bank & Trust to cancel Letter of Credit No. SB06-1732.

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

Exhibit "D"

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Alonzo 4-7-10
By Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: May 25, 2010

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2010

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This is the third quarterly report submitted for the 2009-10 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.27 years.

This is the first Treasurer's Cash and Investments Report that incorporates reports generated by Chandler Asset Management. The format of these reports is different than the reports previously provided to the Council; however, all of the previous information plus some additional information is contained in the reports.

On the cover page of the Treasurer's Cash and Investments Report, the column previously titled "Book Value" has been changed to "Cost Value" to match the corresponding column in the reports from Chandler Asset Management. Cost Value is the purchase price of an investment; the amount does not include amortization of premiums, accretion of discounts or accrued interest associated with the investment. Market Value is the price the City would receive if it sold the investment on the open market on the day of the report; the exact value varies many times daily and is only known for certain if the investment is actually sold. Par Value is the amount the City will receive at the maturity of the investment.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – March 2010 (PG. 277-288)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057238

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report
March 2010

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Duration
Bank Accounts	2,982,299	2,982,299	2,982,299		
State of California LAIF Pool	43,782,651	43,782,651	43,782,651		
Investments	172,056,891	170,645,588	168,702,060	2.27	1.56
Total General Portfolio	218,821,841	217,410,538	215,467,011	Years	Years

Bond Proceeds with Fiscal Agents	Cost Value	Market Value	Par Value	Average Maturity
Construction Funds	14,517,849	14,517,849	14,517,849	
Principal & Interest Accounts	3,471,121	3,471,121	3,471,121	
Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564	
Custody Accounts	0	0	0	
Arbitrage Rebate Accounts	14,810	14,810	14,810	
Other Accounts	534,765	534,765	534,765	
Total Bond Proceeds	27,446,109	27,446,109	27,446,109	0.00 Years

Deferred Compensation Funds	Market Value
Nationwide	7,252,072
ICMA	3,820,694
Total Deferred Compensation Funds	11,072,766
Total Investment Portfolio	255,929,413

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment custodian.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Steve Elam
City Treasurer

Attachment 1

City of Moreno Valley Consolidated
Account #10122

Portfolio Summary

As of 3/31/2010

PORTFOLIO CHARACTERISTICS

Average Duration	1.56
Average Coupon	2.62 %
Average Purchase YTM	2.05 %
Average Market YTM	1.29 %
Average S&P Rating	AAA
Average Final Maturity	2.27 yrs
Average Life	1.55 yrs

ACCOUNT SUMMARY

	Beg. Values as of 2/28/10	End Values as of 3/31/10
Market Value	225,848,547	217,410,538
Accrued Interest	1,007,401	1,495,909
Total Market Value	226,855,948	218,906,447
Income Earned	612,314	277,190
Cont/WD		
Par	226,640,056	215,467,011
Book Value	226,740,607	218,769,519
Cost Value	226,677,179	218,821,841

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	20.1 %
Federal Home Loan Bank	16.4 %
Federal National Mortgage Assoc	12.6 %
Federal Home Loan Mortgage Corp	10.2 %
Government of United States	9.4 %
Federal Farm Credit Bank	8.9 %
Tennessee Valley Authority	3.8 %
Bank of America Corp FDIC Insur	2.3 %
	83.6 %

SECTOR ALLOCATION

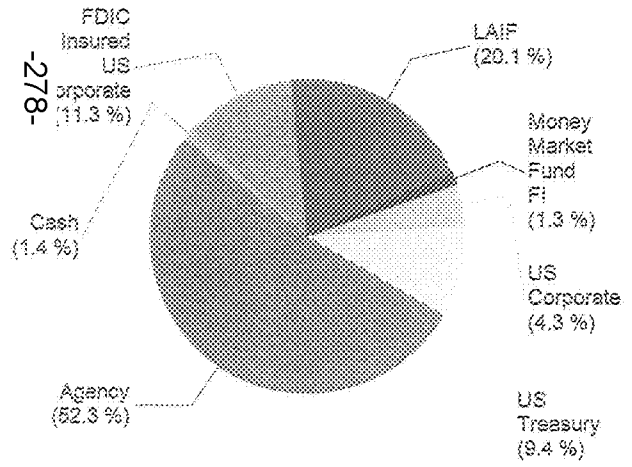

MATURITY DISTRIBUTION

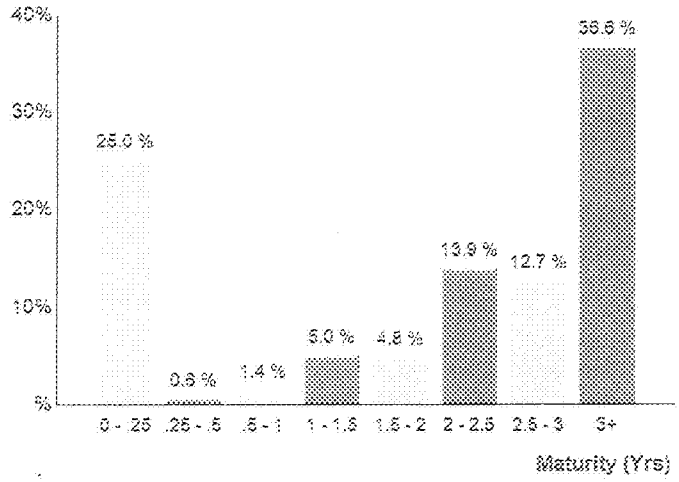

CREDIT QUALITY

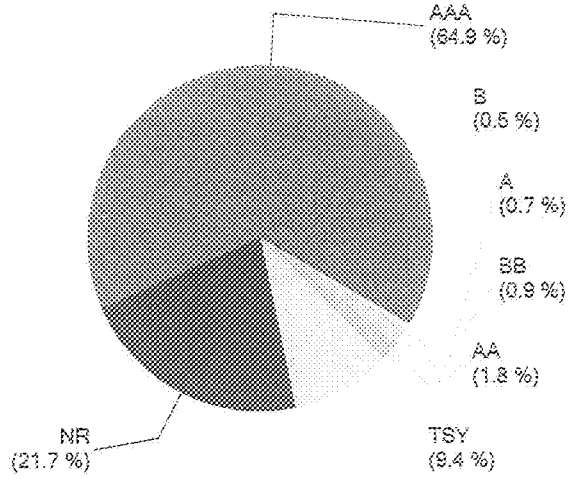

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31331XMQ2	FFCB Note 5% Due 5/26/2010	1,000,000.00	01/26/2007 5.00 %	1,000,000.00 1,000,000.00	100.72 0.29 %	1,007,188.00 17,361.11	0.47 % 7,188.00	Aaa AAA	0.15 0.15
31331GGS2	FFCB Note 2% Due 6/11/2010	1,000,000.00	12/11/2008 2.00 %	1,000,000.00 1,000,000.00	100.31 0.39 %	1,003,125.00 6,111.11	0.46 % 3,125.00	Aaa AAA	0.20 0.19
3133XCJ38	FHLB Callable Note 1X 08/10/2006 4.7% Due 8/10/2010	1,000,000.00	11/29/2005 4.94 %	989,860.00 999,225.46	101.53 0.42 %	1,015,313.00 6,658.33	0.47 % 16,087.54	Aaa AAA	0.36 0.36
3133XQMW9	FHLB Callable Note 1X 10/15/08 3.05% Due 10/15/2010	1,000,000.00	04/15/2008 3.05 %	1,000,000.00 1,000,000.00	101.41 0.43 %	1,014,063.00 14,063.89	0.47 % 14,063.00	Aaa AAA	0.54 0.53
3133XQSX1	FHLB Callable Note 1X 10/28/08 3% Due 10/28/2010	1,000,000.00	04/28/2008 3.00 %	1,000,000.00 1,000,000.00	101.41 0.55 %	1,014,063.00 12,750.00	0.47 % 14,063.00	Aaa AAA	0.58 0.57
307692AA1	FAMCA Note 4.875% Due 1/14/2011	1,000,000.00	06/05/2006 5.47 %	976,000.00 995,895.49	103.44 0.48 %	1,034,410.00 10,427.08	0.48 % 38,514.51	Aaa AAA	0.79 0.77
31398AWA6	FNMA Callable Note 1X 04/01/2010 2.05% Due 4/1/2011	1,000,000.00	04/01/2009 2.05 %	1,000,000.00 1,000,000.00	100.00 2.05 %	1,000,000.00 10,250.00	0.46 % 0.00	Aaa AAA	1.00 0.97
31331YK82	FFCB Note 3.25% Due 5/2/2011	1,000,000.00	05/19/2008 3.38 %	996,360.00 998,662.86	102.84 0.62 %	1,028,438.00 13,451.39	0.48 % 29,775.14	Aaa AAA	1.09 1.06
3133XTRU2	FHLB Note 1.3% Due 6/1/2011	1,000,000.00	06/01/2009 1.30 %	1,000,000.00 1,000,000.00	100.59 0.79 %	1,005,938.00 4,333.33	0.46 % 5,938.00	Aaa AAA	1.17 1.15
3[illegible]REE6	FHLB Callable Note 1X 6 /9/10 3.6% Due 6/9/2011	1,000,000.00	06/09/2008 3.60 %	1,000,000.00 1,000,000.00	100.59 0.45 %	1,005,938.00 11,200.00	0.46 % 5,938.00	Aaa AAA	0.19 0.19
3133XRQR4	FHLB Callable Note 1X 07/14/10 4.125% Due 7/14/2011	1,000,000.00	07/14/2008 4.13 %	1,000,000.00 1,000,000.00	101.06 0.40 %	1,010,625.00 8,822.92	0.47 % 10,625.00	Aaa AAA	0.29 0.29
3133XUHK2	FHLB Callable Note 1X 8/24/2010 1.375% Due 8/24/2011	1,000,000.00	08/24/2009 1.38 %	1,000,000.00 1,000,000.00	100.34 0.51 %	1,003,438.00 1,413.19	0.46 % 3,438.00	Aaa AAA	0.40 0.40
3133XRW30	FHLB Callable Note 1X 7/28/10 4% Due 10/28/2011	1,000,000.00	10/28/2008 4.00 %	1,000,000.00 1,000,000.00	101.19 0.34 %	1,011,875.00 17,000.00	0.47 % 11,875.00	Aaa AAA	0.33 0.32
3136FH4A0	FNMA Callable Note 1X 8/17/10 1.55% Due 11/17/2011	1,000,000.00	08/17/2009 1.56 %	999,375.00 999,547.60	100.41 0.47 %	1,004,063.00 5,769.44	0.46 % 4,515.40	Aaa AAA	0.38 0.38
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.81 1.09 %	1,018,125.00 3,966.67	0.47 % 18,125.00	Aaa AAA	1.82 1.77
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	102.13 1.09 %	1,021,250.00 3,187.50	0.47 % 21,250.00	Aaa AAA	1.87 1.82
3128X8MS8	FHLMC Callable Note 1X 9/2/10 2.35% Due 3/2/2012	1,000,000.00	03/02/2009 2.43 %	997,800.00 998,592.88	100.67 0.76 %	1,006,661.00 1,893.06	0.46 % 8,068.12	Aaa AAA	0.42 0.42
31[illegible]XKF83	FHLB Callabe Note 1X 4/19/10 5.02% Due 4/19/2012	1,000,000.00	04/19/2007 5.02 %	1,000,000.00 1,000,000.00	100.22 0.63 %	1,002,188.00 22,590.00	0.47 % 2,188.00	Aaa AAA	0.05 0.05
31[illegible]INF8	FNMA Callable Note 1X 11/04/2010 1.625% Due 5/4/2012	1,000,000.00	06/07/2009 1.62 %	1,000,000.00 1,000,000.00	100.28 1.14 %	1,002,813.00 6,635.42	0.46 % 2,813.00	Aaa AAA	0.60 0.59
31[illegible]IA93	FHLMC Callable Note 1X 5/11/10 2.05% Due 5/11/2012	1,000,000.00	05/11/2009 2.05 %	1,000,000.00 1,000,000.00	100.18 0.39 %	1,001,840.00 7,972.22	0.46 % 1,840.00	Aaa AAA	0.11 0.11

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (Yrs) Duration
AGENCY									
3133XL4G5	FHLB Callable Note 1X 6/1/10 5.3% Due 6/1/2012	1,000,000.00	06/01/2007 5.30 %	1,000,000.00 1,000,000.00	100.81 0.41 %	1,008,125.00 17,666.67	0.47 % 8,125.00	Aaa AAA	0.17 0.17
3136FHUY9	FNMA Callable Note 1X 6/1/10 1.4% Due 6/1/2012	1,000,000.00	06/01/2009 1.40 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,250.00 4,666.67	0.46 % 1,250.00	Aaa AAA	0.17 0.17
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,002,401.63	108.94 1.35 %	1,089,375.00 15,136.89	0.50 % 86,973.37	Aaa AAA	2.23 2.09
31331GZ36	FFCB Callable Note 1X 10/19/10 1.55% Due 7/19/2012	1,000,000.00	10/19/2009 1.55 %	1,000,000.00 1,000,000.00	100.25 1.09 %	1,002,500.00 3,100.00	0.46 % 2,500.00	Aaa AAA	0.55 1.46
3136F9YP2	FNMA Callable Note 1X 07/23/2010 4.22% Due 7/23/2012	1,000,000.00	07/23/2008 4.22 %	1,000,000.00 1,000,000.00	101.13 0.59 %	1,011,250.00 7,971.11	0.47 % 11,250.00	Aaa AAA	0.31 0.31
31331XT36	FFCB Note 5.25% Due 8/1/2012	1,000,000.00	08/01/2007 5.25 %	1,000,000.00 1,000,000.00	108.72 1.44 %	1,087,188.00 8,750.00	0.50 % 87,188.00	Aaa AAA	2.34 2.20
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.41 1.41 %	1,024,063.00 3,266.67	0.47 % 24,063.00	Aaa AAA	2.37 2.29
3136FHAK1	FNMA Callable Note 1X 08/27/2010 2.625% Due 8/27/2012	1,000,000.00	02/27/2009 2.63 %	1,000,000.00 1,000,000.00	100.69 0.92 %	1,006,875.00 2,479.17	0.46 % 6,875.00	Aaa AAA	0.41 0.40
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	99.94 1.58 %	999,375.00 7,147.22	0.46 % (625.00)	Aaa AAA	2.55 2.46
3128X8WZ1	FHLMC Callable Note 1X 4/29/10 2.35% Due 10/29/2012	1,000,000.00	04/29/2009 2.35 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,326.00 9,922.22	0.46 % 1,326.00	Aaa AAA	0.08 0.06
3136FHJU0	FNMA Callable Note 1X 4/29/11 2.25% Due 10/29/2012	1,000,000.00	04/29/2009 2.28 %	999,150.00 999,373.96	101.19 1.14 %	1,011,875.00 9,500.00	0.47 % 12,501.04	Aaa AAA	1.08 2.07
3133XSKL1	FHLB Callable Note 1X 11/5/10 4.125% Due 11/5/2012	1,000,000.00	11/05/2008 4.13 %	1,000,000.00 1,000,000.00	102.03 0.69 %	1,020,313.00 16,729.17	0.47 % 20,313.00	Aaa AAA	0.60 0.58
3128X7SV7	FHLMC Callable Note 1X 11/23/2010 3.7% Due 11/23/2012	2,000,000.00	05/23/2008 3.79 %	1,992,500.00 1,995,591.19	101.93 0.69 %	2,038,678.00 26,311.11	0.94 % 43,086.81	Aaa AAA	0.65 0.63
3133XTRK4	FHLB Callable Note 1X 6/18/10 2.1% Due 12/18/2012	1,000,000.00	06/18/2009 2.10 %	1,000,000.00 1,000,000.00	100.34 0.49 %	1,003,438.00 6,006.33	0.46 % 3,438.00	Aaa AAA	0.22 0.85
31331GKF5	FFCB Note 2.5% Due 1/14/2013	1,000,000.00	01/14/2009 2.30 %	1,007,520.00 1,005,244.96	102.00 1.76 %	1,020,000.00 5,347.22	0.47 % 14,755.04	Aaa AAA	2.79 2.67
31398ALB6	FNMA Callable Note 1X 01/18/2011 4% Due 1/18/2013	1,000,000.00	01/18/2006 4.00 %	1,000,000.00 1,000,000.00	102.38 1.00 %	1,023,750.00 8,111.11	0.47 % 23,750.00	Aaa AAA	0.80 0.78
3133XUDM2	FHLB Callable Note 1X 2/14/11 2.4% Due 2/14/2013	1,000,000.00	08/14/2009 2.40 %	1,000,000.00 1,000,000.00	101.09 1.13 %	1,010,938.00 3,133.33	0.46 % 10,938.00	Aaa AAA	0.86 2.21
3136FH4S1	FNMA Callable Note 1X 8/19/10 2.375% Due 2/19/2013	1,000,000.00	08/20/2009 2.38 %	1,000,000.00 1,000,000.00	100.72 0.49 %	1,007,188.00 2,770.83	0.46 % 7,188.00	Aaa AAA	0.39 1.19
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.87 %	4,194,744.63 4,163,336.79	112.20 1.75 %	4,179,338.25 9,933.34	1.91 % 15,999.46	Aaa AAA	2.96 2.74
3128X8TZ5	FHLMC Callable Note 1X 04/08/2011 2.5% Due 4/8/2013	1,000,000.00	04/08/2009 2.50 %	1,000,000.00 1,000,000.00	101.54 0.98 %	1,015,412.00 12,013.89	0.47 % 15,412.00	Aaa AAA	1.02 2.40

MV00057242

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	100.81 1.92 %	1,008,125.00 10,572.22	0.47 % 8,125.00	Aaa AAA	3.02 2.88
3133XQVY5	FHLB Callable Note Qrtly 5/13/10 4.125% Due 5/13/2013	1,000,000.00	05/13/2008 4.13 %	1,000,000.00 1,000,000.00	100.44 0.37 %	1,004,375.00 15,812.50	0.47 % 4,375.00	Aaa AAA	0.12 0.12
3128X8B84	FHLMC Callable Note 1X 05/13/2011 2.4% Due 5/13/2013	1,000,000.00	05/13/2009 2.40 %	1,000,000.00 1,000,000.00	101.31 1.22 %	1,013,069.00 9,200.00	0.47 % 13,069.00	Aaa AAA	1.12 2.62
3128X7RC0	FHLMC Callable Note 1X 5/20/10 4% Due 5/20/2013	1,000,000.00	05/20/2008 4.00 %	1,000,000.00 1,000,000.00	100.41 0.94 %	1,004,141.00 14,555.56	0.47 % 4,141.00	Aaa AAA	0.14 0.14
31331GXN4	FFCB Callable Note Cont 6/3/11 2.7% Due 6/3/2013	1,000,000.00	06/03/2009 2.70 %	1,000,000.00 1,000,000.00	101.38 1.51 %	1,013,750.00 8,850.00	0.47 % 13,750.00	Aaa AAA	1.18 1.89
31331YV64	FFCB Callable Note Cont 6/10/10 4.3% Due 6/10/2013	1,000,000.00	06/10/2008 4.30 %	1,000,000.00 1,000,000.00	100.75 0.38 %	1,007,500.00 13,258.33	0.47 % 7,500.00	Aaa AAA	0.19 0.19
3128X7VR2	FHLMC Callable Note 1X 6/10/10 4% Due 6/10/2013	1,000,000.00	06/10/2008 4.00 %	1,000,000.00 1,000,000.00	100.68 0.46 %	1,006,767.00 12,333.33	0.47 % 6,767.00	Aaa AAA	0.19 0.19
3128X84T6	FHLMC Callable Note 1X 7/23/10 2.4% Due 7/23/2013	1,000,000.00	07/23/2009 2.40 %	1,000,000.00 1,000,000.00	100.54 0.66 %	1,005,406.00 4,533.33	0.46 % 5,406.00	Aaa AAA	0.31 1.49
3133XRTE0	FHLB Callable Note 1X 7/29/10 4.625% Due 7/29/2013	1,000,000.00	07/29/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.33 %	1,014,063.00 7,965.28	0.47 % 14,063.00	Aaa AAA	0.33 0.33
8[illegible]1DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 4,092,821.60	108.66 2.05 %	4,074,596.25 29,687.50	1.87 % (18,225.35)	Aaa AAA	3.34 3.08
3133XUEC3	FHLB Callable Note 1X 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	101.13 1.81 %	1,011,250.00 3,606.94	0.46 % 11,250.00	Aaa AAA	1.37 2.15
3133XRYG9	FHLB Callable Note 1X 8/20/10 4.625% Due 8/20/2013	1,000,000.00	10/28/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.96 %	1,014,063.00 5,267.36	0.47 % 14,063.00	Aaa AAA	0.39 0.38
3128X9GH7	FHLMC Callable Note 1X 4/1/10 2.5% Due 10/1/2013	1,000,000.00	10/01/2009 2.53 %	999,000.00 999,124.57	100.00 2.50 %	1,000,000.00 12,500.00	0.46 % 875.43	Aaa AAA	3.51 3.29
31331GDF3	FFCB Callable Note Cont 10/15/10 4.25% Due 10/15/2013	1,000,000.00	10/15/2008 4.25 %	1,000,000.00 1,000,000.00	102.03 0.47 %	1,020,313.00 19,597.22	0.48 % 20,313.00	Aaa AAA	0.54 0.53
3136FJGM7	FNMA Callable Note 1X 10/22/10 2.5% Due 10/22/2013	1,000,000.00	10/22/2009 2.50 %	1,000,000.00 1,000,000.00	100.34 1.68 %	1,003,438.00 11,041.67	0.46 % 3,438.00	Aaa AAA	0.56 2.25
3133XSLV6	FHLB Callable Note 1X 11/26/10 3.5% Due 11/26/2013	1,000,000.00	11/26/2008 3.50 %	1,000,000.00 1,000,000.00	102.19 0.15 %	1,021,875.00 12,152.78	0.47 % 21,875.00	Aaa AAA	0.66 0.65
3133XSMU9	FHLB Callable Note 1X 11/26/10 4.05% Due 11/26/2013	1,000,000.00	11/26/2008 4.05 %	1,000,000.00 1,000,000.00	102.38 0.40 %	1,023,750.00 14,062.50	0.47 % 23,750.00	Aaa AAA	0.66 0.64
3[illegible]HW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,066,040.95	109.41 2.21 %	1,094,063.00 14,625.00	0.51 % 28,022.05	Aaa AAA	3.71 3.36
31[illegible]ABX6	FHLMC Note 2.5% Due 1/7/2014	4,000,000.00	03/17/2010 2.09 %	4,059,384.00 4,058,786.32	101.16 2.18 %	4,046,372.00 23,333.33	1.86 % (12,414.32)	Aaa AAA	3.78 3.56
31[illegible]3Z4	FNMA Callable Note 1X 1/28/11 2% Due 1/28/2014	1,000,000.00	01/28/2009 2.00 %	1,000,000.00 1,000,000.00	100.63 1.23 %	1,006,250.00 3,500.00	0.46 % 6,250.00	Aaa AAA	0.83 0.82

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
33XSZ43	FHLB Callable Note Qrtly 02/18/2011 3% Due 2/18/2014	1,000,000.00	02/18/2009 3.00 %	1,000,000.00 1,000,000.00	100.69 2.21 %	1,006,875.00 3,583.33	0.46 % 6,875.00	Aaa AAA	0.89 1.89
3136FHDF9	FNMA Callalbe Note 1X 3/18/11 3.2% Due 3/18/2014	1,000,000.00	03/18/2009 3.20 %	1,000,000.00 1,000,000.00	101.75 1.37 %	1,017,500.00 1,155.56	0.47 % 17,500.00	Aaa AAA	0.96 2.50
3128X8QM7	FHLMC Callable Note 1X 03/24/2011 2.375% Due 3/24/2014	1,000,000.00	03/24/2009 2.40 %	999,000.00 999,204.27	101.98 0.35 %	1,019,849.00 461.81	0.47 % 20,644.73	Aaa AAA	0.98 0.97
31398AWH1	FNMA Callable Note 1X 4/7/11 2.9% Due 4/7/2014	1,000,000.00	06/06/2009 2.98 %	996,406.25 997,011.32	100.59 2.31 %	1,005,938.00 14,016.67	0.47 % 8,926.68	Aaa AAA	1.02 2.82
3136FHHH1	FNMA Callable Note 1X 4/14/11 2% Due 4/14/2014	1,000,000.00	04/14/2009 2.00 %	1,000,000.00 1,000,000.00	99.91 2.09 %	999,063.00 9,277.78	0.46 % (937.00)	Aaa AAA	1.04 1.01
3136FHGK5	FNMA Callable Note 1X 04/16/2012 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.38 2.31 %	1,013,750.00 13,750.00	0.47 % 13,750.00	Aaa AAA	2.05 3.45
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.31 1.60 %	1,013,125.00 9,375.00	0.47 % 13,125.00	Aaa AAA	2.09 3.12
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.94 1.53 %	1,009,375.00 8,086.81	0.46 % 9,375.00	Aaa AAA	1.62 2.76
31331GYT0	FFCB Callable Note Cont 6/17/10 3.75% Due 6/17/2014	1,000,000.00	06/17/2009 3.75 %	1,000,000.00 1,000,000.00	100.78 0.05 %	1,007,813.00 10,833.33	0.47 % 7,813.00	Aaa AAA	0.21 0.21
133X7FK5	FHLB Note 5.25% Due 6/18/2014	3,650,000.00	03/15/2010 2.34 %	4,078,185.15 4,073,779.39	111.19 2.44 %	4,058,343.75 54,826.04	1.88 % (15,435.64)	Aaa AAA	4.22 3.78
3128X6Y69	FHLMC Callable Note 1X 7/2/10 3.4% Due 7/2/2014	1,000,000.00	07/02/2009 3.41 %	999,531.25 999,601.33	100.79 0.26 %	1,007,935.00 8,405.56	0.46 % 8,333.67	Aaa AAA	0.25 0.25
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.25 1.78 %	1,012,500.00 5,694.44	0.47 % 12,500.00	Aaa AAA	1.78 1.72
31398AYN6	FNMA Callable Note 1X 07/28/2011 3% Due 7/28/2014	1,000,000.00	07/28/2009 3.00 %	1,000,000.00 1,000,000.00	100.75 2.42 %	1,007,500.00 5,250.00	0.46 % 7,500.00	Aaa AAA	1.33 3.32
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,096,498.18	102.22 2.46 %	4,088,752.00 21,000.00	1.88 % (7,746.18)	Aaa AAA	4.33 4.02
3133XUBN2	FHLB Callable Note Cont 8/5/10 3.2% Due 8/5/2014	1,000,000.00	08/08/2009 3.20 %	1,000,000.00 1,000,000.00	100.84 0.74 %	1,008,438.00 4,977.78	0.46 % 8,438.00	Aaa AAA	0.35 1.14
3133XUPX5	FHLB Callable Note 1X 9/15/11 3.1% Due 9/15/2014	1,000,000.00	09/15/2009 3.10 %	1,000,000.00 1,000,000.00	101.50 2.74 %	1,015,000.00 1,377.78	0.46 % 15,000.00	Aaa AAA	4.46 2.67
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,089,870.47	101.50 2.64 %	4,060,000.00 3,000.00	1.86 % (29,870.47)	Aaa AAA	4.48 4.17
3133XV2K6	FHLB Callable Note Qrtly 1/15/10 2% Due 10/15/2014	1,000,000.00	10/15/2009 2.00 %	1,000,000.00 1,000,000.00	100.07 0.18 %	1,000,700.00 9,222.22	0.46 % 700.00	Aaa AAA	0.04 0.04
3133XV3B5	FHLB Callable Note Qtrly 1/22/10 2% Due 10/22/2014	1,000,000.00	10/22/2009 2.00 %	1,000,000.00 1,000,000.00	100.09 0.37 %	1,000,938.00 8,833.33	0.46 % 938.00	Aaa AAA	0.06 1.08
3136FJKD2	FNMA Callable Note 1X 10/27/2011 2.8% Due 10/27/2014	1,000,000.00	10/27/2009 2.80 %	1,000,000.00 1,000,000.00	99.94 2.81 %	999,375.00 11,977.78	0.46 % (625.00)	Aaa AAA	4.58 4.21

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Unit Price Mkt Yield	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term (Yrs) Duration
AGENCY									
31398AZS4	FNMA Callable Note 1X 10/29/2010 3% Due 10/29/2014	1,000,000.00	10/29/2009 3.02 %	998,910.00 999,001.93	100.16 2.72 %	1,001,563.00 12,666.67	0.46 % 2,561.07	Aaa AAA	0.58 2.56
3128X9KE9	FHLMC Callable Note QTRLY 11/5/10 3% Due 11/5/2014	1,000,000.00	11/05/2009 3.00 %	1,000,000.00 1,000,000.00	100.44 2.24 %	1,004,421.00 12,166.67	0.46 % 4,421.00	Aaa AAA	0.60 2.00
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,114,576.82	100.00 2.63 %	4,100,000.00 39,163.54	1.89 % (14,576.82)	Aaa AAA	4.64 4.30
3136FJPL9	FNMA Callable Note 1X 05/25/2010 3.4% Due 11/25/2014	1,000,000.00	11/25/2009 3.40 %	1,000,000.00 1,000,000.00	100.19 2.12 %	1,001,875.00 11,900.00	0.46 % 1,875.00	Aaa AAA	0.15 0.15
31331G7L7	FFCB Callable Note Cont 12/22/11 2.82% Due 12/22/2014	1,000,000.00	12/22/2009 2.82 %	1,000,000.00 1,000,000.00	99.78 2.87 %	997,813.00 7,755.00	0.46 % (2,187.00)	Aaa AAA	4.73 4.36
31331JAA1	FFCB Callable Note Cont 12/22/10 3% Due 12/22/2014	1,000,000.00	12/22/2009 3.00 %	1,000,000.00 1,000,000.00	100.19 2.72 %	1,001,875.00 8,250.00	0.46 % 1,875.00	Aaa AAA	0.73 2.32
3133XWBQ1	FHLB Callable Note Qtrly 6/29/10 3% Due 12/29/2014	1,000,000.00	12/29/2009 3.00 %	1,000,000.00 1,000,000.00	99.34 3.15 %	993,438.00 7,666.67	0.46 % (6,562.00)	Aaa AAA	4.75 1.52
3136FJZA2	FNMA Callable Note Qtrly 06/30/2010 3.05% Due 12/30/2014	1,000,000.00	12/30/2009 3.05 %	1,000,000.00 1,000,000.00	99.81 3.09 %	998,125.00 7,709.72	0.46 % (1,875.00)	Aaa AAA	4.75 1.84
3136FJE23	FNMA Callable Note Qtrly 01/05/2011 3% Due 1/5/2015	1,000,000.00	01/05/2010 3.00 %	1,000,000.00 1,000,000.00	100.34 2.54 %	1,003,438.00 7,166.67	0.46 % 3,438.00	Aaa AAA	0.77 2.33
31[illegible]WDZ9	FHLB Callable Note Cont 7/13/10 3.1% Due 1/13/2015	1,000,000.00	01/13/2010 3.10 %	1,000,000.00 1,000,000.00	99.72 3.16 %	997,188.00 6,716.67	0.46 % (2,812.00)	Aaa AAA	4.79 1.52
Total Agency		111,225,000.00	2.84 %	112,769,330.38 112,744,191.97	1.48 %	113,619,283.25 938,545.29	52.33 % 875,091.28	Aaa AAA	1.86 1.93
CASH									
90CASH$00	Cash Custodial Cash Account	2,982,298.79	Various 0.00 %	2,982,298.79 2,982,298.79	1.00 0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
Total Cash		2,982,298.79	N/A	2,982,298.79 2,982,298.79	0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
FDIC INSURED US CORPORATE									
61757UAF7	Morgan Stanley FDIC Guaranteed Note 2% Due 9/22/2011	4,825,000.00	Various 0.91 %	4,909,264.93 4,901,788.66	101.68 0.85 %	4,906,045.53 2,412.50	2.24 % 4,256.87	Aaa AAA	1.48 1.45
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	4,750,000.00	Various 1.07 %	4,919,063.75 4,902,781.38	103.25 1.05 %	4,904,603.00 44,333.33	2.26 % 1,821.62	Aaa AAA	1.69 1.64
0[illegible]AG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	4,850,000.00	Various 1.31 %	4,932,732.55 4,927,981.53	101.84 1.20 %	4,939,312.75 42,720.41	2.28 % 11,331.22	Aaa AAA	2.08 2.02
9[illegible]AC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	4,875,000.00	Various 1.40 %	4,913,348.88 4,915,118.40	101.14 1.26 %	4,930,360.50 33,150.00	2.27 % 15,242.10	Aaa AAA	2.13 2.07

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port Gain/Loss	Moody S&P	Term (Yrs) Duration
IC INSURED US CORPORATE									
146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	4,725,000.00	03/12/2010 1.27 %	4,931,019.45 4,927,255.39	104.27 1.28 %	4,926,738.60 45,215.63	2.27 % (516.79)	Aaa AAA	2.21 2.12
Total FDIC Insured US Corporate		24,025,000.00	1.19 %	24,605,429.56 24,574,925.36	1.13 %	24,607,060.38 167,831.87	11.32 % 32,135.02	Aaa AAA	1.92 1.86
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	43,782,651.30	Various 0.55 %	43,782,651.30 43,782,651.30	1.00 0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
Total LAIF		43,782,651.30	0.55 %	43,782,651.30 43,782,651.30	0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	1.00	03/09/2010 0.05 %	1.00 1.00	1.00 0.05 %	1.00 0.00	0.00 % 0.00	Aaa AAA	0.00 0.00
431114701	Highmark Govt Money Market Fund	2,837,059.47	Various 0.05 %	2,837,059.47 2,837,059.47	1.00 0.05 %	2,837,059.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
xtal Money Market Fund FI		2,837,060.47	0.05 %	2,837,060.47 2,837,060.47	0.05 %	2,837,060.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
US CORPORATE									
459745FP5	International Lease Finance Note 5% Due 4/15/2010	2,000,000.00	03/26/2007 5.06 %	1,996,420.00 1,999,955.09	100.01 4.66 %	2,000,182.00 46,111.11	0.93 % 226.91	B1 BB+	0.04 0.04
02635PSV6	American General Finance Note 4.875% Due 5/15/2010	1,000,000.00	08/08/2006 5.51 %	978,490.00 999,312.18	99.96 5.12 %	999,587.00 18,416.67	0.47 % 274.82	B2 B	0.12 0.12
52517PA35	Lehman Brothers Holdings Note 4.5% Due 7/26/2010	1,000,000.00	08/25/2006 5.29 %	972,450.00 972,450.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,950.00)	NR NR	0.32 0.00
52517PYN5	Lehman Brothers Holdings Defaulted - Orig mat 1/27/10 4.25% Due 1/27/2012	1,000,000.00	06/08/2007 4.93 %	972,030.00 972,030.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,530.00)	NR NR	-0.17 0.00
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	23.25 0.00 %	232,500.00 0.00	0.11 % (763,500.00)	NR NR	1.85 0.00
06406HBL2	Bank of New York Note 4.3% Due 5/15/2014	2,140,000.00	Various 2.94 %	2,251,997.60 2,251,850.05	105.27 2.93 %	2,252,765.16 34,763.11	1.04 % 915.11	Aa2 AA-	4.13 3.72
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	1,575,000.00	03/25/2010 3.61 %	1,581,000.75 1,580,993.92	100.62 3.56 %	1,584,700.43 11,493.13	0.73 % 3,706.51	Aa3 A+	4.81 4.34
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	1,625,000.00	03/25/2010 3.94 %	1,682,687.50 1,682,622.57	103.85 3.87 %	1,687,500.75 11,149.31	0.78 % 4,878.18	Aa3 AA-	4.87 4.29
Total US Corporate		11,340,000.00	4.35 %	11,431,075.85 11,455,213.81	3.61 %	9,222,235.34 121,933.33	4.27 % (2,232,978.47)	A3 A-	2.79 2.45

MV00057246

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term (yrs) Duration
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 4,045,885.02	107.13 1.03 %	4,043,968.75 71,326.73	1.88 % (1,916.27)	TSY TSY	2.08 1.97
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 4,055,857.33	107.29 1.28 %	4,050,163.53 438.35	1.85 % (5,693.80)	TSY TSY	2.50 2.39
912828HK9	US Treasury Note 3.375% Due 11/30/2012	3,875,000.00	03/12/2010 1.29 %	4,089,651.65 4,085,969.43	105.26 1.36 %	4,078,739.75 43,833.28	1.88 % (7,229.68)	TSY TSY	2.67 2.53
912828HM5	US Treasury Note 3.625% Due 12/31/2012	3,850,000.00	03/12/2010 1.35 %	4,089,735.55 4,085,747.78	105.91 1.43 %	4,077,388.70 35,083.39	1.88 % (8,359.08)	TSY TSY	2.76 2.61
912828HV5	US Treasury Note 2.5% Due 3/31/2013	4,000,000.00	03/12/2010 1.48 %	4,121,575.90 4,119,717.28	102.74 1.56 %	4,109,688.00 273.22	1.88 % (10,029.28)	TSY TSY	3.00 2.89
Total US Treasury		19,275,000.00	1.27 %	20,413,994.26 20,393,176.84	1.33 %	20,359,948.73 150,956.97	9.37 % (33,228.11)	TSY TSY	2.60 2.48
TOTAL PORTFOLIO		215,467,010.56	2.05 %	218,821,840.61 218,769,518.54	1.29 %	217,410,538.26 1,495,908.78	100.00 % (1,358,980.28)	Aaa AAA	1.55 1.58
TOTAL MARKET VALUE PLUS ACCRUED						218,906,447.04			

City of Moreno Valley

March 31, 2010

COMPLIANCE WITH INVESTMENT POLICY

Assets managed on by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

BOND PROCEEDS WITH FISCAL AGENTS

redemption fund	20350200	money market fund	WF Govt Fund	03/31/10	04/01/10	293,847	293,847	293,847	0.01%	0.01%	1.00000	1.063%
redemption/prepay	20350201	money market fund	WF Govt Fund	03/31/10	04/01/10	2,322	2,322	2,322	0.01%	0.01%	1.00000	0.008%
reserve fund	20350202	money market fund	WF Govt Fund	03/31/10	04/01/10	78,301	78,301	78,301	0.01%	0.01%	1.00000	0.283%
rebate fund	20350203	money market fund	WF Govt Fund	03/31/10	04/01/10	329	329	329	0.01%	0.01%	1.00000	0.001%
						364,799	364,799	364,799				1.329%
Special tax funds	22631800	cash	cash	12/16/88	09/02/09	0		0	0.00%	0.00%	1.00000	0.000%
special tax funds	22631800	money market fund	WF Govt Fund	03/31/10	04/01/10	1,923,782	1,923,782	1,923,782	0.01%	0.01%	1.00000	7.009%
interest acct	22631801	money market fund	WF Govt Fund	03/31/10	04/01/10		0	0	0.01%	0.01%	1.00000	0.000%
reserve fund	22631802	money market fund	WF Govt Fund	03/31/10	04/01/10	1,028,699	1,028,699	1,028,699	0.01%	0.01%	1.00000	3.748%
admin exp acct	22631805	money market fund	WF Govt Fund	03/31/10	04/01/10	377	377	377	0.01%	0.01%	1.00000	0.001%
debt service acct	22631809	money market fund	WF Govt Fund	03/31/10	04/01/10	538,798	538,798	538,798	0.01%	0.01%	1.00000	1.962%
special tax funds	22631900	money market fund	WF Govt Fund	03/31/10	04/01/10	405,316	405,316	405,316	0.01%	0.01%	1.00000	1.477%
interest acct	22631901	money market fund	WF Govt Fund	03/31/10	04/01/10	16,153	16,153	16,153	0.01%	0.01%	1.00000	0.059%
reserve fund	22631904	money market fund	WF Govt Fund	03/31/10	04/01/10	366,244	366,244	366,244	0.01%	0.01%	1.00000	1.334%
admin exp acct	22631905	money market fund	WF Govt Fund	03/31/10	04/01/10	72	72	72	0.01%	0.01%	1.00000	0.000%
cost of issuance	22631906	money market fund	WF Govt Fund	03/31/10	04/01/10	2	2	2	0.01%	0.01%	1.00000	0.000%
						4,276,435	4,276,435	4,276,435				
Series B Revenue	22333500	money mkt fund	WF Govt Fund	03/31/10	04/01/10	150,283	150,283	150,283	0.01%	0.01%	1.00000	0.547%
Series A Principal	22333501	money mkt fund	WF Govt Fund	03/31/10	04/01/10	12,301	12,301	12,301	0.01%	2.71%	1.00000	0.045%
Series B reserve	22333503	money mkt fund	WF Govt Fund	03/31/10	04/01/10	522,482	522,482	522,482	0.01%	0.01%	1.00000	1.904%
Series A interest	22333504	money mkt fund	WF Govt Fund	03/31/10	04/01/10	625	625	625	0.01%	0.01%	1.00000	0.002%
Series B interest	22333505	money mkt fund	WF Govt Fund	03/31/10	04/01/10	457,656	457,656	457,656	0.01%	0.01%	1.00000	1.667%
						1,143,307	1,143,307	1,143,307				
delivery cost fund	12526002	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
						0	0	0				
expense fund	12526107	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,468	14,468	14,468	0.01%	0.01%	1.00000	0.053%
reserve account	12526103	money mkt fund	WF Govt Fund	03/31/10	04/01/10	407,462	407,462	407,462	0.01%	0.01%	1.00000	1.485%
lease revenue	12526100	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
rebate account	12526104	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,481	14,481	14,481	0.01%	0.01%	1.00000	0.053%
						436,011	436,011	436,011				
debt service fund	22631701	money mkt fund	WF Govt Fund	03/31/10	04/01/10	1,026,442	1,026,442	1,026,442	0.01%	0.01%	1.00000	3.740%
						1,026,442	1,026,442	1,026,442				
bond fund	18042800	money mkt fund	WF Govt Fund	03/31/10	04/01/10	333	333	333	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	03/31/10	04/01/10	2,992,830	2,992,830	2,992,830	0.01%	0.01%	1.00000	10.904%
construction fund	18042806	money mkt fund	WF Govt Fund	03/31/10	04/01/10	7,671,734	7,671,734	7,671,734	0.01%	0.01%	1.00000	27.952%
						10,664,897	10,664,897	10,664,897				38.858%
interest fund	22277601	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	03/31/10	04/01/10	6,846,115	6,846,115	6,846,115	0.01%	0.01%	1.00000	24.944%
capital interest fund	22277605	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
cost of issuance	22277606	money mkt fund	WF Govt Fund	03/31/10	04/01/10	368,024	368,024	368,024	0.01%	0.01%	1.00000	1.341%
						7,214,139	7,214,139	7,214,139				
revenue fund	20350301	revenue	WF Govt Fund	03/31/10	04/01/10	1,139,953	1,139,953	1,139,953	0.01%	0.01%	1.00000	4.153%
reserve fund	20350303	reserve	WF Govt Fund	03/31/10	04/01/10	1,178,145	1,178,145	1,178,145	0.01%	0.01%	1.00000	4.293%
admin expenses	20350308	admin expenses	WF Govt Fund	03/31/10	04/01/10	1,981	1,981	1,981	0.01%	0.01%	1.00000	0.007%
						2,320,079	2,320,079	2,320,079				8.453%
			Totals			27,446,109	27,446,109	27,446,109				100.000%

1	Construction Funds	14,517,849	14,517,849	14,517,849
2	Principal & Interest Accounts	3,471,121	3,471,121	3,471,121
3	Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564
4	Custody Accounts	0	0	0
5	Arbitrage Rebate Accounts	14,810	14,810	14,810
6	Other Accounts	534,765	534,765	534,765
	Total Fiscal Agent Funds	27,446,109	27,446,109	27,446,109

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

March 2010

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value
Liquid Savings	$1,317,937
Nationwide Fixed (Part Time Employee)	0
Liquid Savings (Part Time Employees)	128,711
Certificates of Deposit 3 years	15,413
JP Morgan Mid Cap Value A	84,139
Bond Fund Of America	67,275
Growth Fund of America	52,907
Investment Co. of America	10,732
Income Fund of America	118,204
Brown Cap Mgmt Inc SM Co	62,451
Fidelity Independence	26,461
Fidelity Equity Income	19,513
Fidelity Magellan	303,795
Certificates of Deposit 5 years	29,246
Fidelity Puritan	109,526
Fidelity Contrafund	232,459
Janus Fund	59,176
Janus Advisor Forty	57,375

Fund	Market Value
Drey SmCap I	5
American Century Balanced	25
Am Century Growth	84,573
Am Century Select	78,857
Am Century Ultra	8
Vanguard Index 500	65,279
Vanguard Institutional Index	312,628
Vanguard Wellington	13,990
Vanguard Windsor II	62,384
Vanguard Total Bond Index	108,028
Putnam Voyager	8
Templeton Foreign I	0
EuroPacific Growth	226,967
Stable Fund C	1,686,963
PBHG Growth Fund	8
DWS High Income Fund A	43,075
DWS Strategic Value	35,410
Oppenheimer Global Fund A	96,338

Fund	Market Value
N B Socially Responsive Fund	8,353
DFA US Micro Cap Port	104,358
Federated Kaufmann Fund	453,072
AIM Mid Cap Core Equity	13,731
Washington Mutual Inv	42,263
Nationwide InvDes Mod Cons Fund SC	9,720
Nationwide InvDes Mod Aggr Fund	589,670
Nationwide InvDes Aggr Fund	93,883
Nationwide InvDes Mod Fd	338,279
Nationwide Inv Des Cons	81,128
Nationwide Large Cap Growth	87,253
Nationwide Inter Val Inst Svc	21,653
Nationwide US Sm Cap Val Ins Svc	556
Nationwide Dest 2015 Inst Svc	11,121
YL Account	146,412
Nationwide Dest 2025 Inst Svc	21,391
Nationwide Dest 2020 Inst Svc	1,633
Total Nationwide Deferred	**$7,252,072**

ICMA

Fund	Market Value
Aggressive Oppor.	$142,895
International	142,050
All Equity Growth	75,848
Growth and Income	175,644
Broad Market	45,514
500 Stock Index	58,767
Equity Income	258,148
Asset Allocation	103,430
Core Bond	15,278
Cash Management	31,665
Plus Fund	1,384,358
Savings Oriented	5,583
Conservative Growth	75,740
Traditional Growth	214,109
Long-Term Growth	262,559
Mid/Small Co Index	0
Milestone 2030	9,866
Milestone 2035	7,490
Overseas Equity Index fund	52,527
Vantage Trust 1yr CD	0

Fund	Market Value
VT Royce Premeir	1,569
VT Ranier Small/Mid Cap Eq	25,321
VT Fidelity Contrafund	130,761
VT Fidelity Magellan	0
VT Fidelity Diversified International	51,911
VT Allianz NFJ Div Value	37,846
VT Legg Mason Value	1,711
VT Fidelity Puritan	3,653
VT Royce Value Plus Service	4,807
VT TR Price Growth Stock Adv	13,865
VT First Amer. Real Estate Secs	4,244
VT TR Price Small Cap Value	182,249
VT Third Ave Value	7,135
Inflation Protected Securities	48,469
Growth Fund	198,844
VT PIMCO Total Return	36,371
VT PIMCO High Yield	94,730
VT Eaton Vance Lage Cap Value	4,364
Total ICMA	**$3,820,694**

Summary by Plan

	Market Value
Total Nationwide	$7,252,072
Total ICMA	3,820,694
Total Deferred Compensation Plans	$11,072,766

Summary by Investment Type

	Market Value
Savings Deposits and CD's	$1,246,648
Mutual Funds	9,826,118
Total Deferred Compensation Plans	$11,072,766

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 297)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PAGES 299 – 308)
Attachment "C" – Assignment Agreement (PAGE 309)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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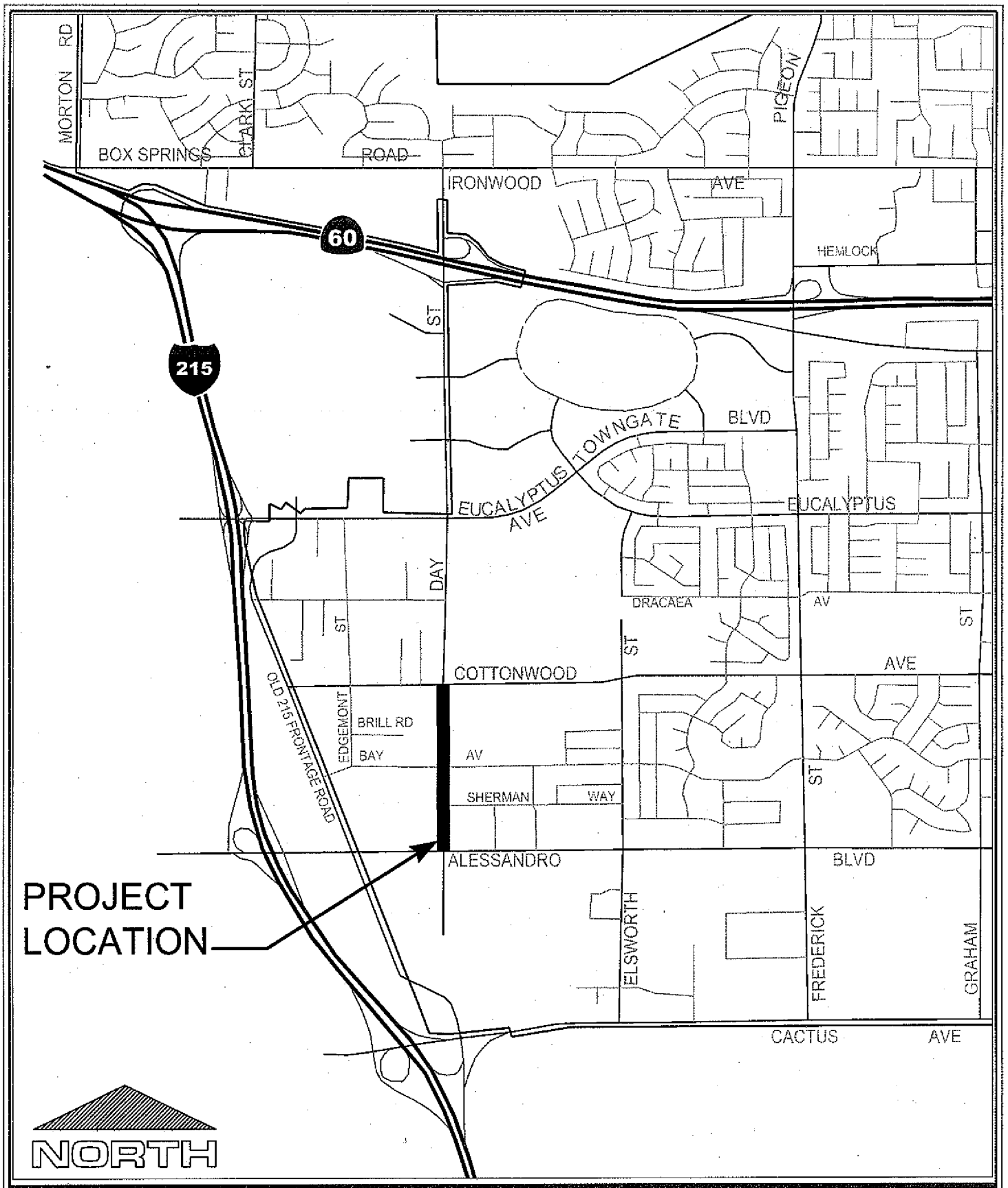

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Item No. A.10

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MV00057260

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

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ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

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MV00057272

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard.

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227).

3. Authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney.

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

BACKGROUND

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris

Boulevard. There are twenty-six (26) parcels from which right-of-way (ROW) is needed to widen this section of Ironwood Avenue. On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties.

DISCUSSION

APN 475-272-054 requires the acquisition of the entire property. This right-of-way acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements.

The subject property is located at 11987 Davis Street and is currently owned by Ms. Yost and Mr. Swanson. The parcel is improved with a single family residence and contains approximately 0.17 acres (7,405 square feet).

An appraisal report for right-of-way was prepared on March 2, 2009 by Donahue Appraisal Associates. The appraised value amount is $110,000 for this parcel.

After negotiation, the owner has agreed with a settlement amount of $124,500. The final acquisition amount for APN 475-272-054 exceeds $100,000 and requires that the Agreement for Conveyance of Property be approved by City Council.

ALTERNATIVES

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, do not authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and do not authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and do not authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative will result in delaying the construction of the Ironwood Avenue improvements.*

FISCAL IMPACT

Western Riverside Council of Governments (WRCOG), in establishing its TUMF program, identified Ironwood Avenue from Heacock Street to Perris Boulevard as part of the TUMF-roadway network. This network consists of regionally significant highways that support intercommunity trips in Western Riverside County, and are therefore eligible for improvements using TUMF reimbursement funds.

Funding for the proposed right-of-way acquisition is included in the Fiscal Year 2009/2010 budget, and TUMF provides a 68% reimbursement to the City's 32% matching funds. These TUMF funds were allocated by WRCOG for street improvements and associated right-of-way acquisition for the Ironwood Avenue Improvements project from Heacock Street to Perris Boulevard. There is no impact to the General Fund.

AVAILABLE PROJECT FUNDS:

Fiscal Year 2009/2010 TUMF Funds, Account No. 415.70227	$3,106,000
Fiscal Year 2009/2010 DIF Funds, Account No. 416.78727	$1,116,000
Fiscal Year 2009/2010 2005 Lease Revenue Bonds 501.82625	$1,046,000
Total Available Funds	**$5,268,000**

ESTIMATED RIGHT-OF-WAY RELATED EXPENDITURES

Southern California Edison Transmission Pole Relocation	$1,542,000
ROW Acquisitions	$786,000
Total ROW Related Expenditures	**$2,328,000**

ANTICIPATED PROJECT SCHEDULE:

Complete Right-of-Way Acquisition	June 2010
Commencement of SCE Power Pole Relocation	July 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. Attached is the Agreement for Conveyance of Property for APN 475-272-054. This acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements. When completed, these improvements will enhance the roadway capacity and safety.

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map (PAGE 317)
Attachment "B" – Agreement for Conveyance of Property, APN 475-272-054 (PAGES 319-327)

Prepared By:
Henry Ngo
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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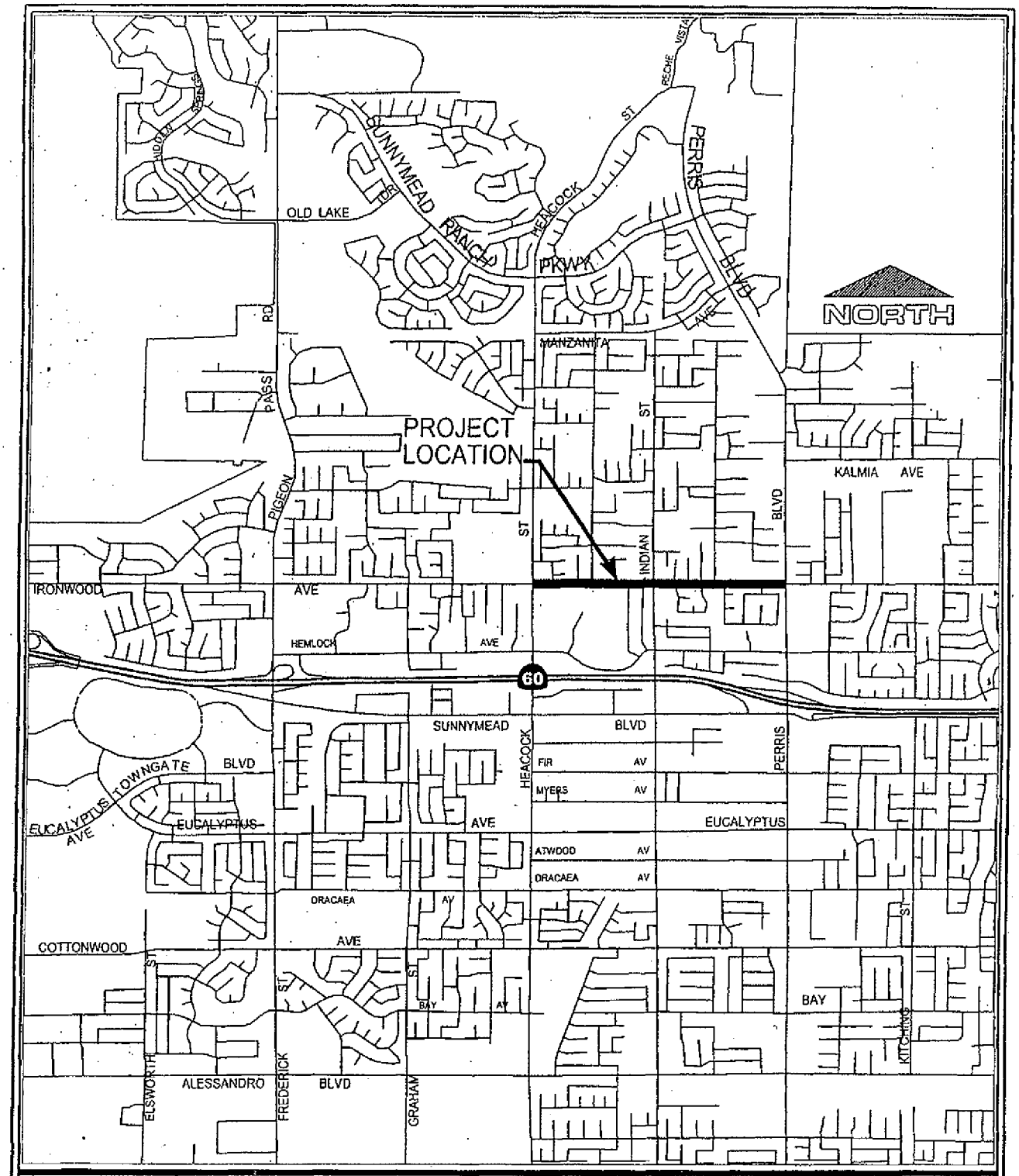

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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MV00057280

AGREEMENT
FOR CONVEYANCE OF PROPERTY

THIS AGREEMENT is entered into by and between Betty C. Yost and Jack B. Swanson, as joint tenants ("Grantor"), and the CITY OF MORENO VALLEY, a municipal corporation (" Grantee").

RECITALS

A. Grantor owns certain real property located at 11987 Davis Street, Moreno Valley, California bearing Assessor Parcel No. 475-272-054 (the "Property").

B. Grantee desires to purchase the Property, and Grantor desires to sell and convey the Property as described in Exhibit "A", attached hereto.

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Property.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Property for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be fair market value for the Property.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Stewart Title Company (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Property. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 PURCHASE PRICE.

The total purchase price for the Property shall be the lump sum of One Hundred and Twenty Four Thousand Five Hundred Dollars ($124,500.00) which shall be paid by Grantee to Grantor through Escrow Holder in cash at Close of Escrow.

2.2 CLOSE OF ESCROW.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close by the Close of Escrow, any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate. If no such demand is made, Escrow shall be closed as soon as possible.

2.3 CONDITION OF TITLE TO THE PROPERTY.

Grantor shall convey title of the Property to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Property only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Property at or prior to the Close of Escrow.

2.4 ESCROW AND CLOSING COSTS.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 INVESTIGATIONS.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Property for Grantee's intended use thereof. If Grantee determines that the Property is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantors hereby grants to Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantors representations or warranties under this Agreement, and Grantors acknowledges and agrees that Grantee is relying upon Grantors' representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantors.

2.6 DEPOSIT OF FUNDS AND DOCUMENTS.

A. Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

B. Prior to the Close of Escrow, Grantor shall deposit into Escrow (i) the properly executed Grant Deed conveying the Property, and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 GRANTEE'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 GRANTOR'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to the Property and has full power and authority to own and sell and convey the Grant Deed to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor is at present a party, or by which Grantor is bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Property or its use, and neither Grantor nor any other person or predecessor in interest have used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances

("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601, et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801, et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901, et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317, et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time. Standard building materials used in construction of the home shall be excluded from this representation;

(f) Grantor represents and warrants that during the period of Grantor's ownership of the Property, there have been no disposals, releases or threatened releases of hazardous substances on, from, or under the Property. Grantor further represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release of hazardous substances, on, from, or under the Property which may have occurred prior to Grantor taking title to the Property; and

(g) Grantor has and shall have paid before Close of Escrow any and all current and past due taxes, assessments, penalties and interest levied and assessed against the Property. If not paid prior to Close of Escrow, Grantors hereby authorizes Escrow Holder to disburse to the taxing authority from funds otherwise due to Grantor an amount sufficient to discharge said taxes, assessments, penalties and interest. Grantor also covenants and agrees to keep current, year-by-year, all taxes, assessments, penalties and interest levied and assessed against the Grant Deed and the larger Property of which it is a part.

These representations and warranties shall survive the Close of Escrow.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall hold harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Grant Deed is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Property by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable precondemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Property.

B. This Agreement arose out of Grantee's efforts to acquire the Property through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Property or of liability by any party to this Agreement. Grantor, on behalf of herself and her respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Property or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantors further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor hereby acknowledge that they have been advised by their attorney and is familiar with the provisions of California Civil Code section 1542, which provides as follows:

> "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Grantor acknowledge that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor: Betty C. Yost
Jack B. Swanson
12449 Windsor Drive
Yucaipa, CA 92399

Grantee: City of Moreno Valley
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Mike Green
Senior Real Property Agent

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover actual attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The parties agree that actual attorneys' fees shall be based on attorney's fees actually incurred (based on the attorneys' customary hourly billing rates including, but not limited to, equivalent rates for in-house counsel) rather than the court or arbitrator making an independent inquiry concerning reasonableness. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the Grantee, be laid in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the

terms of this Agreement where: (i) she is legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of her agents or employees, to maintain or compile her personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of her agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Property and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

O. Legal Advice and Review. The parties hereby acknowledge that they have entered into this Agreement upon their own volition and have not relied upon the other party for any interpretation or legal advice relating hereto. The parties acknowledge that they have had an opportunity to have this Agreement reviewed by legal counsel of their choice. Therefore, the parties acknowledge their intent that this Agreement be construed as having been jointly created and that neither party shall be determined to be the drafter hereof.

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED: _____ Grantor:

_____
Betty C. Yost

_____
Jack B. Swanson

DATED: _____ Grantee:

CITY OF MORENO VALLEY

By: _____

Its: _____

Attest: _____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

APN 475-272-054

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MORENO VALLEY
OFFER OF DEDICATION

THAT CERTAIN PARCEL OF LAND BEING A PORTION OF LOT 63 AS SHOWN ON THE MAP OF MORENO ACRES, FILED IN BOOK 11 OF MAPS, PAGE 53, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF THE EAST HALF OF SAID LOT 63;

EXCEPTING THEREFROM THE NORTH 576.5 FEET THEREOF;

ALSO EXCEPTING THEREFROM THE LAND DESCRIBED IN A GRANT DEED RECORDED AS DOCUMENT NO. 1999-389425 ON AUGUST 30, 1999, OFFICIAL RECORDS OF SAID COUNTY.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7,759 SQUARE FEET (0.1781 ACRES), MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART THEREOF.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

05/27/09
RICHARD C. MAHER, P.L.S. 7564 DATE
LICENSE EXPIRES 12-31-2009

LICENSED LAND SURVEYOR
RICHARD C. MAHER
EXP. 12/31/09
NO. 7564
STATE OF CALIFORNIA

MAY 27, 2009
PAGE 1 OF 1

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MV00057290

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT
PROJECT NO. 10-12556330

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728).

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

BACKGROUND

The State of California provides street maintenance funding to the City on a quarterly basis as part of the Traffic Congestion Relief Program (Proposition 42). These funds are typically utilized to rehabilitate streets under the Annual Pavement Resurfacing

Program (Account No. 225.68722) and are time sensitive in requirement for expenditure.

On April 8, 2008 the City Council approved the Project Recommendations for Proposition 1B - Transportation which made the City eligible to receive an allocation of $2.9 million in Proposition 1B funding from the State Department of Finance. On June 18, 2008, the City received the $2.9 million allocation, $2.6 million of which was used for phase 1 and phase II pavement rehabilitation of arterial and collector streets that are adjacent to schools and commercial areas and the remaining $300,000 was used to review the City's roughly 30 bridges and provide the necessary repairs and maintenance. All three of these projects have now been completed with remaining funds unexpended.

As part of the Fiscal Year 2009-2010 CIP Budget, the City Council approved the resurfacing of the four streets identified in this report. On February 23, 2010 the City Council approved the reprioritization of the selected streets and designated the remaining Proposition 1B monies to be expended on the resurfacing of these streets.

DISCUSSION

This project is part of the City's ongoing annual pavement resurfacing program. The purpose of the project is the reconstruction of areas of failed pavement and resurfacing of weathered streets to provide safe, smooth driving surfaces. The reconstruction effort will be performed by removal and reconstruction of portions of the street pavements. The resurfacing will entail placement of a rubberized asphalt concrete overlay on the existing street pavement. Preparation of the areas to be overlayed will include removing a uniform depth of the existing pavements by grinding (on Alessandro Boulevard) and the use of "Cold-in-Place-Recycling" of the existing pavement on the remaining streets. Pavement striping, markings and markers will be replaced after pavement repairs are complete.

The project will rejuvenate the existing pavement and the overlay process will enhance the drivability and appearance of the streets and protect the pavement against environmental effects, prolonging the service life of the pavement. Typically, this process will extend the pavement life of the streets by an additional 10 to 12 years. The four (4) street segments in the following priority order were selected for pavement resurfacing:

STREET NAME	FROM	TO
Alessandro Boulevard	Old 215	Elsworth Street
Old Lake Drive	Pigeon Pass Road	Sunnymead Ranch Parkway
Indian Street	Skyrock Drive	Manzanita Avenue
Kitching Street	Fir Avenue	Sunnymead Boulevard

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 6, 2010, for the subject project. Seven (7) bids were received, as follows:

1. **Hardy & Harper, Inc. $1,186,000.00**
2. R.J. Nobel Company. $1,196,216.00
3. All American Asphalt $1,210,000.00
4. EBS, Inc. $1,227,494.00
5. PALP, Inc. DBA Excel Paving Company $1,292,608.00
6. Cooley Construction, Inc. $1,363,841.00
7. Vance Corporation $1,372,393.00

Engineer's Estimate ..... $ 1,247,584.80

Staff has reviewed the bid by Hardy & Harper, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding problems were identified through review of the references submitted by Hardy & Harper, Inc.

ALTERNATIVES

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Capital Improvements Project Budget and will be financed by Proposition 1B (Fund 226) and Proposition 42 (Fund 225). These funds are restricted to street rehabilitation or improvement. **There is no impact to the General Fund.**

BUDGETED FUNDS

Citywide Annual Pavement Resurfacing Program (Acct. No. 226.79728)	$2,161,000
Citywide Annual Pavement Resurfacing Program (Acct. No. 225.68722)	$1,468,000
Total 2009/2010 Budgeted Funds	$3,629,000
Completed FY 2009/10 Pavement Resurfacing Project Costs	($2,224,000)
Remaining Funds Available	$1,405,000

ESTIMATED CONSTRUCTION RELATED COSTS FOR PROPOSED PROJECT

Contractor Construction Costs (plus 10% contingency)	$1,304,600
Construction Geotechnical Services	$15,000
Construction Survey	$35,000
Project Administration and Inspection (by City staff & consultants)	$50,000
Total Estimated Project Related Costs	$1,404,600

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June, 2010
Complete Construction	September, 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project involves resurfacing four (4) selected street segments by removing and reconstructing areas of failed asphalt concrete pavement, and by placement of an asphalt concrete overlay on the existing pavement, which has been prepared to receive the overlay. This project will extend the life of the street pavements. The resurfacing

program is funded with Proposition 1B and Proposition 42 funds. The City Council is requested to approve the award of the construction contract to Hardy & Harper, Inc.

NOTIFICATION

Local residents, law enforcement, Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 335)
Attachment "B" – Agreement with Hardy & Harper, Inc. (PAGES 337-343)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Bruce - 10-12556330 - Pavement Resurfacing Project\CC Reports\Staff Report - NOA Phase 3\Staff Report - Notice of Award (CC 05-11-10) (Phase 3).doc

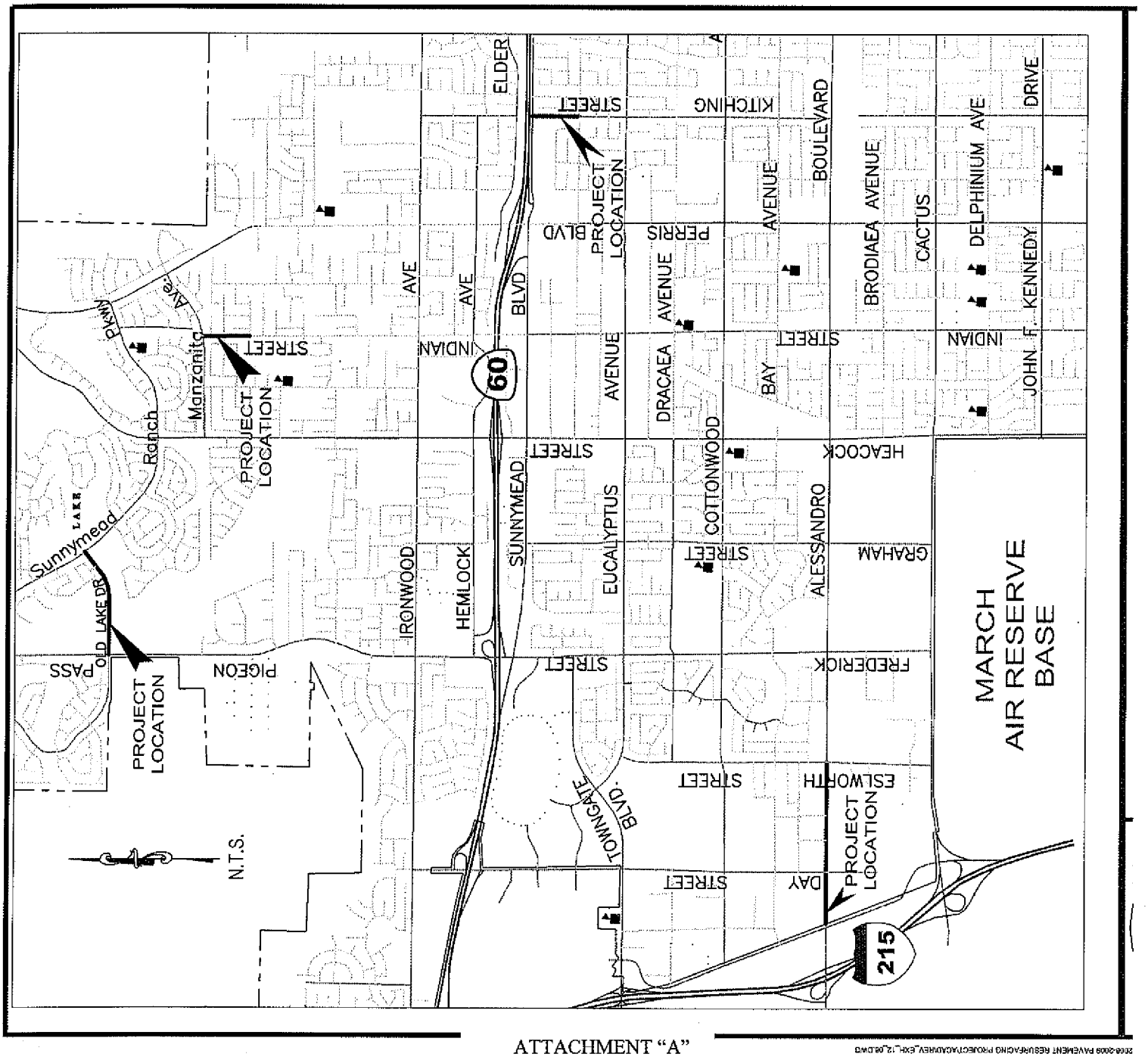

ATTACHMENT "A"

2008-2009 PAVEMENT RESURFACING PROJECT/ACADMEY_EXH_12_08.DWG

Item No. A.12

MV00057297

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MV00057298

Agreement No. _____

AGREEMENT

PROJECT NO. 10-12556330
2010 PAVEMENT RESURFACING PROJECT
Pavement Rehabilitation
For
Alessandro Boulevard (from Old 215 to Elsworth Street)
Old Lake Drive (from Pigeon Pass Road to Sunnymead Ranch Parkway)
Indian Street (from Skyrock Drive to Manzanita Avenue)
Kitching Street (from Fir Avenue to Sunnymead Boulevard)

THIS Contract Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hardy & Harper, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **1 & 2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Alternate Bid Item(s) in the sum total amount of **$1,186,000.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15)

Attachment "B"

calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **sixty (60) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $500.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full

compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written

consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12556330

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

Hardy & Harper

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

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MV00057306

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Resolution to join ICLEI as a full member and pledge to take a leadership role in promoting public awareness about the causes and impacts of climate change.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **Approve** Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

ICLEI-Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development. The organization also provides technical information on measuring and reducing greenhouse gases, including a model for organizational and community-wide greenhouse gas inventories. Locally, the cities of Riverside, Murrieta, Temecula, Lake Elsinore, and Palm Springs are members of ICLEI.

Membership in ICLEI would require the City to commit to five milestones to reduce both greenhouse gas and air pollution emissions throughout the community as follows:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress;

Local government actions taken to reduce greenhouse gas emissions and increase energy efficiency have provided multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures and saving money for the local government, its businesses and its residents.

DISCUSSION

The City has adopted a number of energy and water saving initiatives that have and will continue to reduce the level of greenhouse gases that would otherwise be emitted in the City. Examples of City initiatives are alternative energy incentives offered by Moreno Valley Utilities, the recently adopted water wise landscape ordinance, the use of LED lighting in traffic signals and activities related to the City's membership in the Riverside County Clean Cities Coalition and Community Energy Partnership. The reduction in greenhouse gases is also greatly affected by State and Federal regulations related to building standards, truck diesel emission standards and passenger vehicle mileage standards, and incentives for alternative energy.

The City has received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce City organization and community-wide energy use and consequently greenhouse gas emissions, including an Energy Efficiency and Climate Action Strategy. One of the initiatives is to conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction. The five milestones required for ICLEI membership will be addressed by the Strategy.

The greenhouse gas emissions inventory and forecast work products are intended to provide the basis for a coordinated City effort to address resource efficiency for the City as an organization and the community as a whole.

ICLEI will provide the following support to City Staff:

- Regular notice of new publications and tools, grant opportunities, and progress being made by other Member jurisdictions

- ICLEI's key climate resources including the Milestones Guide, software access and technical trainings, data collection forms for conducting the emissions inventory, and other publications to assist with emissions reduction planning and related climate protection activities

- Invitations to ICLEI regional, national and international workshops and events
- Registration discounts and, when available, travel and lodging subsidies for ICLEI workshops and events
- Contact with US and international ICLEI Members and liaisons
- Resource recommendations outside of ICLEI
- Support in publicizing climate protection successes such as talking points and customizable press releases
- Ongoing technical assistance and support as the jurisdiction progresses in its work

The above-referenced activities will provide valuable information to assist in the preparation of the City's Energy Efficiency & Climate Action Strategy.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Deny the proposal.

FISCAL IMPACT

Membership dues are based on City population. The City of Moreno Valley falls within the 100,001 – 200,000 population category and membership dues are $1,750. The membership fees will be paid from the Energy Efficiency and Conservation Block Grant program account (229.80512).

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Membership in ICLEI will provide assistance in the preparation of the City's Energy Efficiency & Climate Action Strategy. The greenhouse gas emissions inventory and forecast will determine the source and quantity of greenhouse gas emissions in the City and are intended to provide the basis for a coordinated City effort to address resource

efficiency for the City as an organization and the community as a whole.

NOTIFICATION

Not applicable.

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-30(PG 349-352)

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle A. Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE

WHEREAS, scientific consensus has developed that carbon dioxide (CO_2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, the 2007 Fourth Assessment Report from the Intergovernmental Panel on Climate Change (IPCC) states that it is very likely that most of the observed increases in globally averaged temperatures since the mid-20th century are due to human-induced greenhouse gas emissions; and

WHEREAS, in 2006 the U.S. National Climatic Data Center confirmed clear evidence of human influences on climate due to changes in greenhouse gases; and

WHEREAS, the U.S. Conference of Mayors endorsed the 2005 U.S. Mayors' Climate Protection Agreement initiated by Seattle Mayor Nickels and signed by more than 900 mayors in the United States as of March 2009; and

WHEREAS, the Urban Environmental Accords adopted by local government delegates during UN World Environment Day 2005 call for reduced emissions through energy efficiency, land use and transportation planning, waste reduction, and wiser energy management; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth's climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem likely due to human activities; and

WHEREAS, the 2000 U.S. Global Change Research Program's (USGCRP) First National Assessment indicated that global warming has begun; and

WHEREAS, 162 countries including the United States pledged under the United Nations Framework Convention on Climate Change to reduce their greenhouse gas emissions; and

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, ICLEI – Local Governments for Sustainability is a membership association of local governments committed to advancing climate protection and sustainable development;

Section 1

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE TO JOIN ICLEI AS A FULL MEMBER AND PLEDGES TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE.

Section 2

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY AGREES TO UNDERTAKE ICLEI'S FIVE MILESTONES TO REDUCE BOTH GREENHOUSE GAS AND AIR POLLUTION EMISSIONS THROUGHOUT THE COMMUNITY, AS FOLLOWS:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress; and

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ requesting assistance from ICLEI as it progresses through these milestones.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert L. Hansen, City Attorney

AGENDA DATE: May 25, 2010 **(continued from May 11, 2010)**

TITLE: Consideration and Approval of Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023.

RECOMMENDED ACTION

Review and approve the attached Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

In 2003, the City entered into contracts with ENCO Utility Services Moreno Valley, LLC ("ENCO") to provide professional services to Moreno Valley, including designing, maintaining operating and constructing the Moreno Valley Electric Utility ("MVU"). City contends that during the negotiations preceding the agreements, ENCO prepared and presented detailed financial projections (the "2003 Pro Forma") to the City that contained factual errors and assumptions that were material to the terms of the agreements. ENCO denies these allegations and asserts that even if material errors were made in the 2003 Pro Forma, the City should have caught these errors through its consultants. Among the key assumptions supporting the 2003 Pro Forma were that: 1) the City would cease to incur certain charges under the Southern California Edison Wholesale Distribution Access Tariff ("WDAT") after the City built and energized a new electric substation in 2010 and; 2) the capital expenditures required for the first ten years of MVU's operation would be slightly under $10 million, and would be almost

entirely related to the construction of the substation. In 2006, the City first became aware that both of these assumptions were wrong.

The City approached ENCO about these errors and requested a re-negotiation of the contracts. ENCO refused to re-negotiate the contracts, but did agree to a mediation, which occurred on August 14, 2007. After just a few hours of meaningless discussions, ENCO's attorneys left the mediation and filed a lawsuit against the City the same day. The City then filed its Answer to the Complaint and also filed and served its mandatory Cross-Complaint against ENCO seeking damages for ENCO's breach of the agreements as outlined above concerning the errors in the 2003 Pro Forma. For the past two and one-half years, the City has been required to incur attorney's fees and costs in defending against ENCO's lawsuit, and in pursuing the City's Cross-Complaint. Since the commencement of this action, the City has incurred approximately $805,788 in legal fees and costs.

In its lawsuit, ENCO is seeking a judicial declaration that ENCO has not breached the agreements, and an injunction prohibiting the City from breaching the agreements in the future. ENCO also contends that the City owes it $207,651.73 for services it provided in behalf of the City to developers, despite this claim not appearing in its lawsuit. Nevertheless, ENCO is unable to provide work order authorizations for this work as required by the agreements and the City denies any obligation to pay for work not authorized, as provided in the agreements.

A second mediation of these disputes was held before retired California Supreme Court Justice Edward Panelli on April 21, 2010. After six hours of "shuttle diplomacy" by Justice Panelli during which he assessed the relative strengths of each party's case, Justice Panelli recommended to ENCO that it drop its demand for payment of $207,651.73 in engineering services and offer a settlement of $1.25 million to the City. This settlement would include a two year extension of the contract, which ENCO will probably be entitled to under the contract anyway due to reduced electricity sales. ENCO agreed to these settlement terms and they are now before the City Council for consideration.

DISCUSSION

The agreements with ENCO limit ENCO's liability to the City for negligence to $2 million. The City's attorneys estimate that it would cost the City an additional $500,000.00 to prepare and try this case before a jury. There is no guarantee that the City will prevail in trial, or that an award of damages would be greater than the offered settlement amount. In addition, since this is a breach of contract action, attorney's fees and costs are only recoverable by the prevailing party if the agreements contain a provision providing for recovery. The agreements at issue herein do not contain such a provision. Consequently, attorney's fees and costs are not recoverable. Therefore, it is recommended that the City Council approve this settlement and authorize the Mayor to execute the settlement agreement to end this litigation.

The City Attorney has researched whether the settlement proceeds in this matter are restricted to the Enterprise Fund, or can be deposited into the General Fund. All attorney's fees and cost in defending and prosecuting this action have been paid for out of the Enterprise Fund. The City Attorney has not been able to determine that proceeds of this settlement are restricted to the Enterprise Fund. Therefore, the City Attorney recommends that the decision as to how to use these settlement proceeds be discussed with the City Manager through the budgetary process.

ALTERNATIVES

1. Approve the settlement agreement and authorize the Mayor to execute same in behalf of the City.

2. Not approve the settlement agreement and instruct the City Attorney to continue the litigation through trial and appeals, if necessary.

FISCAL IMPACT

If alternative 1 is adopted, the City would receive payment of $1.25 million and would no longer incur legal fees in the continued litigation of this matter.

If alternative 2 is adopted, the City would incur an additional $500,000.00 in ongoing attorney's fees and costs to prepare and try this matter before a jury. In addition, there would be additional fees and cost associated with any appeals after the trial.

CITY COUNCIL GOALS

Settlement of this litigation would preserve revenue by eliminating ongoing litigation costs and would infuse the City with $1.25 million, in furtherance of the City Council's goal of Revenue Diversification and Preservation.

ATTACHMENTS/EXHIBITS

1. Proposed Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023. (PG 357-364)

Prepared By:
Name Robert L. Hansen
Title City Attorney

Department Head Approval:
Name Robert L. Hansen
Title City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE OF CLAIMS

This Settlement Agreement and Mutual General Release of Claims (the "Agreement") made and effective April 21, 2010, is entered into by and between Plaintiff and Cross-Defendant ENCO Utility Services Moreno Valley, LLC ("ENCO") and Defendant and Cross-Complainant City of Moreno Valley ("the City").

WHEREAS, there is now pending in the California Superior Court, Riverside County, an action entitled ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023, in which ENCO asserts claims against the City for declaratory and injunctive relief and the City asserts cross-claims against ENCO for breaches of contract, breaches of fiduciary duty, rescission and declaratory relief (the "Litigation");

WHEREAS, on August 14, 2007, ENCO filed a claim for damages with the City pursuant to California Government Code Section 910, et seq. (the "Claim");

WHEREAS, the allegations in the Litigation and the Claim relate to the October 7, 2003 Professional Services Agreement ("PSA") between the City and ENCO;

WHEREAS, the parties desire to fully resolve disputes between them, including but not limited to all matters raised in, or which could have been raised in, the Litigation and the Claim;

NOW, THEREFORE, in consideration for the terms, conditions, covenants, representations, warranties, and promises contained in this Agreement, the parties agree as follows:

1. Within 15 business days of the execution of this Agreement by both parties, ENCO shall deliver a settlement payment in the sum of $1,250,000 by wire transfer to counsel for the City.

2. The parties further agree that the Term of the PSA shall be extended two years to December 31, 2020. Other than the extension of the Term of the PSA, all other provisions of the PSA remain unchanged and in force.

3. Within 10 business days of the receipt of the settlement payment by the City, the parties, through their counsel, shall file and serve a Request for Dismissal with Prejudice of the Litigation, each side to bear its own attorneys' fees and costs. Within 10 business days of receipt of a signed and conformed copy of the dismissal as entered by the Court, ENCO shall provide a copy thereof to counsel for the City.

4. ENCO hereby unconditionally releases and forever discharges the City and each of its current and former related entities, predecessors, successors, assigns, elected officials, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which ENCO now has, claims to have, or at any time heretofore had or claimed to have against the City, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

5. The City hereby unconditionally releases and forever discharges ENCO and each of its current and former related entities, predecessors, successors, assigns, equity holders,

members, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, insurers and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which the City now has, claims to have, or at any time heretofore had or claimed to have against ENCO, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

6. The parties hereby acknowledge that there is a risk that, subsequent to the execution of this Agreement, they may discover or incur claims which were unknown or unanticipated at the time this Agreement was executed, including, without limitation, unknown or unanticipated claims which arise from, are based upon or are related to the issues and matters raised in, or which could have been raised in, the Litigation or the Claim which, if known on the date this Agreement was executed, may have materially affected their decision to execute this Agreement. The parties each acknowledge that they are assuming the risk of such unanticipated claims and agree that this Agreement applies thereto. The parties expressly waive the benefits of Section 1542 of the California Civil Code, which provides:

> **A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.**

Effective upon execution of this Agreement, the parties waive and relinquish all rights and benefits which they have or may have under Section 1542 or the law of any other state or jurisdiction to the same or similar effect to the full extent that they may lawfully waive and relinquish all rights and benefits pertaining to the subject matter of this Agreement. The parties hereby acknowledge that the foregoing waiver of the provisions of Section 1542 of the California Civil Code was separately bargained for. Each of the parties understands and acknowledges the significance and consequences of this waiver of California Civil Code Section 1542 and confirms that it has either discussed or been given an opportunity to discuss such matters with counsel of that party's choice.

7. In entering into this Agreement, the parties represent that they have relied upon the legal advice of attorneys of their own choice; that the terms of this Agreement have been completely explained to them by their attorneys; and that they fully understand and voluntarily accept those terms. The parties further represent that they do not rely and have not relied upon any representation or statement made by any party or any other person with regard to the subject matter, basis or effect of this Agreement, other than the express provisions contained in this Agreement. Each Party acknowledges that the Agreement has been fully read, reviewed and understood by its authorized signatory and that each Party signs the same freely and voluntarily.

8. It is understood and agreed that this Agreement shall be binding upon and inure to the benefit of the parties and the related parties identified in paragraphs 3 and 4, above.

9. The parties warrant and represent that they have not assigned or transferred, or purported to assign or transfer, to any person or entity, any claim or cause of action arising out of or related to the Litigation or the Claim, or any portions thereof or interest therein.

10. The parties, without further consideration, agree to execute and deliver additional documents and take such additional actions as may be necessary to consummate the subject matter of this Agreement.

11. No breach of any provision in this Agreement can be waived except by a writing executed by all of the parties to this Agreement. Waiver of any breach shall not be deemed to be a waiver of any other breach of the same or any other provisions hereof.

12. If any action, at law or in equity, including an action for declaratory relief, is brought to enforce, or interpret or for alleged breach of the provisions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief to which it may be entitled.

13. The parties understand and agree that this Agreement is given in connection with the compromise of disputed claims and that the undersigned parties deny liability to each other. This Agreement shall never or for any purpose be considered as an admission of liability on the part of either of the parties.

14. Any notice required pursuant to this Agreement shall be addressed as follows:

For ENCO:

Charles J. Malaret, Esq.
Morgan, Lewis & Bockius LLP
300 South Grand Avenue, 22nd Floor
Los Angeles, California 90071

For the City:

Robert E. Darby, Esq.
Fulbright & Jaworski, L.L.P.
555 South Flower Street, Suite 4100
Los Angeles, California 90071

15. This Agreement is also subject to the following miscellaneous provisions:

(a) This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by, the laws of the State of California.

(b) Should any provision of this Agreement be declared or determined by any court to be illegal or invalid, the validity of the remaining part, terms or provisions shall not be affected and the illegal or invalid part, term or provision shall be deemed not a part of this Agreement.

(c) This Agreement may be executed in one or more counterparts, but shall be interpreted and construed as if signed in one document.

(d) This Agreement constitutes the entire agreement between the parties and all other prior agreements, arrangements or understandings, oral or written, are merged into and superseded by the terms of this Agreement which may not be altered, amended, modified or otherwise changed except by a writing signed by the duly authorized representatives of the parties to this Agreement.

(e) This Agreement has been prepared based on the joint efforts of the parties. This Agreement is to be construed simply and fairly and not strictly for or against any of the parties. No provision in this Agreement is to be interpreted for or against either party because that party or its legal representative drafted such provision.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the date and year set forth opposite their respective signatures below.

DATED: May 7, 2010

ENCO Utility Services Moreno Valley, LLC

By: _____

Its: Director

DATED: May ___, 2010

CITY OF MORENO VALLEY

By: _____

Its: _____

APPROVED AS TO FORM:

MORGAN, LEWIS & BOCKIUS LLP

By: _____

Charles J. Malaret
Attorneys for ENCO Utility Services
Moreno Valley LLC

FULBRIGHT & JAWORSKI L.L.P.

By: _____

Robert E. Darby
Attorneys for City of Moreno Valley

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MV00057326

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: Revised resolutions for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall:

1. **APPROVE** revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution;

2. **APPROVE** revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of a erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

BACKGROUND

On May 11, 2010, a public hearing was conducted for various applicant requested modification to project conditions of approval for the Highland Fairview Corporate Park project to include the placement of landscape within the future Highway 60/Caltrans right of way area, timing and approach of a required General Plan multi-use trail on the north side of future Eucalyptus Avenue, and minor changes related to the dedication and construction of public improvements. At said meeting, the City Council directed staff to modify the resolutions to reflect Council direction on the three items.

ADVISORY BOARD RECOMMENDATIONS

Not applicable.

DISCUSSION

Staff suggested various options at the public hearing to address landscape within the Highway 60 right of way, timing and location of a required General Plan multi-use trail along the north side of future Eucalyptus Avenue and minor changes related to the dedication and construction of public improvements for the Highland Fairview Corporate Park project. The City Council approved several motions to allow a hydroseed wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the tentative parcel map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3, and minor conditions of approval related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

Staff has provided the two revised resolutions for Tentative Parcel Map No. 35629 (PA07-0090) and the plot plan (PA07-0091) as Attachment Nos. 1 and 2 to the staff report. Modified strikeout/underline and clean copy versions of the project conditions of approval have been included as Exhibits A and B of the resolutions.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve with amendments to the modified condition language as included in Exhibits A and B to the attached resolutions.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

A public hearing was conducted for this project request on May 11, 2010. No further public notification is required to provide for review and approval of revised resolutions.

ATTACHMENTS

1. Modification of Conditions Resolution – Parcel Map, with attached modified conditions of approval included within Exhibits A and B (PAGES 369 – 398)
2. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B (PAGES 399 – 414)

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057330

RESOLUTION NO. 2010-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, the Highland Fairview., had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 1

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions to reflect the previous direction of Council on May 11, 2010.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meetings on May 11, 2010 and May 25, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing of required construction of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

   FACT: The originally approved map met the intent of the General Plan with the approved general plan amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP), Mitigation Fee Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will

bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Tract Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show ~~a minimum 20-foot wide~~ an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional ~~10-foot~~ varying width street right-of-way dedication on the east side of Redlands Boulevard along the

map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a~~n~~ 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~0-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. ~~from the directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.~~ The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~1-foot wide multi-use ~~bike~~ trail ~~and pedestrian access~~ easement located 3 feet west of (behind) the 2-foot pedestrian access easement. ~~directly behind and adjacent to the proposed Theodore Street west right-of-way~~. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

~~vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.~~

~~viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).~~

ix. A ~~1~~37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. ~~The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer.~~ The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

<u>Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629</u>

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-3-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail (within an 11-~~

~~foot multi-use trail easement) behind the 4-3-foot wide landscaped area, and a 2-4-foot wide flat landscape area.~~ Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be constructed within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.~~

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided ~~within an 18-foot wide bike trail and pedestrian access easement~~: a 2-foot wide portion of sidewalk located outside of the proposed ~~sidewalk~~ right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final

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Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

<u>CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)</u>

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Tract Map No. 35629 (Clean Copy Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional varying width street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 10-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 11-foot wide multi-use trail easement located 3 feet west of (behind) the 2-foot pedestrian access easement. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser

thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and

dry and wet utilities. In addition, the following improvements shall be provided: a 2-foot wide portion of sidewalk located outside of the proposed right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land

MV00057356

Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The

CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)
n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)
o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)
p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)
q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

RESOLUTION NO. 2010-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements.

ATTACHMENT 2

No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions of approval to reflect the previous direction of Council on May 11, 2010.

WHEREAS**,** all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS**,** there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS**,** pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meetings on May 11, 2010 and May 25, 2010**,** including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations –** The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

FACT:. The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. Location, Design and Operation – The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site.

The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Underground Utilities in lieu fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00057368

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City~~

~~to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be

required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

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The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations,

shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00057378

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00057380

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PG 427)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PG 429-438)
Attachment "C" – Assignment Agreement (PG 439)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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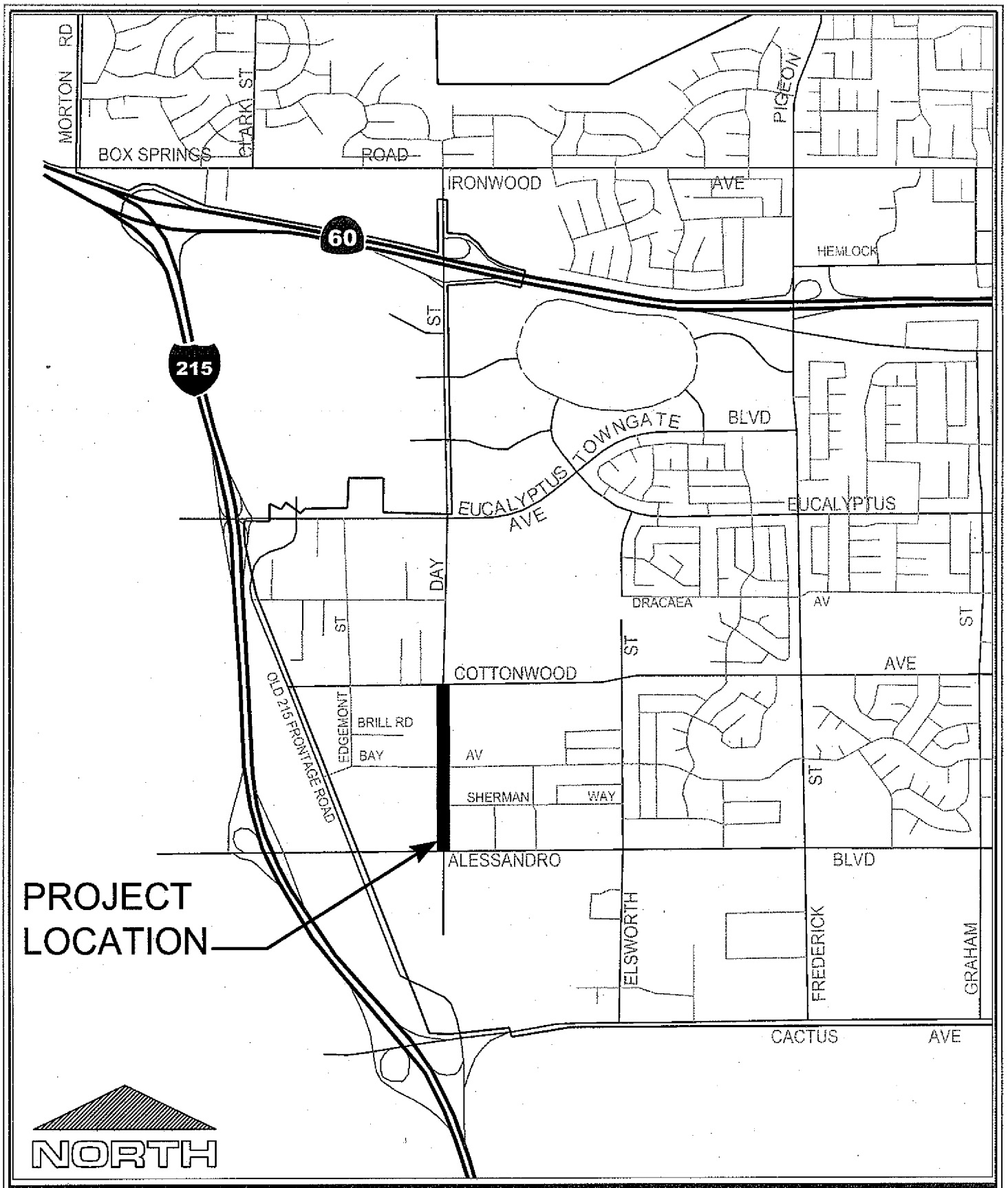

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Item No. C.3

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MV00057390

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

W:\CapProj\CapProj\PROJECTS\Larry - 02-89266920 - Day St\CC Reports\Staff Report - NOA 052510 Attachment B.doc

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

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MV00057402

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00057404

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 26, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of May 11, 2010, which was then continued to May 25, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23 (PG 453-454)
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11 (PG 455-543)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057414

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 26, 2010.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00057418

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Section 3 - Community Development

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 205.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance		$ 2,618.00	Plus applicable notice and posting fees
Administrative Variance		$ 474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

nimal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

nimal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

enewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

ecords Request	Unit	Fee	
Photographs, color print (4"x6")		$ 5.00	
Fire Incident Reports (paid to County of Riverside)		$ 19.00	
Fire Inspection Reports (up to 8 1/2"x14")			
First 10 pages	per Report	$ 6.00	
Additional pages	per Page	$ 1.00	
Hourly Rates			
Fire Marshal		$ 140.00	The fully-burdened wage rate including overhead; not to exceed actual City costs.
Deputy Fire Marshal		$ 105.00	
Fire Safety Specialists		$ 106.00	
Fire Safety Inspector		$ 106.00	
Overtime		Position time + 50%	
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee	
Other Fees			
False Alarm			
Residential		$ 100.00	
Commercial		$ 200.00	
Fire Permit Issuance Fee		$ 21.00	

Section 5 - Fire

Other Fees (Cont)

	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150	
Percentage of Transaction cost plus	6.50% *
Fixed Fee per Transaction	$ 0.50 *
Transactions from $150 to $500	
Percentage of Transaction cost plus	3.50%
Fixed Fee per Transaction	$ 5.00
Transactions over $500	
Percentage of Transaction cost plus	2.50%
Fixed Fee per Transaction	$ 10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 30%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

~~**Excludes Program Registration Fee~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth/Teen Classes

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~* Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~

~~** Excludes Program Registration Fee~~

Section 7 - Parks and Community Services

Exhibit "A"

Senior Programs

Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.

Fee Description	Policy Category	Unit	Resident Fee
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Special Events				
Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee				
Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)			
On-Line Registration has no applicable category association.			
Transactions < $150			
Percentage of Transaction cost plus			6.50% *
Fixed Fee per Transaction		$	0.50 *
Transactions from $150 to $500			
Percentage of Transaction cost plus			3.50%
Fixed Fee per Transaction		$	5.00
Transactions over $500			
Percentage of Transaction cost plus			2.50%
Fixed Fee per Transaction		$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and Unorganized Group Play per field~~	N/A	Per Hour	$	5.00
~~Unorganized Adult & Youth~~ Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use—Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use—Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee (required for all groups)	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
~~This program has no applicable category association~~				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
~~This program has no applicable category association~~				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Section 7 - Parks and Community Services

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		~~Grand Valley Ballroom with small patio or large patio~~	~~3 Hours~~	~~Friday evening beginning at 5:00 pm and Sunday~~	~~Per Hour~~	~~$ 250.00~~
		~~Grand Valley Ballroom with small patio or large patio~~	~~3 Hours~~	~~Saturday~~	~~Per Hour~~	~~$ 300.00~~
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 250.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 300.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
~~2~~	~~Federal, State, County and Educational Institutions~~	~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Monday through Friday 4:59pm~~	~~Per Hour~~	~~$ 144.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Monday through Friday 4:59pm~~	~~Per Hour~~	~~$ 144.00~~
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group ~~2~~ ~~3~~	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. ~~[illegible] (Federal, State, County and [illegible] Institutions.~~ Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 - $500.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

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Section 7 - Parks and Community Services

Mobile Stage Unit

Categories	Mandatory Staff Fee		Refundable Cleaning Deposit	Unit	Current Fee
	Stage Unit with Platforms (3 staff)	(2 staff)			
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

Service / Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 8 - Police

	Unit	Fee	
BC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

	Unit	Fee	
econd Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$	936.00
Certificate of Parcel Merger	Each	$	936.00
Certificate of Correction	Each	$	469.00
Certificate of Compliance	Each	$	758.00
Conditional Certificate of Compliance	Each	$	1,178.00
Street Vacation			
Summary	Each	$	1,139.00
Full	Each	$	3,782.00
Condemnation			
Initial Processing Deposit	Deposit	$	5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$	5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Section 9 - Public Works

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On an itemized by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee	
MASS/ROUGH GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY ✣		$ 584.00	✣
5,001-100,000 CY ✣		$ 1,009.00	✣
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	$250	~~$ 206.00~~		
All Teleconferences	per Hour	$150	~~$ 206.00~~		

Section 9 - Public Works

and Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Section 9 - Public Works

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, ~~or~~ Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,744.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,421.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

and Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	~~$ 158.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

and Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer. Fee not to exceed total City cost.~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$ 205.00
Block Party Permit Processing	Each	$ 82.00
Flood Plain Determination (Community Rating System)	per Lot	$ 20.00
Elevation Certification (Mobile Home Park)	Each	$ 155.00

Land Development

OTHER FEES

Advanced Energy Fees

	Unit	Fee	
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		

MISCELLANEOUS LAND DEVELOPMENT FEES

City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee	
Land and Assessment Division Applications			
with amended assessment diagram		$ 900.00	+
	per Parcel	$ 25.00	
without amended assessment diagram		$ 1,500.00	+
	per Parcel	$ 35.00	
Special District Formation Application	Each	$ 5,000.00	
Special District Formation/Bond Issuance	Each	1% of bond issue	$50,000 min
Special Tax Report	Each	City Cost	$10 min
Annual Levy Report	Each	City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$ 46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.			
Fixed Charge Tax Bill Revisions	per Parcel	County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)		City Cost	$10 min
Mail Ballot Processing			
Administrative Fee	per Proceeding	$ 1,574.00	
Ballot Fee	per Ballot	$ 3.00	

Section 9 - Public Works

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				----- Commercial -----			--------Office--------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
ibraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
Park Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

NITS LEGEND
J = Dwelling Unit for residential development types
F = 1,000 gross square feet of building area for commercial, industrial and office development types

PLEMENTATION NOTES:

th respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

th respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the velopment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
ecommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00057506

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)**

b) **Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)**

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MV00057508

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES

RECOMMENDED ACTION

Staff recommends that the Mayor and the City Council, acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee reviews the landscaping charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide benefit services. Zones within the CSD were established to allocate the costs to those parcels receiving proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

DISCUSSION

Proposed Charges
The following section outlines the services provided by each zone, the proposed annual charge and the current year charge. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the process of a mail ballot proceeding or as implemented through previously authorized inflation adjustments. For FY 2010/11 the inflation adjustment is 1.83% based on the percentage change for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide parks and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit, per each nonresidential parcel, or per each vacant parcel. (Current FY 2009/10 charge is $87.50.)

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23 per parcel per year on those properties which were annexed into the zone prior to 1999. Property owners, of 7,326 parcels that balloted after 1999 to receive Zone B services, which authorized an annual inflation adjustment, shall be charged $24.42 per parcel. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight facilities and services, whose owner's pay $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23 or $24.42 per parcel per year to $39 per parcel per year and would allow for an annual CPI increase, if necessary, to fully fund the annual cost to provide residential street lighting services. (Current FY 2009/10 charges are $23 and $24 for street lighting services.)

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9. (Current FY 2009/10 charge is $9.)

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. *Attachment 1*, included with this staff report, provides a listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11. A majority of the property owners, of certain affected tracts previously approved an inflation adjustment as part of their Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts.

The CSD shall conduct a mail ballot proceeding for 14 tracts, with a Public Hearing to be held on July 13, 2010. The following tracts are scheduled to be balloted: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. The ballot proposes an increase in the current Zone D charge to recover costs associated with landscape maintenance services. Property owners not approving the proposed charge increase for their Tract's Zone D service shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines.

Zone E is authorized to provide high-service-level parkway landscape maintenance of the extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the previously approved CPI adjustment shall be applied to the parcel charge for Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are shown on *Attachment 2* included with this staff report.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $76.)

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $66.)

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109. (Current FY 2009/10 charge is $109.)

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an annual inflation factor. The current year charges and proposed annual charges for Zone M are shown on *Attachment 3* included with this staff report.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation based on front linear footage of the properties adjacent to the improvements. The Zone S charge for FY 2010/11 is $2.80 per front linear footage, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $2.75 per front linear footage.)

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as collected are in compliance with Proposition 218, provided no charge increases are proposed or instituted without property owner's approval. Any future charge increases will require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings, as adopted by the City Council and the CSD Board on January 9, 2001, and amended on January 22, 2002, January 24, 2006 and March 24, 2009.

ALTERNATIVES

1. **Accept public comment** regarding the proposed FY 2010/11 CSD charges. *Although not required under Proposition 218, a Public Meeting allows property owners an opportunity to address the CSD Board regarding the continuation of the CSD annual charges.*

2. **Do not accept public comment** regarding the proposed FY 2010/11 CSD charges. *Even though a Public Meeting is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Meeting to allow the property owners an opportunity to address the CSD Board regarding the service received, the current annual CSD charges, and the proposed charges for FY 2010/11.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. The charges have been approved by the affected property owners through prior proceedings or are part of a proposed mail ballot proceeding, which may include an annual inflation factor based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A, and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S are restricted funds, which may only be used to pay for costs within each respective Zone.**

Approving charges less than that proposed by staff may require a decrease in both the level and quality of service from that provided during FY 2009/10. The service level provided shall be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS

CSD landscape maintenance services help enhance community image, neighborhood pride, and cleanliness. Residential properties that have landscaped parkways and/or medians help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant material also serves in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION

The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES

Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. Maintenance as provided through the CSD of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The action before the CSD Board is to accept public comment regarding the proposed CSD charges for FY 2010/11. With the adoption of Proposition 218, state law does not mandate public hearings to consider charges already in place. However, the City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the charges. A Public Hearing is scheduled for June 8, 2010 to consider the continuation of the existing levy of annual charges on certain properties within each of the existing zones as submitted in the Annual Levy Report, unless an inflation adjustment was previously approved by a majority of affected property owners through the Proposition 218 mail ballot proceeding process. All specific actions to adopt the Resolutions for both the continuation of the existing charges and the increased charges will take place at the June 8, 2010 Public Hearing.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, with information about the May 25, 2010 Public Meeting and the June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was scheduled to be published on May 18, 2010 and is scheduled to be published on May 25, 2010.

ATTACHMENTS

Attachment 1: Zone D FY 2010/11 Proposed Charges (PG 553-556)
Attachment 2: Zone E FY 2010/11 Proposed Charges (PG 557-558)
Attachment 3: Zone M FY 2010/11 Proposed Charges (PG 559-560)

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057514

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
10191/18468 (3)	$69.00	$1.26	$70.26	
11848 (1)	$84.00	$1.52	$85.52	
12305	$57.00		$57.00	
12608	N/A (4)		$0.00	
12773 (6)	$80.00	$1.46	$81.46	$121.00
12902	$72.00	$1.30	$73.30	
13576/19080/19081 (3)	$32.00	$0.58	$32.58	
13585 (1)	$57.00		$57.00	
14387/12268	$57.00		$57.00	
15387 (1)	$57.00		$57.00	
15433 (1)	$90.00	$1.64	$91.64	
16768 (1)	$64.00	$1.16	$65.16	
16769	$61.00	$1.10	$62.10	
16770 (1)	$57.00		$57.00	
17033 (1)	$173.10	$3.16	$176.26	
17176 (1)	$57.00		$57.00	
17334 (1)	$345.00		$345.00	
17387 (1)	$57.00		$57.00	
17457 (1)	$79.00	$1.44	$80.44	
17867 (1)	$57.00		$57.00	
18283	$57.00		$57.00	
18512/21322 (1)	$82.00		$82.00	
18784/20906 (1)	$177.00		$177.00	
18930 (1)	$77.00		$77.00	
19032 (2)	$130.00		$130.00	
19141	$75.00	$1.36	$76.36	
19142	$57.00		$57.00	
19143 (1)	$57.00		$57.00	
19208 (1)	$74.00		$74.00	
19210 (6)	$68.00	$1.24	$69.24	$112.00
19233	$57.00		$57.00	
19363 (1)	$57.00		$57.00	
19434 (1)	$57.00		$57.00	
19474	$57.00		$57.00	
19496	$64.00	$1.16	$65.16	
19500 (1)	$73.00	$1.32	$74.32	
19509 (1)	$57.00		$57.00	
19518/18372 (1)	$57.00		$57.00	
19529	$70.00	$1.28	$71.28	
19533	$57.00		$57.00	
19541	$93.00	$1.70	$94.70	
19551 (1)	$96.00		$96.00	
19675	$80.00	$1.46	$81.46	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
19685 (1)	$70.00	$1.28	$71.28	
19799 (2)	$272.20		$272.20	
19852 (1)	$69.00		$69.00	
19862	$148.10	$2.70	$150.80	
19912	$83.00	$1.50	$84.50	
19937 (6)	$107.10	$1.94	$109.04	$157.00
19957 (2)	$69.00		$69.00	
20030 (1)	$100.10	$1.82	$101.92	
20032 (1)	$57.00		$57.00	
20072 (1)	$89.00		$89.00	
20120	$94.00	$1.72	$95.72	
20197	$57.00		$57.00	
20272 (1)	$120.10		$120.10	
20301 (1)	$57.00		$57.00	
20404 (6)	$97.00	$1.76	$98.76	$178.00
20525 (1)	$57.00		$57.00	
20552 (1)	$57.00		$57.00	
20579 (6)	$57.00/$106.10/$158.10	$7.30/$2.88	$57.00/$108.40/$160.98	$144.00
20660 (1)	$105.10	$1.92	$107.02	
20715 (1)	$94.00		$94.00	
20718 (6)	$139.10	$2.54	$141.64	$234.00
20859 (1)	$66.00		$66.00	
20869 (1)	$57.00		$57.00	
20941	$103.10	$1.88	$104.98	
21113 (6)	$57.00		$57.00	$89.00
21332 (1)	$96.00	$1.74	$97.74	
21333 (6)	$208.20	$3.80	$212.00	$345.00
21345	$114.10	$2.08	$116.18	
21597 (6)	$295.20	$5.40	$300.60	$473.00
21616 (1)	$371.00	$6.78	$377.78	
21737	$210.20	$3.84	$214.04	
21806	$69.00	$1.26	$70.26	
22093 (1)	$138.00		$138.00	
22180	N/A (4)		$247.00 (7)	
22276 (1)	$193.10		$196.62	
22277 (1)	$264.20	$4.82	$269.02	
22371	$286.20	$5.22	$291.42	
22889 (6)	$186.00	$3.40	$189.40	$313.00
22999	$67.00		$67.00	
23046 (1)	$183.00		$183.00	
24721 (1)	$57.00		$57.00	
27251-1	N/A (4)		$465.00 (7)	
27526 (1)	$160.10	$2.92	$163.02	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
28882 [6]	$103.10	$1.88	$104.98	$179.00
29038 [1]	$60.00	$1.08	$61.08	
30027 [1]	$201.00		$201.00	
30967	$459.00	$8.38	$467.38	
31129	$81.00	$1.48	$82.48	
31257 [6]	$1,050.00	$19.20	$1,069.20	$1,414.00
31268	$181.10	$3.30	$184.40	
31269	$215.00	$3.92	$218.92	
31269-1 [6]	$295.20	$5.40	$300.60	$355.00
31284 [1]	$127.10		$127.10	
31305	N/A [4]		$496.00 [7]	
31424	$215.00	$3.92	$218.92	
31591	$454.40	$8.30	$462.70	
31618	N/A [4]		$364.00	
32005	N/A [4]		$112.00	
32018 [6]	$68.00	$1.24	$69.24	$160.00
32625	$1,000.00		$1,000.00	
32715	$303.00		$401.00 [5]	
33436	N/A [4]		$42.00 [7]	
33637	N/A [4]		$297.00 [7]	
33962	N/A [4]		$494.00 [7]	
4-Custom Home	N/A [4]		$567.00 [7]	

Total No. of Tracts = 116

[1] Tracts receiving Reduced service as provided for in the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Zone D Policy") adopted on January 9, 2001 and amended January 22, 2002, and January 24, 2006.

[2] Tracts receiving Street Tree maintenance only as provided for in the Zone D Policy.

[3] Tracts receiving the Street Tree Program.

[4] CSD landscape maintenance on hold for fiscal year pending final acceptace of initial landscape and installation in accordance with the City's approved standards for installation of landscaping.

[5] Annual charge approved at $913. Charge adjusted based on actual cost.

[6] May be subject to a mail ballot proceeding for FY 2010/11.

[7] The annual charge submitted to the County may be less if landscape maintenance has not been accepted.

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MV00057518

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2009/10 Current Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Parcel Charges in Notice
E-1	TownGate	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 34299	$56.00	$1.02	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$391.30	$7.16	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 32142	$55.00	$1.00	$56.00
		Tract 32143	$53.00	$0.96	$53.96
		Tract 32144	$53.00	$0.96	$53.96
		Tract 32145	$31.00	$0.56	$31.56
		Tract 32146	$30.00	$0.54	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00		$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00		$440.00
E-7	Centerpointe	Per acre	$667.60	$12.20	$679.80
E-8	Promontory Park	Per condo unit	$188.00		$188.00
		Per parcel	$531.00		$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00		$397.00
E-14	Mahogany Fields	Per parcel	$273.00	$4.98	$277.98
E-15	Celebration	Per parcel	$333.00		$333.00
E-16	Shadow Mountain	Per parcel	$288.00	$5.26	$293.26

ATTACHMENT 2

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MV00057520

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,011.00	$2,047.80
Cactus Commerce Center (1)	24364	297-130-039	$798.00	$798.00
		297-130-041	$1,957.00	$1,957.00
		297-130-042	$1,610.00	$1,610.00
Home Depot	21504	485-220-030	$1,981.98	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$297.28	$302.72
Perris Blvd. Storage	PA02-0117	312-020-017	$1,563.56	$1,592.16
		312-020-018	$1,490.48	$1,517.74
Red Maple Center		312-020-020	$581.58	$592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,623.62	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,594.58	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$310.30	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023	$5,851.84	$5,958.92
		484-020-024	$7,152.14	$7,283.02
Moreno Valley Health, LLC	33930	297-140-049	$1,131.12	$1,151.82
		297-140-050	$1,163.16	$1,184.44
		297-140-051	$1,294.28	$1,317.96
		297-140-052	$1,023.02	$1,041.74
OPT Moreno Valley, LLC	27008	482-700-001	$381.38	$388.34
		482-700-005	$381.38	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$396.38	$403.64
Auto Detail Shop		291-191-024	$336.32	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,366.34 (3)	$14,629.24
		297-170-069	$10,657.64 (3)	$10,852.68
		297-170-071 (2)	$4,823.80 (3)	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,394.44	$1,419.96
		312-360-002	$656.26	$668.26
		312-360-003	$449.30	$457.52
		312-360-004	$1,574.84	$1,603.64
		312-360-005	$1,222.90	$1,245.28
		312-360-006	$1,979.88	$2,016.12
		312-360-007	$773.58	$787.72
		312-360-008	$729.30	$742.64
		312-360-009	$810.10	$824.92
		312-360-010	$818.94	$833.92
		312-360-011	$657.38	$669.40
Commercial Project	TPM 32961	316-210-074	$1,850.84	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	No charge in 2009/10	$2,324.04 (4)
Oakwood Apts	PA04-0010	486-070-004	$2,927.92	$2,981.50
		486-070-011	$2,927.92	$2,981.50

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
Moreno Marketplace	PA05-0169	486-250-021	$8,002.98	$8,149.44
		486-250-024 (5)	$8,002.98	$7,867.58
		486-250-025 (5)		$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	No charge in 2009/10	$10,595.40 (4)
		488-090-037 to -040		
		488-090-043		
		488-090-047 to -057		
		488-090-064		
		488-090-071		
		488-090-073 to -074		
		488-090-076		
		488-090-082 to -085		
Condominium Complex	32756	484-030-020	$304.30	$619.72 (4)
		484-030-022	$304.30	$619.72 (4)
OMP Development	34572	297-150-055	$2,950.44	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,585.58	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$828.82	$843.98
March Graham Partners	34022	297-170-004	$3,573.56	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$508.50	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	No charge in 2009/10	$3,180.26 (4)
MV Properties	33152	297-120-002	$963.96	$981.60
		297-120-003	$697.68	$710.44
		297-120-016	$5,102.08	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,129.12	$1,149.78
		297-120-011	$1,455.44	$1,482.08
		297-120-012	$1,455.44	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	No charge in 2009/10	$7,554.16 (4)
Two-Bldg Commercial Center	PA07-0139	484-020-026 (6)	$2,763.76	$2,814.32
Highland Fairview (4)	TPM 35629	488-360-008	No charge in 2009/10	$4,152.22 (4)
		488-360-009		$3,467.92 (4)
		488-360-010		$3,467.92 (4)
		488-360-011		$6,935.84 (4)
		488-360-012		$6,620.56 (4)
		488-350-002		$17,601.72 (4)
California Drug Consultant (4)		486-280-041	No charge in 2009/10	$9,775.68 (4)
Delphinium Apartments (4)	PA04-0028	484-242-020	No charge in 2009/10	$2,986.60 (4)

(1) Cactus Commerce Center (formerly Zone E-5) was assimilated into Zone M (no change in charge amounts).
(2) Hand billed (US Post Office).
(3) Adjusted parcel charge based on acreage.
(4) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.
(5) APN 486-250-023 was divided into parcels 486-250-024 and 025.
(6) APN 484-020-007 renumbered to 484-020-026.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Report to Consider Public Comments Regarding the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development Proposed Fiscal Year 2010/2011 Annual Rates

RECOMMENDED ACTION

Staff recommends that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance with its NPDES Permit. The requirements include a higher-level effort to

divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES Permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. City policy has been to hold a Public Meeting to allow the public opportunity to address City Council, though not required under Proposition 218.

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from Feb. 2009 – Feb. 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

2. Do not approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For Fiscal Year 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For Fiscal Year 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is lower than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- **Revenue Diversification and Preservation -** The proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

- **Public Facilities and Capital Projects -** The revenue collected from the proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to accept public comments regarding the proposed NPDES regulatory rate schedule annual rates for Fiscal Year 2010/2011. Although state law, since the adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such meetings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the rates. A Public Hearing is scheduled for June 8, 2010, to consider the continuation of the existing levy of annual rates, including an adjustment for inflation on certain benefiting properties within the City as submitted in the NPDES Special Levy Report, unless previously approved by a majority of benefiting property owners through the Proposition 218 mail ballot proceeding process. Other than accepting public comments, no specific action is required of the City Council at the May 25, 2010, Public Meeting. *All specific actions to adopt the Resolution for continuation of the existing rate will take place at the June 8, 2010, Public Hearing.*

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification is scheduled to be published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Not applicable.

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057530

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). Options for closing this remaining $11 million gap are presented in the Deficit Reduction Plan and summarized below:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions is significantly greater than the projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during FY 2010-11 be less than projected, additional solutions have already been identified that can be quickly implemented.

Staff is seeking direction from the City Council regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010, as identified in the calendar below.

Date	Meeting / Event	Action
May 11	Regular Council Meeting (Continued to May 18)	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Council Direction regarding Deficit Reduction Options
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Interim City Manager's Proposed Operating Budget
June 15	Study Session	Discussion & Direction Regarding Interim City Manager's Proposed Operating Budget
June 22	Regular Council Meeting	Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget (if not adopted on June 22nd)

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

On May 18, 2010, an overview of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council, followed by a detailed review of the Deficit Reduction Options contained in the Deficit Reduction Plan. City Council direction is requested regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010. An additional Study Session is scheduled for June 15, 2010, to discuss the Interim City Manager's proposed budget-balancing scenario. Final budget deliberations and budget adoption are scheduled for June 22, 2010; with June 29, 2010 available as a back-up City Council meeting for budget adoption if needed.

NOTIFICATION

Publication of the agenda

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: May 25, 2010

TITLE: PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

RECOMMENDED ACTION

Staff recommends that the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

BACKGROUND

The Moreno Valley Auto Mall is located in a specific plan area. In 1990, the development of the Moreno Valley Auto Mall was started. The Moreno Valley Auto Mall currently has six developed automobile dealerships. Over the years, the Moreno Valley Auto Mall has become a major sales tax producer for the City of Moreno Valley. In FY 2008-09, the Moreno Valley auto dealers in total produced 9.7% of the sales tax generated in the City of Moreno Valley. Please note that prior to the economic downturn, the Auto Mall actually produced 15.9% of the City's total sales tax revenue in FY 2006-07.

While still being major sales tax producers, the auto dealers at the Auto Mall have struggled for the past few years because of the challenging economic times. Clearly, this is not a unique situation facing just Moreno Valley, but the auto industry in general. The federal government has provided the major car manufacturers with massive loans and both General Motors and Chrysler have been involved in bankruptcy proceedings. Unfortunately, in November 2009, the Moreno Valley Buick/GMC dealership closed and went out of business. The owner actually has closed all of its seven dealerships in Southern California. The loss of this dealership not only reduces sales tax revenue for the City, but also caused the loss of 45 jobs.

DISCUSSION

Moss Bros. Autogroup is a respected and experienced automobile dealer. Moss Bros. Autogroup presently has operations in Moreno Valley, San Bernardino and Riverside. At the Moreno Valley Auto Mall, Moss operates four dealerships Toyota/Scion, Toyota Trucks, Honda and Chrysler/Jeep/Dodge/RAM Trucks. After Moss acquired the four dealerships in January 2006, auto sales and the resulting sales tax revenue for the City of Moreno Valley increased significantly. In fact, after two years of operation, the Moss dealerships increased sales tax revenue for each of its dealerships on average by 14% to 20%. In FY 2008-09, the four Moss Bros. dealerships produced 73.2% of the sales tax revenue produced by the dealers in the Moreno Valley Auto Mall. Clearly, Moss Bros. Autogroup is a major contributor to the Moreno Valley Auto Mall.

Moss Bros. Autogroup is working on a number of efforts to enhance doing business at the Moreno Valley Auto Mall, as well as being a catalyst to enhancing the overall effectiveness of the Auto Mall. Presently, Moss is pursuing the acquisition of the Moreno Valley Chevrolet and Moreno Valley Buick/GMC dealerships. Presently, Moss has options executed and Asset Purchase Agreements negotiated to acquire these two dealerships pending approval by General Motors. Additionally, Moss is working on plans to gain factory authorization for the expansion and modernization of the Toyota/Scion, Honda and Chrysler/Jeep/Dodge/RAM Trucks operations. Furthermore, Moss has discussions underway to possibly acquire additional factory-authorized automobile dealerships that would be new to the Auto Mall. Moss also has plans to significantly enhance advertising efforts of the Moss brands, along with better marketing of the Moreno Valley Auto Mall.

To assist in the various transactions identified above, as well as help stimulate the local economy and address the goals and obligations of the Redevelopment Agency, staff is recommending the use of a Participation Agreement. To help establish a contractual relationship between the Redevelopment Agency and Moss Bros. Autogroup, the RDA's Special Legal Counsel has drafted a Participation Agreement which provides the following major business points.

- Moss shall use commercially reasonable efforts to re-establish automobile dealerships for GMC/Buick, as well as continue operation of a Chevrolet dealership at the Moreno Valley Auto Mall.

- Moss shall use commercially reasonable efforts to expand its existing dealership operations (Toyota, Honda and Chrysler/Jeep/Dodge/RAM Trucks, as well as pursue opportunities for adding new factory-authorized automobile dealerships to the Moreno Valley Auto Mall.

- Moss shall agree to establishing and maintaining the City of Moreno Valley as a point-of-sale for its sales of Toyota, Scion, Honda, Chrysler/Jeep, Dodge, RAM Trucks, Chevrolet, GMC, Buick and any other factory-authorized automobile sales at the Moreno Valley Auto Mall.

- Moss shall receive both an Initial Payment and Final Payment in the amounts of $250,000 or an amount equal to 20% of the City's share of sales produced by Moss operated dealerships on an annual basis, whichever is lesser.

ALTERNATIVES

1. Approve the Participation Agreement with Moss Bros. Autogroup.

2. Reject or pursue modifications in the terms of the Participation Agreement. Supporting this alternative would hinder the proposed transactions planned for the Moreno Valley Auto Mall.

FISCAL IMPACT

The planned projects being pursued by Moss Bros. Autogroup are envisioned to enhance the overall effectiveness of the Moreno Valley Auto Mall, including producing increased sales tax revenue for the City, along with new employment opportunities. The investment on the part of the City and its Redevelopment Agency through the two payments to Moss shall be made by the Redevelopment Agency through funding made available by the City's General Fund through sales tax revenue.

ATTACHMENTS

ATTACHMENT 1: Participation Agreement (PG 577-602)
ATTACHMENT 2: Resolution of the Community Redevelopment Agency of the City of Moreno Valley (PG603-604)

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Attachment No. 1 Site Plan
Attachment No. 2 Operator Certificate

PARTICIPATION AGREEMENT

By and Between the

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

and

MOSS BROS. AUTOGROUP
a California corporation

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of May 20, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency"), and **MOSS BROS. AUTOGROUP,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. The Operator and the Agency desire that the Operator operate a factory-authorized automobile sales and servicing facilities within the project area (the "Project Area") as heretofore established by the adoption of the Redevelopment Plan for the Moreno Valley Redevelopment Project (the "Redevelopment Project") operating under the trade name Moss Bros.

B. Operator through the operation of such use within the Project Area will help stimulate the local economy and address the goals and obligations of the Redevelopment Plan.

C. The Agency, in conjunction with the City of Moreno Valley, a municipal corporation (the "City") has previously established an area (located within the Project Area) devoted to motor vehicle dealerships, which included area is known as the Moreno Valley Auto Mall (the "Auto Mall").

D. Operator is operating and, subject to the provisions of this Agreement, commits to continue to operate factory-authorized automobile dealerships for Honda ("Honda Dealership"), Toyota ("Toyota Dealership"), Scion ("Scion Dealership"), Dodge ("Dodge Dealership"), Chrysler ("Chrysler Dealership"), Jeep ("Jeep Dealership")(collectively, the "Existing Dealerships") and to use commercially reasonable efforts to re-establish truck and automobile dealerships, for GMC/Buick (the "GMC/Buick Dealership") and continue operation of a Chevrolet dealership (the "Chevrolet Dealership") within the Auto Mall.

E. Operator has options to acquire ownership of sites within the Auto Mall which it deems suitable for operation of the GMC/Buick Dealership (the "GMC/Buick Site") and the Chevrolet Dealership (the "Chevrolet Site" and, together with the GMC/Buick Site, the "Designated Sites").

F. Operator is in negotiations to acquire additional automobile dealerships and agrees to use commercially reasonable efforts to attract, open and operate motor vehicle dealerships within the Auto Mall for products not represented (as new automobile dealerships) in the Auto Mall as of the Date of Agreement.

G. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws, including the creation of jobs within the City.

NOW, THEREFORE, the Agency and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Sites or any other properties owned by the Operator or a Related Person within the Auto Mall, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of Operator or Agency, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the Agency and the Operator.

"Auto Mall" is defined in Recital C, above.

"*Auto Mall Special Taxes*" means special taxes imposed by the City or the governing board for Community Facilities District No. 3 as heretofore established by the City.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"City Share" means an amount equal to the lesser of: (i) one percent of the total sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person; or (ii) that amount which the City receives as its share of sales tax under the pursuant to the Bradley Burns Uniform Sales Tax Law, California Revenue and Taxation Code Section 7200, et seq., as a result of the sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person.

"*Conditions Precedent to Final Payment*" is defined in Section 404 hereof.

"*Conditions Precedent to Initial Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of an automobile sales and service facility (which may include body shop, parts sales and related activities) for Conforming Vehicles under the trade name Moss Bros.

"*Conforming Vehicles*" means motor vehicles sold under authorization of the corresponding manufacturer and marketed under the trade names Honda, Toyota, Scion, Dodge, Chrysler, Jeep, Chevrolet and other motor vehicle product lines that may, through Operator's efforts, come to be located in the Auto Mall, but excluding any such product lines for which dealerships cease to be available at the Auto Mall as a result of (a) manufacturer dealership reductions; (b) bankruptcy or other insolvency of the manufacturer; or (c) other conditions over which Operator has no substantial control, despite its commercially reasonable efforts.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" is defined in the first paragraph of this Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Sites*" means the GMC/Buick Site and the Chevrolet Site.

"*Designated Trade Name*" means "Moss GMC", "Moss Buick", "Moss Honda", "Moss Toyota", "Moss Dodge" "Moss Chrysler", "Moss Jeep", "Moss Scion", "Moss Chevrolet" or any other trade name that is approved by the Agency in its reasonable discretion.

"*Executive Director*" means the Executive Director of the Agency (or the Interim Executive Director of the Agency) or his designee.

"*Fee Condition*" is defined in Section 401.2.

"*Final Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Second Year.

"*Fiscal Year*" or, unless the context otherwise requires "*Year*" means a period commencing as of July 1 and ending as of June 30 of the immediately following calendar year.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Auto Mall is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Auto Mall.

"*Improvements*" means all improvements present on the Designated Sites or any and all properties owned by the Operator or any Related Person as of the Date of Agreement or thereafter undertaken on the Designated Sites or any property owned by the Operator or a Related Person within the Auto Mall.

"*Initial Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Initial Year.

"*Initial Year*" means the period commencing as of September 1, 2010 and ending as of August 31, 2011.

"*Municipal Code*" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"*Operating Covenant Period*" means a period commencing as of the Date of Agreement and ending as of August 31, 2012.

"*Operator*" means Moss Bros. Autogroup, a California corporation.

"*Operator Certificate*" means Attachment No. 2 to this Agreement.

"*Performance Conditions*" means all of the following: the Sales Tax Condition; the Fee Condition; the Indemnification Condition; the Certificate Condition; the Electrical Service Condition; the Property and Sales Tax Condition; and the Continuous Operation Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"*Point of Sale*" means that situs which is treated by the California Franchise Tax Board as the point of sale for a business.

"*Property and Special Tax Condition*" means that Operator shall have timely paid in full when due all amounts payable as property taxes, assessments, City fees or special taxes (including all Auto Mall Special Taxes imposed with respect to land owned by the Operator or any Related Person within the Auto Mall) during the corresponding Fiscal Year.

"*Related Person*" means any entity in which an ownership interest is held by the Operator or any business in which an ownership interest is held by a person who, as of the Date of Agreement, is an officer, shareholder or owner of the Operator.

"*Second Year*" means the Fiscal Year beginning as of September 1, 2011 and ending as of August 31, 2012.

200. REPRESENTATIONS AND WARRANTIES.

201. **Agency Representations.** Agency represents and warrants to Operator as follows:

(a) **Authority**. Agency is a public body, corporate and politic organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of its governing board. The Agency has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by Agency has been fully authorized by all requisite actions on the part of Agency. The parties who have executed this Agreement on behalf of Agency are authorized to bind Agency by their signatures hereto.

(b) **No Conflict**. To the best of Agency's knowledge, Agency's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Agency is a party or by which it is bound.

(c) **No Agency Bankruptcy**. Agency is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to Agency as follows:

(a) **Authority**. Operator is a duly organized California corporation that is doing business in California, is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase and accept possession of property within the Project Area, including the Auto Mall and undertake all obligations as provided herein and the execution, performance and delivery of this

Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of property within the Auto Mall or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of motor vehicle sales and servicing facilities under manufacturer authorization, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations and all applicable requirements of the corresponding manufacturers pertaining to the operation of Conforming Activities under this Agreement.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to Agency), indemnify and save and hold harmless each of Agency, City and their respective officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or employed by Operator with respect to property within the Auto Mall; or (v) Operator's ownership, occupancy or use of the Designated Sites or any other property within the Auto Mall. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the Agency has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the Agency immediately upon written demand for all costs reasonably incurred by the Agency (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of Agency or City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the Agency's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this

Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which each of Agency and City is indemnified under this Agreement.

The Operator shall indemnify each of the Agency and the City from any real estate commissions or brokerage fees which may arise from this Agreement, the Designated Sites or any other property within the Auto Mall. The Operator agrees to hold each of Agency and City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator, the Designated Sites and any other property within the Auto Mall.

Operator agrees that no displacement of another person or business shall be effected in connection with the establishment, continuation or expansion of its activities at the Designated Sites or otherwise within the Auto Mall. Operator agrees to and shall defend, indemnify and hold harmless each of Agency and City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Sites or the remainder of the Auto Mall occurring prior to approval of this Agreement.

302. **Compliance With Laws**. Operator shall carry out the conduct of uses on the Designated Sites or otherwise within the Auto Mall in conformity with all applicable laws, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.*, Government Code Section 4450, *et seq.*, Government Code Section 11135, *et seq.*, and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq*, and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The Agency makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify each of Agency and City for any liability associated with the payment of prevailing wages for any work on the Designated Sites or otherwise within the Auto Mall.

The Operator does hereby and shall indemnify and hold each of Agency and City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Agency or City with respect to or in any way arising from Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720.

The Operator is under no obligation to construct or otherwise develop improvements on the Designated Sites or otherwise within the Auto Mall and is not obligated to apply all or any portion of the Initial Payment Amount or Final Payment Amount toward any such development or construction. The Operator intends, through the construct of uses on the Designated Sites and otherwise within the Auto Mall, to create jobs for the benefit of the City.

303. **Insurance**. Prior to the disbursement of any moneys by the Agency to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense the following policies of insurance in form and substance reasonably satisfactory to the Agency:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Sites or other

property within the Auto Mall (to be in effect only while work is being performed on the Designated Sites or at another location within the Auto Mall);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Sites or improvements owned by the Operator or a Related Person otherwise located within the Auto Mall in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Auto Mall is located (including loss by flood if the Auto Mall is in an area designated as subject to the danger of flood);

(iii) public liability insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to Agency. The policies required under subparagraph (b) shall show each of Agency and City as an additional insured and loss payee. Each of Agency and City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by Agency) and endorsements shall be delivered to Agency from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to Agency evidence of renewal or replacement of such policy reasonably satisfactory to the Executive Director.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by Agency or City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of each of Agency and City. All policies shall be written by good and solvent insurers qualified to do business in California. The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator, and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against each of Agency or City (or any officer, employee, agent or representative of Agency or City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry,

national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay prior to delinquency all ad valorem real estate taxes and assessments on any and all property owned by Operator or a Related Person within the Auto Mall. Operator shall remove or have removed any levy or attachment made on any such property, or part thereof, which is owned or leased by Operator (or any Related Person), or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless each of Agency and City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties in connection with (a) activities undertaken by the Operator or (b) the Auto Mall.

400. CONSIDERATION FOR AGREEMENT; AGENCY PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the Agency to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Initial Payment by the respective time established therefor in Section 402 and to satisfy the Conditions Precedent to Final Payment by the time established therefor in Section 403. Operator shall also satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The Operator further agrees to operate, maintain and use any and all property owned by the Operator or any Related Person within the Auto Mall in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Initial Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the Executive Director, Agency will disburse to Operator the Initial Payment Amount. The Operator agrees to expend the Initial Payment Amount for expenses arising in connection with the operation of Conforming Activities within the Auto Mall.

Provided that the Conditions Precedent to Final Payment have been and remain satisfied, the Agency shall make one final payment to the Operator (of the Final Payment Amount) within thirty (30) days after receipt of the Operator Certificate following conclusion of the Second Year. Times for payment shall be extended for a reasonable time in order for the Agency to confirm compliance with all conditions to payment. No interest shall accrue on any such amounts.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities (including the Existing Dealerships) commencing as of the Date of Agreement and continuing throughout the Operating Covenant Period. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) treating the Auto Mall (or portions thereof) as point of sale for all taxable sales made by the Operator within the Auto Mall (the "Sales Tax Condition") as reflected in the reports of the Operator to the State Board of Equalization (which reports shall be made available by Operator to City and, to the extent permitted by law, to Agency); (iii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming

Activities (the "Fee Condition"); (iv) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (v) Operator shall use electrical services made available by the City (the "Electrical Service Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Operating Covenant Period, and during such period shall provide such additional information with respect to any of such matters as the Executive Director or his designee shall determine to be necessary or covenant in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **Conditions Precedent to Initial Payment**. The Agency shall not be obligated to make the disbursement of the Initial Amount unless all of the following conditions precedent have been and remain satisfied as of September 1, 2011:

(a) the Operator provides to the Executive Director evidence satisfactory to the Executive Director that: (i) Operator is engaged in the operation of Conforming Activities within the Auto Mall, including the sale of new motor vehicles under authorization therefor by the corresponding manufacturers and sale of new motor vehicles for each of the Existing Dealerships; (ii) Operator owns property within the Auto Mall at which Conforming Activities are being conducted; and (iii) Operator has made commercially reasonable efforts to secure commitments for the establishment of factory-authorized dealerships within the Auto Mall for product lines not represented in the Auto Mall as of the Date of Agreement;

(b) the Operator provides evidence satisfactory to the Executive Director that all properties within the Auto Mall owned by the Operator or a Related Person shall be and remain the Point of Sale for sales of Conforming Vehicles by the Operator;

(c) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions (except with respect to the Initial Payment Amount);

(d) after September 1, 2011 but on or before October 1, 2011, Operator has executed and delivered to the Executive Director an Operator Certificate for the Initial Year, duly executed with the attachments as prescribed by this Agreement;

(e) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(f) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(g) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Initial Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on all property (other than a vacant lot currently owned by the Operator and designated as Assessor Parcel No. 477-130-020 -- "Vacant Lot") owned by the Operator and/or a Related person within the Auto Mall during the Operating Covenant Period, or if this Agreement is terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

403. **Conditions Precedent to Final Payment**. The Agency shall not be obligated to make disbursement of the Final Payment unless all of the following conditions precedent have been and remain satisfied as of September 1, 2012:

(a) Each of the Conditions to Initial Payment has been and remains satisfied;

(b) the Operator provides evidence satisfactory that demonstrates that Operator has made commercially reasonable efforts to attract, open and operate motor vehicle dealerships for products not represented in the Auto Mall as of the Date of Agreement;

(c) the Operator provides evidence satisfactory to the Executive Director that the Conforming Activities are being conducted on any and all property (except the Vacant Lot) owned by the Operator or any Related Person within the Auto Mall (except the Vacant Lot) and that all properties owned by the Operator or any Related Person within the Auto Mall are being maintained as Point of Sale in accordance with the terms of this Agreement;

(d) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions;

(e) after September 1, 2012 but on or before October 1, 2012, Operator has executed and delivered to the Executive Director an Operator Certificate for the Second Year, duly executed and with the attachments prescribed pursuant to this Agreement;

(f) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(g) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(h) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (h), inclusive, shall collectively constitute the "Conditions Precedent to Final Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities within the Auto Mall throughout the Operating Covenant Period, or if this Agreement is

terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

404. **Brokers**. The Agency shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator is a business specializing in the sale and servicing of new automobiles under factory authorization as a franchised dealer of such products. The Operator shall sell Conforming Vehicles within the Auto Mall and continue the operation of the Existing Dealerships and conduct related and ancillary activities including the servicing and repair of automobiles. The Operator shall operate within the Auto Mall only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote all property owned by the Operator or any Related Person within the Auto Mall to the uses specified in this Section 501 of this Agreement; (ii) operate on any and all property owned by the Operator or any Related Person within the Auto Mall a business or businesses devoted to the operation of Conforming Activities under the Designated Trade Names; (iii) operate within the Auto Mall the Existing Dealerships; and (iv) execute and deliver to the Agency an Operator Certificate prior to each payment by the Agency.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws. The Operator covenants to operate within the Auto Mall only Conforming Activities for a period of not less than the Operating Covenant Period; this covenant is made for the benefit of the Agency. Operator shall remake this covenant prior to each payment by the Agency and thereafter annually during the Operating Covenant Period.

In addition, continuing throughout the remainder of the Operating Covenant Period, all uses conducted on any and all property owned by the Operator or any Related Person within the Auto Mall, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to all properties owned by Operator and/or a Related Person within the Auto Mall, or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain any and all properties (except the Vacant Lot) owned by Operator or any Related Person within the Auto Mall and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws.

(b) To maintain the improvements and landscaping on any and all properties owned by Operator or any Related Person within the Auto Mall in conformity to all applicable laws and to keep all such properties free from any accumulation of debris and waste

materials.

(c) To operate on any and all properties owned by Operator or any Related Person within the Auto Mall only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the Agency shall be suspension or at Agency's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement unless the Agency fails to make a payment required pursuant to this Agreement upon satisfaction by Operator of the conditions precedent to such payment. Upon the Agency's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the Agency. From the date of Notice of Termination of this Agreement by Operator to the Agency and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by Agency**. In the event that, prior to the time established in Section 402 for the satisfaction of the Conditions Precedent to Initial Payment or Section 403 for the satisfaction of the Conditions Precedent to Final Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to any and all properties owned by Operator or any Related Person within the Auto Mall in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment and such failure is not caused by Agency; or

(c) On or before the ninetieth day after the Date of Agreement, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of Agency, be terminated by Agency by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by Agency to the Operator and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the Agency, service of process on the Agency shall be made by personal service upon the Agency Secretary or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To Agency:	Community Redevelopment Agency of the City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Moss Bros. Autogroup Attention: Glenn L. Moss, Sr. 8146 Auto Drive Riverside, California 92504

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of Agency and Operator. The Executive Director shall have the authority to approve on behalf of Agency, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to operate Conforming Activities; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with Agency as to other properties; provided, however, that a unilateral manufacturer reduction in dealerships, election by a vehicle manufacturer to discontinue a product line and/or the bankruptcy or other insolvency of a vehicle manufacturer shall not constitute a default by the Operator hereunder.

703. **Transfers of Interest in Agreement or of Designated Sites and Other Properties**. The qualifications and identity of the Operator are of particular concern to the Agency. It is because of those qualifications and identity that the Agency has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Sites or any of the other properties owned by Operator or any Related Person within the Auto Mall or the improvements thereon without prior written approval of Agency, except as

expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the Agency, the sole remedy of the Agency shall be suspension or at Agency's election termination of payments otherwise required to be made by Agency pursuant to this Agreement. Notwithstanding the foregoing, transfers of interests by the Operator of some or all of the Designated Sites or any of the other properties owned by Operator to a Related Person will not constitute a default pursuant to this Section 703.

704. **Provision of Information; Inspection of Books and Records**. The Agency shall have the right at all reasonable times during the Operating Covenant Period to engage third parties to inspect the books and records of the Operator pertaining to the collection and payment of sales taxes in connection with the purchase and sale of products as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the Agency as deemed necessary by the Agency, at least annually and additional upon request therefor by the Agency, to verify compliance with the terms of this Agreement. The Agency shall, subject to applicable statutes, use reasonable efforts to maintain the confidentiality of any such books and records and will take all steps necessary to assure that such books and records do not become public records or otherwise become discoverable by or subject to disclosure to the public.

705. **Non-Liability of Officials and Employees of Agency**. No member, official, officer or employee of the Agency shall be personally liable to the Operator, or any successor in interest, in the event of any Default or breach by the Agency or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between Agency and Operator**. It is hereby acknowledged that the relationship between the Agency and the Operator is not that of a partnership or joint venture and that Agency and the Operator shall not be deemed or construed for any purpose to be the agent of the other. Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the Agency shall not have any rights, powers, duties or obligations with respect to the Designated Sites or other properties owned by the Operator or Related Persons within the Auto Mall.

707. **Agency Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the Agency, the Executive Director is authorized to act on behalf of the Agency unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 2, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the Agency and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by Agency**. This Agreement, when executed by the Operator and delivered to Agency, must be authorized, executed and delivered by the Agency on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries Except for City**. The City will receive substantial sales tax revenues from the operation of automobile dealerships within the Moreno Valley Auto Center; the City shall be a third party beneficiary of this Agreement. Except with respect to the City, nothing herein is intended to create any third party beneficiaries to this Agreement (excepting, as noted above, the City), and no person or entity other than the Agency, the City and the Operator, and the permitted successors and assigns of either of the Agency and the Operator, shall be authorized to enforce the provisions of this Agreement.

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SIGNATURE PAGE FOLLOWS

WITNESS WHEREOF, the Agency and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

AGENCY:

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body, corporate and politic

By:_____
Interim Executive Director

ATTEST:

_____
Agency Secretary

OPERATOR:

MOSS BROS. AUTOGROUP, a California corporation

By:_____
Name: Glenn L. Moss, Sr.
Its: President / CEO

ATTACHMENT NO. 1

SITE PLAN

ATTACHMENT NO. 2

OPERATOR CERTIFICATE

(Operator Letterhead)
Community Redevelopment Agency of the City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Date of Operator Certificate: August 1, 201_

Attn: Executive Director

With respect to that certain Participation Agreement (the "Agreement") by Moss Bros. Autogroup, a California corporation (the "Operator") and the Community Redevelopment Agency of the City of Moreno Valley, a public body, corporate and politic (the "Agency") dated as of May 20, 2010, the undersigned, on behalf of the Operator, hereby certify to Agency that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the Agency, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Sales Tax Condition; the Fee Condition; the Continuous Operation Condition; the Electrical Service Condition; the Property and Special Tax Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to any and all properties owned by Operator or any Related Person within the Auto Mall, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation, doing business in the State of California.

8. Operator remakes to Agency each and every representation and/or warranty made to Agency under the Agreement.

Exhibit "A" to Attachment No. 2

9. A report setting forth in detail the efforts of the Operator to secure commitments for the establishment of factory-authorized dealerships within the Moreno Valley Auto Center for product lines not represented in the Moreno Valley Auto Center as of the Date of Agreement is enclosed herewith and is deemed to constitute part of this Operator Certificate.

Operator executes this Operator Certificate for the benefit and protection of the Agency with full knowledge that the Agency is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

MOSS BROS. AUTOGROUP, a California corporation

Dated: April 28, 2010

Its: President / CEO

Exhibit "A" to Attachment No. 2

EXHIBIT "A" TO OPERATOR CERTIFICATE

[to come]

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MV00057564

RESOLUTION NO. RDA 2010-02

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AUTHORIZING A PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

WHEREAS, the Agency Board of the Community Redevelopment Agency of the City of Moreno Valley (the "RDA") wishes to work with Moss Bros. Autogroup ("Moss") to enhance the effectiveness of the Moreno Valley Auto Mall ('the Auto Mall") in Moreno Valley; and

WHEREAS, in furtherance of the goals and objectives of the RDA Plan at the Auto Mall, will both maintain and create new jobs; and

WHEREAS, the RDA is authorized to undertake activities and expend monies pursuant to and in implementation of the RDA Plan; and

WHEREAS, the enhancement of the Auto Mall will help stimulate the local economy and meet the objectives of the RDA Plan and the City of Moreno Valley's economic development efforts; and

WHEREAS, the operations as required to be accomplished under the Participation Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents and in accord with public purposes and provisions of applicable federal, state and local laws;

NOW, THEREFORE, THE AGENCY BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

Section 1. Each of the above recitals is true and correct and therefore adopted by the Legislative Body.

Section 2. The Agency Board authorizes the Executive Director to enter into a Participation Agreement with Moss Bros. Autogroup, a California corporation, in substantial conformance with the Participation Agreement attached to this resolution.

Section 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Chairperson

ATTEST:

_____
Agency

APPROVED AS TO FORM:

_____
Agency Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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FY 2010-2011 Proposed Capital Improvement Plan

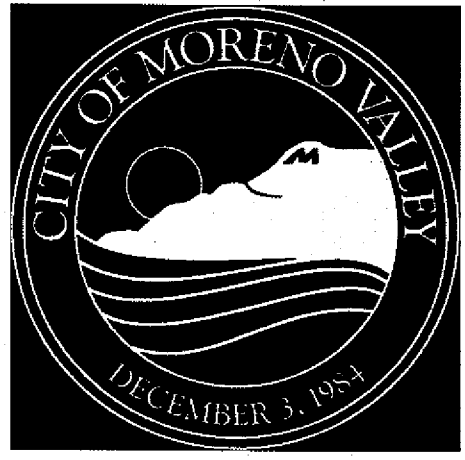

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00057572

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00057574

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00057576

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS
FY 2009-2010

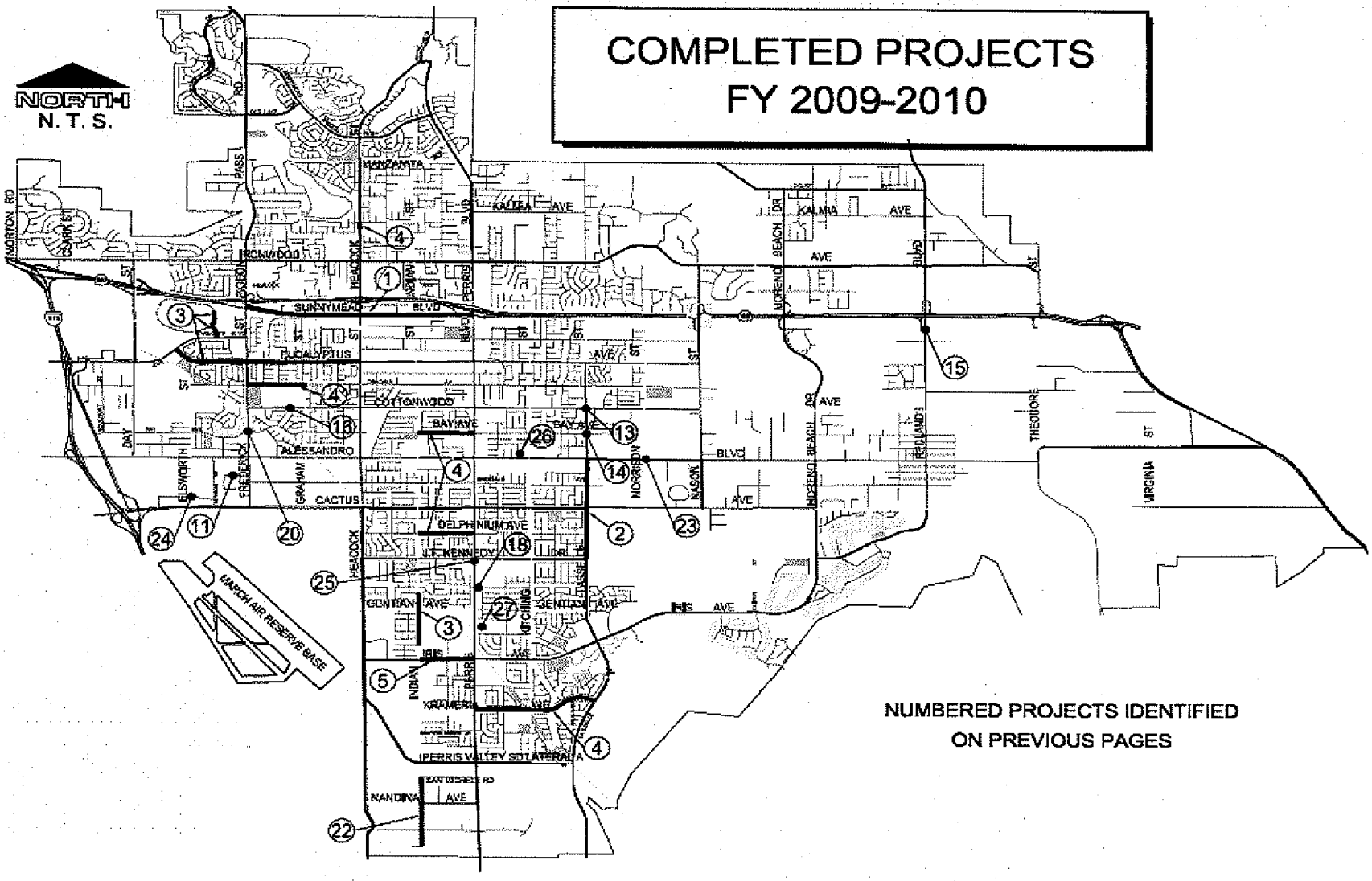

NUMBERED PROJECTS IDENTIFIED
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Completed Projects FY 2009-2010

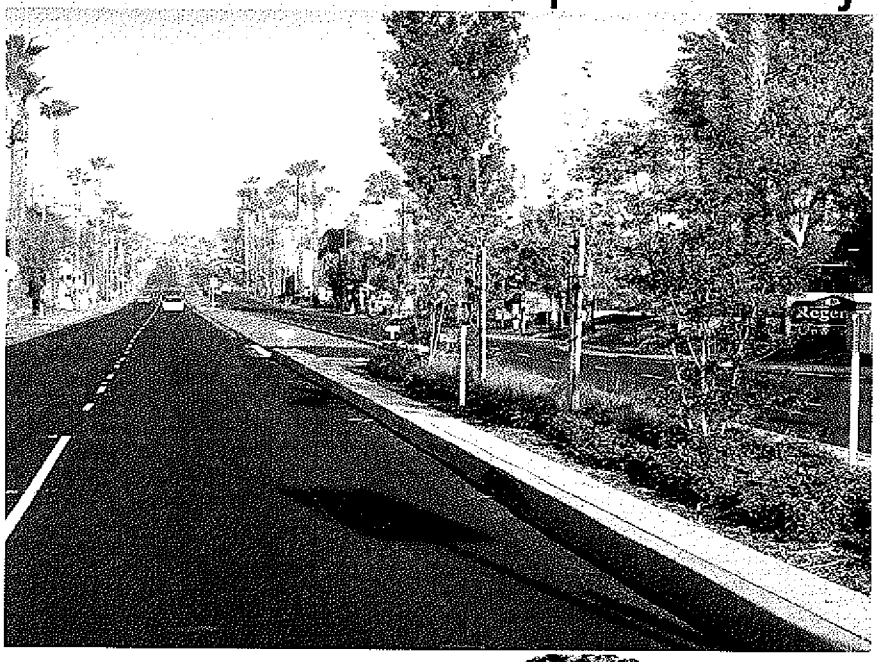

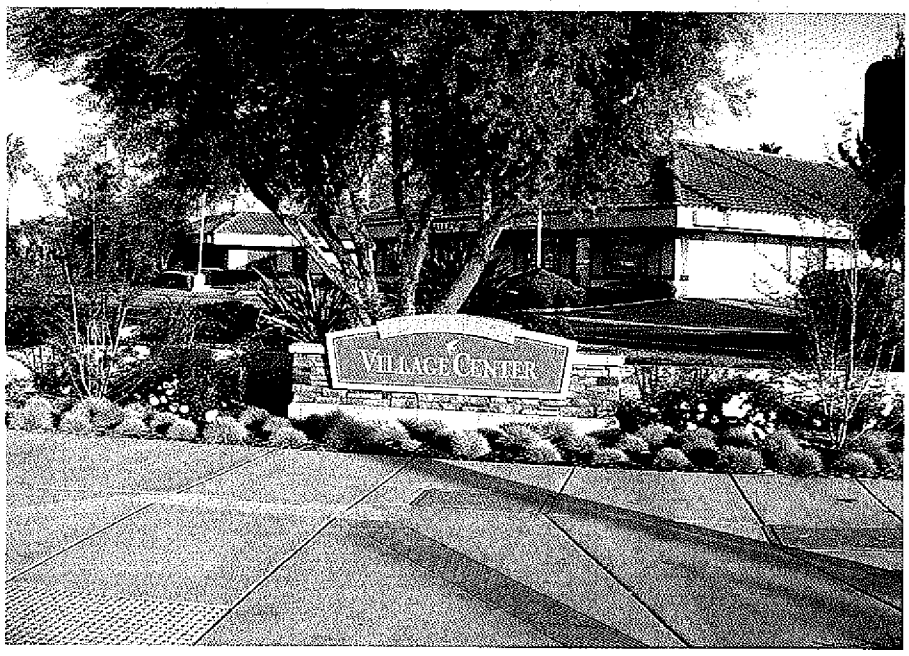

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

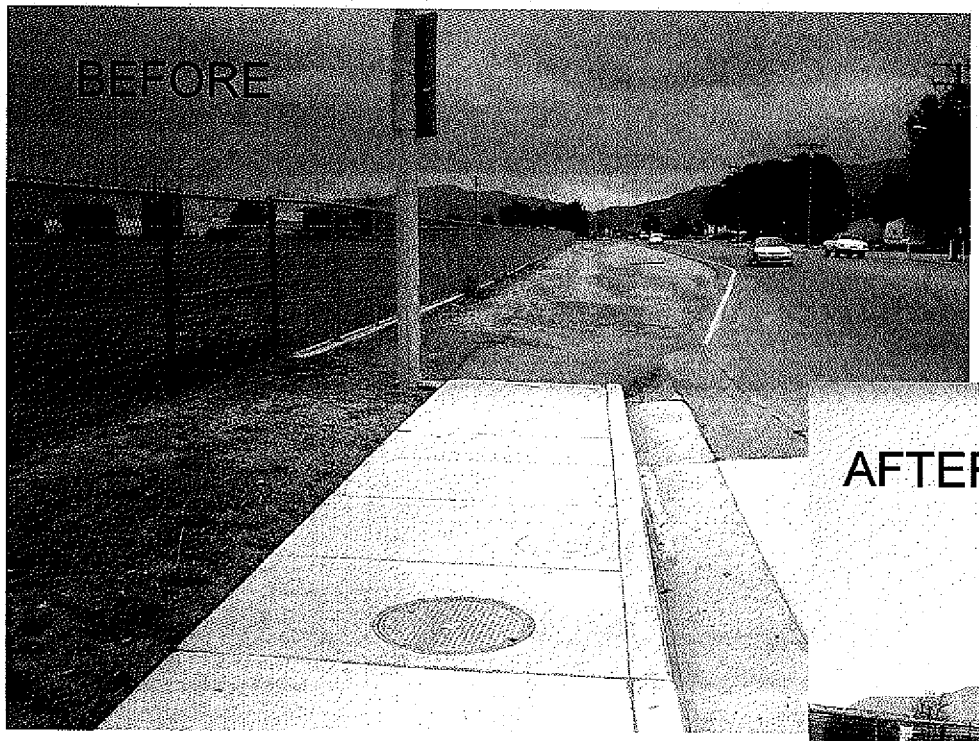

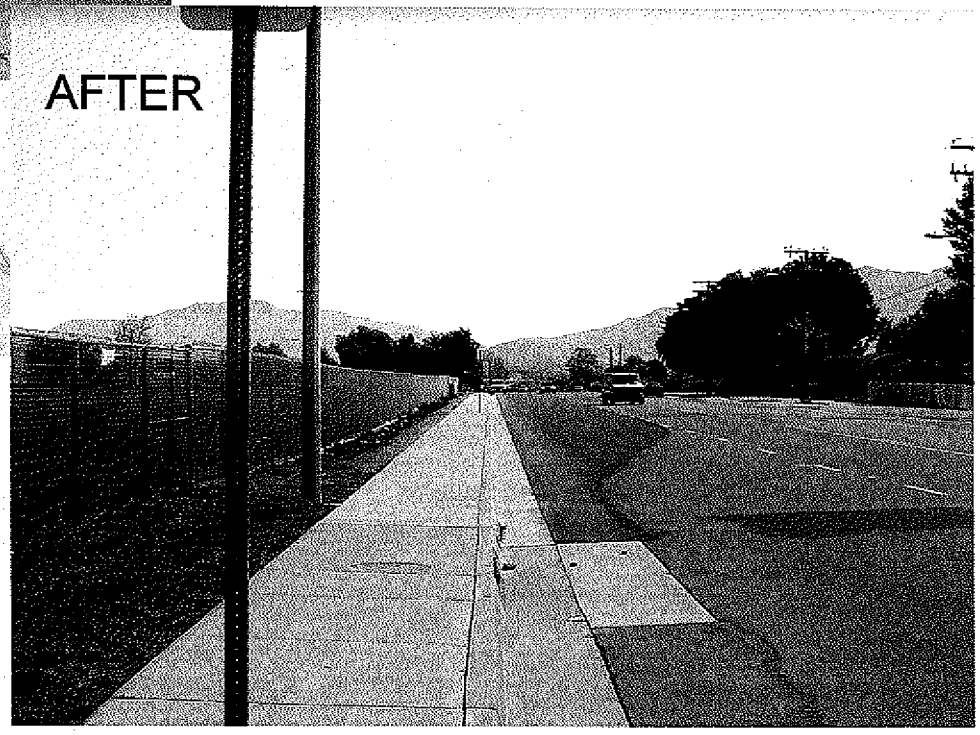

Iris Avenue from Indian Street to Perris Boulevard

MV00057580

Completed Projects FY 2009-2010

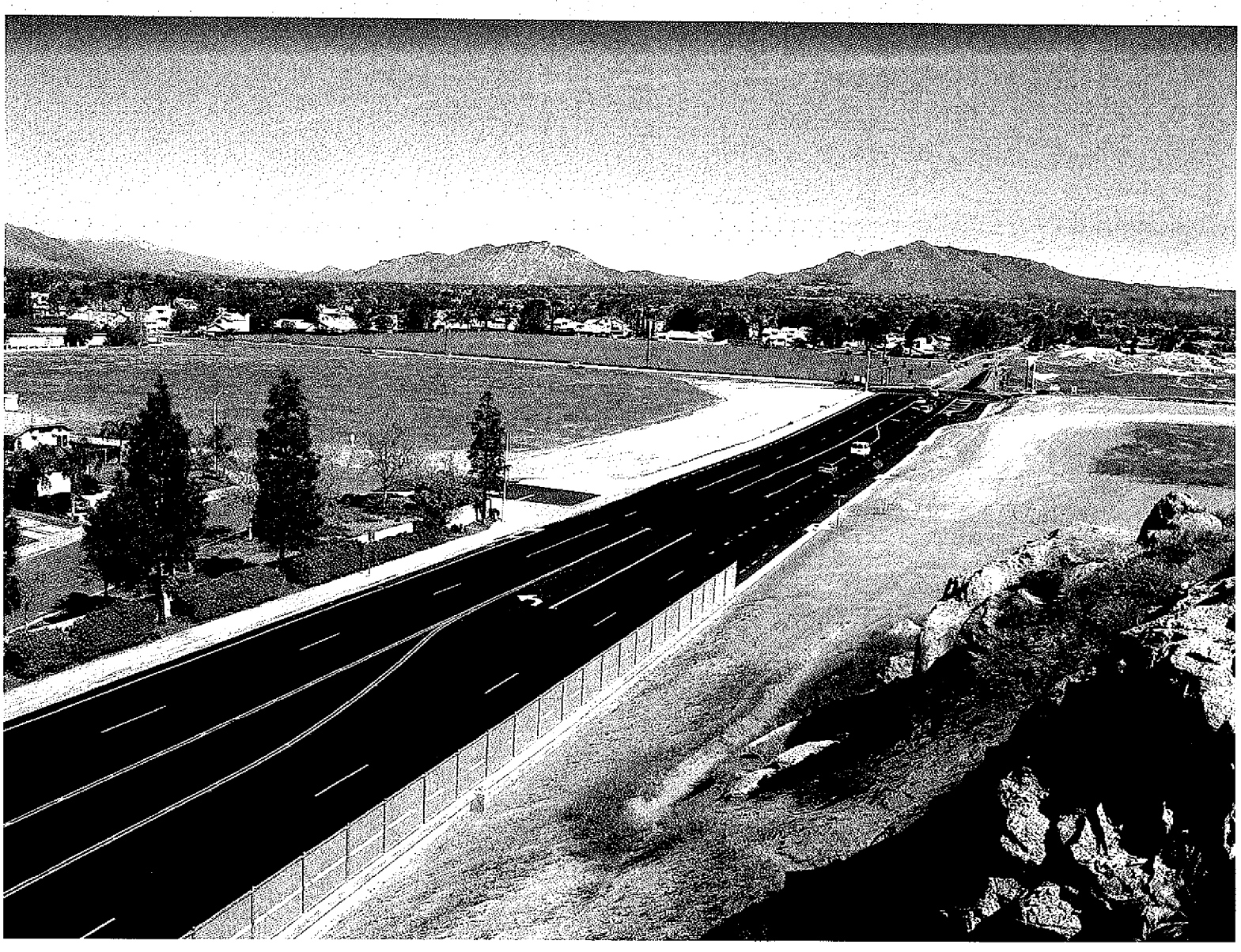

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

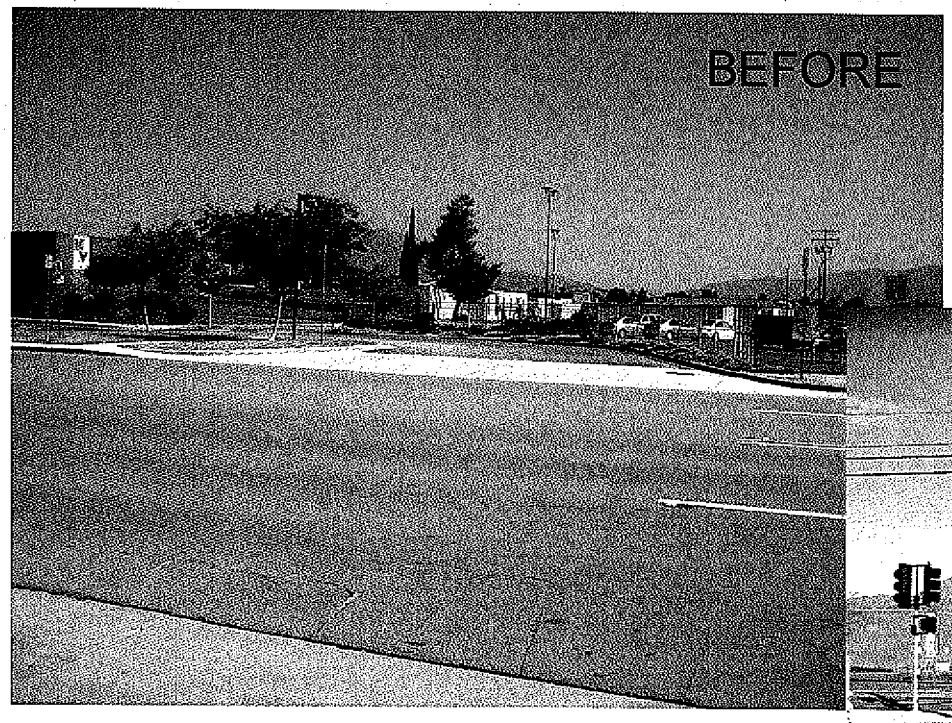

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

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Completed Projects FY 2009-2010

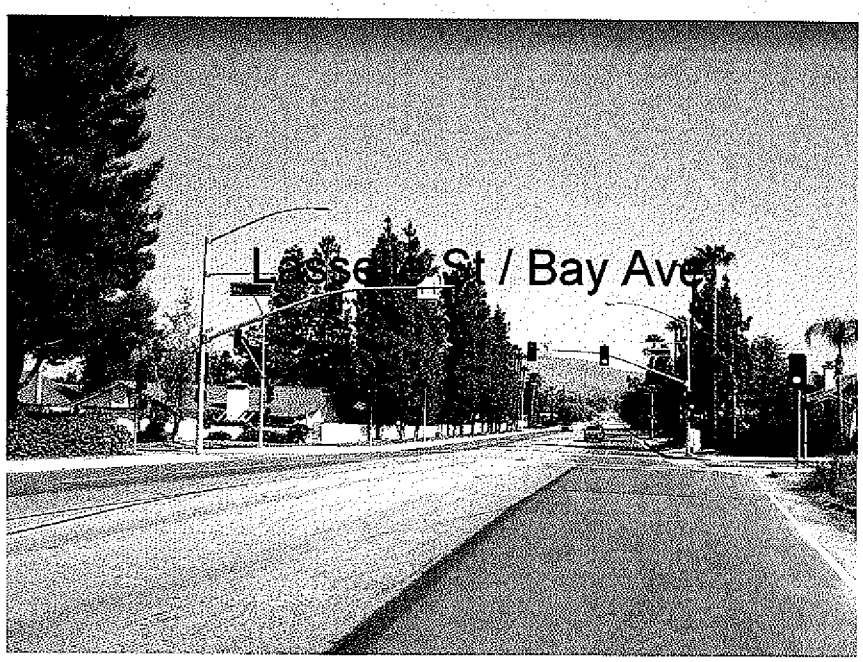

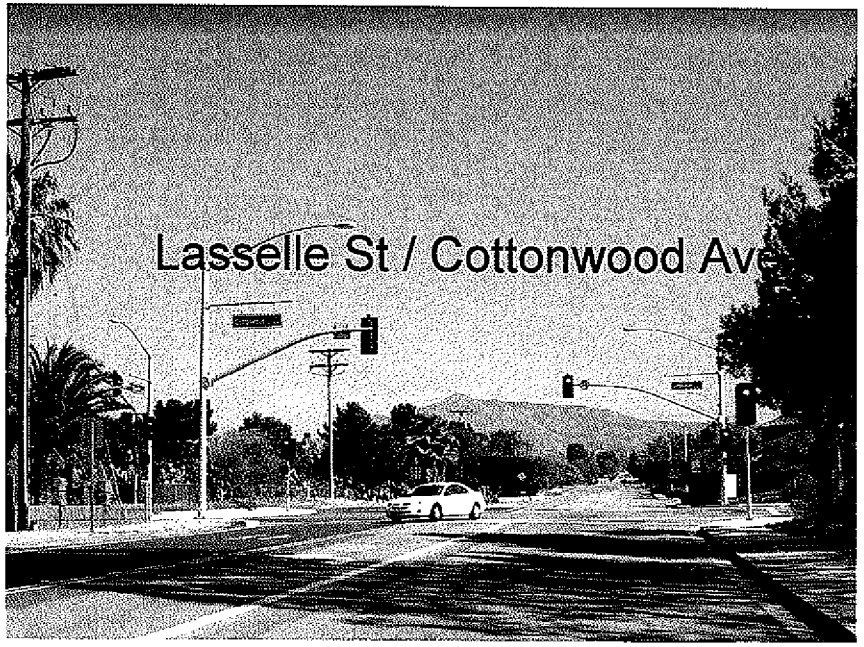

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

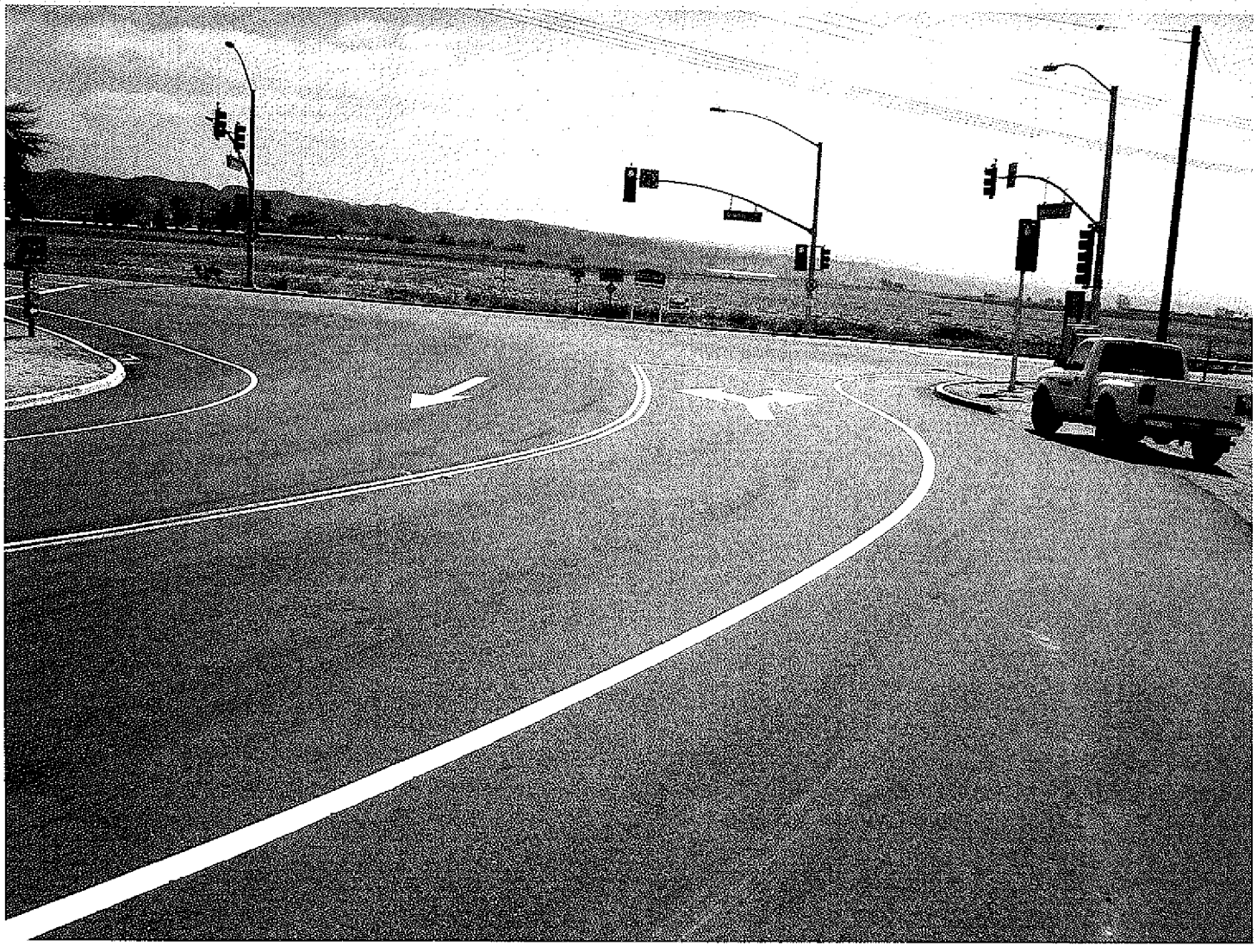

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00057588

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00057590

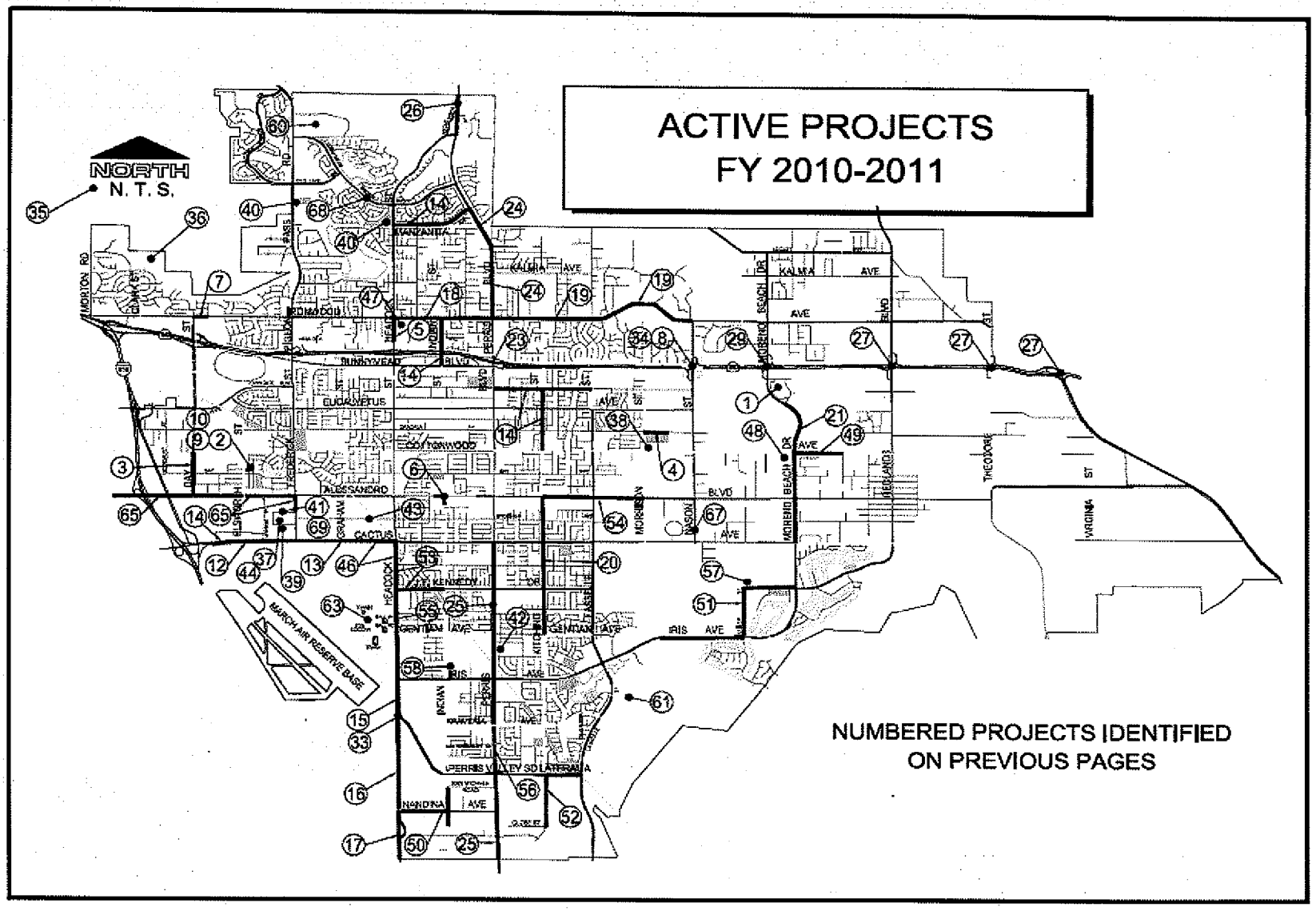
ACTIVE PROJECTS
FY 2010-2011
NORTH
N. T. S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
KALMIA AVE
SUNNYVEAD BLVD
EUCALYPTUS
COTTONWOOD
ALESSANDRO
CACTUS
KENNEDY
GENTIAN AVE
IRIS AVE
INDIANA AVE
PERRIS VALLEY SD LATERAL A
MORTON RD
HEACOCK
PERRIS BLVD
VIRGINIA
THEODORE
HIGHLAND

Item No. G.6

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

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Active Projects FY 2010-2011

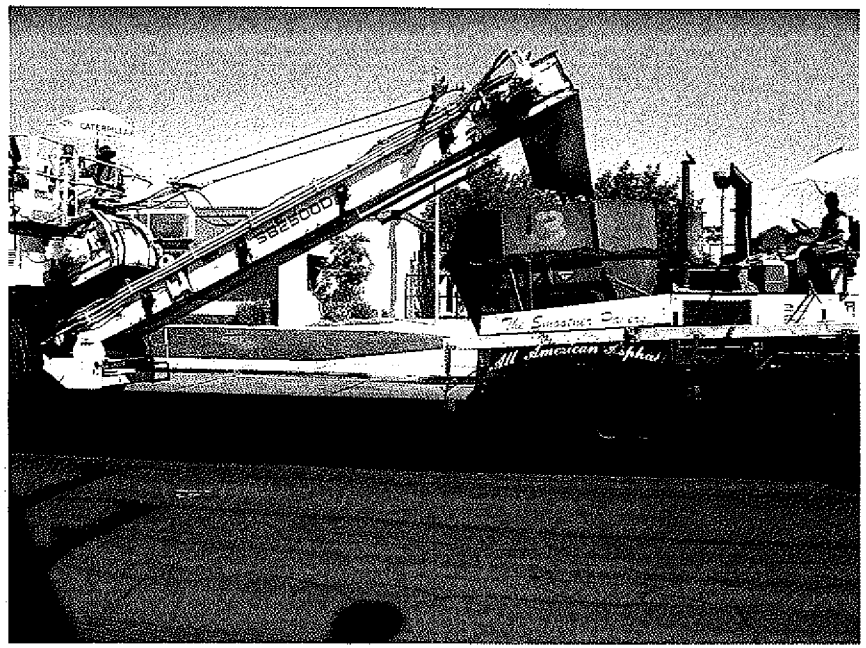

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

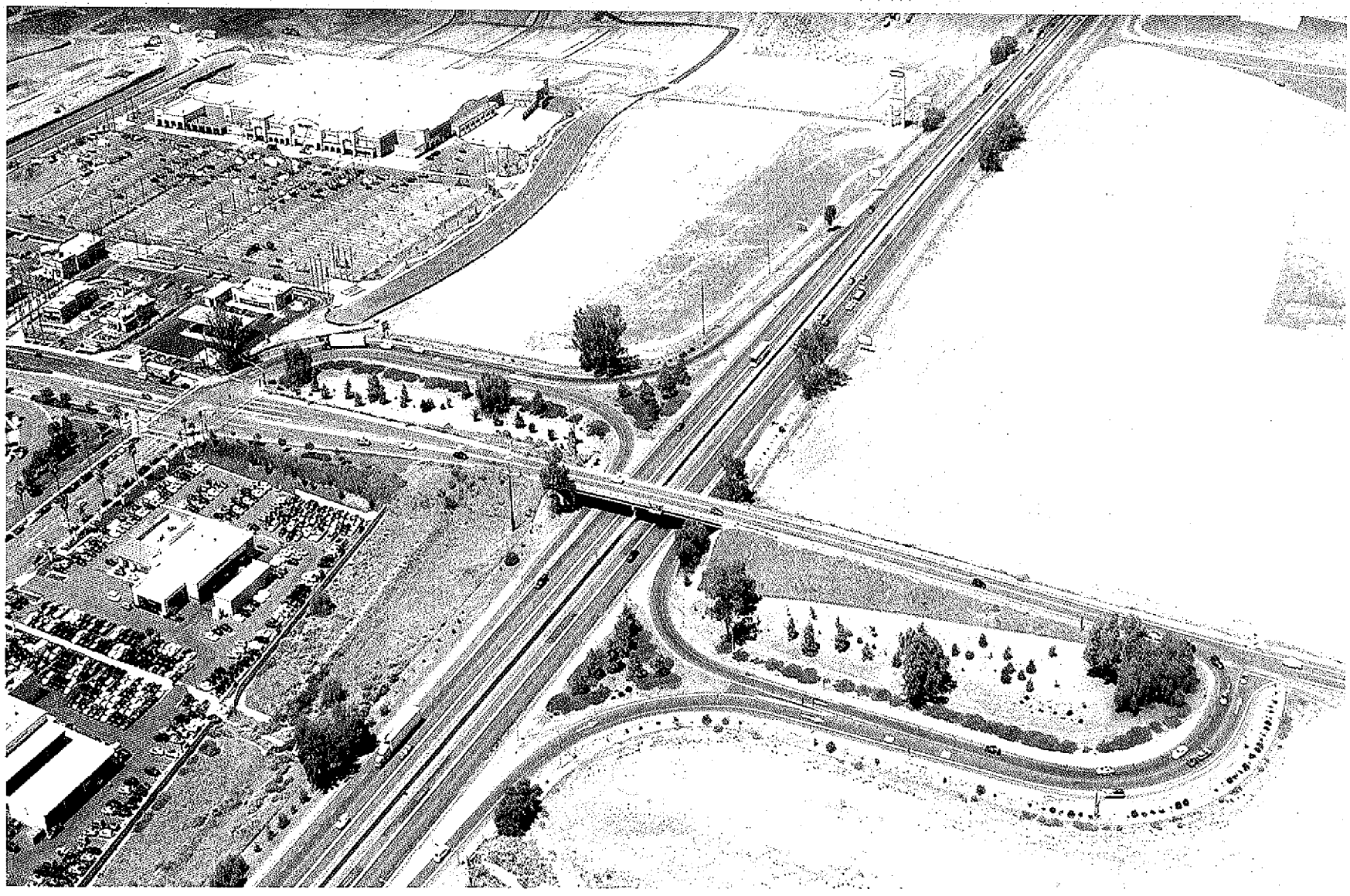

SR-60 / Moreno Beach Drive Interchange

MV00057594

Active Projects FY 2010-2011

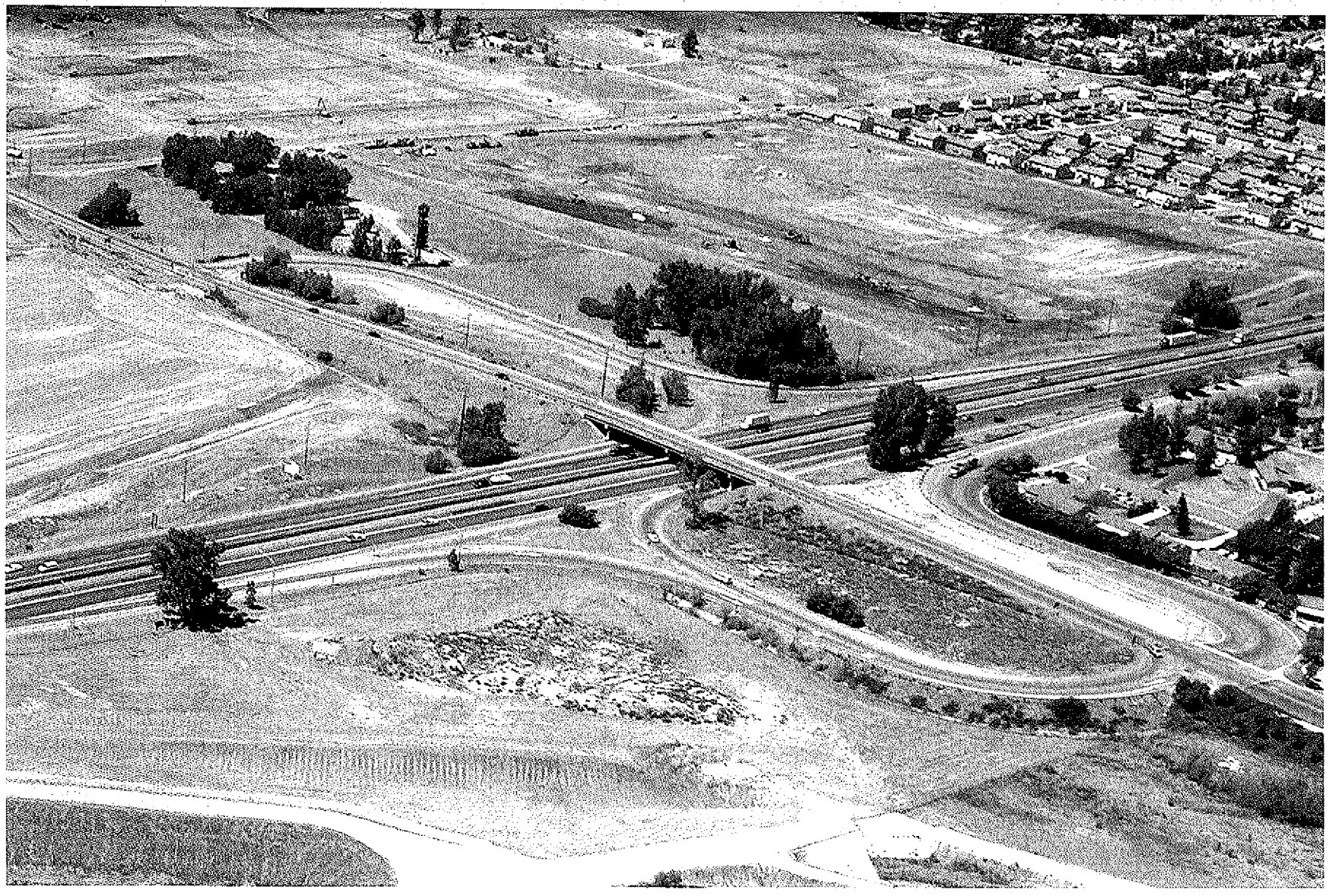

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00057596

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00057598

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS FY 2010-2011

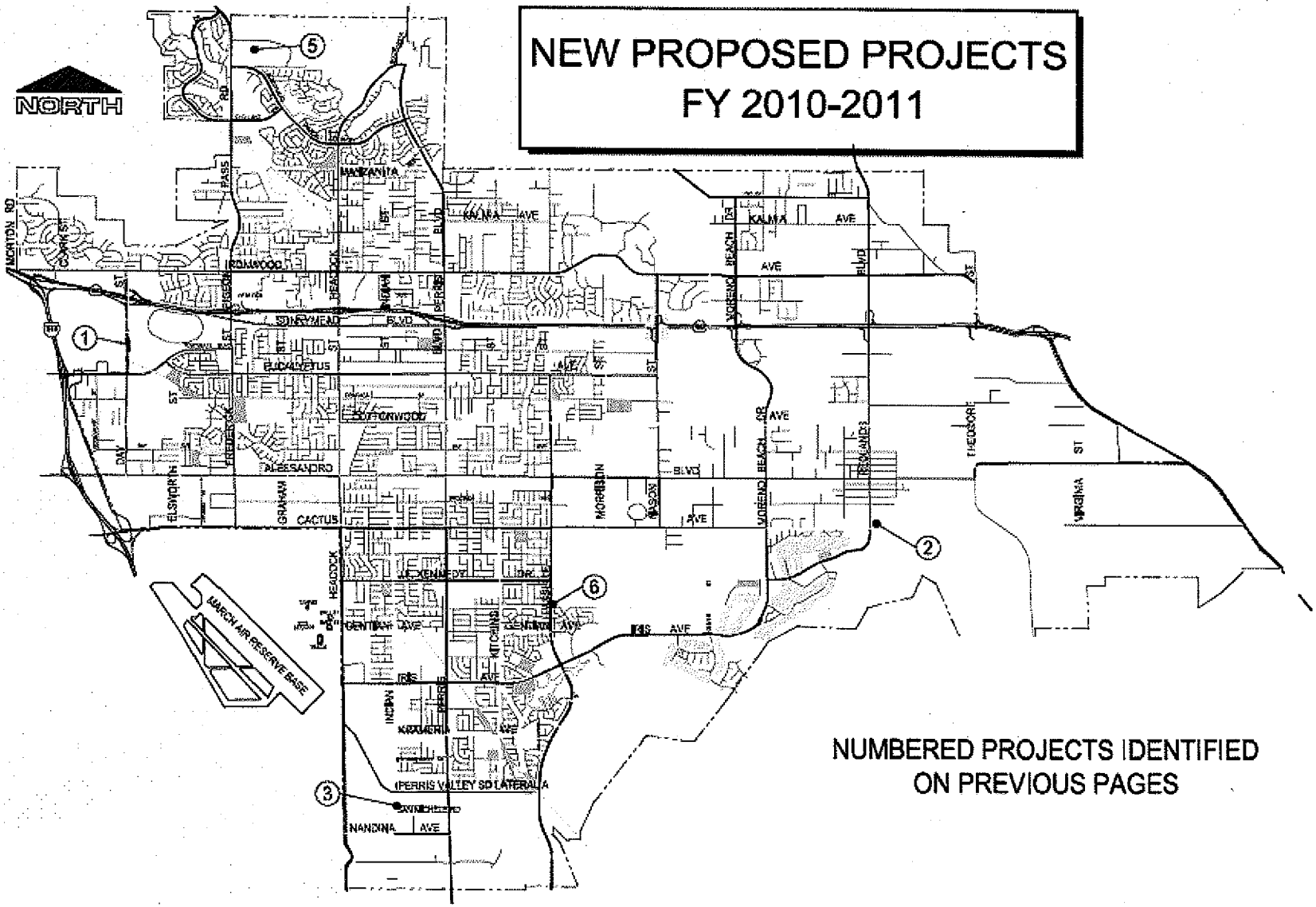

NUMBERED PROJECTS IDENTIFIED ON PREVIOUS PAGES

MV00057600

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

MV00057602

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

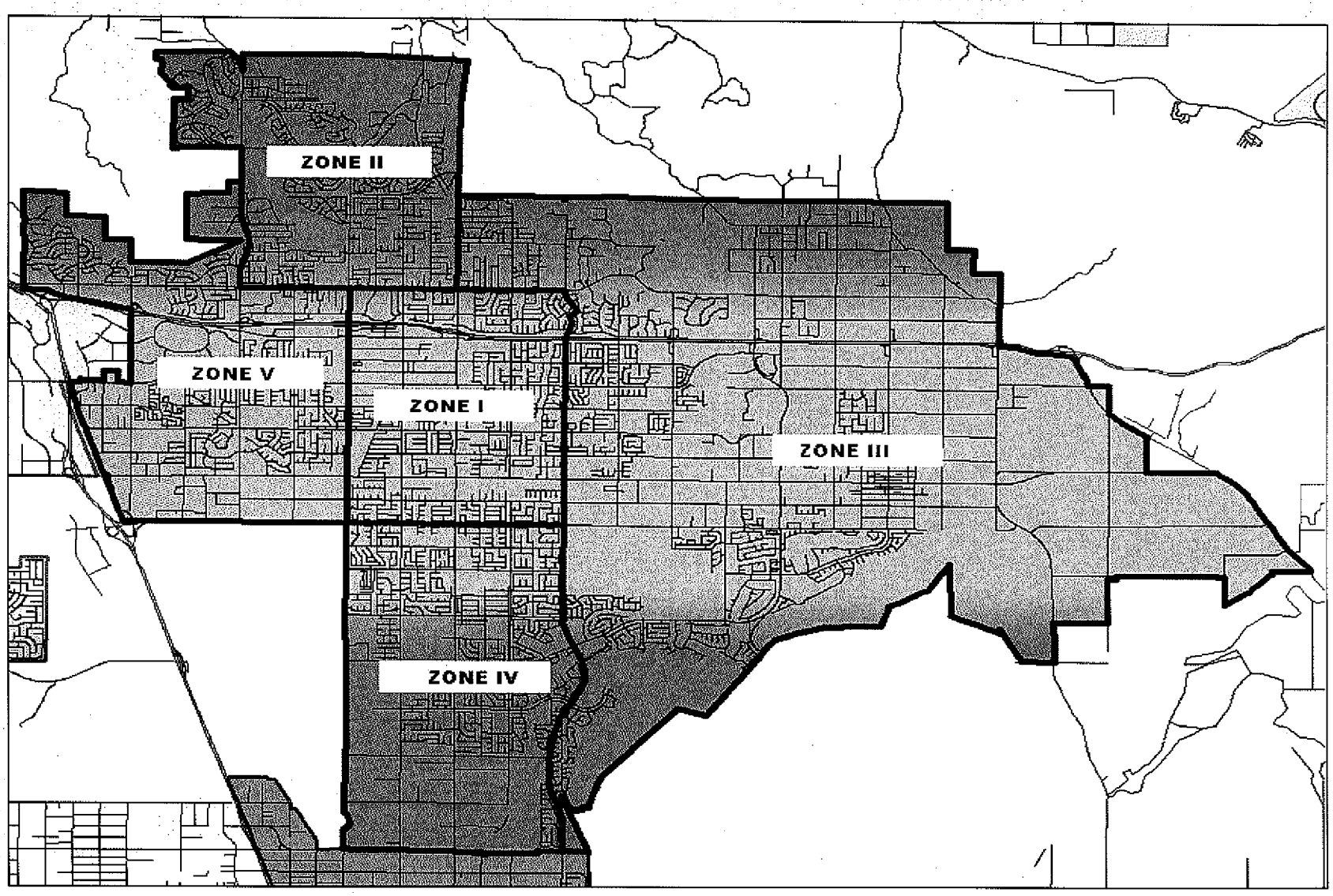

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00057606

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00057608

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00057610

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00057612

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00057614

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: May 25, 2010

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The RTS Program Application Fee was included in the City Council 2010 Fee Schedule. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement,

the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC (PG 659-680)
Exhibit "B" – Draft Request for Proposals with agreement (PG 681-700)

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057620

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

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"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the Tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain separate rotation tow lists and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

12. Proof of Lease or Property Ownership. The applicant shall provide the City with a certified copy of a deed, title report or other documentation naming the Tow Operator as the owner of the property or provide sufficient documentation to the City's satisfaction that the Tow Operator has a financial interest in the property and therefore, the right to use the property for a Tow Business and/or Storage Facility. If the Tow Operator leases the property for a Tow Business and/or Storage Facility, proof shall be submitted to the City demonstrating the Tow Operator has a lease interest in the property to operate a Tow Business and/or Storage Facility for the duration of the City's Rotational Tow Service Program of five years.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

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D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by

resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service

Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

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D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

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Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of vehicles with a "police hold." The Tow Operator shall keep a written record of every

vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Names and addresses of buyers and description of vehicles when sold;

7. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of fourteen (14) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

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Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

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SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

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Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program is being developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

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d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8½" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

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Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

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Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

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WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.

b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

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d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

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SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY	TOW OPERATOR
BY: _____ Bonnie Flickinger, Mayor	BY: _____
	TITLE: _____ (President/Vice President/Other)
_____ Date	_____ Date
	BY: _____
	TITLE: _____ (Corporate Secretary/Other)
	_____ Date

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INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal") (PG 703-718)
2) Proposed Resolution Adopting the Rancho Belago Sign Program (PG 719-720)

Prepared By:

Kyle Kollar
Interim Director of Community Development

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00057664

ATTACHMENT 1

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00057666

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

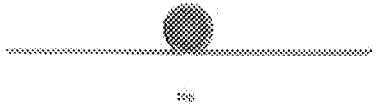

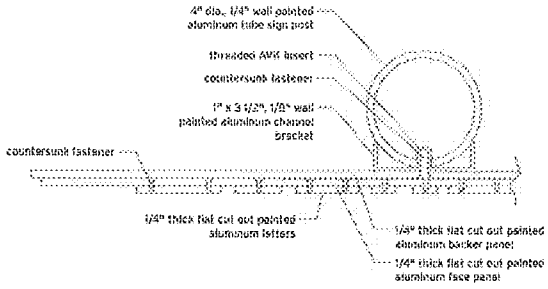

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

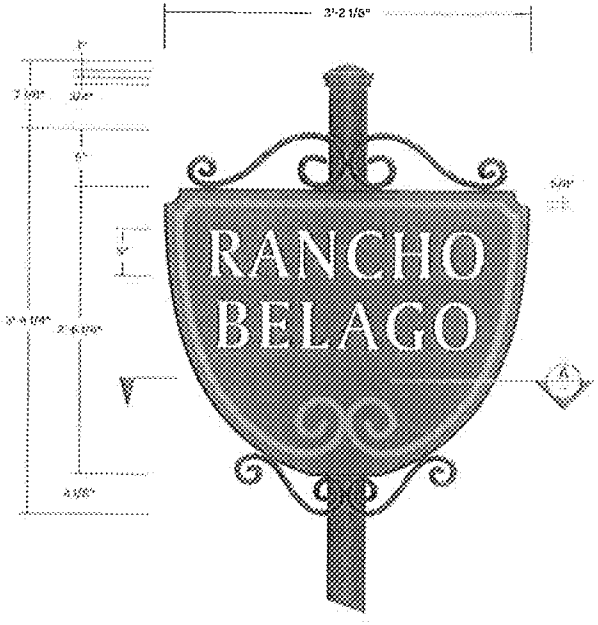

front side

2 Details

Scale: 1" = 1'-0"

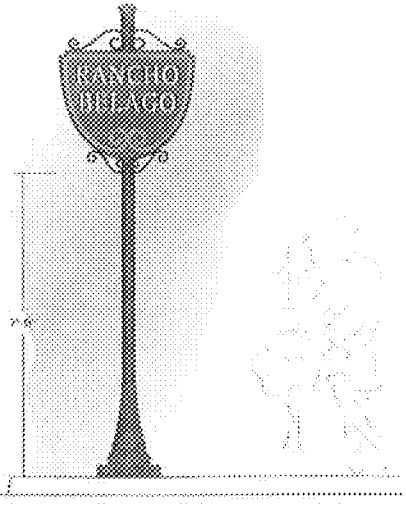

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV00057668

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2053

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

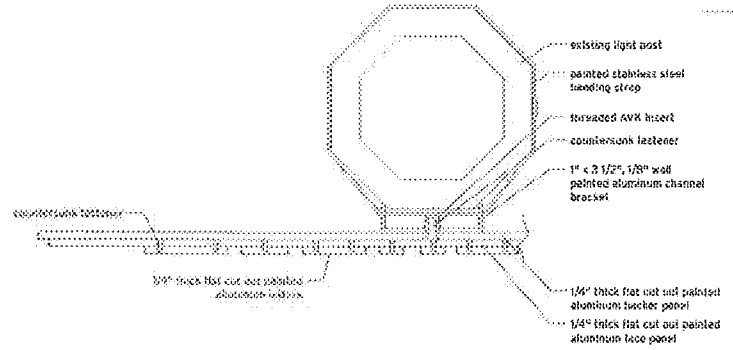

A Details

Scale: 3" = 1'-0"

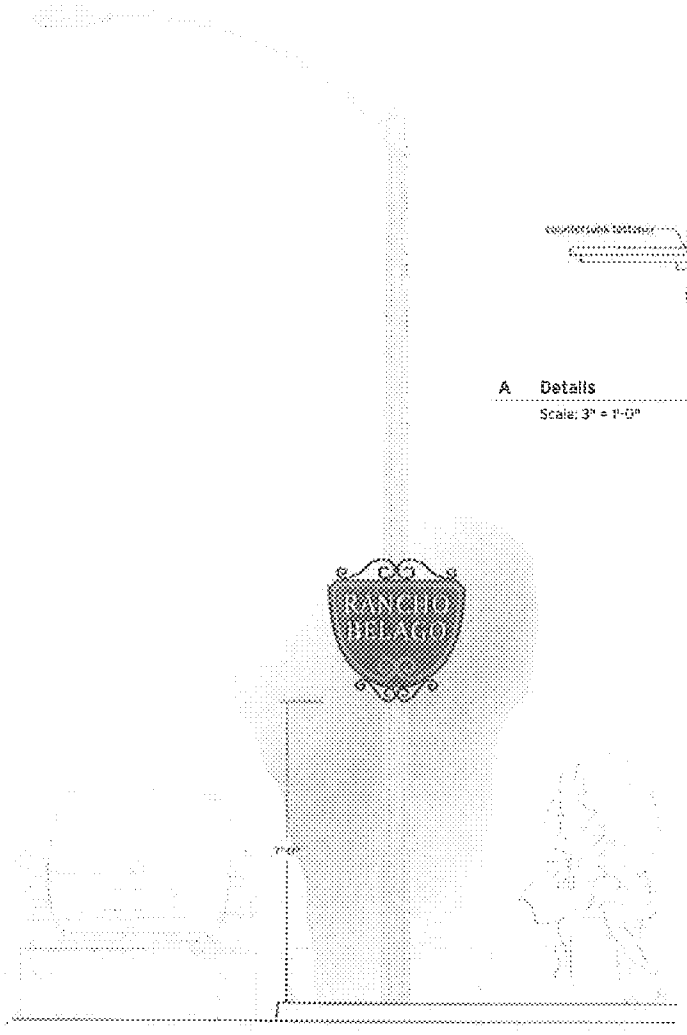

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alisras Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

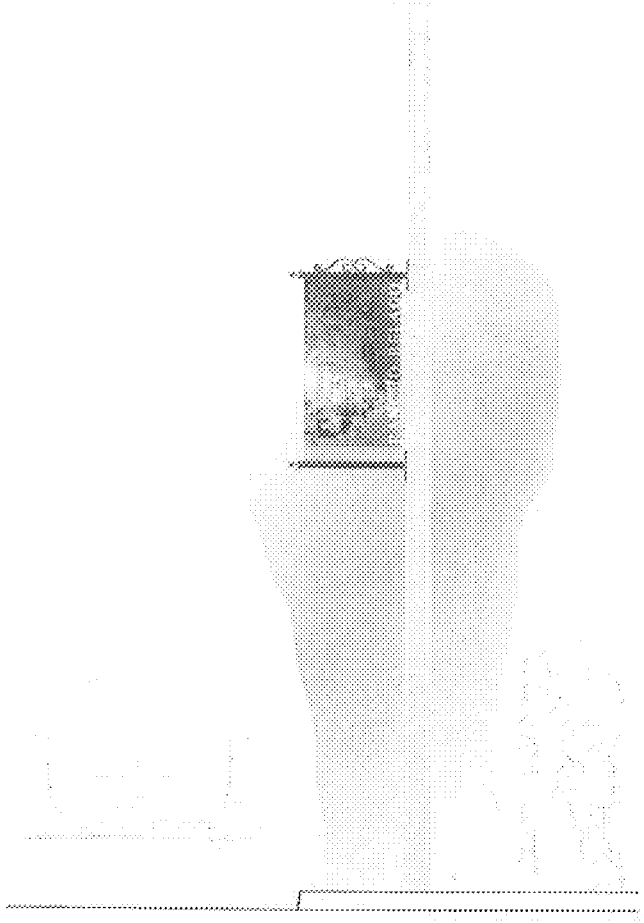

1 Elevation

Scale: 3/8" = 1'-0"

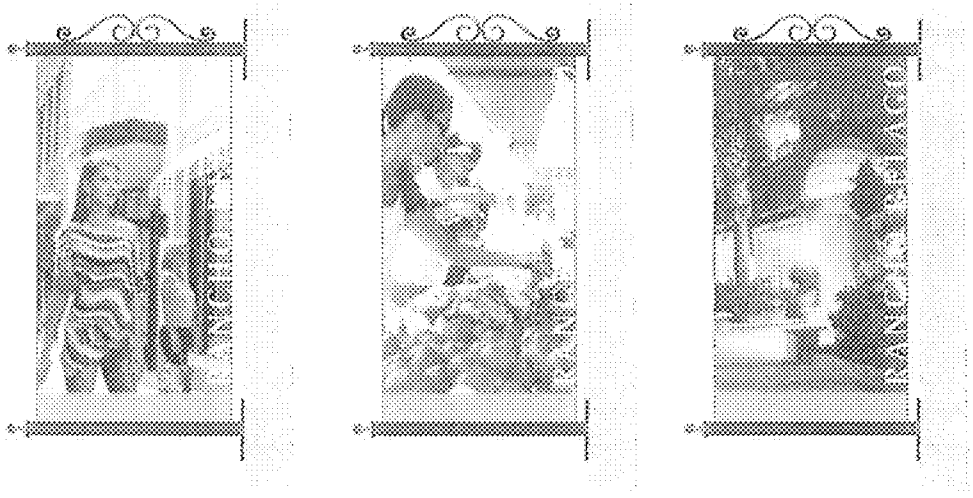

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2862

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3;
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
06-16-07

MV000057672

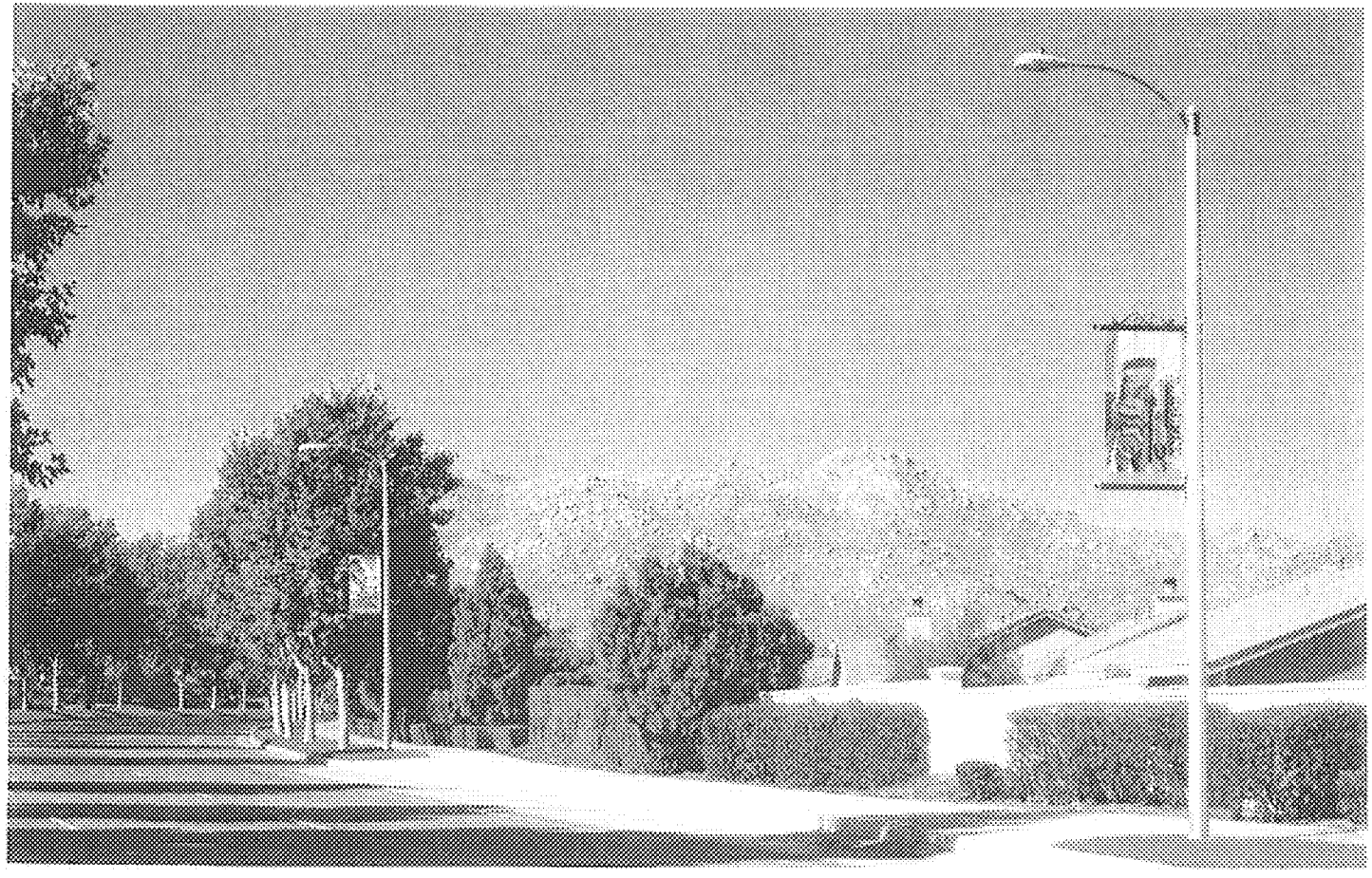

1 **Typical Photo Simulation**
Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1
date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	36
3	Light Pole Mounted Community Identification Banners	51

LEGEND:

Rancho Belago Limits

Primary Community Destinations

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP1

Date: 08-10-07

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

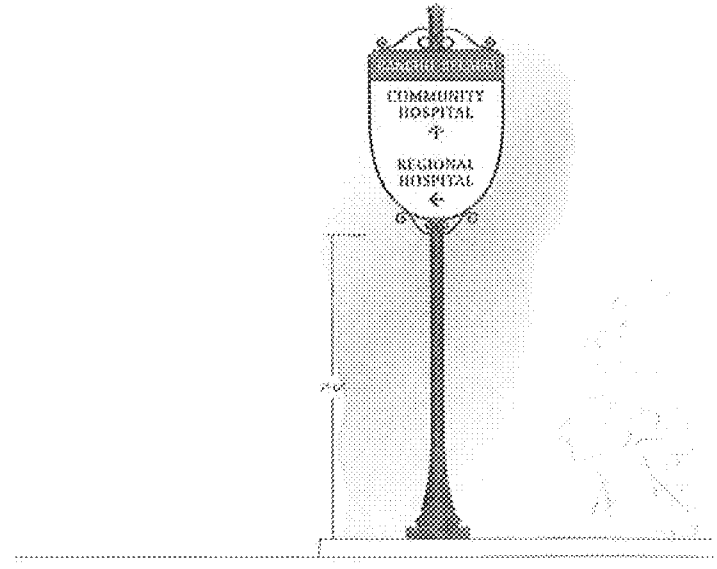

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 843 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV000057676

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

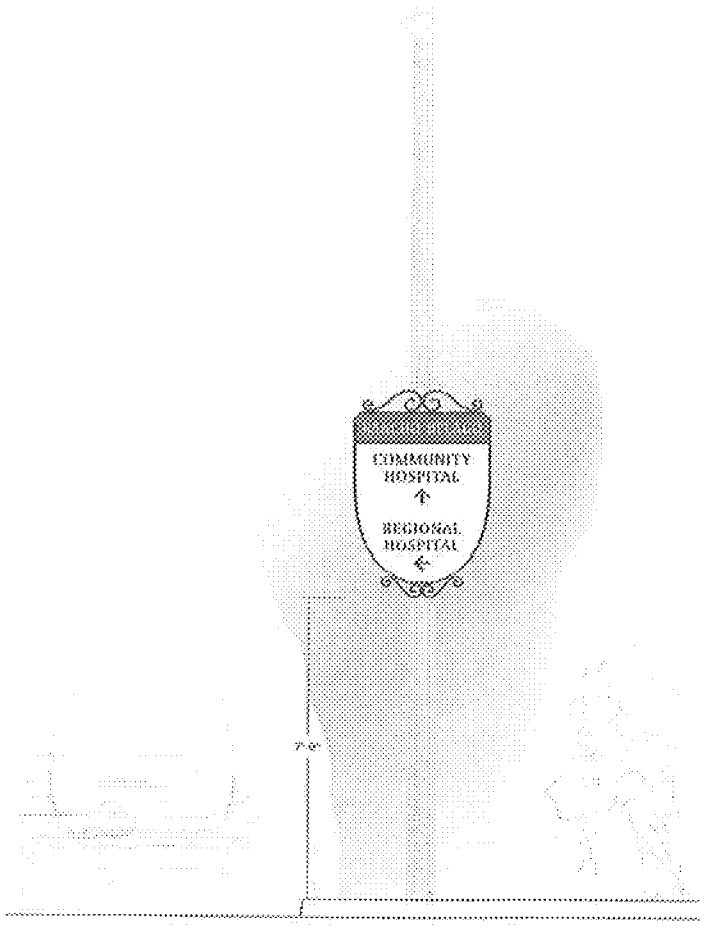

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet 1 of
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sign number
RB - 5.1

Date
08-10-07

MV000057678

Residential Product Directional Sign

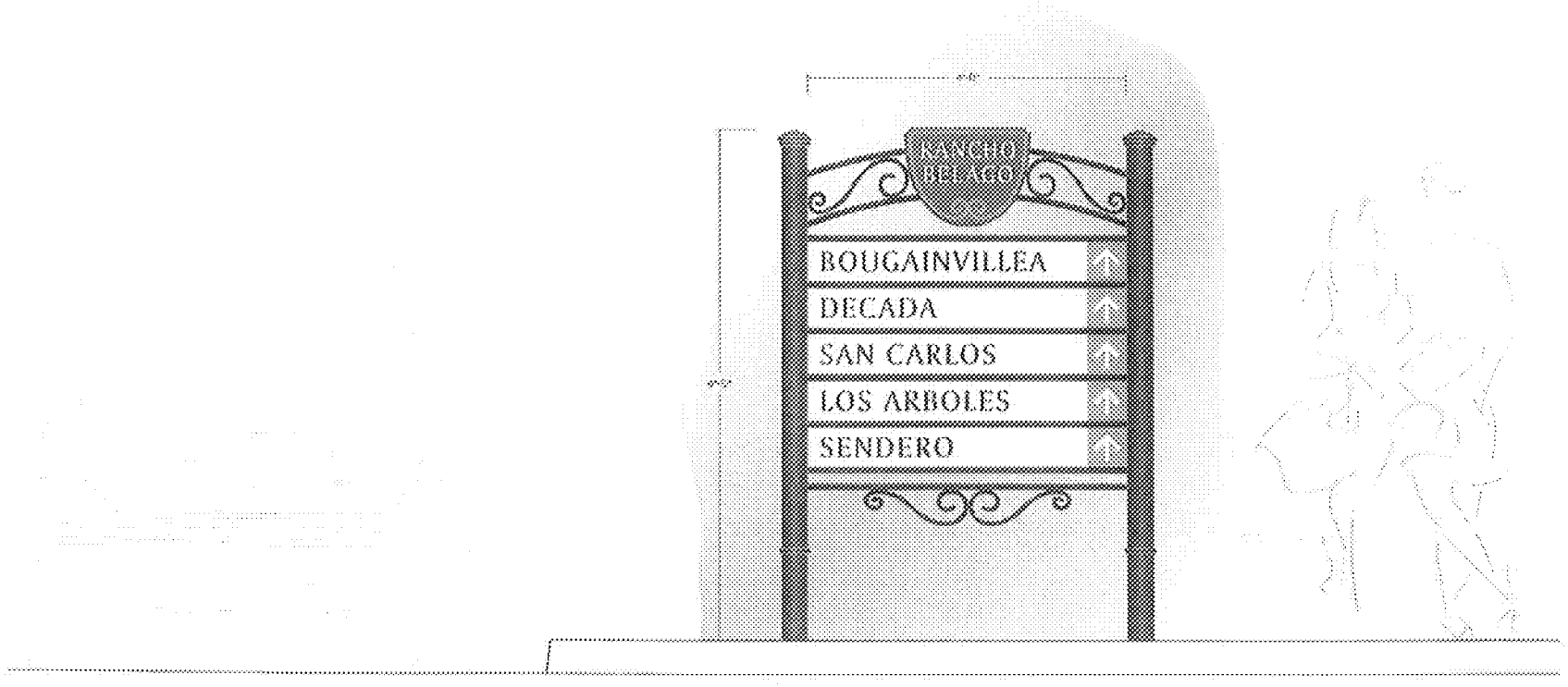

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

Item No. G.8

MV00057679

3 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

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(949) 360 5750
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Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

MV000057680

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 2

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00057684

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 25, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing Veterans Appreciation Month – May 2010

3. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

4. Proclamation Recognizing Mental Health Month – May 2010

5. Recognition of Vista Heights Middle School – California State History Day Winners

6. "Spotlight on Moreno Valley Business"

MV00057686

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 25, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00057687

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

MV00057688

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest

Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN

MV00057692

(PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

1. Approve revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

   Resolution No. 2010-35

   A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

2. Approve revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

   Resolution No. 2010-36

   A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of

Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

MV00057694

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

MV00057695

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

MV00057696

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as

MV00057697

deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00057698

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00057699

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00057700

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 11, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Flickinger

INVOCATION - Council Richard Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial & Admin. Director
Robert Hansen	City Attorney
William Bopf	Interim City Manager
Rick Hartmann	Interim Assistant City Manager
Cheryl Evans	Lieutenant Admin.
Abdul Ahmad	Battalion Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

AGENDA ORDER

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Motion to Continue Item G4 to a date uncertain by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to waive the attorney-client privilege for the "Legal Advice Regarding Trademark Issues Pertaining to the Rancho Belago Sign Program," thus making it a public document (pertaining to Item G5) by Council Member Richard A. Stewart, s/ Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A10), and Deanna Reeder (Item A10; e-mails issue - Item D2).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor

Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has

been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

Item continued to the next City Council meeting

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to continue Item A10 to the next City Council Meeting by Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Item A8 and Item A10 which were pulled for a separate vote, by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE

EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

Resolution No. 2010-31

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

Resolution No. 2010-32

A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

The presentation was given by an applicant Iddo Benzeevi.

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes DIF fee; supports modifying COA), Raul Wilson (against trails), Louise Palomarez (against trails), Nina Ramos Hiers (supports trails), Radene Ramos Hiers (supports trails), Kim Nelson (for denying request to modify the conditions; for trails), Marcelo Co (for jobs; against trails), Pete Bleckert (against horse trails), Daryl Terrell (for Fairview proposal), and Sam Martinez (for jobs).

Recess;
Reconvened

Motion to convert the existing landscaping to hydro seeding wildflowers by Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

Motion not to change the conditions for trails, leave them as it is, by Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Motion failed by a vote of 2-3, Council Member William H. Batey II, Council Member L. Molina and Council Member Richard A. Stewart opposed.

Council Member Richard A. Stewart made the following motion regarding building a trail, s/Mayor Bonnie Flickinger: accept the full irrevocable dedication; the construction shall be done by Mr. Benzeevi, but it will be deferred until the completion of the certificate of occupancy for Phase III;
Council Member Richard A. Stewart amended the motion adding that the developer be relieved from this condition (building a trail) if the trail is eliminated from the frontage of this project (relocate off his property)

Council Member Richard A. Stewart withdrew his previous motion.
Mayor Flickinger withdrew the second.

Council Member Richard A. Stewart made the following motion, s/Mayor Bonnie Flickinger:
That the final map will show an irrevocable offer of dedication for the

trail along the entire frontage of the project, for all 3 phases, and that this condition, the construction, completion and dedication of the completed trail be deferred until occupancy of Phase III (that way the conditions remain worded the same; just construction and completion of the entire trail will be deferred until Phase III, but the final map will show the irrevocable offer of dedication of the right-of-way)
Approved by a vote of 5-0.

Mayor Bonnie Flickinger made a motion to agendize revising a DIF policy to create the open-ended time element.
Mayor Bonnie Flickinger amended the motion to leave the condition in place as is; Motion failed for lack of a second.

Motion to continue the decision on the DIF issue giving staff and Mr. Benzeevi opportunity to conduct research and analysis by Mayor Bonnie Flickinger, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to bring back draft resolutions on motions made at the meeting for the City Council approval by Council Member Richard A. Steward, s/Mayor Pro Tem Hastings
Approved by a vote of 5-0.

Motion to continue the meeting past 11 p.m. by Council Member William H. Batey II, s/Mayor Pro Tem Hastings
Approve by a vote of 5-0.

Council's direction to staff: televise May 18, 2010 Study Session (because of budget)

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Raul Wilson
1) Spanish interpreter
2) Independent audit

Deanna Reeder
1) Encouraged voting

Valerie Yowell
1) Standards for the rest of development of tract on Nason and Eucalyptus

Marcelo Co
1) Impressed with the decision regarding Item E2; Concerned with time in bringing businesses in
2) Attracting businesses and jobs to the City

Louise Palomarez
1) Public comments
2) Spending tax money

Librada Murillo
1) Priorities for allocating/spending money

Emil Dragovich Jr.
1) DUI checkpoints
2) Expressed appreciation for the City Council members

Tom Jerele Sr. (speaking on behalf of himself and Sundance Center)
1) Acknowledged persons involved in Sunnymead Blvd. improvements
2) Sign modification
3) Trails issue
4) Acknowledged residents contributing to the betterment of the community

Pete Bleckert
1) Proposition 16 & balloting electrical rates

Radene Ramos Hiers
1) Deviation from the General Plan
2) Developers coming to the community
3) Recreational trails
4) Invited residents to joint the rally on Day Street on June 19, 5-6 p.m. to encourage people to spend tax dollars in the City of Moreno Valley

Motion to continue all remaining items to the next Council Meeting by Council Member William H. Batey II, s/Mayor Pro Tem Hastings Approved by a 5-0 vote.

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

CLOSED SESSION - canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:27 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00057716

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: May 25, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

Reports on Reimbursable Activities May 5-18, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	5/10/10	League of California Cities – Riverside County Division General Meeting
	5/14/10	Student of the Year Dinner
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057718

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MARCH, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-34
Check Register for Month of March, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MARCH, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period March 1, 2010 through March 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period March 1, 2010 through March 31, 2010, in the total amount of $67,977,881.05 is approved.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
ALL AMERICAN ASPHALT, INC.				
3/8/2010	200997	77,420.89		
			ANNL PAVEMNT RESURF PROJ SVCS	29,267.69
			ANNL PAVEMNT RESURF PROJ SVCS	48,153.20
3/15/2010	201101	136,404.13		
			HEACOCK/FREDERICK REHAB PROJS	25,800.41
			HEACOCK/FREDERICK REHAB PROJS	110,603.72
	Vendor Total	**213,825.02**		
FYTD for ALL AMERICAN ASPHALT, INC.		**1,057,387.60**		
BANK OF AMERICA				
3/11/2010	91411	91,712.65		
			ACQ & ESCROW 23974 HEMLOCK	91,712.65
	Vendor Total	**91,712.65**		
FYTD for BANK OF AMERICA		**1,533,678.81**		
BEMUS LANDSCAPE, INC.				
3/8/2010	201005	83,004.14		
			LANDSCAPE MAINT-E4	11.67
			LANDSCAPE MAINT-E4	1,535.20
			LANDSCAPE MAINT-E4	81.75
			LANDSCAPE MAINT-S AQDCT	850.50
			LANDSCAPE MAINT-S AQDCT B	735.00
			LANDSCAPE MAINT-SCE/OLD	1,785.00
			LANDSCAPE MAINT-PAN AM SECT	600.00
			LANDSCAPE MAINT-N AQDCT	525.00
			LANDSCAPE MAINT-N OLD LAKE	1,330.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E1	4,591.46
			LANDSCAPE MAINT-E2	9,091.01
			LANDSCAPE MAINT-E3	3,997.58
			LANDSCAPE MAINT-E4	8,960.72
			LANDSCAPE MAINT-E7	1,953.34
			LANDSCAPE MAINT-E8	4,499.55
			LANDSCAPE MAINT-E12	1,465.51
			LANDSCAPE MAINT-E14	2,754.27
			LANDSCAPE MAINT-E15	767.60
			LANDSCAPE MAINT-E16	2,666.40
			LANDSCAPE MAINT-E3A	85.85
			LANDSCAPE MAINT-ZN M	4,366.23
			LANDSCAPE MAINT-DSG1E	8,193.12
			LANDSCAPE MAINT-DSG1W	4,194.53
			LANDSCAPE MAINT-DSG2	1,196.85
			LANDSCAPE MAINT-PLANTS	404.00
			LANDSCAPE MAINT-PLANTS	343.40
	Vendor Total	**83,004.14**		
FYTD for BEMUS LANDSCAPE, INC.		**361,967.66**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BUNKER FAMILY, LLC					
	3/29/2010	201369	126,900.00		
				REFUND-SEC DEPOSIT	126,900.00
	Vendor Total		**126,900.00**		
FYTD for BUNKER FAMILY, LLC			**126,900.00**		
CALPERS					
	3/8/2010	201011	104,804.48		
				ARC PMT LESS PAYOUTS	135,916.66
				ARC PMT LESS PAYOUTS	-31,112.18
	Vendor Total		**104,804.48**		
FYTD for CALPERS			**770,812.56**		
CITIZENS BUSINESS BANK					
	3/11/2010	91412	87,659.83		
				ACQ & ESCROW 15175 RENCHER CRT	87,659.83
	3/23/2010	1003191	96,665.96		
				ACQ & ESCROW 24395 DYNA PLACE	96,665.96
	3/23/2010	1003201	143,705.04		
				ACQ & ESCROW 15736 GRANADA DR.	143,705.04
	Vendor Total		**328,030.83**		
FYTD for CITIZENS BUSINESS BANK			**1,129,121.84**		
CRITICAL SOLUTIONS					
	3/29/2010	201389	30,301.58		
				EMRGNCY OPS CTR PROJ SVCS	30,301.58
	Vendor Total		**30,301.58**		
FYTD for CRITICAL SOLUTIONS			**342,792.03**		
DESERT CONCEPTS CONSTRUCTION, INC					
	3/29/2010	201395	33,298.20		
				PATRIOT PARK PROJ CONSTR SVCS	33,298.20
	Vendor Total		**33,298.20**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC			**33,298.20**		
EMPLOYMENT DEVELOPMENT DEPARTMENT					
	3/15/2010	201127	85,579.89		
				UNEMPLOYMENT INS REIMB CHRGS	85,579.89
	3/12/2010	2601	38,125.91		
				DEP STATE TAX W/H 03/12/10	38,125.91
	3/26/2010	2609	44,860.88		
				DEP STATE TAX W/H 3/26/10	44,860.88
	Vendor Total		**168,566.68**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,036,124.91**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/29/2010	201408	130,029.39		
			BAD DEBT DEDUCTION	-5,146.39
			DISTRIBUTION CHRGS	126,618.83
			SPCL CHRGS/TEMP POWER	8,324.00
			ONLINE UTILITY SVCS	232.95
	Vendor Total	**130,029.39**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ENVIRONMENTAL CONSTRUCTION, INC.				
3/15/2010	201129	61,220.15		
			SUNNYMD BLVD REVIT PROJ SVCS	61,220.15
	Vendor Total	**61,220.15**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,981,423.30**		
FAIRVIEW FORD SALES, INC.				
3/22/2010	201243	51,814.59		
			VEHICLE PURCH-PD	23,994.00
			VEHICLE PURCH-SALES TAX	2,099.47
			VEHICLE PURCH-CA TIRE FEE	8.75
			VEHICLE PURCH-TOW PCKG	650.00
			VEHICLE PURCH-SALES TAX	56.88
			VEHICLE PURCH-TRADE IN	-1,100.00
			VEHICLE PURCH-PARKS	23,997.00
			VEHICLE PURCH-SALES TAX	2,099.74
			VEHICLE PURCH-CA TIRE FEE	8.75
	Vendor Total	**51,814.59**		
FYTD for FAIRVIEW FORD SALES, INC.		**51,814.59**		
FULBRIGHT & JAWORSKI, L.L.P.				
3/15/2010	201137	27,843.06		
			LEGAL SVCS-ELECTR. UTILITY	27,843.06
	Vendor Total	**27,843.06**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**203,705.68**		
HARDY & HARPER, INC.				
3/15/2010	201144	183,930.00		
			2009 ANNL PAVEMNT RESURF PROJ	33,229.74
			RET RELEASE-PAVMNT RESURF PROJ	140,400.00
			RET RELEASE-PAVMNT RESURF PROJ	10,300.26
	Vendor Total	**183,930.00**		
FYTD for HARDY & HARPER, INC.		**1,507,002.63**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ICMA RETIREMENT CORP 457					
	3/26/2010	2607	43,214.54		
				DEF COMP 457 3/26/10	43,214.54
	Vendor Total		**43,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
INTERNAL REVENUE SERVICE					
	3/12/2010	2600	139,007.81		
				DEP FED TAX W/H 03/12/10	139,007.81
	3/26/2010	2608	166,027.31		
				DEP FED TAX W/H 03/26/10	166,027.31
	Vendor Total		**305,035.12**		
FYTD for INTERNAL REVENUE SERVICE			**2,926,619.91**		
JTB SUPPLY CO., INC.					
	3/29/2010	201433	25,670.44		
				P44 CABINET-KITCHING/CACTUS TS	25,670.44
	Vendor Total		**25,670.44**		
FYTD for JTB SUPPLY CO., INC.			**44,797.78**		
LAWYERS TITLE INC					
	3/11/2010	91408	56,677.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	56,677.00
	Vendor Total		**56,677.00**		
FYTD for LAWYERS TITLE INC			**198,412.00**		
LEICA GEOSYSTEMS, INC.					
	3/8/2010	201052	177,797.80		
				LASER SCANNING SYSTEM	165,079.20
				LASER SCANNING SYSTEM-TAX	12,718.60
	Vendor Total		**177,797.80**		
FYTD for LEICA GEOSYSTEMS, INC.			**177,797.80**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/1/2010	200882	28,274.09		
				PERRIS BL WIDENING FROM RAM XP	11,676.51
				PERRIS BL WIDENING FROM RAM XP	16,597.58
	3/8/2010	201054	25,449.75		
				PERRIS BL WIDENING FROM RAM XP	25,449.75
	3/15/2010	201157	38,709.80		
				IRONWOOD AVE-HEACOCK TO PERRIS	24,615.77
				INDIAN BASIN IMPRVMNTS PROJ	14,094.03
	Vendor Total		**92,433.64**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYER HOFFMAN MCCANN P.C.					
	3/8/2010	201056	34,365.00		
				AUDITING SVC-CITY	15,664.00
				AUDITING SVC-SINGLE	5,735.00
				AUDITING SVC-CHILDCARE	4,751.00
				AUDITING SVC-RDA	5,476.68
				AUDITING SVC-RDA	2,738.32
	Vendor Total		**34,365.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**72,359.00**		
MORENO VALLEY CHEVROLET					
	3/15/2010	201165	31,914.00		
				SPECIAL TAX REIMBURSEMENT	31,914.00
	Vendor Total		**31,914.00**		
FYTD for MORENO VALLEY CHEVROLET			**96,914.00**		
MORENO VALLEY UTILITY					
	3/22/2010	201267	51,929.07		
				ELECTRICITY	135.25
				ELECTRICITY	589.98
				ELECTRICITY	222.38
				ELECTRICITY	1,995.17
				ELECTRICITY	10,087.83
				ELECTRICITY	9,663.28
				ELECTRICITY	2,780.72
				ELECTRICITY	4,377.16
				ELECTRICITY	775.15
				ELECTRICITY	1,513.12
				ELECTRICITY	12,106.82
				ELECTRICITY	6,949.85
				ELECTRICITY	204.32
				ELECTRICITY	130.22
				ELECTRICITY	83.69
				ELECTRICITY	62.67
				ELECTRICITY	62.67
				ELECTRICITY	127.77
				ELECTRICITY	61.02
	Vendor Total		**51,929.07**		
FYTD for MORENO VALLEY UTILITY			**578,712.31**		
MURRIETA DEVELOPMENT COMPANY INC.					
	3/22/2010	201269	396,056.03		
				TRAF SIG @ SR-60/REDLANDS BLVD	396,056.03
	Vendor Total		**396,056.03**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**396,056.03**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ONE MORENO VALLEY 240, L.P.				
3/25/2010	1003221	2,250,000.00		
			OAKWOOD AFFORDBLE HOUSING PROJ	2,250,000.00
Vendor Total		**2,250,000.00**		
FYTD for ONE MORENO VALLEY 240, L.P.		**2,250,000.00**		
PALP, INC. DBA EXCEL PAVING COMPANY				
3/22/2010	201276	251,454.55		
			SUNNYMD BLVD REVIT PROJ SVCS	22,561.24
			SUNNYMD BLVD REVIT PROJ SVCS	228,893.31
Vendor Total		**251,454.55**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,880,639.98**		
PERRIS ALESSANDRO, LLC				
3/1/2010	200910	52,000.00		
			REFUND-CASH SEC REDUCTION	52,000.00
Vendor Total		**52,000.00**		
FYTD for PERRIS ALESSANDRO, LLC		**145,600.00**		
PERS HEALTH INSURANCE				
3/4/2010	91403	196,439.38		
			EMPL HEALTH INS 03/04/10	196,439.38
Vendor Total		**196,439.38**		
FYTD for PERS HEALTH INSURANCE		**1,735,744.03**		
PERS RETIREMENT				
3/5/2010	2594	194,826.18		
			PERS RETIREMENT 03/05/10	194,826.18
3/19/2010	2602	194,772.12		
			PERS RETIREMENT 03/19/10	194,772.12
Vendor Total		**389,598.30**		
FYTD for PERS RETIREMENT		**4,134,782.71**		
PETERSON-CHASE GENERAL ENGINEERING CONST				
3/29/2010	201482	73,102.36		
			CITYWIDE BRIDGE MAINT PRGM	73,102.36
Vendor Total		**73,102.36**		
FYTD for PETERSON-CHASE GENERAL ENGINEERING CONST		**73,148.15**		
PRICE FAMILY CHARITABLE TRUST				
3/15/2010	201175	85,245.00		
			SALES TAX REIMBURSEMENT	85,245.00
Vendor Total		**85,245.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**250,452.00**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PW ENHANCEMENT CENTER					
	3/15/2010	880199	28,126.97		
				MOTEL VOUCHER SVCS-HPRP PRGM	10,594.00
				SECURITY DEPOSIT SVCS-HPRP	10,200.00
				COMMUNITY DEV PARTNERSHIP PRGM	7,332.97
	Vendor Total		**28,126.97**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
RICHARD LOPEZ CONSTRUCTION					
	3/1/2010	200918	427,558.38		
				RET. PYMT-INDIAN/GLOBE 12KV	20,239.22
				ELECTRIC UTILITY PROJECTS SVCS	169,704.76
				ELECTRIC UTILITY PROJECTS SVCS	237,614.40
	Vendor Total		**427,558.38**		
FYTD for RICHARD LOPEZ CONSTRUCTION			**609,711.31**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	3/8/2010	201075	59,740.78		
				PUB SFTY BLDG CONVERSION PROJ	9,581.64
				PUB SFTY BLDG CONVERSION PROJ	50,159.14
	Vendor Total		**59,740.78**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**168,500.22**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	3/1/2010	200937	342,382.00		
				ELECTRIC ENERGY PURCHASE	342,382.00
	3/15/2010	201186	328,872.00		
				ELECTRIC ENERGY PURCHASE	328,872.00
	Vendor Total		**671,254.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**671,254.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	3/22/2010	201300	144,822.85		
				ELECTRICITY	555.86
				ELECTRICITY	23.90
				ELECTRICITY	264.96
				ELECTRICITY	22.80
				ELECTRICITY	784.38
				ELECTRICITY	133.41
				ELECTRICITY	2,296.63
				ELECTRICITY	569.62
				ELECTRICITY	808.58
				ELECTRICITY	2,499.20
				ELECTRICITY	953.24
				ELECTRICITY	1,407.26
				ELECTRICITY	20.82
				ELECTRICITY	93,602.42
				ELECTRICITY	35,595.36
				ELECTRICITY	4,956.24
				ELECTRICITY	89.64
				ELECTRICITY	20.58
				ELECTRICITY	23.26
				ELECTRICITY	65.52
				ELECTRICITY	81.72
				ELECTRICITY	47.45
	3/29/2010	201513	61,759.72		
				RELOC. OF SCE FACILITIES	61,759.72
	Vendor Total		**206,582.57**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,274,167.02**		
STANDARD INSURANCE CO					
	3/15/2010	201192	30,887.63		
				LIFE & DISABILITY INSURANCE	12,784.66
				LIFE & DISABILITY INSURANCE	18,038.04
				LIFE & DISABILITY INSURANCE	64.93
	Vendor Total		**30,887.63**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		
TCM GROUP					
	3/1/2010	200960	88,774.21		
				SR-60/NASON ST INTRCHNG PROJ	42,996.62
				SR-60/NASON ST INTRCHNG PROJ	45,777.59
	3/29/2010	880255	82,879.01		
				SR-60/NASON ST INTRCHNG PROJ	32,270.26
				SR-60/NASON ST INTRCHNG PROJ	8,054.43
				SR-60/NASON ST INTRCHNG PROJ	42,554.32
	Vendor Total		**171,653.22**		
FYTD for TCM GROUP			**397,572.75**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRUGREEN LANDCARE					
	3/1/2010	200963	25,459.87		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	3/22/2010	201311	33,015.71		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG1-E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				IRRIG REPAIRS	63.55
				IRRIG REPAIRS	6.55
				IRRIG REPAIRS-TRACT #22093	9.59
				IRRIG REPAIRS-TRACT #20715	24.10
				IRRIG REPAIRS-TRACT #19032	48.67
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	Vendor Total		**58,475.58**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		
U.S. BANK					
	3/11/2010	100310	119,152.37		
				ACQ ESCROW-24475 MURAL CT	119,152.37
	Vendor Total		**119,152.37**		
FYTD for U.S. BANK			**119,242.37**		
U.S. BANK/CALCARDS					
	3/2/2010	91402	88,430.24		
				CALCARD PMT CYCLE END 02/22/10	88,430.24
	3/17/2010	91413	72,267.86		
				CALCARD PMT CYCLE END 03/08/10	72,267.86
	3/24/2010	1003212	102,229.40		
				CALCARD PMT CYCLE END 03/22/10	102,229.40
	Vendor Total		**262,927.50**		
FYTD for U.S. BANK/CALCARDS			**1,530,521.24**		
UNION BANK OF CALIFORNIA NA					
	3/11/2010	91409	57,000,000.00		
				PURCH BOND, CHANDLER ASSET MGT	57,000,000.00
	Vendor Total		**57,000,000.00**		
FYTD for UNION BANK OF CALIFORNIA NA			**93,914,675.69**		

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UNITED CONTRACTORS COMPANY INC.					
	3/1/2010	200967	167,877.00		
				EMRGNCY OPS CTR PROJ SVCS	167,877.00
	3/22/2010	880235	87,669.00		
				EMRGNCY OPS CTR PROJ SVCS	87,669.00
	Vendor Total		**255,546.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,534,500.00**		
VCI TELCOM, INC					
	3/22/2010	201317	27,729.22		
				COMMUNICATION GAP CLOSURE PROJ	26,976.60
				COMMUNICATION GAP CLOSURE PROJ	752.62
	Vendor Total		**27,729.22**		
FYTD for VCI TELCOM, INC			**30,810.25**		
WASTE MANAGEMENT					
	3/15/2010	201207	717,291.63		
				SOLID WST DELINQ LESS FRAN FEE	817,090.34
				SOLID WST DELINQ LESS FRAN FEE	-99,798.71
	Vendor Total		**717,291.63**		
FYTD for WASTE MANAGEMENT			**1,035,558.57**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/1/2010	200985	65,450.00		
				TEMP STAFFING SVCS-CAP PROJS	14,410.00
				TEMP STAFFING SVCS-CAP PROJS	51,040.00
	Vendor Total		**65,450.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
	Subtotal		**66,250,588.85**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000					
CALIFORNIA NEON PRODUCTS					
	3/29/2010	201333	57.50		
				REFUND-BUS LIC OVRPMT	57.50
	Vendor Total		**57.50**		
FYTD for CALIFORNIA NEON PRODUCTS			**57.50**		
CVS CORPORATION					
	3/15/2010	201096	37.50		
				FALSE ALARM REFUND	37.50
	Vendor Total		**37.50**		
FYTD for CVS CORPORATION			**37.50**		
I C E BUILDERS, INC					
	3/29/2010	201334	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for I C E BUILDERS, INC			**57.00**		
THIRTY - SEVEN MORENO VALLEY, LLC					
	3/29/2010	201335	2,000.00		
				REFUND-BUS LIC OVRPMT	2,000.00
	Vendor Total		**2,000.00**		
FYTD for THIRTY - SEVEN MORENO VALLEY, LLC			**2,000.00**		
20/20 RECYCLE CENTERS					
	3/29/2010	201336	30.53		
				REFUND-BUS LIC OVRPMT	30.53
	Vendor Total		**30.53**		
FYTD for 20/20 RECYCLE CENTERS			**30.53**		
452ND AIR MOBILITY WING					
	3/1/2010	200790	25.00		
				AWARDS RECEPTION	25.00
	Vendor Total		**25.00**		
FYTD for 452ND AIR MOBILITY WING			**97.00**		
834 EXPLORE POST					
	3/15/2010	201097	1,125.00		
				REGISTR-EXPLORER COMP MAR25-28	1,125.00
	Vendor Total		**1,125.00**		
FYTD for 834 EXPLORE POST			**1,125.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
A & I REPROGRAPHICS 2406362				
3/1/2010	200791	557.65		
			RPRGRPHC SVCS-KITCHING ST PROJ	557.65
3/22/2010	201212	2,491.51		
			RPRGRPHC SVCS-KITCHING ST PROJ	1,091.35
			RPRGRPHC SVCS-PAVEMNT RESURF	771.80
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	628.36
3/29/2010	201337	2,438.86		
			PARKS MASTER PLAN COPIES	1,834.65
			PARKS MASTER PLAN COPIES	387.55
			SALES TAX	216.66
Vendor Total		**5,488.02**		
FYTD for A & I REPROGRAPHICS 2406362		**17,450.08**		
A B STAR LIMOUSINE				
3/29/2010	201338	28.50		
			REFUND-BUS LIC OVRPMT	28.50
Vendor Total		**28.50**		
FYTD for A B STAR LIMOUSINE		**28.50**		
A C P TRUCKING				
3/29/2010	201339	63.74		
			REFUND-BUS LIC OVRPMT	63.74
Vendor Total		**63.74**		
FYTD for A C P TRUCKING		**63.74**		
ACCOUNTEMPS				
3/1/2010	200792	828.00		
			TEMP SVCS-APODACA W/E 2/12	828.00
3/8/2010	200991	621.00		
			TEMP SVCS-APODACA W/E 2/19	621.00
3/22/2010	201213	1,656.00		
			TEMP SVCS-APODACA W/E 2/26	828.00
			TEMP SVCS-APODACA W/E 3/5	828.00
3/29/2010	201340	828.00		
			TEMP SVCS-APODACA W/E 3/12	828.00
Vendor Total		**3,933.00**		
FYTD for ACCOUNTEMPS		**7,038.00**		
ACE & SONS CONSTRUCTION, INC				
3/29/2010	201341	32.50		
			REFUND-BUS LIC OVRPMT	32.50
Vendor Total		**32.50**		
FYTD for ACE & SONS CONSTRUCTION, INC		**32.50**		

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ACE JANITORIAL SERVICE					
	3/29/2010	201342	29.57		
				REFUND-BUS LIC OVRPMT	29.57
	Vendor Total		**29.57**		
FYTD for ACE JANITORIAL SERVICE			**29.57**		
ADAMS, MARK L.					
	3/1/2010	200793	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**2,868.57**		
ADDUS HEALTH CARE					
	3/15/2010	201098	702.50		
				REFUND-CRC DEP 2/23/10	702.50
	Vendor Total		**702.50**		
FYTD for ADDUS HEALTH CARE			**702.50**		
ADLERHORST INTERNATIONAL INC.					
	3/8/2010	200992	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,272.83**		
ADMINSURE					
	3/8/2010	200993	2,600.00		
				WORKMANS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**23,400.00**		
ADVANCED APPLIED ENGINEERING, INC					
	3/29/2010	201343	22.61		
				REFUND-BUS LIC OVRPMT	22.61
	3/29/2010	201344	7,357.50		
				SR-60 WB/REDLANDS BLVD TS PROJ	2,697.50
				SR-60 WB/REDLANDS BLVD TS PROJ	4,660.00
	Vendor Total		**7,380.11**		
FYTD for ADVANCED APPLIED ENGINEERING, INC			**7,380.11**		

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ADVANCED ELECTRIC					
	3/1/2010	200794	795.00		
				ELECT WORK-ERC	795.00
	3/8/2010	200994	763.00		
				ELECT WORK-CRC	62.00
				ELECT WORK-CRC	530.00
				ELECT WORK-CRC	171.00
	3/15/2010	201099	502.00		
				LINE INSTALLED FOR NEW SCANNER	502.00
	3/22/2010	201214	714.00		
				ELECT WORK-PARKS	193.00
				ELECT WORK-PARKS	319.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	140.00
	3/29/2010	201345	7,001.00		
				REPAIR ELECTRICAL SVC-PSB PROJ	198.00
				REPAIR ELECTRICAL SVC-PSB PROJ	6,803.00
	Vendor Total		**9,775.00**		
FYTD for ADVANCED ELECTRIC			**75,102.00**		
AEI-CASC ENGINEERING					
	3/8/2010	200995	466.50		
				CONSULTING SVCS	466.50
	3/29/2010	880240	1,088.50		
				CONSULTING SVCS	1,088.50
	Vendor Total		**1,555.00**		
FYTD for AEI-CASC ENGINEERING			**316,140.09**		
AIR CLEANING SYSTEMS INC.					
	3/1/2010	200795	502.76		
				PLYMOVENT MAINT/REPAIR	13.05
				PLYMOVENT MAINT/REPAIR	218.71
				PLYMOVENT MAINT/REPAIR	271.00
	3/15/2010	201100	195.00		
				PLYMOVENT MAINT/REPAIR	195.00
	Vendor Total		**697.76**		
FYTD for AIR CLEANING SYSTEMS INC.			**697.76**		
ALICEA, RICHARD					
	3/8/2010	200996	97.95		
				MILEAGE REIMBURSEMENT	32.45
				MILEAGE REIMBURSEMENT	65.50
	Vendor Total		**97.95**		
FYTD for ALICEA, RICHARD			**388.35**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALLIANZ LIFE INSURANCE CO					
	3/15/2010	201102	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**675.00**		
ALLIED BARTON SECURITY SERVICES, LP					
	3/29/2010	201346	26.21		
				REFUND-BUS LIC OVRPMT	26.21
	Vendor Total		**26.21**		
FYTD for ALLIED BARTON SECURITY SERVICES, LP			**26.21**		
ALTERNATIVES TO DOMESTIC VIOLENCE					
	3/29/2010	201347	4,594.41		
				CDBG SVCS-DOM VIOL PRGM	2,260.77
				CDBG SVCS-DOM VIOL PRGM	2,333.64
	Vendor Total		**4,594.41**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE			**6,308.36**		
AMERICA VIETNAM REALTY & FINANCE					
	3/29/2010	201348	24.96		
				REFUND-BUS LIC OVRPMT	24.96
	Vendor Total		**24.96**		
FYTD for AMERICA VIETNAM REALTY & FINANCE			**24.96**		
AMERICAN FORENSIC NURSES					
	3/1/2010	200796	906.00		
				BLOOD DRAWS	906.00
	3/8/2010	200998	1,436.30		
				BLOOD DRAWS	186.80
				BLOOD DRAWS	1,210.00
				BLOOD DRAWS	39.50
	3/15/2010	880187	93.40		
				BLOOD DRAWS	93.40
	Vendor Total		**2,435.70**		
FYTD for AMERICAN FORENSIC NURSES			**20,560.40**		
AMERICAN LEAK DETECTION #0108					
	3/29/2010	201349	35.99		
				REFUND-BUS LIC OVRPMT	35.99
	Vendor Total		**35.99**		
FYTD for AMERICAN LEAK DETECTION #0108			**35.99**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AMERICAN PERSONNEL SERVICE, #1419				
3/29/2010	201350	43.80		
			REFUND-BUS LIC OVRPMT	43.80
Vendor Total		**43.80**		
FYTD for AMERICAN PERSONNEL SERVICE, #1419		**43.80**		
AMERICAN PROTECTION SERVICES				
3/22/2010	201215	9,870.85		
			PD INTRVW RM CONFIG-PARTS	7,164.00
			PD INTRVW RM CONFIG-LABOR	2,080.00
			PD INTRVW RM CONFIG-SALES TAX	626.85
Vendor Total		**9,870.85**		
FYTD for AMERICAN PROTECTION SERVICES		**9,870.85**		
AMERICAN ROTARY BROOM CO.				
3/22/2010	201216	1,656.93		
			STREET SWEEPING BROOM KITS	1,097.97
			STREET SWEEPING BROOM KITS	558.96
Vendor Total		**1,656.93**		
FYTD for AMERICAN ROTARY BROOM CO.		**24,954.67**		
AMTECH ELEVATOR SERVICES				
3/15/2010	201103	118.37		
			ELEVATOR SVC-CITY HALL	118.37
3/29/2010	201351	94.91		
			REFUND-BUS LIC OVRPMT	94.91
Vendor Total		**213.28**		
FYTD for AMTECH ELEVATOR SERVICES		**1,582.04**		
ANAYA, KIM REYE				
3/29/2010	201352	35.00		
			MILEAGE REIMBURSEMENT	35.00
Vendor Total		**35.00**		
FYTD for ANAYA, KIM REYE		**35.00**		

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ANIMAL EMERGENCY CLINIC, INC.				
3/1/2010	200797	888.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	668.00
			EMERGENCY VET SVCS	75.00
3/22/2010	201331	275.00		
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
Vendor Total		**1,163.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,184.00**		
ANIMAL HEALTH AND SANITARY SUPPLY				
3/15/2010	201104	1,165.34		
			MISC SUPPLIES-ANML SHLTR	1,165.34
Vendor Total		**1,165.34**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**6,711.99**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
3/29/2010	201353	1,790.00		
			PEST CNTRL-PARKS	665.00
			PEST CNTRL-PAL	255.00
			PEST CNTRL-MARCH FLD	330.00
			PEST CNTRL-PARKS	100.00
			PEST CNTRL-CFD #1	160.00
			PEST CNTRL-GLF CRS	180.00
			PEST CNTRL-STARS	100.00
Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**17,110.00**		
APPLIANCE DISCOUNTERS				
3/29/2010	201354	27.00		
			REFUND-BUS LIC OVRPMT	27.00
Vendor Total		**27.00**		
FYTD for APPLIANCE DISCOUNTERS		**27.00**		
ARCHIVE MANAGEMENT SERVICE				
3/15/2010	201105	1,226.25		
			OFFSITE STORAGE SVCS	1,226.25
Vendor Total		**1,226.25**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**11,978.16**		

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ARDA, VALERIANO JR.					
	3/29/2010	201355	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ARDA, VALERIANO JR.			**20.00**		
ARENAS, MANUEL					
	3/1/2010	200798	17.50		
				REFUND-LOST BOOK FEE	17.50
	Vendor Total		**17.50**		
FYTD for ARENAS, MANUEL			**17.50**		
ARMTECH SECURITY, INC					
	3/29/2010	201356	62.00		
				REFUND-BUS LIC OVRPMT	62.00
	Vendor Total		**62.00**		
FYTD for ARMTECH SECURITY, INC			**62.00**		
ARROWHEAD WATER					
	3/8/2010	200999	175.00		
				WTR PURIF RNTL-ANIMAL SHELTER	50.00
				WTR PURIF RNTL-SENIOR CTR	25.00
				WTR PURIF RNTL-SPECIAL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	3/22/2010	201217	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,022.79**		

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ASG FACILITY					
	3/8/2010	201000	264.00		
				INSTRUCTOR SVCS-MUAY THAI	204.00
				INSTRUCTOR SVCS-BOXING	60.00
	3/29/2010	201357	196.00		
				INSTRUCTOR SVC-MUAY THAI	136.00
				INSTRUCTOR SVC-BOXING	60.00
	Vendor Total		**460.00**		
FYTD for ASG FACILITY			**1,092.00**		
AT&T MOBILITY					
	3/1/2010	200799	92.14		
				COMMUNICATION SVCS-MBL CMMND	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**826.85**		
AT&T/MCI					
	3/8/2010	201001	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,653.29**		
ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS					
	3/15/2010	201106	150.00		
				3/18/10 THREAT MGMT SEMINAR	150.00
	Vendor Total		**150.00**		
FYTD for ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS			**150.00**		
AUGSTIN RAMOS					
	3/29/2010	201358	22.95		
				REFUND-BUS LIC OVRPMT	22.95
	Vendor Total		**22.95**		
FYTD for AUGSTIN RAMOS			**22.95**		
AUTOMATED GATE SERVICES, INC					
	3/29/2010	201359	59.22		
				REFUND-BUS LIC OVRPMT	59.22
	Vendor Total		**59.22**		
FYTD for AUTOMATED GATE SERVICES, INC			**59.22**		
AUTOMATIC STOREFRONT SERVICE, INC.					
	3/29/2010	201360	193.00		
				DOOR SVC-CRC	193.00
	Vendor Total		**193.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**1,514.31**		

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AV GRAPHICS, INC.					
	3/15/2010	201107	2,648.06		
				ADMIN CITATION BOOKS	2,555.63
				DELIVERY/SHIPPING CHRG	92.43
	Vendor Total		**2,648.06**		
FYTD for AV GRAPHICS, INC.			**8,075.88**		
AYALA, NANNERL A.					
	3/1/2010	200800	57.30		
				REIMB-MMASC WINTER FORUM	57.30
	Vendor Total		**57.30**		
FYTD for AYALA, NANNERL A.			**132.42**		
BACHER, GRACE					
	3/1/2010	200801	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,131.21**		
BAIRES, NALA					
	3/22/2010	201218	52.00		
				REFUND-ANML LIC FEE	52.00
	Vendor Total		**52.00**		
FYTD for BAIRES, NALA			**52.00**		
BALDWIN AUTOMOTIVE, INC					
	3/29/2010	201361	95.00		
				REFUND-BUS LIC OVRPMT	95.00
	Vendor Total		**95.00**		
FYTD for BALDWIN AUTOMOTIVE, INC			**95.00**		
BARNES, DARLENE					
	3/1/2010	200802	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,001.06**		
BARRAGAN, CYNTHIA					
	3/1/2010	200803	156.00		
				REFUND-PICNIC SHLTR FEE	156.00
	Vendor Total		**156.00**		
FYTD for BARRAGAN, CYNTHIA			**156.00**		

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BASIC BACKFLOW					
	3/8/2010	201002	120.00		
				BACKFLOW TESTING-PARKS	120.00
	Vendor Total		**120.00**		
FYTD for BASIC BACKFLOW			**1,294.65**		
BAYTOWN STAR, LLC					
	3/29/2010	201362	50.46		
				REFUND-BUS LIC OVRPMT	50.46
	Vendor Total		**50.46**		
FYTD for BAYTOWN STAR, LLC			**50.46**		
BECKLEY, TRISHA & ANTON					
	3/8/2010	201003	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BECKLEY, TRISHA & ANTON			**75.00**		
BELL, ORROCK & WATASE, INC					
	3/1/2010	200804	1,521.35		
				LEGAL SVCS 2009-20	1,521.35
	3/29/2010	201363	874.65		
				LEGAL SVCS-RISK MGT	617.15
				LEGAL SVCS-RISK MGT	257.50
	Vendor Total		**2,396.00**		
FYTD for BELL, ORROCK & WATASE, INC			**14,615.81**		

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BEMUS LANDSCAPE, INC.					
	3/1/2010	200805	1,542.56		
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-ANNX #1	300.00
	3/15/2010	201108	8,798.75		
				IRRIG DMG REPAIRS-EOC PROJECT	251.17
				LANDSCAPE MAINT-AQDCT/BAY-JFK	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MV UTILITY	480.00
				LANDSCAPE MAINT-ELECTRIC SUBST	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
	3/22/2010	201219	6,408.00		
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-PARKS	1,400.00
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
	3/29/2010	201364	9,971.31		
				LANDSCAPE MAINT-FIRE STNS	2,300.00
				LANDSCAPE MAINT-FIRE STNS	3,468.75
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CRC	1,900.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-AQDCT	360.00
				LANDSCAPE MAINT-AQDCT	400.00
	Vendor Total		**26,720.62**		
FYTD for BEMUS LANDSCAPE, INC.			**361,967.66**		
BENESYST					
	3/22/2010	880214	20.13		
				COBRA SUBSIDY-MAR2010	14.43
				COBRA SUBSIDY-MAR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**20.13**		

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BENESYST, INC.					
	3/8/2010	201006	473.34		
				FLEX ADMIN SVCS	228.34
				FLEX ADMIN SVCS	61.38
				FLEX ADMIN SVCS	183.62
	3/22/2010	201220	584.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	359.00
	Vendor Total		**1,057.68**		
FYTD for BENESYST, INC.			**4,518.32**		
BEN'S ASPHALT, INC					
	3/29/2010	201365	21.31		
				REFUND-BUS LIC OVRPMT	21.31
	Vendor Total		**21.31**		
FYTD for BEN'S ASPHALT, INC			**21.31**		
BEST CALIFORNIA GAS, LTD, #353					
	3/29/2010	201366	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for BEST CALIFORNIA GAS, LTD, #353			**71.85**		
BEST, BEST & KRIEGER, LLP					
	3/1/2010	200806	31.46		
				LEGAL SVCS-GGP	31.46
	Vendor Total		**31.46**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,076.10**		
BIO-TOX LABORATORIES					
	3/8/2010	201007	3,972.53		
				TOXICOLOGY TESTS	17.53
				TOXICOLOGY TESTS	1,416.10
				TOXICOLOGY TESTS	2,538.90
	Vendor Total		**3,972.53**		
FYTD for BIO-TOX LABORATORIES			**32,509.27**		
BLAIR, CHERYL					
	3/8/2010	201008	486.00		
				INSTRUCTOR SVCS-BELLY DANCING	486.00
	Vendor Total		**486.00**		
FYTD for BLAIR, CHERYL			**2,592.00**		

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BLINDS 4 LESS					
	3/29/2010	201367	61.41		
				REFUND-BUS LIC OVRPMT	61.41
	Vendor Total		**61.41**		
FYTD for BLINDS 4 LESS			**61.41**		
BLUE SHIELD OF CALIFORNIA					
	3/15/2010	201109	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,635.93**		
BOBO II, FELIX					
	3/8/2010	201009	84.00		
				MILEAGE REIMBURSEMENT	84.00
	Vendor Total		**84.00**		
FYTD for BOBO II, FELIX			**498.15**		
BOOHER, JACK					
	3/1/2010	200807	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOOHER, JACK			**20.00**		
BOY SCOUTS OF AMERICA					
	3/1/2010	200808	750.00		
				REFUND-RNTL DEP 2/6	750.00
	Vendor Total		**750.00**		
FYTD for BOY SCOUTS OF AMERICA			**750.00**		
BRACAMONTES, MARIA					
	3/22/2010	201221	98.60		
				REFUND-PERMIT FEE	97.60
				REFUND-PERMIT FEE	0.90
				REFUND-PERMIT FEE	0.10
	Vendor Total		**98.60**		
FYTD for BRACAMONTES, MARIA			**98.60**		
BRADIGAN, KATHY					
	3/22/2010	201222	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRADIGAN, KATHY			**75.00**		

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BRANTLINGER, LAWRENCE					
	3/22/2010	201223	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRANTLINGER, LAWRENCE			**75.00**		

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BRODART CO.					
	3/15/2010	201111	5,813.92		
				MISC BOOKS-LIBRARY	100.11
				MISC BOOKS-LIBRARY	194.17
				MISC BOOKS-LIBRARY	75.25
				MISC BOOKS-LIBRARY	40.16
				MISC BOOKS-LIBRARY	16.46
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	302.81
				MISC BOOKS-LIBRARY	428.25
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	22.00
				MISC BOOKS-LIBRARY	25.58
				MISC BOOKS-LIBRARY	652.72
				MISC BOOKS-LIBRARY	56.81
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	33.06
				MISC BOOKS-LIBRARY	297.80
				MISC BOOKS-LIBRARY	658.23
				MISC BOOKS-LIBRARY	440.96
				MISC BOOKS-LIBRARY	752.68
				MISC BOOKS-LIBRARY	52.52
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	127.73
				MISC BOOKS-LIBRARY	269.21
				MISC BOOKS-LIBRARY	24.74
				MISC BOOKS-LIBRARY	462.50
				MISC BOOKS-LIBRARY	294.81
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	81.27
				MISC BOOKS-LIBRARY	40.11
	3/22/2010	201224	2,695.80		
				MISC BOOKS-LIBRARY	247.43
				MISC BOOKS-LIBRARY	199.26
				MISC BOOKS-LIBRARY	80.61
				MISC BOOKS-LIBRARY	322.46
				MISC BOOKS-LIBRARY	1,533.70
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	38.69
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	162.59
	Vendor Total		**8,509.72**		
FYTD for BRODART CO.			**26,218.55**		

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BUCKINGHAM PROPERTY MANAGEMENT					
	3/29/2010	201368	35.02		
				REFUND-BUS LIC OVRPMT	35.02
	Vendor Total		**35.02**		
FYTD for BUCKINGHAM PROPERTY MANAGEMENT			**35.02**		
BUCKINGHAM, STAN					
	3/1/2010	200809	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**956.19**		
BWI - BOOK WHOLESALERS, INC.					
	3/15/2010	201112	689.54		
				MISC BOOKS-LIBRARY	10.50
				MISC BOOKS-LIBRARY	256.07
				MISC BOOKS-LIBRARY	13.11
				MISC BOOKS-LIBRARY	31.41
				MISC BOOKS-LIBRARY	144.48
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	80.99
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	16.35
				MISC BOOKS-LIBRARY	6.85
				MISC BOOKS-LIBRARY	29.57
				MISC BOOKS-LIBRARY	29.73
	3/22/2010	201225	451.40		
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	436.77
	Vendor Total		**1,140.94**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**5,578.08**		
C P CONSTRUCTION COMPANY, INC					
	3/29/2010	201370	46.80		
				REFUND-BUS LIC OVRPMT	46.80
	Vendor Total		**46.80**		
FYTD for C P CONSTRUCTION COMPANY, INC			**46.80**		
CAIN, GREGORY					
	3/1/2010	200810	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,231.12**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CAL DEPT OF FORESTRY & FIRE PROTECTION				
3/29/2010	201371	2,237.20		
			WEED ABTMNT-MV EQSTRN CTR	894.88
			WEED ABTMNT-MV EQSTRN CTR	1,342.32
	Vendor Total	**2,237.20**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION		**4,479.20**		
CALAVERAS STANDARD MATERIALS				
3/22/2010	201226	1,482.99		
			CEMENT-PSB PARKING LOT REPAIR	1,482.99
	Vendor Total	**1,482.99**		
FYTD for CALAVERAS STANDARD MATERIALS		**19,370.75**		
CALIFORNIA CENTERS MAGAZINE, INC.				
3/1/2010	200811	3,780.00		
			ADVERTISING SVCS-EDD	3,780.00
	Vendor Total	**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.		**7,560.00**		
CALIFORNIA DEPT OF EDUCATION				
3/1/2010	200812	24,658.50		
			AFTERSCHOOL PRGM-VISTA VERDE	4,103.37
			AFTERSCHOOL PRGM-VISTA VERDE	8,206.73
			AFTERSCHOOL PRGM-RNBW RDG	4,116.13
			AFTERSCHOOL PRGM-RNBW RDG	8,232.27
	Vendor Total	**24,658.50**		
FYTD for CALIFORNIA DEPT OF EDUCATION		**24,658.50**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.				
3/1/2010	200813	770.00		
			ANNUAL CONF-MAR. 23-26, 2010	770.00
	Vendor Total	**770.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.		**3,764.00**		
CALIFORNIA TRANSCRIPTION, LLC				
3/29/2010	880241	205.93		
			TRANSCRIPTION SVCS-PLANNING	205.93
	Vendor Total	**205.93**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,321.69**		

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CALIFORNIA WATERSHED ENGINEERING CORP.					
	3/8/2010	201010	358.50		
				CONSULTING SVCS-PA090025	358.50
	3/29/2010	880242	717.00		
				CONSULTING SVCS	717.00
	Vendor Total		**1,075.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.			**1,771.50**		
CAM GUARD SECURITY, INC.					
	3/29/2010	201372	21.16		
				REFUND-BUS LIC OVRPMT	21.16
	Vendor Total		**21.16**		
FYTD for CAM GUARD SECURITY, INC.			**21.16**		
CANNON, ANA M.					
	3/1/2010	200814	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**956.19**		
CANON BUSINESS SOLUTIONS, INC.					
	3/8/2010	201012	2,002.20		
				COPIER SVC-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**28,143.19**		
CANON FINANCIAL SERVICES, INC.					
	3/22/2010	201227	7,590.68		
				COPIER LEASE-BASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**68,316.12**		
CANTERBURY, JENNIFER					
	3/1/2010	200815	20.00		
				REFUND-RABIES DEP	20.00
	3/8/2010	201013	50.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**70.00**		
FYTD for CANTERBURY, JENNIFER			**70.00**		

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CARBONE, GABRIELA					
	3/1/2010	200816	264.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	216.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	48.00
	3/22/2010	201228	117.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	117.00
	Vendor Total		**381.00**		
FYTD for CARBONE, GABRIELA			**381.00**		
CARON BROADCASTING, INC					
	3/8/2010	201014	5,700.00		
				RADIO ADVERTISING SVC	5,700.00
	3/29/2010	201373	300.00		
				RADIO ADVERTISING SVC	300.00
	Vendor Total		**6,000.00**		
FYTD for CARON BROADCASTING, INC			**6,000.00**		
CARPENTER, BREANNA					
	3/1/2010	200817	30.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**30.00**		
FYTD for CARPENTER, BREANNA			**30.00**		
CASA BUENA & CASA LYNNDA APARTMENTS, LLC					
	3/29/2010	201374	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for CASA BUENA & CASA LYNNDA APARTMENTS, LLC			**81.00**		
CASKEY, DEBRA C.					
	3/1/2010	200818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,231.12**		
CDI CORPORATION					
	3/29/2010	201375	47.21		
				REFUND-BUS LIC OVRPMT	47.21
	Vendor Total		**47.21**		
FYTD for CDI CORPORATION			**47.21**		

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CELL-CRETE CORPORATION					
	3/29/2010	201376	72.64		
				REFUND-BUS LIC OVRPMT	72.64
	Vendor Total		**72.64**		
FYTD for CELL-CRETE CORPORATION			**72.64**		
CERTIFIED CREDIT REPORTING, INC					
	3/29/2010	201377	55.32		
				CREDIT PROFILE SVCS-RDA	55.32
	Vendor Total		**55.32**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**177.85**		
CHANCY, CHIZURU					
	3/8/2010	201015	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
	Vendor Total		**140.40**		
FYTD for CHANCY, CHIZURU			**1,263.60**		
CHAPMAN, STEVE					
	3/1/2010	200819	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,868.57**		
CHAPPELL, ISAAC					
	3/1/2010	200820	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,868.57**		
CHERRY VALLEY FEED					
	3/8/2010	201016	78.08		
				DOG FOOD-K9 MAX	78.08
	Vendor Total		**78.08**		
FYTD for CHERRY VALLEY FEED			**1,562.79**		
CHRIS FOLSOM INSURANCE AGENCY					
	3/29/2010	201378	41.25		
				REFUND-BUS LIC OVRPMT	41.25
	Vendor Total		**41.25**		
FYTD for CHRIS FOLSOM INSURANCE AGENCY			**41.25**		

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CHRISTIAN, OWEN					
	3/1/2010	200821	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,026.23**		
CIANCIO, ANTHONY					
	3/1/2010	200822	120.00		
				INSTRUCTOR SVCS-SKATEBOARDING	120.00
	3/22/2010	201229	30.00		
				INSTRUCTOR SVCS-SKATEBOARDING	30.00
	Vendor Total		**150.00**		
FYTD for CIANCIO, ANTHONY			**150.00**		

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CINTAS CORPORATION					
	3/1/2010	200823	370.89		
				UNIFORM RNTL SVC-PARKS MAINT	98.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	3/8/2010	201017	52.71		
				UNIFORM RNTL SVC-TRAFFIC	11.23
				UNIFORM RNTL SVC-TRAFFIC	13.85
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/15/2010	201113	108.90		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/22/2010	201230	289.40		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-ST MAINT CREW	47.07
				UNIFORM RNTL SVC-ST MAINT CREW	69.27
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	3/29/2010	201379	133.65		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
Vendor Total		**955.55**		
FYTD for CINTAS CORPORATION		**5,064.10**		
CINTAS DOCUMENT MANAGEMENT				
3/8/2010	201018	47.86		
			ANNUAL DOCUMENT PURGE SVC	47.86
Vendor Total		**47.86**		
FYTD for CINTAS DOCUMENT MANAGEMENT		**47.86**		
CITRUS BELT CHAPTER, I.C.C.				
3/22/2010	201231	200.00		
			3/23/10 SEMINAR-DISABLED ACCES	100.00
			3/23/10 SEMINAR-DISABLED ACCES	100.00
Vendor Total		**200.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**200.00**		
CITY OF FOSTER				
3/15/2010	201114	1,500.00		
			CALOPPS ANNUAL FEE-2010	1,500.00
Vendor Total		**1,500.00**		
FYTD for CITY OF FOSTER		**1,500.00**		
CITY OF INDIO				
3/8/2010	201019	45.00		
			LCC MEETING	45.00
3/22/2010	201232	45.00		
			3/22/10 LCC GENERAL MTG.	45.00
Vendor Total		**90.00**		
FYTD for CITY OF INDIO		**90.00**		
CITY OF MORENO VALLEY VEBA TRUST				
3/15/2010	201115	4,037.50		
			EXEMPT VEBA	4,037.50
Vendor Total		**4,037.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**38,100.00**		
CITY OF RIVERSIDE				
3/1/2010	200824	989.40		
			TRAFFIC SIGNALS SHARED COST	989.40
Vendor Total		**989.40**		
FYTD for CITY OF RIVERSIDE		**1,508.85**		

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CITY OF TUSTIN					
	3/15/2010	201116	275.00		
				MEMBERSHIP RENEWAL-HR DEPT.	275.00
	Vendor Total		**275.00**		
FYTD for CITY OF TUSTIN			**275.00**		
CLARY ROOFING					
	3/29/2010	201380	92.03		
				REFUND-BUS LIC OVRPMT	92.03
	Vendor Total		**92.03**		
FYTD for CLARY ROOFING			**92.03**		
COBBS, JOE					
	3/15/2010	201117	20.00		
				RABIES DEPOSIT REFUND	20.00
	Vendor Total		**20.00**		
FYTD for COBBS, JOE			**95.00**		
COHEN & GOLDFRIED					
	3/22/2010	201233	888.36		
				LEGAL SVCS-GENERAL	888.36
	Vendor Total		**888.36**		
FYTD for COHEN & GOLDFRIED			**8,785.86**		
COLONIAL SUPPLEMENTAL INSURANCE					
	3/1/2010	200825	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	3/29/2010	201381	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**14,275.26**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**71,916.15**		
COMFORT AIR					
	3/29/2010	201382	75.00		
				REFUND-BUS LIC OVRPMT	75.00
	Vendor Total		**75.00**		
FYTD for COMFORT AIR			**75.00**		
COMFORT ZONE HVAC					
	3/29/2010	201383	23.31		
				REFUND-BUS LIC OVRPMT	23.31
	Vendor Total		**23.31**		
FYTD for COMFORT ZONE HVAC			**23.31**		

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COMMUNITY BANK					
	3/10/2010	91405	8,602.32		
				RETENTION PMT-PROJ 08-12556330	8,602.32
	Vendor Total		**8,602.32**		
FYTD for COMMUNITY BANK			**102,331.51**		
COMMUNITY HEALTH CHARITIES					
	3/1/2010	200826	151.47		
				CHC CONTRIBUTIONS	151.47
	3/15/2010	201118	151.47		
				CHC CONTRIBUTIONS	151.47
	3/29/2010	201384	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**454.41**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,715.49**		
CONTINUING EDUCATION OF THE BAR					
	3/1/2010	200827	128.10		
				LEGAL SUBSCRIPTION	128.10
	Vendor Total		**128.10**		
FYTD for CONTINUING EDUCATION OF THE BAR			**647.98**		
CONTRACT CARPET CORPORATION					
	3/29/2010	201385	81.62		
				REFUND-BUS LIC OVRPMT	81.62
	Vendor Total		**81.62**		
FYTD for CONTRACT CARPET CORPORATION			**81.62**		
CONVERSE CONSULTANTS					
	3/29/2010	201386	86.50		
				REFUND-BUS LIC OVRPMT	86.50
	Vendor Total		**86.50**		
FYTD for CONVERSE CONSULTANTS			**86.50**		
CONWAY DATA DBA SITE SELECTION MAGAZINE					
	3/29/2010	201387	5,890.00		
				ADVERTISING SVCS-EDD	5,890.00
	Vendor Total		**5,890.00**		
FYTD for CONWAY DATA DBA SITE SELECTION MAGAZINE			**5,890.00**		
COPPRUE, SAM					
	3/15/2010	201119	41.00		
				LICENSE FEE REFUND	41.00
	Vendor Total		**41.00**		
FYTD for COPPRUE, SAM			**41.00**		

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COSTCO					
	3/1/2010	200828	237.39		
				MISC SUPPLIES-STARS	134.96
				MISC SUPPLIES-STARS	62.76
				MISC SUPPLIES-EDD	39.67
	3/8/2010	201020	794.81		
				MISC SUPPLIES-STARS	196.81
				MISC SUPPLIES-STARS	152.53
				MISC SUPPLIES-STARS	173.34
				MISC SUPPLIES-STARS	272.13
	3/22/2010	201234	763.45		
				MISC SUPPLIES-STARS	124.57
				MISC SUPPLIES-CHILDS PLC	57.39
				MISC SUPPLIES-SKATE PK	581.49
	3/29/2010	201388	2,784.42		
				MISC SUPPLIES-STARS	169.16
				MISC SUPPLIES-STARS	31.07
				MISC SUPPLIES-STARS	163.69
				MISC SUPPLIES-STARS	79.64
				MISC SUPPLIES-STARS	229.12
				MISC SUPPLIES-STARS	316.06
				MISC SUPPLIES-STARS	577.47
				MISC SUPPLIES-STARS	690.17
				MISC SUPPLIES-STARS	284.33
				MISC SUPPLIES-STARS	19.24
				MISC SUPPLIES-STARS	88.18
				MISC SUPPLIES-CHILDS PLC	136.29
	Vendor Total		**4,580.07**		
FYTD for COSTCO			**41,721.33**		
COUNSELING TEAM, THE					
	3/8/2010	201021	1,250.00		
				EMP COUNSELING SVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**10,000.00**		
COUNTRY SQUIRE ESTATES					
	3/15/2010	201120	63.16		
				REFUND-UUT USER TAXES	63.16
	Vendor Total		**63.16**		
FYTD for COUNTRY SQUIRE ESTATES			**443.41**		
COUNTY OF RIVERSIDE - RMAP					
	3/22/2010	201235	41.25		
				RECORDATION RQSTS-LD	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**325.35**		

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COUNTY OF RIVERSIDE-TLMA-GIS				
3/22/2010	201236	1,064.56		
			TRAFFIC SIGNAL INSPECTION	1,064.56
Vendor Total		**1,064.56**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS		**3,864.56**		
CRANE ARCHITECTURAL GROUP				
3/8/2010	201022	1,300.00		
			PUB SFTY BLDG CONVERSION PROJ	1,300.00
Vendor Total		**1,300.00**		
FYTD for CRANE ARCHITECTURAL GROUP		**4,295.00**		
CTAI PACIFIC GREENSCAPE				
3/15/2010	880188	4,897.13		
			LNDSCP MAINT-ZONE DSG1W	4,897.13
Vendor Total		**4,897.13**		
FYTD for CTAI PACIFIC GREENSCAPE		**47,014.04**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
3/8/2010	201023	578.00		
			HEALTH PERMIT FEE-BETHUNE PK	578.00
3/29/2010	201390	6,199.73		
			VECTOR CONTROL SVCS	1,684.59
			VECTOR CONTROL SVCS	4,399.14
			PERMIT RNWL-MORRISON PK	116.00
Vendor Total		**6,777.73**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**31,051.61**		
CUFF, STEPHANIE CERVANTES				
3/1/2010	200829	27.00		
			MILEAGE REIMBURSEMENT	27.00
Vendor Total		**27.00**		
FYTD for CUFF, STEPHANIE CERVANTES		**27.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
3/1/2010	200830	745.00		
			DISPOSAL SVC-ANML SVCS	745.00
3/22/2010	201237	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
Vendor Total		**1,490.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**6,855.00**		

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D R I RESIDENTIAL CORPORATION				
3/29/2010	201391	93.50		
			REFUND-BUS LIC OVRPMT	93.50
Vendor Total		**93.50**		
FYTD for D R I RESIDENTIAL CORPORATION		**93.50**		
D.J.L. AUDIO/VIDEO SPECIALISTS				
3/8/2010	201024	6,247.69		
			TRAINING PODIUM	5,745.00
			TRAINING PODIUM-SALES TAX	502.69
Vendor Total		**6,247.69**		
FYTD for D.J.L. AUDIO/VIDEO SPECIALISTS		**6,247.69**		
DAACOM COMMUNICATIONS				
3/29/2010	201392	88.47		
			REFUND-BUS LIC OVRPMT	88.47
Vendor Total		**88.47**		
FYTD for DAACOM COMMUNICATIONS		**88.47**		
DAILY JOURNAL CORPORATION				
3/29/2010	201393	5,596.00		
			ADVERTISING SVCS-EDD	2,798.00
			ADVERTISING SVCS-EDD	2,798.00
Vendor Total		**5,596.00**		
FYTD for DAILY JOURNAL CORPORATION		**5,596.00**		
DALE, KATHLEEN				
3/1/2010	200831	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN		**2,842.95**		
DATA TICKET, INC.				
3/8/2010	201025	105.00		
			CITATION APPLIC MAINT/SUPPORT	105.00
3/22/2010	880215	2,510.61		
			CITATION PRCSSNG-CODE	2,510.61
Vendor Total		**2,615.61**		
FYTD for DATA TICKET, INC.		**122,524.40**		
DATAQUICK CORPORATE HEADQUARTERS				
3/22/2010	201238	130.50		
			ONLINE SVCS-PD	130.50
Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**2,074.50**		

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DAVID LANE APARTMENTS					
	3/29/2010	201394	24.81		
				REFUND-BUS LIC OVRPMT	24.81
	Vendor Total		**24.81**		
FYTD for DAVID LANE APARTMENTS			**24.81**		
DAVID TURCH & ASSOCIATES					
	3/15/2010	201121	13,752.00		
				FEDERAL LEGISLATIVE REP SVCS	13,752.00
	Vendor Total		**13,752.00**		
FYTD for DAVID TURCH & ASSOCIATES			**13,752.00**		
DELTA DENTAL					
	3/8/2010	201026	11,452.43		
				EMPLOYEE DENTAL INSURANCE	11,452.43
	Vendor Total		**11,452.43**		
FYTD for DELTA DENTAL			**103,169.21**		
DELTACARE USA					
	3/8/2010	201027	6,310.50		
				EMPLOYEE DENTAL INSURANCE	6,310.50
	Vendor Total		**6,310.50**		
FYTD for DELTACARE USA			**60,888.21**		
DIAMOND WIRELESS, LLC					
	3/29/2010	201396	33.38		
				REFUND-BUS LIC OVRPMT	33.38
	Vendor Total		**33.38**		
FYTD for DIAMOND WIRELESS, LLC			**33.38**		
DIAZ, MICHAEL					
	3/29/2010	201397	37.60		
				REFUND-KUNG FU CLASS	37.60
	Vendor Total		**37.60**		
FYTD for DIAZ, MICHAEL			**37.60**		
DIEDERICHS & ELCONIN					
	3/8/2010	201028	492.50		
				LEGAL SERVICES	492.50
	Vendor Total		**492.50**		
FYTD for DIEDERICHS & ELCONIN			**50,430.00**		

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DISCOUNT TOBACCO					
	3/29/2010	201398	31.00		
				REFUND-BUS LIC OVRPMT	31.00
	Vendor Total		**31.00**		
FYTD for DISCOUNT TOBACCO			**31.00**		
DLS LANDSCAPE, INC					
	3/29/2010	201399	12,390.00		
				LANDSCAPE MAINT-ZONE A	10,230.00
				LANDSCAPE MAINT-CFD #1	2,160.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**111,510.00**		
DONAHUE APPRAISAL ASSOCIATES					
	3/1/2010	200832	18,300.00		
				PERRIS BLVD WIDENING PROJ SVCS	18,300.00
	3/15/2010	880189	5,140.00		
				PERRIS BLVD WIDENING PROJ SVCS	5,140.00
	Vendor Total		**23,440.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**50,480.00**		
DORY, ALLEEN F.					
	3/1/2010	200833	8.77		
				RETIREE MEDICAL BENEFIT	8.77
	Vendor Total		**8.77**		
FYTD for DORY, ALLEEN F.			**2,558.61**		
DOSS, GWEN					
	3/8/2010	201029	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DOSS, GWEN			**50.00**		
DREXLER, DAVID					
	3/15/2010	201122	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for DREXLER, DAVID			**195.00**		
DURAN, BLANCA					
	3/8/2010	201030	273.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	273.00
	Vendor Total		**273.00**		
FYTD for DURAN, BLANCA			**1,911.00**		

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DURBIN, LYNN J.					
	3/29/2010	201400	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for DURBIN, LYNN J.			**75.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	3/15/2010	201123	4,822.16		
				BACKFLOW TESTING	254.80
				BACKFLOW TESTING	72.80
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	655.20
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING-TR 30320	36.40
				BACKFLOW TESTING-ZONE M	72.80
				BACKFLOW RPLCMNT-E1	568.44
				BACKFLOW RPLCMNT-E1	170.00
				BACKFLOW RPLCMNT-TR 21597	568.44
				BACKFLOW RPLCMNT-TR 21597	170.00
				BACKFLOW RPLCMNT-TR 22371	568.44
				BACKFLOW RPLCMNT-TR 22371	170.00
				BACKFLOW RPLCMNT-TR 20525	532.82
				BACKFLOW RPLCMNT-TR 20525	170.00
				BACKFLOW RPLCMNT-TR 16768	532.82
				BACKFLOW RPLCMNT-TR 16768	170.00
	3/22/2010	201239	72.80		
				BACKFLOW TESTING-ZN M	72.80
	3/29/2010	201401	3,996.22		
				INVESTIG. UNDERGRND SEWER LEAK	97.50
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	689.96
				BACKFLOW RPLCMNT-E2	255.00
	Vendor Total		**8,891.18**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**27,494.35**		
E2I NET DESIGN, LLC					
	3/29/2010	201402	1,310.00		
				DATA CMMND POST UPDATE-PD	500.00
				DATA CMMND POST UPDATE-PD	810.00
	Vendor Total		**1,310.00**		
FYTD for E2I NET DESIGN, LLC			**6,565.00**		

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EADIE AND PAYNE LLP.					
	3/15/2010	201124	3,815.00		
				CONSULTING SVCS-CAFR PREP	2,000.00
				CONSULTING SVCS-CAFR PREP	1,815.00
	Vendor Total		**3,815.00**		
FYTD for EADIE AND PAYNE LLP.			**25,615.00**		
EARTH BASICS CONTRACTING					
	3/29/2010	201403	71.59		
				REFUND-BUS LIC OVRPMT	71.59
	Vendor Total		**71.59**		
FYTD for EARTH BASICS CONTRACTING			**71.59**		

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EASTERN MUNICIPAL WATER DISTRICT					
	3/1/2010	200834	1,916.45		
				WATER CHRGS FOR JANUARY	99.21
				WATER CHRGS FOR JANUARY	80.54
				WATER CHRGS FOR JANUARY	311.30
				WATER CHRGS FOR JANUARY	258.27
				WATER CHRGS FOR JANUARY	1,167.13
	3/8/2010	201031	6,700.43		
				RCLMD WATER-ST. SWEEPING PRGM	72.62
				RCLMD WATER-ST. SWEEPING PRGM	72.62
				RCLMD WATER-DRAIN MAINT PRGM	75.49
				WATER CHRGS FOR FEBRUARY	57.31
				WATER CHRGS FOR FEBRUARY	242.62
				WATER CHRGS FOR FEBRUARY	279.24
				WATER CHRGS FOR FEBRUARY	1,649.20
				WATER CHRGS FOR FEBRUARY	229.12
				WATER CHRGS FOR FEBRUARY	90.34
				WATER CHRGS FOR FEBRUARY	2,087.54
				WATER CHRGS FOR FEBRUARY	575.56
				WATER CHRGS FOR FEBRUARY	610.44
				WATER CHRGS FOR FEBRUARY	14.28
				WATER CHRGS FOR FEBRUARY	166.03
				WATER CHRGS FOR FEBRUARY	40.26
				WATER CHRGS FOR FEBRUARY	282.91
				WATER CHRGS FOR FEBRUARY	36.34
				WATER CHRGS FOR FEBRUARY	118.51
	3/15/2010	201125	6,137.14		
				WATER CHRGS FOR FEBRUARY	57.77
				WATER CHRGS FOR FEBRUARY	587.40
				WATER CHRGS FOR FEBRUARY	34.80
				WATER CHRGS FOR FEBRUARY	894.05
				WATER CHRGS FOR FEBRUARY	1,853.27
				WATER CHRGS FOR FEBRUARY	450.50
				WATER CHRGS FOR FEBRUARY	433.73
				WATER CHRGS FOR FEBRUARY	561.72
				WATER CHRGS FOR FEBRUARY	59.83
				WATER CHRGS FOR FEBRUARY	444.76
				WATER CHRGS FOR FEBRUARY	196.39
				WATER CHRGS FOR FEBRUARY	96.36
				WATER CHRGS FOR FEBRUARY	185.21
				WATER CHRGS FOR FEBRUARY	155.95
				WATER CHRGS FOR FEBRUARY	125.40
	3/22/2010	201240	10,545.32		
				WATER CHRGS FOR FEBRUARY	552.58
				WATER CHRGS FOR FEBRUARY	768.53
				WATER CHRGS FOR FEBRUARY	174.03
				WATER CHRGS FOR FEBRUARY	563.47
				WATER CHRGS FOR FEBRUARY	93.52
				WATER CHRGS FOR FEBRUARY	1,399.73
				WATER CHRGS FOR FEBRUARY	254.88
				WATER CHRGS FOR FEBRUARY	219.67
				WATER CHRGS FOR FEBRUARY	768.00
				WATER CHRGS FOR FEBRUARY	1,054.21

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR FEBRUARY	578.67
			WATER CHRGS FOR FEBRUARY	1,193.84
			WATER CHRGS FOR FEBRUARY	217.16
			WATER CHRGS FOR FEBRUARY	102.22
			WATER CHRGS FOR FEBRUARY	26.39
			WATER CHRGS FOR FEBRUARY	201.20
			WATER CHRGS FOR FEBRUARY	467.16
			WATER CHRGS FOR FEBRUARY	75.36
			WATER CHRGS FOR FEBRUARY	175.52
			WATER CHRGS FOR FEBRUARY	409.03
			WATER CHRGS FOR FEBRUARY	247.21
			WATER CHRGS FOR FEBRUARY	198.10
			WATER CHRGS FOR FEBRUARY	195.29
			WATER CHRGS FOR FEBRUARY	170.15
			WATER CHRGS FOR FEBRUARY	268.33
			WATER CHRGS FOR FEBRUARY	171.07
3/29/2010	201404	4,558.60		
			WATER CHRGS FOR FEBRUARY	55.42
			WATER CHRGS FOR FEBRUARY	379.81
			WATER CHRGS FOR FEBRUARY	328.42
			WATER CHRGS FOR MARCH	9.69
			WATER CHRGS FOR MARCH	248.68
			WATER CHRGS FOR MARCH	1,106.61
			WATER CHRGS FOR MARCH	296.97
			WATER CHRGS FOR MARCH	35.17
			WATER CHRGS FOR MARCH	1,786.34
			WATER CHRGS FOR MARCH	297.15
			WATER CHRGS FOR MARCH	14.34
Vendor Total		**29,857.94**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**856,610.16**		
EDGELANE MOBILE PARK				
3/15/2010	880190	24.43		
			REFUND-UUT USER TAXES	11.91
			REFUND-UUT USER TAXES	12.52
Vendor Total		**24.43**		
FYTD for EDGELANE MOBILE PARK		**86.20**		
EDWARDS TECHNOLOGIES, INC.				
3/29/2010	201405	315.00		
			VIDEO SWITCHER SERVICE	315.00
Vendor Total		**315.00**		
FYTD for EDWARDS TECHNOLOGIES, INC.		**315.00**		
EGGERSTEN, ANNE				
3/1/2010	200835	305.60		
			RETIREE MEDICAL BENEFIT	305.60
Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE		**2,532.63**		

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EL DORADO POINTE - MANAGEMENT					
	3/29/2010	201406	236.46		
				REFUND-BUS LIC OVRPMT	236.46
	Vendor Total		**236.46**		
FYTD for EL DORADO POINTE - MANAGEMENT			**236.46**		
ELITE JANITORIAL, INC.					
	3/8/2010	201032	100.00		
				CLEANING SVCS-DUST MOPS	100.00
	Vendor Total		**100.00**		
FYTD for ELITE JANITORIAL, INC.			**514.86**		
ELLIS, CRYSTAL					
	3/29/2010	201407	29.95		
				REFUND-LOST BOOK FEE	29.95
	Vendor Total		**29.95**		
FYTD for ELLIS, CRYSTAL			**29.95**		
ELTAIRBY, HODA					
	3/8/2010	201033	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for ELTAIRBY, HODA			**86.00**		
EMPIRE MOWER					
	3/15/2010	201126	18.67		
				MISC EQUIPMNT SUPPLIES	18.67
	Vendor Total		**18.67**		
FYTD for EMPIRE MOWER			**403.33**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/1/2010	200836	4,703.15		
			PROF SVC-GIS DATABASE CONV	1,760.10
			PROF SVC-WASTE MGT TRNSFR STN	174.35
			PROF SVC-PM 35629	704.06
			PROF SVC-LIGHT REMOVAL	1,092.50
			PROF SVC-FRAZEE DC	972.14
3/15/2010	201128	3,750.00		
			MAR-10 CABINET LEASE-COTTONWD	52.90
			MAR-10 CABINET LEASE-COTTONWD	1,197.10
			MAR-10 CABINET LEASE-IRIS AVE	103.57
			MAR-10 CABINET LEASE-IRIS AVE	1,146.43
			MAR-10 CABINET LEASE-INDIAN	86.92
			MAR-10 CABINET LEASE-INDIAN	1,163.08
3/22/2010	201241	8,317.96		
			LASELLE ST 12KV CIRC TIE WORK	6,031.85
			6TH CIRCUIT MOVAL SUBST. WORK	2,286.11
Vendor Total		**16,771.11**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ESRI, INC.				
3/22/2010	880216	14,137.50		
			ARCLOGISTICS SOFTWARE LICENSE	8,000.00
			ARCLOGISTICS NAVIG. LICENSE-10	2,000.00
			ARCLOGISTICS TELE ATLAS NA LIC	2,200.00
			ARCLOGISTICS TELE ATLAS LIC-10	800.00
			SALES TAX	1,137.50
Vendor Total		**14,137.50**		
FYTD for ESRI, INC.		**58,674.08**		
EVANS ENGRAVING & AWARDS				
3/1/2010	200837	65.26		
			ENGRAVING SVCS-PLAQUE	32.63
			ENGRAVING SVCS-PLAQUE	32.63
3/8/2010	201034	16.32		
			ENGRAVING SVC-PLAQUE	16.32
3/15/2010	880191	27.19		
			ENGRAVING SVCS-FIREFGHTR AWARD	27.19
3/22/2010	880217	46.76		
			ENGRAVING SVCS-EMP/QTR PLQ	35.88
			ENGRAVING SVCS-NAMEPLATE	10.88
Vendor Total		**155.53**		
FYTD for EVANS ENGRAVING & AWARDS		**1,740.06**		

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EVANS RECREATIONAL INSTALLATION INC.				
3/1/2010	200838	2,835.00		
			TOT LOT EQUIP REPAIRS	404.23
			TOT LOT EQUIP REPAIRS	2,430.77
	Vendor Total	**2,835.00**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**8,718.82**		
EWING IRRIGATION PRODUCTS, INC.				
3/8/2010	201035	491.01		
			IRRIGATION SUPPLIES	491.01
	Vendor Total	**491.01**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,813.91**		
EXCEL LANDSCAPE, INC				
3/22/2010	201242	8,700.22		
			LANDSCAPE MAINT-E7	2,666.81
			LANDSCAPE MAINT-E15	1,070.36
			LANDSCAPE MAINT-E8	1,501.98
			LANDSCAPE MAINT-E14	3,461.07
	Vendor Total	**8,700.22**		
FYTD for EXCEL LANDSCAPE, INC		**188,585.16**		
F RODGERS CORPORATION				
3/29/2010	201409	69.00		
			REFUND-BUS LIC OVRPMT	69.00
	Vendor Total	**69.00**		
FYTD for F RODGERS CORPORATION		**69.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
3/29/2010	880243	16,415.43		
			CDBG SVCS-FRCLSR PRVNTN	1,543.26
			CDBG SVCS-FRCLSR PRVNTN	1,643.54
			CDBG SVCS-FRCLSR PRVNTN	1,694.01
			CDBG SVCS-FRCLSR PRVNTN	1,162.49
			CDBG SVCS-FRCLSR PRVNTN	941.33
			CDBG SVCS-FRCLSR PRVNTN	1,422.20
			CDBG SVCS-HOUSING	4,169.46
			CDBG SVCS-HOUSING	2,555.25
			CDBG SVCS-FRCLSR PRVNTN	1,283.89
	Vendor Total	**16,415.43**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**39,466.62**		

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FAIRWAY LANDSCAPE & IRRIGATION, INC					
	3/29/2010	201410	23.68		
				REFUND-BUS LIC OVRPMT	23.68
	Vendor Total		**23.68**		
FYTD for FAIRWAY LANDSCAPE & IRRIGATION, INC			**23.68**		
FAMILY FISH MARKET					
	3/29/2010	201411	57.49		
				REFUND-BUS LIC OVRPMT	57.49
	Vendor Total		**57.49**		
FYTD for FAMILY FISH MARKET			**57.49**		
FAMILY SERVICE ASSOCIATION					
	3/15/2010	201130	20,248.37		
				CASE MGMT SVCS-HPRP PRGM	6,607.96
				RENTAL ASSIST SVCS-HPRP PRGM	7,170.80
				RENTAL ARREARS SVCS-HPRP PRGM	6,469.61
	3/29/2010	201412	7,978.97		
				RENTAL ARREARS SVCS-HPR	2,240.87
				RENTAL ASSIST SVCS-HPR	5,738.10
	Vendor Total		**28,227.34**		
FYTD for FAMILY SERVICE ASSOCIATION			**53,952.34**		
FASHION AVENUE					
	3/29/2010	201413	51.74		
				REFUND-BUS LIC OVRPMT	51.74
	Vendor Total		**51.74**		
FYTD for FASHION AVENUE			**51.74**		
FEDERAL EXPRESS					
	3/8/2010	201036	5.87		
				EXPRESS MAILING SVC-RISK MGT	5.87
	3/22/2010	201244	43.17		
				EXPRESS MAILING SVC-HR	43.17
	Vendor Total		**49.04**		
FYTD for FEDERAL EXPRESS			**104.59**		
FEENSTRA, JOHN					
	3/1/2010	200839	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,251.25**		

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FILARSKY & WATT, LLP					
	3/8/2010	201037	156.00		
				LEGAL SERVICES	156.00
	Vendor Total		**156.00**		
FYTD for FILARSKY & WATT, LLP			**6,110.00**		
FIRST AMERICAN CORE LOGIC, INC.					
	3/1/2010	200840	664.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	409.00
				ONLINE PROP INFO-NSP	170.00
	Vendor Total		**664.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**3,350.00**		
FIRST CHOICE SERVICES					
	3/1/2010	200841	117.59		
				EMP PAID COFFEE SVCS-CRC	44.91
				EMP PAID COFFEE SVCS-CITY YARD	72.68
	3/29/2010	880244	524.97		
				EMP PAID COFFEE SVCS	25.24
				EMP PAID COFFEE SVCS	101.50
				EMP PAID COFFEE SVCS	112.97
				EMP PAID COFFEE SVCS	131.16
				EMP PAID COFFEE SVCS	134.10
				EMP PAID COFFEE SVCS	20.00
	Vendor Total		**642.56**		
FYTD for FIRST CHOICE SERVICES			**7,487.49**		
FIRST LEGAL SERVICES, INC.					
	3/29/2010	201414	163.75		
				LEGAL SVCS	163.75
	Vendor Total		**163.75**		
FYTD for FIRST LEGAL SERVICES, INC.			**163.75**		
FITNESS 19 CA 155 11C					
	3/1/2010	200842	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	3/29/2010	201415	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	Vendor Total		**538.00**		
FYTD for FITNESS 19 CA 155 11C			**2,634.00**		

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FLORES, JESSE / JEANNINE					
	3/15/2010	201131	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FLORES, JESSE / JEANNINE			**50.00**		
FOCUS ESTATES, INC					
	3/1/2010	200843	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/15/2010	201132	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/22/2010	201245	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	3/29/2010	201416	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	Vendor Total		**20,000.00**		
FYTD for FOCUS ESTATES, INC			**30,000.00**		
FORM PRINT COMPANY FPC GRAPHICS					
	3/1/2010	200844	2,283.75		
				RECEIPT BOOKS-TREASURY	2,175.00
				RECEIPT BOOKS-TREASURY	108.75
	Vendor Total		**2,283.75**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**8,070.51**		
FORSTER, HAROLD					
	3/15/2010	201133	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FORSTER, HAROLD			**100.00**		
FOSTER, JAMES BARRY					
	3/8/2010	201038	128.00		
				PER DIEM-ICSC 2010 IDEA EXCHNG	128.00
	Vendor Total		**128.00**		
FYTD for FOSTER, JAMES BARRY			**426.15**		
FOSTER, NANCY A.					
	3/1/2010	200845	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**949.91**		

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FOX, ALLAN					
	3/29/2010	201417	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FOX, ALLAN			**75.00**		
FRANCHISE TAX BOARD					
	3/1/2010	200846	1,416.95		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	485.01
				GARNISHMENT	254.00
				GARNISHMENT	76.96
				GARNISHMENT	424.70
	3/15/2010	201134	27.65		
				GARNISHMENT	21.57
				GARNISHMENT	6.08
	3/15/2010	201135	1,028.22		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	98.31
				GARNISHMENT	488.26
				GARNISHMENT	254.00
				GARNISHMENT	112.57
				GARNISHMENT	12.58
	3/29/2010	201418	676.38		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	359.88
				GARNISHMENT	254.00
	Vendor Total		**3,149.20**		
FYTD for FRANCHISE TAX BOARD			**10,188.76**		
FRANKLIN, L. C.					
	3/15/2010	201136	167.50		
				MILEAGE REIMBURSEMENT	167.50
	Vendor Total		**167.50**		
FYTD for FRANKLIN, L. C.			**1,241.70**		
FROST, JOAN CHENG					
	3/22/2010	201246	304.00		
				INSTRUCTION SVC-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for FROST, JOAN CHENG			**1,178.00**		

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FULLER, CHERIE					
	3/22/2010	201247	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for FULLER, CHERIE			**20.00**		
FULLER, NORMA DENISE					
	3/29/2010	201419	228.80		
				CONSULTING SVCS	228.80
	Vendor Total		**228.80**		
FYTD for FULLER, NORMA DENISE			**3,903.90**		
GAMESTOP, INC.					
	3/29/2010	201420	156.13		
				REFUND-BUS LIC OVRPMT	56.56
				REFUND-BUS LIC OVRPMT	44.80
				REFUND-BUS LIC OVRPMT	54.77
	Vendor Total		**156.13**		
FYTD for GAMESTOP, INC.			**156.13**		
GARCIA, JAVIER					
	3/1/2010	200847	370.19		
				REFUND-ANML CITATION	370.19
	Vendor Total		**370.19**		
FYTD for GARCIA, JAVIER			**370.19**		
GASTON, RICHARD					
	3/1/2010	200848	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,868.57**		

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GENERAL SECURITY SERVICES, INC.				
3/1/2010	200849	628.94		
			SECURITY SVCS-LIBRARY	245.44
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC 1/23	153.40
			SECURITY SVCS-TWNGTE 1/30	107.38
3/8/2010	201039	951.08		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	76.70
			SECURITY SVCS-TWNGTE	76.70
3/22/2010	880218	2,208.97		
			SECURITY SVCS-SR CTR	291.46
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	368.16
			SECURITY SVCS-LIBRARY	368.16
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-UT	276.13
3/29/2010	880245	732.49		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	302.97
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,521.48**		
FYTD for GENERAL SECURITY SERVICES, INC.		**41,736.43**		
GEORGE SALINAS TREE PRESERVATION				
3/1/2010	200850	8,494.90		
			TREE TRIMMING SVCS-DSG1	894.20
			TREE TRIMMING SVCS-DSG2	1,117.75
			TREE TRIMMING SVCS-E2	6,482.95
Vendor Total		**8,494.90**		
FYTD for GEORGE SALINAS TREE PRESERVATION		**87,497.47**		
GES EXPOSITION SERVICES				
3/22/2010	201248	6,018.88		
			TRADESHOW SVCS-VARIOUS	6,018.88
Vendor Total		**6,018.88**		
FYTD for GES EXPOSITION SERVICES		**6,018.88**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
3/8/2010	201040	2,108.50		
			LEGAL SVCS-COMM PRK SOCCER FLD	1,568.88
			LEGAL SVCS-COMM PRK SOCCER FLD	539.62
3/22/2010	880219	3,999.19		
			LEGAL SVCS-COMM PRK SOCCER FLD	3,999.19
	Vendor Total	**6,107.69**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**133,947.30**		
GIRON, ANGELITA				
3/22/2010	201249	750.00		
			REFUND-RNTL DEP 2/27/10	750.00
	Vendor Total	**750.00**		
FYTD for GIRON, ANGELITA		**750.00**		
GLOBAL TECHNOLOGY SYSTEMS, INC.				
3/15/2010	201138	842.72		
			LI-POLYMER BATTERIES	891.75
			SHIPPING CHARGES	22.72
			CA USE TAX ACCRUAL	-71.75
	Vendor Total	**842.72**		
FYTD for GLOBAL TECHNOLOGY SYSTEMS, INC.		**842.72**		
GLOSTER, GEORGANNE				
3/29/2010	201421	240.00		
			REFUND-SEC GUARD FEE	40.00
			REFUND-RNTL DEP 3/13	200.00
	Vendor Total	**240.00**		
FYTD for GLOSTER, GEORGANNE		**240.00**		
GOD'S HELPING HAND				
3/22/2010	880220	750.00		
			FOOD BANK PRGRM-CDBG	750.00
3/29/2010	880246	750.00		
			CDBG SVCS-FOOD BANK	750.00
	Vendor Total	**1,500.00**		
FYTD for GOD'S HELPING HAND		**6,499.88**		
GONG ENTERPRISES, INC.				
3/8/2010	201041	200.00		
			PLAN CHECK SVCS-TM 32505	200.00
	Vendor Total	**200.00**		
FYTD for GONG ENTERPRISES, INC.		**3,764.50**		

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GOZDECKI, DAN					
	3/8/2010	201042	567.00		
				INSTRUCTOR SVCS-KUNG FU YTH	243.00
				INSTRUCTOR SVCS-KUNG FU ADLT	324.00
	Vendor Total		**567.00**		
FYTD for GOZDECKI, DAN			**5,508.00**		
GRAFFITI TRACKER, INC.					
	3/22/2010	880221	4,000.00		
				GRAFFITI TRACK SVCS	4,000.00
	Vendor Total		**4,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**28,000.00**		
GRANADOS, BONNIE					
	3/1/2010	200851	29.60		
				REFUND-HIP HOP CLASS	29.60
	Vendor Total		**29.60**		
FYTD for GRANADOS, BONNIE			**29.60**		
GRANICUS, INC.					
	3/15/2010	201139	1,655.22		
				PODCASTING MANAGED SVCS	130.00
				PODCASTING MANAGED SVCS	130.00
				MAR-10 MANAGED SVCS	1,350.00
				MAR-10 MANAGED SVCS	45.22
	Vendor Total		**1,655.22**		
FYTD for GRANICUS, INC.			**12,816.98**		
GREGG ELECTRIC, INC					
	3/29/2010	201422	55.87		
				REFUND-BUS LIC OVRPMT	55.87
	Vendor Total		**55.87**		
FYTD for GREGG ELECTRIC, INC			**55.87**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	3/1/2010	200852	5,269.40		
				LEGAL SVCS	2,909.83
				LEGAL SVCS	2,359.57
	3/22/2010	201250	3,759.86		
				LEGAL SVCS-RISK MGT	3,759.86
	Vendor Total		**9,029.26**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,192.09**		

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GRIFFIN, MARLENE C					
	3/1/2010	200853	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,131.21**		
GRIFFIS, CANDACE					
	3/15/2010	201140	10.00		
				REFUND-CITATION OVERPAYMENT	10.00
	Vendor Total		**10.00**		
FYTD for GRIFFIS, CANDACE			**10.00**		
GROUP DELTA CONSULTANTS, INC					
	3/29/2010	201423	360.00		
				PUB SFTY BLDG CONVERSION PROJ	360.00
	Vendor Total		**360.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**360.00**		
GUILLAN, REBECCA S.					
	3/1/2010	200854	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**844.85**		
GUILLIS, LINDA B.					
	3/1/2010	200855	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,868.57**		
GUIMONT, WILLIAM					
	3/15/2010	201141	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for GUIMONT, WILLIAM			**195.00**		
GUTIERREZ, ROBERT					
	3/1/2010	200856	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,574.17**		

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GUZMAN'S CART SERVICE					
	3/15/2010	880192	4,049.00		
				SHOPPING CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**36,441.00**		
H & A M CLEANING SERVICES CO					
	3/29/2010	201424	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for H & A M CLEANING SERVICES CO			**33.50**		
HA, PHUNG					
	3/15/2010	201142	38.06		
				FALSE ALARM REFUND	30.00
				FALSE ALARM REFUND	8.06
	Vendor Total		**38.06**		
FYTD for HA, PHUNG			**38.06**		
HAMLIN, WILLIAM R.					
	3/1/2010	200857	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,922.45**		
HANES, MARTIN D.					
	3/1/2010	200858	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,868.57**		
HANIGAN BUSINESS FORMS					
	3/15/2010	880193	1,598.19		
				PARKING VIOLATION NOTICE BOOKS	1,452.90
				PARKING VIOLATION NOTICE BOOKS	145.29
	Vendor Total		**1,598.19**		
FYTD for HANIGAN BUSINESS FORMS			**7,391.43**		
HANSON, GEORGE					
	3/15/2010	201143	571.00		
				TRAVEL EXP-CMUA ANNL CONF.	342.00
				TRAVEL EXP-CMUA ANNL CONF.	229.00
	Vendor Total		**571.00**		
FYTD for HANSON, GEORGE			**628.27**		

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HARDING, JOHN S.					
	3/1/2010	200859	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,868.57**		
HARRIS & ASSOCIATES, INC.					
	3/22/2010	880222	4,226.40		
				PLAN CHECK SVCS-TR 32716	4,226.40
	Vendor Total		**4,226.40**		
FYTD for HARRIS & ASSOCIATES, INC.			**314,448.02**		
HARTMANN, RICK					
	3/1/2010	200860	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**1,817.31**		
HATFIELD, CHARLES					
	3/1/2010	200861	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,231.12**		
HAUSER, ADRIANA					
	3/29/2010	201425	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for HAUSER, ADRIANA			**2,508.00**		
HDL COREN & CONE					
	3/15/2010	201145	4,387.50		
				JAN-MAR'10 PROP TAX MAINT SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**15,074.91**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	3/1/2010	200862	5,017.37		
				CONTRACT SVCS-4TH QTR SALES TA	900.00
				CONTRACT SVCS-SALES TAX AUDIT	4,117.37
	Vendor Total		**5,017.37**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**11,784.51**		

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HEERY INTERNATIONAL, INC.					
	3/1/2010	200863	4,560.00		
				NEW MAIN LIBRARY PROJ SVCS	4,560.00
	Vendor Total		**4,560.00**		
FYTD for HEERY INTERNATIONAL, INC.			**197,572.75**		
HEFFLEY, ROSS W.					
	3/1/2010	200864	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,231.12**		
HERRICK, ROBERT D.					
	3/1/2010	200865	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,868.57**		
HICKS, MAYRA					
	3/15/2010	201146	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for HICKS, MAYRA			**30.00**		
HIGGS, DEBRA					
	3/1/2010	200866	144.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
	Vendor Total		**144.00**		
FYTD for HIGGS, DEBRA			**864.00**		
HOBBS, DIANN FAYE					
	3/15/2010	201147	150.00		
				REFUND-CITATION OVERPAYMENT	50.00
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**150.00**		
FYTD for HOBBS, DIANN FAYE			**150.00**		
HODGE PRODUCTS, INC.					
	3/1/2010	200867	468.02		
				PADLOCKS-CFD#1	210.00
				PADLOCKS-PARKS	58.02
				PADLOCKS-PARKS	200.00
	Vendor Total		**468.02**		
FYTD for HODGE PRODUCTS, INC.			**468.02**		

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HOFF, JALDA					
	3/15/2010	201148	95.00		
				RABIES & SN DEPOSIT REFUND	20.00
				RABIES & SN DEPOSIT REFUND	75.00
	Vendor Total		**95.00**		
FYTD for HOFF, JALDA			**95.00**		
HOUSE OF BEAUTY					
	3/29/2010	201426	70.50		
				REFUND-BUS LIC OVRPMT	70.50
	Vendor Total		**70.50**		
FYTD for HOUSE OF BEAUTY			**70.50**		
HOUSER, EDITH E.					
	3/1/2010	200868	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,868.57**		
HUNTER, PHUONG					
	3/8/2010	201043	256.50		
				REIMB-CWEA CONF./LONG BEACH	213.00
				REIMB-CWEA CONF./LONG BEACH	43.50
	Vendor Total		**256.50**		
FYTD for HUNTER, PHUONG			**256.50**		
ICMA RETIREMENT CORP 457					
	3/12/2010	2599	10,214.54		
				DEF COMP 457 03/12/10	10,214.54
	Vendor Total		**10,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS					
	3/1/2010	200869	3,308.62		
				ADVERTISING SVCS-EDD	3,308.62
	Vendor Total		**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			**6,617.24**		
IL SORRENTO MOBILE HOME PARK					
	3/29/2010	201427	51.00		
				REFUND-BUS LIC OVRPMT	51.00
	Vendor Total		**51.00**		
FYTD for IL SORRENTO MOBILE HOME PARK			**51.00**		

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IL SORRENTO MOBILE PARK					
	3/15/2010	201149	218.18		
				REFUND-UUT USER TAXES	218.18
	Vendor Total		**218.18**		
FYTD for IL SORRENTO MOBILE PARK			**1,518.06**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	3/15/2010	201150	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,275.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST					
	3/8/2010	201044	3,729.50		
				NUISANCE ABTMNT SVC-487470013	1,395.00
				NUISANCE ABTMNT SVC-479680001	665.00
				NUISANCE ABTMNT SVC-478181047	1,669.50
	3/22/2010	201251	504.00		
				NUISANCE ABTMNT SVC-474152001	277.00
				NUISANCE ABTMNT SVC-474410029	227.00
	Vendor Total		**4,233.50**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST			**10,927.31**		
INLAND EMPIRE MAGAZINE					
	3/8/2010	201045	1,295.00		
				ADVERTISING SVC-CRC	1,295.00
	Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE			**3,885.00**		
INSIDE PLANTS, INC.					
	3/8/2010	201046	316.00		
				PLANT MAINT-CRC	316.00
	Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.			**2,844.00**		
INTEGRATED VEGETATION MGMT.					
	3/29/2010	201428	20.16		
				REFUND-BUS LIC OVRPMT	20.16
	Vendor Total		**20.16**		
FYTD for INTEGRATED VEGETATION MGMT.			**20.16**		

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INTER CITY ENERGY SYSTEMS					
	3/29/2010	201429	54.45		
				REFUND-BUS LIC OVRPMT	54.45
	Vendor Total		**54.45**		
FYTD for INTER CITY ENERGY SYSTEMS			**54.45**		
IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT					
	3/1/2010	200870	700.00		
				ESCROW ACCT-ERP SOFTWARE	672.00
				ESCROW ACCT-ERP SOFTWARE	28.00
	3/15/2010	201151	56.00		
				ESCROW ACCT-ERP SOFTWARE	56.00
	Vendor Total		**756.00**		
FYTD for IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT			**756.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	3/1/2010	200871	937.03		
				OFFSITE DATA STORAGE	937.03
	Vendor Total		**937.03**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**9,624.91**		
ISS SWEEPING, INC.					
	3/22/2010	880223	2,265.70		
				STREET SWEEPING SVCS	750.20
				STREET SWEEPING SVCS	795.50
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**19,019.00**		
J B S MECHANICAL, INC					
	3/29/2010	201430	55.22		
				REFUND-BUS LIC OVRPMT	55.22
	Vendor Total		**55.22**		
FYTD for J B S MECHANICAL, INC			**55.22**		
J D H CONTRACTING					
	3/1/2010	200872	10,895.00		
				CONTRACT SVCS-LIBRARY DOORS	10,895.00
	Vendor Total		**10,895.00**		
FYTD for J D H CONTRACTING			**63,036.84**		

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J H E ROOFING					
	3/29/2010	201431	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for J H E ROOFING			**25.00**		
J L SIERRA TAX SERVICES					
	3/29/2010	201432	35.10		
				REFUND-BUS LIC OVRPMT	35.10
	Vendor Total		**35.10**		
FYTD for J L SIERRA TAX SERVICES			**35.10**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	3/15/2010	201152	75.00		
				LEGAL COURIER DELIVERY SVCS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,778.00**		
JDEDGE SOFTWARE, LLC					
	3/1/2010	880002	12,925.23		
				CONSULTING SVCS-SFTWR DEV	140.57
				CONSULTING SVCS-SFTWR DEV	12,784.66
	3/4/2010	880003	7,185.00		
				CONSULTING SVCS	4,560.00
				CONSULTING SVCS	2,625.00
	3/17/2010	880211	4,080.00		
				CONSULTING SVCS	4,080.00
	Vendor Total		**24,190.23**		
FYTD for JDEDGE SOFTWARE, LLC			**100,252.68**		
JH DESIGN & ASSOCIATES					
	3/29/2010	880247	0.00		
				NAME PLQ DISPLAY-EDD	821.00
				NAME PLQ DISPLAY-EDD	-821.00
	Vendor Total		**0.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	3/15/2010	880194	3,150.00		
				MAR-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**28,350.00**		

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JOHNSON, DELIA					
	3/8/2010	201047	90.00		
				INSTRUCTOR SVCS-AEROBICS	90.00
	Vendor Total		**90.00**		
FYTD for JOHNSON, DELIA			**360.00**		
JOHNSON, MALCOLM					
	3/15/2010	201153	100.00		
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**100.00**		
FYTD for JOHNSON, MALCOLM			**100.00**		
JONES, SUSAN					
	3/1/2010	200873	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,868.57**		
K & M BARBER SHOP					
	3/29/2010	201434	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for K & M BARBER SHOP			**58.00**		
K D'S DONUTS					
	3/29/2010	201435	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K D'S DONUTS			**25.00**		
K J CARPET WHOLESALE					
	3/29/2010	201436	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K J CARPET WHOLESALE			**25.00**		
K-12 SPECIALTIES, INC.					
	3/22/2010	201252	67.65		
				CARPET CLEANING SUPPLIES	67.65
	Vendor Total		**67.65**		
FYTD for K-12 SPECIALTIES, INC.			**202.96**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KDM MERIDIAN, INC.					
	3/15/2010	880195	3,115.00		
				SUNNYMD BLVD REVIT PROJ SVCS	3,115.00
	Vendor Total		**3,115.00**		
FYTD for KDM MERIDIAN, INC.			**68,235.00**		
KEPLER, JANELLE					
	3/1/2010	200874	44.95		
				MILEAGE REIMBURSEMENT	21.45
				MILEAGE REIMBURSEMENT	23.50
	3/29/2010	201437	39.00		
				MILEAGE REIMBURSEMENT	39.00
	Vendor Total		**83.95**		
FYTD for KEPLER, JANELLE			**196.15**		
KINCAID DEVELOPMENT					
	3/29/2010	201439	39.46		
				REFUND-BUS LIC OVRPMT	39.46
	Vendor Total		**39.46**		
FYTD for KINCAID DEVELOPMENT			**39.46**		
KING, PATRICIA A.					
	3/1/2010	200875	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,231.12**		
KOA CORPORATION					
	3/8/2010	201048	2,251.00		
				RECHE VISTA DR REALIGNMNT PROJ	2,251.00
	Vendor Total		**2,251.00**		
FYTD for KOA CORPORATION			**185,312.65**		
KOLB, CHARLES E.					
	3/1/2010	200876	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,868.57**		
KOLLAR, KYLE					
	3/1/2010	200877	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**956.19**		

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KUNZE, MARIA					
	3/15/2010	201154	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KUNZE, MARIA			**75.00**		
KUPSAK, STEVE					
	3/15/2010	201155	256.00		
				PER DIEM-CPRS CONFERENCE	256.00
	Vendor Total		**256.00**		
FYTD for KUPSAK, STEVE			**1,756.00**		
KYLE, GARY M.					
	3/1/2010	200878	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,231.12**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	3/22/2010	201253	16,058.05		
				LEGAL SVCS-RISK MGT	16,058.05
	Vendor Total		**16,058.05**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**85,558.09**		
LACAVA, DEANNA					
	3/22/2010	201254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LACAVA, DEANNA			**50.00**		
LAFATA, JOSEPHINE					
	3/1/2010	200879	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,842.95**		
LAINEZ, RAFAEL E.					
	3/22/2010	201255	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LAINEZ, RAFAEL E.			**20.00**		

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LAKESHORE VILLAGE CLEANERS					
	3/29/2010	201440	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LAKESHORE VILLAGE CLEANERS			**50.00**		
LANG, TRACEY					
	3/22/2010	201256	152.00		
				INSTRUCTION SVC-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for LANG, TRACEY			**532.00**		
LANGSTON MOTORSPORTS					
	3/1/2010	200880	260.24		
				MOTORCYCLE RPR-PARTS	175.07
				MOTORCYCLE RPR-LABOR	48.00
				MOTORCYCLE RPR-PARTS	37.17
	3/8/2010	201049	729.89		
				MOTORCYCLE RPR-LABOR	16.00
				MOTORCYCLE RPR-PARTS	21.74
				MOTORCYCLE RPR-LABOR	480.00
				MOTORCYCLE RPR-PARTS	52.15
				MOTORCYCLE RPR-LABOR	160.00
	3/15/2010	201156	122.87		
				SHIFT ASSAULT GLOVES	12.99
				HELMET	99.99
				CA SALES TAX	9.89
	Vendor Total		**1,113.00**		
FYTD for LANGSTON MOTORSPORTS			**1,113.00**		
LARA, ENRIQUE					
	3/8/2010	201050	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LARA, ENRIQUE			**20.00**		
LARRY R. HOOPER					
	3/29/2010	201441	125.00		
				APPRAISAL SVC-MTRL DMG	125.00
	Vendor Total		**125.00**		
FYTD for LARRY R. HOOPER			**125.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB				
3/29/2010	201442	7,500.00		
			GEN LIAB SETTLEMENT	7,500.00
Vendor Total		**7,500.00**		
FYTD for LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB		**7,500.00**		
LAWN TECH EQUIPMENT				
3/8/2010	201051	253.02		
			EQUIPMENT RPR-PARTS	197.46
			EQUIPMENT RPR-LABOR	22.50
			EQUIPMENT RPR-PARTS	33.06
3/22/2010	880224	213.74		
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	31.50
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	47.24
Vendor Total		**466.76**		
FYTD for LAWN TECH EQUIPMENT		**2,758.61**		
LAWYERS TITLE INC				
3/10/2010	91407	15,931.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,931.00
3/17/2010	91414	16,501.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,501.00
3/17/2010	91415	15,051.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,051.00
3/17/2010	91416	8,451.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,451.00
3/10/2010	91406	8,901.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,901.00
Vendor Total		**64,835.00**		
FYTD for LAWYERS TITLE INC		**198,412.00**		
LAYNE CHRISTENSEN COMPANY				
3/29/2010	201443	683.89		
			REFUND-BUS LIC OVRPMT	683.89
Vendor Total		**683.89**		
FYTD for LAYNE CHRISTENSEN COMPANY		**683.89**		
LEIGHTON CONSULTING, INC.				
3/8/2010	201053	947.50		
			LASSELLE ST WIDENING PROJ SVCS	947.50
Vendor Total		**947.50**		
FYTD for LEIGHTON CONSULTING, INC.		**62,802.64**		

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LEKOS ELECTRIC, INC					
	3/29/2010	201444	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LEKOS ELECTRIC, INC			**50.00**		
LEMUS, WENDY					
	3/22/2010	201257	67.00		
				REFUND-GUITAR REGIST	67.00
	Vendor Total		**67.00**		
FYTD for LEMUS, WENDY			**67.00**		
LEWIS, CAROLYN S.					
	3/1/2010	200881	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,839.71**		
LEXISNEXIS					
	3/22/2010	880225	1,480.00		
				LGL ONLINE SVCS-CA	740.00
				LGL ONLINE SVCS-CTY CLRK	370.00
				LGL ONLINE SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**13,715.00**		
LIEBERT, CASSIDY, WHITMORE					
	3/29/2010	201445	245.00		
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
	Vendor Total		**245.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,519.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/29/2010	201446	13,531.65		
				PERRIS BL WIDENING FROM RAM XP	13,531.65
	Vendor Total		**13,531.65**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

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LITTLETON, MICHAEL					
	3/15/2010	201158	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for LITTLETON, MICHAEL			**195.00**		
LIVELY, ANTOINETTE					
	3/8/2010	201055	204.00		
				TRAVEL EXP-CPTED COURSE	195.00
				TRAVEL EXP-CPTED COURSE	9.00
	Vendor Total		**204.00**		
FYTD for LIVELY, ANTOINETTE			**204.00**		
LOGAN, CHARLES					
	3/1/2010	200883	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,089.88**		
LOR GEOTECHNICAL GROUP, INC.					
	3/29/2010	880248	4,885.60		
				SUNNYMD BLVD REVIT PROJ SVCS	1,900.00
				SUNNYMD BLVD REVIT PROJ SVCS	2,985.60
	Vendor Total		**4,885.60**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**60,256.60**		
LUMLEY, ROBERT C.					
	3/1/2010	200884	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,868.57**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
3/29/2010	880249	22,262.00		
			CDBG SVCS-SEC DEPOSITS	162.00
			CDBG SVCS-SEC DEPOSITS	7,000.00
			CDBG SVCS-UT ASSIST	100.00
			CDBG SVCS-UT ASSIST	5,000.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
Vendor Total		**22,262.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**44,314.00**		
M & A TOUCH OF CLASS/ CAR WASH				
3/29/2010	201447	62.10		
			REFUND-BUS LIC OVRPMT	62.10
Vendor Total		**62.10**		
FYTD for M & A TOUCH OF CLASS/ CAR WASH		**62.10**		
M D S CONSULTING				
3/29/2010	201448	88.59		
			REFUND-BUS LIC OVRPMT	88.59
Vendor Total		**88.59**		
FYTD for M D S CONSULTING		**88.59**		
MACKENZIE LANDSCAPE				
3/29/2010	201449	54.41		
			REFUND-BUS LIC OVRPMT	54.41
Vendor Total		**54.41**		
FYTD for MACKENZIE LANDSCAPE		**54.41**		
MARAL, TAVOUKJIAN				
3/15/2010	201159	50.00		
			REFUND-CITATION OVERPAYMENT	50.00
Vendor Total		**50.00**		
FYTD for MARAL, TAVOUKJIAN		**120.00**		

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MARCH JOINT POWERS AUTHORITY					
	3/1/2010	200885	12.31		
				GAS CHARGES	10.06
				GAS CHARGES	2.25
	3/29/2010	201450	9.96		
				GAS CHARGES	8.13
				GAS CHARGES	1.83
	Vendor Total		**22.27**		
FYTD for MARCH JOINT POWERS AUTHORITY			**62.20**		
MARKETEKS	**2410943**				
	3/15/2010	201160	15,735.00		
				INFLATABLE LIGHT TOWERS	15,200.00
				875 WATT BULB (SPARE)	195.00
				CA USE TAX	1,347.06
				SHIPPING	340.00
				CA USE TAX ACCRUAL	-1,347.06
	Vendor Total		**15,735.00**		
FYTD for MARKETEKS	**2410943**		**15,735.00**		
MARTIN, MELINDA					
	3/15/2010	201161	54.50		
				REFUND-CITATION OVERPAYMENT	54.50
	Vendor Total		**54.50**		
FYTD for MARTIN, MELINDA			**54.50**		
MASCO SERVICES OF CALIFORNIA, INC.					
	3/29/2010	201451	45.45		
				REFUND-BUS LIC OVRPMT	45.45
	Vendor Total		**45.45**		
FYTD for MASCO SERVICES OF CALIFORNIA, INC.			**45.45**		
MATHIS, NOLAN					
	3/1/2010	200886	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,604.80**		
MATICH CORPORATION					
	3/22/2010	880226	1,286.17		
				ASPHALTIC MATERIALS	1,286.17
	Vendor Total		**1,286.17**		
FYTD for MATICH CORPORATION			**30,471.00**		

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MAXIM FLOOR SYSTEMS					
	3/29/2010	201452	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for MAXIM FLOOR SYSTEMS			**45.00**		
MAXINOSKI, SUE A.					
	3/1/2010	200887	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,868.57**		
MC GRATH RENTCORP (MOBILE MODULAR)					
	3/29/2010	201453	66.66		
				REFUND-BUS LIC OVRPMT	66.66
	Vendor Total		**66.66**		
FYTD for MC GRATH RENTCORP (MOBILE MODULAR)			**66.66**		
MCALLISTER, GERALD					
	3/1/2010	200888	455.00		
				REIMB-OPC INTEGR./DIAG TRNG	135.00
				PER DIEM-MICROSCADA TRNG	320.00
	3/22/2010	201258	0.00		
				REIMB-ELECTRICAL SFTY SEMINAR	47.80
				REIMB-ELECTRICAL SFTY SEMINAR	-47.80
	Vendor Total		**455.00**		
FYTD for MCALLISTER, GERALD			**507.36**		
MCCARTHY & BERLIN, LLP					
	3/15/2010	880196	2,348.70		
				LEGAL SVCS-ELECTR. UTILITY	2,348.70
	Vendor Total		**2,348.70**		
FYTD for MCCARTHY & BERLIN, LLP			**29,630.99**		
MCCORMICK, JAMES					
	3/8/2010	201057	62.00		
				REFUND-TRAP RNTL/DEP	12.00
				REFUND-TRAP RNTL/DEP	50.00
	Vendor Total		**62.00**		
FYTD for MCCORMICK, JAMES			**62.00**		

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MCDONOUGH, HOLLAND & ALLEN					
	3/22/2010	201259	838.47		
				LEGAL SVCS-RDA	838.47
	Vendor Total		**838.47**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,987.20**		
MCI					
	3/1/2010	200889	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	3/29/2010	201454	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**2,383.04**		
FYTD for MCI			**12,159.14**		
MCI WORLDCOM					
	3/1/2010	200890	1,335.98		
				COMMUNICATION SVCS	1,335.98
	3/22/2010	201260	902.57		
				COMMUNICATION SVCS	902.57
	Vendor Total		**2,238.55**		
FYTD for MCI WORLDCOM			**9,264.12**		
MELAD & ASSOCIATES					
	3/15/2010	201162	3,570.00		
				PLAN CHECK SVCS	3,570.00
	3/22/2010	201261	2,058.13		
				PLAN CHECK SVCS-BLDG/SFTY	2,058.13
	Vendor Total		**5,628.13**		
FYTD for MELAD & ASSOCIATES			**36,228.68**		
MELENDREZ, RICK					
	3/22/2010	201262	1,375.00		
				REFUND-TOURNEY FEE	1,375.00
	Vendor Total		**1,375.00**		
FYTD for MELENDREZ, RICK			**1,375.00**		
MENDONCA, JAMES					
	3/8/2010	201058	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MENDONCA, JAMES			**20.00**		

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MENGISTU, YESHIALEM					
	3/15/2010	201163	111.50		
				MILEAGE REIMBURSEMENT	111.50
	Vendor Total		**111.50**		
FYTD for MENGISTU, YESHIALEM			**877.05**		
MESSIN, LOUIS					
	3/1/2010	200891	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,231.12**		
MEYERS, ROBERT					
	3/8/2010	201059	273.00		
				INSTRUCTOR SVCS-DRAWING	189.00
				INSTRUCTOR SVCS-PHOTO	84.00
	Vendor Total		**273.00**		
FYTD for MEYERS, ROBERT			**2,079.00**		
MILES, ROBERT					
	3/1/2010	200892	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,026.23**		
MINARD, MARK E.					
	3/1/2010	200893	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,678.34**		
MIRACLE RECREATION EQUIPMENT					
	3/22/2010	201263	3,586.43		
				MISC PLAYGROUND EQUIP	3,586.43
	Vendor Total		**3,586.43**		
FYTD for MIRACLE RECREATION EQUIPMENT			**4,768.92**		
MIRANDA, JOANNA					
	3/29/2010	201455	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MIRANDA, JOANNA			**50.00**		

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MISSION LINEN SUPPLY INC					
	3/29/2010	201456	49.85		
				REFUND-BUS LIC OVRPMT	49.85
	Vendor Total		**49.85**		
FYTD for MISSION LINEN SUPPLY INC			**49.85**		
MOELLER, DONNA M.					
	3/29/2010	201457	85.09		
				NBRHD CLN-UP EXP	85.09
	Vendor Total		**85.09**		
FYTD for MOELLER, DONNA M.			**588.79**		
MOLLICA, MIKE					
	3/1/2010	200894	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,809.95**		
MONARCH TRAILS PUBLICATION					
	3/29/2010	201458	60.75		
				REFUND-BUS LIC OVRPMT	60.75
	Vendor Total		**60.75**		
FYTD for MONARCH TRAILS PUBLICATION			**60.75**		
MONTES REALTY					
	3/29/2010	201459	66.75		
				REFUND-BUS LIC OVRPMT	66.75
	Vendor Total		**66.75**		
FYTD for MONTES REALTY			**66.75**		
MONTGOMERY PLUMBING					
	3/29/2010	201460	41.00		
				REFUND-BUS LIC OVRPMT	41.00
	Vendor Total		**41.00**		
FYTD for MONTGOMERY PLUMBING			**41.00**		
MOORE, PATRICIA					
	3/29/2010	201461	300.00		
				REFUND-RNTL DEP	300.00
	Vendor Total		**300.00**		
FYTD for MOORE, PATRICIA			**300.00**		

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MOOSEPOINT TECHNOLOGY, INC.				
3/1/2010	200895	4,620.00		
			ARCIMS UPGRADE	2,640.00
			ARCIMS UPGRADE	1,980.00
	Vendor Total	**4,620.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**19,762.50**		
MORA, PATRICIA A.				
3/1/2010	200896	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**2,868.57**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				
3/22/2010	201264	293.00		
			REFUND-RNTL DEP 2/20/10	293.00
	Vendor Total	**293.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE		**4,418.00**		
MORENO VALLEY CHAMBER OF COMMERCE				
3/8/2010	201060	195.00		
			STUDENTS/MONTH LUNCHEONS	105.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
3/15/2010	201164	750.00		
			REFUND-CRC DEP 1/16/10	750.00
3/22/2010	201265	350.00		
			WAKE-UP MV SPONSORSHIP	350.00
	Vendor Total	**1,295.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**23,025.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
3/12/2010	2598	1,604.00		
			MVCEA DUES 03/12/10	1,604.00
3/26/2010	2606	1,579.00		
			MVCEA DUES 3/26/10	1,579.00
	Vendor Total	**3,183.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**31,695.50**		

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MORENO VALLEY COMMUNITY EDUCATION CENTER				
3/22/2010	201266	1,110.00		
			TUTORING SVCS-CDBG	555.00
			TUTORING SVCS-CDBG	555.00
Vendor Total		**1,110.00**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**5,444.55**		
MORENO VALLEY GATEWAY, LLC				
3/1/2010	200897	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
3/29/2010	880250	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
Vendor Total		**42,186.86**		
FYTD for MORENO VALLEY GATEWAY, LLC		**189,840.87**		
MORENO VALLEY HEATING & AC				
3/29/2010	201462	37.18		
			REFUND-BUS LIC OVRPMT	37.18
Vendor Total		**37.18**		
FYTD for MORENO VALLEY HEATING & AC		**37.18**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT				
3/15/2010	201166	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**404,706.07**		
MORENO VALLEY UTILITY				
3/29/2010	201463	99.70		
			ELECTRICITY-UT FLD OFF	99.70
Vendor Total		**99.70**		
FYTD for MORENO VALLEY UTILITY		**578,712.31**		
MORGAN, LISA A.				
3/1/2010	200898	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.		**2,868.57**		

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MORIARTY, LILAH					
	3/1/2010	200899	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MORIARTY, LILAH			**20.00**		
MOTHERHOOD MATERNITY #1889					
	3/29/2010	201464	82.61		
				REFUND-BUS LIC OVRPMT	82.61
	Vendor Total		**82.61**		
FYTD for MOTHERHOOD MATERNITY #1889			**82.61**		
MURGA, ROSA & ERNESTO					
	3/22/2010	201268	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MURGA, ROSA & ERNESTO			**20.00**		
NAILS CLUB & SPA					
	3/29/2010	201465	37.80		
				REFUND-BUS LIC OVRPMT	37.80
	Vendor Total		**37.80**		
FYTD for NAILS CLUB & SPA			**37.80**		
NARA, LOWELON					
	3/1/2010	200900	96.00		
				MILEAGE REIMBURSEMENT	96.00
	Vendor Total		**96.00**		
FYTD for NARA, LOWELON			**355.05**		
NATIONWIDE RETIREMENT SOLUTIONS					
	3/12/2010	2596	13,450.55		
				PST DEF COMP FOR FICA 03/12/10	13,450.55
	3/12/2010	2597	21,374.04		
				DEF COMP 457 & 401(A) 03/12/10	21,374.04
	3/26/2010	2604	12,282.46		
				PST DEF COMP FOR FICA 3/26/10	12,282.46
	3/26/2010	2605	21,323.04		
				DEF COMP 457 & 401(A) 3/26/10	21,323.04
	Vendor Total		**68,430.09**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**682,008.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NAVARRETTE, RALPH					
	3/1/2010	200901	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**956.19**		
NBS GOVERNMENT FINANCE GROUP					
	3/15/2010	880197	4,000.00		
				REBATE CALCULATION SVC	2,250.00
				REBATE CALCULATION SVC	1,750.00
	Vendor Total		**4,000.00**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,500.00**		
NELSON, ROBERT					
	3/1/2010	200902	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,131.21**		
NELSON, RUTH L.					
	3/1/2010	200903	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,868.57**		
NELSON, TIM					
	3/22/2010	201270	342.00		
				INSTRUCTION SVC-9 DAYS	342.00
	Vendor Total		**342.00**		
FYTD for NELSON, TIM			**342.00**		
NETWIG, LENA					
	3/29/2010	201466	27.20		
				REFUND-FIELD RNTL FEE	27.20
	Vendor Total		**27.20**		
FYTD for NETWIG, LENA			**27.20**		
NEUSTAEDTER, CRAIG S					
	3/1/2010	200904	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,868.57**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NEW HORIZON MOBILE HOME PARK					
	3/15/2010	201167	17.95		
				REFUND-UUT USER TAXES	8.96
				REFUND-UUT USER TAXES	8.99
	Vendor Total		**17.95**		
FYTD for NEW HORIZON MOBILE HOME PARK			**71.85**		
NEW PHOTO MAKERS, INC					
	3/29/2010	201467	98.89		
				REFUND-BUS LIC OVRPMT	98.89
	Vendor Total		**98.89**		
FYTD for NEW PHOTO MAKERS, INC			**98.89**		
NGO, HIEN QUANG					
	3/22/2010	201271	102.00		
				MILEAGE REIMBURSEMENT	102.00
	Vendor Total		**102.00**		
FYTD for NGO, HIEN QUANG			**102.00**		
NIEBURGER, JUDITH A.					
	3/1/2010	200905	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,612.78**		
NOBEL SYSTEMS					
	3/22/2010	880227	13,000.00		
				PROF SVCS-GIS	5,220.00
				PROF SVCS-GIS	7,780.00
	Vendor Total		**13,000.00**		
FYTD for NOBEL SYSTEMS			**41,840.00**		
NORRIS, CARRIE					
	3/22/2010	201272	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for NORRIS, CARRIE			**95.00**		
NPG CORPORATION					
	3/29/2010	201468	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for NPG CORPORATION			**9,405.00**		

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OAKS, MARY ANN					
	3/29/2010	201469	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**150.00**		
OLIVAS, OVIDIO					
	3/8/2010	201061	18.00		
				REFUND-LIC FEES	9.00
				REFUND-LIC FEES	9.00
	Vendor Total		**18.00**		
FYTD for OLIVAS, OVIDIO			**18.00**		
OLIVE CREST TREATMENT CENTER, INC					
	3/29/2010	201470	6,666.64		
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
	Vendor Total		**6,666.64**		
FYTD for OLIVE CREST TREATMENT CENTER, INC			**6,666.64**		
OLIVE CREST TREATMENT CENTER, INC.					
	3/29/2010	201471	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for OLIVE CREST TREATMENT CENTER, INC.			**2,561.00**		
OLTMANS CONSTRUCTION COMPANY					
	3/29/2010	201472	49.55		
				REFUND-BUS LIC OVRPMT	49.55
	Vendor Total		**49.55**		
FYTD for OLTMANS CONSTRUCTION COMPANY			**49.55**		
OPERATION SAFEHOUSE, INC.					
	3/22/2010	201273	3,752.46		
				SHELTER PRGRM-CDBG	666.67
				SHELTER PRGRM-CDBG	608.91
				SHELTER PRGRM-CDBG	629.04
				SHELTER PRGRM-CDBG	607.96
				SHELTER PRGRM-CDBG	850.68
				SHELTER PRGRM-CDBG	389.20
	Vendor Total		**3,752.46**		
FYTD for OPERATION SAFEHOUSE, INC.			**5,161.40**		

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OVERLAND PACIFIC & CUTLER, INC.					
	3/15/2010	201168	5,880.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	5,880.00
	Vendor Total		**5,880.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**132,509.50**		
OWENS, ROSITA					
	3/1/2010	200906	200.00		
				REFUND-RNTL DEP 2/13	200.00
	Vendor Total		**200.00**		
FYTD for OWENS, ROSITA			**200.00**		
PACHECO TIRES					
	3/29/2010	201473	46.00		
				REFUND-BUS LIC OVRPMT	46.00
	Vendor Total		**46.00**		
FYTD for PACHECO TIRES			**46.00**		
PACIFIC EXTERIORS, INC.					
	3/29/2010	201474	39.00		
				REFUND-BUS LIC OVRPMT	39.00
	Vendor Total		**39.00**		
FYTD for PACIFIC EXTERIORS, INC.			**39.00**		
PACIFIC GREEN HORTICULTURAL SVC					
	3/15/2010	201169	817.83		
				LNDSCP MAINT-ZONE E3	235.54
				LNDSCP MAINT-ZONE E4	433.49
				LNDSCP MAINT-ZONE E1	108.51
				LNDSCP MAINT-ZONE E7	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**9,030.46**		
PACIFIC KILN					
	3/29/2010	201475	403.05		
				REFUND-BUS LIC OVRPMT	403.05
	Vendor Total		**403.05**		
FYTD for PACIFIC KILN			**403.05**		

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PACIFIC SAFETY COUNCIL					
	3/8/2010	201062	8.70		
				SAFETY TRAINING-VIDEO	8.70
	3/22/2010	201274	2,151.64		
				SAFETY TRAINING-VIDEO	8.70
				SAFETY TRAINING-VIDEO	9.24
				SAFETY TRAINING-VIDEO	8.70
				SAFETY TRAINING-WRKSHP	2,125.00
	Vendor Total		**2,160.34**		
FYTD for PACIFIC SAFETY COUNCIL			**5,925.08**		
PACIFIC TELEMANAGEMENT SERVICES					
	3/22/2010	201275	501.12		
				PAYPHONE SVCS-PSB	125.28
				PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total		**501.12**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**2,142.28**		
PAINTING BY ZEB BODE					
	3/1/2010	200907	2,400.00		
				PAINTING SVC-CELEB PARK	2,400.00
	Vendor Total		**2,400.00**		
FYTD for PAINTING BY ZEB BODE			**5,950.00**		
PALP, INC. DBA EXCEL PAVING COMPANY					
	3/29/2010	201476	10,616.67		
				SUNNYMD BLVD REVIT PROJ SVCS	10,616.67
	Vendor Total		**10,616.67**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY			**1,880,639.98**		
PARSONS TRANSPORTATION GROUP, INC.					
	3/1/2010	200908	16,045.25		
				SR-60/MOR BCH DR INTRCHNG PROJ	16,045.25
	3/8/2010	201063	22,448.66		
				SR-60/MOR BCH DR INTRCHNG PROJ	22,448.66
	3/15/2010	201170	15,362.25		
				SR-60/NASON ST OVRCRSSNG PROJ	15,362.25
	3/22/2010	201277	14,190.13		
				SR-60/NASON ST OVRCRSSNG PROJ	14,190.13
	Vendor Total		**68,046.29**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**954,943.60**		

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PATH OF LIFE MINISTRIES					
	3/22/2010	201278	15,000.00		
				SHELTER PRGRM-CDBG	15,000.00
	Vendor Total		**15,000.00**		
FYTD for PATH OF LIFE MINISTRIES			**15,000.00**		
PATRIOT HEATING & A/C					
	3/29/2010	201477	78.50		
				REFUND-BUS LIC OVRPMT	78.50
	Vendor Total		**78.50**		
FYTD for PATRIOT HEATING & A/C			**78.50**		
PATTERSON, ALFREY					
	3/1/2010	200909	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,917.38**		
PAYLESS SHOE SOURCE					
	3/29/2010	201478	176.84		
				REFUND-BUS LIC OVRPMT	91.79
				REFUND-BUS LIC OVRPMT	85.05
	Vendor Total		**176.84**		
FYTD for PAYLESS SHOE SOURCE			**176.84**		
PAYNE, DEVIN					
	3/15/2010	201171	10.00		
				LICENSE FEE REFUND	10.00
	Vendor Total		**10.00**		
FYTD for PAYNE, DEVIN			**10.00**		
PBS & J					
	3/15/2010	880198	2,242.96		
				CITYWIDE BRIDGE MAINT PRGM	1,934.80
				CITYWIDE BRIDGE MAINT PRGM	308.16
	Vendor Total		**2,242.96**		
FYTD for PBS & J			**32,307.82**		
PEDLEY SQUARE VETERINARY CLINIC					
	3/29/2010	201551	7,591.00		
				EMERG AND VETERINARY SVCS	7,591.00
	Vendor Total		**7,591.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**66,083.75**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PENHALL COMPANY					
	3/29/2010	201479	20.06		
				REFUND-BUS LIC OVRPMT	20.06
	Vendor Total		**20.06**		
FYTD for PENHALL COMPANY			**20.06**		
PENTON MEDIA, INC.					
	3/29/2010	201480	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**5,400.00**		
PERRY, NORMA					
	3/1/2010	200911	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,868.57**		
PERS LONG TERM CARE PROGRAM					
	3/1/2010	200912	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/15/2010	201172	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/29/2010	201481	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**1,301.61**		
FYTD for PERS LONG TERM CARE PROGRAM			**10,419.79**		
PERVO PAINT CO.					
	3/1/2010	200913	2,203.38		
				LANE MARKINGS & PAINT SUPPLIES	2,203.38
	Vendor Total		**2,203.38**		
FYTD for PERVO PAINT CO.			**39,296.33**		

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PETTY CASH - FINANCE					
	3/22/2010	201279	1,552.35		
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	34.87
				PETTY CASH FUND REPLENISHMENT	45.95
				PETTY CASH FUND REPLENISHMENT	41.58
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	27.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	48.90
				PETTY CASH FUND REPLENISHMENT	15.45
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	9.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	53.50
				PETTY CASH FUND REPLENISHMENT	44.55
				PETTY CASH FUND REPLENISHMENT	14.52
				PETTY CASH FUND REPLENISHMENT	22.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	87.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.25
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	17.04
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.71
				PETTY CASH FUND REPLENISHMENT	36.65
				PETTY CASH FUND REPLENISHMENT	19.96
				PETTY CASH FUND REPLENISHMENT	17.00
				PETTY CASH FUND REPLENISHMENT	28.50
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	32.81
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	85.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	15.09
				PETTY CASH FUND REPLENISHMENT	4.30
				PETTY CASH FUND REPLENISHMENT	64.50
				PETTY CASH FUND REPLENISHMENT	40.00
				PETTY CASH FUND REPLENISHMENT	12.00
				PETTY CASH FUND REPLENISHMENT	78.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	30.25
				PETTY CASH FUND REPLENISHMENT	55.00

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	96.50
			PETTY CASH FUND REPLENISHMENT	53.35
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	12.50
			PETTY CASH FUND REPLENISHMENT	33.98
			PETTY CASH FUND REPLENISHMENT	12.98
			PETTY CASH FUND REPLENISHMENT	13.42
Vendor Total		**1,552.35**		
FYTD for PETTY CASH - FINANCE		**6,977.75**		
PHO HA VIETNAMES RESTAURANT				
3/29/2010	201483	51.45		
			REFUND-BUS LIC OVRPMT	51.45
Vendor Total		**51.45**		
FYTD for PHO HA VIETNAMES RESTAURANT		**51.45**		
PILGRIM, JULIEANN & DAVID				
3/22/2010	201280	41.00		
			REFUND-ANML LIC FEE	41.00
Vendor Total		**41.00**		
FYTD for PILGRIM, JULIEANN & DAVID		**41.00**		
PITNEY BOWES				
3/22/2010	201281	257.74		
			POSTAGE MTR RNTL-BASE	192.00
			POSTAGE MTR RNTL-SVC	45.00
			POSTAGE MTR RNTL-TAX	20.74
Vendor Total		**257.74**		
FYTD for PITNEY BOWES		**1,030.96**		
PIZANA, MARIA ELIZABETH				
3/15/2010	201173	25.00		
			REFUND-CITATION OVERPAYMENT	25.00
Vendor Total		**25.00**		
FYTD for PIZANA, MARIA ELIZABETH		**25.00**		
PLAZA HAND CAR WASH				
3/15/2010	201174	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for PLAZA HAND CAR WASH		**1,022.00**		

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POIEMA LANDSCAPE, INC					
	3/29/2010	201484	27.11		
				REFUND-BUS LIC OVRPMT	27.11
	Vendor Total		**27.11**		
FYTD for POIEMA LANDSCAPE, INC			**27.11**		
POIEMA LANDSCAPE, INC.					
	3/1/2010	200914	3,176.93		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,045.93
	3/29/2010	880252	3,464.85		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,333.85
	Vendor Total		**6,641.78**		
FYTD for POIEMA LANDSCAPE, INC.			**27,094.28**		
POLLARD, ROCHELLE					
	3/22/2010	201282	49.00		
				MILEAGE REIMBURSEMENT	49.00
	Vendor Total		**49.00**		
FYTD for POLLARD, ROCHELLE			**49.00**		
POSTMASTER					
	3/8/2010	201064	8,000.00		
				SUMMER REC GUIDE RNWL DEP	4,000.00
				SUMMER REC GUIDE RNWL DEP	4,000.00
	3/29/2010	201485	6,667.28		
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.45
				BULK MAIL POSTAGE	1,333.45
	Vendor Total		**14,667.28**		
FYTD for POSTMASTER			**14,852.28**		
POUK & STEINLE, INC.					
	3/29/2010	201486	20,600.91		
				RETENTION RLS-LASSELLE/BAY TS	13,259.50
				RETENTION RLS-LASSELLE/BAY TS	278.50
				RETENTION RLS-LASSELLE/BAY TS	7,062.91
	Vendor Total		**20,600.91**		
FYTD for POUK & STEINLE, INC.			**334,912.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
POWERTECH ENGINES, INC.					
	3/29/2010	201487	1,234.78		
				STREET SWEEPER REPAIR	286.00
				STREET SWEEPER REPAIR	948.78
	Vendor Total		**1,234.78**		
FYTD for POWERTECH ENGINES, INC.			**1,234.78**		
PRAXAIR DISTRIBUTION, INC.					
	3/29/2010	201488	23.95		
				REFUND-BUS LIC OVRPMT	23.95
	Vendor Total		**23.95**		
FYTD for PRAXAIR DISTRIBUTION, INC.			**23.95**		
PRICE, GEORGE E.					
	3/1/2010	200915	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,868.57**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	3/8/2010	201065	6,222.00		
				KITCHING ST IMPRVMNTS PROJ	6,222.00
	3/22/2010	880228	16,995.50		
				CACTUS AVE WIDENING PROJ-STG1	4,031.00
				CACTUS AVE WIDENING PROJ-STG2	12,964.50
	Vendor Total		**23,217.50**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**424,647.66**		
PROTECTION ONE, INC.					
	3/15/2010	201176	40.00		
				SEC MONITORING SVC-GOLF SHOP	20.00
				SEC MONITORING SVC-MVTV STUDIO	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**360.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS					
	3/8/2010	201066	9,751.58		
				TRAF SIG AT SR60/REDLANDS BLVD	3,701.58
				LASSELLE ST WIDENING PROJ SVCS	2,030.00
				2009 ANNL PAVEMNT RESURF PROJ	4,020.00
	3/22/2010	201283	840.00		
				LASSELLE ST WIDENING PROJ	840.00
	3/29/2010	201489	6,795.00		
				PATRIOT PARK PROJ SVCS	2,505.00
				PATRIOT PARK PROJ SVCS	4,290.00
	Vendor Total		**17,386.58**		
FYTD for PSOMAS			**170,697.76**		
PULLIAM, TRENT D.					
	3/1/2010	200916	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,868.57**		
PW ENHANCEMENT CENTER					
	3/22/2010	880229	1,239.21		
				EMERG SVC PRGRM-CDBG	1,239.21
	Vendor Total		**1,239.21**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
QUALITY ASSURANCE INSPECTIONS					
	3/29/2010	201490	20.23		
				REFUND-BUS LIC OVRPMT	20.23
	Vendor Total		**20.23**		
FYTD for QUALITY ASSURANCE INSPECTIONS			**20.23**		
QUALITY CODE PUBLISHING, LLC					
	3/22/2010	880230	1,316.93		
				PRINTING SVCS-CTY CLRK	1,316.93
	Vendor Total		**1,316.93**		
FYTD for QUALITY CODE PUBLISHING, LLC			**4,707.52**		
R & S OVERHEAD DOORS, INC.					
	3/1/2010	200917	520.00		
				REPAIR SVC-SR CTR GATE	520.00
	Vendor Total		**520.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**24,380.00**		

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R N AUTO ELECTRIC					
	3/29/2010	201491	39.13		
				REFUND-BUS LIC OVRPMT	39.13
	Vendor Total		**39.13**		
FYTD for R N AUTO ELECTRIC			**39.13**		
RALLY MANAGEMENT SERVICES, LLC					
	3/8/2010	201067	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/14	719.28
				TEMP SVCS-HENDERSON W/E 2/21	719.28
	Vendor Total		**1,438.56**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**7,133.66**		
RAMONA SUBWAY, INC					
	3/29/2010	201492	99.13		
				REFUND-BUS LIC OVRPMT	99.13
	Vendor Total		**99.13**		
FYTD for RAMONA SUBWAY, INC			**99.13**		
RAY, DANETRA E.					
	3/15/2010	201177	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for RAY, DANETRA E.			**30.00**		
REDBOX AUTOMATED RETAIL, LLC					
	3/29/2010	201493	106.66		
				REFUND-BUS LIC OVRPMT	106.66
	Vendor Total		**106.66**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**365.66**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	3/15/2010	880200	12,420.00		
				RED LIGHT PHOTO ENFRCMNT SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,780.00**		
REINBOLZ, JOHN					
	3/15/2010	201178	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for REINBOLZ, JOHN			**195.00**		

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REISH LUFTMAN REICHER & COHEN				
3/22/2010	201284	765.00		
			LEGAL SVCS-HR	765.00
3/29/2010	201494	1,275.00		
			LEGAL SVCS-HR	1,275.00
Vendor Total		**2,040.00**		
FYTD for REISH LUFTMAN REICHER & COHEN		**39,710.50**		
REVENUE EXPERTS, INC.				
3/22/2010	201285	5,278.08		
			CITATION PRCSSNG-ANML SVCS	857.50
			CITATION PRCSSNG-ANML SVCS	1,855.50
			CITATION PRCSSNG-ANML SVCS	2,565.08
Vendor Total		**5,278.08**		
FYTD for REVENUE EXPERTS, INC.		**33,052.45**		
RGW DESIGN GROUP, INC.				
3/15/2010	880201	2,659.00		
			DESIGN SVCS-PARKS & RECR.	2,659.00
Vendor Total		**2,659.00**		
FYTD for RGW DESIGN GROUP, INC.		**2,659.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS				
3/8/2010	201068	4,621.41		
			SHADOW MTN PARK LIGHTING PROJ	4,621.41
3/29/2010	201495	1,210.19		
			SHADOW MTN PARK LIGHTING PROJ	1,210.19
Vendor Total		**5,831.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**6,447.98**		
RICK ENGINEERING COMPANY				
3/8/2010	201069	1,400.00		
			ALESSANDRO/INDIAN SIDEWLK PROJ	132.00
			ALESSANDRO/INDIAN SIDEWLK PROJ	107.06
			ALESSANDRO/INDIAN SIDEWLK PROJ	1,160.94
3/15/2010	201179	787.00		
			COTTONWD/PATTILYNN DR TRAF SIG	787.00
3/29/2010	201496	195.00		
			TRAF SIG-COTTONWD/PATTILYNN DR	195.00
Vendor Total		**2,382.00**		
FYTD for RICK ENGINEERING COMPANY		**2,882.00**		

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RICKERSON, KRISTAL					
	3/22/2010	201286	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RICKERSON, KRISTAL			**20.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	3/1/2010	200919	15,332.01		
				NPDES COST SHARING	15,332.01
	Vendor Total		**15,332.01**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**45,501.71**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	3/29/2010	201497	950.72		
				CDBG SVCS-ABUSE PRVNTN	514.17
				CDBG SVCS-ABUSE PRVNTN	436.55
	Vendor Total		**950.72**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**6,598.64**		
RIVERSIDE COMMUNITY COLLEGE DISTRICT					
	3/8/2010	201070	875.00		
				STAFF TRAINING-1/21/10	875.00
	Vendor Total		**875.00**		
FYTD for RIVERSIDE COMMUNITY COLLEGE DISTRICT			**52,784.41**		
RIVERSIDE COUNTY ASSESSOR					
	3/8/2010	201071	42.00		
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
	Vendor Total		**42.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**195.00**		
RIVERSIDE COUNTY CLERK					
	3/8/2010	201072	17.25		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	8.62
				ENVIRNMTL FEE-CACTUS AVE PROJ.	8.63
	3/15/2010	201180	2,074.25		
				ENVIRNMTL FEE-REDLANDS BL/SR60	2,074.25
	Vendor Total		**2,091.50**		
FYTD for RIVERSIDE COUNTY CLERK			**16,635.75**		

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RIVERSIDE COUNTY CLERK/RECORDER				
3/1/2010	200920	74.00		
			RECORDATION SVCS	74.00
Vendor Total		**74.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**2,128.30**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				
3/29/2010	201498	100.00		
			RABIES TEST-ANML SVCS	50.00
			RABIES TEST-ANML SVCS	50.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**1,450.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
3/1/2010	200921	1,789.70		
			RADIO SVCS-PD	1,789.70
3/22/2010	201287	274.41		
			RADIO SVCS-TECH SVCS	187.15
			RADIO SVCS-TECH SVCS	9.85
			RADIO SVCS-TECH SVCS	34.01
			VPN CONNECTION SVCS	43.40
3/29/2010	201499	231.01		
			RADIO SVCS-TELECOMM	187.15
			RADIO SVCS-TELECOMM	9.85
			RADIO SVCS-TELECOMM	34.01
Vendor Total		**2,295.12**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**18,972.13**		
RIVERSIDE COUNTY SHERIFF				
3/8/2010	201073	12,610.72		
			BOOKING FEES-PD	12,610.72
Vendor Total		**12,610.72**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,857,823.53**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
3/15/2010	201181	273.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
3/22/2010	201288	0.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	-91.00
Vendor Total		**273.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**9,035.00**		

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RIVERSIDE COUNTY SHERIFF COURT SERVICES					
	3/1/2010	200922	480.11		
				GARNISHMENT	76.77
				GARNISHMENT	403.34
	3/15/2010	201182	524.94		
				GARNISHMENT	122.14
				GARNISHMENT	402.80
	3/29/2010	201500	445.96		
				GARNISHMENT	148.83
				GARNISHMENT	297.13
	Vendor Total		**1,451.01**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**8,107.82**		
RIVERSIDE COUNTY SHERIFF MV					
	3/8/2010	201074	318.30		
				EXTRA DUTY-DUI CK POINT	318.30
	Vendor Total		**318.30**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**9,688.97**		
RLZ ENGINEERING					
	3/15/2010	880202	3,534.00		
				TEMP STAFFING SVCS-CAP PROJS	3,534.00
	Vendor Total		**3,534.00**		
FYTD for RLZ ENGINEERING			**124,229.25**		
ROBINSON, DEBBIE					
	3/1/2010	200923	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROBINSON, DEBBIE			**20.00**		
ROGERS, EUGENE					
	3/1/2010	200924	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,231.12**		
ROLLING RIDGE CLEANERS					
	3/29/2010	201501	40.53		
				REFUND-BUS LIC OVRPMT	40.53
	Vendor Total		**40.53**		
FYTD for ROLLING RIDGE CLEANERS			**40.53**		

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ROSS A GUY & SONS, INC					
	3/29/2010	201502	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for ROSS A GUY & SONS, INC			**57.00**		
ROSS, DAVID T.					
	3/1/2010	200925	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,868.57**		
ROSSON, LOUIS A.					
	3/1/2010	200926	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,469.71**		
RUSSO, JOHN					
	3/1/2010	200927	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,868.57**		
RYMAX ELECTRIC, INC.					
	3/15/2010	201183	2,677.00		
				INSTALL. OF PALM TREE LIGHTS	2,052.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
	3/22/2010	201289	914.12		
				LIGHT REPAIRS-E1	280.00
				LIGHT REPAIRS-E3	329.60
				LIGHT REPAIRS-E7	304.52
	Vendor Total		**3,591.12**		
FYTD for RYMAX ELECTRIC, INC.			**14,422.80**		
S & R BEAUTY SALON					
	3/29/2010	201503	24.00		
				REFUND-BUS LIC OVRPMT	24.00
	Vendor Total		**24.00**		
FYTD for S & R BEAUTY SALON			**24.00**		

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SA ASSOCIATES					
	3/1/2010	200928	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	3/22/2010	880231	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	Vendor Total		**20,250.00**		
FYTD for SA ASSOCIATES			**98,512.50**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	3/1/2010	200929	758.00		
				RECERTIFY CONTROL ROOMS	598.82
				RECERTIFY CONTROL ROOMS	159.18
	Vendor Total		**758.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**7,360.21**		
SAN BERNARDINO COUNTY SUPERINTENDENT*					
	3/15/2010	201184	140.00		
				2/3/10 ASES PRGM WORKSHP FOR 7	140.00
	Vendor Total		**140.00**		
FYTD for SAN BERNARDINO COUNTY SUPERINTENDENT*			**240.00**		
SANDERS, JANICE					
	3/22/2010	201290	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SANDERS, JANICE			**57.00**		
SANO ATTORNEY SERVICE					
	3/1/2010	200930	700.00		
				ASSET SEARCH FEE	350.00
				ASSET SEARCH FEE	350.00
	Vendor Total		**700.00**		
FYTD for SANO ATTORNEY SERVICE			**700.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	3/1/2010	200931	66.00		
				YTH BASKETBALL-REGIST	66.00
	3/1/2010	200932	396.00		
				YTH BASKETBALL-PMBF	396.00
	Vendor Total		**462.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**534.00**		

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SCOTT PLUMBING, INC					
	3/29/2010	201504	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for SCOTT PLUMBING, INC			**50.00**		
SCREENVISION DIRECT					
	3/1/2010	200933	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	3/29/2010	201505	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	Vendor Total		**2,656.00**		
FYTD for SCREENVISION DIRECT			**6,212.00**		
SECTRAN SECURITY, INC					
	3/1/2010	200934	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-UTILITY	154.50
	3/29/2010	201506	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-SPCL DIST	154.50
	Vendor Total		**927.00**		
FYTD for SECTRAN SECURITY, INC			**4,171.50**		
SEIU					
	3/15/2010	201185	180.50		
				REFUND-CRC DEP 1/30/10	180.50
	Vendor Total		**180.50**		
FYTD for SEIU			**180.50**		
SELLERS, WAYNE					
	3/22/2010	201291	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SELLERS, WAYNE			**50.00**		
SHAH, JAGDISH					
	3/15/2010	880203	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**164,760.00**		

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SHANNON, SAM					
	3/22/2010	201292	50.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**50.00**		
FYTD for SHANNON, SAM			**50.00**		
SHARRETT, SHARON K.					
	3/1/2010	200935	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,655.04**		
SHELDON, STUART H.					
	3/1/2010	200936	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,868.57**		
SHELL OIL CO.					
	3/8/2010	201076	56.93		
				FUEL PURCHASES	10.00
				FUEL PURCHASES	46.93
	3/29/2010	201507	1,353.66		
				FUEL PURCHASE-PW EQUIP	15.77
				FUEL PURCHASE-PD	41.53
				FUEL PURCHASES-PD MTRCYCLES	1,296.36
	Vendor Total		**1,410.59**		
FYTD for SHELL OIL CO.			**15,151.60**		
SHERIFF'S SPECIAL EVENTS					
	3/8/2010	201077	20.00		
				ANNUAL CEREMONY	20.00
	Vendor Total		**20.00**		
FYTD for SHERIFF'S SPECIAL EVENTS			**20.00**		
SHURTLEFF, JEANNETTE L.					
	3/29/2010	201508	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**2,470.00**		

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SIMON, SHERMAN					
	3/29/2010	201509	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for SIMON, SHERMAN			**225.00**		
SINGER & COFFIN, APC					
	3/8/2010	201078	440.00		
				LEGAL SVCS-SR60/NASON ST PROJ	330.00
				LEGAL SVCS-SR60/MOR BEACH PROJ	110.00
	3/15/2010	880204	2,712.50		
				LEGAL SVCS-SR60/NASON ST PROJ	1,792.50
				LEGAL SVCS-SR60/NASON ST PROJ	920.00
	3/22/2010	880232	12,705.00		
				LEGAL SVCS-SR60/NASON ST PROJ	4,537.80
				LEGAL SVCS-SR60/NASON ST PROJ	5,927.20
				LEGAL SVCS-SR60/NASON ST PROJ	2,240.00
	Vendor Total		**15,857.50**		
FYTD for SINGER & COFFIN, APC			**65,162.15**		
SINGLETON-DECUIR, JANISHEIA					
	3/22/2010	201293	85.50		
				MILEAGE REIMBURSEMENT	85.50
	Vendor Total		**85.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**386.85**		
SKONBERG, HEATHER ALLISON					
	3/1/2010	200938	2,500.00		
				CONSULTING SVCS-PERMITS PLUS	2,500.00
	3/29/2010	201510	1,000.00		
				CONSULTING SVCS	1,000.00
	Vendor Total		**3,500.00**		
FYTD for SKONBERG, HEATHER ALLISON			**5,300.00**		
SKY PUBLISHING					
	3/29/2010	201511	1,665.00		
				ADVERTISING SVCS-CRC	1,665.00
	Vendor Total		**1,665.00**		
FYTD for SKY PUBLISHING			**39,671.00**		
SKY TRAILS MOBILE VILLAGE					
	3/15/2010	201187	49.01		
				REFUND-UUT USER TAXES	24.53
				REFUND-UUT USER TAXES	24.48
	Vendor Total		**49.01**		
FYTD for SKY TRAILS MOBILE VILLAGE			**202.41**		

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SLAGERMAN, SUSAN A.					
	3/1/2010	200939	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,431.03**		
SLP COMMUNICATIONS					
	3/25/2010	201332	40.00		
				WOMEN OF DISTINC. LUNCHEON	40.00
	Vendor Total		**40.00**		
FYTD for SLP COMMUNICATIONS			**40.00**		
SMITH, MARIA A.					
	3/1/2010	200940	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,230.51**		
SMITH, PAUL					
	3/22/2010	201294	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SMITH, PAUL			**20.00**		
SMUS, PAULA					
	3/22/2010	201295	39.60		
				MILEAGE REIMBURSEMENT	39.60
	Vendor Total		**39.60**		
FYTD for SMUS, PAULA			**104.72**		
SNYDER, JIM					
	3/15/2010	201188	70.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**70.00**		
FYTD for SNYDER, JIM			**70.00**		

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SO. CALIF SCHOOL OF MUSIC					
	3/8/2010	201079	1,323.00		
				INSTRUCTOR SVCS-GUITAR	135.00
				INSTRUCTOR SVCS-GUITAR	297.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	135.00
	Vendor Total		**1,323.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**8,790.00**		
SOCO GROUP, INC					
	3/22/2010	201296	8,816.83		
				FUEL PURCHASE	4,895.90
				FUEL PURCHASE	3,920.93
	Vendor Total		**8,816.83**		
FYTD for SOCO GROUP, INC			**116,019.60**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	3/1/2010	200941	77.40		
				INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total		**77.40**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**412.80**		
SOLANO, ALEX					
	3/1/2010	200942	706.00		
				AUDIO VISUAL SVCS	706.00
	Vendor Total		**706.00**		
FYTD for SOLANO, ALEX			**706.00**		
SOLANO, NORMAN					
	3/1/2010	200943	10.00		
				REFUND-ANML LIC FEE	10.00
	Vendor Total		**10.00**		
FYTD for SOLANO, NORMAN			**10.00**		
SOLTIS AND COMPANY, INC.					
	3/29/2010	201512	31.12		
				REFUND-BUS LIC OVRPMT	31.12
	Vendor Total		**31.12**		
FYTD for SOLTIS AND COMPANY, INC.			**31.12**		

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SOSA, JORGE					
	3/22/2010	201297	336.00		
				INSTRUCTOR SVC-NINPO	120.00
				INSTRUCTOR SVC-KARATEDO	144.00
				INSTRUCTOR SVC-KARATEDO	72.00
	Vendor Total		**336.00**		
FYTD for SOSA, JORGE			**3,252.00**		
SOTO, TONY					
	3/22/2010	201298	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SOTO, TONY			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	3/1/2010	200945	18,231.28		
				ELECTRICITY	180.63
				ELECTRICITY	5,038.44
				ELECTRICITY	2,596.26
				ELECTRICITY	18.79
				ELECTRICITY	505.05
				ELECTRICITY	1,585.28
				ELECTRICITY	161.95
				ELECTRICITY	3,648.85
				ELECTRICITY	405.78
				ELECTRICITY	232.73
				ELECTRICITY	1,633.93
				ELECTRICITY	199.59
				ELECTRICITY	407.03
				ELECTRICITY	533.81
				ELECTRICITY	154.78
				ELECTRICITY	161.60
				ELECTRICITY	23.56
				ELECTRICITY	19.55
				ELECTRICITY	19.55
				ELECTRICITY	43.13
				ELECTRICITY	167.68
				ELECTRICITY	214.17
				ELECTRICITY	194.51
				ELECTRICITY	61.34
				ELECTRICITY	23.29
	3/1/2010	200946	10,447.31		
				WDAT CHRGS-SUBSTATION	10,447.31
	3/8/2010	201080	6,250.68		
				ELECTRICITY	65.42
				ELECTRICITY	146.28
				ELECTRICITY	1,009.81
				ELECTRICITY	1,749.81
				ELECTRICITY	118.90
				ELECTRICITY	330.80
				ELECTRICITY	746.47
				ELECTRICITY	139.83
				ELECTRICITY	351.19
				ELECTRICITY	21.62
				ELECTRICITY	1,155.87
				ELECTRICITY	161.28
				ELECTRICITY	143.65
				ELECTRICITY	65.01
				ELECTRICITY	44.74
	3/15/2010	201189	4,130.56		
				ELECTRICITY	41.09
				ELECTRICITY	41.32
				ELECTRICITY	912.35
				ELECTRICITY	744.70
				ELECTRICITY	825.04
				ELECTRICITY	454.58
				ELECTRICITY	490.21

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	494.58
			ELECTRICITY	62.41
			ELECTRICITY	64.28
3/15/2010	201190	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
3/22/2010	201299	1,099.13		
			ELECTRICITY-IFA CHARGES	1,099.13
3/29/2010	201514	353.60		
			ELECTRIC CHARGES	353.60
3/29/2010	201515	20,819.84		
			ELECTRICITY	175.70
			ELECTRICITY	5,487.42
			ELECTRICITY	2,492.70
			ELECTRICITY	18.79
			ELECTRICITY	481.21
			ELECTRICITY	1,820.07
			ELECTRICITY	849.28
			ELECTRICITY	162.76
			ELECTRICITY	4,837.11
			ELECTRICITY	411.01
			ELECTRICITY	354.68
			ELECTRICITY	1,828.20
			ELECTRICITY	234.51
			ELECTRICITY	422.23
			ELECTRICITY	513.57
			ELECTRICITY	132.50
			ELECTRICITY	149.54
			ELECTRICITY	278.53
			ELECTRICITY	25.40
			ELECTRICITY	48.01
			ELECTRICITY	28.77
			ELECTRICITY	43.21
			ELECTRICITY	24.64
	Vendor Total	**75,479.13**		

FYTD for SOUTHERN CALIFORNIA EDISON **6,274,167.02**

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SOUTHERN CALIFORNIA GAS CO.					
	3/22/2010	201301	10,815.57		
				GAS CHARGES	85.29
				GAS CHARGES	1,255.66
				GAS CHARGES	3,517.98
				GAS CHARGES	56.47
				GAS CHARGES	189.75
				GAS CHARGES	1,278.14
				GAS CHARGES	364.11
				GAS CHARGES	92.29
				GAS CHARGES	1,766.97
				GAS CHARGES	403.19
				GAS CHARGES	270.20
				GAS CHARGES	302.56
				GAS CHARGES	203.17
				GAS CHARGES	483.64
				GAS CHARGES	546.15
	Vendor Total		**10,815.57**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**254,659.11**		
SOUTHERN PET SUPPLIES					
	3/8/2010	201081	604.25		
				PET SUPPLIES-RESALE	587.30
				PET SUPPLIES-RESALE	16.95
	Vendor Total		**604.25**		
FYTD for SOUTHERN PET SUPPLIES			**1,516.95**		
SPARKLETTS					
	3/22/2010	201302	13.50		
				WATER SVC-EMRG OP	4.50
				WATER SVC-EMRG OP	4.50
				WATER SVC-SNNYMD ELEM	4.50
	Vendor Total		**13.50**		
FYTD for SPARKLETTS			**366.17**		
SPECK, GARY B.					
	3/1/2010	200947	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**2,868.57**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPECTRUM CARE					
	3/1/2010	200948	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	3/22/2010	880233	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**98,666.64**		
SPECTRUM FLORAL SERVICE					
	3/29/2010	201516	97.98		
				REFUND-BUS LIC OVRPMT	97.98
	Vendor Total		**97.98**		
FYTD for SPECTRUM FLORAL SERVICE			**97.98**		
SPENCER, MARTHA					
	3/1/2010	200949	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,026.23**		
SPORTS INNOVATORS					
	3/15/2010	201191	2,045.00		
				SPORTS OFFICIATING SVCS	2,045.00
	Vendor Total		**2,045.00**		
FYTD for SPORTS INNOVATORS			**22,420.00**		
SPRINT/NEXTEL					
	3/8/2010	201082	143.34		
				ACCT #417544340 -GTF	143.34
	Vendor Total		**143.34**		
FYTD for SPRINT/NEXTEL			**662.32**		
STANDARD INSURANCE CO					
	3/1/2010	200950	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
3/1/2010	200951	2,046.02		
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	276.00
			MONITORING SVCS-CITY YARD	627.00
			MONITORING SVCS-TRNSP TRLR	105.00
			MONITORING SVCS-SENIOR CTR	333.03
			MONITORING SVCS-SPCL DIST	105.00
			MONITORING SVCS-ANML SHLTR	22.52
			MONITORING SVCS-ANML SHLTR	227.47
3/8/2010	201083	166.85		
			MONITORING SVCS-PARKS	166.85
3/15/2010	880205	851.78		
			SECURITY SYSTEM MAINT-PSB	175.00
			SECURITY SYSTEM MAINT-PSB	676.78
3/22/2010	880234	175.00		
			MONITORING SVCS-LIBRARY	175.00
3/29/2010	880253	366.85		
			MONITORING SVCS-PARKS	200.00
			MONITORING SVCS-PARKS	166.85
Vendor Total		**3,606.50**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**24,070.62**		
STATE BOARD OF EQUALIZATION				
3/22/2010	22810	4,054.00		
			SALES & USE TAX 02/01-02/28/10	4,054.00
Vendor Total		**4,054.00**		
FYTD for STATE BOARD OF EQUALIZATION		**31,524.29**		
STATE DISBURSEMENT UNIT				
3/4/2010	2587	1,543.37		
			CHILD SUPPORT W/H 03/04/10	1,543.37
3/18/2010	2595	1,527.23		
			CHILD SUPPORT W/H 03/18/10	1,527.23
Vendor Total		**3,070.60**		
FYTD for STATE DISBURSEMENT UNIT		**35,467.94**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	3/1/2010	200952	3,262.00		
				FINGERPRINTING SVCS	64.00
				FINGERPRINTING SVCS	3,198.00
	3/8/2010	201084	3,472.00		
				FINGERPRINTING SVCS	160.00
				BLOOD ALCHL ANLYS-PD	1,680.00
				BLOOD ALCHL ANLYS-PD	875.00
				BLOOD ALCHL ANLYS-PD	105.00
				FINGERPRINTING SVCS	556.00
				FINGERPRINTING SVCS	96.00
	3/22/2010	201303	2,035.00		
				FINGERPRINTINS SVCS	51.00
				FINGERPRINTINS SVCS	32.00
				FINGERPRINTING SVCS-BL	256.00
				FINGERPRINTING SVCS-EMRG OP	32.00
				FINGERPRINTING SVCS-STARS	1,664.00
	Vendor Total		**8,769.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**45,973.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	3/15/2010	201193	195.83		
				MV UTILITY REFUND	189.56
				MV UTILITY REFUND	6.27
	Vendor Total		**195.83**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**1,078.74**		
STEFFANI, RICHARD					
	3/1/2010	200953	477.00		
				REFUND-ADLT SOFTBALL FEE	477.00
	Vendor Total		**477.00**		
FYTD for STEFFANI, RICHARD			**477.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN					
	3/22/2010	201304	2,163.52		
				TRANSCRIPTION SVCS-PD	2,163.52
	Vendor Total		**2,163.52**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN			**29,480.00**		
STERICYCLE (BFI)					
	3/8/2010	201085	442.16		
				MED WASTE HAULING SVC	442.16
	3/29/2010	880254	442.26		
				MED WASTE HAULING SVCS	442.26
	Vendor Total		**884.42**		
FYTD for STERICYCLE (BFI)			**3,980.30**		

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STEVE'S VALLEY NURSERY					
	3/15/2010	201194	117.45		
				SEEDTOPPER FOR PLANTS	117.45
	Vendor Total		**117.45**		
FYTD for STEVE'S VALLEY NURSERY			**117.45**		
STEWART, CLIFFORD					
	3/1/2010	200954	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,745.72**		
STRADLING, YOCCA, CARLSON & RAUTH					
	3/8/2010	201086	867.16		
				LEGAL SERVICES-RDA	400.00
				LEGAL SERVICES-CDBGR	467.16
	3/22/2010	201305	6,758.00		
				LEGAL SVCS-NSP	2,676.83
				LEGAL SVCS-EDD	75.00
				LEGAL SVCS-EDD	2,075.06
				LEGAL SVCS-EDD	150.00
				LEGAL SVCS-EDD	275.00
				LEGAL SVCS-EDD	475.00
				LEGAL SVCS-RISK MGT	53.00
				LEGAL SVCS-EDD	292.94
				LEGAL SVCS-EDD	685.17
	3/29/2010	201517	251.23		
				LEGAL SVCS-EDD	251.23
	Vendor Total		**7,876.39**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,329.78**		
STREICH, TERRY L.					
	3/1/2010	200955	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**549.98**		
STRICKLER ASSOCIATION, THE					
	3/15/2010	201195	4,485.00		
				HOUSING PRGM CONSULTING SVCS	4,485.00
	Vendor Total		**4,485.00**		
FYTD for STRICKLER ASSOCIATION, THE			**30,875.00**		

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STRICKLER II, JOHN W.					
	3/1/2010	200956	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,231.12**		
STROM, BONNIE					
	3/8/2010	201087	1,156.80		
				RETIREE MEDICAL BENEFIT	1,156.80
	Vendor Total		**1,156.80**		
FYTD for STROM, BONNIE			**1,156.80**		
STROM, QUENTIN K.					
	3/1/2010	200957	0.00		
				RETIREE MEDICAL BENEFIT	1,156.80
				RETIREE MEDICAL BENEFIT	-1,156.80
	Vendor Total		**0.00**		
FYTD for STROM, QUENTIN K.			**0.00**		
STRUCTURAL TERMITE PEST CONTROL, INC					
	3/29/2010	201518	24.82		
				REFUND-BUS LIC OVRPMT	24.82
	Vendor Total		**24.82**		
FYTD for STRUCTURAL TERMITE PEST CONTROL, INC			**24.82**		
STUCKEY, HARRIETTE					
	3/1/2010	200958	84.00		
				INSTRUCTOR SVCS-LINE DANCING	84.00
	3/22/2010	201306	117.60		
				INSTRUCTOR SVC-LINE DANCING	117.60
	Vendor Total		**201.60**		
FYTD for STUCKEY, HARRIETTE			**894.60**		
SUBWAY SANDWICH & SALAD					
	3/29/2010	201519	98.86		
				REFUND-BUS LIC OVRPMT	98.86
	Vendor Total		**98.86**		
FYTD for SUBWAY SANDWICH & SALAD			**98.86**		

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SUNNYMEAD ACE HARDWARE					
	3/1/2010	200959	9.32		
				MISC SUPPLIES-FIRE	9.32
	3/15/2010	201196	167.48		
				MISC SUPPLIES-PD	13.02
				MISC SUPPLIES-PD	10.82
				MISC SUPPLIES-PD	26.51
				MISC SUPPLIES-PD	117.13
	3/29/2010	201520	10.65		
				MISC SUPPLIES-FIRE	10.65
	Vendor Total		**187.45**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,061.84**		
SUNNYMEAD VETERINARY CLINIC					
	3/29/2010	201521	495.00		
				EMERG VET SVCS-ANML SHLTR	495.00
	Vendor Total		**495.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**4,076.00**		
T V PLUS +					
	3/29/2010	201522	37.56		
				REFUND-BUS LIC OVRPMT	37.56
	Vendor Total		**37.56**		
FYTD for T V PLUS +			**37.56**		
T.Y. LIN INTERNATIONAL					
	3/8/2010	201088	19,548.08		
				GRAHAM ST OVRCRSSNG/SR-60 PROJ	19,548.08
	Vendor Total		**19,548.08**		
FYTD for T.Y. LIN INTERNATIONAL			**60,530.79**		
TAITT, PATRICIA					
	3/22/2010	201307	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for TAITT, PATRICIA			**97.60**		

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THERMAL-COOL INC.					
	3/1/2010	200961	3,342.64		
				HVAC REPAIRS-FIRE ADMIN AT PSB	1,110.64
				HVAC CONTROLS CONVERTED TO CCN	2,232.00
	3/22/2010	201308	1,810.75		
				HVAC REPAIRS-CITY HALL	279.75
				HVAC REPAIRS-CITY HALL	105.00
				HVAC REPAIRS-PUB SFTY BLDG	1,426.00
	Vendor Total		**5,153.39**		
FYTD for THERMAL-COOL INC.			**18,548.36**		
THRIFTY OIL CO. ECONOMY 348					
	3/29/2010	201524	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for THRIFTY OIL CO. ECONOMY 348			**71.85**		
T-LAND					
	3/29/2010	201523	21.41		
				REFUND-BUS LIC OVRPMT	21.41
	Vendor Total		**21.41**		
FYTD for T-LAND			**21.41**		
TOVEY/SHULTZ CONSTRUCTION, INC.					
	3/29/2010	201525	63.00		
				REFUND-BUS LIC OVRPMT	63.00
	Vendor Total		**63.00**		
FYTD for TOVEY/SHULTZ CONSTRUCTION, INC.			**63.00**		
TRICHE, TARA					
	3/22/2010	201310	1,842.60		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	843.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	133.20
				INSTRUCTOR SVCS-HIP HOP DANCE	333.00
				INSTRUCTOR SVCS-HIP HOP DANCE	44.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,842.60**		
FYTD for TRICHE, TARA			**17,360.40**		

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TRI-CITY LINEN SUPPLY, INC.					
	3/1/2010	200962	25.50		
				LINEN RENTAL	25.50
	3/8/2010	201089	143.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL	36.00
				LINEN RENTAL	57.00
	3/15/2010	201197	25.00		
				LINEN RENTAL-CRC	25.00
	3/22/2010	201309	25.00		
				LINEN RENTAL-CRC	25.00
	3/29/2010	201526	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**243.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,593.20**		
TRI-STATE HOME IMPROVEMENTS, INC					
	3/29/2010	201527	520.00		
				REFUND-BUS LIC OVRPMT	520.00
	Vendor Total		**520.00**		
FYTD for TRI-STATE HOME IMPROVEMENTS, INC			**520.00**		
TROPICAL PLAZA NURSERY, INC.					
	3/15/2010	201198	18,512.56		
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
				IRRIG REPAIRS-ZONE E-2	595.11
	3/29/2010	201528	900.00		
				LNDSCP WORK-HIDDEN SPRINGS	900.00
	Vendor Total		**19,412.56**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**164,338.07**		
TRUGREEN LANDCARE					
	3/8/2010	201090	4,500.00		
				TRIM 100 PALM TREES-SUNNYMD BL	4,500.00
	3/29/2010	201529	3,160.00		
				REMOVAL OF PALM TREE & STUMPS	550.00
				TREES TRIMMED-VISTA LOMAS PARK	590.00
				TREES TRIMMED-SUNNYMD FIRE STN	1,500.00
				TREES TRIMMED-SUNNYMD FIRE STN	520.00
	Vendor Total		**7,660.00**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRUJILLO, PETER / JUDY					
	3/15/2010	201199	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TRUJILLO, PETER / JUDY			**20.00**		
TUNTLAND, JAMES					
	3/1/2010	200964	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,745.72**		
TYLER, MATTIE					
	3/29/2010	201530	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for TYLER, MATTIE			**30.00**		
U S SECURITY ASSOCIATE					
	3/29/2010	201531	34.57		
				REFUND-BUS LIC OVRPMT	34.57
	Vendor Total		**34.57**		
FYTD for U S SECURITY ASSOCIATE			**34.57**		
U.S. HEALTHWORKS MEDICAL GROUP					
	3/1/2010	200965	37.00		
				EMPLOYEE DOT/DMV EXAM	37.00
	Vendor Total		**37.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,920.00**		
UNDERGROUND SERVICE ALERT					
	3/22/2010	201312	466.50		
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
	Vendor Total		**466.50**		
FYTD for UNDERGROUND SERVICE ALERT			**6,144.00**		

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UNION BANK OF CALIFORNIA				
3/1/2010	200966	976.34		
			INVESTMENT SAFEKEEPING SVCS	291.67
			INVESTMENT SAFEKEEPING SVCS	393.00
			INVESTMENT SAFEKEEPING SVCS	291.67
3/2/2010	91404	3,438.22		
			RETENTION PMT-PROJ 04-89280221	3,438.22
3/22/2010	201313	170.00		
			MONTHLY LOC TRANSFER FEES	170.00
3/22/2010	201314	510.00		
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
3/23/2010	1003171	6,802.24		
			RETENTION PMT-SUNNYMD BLVD PRJ	6,802.24
	Vendor Total	**11,896.80**		
FYTD for UNION BANK OF CALIFORNIA		**287,073.49**		
UNITED POWER GENERATION, INC.				
3/1/2010	200968	1,352.63		
			EMERG GENERATOR RPRS-FS#65	738.50
			EMERG GENERATOR RPRS-FS#2	273.83
			EMERG GENERATOR MAINT-FS #91	261.70
			EMERG GENERATOR MAINT-FS #91	78.60
3/22/2010	201315	4,489.00		
			FIRE ST #91 GENERATOR REPAIRS	4,489.00
	Vendor Total	**5,841.63**		
FYTD for UNITED POWER GENERATION, INC.		**17,745.66**		
UNITED SITE SERVICES OF CA, INC.				
3/15/2010	880206	184.72		
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**184.72**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**9,010.13**		
UNITED STATES TREASURY				
3/1/2010	200969	50.00		
			PAYROLL DED AGREEMENT	50.00
3/15/2010	201200	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
3/29/2010	201532	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**150.00**		
FYTD for UNITED STATES TREASURY		**5,470.00**		

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UNITED WAY OF INLAND VALLEYS					
	3/1/2010	200970	637.18		
				UNITED WAY CONTRIBUTIONS	10.00
				UNITED WAY CONTRIBUTIONS	-10.00
				UNITED WAY CONTRIBUTIONS	10.00
				UNITED WAY CONTRIBUTIONS	627.18
	3/15/2010	201201	627.18		
				UNITED WAY CONTRIBUTIONS	627.18
	3/29/2010	201533	627.18		
				UNITED WAY CONTRIBUTIONS	627.18
	Vendor Total		**1,891.54**		
FYTD for UNITED WAY OF INLAND VALLEYS			**16,909.54**		
USA MOBILITY/ARCH WIRELESS					
	3/15/2010	880207	79.52		
				PAGER SVC-PARK RANGERS	2.03
				PAGER SVC-TRANSP DIV	5.08
				PAGER SVC-CITZ PATROL VOLNTRS.	33.53
				PAGER SVC-ANIMAL SVCS	38.88
	Vendor Total		**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS			**729.68**		
VACATE PEST ELIMINATION COMPANY					
	3/15/2010	880208	1,205.00		
				PEST CNTRL-MV UTILITY FLD OFFC	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE C.C.	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-PUB SFTY BLDG	75.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-TRANSP TRLR	45.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG #1	55.00
				PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
				PEST CNTRL-ASES/STARS BLDG	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
	Vendor Total		**1,205.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**13,480.00**		

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VAL VERDE UNIFIED SCHOOL DISTRICT					
	3/8/2010	201091	25.00		
				STUDENT/MONTH LUNCHEON	25.00
	3/22/2010	201316	483.00		
				REFUND-RNTL DEP	483.00
	Vendor Total		**508.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT			**10,785.53**		
VALI COOPER & ASSOCIATES, INC.					
	3/22/2010	880236	8,820.00		
				TEMP STAFFING SVCS-CAP PROJS	8,820.00
	Vendor Total		**8,820.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**129,397.50**		
VALLEY CITIES GONZALES FENCE CO					
	3/29/2010	201534	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for VALLEY CITIES GONZALES FENCE CO			**25.00**		
VAS ASSOCIATES, INC.					
	3/15/2010	880209	16,560.00		
				TEMP STAFFING SVCS-CAP PROJS	16,560.00
	Vendor Total		**16,560.00**		
FYTD for VAS ASSOCIATES, INC.			**164,205.00**		
VASQUEZ, BRENDA					
	3/8/2010	201092	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VASQUEZ, BRENDA			**20.00**		
VAUGHAN, ELENE					
	3/15/2010	201202	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for VAUGHAN, ELENE			**75.00**		
VCI TELCOM, INC					
	3/29/2010	201535	3,081.03		
				RETENTION RLS-CAMPUS COMM PROJ	2,997.40
				RETENTION RLS-CAMPUS COMM PROJ	83.63
	Vendor Total		**3,081.03**		
FYTD for VCI TELCOM, INC			**30,810.25**		

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VERITEXT LOS ANGELES REPORTING CO.					
	3/22/2010	201318	1,537.45		
				LEGAL SVCS	920.15
				LEGAL SVCS	237.50
				LEGAL SVCS	379.80
	Vendor Total		**1,537.45**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**3,978.15**		
VERIZON					
	3/22/2010	201319	1,700.96		
				COMMUNICATION CHRGS-BACKBONE	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**15,131.89**		

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VERIZON CALIFORNIA					
	3/1/2010	200971	616.53		
				TELEPHONE CHRGS	616.53
	3/15/2010	201204	9,910.91		
				TELEPHONE CHRGS	263.88
				TELEPHONE CHRGS	198.97
				TELEPHONE CHRGS	398.10
				TELEPHONE CHRGS	477.80
				TELEPHONE CHRGS	241.13
				TELEPHONE CHRGS	169.44
				TELEPHONE CHRGS	255.07
				TELEPHONE CHRGS	206.93
				TELEPHONE CHRGS	78.90
				TELEPHONE CHRGS	255.74
				TELEPHONE CHRGS	178.98
				TELEPHONE CHRGS	429.63
				TELEPHONE CHRGS	151.23
				TELEPHONE CHRGS	492.78
				TELEPHONE CHRGS	310.09
				TELEPHONE CHRGS	173.29
				TELEPHONE CHRGS	64.20
				TELEPHONE CHRGS	387.95
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	126.83
				TELEPHONE CHRGS	202.00
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	23.44
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	146.00
				TELEPHONE CHRGS	98.43
				TELEPHONE CHRGS	58.07
				TELEPHONE CHRGS	56.78
				TELEPHONE CHRGS	175.55
				TELEPHONE CHRGS	73.26
				TELEPHONE CHRGS	22.84
				TELEPHONE CHRGS	165.80
				TELEPHONE CHRGS	328.43
				TELEPHONE CHRGS	3,508.76
	3/29/2010	201536	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,145.69**		
FYTD for VERIZON CALIFORNIA			**89,056.33**		

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VICTOR MEDICAL CO					
	3/1/2010	200972	1,273.25		
				ANIMAL MEDICAL SUPPLIES	1,273.25
	3/29/2010	201537	1,405.05		
				ANIMAL MEDICAL SUPPLIES	1,405.05
	Vendor Total		**2,678.30**		
FYTD for VICTOR MEDICAL CO			**12,577.05**		
VIGIL, ERNEST					
	3/1/2010	200973	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,868.57**		
VILLALOBOS, LUIS & MARIA					
	3/29/2010	201538	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for VILLALOBOS, LUIS & MARIA			**50.00**		
VISION SERVICE PLAN					
	3/8/2010	201093	4,267.32		
				EMPLOYEE VISION INSURANCE	4,267.32
	Vendor Total		**4,267.32**		
FYTD for VISION SERVICE PLAN			**39,879.96**		
VISTA PAINT CORPORATION					
	3/1/2010	200974	263.53		
				PAINT FOR PARKS	102.51
				PAINT FOR PARKS GRAFFITI	58.51
				PAINT FOR PARKS GRAFFITI	102.51
	3/22/2010	201320	725.20		
				PAINT FOR PARKS	205.02
				PAINT/SUPPL FOR GRAFFITI RMVL	469.84
				PAINT/SUPPL FOR GRAFFITI RMVL	50.34
	Vendor Total		**988.73**		
FYTD for VISTA PAINT CORPORATION			**10,939.99**		
VOGT, CHRIS					
	3/15/2010	201205	224.00		
				PER DIEM-LCC PW OFFICERS TRNG	224.00
	Vendor Total		**224.00**		
FYTD for VOGT, CHRIS			**494.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
3/22/2010	201321	616.79		
			RENTAL ASSIST SVCS-ADMIN FEES	466.79
			RENTAL ARREARS SVCS-ADMIN FEES	150.00
	Vendor Total	**616.79**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**65,282.23**		
VULCAN MATERIALS CO, INC.				
3/15/2010	201206	1,418.39		
			ASPHALTIC MATERIAL PICK UP	159.41
			ASPHALTIC MATERIAL PICK UP	127.24
			ASPHALTIC MATERIAL PICK UP	190.94
			ASPHALTIC MATERIAL PICK UP	95.70
			ASPHALTIC MATERIAL PICK UP	845.10
	Vendor Total	**1,418.39**		
FYTD for VULCAN MATERIALS CO, INC.		**94,325.57**		
W.R.G. INSPECTIONS				
3/29/2010	201539	4,940.00		
			SUNNYMD BLVD REVIT PROJ SVCS	4,940.00
	Vendor Total	**4,940.00**		
FYTD for W.R.G. INSPECTIONS		**4,940.00**		
WAGGONER JR., GLENN C.				
3/1/2010	200975	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for WAGGONER JR., GLENN C.		**2,868.57**		
WAGNER, GARY D.				
3/1/2010	200976	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for WAGNER, GARY D.		**2,859.15**		
WAGONER, ROBERT				
3/1/2010	200977	348.20		
			RETIREE MEDICAL BENEFIT	348.20
	Vendor Total	**348.20**		
FYTD for WAGONER, ROBERT		**1,724.80**		
WASSON, KIRK				
3/22/2010	880237	418.00		
			INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total	**418.00**		
FYTD for WASSON, KIRK		**1,558.00**		

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WASTE MANAGEMENT OF THE INLAND EMPIRE					
	3/22/2010	201322	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**12,095.20**		
WAYNE PERRY CONSTRUCTION					
	3/29/2010	201540	40.90		
				REFUND-BUS LIC OVRPMT	40.90
	Vendor Total		**40.90**		
FYTD for WAYNE PERRY CONSTRUCTION			**40.90**		
WELLS FARGO CORPORATE TRUST					
	3/2/2010	91401	951.63		
				INTEREST VARIABLE RATE BOND	951.63
	Vendor Total		**951.63**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,626,661.22**		
WEST COAST ARBORISTS, INC.					
	3/15/2010	201208	765.00		
				TRIMMING OF PALM TREES	765.00
	Vendor Total		**765.00**		
FYTD for WEST COAST ARBORISTS, INC.			**765.00**		
WEST GOVERNMENT SERVICES					
	3/1/2010	200978	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	3/15/2010	201209	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**1,000.00**		
FYTD for WEST GOVERNMENT SERVICES			**4,000.00**		
WEST GROUP					
	3/22/2010	880238	628.95		
				ONLINE CHRGS-LEGAL INFO	184.12
				LEGAL PUBLICATIONS SUBSRCPTNS	444.83
	Vendor Total		**628.95**		
FYTD for WEST GROUP			**6,892.49**		
WESTERN ELEVATOR, INC					
	3/29/2010	201541	29.09		
				REFUND-BUS LIC OVRPMT	29.09
	Vendor Total		**29.09**		
FYTD for WESTERN ELEVATOR, INC			**29.09**		

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WESTERN FIRE CO., INC					
	3/29/2010	201542	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for WESTERN FIRE CO., INC			**33.50**		
WESTERN INSULATIONS, LP					
	3/29/2010	201543	23.26		
				REFUND-BUS LIC OVRPMT	23.26
	Vendor Total		**23.26**		
FYTD for WESTERN INSULATIONS, LP			**23.26**		
WESTERN MUNICIPAL WATER DISTRICT					
	3/22/2010	201323	55.30		
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**55.30**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,652.23**		
WHEELER PAVING, INC.					
	3/1/2010	200979	20,928.87		
				LASSELLE ST WIDENING PROJ SVCS	2,407.72
				LASSELLE ST WIDENING PROJ SVCS	18,521.15
	Vendor Total		**20,928.87**		
FYTD for WHEELER PAVING, INC.			**1,537,747.52**		
WHIPPLE, LEWIS & LINDA					
	3/22/2010	201324	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**95.00**		
WIELIN, RONALD A.					
	3/1/2010	200980	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,868.57**		
WILLDAN AND ASSOCIATES					
	3/8/2010	201094	1,282.50		
				EASTRIDGE EIR REVIEW SVCS	1,282.50
	3/22/2010	201325	5,713.31		
				PLAN CHECK SVCS	5,713.31
	Vendor Total		**6,995.81**		
FYTD for WILLDAN AND ASSOCIATES			**223,655.55**		

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WILLDAN FINANCIAL SERVICES					
	3/1/2010	200981	1,250.00		
				ANNUAL DISCLOSURE SVCS	1,250.00
	3/15/2010	201210	2,500.00		
				ANNUAL DISCLOSURE SVCS-07 TABS	2,500.00
	3/29/2010	201544	30.77		
				REFUND-BUS LIC OVRPMT	30.77
	Vendor Total		**3,780.77**		
FYTD for WILLDAN FINANCIAL SERVICES			**8,125.77**		
WILLHITE INSURANCE AGENCY, INC					
	3/29/2010	201545	42.84		
				REFUND-BUS LIC OVRPMT	42.84
	Vendor Total		**42.84**		
FYTD for WILLHITE INSURANCE AGENCY, INC			**42.84**		
WILLIAMS, COURTNEY					
	3/22/2010	201326	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**456.00**		
WILLIAMS, ERICA & ARIAZ, ANDREW					
	3/1/2010	200982	26.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	6.00
	Vendor Total		**26.00**		
FYTD for WILLIAMS, ERICA & ARIAZ, ANDREW			**26.00**		
WILLIAMS, JANE L.					
	3/1/2010	200983	244.76		
				RETIREE MEDICAL BENEFIT	244.76
	Vendor Total		**244.76**		
FYTD for WILLIAMS, JANE L.			**1,099.24**		
WILLOUGHBY, LORIA					
	3/1/2010	200984	27.00		
				MILEAGE REIMBURSEMENT	27.00
	3/29/2010	201546	63.00		
				MILEAGE REIMBURSEMENT	63.00
	Vendor Total		**90.00**		
FYTD for WILLOUGHBY, LORIA			**370.50**		

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WINCHESTER ASSOCIATES, INC					
	3/29/2010	201547	45.27		
				REFUND-BUS LIC OVRPMT	45.27
	Vendor Total		**45.27**		
FYTD for WINCHESTER ASSOCIATES, INC			**45.27**		
WINE WAREHOUSE					
	3/29/2010	201548	23.43		
				REFUND-BUS LIC OVRPMT	23.43
	Vendor Total		**23.43**		
FYTD for WINE WAREHOUSE			**23.43**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/22/2010	201327	14,960.00		
				TEMP STAFFING SVCS-CAP PROJS	14,960.00
	3/29/2010	201549	2,831.36		
				IRONWOOD AVE-PERRIS TO NASON	2,831.36
	Vendor Total		**17,791.36**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
WOODWARD, BRYAN					
	3/1/2010	200986	360.00		
				INSTRUCTOR SVCS-DOG TRNG CLASS	360.00
	Vendor Total		**360.00**		
FYTD for WOODWARD, BRYAN			**660.00**		
WRCRCA					
	3/22/2010	201328	13,566.00		
				RESIDENTIAL FEES CLLCTD	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**199,222.00**		

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WURM'S JANITORIAL SERVICES, INC.					
	3/1/2010	200987	3,976.88		
				CLEAN CARPET/UPHOLSTERY-FS#2	379.40
				CLEAN CARPET/UPHOLSTERY-FS#6	687.89
				CLEAN CARPET/UPHOLSTERY-FS#48	336.88
				CLEAN CARPET/UPHOLSTERY-FS#58	195.50
				CLEAN CARPET/UPHOLSTERY-FS#65	336.88
				CLEAN CARPET/UPHOLSTERY-FS#91	435.33
				JANITORIAL SVCS-ANIMAL SHELTER	200.00
				JANITORIAL SVCS-CONF & REC CTR	805.00
				JANITORIAL SVCS-TOWNGATE C.C.	600.00
	3/15/2010	880210	130.00		
				SPCL CLEANING SVCS-SR CTR	130.00
	3/17/2010	880212	1,153.44		
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-EMP RES CTR	348.96
	3/22/2010	880239	22,485.05		
				JANITORIAL SVCS-TOWNGATE C.C.	360.00
				JANITORIAL SVCS-CONF & REC CTR	1,120.00
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FAC ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	3/29/2010	880256	1,345.70		
				JANITORIAL SVCS-SENIOR CTR	390.00
				JANITORIAL SVCS-MARCH FLD PARK	955.70
	Vendor Total		**29,091.07**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**231,974.08**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	3/1/2010	200988	2,718.74		
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	993.56
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	929.60
	3/15/2010	201211	953.73		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	3/22/2010	201329	1,486.48		
				COPIER RNTL/MAINT/EXC PRNTS-PD	23.15
				COPIER RNTL/MAINT/EXC PRNTS-PD	117.20
				COPIER RNTL/MAINT-STARS	107.00
				COPIER EXC PRINTS CHRG-STARS	1,028.83
				COPIER RNTL/MAINT/EXC PRNTS-PD	210.30
	3/29/2010	201550	2,171.40		
				COPIER RNTL/MAINT/PRNTS-PARKS	681.66
				COPIER RNTL/MAINT/PRNTS-PARKS	307.65
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,182.09
	Vendor Total		**7,330.35**		
FYTD for XEROX			**53,191.04**		
YAMASHITA, JULIA J.					
	3/1/2010	200989	289.60		
				RETIREE MEDICAL BENEFIT	289.60
	Vendor Total		**289.60**		
FYTD for YAMASHITA, JULIA J.			**1,503.70**		
YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME					
	3/22/2010	201330	525.00		
				ADVERTISING SVCS	262.50
				ADVERTISING SVCS	262.50
	Vendor Total		**525.00**		
FYTD for YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME			**1,035.00**		
ZEISER KLING CONSULTANTS, INC.					
	3/8/2010	201095	11,076.25		
				TRAF SIG AT SR60/REDLANDS BLVD	2,637.25
				TRAF SIG AT SR60/REDLANDS BLVD	5,504.75
				TRAF SIG AT SR60/REDLANDS BLVD	2,934.25
	Vendor Total		**11,076.25**		
FYTD for ZEISER KLING CONSULTANTS, INC.			**11,076.25**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	3/1/2010	200990	2,865.80		
				SIGNS/HARDWARE FOR TRANSP DIV.	445.02
				SIGNS FOR TRANSP DIV.	2,163.04
				SIGNS/HARDWARE-BICYCLE LN PROJ	257.74
	Vendor Total		**2,865.80**		
FYTD for ZUMAR INDUSTRIES, INC.			**30,127.42**		
	Subtotal		**1,727,292.20**		
	GRAND TOTAL		**67,977,881.05**		

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MV00057854

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Approval of Amendment No.1 to Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Authorize the Mayor to execute Amendment No. 1 to Agreement;

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement; and

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

A TMDL is the amount of a specific pollutant that can be assimilated by a particular water body without causing impairment to its designated uses, i.e., swimming, fishing, municipal water supply, etc. If a water body cannot assimilate the specific pollutant the

water body is determined "impaired" under the federal Clean Water Act. States are required to identify their impaired water bodies, determine the specific pollutant(s) causing impairment and prepare a TMDL. In the 1990's, the Santa Ana Regional Water Quality Control Board (Board) complied with the Clean Water Act and identified Lake Elsinore and Canyon Lake as water bodies impaired by two nutrients, nitrogen and phosphorous as well as other pollutants.

In 2000, the Board identified the federal, State and local agencies as well as the special districts and private parties, collectively "Stakeholders" that directly or indirectly discharge nutrients to Canyon Lake and Lake Elsinore. Moreno Valley was named a Stakeholder. At that time, the Board organized a TMDL Stakeholder Workgroup in which the city was an active participant. Subsequently, the Board prepared a nutrient TMDL report and implementation plan.

On December 20, 2004, the Board adopted Resolution No. R8-2004-0037 incorporating the nutrient TMDL into the Santa Ana River Basin (Basin Plan). On May 19, 2005, the TMDL was approved by the State Water Resources Control Board per Resolution No. 2005-0038 and by the California Office of Administrative Law on July 26, 2005. On September 30, 2005, the United States Environmental Protection Agency (USEPA) Region IX approved the nutrient TMDL. The nutrient TMDL became law based upon the California Water Code and is now enforceable by the State and USEPA.

On January 30, 2006, the Board sent letters to the Stakeholders setting forth a requirement under the California Water Code Section 13267 for each to submit technical reports, plans and schedules for the implementation of the TMDL. On February 16, 2006, the Riverside County Flood Control and Water Conservation District (FCD) staff briefed the City Managers of the affected cities regarding the proposed task force and to review each city's cost share if they joined the task force. On February 21, 2006, staff updated City Council on the TMDL progress. Staff presented the concept of participating in TMDL Task Force as a way for Moreno Valley to comply with the State and federal TMDL mandate.

On July 11, 2006, the City Council agreed the city should participate in the TMDL Task Force and authorized the Mayor to execute the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. The agreement is set to terminate on June 30, 2010, unless extended by mutual agreement of the Task Force Agencies.

DISCUSSION

Amendment No. 1 to Agreement (Attachment No. 1) has been transmitted to the Task Force Agencies for consideration of continued participation in the Task Force for one additional year ending June 30, 2011. This allows the Task Force sufficient time to complete a pollutant modeling analysis for Stakeholder pollutant allocations. Additionally, two new cities, Wildomar and Menifee, incorporated after execution of the Agreement and have requested to be agencies of the Task Force.

Continuing participation in the Task Force provides the city access to additional professional and fiscal resources for the specific purpose to address common TMDL tasks identified in Recital "D" of the executed Agreement (Attachment No. 2). The TMDL Task Force includes two federal agencies, one Joint Powers Authority, two State agencies, the County of Riverside, eleven cities, three special districts, and one agricultural coalition representing farming interests and dairy interests. The Lake Elsinore San Jacinto Watershed Authority is the Task Force Administrator.

The benefits of continued participation in the TMDL Task Force include;

- Having oversight of the Administrator and other water quality professionals hired to manage the various contracts necessary for common TMDL tasks that benefit Moreno Valley;
- Performance goals to ensure the Stakeholders remain in compliance by producing various reports, schedules, and plans by the mandated deadlines that are common to all;
- A greater voice to advocate the city's position to water quality issues affecting the watershed, and;
- Sharing costs for common tasks is sound fiscal management.

ALTERNATIVES

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff recommends this alternative. Alternative One provides Moreno Valley the opportunity to continue to benefit from a pool of resources to address common TMDL tasks thus reduce overall costs and take credit for in-kind services provided by the FCD.

2. Do not approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff does not recommend this alternative. The city must perform the tasks outlined in the TMDL as addressed in the 13267 letter and as now identified in the 2010 NPDES Permit of which the city is a co-permittee. Undertaking the tasks as an individual stakeholder will substantially increase the city's cost of TMDL compliance.

FISCAL IMPACT

Moreno Valley utilizes the General Fund to cover TMDL costs. County Service Area (CSA) 152 could be expanded to address TMDLs. A city-wide mail ballot proceeding would be necessary should City Council wish to increase the CSA 152 levy to address TMDLs. The NPDES Regulatory Rates for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development do not address TMDLs. The Regulatory Rate Schedules could be reviewed and amended to address TMDL costs associated with new development.

Alternative One

Moreno Valley's share as a member of the TMDL Task Force is approximately $65,000 for FY 2010/2011. As a member, Moreno Valley will continue to benefit from shared costs as well as in-kind services provided by the FCD for watershed-wide water sampling mandated as part of the 2010 National Pollutant Discharge Elimination System (NPDES) Permit.

Additionally, grant monies are available for water quality projects. The TMDL Task Force Administrator has available staff to seek grants. The Administrator will apply for grants as they become available which could further reduce the Stakeholders' compliance costs.

Alternative Two

As an individual stakeholder performing the required tasks separately from the TMDL Task Force, Moreno Valley's costs are estimated to be $605,000 FY 2010/2011 per the recent budget approved by the Task Force. Moreno Valley would be required to perform the same mandated tasks as the TMDL Task Force but as a separate stakeholder. The $605,000 does not include the costs for additional city Storm Water Management Program staff or consultants to perform the mandated tasks. Additional fund transfers would be necessary for FY 2010/2011 by approving this alternative.

Following Fiscal Years

At this time, it is not known what Moreno Valley's costs will be in subsequent fiscal years. Compliance with the TMDLs must be achieved by December 31, 2020. It is anticipated Moreno Valley will have TMDL expenditures each fiscal year through 2020. As one or more Stakeholders implement Best Management Practices to achieve compliance with the TMDL, program costs may shift to the other Stakeholders thus increasing their costs. Additionally, the City Managers acting as the NPDES Management Steering Committee for the affected cities may determine other cost sharing models to more equitably split the shared costs between the cities and the county other than the current method of using a population based cost sharing model.

CITY COUNCIL GOALS

Advocacy. Approval of the attached Amendment to Agreement will assist Moreno Valley to develop cooperative intergovernmental relationships with other Task Force Agencies. Being a Task Force Agency will assist staff to advocate City policies, objectives, and goals related to water quality to appropriate governments and agencies.

Revenue Diversification and Preservation. Approval of the attached agreement will assist in leveraging scarce city funds to provide mandated TMDL reports, plans and schedules enforceable under state and Federal laws.

SUMMARY

The Nutrient TMDL for Lake Elsinore and Canyon Lake is in effect. The city received a 13267 letter from the Board stating that it must address the TMDL tasks as approved by the State Water Resources Control Board and USEPA. The TMDL Task Force for Lake Elsinore and Canyon Lake was formed by interested Stakeholders as a vehicle to address the State and federal mandate. Continued participation in the task force allows Moreno Valley to leverage resources necessary to remain in compliance with the TMDL.

There are neither State nor federal funds earmarked for Moreno Valley to perform the mandated tasks. The General Fund provides the funding for Moreno Valley's budgeted costs. Performing the TMDL mandated tasks as an individual stakeholder will substantially increase the city's costs and ignoring the mandates will result in city non-compliance subjecting the city, staff and/or officials to civil and possible criminal actions by the State and/or federal governments.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1—Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 161-184)
Attachment No. 2—Copy of Executed Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 185-222)

Prepared By
Kent Wegelin
Storm Water Program Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark A. Sambito
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057860

AMENDMENT NO. 1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Amendment No. 1 is made this ___ day of _____, 20___, by and among the Task Force Agencies that constitute the Lake Elsinore and Canyon Lake TMDL Task Force.

RECITALS

WHEREAS, the Lake Elsinore and Canyon Lake TMDL Task Force was created pursuant to that certain agreement entitled *"Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force"* dated March 5, 2007 (" Agreement"); and

WHEREAS, it is the purpose of this Amendment No. 1 to the Agreement for all Task Force Agencies to mutually extend the duration of the Agreement one full year and to add the City of Menifee and the City of Wildomar to the Task Force.

NOW, THEREFORE, the parties mutually agree that the Agreement is amended as follows:

1. The duration of the Agreement is extended one full year to **June 30, 2011,** and

2. The following Agencies are hereby added as a "**Task Force Agency**" to the Agreement:

   CITY OF MENIFEE
   CITY OF WILDOMAR

IN WITNESS WHEREOF, the Parties hereto have executed this **Amendment No. 1** on the date opposite their respective signatures. This Amendment becomes effective as of the date of the latest signature page received.

LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY

BY_____

TITLE _____

DATE_____

Attachment No. 1

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (CLEVELAND NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

MARCH AIR RESERVE BASE JOINT POWERS AUTHORITY

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

MV00057866

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____ By
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

_____
JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____ By
DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

_____
Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

COUNTY OF RIVERSIDE

RECOMMENDED FOR APPROVAL:

By_____ By _____

LARRY PARRISH
County Executive Officer

JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____

DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

By _____

Deputy

(SEAL)

MV00057872

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

ATTEST

BY_____
City Clerk

APPROVED AS TO FORM

BY_____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

MV00057878

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN W ITNESS W HEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MENIFEE

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

MV00057882

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF WILDOMAR

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN W ITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____

TITLE _____

DATE_____

_____

JEU:cw
P8\
6/6/06

AGREEMENT TO FORM
THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Agreement, entered into as of this 17 day of JULY, 2006, to form the Lake Elsinore and Canyon Lake TMDL Task Force (hereinafter "AGREEMENT") is made by and among the following entities, which are hereinafter sometimes collectively referred to as "TASK FORCE AGENCIES" or individually as "TASK FORCE AGENCY":

United States Department of Agriculture, Forest Service (Forest Service)
US Air Force (March Air Reserve Base)
March Air Reserve Base Joint Powers Authority
California Department of Transportation
California Department of Fish and Game
County of Riverside
City of Beaumont
City of Canyon Lake
City of Hemet
City of Lake Elsinore
City of Moreno Valley
City of Murrieta
City of Perris
City of Riverside
City of San Jacinto
Elsinore Valley Municipal Water District
Eastern Municipal Water District
Western Riverside County Agriculture Coalition on behalf of the Agricultural Operators in the San Jacinto River Basin
Western Riverside County Agriculture Coalition on behalf of the Dairy Operators in the San Jacinto River Basin
Riverside County Flood Control and Water Conservation District

I. RECITALS

A. Whereas, in 1998, the Santa Ana Regional Water Quality Control Board (hereinafter "Regional Board") designated Lake Elsinore and Canyon Lake in the Lake Elsinore and San Jacinto Watersheds (Collectively the "Watersheds") as "impaired water bodies" pursuant to Section 303(d) of the federal Clean Water Act because of high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (NUTRIENTS). As a result of said Section 303 designation, the Clean Water Act requires that total maximum daily loads (hereinafter "TMDLs") be established by the Regional Board for these waterbodies.

B. Whereas, in response to the Section 303(d) designation, the Regional Board adopted a Resolution R8-2004-0037 on December 20, 2004 amending the Water Quality Control Plan for the Santa Ana River Basin (BASIN PLAN AMENDMENT) to incorporate nutrient TMDLs for Canyon Lake and Lake Elsinore. The Basin Plan Amendment specifies, among other things, an Implementation Plan (TMDL IMPLEMENTATION PLAN), which holds specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law. These tasks include development and implementation of a watershed-wide nutrient water quality monitoring program, development of an in-lake nutrient monitoring

program for Canyon Lake and Lake Elsinore, development of a plan and schedule for in-lake sediment nutrient reduction for Lake Elsinore, development of a plan and schedule for evaluating in-lake sediment nutrient strategies for Canyon Lake, updating watershed and in-lake nutrient TMDL water quality models, developing a pollutant trading plan, and reviewing and revising the TMDL to reflect updated data and science.

C. Whereas, the purpose of this AGREEMENT is to form a task force (hereinafter "TASK FORCE") to implement certain tasks identified in the TMDL IMPLEMENTATION PLAN and to pursue TMDL related tasks agreed upon by TASK FORCE AGENCIES, and

D. Whereas, the TASK FORCE AGENCIES agree that the purpose of this TASK FORCE is to (1) review and develop recommendations to update the TMDL BASIN PLAN AMENDMENT based on the best available scientific information, and (2) implement TMDL IMPLEMENTATION PLAN Tasks identified below and jointly assigned to TASK FORCE AGENCIES, and (3) propose appropriate revisions to the TMDL BASIN PLAN AMENDMENT to the Santa Ana RWQCB by June 30, 2010, and (4) allow watershed stakeholders to participate in efforts to meet appropriate water quality standards so that Canyon Lake and/or Lake Elsinore can be de-listed from the Clean Water Act Section 303(d) list of impaired water bodies, and

E. Whereas, hundreds of individual agricultural and dairy operators are subject to the Canyon Lake and Lake Elsinore TMDLs and its component TMDL IMPLEMENTATION PLAN, and

F. Whereas the Western Riverside County Agricultural Coalition(WRCAC) is a non-profit organization representing the interests of agricultural and dairy operators within the San Jacinto Watershed, and

G. Whereas WRCAC's membership is open to any and all agricultural and dairy operators within the San Jacinto watershed, and

H. Whereas, March Air Reserve Base (MARB) is an installation of the United States Air Force, and the San Bernardino and Cleveland National Forest are on federal lands under the administration and management of the Forest Service. Both are agencies of the federal government, and are therefore subject to limitations in their ability to comply with every provision stated herein to the same extent that other non-federal TASK FORCE AGENCIES are able to comply. These limitations are based upon, but not limited to, those identified in the federal Clean Water Act, the federal Antideficiency Act, the principle of sovereign immunity and the holdings of the Supreme Court of the United States, and other binding federal court decisions, as they interpret those sources of federal law. The limitations so mentioned include, but are not limited to, the availability of federal funding to pay for participation in this program, and the ability of MARB and Forest Service to participate directly in sampling, research or data gathering activities which are not located on or near MARB or National Forest System lands or a point source of water discharge arising on MARB or National Forest System lands, or other activities not specifically authorized by the Federal Clean Water Act section 313. To the extent that the limitations described herein prevent MARB or Forest Service from fully participating in any aspect of this program, they reserve the right, in their sole discretion, to participate in the program as a matter of comity. By entering into this agreement, MARB and Forest Service do not authorize any of the TASK FORCE AGENCIES to exercise regulatory authority over them. MARB and Forest Service agree that State and federal regulatory agencies that are or may

become members of this TASK FORCE have regulatory authority over MARB and Forest Service only to the extent permitted by State or Federal Law.

I. Whereas, the TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE, and

J. Whereas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) serves as the Principal Permittee for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) for the Santa Ana Region of Riverside County, and

K. Whereas, the County of Riverside and Cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto are MS4 CO-PERMITTEES for the NPDES MS4 Permit for the Santa Ana Region of Riverside County, and

L. Whereas, the MS4 PRINCIPAL PERMITTEE and MS4 CO-PERMITTEES collectively represent the MS4 PERMITTEES within the San Jacinto Watershed, and

M. Whereas, the NPDES MS4 Permit for the Santa Ana Region of Riverside County is regulated by the REGIONAL BOARD and subject to the requirements of the nutrient TMDLs for Canyon Lake and Lake Elsinore, and

N. Whereas RCFC&WCD has agreed to provide services on behalf of itself as an NPDES MS4 PERMITTEE and on behalf of the MS4 CO-PERMITTEES for the purposes of this AGREEMENT, and

O. Whereas RCFC&WCD has prepared and reviewed the MS4 CO-PERMITTEES cost share allocation with MS4 CO-PERMITTEE staff at the NPDES MS4 Permit Technical Advisory Committee Meetings and with the affected City Managers and County Executive Office, or designated representatives thereof during the NPDES MS4 Permit Management Steering Committee Meeting of February 16, 2006, and

P. Whereas, the TMDL assigned nutrient waste load allocations for supplemental water (herein SUPPLEMENTAL WATER) addition to Lake Elsinore to stabilize the Lake's elevation, and

Q. Whereas, the nutrient waste load allocation for SUPPLEMENTAL WATER, which includes Island Well water, EVMWD treatment plant effluent, and other sources of non-stormwater, may reduce the TMDL waste load allocation and TMDL load allocation of other point and non-point sources because in-lake nutrient capacity was not adjusted to account for increased lake levels associated with the addition of SUPPLEMENTAL WATER, and

R. Whereas, the assumptions regarding load allocations for SUPPLEMENTAL WATER may not be consistent with the actual operation of SUPPLEMENTAL WATER sources, and

S. Whereas, the City of Lake Elsinore and EVMWD previously entered into an agreement to equally share the cost of SUPPLEMENTAL WATER addition to the Lake under the "Lake Elsinore Comprehensive Water Management Agreement", and

T. Whereas, for the purposes of this AGREEMENT, the City of Lake Elsinore shall be acknowledged and recognized as a separate and equal contributor with EVMWD for the cost and voting rights accorded under this AGREEMENT attributed to EVMWD for SUPPLEMENTAL WATER addition, and

U. Whereas, the TASK FORCE AGENCIES have considered many alternative cost sharing methodologies based on TMDL assigned load allocation, load reduction, and permutations thereof; and

V. Whereas, certain TASK FORCE AGENCIES were strong proponents of cost sharing based on load allocation and other TASK FORCE AGENCIES were strong proponents of cost sharing based on load reduction, and

W. Whereas, these TASK FORCE AGENCIES have been unable to agree upon a methodology for distributing costs based on either an allocation or a load reduction methodology; and

X. Whereas, the TASK FORCE AGENCIES have reviewed and agreed upon an interim negotiated cost allocation methodology acceptable to all TASK FORCE AGENCIES for the purposes of initiating the TASK FORCE, based on consideration of TMDL assigned load allocations, load reductions, and permutations thereof, and

Y. Whereas, the TASK FORCE AGENCIES agree that certain nutrient dischargers have been either inappropriately named or not named as responsible parties for various tasks in the BASIN PLAN AMENDMENT; and

Z. Whereas, the TASK FORCE AGENCIES agree that agricultural and dairy lands are converting to urban and open space lands, and

AA. Whereas, the TASK FORCE AGENCIES agree that an amendment to the TMDL to address, at minimum, the proper naming of responsible parties for various tasks in the TMDL IMPLEMENTATION PLAN, to correct the load allocation and waste load allocations to properly address the impacts of SUPPLEMENTAL WATER on Lake Elsinore, and to revise the load allocation and waste load allocations to address the ongoing conversion of agriculture and dairy lands to urban and/or open space should be addressed as part of a revision to the TMDL IMPLEMENTATION PLAN, and

BB. Whereas, the TASK FORCE AGENCIES agree that upon amendment of the existing BASIN PLAN AMENDMENT, including the TMDL IMPLEMENTATION PLAN, by the Regional Board to address, at a minimum, the issues described in Recital Z, the TASK FORCE AGENCIES will amend this AGREEMENT to revise the cost allocation methodology for future fiscal years to incorporate a task-specific cost sharing methodology, based on assigned load allocation or waste load allocation of TASK FORCE AGENCIES, or categories of TASK FORCE AGENCIES, responsible for each TMDL IMPLEMENTATION PLAN task, and

CC. Whereas, MARB agrees to budget for and to participate in the TASK FORCE, provided that sufficient funds are appropriated by the Congress, in FY 06-07 and future years, and on the condition that funding requirements under this agreement do not violate the Anti-deficiency Act, and provided that the Task Force Agencies agree to relocate the proposed monitoring station from Kitching Channel to the Heacock drainage channel, and use any fees provided by MARB, for participation in this program, to establish and monitor this station.

II. COVENANTS

NOW, THEREFORE; in consideration of the foregoing recitals and mutual covenants contained herein, the TASK FORCE AGENCIES agree as follows:

1. Creation of a Task Force. There is hereby created a "Lake Elsinore and Canyon Lake TMDL Task Force" ("TASK FORCE") initially consisting of the TASK FORCE AGENCIES and certain Non-Voting, Non-Funding Members as more specifically provided for in paragraph 2 below.

2. Representation on the Task Force.

   a. Appointment. Concurrently with the execution of this Agreement, each TASK FORCE AGENCY shall, in accordance with such TASK FORCE AGENCY's own governing provisions, appoint one primary representative to the TASK FORCE and one alternate representative to act in the absence of the primary representative (hereinafter collectively referred to as "REPRESENTATIVES" or individually as "REPRESENTATIVE"). The REPRESENTATIVES shall have the authority to act on behalf of its appointing TASK FORCE AGENCY. The REPRESENTATIVES shall serve at the pleasure of the appointing TASK FORCE AGENCY and may be removed at any time, with or without cause by such TASK FORCE AGENCY; provided, however, that the TASK FORCE AGENCIES acknowledge and agree the continuity of representation on the TASK FORCE is important to the overall effectiveness of the TASK FORCE, and the TASK FORCE AGENCIES further agree to ensure such continuity whenever possible.

   b. Additional Agencies. The TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE. Such agencies may join the TASK FORCE on such written terms and conditions as are acceptable to all then existing TASK FORCE AGENCIES of the TASK FORCE, including, but not limited to, agreed-upon cash contributions for past, present, and/or future work, of the TASK FORCE. The inclusion of such agencies as additional TASK FORCE AGENCIES to the TASK FORCE shall be effected by a written amendment to this AGREEMENT signed by all then existing TASK FORCE AGENCIES. Such additional TASK FORCE AGENCIES shall each appoint their TASK FORCE primary REPRESENTATIVE and alternate REPRESENTATIVE as provided in Section II.2.a. above or in said written amendment. The following agencies will be considered for inclusion as additional TASK FORCE AGENCIES in future amendments to this AGREEMENT within the meaning of this section:

      Any other named stakeholder in any future amendments of the BASIN PLAN AMENDMENT.

c. Non-Voting, Non-Funding Members. The Regional Board, Lake Elsinore and San Jacinto Watersheds Authority and the San Jacinto River Watershed Council are hereby appointed as Non-Voting, Non-Funding Members of the TASK FORCE. Additional Non-Voting, Non-Funding Members may be appointed by a majority vote of the TASK FORCE representatives. Non-Voting, Non-Funding Members appointed herein, and any appointed in the future are authorized only to make recommendations upon the functioning of this TASK FORCE and the development of this program. Federal, State and local regulatory agencies acting as Non-Voting, Non-Funding Members, now or in the future, retain authority to regulate TASK FORCE MEMBERS only to the extent that they are so authorized under state and federal law.

d. Dairy and Agricultural Operators. The TASK FORCE AGENCIES acknowledge that the Western Riverside County Agriculture Coalition (WRCAC) shall represent the collective interest of both agricultural and dairy operators in the San Jacinto River Watershed in the TASK FORCE at this time. WRCAC shall appoint two primary TASK FORCE REPRESENTATIVES and two alternate REPRESENTATIVES as provided in Section II.2.a. One set of REPRESENTATIVES shall be designated for agricultural operator interests, the other set of REPRESENTATIVES shall be designated for dairy interests for the purposes of this TASK FORCE.

e. Committees. The TASK FORCE may establish subcommittees, consisting of REPRESENTATIVES and Non-Voting, Non-Funding Members who shall be selected by, and serve at the pleasure of, the TASK FORCE.

f. Task Force Administrator. A TASK FORCE administrator (hereinafter "TASK FORCE ADMINISTRATOR") shall be appointed by the TASK FORCE. The TASK FORCE ADMINISTRATOR shall have the following administrative responsibilities:

(1) Organizing and facilitating TASK FORCE meetings;
(2) Secretarial, clerical, and administrative services;
(3) Managing TASK FORCE funds and preparing annual reports of TASK FORCE assets and expenditures;
(4) Retaining TASK FORCE-authorized consultants; and
(5) Seeking funding grants to assist with achieving the work of the TASK FORCE and other goals and objectives approved by TASK FORCE AGENCIES.

The TASK FORCE AGENCIES hereby appoint the Lake Elsinore and San Jacinto Watersheds Authority as the initial TASK FORCE ADMINISTRATOR.

g. Meetings of the Task Force.

(i) Frequency and Location. The TASK FORCE shall, by resolution or motion, agree upon the time and place for holding its regular meetings. Special meetings may be called at the request of the TASK FORCE ADMINISTRATOR or by a majority of the TASK FORCE REPRESENTATIVES.

(ii) Task Force Chair. The TASK FORCE REPRESENTATIVES shall select a chair and a vice-chair. The term of the chair and vice-chair shall be one year and shall be rotated among the TASK FORCE REPRESENTATIVES interested in serving as chair.

(iii) Quorum. One half or more of the REPRESENTATIVES of the TASK FORCE shall constitute a QUORUM.

(iv) Voting. Actions of the TASK FORCE shall be validly taken only when a QUORUM is present and upon the affirmative vote of a MAJORITY of the TASK FORCE REPRESENTATIVES. A MAJORITY of the REPRESENTATIVES shall be determined as follows:

Each TASK FORCE AGENCY shall have one vote (herein VOTE) assigned for each $1,000 increment of PRO RATA COST SHARE, as described in Paragraph II.5 below, contributed to the TASK FORCE budget developed for a given fiscal year (hereinafter "BUDGET"). A MAJORITY of the REPRESENTATIVES shall consist of greater than 50% of the total VOTES based on the BUDGET for the fiscal year during which the action is taken.

(v) Brown Act. All meetings of the TASK FORCE or any of its committees shall be conducted as may be required by any applicable provisions of the Ralph M. Brown Act (California Government Code §§54950 et seq.). The provisions contained in the Ralph M. Brown Act shall prevail in the event of any conflict with provisions contained in this AGREEMENT.

The TASK FORCE may adopt such additional rules and regulations as may be required for the conduct of its affairs so long as such rules and regulations do not conflict with this AGREEMENT.

3. Work of the Task Force. The TASK FORCE shall perform the following tasks in accordance with guidelines established by the Regional Board:

a. To retain consulting services to review scientific and other assumptions contained within the TMDL. Consultant(s) shall provide a report identifying preliminary TMDL opportunities such as site specific objectives, pollutant trading strategies, and integration strategies. The final

scope of work shall be approved by the Task Force. The report shall specifically consider assumptions supporting the TMDL. The report should also provide preliminary analysis of the ability to achieve in-lake nutrient reductions and verify that load assignments are appropriate. Upon completion of the report, Consultant(s) shall also review work described herein, and make recommendations to ensure that work is specifically designed to resolve any deficiencies, where appropriate. Consultant(s) shall also coordinate development of BASIN PLAN AMENDMENT language, in coordination with the Regional Board, which can be used to revise the TMDLs as part of the Regional Board's Triennial Reviews at a minimum, or no later than by June 2010.

b. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Watershed-wide Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDL, and to determine compliance with interim and final nitrogen and phosphorus allocations, and compliance with the nitrogen and phosphorus TMDLs. Monitoring and management of monitoring data to update the Lake Elsinore and Canyon Lake Nutrient TMDL shall commence immediately upon approval of this AGREEMENT. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

c. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Lake Elsinore and Canyon Lake Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDLs, and to determine compliance with interim and final nitrogen, phosphorus, chlorophyll a and dissolved oxygen numeric targets. In addition, the monitoring program shall determine the relationship between ammonia toxicity and the total nitrogen allocation to ensure that the total nitrogen allocation will prevent ammonia toxicity in Lake Elsinore and Canyon Lake. Monitoring and management of monitoring data shall commence immediately upon approval of this agreement. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

d. TMDL IMPLEMENTATION PLAN Tasks 9 and 10 - Develop and Implement a Plan to Reduce NUTRIENTS in Lake Elsinore sediments and develop a sediment nutrient treatment evaluation plan for Canyon Lake. The plans shall evaluate the efficacy of various in-lake treatment technologies to prevent the release of NUTRIENTS from lake sediments as a long-term strategy for control of NUTRIENTS in the sediment. The program may also include a sediment nutrient monitoring program to evaluate the effectiveness of any technologies that may be implemented. Target Date for Completion: March 31, 2007.

e. TMDL IMPLEMENTATION PLAN Task 11 - Develop and Implement a Plan and Schedule for Updating the Existing Lake Elsinore/San Jacinto

River Watershed Nutrient Model and the Canyon Lake and Lake Elsinore In-Lake Models. Develop and implement a plan and schedule to update and execute Watersheds and in-lake models to track the progress of TMDL efforts. In-lake models should be analyzed as soon as sufficient data becomes available. Target Date for Completion: March 31, 2007.

f. TMDL IMPLEMENTATION PLAN Task 12 - Investigate, Develop and Implement a Pollutant Trading Plan. Investigate the feasibility of pollutant trading in the Watersheds, and develop a feasibility plan for Regional Board review and approval. Target Date for Completion: September 30, 2007.

g. Investigate Long Term TMDL Implementation Structure, Cost Sharing Formula and Funding Sources. Investigate possible long term administrative structures, cost sharing formulas and funding sources that can be used to obtain compliance with the TMDL requirements. Target Date for Completion: June 30, 2010.

h. Other Tasks. The TASK FORCE may undertake such other plans, programs and studies as authorized by the TASK FORCE pursuant to II.2.g. of this AGREEMENT.

i. Limitations on MARB and Forest Service. As described above in Section I.H, MARB is an agency of the federal government and is therefore unable to participate in each and every aspect of Section 3 to the same extent as other TASK FORCE MEMBERS. To the extent that it is unable to participate in any tasks under section 3, it reserves the right, in its sole discretion, to participate to the fullest extent that it is able, as a matter of comity.

4. Budgets. Beginning in FY2007-2008, the total annual budget (BUDGET), adjusted to remove in-kind services, grant funding and funding credits associated with this AGREEMENT shall not exceed $800,000, except as authorized by the TASK FORCE via two-thirds approval via VOTES based on the BUDGET for the then current fiscal year pursuant to II.2.g. of this AGREEMENT. The TASK FORCE ADMINSTRATOR shall prepare and submit a proposed BUDGET for each fiscal year of this AGREEMENT to the TASK FORCE AGENCIES by November 30th. The proposed BUDGET shall include all anticipated costs for the scope(s) of work developed by the TASK FORCE for the next fiscal year. The TASK FORCE REPRESENTATIVES shall approve the BUDGET by December 31st. Each TASK FORCE AGENCY shall pay its PRO-RATA SHARE of the approved fiscal year's TASK FORCE BUDGET and arrears by August 31st of the following year. The BUDGET for the eighteen (18) month period starting January 1, 2006 and extending through June 30, 2007 and estimated fiscal year BUDGETS through June 30, 2010 are included as Attachment A to the AGREEMENT. Approval of this AGREEMENT shall constitute approval of the BUDGET through June 30, 2007. Payment of the BUDGET through June 30, 2007 shall be by August 31, 2006, or within 30 days

of the approval of this AGREEMENT by each TASK FORCE AGENCY, whichever is sooner.

The TASK FORCE ADMINISTRATOR shall endeavor to minimize carry-over fund balances to those necessary to complete work of the TASK FORCE and to maintain contingencies limited to those necessary to ensure work of the TASK FORCE is not impeded. Excess not necessary to complete budgeted work of the TASK FORCE or maintain adequate reserves shall be credited back to the TASK FORCE AGENCIES in the BUDGET consistent with the PRO-RATA SHARE methodology described in Paragraph II.5 below. THE TASK FORCE AGENCIES shall agree to a reasonable reserve balance as part of each year's BUDGET.

After September 30 of each year, the TASK FORCE ADMINSTRATOR shall provide an accounting of all PRO RATA SHARES collected via cash or in-kind contributions. If PRO RATA SHARES collected are less than BUDGET, the TASK FORCE shall meet with Regional Board staff to determine appropriate priorities for scheduled TASK FORCE work and revise BUDGET based on available funds.

5. Pro-Rata Share Calculation. The annual PRO-RATA SHARE shall be calculated in the following manner:

The PRO-RATA SHARE for MS4 CO-PERMITTEES, Agricultural Operators and EVMWD shall be based on the BUDGET reduced by the value of available grant funding identified in Section 1 of Attachment A and in-kind services identified in Section 3 of Attachment A (LINE 1k BUDGET). The PRO-RATA SHARE for MS4 CO-PERMITTEES, and Agricultural Operators shall each be 28.5% of the LINE 1k BUDGET. Based on the prior agreement of EVMWD and the CITY OF LAKE ELSINORE involving the sharing of cost for supplemental water into Lake Elsinore, the PRO-RATE SHARE for EVMWD and the CITY OF LAKE ELSINORE shall each be 14.25% of the LINE 1K BUDGET.

The PRO-RATA SHARE for Dairy shall be 5% of the LINE 1k BUDGET.

The PRO-RATA SHARE for RCFC&WCD shall be the cash value of the in-kind services described in Section 3 of Attachment A.

The PRO-RATA SHARE for all other TASK FORCE AGENCIES shall be as a base amount set forth in the BUDGET.

The PRO-RATA SHARE for additional TASK FORCE AGENCIES shall be per in kind services and/or an amount agreed upon via written amendment of this AGREEMENT per Section II.2.b.

If the estimated funds collected under the PRO-RATA SHARE calculations exceed the BUDGET, the contributions of MS4 CO-PERMITTEES, EVMWD, City of Lake Elsinore, Agricultural Operators, Dairy and other TASK FORCE

AGENCIES contributing in excess of the base amount shall be raised or reduced proportionately based on the percentage of their PRO-RATA SHARE, until the estimated total PRO-RATA SHARES equals the BUDGET.

RCFC&WCD shall provide the TASK FORCE ADMINSTRATOR with annual individual MS4 CO-PERMITTEE cost share distribution of the MS4 CO-PERMITTEES PRO-RATA SHARE for budgets following Fiscal Year 2006-07. The methodology used by RCFC&WCD to calculate the MS4 CO-PERMITEE cost share distribution may be amended at the NPDES MS4 Management Steering Committee.

6. In-Kind Credits. The PRO-RATA SHARE of a TASK FORCE AGENCY shall be reduced by the value of IN-KIND CREDITS provided toward agreed-upon budgeted tasks by, or on behalf, of the TASK FORCE AGENCY(S). Credits shall be applied to each budget period and adjusted at the end of each budget year based on actual verified costs.

7. Modifications to the TASK FORCE PRO-RATA SHARE methodology. The methodology deriving the TASK FORCE PRO-RATA SHARE as provided in Section II.5 of this AGREEMENT may be modified upon written approval of all then existing TASK FORCE AGENCIES whose PRO-RATA SHARE would be affected.

8. The TASK FORCE AGENCIES shall cooperate fully with one another to attain the purposes of this AGREEMENT.

9. Nothing in this AGREEMENT, nor the work set forth in this AGREEMENT, nor any activity approved or carried out by the TASK FORCE AGENCIES hereunder, is intended to be nor shall be interpreted as a waiver by TASK FORCE AGENCIES of the "Maximum Extent Practicable" standard set forth in the Clean Water Act (33 U.S.C. Section 1251 *et seq.)*.

10. Each TASK FORCE AGENCY shall indemnify, defend, and hold each of the other TASK FORCE AGENCIES, including their special districts, officials, agents, officers, and employees, harmless from and against any and all liability and expense arising from any act or omission of such TASK FORCE AGENCY, its officials, agents, officers, and employees, in connection with this AGREEMENT, including but not limited to defense costs, legal fees, claims, actions, and causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage; provided, however, that no TASK FORCE AGENCY shall indemnify another TASK FORCE AGENCY for that TASK FORCE AGENCY's own negligence or willful misconduct.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or

liabilities, to itself, to any third party or to MARB, or the Forest Service, or its employees under this agreement or any activities carried out under authority of this agreement.

11. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the TASK FORCE AGENCIES hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this AGREEMENT to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the TASK FORCE AGENCIES indemnifies, defends, and holds harmless each other TASK FORCE AGENCY for any liability, cost, or expense that may be imposed upon such other TASK FORCE AGENCY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB or Forest Service or their employees under this agreement or any activities carried out under authority of this agreement. Tort liability for federal employees, including employees of MARB and Forest Service, is expressly authorized and limited by the Federal Tort Claims Act, which will control liability of MARB and the Forest Service and their employees under the terms of this agreement.

12. All obligations of CALTRANS under the terms of this AGREEMENT are subject to the appropriation of the resources by the Legislature and the allocation of resources by the California Transportation Commission. This AGREEMENT has been written before ascertaining the availability of Federal or State legislative appropriation of funds, for the mutual benefit of the TASK FORCE AGENCIES in order to avoid program and fiscal delays that would occur if the AGREEMENT were executed after that determination was made. This AGREEMENT is valid and enforceable as to CALTRANS as if sufficient funds have been made available to CAL TRANS by the United States Government or California State Legislature for the purposes set forth in this AGREEMENT. If the United States Government or the California State Legislature does not appropriate sufficient funds for CALTRANS to participate in this AGREEMENT, this AGREEMENT may be amended in writing by the TASK FORCE AGENCIES to reflect any agreed-upon reduction in the percentage of funds contributed by CALTRANS to continue its participation in this AGREEMENT. CALTRANS, however, has the option to withdraw from this AGREEMENT in the event sufficient funds are not appropriated for CAL TRANS. Should CALTRANS exercise its option to withdraw from this AGREEMENT, CALTRANS shall remain responsible for its

share of liability, if any, incurred while participating in this AGREEMENT.

13. No TASK FORCE AGENCY shall have a financial obligation to any other TASK FORCE AGENCY under this AGREEMENT, except as expressly provided herein.

14. Any notices, invoices, reports, correspondence, or other communication concerning this AGREEMENT shall be directed to the TASK FORCE AGENCY REPRESENTATIVE on file with the TASK FORCE ADMINISTRATOR, except that any TASK FORCE AGENCY may change its name or address by giving the other TASK FORCE AGENCIES at least ten days written notice of the new name or address.

15. The TASK FORCE AGENCIES are, and shall at all times remain as to each other, wholly independent entities. No TASK FORCE AGENCY to this AGREEMENT shall have power to incur any debt, obligation, or liability on behalf of any other TASK FORCE AGENCY unless expressly provided to the contrary by this AGREEMENT. No employee, agent, or officer of a TASK FORCE AGENCY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another TASK FORCE AGENCY.

16. This AGREEMENT shall be binding upon and shall inure to the benefit of the respective successors, heirs, and assigns of each TASK FORCE AGENCY.

17. This AGREEMENT shall be governed by, interpreted under and construed and enforced in accordance with the laws of the State of California, except as to the Forest Service and the March Air Reserve Base to whom federal law is applicable.

18. If any provision of this AGREEMENT shall be determined by any court to be invalid, illegal or unenforceable to any extent, the remainder of this AGREEMENT shall not be affected and this AGREEMENT shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this AGREEMENT.

19. Each individual TASK FORCE AGENCY has been represented by its own separate counsel in the preparation and negotiation of this AGREEMENT. Accordingly, this AGREEMENT shall be construed according to its fair language and any ambiguities shall not be resolved against the drafting TASK FORCE AGENCY.

20. Each of the persons signing below on behalf of a TASK FORCE AGENCY represents and warrants that he or she is authorized to sign this AGREEMENT on behalf of such TASK FORCE AGENCY.

21. Duration of Agreement. This AGREEMENT shall terminate June 30, 2010 (unless extended by mutual agreement of all TASK FORCE AGENCIES), provided that all debts and liabilities of the TASK FORCE are satisfied. Notwithstanding the foregoing, each TASK FORCE AGENCY reserves the right

to withdraw from the TASK FORCE at any time, upon sixty (60) days' prior written notice to the TASK FORCE. TASK FORCE contingency, projects and studies underway at the time of withdrawal shall continue to be fully funded by the withdrawing TASK FORCE AGENCY until the end of the fiscal year in which the TASK FORCE AGENCY gave notice to withdraw.

22. Counterparts. This AGREEMENT may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

23. Amendment. This AGREEMENT may not be amended except in a writing signed by all the TASK FORCE AGENCIES.

24. Effective Date. This AGREEMENT shall become effective when it has been executed by all of the TASK FORCE AGENCIES.

LAKE ELSINORE & SAN JACINTO WATERSHEDS PROJECT AUTHORITY

BY Phil Williams
Board Chairman

DATE_____

CITY OF BEAUMONT

BY_____
Mayor

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

CITY OF HEMET

BY_____
Mayor

DATE_____

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

CITY OF MURRIETA

BY_____
Mayor

DATE_____

CITY OF PERRIS

BY_____
Mayor

DATE_____

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____
Board Chairman

DATE_____

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

Robin Lowe

Robin Lowe, Mayor

July 11, 2006

Date

ATTEST:

Stephen B. Clayton

Stephen Clayton, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY _____

TITLE DEPUTY FOREST SUPERVISOR

DATE 7/17/06

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO AND CLEVELAND NATIONAL FOREST MANAGEMENT ZONES)

BY _____

TITLE Forest Supervisor, Cleveland National Forest

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE" .

MARCH JOINT POWERS AUTHORITY

BY: Philip A. Rizzo

TITLE: Executive Director

DATE: September 20, 2006

APPROVED AS TO FORM

By: John Pen
Attorney

MV00057904

STATE OF California)

County of Riverside)

On September 20, 2006 before me, Carey L. Allen, Notary Public, personally appeared Philip A Rizzo,

☒ personally known to me

or

☐ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(s)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s),~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal

Signature of Notary Public

CAREY L. ALLEN
Commission # 1496127
Notary Public - California
Riverside County
My Comm. Expires Jun 24, 2008

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY _____
JEFFREY K. BARNSON, Col, USAFR

TITLE Commander

DATE JUL 6. 2005

APPROVED AS TO FORM

By _____
CHRISTOPHER B. BENNETT, Maj, USAF

TITLE Staff Judge Advocate

DATE JUL 6 2005

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY Michael A. Petronis

TITLE CALTRANS DISTRICT 8 DIRECTOR

DATE October 13, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY _____

TITLE General Manager

DATE July 5, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY _____

TITLE Anthony J. Pack, General Manager

DATE 6/28/06

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY _____

TITLE WRCAC TMDL Task Force Representative

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By _____
DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk of the Board

By _____
Deputy

(SEAL)

AUG 2 9 2

Item No. A.5

MV00057911

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____
LARRY PARRISH
County Executive Officer

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____
DAVID H.K. HUFF
Deputy County Counsel

COUNTY OF RIVERSIDE

By Bob Buster
BOB BUSTER, Chairman
Riverside County Board of Supervisors

ATTEST:

NANCY ROMERO
Clerk of the Board

By_____
Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY _____
Mayor

DATE Nov 21, 2006

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY _____
Mayor

DATE 7/5/06

APPROVED AS TO FORM

By Elizabeth Martyn
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE August 9th 2006

ATTEST:

_____
City Clerk

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY _____
Bonnie Flickinger, Mayor

DATE July 17, 2006

ATTEST

By _____
Alice Reed, City Clerk

APPROVED AS TO FORM

By _____

Bob Herrick, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSIONRE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY: _____
Mayor

DATE: **September 5, 2006**

ATTEST: _____
City Clerk

APPROVED AS TO FORM

BY: _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

Daryl R. Busch

Daryl R. Busch, Mayor

Date: 9/18/06

ATTEST:

Judy L. Haughney

Judy L. Haughney, City Clerk

APPROVED AS TO FORM:
Aleshire & Wynder, LLP

for Anita Luix, Deputy

Eric L. Dunn, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY _____ Michael J. Beck for
Bradley J. Hudson, City Manager

DATE August 7, 2006

Attest: _____
City Clerk

APPROVED AS TO FORM

By Susan Wilson
Dep. City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY _____
Mayor

DATE 7/19/06

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY _____ DATE 7/21/06

Gerard J. Thibeault
Executive Officer

APPROVED AS TO FORM

By _____

Jorge Leon
Legal Counsel

JEU:cw
P8\
6/6/06

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY Michael C. Hoyne

TITLE Deputy Regional Manager

DATE March 5, 2007

APPROVED AS TO FORM

By _____
Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project.

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California.

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

BACKGROUND

Over the past several years, the Nason Street/SR-60 interchange has experienced increased traffic resulting from commercial, residential, and recreational growth. Two separate City projects (98-25897 and 415-70024) are ongoing to improve the interchange. The SR-60/Nason Street Interchange Improvements Project (98-25897) improves the interchange ramps through reconstruction and realignment, while providing a design that will accommodate ultimate overcrossing widening improvements needed to serve anticipated future traffic demand. The City is in the final stages of obtaining Caltrans' approval to advertise the project for bid. The SR-60/Nason Street

Overcrossing project (415-70024) consists of improvements to the Nason Street Overcrossing, which will replace the existing bridge with a wider structure as well as increase the vertical clearance over SR-60.

Proposed improvements are consistent with the City's General Plan.

State Route 60 is on the State Highway System (SHS) and, pursuant to Streets and Highways Code 114 and 130, the State of California and the City are required to enter into a Cooperative Agreement for SHS improvements within the City's jurisdiction. The State's mandated role in the project is oversight responsibility, performed by the Department of Transportation (Caltrans).

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project development activities, including final design, utility relocation engineering, and right-of-way acquisition.

On November 29, 2007, Caltrans approved the Negative Declaration for the project.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services. Design has progressed to the 95% plan stage.

On January 13, 2009, the City Council approved the SR-60/Nason Overcrossing project as an RDA Tax Allocation Bond-funded project.

DISCUSSION

The overcrossing project is expected to be advertised between December 2010 and March 2011 in order to begin construction of the project by September 2011, immediately after completion of the SR-60/Nason Interchange Ramp Improvements Project (98-25897). To proceed with advertisement, the City must follow Caltrans guidelines and procedures in order to obtain their approval. Caltrans requires the local agency to enter into a "Construction Cooperative Agreement" (District Agreement No. 08-1463) in order to proceed with construction. The "Construction Cooperative Agreement" sets forth the City's and Caltrans' responsibilities, both in terms of scope and financial responsibility.

The agreement requires that the City fund 100% of the construction cost, including preparation of contract documents and advertising, awarding and administering the construction contract. Caltrans has agreed to allow the City to advertise, award, and administer the project. Caltrans will provide quality assurance and oversight of all work done by the City at no cost to the City. Caltrans will provide required material source inspections as an invoiced direct cost. The Construction Cooperative Agreement will terminate upon satisfactory completion of the project or on December 31, 2015,

whichever occurs first. The agreement may be extended by mutual agreement should any claims or other legal challenges occur.

ALTERNATIVES

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff recommends this alternative.*

2. Do not approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, do not authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and do not authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff does not recommend this alternative. This alternative will result in delaying the construction of needed improvements.*

FISCAL IMPACT

The project is currently funded with 2007 Redevelopment Agency Tax Allocation Bond (Series A) proceeds (Fund 897) and Developer In-Lieu Street Improvement Funds (Fund 414). These funds have been allocated for SR-60/Nason Street bridge improvements and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS

FY 2009/2010 Developer In-Lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2009/2010 2007 RDA Bond Funds (Account 897.91728)	$17,724,000
Available Funds	**$17,754,000**

ESTIMATED COST

SR-60/Nason Overcrossing Design and Right-of-Way/Utilities	$ 1,640,000
SR-60/Nason Overcrossing Construction	$16,114,000
Estimated Cost	**$17,754,000**

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	September 2010
Advertise Project*	December 2010 to March 2011
Begin Construction*	September 2011
Complete Construction	November 2012

**** Contingent upon completion of SR-60/Nason Interchange Ramp Project***

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This Construction Cooperative Agreement is required by Caltrans and sets forth the details of the City's and Caltrans' responsibilities pertaining to the construction activities for the proposed SR-60/Nason Street Overcrossing.

ATTACHMENT

Attachment "A" – Construction Cooperative Agreement (District Agreement No. 08-1463) (PAGES 229 – 246)

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Marge - 07-41570024 Rte 60 Nason-Moreno Beach Bridge Intrchng\CC Reports\Const. Co-op Agreement Staff Report - 05-25-10.doc

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MV00057928

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation of the State of California, referred to as CITY.

RECITALS

1. CALTRANS and CITY, collectively referred to as PARTNERS, are authorized to enter into a cooperative agreement for improvements within the SHS right of way per Streets and Highways Code sections 114 and/or 130.

2. WORK completed under this agreement will replace the Nason Street Overcrossing in the City of Moreno Valley, referred to as PROJECT.

3. PARTNERS will cooperate to construct the PROJECT.

4. This agreement is separate from and does not modify or supersede prior Cooperative Agreement No. 8-1314.

5. Prior to this agreement, CITY developed the Project Initiation Document; CITY developed the Supplemental Project Report; CITY developed the Plans, Specifications and Estimate; and CITY developed the Right of Way Certification.

6. CITY prepared the environmental documentation for PROJECT.

7. The estimated date for COMPLETION OF WORK is December 31, 2015.

8. PARTNERS now define in this agreement the terms and conditions under which they will accomplish WORK.

DEFINITIONS

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA – The California Environmental Quality Act (California Public Resources Code, sections 21000 et seq.) that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

COMPLETION OF WORK – All PARTNERS have met all scope, cost, and schedule commitments included in this agreement and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

CONSTRUCTION – The project component that includes the activities involved in the administration, acceptance, and final documentation of a construction contract for PROJECT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT –A document signed by PARTNERS that verifies the completion of all scope, cost, and schedule commitments included in this agreement.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at http://www.fhwa.dot.gov/programs.html.

FUNDING PARTNER – A partner who commits a defined dollar amount to WORK.

FUNDING SUMMARY - The table in which PARTNERS designate funding sources, types of funds, and the project components in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The partner responsible for managing the scope, cost, and schedule of a project component to ensure the completion of that component.

IQA – Independent Quality Assurance – Ensuring that IMPLEMENTING AGENCY'S quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan. IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA – The National Environmental Policy Act of 1969 that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one partner's individual actions legally bind the other partners.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout the project's lifecycle.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer shall be independent of the design engineering company and the construction contractor.
SAFETEA-LU – The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, signed into federal law on August 10, 2005.

SCOPE SUMMARY – The table in which PARTNERS designate their commitment to specific scope activities within each project component as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS – State Highway System.

SPONSOR(S) – The partner that accepts the obligation to secure financial resources to fully fund WORK. This includes any additional funds beyond those committed in this agreement necessary to complete the full scope of WORK defined in this agreement or settle claims.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope and cost commitments included in this agreement.

RESPONSIBILITIES

9. CITY is SPONSOR for all WORK.

10. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

11. CALTRANS is the CEQA lead agency for PROJECT.

12. CALTRANS is the NEPA lead agency for PROJECT.

13. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

14. All WORK will be performed in accordance with federal and California laws, regulations, and standards.

    All WORK will be performed in accordance with FHWA STANDARDS and CALTRANS STANDARDS.

15. IMPLEMENTING AGENCY for a project component will provide a Quality Management Plan for that component as part of the PROJECT MANAGEMENT PLAN.

16. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

17. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

18. PARTNERS may, at their own expense, have a representative observe any scope, cost, or schedule commitments performed by the other partner. Observation does not constitute authority over those commitments.

19. Each PARTNER will ensure that all of their personnel participating in WORK are appropriately qualified to perform the tasks assigned to them.

20. PARTNERS will invite each other to participate in the selection and retention of any consultants who participate in WORK. The CITY shall ensure that only well qualified consulting construction management firms are selected to provide Engineering and Inspection services sufficient to the tasks of the PROJECT. The CITY shall confer with STATE prior to and during the selection process. At least one representative from the District 8 Construction Division of the STATE shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. PARTNERS will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations if PROJECT work is done under contract (not completed by a partner's own employees) and is governed by the Labor Code's definition of a "public work" (section 1720(a)(1)).

PARTNERS will include wage requirements in all contracts for "public work" and will require their contractors and consultants to include prevailing wage requirements in all agreement-funded subcontracts for "public work".

22. IMPLEMENTING AGENCY for each project component included in this agreement will be available to help resolve WORK-related problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, at no cost, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If unanticipated cultural, archaeological, paleontological, or other protected resources are discovered during WORK, all work in that area will stop until a qualified professional can evaluate the nature and significance of the discovery and a plan is approved for its removal or protection. CITY will notify CALTRANS within twenty-four (24) hours of any discovery.

25. PARTNERS will hold all administrative draft and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete WORK without the written consent of the partner authorized to release them, unless required or authorized to do so by law.

26. If any partner receives a public records request, pertaining to WORK under this agreement, that partner will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any transferred public documents.

27. If HM-1 or HM-2 is found during WORK, IMPLEMENTING AGENCY for the project component during which it is found will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within existing SHS right of way. CALTRANS will undertake HM-1 MANAGEMENT ACTIVITIES with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within the Project limits outside existing SHS right of way. CITY will undertake or cause to be undertaken HM-1 MANAGEMENT ACTIVITIES with minimum impacts to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM-2 MANAGEMENT ACTIVITIES.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each partner's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each project component will furnish PARTNER with written monthly progress reports during the implementation of WORK in that component.

34. Upon COMPLETION OF WORK, ownership and title to all materials and equipment constructed or installed as part of WORK within SHS right of way become the property of CALTRANS.

35. IMPLEMENTING AGENCY for a project component will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect WORK or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No partner shall prejudice the rights of another partner until after PARTNERS confer on claim.

37. PARTNERS will maintain and make available to each other all WORK-related documents, including financial data, during the term of this agreement and retain those records for four (4) years from the date of termination or COMPLETION OF WORK, or three (3) years from the date of final federal voucher, whichever is later.

38. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

    CALTRANS, the State auditor, FHWA, and CITY will have access to all WORK-related records of each partner for audit, examination, excerpt, or transaction.

    The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation.

    The audited partner will review the preliminary audit, findings, and recommendations, and provide written comments within 60 calendar days of receipt.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

39. PARTNERS consent to service of process by mailing copies by registered or certified mail, postage prepaid. Such service becomes effective 30 calendar days after mailing. However, nothing in this agreement affects PARTNERS' rights to serve process in any other matter permitted by law.

40. The IMPLEMENTING AGENCY will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, SPONSOR(S) will seek out additional funds and PARTNERS will amend this agreement.

41. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

42. If WORK stops for any reason, PARTNERS are still obligated to implement all applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each partner's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

43. Each partner accepts responsibility to complete the activities that they selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

Scope: CONSTRUCTION

44. CITY will advertise, open bids, award, and approve the construction contract in accordance with the Public Contract Code and the California Labor Code.

    CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and FUNDING PARTNERS fully fund WORK.

    By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

45. CITY will provide a RESIDENT ENGINEER and construction support staff who are independent of the design engineering company and construction contractor.

46. CITY will provide a landscape architect licensed in the State of California.

47. CITY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $100,000. All CCOs

affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS *Construction Manual* will be approved by CALTRANS in advance of the CCO work to be performed.

48. If the lowest responsible construction contract bid (plus estimated contingencies, supplemental costs and State Furnished Material costs) is equal to or less than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, the IMPLEMENTING AGENCY may award the contract. If the lowest responsible construction contract bid is greater than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 3 months, this agreement will terminate.

49. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee and to carry liability insurance in accordance with CALTRANS specifications.

50. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT PS&E package a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

51. Upon receipt of both SFM and full payment of CALTRANS' invoice for actual SFM costs, CALTRANS will make the SFM available at a CALTRANS-designated location.

52. CITY will coordinate the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

53. CITY will obtain the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

54. CITY will implement the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404),Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

55. CALTRANS will provide Source Inspection on a reimbursed basis.

56. CITY will provide maintenance for those portions of the SHS within WORK limits until COMPLETION OF WORK, after which, maintenance will be handled through an existing maintenance agreement.

COST

Cost: General

57. CITY will secure funds for all WORK including any additional funds beyond the FUNDING PARTNERS' existing commitments in this agreement. If it becomes necessary to obtain additional funds to complete PROJECT these additional funds will be provided by CITY.

58. The cost of any awards, judgments, or settlements generated by WORK is a WORK cost.

59. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within existing SHS right of way.

60. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to any HM-1 found within PROJECT limits and outside of existing SHS right of way.

61. HM MANAGEMENT ACTIVITIES costs related to HM-2 are a PROJECT CONSTRUCTION cost.

62. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is a WORK cost.

63. The cost to comply with and implement the commitments set forth in the environmental documentation is a WORK cost.

64. The cost to ensure that PROJECT remains in environmental compliance is a WORK cost.

65. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is a WORK cost.

66. Independent of WORK costs, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

67. Independent of WORK costs, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

68. Fines, interest, or penalties levied against any partner will be paid, independent of WORK costs, by the partner whose actions or lack of action caused the levy. That partner will indemnify and defend all other partners.

69. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is a WORK cost.

70. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

71. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, the partner implementing the commitments or conditions accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That partner may request reimbursement for these costs during the amendment process.

72. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

73. FUNDING PARTNERS accept responsibility to provide the funds identified on the FUNDING SUMMARY.

74. SPONSOR(S) accepts responsibility to ensure full funding for the identified scope of work.

Cost: CONSTRUCTION Support

75. The cost to maintain the SHS within WORK limits is a WORK cost until COMPLETION OF WORK, after which, the cost of maintenance will be handled through an existing maintenance agreement.

76. CALTRANS will invoice the CITY for a $20,000.00 deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents Source Inspection costs. The Source Inspection cost is $50,000.00 including indirect costs per Article 80.

    After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

Cost: CONSTRUCTION Capital

77. The cost of all SFM is a CONSTRUCTION capital cost.

CALTRANS will invoice CITY for the actual cost of any SFM.

After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

SCHEDULE

78. PARTNERS will manage the schedule for WORK through the work plan included in the PROJECT MANAGEMENT PLAN.

GENERAL CONDITIONS

79. This agreement will be understood in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any legal action arising from this agreement will be filed and maintained in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides.

80. CALTRANS invoices for support costs including all direct and applicable indirect costs. Applicable indirect costs are determined by the type of funds being used to pay for support. State and federal funds are subject the Program Functional Rate. Local funds (Measure money, developer fees, special assessments, etc.) are subject to the Program Functional Rate and the Administration Rate. CALTRANS establishes the Program Functional Rate and the Administration Rate annually according to State and Federal regulations.

81. All obligations of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

82. Any PARTNER who performs IQA does so for its own benefit, further, that PARTNER cannot be assigned liability due to its IQA activities.

83. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious,

contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS under this agreement.

84. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this agreement.

85. This agreement is not intended to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. This agreement is not intended to affect the legal liability of PARTNERS by imposing any standard of care for completing WORK different from the standards imposed by law.

86. PARTNERS will not assign or attempt to assign agreement obligations to parties not signatory to this agreement.

87. Any ambiguity contained in this agreement will not be interpreted against PARTNERS. PARTNERS waive the provisions of California Civil Code section 1654.

88. A waiver of a partner's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

89. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

90. If any partner defaults in their agreement obligations, the non-defaulting partner(s) will request in writing that the default be remedied within 30 calendar days. If the defaulting partner fails to do so, the non-defaulting partner(s) may initiate dispute resolution.

91. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/CITY Engineer will attempt to negotiate a resolution. If no resolution is reached, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of WORK in accordance with the terms of this agreement. However, if any

partner stops WORK, the other partner(s) may seek equitable relief to ensure that WORK continues.

Except for equitable relief, no partner may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

Any civil complaints will be filed in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing partner will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

92. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

93. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this agreement.

94. This agreement is intended to be PARTNERS' final expression and supersedes all prior oral understanding or writings pertaining to WORK.

95. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

96. PARTNERS will execute an amendment if there are any changes to the commitments made in this agreement.

97. This agreement will terminate upon COMPLETION OF WORK or upon 30 calendar days' written notification to terminate and acceptance between PARTNERS, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

98. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

99. Signatories may execute this agreement through individual signature pages provided that each signature is an original. This agreement is not fully executed until all original signatures are attached.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each partner to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. These changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jason Bennecke, Project Manager
464 West 4th Street, 6th Floor, (MS-1229)
San Bernardino, California 92401-1400
Office Phone: (909) 556-8852
Mobile Phone: (909) 556-8852
Email: jason.bennecke@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
Capital Projects Division, Public Works Department
P. O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By:_____
Raymond W. Wolfe, PhD
District Director

CITY OF MORENO VALLEY

By:_____
William L. Bopf
Interim City Manager

CERTIFIED AS TO FUNDS:

By:_____
Lisa Pacheco
Budget Manager

APPROVED AS TO FORM AND PROCEDURE

By:_____
Robert L. Hansen
City Attorney

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5					Construction (CON) - 270, 285, 290, 295	X	X	
	270				Construction Engineering and General Contract Administration	X	X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing	X	X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		75			Resource Agency Permit Renewal and Extension Requests		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
	275				Construction Engineering and General Contract Administration of Structures Work	X	X	
		10			Office Administration Work for Structures		X	

		20			Field Administration Work for Structures		X	
		30			Contract Change Order Inspection for Structures Work		X	
		40			Safety Tasks for Structures Work		X	
	285				Contract Change Order Administration	X	X	
		05			Contract Change Order Process		X	
		10			Functional Support		X	
	290				Resolve Contract Claims		X	
		05			Analysis of Notices of Potential Claims		X	
		10			Supporting Documentation and Responses to Notices of Potential Claims		X	
		15			Reviewed and Approved Claim Report		X	
		20			District Claim Meeting or Board of Review		X	
		25			Arbitration Hearing		X	
		30			Negotiated Claim Settlement		X	
		35			Technical Support		X	
	295				Accept Contract, Prepare Final Construction Estimate, and Final Report	X	X	
		05			Processed Estimate After Acceptance		X	
		10			Proposed Final Contract Estimate		X	
		15			As-Built Plans		X	
		20			Project History File		X	
		25			Final Report		X	
		30			Processed Final Estimate		X	
		35			Certificate of Environmental Compliance		X	
		40			Long Term Environmental Mitigation/Mitigation Monitoring After Construction Contract Acceptance		X	
		45			Post-Construction Traffic Operations Activities		X	
		99			Other Accept Contract/ Prepare Final Construction Estimate and Final Report		X	

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	Local	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00
		Subtotals by Component	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD
PROJECT NO. 06-12566625

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On June 23, 2009, the City Council awarded the construction contract to Murrieta Development Company, Inc., for the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard. A Purchase Order in the amount of $672,380.97 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

Murrieta Development Company, Inc. completed construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The project consisted of the installation of a traffic signal at the intersection of State Route 60 eastbound ramps and Redlands Boulevard, with street and storm drain improvements and also included minor widening of Redlands Boulevard and the eastbound ramps to accommodate turn lanes.

A Purchase Order in the amount of $672,380.97 was issued. The Contractor completed the project at a total construction cost of $594,370.19 inclusive of Contract Change Order No. 1 (Final) of $9,691.09. The improvements were completed ahead of schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvements Project Budget and is financed by Measure A (Fund 125). These funds can only be used for street related improvements. There is no impact to the General Fund.

AVAILABLE BUDGET:

SR60 Eastbound Ramps/Redlands Blvd Traffic Signal (Acct. No. 125.66625)	$1,269,476
Total Budget	$1,269,476

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$594,370
Construction Survey	$10,500
Construction Geotechnical	$18,100
Caltrans permit	$14,400
Edison Line extension	$6,400
Project Administration and Inspection (City Staff and Consultant)	$37,000
Total Project Construction Costs	$680,770

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Murrieta Development Company, Inc. completed the construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Murrieta Development Company, Inc., and accept the improvements into the City's maintained road system.

ATTACHMENT

Attachment "A" – Location Map (PAGE 251)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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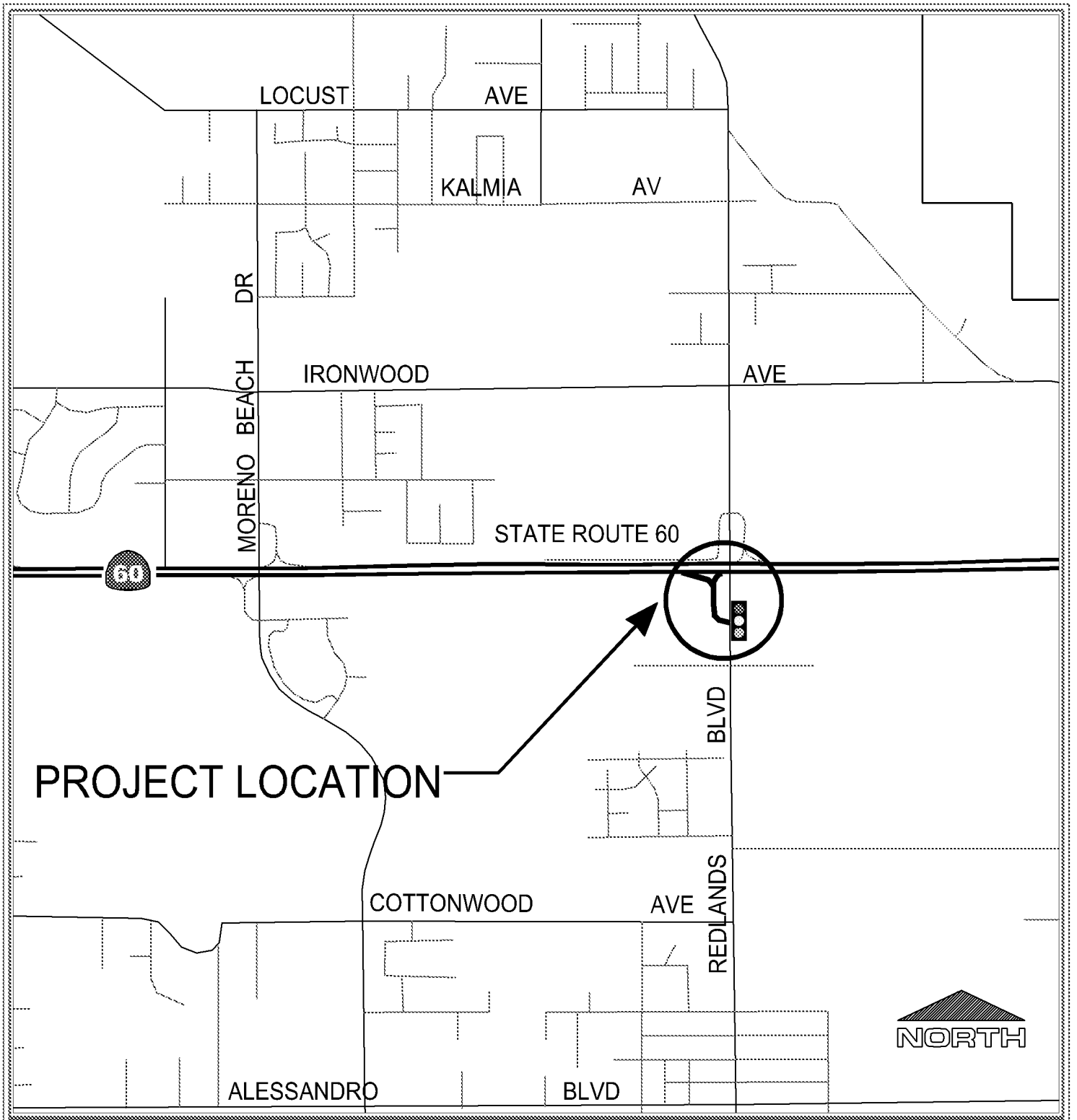

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

STATE ROUTE 60 / REDLANDS BOULEVARD
TRAFFIC SIGNAL ON EAST BOUND ON/OFF RAMPS
PROJECT NUMBER 06-12566625

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MV00057952

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: PA04-0016 – Residential - Accept Agreement and Irrevocable Letters of Credit for Public Improvements

Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway

Developer: Pigeon Pass LLC
434 n. 2nd
Upland, CA 91786

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Planning Commission of the City of Moreno Valley approved PA04-0016 on August 12, 2004. The project is located at the Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway. The plot plan was a proposal to subdivide approximately 9-acre parcel into 31 single-family residential lots. The Conditions of Approval for this project require that the developer provide surety for the required public improvements.

DISCUSSION

The developer of this project has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The street improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, bus turnout, street lights, water quality basins, storm drain, water, and sewer. Accompanying the agreement are an Irrevocable Letter of Credit as Faithful Performance security in the amount of $111,500 and an Irrevocable Letter of Credit as Labor and Material security in the amount of $55,750 issued by California Bank & Trust. The Financial and Administrative Services Department has determined that California Bank & Trust meets the minimum financial strength and stability to meet the obligations of the irrevocable letters of credit.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS/EXHIBITS

Exhibit “A” – Vicinity Map (PG. 257)
Exhibit “B” – Agreement for Public Improvements (PG. 259-267)
Exhibit “C” – Irrevocable Letter of Credit as Faithful Performance Security (PG. 269-270)
Exhibit “D” – Irrevocable Letter of Credit as Labor and Material Security (PG. 271-272)

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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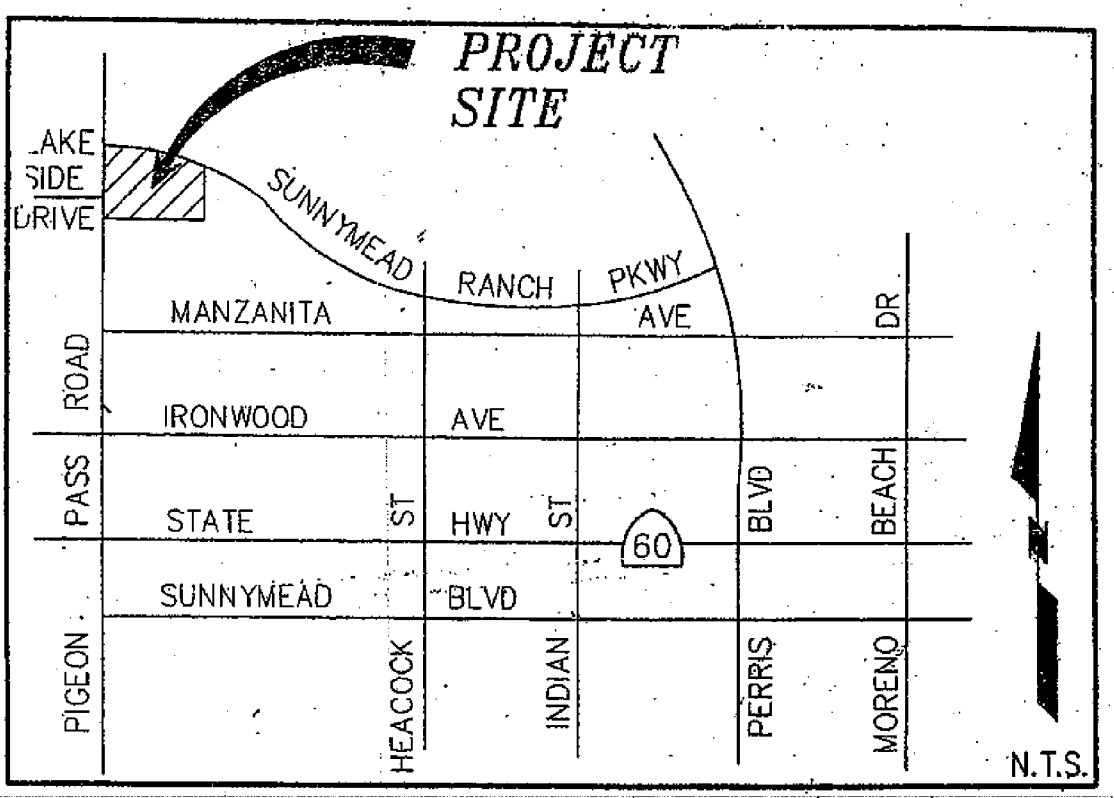

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA04-0016** **TR 31414** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\5-25-10 - PA04-0016 - Exhibit A.doc

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MV00057958

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0016 (TR 31414)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Pigeon Pass LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0016** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$111,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Pigeon Pass LLC
434 N. 2nd Ave.
Upland, CA 91786

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

Pigeon Pass LLC:
Developer by GFR Enterprises, Inc.
Its: Manager

BY: _____
Signature

Felizardo Robles, Jr.
Print/Type Name

Its: President
Title

BY: _____
Signature

Michael R. Aulicino
Print/Type Name

Its.: Chief Financial Officer
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boller - Agreement.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Bernardino

On April 13, 2010 (Date) before me, Susan C. White (Here Insert Name and Title of the Officer),
personally appeared Felizardo Robles Jr. and Michael R. Aulicino (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SUSAN C. WHITE
Commission # 1857286
Notary Public - California
San Bernardino County
My Comm. Expires Jul 10, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Susan C. White
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Public Works, Tract 31414

Document Date: April 13, 2010 Number of Pages: 8

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Felizardo Robles Jr.	Signer's Name: Michael R. Aulicino
☒ Corporate Officer — Title(s): President	☒ Corporate Officer — Title(s): CFO
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: GFR Enterprises Inc.	Signer Is Representing: GFR Enterprises, Inc.
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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MV00057962

MS 3/15/10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 03/15/10
PROJECT: Tract 31414/PA04-0016 PREPARED BY: Liz Plazola
STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	83222	S.F.	3017	Ton	16.00	48,269
A.C.	0.3	Thickness (ft.)				
	83222	S.F.	1810	Ton	43.50	78,738
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			2659	L.F.	12.00	31,908
Curb and Gutter - 8"			1226	L.F.	13.00	15,938
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			1165	L.F.	10.00	11,650
Cross Gutter and Spandrel			1501	S.F.	11.00	16,511
Sidewalk			24829	S.F.	4.00	99,316
Driveway Approach - 6"			8866	S.F.	5.50	48,763
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			9247	S.Y.	1.10	10,172
Redwood Header			0	L.F.	4.00	0
Sawcut			3575	L.F.	1.10	3,933
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5050	L.F.	5.00	25,250
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			8	EA.	425.00	3,400
Stop Sign			2	EA.	200.00	400
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			10	EA.	50.00	500
Signs and Posts			4	EA.	200.00	800
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			2874	L.S.	.30	862
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping-median			2000	S.F.	5.00	10,000
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			9	EA.	3,000.00	27,000
Street Lights (22000 lumen)			2	EA.	3,500.00	7,000
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Relocate Power Poles			1	EA.	150,000.00	150,000
Cluster Mail Boxes			3	EA.	3,000.00	9,000
Monuments			54		65.00	3,510
Electrical Utility Infrastructure			0	EA.		0
Electrical Utility Trench			0	L.F.	110.00	0
Electrical Reimbursement						
					SUBTOTAL:	606,119

Monuments: 54 X 65.00 EA. $3,510

Item No. A.8

MV00057963

MMJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	410	L.F.	95.00	38,950
30" Reinforced Concrete Pipe	0	L.F.	110.00	0
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	1	EA.	5000.00	5,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
Ctach Basin	14	LF	450.00	6,300
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	0	EA.	1600.00	0
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	2	EA.	3500.00	7,000
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
Construct local depression	2	EA.	1000.00	2,000
"V" Gutter	23	L.F.	4.00	92
			SUBTOTAL:	63,922

MVJ 3/15/10

EXHIBIT "A"

PROJECT: **Tract 31414/PA04-0016**

DATE: **03/15/10**
PREPARED BY: **Liz Plazola**

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	1441	L.F.	50.00	72,050
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	5	EA.	2,000.00	10,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	3	EA.	1,800.00	5,400
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	3	EA.	1,800.00	5,400
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	31	EA.	350.00	10,850
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Prerssure Reducing Vlave	31		200.00	6,200
Joint at Existing 8"	0	EA.	650.00	0
			SUBTOTAL:	114,900

Item No. A.8

MVJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	1504	L.F.	32.00	48,128
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1116	L.F.	24.00	26,784
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	15	EA.	2,000.00	30,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	3	EA.	2,800.00	8,400
Shallow Manhole	1	EA.	2,000.00	2,000
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	31	EA.	600.00	18,600
Clean Out Lateral	0	EA.	90.00	0
Wyes	56	EA.	90.00	5,040
Pavement Replacement	56	S.F.	3.00	168
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
Backflow valve	7		150.00	1,050
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	140,170

3/15/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: Tract 31414/PA04-0016
PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

IMPROVEMENT TYPE:

ROADWORK	:	$606,119
STORM DRAIN	:	$63,922
WATER SYSTEM	:	$114,900
SEWER SYSTEM	:	$140,170
SURVEY MONUMENTS	:	$3,510
TOTAL COST OF IMPROVEMENTS:		$928,621
+20% CONTINGENCY:		$185,724
GRAND TOTAL:		$1,114,346

BOND AMOUNT:	**$1,115,000**
-90% of Original Bond Amount	$1,003,500
NEW BOND AMOUNT:	**$111,500**

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MV00057968

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1733

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 111,500.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of One Hundred Eleven Thousand Five Hundred and 00/100 USDOLLARS (USD 111,500.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1733 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.

Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
"We hereby certify that Pigeon Pass LLC has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

OR

"We hereby certify that Pigeon Pass LLC has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided relative to Project No. PA04-0016 (TR31414), the amount of the attached draft is in the amount of USD (insert amount) which represents no more than 10% of the amount of this Letter of Credit."

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

Beneficiary may reduce the Letter of Credit amount from time to time by providing us with a release letter purportedly signed by an authorized representative of The City of Moreno Valley indicating this Letter of Credit No. SB06-1733, the amount to be reduced and the new Letter of Credit amount and stating that the work covered by the agreements is completed to the satisfaction of the City.

Exhibit "C"

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Gloz 4-7-10
By Date

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1732

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 55,750.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of Fifty Five Thousand Seven Hundred Fifty and 00/100 USDOLLARS (USD 55,750.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1732 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

> This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.
>
> Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
> "We hereby certify that Pigeon Pass LLC has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

This Letter of Credit may be cancelled prior to the expiration date, only upon our receipt of the original of this Letter of Credit and amendments (if any) and a statement purportedly signed by an authorized representative of City of Moreno Valley stating that Pigeon Pass LLC has fulfilled its obligation and authorize California Bank & Trust to cancel Letter of Credit No. SB06-1732.

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

Exhibit "D"

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Alonzo 4-7-10
By Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: May 25, 2010

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2010

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This is the third quarterly report submitted for the 2009-10 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.27 years.

This is the first Treasurer's Cash and Investments Report that incorporates reports generated by Chandler Asset Management. The format of these reports is different than the reports previously provided to the Council; however, all of the previous information plus some additional information is contained in the reports.

On the cover page of the Treasurer's Cash and Investments Report, the column previously titled "Book Value" has been changed to "Cost Value" to match the corresponding column in the reports from Chandler Asset Management. Cost Value is the purchase price of an investment; the amount does not include amortization of premiums, accretion of discounts or accrued interest associated with the investment. Market Value is the price the City would receive if it sold the investment on the open market on the day of the report; the exact value varies many times daily and is only known for certain if the investment is actually sold. Par Value is the amount the City will receive at the maturity of the investment.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – March 2010 (PG. 277-288)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00057976

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report
March 2010

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Duration
Bank Accounts	2,982,299	2,982,299	2,982,299		
State of California LAIF Pool	43,782,651	43,782,651	43,782,651		
Investments	172,056,891	170,645,588	168,702,060	2.27	1.56
Total General Portfolio	218,821,841	217,410,538	215,467,011	Years	Years

Bond Proceeds with Fiscal Agents	Cost Value	Market Value	Par Value	Average Maturity
Construction Funds	14,517,849	14,517,849	14,517,849	
Principal & Interest Accounts	3,471,121	3,471,121	3,471,121	
Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564	
Custody Accounts	0	0	0	
Arbitrage Rebate Accounts	14,810	14,810	14,810	
Other Accounts	534,765	534,765	534,765	
Total Bond Proceeds	27,446,109	27,446,109	27,446,109	0.00 Years

Deferred Compensation Funds	Market Value
Nationwide	7,252,072
ICMA	3,820,694
Total Deferred Compensation Funds	11,072,766
Total Investment Portfolio	**255,929,413**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment custodian.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Steve Elam
City Treasurer

Attachment 1

City of Moreno Valley Consolidated
Account #10122

Portfolio Summary

As of 3/31/2010

PORTFOLIO CHARACTERISTICS

Average Duration	1.56
Average Coupon	2.62 %
Average Purchase YTM	2.05 %
Average Market YTM	1.29 %
Average S&P Rating	AAA
Average Final Maturity	2.27 yrs
Average Life	1.55 yrs

ACCOUNT SUMMARY

	Beg. Values as of 2/28/10	End Values as of 3/31/10
Market Value	225,848,547	217,410,538
Accrued Interest	1,007,401	1,495,909
Total Market Value	226,855,948	218,906,447
Income Earned	612,314	277,190
Cont/WD		
Par	226,640,056	215,467,011
Book Value	226,740,607	218,769,519
Cost Value	226,677,179	218,821,841

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	20.1 %
Federal Home Loan Bank	16.4 %
Federal National Mortgage Assoc	12.6 %
Federal Home Loan Mortgage Corp	10.2 %
Government of United States	9.4 %
Federal Farm Credit Bank	8.9 %
Tennessee Valley Authority	3.8 %
Bank of America Corp FDIC Insur	2.3 %
	83.6 %

SECTOR ALLOCATION

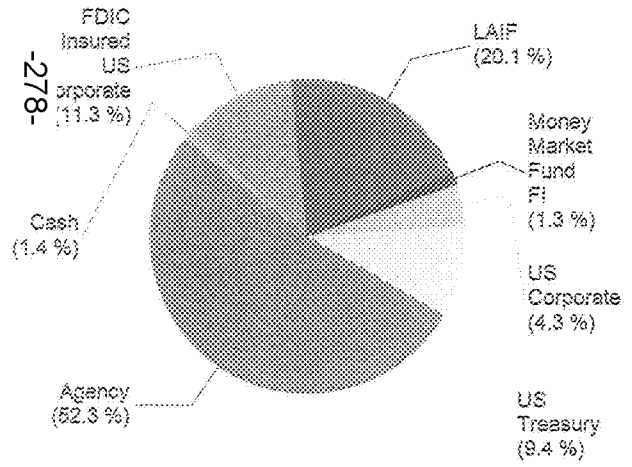

MATURITY DISTRIBUTION

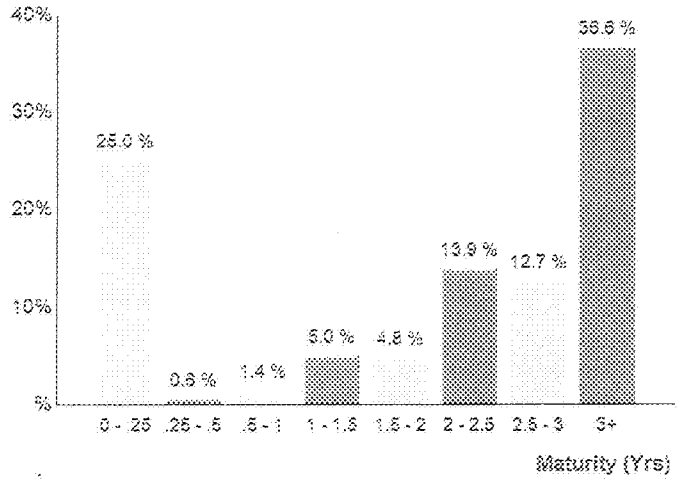

CREDIT QUALITY

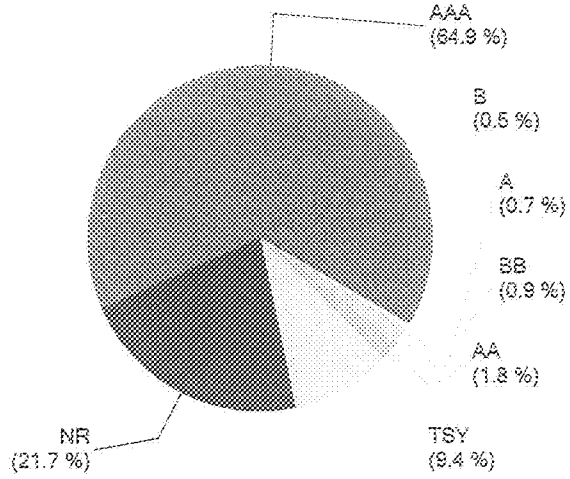

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31331XMQ2	FFCB Note 5% Due 5/26/2010	1,000,000.00	01/26/2007 5.00 %	1,000,000.00 1,000,000.00	100.72 0.29 %	1,007,188.00 17,361.11	0.47 % 7,188.00	Aaa AAA	0.15 0.15
31331GGS2	FFCB Note 2% Due 6/11/2010	1,000,000.00	12/11/2008 2.00 %	1,000,000.00 1,000,000.00	100.31 0.39 %	1,003,125.00 6,111.11	0.46 % 3,125.00	Aaa AAA	0.20 0.19
3133XCJ38	FHLB Callable Note 1X 08/10/2006 4.7% Due 8/10/2010	1,000,000.00	11/29/2005 4.94 %	989,860.00 999,225.46	101.53 0.42 %	1,015,313.00 6,658.33	0.47 % 16,087.54	Aaa AAA	0.36 0.36
3133XQMW9	FHLB Callable Note 1X 10/15/08 3.05% Due 10/15/2010	1,000,000.00	04/15/2008 3.05 %	1,000,000.00 1,000,000.00	101.41 0.43 %	1,014,063.00 14,063.89	0.47 % 14,063.00	Aaa AAA	0.54 0.53
3133XQSX1	FHLB Callable Note 1X 10/28/08 3% Due 10/28/2010	1,000,000.00	04/28/2008 3.00 %	1,000,000.00 1,000,000.00	101.41 0.55 %	1,014,063.00 12,750.00	0.47 % 14,063.00	Aaa AAA	0.58 0.57
307692AA1	FAMCA Note 4.875% Due 1/14/2011	1,000,000.00	06/05/2006 5.47 %	976,000.00 995,895.49	103.44 0.48 %	1,034,410.00 10,427.08	0.48 % 38,514.51	Aaa AAA	0.79 0.77
31398AWA6	FNMA Callable Note 1X 04/01/2010 2.05% Due 4/1/2011	1,000,000.00	04/01/2009 2.05 %	1,000,000.00 1,000,000.00	100.00 2.05 %	1,000,000.00 10,250.00	0.46 % 0.00	Aaa AAA	1.00 0.97
31331YK82	FFCB Note 3.25% Due 5/2/2011	1,000,000.00	05/19/2008 3.38 %	996,360.00 998,662.86	102.84 0.62 %	1,028,438.00 13,451.39	0.48 % 29,775.14	Aaa AAA	1.09 1.06
3133XTRU2	FHLB Note 1.3% Due 6/1/2011	1,000,000.00	06/01/2009 1.30 %	1,000,000.00 1,000,000.00	100.59 0.79 %	1,005,938.00 4,333.33	0.46 % 5,938.00	Aaa AAA	1.17 1.15
3[illegible]REE6	FHLB Callable Note 1X 6 /9/10 3.6% Due 6/9/2011	1,000,000.00	06/09/2008 3.60 %	1,000,000.00 1,000,000.00	100.59 0.45 %	1,005,938.00 11,200.00	0.46 % 5,938.00	Aaa AAA	0.19 0.19
3133XRQR4	FHLB Callable Note 1X 07/14/10 4.125% Due 7/14/2011	1,000,000.00	07/14/2008 4.13 %	1,000,000.00 1,000,000.00	101.06 0.40 %	1,010,625.00 8,822.92	0.47 % 10,625.00	Aaa AAA	0.29 0.29
3133XUHK2	FHLB Callable Note 1X 8/24/2010 1.375% Due 8/24/2011	1,000,000.00	08/24/2009 1.38 %	1,000,000.00 1,000,000.00	100.34 0.51 %	1,003,438.00 1,413.19	0.46 % 3,438.00	Aaa AAA	0.40 0.40
3133XRW30	FHLB Callable Note 1X 7/28/10 4% Due 10/28/2011	1,000,000.00	10/28/2008 4.00 %	1,000,000.00 1,000,000.00	101.19 0.34 %	1,011,875.00 17,000.00	0.47 % 11,875.00	Aaa AAA	0.33 0.32
3136FH4A0	FNMA Callable Note 1X 8/17/10 1.55% Due 11/17/2011	1,000,000.00	08/17/2009 1.56 %	999,375.00 999,547.60	100.41 0.47 %	1,004,063.00 5,769.44	0.46 % 4,515.40	Aaa AAA	0.38 0.38
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.81 1.09 %	1,018,125.00 3,966.67	0.47 % 18,125.00	Aaa AAA	1.82 1.77
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	102.13 1.09 %	1,021,250.00 3,187.50	0.47 % 21,250.00	Aaa AAA	1.87 1.82
3128X8MS8	FHLMC Callable Note 1X 9/2/10 2.35% Due 3/2/2012	1,000,000.00	03/02/2009 2.43 %	997,800.00 998,592.88	100.67 0.76 %	1,006,661.00 1,893.06	0.46 % 8,068.12	Aaa AAA	0.42 0.42
31[illegible]XKF83	FHLB Callabe Note 1X 4/19/10 5.02% Due 4/19/2012	1,000,000.00	04/19/2007 5.02 %	1,000,000.00 1,000,000.00	100.22 0.63 %	1,002,188.00 22,590.00	0.47 % 2,188.00	Aaa AAA	0.05 0.05
31[illegible]INF8	FNMA Callable Note 1X 11/04/2010 1.625% Due 5/4/2012	1,000,000.00	06/07/2009 1.62 %	1,000,000.00 1,000,000.00	100.28 1.14 %	1,002,813.00 6,635.42	0.46 % 2,813.00	Aaa AAA	0.60 0.59
31[illegible]IA93	FHLMC Callable Note 1X 5/11/10 2.05% Due 5/11/2012	1,000,000.00	05/11/2009 2.05 %	1,000,000.00 1,000,000.00	100.18 0.39 %	1,001,840.00 7,972.22	0.46 % 1,840.00	Aaa AAA	0.11 0.11

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

SIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (Yrs) Duration
ENCY									
3XL4G5	FHLB Callable Note 1X 6/1/10 5.3% Due 6/1/2012	1,000,000.00	06/01/2007 5.30 %	1,000,000.00 1,000,000.00	100.81 0.41 %	1,008,125.00 17,666.67	0.47 % 8,125.00	Aaa AAA	0.17 0.17
3136FHUY9	FNMA Callable Note 1X 6/1/10 1.4% Due 6/1/2012	1,000,000.00	06/01/2009 1.40 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,250.00 4,666.67	0.46 % 1,250.00	Aaa AAA	0.17 0.17
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,002,401.63	108.94 1.35 %	1,089,375.00 15,136.89	0.50 % 86,973.37	Aaa AAA	2.23 2.09
31331GZ36	FFCB Callable Note 1X 10/19/10 1.55% Due 7/19/2012	1,000,000.00	10/19/2009 1.55 %	1,000,000.00 1,000,000.00	100.25 1.09 %	1,002,500.00 3,100.00	0.46 % 2,500.00	Aaa AAA	0.55 1.46
3136F9YP2	FNMA Callable Note 1X 07/23/2010 4.22% Due 7/23/2012	1,000,000.00	07/23/2008 4.22 %	1,000,000.00 1,000,000.00	101.13 0.59 %	1,011,250.00 7,971.11	0.47 % 11,250.00	Aaa AAA	0.31 0.31
31331XT36	FFCB Note 5.25% Due 8/1/2012	1,000,000.00	08/01/2007 5.25 %	1,000,000.00 1,000,000.00	108.72 1.44 %	1,087,188.00 8,750.00	0.50 % 87,188.00	Aaa AAA	2.34 2.20
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.41 1.41 %	1,024,063.00 3,266.67	0.47 % 24,063.00	Aaa AAA	2.37 2.29
3136FHAK1	FNMA Callable Note 1X 08/27/2010 2.625% Due 8/27/2012	1,000,000.00	02/27/2009 2.63 %	1,000,000.00 1,000,000.00	100.69 0.92 %	1,006,875.00 2,479.17	0.46 % 6,875.00	Aaa AAA	0.41 0.40
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	99.94 1.58 %	999,375.00 7,147.22	0.46 % (625.00)	Aaa AAA	2.55 2.46
26X8WZ1	FHLMC Callable Note 1X 4/29/10 2.35% Due 10/29/2012	1,000,000.00	04/29/2009 2.35 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,326.00 9,922.22	0.46 % 1,326.00	Aaa AAA	0.08 0.06
3136FHJU0	FNMA Callable Note 1X 4/29/11 2.25% Due 10/29/2012	1,000,000.00	04/29/2009 2.28 %	999,150.00 999,373.96	101.19 1.14 %	1,011,875.00 9,500.00	0.47 % 12,501.04	Aaa AAA	1.08 2.07
3133XSKL1	FHLB Callable Note 1X 11/5/10 4.125% Due 11/5/2012	1,000,000.00	11/05/2008 4.13 %	1,000,000.00 1,000,000.00	102.03 0.69 %	1,020,313.00 16,729.17	0.47 % 20,313.00	Aaa AAA	0.60 0.58
3128X7SV7	FHLMC Callable Note 1X 11/23/2010 3.7% Due 11/23/2012	2,000,000.00	05/23/2008 3.79 %	1,992,500.00 1,995,591.19	101.93 0.69 %	2,038,678.00 26,311.11	0.94 % 43,086.81	Aaa AAA	0.65 0.63
3133XTRK4	FHLB Callable Note 1X 6/18/10 2.1% Due 12/18/2012	1,000,000.00	06/18/2009 2.10 %	1,000,000.00 1,000,000.00	100.34 0.49 %	1,003,438.00 6,008.33	0.46 % 3,438.00	Aaa AAA	0.22 0.85
31331GKF5	FFCB Note 2.5% Due 1/14/2013	1,000,000.00	01/14/2009 2.30 %	1,007,520.00 1,005,244.96	102.00 1.76 %	1,020,000.00 5,347.22	0.47 % 14,755.04	Aaa AAA	2.79 2.67
31398ALB6	FNMA Callable Note 1X 01/18/2011 4% Due 1/18/2013	1,000,000.00	01/18/2006 4.00 %	1,000,000.00 1,000,000.00	102.38 1.00 %	1,023,750.00 8,111.11	0.47 % 23,750.00	Aaa AAA	0.80 0.78
3133XUDM2	FHLB Callable Note 1X 2/14/11 2.4% Due 2/14/2013	1,000,000.00	08/14/2009 2.40 %	1,000,000.00 1,000,000.00	101.09 1.13 %	1,010,938.00 3,133.33	0.46 % 10,938.00	Aaa AAA	0.86 2.21
3136FH4S1	FNMA Callable Note 1X 8/19/10 2.375% Due 2/19/2013	1,000,000.00	08/20/2009 2.38 %	1,000,000.00 1,000,000.00	100.72 0.49 %	1,007,188.00 2,770.83	0.46 % 7,188.00	Aaa AAA	0.39 1.19
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.87 %	4,194,744.63 4,163,336.79	112.20 1.75 %	4,179,338.25 9,933.34	1.91 % 15,999.46	Aaa AAA	2.96 2.74
3128X8TZ5	FHLMC Callable Note 1X 04/08/2011 2.5% Due 4/8/2013	1,000,000.00	04/08/2009 2.50 %	1,000,000.00 1,000,000.00	101.54 0.98 %	1,015,412.00 12,013.89	0.47 % 15,412.00	Aaa AAA	1.02 2.40

MV00057980

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	100.81 1.92 %	1,008,125.00 10,572.22	0.47 % 8,125.00	Aaa AAA	3.02 2.88
3133XQVY5	FHLB Callable Note Qrtly 5/13/10 4.125% Due 5/13/2013	1,000,000.00	05/13/2008 4.13 %	1,000,000.00 1,000,000.00	100.44 0.37 %	1,004,375.00 15,812.50	0.47 % 4,375.00	Aaa AAA	0.12 0.12
3128X8B84	FHLMC Callable Note 1X 05/13/2011 2.4% Due 5/13/2013	1,000,000.00	05/13/2009 2.40 %	1,000,000.00 1,000,000.00	101.31 1.22 %	1,013,069.00 9,200.00	0.47 % 13,069.00	Aaa AAA	1.12 2.62
3128X7RC0	FHLMC Callable Note 1X 5/20/10 4% Due 5/20/2013	1,000,000.00	05/20/2008 4.00 %	1,000,000.00 1,000,000.00	100.41 0.94 %	1,004,141.00 14,555.56	0.47 % 4,141.00	Aaa AAA	0.14 0.14
31331GXN4	FFCB Callable Note Cont 6/3/11 2.7% Due 6/3/2013	1,000,000.00	06/03/2009 2.70 %	1,000,000.00 1,000,000.00	101.38 1.51 %	1,013,750.00 8,850.00	0.47 % 13,750.00	Aaa AAA	1.18 1.89
31331YV64	FFCB Callable Note Cont 6/10/10 4.3% Due 6/10/2013	1,000,000.00	06/10/2008 4.30 %	1,000,000.00 1,000,000.00	100.75 0.38 %	1,007,500.00 13,258.33	0.47 % 7,500.00	Aaa AAA	0.19 0.19
3128X7VR2	FHLMC Callable Note 1X 6/10/10 4% Due 6/10/2013	1,000,000.00	06/10/2008 4.00 %	1,000,000.00 1,000,000.00	100.68 0.46 %	1,006,767.00 12,333.33	0.47 % 6,767.00	Aaa AAA	0.19 0.19
3128X84T6	FHLMC Callable Note 1X 7/23/10 2.4% Due 7/23/2013	1,000,000.00	07/23/2009 2.40 %	1,000,000.00 1,000,000.00	100.54 0.66 %	1,005,406.00 4,533.33	0.46 % 5,406.00	Aaa AAA	0.31 1.49
3133XRTE0	FHLB Callable Note 1X 7/29/10 4.625% Due 7/29/2013	1,000,000.00	07/29/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.33 %	1,014,063.00 7,965.28	0.47 % 14,063.00	Aaa AAA	0.33 0.33
88[illegible]1DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 4,092,821.60	108.66 2.05 %	4,074,596.25 29,687.50	1.87 % (18,225.35)	Aaa AAA	3.34 3.08
3133XUEC3	FHLB Callable Note 1X 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	101.13 1.81 %	1,011,250.00 3,606.94	0.46 % 11,250.00	Aaa AAA	1.37 2.15
3133XRYG9	FHLB Callable Note 1X 8/20/10 4.625% Due 8/20/2013	1,000,000.00	10/28/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.96 %	1,014,063.00 5,267.36	0.47 % 14,063.00	Aaa AAA	0.39 0.38
3128X9GH7	FHLMC Callable Note 1X 4/1/10 2.5% Due 10/1/2013	1,000,000.00	10/01/2009 2.53 %	999,000.00 999,124.57	100.00 2.50 %	1,000,000.00 12,500.00	0.46 % 875.43	Aaa AAA	3.51 3.29
31331GDF3	FFCB Callable Note Cont 10/15/10 4.25% Due 10/15/2013	1,000,000.00	10/15/2008 4.25 %	1,000,000.00 1,000,000.00	102.03 0.47 %	1,020,313.00 19,597.22	0.48 % 20,313.00	Aaa AAA	0.54 0.53
3136FJGM7	FNMA Callable Note 1X 10/22/10 2.5% Due 10/22/2013	1,000,000.00	10/22/2009 2.50 %	1,000,000.00 1,000,000.00	100.34 1.68 %	1,003,438.00 11,041.67	0.46 % 3,438.00	Aaa AAA	0.56 2.25
3133XSLV6	FHLB Callable Note 1X 11/26/10 3.5% Due 11/26/2013	1,000,000.00	11/26/2008 3.50 %	1,000,000.00 1,000,000.00	102.19 0.15 %	1,021,875.00 12,152.78	0.47 % 21,875.00	Aaa AAA	0.66 0.65
3133XSMU9	FHLB Callable Note 1X 11/26/10 4.05% Due 11/26/2013	1,000,000.00	11/26/2008 4.05 %	1,000,000.00 1,000,000.00	102.38 0.40 %	1,023,750.00 14,062.50	0.47 % 23,750.00	Aaa AAA	0.66 0.64
313[illegible]HW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,066,040.95	109.41 2.21 %	1,094,063.00 14,625.00	0.51 % 28,022.05	Aaa AAA	3.71 3.36
31[illegible]ABX6	FHLMC Note 2.5% Due 1/7/2014	4,000,000.00	03/17/2010 2.09 %	4,059,384.00 4,058,786.32	101.16 2.18 %	4,046,372.00 23,333.33	1.86 % (12,414.32)	Aaa AAA	3.78 3.56
31[illegible]3Z4	FNMA Callable Note 1X 1/28/11 2% Due 1/28/2014	1,000,000.00	01/28/2009 2.00 %	1,000,000.00 1,000,000.00	100.63 1.23 %	1,006,250.00 3,500.00	0.46 % 6,250.00	Aaa AAA	0.83 0.82

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
33XSZ43	FHLB Callable Note Qrtly 02/18/2011 3% Due 2/18/2014	1,000,000.00	02/18/2009 3.00 %	1,000,000.00 1,000,000.00	100.69 2.21 %	1,006,875.00 3,583.33	0.46 % 6,875.00	Aaa AAA	0.89 1.89
3136FHDF9	FNMA Callalbe Note 1X 3/18/11 3.2% Due 3/18/2014	1,000,000.00	03/18/2009 3.20 %	1,000,000.00 1,000,000.00	101.75 1.37 %	1,017,500.00 1,155.56	0.47 % 17,500.00	Aaa AAA	0.96 2.50
3128X8QM7	FHLMC Callable Note 1X 03/24/2011 2.375% Due 3/24/2014	1,000,000.00	03/24/2009 2.40 %	999,000.00 999,204.27	101.98 0.35 %	1,019,849.00 461.81	0.47 % 20,644.73	Aaa AAA	0.98 0.97
31398AWH1	FNMA Callable Note 1X 4/7/11 2.9% Due 4/7/2014	1,000,000.00	06/06/2009 2.98 %	996,406.25 997,011.32	100.59 2.31 %	1,005,938.00 14,016.67	0.47 % 8,926.68	Aaa AAA	1.02 2.82
3136FHHH1	FNMA Callable Note 1X 4/14/11 2% Due 4/14/2014	1,000,000.00	04/14/2009 2.00 %	1,000,000.00 1,000,000.00	99.91 2.09 %	999,063.00 9,277.78	0.46 % (937.00)	Aaa AAA	1.04 1.01
3136FHGK5	FNMA Callable Note 1X 04/16/2012 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.38 2.31 %	1,013,750.00 13,750.00	0.47 % 13,750.00	Aaa AAA	2.05 3.45
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.31 1.60 %	1,013,125.00 9,375.00	0.47 % 13,125.00	Aaa AAA	2.09 3.12
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.94 1.53 %	1,009,375.00 8,086.81	0.46 % 9,375.00	Aaa AAA	1.62 2.76
31331GYT0	FFCB Callable Note Cont 6/17/10 3.75% Due 6/17/2014	1,000,000.00	06/17/2009 3.75 %	1,000,000.00 1,000,000.00	100.78 0.05 %	1,007,813.00 10,833.33	0.47 % 7,813.00	Aaa AAA	0.21 0.21
133X7FK5	FHLB Note 5.25% Due 6/18/2014	3,650,000.00	03/15/2010 2.34 %	4,078,185.15 4,073,779.39	111.19 2.44 %	4,058,343.75 54,826.04	1.88 % (15,435.64)	Aaa AAA	4.22 3.78
3128X6Y69	FHLMC Callable Note 1X 7/2/10 3.4% Due 7/2/2014	1,000,000.00	07/02/2009 3.41 %	999,531.25 999,601.33	100.79 0.26 %	1,007,935.00 8,405.56	0.46 % 8,333.67	Aaa AAA	0.25 0.25
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.25 1.78 %	1,012,500.00 5,694.44	0.47 % 12,500.00	Aaa AAA	1.78 1.72
31398AYN6	FNMA Callable Note 1X 07/28/2011 3% Due 7/28/2014	1,000,000.00	07/28/2009 3.00 %	1,000,000.00 1,000,000.00	100.75 2.42 %	1,007,500.00 5,250.00	0.46 % 7,500.00	Aaa AAA	1.33 3.32
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,096,498.18	102.22 2.46 %	4,088,752.00 21,000.00	1.88 % (7,746.18)	Aaa AAA	4.33 4.02
3133XUBN2	FHLB Callable Note Cont 8/5/10 3.2% Due 8/5/2014	1,000,000.00	08/08/2009 3.20 %	1,000,000.00 1,000,000.00	100.84 0.74 %	1,008,438.00 4,977.78	0.46 % 8,438.00	Aaa AAA	0.35 1.14
3133XUPX5	FHLB Callable Note 1X 9/15/11 3.1% Due 9/15/2014	1,000,000.00	09/15/2009 3.10 %	1,000,000.00 1,000,000.00	101.50 2.74 %	1,015,000.00 1,377.78	0.46 % 15,000.00	Aaa AAA	4.46 2.67
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,089,870.47	101.50 2.64 %	4,060,000.00 3,000.00	1.86 % (29,870.47)	Aaa AAA	4.48 4.17
3133XV2K6	FHLB Callable Note Qrtly 1/15/10 2% Due 10/15/2014	1,000,000.00	10/15/2009 2.00 %	1,000,000.00 1,000,000.00	100.07 0.18 %	1,000,700.00 9,222.22	0.46 % 700.00	Aaa AAA	0.04 0.04
3133XV3B5	FHLB Callable Note Qtrly 1/22/10 2% Due 10/22/2014	1,000,000.00	10/22/2009 2.00 %	1,000,000.00 1,000,000.00	100.09 0.37 %	1,000,938.00 8,833.33	0.46 % 938.00	Aaa AAA	0.06 1.08
3136FJKD2	FNMA Callable Note 1X 10/27/2011 2.8% Due 10/27/2014	1,000,000.00	10/27/2009 2.80 %	1,000,000.00 1,000,000.00	99.94 2.81 %	999,375.00 11,977.78	0.46 % (625.00)	Aaa AAA	4.58 4.21

MV00057982

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Unit Price Mkt Yield	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term (Yrs) Duration
AGENCY									
31398AZS4	FNMA Callable Note 1X 10/29/2010 3% Due 10/29/2014	1,000,000.00	10/29/2009 3.02 %	998,910.00 999,001.93	100.16 2.72 %	1,001,563.00 12,666.67	0.46 % 2,561.07	Aaa AAA	0.58 2.56
3128X9KE9	FHLMC Callable Note QTRLY 11/5/10 3% Due 11/5/2014	1,000,000.00	11/05/2009 3.00 %	1,000,000.00 1,000,000.00	100.44 2.24 %	1,004,421.00 12,166.67	0.46 % 4,421.00	Aaa AAA	0.60 2.00
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,114,576.82	100.00 2.63 %	4,100,000.00 39,163.54	1.89 % (14,576.82)	Aaa AAA	4.64 4.30
3136FJPL9	FNMA Callable Note 1X 05/25/2010 3.4% Due 11/25/2014	1,000,000.00	11/25/2009 3.40 %	1,000,000.00 1,000,000.00	100.19 2.12 %	1,001,875.00 11,900.00	0.46 % 1,875.00	Aaa AAA	0.15 0.15
31331G7L7	FFCB Callable Note Cont 12/22/11 2.82% Due 12/22/2014	1,000,000.00	12/22/2009 2.82 %	1,000,000.00 1,000,000.00	99.78 2.87 %	997,813.00 7,755.00	0.46 % (2,187.00)	Aaa AAA	4.73 4.36
31331JAA1	FFCB Callable Note Cont 12/22/10 3% Due 12/22/2014	1,000,000.00	12/22/2009 3.00 %	1,000,000.00 1,000,000.00	100.19 2.72 %	1,001,875.00 8,250.00	0.46 % 1,875.00	Aaa AAA	0.73 2.32
3133XWBQ1	FHLB Callable Note Qtrly 6/29/10 3% Due 12/29/2014	1,000,000.00	12/29/2009 3.00 %	1,000,000.00 1,000,000.00	99.34 3.15 %	993,438.00 7,666.67	0.46 % (6,562.00)	Aaa AAA	4.75 1.52
3136FJZA2	FNMA Callable Note Qtrly 06/30/2010 3.05% Due 12/30/2014	1,000,000.00	12/30/2009 3.05 %	1,000,000.00 1,000,000.00	99.81 3.09 %	998,125.00 7,709.72	0.46 % (1,875.00)	Aaa AAA	4.75 1.84
3136FJE23	FNMA Callable Note Qtrly 01/05/2011 3% Due 1/5/2015	1,000,000.00	01/05/2010 3.00 %	1,000,000.00 1,000,000.00	100.34 2.54 %	1,003,438.00 7,166.67	0.46 % 3,438.00	Aaa AAA	0.77 2.33
31[illegible]WDZ9	FHLB Callable Note Cont 7/13/10 3.1% Due 1/13/2015	1,000,000.00	01/13/2010 3.10 %	1,000,000.00 1,000,000.00	99.72 3.16 %	997,188.00 6,716.67	0.46 % (2,812.00)	Aaa AAA	4.79 1.52
Total Agency		111,225,000.00	2.84 %	112,769,330.38 112,744,191.97	1.48 %	113,619,283.25 938,545.29	52.33 % 875,091.28	Aaa AAA	1.86 1.93
CASH									
90CASH$00	Cash Custodial Cash Account	2,982,298.79	Various 0.00 %	2,982,298.79 2,982,298.79	1.00 0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
Total Cash		2,982,298.79	N/A	2,982,298.79 2,982,298.79	0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
FDIC INSURED US CORPORATE									
61757UAF7	Morgan Stanley FDIC Guaranteed Note 2% Due 9/22/2011	4,825,000.00	Various 0.91 %	4,909,264.93 4,901,788.66	101.68 0.85 %	4,906,045.53 2,412.50	2.24 % 4,256.87	Aaa AAA	1.48 1.45
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	4,750,000.00	Various 1.07 %	4,919,063.75 4,902,781.38	103.25 1.05 %	4,904,603.00 44,333.33	2.26 % 1,821.62	Aaa AAA	1.69 1.64
0[illegible]AG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	4,850,000.00	Various 1.31 %	4,932,732.55 4,927,981.53	101.84 1.20 %	4,939,312.75 42,720.41	2.28 % 11,331.22	Aaa AAA	2.08 2.02
9[illegible]AC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	4,875,000.00	Various 1.40 %	4,913,348.88 4,915,118.40	101.14 1.26 %	4,930,360.50 33,150.00	2.27 % 15,242.10	Aaa AAA	2.13 2.07

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date / Book Yield	Cost Value / Book Value	Mkt Price / Mkt YTM	Market Value / Accrued Int.	% of Port / Gain/Loss	Moody / S&P	Term (Yrs) / Duration
IC INSURED US CORPORATE									
146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	4,725,000.00	03/12/2010 1.27 %	4,931,019.45 4,927,255.39	104.27 1.28 %	4,926,738.60 45,215.63	2.27 % (516.79)	Aaa AAA	2.21 2.12
Total FDIC Insured US Corporate		24,025,000.00	1.19 %	24,605,429.56 24,574,925.36	1.13 %	24,607,060.38 167,831.87	11.32 % 32,135.02	Aaa AAA	1.92 1.86
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	43,782,651.30	Various 0.55 %	43,782,651.30 43,782,651.30	1.00 0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
Total LAIF		43,782,651.30	0.55 %	43,782,651.30 43,782,651.30	0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	1.00	03/09/2010 0.05 %	1.00 1.00	1.00 0.05 %	1.00 0.00	0.00 % 0.00	Aaa AAA	0.00 0.00
431114701	Highmark Govt Money Market Fund	2,837,059.47	Various 0.05 %	2,837,059.47 2,837,059.47	1.00 0.05 %	2,837,059.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
xtal Money Market Fund FI		2,837,060.47	0.05 %	2,837,060.47 2,837,060.47	0.05 %	2,837,060.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
US CORPORATE									
459745FP5	International Lease Finance Note 5% Due 4/15/2010	2,000,000.00	03/26/2007 5.06 %	1,996,420.00 1,999,955.09	100.01 4.66 %	2,000,182.00 46,111.11	0.93 % 226.91	B1 BB+	0.04 0.04
02635PSV6	American General Finance Note 4.875% Due 5/15/2010	1,000,000.00	08/08/2006 5.51 %	978,490.00 999,312.18	99.96 5.12 %	999,587.00 18,416.67	0.47 % 274.82	B2 B	0.12 0.12
52517PA35	Lehman Brothers Holdings Note 4.5% Due 7/26/2010	1,000,000.00	08/25/2006 5.29 %	972,450.00 972,450.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,950.00)	NR NR	0.32 0.00
52517PYN5	Lehman Brothers Holdings Defaulted - Orig mat 1/27/10 4.25% Due 1/27/2012	1,000,000.00	06/08/2007 4.93 %	972,030.00 972,030.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,530.00)	NR NR	-0.17 0.00
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	23.25 0.00 %	232,500.00 0.00	0.11 % (763,500.00)	NR NR	1.85 0.00
06406HBL2	Bank of New York Note 4.3% Due 5/15/2014	2,140,000.00	Various 2.94 %	2,251,997.60 2,251,850.05	105.27 2.93 %	2,252,765.16 34,763.11	1.04 % 915.11	Aa2 AA-	4.13 3.72
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	1,575,000.00	03/25/2010 3.61 %	1,581,000.75 1,580,993.92	100.62 3.56 %	1,584,700.43 11,493.13	0.73 % 3,706.51	Aa3 A+	4.81 4.34
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	1,625,000.00	03/25/2010 3.94 %	1,682,687.50 1,682,622.57	103.85 3.87 %	1,687,500.75 11,149.31	0.78 % 4,878.18	Aa3 AA-	4.87 4.29
Total US Corporate		11,340,000.00	4.35 %	11,431,075.85 11,455,213.81	3.61 %	9,222,235.34 121,933.33	4.27 % (2,232,978.47)	A3 A-	2.79 2.45

MV00057984

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term to Duration
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 4,045,885.02	107.13 1.03 %	4,043,968.75 71,326.73	1.88 % (1,916.27)	TSY TSY	2.08 1.97
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 4,055,857.33	107.29 1.28 %	4,050,163.53 438.35	1.85 % (5,693.80)	TSY TSY	2.50 2.39
912828HK9	US Treasury Note 3.375% Due 11/30/2012	3,875,000.00	03/12/2010 1.29 %	4,089,651.65 4,085,969.43	105.26 1.36 %	4,078,739.75 43,833.28	1.88 % (7,229.68)	TSY TSY	2.67 2.53
912828HM5	US Treasury Note 3.625% Due 12/31/2012	3,850,000.00	03/12/2010 1.35 %	4,089,735.55 4,085,747.78	105.91 1.43 %	4,077,388.70 35,083.39	1.88 % (8,359.08)	TSY TSY	2.76 2.61
912828HV5	US Treasury Note 2.5% Due 3/31/2013	4,000,000.00	03/12/2010 1.48 %	4,121,575.90 4,119,717.28	102.74 1.56 %	4,109,688.00 273.22	1.88 % (10,029.28)	TSY TSY	3.00 2.89
Total US Treasury		19,275,000.00	1.27 %	20,413,994.26 20,393,176.84	1.33 %	20,359,948.73 150,956.97	9.37 % (33,228.11)	TSY TSY	2.60 2.48
TOTAL PORTFOLIO		215,467,010.56	2.05 %	218,821,840.61 218,769,518.54	1.29 %	217,410,538.26 1,495,908.78	100.00 % (1,358,980.28)	Aaa AAA	1.55 1.58
TOTAL MARKET VALUE PLUS ACCRUED						218,906,447.04			

City of Moreno Valley

March 31, 2010

COMPLIANCE WITH INVESTMENT POLICY

Assets managed on by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

BOND PROCEEDS WITH FISCAL AGENTS

redemption fund	20350200	money market fund	WF Govt Fund	03/31/10	04/01/10	293,847	293,847	293,847	0.01%	0.01%	1.00000	1.063%
redemption/prepay	20350201	money market fund	WF Govt Fund	03/31/10	04/01/10	2,322	2,322	2,322	0.01%	0.01%	1.00000	0.008%
reserve fund	20350202	money market fund	WF Govt Fund	03/31/10	04/01/10	70,301	70,301	70,301	0.01%	0.01%	1.00000	0.256%
rebate fund	20350203	money market fund	WF Govt Fund	03/31/10	04/01/10	329	329	329	0.01%	0.01%	1.00000	0.001%
						364,799	364,799	364,799				1.329%
Special tax funds	22631800	cash	cash	12/16/88	09/02/09	0		0	0.00%	0.00%	1.00000	0.000%
special tax funds	22631800	money market fund	WF Govt Fund	03/31/10	04/01/10	1,923,782	1,923,782	1,923,782	0.01%	0.01%	1.00000	7.009%
interest acct	22631801	money market fund	WF Govt Fund	03/31/10	04/01/10		0	0	0.01%	0.01%	1.00000	0.000%
reserve fund	22631803	money market fund	WF Govt Fund	03/31/10	04/01/10	1,028,699	1,028,699	1,028,699	0.01%	0.01%	1.00000	3.748%
admin exp acct	22631805	money market fund	WF Govt Fund	03/31/10	04/01/10	377	377	377	0.01%	0.01%	1.00000	0.001%
debt service acct	22631809	money market fund	WF Govt Fund	03/31/10	04/01/10	538,790	538,790	538,790	0.01%	0.01%	1.00000	1.962%
special tax funds	22631900	money market fund	WF Govt Fund	03/31/10	04/01/10	405,316	405,316	405,316	0.01%	0.01%	1.00000	1.477%
interest acct	22631901	money market fund	WF Govt Fund	03/31/10	04/01/10	16,153	16,153	16,153	0.01%	0.01%	1.00000	0.059%
reserve fund	22631904	money market fund	WF Govt Fund	03/31/10	04/01/10	366,244	366,244	366,244	0.01%	0.01%	1.00000	1.334%
admin exp acct	22631905	money market fund	WF Govt Fund	03/31/10	04/01/10	72	72	72	0.01%	0.01%	1.00000	0.000%
cost of issuance	22631906	money market fund	WF Govt Fund	03/31/10	04/01/10	2	2	2	0.01%	0.01%	1.00000	0.000%
						4,276,435	4,276,435	4,276,435				
Series B Revenue	22333500	money mkt fund	WF Govt Fund	03/31/10	04/01/10	150,283	150,283	150,283	0.01%	0.01%	1.00000	0.547%
Series A Principal	22333501	money mkt fund	WF Govt Fund	03/31/10	04/01/10	12,301	12,301	12,301	0.01%	2.71%	1.00000	0.045%
Series B reserve	22333503	money mkt fund	WF Govt Fund	03/31/10	04/01/10	522,482	522,482	522,482	0.01%	0.01%	1.00000	1.904%
Series A interest	22333504	money mkt fund	WF Govt Fund	03/31/10	04/01/10	625	625	625	0.01%	0.01%	1.00000	0.002%
Series B interest	22333505	money mkt fund	WF Govt Fund	03/31/10	04/01/10	457,656	457,656	457,656	0.01%	0.01%	1.00000	1.667%
						1,143,307	1,143,307	1,143,307				
delivery cost fund	12526002	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
						0	0	0				
expense fund	12526107	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,468	14,468	14,468	0.01%	0.01%	1.00000	0.053%
reserve account	12526103	money mkt fund	WF Govt Fund	03/31/10	04/01/10	407,462	407,462	407,462	0.01%	0.01%	1.00000	1.485%
issue revenue	12526100	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
rebate account	12526104	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,481	14,481	14,481	0.01%	0.01%	1.00000	0.053%
						436,011	436,011	436,011				
debt service fund	22631701	money mkt fund	WF Govt Fund	03/31/10	04/01/10	1,026,442	1,026,442	1,026,442	0.01%	0.01%	1.00000	3.740%
						1,026,442	1,026,442	1,026,442				
bond fund	18042800	money mkt fund	WF Govt Fund	03/31/10	04/01/10	333	333	333	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	03/31/10	04/01/10	2,992,830	2,992,830	2,992,830	0.01%	0.01%	1.00000	10.904%
construction fund	18042806	money mkt fund	WF Govt Fund	03/31/10	04/01/10	7,671,734	7,671,734	7,671,734	0.01%	0.01%	1.00000	27.952%
						10,664,897	10,664,897	10,664,897				38.858%
interest fund	22277601	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	03/31/10	04/01/10	6,846,115	6,846,115	6,846,115	0.01%	0.01%	1.00000	24.944%
capital interest fund	22277605	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
cost of issuance	22277606	money mkt fund	WF Govt Fund	03/31/10	04/01/10	368,024	368,024	368,024	0.01%	0.01%	1.00000	1.341%
						7,214,139	7,214,139	7,214,139				
revenue fund	20350300	revenue	WF Govt Fund	03/31/10	04/01/10	1,139,953	1,139,953	1,139,953	0.01%	0.01%	1.00000	4.153%
reserve fund	20350303	reserve	WF Govt Fund	03/31/10	04/01/10	1,178,145	1,178,145	1,178,145	0.01%	0.01%	1.00000	4.293%
admin expenses	20350308	admin expenses	WF Govt Fund	03/31/10	04/01/10	1,981	1,981	1,981	0.01%	0.01%	1.00000	0.007%
						2,320,079	2,320,079	2,320,079				8.453%
			Totals			27,446,109	27,446,109	27,446,109				100.000%

1	Construction Funds	14,517,849	14,517,849	14,517,849
2	Principal & Interest Accounts	3,471,121	3,471,121	3,471,121
3	Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564
4	Custody Accounts	0	0	0
5	Arbitrage Rebate Accounts	14,810	14,810	14,810
6	Other Accounts	534,765	534,765	534,765
	Total Fiscal Agent Funds	27,446,109	27,446,109	27,446,109

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value
Liquid Savings	$1,317,937
Nationwide Fixed (Part Time Employee)	0
Liquid Savings (Part Time Employees)	128,711
Certificates of Deposit 3 years	15,413
JP Morgan Mid Cap Value A	84,139
Bond Fund Of America	67,275
Growth Fund of America	52,907
Investment Co. of America	10,732
Income Fund of America	118,204
Brown Cap Mgmt Inc SM Co	62,451
Fidelity Independence	26,481
Fidelity Equity Income	19,513
Fidelity Magellan	303,795
Certificates of Deposit 5 years	29,246
Fidelity Puritan	109,526
Fidelity Contrafund	232,459
Janus Fund	59,176
Janus Advisor Forty	57,375

Fund	Market Value
Drey SmCap I	5
American Century Balanced	25
Am Century Growth	84,573
Am Century Select	78,857
Am Century Ultra	8
Vanguard Index 500	65,279
Vanguard Institutional Index	312,628
Vanguard Wellington	13,990
Vanguard Windsor II	62,384
Vanguard Total Bond Index	108,028
Putnam Voyager	8
Templeton Foreign I	0
EuroPacific Growth	226,967
Stable Fund C	1,686,963
PBHG Growth Fund	8
DWS High Income Fund A	43,075
DWS Strategic Value	35,410
Oppenheimer Global Fund A	96,338

Fund	Market Value
N B Socially Responsive Fund	8,353
DFA US Micro Cap Port	104,358
Federated Kaufmann Fund	453,072
AIM Mid Cap Core Equity	13,731
Washington Mutual Inv	42,263
Nationwide InvDes Mod Cons Fund SC	9,720
Nationwide InvDes Mod Aggr Fund	589,670
Nationwide InvDes Aggr Fund	93,883
Nationwide InvDes Mod Fd	338,279
Nationwide Inv Des Cons	81,128
Nationwide Large Cap Growth	87,253
Nationwide Inter Val Inst Svc	21,653
Nationwide US Sm Cap Val Ins Svc	556
Nationwide Dest 2015 Inst Svc	11,121
YL Account	146,412
Nationwide Dest 2025 Inst Svc	21,391
Nationwide Dest 2020 Inst Svc	1,633
Total Nationwide Deferred	**$7,252,072**

ICMA

Fund	Market Value
Aggressive Oppor.	$142,895
International	142,050
All Equity Growth	75,848
Growth and Income	175,644
Broad Market	45,514
500 Stock Index	58,767
Equity Income	258,148
Asset Allocation	103,430
Core Bond	15,278
Cash Management	31,665
Plus Fund	1,384,358
Savings Oriented	5,583
Conservative Growth	75,740
Traditional Growth	214,109
Long-Term Growth	262,559
Mid/Small Co Index	0
Milestone 2030	9,866
Milestone 2035	7,490
Overseas Equity Index fund	52,527
Vantage Trust 1yr CD	0

Fund	Market Value
VT Royce Premeir	1,569
VT Ranier Small/Mid Cap Eq	25,321
VT Fidelity Contrafund	130,761
VT Fidelity Magellan	0
VT Fidelity Diversified International	51,911
VT Allianz NFJ Div Value	37,846
VT Legg Mason Value	1,711
VT Fidelity Puritan	3,653
VT Royce Value Plus Service	4,807
VT TR Price Growth Stock Adv	13,865
VT First Amer. Real Estate Secs	4,244
VT TR Price Small Cap Value	182,249
VT Third Ave Value	7,135
Inflation Protected Securities	48,469
Growth Fund	198,844
VT PIMCO Total Return	36,371
VT PIMCO High Yield	94,730
VT Eaton Vance Lage Cap Value	4,364
Total ICMA	**$3,820,694**

Summary by Plan

	Market Value
Total Nationwide	$7,252,072
Total ICMA	3,820,694
Total Deferred Compensation Plans	$11,072,766

Summary by Investment Type

	Market Value
Savings Deposits and CD's	$1,246,648
Mutual Funds	9,826,118
Total Deferred Compensation Plans	$11,072,766

MV00057988

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 297)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PAGES 299 – 308)
Attachment "C" – Assignment Agreement (PAGE 309)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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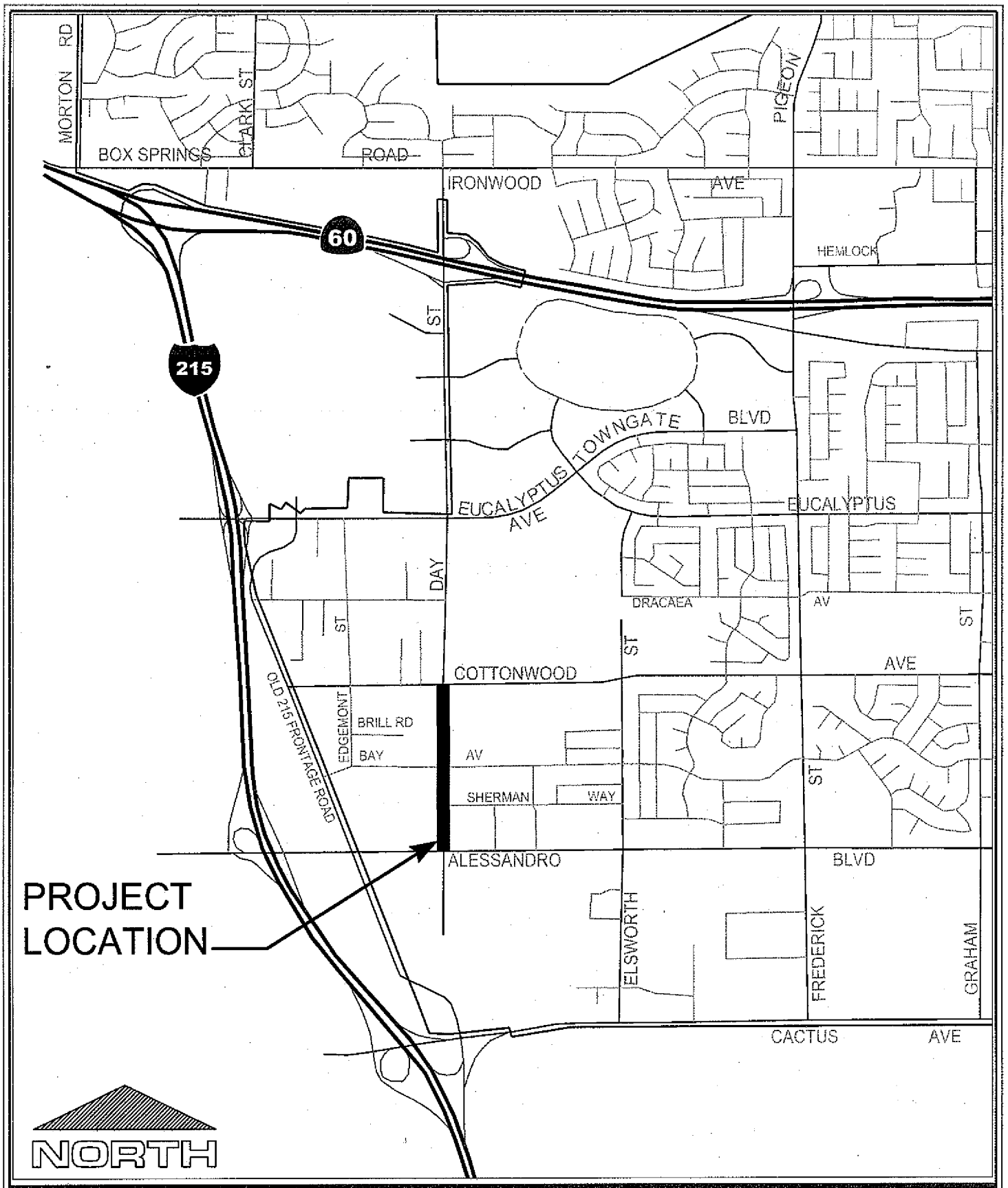

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Item No. A.10

MV00057997

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MV00057998

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

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ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

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MV00058010

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard.

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227).

3. Authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney.

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

BACKGROUND

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris

Boulevard. There are twenty-six (26) parcels from which right-of-way (ROW) is needed to widen this section of Ironwood Avenue. On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties.

DISCUSSION

APN 475-272-054 requires the acquisition of the entire property. This right-of-way acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements.

The subject property is located at 11987 Davis Street and is currently owned by Ms. Yost and Mr. Swanson. The parcel is improved with a single family residence and contains approximately 0.17 acres (7,405 square feet).

An appraisal report for right-of-way was prepared on March 2, 2009 by Donahue Appraisal Associates. The appraised value amount is $110,000 for this parcel.

After negotiation, the owner has agreed with a settlement amount of $124,500. The final acquisition amount for APN 475-272-054 exceeds $100,000 and requires that the Agreement for Conveyance of Property be approved by City Council.

ALTERNATIVES

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, do not authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and do not authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and do not authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative will result in delaying the construction of the Ironwood Avenue improvements.*

FISCAL IMPACT

Western Riverside Council of Governments (WRCOG), in establishing its TUMF program, identified Ironwood Avenue from Heacock Street to Perris Boulevard as part of the TUMF-roadway network. This network consists of regionally significant highways that support intercommunity trips in Western Riverside County, and are therefore eligible for improvements using TUMF reimbursement funds.

Funding for the proposed right-of-way acquisition is included in the Fiscal Year 2009/2010 budget, and TUMF provides a 68% reimbursement to the City's 32% matching funds. These TUMF funds were allocated by WRCOG for street improvements and associated right-of-way acquisition for the Ironwood Avenue Improvements project from Heacock Street to Perris Boulevard. There is no impact to the General Fund.

AVAILABLE PROJECT FUNDS:

Fiscal Year 2009/2010 TUMF Funds, Account No. 415.70227	$3,106,000
Fiscal Year 2009/2010 DIF Funds, Account No. 416.78727	$1,116,000
Fiscal Year 2009/2010 2005 Lease Revenue Bonds 501.82625	$1,046,000
Total Available Funds	**$5,268,000**

ESTIMATED RIGHT-OF-WAY RELATED EXPENDITURES

Southern California Edison Transmission Pole Relocation	$1,542,000
ROW Acquisitions	$786,000
Total ROW Related Expenditures	**$2,328,000**

ANTICIPATED PROJECT SCHEDULE:

Complete Right-of-Way Acquisition	June 2010
Commencement of SCE Power Pole Relocation	July 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. Attached is the Agreement for Conveyance of Property for APN 475-272-054. This acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements. When completed, these improvements will enhance the roadway capacity and safety.

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map (PAGE 317)
Attachment "B" – Agreement for Conveyance of Property, APN 475-272-054 (PAGES 319-327)

Prepared By:
Henry Ngo
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\5-25-10 Property Acquisition APN 475-272-054.doc

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MV00058016

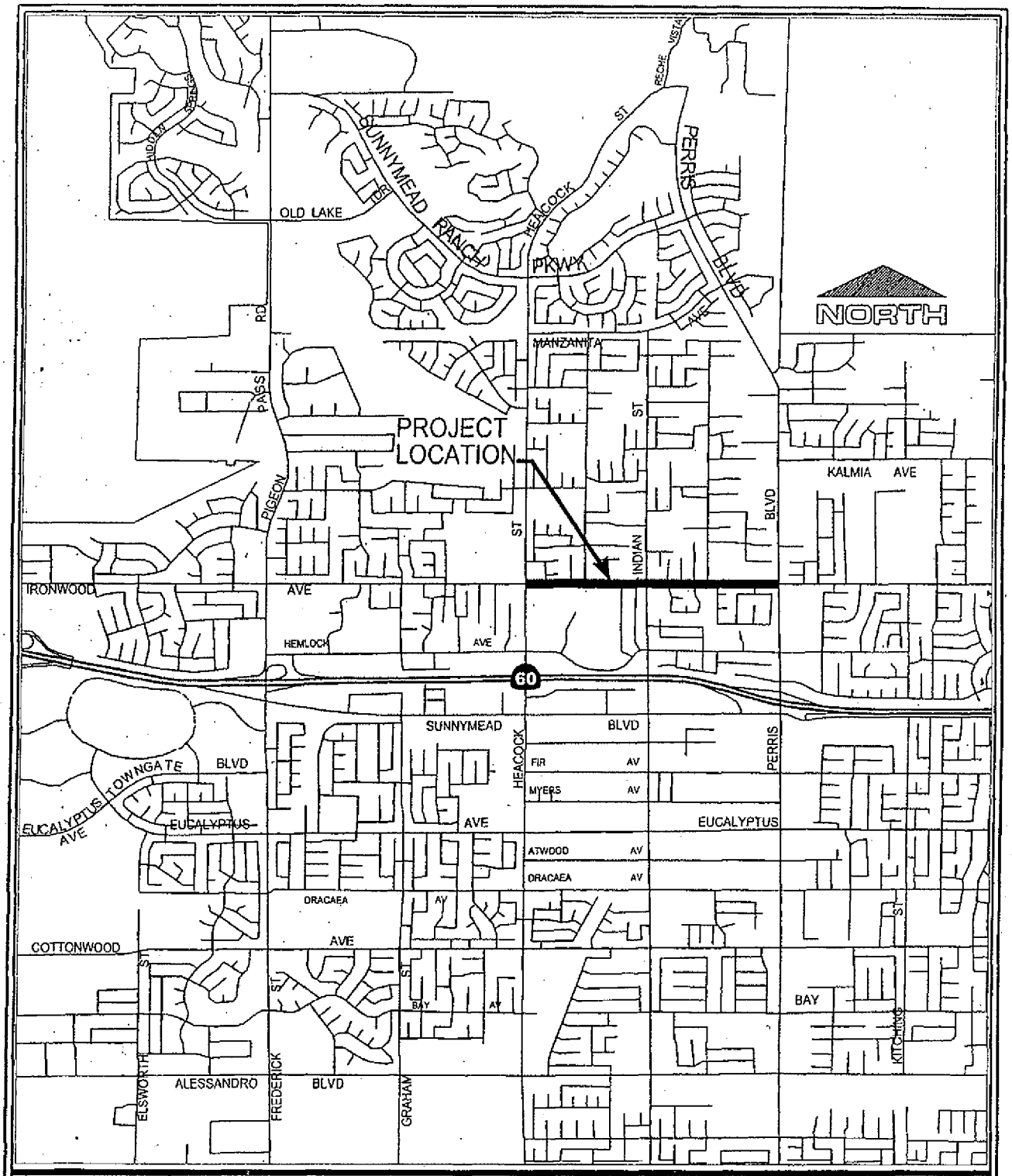

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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MV00058018

AGREEMENT
FOR CONVEYANCE OF PROPERTY

THIS AGREEMENT is entered into by and between Betty C. Yost and Jack B. Swanson, as joint tenants ("Grantor"), and the CITY OF MORENO VALLEY, a municipal corporation (" Grantee").

RECITALS

A. Grantor owns certain real property located at 11987 Davis Street, Moreno Valley, California bearing Assessor Parcel No. 475-272-054 (the "Property").

B. Grantee desires to purchase the Property, and Grantor desires to sell and convey the Property as described in Exhibit "A", attached hereto.

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Property.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Property for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be fair market value for the Property.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Stewart Title Company (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Property. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 PURCHASE PRICE.

The total purchase price for the Property shall be the lump sum of One Hundred and Twenty Four Thousand Five Hundred Dollars ($124,500.00) which shall be paid by Grantee to Grantor through Escrow Holder in cash at Close of Escrow.

2.2 CLOSE OF ESCROW.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close by the Close of Escrow, any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate. If no such demand is made, Escrow shall be closed as soon as possible.

2.3 CONDITION OF TITLE TO THE PROPERTY.

Grantor shall convey title of the Property to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Property only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Property at or prior to the Close of Escrow.

2.4 ESCROW AND CLOSING COSTS.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 INVESTIGATIONS.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Property for Grantee's intended use thereof. If Grantee determines that the Property is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantors hereby grants to Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantors representations or warranties under this Agreement, and Grantors acknowledges and agrees that Grantee is relying upon Grantors' representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantors.

2.6 DEPOSIT OF FUNDS AND DOCUMENTS.

A. Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

B. Prior to the Close of Escrow, Grantor shall deposit into Escrow (i) the properly executed Grant Deed conveying the Property, and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 GRANTEE'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 GRANTOR'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to the Property and has full power and authority to own and sell and convey the Grant Deed to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor is at present a party, or by which Grantor is bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Property or its use, and neither Grantor nor any other person or predecessor in interest have used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances

("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601, et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801, et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901, et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317, et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time. Standard building materials used in construction of the home shall be excluded from this representation;

(f) Grantor represents and warrants that during the period of Grantor's ownership of the Property, there have been no disposals, releases or threatened releases of hazardous substances on, from, or under the Property. Grantor further represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release of hazardous substances, on, from, or under the Property which may have occurred prior to Grantor taking title to the Property; and

(g) Grantor has and shall have paid before Close of Escrow any and all current and past due taxes, assessments, penalties and interest levied and assessed against the Property. If not paid prior to Close of Escrow, Grantors hereby authorizes Escrow Holder to disburse to the taxing authority from funds otherwise due to Grantor an amount sufficient to discharge said taxes, assessments, penalties and interest. Grantor also covenants and agrees to keep current, year-by-year, all taxes, assessments, penalties and interest levied and assessed against the Grant Deed and the larger Property of which it is a part.

These representations and warranties shall survive the Close of Escrow.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall hold harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Grant Deed is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Property by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable precondemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Property.

B. This Agreement arose out of Grantee's efforts to acquire the Property through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Property or of liability by any party to this Agreement. Grantor, on behalf of herself and her respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Property or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantors further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor hereby acknowledge that they have been advised by their attorney and is familiar with the provisions of California Civil Code section 1542, which provides as follows:

> "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Grantor acknowledge that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor: Betty C. Yost
Jack B. Swanson
12449 Windsor Drive
Yucaipa, CA 92399

Grantee: City of Moreno Valley
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Mike Green
Senior Real Property Agent

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover actual attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The parties agree that actual attorneys' fees shall be based on attorney's fees actually incurred (based on the attorneys' customary hourly billing rates including, but not limited to, equivalent rates for in-house counsel) rather than the court or arbitrator making an independent inquiry concerning reasonableness. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the Grantee, be laid in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the

terms of this Agreement where: (i) she is legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of her agents or employees, to maintain or compile her personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of her agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Property and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

O. Legal Advice and Review. The parties hereby acknowledge that they have entered into this Agreement upon their own volition and have not relied upon the other party for any interpretation or legal advice relating hereto. The parties acknowledge that they have had an opportunity to have this Agreement reviewed by legal counsel of their choice. Therefore, the parties acknowledge their intent that this Agreement be construed as having been jointly created and that neither party shall be determined to be the drafter hereof.

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED: _____ Grantor:

_____
Betty C. Yost

_____
Jack B. Swanson

DATED: _____ Grantee:

CITY OF MORENO VALLEY

By: _____

Its: _____

Attest: _____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

APN 475-272-054

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MORENO VALLEY
OFFER OF DEDICATION

THAT CERTAIN PARCEL OF LAND BEING A PORTION OF LOT 63 AS SHOWN ON THE MAP OF MORENO ACRES, FILED IN BOOK 11 OF MAPS, PAGE 53, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF THE EAST HALF OF SAID LOT 63;

EXCEPTING THEREFROM THE NORTH 576.5 FEET THEREOF;

ALSO EXCEPTING THEREFROM THE LAND DESCRIBED IN A GRANT DEED RECORDED AS DOCUMENT NO. 1999-389425 ON AUGUST 30, 1999, OFFICIAL RECORDS OF SAID COUNTY.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7,759 SQUARE FEET (0.1781 ACRES), MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART THEREOF.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

05/27/09
RICHARD C. MAHER, P.L.S. 7564 DATE
LICENSE EXPIRES 12-31-2009

LICENSED LAND SURVEYOR
RICHARD C. MAHER
EXP. 12/31/09
NO. 7564
STATE OF CALIFORNIA

MAY 27, 2009
PAGE 1 OF 1

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MV00058028

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT
PROJECT NO. 10-12556330

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728).

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

BACKGROUND

The State of California provides street maintenance funding to the City on a quarterly basis as part of the Traffic Congestion Relief Program (Proposition 42). These funds are typically utilized to rehabilitate streets under the Annual Pavement Resurfacing

Program (Account No. 225.68722) and are time sensitive in requirement for expenditure.

On April 8, 2008 the City Council approved the Project Recommendations for Proposition 1B - Transportation which made the City eligible to receive an allocation of $2.9 million in Proposition 1B funding from the State Department of Finance. On June 18, 2008, the City received the $2.9 million allocation, $2.6 million of which was used for phase 1 and phase II pavement rehabilitation of arterial and collector streets that are adjacent to schools and commercial areas and the remaining $300,000 was used to review the City's roughly 30 bridges and provide the necessary repairs and maintenance. All three of these projects have now been completed with remaining funds unexpended.

As part of the Fiscal Year 2009-2010 CIP Budget, the City Council approved the resurfacing of the four streets identified in this report. On February 23, 2010 the City Council approved the reprioritization of the selected streets and designated the remaining Proposition 1B monies to be expended on the resurfacing of these streets.

DISCUSSION

This project is part of the City's ongoing annual pavement resurfacing program. The purpose of the project is the reconstruction of areas of failed pavement and resurfacing of weathered streets to provide safe, smooth driving surfaces. The reconstruction effort will be performed by removal and reconstruction of portions of the street pavements. The resurfacing will entail placement of a rubberized asphalt concrete overlay on the existing street pavement. Preparation of the areas to be overlayed will include removing a uniform depth of the existing pavements by grinding (on Alessandro Boulevard) and the use of "Cold-in-Place-Recycling" of the existing pavement on the remaining streets. Pavement striping, markings and markers will be replaced after pavement repairs are complete.

The project will rejuvenate the existing pavement and the overlay process will enhance the drivability and appearance of the streets and protect the pavement against environmental effects, prolonging the service life of the pavement. Typically, this process will extend the pavement life of the streets by an additional 10 to 12 years. The four (4) street segments in the following priority order were selected for pavement resurfacing:

STREET NAME	FROM	TO
Alessandro Boulevard	Old 215	Elsworth Street
Old Lake Drive	Pigeon Pass Road	Sunnymead Ranch Parkway
Indian Street	Skyrock Drive	Manzanita Avenue
Kitching Street	Fir Avenue	Sunnymead Boulevard

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 6, 2010, for the subject project. Seven (7) bids were received, as follows:

1. **Hardy & Harper, Inc. $1,186,000.00**
2. R.J. Nobel Company. $1,196,216.00
3. All American Asphalt $1,210,000.00
4. EBS, Inc. $1,227,494.00
5. PALP, Inc. DBA Excel Paving Company $1,292,608.00
6. Cooley Construction, Inc. $1,363,841.00
7. Vance Corporation $1,372,393.00

Engineer's Estimate ..... $ 1,247,584.80

Staff has reviewed the bid by Hardy & Harper, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding problems were identified through review of the references submitted by Hardy & Harper, Inc.

ALTERNATIVES

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Capital Improvements Project Budget and will be financed by Proposition 1B (Fund 226) and Proposition 42 (Fund 225). These funds are restricted to street rehabilitation or improvement. **There is no impact to the General Fund.**

BUDGETED FUNDS

Citywide Annual Pavement Resurfacing Program (Acct. No. 226.79728)	$2,161,000
Citywide Annual Pavement Resurfacing Program (Acct. No. 225.68722)	$1,468,000
Total 2009/2010 Budgeted Funds	$3,629,000
Completed FY 2009/10 Pavement Resurfacing Project Costs	($2,224,000)
Remaining Funds Available	$1,405,000

ESTIMATED CONSTRUCTION RELATED COSTS FOR PROPOSED PROJECT

Contractor Construction Costs (plus 10% contingency)	$1,304,600
Construction Geotechnical Services	$15,000
Construction Survey	$35,000
Project Administration and Inspection (by City staff & consultants)	$50,000
Total Estimated Project Related Costs	$1,404,600

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June, 2010
Complete Construction	September, 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project involves resurfacing four (4) selected street segments by removing and reconstructing areas of failed asphalt concrete pavement, and by placement of an asphalt concrete overlay on the existing pavement, which has been prepared to receive the overlay. This project will extend the life of the street pavements. The resurfacing

program is funded with Proposition 1B and Proposition 42 funds. The City Council is requested to approve the award of the construction contract to Hardy & Harper, Inc.

NOTIFICATION

Local residents, law enforcement, Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 335)
Attachment "B" – Agreement with Hardy & Harper, Inc. (PAGES 337-343)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Bruce - 10-12556330 - Pavement Resurfacing Project\CC Reports\Staff Report - NOA Phase 3\Staff Report - Notice of Award (CC 05-11-10) (Phase 3).doc

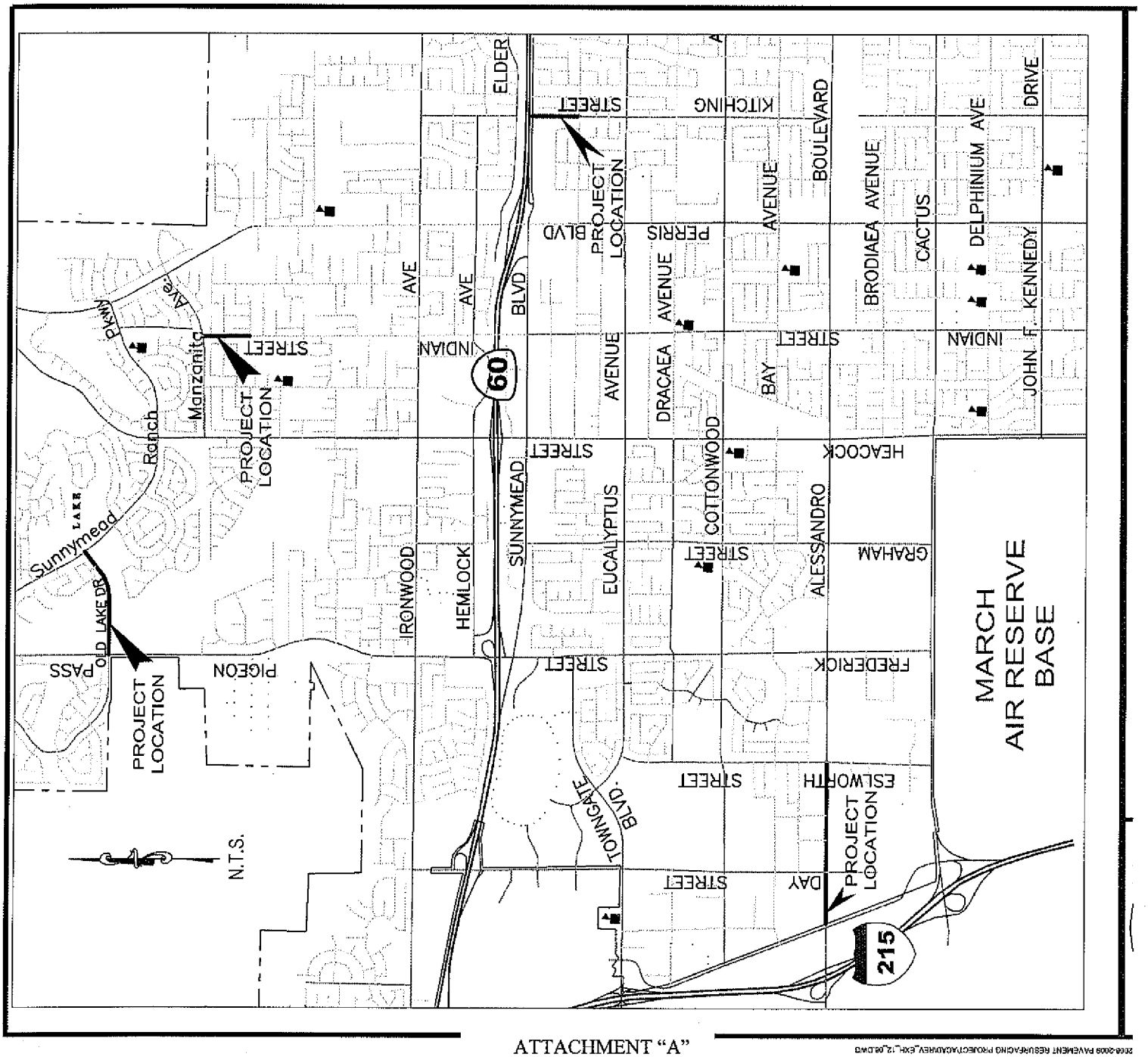

ATTACHMENT "A"

2008-2009 PAVEMENT RESURFACING PROJECT/ACADMEY_EXH_12_08.DWG

Item No. A.12

MV00058035

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MV00058036

Agreement No. _____

AGREEMENT

PROJECT NO. 10-12556330
2010 PAVEMENT RESURFACING PROJECT
Pavement Rehabilitation
For
Alessandro Boulevard (from Old 215 to Elsworth Street)
Old Lake Drive (from Pigeon Pass Road to Sunnymead Ranch Parkway)
Indian Street (from Skyrock Drive to Manzanita Avenue)
Kitching Street (from Fir Avenue to Sunnymead Boulevard)

THIS Contract Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hardy & Harper, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **1 & 2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Alternate Bid Item(s) in the sum total amount of **$1,186,000.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15)

Attachment "B"

calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **sixty (60) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $500.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full

compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written

consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12556330

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

Hardy & Harper

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

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MV00058044

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Resolution to join ICLEI as a full member and pledge to take a leadership role in promoting public awareness about the causes and impacts of climate change.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **Approve** Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

ICLEI-Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development. The organization also provides technical information on measuring and reducing greenhouse gases, including a model for organizational and community-wide greenhouse gas inventories. Locally, the cities of Riverside, Murrieta, Temecula, Lake Elsinore, and Palm Springs are members of ICLEI.

Membership in ICLEI would require the City to commit to five milestones to reduce both greenhouse gas and air pollution emissions throughout the community as follows:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress;

Local government actions taken to reduce greenhouse gas emissions and increase energy efficiency have provided multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures and saving money for the local government, its businesses and its residents.

DISCUSSION

The City has adopted a number of energy and water saving initiatives that have and will continue to reduce the level of greenhouse gases that would otherwise be emitted in the City. Examples of City initiatives are alternative energy incentives offered by Moreno Valley Utilities, the recently adopted water wise landscape ordinance, the use of LED lighting in traffic signals and activities related to the City's membership in the Riverside County Clean Cities Coalition and Community Energy Partnership. The reduction in greenhouse gases is also greatly affected by State and Federal regulations related to building standards, truck diesel emission standards and passenger vehicle mileage standards, and incentives for alternative energy.

The City has received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce City organization and community-wide energy use and consequently greenhouse gas emissions, including an Energy Efficiency and Climate Action Strategy. One of the initiatives is to conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction. The five milestones required for ICLEI membership will be addressed by the Strategy.

The greenhouse gas emissions inventory and forecast work products are intended to provide the basis for a coordinated City effort to address resource efficiency for the City as an organization and the community as a whole.

ICLEI will provide the following support to City Staff:

- Regular notice of new publications and tools, grant opportunities, and progress being made by other Member jurisdictions

- ICLEI's key climate resources including the Milestones Guide, software access and technical trainings, data collection forms for conducting the emissions inventory, and other publications to assist with emissions reduction planning and related climate protection activities

- Invitations to ICLEI regional, national and international workshops and events
- Registration discounts and, when available, travel and lodging subsidies for ICLEI workshops and events
- Contact with US and international ICLEI Members and liaisons
- Resource recommendations outside of ICLEI
- Support in publicizing climate protection successes such as talking points and customizable press releases
- Ongoing technical assistance and support as the jurisdiction progresses in its work

The above-referenced activities will provide valuable information to assist in the preparation of the City's Energy Efficiency & Climate Action Strategy.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Deny the proposal.

FISCAL IMPACT

Membership dues are based on City population. The City of Moreno Valley falls within the 100,001 – 200,000 population category and membership dues are $1,750. The membership fees will be paid from the Energy Efficiency and Conservation Block Grant program account (229.80512).

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Membership in ICLEI will provide assistance in the preparation of the City's Energy Efficiency & Climate Action Strategy. The greenhouse gas emissions inventory and forecast will determine the source and quantity of greenhouse gas emissions in the City and are intended to provide the basis for a coordinated City effort to address resource

efficiency for the City as an organization and the community as a whole.

NOTIFICATION

Not applicable.

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-30(PG 349-352)

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle A. Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE

WHEREAS, scientific consensus has developed that carbon dioxide (CO_2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, the 2007 Fourth Assessment Report from the Intergovernmental Panel on Climate Change (IPCC) states that it is very likely that most of the observed increases in globally averaged temperatures since the mid-20th century are due to human-induced greenhouse gas emissions; and

WHEREAS, in 2006 the U.S. National Climatic Data Center confirmed clear evidence of human influences on climate due to changes in greenhouse gases; and

WHEREAS, the U.S. Conference of Mayors endorsed the 2005 U.S. Mayors' Climate Protection Agreement initiated by Seattle Mayor Nickels and signed by more than 900 mayors in the United States as of March 2009; and

WHEREAS, the Urban Environmental Accords adopted by local government delegates during UN World Environment Day 2005 call for reduced emissions through energy efficiency, land use and transportation planning, waste reduction, and wiser energy management; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth's climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem likely due to human activities; and

WHEREAS, the 2000 U.S. Global Change Research Program's (USGCRP) First National Assessment indicated that global warming has begun; and

WHEREAS, 162 countries including the United States pledged under the United Nations Framework Convention on Climate Change to reduce their greenhouse gas emissions; and

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, ICLEI – Local Governments for Sustainability is a membership association of local governments committed to advancing climate protection and sustainable development;

Section 1

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE TO JOIN ICLEI AS A FULL MEMBER AND PLEDGES TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE.

Section 2

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY AGREES TO UNDERTAKE ICLEI'S FIVE MILESTONES TO REDUCE BOTH GREENHOUSE GAS AND AIR POLLUTION EMISSIONS THROUGHOUT THE COMMUNITY, AS FOLLOWS:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress; and

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ requesting assistance from ICLEI as it progresses through these milestones.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert L. Hansen, City Attorney

AGENDA DATE: May 25, 2010 **(continued from May 11, 2010)**

TITLE: Consideration and Approval of Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023.

RECOMMENDED ACTION

Review and approve the attached Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

In 2003, the City entered into contracts with ENCO Utility Services Moreno Valley, LLC ("ENCO") to provide professional services to Moreno Valley, including designing, maintaining operating and constructing the Moreno Valley Electric Utility ("MVU"). City contends that during the negotiations preceding the agreements, ENCO prepared and presented detailed financial projections (the "2003 Pro Forma") to the City that contained factual errors and assumptions that were material to the terms of the agreements. ENCO denies these allegations and asserts that even if material errors were made in the 2003 Pro Forma, the City should have caught these errors through its consultants. Among the key assumptions supporting the 2003 Pro Forma were that: 1) the City would cease to incur certain charges under the Southern California Edison Wholesale Distribution Access Tariff ("WDAT") after the City built and energized a new electric substation in 2010 and; 2) the capital expenditures required for the first ten years of MVU's operation would be slightly under $10 million, and would be almost

entirely related to the construction of the substation. In 2006, the City first became aware that both of these assumptions were wrong.

The City approached ENCO about these errors and requested a re-negotiation of the contracts. ENCO refused to re-negotiate the contracts, but did agree to a mediation, which occurred on August 14, 2007. After just a few hours of meaningless discussions, ENCO's attorneys left the mediation and filed a lawsuit against the City the same day. The City then filed its Answer to the Complaint and also filed and served its mandatory Cross-Complaint against ENCO seeking damages for ENCO's breach of the agreements as outlined above concerning the errors in the 2003 Pro Forma. For the past two and one-half years, the City has been required to incur attorney's fees and costs in defending against ENCO's lawsuit, and in pursuing the City's Cross-Complaint. Since the commencement of this action, the City has incurred approximately $805,788 in legal fees and costs.

In its lawsuit, ENCO is seeking a judicial declaration that ENCO has not breached the agreements, and an injunction prohibiting the City from breaching the agreements in the future. ENCO also contends that the City owes it $207,651.73 for services it provided in behalf of the City to developers, despite this claim not appearing in its lawsuit. Nevertheless, ENCO is unable to provide work order authorizations for this work as required by the agreements and the City denies any obligation to pay for work not authorized, as provided in the agreements.

A second mediation of these disputes was held before retired California Supreme Court Justice Edward Panelli on April 21, 2010. After six hours of "shuttle diplomacy" by Justice Panelli during which he assessed the relative strengths of each party's case, Justice Panelli recommended to ENCO that it drop its demand for payment of $207,651.73 in engineering services and offer a settlement of $1.25 million to the City. This settlement would include a two year extension of the contract, which ENCO will probably be entitled to under the contract anyway due to reduced electricity sales. ENCO agreed to these settlement terms and they are now before the City Council for consideration.

DISCUSSION

The agreements with ENCO limit ENCO's liability to the City for negligence to $2 million. The City's attorneys estimate that it would cost the City an additional $500,000.00 to prepare and try this case before a jury. There is no guarantee that the City will prevail in trial, or that an award of damages would be greater than the offered settlement amount. In addition, since this is a breach of contract action, attorney's fees and costs are only recoverable by the prevailing party if the agreements contain a provision providing for recovery. The agreements at issue herein do not contain such a provision. Consequently, attorney's fees and costs are not recoverable. Therefore, it is recommended that the City Council approve this settlement and authorize the Mayor to execute the settlement agreement to end this litigation.

The City Attorney has researched whether the settlement proceeds in this matter are restricted to the Enterprise Fund, or can be deposited into the General Fund. All attorney's fees and cost in defending and prosecuting this action have been paid for out of the Enterprise Fund. The City Attorney has not been able to determine that proceeds of this settlement are restricted to the Enterprise Fund. Therefore, the City Attorney recommends that the decision as to how to use these settlement proceeds be discussed with the City Manager through the budgetary process.

ALTERNATIVES

1. Approve the settlement agreement and authorize the Mayor to execute same in behalf of the City.

2. Not approve the settlement agreement and instruct the City Attorney to continue the litigation through trial and appeals, if necessary.

FISCAL IMPACT

If alternative 1 is adopted, the City would receive payment of $1.25 million and would no longer incur legal fees in the continued litigation of this matter.

If alternative 2 is adopted, the City would incur an additional $500,000.00 in ongoing attorney's fees and costs to prepare and try this matter before a jury. In addition, there would be additional fees and cost associated with any appeals after the trial.

CITY COUNCIL GOALS

Settlement of this litigation would preserve revenue by eliminating ongoing litigation costs and would infuse the City with $1.25 million, in furtherance of the City Council's goal of Revenue Diversification and Preservation.

ATTACHMENTS/EXHIBITS

1. Proposed Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023. (PG 357-364)

Prepared By:
Name Robert L. Hansen
Title City Attorney

Department Head Approval:
Name Robert L. Hansen
Title City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE OF CLAIMS

This Settlement Agreement and Mutual General Release of Claims (the "Agreement") made and effective April 21, 2010, is entered into by and between Plaintiff and Cross-Defendant ENCO Utility Services Moreno Valley, LLC ("ENCO") and Defendant and Cross-Complainant City of Moreno Valley ("the City").

WHEREAS, there is now pending in the California Superior Court, Riverside County, an action entitled ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023, in which ENCO asserts claims against the City for declaratory and injunctive relief and the City asserts cross-claims against ENCO for breaches of contract, breaches of fiduciary duty, rescission and declaratory relief (the "Litigation");

WHEREAS, on August 14, 2007, ENCO filed a claim for damages with the City pursuant to California Government Code Section 910, et seq. (the "Claim");

WHEREAS, the allegations in the Litigation and the Claim relate to the October 7, 2003 Professional Services Agreement ("PSA") between the City and ENCO;

WHEREAS, the parties desire to fully resolve disputes between them, including but not limited to all matters raised in, or which could have been raised in, the Litigation and the Claim;

NOW, THEREFORE, in consideration for the terms, conditions, covenants, representations, warranties, and promises contained in this Agreement, the parties agree as follows:

1. Within 15 business days of the execution of this Agreement by both parties, ENCO shall deliver a settlement payment in the sum of $1,250,000 by wire transfer to counsel for the City.

2. The parties further agree that the Term of the PSA shall be extended two years to December 31, 2020. Other than the extension of the Term of the PSA, all other provisions of the PSA remain unchanged and in force.

3. Within 10 business days of the receipt of the settlement payment by the City, the parties, through their counsel, shall file and serve a Request for Dismissal with Prejudice of the Litigation, each side to bear its own attorneys' fees and costs. Within 10 business days of receipt of a signed and conformed copy of the dismissal as entered by the Court, ENCO shall provide a copy thereof to counsel for the City.

4. ENCO hereby unconditionally releases and forever discharges the City and each of its current and former related entities, predecessors, successors, assigns, elected officials, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which ENCO now has, claims to have, or at any time heretofore had or claimed to have against the City, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

5. The City hereby unconditionally releases and forever discharges ENCO and each of its current and former related entities, predecessors, successors, assigns, equity holders,

members, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, insurers and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which the City now has, claims to have, or at any time heretofore had or claimed to have against ENCO, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

6. The parties hereby acknowledge that there is a risk that, subsequent to the execution of this Agreement, they may discover or incur claims which were unknown or unanticipated at the time this Agreement was executed, including, without limitation, unknown or unanticipated claims which arise from, are based upon or are related to the issues and matters raised in, or which could have been raised in, the Litigation or the Claim which, if known on the date this Agreement was executed, may have materially affected their decision to execute this Agreement. The parties each acknowledge that they are assuming the risk of such unanticipated claims and agree that this Agreement applies thereto. The parties expressly waive the benefits of Section 1542 of the California Civil Code, which provides:

> **A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.**

Effective upon execution of this Agreement, the parties waive and relinquish all rights and benefits which they have or may have under Section 1542 or the law of any other state or jurisdiction to the same or similar effect to the full extent that they may lawfully waive and relinquish all rights and benefits pertaining to the subject matter of this Agreement. The parties hereby acknowledge that the foregoing waiver of the provisions of Section 1542 of the California Civil Code was separately bargained for. Each of the parties understands and acknowledges the significance and consequences of this waiver of California Civil Code Section 1542 and confirms that it has either discussed or been given an opportunity to discuss such matters with counsel of that party's choice.

7. In entering into this Agreement, the parties represent that they have relied upon the legal advice of attorneys of their own choice; that the terms of this Agreement have been completely explained to them by their attorneys; and that they fully understand and voluntarily accept those terms. The parties further represent that they do not rely and have not relied upon any representation or statement made by any party or any other person with regard to the subject matter, basis or effect of this Agreement, other than the express provisions contained in this Agreement. Each Party acknowledges that the Agreement has been fully read, reviewed and understood by its authorized signatory and that each Party signs the same freely and voluntarily.

8. It is understood and agreed that this Agreement shall be binding upon and inure to the benefit of the parties and the related parties identified in paragraphs 3 and 4, above.

9. The parties warrant and represent that they have not assigned or transferred, or purported to assign or transfer, to any person or entity, any claim or cause of action arising out of or related to the Litigation or the Claim, or any portions thereof or interest therein.

10. The parties, without further consideration, agree to execute and deliver additional documents and take such additional actions as may be necessary to consummate the subject matter of this Agreement.

11. No breach of any provision in this Agreement can be waived except by a writing executed by all of the parties to this Agreement. Waiver of any breach shall not be deemed to be a waiver of any other breach of the same or any other provisions hereof.

12. If any action, at law or in equity, including an action for declaratory relief, is brought to enforce, or interpret or for alleged breach of the provisions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief to which it may be entitled.

13. The parties understand and agree that this Agreement is given in connection with the compromise of disputed claims and that the undersigned parties deny liability to each other. This Agreement shall never or for any purpose be considered as an admission of liability on the part of either of the parties.

14. Any notice required pursuant to this Agreement shall be addressed as follows:

For ENCO:

Charles J. Malaret, Esq.
Morgan, Lewis & Bockius LLP
300 South Grand Avenue, 22nd Floor
Los Angeles, California 90071

For the City:

Robert E. Darby, Esq.
Fulbright & Jaworski, L.L.P.
555 South Flower Street, Suite 4100
Los Angeles, California 90071

15. This Agreement is also subject to the following miscellaneous provisions:

(a) This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by, the laws of the State of California.

(b) Should any provision of this Agreement be declared or determined by any court to be illegal or invalid, the validity of the remaining part, terms or provisions shall not be affected and the illegal or invalid part, term or provision shall be deemed not a part of this Agreement.

(c) This Agreement may be executed in one or more counterparts, but shall be interpreted and construed as if signed in one document.

(d) This Agreement constitutes the entire agreement between the parties and all other prior agreements, arrangements or understandings, oral or written, are merged into and superseded by the terms of this Agreement which may not be altered, amended, modified or otherwise changed except by a writing signed by the duly authorized representatives of the parties to this Agreement.

(e) This Agreement has been prepared based on the joint efforts of the parties. This Agreement is to be construed simply and fairly and not strictly for or against any of the parties. No provision in this Agreement is to be interpreted for or against either party because that party or its legal representative drafted such provision.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the date and year set forth opposite their respective signatures below.

DATED: May 7, 2010

ENCO Utility Services Moreno Valley, LLC

By: _____

Its: Director

DATED: May ___, 2010

CITY OF MORENO VALLEY

By: _____

Its: _____

APPROVED AS TO FORM:

MORGAN, LEWIS & BOCKIUS LLP

By: _____
Charles J. Malaret
Attorneys for ENCO Utility Services
Moreno Valley LLC

FULBRIGHT & JAWORSKI L.L.P.

By: _____
Robert E. Darby
Attorneys for City of Moreno Valley

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MV00058064

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: Revised resolutions for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall:

1. **APPROVE** revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution;

2. **APPROVE** revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of a erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

BACKGROUND

On May 11, 2010, a public hearing was conducted for various applicant requested modification to project conditions of approval for the Highland Fairview Corporate Park project to include the placement of landscape within the future Highway 60/Caltrans right of way area, timing and approach of a required General Plan multi-use trail on the north side of future Eucalyptus Avenue, and minor changes related to the dedication and construction of public improvements. At said meeting, the City Council directed staff to modify the resolutions to reflect Council direction on the three items.

ADVISORY BOARD RECOMMENDATIONS

Not applicable.

DISCUSSION

Staff suggested various options at the public hearing to address landscape within the Highway 60 right of way, timing and location of a required General Plan multi-use trail along the north side of future Eucalyptus Avenue and minor changes related to the dedication and construction of public improvements for the Highland Fairview Corporate Park project. The City Council approved several motions to allow a hydroseed wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the tentative parcel map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3, and minor conditions of approval related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

Staff has provided the two revised resolutions for Tentative Parcel Map No. 35629 (PA07-0090) and the plot plan (PA07-0091) as Attachment Nos. 1 and 2 to the staff report. Modified strikeout/underline and clean copy versions of the project conditions of approval have been included as Exhibits A and B of the resolutions.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve with amendments to the modified condition language as included in Exhibits A and B to the attached resolutions.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

A public hearing was conducted for this project request on May 11, 2010. No further public notification is required to provide for review and approval of revised resolutions.

ATTACHMENTS

1. Modification of Conditions Resolution – Parcel Map, with attached modified conditions of approval included within Exhibits A and B (PAGES 369 – 398)
2. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B (PAGES 399 – 414)

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00058068

RESOLUTION NO. 2010-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, the Highland Fairview., had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 1

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions to reflect the previous direction of Council on May 11, 2010.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meetings on May 11, 2010 and May 25, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing of required construction of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

   FACT: The originally approved map met the intent of the General Plan with the approved general plan amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP), Mitigation Fee Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will

bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Tract Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show ~~a minimum 20-foot wide~~ an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional ~~10-foot~~ varying width street right-of-way dedication on the east side of Redlands Boulevard along the

map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a~~n~~ 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~0-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. ~~from the directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.~~ The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~1-foot wide multi-use ~~bike~~ trail ~~and pedestrian access~~ easement located 3 feet west of (behind) the 2-foot pedestrian access easement. ~~directly behind and adjacent to the proposed Theodore Street west right-of-way~~. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

~~vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.~~

~~viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).~~

ix. A ~~1~~37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. ~~The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer.~~ The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

<u>Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629</u>

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-3-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail (within an 11-~~

~~foot multi-use trail easement) behind the 4-3-foot wide landscaped area, and a 2-4-foot wide flat landscape area.~~ Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be constructed within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.~~

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided ~~within an 18-foot wide bike trail and pedestrian access easement~~: a 2-foot wide portion of sidewalk located outside of the proposed ~~sidewalk~~ right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final

Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

<u>CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)</u>

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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MV00058088

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Tract Map No. 35629 (Clean Copy Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional varying width street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 10-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 11-foot wide multi-use trail easement located 3 feet west of (behind) the 2-foot pedestrian access easement. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser

thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and

dry and wet utilities. In addition, the following improvements shall be provided: a 2-foot wide portion of sidewalk located outside of the proposed right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land

MV00058094

Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The

CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)
n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)
o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)
p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)
q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

RESOLUTION NO. 2010-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements.

ATTACHMENT 2

No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions of approval to reflect the previous direction of Council on May 11, 2010.

WHEREAS**,** all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS**,** there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS**,** pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meetings on May 11, 2010 and May 25, 2010**,** including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations –** The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

FACT:. The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. Location, Design and Operation – The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site.

The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Underground Utilities in lieu fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00058106

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City~~

~~to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be

required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations,

shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00058116

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00058118

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PG 427)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PG 429-438)
Attachment "C" – Assignment Agreement (PG 439)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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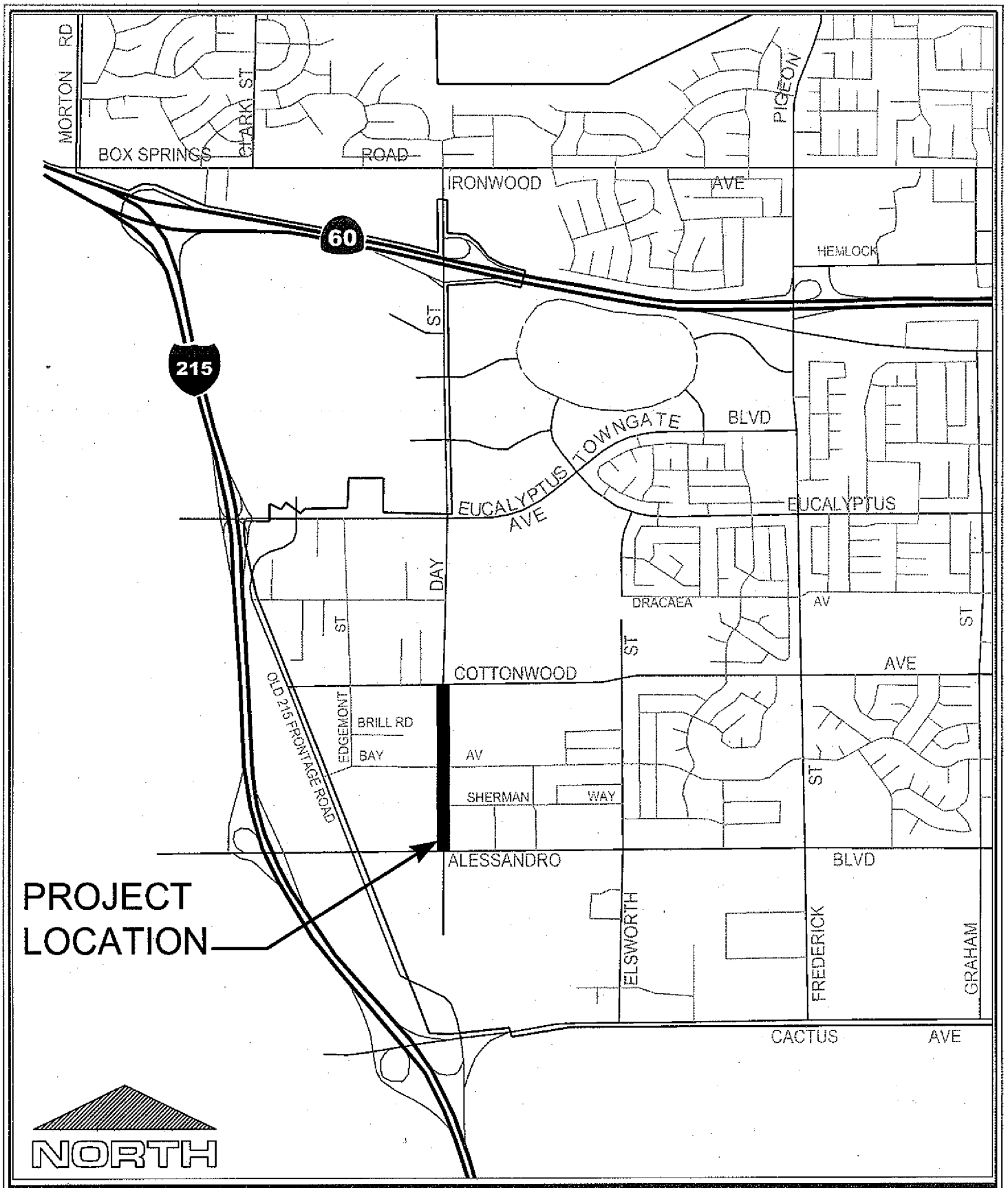

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Item No. C.3

MV00058127

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MV00058128

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

W:\CapProj\CapProj\PROJECTS\Larry - 02-89266920 - Day St\CC Reports\Staff Report - NOA 052510 Attachment B.doc

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

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MV00058140

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00058142

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 26, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of May 11, 2010, which was then continued to May 25, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23 (PG 453-454)
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11 (PG 455-543)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00058152

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 26, 2010.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00058156

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Section 3 - Community Development

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 205.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance		$ 2,618.00	Plus applicable notice and posting fees
Administrative Variance		$ 474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

nimal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00
	*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.			
	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

nimal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

enewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

ecords Request	Unit	Fee
Photographs, color print (4"x6")		$ 5.00
Fire Incident Reports (paid to County of Riverside)		$ 19.00
Fire Inspection Reports (up to 8 1/2"x14")		
First 10 pages	per Report	$ 6.00
Additional pages	per Page	$ 1.00
Hourly Rates		
Fire Marshal		$ 140.00
Deputy Fire Marshal		$ 105.00
Fire Safety Specialists		$ 106.00
Fire Safety Inspector		$ 106.00
Overtime		Position time + 50%
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee
Other Fees		
False Alarm		
Residential		$ 100.00
Commercial		$ 200.00
Fire Permit Issuance Fee		$ 21.00

The fully-burdened wage rate including overhead; not to exceed actual City costs.

Section 5 - Fire

Other Fees (Cont)

	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150	
Percentage of Transaction cost plus	6.50% *
Fixed Fee per Transaction	$ 0.50 *
Transactions from $150 to $500	
Percentage of Transaction cost plus	3.50%
Fixed Fee per Transaction	$ 5.00
Transactions over $500	
Percentage of Transaction cost plus	2.50%
Fixed Fee per Transaction	$ 10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 30%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

**Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth/Teen Classes

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~* Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~

~~** Excludes Program Registration Fee~~

Section 7 - Parks and Community Services

Exhibit "A"

Senior Programs

Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.

Fee Description	Policy Category	Unit	Resident Fee
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Special Events

Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee

Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and Unorganized Group Play per field~~	N/A	Per Hour	$	5.00
~~Unorganized Adult & Youth~~ Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use—Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use—Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee (required for all groups)	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
~~This program has no applicable category association~~				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
~~This program has no applicable category association~~				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Section 7 - Parks and Community Services

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		~~Grand Valley Ballroom with small patio or large patio~~	~~3 Hours~~	~~Friday evening beginning at 5:00 pm and Sunday~~	~~Per Hour~~	~~$ 250.00~~
		~~Grand Valley Ballroom with small patio or large patio~~	~~3 Hours~~	~~Saturday~~	~~Per Hour~~	~~$ 300.00~~
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 35.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 35.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
~~2~~	~~Federal, State, County and Educational Institutions~~	~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Monday through Friday 4:59pm~~	~~Per Hour~~	~~$ 144.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Monday through Friday 4:59pm~~	~~Per Hour~~	~~$ 144.00~~
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group ~~2~~ ~~3~~	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. ~~Federal, State, County and Educational Institutions.~~ Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 - $750.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Mobile Stage Unit

Categories	Mandatory Staff Fee		Refundable Cleaning Deposit	Unit	Current Fee
	Stage Unit with Platforms (3 staff)	(2 staff)			
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

Service / Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 8 - Police

	Unit	Fee	
BC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

	Unit	Fee	
econd Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

Exhibit "A"

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Section 9 - Public Works

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On an itemized by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee	
MASS/ROUGH GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY		$ 584.00	
5,001-100,000 CY		$ 1,009.00	
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

Section 9 - Public Works

and Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	~~$2,400~~	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	~~$2,700~~	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	~~$6,300~~	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	~~$250~~	~~$ 206.00~~		
All Teleconferences	per Hour	~~$150~~	~~$ 206.00~~		

Section 9 - Public Works

and Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Section 9 - Public Works

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, ~~or~~ Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,744.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,421.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

and Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	$ ~~198.00~~ $96.00	Straight Time Over Time

STORM WATER MANAGEMENT INSPECTION

Storm Water Pollution Abatement Program

Projects Under Construction		
Construction Site Inspection		$ 402.00
Existing Businesses		
NPDES Industrial Site Initial Inspection	Each	$ 451.00
Follow-up Compliance Inspection	Each	$ 211.00
NPDES Commercial Site Initial Inspection	Each	$ 331.00
Follow-up Compliance Inspection	Each	$ 211.00
NPDES Restaurant Initial Inspection (CAP)	Each	$ 271.00
Follow-up Compliance Inspection	Each	$ 211.00

Water Quality Basin Landscape Inspection

0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre	$ 1,777.00

PENALTY FEES

Inspection and Testing work in Right-of-Way without Encroachment Permit	$ 603.00
Failure to Schedule Inspection Prior to Performing Work *	$ 122.00

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

and Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer. Fee not to exceed total City cost.~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$ 205.00
Block Party Permit Processing	Each	$ 82.00
Flood Plain Determination (Community Rating System)	per Lot	$ 20.00
Elevation Certification (Mobile Home Park)	Each	$ 155.00

Section 9 - Public Works

	Unit	Fee		
Land Development				
OTHER FEES				
Advanced Energy Fees				
Administration Fee		$	404.00	
Zone B (9,500 Lumens)	Each	$	261.00	
Zone C (22,000 Lumens)	Each	$	347.00	
Single Family Residence Review	per Project	$	390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District			
MISCELLANEOUS LAND DEVELOPMENT FEES				
City of Moreno Valley Book of Standard Drawings	Each	$	45.00	
Research of Records, Files, etc.				
Technical	per Hour *	$	84.00	+reproduction costs
Professional	per Hour *	$	136.00	+reproduction costs
	* minimum of 1/2 hour			
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$	1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

Section 9 - Public Works

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				------ Commercial ------			--------Office--------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
ibraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
Park Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

NITS LEGEND
J = Dwelling Unit for residential development types
F = 1,000 gross square feet of building area for commercial, industrial and office development types

PLEMENTATION NOTES:

th respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

th respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the velopment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
ecommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00058244

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)**

b) **Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)**

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MV00058246

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES

RECOMMENDED ACTION

Staff recommends that the Mayor and the City Council, acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee reviews the landscaping charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide benefit services. Zones within the CSD were established to allocate the costs to those parcels receiving proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

DISCUSSION

Proposed Charges
The following section outlines the services provided by each zone, the proposed annual charge and the current year charge. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the process of a mail ballot proceeding or as implemented through previously authorized inflation adjustments. For FY 2010/11 the inflation adjustment is 1.83% based on the percentage change for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide parks and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit, per each nonresidential parcel, or per each vacant parcel. (Current FY 2009/10 charge is $87.50.)

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23 per parcel per year on those properties which were annexed into the zone prior to 1999. Property owners, of 7,326 parcels that balloted after 1999 to receive Zone B services, which authorized an annual inflation adjustment, shall be charged $24.42 per parcel. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight facilities and services, whose owner's pay $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23 or $24.42 per parcel per year to $39 per parcel per year and would allow for an annual CPI increase, if necessary, to fully fund the annual cost to provide residential street lighting services. (Current FY 2009/10 charges are $23 and $24 for street lighting services.)

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9. (Current FY 2009/10 charge is $9.)

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. *Attachment 1*, included with this staff report, provides a listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11. A majority of the property owners, of certain affected tracts previously approved an inflation adjustment as part of their Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts.

The CSD shall conduct a mail ballot proceeding for 14 tracts, with a Public Hearing to be held on July 13, 2010. The following tracts are scheduled to be balloted: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. The ballot proposes an increase in the current Zone D charge to recover costs associated with landscape maintenance services. Property owners not approving the proposed charge increase for their Tract's Zone D service shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines.

Zone E is authorized to provide high-service-level parkway landscape maintenance of the extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the previously approved CPI adjustment shall be applied to the parcel charge for Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are shown on *Attachment 2* included with this staff report.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $76.)

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $66.)

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109. (Current FY 2009/10 charge is $109.)

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an annual inflation factor. The current year charges and proposed annual charges for Zone M are shown on *Attachment 3* included with this staff report.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation based on front linear footage of the properties adjacent to the improvements. The Zone S charge for FY 2010/11 is $2.80 per front linear footage, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $2.75 per front linear footage.)

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as collected are in compliance with Proposition 218, provided no charge increases are proposed or instituted without property owner's approval. Any future charge increases will require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings, as adopted by the City Council and the CSD Board on January 9, 2001, and amended on January 22, 2002, January 24, 2006 and March 24, 2009.

ALTERNATIVES

1. **Accept public comment** regarding the proposed FY 2010/11 CSD charges. *Although not required under Proposition 218, a Public Meeting allows property owners an opportunity to address the CSD Board regarding the continuation of the CSD annual charges.*

2. **Do not accept public comment** regarding the proposed FY 2010/11 CSD charges. *Even though a Public Meeting is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Meeting to allow the property owners an opportunity to address the CSD Board regarding the service received, the current annual CSD charges, and the proposed charges for FY 2010/11.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. The charges have been approved by the affected property owners through prior proceedings or are part of a proposed mail ballot proceeding, which may include an annual inflation factor based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A, and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S are restricted funds, which may only be used to pay for costs within each respective Zone.**

Approving charges less than that proposed by staff may require a decrease in both the level and quality of service from that provided during FY 2009/10. The service level provided shall be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS

CSD landscape maintenance services help enhance community image, neighborhood pride, and cleanliness. Residential properties that have landscaped parkways and/or medians help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant material also serves in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION

The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES

Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. Maintenance as provided through the CSD of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The action before the CSD Board is to accept public comment regarding the proposed CSD charges for FY 2010/11. With the adoption of Proposition 218, state law does not mandate public hearings to consider charges already in place. However, the City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the charges. A Public Hearing is scheduled for June 8, 2010 to consider the continuation of the existing levy of annual charges on certain properties within each of the existing zones as submitted in the Annual Levy Report, unless an inflation adjustment was previously approved by a majority of affected property owners through the Proposition 218 mail ballot proceeding process. All specific actions to adopt the Resolutions for both the continuation of the existing charges and the increased charges will take place at the June 8, 2010 Public Hearing.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, with information about the May 25, 2010 Public Meeting and the June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was scheduled to be published on May 18, 2010 and is scheduled to be published on May 25, 2010.

ATTACHMENTS

Attachment 1: Zone D FY 2010/11 Proposed Charges (PG 553-556)
Attachment 2: Zone E FY 2010/11 Proposed Charges (PG 557-558)
Attachment 3: Zone M FY 2010/11 Proposed Charges (PG 559-560)

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00058252

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
10191/18468 (3)	$69.00	$1.26	$70.26	
11848 (1)	$84.00	$1.52	$85.52	
12305	$57.00		$57.00	
12608	N/A (4)		$0.00	
12773 (6)	$80.00	$1.46	$81.46	$121.00
12902	$72.00	$1.30	$73.30	
13576/19080/19081 (3)	$32.00	$0.58	$32.58	
13585 (1)	$57.00		$57.00	
14387/12268	$57.00		$57.00	
15387 (1)	$57.00		$57.00	
15433 (1)	$90.00	$1.64	$91.64	
16768 (1)	$64.00	$1.16	$65.16	
16769	$61.00	$1.10	$62.10	
16770 (1)	$57.00		$57.00	
17033 (1)	$173.10	$3.16	$176.26	
17176 (1)	$57.00		$57.00	
17334 (1)	$345.00		$345.00	
17387 (1)	$57.00		$57.00	
17457 (1)	$79.00	$1.44	$80.44	
17867 (1)	$57.00		$57.00	
18283	$57.00		$57.00	
18512/21322 (1)	$82.00		$82.00	
18784/20906 (1)	$177.00		$177.00	
18930 (1)	$77.00		$77.00	
19032 (2)	$130.00		$130.00	
19141	$75.00	$1.36	$76.36	
19142	$57.00		$57.00	
19143 (1)	$57.00		$57.00	
19208 (1)	$74.00		$74.00	
19210 (6)	$68.00	$1.24	$69.24	$112.00
19233	$57.00		$57.00	
19363 (1)	$57.00		$57.00	
19434 (1)	$57.00		$57.00	
19474	$57.00		$57.00	
19496	$64.00	$1.16	$65.16	
19500 (1)	$73.00	$1.32	$74.32	
19509 (1)	$57.00		$57.00	
19518/18372 (1)	$57.00		$57.00	
19529	$70.00	$1.28	$71.28	
19533	$57.00		$57.00	
19541	$93.00	$1.70	$94.70	
19551 (1)	$96.00		$96.00	
19675	$80.00	$1.46	$81.46	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
19685 (1)	$70.00	$1.28	$71.28	
19799 (2)	$272.20		$272.20	
19852 (1)	$69.00		$69.00	
19862	$148.10	$2.70	$150.80	
19912	$83.00	$1.50	$84.50	
19937 (6)	$107.10	$1.94	$109.04	$157.00
19957 (2)	$69.00		$69.00	
20030 (1)	$100.10	$1.82	$101.92	
20032 (1)	$57.00		$57.00	
20072 (1)	$89.00		$89.00	
20120	$94.00	$1.72	$95.72	
20197	$57.00		$57.00	
20272 (1)	$120.10		$120.10	
20301 (1)	$57.00		$57.00	
20404 (6)	$97.00	$1.76	$98.76	$178.00
20525 (1)	$57.00		$57.00	
20552 (1)	$57.00		$57.00	
20579 (6)	$57.00/$106.10/$158.10	$7.30/$2.88	$57.00/$108.40/$160.98	$144.00
20660 (1)	$105.10	$1.92	$107.02	
20715 (1)	$94.00		$94.00	
20718 (6)	$139.10	$2.54	$141.64	$234.00
20859 (1)	$66.00		$66.00	
20869 (1)	$57.00		$57.00	
20941	$103.10	$1.88	$104.98	
21113 (6)	$57.00		$57.00	$89.00
21332 (1)	$96.00	$1.74	$97.74	
21333 (6)	$208.20	$3.80	$212.00	$345.00
21345	$114.10	$2.08	$116.18	
21597 (6)	$295.20	$5.40	$300.60	$473.00
21616 (1)	$371.00	$6.78	$377.78	
21737	$210.20	$3.84	$214.04	
21806	$69.00	$1.26	$70.26	
22093 (1)	$138.00		$138.00	
22180	N/A (4)		$247.00 (7)	
22276 (1)	$193.10		$196.62	
22277 (1)	$264.20	$4.82	$269.02	
22371	$286.20	$5.22	$291.42	
22889 (6)	$186.00	$3.40	$189.40	$313.00
22999	$67.00		$67.00	
23046 (1)	$183.00		$183.00	
24721 (1)	$57.00		$57.00	
27251-1	N/A (4)		$465.00 (7)	
27526 (1)	$160.10	$2.92	$163.02	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
28882 (6)	$103.10	$1.88	$104.98	$179.00
29038 (1)	$60.00	$1.08	$61.08	
30027 (1)	$201.00		$201.00	
30967	$459.00	$8.38	$467.38	
31129	$81.00	$1.48	$82.48	
31257 (6)	$1,050.00	$19.20	$1,069.20	$1,414.00
31268	$181.10	$3.30	$184.40	
31269	$215.00	$3.92	$218.92	
31269-1 (6)	$295.20	$5.40	$300.60	$355.00
31284 (1)	$127.10		$127.10	
31305	N/A (4)		$496.00 (7)	
31424	$215.00	$3.92	$218.92	
31591	$454.40	$8.30	$462.70	
31618	N/A (4)		$364.00	
32005	N/A (4)		$112.00	
32018 (6)	$68.00	$1.24	$69.24	$160.00
32625	$1,000.00		$1,000.00	
32715	$303.00		$401.00 (5)	
33436	N/A (4)		$42.00 (7)	
33637	N/A (4)		$297.00 (7)	
33962	N/A (4)		$494.00 (7)	
4-Custom Home	N/A (4)		$567.00 (7)	

Total No. of Tracts = 116

(1) Tracts receiving Reduced service as provided for in the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Zone D Policy") adopted on January 9, 2001 and amended January 22, 2002, and January 24, 2006.

(2) Tracts receiving Street Tree maintenance only as provided for in the Zone D Policy.

(3) Tracts receiving the Street Tree Program.

(4) CSD landscape maintenance on hold for fiscal year pending final acceptace of initial landscape and installation in accordance with the City's approved standards for installation of landscaping.

(5) Annual charge approved at $913. Charge adjusted based on actual cost.

(6) May be subject to a mail ballot proceeding for FY 2010/11.

(7) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.

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MV00058256

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2009/10 Current Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Parcel Charges in Notice
E-1	TownGate	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 34299	$56.00	$1.02	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$391.30	$7.16	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 32142	$55.00	$1.00	$56.00
		Tract 32143	$53.00	$0.96	$53.96
		Tract 32144	$53.00	$0.96	$53.96
		Tract 32145	$31.00	$0.56	$31.56
		Tract 32146	$30.00	$0.54	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00		$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00		$440.00
E-7	Centerpointe	Per acre	$667.60	$12.20	$679.80
E-8	Promontory Park	Per condo unit	$188.00		$188.00
		Per parcel	$531.00		$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00		$397.00
E-14	Mahogany Fields	Per parcel	$273.00	$4.98	$277.98
E-15	Celebration	Per parcel	$333.00		$333.00
E-16	Shadow Mountain	Per parcel	$288.00	$5.26	$293.26

ATTACHMENT 2

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MV00058258

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,011.00	$2,047.80
Cactus Commerce Center (1)	24364	297-130-039	$798.00	$798.00
		297-130-041	$1,957.00	$1,957.00
		297-130-042	$1,610.00	$1,610.00
Home Depot	21504	485-220-030	$1,981.98	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$297.28	$302.72
Perris Blvd. Storage	PA02-0117	312-020-017	$1,563.56	$1,592.16
		312-020-018	$1,490.48	$1,517.74
Red Maple Center		312-020-020	$581.58	$592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,623.62	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,594.58	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$310.30	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023	$5,851.84	$5,958.92
		484-020-024	$7,152.14	$7,283.02
Moreno Valley Health, LLC	33930	297-140-049	$1,131.12	$1,151.82
		297-140-050	$1,163.16	$1,184.44
		297-140-051	$1,294.28	$1,317.96
		297-140-052	$1,023.02	$1,041.74
OPT Moreno Valley, LLC	27008	482-700-001	$381.38	$388.34
		482-700-005	$381.38	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$396.38	$403.64
Auto Detail Shop		291-191-024	$336.32	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,366.34 (3)	$14,629.24
		297-170-069	$10,657.64 (3)	$10,852.68
		297-170-071 (2)	$4,823.80 (3)	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,394.44	$1,419.96
		312-360-002	$656.26	$668.26
		312-360-003	$449.30	$457.52
		312-360-004	$1,574.84	$1,603.64
		312-360-005	$1,222.90	$1,245.28
		312-360-006	$1,979.88	$2,016.12
		312-360-007	$773.58	$787.72
		312-360-008	$729.30	$742.64
		312-360-009	$810.10	$824.92
		312-360-010	$818.94	$833.92
		312-360-011	$657.38	$669.40
Commercial Project	TPM 32961	316-210-074	$1,850.84	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	No charge in 2009/10	$2,324.04 (4)
Oakwood Apts	PA04-0010	486-070-004	$2,927.92	$2,981.50
		486-070-011	$2,927.92	$2,981.50

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
Moreno Marketplace	PA05-0169	486-250-021	$8,002.98	$8,149.44
		486-250-024 (5)	$8,002.98	$7,867.58
		486-250-025 (5)		$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	No charge in 2009/10	$10,595.40 (4)
		488-090-037 to -040		
		488-090-043		
		488-090-047 to -057		
		488-090-064		
		488-090-071		
		488-090-073 to -074		
		488-090-076		
		488-090-082 to -085		
Condominium Complex	32756	484-030-020	$304.30	$619.72 (4)
		484-030-022	$304.30	$619.72 (4)
OMP Development	34572	297-150-055	$2,950.44	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,585.58	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$828.82	$843.98
March Graham Partners	34022	297-170-004	$3,573.56	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$508.50	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	No charge in 2009/10	$3,180.26 (4)
MV Properties	33152	297-120-002	$963.96	$981.60
		297-120-003	$697.68	$710.44
		297-120-016	$5,102.08	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,129.12	$1,149.78
		297-120-011	$1,455.44	$1,482.08
		297-120-012	$1,455.44	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	No charge in 2009/10	$7,554.16 (4)
Two-Bldg Commercial Center	PA07-0139	484-020-026 (6)	$2,763.76	$2,814.32
Highland Fairview (4)	TPM 35629	488-360-008	No charge in 2009/10	$4,152.22 (4)
		488-360-009		$3,467.92 (4)
		488-360-010		$3,467.92 (4)
		488-360-011		$6,935.84 (4)
		488-360-012		$6,620.56 (4)
		488-350-002		$17,601.72 (4)
California Drug Consultant (4)		486-280-041	No charge in 2009/10	$9,775.68 (4)
Delphinium Apartments (4)	PA04-0028	484-242-020	No charge in 2009/10	$2,986.60 (4)

(1) Cactus Commerce Center (formerly Zone E-5) was assimilated into Zone M (no change in charge amounts).
(2) Hand billed (US Post Office).
(3) Adjusted parcel charge based on acreage.
(4) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.
(5) APN 486-250-023 was divided into parcels 486-250-024 and 025.
(6) APN 484-020-007 renumbered to 484-020-026.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Report to Consider Public Comments Regarding the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development Proposed Fiscal Year 2010/2011 Annual Rates

RECOMMENDED ACTION

Staff recommends that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance with its NPDES Permit. The requirements include a higher-level effort to

divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES Permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. City policy has been to hold a Public Meeting to allow the public opportunity to address City Council, though not required under Proposition 218.

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from Feb. 2009 – Feb. 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

2. Do not approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For Fiscal Year 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For Fiscal Year 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is lower than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- **Revenue Diversification and Preservation -** The proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

- **Public Facilities and Capital Projects -** The revenue collected from the proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to accept public comments regarding the proposed NPDES regulatory rate schedule annual rates for Fiscal Year 2010/2011. Although state law, since the adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such meetings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the rates. A Public Hearing is scheduled for June 8, 2010, to consider the continuation of the existing levy of annual rates, including an adjustment for inflation on certain benefiting properties within the City as submitted in the NPDES Special Levy Report, unless previously approved by a majority of benefiting property owners through the Proposition 218 mail ballot proceeding process. Other than accepting public comments, no specific action is required of the City Council at the May 25, 2010, Public Meeting. *All specific actions to adopt the Resolution for continuation of the existing rate will take place at the June 8, 2010, Public Hearing.*

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification is scheduled to be published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Not applicable.

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). Options for closing this remaining $11 million gap are presented in the Deficit Reduction Plan and summarized below:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions is significantly greater than the projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during FY 2010-11 be less than projected, additional solutions have already been identified that can be quickly implemented.

Staff is seeking direction from the City Council regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010, as identified in the calendar below.

Date	Meeting / Event	Action
May 11	Regular Council Meeting (Continued to May 18)	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Council Direction regarding Deficit Reduction Options
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Interim City Manager's Proposed Operating Budget
June 15	Study Session	Discussion & Direction Regarding Interim City Manager's Proposed Operating Budget
June 22	Regular Council Meeting	Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget (if not adopted on June 22nd)

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

On May 18, 2010, an overview of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council, followed by a detailed review of the Deficit Reduction Options contained in the Deficit Reduction Plan. City Council direction is requested regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010. An additional Study Session is scheduled for June 15, 2010, to discuss the Interim City Manager's proposed budget-balancing scenario. Final budget deliberations and budget adoption are scheduled for June 22, 2010; with June 29, 2010 available as a back-up City Council meeting for budget adoption if needed.

NOTIFICATION

Publication of the agenda

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: May 25, 2010

TITLE: PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

RECOMMENDED ACTION

Staff recommends that the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

BACKGROUND

The Moreno Valley Auto Mall is located in a specific plan area. In 1990, the development of the Moreno Valley Auto Mall was started. The Moreno Valley Auto Mall currently has six developed automobile dealerships. Over the years, the Moreno Valley Auto Mall has become a major sales tax producer for the City of Moreno Valley. In FY 2008-09, the Moreno Valley auto dealers in total produced 9.7% of the sales tax generated in the City of Moreno Valley. Please note that prior to the economic downturn, the Auto Mall actually produced 15.9% of the City's total sales tax revenue in FY 2006-07.

While still being major sales tax producers, the auto dealers at the Auto Mall have struggled for the past few years because of the challenging economic times. Clearly, this is not a unique situation facing just Moreno Valley, but the auto industry in general. The federal government has provided the major car manufacturers with massive loans and both General Motors and Chrysler have been involved in bankruptcy proceedings. Unfortunately, in November 2009, the Moreno Valley Buick/GMC dealership closed and went out of business. The owner actually has closed all of its seven dealerships in Southern California. The loss of this dealership not only reduces sales tax revenue for the City, but also caused the loss of 45 jobs.

DISCUSSION

Moss Bros. Autogroup is a respected and experienced automobile dealer. Moss Bros. Autogroup presently has operations in Moreno Valley, San Bernardino and Riverside. At the Moreno Valley Auto Mall, Moss operates four dealerships Toyota/Scion, Toyota Trucks, Honda and Chrysler/Jeep/Dodge/RAM Trucks. After Moss acquired the four dealerships in January 2006, auto sales and the resulting sales tax revenue for the City of Moreno Valley increased significantly. In fact, after two years of operation, the Moss dealerships increased sales tax revenue for each of its dealerships on average by 14% to 20%. In FY 2008-09, the four Moss Bros. dealerships produced 73.2% of the sales tax revenue produced by the dealers in the Moreno Valley Auto Mall. Clearly, Moss Bros. Autogroup is a major contributor to the Moreno Valley Auto Mall.

Moss Bros. Autogroup is working on a number of efforts to enhance doing business at the Moreno Valley Auto Mall, as well as being a catalyst to enhancing the overall effectiveness of the Auto Mall. Presently, Moss is pursuing the acquisition of the Moreno Valley Chevrolet and Moreno Valley Buick/GMC dealerships. Presently, Moss has options executed and Asset Purchase Agreements negotiated to acquire these two dealerships pending approval by General Motors. Additionally, Moss is working on plans to gain factory authorization for the expansion and modernization of the Toyota/Scion, Honda and Chrysler/Jeep/Dodge/RAM Trucks operations. Furthermore, Moss has discussions underway to possibly acquire additional factory-authorized automobile dealerships that would be new to the Auto Mall. Moss also has plans to significantly enhance advertising efforts of the Moss brands, along with better marketing of the Moreno Valley Auto Mall.

To assist in the various transactions identified above, as well as help stimulate the local economy and address the goals and obligations of the Redevelopment Agency, staff is recommending the use of a Participation Agreement. To help establish a contractual relationship between the Redevelopment Agency and Moss Bros. Autogroup, the RDA's Special Legal Counsel has drafted a Participation Agreement which provides the following major business points.

- Moss shall use commercially reasonable efforts to re-establish automobile dealerships for GMC/Buick, as well as continue operation of a Chevrolet dealership at the Moreno Valley Auto Mall.

- Moss shall use commercially reasonable efforts to expand its existing dealership operations (Toyota, Honda and Chrysler/Jeep/Dodge/RAM Trucks, as well as pursue opportunities for adding new factory-authorized automobile dealerships to the Moreno Valley Auto Mall.

- Moss shall agree to establishing and maintaining the City of Moreno Valley as a point-of-sale for its sales of Toyota, Scion, Honda, Chrysler/Jeep, Dodge, RAM Trucks, Chevrolet, GMC, Buick and any other factory-authorized automobile sales at the Moreno Valley Auto Mall.

- Moss shall receive both an Initial Payment and Final Payment in the amounts of $250,000 or an amount equal to 20% of the City's share of sales produced by Moss operated dealerships on an annual basis, whichever is lesser.

ALTERNATIVES

1. Approve the Participation Agreement with Moss Bros. Autogroup.

2. Reject or pursue modifications in the terms of the Participation Agreement. Supporting this alternative would hinder the proposed transactions planned for the Moreno Valley Auto Mall.

FISCAL IMPACT

The planned projects being pursued by Moss Bros. Autogroup are envisioned to enhance the overall effectiveness of the Moreno Valley Auto Mall, including producing increased sales tax revenue for the City, along with new employment opportunities. The investment on the part of the City and its Redevelopment Agency through the two payments to Moss shall be made by the Redevelopment Agency through funding made available by the City's General Fund through sales tax revenue.

ATTACHMENTS

ATTACHMENT 1: Participation Agreement (PG 577-602)
ATTACHMENT 2: Resolution of the Community Redevelopment Agency of the City of Moreno Valley (PG603-604)

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Attachment No. 1 Site Plan
Attachment No. 2 Operator Certificate

PARTICIPATION AGREEMENT

By and Between the

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

and

MOSS BROS. AUTOGROUP
a California corporation

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of May 20, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency"), and **MOSS BROS. AUTOGROUP,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. The Operator and the Agency desire that the Operator operate a factory-authorized automobile sales and servicing facilities within the project area (the "Project Area") as heretofore established by the adoption of the Redevelopment Plan for the Moreno Valley Redevelopment Project (the "Redevelopment Project") operating under the trade name Moss Bros.

B. Operator through the operation of such use within the Project Area will help stimulate the local economy and address the goals and obligations of the Redevelopment Plan.

C. The Agency, in conjunction with the City of Moreno Valley, a municipal corporation (the "City") has previously established an area (located within the Project Area) devoted to motor vehicle dealerships, which included area is known as the Moreno Valley Auto Mall (the "Auto Mall").

D. Operator is operating and, subject to the provisions of this Agreement, commits to continue to operate factory-authorized automobile dealerships for Honda ("Honda Dealership"), Toyota ("Toyota Dealership"), Scion ("Scion Dealership"), Dodge ("Dodge Dealership"), Chrysler ("Chrysler Dealership"), Jeep ("Jeep Dealership")(collectively, the "Existing Dealerships") and to use commercially reasonable efforts to re-establish truck and automobile dealerships, for GMC/Buick (the "GMC/Buick Dealership") and continue operation of a Chevrolet dealership (the "Chevrolet Dealership") within the Auto Mall.

E. Operator has options to acquire ownership of sites within the Auto Mall which it deems suitable for operation of the GMC/Buick Dealership (the "GMC/Buick Site") and the Chevrolet Dealership (the "Chevrolet Site" and, together with the GMC/Buick Site, the "Designated Sites").

F. Operator is in negotiations to acquire additional automobile dealerships and agrees to use commercially reasonable efforts to attract, open and operate motor vehicle dealerships within the Auto Mall for products not represented (as new automobile dealerships) in the Auto Mall as of the Date of Agreement.

G. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws, including the creation of jobs within the City.

NOW, THEREFORE, the Agency and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Sites or any other properties owned by the Operator or a Related Person within the Auto Mall, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of Operator or Agency, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the Agency and the Operator.

"Auto Mall" is defined in Recital C, above.

"*Auto Mall Special Taxes*" means special taxes imposed by the City or the governing board for Community Facilities District No. 3 as heretofore established by the City.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"City Share" means an amount equal to the lesser of: (i) one percent of the total sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person; or (ii) that amount which the City receives as its share of sales tax under the pursuant to the Bradley Burns Uniform Sales Tax Law, California Revenue and Taxation Code Section 7200, et seq., as a result of the sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person.

"*Conditions Precedent to Final Payment*" is defined in Section 404 hereof.

"*Conditions Precedent to Initial Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of an automobile sales and service facility (which may include body shop, parts sales and related activities) for Conforming Vehicles under the trade name Moss Bros.

"*Conforming Vehicles*" means motor vehicles sold under authorization of the corresponding manufacturer and marketed under the trade names Honda, Toyota, Scion, Dodge, Chrysler, Jeep, Chevrolet and other motor vehicle product lines that may, through Operator's efforts, come to be located in the Auto Mall, but excluding any such product lines for which dealerships cease to be available at the Auto Mall as a result of (a) manufacturer dealership reductions; (b) bankruptcy or other insolvency of the manufacturer; or (c) other conditions over which Operator has no substantial control, despite its commercially reasonable efforts.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" is defined in the first paragraph of this Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Sites*" means the GMC/Buick Site and the Chevrolet Site.

"*Designated Trade Name*" means "Moss GMC", "Moss Buick", "Moss Honda", "Moss Toyota", "Moss Dodge" "Moss Chrysler", "Moss Jeep", "Moss Scion", "Moss Chevrolet" or any other trade name that is approved by the Agency in its reasonable discretion.

"*Executive Director*" means the Executive Director of the Agency (or the Interim Executive Director of the Agency) or his designee.

"*Fee Condition*" is defined in Section 401.2.

"*Final Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Second Year.

"*Fiscal Year*" or, unless the context otherwise requires "*Year*" means a period commencing as of July 1 and ending as of June 30 of the immediately following calendar year.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Auto Mall is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Auto Mall.

"*Improvements*" means all improvements present on the Designated Sites or any and all properties owned by the Operator or any Related Person as of the Date of Agreement or thereafter undertaken on the Designated Sites or any property owned by the Operator or a Related Person within the Auto Mall.

"*Initial Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Initial Year.

"*Initial Year*" means the period commencing as of September 1, 2010 and ending as of August 31, 2011.

"*Municipal Code*" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"*Operating Covenant Period*" means a period commencing as of the Date of Agreement and ending as of August 31, 2012.

"*Operator*" means Moss Bros. Autogroup, a California corporation.

"*Operator Certificate*" means Attachment No. 2 to this Agreement.

"*Performance Conditions*" means all of the following: the Sales Tax Condition; the Fee Condition; the Indemnification Condition; the Certificate Condition; the Electrical Service Condition; the Property and Sales Tax Condition; and the Continuous Operation Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"*Point of Sale*" means that situs which is treated by the California Franchise Tax Board as the point of sale for a business.

"*Property and Special Tax Condition*" means that Operator shall have timely paid in full when due all amounts payable as property taxes, assessments, City fees or special taxes (including all Auto Mall Special Taxes imposed with respect to land owned by the Operator or any Related Person within the Auto Mall) during the corresponding Fiscal Year.

"*Related Person*" means any entity in which an ownership interest is held by the Operator or any business in which an ownership interest is held by a person who, as of the Date of Agreement, is an officer, shareholder or owner of the Operator.

"*Second Year*" means the Fiscal Year beginning as of September 1, 2011 and ending as of August 31, 2012.

200. REPRESENTATIONS AND WARRANTIES.

201. **Agency Representations.** Agency represents and warrants to Operator as follows:

(a) **Authority**. Agency is a public body, corporate and politic organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of its governing board. The Agency has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by Agency has been fully authorized by all requisite actions on the part of Agency. The parties who have executed this Agreement on behalf of Agency are authorized to bind Agency by their signatures hereto.

(b) **No Conflict**. To the best of Agency's knowledge, Agency's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Agency is a party or by which it is bound.

(c) **No Agency Bankruptcy**. Agency is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to Agency as follows:

(a) **Authority**. Operator is a duly organized California corporation that is doing business in California, is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase and accept possession of property within the Project Area, including the Auto Mall and undertake all obligations as provided herein and the execution, performance and delivery of this

Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of property within the Auto Mall or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of motor vehicle sales and servicing facilities under manufacturer authorization, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations and all applicable requirements of the corresponding manufacturers pertaining to the operation of Conforming Activities under this Agreement.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to Agency), indemnify and save and hold harmless each of Agency, City and their respective officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or employed by Operator with respect to property within the Auto Mall; or (v) Operator's ownership, occupancy or use of the Designated Sites or any other property within the Auto Mall. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the Agency has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the Agency immediately upon written demand for all costs reasonably incurred by the Agency (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of Agency or City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the Agency's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this

Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which each of Agency and City is indemnified under this Agreement.

The Operator shall indemnify each of the Agency and the City from any real estate commissions or brokerage fees which may arise from this Agreement, the Designated Sites or any other property within the Auto Mall. The Operator agrees to hold each of Agency and City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator, the Designated Sites and any other property within the Auto Mall.

Operator agrees that no displacement of another person or business shall be effected in connection with the establishment, continuation or expansion of its activities at the Designated Sites or otherwise within the Auto Mall. Operator agrees to and shall defend, indemnify and hold harmless each of Agency and City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Sites or the remainder of the Auto Mall occurring prior to approval of this Agreement.

302. **Compliance With Laws**. Operator shall carry out the conduct of uses on the Designated Sites or otherwise within the Auto Mall in conformity with all applicable laws, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.*, Government Code Section 4450, *et seq.*, Government Code Section 11135, *et seq.*, and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq*, and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The Agency makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify each of Agency and City for any liability associated with the payment of prevailing wages for any work on the Designated Sites or otherwise within the Auto Mall.

The Operator does hereby and shall indemnify and hold each of Agency and City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Agency or City with respect to or in any way arising from Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720.

The Operator is under no obligation to construct or otherwise develop improvements on the Designated Sites or otherwise within the Auto Mall and is not obligated to apply all or any portion of the Initial Payment Amount or Final Payment Amount toward any such development or construction. The Operator intends, through the construct of uses on the Designated Sites and otherwise within the Auto Mall, to create jobs for the benefit of the City.

303. **Insurance**. Prior to the disbursement of any moneys by the Agency to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense the following policies of insurance in form and substance reasonably satisfactory to the Agency:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Sites or other

property within the Auto Mall (to be in effect only while work is being performed on the Designated Sites or at another location within the Auto Mall);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Sites or improvements owned by the Operator or a Related Person otherwise located within the Auto Mall in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Auto Mall is located (including loss by flood if the Auto Mall is in an area designated as subject to the danger of flood);

(iii) public liability insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to Agency. The policies required under subparagraph (b) shall show each of Agency and City as an additional insured and loss payee. Each of Agency and City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by Agency) and endorsements shall be delivered to Agency from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to Agency evidence of renewal or replacement of such policy reasonably satisfactory to the Executive Director.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by Agency or City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of each of Agency and City. All policies shall be written by good and solvent insurers qualified to do business in California. The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator, and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against each of Agency or City (or any officer, employee, agent or representative of Agency or City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry,

national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay prior to delinquency all ad valorem real estate taxes and assessments on any and all property owned by Operator or a Related Person within the Auto Mall. Operator shall remove or have removed any levy or attachment made on any such property, or part thereof, which is owned or leased by Operator (or any Related Person), or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless each of Agency and City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties in connection with (a) activities undertaken by the Operator or (b) the Auto Mall.

400. CONSIDERATION FOR AGREEMENT; AGENCY PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the Agency to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Initial Payment by the respective time established therefor in Section 402 and to satisfy the Conditions Precedent to Final Payment by the time established therefor in Section 403. Operator shall also satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The Operator further agrees to operate, maintain and use any and all property owned by the Operator or any Related Person within the Auto Mall in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Initial Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the Executive Director, Agency will disburse to Operator the Initial Payment Amount. The Operator agrees to expend the Initial Payment Amount for expenses arising in connection with the operation of Conforming Activities within the Auto Mall.

Provided that the Conditions Precedent to Final Payment have been and remain satisfied, the Agency shall make one final payment to the Operator (of the Final Payment Amount) within thirty (30) days after receipt of the Operator Certificate following conclusion of the Second Year. Times for payment shall be extended for a reasonable time in order for the Agency to confirm compliance with all conditions to payment. No interest shall accrue on any such amounts.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities (including the Existing Dealerships) commencing as of the Date of Agreement and continuing throughout the Operating Covenant Period. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) treating the Auto Mall (or portions thereof) as point of sale for all taxable sales made by the Operator within the Auto Mall (the "Sales Tax Condition") as reflected in the reports of the Operator to the State Board of Equalization (which reports shall be made available by Operator to City and, to the extent permitted by law, to Agency); (iii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming

Activities (the "Fee Condition"); (iv) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (v) Operator shall use electrical services made available by the City (the "Electrical Service Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Operating Covenant Period, and during such period shall provide such additional information with respect to any of such matters as the Executive Director or his designee shall determine to be necessary or covenant in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **Conditions Precedent to Initial Payment**. The Agency shall not be obligated to make the disbursement of the Initial Amount unless all of the following conditions precedent have been and remain satisfied as of September 1, 2011:

(a) the Operator provides to the Executive Director evidence satisfactory to the Executive Director that: (i) Operator is engaged in the operation of Conforming Activities within the Auto Mall, including the sale of new motor vehicles under authorization therefor by the corresponding manufacturers and sale of new motor vehicles for each of the Existing Dealerships; (ii) Operator owns property within the Auto Mall at which Conforming Activities are being conducted; and (iii) Operator has made commercially reasonable efforts to secure commitments for the establishment of factory-authorized dealerships within the Auto Mall for product lines not represented in the Auto Mall as of the Date of Agreement;

(b) the Operator provides evidence satisfactory to the Executive Director that all properties within the Auto Mall owned by the Operator or a Related Person shall be and remain the Point of Sale for sales of Conforming Vehicles by the Operator;

(c) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions (except with respect to the Initial Payment Amount);

(d) after September 1, 2011 but on or before October 1, 2011, Operator has executed and delivered to the Executive Director an Operator Certificate for the Initial Year, duly executed with the attachments as prescribed by this Agreement;

(e) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(f) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(g) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Initial Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on all property (other than a vacant lot currently owned by the Operator and designated as Assessor Parcel No. 477-130-020 -- "Vacant Lot") owned by the Operator and/or a Related person within the Auto Mall during the Operating Covenant Period, or if this Agreement is terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

403. **Conditions Precedent to Final Payment**. The Agency shall not be obligated to make disbursement of the Final Payment unless all of the following conditions precedent have been and remain satisfied as of September 1, 2012:

(a) Each of the Conditions to Initial Payment has been and remains satisfied;

(b) the Operator provides evidence satisfactory that demonstrates that Operator has made commercially reasonable efforts to attract, open and operate motor vehicle dealerships for products not represented in the Auto Mall as of the Date of Agreement;

(c) the Operator provides evidence satisfactory to the Executive Director that the Conforming Activities are being conducted on any and all property (except the Vacant Lot) owned by the Operator or any Related Person within the Auto Mall (except the Vacant Lot) and that all properties owned by the Operator or any Related Person within the Auto Mall are being maintained as Point of Sale in accordance with the terms of this Agreement;

(d) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions;

(e) after September 1, 2012 but on or before October 1, 2012, Operator has executed and delivered to the Executive Director an Operator Certificate for the Second Year, duly executed and with the attachments prescribed pursuant to this Agreement;

(f) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(g) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(h) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (h), inclusive, shall collectively constitute the "Conditions Precedent to Final Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities within the Auto Mall throughout the Operating Covenant Period, or if this Agreement is

terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

404. **Brokers**. The Agency shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator is a business specializing in the sale and servicing of new automobiles under factory authorization as a franchised dealer of such products. The Operator shall sell Conforming Vehicles within the Auto Mall and continue the operation of the Existing Dealerships and conduct related and ancillary activities including the servicing and repair of automobiles. The Operator shall operate within the Auto Mall only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote all property owned by the Operator or any Related Person within the Auto Mall to the uses specified in this Section 501 of this Agreement; (ii) operate on any and all property owned by the Operator or any Related Person within the Auto Mall a business or businesses devoted to the operation of Conforming Activities under the Designated Trade Names; (iii) operate within the Auto Mall the Existing Dealerships; and (iv) execute and deliver to the Agency an Operator Certificate prior to each payment by the Agency.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws. The Operator covenants to operate within the Auto Mall only Conforming Activities for a period of not less than the Operating Covenant Period; this covenant is made for the benefit of the Agency. Operator shall remake this covenant prior to each payment by the Agency and thereafter annually during the Operating Covenant Period.

In addition, continuing throughout the remainder of the Operating Covenant Period, all uses conducted on any and all property owned by the Operator or any Related Person within the Auto Mall, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to all properties owned by Operator and/or a Related Person within the Auto Mall, or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain any and all properties (except the Vacant Lot) owned by Operator or any Related Person within the Auto Mall and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws.

(b) To maintain the improvements and landscaping on any and all properties owned by Operator or any Related Person within the Auto Mall in conformity to all applicable laws and to keep all such properties free from any accumulation of debris and waste

materials.

(c) To operate on any and all properties owned by Operator or any Related Person within the Auto Mall only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the Agency shall be suspension or at Agency's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement unless the Agency fails to make a payment required pursuant to this Agreement upon satisfaction by Operator of the conditions precedent to such payment. Upon the Agency's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the Agency. From the date of Notice of Termination of this Agreement by Operator to the Agency and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by Agency**. In the event that, prior to the time established in Section 402 for the satisfaction of the Conditions Precedent to Initial Payment or Section 403 for the satisfaction of the Conditions Precedent to Final Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to any and all properties owned by Operator or any Related Person within the Auto Mall in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment and such failure is not caused by Agency; or

(c) On or before the ninetieth day after the Date of Agreement, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of Agency, be terminated by Agency by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by Agency to the Operator and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the Agency, service of process on the Agency shall be made by personal service upon the Agency Secretary or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To Agency:	Community Redevelopment Agency of the City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Moss Bros. Autogroup Attention: Glenn L. Moss, Sr. 8146 Auto Drive Riverside, California 92504

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of Agency and Operator. The Executive Director shall have the authority to approve on behalf of Agency, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to operate Conforming Activities; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with Agency as to other properties; provided, however, that a unilateral manufacturer reduction in dealerships, election by a vehicle manufacturer to discontinue a product line and/or the bankruptcy or other insolvency of a vehicle manufacturer shall not constitute a default by the Operator hereunder.

703. **Transfers of Interest in Agreement or of Designated Sites and Other Properties**. The qualifications and identity of the Operator are of particular concern to the Agency. It is because of those qualifications and identity that the Agency has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Sites or any of the other properties owned by Operator or any Related Person within the Auto Mall or the improvements thereon without prior written approval of Agency, except as

expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the Agency, the sole remedy of the Agency shall be suspension or at Agency's election termination of payments otherwise required to be made by Agency pursuant to this Agreement. Notwithstanding the foregoing, transfers of interests by the Operator of some or all of the Designated Sites or any of the other properties owned by Operator to a Related Person will not constitute a default pursuant to this Section 703.

704. **Provision of Information; Inspection of Books and Records**. The Agency shall have the right at all reasonable times during the Operating Covenant Period to engage third parties to inspect the books and records of the Operator pertaining to the collection and payment of sales taxes in connection with the purchase and sale of products as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the Agency as deemed necessary by the Agency, at least annually and additional upon request therefor by the Agency, to verify compliance with the terms of this Agreement. The Agency shall, subject to applicable statutes, use reasonable efforts to maintain the confidentiality of any such books and records and will take all steps necessary to assure that such books and records do not become public records or otherwise become discoverable by or subject to disclosure to the public.

705. **Non-Liability of Officials and Employees of Agency**. No member, official, officer or employee of the Agency shall be personally liable to the Operator, or any successor in interest, in the event of any Default or breach by the Agency or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between Agency and Operator**. It is hereby acknowledged that the relationship between the Agency and the Operator is not that of a partnership or joint venture and that Agency and the Operator shall not be deemed or construed for any purpose to be the agent of the other. Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the Agency shall not have any rights, powers, duties or obligations with respect to the Designated Sites or other properties owned by the Operator or Related Persons within the Auto Mall.

707. **Agency Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the Agency, the Executive Director is authorized to act on behalf of the Agency unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 2, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the Agency and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by Agency**. This Agreement, when executed by the Operator and delivered to Agency, must be authorized, executed and delivered by the Agency on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries Except for City**. The City will receive substantial sales tax revenues from the operation of automobile dealerships within the Moreno Valley Auto Center; the City shall be a third party beneficiary of this Agreement. Except with respect to the City, nothing herein is intended to create any third party beneficiaries to this Agreement (excepting, as noted above, the City), and no person or entity other than the Agency, the City and the Operator, and the permitted successors and assigns of either of the Agency and the Operator, shall be authorized to enforce the provisions of this Agreement.

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SIGNATURE PAGE FOLLOWS

WITNESS WHEREOF, the Agency and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

AGENCY:

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body, corporate and politic

By:_____
Interim Executive Director

ATTEST:

_____
Agency Secretary

OPERATOR:

MOSS BROS. AUTOGROUP, a California corporation

By:_____
Name: Glenn L. Moss, Sr.
Its: President / CEO

ATTACHMENT NO. 1

SITE PLAN

ATTACHMENT NO. 2

OPERATOR CERTIFICATE

(Operator Letterhead)
Community Redevelopment Agency of the City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Date of Operator Certificate: August 1, 201_

Attn: Executive Director

With respect to that certain Participation Agreement (the "Agreement") by Moss Bros. Autogroup, a California corporation (the "Operator") and the Community Redevelopment Agency of the City of Moreno Valley, a public body, corporate and politic (the "Agency") dated as of May 20, 2010, the undersigned, on behalf of the Operator, hereby certify to Agency that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the Agency, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Sales Tax Condition; the Fee Condition; the Continuous Operation Condition; the Electrical Service Condition; the Property and Special Tax Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to any and all properties owned by Operator or any Related Person within the Auto Mall, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation, doing business in the State of California.

8. Operator remakes to Agency each and every representation and/or warranty made to Agency under the Agreement.

Exhibit "A" to Attachment No. 2

9. A report setting forth in detail the efforts of the Operator to secure commitments for the establishment of factory-authorized dealerships within the Moreno Valley Auto Center for product lines not represented in the Moreno Valley Auto Center as of the Date of Agreement is enclosed herewith and is deemed to constitute part of this Operator Certificate.

Operator executes this Operator Certificate for the benefit and protection of the Agency with full knowledge that the Agency is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

MOSS BROS. AUTOGROUP, a California corporation

Dated: April 28, 2010

Its: President / CEO

Exhibit "A" to Attachment No. 2

EXHIBIT "A" TO OPERATOR CERTIFICATE

[to come]

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MV00058302

RESOLUTION NO. RDA 2010-02

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AND AUTHORIZING A PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

WHEREAS, the Agency Board of the Community Redevelopment Agency of the City of Moreno Valley (the "RDA") wishes to work with Moss Bros. Autogroup ("Moss") to enhance the effectiveness of the Moreno Valley Auto Mall ('the Auto Mall") in Moreno Valley; and

WHEREAS, in furtherance of the goals and objectives of the RDA Plan at the Auto Mall, will both maintain and create new jobs; and

WHEREAS, the RDA is authorized to undertake activities and expend monies pursuant to and in implementation of the RDA Plan; and

WHEREAS, the enhancement of the Auto Mall will help stimulate the local economy and meet the objectives of the RDA Plan and the City of Moreno Valley's economic development efforts; and

WHEREAS, the operations as required to be accomplished under the Participation Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents and in accord with public purposes and provisions of applicable federal, state and local laws;

NOW, THEREFORE, THE AGENCY BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

Section 1. Each of the above recitals is true and correct and therefore adopted by the Legislative Body.

Section 2. The Agency Board authorizes the Executive Director to enter into a Participation Agreement with Moss Bros. Autogroup, a California corporation, in substantial conformance with the Participation Agreement attached to this resolution.

Section 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Chairperson

ATTEST:

_____
Agency

APPROVED AS TO FORM:

_____
Agency Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

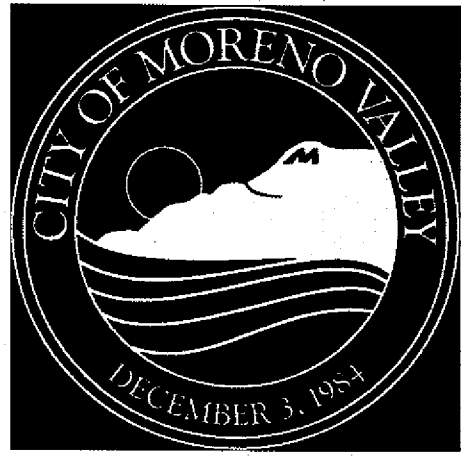

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00058310

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00058312

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00058314

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS
FY 2009-2010

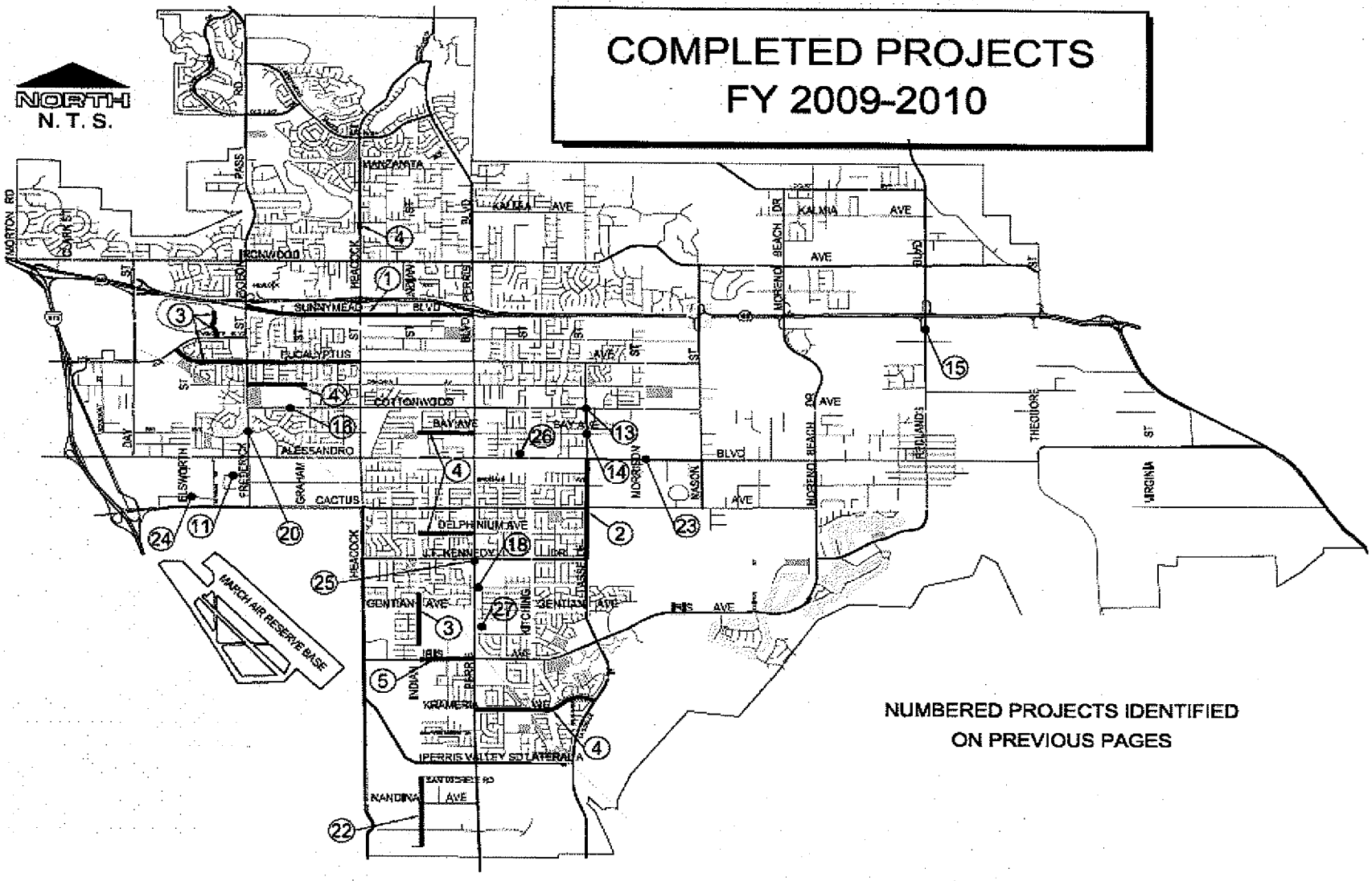

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

Completed Projects FY 2009-2010

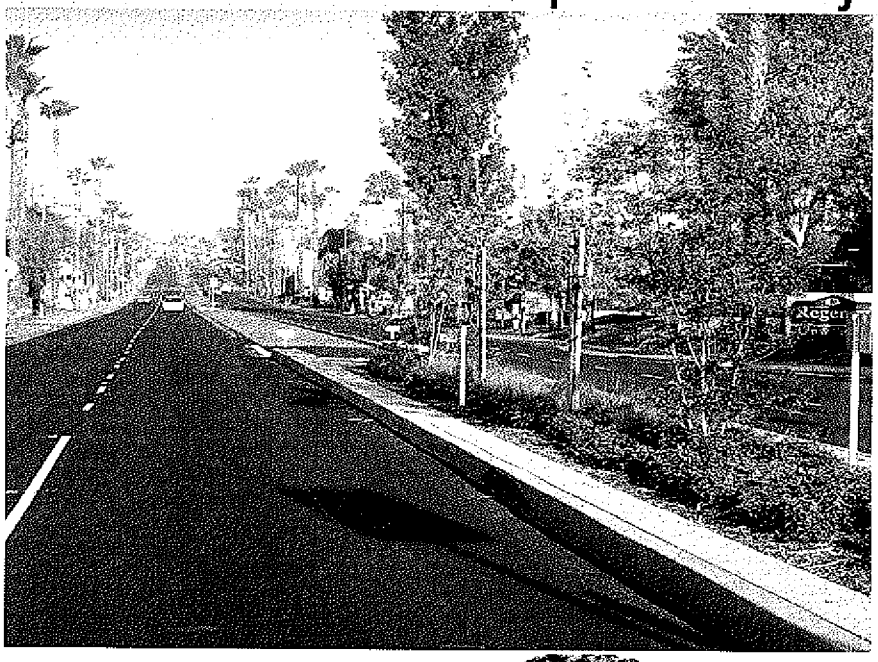

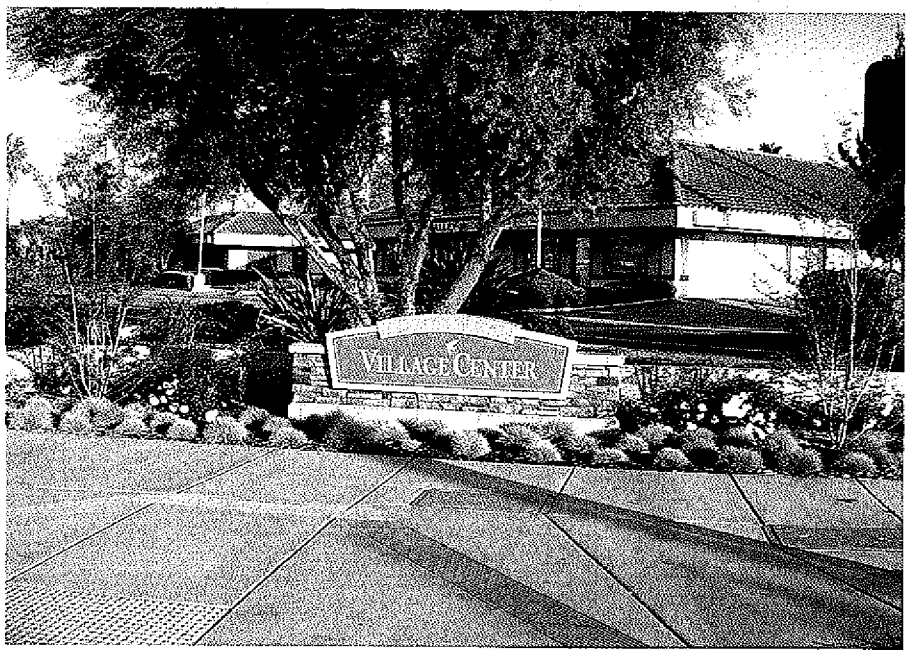

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

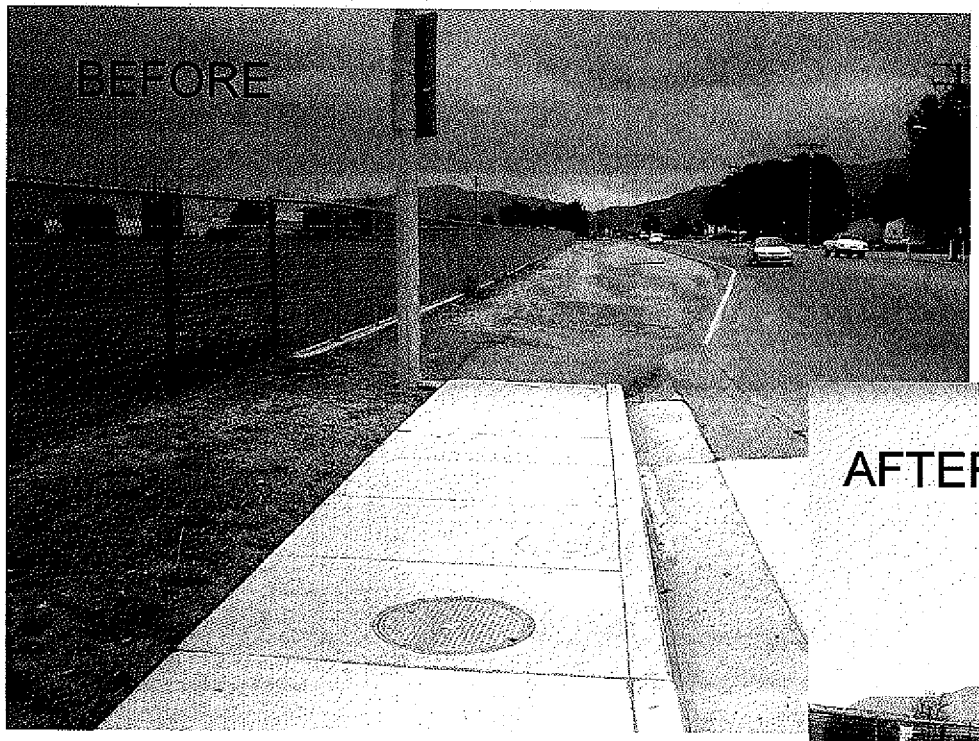

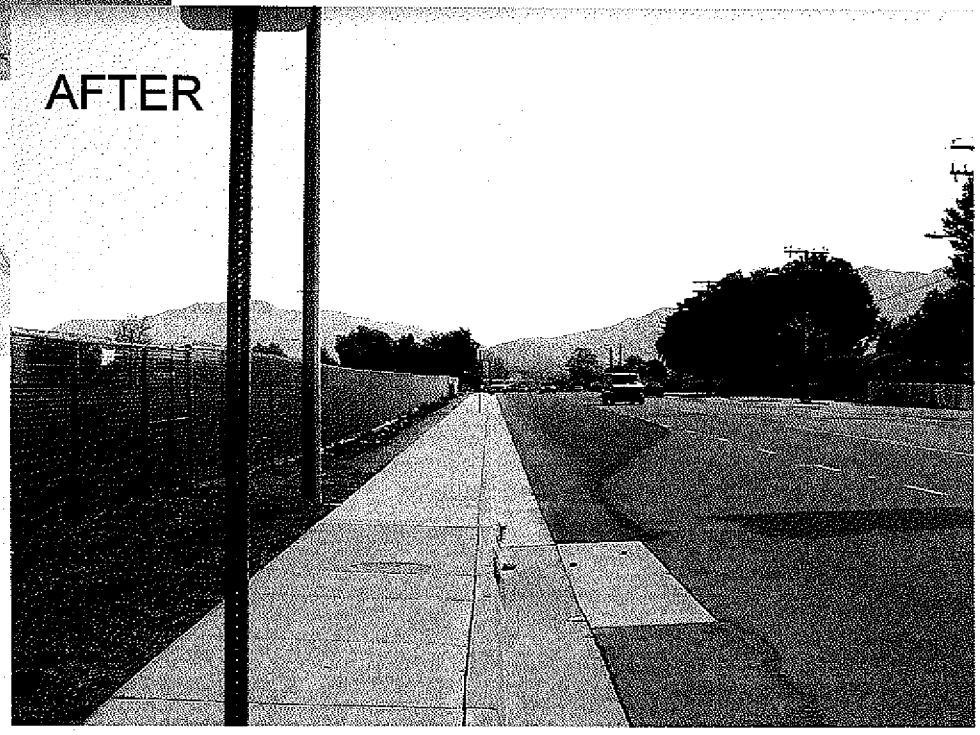

Iris Avenue from Indian Street to Perris Boulevard

MV00058318

Completed Projects FY 2009-2010

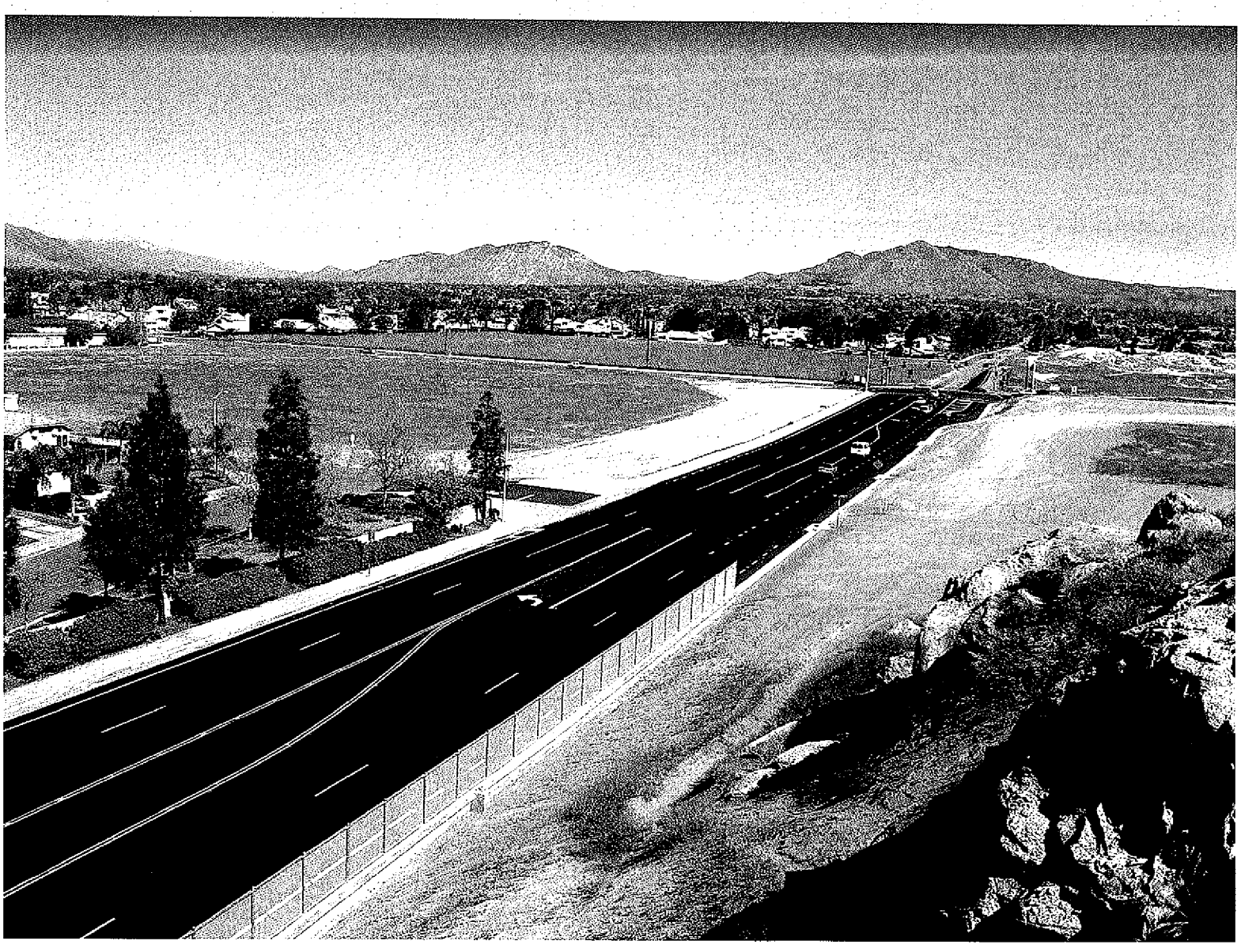

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

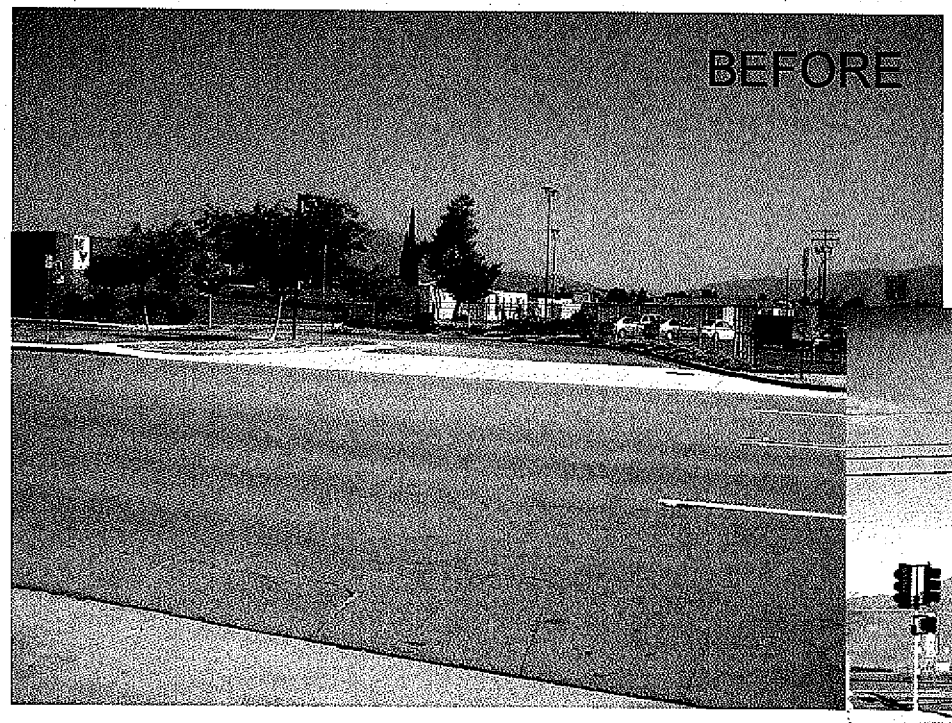

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00058320

Completed Projects FY 2009-2010

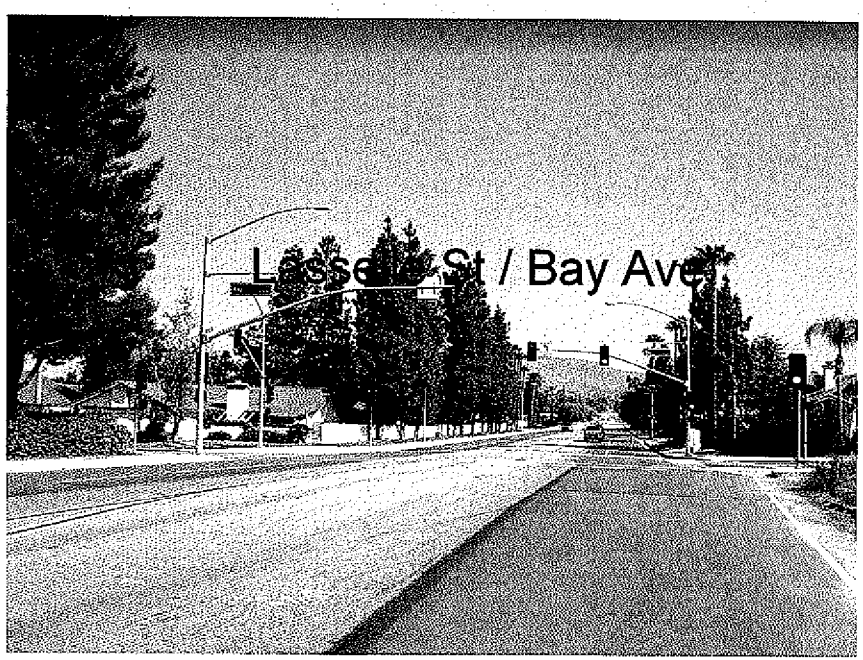

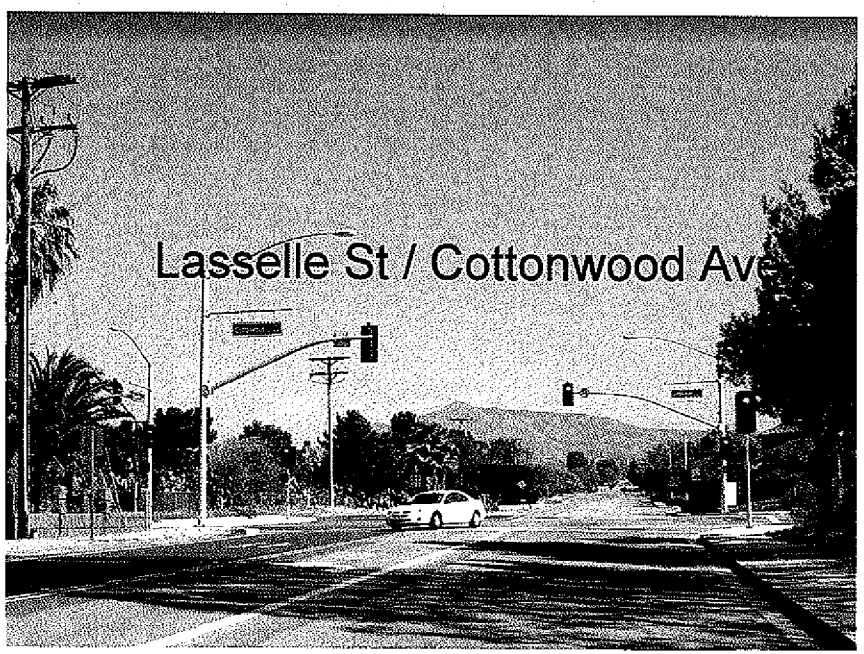

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

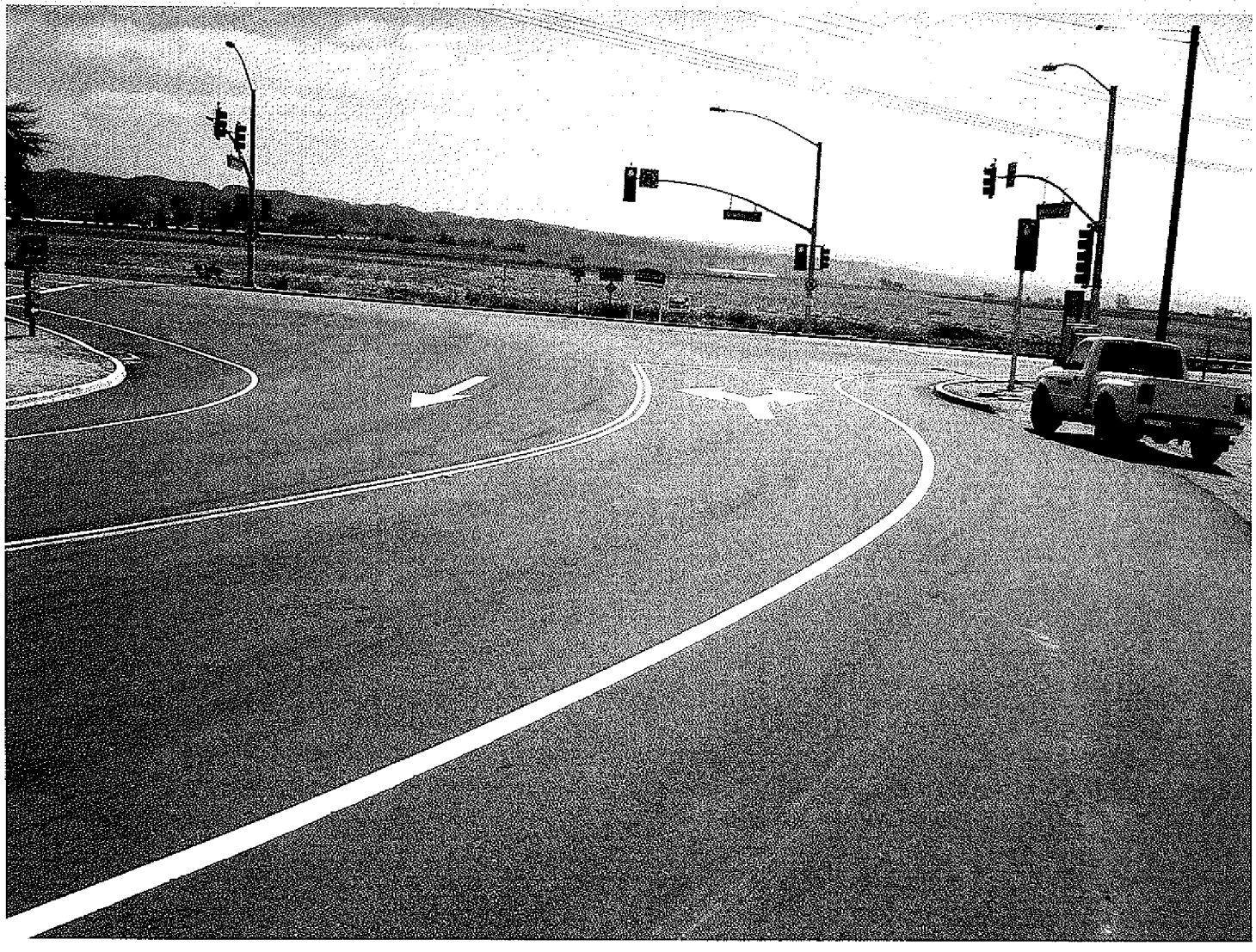

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00058324

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00058328

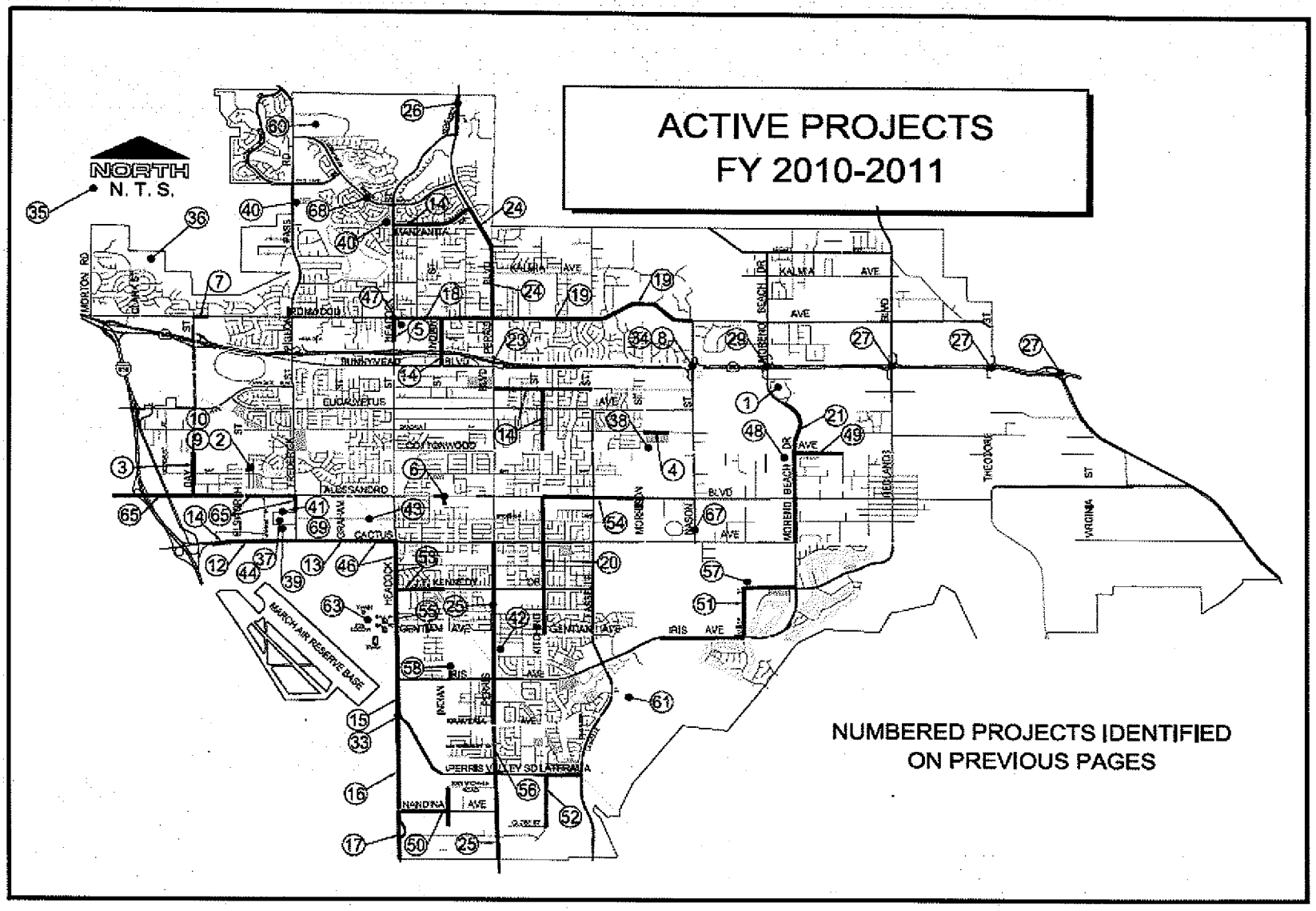
ACTIVE PROJECTS
FY 2010-2011
NORTH
N. T. S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
KALMIA AVE
SUNNYVEAD BLVD
EUCALYPTUS
COTTONWOOD
ALESSANDRO
CACTUS
KENNEDY
GENTIAN AVE
IRIS AVE
INDIANA AVE
PERRIS VALLEY SD LATERAL A
MORTON RD
HEACOCK
PERRIS BLVD
MORENO BEACH DR
THEODORE ST
VIRGINIA ST

Item No. G.6

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00058330

Active Projects FY 2010-2011

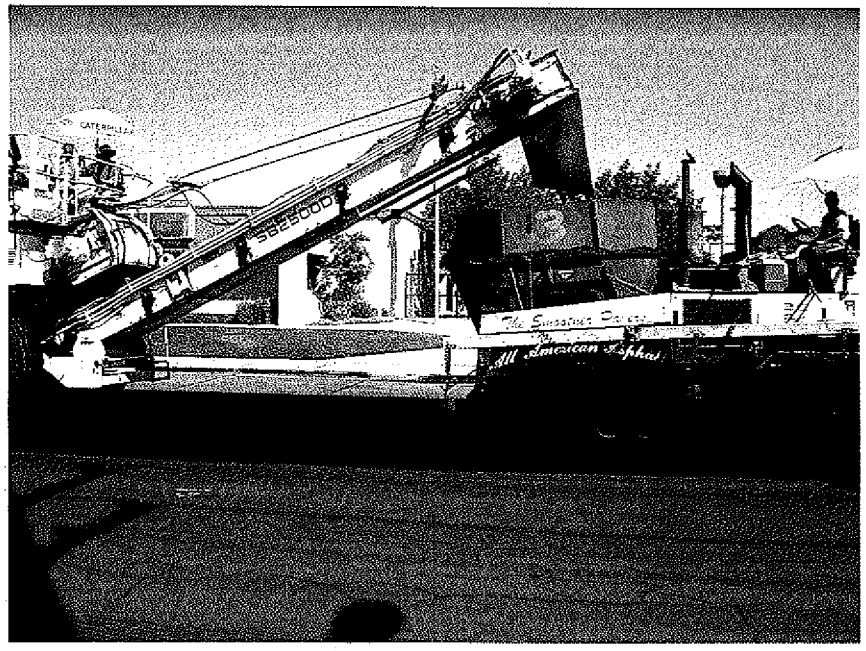

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

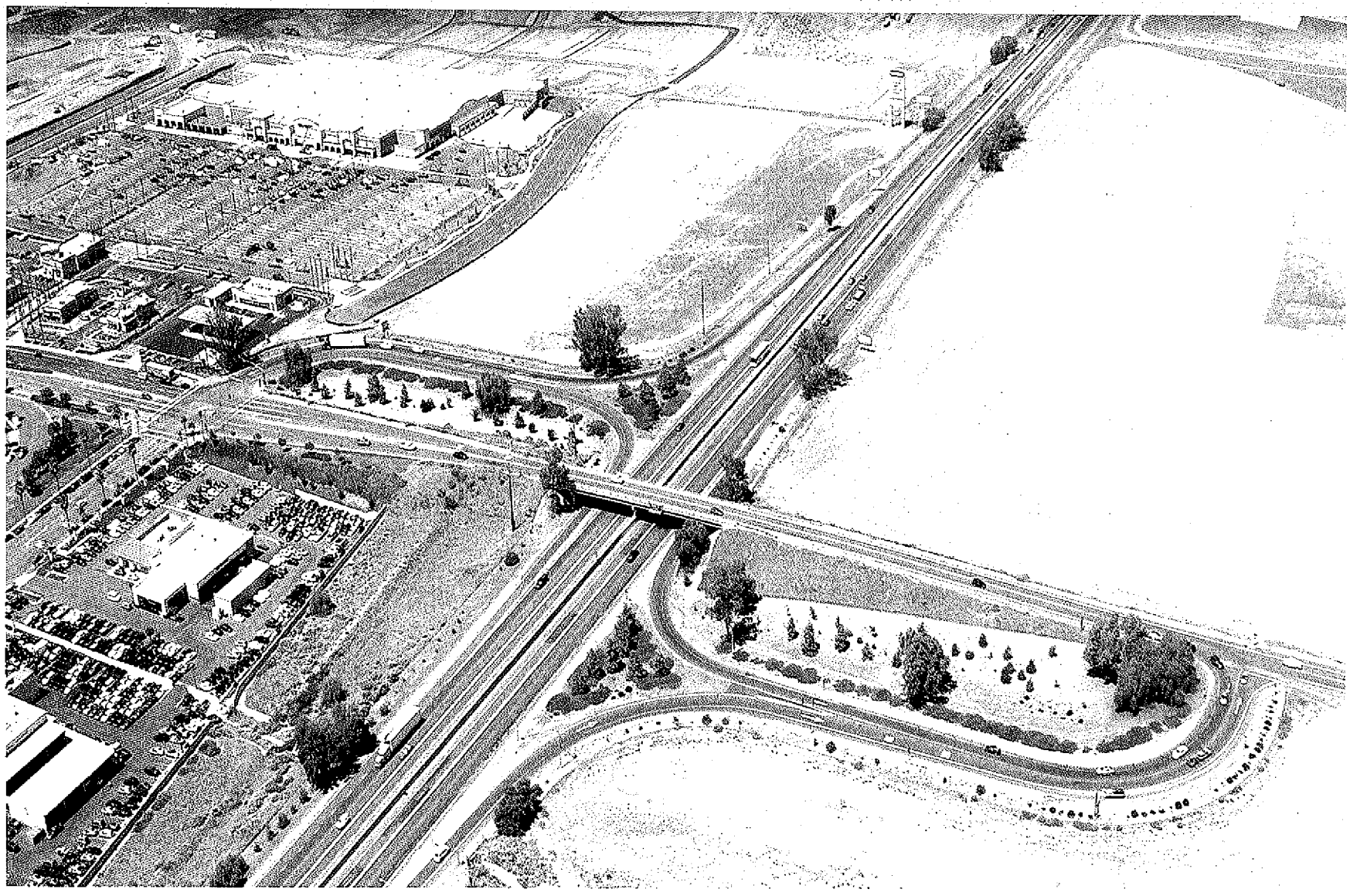

SR-60 / Moreno Beach Drive Interchange

MV000058332

Active Projects FY 2010-2011

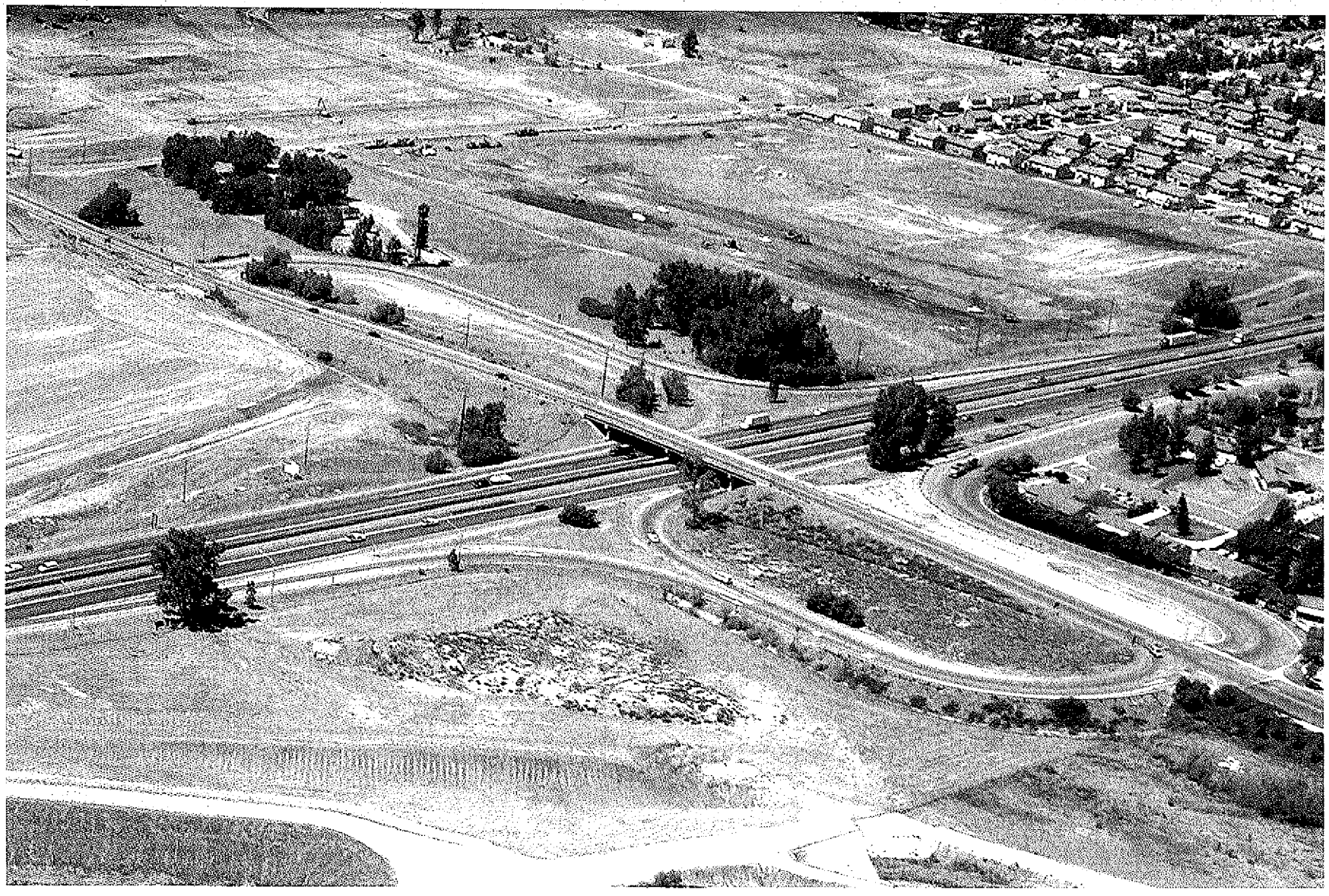

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00058334

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

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New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS FY 2010-2011

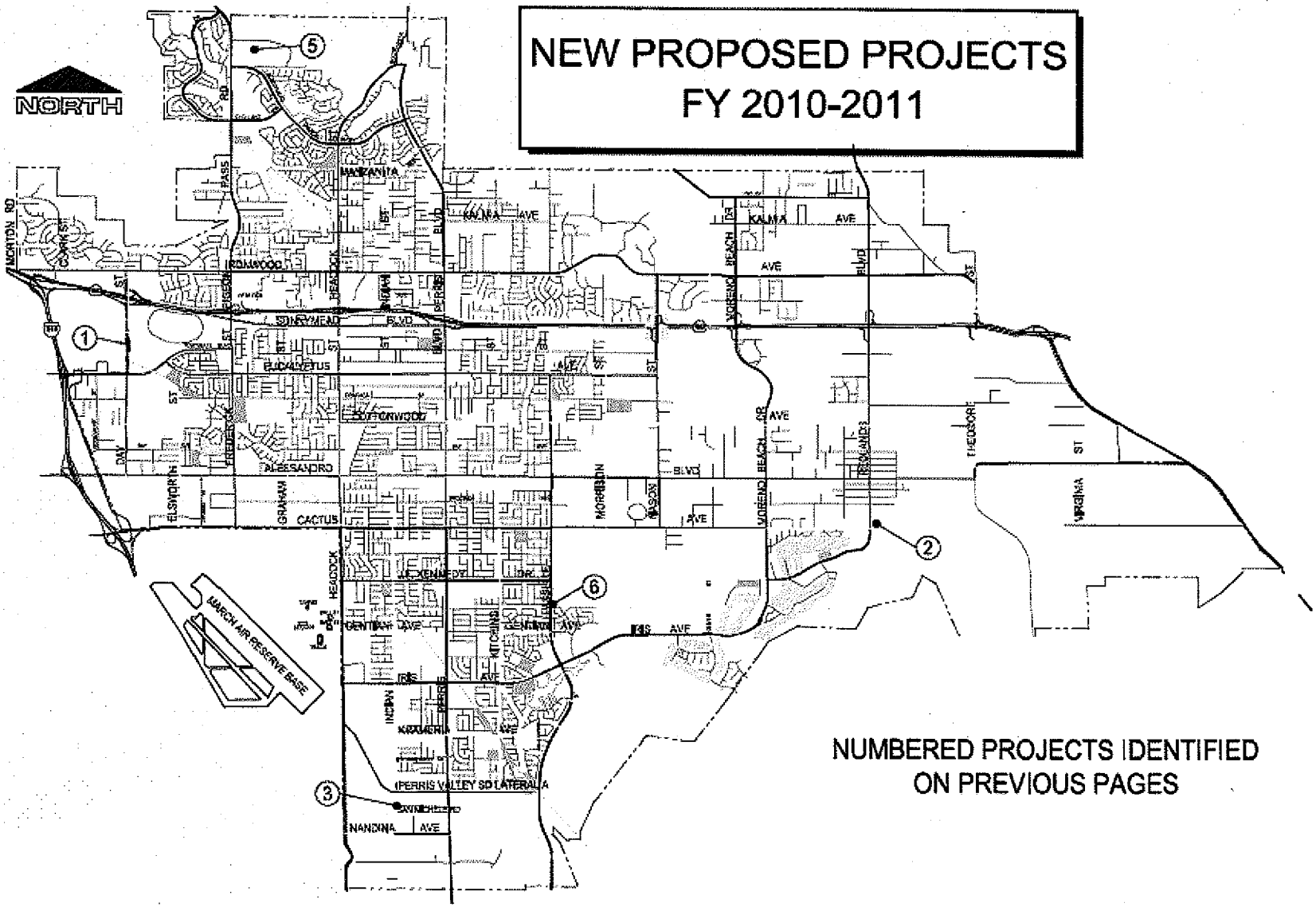

NUMBERED PROJECTS IDENTIFIED ON PREVIOUS PAGES

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

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Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

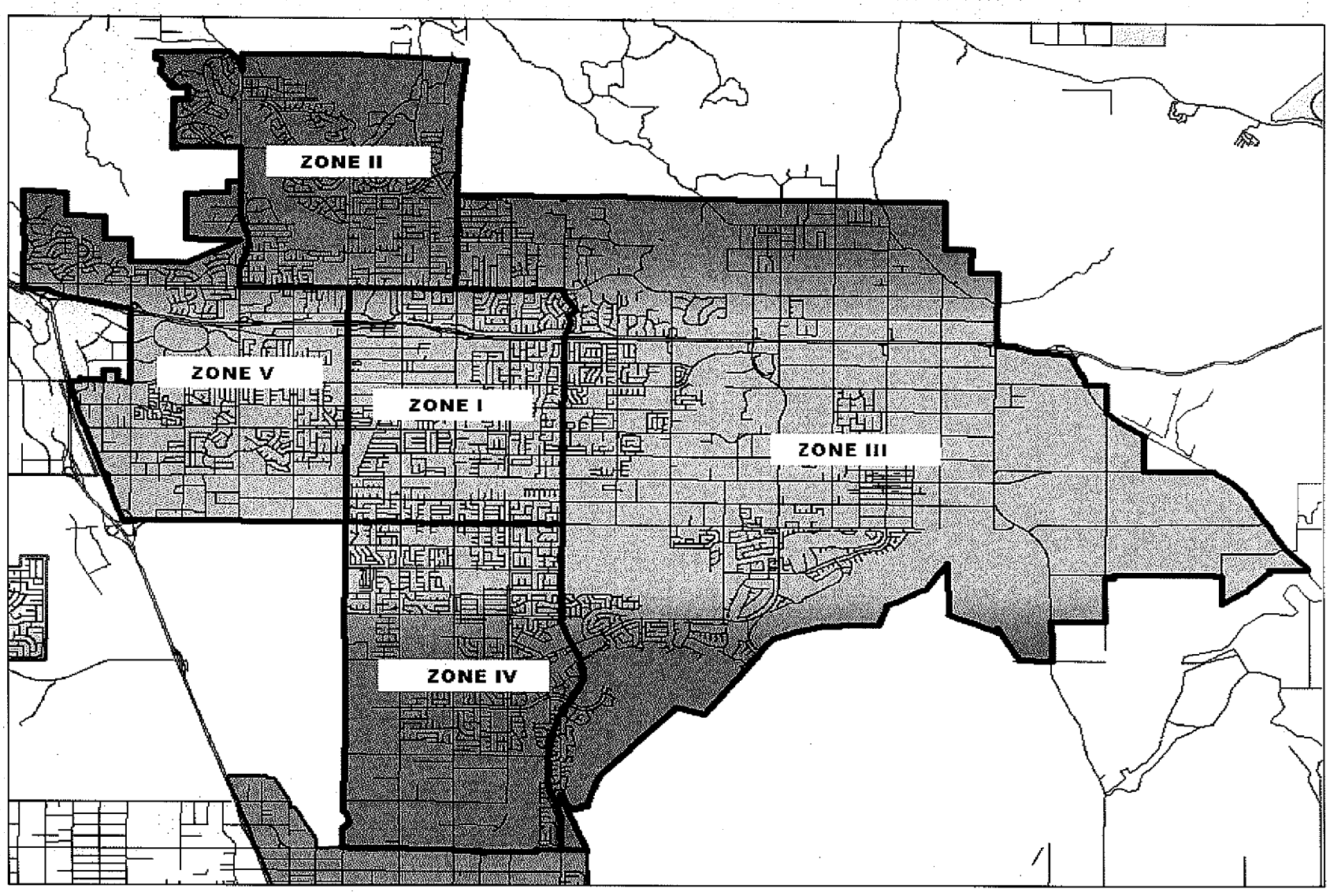

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

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ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00058346

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

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UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00058350

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00058352

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: May 25, 2010

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The RTS Program Application Fee was included in the City Council 2010 Fee Schedule. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement,

the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC (PG 659-680)
Exhibit "B" – Draft Request for Proposals with agreement (PG 681-700)

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00058358

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

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"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the Tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain separate rotation tow lists and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

12. Proof of Lease or Property Ownership. The applicant shall provide the City with a certified copy of a deed, title report or other documentation naming the Tow Operator as the owner of the property or provide sufficient documentation to the City's satisfaction that the Tow Operator has a financial interest in the property and therefore, the right to use the property for a Tow Business and/or Storage Facility. If the Tow Operator leases the property for a Tow Business and/or Storage Facility, proof shall be submitted to the City demonstrating the Tow Operator has a lease interest in the property to operate a Tow Business and/or Storage Facility for the duration of the City's Rotational Tow Service Program of five years.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

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D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by

resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service

Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

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D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

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Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of vehicles with a "police hold." The Tow Operator shall keep a written record of every

vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Names and addresses of buyers and description of vehicles when sold;

7. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of fourteen (14) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

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Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

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12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

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Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program is being developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

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d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8½" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

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Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

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Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

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WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.

b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

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SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY	TOW OPERATOR
BY: _____ Bonnie Flickinger, Mayor	BY: _____
	TITLE: _____ (President/Vice President/Other)
_____ Date	_____ Date
	BY: _____
	TITLE: _____ (Corporate Secretary/Other)
	_____ Date

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INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

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MV00058400

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal") (PG 703-718)
2) Proposed Resolution Adopting the Rancho Belago Sign Program (PG 719-720)

Prepared By:

Kyle Kollar
Interim Director of Community Development

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT 1

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

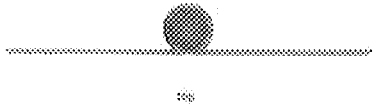

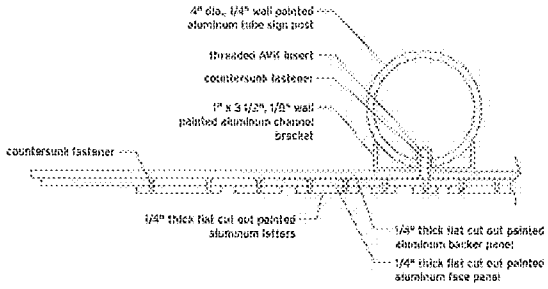

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

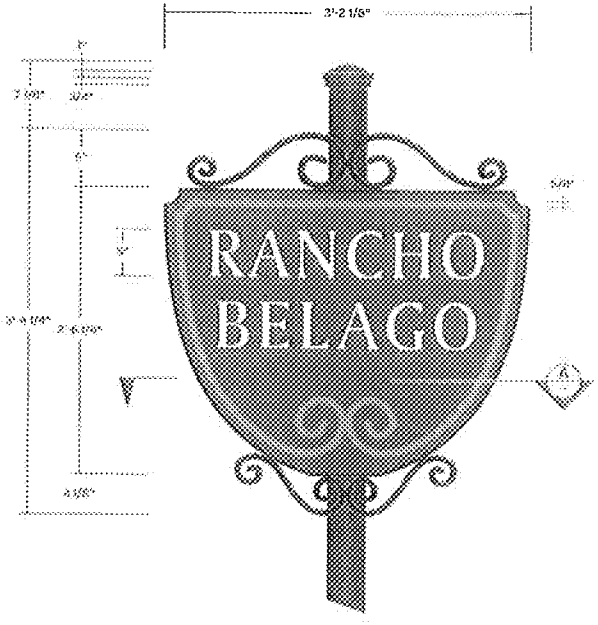

front side

2 Details

Scale: 1" = 1'-0"

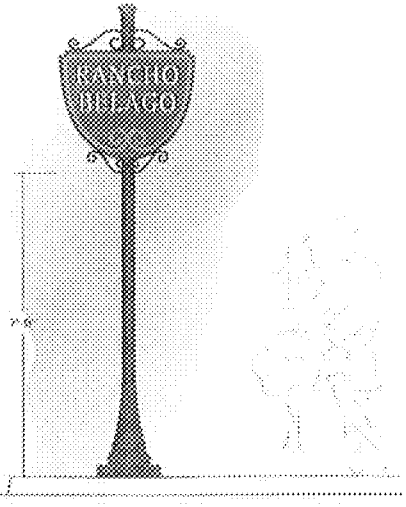

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV000058406

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2053

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

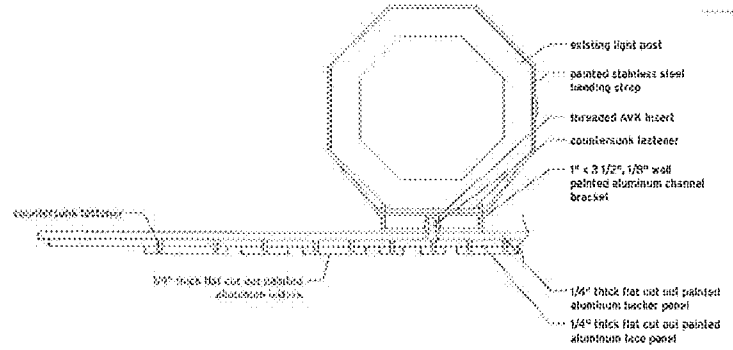

A Details

Scale: 3" = 1'-0"

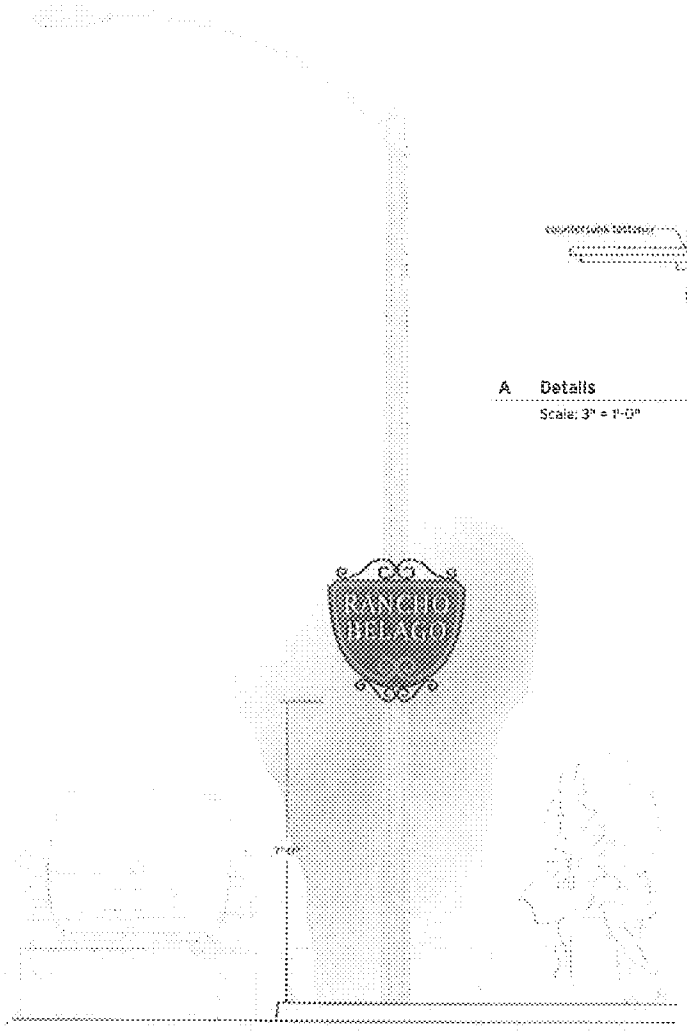

1 Elevation

Scale: 3/8" = 1'-0"

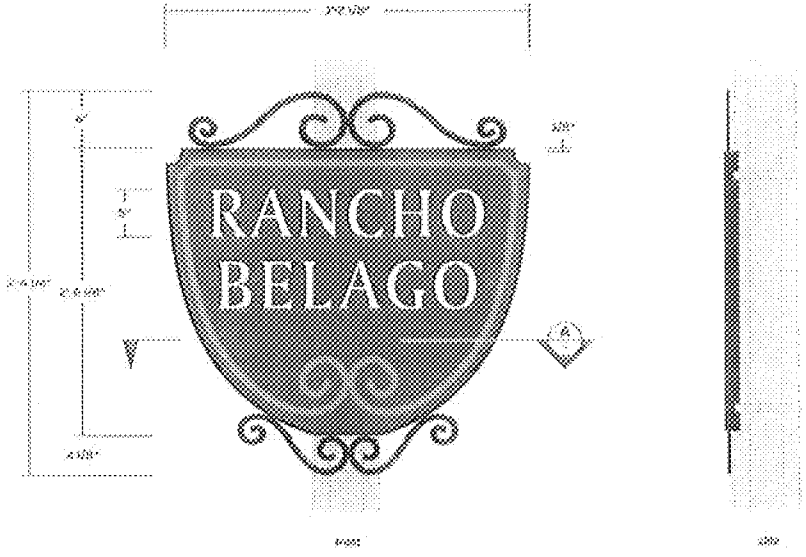

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alisras Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

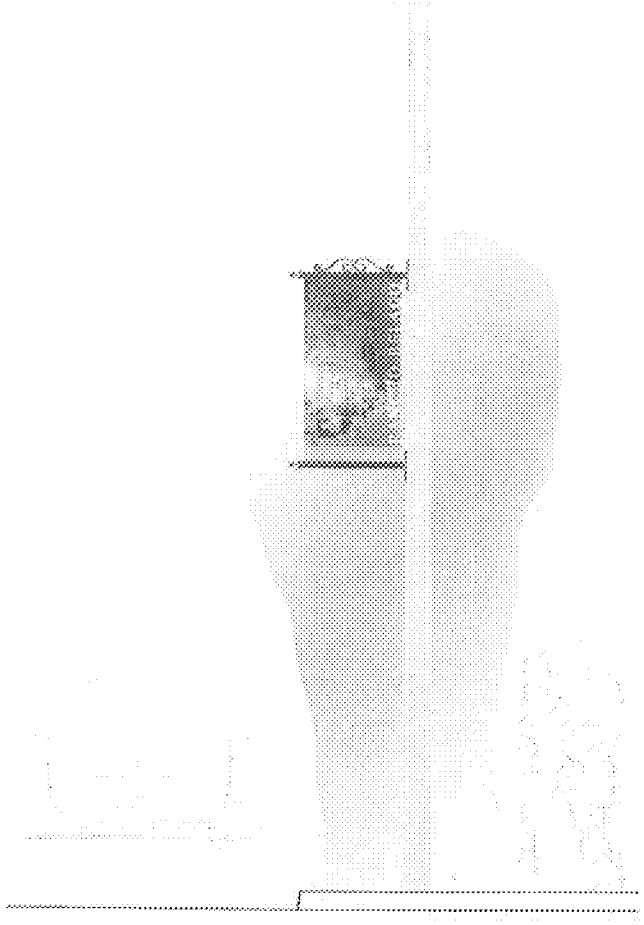

1 Elevation

Scale: 3/8" = 1'-0"

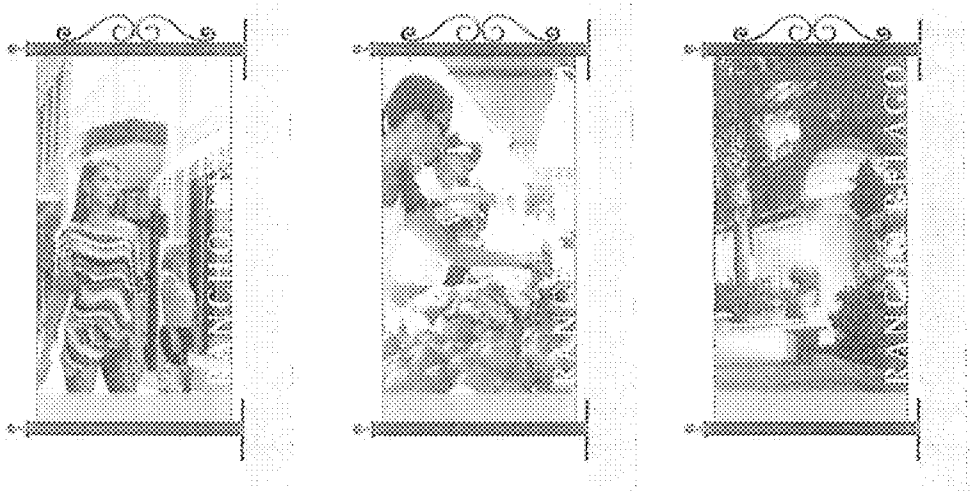

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2862

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3;
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
06-16-07

MV00058410

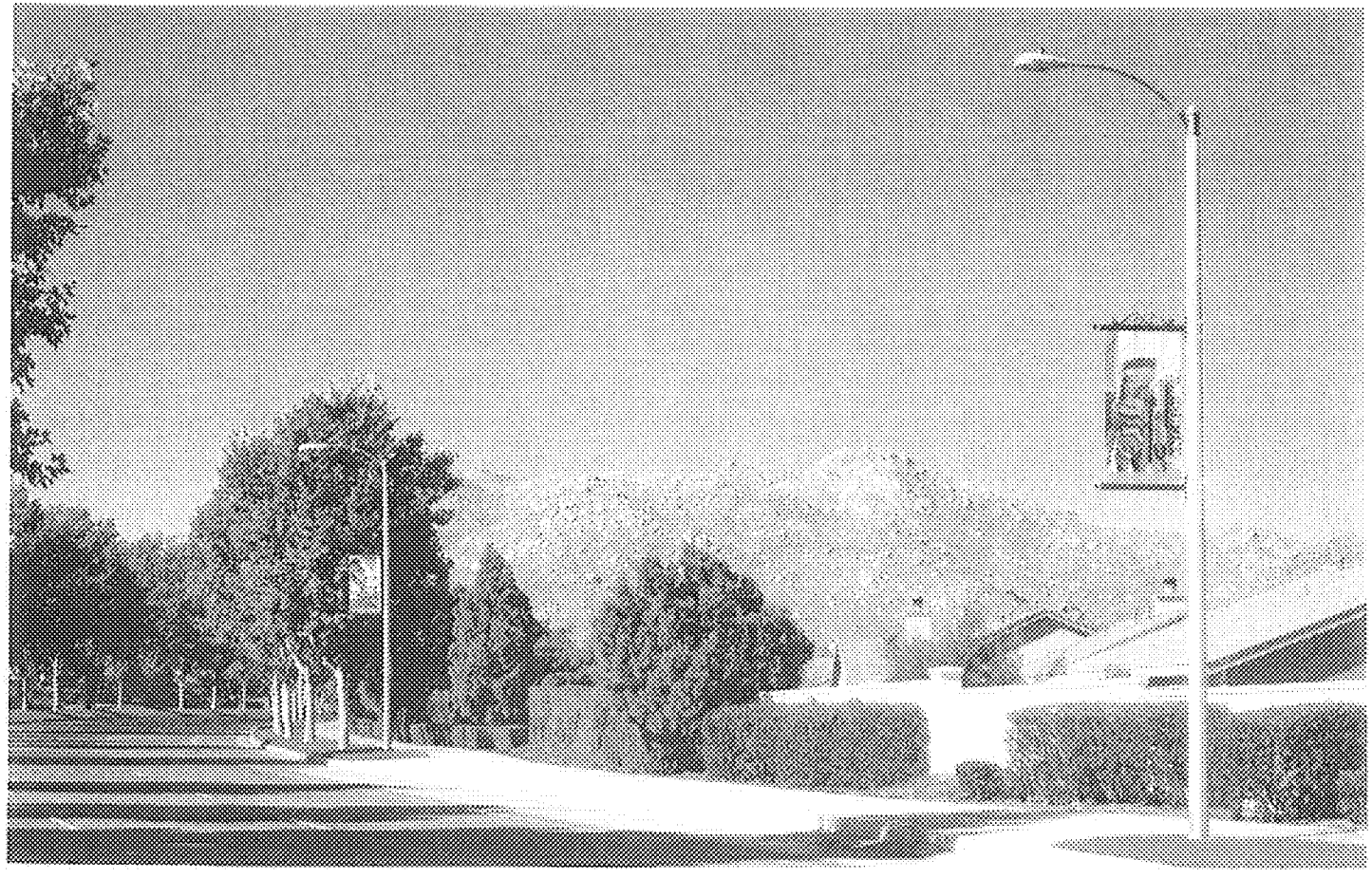

1 **Typical Photo Simulation**
Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-6760
Fax (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1
date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	36
3	Light Pole Mounted Community Identification Banners	51

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP1

Date: 08-10-07

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

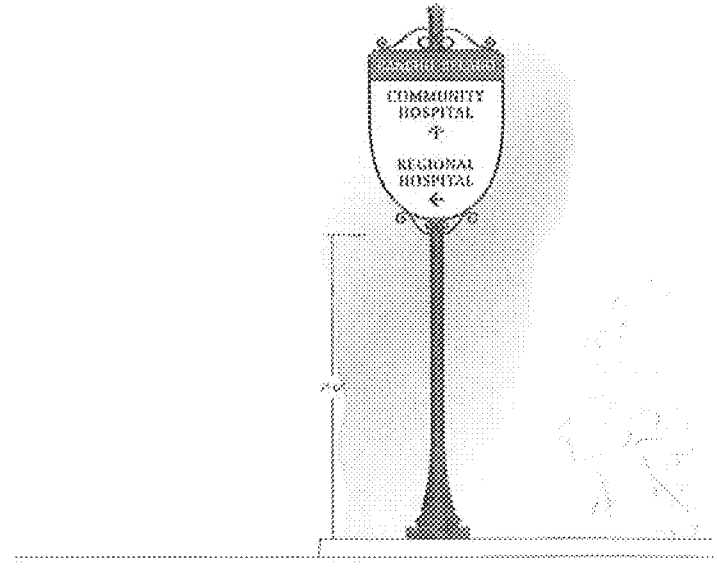

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2652

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 843 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00058414

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet 1 of
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sign number
RB - 5.1

Date
08-10-07

MV00058416

Residential Product Directional Sign

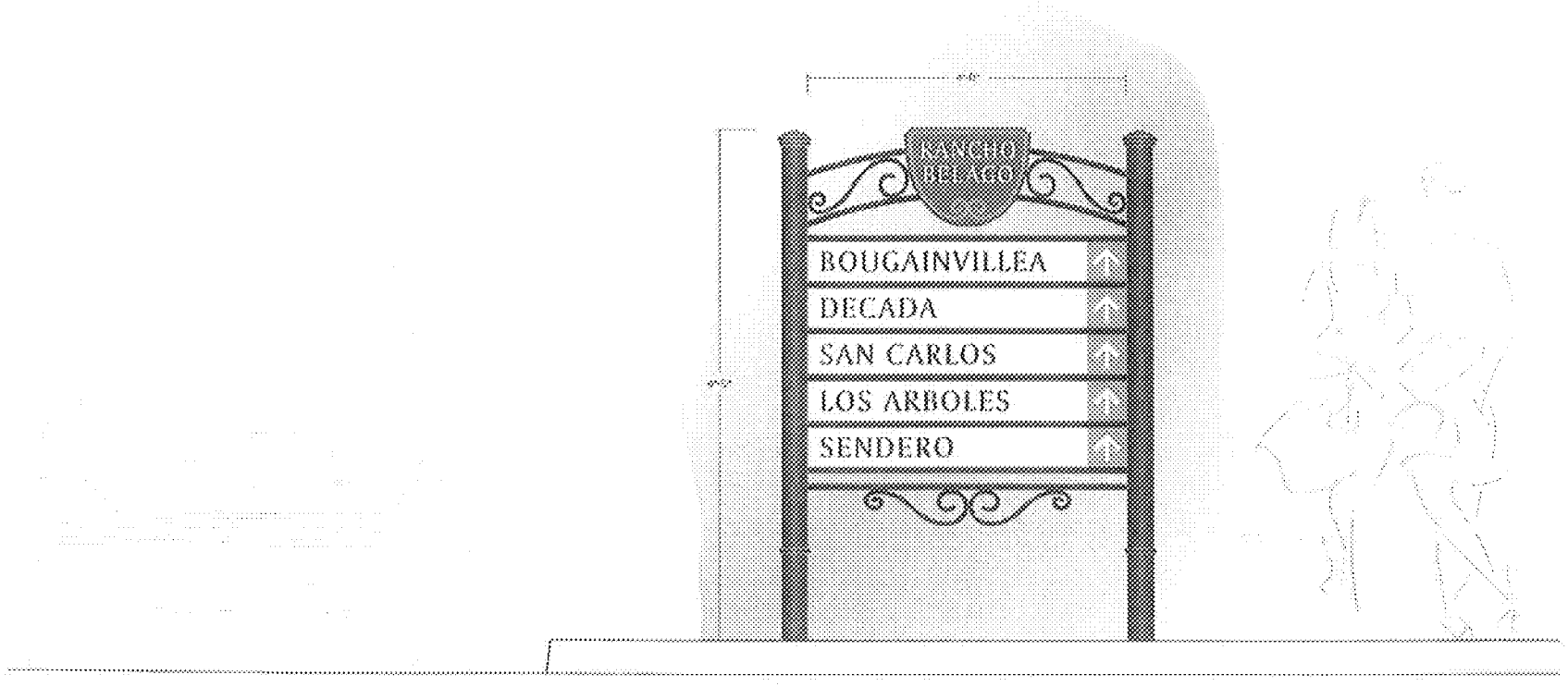

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sign Type
Sign Type 6c
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

3 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 2

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00058422

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 25, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing Veterans Appreciation Month – May 2010

3. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

4. Proclamation Recognizing Mental Health Month – May 2010

5. Recognition of Vista Heights Middle School – California State History Day Winners

6. "Spotlight on Moreno Valley Business"

MV00058424

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 25, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00058425

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

MV00058426

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest

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Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN

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(PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

1. Approve revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

   Resolution No. 2010-35

   A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

2. Approve revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

   Resolution No. 2010-36

   A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of

Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

MV00058432

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

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G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

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Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as

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deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00058436

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00058437

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00058438

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 11, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Flickinger

INVOCATION - Council Richard Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial & Admin. Director
Robert Hansen	City Attorney
William Bopf	Interim City Manager
Rick Hartmann	Interim Assistant City Manager
Cheryl Evans	Lieutenant Admin.
Abdul Ahmad	Battalion Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

AGENDA ORDER

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Motion to Continue Item G4 to a date uncertain by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to waive the attorney-client privilege for the "Legal Advice Regarding Trademark Issues Pertaining to the Rancho Belago Sign Program," thus making it a public document (pertaining to Item G5) by Council Member Richard A. Stewart, s/ Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A10), and Deanna Reeder (Item A10; e-mails issue - Item D2).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor

Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has

been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

Item continued to the next City Council meeting

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to continue Item A10 to the next City Council Meeting by Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Item A8 and Item A10 which were pulled for a separate vote, by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE

EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

Resolution No. 2010-31

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

Resolution No. 2010-32

A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

The presentation was given by an applicant Iddo Benzeevi.

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes DIF fee; supports modifying COA), Raul Wilson (against trails), Louise Palomarez (against trails), Nina Ramos Hiers (supports trails), Radene Ramos Hiers (supports trails), Kim Nelson (for denying request to modify the conditions; for trails), Marcelo Co (for jobs; against trails), Pete Bleckert (against horse trails), Daryl Terrell (for Fairview proposal), and Sam Martinez (for jobs).

Recess;
Reconvened

Motion to convert the existing landscaping to hydro seeding wildflowers by Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

Motion not to change the conditions for trails, leave them as it is, by Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Motion failed by a vote of 2-3, Council Member William H. Batey II, Council Member L. Molina and Council Member Richard A. Stewart opposed.

Council Member Richard A. Stewart made the following motion regarding building a trail, s/Mayor Bonnie Flickinger: accept the full irrevocable dedication; the construction shall be done by Mr. Benzeevi, but it will be deferred until the completion of the certificate of occupancy for Phase III;
Council Member Richard A. Stewart amended the motion adding that the developer be relieved from this condition (building a trail) if the trail is eliminated from the frontage of this project (relocate off his property)

Council Member Richard A. Stewart withdrew his previous motion.
Mayor Flickinger withdrew the second.

Council Member Richard A. Stewart made the following motion, s/Mayor Bonnie Flickinger:
That the final map will show an irrevocable offer of dedication for the

trail along the entire frontage of the project, for all 3 phases, and that this condition, the construction, completion and dedication of the completed trail be deferred until occupancy of Phase III (that way the conditions remain worded the same; just construction and completion of the entire trail will be deferred until Phase III, but the final map will show the irrevocable offer of dedication of the right-of-way)
Approved by a vote of 5-0.

Mayor Bonnie Flickinger made a motion to agendize revising a DIF policy to create the open-ended time element.
Mayor Bonnie Flickinger amended the motion to leave the condition in place as is; Motion failed for lack of a second.

Motion to continue the decision on the DIF issue giving staff and Mr. Benzeevi opportunity to conduct research and analysis by Mayor Bonnie Flickinger, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to bring back draft resolutions on motions made at the meeting for the City Council approval by Council Member Richard A. Steward, s/Mayor Pro Tem Hastings
Approved by a vote of 5-0.

Motion to continue the meeting past 11 p.m. by Council Member William H. Batey II, s/Mayor Pro Tem Hastings
Approve by a vote of 5-0.

Council's direction to staff: televise May 18, 2010 Study Session (because of budget)

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Raul Wilson
1) Spanish interpreter
2) Independent audit

Deanna Reeder
1) Encouraged voting

MV00058449

Valerie Yowell
1) Standards for the rest of development of tract on Nason and Eucalyptus

Marcelo Co
1) Impressed with the decision regarding Item E2; Concerned with time in bringing businesses in
2) Attracting businesses and jobs to the City

Louise Palomarez
1) Public comments
2) Spending tax money

Librada Murillo
1) Priorities for allocating/spending money

Emil Dragovich Jr.
1) DUI checkpoints
2) Expressed appreciation for the City Council members

Tom Jerele Sr. (speaking on behalf of himself and Sundance Center)
1) Acknowledged persons involved in Sunnymead Blvd. improvements
2) Sign modification
3) Trails issue
4) Acknowledged residents contributing to the betterment of the community

Pete Bleckert
1) Proposition 16 & balloting electrical rates

Radene Ramos Hiers
1) Deviation from the General Plan
2) Developers coming to the community
3) Recreational trails
4) Invited residents to joint the rally on Day Street on June 19, 5-6 p.m. to encourage people to spend tax dollars in the City of Moreno Valley

Motion to continue all remaining items to the next Council Meeting by Council Member William H. Batey II, s/Mayor Pro Tem Hastings Approved by a 5-0 vote.

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

CLOSED SESSION - canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:27 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

MV00058453

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: May 25, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

Reports on Reimbursable Activities May 5-18, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	5/10/10	League of California Cities – Riverside County Division General Meeting
	5/14/10	Student of the Year Dinner
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MARCH, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-34
Check Register for Month of March, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MARCH, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period March 1, 2010 through March 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period March 1, 2010 through March 31, 2010, in the total amount of $67,977,881.05 is approved.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00058458

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ALL AMERICAN ASPHALT, INC.

3/8/2010	200997	77,420.89		
			ANNL PAVEMNT RESURF PROJ SVCS	29,267.69
			ANNL PAVEMNT RESURF PROJ SVCS	48,153.20
3/15/2010	201101	136,404.13		
			HEACOCK/FREDERICK REHAB PROJS	25,800.41
			HEACOCK/FREDERICK REHAB PROJS	110,603.72
	Vendor Total	**213,825.02**		
FYTD for ALL AMERICAN ASPHALT, INC.		**1,057,387.60**		

BANK OF AMERICA

3/11/2010	91411	91,712.65		
			ACQ & ESCROW 23974 HEMLOCK	91,712.65
	Vendor Total	**91,712.65**		
FYTD for BANK OF AMERICA		**1,533,678.81**		

BEMUS LANDSCAPE, INC.

3/8/2010	201005	83,004.14		
			LANDSCAPE MAINT-E4	11.67
			LANDSCAPE MAINT-E4	1,535.20
			LANDSCAPE MAINT-E4	81.75
			LANDSCAPE MAINT-S AQDCT	850.50
			LANDSCAPE MAINT-S AQDCT B	735.00
			LANDSCAPE MAINT-SCE/OLD	1,785.00
			LANDSCAPE MAINT-PAN AM SECT	600.00
			LANDSCAPE MAINT-N AQDCT	525.00
			LANDSCAPE MAINT-N OLD LAKE	1,330.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E1	4,591.46
			LANDSCAPE MAINT-E2	9,091.01
			LANDSCAPE MAINT-E3	3,997.58
			LANDSCAPE MAINT-E4	8,960.72
			LANDSCAPE MAINT-E7	1,953.34
			LANDSCAPE MAINT-E8	4,499.55
			LANDSCAPE MAINT-E12	1,465.51
			LANDSCAPE MAINT-E14	2,754.27
			LANDSCAPE MAINT-E15	767.60
			LANDSCAPE MAINT-E16	2,666.40
			LANDSCAPE MAINT-E3A	85.85
			LANDSCAPE MAINT-ZN M	4,366.23
			LANDSCAPE MAINT-DSG1E	8,193.12
			LANDSCAPE MAINT-DSG1W	4,194.53
			LANDSCAPE MAINT-DSG2	1,196.85
			LANDSCAPE MAINT-PLANTS	404.00
			LANDSCAPE MAINT-PLANTS	343.40
	Vendor Total	**83,004.14**		
FYTD for BEMUS LANDSCAPE, INC.		**361,967.66**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BUNKER FAMILY, LLC					
	3/29/2010	201369	126,900.00		
				REFUND-SEC DEPOSIT	126,900.00
	Vendor Total		**126,900.00**		
FYTD for BUNKER FAMILY, LLC			**126,900.00**		
CALPERS					
	3/8/2010	201011	104,804.48		
				ARC PMT LESS PAYOUTS	135,916.66
				ARC PMT LESS PAYOUTS	-31,112.18
	Vendor Total		**104,804.48**		
FYTD for CALPERS			**770,812.56**		
CITIZENS BUSINESS BANK					
	3/11/2010	91412	87,659.83		
				ACQ & ESCROW 15175 RENCHER CRT	87,659.83
	3/23/2010	1003191	96,665.96		
				ACQ & ESCROW 24395 DYNA PLACE	96,665.96
	3/23/2010	1003201	143,705.04		
				ACQ & ESCROW 15736 GRANADA DR.	143,705.04
	Vendor Total		**328,030.83**		
FYTD for CITIZENS BUSINESS BANK			**1,129,121.84**		
CRITICAL SOLUTIONS					
	3/29/2010	201389	30,301.58		
				EMRGNCY OPS CTR PROJ SVCS	30,301.58
	Vendor Total		**30,301.58**		
FYTD for CRITICAL SOLUTIONS			**342,792.03**		
DESERT CONCEPTS CONSTRUCTION, INC					
	3/29/2010	201395	33,298.20		
				PATRIOT PARK PROJ CONSTR SVCS	33,298.20
	Vendor Total		**33,298.20**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC			**33,298.20**		
EMPLOYMENT DEVELOPMENT DEPARTMENT					
	3/15/2010	201127	85,579.89		
				UNEMPLOYMENT INS REIMB CHRGS	85,579.89
	3/12/2010	2601	38,125.91		
				DEP STATE TAX W/H 03/12/10	38,125.91
	3/26/2010	2609	44,860.88		
				DEP STATE TAX W/H 3/26/10	44,860.88
	Vendor Total		**168,566.68**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,036,124.91**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/29/2010	201408	130,029.39		
			BAD DEBT DEDUCTION	-5,146.39
			DISTRIBUTION CHRGS	126,618.83
			SPCL CHRGS/TEMP POWER	8,324.00
			ONLINE UTILITY SVCS	232.95
	Vendor Total	**130,029.39**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ENVIRONMENTAL CONSTRUCTION, INC.				
3/15/2010	201129	61,220.15		
			SUNNYMD BLVD REVIT PROJ SVCS	61,220.15
	Vendor Total	**61,220.15**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,981,423.30**		
FAIRVIEW FORD SALES, INC.				
3/22/2010	201243	51,814.59		
			VEHICLE PURCH-PD	23,994.00
			VEHICLE PURCH-SALES TAX	2,099.47
			VEHICLE PURCH-CA TIRE FEE	8.75
			VEHICLE PURCH-TOW PCKG	650.00
			VEHICLE PURCH-SALES TAX	56.88
			VEHICLE PURCH-TRADE IN	-1,100.00
			VEHICLE PURCH-PARKS	23,997.00
			VEHICLE PURCH-SALES TAX	2,099.74
			VEHICLE PURCH-CA TIRE FEE	8.75
	Vendor Total	**51,814.59**		
FYTD for FAIRVIEW FORD SALES, INC.		**51,814.59**		
FULBRIGHT & JAWORSKI, L.L.P.				
3/15/2010	201137	27,843.06		
			LEGAL SVCS-ELECTR. UTILITY	27,843.06
	Vendor Total	**27,843.06**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**203,705.68**		
HARDY & HARPER, INC.				
3/15/2010	201144	183,930.00		
			2009 ANNL PAVEMNT RESURF PROJ	33,229.74
			RET RELEASE-PAVMNT RESURF PROJ	140,400.00
			RET RELEASE-PAVMNT RESURF PROJ	10,300.26
	Vendor Total	**183,930.00**		
FYTD for HARDY & HARPER, INC.		**1,507,002.63**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ICMA RETIREMENT CORP 457					
	3/26/2010	2607	43,214.54		
				DEF COMP 457 3/26/10	43,214.54
	Vendor Total		**43,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
INTERNAL REVENUE SERVICE					
	3/12/2010	2600	139,007.81		
				DEP FED TAX W/H 03/12/10	139,007.81
	3/26/2010	2608	166,027.31		
				DEP FED TAX W/H 03/26/10	166,027.31
	Vendor Total		**305,035.12**		
FYTD for INTERNAL REVENUE SERVICE			**2,926,619.91**		
JTB SUPPLY CO., INC.					
	3/29/2010	201433	25,670.44		
				P44 CABINET-KITCHING/CACTUS TS	25,670.44
	Vendor Total		**25,670.44**		
FYTD for JTB SUPPLY CO., INC.			**44,797.78**		
LAWYERS TITLE INC					
	3/11/2010	91408	56,677.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	56,677.00
	Vendor Total		**56,677.00**		
FYTD for LAWYERS TITLE INC			**198,412.00**		
LEICA GEOSYSTEMS, INC.					
	3/8/2010	201052	177,797.80		
				LASER SCANNING SYSTEM	165,079.20
				LASER SCANNING SYSTEM-TAX	12,718.60
	Vendor Total		**177,797.80**		
FYTD for LEICA GEOSYSTEMS, INC.			**177,797.80**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/1/2010	200882	28,274.09		
				PERRIS BL WIDENING FROM RAM XP	11,676.51
				PERRIS BL WIDENING FROM RAM XP	16,597.58
	3/8/2010	201054	25,449.75		
				PERRIS BL WIDENING FROM RAM XP	25,449.75
	3/15/2010	201157	38,709.80		
				IRONWOOD AVE-HEACOCK TO PERRIS	24,615.77
				INDIAN BASIN IMPRVMNTS PROJ	14,094.03
	Vendor Total		**92,433.64**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAYER HOFFMAN MCCANN P.C.				
3/8/2010	201056	34,365.00		
			AUDITING SVC-CITY	15,664.00
			AUDITING SVC-SINGLE	5,735.00
			AUDITING SVC-CHILDCARE	4,751.00
			AUDITING SVC-RDA	5,476.68
			AUDITING SVC-RDA	2,738.32
	Vendor Total	**34,365.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.		**72,359.00**		
MORENO VALLEY CHEVROLET				
3/15/2010	201165	31,914.00		
			SPECIAL TAX REIMBURSEMENT	31,914.00
	Vendor Total	**31,914.00**		
FYTD for MORENO VALLEY CHEVROLET		**96,914.00**		
MORENO VALLEY UTILITY				
3/22/2010	201267	51,929.07		
			ELECTRICITY	135.25
			ELECTRICITY	589.98
			ELECTRICITY	222.38
			ELECTRICITY	1,995.17
			ELECTRICITY	10,087.83
			ELECTRICITY	9,663.28
			ELECTRICITY	2,780.72
			ELECTRICITY	4,377.16
			ELECTRICITY	775.15
			ELECTRICITY	1,513.12
			ELECTRICITY	12,106.82
			ELECTRICITY	6,949.85
			ELECTRICITY	204.32
			ELECTRICITY	130.22
			ELECTRICITY	83.69
			ELECTRICITY	62.67
			ELECTRICITY	62.67
			ELECTRICITY	127.77
			ELECTRICITY	61.02
	Vendor Total	**51,929.07**		
FYTD for MORENO VALLEY UTILITY		**578,712.31**		
MURRIETA DEVELOPMENT COMPANY INC.				
3/22/2010	201269	396,056.03		
			TRAF SIG @ SR-60/REDLANDS BLVD	396,056.03
	Vendor Total	**396,056.03**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.		**396,056.03**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ONE MORENO VALLEY 240, L.P.				
3/25/2010	1003221	2,250,000.00		
			OAKWOOD AFFORDBLE HOUSING PROJ	2,250,000.00
Vendor Total		**2,250,000.00**		
FYTD for ONE MORENO VALLEY 240, L.P.		**2,250,000.00**		
PALP, INC. DBA EXCEL PAVING COMPANY				
3/22/2010	201276	251,454.55		
			SUNNYMD BLVD REVIT PROJ SVCS	22,561.24
			SUNNYMD BLVD REVIT PROJ SVCS	228,893.31
Vendor Total		**251,454.55**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,880,639.98**		
PERRIS ALESSANDRO, LLC				
3/1/2010	200910	52,000.00		
			REFUND-CASH SEC REDUCTION	52,000.00
Vendor Total		**52,000.00**		
FYTD for PERRIS ALESSANDRO, LLC		**145,600.00**		
PERS HEALTH INSURANCE				
3/4/2010	91403	196,439.38		
			EMPL HEALTH INS 03/04/10	196,439.38
Vendor Total		**196,439.38**		
FYTD for PERS HEALTH INSURANCE		**1,735,744.03**		
PERS RETIREMENT				
3/5/2010	2594	194,826.18		
			PERS RETIREMENT 03/05/10	194,826.18
3/19/2010	2602	194,772.12		
			PERS RETIREMENT 03/19/10	194,772.12
Vendor Total		**389,598.30**		
FYTD for PERS RETIREMENT		**4,134,782.71**		
PETERSON-CHASE GENERAL ENGINEERING CONST				
3/29/2010	201482	73,102.36		
			CITYWIDE BRIDGE MAINT PRGM	73,102.36
Vendor Total		**73,102.36**		
FYTD for PETERSON-CHASE GENERAL ENGINEERING CONST		**73,148.15**		
PRICE FAMILY CHARITABLE TRUST				
3/15/2010	201175	85,245.00		
			SALES TAX REIMBURSEMENT	85,245.00
Vendor Total		**85,245.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**250,452.00**		

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PW ENHANCEMENT CENTER					
	3/15/2010	880199	28,126.97		
				MOTEL VOUCHER SVCS-HPRP PRGM	10,594.00
				SECURITY DEPOSIT SVCS-HPRP	10,200.00
				COMMUNITY DEV PARTNERSHIP PRGM	7,332.97
	Vendor Total		**28,126.97**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
RICHARD LOPEZ CONSTRUCTION					
	3/1/2010	200918	427,558.38		
				RET. PYMT-INDIAN/GLOBE 12KV	20,239.22
				ELECTRIC UTILITY PROJECTS SVCS	169,704.76
				ELECTRIC UTILITY PROJECTS SVCS	237,614.40
	Vendor Total		**427,558.38**		
FYTD for RICHARD LOPEZ CONSTRUCTION			**609,711.31**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	3/8/2010	201075	59,740.78		
				PUB SFTY BLDG CONVERSION PROJ	9,581.64
				PUB SFTY BLDG CONVERSION PROJ	50,159.14
	Vendor Total		**59,740.78**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**168,500.22**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	3/1/2010	200937	342,382.00		
				ELECTRIC ENERGY PURCHASE	342,382.00
	3/15/2010	201186	328,872.00		
				ELECTRIC ENERGY PURCHASE	328,872.00
	Vendor Total		**671,254.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**671,254.00**		

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SOUTHERN CALIFORNIA EDISON					
	3/22/2010	201300	144,822.85		
				ELECTRICITY	555.86
				ELECTRICITY	23.90
				ELECTRICITY	264.96
				ELECTRICITY	22.80
				ELECTRICITY	784.38
				ELECTRICITY	133.41
				ELECTRICITY	2,296.63
				ELECTRICITY	569.62
				ELECTRICITY	808.58
				ELECTRICITY	2,499.20
				ELECTRICITY	953.24
				ELECTRICITY	1,407.26
				ELECTRICITY	20.82
				ELECTRICITY	93,602.42
				ELECTRICITY	35,595.36
				ELECTRICITY	4,956.24
				ELECTRICITY	89.64
				ELECTRICITY	20.58
				ELECTRICITY	23.26
				ELECTRICITY	65.52
				ELECTRICITY	81.72
				ELECTRICITY	47.45
	3/29/2010	201513	61,759.72		
				RELOC. OF SCE FACILITIES	61,759.72
	Vendor Total		**206,582.57**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,274,167.02**		
STANDARD INSURANCE CO					
	3/15/2010	201192	30,887.63		
				LIFE & DISABILITY INSURANCE	12,784.66
				LIFE & DISABILITY INSURANCE	18,038.04
				LIFE & DISABILITY INSURANCE	64.93
	Vendor Total		**30,887.63**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		
TCM GROUP					
	3/1/2010	200960	88,774.21		
				SR-60/NASON ST INTRCHNG PROJ	42,996.62
				SR-60/NASON ST INTRCHNG PROJ	45,777.59
	3/29/2010	880255	82,879.01		
				SR-60/NASON ST INTRCHNG PROJ	32,270.26
				SR-60/NASON ST INTRCHNG PROJ	8,054.43
				SR-60/NASON ST INTRCHNG PROJ	42,554.32
	Vendor Total		**171,653.22**		
FYTD for TCM GROUP			**397,572.75**		

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TRUGREEN LANDCARE					
	3/1/2010	200963	25,459.87		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	3/22/2010	201311	33,015.71		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG1-E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				IRRIG REPAIRS	63.55
				IRRIG REPAIRS	6.55
				IRRIG REPAIRS-TRACT #22093	9.59
				IRRIG REPAIRS-TRACT #20715	24.10
				IRRIG REPAIRS-TRACT #19032	48.67
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	Vendor Total		**58,475.58**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		
U.S. BANK					
	3/11/2010	100310	119,152.37		
				ACQ ESCROW-24475 MURAL CT	119,152.37
	Vendor Total		**119,152.37**		
FYTD for U.S. BANK			**119,242.37**		
U.S. BANK/CALCARDS					
	3/2/2010	91402	88,430.24		
				CALCARD PMT CYCLE END 02/22/10	88,430.24
	3/17/2010	91413	72,267.86		
				CALCARD PMT CYCLE END 03/08/10	72,267.86
	3/24/2010	1003212	102,229.40		
				CALCARD PMT CYCLE END 03/22/10	102,229.40
	Vendor Total		**262,927.50**		
FYTD for U.S. BANK/CALCARDS			**1,530,521.24**		
UNION BANK OF CALIFORNIA NA					
	3/11/2010	91409	57,000,000.00		
				PURCH BOND, CHANDLER ASSET MGT	57,000,000.00
	Vendor Total		**57,000,000.00**		
FYTD for UNION BANK OF CALIFORNIA NA			**93,914,675.69**		

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UNITED CONTRACTORS COMPANY INC.					
	3/1/2010	200967	167,877.00		
				EMRGNCY OPS CTR PROJ SVCS	167,877.00
	3/22/2010	880235	87,669.00		
				EMRGNCY OPS CTR PROJ SVCS	87,669.00
	Vendor Total		**255,546.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,534,500.00**		
VCI TELCOM, INC					
	3/22/2010	201317	27,729.22		
				COMMUNICATION GAP CLOSURE PROJ	26,976.60
				COMMUNICATION GAP CLOSURE PROJ	752.62
	Vendor Total		**27,729.22**		
FYTD for VCI TELCOM, INC			**30,810.25**		
WASTE MANAGEMENT					
	3/15/2010	201207	717,291.63		
				SOLID WST DELINQ LESS FRAN FEE	817,090.34
				SOLID WST DELINQ LESS FRAN FEE	-99,798.71
	Vendor Total		**717,291.63**		
FYTD for WASTE MANAGEMENT			**1,035,558.57**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/1/2010	200985	65,450.00		
				TEMP STAFFING SVCS-CAP PROJS	14,410.00
				TEMP STAFFING SVCS-CAP PROJS	51,040.00
	Vendor Total		**65,450.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
	Subtotal		**66,250,588.85**		

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CHECKS LESS THAN $25,000					
CALIFORNIA NEON PRODUCTS					
	3/29/2010	201333	57.50		
				REFUND-BUS LIC OVRPMT	57.50
	Vendor Total		**57.50**		
FYTD for CALIFORNIA NEON PRODUCTS			**57.50**		
CVS CORPORATION					
	3/15/2010	201096	37.50		
				FALSE ALARM REFUND	37.50
	Vendor Total		**37.50**		
FYTD for CVS CORPORATION			**37.50**		
I C E BUILDERS, INC					
	3/29/2010	201334	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for I C E BUILDERS, INC			**57.00**		
THIRTY - SEVEN MORENO VALLEY, LLC					
	3/29/2010	201335	2,000.00		
				REFUND-BUS LIC OVRPMT	2,000.00
	Vendor Total		**2,000.00**		
FYTD for THIRTY - SEVEN MORENO VALLEY, LLC			**2,000.00**		
20/20 RECYCLE CENTERS					
	3/29/2010	201336	30.53		
				REFUND-BUS LIC OVRPMT	30.53
	Vendor Total		**30.53**		
FYTD for 20/20 RECYCLE CENTERS			**30.53**		
452ND AIR MOBILITY WING					
	3/1/2010	200790	25.00		
				AWARDS RECEPTION	25.00
	Vendor Total		**25.00**		
FYTD for 452ND AIR MOBILITY WING			**97.00**		
834 EXPLORE POST					
	3/15/2010	201097	1,125.00		
				REGISTR-EXPLORER COMP MAR25-28	1,125.00
	Vendor Total		**1,125.00**		
FYTD for 834 EXPLORE POST			**1,125.00**		

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A & I REPROGRAPHICS 2406362					
	3/1/2010	200791	557.65		
				RPRGRPHC SVCS-KITCHING ST PROJ	557.65
	3/22/2010	201212	2,491.51		
				RPRGRPHC SVCS-KITCHING ST PROJ	1,091.35
				RPRGRPHC SVCS-PAVEMNT RESURF	771.80
				RPRGRPHC SVCS-ST IMPRVMNT PRGM	628.36
	3/29/2010	201337	2,438.86		
				PARKS MASTER PLAN COPIES	1,834.65
				PARKS MASTER PLAN COPIES	387.55
				SALES TAX	216.66
	Vendor Total		**5,488.02**		
FYTD for A & I REPROGRAPHICS 2406362			**17,450.08**		
A B STAR LIMOUSINE					
	3/29/2010	201338	28.50		
				REFUND-BUS LIC OVRPMT	28.50
	Vendor Total		**28.50**		
FYTD for A B STAR LIMOUSINE			**28.50**		
A C P TRUCKING					
	3/29/2010	201339	63.74		
				REFUND-BUS LIC OVRPMT	63.74
	Vendor Total		**63.74**		
FYTD for A C P TRUCKING			**63.74**		
ACCOUNTEMPS					
	3/1/2010	200792	828.00		
				TEMP SVCS-APODACA W/E 2/12	828.00
	3/8/2010	200991	621.00		
				TEMP SVCS-APODACA W/E 2/19	621.00
	3/22/2010	201213	1,656.00		
				TEMP SVCS-APODACA W/E 2/26	828.00
				TEMP SVCS-APODACA W/E 3/5	828.00
	3/29/2010	201340	828.00		
				TEMP SVCS-APODACA W/E 3/12	828.00
	Vendor Total		**3,933.00**		
FYTD for ACCOUNTEMPS			**7,038.00**		
ACE & SONS CONSTRUCTION, INC					
	3/29/2010	201341	32.50		
				REFUND-BUS LIC OVRPMT	32.50
	Vendor Total		**32.50**		
FYTD for ACE & SONS CONSTRUCTION, INC			**32.50**		

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ACE JANITORIAL SERVICE					
	3/29/2010	201342	29.57		
				REFUND-BUS LIC OVRPMT	29.57
	Vendor Total		**29.57**		
FYTD for ACE JANITORIAL SERVICE			**29.57**		
ADAMS, MARK L.					
	3/1/2010	200793	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**2,868.57**		
ADDUS HEALTH CARE					
	3/15/2010	201098	702.50		
				REFUND-CRC DEP 2/23/10	702.50
	Vendor Total		**702.50**		
FYTD for ADDUS HEALTH CARE			**702.50**		
ADLERHORST INTERNATIONAL INC.					
	3/8/2010	200992	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,272.83**		
ADMINSURE					
	3/8/2010	200993	2,600.00		
				WORKMANS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**23,400.00**		
ADVANCED APPLIED ENGINEERING, INC					
	3/29/2010	201343	22.61		
				REFUND-BUS LIC OVRPMT	22.61
	3/29/2010	201344	7,357.50		
				SR-60 WB/REDLANDS BLVD TS PROJ	2,697.50
				SR-60 WB/REDLANDS BLVD TS PROJ	4,660.00
	Vendor Total		**7,380.11**		
FYTD for ADVANCED APPLIED ENGINEERING, INC			**7,380.11**		

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ADVANCED ELECTRIC					
	3/1/2010	200794	795.00		
				ELECT WORK-ERC	795.00
	3/8/2010	200994	763.00		
				ELECT WORK-CRC	62.00
				ELECT WORK-CRC	530.00
				ELECT WORK-CRC	171.00
	3/15/2010	201099	502.00		
				LINE INSTALLED FOR NEW SCANNER	502.00
	3/22/2010	201214	714.00		
				ELECT WORK-PARKS	193.00
				ELECT WORK-PARKS	319.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	140.00
	3/29/2010	201345	7,001.00		
				REPAIR ELECTRICAL SVC-PSB PROJ	198.00
				REPAIR ELECTRICAL SVC-PSB PROJ	6,803.00
	Vendor Total		**9,775.00**		
FYTD for ADVANCED ELECTRIC			**75,102.00**		
AEI-CASC ENGINEERING					
	3/8/2010	200995	466.50		
				CONSULTING SVCS	466.50
	3/29/2010	880240	1,088.50		
				CONSULTING SVCS	1,088.50
	Vendor Total		**1,555.00**		
FYTD for AEI-CASC ENGINEERING			**316,140.09**		
AIR CLEANING SYSTEMS INC.					
	3/1/2010	200795	502.76		
				PLYMOVENT MAINT/REPAIR	13.05
				PLYMOVENT MAINT/REPAIR	218.71
				PLYMOVENT MAINT/REPAIR	271.00
	3/15/2010	201100	195.00		
				PLYMOVENT MAINT/REPAIR	195.00
	Vendor Total		**697.76**		
FYTD for AIR CLEANING SYSTEMS INC.			**697.76**		
ALICEA, RICHARD					
	3/8/2010	200996	97.95		
				MILEAGE REIMBURSEMENT	32.45
				MILEAGE REIMBURSEMENT	65.50
	Vendor Total		**97.95**		
FYTD for ALICEA, RICHARD			**388.35**		

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ALLIANZ LIFE INSURANCE CO				
3/15/2010	201102	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**675.00**		
ALLIED BARTON SECURITY SERVICES, LP				
3/29/2010	201346	26.21		
			REFUND-BUS LIC OVRPMT	26.21
Vendor Total		**26.21**		
FYTD for ALLIED BARTON SECURITY SERVICES, LP		**26.21**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
3/29/2010	201347	4,594.41		
			CDBG SVCS-DOM VIOL PRGM	2,260.77
			CDBG SVCS-DOM VIOL PRGM	2,333.64
Vendor Total		**4,594.41**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**6,308.36**		
AMERICA VIETNAM REALTY & FINANCE				
3/29/2010	201348	24.96		
			REFUND-BUS LIC OVRPMT	24.96
Vendor Total		**24.96**		
FYTD for AMERICA VIETNAM REALTY & FINANCE		**24.96**		
AMERICAN FORENSIC NURSES				
3/1/2010	200796	906.00		
			BLOOD DRAWS	906.00
3/8/2010	200998	1,436.30		
			BLOOD DRAWS	186.80
			BLOOD DRAWS	1,210.00
			BLOOD DRAWS	39.50
3/15/2010	880187	93.40		
			BLOOD DRAWS	93.40
Vendor Total		**2,435.70**		
FYTD for AMERICAN FORENSIC NURSES		**20,560.40**		
AMERICAN LEAK DETECTION #0108				
3/29/2010	201349	35.99		
			REFUND-BUS LIC OVRPMT	35.99
Vendor Total		**35.99**		
FYTD for AMERICAN LEAK DETECTION #0108		**35.99**		

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AMERICAN PERSONNEL SERVICE, #1419					
	3/29/2010	201350	43.80		
				REFUND-BUS LIC OVRPMT	43.80
	Vendor Total		**43.80**		
FYTD for AMERICAN PERSONNEL SERVICE, #1419			**43.80**		
AMERICAN PROTECTION SERVICES					
	3/22/2010	201215	9,870.85		
				PD INTRVW RM CONFIG-PARTS	7,164.00
				PD INTRVW RM CONFIG-LABOR	2,080.00
				PD INTRVW RM CONFIG-SALES TAX	626.85
	Vendor Total		**9,870.85**		
FYTD for AMERICAN PROTECTION SERVICES			**9,870.85**		
AMERICAN ROTARY BROOM CO.					
	3/22/2010	201216	1,656.93		
				STREET SWEEPING BROOM KITS	1,097.97
				STREET SWEEPING BROOM KITS	558.96
	Vendor Total		**1,656.93**		
FYTD for AMERICAN ROTARY BROOM CO.			**24,954.67**		
AMTECH ELEVATOR SERVICES					
	3/15/2010	201103	118.37		
				ELEVATOR SVC-CITY HALL	118.37
	3/29/2010	201351	94.91		
				REFUND-BUS LIC OVRPMT	94.91
	Vendor Total		**213.28**		
FYTD for AMTECH ELEVATOR SERVICES			**1,582.04**		
ANAYA, KIM REYE					
	3/29/2010	201352	35.00		
				MILEAGE REIMBURSEMENT	35.00
	Vendor Total		**35.00**		
FYTD for ANAYA, KIM REYE			**35.00**		

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ANIMAL EMERGENCY CLINIC, INC.				
3/1/2010	200797	888.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	668.00
			EMERGENCY VET SVCS	75.00
3/22/2010	201331	275.00		
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
Vendor Total		**1,163.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,184.00**		
ANIMAL HEALTH AND SANITARY SUPPLY				
3/15/2010	201104	1,165.34		
			MISC SUPPLIES-ANML SHLTR	1,165.34
Vendor Total		**1,165.34**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**6,711.99**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
3/29/2010	201353	1,790.00		
			PEST CNTRL-PARKS	665.00
			PEST CNTRL-PAL	255.00
			PEST CNTRL-MARCH FLD	330.00
			PEST CNTRL-PARKS	100.00
			PEST CNTRL-CFD #1	160.00
			PEST CNTRL-GLF CRS	180.00
			PEST CNTRL-STARS	100.00
Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**17,110.00**		
APPLIANCE DISCOUNTERS				
3/29/2010	201354	27.00		
			REFUND-BUS LIC OVRPMT	27.00
Vendor Total		**27.00**		
FYTD for APPLIANCE DISCOUNTERS		**27.00**		
ARCHIVE MANAGEMENT SERVICE				
3/15/2010	201105	1,226.25		
			OFFSITE STORAGE SVCS	1,226.25
Vendor Total		**1,226.25**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**11,978.16**		

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ARDA, VALERIANO JR.					
	3/29/2010	201355	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ARDA, VALERIANO JR.			**20.00**		
ARENAS, MANUEL					
	3/1/2010	200798	17.50		
				REFUND-LOST BOOK FEE	17.50
	Vendor Total		**17.50**		
FYTD for ARENAS, MANUEL			**17.50**		
ARMTECH SECURITY, INC					
	3/29/2010	201356	62.00		
				REFUND-BUS LIC OVRPMT	62.00
	Vendor Total		**62.00**		
FYTD for ARMTECH SECURITY, INC			**62.00**		
ARROWHEAD WATER					
	3/8/2010	200999	175.00		
				WTR PURIF RNTL-ANIMAL SHELTER	50.00
				WTR PURIF RNTL-SENIOR CTR	25.00
				WTR PURIF RNTL-SPECIAL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	3/22/2010	201217	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,022.79**		

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ASG FACILITY					
	3/8/2010	201000	264.00		
				INSTRUCTOR SVCS-MUAY THAI	204.00
				INSTRUCTOR SVCS-BOXING	60.00
	3/29/2010	201357	196.00		
				INSTRUCTOR SVC-MUAY THAI	136.00
				INSTRUCTOR SVC-BOXING	60.00
	Vendor Total		**460.00**		
FYTD for ASG FACILITY			**1,092.00**		
AT&T MOBILITY					
	3/1/2010	200799	92.14		
				COMMUNICATION SVCS-MBL CMMND	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**826.85**		
AT&T/MCI					
	3/8/2010	201001	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,653.29**		
ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS					
	3/15/2010	201106	150.00		
				3/18/10 THREAT MGMT SEMINAR	150.00
	Vendor Total		**150.00**		
FYTD for ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS			**150.00**		
AUGSTIN RAMOS					
	3/29/2010	201358	22.95		
				REFUND-BUS LIC OVRPMT	22.95
	Vendor Total		**22.95**		
FYTD for AUGSTIN RAMOS			**22.95**		
AUTOMATED GATE SERVICES, INC					
	3/29/2010	201359	59.22		
				REFUND-BUS LIC OVRPMT	59.22
	Vendor Total		**59.22**		
FYTD for AUTOMATED GATE SERVICES, INC			**59.22**		
AUTOMATIC STOREFRONT SERVICE, INC.					
	3/29/2010	201360	193.00		
				DOOR SVC-CRC	193.00
	Vendor Total		**193.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**1,514.31**		

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AV GRAPHICS, INC.					
	3/15/2010	201107	2,648.06		
				ADMIN CITATION BOOKS	2,555.63
				DELIVERY/SHIPPING CHRG	92.43
	Vendor Total		**2,648.06**		
FYTD for AV GRAPHICS, INC.			**8,075.88**		
AYALA, NANNERL A.					
	3/1/2010	200800	57.30		
				REIMB-MMASC WINTER FORUM	57.30
	Vendor Total		**57.30**		
FYTD for AYALA, NANNERL A.			**132.42**		
BACHER, GRACE					
	3/1/2010	200801	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,131.21**		
BAIRES, NALA					
	3/22/2010	201218	52.00		
				REFUND-ANML LIC FEE	52.00
	Vendor Total		**52.00**		
FYTD for BAIRES, NALA			**52.00**		
BALDWIN AUTOMOTIVE, INC					
	3/29/2010	201361	95.00		
				REFUND-BUS LIC OVRPMT	95.00
	Vendor Total		**95.00**		
FYTD for BALDWIN AUTOMOTIVE, INC			**95.00**		
BARNES, DARLENE					
	3/1/2010	200802	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,001.06**		
BARRAGAN, CYNTHIA					
	3/1/2010	200803	156.00		
				REFUND-PICNIC SHLTR FEE	156.00
	Vendor Total		**156.00**		
FYTD for BARRAGAN, CYNTHIA			**156.00**		

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BASIC BACKFLOW					
	3/8/2010	201002	120.00		
				BACKFLOW TESTING-PARKS	120.00
	Vendor Total		**120.00**		
FYTD for BASIC BACKFLOW			**1,294.65**		
BAYTOWN STAR, LLC					
	3/29/2010	201362	50.46		
				REFUND-BUS LIC OVRPMT	50.46
	Vendor Total		**50.46**		
FYTD for BAYTOWN STAR, LLC			**50.46**		
BECKLEY, TRISHA & ANTON					
	3/8/2010	201003	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BECKLEY, TRISHA & ANTON			**75.00**		
BELL, ORROCK & WATASE, INC					
	3/1/2010	200804	1,521.35		
				LEGAL SVCS 2009-20	1,521.35
	3/29/2010	201363	874.65		
				LEGAL SVCS-RISK MGT	617.15
				LEGAL SVCS-RISK MGT	257.50
	Vendor Total		**2,396.00**		
FYTD for BELL, ORROCK & WATASE, INC			**14,615.81**		

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BEMUS LANDSCAPE, INC.					
	3/1/2010	200805	1,542.56		
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-ANNX #1	300.00
	3/15/2010	201108	8,798.75		
				IRRIG DMG REPAIRS-EOC PROJECT	251.17
				LANDSCAPE MAINT-AQDCT/BAY-JFK	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MV UTILITY	480.00
				LANDSCAPE MAINT-ELECTRIC SUBST	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
	3/22/2010	201219	6,408.00		
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-PARKS	1,400.00
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
	3/29/2010	201364	9,971.31		
				LANDSCAPE MAINT-FIRE STNS	2,300.00
				LANDSCAPE MAINT-FIRE STNS	3,468.75
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CRC	1,900.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-AQDCT	360.00
				LANDSCAPE MAINT-AQDCT	400.00
	Vendor Total		**26,720.62**		
FYTD for BEMUS LANDSCAPE, INC.			**361,967.66**		
BENESYST					
	3/22/2010	880214	20.13		
				COBRA SUBSIDY-MAR2010	14.43
				COBRA SUBSIDY-MAR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**20.13**		

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BENESYST, INC.					
	3/8/2010	201006	473.34		
				FLEX ADMIN SVCS	228.34
				FLEX ADMIN SVCS	61.38
				FLEX ADMIN SVCS	183.62
	3/22/2010	201220	584.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	359.00
	Vendor Total		**1,057.68**		
FYTD for BENESYST, INC.			**4,518.32**		
BEN'S ASPHALT, INC					
	3/29/2010	201365	21.31		
				REFUND-BUS LIC OVRPMT	21.31
	Vendor Total		**21.31**		
FYTD for BEN'S ASPHALT, INC			**21.31**		
BEST CALIFORNIA GAS, LTD, #353					
	3/29/2010	201366	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for BEST CALIFORNIA GAS, LTD, #353			**71.85**		
BEST, BEST & KRIEGER, LLP					
	3/1/2010	200806	31.46		
				LEGAL SVCS-GGP	31.46
	Vendor Total		**31.46**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,076.10**		
BIO-TOX LABORATORIES					
	3/8/2010	201007	3,972.53		
				TOXICOLOGY TESTS	17.53
				TOXICOLOGY TESTS	1,416.10
				TOXICOLOGY TESTS	2,538.90
	Vendor Total		**3,972.53**		
FYTD for BIO-TOX LABORATORIES			**32,509.27**		
BLAIR, CHERYL					
	3/8/2010	201008	486.00		
				INSTRUCTOR SVCS-BELLY DANCING	486.00
	Vendor Total		**486.00**		
FYTD for BLAIR, CHERYL			**2,592.00**		

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BLINDS 4 LESS					
	3/29/2010	201367	61.41		
				REFUND-BUS LIC OVRPMT	61.41
	Vendor Total		**61.41**		
FYTD for BLINDS 4 LESS			**61.41**		
BLUE SHIELD OF CALIFORNIA					
	3/15/2010	201109	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,635.93**		
BOBO II, FELIX					
	3/8/2010	201009	84.00		
				MILEAGE REIMBURSEMENT	84.00
	Vendor Total		**84.00**		
FYTD for BOBO II, FELIX			**498.15**		
BOOHER, JACK					
	3/1/2010	200807	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOOHER, JACK			**20.00**		
BOY SCOUTS OF AMERICA					
	3/1/2010	200808	750.00		
				REFUND-RNTL DEP 2/6	750.00
	Vendor Total		**750.00**		
FYTD for BOY SCOUTS OF AMERICA			**750.00**		
BRACAMONTES, MARIA					
	3/22/2010	201221	98.60		
				REFUND-PERMIT FEE	97.60
				REFUND-PERMIT FEE	0.90
				REFUND-PERMIT FEE	0.10
	Vendor Total		**98.60**		
FYTD for BRACAMONTES, MARIA			**98.60**		
BRADIGAN, KATHY					
	3/22/2010	201222	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRADIGAN, KATHY			**75.00**		

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BRANTLINGER, LAWRENCE					
	3/22/2010	201223	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRANTLINGER, LAWRENCE			**75.00**		

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BRODART CO.					
	3/15/2010	201111	5,813.92		
				MISC BOOKS-LIBRARY	100.11
				MISC BOOKS-LIBRARY	194.17
				MISC BOOKS-LIBRARY	75.25
				MISC BOOKS-LIBRARY	40.16
				MISC BOOKS-LIBRARY	16.46
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	302.81
				MISC BOOKS-LIBRARY	428.25
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	22.00
				MISC BOOKS-LIBRARY	25.58
				MISC BOOKS-LIBRARY	652.72
				MISC BOOKS-LIBRARY	56.81
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	33.06
				MISC BOOKS-LIBRARY	297.80
				MISC BOOKS-LIBRARY	658.23
				MISC BOOKS-LIBRARY	440.96
				MISC BOOKS-LIBRARY	752.68
				MISC BOOKS-LIBRARY	52.52
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	127.73
				MISC BOOKS-LIBRARY	269.21
				MISC BOOKS-LIBRARY	24.74
				MISC BOOKS-LIBRARY	462.50
				MISC BOOKS-LIBRARY	294.81
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	81.27
				MISC BOOKS-LIBRARY	40.11
	3/22/2010	201224	2,695.80		
				MISC BOOKS-LIBRARY	247.43
				MISC BOOKS-LIBRARY	199.26
				MISC BOOKS-LIBRARY	80.61
				MISC BOOKS-LIBRARY	322.46
				MISC BOOKS-LIBRARY	1,533.70
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	38.69
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	162.59
	Vendor Total		**8,509.72**		
FYTD for BRODART CO.			**26,218.55**		

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BUCKINGHAM PROPERTY MANAGEMENT					
	3/29/2010	201368	35.02		
				REFUND-BUS LIC OVRPMT	35.02
	Vendor Total		**35.02**		
FYTD for BUCKINGHAM PROPERTY MANAGEMENT			**35.02**		
BUCKINGHAM, STAN					
	3/1/2010	200809	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**956.19**		
BWI - BOOK WHOLESALERS, INC.					
	3/15/2010	201112	689.54		
				MISC BOOKS-LIBRARY	10.50
				MISC BOOKS-LIBRARY	256.07
				MISC BOOKS-LIBRARY	13.11
				MISC BOOKS-LIBRARY	31.41
				MISC BOOKS-LIBRARY	144.48
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	80.99
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	16.35
				MISC BOOKS-LIBRARY	6.85
				MISC BOOKS-LIBRARY	29.57
				MISC BOOKS-LIBRARY	29.73
	3/22/2010	201225	451.40		
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	436.77
	Vendor Total		**1,140.94**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**5,578.08**		
C P CONSTRUCTION COMPANY, INC					
	3/29/2010	201370	46.80		
				REFUND-BUS LIC OVRPMT	46.80
	Vendor Total		**46.80**		
FYTD for C P CONSTRUCTION COMPANY, INC			**46.80**		
CAIN, GREGORY					
	3/1/2010	200810	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,231.12**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION				
3/29/2010	201371	2,237.20		
			WEED ABTMNT-MV EQSTRN CTR	894.88
			WEED ABTMNT-MV EQSTRN CTR	1,342.32
	Vendor Total	**2,237.20**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION		**4,479.20**		
CALAVERAS STANDARD MATERIALS				
3/22/2010	201226	1,482.99		
			CEMENT-PSB PARKING LOT REPAIR	1,482.99
	Vendor Total	**1,482.99**		
FYTD for CALAVERAS STANDARD MATERIALS		**19,370.75**		
CALIFORNIA CENTERS MAGAZINE, INC.				
3/1/2010	200811	3,780.00		
			ADVERTISING SVCS-EDD	3,780.00
	Vendor Total	**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.		**7,560.00**		
CALIFORNIA DEPT OF EDUCATION				
3/1/2010	200812	24,658.50		
			AFTERSCHOOL PRGM-VISTA VERDE	4,103.37
			AFTERSCHOOL PRGM-VISTA VERDE	8,206.73
			AFTERSCHOOL PRGM-RNBW RDG	4,116.13
			AFTERSCHOOL PRGM-RNBW RDG	8,232.27
	Vendor Total	**24,658.50**		
FYTD for CALIFORNIA DEPT OF EDUCATION		**24,658.50**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.				
3/1/2010	200813	770.00		
			ANNUAL CONF-MAR. 23-26, 2010	770.00
	Vendor Total	**770.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.		**3,764.00**		
CALIFORNIA TRANSCRIPTION, LLC				
3/29/2010	880241	205.93		
			TRANSCRIPTION SVCS-PLANNING	205.93
	Vendor Total	**205.93**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,321.69**		

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CALIFORNIA WATERSHED ENGINEERING CORP.					
	3/8/2010	201010	358.50		
				CONSULTING SVCS-PA090025	358.50
	3/29/2010	880242	717.00		
				CONSULTING SVCS	717.00
	Vendor Total		**1,075.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.			**1,771.50**		
CAM GUARD SECURITY, INC.					
	3/29/2010	201372	21.16		
				REFUND-BUS LIC OVRPMT	21.16
	Vendor Total		**21.16**		
FYTD for CAM GUARD SECURITY, INC.			**21.16**		
CANNON, ANA M.					
	3/1/2010	200814	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**956.19**		
CANON BUSINESS SOLUTIONS, INC.					
	3/8/2010	201012	2,002.20		
				COPIER SVC-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**28,143.19**		
CANON FINANCIAL SERVICES, INC.					
	3/22/2010	201227	7,590.68		
				COPIER LEASE-BASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**68,316.12**		
CANTERBURY, JENNIFER					
	3/1/2010	200815	20.00		
				REFUND-RABIES DEP	20.00
	3/8/2010	201013	50.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**70.00**		
FYTD for CANTERBURY, JENNIFER			**70.00**		

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CARBONE, GABRIELA					
	3/1/2010	200816	264.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	216.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	48.00
	3/22/2010	201228	117.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	117.00
	Vendor Total		**381.00**		
FYTD for CARBONE, GABRIELA			**381.00**		
CARON BROADCASTING, INC					
	3/8/2010	201014	5,700.00		
				RADIO ADVERTISING SVC	5,700.00
	3/29/2010	201373	300.00		
				RADIO ADVERTISING SVC	300.00
	Vendor Total		**6,000.00**		
FYTD for CARON BROADCASTING, INC			**6,000.00**		
CARPENTER, BREANNA					
	3/1/2010	200817	30.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**30.00**		
FYTD for CARPENTER, BREANNA			**30.00**		
CASA BUENA & CASA LYNNDA APARTMENTS, LLC					
	3/29/2010	201374	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for CASA BUENA & CASA LYNNDA APARTMENTS, LLC			**81.00**		
CASKEY, DEBRA C.					
	3/1/2010	200818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,231.12**		
CDI CORPORATION					
	3/29/2010	201375	47.21		
				REFUND-BUS LIC OVRPMT	47.21
	Vendor Total		**47.21**		
FYTD for CDI CORPORATION			**47.21**		

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CELL-CRETE CORPORATION					
	3/29/2010	201376	72.64		
				REFUND-BUS LIC OVRPMT	72.64
	Vendor Total		**72.64**		
FYTD for CELL-CRETE CORPORATION			**72.64**		
CERTIFIED CREDIT REPORTING, INC					
	3/29/2010	201377	55.32		
				CREDIT PROFILE SVCS-RDA	55.32
	Vendor Total		**55.32**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**177.85**		
CHANCY, CHIZURU					
	3/8/2010	201015	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
	Vendor Total		**140.40**		
FYTD for CHANCY, CHIZURU			**1,263.60**		
CHAPMAN, STEVE					
	3/1/2010	200819	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,868.57**		
CHAPPELL, ISAAC					
	3/1/2010	200820	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,868.57**		
CHERRY VALLEY FEED					
	3/8/2010	201016	78.08		
				DOG FOOD-K9 MAX	78.08
	Vendor Total		**78.08**		
FYTD for CHERRY VALLEY FEED			**1,562.79**		
CHRIS FOLSOM INSURANCE AGENCY					
	3/29/2010	201378	41.25		
				REFUND-BUS LIC OVRPMT	41.25
	Vendor Total		**41.25**		
FYTD for CHRIS FOLSOM INSURANCE AGENCY			**41.25**		

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CHRISTIAN, OWEN					
	3/1/2010	200821	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,026.23**		
CIANCIO, ANTHONY					
	3/1/2010	200822	120.00		
				INSTRUCTOR SVCS-SKATEBOARDING	120.00
	3/22/2010	201229	30.00		
				INSTRUCTOR SVCS-SKATEBOARDING	30.00
	Vendor Total		**150.00**		
FYTD for CIANCIO, ANTHONY			**150.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	3/1/2010	200823	370.89		
				UNIFORM RNTL SVC-PARKS MAINT	98.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	3/8/2010	201017	52.71		
				UNIFORM RNTL SVC-TRAFFIC	11.23
				UNIFORM RNTL SVC-TRAFFIC	13.85
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/15/2010	201113	108.90		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/22/2010	201230	289.40		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-ST MAINT CREW	47.07
				UNIFORM RNTL SVC-ST MAINT CREW	69.27
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	3/29/2010	201379	133.65		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
Vendor Total		**955.55**		
FYTD for CINTAS CORPORATION		**5,064.10**		
CINTAS DOCUMENT MANAGEMENT				
3/8/2010	201018	47.86		
			ANNUAL DOCUMENT PURGE SVC	47.86
Vendor Total		**47.86**		
FYTD for CINTAS DOCUMENT MANAGEMENT		**47.86**		
CITRUS BELT CHAPTER, I.C.C.				
3/22/2010	201231	200.00		
			3/23/10 SEMINAR-DISABLED ACCES	100.00
			3/23/10 SEMINAR-DISABLED ACCES	100.00
Vendor Total		**200.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**200.00**		
CITY OF FOSTER				
3/15/2010	201114	1,500.00		
			CALOPPS ANNUAL FEE-2010	1,500.00
Vendor Total		**1,500.00**		
FYTD for CITY OF FOSTER		**1,500.00**		
CITY OF INDIO				
3/8/2010	201019	45.00		
			LCC MEETING	45.00
3/22/2010	201232	45.00		
			3/22/10 LCC GENERAL MTG.	45.00
Vendor Total		**90.00**		
FYTD for CITY OF INDIO		**90.00**		
CITY OF MORENO VALLEY VEBA TRUST				
3/15/2010	201115	4,037.50		
			EXEMPT VEBA	4,037.50
Vendor Total		**4,037.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**38,100.00**		
CITY OF RIVERSIDE				
3/1/2010	200824	989.40		
			TRAFFIC SIGNALS SHARED COST	989.40
Vendor Total		**989.40**		
FYTD for CITY OF RIVERSIDE		**1,508.85**		

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CITY OF TUSTIN					
	3/15/2010	201116	275.00		
				MEMBERSHIP RENEWAL-HR DEPT.	275.00
	Vendor Total		**275.00**		
FYTD for CITY OF TUSTIN			**275.00**		
CLARY ROOFING					
	3/29/2010	201380	92.03		
				REFUND-BUS LIC OVRPMT	92.03
	Vendor Total		**92.03**		
FYTD for CLARY ROOFING			**92.03**		
COBBS, JOE					
	3/15/2010	201117	20.00		
				RABIES DEPOSIT REFUND	20.00
	Vendor Total		**20.00**		
FYTD for COBBS, JOE			**95.00**		
COHEN & GOLDFRIED					
	3/22/2010	201233	888.36		
				LEGAL SVCS-GENERAL	888.36
	Vendor Total		**888.36**		
FYTD for COHEN & GOLDFRIED			**8,785.86**		
COLONIAL SUPPLEMENTAL INSURANCE					
	3/1/2010	200825	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	3/29/2010	201381	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**14,275.26**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**71,916.15**		
COMFORT AIR					
	3/29/2010	201382	75.00		
				REFUND-BUS LIC OVRPMT	75.00
	Vendor Total		**75.00**		
FYTD for COMFORT AIR			**75.00**		
COMFORT ZONE HVAC					
	3/29/2010	201383	23.31		
				REFUND-BUS LIC OVRPMT	23.31
	Vendor Total		**23.31**		
FYTD for COMFORT ZONE HVAC			**23.31**		

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COMMUNITY BANK					
	3/10/2010	91405	8,602.32		
				RETENTION PMT-PROJ 08-12556330	8,602.32
	Vendor Total		**8,602.32**		
FYTD for COMMUNITY BANK			**102,331.51**		
COMMUNITY HEALTH CHARITIES					
	3/1/2010	200826	151.47		
				CHC CONTRIBUTIONS	151.47
	3/15/2010	201118	151.47		
				CHC CONTRIBUTIONS	151.47
	3/29/2010	201384	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**454.41**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,715.49**		
CONTINUING EDUCATION OF THE BAR					
	3/1/2010	200827	128.10		
				LEGAL SUBSCRIPTION	128.10
	Vendor Total		**128.10**		
FYTD for CONTINUING EDUCATION OF THE BAR			**647.98**		
CONTRACT CARPET CORPORATION					
	3/29/2010	201385	81.62		
				REFUND-BUS LIC OVRPMT	81.62
	Vendor Total		**81.62**		
FYTD for CONTRACT CARPET CORPORATION			**81.62**		
CONVERSE CONSULTANTS					
	3/29/2010	201386	86.50		
				REFUND-BUS LIC OVRPMT	86.50
	Vendor Total		**86.50**		
FYTD for CONVERSE CONSULTANTS			**86.50**		
CONWAY DATA DBA SITE SELECTION MAGAZINE					
	3/29/2010	201387	5,890.00		
				ADVERTISING SVCS-EDD	5,890.00
	Vendor Total		**5,890.00**		
FYTD for CONWAY DATA DBA SITE SELECTION MAGAZINE			**5,890.00**		
COPPRUE, SAM					
	3/15/2010	201119	41.00		
				LICENSE FEE REFUND	41.00
	Vendor Total		**41.00**		
FYTD for COPPRUE, SAM			**41.00**		

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COSTCO					
	3/1/2010	200828	237.39		
				MISC SUPPLIES-STARS	134.96
				MISC SUPPLIES-STARS	62.76
				MISC SUPPLIES-EDD	39.67
	3/8/2010	201020	794.81		
				MISC SUPPLIES-STARS	196.81
				MISC SUPPLIES-STARS	152.53
				MISC SUPPLIES-STARS	173.34
				MISC SUPPLIES-STARS	272.13
	3/22/2010	201234	763.45		
				MISC SUPPLIES-STARS	124.57
				MISC SUPPLIES-CHILDS PLC	57.39
				MISC SUPPLIES-SKATE PK	581.49
	3/29/2010	201388	2,784.42		
				MISC SUPPLIES-STARS	169.16
				MISC SUPPLIES-STARS	31.07
				MISC SUPPLIES-STARS	163.69
				MISC SUPPLIES-STARS	79.64
				MISC SUPPLIES-STARS	229.12
				MISC SUPPLIES-STARS	316.06
				MISC SUPPLIES-STARS	577.47
				MISC SUPPLIES-STARS	690.17
				MISC SUPPLIES-STARS	284.33
				MISC SUPPLIES-STARS	19.24
				MISC SUPPLIES-STARS	88.18
				MISC SUPPLIES-CHILDS PLC	136.29
	Vendor Total		**4,580.07**		
FYTD for COSTCO			**41,721.33**		
COUNSELING TEAM, THE					
	3/8/2010	201021	1,250.00		
				EMP COUNSELING SVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**10,000.00**		
COUNTRY SQUIRE ESTATES					
	3/15/2010	201120	63.16		
				REFUND-UUT USER TAXES	63.16
	Vendor Total		**63.16**		
FYTD for COUNTRY SQUIRE ESTATES			**443.41**		
COUNTY OF RIVERSIDE - RMAP					
	3/22/2010	201235	41.25		
				RECORDATION RQSTS-LD	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**325.35**		

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COUNTY OF RIVERSIDE-TLMA-GIS				
3/22/2010	201236	1,064.56		
			TRAFFIC SIGNAL INSPECTION	1,064.56
Vendor Total		**1,064.56**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS		**3,864.56**		
CRANE ARCHITECTURAL GROUP				
3/8/2010	201022	1,300.00		
			PUB SFTY BLDG CONVERSION PROJ	1,300.00
Vendor Total		**1,300.00**		
FYTD for CRANE ARCHITECTURAL GROUP		**4,295.00**		
CTAI PACIFIC GREENSCAPE				
3/15/2010	880188	4,897.13		
			LNDSCP MAINT-ZONE DSG1W	4,897.13
Vendor Total		**4,897.13**		
FYTD for CTAI PACIFIC GREENSCAPE		**47,014.04**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
3/8/2010	201023	578.00		
			HEALTH PERMIT FEE-BETHUNE PK	578.00
3/29/2010	201390	6,199.73		
			VECTOR CONTROL SVCS	1,684.59
			VECTOR CONTROL SVCS	4,399.14
			PERMIT RNWL-MORRISON PK	116.00
Vendor Total		**6,777.73**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**31,051.61**		
CUFF, STEPHANIE CERVANTES				
3/1/2010	200829	27.00		
			MILEAGE REIMBURSEMENT	27.00
Vendor Total		**27.00**		
FYTD for CUFF, STEPHANIE CERVANTES		**27.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
3/1/2010	200830	745.00		
			DISPOSAL SVC-ANML SVCS	745.00
3/22/2010	201237	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
Vendor Total		**1,490.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**6,855.00**		

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D R I RESIDENTIAL CORPORATION				
3/29/2010	201391	93.50		
			REFUND-BUS LIC OVRPMT	93.50
Vendor Total		**93.50**		
FYTD for D R I RESIDENTIAL CORPORATION		**93.50**		
D.J.L. AUDIO/VIDEO SPECIALISTS				
3/8/2010	201024	6,247.69		
			TRAINING PODIUM	5,745.00
			TRAINING PODIUM-SALES TAX	502.69
Vendor Total		**6,247.69**		
FYTD for D.J.L. AUDIO/VIDEO SPECIALISTS		**6,247.69**		
DAACOM COMMUNICATIONS				
3/29/2010	201392	88.47		
			REFUND-BUS LIC OVRPMT	88.47
Vendor Total		**88.47**		
FYTD for DAACOM COMMUNICATIONS		**88.47**		
DAILY JOURNAL CORPORATION				
3/29/2010	201393	5,596.00		
			ADVERTISING SVCS-EDD	2,798.00
			ADVERTISING SVCS-EDD	2,798.00
Vendor Total		**5,596.00**		
FYTD for DAILY JOURNAL CORPORATION		**5,596.00**		
DALE, KATHLEEN				
3/1/2010	200831	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN		**2,842.95**		
DATA TICKET, INC.				
3/8/2010	201025	105.00		
			CITATION APPLIC MAINT/SUPPORT	105.00
3/22/2010	880215	2,510.61		
			CITATION PRCSSNG-CODE	2,510.61
Vendor Total		**2,615.61**		
FYTD for DATA TICKET, INC.		**122,524.40**		
DATAQUICK CORPORATE HEADQUARTERS				
3/22/2010	201238	130.50		
			ONLINE SVCS-PD	130.50
Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**2,074.50**		

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DAVID LANE APARTMENTS					
	3/29/2010	201394	24.81		
				REFUND-BUS LIC OVRPMT	24.81
	Vendor Total		**24.81**		
FYTD for DAVID LANE APARTMENTS			**24.81**		
DAVID TURCH & ASSOCIATES					
	3/15/2010	201121	13,752.00		
				FEDERAL LEGISLATIVE REP SVCS	13,752.00
	Vendor Total		**13,752.00**		
FYTD for DAVID TURCH & ASSOCIATES			**13,752.00**		
DELTA DENTAL					
	3/8/2010	201026	11,452.43		
				EMPLOYEE DENTAL INSURANCE	11,452.43
	Vendor Total		**11,452.43**		
FYTD for DELTA DENTAL			**103,169.21**		
DELTACARE USA					
	3/8/2010	201027	6,310.50		
				EMPLOYEE DENTAL INSURANCE	6,310.50
	Vendor Total		**6,310.50**		
FYTD for DELTACARE USA			**60,888.21**		
DIAMOND WIRELESS, LLC					
	3/29/2010	201396	33.38		
				REFUND-BUS LIC OVRPMT	33.38
	Vendor Total		**33.38**		
FYTD for DIAMOND WIRELESS, LLC			**33.38**		
DIAZ, MICHAEL					
	3/29/2010	201397	37.60		
				REFUND-KUNG FU CLASS	37.60
	Vendor Total		**37.60**		
FYTD for DIAZ, MICHAEL			**37.60**		
DIEDERICHS & ELCONIN					
	3/8/2010	201028	492.50		
				LEGAL SERVICES	492.50
	Vendor Total		**492.50**		
FYTD for DIEDERICHS & ELCONIN			**50,430.00**		

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DISCOUNT TOBACCO					
	3/29/2010	201398	31.00		
				REFUND-BUS LIC OVRPMT	31.00
	Vendor Total		**31.00**		
FYTD for DISCOUNT TOBACCO			**31.00**		
DLS LANDSCAPE, INC					
	3/29/2010	201399	12,390.00		
				LANDSCAPE MAINT-ZONE A	10,230.00
				LANDSCAPE MAINT-CFD #1	2,160.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**111,510.00**		
DONAHUE APPRAISAL ASSOCIATES					
	3/1/2010	200832	18,300.00		
				PERRIS BLVD WIDENING PROJ SVCS	18,300.00
	3/15/2010	880189	5,140.00		
				PERRIS BLVD WIDENING PROJ SVCS	5,140.00
	Vendor Total		**23,440.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**50,480.00**		
DORY, ALLEEN F.					
	3/1/2010	200833	8.77		
				RETIREE MEDICAL BENEFIT	8.77
	Vendor Total		**8.77**		
FYTD for DORY, ALLEEN F.			**2,558.61**		
DOSS, GWEN					
	3/8/2010	201029	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DOSS, GWEN			**50.00**		
DREXLER, DAVID					
	3/15/2010	201122	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for DREXLER, DAVID			**195.00**		
DURAN, BLANCA					
	3/8/2010	201030	273.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	273.00
	Vendor Total		**273.00**		
FYTD for DURAN, BLANCA			**1,911.00**		

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DURBIN, LYNN J.					
	3/29/2010	201400	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for DURBIN, LYNN J.			**75.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	3/15/2010	201123	4,822.16		
				BACKFLOW TESTING	254.80
				BACKFLOW TESTING	72.80
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	655.20
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING-TR 30320	36.40
				BACKFLOW TESTING-ZONE M	72.80
				BACKFLOW RPLCMNT-E1	568.44
				BACKFLOW RPLCMNT-E1	170.00
				BACKFLOW RPLCMNT-TR 21597	568.44
				BACKFLOW RPLCMNT-TR 21597	170.00
				BACKFLOW RPLCMNT-TR 22371	568.44
				BACKFLOW RPLCMNT-TR 22371	170.00
				BACKFLOW RPLCMNT-TR 20525	532.82
				BACKFLOW RPLCMNT-TR 20525	170.00
				BACKFLOW RPLCMNT-TR 16768	532.82
				BACKFLOW RPLCMNT-TR 16768	170.00
	3/22/2010	201239	72.80		
				BACKFLOW TESTING-ZN M	72.80
	3/29/2010	201401	3,996.22		
				INVESTIG. UNDERGRND SEWER LEAK	97.50
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	689.96
				BACKFLOW RPLCMNT-E2	255.00
	Vendor Total		**8,891.18**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**27,494.35**		
E2I NET DESIGN, LLC					
	3/29/2010	201402	1,310.00		
				DATA CMMND POST UPDATE-PD	500.00
				DATA CMMND POST UPDATE-PD	810.00
	Vendor Total		**1,310.00**		
FYTD for E2I NET DESIGN, LLC			**6,565.00**		

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EADIE AND PAYNE LLP.					
	3/15/2010	201124	3,815.00		
				CONSULTING SVCS-CAFR PREP	2,000.00
				CONSULTING SVCS-CAFR PREP	1,815.00
	Vendor Total		**3,815.00**		
FYTD for EADIE AND PAYNE LLP.			**25,615.00**		
EARTH BASICS CONTRACTING					
	3/29/2010	201403	71.59		
				REFUND-BUS LIC OVRPMT	71.59
	Vendor Total		**71.59**		
FYTD for EARTH BASICS CONTRACTING			**71.59**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				
3/1/2010	200834	1,916.45		
			WATER CHRGS FOR JANUARY	99.21
			WATER CHRGS FOR JANUARY	80.54
			WATER CHRGS FOR JANUARY	311.30
			WATER CHRGS FOR JANUARY	258.27
			WATER CHRGS FOR JANUARY	1,167.13
3/8/2010	201031	6,700.43		
			RCLMD WATER-ST. SWEEPING PRGM	72.62
			RCLMD WATER-ST. SWEEPING PRGM	72.62
			RCLMD WATER-DRAIN MAINT PRGM	75.49
			WATER CHRGS FOR FEBRUARY	57.31
			WATER CHRGS FOR FEBRUARY	242.62
			WATER CHRGS FOR FEBRUARY	279.24
			WATER CHRGS FOR FEBRUARY	1,649.20
			WATER CHRGS FOR FEBRUARY	229.12
			WATER CHRGS FOR FEBRUARY	90.34
			WATER CHRGS FOR FEBRUARY	2,087.54
			WATER CHRGS FOR FEBRUARY	575.56
			WATER CHRGS FOR FEBRUARY	610.44
			WATER CHRGS FOR FEBRUARY	14.28
			WATER CHRGS FOR FEBRUARY	166.03
			WATER CHRGS FOR FEBRUARY	40.26
			WATER CHRGS FOR FEBRUARY	282.91
			WATER CHRGS FOR FEBRUARY	36.34
			WATER CHRGS FOR FEBRUARY	118.51
3/15/2010	201125	6,137.14		
			WATER CHRGS FOR FEBRUARY	57.77
			WATER CHRGS FOR FEBRUARY	587.40
			WATER CHRGS FOR FEBRUARY	34.80
			WATER CHRGS FOR FEBRUARY	894.05
			WATER CHRGS FOR FEBRUARY	1,853.27
			WATER CHRGS FOR FEBRUARY	450.50
			WATER CHRGS FOR FEBRUARY	433.73
			WATER CHRGS FOR FEBRUARY	561.72
			WATER CHRGS FOR FEBRUARY	59.83
			WATER CHRGS FOR FEBRUARY	444.76
			WATER CHRGS FOR FEBRUARY	196.39
			WATER CHRGS FOR FEBRUARY	96.36
			WATER CHRGS FOR FEBRUARY	185.21
			WATER CHRGS FOR FEBRUARY	155.95
			WATER CHRGS FOR FEBRUARY	125.40
3/22/2010	201240	10,545.32		
			WATER CHRGS FOR FEBRUARY	552.58
			WATER CHRGS FOR FEBRUARY	768.53
			WATER CHRGS FOR FEBRUARY	174.03
			WATER CHRGS FOR FEBRUARY	563.47
			WATER CHRGS FOR FEBRUARY	93.52
			WATER CHRGS FOR FEBRUARY	1,399.73
			WATER CHRGS FOR FEBRUARY	254.88
			WATER CHRGS FOR FEBRUARY	219.67
			WATER CHRGS FOR FEBRUARY	768.00
			WATER CHRGS FOR FEBRUARY	1,054.21

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR FEBRUARY	578.67
			WATER CHRGS FOR FEBRUARY	1,193.84
			WATER CHRGS FOR FEBRUARY	217.16
			WATER CHRGS FOR FEBRUARY	102.22
			WATER CHRGS FOR FEBRUARY	26.39
			WATER CHRGS FOR FEBRUARY	201.20
			WATER CHRGS FOR FEBRUARY	467.16
			WATER CHRGS FOR FEBRUARY	75.36
			WATER CHRGS FOR FEBRUARY	175.52
			WATER CHRGS FOR FEBRUARY	409.03
			WATER CHRGS FOR FEBRUARY	247.21
			WATER CHRGS FOR FEBRUARY	198.10
			WATER CHRGS FOR FEBRUARY	195.29
			WATER CHRGS FOR FEBRUARY	170.15
			WATER CHRGS FOR FEBRUARY	268.33
			WATER CHRGS FOR FEBRUARY	171.07
3/29/2010	201404	4,558.60		
			WATER CHRGS FOR FEBRUARY	55.42
			WATER CHRGS FOR FEBRUARY	379.81
			WATER CHRGS FOR FEBRUARY	328.42
			WATER CHRGS FOR MARCH	9.69
			WATER CHRGS FOR MARCH	248.68
			WATER CHRGS FOR MARCH	1,106.61
			WATER CHRGS FOR MARCH	296.97
			WATER CHRGS FOR MARCH	35.17
			WATER CHRGS FOR MARCH	1,786.34
			WATER CHRGS FOR MARCH	297.15
			WATER CHRGS FOR MARCH	14.34
Vendor Total		**29,857.94**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**856,610.16**		

EDGELANE MOBILE PARK

3/15/2010	880190	24.43		
			REFUND-UUT USER TAXES	11.91
			REFUND-UUT USER TAXES	12.52
Vendor Total		**24.43**		
FYTD for EDGELANE MOBILE PARK		**86.20**		

EDWARDS TECHNOLOGIES, INC.

3/29/2010	201405	315.00		
			VIDEO SWITCHER SERVICE	315.00
Vendor Total		**315.00**		
FYTD for EDWARDS TECHNOLOGIES, INC.		**315.00**		

EGGERSTEN, ANNE

3/1/2010	200835	305.60		
			RETIREE MEDICAL BENEFIT	305.60
Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE		**2,532.63**		

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EL DORADO POINTE - MANAGEMENT					
	3/29/2010	201406	236.46		
				REFUND-BUS LIC OVRPMT	236.46
	Vendor Total		**236.46**		
FYTD for EL DORADO POINTE - MANAGEMENT			**236.46**		
ELITE JANITORIAL, INC.					
	3/8/2010	201032	100.00		
				CLEANING SVCS-DUST MOPS	100.00
	Vendor Total		**100.00**		
FYTD for ELITE JANITORIAL, INC.			**514.86**		
ELLIS, CRYSTAL					
	3/29/2010	201407	29.95		
				REFUND-LOST BOOK FEE	29.95
	Vendor Total		**29.95**		
FYTD for ELLIS, CRYSTAL			**29.95**		
ELTAIRBY, HODA					
	3/8/2010	201033	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for ELTAIRBY, HODA			**86.00**		
EMPIRE MOWER					
	3/15/2010	201126	18.67		
				MISC EQUIPMNT SUPPLIES	18.67
	Vendor Total		**18.67**		
FYTD for EMPIRE MOWER			**403.33**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/1/2010	200836	4,703.15		
			PROF SVC-GIS DATABASE CONV	1,760.10
			PROF SVC-WASTE MGT TRNSFR STN	174.35
			PROF SVC-PM 35629	704.06
			PROF SVC-LIGHT REMOVAL	1,092.50
			PROF SVC-FRAZEE DC	972.14
3/15/2010	201128	3,750.00		
			MAR-10 CABINET LEASE-COTTONWD	52.90
			MAR-10 CABINET LEASE-COTTONWD	1,197.10
			MAR-10 CABINET LEASE-IRIS AVE	103.57
			MAR-10 CABINET LEASE-IRIS AVE	1,146.43
			MAR-10 CABINET LEASE-INDIAN	86.92
			MAR-10 CABINET LEASE-INDIAN	1,163.08
3/22/2010	201241	8,317.96		
			LASELLE ST 12KV CIRC TIE WORK	6,031.85
			6TH CIRCUIT MOVAL SUBST. WORK	2,286.11
Vendor Total		**16,771.11**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ESRI, INC.				
3/22/2010	880216	14,137.50		
			ARCLOGISTICS SOFTWARE LICENSE	8,000.00
			ARCLOGISTICS NAVIG. LICENSE-10	2,000.00
			ARCLOGISTICS TELE ATLAS NA LIC	2,200.00
			ARCLOGISTICS TELE ATLAS LIC-10	800.00
			SALES TAX	1,137.50
Vendor Total		**14,137.50**		
FYTD for ESRI, INC.		**58,674.08**		
EVANS ENGRAVING & AWARDS				
3/1/2010	200837	65.26		
			ENGRAVING SVCS-PLAQUE	32.63
			ENGRAVING SVCS-PLAQUE	32.63
3/8/2010	201034	16.32		
			ENGRAVING SVC-PLAQUE	16.32
3/15/2010	880191	27.19		
			ENGRAVING SVCS-FIREFGHTR AWARD	27.19
3/22/2010	880217	46.76		
			ENGRAVING SVCS-EMP/QTR PLQ	35.88
			ENGRAVING SVCS-NAMEPLATE	10.88
Vendor Total		**155.53**		
FYTD for EVANS ENGRAVING & AWARDS		**1,740.06**		

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EVANS RECREATIONAL INSTALLATION INC.				
3/1/2010	200838	2,835.00		
			TOT LOT EQUIP REPAIRS	404.23
			TOT LOT EQUIP REPAIRS	2,430.77
Vendor Total		**2,835.00**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**8,718.82**		
EWING IRRIGATION PRODUCTS, INC.				
3/8/2010	201035	491.01		
			IRRIGATION SUPPLIES	491.01
Vendor Total		**491.01**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,813.91**		
EXCEL LANDSCAPE, INC				
3/22/2010	201242	8,700.22		
			LANDSCAPE MAINT-E7	2,666.81
			LANDSCAPE MAINT-E15	1,070.36
			LANDSCAPE MAINT-E8	1,501.98
			LANDSCAPE MAINT-E14	3,461.07
Vendor Total		**8,700.22**		
FYTD for EXCEL LANDSCAPE, INC		**188,585.16**		
F RODGERS CORPORATION				
3/29/2010	201409	69.00		
			REFUND-BUS LIC OVRPMT	69.00
Vendor Total		**69.00**		
FYTD for F RODGERS CORPORATION		**69.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
3/29/2010	880243	16,415.43		
			CDBG SVCS-FRCLSR PRVNTN	1,543.26
			CDBG SVCS-FRCLSR PRVNTN	1,643.54
			CDBG SVCS-FRCLSR PRVNTN	1,694.01
			CDBG SVCS-FRCLSR PRVNTN	1,162.49
			CDBG SVCS-FRCLSR PRVNTN	941.33
			CDBG SVCS-FRCLSR PRVNTN	1,422.20
			CDBG SVCS-HOUSING	4,169.46
			CDBG SVCS-HOUSING	2,555.25
			CDBG SVCS-FRCLSR PRVNTN	1,283.89
Vendor Total		**16,415.43**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**39,466.62**		

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FAIRWAY LANDSCAPE & IRRIGATION, INC					
	3/29/2010	201410	23.68		
				REFUND-BUS LIC OVRPMT	23.68
	Vendor Total		**23.68**		
FYTD for FAIRWAY LANDSCAPE & IRRIGATION, INC			**23.68**		
FAMILY FISH MARKET					
	3/29/2010	201411	57.49		
				REFUND-BUS LIC OVRPMT	57.49
	Vendor Total		**57.49**		
FYTD for FAMILY FISH MARKET			**57.49**		
FAMILY SERVICE ASSOCIATION					
	3/15/2010	201130	20,248.37		
				CASE MGMT SVCS-HPRP PRGM	6,607.96
				RENTAL ASSIST SVCS-HPRP PRGM	7,170.80
				RENTAL ARREARS SVCS-HPRP PRGM	6,469.61
	3/29/2010	201412	7,978.97		
				RENTAL ARREARS SVCS-HPR	2,240.87
				RENTAL ASSIST SVCS-HPR	5,738.10
	Vendor Total		**28,227.34**		
FYTD for FAMILY SERVICE ASSOCIATION			**53,952.34**		
FASHION AVENUE					
	3/29/2010	201413	51.74		
				REFUND-BUS LIC OVRPMT	51.74
	Vendor Total		**51.74**		
FYTD for FASHION AVENUE			**51.74**		
FEDERAL EXPRESS					
	3/8/2010	201036	5.87		
				EXPRESS MAILING SVC-RISK MGT	5.87
	3/22/2010	201244	43.17		
				EXPRESS MAILING SVC-HR	43.17
	Vendor Total		**49.04**		
FYTD for FEDERAL EXPRESS			**104.59**		
FEENSTRA, JOHN					
	3/1/2010	200839	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,251.25**		

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FILARSKY & WATT, LLP					
	3/8/2010	201037	156.00		
				LEGAL SERVICES	156.00
	Vendor Total		**156.00**		
FYTD for FILARSKY & WATT, LLP			**6,110.00**		
FIRST AMERICAN CORE LOGIC, INC.					
	3/1/2010	200840	664.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	409.00
				ONLINE PROP INFO-NSP	170.00
	Vendor Total		**664.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**3,350.00**		
FIRST CHOICE SERVICES					
	3/1/2010	200841	117.59		
				EMP PAID COFFEE SVCS-CRC	44.91
				EMP PAID COFFEE SVCS-CITY YARD	72.68
	3/29/2010	880244	524.97		
				EMP PAID COFFEE SVCS	25.24
				EMP PAID COFFEE SVCS	101.50
				EMP PAID COFFEE SVCS	112.97
				EMP PAID COFFEE SVCS	131.16
				EMP PAID COFFEE SVCS	134.10
				EMP PAID COFFEE SVCS	20.00
	Vendor Total		**642.56**		
FYTD for FIRST CHOICE SERVICES			**7,487.49**		
FIRST LEGAL SERVICES, INC.					
	3/29/2010	201414	163.75		
				LEGAL SVCS	163.75
	Vendor Total		**163.75**		
FYTD for FIRST LEGAL SERVICES, INC.			**163.75**		
FITNESS 19 CA 155 11C					
	3/1/2010	200842	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	3/29/2010	201415	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	Vendor Total		**538.00**		
FYTD for FITNESS 19 CA 155 11C			**2,634.00**		

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FLORES, JESSE / JEANNINE					
	3/15/2010	201131	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FLORES, JESSE / JEANNINE			**50.00**		
FOCUS ESTATES, INC					
	3/1/2010	200843	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/15/2010	201132	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/22/2010	201245	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	3/29/2010	201416	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	Vendor Total		**20,000.00**		
FYTD for FOCUS ESTATES, INC			**30,000.00**		
FORM PRINT COMPANY FPC GRAPHICS					
	3/1/2010	200844	2,283.75		
				RECEIPT BOOKS-TREASURY	2,175.00
				RECEIPT BOOKS-TREASURY	108.75
	Vendor Total		**2,283.75**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**8,070.51**		
FORSTER, HAROLD					
	3/15/2010	201133	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FORSTER, HAROLD			**100.00**		
FOSTER, JAMES BARRY					
	3/8/2010	201038	128.00		
				PER DIEM-ICSC 2010 IDEA EXCHNG	128.00
	Vendor Total		**128.00**		
FYTD for FOSTER, JAMES BARRY			**426.15**		
FOSTER, NANCY A.					
	3/1/2010	200845	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**949.91**		

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FOX, ALLAN					
	3/29/2010	201417	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FOX, ALLAN			**75.00**		
FRANCHISE TAX BOARD					
	3/1/2010	200846	1,416.95		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	485.01
				GARNISHMENT	254.00
				GARNISHMENT	76.96
				GARNISHMENT	424.70
	3/15/2010	201134	27.65		
				GARNISHMENT	21.57
				GARNISHMENT	6.08
	3/15/2010	201135	1,028.22		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	98.31
				GARNISHMENT	488.26
				GARNISHMENT	254.00
				GARNISHMENT	112.57
				GARNISHMENT	12.58
	3/29/2010	201418	676.38		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	359.88
				GARNISHMENT	254.00
	Vendor Total		**3,149.20**		
FYTD for FRANCHISE TAX BOARD			**10,188.76**		
FRANKLIN, L. C.					
	3/15/2010	201136	167.50		
				MILEAGE REIMBURSEMENT	167.50
	Vendor Total		**167.50**		
FYTD for FRANKLIN, L. C.			**1,241.70**		
FROST, JOAN CHENG					
	3/22/2010	201246	304.00		
				INSTRUCTION SVC-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for FROST, JOAN CHENG			**1,178.00**		

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FULLER, CHERIE					
	3/22/2010	201247	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for FULLER, CHERIE			**20.00**		
FULLER, NORMA DENISE					
	3/29/2010	201419	228.80		
				CONSULTING SVCS	228.80
	Vendor Total		**228.80**		
FYTD for FULLER, NORMA DENISE			**3,903.90**		
GAMESTOP, INC.					
	3/29/2010	201420	156.13		
				REFUND-BUS LIC OVRPMT	56.56
				REFUND-BUS LIC OVRPMT	44.80
				REFUND-BUS LIC OVRPMT	54.77
	Vendor Total		**156.13**		
FYTD for GAMESTOP, INC.			**156.13**		
GARCIA, JAVIER					
	3/1/2010	200847	370.19		
				REFUND-ANML CITATION	370.19
	Vendor Total		**370.19**		
FYTD for GARCIA, JAVIER			**370.19**		
GASTON, RICHARD					
	3/1/2010	200848	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,868.57**		

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GENERAL SECURITY SERVICES, INC.					
	3/1/2010	200849	628.94		
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC 1/23	153.40
				SECURITY SVCS-TWNGTE 1/30	107.38
	3/8/2010	201039	951.08		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	76.70
				SECURITY SVCS-TWNGTE	76.70
	3/22/2010	880218	2,208.97		
				SECURITY SVCS-SR CTR	291.46
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	368.16
				SECURITY SVCS-LIBRARY	368.16
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	230.10
				SECURITY SVCS-UT	276.13
	3/29/2010	880245	732.49		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CRC	302.97
				SECURITY SVCS-CRC	306.80
	Vendor Total		**4,521.48**		
FYTD for GENERAL SECURITY SERVICES, INC.			**41,736.43**		
GEORGE SALINAS TREE PRESERVATION					
	3/1/2010	200850	8,494.90		
				TREE TRIMMING SVCS-DSG1	894.20
				TREE TRIMMING SVCS-DSG2	1,117.75
				TREE TRIMMING SVCS-E2	6,482.95
	Vendor Total		**8,494.90**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**87,497.47**		
GES EXPOSITION SERVICES					
	3/22/2010	201248	6,018.88		
				TRADESHOW SVCS-VARIOUS	6,018.88
	Vendor Total		**6,018.88**		
FYTD for GES EXPOSITION SERVICES			**6,018.88**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
3/8/2010	201040	2,108.50		
			LEGAL SVCS-COMM PRK SOCCER FLD	1,568.88
			LEGAL SVCS-COMM PRK SOCCER FLD	539.62
3/22/2010	880219	3,999.19		
			LEGAL SVCS-COMM PRK SOCCER FLD	3,999.19
	Vendor Total	**6,107.69**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**133,947.30**		
GIRON, ANGELITA				
3/22/2010	201249	750.00		
			REFUND-RNTL DEP 2/27/10	750.00
	Vendor Total	**750.00**		
FYTD for GIRON, ANGELITA		**750.00**		
GLOBAL TECHNOLOGY SYSTEMS, INC.				
3/15/2010	201138	842.72		
			LI-POLYMER BATTERIES	891.75
			SHIPPING CHARGES	22.72
			CA USE TAX ACCRUAL	-71.75
	Vendor Total	**842.72**		
FYTD for GLOBAL TECHNOLOGY SYSTEMS, INC.		**842.72**		
GLOSTER, GEORGANNE				
3/29/2010	201421	240.00		
			REFUND-SEC GUARD FEE	40.00
			REFUND-RNTL DEP 3/13	200.00
	Vendor Total	**240.00**		
FYTD for GLOSTER, GEORGANNE		**240.00**		
GOD'S HELPING HAND				
3/22/2010	880220	750.00		
			FOOD BANK PRGRM-CDBG	750.00
3/29/2010	880246	750.00		
			CDBG SVCS-FOOD BANK	750.00
	Vendor Total	**1,500.00**		
FYTD for GOD'S HELPING HAND		**6,499.88**		
GONG ENTERPRISES, INC.				
3/8/2010	201041	200.00		
			PLAN CHECK SVCS-TM 32505	200.00
	Vendor Total	**200.00**		
FYTD for GONG ENTERPRISES, INC.		**3,764.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GOZDECKI, DAN					
	3/8/2010	201042	567.00		
				INSTRUCTOR SVCS-KUNG FU YTH	243.00
				INSTRUCTOR SVCS-KUNG FU ADLT	324.00
	Vendor Total		**567.00**		
FYTD for GOZDECKI, DAN			**5,508.00**		
GRAFFITI TRACKER, INC.					
	3/22/2010	880221	4,000.00		
				GRAFFITI TRACK SVCS	4,000.00
	Vendor Total		**4,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**28,000.00**		
GRANADOS, BONNIE					
	3/1/2010	200851	29.60		
				REFUND-HIP HOP CLASS	29.60
	Vendor Total		**29.60**		
FYTD for GRANADOS, BONNIE			**29.60**		
GRANICUS, INC.					
	3/15/2010	201139	1,655.22		
				PODCASTING MANAGED SVCS	130.00
				PODCASTING MANAGED SVCS	130.00
				MAR-10 MANAGED SVCS	1,350.00
				MAR-10 MANAGED SVCS	45.22
	Vendor Total		**1,655.22**		
FYTD for GRANICUS, INC.			**12,816.98**		
GREGG ELECTRIC, INC					
	3/29/2010	201422	55.87		
				REFUND-BUS LIC OVRPMT	55.87
	Vendor Total		**55.87**		
FYTD for GREGG ELECTRIC, INC			**55.87**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	3/1/2010	200852	5,269.40		
				LEGAL SVCS	2,909.83
				LEGAL SVCS	2,359.57
	3/22/2010	201250	3,759.86		
				LEGAL SVCS-RISK MGT	3,759.86
	Vendor Total		**9,029.26**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,192.09**		

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GRIFFIN, MARLENE C					
	3/1/2010	200853	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,131.21**		
GRIFFIS, CANDACE					
	3/15/2010	201140	10.00		
				REFUND-CITATION OVERPAYMENT	10.00
	Vendor Total		**10.00**		
FYTD for GRIFFIS, CANDACE			**10.00**		
GROUP DELTA CONSULTANTS, INC					
	3/29/2010	201423	360.00		
				PUB SFTY BLDG CONVERSION PROJ	360.00
	Vendor Total		**360.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**360.00**		
GUILLAN, REBECCA S.					
	3/1/2010	200854	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**844.85**		
GUILLIS, LINDA B.					
	3/1/2010	200855	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,868.57**		
GUIMONT, WILLIAM					
	3/15/2010	201141	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for GUIMONT, WILLIAM			**195.00**		
GUTIERREZ, ROBERT					
	3/1/2010	200856	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,574.17**		

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GUZMAN'S CART SERVICE					
	3/15/2010	880192	4,049.00		
				SHOPPING CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**36,441.00**		
H & A M CLEANING SERVICES CO					
	3/29/2010	201424	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for H & A M CLEANING SERVICES CO			**33.50**		
HA, PHUNG					
	3/15/2010	201142	38.06		
				FALSE ALARM REFUND	30.00
				FALSE ALARM REFUND	8.06
	Vendor Total		**38.06**		
FYTD for HA, PHUNG			**38.06**		
HAMLIN, WILLIAM R.					
	3/1/2010	200857	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,922.45**		
HANES, MARTIN D.					
	3/1/2010	200858	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,868.57**		
HANIGAN BUSINESS FORMS					
	3/15/2010	880193	1,598.19		
				PARKING VIOLATION NOTICE BOOKS	1,452.90
				PARKING VIOLATION NOTICE BOOKS	145.29
	Vendor Total		**1,598.19**		
FYTD for HANIGAN BUSINESS FORMS			**7,391.43**		
HANSON, GEORGE					
	3/15/2010	201143	571.00		
				TRAVEL EXP-CMUA ANNL CONF.	342.00
				TRAVEL EXP-CMUA ANNL CONF.	229.00
	Vendor Total		**571.00**		
FYTD for HANSON, GEORGE			**628.27**		

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HARDING, JOHN S.					
	3/1/2010	200859	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,868.57**		
HARRIS & ASSOCIATES, INC.					
	3/22/2010	880222	4,226.40		
				PLAN CHECK SVCS-TR 32716	4,226.40
	Vendor Total		**4,226.40**		
FYTD for HARRIS & ASSOCIATES, INC.			**314,448.02**		
HARTMANN, RICK					
	3/1/2010	200860	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**1,817.31**		
HATFIELD, CHARLES					
	3/1/2010	200861	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,231.12**		
HAUSER, ADRIANA					
	3/29/2010	201425	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for HAUSER, ADRIANA			**2,508.00**		
HDL COREN & CONE					
	3/15/2010	201145	4,387.50		
				JAN-MAR'10 PROP TAX MAINT SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**15,074.91**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	3/1/2010	200862	5,017.37		
				CONTRACT SVCS-4TH QTR SALES TA	900.00
				CONTRACT SVCS-SALES TAX AUDIT	4,117.37
	Vendor Total		**5,017.37**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**11,784.51**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HEERY INTERNATIONAL, INC.					
	3/1/2010	200863	4,560.00		
				NEW MAIN LIBRARY PROJ SVCS	4,560.00
	Vendor Total		**4,560.00**		
FYTD for HEERY INTERNATIONAL, INC.			**197,572.75**		
HEFFLEY, ROSS W.					
	3/1/2010	200864	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,231.12**		
HERRICK, ROBERT D.					
	3/1/2010	200865	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,868.57**		
HICKS, MAYRA					
	3/15/2010	201146	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for HICKS, MAYRA			**30.00**		
HIGGS, DEBRA					
	3/1/2010	200866	144.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
	Vendor Total		**144.00**		
FYTD for HIGGS, DEBRA			**864.00**		
HOBBS, DIANN FAYE					
	3/15/2010	201147	150.00		
				REFUND-CITATION OVERPAYMENT	50.00
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**150.00**		
FYTD for HOBBS, DIANN FAYE			**150.00**		
HODGE PRODUCTS, INC.					
	3/1/2010	200867	468.02		
				PADLOCKS-CFD#1	210.00
				PADLOCKS-PARKS	58.02
				PADLOCKS-PARKS	200.00
	Vendor Total		**468.02**		
FYTD for HODGE PRODUCTS, INC.			**468.02**		

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HOFF, JALDA					
	3/15/2010	201148	95.00		
				RABIES & SN DEPOSIT REFUND	20.00
				RABIES & SN DEPOSIT REFUND	75.00
	Vendor Total		**95.00**		
FYTD for HOFF, JALDA			**95.00**		
HOUSE OF BEAUTY					
	3/29/2010	201426	70.50		
				REFUND-BUS LIC OVRPMT	70.50
	Vendor Total		**70.50**		
FYTD for HOUSE OF BEAUTY			**70.50**		
HOUSER, EDITH E.					
	3/1/2010	200868	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,868.57**		
HUNTER, PHUONG					
	3/8/2010	201043	256.50		
				REIMB-CWEA CONF./LONG BEACH	213.00
				REIMB-CWEA CONF./LONG BEACH	43.50
	Vendor Total		**256.50**		
FYTD for HUNTER, PHUONG			**256.50**		
ICMA RETIREMENT CORP 457					
	3/12/2010	2599	10,214.54		
				DEF COMP 457 03/12/10	10,214.54
	Vendor Total		**10,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS					
	3/1/2010	200869	3,308.62		
				ADVERTISING SVCS-EDD	3,308.62
	Vendor Total		**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			**6,617.24**		
IL SORRENTO MOBILE HOME PARK					
	3/29/2010	201427	51.00		
				REFUND-BUS LIC OVRPMT	51.00
	Vendor Total		**51.00**		
FYTD for IL SORRENTO MOBILE HOME PARK			**51.00**		

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IL SORRENTO MOBILE PARK				
3/15/2010	201149	218.18		
			REFUND-UUT USER TAXES	218.18
Vendor Total		**218.18**		
FYTD for IL SORRENTO MOBILE PARK		**1,518.06**		
ING USA ANNUITY & LIFE INSURANCE CO.				
3/15/2010	201150	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**4,275.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
3/8/2010	201044	3,729.50		
			NUISANCE ABTMNT SVC-487470013	1,395.00
			NUISANCE ABTMNT SVC-479680001	665.00
			NUISANCE ABTMNT SVC-478181047	1,669.50
3/22/2010	201251	504.00		
			NUISANCE ABTMNT SVC-474152001	277.00
			NUISANCE ABTMNT SVC-474410029	227.00
Vendor Total		**4,233.50**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**10,927.31**		
INLAND EMPIRE MAGAZINE				
3/8/2010	201045	1,295.00		
			ADVERTISING SVC-CRC	1,295.00
Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE		**3,885.00**		
INSIDE PLANTS, INC.				
3/8/2010	201046	316.00		
			PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,844.00**		
INTEGRATED VEGETATION MGMT.				
3/29/2010	201428	20.16		
			REFUND-BUS LIC OVRPMT	20.16
Vendor Total		**20.16**		
FYTD for INTEGRATED VEGETATION MGMT.		**20.16**		

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INTER CITY ENERGY SYSTEMS					
	3/29/2010	201429	54.45		
				REFUND-BUS LIC OVRPMT	54.45
	Vendor Total		**54.45**		
FYTD for INTER CITY ENERGY SYSTEMS			**54.45**		
IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT					
	3/1/2010	200870	700.00		
				ESCROW ACCT-ERP SOFTWARE	672.00
				ESCROW ACCT-ERP SOFTWARE	28.00
	3/15/2010	201151	56.00		
				ESCROW ACCT-ERP SOFTWARE	56.00
	Vendor Total		**756.00**		
FYTD for IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT			**756.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	3/1/2010	200871	937.03		
				OFFSITE DATA STORAGE	937.03
	Vendor Total		**937.03**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**9,624.91**		
ISS SWEEPING, INC.					
	3/22/2010	880223	2,265.70		
				STREET SWEEPING SVCS	750.20
				STREET SWEEPING SVCS	795.50
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**19,019.00**		
J B S MECHANICAL, INC					
	3/29/2010	201430	55.22		
				REFUND-BUS LIC OVRPMT	55.22
	Vendor Total		**55.22**		
FYTD for J B S MECHANICAL, INC			**55.22**		
J D H CONTRACTING					
	3/1/2010	200872	10,895.00		
				CONTRACT SVCS-LIBRARY DOORS	10,895.00
	Vendor Total		**10,895.00**		
FYTD for J D H CONTRACTING			**63,036.84**		

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J H E ROOFING					
	3/29/2010	201431	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for J H E ROOFING			**25.00**		
J L SIERRA TAX SERVICES					
	3/29/2010	201432	35.10		
				REFUND-BUS LIC OVRPMT	35.10
	Vendor Total		**35.10**		
FYTD for J L SIERRA TAX SERVICES			**35.10**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	3/15/2010	201152	75.00		
				LEGAL COURIER DELIVERY SVCS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,778.00**		
JDEDGE SOFTWARE, LLC					
	3/1/2010	880002	12,925.23		
				CONSULTING SVCS-SFTWR DEV	140.57
				CONSULTING SVCS-SFTWR DEV	12,784.66
	3/4/2010	880003	7,185.00		
				CONSULTING SVCS	4,560.00
				CONSULTING SVCS	2,625.00
	3/17/2010	880211	4,080.00		
				CONSULTING SVCS	4,080.00
	Vendor Total		**24,190.23**		
FYTD for JDEDGE SOFTWARE, LLC			**100,252.68**		
JH DESIGN & ASSOCIATES					
	3/29/2010	880247	0.00		
				NAME PLQ DISPLAY-EDD	821.00
				NAME PLQ DISPLAY-EDD	-821.00
	Vendor Total		**0.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	3/15/2010	880194	3,150.00		
				MAR-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**28,350.00**		

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JOHNSON, DELIA					
	3/8/2010	201047	90.00		
				INSTRUCTOR SVCS-AEROBICS	90.00
	Vendor Total		**90.00**		
FYTD for JOHNSON, DELIA			**360.00**		
JOHNSON, MALCOLM					
	3/15/2010	201153	100.00		
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**100.00**		
FYTD for JOHNSON, MALCOLM			**100.00**		
JONES, SUSAN					
	3/1/2010	200873	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,868.57**		
K & M BARBER SHOP					
	3/29/2010	201434	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for K & M BARBER SHOP			**58.00**		
K D'S DONUTS					
	3/29/2010	201435	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K D'S DONUTS			**25.00**		
K J CARPET WHOLESALE					
	3/29/2010	201436	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K J CARPET WHOLESALE			**25.00**		
K-12 SPECIALTIES, INC.					
	3/22/2010	201252	67.65		
				CARPET CLEANING SUPPLIES	67.65
	Vendor Total		**67.65**		
FYTD for K-12 SPECIALTIES, INC.			**202.96**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KDM MERIDIAN, INC.					
	3/15/2010	880195	3,115.00		
				SUNNYMD BLVD REVIT PROJ SVCS	3,115.00
	Vendor Total		**3,115.00**		
FYTD for KDM MERIDIAN, INC.			**68,235.00**		
KEPLER, JANELLE					
	3/1/2010	200874	44.95		
				MILEAGE REIMBURSEMENT	21.45
				MILEAGE REIMBURSEMENT	23.50
	3/29/2010	201437	39.00		
				MILEAGE REIMBURSEMENT	39.00
	Vendor Total		**83.95**		
FYTD for KEPLER, JANELLE			**196.15**		
KINCAID DEVELOPMENT					
	3/29/2010	201439	39.46		
				REFUND-BUS LIC OVRPMT	39.46
	Vendor Total		**39.46**		
FYTD for KINCAID DEVELOPMENT			**39.46**		
KING, PATRICIA A.					
	3/1/2010	200875	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,231.12**		
KOA CORPORATION					
	3/8/2010	201048	2,251.00		
				RECHE VISTA DR REALIGNMNT PROJ	2,251.00
	Vendor Total		**2,251.00**		
FYTD for KOA CORPORATION			**185,312.65**		
KOLB, CHARLES E.					
	3/1/2010	200876	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,868.57**		
KOLLAR, KYLE					
	3/1/2010	200877	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**956.19**		

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KUNZE, MARIA					
	3/15/2010	201154	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KUNZE, MARIA			**75.00**		
KUPSAK, STEVE					
	3/15/2010	201155	256.00		
				PER DIEM-CPRS CONFERENCE	256.00
	Vendor Total		**256.00**		
FYTD for KUPSAK, STEVE			**1,756.00**		
KYLE, GARY M.					
	3/1/2010	200878	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,231.12**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	3/22/2010	201253	16,058.05		
				LEGAL SVCS-RISK MGT	16,058.05
	Vendor Total		**16,058.05**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**85,558.09**		
LACAVA, DEANNA					
	3/22/2010	201254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LACAVA, DEANNA			**50.00**		
LAFATA, JOSEPHINE					
	3/1/2010	200879	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,842.95**		
LAINEZ, RAFAEL E.					
	3/22/2010	201255	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LAINEZ, RAFAEL E.			**20.00**		

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LAKESHORE VILLAGE CLEANERS					
	3/29/2010	201440	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LAKESHORE VILLAGE CLEANERS			**50.00**		
LANG, TRACEY					
	3/22/2010	201256	152.00		
				INSTRUCTION SVC-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for LANG, TRACEY			**532.00**		
LANGSTON MOTORSPORTS					
	3/1/2010	200880	260.24		
				MOTORCYCLE RPR-PARTS	175.07
				MOTORCYCLE RPR-LABOR	48.00
				MOTORCYCLE RPR-PARTS	37.17
	3/8/2010	201049	729.89		
				MOTORCYCLE RPR-LABOR	16.00
				MOTORCYCLE RPR-PARTS	21.74
				MOTORCYCLE RPR-LABOR	480.00
				MOTORCYCLE RPR-PARTS	52.15
				MOTORCYCLE RPR-LABOR	160.00
	3/15/2010	201156	122.87		
				SHIFT ASSAULT GLOVES	12.99
				HELMET	99.99
				CA SALES TAX	9.89
	Vendor Total		**1,113.00**		
FYTD for LANGSTON MOTORSPORTS			**1,113.00**		
LARA, ENRIQUE					
	3/8/2010	201050	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LARA, ENRIQUE			**20.00**		
LARRY R. HOOPER					
	3/29/2010	201441	125.00		
				APPRAISAL SVC-MTRL DMG	125.00
	Vendor Total		**125.00**		
FYTD for LARRY R. HOOPER			**125.00**		

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LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB				
3/29/2010	201442	7,500.00		
			GEN LIAB SETTLEMENT	7,500.00
Vendor Total		**7,500.00**		
FYTD for LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB		**7,500.00**		
LAWN TECH EQUIPMENT				
3/8/2010	201051	253.02		
			EQUIPMENT RPR-PARTS	197.46
			EQUIPMENT RPR-LABOR	22.50
			EQUIPMENT RPR-PARTS	33.06
3/22/2010	880224	213.74		
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	31.50
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	47.24
Vendor Total		**466.76**		
FYTD for LAWN TECH EQUIPMENT		**2,758.61**		
LAWYERS TITLE INC				
3/10/2010	91407	15,931.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,931.00
3/17/2010	91414	16,501.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,501.00
3/17/2010	91415	15,051.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,051.00
3/17/2010	91416	8,451.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,451.00
3/10/2010	91406	8,901.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,901.00
Vendor Total		**64,835.00**		
FYTD for LAWYERS TITLE INC		**198,412.00**		
LAYNE CHRISTENSEN COMPANY				
3/29/2010	201443	683.89		
			REFUND-BUS LIC OVRPMT	683.89
Vendor Total		**683.89**		
FYTD for LAYNE CHRISTENSEN COMPANY		**683.89**		
LEIGHTON CONSULTING, INC.				
3/8/2010	201053	947.50		
			LASSELLE ST WIDENING PROJ SVCS	947.50
Vendor Total		**947.50**		
FYTD for LEIGHTON CONSULTING, INC.		**62,802.64**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LEKOS ELECTRIC, INC					
	3/29/2010	201444	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LEKOS ELECTRIC, INC			**50.00**		
LEMUS, WENDY					
	3/22/2010	201257	67.00		
				REFUND-GUITAR REGIST	67.00
	Vendor Total		**67.00**		
FYTD for LEMUS, WENDY			**67.00**		
LEWIS, CAROLYN S.					
	3/1/2010	200881	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,839.71**		
LEXISNEXIS					
	3/22/2010	880225	1,480.00		
				LGL ONLINE SVCS-CA	740.00
				LGL ONLINE SVCS-CTY CLRK	370.00
				LGL ONLINE SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**13,715.00**		
LIEBERT, CASSIDY, WHITMORE					
	3/29/2010	201445	245.00		
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
	Vendor Total		**245.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,519.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/29/2010	201446	13,531.65		
				PERRIS BL WIDENING FROM RAM XP	13,531.65
	Vendor Total		**13,531.65**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

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LITTLETON, MICHAEL					
	3/15/2010	201158	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for LITTLETON, MICHAEL			**195.00**		
LIVELY, ANTOINETTE					
	3/8/2010	201055	204.00		
				TRAVEL EXP-CPTED COURSE	195.00
				TRAVEL EXP-CPTED COURSE	9.00
	Vendor Total		**204.00**		
FYTD for LIVELY, ANTOINETTE			**204.00**		
LOGAN, CHARLES					
	3/1/2010	200883	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,089.88**		
LOR GEOTECHNICAL GROUP, INC.					
	3/29/2010	880248	4,885.60		
				SUNNYMD BLVD REVIT PROJ SVCS	1,900.00
				SUNNYMD BLVD REVIT PROJ SVCS	2,985.60
	Vendor Total		**4,885.60**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**60,256.60**		
LUMLEY, ROBERT C.					
	3/1/2010	200884	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,868.57**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
3/29/2010	880249	22,262.00		
			CDBG SVCS-SEC DEPOSITS	162.00
			CDBG SVCS-SEC DEPOSITS	7,000.00
			CDBG SVCS-UT ASSIST	100.00
			CDBG SVCS-UT ASSIST	5,000.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
			CDBG SVCS-SHLTR PRGM	1,250.00
Vendor Total		**22,262.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		**44,314.00**		
M & A TOUCH OF CLASS/ CAR WASH				
3/29/2010	201447	62.10		
			REFUND-BUS LIC OVRPMT	62.10
Vendor Total		**62.10**		
FYTD for M & A TOUCH OF CLASS/ CAR WASH		**62.10**		
M D S CONSULTING				
3/29/2010	201448	88.59		
			REFUND-BUS LIC OVRPMT	88.59
Vendor Total		**88.59**		
FYTD for M D S CONSULTING		**88.59**		
MACKENZIE LANDSCAPE				
3/29/2010	201449	54.41		
			REFUND-BUS LIC OVRPMT	54.41
Vendor Total		**54.41**		
FYTD for MACKENZIE LANDSCAPE		**54.41**		
MARAL, TAVOUKJIAN				
3/15/2010	201159	50.00		
			REFUND-CITATION OVERPAYMENT	50.00
Vendor Total		**50.00**		
FYTD for MARAL, TAVOUKJIAN		**120.00**		

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MARCH JOINT POWERS AUTHORITY					
	3/1/2010	200885	12.31		
				GAS CHARGES	10.06
				GAS CHARGES	2.25
	3/29/2010	201450	9.96		
				GAS CHARGES	8.13
				GAS CHARGES	1.83
	Vendor Total		**22.27**		
FYTD for MARCH JOINT POWERS AUTHORITY			**62.20**		
MARKETEKS	**2410943**				
	3/15/2010	201160	15,735.00		
				INFLATABLE LIGHT TOWERS	15,200.00
				875 WATT BULB (SPARE)	195.00
				CA USE TAX	1,347.06
				SHIPPING	340.00
				CA USE TAX ACCRUAL	-1,347.06
	Vendor Total		**15,735.00**		
FYTD for MARKETEKS	**2410943**		**15,735.00**		
MARTIN, MELINDA					
	3/15/2010	201161	54.50		
				REFUND-CITATION OVERPAYMENT	54.50
	Vendor Total		**54.50**		
FYTD for MARTIN, MELINDA			**54.50**		
MASCO SERVICES OF CALIFORNIA, INC.					
	3/29/2010	201451	45.45		
				REFUND-BUS LIC OVRPMT	45.45
	Vendor Total		**45.45**		
FYTD for MASCO SERVICES OF CALIFORNIA, INC.			**45.45**		
MATHIS, NOLAN					
	3/1/2010	200886	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,604.80**		
MATICH CORPORATION					
	3/22/2010	880226	1,286.17		
				ASPHALTIC MATERIALS	1,286.17
	Vendor Total		**1,286.17**		
FYTD for MATICH CORPORATION			**30,471.00**		

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MAXIM FLOOR SYSTEMS					
	3/29/2010	201452	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for MAXIM FLOOR SYSTEMS			**45.00**		
MAXINOSKI, SUE A.					
	3/1/2010	200887	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,868.57**		
MC GRATH RENTCORP (MOBILE MODULAR)					
	3/29/2010	201453	66.66		
				REFUND-BUS LIC OVRPMT	66.66
	Vendor Total		**66.66**		
FYTD for MC GRATH RENTCORP (MOBILE MODULAR)			**66.66**		
MCALLISTER, GERALD					
	3/1/2010	200888	455.00		
				REIMB-OPC INTEGR./DIAG TRNG	135.00
				PER DIEM-MICROSCADA TRNG	320.00
	3/22/2010	201258	0.00		
				REIMB-ELECTRICAL SFTY SEMINAR	47.80
				REIMB-ELECTRICAL SFTY SEMINAR	-47.80
	Vendor Total		**455.00**		
FYTD for MCALLISTER, GERALD			**507.36**		
MCCARTHY & BERLIN, LLP					
	3/15/2010	880196	2,348.70		
				LEGAL SVCS-ELECTR. UTILITY	2,348.70
	Vendor Total		**2,348.70**		
FYTD for MCCARTHY & BERLIN, LLP			**29,630.99**		
MCCORMICK, JAMES					
	3/8/2010	201057	62.00		
				REFUND-TRAP RNTL/DEP	12.00
				REFUND-TRAP RNTL/DEP	50.00
	Vendor Total		**62.00**		
FYTD for MCCORMICK, JAMES			**62.00**		

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MCDONOUGH, HOLLAND & ALLEN					
	3/22/2010	201259	838.47		
				LEGAL SVCS-RDA	838.47
	Vendor Total		**838.47**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,987.20**		
MCI					
	3/1/2010	200889	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	3/29/2010	201454	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**2,383.04**		
FYTD for MCI			**12,159.14**		
MCI WORLDCOM					
	3/1/2010	200890	1,335.98		
				COMMUNICATION SVCS	1,335.98
	3/22/2010	201260	902.57		
				COMMUNICATION SVCS	902.57
	Vendor Total		**2,238.55**		
FYTD for MCI WORLDCOM			**9,264.12**		
MELAD & ASSOCIATES					
	3/15/2010	201162	3,570.00		
				PLAN CHECK SVCS	3,570.00
	3/22/2010	201261	2,058.13		
				PLAN CHECK SVCS-BLDG/SFTY	2,058.13
	Vendor Total		**5,628.13**		
FYTD for MELAD & ASSOCIATES			**36,228.68**		
MELENDREZ, RICK					
	3/22/2010	201262	1,375.00		
				REFUND-TOURNEY FEE	1,375.00
	Vendor Total		**1,375.00**		
FYTD for MELENDREZ, RICK			**1,375.00**		
MENDONCA, JAMES					
	3/8/2010	201058	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MENDONCA, JAMES			**20.00**		

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MENGISTU, YESHIALEM					
	3/15/2010	201163	111.50		
				MILEAGE REIMBURSEMENT	111.50
	Vendor Total		**111.50**		
FYTD for MENGISTU, YESHIALEM			**877.05**		
MESSIN, LOUIS					
	3/1/2010	200891	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,231.12**		
MEYERS, ROBERT					
	3/8/2010	201059	273.00		
				INSTRUCTOR SVCS-DRAWING	189.00
				INSTRUCTOR SVCS-PHOTO	84.00
	Vendor Total		**273.00**		
FYTD for MEYERS, ROBERT			**2,079.00**		
MILES, ROBERT					
	3/1/2010	200892	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,026.23**		
MINARD, MARK E.					
	3/1/2010	200893	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,678.34**		
MIRACLE RECREATION EQUIPMENT					
	3/22/2010	201263	3,586.43		
				MISC PLAYGROUND EQUIP	3,586.43
	Vendor Total		**3,586.43**		
FYTD for MIRACLE RECREATION EQUIPMENT			**4,768.92**		
MIRANDA, JOANNA					
	3/29/2010	201455	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MIRANDA, JOANNA			**50.00**		

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MISSION LINEN SUPPLY INC					
	3/29/2010	201456	49.85		
				REFUND-BUS LIC OVRPMT	49.85
	Vendor Total		**49.85**		
FYTD for MISSION LINEN SUPPLY INC			**49.85**		
MOELLER, DONNA M.					
	3/29/2010	201457	85.09		
				NBRHD CLN-UP EXP	85.09
	Vendor Total		**85.09**		
FYTD for MOELLER, DONNA M.			**588.79**		
MOLLICA, MIKE					
	3/1/2010	200894	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,809.95**		
MONARCH TRAILS PUBLICATION					
	3/29/2010	201458	60.75		
				REFUND-BUS LIC OVRPMT	60.75
	Vendor Total		**60.75**		
FYTD for MONARCH TRAILS PUBLICATION			**60.75**		
MONTES REALTY					
	3/29/2010	201459	66.75		
				REFUND-BUS LIC OVRPMT	66.75
	Vendor Total		**66.75**		
FYTD for MONTES REALTY			**66.75**		
MONTGOMERY PLUMBING					
	3/29/2010	201460	41.00		
				REFUND-BUS LIC OVRPMT	41.00
	Vendor Total		**41.00**		
FYTD for MONTGOMERY PLUMBING			**41.00**		
MOORE, PATRICIA					
	3/29/2010	201461	300.00		
				REFUND-RNTL DEP	300.00
	Vendor Total		**300.00**		
FYTD for MOORE, PATRICIA			**300.00**		

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MOOSEPOINT TECHNOLOGY, INC.				
3/1/2010	200895	4,620.00		
			ARCIMS UPGRADE	2,640.00
			ARCIMS UPGRADE	1,980.00
	Vendor Total	**4,620.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**19,762.50**		
MORA, PATRICIA A.				
3/1/2010	200896	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**2,868.57**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				
3/22/2010	201264	293.00		
			REFUND-RNTL DEP 2/20/10	293.00
	Vendor Total	**293.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE		**4,418.00**		
MORENO VALLEY CHAMBER OF COMMERCE				
3/8/2010	201060	195.00		
			STUDENTS/MONTH LUNCHEONS	105.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
3/15/2010	201164	750.00		
			REFUND-CRC DEP 1/16/10	750.00
3/22/2010	201265	350.00		
			WAKE-UP MV SPONSORSHIP	350.00
	Vendor Total	**1,295.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**23,025.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
3/12/2010	2598	1,604.00		
			MVCEA DUES 03/12/10	1,604.00
3/26/2010	2606	1,579.00		
			MVCEA DUES 3/26/10	1,579.00
	Vendor Total	**3,183.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**31,695.50**		

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MORENO VALLEY COMMUNITY EDUCATION CENTER				
3/22/2010	201266	1,110.00		
			TUTORING SVCS-CDBG	555.00
			TUTORING SVCS-CDBG	555.00
Vendor Total		**1,110.00**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**5,444.55**		
MORENO VALLEY GATEWAY, LLC				
3/1/2010	200897	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
3/29/2010	880250	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
Vendor Total		**42,186.86**		
FYTD for MORENO VALLEY GATEWAY, LLC		**189,840.87**		
MORENO VALLEY HEATING & AC				
3/29/2010	201462	37.18		
			REFUND-BUS LIC OVRPMT	37.18
Vendor Total		**37.18**		
FYTD for MORENO VALLEY HEATING & AC		**37.18**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT				
3/15/2010	201166	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**404,706.07**		
MORENO VALLEY UTILITY				
3/29/2010	201463	99.70		
			ELECTRICITY-UT FLD OFF	99.70
Vendor Total		**99.70**		
FYTD for MORENO VALLEY UTILITY		**578,712.31**		
MORGAN, LISA A.				
3/1/2010	200898	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.		**2,868.57**		

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MORIARTY, LILAH					
	3/1/2010	200899	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MORIARTY, LILAH			**20.00**		
MOTHERHOOD MATERNITY #1889					
	3/29/2010	201464	82.61		
				REFUND-BUS LIC OVRPMT	82.61
	Vendor Total		**82.61**		
FYTD for MOTHERHOOD MATERNITY #1889			**82.61**		
MURGA, ROSA & ERNESTO					
	3/22/2010	201268	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MURGA, ROSA & ERNESTO			**20.00**		
NAILS CLUB & SPA					
	3/29/2010	201465	37.80		
				REFUND-BUS LIC OVRPMT	37.80
	Vendor Total		**37.80**		
FYTD for NAILS CLUB & SPA			**37.80**		
NARA, LOWELON					
	3/1/2010	200900	96.00		
				MILEAGE REIMBURSEMENT	96.00
	Vendor Total		**96.00**		
FYTD for NARA, LOWELON			**355.05**		
NATIONWIDE RETIREMENT SOLUTIONS					
	3/12/2010	2596	13,450.55		
				PST DEF COMP FOR FICA 03/12/10	13,450.55
	3/12/2010	2597	21,374.04		
				DEF COMP 457 & 401(A) 03/12/10	21,374.04
	3/26/2010	2604	12,282.46		
				PST DEF COMP FOR FICA 3/26/10	12,282.46
	3/26/2010	2605	21,323.04		
				DEF COMP 457 & 401(A) 3/26/10	21,323.04
	Vendor Total		**68,430.09**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**682,008.42**		

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NAVARRETTE, RALPH					
	3/1/2010	200901	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**956.19**		
NBS GOVERNMENT FINANCE GROUP					
	3/15/2010	880197	4,000.00		
				REBATE CALCULATION SVC	2,250.00
				REBATE CALCULATION SVC	1,750.00
	Vendor Total		**4,000.00**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,500.00**		
NELSON, ROBERT					
	3/1/2010	200902	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,131.21**		
NELSON, RUTH L.					
	3/1/2010	200903	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,868.57**		
NELSON, TIM					
	3/22/2010	201270	342.00		
				INSTRUCTION SVC-9 DAYS	342.00
	Vendor Total		**342.00**		
FYTD for NELSON, TIM			**342.00**		
NETWIG, LENA					
	3/29/2010	201466	27.20		
				REFUND-FIELD RNTL FEE	27.20
	Vendor Total		**27.20**		
FYTD for NETWIG, LENA			**27.20**		
NEUSTAEDTER, CRAIG S					
	3/1/2010	200904	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,868.57**		

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NEW HORIZON MOBILE HOME PARK					
	3/15/2010	201167	17.95		
				REFUND-UUT USER TAXES	8.96
				REFUND-UUT USER TAXES	8.99
	Vendor Total		**17.95**		
FYTD for NEW HORIZON MOBILE HOME PARK			**71.85**		
NEW PHOTO MAKERS, INC					
	3/29/2010	201467	98.89		
				REFUND-BUS LIC OVRPMT	98.89
	Vendor Total		**98.89**		
FYTD for NEW PHOTO MAKERS, INC			**98.89**		
NGO, HIEN QUANG					
	3/22/2010	201271	102.00		
				MILEAGE REIMBURSEMENT	102.00
	Vendor Total		**102.00**		
FYTD for NGO, HIEN QUANG			**102.00**		
NIEBURGER, JUDITH A.					
	3/1/2010	200905	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,612.78**		
NOBEL SYSTEMS					
	3/22/2010	880227	13,000.00		
				PROF SVCS-GIS	5,220.00
				PROF SVCS-GIS	7,780.00
	Vendor Total		**13,000.00**		
FYTD for NOBEL SYSTEMS			**41,840.00**		
NORRIS, CARRIE					
	3/22/2010	201272	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for NORRIS, CARRIE			**95.00**		
NPG CORPORATION					
	3/29/2010	201468	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for NPG CORPORATION			**9,405.00**		

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OAKS, MARY ANN					
	3/29/2010	201469	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**150.00**		
OLIVAS, OVIDIO					
	3/8/2010	201061	18.00		
				REFUND-LIC FEES	9.00
				REFUND-LIC FEES	9.00
	Vendor Total		**18.00**		
FYTD for OLIVAS, OVIDIO			**18.00**		
OLIVE CREST TREATMENT CENTER, INC					
	3/29/2010	201470	6,666.64		
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
	Vendor Total		**6,666.64**		
FYTD for OLIVE CREST TREATMENT CENTER, INC			**6,666.64**		
OLIVE CREST TREATMENT CENTER, INC.					
	3/29/2010	201471	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for OLIVE CREST TREATMENT CENTER, INC.			**2,561.00**		
OLTMANS CONSTRUCTION COMPANY					
	3/29/2010	201472	49.55		
				REFUND-BUS LIC OVRPMT	49.55
	Vendor Total		**49.55**		
FYTD for OLTMANS CONSTRUCTION COMPANY			**49.55**		
OPERATION SAFEHOUSE, INC.					
	3/22/2010	201273	3,752.46		
				SHELTER PRGRM-CDBG	666.67
				SHELTER PRGRM-CDBG	608.91
				SHELTER PRGRM-CDBG	629.04
				SHELTER PRGRM-CDBG	607.96
				SHELTER PRGRM-CDBG	850.68
				SHELTER PRGRM-CDBG	389.20
	Vendor Total		**3,752.46**		
FYTD for OPERATION SAFEHOUSE, INC.			**5,161.40**		

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OVERLAND PACIFIC & CUTLER, INC.					
	3/15/2010	201168	5,880.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	5,880.00
	Vendor Total		**5,880.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**132,509.50**		
OWENS, ROSITA					
	3/1/2010	200906	200.00		
				REFUND-RNTL DEP 2/13	200.00
	Vendor Total		**200.00**		
FYTD for OWENS, ROSITA			**200.00**		
PACHECO TIRES					
	3/29/2010	201473	46.00		
				REFUND-BUS LIC OVRPMT	46.00
	Vendor Total		**46.00**		
FYTD for PACHECO TIRES			**46.00**		
PACIFIC EXTERIORS, INC.					
	3/29/2010	201474	39.00		
				REFUND-BUS LIC OVRPMT	39.00
	Vendor Total		**39.00**		
FYTD for PACIFIC EXTERIORS, INC.			**39.00**		
PACIFIC GREEN HORTICULTURAL SVC					
	3/15/2010	201169	817.83		
				LNDSCP MAINT-ZONE E3	235.54
				LNDSCP MAINT-ZONE E4	433.49
				LNDSCP MAINT-ZONE E1	108.51
				LNDSCP MAINT-ZONE E7	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**9,030.46**		
PACIFIC KILN					
	3/29/2010	201475	403.05		
				REFUND-BUS LIC OVRPMT	403.05
	Vendor Total		**403.05**		
FYTD for PACIFIC KILN			**403.05**		

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PACIFIC SAFETY COUNCIL					
	3/8/2010	201062	8.70		
				SAFETY TRAINING-VIDEO	8.70
	3/22/2010	201274	2,151.64		
				SAFETY TRAINING-VIDEO	8.70
				SAFETY TRAINING-VIDEO	9.24
				SAFETY TRAINING-VIDEO	8.70
				SAFETY TRAINING-WRKSHP	2,125.00
	Vendor Total		**2,160.34**		
FYTD for PACIFIC SAFETY COUNCIL			**5,925.08**		
PACIFIC TELEMANAGEMENT SERVICES					
	3/22/2010	201275	501.12		
				PAYPHONE SVCS-PSB	125.28
				PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total		**501.12**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**2,142.28**		
PAINTING BY ZEB BODE					
	3/1/2010	200907	2,400.00		
				PAINTING SVC-CELEB PARK	2,400.00
	Vendor Total		**2,400.00**		
FYTD for PAINTING BY ZEB BODE			**5,950.00**		
PALP, INC. DBA EXCEL PAVING COMPANY					
	3/29/2010	201476	10,616.67		
				SUNNYMD BLVD REVIT PROJ SVCS	10,616.67
	Vendor Total		**10,616.67**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY			**1,880,639.98**		
PARSONS TRANSPORTATION GROUP, INC.					
	3/1/2010	200908	16,045.25		
				SR-60/MOR BCH DR INTRCHNG PROJ	16,045.25
	3/8/2010	201063	22,448.66		
				SR-60/MOR BCH DR INTRCHNG PROJ	22,448.66
	3/15/2010	201170	15,362.25		
				SR-60/NASON ST OVRCRSSNG PROJ	15,362.25
	3/22/2010	201277	14,190.13		
				SR-60/NASON ST OVRCRSSNG PROJ	14,190.13
	Vendor Total		**68,046.29**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**954,943.60**		

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PATH OF LIFE MINISTRIES					
	3/22/2010	201278	15,000.00		
				SHELTER PRGRM-CDBG	15,000.00
	Vendor Total		**15,000.00**		
FYTD for PATH OF LIFE MINISTRIES			**15,000.00**		
PATRIOT HEATING & A/C					
	3/29/2010	201477	78.50		
				REFUND-BUS LIC OVRPMT	78.50
	Vendor Total		**78.50**		
FYTD for PATRIOT HEATING & A/C			**78.50**		
PATTERSON, ALFREY					
	3/1/2010	200909	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,917.38**		
PAYLESS SHOE SOURCE					
	3/29/2010	201478	176.84		
				REFUND-BUS LIC OVRPMT	91.79
				REFUND-BUS LIC OVRPMT	85.05
	Vendor Total		**176.84**		
FYTD for PAYLESS SHOE SOURCE			**176.84**		
PAYNE, DEVIN					
	3/15/2010	201171	10.00		
				LICENSE FEE REFUND	10.00
	Vendor Total		**10.00**		
FYTD for PAYNE, DEVIN			**10.00**		
PBS & J					
	3/15/2010	880198	2,242.96		
				CITYWIDE BRIDGE MAINT PRGM	1,934.80
				CITYWIDE BRIDGE MAINT PRGM	308.16
	Vendor Total		**2,242.96**		
FYTD for PBS & J			**32,307.82**		
PEDLEY SQUARE VETERINARY CLINIC					
	3/29/2010	201551	7,591.00		
				EMERG AND VETERINARY SVCS	7,591.00
	Vendor Total		**7,591.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**66,083.75**		

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PENHALL COMPANY					
	3/29/2010	201479	20.06		
				REFUND-BUS LIC OVRPMT	20.06
	Vendor Total		**20.06**		
FYTD for PENHALL COMPANY			**20.06**		
PENTON MEDIA, INC.					
	3/29/2010	201480	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**5,400.00**		
PERRY, NORMA					
	3/1/2010	200911	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,868.57**		
PERS LONG TERM CARE PROGRAM					
	3/1/2010	200912	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/15/2010	201172	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/29/2010	201481	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**1,301.61**		
FYTD for PERS LONG TERM CARE PROGRAM			**10,419.79**		
PERVO PAINT CO.					
	3/1/2010	200913	2,203.38		
				LANE MARKINGS & PAINT SUPPLIES	2,203.38
	Vendor Total		**2,203.38**		
FYTD for PERVO PAINT CO.			**39,296.33**		

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PETTY CASH - FINANCE					
	3/22/2010	201279	1,552.35		
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	34.87
				PETTY CASH FUND REPLENISHMENT	45.95
				PETTY CASH FUND REPLENISHMENT	41.58
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	27.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	48.90
				PETTY CASH FUND REPLENISHMENT	15.45
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	9.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	53.50
				PETTY CASH FUND REPLENISHMENT	44.55
				PETTY CASH FUND REPLENISHMENT	14.52
				PETTY CASH FUND REPLENISHMENT	22.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	87.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.25
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	17.04
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.71
				PETTY CASH FUND REPLENISHMENT	36.65
				PETTY CASH FUND REPLENISHMENT	19.96
				PETTY CASH FUND REPLENISHMENT	17.00
				PETTY CASH FUND REPLENISHMENT	28.50
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	32.81
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	85.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	15.09
				PETTY CASH FUND REPLENISHMENT	4.30
				PETTY CASH FUND REPLENISHMENT	64.50
				PETTY CASH FUND REPLENISHMENT	40.00
				PETTY CASH FUND REPLENISHMENT	12.00
				PETTY CASH FUND REPLENISHMENT	78.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	30.25
				PETTY CASH FUND REPLENISHMENT	55.00

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			PETTY CASH FUND REPLENISHMENT	96.50
			PETTY CASH FUND REPLENISHMENT	53.35
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	12.50
			PETTY CASH FUND REPLENISHMENT	33.98
			PETTY CASH FUND REPLENISHMENT	12.98
			PETTY CASH FUND REPLENISHMENT	13.42
Vendor Total		**1,552.35**		
FYTD for PETTY CASH - FINANCE		**6,977.75**		
PHO HA VIETNAMES RESTAURANT				
3/29/2010	201483	51.45		
			REFUND-BUS LIC OVRPMT	51.45
Vendor Total		**51.45**		
FYTD for PHO HA VIETNAMES RESTAURANT		**51.45**		
PILGRIM, JULIEANN & DAVID				
3/22/2010	201280	41.00		
			REFUND-ANML LIC FEE	41.00
Vendor Total		**41.00**		
FYTD for PILGRIM, JULIEANN & DAVID		**41.00**		
PITNEY BOWES				
3/22/2010	201281	257.74		
			POSTAGE MTR RNTL-BASE	192.00
			POSTAGE MTR RNTL-SVC	45.00
			POSTAGE MTR RNTL-TAX	20.74
Vendor Total		**257.74**		
FYTD for PITNEY BOWES		**1,030.96**		
PIZANA, MARIA ELIZABETH				
3/15/2010	201173	25.00		
			REFUND-CITATION OVERPAYMENT	25.00
Vendor Total		**25.00**		
FYTD for PIZANA, MARIA ELIZABETH		**25.00**		
PLAZA HAND CAR WASH				
3/15/2010	201174	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for PLAZA HAND CAR WASH		**1,022.00**		

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POIEMA LANDSCAPE, INC					
	3/29/2010	201484	27.11		
				REFUND-BUS LIC OVRPMT	27.11
	Vendor Total		**27.11**		
FYTD for POIEMA LANDSCAPE, INC			**27.11**		
POIEMA LANDSCAPE, INC.					
	3/1/2010	200914	3,176.93		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,045.93
	3/29/2010	880252	3,464.85		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,333.85
	Vendor Total		**6,641.78**		
FYTD for POIEMA LANDSCAPE, INC.			**27,094.28**		
POLLARD, ROCHELLE					
	3/22/2010	201282	49.00		
				MILEAGE REIMBURSEMENT	49.00
	Vendor Total		**49.00**		
FYTD for POLLARD, ROCHELLE			**49.00**		
POSTMASTER					
	3/8/2010	201064	8,000.00		
				SUMMER REC GUIDE RNWL DEP	4,000.00
				SUMMER REC GUIDE RNWL DEP	4,000.00
	3/29/2010	201485	6,667.28		
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.45
				BULK MAIL POSTAGE	1,333.45
	Vendor Total		**14,667.28**		
FYTD for POSTMASTER			**14,852.28**		
POUK & STEINLE, INC.					
	3/29/2010	201486	20,600.91		
				RETENTION RLS-LASSELLE/BAY TS	13,259.50
				RETENTION RLS-LASSELLE/BAY TS	278.50
				RETENTION RLS-LASSELLE/BAY TS	7,062.91
	Vendor Total		**20,600.91**		
FYTD for POUK & STEINLE, INC.			**334,912.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
POWERTECH ENGINES, INC.					
	3/29/2010	201487	1,234.78		
				STREET SWEEPER REPAIR	286.00
				STREET SWEEPER REPAIR	948.78
	Vendor Total		**1,234.78**		
FYTD for POWERTECH ENGINES, INC.			**1,234.78**		
PRAXAIR DISTRIBUTION, INC.					
	3/29/2010	201488	23.95		
				REFUND-BUS LIC OVRPMT	23.95
	Vendor Total		**23.95**		
FYTD for PRAXAIR DISTRIBUTION, INC.			**23.95**		
PRICE, GEORGE E.					
	3/1/2010	200915	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,868.57**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	3/8/2010	201065	6,222.00		
				KITCHING ST IMPRVMNTS PROJ	6,222.00
	3/22/2010	880228	16,995.50		
				CACTUS AVE WIDENING PROJ-STG1	4,031.00
				CACTUS AVE WIDENING PROJ-STG2	12,964.50
	Vendor Total		**23,217.50**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**424,647.66**		
PROTECTION ONE, INC.					
	3/15/2010	201176	40.00		
				SEC MONITORING SVC-GOLF SHOP	20.00
				SEC MONITORING SVC-MVTV STUDIO	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**360.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PSOMAS					
	3/8/2010	201066	9,751.58		
				TRAF SIG AT SR60/REDLANDS BLVD	3,701.58
				LASSELLE ST WIDENING PROJ SVCS	2,030.00
				2009 ANNL PAVEMNT RESURF PROJ	4,020.00
	3/22/2010	201283	840.00		
				LASSELLE ST WIDENING PROJ	840.00
	3/29/2010	201489	6,795.00		
				PATRIOT PARK PROJ SVCS	2,505.00
				PATRIOT PARK PROJ SVCS	4,290.00
	Vendor Total		**17,386.58**		
FYTD for PSOMAS			**170,697.76**		
PULLIAM, TRENT D.					
	3/1/2010	200916	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,868.57**		
PW ENHANCEMENT CENTER					
	3/22/2010	880229	1,239.21		
				EMERG SVC PRGRM-CDBG	1,239.21
	Vendor Total		**1,239.21**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
QUALITY ASSURANCE INSPECTIONS					
	3/29/2010	201490	20.23		
				REFUND-BUS LIC OVRPMT	20.23
	Vendor Total		**20.23**		
FYTD for QUALITY ASSURANCE INSPECTIONS			**20.23**		
QUALITY CODE PUBLISHING, LLC					
	3/22/2010	880230	1,316.93		
				PRINTING SVCS-CTY CLRK	1,316.93
	Vendor Total		**1,316.93**		
FYTD for QUALITY CODE PUBLISHING, LLC			**4,707.52**		
R & S OVERHEAD DOORS, INC.					
	3/1/2010	200917	520.00		
				REPAIR SVC-SR CTR GATE	520.00
	Vendor Total		**520.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**24,380.00**		

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R N AUTO ELECTRIC					
	3/29/2010	201491	39.13		
				REFUND-BUS LIC OVRPMT	39.13
	Vendor Total		**39.13**		
FYTD for R N AUTO ELECTRIC			**39.13**		
RALLY MANAGEMENT SERVICES, LLC					
	3/8/2010	201067	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/14	719.28
				TEMP SVCS-HENDERSON W/E 2/21	719.28
	Vendor Total		**1,438.56**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**7,133.66**		
RAMONA SUBWAY, INC					
	3/29/2010	201492	99.13		
				REFUND-BUS LIC OVRPMT	99.13
	Vendor Total		**99.13**		
FYTD for RAMONA SUBWAY, INC			**99.13**		
RAY, DANETRA E.					
	3/15/2010	201177	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for RAY, DANETRA E.			**30.00**		
REDBOX AUTOMATED RETAIL, LLC					
	3/29/2010	201493	106.66		
				REFUND-BUS LIC OVRPMT	106.66
	Vendor Total		**106.66**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**365.66**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	3/15/2010	880200	12,420.00		
				RED LIGHT PHOTO ENFRCMNT SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,780.00**		
REINBOLZ, JOHN					
	3/15/2010	201178	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for REINBOLZ, JOHN			**195.00**		

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REISH LUFTMAN REICHER & COHEN				
3/22/2010	201284	765.00		
			LEGAL SVCS-HR	765.00
3/29/2010	201494	1,275.00		
			LEGAL SVCS-HR	1,275.00
	Vendor Total	**2,040.00**		
FYTD for REISH LUFTMAN REICHER & COHEN		**39,710.50**		
REVENUE EXPERTS, INC.				
3/22/2010	201285	5,278.08		
			CITATION PRCSSNG-ANML SVCS	857.50
			CITATION PRCSSNG-ANML SVCS	1,855.50
			CITATION PRCSSNG-ANML SVCS	2,565.08
	Vendor Total	**5,278.08**		
FYTD for REVENUE EXPERTS, INC.		**33,052.45**		
RGW DESIGN GROUP, INC.				
3/15/2010	880201	2,659.00		
			DESIGN SVCS-PARKS & RECR.	2,659.00
	Vendor Total	**2,659.00**		
FYTD for RGW DESIGN GROUP, INC.		**2,659.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS				
3/8/2010	201068	4,621.41		
			SHADOW MTN PARK LIGHTING PROJ	4,621.41
3/29/2010	201495	1,210.19		
			SHADOW MTN PARK LIGHTING PROJ	1,210.19
	Vendor Total	**5,831.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**6,447.98**		
RICK ENGINEERING COMPANY				
3/8/2010	201069	1,400.00		
			ALESSANDRO/INDIAN SIDEWLK PROJ	132.00
			ALESSANDRO/INDIAN SIDEWLK PROJ	107.06
			ALESSANDRO/INDIAN SIDEWLK PROJ	1,160.94
3/15/2010	201179	787.00		
			COTTONWD/PATTILYNN DR TRAF SIG	787.00
3/29/2010	201496	195.00		
			TRAF SIG-COTTONWD/PATTILYNN DR	195.00
	Vendor Total	**2,382.00**		
FYTD for RICK ENGINEERING COMPANY		**2,882.00**		

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RICKERSON, KRISTAL				
3/22/2010	201286	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for RICKERSON, KRISTAL		**20.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN				
3/1/2010	200919	15,332.01		
			NPDES COST SHARING	15,332.01
Vendor Total		**15,332.01**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**45,501.71**		
RIVERSIDE AREA RAPE CRISIS CENTER				
3/29/2010	201497	950.72		
			CDBG SVCS-ABUSE PRVNTN	514.17
			CDBG SVCS-ABUSE PRVNTN	436.55
Vendor Total		**950.72**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**6,598.64**		
RIVERSIDE COMMUNITY COLLEGE DISTRICT				
3/8/2010	201070	875.00		
			STAFF TRAINING-1/21/10	875.00
Vendor Total		**875.00**		
FYTD for RIVERSIDE COMMUNITY COLLEGE DISTRICT		**52,784.41**		
RIVERSIDE COUNTY ASSESSOR				
3/8/2010	201071	42.00		
			PARCEL MAP COPY SVC	10.50
			PARCEL MAP COPY SVC	10.50
			PARCEL MAP COPY SVC	10.50
			PARCEL MAP COPY SVC	10.50
Vendor Total		**42.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**195.00**		
RIVERSIDE COUNTY CLERK				
3/8/2010	201072	17.25		
			ENVIRNMTL FEE-CACTUS AVE PROJ.	8.62
			ENVIRNMTL FEE-CACTUS AVE PROJ.	8.63
3/15/2010	201180	2,074.25		
			ENVIRNMTL FEE-REDLANDS BL/SR60	2,074.25
Vendor Total		**2,091.50**		
FYTD for RIVERSIDE COUNTY CLERK		**16,635.75**		

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RIVERSIDE COUNTY CLERK/RECORDER				
3/1/2010	200920	74.00		
			RECORDATION SVCS	74.00
Vendor Total		**74.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**2,128.30**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				
3/29/2010	201498	100.00		
			RABIES TEST-ANML SVCS	50.00
			RABIES TEST-ANML SVCS	50.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**1,450.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
3/1/2010	200921	1,789.70		
			RADIO SVCS-PD	1,789.70
3/22/2010	201287	274.41		
			RADIO SVCS-TECH SVCS	187.15
			RADIO SVCS-TECH SVCS	9.85
			RADIO SVCS-TECH SVCS	34.01
			VPN CONNECTION SVCS	43.40
3/29/2010	201499	231.01		
			RADIO SVCS-TELECOMM	187.15
			RADIO SVCS-TELECOMM	9.85
			RADIO SVCS-TELECOMM	34.01
Vendor Total		**2,295.12**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**18,972.13**		
RIVERSIDE COUNTY SHERIFF				
3/8/2010	201073	12,610.72		
			BOOKING FEES-PD	12,610.72
Vendor Total		**12,610.72**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,857,823.53**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
3/15/2010	201181	273.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
3/22/2010	201288	0.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	-91.00
Vendor Total		**273.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**9,035.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF COURT SERVICES					
	3/1/2010	200922	480.11		
				GARNISHMENT	76.77
				GARNISHMENT	403.34
	3/15/2010	201182	524.94		
				GARNISHMENT	122.14
				GARNISHMENT	402.80
	3/29/2010	201500	445.96		
				GARNISHMENT	148.83
				GARNISHMENT	297.13
	Vendor Total		**1,451.01**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**8,107.82**		
RIVERSIDE COUNTY SHERIFF MV					
	3/8/2010	201074	318.30		
				EXTRA DUTY-DUI CK POINT	318.30
	Vendor Total		**318.30**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**9,688.97**		
RLZ ENGINEERING					
	3/15/2010	880202	3,534.00		
				TEMP STAFFING SVCS-CAP PROJS	3,534.00
	Vendor Total		**3,534.00**		
FYTD for RLZ ENGINEERING			**124,229.25**		
ROBINSON, DEBBIE					
	3/1/2010	200923	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROBINSON, DEBBIE			**20.00**		
ROGERS, EUGENE					
	3/1/2010	200924	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,231.12**		
ROLLING RIDGE CLEANERS					
	3/29/2010	201501	40.53		
				REFUND-BUS LIC OVRPMT	40.53
	Vendor Total		**40.53**		
FYTD for ROLLING RIDGE CLEANERS			**40.53**		

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ROSS A GUY & SONS, INC					
	3/29/2010	201502	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for ROSS A GUY & SONS, INC			**57.00**		
ROSS, DAVID T.					
	3/1/2010	200925	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,868.57**		
ROSSON, LOUIS A.					
	3/1/2010	200926	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,469.71**		
RUSSO, JOHN					
	3/1/2010	200927	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,868.57**		
RYMAX ELECTRIC, INC.					
	3/15/2010	201183	2,677.00		
				INSTALL. OF PALM TREE LIGHTS	2,052.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
	3/22/2010	201289	914.12		
				LIGHT REPAIRS-E1	280.00
				LIGHT REPAIRS-E3	329.60
				LIGHT REPAIRS-E7	304.52
	Vendor Total		**3,591.12**		
FYTD for RYMAX ELECTRIC, INC.			**14,422.80**		
S & R BEAUTY SALON					
	3/29/2010	201503	24.00		
				REFUND-BUS LIC OVRPMT	24.00
	Vendor Total		**24.00**		
FYTD for S & R BEAUTY SALON			**24.00**		

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SA ASSOCIATES					
	3/1/2010	200928	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	3/22/2010	880231	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	Vendor Total		**20,250.00**		
FYTD for SA ASSOCIATES			**98,512.50**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	3/1/2010	200929	758.00		
				RECERTIFY CONTROL ROOMS	598.82
				RECERTIFY CONTROL ROOMS	159.18
	Vendor Total		**758.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**7,360.21**		
SAN BERNARDINO COUNTY SUPERINTENDENT*					
	3/15/2010	201184	140.00		
				2/3/10 ASES PRGM WORKSHP FOR 7	140.00
	Vendor Total		**140.00**		
FYTD for SAN BERNARDINO COUNTY SUPERINTENDENT*			**240.00**		
SANDERS, JANICE					
	3/22/2010	201290	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SANDERS, JANICE			**57.00**		
SANO ATTORNEY SERVICE					
	3/1/2010	200930	700.00		
				ASSET SEARCH FEE	350.00
				ASSET SEARCH FEE	350.00
	Vendor Total		**700.00**		
FYTD for SANO ATTORNEY SERVICE			**700.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	3/1/2010	200931	66.00		
				YTH BASKETBALL-REGIST	66.00
	3/1/2010	200932	396.00		
				YTH BASKETBALL-PMBF	396.00
	Vendor Total		**462.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**534.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SCOTT PLUMBING, INC					
	3/29/2010	201504	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for SCOTT PLUMBING, INC			**50.00**		
SCREENVISION DIRECT					
	3/1/2010	200933	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	3/29/2010	201505	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	Vendor Total		**2,656.00**		
FYTD for SCREENVISION DIRECT			**6,212.00**		
SECTRAN SECURITY, INC					
	3/1/2010	200934	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-UTILITY	154.50
	3/29/2010	201506	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-SPCL DIST	154.50
	Vendor Total		**927.00**		
FYTD for SECTRAN SECURITY, INC			**4,171.50**		
SEIU					
	3/15/2010	201185	180.50		
				REFUND-CRC DEP 1/30/10	180.50
	Vendor Total		**180.50**		
FYTD for SEIU			**180.50**		
SELLERS, WAYNE					
	3/22/2010	201291	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SELLERS, WAYNE			**50.00**		
SHAH, JAGDISH					
	3/15/2010	880203	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**164,760.00**		

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SHANNON, SAM					
	3/22/2010	201292	50.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**50.00**		
FYTD for SHANNON, SAM			**50.00**		
SHARRETT, SHARON K.					
	3/1/2010	200935	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,655.04**		
SHELDON, STUART H.					
	3/1/2010	200936	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,868.57**		
SHELL OIL CO.					
	3/8/2010	201076	56.93		
				FUEL PURCHASES	10.00
				FUEL PURCHASES	46.93
	3/29/2010	201507	1,353.66		
				FUEL PURCHASE-PW EQUIP	15.77
				FUEL PURCHASE-PD	41.53
				FUEL PURCHASES-PD MTRCYCLES	1,296.36
	Vendor Total		**1,410.59**		
FYTD for SHELL OIL CO.			**15,151.60**		
SHERIFF'S SPECIAL EVENTS					
	3/8/2010	201077	20.00		
				ANNUAL CEREMONY	20.00
	Vendor Total		**20.00**		
FYTD for SHERIFF'S SPECIAL EVENTS			**20.00**		
SHURTLEFF, JEANNETTE L.					
	3/29/2010	201508	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**2,470.00**		

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SIMON, SHERMAN					
	3/29/2010	201509	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for SIMON, SHERMAN			**225.00**		
SINGER & COFFIN, APC					
	3/8/2010	201078	440.00		
				LEGAL SVCS-SR60/NASON ST PROJ	330.00
				LEGAL SVCS-SR60/MOR BEACH PROJ	110.00
	3/15/2010	880204	2,712.50		
				LEGAL SVCS-SR60/NASON ST PROJ	1,792.50
				LEGAL SVCS-SR60/NASON ST PROJ	920.00
	3/22/2010	880232	12,705.00		
				LEGAL SVCS-SR60/NASON ST PROJ	4,537.80
				LEGAL SVCS-SR60/NASON ST PROJ	5,927.20
				LEGAL SVCS-SR60/NASON ST PROJ	2,240.00
	Vendor Total		**15,857.50**		
FYTD for SINGER & COFFIN, APC			**65,162.15**		
SINGLETON-DECUIR, JANISHEIA					
	3/22/2010	201293	85.50		
				MILEAGE REIMBURSEMENT	85.50
	Vendor Total		**85.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**386.85**		
SKONBERG, HEATHER ALLISON					
	3/1/2010	200938	2,500.00		
				CONSULTING SVCS-PERMITS PLUS	2,500.00
	3/29/2010	201510	1,000.00		
				CONSULTING SVCS	1,000.00
	Vendor Total		**3,500.00**		
FYTD for SKONBERG, HEATHER ALLISON			**5,300.00**		
SKY PUBLISHING					
	3/29/2010	201511	1,665.00		
				ADVERTISING SVCS-CRC	1,665.00
	Vendor Total		**1,665.00**		
FYTD for SKY PUBLISHING			**39,671.00**		
SKY TRAILS MOBILE VILLAGE					
	3/15/2010	201187	49.01		
				REFUND-UUT USER TAXES	24.53
				REFUND-UUT USER TAXES	24.48
	Vendor Total		**49.01**		
FYTD for SKY TRAILS MOBILE VILLAGE			**202.41**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SLAGERMAN, SUSAN A.					
	3/1/2010	200939	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,431.03**		
SLP COMMUNICATIONS					
	3/25/2010	201332	40.00		
				WOMEN OF DISTINC. LUNCHEON	40.00
	Vendor Total		**40.00**		
FYTD for SLP COMMUNICATIONS			**40.00**		
SMITH, MARIA A.					
	3/1/2010	200940	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,230.51**		
SMITH, PAUL					
	3/22/2010	201294	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SMITH, PAUL			**20.00**		
SMUS, PAULA					
	3/22/2010	201295	39.60		
				MILEAGE REIMBURSEMENT	39.60
	Vendor Total		**39.60**		
FYTD for SMUS, PAULA			**104.72**		
SNYDER, JIM					
	3/15/2010	201188	70.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**70.00**		
FYTD for SNYDER, JIM			**70.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SO. CALIF SCHOOL OF MUSIC					
	3/8/2010	201079	1,323.00		
				INSTRUCTOR SVCS-GUITAR	135.00
				INSTRUCTOR SVCS-GUITAR	297.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	135.00
	Vendor Total		**1,323.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**8,790.00**		
SOCO GROUP, INC					
	3/22/2010	201296	8,816.83		
				FUEL PURCHASE	4,895.90
				FUEL PURCHASE	3,920.93
	Vendor Total		**8,816.83**		
FYTD for SOCO GROUP, INC			**116,019.60**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	3/1/2010	200941	77.40		
				INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total		**77.40**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**412.80**		
SOLANO, ALEX					
	3/1/2010	200942	706.00		
				AUDIO VISUAL SVCS	706.00
	Vendor Total		**706.00**		
FYTD for SOLANO, ALEX			**706.00**		
SOLANO, NORMAN					
	3/1/2010	200943	10.00		
				REFUND-ANML LIC FEE	10.00
	Vendor Total		**10.00**		
FYTD for SOLANO, NORMAN			**10.00**		
SOLTIS AND COMPANY, INC.					
	3/29/2010	201512	31.12		
				REFUND-BUS LIC OVRPMT	31.12
	Vendor Total		**31.12**		
FYTD for SOLTIS AND COMPANY, INC.			**31.12**		

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SOSA, JORGE					
	3/22/2010	201297	336.00		
				INSTRUCTOR SVC-NINPO	120.00
				INSTRUCTOR SVC-KARATEDO	144.00
				INSTRUCTOR SVC-KARATEDO	72.00
	Vendor Total		**336.00**		
FYTD for SOSA, JORGE			**3,252.00**		
SOTO, TONY					
	3/22/2010	201298	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SOTO, TONY			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	3/1/2010	200945	18,231.28		
				ELECTRICITY	180.63
				ELECTRICITY	5,038.44
				ELECTRICITY	2,596.26
				ELECTRICITY	18.79
				ELECTRICITY	505.05
				ELECTRICITY	1,585.28
				ELECTRICITY	161.95
				ELECTRICITY	3,648.85
				ELECTRICITY	405.78
				ELECTRICITY	232.73
				ELECTRICITY	1,633.93
				ELECTRICITY	199.59
				ELECTRICITY	407.03
				ELECTRICITY	533.81
				ELECTRICITY	154.78
				ELECTRICITY	161.60
				ELECTRICITY	23.56
				ELECTRICITY	19.55
				ELECTRICITY	19.55
				ELECTRICITY	43.13
				ELECTRICITY	167.68
				ELECTRICITY	214.17
				ELECTRICITY	194.51
				ELECTRICITY	61.34
				ELECTRICITY	23.29
	3/1/2010	200946	10,447.31		
				WDAT CHRGS-SUBSTATION	10,447.31
	3/8/2010	201080	6,250.68		
				ELECTRICITY	65.42
				ELECTRICITY	146.28
				ELECTRICITY	1,009.81
				ELECTRICITY	1,749.81
				ELECTRICITY	118.90
				ELECTRICITY	330.80
				ELECTRICITY	746.47
				ELECTRICITY	139.83
				ELECTRICITY	351.19
				ELECTRICITY	21.62
				ELECTRICITY	1,155.87
				ELECTRICITY	161.28
				ELECTRICITY	143.65
				ELECTRICITY	65.01
				ELECTRICITY	44.74
	3/15/2010	201189	4,130.56		
				ELECTRICITY	41.09
				ELECTRICITY	41.32
				ELECTRICITY	912.35
				ELECTRICITY	744.70
				ELECTRICITY	825.04
				ELECTRICITY	454.58
				ELECTRICITY	490.21

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	494.58
			ELECTRICITY	62.41
			ELECTRICITY	64.28
3/15/2010	201190	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
3/22/2010	201299	1,099.13		
			ELECTRICITY-IFA CHARGES	1,099.13
3/29/2010	201514	353.60		
			ELECTRIC CHARGES	353.60
3/29/2010	201515	20,819.84		
			ELECTRICITY	175.70
			ELECTRICITY	5,487.42
			ELECTRICITY	2,492.70
			ELECTRICITY	18.79
			ELECTRICITY	481.21
			ELECTRICITY	1,820.07
			ELECTRICITY	849.28
			ELECTRICITY	162.76
			ELECTRICITY	4,837.11
			ELECTRICITY	411.01
			ELECTRICITY	354.68
			ELECTRICITY	1,828.20
			ELECTRICITY	234.51
			ELECTRICITY	422.23
			ELECTRICITY	513.57
			ELECTRICITY	132.50
			ELECTRICITY	149.54
			ELECTRICITY	278.53
			ELECTRICITY	25.40
			ELECTRICITY	48.01
			ELECTRICITY	28.77
			ELECTRICITY	43.21
			ELECTRICITY	24.64
	Vendor Total	**75,479.13**		

FYTD for SOUTHERN CALIFORNIA EDISON **6,274,167.02**

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SOUTHERN CALIFORNIA GAS CO.					
	3/22/2010	201301	10,815.57		
				GAS CHARGES	85.29
				GAS CHARGES	1,255.66
				GAS CHARGES	3,517.98
				GAS CHARGES	56.47
				GAS CHARGES	189.75
				GAS CHARGES	1,278.14
				GAS CHARGES	364.11
				GAS CHARGES	92.29
				GAS CHARGES	1,766.97
				GAS CHARGES	403.19
				GAS CHARGES	270.20
				GAS CHARGES	302.56
				GAS CHARGES	203.17
				GAS CHARGES	483.64
				GAS CHARGES	546.15
	Vendor Total		**10,815.57**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**254,659.11**		
SOUTHERN PET SUPPLIES					
	3/8/2010	201081	604.25		
				PET SUPPLIES-RESALE	587.30
				PET SUPPLIES-RESALE	16.95
	Vendor Total		**604.25**		
FYTD for SOUTHERN PET SUPPLIES			**1,516.95**		
SPARKLETTS					
	3/22/2010	201302	13.50		
				WATER SVC-EMRG OP	4.50
				WATER SVC-EMRG OP	4.50
				WATER SVC-SNNYMD ELEM	4.50
	Vendor Total		**13.50**		
FYTD for SPARKLETTS			**366.17**		
SPECK, GARY B.					
	3/1/2010	200947	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**2,868.57**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPECTRUM CARE					
	3/1/2010	200948	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	3/22/2010	880233	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**98,666.64**		
SPECTRUM FLORAL SERVICE					
	3/29/2010	201516	97.98		
				REFUND-BUS LIC OVRPMT	97.98
	Vendor Total		**97.98**		
FYTD for SPECTRUM FLORAL SERVICE			**97.98**		
SPENCER, MARTHA					
	3/1/2010	200949	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,026.23**		
SPORTS INNOVATORS					
	3/15/2010	201191	2,045.00		
				SPORTS OFFICIATING SVCS	2,045.00
	Vendor Total		**2,045.00**		
FYTD for SPORTS INNOVATORS			**22,420.00**		
SPRINT/NEXTEL					
	3/8/2010	201082	143.34		
				ACCT #417544340 -GTF	143.34
	Vendor Total		**143.34**		
FYTD for SPRINT/NEXTEL			**662.32**		
STANDARD INSURANCE CO					
	3/1/2010	200950	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
3/1/2010	200951	2,046.02		
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	276.00
			MONITORING SVCS-CITY YARD	627.00
			MONITORING SVCS-TRNSP TRLR	105.00
			MONITORING SVCS-SENIOR CTR	333.03
			MONITORING SVCS-SPCL DIST	105.00
			MONITORING SVCS-ANML SHLTR	22.52
			MONITORING SVCS-ANML SHLTR	227.47
3/8/2010	201083	166.85		
			MONITORING SVCS-PARKS	166.85
3/15/2010	880205	851.78		
			SECURITY SYSTEM MAINT-PSB	175.00
			SECURITY SYSTEM MAINT-PSB	676.78
3/22/2010	880234	175.00		
			MONITORING SVCS-LIBRARY	175.00
3/29/2010	880253	366.85		
			MONITORING SVCS-PARKS	200.00
			MONITORING SVCS-PARKS	166.85
Vendor Total		**3,606.50**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**24,070.62**		
STATE BOARD OF EQUALIZATION				
3/22/2010	22810	4,054.00		
			SALES & USE TAX 02/01-02/28/10	4,054.00
Vendor Total		**4,054.00**		
FYTD for STATE BOARD OF EQUALIZATION		**31,524.29**		
STATE DISBURSEMENT UNIT				
3/4/2010	2587	1,543.37		
			CHILD SUPPORT W/H 03/04/10	1,543.37
3/18/2010	2595	1,527.23		
			CHILD SUPPORT W/H 03/18/10	1,527.23
Vendor Total		**3,070.60**		
FYTD for STATE DISBURSEMENT UNIT		**35,467.94**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE OF CALIFORNIA DEPT. OF JUSTICE				
3/1/2010	200952	3,262.00		
			FINGERPRINTING SVCS	64.00
			FINGERPRINTING SVCS	3,198.00
3/8/2010	201084	3,472.00		
			FINGERPRINTING SVCS	160.00
			BLOOD ALCHL ANLYS-PD	1,680.00
			BLOOD ALCHL ANLYS-PD	875.00
			BLOOD ALCHL ANLYS-PD	105.00
			FINGERPRINTING SVCS	556.00
			FINGERPRINTING SVCS	96.00
3/22/2010	201303	2,035.00		
			FINGERPRINTINS SVCS	51.00
			FINGERPRINTINS SVCS	32.00
			FINGERPRINTING SVCS-BL	256.00
			FINGERPRINTING SVCS-EMRG OP	32.00
			FINGERPRINTING SVCS-STARS	1,664.00
	Vendor Total	**8,769.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**45,973.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
3/15/2010	201193	195.83		
			MV UTILITY REFUND	189.56
			MV UTILITY REFUND	6.27
	Vendor Total	**195.83**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,078.74**		
STEFFANI, RICHARD				
3/1/2010	200953	477.00		
			REFUND-ADLT SOFTBALL FEE	477.00
	Vendor Total	**477.00**		
FYTD for STEFFANI, RICHARD		**477.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
3/22/2010	201304	2,163.52		
			TRANSCRIPTION SVCS-PD	2,163.52
	Vendor Total	**2,163.52**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**29,480.00**		
STERICYCLE (BFI)				
3/8/2010	201085	442.16		
			MED WASTE HAULING SVC	442.16
3/29/2010	880254	442.26		
			MED WASTE HAULING SVCS	442.26
	Vendor Total	**884.42**		
FYTD for STERICYCLE (BFI)		**3,980.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STEVE'S VALLEY NURSERY					
	3/15/2010	201194	117.45		
				SEEDTOPPER FOR PLANTS	117.45
	Vendor Total		**117.45**		
FYTD for STEVE'S VALLEY NURSERY			**117.45**		
STEWART, CLIFFORD					
	3/1/2010	200954	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,745.72**		
STRADLING, YOCCA, CARLSON & RAUTH					
	3/8/2010	201086	867.16		
				LEGAL SERVICES-RDA	400.00
				LEGAL SERVICES-CDBGR	467.16
	3/22/2010	201305	6,758.00		
				LEGAL SVCS-NSP	2,676.83
				LEGAL SVCS-EDD	75.00
				LEGAL SVCS-EDD	2,075.06
				LEGAL SVCS-EDD	150.00
				LEGAL SVCS-EDD	275.00
				LEGAL SVCS-EDD	475.00
				LEGAL SVCS-RISK MGT	53.00
				LEGAL SVCS-EDD	292.94
				LEGAL SVCS-EDD	685.17
	3/29/2010	201517	251.23		
				LEGAL SVCS-EDD	251.23
	Vendor Total		**7,876.39**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,329.78**		
STREICH, TERRY L.					
	3/1/2010	200955	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**549.98**		
STRICKLER ASSOCIATION, THE					
	3/15/2010	201195	4,485.00		
				HOUSING PRGM CONSULTING SVCS	4,485.00
	Vendor Total		**4,485.00**		
FYTD for STRICKLER ASSOCIATION, THE			**30,875.00**		

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STRICKLER II, JOHN W.					
	3/1/2010	200956	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,231.12**		
STROM, BONNIE					
	3/8/2010	201087	1,156.80		
				RETIREE MEDICAL BENEFIT	1,156.80
	Vendor Total		**1,156.80**		
FYTD for STROM, BONNIE			**1,156.80**		
STROM, QUENTIN K.					
	3/1/2010	200957	0.00		
				RETIREE MEDICAL BENEFIT	1,156.80
				RETIREE MEDICAL BENEFIT	-1,156.80
	Vendor Total		**0.00**		
FYTD for STROM, QUENTIN K.			**0.00**		
STRUCTURAL TERMITE PEST CONTROL, INC					
	3/29/2010	201518	24.82		
				REFUND-BUS LIC OVRPMT	24.82
	Vendor Total		**24.82**		
FYTD for STRUCTURAL TERMITE PEST CONTROL, INC			**24.82**		
STUCKEY, HARRIETTE					
	3/1/2010	200958	84.00		
				INSTRUCTOR SVCS-LINE DANCING	84.00
	3/22/2010	201306	117.60		
				INSTRUCTOR SVC-LINE DANCING	117.60
	Vendor Total		**201.60**		
FYTD for STUCKEY, HARRIETTE			**894.60**		
SUBWAY SANDWICH & SALAD					
	3/29/2010	201519	98.86		
				REFUND-BUS LIC OVRPMT	98.86
	Vendor Total		**98.86**		
FYTD for SUBWAY SANDWICH & SALAD			**98.86**		

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SUNNYMEAD ACE HARDWARE					
	3/1/2010	200959	9.32		
				MISC SUPPLIES-FIRE	9.32
	3/15/2010	201196	167.48		
				MISC SUPPLIES-PD	13.02
				MISC SUPPLIES-PD	10.82
				MISC SUPPLIES-PD	26.51
				MISC SUPPLIES-PD	117.13
	3/29/2010	201520	10.65		
				MISC SUPPLIES-FIRE	10.65
	Vendor Total		**187.45**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,061.84**		
SUNNYMEAD VETERINARY CLINIC					
	3/29/2010	201521	495.00		
				EMERG VET SVCS-ANML SHLTR	495.00
	Vendor Total		**495.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**4,076.00**		
T V PLUS +					
	3/29/2010	201522	37.56		
				REFUND-BUS LIC OVRPMT	37.56
	Vendor Total		**37.56**		
FYTD for T V PLUS +			**37.56**		
T.Y. LIN INTERNATIONAL					
	3/8/2010	201088	19,548.08		
				GRAHAM ST OVRCRSSNG/SR-60 PROJ	19,548.08
	Vendor Total		**19,548.08**		
FYTD for T.Y. LIN INTERNATIONAL			**60,530.79**		
TAITT, PATRICIA					
	3/22/2010	201307	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for TAITT, PATRICIA			**97.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THERMAL-COOL INC.					
	3/1/2010	200961	3,342.64		
				HVAC REPAIRS-FIRE ADMIN AT PSB	1,110.64
				HVAC CONTROLS CONVERTED TO CCN	2,232.00
	3/22/2010	201308	1,810.75		
				HVAC REPAIRS-CITY HALL	279.75
				HVAC REPAIRS-CITY HALL	105.00
				HVAC REPAIRS-PUB SFTY BLDG	1,426.00
	Vendor Total		**5,153.39**		
FYTD for THERMAL-COOL INC.			**18,548.36**		
THRIFTY OIL CO. ECONOMY 348					
	3/29/2010	201524	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for THRIFTY OIL CO. ECONOMY 348			**71.85**		
T-LAND					
	3/29/2010	201523	21.41		
				REFUND-BUS LIC OVRPMT	21.41
	Vendor Total		**21.41**		
FYTD for T-LAND			**21.41**		
TOVEY/SHULTZ CONSTRUCTION, INC.					
	3/29/2010	201525	63.00		
				REFUND-BUS LIC OVRPMT	63.00
	Vendor Total		**63.00**		
FYTD for TOVEY/SHULTZ CONSTRUCTION, INC.			**63.00**		
TRICHE, TARA					
	3/22/2010	201310	1,842.60		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	843.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	133.20
				INSTRUCTOR SVCS-HIP HOP DANCE	333.00
				INSTRUCTOR SVCS-HIP HOP DANCE	44.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,842.60**		
FYTD for TRICHE, TARA			**17,360.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRI-CITY LINEN SUPPLY, INC.					
	3/1/2010	200962	25.50		
				LINEN RENTAL	25.50
	3/8/2010	201089	143.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL	36.00
				LINEN RENTAL	57.00
	3/15/2010	201197	25.00		
				LINEN RENTAL-CRC	25.00
	3/22/2010	201309	25.00		
				LINEN RENTAL-CRC	25.00
	3/29/2010	201526	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**243.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,593.20**		
TRI-STATE HOME IMPROVEMENTS, INC					
	3/29/2010	201527	520.00		
				REFUND-BUS LIC OVRPMT	520.00
	Vendor Total		**520.00**		
FYTD for TRI-STATE HOME IMPROVEMENTS, INC			**520.00**		
TROPICAL PLAZA NURSERY, INC.					
	3/15/2010	201198	18,512.56		
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
				IRRIG REPAIRS-ZONE E-2	595.11
	3/29/2010	201528	900.00		
				LNDSCP WORK-HIDDEN SPRINGS	900.00
	Vendor Total		**19,412.56**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**164,338.07**		
TRUGREEN LANDCARE					
	3/8/2010	201090	4,500.00		
				TRIM 100 PALM TREES-SUNNYMD BL	4,500.00
	3/29/2010	201529	3,160.00		
				REMOVAL OF PALM TREE & STUMPS	550.00
				TREES TRIMMED-VISTA LOMAS PARK	590.00
				TREES TRIMMED-SUNNYMD FIRE STN	1,500.00
				TREES TRIMMED-SUNNYMD FIRE STN	520.00
	Vendor Total		**7,660.00**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		

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TRUJILLO, PETER / JUDY					
	3/15/2010	201199	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TRUJILLO, PETER / JUDY			**20.00**		
TUNTLAND, JAMES					
	3/1/2010	200964	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,745.72**		
TYLER, MATTIE					
	3/29/2010	201530	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for TYLER, MATTIE			**30.00**		
U S SECURITY ASSOCIATE					
	3/29/2010	201531	34.57		
				REFUND-BUS LIC OVRPMT	34.57
	Vendor Total		**34.57**		
FYTD for U S SECURITY ASSOCIATE			**34.57**		
U.S. HEALTHWORKS MEDICAL GROUP					
	3/1/2010	200965	37.00		
				EMPLOYEE DOT/DMV EXAM	37.00
	Vendor Total		**37.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,920.00**		
UNDERGROUND SERVICE ALERT					
	3/22/2010	201312	466.50		
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
	Vendor Total		**466.50**		
FYTD for UNDERGROUND SERVICE ALERT			**6,144.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNION BANK OF CALIFORNIA				
3/1/2010	200966	976.34		
			INVESTMENT SAFEKEEPING SVCS	291.67
			INVESTMENT SAFEKEEPING SVCS	393.00
			INVESTMENT SAFEKEEPING SVCS	291.67
3/2/2010	91404	3,438.22		
			RETENTION PMT-PROJ 04-89280221	3,438.22
3/22/2010	201313	170.00		
			MONTHLY LOC TRANSFER FEES	170.00
3/22/2010	201314	510.00		
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
3/23/2010	1003171	6,802.24		
			RETENTION PMT-SUNNYMD BLVD PRJ	6,802.24
Vendor Total		**11,896.80**		
FYTD for UNION BANK OF CALIFORNIA		**287,073.49**		
UNITED POWER GENERATION, INC.				
3/1/2010	200968	1,352.63		
			EMERG GENERATOR RPRS-FS#65	738.50
			EMERG GENERATOR RPRS-FS#2	273.83
			EMERG GENERATOR MAINT-FS #91	261.70
			EMERG GENERATOR MAINT-FS #91	78.60
3/22/2010	201315	4,489.00		
			FIRE ST #91 GENERATOR REPAIRS	4,489.00
Vendor Total		**5,841.63**		
FYTD for UNITED POWER GENERATION, INC.		**17,745.66**		
UNITED SITE SERVICES OF CA, INC.				
3/15/2010	880206	184.72		
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
Vendor Total		**184.72**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**9,010.13**		
UNITED STATES TREASURY				
3/1/2010	200969	50.00		
			PAYROLL DED AGREEMENT	50.00
3/15/2010	201200	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
3/29/2010	201532	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**150.00**		
FYTD for UNITED STATES TREASURY		**5,470.00**		

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UNITED WAY OF INLAND VALLEYS				
3/1/2010	200970	637.18		
			UNITED WAY CONTRIBUTIONS	10.00
			UNITED WAY CONTRIBUTIONS	-10.00
			UNITED WAY CONTRIBUTIONS	10.00
			UNITED WAY CONTRIBUTIONS	627.18
3/15/2010	201201	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
3/29/2010	201533	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
	Vendor Total	**1,891.54**		
FYTD for UNITED WAY OF INLAND VALLEYS		**16,909.54**		
USA MOBILITY/ARCH WIRELESS				
3/15/2010	880207	79.52		
			PAGER SVC-PARK RANGERS	2.03
			PAGER SVC-TRANSP DIV	5.08
			PAGER SVC-CITZ PATROL VOLNTRS.	33.53
			PAGER SVC-ANIMAL SVCS	38.88
	Vendor Total	**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**729.68**		
VACATE PEST ELIMINATION COMPANY				
3/15/2010	880208	1,205.00		
			PEST CNTRL-MV UTILITY FLD OFFC	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE C.C.	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRLR	45.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG #1	55.00
			PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
			PEST CNTRL-ASES/STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
	Vendor Total	**1,205.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**13,480.00**		

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VAL VERDE UNIFIED SCHOOL DISTRICT				
3/8/2010	201091	25.00		
			STUDENT/MONTH LUNCHEON	25.00
3/22/2010	201316	483.00		
			REFUND-RNTL DEP	483.00
	Vendor Total	**508.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**10,785.53**		
VALI COOPER & ASSOCIATES, INC.				
3/22/2010	880236	8,820.00		
			TEMP STAFFING SVCS-CAP PROJS	8,820.00
	Vendor Total	**8,820.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**129,397.50**		
VALLEY CITIES GONZALES FENCE CO				
3/29/2010	201534	25.00		
			REFUND-BUS LIC OVRPMT	25.00
	Vendor Total	**25.00**		
FYTD for VALLEY CITIES GONZALES FENCE CO		**25.00**		
VAS ASSOCIATES, INC.				
3/15/2010	880209	16,560.00		
			TEMP STAFFING SVCS-CAP PROJS	16,560.00
	Vendor Total	**16,560.00**		
FYTD for VAS ASSOCIATES, INC.		**164,205.00**		
VASQUEZ, BRENDA				
3/8/2010	201092	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for VASQUEZ, BRENDA		**20.00**		
VAUGHAN, ELENE				
3/15/2010	201202	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for VAUGHAN, ELENE		**75.00**		
VCI TELCOM, INC				
3/29/2010	201535	3,081.03		
			RETENTION RLS-CAMPUS COMM PROJ	2,997.40
			RETENTION RLS-CAMPUS COMM PROJ	83.63
	Vendor Total	**3,081.03**		
FYTD for VCI TELCOM, INC		**30,810.25**		

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VERITEXT LOS ANGELES REPORTING CO.					
	3/22/2010	201318	1,537.45		
				LEGAL SVCS	920.15
				LEGAL SVCS	237.50
				LEGAL SVCS	379.80
	Vendor Total		**1,537.45**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**3,978.15**		
VERIZON					
	3/22/2010	201319	1,700.96		
				COMMUNICATION CHRGS-BACKBONE	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**15,131.89**		

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VERIZON CALIFORNIA					
	3/1/2010	200971	616.53		
				TELEPHONE CHRGS	616.53
	3/15/2010	201204	9,910.91		
				TELEPHONE CHRGS	263.88
				TELEPHONE CHRGS	198.97
				TELEPHONE CHRGS	398.10
				TELEPHONE CHRGS	477.80
				TELEPHONE CHRGS	241.13
				TELEPHONE CHRGS	169.44
				TELEPHONE CHRGS	255.07
				TELEPHONE CHRGS	206.93
				TELEPHONE CHRGS	78.90
				TELEPHONE CHRGS	255.74
				TELEPHONE CHRGS	178.98
				TELEPHONE CHRGS	429.63
				TELEPHONE CHRGS	151.23
				TELEPHONE CHRGS	492.78
				TELEPHONE CHRGS	310.09
				TELEPHONE CHRGS	173.29
				TELEPHONE CHRGS	64.20
				TELEPHONE CHRGS	387.95
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	126.83
				TELEPHONE CHRGS	202.00
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	23.44
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	146.00
				TELEPHONE CHRGS	98.43
				TELEPHONE CHRGS	58.07
				TELEPHONE CHRGS	56.78
				TELEPHONE CHRGS	175.55
				TELEPHONE CHRGS	73.26
				TELEPHONE CHRGS	22.84
				TELEPHONE CHRGS	165.80
				TELEPHONE CHRGS	328.43
				TELEPHONE CHRGS	3,508.76
	3/29/2010	201536	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,145.69**		
FYTD for VERIZON CALIFORNIA			**89,056.33**		

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VICTOR MEDICAL CO					
	3/1/2010	200972	1,273.25		
				ANIMAL MEDICAL SUPPLIES	1,273.25
	3/29/2010	201537	1,405.05		
				ANIMAL MEDICAL SUPPLIES	1,405.05
	Vendor Total		**2,678.30**		
FYTD for VICTOR MEDICAL CO			**12,577.05**		
VIGIL, ERNEST					
	3/1/2010	200973	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,868.57**		
VILLALOBOS, LUIS & MARIA					
	3/29/2010	201538	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for VILLALOBOS, LUIS & MARIA			**50.00**		
VISION SERVICE PLAN					
	3/8/2010	201093	4,267.32		
				EMPLOYEE VISION INSURANCE	4,267.32
	Vendor Total		**4,267.32**		
FYTD for VISION SERVICE PLAN			**39,879.96**		
VISTA PAINT CORPORATION					
	3/1/2010	200974	263.53		
				PAINT FOR PARKS	102.51
				PAINT FOR PARKS GRAFFITI	58.51
				PAINT FOR PARKS GRAFFITI	102.51
	3/22/2010	201320	725.20		
				PAINT FOR PARKS	205.02
				PAINT/SUPPL FOR GRAFFITI RMVL	469.84
				PAINT/SUPPL FOR GRAFFITI RMVL	50.34
	Vendor Total		**988.73**		
FYTD for VISTA PAINT CORPORATION			**10,939.99**		
VOGT, CHRIS					
	3/15/2010	201205	224.00		
				PER DIEM-LCC PW OFFICERS TRNG	224.00
	Vendor Total		**224.00**		
FYTD for VOGT, CHRIS			**494.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
3/22/2010	201321	616.79		
			RENTAL ASSIST SVCS-ADMIN FEES	466.79
			RENTAL ARREARS SVCS-ADMIN FEES	150.00
	Vendor Total	**616.79**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**65,282.23**		
VULCAN MATERIALS CO, INC.				
3/15/2010	201206	1,418.39		
			ASPHALTIC MATERIAL PICK UP	159.41
			ASPHALTIC MATERIAL PICK UP	127.24
			ASPHALTIC MATERIAL PICK UP	190.94
			ASPHALTIC MATERIAL PICK UP	95.70
			ASPHALTIC MATERIAL PICK UP	845.10
	Vendor Total	**1,418.39**		
FYTD for VULCAN MATERIALS CO, INC.		**94,325.57**		
W.R.G. INSPECTIONS				
3/29/2010	201539	4,940.00		
			SUNNYMD BLVD REVIT PROJ SVCS	4,940.00
	Vendor Total	**4,940.00**		
FYTD for W.R.G. INSPECTIONS		**4,940.00**		
WAGGONER JR., GLENN C.				
3/1/2010	200975	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for WAGGONER JR., GLENN C.		**2,868.57**		
WAGNER, GARY D.				
3/1/2010	200976	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for WAGNER, GARY D.		**2,859.15**		
WAGONER, ROBERT				
3/1/2010	200977	348.20		
			RETIREE MEDICAL BENEFIT	348.20
	Vendor Total	**348.20**		
FYTD for WAGONER, ROBERT		**1,724.80**		
WASSON, KIRK				
3/22/2010	880237	418.00		
			INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total	**418.00**		
FYTD for WASSON, KIRK		**1,558.00**		

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WASTE MANAGEMENT OF THE INLAND EMPIRE				
3/22/2010	201322	1,244.51		
			STORAGE BIN RENTALS	1,244.51
Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		**12,095.20**		
WAYNE PERRY CONSTRUCTION				
3/29/2010	201540	40.90		
			REFUND-BUS LIC OVRPMT	40.90
Vendor Total		**40.90**		
FYTD for WAYNE PERRY CONSTRUCTION		**40.90**		
WELLS FARGO CORPORATE TRUST				
3/2/2010	91401	951.63		
			INTEREST VARIABLE RATE BOND	951.63
Vendor Total		**951.63**		
FYTD for WELLS FARGO CORPORATE TRUST		**5,626,661.22**		
WEST COAST ARBORISTS, INC.				
3/15/2010	201208	765.00		
			TRIMMING OF PALM TREES	765.00
Vendor Total		**765.00**		
FYTD for WEST COAST ARBORISTS, INC.		**765.00**		
WEST GOVERNMENT SERVICES				
3/1/2010	200978	500.00		
			"CLEAR" AUTO TRACK SVCS FOR PD	500.00
3/15/2010	201209	500.00		
			"CLEAR" AUTO TRACK SVCS FOR PD	500.00
Vendor Total		**1,000.00**		
FYTD for WEST GOVERNMENT SERVICES		**4,000.00**		
WEST GROUP				
3/22/2010	880238	628.95		
			ONLINE CHRGS-LEGAL INFO	184.12
			LEGAL PUBLICATIONS SUBSRCPTNS	444.83
Vendor Total		**628.95**		
FYTD for WEST GROUP		**6,892.49**		
WESTERN ELEVATOR, INC				
3/29/2010	201541	29.09		
			REFUND-BUS LIC OVRPMT	29.09
Vendor Total		**29.09**		
FYTD for WESTERN ELEVATOR, INC		**29.09**		

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WESTERN FIRE CO., INC					
	3/29/2010	201542	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for WESTERN FIRE CO., INC			**33.50**		
WESTERN INSULATIONS, LP					
	3/29/2010	201543	23.26		
				REFUND-BUS LIC OVRPMT	23.26
	Vendor Total		**23.26**		
FYTD for WESTERN INSULATIONS, LP			**23.26**		
WESTERN MUNICIPAL WATER DISTRICT					
	3/22/2010	201323	55.30		
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**55.30**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**20,652.23**		
WHEELER PAVING, INC.					
	3/1/2010	200979	20,928.87		
				LASSELLE ST WIDENING PROJ SVCS	2,407.72
				LASSELLE ST WIDENING PROJ SVCS	18,521.15
	Vendor Total		**20,928.87**		
FYTD for WHEELER PAVING, INC.			**1,537,747.52**		
WHIPPLE, LEWIS & LINDA					
	3/22/2010	201324	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for WHIPPLE, LEWIS & LINDA			**95.00**		
WIELIN, RONALD A.					
	3/1/2010	200980	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**2,868.57**		
WILLDAN AND ASSOCIATES					
	3/8/2010	201094	1,282.50		
				EASTRIDGE EIR REVIEW SVCS	1,282.50
	3/22/2010	201325	5,713.31		
				PLAN CHECK SVCS	5,713.31
	Vendor Total		**6,995.81**		
FYTD for WILLDAN AND ASSOCIATES			**223,655.55**		

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WILLDAN FINANCIAL SERVICES					
	3/1/2010	200981	1,250.00		
				ANNUAL DISCLOSURE SVCS	1,250.00
	3/15/2010	201210	2,500.00		
				ANNUAL DISCLOSURE SVCS-07 TABS	2,500.00
	3/29/2010	201544	30.77		
				REFUND-BUS LIC OVRPMT	30.77
	Vendor Total		**3,780.77**		
FYTD for WILLDAN FINANCIAL SERVICES			**8,125.77**		
WILLHITE INSURANCE AGENCY, INC					
	3/29/2010	201545	42.84		
				REFUND-BUS LIC OVRPMT	42.84
	Vendor Total		**42.84**		
FYTD for WILLHITE INSURANCE AGENCY, INC			**42.84**		
WILLIAMS, COURTNEY					
	3/22/2010	201326	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**456.00**		
WILLIAMS, ERICA & ARIAZ, ANDREW					
	3/1/2010	200982	26.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	6.00
	Vendor Total		**26.00**		
FYTD for WILLIAMS, ERICA & ARIAZ, ANDREW			**26.00**		
WILLIAMS, JANE L.					
	3/1/2010	200983	244.76		
				RETIREE MEDICAL BENEFIT	244.76
	Vendor Total		**244.76**		
FYTD for WILLIAMS, JANE L.			**1,099.24**		
WILLOUGHBY, LORIA					
	3/1/2010	200984	27.00		
				MILEAGE REIMBURSEMENT	27.00
	3/29/2010	201546	63.00		
				MILEAGE REIMBURSEMENT	63.00
	Vendor Total		**90.00**		
FYTD for WILLOUGHBY, LORIA			**370.50**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WINCHESTER ASSOCIATES, INC					
	3/29/2010	201547	45.27		
				REFUND-BUS LIC OVRPMT	45.27
	Vendor Total		**45.27**		
FYTD for WINCHESTER ASSOCIATES, INC			**45.27**		
WINE WAREHOUSE					
	3/29/2010	201548	23.43		
				REFUND-BUS LIC OVRPMT	23.43
	Vendor Total		**23.43**		
FYTD for WINE WAREHOUSE			**23.43**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/22/2010	201327	14,960.00		
				TEMP STAFFING SVCS-CAP PROJS	14,960.00
	3/29/2010	201549	2,831.36		
				IRONWOOD AVE-PERRIS TO NASON	2,831.36
	Vendor Total		**17,791.36**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
WOODWARD, BRYAN					
	3/1/2010	200986	360.00		
				INSTRUCTOR SVCS-DOG TRNG CLASS	360.00
	Vendor Total		**360.00**		
FYTD for WOODWARD, BRYAN			**660.00**		
WRCRCA					
	3/22/2010	201328	13,566.00		
				RESIDENTIAL FEES CLLCTD	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**199,222.00**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.					
	3/1/2010	200987	3,976.88		
				CLEAN CARPET/UPHOLSTERY-FS#2	379.40
				CLEAN CARPET/UPHOLSTERY-FS#6	687.89
				CLEAN CARPET/UPHOLSTERY-FS#48	336.88
				CLEAN CARPET/UPHOLSTERY-FS#58	195.50
				CLEAN CARPET/UPHOLSTERY-FS#65	336.88
				CLEAN CARPET/UPHOLSTERY-FS#91	435.33
				JANITORIAL SVCS-ANIMAL SHELTER	200.00
				JANITORIAL SVCS-CONF & REC CTR	805.00
				JANITORIAL SVCS-TOWNGATE C.C.	600.00
	3/15/2010	880210	130.00		
				SPCL CLEANING SVCS-SR CTR	130.00
	3/17/2010	880212	1,153.44		
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-EMP RES CTR	348.96
	3/22/2010	880239	22,485.05		
				JANITORIAL SVCS-TOWNGATE C.C.	360.00
				JANITORIAL SVCS-CONF & REC CTR	1,120.00
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FAC ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	3/29/2010	880256	1,345.70		
				JANITORIAL SVCS-SENIOR CTR	390.00
				JANITORIAL SVCS-MARCH FLD PARK	955.70
	Vendor Total		**29,091.07**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**231,974.08**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	3/1/2010	200988	2,718.74		
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	993.56
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	929.60
	3/15/2010	201211	953.73		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	3/22/2010	201329	1,486.48		
				COPIER RNTL/MAINT/EXC PRNTS-PD	23.15
				COPIER RNTL/MAINT/EXC PRNTS-PD	117.20
				COPIER RNTL/MAINT-STARS	107.00
				COPIER EXC PRINTS CHRG-STARS	1,028.83
				COPIER RNTL/MAINT/EXC PRNTS-PD	210.30
	3/29/2010	201550	2,171.40		
				COPIER RNTL/MAINT/PRNTS-PARKS	681.66
				COPIER RNTL/MAINT/PRNTS-PARKS	307.65
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,182.09
	Vendor Total		**7,330.35**		
FYTD for XEROX			**53,191.04**		
YAMASHITA, JULIA J.					
	3/1/2010	200989	289.60		
				RETIREE MEDICAL BENEFIT	289.60
	Vendor Total		**289.60**		
FYTD for YAMASHITA, JULIA J.			**1,503.70**		
YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME					
	3/22/2010	201330	525.00		
				ADVERTISING SVCS	262.50
				ADVERTISING SVCS	262.50
	Vendor Total		**525.00**		
FYTD for YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME			**1,035.00**		
ZEISER KLING CONSULTANTS, INC.					
	3/8/2010	201095	11,076.25		
				TRAF SIG AT SR60/REDLANDS BLVD	2,637.25
				TRAF SIG AT SR60/REDLANDS BLVD	5,504.75
				TRAF SIG AT SR60/REDLANDS BLVD	2,934.25
	Vendor Total		**11,076.25**		
FYTD for ZEISER KLING CONSULTANTS, INC.			**11,076.25**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	3/1/2010	200990	2,865.80		
				SIGNS/HARDWARE FOR TRANSP DIV.	445.02
				SIGNS FOR TRANSP DIV.	2,163.04
				SIGNS/HARDWARE-BICYCLE LN PROJ	257.74
	Vendor Total		**2,865.80**		
FYTD for ZUMAR INDUSTRIES, INC.			**30,127.42**		
	Subtotal		**1,727,292.20**		
	GRAND TOTAL		**67,977,881.05**		

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Approval of Amendment No.1 to Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Authorize the Mayor to execute Amendment No. 1 to Agreement;

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement; and

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

A TMDL is the amount of a specific pollutant that can be assimilated by a particular water body without causing impairment to its designated uses, i.e., swimming, fishing, municipal water supply, etc. If a water body cannot assimilate the specific pollutant the

water body is determined "impaired" under the federal Clean Water Act. States are required to identify their impaired water bodies, determine the specific pollutant(s) causing impairment and prepare a TMDL. In the 1990's, the Santa Ana Regional Water Quality Control Board (Board) complied with the Clean Water Act and identified Lake Elsinore and Canyon Lake as water bodies impaired by two nutrients, nitrogen and phosphorous as well as other pollutants.

In 2000, the Board identified the federal, State and local agencies as well as the special districts and private parties, collectively "Stakeholders" that directly or indirectly discharge nutrients to Canyon Lake and Lake Elsinore. Moreno Valley was named a Stakeholder. At that time, the Board organized a TMDL Stakeholder Workgroup in which the city was an active participant. Subsequently, the Board prepared a nutrient TMDL report and implementation plan.

On December 20, 2004, the Board adopted Resolution No. R8-2004-0037 incorporating the nutrient TMDL into the Santa Ana River Basin (Basin Plan). On May 19, 2005, the TMDL was approved by the State Water Resources Control Board per Resolution No. 2005-0038 and by the California Office of Administrative Law on July 26, 2005. On September 30, 2005, the United States Environmental Protection Agency (USEPA) Region IX approved the nutrient TMDL. The nutrient TMDL became law based upon the California Water Code and is now enforceable by the State and USEPA.

On January 30, 2006, the Board sent letters to the Stakeholders setting forth a requirement under the California Water Code Section 13267 for each to submit technical reports, plans and schedules for the implementation of the TMDL. On February 16, 2006, the Riverside County Flood Control and Water Conservation District (FCD) staff briefed the City Managers of the affected cities regarding the proposed task force and to review each city's cost share if they joined the task force. On February 21, 2006, staff updated City Council on the TMDL progress. Staff presented the concept of participating in TMDL Task Force as a way for Moreno Valley to comply with the State and federal TMDL mandate.

On July 11, 2006, the City Council agreed the city should participate in the TMDL Task Force and authorized the Mayor to execute the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. The agreement is set to terminate on June 30, 2010, unless extended by mutual agreement of the Task Force Agencies.

DISCUSSION

Amendment No. 1 to Agreement (Attachment No. 1) has been transmitted to the Task Force Agencies for consideration of continued participation in the Task Force for one additional year ending June 30, 2011. This allows the Task Force sufficient time to complete a pollutant modeling analysis for Stakeholder pollutant allocations. Additionally, two new cities, Wildomar and Menifee, incorporated after execution of the Agreement and have requested to be agencies of the Task Force.

Continuing participation in the Task Force provides the city access to additional professional and fiscal resources for the specific purpose to address common TMDL tasks identified in Recital "D" of the executed Agreement (Attachment No. 2). The TMDL Task Force includes two federal agencies, one Joint Powers Authority, two State agencies, the County of Riverside, eleven cities, three special districts, and one agricultural coalition representing farming interests and dairy interests. The Lake Elsinore San Jacinto Watershed Authority is the Task Force Administrator.

The benefits of continued participation in the TMDL Task Force include;

- Having oversight of the Administrator and other water quality professionals hired to manage the various contracts necessary for common TMDL tasks that benefit Moreno Valley;
- Performance goals to ensure the Stakeholders remain in compliance by producing various reports, schedules, and plans by the mandated deadlines that are common to all;
- A greater voice to advocate the city's position to water quality issues affecting the watershed, and;
- Sharing costs for common tasks is sound fiscal management.

ALTERNATIVES

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff recommends this alternative. Alternative One provides Moreno Valley the opportunity to continue to benefit from a pool of resources to address common TMDL tasks thus reduce overall costs and take credit for in-kind services provided by the FCD.

2. Do not approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff does not recommend this alternative. The city must perform the tasks outlined in the TMDL as addressed in the 13267 letter and as now identified in the 2010 NPDES Permit of which the city is a co-permittee. Undertaking the tasks as an individual stakeholder will substantially increase the city's cost of TMDL compliance.

FISCAL IMPACT

Moreno Valley utilizes the General Fund to cover TMDL costs. County Service Area (CSA) 152 could be expanded to address TMDLs. A city-wide mail ballot proceeding would be necessary should City Council wish to increase the CSA 152 levy to address TMDLs. The NPDES Regulatory Rates for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development do not address TMDLs. The Regulatory Rate Schedules could be reviewed and amended to address TMDL costs associated with new development.

Alternative One

Moreno Valley's share as a member of the TMDL Task Force is approximately $65,000 for FY 2010/2011. As a member, Moreno Valley will continue to benefit from shared costs as well as in-kind services provided by the FCD for watershed-wide water sampling mandated as part of the 2010 National Pollutant Discharge Elimination System (NPDES) Permit.

Additionally, grant monies are available for water quality projects. The TMDL Task Force Administrator has available staff to seek grants. The Administrator will apply for grants as they become available which could further reduce the Stakeholders' compliance costs.

Alternative Two

As an individual stakeholder performing the required tasks separately from the TMDL Task Force, Moreno Valley's costs are estimated to be $605,000 FY 2010/2011 per the recent budget approved by the Task Force. Moreno Valley would be required to perform the same mandated tasks as the TMDL Task Force but as a separate stakeholder. The $605,000 does not include the costs for additional city Storm Water Management Program staff or consultants to perform the mandated tasks. Additional fund transfers would be necessary for FY 2010/2011 by approving this alternative.

Following Fiscal Years

At this time, it is not known what Moreno Valley's costs will be in subsequent fiscal years. Compliance with the TMDLs must be achieved by December 31, 2020. It is anticipated Moreno Valley will have TMDL expenditures each fiscal year through 2020. As one or more Stakeholders implement Best Management Practices to achieve compliance with the TMDL, program costs may shift to the other Stakeholders thus increasing their costs. Additionally, the City Managers acting as the NPDES Management Steering Committee for the affected cities may determine other cost sharing models to more equitably split the shared costs between the cities and the county other than the current method of using a population based cost sharing model.

CITY COUNCIL GOALS

Advocacy. Approval of the attached Amendment to Agreement will assist Moreno Valley to develop cooperative intergovernmental relationships with other Task Force Agencies. Being a Task Force Agency will assist staff to advocate City policies, objectives, and goals related to water quality to appropriate governments and agencies.

Revenue Diversification and Preservation. Approval of the attached agreement will assist in leveraging scarce city funds to provide mandated TMDL reports, plans and schedules enforceable under state and Federal laws.

SUMMARY

The Nutrient TMDL for Lake Elsinore and Canyon Lake is in effect. The city received a 13267 letter from the Board stating that it must address the TMDL tasks as approved by the State Water Resources Control Board and USEPA. The TMDL Task Force for Lake Elsinore and Canyon Lake was formed by interested Stakeholders as a vehicle to address the State and federal mandate. Continued participation in the task force allows Moreno Valley to leverage resources necessary to remain in compliance with the TMDL.

There are neither State nor federal funds earmarked for Moreno Valley to perform the mandated tasks. The General Fund provides the funding for Moreno Valley's budgeted costs. Performing the TMDL mandated tasks as an individual stakeholder will substantially increase the city's costs and ignoring the mandates will result in city non-compliance subjecting the city, staff and/or officials to civil and possible criminal actions by the State and/or federal governments.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1—Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 161-184)
Attachment No. 2—Copy of Executed Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 185-222)

Prepared By
Kent Wegelin
Storm Water Program Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark A. Sambito
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

AMENDMENT NO. 1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Amendment No. 1 is made this ___ day of _____, 20___, by and among the Task Force Agencies that constitute the Lake Elsinore and Canyon Lake TMDL Task Force.

RECITALS

WHEREAS, the Lake Elsinore and Canyon Lake TMDL Task Force was created pursuant to that certain agreement entitled *"Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force"* dated March 5, 2007 ("Agreement"); and

WHEREAS, it is the purpose of this Amendment No. 1 to the Agreement for all Task Force Agencies to mutually extend the duration of the Agreement one full year and to add the City of Menifee and the City of Wildomar to the Task Force.

NOW, THEREFORE, the parties mutually agree that the Agreement is amended as follows:

1. The duration of the Agreement is extended one full year to **June 30, 2011,** and

2. The following Agencies are hereby added as a "**Task Force Agency**" to the Agreement:

   CITY OF MENIFEE
   CITY OF WILDOMAR

IN WITNESS WHEREOF, the Parties hereto have executed this **Amendment No. 1** on the date opposite their respective signatures. This Amendment becomes effective as of the date of the latest signature page received.

LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY

BY_____

TITLE _____

DATE_____

Attachment No. 1

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE (CLEVELAND NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

MARCH AIR RESERVE BASE JOINT POWERS AUTHORITY

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By_____
JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____
DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

By_____
Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

COUNTY OF RIVERSIDE

RECOMMENDED FOR APPROVAL:

By_____ By _____

LARRY PARRISH
County Executive Officer

JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____

DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

By _____

Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

ATTEST

BY_____
City Clerk

APPROVED AS TO FORM

BY_____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN W ITNESS W HEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MENIFEE

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF WILDOMAR

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN W ITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____

TITLE _____

DATE_____

_____

JEU:cw
P8\
6/6/06

AGREEMENT TO FORM
THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Agreement, entered into as of this 17 day of JULY, 2006, to form the Lake Elsinore and Canyon Lake TMDL Task Force (hereinafter "AGREEMENT") is made by and among the following entities, which are hereinafter sometimes collectively referred to as "TASK FORCE AGENCIES" or individually as "TASK FORCE AGENCY":

United States Department of Agriculture, Forest Service (Forest Service)
US Air Force (March Air Reserve Base)
March Air Reserve Base Joint Powers Authority
California Department of Transportation
California Department of Fish and Game
County of Riverside
City of Beaumont
City of Canyon Lake
City of Hemet
City of Lake Elsinore
City of Moreno Valley
City of Murrieta
City of Perris
City of Riverside
City of San Jacinto
Elsinore Valley Municipal Water District
Eastern Municipal Water District
Western Riverside County Agriculture Coalition on behalf of the Agricultural Operators in the San Jacinto River Basin
Western Riverside County Agriculture Coalition on behalf of the Dairy Operators in the San Jacinto River Basin
Riverside County Flood Control and Water Conservation District

I. RECITALS

A. Whereas, in 1998, the Santa Ana Regional Water Quality Control Board (hereinafter "Regional Board") designated Lake Elsinore and Canyon Lake in the Lake Elsinore and San Jacinto Watersheds (Collectively the "Watersheds") as "impaired water bodies" pursuant to Section 303(d) of the federal Clean Water Act because of high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (NUTRIENTS). As a result of said Section 303 designation, the Clean Water Act requires that total maximum daily loads (hereinafter "TMDLs") be established by the Regional Board for these waterbodies.

B. Whereas, in response to the Section 303(d) designation, the Regional Board adopted a Resolution R8-2004-0037 on December 20, 2004 amending the Water Quality Control Plan for the Santa Ana River Basin (BASIN PLAN AMENDMENT) to incorporate nutrient TMDLs for Canyon Lake and Lake Elsinore. The Basin Plan Amendment specifies, among other things, an Implementation Plan (TMDL IMPLEMENTATION PLAN), which holds specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law. These tasks include development and implementation of a watershed-wide nutrient water quality monitoring program, development of an in-lake nutrient monitoring

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program for Canyon Lake and Lake Elsinore, development of a plan and schedule for in-lake sediment nutrient reduction for Lake Elsinore, development of a plan and schedule for evaluating in-lake sediment nutrient strategies for Canyon Lake, updating watershed and in-lake nutrient TMDL water quality models, developing a pollutant trading plan, and reviewing and revising the TMDL to reflect updated data and science.

C. Whereas, the purpose of this AGREEMENT is to form a task force (hereinafter "TASK FORCE") to implement certain tasks identified in the TMDL IMPLEMENTATION PLAN and to pursue TMDL related tasks agreed upon by TASK FORCE AGENCIES, and

D. Whereas, the TASK FORCE AGENCIES agree that the purpose of this TASK FORCE is to (1) review and develop recommendations to update the TMDL BASIN PLAN AMENDMENT based on the best available scientific information, and (2) implement TMDL IMPLEMENTATION PLAN Tasks identified below and jointly assigned to TASK FORCE AGENCIES, and (3) propose appropriate revisions to the TMDL BASIN PLAN AMENDMENT to the Santa Ana RWQCB by June 30, 2010, and (4) allow watershed stakeholders to participate in efforts to meet appropriate water quality standards so that Canyon Lake and/or Lake Elsinore can be de-listed from the Clean Water Act Section 303(d) list of impaired water bodies, and

E. Whereas, hundreds of individual agricultural and dairy operators are subject to the Canyon Lake and Lake Elsinore TMDLs and its component TMDL IMPLEMENTATION PLAN, and

F. Whereas the Western Riverside County Agricultural Coalition(WRCAC) is a non-profit organization representing the interests of agricultural and dairy operators within the San Jacinto Watershed, and

G. Whereas WRCAC's membership is open to any and all agricultural and dairy operators within the San Jacinto watershed, and

H. Whereas, March Air Reserve Base (MARB) is an installation of the United States Air Force, and the San Bernardino and Cleveland National Forest are on federal lands under the administration and management of the Forest Service. Both are agencies of the federal government, and are therefore subject to limitations in their ability to comply with every provision stated herein to the same extent that other non-federal TASK FORCE AGENCIES are able to comply. These limitations are based upon, but not limited to, those identified in the federal Clean Water Act, the federal Antideficiency Act, the principle of sovereign immunity and the holdings of the Supreme Court of the United States, and other binding federal court decisions, as they interpret those sources of federal law. The limitations so mentioned include, but are not limited to, the availability of federal funding to pay for participation in this program, and the ability of MARB and Forest Service to participate directly in sampling, research or data gathering activities which are not located on or near MARB or National Forest System lands or a point source of water discharge arising on MARB or National Forest System lands, or other activities not specifically authorized by the Federal Clean Water Act section 313. To the extent that the limitations described herein prevent MARB or Forest Service from fully participating in any aspect of this program, they reserve the right, in their sole discretion, to participate in the program as a matter of comity. By entering into this agreement, MARB and Forest Service do not authorize any of the TASK FORCE AGENCIES to exercise regulatory authority over them. MARB and Forest Service agree that State and federal regulatory agencies that are or may

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become members of this TASK FORCE have regulatory authority over MARB and Forest Service only to the extent permitted by State or Federal Law.

I. Whereas, the TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE, and

J. Whereas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) serves as the Principal Permittee for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) for the Santa Ana Region of Riverside County, and

K. Whereas, the County of Riverside and Cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto are MS4 CO-PERMITTEES for the NPDES MS4 Permit for the Santa Ana Region of Riverside County, and

L. Whereas, the MS4 PRINCIPAL PERMITTEE and MS4 CO-PERMITTEES collectively represent the MS4 PERMITTEES within the San Jacinto Watershed, and

M. Whereas, the NPDES MS4 Permit for the Santa Ana Region of Riverside County is regulated by the REGIONAL BOARD and subject to the requirements of the nutrient TMDLs for Canyon Lake and Lake Elsinore, and

N. Whereas RCFC&WCD has agreed to provide services on behalf of itself as an NPDES MS4 PERMITTEE and on behalf of the MS4 CO-PERMITTEES for the purposes of this AGREEMENT, and

O. Whereas RCFC&WCD has prepared and reviewed the MS4 CO-PERMITTEES cost share allocation with MS4 CO-PERMITTEE staff at the NPDES MS4 Permit Technical Advisory Committee Meetings and with the affected City Managers and County Executive Office, or designated representatives thereof during the NPDES MS4 Permit Management Steering Committee Meeting of February 16, 2006, and

P. Whereas, the TMDL assigned nutrient waste load allocations for supplemental water (herein SUPPLEMENTAL WATER) addition to Lake Elsinore to stabilize the Lake's elevation, and

Q. Whereas, the nutrient waste load allocation for SUPPLEMENTAL WATER, which includes Island Well water, EVMWD treatment plant effluent, and other sources of non-stormwater, may reduce the TMDL waste load allocation and TMDL load allocation of other point and non-point sources because in-lake nutrient capacity was not adjusted to account for increased lake levels associated with the addition of SUPPLEMENTAL WATER, and

R. Whereas, the assumptions regarding load allocations for SUPPLEMENTAL WATER may not be consistent with the actual operation of SUPPLEMENTAL WATER sources, and

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S. Whereas, the City of Lake Elsinore and EVMWD previously entered into an agreement to equally share the cost of SUPPLEMENTAL WATER addition to the Lake under the "Lake Elsinore Comprehensive Water Management Agreement", and

T. Whereas, for the purposes of this AGREEMENT, the City of Lake Elsinore shall be acknowledged and recognized as a separate and equal contributor with EVMWD for the cost and voting rights accorded under this AGREEMENT attributed to EVMWD for SUPPLEMENTAL WATER addition, and

U. Whereas, the TASK FORCE AGENCIES have considered many alternative cost sharing methodologies based on TMDL assigned load allocation, load reduction, and permutations thereof; and

V. Whereas, certain TASK FORCE AGENCIES were strong proponents of cost sharing based on load allocation and other TASK FORCE AGENCIES were strong proponents of cost sharing based on load reduction, and

W. Whereas, these TASK FORCE AGENCIES have been unable to agree upon a methodology for distributing costs based on either an allocation or a load reduction methodology; and

X. Whereas, the TASK FORCE AGENCIES have reviewed and agreed upon an interim negotiated cost allocation methodology acceptable to all TASK FORCE AGENCIES for the purposes of initiating the TASK FORCE, based on consideration of TMDL assigned load allocations, load reductions, and permutations thereof, and

Y. Whereas, the TASK FORCE AGENCIES agree that certain nutrient dischargers have been either inappropriately named or not named as responsible parties for various tasks in the BASIN PLAN AMENDMENT; and

Z. Whereas, the TASK FORCE AGENCIES agree that agricultural and dairy lands are converting to urban and open space lands, and

AA. Whereas, the TASK FORCE AGENCIES agree that an amendment to the TMDL to address, at minimum, the proper naming of responsible parties for various tasks in the TMDL IMPLEMENTATION PLAN, to correct the load allocation and waste load allocations to properly address the impacts of SUPPLEMENTAL WATER on Lake Elsinore, and to revise the load allocation and waste load allocations to address the ongoing conversion of agriculture and dairy lands to urban and/or open space should be addressed as part of a revision to the TMDL IMPLEMENTATION PLAN, and

BB. Whereas, the TASK FORCE AGENCIES agree that upon amendment of the existing BASIN PLAN AMENDMENT, including the TMDL IMPLEMENTATION PLAN, by the Regional Board to address, at a minimum, the issues described in Recital Z, the TASK FORCE AGENCIES will amend this AGREEMENT to revise the cost allocation methodology for future fiscal years to incorporate a task-specific cost sharing methodology, based on assigned load allocation or waste load allocation of TASK FORCE AGENCIES, or categories of TASK FORCE AGENCIES, responsible for each TMDL IMPLEMENTATION PLAN task, and

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CC. Whereas, MARB agrees to budget for and to participate in the TASK FORCE, provided that sufficient funds are appropriated by the Congress, in FY 06-07 and future years, and on the condition that funding requirements under this agreement do not violate the Anti-deficiency Act, and provided that the Task Force Agencies agree to relocate the proposed monitoring station from Kitching Channel to the Heacock drainage channel, and use any fees provided by MARB, for participation in this program, to establish and monitor this station.

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II. COVENANTS

NOW, THEREFORE; in consideration of the foregoing recitals and mutual covenants contained herein, the TASK FORCE AGENCIES agree as follows:

1. Creation of a Task Force. There is hereby created a "Lake Elsinore and Canyon Lake TMDL Task Force" ("TASK FORCE") initially consisting of the TASK FORCE AGENCIES and certain Non-Voting, Non-Funding Members as more specifically provided for in paragraph 2 below.

2. Representation on the Task Force.

   a. Appointment. Concurrently with the execution of this Agreement, each TASK FORCE AGENCY shall, in accordance with such TASK FORCE AGENCY's own governing provisions, appoint one primary representative to the TASK FORCE and one alternate representative to act in the absence of the primary representative (hereinafter collectively referred to as "REPRESENTATIVES" or individually as "REPRESENTATIVE"). The REPRESENTATIVES shall have the authority to act on behalf of its appointing TASK FORCE AGENCY. The REPRESENTATIVES shall serve at the pleasure of the appointing TASK FORCE AGENCY and may be removed at any time, with or without cause by such TASK FORCE AGENCY; provided, however, that the TASK FORCE AGENCIES acknowledge and agree the continuity of representation on the TASK FORCE is important to the overall effectiveness of the TASK FORCE, and the TASK FORCE AGENCIES further agree to ensure such continuity whenever possible.

   b. Additional Agencies. The TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE. Such agencies may join the TASK FORCE on such written terms and conditions as are acceptable to all then existing TASK FORCE AGENCIES of the TASK FORCE, including, but not limited to, agreed-upon cash contributions for past, present, and/or future work, of the TASK FORCE. The inclusion of such agencies as additional TASK FORCE AGENCIES to the TASK FORCE shall be effected by a written amendment to this AGREEMENT signed by all then existing TASK FORCE AGENCIES. Such additional TASK FORCE AGENCIES shall each appoint their TASK FORCE primary REPRESENTATIVE and alternate REPRESENTATIVE as provided in Section II.2.a. above or in said written amendment. The following agencies will be considered for inclusion as additional TASK FORCE AGENCIES in future amendments to this AGREEMENT within the meaning of this section:

      Any other named stakeholder in any future amendments of the BASIN PLAN AMENDMENT.

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c. Non-Voting, Non-Funding Members. The Regional Board, Lake Elsinore and San Jacinto Watersheds Authority and the San Jacinto River Watershed Council are hereby appointed as Non-Voting, Non-Funding Members of the TASK FORCE. Additional Non-Voting, Non-Funding Members may be appointed by a majority vote of the TASK FORCE representatives. Non-Voting, Non-Funding Members appointed herein, and any appointed in the future are authorized only to make recommendations upon the functioning of this TASK FORCE and the development of this program. Federal, State and local regulatory agencies acting as Non-Voting, Non-Funding Members, now or in the future, retain authority to regulate TASK FORCE MEMBERS only to the extent that they are so authorized under state and federal law.

d. Dairy and Agricultural Operators. The TASK FORCE AGENCIES acknowledge that the Western Riverside County Agriculture Coalition (WRCAC) shall represent the collective interest of both agricultural and dairy operators in the San Jacinto River Watershed in the TASK FORCE at this time. WRCAC shall appoint two primary TASK FORCE REPRESENTATIVES and two alternate REPRESENTATIVES as provided in Section II.2.a. One set of REPRESENTATIVES shall be designated for agricultural operator interests, the other set of REPRESENTATIVES shall be designated for dairy interests for the purposes of this TASK FORCE.

e. Committees. The TASK FORCE may establish subcommittees, consisting of REPRESENTATIVES and Non-Voting, Non-Funding Members who shall be selected by, and serve at the pleasure of, the TASK FORCE.

f. Task Force Administrator. A TASK FORCE administrator (hereinafter "TASK FORCE ADMINISTRATOR") shall be appointed by the TASK FORCE. The TASK FORCE ADMINISTRATOR shall have the following administrative responsibilities:

(1) Organizing and facilitating TASK FORCE meetings;
(2) Secretarial, clerical, and administrative services;
(3) Managing TASK FORCE funds and preparing annual reports of TASK FORCE assets and expenditures;
(4) Retaining TASK FORCE-authorized consultants; and
(5) Seeking funding grants to assist with achieving the work of the TASK FORCE and other goals and objectives approved by TASK FORCE AGENCIES.

The TASK FORCE AGENCIES hereby appoint the Lake Elsinore and San Jacinto Watersheds Authority as the initial TASK FORCE ADMINISTRATOR.

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g. Meetings of the Task Force.

(i) Frequency and Location. The TASK FORCE shall, by resolution or motion, agree upon the time and place for holding its regular meetings. Special meetings may be called at the request of the TASK FORCE ADMINISTRATOR or by a majority of the TASK FORCE REPRESENTATIVES.

(ii) Task Force Chair. The TASK FORCE REPRESENTATIVES shall select a chair and a vice-chair. The term of the chair and vice-chair shall be one year and shall be rotated among the TASK FORCE REPRESENTATIVES interested in serving as chair.

(iii) Quorum. One half or more of the REPRESENTATIVES of the TASK FORCE shall constitute a QUORUM.

(iv) Voting. Actions of the TASK FORCE shall be validly taken only when a QUORUM is present and upon the affirmative vote of a MAJORITY of the TASK FORCE REPRESENTATIVES. A MAJORITY of the REPRESENTATIVES shall be determined as follows:

Each TASK FORCE AGENCY shall have one vote (herein VOTE) assigned for each $1,000 increment of PRO RATA COST SHARE, as described in Paragraph II.5 below, contributed to the TASK FORCE budget developed for a given fiscal year (hereinafter "BUDGET"). A MAJORITY of the REPRESENTATIVES shall consist of greater than 50% of the total VOTES based on the BUDGET for the fiscal year during which the action is taken.

(v) Brown Act. All meetings of the TASK FORCE or any of its committees shall be conducted as may be required by any applicable provisions of the Ralph M. Brown Act (California Government Code §§54950 et seq.). The provisions contained in the Ralph M. Brown Act shall prevail in the event of any conflict with provisions contained in this AGREEMENT.

The TASK FORCE may adopt such additional rules and regulations as may be required for the conduct of its affairs so long as such rules and regulations do not conflict with this AGREEMENT.

3. Work of the Task Force. The TASK FORCE shall perform the following tasks in accordance with guidelines established by the Regional Board:

a. To retain consulting services to review scientific and other assumptions contained within the TMDL. Consultant(s) shall provide a report identifying preliminary TMDL opportunities such as site specific objectives, pollutant trading strategies, and integration strategies. The final

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scope of work shall be approved by the Task Force. The report shall specifically consider assumptions supporting the TMDL. The report should also provide preliminary analysis of the ability to achieve in-lake nutrient reductions and verify that load assignments are appropriate. Upon completion of the report, Consultant(s) shall also review work described herein, and make recommendations to ensure that work is specifically designed to resolve any deficiencies, where appropriate. Consultant(s) shall also coordinate development of BASIN PLAN AMENDMENT language, in coordination with the Regional Board, which can be used to revise the TMDLs as part of the Regional Board's Triennial Reviews at a minimum, or no later than by June 2010.

b. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Watershed-wide Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDL, and to determine compliance with interim and final nitrogen and phosphorus allocations, and compliance with the nitrogen and phosphorus TMDLs. Monitoring and management of monitoring data to update the Lake Elsinore and Canyon Lake Nutrient TMDL shall commence immediately upon approval of this AGREEMENT. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

c. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Lake Elsinore and Canyon Lake Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDLs, and to determine compliance with interim and final nitrogen, phosphorus, chlorophyll a and dissolved oxygen numeric targets. In addition, the monitoring program shall determine the relationship between ammonia toxicity and the total nitrogen allocation to ensure that the total nitrogen allocation will prevent ammonia toxicity in Lake Elsinore and Canyon Lake. Monitoring and management of monitoring data shall commence immediately upon approval of this agreement. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

d. TMDL IMPLEMENTATION PLAN Tasks 9 and 10 - Develop and Implement a Plan to Reduce NUTRIENTS in Lake Elsinore sediments and develop a sediment nutrient treatment evaluation plan for Canyon Lake. The plans shall evaluate the efficacy of various in-lake treatment technologies to prevent the release of NUTRIENTS from lake sediments as a long-term strategy for control of NUTRIENTS in the sediment. The program may also include a sediment nutrient monitoring program to evaluate the effectiveness of any technologies that may be implemented. Target Date for Completion: March 31, 2007.

e. TMDL IMPLEMENTATION PLAN Task 11 - Develop and Implement a Plan and Schedule for Updating the Existing Lake Elsinore/San Jacinto

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River Watershed Nutrient Model and the Canyon Lake and Lake Elsinore In-Lake Models. Develop and implement a plan and schedule to update and execute Watersheds and in-lake models to track the progress of TMDL efforts. In-lake models should be analyzed as soon as sufficient data becomes available. Target Date for Completion: March 31, 2007.

f. TMDL IMPLEMENTATION PLAN Task 12 - Investigate, Develop and Implement a Pollutant Trading Plan. Investigate the feasibility of pollutant trading in the Watersheds, and develop a feasibility plan for Regional Board review and approval. Target Date for Completion: September 30, 2007.

g. Investigate Long Term TMDL Implementation Structure, Cost Sharing Formula and Funding Sources. Investigate possible long term administrative structures, cost sharing formulas and funding sources that can be used to obtain compliance with the TMDL requirements. Target Date for Completion: June 30, 2010.

h. Other Tasks. The TASK FORCE may undertake such other plans, programs and studies as authorized by the TASK FORCE pursuant to II.2.g. of this AGREEMENT.

i. Limitations on MARB and Forest Service. As described above in Section I.H, MARB is an agency of the federal government and is therefore unable to participate in each and every aspect of Section 3 to the same extent as other TASK FORCE MEMBERS. To the extent that it is unable to participate in any tasks under section 3, it reserves the right, in its sole discretion, to participate to the fullest extent that it is able, as a matter of comity.

4. Budgets. Beginning in FY2007-2008, the total annual budget (BUDGET), adjusted to remove in-kind services, grant funding and funding credits associated with this AGREEMENT shall not exceed $800,000, except as authorized by the TASK FORCE via two-thirds approval via VOTES based on the BUDGET for the then current fiscal year pursuant to II.2.g. of this AGREEMENT. The TASK FORCE ADMINSTRATOR shall prepare and submit a proposed BUDGET for each fiscal year of this AGREEMENT to the TASK FORCE AGENCIES by November 30th. The proposed BUDGET shall include all anticipated costs for the scope(s) of work developed by the TASK FORCE for the next fiscal year. The TASK FORCE REPRESENTATIVES shall approve the BUDGET by December 31st. Each TASK FORCE AGENCY shall pay its PRO-RATA SHARE of the approved fiscal year's TASK FORCE BUDGET and arrears by August 31st of the following year. The BUDGET for the eighteen (18) month period starting January 1, 2006 and extending through June 30, 2007 and estimated fiscal year BUDGETS through June 30, 2010 are included as Attachment A to the AGREEMENT. Approval of this AGREEMENT shall constitute approval of the BUDGET through June 30, 2007. Payment of the BUDGET through June 30, 2007 shall be by August 31, 2006, or within 30 days

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of the approval of this AGREEMENT by each TASK FORCE AGENCY, whichever is sooner.

The TASK FORCE ADMINISTRATOR shall endeavor to minimize carry-over fund balances to those necessary to complete work of the TASK FORCE and to maintain contingencies limited to those necessary to ensure work of the TASK FORCE is not impeded. Excess not necessary to complete budgeted work of the TASK FORCE or maintain adequate reserves shall be credited back to the TASK FORCE AGENCIES in the BUDGET consistent with the PRO-RATA SHARE methodology described in Paragraph II.5 below. THE TASK FORCE AGENCIES shall agree to a reasonable reserve balance as part of each year's BUDGET.

After September 30 of each year, the TASK FORCE ADMINSTRATOR shall provide an accounting of all PRO RATA SHARES collected via cash or in-kind contributions. If PRO RATA SHARES collected are less than BUDGET, the TASK FORCE shall meet with Regional Board staff to determine appropriate priorities for scheduled TASK FORCE work and revise BUDGET based on available funds.

5. Pro-Rata Share Calculation. The annual PRO-RATA SHARE shall be calculated in the following manner:

The PRO-RATA SHARE for MS4 CO-PERMITTEES, Agricultural Operators and EVMWD shall be based on the BUDGET reduced by the value of available grant funding identified in Section 1 of Attachment A and in-kind services identified in Section 3 of Attachment A (LINE 1k BUDGET). The PRO-RATA SHARE for MS4 CO-PERMITTEES, and Agricultural Operators shall each be 28.5% of the LINE 1k BUDGET. Based on the prior agreement of EVMWD and the CITY OF LAKE ELSINORE involving the sharing of cost for supplemental water into Lake Elsinore, the PRO-RATE SHARE for EVMWD and the CITY OF LAKE ELSINORE shall each be 14.25% of the LINE 1K BUDGET.

The PRO-RATA SHARE for Dairy shall be 5% of the LINE 1k BUDGET.

The PRO-RATA SHARE for RCFC&WCD shall be the cash value of the in-kind services described in Section 3 of Attachment A.

The PRO-RATA SHARE for all other TASK FORCE AGENCIES shall be as a base amount set forth in the BUDGET.

The PRO-RATA SHARE for additional TASK FORCE AGENCIES shall be per in kind services and/or an amount agreed upon via written amendment of this AGREEMENT per Section II.2.b.

If the estimated funds collected under the PRO-RATA SHARE calculations exceed the BUDGET, the contributions of MS4 CO-PERMITTEES, EVMWD, City of Lake Elsinore, Agricultural Operators, Dairy and other TASK FORCE

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AGENCIES contributing in excess of the base amount shall be raised or reduced proportionately based on the percentage of their PRO-RATA SHARE, until the estimated total PRO-RATA SHARES equals the BUDGET.

RCFC&WCD shall provide the TASK FORCE ADMINSTRATOR with annual individual MS4 CO-PERMITTEE cost share distribution of the MS4 CO-PERMITTEES PRO-RATA SHARE for budgets following Fiscal Year 2006-07. The methodology used by RCFC&WCD to calculate the MS4 CO-PERMITEE cost share distribution may be amended at the NPDES MS4 Management Steering Committee.

6. In-Kind Credits. The PRO-RATA SHARE of a TASK FORCE AGENCY shall be reduced by the value of IN-KIND CREDITS provided toward agreed-upon budgeted tasks by, or on behalf, of the TASK FORCE AGENCY(S). Credits shall be applied to each budget period and adjusted at the end of each budget year based on actual verified costs.

7. Modifications to the TASK FORCE PRO-RATA SHARE methodology. The methodology deriving the TASK FORCE PRO-RATA SHARE as provided in Section II.5 of this AGREEMENT may be modified upon written approval of all then existing TASK FORCE AGENCIES whose PRO-RATA SHARE would be affected.

8. The TASK FORCE AGENCIES shall cooperate fully with one another to attain the purposes of this AGREEMENT.

9. Nothing in this AGREEMENT, nor the work set forth in this AGREEMENT, nor any activity approved or carried out by the TASK FORCE AGENCIES hereunder, is intended to be nor shall be interpreted as a waiver by TASK FORCE AGENCIES of the "Maximum Extent Practicable" standard set forth in the Clean Water Act (33 U.S.C. Section 1251 *et seq.)*.

10. Each TASK FORCE AGENCY shall indemnify, defend, and hold each of the other TASK FORCE AGENCIES, including their special districts, officials, agents, officers, and employees, harmless from and against any and all liability and expense arising from any act or omission of such TASK FORCE AGENCY, its officials, agents, officers, and employees, in connection with this AGREEMENT, including but not limited to defense costs, legal fees, claims, actions, and causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage; provided, however, that no TASK FORCE AGENCY shall indemnify another TASK FORCE AGENCY for that TASK FORCE AGENCY's own negligence or willful misconduct.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or

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liabilities, to itself, to any third party or to MARB, or the Forest Service, or its employees under this agreement or any activities carried out under authority of this agreement.

11. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the TASK FORCE AGENCIES hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this AGREEMENT to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the TASK FORCE AGENCIES indemnifies, defends, and holds harmless each other TASK FORCE AGENCY for any liability, cost, or expense that may be imposed upon such other TASK FORCE AGENCY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB or Forest Service or their employees under this agreement or any activities carried out under authority of this agreement. Tort liability for federal employees, including employees of MARB and Forest Service, is expressly authorized and limited by the Federal Tort Claims Act, which will control liability of MARB and the Forest Service and their employees under the terms of this agreement.

12. All obligations of CALTRANS under the terms of this AGREEMENT are subject to the appropriation of the resources by the Legislature and the allocation of resources by the California Transportation Commission. This AGREEMENT has been written before ascertaining the availability of Federal or State legislative appropriation of funds, for the mutual benefit of the TASK FORCE AGENCIES in order to avoid program and fiscal delays that would occur if the AGREEMENT were executed after that determination was made. This AGREEMENT is valid and enforceable as to CALTRANS as if sufficient funds have been made available to CAL TRANS by the United States Government or California State Legislature for the purposes set forth in this AGREEMENT. If the United States Government or the California State Legislature does not appropriate sufficient funds for CALTRANS to participate in this AGREEMENT, this AGREEMENT may be amended in writing by the TASK FORCE AGENCIES to reflect any agreed-upon reduction in the percentage of funds contributed by CALTRANS to continue its participation in this AGREEMENT. CALTRANS, however, has the option to withdraw from this AGREEMENT in the event sufficient funds are not appropriated for CAL TRANS. Should CALTRANS exercise its option to withdraw from this AGREEMENT, CALTRANS shall remain responsible for its

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share of liability, if any, incurred while participating in this AGREEMENT.

13. No TASK FORCE AGENCY shall have a financial obligation to any other TASK FORCE AGENCY under this AGREEMENT, except as expressly provided herein.

14. Any notices, invoices, reports, correspondence, or other communication concerning this AGREEMENT shall be directed to the TASK FORCE AGENCY REPRESENTATIVE on file with the TASK FORCE ADMINISTRATOR, except that any TASK FORCE AGENCY may change its name or address by giving the other TASK FORCE AGENCIES at least ten days written notice of the new name or address.

15. The TASK FORCE AGENCIES are, and shall at all times remain as to each other, wholly independent entities. No TASK FORCE AGENCY to this AGREEMENT shall have power to incur any debt, obligation, or liability on behalf of any other TASK FORCE AGENCY unless expressly provided to the contrary by this AGREEMENT. No employee, agent, or officer of a TASK FORCE AGENCY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another TASK FORCE AGENCY.

16. This AGREEMENT shall be binding upon and shall inure to the benefit of the respective successors, heirs, and assigns of each TASK FORCE AGENCY.

17. This AGREEMENT shall be governed by, interpreted under and construed and enforced in accordance with the laws of the State of California, except as to the Forest Service and the March Air Reserve Base to whom federal law is applicable.

18. If any provision of this AGREEMENT shall be determined by any court to be invalid, illegal or unenforceable to any extent, the remainder of this AGREEMENT shall not be affected and this AGREEMENT shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this AGREEMENT.

19. Each individual TASK FORCE AGENCY has been represented by its own separate counsel in the preparation and negotiation of this AGREEMENT. Accordingly, this AGREEMENT shall be construed according to its fair language and any ambiguities shall not be resolved against the drafting TASK FORCE AGENCY.

20. Each of the persons signing below on behalf of a TASK FORCE AGENCY represents and warrants that he or she is authorized to sign this AGREEMENT on behalf of such TASK FORCE AGENCY.

21. Duration of Agreement. This AGREEMENT shall terminate June 30, 2010 (unless extended by mutual agreement of all TASK FORCE AGENCIES), provided that all debts and liabilities of the TASK FORCE are satisfied. Notwithstanding the foregoing, each TASK FORCE AGENCY reserves the right

MV00058632

to withdraw from the TASK FORCE at any time, upon sixty (60) days' prior written notice to the TASK FORCE. TASK FORCE contingency, projects and studies underway at the time of withdrawal shall continue to be fully funded by the withdrawing TASK FORCE AGENCY until the end of the fiscal year in which the TASK FORCE AGENCY gave notice to withdraw.

22. Counterparts. This AGREEMENT may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

23. Amendment. This AGREEMENT may not be amended except in a writing signed by all the TASK FORCE AGENCIES.

24. Effective Date. This AGREEMENT shall become effective when it has been executed by all of the TASK FORCE AGENCIES.

MV00058633

LAKE ELSINORE & SAN JACINTO WATERSHEDS PROJECT AUTHORITY

BY Phil Williams
Board Chairman

DATE _____

CITY OF BEAUMONT

BY _____
Mayor

CITY OF CANYON LAKE

BY _____
Mayor

DATE _____

CITY OF HEMET

BY _____
Mayor

DATE _____

CITY OF LAKE ELSINORE

BY _____
Mayor

DATE _____

CITY OF MORENO VALLEY

BY _____
Mayor

DATE _____

CITY OF MURRIETA

BY _____
Mayor

DATE _____

CITY OF PERRIS

BY _____
Mayor

DATE _____

CITY OF RIVERSIDE

BY _____
Mayor

DATE _____

CITY OF SAN JACINTO

BY _____
Mayor

DATE _____

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY _____
Board Chairman

DATE _____

MV00058634

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

Robin Lowe

Robin Lowe, Mayor

July 11, 2006

Date

ATTEST:

Stephen B. Clayton

Stephen Clayton, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

MV00058635

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY M. G.

TITLE DEPUTY FOREST SUPERVISOR

DATE 7/17/06

MV00058636

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO AND CLEVELAND NATIONAL FOREST MANAGEMENT ZONES)

BY _____

TITLE Forest Supervisor, Cleveland National Forest

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

MV00058637

IN WITNESS WHEREOF, the parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE" .

MARCH JOINT POWERS AUTHORITY

BY: Philip A. Rizzo

TITLE: Executive Director

DATE: September 20, 2006

APPROVED AS TO FORM

By: John Pen

Attorney

STATE OF California)

County of Riverside)

On September 20, 2006 before me, Carey L. Allen, Notary Public, personally appeared Philip A Rizzo,

☒ personally known to me

or

☐ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(s)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s),~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal

Signature of Notary Public

CAREY L. ALLEN
Commission # 1496127
Notary Public - California
Riverside County
My Comm. Expires Jun 24, 2008

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY _____
JEFFREY K. BARNSON, Col, USAFR

TITLE Commander

DATE JUL 6 2005

APPROVED AS TO FORM

By _____
CHRISTOPHER B. BENNETT, Maj, USAF

TITLE Staff Judge Advocate

DATE JUL 6 2005

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY Michael A. Fournier

TITLE CALTRANS DISTRICT 8 DIRECTOR

DATE October 13, 2006

APPROVED AS TO FORM

By _____
Attorney

MV00058641

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY _____

TITLE General Manager

DATE July 5, 2006

APPROVED AS TO FORM

By _____
Attorney

MV00058642

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY _____

TITLE Anthony J. Pack, General Manager

DATE 6/28/06

APPROVED AS TO FORM

By _____
Attorney

MV00058643

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY _____

TITLE WRCAC TMDL Task Force Representative

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

MV00058644

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By _____
DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk of the Board

By _____
Deputy

(SEAL)

AUG 2 9 2006 11.9

MV00058645

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____
LARRY PARRISH
County Executive Officer

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____
DAVID H.K. HUFF
Deputy County Counsel

COUNTY OF RIVERSIDE

By Bob Buster
BOB BUSTER, Chairman
Riverside County Board of Supervisors

ATTEST:

NANCY ROMERO
Clerk of the Board

By_____
Deputy

(SEAL)

AUG 8 8 2006 11.9

MV00058646

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY_____
Mayor

DATE Nov 21, 2006

APPROVED AS TO FORM

By_____
City Attorney

MV00058647

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY _____
Mayor

DATE 7/5/06

APPROVED AS TO FORM

By Elizabeth Martyn
City Attorney

MV00058648

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE August 9th 2006

ATTEST:

_____
City Clerk

APPROVED AS TO FORM

By _____
City Attorney

MV00058649

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY _____
Bonnie Flickinger, Mayor

DATE July 17, 2006

ATTEST

By _____
Alice Reed, City Clerk

APPROVED AS TO FORM

By _____

Bob Herrick, City Attorney

MV00058650

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSIONRE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY: _____
Mayor

DATE: **September 5, 2006**

ATTEST: _____
City Clerk

APPROVED AS TO FORM

BY: _____
City Attorney

MV00058651

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

Daryl R. Busch

Daryl R. Busch, Mayor

Date: 9/18/06

ATTEST:

Judy L. Haughney

Judy L. Haughney, City Clerk

APPROVED AS TO FORM:
Aleshire & Wynder, LLP

for Anita Luis, Deputy

Eric L. Dunn, City Attorney

MV00058652

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY _____ Michael J. Beck for
Bradley J. Hudson, City Manager

DATE August 7, 2006

Attest: _____
City Clerk

APPROVED AS TO FORM

By Susan Wilson
Dep. City Attorney

MV00058653

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY _____
Mayor

DATE 7/15/06

APPROVED AS TO FORM

By _____
City Attorney

MV00058654

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY _____ DATE 7/21/06

Gerard J. Thibeault
Executive Officer

APPROVED AS TO FORM

By _____

Jorge Leon
Legal Counsel

JEU:cw
P8\
6/6/06

MV00058655

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY Michael C. Hoyne

TITLE Deputy Regional Manager

DATE March 5, 2007

APPROVED AS TO FORM

By _____
Attorney

MV00058656

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project.

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California.

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

BACKGROUND

Over the past several years, the Nason Street/SR-60 interchange has experienced increased traffic resulting from commercial, residential, and recreational growth. Two separate City projects (98-25897 and 415-70024) are ongoing to improve the interchange. The SR-60/Nason Street Interchange Improvements Project (98-25897) improves the interchange ramps through reconstruction and realignment, while providing a design that will accommodate ultimate overcrossing widening improvements needed to serve anticipated future traffic demand. The City is in the final stages of obtaining Caltrans' approval to advertise the project for bid. The SR-60/Nason Street

Overcrossing project (415-70024) consists of improvements to the Nason Street Overcrossing, which will replace the existing bridge with a wider structure as well as increase the vertical clearance over SR-60.

Proposed improvements are consistent with the City's General Plan.

State Route 60 is on the State Highway System (SHS) and, pursuant to Streets and Highways Code 114 and 130, the State of California and the City are required to enter into a Cooperative Agreement for SHS improvements within the City's jurisdiction. The State's mandated role in the project is oversight responsibility, performed by the Department of Transportation (Caltrans).

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project development activities, including final design, utility relocation engineering, and right-of-way acquisition.

On November 29, 2007, Caltrans approved the Negative Declaration for the project.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services. Design has progressed to the 95% plan stage.

On January 13, 2009, the City Council approved the SR-60/Nason Overcrossing project as an RDA Tax Allocation Bond-funded project.

DISCUSSION

The overcrossing project is expected to be advertised between December 2010 and March 2011 in order to begin construction of the project by September 2011, immediately after completion of the SR-60/Nason Interchange Ramp Improvements Project (98-25897). To proceed with advertisement, the City must follow Caltrans guidelines and procedures in order to obtain their approval. Caltrans requires the local agency to enter into a "Construction Cooperative Agreement" (District Agreement No. 08-1463) in order to proceed with construction. The "Construction Cooperative Agreement" sets forth the City's and Caltrans' responsibilities, both in terms of scope and financial responsibility.

The agreement requires that the City fund 100% of the construction cost, including preparation of contract documents and advertising, awarding and administering the construction contract. Caltrans has agreed to allow the City to advertise, award, and administer the project. Caltrans will provide quality assurance and oversight of all work done by the City at no cost to the City. Caltrans will provide required material source inspections as an invoiced direct cost. The Construction Cooperative Agreement will terminate upon satisfactory completion of the project or on December 31, 2015,

whichever occurs first. The agreement may be extended by mutual agreement should any claims or other legal challenges occur.

ALTERNATIVES

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff recommends this alternative.*

2. Do not approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, do not authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and do not authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff does not recommend this alternative. This alternative will result in delaying the construction of needed improvements.*

FISCAL IMPACT

The project is currently funded with 2007 Redevelopment Agency Tax Allocation Bond (Series A) proceeds (Fund 897) and Developer In-Lieu Street Improvement Funds (Fund 414). These funds have been allocated for SR-60/Nason Street bridge improvements and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS

FY 2009/2010 Developer In-Lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2009/2010 2007 RDA Bond Funds (Account 897.91728)	$17,724,000
Available Funds	**$17,754,000**

ESTIMATED COST

SR-60/Nason Overcrossing Design and Right-of-Way/Utilities	$ 1,640,000
SR-60/Nason Overcrossing Construction	$16,114,000
Estimated Cost	**$17,754,000**

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way	September 2010
Advertise Project*	December 2010 to March 2011
Begin Construction*	September 2011
Complete Construction	November 2012

**** Contingent upon completion of SR-60/Nason Interchange Ramp Project***

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This Construction Cooperative Agreement is required by Caltrans and sets forth the details of the City's and Caltrans' responsibilities pertaining to the construction activities for the proposed SR-60/Nason Street Overcrossing.

ATTACHMENT

Attachment "A" – Construction Cooperative Agreement (District Agreement No. 08-1463) (PAGES 229 – 246)

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Marge - 07-41570024 Rte 60 Nason-Moreno Beach Bridge Intrchng\CC Reports\Const. Co-op Agreement Staff Report - 05-25-10.doc

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation of the State of California, referred to as CITY.

RECITALS

1. CALTRANS and CITY, collectively referred to as PARTNERS, are authorized to enter into a cooperative agreement for improvements within the SHS right of way per Streets and Highways Code sections 114 and/or 130.

2. WORK completed under this agreement will replace the Nason Street Overcrossing in the City of Moreno Valley, referred to as PROJECT.

3. PARTNERS will cooperate to construct the PROJECT.

4. This agreement is separate from and does not modify or supersede prior Cooperative Agreement No. 8-1314.

5. Prior to this agreement, CITY developed the Project Initiation Document; CITY developed the Supplemental Project Report; CITY developed the Plans, Specifications and Estimate; and CITY developed the Right of Way Certification.

6. CITY prepared the environmental documentation for PROJECT.

7. The estimated date for COMPLETION OF WORK is December 31, 2015.

8. PARTNERS now define in this agreement the terms and conditions under which they will accomplish WORK.

DEFINITIONS

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA – The California Environmental Quality Act (California Public Resources Code, sections 21000 et seq.) that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

COMPLETION OF WORK – All PARTNERS have met all scope, cost, and schedule commitments included in this agreement and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

CONSTRUCTION – The project component that includes the activities involved in the administration, acceptance, and final documentation of a construction contract for PROJECT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT –A document signed by PARTNERS that verifies the completion of all scope, cost, and schedule commitments included in this agreement.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at http://www.fhwa.dot.gov/programs.html.

FUNDING PARTNER – A partner who commits a defined dollar amount to WORK.

FUNDING SUMMARY - The table in which PARTNERS designate funding sources, types of funds, and the project components in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The partner responsible for managing the scope, cost, and schedule of a project component to ensure the completion of that component.

IQA – Independent Quality Assurance – Ensuring that IMPLEMENTING AGENCY'S quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan. IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA – The National Environmental Policy Act of 1969 that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one partner's individual actions legally bind the other partners.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout the project's lifecycle.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer shall be independent of the design engineering company and the construction contractor.
SAFETEA-LU – The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, signed into federal law on August 10, 2005.

SCOPE SUMMARY – The table in which PARTNERS designate their commitment to specific scope activities within each project component as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS – State Highway System.

SPONSOR(S) – The partner that accepts the obligation to secure financial resources to fully fund WORK. This includes any additional funds beyond those committed in this agreement necessary to complete the full scope of WORK defined in this agreement or settle claims.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope and cost commitments included in this agreement.

RESPONSIBILITIES

9. CITY is SPONSOR for all WORK.

10. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

11. CALTRANS is the CEQA lead agency for PROJECT.

12. CALTRANS is the NEPA lead agency for PROJECT.

13. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

14. All WORK will be performed in accordance with federal and California laws, regulations, and standards.

    All WORK will be performed in accordance with FHWA STANDARDS and CALTRANS STANDARDS.

15. IMPLEMENTING AGENCY for a project component will provide a Quality Management Plan for that component as part of the PROJECT MANAGEMENT PLAN.

16. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

17. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

18. PARTNERS may, at their own expense, have a representative observe any scope, cost, or schedule commitments performed by the other partner. Observation does not constitute authority over those commitments.

19. Each PARTNER will ensure that all of their personnel participating in WORK are appropriately qualified to perform the tasks assigned to them.

20. PARTNERS will invite each other to participate in the selection and retention of any consultants who participate in WORK. The CITY shall ensure that only well qualified consulting construction management firms are selected to provide Engineering and Inspection services sufficient to the tasks of the PROJECT. The CITY shall confer with STATE prior to and during the selection process. At least one representative from the District 8 Construction Division of the STATE shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. PARTNERS will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations if PROJECT work is done under contract (not completed by a partner's own employees) and is governed by the Labor Code's definition of a "public work" (section 1720(a)(1)).

PARTNERS will include wage requirements in all contracts for "public work" and will require their contractors and consultants to include prevailing wage requirements in all agreement-funded subcontracts for "public work".

22. IMPLEMENTING AGENCY for each project component included in this agreement will be available to help resolve WORK-related problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, at no cost, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If unanticipated cultural, archaeological, paleontological, or other protected resources are discovered during WORK, all work in that area will stop until a qualified professional can evaluate the nature and significance of the discovery and a plan is approved for its removal or protection. CITY will notify CALTRANS within twenty-four (24) hours of any discovery.

25. PARTNERS will hold all administrative draft and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete WORK without the written consent of the partner authorized to release them, unless required or authorized to do so by law.

26. If any partner receives a public records request, pertaining to WORK under this agreement, that partner will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any transferred public documents.

27. If HM-1 or HM-2 is found during WORK, IMPLEMENTING AGENCY for the project component during which it is found will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within existing SHS right of way. CALTRANS will undertake HM-1 MANAGEMENT ACTIVITIES with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within the Project limits outside existing SHS right of way. CITY will undertake or cause to be undertaken HM-1 MANAGEMENT ACTIVITIES with minimum impacts to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM-2 MANAGEMENT ACTIVITIES.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each partner's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each project component will furnish PARTNER with written monthly progress reports during the implementation of WORK in that component.

34. Upon COMPLETION OF WORK, ownership and title to all materials and equipment constructed or installed as part of WORK within SHS right of way become the property of CALTRANS.

35. IMPLEMENTING AGENCY for a project component will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect WORK or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No partner shall prejudice the rights of another partner until after PARTNERS confer on claim.

37. PARTNERS will maintain and make available to each other all WORK-related documents, including financial data, during the term of this agreement and retain those records for four (4) years from the date of termination or COMPLETION OF WORK, or three (3) years from the date of final federal voucher, whichever is later.

38. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

    CALTRANS, the State auditor, FHWA, and CITY will have access to all WORK-related records of each partner for audit, examination, excerpt, or transaction.

    The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation.

    The audited partner will review the preliminary audit, findings, and recommendations, and provide written comments within 60 calendar days of receipt.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

39. PARTNERS consent to service of process by mailing copies by registered or certified mail, postage prepaid. Such service becomes effective 30 calendar days after mailing. However, nothing in this agreement affects PARTNERS' rights to serve process in any other matter permitted by law.

40. The IMPLEMENTING AGENCY will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, SPONSOR(S) will seek out additional funds and PARTNERS will amend this agreement.

41. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

42. If WORK stops for any reason, PARTNERS are still obligated to implement all applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each partner's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

43. Each partner accepts responsibility to complete the activities that they selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

Scope: CONSTRUCTION

44. CITY will advertise, open bids, award, and approve the construction contract in accordance with the Public Contract Code and the California Labor Code.

    CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and FUNDING PARTNERS fully fund WORK.

    By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

45. CITY will provide a RESIDENT ENGINEER and construction support staff who are independent of the design engineering company and construction contractor.

46. CITY will provide a landscape architect licensed in the State of California.

47. CITY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $100,000. All CCOs

affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS *Construction Manual* will be approved by CALTRANS in advance of the CCO work to be performed.

48. If the lowest responsible construction contract bid (plus estimated contingencies, supplemental costs and State Furnished Material costs) is equal to or less than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, the IMPLEMENTING AGENCY may award the contract. If the lowest responsible construction contract bid is greater than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 3 months, this agreement will terminate.

49. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee and to carry liability insurance in accordance with CALTRANS specifications.

50. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT PS&E package a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

51. Upon receipt of both SFM and full payment of CALTRANS' invoice for actual SFM costs, CALTRANS will make the SFM available at a CALTRANS-designated location.

52. CITY will coordinate the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

53. CITY will obtain the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

54. CITY will implement the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404),Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

55. CALTRANS will provide Source Inspection on a reimbursed basis.

56. CITY will provide maintenance for those portions of the SHS within WORK limits until COMPLETION OF WORK, after which, maintenance will be handled through an existing maintenance agreement.

COST

Cost: General

57. CITY will secure funds for all WORK including any additional funds beyond the FUNDING PARTNERS' existing commitments in this agreement. If it becomes necessary to obtain additional funds to complete PROJECT these additional funds will be provided by CITY.

58. The cost of any awards, judgments, or settlements generated by WORK is a WORK cost.

59. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within existing SHS right of way.

60. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to any HM-1 found within PROJECT limits and outside of existing SHS right of way.

61. HM MANAGEMENT ACTIVITIES costs related to HM-2 are a PROJECT CONSTRUCTION cost.

62. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is a WORK cost.

63. The cost to comply with and implement the commitments set forth in the environmental documentation is a WORK cost.

64. The cost to ensure that PROJECT remains in environmental compliance is a WORK cost.

65. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is a WORK cost.

66. Independent of WORK costs, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

67. Independent of WORK costs, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

68. Fines, interest, or penalties levied against any partner will be paid, independent of WORK costs, by the partner whose actions or lack of action caused the levy. That partner will indemnify and defend all other partners.

69. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is a WORK cost.

70. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

71. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, the partner implementing the commitments or conditions accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That partner may request reimbursement for these costs during the amendment process.

72. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

73. FUNDING PARTNERS accept responsibility to provide the funds identified on the FUNDING SUMMARY.

74. SPONSOR(S) accepts responsibility to ensure full funding for the identified scope of work.

Cost: CONSTRUCTION Support

75. The cost to maintain the SHS within WORK limits is a WORK cost until COMPLETION OF WORK, after which, the cost of maintenance will be handled through an existing maintenance agreement.

76. CALTRANS will invoice the CITY for a $20,000.00 deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents Source Inspection costs. The Source Inspection cost is $50,000.00 including indirect costs per Article 80.

    After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

Cost: CONSTRUCTION Capital

77. The cost of all SFM is a CONSTRUCTION capital cost.

CALTRANS will invoice CITY for the actual cost of any SFM.

After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

SCHEDULE

78. PARTNERS will manage the schedule for WORK through the work plan included in the PROJECT MANAGEMENT PLAN.

GENERAL CONDITIONS

79. This agreement will be understood in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any legal action arising from this agreement will be filed and maintained in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides.

80. CALTRANS invoices for support costs including all direct and applicable indirect costs. Applicable indirect costs are determined by the type of funds being used to pay for support. State and federal funds are subject the Program Functional Rate. Local funds (Measure money, developer fees, special assessments, etc.) are subject to the Program Functional Rate and the Administration Rate. CALTRANS establishes the Program Functional Rate and the Administration Rate annually according to State and Federal regulations.

81. All obligations of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

82. Any PARTNER who performs IQA does so for its own benefit, further, that PARTNER cannot be assigned liability due to its IQA activities.

83. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious,

contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS under this agreement.

84. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this agreement.

85. This agreement is not intended to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. This agreement is not intended to affect the legal liability of PARTNERS by imposing any standard of care for completing WORK different from the standards imposed by law.

86. PARTNERS will not assign or attempt to assign agreement obligations to parties not signatory to this agreement.

87. Any ambiguity contained in this agreement will not be interpreted against PARTNERS. PARTNERS waive the provisions of California Civil Code section 1654.

88. A waiver of a partner's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

89. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

90. If any partner defaults in their agreement obligations, the non-defaulting partner(s) will request in writing that the default be remedied within 30 calendar days. If the defaulting partner fails to do so, the non-defaulting partner(s) may initiate dispute resolution.

91. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/CITY Engineer will attempt to negotiate a resolution. If no resolution is reached, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of WORK in accordance with the terms of this agreement. However, if any

partner stops WORK, the other partner(s) may seek equitable relief to ensure that WORK continues.

Except for equitable relief, no partner may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

Any civil complaints will be filed in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing partner will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

92. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

93. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this agreement.

94. This agreement is intended to be PARTNERS' final expression and supersedes all prior oral understanding or writings pertaining to WORK.

95. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

96. PARTNERS will execute an amendment if there are any changes to the commitments made in this agreement.

97. This agreement will terminate upon COMPLETION OF WORK or upon 30 calendar days' written notification to terminate and acceptance between PARTNERS, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

98. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

99. Signatories may execute this agreement through individual signature pages provided that each signature is an original. This agreement is not fully executed until all original signatures are attached.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each partner to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. These changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jason Bennecke, Project Manager
464 West 4th Street, 6th Floor, (MS-1229)
San Bernardino, California 92401-1400
Office Phone: (909) 556-8852
Mobile Phone: (909) 556-8852
Email: jason.bennecke@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
Capital Projects Division, Public Works Department
P. O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By:_____
Raymond W. Wolfe, PhD
District Director

CITY OF MORENO VALLEY

By:_____
William L. Bopf
Interim City Manager

CERTIFIED AS TO FUNDS:

By:_____
Lisa Pacheco
Budget Manager

APPROVED AS TO FORM AND PROCEDURE

By:_____
Robert L. Hansen
City Attorney

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5					Construction (CON) - 270, 285, 290, 295	X	X	
	270				Construction Engineering and General Contract Administration	X	X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing	X	X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		75			Resource Agency Permit Renewal and Extension Requests		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
	275				Construction Engineering and General Contract Administration of Structures Work	X	X	
		10			Office Administration Work for Structures		X	

		20			Field Administration Work for Structures		X	
		30			Contract Change Order Inspection for Structures Work		X	
		40			Safety Tasks for Structures Work		X	
	285				Contract Change Order Administration	X	X	
		05			Contract Change Order Process		X	
		10			Functional Support		X	
	290				Resolve Contract Claims		X	
		05			Analysis of Notices of Potential Claims		X	
		10			Supporting Documentation and Responses to Notices of Potential Claims		X	
		15			Reviewed and Approved Claim Report		X	
		20			District Claim Meeting or Board of Review		X	
		25			Arbitration Hearing		X	
		30			Negotiated Claim Settlement		X	
		35			Technical Support		X	
	295				Accept Contract, Prepare Final Construction Estimate, and Final Report	X	X	
		05			Processed Estimate After Acceptance		X	
		10			Proposed Final Contract Estimate		X	
		15			As-Built Plans		X	
		20			Project History File		X	
		25			Final Report		X	
		30			Processed Final Estimate		X	
		35			Certificate of Environmental Compliance		X	
		40			Long Term Environmental Mitigation/Mitigation Monitoring After Construction Contract Acceptance		X	
		45			Post-Construction Traffic Operations Activities		X	
		99			Other Accept Contract/ Prepare Final Construction Estimate and Final Report		X	

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	Local	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00
		Subtotals by Component	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00

MV00058679

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RM
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD
PROJECT NO. 06-12566625

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On June 23, 2009, the City Council awarded the construction contract to Murrieta Development Company, Inc., for the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard. A Purchase Order in the amount of $672,380.97 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

Murrieta Development Company, Inc. completed construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The project consisted of the installation of a traffic signal at the intersection of State Route 60 eastbound ramps and Redlands Boulevard, with street and storm drain improvements and also included minor widening of Redlands Boulevard and the eastbound ramps to accommodate turn lanes.

A Purchase Order in the amount of $672,380.97 was issued. The Contractor completed the project at a total construction cost of $594,370.19 inclusive of Contract Change Order No. 1 (Final) of $9,691.09. The improvements were completed ahead of schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvements Project Budget and is financed by Measure A (Fund 125). These funds can only be used for street related improvements. There is no impact to the General Fund.

AVAILABLE BUDGET:

SR60 Eastbound Ramps/Redlands Blvd Traffic Signal (Acct. No. 125.66625)	$1,269,476
Total Budget	$1,269,476

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$594,370
Construction Survey	$10,500
Construction Geotechnical	$18,100
Caltrans permit	$14,400
Edison Line extension	$6,400
Project Administration and Inspection (City Staff and Consultant)	$37,000
Total Project Construction Costs	$680,770

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Murrieta Development Company, Inc. completed the construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Murrieta Development Company, Inc., and accept the improvements into the City's maintained road system.

ATTACHMENT

Attachment "A" – Location Map (PAGE 251)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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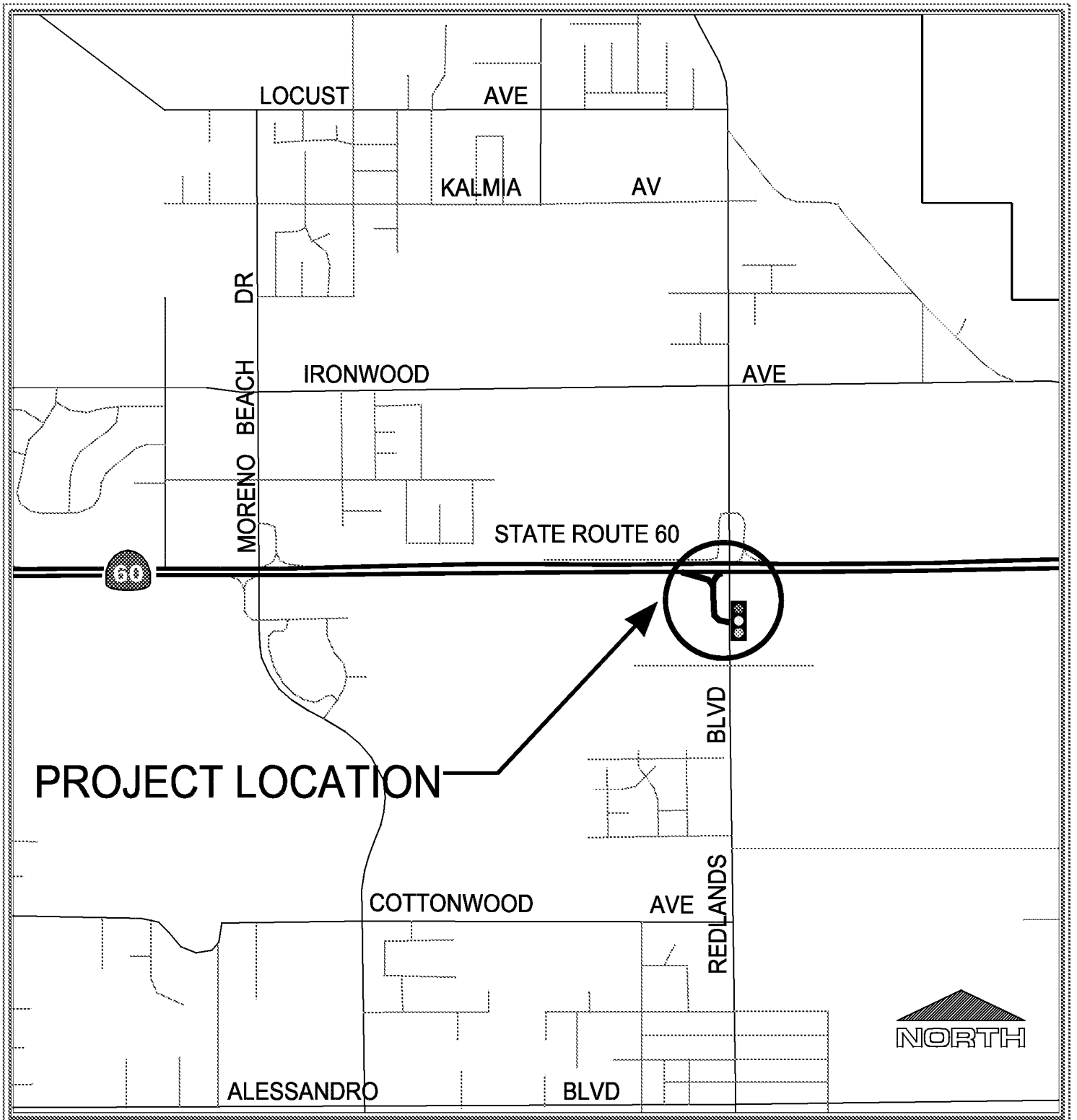

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

STATE ROUTE 60 / REDLANDS BOULEVARD
TRAFFIC SIGNAL ON EAST BOUND ON/OFF RAMPS
PROJECT NUMBER 06-12566625

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: PA04-0016 – Residential - Accept Agreement and Irrevocable Letters of Credit for Public Improvements

Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway

Developer: Pigeon Pass LLC
434 n. 2nd
Upland, CA 91786

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Planning Commission of the City of Moreno Valley approved PA04-0016 on August 12, 2004. The project is located at the Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway. The plot plan was a proposal to subdivide approximately 9-acre parcel into 31 single-family residential lots. The Conditions of Approval for this project require that the developer provide surety for the required public improvements.

DISCUSSION

The developer of this project has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The street improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, bus turnout, street lights, water quality basins, storm drain, water, and sewer. Accompanying the agreement are an Irrevocable Letter of Credit as Faithful Performance security in the amount of $111,500 and an Irrevocable Letter of Credit as Labor and Material security in the amount of $55,750 issued by California Bank & Trust. The Financial and Administrative Services Department has determined that California Bank & Trust meets the minimum financial strength and stability to meet the obligations of the irrevocable letters of credit.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS/EXHIBITS

Exhibit “A” – Vicinity Map (PG. 257)
Exhibit “B” – Agreement for Public Improvements (PG. 259-267)
Exhibit “C” – Irrevocable Letter of Credit as Faithful Performance Security (PG. 269-270)
Exhibit “D” – Irrevocable Letter of Credit as Labor and Material Security (PG. 271-272)

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\5-25-10 - PA04-0016 - Orig Agrmnt & LOC.doc

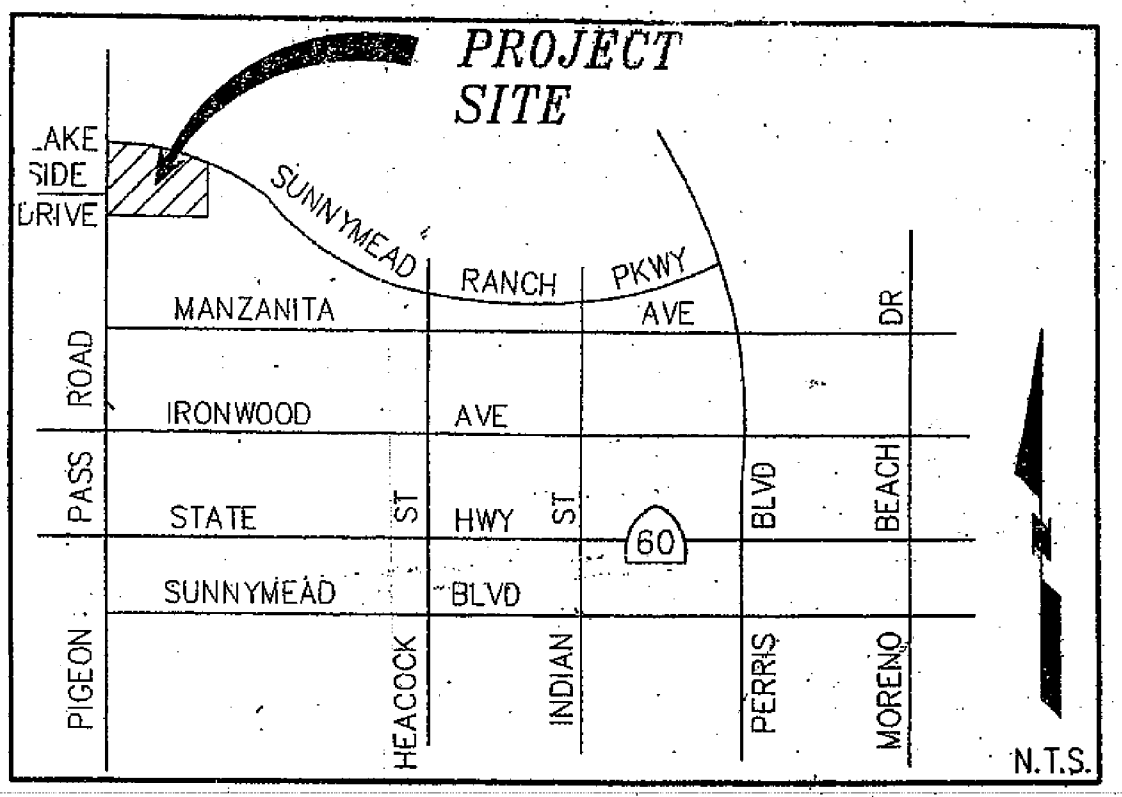

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA04-0016** **TR 31414** **LOCATION MAP**

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0016 (TR 31414)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Pigeon Pass LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0016** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$111,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Pigeon Pass LLC
434 N. 2nd Ave.
Upland, CA 91786

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

Pigeon Pass LLC:
Developer by GFR Enterprises, Inc.
Its: Manager

BY: _____
Signature

Felizardo Robles, Jr.
Print/Type Name

Its: President
Title

BY: _____
Signature

Michael R. Aulicino
Print/Type Name

Its.: Chief Financial Officer
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Bernardino

On April 13, 2010 (Date) before me, Susan C. White (Here Insert Name and Title of the Officer),

personally appeared Felizardo Robles Jr. and Michael R. Aulicino (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SUSAN C. WHITE
Commission # 1857286
Notary Public - California
San Bernardino County
My Comm. Expires Jul 10, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Public Works, Tract 31414

Document Date: April 13, 2010 Number of Pages: 8

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Felizardo Robles Jr.	Signer's Name: Michael R. Aulicino
☒ Corporate Officer — Title(s): President	☒ Corporate Officer — Title(s): CFO
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: GFR Enterprises Inc.	Signer Is Representing: GFR Enterprises, Inc.
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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MS 3/15/10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 03/15/10

PROJECT: **Tract 31414/PA04-0016** PREPARED BY: **Liz Plazola**

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	83222	S.F.	3017	Ton	16.00	48,269
A.C.	0.3	Thickness (ft.)				
	83222	S.F.	1810	Ton	43.50	78,738
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			2659	L.F.	12.00	31,908
Curb and Gutter - 8"			1226	L.F.	13.00	15,938
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			1165	L.F.	10.00	11,650
Cross Gutter and Spandrel			1501	S.F.	11.00	16,511
Sidewalk			24829	S.F.	4.00	99,316
Driveway Approach - 6"			8866	S.F.	5.50	48,763
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			9247	S.Y.	1.10	10,172
Redwood Header			0	L.F.	4.00	0
Sawcut			3575	L.F.	1.10	3,933
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5050	L.F.	5.00	25,250
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			8	EA.	425.00	3,400
Stop Sign			2	EA.	200.00	400
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			10	EA.	50.00	500
Signs and Posts			4	EA.	200.00	800
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			2874	L.S.	.30	862
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping-median			2000	S.F.	5.00	10,000
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			9	EA.	3,000.00	27,000
Street Lights (22000 lumen)			2	EA.	3,500.00	7,000
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Relocate Power Poles			1	EA.	150,000.00	150,000
Cluster Mail Boxes			3	EA.	3,000.00	9,000
Monuments			54		65.00	3,510
Electrical Utility Infrastructure			0	EA.		0
Electrical Utility Trench			0	L.F.	110.00	0
Electrical Reimbursement						
					SUBTOTAL:	606,119

Monuments: 54 X 65.00 EA. $3,510

MMJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	410	L.F.	95.00	38,950
30" Reinforced Concrete Pipe	0	L.F.	110.00	0
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	1	EA.	5000.00	5,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
Ctach Basin	14	LF	450.00	6,300
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	0	EA.	1600.00	0
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	2	EA.	3500.00	7,000
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
Construct local depression	2	EA.	1000.00	2,000
"V" Gutter	23	L.F.	4.00	92
			SUBTOTAL:	63,922

MVG 3/15/10

EXHIBIT "A"

PROJECT: **Tract 31414/PA04-0016**

DATE: **03/15/10**
PREPARED BY: **Liz Plazola**

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	1441	L.F.	50.00	72,050
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	5	EA.	2,000.00	10,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	3	EA.	1,800.00	5,400
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	3	EA.	1,800.00	5,400
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	31	EA.	350.00	10,850
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Prerssure Reducing Vlave	31		200.00	6,200
Joint at Existing 8"	0	EA.	650.00	0
			SUBTOTAL:	114,900

MVJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	1504	L.F.	32.00	48,128
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1116	L.F.	24.00	26,784
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	15	EA.	2,000.00	30,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	3	EA.	2,800.00	8,400
Shallow Manhole	1	EA.	2,000.00	2,000
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	31	EA.	600.00	18,600
Clean Out Lateral	0	EA.	90.00	0
Wyes	56	EA.	90.00	5,040
Pavement Replacement	56	S.F.	3.00	168
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
Backflow valve	7		150.00	1,050
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	140,170

EXHIBIT "A"

3/15/10

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	Tract 31414/PA04-0016 PA04-0016	DATE: PREPARED BY:	03/15/10 Liz Plazola

IMPROVEMENT TYPE:

ROADWORK	:	$606,119
STORM DRAIN	:	$63,922
WATER SYSTEM	:	$114,900
SEWER SYSTEM	:	$140,170
SURVEY MONUMENTS	:	$3,510
TOTAL COST OF IMPROVEMENTS:		$928,621
+20% CONTINGENCY:		$185,724
GRAND TOTAL:		$1,114,346

BOND AMOUNT:	**$1,115,000**
-90% of Original Bond Amount	$1,003,500
NEW BOND AMOUNT:	**$111,500**

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1733

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 111,500.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of One Hundred Eleven Thousand Five Hundred and 00/100 USDOLLARS (USD 111,500.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1733 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.

Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
"We hereby certify that Pigeon Pass LLC has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

OR

"We hereby certify that Pigeon Pass LLC has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided relative to Project No. PA04-0016 (TR31414), the amount of the attached draft is in the amount of USD (insert amount) which represents no more than 10% of the amount of this Letter of Credit."

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

Beneficiary may reduce the Letter of Credit amount from time to time by providing us with a release letter purportedly signed by an authorized representative of The City of Moreno Valley indicating this Letter of Credit No. SB06-1733, the amount to be reduced and the new Letter of Credit amount and stating that the work covered by the agreements is completed to the satisfaction of the City.

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Gloz 4-7-10
By Date

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1732

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 55,750.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of Fifty Five Thousand Seven Hundred Fifty and 00/100 USDOLLARS (USD 55,750.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1732 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

> This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.
>
> Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
> "We hereby certify that Pigeon Pass LLC has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

This Letter of Credit may be cancelled prior to the expiration date, only upon our receipt of the original of this Letter of Credit and amendments (if any) and a statement purportedly signed by an authorized representative of City of Moreno Valley stating that Pigeon Pass LLC has fulfilled its obligation and authorize California Bank & Trust to cancel Letter of Credit No. SB06-1732.

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Alonzo 4-7-10
By Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: May 25, 2010

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2010

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This is the third quarterly report submitted for the 2009-10 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.27 years.

This is the first Treasurer's Cash and Investments Report that incorporates reports generated by Chandler Asset Management. The format of these reports is different than the reports previously provided to the Council; however, all of the previous information plus some additional information is contained in the reports.

On the cover page of the Treasurer's Cash and Investments Report, the column previously titled "Book Value" has been changed to "Cost Value" to match the corresponding column in the reports from Chandler Asset Management. Cost Value is the purchase price of an investment; the amount does not include amortization of premiums, accretion of discounts or accrued interest associated with the investment. Market Value is the price the City would receive if it sold the investment on the open market on the day of the report; the exact value varies many times daily and is only known for certain if the investment is actually sold. Par Value is the amount the City will receive at the maturity of the investment.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – March 2010 (PG. 277-288)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

March 2010

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Duration
Bank Accounts	2,982,299	2,982,299	2,982,299		
State of California LAIF Pool	43,782,651	43,782,651	43,782,651		
Investments	172,056,891	170,645,588	168,702,060	2.27	1.56
Total General Portfolio	**218,821,841**	**217,410,538**	**215,467,011**	**Years**	**Years**

Bond Proceeds with Fiscal Agents	Cost Value	Market Value	Par Value	Average Maturity
Construction Funds	14,517,849	14,517,849	14,517,849	
Principal & Interest Accounts	3,471,121	3,471,121	3,471,121	
Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564	
Custody Accounts	0	0	0	
Arbitrage Rebate Accounts	14,810	14,810	14,810	
Other Accounts	534,765	534,765	534,765	
Total Bond Proceeds	**27,446,109**	**27,446,109**	**27,446,109**	**0.00 Years**

Deferred Compensation Funds	Market Value
Nationwide	7,252,072
ICMA	3,820,694
Total Deferred Compensation Funds	**11,072,766**
Total Investment Portfolio	**255,929,413**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment custodian.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Steve Elam
City Treasurer

Attachment 1

MV00058706

Portfolio Summary

As of 3/31/2010

PORTFOLIO CHARACTERISTICS

Average Duration	1.56
Average Coupon	2.62 %
Average Purchase YTM	2.05 %
Average Market YTM	1.29 %
Average S&P Rating	AAA
Average Final Maturity	2.27 yrs
Average Life	1.55 yrs

ACCOUNT SUMMARY

	Beg. Values as of 2/28/10	End Values as of 3/31/10
Market Value	225,848,547	217,410,538
Accrued Interest	1,007,401	1,495,909
Total Market Value	**226,855,948**	**218,906,447**
Income Earned	612,314	277,190
Cont/WD		
Par	226,640,056	215,467,011
Book Value	226,740,607	218,769,519
Cost Value	226,677,179	218,821,841

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	20.1 %
Federal Home Loan Bank	16.4 %
Federal National Mortgage Assoc	12.6 %
Federal Home Loan Mortgage Corp	10.2 %
Government of United States	9.4 %
Federal Farm Credit Bank	8.9 %
Tennessee Valley Authority	3.8 %
Bank of America Corp FDIC Insur	2.3 %
	83.6 %

SECTOR ALLOCATION

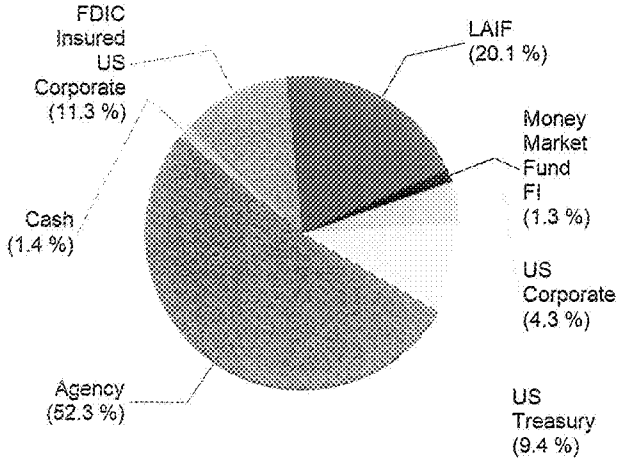

MATURITY DISTRIBUTION

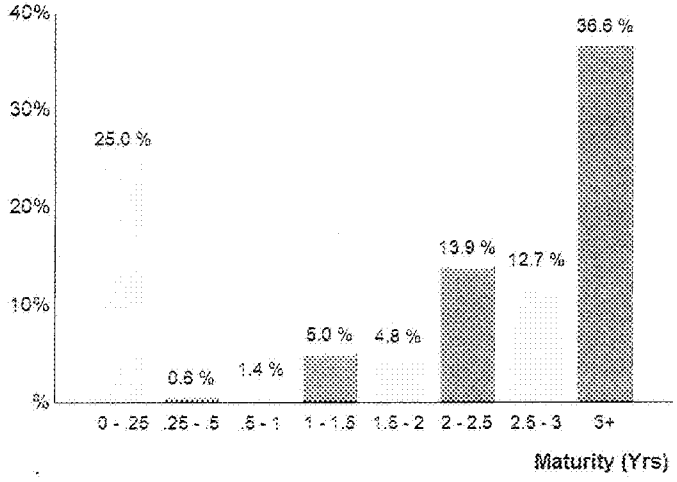

CREDIT QUALITY

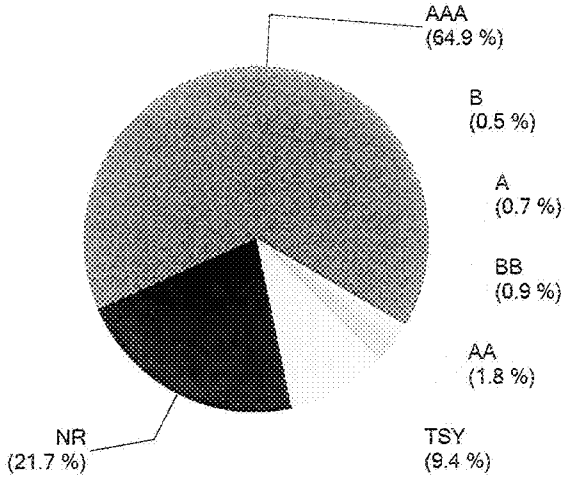

MV00058707

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31331XMQ2	FFCB Note 5% Due 5/26/2010	1,000,000.00	01/26/2007 5.00 %	1,000,000.00 1,000,000.00	100.72 0.29 %	1,007,188.00 17,361.11	0.47 % 7,188.00	Aaa AAA	0.15 0.15
31331GGS2	FFCB Note 2% Due 6/11/2010	1,000,000.00	12/11/2008 2.00 %	1,000,000.00 1,000,000.00	100.31 0.39 %	1,003,125.00 6,111.11	0.46 % 3,125.00	Aaa AAA	0.20 0.19
3133XCJ38	FHLB Callable Note 1X 08/10/2006 4.7% Due 8/10/2010	1,000,000.00	11/29/2005 4.94 %	989,860.00 999,225.46	101.53 0.42 %	1,015,313.00 6,658.33	0.47 % 16,087.54	Aaa AAA	0.36 0.36
3133XQMW9	FHLB Callable Note 1X 10/15/08 3.05% Due 10/15/2010	1,000,000.00	04/15/2008 3.05 %	1,000,000.00 1,000,000.00	101.41 0.43 %	1,014,063.00 14,063.89	0.47 % 14,063.00	Aaa AAA	0.54 0.53
3133XQSX1	FHLB Callable Note 1X 10/28/08 3% Due 10/28/2010	1,000,000.00	04/28/2008 3.00 %	1,000,000.00 1,000,000.00	101.41 0.55 %	1,014,063.00 12,750.00	0.47 % 14,063.00	Aaa AAA	0.58 0.57
307692AA1	FAMCA Note 4.875% Due 1/14/2011	1,000,000.00	06/05/2006 5.47 %	976,000.00 995,895.49	103.44 0.48 %	1,034,410.00 10,427.08	0.48 % 38,514.51	Aaa AAA	0.79 0.77
31398AWA6	FNMA Callable Note 1X 04/01/2010 2.05% Due 4/1/2011	1,000,000.00	04/01/2009 2.05 %	1,000,000.00 1,000,000.00	100.00 2.05 %	1,000,000.00 10,250.00	0.46 % 0.00	Aaa AAA	1.00 0.97
31331YK82	FFCB Note 3.25% Due 5/2/2011	1,000,000.00	05/19/2008 3.38 %	996,360.00 998,662.86	102.84 0.62 %	1,028,438.00 13,451.39	0.48 % 29,775.14	Aaa AAA	1.09 1.06
3133XTRU2	FHLB Note 1.3% Due 6/1/2011	1,000,000.00	06/01/2009 1.30 %	1,000,000.00 1,000,000.00	100.59 0.79 %	1,005,938.00 4,333.33	0.46 % 5,938.00	Aaa AAA	1.17 1.15
3133XREE6	FHLB Callable Note 1X 6 /9/10 3.6% Due 6/9/2011	1,000,000.00	06/09/2008 3.60 %	1,000,000.00 1,000,000.00	100.59 0.45 %	1,005,938.00 11,200.00	0.46 % 5,938.00	Aaa AAA	0.19 0.19
3133XRQR4	FHLB Callable Note 1X 07/14/10 4.125% Due 7/14/2011	1,000,000.00	07/14/2008 4.13 %	1,000,000.00 1,000,000.00	101.06 0.40 %	1,010,625.00 8,822.92	0.47 % 10,625.00	Aaa AAA	0.29 0.29
3133XUHK2	FHLB Callable Note 1X 8/24/2010 1.375% Due 8/24/2011	1,000,000.00	08/24/2009 1.38 %	1,000,000.00 1,000,000.00	100.34 0.51 %	1,003,438.00 1,413.19	0.46 % 3,438.00	Aaa AAA	0.40 0.40
3133XRW30	FHLB Callable Note 1X 7/28/10 4% Due 10/28/2011	1,000,000.00	10/28/2008 4.00 %	1,000,000.00 1,000,000.00	101.19 0.34 %	1,011,875.00 17,000.00	0.47 % 11,875.00	Aaa AAA	0.33 0.32
3136FH4A0	FNMA Callable Note 1X 8/17/10 1.55% Due 11/17/2011	1,000,000.00	08/17/2009 1.58 %	999,375.00 999,547.60	100.41 0.47 %	1,004,063.00 5,769.44	0.46 % 4,515.40	Aaa AAA	0.38 0.38
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.81 1.09 %	1,018,125.00 3,966.67	0.47 % 18,125.00	Aaa AAA	1.82 1.77
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	102.13 1.09 %	1,021,250.00 3,187.50	0.47 % 21,250.00	Aaa AAA	1.87 1.82
3128X8MS8	FHLMC Callable Note 1X 9/2/10 2.35% Due 3/2/2012	1,000,000.00	03/02/2009 2.43 %	997,800.00 998,592.88	100.67 0.76 %	1,006,661.00 1,893.06	0.46 % 8,068.12	Aaa AAA	0.42 0.42
3133XKF83	FHLB Callabe Note 1X 4/19/10 5.02% Due 4/19/2012	1,000,000.00	04/19/2007 5.02 %	1,000,000.00 1,000,000.00	100.22 0.63 %	1,002,188.00 22,590.00	0.47 % 2,188.00	Aaa AAA	0.05 0.05
3136FHNF8	FNMA Callable Note 1X 11/04/2010 1.625% Due 5/4/2012	1,000,000.00	06/07/2009 1.62 %	1,000,000.00 1,000,000.00	100.28 1.14 %	1,002,813.00 6,635.42	0.46 % 2,813.00	Aaa AAA	0.60 0.59
3128X8A93	FHLMC Callable Note 1X 5/11/10 2.05% Due 5/11/2012	1,000,000.00	05/11/2009 2.05 %	1,000,000.00 1,000,000.00	100.18 0.39 %	1,001,840.00 7,972.22	0.46 % 1,840.00	Aaa AAA	0.11 0.11

MV00058708

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3133XL4G5	FHLB Callable Note 1X 6/1/10 5.3% Due 6/1/2012	1,000,000.00	06/01/2007 5.30 %	1,000,000.00 1,000,000.00	100.81 0.41 %	1,008,125.00 17,666.67	0.47 % 8,125.00	Aaa AAA	0.17 0.17
3136FHUY9	FNMA Callable Note 1X 6/1/10 1.4% Due 6/1/2012	1,000,000.00	06/01/2009 1.40 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,250.00 4,666.67	0.46 % 1,250.00	Aaa AAA	0.17 0.17
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,002,401.63	108.94 1.35 %	1,089,375.00 15,138.89	0.50 % 86,973.37	Aaa AAA	2.23 2.09
31331GZ36	FFCB Callable Note 1X 10/19/10 1.55% Due 7/19/2012	1,000,000.00	10/19/2009 1.55 %	1,000,000.00 1,000,000.00	100.25 1.09 %	1,002,500.00 3,100.00	0.46 % 2,500.00	Aaa AAA	0.55 1.46
3136F9YP2	FNMA Callable Note 1X 07/23/2010 4.22% Due 7/23/2012	1,000,000.00	07/23/2008 4.22 %	1,000,000.00 1,000,000.00	101.13 0.59 %	1,011,250.00 7,971.11	0.47 % 11,250.00	Aaa AAA	0.31 0.31
31331XT36	FFCB Note 5.25% Due 8/1/2012	1,000,000.00	08/01/2007 5.25 %	1,000,000.00 1,000,000.00	108.72 1.44 %	1,087,188.00 8,750.00	0.50 % 87,188.00	Aaa AAA	2.34 2.20
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.41 1.41 %	1,024,063.00 3,266.67	0.47 % 24,063.00	Aaa AAA	2.37 2.29
3136FHAK1	FNMA Callable Note 1X 08/27/2010 2.625% Due 8/27/2012	1,000,000.00	02/27/2009 2.63 %	1,000,000.00 1,000,000.00	100.69 0.92 %	1,006,875.00 2,479.17	0.46 % 6,875.00	Aaa AAA	0.41 0.40
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	99.94 1.58 %	999,375.00 7,147.22	0.46 % (625.00)	Aaa AAA	2.55 2.46
3128X8WZ1	FHLMC Callable Note 1X 4/29/10 2.35% Due 10/29/2012	1,000,000.00	04/29/2009 2.35 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,326.00 9,922.22	0.46 % 1,326.00	Aaa AAA	0.08 0.08
3136FHJU0	FNMA Callable Note 1X 4/29/11 2.25% Due 10/29/2012	1,000,000.00	04/29/2009 2.28 %	999,150.00 999,373.96	101.19 1.14 %	1,011,875.00 9,500.00	0.47 % 12,501.04	Aaa AAA	1.08 2.07
3133XSKL1	FHLB Callable Note 1X 11/5/10 4.125% Due 11/5/2012	1,000,000.00	11/05/2008 4.13 %	1,000,000.00 1,000,000.00	102.03 0.69 %	1,020,313.00 16,729.17	0.47 % 20,313.00	Aaa AAA	0.60 0.58
3128X7SV7	FHLMC Callable Note 1X 11/23/2010 3.7% Due 11/23/2012	2,000,000.00	05/23/2008 3.79 %	1,992,500.00 1,995,591.19	101.93 0.69 %	2,038,678.00 26,311.11	0.94 % 43,086.81	Aaa AAA	0.65 0.63
3133XTRK4	FHLB Callable Note 1X 6/18/10 2.1% Due 12/18/2012	1,000,000.00	06/18/2009 2.10 %	1,000,000.00 1,000,000.00	100.34 0.49 %	1,003,438.00 6,008.33	0.46 % 3,438.00	Aaa AAA	0.22 0.85
31331GKF5	FFCB Note 2.5% Due 1/14/2013	1,000,000.00	01/14/2009 2.30 %	1,007,520.00 1,005,244.96	102.00 1.76 %	1,020,000.00 5,347.22	0.47 % 14,755.04	Aaa AAA	2.79 2.67
31398ALB6	FNMA Callable Note 1X 01/18/2011 4% Due 1/18/2013	1,000,000.00	01/18/2008 4.00 %	1,000,000.00 1,000,000.00	102.38 1.00 %	1,023,750.00 8,111.11	0.47 % 23,750.00	Aaa AAA	0.80 0.78
3133XUDM2	FHLB Callable Note 1X 2/14/11 2.4% Due 2/14/2013	1,000,000.00	08/14/2009 2.40 %	1,000,000.00 1,000,000.00	101.09 1.13 %	1,010,938.00 3,133.33	0.46 % 10,938.00	Aaa AAA	0.88 2.21
3136FH4S1	FNMA Callable Note 1X 8/19/10 2.375% Due 2/19/2013	1,000,000.00	08/20/2009 2.38 %	1,000,000.00 1,000,000.00	100.72 0.49 %	1,007,188.00 2,770.83	0.46 % 7,188.00	Aaa AAA	0.39 1.19
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.87 %	4,194,744.63 4,163,338.79	112.20 1.75 %	4,179,338.25 9,933.34	1.91 % 15,999.46	Aaa AAA	2.96 2.74
3128X8TZ5	FHLMC Callable Note 1X 04/08/2011 2.5% Due 4/8/2013	1,000,000.00	04/08/2009 2.50 %	1,000,000.00 1,000,000.00	101.54 0.98 %	1,015,412.00 12,013.89	0.47 % 15,412.00	Aaa AAA	1.02 2.40

MV00058709

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port Gain/Loss	Moody S&P	Term (wal) Duration
AGENCY									
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	100.81 1.92 %	1,008,125.00 10,572.22	0.47 % 8,125.00	Aaa AAA	3.02 2.88
3133XQVY5	FHLB Callable Note Qrtly 5/13/10 4.125% Due 5/13/2013	1,000,000.00	05/13/2008 4.13 %	1,000,000.00 1,000,000.00	100.44 0.37 %	1,004,375.00 15,812.50	0.47 % 4,375.00	Aaa AAA	0.12 0.12
3128X8B84	FHLMC Callable Note 1X 05/13/2011 2.4% Due 5/13/2013	1,000,000.00	05/13/2009 2.40 %	1,000,000.00 1,000,000.00	101.31 1.22 %	1,013,069.00 9,200.00	0.47 % 13,069.00	Aaa AAA	1.12 2.62
3128X7RC0	FHLMC Callable Note 1X 5/20/10 4% Due 5/20/2013	1,000,000.00	05/20/2008 4.00 %	1,000,000.00 1,000,000.00	100.41 0.94 %	1,004,141.00 14,555.56	0.47 % 4,141.00	Aaa AAA	0.14 0.14
31331GXN4	FFCB Callable Note Cont 6/3/11 2.7% Due 6/3/2013	1,000,000.00	06/03/2009 2.70 %	1,000,000.00 1,000,000.00	101.38 1.51 %	1,013,750.00 8,850.00	0.47 % 13,750.00	Aaa AAA	1.18 1.89
31331YV64	FFCB Callable Note Cont 6/10/10 4.3% Due 6/10/2013	1,000,000.00	06/10/2008 4.30 %	1,000,000.00 1,000,000.00	100.75 0.38 %	1,007,500.00 13,258.33	0.47 % 7,500.00	Aaa AAA	0.19 0.19
3128X7VR2	FHLMC Callable Note 1X 6/10/10 4% Due 6/10/2013	1,000,000.00	06/10/2008 4.00 %	1,000,000.00 1,000,000.00	100.68 0.46 %	1,006,767.00 12,333.33	0.47 % 6,767.00	Aaa AAA	0.19 0.19
3128X84T6	FHLMC Callable Note 1X 7/23/10 2.4% Due 7/23/2013	1,000,000.00	07/23/2009 2.40 %	1,000,000.00 1,000,000.00	100.54 0.66 %	1,005,406.00 4,533.33	0.46 % 5,406.00	Aaa AAA	0.31 1.49
3133XRTE0	FHLB Callable Note 1X 7/29/10 4.625% Due 7/29/2013	1,000,000.00	07/29/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.33 %	1,014,063.00 7,965.28	0.47 % 14,063.00	Aaa AAA	0.33 0.33
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 4,092,821.60	108.66 2.05 %	4,074,596.25 29,687.50	1.87 % (18,225.35)	Aaa AAA	3.34 3.08
3133XUEC3	FHLB Callable Note 1X 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	101.13 1.81 %	1,011,250.00 3,606.94	0.46 % 11,250.00	Aaa AAA	1.37 2.15
3133XRYG9	FHLB Callable Note 1X 8/20/10 4.625% Due 8/20/2013	1,000,000.00	10/28/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.96 %	1,014,063.00 5,267.36	0.47 % 14,063.00	Aaa AAA	0.39 0.38
3128X9GH7	FHLMC Callable Note 1X 4/1/10 2.5% Due 10/1/2013	1,000,000.00	10/01/2009 2.53 %	999,000.00 999,124.57	100.00 2.50 %	1,000,000.00 12,500.00	0.46 % 875.43	Aaa AAA	3.51 3.29
31331GDF3	FFCB Callable Note Cont 10/15/10 4.25% Due 10/15/2013	1,000,000.00	10/15/2008 4.25 %	1,000,000.00 1,000,000.00	102.03 0.47 %	1,020,313.00 19,597.22	0.48 % 20,313.00	Aaa AAA	0.54 0.53
3136FJGM7	FNMA Callable Note 1X 10/22/10 2.5% Due 10/22/2013	1,000,000.00	10/22/2009 2.50 %	1,000,000.00 1,000,000.00	100.34 1.88 %	1,003,438.00 11,041.67	0.46 % 3,438.00	Aaa AAA	0.56 2.25
3133XSLV8	FHLB Callable Note 1X 11/26/10 3.5% Due 11/26/2013	1,000,000.00	11/26/2008 3.50 %	1,000,000.00 1,000,000.00	102.19 0.15 %	1,021,875.00 12,152.78	0.47 % 21,875.00	Aaa AAA	0.66 0.65
3133XSMU9	FHLB Callable Note 1X 11/26/10 4.05% Due 11/26/2013	1,000,000.00	11/26/2008 4.05 %	1,000,000.00 1,000,000.00	102.38 0.40 %	1,023,750.00 14,062.50	0.47 % 23,750.00	Aaa AAA	0.66 0.64
3133XHW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,066,040.95	109.41 2.21 %	1,094,063.00 14,625.00	0.51 % 28,022.05	Aaa AAA	3.71 3.36
3137EABX6	FHLMC Note 2.5% Due 1/7/2014	4,000,000.00	03/17/2010 2.09 %	4,059,384.00 4,058,786.32	101.16 2.18 %	4,046,372.00 23,333.33	1.86 % (12,414.32)	Aaa AAA	3.78 3.56
3136F93Z4	FNMA Callable Note 1X 1/28/11 2% Due 1/28/2014	1,000,000.00	01/28/2009 2.00 %	1,000,000.00 1,000,000.00	100.63 1.23 %	1,006,250.00 3,500.00	0.46 % 6,250.00	Aaa AAA	0.83 0.82

MV00058710

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (Yrs) Duration
AGENCY									
3133XSZ43	FHLB Callable Note Qrtly 02/18/2011 3% Due 2/18/2014	1,000,000.00	02/18/2009 3.00 %	1,000,000.00 1,000,000.00	100.69 2.21 %	1,006,875.00 3,583.33	0.46 % 6,875.00	Aaa AAA	0.89 1.89
3136FHDF9	FNMA Callalbe Note 1X 3/18/11 3.2% Due 3/18/2014	1,000,000.00	03/18/2009 3.20 %	1,000,000.00 1,000,000.00	101.75 1.37 %	1,017,500.00 1,155.56	0.47 % 17,500.00	Aaa AAA	0.96 2.50
3128X8QM7	FHLMC Callable Note 1X 03/24/2011 2.375% Due 3/24/2014	1,000,000.00	03/24/2009 2.40 %	999,000.00 999,204.27	101.98 0.35 %	1,019,849.00 461.81	0.47 % 20,644.73	Aaa AAA	0.98 0.97
31398AWH1	FNMA Callable Note 1X 4/7/11 2.9% Due 4/7/2014	1,000,000.00	06/08/2009 2.98 %	996,406.25 997,011.32	100.59 2.31 %	1,005,938.00 14,016.67	0.47 % 8,926.68	Aaa AAA	1.02 2.82
3136FHHH1	FNMA Callable Note 1X 4/14/11 2% Due 4/14/2014	1,000,000.00	04/14/2009 2.00 %	1,000,000.00 1,000,000.00	99.91 2.09 %	999,063.00 9,277.78	0.46 % (937.00)	Aaa AAA	1.04 1.01
3136FHGK5	FNMA Callable Note 1X 04/16/2012 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.38 2.31 %	1,013,750.00 13,750.00	0.47 % 13,750.00	Aaa AAA	2.05 3.45
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.31 1.60 %	1,013,125.00 9,375.00	0.47 % 13,125.00	Aaa AAA	2.09 3.12
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.94 1.53 %	1,009,375.00 8,086.81	0.46 % 9,375.00	Aaa AAA	1.62 2.76
31331GYT0	FFCB Callable Note Cont 6/17/10 3.75% Due 6/17/2014	1,000,000.00	06/17/2009 3.75 %	1,000,000.00 1,000,000.00	100.78 0.05 %	1,007,813.00 10,833.33	0.47 % 7,813.00	Aaa AAA	0.21 0.21
3133X7FK5	FHLB Note 5.25% Due 6/18/2014	3,650,000.00	03/15/2010 2.34 %	4,078,185.15 4,073,779.39	111.19 2.44 %	4,058,343.75 54,826.04	1.88 % (15,435.64)	Aaa AAA	4.22 3.76
3128X8Y89	FHLMC Callable Note 1X 7/2/10 3.4% Due 7/2/2014	1,000,000.00	07/02/2009 3.41 %	999,531.25 999,601.33	100.79 0.26 %	1,007,935.00 8,405.56	0.46 % 8,333.67	Aaa AAA	0.25 0.25
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.25 1.78 %	1,012,500.00 5,694.44	0.47 % 12,500.00	Aaa AAA	1.78 1.72
31398AYN6	FNMA Callable Note 1X 07/28/2011 3% Due 7/28/2014	1,000,000.00	07/28/2009 3.00 %	1,000,000.00 1,000,000.00	100.75 2.42 %	1,007,500.00 5,250.00	0.46 % 7,500.00	Aaa AAA	1.33 3.32
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,096,498.18	102.22 2.46 %	4,088,752.00 21,000.00	1.88 % (7,746.18)	Aaa AAA	4.33 4.02
3133XUBN2	FHLB Callable Note Cont 8/5/10 3.2% Due 8/5/2014	1,000,000.00	08/08/2009 3.20 %	1,000,000.00 1,000,000.00	100.84 0.74 %	1,008,438.00 4,977.78	0.46 % 8,438.00	Aaa AAA	0.35 1.14
3133XUPX5	FHLB Callable Note 1X 9/15/11 3.1% Due 9/15/2014	1,000,000.00	09/15/2009 3.10 %	1,000,000.00 1,000,000.00	101.50 2.74 %	1,015,000.00 1,377.78	0.46 % 15,000.00	Aaa AAA	4.46 2.67
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,089,870.47	101.50 2.64 %	4,060,000.00 3,000.00	1.86 % (29,870.47)	Aaa AAA	4.48 4.17
3133XV2K6	FHLB Callable Note Qrtly 1/15/10 2% Due 10/15/2014	1,000,000.00	10/15/2009 2.00 %	1,000,000.00 1,000,000.00	100.07 0.18 %	1,000,700.00 9,222.22	0.46 % 700.00	Aaa AAA	0.04 0.04
3133XV3B5	FHLB Callable Note Qtrly 1/22/10 2% Due 10/22/2014	1,000,000.00	10/22/2009 2.00 %	1,000,000.00 1,000,000.00	100.09 0.37 %	1,000,938.00 8,833.33	0.46 % 938.00	Aaa AAA	0.06 1.08
3136FJKD2	FNMA Callable Note 1X 10/27/2011 2.8% Due 10/27/2014	1,000,000.00	10/27/2009 2.80 %	1,000,000.00 1,000,000.00	99.94 2.81 %	999,375.00 11,977.78	0.46 % (625.00)	Aaa AAA	4.58 4.21

MV00058711

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31398AZS4	FNMA Callable Note 1X 10/29/2010 3% Due 10/29/2014	1,000,000.00	10/29/2009 3.02 %	998,910.00 999,001.93	100.16 2.72 %	1,001,563.00 12,666.67	0.46 % 2,561.07	Aaa AAA	0.58 2.56
3128X9KE9	FHLMC Callable Note QTRLY 11/5/10 3% Due 11/5/2014	1,000,000.00	11/05/2009 3.00 %	1,000,000.00 1,000,000.00	100.44 2.24 %	1,004,421.00 12,166.67	0.46 % 4,421.00	Aaa AAA	0.60 2.00
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,114,576.82	100.00 2.63 %	4,100,000.00 39,163.54	1.89 % (14,576.82)	Aaa AAA	4.64 4.30
3136FJPL9	FNMA Callable Note 1X 05/25/2010 3.4% Due 11/25/2014	1,000,000.00	11/25/2009 3.40 %	1,000,000.00 1,000,000.00	100.19 2.12 %	1,001,875.00 11,900.00	0.46 % 1,875.00	Aaa AAA	0.15 0.15
31331G7L7	FFCB Callable Note Cont 12/22/11 2.82% Due 12/22/2014	1,000,000.00	12/22/2009 2.82 %	1,000,000.00 1,000,000.00	99.78 2.87 %	997,813.00 7,755.00	0.46 % (2,187.00)	Aaa AAA	4.73 4.36
31331JAA1	FFCB Callable Note Cont 12/22/10 3% Due 12/22/2014	1,000,000.00	12/22/2009 3.00 %	1,000,000.00 1,000,000.00	100.19 2.72 %	1,001,875.00 8,250.00	0.46 % 1,875.00	Aaa AAA	0.73 2.32
3133XWBQ1	FHLB Callable Note Qtrly 6/29/10 3% Due 12/29/2014	1,000,000.00	12/29/2009 3.00 %	1,000,000.00 1,000,000.00	99.34 3.15 %	993,438.00 7,666.67	0.46 % (6,562.00)	Aaa AAA	4.75 1.52
3136FJZA2	FNMA Callable Note Qtrly 06/30/2010 3.05% Due 12/30/2014	1,000,000.00	12/30/2009 3.05 %	1,000,000.00 1,000,000.00	99.81 3.09 %	998,125.00 7,709.72	0.46 % (1,875.00)	Aaa AAA	4.75 1.84
3136FJE23	FNMA Callable Note Qtrly 01/05/2011 3% Due 1/5/2015	1,000,000.00	01/05/2010 3.00 %	1,000,000.00 1,000,000.00	100.34 2.54 %	1,003,438.00 7,166.67	0.46 % 3,438.00	Aaa AAA	0.77 2.33
3133XWDZ9	FHLB Callable Note Cont 7/13/10 3.1% Due 1/13/2015	1,000,000.00	01/13/2010 3.10 %	1,000,000.00 1,000,000.00	99.72 3.16 %	997,188.00 6,716.67	0.46 % (2,812.00)	Aaa AAA	4.79 1.52
Total Agency		**111,225,000.00**	**2.84 %**	**112,769,330.38** **112,744,191.97**	**1.48 %**	**113,619,283.25** **938,545.29**	**52.33 %** **875,091.28**	**Aaa** **AAA**	**1.86** **1.93**
CASH									
90CASH$00	Cash Custodial Cash Account	2,982,298.79	Various 0.00 %	2,982,298.79 2,982,298.79	1.00 0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
Total Cash		**2,982,298.79**	**N/A**	**2,982,298.79** **2,982,298.79**	**0.00 %**	**2,982,298.79** **0.00**	**1.36 %** **0.00**	**NR** **NR**	**0.00** **0.00**
FDIC INSURED US CORPORATE									
61757UAF7	Morgan Stanley FDIC Guaranteed Note 2% Due 9/22/2011	4,825,000.00	Various 0.91 %	4,909,264.93 4,901,788.66	101.68 0.85 %	4,906,045.53 2,412.50	2.24 % 4,256.87	Aaa AAA	1.48 1.45
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	4,750,000.00	Various 1.07 %	4,919,063.75 4,902,781.38	103.25 1.05 %	4,904,603.00 44,333.33	2.26 % 1,821.62	Aaa AAA	1.69 1.64
06050BAG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	4,850,000.00	Various 1.31 %	4,932,732.55 4,927,981.53	101.84 1.20 %	4,939,312.75 42,720.41	2.28 % 11,331.22	Aaa AAA	2.08 2.02
91160HAC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	4,875,000.00	Various 1.40 %	4,913,348.88 4,915,118.40	101.14 1.26 %	4,930,360.50 33,150.00	2.27 % 15,242.10	Aaa AAA	2.13 2.07

MV00058712

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
FDIC INSURED US CORPORATE									
38146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	4,725,000.00	03/12/2010 1.27 %	4,931,019.45 4,927,255.39	104.27 1.28 %	4,926,738.60 45,215.63	2.27 % (516.79)	Aaa AAA	2.21 2.12
Total FDIC Insured US Corporate		**24,025,000.00**	**1.19 %**	**24,605,429.56 24,574,925.36**	**1.13 %**	**24,607,060.38 167,831.87**	**11.32 % 32,135.02**	**Aaa AAA**	**1.92 1.86**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	43,782,651.30	Various 0.55 %	43,782,651.30 43,782,651.30	1.00 0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
Total LAIF		**43,782,651.30**	**0.55 %**	**43,782,651.30 43,782,651.30**	**0.55 %**	**43,782,651.30 116,641.32**	**20.05 % 0.00**	**NR NR**	**0.00 0.00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	1.00	03/09/2010 0.05 %	1.00 1.00	1.00 0.05 %	1.00 0.00	0.00 % 0.00	Aaa AAA	0.00 0.00
431114701	Highmark Govt Money Market Fund	2,837,059.47	Various 0.05 %	2,837,059.47 2,837,059.47	1.00 0.05 %	2,837,059.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**2,837,060.47**	**0.05 %**	**2,837,060.47 2,837,060.47**	**0.05 %**	**2,837,060.47 0.00**	**1.30 % 0.00**	**Aaa AAA**	**0.00 0.00**
US CORPORATE									
459745FP5	International Lease Finance Note 5% Due 4/15/2010	2,000,000.00	03/26/2007 5.06 %	1,996,420.00 1,999,955.09	100.01 4.66 %	2,000,182.00 46,111.11	0.93 % 226.91	B1 BB+	0.04 0.04
02635PSV6	American General Finance Note 4.875% Due 5/15/2010	1,000,000.00	08/08/2006 5.51 %	978,490.00 999,312.18	99.96 5.12 %	999,587.00 18,416.67	0.47 % 274.82	B2 B	0.12 0.12
52517PA35	Lehman Brothers Holdings Note 4.5% Due 7/26/2010	1,000,000.00	08/25/2006 5.29 %	972,450.00 972,450.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,950.00)	NR NR	0.32 0.00
52517PYN5	Lehman Brothers Holdings Defaulted - Orig mat 1/27/10 4.25% Due 1/27/2012	1,000,000.00	06/08/2007 4.93 %	972,030.00 972,030.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,530.00)	NR NR	-0.17 0.00
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	23.25 0.00 %	232,500.00 0.00	0.11 % (763,500.00)	NR NR	1.85 0.00
06406HBL2	Bank of New York Note 4.3% Due 5/15/2014	2,140,000.00	Various 2.94 %	2,251,997.60 2,251,850.05	105.27 2.93 %	2,252,765.16 34,763.11	1.04 % 915.11	Aa2 AA-	4.13 3.72
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	1,575,000.00	03/25/2010 3.61 %	1,581,000.75 1,580,993.92	100.62 3.56 %	1,584,700.43 11,493.13	0.73 % 3,706.51	Aa3 A+	4.81 4.34
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	1,625,000.00	03/25/2010 3.94 %	1,682,687.50 1,682,622.57	103.85 3.87 %	1,687,500.75 11,149.31	0.78 % 4,878.18	Aa3 AA-	4.87 4.29
Total US Corporate		**11,340,000.00**	**4.35 %**	**11,431,075.85 11,455,213.81**	**3.61 %**	**9,222,235.34 121,933.33**	**4.27 % (2,232,978.47)**	**A3 A-**	**2.79 2.45**

MV00058713

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term Avrsl Duration
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 4,045,885.02	107.13 1.03 %	4,043,968.75 71,328.73	1.88 % (1,916.27)	TSY TSY	2.08 1.97
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 4,055,857.33	107.29 1.28 %	4,050,163.53 438.35	1.85 % (5,693.80)	TSY TSY	2.50 2.39
912828HK9	US Treasury Note 3.375% Due 11/30/2012	3,875,000.00	03/12/2010 1.29 %	4,089,651.65 4,085,969.43	105.26 1.36 %	4,078,739.75 43,833.28	1.88 % (7,229.68)	TSY TSY	2.67 2.53
912828HM5	US Treasury Note 3.625% Due 12/31/2012	3,850,000.00	03/12/2010 1.35 %	4,089,735.55 4,085,747.78	105.91 1.43 %	4,077,388.70 35,083.39	1.88 % (8,359.08)	TSY TSY	2.76 2.61
912828HV5	US Treasury Note 2.5% Due 3/31/2013	4,000,000.00	03/12/2010 1.48 %	4,121,575.90 4,119,717.28	102.74 1.56 %	4,109,688.00 273.22	1.88 % (10,029.28)	TSY TSY	3.00 2.89
Total US Treasury		**19,275,000.00**	**1.27 %**	**20,413,994.26 20,393,176.84**	**1.33 %**	**20,359,948.73 150,956.97**	**9.37 % (33,228.11)**	**TSY TSY**	**2.60 2.48**
TOTAL PORTFOLIO		**215,467,010.56**	**2.05 %**	**218,821,840.61 218,769,518.54**	**1.29 %**	**217,410,538.26 1,495,908.78**	**100.00 % (1,358,980.28)**	**Aaa AAA**	**1.55 1.56**
TOTAL MARKET VALUE PLUS ACCRUED						**218,906,447.04**			

COMPLIANCE WITH INVESTMENT POLICY

Assets managed on by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

MV00058715

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Face Value	Cost Value	Market Value	Stated Rate	Yield	Price	% of Portfolio
[illegible]	[illegible]											
redemption fund	20350200	money market fund	WF Govt Fund	03/31/10	04/01/10	291,847	291,847	291,847	0.01%	0.01%	1.00000	1.063%
redemption/prepay	20350201	money market fund	WF Govt Fund	03/31/10	04/01/10	2,322	2,322	2,322	0.01%	0.01%	1.00000	0.008%
reserve fund	20350202	money market fund	WF Govt Fund	03/31/10	04/01/10	70,301	70,301	70,301	0.01%	0.01%	1.00000	0.256%
rebate fund	20350203	money market fund	WF Govt Fund	03/31/10	04/01/10	329	329	329	0.01%	0.01%	1.00000	0.001%
						364,799	364,799	364,799				1.329%
[illegible]	[illegible]											
Special tax funds	22631800	cash	cash	12/16/88	09/02/09	0		0	0.00%	0.00%	1.00000	0.000%
special tax funds	22631800	money market fund	WF Govt Fund	03/31/10	04/01/10	1,923,782	1,923,782	1,923,782	0.01%	0.01%	1.00000	7.009%
interest acct	22631801	money market fund	WF Govt Fund	03/31/10	04/01/10		0	0	0.01%	0.01%	1.00000	0.000%
reserve fund	22631804	money market fund	WF Govt Fund	03/31/10	04/01/10	1,028,699	1,028,699	1,028,699	0.01%	0.01%	1.00000	3.748%
admin exp acct	22631805	money market fund	WF Govt Fund	03/31/10	04/01/10	377	377	377	0.01%	0.01%	1.00000	0.001%
debt service acct	22631809	money market fund	WF Govt Fund	03/31/10	04/01/10	535,790	535,790	535,790	0.01%	0.01%	1.00000	1.952%
special tax funds	22631900	money market fund	WF Govt Fund	03/31/10	04/01/10	405,316	405,316	405,316	0.01%	0.01%	1.00000	1.477%
interest acct	22631901	money market fund	WF Govt Fund	03/31/10	04/01/10	16,153	16,153	16,153	0.01%	0.01%	1.00000	0.059%
reserve fund	22631904	money market fund	WF Govt Fund	03/31/10	04/01/10	366,244	366,244	366,244	0.01%	0.01%	1.00000	1.334%
admin exp acct	22631905	money market fund	WF Govt Fund	03/31/10	04/01/10	72	72	72	0.01%	0.01%	1.00000	0.000%
cost of issuance	22631906	money market fund	WF Govt Fund	03/31/10	04/01/10	2	2	2	0.01%	0.01%	1.00000	0.000%
						4,276,435	4,276,435	4,276,435				
[illegible]	[illegible]											
Series B Revenue	22333500	money mkt fund	WF Govt Fund	03/31/10	04/01/10	150,243	150,243	150,243	0.01%	0.01%	1.00000	0.547%
Series A Principal	22333501	money mkt fund	WF Govt Fund	03/31/10	04/01/10	12,301	12,301	12,301	0.01%	2.71%	1.00000	0.045%
Series B reserve	22333503	money mkt fund	WF Govt Fund	03/31/10	04/01/10	522,482	522,482	522,482	0.01%	0.01%	1.00000	1.904%
Series A interest	22333504	money mkt fund	WF Govt Fund	03/31/10	04/01/10	625	625	625	0.01%	0.01%	1.00000	0.002%
Series B interest	22333505	money mkt fund	WF Govt Fund	03/31/10	04/01/10	457,656	457,656	457,656	0.01%	0.01%	1.00000	1.667%
						1,143,307	1,143,307	1,143,307				
[illegible]	[illegible]											
delivery cost fund	12526001	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
						0	0	0				
[illegible]	[illegible]											
expense fund	12526107	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,068	14,068	14,068	0.01%	0.01%	1.00000	0.051%
reserve account	12526103	money mkt fund	WF Govt Fund	03/31/10	04/01/10	407,462	407,462	407,462	0.01%	0.01%	1.00000	1.485%
lease revenue	12526100	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
rebate account	12526104	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,481	14,481	14,481	0.01%	0.01%	1.00000	0.053%
						436,011	436,011	436,011				
[illegible]	[illegible]											
debt service fund	22631700	money mkt fund	WF Govt Fund	03/31/10	04/01/10	1,026,442	1,026,442	1,026,442	0.01%	0.01%	1.00000	3.740%
						1,026,442	1,026,442	1,026,442				
[illegible]	[illegible]											
bond fund	18042800	money mkt fund	WF Govt Fund	03/31/10	04/01/10	333	333	333	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	03/31/10	04/01/10	2,992,830	2,992,830	2,992,830	0.01%	0.01%	1.00000	10.904%
construction fund	18042806	money mkt fund	WF Govt Fund	03/31/10	04/01/10	7,671,734	7,671,734	7,671,734	0.01%	0.01%	1.00000	27.952%
						10,664,897	10,664,897	10,664,897				38.858%
[illegible]	[illegible]											
interest fund	22277601	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	03/31/10	04/01/10	6,846,115	6,846,115	6,846,115	0.01%	0.01%	1.00000	24.944%
capital interest fund	22277605	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
cost of issuance	22277606	money mkt fund	WF Govt Fund	03/31/10	04/01/10	368,024	368,024	368,024	0.01%	0.01%	1.00000	1.341%
						7,214,139	7,214,139	7,214,139				
[illegible]	[illegible]											
revenue fund	20350300	revenue	WF Govt Fund	03/31/10	04/01/10	1,139,953	1,139,953	1,139,953	0.01%	0.01%	1.00000	4.153%
reserve fund	20350303	reserve	WF Govt Fund	03/31/10	04/01/10	1,178,145	1,178,145	1,178,145	0.01%	0.01%	1.00000	4.293%
admin expenses	20350304	admin expenses	WF Govt Fund	03/31/10	04/01/10	1,981	1,981	1,981	0.01%	0.01%	1.00000	0.007%
						2,320,079	2,320,079	2,320,079				8.453%
			Totals			27,446,109	27,446,109	27,446,109				100.000%

[illegible]	[illegible]	[illegible]	[illegible]
1	Construction Funds	14,517,849	14,517,849	14,517,849
2	Principal & Interest Accounts	3,471,121	3,471,121	3,471,121
3	Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564
4	Custody Accounts	0	0	0
5	Arbitrage Rebate Accounts	14,810	14,810	14,810
6	Other Accounts	534,765	534,765	534,765
	Total Fiscal Agent Funds	27,446,109	27,446,109	27,446,109

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DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value
Liquid Savings	$1,117,937
Nationwide Fixed (Part Time Employee)	0
Liquid Savings (Part Time Employees)	128,711
Certificates of Deposit 3 years	15,413
JP Morgan Mid Cap Value A	84,139
Bond Fund Of America	67,275
Growth Fund of America	52,907
Investment Co. of America	10,732
Income Fund of America	110,204
Brown Cap Mgmt Inc SM Co	62,451
Fidelity Independence	20,461
Fidelity Equity Income	19,513
Fidelity Magellan	303,795
Certificates of Deposit 5 years	29,246
Fidelity Puritan	109,520
Fidelity Contrafund	232,459
Janus Fund	59,176
Janus Advisor Forty	57,375

Fund	Market Value
Drey SmCap I	5
American Century Balanced	25
Am Century Growth	44,573
Am Century Select	78,857
Am Century Ultra	0
Vanguard Index 500	65,279
Vanguard Institutional Index	312,628
Vanguard Wellington	13,990
Vanguard Windsor II	62,350
Vanguard Total Bond Index	108,028
Putnam Voyager	0
Templeton Foreign I	0
EuroPacific Growth	226,967
Stable Fund C	1,686,963
PBHG Growth Fund	0
DWS High Income Fund A	43,075
DWS Strategic Value	35,410
Oppenheimer Global Fund A	96,338

Fund	Market Value
N B Socially Responsive Fund	8,153
DFA US Micro Cap Port	104,358
Federated Kaufmann Fund	453,072
AIM Mid Cap Core Equity	13,731
Washington Mutual Inv	42,263
Nationwide InvDes Mod Cons Fund SC	9,720
Nationwide InvDes Mod Aggr Fund	589,670
Nationwide InvDes Aggr Fund	93,883
Nationwide InvDes Mod Fd	330,279
Nationwide Inv Des Cons	81,128
Nationwide Large Cap Growth	67,253
Nationwide Inter Val Inst Svc	21,653
Nationwide US Sm Cap Val Ins Svc	550
Nationwide Dest 2015 Inst Svc	11,121
YL Account	146,412
Nationwide Dest 2025 Inst Svc	21,391
Nationwide Dest 2020 Inst Svc	1,633
Total Nationwide Deferred	**$7,252,072**

ICMA

Fund	Market Value
Aggressive Oppor.	$142,895
International	142,050
All Equity Growth	75,840
Growth and Income	175,644
Broad Market	45,514
500 Stock Index	58,767
Equity Income	250,148
Asset Allocation	103,430
Core Bond	15,270
Cash Management	31,665
Plus Fund	1,384,358
Savings Oriented	5,583
Conservative Growth	75,740
Traditional Growth	214,109
Long-Term Growth	262,559
Mid/Small Co Index	0
Milestone 2030	9,055
Milestone 2035	7,490
Overseas Equity Index fund	52,527
Vantage Trust 1yr CD	0

Fund	Market Value
VT Royce Premeir	1,569
VT Ranier Small/Mid Cap Eq	25,521
VT Fidelity Contrafund	130,761
VT Fidelity Magellan	0
VT Fidelity Diversified International	51,911
VT Allianz NFJ Div Value	37,846
VT Legg Mason Value	1,711
VT Fidelity Puritan	3,653
VT Royce Value Plus Service	4,807
VT TR Price Growth Stock Adv	13,865
VT First Amer. Real Estate Secs	4,244
VT TR Price Small Cap Value	102,249
VT Third Ave Value	7,135
Inflation Protected Securities	48,469
Growth Fund	198,844
VT PIMCO Total Return	36,371
VT PIMCO High Yield	94,730
VT Eaton Vance Lage Cap Value	4,364
Total ICMA	**$3,820,694**

Summary by Plan

	Market Value
Total Nationwide	$7,252,072
Total ICMA	3,820,694
Total Deferred Compensation Plans	**$11,072,766**

Summary by Investment Type

	Market Value
Savings Deposits and CD's	$1,246,648
Mutual Funds	9,826,118
Total Deferred Compensation Plans	**$11,072,766**

MV00058717

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 297)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PAGES 299 – 308)
Attachment "C" – Assignment Agreement (PAGE 309)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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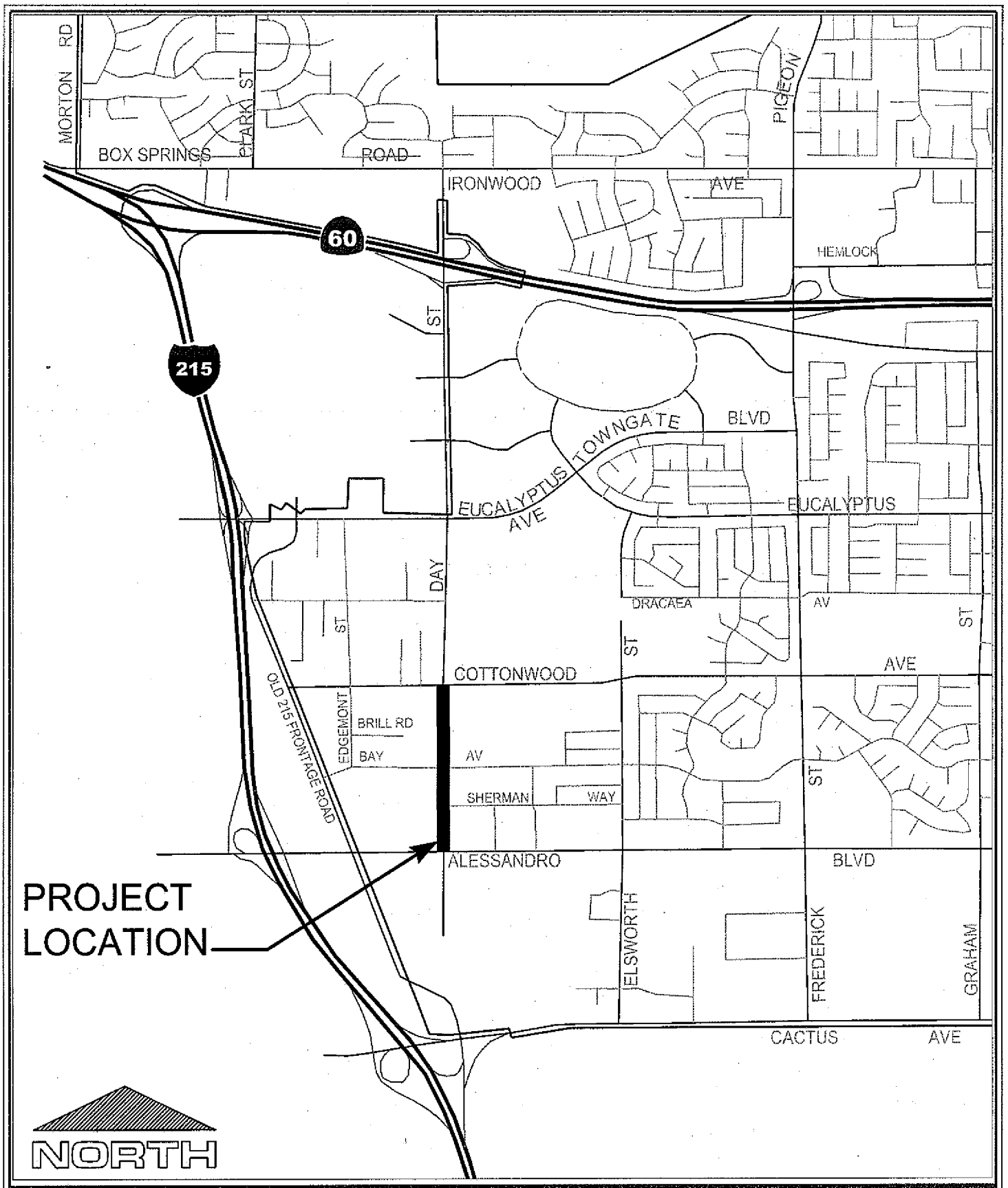

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

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insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

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FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

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BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

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MV00058735

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard.

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227).

3. Authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney.

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

BACKGROUND

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris

Boulevard. There are twenty-six (26) parcels from which right-of-way (ROW) is needed to widen this section of Ironwood Avenue. On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties.

DISCUSSION

APN 475-272-054 requires the acquisition of the entire property. This right-of-way acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements.

The subject property is located at 11987 Davis Street and is currently owned by Ms. Yost and Mr. Swanson. The parcel is improved with a single family residence and contains approximately 0.17 acres (7,405 square feet).

An appraisal report for right-of-way was prepared on March 2, 2009 by Donahue Appraisal Associates. The appraised value amount is $110,000 for this parcel.

After negotiation, the owner has agreed with a settlement amount of $124,500. The final acquisition amount for APN 475-272-054 exceeds $100,000 and requires that the Agreement for Conveyance of Property be approved by City Council.

ALTERNATIVES

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, do not authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and do not authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and do not authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative will result in delaying the construction of the Ironwood Avenue improvements.*

FISCAL IMPACT

Western Riverside Council of Governments (WRCOG), in establishing its TUMF program, identified Ironwood Avenue from Heacock Street to Perris Boulevard as part of the TUMF-roadway network. This network consists of regionally significant highways that support intercommunity trips in Western Riverside County, and are therefore eligible for improvements using TUMF reimbursement funds.

Funding for the proposed right-of-way acquisition is included in the Fiscal Year 2009/2010 budget, and TUMF provides a 68% reimbursement to the City's 32% matching funds. These TUMF funds were allocated by WRCOG for street improvements and associated right-of-way acquisition for the Ironwood Avenue Improvements project from Heacock Street to Perris Boulevard. There is no impact to the General Fund.

AVAILABLE PROJECT FUNDS:

Fiscal Year 2009/2010 TUMF Funds, Account No. 415.70227	$3,106,000
Fiscal Year 2009/2010 DIF Funds, Account No. 416.78727	$1,116,000
Fiscal Year 2009/2010 2005 Lease Revenue Bonds 501.82625	$1,046,000
Total Available Funds	**$5,268,000**

ESTIMATED RIGHT-OF-WAY RELATED EXPENDITURES

Southern California Edison Transmission Pole Relocation	$1,542,000
ROW Acquisitions	$786,000
Total ROW Related Expenditures	**$2,328,000**

ANTICIPATED PROJECT SCHEDULE:

Complete Right-of-Way Acquisition	June 2010
Commencement of SCE Power Pole Relocation	July 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. Attached is the Agreement for Conveyance of Property for APN 475-272-054. This acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements. When completed, these improvements will enhance the roadway capacity and safety.

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map (PAGE 317)
Attachment "B" – Agreement for Conveyance of Property, APN 475-272-054 (PAGES 319-327)

Prepared By:
Henry Ngo
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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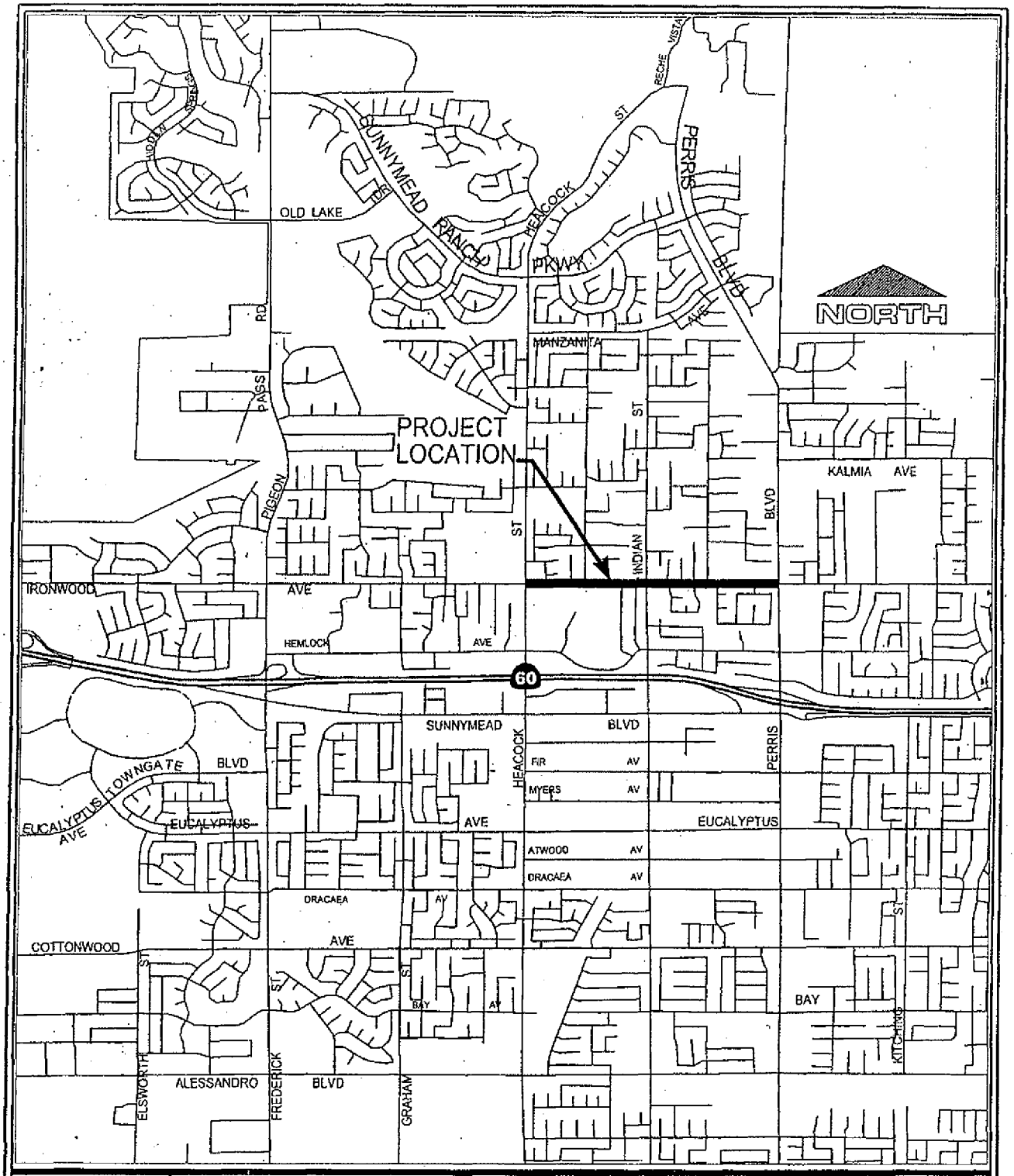

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

AGREEMENT
FOR CONVEYANCE OF PROPERTY

THIS AGREEMENT is entered into by and between Betty C. Yost and Jack B. Swanson, as joint tenants ("Grantor"), and the CITY OF MORENO VALLEY, a municipal corporation (" Grantee").

RECITALS

A. Grantor owns certain real property located at 11987 Davis Street, Moreno Valley, California bearing Assessor Parcel No. 475-272-054 (the "Property").

B. Grantee desires to purchase the Property, and Grantor desires to sell and convey the Property as described in Exhibit "A", attached hereto.

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Property.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Property for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be fair market value for the Property.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Stewart Title Company (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Property. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 PURCHASE PRICE.

The total purchase price for the Property shall be the lump sum of One Hundred and Twenty Four Thousand Five Hundred Dollars ($124,500.00) which shall be paid by Grantee to Grantor through Escrow Holder in cash at Close of Escrow.

Attachment "B"

2.2 CLOSE OF ESCROW.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close by the Close of Escrow, any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate. If no such demand is made, Escrow shall be closed as soon as possible.

2.3 CONDITION OF TITLE TO THE PROPERTY.

Grantor shall convey title of the Property to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Property only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Property at or prior to the Close of Escrow.

2.4 ESCROW AND CLOSING COSTS.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 INVESTIGATIONS.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Property for Grantee's intended use thereof. If Grantee determines that the Property is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantors hereby grants to Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantors representations or warranties under this Agreement, and Grantors acknowledges and agrees that Grantee is relying upon Grantors' representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantors.

2.6 DEPOSIT OF FUNDS AND DOCUMENTS.

A. Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

B. Prior to the Close of Escrow, Grantor shall deposit into Escrow (i) the properly executed Grant Deed conveying the Property, and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 GRANTEE'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 GRANTOR'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to the Property and has full power and authority to own and sell and convey the Grant Deed to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor is at present a party, or by which Grantor is bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Property or its use, and neither Grantor nor any other person or predecessor in interest have used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances

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("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601, et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801, et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901, et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317, et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time. Standard building materials used in construction of the home shall be excluded from this representation;

(f) Grantor represents and warrants that during the period of Grantor's ownership of the Property, there have been no disposals, releases or threatened releases of hazardous substances on, from, or under the Property. Grantor further represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release of hazardous substances, on, from, or under the Property which may have occurred prior to Grantor taking title to the Property; and

(g) Grantor has and shall have paid before Close of Escrow any and all current and past due taxes, assessments, penalties and interest levied and assessed against the Property. If not paid prior to Close of Escrow, Grantors hereby authorizes Escrow Holder to disburse to the taxing authority from funds otherwise due to Grantor an amount sufficient to discharge said taxes, assessments, penalties and interest. Grantor also covenants and agrees to keep current, year-by-year, all taxes, assessments, penalties and interest levied and assessed against the Grant Deed and the larger Property of which it is a part.

These representations and warranties shall survive the Close of Escrow.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall hold harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Grant Deed is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Property by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable precondemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Property.

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B. This Agreement arose out of Grantee's efforts to acquire the Property through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Property or of liability by any party to this Agreement. Grantor, on behalf of herself and her respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Property or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantors further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor hereby acknowledge that they have been advised by their attorney and is familiar with the provisions of California Civil Code section 1542, which provides as follows:

> "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Grantor acknowledge that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor: Betty C. Yost
Jack B. Swanson
12449 Windsor Drive
Yucaipa, CA 92399

MV00058747

Grantee: City of Moreno Valley
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Mike Green
Senior Real Property Agent

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover actual attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The parties agree that actual attorneys' fees shall be based on attorney's fees actually incurred (based on the attorneys' customary hourly billing rates including, but not limited to, equivalent rates for in-house counsel) rather than the court or arbitrator making an independent inquiry concerning reasonableness. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the Grantee, be laid in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the

terms of this Agreement where: (i) she is legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of her agents or employees, to maintain or compile her personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of her agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Property and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

O. Legal Advice and Review. The parties hereby acknowledge that they have entered into this Agreement upon their own volition and have not relied upon the other party for any interpretation or legal advice relating hereto. The parties acknowledge that they have had an opportunity to have this Agreement reviewed by legal counsel of their choice. Therefore, the parties acknowledge their intent that this Agreement be construed as having been jointly created and that neither party shall be determined to be the drafter hereof.

MV00058749

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED: _____ Grantor:

_____
Betty C. Yost

_____
Jack B. Swanson

DATED: _____ Grantee:

CITY OF MORENO VALLEY

By: _____

Its: _____

Attest: _____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

APN 475-272-054

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MORENO VALLEY
OFFER OF DEDICATION

THAT CERTAIN PARCEL OF LAND BEING A PORTION OF LOT 63 AS SHOWN ON THE MAP OF MORENO ACRES, FILED IN BOOK 11 OF MAPS, PAGE 53, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF THE EAST HALF OF SAID LOT 63;

EXCEPTING THEREFROM THE NORTH 576.5 FEET THEREOF;

ALSO EXCEPTING THEREFROM THE LAND DESCRIBED IN A GRANT DEED RECORDED AS DOCUMENT NO. 1999-389425 ON AUGUST 30, 1999, OFFICIAL RECORDS OF SAID COUNTY.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7,759 SQUARE FEET (0.1781 ACRES), MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART THEREOF.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

05/27/09
RICHARD C. MAHER, P.L.S. 7564 DATE
LICENSE EXPIRES 12-31-2009

LICENSED LAND SURVEYOR
RICHARD C. MAHER
EXP. 12/31/09
NO. 7564
STATE OF CALIFORNIA

MAY 27, 2009

MV00058751

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT
PROJECT NO. 10-12556330

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728).

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

BACKGROUND

The State of California provides street maintenance funding to the City on a quarterly basis as part of the Traffic Congestion Relief Program (Proposition 42). These funds are typically utilized to rehabilitate streets under the Annual Pavement Resurfacing

Program (Account No. 225.68722) and are time sensitive in requirement for expenditure.

On April 8, 2008 the City Council approved the Project Recommendations for Proposition 1B - Transportation which made the City eligible to receive an allocation of $2.9 million in Proposition 1B funding from the State Department of Finance. On June 18, 2008, the City received the $2.9 million allocation, $2.6 million of which was used for phase 1 and phase II pavement rehabilitation of arterial and collector streets that are adjacent to schools and commercial areas and the remaining $300,000 was used to review the City's roughly 30 bridges and provide the necessary repairs and maintenance. All three of these projects have now been completed with remaining funds unexpended.

As part of the Fiscal Year 2009-2010 CIP Budget, the City Council approved the resurfacing of the four streets identified in this report. On February 23, 2010 the City Council approved the reprioritization of the selected streets and designated the remaining Proposition 1B monies to be expended on the resurfacing of these streets.

DISCUSSION

This project is part of the City's ongoing annual pavement resurfacing program. The purpose of the project is the reconstruction of areas of failed pavement and resurfacing of weathered streets to provide safe, smooth driving surfaces. The reconstruction effort will be performed by removal and reconstruction of portions of the street pavements. The resurfacing will entail placement of a rubberized asphalt concrete overlay on the existing street pavement. Preparation of the areas to be overlayed will include removing a uniform depth of the existing pavements by grinding (on Alessandro Boulevard) and the use of "Cold-in-Place-Recycling" of the existing pavement on the remaining streets. Pavement striping, markings and markers will be replaced after pavement repairs are complete.

The project will rejuvenate the existing pavement and the overlay process will enhance the drivability and appearance of the streets and protect the pavement against environmental effects, prolonging the service life of the pavement. Typically, this process will extend the pavement life of the streets by an additional 10 to 12 years. The four (4) street segments in the following priority order were selected for pavement resurfacing:

STREET NAME	FROM	TO
Alessandro Boulevard	Old 215	Elsworth Street
Old Lake Drive	Pigeon Pass Road	Sunnymead Ranch Parkway
Indian Street	Skyrock Drive	Manzanita Avenue
Kitching Street	Fir Avenue	Sunnymead Boulevard

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 6, 2010, for the subject project. Seven (7) bids were received, as follows:

1. **Hardy & Harper, Inc. $1,186,000.00**
2. R.J. Nobel Company. $1,196,216.00
3. All American Asphalt $1,210,000.00
4. EBS, Inc. $1,227,494.00
5. PALP, Inc. DBA Excel Paving Company $1,292,608.00
6. Cooley Construction, Inc. $1,363,841.00
7. Vance Corporation $1,372,393.00

Engineer's Estimate ..... $ 1,247,584.80

Staff has reviewed the bid by Hardy & Harper, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding problems were identified through review of the references submitted by Hardy & Harper, Inc.

ALTERNATIVES

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Capital Improvements Project Budget and will be financed by Proposition 1B (Fund 226) and Proposition 42 (Fund 225). These funds are restricted to street rehabilitation or improvement. **There is no impact to the General Fund.**

BUDGETED FUNDS

Citywide Annual Pavement Resurfacing Program (Acct. No. 226.79728)	$2,161,000
Citywide Annual Pavement Resurfacing Program (Acct. No. 225.68722)	$1,468,000
Total 2009/2010 Budgeted Funds	$3,629,000
Completed FY 2009/10 Pavement Resurfacing Project Costs	($2,224,000)
Remaining Funds Available	$1,405,000

ESTIMATED CONSTRUCTION RELATED COSTS FOR PROPOSED PROJECT

Contractor Construction Costs (plus 10% contingency)	$1,304,600
Construction Geotechnical Services	$15,000
Construction Survey	$35,000
Project Administration and Inspection (by City staff & consultants)	$50,000
Total Estimated Project Related Costs	$1,404,600

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June, 2010
Complete Construction	September, 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project involves resurfacing four (4) selected street segments by removing and reconstructing areas of failed asphalt concrete pavement, and by placement of an asphalt concrete overlay on the existing pavement, which has been prepared to receive the overlay. This project will extend the life of the street pavements. The resurfacing

program is funded with Proposition 1B and Proposition 42 funds. The City Council is requested to approve the award of the construction contract to Hardy & Harper, Inc.

NOTIFICATION

Local residents, law enforcement, Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 335)
Attachment "B" – Agreement with Hardy & Harper, Inc. (PAGES 337-343)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Bruce - 10-12556330 - Pavement Resurfacing Project\CC Reports\Staff Report - NOA Phase 3\Staff Report - Notice of Award (CC 05-11-10) (Phase 3).doc

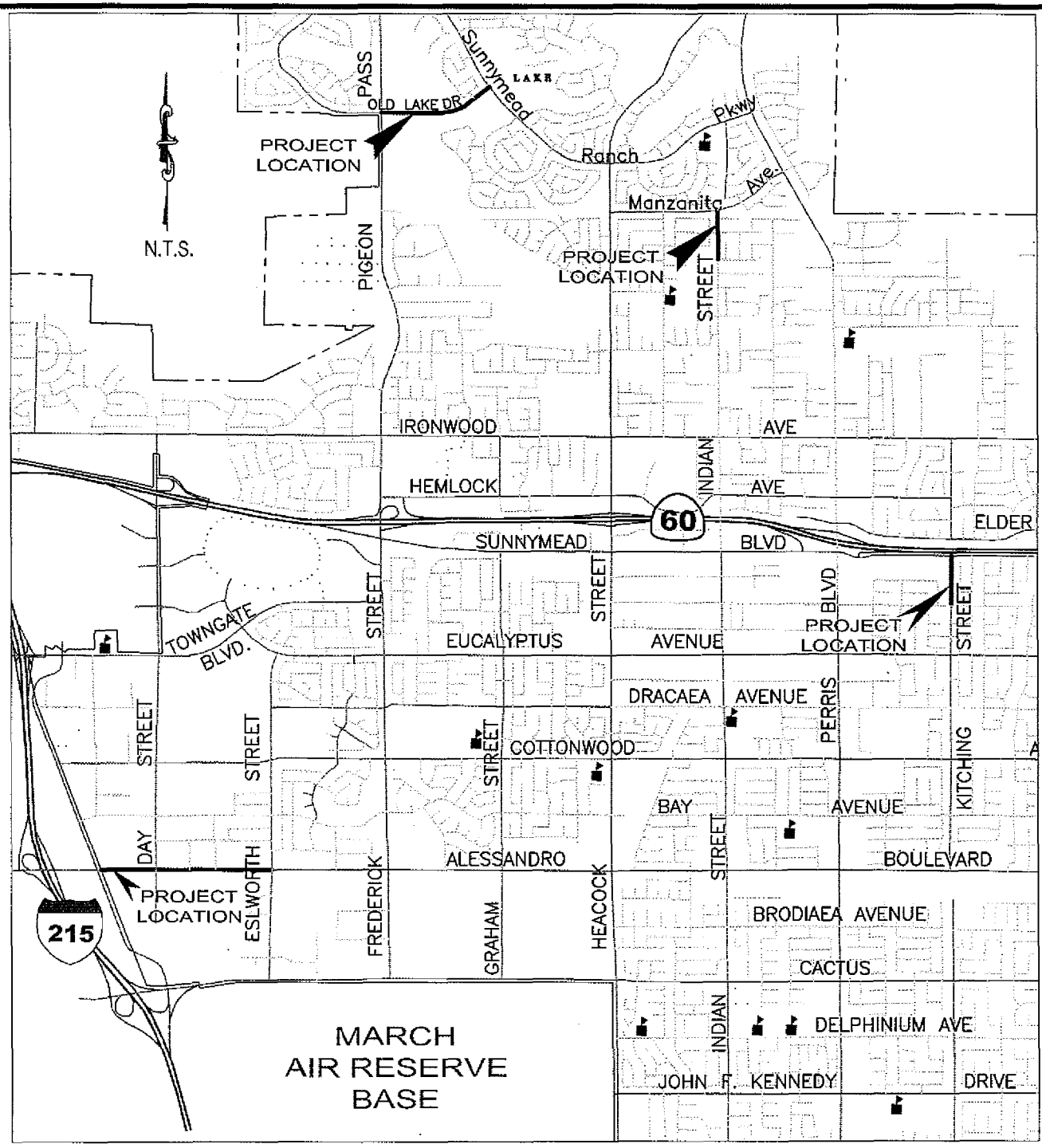

ATTACHMENT "A"

2008-2009 PAVEMENT RESURFACING PROJECT\ADA\REV_EXH_12_08.DWG

MV00058758

Agreement No. _____

AGREEMENT

PROJECT NO. 10-12556330
2010 PAVEMENT RESURFACING PROJECT
Pavement Rehabilitation
For
Alessandro Boulevard (from Old 215 to Elsworth Street)
Old Lake Drive (from Pigeon Pass Road to Sunnymead Ranch Parkway)
Indian Street (from Skyrock Drive to Manzanita Avenue)
Kitching Street (from Fir Avenue to Sunnymead Boulevard)

THIS Contract Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hardy & Harper, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **1 & 2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Alternate Bid Item(s) in the sum total amount of **$1,186,000.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15)

calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **sixty (60) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $500.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full

compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written

consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12556330

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

Hardy & Harper

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Resolution to join ICLEI as a full member and pledge to take a leadership role in promoting public awareness about the causes and impacts of climate change.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **Approve** Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

ICLEI-Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development. The organization also provides technical information on measuring and reducing greenhouse gases, including a model for organizational and community-wide greenhouse gas inventories. Locally, the cities of Riverside, Murrieta, Temecula, Lake Elsinore, and Palm Springs are members of ICLEI.

Membership in ICLEI would require the City to commit to five milestones to reduce both greenhouse gas and air pollution emissions throughout the community as follows:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress;

Local government actions taken to reduce greenhouse gas emissions and increase energy efficiency have provided multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures and saving money for the local government, its businesses and its residents.

DISCUSSION

The City has adopted a number of energy and water saving initiatives that have and will continue to reduce the level of greenhouse gases that would otherwise be emitted in the City. Examples of City initiatives are alternative energy incentives offered by Moreno Valley Utilities, the recently adopted water wise landscape ordinance, the use of LED lighting in traffic signals and activities related to the City's membership in the Riverside County Clean Cities Coalition and Community Energy Partnership. The reduction in greenhouse gases is also greatly affected by State and Federal regulations related to building standards, truck diesel emission standards and passenger vehicle mileage standards, and incentives for alternative energy.

The City has received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce City organization and community-wide energy use and consequently greenhouse gas emissions, including an Energy Efficiency and Climate Action Strategy. One of the initiatives is to conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction. The five milestones required for ICLEI membership will be addressed by the Strategy.

The greenhouse gas emissions inventory and forecast work products are intended to provide the basis for a coordinated City effort to address resource efficiency for the City as an organization and the community as a whole.

ICLEI will provide the following support to City Staff:

- Regular notice of new publications and tools, grant opportunities, and progress being made by other Member jurisdictions

- ICLEI's key climate resources including the Milestones Guide, software access and technical trainings, data collection forms for conducting the emissions inventory, and other publications to assist with emissions reduction planning and related climate protection activities

- Invitations to ICLEI regional, national and international workshops and events
- Registration discounts and, when available, travel and lodging subsidies for ICLEI workshops and events
- Contact with US and international ICLEI Members and liaisons
- Resource recommendations outside of ICLEI
- Support in publicizing climate protection successes such as talking points and customizable press releases
- Ongoing technical assistance and support as the jurisdiction progresses in its work

The above-referenced activities will provide valuable information to assist in the preparation of the City's Energy Efficiency & Climate Action Strategy.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Deny the proposal.

FISCAL IMPACT

Membership dues are based on City population. The City of Moreno Valley falls within the 100,001 – 200,000 population category and membership dues are $1,750. The membership fees will be paid from the Energy Efficiency and Conservation Block Grant program account (229.80512).

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Membership in ICLEI will provide assistance in the preparation of the City's Energy Efficiency & Climate Action Strategy. The greenhouse gas emissions inventory and forecast will determine the source and quantity of greenhouse gas emissions in the City and are intended to provide the basis for a coordinated City effort to address resource

efficiency for the City as an organization and the community as a whole.

NOTIFICATION

Not applicable.

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-30(PG 349-352)

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle A. Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE

WHEREAS, scientific consensus has developed that carbon dioxide (CO_2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, the 2007 Fourth Assessment Report from the Intergovernmental Panel on Climate Change (IPCC) states that it is very likely that most of the observed increases in globally averaged temperatures since the mid-20th century are due to human-induced greenhouse gas emissions; and

WHEREAS, in 2006 the U.S. National Climatic Data Center confirmed clear evidence of human influences on climate due to changes in greenhouse gases; and

WHEREAS, the U.S. Conference of Mayors endorsed the 2005 U.S. Mayors' Climate Protection Agreement initiated by Seattle Mayor Nickels and signed by more than 900 mayors in the United States as of March 2009; and

WHEREAS, the Urban Environmental Accords adopted by local government delegates during UN World Environment Day 2005 call for reduced emissions through energy efficiency, land use and transportation planning, waste reduction, and wiser energy management; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth's climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem likely due to human activities; and

WHEREAS, the 2000 U.S. Global Change Research Program's (USGCRP) First National Assessment indicated that global warming has begun; and

WHEREAS, 162 countries including the United States pledged under the United Nations Framework Convention on Climate Change to reduce their greenhouse gas emissions; and

ATTACHMENT 1

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, ICLEI – Local Governments for Sustainability is a membership association of local governments committed to advancing climate protection and sustainable development;

Section 1

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE TO JOIN ICLEI AS A FULL MEMBER AND PLEDGES TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE.

Section 2

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY AGREES TO UNDERTAKE ICLEI'S FIVE MILESTONES TO REDUCE BOTH GREENHOUSE GAS AND AIR POLLUTION EMISSIONS THROUGHOUT THE COMMUNITY, AS FOLLOWS:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress; and

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ requesting assistance from ICLEI as it progresses through these milestones.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert L. Hansen, City Attorney

AGENDA DATE: May 25, 2010 **(continued from May 11, 2010)**

TITLE: Consideration and Approval of Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023.

RECOMMENDED ACTION

Review and approve the attached Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

In 2003, the City entered into contracts with ENCO Utility Services Moreno Valley, LLC ("ENCO") to provide professional services to Moreno Valley, including designing, maintaining operating and constructing the Moreno Valley Electric Utility ("MVU"). City contends that during the negotiations preceding the agreements, ENCO prepared and presented detailed financial projections (the "2003 Pro Forma") to the City that contained factual errors and assumptions that were material to the terms of the agreements. ENCO denies these allegations and asserts that even if material errors were made in the 2003 Pro Forma, the City should have caught these errors through its consultants. Among the key assumptions supporting the 2003 Pro Forma were that: 1) the City would cease to incur certain charges under the Southern California Edison Wholesale Distribution Access Tariff ("WDAT") after the City built and energized a new electric substation in 2010 and; 2) the capital expenditures required for the first ten years of MVU's operation would be slightly under $10 million, and would be almost

6.

entirely related to the construction of the substation. In 2006, the City first became aware that both of these assumptions were wrong.

The City approached ENCO about these errors and requested a re-negotiation of the contracts. ENCO refused to re-negotiate the contracts, but did agree to a mediation, which occurred on August 14, 2007. After just a few hours of meaningless discussions, ENCO's attorneys left the mediation and filed a lawsuit against the City the same day. The City then filed its Answer to the Complaint and also filed and served its mandatory Cross-Complaint against ENCO seeking damages for ENCO's breach of the agreements as outlined above concerning the errors in the 2003 Pro Forma. For the past two and one-half years, the City has been required to incur attorney's fees and costs in defending against ENCO's lawsuit, and in pursuing the City's Cross-Complaint. Since the commencement of this action, the City has incurred approximately $805,788 in legal fees and costs.

In its lawsuit, ENCO is seeking a judicial declaration that ENCO has not breached the agreements, and an injunction prohibiting the City from breaching the agreements in the future. ENCO also contends that the City owes it $207,651.73 for services it provided in behalf of the City to developers, despite this claim not appearing in its lawsuit. Nevertheless, ENCO is unable to provide work order authorizations for this work as required by the agreements and the City denies any obligation to pay for work not authorized, as provided in the agreements.

A second mediation of these disputes was held before retired California Supreme Court Justice Edward Panelli on April 21, 2010. After six hours of "shuttle diplomacy" by Justice Panelli during which he assessed the relative strengths of each party's case, Justice Panelli recommended to ENCO that it drop its demand for payment of $207,651.73 in engineering services and offer a settlement of $1.25 million to the City. This settlement would include a two year extension of the contract, which ENCO will probably be entitled to under the contract anyway due to reduced electricity sales. ENCO agreed to these settlement terms and they are now before the City Council for consideration.

DISCUSSION

The agreements with ENCO limit ENCO's liability to the City for negligence to $2 million. The City's attorneys estimate that it would cost the City an additional $500,000.00 to prepare and try this case before a jury. There is no guarantee that the City will prevail in trial, or that an award of damages would be greater than the offered settlement amount. In addition, since this is a breach of contract action, attorney's fees and costs are only recoverable by the prevailing party if the agreements contain a provision providing for recovery. The agreements at issue herein do not contain such a provision. Consequently, attorney's fees and costs are not recoverable. Therefore, it is recommended that the City Council approve this settlement and authorize the Mayor to execute the settlement agreement to end this litigation.

The City Attorney has researched whether the settlement proceeds in this matter are restricted to the Enterprise Fund, or can be deposited into the General Fund. All attorney's fees and cost in defending and prosecuting this action have been paid for out of the Enterprise Fund. The City Attorney has not been able to determine that proceeds of this settlement are restricted to the Enterprise Fund. Therefore, the City Attorney recommends that the decision as to how to use these settlement proceeds be discussed with the City Manager through the budgetary process.

ALTERNATIVES

1. Approve the settlement agreement and authorize the Mayor to execute same in behalf of the City.

2. Not approve the settlement agreement and instruct the City Attorney to continue the litigation through trial and appeals, if necessary.

FISCAL IMPACT

If alternative 1 is adopted, the City would receive payment of $1.25 million and would no longer incur legal fees in the continued litigation of this matter.

If alternative 2 is adopted, the City would incur an additional $500,000.00 in ongoing attorney's fees and costs to prepare and try this matter before a jury. In addition, there would be additional fees and cost associated with any appeals after the trial.

CITY COUNCIL GOALS

Settlement of this litigation would preserve revenue by eliminating ongoing litigation costs and would infuse the City with $1.25 million, in furtherance of the City Council's goal of Revenue Diversification and Preservation.

ATTACHMENTS/EXHIBITS

1. Proposed Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023. (PG 357-364)

Prepared By:
Name Robert L. Hansen
Title City Attorney

Department Head Approval:
Name Robert L. Hansen
Title City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE OF CLAIMS

This Settlement Agreement and Mutual General Release of Claims (the "Agreement") made and effective April 21, 2010, is entered into by and between Plaintiff and Cross-Defendant ENCO Utility Services Moreno Valley, LLC ("ENCO") and Defendant and Cross-Complainant City of Moreno Valley ("the City").

WHEREAS, there is now pending in the California Superior Court, Riverside County, an action entitled ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023, in which ENCO asserts claims against the City for declaratory and injunctive relief and the City asserts cross-claims against ENCO for breaches of contract, breaches of fiduciary duty, rescission and declaratory relief (the "Litigation");

WHEREAS, on August 14, 2007, ENCO filed a claim for damages with the City pursuant to California Government Code Section 910, et seq. (the "Claim");

WHEREAS, the allegations in the Litigation and the Claim relate to the October 7, 2003 Professional Services Agreement ("PSA") between the City and ENCO;

WHEREAS, the parties desire to fully resolve disputes between them, including but not limited to all matters raised in, or which could have been raised in, the Litigation and the Claim;

NOW, THEREFORE, in consideration for the terms, conditions, covenants, representations, warranties, and promises contained in this Agreement, the parties agree as follows:

1. Within 15 business days of the execution of this Agreement by both parties, ENCO shall deliver a settlement payment in the sum of $1,250,000 by wire transfer to counsel for the City.

2. The parties further agree that the Term of the PSA shall be extended two years to December 31, 2020. Other than the extension of the Term of the PSA, all other provisions of the PSA remain unchanged and in force.

3. Within 10 business days of the receipt of the settlement payment by the City, the parties, through their counsel, shall file and serve a Request for Dismissal with Prejudice of the Litigation, each side to bear its own attorneys' fees and costs. Within 10 business days of receipt of a signed and conformed copy of the dismissal as entered by the Court, ENCO shall provide a copy thereof to counsel for the City.

4. ENCO hereby unconditionally releases and forever discharges the City and each of its current and former related entities, predecessors, successors, assigns, elected officials, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which ENCO now has, claims to have, or at any time heretofore had or claimed to have against the City, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

5. The City hereby unconditionally releases and forever discharges ENCO and each of its current and former related entities, predecessors, successors, assigns, equity holders,

members, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, insurers and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which the City now has, claims to have, or at any time heretofore had or claimed to have against ENCO, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

6. The parties hereby acknowledge that there is a risk that, subsequent to the execution of this Agreement, they may discover or incur claims which were unknown or unanticipated at the time this Agreement was executed, including, without limitation, unknown or unanticipated claims which arise from, are based upon or are related to the issues and matters raised in, or which could have been raised in, the Litigation or the Claim which, if known on the date this Agreement was executed, may have materially affected their decision to execute this Agreement. The parties each acknowledge that they are assuming the risk of such unanticipated claims and agree that this Agreement applies thereto. The parties expressly waive the benefits of Section 1542 of the California Civil Code, which provides:

> **A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.**

Effective upon execution of this Agreement, the parties waive and relinquish all rights and benefits which they have or may have under Section 1542 or the law of any other state or jurisdiction to the same or similar effect to the full extent that they may lawfully waive and relinquish all rights and benefits pertaining to the subject matter of this Agreement. The parties hereby acknowledge that the foregoing waiver of the provisions of Section 1542 of the California Civil Code was separately bargained for. Each of the parties understands and acknowledges the significance and consequences of this waiver of California Civil Code Section 1542 and confirms that it has either discussed or been given an opportunity to discuss such matters with counsel of that party's choice.

7. In entering into this Agreement, the parties represent that they have relied upon the legal advice of attorneys of their own choice; that the terms of this Agreement have been completely explained to them by their attorneys; and that they fully understand and voluntarily accept those terms. The parties further represent that they do not rely and have not relied upon any representation or statement made by any party or any other person with regard to the subject matter, basis or effect of this Agreement, other than the express provisions contained in this Agreement. Each Party acknowledges that the Agreement has been fully read, reviewed and understood by its authorized signatory and that each Party signs the same freely and voluntarily.

8. It is understood and agreed that this Agreement shall be binding upon and inure to the benefit of the parties and the related parties identified in paragraphs 3 and 4, above.

9. The parties warrant and represent that they have not assigned or transferred, or purported to assign or transfer, to any person or entity, any claim or cause of action arising out of or related to the Litigation or the Claim, or any portions thereof or interest therein.

10. The parties, without further consideration, agree to execute and deliver additional documents and take such additional actions as may be necessary to consummate the subject matter of this Agreement.

11. No breach of any provision in this Agreement can be waived except by a writing executed by all of the parties to this Agreement. Waiver of any breach shall not be deemed to be a waiver of any other breach of the same or any other provisions hereof.

12. If any action, at law or in equity, including an action for declaratory relief, is brought to enforce, or interpret or for alleged breach of the provisions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief to which it may be entitled.

13. The parties understand and agree that this Agreement is given in connection with the compromise of disputed claims and that the undersigned parties deny liability to each other. This Agreement shall never or for any purpose be considered as an admission of liability on the part of either of the parties.

14. Any notice required pursuant to this Agreement shall be addressed as follows:

For ENCO:

Charles J. Malaret, Esq.
Morgan, Lewis & Bockius LLP
300 South Grand Avenue, 22nd Floor
Los Angeles, California 90071

For the City:

Robert E. Darby, Esq.
Fulbright & Jaworski, L.L.P.
555 South Flower Street, Suite 4100
Los Angeles, California 90071

15. This Agreement is also subject to the following miscellaneous provisions:

(a) This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by, the laws of the State of California.

(b) Should any provision of this Agreement be declared or determined by any court to be illegal or invalid, the validity of the remaining part, terms or provisions shall not be affected and the illegal or invalid part, term or provision shall be deemed not a part of this Agreement.

(c) This Agreement may be executed in one or more counterparts, but shall be interpreted and construed as if signed in one document.

(d) This Agreement constitutes the entire agreement between the parties and all other prior agreements, arrangements or understandings, oral or written, are merged into and superseded by the terms of this Agreement which may not be altered, amended, modified or otherwise changed except by a writing signed by the duly authorized representatives of the parties to this Agreement.

(e) This Agreement has been prepared based on the joint efforts of the parties. This Agreement is to be construed simply and fairly and not strictly for or against any of the parties. No provision in this Agreement is to be interpreted for or against either party because that party or its legal representative drafted such provision.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the date and year set forth opposite their respective signatures below.

DATED: May 7, 2010

ENCO Utility Services Moreno Valley, LLC

By: _____

Its: Director

DATED: May ___, 2010

CITY OF MORENO VALLEY

By: _____

Its: _____

APPROVED AS TO FORM:

MORGAN, LEWIS & BOCKIUS LLP

By: _____

Charles J. Malaret
Attorneys for ENCO Utility Services
Moreno Valley LLC

FULBRIGHT & JAWORSKI L.L.P.

By: _____

Robert E. Darby
Attorneys for City of Moreno Valley

SB2/21696508.5

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: Revised resolutions for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall:

1. **APPROVE** revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution;

2. **APPROVE** revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of a erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

BACKGROUND

On May 11, 2010, a public hearing was conducted for various applicant requested modification to project conditions of approval for the Highland Fairview Corporate Park project to include the placement of landscape within the future Highway 60/Caltrans right of way area, timing and approach of a required General Plan multi-use trail on the north side of future Eucalyptus Avenue, and minor changes related to the dedication and construction of public improvements. At said meeting, the City Council directed staff to modify the resolutions to reflect Council direction on the three items.

ADVISORY BOARD RECOMMENDATIONS

Not applicable.

DISCUSSION

Staff suggested various options at the public hearing to address landscape within the Highway 60 right of way, timing and location of a required General Plan multi-use trail along the north side of future Eucalyptus Avenue and minor changes related to the dedication and construction of public improvements for the Highland Fairview Corporate Park project. The City Council approved several motions to allow a hydroseed wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the tentative parcel map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3, and minor conditions of approval related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

Staff has provided the two revised resolutions for Tentative Parcel Map No. 35629 (PA07-0090) and the plot plan (PA07-0091) as Attachment Nos. 1 and 2 to the staff report. Modified strikeout/underline and clean copy versions of the project conditions of approval have been included as Exhibits A and B of the resolutions.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve with amendments to the modified condition language as included in Exhibits A and B to the attached resolutions.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

A public hearing was conducted for this project request on May 11, 2010. No further public notification is required to provide for review and approval of revised resolutions.

ATTACHMENTS

1. Modification of Conditions Resolution – Parcel Map, with attached modified conditions of approval included within Exhibits A and B (PAGES 369 – 398)
2. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B (PAGES 399 – 414)

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, the Highland Fairview., had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 1

MV00058789

WHEREAS**,** on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS**,** on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions to reflect the previous direction of Council on May 11, 2010.

WHEREAS**,** all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS**,** there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meetings on May 11, 2010 and May 25, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

MV00058790

FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

   FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing of required construction of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

   FACT: The originally approved map met the intent of the General Plan with the approved general plan amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP), Mitigation Fee Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will

bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00058796

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Tract Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show ~~a minimum 20-foot wide~~ an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional ~~10-foot~~ varying width street right-of-way dedication on the east side of Redlands Boulevard along the

map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a~~n~~ 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~0-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. ~~from the directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.~~ The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~1-foot wide multi-use ~~bike~~ trail ~~and pedestrian access~~ easement located 3 feet west of (behind) the 2-foot pedestrian access easement. ~~directly behind and adjacent to the proposed Theodore Street west right-of-way~~. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

~~vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.~~

~~viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).~~

ix. A ~~1~~37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. ~~The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer.~~ The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4 3-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail (within an 11-~~

~~foot multi-use trail easement) behind the 4 3-foot wide landscaped area, and a 2 4-foot wide flat landscape area.~~ Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be constructed within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.~~

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided ~~within an 18-foot wide bike trail and pedestrian access easement~~: a 2-foot wide portion of sidewalk located outside of the proposed ~~sidewalk~~ right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final

Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

<u>CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)</u>

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Tract Map No. 35629 (Clean Copy Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional varying width street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 10-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 11-foot wide multi-use trail easement located 3 feet west of (behind) the 2-foot pedestrian access easement. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser

thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and

dry and wet utilities. In addition, the following improvements shall be provided: a 2-foot wide portion of sidewalk located outside of the proposed right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land

Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The

CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)
n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)
o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)
p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)
q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

RESOLUTION NO. 2010-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements.

ATTACHMENT 2

MV00058818

No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions of approval to reflect the previous direction of Council on May 11, 2010.

WHEREAS**,** all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS**,** there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS**,** pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meetings on May 11, 2010 and May 25, 2010**,** including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations –** The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

FACT:. The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. **Location, Design and Operation –** The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site.

The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Underground Utilities in lieu fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00058823

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City~~

~~to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be

required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations,

shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PG 427)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PG 429-438)
Attachment "C" – Assignment Agreement (PG 439)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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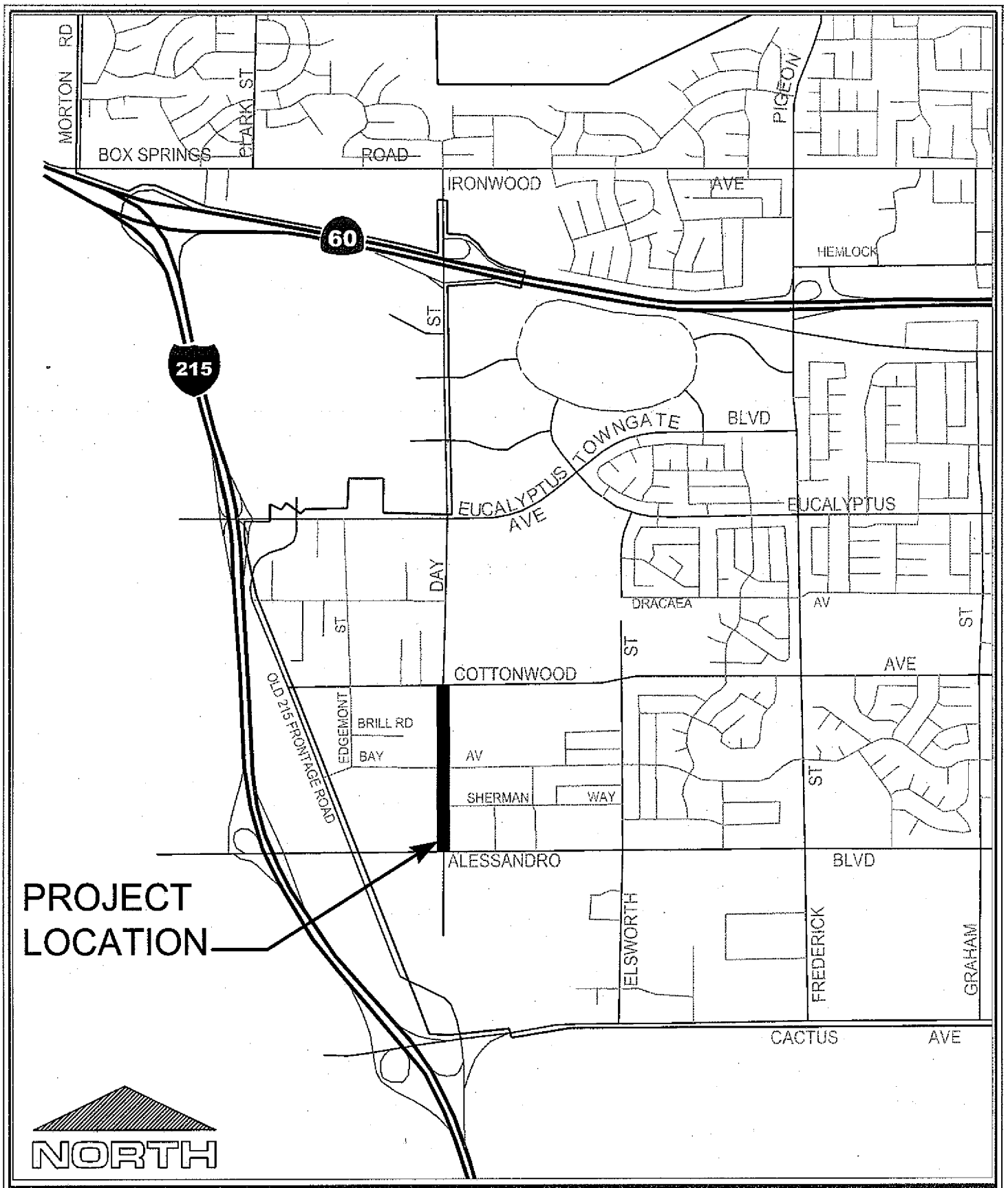

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

MV00058849

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

MV00058851

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

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MV00058852

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 26, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of May 11, 2010, which was then continued to May 25, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23 (PG 453-454)
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11 (PG 455-543)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 26, 2010.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00058865

Exhibit "A"

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00058866

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00058867

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

MV00058870

Section 3 - Community Development

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Section 3 - Community Development

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

MV00058872

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

MV00058873

Section 3 - Community Development

	Unit	Fee

Building and Safety

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

MV00058874

Section 3 - Community Development

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

MV00058876

Section 3 - Community Development

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

MV00058878

Section 3 - Community Development

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 205.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

	Unit	Fee	
Planning			
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

MV00058881

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

	Unit	Fee	
Planning			
Variance from Standards			
Public Hearing Variance	$	2,618.00	Plus applicable notice and posting fees
Administrative Variance	$	474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

MV00058883

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

MV00058884

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

MV00058885

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00
	*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.			
	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

MV00058886

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

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Section 4 - Financial & Administrative Services

Unit Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

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Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

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Section 5 - Fire

Exhibit "A"

	Unit	Fee		
Pre-Development				
Annexation Agreement	Deposit	$	94.00	
Community Care Facility (Pre-inspection)				
25 or less		$	50.00	State Mandated
26 or more		$	100.00	State Mandated
Revised Tentative Parcel Map		$	425.00	
Fuel Modification Plan		$	100.00	
Fire Protection Plan		$	326.00	
Alternate methods and materials		$	100.00	
3rd review and subsequent submittals		$	100.00	
OTC/Misc Plan Review		$	100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check		Inspection	
A-1 <=10,000 SF		$	623.00	$	599.00
A-1 > 10,000 SF		$	773.00	$	798.00
A-2, 2.1 <= 10,000 SF		$	524.00	$	499.00
A-2, 2.1 > 10,000 SF		$	674.00	$	699.00
A-3 <= 10,000 SF		$	524.00	$	550.00
A-3 >10,000 SF		$	623.00	$	599.00
A-4 <= 5000 SF		$	424.00	$	499.00
A-4 > 5000 SF		$	475.00	$	550.00
A-5<=5000 SF		$	411.00	$	484.00
A-5>5000 SF		$	461.00	$	533.00

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Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

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Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

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Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

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Section 5 - Fire

Renewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

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Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

	Unit	Fee
Records Request		
Photographs, color print (4"x6")		$ 5.00
Fire Incident Reports (paid to County of Riverside)		$ 19.00
Fire Inspection Reports (up to 8 1/2"x14")		
First 10 pages	per Report	$ 6.00
Additional pages	per Page	$ 1.00
Hourly Rates		
Fire Marshal		$ 140.00
Deputy Fire Marshal		$ 105.00
Fire Safety Specialists		$ 106.00
Fire Safety Inspector		$ 106.00
Overtime		Position time + 50%
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee
Other Fees		
False Alarm		
Residential		$ 100.00
Commercial		$ 200.00
Fire Permit Issuance Fee		$ 21.00

The fully-burdened wage rate including overhead; not to exceed actual City costs.

Section 5 - Fire

Other Fees (Cont)

	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

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Section 5 - Fire

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00
On-Line Registration Processing Fee (This fee is charged by the on-line provider)		
On-Line Registration has no applicable category association.		
Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction		$ 0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction		$ 5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction		$ 10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

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Section 7 - Parks and Community Services

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 30%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

**Excludes Program Registration Fee

Section 7 - Parks and Community Services

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

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Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Youth/Teen Classes				
Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.				
Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~* Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~
~~** Excludes Program Registration Fee~~				

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit	Resident Fee
Senior Programs			
Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.			
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Special Events

Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee

Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups and Unorganized Group Play per field	N/A	Per Hour	$	5.00
~~Unorganized~~ Adult & Youth Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use—Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use—Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee (required for all groups)	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
~~This program has no applicable category association~~				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
~~This program has no applicable category association~~				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Section 7 - Parks and Community Services

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

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Section 7 - Parks and Community Services

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00058919

Section 7 - Parks and Community Services

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		~~Grand Valley Ballroom with small patio or large patio~~	~~3 Hours~~	~~Friday evening beginning at 5:00 pm and Sunday~~	~~Per Hour~~	~~$ 250.00~~
		~~Grand Valley Ballroom with small patio or large patio~~	~~3 Hours~~	~~Saturday~~	~~Per Hour~~	~~$ 300.00~~
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 25.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	~~Federal, State, County and Educational Institutions~~	~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Monday through Friday 4:59pm~~	~~Per Hour~~	~~$ 144.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Monday through Friday 4:59pm~~	~~Per Hour~~	~~$ 144.00~~
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group ~~2~~ ~~3~~	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. ~~Federal, State, County and Educational Institutions.~~ Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

MV00058921

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 - $750.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00058922

Section 7 - Parks and Community Services

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

Service / Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

MV00058924

Section 8 - Police

	Unit	Fee	
ABC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

MV00058925

Section 8 - Police

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

MV00058926

Section 8 - Police

	Unit	Fee	
Second Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

MV00058927

Section 9 - Public Works

Administration

	Unit	Fee
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Section 9 - Public Works

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$ 936.00
Certificate of Parcel Merger	Each	$ 936.00
Certificate of Correction	Each	$ 469.00
Certificate of Compliance	Each	$ 758.00
Conditional Certificate of Compliance	Each	$ 1,178.00
Street Vacation		
Summary	Each	$ 1,139.00
Full	Each	$ 3,782.00
Condemnation		
Initial Processing Deposit	Deposit	$ 5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$ 5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

MV00058930

Section 9 - Public Works

Land Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

MV00058931

Section 9 - Public Works

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,0001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On an hourly by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

MV00058932

Section 9 - Public Works

Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

	Unit	Fee	
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

MV00058933

Section 9 - Public Works

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY		$ 584.00	
5,001-100,000 CY		$ 1,009.00	
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

MV00058934

Section 9 - Public Works

Land Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	~~$2,400~~	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	~~$2,700~~	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	~~$6,300~~	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	~~$250~~	~~$ 206.00~~		
All Teleconferences	per Hour	~~$150~~	~~$ 206.00~~		

MV00058936

Section 9 - Public Works

Land Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Section 9 - Public Works

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, ~~or~~ Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,744.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,421.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

MV00058938

Section 9 - Public Works

Land Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	~~$ 158.00~~	Straight Time
			$96.00	Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

MV00058939

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

MV00058940

Section 9 - Public Works

Land Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer. Fee not to exceed total City cost.~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$ 205.00
Block Party Permit Processing	Each	$ 82.00
Flood Plain Determination (Community Rating System)	per Lot	$ 20.00
Elevation Certification (Mobile Home Park)	Each	$ 155.00

MV00058941

Section 9 - Public Works

Land Development

OTHER FEES

Advanced Energy Fees

	Unit	Fee	
Administration Fee		$ 404.00	
Zone B (9,500 Lumens)	Each	$ 261.00	
Zone C (22,000 Lumens)	Each	$ 347.00	
Single Family Residence Review	per Project	$ 390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District		

MISCELLANEOUS LAND DEVELOPMENT FEES

City of Moreno Valley Book of Standard Drawings	Each	$ 45.00	
Research of Records, Files, etc.			
Technical	per Hour *	$ 84.00	+reproduction costs
Professional	per Hour *	$ 136.00	+reproduction costs
	* minimum of 1/2 hour		
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$ 1.00	

MV00058942

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee		
Land and Assessment Division Applications				
with amended assessment diagram		$	900.00	+
	per Parcel	$	25.00	
without amended assessment diagram		$	1,500.00	+
	per Parcel	$	35.00	
Special District Formation Application	Each	$	5,000.00	
Special District Formation/Bond Issuance	Each		1% of bond issue	$50,000 min
Special Tax Report	Each		City Cost	$10 min
Annual Levy Report	Each		City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$	46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.				
Fixed Charge Tax Bill Revisions	per Parcel		County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)			City Cost	$10 min
Mail Ballot Processing				
Administrative Fee	per Proceeding	$	1,574.00	
Ballot Fee	per Ballot	$	3.00	

MV00058944

Section 9 - Public Works

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

MV00058946

Section 9 - Public Works

	Unit	Fee
Transportation Engineering		
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

MV00058948

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				----- Commercial -----			--------Office--------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
Libraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
Park Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

3. TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

UNITS LEGEND
DU = Dwelling Unit for residential development types
KSF = 1,000 gross square feet of building area for commercial, industrial and office development types

MV00058952

IMPLEMENTATION NOTES:

With respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

With respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
Recommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

MV00058953

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)**

b) **Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES

RECOMMENDED ACTION

Staff recommends that the Mayor and the City Council, acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee reviews the landscaping charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide benefit services. Zones within the CSD were established to allocate the costs to those parcels receiving proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

DISCUSSION

Proposed Charges

The following section outlines the services provided by each zone, the proposed annual charge and the current year charge. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the process of a mail ballot proceeding or as implemented through previously authorized inflation adjustments. For FY 2010/11 the inflation adjustment is 1.83% based on the percentage change for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide parks and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit, per each nonresidential parcel, or per each vacant parcel. (Current FY 2009/10 charge is $87.50.)

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23 per parcel per year on those properties which were annexed into the zone prior to 1999. Property owners, of 7,326 parcels that balloted after 1999 to receive Zone B services, which authorized an annual inflation adjustment, shall be charged $24.42 per parcel. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight facilities and services, whose owner's pay $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23 or $24.42 per parcel per year to $39 per parcel per year and would allow for an annual CPI increase, if necessary, to fully fund the annual cost to provide residential street lighting services. (Current FY 2009/10 charges are $23 and $24 for street lighting services.)

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9. (Current FY 2009/10 charge is $9.)

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. *Attachment 1*, included with this staff report, provides a listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11. A majority of the property owners, of certain affected tracts previously approved an inflation adjustment as part of their Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts.

The CSD shall conduct a mail ballot proceeding for 14 tracts, with a Public Hearing to be held on July 13, 2010. The following tracts are scheduled to be balloted: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. The ballot proposes an increase in the current Zone D charge to recover costs associated with landscape maintenance services. Property owners not approving the proposed charge increase for their Tract's Zone D service shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines.

Zone E is authorized to provide high-service-level parkway landscape maintenance of the extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the previously approved CPI adjustment shall be applied to the parcel charge for Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are shown on *Attachment 2* included with this staff report.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $76.)

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $66.)

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109. (Current FY 2009/10 charge is $109.)

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an annual inflation factor. The current year charges and proposed annual charges for Zone M are shown on *Attachment 3* included with this staff report.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation based on front linear footage of the properties adjacent to the improvements. The Zone S charge for FY 2010/11 is $2.80 per front linear footage, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $2.75 per front linear footage.)

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as collected are in compliance with Proposition 218, provided no charge increases are proposed or instituted without property owner's approval. Any future charge increases will require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings, as adopted by the City Council and the CSD Board on January 9, 2001, and amended on January 22, 2002, January 24, 2006 and March 24, 2009.

ALTERNATIVES

1. **Accept public comment** regarding the proposed FY 2010/11 CSD charges. *Although not required under Proposition 218, a Public Meeting allows property owners an opportunity to address the CSD Board regarding the continuation of the CSD annual charges.*

2. **Do not accept public comment** regarding the proposed FY 2010/11 CSD charges. *Even though a Public Meeting is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Meeting to allow the property owners an opportunity to address the CSD Board regarding the service received, the current annual CSD charges, and the proposed charges for FY 2010/11.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. The charges have been approved by the affected property owners through prior proceedings or are part of a proposed mail ballot proceeding, which may include an annual inflation factor based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A, and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S are restricted funds, which may only be used to pay for costs within each respective Zone.**

Approving charges less than that proposed by staff may require a decrease in both the level and quality of service from that provided during FY 2009/10. The service level provided shall be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS

CSD landscape maintenance services help enhance community image, neighborhood pride, and cleanliness. Residential properties that have landscaped parkways and/or medians help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant material also serves in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION

The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES

Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. Maintenance as provided through the CSD of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The action before the CSD Board is to accept public comment regarding the proposed CSD charges for FY 2010/11. With the adoption of Proposition 218, state law does not mandate public hearings to consider charges already in place. However, the City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the charges. A Public Hearing is scheduled for June 8, 2010 to consider the continuation of the existing levy of annual charges on certain properties within each of the existing zones as submitted in the Annual Levy Report, unless an inflation adjustment was previously approved by a majority of affected property owners through the Proposition 218 mail ballot proceeding process. All specific actions to adopt the Resolutions for both the continuation of the existing charges and the increased charges will take place at the June 8, 2010 Public Hearing.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, with information about the May 25, 2010 Public Meeting and the June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was scheduled to be published on May 18, 2010 and is scheduled to be published on May 25, 2010.

ATTACHMENTS

Attachment 1: Zone D FY 2010/11 Proposed Charges (PG 553-556)
Attachment 2: Zone E FY 2010/11 Proposed Charges (PG 557-558)
Attachment 3: Zone M FY 2010/11 Proposed Charges (PG 559-560)

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
10191/18468 (3)	$69.00	$1.26	$70.26	
11848 (1)	$84.00	$1.52	$85.52	
12305	$57.00		$57.00	
12608	N/A (4)		$0.00	
12773 (6)	$80.00	$1.46	$81.46	$121.00
12902	$72.00	$1.30	$73.30	
13576/19080/19081 (3)	$32.00	$0.58	$32.58	
13585 (1)	$57.00		$57.00	
14387/12268	$57.00		$57.00	
15387 (1)	$57.00		$57.00	
15433 (1)	$90.00	$1.64	$91.64	
16768 (1)	$64.00	$1.16	$65.16	
16769	$61.00	$1.10	$62.10	
16770 (1)	$57.00		$57.00	
17033 (1)	$173.10	$3.16	$176.26	
17176 (1)	$57.00		$57.00	
17334 (1)	$345.00		$345.00	
17387 (1)	$57.00		$57.00	
17457 (1)	$79.00	$1.44	$80.44	
17867 (1)	$57.00		$57.00	
18283	$57.00		$57.00	
18512/21322 (1)	$82.00		$82.00	
18784/20906 (1)	$177.00		$177.00	
18930 (1)	$77.00		$77.00	
19032 (2)	$130.00		$130.00	
19141	$75.00	$1.36	$76.36	
19142	$57.00		$57.00	
19143 (1)	$57.00		$57.00	
19208 (1)	$74.00		$74.00	
19210 (6)	$68.00	$1.24	$69.24	$112.00
19233	$57.00		$57.00	
19363 (1)	$57.00		$57.00	
19434 (1)	$57.00		$57.00	
19474	$57.00		$57.00	
19496	$64.00	$1.16	$65.16	
19500 (1)	$73.00	$1.32	$74.32	
19509 (1)	$57.00		$57.00	
19518/18372 (1)	$57.00		$57.00	
19529	$70.00	$1.28	$71.28	
19533	$57.00		$57.00	
19541	$93.00	$1.70	$94.70	
19551 (1)	$96.00		$96.00	
19675	$80.00	$1.46	$81.46	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
19685 (1)	$70.00	$1.28	$71.28	
19799 (2)	$272.20		$272.20	
19852 (1)	$69.00		$69.00	
19862	$148.10	$2.70	$150.80	
19912	$83.00	$1.50	$84.50	
19937 (6)	$107.10	$1.94	$109.04	$157.00
19957 (2)	$69.00		$69.00	
20030 (1)	$100.10	$1.82	$101.92	
20032 (1)	$57.00		$57.00	
20072 (1)	$89.00		$89.00	
20120	$94.00	$1.72	$95.72	
20197	$57.00		$57.00	
20272 (1)	$120.10		$120.10	
20301 (1)	$57.00		$57.00	
20404 (6)	$97.00	$1.76	$98.76	$178.00
20525 (1)	$57.00		$57.00	
20552 (1)	$57.00		$57.00	
20579 (6)	$57.00/$106.10/$158.10	$7.30/$2.88	$57.00/$108.40/$160.98	$144.00
20660 (1)	$105.10	$1.92	$107.02	
20715 (1)	$94.00		$94.00	
20718 (6)	$139.10	$2.54	$141.64	$234.00
20859 (1)	$66.00		$66.00	
20869 (1)	$57.00		$57.00	
20941	$103.10	$1.88	$104.98	
21113 (6)	$57.00		$57.00	$89.00
21332 (1)	$96.00	$1.74	$97.74	
21333 (6)	$208.20	$3.80	$212.00	$345.00
21345	$114.10	$2.08	$116.18	
21597 (6)	$295.20	$5.40	$300.60	$473.00
21616 (1)	$371.00	$6.78	$377.78	
21737	$210.20	$3.84	$214.04	
21806	$69.00	$1.26	$70.26	
22093 (1)	$138.00		$138.00	
22180	N/A (4)		$247.00 (7)	
22276 (1)	$193.10		$196.62	
22277 (1)	$264.20	$4.82	$269.02	
22371	$286.20	$5.22	$291.42	
22889 (6)	$186.00	$3.40	$189.40	$313.00
22999	$67.00		$67.00	
23046 (1)	$183.00		$183.00	
24721 (1)	$57.00		$57.00	
27251-1	N/A (4)		$465.00 (7)	
27526 (1)	$160.10	$2.92	$163.02	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
28882 (6)	$103.10	$1.88	$104.98	$179.00
29038 (1)	$60.00	$1.08	$61.08	
30027 (1)	$201.00		$201.00	
30967	$459.00	$8.38	$467.38	
31129	$81.00	$1.48	$82.48	
31257 (6)	$1,050.00	$19.20	$1,069.20	$1,414.00
31268	$181.10	$3.30	$184.40	
31269	$215.00	$3.92	$218.92	
31269-1 (6)	$295.20	$5.40	$300.60	$355.00
31284 (1)	$127.10		$127.10	
31305	N/A (4)		$496.00 (7)	
31424	$215.00	$3.92	$218.92	
31591	$454.40	$8.30	$462.70	
31618	N/A (4)		$364.00	
32005	N/A (4)		$112.00	
32018 (6)	$68.00	$1.24	$69.24	$160.00
32625	$1,000.00		$1,000.00	
32715	$303.00		$401.00 (5)	
33436	N/A (4)		$42.00 (7)	
33637	N/A (4)		$297.00 (7)	
33962	N/A (4)		$494.00 (7)	
4-Custom Home	N/A (4)		$567.00 (7)	

Total No. of Tracts = 116

(1) Tracts receiving Reduced service as provided for in the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Zone D Policy") adopted on January 9, 2001 and amended January 22, 2002, and January 24, 2006.

(2) Tracts receiving Street Tree maintenance only as provided for in the Zone D Policy.

(3) Tracts receiving the Street Tree Program.

(4) CSD landscape maintenance on hold for fiscal year pending final acceptace of initial landscape and installation in accordance with the City's approved standards for installation of landscaping.

(5) Annual charge approved at $913. Charge adjusted based on actual cost.

(6) May be subject to a mail ballot proceeding for FY 2010/11.

(7) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2009/10 Current Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Parcel Charges in Notice
E-1	TownGate	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 34299	$56.00	$1.02	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$391.30	$7.16	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 32142	$55.00	$1.00	$56.00
		Tract 32143	$53.00	$0.96	$53.96
		Tract 32144	$53.00	$0.96	$53.96
		Tract 32145	$31.00	$0.56	$31.56
		Tract 32146	$30.00	$0.54	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00		$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00		$440.00
E-7	Centerpointe	Per acre	$667.60	$12.20	$679.80
E-8	Promontory Park	Per condo unit	$188.00		$188.00
		Per parcel	$531.00		$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00		$397.00
E-14	Mahogany Fields	Per parcel	$273.00	$4.98	$277.98
E-15	Celebration	Per parcel	$333.00		$333.00
E-16	Shadow Mountain	Per parcel	$288.00	$5.26	$293.26

ATTACHMENT 2

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,011.00	$2,047.80
Cactus Commerce Center (1)	24364	297-130-039	$798.00	$798.00
		297-130-041	$1,957.00	$1,957.00
		297-130-042	$1,610.00	$1,610.00
Home Depot	21504	485-220-030	$1,981.98	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$297.28	$302.72
Perris Blvd. Storage	PA02-0117	312-020-017	$1,563.56	$1,592.16
		312-020-018	$1,490.48	$1,517.74
Red Maple Center		312-020-020	$581.58	$592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,623.62	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,594.58	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$310.30	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023	$5,851.84	$5,958.92
		484-020-024	$7,152.14	$7,283.02
Moreno Valley Health, LLC	33930	297-140-049	$1,131.12	$1,151.82
		297-140-050	$1,163.16	$1,184.44
		297-140-051	$1,294.28	$1,317.96
		297-140-052	$1,023.02	$1,041.74
OPT Moreno Valley, LLC	27008	482-700-001	$381.38	$388.34
		482-700-005	$381.38	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$396.38	$403.64
Auto Detail Shop		291-191-024	$336.32	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,366.34 (3)	$14,629.24
		297-170-069	$10,657.64 (3)	$10,852.68
		297-170-071 (2)	$4,823.80 (3)	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,394.44	$1,419.96
		312-360-002	$656.26	$668.26
		312-360-003	$449.30	$457.52
		312-360-004	$1,574.84	$1,603.64
		312-360-005	$1,222.90	$1,245.28
		312-360-006	$1,979.88	$2,016.12
		312-360-007	$773.58	$787.72
		312-360-008	$729.30	$742.64
		312-360-009	$810.10	$824.92
		312-360-010	$818.94	$833.92
		312-360-011	$657.38	$669.40
Commercial Project	TPM 32961	316-210-074	$1,850.84	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	No charge in 2009/10	$2,324.04 (4)
Oakwood Apts	PA04-0010	486-070-004	$2,927.92	$2,981.50
		486-070-011	$2,927.92	$2,981.50

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
Moreno Marketplace	PA05-0169	486-250-021	$8,002.98	$8,149.44
		486-250-024 (5)	$8,002.98	$7,867.58
		486-250-025 (5)		$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	No charge in 2009/10	$10,595.40 (4)
		488-090-037 to -040		
		488-090-043		
		488-090-047 to -057		
		488-090-064		
		488-090-071		
		488-090-073 to -074		
		488-090-076		
		488-090-082 to -085		
Condominium Complex	32756	484-030-020	$304.30	$619.72 (4)
		484-030-022	$304.30	$619.72 (4)
OMP Development	34572	297-150-055	$2,950.44	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,585.58	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$828.82	$843.98
March Graham Partners	34022	297-170-004	$3,573.56	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$508.50	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	No charge in 2009/10	$3,180.26 (4)
MV Properties	33152	297-120-002	$963.96	$981.60
		297-120-003	$697.68	$710.44
		297-120-016	$5,102.08	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,129.12	$1,149.78
		297-120-011	$1,455.44	$1,482.08
		297-120-012	$1,455.44	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	No charge in 2009/10	$7,554.16 (4)
Two-Bldg Commercial Center	PA07-0139	484-020-026 (6)	$2,763.76	$2,814.32
Highland Fairview (4)	TPM 35629	488-360-008	No charge in 2009/10	$4,152.22 (4)
		488-360-009		$3,467.92 (4)
		488-360-010		$3,467.92 (4)
		488-360-011		$6,935.84 (4)
		488-360-012		$6,620.56 (4)
		488-350-002		$17,601.72 (4)
California Drug Consultant (4)		486-280-041	No charge in 2009/10	$9,775.68 (4)
Delphinium Apartments (4)	PA04-0028	484-242-020	No charge in 2009/10	$2,986.60 (4)

(1) Cactus Commerce Center (formerly Zone E-5) was assimilated into Zone M (no change in charge amounts).

(2) Hand billed (US Post Office).

(3) Adjusted parcel charge based on acreage.

(4) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.

(5) APN 486-250-023 was divided into parcels 486-250-024 and 025.

(6) APN 484-020-007 renumbered to 484-020-026.

MV00058966

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Report to Consider Public Comments Regarding the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development Proposed Fiscal Year 2010/2011 Annual Rates

RECOMMENDED ACTION

Staff recommends that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance with its NPDES Permit. The requirements include a higher-level effort to

divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES Permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. City policy has been to hold a Public Meeting to allow the public opportunity to address City Council, though not required under Proposition 218.

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from Feb. 2009 – Feb. 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

2. Do not approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For Fiscal Year 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For Fiscal Year 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is lower than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- **Revenue Diversification and Preservation -** The proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

- **Public Facilities and Capital Projects -** The revenue collected from the proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to accept public comments regarding the proposed NPDES regulatory rate schedule annual rates for Fiscal Year 2010/2011. Although state law, since the adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such meetings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the rates. A Public Hearing is scheduled for June 8, 2010, to consider the continuation of the existing levy of annual rates, including an adjustment for inflation on certain benefiting properties within the City as submitted in the NPDES Special Levy Report, unless previously approved by a majority of benefiting property owners through the Proposition 218 mail ballot proceeding process. Other than accepting public comments, no specific action is required of the City Council at the May 25, 2010, Public Meeting. *All specific actions to adopt the Resolution for continuation of the existing rate will take place at the June 8, 2010, Public Hearing.*

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification is scheduled to be published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Not applicable.

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). Options for closing this remaining $11 million gap are presented in the Deficit Reduction Plan and summarized below:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions is significantly greater than the projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during FY 2010-11 be less than projected, additional solutions have already been identified that can be quickly implemented.

Staff is seeking direction from the City Council regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010, as identified in the calendar below.

Date	Meeting / Event	Action
May 11	Regular Council Meeting (Continued to May 18)	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Council Direction regarding Deficit Reduction Options
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Interim City Manager's Proposed Operating Budget
June 15	Study Session	Discussion & Direction Regarding Interim City Manager's Proposed Operating Budget
June 22	Regular Council Meeting	Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget (if not adopted on June 22nd)

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

On May 18, 2010, an overview of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council, followed by a detailed review of the Deficit Reduction Options contained in the Deficit Reduction Plan. City Council direction is requested regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010. An additional Study Session is scheduled for June 15, 2010, to discuss the Interim City Manager's proposed budget-balancing scenario. Final budget deliberations and budget adoption are scheduled for June 22, 2010; with June 29, 2010 available as a back-up City Council meeting for budget adoption if needed.

NOTIFICATION

Publication of the agenda

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: May 25, 2010

TITLE: PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

RECOMMENDED ACTION

Staff recommends that the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

BACKGROUND

The Moreno Valley Auto Mall is located in a specific plan area. In 1990, the development of the Moreno Valley Auto Mall was started. The Moreno Valley Auto Mall currently has six developed automobile dealerships. Over the years, the Moreno Valley Auto Mall has become a major sales tax producer for the City of Moreno Valley. In FY 2008-09, the Moreno Valley auto dealers in total produced 9.7% of the sales tax generated in the City of Moreno Valley. Please note that prior to the economic downturn, the Auto Mall actually produced 15.9% of the City's total sales tax revenue in FY 2006-07.

While still being major sales tax producers, the auto dealers at the Auto Mall have struggled for the past few years because of the challenging economic times. Clearly, this is not a unique situation facing just Moreno Valley, but the auto industry in general. The federal government has provided the major car manufacturers with massive loans and both General Motors and Chrysler have been involved in bankruptcy proceedings. Unfortunately, in November 2009, the Moreno Valley Buick/GMC dealership closed and went out of business. The owner actually has closed all of its seven dealerships in Southern California. The loss of this dealership not only reduces sales tax revenue for the City, but also caused the loss of 45 jobs.

DISCUSSION

Moss Bros. Autogroup is a respected and experienced automobile dealer. Moss Bros. Autogroup presently has operations in Moreno Valley, San Bernardino and Riverside. At the Moreno Valley Auto Mall, Moss operates four dealerships Toyota/Scion, Toyota Trucks, Honda and Chrysler/Jeep/Dodge/RAM Trucks. After Moss acquired the four dealerships in January 2006, auto sales and the resulting sales tax revenue for the City of Moreno Valley increased significantly. In fact, after two years of operation, the Moss dealerships increased sales tax revenue for each of its dealerships on average by 14% to 20%. In FY 2008-09, the four Moss Bros. dealerships produced 73.2% of the sales tax revenue produced by the dealers in the Moreno Valley Auto Mall. Clearly, Moss Bros. Autogroup is a major contributor to the Moreno Valley Auto Mall.

Moss Bros. Autogroup is working on a number of efforts to enhance doing business at the Moreno Valley Auto Mall, as well as being a catalyst to enhancing the overall effectiveness of the Auto Mall. Presently, Moss is pursuing the acquisition of the Moreno Valley Chevrolet and Moreno Valley Buick/GMC dealerships. Presently, Moss has options executed and Asset Purchase Agreements negotiated to acquire these two dealerships pending approval by General Motors. Additionally, Moss is working on plans to gain factory authorization for the expansion and modernization of the Toyota/Scion, Honda and Chrysler/Jeep/Dodge/RAM Trucks operations. Furthermore, Moss has discussions underway to possibly acquire additional factory-authorized automobile dealerships that would be new to the Auto Mall. Moss also has plans to significantly enhance advertising efforts of the Moss brands, along with better marketing of the Moreno Valley Auto Mall.

To assist in the various transactions identified above, as well as help stimulate the local economy and address the goals and obligations of the Redevelopment Agency, staff is recommending the use of a Participation Agreement. To help establish a contractual relationship between the Redevelopment Agency and Moss Bros. Autogroup, the RDA's Special Legal Counsel has drafted a Participation Agreement which provides the following major business points.

- Moss shall use commercially reasonable efforts to re-establish automobile dealerships for GMC/Buick, as well as continue operation of a Chevrolet dealership at the Moreno Valley Auto Mall.

- Moss shall use commercially reasonable efforts to expand its existing dealership operations (Toyota, Honda and Chrysler/Jeep/Dodge/RAM Trucks, as well as pursue opportunities for adding new factory-authorized automobile dealerships to the Moreno Valley Auto Mall.

- Moss shall agree to establishing and maintaining the City of Moreno Valley as a point-of-sale for its sales of Toyota, Scion, Honda, Chrysler/Jeep, Dodge, RAM Trucks, Chevrolet, GMC, Buick and any other factory-authorized automobile sales at the Moreno Valley Auto Mall.

- Moss shall receive both an Initial Payment and Final Payment in the amounts of $250,000 or an amount equal to 20% of the City's share of sales produced by Moss operated dealerships on an annual basis, whichever is lesser.

ALTERNATIVES

1. Approve the Participation Agreement with Moss Bros. Autogroup.

2. Reject or pursue modifications in the terms of the Participation Agreement. Supporting this alternative would hinder the proposed transactions planned for the Moreno Valley Auto Mall.

FISCAL IMPACT

The planned projects being pursued by Moss Bros. Autogroup are envisioned to enhance the overall effectiveness of the Moreno Valley Auto Mall, including producing increased sales tax revenue for the City, along with new employment opportunities. The investment on the part of the City and its Redevelopment Agency through the two payments to Moss shall be made by the Redevelopment Agency through funding made available by the City's General Fund through sales tax revenue.

ATTACHMENTS

ATTACHMENT 1: Participation Agreement (PG 577-602)
ATTACHMENT 2: Resolution of the Community Redevelopment Agency of the City of Moreno Valley (PG603-604)

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Attachment No. 1 Site Plan
Attachment No. 2 Operator Certificate

PARTICIPATION AGREEMENT

By and Between the

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

and

MOSS BROS. AUTOGROUP
a California corporation

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of May 20, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency"), and **MOSS BROS. AUTOGROUP,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. The Operator and the Agency desire that the Operator operate a factory-authorized automobile sales and servicing facilities within the project area (the "Project Area") as heretofore established by the adoption of the Redevelopment Plan for the Moreno Valley Redevelopment Project (the "Redevelopment Project") operating under the trade name Moss Bros.

B. Operator through the operation of such use within the Project Area will help stimulate the local economy and address the goals and obligations of the Redevelopment Plan.

C. The Agency, in conjunction with the City of Moreno Valley, a municipal corporation (the "City") has previously established an area (located within the Project Area) devoted to motor vehicle dealerships, which included area is known as the Moreno Valley Auto Mall (the "Auto Mall").

D. Operator is operating and, subject to the provisions of this Agreement, commits to continue to operate factory-authorized automobile dealerships for Honda ("Honda Dealership"), Toyota ("Toyota Dealership"), Scion ("Scion Dealership"), Dodge ("Dodge Dealership"), Chrysler ("Chrysler Dealership"), Jeep ("Jeep Dealership")(collectively, the "Existing Dealerships") and to use commercially reasonable efforts to re-establish truck and automobile dealerships, for GMC/Buick (the "GMC/Buick Dealership") and continue operation of a Chevrolet dealership (the "Chevrolet Dealership") within the Auto Mall.

E. Operator has options to acquire ownership of sites within the Auto Mall which it deems suitable for operation of the GMC/Buick Dealership (the "GMC/Buick Site") and the Chevrolet Dealership (the "Chevrolet Site" and, together with the GMC/Buick Site, the "Designated Sites").

F. Operator is in negotiations to acquire additional automobile dealerships and agrees to use commercially reasonable efforts to attract, open and operate motor vehicle dealerships within the Auto Mall for products not represented (as new automobile dealerships) in the Auto Mall as of the Date of Agreement.

G. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws, including the creation of jobs within the City.

NOW, THEREFORE, the Agency and the Operator hereby agree as follows:

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100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Sites or any other properties owned by the Operator or a Related Person within the Auto Mall, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of Operator or Agency, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the Agency and the Operator.

"Auto Mall" is defined in Recital C, above.

"*Auto Mall Special Taxes*" means special taxes imposed by the City or the governing board for Community Facilities District No. 3 as heretofore established by the City.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"City Share" means an amount equal to the lesser of: (i) one percent of the total sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person; or (ii) that amount which the City receives as its share of sales tax under the pursuant to the Bradley Burns Uniform Sales Tax Law, California Revenue and Taxation Code Section 7200, et seq., as a result of the sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person.

"*Conditions Precedent to Final Payment*" is defined in Section 404 hereof.

"*Conditions Precedent to Initial Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of an automobile sales and service facility (which may include body shop, parts sales and related activities) for Conforming Vehicles under the trade name Moss Bros.

"*Conforming Vehicles*" means motor vehicles sold under authorization of the corresponding manufacturer and marketed under the trade names Honda, Toyota, Scion, Dodge, Chrysler, Jeep, Chevrolet and other motor vehicle product lines that may, through Operator's efforts, come to be located in the Auto Mall, but excluding any such product lines for which dealerships cease to be available at the Auto Mall as a result of (a) manufacturer dealership reductions; (b) bankruptcy or other insolvency of the manufacturer; or (c) other conditions over which Operator has no substantial control, despite its commercially reasonable efforts.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" is defined in the first paragraph of this Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Sites*" means the GMC/Buick Site and the Chevrolet Site.

"*Designated Trade Name*" means "Moss GMC", "Moss Buick", "Moss Honda", "Moss Toyota", "Moss Dodge" "Moss Chrysler", "Moss Jeep", "Moss Scion", "Moss Chevrolet" or any other trade name that is approved by the Agency in its reasonable discretion.

"*Executive Director*" means the Executive Director of the Agency (or the Interim Executive Director of the Agency) or his designee.

"*Fee Condition*" is defined in Section 401.2.

"*Final Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Second Year.

"*Fiscal Year*" or, unless the context otherwise requires "*Year*" means a period commencing as of July 1 and ending as of June 30 of the immediately following calendar year.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Auto Mall is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Auto Mall.

"*Improvements*" means all improvements present on the Designated Sites or any and all properties owned by the Operator or any Related Person as of the Date of Agreement or thereafter undertaken on the Designated Sites or any property owned by the Operator or a Related Person within the Auto Mall.

"*Initial Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Initial Year.

"*Initial Year*" means the period commencing as of September 1, 2010 and ending as of August 31, 2011.

"*Municipal Code*" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"*Operating Covenant Period*" means a period commencing as of the Date of Agreement and ending as of August 31, 2012.

"*Operator*" means Moss Bros. Autogroup, a California corporation.

"*Operator Certificate*" means Attachment No. 2 to this Agreement.

"*Performance Conditions*" means all of the following: the Sales Tax Condition; the Fee Condition; the Indemnification Condition; the Certificate Condition; the Electrical Service Condition; the Property and Sales Tax Condition; and the Continuous Operation Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"*Point of Sale*" means that situs which is treated by the California Franchise Tax Board as the point of sale for a business.

"*Property and Special Tax Condition*" means that Operator shall have timely paid in full when due all amounts payable as property taxes, assessments, City fees or special taxes (including all Auto Mall Special Taxes imposed with respect to land owned by the Operator or any Related Person within the Auto Mall) during the corresponding Fiscal Year.

"*Related Person*" means any entity in which an ownership interest is held by the Operator or any business in which an ownership interest is held by a person who, as of the Date of Agreement, is an officer, shareholder or owner of the Operator.

"*Second Year*" means the Fiscal Year beginning as of September 1, 2011 and ending as of August 31, 2012.

200. REPRESENTATIONS AND WARRANTIES.

201. **Agency Representations.** Agency represents and warrants to Operator as follows:

(a) **Authority**. Agency is a public body, corporate and politic organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of its governing board. The Agency has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by Agency has been fully authorized by all requisite actions on the part of Agency. The parties who have executed this Agreement on behalf of Agency are authorized to bind Agency by their signatures hereto.

(b) **No Conflict**. To the best of Agency's knowledge, Agency's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Agency is a party or by which it is bound.

(c) **No Agency Bankruptcy**. Agency is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to Agency as follows:

(a) **Authority**. Operator is a duly organized California corporation that is doing business in California, is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase and accept possession of property within the Project Area, including the Auto Mall and undertake all obligations as provided herein and the execution, performance and delivery of this

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Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of property within the Auto Mall or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of motor vehicle sales and servicing facilities under manufacturer authorization, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations and all applicable requirements of the corresponding manufacturers pertaining to the operation of Conforming Activities under this Agreement.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to Agency), indemnify and save and hold harmless each of Agency, City and their respective officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or employed by Operator with respect to property within the Auto Mall; or (v) Operator's ownership, occupancy or use of the Designated Sites or any other property within the Auto Mall. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the Agency has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the Agency immediately upon written demand for all costs reasonably incurred by the Agency (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of Agency or City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the Agency's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this

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Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which each of Agency and City is indemnified under this Agreement.

The Operator shall indemnify each of the Agency and the City from any real estate commissions or brokerage fees which may arise from this Agreement, the Designated Sites or any other property within the Auto Mall. The Operator agrees to hold each of Agency and City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator, the Designated Sites and any other property within the Auto Mall.

Operator agrees that no displacement of another person or business shall be effected in connection with the establishment, continuation or expansion of its activities at the Designated Sites or otherwise within the Auto Mall. Operator agrees to and shall defend, indemnify and hold harmless each of Agency and City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Sites or the remainder of the Auto Mall occurring prior to approval of this Agreement.

302. **Compliance With Laws**. Operator shall carry out the conduct of uses on the Designated Sites or otherwise within the Auto Mall in conformity with all applicable laws, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.*, Government Code Section 4450, *et seq.*, Government Code Section 11135, *et seq.*, and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq*, and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The Agency makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify each of Agency and City for any liability associated with the payment of prevailing wages for any work on the Designated Sites or otherwise within the Auto Mall.

The Operator does hereby and shall indemnify and hold each of Agency and City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Agency or City with respect to or in any way arising from Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720.

The Operator is under no obligation to construct or otherwise develop improvements on the Designated Sites or otherwise within the Auto Mall and is not obligated to apply all or any portion of the Initial Payment Amount or Final Payment Amount toward any such development or construction. The Operator intends, through the construct of uses on the Designated Sites and otherwise within the Auto Mall, to create jobs for the benefit of the City.

303. **Insurance**. Prior to the disbursement of any moneys by the Agency to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense the following policies of insurance in form and substance reasonably satisfactory to the Agency:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Sites or other

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property within the Auto Mall (to be in effect only while work is being performed on the Designated Sites or at another location within the Auto Mall);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Sites or improvements owned by the Operator or a Related Person otherwise located within the Auto Mall in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Auto Mall is located (including loss by flood if the Auto Mall is in an area designated as subject to the danger of flood);

(iii) public liability insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to Agency. The policies required under subparagraph (b) shall show each of Agency and City as an additional insured and loss payee. Each of Agency and City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by Agency) and endorsements shall be delivered to Agency from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to Agency evidence of renewal or replacement of such policy reasonably satisfactory to the Executive Director.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by Agency or City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of each of Agency and City. All policies shall be written by good and solvent insurers qualified to do business in California. The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator, and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against each of Agency or City (or any officer, employee, agent or representative of Agency or City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry,

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national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay prior to delinquency all ad valorem real estate taxes and assessments on any and all property owned by Operator or a Related Person within the Auto Mall. Operator shall remove or have removed any levy or attachment made on any such property, or part thereof, which is owned or leased by Operator (or any Related Person), or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless each of Agency and City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties in connection with (a) activities undertaken by the Operator or (b) the Auto Mall.

400. CONSIDERATION FOR AGREEMENT; AGENCY PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the Agency to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Initial Payment by the respective time established therefor in Section 402 and to satisfy the Conditions Precedent to Final Payment by the time established therefor in Section 403. Operator shall also satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The Operator further agrees to operate, maintain and use any and all property owned by the Operator or any Related Person within the Auto Mall in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Initial Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the Executive Director, Agency will disburse to Operator the Initial Payment Amount. The Operator agrees to expend the Initial Payment Amount for expenses arising in connection with the operation of Conforming Activities within the Auto Mall.

Provided that the Conditions Precedent to Final Payment have been and remain satisfied, the Agency shall make one final payment to the Operator (of the Final Payment Amount) within thirty (30) days after receipt of the Operator Certificate following conclusion of the Second Year. Times for payment shall be extended for a reasonable time in order for the Agency to confirm compliance with all conditions to payment. No interest shall accrue on any such amounts.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities (including the Existing Dealerships) commencing as of the Date of Agreement and continuing throughout the Operating Covenant Period. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) treating the Auto Mall (or portions thereof) as point of sale for all taxable sales made by the Operator within the Auto Mall (the "Sales Tax Condition") as reflected in the reports of the Operator to the State Board of Equalization (which reports shall be made available by Operator to City and, to the extent permitted by law, to Agency); (iii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming

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Activities (the "Fee Condition"); (iv) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (v) Operator shall use electrical services made available by the City (the "Electrical Service Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Operating Covenant Period, and during such period shall provide such additional information with respect to any of such matters as the Executive Director or his designee shall determine to be necessary or covenant in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **Conditions Precedent to Initial Payment**. The Agency shall not be obligated to make the disbursement of the Initial Amount unless all of the following conditions precedent have been and remain satisfied as of September 1, 2011:

(a) the Operator provides to the Executive Director evidence satisfactory to the Executive Director that: (i) Operator is engaged in the operation of Conforming Activities within the Auto Mall, including the sale of new motor vehicles under authorization therefor by the corresponding manufacturers and sale of new motor vehicles for each of the Existing Dealerships; (ii) Operator owns property within the Auto Mall at which Conforming Activities are being conducted; and (iii) Operator has made commercially reasonable efforts to secure commitments for the establishment of factory-authorized dealerships within the Auto Mall for product lines not represented in the Auto Mall as of the Date of Agreement;

(b) the Operator provides evidence satisfactory to the Executive Director that all properties within the Auto Mall owned by the Operator or a Related Person shall be and remain the Point of Sale for sales of Conforming Vehicles by the Operator;

(c) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions (except with respect to the Initial Payment Amount);

(d) after September 1, 2011 but on or before October 1, 2011, Operator has executed and delivered to the Executive Director an Operator Certificate for the Initial Year, duly executed with the attachments as prescribed by this Agreement;

(e) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(f) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(g) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Initial Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on all property (other than a vacant lot currently owned by the Operator and designated as Assessor Parcel No. 477-130-020 -- "Vacant Lot") owned by the Operator and/or a Related person within the Auto Mall during the Operating Covenant Period, or if this Agreement is terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

403. **Conditions Precedent to Final Payment**. The Agency shall not be obligated to make disbursement of the Final Payment unless all of the following conditions precedent have been and remain satisfied as of September 1, 2012:

(a) Each of the Conditions to Initial Payment has been and remains satisfied;

(b) the Operator provides evidence satisfactory that demonstrates that Operator has made commercially reasonable efforts to attract, open and operate motor vehicle dealerships for products not represented in the Auto Mall as of the Date of Agreement;

(c) the Operator provides evidence satisfactory to the Executive Director that the Conforming Activities are being conducted on any and all property (except the Vacant Lot) owned by the Operator or any Related Person within the Auto Mall (except the Vacant Lot) and that all properties owned by the Operator or any Related Person within the Auto Mall are being maintained as Point of Sale in accordance with the terms of this Agreement;

(d) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions;

(e) after September 1, 2012 but on or before October 1, 2012, Operator has executed and delivered to the Executive Director an Operator Certificate for the Second Year, duly executed and with the attachments prescribed pursuant to this Agreement;

(f) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(g) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(h) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (h), inclusive, shall collectively constitute the "Conditions Precedent to Final Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities within the Auto Mall throughout the Operating Covenant Period, or if this Agreement is

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terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

404. **Brokers**. The Agency shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator is a business specializing in the sale and servicing of new automobiles under factory authorization as a franchised dealer of such products. The Operator shall sell Conforming Vehicles within the Auto Mall and continue the operation of the Existing Dealerships and conduct related and ancillary activities including the servicing and repair of automobiles. The Operator shall operate within the Auto Mall only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote all property owned by the Operator or any Related Person within the Auto Mall to the uses specified in this Section 501 of this Agreement; (ii) operate on any and all property owned by the Operator or any Related Person within the Auto Mall a business or businesses devoted to the operation of Conforming Activities under the Designated Trade Names; (iii) operate within the Auto Mall the Existing Dealerships; and (iv) execute and deliver to the Agency an Operator Certificate prior to each payment by the Agency.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws. The Operator covenants to operate within the Auto Mall only Conforming Activities for a period of not less than the Operating Covenant Period; this covenant is made for the benefit of the Agency. Operator shall remake this covenant prior to each payment by the Agency and thereafter annually during the Operating Covenant Period.

In addition, continuing throughout the remainder of the Operating Covenant Period, all uses conducted on any and all property owned by the Operator or any Related Person within the Auto Mall, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to all properties owned by Operator and/or a Related Person within the Auto Mall, or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain any and all properties (except the Vacant Lot) owned by Operator or any Related Person within the Auto Mall and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws.

(b) To maintain the improvements and landscaping on any and all properties owned by Operator or any Related Person within the Auto Mall in conformity to all applicable laws and to keep all such properties free from any accumulation of debris and waste

materials.

(c) To operate on any and all properties owned by Operator or any Related Person within the Auto Mall only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the Agency shall be suspension or at Agency's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement unless the Agency fails to make a payment required pursuant to this Agreement upon satisfaction by Operator of the conditions precedent to such payment. Upon the Agency's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the Agency. From the date of Notice of Termination of this Agreement by Operator to the Agency and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by Agency**. In the event that, prior to the time established in Section 402 for the satisfaction of the Conditions Precedent to Initial Payment or Section 403 for the satisfaction of the Conditions Precedent to Final Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to any and all properties owned by Operator or any Related Person within the Auto Mall in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment and such failure is not caused by Agency; or

(c) On or before the ninetieth day after the Date of Agreement, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of Agency, be terminated by Agency by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by Agency to the Operator and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the Agency, service of process on the Agency shall be made by personal service upon the Agency Secretary or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

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To Agency:	Community Redevelopment Agency of the City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Moss Bros. Autogroup Attention: Glenn L. Moss, Sr. 8146 Auto Drive Riverside, California 92504

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of Agency and Operator. The Executive Director shall have the authority to approve on behalf of Agency, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to operate Conforming Activities; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with Agency as to other properties; provided, however, that a unilateral manufacturer reduction in dealerships, election by a vehicle manufacturer to discontinue a product line and/or the bankruptcy or other insolvency of a vehicle manufacturer shall not constitute a default by the Operator hereunder.

703. **Transfers of Interest in Agreement or of Designated Sites and Other Properties**. The qualifications and identity of the Operator are of particular concern to the Agency. It is because of those qualifications and identity that the Agency has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Sites or any of the other properties owned by Operator or any Related Person within the Auto Mall or the improvements thereon without prior written approval of Agency, except as

expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the Agency, the sole remedy of the Agency shall be suspension or at Agency's election termination of payments otherwise required to be made by Agency pursuant to this Agreement. Notwithstanding the foregoing, transfers of interests by the Operator of some or all of the Designated Sites or any of the other properties owned by Operator to a Related Person will not constitute a default pursuant to this Section 703.

704. **Provision of Information; Inspection of Books and Records**. The Agency shall have the right at all reasonable times during the Operating Covenant Period to engage third parties to inspect the books and records of the Operator pertaining to the collection and payment of sales taxes in connection with the purchase and sale of products as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the Agency as deemed necessary by the Agency, at least annually and additional upon request therefor by the Agency, to verify compliance with the terms of this Agreement. The Agency shall, subject to applicable statutes, use reasonable efforts to maintain the confidentiality of any such books and records and will take all steps necessary to assure that such books and records do not become public records or otherwise become discoverable by or subject to disclosure to the public.

705. **Non-Liability of Officials and Employees of Agency**. No member, official, officer or employee of the Agency shall be personally liable to the Operator, or any successor in interest, in the event of any Default or breach by the Agency or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between Agency and Operator**. It is hereby acknowledged that the relationship between the Agency and the Operator is not that of a partnership or joint venture and that Agency and the Operator shall not be deemed or construed for any purpose to be the agent of the other. Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the Agency shall not have any rights, powers, duties or obligations with respect to the Designated Sites or other properties owned by the Operator or Related Persons within the Auto Mall.

707. **Agency Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the Agency, the Executive Director is authorized to act on behalf of the Agency unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 2, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

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710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the Agency and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by Agency**. This Agreement, when executed by the Operator and delivered to Agency, must be authorized, executed and delivered by the Agency on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries Except for City**. The City will receive substantial sales tax revenues from the operation of automobile dealerships within the Moreno Valley Auto Center; the City shall be a third party beneficiary of this Agreement. Except with respect to the City, nothing herein is intended to create any third party beneficiaries to this Agreement (excepting, as noted above, the City), and no person or entity other than the Agency, the City and the Operator, and the permitted successors and assigns of either of the Agency and the Operator, shall be authorized to enforce the provisions of this Agreement.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

SIGNATURE PAGE FOLLOWS

WITNESS WHEREOF, the Agency and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

AGENCY:

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body, corporate and politic

By:_____
Interim Executive Director

ATTEST:

_____
Agency Secretary

OPERATOR:

MOSS BROS. AUTOGROUP, a California corporation

By:_____
Name: Glenn L. Moss, Sr.
Its: President / CEO

MV00059001

ATTACHMENT NO. 1

SITE PLAN

ATTACHMENT NO. 2

OPERATOR CERTIFICATE

(Operator Letterhead)
Community Redevelopment Agency of the City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Date of Operator Certificate: August 1, 201_

Attn: Executive Director

With respect to that certain Participation Agreement (the "Agreement") by Moss Bros. Autogroup, a California corporation (the "Operator") and the Community Redevelopment Agency of the City of Moreno Valley, a public body, corporate and politic (the "Agency") dated as of May 20, 2010, the undersigned, on behalf of the Operator, hereby certify to Agency that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the Agency, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Sales Tax Condition; the Fee Condition; the Continuous Operation Condition; the Electrical Service Condition; the Property and Special Tax Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to any and all properties owned by Operator or any Related Person within the Auto Mall, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation, doing business in the State of California.

8. Operator remakes to Agency each and every representation and/or warranty made to Agency under the Agreement.

Exhibit "A" to Attachment No. 2

9. A report setting forth in detail the efforts of the Operator to secure commitments for the establishment of factory-authorized dealerships within the Moreno Valley Auto Center for product lines not represented in the Moreno Valley Auto Center as of the Date of Agreement is enclosed herewith and is deemed to constitute part of this Operator Certificate.

Operator executes this Operator Certificate for the benefit and protection of the Agency with full knowledge that the Agency is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

MOSS BROS. AUTOGROUP, a California corporation

Dated: April 28, 2010

Its: President / CEO

Exhibit "A" to Attachment No. 2

EXHIBIT "A" TO OPERATOR CERTIFICATE

[to come]

RESOLUTION NO. RDA 2010-02

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AND AUTHORIZING A PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

WHEREAS, the Agency Board of the Community Redevelopment Agency of the City of Moreno Valley (the "RDA") wishes to work with Moss Bros. Autogroup ("Moss") to enhance the effectiveness of the Moreno Valley Auto Mall ('the Auto Mall") in Moreno Valley; and

WHEREAS, in furtherance of the goals and objectives of the RDA Plan at the Auto Mall, will both maintain and create new jobs; and

WHEREAS, the RDA is authorized to undertake activities and expend monies pursuant to and in implementation of the RDA Plan; and

WHEREAS, the enhancement of the Auto Mall will help stimulate the local economy and meet the objectives of the RDA Plan and the City of Moreno Valley's economic development efforts; and

WHEREAS, the operations as required to be accomplished under the Participation Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents and in accord with public purposes and provisions of applicable federal, state and local laws;

NOW, THEREFORE, THE AGENCY BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

Section 1. Each of the above recitals is true and correct and therefore adopted by the Legislative Body.

Section 2. The Agency Board authorizes the Executive Director to enter into a Participation Agreement with Moss Bros. Autogroup, a California corporation, in substantial conformance with the Participation Agreement attached to this resolution.

Section 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Chairperson

ATTEST:

_____
Agency

APPROVED AS TO FORM:

_____
Agency Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

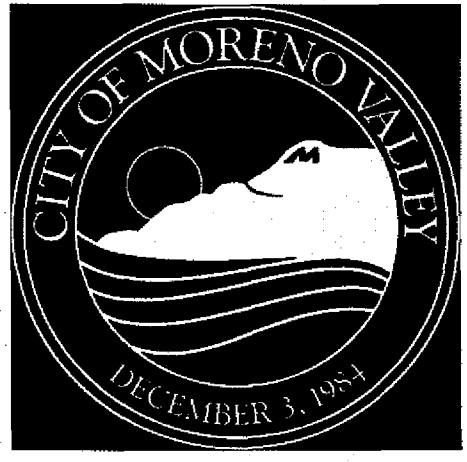

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00059013

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

MV00059014

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00059015

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

MV00059016

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00059017

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS
FY 2009-2010

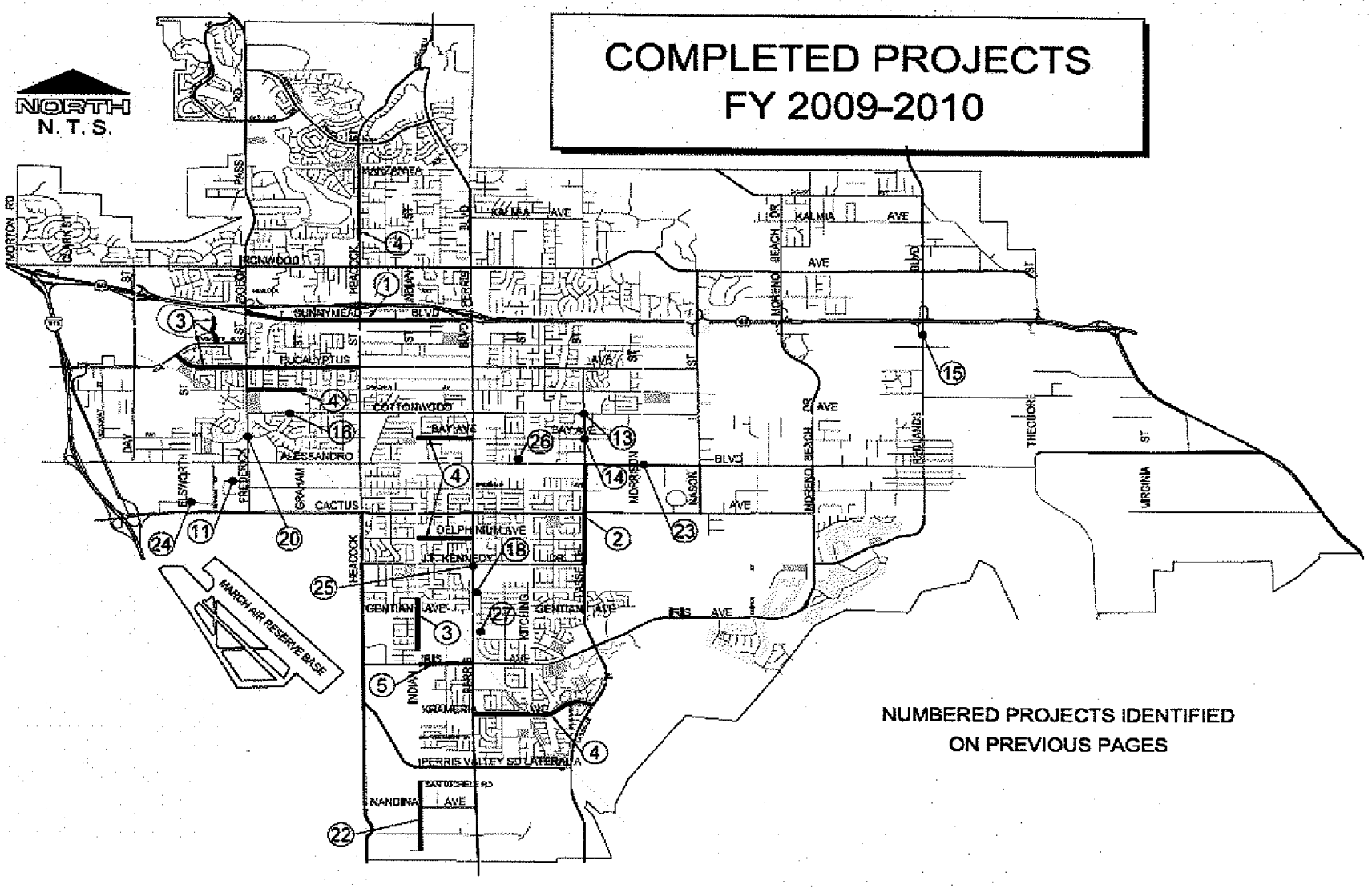

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

MV00059019

Completed Projects FY 2009-2010

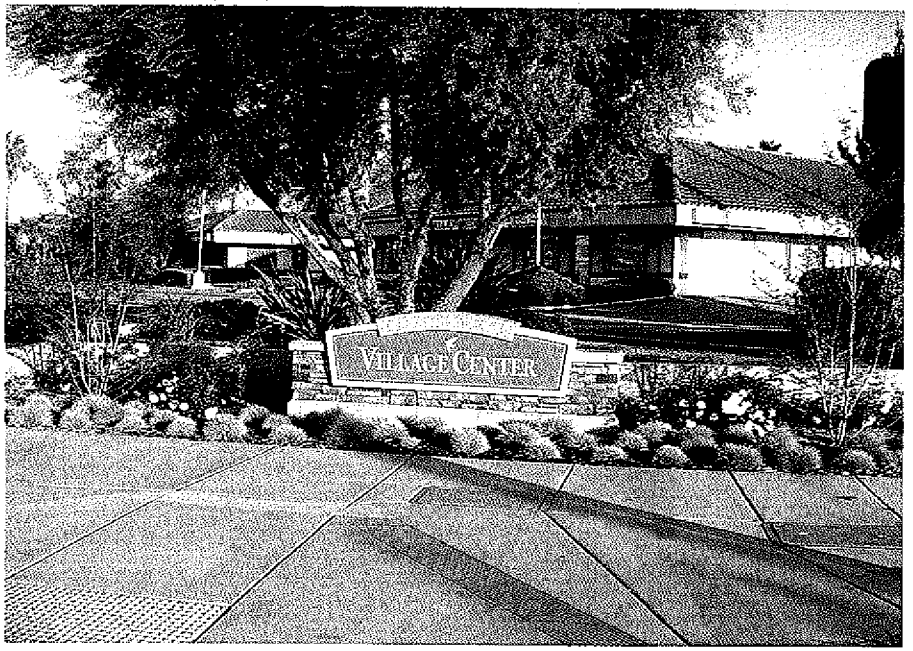

Sunnymead Boulevard from Frederick Street to Perris Boulevard

MV00059020

Completed Projects FY 2009-2010

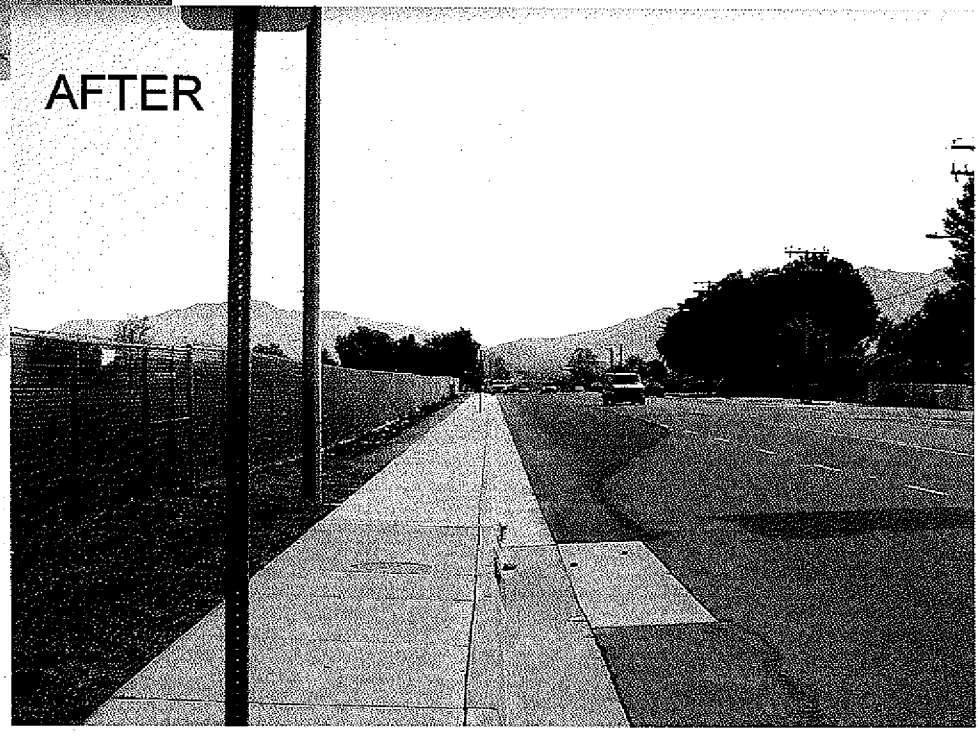

Iris Avenue from Indian Street to Perris Boulevard

MV00059021

Completed Projects FY 2009-2010

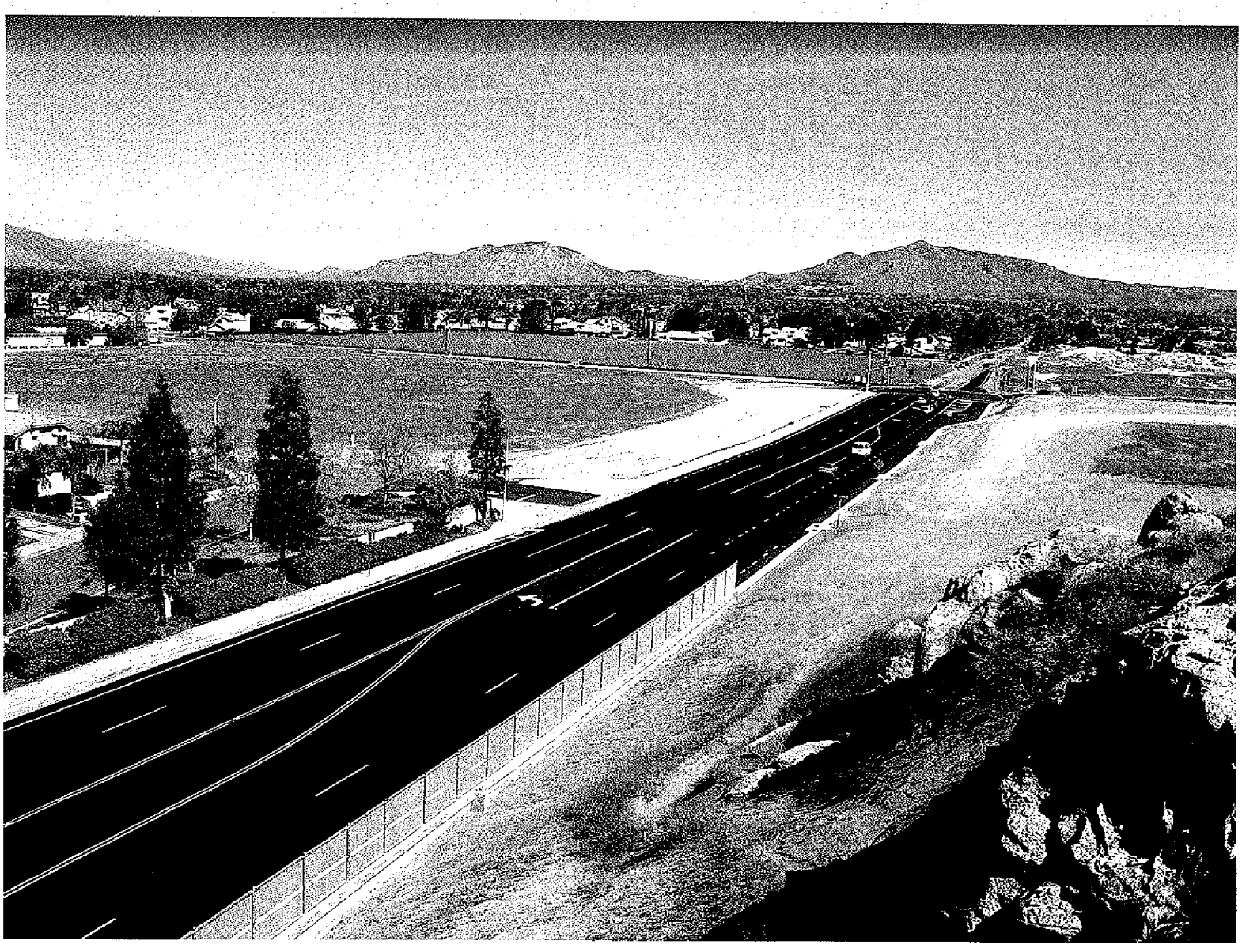

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

MV00059022

Completed Projects FY 2009-2010

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00059023

Completed Projects FY 2009-2010

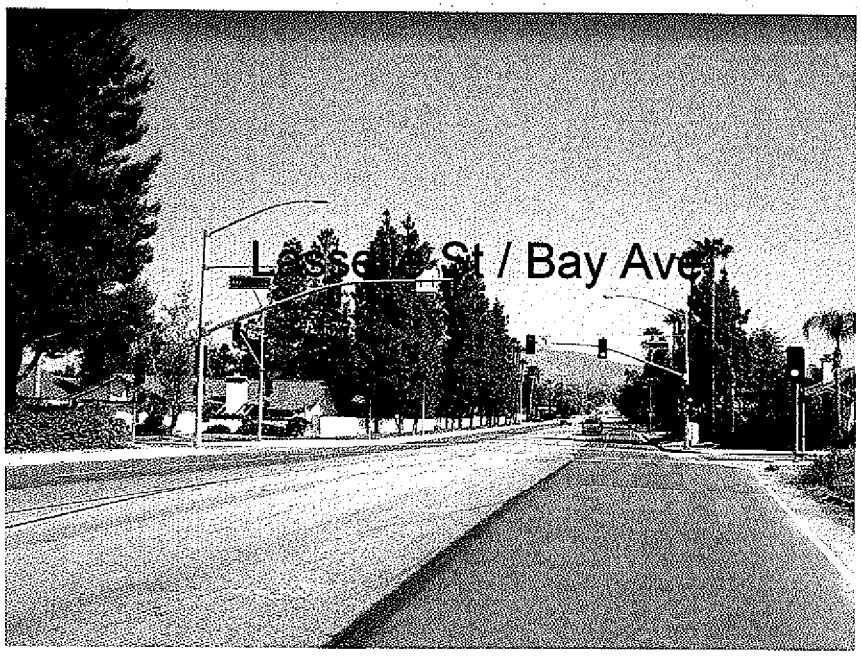

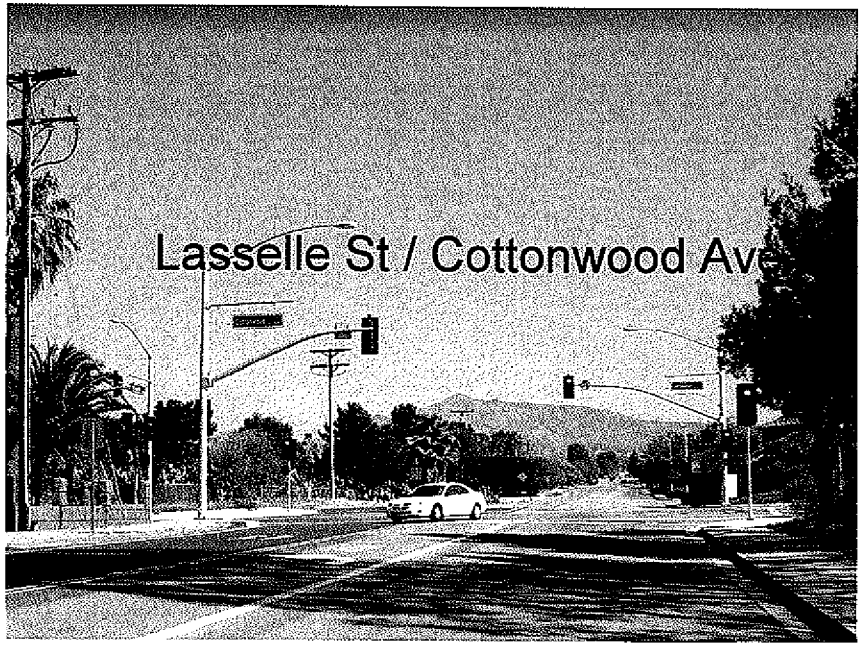

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

MV00059024

Completed Projects FY 2009-2010

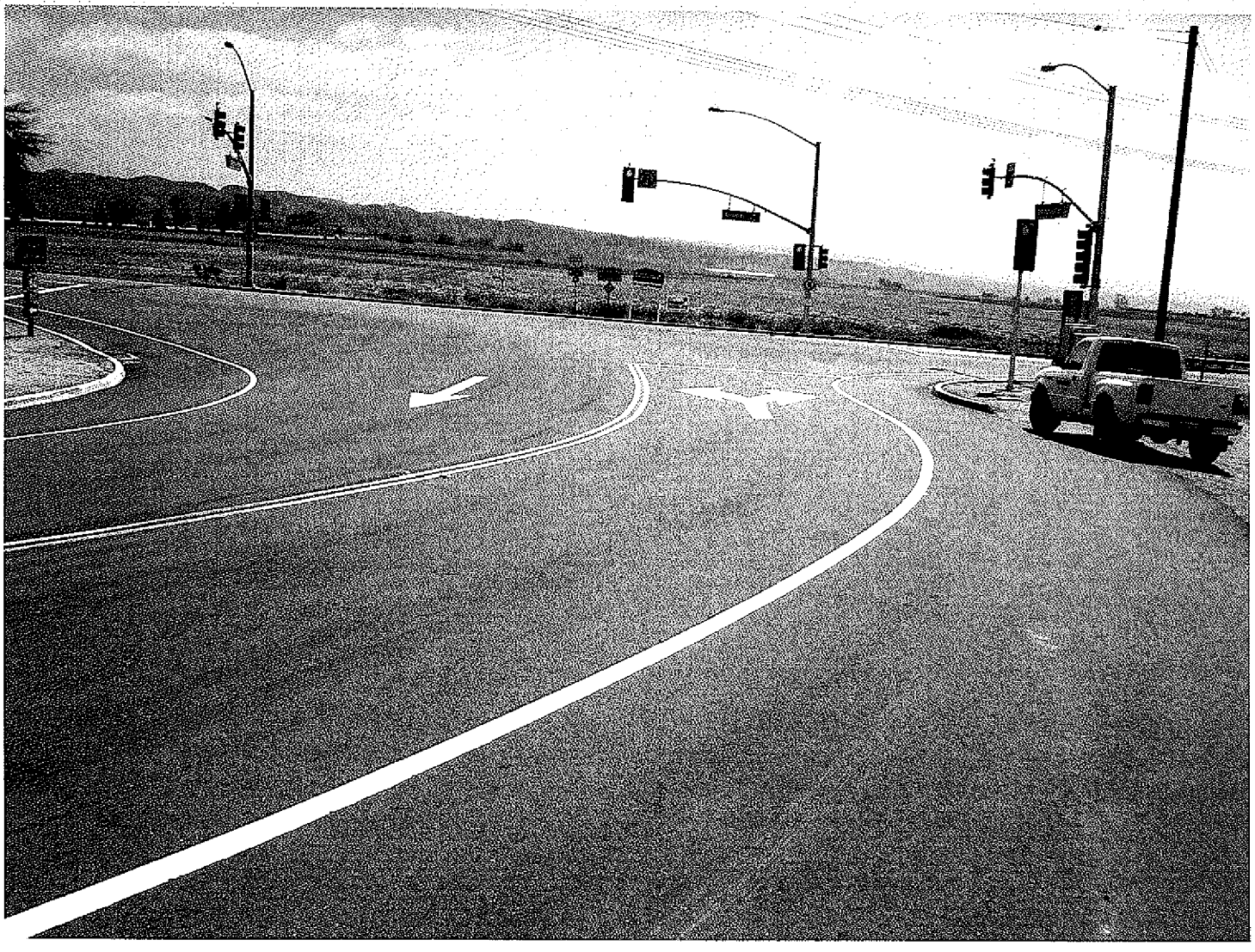

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

MV00059025

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

MV00059026

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00059027

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

MV00059028

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00059029

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

MV00059030

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

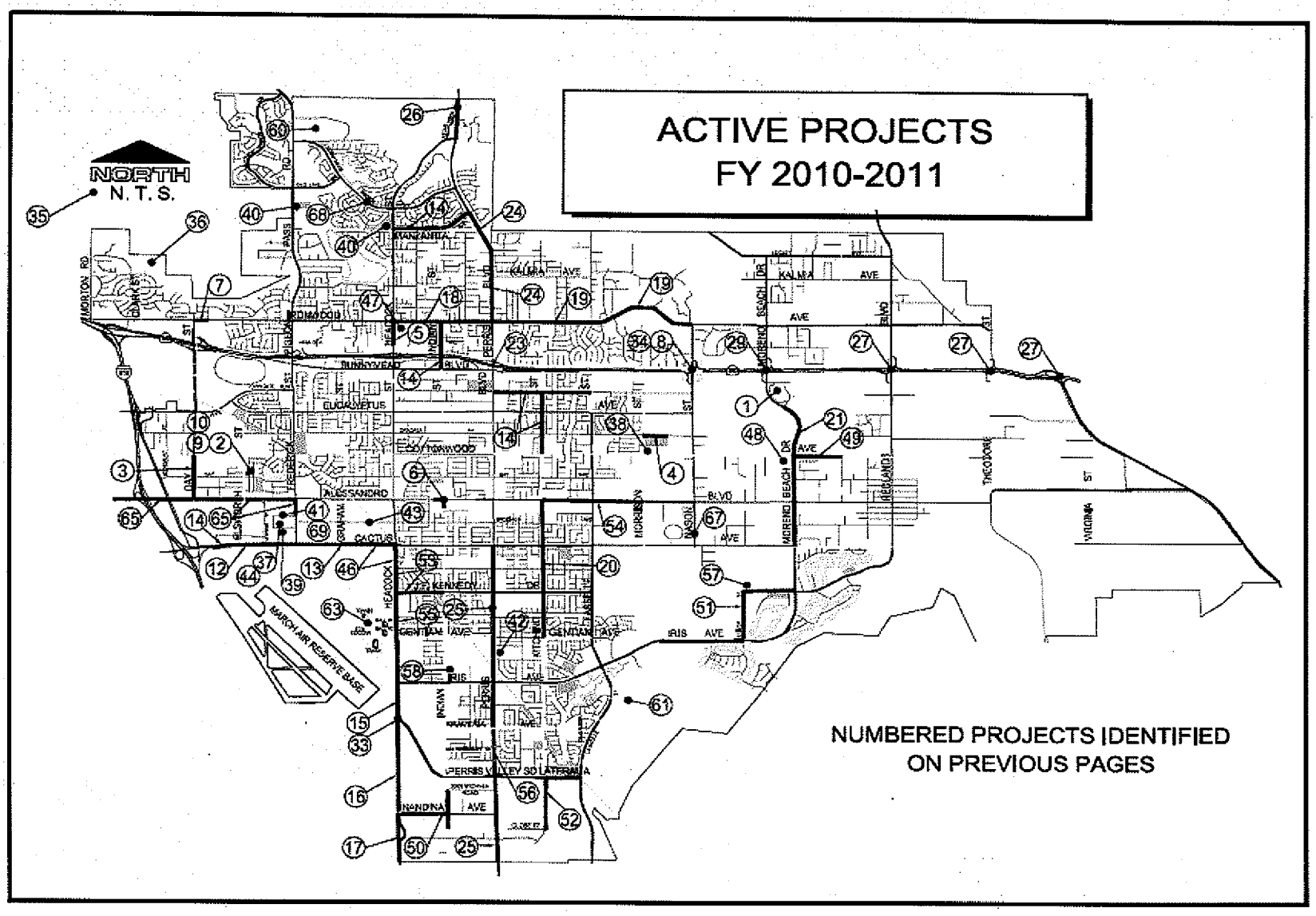
ACTIVE PROJECTS
FY 2010-2011
NORTH
N.T.S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
HEACOCK
PERRIS BLVD
IRIS AVE
KENNEDY
ALESSANDRO
CAMINO
EUCALYPTUS
SUNNYMEAD
MORTON RD
INDIANA AVE
PERRIS VALLEY SD LATERAL A

MV00059032

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00059033

Active Projects FY 2010-2011

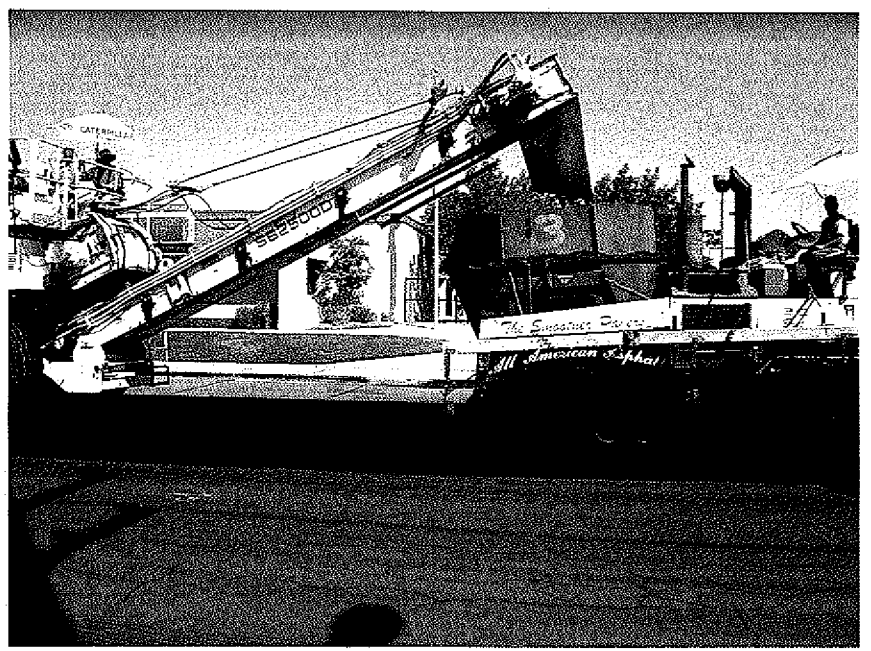

Citywide Annual Pavement Resurfacing Program

MV00059034

Active Projects FY 2010-2011

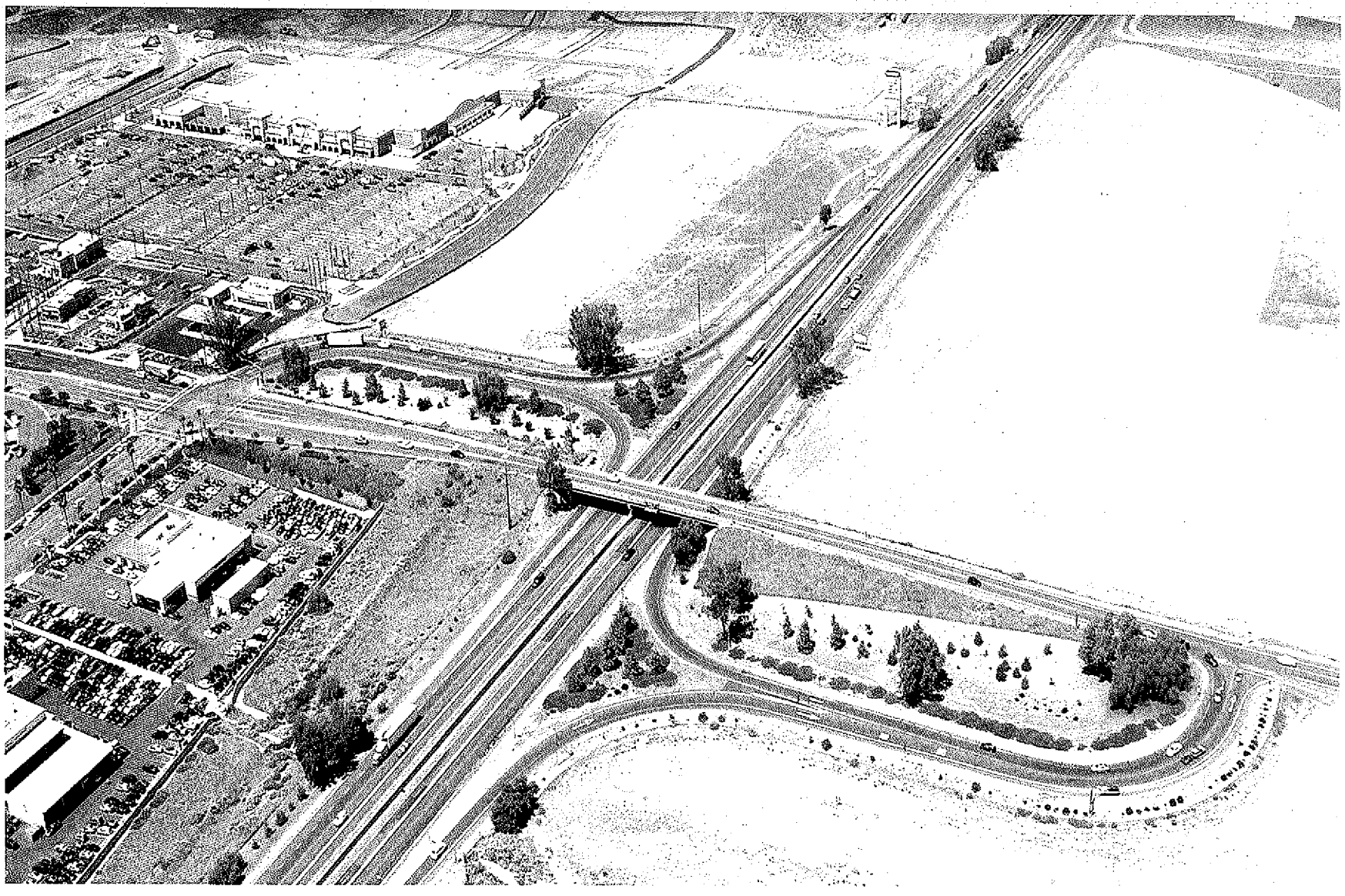

SR-60 / Moreno Beach Drive Interchange

MV00059035

Active Projects FY 2010-2011

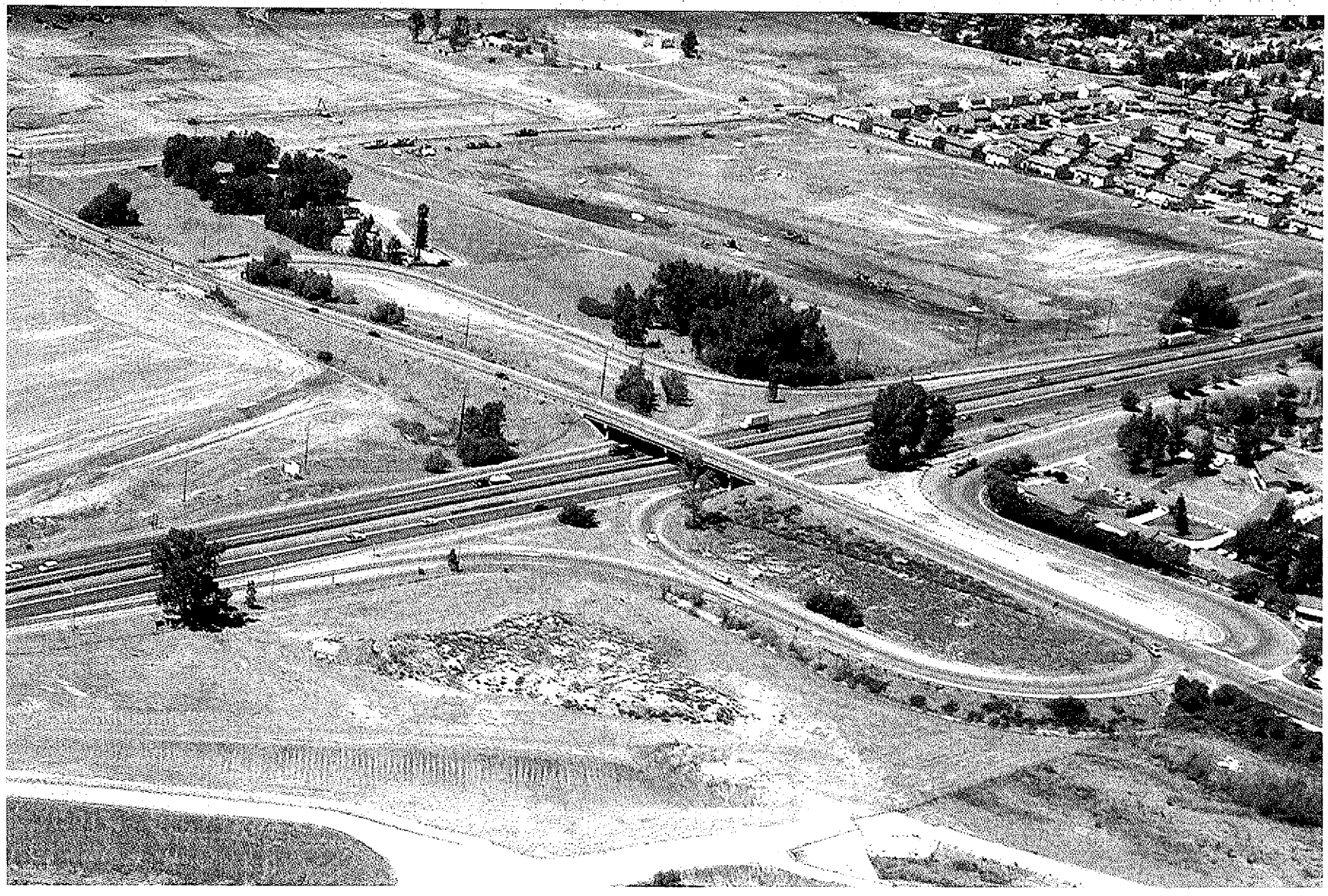

SR-60 / Nason Street Interchange

MV00059036

Active Projects FY 2010-2011

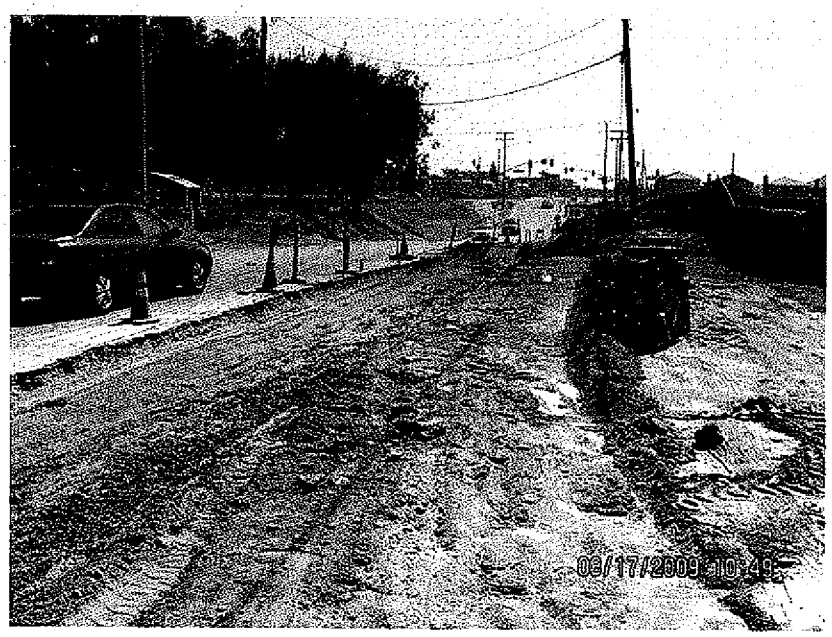

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00059037

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00059039

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

MV00059040

NEW PROPOSED PROJECTS
FY 2010-2011

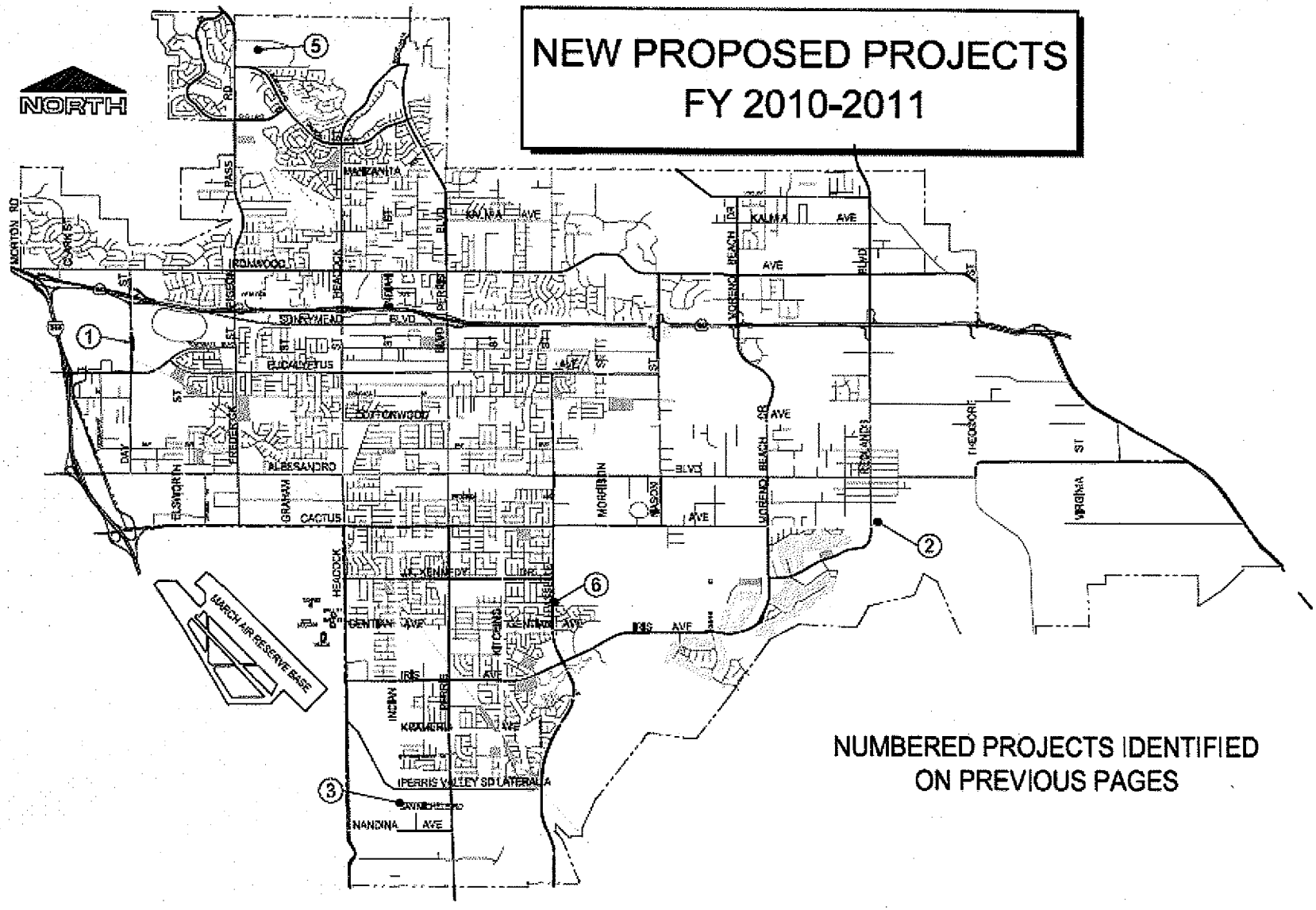

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

MV00059042

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

MV00059043

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

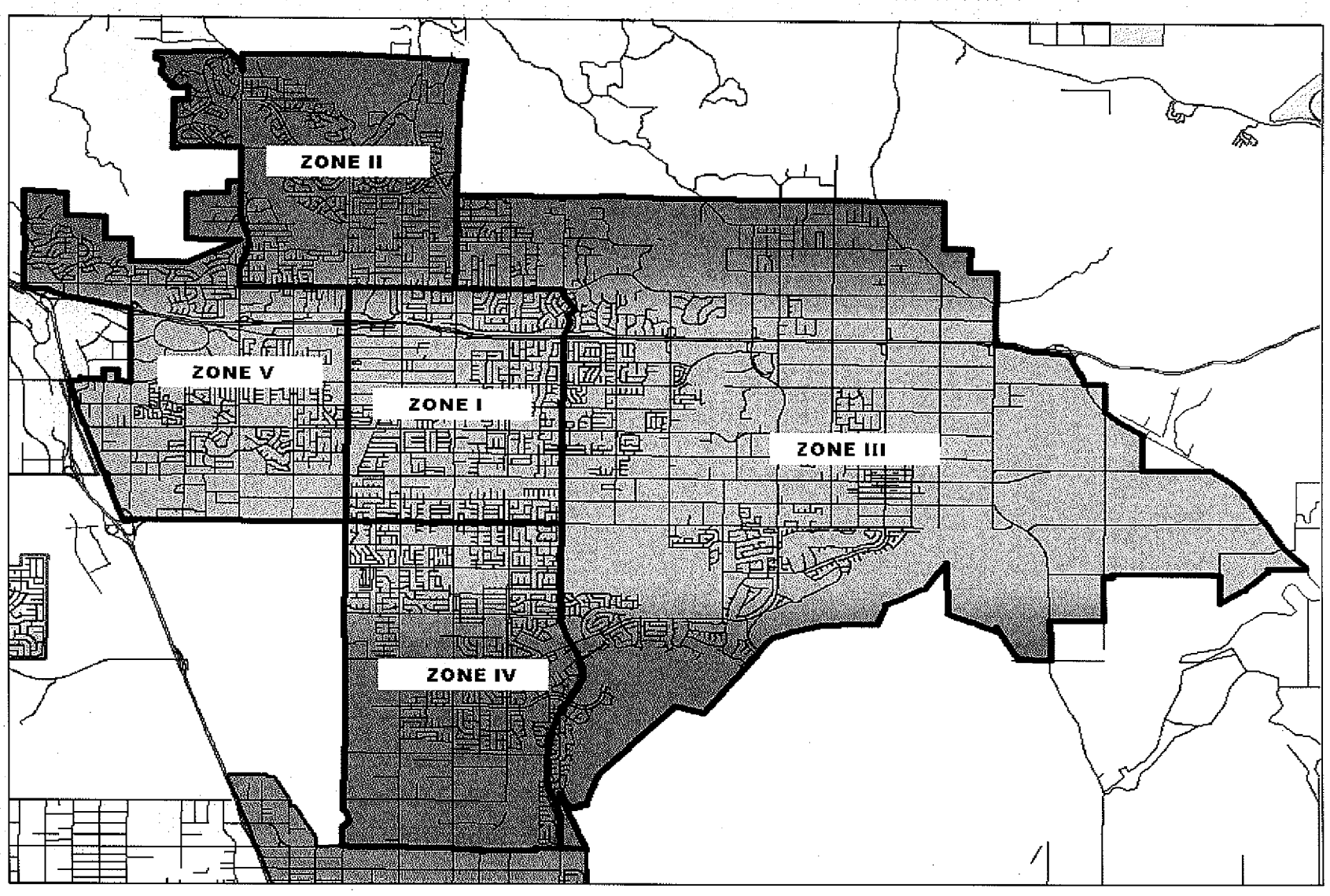

MV00059044

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

MV00059045

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

MV00059046

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00059047

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

MV00059048

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00059049

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

MV00059050

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00059051

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

MV00059052

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00059053

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

MV00059054

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: May 25, 2010

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The RTS Program Application Fee was included in the City Council 2010 Fee Schedule. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement,

the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

> The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

> Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC (PG 659-680)
Exhibit "B" – Draft Request for Proposals with agreement (PG 681-700)

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

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12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

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"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

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"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the Tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

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C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

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12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain separate rotation tow lists and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

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current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

12. Proof of Lease or Property Ownership. The applicant shall provide the City with a certified copy of a deed, title report or other documentation naming the Tow Operator as the owner of the property or provide sufficient documentation to the City's satisfaction that the Tow Operator has a financial interest in the property and therefore, the right to use the property for a Tow Business and/or Storage Facility. If the Tow Operator leases the property for a Tow Business and/or Storage Facility, proof shall be submitted to the City demonstrating the Tow Operator has a lease interest in the property to operate a Tow Business and/or Storage Facility for the duration of the City's Rotational Tow Service Program of five years.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

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D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by

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resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service

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Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

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D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

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Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

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12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of vehicles with a "police hold." The Tow Operator shall keep a written record of every

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vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Names and addresses of buyers and description of vehicles when sold;

7. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of fourteen (14) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

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Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

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1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

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1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

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2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

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12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

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SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

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Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program is being developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8 1/2" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

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Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

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Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

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WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.

b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

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DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

DRAFT

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
Bonnie Flickinger, Mayor

_____
Date

TOW OPERATOR

BY: _____

TITLE: _____
(President/Vice President/Other)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary/Other)

_____
Date

DRAFT

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal") (PG 703-718)
2) Proposed Resolution Adopting the Rancho Belago Sign Program (PG 719-720)

Prepared By:

Kyle Kollar
Interim Director of Community Development

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT 1

MV00059103

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor

28432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

MV00059104

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

MV00059105

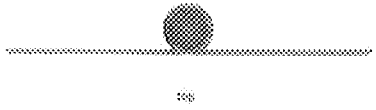

top

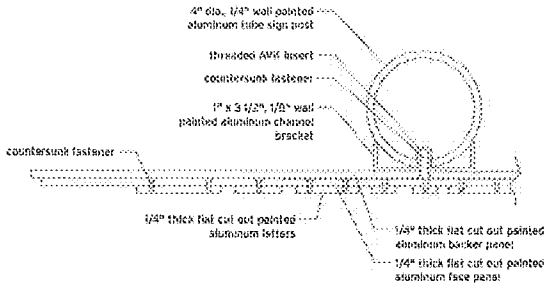

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

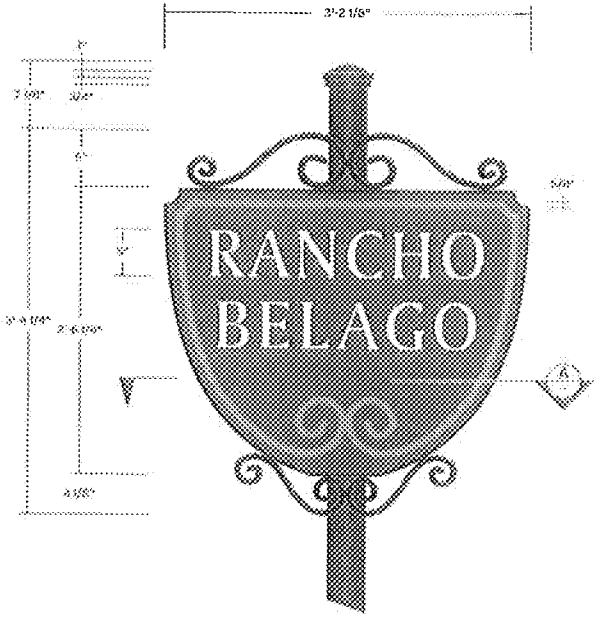

front

side

2 Details

Scale: 1" = 1'-0"

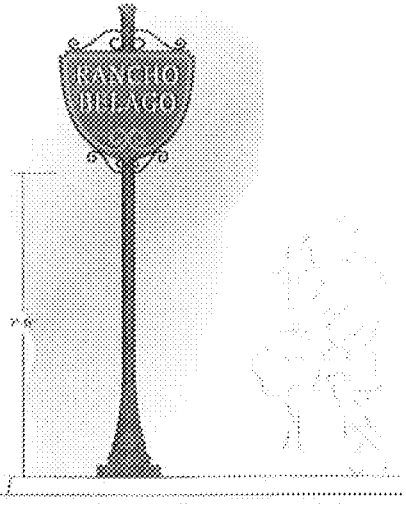

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV00059106

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26632 Lake Mission Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

MV000059107

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

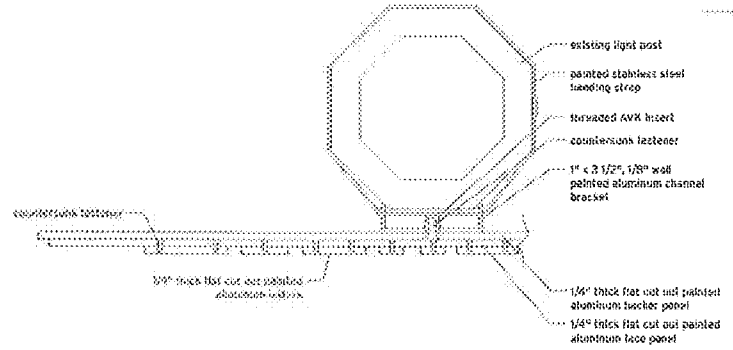

A Details

Scale: 3" = 1'-0"

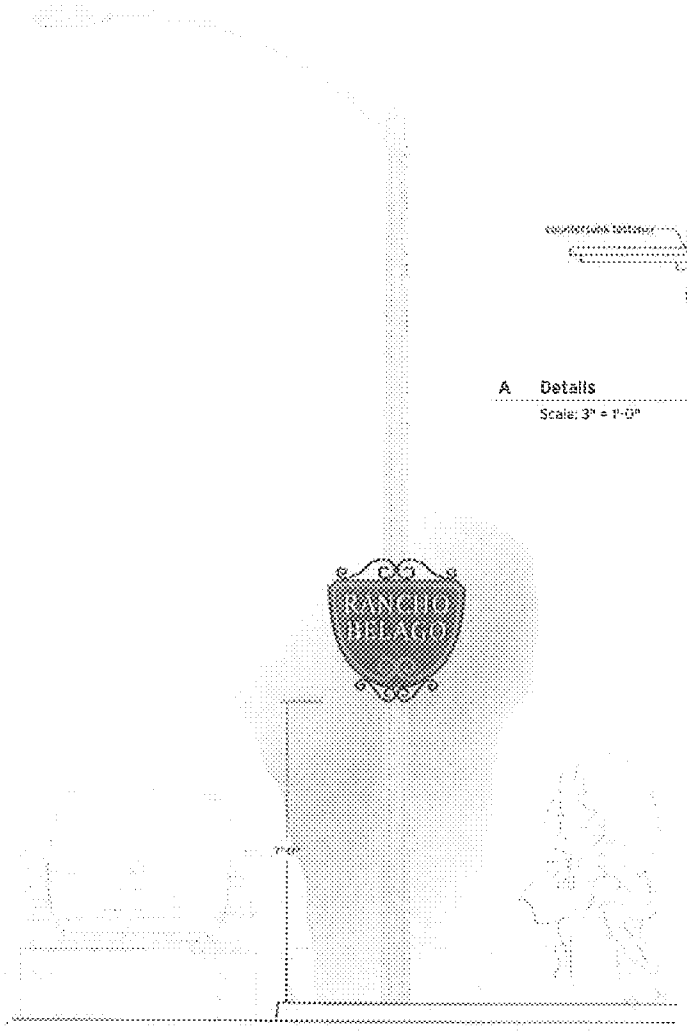

1 Elevation

Scale: 3/8" = 1'-0"

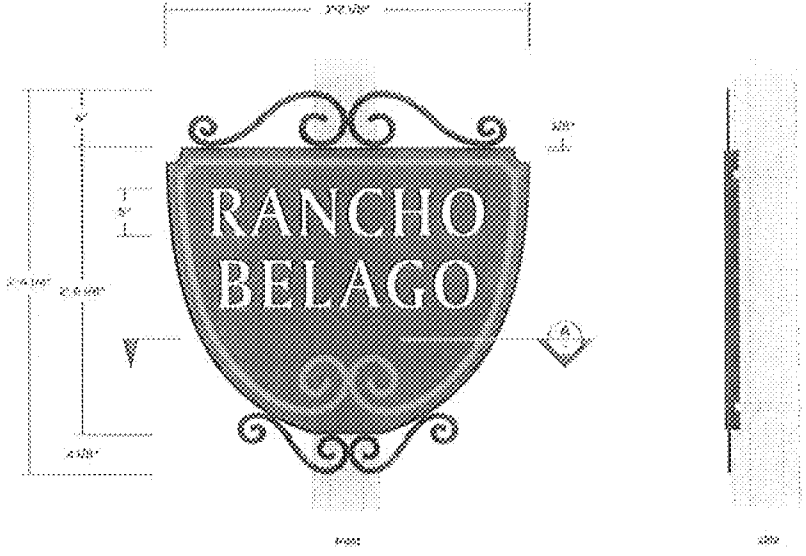

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

MV00059108

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

MV000059109

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

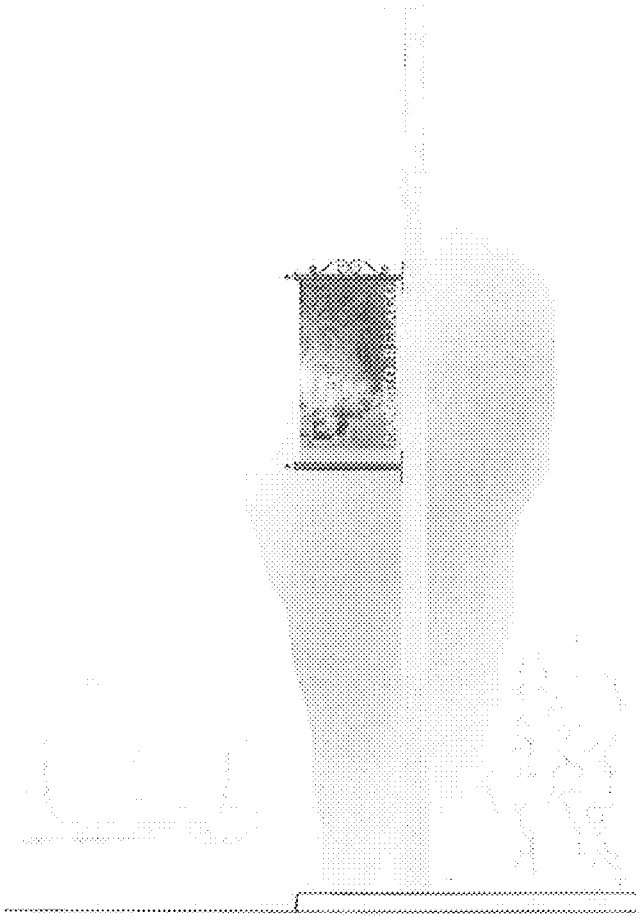

1. Elevation

Scale: 3/8" = 1'-0"

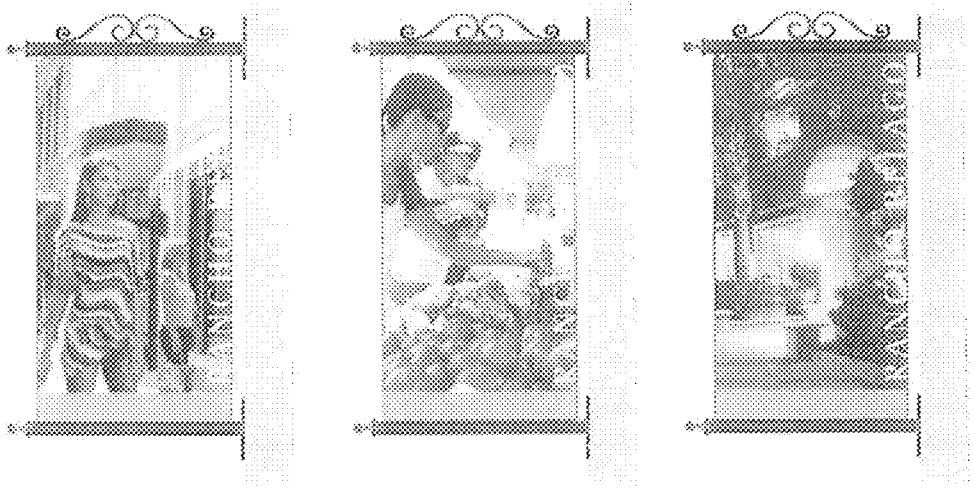

2. Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2862

Project
Rancho Belardo
Community Signage

Sign Type
Sign Type 3:
Light Pole Mounted Community Identification Banners

Drawing
RB - 3.0

Date
06-10-07

MV00059110

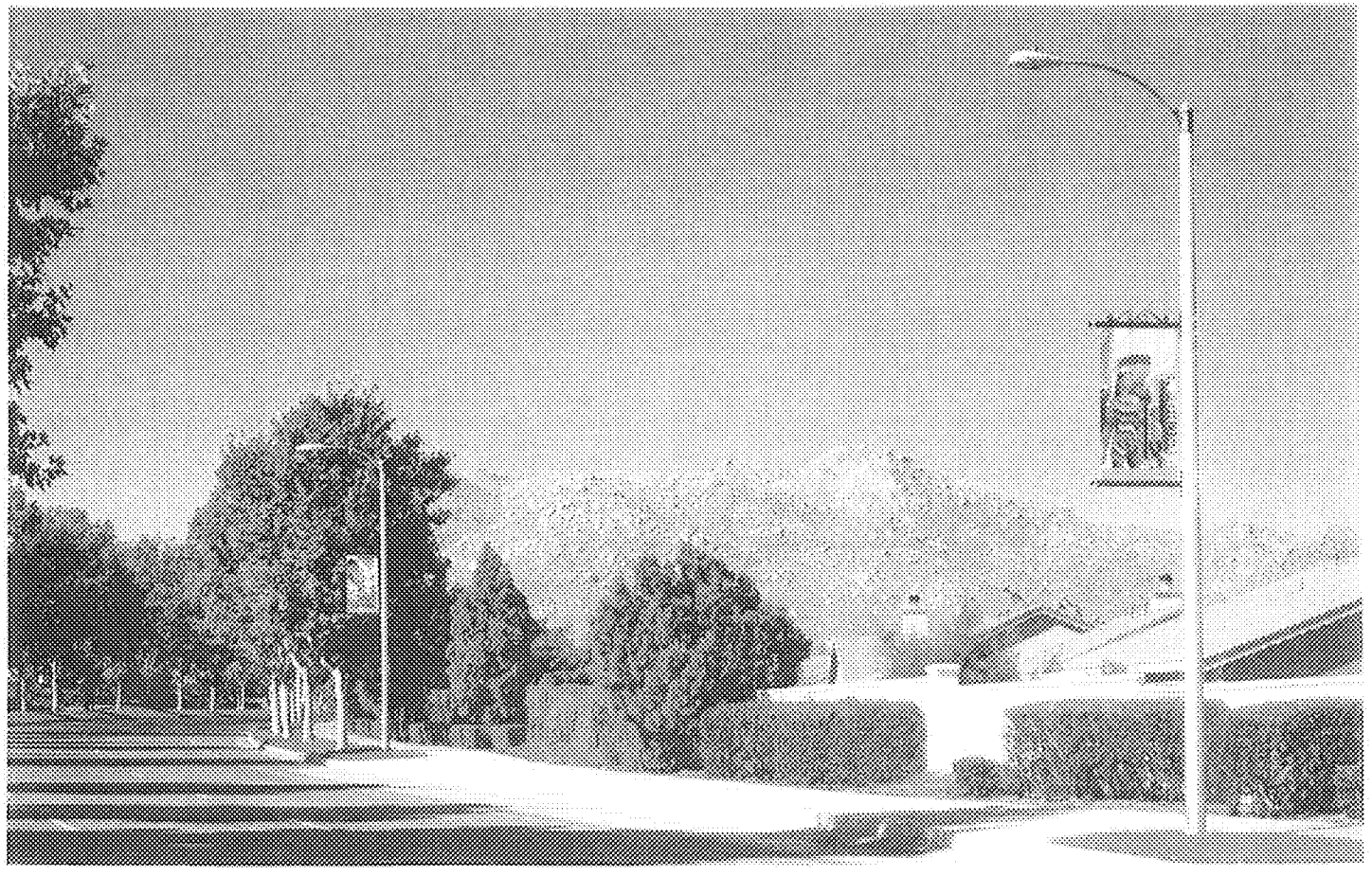

1 **Typical Photo Simulation**

Scale: n.t.s.

The Design Factor

26432 Lake Alicia Avenue
Laguna Hills, CA 92653
(949) 350-5750
Fax (949) 642-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners :
Photo Simulation

Sheet Number
RB - 3.1

Date
06-10-07

MV00059111

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	20
2	Light Pole Mounted Community Identification Sign	16
3	Light Pole Mounted Community Identification Banners	10

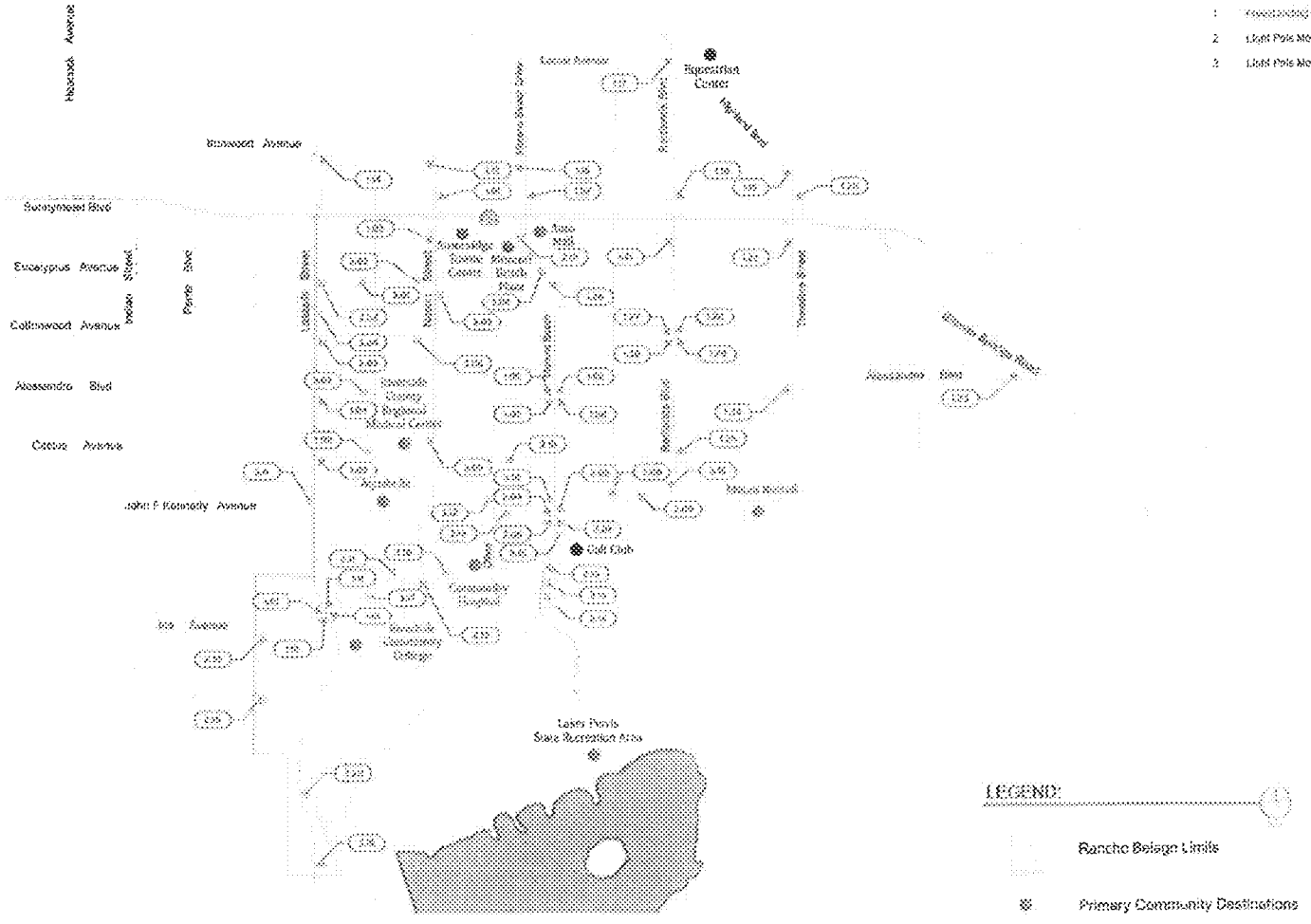

1 Sign Locations

Scale: n.t.s.

The Design Factor

26432 Los Alamos Avenue
Laguna Hills, CA 92653
(949) 380-5750
Fax: (949) 643-9803

Project
Rancho Belago
Community Signage

Sheet Title
Community Identification Sign
Location Plan

Sheet Number
RB-SP 1

Date
08-10-07

MV00059112

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

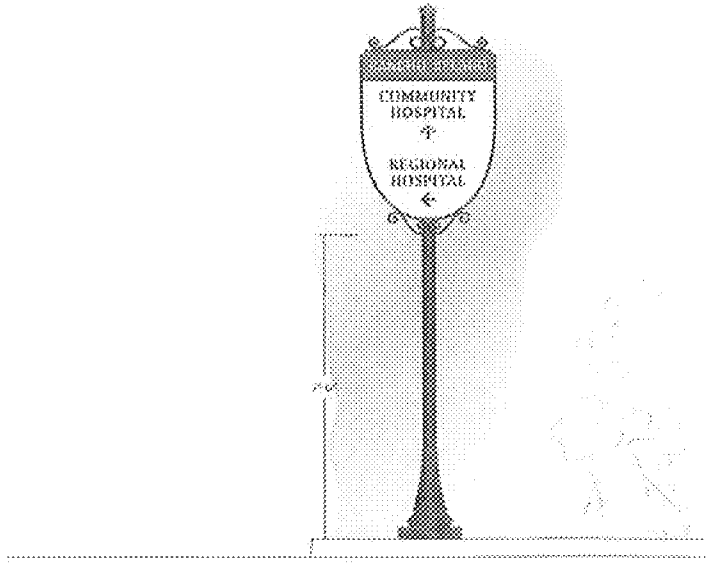

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2652

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

MV00059113

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26427 Los Alisos Avenue
Laguna Niguel, CA 92653
(949) 360 5750
Fax: (949) 543 2853

Project
Rancho Belago
Community Signage

Sign Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV00059114

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26422 Los Alisos Avenue
Laguna Niguel, CA 92653
(949) 360-5750
Fax (949) 643-2663

Owner
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

MV00059115

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-9750
Fax (949) 643-0651

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type S:
Light Pole Mounted Community
Activity Directional Sign -
Photo Simulation

Sheet Number
RB - 5.1

Date
08-10-07

MV00059116

Residential Product Directional Sign

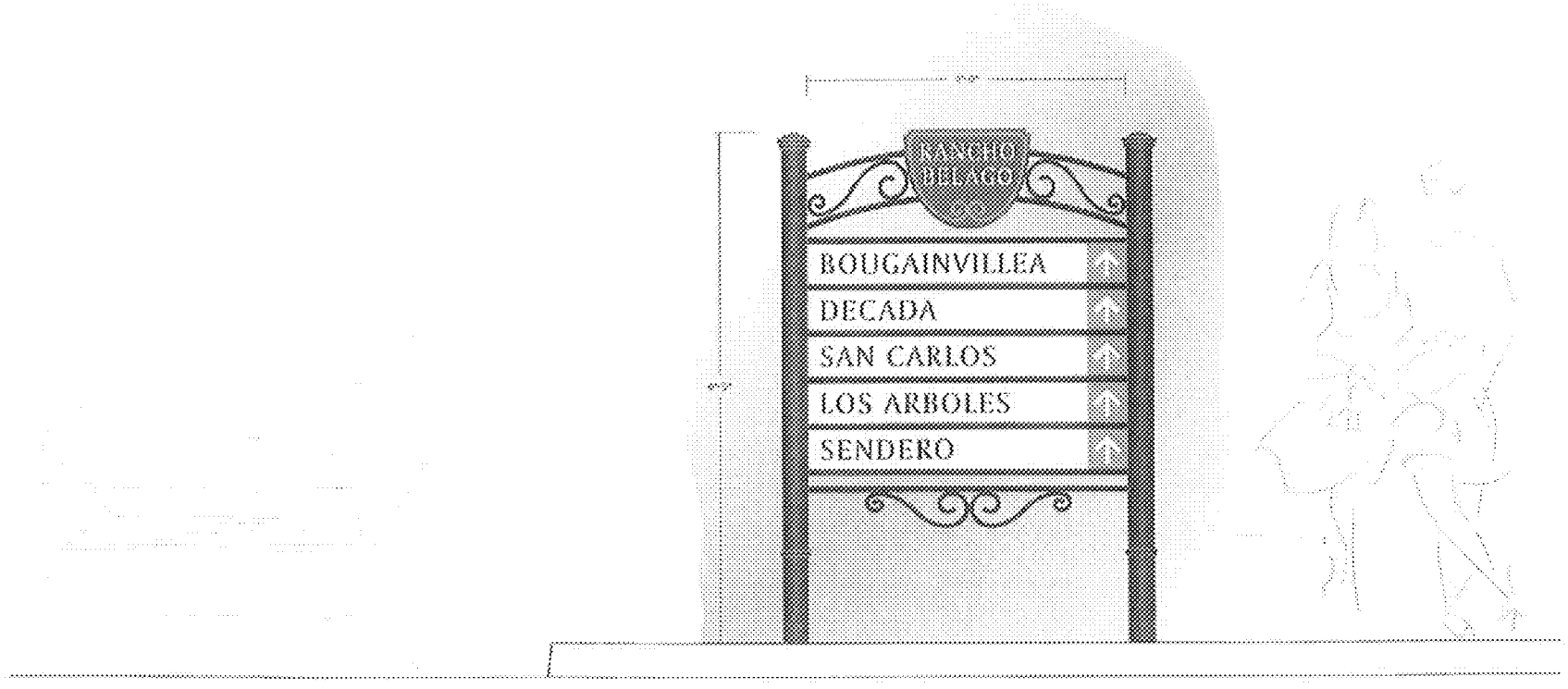

1 Elevation

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Description
Sign Type B:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

MV00059117

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alondras Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

MV00059118

Community Directional Signs

No.	Sign Type	Quantity
	Freestanding Community Amenity Directional Sign	9
	Light Pole Mounted Community Amenity Directional Sign	9
	Residential Precinct Directional Sign (locations not shown)	

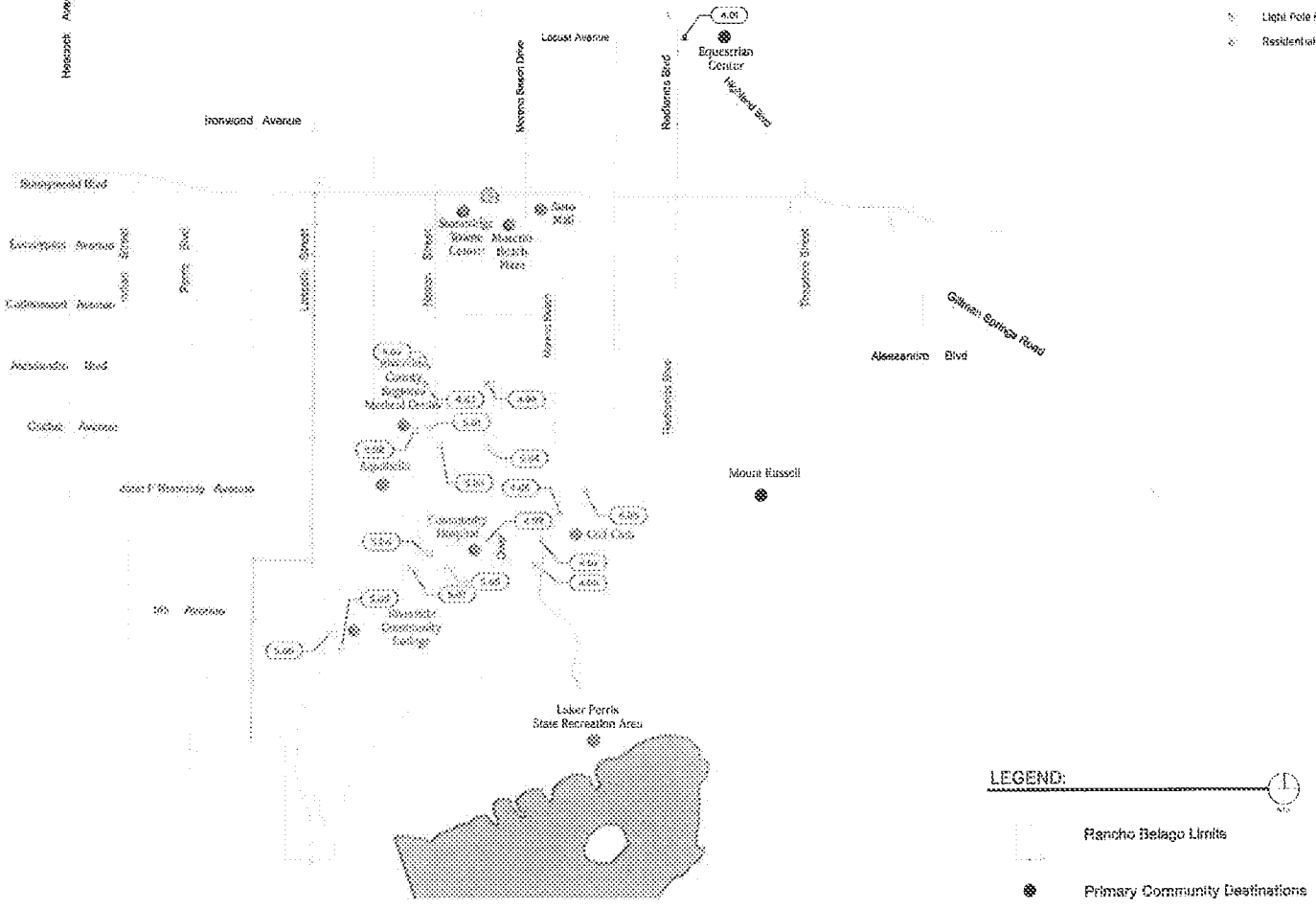

1 | Sign Locations

Scale: n.t.s.

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2853

Project
Rancho Belago
Community Signage

Sheet Title
Community Directional Sign
Location Plan

Sheet Number
RB-SP 2

Date
08-10-07

MV00059119

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 2

Resolution No. 2010-____
Date Adopted:

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

May 25, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing Veterans Appreciation Month – May 2010

3. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

4. Proclamation Recognizing Mental Health Month – May 2010

5. Recognition of Vista Heights Middle School – California State History Day Winners

6. "Spotlight on Moreno Valley Business"

MV00059124

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
MAY 25, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

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4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest

Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN

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(PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation:

1. Approve revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

   Resolution No. 2010-35

   A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

2. Approve revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

   Resolution No. 2010-36

   A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of

Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

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G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

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Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as

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deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

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a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III
2. Officer of the Quarter - Officer Kevin Couch
3. Officer of the Year - Officer Kent Eckenrode
4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 11, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Flickinger

INVOCATION - Council Richard Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial & Admin. Director
Robert Hansen	City Attorney
William Bopf	Interim City Manager
Rick Hartmann	Interim Assistant City Manager
Cheryl Evans	Lieutenant Admin.
Abdul Ahmad	Battalion Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Services Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

AGENDA ORDER

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Motion to Continue Item G4 to a date uncertain by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to waive the attorney-client privilege for the "Legal Advice Regarding Trademark Issues Pertaining to the Rancho Belago Sign Program," thus making it a public document (pertaining to Item G5) by Council Member Richard A. Stewart, s/ Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A10), and Deanna Reeder (Item A10; e-mails issue - Item D2).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor

Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has

been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

Item continued to the next City Council meeting

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to continue Item A10 to the next City Council Meeting by Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Item A8 and Item A10 which were pulled for a separate vote, by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE

EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

Resolution No. 2010-31

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

Resolution No. 2010-32

A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

The presentation was given by an applicant Iddo Benzeevi.

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes DIF fee; supports modifying COA), Raul Wilson (against trails), Louise Palomarez (against trails), Nina Ramos Hiers (supports trails), Radene Ramos Hiers (supports trails), Kim Nelson (for denying request to modify the conditions; for trails), Marcelo Co (for jobs; against trails), Pete Bleckert (against horse trails), Daryl Terrell (for Fairview proposal), and Sam Martinez (for jobs).

Recess;
Reconvened

Motion to convert the existing landscaping to hydro seeding wildflowers by Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

Motion not to change the conditions for trails, leave them as it is, by Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Motion failed by a vote of 2-3, Council Member William H. Batey II, Council Member L. Molina and Council Member Richard A. Stewart opposed.

Council Member Richard A. Stewart made the following motion regarding building a trail, s/Mayor Bonnie Flickinger: accept the full irrevocable dedication; the construction shall be done by Mr. Benzeevi, but it will be deferred until the completion of the certificate of occupancy for Phase III;
Council Member Richard A. Stewart amended the motion adding that the developer be relieved from this condition (building a trail) if the trail is eliminated from the frontage of this project (relocate off his property)

Council Member Richard A. Stewart withdrew his previous motion.
Mayor Flickinger withdrew the second.

Council Member Richard A. Stewart made the following motion, s/Mayor Bonnie Flickinger:
That the final map will show an irrevocable offer of dedication for the

trail along the entire frontage of the project, for all 3 phases, and that this condition, the construction, completion and dedication of the completed trail be deferred until occupancy of Phase III (that way the conditions remain worded the same; just construction and completion of the entire trail will be deferred until Phase III, but the final map will show the irrevocable offer of dedication of the right-of-way)
Approved by a vote of 5-0.

Mayor Bonnie Flickinger made a motion to agendize revising a DIF policy to create the open-ended time element.
Mayor Bonnie Flickinger amended the motion to leave the condition in place as is; Motion failed for lack of a second.

Motion to continue the decision on the DIF issue giving staff and Mr. Benzeevi opportunity to conduct research and analysis by Mayor Bonnie Flickinger, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to bring back draft resolutions on motions made at the meeting for the City Council approval by Council Member Richard A. Steward, s/Mayor Pro Tem Hastings
Approved by a vote of 5-0.

Motion to continue the meeting past 11 p.m. by Council Member William H. Batey II, s/Mayor Pro Tem Hastings
Approve by a vote of 5-0.

Council's direction to staff: televise May 18, 2010 Study Session (because of budget)

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Raul Wilson
1) Spanish interpreter
2) Independent audit

Deanna Reeder
1) Encouraged voting

Valerie Yowell
1) Standards for the rest of development of tract on Nason and Eucalyptus

Marcelo Co
1) Impressed with the decision regarding Item E2; Concerned with time in bringing businesses in
2) Attracting businesses and jobs to the City

Louise Palomarez
1) Public comments
2) Spending tax money

Librada Murillo
1) Priorities for allocating/spending money

Emil Dragovich Jr.
1) DUI checkpoints
2) Expressed appreciation for the City Council members

Tom Jerele Sr. (speaking on behalf of himself and Sundance Center)
1) Acknowledged persons involved in Sunnymead Blvd. improvements
2) Sign modification
3) Trails issue
4) Acknowledged residents contributing to the betterment of the community

Pete Bleckert
1) Proposition 16 & balloting electrical rates

Radene Ramos Hiers
1) Deviation from the General Plan
2) Developers coming to the community
3) Recreational trails
4) Invited residents to joint the rally on Day Street on June 19, 5-6 p.m. to encourage people to spend tax dollars in the City of Moreno Valley

Motion to continue all remaining items to the next Council Meeting by Council Member William H. Batey II, s/Mayor Pro Tem Hastings Approved by a 5-0 vote.

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

CLOSED SESSION - canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:27 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00059154

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: May 25, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

Reports on Reimbursable Activities May 5-18, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	5/10/10	League of California Cities – Riverside County Division General Meeting
	5/14/10	Student of the Year Dinner
Robin N. Hastings		None
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059156

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MARCH, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-34
Check Register for Month of March, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MARCH, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period March 1, 2010 through March 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period March 1, 2010 through March 31, 2010, in the total amount of $67,977,881.05 is approved.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
ALL AMERICAN ASPHALT, INC.				
3/8/2010	200997	77,420.89		
			ANNL PAVEMNT RESURF PROJ SVCS	29,267.69
			ANNL PAVEMNT RESURF PROJ SVCS	48,153.20
3/15/2010	201101	136,404.13		
			HEACOCK/FREDERICK REHAB PROJS	25,800.41
			HEACOCK/FREDERICK REHAB PROJS	110,603.72
	Vendor Total	**213,825.02**		
FYTD for ALL AMERICAN ASPHALT, INC.		**1,057,387.60**		
BANK OF AMERICA				
3/11/2010	91411	91,712.65		
			ACQ & ESCROW 23974 HEMLOCK	91,712.65
	Vendor Total	**91,712.65**		
FYTD for BANK OF AMERICA		**1,533,678.81**		
BEMUS LANDSCAPE, INC.				
3/8/2010	201005	83,004.14		
			LANDSCAPE MAINT-E4	11.67
			LANDSCAPE MAINT-E4	1,535.20
			LANDSCAPE MAINT-E4	81.75
			LANDSCAPE MAINT-S AQDCT	850.50
			LANDSCAPE MAINT-S AQDCT B	735.00
			LANDSCAPE MAINT-SCE/OLD	1,785.00
			LANDSCAPE MAINT-PAN AM SECT	600.00
			LANDSCAPE MAINT-N AQDCT	525.00
			LANDSCAPE MAINT-N OLD LAKE	1,330.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E1	4,591.46
			LANDSCAPE MAINT-E2	9,091.01
			LANDSCAPE MAINT-E3	3,997.58
			LANDSCAPE MAINT-E4	8,960.72
			LANDSCAPE MAINT-E7	1,953.34
			LANDSCAPE MAINT-E8	4,499.55
			LANDSCAPE MAINT-E12	1,465.51
			LANDSCAPE MAINT-E14	2,754.27
			LANDSCAPE MAINT-E15	767.60
			LANDSCAPE MAINT-E16	2,666.40
			LANDSCAPE MAINT-E3A	85.85
			LANDSCAPE MAINT-ZN M	4,366.23
			LANDSCAPE MAINT-DSG1E	8,193.12
			LANDSCAPE MAINT-DSG1W	4,194.53
			LANDSCAPE MAINT-DSG2	1,196.85
			LANDSCAPE MAINT-PLANTS	404.00
			LANDSCAPE MAINT-PLANTS	343.40
	Vendor Total	**83,004.14**		
FYTD for BEMUS LANDSCAPE, INC.		**361,967.66**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BUNKER FAMILY, LLC					
	3/29/2010	201369	126,900.00		
				REFUND-SEC DEPOSIT	126,900.00
	Vendor Total		**126,900.00**		
FYTD for BUNKER FAMILY, LLC			**126,900.00**		
CALPERS					
	3/8/2010	201011	104,804.48		
				ARC PMT LESS PAYOUTS	135,916.66
				ARC PMT LESS PAYOUTS	-31,112.18
	Vendor Total		**104,804.48**		
FYTD for CALPERS			**770,812.56**		
CITIZENS BUSINESS BANK					
	3/11/2010	91412	87,659.83		
				ACQ & ESCROW 15175 RENCHER CRT	87,659.83
	3/23/2010	1003191	96,665.96		
				ACQ & ESCROW 24395 DYNA PLACE	96,665.96
	3/23/2010	1003201	143,705.04		
				ACQ & ESCROW 15736 GRANADA DR.	143,705.04
	Vendor Total		**328,030.83**		
FYTD for CITIZENS BUSINESS BANK			**1,129,121.84**		
CRITICAL SOLUTIONS					
	3/29/2010	201389	30,301.58		
				EMRGNCY OPS CTR PROJ SVCS	30,301.58
	Vendor Total		**30,301.58**		
FYTD for CRITICAL SOLUTIONS			**342,792.03**		
DESERT CONCEPTS CONSTRUCTION, INC					
	3/29/2010	201395	33,298.20		
				PATRIOT PARK PROJ CONSTR SVCS	33,298.20
	Vendor Total		**33,298.20**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC			**33,298.20**		
EMPLOYMENT DEVELOPMENT DEPARTMENT					
	3/15/2010	201127	85,579.89		
				UNEMPLOYMENT INS REIMB CHRGS	85,579.89
	3/12/2010	2601	38,125.91		
				DEP STATE TAX W/H 03/12/10	38,125.91
	3/26/2010	2609	44,860.88		
				DEP STATE TAX W/H 3/26/10	44,860.88
	Vendor Total		**168,566.68**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,036,124.91**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/29/2010	201408	130,029.39		
			BAD DEBT DEDUCTION	-5,146.39
			DISTRIBUTION CHRGS	126,618.83
			SPCL CHRGS/TEMP POWER	8,324.00
			ONLINE UTILITY SVCS	232.95
	Vendor Total	**130,029.39**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ENVIRONMENTAL CONSTRUCTION, INC.				
3/15/2010	201129	61,220.15		
			SUNNYMD BLVD REVIT PROJ SVCS	61,220.15
	Vendor Total	**61,220.15**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**1,981,423.30**		
FAIRVIEW FORD SALES, INC.				
3/22/2010	201243	51,814.59		
			VEHICLE PURCH-PD	23,994.00
			VEHICLE PURCH-SALES TAX	2,099.47
			VEHICLE PURCH-CA TIRE FEE	8.75
			VEHICLE PURCH-TOW PCKG	650.00
			VEHICLE PURCH-SALES TAX	56.88
			VEHICLE PURCH-TRADE IN	-1,100.00
			VEHICLE PURCH-PARKS	23,997.00
			VEHICLE PURCH-SALES TAX	2,099.74
			VEHICLE PURCH-CA TIRE FEE	8.75
	Vendor Total	**51,814.59**		
FYTD for FAIRVIEW FORD SALES, INC.		**51,814.59**		
FULBRIGHT & JAWORSKI, L.L.P.				
3/15/2010	201137	27,843.06		
			LEGAL SVCS-ELECTR. UTILITY	27,843.06
	Vendor Total	**27,843.06**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**203,705.68**		
HARDY & HARPER, INC.				
3/15/2010	201144	183,930.00		
			2009 ANNL PAVEMNT RESURF PROJ	33,229.74
			RET RELEASE-PAVMNT RESURF PROJ	140,400.00
			RET RELEASE-PAVMNT RESURF PROJ	10,300.26
	Vendor Total	**183,930.00**		
FYTD for HARDY & HARPER, INC.		**1,507,002.63**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ICMA RETIREMENT CORP 457					
	3/26/2010	2607	43,214.54		
				DEF COMP 457 3/26/10	43,214.54
	Vendor Total		**43,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
INTERNAL REVENUE SERVICE					
	3/12/2010	2600	139,007.81		
				DEP FED TAX W/H 03/12/10	139,007.81
	3/26/2010	2608	166,027.31		
				DEP FED TAX W/H 03/26/10	166,027.31
	Vendor Total		**305,035.12**		
FYTD for INTERNAL REVENUE SERVICE			**2,926,619.91**		
JTB SUPPLY CO., INC.					
	3/29/2010	201433	25,670.44		
				P44 CABINET-KITCHING/CACTUS TS	25,670.44
	Vendor Total		**25,670.44**		
FYTD for JTB SUPPLY CO., INC.			**44,797.78**		
LAWYERS TITLE INC					
	3/11/2010	91408	56,677.00		
				ESCROW DEPOSIT-EASEMENT PURCH.	56,677.00
	Vendor Total		**56,677.00**		
FYTD for LAWYERS TITLE INC			**198,412.00**		
LEICA GEOSYSTEMS, INC.					
	3/8/2010	201052	177,797.80		
				LASER SCANNING SYSTEM	165,079.20
				LASER SCANNING SYSTEM-TAX	12,718.60
	Vendor Total		**177,797.80**		
FYTD for LEICA GEOSYSTEMS, INC.			**177,797.80**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/1/2010	200882	28,274.09		
				PERRIS BL WIDENING FROM RAM XP	11,676.51
				PERRIS BL WIDENING FROM RAM XP	16,597.58
	3/8/2010	201054	25,449.75		
				PERRIS BL WIDENING FROM RAM XP	25,449.75
	3/15/2010	201157	38,709.80		
				IRONWOOD AVE-HEACOCK TO PERRIS	24,615.77
				INDIAN BASIN IMPRVMNTS PROJ	14,094.03
	Vendor Total		**92,433.64**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

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MAYER HOFFMAN MCCANN P.C.					
	3/8/2010	201056	34,365.00		
				AUDITING SVC-CITY	15,664.00
				AUDITING SVC-SINGLE	5,735.00
				AUDITING SVC-CHILDCARE	4,751.00
				AUDITING SVC-RDA	5,476.68
				AUDITING SVC-RDA	2,738.32
	Vendor Total		**34,365.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**72,359.00**		
MORENO VALLEY CHEVROLET					
	3/15/2010	201165	31,914.00		
				SPECIAL TAX REIMBURSEMENT	31,914.00
	Vendor Total		**31,914.00**		
FYTD for MORENO VALLEY CHEVROLET			**96,914.00**		
MORENO VALLEY UTILITY					
	3/22/2010	201267	51,929.07		
				ELECTRICITY	135.25
				ELECTRICITY	589.98
				ELECTRICITY	222.38
				ELECTRICITY	1,995.17
				ELECTRICITY	10,087.83
				ELECTRICITY	9,663.28
				ELECTRICITY	2,780.72
				ELECTRICITY	4,377.16
				ELECTRICITY	775.15
				ELECTRICITY	1,513.12
				ELECTRICITY	12,106.82
				ELECTRICITY	6,949.85
				ELECTRICITY	204.32
				ELECTRICITY	130.22
				ELECTRICITY	83.69
				ELECTRICITY	62.67
				ELECTRICITY	62.67
				ELECTRICITY	127.77
				ELECTRICITY	61.02
	Vendor Total		**51,929.07**		
FYTD for MORENO VALLEY UTILITY			**578,712.31**		
MURRIETA DEVELOPMENT COMPANY INC.					
	3/22/2010	201269	396,056.03		
				TRAF SIG @ SR-60/REDLANDS BLVD	396,056.03
	Vendor Total		**396,056.03**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**396,056.03**		

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ONE MORENO VALLEY 240, L.P.				
3/25/2010	1003221	2,250,000.00		
			OAKWOOD AFFORDBLE HOUSING PROJ	2,250,000.00
Vendor Total		**2,250,000.00**		
FYTD for ONE MORENO VALLEY 240, L.P.		**2,250,000.00**		
PALP, INC. DBA EXCEL PAVING COMPANY				
3/22/2010	201276	251,454.55		
			SUNNYMD BLVD REVIT PROJ SVCS	22,561.24
			SUNNYMD BLVD REVIT PROJ SVCS	228,893.31
Vendor Total		**251,454.55**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,880,639.98**		
PERRIS ALESSANDRO, LLC				
3/1/2010	200910	52,000.00		
			REFUND-CASH SEC REDUCTION	52,000.00
Vendor Total		**52,000.00**		
FYTD for PERRIS ALESSANDRO, LLC		**145,600.00**		
PERS HEALTH INSURANCE				
3/4/2010	91403	196,439.38		
			EMPL HEALTH INS 03/04/10	196,439.38
Vendor Total		**196,439.38**		
FYTD for PERS HEALTH INSURANCE		**1,735,744.03**		
PERS RETIREMENT				
3/5/2010	2594	194,826.18		
			PERS RETIREMENT 03/05/10	194,826.18
3/19/2010	2602	194,772.12		
			PERS RETIREMENT 03/19/10	194,772.12
Vendor Total		**389,598.30**		
FYTD for PERS RETIREMENT		**4,134,782.71**		
PETERSON-CHASE GENERAL ENGINEERING CONST				
3/29/2010	201482	73,102.36		
			CITYWIDE BRIDGE MAINT PRGM	73,102.36
Vendor Total		**73,102.36**		
FYTD for PETERSON-CHASE GENERAL ENGINEERING CONST		**73,148.15**		
PRICE FAMILY CHARITABLE TRUST				
3/15/2010	201175	85,245.00		
			SALES TAX REIMBURSEMENT	85,245.00
Vendor Total		**85,245.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**250,452.00**		

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PW ENHANCEMENT CENTER					
	3/15/2010	880199	28,126.97		
				MOTEL VOUCHER SVCS-HPRP PRGM	10,594.00
				SECURITY DEPOSIT SVCS-HPRP	10,200.00
				COMMUNITY DEV PARTNERSHIP PRGM	7,332.97
	Vendor Total		**28,126.97**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
RICHARD LOPEZ CONSTRUCTION					
	3/1/2010	200918	427,558.38		
				RET. PYMT-INDIAN/GLOBE 12KV	20,239.22
				ELECTRIC UTILITY PROJECTS SVCS	169,704.76
				ELECTRIC UTILITY PROJECTS SVCS	237,614.40
	Vendor Total		**427,558.38**		
FYTD for RICHARD LOPEZ CONSTRUCTION			**609,711.31**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	3/8/2010	201075	59,740.78		
				PUB SFTY BLDG CONVERSION PROJ	9,581.64
				PUB SFTY BLDG CONVERSION PROJ	50,159.14
	Vendor Total		**59,740.78**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**168,500.22**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	3/1/2010	200937	342,382.00		
				ELECTRIC ENERGY PURCHASE	342,382.00
	3/15/2010	201186	328,872.00		
				ELECTRIC ENERGY PURCHASE	328,872.00
	Vendor Total		**671,254.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**671,254.00**		

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SOUTHERN CALIFORNIA EDISON					
	3/22/2010	201300	144,822.85		
				ELECTRICITY	555.86
				ELECTRICITY	23.90
				ELECTRICITY	264.96
				ELECTRICITY	22.80
				ELECTRICITY	784.38
				ELECTRICITY	133.41
				ELECTRICITY	2,296.63
				ELECTRICITY	569.62
				ELECTRICITY	808.58
				ELECTRICITY	2,499.20
				ELECTRICITY	953.24
				ELECTRICITY	1,407.26
				ELECTRICITY	20.82
				ELECTRICITY	93,602.42
				ELECTRICITY	35,595.36
				ELECTRICITY	4,956.24
				ELECTRICITY	89.64
				ELECTRICITY	20.58
				ELECTRICITY	23.26
				ELECTRICITY	65.52
				ELECTRICITY	81.72
				ELECTRICITY	47.45
	3/29/2010	201513	61,759.72		
				RELOC. OF SCE FACILITIES	61,759.72
	Vendor Total		**206,582.57**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,274,167.02**		
STANDARD INSURANCE CO					
	3/15/2010	201192	30,887.63		
				LIFE & DISABILITY INSURANCE	12,784.66
				LIFE & DISABILITY INSURANCE	18,038.04
				LIFE & DISABILITY INSURANCE	64.93
	Vendor Total		**30,887.63**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		
TCM GROUP					
	3/1/2010	200960	88,774.21		
				SR-60/NASON ST INTRCHNG PROJ	42,996.62
				SR-60/NASON ST INTRCHNG PROJ	45,777.59
	3/29/2010	880255	82,879.01		
				SR-60/NASON ST INTRCHNG PROJ	32,270.26
				SR-60/NASON ST INTRCHNG PROJ	8,054.43
				SR-60/NASON ST INTRCHNG PROJ	42,554.32
	Vendor Total		**171,653.22**		
FYTD for TCM GROUP			**397,572.75**		

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TRUGREEN LANDCARE					
	3/1/2010	200963	25,459.87		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	3/22/2010	201311	33,015.71		
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG1-E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				IRRIG REPAIRS	63.55
				IRRIG REPAIRS	6.55
				IRRIG REPAIRS-TRACT #22093	9.59
				IRRIG REPAIRS-TRACT #20715	24.10
				IRRIG REPAIRS-TRACT #19032	48.67
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
	Vendor Total		**58,475.58**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		
U.S. BANK					
	3/11/2010	100310	119,152.37		
				ACQ ESCROW-24475 MURAL CT	119,152.37
	Vendor Total		**119,152.37**		
FYTD for U.S. BANK			**119,242.37**		
U.S. BANK/CALCARDS					
	3/2/2010	91402	88,430.24		
				CALCARD PMT CYCLE END 02/22/10	88,430.24
	3/17/2010	91413	72,267.86		
				CALCARD PMT CYCLE END 03/08/10	72,267.86
	3/24/2010	1003212	102,229.40		
				CALCARD PMT CYCLE END 03/22/10	102,229.40
	Vendor Total		**262,927.50**		
FYTD for U.S. BANK/CALCARDS			**1,530,521.24**		
UNION BANK OF CALIFORNIA NA					
	3/11/2010	91409	57,000,000.00		
				PURCH BOND, CHANDLER ASSET MGT	57,000,000.00
	Vendor Total		**57,000,000.00**		
FYTD for UNION BANK OF CALIFORNIA NA			**93,914,675.69**		

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UNITED CONTRACTORS COMPANY INC.					
	3/1/2010	200967	167,877.00		
				EMRGNCY OPS CTR PROJ SVCS	167,877.00
	3/22/2010	880235	87,669.00		
				EMRGNCY OPS CTR PROJ SVCS	87,669.00
	Vendor Total		**255,546.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,534,500.00**		
VCI TELCOM, INC					
	3/22/2010	201317	27,729.22		
				COMMUNICATION GAP CLOSURE PROJ	26,976.60
				COMMUNICATION GAP CLOSURE PROJ	752.62
	Vendor Total		**27,729.22**		
FYTD for VCI TELCOM, INC			**30,810.25**		
WASTE MANAGEMENT					
	3/15/2010	201207	717,291.63		
				SOLID WST DELINQ LESS FRAN FEE	817,090.34
				SOLID WST DELINQ LESS FRAN FEE	-99,798.71
	Vendor Total		**717,291.63**		
FYTD for WASTE MANAGEMENT			**1,035,558.57**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/1/2010	200985	65,450.00		
				TEMP STAFFING SVCS-CAP PROJS	14,410.00
				TEMP STAFFING SVCS-CAP PROJS	51,040.00
	Vendor Total		**65,450.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
	Subtotal		**66,250,588.85**		

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CHECKS LESS THAN $25,000				
CALIFORNIA NEON PRODUCTS				
3/29/2010	201333	57.50		
			REFUND-BUS LIC OVRPMT	57.50
Vendor Total		**57.50**		
FYTD for CALIFORNIA NEON PRODUCTS		**57.50**		
CVS CORPORATION				
3/15/2010	201096	37.50		
			FALSE ALARM REFUND	37.50
Vendor Total		**37.50**		
FYTD for CVS CORPORATION		**37.50**		
I C E BUILDERS, INC				
3/29/2010	201334	57.00		
			REFUND-BUS LIC OVRPMT	57.00
Vendor Total		**57.00**		
FYTD for I C E BUILDERS, INC		**57.00**		
THIRTY - SEVEN MORENO VALLEY, LLC				
3/29/2010	201335	2,000.00		
			REFUND-BUS LIC OVRPMT	2,000.00
Vendor Total		**2,000.00**		
FYTD for THIRTY - SEVEN MORENO VALLEY, LLC		**2,000.00**		
20/20 RECYCLE CENTERS				
3/29/2010	201336	30.53		
			REFUND-BUS LIC OVRPMT	30.53
Vendor Total		**30.53**		
FYTD for 20/20 RECYCLE CENTERS		**30.53**		
452ND AIR MOBILITY WING				
3/1/2010	200790	25.00		
			AWARDS RECEPTION	25.00
Vendor Total		**25.00**		
FYTD for 452ND AIR MOBILITY WING		**97.00**		
834 EXPLORE POST				
3/15/2010	201097	1,125.00		
			REGISTR-EXPLORER COMP MAR25-28	1,125.00
Vendor Total		**1,125.00**		
FYTD for 834 EXPLORE POST		**1,125.00**		

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A & I REPROGRAPHICS 2406362				
3/1/2010	200791	557.65		
			RPRGRPHC SVCS-KITCHING ST PROJ	557.65
3/22/2010	201212	2,491.51		
			RPRGRPHC SVCS-KITCHING ST PROJ	1,091.35
			RPRGRPHC SVCS-PAVEMNT RESURF	771.80
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	628.36
3/29/2010	201337	2,438.86		
			PARKS MASTER PLAN COPIES	1,834.65
			PARKS MASTER PLAN COPIES	387.55
			SALES TAX	216.66
	Vendor Total	**5,488.02**		
FYTD for A & I REPROGRAPHICS 2406362		**17,450.08**		
A B STAR LIMOUSINE				
3/29/2010	201338	28.50		
			REFUND-BUS LIC OVRPMT	28.50
	Vendor Total	**28.50**		
FYTD for A B STAR LIMOUSINE		**28.50**		
A C P TRUCKING				
3/29/2010	201339	63.74		
			REFUND-BUS LIC OVRPMT	63.74
	Vendor Total	**63.74**		
FYTD for A C P TRUCKING		**63.74**		
ACCOUNTEMPS				
3/1/2010	200792	828.00		
			TEMP SVCS-APODACA W/E 2/12	828.00
3/8/2010	200991	621.00		
			TEMP SVCS-APODACA W/E 2/19	621.00
3/22/2010	201213	1,656.00		
			TEMP SVCS-APODACA W/E 2/26	828.00
			TEMP SVCS-APODACA W/E 3/5	828.00
3/29/2010	201340	828.00		
			TEMP SVCS-APODACA W/E 3/12	828.00
	Vendor Total	**3,933.00**		
FYTD for ACCOUNTEMPS		**7,038.00**		
ACE & SONS CONSTRUCTION, INC				
3/29/2010	201341	32.50		
			REFUND-BUS LIC OVRPMT	32.50
	Vendor Total	**32.50**		
FYTD for ACE & SONS CONSTRUCTION, INC		**32.50**		

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ACE JANITORIAL SERVICE					
	3/29/2010	201342	29.57		
				REFUND-BUS LIC OVRPMT	29.57
	Vendor Total		**29.57**		
FYTD for ACE JANITORIAL SERVICE			**29.57**		
ADAMS, MARK L.					
	3/1/2010	200793	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**2,868.57**		
ADDUS HEALTH CARE					
	3/15/2010	201098	702.50		
				REFUND-CRC DEP 2/23/10	702.50
	Vendor Total		**702.50**		
FYTD for ADDUS HEALTH CARE			**702.50**		
ADLERHORST INTERNATIONAL INC.					
	3/8/2010	200992	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,272.83**		
ADMINSURE					
	3/8/2010	200993	2,600.00		
				WORKMANS COMP ADMIN	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**23,400.00**		
ADVANCED APPLIED ENGINEERING, INC					
	3/29/2010	201343	22.61		
				REFUND-BUS LIC OVRPMT	22.61
	3/29/2010	201344	7,357.50		
				SR-60 WB/REDLANDS BLVD TS PROJ	2,697.50
				SR-60 WB/REDLANDS BLVD TS PROJ	4,660.00
	Vendor Total		**7,380.11**		
FYTD for ADVANCED APPLIED ENGINEERING, INC			**7,380.11**		

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ADVANCED ELECTRIC					
	3/1/2010	200794	795.00		
				ELECT WORK-ERC	795.00
	3/8/2010	200994	763.00		
				ELECT WORK-CRC	62.00
				ELECT WORK-CRC	530.00
				ELECT WORK-CRC	171.00
	3/15/2010	201099	502.00		
				LINE INSTALLED FOR NEW SCANNER	502.00
	3/22/2010	201214	714.00		
				ELECT WORK-PARKS	193.00
				ELECT WORK-PARKS	319.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	140.00
	3/29/2010	201345	7,001.00		
				REPAIR ELECTRICAL SVC-PSB PROJ	198.00
				REPAIR ELECTRICAL SVC-PSB PROJ	6,803.00
	Vendor Total		**9,775.00**		
FYTD for ADVANCED ELECTRIC			**75,102.00**		
AEI-CASC ENGINEERING					
	3/8/2010	200995	466.50		
				CONSULTING SVCS	466.50
	3/29/2010	880240	1,088.50		
				CONSULTING SVCS	1,088.50
	Vendor Total		**1,555.00**		
FYTD for AEI-CASC ENGINEERING			**316,140.09**		
AIR CLEANING SYSTEMS INC.					
	3/1/2010	200795	502.76		
				PLYMOVENT MAINT/REPAIR	13.05
				PLYMOVENT MAINT/REPAIR	218.71
				PLYMOVENT MAINT/REPAIR	271.00
	3/15/2010	201100	195.00		
				PLYMOVENT MAINT/REPAIR	195.00
	Vendor Total		**697.76**		
FYTD for AIR CLEANING SYSTEMS INC.			**697.76**		
ALICEA, RICHARD					
	3/8/2010	200996	97.95		
				MILEAGE REIMBURSEMENT	32.45
				MILEAGE REIMBURSEMENT	65.50
	Vendor Total		**97.95**		
FYTD for ALICEA, RICHARD			**388.35**		

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ALLIANZ LIFE INSURANCE CO				
3/15/2010	201102	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**675.00**		
ALLIED BARTON SECURITY SERVICES, LP				
3/29/2010	201346	26.21		
			REFUND-BUS LIC OVRPMT	26.21
Vendor Total		**26.21**		
FYTD for ALLIED BARTON SECURITY SERVICES, LP		**26.21**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
3/29/2010	201347	4,594.41		
			CDBG SVCS-DOM VIOL PRGM	2,260.77
			CDBG SVCS-DOM VIOL PRGM	2,333.64
Vendor Total		**4,594.41**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**6,308.36**		
AMERICA VIETNAM REALTY & FINANCE				
3/29/2010	201348	24.96		
			REFUND-BUS LIC OVRPMT	24.96
Vendor Total		**24.96**		
FYTD for AMERICA VIETNAM REALTY & FINANCE		**24.96**		
AMERICAN FORENSIC NURSES				
3/1/2010	200796	906.00		
			BLOOD DRAWS	906.00
3/8/2010	200998	1,436.30		
			BLOOD DRAWS	186.80
			BLOOD DRAWS	1,210.00
			BLOOD DRAWS	39.50
3/15/2010	880187	93.40		
			BLOOD DRAWS	93.40
Vendor Total		**2,435.70**		
FYTD for AMERICAN FORENSIC NURSES		**20,560.40**		
AMERICAN LEAK DETECTION #0108				
3/29/2010	201349	35.99		
			REFUND-BUS LIC OVRPMT	35.99
Vendor Total		**35.99**		
FYTD for AMERICAN LEAK DETECTION #0108		**35.99**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AMERICAN PERSONNEL SERVICE, #1419				
3/29/2010	201350	43.80		
			REFUND-BUS LIC OVRPMT	43.80
Vendor Total		**43.80**		
FYTD for AMERICAN PERSONNEL SERVICE, #1419		**43.80**		
AMERICAN PROTECTION SERVICES				
3/22/2010	201215	9,870.85		
			PD INTRVW RM CONFIG-PARTS	7,164.00
			PD INTRVW RM CONFIG-LABOR	2,080.00
			PD INTRVW RM CONFIG-SALES TAX	626.85
Vendor Total		**9,870.85**		
FYTD for AMERICAN PROTECTION SERVICES		**9,870.85**		
AMERICAN ROTARY BROOM CO.				
3/22/2010	201216	1,656.93		
			STREET SWEEPING BROOM KITS	1,097.97
			STREET SWEEPING BROOM KITS	558.96
Vendor Total		**1,656.93**		
FYTD for AMERICAN ROTARY BROOM CO.		**24,954.67**		
AMTECH ELEVATOR SERVICES				
3/15/2010	201103	118.37		
			ELEVATOR SVC-CITY HALL	118.37
3/29/2010	201351	94.91		
			REFUND-BUS LIC OVRPMT	94.91
Vendor Total		**213.28**		
FYTD for AMTECH ELEVATOR SERVICES		**1,582.04**		
ANAYA, KIM REYE				
3/29/2010	201352	35.00		
			MILEAGE REIMBURSEMENT	35.00
Vendor Total		**35.00**		
FYTD for ANAYA, KIM REYE		**35.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANIMAL EMERGENCY CLINIC, INC.				
3/1/2010	200797	888.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	668.00
			EMERGENCY VET SVCS	75.00
3/22/2010	201331	275.00		
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
Vendor Total		**1,163.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,184.00**		
ANIMAL HEALTH AND SANITARY SUPPLY				
3/15/2010	201104	1,165.34		
			MISC SUPPLIES-ANML SHLTR	1,165.34
Vendor Total		**1,165.34**		
FYTD for ANIMAL HEALTH AND SANITARY SUPPLY		**6,711.99**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
3/29/2010	201353	1,790.00		
			PEST CNTRL-PARKS	665.00
			PEST CNTRL-PAL	255.00
			PEST CNTRL-MARCH FLD	330.00
			PEST CNTRL-PARKS	100.00
			PEST CNTRL-CFD #1	160.00
			PEST CNTRL-GLF CRS	180.00
			PEST CNTRL-STARS	100.00
Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**17,110.00**		
APPLIANCE DISCOUNTERS				
3/29/2010	201354	27.00		
			REFUND-BUS LIC OVRPMT	27.00
Vendor Total		**27.00**		
FYTD for APPLIANCE DISCOUNTERS		**27.00**		
ARCHIVE MANAGEMENT SERVICE				
3/15/2010	201105	1,226.25		
			OFFSITE STORAGE SVCS	1,226.25
Vendor Total		**1,226.25**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**11,978.16**		

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ARDA, VALERIANO JR.					
	3/29/2010	201355	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ARDA, VALERIANO JR.			**20.00**		
ARENAS, MANUEL					
	3/1/2010	200798	17.50		
				REFUND-LOST BOOK FEE	17.50
	Vendor Total		**17.50**		
FYTD for ARENAS, MANUEL			**17.50**		
ARMTECH SECURITY, INC					
	3/29/2010	201356	62.00		
				REFUND-BUS LIC OVRPMT	62.00
	Vendor Total		**62.00**		
FYTD for ARMTECH SECURITY, INC			**62.00**		
ARROWHEAD WATER					
	3/8/2010	200999	175.00		
				WTR PURIF RNTL-ANIMAL SHELTER	50.00
				WTR PURIF RNTL-SENIOR CTR	25.00
				WTR PURIF RNTL-SPECIAL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-FACILITIES	25.00
				WTR PURIF RNTL-CRC	25.00
	3/22/2010	201217	365.78		
				WTR PURIF RNTL-STARS	25.00
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNSP TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,022.79**		

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ASG FACILITY					
	3/8/2010	201000	264.00		
				INSTRUCTOR SVCS-MUAY THAI	204.00
				INSTRUCTOR SVCS-BOXING	60.00
	3/29/2010	201357	196.00		
				INSTRUCTOR SVC-MUAY THAI	136.00
				INSTRUCTOR SVC-BOXING	60.00
	Vendor Total		**460.00**		
FYTD for ASG FACILITY			**1,092.00**		
AT&T MOBILITY					
	3/1/2010	200799	92.14		
				COMMUNICATION SVCS-MBL CMMND	92.14
	Vendor Total		**92.14**		
FYTD for AT&T MOBILITY			**826.85**		
AT&T/MCI					
	3/8/2010	201001	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,653.29**		
ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS					
	3/15/2010	201106	150.00		
				3/18/10 THREAT MGMT SEMINAR	150.00
	Vendor Total		**150.00**		
FYTD for ATAP-ASSO OF THREAT ASSESSMNT PROFESSNLS			**150.00**		
AUGSTIN RAMOS					
	3/29/2010	201358	22.95		
				REFUND-BUS LIC OVRPMT	22.95
	Vendor Total		**22.95**		
FYTD for AUGSTIN RAMOS			**22.95**		
AUTOMATED GATE SERVICES, INC					
	3/29/2010	201359	59.22		
				REFUND-BUS LIC OVRPMT	59.22
	Vendor Total		**59.22**		
FYTD for AUTOMATED GATE SERVICES, INC			**59.22**		
AUTOMATIC STOREFRONT SERVICE, INC.					
	3/29/2010	201360	193.00		
				DOOR SVC-CRC	193.00
	Vendor Total		**193.00**		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.			**1,514.31**		

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AV GRAPHICS, INC.					
	3/15/2010	201107	2,648.06		
				ADMIN CITATION BOOKS	2,555.63
				DELIVERY/SHIPPING CHRG	92.43
	Vendor Total		**2,648.06**		
FYTD for AV GRAPHICS, INC.			**8,075.88**		
AYALA, NANNERL A.					
	3/1/2010	200800	57.30		
				REIMB-MMASC WINTER FORUM	57.30
	Vendor Total		**57.30**		
FYTD for AYALA, NANNERL A.			**132.42**		
BACHER, GRACE					
	3/1/2010	200801	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,131.21**		
BAIRES, NALA					
	3/22/2010	201218	52.00		
				REFUND-ANML LIC FEE	52.00
	Vendor Total		**52.00**		
FYTD for BAIRES, NALA			**52.00**		
BALDWIN AUTOMOTIVE, INC					
	3/29/2010	201361	95.00		
				REFUND-BUS LIC OVRPMT	95.00
	Vendor Total		**95.00**		
FYTD for BALDWIN AUTOMOTIVE, INC			**95.00**		
BARNES, DARLENE					
	3/1/2010	200802	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,001.06**		
BARRAGAN, CYNTHIA					
	3/1/2010	200803	156.00		
				REFUND-PICNIC SHLTR FEE	156.00
	Vendor Total		**156.00**		
FYTD for BARRAGAN, CYNTHIA			**156.00**		

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BASIC BACKFLOW					
	3/8/2010	201002	120.00		
				BACKFLOW TESTING-PARKS	120.00
	Vendor Total		**120.00**		
FYTD for BASIC BACKFLOW			**1,294.65**		
BAYTOWN STAR, LLC					
	3/29/2010	201362	50.46		
				REFUND-BUS LIC OVRPMT	50.46
	Vendor Total		**50.46**		
FYTD for BAYTOWN STAR, LLC			**50.46**		
BECKLEY, TRISHA & ANTON					
	3/8/2010	201003	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BECKLEY, TRISHA & ANTON			**75.00**		
BELL, ORROCK & WATASE, INC					
	3/1/2010	200804	1,521.35		
				LEGAL SVCS 2009-20	1,521.35
	3/29/2010	201363	874.65		
				LEGAL SVCS-RISK MGT	617.15
				LEGAL SVCS-RISK MGT	257.50
	Vendor Total		**2,396.00**		
FYTD for BELL, ORROCK & WATASE, INC			**14,615.81**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	3/1/2010	200805	1,542.56		
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-ANNX #1	300.00
	3/15/2010	201108	8,798.75		
				IRRIG DMG REPAIRS-EOC PROJECT	251.17
				LANDSCAPE MAINT-AQDCT/BAY-JFK	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MV UTILITY	480.00
				LANDSCAPE MAINT-ELECTRIC SUBST	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
	3/22/2010	201219	6,408.00		
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-PARKS	1,400.00
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
	3/29/2010	201364	9,971.31		
				LANDSCAPE MAINT-FIRE STNS	2,300.00
				LANDSCAPE MAINT-FIRE STNS	3,468.75
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CRC	1,900.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-AQDCT	360.00
				LANDSCAPE MAINT-AQDCT	400.00
	Vendor Total		**26,720.62**		
FYTD for BEMUS LANDSCAPE, INC.			**361,967.66**		
BENESYST					
	3/22/2010	880214	20.13		
				COBRA SUBSIDY-MAR2010	14.43
				COBRA SUBSIDY-MAR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**20.13**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BENESYST, INC.					
	3/8/2010	201006	473.34		
				FLEX ADMIN SVCS	228.34
				FLEX ADMIN SVCS	61.38
				FLEX ADMIN SVCS	183.62
	3/22/2010	201220	584.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	359.00
	Vendor Total		**1,057.68**		
FYTD for BENESYST, INC.			**4,518.32**		
BEN'S ASPHALT, INC					
	3/29/2010	201365	21.31		
				REFUND-BUS LIC OVRPMT	21.31
	Vendor Total		**21.31**		
FYTD for BEN'S ASPHALT, INC			**21.31**		
BEST CALIFORNIA GAS, LTD, #353					
	3/29/2010	201366	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for BEST CALIFORNIA GAS, LTD, #353			**71.85**		
BEST, BEST & KRIEGER, LLP					
	3/1/2010	200806	31.46		
				LEGAL SVCS-GGP	31.46
	Vendor Total		**31.46**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,076.10**		
BIO-TOX LABORATORIES					
	3/8/2010	201007	3,972.53		
				TOXICOLOGY TESTS	17.53
				TOXICOLOGY TESTS	1,416.10
				TOXICOLOGY TESTS	2,538.90
	Vendor Total		**3,972.53**		
FYTD for BIO-TOX LABORATORIES			**32,509.27**		
BLAIR, CHERYL					
	3/8/2010	201008	486.00		
				INSTRUCTOR SVCS-BELLY DANCING	486.00
	Vendor Total		**486.00**		
FYTD for BLAIR, CHERYL			**2,592.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BLINDS 4 LESS					
	3/29/2010	201367	61.41		
				REFUND-BUS LIC OVRPMT	61.41
	Vendor Total		**61.41**		
FYTD for BLINDS 4 LESS			**61.41**		
BLUE SHIELD OF CALIFORNIA					
	3/15/2010	201109	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**8,635.93**		
BOBO II, FELIX					
	3/8/2010	201009	84.00		
				MILEAGE REIMBURSEMENT	84.00
	Vendor Total		**84.00**		
FYTD for BOBO II, FELIX			**498.15**		
BOOHER, JACK					
	3/1/2010	200807	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOOHER, JACK			**20.00**		
BOY SCOUTS OF AMERICA					
	3/1/2010	200808	750.00		
				REFUND-RNTL DEP 2/6	750.00
	Vendor Total		**750.00**		
FYTD for BOY SCOUTS OF AMERICA			**750.00**		
BRACAMONTES, MARIA					
	3/22/2010	201221	98.60		
				REFUND-PERMIT FEE	97.60
				REFUND-PERMIT FEE	0.90
				REFUND-PERMIT FEE	0.10
	Vendor Total		**98.60**		
FYTD for BRACAMONTES, MARIA			**98.60**		
BRADIGAN, KATHY					
	3/22/2010	201222	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRADIGAN, KATHY			**75.00**		

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BRANTLINGER, LAWRENCE					
	3/22/2010	201223	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BRANTLINGER, LAWRENCE			**75.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	3/15/2010	201111	5,813.92		
				MISC BOOKS-LIBRARY	100.11
				MISC BOOKS-LIBRARY	194.17
				MISC BOOKS-LIBRARY	75.25
				MISC BOOKS-LIBRARY	40.16
				MISC BOOKS-LIBRARY	16.46
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	302.81
				MISC BOOKS-LIBRARY	428.25
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	22.00
				MISC BOOKS-LIBRARY	25.58
				MISC BOOKS-LIBRARY	652.72
				MISC BOOKS-LIBRARY	56.81
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	33.06
				MISC BOOKS-LIBRARY	297.80
				MISC BOOKS-LIBRARY	658.23
				MISC BOOKS-LIBRARY	440.96
				MISC BOOKS-LIBRARY	752.68
				MISC BOOKS-LIBRARY	52.52
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	127.73
				MISC BOOKS-LIBRARY	269.21
				MISC BOOKS-LIBRARY	24.74
				MISC BOOKS-LIBRARY	462.50
				MISC BOOKS-LIBRARY	294.81
				MISC BOOKS-LIBRARY	42.58
				MISC BOOKS-LIBRARY	47.61
				MISC BOOKS-LIBRARY	81.27
				MISC BOOKS-LIBRARY	40.11
	3/22/2010	201224	2,695.80		
				MISC BOOKS-LIBRARY	247.43
				MISC BOOKS-LIBRARY	199.26
				MISC BOOKS-LIBRARY	80.61
				MISC BOOKS-LIBRARY	322.46
				MISC BOOKS-LIBRARY	1,533.70
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	38.69
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	32.94
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	162.59
	Vendor Total		**8,509.72**		
FYTD for BRODART CO.			**26,218.55**		

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BUCKINGHAM PROPERTY MANAGEMENT					
	3/29/2010	201368	35.02		
				REFUND-BUS LIC OVRPMT	35.02
	Vendor Total		**35.02**		
FYTD for BUCKINGHAM PROPERTY MANAGEMENT			**35.02**		
BUCKINGHAM, STAN					
	3/1/2010	200809	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**956.19**		
BWI - BOOK WHOLESALERS, INC.					
	3/15/2010	201112	689.54		
				MISC BOOKS-LIBRARY	10.50
				MISC BOOKS-LIBRARY	256.07
				MISC BOOKS-LIBRARY	13.11
				MISC BOOKS-LIBRARY	31.41
				MISC BOOKS-LIBRARY	144.48
				MISC BOOKS-LIBRARY	55.85
				MISC BOOKS-LIBRARY	80.99
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	16.35
				MISC BOOKS-LIBRARY	6.85
				MISC BOOKS-LIBRARY	29.57
				MISC BOOKS-LIBRARY	29.73
	3/22/2010	201225	451.40		
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	436.77
	Vendor Total		**1,140.94**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**5,578.08**		
C P CONSTRUCTION COMPANY, INC					
	3/29/2010	201370	46.80		
				REFUND-BUS LIC OVRPMT	46.80
	Vendor Total		**46.80**		
FYTD for C P CONSTRUCTION COMPANY, INC			**46.80**		
CAIN, GREGORY					
	3/1/2010	200810	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,231.12**		

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CAL DEPT OF FORESTRY & FIRE PROTECTION				
3/29/2010	201371	2,237.20		
			WEED ABTMNT-MV EQSTRN CTR	894.88
			WEED ABTMNT-MV EQSTRN CTR	1,342.32
	Vendor Total	**2,237.20**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION		**4,479.20**		
CALAVERAS STANDARD MATERIALS				
3/22/2010	201226	1,482.99		
			CEMENT-PSB PARKING LOT REPAIR	1,482.99
	Vendor Total	**1,482.99**		
FYTD for CALAVERAS STANDARD MATERIALS		**19,370.75**		
CALIFORNIA CENTERS MAGAZINE, INC.				
3/1/2010	200811	3,780.00		
			ADVERTISING SVCS-EDD	3,780.00
	Vendor Total	**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.		**7,560.00**		
CALIFORNIA DEPT OF EDUCATION				
3/1/2010	200812	24,658.50		
			AFTERSCHOOL PRGM-VISTA VERDE	4,103.37
			AFTERSCHOOL PRGM-VISTA VERDE	8,206.73
			AFTERSCHOOL PRGM-RNBW RDG	4,116.13
			AFTERSCHOOL PRGM-RNBW RDG	8,232.27
	Vendor Total	**24,658.50**		
FYTD for CALIFORNIA DEPT OF EDUCATION		**24,658.50**		
CALIFORNIA MUNICIPAL UTILITIES ASSOC.				
3/1/2010	200813	770.00		
			ANNUAL CONF-MAR. 23-26, 2010	770.00
	Vendor Total	**770.00**		
FYTD for CALIFORNIA MUNICIPAL UTILITIES ASSOC.		**3,764.00**		
CALIFORNIA TRANSCRIPTION, LLC				
3/29/2010	880241	205.93		
			TRANSCRIPTION SVCS-PLANNING	205.93
	Vendor Total	**205.93**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,321.69**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CALIFORNIA WATERSHED ENGINEERING CORP.				
3/8/2010	201010	358.50		
			CONSULTING SVCS-PA090025	358.50
3/29/2010	880242	717.00		
			CONSULTING SVCS	717.00
	Vendor Total	**1,075.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**1,771.50**		
CAM GUARD SECURITY, INC.				
3/29/2010	201372	21.16		
			REFUND-BUS LIC OVRPMT	21.16
	Vendor Total	**21.16**		
FYTD for CAM GUARD SECURITY, INC.		**21.16**		
CANNON, ANA M.				
3/1/2010	200814	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**956.19**		
CANON BUSINESS SOLUTIONS, INC.				
3/8/2010	201012	2,002.20		
			COPIER SVC-STARS	2,002.20
	Vendor Total	**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**28,143.19**		
CANON FINANCIAL SERVICES, INC.				
3/22/2010	201227	7,590.68		
			COPIER LEASE-BASE	7,059.29
			COPIER LEASE-SALES TAX	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**68,316.12**		
CANTERBURY, JENNIFER				
3/1/2010	200815	20.00		
			REFUND-RABIES DEP	20.00
3/8/2010	201013	50.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**70.00**		
FYTD for CANTERBURY, JENNIFER		**70.00**		

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CARBONE, GABRIELA					
	3/1/2010	200816	264.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	216.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	48.00
	3/22/2010	201228	117.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	117.00
	Vendor Total		**381.00**		
FYTD for CARBONE, GABRIELA			**381.00**		
CARON BROADCASTING, INC					
	3/8/2010	201014	5,700.00		
				RADIO ADVERTISING SVC	5,700.00
	3/29/2010	201373	300.00		
				RADIO ADVERTISING SVC	300.00
	Vendor Total		**6,000.00**		
FYTD for CARON BROADCASTING, INC			**6,000.00**		
CARPENTER, BREANNA					
	3/1/2010	200817	30.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**30.00**		
FYTD for CARPENTER, BREANNA			**30.00**		
CASA BUENA & CASA LYNNDA APARTMENTS, LLC					
	3/29/2010	201374	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for CASA BUENA & CASA LYNNDA APARTMENTS, LLC			**81.00**		
CASKEY, DEBRA C.					
	3/1/2010	200818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,231.12**		
CDI CORPORATION					
	3/29/2010	201375	47.21		
				REFUND-BUS LIC OVRPMT	47.21
	Vendor Total		**47.21**		
FYTD for CDI CORPORATION			**47.21**		

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CELL-CRETE CORPORATION					
	3/29/2010	201376	72.64		
				REFUND-BUS LIC OVRPMT	72.64
	Vendor Total		**72.64**		
FYTD for CELL-CRETE CORPORATION			**72.64**		
CERTIFIED CREDIT REPORTING, INC					
	3/29/2010	201377	55.32		
				CREDIT PROFILE SVCS-RDA	55.32
	Vendor Total		**55.32**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**177.85**		
CHANCY, CHIZURU					
	3/8/2010	201015	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
				INSTRUCTOR SVCS-HAWAIIAN DANCE	46.80
	Vendor Total		**140.40**		
FYTD for CHANCY, CHIZURU			**1,263.60**		
CHAPMAN, STEVE					
	3/1/2010	200819	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**2,868.57**		
CHAPPELL, ISAAC					
	3/1/2010	200820	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**2,868.57**		
CHERRY VALLEY FEED					
	3/8/2010	201016	78.08		
				DOG FOOD-K9 MAX	78.08
	Vendor Total		**78.08**		
FYTD for CHERRY VALLEY FEED			**1,562.79**		
CHRIS FOLSOM INSURANCE AGENCY					
	3/29/2010	201378	41.25		
				REFUND-BUS LIC OVRPMT	41.25
	Vendor Total		**41.25**		
FYTD for CHRIS FOLSOM INSURANCE AGENCY			**41.25**		

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CHRISTIAN, OWEN					
	3/1/2010	200821	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,026.23**		
CIANCIO, ANTHONY					
	3/1/2010	200822	120.00		
				INSTRUCTOR SVCS-SKATEBOARDING	120.00
	3/22/2010	201229	30.00		
				INSTRUCTOR SVCS-SKATEBOARDING	30.00
	Vendor Total		**150.00**		
FYTD for CIANCIO, ANTHONY			**150.00**		

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CINTAS CORPORATION					
	3/1/2010	200823	370.89		
				UNIFORM RNTL SVC-PARKS MAINT	98.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-TRFFC SGNL	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	3/8/2010	201017	52.71		
				UNIFORM RNTL SVC-TRAFFIC	11.23
				UNIFORM RNTL SVC-TRAFFIC	13.85
				UNIFORM RNTL SVC-CFD#1 STAFF	10.98
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/15/2010	201113	108.90		
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-FACILITIES	16.65
	3/22/2010	201230	289.40		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	16.99
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-ST SWEEP CREW	5.58
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-STRM DRN CREW	2.79
				UNIFORM RNTL SVC-ST MAINT CREW	47.07
				UNIFORM RNTL SVC-ST MAINT CREW	69.27
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	11.23
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-TRFFC CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	3/29/2010	201379	133.65		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-PARK MAINT	53.01
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
Vendor Total		**955.55**		
FYTD for CINTAS CORPORATION		**5,064.10**		
CINTAS DOCUMENT MANAGEMENT				
3/8/2010	201018	47.86		
			ANNUAL DOCUMENT PURGE SVC	47.86
Vendor Total		**47.86**		
FYTD for CINTAS DOCUMENT MANAGEMENT		**47.86**		
CITRUS BELT CHAPTER, I.C.C.				
3/22/2010	201231	200.00		
			3/23/10 SEMINAR-DISABLED ACCES	100.00
			3/23/10 SEMINAR-DISABLED ACCES	100.00
Vendor Total		**200.00**		
FYTD for CITRUS BELT CHAPTER, I.C.C.		**200.00**		
CITY OF FOSTER				
3/15/2010	201114	1,500.00		
			CALOPPS ANNUAL FEE-2010	1,500.00
Vendor Total		**1,500.00**		
FYTD for CITY OF FOSTER		**1,500.00**		
CITY OF INDIO				
3/8/2010	201019	45.00		
			LCC MEETING	45.00
3/22/2010	201232	45.00		
			3/22/10 LCC GENERAL MTG.	45.00
Vendor Total		**90.00**		
FYTD for CITY OF INDIO		**90.00**		
CITY OF MORENO VALLEY VEBA TRUST				
3/15/2010	201115	4,037.50		
			EXEMPT VEBA	4,037.50
Vendor Total		**4,037.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**38,100.00**		
CITY OF RIVERSIDE				
3/1/2010	200824	989.40		
			TRAFFIC SIGNALS SHARED COST	989.40
Vendor Total		**989.40**		
FYTD for CITY OF RIVERSIDE		**1,508.85**		

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CITY OF TUSTIN					
	3/15/2010	201116	275.00		
				MEMBERSHIP RENEWAL-HR DEPT.	275.00
	Vendor Total		**275.00**		
FYTD for CITY OF TUSTIN			**275.00**		
CLARY ROOFING					
	3/29/2010	201380	92.03		
				REFUND-BUS LIC OVRPMT	92.03
	Vendor Total		**92.03**		
FYTD for CLARY ROOFING			**92.03**		
COBBS, JOE					
	3/15/2010	201117	20.00		
				RABIES DEPOSIT REFUND	20.00
	Vendor Total		**20.00**		
FYTD for COBBS, JOE			**95.00**		
COHEN & GOLDFRIED					
	3/22/2010	201233	888.36		
				LEGAL SVCS-GENERAL	888.36
	Vendor Total		**888.36**		
FYTD for COHEN & GOLDFRIED			**8,785.86**		
COLONIAL SUPPLEMENTAL INSURANCE					
	3/1/2010	200825	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	3/29/2010	201381	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**14,275.26**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**71,916.15**		
COMFORT AIR					
	3/29/2010	201382	75.00		
				REFUND-BUS LIC OVRPMT	75.00
	Vendor Total		**75.00**		
FYTD for COMFORT AIR			**75.00**		
COMFORT ZONE HVAC					
	3/29/2010	201383	23.31		
				REFUND-BUS LIC OVRPMT	23.31
	Vendor Total		**23.31**		
FYTD for COMFORT ZONE HVAC			**23.31**		

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COMMUNITY BANK					
	3/10/2010	91405	8,602.32		
				RETENTION PMT-PROJ 08-12556330	8,602.32
	Vendor Total		**8,602.32**		
FYTD for COMMUNITY BANK			**102,331.51**		
COMMUNITY HEALTH CHARITIES					
	3/1/2010	200826	151.47		
				CHC CONTRIBUTIONS	151.47
	3/15/2010	201118	151.47		
				CHC CONTRIBUTIONS	151.47
	3/29/2010	201384	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**454.41**		
FYTD for COMMUNITY HEALTH CHARITIES			**7,715.49**		
CONTINUING EDUCATION OF THE BAR					
	3/1/2010	200827	128.10		
				LEGAL SUBSCRIPTION	128.10
	Vendor Total		**128.10**		
FYTD for CONTINUING EDUCATION OF THE BAR			**647.98**		
CONTRACT CARPET CORPORATION					
	3/29/2010	201385	81.62		
				REFUND-BUS LIC OVRPMT	81.62
	Vendor Total		**81.62**		
FYTD for CONTRACT CARPET CORPORATION			**81.62**		
CONVERSE CONSULTANTS					
	3/29/2010	201386	86.50		
				REFUND-BUS LIC OVRPMT	86.50
	Vendor Total		**86.50**		
FYTD for CONVERSE CONSULTANTS			**86.50**		
CONWAY DATA DBA SITE SELECTION MAGAZINE					
	3/29/2010	201387	5,890.00		
				ADVERTISING SVCS-EDD	5,890.00
	Vendor Total		**5,890.00**		
FYTD for CONWAY DATA DBA SITE SELECTION MAGAZINE			**5,890.00**		
COPPRUE, SAM					
	3/15/2010	201119	41.00		
				LICENSE FEE REFUND	41.00
	Vendor Total		**41.00**		
FYTD for COPPRUE, SAM			**41.00**		

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COSTCO					
	3/1/2010	200828	237.39		
				MISC SUPPLIES-STARS	134.96
				MISC SUPPLIES-STARS	62.76
				MISC SUPPLIES-EDD	39.67
	3/8/2010	201020	794.81		
				MISC SUPPLIES-STARS	196.81
				MISC SUPPLIES-STARS	152.53
				MISC SUPPLIES-STARS	173.34
				MISC SUPPLIES-STARS	272.13
	3/22/2010	201234	763.45		
				MISC SUPPLIES-STARS	124.57
				MISC SUPPLIES-CHILDS PLC	57.39
				MISC SUPPLIES-SKATE PK	581.49
	3/29/2010	201388	2,784.42		
				MISC SUPPLIES-STARS	169.16
				MISC SUPPLIES-STARS	31.07
				MISC SUPPLIES-STARS	163.69
				MISC SUPPLIES-STARS	79.64
				MISC SUPPLIES-STARS	229.12
				MISC SUPPLIES-STARS	316.06
				MISC SUPPLIES-STARS	577.47
				MISC SUPPLIES-STARS	690.17
				MISC SUPPLIES-STARS	284.33
				MISC SUPPLIES-STARS	19.24
				MISC SUPPLIES-STARS	88.18
				MISC SUPPLIES-CHILDS PLC	136.29
	Vendor Total		**4,580.07**		
FYTD for COSTCO			**41,721.33**		
COUNSELING TEAM, THE					
	3/8/2010	201021	1,250.00		
				EMP COUNSELING SVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**10,000.00**		
COUNTRY SQUIRE ESTATES					
	3/15/2010	201120	63.16		
				REFUND-UUT USER TAXES	63.16
	Vendor Total		**63.16**		
FYTD for COUNTRY SQUIRE ESTATES			**443.41**		
COUNTY OF RIVERSIDE - RMAP					
	3/22/2010	201235	41.25		
				RECORDATION RQSTS-LD	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**325.35**		

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COUNTY OF RIVERSIDE-TLMA-GIS				
3/22/2010	201236	1,064.56		
			TRAFFIC SIGNAL INSPECTION	1,064.56
Vendor Total		**1,064.56**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS		**3,864.56**		
CRANE ARCHITECTURAL GROUP				
3/8/2010	201022	1,300.00		
			PUB SFTY BLDG CONVERSION PROJ	1,300.00
Vendor Total		**1,300.00**		
FYTD for CRANE ARCHITECTURAL GROUP		**4,295.00**		
CTAI PACIFIC GREENSCAPE				
3/15/2010	880188	4,897.13		
			LNDSCP MAINT-ZONE DSG1W	4,897.13
Vendor Total		**4,897.13**		
FYTD for CTAI PACIFIC GREENSCAPE		**47,014.04**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
3/8/2010	201023	578.00		
			HEALTH PERMIT FEE-BETHUNE PK	578.00
3/29/2010	201390	6,199.73		
			VECTOR CONTROL SVCS	1,684.59
			VECTOR CONTROL SVCS	4,399.14
			PERMIT RNWL-MORRISON PK	116.00
Vendor Total		**6,777.73**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**31,051.61**		
CUFF, STEPHANIE CERVANTES				
3/1/2010	200829	27.00		
			MILEAGE REIMBURSEMENT	27.00
Vendor Total		**27.00**		
FYTD for CUFF, STEPHANIE CERVANTES		**27.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
3/1/2010	200830	745.00		
			DISPOSAL SVC-ANML SVCS	745.00
3/22/2010	201237	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
Vendor Total		**1,490.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**6,855.00**		

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D R I RESIDENTIAL CORPORATION					
	3/29/2010	201391	93.50		
				REFUND-BUS LIC OVRPMT	93.50
	Vendor Total		**93.50**		
FYTD for D R I RESIDENTIAL CORPORATION			**93.50**		
D.J.L. AUDIO/VIDEO SPECIALISTS					
	3/8/2010	201024	6,247.69		
				TRAINING PODIUM	5,745.00
				TRAINING PODIUM-SALES TAX	502.69
	Vendor Total		**6,247.69**		
FYTD for D.J.L. AUDIO/VIDEO SPECIALISTS			**6,247.69**		
DAACOM COMMUNICATIONS					
	3/29/2010	201392	88.47		
				REFUND-BUS LIC OVRPMT	88.47
	Vendor Total		**88.47**		
FYTD for DAACOM COMMUNICATIONS			**88.47**		
DAILY JOURNAL CORPORATION					
	3/29/2010	201393	5,596.00		
				ADVERTISING SVCS-EDD	2,798.00
				ADVERTISING SVCS-EDD	2,798.00
	Vendor Total		**5,596.00**		
FYTD for DAILY JOURNAL CORPORATION			**5,596.00**		
DALE, KATHLEEN					
	3/1/2010	200831	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**2,842.95**		
DATA TICKET, INC.					
	3/8/2010	201025	105.00		
				CITATION APPLIC MAINT/SUPPORT	105.00
	3/22/2010	880215	2,510.61		
				CITATION PRCSSNG-CODE	2,510.61
	Vendor Total		**2,615.61**		
FYTD for DATA TICKET, INC.			**122,524.40**		
DATAQUICK CORPORATE HEADQUARTERS					
	3/22/2010	201238	130.50		
				ONLINE SVCS-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,074.50**		

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DAVID LANE APARTMENTS					
	3/29/2010	201394	24.81		
				REFUND-BUS LIC OVRPMT	24.81
	Vendor Total		**24.81**		
FYTD for DAVID LANE APARTMENTS			**24.81**		
DAVID TURCH & ASSOCIATES					
	3/15/2010	201121	13,752.00		
				FEDERAL LEGISLATIVE REP SVCS	13,752.00
	Vendor Total		**13,752.00**		
FYTD for DAVID TURCH & ASSOCIATES			**13,752.00**		
DELTA DENTAL					
	3/8/2010	201026	11,452.43		
				EMPLOYEE DENTAL INSURANCE	11,452.43
	Vendor Total		**11,452.43**		
FYTD for DELTA DENTAL			**103,169.21**		
DELTACARE USA					
	3/8/2010	201027	6,310.50		
				EMPLOYEE DENTAL INSURANCE	6,310.50
	Vendor Total		**6,310.50**		
FYTD for DELTACARE USA			**60,888.21**		
DIAMOND WIRELESS, LLC					
	3/29/2010	201396	33.38		
				REFUND-BUS LIC OVRPMT	33.38
	Vendor Total		**33.38**		
FYTD for DIAMOND WIRELESS, LLC			**33.38**		
DIAZ, MICHAEL					
	3/29/2010	201397	37.60		
				REFUND-KUNG FU CLASS	37.60
	Vendor Total		**37.60**		
FYTD for DIAZ, MICHAEL			**37.60**		
DIEDERICHS & ELCONIN					
	3/8/2010	201028	492.50		
				LEGAL SERVICES	492.50
	Vendor Total		**492.50**		
FYTD for DIEDERICHS & ELCONIN			**50,430.00**		

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DISCOUNT TOBACCO					
	3/29/2010	201398	31.00		
				REFUND-BUS LIC OVRPMT	31.00
	Vendor Total		**31.00**		
FYTD for DISCOUNT TOBACCO			**31.00**		
DLS LANDSCAPE, INC					
	3/29/2010	201399	12,390.00		
				LANDSCAPE MAINT-ZONE A	10,230.00
				LANDSCAPE MAINT-CFD #1	2,160.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**111,510.00**		
DONAHUE APPRAISAL ASSOCIATES					
	3/1/2010	200832	18,300.00		
				PERRIS BLVD WIDENING PROJ SVCS	18,300.00
	3/15/2010	880189	5,140.00		
				PERRIS BLVD WIDENING PROJ SVCS	5,140.00
	Vendor Total		**23,440.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**50,480.00**		
DORY, ALLEEN F.					
	3/1/2010	200833	8.77		
				RETIREE MEDICAL BENEFIT	8.77
	Vendor Total		**8.77**		
FYTD for DORY, ALLEEN F.			**2,558.61**		
DOSS, GWEN					
	3/8/2010	201029	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DOSS, GWEN			**50.00**		
DREXLER, DAVID					
	3/15/2010	201122	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for DREXLER, DAVID			**195.00**		
DURAN, BLANCA					
	3/8/2010	201030	273.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	273.00
	Vendor Total		**273.00**		
FYTD for DURAN, BLANCA			**1,911.00**		

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DURBIN, LYNN J.					
	3/29/2010	201400	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for DURBIN, LYNN J.			**75.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	3/15/2010	201123	4,822.16		
				BACKFLOW TESTING	254.80
				BACKFLOW TESTING	72.80
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING	655.20
				BACKFLOW TESTING	36.40
				BACKFLOW TESTING-TR 30320	36.40
				BACKFLOW TESTING-ZONE M	72.80
				BACKFLOW RPLCMNT-E1	568.44
				BACKFLOW RPLCMNT-E1	170.00
				BACKFLOW RPLCMNT-TR 21597	568.44
				BACKFLOW RPLCMNT-TR 21597	170.00
				BACKFLOW RPLCMNT-TR 22371	568.44
				BACKFLOW RPLCMNT-TR 22371	170.00
				BACKFLOW RPLCMNT-TR 20525	532.82
				BACKFLOW RPLCMNT-TR 20525	170.00
				BACKFLOW RPLCMNT-TR 16768	532.82
				BACKFLOW RPLCMNT-TR 16768	170.00
	3/22/2010	201239	72.80		
				BACKFLOW TESTING-ZN M	72.80
	3/29/2010	201401	3,996.22		
				INVESTIG. UNDERGRND SEWER LEAK	97.50
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	568.44
				BACKFLOW RPLCMNT-E2	170.00
				BACKFLOW RPLCMNT-E2	689.96
				BACKFLOW RPLCMNT-E2	255.00
	Vendor Total		**8,891.18**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**27,494.35**		
E2I NET DESIGN, LLC					
	3/29/2010	201402	1,310.00		
				DATA CMMND POST UPDATE-PD	500.00
				DATA CMMND POST UPDATE-PD	810.00
	Vendor Total		**1,310.00**		
FYTD for E2I NET DESIGN, LLC			**6,565.00**		

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EADIE AND PAYNE LLP.					
	3/15/2010	201124	3,815.00		
				CONSULTING SVCS-CAFR PREP	2,000.00
				CONSULTING SVCS-CAFR PREP	1,815.00
	Vendor Total		**3,815.00**		
FYTD for EADIE AND PAYNE LLP.			**25,615.00**		
EARTH BASICS CONTRACTING					
	3/29/2010	201403	71.59		
				REFUND-BUS LIC OVRPMT	71.59
	Vendor Total		**71.59**		
FYTD for EARTH BASICS CONTRACTING			**71.59**		

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EASTERN MUNICIPAL WATER DISTRICT					
	3/1/2010	200834	1,916.45		
				WATER CHRGS FOR JANUARY	99.21
				WATER CHRGS FOR JANUARY	80.54
				WATER CHRGS FOR JANUARY	311.30
				WATER CHRGS FOR JANUARY	258.27
				WATER CHRGS FOR JANUARY	1,167.13
	3/8/2010	201031	6,700.43		
				RCLMD WATER-ST. SWEEPING PRGM	72.62
				RCLMD WATER-ST. SWEEPING PRGM	72.62
				RCLMD WATER-DRAIN MAINT PRGM	75.49
				WATER CHRGS FOR FEBRUARY	57.31
				WATER CHRGS FOR FEBRUARY	242.62
				WATER CHRGS FOR FEBRUARY	279.24
				WATER CHRGS FOR FEBRUARY	1,649.20
				WATER CHRGS FOR FEBRUARY	229.12
				WATER CHRGS FOR FEBRUARY	90.34
				WATER CHRGS FOR FEBRUARY	2,087.54
				WATER CHRGS FOR FEBRUARY	575.56
				WATER CHRGS FOR FEBRUARY	610.44
				WATER CHRGS FOR FEBRUARY	14.28
				WATER CHRGS FOR FEBRUARY	166.03
				WATER CHRGS FOR FEBRUARY	40.26
				WATER CHRGS FOR FEBRUARY	282.91
				WATER CHRGS FOR FEBRUARY	36.34
				WATER CHRGS FOR FEBRUARY	118.51
	3/15/2010	201125	6,137.14		
				WATER CHRGS FOR FEBRUARY	57.77
				WATER CHRGS FOR FEBRUARY	587.40
				WATER CHRGS FOR FEBRUARY	34.80
				WATER CHRGS FOR FEBRUARY	894.05
				WATER CHRGS FOR FEBRUARY	1,853.27
				WATER CHRGS FOR FEBRUARY	450.50
				WATER CHRGS FOR FEBRUARY	433.73
				WATER CHRGS FOR FEBRUARY	561.72
				WATER CHRGS FOR FEBRUARY	59.83
				WATER CHRGS FOR FEBRUARY	444.76
				WATER CHRGS FOR FEBRUARY	196.39
				WATER CHRGS FOR FEBRUARY	96.36
				WATER CHRGS FOR FEBRUARY	185.21
				WATER CHRGS FOR FEBRUARY	155.95
				WATER CHRGS FOR FEBRUARY	125.40
	3/22/2010	201240	10,545.32		
				WATER CHRGS FOR FEBRUARY	552.58
				WATER CHRGS FOR FEBRUARY	768.53
				WATER CHRGS FOR FEBRUARY	174.03
				WATER CHRGS FOR FEBRUARY	563.47
				WATER CHRGS FOR FEBRUARY	93.52
				WATER CHRGS FOR FEBRUARY	1,399.73
				WATER CHRGS FOR FEBRUARY	254.88
				WATER CHRGS FOR FEBRUARY	219.67
				WATER CHRGS FOR FEBRUARY	768.00
				WATER CHRGS FOR FEBRUARY	1,054.21

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHRGS FOR FEBRUARY	578.67
			WATER CHRGS FOR FEBRUARY	1,193.84
			WATER CHRGS FOR FEBRUARY	217.16
			WATER CHRGS FOR FEBRUARY	102.22
			WATER CHRGS FOR FEBRUARY	26.39
			WATER CHRGS FOR FEBRUARY	201.20
			WATER CHRGS FOR FEBRUARY	467.16
			WATER CHRGS FOR FEBRUARY	75.36
			WATER CHRGS FOR FEBRUARY	175.52
			WATER CHRGS FOR FEBRUARY	409.03
			WATER CHRGS FOR FEBRUARY	247.21
			WATER CHRGS FOR FEBRUARY	198.10
			WATER CHRGS FOR FEBRUARY	195.29
			WATER CHRGS FOR FEBRUARY	170.15
			WATER CHRGS FOR FEBRUARY	268.33
			WATER CHRGS FOR FEBRUARY	171.07
3/29/2010	201404	4,558.60		
			WATER CHRGS FOR FEBRUARY	55.42
			WATER CHRGS FOR FEBRUARY	379.81
			WATER CHRGS FOR FEBRUARY	328.42
			WATER CHRGS FOR MARCH	9.69
			WATER CHRGS FOR MARCH	248.68
			WATER CHRGS FOR MARCH	1,106.61
			WATER CHRGS FOR MARCH	296.97
			WATER CHRGS FOR MARCH	35.17
			WATER CHRGS FOR MARCH	1,786.34
			WATER CHRGS FOR MARCH	297.15
			WATER CHRGS FOR MARCH	14.34
Vendor Total		**29,857.94**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**856,610.16**		
EDGELANE MOBILE PARK				
3/15/2010	880190	24.43		
			REFUND-UUT USER TAXES	11.91
			REFUND-UUT USER TAXES	12.52
Vendor Total		**24.43**		
FYTD for EDGELANE MOBILE PARK		**86.20**		
EDWARDS TECHNOLOGIES, INC.				
3/29/2010	201405	315.00		
			VIDEO SWITCHER SERVICE	315.00
Vendor Total		**315.00**		
FYTD for EDWARDS TECHNOLOGIES, INC.		**315.00**		
EGGERSTEN, ANNE				
3/1/2010	200835	305.60		
			RETIREE MEDICAL BENEFIT	305.60
Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE		**2,532.63**		

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EL DORADO POINTE - MANAGEMENT					
	3/29/2010	201406	236.46		
				REFUND-BUS LIC OVRPMT	236.46
	Vendor Total		**236.46**		
FYTD for EL DORADO POINTE - MANAGEMENT			**236.46**		
ELITE JANITORIAL, INC.					
	3/8/2010	201032	100.00		
				CLEANING SVCS-DUST MOPS	100.00
	Vendor Total		**100.00**		
FYTD for ELITE JANITORIAL, INC.			**514.86**		
ELLIS, CRYSTAL					
	3/29/2010	201407	29.95		
				REFUND-LOST BOOK FEE	29.95
	Vendor Total		**29.95**		
FYTD for ELLIS, CRYSTAL			**29.95**		
ELTAIRBY, HODA					
	3/8/2010	201033	86.00		
				REFUND-BSKTBLL REGIST	86.00
	Vendor Total		**86.00**		
FYTD for ELTAIRBY, HODA			**86.00**		
EMPIRE MOWER					
	3/15/2010	201126	18.67		
				MISC EQUIPMNT SUPPLIES	18.67
	Vendor Total		**18.67**		
FYTD for EMPIRE MOWER			**403.33**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC				
3/1/2010	200836	4,703.15		
			PROF SVC-GIS DATABASE CONV	1,760.10
			PROF SVC-WASTE MGT TRNSFR STN	174.35
			PROF SVC-PM 35629	704.06
			PROF SVC-LIGHT REMOVAL	1,092.50
			PROF SVC-FRAZEE DC	972.14
3/15/2010	201128	3,750.00		
			MAR-10 CABINET LEASE-COTTONWD	52.90
			MAR-10 CABINET LEASE-COTTONWD	1,197.10
			MAR-10 CABINET LEASE-IRIS AVE	103.57
			MAR-10 CABINET LEASE-IRIS AVE	1,146.43
			MAR-10 CABINET LEASE-INDIAN	86.92
			MAR-10 CABINET LEASE-INDIAN	1,163.08
3/22/2010	201241	8,317.96		
			LASELLE ST 12KV CIRC TIE WORK	6,031.85
			6TH CIRCUIT MOVAL SUBST. WORK	2,286.11
Vendor Total		**16,771.11**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,663,315.29**		
ESRI, INC.				
3/22/2010	880216	14,137.50		
			ARCLOGISTICS SOFTWARE LICENSE	8,000.00
			ARCLOGISTICS NAVIG. LICENSE-10	2,000.00
			ARCLOGISTICS TELE ATLAS NA LIC	2,200.00
			ARCLOGISTICS TELE ATLAS LIC-10	800.00
			SALES TAX	1,137.50
Vendor Total		**14,137.50**		
FYTD for ESRI, INC.		**58,674.08**		
EVANS ENGRAVING & AWARDS				
3/1/2010	200837	65.26		
			ENGRAVING SVCS-PLAQUE	32.63
			ENGRAVING SVCS-PLAQUE	32.63
3/8/2010	201034	16.32		
			ENGRAVING SVC-PLAQUE	16.32
3/15/2010	880191	27.19		
			ENGRAVING SVCS-FIREFGHTR AWARD	27.19
3/22/2010	880217	46.76		
			ENGRAVING SVCS-EMP/QTR PLQ	35.88
			ENGRAVING SVCS-NAMEPLATE	10.88
Vendor Total		**155.53**		
FYTD for EVANS ENGRAVING & AWARDS		**1,740.06**		

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EVANS RECREATIONAL INSTALLATION INC.				
3/1/2010	200838	2,835.00		
			TOT LOT EQUIP REPAIRS	404.23
			TOT LOT EQUIP REPAIRS	2,430.77
Vendor Total		**2,835.00**		
FYTD for EVANS RECREATIONAL INSTALLATION INC.		**8,718.82**		
EWING IRRIGATION PRODUCTS, INC.				
3/8/2010	201035	491.01		
			IRRIGATION SUPPLIES	491.01
Vendor Total		**491.01**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**12,813.91**		
EXCEL LANDSCAPE, INC				
3/22/2010	201242	8,700.22		
			LANDSCAPE MAINT-E7	2,666.81
			LANDSCAPE MAINT-E15	1,070.36
			LANDSCAPE MAINT-E8	1,501.98
			LANDSCAPE MAINT-E14	3,461.07
Vendor Total		**8,700.22**		
FYTD for EXCEL LANDSCAPE, INC		**188,585.16**		
F RODGERS CORPORATION				
3/29/2010	201409	69.00		
			REFUND-BUS LIC OVRPMT	69.00
Vendor Total		**69.00**		
FYTD for F RODGERS CORPORATION		**69.00**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
3/29/2010	880243	16,415.43		
			CDBG SVCS-FRCLSR PRVNTN	1,543.26
			CDBG SVCS-FRCLSR PRVNTN	1,643.54
			CDBG SVCS-FRCLSR PRVNTN	1,694.01
			CDBG SVCS-FRCLSR PRVNTN	1,162.49
			CDBG SVCS-FRCLSR PRVNTN	941.33
			CDBG SVCS-FRCLSR PRVNTN	1,422.20
			CDBG SVCS-HOUSING	4,169.46
			CDBG SVCS-HOUSING	2,555.25
			CDBG SVCS-FRCLSR PRVNTN	1,283.89
Vendor Total		**16,415.43**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		**39,466.62**		

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FAIRWAY LANDSCAPE & IRRIGATION, INC					
	3/29/2010	201410	23.68		
				REFUND-BUS LIC OVRPMT	23.68
	Vendor Total		**23.68**		
FYTD for FAIRWAY LANDSCAPE & IRRIGATION, INC			**23.68**		
FAMILY FISH MARKET					
	3/29/2010	201411	57.49		
				REFUND-BUS LIC OVRPMT	57.49
	Vendor Total		**57.49**		
FYTD for FAMILY FISH MARKET			**57.49**		
FAMILY SERVICE ASSOCIATION					
	3/15/2010	201130	20,248.37		
				CASE MGMT SVCS-HPRP PRGM	6,607.96
				RENTAL ASSIST SVCS-HPRP PRGM	7,170.80
				RENTAL ARREARS SVCS-HPRP PRGM	6,469.61
	3/29/2010	201412	7,978.97		
				RENTAL ARREARS SVCS-HPR	2,240.87
				RENTAL ASSIST SVCS-HPR	5,738.10
	Vendor Total		**28,227.34**		
FYTD for FAMILY SERVICE ASSOCIATION			**53,952.34**		
FASHION AVENUE					
	3/29/2010	201413	51.74		
				REFUND-BUS LIC OVRPMT	51.74
	Vendor Total		**51.74**		
FYTD for FASHION AVENUE			**51.74**		
FEDERAL EXPRESS					
	3/8/2010	201036	5.87		
				EXPRESS MAILING SVC-RISK MGT	5.87
	3/22/2010	201244	43.17		
				EXPRESS MAILING SVC-HR	43.17
	Vendor Total		**49.04**		
FYTD for FEDERAL EXPRESS			**104.59**		
FEENSTRA, JOHN					
	3/1/2010	200839	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,251.25**		

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FILARSKY & WATT, LLP					
	3/8/2010	201037	156.00		
				LEGAL SERVICES	156.00
	Vendor Total		**156.00**		
FYTD for FILARSKY & WATT, LLP			**6,110.00**		
FIRST AMERICAN CORE LOGIC, INC.					
	3/1/2010	200840	664.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	409.00
				ONLINE PROP INFO-NSP	170.00
	Vendor Total		**664.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**3,350.00**		
FIRST CHOICE SERVICES					
	3/1/2010	200841	117.59		
				EMP PAID COFFEE SVCS-CRC	44.91
				EMP PAID COFFEE SVCS-CITY YARD	72.68
	3/29/2010	880244	524.97		
				EMP PAID COFFEE SVCS	25.24
				EMP PAID COFFEE SVCS	101.50
				EMP PAID COFFEE SVCS	112.97
				EMP PAID COFFEE SVCS	131.16
				EMP PAID COFFEE SVCS	134.10
				EMP PAID COFFEE SVCS	20.00
	Vendor Total		**642.56**		
FYTD for FIRST CHOICE SERVICES			**7,487.49**		
FIRST LEGAL SERVICES, INC.					
	3/29/2010	201414	163.75		
				LEGAL SVCS	163.75
	Vendor Total		**163.75**		
FYTD for FIRST LEGAL SERVICES, INC.			**163.75**		
FITNESS 19 CA 155 11C					
	3/1/2010	200842	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	3/29/2010	201415	269.00		
				GYM MEMBERSHIP DEDUCTIONS	269.00
	Vendor Total		**538.00**		
FYTD for FITNESS 19 CA 155 11C			**2,634.00**		

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FLORES, JESSE / JEANNINE					
	3/15/2010	201131	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FLORES, JESSE / JEANNINE			**50.00**		
FOCUS ESTATES, INC					
	3/1/2010	200843	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/15/2010	201132	9,000.00		
				MOBILEHOME GRANT SVCS	9,000.00
	3/22/2010	201245	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	3/29/2010	201416	1,000.00		
				MOBILEHOME GRANT SVCS-RETENTN	1,000.00
	Vendor Total		**20,000.00**		
FYTD for FOCUS ESTATES, INC			**30,000.00**		
FORM PRINT COMPANY FPC GRAPHICS					
	3/1/2010	200844	2,283.75		
				RECEIPT BOOKS-TREASURY	2,175.00
				RECEIPT BOOKS-TREASURY	108.75
	Vendor Total		**2,283.75**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**8,070.51**		
FORSTER, HAROLD					
	3/15/2010	201133	50.00		
				TRAP RENTAL DEPOSIT REFUND	50.00
	Vendor Total		**50.00**		
FYTD for FORSTER, HAROLD			**100.00**		
FOSTER, JAMES BARRY					
	3/8/2010	201038	128.00		
				PER DIEM-ICSC 2010 IDEA EXCHNG	128.00
	Vendor Total		**128.00**		
FYTD for FOSTER, JAMES BARRY			**426.15**		
FOSTER, NANCY A.					
	3/1/2010	200845	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**949.91**		

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FOX, ALLAN					
	3/29/2010	201417	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FOX, ALLAN			**75.00**		
FRANCHISE TAX BOARD					
	3/1/2010	200846	1,416.95		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	113.78
				GARNISHMENT	485.01
				GARNISHMENT	254.00
				GARNISHMENT	76.96
				GARNISHMENT	424.70
	3/15/2010	201134	27.65		
				GARNISHMENT	21.57
				GARNISHMENT	6.08
	3/15/2010	201135	1,028.22		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	98.31
				GARNISHMENT	488.26
				GARNISHMENT	254.00
				GARNISHMENT	112.57
				GARNISHMENT	12.58
	3/29/2010	201418	676.38		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	359.88
				GARNISHMENT	254.00
	Vendor Total		**3,149.20**		
FYTD for FRANCHISE TAX BOARD			**10,188.76**		
FRANKLIN, L. C.					
	3/15/2010	201136	167.50		
				MILEAGE REIMBURSEMENT	167.50
	Vendor Total		**167.50**		
FYTD for FRANKLIN, L. C.			**1,241.70**		
FROST, JOAN CHENG					
	3/22/2010	201246	304.00		
				INSTRUCTION SVC-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for FROST, JOAN CHENG			**1,178.00**		

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FULLER, CHERIE					
	3/22/2010	201247	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for FULLER, CHERIE			**20.00**		
FULLER, NORMA DENISE					
	3/29/2010	201419	228.80		
				CONSULTING SVCS	228.80
	Vendor Total		**228.80**		
FYTD for FULLER, NORMA DENISE			**3,903.90**		
GAMESTOP, INC.					
	3/29/2010	201420	156.13		
				REFUND-BUS LIC OVRPMT	56.56
				REFUND-BUS LIC OVRPMT	44.80
				REFUND-BUS LIC OVRPMT	54.77
	Vendor Total		**156.13**		
FYTD for GAMESTOP, INC.			**156.13**		
GARCIA, JAVIER					
	3/1/2010	200847	370.19		
				REFUND-ANML CITATION	370.19
	Vendor Total		**370.19**		
FYTD for GARCIA, JAVIER			**370.19**		
GASTON, RICHARD					
	3/1/2010	200848	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**2,868.57**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GENERAL SECURITY SERVICES, INC.				
3/1/2010	200849	628.94		
			SECURITY SVCS-LIBRARY	245.44
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC 1/23	153.40
			SECURITY SVCS-TWNGTE 1/30	107.38
3/8/2010	201039	951.08		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	76.70
			SECURITY SVCS-TWNGTE	76.70
3/22/2010	880218	2,208.97		
			SECURITY SVCS-SR CTR	291.46
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	368.16
			SECURITY SVCS-LIBRARY	368.16
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	230.10
			SECURITY SVCS-UT	276.13
3/29/2010	880245	732.49		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	302.97
			SECURITY SVCS-CRC	306.80
Vendor Total		**4,521.48**		
FYTD for GENERAL SECURITY SERVICES, INC.		**41,736.43**		
GEORGE SALINAS TREE PRESERVATION				
3/1/2010	200850	8,494.90		
			TREE TRIMMING SVCS-DSG1	894.20
			TREE TRIMMING SVCS-DSG2	1,117.75
			TREE TRIMMING SVCS-E2	6,482.95
Vendor Total		**8,494.90**		
FYTD for GEORGE SALINAS TREE PRESERVATION		**87,497.47**		
GES EXPOSITION SERVICES				
3/22/2010	201248	6,018.88		
			TRADESHOW SVCS-VARIOUS	6,018.88
Vendor Total		**6,018.88**		
FYTD for GES EXPOSITION SERVICES		**6,018.88**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
3/8/2010	201040	2,108.50		
			LEGAL SVCS-COMM PRK SOCCER FLD	1,568.88
			LEGAL SVCS-COMM PRK SOCCER FLD	539.62
3/22/2010	880219	3,999.19		
			LEGAL SVCS-COMM PRK SOCCER FLD	3,999.19
	Vendor Total	**6,107.69**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**133,947.30**		
GIRON, ANGELITA				
3/22/2010	201249	750.00		
			REFUND-RNTL DEP 2/27/10	750.00
	Vendor Total	**750.00**		
FYTD for GIRON, ANGELITA		**750.00**		
GLOBAL TECHNOLOGY SYSTEMS, INC.				
3/15/2010	201138	842.72		
			LI-POLYMER BATTERIES	891.75
			SHIPPING CHARGES	22.72
			CA USE TAX ACCRUAL	-71.75
	Vendor Total	**842.72**		
FYTD for GLOBAL TECHNOLOGY SYSTEMS, INC.		**842.72**		
GLOSTER, GEORGANNE				
3/29/2010	201421	240.00		
			REFUND-SEC GUARD FEE	40.00
			REFUND-RNTL DEP 3/13	200.00
	Vendor Total	**240.00**		
FYTD for GLOSTER, GEORGANNE		**240.00**		
GOD'S HELPING HAND				
3/22/2010	880220	750.00		
			FOOD BANK PRGRM-CDBG	750.00
3/29/2010	880246	750.00		
			CDBG SVCS-FOOD BANK	750.00
	Vendor Total	**1,500.00**		
FYTD for GOD'S HELPING HAND		**6,499.88**		
GONG ENTERPRISES, INC.				
3/8/2010	201041	200.00		
			PLAN CHECK SVCS-TM 32505	200.00
	Vendor Total	**200.00**		
FYTD for GONG ENTERPRISES, INC.		**3,764.50**		

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GOZDECKI, DAN					
	3/8/2010	201042	567.00		
				INSTRUCTOR SVCS-KUNG FU YTH	243.00
				INSTRUCTOR SVCS-KUNG FU ADLT	324.00
	Vendor Total		**567.00**		
FYTD for GOZDECKI, DAN			**5,508.00**		
GRAFFITI TRACKER, INC.					
	3/22/2010	880221	4,000.00		
				GRAFFITI TRACK SVCS	4,000.00
	Vendor Total		**4,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**28,000.00**		
GRANADOS, BONNIE					
	3/1/2010	200851	29.60		
				REFUND-HIP HOP CLASS	29.60
	Vendor Total		**29.60**		
FYTD for GRANADOS, BONNIE			**29.60**		
GRANICUS, INC.					
	3/15/2010	201139	1,655.22		
				PODCASTING MANAGED SVCS	130.00
				PODCASTING MANAGED SVCS	130.00
				MAR-10 MANAGED SVCS	1,350.00
				MAR-10 MANAGED SVCS	45.22
	Vendor Total		**1,655.22**		
FYTD for GRANICUS, INC.			**12,816.98**		
GREGG ELECTRIC, INC					
	3/29/2010	201422	55.87		
				REFUND-BUS LIC OVRPMT	55.87
	Vendor Total		**55.87**		
FYTD for GREGG ELECTRIC, INC			**55.87**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	3/1/2010	200852	5,269.40		
				LEGAL SVCS	2,909.83
				LEGAL SVCS	2,359.57
	3/22/2010	201250	3,759.86		
				LEGAL SVCS-RISK MGT	3,759.86
	Vendor Total		**9,029.26**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,192.09**		

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GRIFFIN, MARLENE C					
	3/1/2010	200853	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,131.21**		
GRIFFIS, CANDACE					
	3/15/2010	201140	10.00		
				REFUND-CITATION OVERPAYMENT	10.00
	Vendor Total		**10.00**		
FYTD for GRIFFIS, CANDACE			**10.00**		
GROUP DELTA CONSULTANTS, INC					
	3/29/2010	201423	360.00		
				PUB SFTY BLDG CONVERSION PROJ	360.00
	Vendor Total		**360.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**360.00**		
GUILLAN, REBECCA S.					
	3/1/2010	200854	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**844.85**		
GUILLIS, LINDA B.					
	3/1/2010	200855	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**2,868.57**		
GUIMONT, WILLIAM					
	3/15/2010	201141	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for GUIMONT, WILLIAM			**195.00**		
GUTIERREZ, ROBERT					
	3/1/2010	200856	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,574.17**		

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GUZMAN'S CART SERVICE					
	3/15/2010	880192	4,049.00		
				SHOPPING CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**36,441.00**		
H & A M CLEANING SERVICES CO					
	3/29/2010	201424	33.50		
				REFUND-BUS LIC OVRPMT	33.50
	Vendor Total		**33.50**		
FYTD for H & A M CLEANING SERVICES CO			**33.50**		
HA, PHUNG					
	3/15/2010	201142	38.06		
				FALSE ALARM REFUND	30.00
				FALSE ALARM REFUND	8.06
	Vendor Total		**38.06**		
FYTD for HA, PHUNG			**38.06**		
HAMLIN, WILLIAM R.					
	3/1/2010	200857	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**2,922.45**		
HANES, MARTIN D.					
	3/1/2010	200858	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**2,868.57**		
HANIGAN BUSINESS FORMS					
	3/15/2010	880193	1,598.19		
				PARKING VIOLATION NOTICE BOOKS	1,452.90
				PARKING VIOLATION NOTICE BOOKS	145.29
	Vendor Total		**1,598.19**		
FYTD for HANIGAN BUSINESS FORMS			**7,391.43**		
HANSON, GEORGE					
	3/15/2010	201143	571.00		
				TRAVEL EXP-CMUA ANNL CONF.	342.00
				TRAVEL EXP-CMUA ANNL CONF.	229.00
	Vendor Total		**571.00**		
FYTD for HANSON, GEORGE			**628.27**		

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HARDING, JOHN S.					
	3/1/2010	200859	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**2,868.57**		
HARRIS & ASSOCIATES, INC.					
	3/22/2010	880222	4,226.40		
				PLAN CHECK SVCS-TR 32716	4,226.40
	Vendor Total		**4,226.40**		
FYTD for HARRIS & ASSOCIATES, INC.			**314,448.02**		
HARTMANN, RICK					
	3/1/2010	200860	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**1,817.31**		
HATFIELD, CHARLES					
	3/1/2010	200861	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,231.12**		
HAUSER, ADRIANA					
	3/29/2010	201425	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for HAUSER, ADRIANA			**2,508.00**		
HDL COREN & CONE					
	3/15/2010	201145	4,387.50		
				JAN-MAR'10 PROP TAX MAINT SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**15,074.91**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	3/1/2010	200862	5,017.37		
				CONTRACT SVCS-4TH QTR SALES TA	900.00
				CONTRACT SVCS-SALES TAX AUDIT	4,117.37
	Vendor Total		**5,017.37**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**11,784.51**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HEERY INTERNATIONAL, INC.					
	3/1/2010	200863	4,560.00		
				NEW MAIN LIBRARY PROJ SVCS	4,560.00
	Vendor Total		**4,560.00**		
FYTD for HEERY INTERNATIONAL, INC.			**197,572.75**		
HEFFLEY, ROSS W.					
	3/1/2010	200864	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,231.12**		
HERRICK, ROBERT D.					
	3/1/2010	200865	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**2,868.57**		
HICKS, MAYRA					
	3/15/2010	201146	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for HICKS, MAYRA			**30.00**		
HIGGS, DEBRA					
	3/1/2010	200866	144.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
	Vendor Total		**144.00**		
FYTD for HIGGS, DEBRA			**864.00**		
HOBBS, DIANN FAYE					
	3/15/2010	201147	150.00		
				REFUND-CITATION OVERPAYMENT	50.00
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**150.00**		
FYTD for HOBBS, DIANN FAYE			**150.00**		
HODGE PRODUCTS, INC.					
	3/1/2010	200867	468.02		
				PADLOCKS-CFD#1	210.00
				PADLOCKS-PARKS	58.02
				PADLOCKS-PARKS	200.00
	Vendor Total		**468.02**		
FYTD for HODGE PRODUCTS, INC.			**468.02**		

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HOFF, JALDA					
	3/15/2010	201148	95.00		
				RABIES & SN DEPOSIT REFUND	20.00
				RABIES & SN DEPOSIT REFUND	75.00
	Vendor Total		**95.00**		
FYTD for HOFF, JALDA			**95.00**		
HOUSE OF BEAUTY					
	3/29/2010	201426	70.50		
				REFUND-BUS LIC OVRPMT	70.50
	Vendor Total		**70.50**		
FYTD for HOUSE OF BEAUTY			**70.50**		
HOUSER, EDITH E.					
	3/1/2010	200868	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**2,868.57**		
HUNTER, PHUONG					
	3/8/2010	201043	256.50		
				REIMB-CWEA CONF./LONG BEACH	213.00
				REIMB-CWEA CONF./LONG BEACH	43.50
	Vendor Total		**256.50**		
FYTD for HUNTER, PHUONG			**256.50**		
ICMA RETIREMENT CORP 457					
	3/12/2010	2599	10,214.54		
				DEF COMP 457 03/12/10	10,214.54
	Vendor Total		**10,214.54**		
FYTD for ICMA RETIREMENT CORP 457			**289,484.90**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS					
	3/1/2010	200869	3,308.62		
				ADVERTISING SVCS-EDD	3,308.62
	Vendor Total		**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			**6,617.24**		
IL SORRENTO MOBILE HOME PARK					
	3/29/2010	201427	51.00		
				REFUND-BUS LIC OVRPMT	51.00
	Vendor Total		**51.00**		
FYTD for IL SORRENTO MOBILE HOME PARK			**51.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
IL SORRENTO MOBILE PARK				
3/15/2010	201149	218.18		
			REFUND-UUT USER TAXES	218.18
Vendor Total		**218.18**		
FYTD for IL SORRENTO MOBILE PARK		**1,518.06**		
ING USA ANNUITY & LIFE INSURANCE CO.				
3/15/2010	201150	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**4,275.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
3/8/2010	201044	3,729.50		
			NUISANCE ABTMNT SVC-487470013	1,395.00
			NUISANCE ABTMNT SVC-479680001	665.00
			NUISANCE ABTMNT SVC-478181047	1,669.50
3/22/2010	201251	504.00		
			NUISANCE ABTMNT SVC-474152001	277.00
			NUISANCE ABTMNT SVC-474410029	227.00
Vendor Total		**4,233.50**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		**10,927.31**		
INLAND EMPIRE MAGAZINE				
3/8/2010	201045	1,295.00		
			ADVERTISING SVC-CRC	1,295.00
Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE		**3,885.00**		
INSIDE PLANTS, INC.				
3/8/2010	201046	316.00		
			PLANT MAINT-CRC	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**2,844.00**		
INTEGRATED VEGETATION MGMT.				
3/29/2010	201428	20.16		
			REFUND-BUS LIC OVRPMT	20.16
Vendor Total		**20.16**		
FYTD for INTEGRATED VEGETATION MGMT.		**20.16**		

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INTER CITY ENERGY SYSTEMS					
	3/29/2010	201429	54.45		
				REFUND-BUS LIC OVRPMT	54.45
	Vendor Total		**54.45**		
FYTD for INTER CITY ENERGY SYSTEMS			**54.45**		
IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT					
	3/1/2010	200870	700.00		
				ESCROW ACCT-ERP SOFTWARE	672.00
				ESCROW ACCT-ERP SOFTWARE	28.00
	3/15/2010	201151	56.00		
				ESCROW ACCT-ERP SOFTWARE	56.00
	Vendor Total		**756.00**		
FYTD for IRON MOUNTAIN INTELLECTUAL PROPERTY MGMT			**756.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION					
	3/1/2010	200871	937.03		
				OFFSITE DATA STORAGE	937.03
	Vendor Total		**937.03**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION			**9,624.91**		
ISS SWEEPING, INC.					
	3/22/2010	880223	2,265.70		
				STREET SWEEPING SVCS	750.20
				STREET SWEEPING SVCS	795.50
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**19,019.00**		
J B S MECHANICAL, INC					
	3/29/2010	201430	55.22		
				REFUND-BUS LIC OVRPMT	55.22
	Vendor Total		**55.22**		
FYTD for J B S MECHANICAL, INC			**55.22**		
J D H CONTRACTING					
	3/1/2010	200872	10,895.00		
				CONTRACT SVCS-LIBRARY DOORS	10,895.00
	Vendor Total		**10,895.00**		
FYTD for J D H CONTRACTING			**63,036.84**		

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J H E ROOFING					
	3/29/2010	201431	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for J H E ROOFING			**25.00**		
J L SIERRA TAX SERVICES					
	3/29/2010	201432	35.10		
				REFUND-BUS LIC OVRPMT	35.10
	Vendor Total		**35.10**		
FYTD for J L SIERRA TAX SERVICES			**35.10**		
JANNEY & JANNEY ATTORNEY SVCS, INC.					
	3/15/2010	201152	75.00		
				LEGAL COURIER DELIVERY SVCS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,778.00**		
JDEDGE SOFTWARE, LLC					
	3/1/2010	880002	12,925.23		
				CONSULTING SVCS-SFTWR DEV	140.57
				CONSULTING SVCS-SFTWR DEV	12,784.66
	3/4/2010	880003	7,185.00		
				CONSULTING SVCS	4,560.00
				CONSULTING SVCS	2,625.00
	3/17/2010	880211	4,080.00		
				CONSULTING SVCS	4,080.00
	Vendor Total		**24,190.23**		
FYTD for JDEDGE SOFTWARE, LLC			**100,252.68**		
JH DESIGN & ASSOCIATES					
	3/29/2010	880247	0.00		
				NAME PLQ DISPLAY-EDD	821.00
				NAME PLQ DISPLAY-EDD	-821.00
	Vendor Total		**0.00**		
FYTD for JH DESIGN & ASSOCIATES			**7,650.00**		
JOE A. GONSALVES & SON					
	3/15/2010	880194	3,150.00		
				MAR-10 LOBBYING SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**28,350.00**		

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JOHNSON, DELIA					
	3/8/2010	201047	90.00		
				INSTRUCTOR SVCS-AEROBICS	90.00
	Vendor Total		**90.00**		
FYTD for JOHNSON, DELIA			**360.00**		
JOHNSON, MALCOLM					
	3/15/2010	201153	100.00		
				REFUND-CITATION OVERPAYMENT	100.00
	Vendor Total		**100.00**		
FYTD for JOHNSON, MALCOLM			**100.00**		
JONES, SUSAN					
	3/1/2010	200873	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**2,868.57**		
K & M BARBER SHOP					
	3/29/2010	201434	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for K & M BARBER SHOP			**58.00**		
K D'S DONUTS					
	3/29/2010	201435	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K D'S DONUTS			**25.00**		
K J CARPET WHOLESALE					
	3/29/2010	201436	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for K J CARPET WHOLESALE			**25.00**		
K-12 SPECIALTIES, INC.					
	3/22/2010	201252	67.65		
				CARPET CLEANING SUPPLIES	67.65
	Vendor Total		**67.65**		
FYTD for K-12 SPECIALTIES, INC.			**202.96**		

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KDM MERIDIAN, INC.					
	3/15/2010	880195	3,115.00		
				SUNNYMD BLVD REVIT PROJ SVCS	3,115.00
	Vendor Total		**3,115.00**		
FYTD for KDM MERIDIAN, INC.			**68,235.00**		
KEPLER, JANELLE					
	3/1/2010	200874	44.95		
				MILEAGE REIMBURSEMENT	21.45
				MILEAGE REIMBURSEMENT	23.50
	3/29/2010	201437	39.00		
				MILEAGE REIMBURSEMENT	39.00
	Vendor Total		**83.95**		
FYTD for KEPLER, JANELLE			**196.15**		
KINCAID DEVELOPMENT					
	3/29/2010	201439	39.46		
				REFUND-BUS LIC OVRPMT	39.46
	Vendor Total		**39.46**		
FYTD for KINCAID DEVELOPMENT			**39.46**		
KING, PATRICIA A.					
	3/1/2010	200875	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,231.12**		
KOA CORPORATION					
	3/8/2010	201048	2,251.00		
				RECHE VISTA DR REALIGNMNT PROJ	2,251.00
	Vendor Total		**2,251.00**		
FYTD for KOA CORPORATION			**185,312.65**		
KOLB, CHARLES E.					
	3/1/2010	200876	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**2,868.57**		
KOLLAR, KYLE					
	3/1/2010	200877	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**956.19**		

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KUNZE, MARIA					
	3/15/2010	201154	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KUNZE, MARIA			**75.00**		
KUPSAK, STEVE					
	3/15/2010	201155	256.00		
				PER DIEM-CPRS CONFERENCE	256.00
	Vendor Total		**256.00**		
FYTD for KUPSAK, STEVE			**1,756.00**		
KYLE, GARY M.					
	3/1/2010	200878	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,231.12**		
LA FOLLETTE, JOHNSON, DE HASS, ET AL					
	3/22/2010	201253	16,058.05		
				LEGAL SVCS-RISK MGT	16,058.05
	Vendor Total		**16,058.05**		
FYTD for LA FOLLETTE, JOHNSON, DE HASS, ET AL			**85,558.09**		
LACAVA, DEANNA					
	3/22/2010	201254	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LACAVA, DEANNA			**50.00**		
LAFATA, JOSEPHINE					
	3/1/2010	200879	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**2,842.95**		
LAINEZ, RAFAEL E.					
	3/22/2010	201255	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LAINEZ, RAFAEL E.			**20.00**		

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LAKESHORE VILLAGE CLEANERS					
	3/29/2010	201440	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LAKESHORE VILLAGE CLEANERS			**50.00**		
LANG, TRACEY					
	3/22/2010	201256	152.00		
				INSTRUCTION SVC-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for LANG, TRACEY			**532.00**		
LANGSTON MOTORSPORTS					
	3/1/2010	200880	260.24		
				MOTORCYCLE RPR-PARTS	175.07
				MOTORCYCLE RPR-LABOR	48.00
				MOTORCYCLE RPR-PARTS	37.17
	3/8/2010	201049	729.89		
				MOTORCYCLE RPR-LABOR	16.00
				MOTORCYCLE RPR-PARTS	21.74
				MOTORCYCLE RPR-LABOR	480.00
				MOTORCYCLE RPR-PARTS	52.15
				MOTORCYCLE RPR-LABOR	160.00
	3/15/2010	201156	122.87		
				SHIFT ASSAULT GLOVES	12.99
				HELMET	99.99
				CA SALES TAX	9.89
	Vendor Total		**1,113.00**		
FYTD for LANGSTON MOTORSPORTS			**1,113.00**		
LARA, ENRIQUE					
	3/8/2010	201050	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for LARA, ENRIQUE			**20.00**		
LARRY R. HOOPER					
	3/29/2010	201441	125.00		
				APPRAISAL SVC-MTRL DMG	125.00
	Vendor Total		**125.00**		
FYTD for LARRY R. HOOPER			**125.00**		

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LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB				
3/29/2010	201442	7,500.00		
			GEN LIAB SETTLEMENT	7,500.00
Vendor Total		**7,500.00**		
FYTD for LAW OFFICES OF DYE & DUQUE, APC/E.A.WEBB		**7,500.00**		
LAWN TECH EQUIPMENT				
3/8/2010	201051	253.02		
			EQUIPMENT RPR-PARTS	197.46
			EQUIPMENT RPR-LABOR	22.50
			EQUIPMENT RPR-PARTS	33.06
3/22/2010	880224	213.74		
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	31.50
			TREE EQUIP REPAIR-LABOR	67.50
			TREE EQUIP REPAIR-PARTS	47.24
Vendor Total		**466.76**		
FYTD for LAWN TECH EQUIPMENT		**2,758.61**		
LAWYERS TITLE INC				
3/10/2010	91407	15,931.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,931.00
3/17/2010	91414	16,501.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	16,501.00
3/17/2010	91415	15,051.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	15,051.00
3/17/2010	91416	8,451.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,451.00
3/10/2010	91406	8,901.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	8,901.00
Vendor Total		**64,835.00**		
FYTD for LAWYERS TITLE INC		**198,412.00**		
LAYNE CHRISTENSEN COMPANY				
3/29/2010	201443	683.89		
			REFUND-BUS LIC OVRPMT	683.89
Vendor Total		**683.89**		
FYTD for LAYNE CHRISTENSEN COMPANY		**683.89**		
LEIGHTON CONSULTING, INC.				
3/8/2010	201053	947.50		
			LASSELLE ST WIDENING PROJ SVCS	947.50
Vendor Total		**947.50**		
FYTD for LEIGHTON CONSULTING, INC.		**62,802.64**		

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LEKOS ELECTRIC, INC					
	3/29/2010	201444	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for LEKOS ELECTRIC, INC			**50.00**		
LEMUS, WENDY					
	3/22/2010	201257	67.00		
				REFUND-GUITAR REGIST	67.00
	Vendor Total		**67.00**		
FYTD for LEMUS, WENDY			**67.00**		
LEWIS, CAROLYN S.					
	3/1/2010	200881	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**2,839.71**		
LEXISNEXIS					
	3/22/2010	880225	1,480.00		
				LGL ONLINE SVCS-CA	740.00
				LGL ONLINE SVCS-CTY CLRK	370.00
				LGL ONLINE SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**13,715.00**		
LIEBERT, CASSIDY, WHITMORE					
	3/29/2010	201445	245.00		
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
				7 ATTENDEES	35.00
	Vendor Total		**245.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,519.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	3/29/2010	201446	13,531.65		
				PERRIS BL WIDENING FROM RAM XP	13,531.65
	Vendor Total		**13,531.65**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**534,113.67**		

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LITTLETON, MICHAEL					
	3/15/2010	201158	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for LITTLETON, MICHAEL			**195.00**		
LIVELY, ANTOINETTE					
	3/8/2010	201055	204.00		
				TRAVEL EXP-CPTED COURSE	195.00
				TRAVEL EXP-CPTED COURSE	9.00
	Vendor Total		**204.00**		
FYTD for LIVELY, ANTOINETTE			**204.00**		
LOGAN, CHARLES					
	3/1/2010	200883	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,089.88**		
LOR GEOTECHNICAL GROUP, INC.					
	3/29/2010	880248	4,885.60		
				SUNNYMD BLVD REVIT PROJ SVCS	1,900.00
				SUNNYMD BLVD REVIT PROJ SVCS	2,985.60
	Vendor Total		**4,885.60**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**60,256.60**		
LUMLEY, ROBERT C.					
	3/1/2010	200884	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**2,868.57**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	3/29/2010	880249	22,262.00		
				CDBG SVCS-SEC DEPOSITS	162.00
				CDBG SVCS-SEC DEPOSITS	7,000.00
				CDBG SVCS-UT ASSIST	100.00
				CDBG SVCS-UT ASSIST	5,000.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
				CDBG SVCS-SHLTR PRGM	1,250.00
	Vendor Total		**22,262.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**44,314.00**		
M & A TOUCH OF CLASS/ CAR WASH					
	3/29/2010	201447	62.10		
				REFUND-BUS LIC OVRPMT	62.10
	Vendor Total		**62.10**		
FYTD for M & A TOUCH OF CLASS/ CAR WASH			**62.10**		
M D S CONSULTING					
	3/29/2010	201448	88.59		
				REFUND-BUS LIC OVRPMT	88.59
	Vendor Total		**88.59**		
FYTD for M D S CONSULTING			**88.59**		
MACKENZIE LANDSCAPE					
	3/29/2010	201449	54.41		
				REFUND-BUS LIC OVRPMT	54.41
	Vendor Total		**54.41**		
FYTD for MACKENZIE LANDSCAPE			**54.41**		
MARAL, TAVOUKJIAN					
	3/15/2010	201159	50.00		
				REFUND-CITATION OVERPAYMENT	50.00
	Vendor Total		**50.00**		
FYTD for MARAL, TAVOUKJIAN			**120.00**		

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MARCH JOINT POWERS AUTHORITY					
	3/1/2010	200885	12.31		
				GAS CHARGES	10.06
				GAS CHARGES	2.25
	3/29/2010	201450	9.96		
				GAS CHARGES	8.13
				GAS CHARGES	1.83
	Vendor Total		**22.27**		
FYTD for MARCH JOINT POWERS AUTHORITY			**62.20**		
MARKETEKS	**2410943**				
	3/15/2010	201160	15,735.00		
				INFLATABLE LIGHT TOWERS	15,200.00
				875 WATT BULB (SPARE)	195.00
				CA USE TAX	1,347.06
				SHIPPING	340.00
				CA USE TAX ACCRUAL	-1,347.06
	Vendor Total		**15,735.00**		
FYTD for MARKETEKS	**2410943**		**15,735.00**		
MARTIN, MELINDA					
	3/15/2010	201161	54.50		
				REFUND-CITATION OVERPAYMENT	54.50
	Vendor Total		**54.50**		
FYTD for MARTIN, MELINDA			**54.50**		
MASCO SERVICES OF CALIFORNIA, INC.					
	3/29/2010	201451	45.45		
				REFUND-BUS LIC OVRPMT	45.45
	Vendor Total		**45.45**		
FYTD for MASCO SERVICES OF CALIFORNIA, INC.			**45.45**		
MATHIS, NOLAN					
	3/1/2010	200886	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,604.80**		
MATICH CORPORATION					
	3/22/2010	880226	1,286.17		
				ASPHALTIC MATERIALS	1,286.17
	Vendor Total		**1,286.17**		
FYTD for MATICH CORPORATION			**30,471.00**		

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MAXIM FLOOR SYSTEMS					
	3/29/2010	201452	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for MAXIM FLOOR SYSTEMS			**45.00**		
MAXINOSKI, SUE A.					
	3/1/2010	200887	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**2,868.57**		
MC GRATH RENTCORP (MOBILE MODULAR)					
	3/29/2010	201453	66.66		
				REFUND-BUS LIC OVRPMT	66.66
	Vendor Total		**66.66**		
FYTD for MC GRATH RENTCORP (MOBILE MODULAR)			**66.66**		
MCALLISTER, GERALD					
	3/1/2010	200888	455.00		
				REIMB-OPC INTEGR./DIAG TRNG	135.00
				PER DIEM-MICROSCADA TRNG	320.00
	3/22/2010	201258	0.00		
				REIMB-ELECTRICAL SFTY SEMINAR	47.80
				REIMB-ELECTRICAL SFTY SEMINAR	-47.80
	Vendor Total		**455.00**		
FYTD for MCALLISTER, GERALD			**507.36**		
MCCARTHY & BERLIN, LLP					
	3/15/2010	880196	2,348.70		
				LEGAL SVCS-ELECTR. UTILITY	2,348.70
	Vendor Total		**2,348.70**		
FYTD for MCCARTHY & BERLIN, LLP			**29,630.99**		
MCCORMICK, JAMES					
	3/8/2010	201057	62.00		
				REFUND-TRAP RNTL/DEP	12.00
				REFUND-TRAP RNTL/DEP	50.00
	Vendor Total		**62.00**		
FYTD for MCCORMICK, JAMES			**62.00**		

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MCDONOUGH, HOLLAND & ALLEN					
	3/22/2010	201259	838.47		
				LEGAL SVCS-RDA	838.47
	Vendor Total		**838.47**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,987.20**		
MCI					
	3/1/2010	200889	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	3/29/2010	201454	1,191.52		
				INTERNET CONNECTION SVC	1,191.52
	Vendor Total		**2,383.04**		
FYTD for MCI			**12,159.14**		
MCI WORLDCOM					
	3/1/2010	200890	1,335.98		
				COMMUNICATION SVCS	1,335.98
	3/22/2010	201260	902.57		
				COMMUNICATION SVCS	902.57
	Vendor Total		**2,238.55**		
FYTD for MCI WORLDCOM			**9,264.12**		
MELAD & ASSOCIATES					
	3/15/2010	201162	3,570.00		
				PLAN CHECK SVCS	3,570.00
	3/22/2010	201261	2,058.13		
				PLAN CHECK SVCS-BLDG/SFTY	2,058.13
	Vendor Total		**5,628.13**		
FYTD for MELAD & ASSOCIATES			**36,228.68**		
MELENDREZ, RICK					
	3/22/2010	201262	1,375.00		
				REFUND-TOURNEY FEE	1,375.00
	Vendor Total		**1,375.00**		
FYTD for MELENDREZ, RICK			**1,375.00**		
MENDONCA, JAMES					
	3/8/2010	201058	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MENDONCA, JAMES			**20.00**		

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MENGISTU, YESHIALEM					
	3/15/2010	201163	111.50		
				MILEAGE REIMBURSEMENT	111.50
	Vendor Total		**111.50**		
FYTD for MENGISTU, YESHIALEM			**877.05**		
MESSIN, LOUIS					
	3/1/2010	200891	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,231.12**		
MEYERS, ROBERT					
	3/8/2010	201059	273.00		
				INSTRUCTOR SVCS-DRAWING	189.00
				INSTRUCTOR SVCS-PHOTO	84.00
	Vendor Total		**273.00**		
FYTD for MEYERS, ROBERT			**2,079.00**		
MILES, ROBERT					
	3/1/2010	200892	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,026.23**		
MINARD, MARK E.					
	3/1/2010	200893	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,678.34**		
MIRACLE RECREATION EQUIPMENT					
	3/22/2010	201263	3,586.43		
				MISC PLAYGROUND EQUIP	3,586.43
	Vendor Total		**3,586.43**		
FYTD for MIRACLE RECREATION EQUIPMENT			**4,768.92**		
MIRANDA, JOANNA					
	3/29/2010	201455	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MIRANDA, JOANNA			**50.00**		

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MISSION LINEN SUPPLY INC					
	3/29/2010	201456	49.85		
				REFUND-BUS LIC OVRPMT	49.85
	Vendor Total		**49.85**		
FYTD for MISSION LINEN SUPPLY INC			**49.85**		
MOELLER, DONNA M.					
	3/29/2010	201457	85.09		
				NBRHD CLN-UP EXP	85.09
	Vendor Total		**85.09**		
FYTD for MOELLER, DONNA M.			**588.79**		
MOLLICA, MIKE					
	3/1/2010	200894	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**2,809.95**		
MONARCH TRAILS PUBLICATION					
	3/29/2010	201458	60.75		
				REFUND-BUS LIC OVRPMT	60.75
	Vendor Total		**60.75**		
FYTD for MONARCH TRAILS PUBLICATION			**60.75**		
MONTES REALTY					
	3/29/2010	201459	66.75		
				REFUND-BUS LIC OVRPMT	66.75
	Vendor Total		**66.75**		
FYTD for MONTES REALTY			**66.75**		
MONTGOMERY PLUMBING					
	3/29/2010	201460	41.00		
				REFUND-BUS LIC OVRPMT	41.00
	Vendor Total		**41.00**		
FYTD for MONTGOMERY PLUMBING			**41.00**		
MOORE, PATRICIA					
	3/29/2010	201461	300.00		
				REFUND-RNTL DEP	300.00
	Vendor Total		**300.00**		
FYTD for MOORE, PATRICIA			**300.00**		

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MOOSEPOINT TECHNOLOGY, INC.				
3/1/2010	200895	4,620.00		
			ARCIMS UPGRADE	2,640.00
			ARCIMS UPGRADE	1,980.00
	Vendor Total	**4,620.00**		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		**19,762.50**		
MORA, PATRICIA A.				
3/1/2010	200896	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**2,868.57**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				
3/22/2010	201264	293.00		
			REFUND-RNTL DEP 2/20/10	293.00
	Vendor Total	**293.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE		**4,418.00**		
MORENO VALLEY CHAMBER OF COMMERCE				
3/8/2010	201060	195.00		
			STUDENTS/MONTH LUNCHEONS	105.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
			2/24/10 "WAKE UP" MEETING	15.00
3/15/2010	201164	750.00		
			REFUND-CRC DEP 1/16/10	750.00
3/22/2010	201265	350.00		
			WAKE-UP MV SPONSORSHIP	350.00
	Vendor Total	**1,295.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**23,025.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
3/12/2010	2598	1,604.00		
			MVCEA DUES 03/12/10	1,604.00
3/26/2010	2606	1,579.00		
			MVCEA DUES 3/26/10	1,579.00
	Vendor Total	**3,183.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**31,695.50**		

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MORENO VALLEY COMMUNITY EDUCATION CENTER				
3/22/2010	201266	1,110.00		
			TUTORING SVCS-CDBG	555.00
			TUTORING SVCS-CDBG	555.00
Vendor Total		**1,110.00**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**5,444.55**		
MORENO VALLEY GATEWAY, LLC				
3/1/2010	200897	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
3/29/2010	880250	21,093.43		
			LEASE-FAC ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX BLDG	5,475.90
			LEASE-SPCL DIST BLDG	13,158.56
Vendor Total		**42,186.86**		
FYTD for MORENO VALLEY GATEWAY, LLC		**189,840.87**		
MORENO VALLEY HEATING & AC				
3/29/2010	201462	37.18		
			REFUND-BUS LIC OVRPMT	37.18
Vendor Total		**37.18**		
FYTD for MORENO VALLEY HEATING & AC		**37.18**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT				
3/15/2010	201166	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**404,706.07**		
MORENO VALLEY UTILITY				
3/29/2010	201463	99.70		
			ELECTRICITY-UT FLD OFF	99.70
Vendor Total		**99.70**		
FYTD for MORENO VALLEY UTILITY		**578,712.31**		
MORGAN, LISA A.				
3/1/2010	200898	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.		**2,868.57**		

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MORIARTY, LILAH					
	3/1/2010	200899	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MORIARTY, LILAH			**20.00**		
MOTHERHOOD MATERNITY #1889					
	3/29/2010	201464	82.61		
				REFUND-BUS LIC OVRPMT	82.61
	Vendor Total		**82.61**		
FYTD for MOTHERHOOD MATERNITY #1889			**82.61**		
MURGA, ROSA & ERNESTO					
	3/22/2010	201268	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MURGA, ROSA & ERNESTO			**20.00**		
NAILS CLUB & SPA					
	3/29/2010	201465	37.80		
				REFUND-BUS LIC OVRPMT	37.80
	Vendor Total		**37.80**		
FYTD for NAILS CLUB & SPA			**37.80**		
NARA, LOWELON					
	3/1/2010	200900	96.00		
				MILEAGE REIMBURSEMENT	96.00
	Vendor Total		**96.00**		
FYTD for NARA, LOWELON			**355.05**		
NATIONWIDE RETIREMENT SOLUTIONS					
	3/12/2010	2596	13,450.55		
				PST DEF COMP FOR FICA 03/12/10	13,450.55
	3/12/2010	2597	21,374.04		
				DEF COMP 457 & 401(A) 03/12/10	21,374.04
	3/26/2010	2604	12,282.46		
				PST DEF COMP FOR FICA 3/26/10	12,282.46
	3/26/2010	2605	21,323.04		
				DEF COMP 457 & 401(A) 3/26/10	21,323.04
	Vendor Total		**68,430.09**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**682,008.42**		

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NAVARRETTE, RALPH					
	3/1/2010	200901	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**956.19**		
NBS GOVERNMENT FINANCE GROUP					
	3/15/2010	880197	4,000.00		
				REBATE CALCULATION SVC	2,250.00
				REBATE CALCULATION SVC	1,750.00
	Vendor Total		**4,000.00**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,500.00**		
NELSON, ROBERT					
	3/1/2010	200902	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,131.21**		
NELSON, RUTH L.					
	3/1/2010	200903	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**2,868.57**		
NELSON, TIM					
	3/22/2010	201270	342.00		
				INSTRUCTION SVC-9 DAYS	342.00
	Vendor Total		**342.00**		
FYTD for NELSON, TIM			**342.00**		
NETWIG, LENA					
	3/29/2010	201466	27.20		
				REFUND-FIELD RNTL FEE	27.20
	Vendor Total		**27.20**		
FYTD for NETWIG, LENA			**27.20**		
NEUSTAEDTER, CRAIG S					
	3/1/2010	200904	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**2,868.57**		

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NEW HORIZON MOBILE HOME PARK					
	3/15/2010	201167	17.95		
				REFUND-UUT USER TAXES	8.96
				REFUND-UUT USER TAXES	8.99
	Vendor Total		**17.95**		
FYTD for NEW HORIZON MOBILE HOME PARK			**71.85**		
NEW PHOTO MAKERS, INC					
	3/29/2010	201467	98.89		
				REFUND-BUS LIC OVRPMT	98.89
	Vendor Total		**98.89**		
FYTD for NEW PHOTO MAKERS, INC			**98.89**		
NGO, HIEN QUANG					
	3/22/2010	201271	102.00		
				MILEAGE REIMBURSEMENT	102.00
	Vendor Total		**102.00**		
FYTD for NGO, HIEN QUANG			**102.00**		
NIEBURGER, JUDITH A.					
	3/1/2010	200905	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**3,612.78**		
NOBEL SYSTEMS					
	3/22/2010	880227	13,000.00		
				PROF SVCS-GIS	5,220.00
				PROF SVCS-GIS	7,780.00
	Vendor Total		**13,000.00**		
FYTD for NOBEL SYSTEMS			**41,840.00**		
NORRIS, CARRIE					
	3/22/2010	201272	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for NORRIS, CARRIE			**95.00**		
NPG CORPORATION					
	3/29/2010	201468	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for NPG CORPORATION			**9,405.00**		

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OAKS, MARY ANN					
	3/29/2010	201469	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**150.00**		
OLIVAS, OVIDIO					
	3/8/2010	201061	18.00		
				REFUND-LIC FEES	9.00
				REFUND-LIC FEES	9.00
	Vendor Total		**18.00**		
FYTD for OLIVAS, OVIDIO			**18.00**		
OLIVE CREST TREATMENT CENTER, INC					
	3/29/2010	201470	6,666.64		
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
				CDBG SVCS-INDEP LIVING PRGM	3,333.32
	Vendor Total		**6,666.64**		
FYTD for OLIVE CREST TREATMENT CENTER, INC			**6,666.64**		
OLIVE CREST TREATMENT CENTER, INC.					
	3/29/2010	201471	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for OLIVE CREST TREATMENT CENTER, INC.			**2,561.00**		
OLTMANS CONSTRUCTION COMPANY					
	3/29/2010	201472	49.55		
				REFUND-BUS LIC OVRPMT	49.55
	Vendor Total		**49.55**		
FYTD for OLTMANS CONSTRUCTION COMPANY			**49.55**		
OPERATION SAFEHOUSE, INC.					
	3/22/2010	201273	3,752.46		
				SHELTER PRGRM-CDBG	666.67
				SHELTER PRGRM-CDBG	608.91
				SHELTER PRGRM-CDBG	629.04
				SHELTER PRGRM-CDBG	607.96
				SHELTER PRGRM-CDBG	850.68
				SHELTER PRGRM-CDBG	389.20
	Vendor Total		**3,752.46**		
FYTD for OPERATION SAFEHOUSE, INC.			**5,161.40**		

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OVERLAND PACIFIC & CUTLER, INC.					
	3/15/2010	201168	5,880.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	5,880.00
	Vendor Total		**5,880.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**132,509.50**		
OWENS, ROSITA					
	3/1/2010	200906	200.00		
				REFUND-RNTL DEP 2/13	200.00
	Vendor Total		**200.00**		
FYTD for OWENS, ROSITA			**200.00**		
PACHECO TIRES					
	3/29/2010	201473	46.00		
				REFUND-BUS LIC OVRPMT	46.00
	Vendor Total		**46.00**		
FYTD for PACHECO TIRES			**46.00**		
PACIFIC EXTERIORS, INC.					
	3/29/2010	201474	39.00		
				REFUND-BUS LIC OVRPMT	39.00
	Vendor Total		**39.00**		
FYTD for PACIFIC EXTERIORS, INC.			**39.00**		
PACIFIC GREEN HORTICULTURAL SVC					
	3/15/2010	201169	817.83		
				LNDSCP MAINT-ZONE E3	235.54
				LNDSCP MAINT-ZONE E4	433.49
				LNDSCP MAINT-ZONE E1	108.51
				LNDSCP MAINT-ZONE E7	40.29
	Vendor Total		**817.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**9,030.46**		
PACIFIC KILN					
	3/29/2010	201475	403.05		
				REFUND-BUS LIC OVRPMT	403.05
	Vendor Total		**403.05**		
FYTD for PACIFIC KILN			**403.05**		

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PACIFIC SAFETY COUNCIL				
3/8/2010	201062	8.70		
			SAFETY TRAINING-VIDEO	8.70
3/22/2010	201274	2,151.64		
			SAFETY TRAINING-VIDEO	8.70
			SAFETY TRAINING-VIDEO	9.24
			SAFETY TRAINING-VIDEO	8.70
			SAFETY TRAINING-WRKSHP	2,125.00
	Vendor Total	**2,160.34**		
FYTD for PACIFIC SAFETY COUNCIL		**5,925.08**		
PACIFIC TELEMANAGEMENT SERVICES				
3/22/2010	201275	501.12		
			PAYPHONE SVCS-PSB	125.28
			PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total	**501.12**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**2,142.28**		
PAINTING BY ZEB BODE				
3/1/2010	200907	2,400.00		
			PAINTING SVC-CELEB PARK	2,400.00
	Vendor Total	**2,400.00**		
FYTD for PAINTING BY ZEB BODE		**5,950.00**		
PALP, INC. DBA EXCEL PAVING COMPANY				
3/29/2010	201476	10,616.67		
			SUNNYMD BLVD REVIT PROJ SVCS	10,616.67
	Vendor Total	**10,616.67**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**1,880,639.98**		
PARSONS TRANSPORTATION GROUP, INC.				
3/1/2010	200908	16,045.25		
			SR-60/MOR BCH DR INTRCHNG PROJ	16,045.25
3/8/2010	201063	22,448.66		
			SR-60/MOR BCH DR INTRCHNG PROJ	22,448.66
3/15/2010	201170	15,362.25		
			SR-60/NASON ST OVRCRSSNG PROJ	15,362.25
3/22/2010	201277	14,190.13		
			SR-60/NASON ST OVRCRSSNG PROJ	14,190.13
	Vendor Total	**68,046.29**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**954,943.60**		

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PATH OF LIFE MINISTRIES					
	3/22/2010	201278	15,000.00		
				SHELTER PRGRM-CDBG	15,000.00
	Vendor Total		**15,000.00**		
FYTD for PATH OF LIFE MINISTRIES			**15,000.00**		
PATRIOT HEATING & A/C					
	3/29/2010	201477	78.50		
				REFUND-BUS LIC OVRPMT	78.50
	Vendor Total		**78.50**		
FYTD for PATRIOT HEATING & A/C			**78.50**		
PATTERSON, ALFREY					
	3/1/2010	200909	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**1,917.38**		
PAYLESS SHOE SOURCE					
	3/29/2010	201478	176.84		
				REFUND-BUS LIC OVRPMT	91.79
				REFUND-BUS LIC OVRPMT	85.05
	Vendor Total		**176.84**		
FYTD for PAYLESS SHOE SOURCE			**176.84**		
PAYNE, DEVIN					
	3/15/2010	201171	10.00		
				LICENSE FEE REFUND	10.00
	Vendor Total		**10.00**		
FYTD for PAYNE, DEVIN			**10.00**		
PBS & J					
	3/15/2010	880198	2,242.96		
				CITYWIDE BRIDGE MAINT PRGM	1,934.80
				CITYWIDE BRIDGE MAINT PRGM	308.16
	Vendor Total		**2,242.96**		
FYTD for PBS & J			**32,307.82**		
PEDLEY SQUARE VETERINARY CLINIC					
	3/29/2010	201551	7,591.00		
				EMERG AND VETERINARY SVCS	7,591.00
	Vendor Total		**7,591.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**66,083.75**		

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PENHALL COMPANY					
	3/29/2010	201479	20.06		
				REFUND-BUS LIC OVRPMT	20.06
	Vendor Total		**20.06**		
FYTD for PENHALL COMPANY			**20.06**		
PENTON MEDIA, INC.					
	3/29/2010	201480	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**5,400.00**		
PERRY, NORMA					
	3/1/2010	200911	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**2,868.57**		
PERS LONG TERM CARE PROGRAM					
	3/1/2010	200912	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/15/2010	201172	433.87		
				LONG TERM CARE INSURANCE	433.87
	3/29/2010	201481	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**1,301.61**		
FYTD for PERS LONG TERM CARE PROGRAM			**10,419.79**		
PERVO PAINT CO.					
	3/1/2010	200913	2,203.38		
				LANE MARKINGS & PAINT SUPPLIES	2,203.38
	Vendor Total		**2,203.38**		
FYTD for PERVO PAINT CO.			**39,296.33**		

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PETTY CASH - FINANCE					
	3/22/2010	201279	1,552.35		
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	34.87
				PETTY CASH FUND REPLENISHMENT	45.95
				PETTY CASH FUND REPLENISHMENT	41.58
				PETTY CASH FUND REPLENISHMENT	18.00
				PETTY CASH FUND REPLENISHMENT	27.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	48.90
				PETTY CASH FUND REPLENISHMENT	15.45
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	9.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	5.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	21.00
				PETTY CASH FUND REPLENISHMENT	53.50
				PETTY CASH FUND REPLENISHMENT	44.55
				PETTY CASH FUND REPLENISHMENT	14.52
				PETTY CASH FUND REPLENISHMENT	22.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	87.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.25
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	16.42
				PETTY CASH FUND REPLENISHMENT	17.04
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	16.71
				PETTY CASH FUND REPLENISHMENT	36.65
				PETTY CASH FUND REPLENISHMENT	19.96
				PETTY CASH FUND REPLENISHMENT	17.00
				PETTY CASH FUND REPLENISHMENT	28.50
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	32.81
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	85.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	15.09
				PETTY CASH FUND REPLENISHMENT	4.30
				PETTY CASH FUND REPLENISHMENT	64.50
				PETTY CASH FUND REPLENISHMENT	40.00
				PETTY CASH FUND REPLENISHMENT	12.00
				PETTY CASH FUND REPLENISHMENT	78.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	30.25
				PETTY CASH FUND REPLENISHMENT	55.00

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			PETTY CASH FUND REPLENISHMENT	96.50
			PETTY CASH FUND REPLENISHMENT	53.35
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	10.45
			PETTY CASH FUND REPLENISHMENT	12.50
			PETTY CASH FUND REPLENISHMENT	33.98
			PETTY CASH FUND REPLENISHMENT	12.98
			PETTY CASH FUND REPLENISHMENT	13.42
Vendor Total		**1,552.35**		
FYTD for PETTY CASH - FINANCE		**6,977.75**		
PHO HA VIETNAMES RESTAURANT				
3/29/2010	201483	51.45		
			REFUND-BUS LIC OVRPMT	51.45
Vendor Total		**51.45**		
FYTD for PHO HA VIETNAMES RESTAURANT		**51.45**		
PILGRIM, JULIEANN & DAVID				
3/22/2010	201280	41.00		
			REFUND-ANML LIC FEE	41.00
Vendor Total		**41.00**		
FYTD for PILGRIM, JULIEANN & DAVID		**41.00**		
PITNEY BOWES				
3/22/2010	201281	257.74		
			POSTAGE MTR RNTL-BASE	192.00
			POSTAGE MTR RNTL-SVC	45.00
			POSTAGE MTR RNTL-TAX	20.74
Vendor Total		**257.74**		
FYTD for PITNEY BOWES		**1,030.96**		
PIZANA, MARIA ELIZABETH				
3/15/2010	201173	25.00		
			REFUND-CITATION OVERPAYMENT	25.00
Vendor Total		**25.00**		
FYTD for PIZANA, MARIA ELIZABETH		**25.00**		
PLAZA HAND CAR WASH				
3/15/2010	201174	30.00		
			FALSE ALARM REFUND	30.00
Vendor Total		**30.00**		
FYTD for PLAZA HAND CAR WASH		**1,022.00**		

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POIEMA LANDSCAPE, INC					
	3/29/2010	201484	27.11		
				REFUND-BUS LIC OVRPMT	27.11
	Vendor Total		**27.11**		
FYTD for POIEMA LANDSCAPE, INC			**27.11**		
POIEMA LANDSCAPE, INC.					
	3/1/2010	200914	3,176.93		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,045.93
	3/29/2010	880252	3,464.85		
				LANDSCAPE MAINT-E12	2,131.00
				LANDSCAPE MAINT-ZN S	1,333.85
	Vendor Total		**6,641.78**		
FYTD for POIEMA LANDSCAPE, INC.			**27,094.28**		
POLLARD, ROCHELLE					
	3/22/2010	201282	49.00		
				MILEAGE REIMBURSEMENT	49.00
	Vendor Total		**49.00**		
FYTD for POLLARD, ROCHELLE			**49.00**		
POSTMASTER					
	3/8/2010	201064	8,000.00		
				SUMMER REC GUIDE RNWL DEP	4,000.00
				SUMMER REC GUIDE RNWL DEP	4,000.00
	3/29/2010	201485	6,667.28		
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.46
				BULK MAIL POSTAGE	1,333.45
				BULK MAIL POSTAGE	1,333.45
	Vendor Total		**14,667.28**		
FYTD for POSTMASTER			**14,852.28**		
POUK & STEINLE, INC.					
	3/29/2010	201486	20,600.91		
				RETENTION RLS-LASSELLE/BAY TS	13,259.50
				RETENTION RLS-LASSELLE/BAY TS	278.50
				RETENTION RLS-LASSELLE/BAY TS	7,062.91
	Vendor Total		**20,600.91**		
FYTD for POUK & STEINLE, INC.			**334,912.30**		

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POWERTECH ENGINES, INC.					
	3/29/2010	201487	1,234.78		
				STREET SWEEPER REPAIR	286.00
				STREET SWEEPER REPAIR	948.78
	Vendor Total		**1,234.78**		
FYTD for POWERTECH ENGINES, INC.			**1,234.78**		
PRAXAIR DISTRIBUTION, INC.					
	3/29/2010	201488	23.95		
				REFUND-BUS LIC OVRPMT	23.95
	Vendor Total		**23.95**		
FYTD for PRAXAIR DISTRIBUTION, INC.			**23.95**		
PRICE, GEORGE E.					
	3/1/2010	200915	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**2,868.57**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	3/8/2010	201065	6,222.00		
				KITCHING ST IMPRVMNTS PROJ	6,222.00
	3/22/2010	880228	16,995.50		
				CACTUS AVE WIDENING PROJ-STG1	4,031.00
				CACTUS AVE WIDENING PROJ-STG2	12,964.50
	Vendor Total		**23,217.50**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**424,647.66**		
PROTECTION ONE, INC.					
	3/15/2010	201176	40.00		
				SEC MONITORING SVC-GOLF SHOP	20.00
				SEC MONITORING SVC-MVTV STUDIO	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**360.00**		

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PSOMAS					
	3/8/2010	201066	9,751.58		
				TRAF SIG AT SR60/REDLANDS BLVD	3,701.58
				LASSELLE ST WIDENING PROJ SVCS	2,030.00
				2009 ANNL PAVEMNT RESURF PROJ	4,020.00
	3/22/2010	201283	840.00		
				LASSELLE ST WIDENING PROJ	840.00
	3/29/2010	201489	6,795.00		
				PATRIOT PARK PROJ SVCS	2,505.00
				PATRIOT PARK PROJ SVCS	4,290.00
	Vendor Total		**17,386.58**		
FYTD for PSOMAS			**170,697.76**		
PULLIAM, TRENT D.					
	3/1/2010	200916	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**2,868.57**		
PW ENHANCEMENT CENTER					
	3/22/2010	880229	1,239.21		
				EMERG SVC PRGRM-CDBG	1,239.21
	Vendor Total		**1,239.21**		
FYTD for PW ENHANCEMENT CENTER			**116,006.49**		
QUALITY ASSURANCE INSPECTIONS					
	3/29/2010	201490	20.23		
				REFUND-BUS LIC OVRPMT	20.23
	Vendor Total		**20.23**		
FYTD for QUALITY ASSURANCE INSPECTIONS			**20.23**		
QUALITY CODE PUBLISHING, LLC					
	3/22/2010	880230	1,316.93		
				PRINTING SVCS-CTY CLRK	1,316.93
	Vendor Total		**1,316.93**		
FYTD for QUALITY CODE PUBLISHING, LLC			**4,707.52**		
R & S OVERHEAD DOORS, INC.					
	3/1/2010	200917	520.00		
				REPAIR SVC-SR CTR GATE	520.00
	Vendor Total		**520.00**		
FYTD for R & S OVERHEAD DOORS, INC.			**24,380.00**		

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R N AUTO ELECTRIC					
	3/29/2010	201491	39.13		
				REFUND-BUS LIC OVRPMT	39.13
	Vendor Total		**39.13**		
FYTD for R N AUTO ELECTRIC			**39.13**		
RALLY MANAGEMENT SERVICES, LLC					
	3/8/2010	201067	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/14	719.28
				TEMP SVCS-HENDERSON W/E 2/21	719.28
	Vendor Total		**1,438.56**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**7,133.66**		
RAMONA SUBWAY, INC					
	3/29/2010	201492	99.13		
				REFUND-BUS LIC OVRPMT	99.13
	Vendor Total		**99.13**		
FYTD for RAMONA SUBWAY, INC			**99.13**		
RAY, DANETRA E.					
	3/15/2010	201177	30.00		
				FALSE ALARM REFUND	30.00
	Vendor Total		**30.00**		
FYTD for RAY, DANETRA E.			**30.00**		
REDBOX AUTOMATED RETAIL, LLC					
	3/29/2010	201493	106.66		
				REFUND-BUS LIC OVRPMT	106.66
	Vendor Total		**106.66**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**365.66**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	3/15/2010	880200	12,420.00		
				RED LIGHT PHOTO ENFRCMNT SVCS	12,420.00
	Vendor Total		**12,420.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,780.00**		
REINBOLZ, JOHN					
	3/15/2010	201178	195.00		
				PER DIEM-CSAIA SPRING CONF.	195.00
	Vendor Total		**195.00**		
FYTD for REINBOLZ, JOHN			**195.00**		

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REISH LUFTMAN REICHER & COHEN				
3/22/2010	201284	765.00		
			LEGAL SVCS-HR	765.00
3/29/2010	201494	1,275.00		
			LEGAL SVCS-HR	1,275.00
	Vendor Total	**2,040.00**		
FYTD for REISH LUFTMAN REICHER & COHEN		**39,710.50**		
REVENUE EXPERTS, INC.				
3/22/2010	201285	5,278.08		
			CITATION PRCSSNG-ANML SVCS	857.50
			CITATION PRCSSNG-ANML SVCS	1,855.50
			CITATION PRCSSNG-ANML SVCS	2,565.08
	Vendor Total	**5,278.08**		
FYTD for REVENUE EXPERTS, INC.		**33,052.45**		
RGW DESIGN GROUP, INC.				
3/15/2010	880201	2,659.00		
			DESIGN SVCS-PARKS & RECR.	2,659.00
	Vendor Total	**2,659.00**		
FYTD for RGW DESIGN GROUP, INC.		**2,659.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS				
3/8/2010	201068	4,621.41		
			SHADOW MTN PARK LIGHTING PROJ	4,621.41
3/29/2010	201495	1,210.19		
			SHADOW MTN PARK LIGHTING PROJ	1,210.19
	Vendor Total	**5,831.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**6,447.98**		
RICK ENGINEERING COMPANY				
3/8/2010	201069	1,400.00		
			ALESSANDRO/INDIAN SIDEWLK PROJ	132.00
			ALESSANDRO/INDIAN SIDEWLK PROJ	107.06
			ALESSANDRO/INDIAN SIDEWLK PROJ	1,160.94
3/15/2010	201179	787.00		
			COTTONWD/PATTILYNN DR TRAF SIG	787.00
3/29/2010	201496	195.00		
			TRAF SIG-COTTONWD/PATTILYNN DR	195.00
	Vendor Total	**2,382.00**		
FYTD for RICK ENGINEERING COMPANY		**2,882.00**		

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RICKERSON, KRISTAL					
	3/22/2010	201286	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RICKERSON, KRISTAL			**20.00**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	3/1/2010	200919	15,332.01		
				NPDES COST SHARING	15,332.01
	Vendor Total		**15,332.01**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**45,501.71**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	3/29/2010	201497	950.72		
				CDBG SVCS-ABUSE PRVNTN	514.17
				CDBG SVCS-ABUSE PRVNTN	436.55
	Vendor Total		**950.72**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**6,598.64**		
RIVERSIDE COMMUNITY COLLEGE DISTRICT					
	3/8/2010	201070	875.00		
				STAFF TRAINING-1/21/10	875.00
	Vendor Total		**875.00**		
FYTD for RIVERSIDE COMMUNITY COLLEGE DISTRICT			**52,784.41**		
RIVERSIDE COUNTY ASSESSOR					
	3/8/2010	201071	42.00		
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
				PARCEL MAP COPY SVC	10.50
	Vendor Total		**42.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**195.00**		
RIVERSIDE COUNTY CLERK					
	3/8/2010	201072	17.25		
				ENVIRNMTL FEE-CACTUS AVE PROJ.	8.62
				ENVIRNMTL FEE-CACTUS AVE PROJ.	8.63
	3/15/2010	201180	2,074.25		
				ENVIRNMTL FEE-REDLANDS BL/SR60	2,074.25
	Vendor Total		**2,091.50**		
FYTD for RIVERSIDE COUNTY CLERK			**16,635.75**		

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RIVERSIDE COUNTY CLERK/RECORDER				
3/1/2010	200920	74.00		
			RECORDATION SVCS	74.00
Vendor Total		**74.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**2,128.30**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				
3/29/2010	201498	100.00		
			RABIES TEST-ANML SVCS	50.00
			RABIES TEST-ANML SVCS	50.00
Vendor Total		**100.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**1,450.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
3/1/2010	200921	1,789.70		
			RADIO SVCS-PD	1,789.70
3/22/2010	201287	274.41		
			RADIO SVCS-TECH SVCS	187.15
			RADIO SVCS-TECH SVCS	9.85
			RADIO SVCS-TECH SVCS	34.01
			VPN CONNECTION SVCS	43.40
3/29/2010	201499	231.01		
			RADIO SVCS-TELECOMM	187.15
			RADIO SVCS-TELECOMM	9.85
			RADIO SVCS-TELECOMM	34.01
Vendor Total		**2,295.12**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**18,972.13**		
RIVERSIDE COUNTY SHERIFF				
3/8/2010	201073	12,610.72		
			BOOKING FEES-PD	12,610.72
Vendor Total		**12,610.72**		
FYTD for RIVERSIDE COUNTY SHERIFF		**26,857,823.53**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
3/15/2010	201181	273.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	91.00
3/22/2010	201288	0.00		
			REGISTR-SEARCH WARRANT COURSES	91.00
			REGISTR-SEARCH WARRANT COURSES	-91.00
Vendor Total		**273.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**9,035.00**		

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RIVERSIDE COUNTY SHERIFF COURT SERVICES					
	3/1/2010	200922	480.11		
				GARNISHMENT	76.77
				GARNISHMENT	403.34
	3/15/2010	201182	524.94		
				GARNISHMENT	122.14
				GARNISHMENT	402.80
	3/29/2010	201500	445.96		
				GARNISHMENT	148.83
				GARNISHMENT	297.13
	Vendor Total		**1,451.01**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**8,107.82**		
RIVERSIDE COUNTY SHERIFF MV					
	3/8/2010	201074	318.30		
				EXTRA DUTY-DUI CK POINT	318.30
	Vendor Total		**318.30**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**9,688.97**		
RLZ ENGINEERING					
	3/15/2010	880202	3,534.00		
				TEMP STAFFING SVCS-CAP PROJS	3,534.00
	Vendor Total		**3,534.00**		
FYTD for RLZ ENGINEERING			**124,229.25**		
ROBINSON, DEBBIE					
	3/1/2010	200923	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROBINSON, DEBBIE			**20.00**		
ROGERS, EUGENE					
	3/1/2010	200924	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,231.12**		
ROLLING RIDGE CLEANERS					
	3/29/2010	201501	40.53		
				REFUND-BUS LIC OVRPMT	40.53
	Vendor Total		**40.53**		
FYTD for ROLLING RIDGE CLEANERS			**40.53**		

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ROSS A GUY & SONS, INC					
	3/29/2010	201502	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for ROSS A GUY & SONS, INC			**57.00**		
ROSS, DAVID T.					
	3/1/2010	200925	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**2,868.57**		
ROSSON, LOUIS A.					
	3/1/2010	200926	289.86		
				RETIREE MEDICAL BENEFIT	193.36
				RETIREE MEDICAL BENEFIT	96.50
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,469.71**		
RUSSO, JOHN					
	3/1/2010	200927	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**2,868.57**		
RYMAX ELECTRIC, INC.					
	3/15/2010	201183	2,677.00		
				INSTALL. OF PALM TREE LIGHTS	2,052.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
	3/22/2010	201289	914.12		
				LIGHT REPAIRS-E1	280.00
				LIGHT REPAIRS-E3	329.60
				LIGHT REPAIRS-E7	304.52
	Vendor Total		**3,591.12**		
FYTD for RYMAX ELECTRIC, INC.			**14,422.80**		
S & R BEAUTY SALON					
	3/29/2010	201503	24.00		
				REFUND-BUS LIC OVRPMT	24.00
	Vendor Total		**24.00**		
FYTD for S & R BEAUTY SALON			**24.00**		

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SA ASSOCIATES					
	3/1/2010	200928	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	3/22/2010	880231	10,125.00		
				TEMP STAFFING SVCS-CAP PROJS	10,125.00
	Vendor Total		**20,250.00**		
FYTD for SA ASSOCIATES			**98,512.50**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP					
	3/1/2010	200929	758.00		
				RECERTIFY CONTROL ROOMS	598.82
				RECERTIFY CONTROL ROOMS	159.18
	Vendor Total		**758.00**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			**7,360.21**		
SAN BERNARDINO COUNTY SUPERINTENDENT*					
	3/15/2010	201184	140.00		
				2/3/10 ASES PRGM WORKSHP FOR 7	140.00
	Vendor Total		**140.00**		
FYTD for SAN BERNARDINO COUNTY SUPERINTENDENT*			**240.00**		
SANDERS, JANICE					
	3/22/2010	201290	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SANDERS, JANICE			**57.00**		
SANO ATTORNEY SERVICE					
	3/1/2010	200930	700.00		
				ASSET SEARCH FEE	350.00
				ASSET SEARCH FEE	350.00
	Vendor Total		**700.00**		
FYTD for SANO ATTORNEY SERVICE			**700.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	3/1/2010	200931	66.00		
				YTH BASKETBALL-REGIST	66.00
	3/1/2010	200932	396.00		
				YTH BASKETBALL-PMBF	396.00
	Vendor Total		**462.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**534.00**		

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SCOTT PLUMBING, INC					
	3/29/2010	201504	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for SCOTT PLUMBING, INC			**50.00**		
SCREENVISION DIRECT					
	3/1/2010	200933	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	3/29/2010	201505	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	Vendor Total		**2,656.00**		
FYTD for SCREENVISION DIRECT			**6,212.00**		
SECTRAN SECURITY, INC					
	3/1/2010	200934	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-UTILITY	154.50
	3/29/2010	201506	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-SPCL DIST	154.50
	Vendor Total		**927.00**		
FYTD for SECTRAN SECURITY, INC			**4,171.50**		
SEIU					
	3/15/2010	201185	180.50		
				REFUND-CRC DEP 1/30/10	180.50
	Vendor Total		**180.50**		
FYTD for SEIU			**180.50**		
SELLERS, WAYNE					
	3/22/2010	201291	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SELLERS, WAYNE			**50.00**		
SHAH, JAGDISH					
	3/15/2010	880203	17,280.00		
				TEMP STAFFING SVCS-CAP PROJS	17,280.00
	Vendor Total		**17,280.00**		
FYTD for SHAH, JAGDISH			**164,760.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SHANNON, SAM					
	3/22/2010	201292	50.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**50.00**		
FYTD for SHANNON, SAM			**50.00**		
SHARRETT, SHARON K.					
	3/1/2010	200935	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,655.04**		
SHELDON, STUART H.					
	3/1/2010	200936	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**2,868.57**		
SHELL OIL CO.					
	3/8/2010	201076	56.93		
				FUEL PURCHASES	10.00
				FUEL PURCHASES	46.93
	3/29/2010	201507	1,353.66		
				FUEL PURCHASE-PW EQUIP	15.77
				FUEL PURCHASE-PD	41.53
				FUEL PURCHASES-PD MTRCYCLES	1,296.36
	Vendor Total		**1,410.59**		
FYTD for SHELL OIL CO.			**15,151.60**		
SHERIFF'S SPECIAL EVENTS					
	3/8/2010	201077	20.00		
				ANNUAL CEREMONY	20.00
	Vendor Total		**20.00**		
FYTD for SHERIFF'S SPECIAL EVENTS			**20.00**		
SHURTLEFF, JEANNETTE L.					
	3/29/2010	201508	684.00		
				INSTRUCTION SVC-18 DAYS	684.00
	Vendor Total		**684.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**2,470.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SIMON, SHERMAN					
	3/29/2010	201509	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for SIMON, SHERMAN			**225.00**		
SINGER & COFFIN, APC					
	3/8/2010	201078	440.00		
				LEGAL SVCS-SR60/NASON ST PROJ	330.00
				LEGAL SVCS-SR60/MOR BEACH PROJ	110.00
	3/15/2010	880204	2,712.50		
				LEGAL SVCS-SR60/NASON ST PROJ	1,792.50
				LEGAL SVCS-SR60/NASON ST PROJ	920.00
	3/22/2010	880232	12,705.00		
				LEGAL SVCS-SR60/NASON ST PROJ	4,537.80
				LEGAL SVCS-SR60/NASON ST PROJ	5,927.20
				LEGAL SVCS-SR60/NASON ST PROJ	2,240.00
	Vendor Total		**15,857.50**		
FYTD for SINGER & COFFIN, APC			**65,162.15**		
SINGLETON-DECUIR, JANISHEIA					
	3/22/2010	201293	85.50		
				MILEAGE REIMBURSEMENT	85.50
	Vendor Total		**85.50**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**386.85**		
SKONBERG, HEATHER ALLISON					
	3/1/2010	200938	2,500.00		
				CONSULTING SVCS-PERMITS PLUS	2,500.00
	3/29/2010	201510	1,000.00		
				CONSULTING SVCS	1,000.00
	Vendor Total		**3,500.00**		
FYTD for SKONBERG, HEATHER ALLISON			**5,300.00**		
SKY PUBLISHING					
	3/29/2010	201511	1,665.00		
				ADVERTISING SVCS-CRC	1,665.00
	Vendor Total		**1,665.00**		
FYTD for SKY PUBLISHING			**39,671.00**		
SKY TRAILS MOBILE VILLAGE					
	3/15/2010	201187	49.01		
				REFUND-UUT USER TAXES	24.53
				REFUND-UUT USER TAXES	24.48
	Vendor Total		**49.01**		
FYTD for SKY TRAILS MOBILE VILLAGE			**202.41**		

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SLAGERMAN, SUSAN A.					
	3/1/2010	200939	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,431.03**		
SLP COMMUNICATIONS					
	3/25/2010	201332	40.00		
				WOMEN OF DISTINC. LUNCHEON	40.00
	Vendor Total		**40.00**		
FYTD for SLP COMMUNICATIONS			**40.00**		
SMITH, MARIA A.					
	3/1/2010	200940	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,230.51**		
SMITH, PAUL					
	3/22/2010	201294	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SMITH, PAUL			**20.00**		
SMUS, PAULA					
	3/22/2010	201295	39.60		
				MILEAGE REIMBURSEMENT	39.60
	Vendor Total		**39.60**		
FYTD for SMUS, PAULA			**104.72**		
SNYDER, JIM					
	3/15/2010	201188	70.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**70.00**		
FYTD for SNYDER, JIM			**70.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SO. CALIF SCHOOL OF MUSIC					
	3/8/2010	201079	1,323.00		
				INSTRUCTOR SVCS-GUITAR	135.00
				INSTRUCTOR SVCS-GUITAR	297.00
				INSTRUCTOR SVCS-PIANO	162.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	135.00
	Vendor Total		**1,323.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**8,790.00**		
SOCO GROUP, INC					
	3/22/2010	201296	8,816.83		
				FUEL PURCHASE	4,895.90
				FUEL PURCHASE	3,920.93
	Vendor Total		**8,816.83**		
FYTD for SOCO GROUP, INC			**116,019.60**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	3/1/2010	200941	77.40		
				INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total		**77.40**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**412.80**		
SOLANO, ALEX					
	3/1/2010	200942	706.00		
				AUDIO VISUAL SVCS	706.00
	Vendor Total		**706.00**		
FYTD for SOLANO, ALEX			**706.00**		
SOLANO, NORMAN					
	3/1/2010	200943	10.00		
				REFUND-ANML LIC FEE	10.00
	Vendor Total		**10.00**		
FYTD for SOLANO, NORMAN			**10.00**		
SOLTIS AND COMPANY, INC.					
	3/29/2010	201512	31.12		
				REFUND-BUS LIC OVRPMT	31.12
	Vendor Total		**31.12**		
FYTD for SOLTIS AND COMPANY, INC.			**31.12**		

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SOSA, JORGE					
	3/22/2010	201297	336.00		
				INSTRUCTOR SVC-NINPO	120.00
				INSTRUCTOR SVC-KARATEDO	144.00
				INSTRUCTOR SVC-KARATEDO	72.00
	Vendor Total		**336.00**		
FYTD for SOSA, JORGE			**3,252.00**		
SOTO, TONY					
	3/22/2010	201298	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SOTO, TONY			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	3/1/2010	200945	18,231.28		
				ELECTRICITY	180.63
				ELECTRICITY	5,038.44
				ELECTRICITY	2,596.26
				ELECTRICITY	18.79
				ELECTRICITY	505.05
				ELECTRICITY	1,585.28
				ELECTRICITY	161.95
				ELECTRICITY	3,648.85
				ELECTRICITY	405.78
				ELECTRICITY	232.73
				ELECTRICITY	1,633.93
				ELECTRICITY	199.59
				ELECTRICITY	407.03
				ELECTRICITY	533.81
				ELECTRICITY	154.78
				ELECTRICITY	161.60
				ELECTRICITY	23.56
				ELECTRICITY	19.55
				ELECTRICITY	19.55
				ELECTRICITY	43.13
				ELECTRICITY	167.68
				ELECTRICITY	214.17
				ELECTRICITY	194.51
				ELECTRICITY	61.34
				ELECTRICITY	23.29
	3/1/2010	200946	10,447.31		
				WDAT CHRGS-SUBSTATION	10,447.31
	3/8/2010	201080	6,250.68		
				ELECTRICITY	65.42
				ELECTRICITY	146.28
				ELECTRICITY	1,009.81
				ELECTRICITY	1,749.81
				ELECTRICITY	118.90
				ELECTRICITY	330.80
				ELECTRICITY	746.47
				ELECTRICITY	139.83
				ELECTRICITY	351.19
				ELECTRICITY	21.62
				ELECTRICITY	1,155.87
				ELECTRICITY	161.28
				ELECTRICITY	143.65
				ELECTRICITY	65.01
				ELECTRICITY	44.74
	3/15/2010	201189	4,130.56		
				ELECTRICITY	41.09
				ELECTRICITY	41.32
				ELECTRICITY	912.35
				ELECTRICITY	744.70
				ELECTRICITY	825.04
				ELECTRICITY	454.58
				ELECTRICITY	490.21

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	494.58
			ELECTRICITY	62.41
			ELECTRICITY	64.28
3/15/2010	201190	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
3/22/2010	201299	1,099.13		
			ELECTRICITY-IFA CHARGES	1,099.13
3/29/2010	201514	353.60		
			ELECTRIC CHARGES	353.60
3/29/2010	201515	20,819.84		
			ELECTRICITY	175.70
			ELECTRICITY	5,487.42
			ELECTRICITY	2,492.70
			ELECTRICITY	18.79
			ELECTRICITY	481.21
			ELECTRICITY	1,820.07
			ELECTRICITY	849.28
			ELECTRICITY	162.76
			ELECTRICITY	4,837.11
			ELECTRICITY	411.01
			ELECTRICITY	354.68
			ELECTRICITY	1,828.20
			ELECTRICITY	234.51
			ELECTRICITY	422.23
			ELECTRICITY	513.57
			ELECTRICITY	132.50
			ELECTRICITY	149.54
			ELECTRICITY	278.53
			ELECTRICITY	25.40
			ELECTRICITY	48.01
			ELECTRICITY	28.77
			ELECTRICITY	43.21
			ELECTRICITY	24.64
	Vendor Total	**75,479.13**		

FYTD for SOUTHERN CALIFORNIA EDISON **6,274,167.02**

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SOUTHERN CALIFORNIA GAS CO.					
	3/22/2010	201301	10,815.57		
				GAS CHARGES	85.29
				GAS CHARGES	1,255.66
				GAS CHARGES	3,517.98
				GAS CHARGES	56.47
				GAS CHARGES	189.75
				GAS CHARGES	1,278.14
				GAS CHARGES	364.11
				GAS CHARGES	92.29
				GAS CHARGES	1,766.97
				GAS CHARGES	403.19
				GAS CHARGES	270.20
				GAS CHARGES	302.56
				GAS CHARGES	203.17
				GAS CHARGES	483.64
				GAS CHARGES	546.15
	Vendor Total		**10,815.57**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**254,659.11**		
SOUTHERN PET SUPPLIES					
	3/8/2010	201081	604.25		
				PET SUPPLIES-RESALE	587.30
				PET SUPPLIES-RESALE	16.95
	Vendor Total		**604.25**		
FYTD for SOUTHERN PET SUPPLIES			**1,516.95**		
SPARKLETTS					
	3/22/2010	201302	13.50		
				WATER SVC-EMRG OP	4.50
				WATER SVC-EMRG OP	4.50
				WATER SVC-SNNYMD ELEM	4.50
	Vendor Total		**13.50**		
FYTD for SPARKLETTS			**366.17**		
SPECK, GARY B.					
	3/1/2010	200947	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**2,868.57**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPECTRUM CARE					
	3/1/2010	200948	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	3/22/2010	880233	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**98,666.64**		
SPECTRUM FLORAL SERVICE					
	3/29/2010	201516	97.98		
				REFUND-BUS LIC OVRPMT	97.98
	Vendor Total		**97.98**		
FYTD for SPECTRUM FLORAL SERVICE			**97.98**		
SPENCER, MARTHA					
	3/1/2010	200949	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,026.23**		
SPORTS INNOVATORS					
	3/15/2010	201191	2,045.00		
				SPORTS OFFICIATING SVCS	2,045.00
	Vendor Total		**2,045.00**		
FYTD for SPORTS INNOVATORS			**22,420.00**		
SPRINT/NEXTEL					
	3/8/2010	201082	143.34		
				ACCT #417544340 -GTF	143.34
	Vendor Total		**143.34**		
FYTD for SPRINT/NEXTEL			**662.32**		
STANDARD INSURANCE CO					
	3/1/2010	200950	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**294,584.59**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC				
3/1/2010	200951	2,046.02		
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	175.00
			MONITORING SVCS-FAC ANNX	276.00
			MONITORING SVCS-CITY YARD	627.00
			MONITORING SVCS-TRNSP TRLR	105.00
			MONITORING SVCS-SENIOR CTR	333.03
			MONITORING SVCS-SPCL DIST	105.00
			MONITORING SVCS-ANML SHLTR	22.52
			MONITORING SVCS-ANML SHLTR	227.47
3/8/2010	201083	166.85		
			MONITORING SVCS-PARKS	166.85
3/15/2010	880205	851.78		
			SECURITY SYSTEM MAINT-PSB	175.00
			SECURITY SYSTEM MAINT-PSB	676.78
3/22/2010	880234	175.00		
			MONITORING SVCS-LIBRARY	175.00
3/29/2010	880253	366.85		
			MONITORING SVCS-PARKS	200.00
			MONITORING SVCS-PARKS	166.85
Vendor Total		**3,606.50**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**24,070.62**		
STATE BOARD OF EQUALIZATION				
3/22/2010	22810	4,054.00		
			SALES & USE TAX 02/01-02/28/10	4,054.00
Vendor Total		**4,054.00**		
FYTD for STATE BOARD OF EQUALIZATION		**31,524.29**		
STATE DISBURSEMENT UNIT				
3/4/2010	2587	1,543.37		
			CHILD SUPPORT W/H 03/04/10	1,543.37
3/18/2010	2595	1,527.23		
			CHILD SUPPORT W/H 03/18/10	1,527.23
Vendor Total		**3,070.60**		
FYTD for STATE DISBURSEMENT UNIT		**35,467.94**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE					
	3/1/2010	200952	3,262.00		
				FINGERPRINTING SVCS	64.00
				FINGERPRINTING SVCS	3,198.00
	3/8/2010	201084	3,472.00		
				FINGERPRINTING SVCS	160.00
				BLOOD ALCHL ANLYS-PD	1,680.00
				BLOOD ALCHL ANLYS-PD	875.00
				BLOOD ALCHL ANLYS-PD	105.00
				FINGERPRINTING SVCS	556.00
				FINGERPRINTING SVCS	96.00
	3/22/2010	201303	2,035.00		
				FINGERPRINTINS SVCS	51.00
				FINGERPRINTINS SVCS	32.00
				FINGERPRINTING SVCS-BL	256.00
				FINGERPRINTING SVCS-EMRG OP	32.00
				FINGERPRINTING SVCS-STARS	1,664.00
	Vendor Total		**8,769.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**45,973.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	3/15/2010	201193	195.83		
				MV UTILITY REFUND	189.56
				MV UTILITY REFUND	6.27
	Vendor Total		**195.83**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**1,078.74**		
STEFFANI, RICHARD					
	3/1/2010	200953	477.00		
				REFUND-ADLT SOFTBALL FEE	477.00
	Vendor Total		**477.00**		
FYTD for STEFFANI, RICHARD			**477.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN					
	3/22/2010	201304	2,163.52		
				TRANSCRIPTION SVCS-PD	2,163.52
	Vendor Total		**2,163.52**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN			**29,480.00**		
STERICYCLE (BFI)					
	3/8/2010	201085	442.16		
				MED WASTE HAULING SVC	442.16
	3/29/2010	880254	442.26		
				MED WASTE HAULING SVCS	442.26
	Vendor Total		**884.42**		
FYTD for STERICYCLE (BFI)			**3,980.30**		

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STEVE'S VALLEY NURSERY					
	3/15/2010	201194	117.45		
				SEEDTOPPER FOR PLANTS	117.45
	Vendor Total		**117.45**		
FYTD for STEVE'S VALLEY NURSERY			**117.45**		
STEWART, CLIFFORD					
	3/1/2010	200954	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,745.72**		
STRADLING, YOCCA, CARLSON & RAUTH					
	3/8/2010	201086	867.16		
				LEGAL SERVICES-RDA	400.00
				LEGAL SERVICES-CDBGR	467.16
	3/22/2010	201305	6,758.00		
				LEGAL SVCS-NSP	2,676.83
				LEGAL SVCS-EDD	75.00
				LEGAL SVCS-EDD	2,075.06
				LEGAL SVCS-EDD	150.00
				LEGAL SVCS-EDD	275.00
				LEGAL SVCS-EDD	475.00
				LEGAL SVCS-RISK MGT	53.00
				LEGAL SVCS-EDD	292.94
				LEGAL SVCS-EDD	685.17
	3/29/2010	201517	251.23		
				LEGAL SVCS-EDD	251.23
	Vendor Total		**7,876.39**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,329.78**		
STREICH, TERRY L.					
	3/1/2010	200955	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**549.98**		
STRICKLER ASSOCIATION, THE					
	3/15/2010	201195	4,485.00		
				HOUSING PRGM CONSULTING SVCS	4,485.00
	Vendor Total		**4,485.00**		
FYTD for STRICKLER ASSOCIATION, THE			**30,875.00**		

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STRICKLER II, JOHN W.					
	3/1/2010	200956	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,231.12**		
STROM, BONNIE					
	3/8/2010	201087	1,156.80		
				RETIREE MEDICAL BENEFIT	1,156.80
	Vendor Total		**1,156.80**		
FYTD for STROM, BONNIE			**1,156.80**		
STROM, QUENTIN K.					
	3/1/2010	200957	0.00		
				RETIREE MEDICAL BENEFIT	1,156.80
				RETIREE MEDICAL BENEFIT	-1,156.80
	Vendor Total		**0.00**		
FYTD for STROM, QUENTIN K.			**0.00**		
STRUCTURAL TERMITE PEST CONTROL, INC					
	3/29/2010	201518	24.82		
				REFUND-BUS LIC OVRPMT	24.82
	Vendor Total		**24.82**		
FYTD for STRUCTURAL TERMITE PEST CONTROL, INC			**24.82**		
STUCKEY, HARRIETTE					
	3/1/2010	200958	84.00		
				INSTRUCTOR SVCS-LINE DANCING	84.00
	3/22/2010	201306	117.60		
				INSTRUCTOR SVC-LINE DANCING	117.60
	Vendor Total		**201.60**		
FYTD for STUCKEY, HARRIETTE			**894.60**		
SUBWAY SANDWICH & SALAD					
	3/29/2010	201519	98.86		
				REFUND-BUS LIC OVRPMT	98.86
	Vendor Total		**98.86**		
FYTD for SUBWAY SANDWICH & SALAD			**98.86**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SUNNYMEAD ACE HARDWARE					
	3/1/2010	200959	9.32		
				MISC SUPPLIES-FIRE	9.32
	3/15/2010	201196	167.48		
				MISC SUPPLIES-PD	13.02
				MISC SUPPLIES-PD	10.82
				MISC SUPPLIES-PD	26.51
				MISC SUPPLIES-PD	117.13
	3/29/2010	201520	10.65		
				MISC SUPPLIES-FIRE	10.65
	Vendor Total		**187.45**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,061.84**		
SUNNYMEAD VETERINARY CLINIC					
	3/29/2010	201521	495.00		
				EMERG VET SVCS-ANML SHLTR	495.00
	Vendor Total		**495.00**		
FYTD for SUNNYMEAD VETERINARY CLINIC			**4,076.00**		
T V PLUS +					
	3/29/2010	201522	37.56		
				REFUND-BUS LIC OVRPMT	37.56
	Vendor Total		**37.56**		
FYTD for T V PLUS +			**37.56**		
T.Y. LIN INTERNATIONAL					
	3/8/2010	201088	19,548.08		
				GRAHAM ST OVRCRSSNG/SR-60 PROJ	19,548.08
	Vendor Total		**19,548.08**		
FYTD for T.Y. LIN INTERNATIONAL			**60,530.79**		
TAITT, PATRICIA					
	3/22/2010	201307	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for TAITT, PATRICIA			**97.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THERMAL-COOL INC.					
	3/1/2010	200961	3,342.64		
				HVAC REPAIRS-FIRE ADMIN AT PSB	1,110.64
				HVAC CONTROLS CONVERTED TO CCN	2,232.00
	3/22/2010	201308	1,810.75		
				HVAC REPAIRS-CITY HALL	279.75
				HVAC REPAIRS-CITY HALL	105.00
				HVAC REPAIRS-PUB SFTY BLDG	1,426.00
	Vendor Total		**5,153.39**		
FYTD for THERMAL-COOL INC.			**18,548.36**		
THRIFTY OIL CO. ECONOMY 348					
	3/29/2010	201524	71.85		
				REFUND-BUS LIC OVRPMT	71.85
	Vendor Total		**71.85**		
FYTD for THRIFTY OIL CO. ECONOMY 348			**71.85**		
T-LAND					
	3/29/2010	201523	21.41		
				REFUND-BUS LIC OVRPMT	21.41
	Vendor Total		**21.41**		
FYTD for T-LAND			**21.41**		
TOVEY/SHULTZ CONSTRUCTION, INC.					
	3/29/2010	201525	63.00		
				REFUND-BUS LIC OVRPMT	63.00
	Vendor Total		**63.00**		
FYTD for TOVEY/SHULTZ CONSTRUCTION, INC.			**63.00**		
TRICHE, TARA					
	3/22/2010	201310	1,842.60		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	44.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	843.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	133.20
				INSTRUCTOR SVCS-HIP HOP DANCE	333.00
				INSTRUCTOR SVCS-HIP HOP DANCE	44.40
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,842.60**		
FYTD for TRICHE, TARA			**17,360.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRI-CITY LINEN SUPPLY, INC.					
	3/1/2010	200962	25.50		
				LINEN RENTAL	25.50
	3/8/2010	201089	143.00		
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL-CRC	25.00
				LINEN RENTAL	36.00
				LINEN RENTAL	57.00
	3/15/2010	201197	25.00		
				LINEN RENTAL-CRC	25.00
	3/22/2010	201309	25.00		
				LINEN RENTAL-CRC	25.00
	3/29/2010	201526	25.00		
				LINEN RENTAL-CRC	25.00
	Vendor Total		**243.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,593.20**		
TRI-STATE HOME IMPROVEMENTS, INC					
	3/29/2010	201527	520.00		
				REFUND-BUS LIC OVRPMT	520.00
	Vendor Total		**520.00**		
FYTD for TRI-STATE HOME IMPROVEMENTS, INC			**520.00**		
TROPICAL PLAZA NURSERY, INC.					
	3/15/2010	201198	18,512.56		
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
				IRRIG REPAIRS-ZONE E-2	595.11
	3/29/2010	201528	900.00		
				LNDSCP WORK-HIDDEN SPRINGS	900.00
	Vendor Total		**19,412.56**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**164,338.07**		
TRUGREEN LANDCARE					
	3/8/2010	201090	4,500.00		
				TRIM 100 PALM TREES-SUNNYMD BL	4,500.00
	3/29/2010	201529	3,160.00		
				REMOVAL OF PALM TREE & STUMPS	550.00
				TREES TRIMMED-VISTA LOMAS PARK	590.00
				TREES TRIMMED-SUNNYMD FIRE STN	1,500.00
				TREES TRIMMED-SUNNYMD FIRE STN	520.00
	Vendor Total		**7,660.00**		
FYTD for TRUGREEN LANDCARE			**281,059.62**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRUJILLO, PETER / JUDY					
	3/15/2010	201199	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TRUJILLO, PETER / JUDY			**20.00**		
TUNTLAND, JAMES					
	3/1/2010	200964	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,745.72**		
TYLER, MATTIE					
	3/29/2010	201530	30.00		
				REFUND-FALSE ALARM	30.00
	Vendor Total		**30.00**		
FYTD for TYLER, MATTIE			**30.00**		
U S SECURITY ASSOCIATE					
	3/29/2010	201531	34.57		
				REFUND-BUS LIC OVRPMT	34.57
	Vendor Total		**34.57**		
FYTD for U S SECURITY ASSOCIATE			**34.57**		
U.S. HEALTHWORKS MEDICAL GROUP					
	3/1/2010	200965	37.00		
				EMPLOYEE DOT/DMV EXAM	37.00
	Vendor Total		**37.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**9,920.00**		
UNDERGROUND SERVICE ALERT					
	3/22/2010	201312	466.50		
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.62
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
				DIGALERT TICKETS SUBSCRPTN SVC	116.63
	Vendor Total		**466.50**		
FYTD for UNDERGROUND SERVICE ALERT			**6,144.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNION BANK OF CALIFORNIA				
3/1/2010	200966	976.34		
			INVESTMENT SAFEKEEPING SVCS	291.67
			INVESTMENT SAFEKEEPING SVCS	393.00
			INVESTMENT SAFEKEEPING SVCS	291.67
3/2/2010	91404	3,438.22		
			RETENTION PMT-PROJ 04-89280221	3,438.22
3/22/2010	201313	170.00		
			MONTHLY LOC TRANSFER FEES	170.00
3/22/2010	201314	510.00		
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
			MONTHLY LOC TRANSFER FEES	170.00
3/23/2010	1003171	6,802.24		
			RETENTION PMT-SUNNYMD BLVD PRJ	6,802.24
	Vendor Total	**11,896.80**		
FYTD for UNION BANK OF CALIFORNIA		**287,073.49**		
UNITED POWER GENERATION, INC.				
3/1/2010	200968	1,352.63		
			EMERG GENERATOR RPRS-FS#65	738.50
			EMERG GENERATOR RPRS-FS#2	273.83
			EMERG GENERATOR MAINT-FS #91	261.70
			EMERG GENERATOR MAINT-FS #91	78.60
3/22/2010	201315	4,489.00		
			FIRE ST #91 GENERATOR REPAIRS	4,489.00
	Vendor Total	**5,841.63**		
FYTD for UNITED POWER GENERATION, INC.		**17,745.66**		
UNITED SITE SERVICES OF CA, INC.				
3/15/2010	880206	184.72		
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**184.72**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**9,010.13**		
UNITED STATES TREASURY				
3/1/2010	200969	50.00		
			PAYROLL DED AGREEMENT	50.00
3/15/2010	201200	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
3/29/2010	201532	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**150.00**		
FYTD for UNITED STATES TREASURY		**5,470.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED WAY OF INLAND VALLEYS				
3/1/2010	200970	637.18		
			UNITED WAY CONTRIBUTIONS	10.00
			UNITED WAY CONTRIBUTIONS	-10.00
			UNITED WAY CONTRIBUTIONS	10.00
			UNITED WAY CONTRIBUTIONS	627.18
3/15/2010	201201	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
3/29/2010	201533	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
	Vendor Total	**1,891.54**		
FYTD for UNITED WAY OF INLAND VALLEYS		**16,909.54**		
USA MOBILITY/ARCH WIRELESS				
3/15/2010	880207	79.52		
			PAGER SVC-PARK RANGERS	2.03
			PAGER SVC-TRANSP DIV	5.08
			PAGER SVC-CITZ PATROL VOLNTRS.	33.53
			PAGER SVC-ANIMAL SVCS	38.88
	Vendor Total	**79.52**		
FYTD for USA MOBILITY/ARCH WIRELESS		**729.68**		
VACATE PEST ELIMINATION COMPANY				
3/15/2010	880208	1,205.00		
			PEST CNTRL-MV UTILITY FLD OFFC	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE C.C.	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRLR	45.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG #1	55.00
			PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
			PEST CNTRL-ASES/STARS BLDG	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
	Vendor Total	**1,205.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**13,480.00**		

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VAL VERDE UNIFIED SCHOOL DISTRICT					
	3/8/2010	201091	25.00		
				STUDENT/MONTH LUNCHEON	25.00
	3/22/2010	201316	483.00		
				REFUND-RNTL DEP	483.00
	Vendor Total		**508.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT			**10,785.53**		
VALI COOPER & ASSOCIATES, INC.					
	3/22/2010	880236	8,820.00		
				TEMP STAFFING SVCS-CAP PROJS	8,820.00
	Vendor Total		**8,820.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**129,397.50**		
VALLEY CITIES GONZALES FENCE CO					
	3/29/2010	201534	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for VALLEY CITIES GONZALES FENCE CO			**25.00**		
VAS ASSOCIATES, INC.					
	3/15/2010	880209	16,560.00		
				TEMP STAFFING SVCS-CAP PROJS	16,560.00
	Vendor Total		**16,560.00**		
FYTD for VAS ASSOCIATES, INC.			**164,205.00**		
VASQUEZ, BRENDA					
	3/8/2010	201092	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VASQUEZ, BRENDA			**20.00**		
VAUGHAN, ELENE					
	3/15/2010	201202	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for VAUGHAN, ELENE			**75.00**		
VCI TELCOM, INC					
	3/29/2010	201535	3,081.03		
				RETENTION RLS-CAMPUS COMM PROJ	2,997.40
				RETENTION RLS-CAMPUS COMM PROJ	83.63
	Vendor Total		**3,081.03**		
FYTD for VCI TELCOM, INC			**30,810.25**		

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VERITEXT LOS ANGELES REPORTING CO.					
	3/22/2010	201318	1,537.45		
				LEGAL SVCS	920.15
				LEGAL SVCS	237.50
				LEGAL SVCS	379.80
	Vendor Total		**1,537.45**		
FYTD for VERITEXT LOS ANGELES REPORTING CO.			**3,978.15**		
VERIZON					
	3/22/2010	201319	1,700.96		
				COMMUNICATION CHRGS-BACKBONE	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**15,131.89**		

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VERIZON CALIFORNIA					
	3/1/2010	200971	616.53		
				TELEPHONE CHRGS	616.53
	3/15/2010	201204	9,910.91		
				TELEPHONE CHRGS	263.88
				TELEPHONE CHRGS	198.97
				TELEPHONE CHRGS	398.10
				TELEPHONE CHRGS	477.80
				TELEPHONE CHRGS	241.13
				TELEPHONE CHRGS	169.44
				TELEPHONE CHRGS	255.07
				TELEPHONE CHRGS	206.93
				TELEPHONE CHRGS	78.90
				TELEPHONE CHRGS	255.74
				TELEPHONE CHRGS	178.98
				TELEPHONE CHRGS	429.63
				TELEPHONE CHRGS	151.23
				TELEPHONE CHRGS	492.78
				TELEPHONE CHRGS	310.09
				TELEPHONE CHRGS	173.29
				TELEPHONE CHRGS	64.20
				TELEPHONE CHRGS	387.95
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	126.83
				TELEPHONE CHRGS	202.00
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	23.44
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	146.00
				TELEPHONE CHRGS	98.43
				TELEPHONE CHRGS	58.07
				TELEPHONE CHRGS	56.78
				TELEPHONE CHRGS	175.55
				TELEPHONE CHRGS	73.26
				TELEPHONE CHRGS	22.84
				TELEPHONE CHRGS	165.80
				TELEPHONE CHRGS	328.43
				TELEPHONE CHRGS	3,508.76
	3/29/2010	201536	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,145.69**		
FYTD for VERIZON CALIFORNIA			**89,056.33**		

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VICTOR MEDICAL CO					
	3/1/2010	200972	1,273.25		
				ANIMAL MEDICAL SUPPLIES	1,273.25
	3/29/2010	201537	1,405.05		
				ANIMAL MEDICAL SUPPLIES	1,405.05
	Vendor Total		**2,678.30**		
FYTD for VICTOR MEDICAL CO			**12,577.05**		
VIGIL, ERNEST					
	3/1/2010	200973	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**2,868.57**		
VILLALOBOS, LUIS & MARIA					
	3/29/2010	201538	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for VILLALOBOS, LUIS & MARIA			**50.00**		
VISION SERVICE PLAN					
	3/8/2010	201093	4,267.32		
				EMPLOYEE VISION INSURANCE	4,267.32
	Vendor Total		**4,267.32**		
FYTD for VISION SERVICE PLAN			**39,879.96**		
VISTA PAINT CORPORATION					
	3/1/2010	200974	263.53		
				PAINT FOR PARKS	102.51
				PAINT FOR PARKS GRAFFITI	58.51
				PAINT FOR PARKS GRAFFITI	102.51
	3/22/2010	201320	725.20		
				PAINT FOR PARKS	205.02
				PAINT/SUPPL FOR GRAFFITI RMVL	469.84
				PAINT/SUPPL FOR GRAFFITI RMVL	50.34
	Vendor Total		**988.73**		
FYTD for VISTA PAINT CORPORATION			**10,939.99**		
VOGT, CHRIS					
	3/15/2010	201205	224.00		
				PER DIEM-LCC PW OFFICERS TRNG	224.00
	Vendor Total		**224.00**		
FYTD for VOGT, CHRIS			**494.00**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
3/22/2010	201321	616.79		
			RENTAL ASSIST SVCS-ADMIN FEES	466.79
			RENTAL ARREARS SVCS-ADMIN FEES	150.00
	Vendor Total	**616.79**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**65,282.23**		
VULCAN MATERIALS CO, INC.				
3/15/2010	201206	1,418.39		
			ASPHALTIC MATERIAL PICK UP	159.41
			ASPHALTIC MATERIAL PICK UP	127.24
			ASPHALTIC MATERIAL PICK UP	190.94
			ASPHALTIC MATERIAL PICK UP	95.70
			ASPHALTIC MATERIAL PICK UP	845.10
	Vendor Total	**1,418.39**		
FYTD for VULCAN MATERIALS CO, INC.		**94,325.57**		
W.R.G. INSPECTIONS				
3/29/2010	201539	4,940.00		
			SUNNYMD BLVD REVIT PROJ SVCS	4,940.00
	Vendor Total	**4,940.00**		
FYTD for W.R.G. INSPECTIONS		**4,940.00**		
WAGGONER JR., GLENN C.				
3/1/2010	200975	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for WAGGONER JR., GLENN C.		**2,868.57**		
WAGNER, GARY D.				
3/1/2010	200976	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for WAGNER, GARY D.		**2,859.15**		
WAGONER, ROBERT				
3/1/2010	200977	348.20		
			RETIREE MEDICAL BENEFIT	348.20
	Vendor Total	**348.20**		
FYTD for WAGONER, ROBERT		**1,724.80**		
WASSON, KIRK				
3/22/2010	880237	418.00		
			INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total	**418.00**		
FYTD for WASSON, KIRK		**1,558.00**		

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WASTE MANAGEMENT OF THE INLAND EMPIRE					
	3/22/2010	201322	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**12,095.20**		
WAYNE PERRY CONSTRUCTION					
	3/29/2010	201540	40.90		
				REFUND-BUS LIC OVRPMT	40.90
	Vendor Total		**40.90**		
FYTD for WAYNE PERRY CONSTRUCTION			**40.90**		
WELLS FARGO CORPORATE TRUST					
	3/2/2010	91401	951.63		
				INTEREST VARIABLE RATE BOND	951.63
	Vendor Total		**951.63**		
FYTD for WELLS FARGO CORPORATE TRUST			**5,626,661.22**		
WEST COAST ARBORISTS, INC.					
	3/15/2010	201208	765.00		
				TRIMMING OF PALM TREES	765.00
	Vendor Total		**765.00**		
FYTD for WEST COAST ARBORISTS, INC.			**765.00**		
WEST GOVERNMENT SERVICES					
	3/1/2010	200978	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	3/15/2010	201209	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**1,000.00**		
FYTD for WEST GOVERNMENT SERVICES			**4,000.00**		
WEST GROUP					
	3/22/2010	880238	628.95		
				ONLINE CHRGS-LEGAL INFO	184.12
				LEGAL PUBLICATIONS SUBSRCPTNS	444.83
	Vendor Total		**628.95**		
FYTD for WEST GROUP			**6,892.49**		
WESTERN ELEVATOR, INC					
	3/29/2010	201541	29.09		
				REFUND-BUS LIC OVRPMT	29.09
	Vendor Total		**29.09**		
FYTD for WESTERN ELEVATOR, INC			**29.09**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTERN FIRE CO., INC				
3/29/2010	201542	33.50		
			REFUND-BUS LIC OVRPMT	33.50
Vendor Total		**33.50**		
FYTD for WESTERN FIRE CO., INC		**33.50**		
WESTERN INSULATIONS, LP				
3/29/2010	201543	23.26		
			REFUND-BUS LIC OVRPMT	23.26
Vendor Total		**23.26**		
FYTD for WESTERN INSULATIONS, LP		**23.26**		
WESTERN MUNICIPAL WATER DISTRICT				
3/22/2010	201323	55.30		
			WATER CHRGS-MFPCC BLDG	55.30
Vendor Total		**55.30**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**20,652.23**		
WHEELER PAVING, INC.				
3/1/2010	200979	20,928.87		
			LASSELLE ST WIDENING PROJ SVCS	2,407.72
			LASSELLE ST WIDENING PROJ SVCS	18,521.15
Vendor Total		**20,928.87**		
FYTD for WHEELER PAVING, INC.		**1,537,747.52**		
WHIPPLE, LEWIS & LINDA				
3/22/2010	201324	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for WHIPPLE, LEWIS & LINDA		**95.00**		
WIELIN, RONALD A.				
3/1/2010	200980	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.		**2,868.57**		
WILLDAN AND ASSOCIATES				
3/8/2010	201094	1,282.50		
			EASTRIDGE EIR REVIEW SVCS	1,282.50
3/22/2010	201325	5,713.31		
			PLAN CHECK SVCS	5,713.31
Vendor Total		**6,995.81**		
FYTD for WILLDAN AND ASSOCIATES		**223,655.55**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN FINANCIAL SERVICES					
	3/1/2010	200981	1,250.00		
				ANNUAL DISCLOSURE SVCS	1,250.00
	3/15/2010	201210	2,500.00		
				ANNUAL DISCLOSURE SVCS-07 TABS	2,500.00
	3/29/2010	201544	30.77		
				REFUND-BUS LIC OVRPMT	30.77
	Vendor Total		**3,780.77**		
FYTD for WILLDAN FINANCIAL SERVICES			**8,125.77**		
WILLHITE INSURANCE AGENCY, INC					
	3/29/2010	201545	42.84		
				REFUND-BUS LIC OVRPMT	42.84
	Vendor Total		**42.84**		
FYTD for WILLHITE INSURANCE AGENCY, INC			**42.84**		
WILLIAMS, COURTNEY					
	3/22/2010	201326	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WILLIAMS, COURTNEY			**456.00**		
WILLIAMS, ERICA & ARIAZ, ANDREW					
	3/1/2010	200982	26.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	6.00
	Vendor Total		**26.00**		
FYTD for WILLIAMS, ERICA & ARIAZ, ANDREW			**26.00**		
WILLIAMS, JANE L.					
	3/1/2010	200983	244.76		
				RETIREE MEDICAL BENEFIT	244.76
	Vendor Total		**244.76**		
FYTD for WILLIAMS, JANE L.			**1,099.24**		
WILLOUGHBY, LORIA					
	3/1/2010	200984	27.00		
				MILEAGE REIMBURSEMENT	27.00
	3/29/2010	201546	63.00		
				MILEAGE REIMBURSEMENT	63.00
	Vendor Total		**90.00**		
FYTD for WILLOUGHBY, LORIA			**370.50**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WINCHESTER ASSOCIATES, INC					
	3/29/2010	201547	45.27		
				REFUND-BUS LIC OVRPMT	45.27
	Vendor Total		**45.27**		
FYTD for WINCHESTER ASSOCIATES, INC			**45.27**		
WINE WAREHOUSE					
	3/29/2010	201548	23.43		
				REFUND-BUS LIC OVRPMT	23.43
	Vendor Total		**23.43**		
FYTD for WINE WAREHOUSE			**23.43**		
WINZLER & KELLY CONSULTING ENGINEERS					
	3/22/2010	201327	14,960.00		
				TEMP STAFFING SVCS-CAP PROJS	14,960.00
	3/29/2010	201549	2,831.36		
				IRONWOOD AVE-PERRIS TO NASON	2,831.36
	Vendor Total		**17,791.36**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**336,377.59**		
WOODWARD, BRYAN					
	3/1/2010	200986	360.00		
				INSTRUCTOR SVCS-DOG TRNG CLASS	360.00
	Vendor Total		**360.00**		
FYTD for WOODWARD, BRYAN			**660.00**		
WRCRCA					
	3/22/2010	201328	13,566.00		
				RESIDENTIAL FEES CLLCTD	13,566.00
	Vendor Total		**13,566.00**		
FYTD for WRCRCA			**199,222.00**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.					
	3/1/2010	200987	3,976.88		
				CLEAN CARPET/UPHOLSTERY-FS#2	379.40
				CLEAN CARPET/UPHOLSTERY-FS#6	687.89
				CLEAN CARPET/UPHOLSTERY-FS#48	336.88
				CLEAN CARPET/UPHOLSTERY-FS#58	195.50
				CLEAN CARPET/UPHOLSTERY-FS#65	336.88
				CLEAN CARPET/UPHOLSTERY-FS#91	435.33
				JANITORIAL SVCS-ANIMAL SHELTER	200.00
				JANITORIAL SVCS-CONF & REC CTR	805.00
				JANITORIAL SVCS-TOWNGATE C.C.	600.00
	3/15/2010	880210	130.00		
				SPCL CLEANING SVCS-SR CTR	130.00
	3/17/2010	880212	1,153.44		
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-EMP RES CTR	348.96
	3/22/2010	880239	22,485.05		
				JANITORIAL SVCS-TOWNGATE C.C.	360.00
				JANITORIAL SVCS-CONF & REC CTR	1,120.00
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FAC ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	3/29/2010	880256	1,345.70		
				JANITORIAL SVCS-SENIOR CTR	390.00
				JANITORIAL SVCS-MARCH FLD PARK	955.70
	Vendor Total		**29,091.07**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**231,974.08**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	3/1/2010	200988	2,718.74		
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	993.56
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
				COPIER RNTL/EXC PRNTS-GRAPHICS	929.60
	3/15/2010	201211	953.73		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	3/22/2010	201329	1,486.48		
				COPIER RNTL/MAINT/EXC PRNTS-PD	23.15
				COPIER RNTL/MAINT/EXC PRNTS-PD	117.20
				COPIER RNTL/MAINT-STARS	107.00
				COPIER EXC PRINTS CHRG-STARS	1,028.83
				COPIER RNTL/MAINT/EXC PRNTS-PD	210.30
	3/29/2010	201550	2,171.40		
				COPIER RNTL/MAINT/PRNTS-PARKS	681.66
				COPIER RNTL/MAINT/PRNTS-PARKS	307.65
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,182.09
	Vendor Total		**7,330.35**		
FYTD for XEROX			**53,191.04**		
YAMASHITA, JULIA J.					
	3/1/2010	200989	289.60		
				RETIREE MEDICAL BENEFIT	289.60
	Vendor Total		**289.60**		
FYTD for YAMASHITA, JULIA J.			**1,503.70**		
YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME					
	3/22/2010	201330	525.00		
				ADVERTISING SVCS	262.50
				ADVERTISING SVCS	262.50
	Vendor Total		**525.00**		
FYTD for YOUR VILLA, SHOPPING GUIDE FOR YOUR HOME			**1,035.00**		
ZEISER KLING CONSULTANTS, INC.					
	3/8/2010	201095	11,076.25		
				TRAF SIG AT SR60/REDLANDS BLVD	2,637.25
				TRAF SIG AT SR60/REDLANDS BLVD	5,504.75
				TRAF SIG AT SR60/REDLANDS BLVD	2,934.25
	Vendor Total		**11,076.25**		
FYTD for ZEISER KLING CONSULTANTS, INC.			**11,076.25**		

City of Moreno Valley

Check Register

For Period 3/1/2010 through 3/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	3/1/2010	200990	2,865.80		
				SIGNS/HARDWARE FOR TRANSP DIV.	445.02
				SIGNS FOR TRANSP DIV.	2,163.04
				SIGNS/HARDWARE-BICYCLE LN PROJ	257.74
	Vendor Total		**2,865.80**		
FYTD for ZUMAR INDUSTRIES, INC.			**30,127.42**		
	Subtotal		**1,727,292.20**		
	GRAND TOTAL		**67,977,881.05**		

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MV00059292

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Approval of Amendment No.1 to Agreement to Form the Lake Elsinore and Canyon Lake Total Maximum Daily Load (TMDL) Task Force

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney;

2. Authorize the Mayor to execute Amendment No. 1 to Agreement;

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement; and

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

A TMDL is the amount of a specific pollutant that can be assimilated by a particular water body without causing impairment to its designated uses, i.e., swimming, fishing, municipal water supply, etc. If a water body cannot assimilate the specific pollutant the

water body is determined "impaired" under the federal Clean Water Act. States are required to identify their impaired water bodies, determine the specific pollutant(s) causing impairment and prepare a TMDL. In the 1990's, the Santa Ana Regional Water Quality Control Board (Board) complied with the Clean Water Act and identified Lake Elsinore and Canyon Lake as water bodies impaired by two nutrients, nitrogen and phosphorous as well as other pollutants.

In 2000, the Board identified the federal, State and local agencies as well as the special districts and private parties, collectively "Stakeholders" that directly or indirectly discharge nutrients to Canyon Lake and Lake Elsinore. Moreno Valley was named a Stakeholder. At that time, the Board organized a TMDL Stakeholder Workgroup in which the city was an active participant. Subsequently, the Board prepared a nutrient TMDL report and implementation plan.

On December 20, 2004, the Board adopted Resolution No. R8-2004-0037 incorporating the nutrient TMDL into the Santa Ana River Basin (Basin Plan). On May 19, 2005, the TMDL was approved by the State Water Resources Control Board per Resolution No. 2005-0038 and by the California Office of Administrative Law on July 26, 2005. On September 30, 2005, the United States Environmental Protection Agency (USEPA) Region IX approved the nutrient TMDL. The nutrient TMDL became law based upon the California Water Code and is now enforceable by the State and USEPA.

On January 30, 2006, the Board sent letters to the Stakeholders setting forth a requirement under the California Water Code Section 13267 for each to submit technical reports, plans and schedules for the implementation of the TMDL. On February 16, 2006, the Riverside County Flood Control and Water Conservation District (FCD) staff briefed the City Managers of the affected cities regarding the proposed task force and to review each city's cost share if they joined the task force. On February 21, 2006, staff updated City Council on the TMDL progress. Staff presented the concept of participating in TMDL Task Force as a way for Moreno Valley to comply with the State and federal TMDL mandate.

On July 11, 2006, the City Council agreed the city should participate in the TMDL Task Force and authorized the Mayor to execute the Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. The agreement is set to terminate on June 30, 2010, unless extended by mutual agreement of the Task Force Agencies.

DISCUSSION

Amendment No. 1 to Agreement (Attachment No. 1) has been transmitted to the Task Force Agencies for consideration of continued participation in the Task Force for one additional year ending June 30, 2011. This allows the Task Force sufficient time to complete a pollutant modeling analysis for Stakeholder pollutant allocations. Additionally, two new cities, Wildomar and Menifee, incorporated after execution of the Agreement and have requested to be agencies of the Task Force.

Continuing participation in the Task Force provides the city access to additional professional and fiscal resources for the specific purpose to address common TMDL tasks identified in Recital "D" of the executed Agreement (Attachment No. 2). The TMDL Task Force includes two federal agencies, one Joint Powers Authority, two State agencies, the County of Riverside, eleven cities, three special districts, and one agricultural coalition representing farming interests and dairy interests. The Lake Elsinore San Jacinto Watershed Authority is the Task Force Administrator.

The benefits of continued participation in the TMDL Task Force include;

- Having oversight of the Administrator and other water quality professionals hired to manage the various contracts necessary for common TMDL tasks that benefit Moreno Valley;
- Performance goals to ensure the Stakeholders remain in compliance by producing various reports, schedules, and plans by the mandated deadlines that are common to all;
- A greater voice to advocate the city's position to water quality issues affecting the watershed, and;
- Sharing costs for common tasks is sound fiscal management.

ALTERNATIVES

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff recommends this alternative. Alternative One provides Moreno Valley the opportunity to continue to benefit from a pool of resources to address common TMDL tasks thus reduce overall costs and take credit for in-kind services provided by the FCD.

2. Do not approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force. Staff does not recommend this alternative. The city must perform the tasks outlined in the TMDL as addressed in the 13267 letter and as now identified in the 2010 NPDES Permit of which the city is a co-permittee. Undertaking the tasks as an individual stakeholder will substantially increase the city's cost of TMDL compliance.

FISCAL IMPACT

Moreno Valley utilizes the General Fund to cover TMDL costs. County Service Area (CSA) 152 could be expanded to address TMDLs. A city-wide mail ballot proceeding would be necessary should City Council wish to increase the CSA 152 levy to address TMDLs. The NPDES Regulatory Rates for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development do not address TMDLs. The Regulatory Rate Schedules could be reviewed and amended to address TMDL costs associated with new development.

Alternative One

Moreno Valley's share as a member of the TMDL Task Force is approximately $65,000 for FY 2010/2011. As a member, Moreno Valley will continue to benefit from shared costs as well as in-kind services provided by the FCD for watershed-wide water sampling mandated as part of the 2010 National Pollutant Discharge Elimination System (NPDES) Permit.

Additionally, grant monies are available for water quality projects. The TMDL Task Force Administrator has available staff to seek grants. The Administrator will apply for grants as they become available which could further reduce the Stakeholders' compliance costs.

Alternative Two

As an individual stakeholder performing the required tasks separately from the TMDL Task Force, Moreno Valley's costs are estimated to be $605,000 FY 2010/2011 per the recent budget approved by the Task Force. Moreno Valley would be required to perform the same mandated tasks as the TMDL Task Force but as a separate stakeholder. The $605,000 does not include the costs for additional city Storm Water Management Program staff or consultants to perform the mandated tasks. Additional fund transfers would be necessary for FY 2010/2011 by approving this alternative.

Following Fiscal Years

At this time, it is not known what Moreno Valley's costs will be in subsequent fiscal years. Compliance with the TMDLs must be achieved by December 31, 2020. It is anticipated Moreno Valley will have TMDL expenditures each fiscal year through 2020. As one or more Stakeholders implement Best Management Practices to achieve compliance with the TMDL, program costs may shift to the other Stakeholders thus increasing their costs. Additionally, the City Managers acting as the NPDES Management Steering Committee for the affected cities may determine other cost sharing models to more equitably split the shared costs between the cities and the county other than the current method of using a population based cost sharing model.

CITY COUNCIL GOALS

Advocacy. Approval of the attached Amendment to Agreement will assist Moreno Valley to develop cooperative intergovernmental relationships with other Task Force Agencies. Being a Task Force Agency will assist staff to advocate City policies, objectives, and goals related to water quality to appropriate governments and agencies.

Revenue Diversification and Preservation. Approval of the attached agreement will assist in leveraging scarce city funds to provide mandated TMDL reports, plans and schedules enforceable under state and Federal laws.

SUMMARY

The Nutrient TMDL for Lake Elsinore and Canyon Lake is in effect. The city received a 13267 letter from the Board stating that it must address the TMDL tasks as approved by the State Water Resources Control Board and USEPA. The TMDL Task Force for Lake Elsinore and Canyon Lake was formed by interested Stakeholders as a vehicle to address the State and federal mandate. Continued participation in the task force allows Moreno Valley to leverage resources necessary to remain in compliance with the TMDL.

There are neither State nor federal funds earmarked for Moreno Valley to perform the mandated tasks. The General Fund provides the funding for Moreno Valley's budgeted costs. Performing the TMDL mandated tasks as an individual stakeholder will substantially increase the city's costs and ignoring the mandates will result in city non-compliance subjecting the city, staff and/or officials to civil and possible criminal actions by the State and/or federal governments.

NOTIFICATION

Publication of Agenda

ATTACHMENTS/EXHIBITS

Attachment No. 1—Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 161-184)
Attachment No. 2—Copy of Executed Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force (PG. 185-222)

Prepared By
Kent Wegelin
Storm Water Program Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark A. Sambito
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059298

AMENDMENT NO. 1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Amendment No. 1 is made this ___ day of _____, 20___, by and among the Task Force Agencies that constitute the Lake Elsinore and Canyon Lake TMDL Task Force.

RECITALS

WHEREAS, the Lake Elsinore and Canyon Lake TMDL Task Force was created pursuant to that certain agreement entitled *"Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force"* dated March 5, 2007 (" Agreement"); and

WHEREAS, it is the purpose of this Amendment No. 1 to the Agreement for all Task Force Agencies to mutually extend the duration of the Agreement one full year and to add the City of Menifee and the City of Wildomar to the Task Force.

NOW, THEREFORE, the parties mutually agree that the Agreement is amended as follows:

1. The duration of the Agreement is extended one full year to **June 30, 2011,** and

2. The following Agencies are hereby added as a "**Task Force Agency**" to the Agreement:

   CITY OF MENIFEE
   CITY OF WILDOMAR

IN WITNESS WHEREOF, the Parties hereto have executed this **Amendment No. 1** on the date opposite their respective signatures. This Amendment becomes effective as of the date of the latest signature page received.

LAKE ELSINORE AND SAN JACINTO WATERSHEDS AUTHORITY

BY_____

TITLE _____

DATE_____

Attachment No. 1

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (CLEVELAND NATIONAL FOREST MANAGEMENT ZONE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

MARCH AIR RESERVE BASE JOINT POWERS AUTHORITY

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY_____

TITLE _____

DATE_____

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____ By

WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

_____

JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____ By

DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

_____

Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

COUNTY OF RIVERSIDE

RECOMMENDED FOR APPROVAL:

By_____ By _____

LARRY PARRISH
County Executive Officer

JEFF STONE, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____

DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk to the Board

By _____

Deputy

(SEAL)

MV00059310

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

ATTEST

BY_____
City Clerk

APPROVED AS TO FORM

BY_____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN W ITNESS W HEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MENIFEE

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF WILDOMAR

By_____

DATE_____

APPROVED AS TO FORM

BY_____
Attorney

IN W ITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____

TITLE _____

DATE_____

_____

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6/6/06

AGREEMENT TO FORM
THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE

This Agreement, entered into as of this 17 day of JULY, 2006, to form the Lake Elsinore and Canyon Lake TMDL Task Force (hereinafter "AGREEMENT") is made by and among the following entities, which are hereinafter sometimes collectively referred to as "TASK FORCE AGENCIES" or individually as "TASK FORCE AGENCY":

United States Department of Agriculture, Forest Service (Forest Service)
US Air Force (March Air Reserve Base)
March Air Reserve Base Joint Powers Authority
California Department of Transportation
California Department of Fish and Game
County of Riverside
City of Beaumont
City of Canyon Lake
City of Hemet
City of Lake Elsinore
City of Moreno Valley
City of Murrieta
City of Perris
City of Riverside
City of San Jacinto
Elsinore Valley Municipal Water District
Eastern Municipal Water District
Western Riverside County Agriculture Coalition on behalf of the Agricultural Operators in the San Jacinto River Basin
Western Riverside County Agriculture Coalition on behalf of the Dairy Operators in the San Jacinto River Basin
Riverside County Flood Control and Water Conservation District

I. RECITALS

A. Whereas, in 1998, the Santa Ana Regional Water Quality Control Board (hereinafter "Regional Board") designated Lake Elsinore and Canyon Lake in the Lake Elsinore and San Jacinto Watersheds (Collectively the "Watersheds") as "impaired water bodies" pursuant to Section 303(d) of the federal Clean Water Act because of high levels of algae in both lakes and low dissolved oxygen in Lake Elsinore, attributed to excess phosphorus and nitrogen (NUTRIENTS). As a result of said Section 303 designation, the Clean Water Act requires that total maximum daily loads (hereinafter "TMDLs") be established by the Regional Board for these waterbodies.

B. Whereas, in response to the Section 303(d) designation, the Regional Board adopted a Resolution R8-2004-0037 on December 20, 2004 amending the Water Quality Control Plan for the Santa Ana River Basin (BASIN PLAN AMENDMENT) to incorporate nutrient TMDLs for Canyon Lake and Lake Elsinore. The Basin Plan Amendment specifies, among other things, an Implementation Plan (TMDL IMPLEMENTATION PLAN), which holds specified stake holders (TASK FORCE AGENCIES) individually and/or jointly liable for complying with the TMDLs by means of specific tasks to be completed by specified dates under penalty of law. These tasks include development and implementation of a watershed-wide nutrient water quality monitoring program, development of an in-lake nutrient monitoring

program for Canyon Lake and Lake Elsinore, development of a plan and schedule for in-lake sediment nutrient reduction for Lake Elsinore, development of a plan and schedule for evaluating in-lake sediment nutrient strategies for Canyon Lake, updating watershed and in-lake nutrient TMDL water quality models, developing a pollutant trading plan, and reviewing and revising the TMDL to reflect updated data and science.

C. Whereas, the purpose of this AGREEMENT is to form a task force (hereinafter "TASK FORCE") to implement certain tasks identified in the TMDL IMPLEMENTATION PLAN and to pursue TMDL related tasks agreed upon by TASK FORCE AGENCIES, and

D. Whereas, the TASK FORCE AGENCIES agree that the purpose of this TASK FORCE is to (1) review and develop recommendations to update the TMDL BASIN PLAN AMENDMENT based on the best available scientific information, and (2) implement TMDL IMPLEMENTATION PLAN Tasks identified below and jointly assigned to TASK FORCE AGENCIES, and (3) propose appropriate revisions to the TMDL BASIN PLAN AMENDMENT to the Santa Ana RWQCB by June 30, 2010, and (4) allow watershed stakeholders to participate in efforts to meet appropriate water quality standards so that Canyon Lake and/or Lake Elsinore can be de-listed from the Clean Water Act Section 303(d) list of impaired water bodies, and

E. Whereas, hundreds of individual agricultural and dairy operators are subject to the Canyon Lake and Lake Elsinore TMDLs and its component TMDL IMPLEMENTATION PLAN, and

F. Whereas the Western Riverside County Agricultural Coalition(WRCAC) is a non-profit organization representing the interests of agricultural and dairy operators within the San Jacinto Watershed, and

G. Whereas WRCAC's membership is open to any and all agricultural and dairy operators within the San Jacinto watershed, and

H. Whereas, March Air Reserve Base (MARB) is an installation of the United States Air Force, and the San Bernardino and Cleveland National Forest are on federal lands under the administration and management of the Forest Service. Both are agencies of the federal government, and are therefore subject to limitations in their ability to comply with every provision stated herein to the same extent that other non-federal TASK FORCE AGENCIES are able to comply. These limitations are based upon, but not limited to, those identified in the federal Clean Water Act, the federal Antideficiency Act, the principle of sovereign immunity and the holdings of the Supreme Court of the United States, and other binding federal court decisions, as they interpret those sources of federal law. The limitations so mentioned include, but are not limited to, the availability of federal funding to pay for participation in this program, and the ability of MARB and Forest Service to participate directly in sampling, research or data gathering activities which are not located on or near MARB or National Forest System lands or a point source of water discharge arising on MARB or National Forest System lands, or other activities not specifically authorized by the Federal Clean Water Act section 313. To the extent that the limitations described herein prevent MARB or Forest Service from fully participating in any aspect of this program, they reserve the right, in their sole discretion, to participate in the program as a matter of comity. By entering into this agreement, MARB and Forest Service do not authorize any of the TASK FORCE AGENCIES to exercise regulatory authority over them. MARB and Forest Service agree that State and federal regulatory agencies that are or may

become members of this TASK FORCE have regulatory authority over MARB and Forest Service only to the extent permitted by State or Federal Law.

I. Whereas, the TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE, and

J. Whereas, the Riverside County Flood Control and Water Conservation District (RCFC&WCD) serves as the Principal Permittee for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4) for the Santa Ana Region of Riverside County, and

K. Whereas, the County of Riverside and Cities of Beaumont, Canyon Lake, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside, San Jacinto are MS4 CO-PERMITTEES for the NPDES MS4 Permit for the Santa Ana Region of Riverside County, and

L. Whereas, the MS4 PRINCIPAL PERMITTEE and MS4 CO-PERMITTEES collectively represent the MS4 PERMITTEES within the San Jacinto Watershed, and

M. Whereas, the NPDES MS4 Permit for the Santa Ana Region of Riverside County is regulated by the REGIONAL BOARD and subject to the requirements of the nutrient TMDLs for Canyon Lake and Lake Elsinore, and

N. Whereas RCFC&WCD has agreed to provide services on behalf of itself as an NPDES MS4 PERMITTEE and on behalf of the MS4 CO-PERMITTEES for the purposes of this AGREEMENT, and

O. Whereas RCFC&WCD has prepared and reviewed the MS4 CO-PERMITTEES cost share allocation with MS4 CO-PERMITTEE staff at the NPDES MS4 Permit Technical Advisory Committee Meetings and with the affected City Managers and County Executive Office, or designated representatives thereof during the NPDES MS4 Permit Management Steering Committee Meeting of February 16, 2006, and

P. Whereas, the TMDL assigned nutrient waste load allocations for supplemental water (herein SUPPLEMENTAL WATER) addition to Lake Elsinore to stabilize the Lake's elevation, and

Q. Whereas, the nutrient waste load allocation for SUPPLEMENTAL WATER, which includes Island Well water, EVMWD treatment plant effluent, and other sources of non-stormwater, may reduce the TMDL waste load allocation and TMDL load allocation of other point and non-point sources because in-lake nutrient capacity was not adjusted to account for increased lake levels associated with the addition of SUPPLEMENTAL WATER, and

R. Whereas, the assumptions regarding load allocations for SUPPLEMENTAL WATER may not be consistent with the actual operation of SUPPLEMENTAL WATER sources, and

S. Whereas, the City of Lake Elsinore and EVMWD previously entered into an agreement to equally share the cost of SUPPLEMENTAL WATER addition to the Lake under the "Lake Elsinore Comprehensive Water Management Agreement", and

T. Whereas, for the purposes of this AGREEMENT, the City of Lake Elsinore shall be acknowledged and recognized as a separate and equal contributor with EVMWD for the cost and voting rights accorded under this AGREEMENT attributed to EVMWD for SUPPLEMENTAL WATER addition, and

U. Whereas, the TASK FORCE AGENCIES have considered many alternative cost sharing methodologies based on TMDL assigned load allocation, load reduction, and permutations thereof; and

V. Whereas, certain TASK FORCE AGENCIES were strong proponents of cost sharing based on load allocation and other TASK FORCE AGENCIES were strong proponents of cost sharing based on load reduction, and

W. Whereas, these TASK FORCE AGENCIES have been unable to agree upon a methodology for distributing costs based on either an allocation or a load reduction methodology; and

X. Whereas, the TASK FORCE AGENCIES have reviewed and agreed upon an interim negotiated cost allocation methodology acceptable to all TASK FORCE AGENCIES for the purposes of initiating the TASK FORCE, based on consideration of TMDL assigned load allocations, load reductions, and permutations thereof, and

Y. Whereas, the TASK FORCE AGENCIES agree that certain nutrient dischargers have been either inappropriately named or not named as responsible parties for various tasks in the BASIN PLAN AMENDMENT; and

Z. Whereas, the TASK FORCE AGENCIES agree that agricultural and dairy lands are converting to urban and open space lands, and

AA. Whereas, the TASK FORCE AGENCIES agree that an amendment to the TMDL to address, at minimum, the proper naming of responsible parties for various tasks in the TMDL IMPLEMENTATION PLAN, to correct the load allocation and waste load allocations to properly address the impacts of SUPPLEMENTAL WATER on Lake Elsinore, and to revise the load allocation and waste load allocations to address the ongoing conversion of agriculture and dairy lands to urban and/or open space should be addressed as part of a revision to the TMDL IMPLEMENTATION PLAN, and

BB. Whereas, the TASK FORCE AGENCIES agree that upon amendment of the existing BASIN PLAN AMENDMENT, including the TMDL IMPLEMENTATION PLAN, by the Regional Board to address, at a minimum, the issues described in Recital Z, the TASK FORCE AGENCIES will amend this AGREEMENT to revise the cost allocation methodology for future fiscal years to incorporate a task-specific cost sharing methodology, based on assigned load allocation or waste load allocation of TASK FORCE AGENCIES, or categories of TASK FORCE AGENCIES, responsible for each TMDL IMPLEMENTATION PLAN task, and

CC. Whereas, MARB agrees to budget for and to participate in the TASK FORCE, provided that sufficient funds are appropriated by the Congress, in FY 06-07 and future years, and on the condition that funding requirements under this agreement do not violate the Anti-deficiency Act, and provided that the Task Force Agencies agree to relocate the proposed monitoring station from Kitching Channel to the Heacock drainage channel, and use any fees provided by MARB, for participation in this program, to establish and monitor this station.

II. COVENANTS

NOW, THEREFORE; in consideration of the foregoing recitals and mutual covenants contained herein, the TASK FORCE AGENCIES agree as follows:

1. Creation of a Task Force. There is hereby created a "Lake Elsinore and Canyon Lake TMDL Task Force" ("TASK FORCE") initially consisting of the TASK FORCE AGENCIES and certain Non-Voting, Non-Funding Members as more specifically provided for in paragraph 2 below.

2. Representation on the Task Force.

   a. Appointment. Concurrently with the execution of this Agreement, each TASK FORCE AGENCY shall, in accordance with such TASK FORCE AGENCY's own governing provisions, appoint one primary representative to the TASK FORCE and one alternate representative to act in the absence of the primary representative (hereinafter collectively referred to as "REPRESENTATIVES" or individually as "REPRESENTATIVE"). The REPRESENTATIVES shall have the authority to act on behalf of its appointing TASK FORCE AGENCY. The REPRESENTATIVES shall serve at the pleasure of the appointing TASK FORCE AGENCY and may be removed at any time, with or without cause by such TASK FORCE AGENCY; provided, however, that the TASK FORCE AGENCIES acknowledge and agree the continuity of representation on the TASK FORCE is important to the overall effectiveness of the TASK FORCE, and the TASK FORCE AGENCIES further agree to ensure such continuity whenever possible.

   b. Additional Agencies. The TASK FORCE AGENCIES acknowledge and agree that the effectiveness of the TASK FORCE may be improved by the inclusion of other agencies as additional TASK FORCE AGENCIES to the TASK FORCE. Such agencies may join the TASK FORCE on such written terms and conditions as are acceptable to all then existing TASK FORCE AGENCIES of the TASK FORCE, including, but not limited to, agreed-upon cash contributions for past, present, and/or future work, of the TASK FORCE. The inclusion of such agencies as additional TASK FORCE AGENCIES to the TASK FORCE shall be effected by a written amendment to this AGREEMENT signed by all then existing TASK FORCE AGENCIES. Such additional TASK FORCE AGENCIES shall each appoint their TASK FORCE primary REPRESENTATIVE and alternate REPRESENTATIVE as provided in Section II.2.a. above or in said written amendment. The following agencies will be considered for inclusion as additional TASK FORCE AGENCIES in future amendments to this AGREEMENT within the meaning of this section:

      Any other named stakeholder in any future amendments of the BASIN PLAN AMENDMENT.

c. Non-Voting, Non-Funding Members. The Regional Board, Lake Elsinore and San Jacinto Watersheds Authority and the San Jacinto River Watershed Council are hereby appointed as Non-Voting, Non-Funding Members of the TASK FORCE. Additional Non-Voting, Non-Funding Members may be appointed by a majority vote of the TASK FORCE representatives. Non-Voting, Non-Funding Members appointed herein, and any appointed in the future are authorized only to make recommendations upon the functioning of this TASK FORCE and the development of this program. Federal, State and local regulatory agencies acting as Non-Voting, Non-Funding Members, now or in the future, retain authority to regulate TASK FORCE MEMBERS only to the extent that they are so authorized under state and federal law.

d. Dairy and Agricultural Operators. The TASK FORCE AGENCIES acknowledge that the Western Riverside County Agriculture Coalition (WRCAC) shall represent the collective interest of both agricultural and dairy operators in the San Jacinto River Watershed in the TASK FORCE at this time. WRCAC shall appoint two primary TASK FORCE REPRESENTATIVES and two alternate REPRESENTATIVES as provided in Section II.2.a. One set of REPRESENTATIVES shall be designated for agricultural operator interests, the other set of REPRESENTATIVES shall be designated for dairy interests for the purposes of this TASK FORCE.

e. Committees. The TASK FORCE may establish subcommittees, consisting of REPRESENTATIVES and Non-Voting, Non-Funding Members who shall be selected by, and serve at the pleasure of, the TASK FORCE.

f. Task Force Administrator. A TASK FORCE administrator (hereinafter "TASK FORCE ADMINISTRATOR") shall be appointed by the TASK FORCE. The TASK FORCE ADMINISTRATOR shall have the following administrative responsibilities:

(1) Organizing and facilitating TASK FORCE meetings;
(2) Secretarial, clerical, and administrative services;
(3) Managing TASK FORCE funds and preparing annual reports of TASK FORCE assets and expenditures;
(4) Retaining TASK FORCE-authorized consultants; and
(5) Seeking funding grants to assist with achieving the work of the TASK FORCE and other goals and objectives approved by TASK FORCE AGENCIES.

The TASK FORCE AGENCIES hereby appoint the Lake Elsinore and San Jacinto Watersheds Authority as the initial TASK FORCE ADMINISTRATOR.

g. Meetings of the Task Force.

(i) Frequency and Location. The TASK FORCE shall, by resolution or motion, agree upon the time and place for holding its regular meetings. Special meetings may be called at the request of the TASK FORCE ADMINISTRATOR or by a majority of the TASK FORCE REPRESENTATIVES.

(ii) Task Force Chair. The TASK FORCE REPRESENTATIVES shall select a chair and a vice-chair. The term of the chair and vice-chair shall be one year and shall be rotated among the TASK FORCE REPRESENTATIVES interested in serving as chair.

(iii) Quorum. One half or more of the REPRESENTATIVES of the TASK FORCE shall constitute a QUORUM.

(iv) Voting. Actions of the TASK FORCE shall be validly taken only when a QUORUM is present and upon the affirmative vote of a MAJORITY of the TASK FORCE REPRESENTATIVES. A MAJORITY of the REPRESENTATIVES shall be determined as follows:

Each TASK FORCE AGENCY shall have one vote (herein VOTE) assigned for each $1,000 increment of PRO RATA COST SHARE, as described in Paragraph II.5 below, contributed to the TASK FORCE budget developed for a given fiscal year (hereinafter "BUDGET"). A MAJORITY of the REPRESENTATIVES shall consist of greater than 50% of the total VOTES based on the BUDGET for the fiscal year during which the action is taken.

(v) Brown Act. All meetings of the TASK FORCE or any of its committees shall be conducted as may be required by any applicable provisions of the Ralph M. Brown Act (California Government Code §§54950 et seq.). The provisions contained in the Ralph M. Brown Act shall prevail in the event of any conflict with provisions contained in this AGREEMENT.

The TASK FORCE may adopt such additional rules and regulations as may be required for the conduct of its affairs so long as such rules and regulations do not conflict with this AGREEMENT.

3. Work of the Task Force. The TASK FORCE shall perform the following tasks in accordance with guidelines established by the Regional Board:

a. To retain consulting services to review scientific and other assumptions contained within the TMDL. Consultant(s) shall provide a report identifying preliminary TMDL opportunities such as site specific objectives, pollutant trading strategies, and integration strategies. The final

scope of work shall be approved by the Task Force. The report shall specifically consider assumptions supporting the TMDL. The report should also provide preliminary analysis of the ability to achieve in-lake nutrient reductions and verify that load assignments are appropriate. Upon completion of the report, Consultant(s) shall also review work described herein, and make recommendations to ensure that work is specifically designed to resolve any deficiencies, where appropriate. Consultant(s) shall also coordinate development of BASIN PLAN AMENDMENT language, in coordination with the Regional Board, which can be used to revise the TMDLs as part of the Regional Board's Triennial Reviews at a minimum, or no later than by June 2010.

b. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Watershed-wide Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDL, and to determine compliance with interim and final nitrogen and phosphorus allocations, and compliance with the nitrogen and phosphorus TMDLs. Monitoring and management of monitoring data to update the Lake Elsinore and Canyon Lake Nutrient TMDL shall commence immediately upon approval of this AGREEMENT. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

c. TMDL IMPLEMENTATION PLAN Task 4 - Develop and Implement a Lake Elsinore and Canyon Lake Nutrient Monitoring Program. This program shall obtain data necessary to update the Lake Elsinore and Canyon Lake Nutrient TMDLs, and to determine compliance with interim and final nitrogen, phosphorus, chlorophyll a and dissolved oxygen numeric targets. In addition, the monitoring program shall determine the relationship between ammonia toxicity and the total nitrogen allocation to ensure that the total nitrogen allocation will prevent ammonia toxicity in Lake Elsinore and Canyon Lake. Monitoring and management of monitoring data shall commence immediately upon approval of this agreement. An annual report summarizing the data collected for the year shall be submitted to the Regional Board by August 15 of each year commencing in 2007.

d. TMDL IMPLEMENTATION PLAN Tasks 9 and 10 - Develop and Implement a Plan to Reduce NUTRIENTS in Lake Elsinore sediments and develop a sediment nutrient treatment evaluation plan for Canyon Lake. The plans shall evaluate the efficacy of various in-lake treatment technologies to prevent the release of NUTRIENTS from lake sediments as a long-term strategy for control of NUTRIENTS in the sediment. The program may also include a sediment nutrient monitoring program to evaluate the effectiveness of any technologies that may be implemented. Target Date for Completion: March 31, 2007.

e. TMDL IMPLEMENTATION PLAN Task 11 - Develop and Implement a Plan and Schedule for Updating the Existing Lake Elsinore/San Jacinto

River Watershed Nutrient Model and the Canyon Lake and Lake Elsinore In-Lake Models. Develop and implement a plan and schedule to update and execute Watersheds and in-lake models to track the progress of TMDL efforts. In-lake models should be analyzed as soon as sufficient data becomes available. Target Date for Completion: March 31, 2007.

f. TMDL IMPLEMENTATION PLAN Task 12 - Investigate, Develop and Implement a Pollutant Trading Plan. Investigate the feasibility of pollutant trading in the Watersheds, and develop a feasibility plan for Regional Board review and approval. Target Date for Completion: September 30, 2007.

g. Investigate Long Term TMDL Implementation Structure, Cost Sharing Formula and Funding Sources. Investigate possible long term administrative structures, cost sharing formulas and funding sources that can be used to obtain compliance with the TMDL requirements. Target Date for Completion: June 30, 2010.

h. Other Tasks. The TASK FORCE may undertake such other plans, programs and studies as authorized by the TASK FORCE pursuant to II.2.g. of this AGREEMENT.

i. Limitations on MARB and Forest Service. As described above in Section I.H, MARB is an agency of the federal government and is therefore unable to participate in each and every aspect of Section 3 to the same extent as other TASK FORCE MEMBERS. To the extent that it is unable to participate in any tasks under section 3, it reserves the right, in its sole discretion, to participate to the fullest extent that it is able, as a matter of comity.

4. Budgets. Beginning in FY2007-2008, the total annual budget (BUDGET), adjusted to remove in-kind services, grant funding and funding credits associated with this AGREEMENT shall not exceed $800,000, except as authorized by the TASK FORCE via two-thirds approval via VOTES based on the BUDGET for the then current fiscal year pursuant to II.2.g. of this AGREEMENT. The TASK FORCE ADMINSTRATOR shall prepare and submit a proposed BUDGET for each fiscal year of this AGREEMENT to the TASK FORCE AGENCIES by November 30th. The proposed BUDGET shall include all anticipated costs for the scope(s) of work developed by the TASK FORCE for the next fiscal year. The TASK FORCE REPRESENTATIVES shall approve the BUDGET by December 31st. Each TASK FORCE AGENCY shall pay its PRO-RATA SHARE of the approved fiscal year's TASK FORCE BUDGET and arrears by August 31st of the following year. The BUDGET for the eighteen (18) month period starting January 1, 2006 and extending through June 30, 2007 and estimated fiscal year BUDGETS through June 30, 2010 are included as Attachment A to the AGREEMENT. Approval of this AGREEMENT shall constitute approval of the BUDGET through June 30, 2007. Payment of the BUDGET through June 30, 2007 shall be by August 31, 2006, or within 30 days

of the approval of this AGREEMENT by each TASK FORCE AGENCY, whichever is sooner.

The TASK FORCE ADMINISTRATOR shall endeavor to minimize carry-over fund balances to those necessary to complete work of the TASK FORCE and to maintain contingencies limited to those necessary to ensure work of the TASK FORCE is not impeded. Excess not necessary to complete budgeted work of the TASK FORCE or maintain adequate reserves shall be credited back to the TASK FORCE AGENCIES in the BUDGET consistent with the PRO-RATA SHARE methodology described in Paragraph II.5 below. THE TASK FORCE AGENCIES shall agree to a reasonable reserve balance as part of each year's BUDGET.

After September 30 of each year, the TASK FORCE ADMINSTRATOR shall provide an accounting of all PRO RATA SHARES collected via cash or in-kind contributions. If PRO RATA SHARES collected are less than BUDGET, the TASK FORCE shall meet with Regional Board staff to determine appropriate priorities for scheduled TASK FORCE work and revise BUDGET based on available funds.

5. Pro-Rata Share Calculation. The annual PRO-RATA SHARE shall be calculated in the following manner:

The PRO-RATA SHARE for MS4 CO-PERMITTEES, Agricultural Operators and EVMWD shall be based on the BUDGET reduced by the value of available grant funding identified in Section 1 of Attachment A and in-kind services identified in Section 3 of Attachment A (LINE 1k BUDGET). The PRO-RATA SHARE for MS4 CO-PERMITTEES, and Agricultural Operators shall each be 28.5% of the LINE 1k BUDGET. Based on the prior agreement of EVMWD and the CITY OF LAKE ELSINORE involving the sharing of cost for supplemental water into Lake Elsinore, the PRO-RATE SHARE for EVMWD and the CITY OF LAKE ELSINORE shall each be 14.25% of the LINE 1K BUDGET.

The PRO-RATA SHARE for Dairy shall be 5% of the LINE 1k BUDGET.

The PRO-RATA SHARE for RCFC&WCD shall be the cash value of the in-kind services described in Section 3 of Attachment A.

The PRO-RATA SHARE for all other TASK FORCE AGENCIES shall be as a base amount set forth in the BUDGET.

The PRO-RATA SHARE for additional TASK FORCE AGENCIES shall be per in kind services and/or an amount agreed upon via written amendment of this AGREEMENT per Section II.2.b.

If the estimated funds collected under the PRO-RATA SHARE calculations exceed the BUDGET, the contributions of MS4 CO-PERMITTEES, EVMWD, City of Lake Elsinore, Agricultural Operators, Dairy and other TASK FORCE

AGENCIES contributing in excess of the base amount shall be raised or reduced proportionately based on the percentage of their PRO-RATA SHARE, until the estimated total PRO-RATA SHARES equals the BUDGET.

RCFC&WCD shall provide the TASK FORCE ADMINSTRATOR with annual individual MS4 CO-PERMITTEE cost share distribution of the MS4 CO-PERMITTEES PRO-RATA SHARE for budgets following Fiscal Year 2006-07. The methodology used by RCFC&WCD to calculate the MS4 CO-PERMITEE cost share distribution may be amended at the NPDES MS4 Management Steering Committee.

6. In-Kind Credits. The PRO-RATA SHARE of a TASK FORCE AGENCY shall be reduced by the value of IN-KIND CREDITS provided toward agreed-upon budgeted tasks by, or on behalf, of the TASK FORCE AGENCY(S). Credits shall be applied to each budget period and adjusted at the end of each budget year based on actual verified costs.

7. Modifications to the TASK FORCE PRO-RATA SHARE methodology. The methodology deriving the TASK FORCE PRO-RATA SHARE as provided in Section II.5 of this AGREEMENT may be modified upon written approval of all then existing TASK FORCE AGENCIES whose PRO-RATA SHARE would be affected.

8. The TASK FORCE AGENCIES shall cooperate fully with one another to attain the purposes of this AGREEMENT.

9. Nothing in this AGREEMENT, nor the work set forth in this AGREEMENT, nor any activity approved or carried out by the TASK FORCE AGENCIES hereunder, is intended to be nor shall be interpreted as a waiver by TASK FORCE AGENCIES of the "Maximum Extent Practicable" standard set forth in the Clean Water Act (33 U.S.C. Section 1251 *et seq.)*.

10. Each TASK FORCE AGENCY shall indemnify, defend, and hold each of the other TASK FORCE AGENCIES, including their special districts, officials, agents, officers, and employees, harmless from and against any and all liability and expense arising from any act or omission of such TASK FORCE AGENCY, its officials, agents, officers, and employees, in connection with this AGREEMENT, including but not limited to defense costs, legal fees, claims, actions, and causes of action for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury, or property damage; provided, however, that no TASK FORCE AGENCY shall indemnify another TASK FORCE AGENCY for that TASK FORCE AGENCY's own negligence or willful misconduct.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or

liabilities, to itself, to any third party or to MARB, or the Forest Service, or its employees under this agreement or any activities carried out under authority of this agreement.

11. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the TASK FORCE AGENCIES hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this AGREEMENT to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the TASK FORCE AGENCIES indemnifies, defends, and holds harmless each other TASK FORCE AGENCY for any liability, cost, or expense that may be imposed upon such other TASK FORCE AGENCY solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

MARB and the Forest Service, as agencies of the federal government, are unable to indemnify or hold harmless any other TASK FORCE AGENCY for any liability arising under this agreement. MARB and the Forest Service expressly do not indemnify or hold harmless any TASK FORCE AGENCY for any injuries or liabilities, to itself, to any third party or to MARB or Forest Service or their employees under this agreement or any activities carried out under authority of this agreement. Tort liability for federal employees, including employees of MARB and Forest Service, is expressly authorized and limited by the Federal Tort Claims Act, which will control liability of MARB and the Forest Service and their employees under the terms of this agreement.

12. All obligations of CALTRANS under the terms of this AGREEMENT are subject to the appropriation of the resources by the Legislature and the allocation of resources by the California Transportation Commission. This AGREEMENT has been written before ascertaining the availability of Federal or State legislative appropriation of funds, for the mutual benefit of the TASK FORCE AGENCIES in order to avoid program and fiscal delays that would occur if the AGREEMENT were executed after that determination was made. This AGREEMENT is valid and enforceable as to CALTRANS as if sufficient funds have been made available to CAL TRANS by the United States Government or California State Legislature for the purposes set forth in this AGREEMENT. If the United States Government or the California State Legislature does not appropriate sufficient funds for CALTRANS to participate in this AGREEMENT, this AGREEMENT may be amended in writing by the TASK FORCE AGENCIES to reflect any agreed-upon reduction in the percentage of funds contributed by CALTRANS to continue its participation in this AGREEMENT. CALTRANS, however, has the option to withdraw from this AGREEMENT in the event sufficient funds are not appropriated for CAL TRANS. Should CALTRANS exercise its option to withdraw from this AGREEMENT, CALTRANS shall remain responsible for its

share of liability, if any, incurred while participating in this AGREEMENT.

13. No TASK FORCE AGENCY shall have a financial obligation to any other TASK FORCE AGENCY under this AGREEMENT, except as expressly provided herein.

14. Any notices, invoices, reports, correspondence, or other communication concerning this AGREEMENT shall be directed to the TASK FORCE AGENCY REPRESENTATIVE on file with the TASK FORCE ADMINISTRATOR, except that any TASK FORCE AGENCY may change its name or address by giving the other TASK FORCE AGENCIES at least ten days written notice of the new name or address.

15. The TASK FORCE AGENCIES are, and shall at all times remain as to each other, wholly independent entities. No TASK FORCE AGENCY to this AGREEMENT shall have power to incur any debt, obligation, or liability on behalf of any other TASK FORCE AGENCY unless expressly provided to the contrary by this AGREEMENT. No employee, agent, or officer of a TASK FORCE AGENCY shall be deemed for any purpose whatsoever to be an agent, employee or officer of another TASK FORCE AGENCY.

16. This AGREEMENT shall be binding upon and shall inure to the benefit of the respective successors, heirs, and assigns of each TASK FORCE AGENCY.

17. This AGREEMENT shall be governed by, interpreted under and construed and enforced in accordance with the laws of the State of California, except as to the Forest Service and the March Air Reserve Base to whom federal law is applicable.

18. If any provision of this AGREEMENT shall be determined by any court to be invalid, illegal or unenforceable to any extent, the remainder of this AGREEMENT shall not be affected and this AGREEMENT shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this AGREEMENT.

19. Each individual TASK FORCE AGENCY has been represented by its own separate counsel in the preparation and negotiation of this AGREEMENT. Accordingly, this AGREEMENT shall be construed according to its fair language and any ambiguities shall not be resolved against the drafting TASK FORCE AGENCY.

20. Each of the persons signing below on behalf of a TASK FORCE AGENCY represents and warrants that he or she is authorized to sign this AGREEMENT on behalf of such TASK FORCE AGENCY.

21. Duration of Agreement. This AGREEMENT shall terminate June 30, 2010 (unless extended by mutual agreement of all TASK FORCE AGENCIES), provided that all debts and liabilities of the TASK FORCE are satisfied. Notwithstanding the foregoing, each TASK FORCE AGENCY reserves the right

to withdraw from the TASK FORCE at any time, upon sixty (60) days' prior written notice to the TASK FORCE. TASK FORCE contingency, projects and studies underway at the time of withdrawal shall continue to be fully funded by the withdrawing TASK FORCE AGENCY until the end of the fiscal year in which the TASK FORCE AGENCY gave notice to withdraw.

22. Counterparts. This AGREEMENT may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

23. Amendment. This AGREEMENT may not be amended except in a writing signed by all the TASK FORCE AGENCIES.

24. Effective Date. This AGREEMENT shall become effective when it has been executed by all of the TASK FORCE AGENCIES.

LAKE ELSINORE & SAN JACINTO WATERSHEDS PROJECT AUTHORITY

BY Phil Williams
Board Chairman

DATE_____

CITY OF BEAUMONT

BY_____
Mayor

CITY OF CANYON LAKE

BY_____
Mayor

DATE_____

CITY OF HEMET

BY_____
Mayor

DATE_____

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE_____

CITY OF MORENO VALLEY

BY_____
Mayor

DATE_____

CITY OF MURRIETA

BY_____
Mayor

DATE_____

CITY OF PERRIS

BY_____
Mayor

DATE_____

CITY OF RIVERSIDE

BY_____
Mayor

DATE_____

CITY OF SAN JACINTO

BY_____
Mayor

DATE_____

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY_____
Board Chairman

DATE_____

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF HEMET

Robin Lowe

Robin Lowe, Mayor

July 11, 2006

Date

ATTEST:

Stephen B. Clayton

Stephen Clayton, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE (SAN BERNARDINO NATIONAL FOREST MANAGEMENT ZONE)

BY _____

TITLE DEPUTY FOREST SUPERVISOR

DATE 7/17/06

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (SAN BERNARDINO AND CLEVELAND NATIONAL FOREST MANAGEMENT ZONES)

BY _____

TITLE Forest Supervisor, Cleveland National Forest

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE" .

MARCH JOINT POWERS AUTHORITY

BY: Philip A. Rizzo

TITLE: Executive Director

DATE: September 20, 2006

APPROVED AS TO FORM

By: John Pen
Attorney

MV00059342

STATE OF California)

County of Riverside)

On September 20, 2006 before me, Carey L. Allen, Notary Public, personally appeared Philip A Rizzo,

☒ personally known to me

or

☐ proved to me on the basis of satisfactory evidence

to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(s)~~, and that by his~~/her/their~~ signature~~(s)~~ on the instrument the person~~(s),~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal

Signature of Notary Public

CAREY L. ALLEN
Commission # 1496127
Notary Public - California
Riverside County
My Comm. Expires Jun 24, 2008

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

US AIR FORCE (MARCH AIR RESERVE BASE)

BY _____
JEFFREY K. BARNSON, Col, USAFR

TITLE Commander

DATE JUL 6. 2005

APPROVED AS TO FORM

By _____
CHRISTOPHER B. BENNETT, Maj, USAF

TITLE Staff Judge Advocate

DATE JUL 6 2005

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF TRANSPORTATION

BY Michael A. Petronis

TITLE CALTRANS DISTRICT 8 DIRECTOR

DATE October 13, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

ELSINORE VALLEY MUNICIPAL DISTRICT

BY _____

TITLE General Manager

DATE July 5, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

EASTERN MUNICIPAL WATER DISTRICT

BY _____

TITLE Anthony J. Pack, General Manager

DATE 6/28/06

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

WESTERN RIVERSIDE COUNTY AGRICULTURE COALITION

BY _____

TITLE WRCAC TMDL Task Force Representative

DATE June 19, 2006

APPROVED AS TO FORM

By _____
Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By _____
DAVID H.K. HUFF
Deputy County Counsel

ATTEST:

NANCY ROMERO
Clerk of the Board

By _____
Deputy

(SEAL)

AUG 2 9 2

Item No. A.5

MV00059349

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

RECOMMENDED FOR APPROVAL:

By_____
LARRY PARRISH
County Executive Officer

APPROVED AS TO FORM

JOE S. RANK
County Counsel

By_____
DAVID H.K. HUFF
Deputy County Counsel

COUNTY OF RIVERSIDE

By Bob Buster
BOB BUSTER, Chairman
Riverside County Board of Supervisors

ATTEST:

NANCY ROMERO
Clerk of the Board

By_____
Deputy

(SEAL)

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF BEAUMONT

BY _____
Mayor

DATE Nov 21, 2006

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF CANYON LAKE

BY _____
Mayor

DATE 7/5/06

APPROVED AS TO FORM

By Elizabeth Martyn
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF LAKE ELSINORE

BY_____
Mayor

DATE August 9th 2006

ATTEST:

_____
City Clerk

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MORENO VALLEY

BY _____
Bonnie Flickinger, Mayor

DATE July 17, 2006

ATTEST

By _____
Alice Reed, City Clerk

APPROVED AS TO FORM

By _____

Bob Herrick, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSIONRE AND CANYON LAKE TMDL TASK FORCE"

CITY OF MURRIETA

BY: _____
Mayor

DATE: **September 5, 2006**

ATTEST: _____
City Clerk

APPROVED AS TO FORM

BY: _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF PERRIS

Daryl R. Busch

Daryl R. Busch, Mayor

Date: 9/18/06

ATTEST:

Judy L. Haughney

Judy L. Haughney, City Clerk

APPROVED AS TO FORM:
Aleshire & Wynder, LLP

for Anita Luix, Deputy

Eric L. Dunn, City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF RIVERSIDE

BY _____ Michael J. Beck for
Bradley J. Hudson, City Manager

DATE August 7, 2006

Attest: _____
City Clerk

APPROVED AS TO FORM

By Susan Wilson
Dep. City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CITY OF SAN JACINTO

BY _____
Mayor

DATE 7/19/06

APPROVED AS TO FORM

By _____
City Attorney

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD

BY _____ DATE 7/21/06

Gerard J. Thibeault
Executive Officer

APPROVED AS TO FORM

By _____

Jorge Leon
Legal Counsel

JEU:cw
P8\
6/6/06

IN WITNESS WHEREOF, the Parties have executed this Agreement entitled "AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TMDL TASK FORCE"

CALIFORNIA DEPARTMENT OF FISH AND GAME

BY Michael C. Hoyne

TITLE Deputy Regional Manager

DATE March 5, 2007

APPROVED AS TO FORM

By _____
Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING -- PROJECT NO. 07-41570024

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project.

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California.

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

BACKGROUND

Over the past several years, the Nason Street/SR-60 interchange has experienced increased traffic resulting from commercial, residential, and recreational growth. Two separate City projects (98-25897 and 415-70024) are ongoing to improve the interchange. The SR-60/Nason Street Interchange Improvements Project (98-25897) improves the interchange ramps through reconstruction and realignment, while providing a design that will accommodate ultimate overcrossing widening improvements needed to serve anticipated future traffic demand. The City is in the final stages of obtaining Caltrans' approval to advertise the project for bid. The SR-60/Nason Street

Overcrossing project (415-70024) consists of improvements to the Nason Street Overcrossing, which will replace the existing bridge with a wider structure as well as increase the vertical clearance over SR-60.

Proposed improvements are consistent with the City's General Plan.

State Route 60 is on the State Highway System (SHS) and, pursuant to Streets and Highways Code 114 and 130, the State of California and the City are required to enter into a Cooperative Agreement for SHS improvements within the City's jurisdiction. The State's mandated role in the project is oversight responsibility, performed by the Department of Transportation (Caltrans).

On September 25, 2007, the City Council authorized execution of a Project Development Cooperative Agreement with the State of California for project development activities, including final design, utility relocation engineering, and right-of-way acquisition.

On November 29, 2007, Caltrans approved the Negative Declaration for the project.

On May 13, 2008, the City Council awarded an "Agreement for Professional Consultant Services" to Parsons Transportation Group for design, right-of-way engineering, and construction support services. Design has progressed to the 95% plan stage.

On January 13, 2009, the City Council approved the SR-60/Nason Overcrossing project as an RDA Tax Allocation Bond-funded project.

DISCUSSION

The overcrossing project is expected to be advertised between December 2010 and March 2011 in order to begin construction of the project by September 2011, immediately after completion of the SR-60/Nason Interchange Ramp Improvements Project (98-25897). To proceed with advertisement, the City must follow Caltrans guidelines and procedures in order to obtain their approval. Caltrans requires the local agency to enter into a "Construction Cooperative Agreement" (District Agreement No. 08-1463) in order to proceed with construction. The "Construction Cooperative Agreement" sets forth the City's and Caltrans' responsibilities, both in terms of scope and financial responsibility.

The agreement requires that the City fund 100% of the construction cost, including preparation of contract documents and advertising, awarding and administering the construction contract. Caltrans has agreed to allow the City to advertise, award, and administer the project. Caltrans will provide quality assurance and oversight of all work done by the City at no cost to the City. Caltrans will provide required material source inspections as an invoiced direct cost. The Construction Cooperative Agreement will terminate upon satisfactory completion of the project or on December 31, 2015,

whichever occurs first. The agreement may be extended by mutual agreement should any claims or other legal challenges occur.

ALTERNATIVES

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff recommends this alternative.*

2. Do not approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing, do not authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California, and do not authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney. *Staff does not recommend this alternative. This alternative will result in delaying the construction of needed improvements.*

FISCAL IMPACT

The project is currently funded with 2007 Redevelopment Agency Tax Allocation Bond (Series A) proceeds (Fund 897) and Developer In-Lieu Street Improvement Funds (Fund 414). These funds have been allocated for SR-60/Nason Street bridge improvements and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE FUNDS

FY 2009/2010 Developer In-Lieu Street Improvement Funds (Account 414.80429)	$ 30,000
FY 2009/2010 2007 RDA Bond Funds (Account 897.91728)	$17,724,000
Available Funds	**$17,754,000**

ESTIMATED COST

SR-60/Nason Overcrossing Design and Right-of-Way/Utilities	$ 1,640,000
SR-60/Nason Overcrossing Construction	$16,114,000
Estimated Cost	**$17,754,000**

ANTICIPATED PROJECT SCHEDULE

Complete Design and Right-of-Way ..... September 2010
Advertise Project* ..... December 2010 to March 2011
Begin Construction* ..... September 2011
Complete Construction ..... November 2012

**** Contingent upon completion of SR-60/Nason Interchange Ramp Project***

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This Construction Cooperative Agreement is required by Caltrans and sets forth the details of the City's and Caltrans' responsibilities pertaining to the construction activities for the proposed SR-60/Nason Street Overcrossing.

ATTACHMENT

Attachment "A" – Construction Cooperative Agreement (District Agreement No. 08-1463) (PAGES 229 – 246)

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Concurred By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059366

CONSTRUCTION COOPERATIVE AGREEMENT

This agreement, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Moreno Valley, a body politic and municipal corporation of the State of California, referred to as CITY.

RECITALS

1. CALTRANS and CITY, collectively referred to as PARTNERS, are authorized to enter into a cooperative agreement for improvements within the SHS right of way per Streets and Highways Code sections 114 and/or 130.

2. WORK completed under this agreement will replace the Nason Street Overcrossing in the City of Moreno Valley, referred to as PROJECT.

3. PARTNERS will cooperate to construct the PROJECT.

4. This agreement is separate from and does not modify or supersede prior Cooperative Agreement No. 8-1314.

5. Prior to this agreement, CITY developed the Project Initiation Document; CITY developed the Supplemental Project Report; CITY developed the Plans, Specifications and Estimate; and CITY developed the Right of Way Certification.

6. CITY prepared the environmental documentation for PROJECT.

7. The estimated date for COMPLETION OF WORK is December 31, 2015.

8. PARTNERS now define in this agreement the terms and conditions under which they will accomplish WORK.

DEFINITIONS

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

CEQA – The California Environmental Quality Act (California Public Resources Code, sections 21000 et seq.) that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

COMPLETION OF WORK – All PARTNERS have met all scope, cost, and schedule commitments included in this agreement and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

CONSTRUCTION – The project component that includes the activities involved in the administration, acceptance, and final documentation of a construction contract for PROJECT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT –A document signed by PARTNERS that verifies the completion of all scope, cost, and schedule commitments included in this agreement.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at http://www.fhwa.dot.gov/programs.html.

FUNDING PARTNER – A partner who commits a defined dollar amount to WORK.

FUNDING SUMMARY - The table in which PARTNERS designate funding sources, types of funds, and the project components in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are "not-to-exceed" amounts for each FUNDING PARTNER.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The partner responsible for managing the scope, cost, and schedule of a project component to ensure the completion of that component.

IQA – Independent Quality Assurance – Ensuring that IMPLEMENTING AGENCY'S quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan. IQA does not include any work necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA – The National Environmental Policy Act of 1969 that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one partner's individual actions legally bind the other partners.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout the project's lifecycle.

RESIDENT ENGINEER – A civil engineer licensed in the State of California who is responsible for construction contract administration activities. Said engineer shall be independent of the design engineering company and the construction contractor.
SAFETEA-LU – The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, signed into federal law on August 10, 2005.

SCOPE SUMMARY – The table in which PARTNERS designate their commitment to specific scope activities within each project component as outlined by the *Guide to Capital Project Delivery Workplan Standards* (previously known as WBS Guide) available at http://www.dot.ca.gov/hq/projmgmt/guidance.htm.

SHS – State Highway System.

SPONSOR(S) – The partner that accepts the obligation to secure financial resources to fully fund WORK. This includes any additional funds beyond those committed in this agreement necessary to complete the full scope of WORK defined in this agreement or settle claims.

SFM (State Furnished Material) – Any materials or equipment supplied by CALTRANS.

WORK – All scope and cost commitments included in this agreement.

RESPONSIBILITIES

9. CITY is SPONSOR for all WORK.

10. CITY is the only FUNDING PARTNER for this agreement. CITY's funding commitment is defined in the FUNDING SUMMARY.

11. CALTRANS is the CEQA lead agency for PROJECT.

12. CALTRANS is the NEPA lead agency for PROJECT.

13. CITY is IMPLEMENTING AGENCY for CONSTRUCTION.

SCOPE

Scope: General

14. All WORK will be performed in accordance with federal and California laws, regulations, and standards.

    All WORK will be performed in accordance with FHWA STANDARDS and CALTRANS STANDARDS.

15. IMPLEMENTING AGENCY for a project component will provide a Quality Management Plan for that component as part of the PROJECT MANAGEMENT PLAN.

16. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.

17. CITY may provide IQA for the portions of WORK outside existing and proposed SHS right of way.

18. PARTNERS may, at their own expense, have a representative observe any scope, cost, or schedule commitments performed by the other partner. Observation does not constitute authority over those commitments.

19. Each PARTNER will ensure that all of their personnel participating in WORK are appropriately qualified to perform the tasks assigned to them.

20. PARTNERS will invite each other to participate in the selection and retention of any consultants who participate in WORK. The CITY shall ensure that only well qualified consulting construction management firms are selected to provide Engineering and Inspection services sufficient to the tasks of the PROJECT. The CITY shall confer with STATE prior to and during the selection process. At least one representative from the District 8 Construction Division of the STATE shall participate in the selection process. A construction management firm shall not be selected without the approval by this representative.

21. PARTNERS will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations if PROJECT work is done under contract (not completed by a partner's own employees) and is governed by the Labor Code's definition of a "public work" (section 1720(a)(1)).

PARTNERS will include wage requirements in all contracts for "public work" and will require their contractors and consultants to include prevailing wage requirements in all agreement-funded subcontracts for "public work".

22. IMPLEMENTING AGENCY for each project component included in this agreement will be available to help resolve WORK-related problems generated by that component for the entire duration of PROJECT.

23. CALTRANS will issue, upon proper application, at no cost, the encroachment permits required for WORK within SHS right of way.

    Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

24. If unanticipated cultural, archaeological, paleontological, or other protected resources are discovered during WORK, all work in that area will stop until a qualified professional can evaluate the nature and significance of the discovery and a plan is approved for its removal or protection. CITY will notify CALTRANS within twenty-four (24) hours of any discovery.

25. PARTNERS will hold all administrative draft and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT in confidence to the extent permitted by law. Where applicable, the provisions of California Government Code section 6254.5(e) will govern the disclosure of such documents in the event that PARTNERS share said documents with each other.

    PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete WORK without the written consent of the partner authorized to release them, unless required or authorized to do so by law.

26. If any partner receives a public records request, pertaining to WORK under this agreement, that partner will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any transferred public documents.

27. If HM-1 or HM-2 is found during WORK, IMPLEMENTING AGENCY for the project component during which it is found will immediately notify PARTNERS.

28. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within existing SHS right of way. CALTRANS will undertake HM-1 MANAGEMENT ACTIVITIES with minimum impact to PROJECT schedule.

29. CITY, independent of PROJECT, is responsible for any HM-1 found within the Project limits outside existing SHS right of way. CITY will undertake or cause to be undertaken HM-1 MANAGEMENT ACTIVITIES with minimum impacts to PROJECT schedule.

30. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM-2 MANAGEMENT ACTIVITIES.

31. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

32. PARTNERS will comply with all of the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each partner's responsibilities in this agreement.

33. IMPLEMENTING AGENCY for each project component will furnish PARTNER with written monthly progress reports during the implementation of WORK in that component.

34. Upon COMPLETION OF WORK, ownership and title to all materials and equipment constructed or installed as part of WORK within SHS right of way become the property of CALTRANS.

35. IMPLEMENTING AGENCY for a project component will accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.

36. PARTNERS will confer on any claim that may affect WORK or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No partner shall prejudice the rights of another partner until after PARTNERS confer on claim.

37. PARTNERS will maintain and make available to each other all WORK-related documents, including financial data, during the term of this agreement and retain those records for four (4) years from the date of termination or COMPLETION OF WORK, or three (3) years from the date of final federal voucher, whichever is later.

38. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

    CALTRANS, the State auditor, FHWA, and CITY will have access to all WORK-related records of each partner for audit, examination, excerpt, or transaction.

    The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation.

    The audited partner will review the preliminary audit, findings, and recommendations, and provide written comments within 60 calendar days of receipt.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

39. PARTNERS consent to service of process by mailing copies by registered or certified mail, postage prepaid. Such service becomes effective 30 calendar days after mailing. However, nothing in this agreement affects PARTNERS' rights to serve process in any other matter permitted by law.

40. The IMPLEMENTING AGENCY will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, SPONSOR(S) will seek out additional funds and PARTNERS will amend this agreement.

41. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.

42. If WORK stops for any reason, PARTNERS are still obligated to implement all applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each partner's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.

43. Each partner accepts responsibility to complete the activities that they selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

Scope: CONSTRUCTION

44. CITY will advertise, open bids, award, and approve the construction contract in accordance with the Public Contract Code and the California Labor Code.

    CITY will not advertise the construction contract until CALTRANS completes or accepts the final plans, specifications, and estimate package; CALTRANS approves the Right of Way Certification; and FUNDING PARTNERS fully fund WORK.

    By accepting responsibility to advertise and award the construction contract, CITY also accepts responsibility to administer the construction contract.

45. CITY will provide a RESIDENT ENGINEER and construction support staff who are independent of the design engineering company and construction contractor.

46. CITY will provide a landscape architect licensed in the State of California.

47. CITY will implement changes to the construction contract through contract change orders (CCOs). PARTNERS will review and concur on all CCOs over $100,000. All CCOs

affecting public safety or the preservation of property, all design and specification changes, and all major changes as defined in the CALTRANS *Construction Manual* will be approved by CALTRANS in advance of the CCO work to be performed.

48. If the lowest responsible construction contract bid (plus estimated contingencies, supplemental costs and State Furnished Material costs) is equal to or less than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, the IMPLEMENTING AGENCY may award the contract. If the lowest responsible construction contract bid is greater than the amount shown on the FUNDING SUMMARY for CONSTRUCTION Capital, all PARTNERS must be involved in determining how to proceed. If PARTNERS do not agree in writing on a course of action within 3 months, this agreement will terminate.

49. CITY will require the construction contractor to furnish payment and performance bonds naming CITY as obligee and to carry liability insurance in accordance with CALTRANS specifications.

50. CITY will submit a written request to CALTRANS for any SFM identified in the PROJECT PS&E package a minimum of 45 days prior to the bid advertisement date for PROJECT construction contract. CITY will submit a written request to CALTRANS for any additional SFM deemed necessary during PROJECT construction.

51. Upon receipt of both SFM and full payment of CALTRANS' invoice for actual SFM costs, CALTRANS will make the SFM available at a CALTRANS-designated location.

52. CITY will coordinate the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

53. CITY will obtain the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404), Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

54. CITY will implement the following resource agency permits, agreements, and/or approvals: Regional water quality control Board (401), U.S. Army Corps of Engineers (404),Waste Discharge (NPDES), California Department of Fish and Game (1602 Streambed Alteration Agreement), and other permits.

55. CALTRANS will provide Source Inspection on a reimbursed basis.

56. CITY will provide maintenance for those portions of the SHS within WORK limits until COMPLETION OF WORK, after which, maintenance will be handled through an existing maintenance agreement.

COST

Cost: General

57. CITY will secure funds for all WORK including any additional funds beyond the FUNDING PARTNERS' existing commitments in this agreement. If it becomes necessary to obtain additional funds to complete PROJECT these additional funds will be provided by CITY.

58. The cost of any awards, judgments, or settlements generated by WORK is a WORK cost.

59. CALTRANS, independent of PROJECT, will pay all costs for HM MANAGEMENT ACTIVITIES related to HM-1 found within existing SHS right of way.

60. CITY, independent of PROJECT, will pay, or cause to be paid, all costs for HM MANAGEMENT ACTIVITIES related to any HM-1 found within PROJECT limits and outside of existing SHS right of way.

61. HM MANAGEMENT ACTIVITIES costs related to HM-2 are a PROJECT CONSTRUCTION cost.

62. The cost of coordinating, obtaining, complying with, implementing, and if necessary renewing and amending resource agency permits, agreements, and/or approvals is a WORK cost.

63. The cost to comply with and implement the commitments set forth in the environmental documentation is a WORK cost.

64. The cost to ensure that PROJECT remains in environmental compliance is a WORK cost.

65. The cost of any legal challenges to the CEQA or NEPA environmental process or documentation is a WORK cost.

66. Independent of WORK costs, CALTRANS will fund the cost of its own IQA for WORK done within existing or proposed future SHS right of way.

67. Independent of WORK costs, CITY will fund the cost of its own IQA for WORK done outside existing or proposed future SHS right of way.

68. Fines, interest, or penalties levied against any partner will be paid, independent of WORK costs, by the partner whose actions or lack of action caused the levy. That partner will indemnify and defend all other partners.

69. The cost to place PROJECT right of way in a safe and operable condition and meet all environmental commitments is a WORK cost.

70. Because IMPLEMENTING AGENCY is responsible for managing the scope, cost, and schedule of a project component, if there are insufficient funds available in this agreement to place the right of way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

71. If there are insufficient funds in this agreement to implement applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, the partner implementing the commitments or conditions accepts responsibility to fund these activities until such time as PARTNERS amend this agreement.

    That partner may request reimbursement for these costs during the amendment process.

72. PARTNERS will pay invoices within 30 calendar days of receipt of invoice.

73. FUNDING PARTNERS accept responsibility to provide the funds identified on the FUNDING SUMMARY.

74. SPONSOR(S) accepts responsibility to ensure full funding for the identified scope of work.

Cost: CONSTRUCTION Support

75. The cost to maintain the SHS within WORK limits is a WORK cost until COMPLETION OF WORK, after which, the cost of maintenance will be handled through an existing maintenance agreement.

76. CALTRANS will invoice the CITY for a $20,000.00 deposit 30 working days prior to the construction contract bid advertisement date. This deposit represents Source Inspection costs. The Source Inspection cost is $50,000.00 including indirect costs per Article 80.

    After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

Cost: CONSTRUCTION Capital

77. The cost of all SFM is a CONSTRUCTION capital cost.

CALTRANS will invoice CITY for the actual cost of any SFM.

After PARTNERS agree that all Scope activities are complete, CALTRANS will submit a final accounting for all WORK costs. Based on the final accounting, PARTNERS will refund or invoice as necessary in order to satisfy the obligation of this agreement.

SCHEDULE

78. PARTNERS will manage the schedule for WORK through the work plan included in the PROJECT MANAGEMENT PLAN.

GENERAL CONDITIONS

79. This agreement will be understood in accordance with and governed by the Constitution and laws of the State of California. This agreement will be enforceable in the State of California. Any legal action arising from this agreement will be filed and maintained in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides.

80. CALTRANS invoices for support costs including all direct and applicable indirect costs. Applicable indirect costs are determined by the type of funds being used to pay for support. State and federal funds are subject the Program Functional Rate. Local funds (Measure money, developer fees, special assessments, etc.) are subject to the Program Functional Rate and the Administration Rate. CALTRANS establishes the Program Functional Rate and the Administration Rate annually according to State and Federal regulations.

81. All obligations of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.

82. Any PARTNER who performs IQA does so for its own benefit, further, that PARTNER cannot be assigned liability due to its IQA activities.

83. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this agreement.

It is understood and agreed that CALTRANS will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious,

contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS under this agreement.

84. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority, or jurisdiction conferred upon CITY under this agreement.

It is understood and agreed that CITY will fully defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this agreement.

85. This agreement is not intended to create a third party beneficiary or define duties, obligations, or rights in parties not signatory to this agreement. This agreement is not intended to affect the legal liability of PARTNERS by imposing any standard of care for completing WORK different from the standards imposed by law.

86. PARTNERS will not assign or attempt to assign agreement obligations to parties not signatory to this agreement.

87. Any ambiguity contained in this agreement will not be interpreted against PARTNERS. PARTNERS waive the provisions of California Civil Code section 1654.

88. A waiver of a partner's performance under this agreement will not constitute a continuous waiver of any other provision. An amendment made to any article or section of this agreement does not constitute an amendment to or negate all other articles or sections of this agreement.

89. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

90. If any partner defaults in their agreement obligations, the non-defaulting partner(s) will request in writing that the default be remedied within 30 calendar days. If the defaulting partner fails to do so, the non-defaulting partner(s) may initiate dispute resolution.

91. PARTNERS will first attempt to resolve agreement disputes at the PROJECT team level. If they cannot resolve the dispute themselves, the CALTRANS district director and the Director of Public Works/CITY Engineer will attempt to negotiate a resolution. If no resolution is reached, PARTNERS' legal counsel will initiate mediation. PARTNERS agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTNERS from full and timely performance of WORK in accordance with the terms of this agreement. However, if any

partner stops WORK, the other partner(s) may seek equitable relief to ensure that WORK continues.

Except for equitable relief, no partner may file a civil complaint until after mediation, or 45 calendar days after filing the written mediation request, whichever occurs first.

Any civil complaints will be filed in the Superior Court of the county in which the CALTRANS district office signatory to this agreement resides. The prevailing partner will be entitled to an award of all costs, fees, and expenses, including reasonable attorney fees as a result of litigating a dispute under this agreement or to enforce the provisions of this article including equitable relief.

92. PARTNERS maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

93. If any provisions in this agreement are deemed to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other agreement provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this agreement.

94. This agreement is intended to be PARTNERS' final expression and supersedes all prior oral understanding or writings pertaining to WORK.

95. If during performance of WORK additional activities or environmental documentation is necessary to keep PROJECT in environmental compliance, PARTNERS will amend this agreement to include completion of those additional tasks.

96. PARTNERS will execute an amendment if there are any changes to the commitments made in this agreement.

97. This agreement will terminate upon COMPLETION OF WORK or upon 30 calendar days' written notification to terminate and acceptance between PARTNERS, whichever occurs first.

However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, and ownership articles will remain in effect until terminated or modified in writing by mutual agreement.

98. The following documents are attached to, and made an express part of this agreement: SCOPE SUMMARY, FUNDING SUMMARY.

99. Signatories may execute this agreement through individual signature pages provided that each signature is an original. This agreement is not fully executed until all original signatures are attached.

CONTACT INFORMATION

The information provided below indicates the primary contact data for each partner to this agreement. PARTNERS will notify each other in writing of any personnel or location changes. These changes do not require an amendment to this agreement.

The primary agreement contact person for CALTRANS is:
Jason Bennecke, Project Manager
464 West 4th Street, 6th Floor, (MS-1229)
San Bernardino, California 92401-1400
Office Phone: (909) 556-8852
Mobile Phone: (909) 556-8852
Email: jason.bennecke@dot.ca.gov

The primary agreement contact person for CITY is:
Margery Lazarus, Senior Engineer, P.E.
Capital Projects Division, Public Works Department
P. O. Box 88005
Moreno Valley, California 92552-0805
Office Phone: (951) 413-3133
Email: margeryl@moval.org

SIGNATURES

PARTNERS declare that:

1. Each partner is an authorized legal entity under California state law.
2. Each partner has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By:_____
Raymond W. Wolfe, PhD
District Director

CITY OF MORENO VALLEY

By:_____
William L. Bopf
Interim City Manager

CERTIFIED AS TO FUNDS:

By:_____
Lisa Pacheco
Budget Manager

APPROVED AS TO FORM AND PROCEDURE

By:_____
Robert L. Hansen
City Attorney

SCOPE SUMMARY

4	5	6	7	8	Description	CALTRANS	CITY	N/A
5					Construction (CON) - 270, 285, 290, 295	X	X	
	270				Construction Engineering and General Contract Administration	X	X	
		10			Construction Staking Package and Control		X	
		15			Construction Stakes		X	
		20			Construction Engineering Work		X	
		25			Construction Contract Administration Work		X	
			05		Secured Lease for Resident Engineer Office Space or Trailer		X	
			10		Set Up Construction Project Files		X	
			15		Pre-Construction Meeting		X	
			20		Progress Pay Estimates		X	
			25		Weekly Statement of Working Days		X	
			30		Construction Project Files and General Field Office Clerical Work		X	
			35		Labor Compliance Activities		X	
			40		Approved Subcontractor Substitutions		X	
			45		Coordination		X	
			50		Civil Rights Contract Compliance		X	
			99		Other Construction Contract Administration Products		X	
		30			Contract Item Work Inspection		X	
		35			Construction Material Sampling and Testing	X	X	
			05		Materials Sampling and Testing for Quality Assurance		X	
			10		Plant Inspection for Quality Assurance		X	
			15		Independent Assurance Sampling and Testing		X	
			20		Source Inspection	X		
		40			Safety and Maintenance Reviews		X	
		45			Relief From Maintenance Process		X	
		55			Final Inspection and Acceptance Recommendation		X	
		60			Plant Establishment Administration		X	
		65			Transportation Management Plan Implementation During Construction		X	
		75			Resource Agency Permit Renewal and Extension Requests		X	
		80			Long-Term Environmental Mitigation/Mitigation Monitoring During Construction Contract		X	
		99			Other Construction Engineering and General Contract Administration		X	
	275				Construction Engineering and General Contract Administration of Structures Work	X	X	
		10			Office Administration Work for Structures		X	

		20			Field Administration Work for Structures		X	
		30			Contract Change Order Inspection for Structures Work		X	
		40			Safety Tasks for Structures Work		X	
	285				Contract Change Order Administration	X	X	
		05			Contract Change Order Process		X	
		10			Functional Support		X	
	290				Resolve Contract Claims		X	
		05			Analysis of Notices of Potential Claims		X	
		10			Supporting Documentation and Responses to Notices of Potential Claims		X	
		15			Reviewed and Approved Claim Report		X	
		20			District Claim Meeting or Board of Review		X	
		25			Arbitration Hearing		X	
		30			Negotiated Claim Settlement		X	
		35			Technical Support		X	
	295				Accept Contract, Prepare Final Construction Estimate, and Final Report	X	X	
		05			Processed Estimate After Acceptance		X	
		10			Proposed Final Contract Estimate		X	
		15			As-Built Plans		X	
		20			Project History File		X	
		25			Final Report		X	
		30			Processed Final Estimate		X	
		35			Certificate of Environmental Compliance		X	
		40			Long Term Environmental Mitigation/Mitigation Monitoring After Construction Contract Acceptance		X	
		45			Post-Construction Traffic Operations Activities		X	
		99			Other Accept Contract/ Prepare Final Construction Estimate and Final Report		X	

FUNDING SUMMARY

Funding Source	Funding Partner	Fund Type	CON Capital	CON Support	Subtotal Support	Subtotal Capital	Subtotal Funds Type
LOCAL	CITY	Local	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00
		Subtotals by Component	$16,000,000.00	$2,000,000.00	$2,000,000.00	$16,000,000.00	$18,000,000.00

MV00059384

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD
PROJECT NO. 06-12566625

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On June 23, 2009, the City Council awarded the construction contract to Murrieta Development Company, Inc., for the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard. A Purchase Order in the amount of $672,380.97 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

Murrieta Development Company, Inc. completed construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The project consisted of the installation of a traffic signal at the intersection of State Route 60 eastbound ramps and Redlands Boulevard, with street and storm drain improvements and also included minor widening of Redlands Boulevard and the eastbound ramps to accommodate turn lanes.

A Purchase Order in the amount of $672,380.97 was issued. The Contractor completed the project at a total construction cost of $594,370.19 inclusive of Contract Change Order No. 1 (Final) of $9,691.09. The improvements were completed ahead of schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvements Project Budget and is financed by Measure A (Fund 125). These funds can only be used for street related improvements. There is no impact to the General Fund.

AVAILABLE BUDGET:

SR60 Eastbound Ramps/Redlands Blvd Traffic Signal (Acct. No. 125.66625)	$1,269,476
Total Budget	$1,269,476

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$594,370
Construction Survey	$10,500
Construction Geotechnical	$18,100
Caltrans permit	$14,400
Edison Line extension	$6,400
Project Administration and Inspection (City Staff and Consultant)	$37,000
Total Project Construction Costs	$680,770

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Murrieta Development Company, Inc. completed the construction of the Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard on February 8, 2010. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Murrieta Development Company, Inc., and accept the improvements into the City's maintained road system.

ATTACHMENT

Attachment "A" – Location Map (PAGE 251)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Bruce - 05-12566625 - TS Redlands EB Ramps SR 60\CC Reports\NOC\Staff Report - NOC - Murr Dev (CC 5-25-10).doc

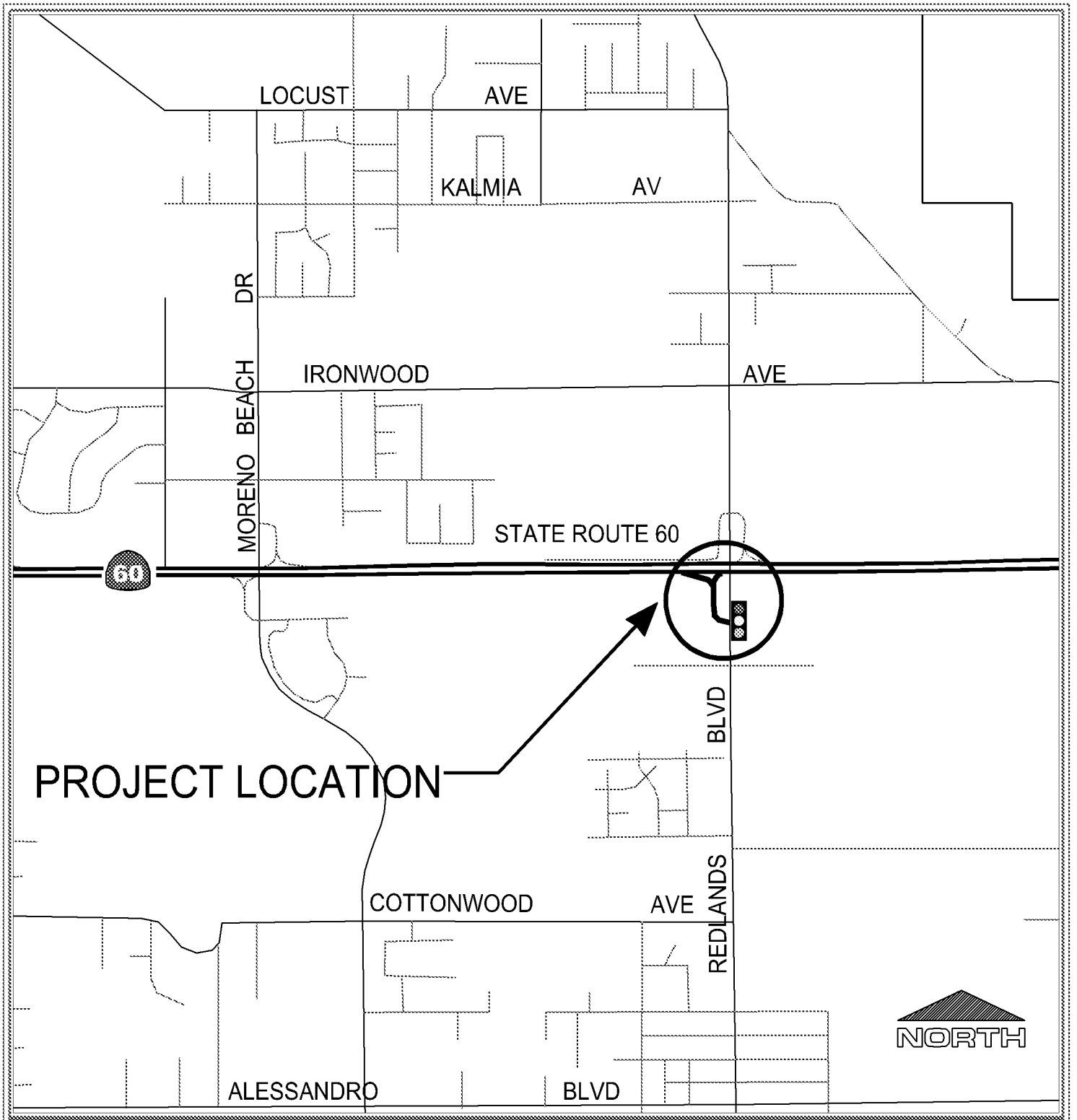

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

STATE ROUTE 60 / REDLANDS BOULEVARD
TRAFFIC SIGNAL ON EAST BOUND ON/OFF RAMPS
PROJECT NUMBER 06-12566625

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MV00059390

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: PA04-0016 – Residential - Accept Agreement and Irrevocable Letters of Credit for Public Improvements

Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway

Developer: Pigeon Pass LLC
434 n. 2nd
Upland, CA 91786

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation.

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Planning Commission of the City of Moreno Valley approved PA04-0016 on August 12, 2004. The project is located at the Southeast corner of Pigeon Pass Road and Sunnymead Ranch Parkway. The plot plan was a proposal to subdivide approximately 9-acre parcel into 31 single-family residential lots. The Conditions of Approval for this project require that the developer provide surety for the required public improvements.

DISCUSSION

The developer of this project has completed and submitted an Agreement for Public Improvements. The developer agrees to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The street improvements include but are not limited to: asphalt concrete, curb, gutter, sidewalk, driveway approaches, wheelchair ramp, signage, traffic signal and traffic signal modifications, bus turnout, street lights, water quality basins, storm drain, water, and sewer. Accompanying the agreement are an Irrevocable Letter of Credit as Faithful Performance security in the amount of $111,500 and an Irrevocable Letter of Credit as Labor and Material security in the amount of $55,750 issued by California Bank & Trust. The Financial and Administrative Services Department has determined that California Bank & Trust meets the minimum financial strength and stability to meet the obligations of the irrevocable letters of credit.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

ATTACHMENTS/EXHIBITS

Exhibit “A” – Vicinity Map (PG. 257)
Exhibit “B” – Agreement for Public Improvements (PG. 259-267)
Exhibit “C” – Irrevocable Letter of Credit as Faithful Performance Security (PG. 269-270)
Exhibit “D” – Irrevocable Letter of Credit as Labor and Material Security (PG. 271-272)

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\5-25-10 - PA04-0016 - Orig Agrmnt & LOC.doc

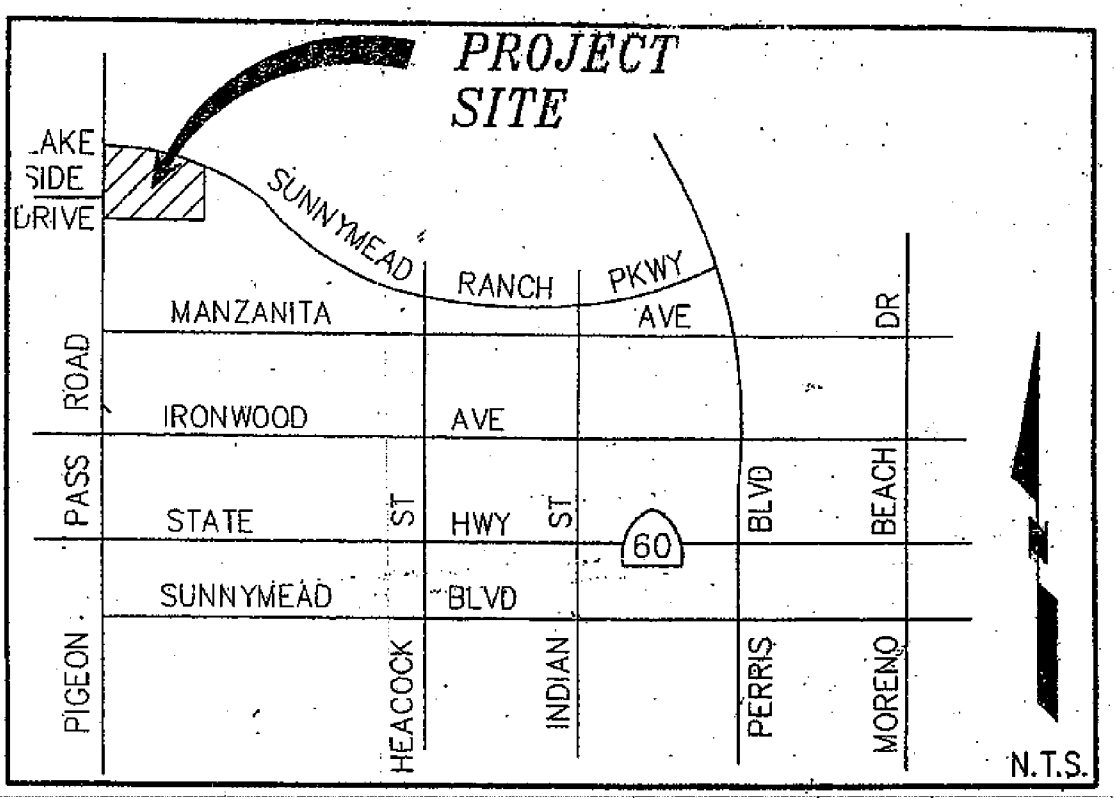

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA04-0016** **TR 31414** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\5-25-10 - PA04-0016 - Exhibit A.doc

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MV00059396

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0016 (TR 31414)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Pigeon Pass LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0016** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$111,500.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Pigeon Pass LLC
434 N. 2nd Ave.
Upland, CA 91786

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

Pigeon Pass LLC:
Developer by GFR Enterprises, Inc.
Its: Manager

BY: _____
Signature

Felizardo Robles, Jr.
Print/Type Name

Its: President
Title

BY: _____
Signature

Michael R. Aulicino
Print/Type Name

Its.: Chief Financial Officer
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boller - Agreement.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Bernardino

On April 13, 2010 (Date) before me, Susan C. White (Here Insert Name and Title of the Officer),
personally appeared Felizardo Robles Jr. and Michael R. Aulicino (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SUSAN C. WHITE
Commission # 1857286
Notary Public - California
San Bernardino County
My Comm. Expires Jul 10, 2013

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Susan C. White
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement for Public Works, Tract 31414

Document Date: April 13, 2010 Number of Pages: 8

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Felizardo Robles Jr.	Signer's Name: Michael R. Aulicino
☒ Corporate Officer — Title(s): President	☒ Corporate Officer — Title(s): CFO
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: GFR Enterprises Inc.	Signer Is Representing: GFR Enterprises, Inc.
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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MS 3/15/10

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 03/15/10

PROJECT: **Tract 31414/PA04-0016** PREPARED BY: **Liz Plazola**

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	83222	S.F.	3017	Ton	16.00	48,269
A.C.	0.3	Thickness (ft.)				
	83222	S.F.	1810	Ton	43.50	78,738
A.B. Class II	0	Thickness (ft.)				
	0	S.F.	0	Ton	16.00	0
A.C.	0	Thickness (ft.)				
	0	S.F.	0	Ton	43.50	0
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			0	Ton	43.50	0
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			2659	L.F.	12.00	31,908
Curb and Gutter - 8"			1226	L.F.	13.00	15,938
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			1165	L.F.	10.00	11,650
Cross Gutter and Spandrel			1501	S.F.	11.00	16,511
Sidewalk			24829	S.F.	4.00	99,316
Driveway Approach - 6"			8866	S.F.	5.50	48,763
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			9247	S.Y.	1.10	10,172
Redwood Header			0	L.F.	4.00	0
Sawcut			3575	L.F.	1.10	3,933
Trench Repaving			0	S.F.	5.00	0
Utility Trench			5050	L.F.	5.00	25,250
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			8	EA.	425.00	3,400
Stop Sign			2	EA.	200.00	400
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			10	EA.	50.00	500
Signs and Posts			4	EA.	200.00	800
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			2874	L.S.	.30	862
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			0	L.F.	45.00	0
Walls - Retaining: 6' Maximum			0	L.F.	70.00	0
Landscaping-median			2000	S.F.	5.00	10,000
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			9	EA.	3,000.00	27,000
Street Lights (22000 lumen)			2	EA.	3,500.00	7,000
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Relocate Power Poles			1	EA.	150,000.00	150,000
Cluster Mail Boxes			3	EA.	3,000.00	9,000
Monuments			54		65.00	3,510
Electrical Utility Infrastructure			0	EA.		0
Electrical Utility Trench			0	L.F.	110.00	0
Electrical Reimbursement						
					SUBTOTAL:	606,119

Monuments: 54 X 65.00 EA. $3,510

Item No. A.8

MV00059401

MMJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	410	L.F.	95.00	38,950
30" Reinforced Concrete Pipe	0	L.F.	110.00	0
36" Reinforced Concrete Pipe	0	L.F.	125.00	0
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	1	EA.	5000.00	5,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	0	EA.	6500.00	0
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
Ctach Basin	14	LF	450.00	6,300
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	0	EA.	1600.00	0
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	1500.00	0
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	2	EA.	3500.00	7,000
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	0	EA.	5000.00	0
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
Construct local depression	2	EA.	1000.00	2,000
"V" Gutter	23	L.F.	4.00	92
			SUBTOTAL:	63,922

MVJ 3/15/10

EXHIBIT "A"

PROJECT: **Tract 31414/PA04-0016**

DATE: **03/15/10**
PREPARED BY: **Liz Plazola**

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	0	L.F.	90.00	0
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	0	L.F.	60.00	0
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	1441	L.F.	50.00	72,050
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	5	EA.	1,000.00	5,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	5	EA.	2,000.00	10,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	0	EA.	200.00	0
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	3	EA.	1,800.00	5,400
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	0	EA.	2,000.00	0
Air Vac & Release 1"	3	EA.	1,800.00	5,400
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	31	EA.	350.00	10,850
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Prerssure Reducing Vlave	31		200.00	6,200
Joint at Existing 8"	0	EA.	650.00	0
			SUBTOTAL:	114,900

Item No. A.8

MV00059403

MVJ 3/15/10

EXHIBIT "A"

PROJECT: Tract 31414/PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	1504	L.F.	32.00	48,128
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	1116	L.F.	24.00	26,784
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	15	EA.	2,000.00	30,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	3	EA.	2,800.00	8,400
Shallow Manhole	1	EA.	2,000.00	2,000
Tie Into Existing Manhole	0	EA.	1,000.00	0
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	0	EA.	400.00	0
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	31	EA.	600.00	18,600
Clean Out Lateral	0	EA.	90.00	0
Wyes	56	EA.	90.00	5,040
Pavement Replacement	56	S.F.	3.00	168
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	0	L.F.	0.50	0
Backflow valve	7		150.00	1,050
Trench Paving	0	S.F.	5.00	0
			SUBTOTAL:	140,170

3/15/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: Tract 31414/PA04-0016
PA04-0016

DATE: 03/15/10
PREPARED BY: Liz Plazola

IMPROVEMENT TYPE:

ROADWORK	:	$606,119
STORM DRAIN	:	$63,922
WATER SYSTEM	:	$114,900
SEWER SYSTEM	:	$140,170
SURVEY MONUMENTS	:	$3,510
TOTAL COST OF IMPROVEMENTS:		$928,621
+20% CONTINGENCY:		$185,724
GRAND TOTAL:		$1,114,346

BOND AMOUNT:	**$1,115,000**
-90% of Original Bond Amount	$1,003,500
NEW BOND AMOUNT:	**$111,500**

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MV00059406

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1733

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 111,500.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of One Hundred Eleven Thousand Five Hundred and 00/100 USDOLLARS (USD 111,500.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1733 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.

Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
"We hereby certify that Pigeon Pass LLC has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

OR

"We hereby certify that Pigeon Pass LLC has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided relative to Project No. PA04-0016 (TR31414), the amount of the attached draft is in the amount of USD (insert amount) which represents no more than 10% of the amount of this Letter of Credit."

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

Beneficiary may reduce the Letter of Credit amount from time to time by providing us with a release letter purportedly signed by an authorized representative of The City of Moreno Valley indicating this Letter of Credit No. SB06-1733, the amount to be reduced and the new Letter of Credit amount and stating that the work covered by the agreements is completed to the satisfaction of the City.

Exhibit "C"

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

M. Gloz 4-7-10
By Date

CALIFORNIA BANK & TRUST
International Operations
550 South Hope Street, 3rd Floor
Los Angeles, California 90071
S.W.I.F.T. CALBUS66

Standby Letter of Credit

March 30, 2010

IRREVOCABLE STANDBY LETTER OF CREDIT NO. SB06-1732

BENEFICIARY:
CITY OF MORENO VALLEY
14177 FREDERICK STREET
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

EXPIRATION:
March 24, 2011 or any automatically extended date as herein below set forth

AMOUNT: USD 55,750.00

Dear Sir/Madam:

At the request of PIGEON PASS LLC, 434 N. 2ND AVENUE,, UPLAND, CA 91786 we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of Fifty Five Thousand Seven Hundred Fifty and 00/100 USDOLLARS (USD 55,750.00). This Letter of Credit is available for payment against presentation of your draft(s) at Sight drawn on CALIFORNIA BANK & TRUST, bearing the clause: "Drawn under Letter of Credit no. SB06-1732 of CALIFORNIA BANK & TRUST, Los Angeles, California" accompanied by the following documents:

> This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.
>
> Beneficiary's statement purportedly signed by an authorized representative of City of Moreno Valley certifying the following:
> "We hereby certify that Pigeon Pass LLC has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley relative to Project No. PA04-0016 (TR31414)".

Partial drawings are allowed.

This irrevocable Standby Letter of Credit expires at our counters on March 24, 2011; however, it is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for successive one year periods from the present and all future expiration dates thereof, unless at least sixty (60) days prior to such expiration date, we notify the City in writing, by certified mail or courier service that we elect not to renew this Letter of Credit for any additional period. In the event you are so notified, any unused portion of the Letter of Credit will be available upon presentation, within the current expiration date, of your draft(s) at sight on us accompanied by the original Letter of Credit and amendments (if any) and your statement that the work covered by the agreements relative to Project No. PA04-0016 (TR31414) has not been completed to the satisfaction of the City.

This Letter of Credit may be cancelled prior to the expiration date, only upon our receipt of the original of this Letter of Credit and amendments (if any) and a statement purportedly signed by an authorized representative of City of Moreno Valley stating that Pigeon Pass LLC has fulfilled its obligation and authorize California Bank & Trust to cancel Letter of Credit No. SB06-1732.

This Letter of Credit sets forth in full the terms of the Bank's obligation to the Beneficiary, and such undertaking shall not in any way be modified or amplified by any agreement in which this Letter of Credit is referred to, or to which this Letter of Credit relates, and such reference shall not be deemed to incorporate any agreement herein by such reference.

Exhibit "D"

In the event of a drawing all original documents including original sight Draft must be dispatched in one lot by registered mail or courier services directly to California Bank & Trust, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

This Standby Letter of Credit expires at our counters at the close of business on the expiration date, or any automatically extended date.

All banking charges are for the account of the Applicant.

If you have any questions concerning this transaction, please call us at (213) 593-2131, (213) 593-2128 or (213) 593-2127.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of Letter of Credit will be honored upon presentation to us as specified herein.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

Sincerely,
CALIFORNIA BANK & TRUST

Authorized Signature

Linda Shum
Vice President

RISK MANAGEMENT
Approved

By

4-7-10
Date

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: May 25, 2010

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED MARCH 31, 2010

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted December 17, 1996 (and revised most recently on March 23, 2010), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This is the third quarterly report submitted for the 2009-10 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 2.27 years.

This is the first Treasurer's Cash and Investments Report that incorporates reports generated by Chandler Asset Management. The format of these reports is different than the reports previously provided to the Council; however, all of the previous information plus some additional information is contained in the reports.

On the cover page of the Treasurer's Cash and Investments Report, the column previously titled "Book Value" has been changed to "Cost Value" to match the corresponding column in the reports from Chandler Asset Management. Cost Value is the purchase price of an investment; the amount does not include amortization of premiums, accretion of discounts or accrued interest associated with the investment. Market Value is the price the City would receive if it sold the investment on the open market on the day of the report; the exact value varies many times daily and is only known for certain if the investment is actually sold. Par Value is the amount the City will receive at the maturity of the investment.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended March 31, 2010. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – March 2010 (PG. 277-288)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059414

CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report
March 2010

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Duration
Bank Accounts	2,982,299	2,982,299	2,982,299		
State of California LAIF Pool	43,782,651	43,782,651	43,782,651		
Investments	172,056,891	170,645,588	168,702,060	2.27	1.56
Total General Portfolio	218,821,841	217,410,538	215,467,011	Years	Years

Bond Proceeds with Fiscal Agents	Cost Value	Market Value	Par Value	Average Maturity
Construction Funds	14,517,849	14,517,849	14,517,849	
Principal & Interest Accounts	3,471,121	3,471,121	3,471,121	
Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564	
Custody Accounts	0	0	0	
Arbitrage Rebate Accounts	14,810	14,810	14,810	
Other Accounts	534,765	534,765	534,765	
Total Bond Proceeds	27,446,109	27,446,109	27,446,109	0.00 Years

Deferred Compensation Funds	Market Value
Nationwide	7,252,072
ICMA	3,820,694
Total Deferred Compensation Funds	11,072,766
Total Investment Portfolio	255,929,413

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment custodian.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Steve Elam
City Treasurer

Attachment 1

City of Moreno Valley Consolidated
Account #10122

Portfolio Summary

As of 3/31/2010

PORTFOLIO CHARACTERISTICS

Average Duration	1.56
Average Coupon	2.62 %
Average Purchase YTM	2.05 %
Average Market YTM	1.29 %
Average S&P Rating	AAA
Average Final Maturity	2.27 yrs
Average Life	1.55 yrs

ACCOUNT SUMMARY

	Beg. Values as of 2/28/10	End Values as of 3/31/10
Market Value	225,848,547	217,410,538
Accrued Interest	1,007,401	1,495,909
Total Market Value	226,855,948	218,906,447
Income Earned	612,314	277,190
Cont/WD		
Par	226,640,056	215,467,011
Book Value	226,740,607	218,769,519
Cost Value	226,677,179	218,821,841

TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	20.1 %
Federal Home Loan Bank	16.4 %
Federal National Mortgage Assoc	12.6 %
Federal Home Loan Mortgage Corp	10.2 %
Government of United States	9.4 %
Federal Farm Credit Bank	8.9 %
Tennessee Valley Authority	3.8 %
Bank of America Corp FDIC Insur	2.3 %
	83.6 %

SECTOR ALLOCATION

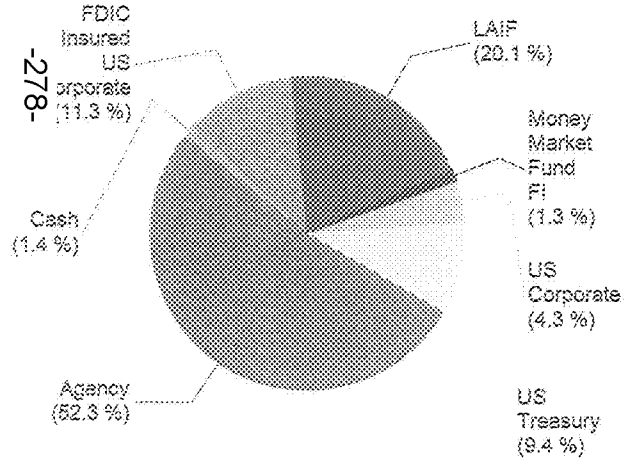

MATURITY DISTRIBUTION

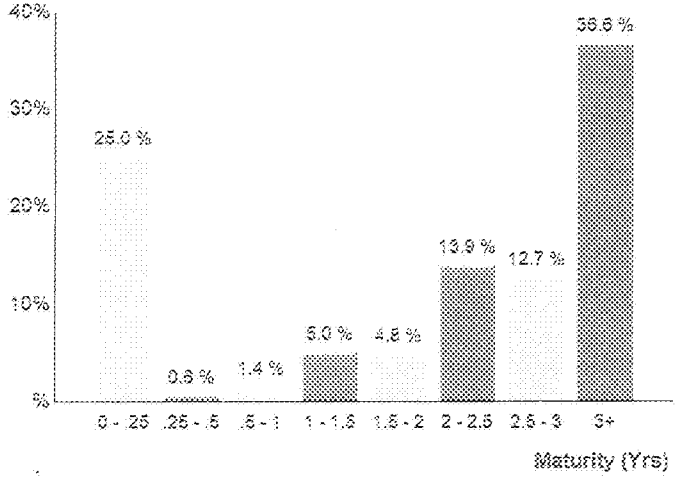

CREDIT QUALITY

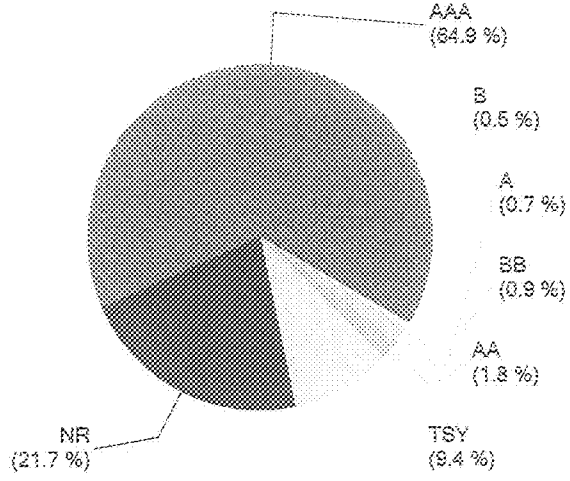

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
31331XMQ2	FFCB Note 5% Due 5/26/2010	1,000,000.00	01/26/2007 5.00 %	1,000,000.00 1,000,000.00	100.72 0.29 %	1,007,188.00 17,361.11	0.47 % 7,188.00	Aaa AAA	0.15 0.15
31331GGS2	FFCB Note 2% Due 6/11/2010	1,000,000.00	12/11/2008 2.00 %	1,000,000.00 1,000,000.00	100.31 0.39 %	1,003,125.00 6,111.11	0.46 % 3,125.00	Aaa AAA	0.20 0.19
3133XCJ38	FHLB Callable Note 1X 08/10/2006 4.7% Due 8/10/2010	1,000,000.00	11/29/2005 4.94 %	989,860.00 999,225.46	101.53 0.42 %	1,015,313.00 6,658.33	0.47 % 16,087.54	Aaa AAA	0.36 0.36
3133XQMW9	FHLB Callable Note 1X 10/15/08 3.05% Due 10/15/2010	1,000,000.00	04/15/2008 3.05 %	1,000,000.00 1,000,000.00	101.41 0.43 %	1,014,063.00 14,063.89	0.47 % 14,063.00	Aaa AAA	0.54 0.53
3133XQSX1	FHLB Callable Note 1X 10/28/08 3% Due 10/28/2010	1,000,000.00	04/28/2008 3.00 %	1,000,000.00 1,000,000.00	101.41 0.55 %	1,014,063.00 12,750.00	0.47 % 14,063.00	Aaa AAA	0.58 0.57
307692AA1	FAMCA Note 4.875% Due 1/14/2011	1,000,000.00	06/05/2006 5.47 %	976,000.00 995,895.49	103.44 0.48 %	1,034,410.00 10,427.08	0.48 % 38,514.51	Aaa AAA	0.79 0.77
31398AWA6	FNMA Callable Note 1X 04/01/2010 2.05% Due 4/1/2011	1,000,000.00	04/01/2009 2.05 %	1,000,000.00 1,000,000.00	100.00 2.05 %	1,000,000.00 10,250.00	0.46 % 0.00	Aaa AAA	1.00 0.97
31331YK82	FFCB Note 3.25% Due 5/2/2011	1,000,000.00	05/19/2008 3.38 %	996,360.00 998,662.86	102.84 0.62 %	1,028,436.00 13,451.39	0.48 % 29,775.14	Aaa AAA	1.09 1.06
3133XTRU2	FHLB Note 1.3% Due 6/1/2011	1,000,000.00	06/01/2009 1.30 %	1,000,000.00 1,000,000.00	100.59 0.79 %	1,005,938.00 4,333.33	0.46 % 5,938.00	Aaa AAA	1.17 1.15
3[illegible]REE6	FHLB Callable Note 1X 6 /9/10 3.6% Due 6/9/2011	1,000,000.00	06/09/2008 3.60 %	1,000,000.00 1,000,000.00	100.59 0.45 %	1,005,938.00 11,200.00	0.46 % 5,938.00	Aaa AAA	0.19 0.19
3133XRQR4	FHLB Callable Note 1X 07/14/10 4.125% Due 7/14/2011	1,000,000.00	07/14/2008 4.13 %	1,000,000.00 1,000,000.00	101.06 0.40 %	1,010,625.00 8,822.92	0.47 % 10,625.00	Aaa AAA	0.29 0.29
3133XUHK2	FHLB Callable Note 1X 8/24/2010 1.375% Due 8/24/2011	1,000,000.00	08/24/2009 1.38 %	1,000,000.00 1,000,000.00	100.34 0.51 %	1,003,438.00 1,413.19	0.46 % 3,438.00	Aaa AAA	0.40 0.40
3133XRW30	FHLB Callable Note 1X 7/28/10 4% Due 10/28/2011	1,000,000.00	10/28/2008 4.00 %	1,000,000.00 1,000,000.00	101.19 0.34 %	1,011,875.00 17,000.00	0.47 % 11,875.00	Aaa AAA	0.33 0.32
3136FH4A0	FNMA Callable Note 1X 8/17/10 1.55% Due 11/17/2011	1,000,000.00	08/17/2009 1.56 %	999,375.00 999,547.60	100.41 0.47 %	1,004,063.00 5,769.44	0.46 % 4,515.40	Aaa AAA	0.38 0.38
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.81 1.09 %	1,018,125.00 3,966.67	0.47 % 18,125.00	Aaa AAA	1.82 1.77
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	102.13 1.09 %	1,021,250.00 3,187.50	0.47 % 21,250.00	Aaa AAA	1.87 1.82
3128X8MS8	FHLMC Callable Note 1X 9/2/10 2.35% Due 3/2/2012	1,000,000.00	03/02/2009 2.43 %	997,800.00 998,592.88	100.67 0.76 %	1,006,661.00 1,893.06	0.46 % 8,068.12	Aaa AAA	0.42 0.42
31[illegible]YKF83	FHLB Callabe Note 1X 4/19/10 5.02% Due 4/19/2012	1,000,000.00	04/19/2007 5.02 %	1,000,000.00 1,000,000.00	100.22 0.63 %	1,002,188.00 22,590.00	0.47 % 2,188.00	Aaa AAA	0.05 0.05
31[illegible]INF8	FNMA Callable Note 1X 11/04/2010 1.625% Due 5/4/2012	1,000,000.00	06/07/2009 1.62 %	1,000,000.00 1,000,000.00	100.28 1.14 %	1,002,813.00 6,635.42	0.46 % 2,813.00	Aaa AAA	0.60 0.59
31[illegible]IA93	FHLMC Callable Note 1X 5/11/10 2.05% Due 5/11/2012	1,000,000.00	05/11/2009 2.05 %	1,000,000.00 1,000,000.00	100.18 0.39 %	1,001,840.00 7,972.22	0.46 % 1,840.00	Aaa AAA	0.11 0.11

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (Yrs) Duration
AGENCY									
3133XL4G5	FHLB Callable Note 1X 6/1/10 5.3% Due 6/1/2012	1,000,000.00	06/01/2007 5.30 %	1,000,000.00 1,000,000.00	100.81 0.41 %	1,008,125.00 17,666.67	0.47 % 8,125.00	Aaa AAA	0.17 0.17
3136FHUY9	FNMA Callable Note 1X 6/1/10 1.4% Due 6/1/2012	1,000,000.00	06/01/2009 1.40 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,250.00 4,666.67	0.46 % 1,250.00	Aaa AAA	0.17 0.17
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,002,401.63	108.94 1.35 %	1,089,375.00 15,138.89	0.50 % 86,973.37	Aaa AAA	2.23 2.09
31331GZ36	FFCB Callable Note 1X 10/19/10 1.55% Due 7/19/2012	1,000,000.00	10/19/2009 1.55 %	1,000,000.00 1,000,000.00	100.25 1.09 %	1,002,500.00 3,100.00	0.46 % 2,500.00	Aaa AAA	0.55 1.46
3136F9YP2	FNMA Callable Note 1X 07/23/2010 4.22% Due 7/23/2012	1,000,000.00	07/23/2008 4.22 %	1,000,000.00 1,000,000.00	101.13 0.59 %	1,011,250.00 7,971.11	0.47 % 11,250.00	Aaa AAA	0.31 0.31
31331XT36	FFCB Note 5.25% Due 8/1/2012	1,000,000.00	08/01/2007 5.25 %	1,000,000.00 1,000,000.00	108.72 1.44 %	1,087,188.00 8,750.00	0.50 % 87,188.00	Aaa AAA	2.34 2.20
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.41 1.41 %	1,024,063.00 3,266.67	0.47 % 24,063.00	Aaa AAA	2.37 2.29
3136FHAK1	FNMA Callable Note 1X 08/27/2010 2.625% Due 8/27/2012	1,000,000.00	02/27/2009 2.63 %	1,000,000.00 1,000,000.00	100.69 0.92 %	1,006,875.00 2,479.17	0.46 % 6,875.00	Aaa AAA	0.41 0.40
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	99.94 1.58 %	999,375.00 7,147.22	0.46 % (625.00)	Aaa AAA	2.55 2.46
3128X8WZ1	FHLMC Callable Note 1X 4/29/10 2.35% Due 10/29/2012	1,000,000.00	04/29/2009 2.35 %	1,000,000.00 1,000,000.00	100.13 0.64 %	1,001,326.00 9,922.22	0.46 % 1,326.00	Aaa AAA	0.08 0.06
3136FHJU0	FNMA Callable Note 1X 4/29/11 2.25% Due 10/29/2012	1,000,000.00	04/29/2009 2.28 %	999,150.00 999,373.96	101.19 1.14 %	1,011,875.00 9,500.00	0.47 % 12,501.04	Aaa AAA	1.08 2.07
3133XSKL1	FHLB Callable Note 1X 11/5/10 4.125% Due 11/5/2012	1,000,000.00	11/05/2008 4.13 %	1,000,000.00 1,000,000.00	102.03 0.69 %	1,020,313.00 16,729.17	0.47 % 20,313.00	Aaa AAA	0.60 0.58
3128X7SV7	FHLMC Callable Note 1X 11/23/2010 3.7% Due 11/23/2012	2,000,000.00	05/23/2008 3.79 %	1,992,500.00 1,995,591.19	101.93 0.69 %	2,038,678.00 26,311.11	0.94 % 43,086.81	Aaa AAA	0.65 0.63
3133XTRK4	FHLB Callable Note 1X 6/18/10 2.1% Due 12/18/2012	1,000,000.00	06/18/2009 2.10 %	1,000,000.00 1,000,000.00	100.34 0.49 %	1,003,438.00 6,008.33	0.46 % 3,438.00	Aaa AAA	0.22 0.85
31331GKF5	FFCB Note 2.5% Due 1/14/2013	1,000,000.00	01/14/2009 2.30 %	1,007,520.00 1,005,244.96	102.00 1.76 %	1,020,000.00 5,347.22	0.47 % 14,755.04	Aaa AAA	2.79 2.67
31398ALB6	FNMA Callable Note 1X 01/18/2011 4% Due 1/18/2013	1,000,000.00	01/18/2006 4.00 %	1,000,000.00 1,000,000.00	102.38 1.00 %	1,023,750.00 8,111.11	0.47 % 23,750.00	Aaa AAA	0.80 0.78
3133XUDM2	FHLB Callable Note 1X 2/14/11 2.4% Due 2/14/2013	1,000,000.00	08/14/2009 2.40 %	1,000,000.00 1,000,000.00	101.09 1.13 %	1,010,938.00 3,133.33	0.46 % 10,938.00	Aaa AAA	0.88 2.21
3136FH4S1	FNMA Callable Note 1X 8/19/10 2.375% Due 2/19/2013	1,000,000.00	08/20/2009 2.38 %	1,000,000.00 1,000,000.00	100.72 0.49 %	1,007,188.00 2,770.83	0.46 % 7,188.00	Aaa AAA	0.39 1.19
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.87 %	4,194,744.63 4,163,336.79	112.20 1.75 %	4,179,338.25 9,933.34	1.91 % 15,999.46	Aaa AAA	2.96 2.74
3128X8TZ5	FHLMC Callable Note 1X 04/08/2011 2.5% Due 4/8/2013	1,000,000.00	04/08/2009 2.50 %	1,000,000.00 1,000,000.00	101.54 0.98 %	1,015,412.00 12,013.89	0.47 % 15,412.00	Aaa AAA	1.02 2.40

MV00059418

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term/Avg Duration
AGENCY									
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	100.81 1.92 %	1,008,125.00 10,572.22	0.47 % 8,125.00	Aaa AAA	3.02 2.88
3133XQVY5	FHLB Callable Note Qrtly 5/13/10 4.125% Due 5/13/2013	1,000,000.00	05/13/2008 4.13 %	1,000,000.00 1,000,000.00	100.44 0.37 %	1,004,375.00 15,812.50	0.47 % 4,375.00	Aaa AAA	0.12 0.12
3128X8B84	FHLMC Callable Note 1X 05/13/2011 2.4% Due 5/13/2013	1,000,000.00	05/13/2009 2.40 %	1,000,000.00 1,000,000.00	101.31 1.22 %	1,013,069.00 9,200.00	0.47 % 13,069.00	Aaa AAA	1.12 2.62
3128X7RC0	FHLMC Callable Note 1X 5/20/10 4% Due 5/20/2013	1,000,000.00	05/20/2008 4.00 %	1,000,000.00 1,000,000.00	100.41 0.94 %	1,004,141.00 14,555.56	0.47 % 4,141.00	Aaa AAA	0.14 0.14
31331GXN4	FFCB Callable Note Cont 6/3/11 2.7% Due 6/3/2013	1,000,000.00	06/03/2009 2.70 %	1,000,000.00 1,000,000.00	101.38 1.51 %	1,013,750.00 8,850.00	0.47 % 13,750.00	Aaa AAA	1.18 1.89
31331YV64	FFCB Callable Note Cont 6/10/10 4.3% Due 6/10/2013	1,000,000.00	06/10/2008 4.30 %	1,000,000.00 1,000,000.00	100.75 0.38 %	1,007,500.00 13,258.33	0.47 % 7,500.00	Aaa AAA	0.19 0.19
3128X7VR2	FHLMC Callable Note 1X 6/10/10 4% Due 6/10/2013	1,000,000.00	06/10/2008 4.00 %	1,000,000.00 1,000,000.00	100.68 0.46 %	1,006,767.00 12,333.33	0.47 % 6,767.00	Aaa AAA	0.19 0.19
3128X84T6	FHLMC Callable Note 1X 7/23/10 2.4% Due 7/23/2013	1,000,000.00	07/23/2009 2.40 %	1,000,000.00 1,000,000.00	100.54 0.66 %	1,005,406.00 4,533.33	0.46 % 5,406.00	Aaa AAA	0.31 1.49
3133XRTE0	FHLB Callable Note 1X 7/29/10 4.625% Due 7/29/2013	1,000,000.00	07/29/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.33 %	1,014,063.00 7,965.28	0.47 % 14,063.00	Aaa AAA	0.33 0.33
88[illegible]1DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 4,092,821.60	108.66 2.05 %	4,074,596.25 29,687.50	1.87 % (18,225.35)	Aaa AAA	3.34 3.08
3133XUEC3	FHLB Callable Note 1X 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	101.13 1.81 %	1,011,250.00 3,606.94	0.46 % 11,250.00	Aaa AAA	1.37 2.15
3133XRYG9	FHLB Callable Note 1X 8/20/10 4.625% Due 8/20/2013	1,000,000.00	10/28/2008 4.63 %	1,000,000.00 1,000,000.00	101.41 0.96 %	1,014,063.00 5,267.36	0.47 % 14,063.00	Aaa AAA	0.39 0.38
3128X9GH7	FHLMC Callable Note 1X 4/1/10 2.5% Due 10/1/2013	1,000,000.00	10/01/2009 2.53 %	999,000.00 999,124.57	100.00 2.50 %	1,000,000.00 12,500.00	0.46 % 875.43	Aaa AAA	3.51 3.29
31331GDF3	FFCB Callable Note Cont 10/15/10 4.25% Due 10/15/2013	1,000,000.00	10/15/2008 4.25 %	1,000,000.00 1,000,000.00	102.03 0.47 %	1,020,313.00 19,597.22	0.48 % 20,313.00	Aaa AAA	0.54 0.53
3136FJGM7	FNMA Callable Note 1X 10/22/10 2.5% Due 10/22/2013	1,000,000.00	10/22/2009 2.50 %	1,000,000.00 1,000,000.00	100.34 1.68 %	1,003,438.00 11,041.67	0.46 % 3,438.00	Aaa AAA	0.56 2.25
3133XSLV6	FHLB Callable Note 1X 11/26/10 3.5% Due 11/26/2013	1,000,000.00	11/26/2008 3.50 %	1,000,000.00 1,000,000.00	102.19 0.15 %	1,021,875.00 12,152.78	0.47 % 21,875.00	Aaa AAA	0.66 0.65
3133XSMU9	FHLB Callable Note 1X 11/26/10 4.05% Due 11/26/2013	1,000,000.00	11/26/2008 4.05 %	1,000,000.00 1,000,000.00	102.38 0.40 %	1,023,750.00 14,062.50	0.47 % 23,750.00	Aaa AAA	0.66 0.64
313[illegible]HW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,066,040.95	109.41 2.21 %	1,094,063.00 14,625.00	0.51 % 28,022.05	Aaa AAA	3.71 3.36
31[illegible]ABX6	FHLMC Note 2.5% Due 1/7/2014	4,000,000.00	03/17/2010 2.09 %	4,059,384.00 4,058,786.32	101.16 2.18 %	4,046,372.00 23,333.33	1.86 % (12,414.32)	Aaa AAA	3.78 3.56
31[illegible]3Z4	FNMA Callable Note 1X 1/28/11 2% Due 1/28/2014	1,000,000.00	01/28/2009 2.00 %	1,000,000.00 1,000,000.00	100.63 1.23 %	1,006,250.00 3,500.00	0.46 % 6,250.00	Aaa AAA	0.83 0.82

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
33XSZ43	FHLB Callable Note Qrtly 02/18/2011 3% Due 2/18/2014	1,000,000.00	02/18/2009 3.00 %	1,000,000.00 1,000,000.00	100.69 2.21 %	1,006,875.00 3,583.33	0.46 % 6,875.00	Aaa AAA	0.89 1.89
3136FHDF9	FNMA Callalbe Note 1X 3/18/11 3.2% Due 3/18/2014	1,000,000.00	03/18/2009 3.20 %	1,000,000.00 1,000,000.00	101.75 1.37 %	1,017,500.00 1,155.56	0.47 % 17,500.00	Aaa AAA	0.96 2.50
3128X8QM7	FHLMC Callable Note 1X 03/24/2011 2.375% Due 3/24/2014	1,000,000.00	03/24/2009 2.40 %	999,000.00 999,204.27	101.98 0.35 %	1,019,849.00 461.81	0.47 % 20,644.73	Aaa AAA	0.98 0.97
31398AWH1	FNMA Callable Note 1X 4/7/11 2.9% Due 4/7/2014	1,000,000.00	06/06/2009 2.98 %	996,406.25 997,011.32	100.59 2.31 %	1,005,938.00 14,016.67	0.47 % 8,926.68	Aaa AAA	1.02 2.82
3136FHHH1	FNMA Callable Note 1X 4/14/11 2% Due 4/14/2014	1,000,000.00	04/14/2009 2.00 %	1,000,000.00 1,000,000.00	99.91 2.09 %	999,063.00 9,277.78	0.46 % (937.00)	Aaa AAA	1.04 1.01
3136FHGK5	FNMA Callable Note 1X 04/16/2012 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.38 2.31 %	1,013,750.00 13,750.00	0.47 % 13,750.00	Aaa AAA	2.05 3.45
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.31 1.60 %	1,013,125.00 9,375.00	0.47 % 13,125.00	Aaa AAA	2.09 3.12
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.94 1.53 %	1,009,375.00 8,086.81	0.46 % 9,375.00	Aaa AAA	1.62 2.76
31331GYT0	FFCB Callable Note Cont 6/17/10 3.75% Due 6/17/2014	1,000,000.00	06/17/2009 3.75 %	1,000,000.00 1,000,000.00	100.78 0.05 %	1,007,813.00 10,833.33	0.47 % 7,813.00	Aaa AAA	0.21 0.21
133X7FK5	FHLB Note 5.25% Due 6/18/2014	3,650,000.00	03/15/2010 2.34 %	4,078,185.15 4,073,779.39	111.19 2.44 %	4,058,343.75 54,826.04	1.88 % (15,435.64)	Aaa AAA	4.22 3.78
3128X6Y69	FHLMC Callable Note 1X 7/2/10 3.4% Due 7/2/2014	1,000,000.00	07/02/2009 3.41 %	999,531.25 999,601.33	100.79 0.26 %	1,007,935.00 8,405.56	0.46 % 8,333.67	Aaa AAA	0.25 0.25
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.25 1.78 %	1,012,500.00 5,694.44	0.47 % 12,500.00	Aaa AAA	1.78 1.72
31398AYN6	FNMA Callable Note 1X 07/28/2011 3% Due 7/28/2014	1,000,000.00	07/28/2009 3.00 %	1,000,000.00 1,000,000.00	100.75 2.42 %	1,007,500.00 5,250.00	0.46 % 7,500.00	Aaa AAA	1.33 3.32
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,096,498.18	102.22 2.46 %	4,088,752.00 21,000.00	1.88 % (7,746.18)	Aaa AAA	4.33 4.02
3133XUBN2	FHLB Callable Note Cont 8/5/10 3.2% Due 8/5/2014	1,000,000.00	08/08/2009 3.20 %	1,000,000.00 1,000,000.00	100.84 0.74 %	1,008,438.00 4,977.78	0.46 % 8,438.00	Aaa AAA	0.35 1.14
3133XUPX5	FHLB Callable Note 1X 9/15/11 3.1% Due 9/15/2014	1,000,000.00	09/15/2009 3.10 %	1,000,000.00 1,000,000.00	101.50 2.74 %	1,015,000.00 1,377.78	0.46 % 15,000.00	Aaa AAA	4.46 2.67
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,089,870.47	101.50 2.64 %	4,060,000.00 3,000.00	1.86 % (29,870.47)	Aaa AAA	4.48 4.17
3133XV2K6	FHLB Callable Note Qrtly 1/15/10 2% Due 10/15/2014	1,000,000.00	10/15/2009 2.00 %	1,000,000.00 1,000,000.00	100.07 0.18 %	1,000,700.00 9,222.22	0.46 % 700.00	Aaa AAA	0.04 0.04
3133XV3B5	FHLB Callable Note Qtrly 1/22/10 2% Due 10/22/2014	1,000,000.00	10/22/2009 2.00 %	1,000,000.00 1,000,000.00	100.09 0.37 %	1,000,938.00 8,833.33	0.46 % 938.00	Aaa AAA	0.06 1.08
3136FJKD2	FNMA Callable Note 1X 10/27/2011 2.8% Due 10/27/2014	1,000,000.00	10/27/2009 2.80 %	1,000,000.00 1,000,000.00	99.94 2.81 %	999,375.00 11,977.78	0.46 % (625.00)	Aaa AAA	4.58 4.21

MV00059420

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Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Unit Price Mkt Yield	Market Value Accrued Int	% of Port Gain/Loss	Moody S&P	Term (Yrs) Duration
AGENCY									
31398AZS4	FNMA Callable Note 1X 10/29/2010 3% Due 10/29/2014	1,000,000.00	10/29/2009 3.02 %	998,910.00 999,001.93	100.16 2.72 %	1,001,563.00 12,666.67	0.46 % 2,561.07	Aaa AAA	0.58 2.56
3128X9KE9	FHLMC Callable Note QTRLY 11/5/10 3% Due 11/5/2014	1,000,000.00	11/05/2009 3.00 %	1,000,000.00 1,000,000.00	100.44 2.24 %	1,004,421.00 12,166.67	0.46 % 4,421.00	Aaa AAA	0.60 2.00
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,114,576.82	100.00 2.63 %	4,100,000.00 39,163.54	1.89 % (14,576.82)	Aaa AAA	4.64 4.30
3136FJPL9	FNMA Callable Note 1X 05/25/2010 3.4% Due 11/25/2014	1,000,000.00	11/25/2009 3.40 %	1,000,000.00 1,000,000.00	100.19 2.12 %	1,001,875.00 11,900.00	0.46 % 1,875.00	Aaa AAA	0.15 0.15
31331G7L7	FFCB Callable Note Cont 12/22/11 2.82% Due 12/22/2014	1,000,000.00	12/22/2009 2.82 %	1,000,000.00 1,000,000.00	99.78 2.87 %	997,813.00 7,755.00	0.46 % (2,187.00)	Aaa AAA	4.73 4.36
31331JAA1	FFCB Callable Note Cont 12/22/10 3% Due 12/22/2014	1,000,000.00	12/22/2009 3.00 %	1,000,000.00 1,000,000.00	100.19 2.72 %	1,001,875.00 8,250.00	0.46 % 1,875.00	Aaa AAA	0.73 2.32
3133XWBQ1	FHLB Callable Note Qtrly 6/29/10 3% Due 12/29/2014	1,000,000.00	12/29/2009 3.00 %	1,000,000.00 1,000,000.00	99.34 3.15 %	993,438.00 7,666.67	0.46 % (6,562.00)	Aaa AAA	4.75 1.52
3136FJZA2	FNMA Callable Note Qtrly 06/30/2010 3.05% Due 12/30/2014	1,000,000.00	12/30/2009 3.05 %	1,000,000.00 1,000,000.00	99.81 3.09 %	998,125.00 7,709.72	0.46 % (1,875.00)	Aaa AAA	4.75 1.84
3136FJE23	FNMA Callable Note Qtrly 01/05/2011 3% Due 1/5/2015	1,000,000.00	01/05/2010 3.00 %	1,000,000.00 1,000,000.00	100.34 2.54 %	1,003,438.00 7,166.67	0.46 % 3,438.00	Aaa AAA	0.77 2.33
31[illegible]WDZ9	FHLB Callable Note Cont 7/13/10 3.1% Due 1/13/2015	1,000,000.00	01/13/2010 3.10 %	1,000,000.00 1,000,000.00	99.72 3.16 %	997,188.00 6,716.67	0.46 % (2,812.00)	Aaa AAA	4.79 1.52
Total Agency		111,225,000.00	2.84 %	112,769,330.38 112,744,191.97	1.48 %	113,619,283.25 938,545.29	52.33 % 875,091.28	Aaa AAA	1.86 1.93
CASH									
90CASH$00	Cash Custodial Cash Account	2,982,298.79	Various 0.00 %	2,982,298.79 2,982,298.79	1.00 0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
Total Cash		2,982,298.79	N/A	2,982,298.79 2,982,298.79	0.00 %	2,982,298.79 0.00	1.36 % 0.00	NR NR	0.00 0.00
FDIC INSURED US CORPORATE									
61757UAF7	Morgan Stanley FDIC Guaranteed Note 2% Due 9/22/2011	4,825,000.00	Various 0.91 %	4,909,264.93 4,901,788.66	101.68 0.85 %	4,906,045.53 2,412.50	2.24 % 4,256.87	Aaa AAA	1.48 1.45
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	4,750,000.00	Various 1.07 %	4,919,063.75 4,902,781.38	103.25 1.05 %	4,904,603.00 44,333.33	2.26 % 1,821.62	Aaa AAA	1.69 1.64
0[illegible]AG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	4,850,000.00	Various 1.31 %	4,932,732.55 4,927,981.53	101.84 1.20 %	4,939,312.75 42,720.41	2.28 % 11,331.22	Aaa AAA	2.08 2.02
9[illegible]AC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	4,875,000.00	Various 1.40 %	4,913,348.88 4,915,118.40	101.14 1.26 %	4,930,360.50 33,150.00	2.27 % 15,242.10	Aaa AAA	2.13 2.07

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (Yrs) Duration
IC INSURED US CORPORATE									
146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	4,725,000.00	03/12/2010 1.27 %	4,931,019.45 4,927,255.39	104.27 1.28 %	4,926,738.60 45,215.63	2.27 % (516.79)	Aaa AAA	2.21 2.12
Total FDIC Insured US Corporate		24,025,000.00	1.19 %	24,605,429.56 24,574,925.36	1.13 %	24,607,060.38 167,831.87	11.32 % 32,135.02	Aaa AAA	1.92 1.86
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	43,782,651.30	Various 0.55 %	43,782,651.30 43,782,651.30	1.00 0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
Total LAIF		43,782,651.30	0.55 %	43,782,651.30 43,782,651.30	0.55 %	43,782,651.30 116,641.32	20.05 % 0.00	NR NR	0.00 0.00
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	1.00	03/09/2010 0.05 %	1.00 1.00	1.00 0.05 %	1.00 0.00	0.00 % 0.00	Aaa AAA	0.00 0.00
431114701	Highmark Govt Money Market Fund	2,837,059.47	Various 0.05 %	2,837,059.47 2,837,059.47	1.00 0.05 %	2,837,059.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		2,837,060.47	0.05 %	2,837,060.47 2,837,060.47	0.05 %	2,837,060.47 0.00	1.30 % 0.00	Aaa AAA	0.00 0.00
US CORPORATE									
459745FP5	International Lease Finance Note 5% Due 4/15/2010	2,000,000.00	03/26/2007 5.06 %	1,996,420.00 1,999,955.09	100.01 4.66 %	2,000,182.00 46,111.11	0.93 % 226.91	B1 BB+	0.04 0.04
02635PSV6	American General Finance Note 4.875% Due 5/15/2010	1,000,000.00	08/08/2006 5.51 %	978,490.00 999,312.18	99.96 5.12 %	999,587.00 16,416.67	0.47 % 274.82	B2 B	0.12 0.12
52517PA35	Lehman Brothers Holdings Note 4.5% Due 7/26/2010	1,000,000.00	08/25/2006 5.29 %	972,450.00 972,450.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,950.00)	NR NR	0.32 0.00
52517PYN5	Lehman Brothers Holdings Defaulted - Orig mat 1/27/10 4.25% Due 1/27/2012	1,000,000.00	06/08/2007 4.93 %	972,030.00 972,030.00	23.25 0.00 %	232,500.00 0.00	0.11 % (739,530.00)	NR NR	-0.17 0.00
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	23.25 0.00 %	232,500.00 0.00	0.11 % (763,500.00)	NR NR	1.85 0.00
06406HBL2	Bank of New York Note 4.3% Due 5/15/2014	2,140,000.00	Various 2.94 %	2,251,997.60 2,251,850.05	105.27 2.93 %	2,252,785.16 34,763.11	1.04 % 915.11	Aa2 AA-	4.13 3.72
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	1,575,000.00	03/25/2010 3.61 %	1,581,000.75 1,580,993.92	100.62 3.56 %	1,584,700.43 11,493.13	0.73 % 3,706.51	Aa3 A+	4.81 4.34
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	1,625,000.00	03/25/2010 3.94 %	1,682,687.50 1,682,622.57	103.85 3.87 %	1,687,500.75 11,149.31	0.78 % 4,878.18	Aa3 AA-	4.87 4.29
Total US Corporate		11,340,000.00	4.35 %	11,431,075.85 11,455,213.81	3.61 %	9,222,235.34 121,933.33	4.27 % (2,232,978.47)	A3 A-	2.79 2.45

MV00059422

City of Moreno Valley Consolidated
Account #10122

Holdings Report

As of 3/31/10

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term to Duration
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 4,045,885.02	107.13 1.03 %	4,043,968.75 71,326.73	1.88 % (1,916.27)	TSY TSY	2.08 1.97
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 4,055,857.33	107.29 1.28 %	4,050,163.53 438.35	1.85 % (5,693.80)	TSY TSY	2.50 2.39
912828HK9	US Treasury Note 3.375% Due 11/30/2012	3,875,000.00	03/12/2010 1.29 %	4,089,651.65 4,085,969.43	105.26 1.36 %	4,078,739.75 43,833.28	1.88 % (7,229.68)	TSY TSY	2.67 2.53
912828HM5	US Treasury Note 3.625% Due 12/31/2012	3,850,000.00	03/12/2010 1.35 %	4,089,735.55 4,085,747.78	105.91 1.43 %	4,077,388.70 35,083.39	1.88 % (8,359.08)	TSY TSY	2.76 2.61
912828HV5	US Treasury Note 2.5% Due 3/31/2013	4,000,000.00	03/12/2010 1.48 %	4,121,575.90 4,119,717.28	102.74 1.56 %	4,109,688.00 273.22	1.88 % (10,029.28)	TSY TSY	3.00 2.89
Total US Treasury		19,275,000.00	1.27 %	20,413,994.26 20,393,176.84	1.33 %	20,359,948.73 150,956.97	9.37 % (33,228.11)	TSY TSY	2.60 2.48
TOTAL PORTFOLIO		215,467,010.56	2.05 %	218,821,840.61 218,769,518.54	1.29 %	217,410,538.26 1,495,908.78	100.00 % (1,358,980.28)	Aaa AAA	1.55 1.58
TOTAL MARKET VALUE PLUS ACCRUED						218,906,447.04			

City of Moreno Valley

March 31, 2010

COMPLIANCE WITH INVESTMENT POLICY

Assets managed on by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

BOND PROCEEDS WITH FISCAL AGENTS

redemption fund	20350200	money market fund	WF Govt Fund	03/31/10	04/01/10	293,847	293,847	293,847	0.01%	0.01%	1.00000	1.063%
redemption/prepay	20350201	money market fund	WF Govt Fund	03/31/10	04/01/10	2,322	2,322	2,322	0.01%	0.01%	1.00000	0.008%
reserve fund	20350202	money market fund	WF Govt Fund	03/31/10	04/01/10	70,301	70,301	70,301	0.01%	0.01%	1.00000	0.256%
rebate fund	20350203	money market fund	WF Govt Fund	03/31/10	04/01/10	329	329	329	0.01%	0.01%	1.00000	0.001%
						364,799	364,799	364,799				1.329%
Special tax funds	22631800	cash	cash	12/16/88	09/02/09	0		0	0.00%	0.00%	1.00000	0.000%
special tax funds	22631800	money market fund	WF Govt Fund	03/31/10	04/01/10	1,923,782	1,923,782	1,923,782	0.01%	0.01%	1.00000	7.009%
interest acct	22631801	money market fund	WF Govt Fund	03/31/10	04/01/10		0	0	0.01%	0.01%	1.00000	0.000%
reserve fund	22631802	money market fund	WF Govt Fund	03/31/10	04/01/10	1,028,699	1,028,699	1,028,699	0.01%	0.01%	1.00000	3.748%
admin exp acct	22631805	money market fund	WF Govt Fund	03/31/10	04/01/10	377	377	377	0.01%	0.01%	1.00000	0.001%
debt service acct	22631809	money market fund	WF Govt Fund	03/31/10	04/01/10	538,798	538,798	538,798	0.01%	0.01%	1.00000	1.962%
special tax funds	22631900	money market fund	WF Govt Fund	03/31/10	04/01/10	405,316	405,316	405,316	0.01%	0.01%	1.00000	1.477%
interest acct	22631901	money market fund	WF Govt Fund	03/31/10	04/01/10	16,153	16,153	16,153	0.01%	0.01%	1.00000	0.059%
reserve fund	22631904	money market fund	WF Govt Fund	03/31/10	04/01/10	366,244	366,244	366,244	0.01%	0.01%	1.00000	1.334%
admin exp acct	22631905	money market fund	WF Govt Fund	03/31/10	04/01/10	72	72	72	0.01%	0.01%	1.00000	0.000%
cost of issuance	22631906	money market fund	WF Govt Fund	03/31/10	04/01/10	2	2	2	0.01%	0.01%	1.00000	0.000%
						4,276,435	4,276,435	4,276,435				
Series B Revenue	22333500	money mkt fund	WF Govt Fund	03/31/10	04/01/10	150,283	150,283	150,283	0.01%	0.01%	1.00000	0.547%
Series A Principal	22333501	money mkt fund	WF Govt Fund	03/31/10	04/01/10	12,301	12,301	12,301	0.01%	2.71%	1.00000	0.045%
Series B reserve	22333503	money mkt fund	WF Govt Fund	03/31/10	04/01/10	522,482	522,482	522,482	0.01%	0.01%	1.00000	1.904%
Series A interest	22333504	money mkt fund	WF Govt Fund	03/31/10	04/01/10	625	625	625	0.01%	0.01%	1.00000	0.002%
Series B interest	22333505	money mkt fund	WF Govt Fund	03/31/10	04/01/10	457,656	457,656	457,656	0.01%	0.01%	1.00000	1.667%
						1,143,307	1,143,307	1,143,307				
delivery cost fund	12526002	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
						0	0	0				
expense fund	12526107	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,468	14,468	14,468	0.01%	0.01%	1.00000	0.053%
reserve account	12526103	money mkt fund	WF Govt Fund	03/31/10	04/01/10	407,462	407,462	407,462	0.01%	0.01%	1.00000	1.485%
issue revenue	12526100	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
rebate account	12526104	money mkt fund	WF Govt Fund	03/31/10	04/01/10	14,481	14,481	14,481	0.01%	0.01%	1.00000	0.053%
						436,011	436,011	436,011				
debt service fund	22631701	money mkt fund	WF Govt Fund	03/31/10	04/01/10	1,026,442	1,026,442	1,026,442	0.01%	0.01%	1.00000	3.740%
						1,026,442	1,026,442	1,026,442				
bond fund	18042800	money mkt fund	WF Govt Fund	03/31/10	04/01/10	333	333	333	0.01%	0.01%	1.00000	0.001%
reserve fund	18042804	money mkt fund	WF Govt Fund	03/31/10	04/01/10	2,992,830	2,992,830	2,992,830	0.01%	0.01%	1.00000	10.904%
construction fund	18042806	money mkt fund	WF Govt Fund	03/31/10	04/01/10	7,671,734	7,671,734	7,671,734	0.01%	0.01%	1.00000	27.952%
						10,664,897	10,664,897	10,664,897				38.858%
interest fund	22277601	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
construction fund	22277604	money mkt fund	WF Govt Fund	03/31/10	04/01/10	6,846,115	6,846,115	6,846,115	0.01%	0.01%	1.00000	24.944%
capital interest fund	22277605	money mkt fund	WF Govt Fund	03/31/10	04/01/10	0	0	0	0.01%	0.01%	1.00000	0.000%
cost of issuance	22277606	money mkt fund	WF Govt Fund	03/31/10	04/01/10	368,024	368,024	368,024	0.01%	0.01%	1.00000	1.341%
						7,214,139	7,214,139	7,214,139				
revenue fund	20350300	revenue	WF Govt Fund	03/31/10	04/01/10	1,139,953	1,139,953	1,139,953	0.01%	0.01%	1.00000	4.153%
reserve fund	20350303	reserve	WF Govt Fund	03/31/10	04/01/10	1,178,145	1,178,145	1,178,145	0.01%	0.01%	1.00000	4.293%
admin expenses	20350308	admin expenses	WF Govt Fund	03/31/10	04/01/10	1,981	1,981	1,981	0.01%	0.01%	1.00000	0.007%
						2,320,079	2,320,079	2,320,079				8.453%
			Totals			27,446,109	27,446,109	27,446,109				100.000%

1	Construction Funds	14,517,849	14,517,849	14,517,849
2	Principal & Interest Accounts	3,471,121	3,471,121	3,471,121
3	Debt Service Reserve Funds	8,907,564	8,907,564	8,907,564
4	Custody Accounts	0	0	0
5	Arbitrage Rebate Accounts	14,810	14,810	14,810
6	Other Accounts	534,765	534,765	534,765
	Total Fiscal Agent Funds	27,446,109	27,446,109	27,446,109

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

March 2010

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value
Liquid Savings	$1,317,937
Nationwide Fixed (Part Time Employee)	0
Liquid Savings (Part Time Employees)	128,711
Certificates of Deposit 3 years	15,413
JP Morgan Mid Cap Value A	84,139
Bond Fund Of America	67,275
Growth Fund of America	52,907
Investment Co. of America	10,732
Income Fund of America	118,204
Brown Cap Mgmt Inc SM Co	62,451
Fidelity Independence	26,461
Fidelity Equity Income	19,513
Fidelity Magellan	303,795
Certificates of Deposit 5 years	29,246
Fidelity Puritan	109,526
Fidelity Contrafund	232,459
Janus Fund	59,176
Janus Advisor Forty	57,375

Fund	Market Value
Drey SmCap I	5
American Century Balanced	25
Am Century Growth	84,573
Am Century Select	78,857
Am Century Ultra	8
Vanguard Index 500	65,279
Vanguard Institutional Index	312,628
Vanguard Wellington	13,990
Vanguard Windsor II	62,384
Vanguard Total Bond Index	108,028
Putnam Voyager	8
Templeton Foreign I	0
EuroPacific Growth	226,967
Stable Fund C	1,686,963
PBHG Growth Fund	8
DWS High Income Fund A	43,075
DWS Strategic Value	35,410
Oppenheimer Global Fund A	96,338

Fund	Market Value
N B Socially Responsive Fund	8,353
DFA US Micro Cap Port	104,358
Federated Kaufmann Fund	453,072
AIM Mid Cap Core Equity	13,731
Washington Mutual Inv	42,263
Nationwide InvDes Mod Cons Fund SC	9,720
Nationwide InvDes Mod Aggr Fund	589,670
Nationwide InvDes Aggr Fund	93,883
Nationwide InvDes Mod Fd	338,279
Nationwide Inv Des Cons	81,128
Nationwide Large Cap Growth	87,253
Nationwide Inter Val Inst Svc	21,653
Nationwide US Sm Cap Val Ins Svc	556
Nationwide Dest 2015 Inst Svc	11,121
YL Account	146,412
Nationwide Dest 2025 Inst Svc	21,391
Nationwide Dest 2020 Inst Svc	1,633
Total Nationwide Deferred	**$7,252,072**

ICMA

Fund	Market Value
Aggressive Oppor.	$142,895
International	142,050
All Equity Growth	75,848
Growth and Income	175,644
Broad Market	45,514
500 Stock Index	58,767
Equity Income	258,148
Asset Allocation	103,430
Core Bond	15,278
Cash Management	31,665
Plus Fund	1,384,358
Savings Oriented	5,583
Conservative Growth	75,740
Traditional Growth	214,109
Long-Term Growth	262,559
Mid/Small Co Index	0
Milestone 2030	8,866
Milestone 2035	7,490
Overseas Equity Index fund	52,527
Vantage Trust 1yr CD	0

Fund	Market Value
VT Royce Premeir	1,569
VT Ranier Small/Mid Cap Eq	25,321
VT Fidelity Contrafund	130,761
VT Fidelity Magellan	0
VT Fidelity Diversified International	51,911
VT Allianz NFJ Div Value	37,846
VT Legg Mason Value	1,711
VT Fidelity Puritan	3,653
VT Royce Value Plus Service	4,807
VT TR Price Growth Stock Adv	13,865
VT First Amer. Real Estate Secs	4,244
VT TR Price Small Cap Value	182,249
VT Third Ave Value	7,135
Inflation Protected Securities	48,469
Growth Fund	198,844
VT PIMCO Total Return	36,371
VT PIMCO High Yield	94,730
VT Eaton Vance Lage Cap Value	4,364
Total ICMA	$3,820,694

Summary by Plan

	Market Value
Total Nationwide	$7,252,072
Total ICMA	3,820,694
Total Deferred Compensation Plans	$11,072,766

Summary by Investment Type

	Market Value
Savings Deposits and CD's	$1,246,648
Mutual Funds	9,826,118
Total Deferred Compensation Plans	$11,072,766

MV00059426

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 297)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PAGES 299 – 308)
Attachment "C" – Assignment Agreement (PAGE 309)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059434

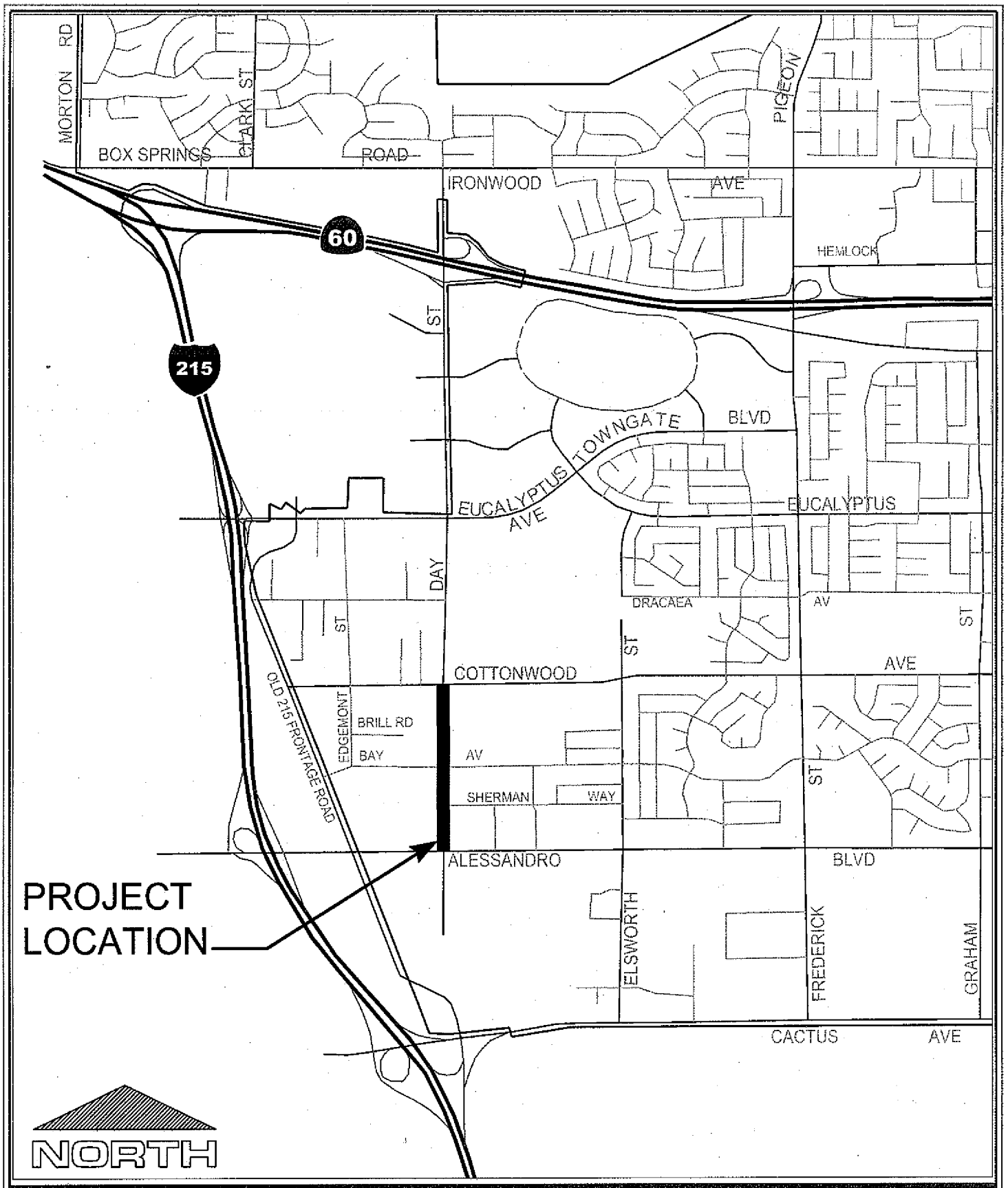

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Item No. A.10

MV00059435

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MV00059436

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

W:\CapProj\CapProj\PROJECTS\Larry - 02-89266920 - Day St\CC Reports\Staff Report - NOA 052510 Attachment B.doc

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

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MV00059448

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard.

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227).

3. Authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney.

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

BACKGROUND

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris

Boulevard. There are twenty-six (26) parcels from which right-of-way (ROW) is needed to widen this section of Ironwood Avenue. On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties.

DISCUSSION

APN 475-272-054 requires the acquisition of the entire property. This right-of-way acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements.

The subject property is located at 11987 Davis Street and is currently owned by Ms. Yost and Mr. Swanson. The parcel is improved with a single family residence and contains approximately 0.17 acres (7,405 square feet).

An appraisal report for right-of-way was prepared on March 2, 2009 by Donahue Appraisal Associates. The appraised value amount is $110,000 for this parcel.

After negotiation, the owner has agreed with a settlement amount of $124,500. The final acquisition amount for APN 475-272-054 exceeds $100,000 and requires that the Agreement for Conveyance of Property be approved by City Council.

ALTERNATIVES

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard, do not authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227), authorize the City Manager to execute the Agreement in the form attached hereto upon concurrence by the property owners and do not authorize the City Manager to approve any changes, subject to the approval of the City Attorney, and do not authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054. *This alternative will result in delaying the construction of the Ironwood Avenue improvements.*

FISCAL IMPACT

Western Riverside Council of Governments (WRCOG), in establishing its TUMF program, identified Ironwood Avenue from Heacock Street to Perris Boulevard as part of the TUMF-roadway network. This network consists of regionally significant highways that support intercommunity trips in Western Riverside County, and are therefore eligible for improvements using TUMF reimbursement funds.

Funding for the proposed right-of-way acquisition is included in the Fiscal Year 2009/2010 budget, and TUMF provides a 68% reimbursement to the City's 32% matching funds. These TUMF funds were allocated by WRCOG for street improvements and associated right-of-way acquisition for the Ironwood Avenue Improvements project from Heacock Street to Perris Boulevard. There is no impact to the General Fund.

AVAILABLE PROJECT FUNDS:

Fiscal Year 2009/2010 TUMF Funds, Account No. 415.70227	$3,106,000
Fiscal Year 2009/2010 DIF Funds, Account No. 416.78727	$1,116,000
Fiscal Year 2009/2010 2005 Lease Revenue Bonds 501.82625	$1,046,000
Total Available Funds	**$5,268,000**

ESTIMATED RIGHT-OF-WAY RELATED EXPENDITURES

Southern California Edison Transmission Pole Relocation	$1,542,000
ROW Acquisitions	$786,000
Total ROW Related Expenditures	**$2,328,000**

ANTICIPATED PROJECT SCHEDULE:

Complete Right-of-Way Acquisition	June 2010
Commencement of SCE Power Pole Relocation	July 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. Attached is the Agreement for Conveyance of Property for APN 475-272-054. This acquisition is necessary to widen the road and construct the curb, gutter, and sidewalk improvements. When completed, these improvements will enhance the roadway capacity and safety.

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map (PAGE 317)
Attachment "B" – Agreement for Conveyance of Property, APN 475-272-054 (PAGES 319-327)

Prepared By:
Henry Ngo
Senior Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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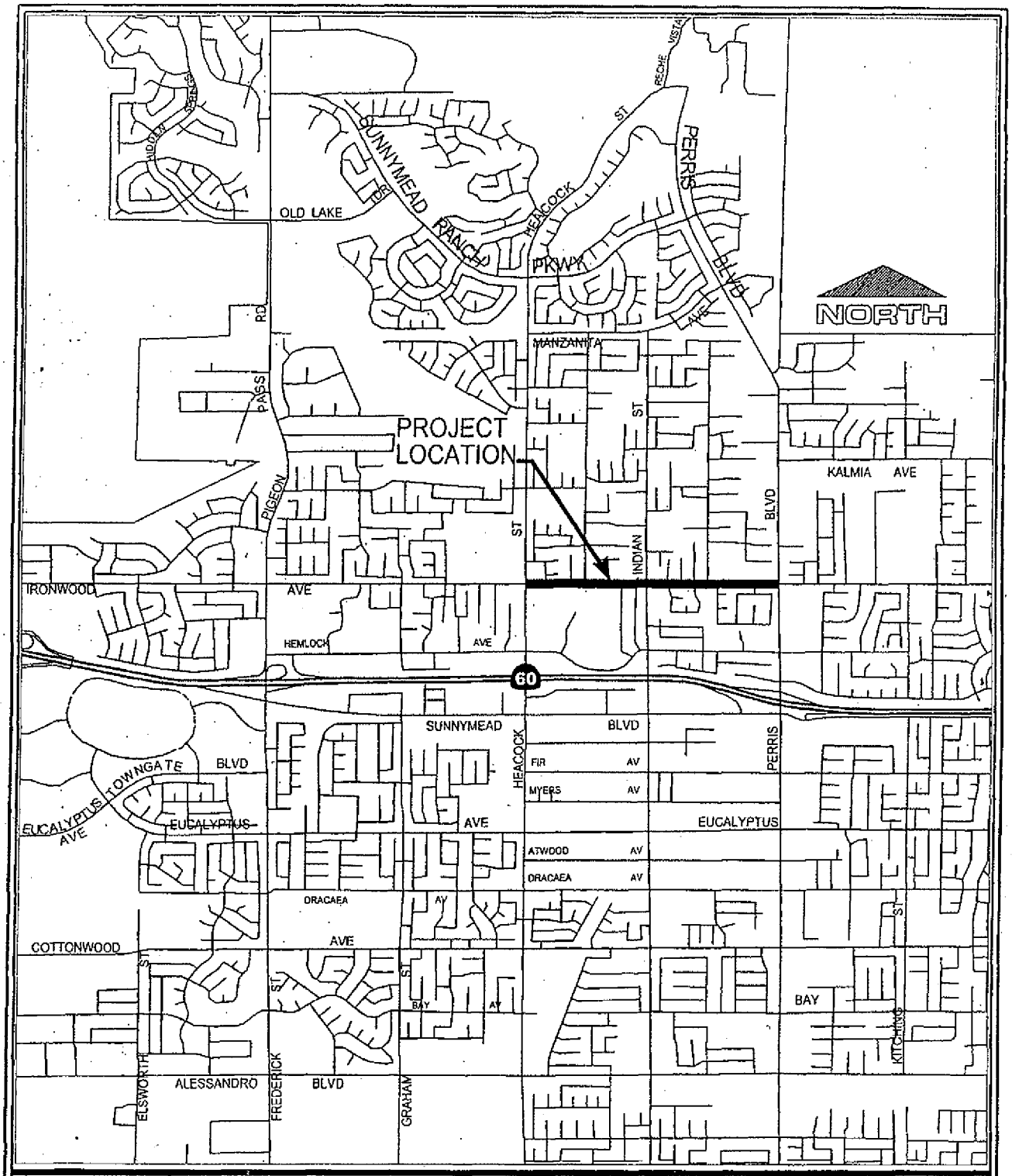

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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MV00059456

AGREEMENT
FOR CONVEYANCE OF PROPERTY

THIS AGREEMENT is entered into by and between Betty C. Yost and Jack B. Swanson, as joint tenants ("Grantor"), and the CITY OF MORENO VALLEY, a municipal corporation (" Grantee").

RECITALS

A. Grantor owns certain real property located at 11987 Davis Street, Moreno Valley, California bearing Assessor Parcel No. 475-272-054 (the "Property").

B. Grantee desires to purchase the Property, and Grantor desires to sell and convey the Property as described in Exhibit "A", attached hereto.

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Property.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE.

Grantee agrees to buy and Grantor agrees to sell and convey the Property for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be fair market value for the Property.

2. ESCROW.

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Stewart Title Company (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Property. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 PURCHASE PRICE.

The total purchase price for the Property shall be the lump sum of One Hundred and Twenty Four Thousand Five Hundred Dollars ($124,500.00) which shall be paid by Grantee to Grantor through Escrow Holder in cash at Close of Escrow.

2.2 CLOSE OF ESCROW.

Escrow shall close on or before sixty (60) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close by the Close of Escrow, any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate. If no such demand is made, Escrow shall be closed as soon as possible.

2.3 CONDITION OF TITLE TO THE PROPERTY.

Grantor shall convey title of the Property to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. The Title Policy shall show as exceptions with respect to the Property only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Property at or prior to the Close of Escrow.

2.4 ESCROW AND CLOSING COSTS.

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 INVESTIGATIONS.

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental, drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Property for Grantee's intended use thereof. If Grantee determines that the Property is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantors hereby grants to Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantors representations or warranties under this Agreement, and Grantors acknowledges and agrees that Grantee is relying upon Grantors' representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantors.

2.6 DEPOSIT OF FUNDS AND DOCUMENTS.

A. Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

B. Prior to the Close of Escrow, Grantor shall deposit into Escrow (i) the properly executed Grant Deed conveying the Property, and (ii) such other documents and sums, if any, as are necessary to close Escrow in conformance herewith.

2.7 GRANTEE'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 GRANTOR'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. REPRESENTATIONS AND WARRANTIES OF GRANTOR.

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to the Property and has full power and authority to own and sell and convey the Grant Deed to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor is at present a party, or by which Grantor is bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee;

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) According to Grantor's knowledge, the Property is not in violation of any federal, state or local statute, regulation or ordinance relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions underlying the Property which could affect the Property or its use, and neither Grantor nor any other person or predecessor in interest have used, generated, manufactured, stored or disposed of on, under or about the Property, or transported to or from the Property, any flammable materials, explosives, radioactive materials, hazardous or contaminated materials or substances, toxic or noxious materials, substances or related materials or substances

("Hazardous Materials"). For the purpose of this Section, Hazardous Materials shall include, without limitation, substances defined as "hazardous substances," "hazardous materials," "toxic substances," "hazardous wastes," "extremely hazardous wastes," or "restricted hazardous wastes," or stated to be known to cause cancer or reproductive toxicity, under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections 9601, et seq; the Hazardous Materials Transportation Act, 49 U.S.C. sections 1801, et seq; the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901, et seq; the Federal Water Pollution Control Act, 33 U.S.C. sections 1317, et seq; sections 25115, 25117, 25122.7, 25140, 25249.5, 25249.8, 25281, 25316 or 25501 of the California Health & Safety Code; or any substances so defined or stated in any of the regulations adopted and publications promulgated pursuant to said laws as they may be amended from time to time. Standard building materials used in construction of the home shall be excluded from this representation;

(f) Grantor represents and warrants that during the period of Grantor's ownership of the Property, there have been no disposals, releases or threatened releases of hazardous substances on, from, or under the Property. Grantor further represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release of hazardous substances, on, from, or under the Property which may have occurred prior to Grantor taking title to the Property; and

(g) Grantor has and shall have paid before Close of Escrow any and all current and past due taxes, assessments, penalties and interest levied and assessed against the Property. If not paid prior to Close of Escrow, Grantors hereby authorizes Escrow Holder to disburse to the taxing authority from funds otherwise due to Grantor an amount sufficient to discharge said taxes, assessments, penalties and interest. Grantor also covenants and agrees to keep current, year-by-year, all taxes, assessments, penalties and interest levied and assessed against the Grant Deed and the larger Property of which it is a part.

These representations and warranties shall survive the Close of Escrow.

4. REPRESENTATIONS AND WARRANTIES OF GRANTEE.

A. Grantee shall hold harmless and indemnify Grantor against any and all claims, demands, suits, judgments, expenses, and costs on account of injury to, or death of, persons, or loss of, or damage to, property of others, incurred during or proximately caused by acts or omissions of Grantee or Grantee's contractor in the performance of any work by Grantee or Grantee's contractor to construct the works of improvement for which the Grant Deed is conveyed.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE.

A. By execution of this Agreement, Grantor, on behalf of themselves and their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Property by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable precondemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Property.

B. This Agreement arose out of Grantee's efforts to acquire the Property through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Property or of liability by any party to this Agreement. Grantor, on behalf of herself and her respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's efforts to acquire the Property or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantors further release and agree to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

C. Grantor hereby acknowledge that they have been advised by their attorney and is familiar with the provisions of California Civil Code section 1542, which provides as follows:

> "A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Grantor acknowledge that they may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor hereby acknowledge that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS.

A. Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor: Betty C. Yost
Jack B. Swanson
12449 Windsor Drive
Yucaipa, CA 92399

Grantee: City of Moreno Valley
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Mike Green
Senior Real Property Agent

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

B. Time of Essence. Time is of the essence with respect to each and every provision hereof.

C. Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

D. Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

E. Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

F. Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover actual attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The parties agree that actual attorneys' fees shall be based on attorney's fees actually incurred (based on the attorneys' customary hourly billing rates including, but not limited to, equivalent rates for in-house counsel) rather than the court or arbitrator making an independent inquiry concerning reasonableness. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the Grantee, be laid in Riverside County, California, and the parties waive any right to change of venue.

G. Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

H. Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

I. Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the

terms of this Agreement where: (i) she is legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of her agents or employees, to maintain or compile her personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of her agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

J. No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Property and shall never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

K. No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed.

L. Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

M. Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

N. Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

O. Legal Advice and Review. The parties hereby acknowledge that they have entered into this Agreement upon their own volition and have not relied upon the other party for any interpretation or legal advice relating hereto. The parties acknowledge that they have had an opportunity to have this Agreement reviewed by legal counsel of their choice. Therefore, the parties acknowledge their intent that this Agreement be construed as having been jointly created and that neither party shall be determined to be the drafter hereof.

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED: _____ Grantor:

_____
Betty C. Yost

_____
Jack B. Swanson

DATED: _____ Grantee:

CITY OF MORENO VALLEY

By: _____

Its: _____

Attest: _____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

APN 475-272-054

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MORENO VALLEY
OFFER OF DEDICATION

THAT CERTAIN PARCEL OF LAND BEING A PORTION OF LOT 63 AS SHOWN ON THE MAP OF MORENO ACRES, FILED IN BOOK 11 OF MAPS, PAGE 53, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF THE EAST HALF OF SAID LOT 63;

EXCEPTING THEREFROM THE NORTH 576.5 FEET THEREOF;

ALSO EXCEPTING THEREFROM THE LAND DESCRIBED IN A GRANT DEED RECORDED AS DOCUMENT NO. 1999-389425 ON AUGUST 30, 1999, OFFICIAL RECORDS OF SAID COUNTY.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7,759 SQUARE FEET (0.1781 ACRES), MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART THEREOF.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

05/27/09
RICHARD C. MAHER, P.L.S. 7564 DATE
LICENSE EXPIRES 12-31-2009

LICENSED LAND SURVEYOR
RICHARD C. MAHER
EXP. 12/31/09
NO. 7564
STATE OF CALIFORNIA

MAY 27, 2009
PAGE 1 OF 1

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MV00059466

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT
PROJECT NO. 10-12556330

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder.

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto.

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728).

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

BACKGROUND

The State of California provides street maintenance funding to the City on a quarterly basis as part of the Traffic Congestion Relief Program (Proposition 42). These funds are typically utilized to rehabilitate streets under the Annual Pavement Resurfacing

Program (Account No. 225.68722) and are time sensitive in requirement for expenditure.

On April 8, 2008 the City Council approved the Project Recommendations for Proposition 1B - Transportation which made the City eligible to receive an allocation of $2.9 million in Proposition 1B funding from the State Department of Finance. On June 18, 2008, the City received the $2.9 million allocation, $2.6 million of which was used for phase 1 and phase II pavement rehabilitation of arterial and collector streets that are adjacent to schools and commercial areas and the remaining $300,000 was used to review the City's roughly 30 bridges and provide the necessary repairs and maintenance. All three of these projects have now been completed with remaining funds unexpended.

As part of the Fiscal Year 2009-2010 CIP Budget, the City Council approved the resurfacing of the four streets identified in this report. On February 23, 2010 the City Council approved the reprioritization of the selected streets and designated the remaining Proposition 1B monies to be expended on the resurfacing of these streets.

DISCUSSION

This project is part of the City's ongoing annual pavement resurfacing program. The purpose of the project is the reconstruction of areas of failed pavement and resurfacing of weathered streets to provide safe, smooth driving surfaces. The reconstruction effort will be performed by removal and reconstruction of portions of the street pavements. The resurfacing will entail placement of a rubberized asphalt concrete overlay on the existing street pavement. Preparation of the areas to be overlayed will include removing a uniform depth of the existing pavements by grinding (on Alessandro Boulevard) and the use of "Cold-in-Place-Recycling" of the existing pavement on the remaining streets. Pavement striping, markings and markers will be replaced after pavement repairs are complete.

The project will rejuvenate the existing pavement and the overlay process will enhance the drivability and appearance of the streets and protect the pavement against environmental effects, prolonging the service life of the pavement. Typically, this process will extend the pavement life of the streets by an additional 10 to 12 years. The four (4) street segments in the following priority order were selected for pavement resurfacing:

STREET NAME	FROM	TO
Alessandro Boulevard	Old 215	Elsworth Street
Old Lake Drive	Pigeon Pass Road	Sunnymead Ranch Parkway
Indian Street	Skyrock Drive	Manzanita Avenue
Kitching Street	Fir Avenue	Sunnymead Boulevard

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 6, 2010, for the subject project. Seven (7) bids were received, as follows:

1. **Hardy & Harper, Inc. $1,186,000.00**
2. R.J. Nobel Company. $1,196,216.00
3. All American Asphalt $1,210,000.00
4. EBS, Inc. $1,227,494.00
5. PALP, Inc. DBA Excel Paving Company $1,292,608.00
6. Cooley Construction, Inc. $1,363,841.00
7. Vance Corporation $1,372,393.00

Engineer's Estimate ..... $ 1,247,584.80

Staff has reviewed the bid by Hardy & Harper, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding problems were identified through review of the references submitted by Hardy & Harper, Inc.

ALTERNATIVES

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder, authorize the City Manager to execute a contract with Hardy & Harper, Inc. in the form attached hereto, do not authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728), do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00. *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Capital Improvements Project Budget and will be financed by Proposition 1B (Fund 226) and Proposition 42 (Fund 225). These funds are restricted to street rehabilitation or improvement. **There is no impact to the General Fund.**

BUDGETED FUNDS

Citywide Annual Pavement Resurfacing Program (Acct. No. 226.79728)	$2,161,000
Citywide Annual Pavement Resurfacing Program (Acct. No. 225.68722)	$1,468,000
Total 2009/2010 Budgeted Funds	$3,629,000
Completed FY 2009/10 Pavement Resurfacing Project Costs	($2,224,000)
Remaining Funds Available	$1,405,000

ESTIMATED CONSTRUCTION RELATED COSTS FOR PROPOSED PROJECT

Contractor Construction Costs (plus 10% contingency)	$1,304,600
Construction Geotechnical Services	$15,000
Construction Survey	$35,000
Project Administration and Inspection (by City staff & consultants)	$50,000
Total Estimated Project Related Costs	$1,404,600

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June, 2010
Complete Construction	September, 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project involves resurfacing four (4) selected street segments by removing and reconstructing areas of failed asphalt concrete pavement, and by placement of an asphalt concrete overlay on the existing pavement, which has been prepared to receive the overlay. This project will extend the life of the street pavements. The resurfacing

program is funded with Proposition 1B and Proposition 42 funds. The City Council is requested to approve the award of the construction contract to Hardy & Harper, Inc.

NOTIFICATION

Local residents, law enforcement, Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PAGE 335)
Attachment "B" – Agreement with Hardy & Harper, Inc. (PAGES 337-343)

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Bruce - 10-12556330 - Pavement Resurfacing Project\CC Reports\Staff Report - NOA Phase 3\Staff Report - Notice of Award (CC 05-11-10) (Phase 3).doc

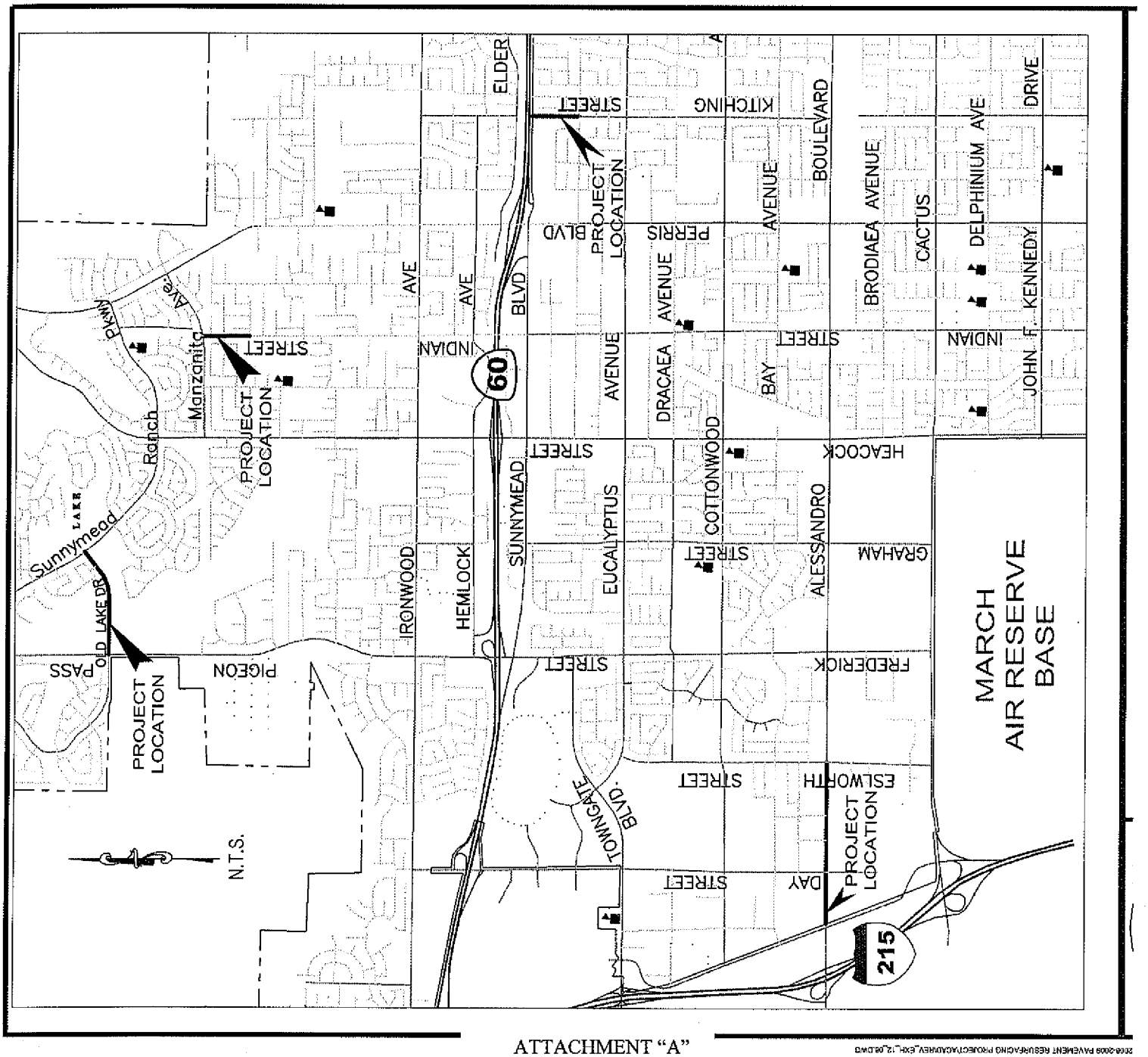

ATTACHMENT "A"

2008-2009 PAVEMENT RESURFACING PROJECT/ACADMEY_EXH_12_08.DWG

Item No. A.12

MV00059473

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MV00059474

Agreement No. _____

AGREEMENT

PROJECT NO. 10-12556330
2010 PAVEMENT RESURFACING PROJECT
Pavement Rehabilitation
For
Alessandro Boulevard (from Old 215 to Elsworth Street)
Old Lake Drive (from Pigeon Pass Road to Sunnymead Ranch Parkway)
Indian Street (from Skyrock Drive to Manzanita Avenue)
Kitching Street (from Fir Avenue to Sunnymead Boulevard)

THIS Contract Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hardy & Harper, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **1 & 2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Alternate Bid Item(s) in the sum total amount of **$1,186,000.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15)

Attachment "B"

calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **sixty (60) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $500.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full

compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written

consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 10-12556330

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

Hardy & Harper

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

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MV00059482

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Resolution to join ICLEI as a full member and pledge to take a leadership role in promoting public awareness about the causes and impacts of climate change.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **Approve** Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI. (Attachment 1)

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

ICLEI-Local Governments for Sustainability (ICLEI) is a membership association of local governments committed to advancing climate protection and sustainable development. The organization also provides technical information on measuring and reducing greenhouse gases, including a model for organizational and community-wide greenhouse gas inventories. Locally, the cities of Riverside, Murrieta, Temecula, Lake Elsinore, and Palm Springs are members of ICLEI.

Membership in ICLEI would require the City to commit to five milestones to reduce both greenhouse gas and air pollution emissions throughout the community as follows:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress;

Local government actions taken to reduce greenhouse gas emissions and increase energy efficiency have provided multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures and saving money for the local government, its businesses and its residents.

DISCUSSION

The City has adopted a number of energy and water saving initiatives that have and will continue to reduce the level of greenhouse gases that would otherwise be emitted in the City. Examples of City initiatives are alternative energy incentives offered by Moreno Valley Utilities, the recently adopted water wise landscape ordinance, the use of LED lighting in traffic signals and activities related to the City's membership in the Riverside County Clean Cities Coalition and Community Energy Partnership. The reduction in greenhouse gases is also greatly affected by State and Federal regulations related to building standards, truck diesel emission standards and passenger vehicle mileage standards, and incentives for alternative energy.

The City has received funding under the Federal Stimulus Package Energy Efficiency and Conservation Block Grant to undertake several projects and initiatives to reduce City organization and community-wide energy use and consequently greenhouse gas emissions, including an Energy Efficiency and Climate Action Strategy. One of the initiatives is to conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction. The five milestones required for ICLEI membership will be addressed by the Strategy.

The greenhouse gas emissions inventory and forecast work products are intended to provide the basis for a coordinated City effort to address resource efficiency for the City as an organization and the community as a whole.

ICLEI will provide the following support to City Staff:

- Regular notice of new publications and tools, grant opportunities, and progress being made by other Member jurisdictions

- ICLEI's key climate resources including the Milestones Guide, software access and technical trainings, data collection forms for conducting the emissions inventory, and other publications to assist with emissions reduction planning and related climate protection activities

- Invitations to ICLEI regional, national and international workshops and events
- Registration discounts and, when available, travel and lodging subsidies for ICLEI workshops and events
- Contact with US and international ICLEI Members and liaisons
- Resource recommendations outside of ICLEI
- Support in publicizing climate protection successes such as talking points and customizable press releases
- Ongoing technical assistance and support as the jurisdiction progresses in its work

The above-referenced activities will provide valuable information to assist in the preparation of the City's Energy Efficiency & Climate Action Strategy.

ALTERNATIVES

1. Approve the proposal as submitted.
2. Approve the proposal with modifications to address City Council concerns.
3. Deny the proposal.

FISCAL IMPACT

Membership dues are based on City population. The City of Moreno Valley falls within the 100,001 – 200,000 population category and membership dues are $1,750. The membership fees will be paid from the Energy Efficiency and Conservation Block Grant program account (229.80512).

CITY COUNCIL GOALS

Not applicable.

SUMMARY

Membership in ICLEI will provide assistance in the preparation of the City's Energy Efficiency & Climate Action Strategy. The greenhouse gas emissions inventory and forecast will determine the source and quantity of greenhouse gas emissions in the City and are intended to provide the basis for a coordinated City effort to address resource

efficiency for the City as an organization and the community as a whole.

NOTIFICATION

Not applicable.

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-30(PG 349-352)

Prepared By:
Gabriel Diaz
Associate Planner

Department Head Approval:
Kyle A. Kollar
Community Development Director

Concurred By:
John C. Terell
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE

WHEREAS, scientific consensus has developed that carbon dioxide (CO_2) and other greenhouse gases released into the atmosphere have a profound effect on the Earth's climate; and

WHEREAS, the 2007 Fourth Assessment Report from the Intergovernmental Panel on Climate Change (IPCC) states that it is very likely that most of the observed increases in globally averaged temperatures since the mid-20th century are due to human-induced greenhouse gas emissions; and

WHEREAS, in 2006 the U.S. National Climatic Data Center confirmed clear evidence of human influences on climate due to changes in greenhouse gases; and

WHEREAS, the U.S. Conference of Mayors endorsed the 2005 U.S. Mayors' Climate Protection Agreement initiated by Seattle Mayor Nickels and signed by more than 900 mayors in the United States as of March 2009; and

WHEREAS, the Urban Environmental Accords adopted by local government delegates during UN World Environment Day 2005 call for reduced emissions through energy efficiency, land use and transportation planning, waste reduction, and wiser energy management; and

WHEREAS, in 2003 the American Geophysical Union adopted a Statement noting that human activities are increasingly altering the Earth's climate and that natural influences cannot explain the rapid increase in near-surface temperatures observed during the second half of the 20th century; and

WHEREAS, in 2001, at the request of the Administration, the National Academy of Sciences (NAS) reviewed and declared global warming a real problem likely due to human activities; and

WHEREAS, the 2000 U.S. Global Change Research Program's (USGCRP) First National Assessment indicated that global warming has begun; and

WHEREAS, 162 countries including the United States pledged under the United Nations Framework Convention on Climate Change to reduce their greenhouse gas emissions; and

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, ICLEI – Local Governments for Sustainability is a membership association of local governments committed to advancing climate protection and sustainable development;

Section 1

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE TO JOIN ICLEI AS A FULL MEMBER AND PLEDGES TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE.

Section 2

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY AGREES TO UNDERTAKE ICLEI'S FIVE MILESTONES TO REDUCE BOTH GREENHOUSE GAS AND AIR POLLUTION EMISSIONS THROUGHOUT THE COMMUNITY, AS FOLLOWS:

- Conduct a greenhouse gas emissions inventory and forecast to determine the source and quantity of greenhouse gas emissions in the jurisdiction;
- Establish a greenhouse gas emissions reduction target;
- Develop an action plan with both existing and future actions which when implemented will meet the local greenhouse gas reduction target;
- Implement the action plan; and
- Monitor and report progress; and

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ requesting assistance from ICLEI as it progresses through these milestones.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert L. Hansen, City Attorney

AGENDA DATE: May 25, 2010 **(continued from May 11, 2010)**

TITLE: Consideration and Approval of Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023.

RECOMMENDED ACTION

Review and approve the attached Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

In 2003, the City entered into contracts with ENCO Utility Services Moreno Valley, LLC ("ENCO") to provide professional services to Moreno Valley, including designing, maintaining operating and constructing the Moreno Valley Electric Utility ("MVU"). City contends that during the negotiations preceding the agreements, ENCO prepared and presented detailed financial projections (the "2003 Pro Forma") to the City that contained factual errors and assumptions that were material to the terms of the agreements. ENCO denies these allegations and asserts that even if material errors were made in the 2003 Pro Forma, the City should have caught these errors through its consultants. Among the key assumptions supporting the 2003 Pro Forma were that: 1) the City would cease to incur certain charges under the Southern California Edison Wholesale Distribution Access Tariff ("WDAT") after the City built and energized a new electric substation in 2010 and; 2) the capital expenditures required for the first ten years of MVU's operation would be slightly under $10 million, and would be almost

entirely related to the construction of the substation. In 2006, the City first became aware that both of these assumptions were wrong.

The City approached ENCO about these errors and requested a re-negotiation of the contracts. ENCO refused to re-negotiate the contracts, but did agree to a mediation, which occurred on August 14, 2007. After just a few hours of meaningless discussions, ENCO's attorneys left the mediation and filed a lawsuit against the City the same day. The City then filed its Answer to the Complaint and also filed and served its mandatory Cross-Complaint against ENCO seeking damages for ENCO's breach of the agreements as outlined above concerning the errors in the 2003 Pro Forma. For the past two and one-half years, the City has been required to incur attorney's fees and costs in defending against ENCO's lawsuit, and in pursuing the City's Cross-Complaint. Since the commencement of this action, the City has incurred approximately $805,788 in legal fees and costs.

In its lawsuit, ENCO is seeking a judicial declaration that ENCO has not breached the agreements, and an injunction prohibiting the City from breaching the agreements in the future. ENCO also contends that the City owes it $207,651.73 for services it provided in behalf of the City to developers, despite this claim not appearing in its lawsuit. Nevertheless, ENCO is unable to provide work order authorizations for this work as required by the agreements and the City denies any obligation to pay for work not authorized, as provided in the agreements.

A second mediation of these disputes was held before retired California Supreme Court Justice Edward Panelli on April 21, 2010. After six hours of "shuttle diplomacy" by Justice Panelli during which he assessed the relative strengths of each party's case, Justice Panelli recommended to ENCO that it drop its demand for payment of $207,651.73 in engineering services and offer a settlement of $1.25 million to the City. This settlement would include a two year extension of the contract, which ENCO will probably be entitled to under the contract anyway due to reduced electricity sales. ENCO agreed to these settlement terms and they are now before the City Council for consideration.

DISCUSSION

The agreements with ENCO limit ENCO's liability to the City for negligence to $2 million. The City's attorneys estimate that it would cost the City an additional $500,000.00 to prepare and try this case before a jury. There is no guarantee that the City will prevail in trial, or that an award of damages would be greater than the offered settlement amount. In addition, since this is a breach of contract action, attorney's fees and costs are only recoverable by the prevailing party if the agreements contain a provision providing for recovery. The agreements at issue herein do not contain such a provision. Consequently, attorney's fees and costs are not recoverable. Therefore, it is recommended that the City Council approve this settlement and authorize the Mayor to execute the settlement agreement to end this litigation.

The City Attorney has researched whether the settlement proceeds in this matter are restricted to the Enterprise Fund, or can be deposited into the General Fund. All attorney's fees and cost in defending and prosecuting this action have been paid for out of the Enterprise Fund. The City Attorney has not been able to determine that proceeds of this settlement are restricted to the Enterprise Fund. Therefore, the City Attorney recommends that the decision as to how to use these settlement proceeds be discussed with the City Manager through the budgetary process.

ALTERNATIVES

1. Approve the settlement agreement and authorize the Mayor to execute same in behalf of the City.

2. Not approve the settlement agreement and instruct the City Attorney to continue the litigation through trial and appeals, if necessary.

FISCAL IMPACT

If alternative 1 is adopted, the City would receive payment of $1.25 million and would no longer incur legal fees in the continued litigation of this matter.

If alternative 2 is adopted, the City would incur an additional $500,000.00 in ongoing attorney's fees and costs to prepare and try this matter before a jury. In addition, there would be additional fees and cost associated with any appeals after the trial.

CITY COUNCIL GOALS

Settlement of this litigation would preserve revenue by eliminating ongoing litigation costs and would infuse the City with $1.25 million, in furtherance of the City Council's goal of Revenue Diversification and Preservation.

ATTACHMENTS/EXHIBITS

1. Proposed Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023. (PG 357-364)

Prepared By:
Name Robert L. Hansen
Title City Attorney

Department Head Approval:
Name Robert L. Hansen
Title City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

SETTLEMENT AGREEMENT AND MUTUAL GENERAL RELEASE OF CLAIMS

This Settlement Agreement and Mutual General Release of Claims (the "Agreement") made and effective April 21, 2010, is entered into by and between Plaintiff and Cross-Defendant ENCO Utility Services Moreno Valley, LLC ("ENCO") and Defendant and Cross-Complainant City of Moreno Valley ("the City").

WHEREAS, there is now pending in the California Superior Court, Riverside County, an action entitled ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023, in which ENCO asserts claims against the City for declaratory and injunctive relief and the City asserts cross-claims against ENCO for breaches of contract, breaches of fiduciary duty, rescission and declaratory relief (the "Litigation");

WHEREAS, on August 14, 2007, ENCO filed a claim for damages with the City pursuant to California Government Code Section 910, et seq. (the "Claim");

WHEREAS, the allegations in the Litigation and the Claim relate to the October 7, 2003 Professional Services Agreement ("PSA") between the City and ENCO;

WHEREAS, the parties desire to fully resolve disputes between them, including but not limited to all matters raised in, or which could have been raised in, the Litigation and the Claim;

NOW, THEREFORE, in consideration for the terms, conditions, covenants, representations, warranties, and promises contained in this Agreement, the parties agree as follows:

1. Within 15 business days of the execution of this Agreement by both parties, ENCO shall deliver a settlement payment in the sum of $1,250,000 by wire transfer to counsel for the City.

2. The parties further agree that the Term of the PSA shall be extended two years to December 31, 2020. Other than the extension of the Term of the PSA, all other provisions of the PSA remain unchanged and in force.

3. Within 10 business days of the receipt of the settlement payment by the City, the parties, through their counsel, shall file and serve a Request for Dismissal with Prejudice of the Litigation, each side to bear its own attorneys' fees and costs. Within 10 business days of receipt of a signed and conformed copy of the dismissal as entered by the Court, ENCO shall provide a copy thereof to counsel for the City.

4. ENCO hereby unconditionally releases and forever discharges the City and each of its current and former related entities, predecessors, successors, assigns, elected officials, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which ENCO now has, claims to have, or at any time heretofore had or claimed to have against the City, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

5. The City hereby unconditionally releases and forever discharges ENCO and each of its current and former related entities, predecessors, successors, assigns, equity holders,

members, officers, directors, trustees, managers, administrators, agents, employees, representatives, attorneys, affiliates, insurers and all persons acting by, under, through or in concert with any of them (to each of whose benefit this Agreement shall run), from any and all claims, demands, actions, causes of action, liabilities, judgments, liens, contracts, agreements, rights, debts, loans, suits, obligations, promises, acts, costs and expenses (including, but not limited to, attorneys' fees), damages and charges of whatsoever nature (hereinafter "claims"), whether known or unknown, suspected or unsuspected, fixed or contingent, which the City now has, claims to have, or at any time heretofore had or claimed to have against ENCO, as a result of things undertaken, done or omitted to be done at any time up to, and including, the execution hereof, arising from or related to the issues and matters raised in, or which could have been raised in, the Litigation and the Claim.

6. The parties hereby acknowledge that there is a risk that, subsequent to the execution of this Agreement, they may discover or incur claims which were unknown or unanticipated at the time this Agreement was executed, including, without limitation, unknown or unanticipated claims which arise from, are based upon or are related to the issues and matters raised in, or which could have been raised in, the Litigation or the Claim which, if known on the date this Agreement was executed, may have materially affected their decision to execute this Agreement. The parties each acknowledge that they are assuming the risk of such unanticipated claims and agree that this Agreement applies thereto. The parties expressly waive the benefits of Section 1542 of the California Civil Code, which provides:

> **A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.**

Effective upon execution of this Agreement, the parties waive and relinquish all rights and benefits which they have or may have under Section 1542 or the law of any other state or jurisdiction to the same or similar effect to the full extent that they may lawfully waive and relinquish all rights and benefits pertaining to the subject matter of this Agreement. The parties hereby acknowledge that the foregoing waiver of the provisions of Section 1542 of the California Civil Code was separately bargained for. Each of the parties understands and acknowledges the significance and consequences of this waiver of California Civil Code Section 1542 and confirms that it has either discussed or been given an opportunity to discuss such matters with counsel of that party's choice.

7. In entering into this Agreement, the parties represent that they have relied upon the legal advice of attorneys of their own choice; that the terms of this Agreement have been completely explained to them by their attorneys; and that they fully understand and voluntarily accept those terms. The parties further represent that they do not rely and have not relied upon any representation or statement made by any party or any other person with regard to the subject matter, basis or effect of this Agreement, other than the express provisions contained in this Agreement. Each Party acknowledges that the Agreement has been fully read, reviewed and understood by its authorized signatory and that each Party signs the same freely and voluntarily.

8. It is understood and agreed that this Agreement shall be binding upon and inure to the benefit of the parties and the related parties identified in paragraphs 3 and 4, above.

9. The parties warrant and represent that they have not assigned or transferred, or purported to assign or transfer, to any person or entity, any claim or cause of action arising out of or related to the Litigation or the Claim, or any portions thereof or interest therein.

10. The parties, without further consideration, agree to execute and deliver additional documents and take such additional actions as may be necessary to consummate the subject matter of this Agreement.

11. No breach of any provision in this Agreement can be waived except by a writing executed by all of the parties to this Agreement. Waiver of any breach shall not be deemed to be a waiver of any other breach of the same or any other provisions hereof.

12. If any action, at law or in equity, including an action for declaratory relief, is brought to enforce, or interpret or for alleged breach of the provisions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief to which it may be entitled.

13. The parties understand and agree that this Agreement is given in connection with the compromise of disputed claims and that the undersigned parties deny liability to each other. This Agreement shall never or for any purpose be considered as an admission of liability on the part of either of the parties.

14. Any notice required pursuant to this Agreement shall be addressed as follows:

For ENCO:

Charles J. Malaret, Esq.
Morgan, Lewis & Bockius LLP
300 South Grand Avenue, 22nd Floor
Los Angeles, California 90071

For the City:

Robert E. Darby, Esq.
Fulbright & Jaworski, L.L.P.
555 South Flower Street, Suite 4100
Los Angeles, California 90071

15. This Agreement is also subject to the following miscellaneous provisions:

(a) This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by, the laws of the State of California.

(b) Should any provision of this Agreement be declared or determined by any court to be illegal or invalid, the validity of the remaining part, terms or provisions shall not be affected and the illegal or invalid part, term or provision shall be deemed not a part of this Agreement.

(c) This Agreement may be executed in one or more counterparts, but shall be interpreted and construed as if signed in one document.

(d) This Agreement constitutes the entire agreement between the parties and all other prior agreements, arrangements or understandings, oral or written, are merged into and superseded by the terms of this Agreement which may not be altered, amended, modified or otherwise changed except by a writing signed by the duly authorized representatives of the parties to this Agreement.

(e) This Agreement has been prepared based on the joint efforts of the parties. This Agreement is to be construed simply and fairly and not strictly for or against any of the parties. No provision in this Agreement is to be interpreted for or against either party because that party or its legal representative drafted such provision.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the date and year set forth opposite their respective signatures below.

DATED: May 7, 2010

ENCO Utility Services Moreno Valley, LLC

By: _____

Its: Director

DATED: May ___, 2010

CITY OF MORENO VALLEY

By: _____

Its: _____

APPROVED AS TO FORM:

MORGAN, LEWIS & BOCKIUS LLP

By: _____

Charles J. Malaret
Attorneys for ENCO Utility Services
Moreno Valley LLC

FULBRIGHT & JAWORSKI L.L.P.

By: _____

Robert E. Darby
Attorneys for City of Moreno Valley

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MV00059502

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle A. Kollar, Interim Community Development Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: Revised resolutions for two applications to modify various conditions of approval (P09-038 and P09-039) for the approved Highland Fairview Corporate Park project Tentative Parcel Map No. 35629 (PA07-0090) and plot plan (PA07-0091) including the modification of Highway 60 landscape requirements, the timing and responsibility for an easement and construction of a required multi-use trail along the project frontage and future Eucalyptus Avenue and various Public Works conditions related to the dedication and improvement of public improvements. The project site is located adjacent to and south of Highway 60 along future Eucalyptus Avenue (Fir Avenue) between Redlands Boulevard and Theodore Street. The applicant is Highland Fairview Properties.

RECOMMENDED ACTION

The City Council shall:

1. **APPROVE** revised Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution;

2. **APPROVE** revised Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of a erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

BACKGROUND

On May 11, 2010, a public hearing was conducted for various applicant requested modification to project conditions of approval for the Highland Fairview Corporate Park project to include the placement of landscape within the future Highway 60/Caltrans right of way area, timing and approach of a required General Plan multi-use trail on the north side of future Eucalyptus Avenue, and minor changes related to the dedication and construction of public improvements. At said meeting, the City Council directed staff to modify the resolutions to reflect Council direction on the three items.

ADVISORY BOARD RECOMMENDATIONS

Not applicable.

DISCUSSION

Staff suggested various options at the public hearing to address landscape within the Highway 60 right of way, timing and location of a required General Plan multi-use trail along the north side of future Eucalyptus Avenue and minor changes related to the dedication and construction of public improvements for the Highland Fairview Corporate Park project. The City Council approved several motions to allow a hydroseed wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the tentative parcel map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3, and minor conditions of approval related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

Staff has provided the two revised resolutions for Tentative Parcel Map No. 35629 (PA07-0090) and the plot plan (PA07-0091) as Attachment Nos. 1 and 2 to the staff report. Modified strikeout/underline and clean copy versions of the project conditions of approval have been included as Exhibits A and B of the resolutions.

ALTERNATIVES

1. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve all modified condition language as included in Exhibits A and B to the attached resolutions.

2. Consider the proposed amendments to approved project conditions of approval within the revised resolutions, and approve with amendments to the modified condition language as included in Exhibits A and B to the attached resolutions.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

A public hearing was conducted for this project request on May 11, 2010. No further public notification is required to provide for review and approval of revised resolutions.

ATTACHMENTS

1. Modification of Conditions Resolution – Parcel Map, with attached modified conditions of approval included within Exhibits A and B (PAGES 369 – 398)
2. Modification of Conditions Resolution – Plot Plan, with attached modified conditions of approval, included within Exhibits A and B (PAGES 399 – 414)

Prepared By:
Mark Gross, AICP, Senior Planner

Department Head Approval:
Kyle A. Kollar, Interim CDD Director

Concurred By:
John C. Terell, AICP, Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059506

RESOLUTION NO. 2010-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA RECOMMENDING APPROVAL OF MODIFICATIONS OF VARIOUS CONDITIONS OF APPROVAL (P09-038) FOR PA07-0090 (TENTATIVE PARCEL MAP NO. 35629) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, the Highland Fairview., had filed an application for Tentative Parcel Map No. 35629 consisting of three building phases and the subdivision of a 158 acre site (265.3 acres including offsite improvements and drainage), with a first phase (Parcel 1) of 1,820,000 square foot warehouse industrial building, a second phase (Parcels 2 and 4) to include a 600,000 square foot warehouse industrial building (Parcel 2) and an 80,000 square foot commercial/retail component (Parcel 4), and a third phase to include a 120,000 square foot retail/commercial component (Parcel 3). The project included four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) The project site is located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60, between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the applicant's request for the abovementioned project;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

ATTACHMENT 1

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements. No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions to reflect the previous direction of Council on May 11, 2010.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to this City Council during the above-referenced meetings on May 11, 2010 and May 25, 2010, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: Tentative Parcel Map No. 35629 was approved on February 10, 2009 to subdivide a 158-acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes (thirteen parcels overall to include lettered lots for public access and dedication purposes.) for industrial and commercial/retail development. The map was consistent with a proposed General Pan amendment to eliminate a General Plan designated multi-use trail (Sinclair extension) through the center of the property, move and extend the proposed General Plan trail along future Eucalyptus Avenue (Fir Avenue) from the south side of the street to the north side of the street from Quincy Street to Theodore Street, modify the General Plan circulation plan to change the designation of future Eucalyptus Avenue (Fir), from an arterial to a divided arterial, and the adjustment of small portions of the land between proposed Parcels 2 and 3.

The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. The modified project conditions of approval for the approved land division are physically suitable for the type of development and proposed density of development.

FACT: The proposed subdivision was designed in accordance with the City Zoning Ordinance and the State Subdivision Map Act and complied with the Specific Plan and Map Act in that all lots meet the minimum buildable size, all lots upon which development will take place will provide access to and from dedicated public streets and all lots conform to development standards within the Municipal Code. All proposed modification of approved project conditions would not change the approved land division.

3. Health, Safety and Welfare – The proposed modification of original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. The proposed modification of conditions for the originally approved project will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed land division.

   FACT: The City Engineer originally placed conditions of approval for Tentative Parcel Map No. 35629 regarding various project improvements, while proposed project modification of conditions would not conflict with any easements.

5. The proposed modification of conditions for the originally approved project is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems.

   FACT: Pursuant to the California Environmental Quality Act (CEQA) guidelines, an Environmental Impact Report (EIR) was certified for the original Highland Fairview Corporate project while findings and a Statement of Overriding Considerations was also approved for said project. A Mitigation Monitoring Program was also approved, which had and will ensure the completion of required mitigation measures for the project.

The proposed modification of conditions for an interim landscape pallet to include an erosion control hydroseed mix, timing of required construction of a multi-use trail and modification to various Land Development conditions of approval for dedication and improvement of public improvements is consistent with the original EIR. The proposed modification of project conditions would not be detrimental to the public health safety or welfare or cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious health problems and are within the scope of the previous certified project Environmental Impact Report.

6. The effect of the proposed housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

   FACT: The originally approved map met the intent of the General Plan with the approved general plan amendment (PA08-0089). The map approval provided for a variety of industrial and commercial/retail land uses, supporting the economic base of the City. Proximity to existing residential and commercial land use allows for contiguous development and infrastructure. The proposed modification of project conditions will not exceed the planned density or the associated public service demand as envisioned by the Moreno Valley General Plan and will not exceed a threshold, which would create potential significant impacts to fiscal resources.

7. The proposed modification of conditions for the originally approved project design and subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The proposed modification of project conditions of approval will not affect size, configuration and orientation of the lots in this land division and will allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

8. The proposed modification to original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The proposed project site is not located in a redevelopment area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP), Mitigation Fee Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0090, and the modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will

bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-_____, **APPROVING** P09-038 for the modification of various project conditions of approval for the originally approved project tentative map PA07-0090 (Tentative Tract Map No. 35629) consisting of a 158 acre site into four (4) separate buildable parcels and two primary parcels dedicated for freeway improvement purposes for warehouse industrial, retail, and freeway dedication purposes, while the proposed condition modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibits A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Exhibit A

P09-038

Modification of Conditions of Approval for PA07-0090 Tentative Tract Map No. 35629-(Strikeout/Underline Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show ~~a minimum 20-foot wide~~ an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional ~~10-foot~~ varying width street right-of-way dedication on the east side of Redlands Boulevard along the

map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a~~n~~ 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~0-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. ~~from the directly behind and adjacent to the proposed Redlands Boulevard east right-of-way.~~ The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 1~~8~~1-foot wide multi-use ~~bike~~ trail ~~and pedestrian access~~ easement located 3 feet west of (behind) the 2-foot pedestrian access easement. ~~directly behind and adjacent to the proposed Theodore Street west right-of-way~~. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

~~vii. A 4-foot wide landscape area adjacent to and behind the curb-separated sidewalk.~~

~~viii. A 10-foot wide multi-use trail adjacent to and behind the 4-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).~~

ix. A ~~1~~37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. ~~The 6-foot wide sidewalk, the 10-foot trail, and the 4-foot landscape area between the sidewalk and trail, shall be within a proposed minimum 20-foot wide multi-use trail and pedestrian access easement. The easement may be dedicated over the entire open space parcel width (37 feet) of Parcels A through E, as approved by the City Engineer.~~ The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

<u>Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629</u>

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be provided within the 20-foot wide open space Parcel F shown on the tentative parcel map: a 2-foot wide portion of sidewalk located outside of the proposed sidewalk, a 4-3-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail (within an 11-~~

~~foot multi-use trail easement) behind the 4-3-foot wide landscaped area, and a 2-4-foot wide flat landscape area.~~ Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. ~~In addition, the following improvements shall be constructed within a minimum 20-foot wide multi-use trail and pedestrian access easement: a 6-foot wide sidewalk directly behind the proposed right-of-way, followed by a 4-foot wide landscaped area behind sidewalk, and then a 10-foot wide multi-use trail.~~

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities. In addition, the following improvements shall be provided ~~within an 18-foot wide bike trail and pedestrian access easement~~: a 2-foot wide portion of sidewalk located outside of the proposed ~~sidewalk~~ right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final

Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

<u>CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)</u>

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

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MV00059526

Exhibit B

P09-038

Modification of Conditions of Approval for PA07-0090, Tentative Tract Map No. 35629 (Clean Copy Version)

Land Development Division modified conditions of approval

Phase 1 – Development Associated with Parcel 1 of PM 35629

LD68. (MA) Prior to parcel map approval, the map shall show the appropriate right-of-way to be dedicated as well as all existing and proposed easements.

a. The map shall show a right-of-way dedication on Eucalyptus Avenue to secure a full width right-of-way distance of 110' for a Divided Arterial, City Standard 103A, modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. Additional right-of-way shall be dedicated at the intersection of Eucalyptus Avenue and Redlands Boulevard to accommodate southbound dual left turn lanes and a dedicated northbound right-turn lane as well as at the intersection of Eucalyptus Avenue and Theodore Street to accommodate dual left turn lanes.

b. The map shall show an 11-foot multi-use trail easement and a 6-foot pedestrian access easement separated by 3 feet of landscaping along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. An irrevocable offer of dedication for an 11-foot multi-use trail easement shall be made by the owner on the map with the City's acceptance subject to completion of improvements.

c. The map shall show 37-foot wide open space parcels, Parcels A through E as shown on the tentative parcel map, along the north side of Eucalyptus Avenue directly behind and adjacent to the proposed right-of-way. The proposed multi-use trail easement and pedestrian access easement is to be located within the 37-foot wide open space parcels. The City will not maintain landscaping located within said 37-foot wide open space parcels including that located between the multi-use trail and sidewalk. The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping as aforementioned, with the concurrence of the Parks and Community Services Department.

d. The map shall show an additional varying width street right-of-way dedication on the east side of Redlands Boulevard along the map west boundary to secure a centerline to east right-of-way distance of 70 feet for a Divided Arterial, City Standard 103A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

e. The map shall show a 2-foot wide pedestrian access easement directly adjacent to the Redlands Boulevard proposed east right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 10-foot wide bike trail and pedestrian access easement located 4 feet east of (behind) the proposed sidewalk. The 4-foot landscape area between the two easements will be maintained by the developer or his successors.

f. The map shall show an additional 31-foot street right-of-way dedication on the west side of Theodore Street along the map east boundary to secure a centerline to west right-of-way distance of 61 feet for a Minor Arterial, City Standard 105A, modified to accommodate curb-separated sidewalk as well as additional lanes required at the Eucalyptus Avenue intersection.

g. The map shall show a 2-foot wide pedestrian access easement for that portion of sidewalk to be constructed beyond the Theodore Street proposed right-of-way for that portion of sidewalk to be constructed beyond the street right-of-way and an 11-foot wide multi-use trail easement located 3 feet west of (behind) the 2-foot pedestrian access easement. The 3-foot landscape area between the two easements will be maintained by the developer or his successors.

h. The map shall show a varying width lettered parcel, shown as Parcel G on the tentative parcel map, for highway and road purposes.

i. The map shall show a 4-foot pedestrian right-of-way dedication behind the driveway approach at any project entrance with a width up to 40 feet to be constructed per City Standard 118C.

j. The map shall show additional right-of-way at intersections to accommodate additional turning movements required by the Transportation Division, in conformance with the final traffic report.

k. The map shall demonstrate, to the satisfaction of the City Engineer, adequate right-of-way is being dedicated at the eastbound off-ramp at Theodore Street and the eastbound on-ramp at Redlands Boulevard to cover its ultimate alignment, consistent with the final traffic report and Caltrans standards.

l. The map shall show additional right-of-way at corner cutbacks per City Standard 208.

LD70. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of all improvements for all phases of development by entering into a public improvement agreement and posting security. The improvements required during each phase of development are described under that phase heading. The developer is required to complete those improvements listed under each phase by the occupancy of the first building of each phase, or as otherwise determined by the City Engineer. The improvements for Phase 1 are described below and shall be completed prior to occupancy of the building for Phase 1, or as otherwise determined by the City Engineer.

a. Eucalyptus Avenue, Divided Arterial, City Standard 103A (110' RW / 86' CC) modified to accommodate enhanced 12-foot wide landscape areas within the street parkway. The full 110-foot right-of-way dedication shall occur as part of Phase 1. The following shall be constructed with the development of Phase 1.

i. Street improvements to half-width, including the full-width median, plus an additional 18 feet south of the street median curb from the proposed interim cul-de-sac to Theodore Street. Improvements shall consist of, but not be limited to, pavement, base, redwood header, raised landscape median, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities, including sewer and water main line construction, reclaimed water line construction, and electrical utility lines.

ii. A minimum 24-foot wide emergency access, paved to City Standard 108E, or better, from Redlands Boulevard to just west of the west property line of Parcel 2 of PM 35629. The emergency access road shall be constructed on the north side of Eucalyptus Avenue with a cross fall to one side at 2%.

iii. An interim cul-de-sac, if needed, to allow for truck turn-around movements located just west of the west property line of Parcel 2 of PM 35629. Full 86-foot curb-to-curb paved width in lieu of a cul-de-sac may suffice, as approved by the City Engineer.

iv. Intersection improvements at Eucalyptus Avenue and Theodore Street to allow for truck turning movements required in the Traffic Study for Phase 1 of the project.

v. Relocation of an existing water line that runs along the north map boundary adjacent to the SR-60 existing right-of-way to within Eucalyptus Avenue.

vi. A 6-foot wide curb-separated sidewalk to be located directly behind the 12-foot wide parkway landscape area adjacent to and outside of the street right-of-way.

vii. A 37-foot wide landscape area adjacent to and behind the 10-foot trail. All improvements and landscaping beyond the street right-of-way shall be located within a 37-foot wide open space area designated as lettered Parcels A through E, as shown on the tentative parcel map, along the north side of Eucalyptus Avenue. The City will not maintain landscaping located within said 37-foot wide open space parcels.

b. Theodore Street, Minor Arterial, City Standard 105A (131' RW / 107' CC Modified) to accommodate additional lanes required for vehicular turning movements per the project's approved Traffic Study. An additional 31-foot right-of-way dedication on the west side of the street, along the map's east property line, shall be shown on the parcel map. Phase 1 limits of improvements consist of the following improvements:

i. Intersection improvements at Eucalyptus Avenue to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project.

ii. 30-foot wide paved access which meets current City standards or as otherwise approved by the City Engineer, from Eucalyptus Avenue to the SR-60 overpass. Improvements shall consist of, but not be limited to, pavement, base, asphalt concrete berm, any necessary offsite improvement transition/joins to existing.

c. Additional pavement for Theodore Street interchange on-and off-ramps as may be required to accommodate truck traffic turning movements in accordance with the Final Traffic Report and Transportation Division approval.

d. Project entrances up to 40-foot wide shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. Any entrance greater than 40 feet in width shall be designed as a street intersection.

e. Restoration of pavement per City trench standards resulting from bringing water line and sewer service lines to the project.

f. Pavement core samples of existing pavement on Theodore Street may be taken and findings submitted to the City for review and consideration of using an existing structural section of a lesser

thickness of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser thickness than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

Phase 2 – Development Associated with Parcels 2 and 4 of PM 35629

LD90. (CO) Theodore Street improvements shall be coordinated with the City's Capital Project Theodore/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 2. The project design shall accommodate the future ultimate improvements on Theodore Street which include half-width plus an additional 30 feet east of the centerline, along Parcel 4 of PM 35629 east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD91. (CO) Prior to occupancy of any building in Phase 2, ultimate, full-width, street improvements shall be constructed on Eucalyptus Avenue along project frontage, connecting to those improvements constructed in Phase 1. Improvements shall consist of, but not be limited to, pavement, base, raised landscape median, trail, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, dry and wet utilities.

Phase 3 – Development Associated with Parcel 3 of PM 35629

LD93. (CO) Redlands Boulevard improvements shall be coordinated with the City's Capital Project Redlands Boulevard/SR60 Interchange Project. Interim improvements shall be at the discretion of the City Engineer and shall be constructed prior to the occupancy of any building in Phase 3. The project design shall accommodate the future ultimate improvements on Redlands Boulevard Divided Arterial, City Standard 103A (131' RW / 107' CC Modified) to half-width plus an additional 21 feet west of the centerline, along the entire project's east frontage. Future ultimate improvements shall consist of, but not be limited to, pavement, base, redwood header, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and

dry and wet utilities. In addition, the following improvements shall be provided: a 2-foot wide portion of sidewalk located outside of the proposed right-of-way, a 4-foot wide landscaped area behind sidewalk, a 10-foot wide bike trail behind the 4-foot wide landscaped area, and a 2-foot wide flat landscape area. In addition, intersection improvements at Eucalyptus Avenue shall be made to allow for truck turning movements required in the project's approved Traffic Study for Phase 1 of the project. Additional improvements will be identified within the supplemental traffic study required for Phases 2 and 3 planning application development plans. Ultimate improvements shall be coordinated with the City's Capital Project Theodore Street/SR-60 Interchange Project and/or interim improvements shall be at the discretion of the City Engineer.

LD94. (CO) Eucalyptus Avenue multi-use trail improvements along the north side of Eucalyptus Avenue, from Redlands Boulevard to Theodore Street, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcels A through E as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

LD95. (CO) Theodore Street multi-use trail improvements along the west side of Theodore Street, from Eucalyptus Avenue to the SR-60/Theodore Street Interchange Eastbound Off-Ramp, shall include the following:

a. A 3-foot wide landscape area adjacent to and behind the curb-separated sidewalk located within Parcel F as shown on the tentative parcel map.

b. A 10-foot wide multi-use trail (within an 11-foot multi-use trail easement to be dedicated as an irrevocable offer of dedication on the final parcel map) adjacent to and behind the 3-foot wide landscape area mentioned above. The multi-use trail area shall be designed, graded and constructed with the project, including the actual multi-use trail, and shall be consistent with the adjacent land. The developer shall provide the necessary easement for the trail and pedestrian sidewalk consistent with the conditions of approval from the Parks and Community Services Department and Land

Development Condition LD68(c). The City will maintain the multi-use trail and sidewalk upon completion and acceptance of all improvements, with the exception of the landscaping per LD68(c).

Planning Division modified conditions of approval

P14. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The

CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)
m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)
n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)
o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)
p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)
q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

RESOLUTION NO. 2010-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA APPROVING VARIOUS MODIFICATION OF PROJECT CONDITIONS OF APPROVAL (P09-039) FOR PA07-0091 (PLOT PLAN) GENERALLY LOCATED NORTH OF FUTURE EUCALYPTUS AVENUE (FIR AVENUE) ADJACENT TO AND SOUTH OF HIGHWAY 60 BETWEEN REDLANDS BOULEVARD AND THEODORE STREET

WHEREAS, the applicant, Highland Fairview, had originally filed an application for the approval of PA07-0091 (Plot Plan) consisting of an approximately 1,820,000 square foot warehouse industrial building, with ancillary commercial/retail and office uses, on an approximately 83 acre parcel located generally north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street;

WHEREAS, on February 10, 2009, the City Council approved the application;

WHEREAS, also on February 10, 2009, a Project Environmental Impact Report (EIR) was certified by the City Council subject to the provisions of Section 15161 of the California Environmental Quality Act (CEQA) Guidelines. Based on a recent request by the applicant to modify conditions of approval related to Highway 60 landscape, timing and responsibility of a required General Plan multi-use trail and modification of various conditions of approval for the dedication and improvement of public improvements, staff has determined that the project is within the scope of the original project EIR, and a subsequent project EIR or addendum to the original environmental document would not be required (Section 15162 and 15164 of the CEQA Guidelines). The proposed modification of project conditions will not create any further physical changes to the site or environment.

WHEREAS, on February 8, 2010, the applicant submitted a revised request for various proposed modifications of conditions to the originally approved project by City Council;

WHEREAS, on May 11, 2010, the City Council reviewed and conducted a public hearing on the request. At said meeting, the Council directed staff to modify the resolution to include a hydroseed (erosion control) wildflower mix for Highway 60 right of way, a full irrevocable offer of dedication for the multi-use trail easement on the final map, with construction of the required trail on the north side of future Eucalyptus deferred until issuance of any certificate of occupancy permit for Phase 3 and minor conditions related to the dedication and construction of public improvements.

ATTACHMENT 2

No fair share conditions of approval have been modified for this project, with the City Council directing that the existing citywide policy on this subject be discussed at a later date.

WHEREAS on May 25, 2010, the City Council reviewed and approved a revised resolution for modification of project conditions of approval to reflect the previous direction of Council on May 11, 2010.

WHEREAS**,** all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS**,** there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS**,** pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the City Council of the City of Moreno Valley as follows:

A. This City Council hereby specifically finds that all of the facts set forth above in this revised Resolution are true and correct.

B. Based upon substantial evidence presented to the City Council during the meetings on May 11, 2010 and May 25, 2010**,** including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed modification of original project conditions of approval is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project was approved for an approximate 1,820,000 square foot warehouse industrial building on Parcel 1 (Phase 1) with related commercial/retail and office uses. The proposed modification of conditions for an interim landscape pallet to allow an erosion control hydroseed mix until such time as the parcels are transferred to the City or Caltrans, deferral of trail improvements until Phase 3 of the project and minor modification of various Public Works conditions of approval for dedication and improvement of public improvements are consistent with General Plan policies.

2. **Conformance with Zoning Regulations –** The proposed modification of the original project conditions of approval complies with all applicable zoning and other regulations.

FACT:. The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public is consistent with current zoning of LI (Light Industrial) at the site.

3. **Health, Safety and Welfare –** The proposed modification of the original project conditions of approval will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: An Environmental Impact report (EIR), findings and a Statement of Overriding Considerations were originally approved and certified for the project. A Mitigation Monitoring Program was also adopted, which ensured the completion of required mitigation measures for the project.

The proposed modification of conditions for modification of Highway 60 landscape to include a hydroseed mix, timing of construction of a required multi-use trail and other modifications to various Land Development conditions of approval for dedication and improvement of public improvements is consistent and within the scope of the previous certified project Environmental Impact Report (EIR).

The proposed modification of project conditions would also not be detrimental to the public health safety or welfare or materially injurious to properties or improvements in the vicinity.

4. Location, Design and Operation – The modification of the original project conditions of approval will be compatible with existing and planned land uses in the vicinity.

FACT: Surrounding land uses include primarily Highway 60 to the north, vacant commercial land uses to the west along Highway 60, vacant business park uses to the east along Highway 60 and scattered built and vacant R3 (Residential 3) single-family residential properties to the east, southwest and south of the site.

The location, design and operation of the original project as well as the proposed modification of project conditions will be compatible with existing and planned land uses in the general vicinity and with design of the plot plan and architecture of the buildings.

5. The proposed modification of original project conditions of approval conforms to any applicable provisions of the City's redevelopment plan.

FACT: The project site does not reside in a redevelopment area or within the designated plan area.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions for the original project. These fees may include but are not limited to: Development impact fee, Stephens Kangaroo Habitat Conservation fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Underground Utilities in lieu fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The approved Conditions of Approval for PA07-0091 (Master Plot Plan) and modification of conditions under P09-039 (Modification of conditions) incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the City Council **HEREBY APPROVES** Resolution No. 2010-____, **APPROVING** P09-039 amending various conditions of approval of PA07-0091 (Plot Plan) for an originally approved 1,820,000 square foot industrial warehouse building with minor interior ancillary commercial/retail and office uses, while the proposed modifications are consistent and within the scope of the previous certified project Environmental Impact Report, subject to the attached modified conditions of approval included as Exhibit A (Strikeout/Underlined) and B (Clean Copy) to this resolution.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059544

Exhibit A

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan- (Strikeout/Underline Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit ~~final landscape and irrigation plans within State Route 60 right-of-way adjacent to the project site consistent with the State Highway 60 Corridor Design Manual. The plans shall be submitted to the Planning Division for review and approval (MC.14.100)~~ written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.
As approved on TPM 35629, a multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. ~~The construction of the multi-use trail on Theodore Street along the frontage of the property shall be completed with the future widening of said Street. The developer shall make financial arrangements with the City~~

~~to fund the multi-use trail construction prior to the issuance of any Certificate of Occupancy on Parcel 1.~~ The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, plus contingency, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail within an ~~approximate 10'~~ - 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), ~~within the development~~ from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. ~~Development of multi-use trail segments shall occur when Eucalyptus Street is constructed connecting Redlands Boulevard and Theodore Street or at the discretion of the Parks and Community Services Director,~~. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. ~~an~~ An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvement Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. ~~The developer shall make financial arrangements with the City to fund the multi-use trail construction for the segment along the frontage of Parcel 1 prior to the issuance of any Certificate of Occupancy on Parcel 1. Each multi-use trail segment will follow the same requirement for the remaining parcels.~~ The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be

required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)
b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)
c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)
d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)
e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)
f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)
g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)
h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)
i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)
j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)
k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)
~~**l.** CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars. (Advisory)~~

CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

Exhibit B

P09-039

Modification of Conditions of Approval for PA07-0091, Plot Plan (Clean Copy Version)

Planning Division modified conditions of approval

P10. Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

Parks and Community Services District modified conditions of approval

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project **PA07-0091 (Plot Plan).** This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

A multi-use trail and Class-I bikeway shall be designated for TPM 35629.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the west side of Theodore Street, within the project. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations,

shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a 10' multi-use trail, within an 11' wide easement to the Community Services District (CSD) shall be located along the north side of Eucalyptus Street (currently Fir Avenue), from Redlands Boulevard to Theodore Street. The easement shall be dedicated as an irrevocable offer of dedication on the final parcel map. Development and CSD acceptance of the multi-use trail occur prior to the issuance of the certificate of occupancy for any structures in Phase 3. An in-lieu fee or acceptable financial arrangement will be provided to the City in an amount equal to the cost of constructing the improvements, prior to approval of the final parcel map. A Public Improvements Agreement (PIA), defining these obligations, shall be in-place prior to final map approval. Should the multi-use trail be subsequently eliminated from the City's General Plan, the developer shall have no further obligation to construct the multi-use trail, the trail easement would be removed from the property and the security issued or fee imposed will be returned to the developer. The Final Map and Grading Plans shall show each segment as well as the overall multi-use trail plan. The CSD will maintain the multi-use trail upon completion and acceptance of the improvements.

As approved on TPM 35629, a Class-I bikeway shall be provided on the east side of Redlands Boulevard. The bikeway shall be constructed with the future reconstruction of the Redlands Boulevard/State Route 60 Interchange. Prior to recordation of the Final Map, the developer shall make financial arrangements with the City to fund the bikeway construction.

Per endorsement of the Trails Board on July 23, 2008, the trail was eliminated from Sinclair Street (north of Eucalyptus Ave. to S.R. 60), and the trail along Eucalyptus Ave. (previously Fir Ave.) was relocated to the north side of the street. With the elimination of the Sinclair Street trail, additional trail was located along the north side of Eucalyptus Ave., between Sinclair Street and Theodore Street. Therefore, the trail on the north side of Eucalyptus Ave. shall now be located from Redlands Blvd. to Theodore Street. A General Plan Amendment (GPA) and modification of the Master Plan of Trails will be required to show modified trail alignments. The Eucalyptus Ave trail shall be dedicated as an easement to the CSD from the industrial project. The Eucalyptus Ave. trail easement segment shall be approximately 11' in width. The planter behind the trail may exceed 3' in width.

PA07-0091
Parks and Community Services Department
Standard Trail Conditions:

a. Trail and bikeway construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide. (Advisory Condition)

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project. (Advisory Condition)

c. Trails and bikeways shall not be shared with any above ground utilities, blocking total width access. (Advisory)

d. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans. (Advisory)

e. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Parks and Community Services Director or his/her designee prior to the issuance of grading permits. (Advisory)

f. Grading certification and compaction tests for trails and bikeways are required, prior to any trail or bikeway improvements being installed. (Advisory)

g. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas. (Advisory)

h. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the trail or bikeway shall be designed to prevent water on the trail or bikeway. (Advisory)

i. Two sets of complete trail and bikeway improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails and bikeways have the same requirements as final plan submittals. (Advisory)

j. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have 6' high mounted push buttons. These shall be coordinated through the Transportation Division. (Advisory)

k. CSD Zone 'A' plan check fees shall be paid prior to the second plan check. (Advisory)

l. CSD Zone 'A' inspection fees shall be paid prior to the issuance for any building permits for Phase 3. (Advisory)

m. The trail and bikeway shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Parks and Community Services Director or his/her designee prior to the commencement of related work. (Advisory)

n. Any damage to bikeways, trails, or fencing during construction shall be repaired by the developer and inspected by the Parks and Community Services Director or his/her designee; prior to Certificate of Occupancy. (Advisory)

o. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically tine finish). The access shall extend to the main trail flat surface. (Advisory)

p. In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Parks and Community Services Director or his/her designee and approved in writing 60-days prior to the commencement of trail construction. (Advisory)

q. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements. (Advisory)

r. *Where required*, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Parks and Community Services Director or his/her designee. (Advisory)

s. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District. (Advisory)

t. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection. (Advisory)

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00059554

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00059556

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney.

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010.

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

BACKGROUND

This project involves the rehabilitation of Day Street from Alessandro Boulevard to Cottonwood Avenue, including street, signing, striping, waterline, utility relocation, and other related road improvements. Street improvements are an authorized activity under Section 319 of the Moreno Valley Community Redevelopment Agency's (RDA) Redevelopment plan.

An agreement with AEI-CASC was signed by the Mayor on February 22, 2006 to complete required environmental documentation, right of way documents, and the design plans and specifications. The environmental document, a Negative Declaration, was adopted by City Council on September 11, 2007. On November 10, 2009, City Council authorized the City Attorney to file the appropriate actions in Eminent Domain in order to secure necessary right of way for the project. The Riverside County Court granted the order of possession on February 10, 2010 and the City obtained possession of the right of way on March 15, 2010. The project was advertised for construction bids on March 18, 2010.

DISCUSSION

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 10:00 a.m., April 21, 2010, for the subject project. Seven (7) bids were received as follows:

1. Hillcrest Contracting, Inc. $1,663,138.05
2. Sequel Contractors, Inc. $1,729,578.00
3. Spiess Construction Company, Inc. $1,798,602.20
4. Riverside Construction Company, Inc. $1,837,332.50
5. Cooley Construction, Inc. $1,850,346.31
6. PALP, Inc. dba Excel Paving Company $1,901,361.25
7. Laird Construction Company, Inc. $2,052,412.30

Engineer's Estimate..... $2,049,933.50

Staff has reviewed the lowest bid received by Hillcrest Contracting, Inc. and finds it to be the lowest responsible bidder. Hillcrest Contracting, Inc. possesses a valid California Contractor License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Hillcrest Contracting, Inc.

The Base Bid for the lowest apparent bidder is $1,663,138.05. The lowest responsible bidder was determined by comparing the cumulative total of all Base Bid items without consideration of the prices on the Additive Bid item, as stipulated in the bid documents.

The City is also required to complete certain telephone infrastructure work by Verizon. At Verizon's request, the bid schedule was structured such that there was one Additive Bid item, "Verizon Sole Trenching, Verizon Duct, and Verizon Structures per Plan." The Base Bid for the lowest apparent bidder is $1,663,138.05 and the Additive Bid item is $30,000, bringing the total bid amount to $1,693,138.08. Staff recommends, and Verizon has concurred, that the contract be awarded solely for the base bid amount. As Verizon intends that their infrastructure work be completed, however, the City reserves the right to add the Additive Bid item by Contract Change Order within sixty (60) calendar days from the date of the Notice to Proceed, as identified in the bid documents.

The contract duration is one hundred (100) working days. The Public Works Department is requesting a full road closure of Day Street between Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, to facilitate the construction of roadway improvements for the duration of the project. The road closure will be for segments of Day Street, as needed. The request for the road closure is due to major improvement work including, but not limited to, street, signing, striping, waterline, utility relocation, and other related road improvements. It is anticipated that the road will be fully open to traffic by December 31, 2010.

There are thirty eight (38) parcels in the area of construction. The Contractor will notify, and provide safe ingress and egress to, all potentially affected property owners about the road closure, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, etc. The Contractor is required to provide driveway access to residents at all times. The road closure/detour plan/traffic control plan has been approved by the City Traffic Engineer.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467

Circle City Drive, Corona, CA 92879, the lowest responsible bidder, authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder, do not authorize the City Manager to execute the contract with Hillcrest Contracting, Inc. in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency, do not authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney, do not authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010, do not authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues, do not accept the assignment of the contract with Hillcrest Contracting, Inc. from the City in the form attached hereto, do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency, and do not authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724). *This alternative will delay the completion of needed improvements.*

FISCAL IMPACT

The construction phase of this project is included in Fiscal Year 2009-2010 Budget and will be financed by RDA 2007 Tax Allocation Bonds (TABS) funds (Fund 897). **These funds have been allocated for the Day Street from Alessandro Boulevard to Cottonwood Avenue Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE BUDGETED FUNDS (ACCOUNT NO. 897.91724):

Fiscal Year 2009-2010 Budget	$2,628,890
Fiscal Year 2009-2010 Expenditures to Date	($215,590)
Fiscal Year 2009-2010 Available Budgeted Funds	**$2,413,300**

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services during Construction	$15,000
Contractor Construction Costs (includes 15% contingency)	$1,912,600
Construction Geotechnical Services	$50,000
Construction Survey Services	$50,000
Construction Inspection Services	$35,000
Project Administration and City Inspection	$60,000
Total Estimated Construction Related Costs	**$2,122,600**

ANTICIPATED PROJECT SCHEDULE

Begin Construction	June 2010
Complete Construction	December 2010

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work, and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This project will construct street, signing, striping, waterline, utility relocation, and other related road improvements on Day Street between Alessandro Boulevard and Cottonwood Avenue. The construction is funded with RDA TABS funds. The City

Council is requested to approve the award of the construction contract to Hillcrest Contracting, Inc. and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to Hillcrest Contracting, Inc.

NOTIFICATION

Local residents, law enforcement, the Fire Department, and the school district will be notified of the proposed construction. Construction notification signs will also be installed to notify commuters, businesses, and residents of the construction work.

ATTACHMENTS

Attachment "A" – Location Map (PG 427)
Attachment "B" – Agreement with Hillcrest Contracting, Inc. (PG 429-438)
Attachment "C" – Assignment Agreement (PG 439)

Prepared By:
Lorenz R. Gonzales, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059564

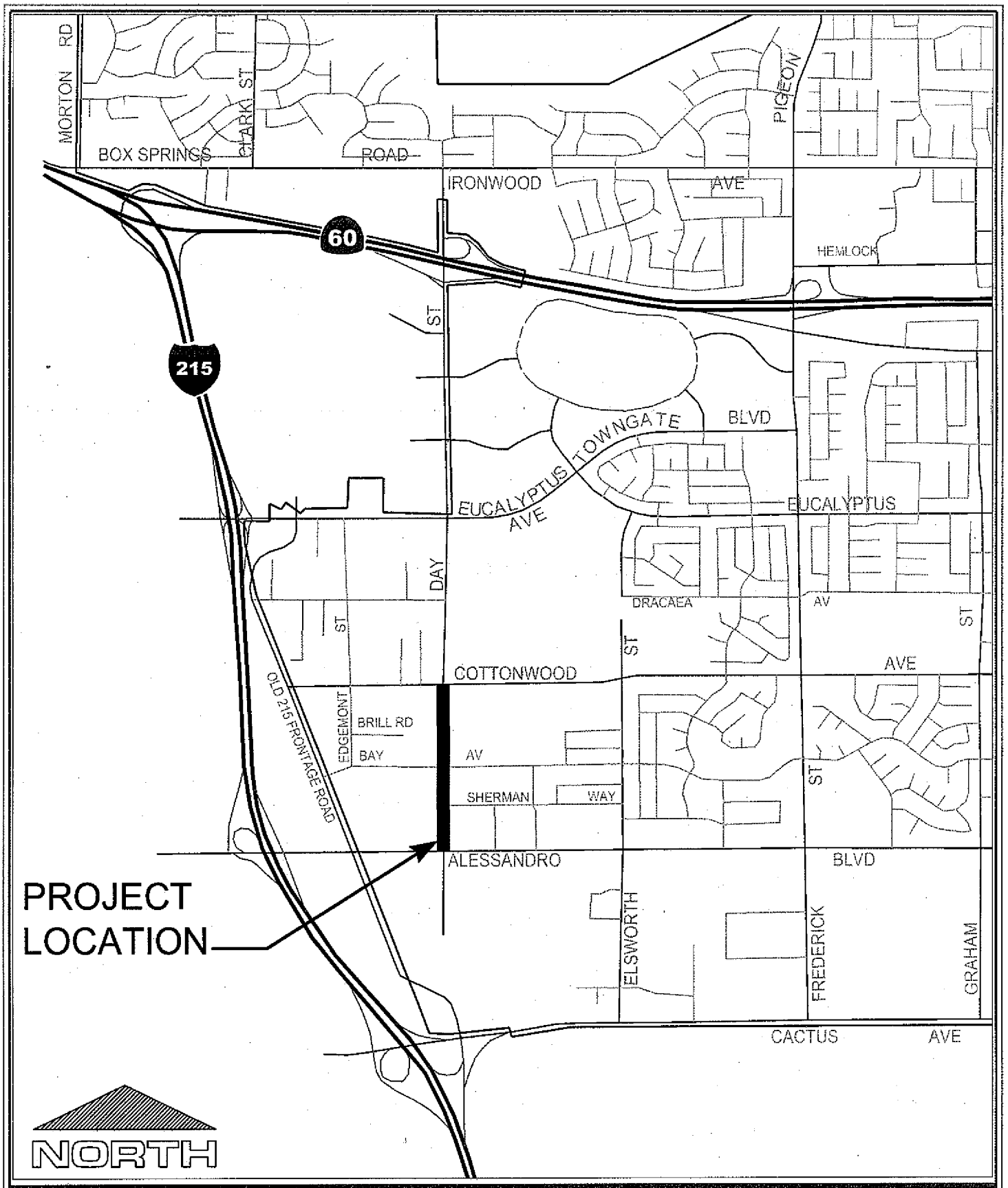

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

DAY STREET ROADWAY IMPROVEMENTS
ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE
PROJECT NUMBER 02-89266920

Item No. C.3

MV00059565

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MV00059566

Agreement No._____

AGREEMENT

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE

THIS Agreement, made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Hillcrest Contracting, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. none inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$1,663,138.05**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Agreement documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred (100) working days** after said date in the "Notice to Proceed with Construction," except as

Attachment "B"

adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $700.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, any extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Workers' compensation Insurance with such coverage limits as described in this Agreement.

The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of

insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Agreement documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Agreement. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, subcontractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its

rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. 02-89266920

CITY OF MORENO VALLEY,
Municipal Corporation

Hillcrest Contracting, Inc.

BY: _____
City Manager

DATE: _____

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. 02-89266920

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

BIDDER	SURETY
Contractor Name:_____	Name:_____
Address: _____	Address: _____
_____	_____
Telephone No.:_____	Telephone No.: _____
Print Name:_____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. 02-89266920

STREET IMPROVEMENTS FOR DAY STREET
from Alessandro Boulevard to Cottonwood Avenue

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to Hillcrest Contracting, Inc., as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager, and identified as **PROJECT NO. 02-89266920**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. 02-89266920

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this _____ day of_____ 20___.

BIDDER	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____, 20___

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal may be affixed hereto

W:\CapProj\CapProj\PROJECTS\Larry - 02-89266920 - Day St\CC Reports\Staff Report - NOA 052510 Attachment B.doc

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue ("Agreement") with Hillcrest Contracting, Inc., hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Hillcrest Contracting, Inc.

By: _____
Glenn J. Salsbury
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

Attachment "C"

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MV00059578

MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00059580

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010 (Continued from May 11, 2010)

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All proposed fee additions, deletions or revisions have been identified in red text in the proposed Fee Schedule to make them more easily identifiable.

In an effort to support the local economy during the current economic recession, the proposed Fees Schedule reflects no across-the-board inflationary adjustment, even though the CPI supports a small increase in fees. Data released from the Bureau of Labor Statistics (BLS) indicate an increase in the Los Angeles-Riverside-Orange County CPI from February 2009 (221.439) to February 2010 (224.620) of 1.44%. In those cases in which a fee increase is recommended, it is for reasons other than general inflation, with justification provided below.

Community Development Department / Code & Neighborhood Services Division

At the request of the City Council, staff developed basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law; and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The direction from the City Council in creating such a Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official Rotational Tow Service Program will require a towing business to file an application in response to a City Request for Proposals (RFP). Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal. Since this is a new Program, staff is without supporting data as to the time and effort it will take to evaluate Rotational Tow Service Program applications.

The Program would require staff of the City Manager's and City Attorney's Offices and the Community Development, Human Resources, Police, and Financial & Administrative Services Departments to evaluate an application. The estimated time staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

If a contract is approved by the City Council permitting a towing business to participate in the City's official Rotational Tow Service Program, it will be for five years. During the contract period, staff will be responsible to: (1) monitor the contracts; (2) perform site visits/inspections; (3) review monthly reports; (4) investigate complaints; (5) conduct annual meetings; and (6) coordinate special programs and scheduled checkpoints. A $5,000 deposit will be posted by a tow business to cover the City's cost in administering the contracts. Staff from the aforementioned City departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit drops below $500, staff will require the applicable tow business, per City Council agreement, to replenish the fund. Failure to replenish the deposit would be grounds for suspension or removal from the Program. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of the Program's management and oversight.

Unlike the Police Department, the Code & Neighborhood Services Division does not charge a "Vehicle Release Fee" when an owner of a vehicle or his/her authorized representative requests the vehicle be returned. Staff is recommending that a fee of $74 be charged when a vehicle is released. Since staff has not charged such a fee in the past, the fee is based on the estimated time City staff would take to release the vehicle. Staff will monitor the actual time required and, in future updates of the Fee Schedule, will adjust the fee based on an analysis of actual costs incurred during the preceding period.

The proposed new Rotational Tow Service Program and its associated fees have been reviewed and are supported by the Public Safety Subcommittee.

Community Development Department / Planning Division

The Community Development Department proposes the following changes in the Planning Division fees:

Fee Title	Proposed Change	Justification
Change of Zone	Increase Deposit from $2,700 to $3,000	Better reflects average time and materials

Fee Title	Proposed Change	Justification
Expanded Initial Study	Change to "Expanded Initial Study/Environmental Study Review"	Better reflects purpose of fee
	Change Deposit from $500 to "$500 per Study"	Better reflects purpose and scale of fee
General Plan Amendment	Increase Deposit from $2,500 to $3,000	Better reflects average time and materials
Land Development Grading Revision/4th and Subsequent Reviews	New fee – add under Plan Check and Inspection category – "$71 per sheet"	Covers service currently provided without cost recovery
Planning Letter – Interpretation and Research Required	Increase Deposit from $203 to $250	Better reflects average time and materials
Planning Review of Building Permits (Land Development Approval)	Delete "(Land Development approval)"	Better reflects purpose of the fee
Property Posting	Change fee from $105 to "$140 per street frontage + $75 per project"	Better reflects actual direct cost and adds administrative support cost
Sign Program	Increase Deposit from $500 to $650	Better reflects average time and materials
Sign Program Amendment	Increase Deposit from $250 to $325	Better reflects average time and materials

Financial & Administrative Services Department

There are no proposed changes in actual fees; only clarifications in fee descriptions and units of measure in the Animal Services Division's fees.

Fire Department

The Fire Department is requesting to raise the CPR and First Aid Class fees from $30 per student to $65 per student in order to recover a majority of the costs associated with this program. In the past, City Council has elected to subsidize the cost of the CPR and First Aid Program so that the community would be encouraged to take this course in order to help emergency responders save lives by having citizens initiate CPR and First Air prior to the arrival of the emergency responders. The increase in CPR fees would cover the personnel costs and other direct costs associated with this program, which include the cost for staff time to administer and teach the classes; the cost of the contract CPR instructors, as only one instructor is allowed to teach eight students at one time; CPR and First Aid books that are required by the American Heart Association to be given to the students to take home; the CPR cards; the cost of the Security Guard to be present while City Hall is open on Saturdays; and the cost for Facilities Maintenance staff to set up the Council Chambers. (This last cost component will no longer be incurred once the Emergency Operations Center is opened later this year; therefore, it has not been included in the proposed $65 per person fee.)

By increasing the CPR fee to $65 per person, the program will become self sufficient in generating enough revenue to cover the actual costs associated with administrating this program. This fee is also in line with what neighboring jurisdictions charge for similar courses. The Center for Healthcare Education in Riverside charges $62 for both the Basic Healthcare Provider Course and the Heartsaver and First Aid Course. The American Red Cross, which utilizes a different curriculum from the American Heart Association, charges $75 for a Basic Healthcare Provider Course and $85 for a Heartsaver and First Aid Course. The City of Temecula charges $40 for both their Heartsaver and BLS Healthcare Provider courses. In order to keep the City's CPR and First Aid Class fees in line with neighboring jurisdictions, the Fire Department is requesting to only recover the personnel and other direct costs associated with this program, and not the indirect costs, as this would cause the class fee to increase to $109 per student. It is not expected that Moreno Valley residents will opt to take this course elsewhere based on the cost comparison that has been provided.

The Fire Department is also requesting to establish fees for all open space parcels that are regulated under the City's Hazard Reduction Inspection Program. This program was established to mitigate the threat that unmaintained open space land presents to the community. Failure to adequately clear open space land of native fuels and noxious weeds presents an increased risk to community safety, property and the environment. By conducting site inspections on all open space parcels, the Fire Department is able to ensure that all reasonable steps necessary to safeguard the City against the threat of wildfire have been achieved. These inspections are scheduled annually beginning April 1st and continuing through July 1st. There are three different fees being proposed based on the size of the parcel to be inspected as follows:

- $50 for parcels less than one acre;
- $75 for parcels more than one acre and less than 5 acres;
- $100 for parcels greater than 5 acres.

The fees would be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and Fire Department ordered abated land would be pursued separately from this inspection fee. These proposed fees would be collected as part of the annual property tax bill through the County of Riverside.

By establishing an inspection fee for the Hazard Reduction Program, the program costs would be spread over all parcels subject to inspection rather than just those parcels that are non-compliant, which has been the past practice. Additionally, the program would become self sufficient in generating enough revenue to cover the costs associated with administrating this program. These fees would allow the City to hire entry-level staff to conduct these important inspections, while keeping the professional Fire Inspectors available to conduct technical new construction inspections, annual fire and life safety inspections, issue permits, perform citizen complaint follow-up, and plan check services. This fee is also consistent with how other counties administer their Hazard Reduction/Weed Abatement programs. In order to keep the City's Hazard Reduction Inspection fees in line with actual costs, the Fire Department believes that the establishment of multiple fees based on parcel size is the best means of ensuring that fair and equitable cost recovery is achieved and that costs remain as low as possible for the City's landowners.

The proposed new Hazard Abatement fee has been reviewed and is supported by the Public Safety Subcommittee.

At its meeting of April 12, 2010, the Public Safety Subcommittee discussed imposing annual Fire and Life Safety Inspections. The Subcommittee was of the opinion that Fire and Life Safety Inspection fees should apply or not apply to all such inspections conducted by the Moreno Valley Fire Department, whether the inspections are conducted by Fire Operations (contract) or Fire Prevention (City) personnel. The fee is presently charged when Fire Prevention staff conducts the inspection but not when an engine company conducts the inspection. **The Subcommittee and staff are seeking City Council policy direction on this matter to charge the fee to all businesses or to no businesses.**

Parks & Community Services Department

Although included in the existing Fee Schedule under the Recreation Program category, the proposed Park Reservation fees have been revised to explicitly state the policy of charging a mark-up for non-residents and raising the mark-up from 25% to 30%, as well as to delete the unused Athletic Field Reservation categories. Unused Snack Bar fees have also been deleted.

Athletic Field Lighting categories in which the fees are the same have been consolidated into a single fee. The Over 4 Hour Play section has several fees that are proposed for increase, as well as description changes that clarify how facilities are actually used. The increased costs more accurately reflect actual personnel costs.

A new Park Fee is proposed for reserving a Park Area. This fee reflects the staff and Park Ranger time required to ensure that residents can reserve an area of a park as opposed to a shelter.

Several fees are proposed for addition to the Conference and Recreation Center (CRC) section of the Fee Schedule. The first two new fees enable the Parks & Community Services Department to recuperate expenses related to CRC usage by City-sponsored events after 5:00 pm on weekdays or on weekends. This fee did not previously exist and caused the Parks & Community Services Department to underwrite all such events.

A second User Group is proposed in response to the City Council's direction that reduced fees be made available for other governmental and educational institutions. The range of the security deposits was adjusted to require smaller security deposits in an effort to attract additional users to the CRC; no security deposits are proposed for the new User Group.

Public Works Department

Moreno Valley Electric Utility fees have historically been identified in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. The applicable fees from this 63-page document have been added to the proposed Fee Schedule so that the proposed Fee Schedule is the comprehensive source for all City fees. No fee changes are proposed to Electric Utility at this time.

Land Development is not proposing new fees or increasing existing fees. However, revisions have been made to text in order to clarify the fee description and revisions to fee amounts that are additive and part of a tiered system in order for a subsequent tier to be mathematically correct. Meeting and teleconference costs associated with preliminary and final Water Quality Management Plans are made consistent with each other.

The Special District Formation Application fee is proposed to be divided into two fees--the Special District Formation Application fee and the Special District Formation/Bond Issuance fee. The application fee is proposed to be set at $5,000 to be consistent with the Special Districts Financing Policy, Fiscal Policy #3.7, adopted May 13, 2008. The Special District Formation/Bond Issuance fee is recommended at 1% of the bond issue, with a $50,000 minimum, which is necessary to recover the costs associated with staff time to process the application and to recover the costs associated with staff time relating to forming the district and issuing bonds.

The Fixed Charge Tax Bill Revisions fee is proposed to be adjusted from $47 plus County Fee to just the amount of the County Fee. Also, the previous note has been removed regarding the $6.98 fee from the County. To avoid conflicts with the County fee schedule, this fee category should only reference the County and not provide a dollar amount.

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective July 26, 2010 due to the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

Other Fees Included as Reference Only

Development Impact Fees and Conduit Financing Fees are included in the proposed Fee Schedule as a convenient reference, even though they are not adjusted through the annual user fee adoption process.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Resolution No. 2010-23, approving the proposed Fee Schedule for FY 2010-11.

2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Resolution No. 2010-23.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2010-11, these revenues are projected to be approximately $13 million, which includes the General Fund and various zones in the Community Services District (CSD).

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

It has been City Council's policy to adjust user fees annually to reflect changes in the February Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased slightly (1.44%) in the past year; however, staff is recommending no across-the-board inflationary adjustment in an effort to support the local economy. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is recommended that City Council adopt Resolution No. 2010-23 approving the Fee Schedule for FY 2010-11.

NOTIFICATION

The City Council meeting of May 11, 2010, which was then continued to May 25, 2010, has been properly noticed as a Public Hearing to consider the proposed FY 2010-11 Fee Schedule.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-23 (PG 453-454)
Exhibit "A" - Proposed Schedule of City Fees, Charges and Rates, Fiscal Year 2010-11 (PG 455-543)

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059590

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2010-11 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.

2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.

3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 26, 2010.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

City of Moreno Valley

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

Resolution No. 2010-23
Date Adopted: May 11, 2010

City of Moreno Valley

Exhibit "A"

Schedule of City Fees, Charges and Rates

Fiscal Year 2010-11

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Resolution No. 2010-23
Date Adopted: May 11, 2010

MV00059594

Section 1 - City Clerk

Exhibit "A"

	Unit	Fee	
Agenda Subscription	per Year	$ 102.00	
Certification of Public Records	Each	$ 6.00	
Minutes Subscription	per Year	$ 102.00	
Municipal Code and Code Supplements	per Page	$ 0.20	+mailing costs
Nomination Papers Filing Fee	Each	$ 25.00	Pursuant to §10228 of the CA Elections Code
Notice of Intent Filing Fee	Each	$ 200.00	Pursuant to § 9202 of the CA Elections Code
Audio Tape Recordings of Council Meetings	per Tape	$ 2.00	
Fair Political Practices Commission (FPPC)	per Page	$ 0.10	

Section 2 - City Manager

Exhibit "A"

Cable TV Administration and Production

	Unit	Fee
Video Recordings of Council Meetings	per Tape	$ 1.00
Recordings of Council Meetings on DVD	per DVD	$ 2.00
Recording of Council Meetings on CD (Audio only MP3 file)	per CD	$ 1.00

Section 3 - Community Development

Building and Safety

	Unit	Fee
~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~ ~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time and Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~		
Water Heater Permit	Each	$ 60.00
Water Heater Permit Re-inspection	Each	$ 60.00

Residential Tract Unit

Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables:

1 Story Permit		
<= 1,400 sq ft		$ 454.00
> 1,400 sq ft	per 50 sq ft	$ 7.10
1 Story Plan Check		
<= 1,400 sq ft		$ 641.00
> 1,400 sq ft	per 50 sq ft	$ 6.52
1.5 Story Permit		
<= 1,400 sq ft		$ 525.00
> 1,400 sq ft	per 50 sq ft	$ 8.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
1.5 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
2 Story Permit		
<= 1,400 sq ft		$ 637.00
> 1,400 sq ft	per 50 sq ft	$ 8.89
2 Story Plan Check		
<= 1,400 sq ft		$ 792.00
> 1,400 sq ft	per 50 sq ft	$ 8.60
Identical Unit Plan Check	per Unit	$ 88.00
Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 372.00
> 1,400 sq ft	per 50 sq ft	$ 2.98
1.5 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45
2 Story		
<= 1,400 sq ft		$ 391.00
> 1,400 sq ft	per 50 sq ft	$ 4.45

Section 3 - Community Development

Building and Safety

	Unit	Fee
Non-Structural Alterations		
1 Story		
<= 1,400 sq ft		$ 156.00
> 1,400 sq ft	per 50 sq ft	$ 1.48
1.5 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07
2 Story		
<= 1,400 sq ft		$ 194.00
> 1,400 sq ft	per 50 sq ft	$ 2.07

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Electrical Permit Fees

1997 Uniform Administrative Code fees

Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions.

Electrical Plan Check Fees

Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Mechanical Permit Fees

1997 Uniform Administrative Code fees

Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Mechanical Plan Check Fees

Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Plumbing Permit Fees

1997 Uniform Administrative Code fees

Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions.

Section 3 - Community Development

	Unit	Fee

Building and Safety

Plumbing Plan Check Fees

Whenever plumbing plans are required by the Building Official, plan check fees shall be (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Pool and Spa Permit Fees

1997 Uniform Administrative Code

Pool and Spa Plan Check Fees

Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee.

Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes.

Miscellaneous Fees

Minimum Permit Fee	Each	$ 122.00
Permit Issuance	Fee	$ 32.00

Section 3 - Community Development

Exhibit "A"

Building and Safety

	Unit	Fee
Investigation Fees		
For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official.		
Research/Administration Fee		
First 15 minutes		No charge
Each additional 30 minutes or fraction thereof		$ 32.00
Re-inspection fees approved by the Building Official	per Hour	$ 122.00
Inspections for which no fee is specifically identified	per Hour	$ 122.00
Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews	per Hour	$ 122.00
Inspection outside of normal business hours (2 hr min)	per Hour	$ 122.00 *
* Or the fully burdened hourly rate cost to the City, whichever is greater		
Premium Inspection - During business hours (Inspection provided within 2 hours after payment)		$ 122.00
Certificate of Occupancy Inspection	Each	$ 178.00

Section 3 - Community Development

Code and Neighborhood Services

	Unit	Fee	
Re-inspection Fee for Failed Compliance	Each	$ 181.00	
Nuisance Abatement Administrative Fee			
Level 1 (4 hrs or less)	Each	$ 240.00	
Level 2 (more than 4 hrs)	Hourly	$ 89.00	
Removal of Signs in Right-of-Way			
Sign Removal	Each	$ 25.00	
Surcharge on signs requiring special equipment or additional labor to remove	Each	$ 53.00	or actual cost of removal whichever is greater
Lost or Stolen Parking Ticket Recovery	Each	$ 11.00	
Drive-off Parking Violation	Each	$ 18.00	
Department of Motor Vehicle (DMV) Hold	Each	$ 10.00	or current DMV rate
Certificate of Correction		$ 141.00	
Rotational Tow Service Program			
Application	Each	$2,828.00	
Agreement	Deposit	$5,000.00	Actual charge is "fully burdened" rate charge
Rotational Tow Vehicle Release Fee	Each	$ 74.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Agenda Subscription	Annual	$ 100.00	
Annexation Process and Environmental Review	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Appeal		$ 750.00	
Change of Zone	Deposit	~~$ 2,700.00~~ $ 3,000.00	Actual charge is "fully burdened" rate charge
Conditional Use Permit		$ 7,864.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Conditional Use Permit: Admin & Existing Structure		$ 4,616.00	Plus applicable notice and posting fees
Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Conditional Use Permit: Amended CUP/Substantial Conformance		$ 4,168.00	Plus applicable notice and posting fees
Custom Home Review		$ 860.00	
Development Agreement	Deposit	$ 7,400.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Development Agreement Amendment	Deposit	$ 3,225.00	Actual charge is "fully burdened" rate charge
Development Agreement Annual Review	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge
Development Code Amendment	Deposit	$ 5,000.00	Actual charge is "fully burdened" rate charge
Environmental Review			
EIR Report Preparation	Deposit	$ 7,000.00	Actual charge is "fully burdened" rate charge
Expanded Initial Study / Environmental Study Review	Deposit	$500 per Study	Actual charge is "fully burdened" rate charge
Environmental Assessment		$ 753.00	
Environmental Mitigation Monitoring	Deposit	$ 3,500.00	Actual charge is "fully burdened" rate charge
Extension of Time		$ 2,609.00	
General Plan Amendment	Deposit	~~$ 2,500.00~~ $3,000.00	Actual charge is "fully burdened" rate charge
Home Occupation Permit		$ 68.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Plan Check and Inspection			
Residential (1st through 3rd Review)		$ 486.00	
Non-Residential (1st through 3rd Review)		$ 727.00	
Re-inspection		$ 142.00	
4th and subsequent (Land Development Reviews)	Per Sheet	$ 71.00	
4th and subsequent (All Other Reviews)		100% of original fee	
Newspaper Notice		$ 285.00	
Phasing Map		$ 1,955.00	
Planning Letter			
Basic		$ 84.00	
Interpretation and Research Required	Deposit	~~$ 205.00~~	Actual charge is "fully burdened" rate charge
		$ 250.00	
Planning Review of Building Permits ~~(Land Development approval)~~		$ 178.00	+5% of plan check fee

Section 3 - Community Development

Planning

Plot Plan

	Unit	Fee	
With hearing		$ 8,274.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
(Note: More than one may be charged for projects with multiple buildings or parcels)			
Without hearing (notice)		$ 5,652.00	Plus applicable environmental review, notice, posting and acreage/per unit fees
Without hearing (no notice)		$ 2,702.00	
Amended plot plan/substantial conformance		$ 2,940.00	
Multi-Family	per Unit	$ 30.00	
Plot Plan Conditional Use Permit (Com/Ind)	per Acre	$ 65.00	
Administrative (Includes second units and granny flats)		$ 607.00	
Property Posting		~~$ 105.00~~ $140 per street frontage + $75 per project	
Pre-application Review		$ 561.00	

Section 3 - Community Development

Exhibit "A"

Planning

	Unit	Fee	
Renewal Fee		50% of original fee	
Reversion to Acreage	Deposit	$ 1,500.00	Actual charge is "fully burdened" rate charge
Signs			
Banner		$ 31.00	
Permit: Wall		$ 87.00	
Permit: Monument		$ 346.00	
Permit: Pole and Freeway		$ 578.00	
Review Program	Deposit	~~$ 500.00~~ $ 650.00	Actual charge is "fully burdened" rate charge
Program Amendment Review	Deposit	~~$ 250.00~~ $ 325.00	Actual charge is "fully burdened" rate charge
Special Event Permit		$ 34.00	
Specific Plan	Deposit	$ 17,000.00	Actual charge is "fully burdened" rate charge
Specific Plan Amendment	Deposit	$ 8,000.00	Actual charge is "fully burdened" rate charge

Section 3 - Community Development

Planning

	Unit	Fee	
Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary		$ 862.00	
Temporary Use Permits		$ 241.00	
Tentative Parcel Map			
Residential		$ 6,709.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Commercial		$ 7,422.00	+
additional lot	per Lot	$ 87.00	
		+ applicable environmental review and applicable notice and posting fees.	
Waiver	Deposit	$ 1,000.00	Actual charge is "fully burdened" rate charge plus applicable notice and posting fees.
Tentative Tract or Condo Map		$ 8,497.00	+
additional lot	per Lot	$ 72.00	
		+ applicable environmental review and applicable notice and posting fees.	
Tentative Tract or Parcel Map Revised		$ 4,229.00	Plus applicable notice and posting fees

Section 3 - Community Development

Planning

	Unit	Fee	
Variance from Standards			
Public Hearing Variance		$ 2,618.00	Plus applicable notice and posting fees
Administrative Variance		$ 474.00	

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Section 4 - Financial & Administrative Services

Animal Services

	Unit	Fee
Adoption Fee (Does not include the cost for spay/neuter)		
Dogs	Each	$ 30.00
Cats	Each	$ 19.00
Rabbit, Hamsters and Guinea Pigs	Each	$ 10.00
Other Animals *	Each	$ 10.00
* Fee for "Other Animals" not to exceed the fair market price		
Deposits (Refundable)		
Rabies Vaccination	Each	$ 20.00
Spay & Neuter	Each	$ 75.00
Owner Relinquishment		
Dog/Cat*	Each	$ 22.00
Dog/Cat-Litter*	Each	$ 22.00
Other Domestic*	Each	$ 10.00
* Owner may be asked to pay for the cost of spay/neuter and/or vaccines		
** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population		
Owner Requested Companion Pet Euthanasia		
Small/Medium (0-50 lbs)	Each	$ 22.00
Medium/Large (> 50 lbs)	Each	$ 26.00
Litter (up to 8)	Each	$ 22.00
Litter (each add'l >8)	Each	$ 2.00
Deceased Animal Disposal		
Small/Medium (0-50 lbs)	Each	$ 18.00
Medium/Large (51+ lbs)	Each	$ 22.00
Cremation of Deceased Companion Pets		
Base Fee (Includes container)	Each	$ 90.00
Additional pounds > 60lbs	per Pound	$ 1.00

Section 4 - Financial & Administrative Services

Exhibit "A"

nimal Services

	Unit	Fee
Animal Redemption		
1st Impound	Per Animal	$ 20.00
2nd Impound	Per Animal	$ 40.00
3rd Impound	Per Animal	$ 56.00
More than 3 (each occurrence)*	Per Animal	See Note *
Small Livestock **	Per Animal	$ 29.00
Large Livestock **	Per Animal	$ 58.00
Other (birds, reptiles, etc)	Per Animal	$ 19.00

* Impound fee will increase by $50 for each additional occurrence. For example the 4th occurrence would be $106, the 5th occurrence would be $156 etc.

** Trailering Fee		$ 57.00
		+ actual cost for ACO
Boarding		
Dogs, Cats & Other	Per Day	$ 6.00
Small Livestock	Per Day	$ 8.00
Large Livestock	Per Day	$ 11.00
Other Small Animals	Per Day	$ 5.00
Special handling fee	Per Animal	$ 20.00

(Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.)

Re-inspection Fee	Per Inspection	$ 18.00

(Failed compliance on confinement/property inspections)

Section 4 - Financial & Administrative Services

Animal Services

			Unit	Fee
Licensing				
	Dog (altered)			
		1 year	Each	$ 10.00
		2 year	Each	$ 19.00
		3 year	Each	$ 26.00
	Dog (unaltered)			
		1 year	Each	$ 41.00
		2 year	Each	$ 60.00
		3 year	Each	$ 78.00
	Potentially Dangerous/Vicious		Each	$ 77.00
	Economic Hardship* (altered only)		Each	$ 6.00
	*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.			
	Late Fee		Each	$ 19.00
	Transfer Fee		Each	$ 6.00
	Lost Tag Replacement		Each	$ 6.00
Kennel				
	Class I Dog			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Class II Dog			
		1 year	Each	$ 194.00
		2 year	Each	$ 251.00
	Cattery			
		1 year	Each	$ 128.00
		2 year	Each	$ 189.00
	Late Fee			$ 61.00

Section 4 - Financial & Administrative Services

Exhibit "A"

nimal Services

	Unit	Fee
Other Services		
Dog DA2PP Vaccination *	Each	$ 10.00
Cat FVRCP Vaccination **	Each	$ 10.00
Microchip (Owner to pay AKC registration fee)	Each	$ 16.00

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)
** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental		
Cat		
Trap Rental	per Week	$ 12.00
Refundable Deposit		$ 50.00
Dog		
Trap Rental	per Week	$ 20.00
Refundable Deposit		$ 150.00
Requests for Information	per Page	$ 0.20
Pet Identification Tags	Each	$5.50 - $7.50
Surcharges		
Unlicensed Animal	Each	$ 15.00
Un-altered Animal	Each	$ 15.00
Out-of-area Service Request (for non-residents)	Each	$ 25.00
Un-altered Kennel/Cattery	Each	$ 50.00
Owner Field Service Request	Each	$ 15.00
After Hours Emergency Field Response	Each	$ 20.00

Section 4 - Financial & Administrative Services

Unit | Fee

Animal Services

Municipal Code Reference	Violation	Offenses within a 36 month period		
		1st	2nd	3rd
10.02.020 A	Failure to License Dog/Wear License Tag	$50.00	$100.00	$200.00
10.02.020 B	Failure to Vaccinate for Rabies	$50.00	$100.00	$200.00
10.02.040	Failure to License Kennel/Cattery	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Minor Offense	$100.00	$200.00	$500.00
10.02.130 A-G	Animal Cruelty-Major Offense	$200.00	$500.00	
10.02.090 N	Animal Abandonment	$100.00	$200.00	$500.00
10.02.080 A,B	Animal at Large-Altered	$50.00	$100.00	$200.00
10.02.080 A,B	Animal at Large-Unaltered	$100.00	$200.00	$500.00
10.02.080 E	Animal at Large-Threat to Public Safety	$200.00	$500.00	$500.00 (plus removal from City*)
10.02.100	Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited)	$150.00		
10.02.160	Failure to Comply with Public Nuisance Remedial Requirements	$100.00	$200.00	$500.00
10.02.240-270	Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals	$500.00	$500.00	(plus removal from City*)
10.02.120	Failure to Quarantine/Produce the Animal/Concealing Information	$100.00	$200.00	$500.00
10.02.110	Barking Dog	$100.00	$200.00	$500.00
10.02.140 C,D	Interference with ACE or Tampering with Animal/Equipment	$100.00	$200.00	$500.00
10.02.010	Failure to Pay for Services Rendered or Outstanding Fees	$50.00	(plus outstanding balance)	
H&S 122335	Dog Tethering Violation	$50.00	$100.00	$200.00
122220	Violation of Pet Protection Act (Businesses/Commercial Breeding)	$50.00	$200.00	$500.00

* 10.20.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Section 4 - Financial & Administrative Services

Exhibit "A"

Financial Operations

	Unit	Fee
Annual City Budget	Each	$10.00
Comprehensive Annual Financial Report (CAFR)	Each	$10.00

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

Collection of Returned Check	Each	$31.00
Business License		
Application	per License	$57.00
Vehicle Tag	per Tag	$6.00
License for Farmers Market at Towngate Mall	Per Vendor Per Day	$5.00
License for single day events	Per Vendor Per Day	$5.00

(Note: Licenses for single day events must be reviewed and approved by the Financial & Administrative Services Director)

Reprint of License	Each	$5.00
Business Listing	Each	$20.00
Photo Identification Card	Each	$5.00

Section 5 - Fire

Exhibit "A"

	Unit	Fee	
Pre-Development			
Annexation Agreement	Deposit	$ 94.00	
Community Care Facility (Pre-inspection)			
25 or less		$ 50.00	State Mandated
26 or more		$ 100.00	State Mandated
Revised Tentative Parcel Map		$ 425.00	
Fuel Modification Plan		$ 100.00	
Fire Protection Plan		$ 326.00	
Alternate methods and materials		$ 100.00	
3rd review and subsequent submittals		$ 100.00	
OTC/Misc Plan Review		$ 100.00	

Architectural / Development

Plan Check and Inspections	Unit	Plan Check	Inspection
A-1 <=10,000 SF		$ 623.00	$ 599.00
A-1 > 10,000 SF		$ 773.00	$ 798.00
A-2, 2.1 <= 10,000 SF		$ 524.00	$ 499.00
A-2, 2.1 > 10,000 SF		$ 674.00	$ 699.00
A-3 <= 10,000 SF		$ 524.00	$ 550.00
A-3 >10,000 SF		$ 623.00	$ 599.00
A-4 <= 5000 SF		$ 424.00	$ 499.00
A-4 > 5000 SF		$ 475.00	$ 550.00
A-5<=5000 SF		$ 411.00	$ 484.00
A-5>5000 SF		$ 461.00	$ 533.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
A TI 0-5000 SF		$ 325.00	$ 399.00
A TI 5001 - 25,000 SF		$ 424.00	$ 499.00
A TI > 25,001 SF		$ 524.00	$ 550.00
B 0-5000 SF		$ 175.00	$ 233.00
B 5001 - 50,000 SF		$ 274.00	$ 399.00
B >50,000 SF		$ 374.00	$ 550.00
B TI 0-5000 SF		$ 151.00	$ 207.00
B TI 5001 - 50,000 SF		$ 200.00	$ 300.00
B TI >50,000 SF		$ 274.00	$ 374.00
E-1,2 0-2000 SF (private schools only)		$ 224.00	$ 350.00
E-1,2 2001 - 20,000 SF (private schools only)		$ 274.00	$ 399.00
E-1,2 > 20,000 SF (private schools only)		$ 424.00	$ 475.00
E-1,2 TI 0-2000 SF (private schools only)		$ 100.00	$ 207.00
E-1,2 TI 2001 - 20,000 SF (private schools only)		$ 151.00	$ 233.00
E-1,2 TI > 20,000 SF (private schools only)		$ 200.00	$ 258.00
E-3 0-1000 SF (private schools only)		$ 125.00	$ 207.00
E-3 1001 - 20,000 SF (private schools only)		$ 224.00	$ 424.00
E-3 > 20,000 SF (private schools only)		$ 274.00	$ 475.00
E-3 TI 0-1000 SF (private schools only)		$ 100.00	$ 182.00
E-3 TI 1001 - 20,000 SF (private schools only)		$ 125.00	$ 207.00
E-3 TI > 20,000 SF (private schools only)		$ 151.00	$ 233.00
F,M,S 0-5000 SF		$ 224.00	$ 350.00
F,M,S 5001 - 12,500 SF		$ 325.00	$ 399.00
F,M,S 12,501 - 100,000 SF		$ 374.00	$ 499.00
F,M,S > 100,000 SF		$ 424.00	$ 599.00
F,M,S TI 0-5000 SF		$ 151.00	$ 233.00
F,M,S TI 5001 - 12,500 SF		$ 175.00	$ 300.00
F,M,S TI 12,501 - 100,000 SF		$ 224.00	$ 325.00

Section 5 - Fire

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
F,M,S TI > 100,000 SF		$ 274.00	$ 350.00
H-1,2,3, 7 0-1000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 1001- 2,500 SF		$ 374.00	$ 399.00
H-1,2,3, 7 2,501 - 10,000 SF		$ 475.00	$ 499.00
H-1,2,3, 7 > 10,000 SF		$ 599.00	$ 599.00
H-1,2,3, 7 TI 0-1000 SF		$ 224.00	$ 325.00
H-1,2,3, 7 TI 1001- 2,500 SF		$ 274.00	$ 350.00
H-1,2,3, 7 TI 2,501 - 10,000 SF		$ 325.00	$ 374.00
H-1,2,3, 7 TI > 10,000 SF		$ 374.00	$ 399.00
H-4,5,6 0-1000 SF		$ 250.00	$ 374.00
H-4,5,6 1001- 2,500 SF		$ 350.00	$ 399.00
H-4,5,6 2,501 - 10,000 SF		$ 450.00	$ 450.00
H-4,5,6 > 10,000 SF		$ 574.00	$ 499.00
H-4,5,6 TI 0-1000 SF		$ 200.00	$ 325.00
H-4,5,6 TI 1001- 2,500 SF		$ 250.00	$ 350.00
H-4,5,6 TI 2,501 - 10,000 SF		$ 300.00	$ 374.00
H-4,5,6 TI > 10,000 SF		$ 350.00	$ 399.00
L-0-1,000 SF		$ 315.00	$ 361.00
L-1,001-2,500 SF		$ 363.00	$ 387.00
L-2,501-10,000 SF		$ 461.00	$ 484.00
L->10,000 SF		$ 581.00	$ 581.00
L-T.I. 0-1,000 SF		$ 217.00	$ 315.00
L-T.I. 1,001-2,500 SF		$ 266.00	$ 339.00
L-T.I. 2,501-10,000 SF		$ 315.00	$ 363.00
L-T.I. >10,000 SF		$ 363.00	$ 387.00
I Occupancies	Deposit	$ 350.00	$ 393.00
R-1, 2 0-5000 SF		$ 224.00	$ 325.00
R-1, 2 5001 - 25,000 SF		$ 274.00	$ 350.00
R-1, 2 >25,001 SF		$ 325.00	$ 399.00

Section 5 - Fire

Exhibit "A"

Plan Check and Inspections (Cont)	Unit	Plan Check	Inspection
R-3 Model 1-5 homes		$ 175.00	$ 233.00
R-3 Model > 6 homes		$ 224.00	$ 282.00
R-3 Custom (1-2 units)		$ 151.00	$ 225.00
U - Occupancy		$ 151.00	$ 200.00
Shell 0-50,000 SF		$ 998.00	$ 874.00
Shell > 50,000 SF	Deposit	$ 350.00	$ 350.00
High-rise (4 floors or greater)	Deposit	$ 350.00	$ 362.00

	Occupancy Classifications
A	Facilities for Assemblies
B	Professional or Service Facilities
E	Educational Facilities
F	Factory and Industrial (non H)
H	Factory and Industrial (high fire, explosion or health hazard)
I	Hospitals, Nursing Homes
L	Laboratories
M	Sale of Merchandise
R	Hotels, Apartments and Congregate Residences
S	Storage (non hazardous)
U	Garages, Carports, Sheds and Agricultural Buildings

Section 5 - Fire

Exhibit "A"

Fire Development

Development Plan Check and Inspection

	Unit	Plan Check	Inspection
Sprinkler System New 1-100 heads		$ 225.00	$ 526.00
Sprinkler System New > 100 heads		$ 352.00	NA
Sprinkler System New 101-300 heads		NA	$ 575.00
Sprinkler System New 301-700 heads		NA	$ 626.00
Sprinkler System New > 700 heads		NA	$ 676.00
Sprinkler TI 1-10 heads		$ 151.00	$ 225.00
Sprinkler TI 11-25 heads		$ 175.00	$ 425.00
Sprinkler TI 51-100 heads		$ 225.00	$ 476.00
Sprinkler TI > 100 heads		$ 250.00	$ 526.00
Alarm New 1-10 Initiating Devises with notification		$ 151.00	$ 326.00
Alarm New 11-50 Initiating Devises with notification		$ 225.00	$ 352.00
Alarm New 51-100 Initiating Devises with notification		$ 276.00	$ 400.00
Alarm New > 100 Initiating Devises with notification		$ 326.00	$ 476.00
Alarm TI 1-10 Initiating Devices with notification		$ 126.00	$ 276.00
Alarm TI 11-50 Initiating Devices with notification		$ 151.00	$ 301.00
Alarm TI 51-100 Initiating Devices with notification		$ 201.00	$ 352.00
Alarm TI > 100 Initiating Devices with notification		$ 276.00	$ 400.00
ESFR	per Riser	$ 151.00	NA
Underground Sprinkler	per Riser	$ 225.00	$ 609.00
Underground Hydrant		$ 175.00	$ 609.00
Underground Combo Up to 4 Connections		$ 326.00	$ 684.00
Aboveground Hydrant		$ 250.00	$ 500.00
Residential Sprinkler 13R Family 1-2 units		$ 225.00	$ 500.00
Residential Sprinkler 13D Single Family 1-2 units		$ 175.00	$ 500.00
Residential Sprinkler 13R Multi Family up to 4 stories	per System	$ 301.00	$ 626.00
Hood and Duct	per System	$ 151.00	$ 208.00

Section 5 - Fire

Exhibit "A"

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Fire Pump	per Pump	$ 276.00	$ 276.00
Standpipes		$ 375.00	$ 284.00
Special Extinguishing Systems		$ 175.00	NA
Vapor Recovery Special Equipment		$ 151.00	NA
Medical Gases Special System		$ 175.00	$ 182.00
Industrial Gases Special System		$ 225.00	$ 284.00
Liquefied Petroleum Gases Special System > 500 gal		$ 225.00	$ 333.00
Tank/Piping Installation	per Tank	$ 234.00	$ 234.00
Tank/Piping Removal	per Tank	$ 158.00	$ 276.00
Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction)		$ 126.00	$ 182.00
Smoke Control		$ 225.00	$ 333.00
Dust Collection Special Equipment		$ 151.00	$ 182.00
Hazmat Storage		$ 276.00	$ 284.00
High Piled/Solid Piled Storage Class III, IV, High Hazard		$ 326.00	$ 434.00
Racking System		$ 375.00	$ 434.00
Regulated Refrigeration per system		$ 151.00	$ 284.00
Miscellaneous Industrial Equipment Install		$ 151.00	$ 182.00
FPE Technical Report Major Review		$ 425.00	NA
FPE Technical Report Minor Review		$ 225.00	NA
Spray Booth Inspection		NA	$ 284.00
Foam/Liquid System Inspection		NA	$ 333.00
ESFR Inspection		NA	$ 74.00
Dry Chemical System Inspection		NA	$ 234.00
CO2 System Inspection		NA	$ 234.00
Inert Gas System Inspection		NA	$ 234.00
FM200 Clean Agent System		NA	$ 234.00
Adult Care Facility Inspection		NA	$ 375.00
Child Care Facility Inspection		NA	$ 375.00

Section 5 - Fire

Development Plan Check and Inspection (Cont)	Unit	Plan Check	Inspection
Residential Care Facilities 1 - 6		NA	$ 352.00
Residential Care Facilities >6	per Story	NA	$ 143.00
K-12 Public School Inspection		NA	$ 190.00
K-12 Private School Inspection		NA	$ 425.00
High-rise Inspection	per Hour	NA	$ 100.00
Asbestos removal		NA	$ 234.00
Work without Approval or Permit		NA	$ 201.00
Inspection following Failure to Maintain Fire Protection Systems		NA	$ 201.00
Fire Prevention Inspection/Re-inspection/Phasing		NA	$ 142.00

Renewable Permit Fees	Unit	Initial Plan Check	Annual Inspection
Aerosol Products		$ 224.00	$ 63.00
Aircraft Refueling Vehicles		$ 175.00	$ 88.00
Automobile Wrecking Yard		$ 175.00	$ 188.00
Battery System		$ 224.00	$ 63.00
Candles and Open Flame in Assembly Occupancy Areas		$ 125.00	$ 63.00
Cellulose Nitrate Film		$ 125.00	$ 63.00
Cellulose Nitrate Storage		$ 175.00	$ 188.00
Combustible fiber Storage		$ 175.00	$ 188.00
Combustible materials Storage		$ 175.00	$ 188.00
Commercial Rubbish Handling Operation		$ 175.00	$ 188.00
Compressed Gases		$ 200.00	$ 188.00
Cryogens		$ 200.00	$ 188.00
Dry Cleaning Plant		$ 224.00	$ 288.00
Dust-Producing Operations		$ 125.00	$ 88.00
Explosives or Blasting agents, Use or Transportation		$ 274.00	$ 312.00
Flammable or Combustible Liquids pipelines, store, handle, use		$ 274.00	$ 288.00
High Piled/Solid Piled Combustible Storage Class I, II		$ 74.00	$ 138.00
Hot Works Operations		$ 125.00	$ 63.00

Section 5 - Fire

Exhibit "A"

enewable Permit Fees (Cont)	Unit	Initial Plan Check	Annual Inspection
Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals		$ 74.00	$ 138.00
Ovens - Industrial Baking or drying		$ 74.00	$ 88.00
Places of Assembly		$ 175.00	$ 63.00
Refrigeration Equipment		$ 74.00	$ 88.00
Repair Garages		$ 151.00	$ 88.00
Spraying or Dipping		$ 74.00	$ 63.00
Wood Products		$ 74.00	$ 88.00
Motor Vehicle fuel dispensing		$ 74.00	$ 88.00
Tire Storage		$ 175.00	$ 88.00
Lumber Yard		$ 175.00	$ 188.00
Fireworks, manufacture, compound, store		$ 325.00	$ 288.00
Fruit ripening		$ 175.00	$ 88.00
Magnesium Working		$ 175.00	$ 88.00
Radioactive materials		$ 325.00	$ 188.00

Activity Permits	Fee
Bowling pin or alley refinishing	$ 158.00
Candles and open flames in assembly areas	$ 158.00
Carnivals and fairs	$ 234.00
Explosives or blasting agents, use, dispose	$ 333.00
Fireworks, displays	$ 308.00
Hot works operations	$ 158.00
Liquefied petroleum gases, install containers	$ 234.00
Liquid or gas fueled vehicles or equipment in assembly areas	$ 208.00
Mall, covered	$ 208.00
Open Burning	$ 158.00
Parade floats (per event)	$ 234.00
Pyrotechnical special effects material / model rockets	$ 333.00

Section 5 - Fire

Activity Permits (Cont)	Unit	Fee	
Temporary membrane structures, tents and canopies		$ 284.00	
Christmas Tree sales		$ 158.00	
Pumpkin Patch		$ 158.00	
Haunted Houses		$ 158.00	
Hazardous Area Fire Permit		$ 308.00	

Post Development	Unit	Fee	
Fire and Life Safety Inspection			
Annual inspection (includes one re-inspection)		$ 151.00	
2nd re-inspection		$ 301.00	
3rd and subsequent re-inspections		$ 452.00	
Fire Watch Inspection	per Hour	$ 100.00	
Fire Hydrant Inspection		$ 100.00	
Fire Inspection			
State Mandated		$ 89.00	
Community Care Facility			
25 or less (not including elderly 1-6)		$ 89.00	State Mandated
26 or more		$ 134.00	State Mandated
Special Event		$ 89.00	

Section 5 - Fire

Exhibit "A"

ecords Request	Unit	Fee
Photographs, color print (4"x6")		$ 5.00
Fire Incident Reports (paid to County of Riverside)		$ 19.00
Fire Inspection Reports (up to 8 1/2"x14")		
First 10 pages	per Report	$ 6.00
Additional pages	per Page	$ 1.00
Hourly Rates		
Fire Marshal		$ 140.00
Deputy Fire Marshal		$ 105.00
Fire Safety Specialists		$ 106.00
Fire Safety Inspector		$ 106.00
Overtime		Position time + 50%
Consultant Fire Plan Review		Actual Consultant Cost + 20% Admin Fee
Other Fees		
False Alarm		
Residential		$ 100.00
Commercial		$ 200.00
Fire Permit Issuance Fee		$ 21.00

The fully-burdened wage rate including overhead; not to exceed actual City costs.

Section 5 - Fire

Other Fees (Cont)

	Unit	Fee
Hazard Reduction Inspection		
This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.		
Parcels < 1 acre		$ 50.00
Parcels 1 acre to < 5 acres		$ 75.00
Parcels > 5 acres		$ 100.00
Hazard Reduction Abatement Administrative Fee		$ 240.00
Hazard Reduction Abatement Cost Recovery		Actual cost charged by the City's abatement contractor.
~~Weed Abatement~~		~~Actual time and materials at fully burdened wage rate including overhead not to exceed actual City costs.~~
~~Abatement of Non-Compliance Order~~		~~$100 plus actual time and materials at fully burdened wage rate including overhead plus the cost of any contract work not to exceed actual City costs.~~

Section 5 - Fire

Exhibit "A"

Emergency Operations and Volunteer Services

	Unit	Fee
CPR Training	per Class	~~$ 30.00~~
		$ 65.00
Community Emergency Response (CERT)	per Class	$ 15.00

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150	
Percentage of Transaction cost plus	6.50% *
Fixed Fee per Transaction	$ 0.50 *
Transactions from $150 to $500	
Percentage of Transaction cost plus	3.50%
Fixed Fee per Transaction	$ 5.00
Transactions over $500	
Percentage of Transaction cost plus	2.50%
Fixed Fee per Transaction	$ 10.00

* $2.00 minimum

Section 6 - Library Services

	Unit	Fee
Replacement Library Card	Each	$ 2.00
Inter-Library Loan Overdue	per Day	$ 2.00
Reserve Materials Overdue	per Day	$ 2.00
Floppy Disks (blank)	Each	$ 1.00
Replacement Bar Code	Each	$ 1.00
Account Printout	per Page	$ 0.20
Printing - Black & White	per Page	$ 0.20
Printing - Color	per Page	$ 0.75
Copies - Black & White	per Page	$ 0.15
Faxes		
Send/Receive Public Faxes - Local	per Page	$ 1.00
Domestic Long Distance Faxes	per Page	$ 2.00
International Long Distance Faxes	per Page	$ 3.00
Exam Proctoring	per Exam	$ 15.00
Lost Materials	per Item	Actual Cost +
Lost Material Processing	per Item*	$ 10.00

* Except for uncataloged paperbacks, no processing fee

Section 6 - Library Services

	Unit	Fee
Fines		
Overdue Books		
Adult	per Item per Day	$ 0.25
Children	per Item per Day	$ 0.10
Overdue Videos	per Item per Day	$ 1.00
Overdue CDs	per Item per Day	$ 0.25
Overdue Audiocassettes	per Item per Day	$ 0.25

Section 7 - Parks and Community Services

	Unit	Fee
Parks		
Plan Check Fees (1 - 3 submittals)		
Project Cost:		
$0-$20,000		3.50%
$20,001-$100,000		3.25%
> $100,000		3.00%
4th and subsequent submittals		$ 140.00
Revisions		
Minor (detail changes only)		$ 256.00
Major		Same as initial submittal
Inspection and Testing		
Project Cost:		
$0-$20,000		7.00%
$20,001-$100,000		6.00%
> $100,000		5.00%
Research of Records, Files, etc		Actual City Cost

Section 7 - Parks and Community Services

Exhibit "A"

Parks

Penalty Fees

	Unit	Fee	
Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services	per Offense	$ 561.00	plus actual damages
Applicant's failure to schedule inspection prior to performing work	per Offense	$ 112.00	
Applicant's failure to attend or be prepared for a scheduled inspection	per Offense	$ 112.00	

Section 7 - Parks and Community Services

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs will be charged at the Resident Fee plus 30%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League *	Category 4	Per Team	$	300.00
Basketball Open Play **	Category 4	Per Person	$	3.00
Bowling Class and League	Category 4	Per Person	$	78.00 - 85.00
Father's Day Over-The-Line Softball Tournament *	Category 4	Per Team	$	65.00 - 100.00
Flag Football League *	Category 4	Per Team	$	300.00
Flag Football Tournament *	Category 4	Per Team	$	150.00 - 200.00
Official's Clinic	Category 4	Per Person	$	15.00
Protest Fee	Category 4	Per Team	$	25.00
Softball League - Competitive *	Category 4	Per Team	$	345.00
Softball League - Non-Competitive *	Category 4	Per Team	$	260.00
Softball Tournament *	Category 4	Per Team	$	185.00 - 310.00
Tennis Tournament *	Category 4	Per Person	$	20.00 - 50.00
Volleyball League *	Category 4	Per Team	$	260.00
Volleyball Tournament *	Category 4	Per Team	$	175.00 - 225.00
Volleyball Open Play **	Category 4	Per Person	$	3.00
New Program	Category 4	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 4	Per Person		20%
* Denotes Fee for Late Registration	Category 4	Per Team	$	18.00

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Belly Dancing For Fun and Fitness	Category 5	Per Person	$	32.00 - 45.00
Boxing	Category 5	Per Person	$	60.00 - 80.00
Bryan's Dog Training	Category 5	Per Person	$	65.00 - 75.00
Golf Lessons	Category 5	Per Person	$	92.00 - 105.00
Hip Hop / Funky Jazz	Category 5	Per Person	$	35.00 - 45.00
Instant Piano For Extremely Busy People	Category 5	Per Person	$	25.00 - 35.00
Kickboxing Aerobics	Category 5	Per Person	$	42.00 - 70.00
Kung Fu Art of Self-Defense	Category 5	Per Person	$	65.00 - 85.00
Swing Dance	Category 5	Per Person	$	55.00 - 65.00
Yoga - 1 Day	Category 5	Per Person	$	36.00 - 50.00
Cancellation /Transfer Fee**	Category 5	Per Person		20%
New Adult Contract Classes	Category 5	Per Person		Full Cost Recovery

~~**Excludes Program Registration Fee~~

Section 7 - Parks and Community Services

Youth Sports

Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Basketball League * #	Category 6	Per Person	$	65.00 - 86.00
Basketball Pee Wee * #	Category 6	Per Person	$	50.00
Sports Camp #	Category 6	Per Person	$	60.00-110.00
Flag Football League * #	Category 6	Per Person	$	59.00
Middle School Sports Program #	Category 6	Per Person	$	25.00
Spudball * #	Category 6	Per Person	$	50.00
Tennis Lessons #	Category 6	Per Person	$	37.00-65.00
Pee Wee Flag Football #	Category 6	Per Person	$	50.00
General Sports Skills Contests #	Category 6	Per Person		Cost Recovery
Open Play Basketball / Volleyball # **	Category 6	Per Person	$	1.00
Jr. Basketball #	Category 6	Per Person	$	60.00
New Youth Sports Programs #	Category 6	Per Person		Cost Recovery
Cancellation /Transfer Fee	Category 6	Per Person		20%
* Denotes Fee for Late Registration	Category 6	Per Person	$	5.00-10.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

Section 7 - Parks and Community Services

Exhibit "A"

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Fee Description	Policy Category	Unit		Resident Fee
Program Registration Fee		Per Program	$	2.00
Breakfast with Santa #	Category 7	Per Person	$	6.00 - 10.00
Bunny Brunch #	Category 7	Per Person	$	6.00 - 10.00
Holiday Chef #	Category 7	Per Person	$	8.00 - 10.00
Holiday Craft #	Category 7	Per Person	$	8.00 - 10.00
Camp * (Weekly) #	Category 7	Per Person	$	85.00
Spring Chef Workshop #	Category 7	Per Person	$	8.00 - 10.00
Spring Craft #	Category 7	Per Person	$	8.00 - 10.00
Time for Tots - 2 Days (2 Weeks) #	Category 7	Per Person	$	40.00
Time for Tots - 3 Days (2 Weeks) #	Category 7	Per Person	$	45.00
Time for Tots - 5 Days (2 Weeks) #	Category 7	Per Person	$	65.00
Babysitting (hourly)	Category 7	Per Person	$	3.00
T-Shirts **	Category 7	Per Shirt	$	10.00
Sunshine Social #	Category 7	Per Person	$	20.00
Bowling Class/League #	Category 7	Per Person	$	50.00 - 65.00
New Youth/Teen Activities and Programs #	Category 7	Per Person	$	Cost Recovery
Cancellation /Transfer Fee	Category 7	Per Person		20%
* Denotes Fee for Late Registration	Category 7	Per Person	$	5.00

** Excludes Program Registration Fee

# Denotes Family Discount available. See note below.

 # -FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #. The following family discount rates apply:

1st child = Full rate
2nd Child = Receives a 15% discount
3rd Child += Receives a 10% discount

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Youth/Teen Classes

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

Program Registration Fee		Per Program	$	2.00
Ballet Folklorico - Youth	Category 7	Per Person	$	22.00 - 35.00
Boxing - Youth	Category 7	Per Person	$	60.00 - 70.00
Drawing for Kids - Youth	Category 7	Per Person	$	30.00 - 40.00
Hip Hop Jazz	Category 7	Per Person	$	32.00 - 45.00
Instant Piano	Category 7	Per Person	$	25.00 - 35.00
Golf Clinic - Youth	Category 7	Per Person	$	42.00 - 55.00
Kickboxing - Teen	Category 7	Per Person	$	70.00
Kung Fu Art of Self Defense - Youth	Category 7	Per Person	$	42.00 - 55.00
Parent And Me Gymnastics - Youth	Category 7	Per Person	$	40.00 - 50.00
Salsa/Latin Dance - Teen	Category 7	Per Person	$	55.00 - 85.00
Tumbling Toddlers - Youth	Category 7	Per Person	$	40.00 - 50.00
Cancellation /Transfer Fee	Category 7	Per Person		20%
New Youth/Teen Contract Classes	Category 7	Per Person		Cost Recovery
~~* Denotes Fee for Late Registration~~	~~Category 7~~	~~Per Person~~	~~$~~	~~5.00~~

~~** Excludes Program Registration Fee~~

Section 7 - Parks and Community Services

Exhibit "A"

Senior Programs

Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.

Fee Description	Policy Category	Unit	Resident Fee
Bingo	Category 3	Per Person	$ 1.00 = 2 Cards add Cards = $.50 ea
Breakfast, Lunch, Pizza, Picnic	Category 3	Per Person	Cost Recovery
Bunco	Category 3	Per Person	$ 2.00
Dances	Category 3	Per Person	$ 8.00
Line Dancing	Category 11	Per Person	Contracted
Swap Meet	Category 3	Per Table	$ 5.00
New Senior Contract Program - Administered by	Category 11	Per Person	Contracted
New Senior Program Provided by Outside Agencies	Category 1	Per Person	$ 0
New Senior Program Assisted by City Staff	Category 3	Per Person	Cost Recovery
New Senior Programs Assisted By Volunteers	Category 2	Per Person	$ 0
Trips / Tours - Administered by Contract	Category 11	Per Person	Contracted

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee

Special Events

Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee

Program Registration Fee		Per Program	$	2.00
Easter Egg Hunt*	Category 8	Per Person		FREE
Fourth of July Parade Entry **	Category 8	Per Entry	$	30.00
Fourth of July Parade Vendor **	Category 8	Per Booth	$	50.00
Fourth of July Festival Arts & Crafts Booth **	Category 8	Per Booth	$	75.00
Fourth of July Festival Food Booth (Commercial) **	Category 8	Per Booth	$	250.00
Fourth of July Festival Food Booth (Non-Profit) **	Category 8	Per Booth	$	150.00
Fourth of July Festival Service Info Booth (Non-Profit) **	Category 8	Per Booth	$	25.00
Fourth of July Food Booth Deposit **	Category 8	Per Booth	$	50.00
Youth Fest*	Category 8	Per Booth		FREE
Artober Fest	Category 8	Per Booth	$	15.00 - 25.00

** Excludes Program Registration Fee

On-Line Registration Processing Fee (This fee is charged by the on-line provider)

On-Line Registration has no applicable category association.

Transactions < $150		
Percentage of Transaction cost plus		6.50% *
Fixed Fee per Transaction	$	0.50 *
Transactions from $150 to $500		
Percentage of Transaction cost plus		3.50%
Fixed Fee per Transaction	$	5.00
Transactions over $500		
Percentage of Transaction cost plus		2.50%
Fixed Fee per Transaction	$	10.00

* $2.00 minimum

Section 7 - Parks and Community Services

Exhibit "A"

Park Reservations

Non-Resident Fees: Fees for Non-Residents to utilize Parks will be charged at the Resident Fee plus 30%.

Athletic Field Reservation

Fee Description	Policy Category	Unit		Resident Fee
~~Facilities have no applicable category association.~~				
~~Approved Moreno Valley~~ Non-Profit Youth Groups per field ~~and Unorganized Resident Group Play per field~~	N/A	2 Hour min.	$	2.00
~~Approved Moreno Valley~~ Adult Non-Profit Groups ~~and~~ Unorganized Group Play per field	N/A	Per Hour	$	5.00
~~Unorganized~~ Adult ~~&~~ Youth Sports play by Private Groups ~~and/or Non-Residents~~ per field	N/A	Per Hour	$	10.00
Organized Commercial (For Profit) Groups (per field)	N/A	Per Hour	$	50.00
Field Preparation - not included - cost recovery of staff overtime	N/A	Per Hour	$	50.00
~~Long Term Use—Contract Changes~~	~~N/A~~	~~Per Visit~~	~~$~~	~~25.00~~
~~Community Park Damage Deposit~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
~~Long Term Use—Annual Maintenance Fee~~	~~N/A~~	~~N/A~~	~~$~~	~~750.00~~
Cancellation /Transfer Fee	N/A	N/A		20%
~~Athletic Field Security~~				

Athletic Field Lighting

~~Facilities have no applicable category association.~~				
~~Adult All Users Groups/City Facility~~	N/A	Per Hour	$	15.00
~~Youth Groups/City Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Adult Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Youth Groups/Joint Use Facility~~	~~N/A~~	~~Per Hour~~	~~$~~	~~15.00~~
~~Cancellation /Transfer Fee~~	~~N/A~~	~~N/A~~		~~20%~~

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Snack Bar (4 Hours or Less Play)				
~~Facilities have no applicable category association~~				
Moreno Valley Youth and Non-Profit Groups	N/A	Per Day	$	20.00
Moreno Valley Youth and Non-Profit Groups	N/A	Per Evening *	$	10.00
~~Private Groups and/or Non-Residents~~	~~N/A~~	~~Per Hour~~	~~$~~	~~30.00~~
~~Commercial Groups~~	~~N/A~~	~~Per Hour~~	~~$~~	~~50.00~~
Cleaning Deposit Fee (required for all groups)	N/A	Per Rental	$	125.00
Key Deposit (required for all groups)	N/A	Per Group	$	25.00
** Evening hours 4:00 p.m. to 10:00 p.m.*				
Storage Unit Rental				
~~Facilities have no applicable category association~~				
Storage Units	N/A	Per Month	$	35.00

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Over 4 Hour Play				
~~Facilities have no applicable category association.~~				
Field Reservation/Non-Profit ~~Non-Lighted Fields~~	N/A	Per Field	$	100.00 ~~75.00~~
~~Field Reservation/Non-Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~40.00~~
Field Reservation/ Private Group ~~Lighted Fields~~	N/A	Per Field	$	175.00 ~~150.00~~
~~Field Reservation/Lighted Fields for approved non-profit youth organizations~~	~~N/A~~	~~Per Field~~	~~$~~	~~75.00~~
Staff on Standby (minimum 2 hours)	N/A	Per Hour	$	50.00 ~~35.00~~
Booking Fee Non-Lighted Fields	N/A	Per Event	$	75.00
Booking Fee Lighted Fields	N/A	Per Event	$	150.00
Field Preparation-Cost Recovery	N/A	Per Field	$	50.00
Mound Drop and Removal	N/A	Per Event	$	175.00- 300.00
Admission Gate (Pre-Approved by Director)	N/A	Per Event		25% of gate revenue
Snackbar Cleaning Deposit Fee (required for all groups)	N/A	Per Event	$	200.00
Snackbar	N/A	Per Day	$	$50.00 ~~$35.00~~
Vendor Fee	N/A	Per Event	$	100.00
Facility Deposit	N/A	N/A	$	100.00
Cancellation/Transfer Fee	N/A	N/A		20%
Gate Admission Must be Pre-Approved by Director Per Event				
Park Fees				
~~Facilities have no applicable category association.~~				
Park Reservation for Special Events	N/A	Per Day	$	50.00
Park Reservation for Park Area	N/A	Per Day	$	25.00
Picnic Shelter Small (1-2 Tables)	N/A	Per Day	$	37.00
Picnic Shelter Medium (3-6 Tables)	N/A	Per Day	$	80.00
Picnic Shelter Large (Over 6 Tables)	N/A	Per Day	$	156.00
Cleaning/Security Deposit	N/A	Per Day	$	75.00
Special Event Permit	N/A	Per Day	$	205.00
Cancellation/Transfer Fee	N/A	N/A		20%

Section 7 - Parks and Community Services

Fee Description	Policy Category	Unit		Resident Fee
Valley Skate Park				
~~This program has no applicable category association~~				
Skate Park Membership fee per year	N/A	Per Person	$	20.00
Skate Park Member Session entry fee	N/A	Youth	$	2.00
		Adult	$	4.00
Non-member Session entry fee	N/A	Per Person	$	4.00-5.00
Package Protective Gear Rental	N/A	Per Person	$	5.00
Helmet Rental	N/A	Per Person	$	3.00
Helmet Deposit (ID Required or $20 Deposit)	N/A	Per Person	$	20.00
Knee Pad Rental	N/A	Per Person	$	2.00
Elbow Pad Rental	N/A	Per Person	$	2.00
Instructional Clinics/Lessons Per Session	N/A	Per Person	$	5.00-20.00
Hockey Rink Rental	N/A	Per Hour	$	75.00
Open Skate & Puck and Stick Session (Roller Hockey	N/A	Per Person	$	2.00-4.00
Roller Hockey Youth League	N/A	Per Person	$	89.00
Roller Hockey Adult League	N/A	Per Team	$	1,000.00
School District Rink Rental	N/A	Per Team		Cost Recovery for Staff

Section 7 - Parks and Community Services

Exhibit "A"

Fee Description	Policy Category	Unit		Resident Fee
Golf Course				
~~This program has no applicable category association~~				
Adult - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	11.00
Adult - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	8.00
Seniors 55 & Over - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Seniors 55 & Over - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
Students Under 18 - 18 Holes (Mon. - Fri.)	N/A	Per Person	$	9.00
Students Under 18 - 9 Holes (Mon. - Fri.)	N/A	Per Person	$	6.50
18 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	14.00
9 Holes - Weekends, Holidays, Tournament Play	N/A	Per Person	$	9.50
Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Juniors (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	65.00
Monthly Cards: Adults (Mon.-Fri.) Unlimited Play	N/A	Per Person	$	90.00
Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play	N/A	Per Group	$	170.00
Punch Cards: Seniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Punch Cards: Adults = Ten 9-Hole Rounds	N/A	Per Card	$	75.00
Punch Cards: Juniors = Ten 9-Hole Rounds	N/A	Per Card	$	50.00
Youth After School Cards = 3 months (Local schools + up to 17 yrs old) M - F = 3 pm until dusk	N/A	Per Person	$	90.00
Cart Rental	N/A	Per Cart	$	2.50
Club Rental	N/A	Per Set	$	5.00
Locker Rentals = with Monthly Card	N/A	Per Person	$	5.00
Locker Rentals = without Monthly Card	N/A	Per Person	$	10.00

Section 7 - Parks and Community Services

Facility Rental

Senior Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Banquet Room	4 hours	Monday through Thursday (with Kitche	Per Hour	$ 10.00
		Banquet Room	2 hours	Friday through Sunday (with Kitchen)	Per Hour	$ 20.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ -
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ -
					Service/Facility fees may apply	
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 45.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 100.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 55.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 40.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 45.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 30.00
					Service/Facility fees may apply	
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Banquet Room	4 hours	Monday through Thursday	Per Hour	$ 100.00
		Banquet Room	2 hours	Friday through Sunday	Per Hour	$ 175.00
		Classroom I and II	2 hours	Monday through Thursday	Per Hour	$ 125.00
		Classroom I or II	2 hours	Monday through Thursday	Per Hour	$ 68.00
		Arts & Crafts I and II	2 hours	Monday through Thursday	Per Hour	$ 100.00
		Arts & Crafts I or II	2 hours	Monday through Thursday	Per Hour	$ 58.00
					Service/Facility fees may apply	

Service/Facility		Current Fee
Refundable Cleaning / Security Deposit		$ 300.00
Setup / Reset Charge (if applicable)		$ 75.00
Main Kitchen (Only)		$ 100.00
Cleaning		$130.00 - $150.00
Decorating	Per Hour	$ 25.00
Overtime Staff Charge	Per Hour	Cost Recovery
Staff Time	Per Hour	$20.00 - $30.00
Security Services	Per Hour	$20.00 - $25.00
False Fire / Police Alarm penalty (per each false alarm)	Per False Alarm	$ 200.00
False Alarm - Fire penalty	Per False Alarm	$ 28.00
False Alarm - Police penalty	Per Hour	$ 150.00
Insurance		Cost Recovery
Cancellation Fee		$ 300.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Exhibit "A"

Towngate Community Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below)	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 15.00
			4 hours	Friday through Sunday	Per Hour	$ 15.00
						Service/Facility fees may apply
Group 2	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 60.00
			4 Hours	Friday through Sunday	Per Hour	$ 70.00
						Service/Facility fees may apply
Group 3	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday	Per Hour	$ 80.00
			4 Hours	Friday through Sunday	Per Hour	$ 90.00
						Service/Facility fees may apply
Group 4	Resident of Renaissance Park Housing Development	Multipurpose Room (with Kitchen)	2 Hours	Monday through Thursday		
				First two hours	Per Hour	$ 25.00
				Thereafter	Per Hour	$ 60.00
			4 Hours	Friday through Sunday		
				First two hours	Per Hour	$ 18.00
				Thereafter	Per Hour	$ 70.00
						Service/Facility fees may apply

Service/Facility	Unit	Current Fee
Refundable Security Deposit	Per Hour	$ 200.00
Setup/Reset Charge (if applicable)		$ 25.00
Cleaning Fee		$130.00 - $150.00
Cancellation Fee		$ 200.00
Staff Regular Time	Per Hour	$20.00 - $30.00
Staff Overtime		Cost Recovery
Decorating	Per Hour	$ 25.00
Set-up Time and Tear Down of Event	Per Hour	$ 25.00
False Alarm - Fire	Per Alarm	$ 200.00
False Alarm - Police	Per Alarm	$ 28.00
Unscheduled Program Use	Per Hour	$ 100.00
Security Services	Per Hour	$20.00 - $25.00

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Conference and Recreation Center

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
Group 1	City sponsored/conducted events	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Friday evening beginning at 5:00 pm and Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio or large patio	3 Hours	Saturday	Per Hour	$ 300.00
		~~Grand Valley Ballroom with small patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 250.00~~
		~~Grand Valley Ballroom with large patio~~	~~3 Hours~~	~~Friday 5:00 pm through Sunday~~	~~Per Hour~~	~~$ 250.00~~
		Alessandro Room	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 12.00
		Alessandro Room	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 12.00
		Dance Studio	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Gymnasium	2 Hours	Monday through Sunday	Per Hour	$ 12.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
						Service/Facility fees may apply
2	Federal, State, County and Educational Institutions	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 144.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group 2 3	City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. ~~Federal, State, County and Educational Institutions~~. Proof of residency may be required.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 160.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 210.00
		Grand Valley Ballroom with small patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 350.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 25.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 25.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 30.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 45.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 50.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 25.00

Section 7 - Parks and Community Services

Exhibit "A"

User Group	Classification	Room	Minimum Time	Comments	Unit	Current Fee
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply
Group	Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use.	Grand Valley Ballroom with small patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 200.00
		Grand Valley Ballroom with large patio	3 Hours	Monday through Friday 4:59pm	Per Hour	$ 250.00
		Grand Valley Ballroom with small patio	2 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 300.00
		Grand Valley Ballroom with small patio	3 Hours	Saturday	Per Hour	$ 400.00
		Grand Valley Ballroom with large patio	3 Hours	Friday 5:00 pm & All Day Sunday	Per Hour	$ 350.00
		Grand Valley Ballroom with large patio	3 Hours	Saturday	Per Hour	$ 400.00
		Alessandro Room (Full)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 40.00
		Alessandro Room (Half)	2 Hours	Long Term Rental 2-12 months	Per Hour	$ 20.00
		Alessandro Room (Full)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 75.00
		Alessandro Room (Half)	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 40.00
		Frank E. Brown Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
		Dance Studio	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 75.00
		Dance Studio	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 110.00
		Entire Gymnasium	2 Hours	Monday through Friday 4:59pm	Per Hour	$ 100.00
		Half Gymnasium	2 Hours	Friday 5:00 pm through Sunday	Per Hour	$ 50.00
		Little Rascals Room	2 Hours	Monday through Sunday	Per Hour	$ 40.00
						Service/Facility fees may apply

Conference and Recreation Center (Cont.)

Service/Facility		Unit	Current Fee
Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4			$250.00 - $750.00
Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability)			$0
Alessandro Room Refundable Security Deposit			$ 100.00
Frank E. Brown Room Refundable Security Deposit			$ 100.00
Dance Studio Refundable Security Deposit			$250.00 - $500.00
Gymnasium Refundable Security Deposit			$250.00 - $500.00
Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 31.00
Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours.		Per Hour	$ 25.00
Scoreboard and Controller		Per Day	$ 20.00
Extended Facility Use	Entire Gymnasium	Per Hour	$ 100.00
	Half Gymnasium	Per Hour	$ 50.00
	Grand Valley Ballroom	Per Hour	$ 450.00
False Alarm - Fire		Per Alarm	$ 200.00
False Alarm - Police		Per Alarm	$ 28.00
Cleaning Fee			$200.00 - $230.00
Unscheduled Program Use		Per Hour	$ 100.00
Insurance			Cost Recovery
Decorating		Per Hour	$ 31.00
Audio Visual Technician		Per Hour	$35.00 - $45.00
Staff Time		Per Hour	$20.00 - $30.00
Staff Overtime (per hour)			Cost Recovery
Security Services		Per Hour/Per Guard	$20.00 - $25.00

Equipment Rental	Current Fee
TV/VCR/DVD	$25
Coffee Pot (12 cup)	$6
Coffee Pot (55 cup)	$20
Coffee Pot (100 cup)	$40
Linen Rental	$5
AV Projector	$25
Overhead Projector	$20
Microphone (cordless)	$25
Deluxe Sound System (small system available at no charge)	$100
Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up)	$200
Easel	$10
Portable Bar	$50
Projection Screen	No charge
Flags	No charge
Podium with microphone	No charge

* Tables and chairs are included in the room rental fee.
* Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
* Replacement fee will be assessed if equipment is damaged or destroyed.
* Rental equipment fees are subject to change without notice.
* Fees are subject to cost recovery charges.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Mobile Stage Unit

Categories	Mandatory Staff Fee: Stage Unit with Platforms (3 staff)	Mandatory Staff Fee: (2 staff)	Refundable Cleaning Deposit	Unit	Current Fee
Category I	Cost Recovery	Cost Recovery			
			No Charge		No Charge
Category II					
Within Moreno Valley City Boundaries	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 135.00
Boundaries Outside of Moreno Valley	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 575.00
Category III					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 125.00
Category IV					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 335.00
Category V					
	Cost Recovery	Cost Recovery	$ 100.00	Per Day	$ 560.00

CATEGORY DEFINITIONS	
Category I:	Parks and Community Services Department, City sponsored and/or city co-sponsored events.
Category II:	Other governmental agencies (city, county, federal or state) and educational institutions (school districts).
Category III:	A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers.
Category IV:	Moreno Valley businesses located within the City of Moreno Valley's city boundaries.
Category V:	Non-Moreno Valley based businesses and non-profit organizations for use only within the City of Moreno Valley's city boundaries.

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

DIMENSIONS Stage When Extended	
Interior Length	36'
Interior Depth	13', 6"
Body of Mobile Stage Unit	
Width	8 feet
Length	40', 45' hitch
Height of Back Wall	92" or 7'-8'
Platforms	
Extra Stage - Total of 9 Each	4' X 8'

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit

Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of $50.00 per day plus $100.00 refundable security / deposit.

Sound System include Amplifier - Includes 8 Channels

Two (2) Large speakers with stands

Two (2) microphones with stands

Tape deck

Section 7 - Parks and Community Services

Equestrian Center

User Group	Classification		Current Fee	
Group 1	City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below).		$ 0	*
Group 2	City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions.		$ 100.00	*
Group 3	Moreno Valley commercial groups - social activities.	Per Day	$ 125.00	*
Group 4	Non-Resident, non-profit, (proof of non-profit status may be required).	Per Day	$ 125.00	*
Group 5	Resident, commercial use for profit.	Per Day	$ 125.00	*
Group 6	Non-Resident, commercial use for profit.	Per Day	$ 125.00	*

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

Service / Facility	Current Fee
Refundable Security Deposit	$ 300.00
Tractoring Fee (if applicable), each	$ 100.00
Standby Tractoring Fee	$ 50.00
Water Key Deposit	$ 25.00
Lighting	$ 15.00
Cancellation	$ 25.00
Staff Overtime (per hour)	Cost Recovery

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 8 - Police

	Unit	Fee	
BC Letter (Alcohol Beverage Control Letter)	Each	$ 19.00	
Administrative Citations			
1st Offense		$ 100.00	MC 1.01.230
2nd Offense		$ 200.00	MC 1.01.230
3rd Offense		$ 500.00	MC 1.01.230
Bingo Permit	Annual	$ 50.00	Fee set by PC 326.5/Ord 611 11.50.050
Certification of Police Records	Each	$ 5.00	
Clearance Letter	Each	$ 10.00	GC6253(b)
Citation Sign-off for Non-Resident	Each	$ 15.00	GC26746.1
Concealed Weapons Permit	Processed by the Riverside County Sheriff's Department		
Explosive Permit (fingerprinting)	See Fingerprinting: Live Scan		
False Alarm Response			
Burglary	per Occurrence	$ 30.00	
Robbery	per Occurrence	$ 120.00	
Fingerprinting (Live Scan)			
Processing through DOJ and FBI	per Set	$ 51.00	Fee set by DOJ and FBI
Processing through DOJ	per Set	$ 32.00	Fee set by DOJ
Processing fee	per Set	$ 10.00	PC 13300(e)

Section 8 - Police

	Unit	Fee	
Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount)		$ 30.00	MC 11.05.080
Photographs			
Photographs: Traffic Collisions (3"x5" or 8"x10")*	Each	$ 21.00	
Taking of Polaroid photograph and providing photo/slide and negative (3"x5" or 8"x10")	Each	$ 21.00	
Taking of Polaroid photograph or reprint	Each	$ 12.00	
Color Copy of Digital Photo	Each	$ 5.00	
Mug Shot/Booking Photo	Each	$ 5.00	
Police Services at Public Event			
Police Sergeant	per Hour	$ 84.29	Fully burdened City cost per contract
Police Officer	per Hour	$ 66.19	Fully burdened City cost per contract
Community Services Officer	per Hour	$ 46.20	Fully burdened City cost per contract
Reports			
Collision and Crime	up to 10 pages	$ 5.00	
	each additional page	$ 0.20	
Repossession Fee		$ 15.00	Fee set by GC26751 & GC41612

Section 8 - Police

	Unit	Fee	
econd Hand Dealers License			
State Initial License		$ 195.00	Bus & Prof Code 21641
Renewal		$ 12.00	Bus & Prof Code 21642
Fingerprinting (Live Scan)		$ 32.00	Fee set by DOJ
Live Scan processing fee		$ 10.00	PC 13300(e)
Security Clearance Information Act (SCIA) - Local Records Check		$ 5.00	Federal Statute Title 5 Chapter 91 Section 9101
Taxicab			
Application Processing	Annual	$ 152.00	
Taxicab Driver Permit	Annual / per Driver	$ 11.00	
Taxicab Permit	Annual / per Taxicab	$ 11.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Tow Truck			
Driver Fee	Annual	$ 24.00	
Fingerprinting/Background Check		See Fingerprinting: Live Scan	
Vehicle Release		$ 120.00	
Massage			
Appeal Fee (Operator and technician)		$ 139.00	
Application Fee and Renewal		$ 13.00	
Inspection Fee		$ 135.00	
Background Check, Fingerprinting and photo			
Initial		$ 167.00	
Renewal		$ 67.00	
Testing Fee (Operator and technician)		$ 93.00	

Section 9 - Public Works

Exhibit "A"

	Unit	Fee
Administration		
Plans and Specification Fee (non-refundable)		Actual cost ($10 min)
Copy of Capital Improvement Plan	Each	Actual City Cost
Self Haul Permit (Solid Waste)	Each	$ 41.00

Electric Utility

	Fee
PLAN CHECKING AND INSPECTION/TESTING FEES	
Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).	
Improvement Plans (Total cost of construction)	
Off-Site & On-Site 1-3 submittals	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%
4th and subsequent submittals per sheet	$248/sheet
Revisions (Improvement Plans)	
Minor per sheet	$ 263.00
Major per sheet (minimum fee)	$ 269.00
Inspection and Testing (Total cost of construction)	
Off-Site & On-Site	
First $20,000	4.00%
Next $80,000	3.50%
Over $100,000	3.25%

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Land Development

	Unit	Fee

~~[Revised statement moved to Section 10 - Miscellaneous Fees and Charges.~~
~~Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for plan checks and inspections. For more information on this pilot program please contact the City Manager's Office.~~

~~Deposit, which will be valued at one quarter of the fee that would typically be charged for plan check or inspection services.~~

LEGAL AND OTHER DOCUMENTS

~~*Initial*~~ ***Fee Includes Three (3) Reviews, Unless Otherwise Noted***

Lot Line Adjustment	Each	$	936.00
Certificate of Parcel Merger	Each	$	936.00
Certificate of Correction	Each	$	469.00
Certificate of Compliance	Each	$	758.00
Conditional Certificate of Compliance	Each	$	1,178.00
Street Vacation			
Summary	Each	$	1,139.00
Full	Each	$	3,782.00
Condemnation			
Initial Processing Deposit	Deposit	$	5,000.00 +
Right-of-Way Acquisition and Processing (minimum ~~fee~~)	Deposit (per lot)	$	5,000.00

Amount determined by City Engineer. Not to exceed total City cost.

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee
Document Review and Processing		
Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, etc) (For 2 Reviews)	Each	$ 752.00
Major Documents ~~(Where Minor Document review fees are indeterminate)~~	Each	Amount determined by City Engineer. Not to exceed total City cost.
Public Improvement Agreement (Extension)	Each	$ 879.00
Partial Bond Release	Each	$ 1,694.00
Assurance of Construction (Grading, Damage and Minor Construction Securities)	Deposit	Security amount determined by City Engineer
MAP CHECKING		
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted		
Parcel Map and Tract Map	Each	$ 3,860.00 +
	per Lot	$ 41.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Amended Map (Parcel and Tract)	Each	$ 2,156.00
4th and Subsequent Reviews (Parcel and Tract)	per Sheet, per Review	$ 190.00
Reversion to Acreage	Each	$ 1,634.00
Monument Review Field		5% of Bond or $415 min
Survey Monument Restoration (Two Reviews, Per Set)	Each	$ 257.00

Section 9 - Public Works

Land Development

	Unit	Fee	
IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
<= $100,000 of Engineer's estimate Plus		4.00%	+
$100,001-$250,000 of Engineer's estimate Plus		3.00%	+
> $250,001 of Engineer's estimate		2.50%	
On-site Improvements (For non-single family residential, based on Engineer's estimate)		1.00%	
4th and Subsequent Reviews (Improvement Plans minimum fee)	per Sheet, per Review	$ 248.00	~~On an hourly by the City Engineer. Not to exceed total City cost.~~ or amount determined by the City Engineer. Fee not to exceed total City cost.
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for plan check services.		
Revisions (Improvement Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 261.00	
Major (minimum fee)	per Sheet, per Review	$ 269.00	Amount determined by the City Engineer. Fee not to exceed total City cost.

* For As-Builts with no changes, a one sheet fee is required.

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee	
MASS/ROUGH GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 318.00	
> 100,000 CY Plus		$ 7,970.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 107.00	
Non Subdivisions			
0-5,000 CY		$ 1,928.00	
5,001-100,000 CY Plus		$ 1,928.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus	$7,324	~~$ 7,315.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Mass/Rough Grading Plans)	per Sheet, per Review	$ 207.00	
Revisions (Mass/Rough Grading Plans)			
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	

* For As-Builts with no changes, a one sheet fee is required.

Land Development

	Unit	Fee	
STOCKPILE/BORROW SITE PLAN			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
0-5,000CY		$ 584.00	
5,001-100,000 CY		$ 1,009.00	
> 100,000 CY		$ 1,401.00	
4th and Subsequent Reviews (Stockpile/Borrow Plans)	per Sheet, per Review	$ 207.00	
Revisions (Stockpile/Borrow Plans)			
Minor	per Sheet, per Review	$ 247.00	
Major (minimum fee)	per Sheet, per Review	$ 294.00	
		Actual amount determined by the City Engineer. Fee not to exceed total City cost.	
PRECISE GRADING PLAN CHECK			
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted			
Subdivisions and Custom Homes Plus	Each	$ 1,837.00	+
	per Lot	$ 70.00	
Non Subdivisions			
On-site Improvement Plan Check Fee			
0-5,000CY		$ 1,838.00	
5,001-100,000 CY Plus		$ 1,838.00	+
Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard)		$ 284.00	
> 100,000 CY Plus		$ 7,234.00	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 70.00	
4th and Subsequent Reviews (Precise Grading Plans)	per Sheet, per Review	$ 218.00	

Section 9 - Public Works

and Development

	Unit	Fee
Revisions (Precise Grading Plans)		
Minor (Including As-Builts, minimum fee*)	per Sheet, per Review	$ 247.00
Major (minimum fee)	per Sheet, per Review	$ 294.00
* For As-Builts with no changes, a one sheet fee is required.		Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Water Quality Basins (SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
Water Quality Treatment (Non SFR Projects) (Civil Drawings)	Per Sheet	$ 1,443.00
4th and Subsequent Reviews (Civil Drawings)	per Sheet, per Review	$ 247.00
Water Quality Basin Landscaping (Landscape Drawings) ~~(Landscape Drawings)~~		
Base Fee (7 sheets Maximum)		$ 5,925.00
Each Additional Sheet		$ 830.00
4th and Subsequent Reviews (Landscape Drawings)	per Sheet, per Review	$ 178.00
Hydrology & Hydraulic Calculations for Treatment Control Devices	Each	$ 464.00
Storm Water Pollution Prevention Plan (SWPPP) Document Review	Each	$ 655.00

Section 9 - Public Works

Land Development

	Unit		Fee		
STUDIES					
Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted					
Flood Plain (CLOMR/LOMR)					
1-10 Acres (Tributary)	Each		$ 3,385.00		
Over 10 Acres	Each		$ 3,385.00	+	
Each Acre over 10 Acres	per Acre		$ 20.00		
Drainage (Hydrology/Hydraulics)					
0-50 Acres (Tributary)	per Acre		$ 48.00		$450 minimum
51-100 Acres Plus	Each	$2,400	~~$ 2,423.00~~	+	
Each Additional Acre over 50	per Acre		$ 6.00		
101-1,000 Acres Plus	Each	$2,700	~~$ 2,723.00~~	+	
Each Additional Acre over 100	per Acre		$ 4.00		
Over 1,000 Acres Plus	Each	$6,300	~~$ 6,323.00~~	+	
Each Additional Acre over 1,000	per Acre		$ 1.00		
4th and Subsequent Review	Each Review		Total City Cost		
Preliminary Drainage Study (Entitlement Stage)	Each		$ 464.00		
Preliminary Water Quality Management Plan (P-WQMP)					
WQMP Preliminary Document Review					
First Two Reviews Only (Consultant and Admin)			$ 934.00		
Third and Subsequent Reviews (Fee for Consultant Only)	Each Review		$ 321.00		
All Meetings	per Hour	$250	~~$ 206.00~~		
All Teleconferences	per Hour	$150	~~$ 206.00~~		

Section 9 - Public Works

Exhibit "A"

and Development

	Unit	Fee
Final Water Quality Management Plan (F-WQMP)		
WQMP Final Document Review		
(Initial fee includes Document Review, Teleconferences and Meetings)		
Basic Review (Maximum 2 Reviews and 2 Meetings)		$ 1,098.00
(Applies to Hillside Residential ≤ 9 Units)		
Subsequent Reviews	Each Review	$ 750.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Standard Review (Maximum 2 Reviews and 2 Meetings)		$ 4,290.00
(Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres)		
Subsequent Reviews	Each Review	$ 1,440.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
Complex Review (Maximum 3 Reviews and 3 Meetings)		$ 6,179.00
(Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres)		
Subsequent Reviews	Each Review	$ 1,824.00
Subsequent Meetings	per Hour	$ 250.00
Subsequent Teleconferences	per Hour	$ 150.00
OTHER PLAN CHECK FEES		
~~Developer Requested Expedition of Plan, Map and Document Review~~		~~Regular plan, map and document review fee + 25%~~

Section 9 - Public Works

Land Development

	Unit	Fee	
Underground Overhead Utilities			
Underground of Utilities Administration Fee Plus		$ 70.00	+
Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130)	per Linear Foot	$ 196.00	
IMPROVEMENT PLAN INSPECTION			
Grading			
Mass, Rough, ~~or~~ Precise, Stockpile or Borrow Grading Inspection (All projects)			
0-100 CY		$ 637.00	
101-1,000 CY Plus		$ 637.00	+
Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard)		$ 120.00	
1,001-10,000 CY Plus	$1,717	~~$ 1,744.00~~	+
Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard)		$ 390.00	
10,001-100,000 CY Plus	$5,227	~~$ 5,421.00~~	+
Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard)		$ 355.00	
> 100,000 CY Plus	$8,422	~~$ 8,413.00~~	+
Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard)		$ 318.00	
~~Offsite (Public Right-of-Way) Improvements~~			
Improvement Plan (Offsite Public Improvements, Per Project)			
< $100,000 of Engineers estimate Plus		4.00%	+
$100,000-$250,000 of Engineers estimate Plus		3.00%	+
> $250,000 of Engineers estimate		2.50%	
Onsite Improvements (Based on Engineer's estimate)		1.00%	
For Multi-Agency Improvement Plans for facilities to be maintained by agencies other than the City of Moreno Valley	Deposit, which will be valued at one-half of the fee that would typically be charged for inspection services.		

Section 9 - Public Works

Exhibit "A"

and Development

	Unit		Fee	
Re-inspection	Each		$ 432.00	
Holidays, Weekends and Night Inspections (Based on staff availability)	per Hour* *minimum of 2 hour	$79.00	~~$ 158.00~~ $96.00	Straight Time Over Time
STORM WATER MANAGEMENT INSPECTION				
Storm Water Pollution Abatement Program				
Projects Under Construction				
Construction Site Inspection			$ 402.00	
Existing Businesses				
NPDES Industrial Site Initial Inspection	Each		$ 451.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Commercial Site Initial Inspection	Each		$ 331.00	
Follow-up Compliance Inspection	Each		$ 211.00	
NPDES Restaurant Initial Inspection (CAP)	Each		$ 271.00	
Follow-up Compliance Inspection	Each		$ 211.00	
Water Quality Basin Landscape Inspection				
0-1 Acre			$ 11,853.00	
1-1.5 Acres			$ 13,631.00	
1.5-2 Acres			$ 15,408.00	
2-2.5 Acres			$ 17,187.00	
Each additional 1/2 Acre > 2.5 Acres	per 1/2 Acre		$ 1,777.00	
PENALTY FEES				
Inspection and Testing work in Right-of-Way without Encroachment Permit			$ 603.00	
Failure to Schedule Inspection Prior to Performing Work *			$ 122.00	

* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed $500 for each subsequent offense.

Land Development

	Unit	Fee	
PERMITS - ADMINISTRATION FEES			
Grading or Inspection: Permit Issuance	Each	$ 82.00	
Construction Permit Issuance	Each	$ 82.00	
Newspaper Rack Annual Permit Issuance	Each	$ 82.00	
Annual Utility Blanket Permit Administration	Each	$ 82.00	
Second Driveway Approach Application	Each	$ 82.00	
PERMITS - INSPECTION FEES			
Concrete Sidewalk			
0-100 Linear Feet	Each	$ 66.00 +	
> 100 Linear Feet	per Linear Foot	$ 1.00	
Parkway Drains	Each	$ 144.00	
Residential Curb Core (2 maximum per lot)	per Lot	$ 78.00	
Driveways			
Commercial	Each	$ 144.00	
Residential	Each	$ 203.00	
Excavation-Street Crossing	per Linear Foot	$ 2.00	$232 min
Excavation Parallel Trench	per Linear Foot	$ 0.50	$232 min
Small Bore Potholes (12" Diameter Maximum)	Each	$ 26.00	
All Other Potholes	Each	$ 77.00	
Bores/Splice Pits	Each	$ 52.00	

Section 9 - Public Works

Exhibit "A"

and Development

	Unit		Fee	
Non-Retaining Wall	Each		$ 144.00	
Fence	Each		$ 144.00	
Newspaper Rack Installation	Each		$ 52.00	
Utility Blanket Permit Individual Location Inspection	Each		$ 15.00	
				Straight Time
Miscellaneous Inspections (Based on staff availability)	per Hour*	$79.00	~~Amount determined by the City Engineer. Fee not to exceed total City cost.~~	
	*minimum of 1 hour		$96.00	Over Time

OTHER PERMITS

Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.)	Each	$ 205.00
Block Party Permit Processing	Each	$ 82.00
Flood Plain Determination (Community Rating System)	per Lot	$ 20.00
Elevation Certification (Mobile Home Park)	Each	$ 155.00

Section 9 - Public Works

	Unit	Fee		
Land Development				
OTHER FEES				
Advanced Energy Fees				
Administration Fee		$	404.00	
Zone B (9,500 Lumens)	Each	$	261.00	
Zone C (22,000 Lumens)	Each	$	347.00	
Single Family Residence Review	per Project	$	390.00	
Area Drainage Plan Fee	Established by and payable to the County of Riverside Flood Control District			
MISCELLANEOUS LAND DEVELOPMENT FEES				
City of Moreno Valley Book of Standard Drawings	Each	$	45.00	
Research of Records, Files, etc.				
Technical	per Hour *	$	84.00	+reproduction costs
Professional	per Hour *	$	136.00	+reproduction costs
	* minimum of 1/2 hour			
In-house Reproduction costs of Engineered Plan Sheets (Large Format)	per Sq Ft	$	1.00	

Section 9 - Public Works

Maintenance and Operations

	Unit	Fee
~~Tree Planting~~		
~~15 Gallon~~	~~Each~~	~~$ 190.00~~
~~24" Box~~	~~Each~~	~~$ 270.00~~
Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division)	Each	$ 270.00

Section 9 - Public Works

Special Districts

	Unit	Fee	
Land and Assessment Division Applications			
with amended assessment diagram		$ 900.00	+
	per Parcel	$ 25.00	
without amended assessment diagram		$ 1,500.00	+
	per Parcel	$ 35.00	
Special District Formation Application	Each	$ 5,000.00	
Special District Formation/Bond Issuance	Each	1% of bond issue	$50,000 min
Special Tax Report	Each	City Cost	$10 min
Annual Levy Report	Each	City Cost	$10 min
Parcel Payoff/Amortization Schedule	per Parcel	$ 46.00	
Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel.			
Fixed Charge Tax Bill Revisions	per Parcel	County Cost	
Plans and Specifications (Non-refundable) (Landscape and Street Light documents)		City Cost	$10 min
Mail Ballot Processing			
Administrative Fee	per Proceeding	$ 1,574.00	
Ballot Fee	per Ballot	$ 3.00	

Section 9 - Public Works

Special Districts

	Unit	Fee
Parkway Landscape Plan Check		
Base Fee (7 sheets & 3 total submittals)		$ 5,925.00
Each Additional Sheet & 3 submittals		$ 830.00
Each Additional submittal	per Sheet	$ 178.00
Landscape Inspection		
0-1 Acre		$ 11,853.00
1-1.5 Acres		$ 13,631.00
1.5-2 Acres		$ 15,408.00
2-2.5 Acres		$ 17,187.00
Each additional 1/2 acre > 2.5	per 1/2 acre	$ 1,777.00
Public Works Landscape Design Guidelines	Each	$ 15.00

Section 9 - Public Works

Transportation Engineering

	Unit	Fee	
Permit Parking Program			
Application Fee	Each	$ 90.00	
Initial Permit Fee	per household or business	$ 57.00	
Annual Renewal Fee	per household or business	$ 19.00	
Special Traffic Count			
Daily Directional	per Count	$ 135.00	
Daily Non-Directional	per Count	$ 67.00	
Peak Hour Intersectional	per Count	$ 47.00	
Speed Study			
Radar		$ 51.00	
Speed Profile (2 tubes, 1 machine)		$ 190.00	
Special Traffic Curb Painting	Deposit	$ 178.00	Actual charge is "fully burdened" rate charge
Signs			
Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc)	Each	$ 270.00	
Neighborhood Watch Signs (Installed)	Each	$ 13.00	
Street Name Sign	Each	$ 405.00	

Section 9 - Public Works

Exhibit "A"

Transportation Engineering

	Unit	Fee
Signal Construction Inspection and Turn-on		
<= $100,000 of Engineer's estimate		4.00%
$100,001-$250,000 of Engineer's estimate		3.00%
> $250,000 of Engineer's estimate		2.50%
Controller Testing		$ 1,929.00
Signing and Striping Plan Review (1-3 submittals)	Per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	
Temporary Parking Permit		
Type I		$ 135.00
(Allow temporary parking on a restricted street section with curb lane width of less than 18 ft)		
Type II		$ 67.00
(Allow temporary parking on a restricted street section with curb lane width of 18 ft or more)		
Traffic Impact Analysis		
Minor	Each	$ 1,132.00
Major	Each	$ 3,000.00
Traffic Control Plan Review (1-3 submittals)	per Sheet	$ 350.00
4th and subsequent submittals	Per Sheet	

Section 10 - Miscellaneous Fees and Charges

	Unit	Fee
Council Chamber Room Rental	per Day	$ 132.00
Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits)	Each	$ 122.00
Housing Assistance Financial Analysis Charge		City Cost
Mileage for City employee appearances	per Mile	IRS allowable rate
Motion Picture Permit	Each	$ 393.00
Copies *		
Black & White	per Page	$ 0.20
Color	per Page	$ 0.75

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

Copies and Research in response to subpoena	per Occurrence	City cost as provided for in California Evidence Code Section 1563

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities~~plan checks and inspections~~. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.12.130	Parked in violation of designated curb color	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	No standing/stopping/parking anytime (posted)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.12.130	Posted time 6 p.m. to 6 a.m. (commercial vehicle)	$ 28.50	$ 9.50	$ 38.00	$ 66.50	$ 9.50	$ 76.00
12.38.040	Vehicle parked on street in excess of 72 hours	$ 28.20	$ 9.50	$ 37.70	$ 66.50	$ 9.50	$ 76.00
12.42	No parking (street sweeping)	$ 45.00	$ 9.50	$ 54.50	$ 106.00	$ 9.50	$ 115.50
6.04.030p5c	Parking on unimproved surface	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50
11.24.200	Inoperative vehicle in view in excess of 72 hours	$ 20.00	$ 9.50	$ 29.50	$ 56.00	$ 9.50	$ 65.50

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020A	It is unlawful to park or leave standing any of the following:						
12.383020A1	Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A2	Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A3	Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00
12.38.020A4	Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency.	$ 75.50	$ 9.50	$ 85.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

M.V.M.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
12.38.020B	It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following:						
12.38.020B1	On any highway, street, road, alley or private property within the residential district within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B2	On any vacant or unimproved non-residential property in the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B3	On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B4	Within one hundred fifty (150) feet of any driveway opening.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B5	Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B6	On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B7	On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020B9	Any unattached semi-trailer on a public highway, street, road or alley within the city.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00
12.38.020C	While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes.	$ 73.50	$ 9.50	$ 83.00	$ 156.50	$ 9.50	$ 166.00

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

Exhibit "A"

C.V.C.	Description	Bail			Bail with Penalty (Delinquent)		
		City Portion	State Portion	Total Bail	City Portion	State Portion	Total Bail
5204	Improper display of tabs	$ 45.00	$ 9.50	$ 54.50	NA	NA	NA
	Improper display of tabs with correction	$ 5.00	$ 9.50	$ 14.50	NA	NA	NA
21113(a)	Unauthorized parking upon public grounds	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
21211(a)	Stopping in bicycle lane	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(a)	Parking unlawfully, within intersection	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(b)	Parking unlawfully, on crosswalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(c)	Parking unlawfully, adjacent to safety zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(d)	Parking unlawfully, within 15 feet of fire station driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(e)	Parking unlawfully, blocking any driveway	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(f)	Parking unlawfully, on a sidewalk	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(g)	Parking unlawfully, blocking excavation	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(h)	Parking unlawfully, double parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(i)	Parking unlawfully, in posted bus loading zone	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(k)	Parking on a bridge, unless otherwise permitted or authorized	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22500(l)	Parking unlawfully, blocking sidewalk wheelchair access	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22500.1	Parking unlawfully, in posted fire area	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22502(a)	Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb).	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22507.8(a)	Parking in space designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(b)	Obstruct or block disabled parking space	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22507.8(c)	Parking in cross-hatch area designated for disabled	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22514	Parking within 15 feet of fire hydrant	$ 50.00	$ 9.50	$ 59.50	$ 109.50	$ 9.50	$ 119.00
22515(b)	Unattended vehicle wheels not blocked, and/or parking brake not set	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
22522	Parking within 3 feet of a sidewalk access ramp	$ 420.00	$ 9.50	$ 429.50	NA	NA	NA
22658	Unauthorized parking	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
40226	Failure to display handicapped placard	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00
	Other	$ 20.00	$ 9.50	$ 29.50	$ 49.50	$ 9.50	$ 59.00

Section 12 - Development Impact Fees

Exhibit "A"

	---------- Residential ----------				------ Commercial ------			--------Office--------	
	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
	Current	Current	Current	Current	Current	Current	Current	Current	Current
Unit	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Transportation Uniform Mitigation Fees (TUMF)	$ 10,046	$ -	$ 7,054	$ -	$ 9,990	$ 9,990	$ 1,840	$ 2,190	$ 5,710
Arterial Streets	$ 4,531	$ 1,275	$ 3,171	$ 892	$ 4,482	$ 2,231	$ 1,281	$ 1,275	$ 1,921
Traffic Signals	$ 567	$ 421	$ 397	$ 294	$ 678	$ 443	$ 194	$ 253	$ 290
Interchange Improvements	$ 524	$ -	$ 367	$ -	$ 684	$ -	$ 195	$ -	$ 293
Fire Facilities	$ 650	$ 252	$ 261	$ 101	$ 80	$ 36	$ 58	$ 38	$ 67
Police Facilities	$ 464	$ 126	$ 368	$ 101	$ 232	$ 64	$ 42	$ 51	$ 114
Park Improvements	$ 3,109	$ 1,598	$ 2,723	$ 1,193	$ -	$ -	$ -	$ -	$ -
Recreation Centers	$ 193	$ 1,198	$ 169	$ 1,049	$ -	$ -	$ -	$ -	$ -
ibraries and Materials	$ 813	$ 668	$ 712	$ 499	$ -	$ -	$ -	$ -	$ -
Park Land (Quimby In-Lieu Fees)	$ 1,865	$ 573	$ 1,634	$ 428	$ -	$ -	$ -	$ -	$ -
Animal Shelter	$ 152	$ -	$ 133	$ -	$ -	$ -	$ -	$ -	$ -
Maintenance Equipment	$ 50	$ -	$ 20	$ -	$ 4	$ -	$ 3	$ -	$ 4
City Hall	$ 529	$ 292	$ 212	$ 118	$ 74	$ 42	$ 52	$ 45	$ 62
Corporate Yard	$ 298	$ 283	$ 119	$ 113	$ 53	$ 41	$ 37	$ 43	$ 43
Total	$ 23,790	$ 6,686	$ 17,340	$ 4,788	$ 16,277	$ 12,847	$ 3,702	$ 3,895	$ 8,504

NOTES:

1. The general policy is that all impact fees will be adjusted annually. However, in FY 2008 the City Council froze impact fees at their current level due to the slowdown in development activity.

2. The fees will be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News Record.

TUMF fees are set by the Western Riverside County Organization of Governments (WRCOG).

NITS LEGEND
J = Dwelling Unit for residential development types
F = 1,000 gross square feet of building area for commercial, industrial and office development types

PLEMENTATION NOTES:

th respect to each second dwelling unit on a single family residential lot qualifying as a "granny flat" housing unit, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

th respect to commercial and industrial and non-class A office development impact fees, there will be a continuation of existing fees with the intent of charging one-half of the fees as calculated in the velopment Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, through a two-year phase-in beginning on January 16, 2007.

With respect to Class A office development impact fees, these shall be frozen at the pre-January 12, 2006 fees, or $1,705 per 1,000 square feet.

With respect to Residential Single Family and Residential Multi-Family development impact fees, the fees shall be charged at 100% of the fees as calculated in the Development Impact Fee Update Study Report (nexus study) as approved by City Council on October 11, 2005, and shall take effect on January 12, 2006.

With respect to Residential Affordable Single-Family and Residential Affordable Multi-Family, these fees shall be frozen at the pre-January 12, 2006 fees until such time that the City Council deems it appropriate to amend the Impact Fee Resolution.

Hence:

	---------- Residential ----------				------ Commercial ------			------- Office -------	
Impact Fee Type	Single Family	Affordable-Single Family	Multi Family	Affordable Multi Family	General	Regional	Industrial General	Class A	Non-Class A
Fee Basis	Dwelling Unit	Dwelling Unit	Dwelling Unit	Dwelling Unit	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft	1,000 sq ft
Current Fee (2)	$6,686.00	$6,686.00	$4,788.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Calculated Fee per Nexus Study (2	$13,241.00	$13,625.00	$9,909.00	$10,178.00	$17,503.00	$13,174.00	$5,156.00	$7,762.00	$7,762.00
ecommended Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	100% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee	50% of Nexus Fee	50% of Nexus Fee	Freeze @ 100% of Pre 1/12/06 Fee	50% of Nexus Fee
Fees at 1/12/06 (2)	$13,241.00	$6,686.00	$9,909.00	$4,788.00	$3,823.00	$2,857.00	$1,148.00	$1,705.00	$1,705.00
Fees at 1/16/07 (2)	$13,241+ 1 yr. CPI	$6,686.00	$9,909 + 1 yr CPI	$4,788.00	$6,287.00	$2,857.00	$1,863.00	$1,705.00	$2,793.00
Fees at 1/16/08 (2)	$13,241 + 2 yr. CPI	$6,686.00	$9,909+ 2 yr CPI	$4,788.00	$8,752.00	$2,857.00	$2,578.00	$1,705.00	$3,881.00
Fees at 1/16/09 (2)	$13,241 + 3 yr. CPI	$6,686.00	$9,909+ 3 yr CPI	$4,788.00	$8752+1 yr. CPI	$6,587.00	$2578+ 1 yr. CPI	$1,705.00	$3881+ 1 yr. CPI

Note: 1) Fees are rounded to the nearest whole dollar. Fees will vary from what is shown for 1/16/07 and 1/16/08 based on annual July 1st adjustments for inflation, which are not included in the above examples.

2) Fees shown in example do not include TUMF

Section 13 - Conduit Financing Fees

Exhibit "A"

Type of Financing	Issue Size			Initial Application Fee	Required Deposit	Annual Fee
	< $5.0 million	$5.0 to $10.0 million	> $10.0 million			
Non-Profit Less than "A" rated	$ 5,000	$5,000 plus 0.25% in excess of $5.0 million	$17,500+0.2% in excess of $5.0 million	$ 4,000	$20,000+1/2 of issue fee	0.125% of initial par value
Multi-family housing credit enhanced	$ 5,000	$5,000+0.15% in excess of $5.0 million	$12,500+0.15% in excess of $5.0 million	$ 2,000	$20,000+1/3 of issue fee	0.125% of initial par value
Non-Profit "A" rated or better	$ 5,000	$5,000+0.10% in excess of $5.0 million	$10,000+0.10% in excess of $5.0 million	$ 2,000	$20,000+1/4 of issue fee	0.125% of initial par value

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MV00059682

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) **Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)**

b) **Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)**

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MV00059684

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P. E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES

RECOMMENDED ACTION

Staff recommends that the Mayor and the City Council, acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee reviews the landscaping charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide benefit services. Zones within the CSD were established to allocate the costs to those parcels receiving proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

DISCUSSION

Proposed Charges
The following section outlines the services provided by each zone, the proposed annual charge and the current year charge. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the process of a mail ballot proceeding or as implemented through previously authorized inflation adjustments. For FY 2010/11 the inflation adjustment is 1.83% based on the percentage change for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide parks and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit, per each nonresidential parcel, or per each vacant parcel. (Current FY 2009/10 charge is $87.50.)

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23 per parcel per year on those properties which were annexed into the zone prior to 1999. Property owners, of 7,326 parcels that balloted after 1999 to receive Zone B services, which authorized an annual inflation adjustment, shall be charged $24.42 per parcel. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight facilities and services, whose owner's pay $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23 or $24.42 per parcel per year to $39 per parcel per year and would allow for an annual CPI increase, if necessary, to fully fund the annual cost to provide residential street lighting services. (Current FY 2009/10 charges are $23 and $24 for street lighting services.)

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9. (Current FY 2009/10 charge is $9.)

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. *Attachment 1*, included with this staff report, provides a listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11. A majority of the property owners, of certain affected tracts previously approved an inflation adjustment as part of their Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts.

The CSD shall conduct a mail ballot proceeding for 14 tracts, with a Public Hearing to be held on July 13, 2010. The following tracts are scheduled to be balloted: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. The ballot proposes an increase in the current Zone D charge to recover costs associated with landscape maintenance services. Property owners not approving the proposed charge increase for their Tract's Zone D service shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines.

Zone E is authorized to provide high-service-level parkway landscape maintenance of the extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the previously approved CPI adjustment shall be applied to the parcel charge for Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are shown on *Attachment 2* included with this staff report.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $76.)

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $66.)

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109. (Current FY 2009/10 charge is $109.)

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an annual inflation factor. The current year charges and proposed annual charges for Zone M are shown on *Attachment 3* included with this staff report.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation based on front linear footage of the properties adjacent to the improvements. The Zone S charge for FY 2010/11 is $2.80 per front linear footage, which includes the previously authorized inflation adjustment. (Current FY 2009/10 charge is $2.75 per front linear footage.)

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as collected are in compliance with Proposition 218, provided no charge increases are proposed or instituted without property owner's approval. Any future charge increases will require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings, as adopted by the City Council and the CSD Board on January 9, 2001, and amended on January 22, 2002, January 24, 2006 and March 24, 2009.

ALTERNATIVES

1. **Accept public comment** regarding the proposed FY 2010/11 CSD charges. *Although not required under Proposition 218, a Public Meeting allows property owners an opportunity to address the CSD Board regarding the continuation of the CSD annual charges.*

2. **Do not accept public comment** regarding the proposed FY 2010/11 CSD charges. *Even though a Public Meeting is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Meeting to allow the property owners an opportunity to address the CSD Board regarding the service received, the current annual CSD charges, and the proposed charges for FY 2010/11.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. The charges have been approved by the affected property owners through prior proceedings or are part of a proposed mail ballot proceeding, which may include an annual inflation factor based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A, and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S are restricted funds, which may only be used to pay for costs within each respective Zone.**

Approving charges less than that proposed by staff may require a decrease in both the level and quality of service from that provided during FY 2009/10. The service level provided shall be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE, AND CLEANLINESS

CSD landscape maintenance services help enhance community image, neighborhood pride, and cleanliness. Residential properties that have landscaped parkways and/or medians help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant material also serves in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION

The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES

Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. Maintenance as provided through the CSD of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The action before the CSD Board is to accept public comment regarding the proposed CSD charges for FY 2010/11. With the adoption of Proposition 218, state law does not mandate public hearings to consider charges already in place. However, the City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the charges. A Public Hearing is scheduled for June 8, 2010 to consider the continuation of the existing levy of annual charges on certain properties within each of the existing zones as submitted in the Annual Levy Report, unless an inflation adjustment was previously approved by a majority of affected property owners through the Proposition 218 mail ballot proceeding process. All specific actions to adopt the Resolutions for both the continuation of the existing charges and the increased charges will take place at the June 8, 2010 Public Hearing.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, with information about the May 25, 2010 Public Meeting and the June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was scheduled to be published on May 18, 2010 and is scheduled to be published on May 25, 2010.

ATTACHMENTS

Attachment 1: Zone D FY 2010/11 Proposed Charges (PG 553-556)
Attachment 2: Zone E FY 2010/11 Proposed Charges (PG 557-558)
Attachment 3: Zone M FY 2010/11 Proposed Charges (PG 559-560)

Prepared by:
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Department Head approval:
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Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
10191/18468 (3)	$69.00	$1.26	$70.26	
11848 (1)	$84.00	$1.52	$85.52	
12305	$57.00		$57.00	
12608	N/A (4)		$0.00	
12773 (6)	$80.00	$1.46	$81.46	$121.00
12902	$72.00	$1.30	$73.30	
13576/19080/19081 (3)	$32.00	$0.58	$32.58	
13585 (1)	$57.00		$57.00	
14387/12268	$57.00		$57.00	
15387 (1)	$57.00		$57.00	
15433 (1)	$90.00	$1.64	$91.64	
16768 (1)	$64.00	$1.16	$65.16	
16769	$61.00	$1.10	$62.10	
16770 (1)	$57.00		$57.00	
17033 (1)	$173.10	$3.16	$176.26	
17176 (1)	$57.00		$57.00	
17334 (1)	$345.00		$345.00	
17387 (1)	$57.00		$57.00	
17457 (1)	$79.00	$1.44	$80.44	
17867 (1)	$57.00		$57.00	
18283	$57.00		$57.00	
18512/21322 (1)	$82.00		$82.00	
18784/20906 (1)	$177.00		$177.00	
18930 (1)	$77.00		$77.00	
19032 (2)	$130.00		$130.00	
19141	$75.00	$1.36	$76.36	
19142	$57.00		$57.00	
19143 (1)	$57.00		$57.00	
19208 (1)	$74.00		$74.00	
19210 (6)	$68.00	$1.24	$69.24	$112.00
19233	$57.00		$57.00	
19363 (1)	$57.00		$57.00	
19434 (1)	$57.00		$57.00	
19474	$57.00		$57.00	
19496	$64.00	$1.16	$65.16	
19500 (1)	$73.00	$1.32	$74.32	
19509 (1)	$57.00		$57.00	
19518/18372 (1)	$57.00		$57.00	
19529	$70.00	$1.28	$71.28	
19533	$57.00		$57.00	
19541	$93.00	$1.70	$94.70	
19551 (1)	$96.00		$96.00	
19675	$80.00	$1.46	$81.46	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
19685 (1)	$70.00	$1.28	$71.28	
19799 (2)	$272.20		$272.20	
19852 (1)	$69.00		$69.00	
19862	$148.10	$2.70	$150.80	
19912	$83.00	$1.50	$84.50	
19937 (6)	$107.10	$1.94	$109.04	$157.00
19957 (2)	$69.00		$69.00	
20030 (1)	$100.10	$1.82	$101.92	
20032 (1)	$57.00		$57.00	
20072 (1)	$89.00		$89.00	
20120	$94.00	$1.72	$95.72	
20197	$57.00		$57.00	
20272 (1)	$120.10		$120.10	
20301 (1)	$57.00		$57.00	
20404 (6)	$97.00	$1.76	$98.76	$178.00
20525 (1)	$57.00		$57.00	
20552 (1)	$57.00		$57.00	
20579 (6)	$57.00/$106.10/$158.10	$7.30/$2.88	$57.00/$108.40/$160.98	$144.00
20660 (1)	$105.10	$1.92	$107.02	
20715 (1)	$94.00		$94.00	
20718 (6)	$139.10	$2.54	$141.64	$234.00
20859 (1)	$66.00		$66.00	
20869 (1)	$57.00		$57.00	
20941	$103.10	$1.88	$104.98	
21113 (6)	$57.00		$57.00	$89.00
21332 (1)	$96.00	$1.74	$97.74	
21333 (6)	$208.20	$3.80	$212.00	$345.00
21345	$114.10	$2.08	$116.18	
21597 (6)	$295.20	$5.40	$300.60	$473.00
21616 (1)	$371.00	$6.78	$377.78	
21737	$210.20	$3.84	$214.04	
21806	$69.00	$1.26	$70.26	
22093 (1)	$138.00		$138.00	
22180	N/A (4)		$247.00 (7)	
22276 (1)	$193.10		$196.62	
22277 (1)	$264.20	$4.82	$269.02	
22371	$286.20	$5.22	$291.42	
22889 (6)	$186.00	$3.40	$189.40	$313.00
22999	$67.00		$67.00	
23046 (1)	$183.00		$183.00	
24721 (1)	$57.00		$57.00	
27251-1	N/A (4)		$465.00 (7)	
27526 (1)	$160.10	$2.92	$163.02	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2009/10 Parcel Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Proposed Parcel Charges	Ballot Proceeding Public Hearing July 13, 2010
28882 (6)	$103.10	$1.88	$104.98	$179.00
29038 (1)	$60.00	$1.08	$61.08	
30027 (1)	$201.00		$201.00	
30967	$459.00	$8.38	$467.38	
31129	$81.00	$1.48	$82.48	
31257 (6)	$1,050.00	$19.20	$1,069.20	$1,414.00
31268	$181.10	$3.30	$184.40	
31269	$215.00	$3.92	$218.92	
31269-1 (6)	$295.20	$5.40	$300.60	$355.00
31284 (1)	$127.10		$127.10	
31305	N/A (4)		$496.00 (7)	
31424	$215.00	$3.92	$218.92	
31591	$454.40	$8.30	$462.70	
31618	N/A (4)		$364.00	
32005	N/A (4)		$112.00	
32018 (6)	$68.00	$1.24	$69.24	$160.00
32625	$1,000.00		$1,000.00	
32715	$303.00		$401.00 (5)	
33436	N/A (4)		$42.00 (7)	
33637	N/A (4)		$297.00 (7)	
33962	N/A (4)		$494.00 (7)	
4-Custom Home	N/A (4)		$567.00 (7)	

Total No. of Tracts = 116

(1) Tracts receiving Reduced service as provided for in the Zone D (Parkway Landscape Maintenance) Service Plan Policy (the "Zone D Policy") adopted on January 9, 2001 and amended January 22, 2002, and January 24, 2006.

(2) Tracts receiving Street Tree maintenance only as provided for in the Zone D Policy.

(3) Tracts receiving the Street Tree Program.

(4) CSD landscape maintenance on hold for fiscal year pending final acceptace of initial landscape and installation in accordance with the City's approved standards for installation of landscaping.

(5) Annual charge approved at $913. Charge adjusted based on actual cost.

(6) May be subject to a mail ballot proceeding for FY 2010/11.

(7) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.

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Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2009/10 Current Charge	FY 2010/11 1.83% CPI Adjustment	FY 2010/11 Parcel Charges in Notice
E-1	TownGate	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 34299	$56.00	$1.02	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$391.30	$7.16	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$124.10	$2.26	$126.36
		Per acre for nonresidential/undeveloped parcels	$496.40	$9.08	$505.44
		Per condo unit			
		Tract 32142	$55.00	$1.00	$56.00
		Tract 32143	$53.00	$0.96	$53.96
		Tract 32144	$53.00	$0.96	$53.96
		Tract 32145	$31.00	$0.56	$31.56
		Tract 32146	$30.00	$0.54	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00		$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00		$440.00
E-7	Centerpointe	Per acre	$667.60	$12.20	$679.80
E-8	Promontory Park	Per condo unit	$188.00		$188.00
		Per parcel	$531.00		$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00		$397.00
E-14	Mahogany Fields	Per parcel	$273.00	$4.98	$277.98
E-15	Celebration	Per parcel	$333.00		$333.00
E-16	Shadow Mountain	Per parcel	$288.00	$5.26	$293.26

ATTACHMENT 2

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ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,011.00	$2,047.80
Cactus Commerce Center (1)	24364	297-130-039	$798.00	$798.00
		297-130-041	$1,957.00	$1,957.00
		297-130-042	$1,610.00	$1,610.00
Home Depot	21504	485-220-030	$1,981.98	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$297.28	$302.72
Perris Blvd. Storage	PA02-0117	312-020-017	$1,563.56	$1,592.16
		312-020-018	$1,490.48	$1,517.74
Red Maple Center		312-020-020	$581.58	$592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,623.62	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,594.58	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$310.30	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023	$5,851.84	$5,958.92
		484-020-024	$7,152.14	$7,283.02
Moreno Valley Health, LLC	33930	297-140-049	$1,131.12	$1,151.82
		297-140-050	$1,163.16	$1,184.44
		297-140-051	$1,294.28	$1,317.96
		297-140-052	$1,023.02	$1,041.74
OPT Moreno Valley, LLC	27008	482-700-001	$381.38	$388.34
		482-700-005	$381.38	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$396.38	$403.64
Auto Detail Shop		291-191-024	$336.32	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,366.34 (3)	$14,629.24
		297-170-069	$10,657.64 (3)	$10,852.68
		297-170-071 (2)	$4,823.80 (3)	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,394.44	$1,419.96
		312-360-002	$656.26	$668.26
		312-360-003	$449.30	$457.52
		312-360-004	$1,574.84	$1,603.64
		312-360-005	$1,222.90	$1,245.28
		312-360-006	$1,979.88	$2,016.12
		312-360-007	$773.58	$787.72
		312-360-008	$729.30	$742.64
		312-360-009	$810.10	$824.92
		312-360-010	$818.94	$833.92
		312-360-011	$657.38	$669.40
Commercial Project	TPM 32961	316-210-074	$1,850.84	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	No charge in 2009/10	$2,324.04 (4)
Oakwood Apts	PA04-0010	486-070-004	$2,927.92	$2,981.50
		486-070-011	$2,927.92	$2,981.50

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Current FY 2009/10 Charge	Proposed FY 2010/11 Charge
Moreno Marketplace	PA05-0169	486-250-021	$8,002.98	$8,149.44
		486-250-024 (5)	$8,002.98	$7,867.58
		486-250-025 (5)		$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	No charge in 2009/10	$10,595.40 (4)
		488-090-037 to -040		
		488-090-043		
		488-090-047 to -057		
		488-090-064		
		488-090-071		
		488-090-073 to -074		
		488-090-076		
		488-090-082 to -085		
Condominium Complex	32756	484-030-020	$304.30	$619.72 (4)
		484-030-022	$304.30	$619.72 (4)
OMP Development	34572	297-150-055	$2,950.44	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,585.58	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$828.82	$843.98
March Graham Partners	34022	297-170-004	$3,573.56	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$508.50	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	No charge in 2009/10	$3,180.26 (4)
MV Properties	33152	297-120-002	$963.96	$981.60
		297-120-003	$697.68	$710.44
		297-120-016	$5,102.08	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,129.12	$1,149.78
		297-120-011	$1,455.44	$1,482.08
		297-120-012	$1,455.44	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	No charge in 2009/10	$7,554.16 (4)
Two-Bldg Commercial Center	PA07-0139	484-020-026 (6)	$2,763.76	$2,814.32
Highland Fairview (4)	TPM 35629	488-360-008	No charge in 2009/10	$4,152.22 (4)
		488-360-009		$3,467.92 (4)
		488-360-010		$3,467.92 (4)
		488-360-011		$6,935.84 (4)
		488-360-012		$6,620.56 (4)
		488-350-002		$17,601.72 (4)
California Drug Consultant (4)		486-280-041	No charge in 2009/10	$9,775.68 (4)
Delphinium Apartments (4)	PA04-0028	484-242-020	No charge in 2009/10	$2,986.60 (4)

(1) Cactus Commerce Center (formerly Zone E-5) was assimilated into Zone M (no change in charge amounts).
(2) Hand billed (US Post Office).
(3) Adjusted parcel charge based on acreage.
(4) The annual charge submitted to the County may be less if landscape maintenance has not been accepted.
(5) APN 486-250-023 was divided into parcels 486-250-024 and 025.
(6) APN 484-020-007 renumbered to 484-020-026.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: May 25, 2010

TITLE: Report to Consider Public Comments Regarding the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development Proposed Fiscal Year 2010/2011 Annual Rates

RECOMMENDED ACTION

Staff recommends that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance with its NPDES Permit. The requirements include a higher-level effort to

divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES Permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. City policy has been to hold a Public Meeting to allow the public opportunity to address City Council, though not required under Proposition 218.

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from Feb. 2009 – Feb. 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

2. Do not approve that the City Council hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For Fiscal Year 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For Fiscal Year 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is lower than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

The recommended action furthers City Council goals by:

- **Revenue Diversification and Preservation -** The proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

- **Public Facilities and Capital Projects -** The revenue collected from the proposed "NPDES Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to accept public comments regarding the proposed NPDES regulatory rate schedule annual rates for Fiscal Year 2010/2011. Although state law, since the adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such meetings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public. Therefore, the May 25, 2010 City Council meeting is designated as a Public Meeting for taking comments on the rates. A Public Hearing is scheduled for June 8, 2010, to consider the continuation of the existing levy of annual rates, including an adjustment for inflation on certain benefiting properties within the City as submitted in the NPDES Special Levy Report, unless previously approved by a majority of benefiting property owners through the Proposition 218 mail ballot proceeding process. Other than accepting public comments, no specific action is required of the City Council at the May 25, 2010, Public Meeting. *All specific actions to adopt the Resolution for continuation of the existing rate will take place at the June 8, 2010, Public Hearing.*

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification is scheduled to be published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Not applicable.

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: May 25, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). Options for closing this remaining $11 million gap are presented in the Deficit Reduction Plan and summarized below:

- Potential Revenue Enhancements: $288,400
- Potential Expenditure Reductions (net of Offsets): $13,845,734
- Potential Use of General Fund Reserves: $6,000,000
- Total Potential Solutions: $20,134,134

Although the dollar value of all solutions is significantly greater than the projected budgetary deficit (net of adjustments) of $11 million, it provides the City Council with a wide range of options for balancing the General Fund budget. Additionally, if the State takes actions that adversely impact the City's revenues, or should actual revenues received during FY 2010-11 be less than projected, additional solutions have already been identified that can be quickly implemented.

Staff is seeking direction from the City Council regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010, as identified in the calendar below.

Date	Meeting / Event	Action
May 11	Regular Council Meeting (Continued to May 18)	Presentation of FY 2010-11 Preliminary Base Operating Budget & Deficit Reduction Plan
May 18	Study Session	Detailed Review of Deficit Reduction Plan (DRP)
May 25	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Council Direction regarding Deficit Reduction Options
June 8	Regular Council Meeting	Continued Discussion of Operating Budget & DRP; Interim City Manager's Proposed Operating Budget
June 15	Study Session	Discussion & Direction Regarding Interim City Manager's Proposed Operating Budget
June 22	Regular Council Meeting	Adoption of FY 2010-11 Operating Budget
June 29	Special Council Meeting (if needed)	Adoption of FY 2010-11 Operating Budget (if not adopted on June 22nd)

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

On May 18, 2010, an overview of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council, followed by a detailed review of the Deficit Reduction Options contained in the Deficit Reduction Plan. City Council direction is requested regarding the Deficit Reduction Options to be implemented in order to balance the FY 2010-11 Operating Budget. After receiving this direction, the Interim City Manager will be submitting his proposed FY 2010-11 Operating Budget for the City Council's consideration on June 8, 2010. An additional Study Session is scheduled for June 15, 2010, to discuss the Interim City Manager's proposed budget-balancing scenario. Final budget deliberations and budget adoption are scheduled for June 22, 2010; with June 29, 2010 available as a back-up City Council meeting for budget adoption if needed.

NOTIFICATION

Publication of the agenda

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: May 25, 2010

TITLE: PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

RECOMMENDED ACTION

Staff recommends that the Community Redevelopment Agency of the City of Moreno Valley adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

BACKGROUND

The Moreno Valley Auto Mall is located in a specific plan area. In 1990, the development of the Moreno Valley Auto Mall was started. The Moreno Valley Auto Mall currently has six developed automobile dealerships. Over the years, the Moreno Valley Auto Mall has become a major sales tax producer for the City of Moreno Valley. In FY 2008-09, the Moreno Valley auto dealers in total produced 9.7% of the sales tax generated in the City of Moreno Valley. Please note that prior to the economic downturn, the Auto Mall actually produced 15.9% of the City's total sales tax revenue in FY 2006-07.

While still being major sales tax producers, the auto dealers at the Auto Mall have struggled for the past few years because of the challenging economic times. Clearly, this is not a unique situation facing just Moreno Valley, but the auto industry in general. The federal government has provided the major car manufacturers with massive loans and both General Motors and Chrysler have been involved in bankruptcy proceedings. Unfortunately, in November 2009, the Moreno Valley Buick/GMC dealership closed and went out of business. The owner actually has closed all of its seven dealerships in Southern California. The loss of this dealership not only reduces sales tax revenue for the City, but also caused the loss of 45 jobs.

DISCUSSION

Moss Bros. Autogroup is a respected and experienced automobile dealer. Moss Bros. Autogroup presently has operations in Moreno Valley, San Bernardino and Riverside. At the Moreno Valley Auto Mall, Moss operates four dealerships Toyota/Scion, Toyota Trucks, Honda and Chrysler/Jeep/Dodge/RAM Trucks. After Moss acquired the four dealerships in January 2006, auto sales and the resulting sales tax revenue for the City of Moreno Valley increased significantly. In fact, after two years of operation, the Moss dealerships increased sales tax revenue for each of its dealerships on average by 14% to 20%. In FY 2008-09, the four Moss Bros. dealerships produced 73.2% of the sales tax revenue produced by the dealers in the Moreno Valley Auto Mall. Clearly, Moss Bros. Autogroup is a major contributor to the Moreno Valley Auto Mall.

Moss Bros. Autogroup is working on a number of efforts to enhance doing business at the Moreno Valley Auto Mall, as well as being a catalyst to enhancing the overall effectiveness of the Auto Mall. Presently, Moss is pursuing the acquisition of the Moreno Valley Chevrolet and Moreno Valley Buick/GMC dealerships. Presently, Moss has options executed and Asset Purchase Agreements negotiated to acquire these two dealerships pending approval by General Motors. Additionally, Moss is working on plans to gain factory authorization for the expansion and modernization of the Toyota/Scion, Honda and Chrysler/Jeep/Dodge/RAM Trucks operations. Furthermore, Moss has discussions underway to possibly acquire additional factory-authorized automobile dealerships that would be new to the Auto Mall. Moss also has plans to significantly enhance advertising efforts of the Moss brands, along with better marketing of the Moreno Valley Auto Mall.

To assist in the various transactions identified above, as well as help stimulate the local economy and address the goals and obligations of the Redevelopment Agency, staff is recommending the use of a Participation Agreement. To help establish a contractual relationship between the Redevelopment Agency and Moss Bros. Autogroup, the RDA's Special Legal Counsel has drafted a Participation Agreement which provides the following major business points.

- Moss shall use commercially reasonable efforts to re-establish automobile dealerships for GMC/Buick, as well as continue operation of a Chevrolet dealership at the Moreno Valley Auto Mall.

- Moss shall use commercially reasonable efforts to expand its existing dealership operations (Toyota, Honda and Chrysler/Jeep/Dodge/RAM Trucks, as well as pursue opportunities for adding new factory-authorized automobile dealerships to the Moreno Valley Auto Mall.

- Moss shall agree to establishing and maintaining the City of Moreno Valley as a point-of-sale for its sales of Toyota, Scion, Honda, Chrysler/Jeep, Dodge, RAM Trucks, Chevrolet, GMC, Buick and any other factory-authorized automobile sales at the Moreno Valley Auto Mall.

- Moss shall receive both an Initial Payment and Final Payment in the amounts of $250,000 or an amount equal to 20% of the City's share of sales produced by Moss operated dealerships on an annual basis, whichever is lesser.

ALTERNATIVES

1. Approve the Participation Agreement with Moss Bros. Autogroup.

2. Reject or pursue modifications in the terms of the Participation Agreement. Supporting this alternative would hinder the proposed transactions planned for the Moreno Valley Auto Mall.

FISCAL IMPACT

The planned projects being pursued by Moss Bros. Autogroup are envisioned to enhance the overall effectiveness of the Moreno Valley Auto Mall, including producing increased sales tax revenue for the City, along with new employment opportunities. The investment on the part of the City and its Redevelopment Agency through the two payments to Moss shall be made by the Redevelopment Agency through funding made available by the City's General Fund through sales tax revenue.

ATTACHMENTS

ATTACHMENT 1: Participation Agreement (PG 577-602)
ATTACHMENT 2: Resolution of the Community Redevelopment Agency of the City of Moreno Valley (PG603-604)

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Attachment No. 1 Site Plan
Attachment No. 2 Operator Certificate

PARTICIPATION AGREEMENT

By and Between the

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

and

MOSS BROS. AUTOGROUP
a California corporation

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of May 20, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public body, corporate and politic (the "Agency"), and **MOSS BROS. AUTOGROUP,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. The Operator and the Agency desire that the Operator operate a factory-authorized automobile sales and servicing facilities within the project area (the "Project Area") as heretofore established by the adoption of the Redevelopment Plan for the Moreno Valley Redevelopment Project (the "Redevelopment Project") operating under the trade name Moss Bros.

B. Operator through the operation of such use within the Project Area will help stimulate the local economy and address the goals and obligations of the Redevelopment Plan.

C. The Agency, in conjunction with the City of Moreno Valley, a municipal corporation (the "City") has previously established an area (located within the Project Area) devoted to motor vehicle dealerships, which included area is known as the Moreno Valley Auto Mall (the "Auto Mall").

D. Operator is operating and, subject to the provisions of this Agreement, commits to continue to operate factory-authorized automobile dealerships for Honda ("Honda Dealership"), Toyota ("Toyota Dealership"), Scion ("Scion Dealership"), Dodge ("Dodge Dealership"), Chrysler ("Chrysler Dealership"), Jeep ("Jeep Dealership")(collectively, the "Existing Dealerships") and to use commercially reasonable efforts to re-establish truck and automobile dealerships, for GMC/Buick (the "GMC/Buick Dealership") and continue operation of a Chevrolet dealership (the "Chevrolet Dealership") within the Auto Mall.

E. Operator has options to acquire ownership of sites within the Auto Mall which it deems suitable for operation of the GMC/Buick Dealership (the "GMC/Buick Site") and the Chevrolet Dealership (the "Chevrolet Site" and, together with the GMC/Buick Site, the "Designated Sites").

F. Operator is in negotiations to acquire additional automobile dealerships and agrees to use commercially reasonable efforts to attract, open and operate motor vehicle dealerships within the Auto Mall for products not represented (as new automobile dealerships) in the Auto Mall as of the Date of Agreement.

G. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws, including the creation of jobs within the City.

NOW, THEREFORE, the Agency and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Sites or any other properties owned by the Operator or a Related Person within the Auto Mall, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of Operator or Agency, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the Agency and the Operator.

"Auto Mall" is defined in Recital C, above.

"*Auto Mall Special Taxes*" means special taxes imposed by the City or the governing board for Community Facilities District No. 3 as heretofore established by the City.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"City Share" means an amount equal to the lesser of: (i) one percent of the total sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person; or (ii) that amount which the City receives as its share of sales tax under the pursuant to the Bradley Burns Uniform Sales Tax Law, California Revenue and Taxation Code Section 7200, et seq., as a result of the sales of motor vehicles and parts which occurs in the Auto Mall directly generated by the conduct of Conforming Activities by the Operator or a Related Person.

"*Conditions Precedent to Final Payment*" is defined in Section 404 hereof.

"*Conditions Precedent to Initial Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of an automobile sales and service facility (which may include body shop, parts sales and related activities) for Conforming Vehicles under the trade name Moss Bros.

"*Conforming Vehicles*" means motor vehicles sold under authorization of the corresponding manufacturer and marketed under the trade names Honda, Toyota, Scion, Dodge, Chrysler, Jeep, Chevrolet and other motor vehicle product lines that may, through Operator's efforts, come to be located in the Auto Mall, but excluding any such product lines for which dealerships cease to be available at the Auto Mall as a result of (a) manufacturer dealership reductions; (b) bankruptcy or other insolvency of the manufacturer; or (c) other conditions over which Operator has no substantial control, despite its commercially reasonable efforts.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" is defined in the first paragraph of this Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Sites*" means the GMC/Buick Site and the Chevrolet Site.

"*Designated Trade Name*" means "Moss GMC", "Moss Buick", "Moss Honda", "Moss Toyota", "Moss Dodge" "Moss Chrysler", "Moss Jeep", "Moss Scion", "Moss Chevrolet" or any other trade name that is approved by the Agency in its reasonable discretion.

"*Executive Director*" means the Executive Director of the Agency (or the Interim Executive Director of the Agency) or his designee.

"*Fee Condition*" is defined in Section 401.2.

"*Final Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Second Year.

"*Fiscal Year*" or, unless the context otherwise requires "*Year*" means a period commencing as of July 1 and ending as of June 30 of the immediately following calendar year.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Auto Mall is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Auto Mall.

"*Improvements*" means all improvements present on the Designated Sites or any and all properties owned by the Operator or any Related Person as of the Date of Agreement or thereafter undertaken on the Designated Sites or any property owned by the Operator or a Related Person within the Auto Mall.

"*Initial Payment Amount*" means an amount equal to the lesser of: (i) the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) or (ii) an amount equal to twenty percent (20%) of the City Share for the Initial Year.

"*Initial Year*" means the period commencing as of September 1, 2010 and ending as of August 31, 2011.

"*Municipal Code*" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"*Operating Covenant Period*" means a period commencing as of the Date of Agreement and ending as of August 31, 2012.

"*Operator*" means Moss Bros. Autogroup, a California corporation.

"*Operator Certificate*" means Attachment No. 2 to this Agreement.

"*Performance Conditions*" means all of the following: the Sales Tax Condition; the Fee Condition; the Indemnification Condition; the Certificate Condition; the Electrical Service Condition; the Property and Sales Tax Condition; and the Continuous Operation Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"*Point of Sale*" means that situs which is treated by the California Franchise Tax Board as the point of sale for a business.

"*Property and Special Tax Condition*" means that Operator shall have timely paid in full when due all amounts payable as property taxes, assessments, City fees or special taxes (including all Auto Mall Special Taxes imposed with respect to land owned by the Operator or any Related Person within the Auto Mall) during the corresponding Fiscal Year.

"*Related Person*" means any entity in which an ownership interest is held by the Operator or any business in which an ownership interest is held by a person who, as of the Date of Agreement, is an officer, shareholder or owner of the Operator.

"*Second Year*" means the Fiscal Year beginning as of September 1, 2011 and ending as of August 31, 2012.

200. REPRESENTATIONS AND WARRANTIES.

201. **Agency Representations.** Agency represents and warrants to Operator as follows:

(a) **Authority**. Agency is a public body, corporate and politic organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of its governing board. The Agency has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by Agency has been fully authorized by all requisite actions on the part of Agency. The parties who have executed this Agreement on behalf of Agency are authorized to bind Agency by their signatures hereto.

(b) **No Conflict**. To the best of Agency's knowledge, Agency's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Agency is a party or by which it is bound.

(c) **No Agency Bankruptcy**. Agency is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to Agency as follows:

(a) **Authority**. Operator is a duly organized California corporation that is doing business in California, is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase and accept possession of property within the Project Area, including the Auto Mall and undertake all obligations as provided herein and the execution, performance and delivery of this

Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of property within the Auto Mall or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of motor vehicle sales and servicing facilities under manufacturer authorization, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations and all applicable requirements of the corresponding manufacturers pertaining to the operation of Conforming Activities under this Agreement.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to Agency), indemnify and save and hold harmless each of Agency, City and their respective officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or employed by Operator with respect to property within the Auto Mall; or (v) Operator's ownership, occupancy or use of the Designated Sites or any other property within the Auto Mall. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the Agency has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the Agency immediately upon written demand for all costs reasonably incurred by the Agency (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of Agency or City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the Agency's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this

Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which each of Agency and City is indemnified under this Agreement.

The Operator shall indemnify each of the Agency and the City from any real estate commissions or brokerage fees which may arise from this Agreement, the Designated Sites or any other property within the Auto Mall. The Operator agrees to hold each of Agency and City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator, the Designated Sites and any other property within the Auto Mall.

Operator agrees that no displacement of another person or business shall be effected in connection with the establishment, continuation or expansion of its activities at the Designated Sites or otherwise within the Auto Mall. Operator agrees to and shall defend, indemnify and hold harmless each of Agency and City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Sites or the remainder of the Auto Mall occurring prior to approval of this Agreement.

302. **Compliance With Laws**. Operator shall carry out the conduct of uses on the Designated Sites or otherwise within the Auto Mall in conformity with all applicable laws, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.*, Government Code Section 4450, *et seq.*, Government Code Section 11135, *et seq.*, and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq*, and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The Agency makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify each of Agency and City for any liability associated with the payment of prevailing wages for any work on the Designated Sites or otherwise within the Auto Mall.

The Operator does hereby and shall indemnify and hold each of Agency and City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Agency or City with respect to or in any way arising from Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720.

The Operator is under no obligation to construct or otherwise develop improvements on the Designated Sites or otherwise within the Auto Mall and is not obligated to apply all or any portion of the Initial Payment Amount or Final Payment Amount toward any such development or construction. The Operator intends, through the construct of uses on the Designated Sites and otherwise within the Auto Mall, to create jobs for the benefit of the City.

303. **Insurance**. Prior to the disbursement of any moneys by the Agency to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense the following policies of insurance in form and substance reasonably satisfactory to the Agency:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Sites or other

property within the Auto Mall (to be in effect only while work is being performed on the Designated Sites or at another location within the Auto Mall);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Sites or improvements owned by the Operator or a Related Person otherwise located within the Auto Mall in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Auto Mall is located (including loss by flood if the Auto Mall is in an area designated as subject to the danger of flood);

(iii) public liability insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in amounts reasonably required by the Executive Director from time to time, and in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to Agency. The policies required under subparagraph (b) shall show each of Agency and City as an additional insured and loss payee. Each of Agency and City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by Agency) and endorsements shall be delivered to Agency from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to Agency evidence of renewal or replacement of such policy reasonably satisfactory to the Executive Director.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by Agency or City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of each of Agency and City. All policies shall be written by good and solvent insurers qualified to do business in California. The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator, and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against each of Agency or City (or any officer, employee, agent or representative of Agency or City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry,

national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay prior to delinquency all ad valorem real estate taxes and assessments on any and all property owned by Operator or a Related Person within the Auto Mall. Operator shall remove or have removed any levy or attachment made on any such property, or part thereof, which is owned or leased by Operator (or any Related Person), or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless each of Agency and City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties in connection with (a) activities undertaken by the Operator or (b) the Auto Mall.

400. CONSIDERATION FOR AGREEMENT; AGENCY PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the Agency to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Initial Payment by the respective time established therefor in Section 402 and to satisfy the Conditions Precedent to Final Payment by the time established therefor in Section 403. Operator shall also satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The Operator further agrees to operate, maintain and use any and all property owned by the Operator or any Related Person within the Auto Mall in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Initial Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the Executive Director, Agency will disburse to Operator the Initial Payment Amount. The Operator agrees to expend the Initial Payment Amount for expenses arising in connection with the operation of Conforming Activities within the Auto Mall.

Provided that the Conditions Precedent to Final Payment have been and remain satisfied, the Agency shall make one final payment to the Operator (of the Final Payment Amount) within thirty (30) days after receipt of the Operator Certificate following conclusion of the Second Year. Times for payment shall be extended for a reasonable time in order for the Agency to confirm compliance with all conditions to payment. No interest shall accrue on any such amounts.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities (including the Existing Dealerships) commencing as of the Date of Agreement and continuing throughout the Operating Covenant Period. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) treating the Auto Mall (or portions thereof) as point of sale for all taxable sales made by the Operator within the Auto Mall (the "Sales Tax Condition") as reflected in the reports of the Operator to the State Board of Equalization (which reports shall be made available by Operator to City and, to the extent permitted by law, to Agency); (iii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming

Activities (the "Fee Condition"); (iv) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (v) Operator shall use electrical services made available by the City (the "Electrical Service Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Operating Covenant Period, and during such period shall provide such additional information with respect to any of such matters as the Executive Director or his designee shall determine to be necessary or covenant in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **Conditions Precedent to Initial Payment**. The Agency shall not be obligated to make the disbursement of the Initial Amount unless all of the following conditions precedent have been and remain satisfied as of September 1, 2011:

(a) the Operator provides to the Executive Director evidence satisfactory to the Executive Director that: (i) Operator is engaged in the operation of Conforming Activities within the Auto Mall, including the sale of new motor vehicles under authorization therefor by the corresponding manufacturers and sale of new motor vehicles for each of the Existing Dealerships; (ii) Operator owns property within the Auto Mall at which Conforming Activities are being conducted; and (iii) Operator has made commercially reasonable efforts to secure commitments for the establishment of factory-authorized dealerships within the Auto Mall for product lines not represented in the Auto Mall as of the Date of Agreement;

(b) the Operator provides evidence satisfactory to the Executive Director that all properties within the Auto Mall owned by the Operator or a Related Person shall be and remain the Point of Sale for sales of Conforming Vehicles by the Operator;

(c) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions (except with respect to the Initial Payment Amount);

(d) after September 1, 2011 but on or before October 1, 2011, Operator has executed and delivered to the Executive Director an Operator Certificate for the Initial Year, duly executed with the attachments as prescribed by this Agreement;

(e) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(f) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(g) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Initial Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on all property (other than a vacant lot currently owned by the Operator and designated as Assessor Parcel No. 477-130-020 -- "Vacant Lot") owned by the Operator and/or a Related person within the Auto Mall during the Operating Covenant Period, or if this Agreement is terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

403. **Conditions Precedent to Final Payment**. The Agency shall not be obligated to make disbursement of the Final Payment unless all of the following conditions precedent have been and remain satisfied as of September 1, 2012:

(a) Each of the Conditions to Initial Payment has been and remains satisfied;

(b) the Operator provides evidence satisfactory that demonstrates that Operator has made commercially reasonable efforts to attract, open and operate motor vehicle dealerships for products not represented in the Auto Mall as of the Date of Agreement;

(c) the Operator provides evidence satisfactory to the Executive Director that the Conforming Activities are being conducted on any and all property (except the Vacant Lot) owned by the Operator or any Related Person within the Auto Mall (except the Vacant Lot) and that all properties owned by the Operator or any Related Person within the Auto Mall are being maintained as Point of Sale in accordance with the terms of this Agreement;

(d) the Operator remakes (prior to each payment) its covenant to operate and shall have satisfied the Performance Conditions;

(e) after September 1, 2012 but on or before October 1, 2012, Operator has executed and delivered to the Executive Director an Operator Certificate for the Second Year, duly executed and with the attachments prescribed pursuant to this Agreement;

(f) all property taxes, assessments, business license fees, City fees and special taxes for or with respect to any and all property within the Auto Mall that is owned by the Operator or a Related Person have been paid and are not delinquent;

(g) there exists no Default, as defined in Section 601 of this Agreement, or event, or omission which would constitute a Default after notice or lapse of time, or both; and

(h) the Operator has delivered to Agency all documents, instruments, policies, and forms of evidence or other materials required to be provided to Agency hereunder and as may be reasonably requested by Agency under the terms of this Agreement.

The foregoing conditions lettered (a) to (h), inclusive, shall collectively constitute the "Conditions Precedent to Final Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities within the Auto Mall throughout the Operating Covenant Period, or if this Agreement is

terminated by the Agency based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the Agency pursuant to Section 402 of this Agreement.

404. **Brokers**. The Agency shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator is a business specializing in the sale and servicing of new automobiles under factory authorization as a franchised dealer of such products. The Operator shall sell Conforming Vehicles within the Auto Mall and continue the operation of the Existing Dealerships and conduct related and ancillary activities including the servicing and repair of automobiles. The Operator shall operate within the Auto Mall only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote all property owned by the Operator or any Related Person within the Auto Mall to the uses specified in this Section 501 of this Agreement; (ii) operate on any and all property owned by the Operator or any Related Person within the Auto Mall a business or businesses devoted to the operation of Conforming Activities under the Designated Trade Names; (iii) operate within the Auto Mall the Existing Dealerships; and (iv) execute and deliver to the Agency an Operator Certificate prior to each payment by the Agency.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws. The Operator covenants to operate within the Auto Mall only Conforming Activities for a period of not less than the Operating Covenant Period; this covenant is made for the benefit of the Agency. Operator shall remake this covenant prior to each payment by the Agency and thereafter annually during the Operating Covenant Period.

In addition, continuing throughout the remainder of the Operating Covenant Period, all uses conducted on any and all property owned by the Operator or any Related Person within the Auto Mall, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to all properties owned by Operator and/or a Related Person within the Auto Mall, or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain any and all properties (except the Vacant Lot) owned by Operator or any Related Person within the Auto Mall and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws.

(b) To maintain the improvements and landscaping on any and all properties owned by Operator or any Related Person within the Auto Mall in conformity to all applicable laws and to keep all such properties free from any accumulation of debris and waste

materials.

(c) To operate on any and all properties owned by Operator or any Related Person within the Auto Mall only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the Agency shall be suspension or at Agency's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement unless the Agency fails to make a payment required pursuant to this Agreement upon satisfaction by Operator of the conditions precedent to such payment. Upon the Agency's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the Agency. From the date of Notice of Termination of this Agreement by Operator to the Agency and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by Agency**. In the event that, prior to the time established in Section 402 for the satisfaction of the Conditions Precedent to Initial Payment or Section 403 for the satisfaction of the Conditions Precedent to Final Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to any and all properties owned by Operator or any Related Person within the Auto Mall in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment and such failure is not caused by Agency; or

(c) On or before the ninetieth day after the Date of Agreement, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of Agency, be terminated by Agency by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by Agency to the Operator and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the Agency, service of process on the Agency shall be made by personal service upon the Agency Secretary or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To Agency:	Community Redevelopment Agency of the City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Moss Bros. Autogroup Attention: Glenn L. Moss, Sr. 8146 Auto Drive Riverside, California 92504

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of Agency and Operator. The Executive Director shall have the authority to approve on behalf of Agency, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to operate Conforming Activities; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with Agency as to other properties; provided, however, that a unilateral manufacturer reduction in dealerships, election by a vehicle manufacturer to discontinue a product line and/or the bankruptcy or other insolvency of a vehicle manufacturer shall not constitute a default by the Operator hereunder.

703. **Transfers of Interest in Agreement or of Designated Sites and Other Properties**. The qualifications and identity of the Operator are of particular concern to the Agency. It is because of those qualifications and identity that the Agency has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Sites or any of the other properties owned by Operator or any Related Person within the Auto Mall or the improvements thereon without prior written approval of Agency, except as

expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the Agency, the sole remedy of the Agency shall be suspension or at Agency's election termination of payments otherwise required to be made by Agency pursuant to this Agreement. Notwithstanding the foregoing, transfers of interests by the Operator of some or all of the Designated Sites or any of the other properties owned by Operator to a Related Person will not constitute a default pursuant to this Section 703.

704. **Provision of Information; Inspection of Books and Records**. The Agency shall have the right at all reasonable times during the Operating Covenant Period to engage third parties to inspect the books and records of the Operator pertaining to the collection and payment of sales taxes in connection with the purchase and sale of products as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the Agency as deemed necessary by the Agency, at least annually and additional upon request therefor by the Agency, to verify compliance with the terms of this Agreement. The Agency shall, subject to applicable statutes, use reasonable efforts to maintain the confidentiality of any such books and records and will take all steps necessary to assure that such books and records do not become public records or otherwise become discoverable by or subject to disclosure to the public.

705. **Non-Liability of Officials and Employees of Agency**. No member, official, officer or employee of the Agency shall be personally liable to the Operator, or any successor in interest, in the event of any Default or breach by the Agency or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between Agency and Operator**. It is hereby acknowledged that the relationship between the Agency and the Operator is not that of a partnership or joint venture and that Agency and the Operator shall not be deemed or construed for any purpose to be the agent of the other. Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the Agency shall not have any rights, powers, duties or obligations with respect to the Designated Sites or other properties owned by the Operator or Related Persons within the Auto Mall.

707. **Agency Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the Agency, the Executive Director is authorized to act on behalf of the Agency unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 2, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the Agency and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by Agency**. This Agreement, when executed by the Operator and delivered to Agency, must be authorized, executed and delivered by the Agency on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries Except for City**. The City will receive substantial sales tax revenues from the operation of automobile dealerships within the Moreno Valley Auto Center; the City shall be a third party beneficiary of this Agreement. Except with respect to the City, nothing herein is intended to create any third party beneficiaries to this Agreement (excepting, as noted above, the City), and no person or entity other than the Agency, the City and the Operator, and the permitted successors and assigns of either of the Agency and the Operator, shall be authorized to enforce the provisions of this Agreement.

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SIGNATURE PAGE FOLLOWS

WITNESS WHEREOF, the Agency and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

AGENCY:

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body, corporate and politic

By:_____
Interim Executive Director

ATTEST:

_____
Agency Secretary

OPERATOR:

MOSS BROS. AUTOGROUP, a California corporation

By:_____
Name: Glenn L. Moss, Sr.
Its: President / CEO

ATTACHMENT NO. 1

SITE PLAN

ATTACHMENT NO. 2

OPERATOR CERTIFICATE

(Operator Letterhead)
Community Redevelopment Agency of the City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Date of Operator Certificate: August 1, 201_

Attn: Executive Director

With respect to that certain Participation Agreement (the "Agreement") by Moss Bros. Autogroup, a California corporation (the "Operator") and the Community Redevelopment Agency of the City of Moreno Valley, a public body, corporate and politic (the "Agency") dated as of May 20, 2010, the undersigned, on behalf of the Operator, hereby certify to Agency that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the Agency, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Sales Tax Condition; the Fee Condition; the Continuous Operation Condition; the Electrical Service Condition; the Property and Special Tax Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to any and all properties owned by Operator or any Related Person within the Auto Mall, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation, doing business in the State of California.

8. Operator remakes to Agency each and every representation and/or warranty made to Agency under the Agreement.

Exhibit "A" to Attachment No. 2

9. A report setting forth in detail the efforts of the Operator to secure commitments for the establishment of factory-authorized dealerships within the Moreno Valley Auto Center for product lines not represented in the Moreno Valley Auto Center as of the Date of Agreement is enclosed herewith and is deemed to constitute part of this Operator Certificate.

Operator executes this Operator Certificate for the benefit and protection of the Agency with full knowledge that the Agency is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

MOSS BROS. AUTOGROUP, a California corporation

Dated: April 28, 2010

Its: President / CEO

Exhibit "A" to Attachment No. 2

EXHIBIT "A" TO OPERATOR CERTIFICATE

[to come]

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MV00059740

RESOLUTION NO. RDA 2010-02

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AND AUTHORIZING A PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP

WHEREAS, the Agency Board of the Community Redevelopment Agency of the City of Moreno Valley (the "RDA") wishes to work with Moss Bros. Autogroup ("Moss") to enhance the effectiveness of the Moreno Valley Auto Mall ('the Auto Mall") in Moreno Valley; and

WHEREAS, in furtherance of the goals and objectives of the RDA Plan at the Auto Mall, will both maintain and create new jobs; and

WHEREAS, the RDA is authorized to undertake activities and expend monies pursuant to and in implementation of the RDA Plan; and

WHEREAS, the enhancement of the Auto Mall will help stimulate the local economy and meet the objectives of the RDA Plan and the City of Moreno Valley's economic development efforts; and

WHEREAS, the operations as required to be accomplished under the Participation Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents and in accord with public purposes and provisions of applicable federal, state and local laws;

NOW, THEREFORE, THE AGENCY BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

Section 1. Each of the above recitals is true and correct and therefore adopted by the Legislative Body.

Section 2. The Agency Board authorizes the Executive Director to enter into a Participation Agreement with Moss Bros. Autogroup, a California corporation, in substantial conformance with the Participation Agreement attached to this resolution.

Section 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 25th day of May, 2010.

_____
Chairperson

ATTEST:

_____
Agency

APPROVED AS TO FORM:

_____
Agency Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

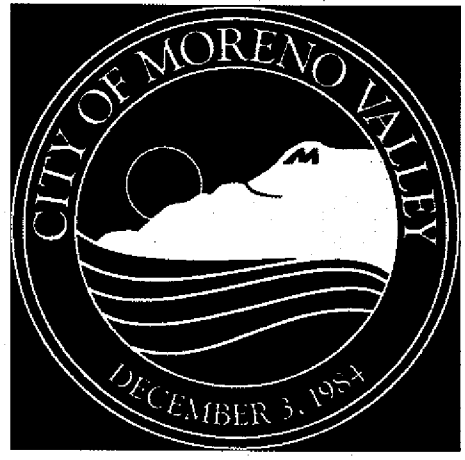

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00059748

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00059750

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00059752

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS
FY 2009-2010

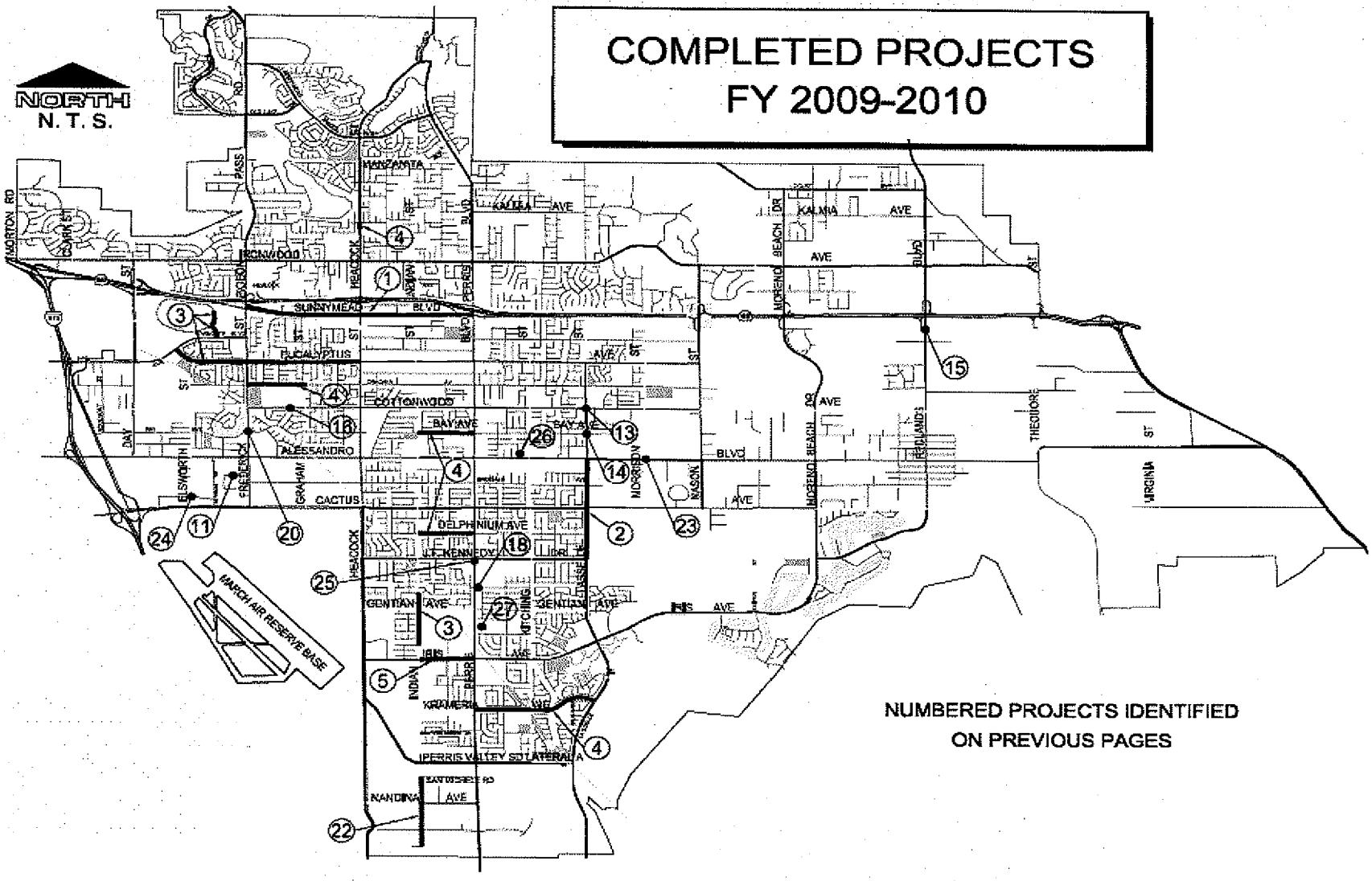

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

Completed Projects FY 2009-2010

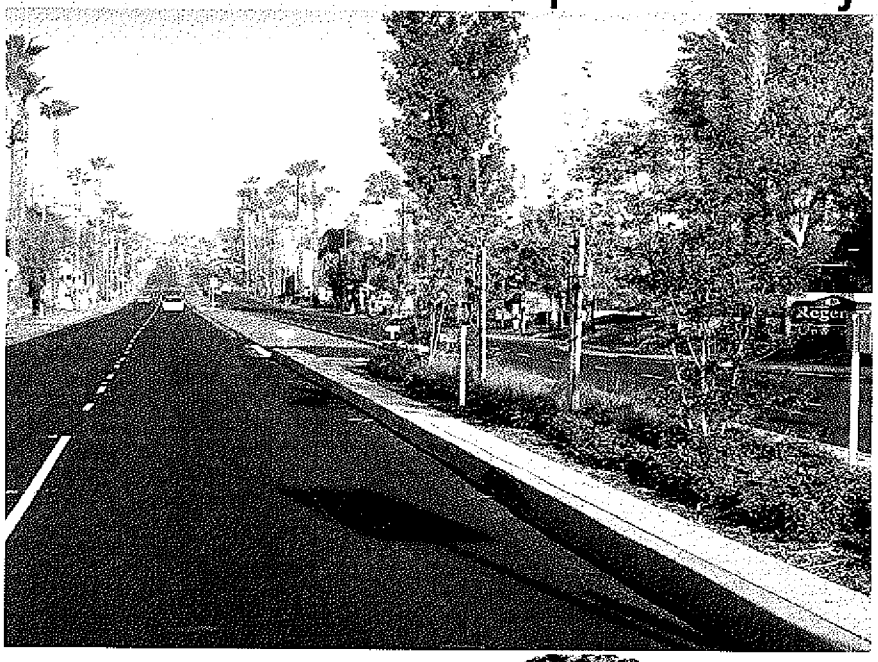

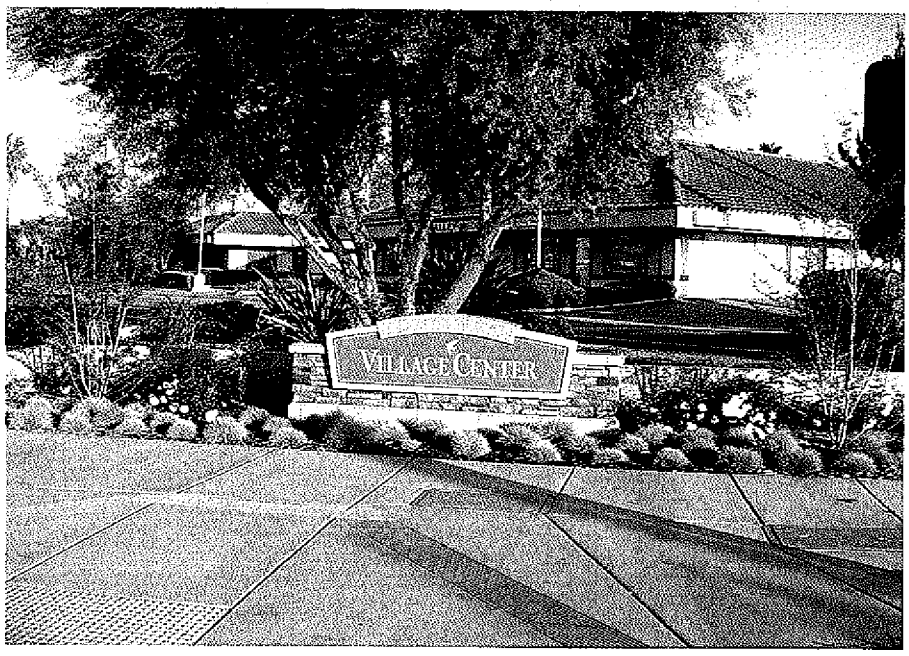

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

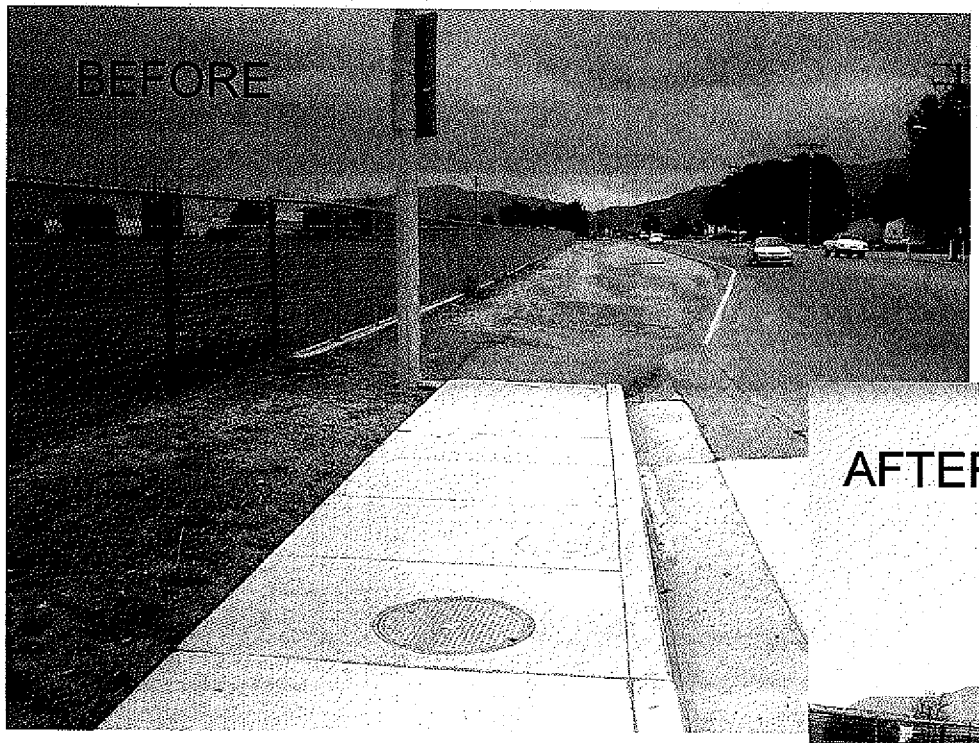

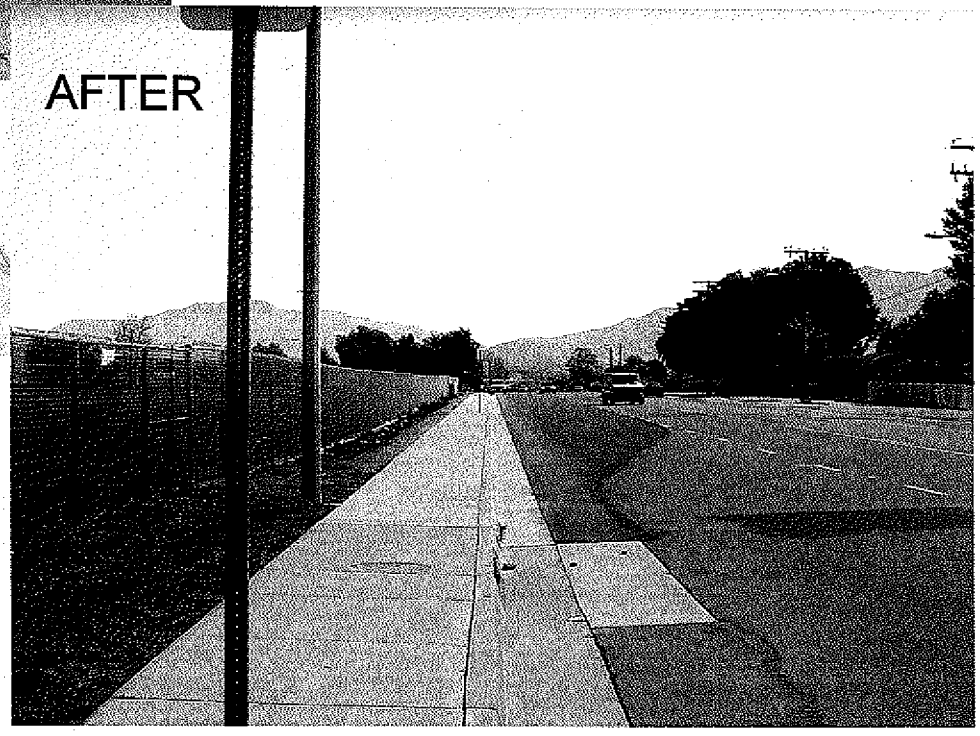

Iris Avenue from Indian Street to Perris Boulevard

MV00059756

Completed Projects FY 2009-2010

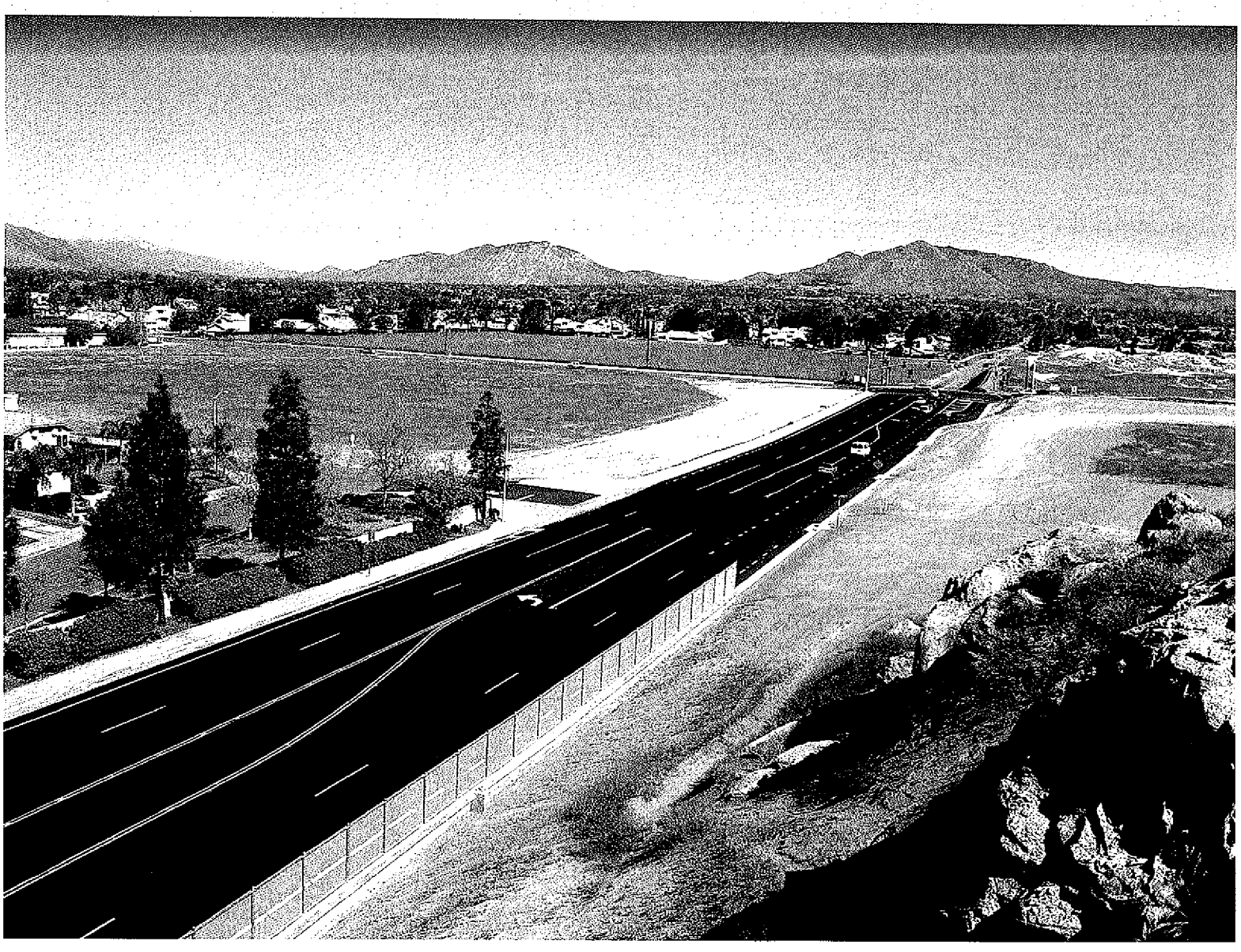

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

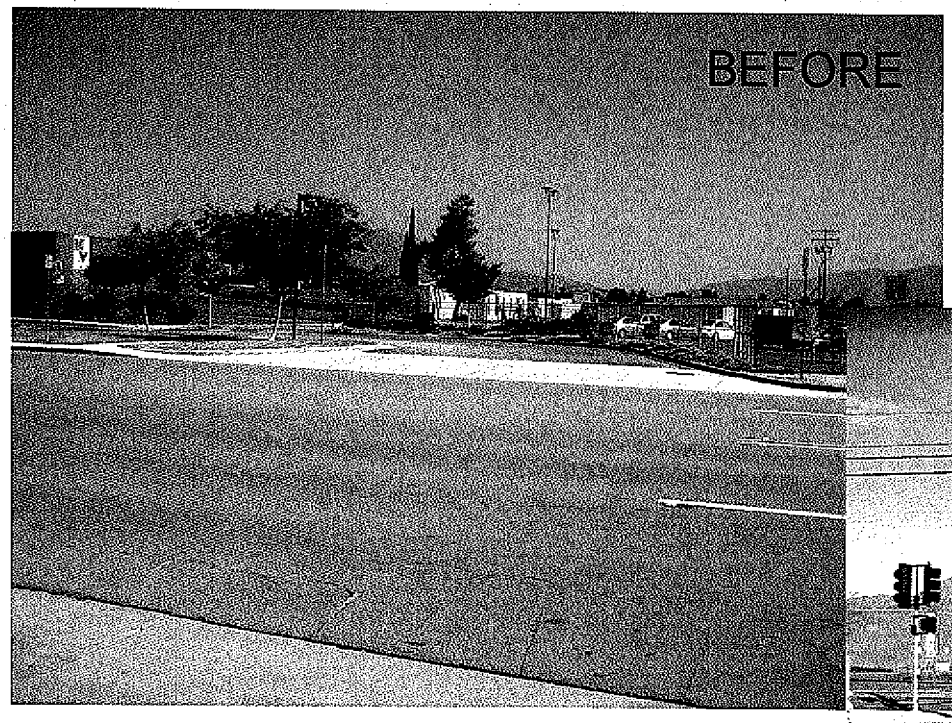

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00059758

Completed Projects FY 2009-2010

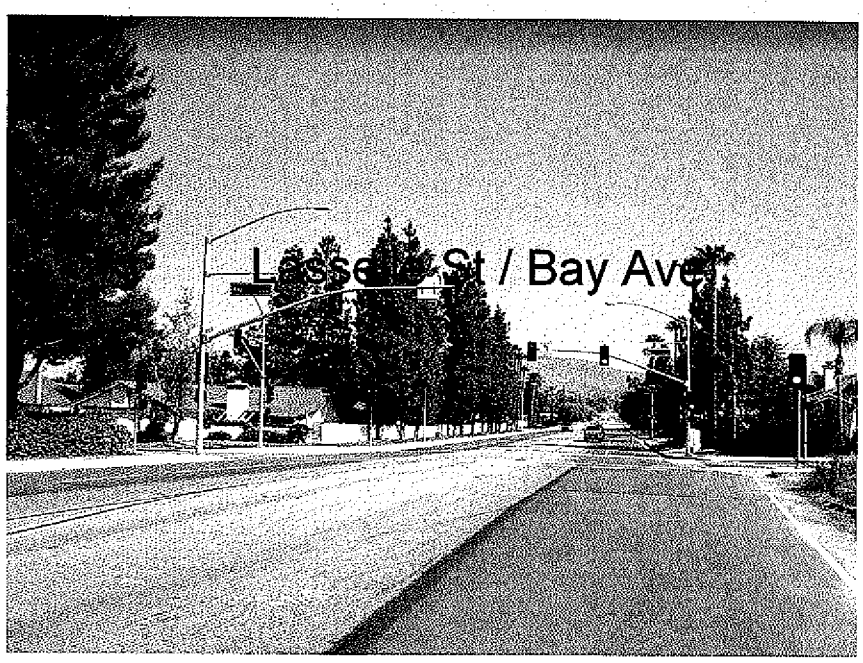

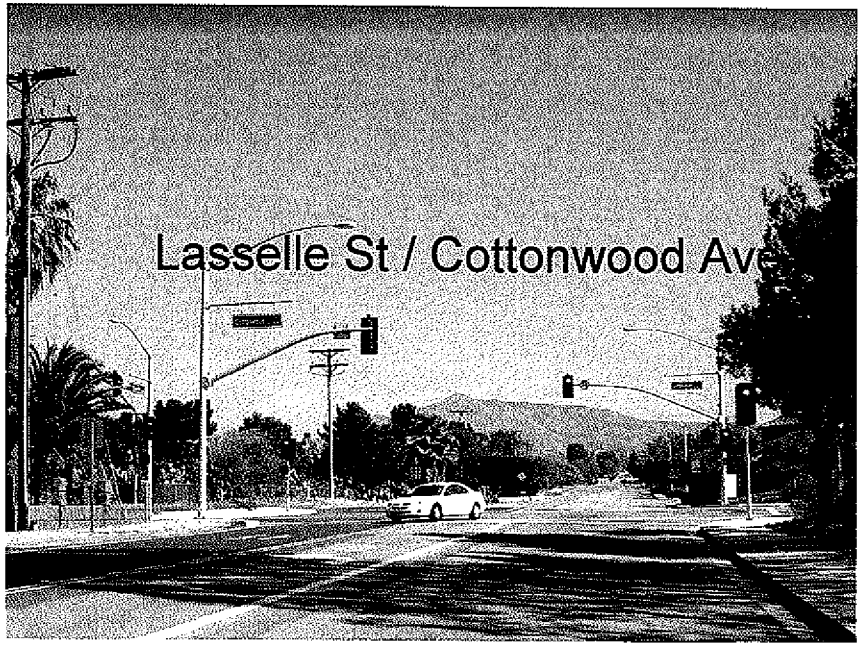

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

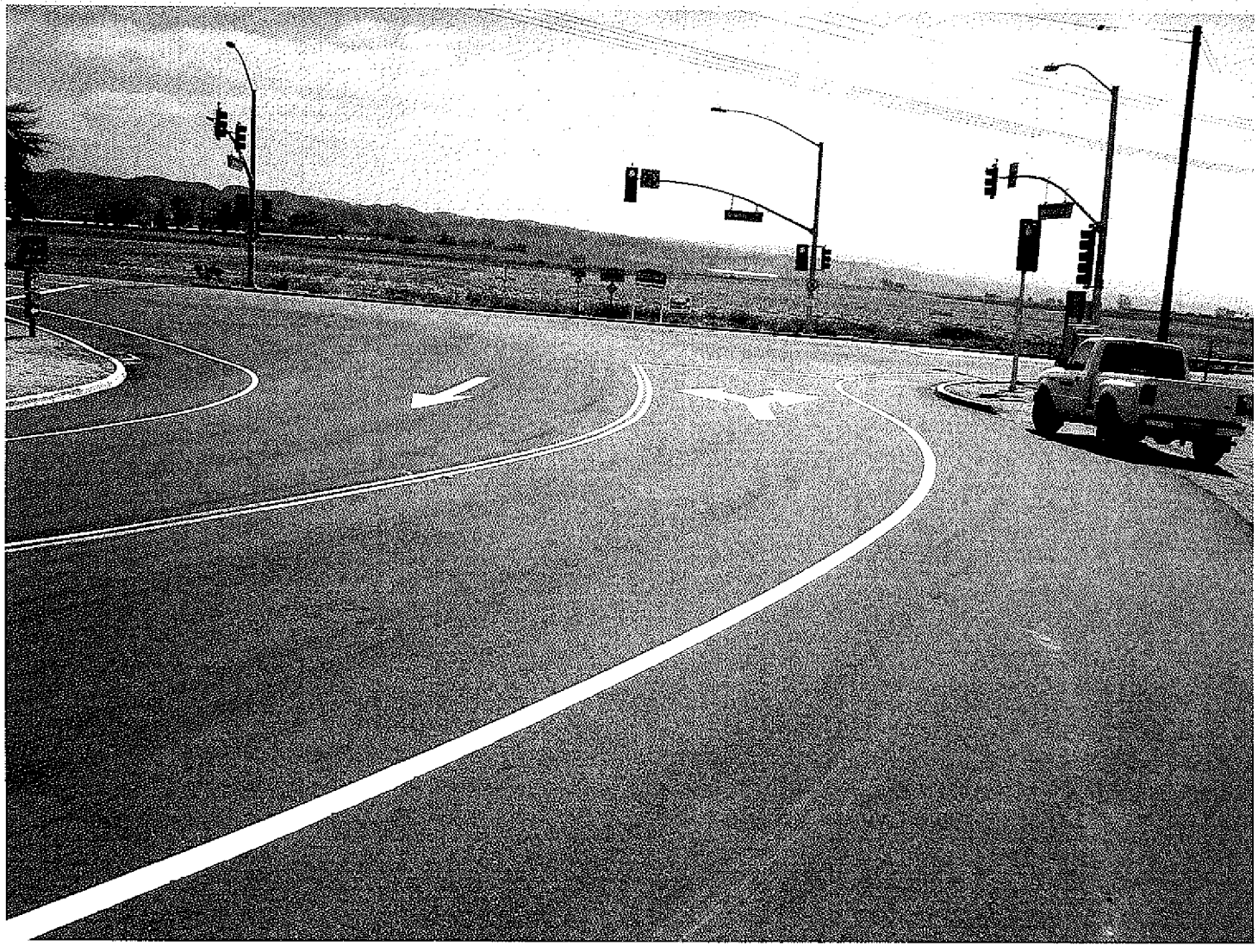

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

MV00059760

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00059762

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00059764

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00059766

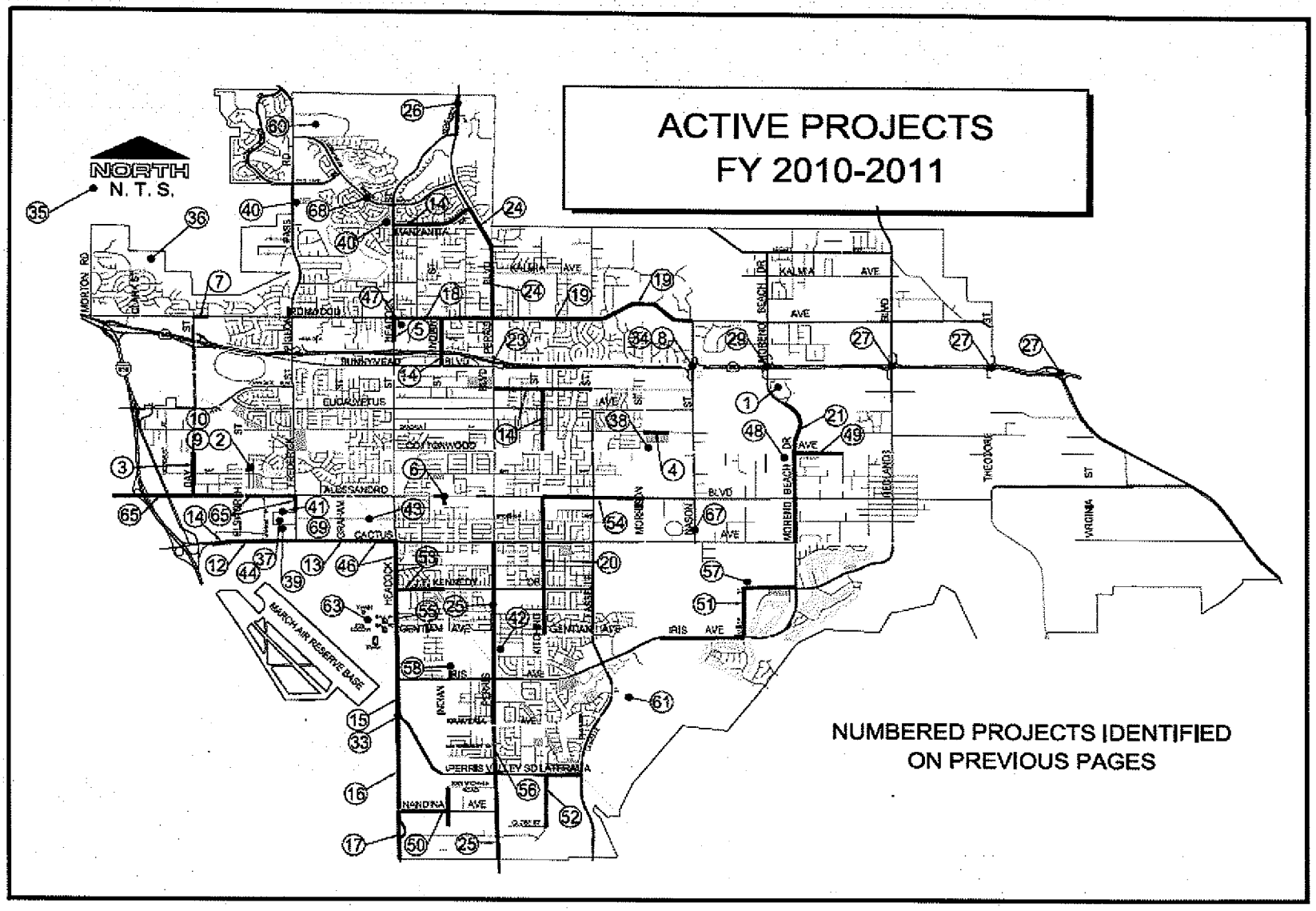
ACTIVE PROJECTS
FY 2010-2011
NORTH
N. T. S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
KALMIA AVE
SUNNYVEAD BLVD
EUCALYPTUS
COTTONWOOD
ALESSANDRO
CACTUS
IRIS AVE
PERRIS VALLEY SD LATERAL A
INDIANA AVE
MORTON RD
HEACOCK
PERRIS BLVD
THEODORE
VIRGINIA ST

Item No. G.6

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00059768

Active Projects FY 2010-2011

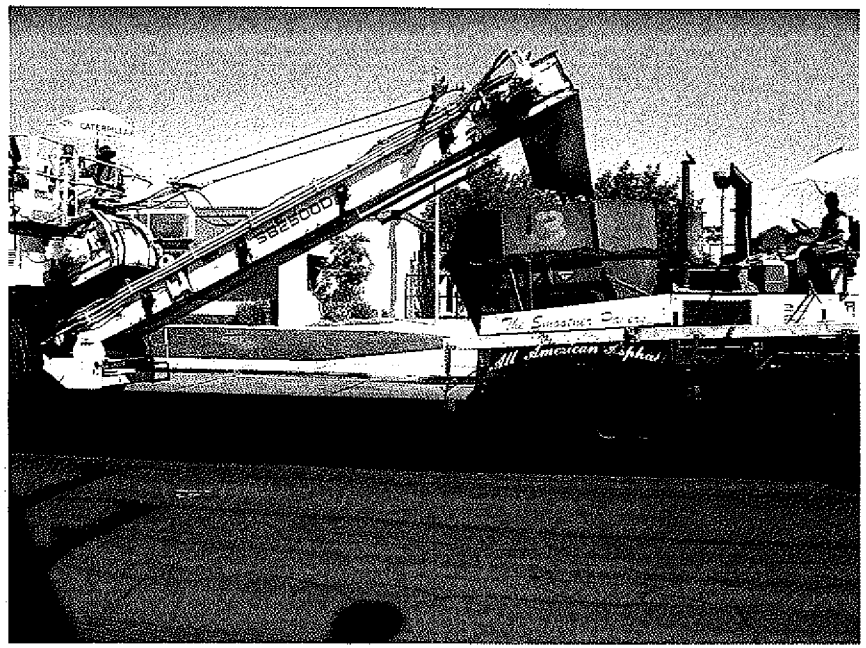

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

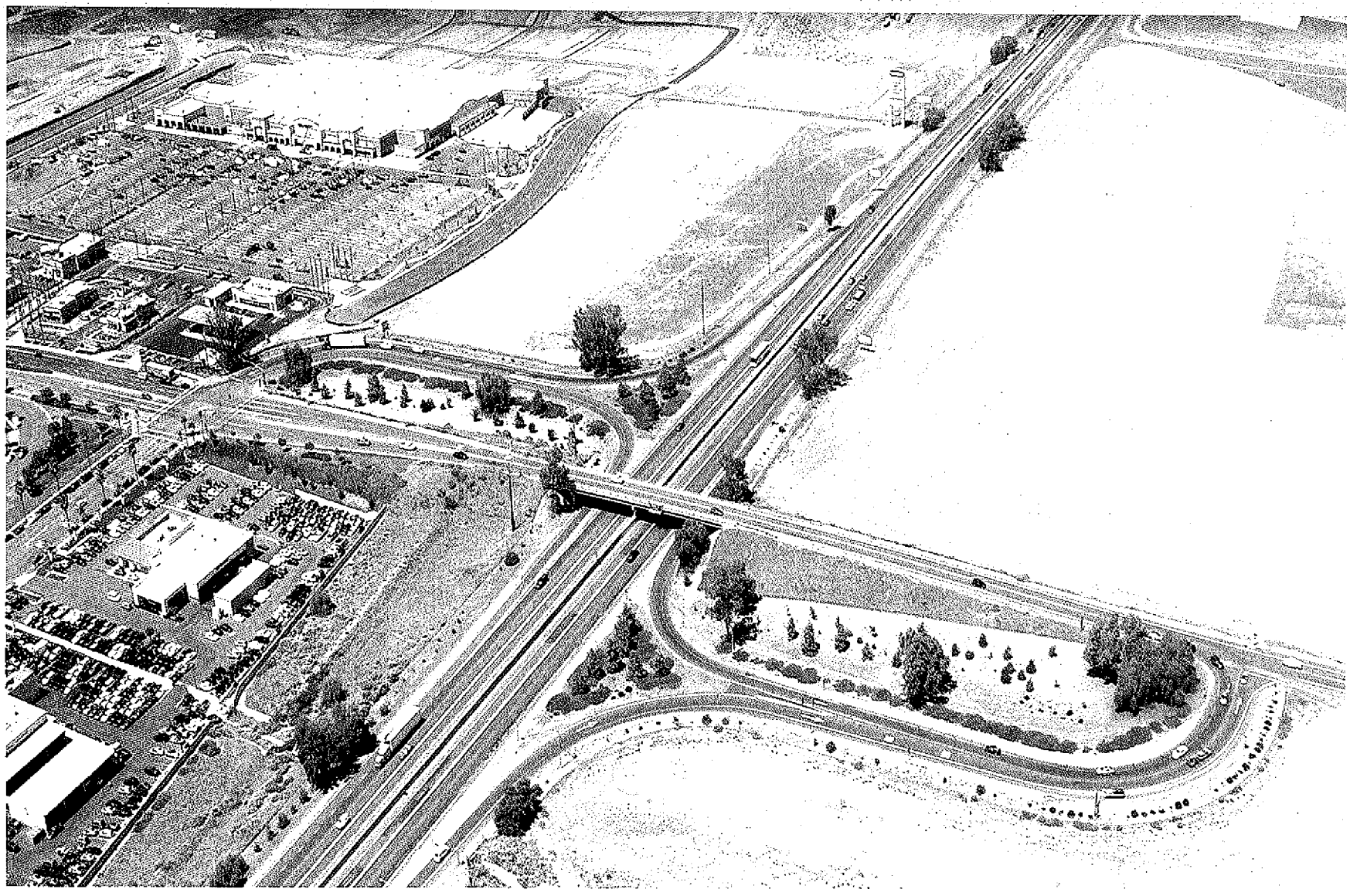

SR-60 / Moreno Beach Drive Interchange

MV00059770

Active Projects FY 2010-2011

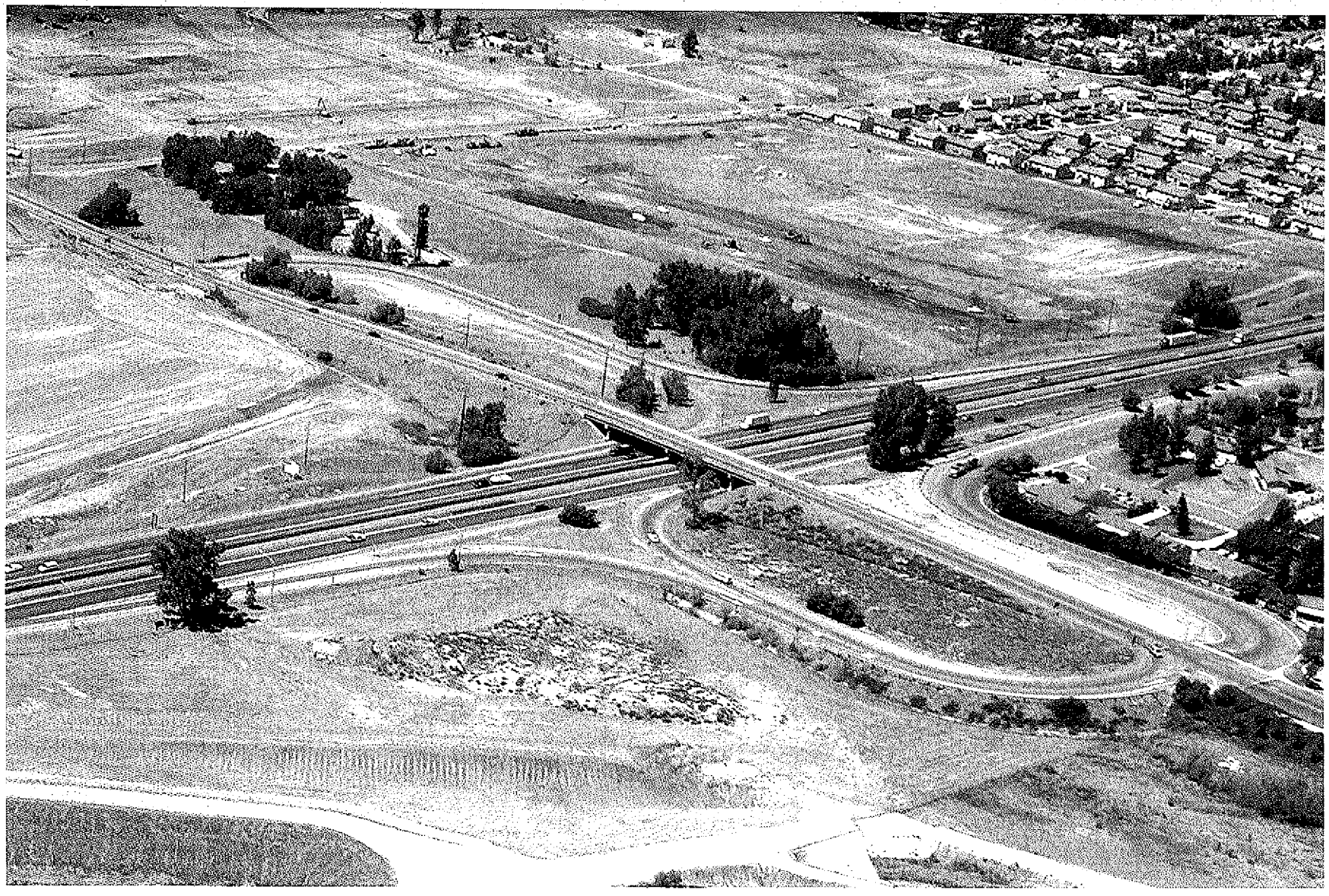

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00059772

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00059774

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS
FY 2010-2011

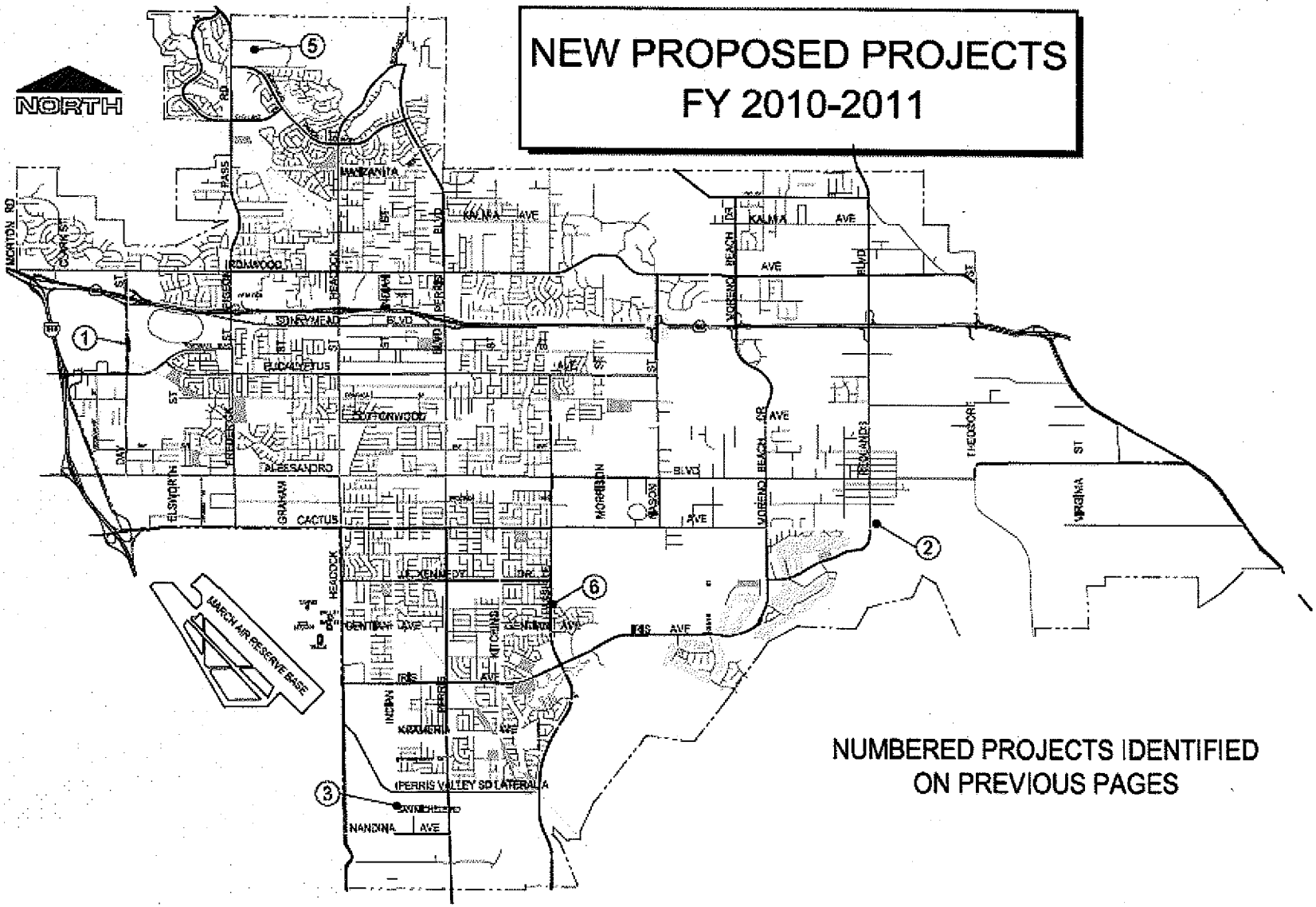

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

MV00059776

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

MV00059778

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

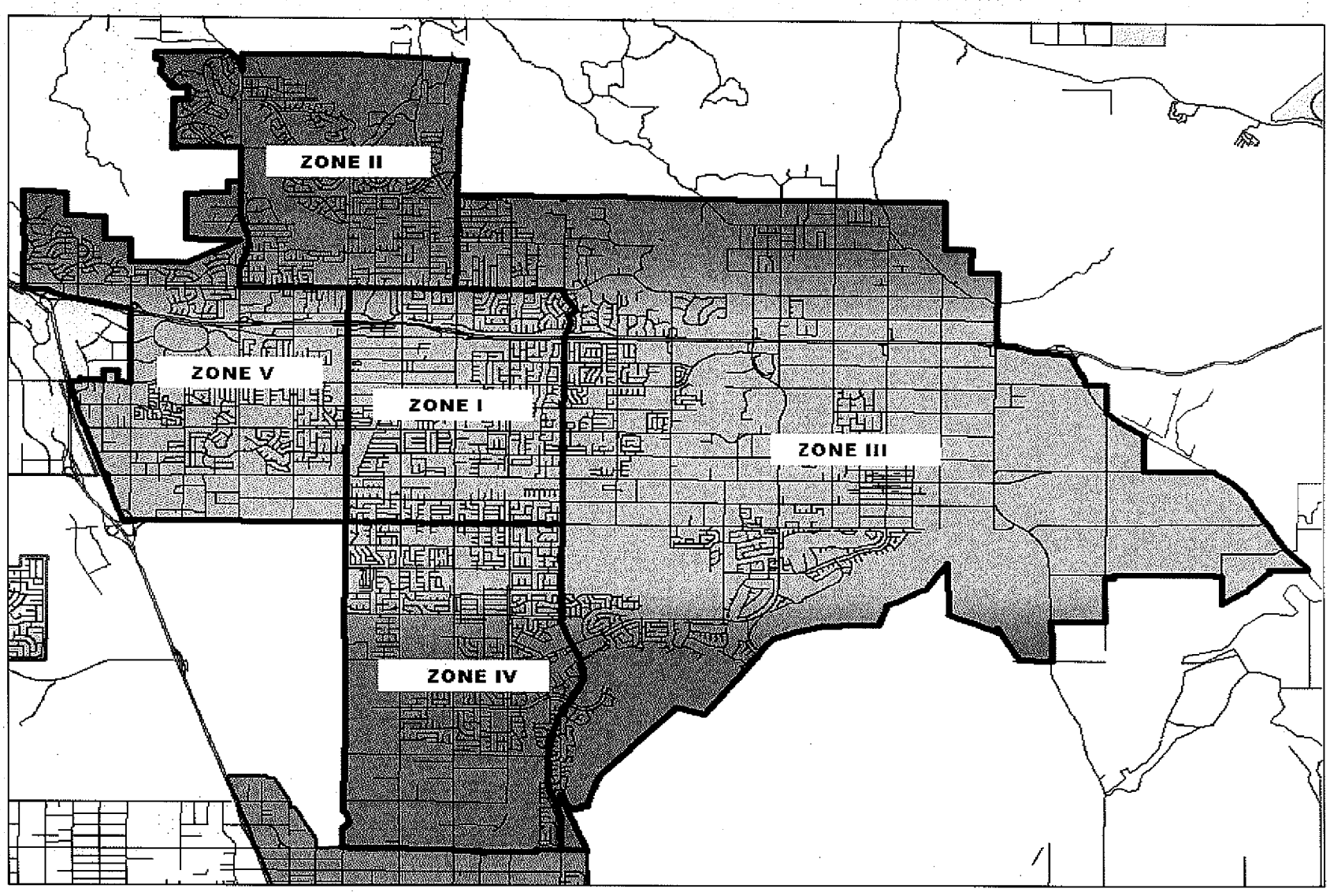

Item No. G.6

MV00059779

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

MV00059780

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00059784

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00059786

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00059788

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00059790

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: May 25, 2010

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The RTS Program Application Fee was included in the City Council 2010 Fee Schedule. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement,

the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC (PG 659-680)
Exhibit "B" – Draft Request for Proposals with agreement (PG 681-700)

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059796

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the Tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain separate rotation tow lists and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

12. Proof of Lease or Property Ownership. The applicant shall provide the City with a certified copy of a deed, title report or other documentation naming the Tow Operator as the owner of the property or provide sufficient documentation to the City's satisfaction that the Tow Operator has a financial interest in the property and therefore, the right to use the property for a Tow Business and/or Storage Facility. If the Tow Operator leases the property for a Tow Business and/or Storage Facility, proof shall be submitted to the City demonstrating the Tow Operator has a lease interest in the property to operate a Tow Business and/or Storage Facility for the duration of the City's Rotational Tow Service Program of five years.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

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D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by

resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service

Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

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D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

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Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of vehicles with a "police hold." The Tow Operator shall keep a written record of every

vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Names and addresses of buyers and description of vehicles when sold;

7. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of fourteen (14) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

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Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

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SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

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Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program is being developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

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d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8½" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

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Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

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Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

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WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.

b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

DRAFT

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
Bonnie Flickinger, Mayor

_____
Date

TOW OPERATOR

BY: _____

TITLE: _____
(President/Vice President/Other)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary/Other)

_____
Date

DRAFT

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

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MV00059838

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Director of Community Development

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: Proposed Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal)

RECOMMENDED ACTION

Staff recommends that the City Council: 1) consider the Rancho Belago Sign Program and take action as deemed appropriate; and 2) consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

BACKGROUND

At its regular meeting of April 27, 2010, the City Council engaged in some discussion about the proposed Rancho Belago Sign Program, but was advised by the City Attorney that because consideration/adoption of said program was not a listed action item on that meeting's agenda, any action toward adopting the Program should await the matter's being formally agendized.

The Rancho Belago Sign Program (aka the document "Rancho Belago Community Signage Design Submittal) is provided as an attachment to this staff report and is available for Council's adoption via a resolution, also attached.

DISCUSSION

The proposed Sign Program proposes up to thirty (30) community identification signs and nine (9) community amenity directional signs mounted on new freestanding poles, sixteen (16) community identification signs and nine (9) community amenity directional signs mounted on existing City or Southern California Edison streetlight poles, and fifty-one (51) community identification banners mounted on existing streetlight poles.

Tentative locations for the one hundred fifteen (115) proposed signs are identified in the proposed Program.

Also proposed is a new design for residential tract directional signs (these signs are installed by the Building Industry Association under separate agreement with the City). No specific locations for these signs are indicated, since such is driven by builder requests for signs advertising their projects.

Adoption of the proposed sign program would create a framework for installation, over time, of the signs described above. An issue highlighted by the City Attorney concerning potential trademark infringement with respect to the specific sign design reflected in the proposed sign program awaits further assessment not concluded at the time of this report's preparation.

FISCAL IMPACT

At its regular meeting of April 27, 2010, the City Council voted to allocate up to $85,000 for the manufacture, installation and maintenance of the signs included in the proposed Rancho Belago Sign Program. As follow-through to that action, a 'formal' appropriation of these monies--provided by the General Fund--is necessary (see recommended action, above).

ATTACHMENTS/EXHIBITS

1) Rancho Belago Sign Program (aka "Rancho Belago Community Signage Design Submittal") (PG 703-718)
2) Proposed Resolution Adopting the Rancho Belago Sign Program (PG 719-720)

Prepared By:

Kyle Kollar
Interim Director of Community Development

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ATTACHMENT 1

Table of Contents

Sheet Number	Sheet Title
RB - INT	Introduction
RB - 1.0	Sign Type 1; Freestanding Community Identification Sign
RB - 1.1	Sign Type 1; Freestanding Community Identification Sign - Photo Simulation
RB - 2.0	Sign Type 2; Light Pole Mounted Community Identification Sign
RB - 2.1	Sign Type 2; Light Pole Mounted Community Identification Sign - Photo Simulation
RB - 3.0	Sign Type 3; Light Pole Mounted Community Identification Banners
RB - 3.1	Sign Type 3; Light Pole Mounted Community Identification Banners - Photo Simulation
RB - SP 1	Community Identification Sign Location Plan
RB - 4.0	Sign Type 4; Freestanding Community Amenity Directional Sign
RB - 4.1	Sign Type 4; Freestanding Community Amenity Directional Sign - Photo Simulation
RB - 5.0	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign
RB - 5.1	Sign Type 5; Light Pole Mounted Community Amenity Directional Sign - Photo Simulation
RB - 6.0	Sign Type 6; Residential Product Directional Sign
RB - 6.1	Sign Type 6; Residential Product Directional Sign - Photo Simulation
RB - SP 2	Community Directional Sign Location Plan

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet Title
Table of Contents

Sheet Number
RB-TC

Date
08-10-07

Introduction

Statement of Purpose

As Rancho Belago unveils itself, sign components will play a crucial role. This new community will be identified by a series of sign images that set it apart from neighboring areas. The scale, placement and design of these images have been carefully planned to create a clear sense of style for residents and visitors alike. In the pages that follow, you will be introduced to sign imagery that gives Rancho Belago a unique character that speaks strongly of the quality that awaits within. The data contained here will clearly define and depict our intended scope of work. As a general introduction, the following notes will aid in outlining the working methodology that contributed to the creation of each sign type.

Community Identification Signs

These markers have been strategically located at entry points to Rancho Belago as well as at key locations within the community. The design, colors and material composition of these signs speak of a classic and stylish permanence. These signs are either freestanding units or logo panels mounted to existing light poles, depending upon the site conditions at each proposed location.

Community Identification Banners

Throughout the community at rhythmic intervals, decorative banners will be affixed to existing light poles. The banners may appear as single units, or as multiple pieces in sequence. Their primary role is to portray Rancho Belago as a desirable and vital destination through the use of lifestyle images.

Community Amenity Directional Signs

In order to enhance the presence of key public amenities within Rancho Belago, wayfinding signs will be installed. The signs will be located along vehicular approaches to each amenity from a variety of directions. In addition to providing a practical wayfinding service, these signs will also reinforce the existence of the amenities to those traveling throughout the community.

Residential Product Directional Signs

We are proposing a new design configuration for these directional signs. We will perform a full survey of the existing signs and install new signs where appropriate based upon the current marketing needs of existing residential subdivisions.

General Comments

A community identification change requires a detailed evaluation of the physical conditions of the site. Having performed this evaluation, our proposal reflects an honest attempt to integrate our sign components into their surroundings. Locations, scale, and design details have been established to effectively identify Rancho Belago while also promoting fluid vehicular movement. We believe that our proposal will effectively achieve these goals.

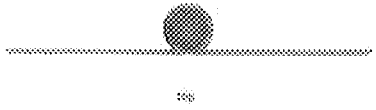

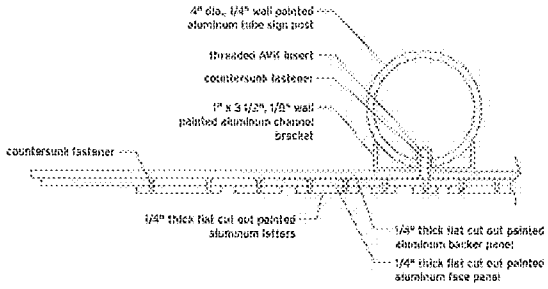

A Details

Scale: 3" = 1'-0"

Freestanding Community Identification Sign

Layered flat cut out sign panel secured to project themed post. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

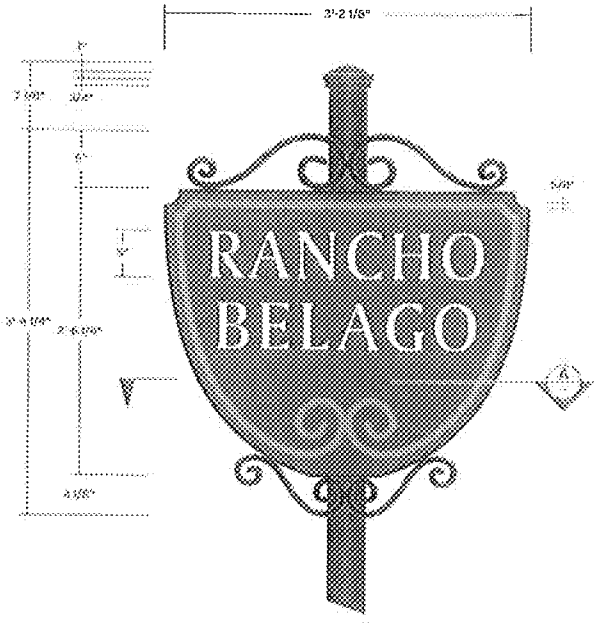

front side

2 Details

Scale: 1" = 1'-0"

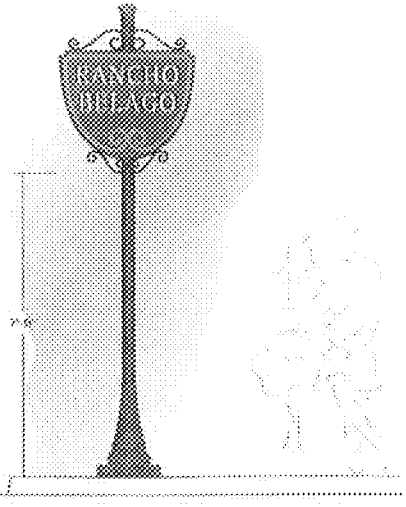

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type I:
Freestanding Community
Identification Sign

Sheet Number
RB - 1.0

Date
08-10-07

MV000059844

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2053

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 1:
Freestanding Community
Identification Sign - Photo Simulation

Sheet Number
RB - 1.1

Date
08-10-07

Light Pole Mounted Community Identification Sign

Layered flat cut out sign panel secured to existing street light pole with painted aluminum bracket and stainless steel straps. Base panel to be 1/4" thick flat cut out painted aluminum with decorative scrolls secured to bracket. Face panel to be 1/4" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

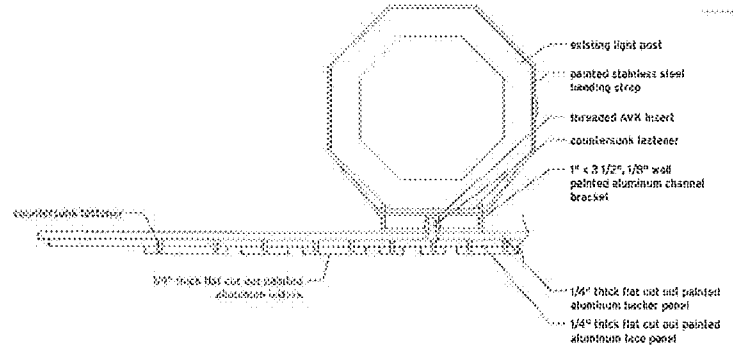

A Details

Scale: 3" = 1'-0"

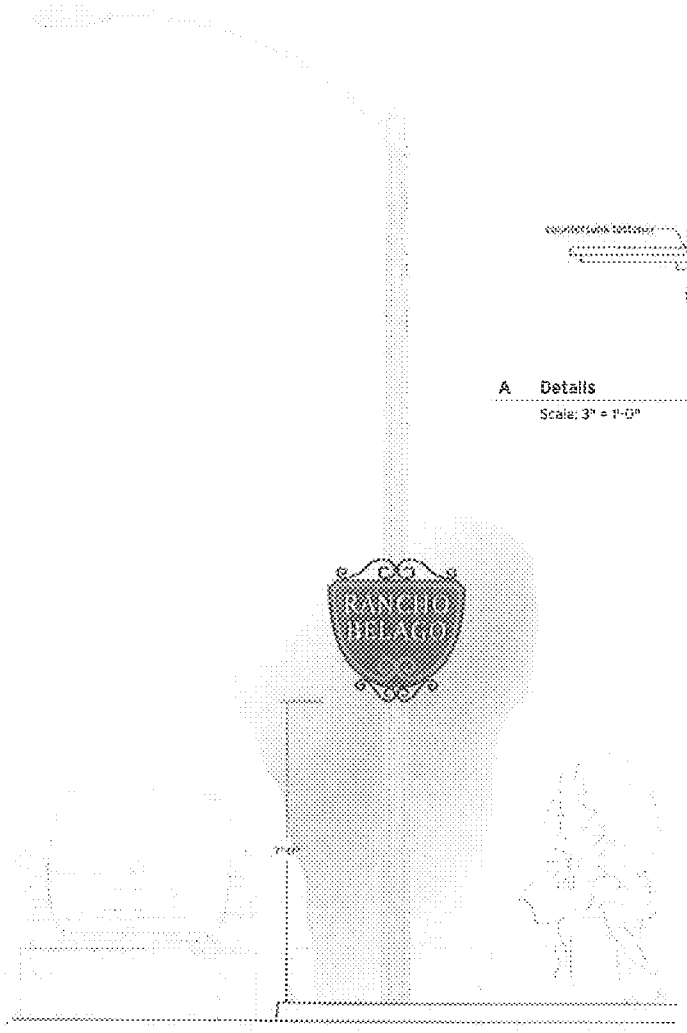

1 Elevation

Scale: 3/8" = 1'-0"

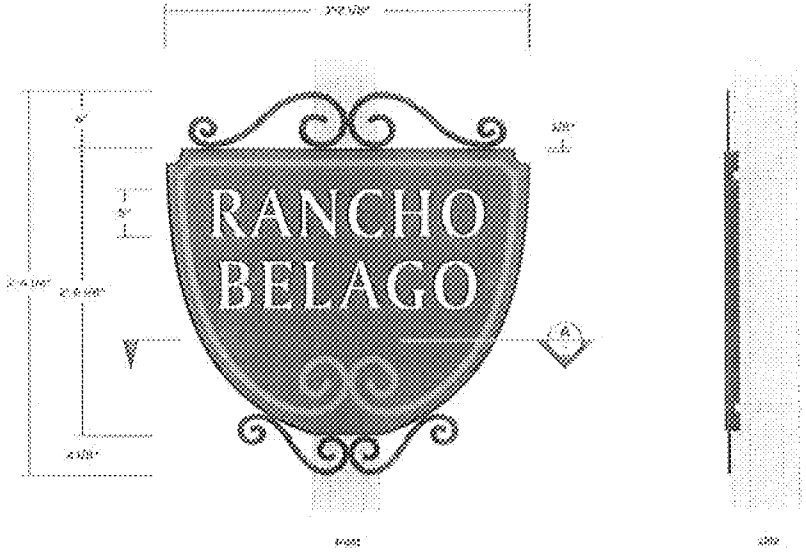

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community Identification Sign

Sheet Number
RB - 2.0

Date
08-10-07

MV000059846

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alisras Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 2:
Light Pole Mounted Community
Identification Sign - Photo Simulation

Sheet Number
RB - 2.1

Date
06-10-07

Item No. G.8

MV00059847

Light Pole Mounted Community Identification Banners

Two sided digitally printed vinyl banners secured to fabricated painted aluminum armatures. Armatures secured to existing street light pole with stainless steel straps.

Note: The images shown are typical. Actual images are in the process of being selected.

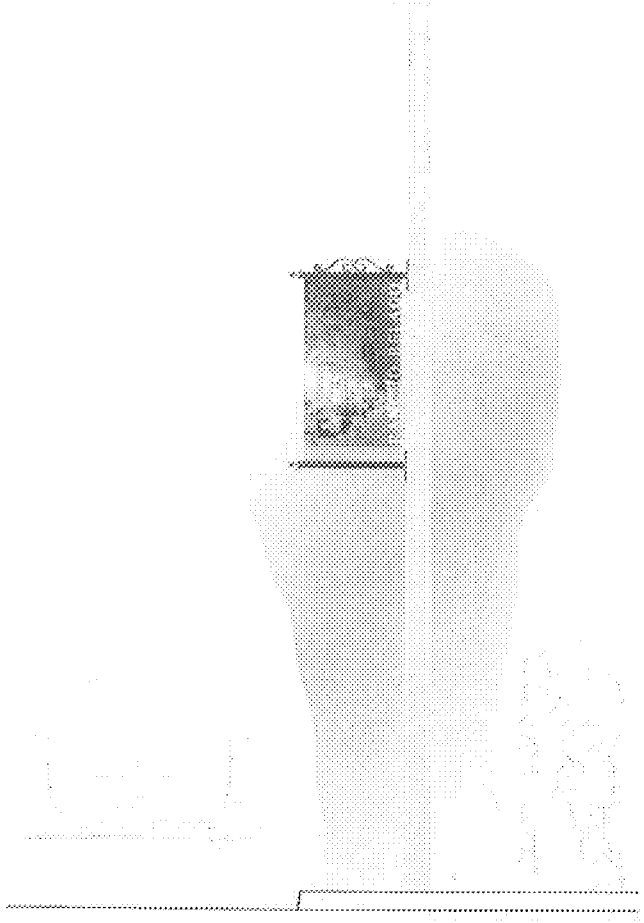

1 Elevation

Scale: 3/8" = 1'-0"

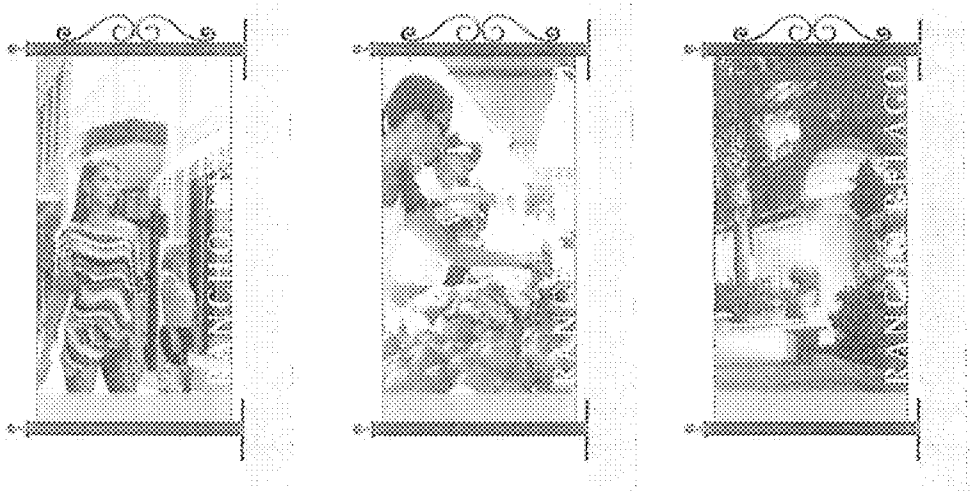

2 Detail

Scale: 3/4" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2862

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3;
Light Pole Mounted Community Identification Banners

Sheet Number
RB - 3.0

Date
06-16-07

MV000059848

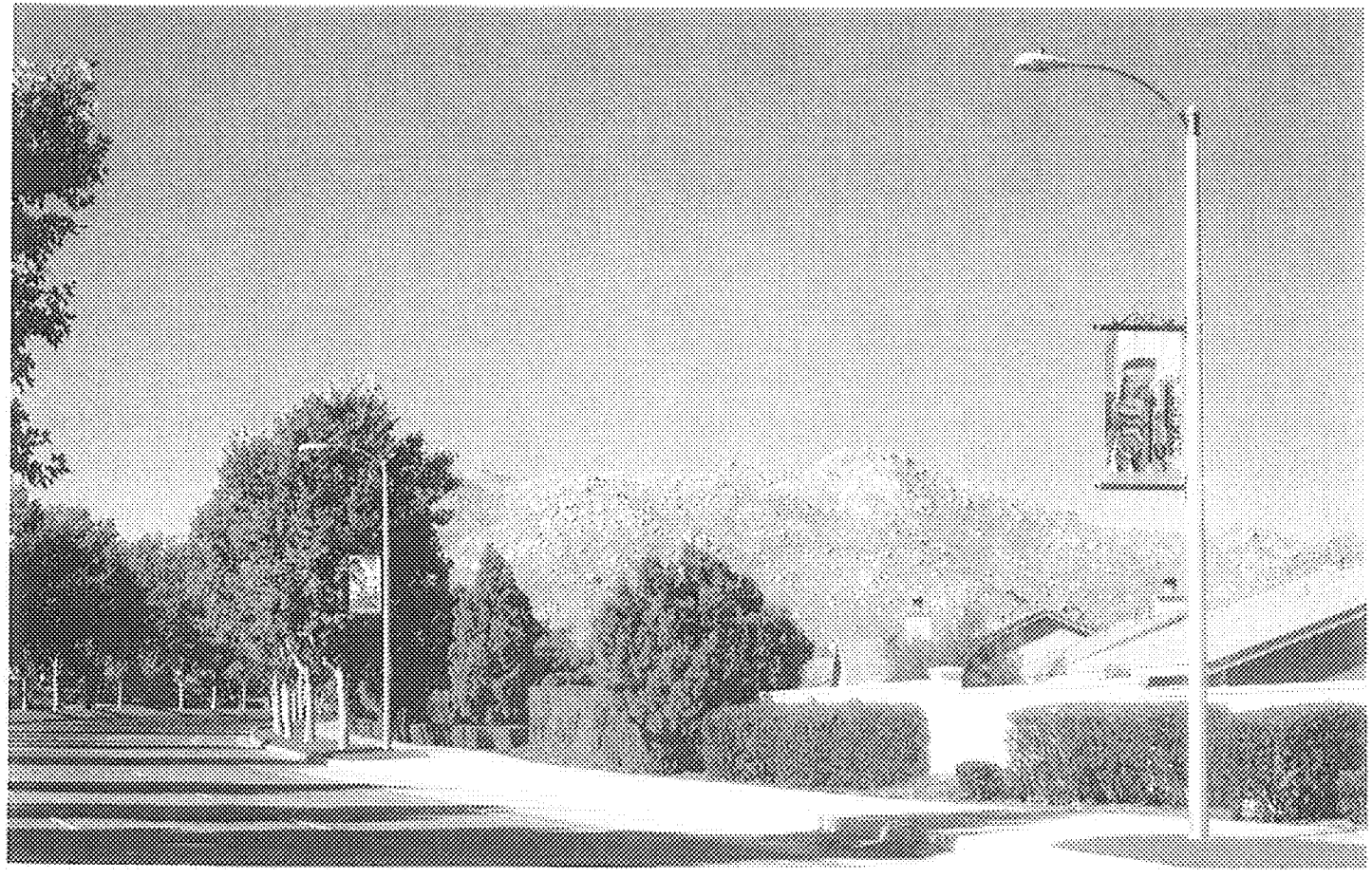

1 **Typical Photo Simulation**
Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 3:
Light Pole Mounted Community
Identification Banners -
Photo Simulation

Sheet Number
RB - 3.1
date
08-10-07

Community Identification Signs

No.	Sign Type	Quantity
1	Freestanding Community Identification Sign	30
2	Light Pole Mounted Community Identification Sign	36
3	Light Pole Mounted Community Identification Banners	51

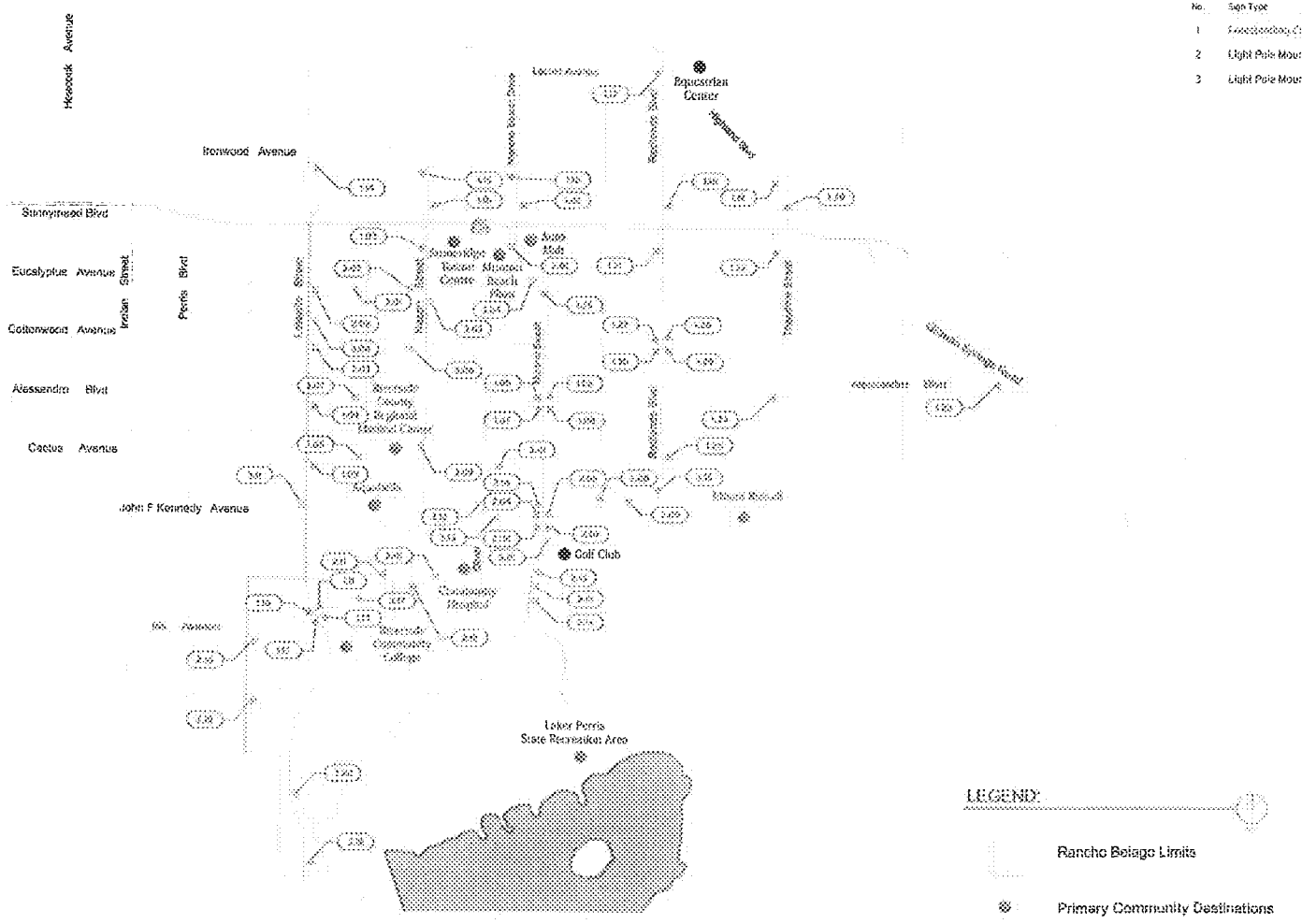

1 Sign Locations

Scale: n.t.s.

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project: Rancho Belago Community Signage

Sheet Title: Community Identification Sign Location Plan

Sheet Number: RB-SP1

Date: 08-10-07

MV000059850

Freestanding Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to project thinset post. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat. Post to be 4" round painted aluminum with cast aluminum decorative finial and base cladding.

2 Details

Scale: 1" = 1'-0"

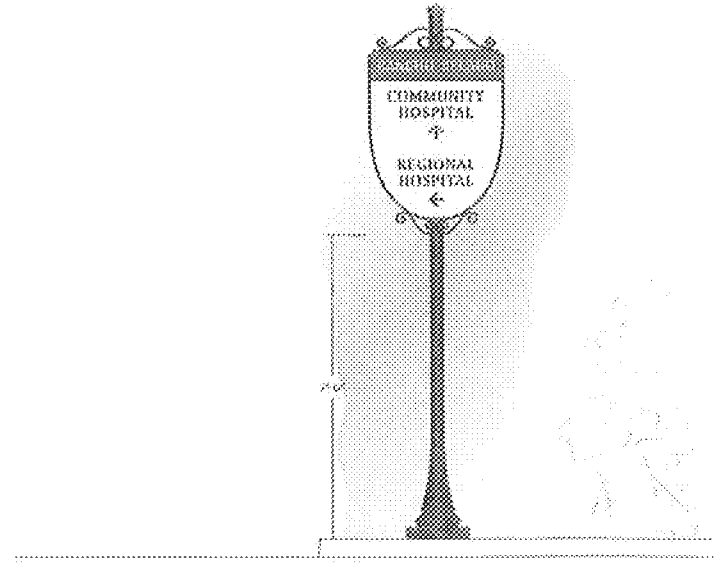

1 Location Elevation

Scale: 3/8" = 1'-0"

The Design Factor

26432 Los Alisos Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign

Sheet Number
RB - 4.0

Date
08-10-07

1 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 843 2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 4:
Freestanding Community
Amenity Directional Sign
Photo Simulation

Sheet Number
RB - 4.1

Date
08-10-07

MV000059852

Light Pole Mounted Community Amenity Directional Sign

Single sided sign with layered flat cut out sign panel secured to existing street light pole. Base panels with decorative scrolls to be 1/4" thick flat cut out painted aluminum secured to bracket. Face panel to be 1/8" thick painted aluminum with 1/4" thick flat cut out painted aluminum letters, applied die cut vinyl border and protective clearcoat.

1 Elevation

Scale: 3/8" = 1'-0"

2 Details

Scale: 1" = 1'-0"

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign

Sheet Number
RB - 5.0

Date
08-10-07

1 | Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax (949) 643-2063

Project
Rancho Belago
Community Signage

Sheet 1 of
Sign Type 5:
Light Pole Mounted Community
Amenity Directional Sign -
Photo Simulation

Sign number
RB - 5.1

Date
08-10-07

MV000059854

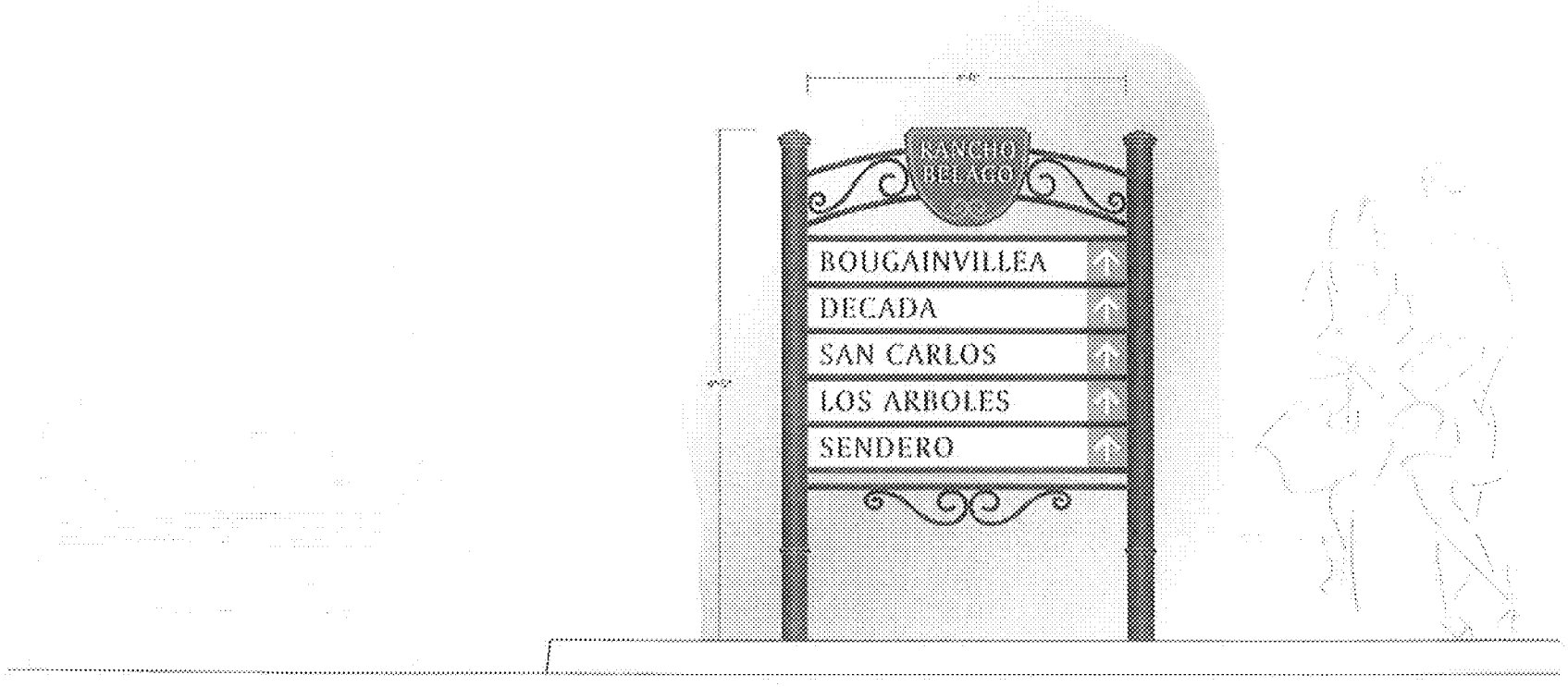

1 Elevation
Scale: 3/4" = 1'-0"

The Design Factor
26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360-5750
Fax: (949) 643-2863

Project
Rancho Belago
Community Signage

Sign Type:
Residential Product Directional Sign

Sheet Number
RB - 6.0

Date
08-10-07

3 Typical Photo Simulation

Scale: n.t.s.

The Design Factor

26432 Las Alturas Avenue
Laguna Hills, CA 92653
(949) 360 5750
Fax: (949) 643-2663

Project
Rancho Belago
Community Signage

Sheet Title
Sign Type 6:
Residential Product Directional Sign
Photo Simulation

Sheet number
RB - 6.1

Date
08-10-07

MV000059856

RESOLUTION NO. 2010-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE RANCHO BELAGO SIGN PROGRAM

WHEREAS, the City Council adopted a resolution in February, 2007, to designate the neighborhood/community name of Rancho Belago to a portion of eastern Moreno Valley; and,

WHEREAS, the City is in receipt of a document entitled 'Rancho Belago Community Signage Design Submittal', which proposes a variety of sign types at various locations, intended to promote a sense of "…unique character…" for the Rancho Belago "…new community…"; and,

WHEREAS, the 'Rancho Belago Community Signage Design Submittal' has been recommended for Council adoption by the Rancho Belago Economic Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the Rancho Belago Sign Program (aka 'Rancho Belago Community Signage Design Submittal') is approved and adopted.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 2

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Office of the City Attorney

MEMORANDUM

To: Mayor and Members of the City Council

From: Robert L. Hansen, City Attorney *RLH*

Date: May 10, 2010

Subject: Legal Advice regarding Trademark Issues pertaining to the Rancho Belago Sign Program

CONFIDENTIAL – PROTECTED BY ATTORNEY-CLIENT PRIVILEGE AND ATTORNEY WORK PRODUCT DOCTRINE

NEITHER THE CONTENTS OF, NOR THIS MEMORANDUM ITSELF ARE TO BE SHARED OR DISCUSSED WITH ANY OTHER PERSON WITHOUT THE EXPRESSED PERMISSION OF THE CITY COUNCIL AND/OR THE CITY ATTORNEY

Mayor and Members of the City Council'

In response to previous City Council discussion and action concerning the proposed Rancho Belago Sign Program, I retained the services of John Carson of the Law Firm of Foley & Lardner in Los Angeles to advise the City on potential trademark issues in using the currently proposed sign design. The following is the text of an email I received from Mr. Carson concerning these issues:

> Bob. The full trademark search results will be express mailed to you. However, the selected pages that I emailed to you on May 7 are illustrative of the more important conclusions.
>
> As I see it, there are really two questions, can you use the present design, and if not what can you use?
> 1-The present design is too close to the registered marks of the City of Beverly Hills, both in design and color. As you will see from the pages I

sent, there are no other registrations that incorporate their scrolls, ie, the lines top, bottom and inside their shield. And the color you show seems to be the same. This they have contended will cause public confusion. It is likely that the courts and the US Trademark Office would agree if your present design is used for city services the same as or similar to theirs. Thus, I recommend that you come up with a new design that is not similar to theirs, or to any of the relevant ones in the search results. I would be happy to discuss this with the designer in an effort to avoid this problem from arising again. Once a new design is produced, a search should be done on any new features. Once approved, you may want to consider registration.

2-As is apparent from the pages already sent, there are a number of cities and other organizations that use similar shield designs for the same or similar services. Thus, you should be able to use the basic shield design with your name inside, and add features and/or a different color to achieve the upscale look that you desire.

Please let me know if you have questions or if I can be of further assistance.
Thanks

JOHN CARSON

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 8, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

2. "Saved by the Helmet" Award Presentation to Luryn Hills

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

4. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 8, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Barry E. Knight, Celebration Worship Center C.O.G.I.C.

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11

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Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement

Area No. 1") approve and adopt the following:

Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2010-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2010-41

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT

AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the

public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

Resolution No. 2010-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of

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Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

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A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Vallley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

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That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

MV00059874

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

MV00059875

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

   Resolution No. CSD 2010-09

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

   Resolution No. CSD 2010-10

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

   Resolution No. CSD 2010-11

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

   Resolution No. CSD 2010-12

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of fhe City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

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Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending

MV00059880

Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

   Ordinance No. 812

   An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

(CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

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Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00059883

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00059884

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00059885

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

3. Proclamation Recognizing Mental Health Month – May 2010

4. Recognition of Vista Heights Middle School – California State History Day Winners

5. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 25, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:47 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member William H. Batey II

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
Ernie Baker	Lieutenant
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Motion to Continue Agenda Item G7 by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a voice vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items

A13 and A15, which were pulled for separate discussion/action. Motion by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

AGENDA ORDER

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Council Member Richard A. Stewart stated due to a business relationship with his law office with other auto dealers, other than Moss Bros., he would abstain from participating, discussing or voting on Item G5, and he would be absent from the dais until completed.

Council Member Richard A. Stewart recused himself due to a business relationship.

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Moss, Deanna Reeder, and Pete Bleckert.

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Richard A. Stewart recused.

Council Member Richard A. Stewart returned to the Dias at 7:24 p.m.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to adopt Resolution No. 2010-23 approving the fee schedule for 2010-11 with the changes made tonight, which are 1) projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities; this program encompasses all Departments and all fees for projects in the program; 2) fees for non-residents to participate in Recreation Programs will be charged at full cost recovery, which is the Resident Fee plus 30%; 3) subject to confirmation that the Animal Services fee changes do not exceed actual cost recovery, the specific fee changes are for Animal Redemption – a) 1st impound from $20 to $25, 2nd impound from $40 to $50, 3rd Impound from $56 to $75; b) Boarding – Re-inspection Fee from $18 to $50; c) Licensing – Potentially Dangerous/Vicious from $77 to $99 by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

No action was taken.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, and Susan Gilchrist.

Recommendation:

1. Approve ~~revised~~ Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

Resolution No. 2010-35

A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

2. Approve ~~revised~~ Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

Resolution No. 2010-36

A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

Meeting reconvened after a brief break.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder

1. Vote for Paul Zellerbach and reject Rod Pacheco

Jose Chavez

1. Community Park

Charlene Weddington
1. Careers of members of Trail Seekers
2. Equestrian Park accomplishments

Daryl Terrell
1. Job loss and home foreclosures

Tom Jerele, Sr.
1. Trail Seekers
2. Development Impact Fees
3. June 10 - Free Concert

Pete Bleckert
1. Trail Seekers
2. Red Lights

AGENDA ORDER

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

Regarding AB 811 Senator Feinstein put in for $5M and applied to the California Energy Commission for $20M. Out of $110.3M available, only $4.6M came to Southern California, which is where two-thirds of the population is. The Administrative and Finance Committee took it to court, sued the state, and won. The Judge granted all relief requested including a Writ of Mandate ordering the Department of General Services to adjudicate WRCOG's protest, and a permanent injunction prohibiting the distribution of any funds until they have met WRCOG's concerns and answered their protest.

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

March Healthcare is moving ahead. It's a $3B project, and it will create 8,200 jobs, and most will be higher end jobs. There will be around 1,100 construction jobs. The demolition of some of the buildings is currently being coordinated. The Discovery Channel is looking at filming a sequential film on the demolition of the hospital. Mr. Russell came in from

Washington, D.C., and during lunch with him mutual concerns and issues were shared. A variety of general aviation plans are moving ahead. Several lawsuits were settled. The demur was sustained on the challenge by Ray Johnson to the expansion of the Fresh and Easy. Washington, D.C. is supporting the Free Trade Zone.

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

No action required.

AGENDA ORDER

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, Susan Gilchrist, Darryl Terrell, and Pete Bleckert.

Recommendation: That the City Council:
1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

Motion to adopt resolution 2010-33 and have the sign design change be brought back to Council for final approval at a future date, and that such sign design shall comply with the legal requirements as well as include the city seal or some other specific Moreno Valley identification, and the redesign will become the template for all communities in the city by m/Council Member Richard A. Stewart, s/Mayor Bonnie Flickinger Approved by a vote of 5-0.

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 3-2, Mayor Bonnie Flickinger and Mayor Pro Tem Robin N. Hastings voted no.

A brief recess was held at 9:58 p.m.

AGENDA ORDER

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Mayor Flickinger opened the agenda for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

No action required.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments, which were received by Deanna Reeder.

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

It was agreed the lawsuit settlement will be put against the deficit. The Council unanimously agreed on the BDO Recommendations as follows:

City Council/City Clerk

1. **Defund Assistant City Clerk Position**
2. **Defund Administrative Assistant Position from Council Office.**

City Attorney

1. **Defund Assistant City Attorney Position**

City Manager

1. **Reduce PR/Advertising Budget by 40% in Media and Communications**
2. **Reduce City Manager Contingency to $140,000**
3. **Defund vacant Executive Assistant to the City Manager Position**
4. **Defund Deputy City Manager Position and not Replace with a Sr. Management Analyst Position**

Community Development

1. **In Code/Building and Safety – Revenue Enhancement – Hire two Temp Parking Control Officers to work on Career Employee Furlough Days; Other Miscellaneous Revenue Increases and Reductions**

Economic Development

1. **.6235 – Public Relations: Reduce Advertising, Broker Events, Regional Event Sponsorships, Shop Moreno Valley Campaign**
2. **Consolidating Several Object Codes**
   .6252 – Dues and Subscriptions: Reduced IEEP Membership for City
   .6255 – Other Professional Services
   .6221 – Training and Travel
   .6215 – Communications
   .6231 – Advertising

.6256 – Legal Services
.6310 – Copier Charges
.6311 – Office Supplies
.6321 – Postage and Mail
.6391 – Other Materials

3. **Salaries/Benefits: Reimbursing ED Admin Salaries by 50% of Management Analyst's Salary, Which is Charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's Salary to HOME Funds to More Accurately Reflect Current Workload**

Financial and Administrative Services

1. **Facilities CIP – Defund City Hall Annex 1 Capital Improvement Project Since the Facility is Not Currently Needed for Staff Expansion**

Fire

1. **Fire Prevention – Suspend Funding for Permit Plus Changes**
2. **Fire Ops – Defund Paramedic Captain Position**
3. **Emergency Ops – Increase CPR Fees from $30 to $65 Per Class**

Human Resources

1. **Workers' Comp – Reduce Workers' Compensation Reserves (Original Fund Balance of $4.5M Less DRO of $1.3 Will Leave a New Balance of $3.2M, Which is Approximately 85% Confidence Level Per Actuarial Review)**
2. **General Liability – Reduce Liability Reserves (Original Fund Balance of $2.0M Less DRO of $80K Will Leave a New Balance of $1.9M, Which is Approximately 85% Confidence Level Per Actuarial Review)**

Public Works

1. **Street Sweeping – Eliminate Contract Sweeping and Create Additional Equipment Operator Position in Lieu of Existing Maintenance Worker II Position Via an Existing Eligibility List From a Recent Internal Recruitment to Replace Contract Sweeping Function**

Discussion will continue to the next Study Session.

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Item continued. Approved by a 5-0 vote.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Item continued. Approved by a 5-0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

No report given.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

No comments given.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:50 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 19 – June 1, 2010.

Reports on Reimbursable Activities May 19 – June 1, 2010		
Council Member	Date	Meeting
William H. Batey II	5/26/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Bonnie Flickinger	5/26/10	UCR Citizens University Committee
	6/01/10	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings	5/26/10	32nd Annual Law Enforcement Appreciation and Awards Ceremony
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059908

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CONFLICT OF INTEREST CODE – AGENCY REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council, as the code reviewing body of the City of Moreno Valley, direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The California Government Code §87306.5 provides that by no later than July 1 of each even-numbered year, the code reviewing body (City Council) shall direct every local agency, which has adopted a Conflict of Interest Code in accordance with the Political Reform Act of 1974 (Government Code §87100, et. seq.) to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of §87302 and §87303 to the code reviewing body.

The code is not effective until approved by the code reviewing body. Within 90 days after receiving any proposed amendments or revisions, the code reviewing body shall do one of the following: (a) approve the proposed code as submitted; (b) revise the proposed code and approve it as revised; or (c) return the proposed code to the agency for revision and resubmission within 60 days. The code reviewing body shall either approve the revised code or revise it and approve it. When an amendment is approved

by the code reviewing body, it will be deemed adopted and will be promulgated by the agency.

Upon review of its code, if no change in the code is required, the local agency head (City Manager) shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

DISCUSSION

Attached to this report are the following documents provided by the Fair Political Practices Commission for each agency's consideration and use:

- Biennial Notice Worksheet
- Overview of Political Reform Act's Conflict of Interest Laws

Upon receipt of any amendments to the Conflict of Interest Code, which may include the addition or deletion of any staff positions in the City, staff will present the appropriate resolutions for Council approval.

ALTERNATIVES

Not applicable. The biennial review by every local government agency of its conflict of interest is a statutory requirement. As code reviewing body, the City Council must direct each local agency, which has adopted such conflict of interest code, to review its code and determine whether any changes are necessary.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Biennial Notice Worksheet
B. Overview of the Political Reform Act's Conflict of Interest Laws

Prepared By
Jane Halstead

Department Head Approval
Jane Halstead

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Local Agency Biennial Notice Worksheet

The following checklist may assist in the review of an agency's conflict-of-interest code. This is only a guide and is not intended to be an exclusive list of issues that may need review.

Does the code contain the following three basic components?

√ Language that incorporates FPPC Reg. 18730 or contains the basic provisions required in Government Code section 87302

√ A list of designated positions whose duties include making or participating in making governmental decisions

√ Disclosure categories specifying financial interests (investments, interests in real property, income, and business positions) that filers in designated positions must disclose

Review the agency's organization chart and duty statements

√ Do positions need to be added or deleted?

√ Is there a need to reclassify disclosure for any positions?

√ Are consultants designated?

√ Do any officials/consultants manage public investments?

√ Amendments needed? Use underline and strikeout to illustrate changes.

Review the minutes of the agency's boards, commissions and committees

√ Are they solely advisory or do they have decision-making authority?

III. ~~PUBLIC WORKS OFFICE~~
MAINTENANCE DIVISION

1. Maintenance Superintendent 2
2. Maintenance Supervisor 2
~~2. Asst. Maintenance Superintendent ..... 2~~
3. Senior Equipment Technician 3
~~4. Equipment Services Technician ..... 3~~

- The Public Works Office became the Maintenance Division.
- The Asst. Maintenance Superintendent was reclassified to Maintenance Supervisor.
- The Equipment Services Technician is a manual position and was deleted.

Other Documentation

√ A review of joint powers agreements, minutes and annual reports may assist in determining whether designated positions and their respective disclosure categories are accurately reflected.

Notification

√ If amendments are needed, notify employees and the public.

EXHIBIT A

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Can I vote?

A Basic Overview Of Public Officials' Obligations Under the Political Reform Act's Conflict-of-Interest Rules

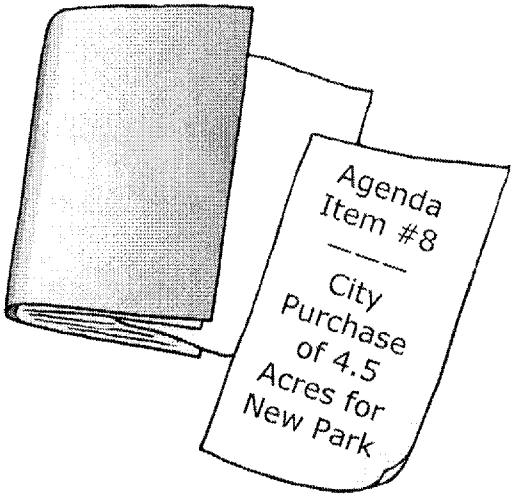

California Fair Political Practices Commission

EXHIBIT B

"My home is near the proposed new shopping mall. Can I vote on the issue at next month's Planning Commission meeting?"

Many of you may have been confronted with such questions. This booklet is offered by the FPPC as a general overview of your obligations under the Political Reform Act's conflict-of-interest rules. Using non-technical terms, the booklet is aimed at helping you understand your obligations at the "big picture" level and to help guide you to more detailed resources.

Stripped of legal jargon:

➢You have a conflict of interest with regard to a particular government decision if it is sufficiently likely that

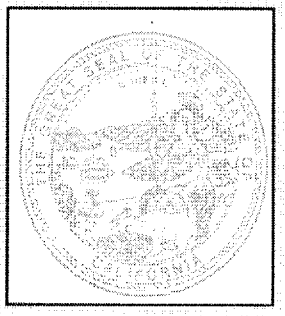

Fair Political Practices Commission

Toll-free Advice Line: 1-866-ASK-FPPC

MV00059914

the outcome of the decision will have an important impact on your economic interests, **and**

➢a significant portion of your jurisdiction does not also feel the important impact on their economic interests.

The voters who enacted the Political Reform Act by ballot measure in 1974 judged such circumstances to be enough to influence, or to appear to others to influence, your judgment with regard to that decision.

The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise. No one ever has a conflict of interest under the Act "on general principles" or because of personal bias regarding a person or subject. A conflict of interest can only arise from particular kinds of economic interests, which are explained in non-technical terms later in this booklet.

An important note...

You should not rely solely on this booklet to ensure compliance with the Political Reform Act, but should also consult the Act and Commission regulations. The Political Reform Act is set forth at Cal. Gov. Code §§81000-91014, and the Fair Political Practices Commission regulations are contained in Title 2, Division 6 of the California Code of Regulations. Both the Act and regulations are available on the FPPC's web site, http://www.fppc.ca.gov. Persons with obligations under the Act or their authorized representatives are also encouraged to call the FPPC toll-free advice line — **1-866-ASK-FPPC** — as far in advance as possible.

If you learn to understand these interests and to spot potential problems, the battle is mostly won because you can then seek help on the more technical details of the law from your agency's legal counsel or from the California Fair Political Practices Commission. **The Commission's toll-free advice line is 1-866-ASK-FPPC (1-866-275-3772).**

Under rules adopted by the FPPC, deciding whether you have a financial conflict of interest under the Political Reform Act is an eight-step process. If you methodically think through the steps whenever there may be a problem, you can avoid most — if not all — mistakes. These steps are spelled out and explained in general terms in this booklet.

If you learn nothing else from this booklet, remember these things:

- **This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests.**
- **Whether you have a conflict of interest that disqualifies you depends heavily on the facts of each governmental decision.**
- **The most important proactive step you can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.**

On the next page are the eight steps:

Eight steps to help you decide

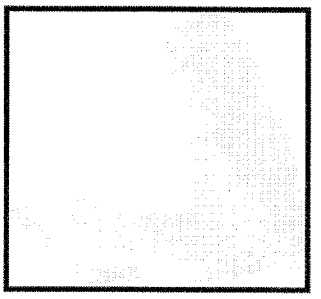

Step One: Are you a "public official" within the meaning of the rules?

Step Two: Are you making, participating in making, or influencing a governmental decision?

Step Three: What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

Step Four: Are your economic interests directly or indirectly involved in the governmental decision?

Step Five: What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

Step Six: The important question: Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

Step Seven: If you have a conflict of interest, does the "public generally" exception apply?

Step Eight: Even if you have a disqualifying conflict of interest, is your participation legally required?

Next, here is a non-technical explanation of each:

Public Official

Step One — Are you a "public official," within the meaning of the rules?

The Act's conflict-of-interest rules apply to "public officials" as defined in the law. This first step in the analysis is usually a formality — you are probably a public official covered by the rules. If you are an elected official or an employee of a state or local government agency who is designated in your agency's conflict-of-interest code, you are a "public official." If you file a Statement of Economic Interests (Form 700) each year, you are a "public official" under the Act (even if you are not required to file a Form 700, in some cases you may still be considered a public official because the definition covers more than specifically designated employees). The cases that are tougher to determine typically involve consultants, investment managers and advisers, and public-private partnerships. If you have any doubts, contact your agency's legal counsel or the FPPC.

Governmental Decision

Step Two — Are you making, participating in making, or influencing a governmental decision?

The second step in the process is deciding if you are engaging in the kind of conduct regulated by the

conflict-of-interest rules. The Act's conflict-of-interest rules apply when you:

- ***Make*** a governmental decision (for example, by voting or making an appointment).
- ***Participate*** in making a governmental decision (for example, by giving advice or making recommendations to the decision-maker).
- ***Influence*** a governmental decision (for example, by communicating with the decision-maker).

A good rule of thumb for deciding whether your actions constitute making, participating in making, or influencing a governmental decision is to ask yourself if you are exercising *discretion* or *judgment* with regard to the decision. If the answer is "yes," then your conduct with regard to the decision is very probably covered.

When you have a conflict — Regulation 18702.5 (special rule for section 87200 public officials)

Government Code section 87105 and regulation 18702.5 outline a procedure that public officials specified in section 87200 must follow for disclosure of economic interests when they have a conflict of interest at a public meeting. The full text of this law and regulation may be viewed in the Library and Publications section of the FPPC's website at http://www.fppc.ca.gov.

Public officials specified in section 87200 of the Government Code, such as council members, planning commissioners, and boards of supervisors, must pub-

licly identify in detail the economic interest that creates the conflict, step down from the dais **and must then leave the room**. This identification must be following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences.

Additionally, the disqualified official may not be counted toward achieving a quorum while the item is being discussed.

The identification of the conflict and economic interest must be made orally and shall be made part of the public record.

Exceptions:

- If the decision is to take place during a closed session, the identification of the economic interest must be made during the public meeting prior to the closed session but is limited to a declaration that the official has a conflict of interest. The economic interest that is the basis for the conflict need not be disclosed. The official may not be present during consideration of the closed session item and may not obtain or review any non-public information regarding the decision.

- A public official is not required to leave the room for an agenda item on the consent calendar provided that the official recuses himself or herself and publicly discloses the economic interest as described above.

- A public official may speak as a member of the general public only when the economic interest that is the basis for the conflict is a personal economic interest, for example, his or her personal residence or wholly owned business. The official must leave the dais to speak from the same area as the members of the public and may listen to the public discussion of the matter.

Examples:

— The Arroyo City Council is considering widening the street in front of council member Smith's personal residence, which he solely owns. Council member Smith must disclose on the record that his home creates a conflict of interest preventing him from participating in the vote. He must leave the dais but can sit in the public area, speak on the matter as it applies to him and listen to the public discussion.

— Planning Commissioner Garcia is a greater than 10% partner in an engineering firm. The firm represents a client who is an applicant on a project pending before the planning commission. Commissioner Garcia must publicly disclose that the applicant is a source of income to her requiring her recusal. Commissioner Garcia must step down from the dais and leave the room. Since this is not a personal interest that is the basis for the conflict, she ***may not*** *sit in the public area and listen to the discussion.*

— Supervisor Robertson rents a home to a county employee. The county employee is the sub-

ject of a disciplinary matter in a closed session of the Board of Supervisors. During the open session prior to adjourning to closed session, Supervisor Robertson announces that he must recuse himself from participating in the closed session ***but does not disclose that the reason for his recusal is a source of income nor does he name the county employee that is the source of income to him.*** *He may not attend the closed session or obtain any non-public information from the closed session.*

Economic Interests

Step Three — What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

From a practical point of view, this third step is the most important part of the law for you. The Act's conflict-of-interest provisions apply only to conflicts of interest arising from economic interests. There are six kinds of such economic interests from which conflicts of interest can arise:

- **Business Investment**. You have an economic interest in a business entity in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more.

- **Business Employment or Management.** You have an economic interest in a business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management.

- **Real Property.** You have an economic interest in real property in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more, and also in certain leasehold interests.

"The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise."

- **Sources of Income.** You have an economic interest in anyone, whether an individual or an organization, from whom you have received (or from whom you have been promised) $500 or more in income within 12 months prior to the decision about which you are concerned. When thinking about sources of income, keep in mind that you have a community property interest in your spouse's or registered domestic partner's income — a person from whom your spouse or registered domestic partner receives income may also be a source of a conflict of interest to you. Also keep in mind that if you, your spouse, your registered domestic partner or your dependent children own 10 percent of more of a business, you are considered to be receiving "pass-through" income from the business's clients. In other words, the business's clients may be considered sources of income to you.

- **Gifts.** You have an economic interest in anyone, whether an individual or an organization, who has

given you gifts which total $390 or more within 12 months prior to the decision about which you are concerned.

- **Personal Financial Effect.** You have an economic interest in your personal expenses, income, assets, or liabilities, as well as those of your immediate family. This is known as the "personal financial effects" rule. If these expenses, income, assets or liabilities are likely to go up or down by $250 or more in a 12-month period as a result of the governmental decision, then the decision has a "personal financial effect" on you.

On the Statement of Economic Interests (Form 700) you file each year, you disclose many of the economic interests that could cause a conflict of interest for you. However, be aware that not all of the economic interests that may cause a conflict of interest are listed on the Form 700. A good example is your home. It is common for a personal residence to be the economic interest that triggers a conflict of interest even though you are not required to disclose your home on the Form 700.

Directly or Indirectly Involved?

Step Four — Are your economic interests directly or indirectly involved in the governmental decision?

An economic interest which is directly involved in — and therefore directly affected by — a governmental decision creates a bigger risk of a conflict of interest than does an economic interest which is only indirectly involved in the decision. As a result, the FPPC's conflict-of-interest regulations distinguish between economic interests that are directly involved and interests that are indirectly involved.

Once you have identified your economic interests, you must next decide if they are directly involved in the governmental decision about which you are concerned. The FPPC has established specific rules for determining whether each kind of economic interest is directly or indirectly involved in a governmental decision.

The details of these rules are beyond the scope of this guide. In general, however, an economic interest is directly involved if it is the subject of the governmental decision. For example, if the interest is real property, and the decision is about building a donut shop down the block from the property, then the interest is directly involved. If the interest is a business, and the decision is whether to grant a license for which the business has applied, the interest is directly involved.

These are just examples; you should contact your agency counsel, the FPPC and the specific regulations

if you have questions as each case arises. Note also that the next step in the analysis — applying the right standard to determine whether an impact is material — depends in part on whether the interest is directly or indirectly involved. The regulations — Sections 18704 through 18704.5 — and other helpful information can be found on the FPPC's web site, http://www.fppc.ca.gov.

Materiality (Importance)

Step Five — What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

At the heart of deciding whether you have a conflict of interest is a prediction: Is it sufficiently likely that the governmental decision will have a material financial effect on your economic interests? As used here, the word "material" is akin to the term "important." You will have a conflict of interest only if it is reasonably foreseeable that the governmental decision will have an important impact on your economic interests.

The FPPC has adopted rules for deciding what kinds of financial effects are important enough to trigger a conflict of interest. These rules are called "materiality standards," that is, they are the standards that should be used for judging what kinds of financial impacts resulting from governmental decisions are considered material or important.

There are too many of these rules to review in detail in this booklet. Again, you can seek advice for your

"Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them."

-- California Political Reform Act of 1974

agency counsel or the FPPC. However, to understand the rules at a "big picture" level, remember these facts:

- If the economic interest is directly involved in the governmental decision, the standard or threshold for deeming a financial impact to be material is stricter (i.e. lower). This is because an economic interest that is directly involved in a governmental decision presents a bigger conflict-of-interest risk for the public official who holds the interest.

- On the other hand, if the economic interest is not directly involved, the materiality standard is more lenient because the indirectly involved interest presents a lesser danger of a conflict of interest.

- There are different sets of standards for the different types of economic interests. That is, there is one set of materiality standards for business entities, another set for real property interests, and so on.

- The rules vary by the size and situation of the economic interest. For example, a moment's thought will tell you that a $20,000 impact resulting from a governmental decision may be crucial to a small business, but may be a drop in the bucket for a big corporation. For example, the materiality standards

distinguish between large and small businesses, between real property which is close or far from property which is the subject of the decision.

Does a Conflict of Interest Result?

Step Six — Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

As already mentioned in the introduction, the heart of the matter is deciding whether it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests.

What does "sufficiently likely" mean? Put another way, how "likely" is "likely enough?" The Political Reform Act uses the words "reasonably foreseeable." The FPPC has interpreted these words to mean "substantially likely." Generally speaking, the likelihood need not be a certainty, but it must be more than merely possible.

A concrete way to think about this is to ask yourself the following question: Is it substantially likely that one of the materiality standards I identified in step five will be met as a result of the government decision? Step six calls for a factual determination, not necessarily a legal one. Also, an agency may sometimes segment (break down into separate decisions) a decision to allow participation by an official if certain conditions are

met. Therefore, you should always look at your economic interest and how it fits into the entire factual picture surrounding the decision.

"Public Generally" Exception

Step Seven — If you have a conflict of interest, does the "public generally" exception apply?

Now that you have determined that you will have a conflict of interest for a particular decision, you should see if the exceptions in Step 7 and Step 8 permit you to participate anyway. Not all conflicts of interest prevent you from lawfully taking part in the government decision at hand. Even if you otherwise have a conflict of interest, you are not disqualified from the decision if the "public generally" exception applies.

This exception exists because you are less likely to be biased by a financial impact when a significant part of the community has economic interests that are substantially likely to feel essentially the same impact from a governmental decision that your economic interests are likely to feel. If you can show that a significant segment of your jurisdiction has an economic interest that feels a financial impact which is substantially similar to the impact on your economic interest, then the exception applies.

The "public generally" exception must be considered with care. You may not just assume that it applies. There are specific rules for identifying the specific seg-

ments of the general population with which you may compare your economic interest, and specific rules for deciding whether the financial impact is substantially similar. Again, contact your agency counsel, the FPPC and the specific rules for advice and details. The regulations outlining the steps to apply the "public generally" exception can be found on the FPPC website at http://www.fppc.ca.gov under regulations 18707-18707.9.

Are you required to participate?

Step Eight — Even if you have a disqualifying conflict of interest, is your participation legally required?

In certain rare circumstances, you may be called upon to take part in a decision despite the fact that you have a disqualifying conflict of interest. This "legally required participation" rule applies only in certain very specific circumstances in which your government agency would be paralyzed, unable to act. You are most strongly encouraged to seek advice from your agency legal counsel or the FPPC before you act under this rule.

Conclusion

Generally speaking, here are the keys to meeting your obligations under the Political Reform Act's conflict-of-interest laws:

- Know the purpose of the law, which is to prevent biases, actual and apparent, which result from the financial interests of the decision-makers.

- Learn to spot potential trouble early. Understand which of your economic interests could give rise to a conflict of interest.

- Understand the "big picture" of the rules. For example, know why the rules distinguish between directly and indirectly involved interests, and why the public generally exception exists.

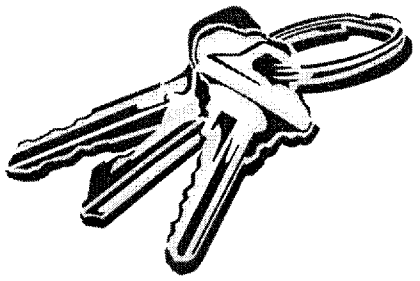

- Realize the importance of the facts. Deciding whether you have a disqualifying conflict of interest depends just as much — if not more — on the facts of your particular situation as it does on the law.

- Don't try to memorize all of the specific conflict-of-interest rules. The rules are complex, and the penalties for violating them are significant. Learn to understand the "big picture." You'll then be able to look up or ask about the particular rules you need to apply to any given case.

- Don't be afraid to ask for advice. It is available from your agency's legal counsel and from the FPPC.

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MV00059932

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of the Moreno Valley Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt Resolution No. 2010-37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

The City of Moreno Valley Community Facilities District No. 2 (Auto Mall) ("CFD No. 2") formation permitted a bonded indebtedness in an amount not to exceed $14,700,000. The sale of bonds in June 1989 financed infrastructure improvements and acquisition. Except for funds set aside for traffic signal construction at the eastbound off ramp of State Route 60 and Moreno Beach Dr., the improvements were declared complete in 1993, and the excess improvement funds were used to retire $2,805,000 in bonds in December 1993. The traffic signal construction was completed June 14, 1996, and the remaining funds were used to call $95,000 in bonds on June 2, 1997.

There were special tax payment delinquencies on eleven (11) parcels within CFD No. 2. Landmark Land Company of California failed to remit their payments starting with the April 10, 1994 through December 10, 1999 installments on nine parcels. Foreclosure proceedings began in May 1994. The foreclosure was delayed due to bankruptcy proceedings against Oak Tree Federal Savings Bank, Landmark Land Company's parent corporation. On February 7, 1997, a judicial foreclosure sale was held at the Riverside County Courthouse. No bids were received for the properties. In addition to the nine Landmark Land Company delinquencies, the Federal Deposit Insurance Corporation (FDIC) failed to make the April 10, 1997, through December 10, 1999, payments on two (2) parcels.

The bonds defaulted on December 1999, requiring City staff to work with the current auto dealerships and professional consultants to resolve the delinquencies by refinancing the outstanding debt and providing for the acquisition of the nonperforming parcels by new property owners.

On January 25, 2000, a Settlement Agreement, as developed through a combined effort of City staff, the Auto Mall dealerships, and professional consultants, was approved by the City Council. The City Council adopted the Amended and Restated Agreement on March 7, 2000. These agreements provided for the refinancing of the CFD No. 2 Special Tax Bonds and restructuring of the special taxes, remedied the Event of Default on December 1, 1999, reduced and discharged the delinquent ad valorem taxes and special taxes, provided for the disposition of the nonperforming parcels, facilitated development of the nonperforming parcels, established a defined interpretation of the calculation of special tax, and settled all claims. In March 2000, the City formed Community Facilities District No. 3 ("CFD No. 3") for the purpose of restructuring the special tax and issuing bonds to refinance CFD No. 2. On April 5, 2000, $8,075,000 of CFD No. 3 bonds were sold to refinance the outstanding CFD No. 2 bonds. At formation of CFD No. 3, the rate and method of apportionment ("RMA") established a maximum special tax rate that could be levied against properties within CFD No. 3.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 2 was established to finance the capital costs for public improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were sold to provide the funding for acquisition of these improvements. Only properties benefiting from the improvements had annual special tax levies placed on the property tax roll to repay the bonded indebtedness. CFD No. 3 Special Tax Bonds, Series 2000 (the "Bonds"), were issued to refinance the CFD No. 2 bonds. Due to these factors, CFD No. 3 is exempt from the provisions of Proposition 218. Subsequent increases if required, not addressed in the March 7, 2000, CFD Report, will be subject to a two-thirds voter approval by the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the RMA required to cover the special tax requirement for CFD No. 3, as submitted in the Special Tax

Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The maximum special tax rates are based upon the assigned zone and development status for each parcel within CFD No. 3, as determined by the timing of the building permit. Developed parcels are those parcels that have a building permit issued prior to January of the current year. For each fiscal year following 2000/01, the Maximum Special Tax rates shall increase by an amount equal to 2% of the Maximum Special Tax in effect for the prior fiscal year. The Maximum Special Tax applicable to each parcel, or portion thereof, shall be obtained by multiplying the taxable acreage for the parcel or portion thereof by the appropriate maximum special tax rate for the parcel's assigned zone as shown within the table below.

Community Facilities District No. 3 (Auto Mall Refinancing) MAXIMUM SPECIAL TAX RATES BY LAND USE CLASSIFICATION FOR FISCAL YEAR 2010/11		
Zone	Developed Property	Undeveloped Property
A	NA*	NA*
B	$14,628/Taxable Acres	$7,905/Taxable Acres
C	$9,751/Taxable Acres	$3,279/Taxable Acres

Based upon the application of the RMA, properties located within Zone A of CFD No. 3 are not taxable after FY 2009/10.

The special tax levy is applied only to those taxable parcels within the boundaries of CFD No. 3 and will be collected on the annual tax bills prepared by the County of Riverside. The debt service shall be paid from a combination of CFD special taxes and Redevelopment tax increment and limited project specific sales tax.

ALTERNATIVES

1. Approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 3 Bonds.*

2. Do not approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 3 Bonds. Bond reserves cover the shortfall and/or the payments to the bondholders to prevent an event of default. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the CFD No. 3 property owner's 2010/11 tax bill. The amounts of the individual charges are reported in the Annual Special Tax Report on file in the office of the City Treasurer. **The funds collected through the CFD No. 3 are restricted funds, which may only be used to pay the debt service for CFD No. 3.** There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment and sales tax revenues, as defined in various Participation Agreements, may offset the special tax.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 3 bonded indebtedness shall be collected in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 3, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer.

NOTIFICATION

Not Applicable

ATTACHMENTS/EXHIBITS

Exhibit A — A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 3

Exhibit B — Boundary Map of CFD No. 3

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059938

RESOLUTION NO. 2010-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 2000-27 ("Resolution") approving the form of the Bond Indenture ("Indenture") terms and conditions pertaining to the issuance of the Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) Special Tax Bond, Series 2000 in the amount of $8,075,000 of the; and,

WHEREAS, the City has prepared and submitted the Annual Special Tax Report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District, which is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 3 as set forth in the Report and herby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

Resolution No. 2010-__
Date Adopted: _____

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare}

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059942

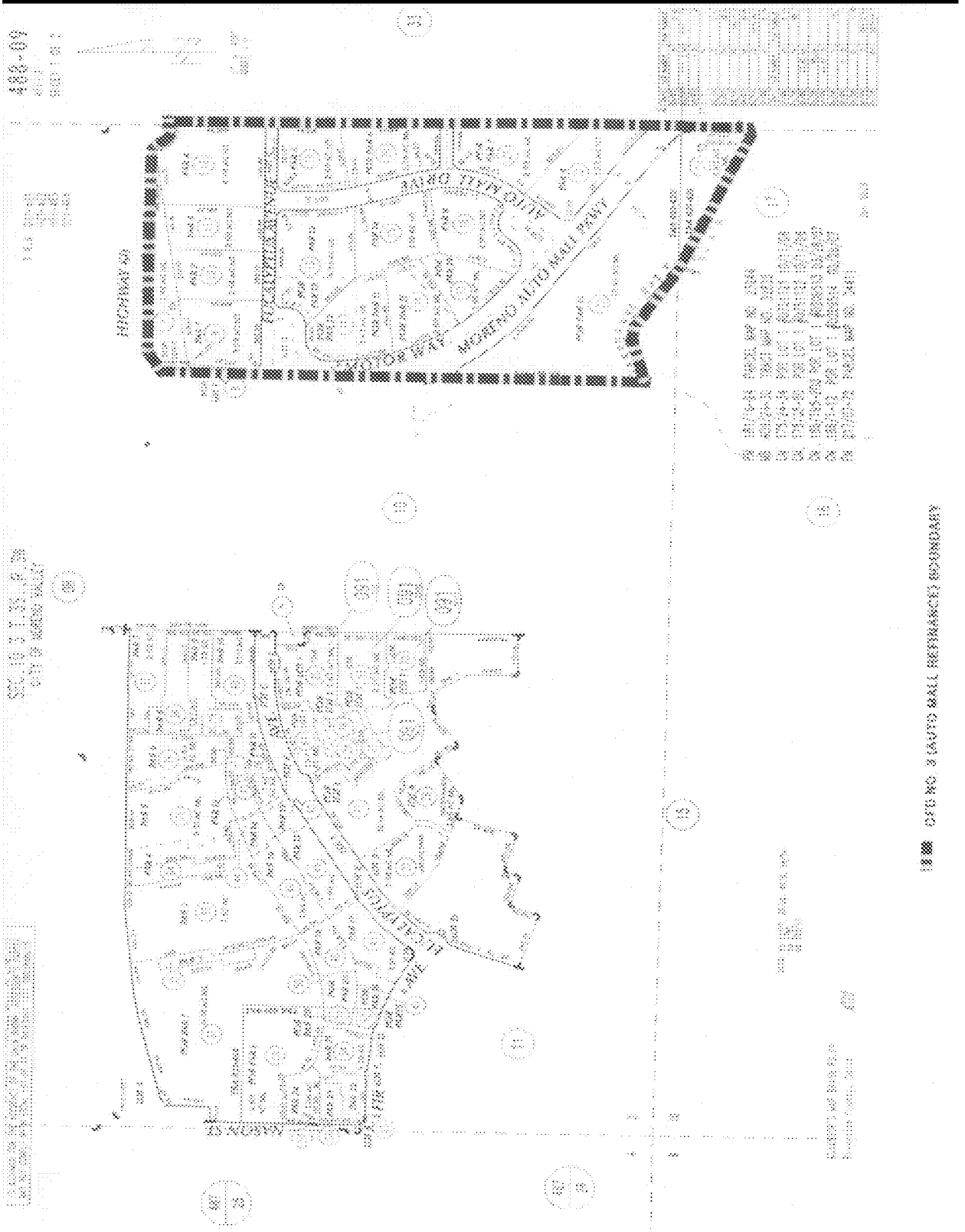

Exhibit B

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MV00059944

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

1 Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1; and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1 was authorized to issue bonds. In April 1988, the Series A Bonds were sold in the amount of $9,000,000 to finance Phase I improvements. The Series B Bonds were sold in August 1991 in the amount of $12,000,000 to fund the remaining improvements within CFD No. 87-1.

In May of 1994, the legislative body of CFD No. 87-1 approved the issuance of the Special Tax Refunding Series A ($14,170,000) and Series B ($8,530,000) Bonds, which were sold on June 24, 1994. These bonds are collectively known as the "Prior Bonds".

In October of 2007, the legislative body of CFD No. 87-1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 (Towngate) Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the Prior Bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 was established to finance the capital costs for roadway improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were issued to provide funding for these improvements. Only commercial properties within the CFD No. 87-1 are subject to the annual special tax to repay the bonded indebtedness. Subsequent increases in the special tax, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum special tax rate for CFD No. 87-1 is $11,500 per net acre. This amount is uniformly applied to developed property and may only be applied to undeveloped property if the maximum special tax levy on the developed property is insufficient to cover the annual special tax requirement.

The special tax will be levied per parcel and collected on the annual property tax bills, which are prepared by the County of Riverside. Only taxable parcels within the boundaries of CFD No. 87-1 shall be subject to the special tax. The total special tax requirement will be funded through a combination of CFD No. 87-1 special tax, TownGate Specific Plan Area tax increment as provided by the Redevelopment Agency, and excess Reserve Fund interest earnings.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Annual Accountability Report in compliance with

California Government Code Sections 53410 and 53411 ("Code Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with Fiscal Year (FY) 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Annual Special Tax and Bond Accountability Report which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information, as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there would be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales. Failure to file the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the FY 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1. **Funds collected through CFD No. 87-1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1.** The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer.

There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment, as defined in various Owner Participation Agreements, may offset the special taxes. No single family residential property is affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to repay the CFD No. 87-1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1, shall have an opportunity to consider implementing the RMA to provide the payment of annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1. The other report approves the special tax levy and reporting requirements for CFD No. 87-1 Improvement Area No. 1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1
Exhibit C	Boundary Map for CFD No. 87-1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059950

RESOLUTION NO. 2010-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 88-13 establishing the terms and conditions pertaining to the issuance of the $9,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Special Tax Bonds, Series "A" ("1988 Bonds"); and, adopted Resolution No. 91-90 establishing the terms and conditions pertaining to the issuance of the $12,000,000 City of Moreno Valley Towngate Community Facilities District No. 87-1 Special Tax Bonds, Series "B" ("1991 Bonds"); and,

WHEREAS, the District, did previously adopt Resolution No. 94-28, which established the terms and conditions pertaining to the issuance of the City of Moreno Valley Community Facilities District No. 87-1 (Towngate) $14,170,000 Special Tax Refunding Bonds, Series A ("1994 Series A Bonds") and $8,330,000 Special Tax Refunding Bonds, Series B ("1994 Series B Bond") (collectively, the "Prior Bonds"); and,

WHEREAS, the legislative body of the District determined that it would be prudent in the management of the fiscal affairs of the District to proceed with issuing bonds for the purpose of refunding the Prior Bonds; and,

WHEREAS, this legislative body, approved Resolution No. 2007-119 to authorize the issuance of 2007 Special Tax Refunding Bonds for CFD No. 87-1, which were sold on November 29, 2007, at $10,665,000; and,

WHEREAS, this legislative body approved the Bond Indenture to establish the terms and conditions pertaining to the issuance of the 2007 Special Tax Refunding Bonds; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 87-1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this day _____ of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059954

RESOLUTION NO. 2010-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF AN ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file a report with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the report in compliance with the above mentioned Government Code Sections, and that a copy of the Annual Accountability Report is on file in the office of the City Treasurer for review by the public upon request.

.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

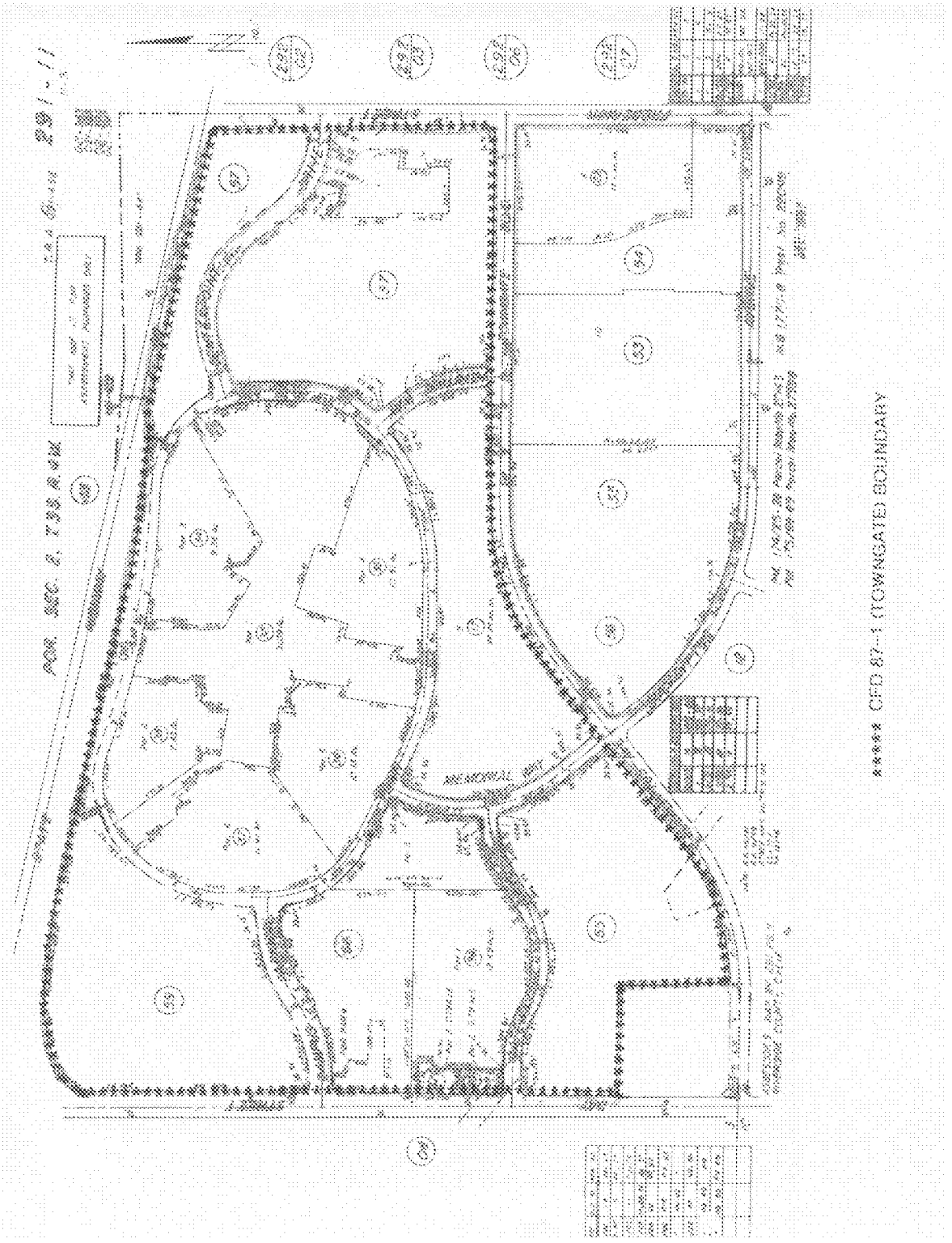

Exhibit C

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MV00059958

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

1) Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

2 Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1, Improvement Area No. 1 was authorized to issue bonds. On March 23, 1993, the Moreno Valley City Council approved Resolution No. 93-16 to authorize the issuance of $5,000,000 in bonds for

CFD No. 87-1 Improvement Area No. 1, which were sold on June 24, 1994. The bonds contained a capitalized interest component, which precluded the necessity to levy a Special Tax for 1993/94; therefore, fiscal year (FY) 1994/95 was the first year for a Special Tax levy.

In October of 2007, the legislative body of CFD No. 87-1 Improvement Area No. 1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the refunded bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 Improvement Area No. 1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 Improvement Area No. 1 was established to finance the acquisition, construction, and/or installation of public facilities, which include sewer and water improvements, traffic signals, freeway ramps and land for a detention basin. Bonds were issued to provide funding for these improvements. Only commercial properties within the District are subject to an annual special tax to repay the bonded indebtedness. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1 Improvement Area No.1, as submitted in the Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The special taxes for CFD 87-1 Improvement Area No. 1 shall be levied at a uniform rate per taxable acre on all parcels within each of two tax rate areas. Tax Rate Area 1 consists of approximately 80.15 net taxable acres, which is responsible for 59% of the special tax levy up to the maximum special tax rate of $4,450 per taxable acre. Tax Rate Area 2 is responsible for 41% of the special tax levy up to a maximum special tax rate of $3,850 per taxable acre.

The special tax will be levied per parcel and collected on the annual property tax bills as prepared by the County of Riverside. The special tax levy is applied only to those parcels within the boundaries of CFD No. 87-1 Improvement Area No. 1.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Improvement Area No. 1 Annual Accountability Report in compliance with California Government Code Sections 53410 and 53411 ("Code

Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with FY 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Improvement Area No. 1 Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval will allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with the Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 Improvement Area No. 1 Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting the viability of future bond sales. Filing of the Annual Accountability Report is a legal requirement, which would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1 Improvement Area No. 1. **The funds collected through the CFD No. 87-1, Improvement Area No. 1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1,**

Improvement Area No. 1. The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are no general fund expenditures involved with this special tax obligation. The property within the CFD No. 87-1 Improvement Area No. 1 boundary is commercial; therefore, there are no residential properties affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 87-1 Improvement Area No. 1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1 Improvement Area No. 1, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1 Improvement Area No. 1. The other one approves the special tax levy and reporting requirements for CFD No. 87-1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1
Exhibit C	Boundary Map CFD No. 87-1 Improvement Area No.1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059964

RESOLUTION NO. 2010-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 Improvement Area No. 1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 93-16 approving the Bond Indenture terms and conditions pertaining to the issuance of the $5,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Bonds; and,

WHEREAS, on October 27, 2007, the legislative body adopted Resolution No. 2007-120, which authorized the issuance of Special Tax Refunding Bonds for the District to accomplish a net reduction in the debt service requirement, and approved the Bond Indenture terms and conditions pertaining to the issuance of $4,075,000 for Community Facilities District No. 87-1 Improvement Area No. 1; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No 87-1 Improvement Area No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the tax.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059968

RESOLUTION NO. 2010-41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 IMPROVEMENT AREA NO. 1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

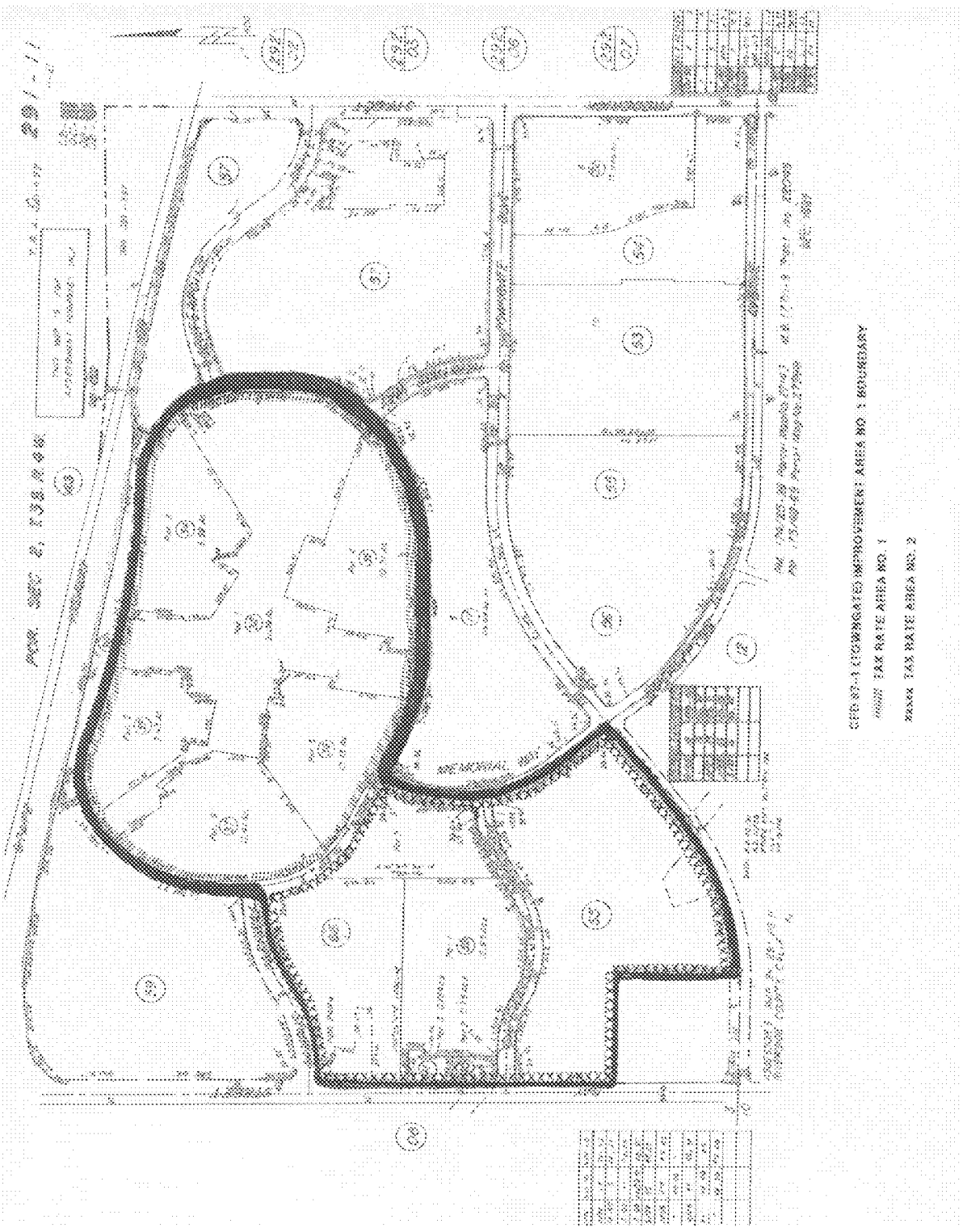

Exhibit C

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MV00059972

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00059976

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059980

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059984

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 5

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

1. Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

BACKGROUND

Community Facilities District No. 5 ("CFD No. 5" or "District") consists of Stoneridge Towne Centre, which is zoned for commercial/retail use. The site, located at the northeast corner of the Nason Street and Fir Avenue, is approximately 64 gross acres, of which 33 are net taxable acres.

On October 25, 2005, City Council adopted Resolution No. 2005-104 to form CFD No. 5 to finance the capital costs related to the Stoneridge Towne Centre commercial development for street improvements (Nason Street, Dracaea Avenue, Eucalyptus Avenue, and Fir Avenue), traffic signals, water, sewer, drainage, and electrical improvements.

California Government Code Sections 53410 and 53411 ("Code Sections") state that any local bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures that include, but are not limited to, the chief fiscal officer of the issuing local agency filing an Annual Accountability Report with its governing body at least once a year. The Annual Accountability Report shall contain the specific purpose of the bonds, both the amount of funds collected and expended, and the status of any project required or authorized to be funded as identified in the statement indicating the specific purpose of the bonds.

DISCUSSION

Each year during the term of the debt, an Annual Special Tax Report must be approved by the City Council to provide funds for the annual debt service requirements. Detailed within the Annual Special Tax Report are the total annual debt service, administrative requirements, and the calculation of the special tax levy, as per the rate and method of apportionment ("RMA"), to meet the FY 2010/11 special tax requirement. The FY 2010/11 Annual Special Tax Report is on file with the City Treasurer.

The maximum annual special tax for developed and undeveloped property has been established by the RMA at $10,652.00 per acre for FY 2006/07. Per the RMA, the maximum annual special tax shall be increased by an amount equal to two percent (2%) each fiscal year in order to meet the annual special tax requirement. The maximum special tax rate for FY 2010/11 is $11,530 per acre. Subsequent increases, not addressed in the RMA, will be subject to a two-thirds voter approval of the property owners. The County of Riverside collects the special tax levy per taxable parcel, not exempted, on the annual property tax bills.

The special tax is applied only to those taxable parcels within the District boundaries, excluding parcels not subject to the special tax, which includes parcels owned by Target Corp and Kohls Dept Stores, Inc. that prepaid their special tax obligation. The CFD No.5 debt service is calculated based on a total acreage of 33.

The CFD No. 5 Annual Accountability Report provides the following accountability measure as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification of the satisfaction of the requirement that the proceeds are being applied only to the specific purposes identified to the CFD formation and bond financing documents. This includes the creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

The Annual Special Tax Report and the Annual Accountability Report have been consolidated into the Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer.

ALTERNATIVES

1. **Approve and adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *Approval of the resolutions will allow for the collection of the special taxes necessary to cover the annual debt service of CFD No. 5 and ensure reporting compliance with the Code Sections.*

2. **Do not approve or adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *If the special tax levy was not approved, there may be a shortage of funds necessary to cover the annual debt service of CFD No. 5. Not approving the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 Riverside County property tax bill for those parcels subject to the special tax. **The special tax levied on properties within the boundaries of CFD No. 5 can only be used to cover the annual special tax requirement for the District. There is no fiscal impact on the General Fund associated with the annual debt service or for the submittal of the Annual Special Tax and Bond Accountability Report for CFD No. 5.**

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to cover the annual debt service for CFD No. 5 shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 5, per the RMA, required to cover the special tax requirement of CFD No. 5, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Also being considered is the approval and submittal of the Annual Accountability Report for CFD No. 5.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Annual Special Tax Report

EXHIBIT B A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 5

EXHIBIT C Boundary Map of CFD No. 5

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 5 Stoneridge\Administration\Annual Reports\2010-11\staff report and resolutions\CFD 5 10_11 levy - Staff Report.doc

RESOLUTION NO. 2010-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 5 ("CFD No. 5" or "District") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 701 ("Ordinance") to authorize a levy of a special tax within CFD No. 5; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00059996

RESOLUTION NO. 2010-44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, Government Code §53410 requires that on or after January 1, 2001 any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 5 OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

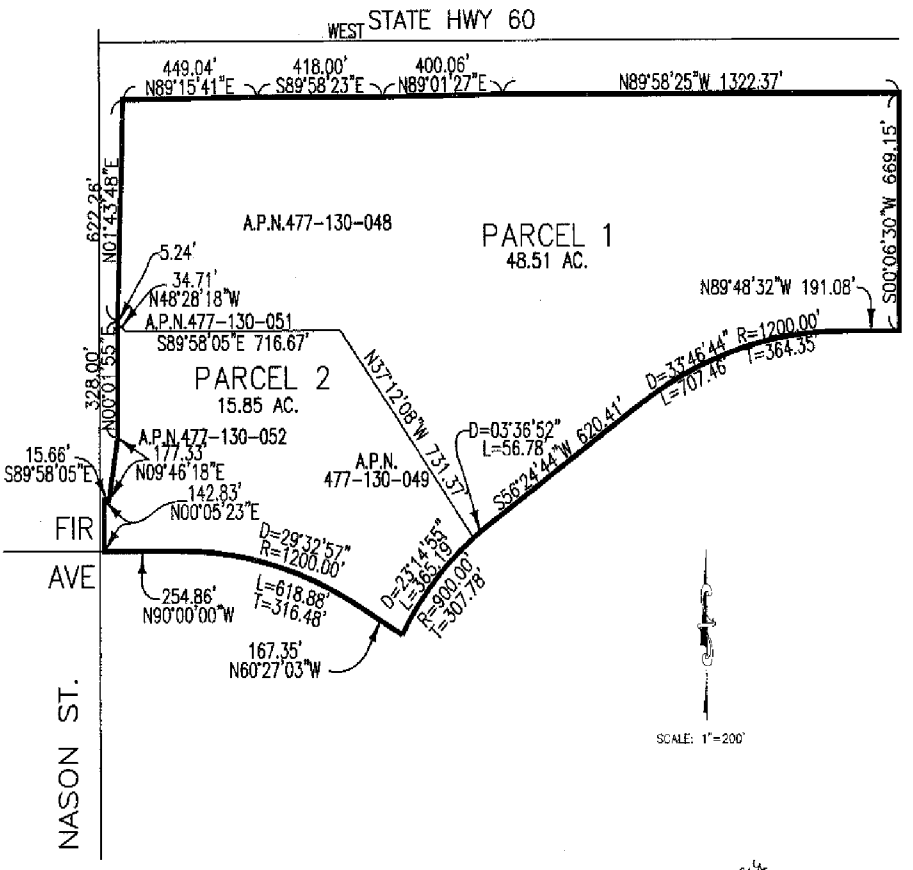

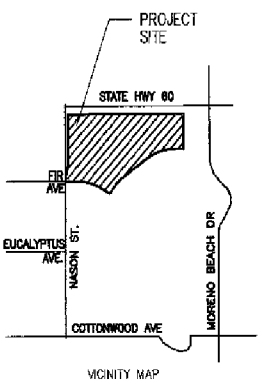

VICINITY MAP
NO SCALE

LEGEND

DISTRICT BOUNDARY

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 20th DAY OF June 2005.

CITY CLERK OF THE CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 5 CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY: AT A REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE 18th DAY OF September 2005. BY ITS RESOLUTION No. 2005-78.

CITY CLERK OF THE CITY OF MORENO VALLEY

FILED THIS 22nd DAY OF September, 2005. AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 64 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS PAGE NOS. 20 THROUGH — AS INSTRUMENT NO. 2005-0785291 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF RIVERSIDE

FEE $ 7

REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

PROPOSED BOUNDARY MAP

Community Facilities District No. 5
of the City of Moreno Valley
County of Riverside, California

Sheet 1 OF 1

HARRIS & ASSOCIATES
34 Executive Park, Suite 150
Irvine, CA 92614
(949) 655-3900 • FAX (949) 655-3595

04/22/05

G:\Moreno Valley\CFD\B\Map\CFD No 5 - Shoreline Beach.dwg

EXHIBIT C

Item No. A.9

MV00059999

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MV00060000

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 4—Maintenance

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

BACKGROUND

Centerpointe Business Park is an industrial development area, which is generally located north of Cactus Avenue, south of Alessandro Boulevard, east of Frederick Street, and west of Heacock Street. As a condition of development, stormwater and detention basin improvements were constructed to accommodate water runoff and detention for new and future developments within the industrial development area and adjoining properties.

On October 25, 2005, City Council adopted Resolution No. 2005-97 to form and establish CFD No. 4—M, to provide stormwater facilities maintenance, and to authorize the collection of a special tax against all nonexempt property within the Centerpointe Business Park industrial development, including adjacent properties that may in the future be annexed into CFD No. 4—M. Maintenance, as defined in the resolution to form CFD No. 4—M includes, but is not limited to, the provisions of all labor, materials, administration, equipment, utilities, and incidental expenses necessary to provide maintenance of the stormwater facilities. To fund the cost of maintenance, all

nonexempt properties within the boundaries of CFD No. 4—M shall be subject to an annual special tax levy.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to cover the special tax requirement for CFD No. 4—M, as submitted in the special tax report on file in the office of the City Treasurer. Detailed within the annual special tax report ("Report") is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum annual special tax for each assessor's parcel of developed and undeveloped property, as established by the RMA, shall be increased each fiscal year thereafter, beginning in July 2007, by an amount equal to the Engineering News-Record Building Cost Index ("BCI") for the City of Los Angeles, measured as of the end of the calendar year. The BCI for calendar year 2009 did not increase so the maximum special tax for FY 2010/11 will remain at $0.00853 per square foot of land area. The special tax levy shall be applied proportionately on each parcel of developed and undeveloped property within the boundaries of CFD No. 4—M at up to 100% of the applicable maximum annual special tax. The special tax levy per parcel will be collected on the Riverside County property tax bill. However, the special tax levy for the United States Postal Service, assessor parcel number 297-170-071, shall be hand billed.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *This approval will allow collection of the special taxes necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *If the special tax levy was not approved, there may be a shortage of funds necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

FISCAL IMPACT

The fiscal impact for CFD No. 4—M will be a levy of a special tax applied to the property owner's FY 2010/11 tax bill or a hand bill for tax-exempt properties. **The special tax levied on properties within the boundaries of CFD No. 4—M can only be used to cover the annual special tax requirement for the district. There is no impact on**

the General Fund regarding the levy of the special tax for CFD No. 4—M. Properties within the boundaries of CFD No. 4—M consist of commercial and industrial developments; residential properties are not affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to fund CFD No. 4—M services shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 4—M, per the RMA, to provide ongoing administrative and maintenance services for the stormwater and detention basin improvements.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No. 4—M

EXHIBIT B Boundary Map of CFD No. 4—M

EXHIBIT C Future Annexation Area Map of CFD No. 4—M

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 4—Maintenance\Administration\Annual Report\2010-11\staff report and resolution\Staff_Report for CFD No 4—M annual report.doc

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MV00060004

RESOLUTION NO. 2010-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 697 ("Ordinance") approving the rate and method of apportionment of special taxes ("RMA") to authorize a levy of a special taxes within CFD No. 4-M; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 4-M as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060008

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

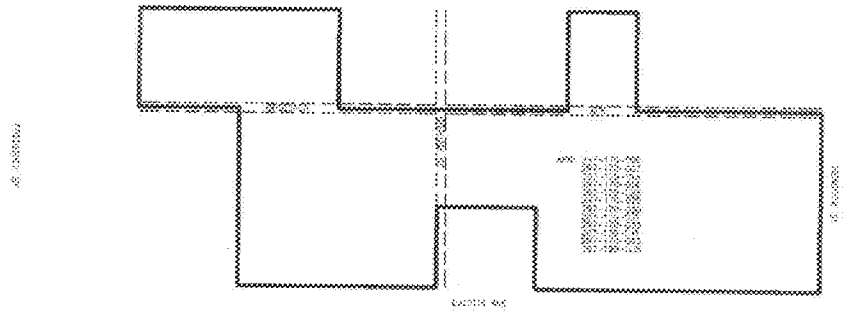

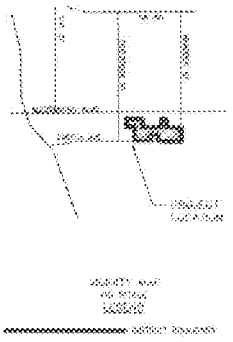

PROPOSED BOUNDARY MAP

Proposed Boundary of
Community Facilities District No. 4–Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT B

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MV00060010

FUTURE ANNEXATION AREA OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

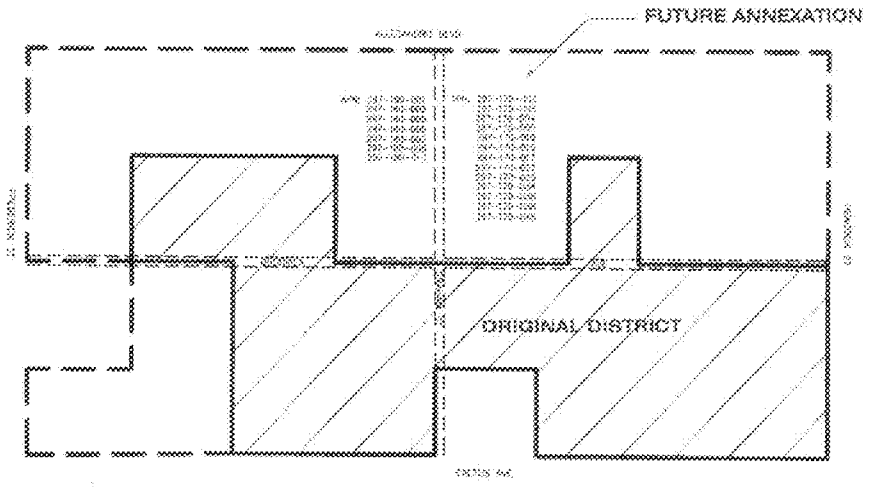

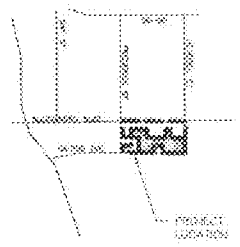

PROPOSED BOUNDARY MAP

Future annexation Area of
Community Facilities District No. 4-Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT C

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - COMMERCIAL – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center and drug store located at the southeast corner of Iris Avenue and Perris Boulevard that was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, and storm drain. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $538,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Commercial - 90% Bond Reduction.doc

RESOLUTION NO. 2010-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - COMMERCIAL, AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Corporation on the portion of Iris Avenue and Perris Boulevard associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Commercial, and accept the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Commercial are complete, and the portion of Iris Avenue and Perris Boulevard associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

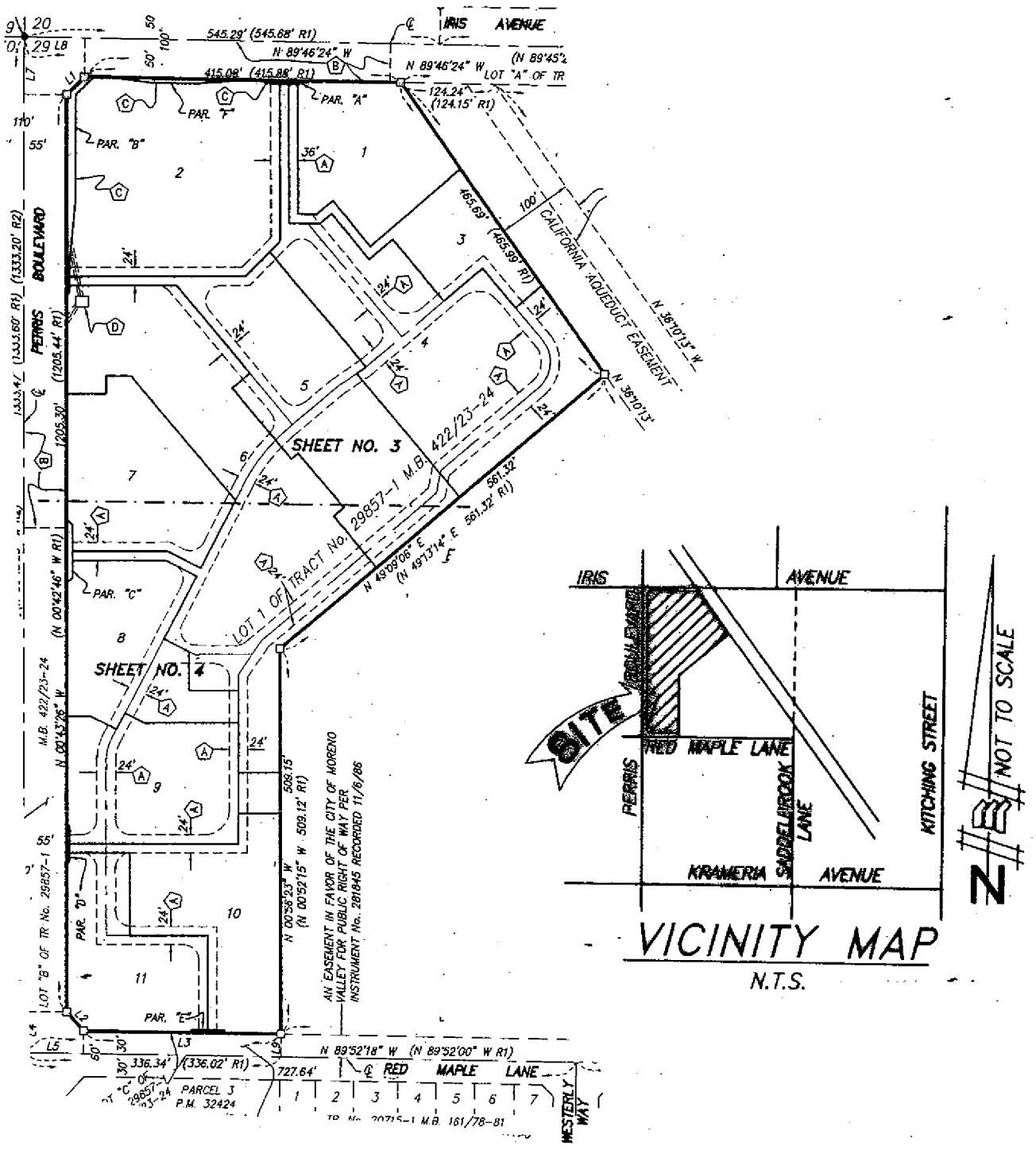

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 33726 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

EXHIBIT "A"

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - STORM DRAIN – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center located on Red Maple Lane, east of Perris Boulevard that was conditionally approved requiring installation of storm drain facilities on Red Maple Lane. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $294,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and

Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Storm Drain - 90% Bond Reduction.doc

RESOLUTION NO. 2010-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - STORM DRAIN, AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Company on the portion of Red Maple Lane associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Storm Drain, and accept the portion of Red Maple Lane associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Storm Drain are complete, and the portion of Red Maple Lane associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

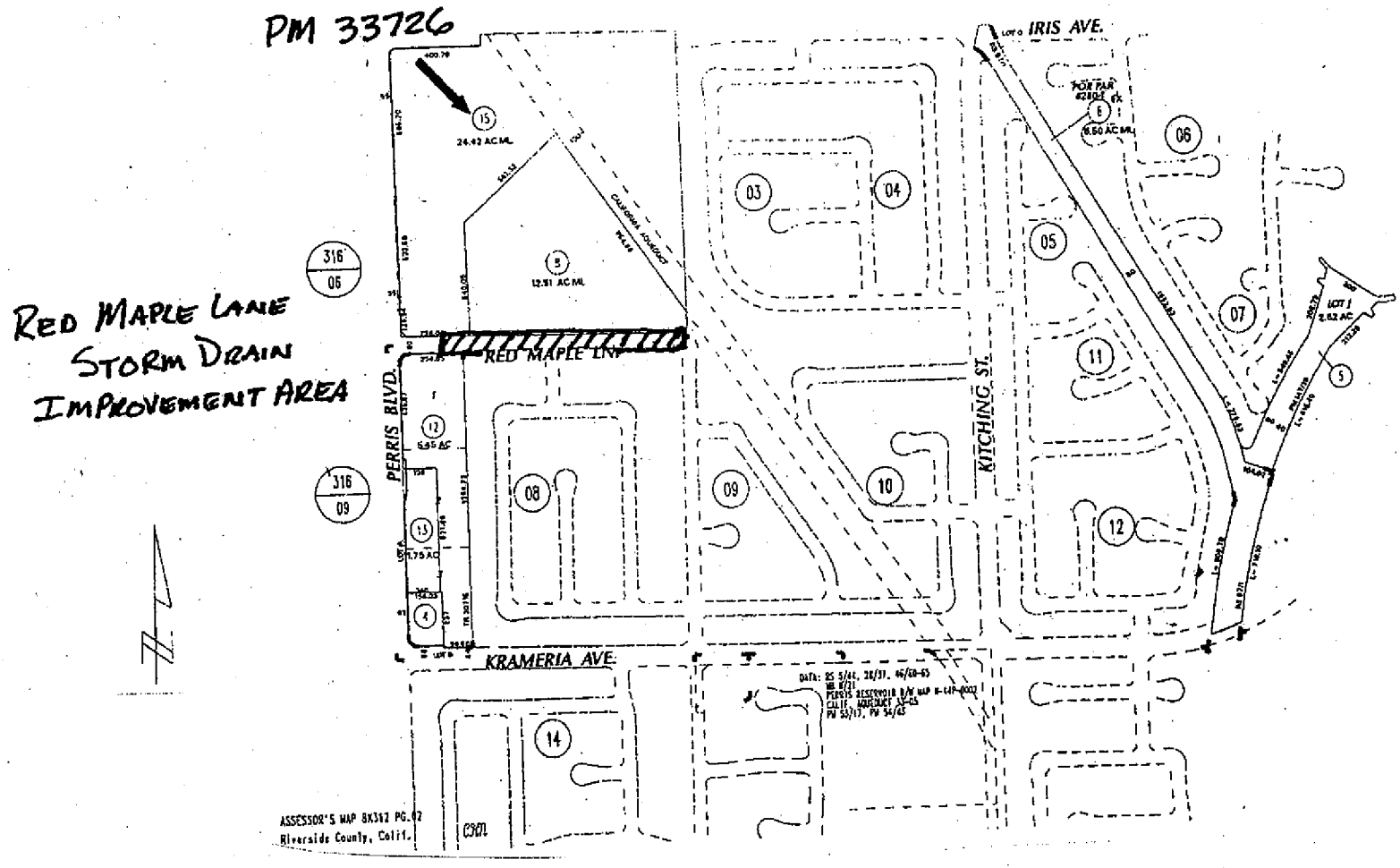

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

PM 33726 STORM DRAIN
VICINITY MAP

EXHIBIT "A"

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MV00060028

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE

RECOMMENDED ACTION

Staff recommends that the City Council review and approve the annual Agreements for Services with two of the local chambers of commerce – the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

BACKGROUND

A chamber of commerce provides the important role of acting as a liaison between city government and the business community. A local chamber of commerce can help enhance a city's economic development efforts by actively working with the business community on a variety of retention and business support activities.

In Moreno Valley, there are three chambers of commerce – the Moreno Valley Chamber of Commerce (MVCC), the Moreno Valley Hispanic Chamber of Commerce (MVHCC), and the Moreno Valley Black Chamber of Commerce (MVBCC). City funding, through an annual Agreement of Services, has been provided in exchange for the chambers performing a variety of specified business outreach services and special programs that improve the overall business climate in Moreno Valley.

The MVCC started receiving annual funding of $24,000 from the City in FY 1999/2000 (in the mid to late 1990's the MVCC worked with the City on a number of specific projects, but had not established annual funding arrangements). The MVHCC obtained $6,000 in annual funding from the City starting in FY 2000/01. The difference in funding level between the two Chamber's was in recognition of the MVCC's larger membership and the many special programs the MVCC performed including being the liaison with March ARB, co-sponsoring the Leadership Moreno Valley program, preparing a City

Map, operating a City Visitor Information Center at the Moreno Valley Mall, and managing the Master Community Calendar of Events. In FY 2000/01, the City formalized its relationship with the MVCC and the MVHCC by entering into an annual contract – an Agreement for Services. This is a common practice for cities and chambers in California. In FY 2005/06, the City entered into an annual Agreement for Services with the MVBCC with an established funding amount of $6,000.

DISCUSSION

In FY 2009/10, the City of Moreno Valley provided the following financial contributions to the three Chambers of Commerce:

Chamber	Annual Contribution
Moreno Valley Chamber of Commerce	$24,000 plus two complimentary 5-hour ballroom rentals.
Moreno Valley Black Chamber of Commerce	$5,500 plus two complimentary 5-hour ballroom rentals. (Please note the Moreno Valley Black Chamber Board of Directors voted to decline participation in the ERC program citing that their non-profit Foundation has a similar program staffed by their volunteers. They consented to deducting $500.00 from their annual compensation.)
Moreno Valley Hispanic Chamber of Commerce	$6,000 plus two complimentary 5-hour ballroom rentals.

Four years ago, the City increased overall funding to the three chambers by providing two complimentary uses of the Conference and Recreation Center (CRC) for programs. The use of the City facilities improves the quality of programs and enhances the marketing of the CRC.

Before moving forward with renewing contracts for FY 2010/11, the Economic Development Department staff met with executives from each of the respective Chambers to discuss their respective scopes of work and identify opportunities for the Chambers to further cooperate in working together to enhance business services and business opportunities in the community. Because of the challenging economic times, emphasis is being placed on the implementation of a “Shop Moreno Valley” program by the City, along with support by each Chamber. The proposed changes to the scopes of work for each chamber are similar (please refer to Exhibits A, B, and C for the full text of each chamber’s scope of work, including highlighted changes from FY 2009/10):

On May 27, 2010, City staff was informed that the Board of Directors of the Moreno Valley Black Chamber of Commerce (MVBCC) has decided not to pursue a renewal of its Agreement with the City for FY 2010/11. In taking this action, the MVBCC stated it will continue to help the City and the other two chambers with the Business Roundtable and Joint Mixers if it desires the MVBCC’s participation.

ALTERNATIVES

1. Approve the renewal of the Agreement for Services with the two chambers (MVCC and MVHCC) as proposed per the established funding levels.

   Staff recommends this alternative because the renewal of the Agreements as proposed properly compensates each chamber commensurate with their respective proposed scopes of work.

2. Reject the renewal of the Agreements and direct staff to pursue changes to the Agreement for Services.

FISCAL IMPACT

As part of the FY 2010/11 Agreements for Services, City staff recommends adopting the following "Schedule of Compensation" for services rendered. This type of format clearly spells out the service delivery established through the contractual relationship between the City and the respective chambers of commerce. The funding source for these services will be from FY 2010/11 Budget, Account No. 010.21110.6255, Economic Development, Other Professional Services.

Chambers of Commerce Compensation

	TYPE OF SERVICE	MVCC	MVHCC
☐	Basic Business Support and Retention Services	$8,000*	$2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage master Community Calendar)	12,500**	N/A
☐	Proposed Cooperative Programs (Shop Moreno Valley)	500	500
	Total	**$24,000**	**$6,000**

**Note: MVCC's compensation is higher because of a larger membership base.*

***Note: MVCC performs a variety of other programs that benefit the business community and enhance the overall economic development efforts of the City.*

CITY COUNCIL GOALS

Positive Environment: Create a possible environment for the development of Moreno Valley's future.

SUMMARY

The City contracts with the chambers of commerce for business support services. Through the Agreements for Services, the City shall compensate the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce for a variety of specified services.

ATTACHMENTS/EXHIBITS

Exhibit A: Proposed Agreement and Scope of Services for the Moreno Valley Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Exhibit B: Proposed Agreement and Scope of Services for the Moreno Valley Hispanic Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Prepared By:
Denise Bagley
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~, 2010 by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments in advance of each calendar quarter to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $24,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in FY ~~2009-10~~ 2010-11. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director	~~Executive Director~~ President
Economic Development Department	Moreno Valley Chamber of Commerce
City of Moreno Valley	~~22500 Town Circle, Suite 2090~~
P. O. Box 88005	12625 Frederick Street, E-2
Moreno Valley, CA 92552-0805	Moreno Valley, CA 92553

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber Executive Director as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and al losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly

or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of

Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous

places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY	MORENO VALLEY CHAMBER OF COMMERCE
By: _____	By: _____
Title: _____	Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement
Approved Certificate of Workers' Compensation Insurance

Exhibit A
Moreno Valley Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1 The Moreno Valley Chamber of Commerce ("Chamber") will continue to sponsor and operate Wake-Up Moreno Valley.

Article 2 The Chamber will assist the City in its relationship with March Air Reserve Base and keep the City informed of the activities of the Military Affairs Committee.

Article 3 The Chamber will serve as an information source for businesses seeking opportunities in Moreno Valley, as well as functioning as a visitor and information center.

Article 4 Chamber will provide a personal welcome to new businesses and offer assistance in contacting governmental agencies.

Article 5 Chamber will assist the City Economic Development staff in business retention and small business legislative support; including active participation and coordination of the Business Roundtable, Leadership Moreno Valley, and the Economic Development Department Business Visitation Programs.

Article 6 Chamber will create and maintain a master community calendar as part of their Special Events function and keep the City advised on a monthly basis. Included with this calendar will be the specific events and activities of the other local Chambers of Commerce.

Article 7 The Chamber will maintain their ongoing committees and the services provided through those committees.

Article 8 Chamber will continue to provide maps of the city, including any updating as necessary.

~~Article 9 Chamber will provide City a complete roster of dues paying members including names and addresses annually.~~

~~Article 10 Chamber will have a membership performance goal of increasing membership by 10% in one year.~~

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 11 Chamber shall cooperate with the Moreno Valley Hispanic and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one of the three annual Mega Mixers.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Article 12 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in bi-monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 13 Chamber shall participate with the Moreno Valley Hispanic Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 14 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 15 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 16 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 17 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Exhibit B
Moreno Valley Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 8,000
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage a Master Community Calendar)	12,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program~~s~~: Shop Moreno Valley Campaign ~~Employment Resource Center~~	 2,000 ~~500~~
	Total	**$ 24,000**

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/11/2009

PRODUCER
CS&S/ASSOCIATED PRODUCERS INSURANCE
PO BOX 946580
Maitland, FL 32794-6580
1-877-724-2669

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: American Casualty Co of Reading, PA	20427 A(XV) CA
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
MORENO VALLEY CHAMBER OF COMMERCE
12625 Frederick Street, Ste E-3
Moreno Valley, CA 92553

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [X] LOC	2091080061	12/22/09	12/22/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
						MED EXP (Any one person)	$ 10,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS - COMP/OP AGG	$ 2,000,000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$

RISK MANAGEMENT
Approved
M. Alonzo 11-23-09
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Certificate Holder is named as Owner/Lessee/Contractor (A)

CERTIFICATE HOLDER
The City of Moreno Valley; Moreno Valley Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

CNA Small Business Service Center
PO Box 946580
Maitland, FL 32794-6580

000008

The City of Moreno Valley; Moreno Valley
Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

0000300000000000000111109030 7

SB-300120-A
(Ed. 01/06)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization: EFFECTIVE 12/22/2009 TO 12/22/2010 CNP 2091080061
THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 FREDERICK STREET, MORENO VALLEY, CA 92552
* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

CNA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

Effective: 12/22/08 to 12/22/09
Moreno Valley Chamber of Commerce - Pol # 2091080061

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization:

City of Moreno Valley
Moreno Valley Community Services District,
Redevelopment Agency of the City of Moreno Valley
14177 Frederick St., Moreno Valley, CA 92552

* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

POLICYHOLDER · ·Y SK

STATE COMPENSATION INSURANCE FUND

NR-5 (CA)

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 05-01-2009

GROUP:
POLICY NUMBER: 1344343-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 05-01-2010
05-01-2009/05-01-2010

CITY OF MORENO VALLEY SK
P.O. BOX 88005 , 14177 FREDERICK STRE
MORENO VALLEY CA 92552-0805

This is to certify that we have issued a valid Workers' Compensation Insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 days advance written notice to the employer.

We will also give you 30 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

Jamea Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #2065 ENTITLED CERTIFICATE HOLDERS' NOTICE EFFECTIVE 05-01-2004 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

RISK MANAGEMENT
Approved

M. Alloy 5-5-09
By Date

EMPLOYER

MORENO VALLEY CHAMBER OF COMMERCE, A SK
NON-PROFIT CORP.
22500 TOWN CIR STE 2080
MORENO VALLEY CA 92553

M0409

PRINTED : 04-17-2009

(REV.2-05)

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~ 2010, by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY HISPANIC CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $6,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in ~~FY 2009/10~~ FY 2010/2011. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

Exhibit B

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director Economic Development Department City of Moreno Valley P. O. Box 88005 Moreno Valley, CA 92552-0805	President, Moreno Valley Hispanic Chamber of Commerce P.O. Box 246 Moreno Valley, CA 92556

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber President as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees,

and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage

shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied,

pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY

By: _____

Title: _____

Date: _____

MORENO VALLEY HISPANIC CHAMBER OF COMMERCE

By: _____

Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement

Approved Certificate of Workers' Compensation Insurance

Moreno Valley Hispanic Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1: The Moreno Valley Hispanic Chamber of Commerce ("Chamber") will provide participation / sponsorship in the following committees, services, and/or events:

1. ~~Maintain the Chamber Membership Committee~~.
2. Conduct the Cinco de Mayo Fiesta.
3. Participate in the City's Fourth of July Parade/Celebration.
4. Celebrate Hispanic Heritage Month - September.
5. Participate in and support the Sister City Program with San Juan de Los Lagos.
6. Sponsor and operate monthly Adelante! Moreno Valley events and Chamber mixers to support Moreno Valley businesses.
7. Conduct an annual Installation Dinner and Recognition of the outstanding member Business of the Year.
8. Cooperate with the Moreno Valley Chamber of Commerce in their production of a master community calendar by providing logistical information about the Moreno Valley Hispanic Chamber of Commerce's specific events and activities by the 10th day of each month.
9. Support the City of Moreno Valley through operation of the Se Habla Español program, which promotes Moreno Valley's businesses to Spanish-speaking residents.
10. Facilitate Communication between Hispanic Business Owners and the City.
11. ~~Facilitate communication between the Hispanic community and the two school districts~~. Award an annual college scholarship to a Moreno Valley student(s).
12. ~~Partner with Small Business Administration and other governmental agencies that provide business seminars for Hispanic businesses.~~
13. Continue to operate as point of contact for businesses seeking relocation to Moreno Valley.
14. Assist the City Economic Development staff with business retention and small business legislative support; including active participation and coordination of the Business Roundtable, and the Economic Development Department's Business Visitation Program.

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 2 Chamber shall cooperate with the Moreno Valley and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one annual Mega Mixer.

Article 3 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 4 Chamber shall participate with the Moreno Valley Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 5 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 6 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 7 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 8 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

Exhibit B
Moreno Valley Hispanic Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program: Shop Moreno Valley Program ~~Workforce Development Employment Center)~~	~~500~~ 2,000 ~~500~~
	Total	**$ 6,000**

ACORD® CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/15/2010

PRODUCER
MARSHALL C. SCOTT STATE FARM INSURANCE
23020 ATLANTIC CIRCLE
MORENO VALLEY, CA 92553

THIS CERTIFICATE IS ISSUED AS MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A:	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
THE MORENO VALLEY HISPANIC CHAMBER OF COMMERCE
P.O. BOX 246
MORENO VALLEY, CA 92556-0246

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY	92-XC-2752-9	12/14/2009	12/14/2010	EACH OCCURRENCE	$ 2,000,000
		X COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	$
		CLAIMS MADE OCCUR				MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$
		GEN'L AGGREGATE LIMIT APPLIES PER:				GENERAL AGGREGATE	$ 4,000,000
		POLICY PRO-JECT LOC				PRODUCTS - COMP/OP AGG	$ 4,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		ANY AUTO				BODILY INJURY (Per person)	$
		ALL OWNED AUTOS				BODILY INJURY (Per accident)	$
		SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	$
		HIRED AUTOS					
		NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$
		OCCUR CLAIMS MADE				AGGREGATE	$
		DEDUCTIBLE					$
		RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS / OTHER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

RISK MANAGEMENT
Approved
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
LOCATION OF OPERATION: 23020 ATLANTIC CIRCLE, MORENO VALLEY, CA 92553, DEDUCTIBLE: $500
DESCRIPTION OF OPERATIONS: MONTHLY BOARD OF DIRECTORS MEETING AND ALL OTHER MVHCC ACTIVITIES HELD AT RIVERSIDE COUNTY REGIONAL MEDICAL CENTER
ADDL INSURED: THE COUNTY OF RIVERSIDE, ITS AGENCIES, DISTRICTS, SPECIAL DISTRICTS, AND DEPARTMENTS, THEIR RESPECTIVE DIRECTORS, OFFICERS, BOARD OF SUPERVISORS, EMPLOYEES, ELECTED OR APPOINTED OFFICIALS, AGENTS OR REPRESENTATIVES, 26520 CACTUS AVE., MORENO VALLEY, CA 92555

CERTIFICATE HOLDER

ADDL INSURED: The Community Redevelopement Agency of the City of Moreno Valley Services District
14075 Frederick st Moreno Valley Ca 92553

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

The registration notices indicate ownership of the marks by their respective owners ©ACORD CORPORATION 1988, 2007

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

By Date 5-10-10

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

M. Alloy 5-10-10
By Date

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Alonso 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

☐ **SECTION I.** This applies only to **COVERAGE A - BUILDINGS.**

☐ **SECTION I.** This applies only to **COVERAGE B - BUSINESS PERSONAL PROPERTY.**

Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. structural alterations or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Allen 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

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Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. **structural alterations** or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

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MV00060060

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND ADOPT THE PROPOSED RESOLUTION TO AUTHORIZE THE EXECUTION OF PROGRAM SUPPLEMENTAL AGREEMENT NO. 025-N TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIPL 5441 (046), HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve and adopt Resolution No. 48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

BACKGROUND

In 2008, the Transportation Engineering Division successfully applied for HSIP funds to retrofit 117 signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment. This equipment allows fire trucks, police vehicles, and ambulances to pre-empt traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

On August 26, 2008, Caltrans District 8 announced the release of the HSIP (cycle 2) list of approved projects for FFY 2007/08 and 2008/2009. The list contained 173 projects totaling more than $67 million of federal safety funds. The list was waiting to be programmed into the Federal Transportation Improvement Program (FTIP)

On February 10, 2009, the City received notification from Southern California Association of Government (SCAG) that the above HSIP (cycle 2) list of approved projects for FY 2007/08 and 2008/2009 were programmed in the FTIP.

The approved Emergency Vehicle Pre-emption (EVP) equipment project is for $1,000,000 and requires local match funding of 10%. This includes the total estimated cost of preliminary engineering and construction.

On April 13, 2010, the City received authorization from the Department of Transportation to proceed with the preliminary engineering for the project.

DISCUSSION

One aspect of the HSIP program is to assist local agencies with providing safer routes for emergency vehicles traveling through signalized intersections. Emergency vehicle pre-emption systems aid public safety by: 1) Reducing the need for emergency vehicles to run red lights when responding to emergencies; 2) Stopping traffic in conflicting directions while allowing traffic to proceed in the same direction, thereby clearing a path for the emergency vehicle; and 3) Reducing response time to incidents. Studies have shown potential reduction in response times in the range of 14% to 23%.

To receive $18,900 in federal reimbursement for preliminary engineering, the Program Supplement Agreement must be fully executed and have an authorizing resolution that clearly identifies the project and the Official authorized to execute the agreement.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will allow the City to receive the Highway Safety Improvement Program reimbursement for the project preliminary engineering.*

2. Do not approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State

Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and do not authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will prohibit the City from receiving any Highway Safety Improvement Program reimbursement.*

FISCAL IMPACT

Program Supplement Agreement No. 025-N, to the Administering Agency-State Agreement for the preliminary engineering for Emergency Vehicle Pre-emption (EVP) equipment, will provide for reimbursement of up to $18,900 in federal funds. The program requires local match funding of 10%. The total cost of preliminary engineering is estimated at $21,000. Local matching funds for this grant are included in the Public Works CIP budget for FY 09/10.

The City will be required to use its own funds to complete this project and then receive progress reimbursement during each phase of the project. The City will use Development Impact Fee (DIF) Account No. 417.79129 funds for the project. This is approved funding for FY 09/10. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. **There is no impact to the General Fund.**

ANTICIPATED PROJECT SCHEDULE:

Prepare Required Documents for Preliminary Engineering ..... August 2010

Design completion ..... September 2010

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of the Agenda

ATTACHMENTS

Attachment "A" – Proposed Resolution
Attachment "B" - Location Map
Attachment "C" - Program Supplement No. 0000

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 025-N, TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIP 5441 (046) BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION, AND THE CITY OF MORENO VALLEY, FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

WHEREAS, the HSIP program allows government agencies to apply for grants in an effort to retrofit existing signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment to allow fire trucks, police vehicles, and ambulances to cause traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

WHEREAS, it appears to be in the City's best interest to apply for such funding; and

WHEREAS, 117 existing signalized intersections throughout the City are eligible to receive federal grant funding, up to a maximum of $18,900, for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment through the Highway Safety Improvement Program; and

WHEREAS, the City of Moreno Valley will be reimbursed up to a maximum of $18,900 in federal funds for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment; and

WHEREAS, the City of Moreno Valley will contribute local match funding of 10%; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: Program Supplement Agreement 025-N to Administering Agency-State Agreement No. 08-5441R for Federal Funded Projects between the State of California, acting by and through the Department of Transportation, and the City of Moreno Valley, provides funding for the individual project and said program Supplement Agreement No. 025-N is hereby approved. The Public Works Director/City Engineer shall execute the same on behalf of the City.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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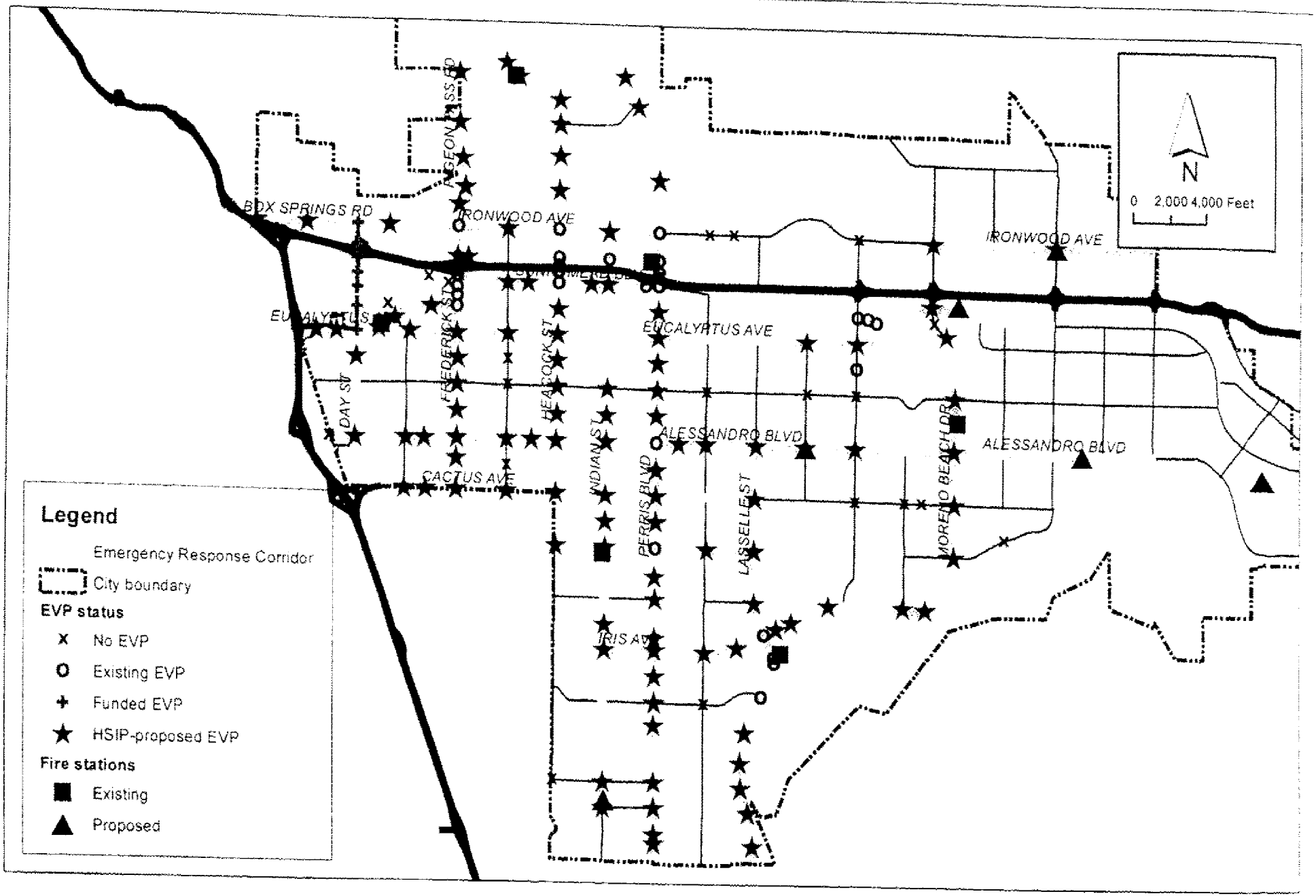

City of Moreno Valley
HSIP Grant Application
Proposed EVP Locations

Attachment "B"

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MV00060070

PROGRAM SUPPLEMENT NO. N025
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 08-5441R

Date: April 27, 2010
Location: 08-RIV-0-MORV
Project Number: ISIPL-5441(016)
E.A. Number: 08-925157

This Program Supplement hereby incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 05-29-07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by State of any funds derived from sources noted below obligated to this project, the Administering Agency accepts and will comply with the Special covenants or Remarks setforth on the following pages.

PROJECT LOCATION:
At 117 signalized intersections in Moreno Valley

TYPE OF WORK: Emergency vehicle pre-emption system

LENGTH: 0 (MILES)

Estimated Cost	Federal Funds		Matching Funds		
	LS30		LOCAL		OTHER
$21,000.00		$18,900.00	$2,100.00	$0.00	$0.00

CITY OF MORENO VALLEY

By _____

Date _____

Attest _____

Title _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____ Date 4/23/10 $18,900.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT
1	2009	2660-102-890	2009-2010	20.30.010.550	C	262042	892-F	18,900.00

SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

2. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

3. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

   If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

   ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

4. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is

SPECIAL COVENANTS OR REMARKS

incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

5. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

6. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award or with submittal of the ADMINISTERING AGENCY's first invoice for the construction contract, whichever is earlier.

   Failure to do so will cause a delay in the State processing invoices for the construction phase.
   Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

7. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

   ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to

SPECIAL COVENANTS OR REMARKS

the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the DistrictLocal Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney.

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

BACKGROUND

On October 23, 2007 the Community Redevelopment Agency was authorized to issue Series A tax allocation bonds (the "Series A Bonds") in an amount not to exceed $55 million to finance projects. One of the Series A projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement

Project. This bond funded project must be completed in an expeditious manner in order to meet stipulated expenditure targets within specific timeframes established by the IRS for tax-exempt financing. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration (MND) for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

In October 2009, environmental permit applications were prepared and submitted to the United States Army Corps of Engineers, California Department of Fish and Game (CDFG), and the California Regional Water Quality Control Board. The submittal of applications initiated the permit negotiation process with the three resource agencies.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, completing the acquisition of all necessary right-of-way for the improvements.

On May 13, 2010 CDFG issued the Agreement Regarding Proposed Stream or Lake Alteration for City signature.

The project is currently being advertised for construction bids with a scheduled bid opening date of June 15, 2010.

DISCUSSION

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements on the south side only from Heacock Street to Nita Drive will construct: storm drain Line H along Ironwood Avenue from Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive.

The improvements on Ironwood Avenue from Heacock Street to Perris Boulevard will construct: missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, traffic signal modifications for the intersections of Indian Street at Ironwood Avenue, and Perris Boulevard at Ironwood Avenue, street lights, right-of-way acquisition, and relocation of Southern California Edison (SCE) transmission poles.

The City is required to mitigate permanent and temporary impacts resulting from this project as part of the project MND approved by City Council on March 24, 2009. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, CDFG, and California Regional Water Quality Control Board. The City Council is requested to authorize the Public Works Director to execute the Agreement Regarding Proposed Stream or Lake Alteration, as well as any amendments, subject to approval of the City Attorney. This agreement with CDFG is required as part of the environmental mitigation for the project. As a result of negotiations with the resource agencies, the resulting CDFG agreement stipulates that the City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at a pre-approved CDFG location. Upon payment of the mitigation fee, the resource agencies concurrence to proceed with construction is achieved. The SAWA, a CDFG sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts.

SAWA has provided an estimate of $148,500, based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 10% is included in the event of adjustments. This action is necessary at this time in order to obtain final permits, keep the project on-schedule, and avoid starting construction during the rainy season.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the

Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative allows the City to complete the project on schedule.*

2. Do not authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, do not authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and do not authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625). These funds utilized for this project are designated for capital improvements only. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Total Available Funds	**$3,841,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$64,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
SAWA In-Lieu Fees	$163,000
Total Estimated Project Costs	**$3,027,000**

ANTICIPATED SCHEDULE:

Complete Design and Permitting	April 2010
Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

It is critical to conform to the above listed schedule to avoid the rainy season window due to the nature of these flood control improvements, otherwise, the project may be deferred by approximately 5-6 months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is required to mitigate permanent and temporary impacts resulting from this project. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, California Department of Fish and Game, and California Regional Water Quality Control Board. As a result of negotiations with the resource agencies, CDFG requires the City to provide funds to SAWA in order to mitigate for the environmental impacts at project site. Signature on the Agreement Regarding Proposed Stream or Lake Alteration and demonstration of payment of mitigation fee to SAWA will allow project construction to proceed.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement Regarding Proposed Stream or Lake Alteration

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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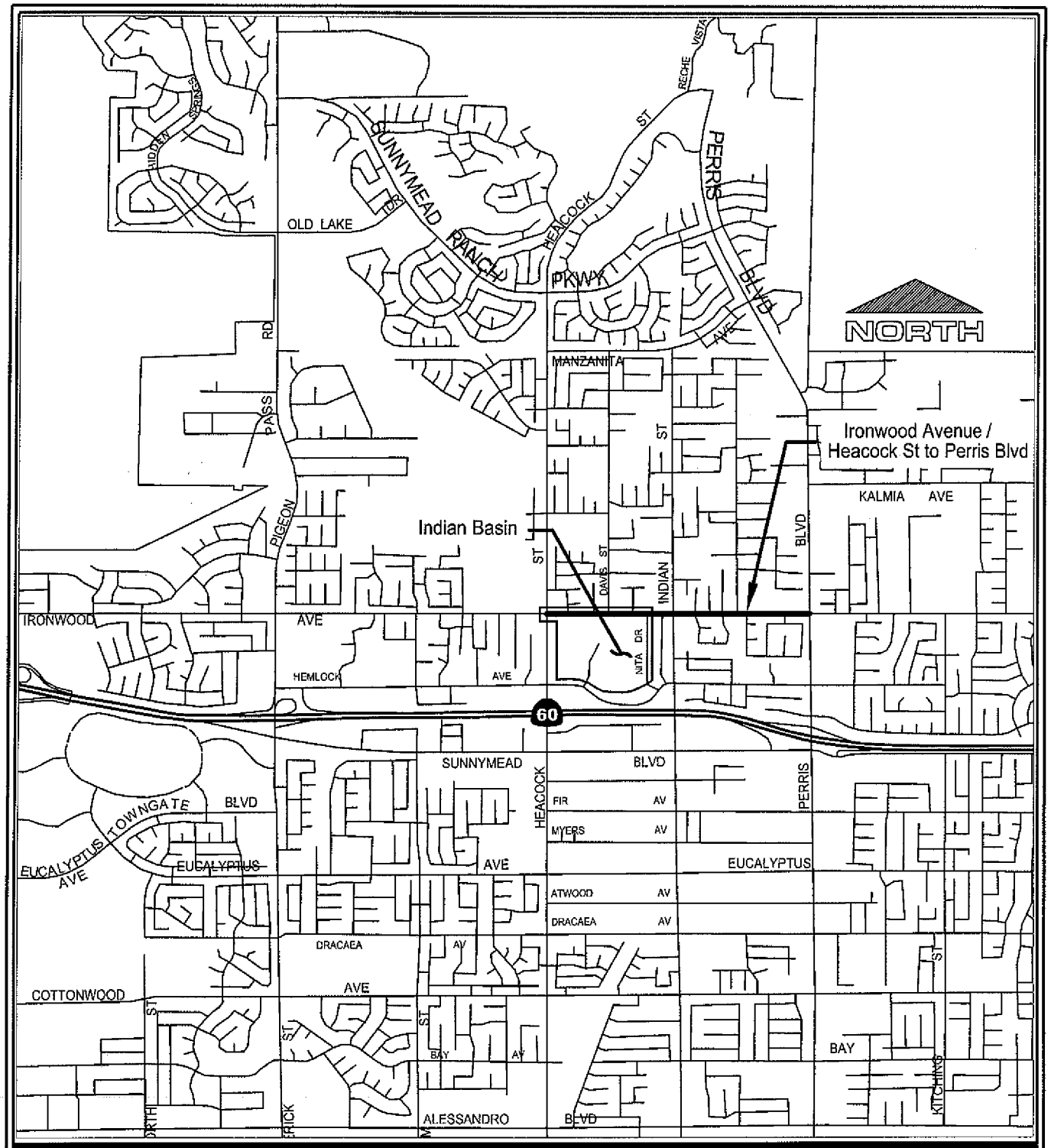

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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MV00060082

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
Phone (909) 484-0459
Fax (909) 481-2945

Notification No. 1600-2009-0115-R6 (Revision 2) May 13, 2010

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereafter called the **Department**, and the City of Moreno Valley, represented by Ms. Margery Lazarus, 14177 Frederick Street, City of Moreno Valley, State of California, 92552, Phone (951) 413-3133, hereafter called the **Permittee**, is as follows:

WHEREAS, pursuant to Section 1602 of the California Fish and Game Code, the Permittee, on the 27th day of October 2009, notified the Department that to develop the Ironwood Avenue and Indian Detention Basin Improvements Project, they intend to divert or obstruct the natural flow of, or change the bed, channel, or bank of, or use material from the streambed of the following waters: **Bale Creek**, an **Unnamed Creek**, and **Indian Detention Basin**, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, City of Moreno Valley, County of Riverside, Township 3 South, Range 3 West, Section 6, Sunnymead, California USGS Quadrangle.

WHEREAS, the Department (represented by Ms. Anna Milloy) has determined that such construction may substantially adversely affect those existing fish and wildlife resources within the creeks and basin, referenced above in paragraph 2 of this page, including songbirds, raptors, other birds, reptiles, mammals, amphibians, plants and all other fish and wildlife resources, including that riparian vegetation which provides habitat for such species, in the area.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife resources during the **Permittee's** work. The Permittee hereby agrees to accept the following measures/conditions as part of the proposed work.

If the Permittee's work changes from that stated in the notification specified above, this Agreement is no longer valid and a new notification shall be submitted to the Department. Failure to comply with the provisions of this Agreement and with other pertinent code sections, including but not limited to Fish and Game Code Sections 1602, 5650, 5652, 5937, and 5948, may result in prosecution.

Nothing in this Agreement authorizes the Permittee to trespass on any land or property, nor does it relieve the Permittee of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated Agreement does not constitute Department endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This Agreement becomes **effective the date of Department's signature and terminates on May 13, 2012,** for construction of the proposed project only. This Agreement shall remain in effect for that time necessary to satisfy the terms/conditions of this Agreement. Any provisions of the agreement may be amended at any time provided such amendment is agreed to in writing by both parties. Mutually approved amendments become part of the original agreement and are subject to all previously negotiated provisions. The Permittee may request one extension of the agreement period. The extension shall be requested prior to the termination date of the agreement.

Attachment "B"

1. The following provisions constitute the limit of activities agreed to and resolved by this Agreement. The signing of this Agreement does not imply that the Permittee is precluded from doing other activities at the site. However, activities not specifically agreed to and resolved by this Agreement shall be subject to separate notification pursuant to Fish and Game Code Sections 1600 et seq.

Project/Site Description

2. The project site is located within Bale Creek, an Unnamed Creek, and Indian Detention Basin, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, in the City of Moreno Valley, County of Riverside. For the Ironwood Avenue and Indian Detention Basin Improvements Project, the Permittee is proposing to make improvements to Ironwood Avenue on the north side from Heacock Street to Perris Boulevard, and on the south side from Heacock Street to Indian Avenue. The project will also include improvements to the local storm drain systems, Lines H and H-1A, which drain into the existing Indian Detention Basin. Lines H and H-1A will be extended to the intersection of Ironwood Avenue and Davis Street, and directed south to Indian Detention Basin over the Unnamed Creek, which will be permanently filled and used as a maintenance road for the basin. A small portion of Bale Creek will also be filled in association with the extension of Line H. Impacts to the Indian Detention Basin include the installation of a concrete and riprap outlet structure where Lines H and H-1A will enter the basin and construction of the maintenance road and an access ramp into the basin. The project will temporarily impact 0.26 acres of jurisdictional areas, consisting of 0.17 acres of riparian habitat and 0.08 acres of streambed. The project will permanently impact 0.48 acres of jurisdictional areas, consisting of 0.04 acres of wetland habitat, 0.41 acres of riparian habitat, and 0.02 acres of streambed. Total project impacts of 0.74 acres of jurisdictional areas are authorized under this Agreement.

3. The Permittee shall not impact more than 0.74 acres of Departmental jurisdictional areas. If impacts to drainages or riparian habitat exceed that authorized in Condition 2 of the Agreement, the Permittee shall mitigate at a minimum 5:1 replacement-to-impact ratio for the impacts beyond those previously authorized by this Agreement and submit a new lake or streambed alteration notification for the entire project. All mitigation shall be approved by the Department.

Mitigation, Monitoring, and Reporting

4. To mitigate for project impacts, the Applicant shall provide sufficient funds to the Santa Ana Watershed Association (SAWA) for the active removal of **no less than 1.98 acres** of Tamarisk (*Tamarix* spp.) and other nonnative plant species within the San Jacinto River. A report shall be submitted to the Department annually (by SAWA), documenting the progress of the enhancement site. Photos of the enhancement site shall be included in the annual reports. The funding provided to SAWA shall include the cost of the initial removal, and monitoring, maintenance, and reporting of the enhancement site for a minimum of five years. **Prior to the initiation of any project activities in jurisdictional areas and within 90 days of signing this Agreement**, the Applicant shall submit to the Department for review and approval written documentation certifying the contribution of funds to SAWA for the enhancement effort.

5. An annual report shall be submitted by SAWA to the Department for a minimum of five years following initial Tamarisk and nonnative plant removal. At a minimum, this report shall include the following information: (1) information regarding Tamarisk and nonnative plant removal, including: (a) the methods used for removal, (b) the amount removed and/or treated, (c) the frequency and timing of removal and treatment, (d) disposal specifics, and (e) a summary of the general successes and failures or failure of the nonnative removal plan; and (2) information regarding native plant species recruitment, including: (a) the types of native plants recruited, including species' names, and (b) the amount of native plants recruited by

species. The report shall also include wildlife species observed at the enhancement site during monitoring surveys including sensitive species and/or listed species. Photos from designated photo stations shall be included. The first annual report is due to the Department **no later than June 1, 2011**.

Site Access

6. The Department reserves the right to enter the project site at any time to ensure compliance with the terms and conditions of this Agreement. The Permittee herein grants to Department employees and/or their consultants (accompanied by a Department employee) the right to enter the project site at any time, to ensure compliance with the terms and conditions of this Agreement and/or to determine the impacts of the project on wildlife and aquatic resources and/or their habitats.

Verification of Compliance

7. The Department shall verify compliance with protective measures to ensure the accuracy of the Permittee's mitigation, monitoring, and reporting efforts. The Department may, at its sole discretion, review relevant documents maintained by the Permittee, interview the Permittee's employees and agents, inspect the work site, and take other actions to assess compliance with or the effectiveness of protective measures in this Agreement.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

8. The issuance of this Agreement does not authorize the take of any state and/or federally listed threatened, endangered, or fully protected species. Additionally, it does not infer that the project is consistent with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) or that the project is a Biologically Equivalent or Superior Preservation Alternative. If modifications to the project are necessary to meet MSHCP requirements because the project is found during the MSHCP review process to be inconsistent with the MSHCP and/or the Western Riverside County Regional Conservation Authority (RCA) and/or Wildlife Agencies (Department and/or U.S. Fish and Wildlife Service) do not agree the project is a Biologically Equivalent or Superior Preservation Alternative, then a request for an amendment to this Agreement will be required.

Burrowing Owl Mitigation Measures

9. To avoid direct take of burrowing owls, a qualified biologist shall conduct burrowing owl preconstruction surveys of the project site following the 1993 Burrowing Owl Consortium Guidelines (BOCG). Surveys shall be conducted no later than 30 days prior to initiation of project activities. If owls are found onsite, no disturbance shall occur within 300 feet of the occupied burrow during the nesting season (March 1 through August 31). Owls may be passively relocated (following BOCG) outside the breeding season by a qualified biologist. A relocation plan shall be submitted to the Department for review and approval.

Notification to the California Natural Diversity Database

10. If any sensitive species are observed on or in proximity to the project site, or during project surveys, the Permittee shall submit California Natural Diversity Data Base (CNDDB) forms and maps to the CNDDB within five working days of the sightings, and provide the regional Department office with copies of the CNDDB forms and survey maps. The CNDDB form is available online at: www.dfg.ca.gov/whdab/pdfs/natspec.pdf. **This information shall be mailed within five days to:** California Department of Fish and Game Natural Diversity Data Base, 1807 13th Street, Suite 202, Sacramento, CA 95814, Phone (916) 324-3812. A copy of this information shall also be mailed within five days to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

Project Construction

11. The Permittee shall not remove vegetation from the project site from March 15 to September 15 to avoid impacts to nesting birds. If project construction cannot be avoided during the period of March 15 through September 15, the Permittee shall have a qualified biologist survey all potential nesting vegetation within the project site for nesting birds, prior to commencing project activities (including construction and/or site preparation). Surveys shall be conducted once a day for five days at the appropriate time of day during the breeding season and surveys shall end no more than three days prior to vegetation removal and/or disturbance. Documentation of surveys and findings shall be submitted to the Department for review and concurrence prior to conducting project activities. If no nesting birds were observed and concurrence was received from the Department, project activities may begin. If an active bird nest is located, the nest site shall be fenced a minimum of 200 feet (500 feet for Least Bell's vireo, Southwestern willow flycatcher, and/or raptors) in all directions, and this area shall not be disturbed until after September 15 and until the nest becomes inactive. If threatened or endangered species are observed in the area, no work shall occur during the breeding season (March 15 through September 15) to avoid direct or indirect (noise) take of listed species.

12. Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory non-game birds (as listed under the Migratory Bird Treaty Act).

13. A qualified biologist shall be onsite to monitor all activities that result in the clearing or grading of sensitive habitat as well as grading, excavation, and/or other ground-disturbing activities in jurisdictional areas. The Permittee shall flag the limits of grading and the jurisdictional areas, perform necessary surveys, and take photographs during the construction process, as required by this Agreement. The biological monitor is required to halt construction activities if threatened or endangered species are identified and notify the appropriate agencies immediately.

Lighting Impacts

14. No lighting, except that in existence or required for public safety shall be allowed to impact jurisdictional areas, and the lighting and fencing for infrastructure adjacent to jurisdictional areas shall be designed or reviewed by a qualified biologist to allow wildlife to move within the open space and conserved areas without hindrance.

Setbacks from Jurisdictional Areas

15. The Department recommends the use of native plants to the greatest extent feasible in the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels. The Permittee shall not plant, seed, or otherwise introduce invasive nonnative plant species to the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels (minimum 100 foot setback from open space areas and 150 foot setback from stream channels and wetland/riparian mitigation sites). Invasive nonnative plant species not to be used include those species listed on the "California Invasive Plant Inventory, February 2006" and the "February 2007 Inventory Update", (which are updates to Lists A & B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999"). This list includes: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, bush lupine, sweet alyssum, English ivy, French broom, Scotch broom, Spanish broom, and pepperweed. A copy of the complete list can be obtained by contacting the California Invasive Plant Council by phone at (510) 843-3902, at their website at www.cal-ipc.org, or by email at info@cal-ipc.org.

16. The Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.

17. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance.

18. Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.

19. Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by the Permittee or any party working under contract or with the permission of the Permittee, shall be removed immediately.

20. No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any lake, streambed, or flowing stream.

21. No equipment maintenance shall be done within or near any lake, streambed, or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.

22. The Permittee shall notify the Department, in writing, at least five (5) days prior to initiation of project activities in jurisdictional areas as noted in Condition 2 above, and at least five (5) days prior to completion of project activities in jurisdictional areas as noted in Condition 2 above. Notification shall be mailed to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

23. The Permittee shall **provide a copy of this Agreement to all contractors, subcontractors, and project supervisors. Copies of the Agreement shall be readily available at work sites at all times during periods of active work** and must be presented to any Department personnel, or personnel from another agency upon demand.

Change of Conditions

24. The Permittee shall notify the Department of any change of conditions to the project, the jurisdictional impacts, or the mitigation efforts, if the conditions at the site of a proposed project change in a manner which increases or decreases the risk that a fish or wildlife resource may be substantially adversely affected by the proposed project. The notifying report shall be provided to the Department no later than seven (7) days after the change of conditions is identified. As used here, change of condition refers to the processes, procedures, and methods of operation of a project, the biological and physical characteristics of a project area, or the laws or regulations pertinent to the project as defined below.

A. Biological conditions: a change in biological conditions includes, but is not limited to the following: 1) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, not previously known to occur in the area; or 2) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

B. Physical conditions: a change in physical conditions includes, but is not limited to the following: 1) a change in the morphology of a river, stream, or lake, such as the lowering of a bed or scouring of a bank, or changes in stream form and configuration caused by flooding; 2) the movement of a river or stream channel to a different location; 3) a reduction of or other change in riparian vegetation on the bed, channel, or bank of a river, stream, or lake, or 4) changes to the hydrologic regime such as fluctuations in the timing or volume of water flows in a river or stream.

C. Legal conditions: a change in legal conditions includes, but is not limited to the following: a change in Regulations, Statutory Law, a Judicial or Court decision, or the listing of a species for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

Extension of Agreement

25. The term of this Agreement shall not exceed five years in accordance with Fish and Game Code Section 1605. The Permittee may request one (1) extension of this Agreement prior to its termination for a period up to five (5) years, subject to Department approval. The extension request and fees shall be submitted to the Department's Region 6 Office at the above address. If the Permittee fails to request the extension prior to the agreement's termination then the Permittee shall submit a new notification with fees and required information to the Department. Any activities conducted under an expired agreement are a violation of Fish and Game Code Section 1600 et seq.

Suspension of Permit

26. The Department reserves the right to suspend or revoke this Agreement, after giving notice to the Permittee, if the Department determines that the Permittee has breached any of the terms or conditions of this Agreement, or for other reasons, including but not limited to the following:

A. The Department determines that the information provided by the Permittee in support of the notification/agreement is incomplete or inaccurate;

B. The Department obtains new information that was not known to it in preparing the terms and conditions of the agreement;

C. The project or project activities as described in the notification/agreement have changed; or

D. The conditions affecting fish and wildlife resources change or the Department determines that project activities will result in a substantial adverse effect on the environment.

Concurrence (1600-2009-0115-R6)

In WITNESS WHEREOF, the parties below have executed this Lake or Streambed Alteration Agreement Number 1600-2009-0115-R6 (Revision 2) as indicated below:

Date	City of Moreno Valley Chris A. Vogt, P.E. Public Works Director/ City Engineer	**City of Moreno Valley** **Represented by Ms. Margery Lazarus**
Date		**Ms. Kimberly Nicol** **Deputy Regional Manager** **Department of Fish and Game** **Inland Deserts Region**

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MV00060090

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

BACKGROUND

On July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges for the City of Moreno Valley's Electric Utility, or Moreno Valley Utility (MVU). Electric Rule 12 entitled "Rates and Optional Rates" of that document states that the rates to be charged by and paid to the City's utility for electric service will be the rates legally in effect and on file with the Electric Utility Division, Department of Public Works. At its meeting on December 9, 2003, the City Council approved Ordinances 650 and 651 providing for the establishment and adjustment of electric rates by resolution.

DISCUSSION

Consistent with Ordinances 650 and 651, the resolution considered in this action amends MVU's Electric Rates. A complete copy of the proposed *Electric Rates* document is available for review in the Public Works Department, Electric Utility Division office. To ensure the City's rates are just and reasonable and to ensure that the City's rates are set at a level sufficient to cover the utility's costs, it will be necessary for the City Council to approve an adjustment of the rates that MVU charge customers for service from time to time. Due to the structure of MVU's rates, the customer's usage

will ultimately determine the impact of this proposed rate adjustment on their monthly billings.

For example, the proposed rate adjustments considered in this council action will affect a residential customer who uses 600 kWh in a month differently than a customer who uses 1,000 kWh in a month. The proposed rate changes considered in the council action will result in an increase of MVU's rate schedules for both the summer season and winter season. Pursuant to MVU's rates, the summer season begins at 12:00am on the first Sunday in June and continues until 12:00am on the first Sunday in October. The winter season begins at 12:00am on the first Sunday in October, and continues until 12:00am on the first Sunday in June of the following year. Generally speaking, there are four months in the summer season, and eight months in the winter season.

If the City Council approves the proposed rate adjustments, the average MVU residential customer taking service under Schedule A who uses 600 kWh per month will experience an increase in their bill of 0.4% in summer, and an increase of 6.83% in winter. This results in an increase of $0.32 for each summer bill, and a $6.47 increase for each of the winter season's bills. Similarly, an MVU residential customer who uses 1,000 kWh per month will experience a decrease of 7.97% in the summer season, and an increase of 14.84% in the winter season. This results in a $12.93 increase in the customer's monthly bill for summer, and an increase of $27.67 per month for each month of the winter season.

If the City Council approves the proposed rate adjustments, the average MVU small commercial customer taking service under Schedule B who uses 2,978 kWh per month will experience an increase of 5.2% for each month of the summer season, and an 8.0% increase for each month of the winter season. The average MVU large commercial customer taking service under Schedule C who uses 24,531 kWh per month with a demand of 100kW will experience an increase of 4.0% in summer and a decrease of 8.99% in winter. The average MVU large commercial, time-of-use customer taking service under Schedule TOU-LGS who uses 386,896 kWh per month with a demand of 865 kW in summer, and who uses 392,333 kWh per month with a demand of 666 kW in winter, will experience an increase of 3.8% in summer and an increase of 8.8% in winter. Schedule TC-1, MVU's rates for traffic controllers, will increase by 7.6%. MVU's current street light rate schedule (Schedule SL) will increase 2.1% and 2.7% for 9,500 and 22,000 lumen lamps, respectively.

If approved by the City Council, these changes will become effective at 12:00 a.m. on June 9, 2010.

Pursuant to Section 5 of the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City is obligated to adjust its rates from time to time so that the City's electric rates remain roughly equivalent to the otherwise applicable investor owned utility rate schedules. This council action will also true up MVU's rates to comply with this obligation. If adopted, the net impact upon MVU customers will be an increase in rates.

ALTERNATIVES

1. Approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *The amendment of the Electric Rates will allow the City's utility to recover its costs for service, and to offer competitive rates.*

2. Do not approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *This would restrict the City's utility in its ability to recover utility costs, and also its ability to offer competitive rates.*

FISCAL IMPACT

As rates are adjusted, revenues will reflect the adjustments. Utility revenues will increase slightly if the proposed changes are adopted by City Council. These funds are restricted for Moreno Valley Utility purposes.

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.

POSITIVE ENVIRONMENT:
The proposed rate adjustments ensures timely changes to the rates of the City's utility, and helps to create a positive environment for economic development within the community. The City of Moreno Valley will offer competitive rates and will help the City create new, well paying jobs.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution

Prepared By: George Hanson
Electric Utility Division Manager

Department Head Approval: Chris A. Vogt, P. E
Public Works Director/City Engineer

Concurred By: Darcy Ramirez
Senior Financial Analyst

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES, AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR MORENO VALLEY UTILITY

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in the document. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates and Electric Service Rules, Fees, and Charges as on file in the Public Works Department and City Clerk's Office.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

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MV00060098

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-8928022-1

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125).

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto.

BACKGROUND

On February 26, 2008, the City Council awarded the Sunnymead Boulevard Revitalization Project (Stage 1) construction contract and authorized the issuance of a Purchase Order in the amount of $5,286,234.80 (the bid amount plus 10% contingency) to Environmental Construction, Inc. (ECI). The ECI contract includes infrastructure improvements and aesthetic enhancements such as a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns.

On November 25, 2008, the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized

the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract includes raised medians, color concrete center turn-lanes, median landscaping, and concrete intersection pavement.

DISCUSSION

The Stage 1 construction work with ECI started in May 2008 and is currently winding down to completion in August 2010. ECI is currently working on the gateway entry arch. Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because all the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. The total requested Change Order increase to the Purchase Order is $195,000. Meanwhile the City and Contractor are working together to resolve several construction claims issues.

The increase in the ECI contract is attributed to the overall value added scope of work augmentation resulting from additional bid item work quantities and the current six Contract Change Orders (CCOs) issued on this project. These CCOs include the widening of the intersection corners at the Sunnymead Boulevard and Heacock Street intersection to enhance turning movements for larger vehicles and commercial trucks while making it safer for pedestrians. This modification required a new traffic signal, poles, signal heads, and service cabinet. Altering the intersection also resulted in the need to install a handrail at the east sidewalk entrance at Bancomer Bank to meet Americans with Disabilities Act (ADA) requirements. ADA requirements also necessitated the installation of truncated domes at each of the intersection curb access ramps. In addition, storm drain improvements and catch basins were constructed near the intersection of Indian Avenue and Sunnymead Boulevard to minimize the intermittent flooding problem at that location. The former City Manager also ordered the re-design of the gateway arch and parkway monument signs resulting in a higher valued gateway arch structure and monument signs with enhanced features and improved continuity throughout the boulevard.

The added improvements enhanced the aesthetic and functional value of the Sunnymead Boulevard project. Despite the fact that the cost of the project went up, the final product provided a superior value for the investment, improved public safety, and enhanced the appearance of the Boulevard. Due to the value added improvements instituted as part of the CCOs and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and authorize the City Manager to execute

the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and do not authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will delay payment to the contractor, delay completion of the improvements and incur extra cost to the City.*

FISCAL IMPACT

The Stage 1 project by ECI was funded with Lease Revenue Bond funds (Fund 501) as budgeted for Fiscal Year 2009/2010.

Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. An increase of $195,000 is requested to increase Purchase Order No. 35442 for ECI from the project's unencumbered budget in 501.82125 to cover the remaining contractual expenditures. The funding for this project is restricted to Sunnymead Boulevard capital improvements and cannot be used for other activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Est. Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Est. Construction Related Costs for Median/Intersection (Stage 2)	($3,499,000)

Breakdown of Stage 1 Related Work

Contractor (includes contingency) (501.82125)	$5,286,000
Requested increase in PO No. 35442 for ECI	**$195,000**
Consultant Construction Management/Inspection Services (includes contingency)	$330,000
Geotechnical Services	$65,000
Survey Services	$70,000
Project Administration*	$352,000
Total Amount for Stage 1 Construction	$6,298,000

Remaining Combined Project Balance in Funds 892, 501, and 125 ..... $429,000

* Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:
Completion of Stage 1 Construction.....August 2010
Completion of Stage 2 Construction..... October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Environmental Construction, Inc. has been constructing the revitalization improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 1). The improved infrastructure and aesthetic enhancements include a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns. Due to the value added improvements instituted as part of the Contract Change Orders and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order by $195,000 from the unencumbered project budget.

ATTACHMENT

Attachment "A" – Change Order Form

Prepared By:
Christopher Wiberg
Senior Engineer, P.E.

Concurred By:
Barry Foster
Economic Development Director Programs

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-1 Sidewalk Parkway Improv\CC Report\060810 pk Staff Rpt Change Order for ECI.doc

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**5/27/10**	**VENDOR NAME:**	Environmental Construction, Inc.
		VENDOR NO.#	ORIGINAL PO NUMBER
		2342928	35442
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35442 by $195,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-1).	$195,000.00

Notes:		**Change Order Sub Total from Above:**	$195,000.00
		Original P.O. and Prior Change OrderAmount:	$5,286,234.80
		Revised Total Spend:	**$5,481,234.80**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 05/27/2010			
Divison Manager ($15k)		Date:	100.0%	501.82125.7200	$5,481,234.80
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$5,481,234.80

Attachment "A"

V 1.4

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MV00060106

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 8, 2010

TITLE: APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES)

RECOMMENDED ACTION

Staff recommends that the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

BACKGROUND

Memoranda of Understanding (MOU) concerning compensation and other terms and conditions of employment are currently in effect for Fiscal Year (FY) 2009-10 with the three City employee associations: Moreno Valley City Employees Association (MVCEA), Moreno Valley Management Association (MVMA), and Moreno Valley Confidential Management Employees (MVCME). Effective July 1, 2009, each of these MOUs incorporated a new two-tier benefit structure in which new employees' benefit banks would be reduced from $13,629 to $12,000 per year, along with the new employees paying the employee share of the retirement contribution to the California Public Employees' Retirement System (CalPERS).

DISCUSSION

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence, treating the rehire actions as "reinstatements" rather than "new hires". Employees recalled after being laid off are currently reinstated to the same salary and benefits they were receiving prior to the lay-off.

Proposed amendments to the current FY 2009-10 MOUs between the City and the two management associations (MVMA and MVCME) are attached for City Council's consideration. Exhibit "A" is the proposed amendment for the MVMA MOU; Exhibit "B" is the proposed amendment for the MVCME MOU. MVMA and MVCME have approved the amendments for their respective associations. A proposed amendment has also been provided to MVCEA and is currently under consideration by that association. It is in the City's best interest to amend the MOUs with the management associations at this time, rather than waiting for approval from MVCEA for the amendment related to their MOU. Although the proposed amendments relate to the FY 2009-10 MOUs, it is intended that they will also be incorporated in future MOUs.

Following is the text from the FY 2009-10 MOUs with MVMA and MVCME that pertain to the two-tier benefit system:

6. BENEFIT BANK

The benefit bank for employees hired after July 1, 2009 shall be reduced from $13,629 per year to $12,000 per year.

7. PERS EMPLOYEE CONTRIBUTIONS

Employees hired after July 1, 2009 shall pay the employee's portion of CalPERS retirement contributions (currently 8%). These contributions shall be deducted from the employee's bi-weekly pay. In addition, the City will cease paying the Employer Paid Member Contribution (EPMC) for these employees.

The text of the proposed amendments to the MVMA and MVCME MOUs (Exhibit "A" and Exhibit "B") is shown below:

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Approve the proposed amendments to the FY 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

2. Do not approve the proposed amendments.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The fiscal impact of the proposed amendments cannot be determined since it is not known how many former employees may be rehired within one year of their separation. However, it is likely to be very few employees; thus representing a minimal fiscal impact to the City. Offsetting this minimal fiscal impact is the opportunity to rehire an experienced employee who would be able to make an immediate contribution to the organization without any need for training or other orientation. No employees will be rehired unless it is in the City's best interest to do so.

CITY COUNCIL GOALS

None applicable

SUMMARY

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence treating the rehire actions as "reinstatements" rather than "new hires". Since a new two-tier benefit system took effect July 1, 2009, it is proposed that amendments to the MOUs with the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) be approved to provide the same benefits to former employees who are rehired within one year of separation as they were receiving prior to separation. A proposed amendment has also been provided to the Moreno Valley City Employees Association and is currently under consideration by that association.

ATTACHMENTS/EXHIBITS

Exhibit "A" - Amendment to MOU with Moreno Valley Management Association
Exhibit "B" - Amendment to MOU with Moreno Valley Confidential Management Employees

Prepared By:
Steve Elam
Interim Financial & Administrative Services Director

Department Head Approval:
John Ruiz
Interim Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Exhibit "A"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Management Association (MVMA)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

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Exhibit "B"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Confidential Management Employees (MVCME)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

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MV00060114

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00060116

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 1.

BACKGROUND

In 1986, CSD Zone A was established to fund park and recreational services. Over the years the cost of providing park maintenance services steadily increased, while the CSD Zone A annual charge of $87.50 per parcel (per Dwelling Unit ["DU"] for apartments) remained fixed since fiscal year ("FY") 1992/93. Rising program costs along with an increase of new residential developments in recent years created a need for additional funding to support the new neighborhood park areas. CSD Zone A funds cannot adequately accommodate the maintenance costs of both existing and newly constructed neighborhood park areas. In an effort to provide for the ongoing maintenance and safety of new neighborhood parks, without jeopardizing CSD Zone A funding for existing park and recreation services, the CSD formed CFD No. 1.

On July 8, 2003, the CSD Board conducted a Public Hearing for the formation of CFD No. 1, approved a resolution to provide for future territory annexation into CFD No. 1 and authorized a special tax levy. The special tax funds public services, such as

ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks accepted by the City of Moreno Valley Parks and Community Services Department for maintenance after District formation in July 2003. FY 2003/04 was the first year for the special tax levy.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds approval by the property owners within CFD No. 1.

DISCUSSION

The CSD Board shall have the opportunity to consider implementing the rate and method of apportionment of special tax ("RMA") required to cover the special tax requirement of CFD No. 1, as submitted in the Annual Special Tax Report ("Report") on file in the office of the City Treasurer.

Detailed within the Report is the description of the CFD proceedings, identification of participating developments, park projects maintained within the District, description of services, and amount of the special tax to be levied for 2010/11. The maximum special tax rate for FY 2010/11 is $143 per DU; however, the FY 2010/11 CFD No. 1 levy shall be based on projected District expenses and shall not exceed the maximum special tax amount. The 2010/11 CSD Zone A levy of $87.50 per dwelling unit will continue to be collected to support maintenance of existing parks and recreation programs. The special tax levy per residential parcel or per DU for apartments will be collected on the Riverside County property tax bill and is applied only to those parcels, or any portion thereof, annexed into CFD No. 1.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *This approval will allow collection of monies necessary to fund ongoing maintenance services of CFD No. 1.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *CSD Zone A funds maintenance and operations of existing park areas, recreation facilities and programs; however, these funds are inadequate to support ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks as a result of added residential development. If the CFD No. 1 special tax is not*

authorized to be levied, there will be a shortage of funds to pay for maintenance and Park Ranger costs associated with new neighborhood parks.

FISCAL IMPACT

The fiscal impact will be a levy of a special tax applied to the property owner's 2010/11 Riverside County property tax bill. **The special tax levied on properties within the boundaries of CFD No. 1 can only be used to cover the annual special tax requirement for the District. Collection of the CFD No. 1 special tax reduces the level of CSD Zone A and General Fund support necessary to maintain neighborhood parks.** Properties within CFD No. 1 are new residential developments, which create the need for new neighborhood parks. Neither existing nor new commercial/industrial properties are affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
A special tax necessary to fund CFD No. 1 is collected according to the provisions outlined within the Mello-Roos Community Facilities Act of 1982.

SUMMARY

The CSD Board shall have an opportunity to consider implementing the levy for CFD No. 1, per the RMA, as identified within the Report on file in the office of the City Treasurer.

EXHIBITS

Exhibit A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No.1
Exhibit B Boundary Map CFD No. 1

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Concurred by:
Mike McCarty
Parks & Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 1 Neighborhood Parks\Annual Report\2010-11\Staff Report 06.08.10.doc

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MV00060120

RESOLUTION NO. CSD 2010-07

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 1

WHEREAS, the CITY COUNCIL for the CITY OF MORENO VALLEY, CALIFORNIA, acting in their capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), did form Community Facilities District No.1 ("CFD No. 1" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the CSD Board, acting as the legislative body, did introduce and adopt Ordinance Nos. CSD-40 (Urgency Ordinance) and CSD-41 (an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California) to authorize the levy of a special tax within CFD No. 1; and,

WHEREAS, the CSD Board adopted Resolution No. CSD 2003-26 authorizing annexation of Territory in the future to CFD No. 1; and,

WHEREAS, annexations to CFD No. 1 have been conducted by the Community Services District following formation of the District; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover

the annual special tax requirement of CFD No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, Acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060124

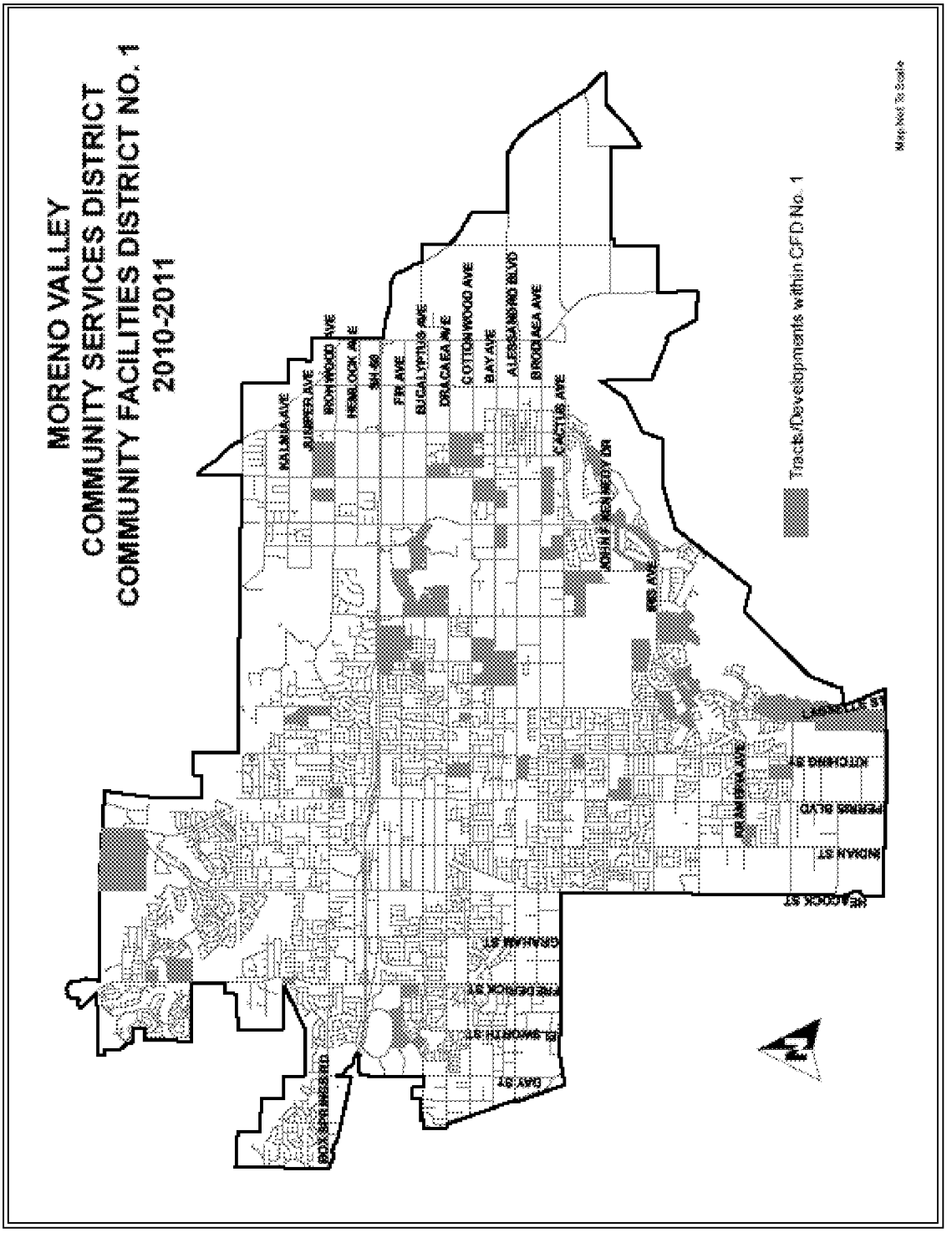
MORENO VALLEY
COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 1
2010-2011
KALMIA AVE
SUMMER AVE
IRONWOOD AVE
HEMLOCK AVE
SILAS
FIR AVE
EUCALYPTUS AVE
DRACAEA AVE
COTTONWOOD AVE
BAY AVE
ALESSANDRO BLVD
BROCAEA AVE
CACTUS AVE
JOHN F. KENNEDY DR
IRIS AVE
LAMBERT ST
KITCHING ST
PERRIS BLVD
INDIAN ST
MEADOW ST
GRAHAM ST
PINE DERRICK ST
SIMONTI ST
BAY ST
BOX SPRINGS BLVD
Tracts/Developments within CFD No. 1
Map Not To Scale

EXHIBIT B

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MV00060126

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Fixed Charges\County Submission\2010-11\Prop 218 Stfrpt 6.8.10.doc

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MV00060130

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060134

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060138

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

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MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00060144

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00060146

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice;

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

ADVISORY COMMITTEE RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local

agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance. The requirements include a higher-level effort to divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

The City Council conducted the Public Meeting on May 26, 2010, to provide an opportunity for the public to address the City Council on the proposed FY 2010/2011 annual NPDES regulatory rates.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. Conducting the Public Hearing allows property owners an opportunity to address the City Council regarding the continuation of the "NPDES Regulatory Rate Schedule for New

Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development."

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from February 2009 – February 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the proposed "Resolution, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

2. Do not approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the pro "Resolution, A Resolution of the

City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll." *By not conducting the Public Hearing and adopting the resolution, the County of Riverside ("County") may challenge our ability to place the NPDES rates on the County property tax bill.*

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For FY 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For FY 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is less than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

The proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

Public Facilities and Capital Projects

The revenue collected from the proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to conduct the Public Hearing, and to adopt the resolution authorizing and approving the levy of the annual NPDES regulatory rates, on certain benefiting properties within the City as submitted in the NPDES Special Levy Report. While state law, after adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such hearings were required under state statutes before adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County collects the rates each year on the property tax bill. The County requires an annual resolution be approved to establish the authority to collect the annual NPDES rate on the tax bill. Approval of the resolution will satisfy the County requirement. The resolution also includes information on compliance with Proposition 218.

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification was published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Attachment "1" – Proposed Resolution

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060154

RESOLUTION NO. 2010-50

A RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AND APPROVING THE LEVY OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT ON THE COUNTY OF RIVERSIDE PROPERTY TAX ROLL

WHEREAS, as part of the 1972 Federal Clean Water Act, the federal government mandated that public agencies comply with the NPDES program to obtain Permits to discharge storm water runoff into municipally owned drainage facilities; and,

WHEREAS, on January 29, 2010, the Santa Ana Regional Water Quality Control Board issued new requirements that cities must address, regarding the water pollution contained in storm water runoff to remain in compliance with federal mandates; and,

WHEREAS, the City Council introduced Ordinance No. 708, on January 10, 2006, to repeal and reenact Chapter 3.50 of Title 3 of the City of Moreno Valley Municipal Code by relating to the establishment and collection of the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development based on the approved NPDES regulatory rate and authorization of subsequent rate adjustments by resolution; and,

WHEREAS, Sections 5473 through 5473.8 of the California Health and Safety Code provides that such services may be funded, in whole or in part, by rates which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the City; and,

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the interest of the City to have the NPDES regulatory rate on new residential, common interest, commercial, industrial, and quasi-public use development be so collected on the County of Riverside property tax roll; and,

WHEREAS, the City Council has determined that levying a regulatory rate against each assessable parcel of real property that is required to comply with the NPDES Permit program, as hereinafter established, is necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from these land uses; and,

WHEREAS, the City Council heretofore caused a report to be prepared that identified each parcel of real property, which is subject to the regulatory rate, and has caused notice of said report and of the public hearing thereon to be duly given; and,

WHEREAS, the City Council held a Public Hearing on June 8, 2010, at which time all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any; and,

WHEREAS, on June 8, 2010, the City Council reviewed and considered the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development to fund the federally mandated NPDES program; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council shall authorize collection of the NPDES regulatory rate on the County of Riverside tax bill for federally mandated NPDES requirements to address the discharge of storm water runoff into municipally owned drainage facilities.

2. The maximum rate to be collected for fiscal year (FY) 2010/2011 shall be $273.00 per parcel for new residential development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

3. The maximum rate to be collected for FY 2010/2011 shall be $205.00 per parcel for new common interest, commercial, industrial, and quasi-public-use development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

4. The NPDES regulatory rate, as herein confirmed, shall be collected on the tax roll at the same time and by the same persons, and in the same manner as, together with and not separately from, general taxes, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties, as provided for in Sections 5473 through 5473.8 of the California Health and Safety Code.

5. The City Council made a finding that collection of the NPDES regulatory rate is in compliance with Proposition 218.

6. The effective date of this Resolution shall be June 8, 2010.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060158

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; approve and adopt the proposed resolutions:

1. Approve and adopt the proposed Resolution No. CSD 2010-09 (Zone A);
2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B)
3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C)
4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D)
5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E)
6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A)
7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A)
8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A)
9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M)

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Approval of the proposed resolutions will continue the currently approved annual parcel charges and the proposed amount for each charge in fiscal year (FY) 2010/11. Parcel charges help to fund parks and recreational services, residential street lighting, arterial street lighting, maintenance of parkway landscaping, extensive parkway landscaping, internal parkway landscaping/walls, medians, and the improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard, as described in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee may review charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide a variety of benefit services. Zones within the CSD were established to allocate costs to those parcels that receive proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

The CSD Board conducted the Public Meeting on May 25, 2010, to provide the first opportunity for the public to address the CSD Board on the annual CSD charges.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as currently collected are in compliance with Proposition 218. Any future charge increases, other than an inflation adjustment that has been approved during a prior mail ballot proceeding, shall require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings adopted by the City Council and the CSD Board on January 22, 2002, as amended on January 24, 2006 and March 24, 2009.

DISCUSSION

The following section lists the zones and summarizes the services provided by the CSD to each zone, along with the proposed and the current year annual charges. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the mail ballot proceeding process or a previously authorized inflation adjustment implemented to achieve full-cost recovery. The adjustment for FY 2010/11 is 1.83% and is based on the

percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide park maintenance and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit (residential), nonresidential units (commercial and industrial) and undeveloped parcels. (The current FY 2009/10 charge is $87.50.) The proposed FY 2010/11 levy for Zone A is approximately $5,020,225.00.

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23.00 per parcel per year for those properties which were annexed into the zone prior to 1999. Property owners of 7,326 parcels that balloted after 1999 to receive Zone B services and authorized an annual inflation adjustment, shall be charged $24.42 per parcel per year. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight services paying $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23.00 or $24.42 per parcel per year, to $39.00 per parcel per year and would allow for an annual CPI increase, if necessary, to fund the annual cost to provide residential street lighting services. (The current FY 2009/10 charges are $6.00 for reduced streetlight service and $23.00 or $24.00 for standard level streetlight service.) The proposed FY 2010/11 levy for Zone B is approximately $933,637.82, which does not include the proposed increase. If the $39.00 parcel charge is approved, the FY 2010/11 levy is estimated to be $1,565,226.00.

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9.00. (The current FY 2009/10 charge is $9.00.) The proposed FY 2010/11 levy for Zone C is approximately $430,713.00.

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. A listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11 are included in the Zone D Resolution. A majority of affected property owners, of certain tracts, approved an inflation adjustment in prior Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts as noted on the Zone D Resolution.

The CSD shall be conducting a mail ballot proceeding in July 2010 for an increase to the proposed charges to recover costs for the following tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. Tracts not approving the proposed increase shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines. The proposed FY 2010/11 levy for Zone D is approximately $1,233.742.22, which does not include the Zone D

increases. If the Zone D increases are approved, the estimated parcel charges for Zone D are approximately $1,359,287.04.

Zone E is authorized to provide high-service-level parkway landscape maintenance of extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the CPI charge adjustment shall be applied to Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are included in the Zone E Resolution. The proposed FY 2010/11 levy for Zone E is approximately $2,347,678.16.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel. (Current FY 2009/10 charge is $76.00.) The total FY 2010/11 levy for Zone E-1A is approximately $43,100.66.

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel. (Current FY 2009/10 charge is $66.00.) Total FY 2010/11 levy for Zone E-3A is approximately $31,584.00.

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109.00. (Current FY 2009/10 charge is $109.00.) The total FY 2010/11 levy for Zone E-4A is approximately $10,791.00.

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an inflation factor. The current FY 2009/10 charges and the proposed FY 2010/11 annual charges for Zone M are included in the Zone M Resolution. The total FY 2010/11 levy for Zone M is approximately $210,696.16.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation, based on front linear footage, of the properties adjacent to the improvements. The Zone S charge for 2010/11 is $2.80 per front linear footage, per year, which may include an inflation factor. The total FY 2010/11 levy for Zone S is approximately $53,295.20, which does not include the Zone S increase. (Current FY 2009/10 charge is $2.75 per front liner footage).

ALTERNATIVES

1. **Conduct a Public Hearing** to approve and adopt the proposed resolutions. *Although not required under Proposition 218, City policy has been to continue holding a Public Hearing. By conducting the Public Hearing on June 8, 2010, property owners shall be given an opportunity to address the CSD Board regarding the continuation of the CSD annual charges for the associated benefit services. Approving CSD Zones B, C, D, E, E-1A, E-3A, E-4A, M and S charges as proposed by staff shall authorize the CSD to continue providing maintenance at the applicable service levels. Approving the proposed charge for CSD Zone A will partially fund park maintenance and recreational services, along with some proposed capital improvements. The County of Riverside requires that resolutions be approved annually to authorize collecting the annual CSD parcel charges on the property tax bills. Approval of these resolutions will satisfy the County requirement.*

2. **Do not conduct the Public Hearing** and do not approve and adopt the resolutions. *Even though a Public Hearing is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Hearing to allow the public to address the CSD Board. By not adopting the resolutions, the County may challenge the City CSD's ability to place the CSD charges on the County property tax bill.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. Charges, including CPI adjustments, have been approved by the affected property owners through prior proceedings or are part of a current mail ballot proceeding. The annual inflation factor is based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M and S are restricted funds, which may only be used to pay for costs within each respective CSD Zone.**

Approving charges less than those proposed by staff may require a decrease to both the level and quality of service from that provided during FY 2009/10. The service levels may be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS
CSD landscape maintenance services help enhance community image, neighborhood pride and cleanliness. Residential properties, which have landscaped parkways and/or medians,

as maintained by the CSD, help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant materials helps in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION
The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES
Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. The CSD maintenance of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The actions before the CSD Board are to conduct the Public Hearing, and to approve and adopt the resolutions for the continuation of the currently approved CSD parcel charges and the proposed amount of the charge on certain properties within each of the existing zones as submitted in the Preliminary Annual Levy Report. Since the adoption of Proposition 218 state legislation, public hearings to consider charges or fees already in place are not mandated; such hearings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County requires resolutions be approved annually to establish the authority to collect the annual CSD parcel charges on the property tax bills. Approval of the resolutions will satisfy the County requirement. The resolutions also include information in compliance with Proposition 218.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, for the May 25, 2010 Public Meeting and June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was published on May 18, 2010 and May 25, 2010.

ATTACHMENTS

Attachment 1	Proposed Resolution for Zone A
Attachment 2	Proposed Resolution for Zone B
Attachment 3	Proposed Resolution for Zone C
Attachment 4	Proposed Resolution for Zone D
Attachment 5	Proposed Resolution for Zone E
Attachment 6	Proposed Resolution for Zone E-1A
Attachment 7	Proposed Resolution for Zone E-3A
Attachment 8	Proposed Resolution for Zone E-4A

Attachment 9 Proposed Resolution for Zone M
Attachment 10 Proposed Resolution for Zone S

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Services District CSD\Annual Notice\2010-11\Staff Report\CSD Notice-Report PH Stfrpt v2.doc

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MV00060166

RESOLUTION NO. CSD 2010-09

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE A (PARKS AND COMMUNITY SERVICES) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for parks and recreation services within the CSD and provides funding for such services, in part, through CSD Zone A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone A (Parks and Community Services) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone A is a necessary and equitable charge to fund, in part, the furnishing of parks and recreation services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of eighty-seven dollars and fifty cents ($87.50) to defray in part the costs of furnishing parks and recreation services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone A parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and are therefore not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-10

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE B (RESIDENTIAL STREET LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for residential street lighting services within the CSD and provides funding for such services, in part, through CSD Zone B; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone B (Residential Street Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone B is a necessary and equitable charge to fund, in part, the residential street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The charge is hereby approved to be levied at the maximum rate of thirty-nine dollars ($39.00), if and only if said maximum rate is approved by the majority of the property owners in the mail ballot proceeding under Proposition 218 currently scheduled to be concluded at a public hearing scheduled for September 14, 2010. In the event that said maximum rate is not approved by a majority of the property owners in said ballot proceeding, the charge is hereby approved to be levied at the existing and previously approved respective rates of twenty-three dollars ($23.00) and twenty-four dollars ($24.42) as applicable.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone B, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone B is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-11

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE C (ARTERIAL STREET LIGHTING AND INTERSECTION LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for intersection and arterial street lighting services within the CSD and provides funding for such services, in part, through CSD Zone C; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone C (Arterial Street Lighting and Intersection Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone C is a necessary and equitable charge to fund, in part, the arterial and intersection street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared that identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of nine dollars ($9.00) to defray in part the costs of furnishing arterial and intersection street lighting services within the CSD is hereby approved and adopted.

2. The herein approved service charge is hereby confirmed for each parcel of real property within CSD Zone C, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone C parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and therefore are not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-12

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone D; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone D (Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Adjustment ("CPI") adjustment (if applicable), and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone D is a necessary and equitable charge to fund, in part, the parkway landscape services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing parkway landscape services to the following tracts within the CSD is hereby approved and adopted as follows:

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
10191/18468*	$70.26	
11848*	$85.52	
12305	$57.00	
12608	$0.00	
12773*	$81.46	$121.00
12902*	$73.30	
13576/19080/19081*	$32.58	
13585	$57.00	
14387/12268	$57.00	
15387	$57.00	
15433*	$91.64	
16768*	$65.16	
16769*	$62.10	
16770	$57.00	
17033*	$176.26	
17176	$57.00	
17334	$345.00	
17387	$57.00	
17457*	$80.44	
17867	$57.00	
18283	$57.00	
18512/21322	$82.00	
18784/20906	$177.00	
18930*	$78.40	
19032	$130.00	
19141*	$76.36	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
19142	$57.00	
19143	$57.00	
19208	$74.00	
19210*	$69.24	$112.00
19233	$57.00	
19363	$57.00	
19434	$57.00	
19474	$57.00	
19496*	$65.16	
19500*	$74.32	
19509	$57.00	
19518/18372	$57.00	
19529*	$71.28	
19533	$57.00	
19541*	$94.70	
19551	$96.00	
19675*	$81.46	
19685*	$71.28	
19799	$272.20	
19852	$69.00	
19862*	$150.80	
19912*	$84.50	
19937*	$109.04	$157.00
19957	$69.00	
20030*	$101.92	
20032	$57.00	
20072	$89.00	
20120*	$95.72	
20197	$57.00	
20272	$120.10	
20301	$57.00	
20404*	$98.76	$178.00
20525	$57.00	
20552	$57.00	
20579*	$57.00/$108.40/$160.98	$144.00
20660*	$107.02	
20715	$94.00	
20718*	$141.64	$234.00
20859	$66.00	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
20869	$57.00	
20941*	$104.98	
21113	$57.00	$89.00
21332*	$97.74	
21333*	$212.00	$345.00
21345*	$116.18	
21597*	$300.60	$473.00
21616*	$377.78	
21737*	$214.04	
21806*	$70.26	
22093	$138.00	
22180	$247.00	
22276	$196.62	
22277*	$269.02	
22371*	$291.42	
22889*	$189.40	$313.00
22999	$67.00	
23046	$183.00	
24721	$57.00	
27251-1	$465.00	
27526*	$163.02	
28882*	$104.98	$179.00
29038*	$61.08	
30027	$201.00	
30967*	$467.38	
31129*	$82.48	
31257*	$1,069.20	$1,414.00
31268*	$184.40	
31269*	$218.92	
31269-1*	$300.60	$355.00
31284	$127.10	
31305	$496.00	
31424*	$218.92	
31591*	$462.70	
31618	$364.00	
32005	$112.00	
32018*	$69.24	$160.00

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
32625	$1,000.00	
32715	$401.00	
33436	$42.00	
33637	$297.00	
33962	$494.00	
4-Custom Home	$567.00	

Note: *Proposed parcel charges for FY 2010/11 include a CPI adjustment.

In the event that Tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, or 32018 do not individually approve the maximum balloted charge by the majority of the property owners in the separate mail ballot proceedings under Proposition 218 currently scheduled to be concluded at the public hearing on July 13, 2010, the charges hereby approved will be the FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings, as identified above.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone D, as set forth in the report on said charge filed with the Secretary of the District, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone D is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060186

RESOLUTION NO. CSD 2010-13

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE IMPROVEMENT AND MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide high-service-level parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E and the various subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E (High-service-level Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within the various subzones of Zone E of the CSD is a necessary and equitable charge to fund, in part, the high-service-level parkway landscape improvement and maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing high-service-level parkway landscape improvement and maintenance services within the CSD is hereby approved and adopted as follows:

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2010/11 Proposed Charges
E-1	TownGate	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 34299	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 32142	$56.00
		Tract 32143	$53.96
		Tract 32144	$53.96
		Tract 32145	$31.56
		Tract 32146	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00
E-7	Centerpointe	Per acre	$679.80
E-8	Promontory Park	Per condo unit:	$188.00
		Per parcel	$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00
E-14	Mahogany Fields	Per parcel	$277.98
E-15	Celebration	Per parcel	$333.00
E-16	Shadow Mountain	Per parcel	$293.26

2. The herein approved charges are hereby confirmed for each parcel of real property within the various subzones of CSD Zone E, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the service charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060192

RESOLUTION NO. CSD 2010-14

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-1A (RENAISSANCE PARK – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Renaissance Park walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-1A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-1A (Renaissance Park Walls/internal Parkway Landscape Maintenance) so collected on the tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property, within CSD Zone E-1A is a necessary and equitable charge to fund, in part, the walls/internal parkway landscape maintenance services for Renaissance Park by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of seventy-seven dollars and thirty eight cents ($77.38), which includes previously approved CPI adjustments, to defray in part the costs of furnishing Renaissance Park walls/internal parkway landscape improvement and maintenance services within the CSD, is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-1A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-1A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-15

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-3A (LASSELLE POWERLINE PARKWAY – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Lasselle Powerline Parkway walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-3A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property within CSD Zone E-3A is a necessary and equitable charge to fund, in part, walls/internal parkway landscape maintenance services for the Lasselle Powerline Parkway by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property that is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of the public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of sixty-seven dollars and twenty cents ($67.20), which includes previously approved CPI adjustments for CSD Zone E-3A (Lasselle Powerline Parkway) to defray in part the costs of furnishing walls/internal parkway landscape maintenance services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-3A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone E-3A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-16

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-4A (DAYBREAK DEVELOPMENT – INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-4A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-4A (Daybreak Development - Internal Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone E-4A is a necessary and equitable charge to fund, in part, internal parkway landscape maintenance services for the Daybreak Development by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of one hundred nine dollars ($109.00), which includes previously approved CPI adjustments for Zone E-4A (Daybreak Development) to defray in part the costs of internal parkway landscape maintenance services within the CSD hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-4A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-4A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-17

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE M (COMMERCIAL/ INDUSTRIAL/MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide commercial/industrial/multifamily improved median maintenance services within the CSD and provides funding for such services, in part, through CSD Zone M; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for CSD Zone M (Commercial/industrial/multifamily improved median maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable commercial/industrial/multifamily property within CSD Zone M is a necessary and equitable charge to fund, in part, the improved median maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of not more than 16.1 cents per median square foot per month, which includes previously approved CPI adjustments, to defray in part the costs of furnishing commercial/industrial/multifamily improved median maintenance services within the CSD, is hereby approved and adopted as follows:

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,047.80
Cactus Commerce Center	24364	297-130-039 297-130-041 297-130-042	$798.00 $1,957.00 $1,610.00
Home Depot	21504	485-220-030	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$302.72
Perris Blvd. Storage Red Maple Center	PA02-0117	312-020-017 312-020-018 312-020-020	$1,592.16 $1,517.74 $592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023 484-020-024	$5,958.92 $7,283.02
Moreno Valley Health, LLC	33930	297-140-049 297-140-050 297-140-051 297-140-052	$1,151.82 $1,184.44 $1,317.96 $1,041.74

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
OPT Moreno Valley, LLC	27008	482-700-001	$388.34
		482-700-005	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$403.64
Auto Detail Shop		291-191-024	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,629.24
		297-170-069	$10,852.68
		297-170-071	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,419.96
		312-360-002	$668.26
		312-360-003	$457.52
		312-360-004	$1,603.64
		312-360-005	$1,245.28
		312-360-006	$2,016.12
		312-360-007	$787.72
		312-360-008	$742.64
		312-360-009	$824.92
		312-360-010	$833.92
		312-360-011	$669.40
Commercial Project	TPM 32961	316-210-074	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	$2,324.04
Oakwood Apts	PA04-0010	486-070-004	$2,981.50
		486-070-011	$2,981.50
Moreno Marketplace	PA05-0169	486-250-021	$8,149.44
		486-250-024	$7,867.58
		486-250-025	$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	$10,595.40
		488-090-037 to -040	
		488-090-043	
		488-090-047 to -057	
		488-090-064	
		488-090-071	
		488-090-073 to -074	
		488-090-076	
		488-090-082 to -085	

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
Condominium Complex	32756	484-030-020	$619.72
		484-030-022	$619.72
OMP Development	34572	297-150-055	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$843.98
March Graham Partners	34022	297-170-004	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	$3,180.26
MV Properties	33152	297-120-002	$981.60
		297-120-003	$710.44
		297-120-016	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,149.78
		297-120-011	$1,482.08
		297-120-012	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	$7,554.16
Two-Bldg Commercial Center	PA07-0139	484-020-026	$2,814.32
Highland Fairview	TPM 35629	488-360-008	$4,152.22
		488-360-009	$3,467.92
		488-360-010	$3,467.92
		488-360-011	$6,935.84
		488-360-012	$6,620.56
		488-350-002	$17,601.72
California Drug Consultant		486-280-041	$9,775.68
Delphinium Apartments	PA04-0028	484-242-020	$2,986.60

2. The herein approved charge calculation is hereby confirmed for each parcel of real property within CSD Zone M, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale

and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone M is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060212

RESOLUTION NO. CSD 2010-18

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE S (SUNNYMEAD BOULEVARD MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") shall provide maintenance for improvements under construction along Sunnymead Boulevard from Frederick Street to Perris Boulevard; and,

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and,

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone S (Sunnymead Boulevard Maintenance) along from Frederick Street to Perris Boulevard be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI"), and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone S is a necessary and equitable charge to fund, in part, the furnishing of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held a said hearing, at which time all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and,

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of two dollars and eighty cents ($2.80), per front linear square footage, which may include previously approved CPI, to defray in part the costs of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard within the CSD is hereby approved and adopted.

2. The herein approved parcel charges calculated is hereby confirmed for each said parcel of real property within CSD Zone S, as set forth in the report on said charge filed with the CSD Secretary, as such may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone S is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passages of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charge calculation to the Auditor of the County of Riverside and to the Tax Collector of said County, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

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MV00060218

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk
Bob Hansen, City Attorney

AGENDA DATE: June 8, 2010

TITLE: GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010 RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES

RECOMMENDED ACTION

Staff recommends that the City Council adopt the following resolutions:

1. Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities; and

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code; and

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010; and

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor; and

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

SUMMARY

Submitted for adoption are six resolutions necessary for calling and giving notice of a general municipal election on November 2, 2010; requesting the Board of Supervisors to consolidate said general municipal election with the statewide general election; and adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters; ordering the submission to the qualified electors of two advisory ballot measures relating to changing from an appointed to an elected mayor; directing the City Attorney to prepare an impartial analysis; and providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

BACKGROUND/DISCUSSION

A general municipal election will be held in the City of Moreno Valley on November 2, 2010 for the purpose of electing, by district, two members of the City Council for one four (4) year term each in Council Districts 2 & 4. In addition, the City Council previously directed that the staff prepare resolutions for the submission to the voters of two advisory ballot measures relating to changing from an appointed to an elected mayor. Originally, the Council had directed that one ballot measure asking two questions be submitted to the voter. The City Clerk's office has been advised by the County Registrar of Voters that the County's election system cannot accommodate multiple questions for one ballot measure and the two questions must be presented as two separate ballot measures. Accordingly, the attached resolutions have been redrafted from those previously presented to the Council to reflect this change. The text of the ballot measures remains the same, except that the information is repeated for each measure and one sentence has been added to clarify the reasons for the two measures as well as address the Council's expressed concern that the public might not

understand that a future election would be required to enact the Directly Elected Mayor system. That sentence reads:

> To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

It appears as a separate paragraph towards the end of the measure text just prior to the actual ballot questions.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

An early estimate from the Registrar's office for the cost of the election is $45,000 – $50,000. The cost may increase due to the Registrar's direction that the two questions comprising the advisory ballot measures must be submitted as separate ballot measures rather than one. The cost of the extra ballot measure is estimated to be $10,000 – 25,000. $70,500 is included in the 2010-11 City Clerk base budget for these activities.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Resolution calling and giving notice of the holding of a general municipal election
B. Resolution requesting consolidation with statewide general election
C. Resolution adopting regulations for candidates
D. Resolution ordering the submission to the qualified electors
E. Resolution directing the city attorney to prepare an impartial analysis
F. Resolution providing for the filing of rebuttal arguments
G. Municipal Information Form
H. City Boundary Map

Prepared By
Jane Halstead, City Clerk
Bob Herrick, Special Counsel

Department Head Approval
Jane Halstead, City Clerk
Bob Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060222

RESOLUTION NO. 2010-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 2, 2010 for the election of Municipal Officers; and

WHEREAS, the Nomination Period for said Election will be July 12, 2010 through August 5, 2010, during regular office hours as posted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four years.

SECTION 2. That the election called and so ordered hereby shall be held for the purpose of electing City Council members from Council District Two (2) and Council District Four (4), as such districts have heretofore been established and designated by the City Council.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14212 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED and ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Moreno Valley, California, called a General Municipal Election to be held on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council.

WHEREAS, it is desirable that such general municipal election be consolidated with the Statewide General Election to be held on the same date, and that within the City, the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of Riverside canvass the returns of said municipal election, and that the elections be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council of the City of Moreno Valley.

SECTION 2. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the Registrar of Voters of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is hereby requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Moreno Valley, California, recognizes that additional costs will be incurred by the County by reason of this consolidation and

agrees to reimburse the County for such additional costs.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors, the Registrar of Voters of the County of Riverside, and with the County Clerk.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS FOR THE ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010

WHEREAS, Section 13307 of the California Elections Code permits the governing body of any local agency to adopt regulations pertaining to charges for handling, packaging, and mailing the candidates' statements in relation to elections for nonpartisan elective offices;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the California Elections Code, each candidate for elective office to be voted for at an election to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement cannot reference other candidates, their character, qualifications or activities. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers, July 12, 2010 through August 5, 2010, during regular office hours as posted, and until 5:00 p.m. of the next working day after the close of the nomination period.

Pursuant to § 13107 of the California Elections Code, each candidate has to fill out a ballot designation worksheet that supports the use of his/her ballot designation in compliance with the provisions of California Elections Code 13106 and 13107.

SECTION 2. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3. PAYMENT. A candidate filing a candidates' statement for inclusion in the sample ballot shall pay in advance his or her pro rata share for printing, handling and mailing, as a condition of having his or her statement included in the voter's pamphlet. A deposit of: $450 for Council District Two (2), and $375 for Council District

Four (4), must be paid at the time each candidate's statement is filed. Payment of the deposit shall be by cash or by check payable to the City of Moreno Valley. The City Clerk shall bill each candidate for any cost in excess of the deposit or, if the actual cost is found to be less than the deposit, shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. COPY TO CANDIDATE. The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating papers are issued.

SECTION 5. REPEAL OF PRIOR RESOLUTIONS. All previous resolutions establishing council policy on payment for candidates' statements are repealed.

SECTION 6. LIMITED APPLICABILITY. This resolution shall apply only to the election to be held on Tuesday, November 2, 2010 and shall then be repealed.

SECTION 7. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF MORENO VALLEY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR.

WHEREAS, a General Municipal Election will be held on Tuesday, November 2, 2010; and

WHEREAS, the City Council also desires to submit to the voters at the election two advisory ballot measures relating to changing from an appointed to an elected mayor:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the Riverside County Registrar of Voters is directed to add the advisory measure to the ballot for the City of Moreno Valley to the General Municipal Election to be held on Tuesday, November 2, 2010, relating to changing from an appointed to an elected mayor.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following measures in the following form:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following questions:

1. Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

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Under an elected Mayor system:

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- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the election on the proposed measures shall be consolidated with the November 2, 2010 General Election through the County Registrar of Voters and the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Election Code of the State of California

SECTION 5. That the City Clerk shall keep one or more copies of the proposed measures available for public inspection at the office of the City Clerk.

SECTION 6. (a) Notice is hereby given that written arguments, not to exceed three hundred (300) words in length, shall be filed at the office of the City Clerk, 14177 Frederick Street, Post Office Box 88005, Moreno Valley, California, 92552-0805, not later than 5:00 p.m on August 16, 2010..

(b) Each argument submitted for or against the foregoing measures shall be accompanied by the statement set forth in §9600 of the California Elections Code, must be completed and signed by the author of such argument, and shall comply with the provisions of §§9280 through 9287 of the California Elections Code.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections consolidated through the County Registrar of Voters.

SECTION 8. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the County Elections Department of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures, and the Board of Supervisors of the County of Riverside is hereby requested to authorize said Elections Department to furnish such services; and that the Board of Supervisors is hereby requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the election.

SECTION 10. The City Clerk is hereby ordered to certify to the adoption of this resolution and proclamation, and to file copies hereof, with the Clerk of the Board of Supervisors of the County of Riverside and with the Registrar of Voters of the County of Riverside, and to enter it into the book of original Resolutions.

APPROVED AND ADOPTED this _____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS REGARDING THE ADVISORY BALLOT MEASURE RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010.

WHEREAS, a General Municipal Election is to be held in the City of Moreno Valley, California, on November 2, 2010 at which there will be submitted to the voters the following advisory ballot measures:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters.

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- The voters of all Council districts would elect the Mayor "at large".
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- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does resolve, declare, determine and order as follows:

SECTION 8. That the City Council directs the City Clerk to transmit a copy of the measures to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the Elections Official for the filing of primary arguments.

SECTION 2. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED this ____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES SUBMITTED AT THE NOVEMBER 2, 2010 MUNICIPAL ELECTION

WHEREAS, Election Code §9220 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections;

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does hereby resolve, determine and order as follows:

SECTION 1. That pursuant to Elections Code §9220, when the City Clerk has selected the arguments for and against each measure which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than 5:00 p.m. on August 26, 2010. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the general election to be held on November 2, 2010, and shall then be repealed.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED this __ day of June, 2010.

_____
Mayor

ATTEST:

APPROVED AS TO FORM:

_____
City Clerk

_____
City Attorney

Exhibit F

Resolution No. 2010-___
Date Adopted: June __, 2010

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MV00060238

Municipal Information Form

City of Moreno Valley — City

November 2, 2010 — Date of Election

OFFICES TO BE VOTED ON: (Check offices to be voted on)

		NAMES OF INCUMBENTS / FULL TERM OR SHORT TERM
2	For City Council (# to elect)	DISTRICT NO. 2 - RICHARD A. STEWART/FULL TERM DISTRICT NO. 4 - BONNIE FLICKINGER/FULL TERM
	For Mayor	
	For City Clerk	
	For City Treasurer	

Will there be any measures on the ballot? YES [X] NO [ ]

CANDIDATE'S STATEMENT:

- **TYPESETTING:** Statements will not be edited by the Registrar of Voters.
- **COST:** Estimated deposit is based on number of voters in jurisdiction.
  Candidate's Statement will be paid by:
  Candidate [X] City [ ]

SERVICES REQUESTED OF REGISTRAR OF VOTERS:

- Nomination Forms. The forms will be provided on C.D. accompanied by one original paper set.
- In Consolidated Elections, Registrar of Voters will publish the Polling Places in the Press Enterprise pursuant to E.C. 10417.

  Is additional publication required in your local newspaper? YES [ ] NO [X]
  If yes, a copy will be provided to City for local publication.
- Registrar of Voters will automatically provide one copy of the alphabetical listing of registered voters in the city.
  Please indicate which Format you would prefer: [X] C.D. OR [ ] Paper

  Would you like a Street Index in addition to alphabetical list? YES [X] NO [ ]

MAP OR BOUNDARY DESCRIPTION IS ENCLOSED: YES [X] NO [ ]

[X] There are no boundary changes [ ] See boundary changes

Date: May 20, 2010 Signed: Jane Halstead
Jane Halstead, City Clerk

Phone Number: (951) 413-3001

Fax Number: (951) 413-3009

P.O. BOX 88005, MORENO VALLEY, CA. 92552-0805
Mailing Address

E-mail address: janeh@moval.org

Exhibit G

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MV00060240

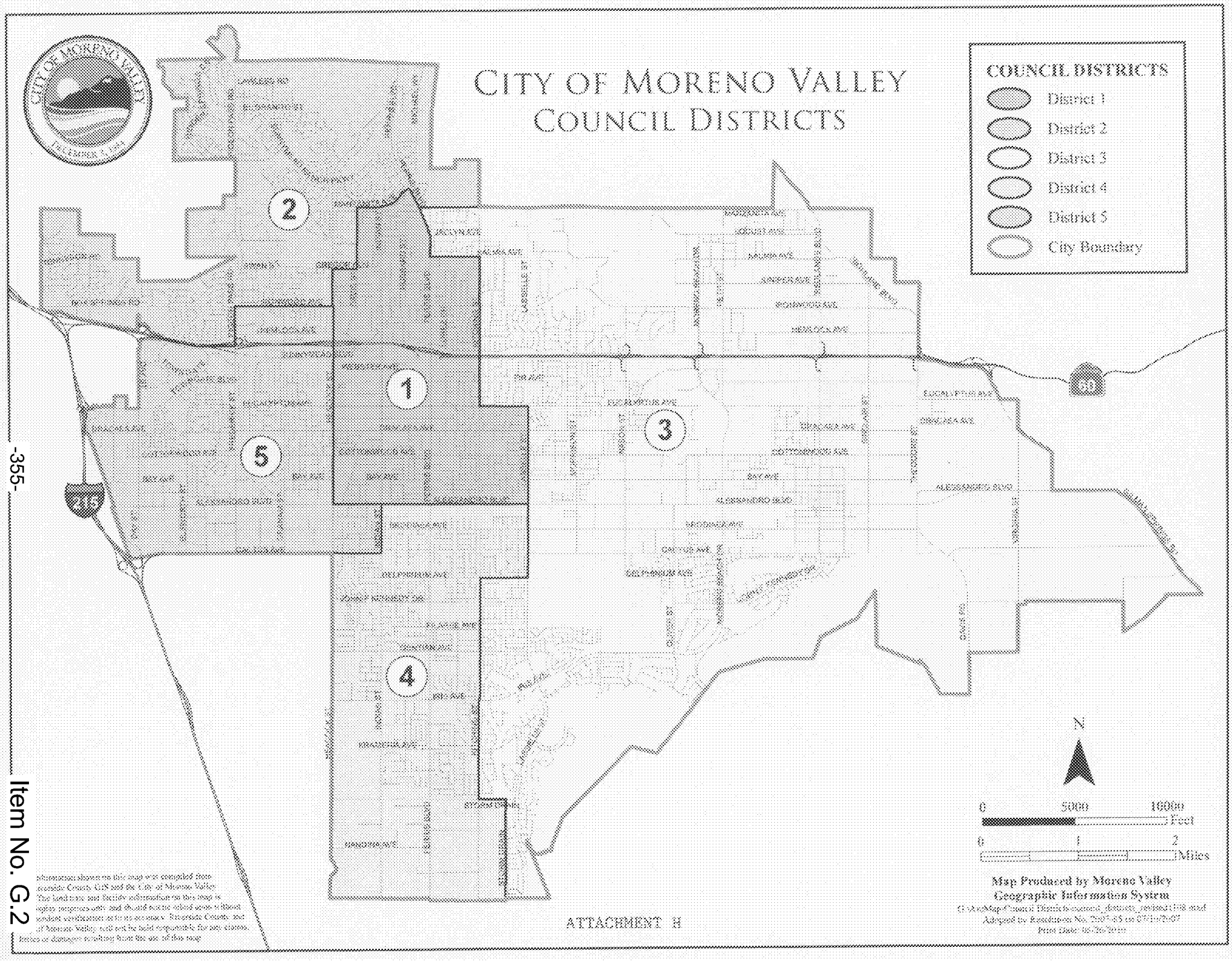
CITY OF MORENO VALLEY
COUNCIL DISTRICTS
COUNCIL DISTRICTS
District 1
District 2
District 3
District 4
District 5
City Boundary
1
2
3
4
5
N
0
5000
10000
Feet
0
1
2
Miles
Map Produced by Moreno Valley
Geographic Information System
ATTACHMENT H

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MV00060242

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: SHOP MOVAL PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

BACKGROUND

As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, and in turn, support general fund programs and services, Economic Development staff has partnered with the three Chambers of Commerce to create a SHOP MOVAL awareness for both the business community and residents. This effort began at the onset of FY 2009/2010 by providing graphic standards such as logo development and collateral design elements (See Exhibit A). Promotion of the SHOP MOVAL message was also included as performance measures in their respective FY 2009/2010 contracts. The idea was to have each Chamber of Commerce create a SHOP MOVAL program tailored to the specific needs of its membership with the City providing the overall SHOP MOVAL logo.

DISCUSSION

Most leading economists indicate that the recession is slowing as declines in sales tax revenue settle into single digits, up from three years of double-digit declines. Clearly, this is a positive change. However, the City of Moreno Valley along with other jurisdictions in the Inland Region continues to face the reality of what will be a slow recovery. The need to keep consumer spending here in Moreno Valley will be important to helping the local economy recover.

To build upon the momentum created by the Chambers and their members, and demonstrate increased leadership by the City, Economic Development staff has drafted

a SHOP MOVAL program. Maximizing a moderate, yet cost-effective budget, the proposed program (See Exhibit B) is designed to utilize multiple communication vehicles, along with providing additional tools to the Chambers of Commerce. Establishing a multi-faceted SHOP MOVAL program will increase public awareness of the benefits of shopping local and increasing sales tax revenue for the City to use in funding General Funds services and activities.

The major components recommended for the SHOP MOVAL program include:

- Advertising including banners, Mall kiosk, print media ads, and promotional items.
- Public Relations including web pages, a new targeted automotive purchase incentive program, local business discount programs, MVTV-3 (PSA's and programming), and social media usage.

With a limited budget, staff recommends pursuing a variety of partnerships (Chambers of Commerce, local businesses, major shopping center owners, and auto dealerships) to undertake some of the SHOP MOVAL programs. Forging strategic partnerships with the local businesses community will not only make the SHOP MOVAL program more cost-effective, but also it will also strengthen the "buy-in" of local businesses.

ALTERNATIVES

1. Accept the SHOP MOVAL Program as proposed.
2. Direct staff to make changes to the SHOP MOVAL Program per City Council's input.
3. Reject the use of a SHOP MOVAL Program.

FISCAL IMPACT

The City of Moreno Valley will increasingly benefit from growing sales tax revenue generated as the region recovers from the economic downturn. Additionally, helping local businesses create new employment opportunities and retaining local businesses increases consumer spending. The FY 2009-2010 Budget for Economic Development includes a budget allocation for SHOP MOVAL in the amount of $40,000. The preliminary FY 2010-2011 Budget includes a budget allocation for SHOP MOVAL in the amount of $20,000.

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Facilities and Capital Projects: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and executing programs, which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

ATTACHMENTS/EXHIBITS

EXHIBIT A: SHOP MOVAL Graphic Design Samples
EXHIBIT B: SHOP MOVAL Program

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060246

Shop MOVAL Graphic Design Samples

Logo

Banner design

Ad design

EXHIBIT A

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MV00060248

Shop MOVAL Program

Program Summary

Shop MOVAL is an awareness campaign designed to educate residents/businesses of the benefits of shopping in Moreno Valley and increase community pride. The campaign could include the following components:

- Public/private partnerships
- Sponsorships (monetary and in-kind)
- Marketing

What does shopping local do for the community?

- Increases general fund supporting safety, parks, libraries
  - 1% of each dollar spent in Moreno Valley stays in Moreno Valley
- Strengthens new and existing businesses
- Creates jobs
- Increases Community Pride

Messages

- Money spent in Moreno Valley stays in Moreno Valley
- Improve quality of life
- Invest in your community
- If you shop, they will come
- Making a good thing better
- Enjoy life in Moreno Valley
- Support your Library, Parks, Police , Fire, Youth Programs

City Program Budget	$60,000
FY 2009/2010: $40,000	
FY 2010/2011: $20,000	

Program Components	Estimated Cost
Marketing Plan	
Advertising	
Banners	$10,500
• 70: Key retail areas (Supplement 10 existing TownGate areas and MV Mall); Stoneridge Towne Centre; MV Plaza, and Auto Mall.	
Mall Kiosk	$3,600
• 12 months	
Print/Web	
• *Your Villa*- 6x (full-page; inside front cover)	$10,050
• *Press Enterprise* (Flier Inserts: 12 X)	$6,600
• PE.com (4 X 750,000 impressions)	$3,000
• *La Prensa* (Flier Inserts: 6 X)	$4,000
• *Citylink*	$0

Shop MOVAL Program

Promotional Items

- Magnets (Quantity: 20,000) $2,175

Public Relations

- Webpage(s) $0

  Webpages to include: key messages; new-vehicle incentive program; links to chambers of commerce, other sponsors and online Yellow Pages bookmarked for Moreno Valley; hot button for Facebook; petition page to show support for desired new business; and opt-in sign-up for potential electronic newsletter and updates/alerts.

- Local Business Discount Program $0

  Encourage Chambers of Commerce to pursue a discount program within their respective memberships. City staff would assist by providing a graphic for a downloadable discount card and posters for their members that are participating by providing a discount or added-value.

- New Vehicle Incentive Program $20,000

  Staff will work with Auto Dealer's Association to develop incentive co-op program encouraging the purchase of new vehicles.

- MVTV-3 $0
  - News Center: PSA; Interviews with Barry Foster along with presentation of human interest story coming from library, parks or public safety highlighting benefits of public services.
  - Bulletin
  - On hold message

- Social Media $0

  Create Fan page on Facebook

- Outdoor Advertising $0

  Request scheduled use of Moreno Valley Mall and Auto Mall reader boards.

In-person Promotion $0

- Chamber Events
- Service groups
- City Events

Shop MOVAL Program

Sponsorships/Partnerships

Existing Sponsorship (Monetary/In-kind)

- City of Moreno Valley

  $60,000 (FY 2009-2010 and FY2010-11) plus staff

- Chambers' of Commerce
  - Moreno Valley Chamber of Commerce: $1,000 (decals); $ 775.00 in-kind advertising in *Your Villa*

- Fritz Duda

  $2,400: Existing banner program in TownGate

- *Your Villa*

  $850 Value for Logo placement to date

Future Sponsorship (Monetary/In-kind)

- MV Auto Mall

  New Vehicle Purchase Incentive Program- Value TBD and use of new message board

- MV Mall

  Use of message board

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MV00060252

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE MORENO VALLEY MUNICPAL CODE RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing offenses and amending Section 6.04.080 relating to notice of nuisance violations.

BACKGROUND

Staff has reported an increase over the past two years of incidents related to trespassing and drinking in public. Trespass is currently regulated by Section 602 of the California Penal Code. However, the various sections of the penal code do not provide a comprehensive approach to general trespass on private property. As a result of the fact specific nuances of state trespassing laws, very few instances of what is commonly thought to be trespassing actually is enforceable under state law.

Likewise, state law deals with intoxication in public but requires a very specific set of facts in order to convict for public intoxication. Moreno Valley currently does not have

any laws to prevent or restrict the consumption of alcohol in public, even when such consumption does not rise to the level of public intoxication.

Reports of increased public nuisance activity related to trespass and drinking have increased. These reports include trespassing and holding parties in vacant, abandoned or foreclosed properties, skateboarding in business parking lots, loitering and drinking at liquor stores, especially those associated with an attached or nearby recycling center.

DISCUSSION

In order to combat some of these nuisance conditions, the City Attorney's Office was asked to create new ordinance addressing trespassing and drinking in public. The proposed ordinance is laid out in three sections. The first section prohibits the drinking of an alcoholic beverage on or within public places, including streets and sidewalks. The penalties for drinking in public can range from a $100 Administrative Citation up to a misdemeanor violation for repeat offenders with maximum penalties of a $1,000.00 fine and up to six months in jail. The act of possessing an open container of alcohol (without drinking) constitutes a lesser charge with a maximum penalty of $500 and no jail time.

The second proposed section addresses trespassing on private property. A violation of this section constitutes a misdemeanor as well and may be enforced through Administrative Citations of a criminal complaint. Trespassing is prohibited on properly posted property or upon property where the owner, or the owner's agent, has asked an individual to remove himself therefrom and that person refuses to leave. A property owner can provide a written authorization to the police department to act as there agent to remove trespassers from their property. This could be used by banks to allow officers to remove and/or arrest individuals trespassing in vacant homes as well as by business entities that have recurring problems with unauthorized persons using their facilities or parking lots.

The third section relates to trespassing on publicly owned property. It allows for the "banning" of certain individuals who violate the law, rule or policy of a public park or facility for up to one year. The failure of a banned individual to remove himself from the property or his subsequent return would constitute a trespass violation. Both trespass sections provide exceptions for statutorily or constitutionally protected activity such as labor picketing or anti-discrimination provisions.

Additionally, it has been discovered that current code provisions relating to providing notice of code violations require service of the notice personally or by mailing and posting the subject property where the nuisance is occurring. The proposed ordinance changes this language to provide that notice may be service personally, mailed to the property owner, or posted on the subject property. This provides a more economical approach and ensures that affected property owners will receive the proper notice.

These new tools will provide the police department the ability to quickly and easily enforce these local crimes without the burdens imposed by the state law. Furthermore, these violations will be prosecuted and tracked by the City Attorney's Office. This allows the City to track repeat violators and ensure that proper penalties, restitution, stay away orders and other terms of probation are in effect against repeat offenders.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinance for adoption. The ordinance would take effect thirty-one (31) days after adoption.

2. Direct staff to make changes to the ordinance and return to City Council on a later date with a revised Ordinance.

3. Take no action.

FISCAL IMPACT

No significant fiscal impacts are projected although some additional revenue will be realized through fine collection.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

ATTACHMENTS/EXHIBITS

1. Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

Prepared by: Paul J. Early, Deputy City Attorney III

Department Head Approval, Robert L. Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060256

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 8, 2010 (continued from the meeting of May 25, 2010)

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement, the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

The RTS Program application fee, deposit and vehicle release fee were included in the City Council 2010 Fee Schedule which was approved on May 25, 2010.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC
Exhibit "B" – Draft Request for Proposals with agreement

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060270

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

A. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

B. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

C. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weigh rating of the class of Tow Truck changes, said weigh ratings of the class of Tow Truck or Trucks shall replace those weigh ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program has been developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8½" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.
b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
Bonnie Flickinger, Mayor

_____
Date

TOW OPERATOR

BY: _____

TITLE: _____
(President/Vice President/Other)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary/Other)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

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MV00060312

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 8, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

On May 25, 2010, the City Council provided direction to staff regarding a number of Deficit Reduction Options to be implemented in an effort to balance the FY 2010-11 Operating Budget. These Deficit Reduction Options have been incorporated in a proposed budget balancing plan, which has the support of all Department Heads and is hereby submitted by the Interim City Manager for the City Council's consideration.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of over $17.8 million.

Budgetary Adjustments to Reduce Deficit

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the $17.8 million deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues), as reflected in the following table:

Projected FY 2010-11 General Fund Operating Deficit		($17,876,300)
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	$1,520,800	
- Transfers to return previous General Fund subsidies	$1,639,100	
- Other transfers	$3,979,100	
- Total Budgetary Adjustments		$7,139,000
Budget Issues:		
- Re-establish funding for Budget Officer	($98,700)	
- Supplement Emergency Operations Grant	($43,100)	
- Increase in NPDES Regulatory Fee	($76,000)	
- Total Budget Issues		($217,800)
Net Budgetary Deficit		($10,955,100)

Updated FY 2009-10 Year-End Projections

Concurrent with the City Council's budget deliberations that have taken place over the past several weeks, staff has been thoroughly reviewing the FY 2009-10 year-end projections to ensure their accuracy. Based on the revenues received through May, staff believes that the FY 2009-10 Development Services revenue projections are likely to fall short of the projected amount by $500,000. Therefore, the projected FY 2009-10 savings of $1,520,800, as shown in the above table, will be reduced to $1,020,800.

Proceeds from Settlement of ENCO Litigation

On May 25, 2010, the City Council authorized approval of a Settlement Agreement between the City and ENCO Utility Services, which will result in payment to the City of $1.25 million. Staff is recommending that the settlement proceeds be allocated as follows:

▪ Repayment of Moreno Valley Utility (MVU) start-up loan from the General Fund:	$747,041
▪ Reimbursement of General Fund legal expenses incurred In the ENCO litigation:	$225,192
General Fund proceeds:	$972,233
▪ Balance retained by MVU as reimbursement for litigation expenses incurred in ENCO litigation ($813,113); could also be used to repay a portion of MVU start-up loan from Special Districts in the amount of $580,657:	$277,767
Total proceeds from Settlement Agreement:	$1,250,000

Deficit Reduction Options Approved by City Council

On May 25, 2010, the City Council reviewed the Deficit Reduction Options (DROs) included in the Deficit Reduction Plan and provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 General Fund Operating Budget. These DROs will offset the projected General Fund deficit by $3.2 million. Each of these Council-approved DROs is highlighted in yellow in the Deficit Reduction Plan which is attached as Exhibit "A".

Additional Proposed DROs without Requiring Use of Reserves

In addition to the DROs approved for implementation by the City Council on May 25, 2010, a comprehensive review of other DROs was conducted by the Budget Review Committee in an effort to balance the FY 2010-11 Operating Budget. Additional General Fund DROs totaling $2.3 million, which would not require the use of reserves, are recommended for implementation, as well as non General Fund DROs totaling $5.2 million, which are needed to offset projected operating deficits in the respective funds. These DROs, which are highlighted in green in Exhibit "A", have the support of all Department Heads and are recommended for implementation by the Interim City Manager.

Proposed Use of Reserves

If the proposed allocation of proceeds from the ENCO litigation is authorized by the City Council, combined with the Council-approved DROs of $3.2 million and additional staff-recommended DROs of $2.3 million, there will be a remaining General Fund deficit in the FY 2010-11 Operating Budget of approximately $5 million. To offset this deficit, staff is recommending use of $5 million in reserves as summarized below:

▪ Reduction in MVU Line of Credit (from $4.6 million to $2.6 million)	$2,000,000
▪ Reduction in General Contingency Reserves (from $10.1 million to $9.6 million; maintaining 12% Reserve Policy)	$500,000
▪ Reduction in Capital Expenditures Reserve (from $4.2 million to $1.7 million)	$2,500,000
▪ Total Use of Reserves to Balance Budget	$5,000,000

The proposed use of $5 million in General Fund reserves is depicted in Exhibit "B". With respect to the Emergencies/Contingencies Reserve, if the Council-approved and additional staff-recommended DROs are implemented, the General Fund Operating Budget will be reduced from $85.6 million to $80.1 million. Maintaining the current 12% contingency reserve policy will free up $500,000 to be used for FY 2010-11 operations. With respect to the MVU Line of Credit (LOC), this LOC has not been needed since inception of MVU. Allowing for future contingencies, this reserve can be reduced to $2.6 million; freeing up $2 million to be used for FY 2010-11 General Fund operations.

Although there has been discussion about potentially redeeming a portion of the Redevelopment Agency's 2007 Series B Tax Allocation Bonds to free up reserves, the proposed use of reserves as summarized on the preceding page would not require redemption of these bonds. Since there are legal fees associated with bond redemption (estimated at between $5,000 and $10,000), it would be advantageous to delay bond redemption until it is necessary.

Interim City Manager's Proposed Budget Balancing Plan

The following table summarizes the Interim City Manager's proposed plan for balancing the FY 2010-11 General Fund Operating Budget:

Description	Item Total	Category Total	Remaining (Deficit) Surplus
FY 2010-11 General Fund Net Operating Deficit		($10,955,100)	($10,955,100)
Adjustment to projected FY 2009-10 savings ($1.0 million vs. $1.5 million due to reduction in Development Services revenues)		($500,000)	($11,455,100)
Proceeds from settlement of ENCO litigation:			
- Repayment of MVU start-up loan from General Fund	$747,041		($10,708,059)
- Reimbursement of General Fund legal expenses	$225,192	$972,233	($10,482,867)
DROs approved by City Council on May 25, 2010		$3,160,445	($7,322,422)
Additional staff-proposed DROs without use of reserves		$2,343,740	($4,978,682)
Proposed use of reserves		$5,000,000	$21,318
Net Operating Surplus			**$21,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the Interim City Manager's proposed budget balancing plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5.5 million;
- Provides a balance between General Fund expenditure reductions ($5.5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.
2. Consider the Interim City Manager's proposed budget balancing plan.
3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan. Approval of the Interim City Manager's proposed budget balancing plan will enable adoption of the FY 2010-11 Operating Budget with a General Fund surplus of $21,318.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the $17.8 million General Fund deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). The Deficit Reduction Plan provides $20.1 million in options for offsetting this net operating deficit so that a balanced budget can be adopted.

On May 25, 2010, the City Council provided direction to staff regarding a number of Deficit Reduction Options to be implemented in an effort to balance the FY 2010-11 Operating Budget. These Deficit Reduction Options, along with others recommended by staff, have been incorporated in a proposed budget balancing plan, which has the support of all Department Heads and is recommended by the Interim City Manager. This proposed budget balancing plan preserves critical funding for public safety; maintains essential public services; maintains City staffing with no lay-offs; addresses the General Fund structural deficit by reducing expenditures by $5.5 million; provides a balance between expenditure reductions ($5.5 million) and use of reserves ($5 million); maintains the General Fund contingency reserve policy at 12% of budgeted expenditures; addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds; and eliminates the need to redeem RDA bonds at the present time. The Interim City Manager's proposed budget balancing plan is hereby submitted for the City Council's consideration.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Exhibit "A" – Deficit Reduction Options Proposed for Implementation
Exhibit "B" – General Fund Reserves Summary

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Deficit Reduction Options (DROs) Proposed for Implementation to Balance FY 2010-11 Operating Budget

DROs Highlighted in Yellow =	Approved by City Council on May 25, 2010
DROs Highlighted in Beige =	Additional Savings resulting from DRO Revision; Approved by City Council on May 25, 2010
DROs Highlighted in Green =	Additional Staff Recommendations

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position.		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position.		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary).			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time).			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0		0	
Filled - Transfer to other funding sources	0		0	
Vacant	2		2	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		1		
Total City Council/City Clerk		**4**		**2**

MV00060320

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position.			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	2			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		3		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Attorney		**3**		**1**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%.	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000.		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract.			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position.			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position.			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position.			X			X	1		FTC	Vacant		37,268	37,268
6a	City Mgr	City Mgr	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.			X			X						58,995	58,995
City Manager Total										**3**					**$583,068**	**$583,068**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	3		2	
Total FTC		3		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Manager		**3**		**2**

MV00060322

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions.	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager position with a Sr. Management Analyst position.	X			X								119,289	119,289
4a	Community Dev	Dev Svcs Admin Support	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.												37,772	37,772
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X				1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
9	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X						60,000	60,000
Community Development Department Total										**1**					**$566,850**	**$566,850**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Community Development		**1**		**1**

MV00060324

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Economic Development		**0**		**0**

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						56,800	56,800
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off	47,100	47,100
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off	58,600	58,600
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off	12,000	12,000
			Animal Care Technician			X			X	1		FTC	Vacant		50,900	50,900
			Office Aide			X			X	1		Temp	Filled	Lay-off	17,800	17,800
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*.			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

May 2010

MV00060326

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						12,745	12,745
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off	55,137	55,137
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off	53,297	53,297
			Accounting Technician			X			X	1		FTC	Filled	Lay-off	67,344	67,344
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off	54,277	54,277
Financial & Administrative Services Department Total										**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing	ORIGINAL		PROPOSED
FTC (Full-time Career)			
Filled - Lay-off	11		
Filled - Transfer to other funding sources	0		
Vacant	2		
Total FTC		13	0
Part-time (P/T)			
Filled - Lay-off		0	0
Temporary (Temp)			
Filled - Lay-off		2	0
Total Financial & Administrative Services		**15**	**0**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes.	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position.			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions:			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings:			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class.	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist.			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			*** Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.													
Fire Department Total										**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	11		1	
Vacant	0			
Total FTC		11		1
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Fire		**12**		**1**

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review).	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review).	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Human Resources		**0**		**0**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items.		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos.		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23).*			X			X						(21,840)	(21,840)
	Library Total									**1**					**$190,160**	**($21,840)**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Library		**1**		**1**

MV00060330

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC).	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Defund Golf Course Maint Worker (transfer to CFD #1).		X			X		1		FTC	Filled	Transfer	43,900	0
3	Parks	Community Events	Suspension of 4th of July celebration in FY 2011-12 (parade & festival).			X			X						118,300	0
	Parks & Community Services Department Total									**2**					**$228,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	1		1	
Vacant	1		1	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Transfer to other funding sources		0		0
Total Parks & Community Services		**2**		**2**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						31,580	31,580
			Motorcycle Officer			X			X		2	FTC	Filled	Transfer	468,124	468,124
			Motorcycle Officer			X			X		2	FTC	Vacant		468,124	468,124
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer	230,208	230,208
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X							
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X							
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X							
			Patrol Officer			X			X		4	FTC	Filled	Transfer	920,830	920,830
Police Department Total											**17**				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	15			
Vacant	2		2	
Total FTC		17		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Police		**17**		**2**

MV00060332

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24).*		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer position, thereby leaving one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transp. Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 22	Public Works	Transp. Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X						292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X						695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

MV00060336

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			* **MOE NOTE:** DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.														
Public Works Department Total										**35**					**$3,779,338**	**$3,779,338**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources	18		11	
Vacant	3		3	
Total FTC		27		14
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off	3			
Filled - Transfer to other funding sources	0			
Vacant	4			
Total Temporary		7		0
Total Public Works		**35**		**14**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	FTC Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
Non-Department Total															**$6,000,000**	**$6,000,000**
GRAND TOTAL CITY-WIDE										**65**	**28**				**$25,396,576**	**$20,230,901**

City - DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	19		0	
Filled - Transfer to other funding sources	19		12	
Vacant	14		11	
Total FTC		52		23
Part-time (P/T)				
Filled - Lay-off		3		0
Temporary (Temp)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources				
Vacant	4			
Total Temporary		10		0
TOTAL CITY		**65**		**23**

Contract (Police & Fire) - DRO Position Summary Listing				
FTC (Full-time Career)				
Fire - Filled - Transfer to other funding sources	11		1	
Police - Filled - Transfer to other funding sources	15			
Police - Vacant	2		2	
Total FTC		28		3
TOTAL CONTRACT (Police & Fire)		**28**		**3**

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
			2010-11 Deficit (Net of Adjustments & Budget Issues)													(10,955,100)
			Adjustment to FY 2009-10 savings													(500,000)
			Loan Repayment of Moreno Valley Utility (MVU) of start-up costs to the General Fund													747,041
			Reimbursement of General Fund legal costs related to ENCO litigation													225,192
			Net													(10,482,867)
			Council Approved DROs												4,398,953	3,063,678
			Additional DRO Savings (defunding of Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed)												96,767	96,767
			Revised Total - Council Approved DROs												4,495,720	3,160,445
			Interim City Manager Proposed DROs (without Use of Reserves)												**6,174,140**	**2,343,740**
			Total Proposed DROs												**10,669,860**	**5,504,185**
			Proposed Use of Reserves													**5,000,000**
			Net Operating Surplus													**21,318**

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MV00060340

Exhibit "B"

City of Moreno Valley
General Fund Reserves

Reserve Designation:	Budgeted 2009-10 Reserves	Adopted Uses in 2009-10	Projected Balance 2009-10	Pledged for RDA Bonds	Proposed Use of Reserves 2010-11	Projected Balance 2010-11	Comments
- Encumbrances	254,440	(254,440)	0			0	
- Prepaid and Other Assets	34,019	(34,019)	0			0	
- Continuing Appropriations	526,020	(526,020)	0			0	
- Emergencies/Contingencies	10,100,000	0	10,100,000	(10,100,000)	500,000	9,600,000	Council Policy is 12% of GF Expenditure Budget ($80.1m x 12% = $9.6m)
- Development Services	2,300,000	(2,300,000)	0			0	
- Capital Expenditures & Emergency Equipment	12,632,732	(8,444,365) *	4,188,367		2,500,000	1,688,367	Designated for priority capital projects without other funding source.
- Advances Receivable	18,799,289		18,799,289	(12,400,000)		18,799,289	Funds are loaned/pledged and not available.
- Future Debt Service	1,000,000		1,000,000		0	1,000,000	Reserved for future debt service.
- Moreno Valley Utility Line of Credit (LOC)	4,600,000		4,600,000		2,000,000	2,600,000	LOC has not been needed since inception of MVU. $2m reservation can be removed.
- Post-Employment Medical Benefit	120,000	(120,000)	0			0	
Total	**50,366,500**	**(11,678,844)**	**38,687,656**	**(22,500,000)**	**5,000,000**	**33,687,656**	

**** Notes***

Contingency Reserves	*4,308,465*
FY 2008-09 Savings	*3,652,900*
Other Operating Designations	*483,000*
Total	***8,444,365***

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MV00060342

City of Moreno Valley

FY 2010-11 Operating Budget

Proposed Budget Balancing Plan

June 8, 2010

Projected General Fund Deficit

Projected FY 2010-11 General Fund Operating Deficit		($17,876,300)
Budgetary Adjustments:		
- Current year savings	$1,520,800	
- Transfers to return GF Subsidies	$1,639,100	
- Other Transfers	$3,979,100	
- Total Adjustments		$7,139,000
Budget Issues:		
- Re-establish funding for Budget Officer	($98,700)	
- Supplement Emergency Operations Grant	($43,100)	
- Increase in NPDES Regulatory Fee	($76,000)	
- Total Budget Issues		($217,800)
Net Budgetary Deficit (Deficit Reduction Plan)		($10,955,100)

MV00060344

Proposed Budget Balancing Plan

Description	Item Total	Category Total	Remaining (Deficit) Surplus
FY 2010-11 Projected General Fund Net Operating Deficit		($10,955,100)	($10,955,100)
Adjustment to projected FY 2009-10 savings ($1.0 million vs. $1.5 million)		($500,000)	($11,455,100)
Proceeds from settlement of ENCO litigation ($1.25 million):			
- Repayment of MVU start-up loan from General Fund	$747,041		($10,708,059)
- Reimbursement of General Fund legal expenses	$225,192	$972,233	($10,462,867)
DROs approved by City Council on May 25, 2010		$3,160,445	($7,322,422)
Additional staff-proposed DROs without use of reserves		$2,343,740	($4,978,682)
Proposed use of reserves:		$5,000,000	$21,318
Net Operating Surplus			**$21,318**

Proposed Use of Reserves

Reserve Designation	Amount
Reduction in MVU Line of Credit (from $4.6 million to $2.6 million)	$2,000,000
Reduction in General Contingency Reserves (from $10.1 million to $9.6 million; maintaining 12% Reserve Policy)	$500,000
Reduction in Capital Expenditures Reserve (from $4.2 million to $1.7 million)	$2,500,000
Total Use of Reserves to Balance Budget	$5,000,000

Proposed Budget Balancing Plan

- Preserves public safety, with only minimal reductions (Police budget still increasing);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;
- Addresses the General Fund structural deficit by reducing expenditures by $5.5 million;
- Provides a balance between General Fund expenditure reductions ($5.5 million) and use of reserves ($5 million);

Proposed Budget Balancing Plan

- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

MV00060348

Proposed Budget Balancing Plan

Deficit Reduction Options Proposed for Implementation to Balance FY 2010-11 Operating Budget

Legend: Yellow: Council Approved on May 25, 2010
Beige: Additional Savings from DRO Revision; Council Approved on May 25, 2010
Green: Additional Staff Recommendations

MV00060349

City Council / City Clerk

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Mod.	High	Public Service Min./None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position.		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position.		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary).			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time).			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0		0	
Filled - Transfer to other funding sources	0		0	
Vacant	2		2	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		1		
Total City Council/City Clerk		**4**		**2**

City Attorney

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position.			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	2			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		3		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Attorney		**3**		**1**

City Manager

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%.	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000.		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract.			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position.			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position.			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position.			X			X	1		FTC	Vacant		37,268	37,268
6a	City Mgr	City Mgr	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.			X			X						58,995	58,995
City Manager Total										**3**					**$583,068**	**$583,068**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	3		2	
Total FTC		3		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Manager		**3**		**2**

Community Development

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions.	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager position with a Sr. Management Analyst position.	X			X								119,289	119,289
4a	Community Dev	Dev Svcs Admin Support	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.												37,772	37,772
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X			1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000

Community Development *(page 2)*

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
g	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X						60,000	60,000
	Community Development Department Total									1					**$566,850**	**$566,850**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Community Development		**1**		**1**

Economic Development

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Economic Development		**0**		**0**

Financial & Administrative Services

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						56,800	56,800
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off	47,100	47,100
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off	58,600	58,600
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off	12,000	12,000
			Animal Care Technician			X			X	1		FTC	Vacant		50,900	50,900
			Office Aide			X			X	1		Temp	Filled	Lay-off	17,800	17,800
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*.			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

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Financial & Admin. Services *(page 2)*

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						12,745	12,745
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off	55,137	55,137
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off	53,297	53,297
			Accounting Technician			X			X	1		FTC	Filled	Lay-off	67,344	67,344
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off	54,277	54,277
	Financial & Administrative Services Department Total									15					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing	ORIGINAL		PROPOSED
FTC (Full-time Career)			
Filled - Lay-off	11		
Filled - Transfer to other funding sources	0		
Vacant	2		
Total FTC		13	0
Part-time (P/T)			
Filled - Lay-off		0	0
Temporary (Temp)			
Filled - Lay-off		2	0
Total Financial & Administrative Services		**15**	**0**

Fire

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	Service Level Impact: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	Staffing Impact: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	Budgetary Savings: Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes.	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position.			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions:			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings:			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class.	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			* **Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.													
Fire Department Total										**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	11		1	
Vacant	0			
Total FTC		11		1
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Fire		**12**		**1**

Human Resources

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review).	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review).	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Human Resources		**0**		**0**

Library

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items.		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos.		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23)*			X			X						(21,840)	(21,840)
	Library Total									1					**$190,160**	($21,840)

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Library		1		1

MV00060360

Parks & Community Services

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC).	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Defund Golf Course Maint Worker (transfer to CFD #1).		X			X		1		FTC	Filled	Transfer	43,900	0
3	Parks	Community Events	Suspension of 4th of July celebration in FY 2011-12 (parade & festival).			X			X						118,300	0
	Parks & Community Services Department Total									2					**$228,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	1		1	
Vacant	1		1	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Transfer to other funding sources		0		0
Total Parks & Community Services		**2**		**2**

Police

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	City No.	Contract No.	STAFFING IMPACT FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						31,580	31,580
			Motorcycle Officer			X			X		2	FTC	Filled	Transfer	468,124	468,124
			Motorcycle Officer			X			X		2	FTC	Vacant		468,124	468,124
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer	230,208	230,208
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X							
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X							
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X							
			Patrol Officer			X			X		4	FTC	Filled	Transfer	920,830	920,830
	Police Department Total										17				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	15			
Vacant	2		2	
Total FTC		17		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Police		17		2

MV00060362

Public Works

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24)*.		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

Public Works (page 2)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

MV00060364

Public Works (page 3)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transp. Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

Public Works (page 4)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 22	Public Works	Transp. Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

Public Works (page 5)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			* **MOE NOTE**: DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.													
Public Works Department Total										35					$3,779,338	$3,779,338

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources	18		11	
Vacant	3		3	
Total FTC		27		14
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off	3			
Filled - Transfer to other funding sources	0			
Vacant	4			
Total Temporary		7		0
Total Public Works		35		14

Non-Departmental

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
	Non-Department Total														**$6,000,000**	**$6,000,000**
	GRAND TOTAL CITY-WIDE									**65**	**28**				**$25,396,576**	**$20,230,901**

City - DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	19		0	
Filled - Transfer to other funding sources	19		12	
Vacant	14		11	
Total FTC		52		23
Part-time (P/T)				
Filled - Lay-off		3		0
Temporary (Temp)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources				
Vacant	4			
Total Temporary		10		0
TOTAL CITY		**65**		**23**

Contract (Police & Fire) - DRO Position Summary Listing				
FTC (Full-time Career)				
Fire - Filled - Transfer to other funding sources	11		1	
Police - Filled - Transfer to other funding sources	15			
Police - Vacant	2		2	
Total FTC		28		3
TOTAL CONTRACT (Police & Fire)		**28**		**3**

City-wide Summary

Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
2010-11 Deficit (Net of Adjustments & Budget Issues)													(10,955,100)
Adjustment to FY 2009-10 savings													(500,000)
Loan Repayment of Moreno Valley Utility (MVU) of start-up costs to the General Fund													747,041
Reimbursement of General Fund legal costs related to ENCO litigation													225,192
Net													(10,482,867)
Council Approved DROs												4,398,953	3,063,678
Additional DRO Savings (defunding of Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed)												96,767	96,767
Revised Total - Council Approved DROs												4,495,720	3,160,445
Interim City Manager Proposed DROs (without Use of Reserves)												**6,174,140**	**2,343,740**
Total Proposed DROs												**10,669,860**	**5,504,185**
Proposed Use of Reserves													**5,000,000**
Net Operating Surplus													**21,318**

General Fund Reserves

Reserve Designation:	Budgeted 2009-10 Reserves	Adopted Uses in 2009-10	Projected Balance 2009-10	Pledged for RDA Bonds	Proposed Use of Reserves 2010-11	Projected Balance 2010-11	Comments
- Encumbrances	254,440	(254,440)	0			0	
- Prepaid and Other Assets	34,019	(34,019)	0			0	
- Continuing Appropriations	526,020	(526,020)	0			0	
- Emergencies/Contingencies	10,100,000	0	10,100,000	(10,100,000)	500,000	9,600,000	Council Policy is 12% of GF Expenditure Budget ($80.1m x 12% = $9.6m)
- Development Services	2,300,000	(2,300,000)	0			0	
- Capital Expenditures & Emergency Equipment	12,632,732	(8,444,365) *	4,188,367		2,500,000	1,688,367	Designated for priority capital projects without other funding source.
- Advances Receivable	18,799,289		18,799,289	(12,400,000)		18,799,289	Funds are loaned/pledged and not available.
- Future Debt Service	1,000,000		1,000,000		0	1,000,000	Reserved for future debt service.
- Moreno Valley Utility Line of Credit (LOC)	4,600,000		4,600,000		2,000,000	2,600,000	LOC has not been needed since inception of MVU. $2m reservation can be removed.
- Post-Employment Medical Benefit	120,000	(120,000)	0			0	
Total	**50,366,500**	**(11,678,844)**	**38,687,656**	**(22,500,000)**	**5,000,000**	**33,687,656**	

**** Notes***

Contingency Reserves	*4,308,465*
FY 2008-09 Savings	*3,652,900*
Other Operating Designations	*483,000*
Total	***8,444,365***

Wrap-Up

- Questions
- Council direction

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MV00060372

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

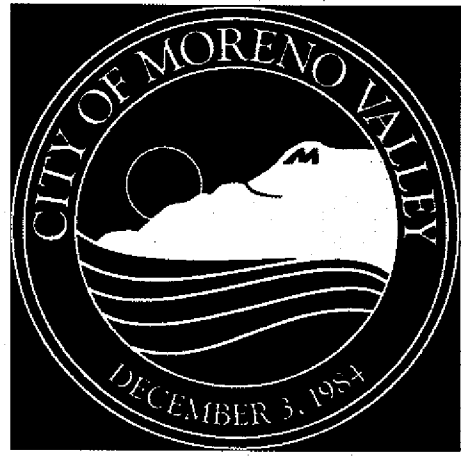

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00060378

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00060380

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00060382

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS FY 2009-2010

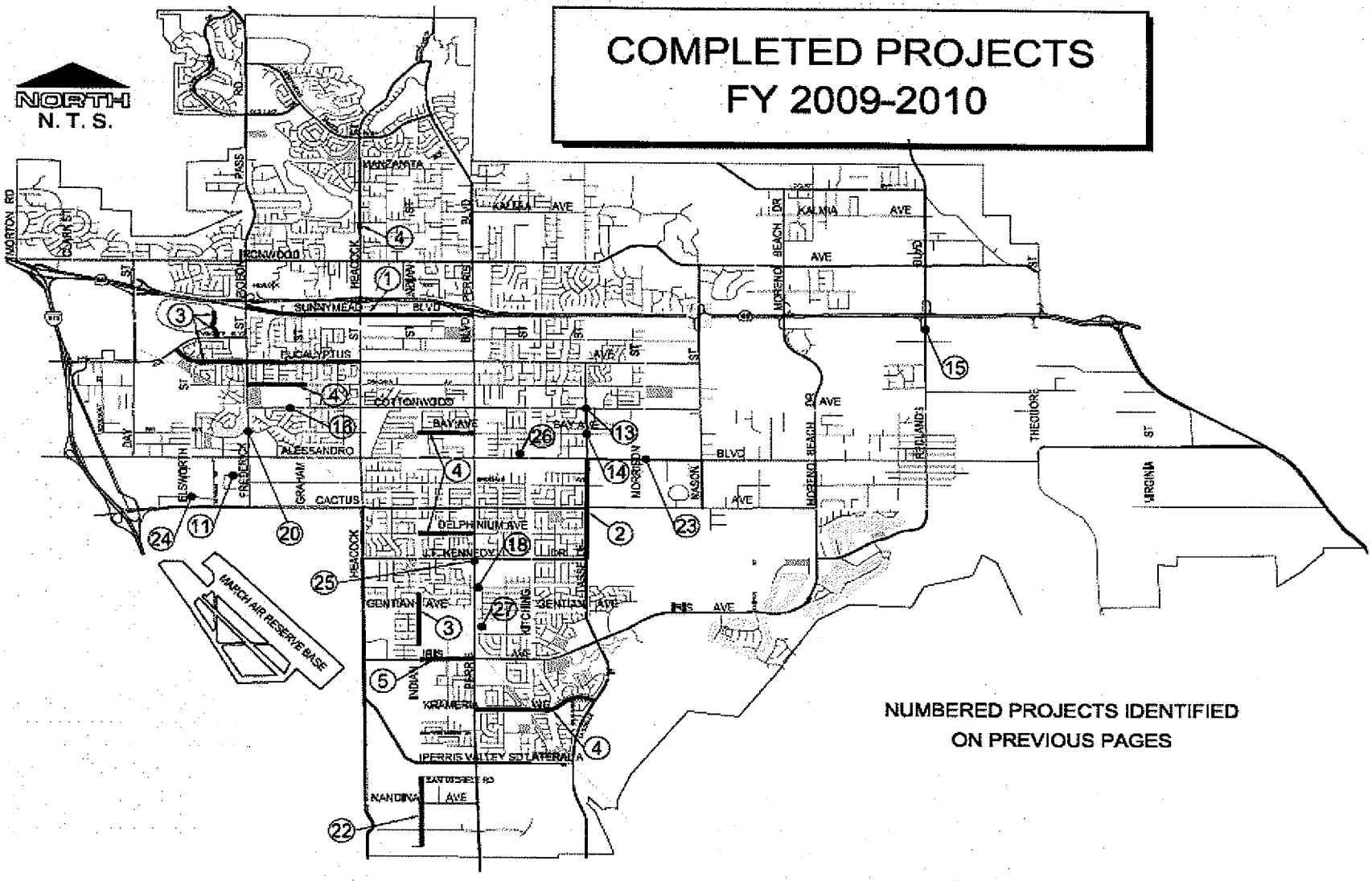

NUMBERED PROJECTS IDENTIFIED ON PREVIOUS PAGES

Completed Projects FY 2009-2010

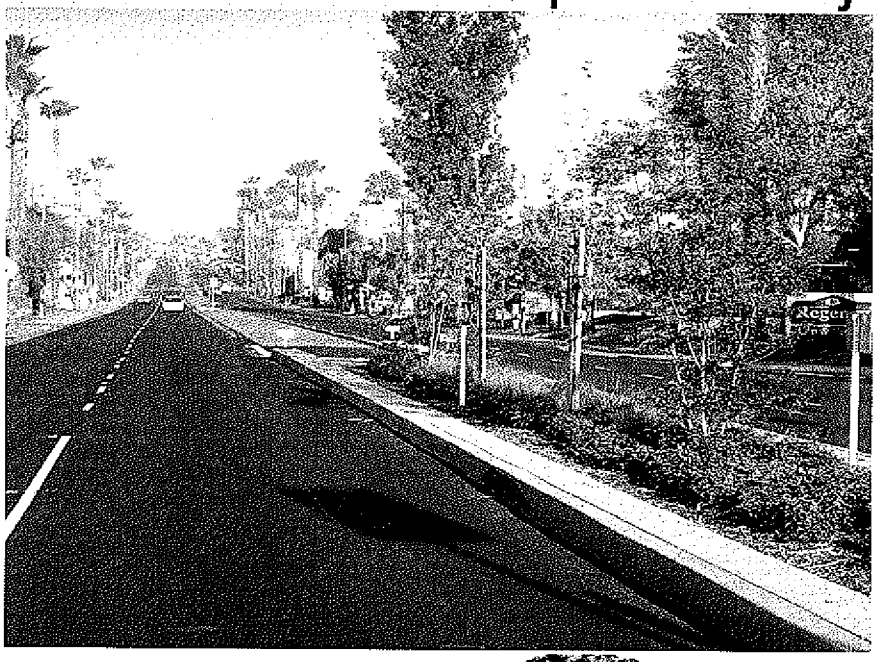

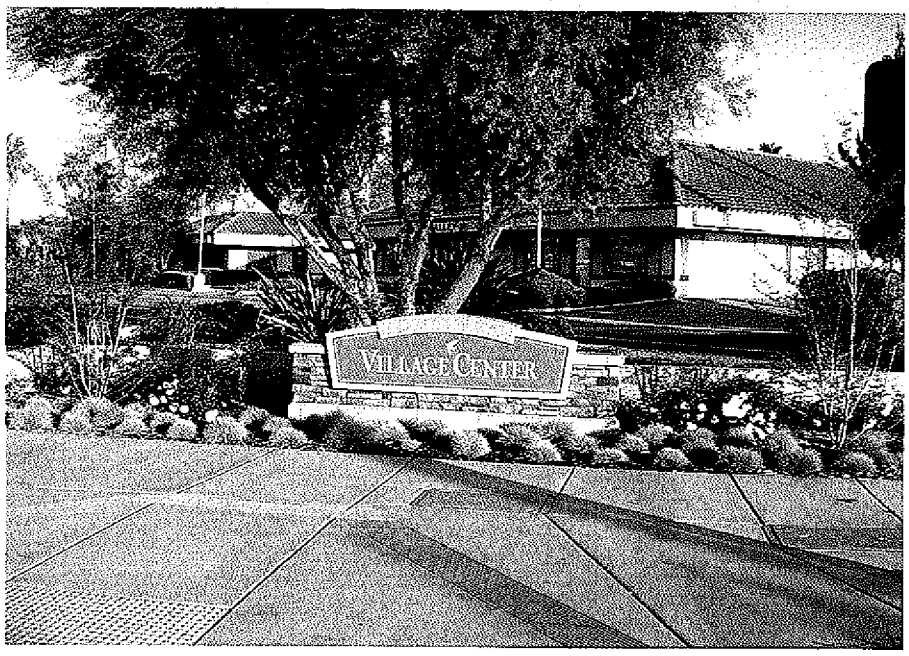

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

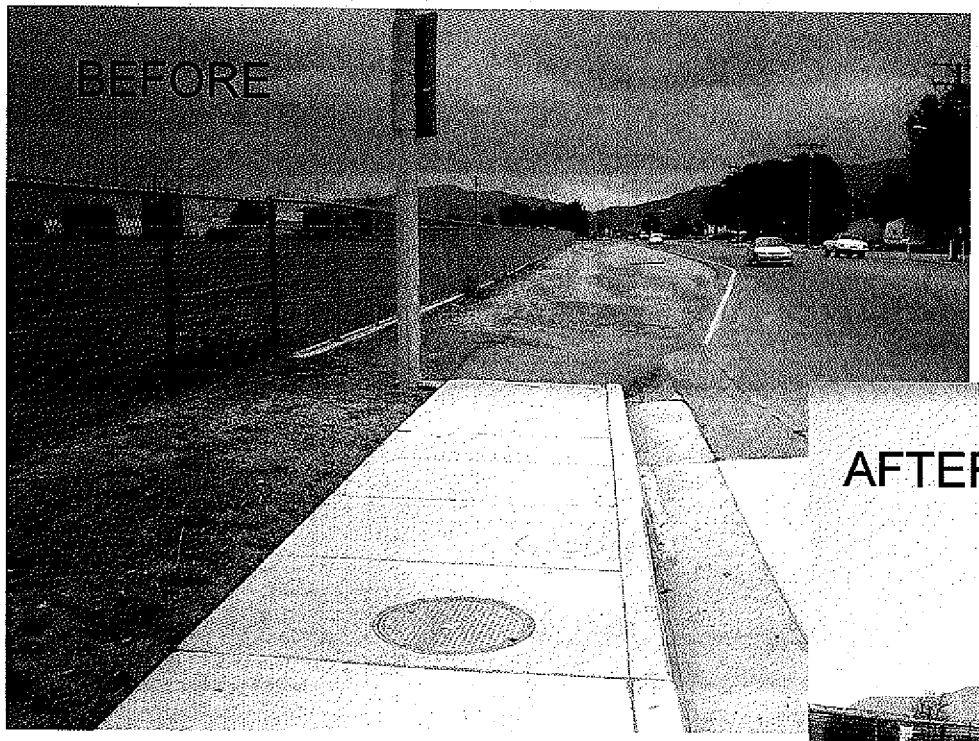

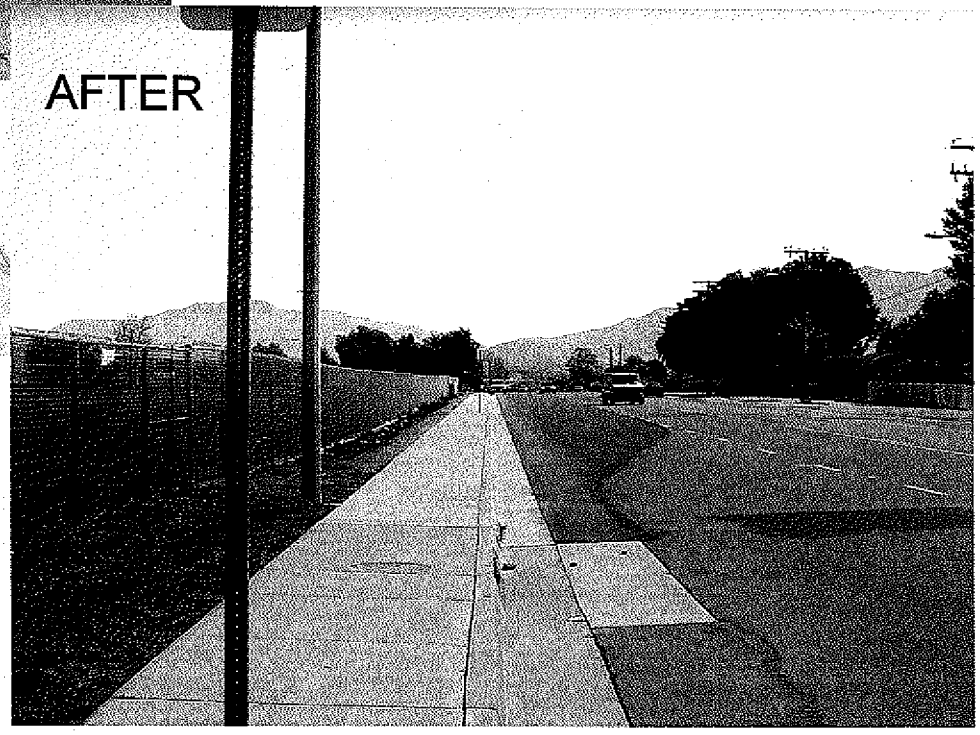

Iris Avenue from Indian Street to Perris Boulevard

MV00060386

Completed Projects FY 2009-2010

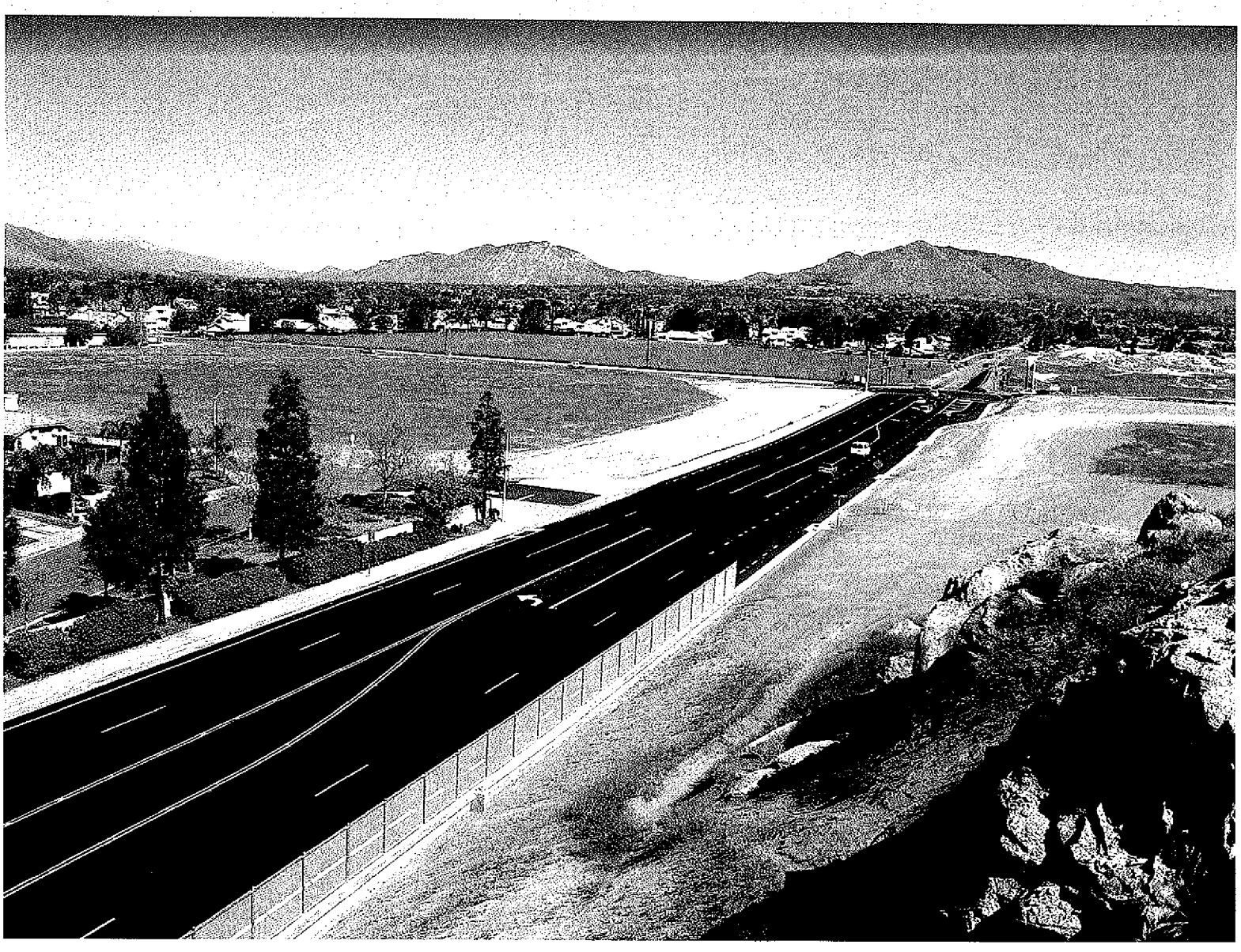

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

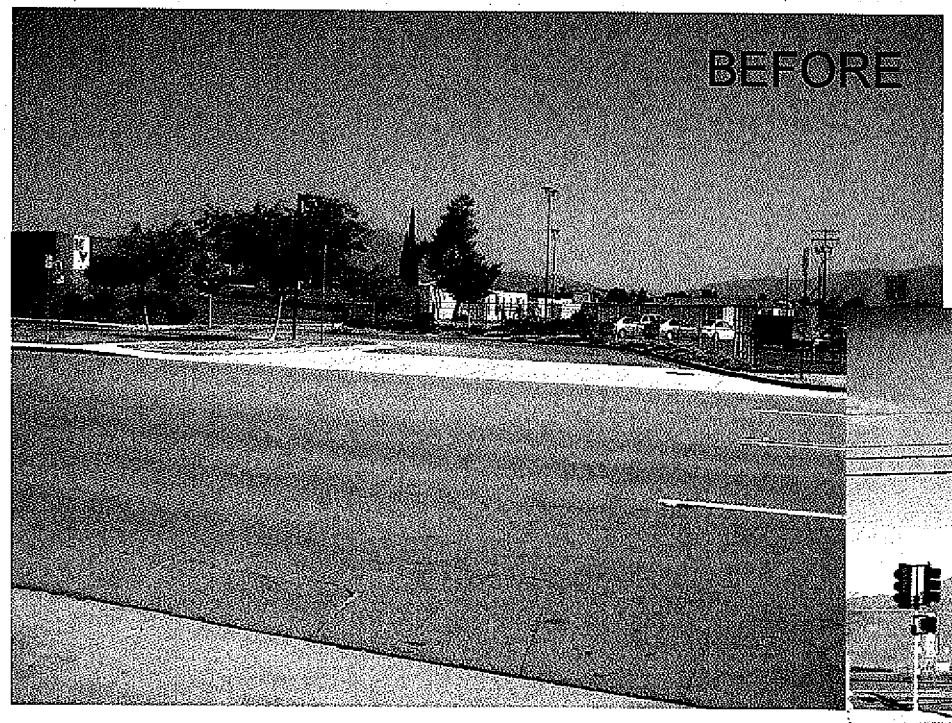

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00060388

Completed Projects FY 2009-2010

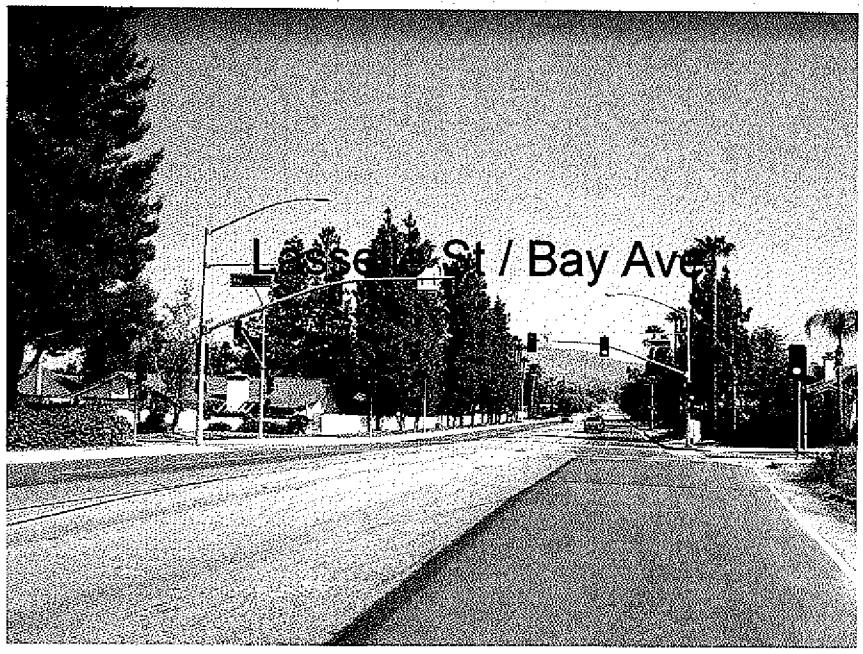

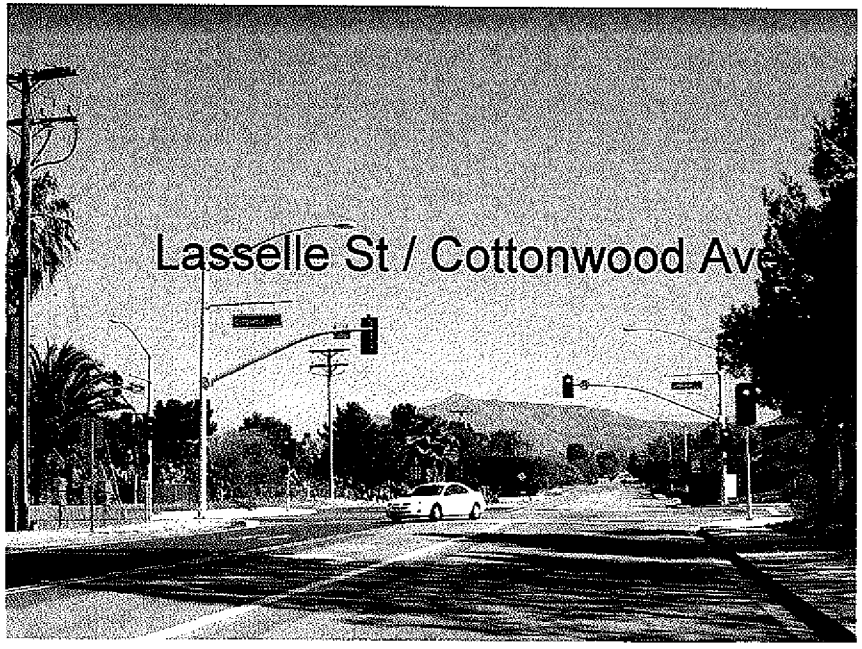

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

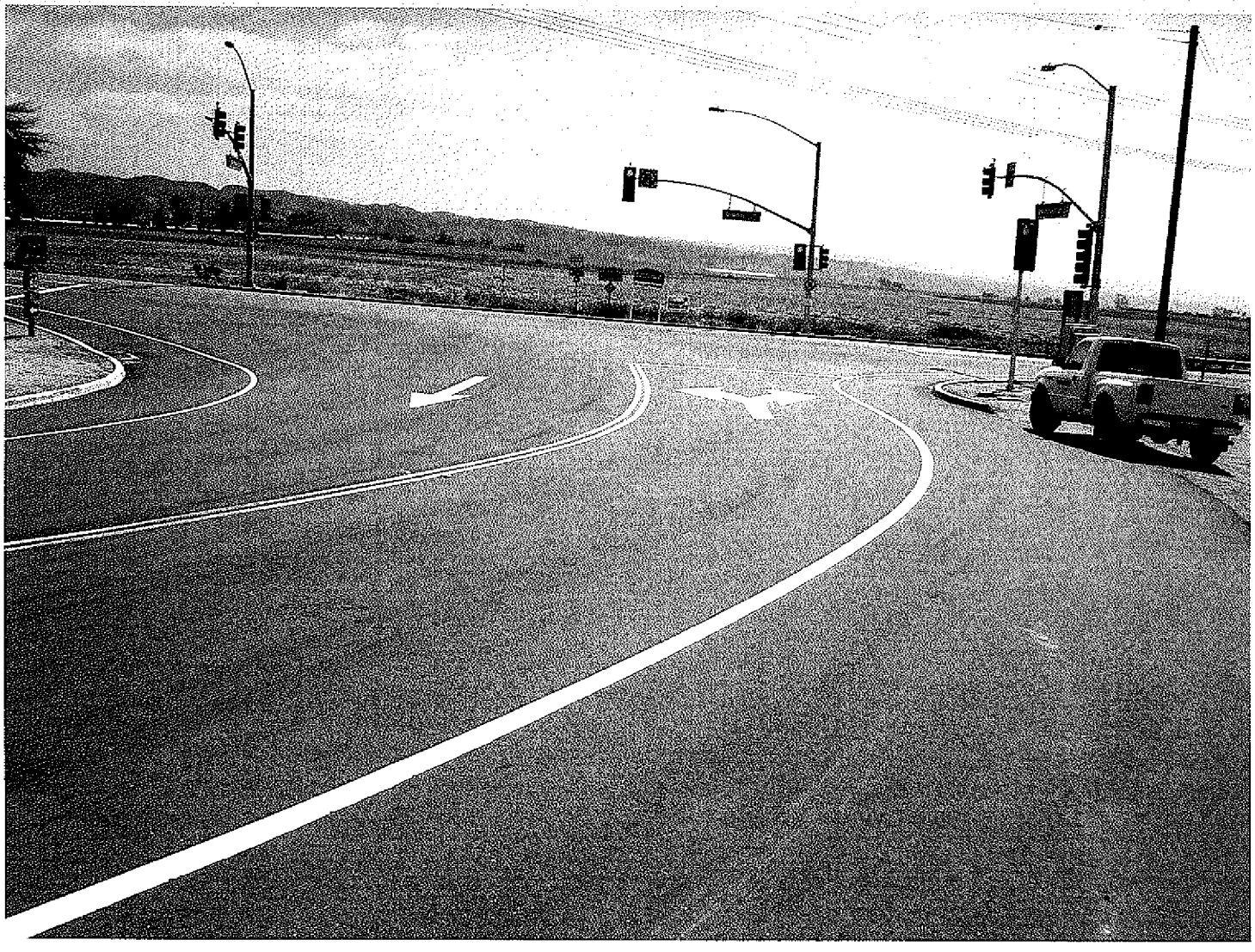

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

MV00060390

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00060392

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00060396

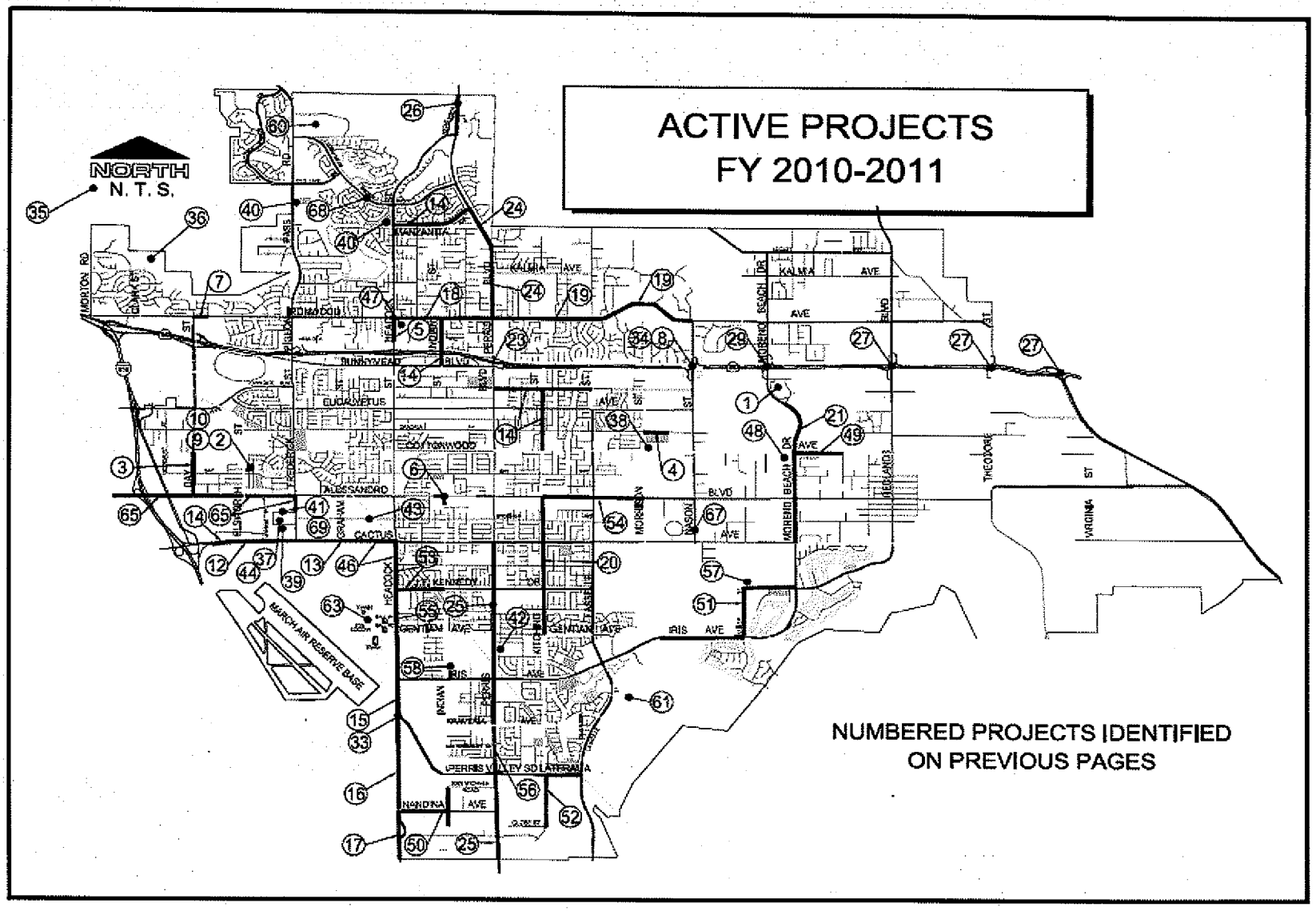
ACTIVE PROJECTS
FY 2010-2011
NORTH
N. T. S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
KALMIA AVE
SUNNYMEAD BLVD
EUCALYPTUS
CITRUS
ALESSANDRO
CACTUS
JOHN KENNEDY
GENTIAN AVE
IRIS AVE
INDIANA AVE
PERRIS VALLEY SD LATERAL A
MORTON RD
HEACOCK
PERRIS BLVD
VIRGINIA ST
THEODORE

Item No. G.7

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00060398

Active Projects FY 2010-2011

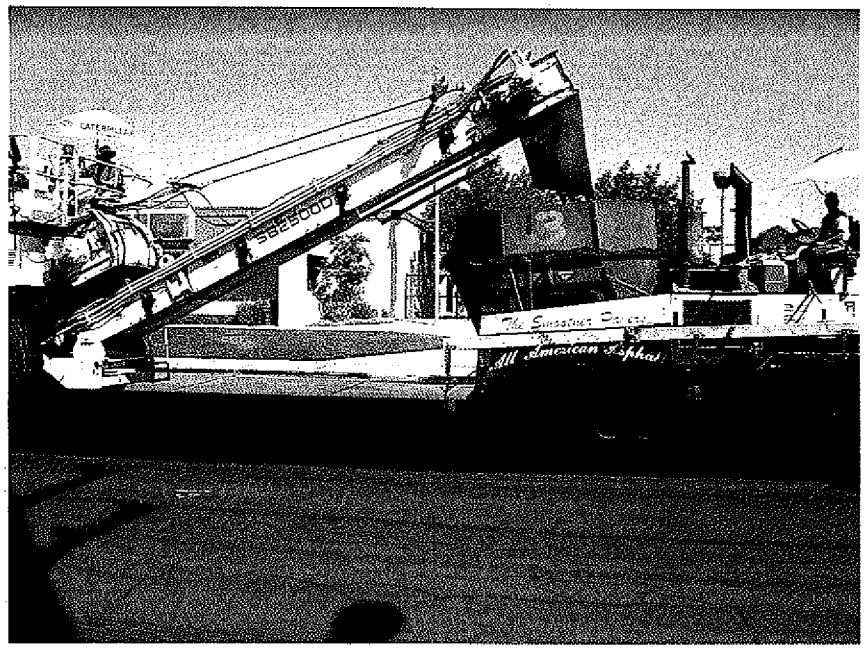

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

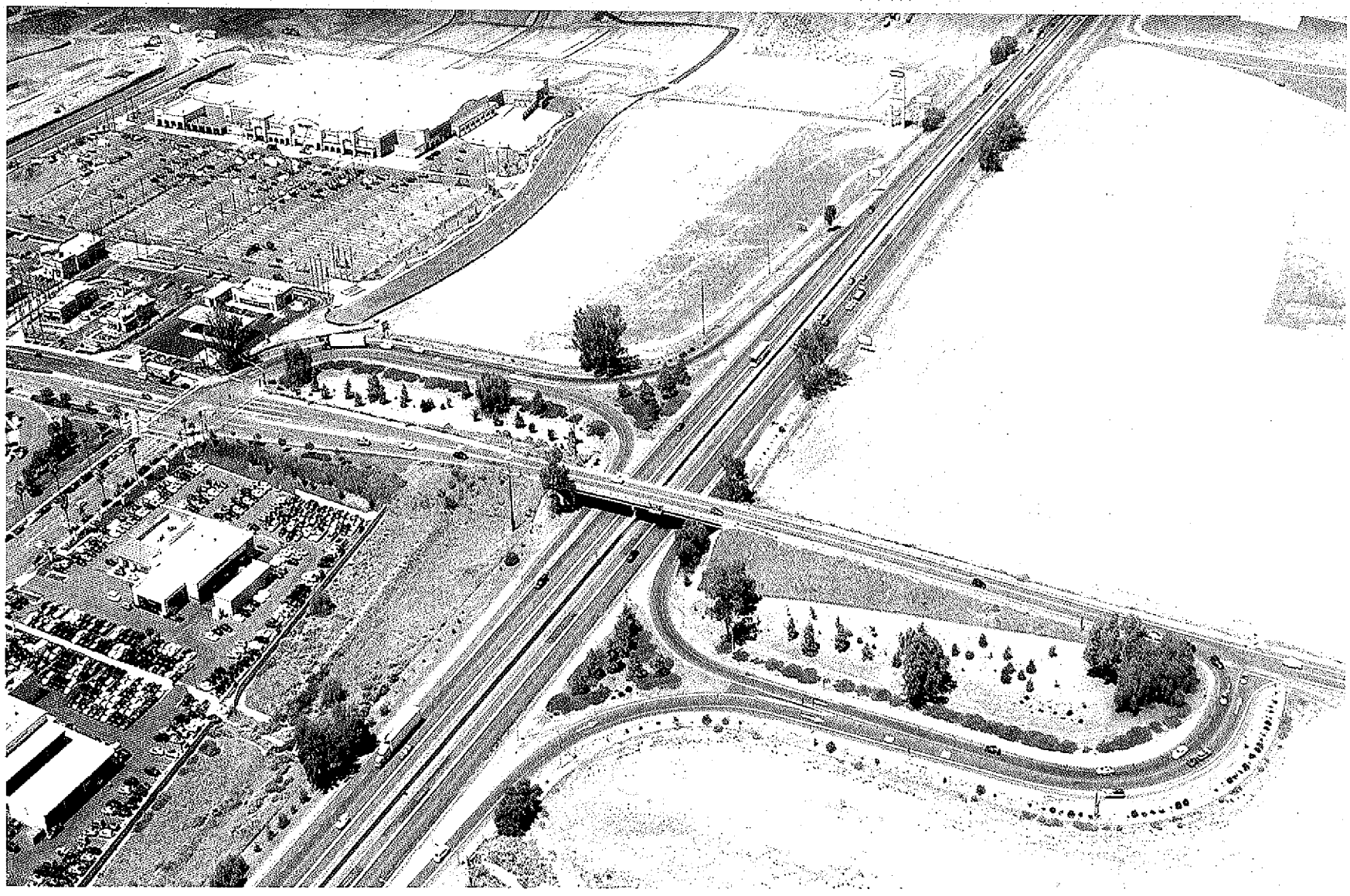

SR-60 / Moreno Beach Drive Interchange

Active Projects FY 2010-2011

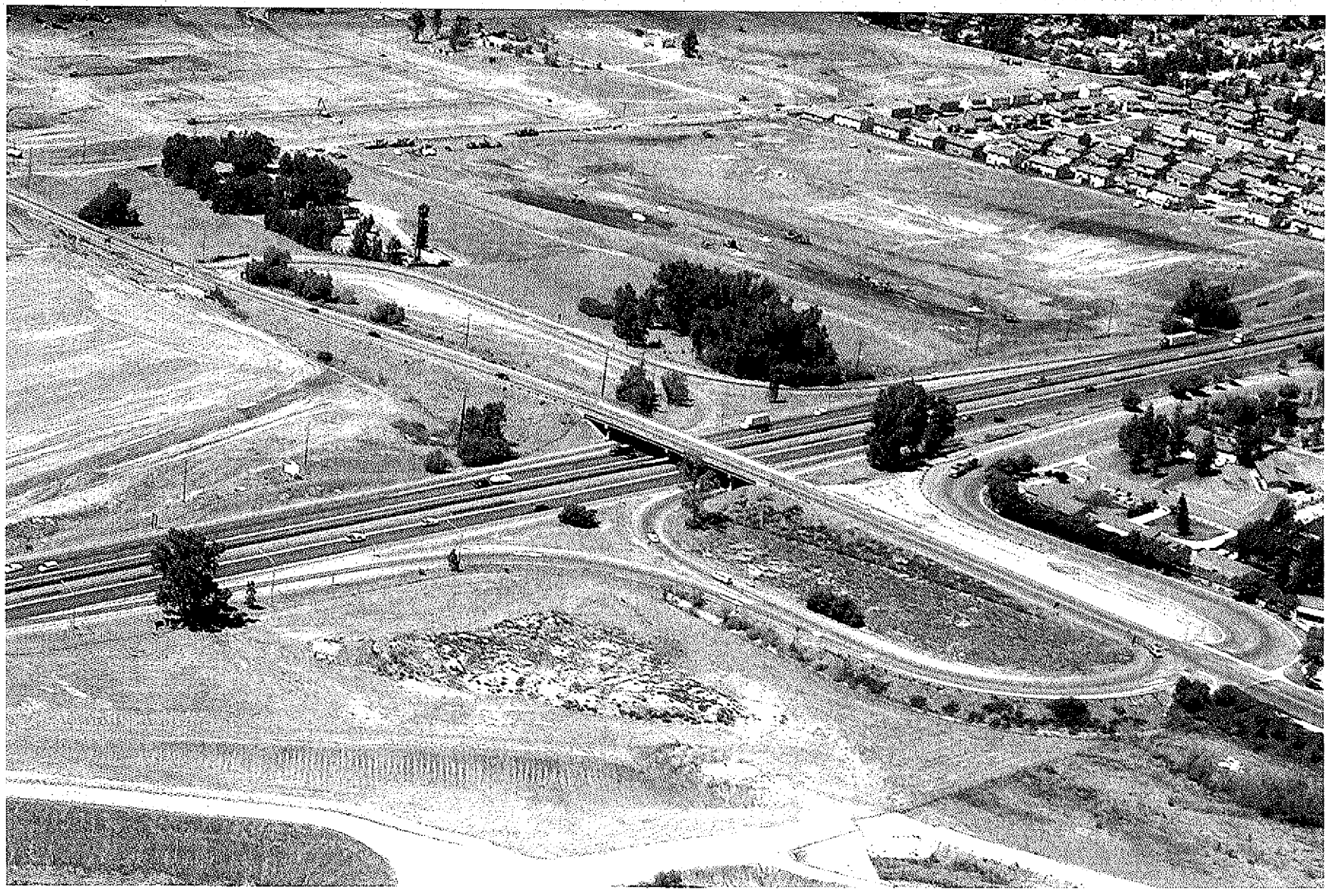

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00060402

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00060404

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

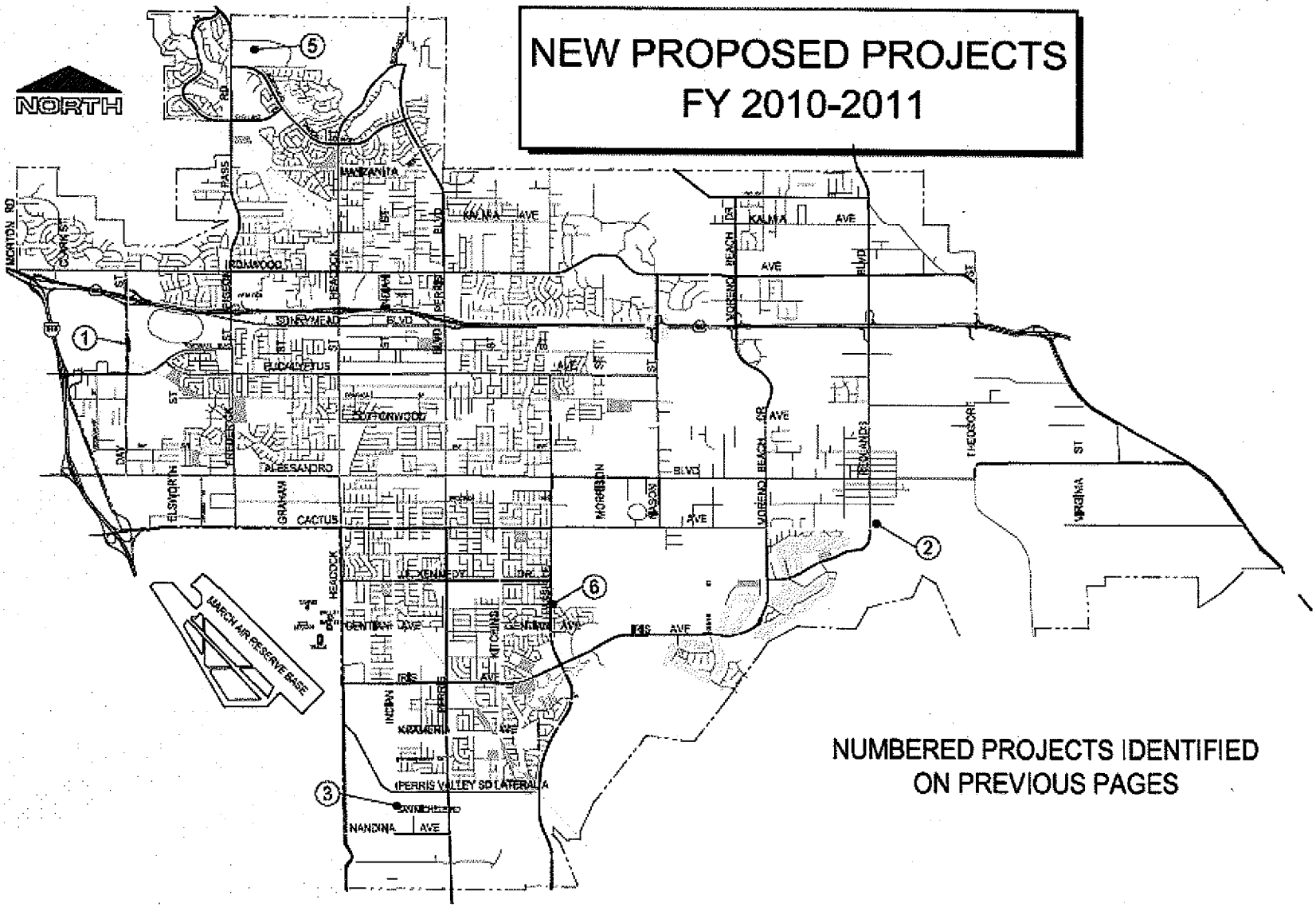
NEW PROPOSED PROJECTS
FY 2010-2011
NORTH
MARCH AIR RESERVE BASE
IPERRIS VALLEY SD LATERAL A
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

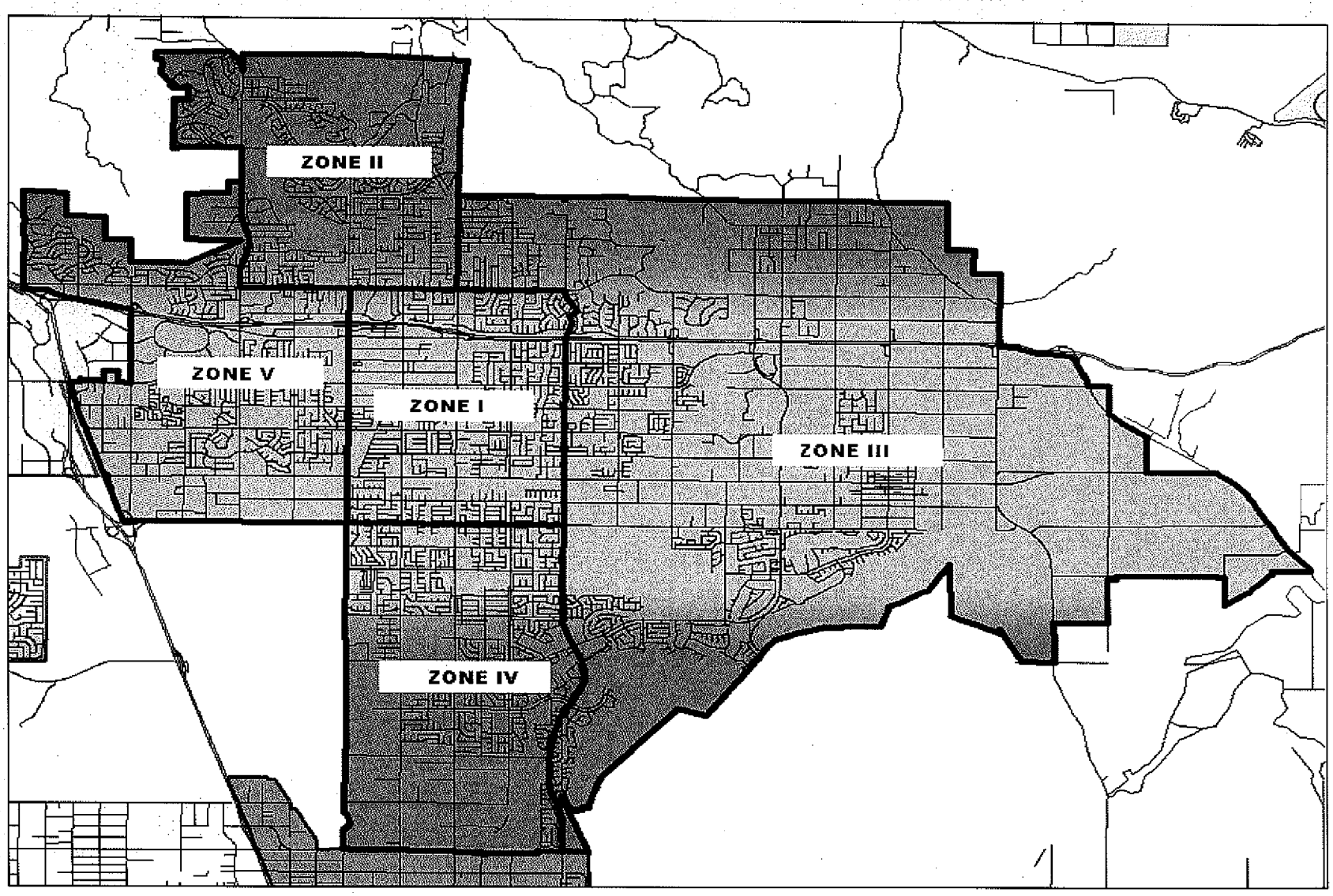

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00060412

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00060418

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00060420

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the two (2) escrow accounts.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Line 'F' storm drain improvements in order to provide flood protection and drainage for the Developer's planned development. The improvements included but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD).

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required storm drain.

The developer has completed and submitted an Agreement for Line 'F' Storm Drain Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required storm drain facilities are not completed within said timeframe. The limits of the storm drain improvements are from the culverts along the south side of State Route 60, to a point approximately 1,150 feet south of Eucalyptus, and within Eucalyptus Avenue generally from Redlands Boulevard to Theodore Street.

Accompanying the agreement is a Faithful Performance cash security in the amount of $6,813,595 and a Material and Labor Performance cash security in the amount of $3,406,797 (per the approved Engineer's Estimate for the storm drain). The City will hold the Faithful Performance and Material and Labor securities for both the District's Drainage Facilities and the City's Drainage Facilities. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Line 'F' Storm Drain improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and

are consistent with the conditions of approval for the project. This agreement will be executed prior to any issuance of permits for construction of said facilities. Upon completion of the Storm Drain Improvements and after the City Council and RCFC & WD accept the project; the City will only then release the securities.

The Cooperative Agreement is the District's mechanism by which the District, the City, and the Developer coordinate the construction and maintenance of Master Storm Drain facilities. Typically, the developer would enter into a Cooperative Agreement with the City and the District prior to the start of construction of the storm drain. In this case, the District has agreed to issue a Right of Entry letter in the interim to allow the District inspectors to enter the property and permit the storm drain construction to begin while the Cooperative Agreement is processed through the two agencies.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Line 'F' Storm Drain Security
Exhibit "C" - Escrow Instructions

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-08-10 - PA07-0090 - PM 35629 - H.F. Logistics Storm Drain Agree.doc

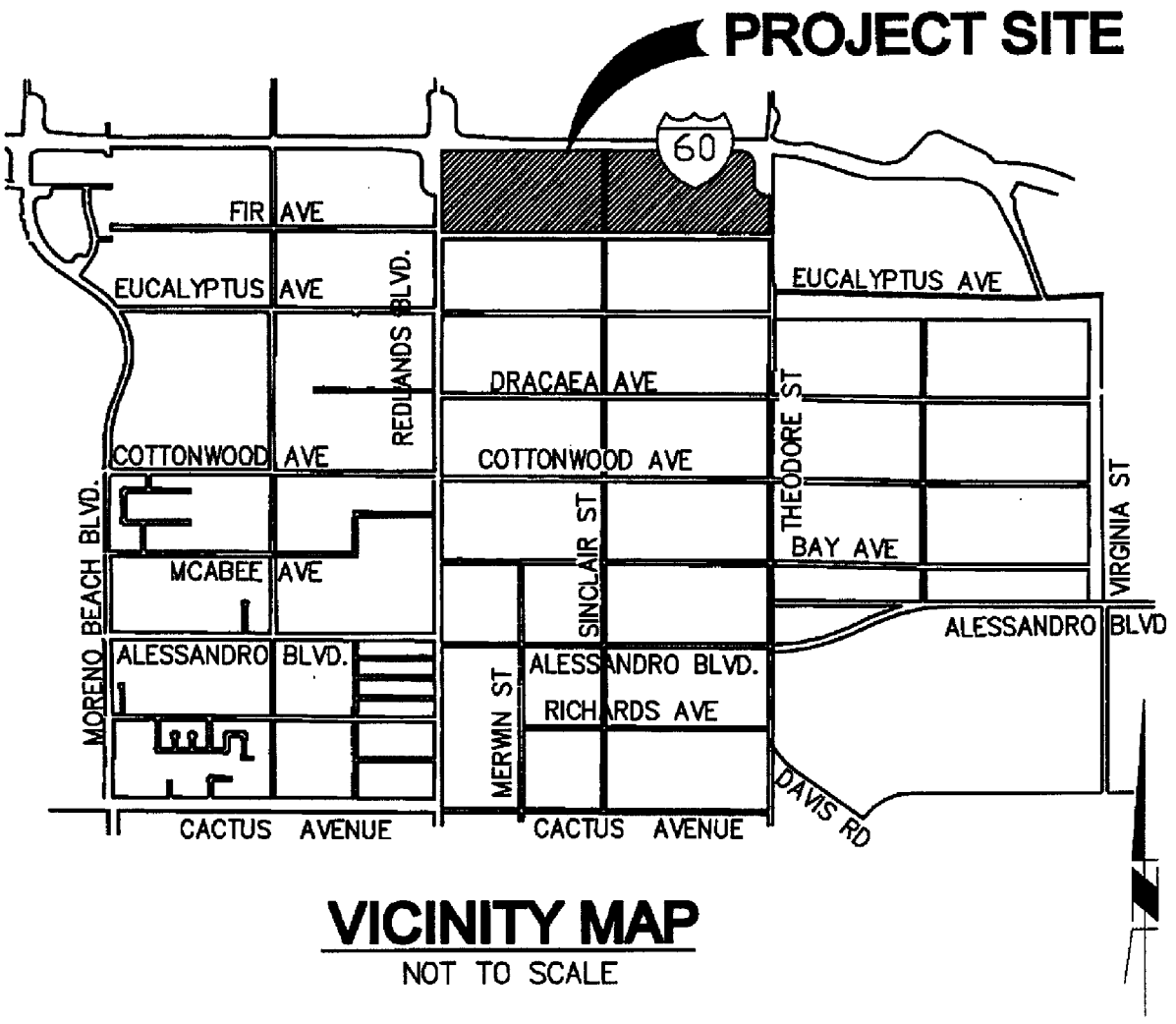

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

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MV00060426

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the escrow accounts securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees, prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $6,813,595.00, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: NCS-442058-SD), and 2) the estimated cost of labor and materials, in the amount of $3,406,797.50, for payment of labor and materials (First American Title Insurance Company Escrow Number: NCS-442818-SD) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. The escrow account (First American Title Insurance Company Escrow Number: NCS-442818-SD) securing the estimated cost of labor and materials shall be released to Developer no sooner than 90 days after acceptance of the improvements by the City. After acceptance of the improvements by the City, a total of ten percent of the original escrow deposit for the faithful performance (First American Title Insurance Company Escrow Number: NCS-442058-SD) shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code section 66499 to secure required warranty work. Amounts held in the escrow accounts shall only be reduced when the escrow officer is instructed in writing by the City Engineer to release an amount held in an escrow account. Developer shall be responsible for paying all costs of the escrow accounts. Developer agrees to maintain said escrow accounts with good and sufficient funds or increase the amounts of said escrow accounts, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of the escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at any time during the term of this agreement, subject to approval of the City Engineer and the City Attorney.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate any and all rights of the Developer because of such default whereupon the City Engineer shall instruct the escrow officer to release the necessary funds from the escrow account(s) to cure the default(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds to the City without any consent from Developer. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive, Suite 200
San Diego, Ca 92122
Attn: Verna Gregory-Senior Commercial Escrow Officer

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

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MV00060430

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-442818-SD / NCS-442058-SD DATE: 06 / 08 / 2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Line 'F' Storm Drain plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics -SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Line 'F' Storm Drain Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX T1, LLC, a California limited liability company

By: Iddo Benzeevi, President and CEO

EXHIBIT C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 8, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

2. "Saved by the Helmet" Award Presentation to Luryn Hills

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

4. "Spotlight on Moreno Valley Business"

MV00060438

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 8, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Barry E. Knight, Celebration Worship Center C.O.G.I.C.

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11

Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement

Area No. 1") approve and adopt the following:

Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2010-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2010-41

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT

AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the

public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

Resolution No. 2010-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of

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Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

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A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Vallley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

   Resolution No. CSD 2010-09

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

   Resolution No. CSD 2010-10

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

   Resolution No. CSD 2010-11

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

   Resolution No. CSD 2010-12

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

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5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of fhe City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

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Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending

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Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

   Ordinance No. 812

   An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

(CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

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Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

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a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

3. Proclamation Recognizing Mental Health Month – May 2010

4. Recognition of Vista Heights Middle School – California State History Day Winners

5. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 25, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:47 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member William H. Batey II

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
Ernie Baker	Lieutenant
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Motion to Continue Agenda Item G7 by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a voice vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items

A13 and A15, which were pulled for separate discussion/action. Motion by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

AGENDA ORDER

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Council Member Richard A. Stewart stated due to a business relationship with his law office with other auto dealers, other than Moss Bros., he would abstain from participating, discussing or voting on Item G5, and he would be absent from the dais until completed.

Council Member Richard A. Stewart recused himself due to a business relationship.

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Moss, Deanna Reeder, and Pete Bleckert.

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Richard A. Stewart recused.

Council Member Richard A. Stewart returned to the Dias at 7:24 p.m.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to adopt Resolution No. 2010-23 approving the fee schedule for 2010-11 with the changes made tonight, which are 1) projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities; this program encompasses all Departments and all fees for projects in the program; 2) fees for non-residents to participate in Recreation Programs will be charged at full cost recovery, which is the Resident Fee plus 30%; 3) subject to confirmation that the Animal Services fee changes do not exceed actual cost recovery, the specific fee changes are for Animal Redemption – a) 1st impound from $20 to $25, 2nd impound from $40 to $50, 3rd Impound from $56 to $75; b) Boarding – Re-inspection Fee from $18 to $50; c) Licensing – Potentially Dangerous/Vicious from $77 to $99 by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

No action was taken.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, and Susan Gilchrist.

Recommendation:

1. Approve ~~revised~~ Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

Resolution No. 2010-35

A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

2. Approve ~~revised~~ Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

Resolution No. 2010-36

A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

Meeting reconvened after a brief break.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder

1. Vote for Paul Zellerbach and reject Rod Pacheco

Jose Chavez

1. Community Park

Charlene Weddington
1. Careers of members of Trail Seekers
2. Equestrian Park accomplishments

Daryl Terrell
1. Job loss and home foreclosures

Tom Jerele, Sr.
1. Trail Seekers
2. Development Impact Fees
3. June 10 - Free Concert

Pete Bleckert
1. Trail Seekers
2. Red Lights

AGENDA ORDER

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

Regarding AB 811 Senator Feinstein put in for $5M and applied to the California Energy Commission for $20M. Out of $110.3M available, only $4.6M came to Southern California, which is where two-thirds of the population is. The Administrative and Finance Committee took it to court, sued the state, and won. The Judge granted all relief requested including a Writ of Mandate ordering the Department of General Services to adjudicate WRCOG's protest, and a permanent injunction prohibiting the distribution of any funds until they have met WRCOG's concerns and answered their protest.

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

March Healthcare is moving ahead. It's a $3B project, and it will create 8,200 jobs, and most will be higher end jobs. There will be around 1,100 construction jobs. The demolition of some of the buildings is currently being coordinated. The Discovery Channel is looking at filming a sequential film on the demolition of the hospital. Mr. Russell came in from

Washington, D.C., and during lunch with him mutual concerns and issues were shared. A variety of general aviation plans are moving ahead. Several lawsuits were settled. The demur was sustained on the challenge by Ray Johnson to the expansion of the Fresh and Easy. Washington, D.C. is supporting the Free Trade Zone.

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

No action required.

AGENDA ORDER

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, Susan Gilchrist, Darryl Terrell, and Pete Bleckert.

Recommendation: That the City Council:
1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

Motion to adopt resolution 2010-33 and have the sign design change be brought back to Council for final approval at a future date, and that such sign design shall comply with the legal requirements as well as include the city seal or some other specific Moreno Valley identification, and the redesign will become the template for all communities in the city by m/Council Member Richard A. Stewart, s/Mayor Bonnie Flickinger Approved by a vote of 5-0.

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 3-2, Mayor Bonnie Flickinger and Mayor Pro Tem Robin N. Hastings voted no.

A brief recess was held at 9:58 p.m.

AGENDA ORDER

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Mayor Flickinger opened the agenda for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

No action required.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments, which were received by Deanna Reeder.

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

It was agreed the lawsuit settlement will be put against the deficit. The Council unanimously agreed on the BDO Recommendations as follows:

City Council/City Clerk

1. **Defund Assistant City Clerk Position**
2. **Defund Administrative Assistant Position from Council Office.**

City Attorney

1. **Defund Assistant City Attorney Position**

City Manager

1. **Reduce PR/Advertising Budget by 40% in Media and Communications**
2. **Reduce City Manager Contingency to $140,000**
3. **Defund vacant Executive Assistant to the City Manager Position**
4. **Defund Deputy City Manager Position and not Replace with a Sr. Management Analyst Position**

Community Development

1. **In Code/Building and Safety – Revenue Enhancement – Hire two Temp Parking Control Officers to work on Career Employee Furlough Days; Other Miscellaneous Revenue Increases and Reductions**

Economic Development

1. **.6235 – Public Relations: Reduce Advertising, Broker Events, Regional Event Sponsorships, Shop Moreno Valley Campaign**
2. **Consolidating Several Object Codes**
   .6252 – Dues and Subscriptions: Reduced IEEP Membership for City
   .6255 – Other Professional Services
   .6221 – Training and Travel
   .6215 – Communications
   .6231 – Advertising

.6256 – Legal Services
.6310 – Copier Charges
.6311 – Office Supplies
.6321 – Postage and Mail
.6391 – Other Materials

3. **Salaries/Benefits: Reimbursing ED Admin Salaries by 50% of Management Analyst's Salary, Which is Charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's Salary to HOME Funds to More Accurately Reflect Current Workload**

Financial and Administrative Services

1. **Facilities CIP – Defund City Hall Annex 1 Capital Improvement Project Since the Facility is Not Currently Needed for Staff Expansion**

Fire

1. **Fire Prevention – Suspend Funding for Permit Plus Changes**
2. **Fire Ops – Defund Paramedic Captain Position**
3. **Emergency Ops – Increase CPR Fees from $30 to $65 Per Class**

Human Resources

1. **Workers' Comp – Reduce Workers' Compensation Reserves (Original Fund Balance of $4.5M Less DRO of $1.3 Will Leave a New Balance of $3.2M, Which is Approximately 85% Confidence Level Per Actuarial Review)**
2. **General Liability – Reduce Liability Reserves (Original Fund Balance of $2.0M Less DRO of $80K Will Leave a New Balance of $1.9M, Which is Approximately 85% Confidence Level Per Actuarial Review)**

Public Works

1. **Street Sweeping – Eliminate Contract Sweeping and Create Additional Equipment Operator Position in Lieu of Existing Maintenance Worker II Position Via an Existing Eligibility List From a Recent Internal Recruitment to Replace Contract Sweeping Function**

Discussion will continue to the next Study Session.

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Item continued. Approved by a 5-0 vote.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Item continued. Approved by a 5-0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

No report given.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

No comments given.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:50 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 19 – June 1, 2010.

Reports on Reimbursable Activities May 19 – June 1, 2010		
Council Member	Date	Meeting
William H. Batey II	5/26/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Bonnie Flickinger	5/26/10	UCR Citizens University Committee
	6/01/10	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings	5/26/10	32nd Annual Law Enforcement Appreciation and Awards Ceremony
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060482

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CONFLICT OF INTEREST CODE – AGENCY REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council, as the code reviewing body of the City of Moreno Valley, direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The California Government Code §87306.5 provides that by no later than July 1 of each even-numbered year, the code reviewing body (City Council) shall direct every local agency, which has adopted a Conflict of Interest Code in accordance with the Political Reform Act of 1974 (Government Code §87100, et. seq.) to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of §87302 and §87303 to the code reviewing body.

The code is not effective until approved by the code reviewing body. Within 90 days after receiving any proposed amendments or revisions, the code reviewing body shall do one of the following: (a) approve the proposed code as submitted; (b) revise the proposed code and approve it as revised; or (c) return the proposed code to the agency for revision and resubmission within 60 days. The code reviewing body shall either approve the revised code or revise it and approve it. When an amendment is approved

by the code reviewing body, it will be deemed adopted and will be promulgated by the agency.

Upon review of its code, if no change in the code is required, the local agency head (City Manager) shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

DISCUSSION

Attached to this report are the following documents provided by the Fair Political Practices Commission for each agency's consideration and use:

- Biennial Notice Worksheet
- Overview of Political Reform Act's Conflict of Interest Laws

Upon receipt of any amendments to the Conflict of Interest Code, which may include the addition or deletion of any staff positions in the City, staff will present the appropriate resolutions for Council approval.

ALTERNATIVES

Not applicable. The biennial review by every local government agency of its conflict of interest is a statutory requirement. As code reviewing body, the City Council must direct each local agency, which has adopted such conflict of interest code, to review its code and determine whether any changes are necessary.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Biennial Notice Worksheet
B. Overview of the Political Reform Act's Conflict of Interest Laws

Prepared By
Jane Halstead

Department Head Approval
Jane Halstead

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Local Agency Biennial Notice Worksheet

The following checklist may assist in the review of an agency's conflict-of-interest code. This is only a guide and is not intended to be an exclusive list of issues that may need review.

Does the code contain the following three basic components?

√ Language that incorporates FPPC Reg. 18730 or contains the basic provisions required in Government Code section 87302

√ A list of designated positions whose duties include making or participating in making governmental decisions

√ Disclosure categories specifying financial interests (investments, interests in real property, income, and business positions) that filers in designated positions must disclose

Review the agency's organization chart and duty statements

√ Do positions need to be added or deleted?

√ Is there a need to reclassify disclosure for any positions?

√ Are consultants designated?

√ Do any officials/consultants manage public investments?

√ Amendments needed? Use underline and strikeout to illustrate changes.

Review the minutes of the agency's boards, commissions and committees

√ Are they solely advisory or do they have decision-making authority?

III. ~~PUBLIC WORKS OFFICE~~
MAINTENANCE DIVISION

1. Maintenance Superintendent 2
2. Maintenance Supervisor 2
~~2. Asst. Maintenance Superintendent ..... 2~~
3. Senior Equipment Technician 3
~~4. Equipment Services Technician ..... 3~~

- The Public Works Office became the Maintenance Division.
- The Asst. Maintenance Superintendent was reclassified to Maintenance Supervisor.
- The Equipment Services Technician is a manual position and was deleted.

Other Documentation

√ A review of joint powers agreements, minutes and annual reports may assist in determining whether designated positions and their respective disclosure categories are accurately reflected.

Notification

√ If amendments are needed, notify employees and the public.

EXHIBIT A

Fair Political Practices Commission
(866) ASK-FPPC/www.fppc.ca.gov
Biennial Notice Mailing - May 2006

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Can I vote?

A Basic Overview Of Public Officials' Obligations Under the Political Reform Act's Conflict-of-Interest Rules

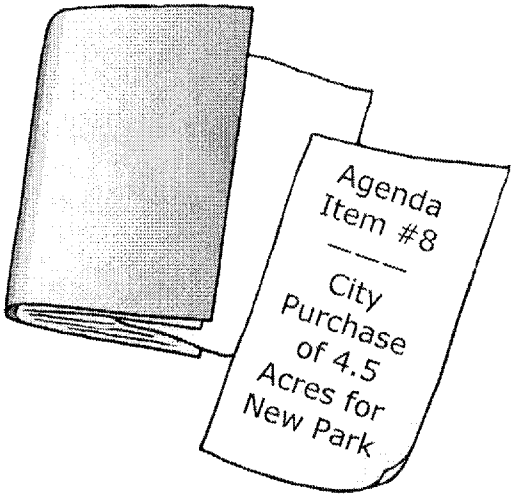

California Fair Political Practices Commission

EXHIBIT B

"My home is near the proposed new shopping mall. Can I vote on the issue at next month's Planning Commission meeting?"

Many of you may have been confronted with such questions. This booklet is offered by the FPPC as a general overview of your obligations under the Political Reform Act's conflict-of-interest rules. Using non-technical terms, the booklet is aimed at helping you understand your obligations at the "big picture" level and to help guide you to more detailed resources.

Stripped of legal jargon:

➢You have a conflict of interest with regard to a particular government decision if it is sufficiently likely that

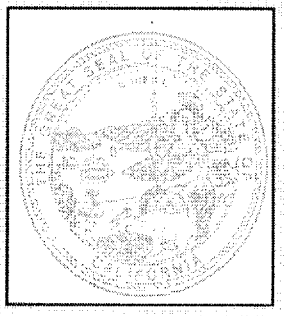

Fair Political Practices Commission

Toll-free Advice Line: 1-866-ASK-FPPC

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the outcome of the decision will have an important impact on your economic interests, **and**

➢a significant portion of your jurisdiction does not also feel the important impact on their economic interests.

The voters who enacted the Political Reform Act by ballot measure in 1974 judged such circumstances to be enough to influence, or to appear to others to influence, your judgment with regard to that decision.

The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise. No one ever has a conflict of interest under the Act "on general principles" or because of personal bias regarding a person or subject. A conflict of interest can only arise from particular kinds of economic interests, which are explained in non-technical terms later in this booklet.

An important note...

You should not rely solely on this booklet to ensure compliance with the Political Reform Act, but should also consult the Act and Commission regulations. The Political Reform Act is set forth at Cal. Gov. Code §§81000-91014, and the Fair Political Practices Commission regulations are contained in Title 2, Division 6 of the California Code of Regulations. Both the Act and regulations are available on the FPPC's web site, http://www.fppc.ca.gov. Persons with obligations under the Act or their authorized representatives are also encouraged to call the FPPC toll-free advice line — **1-866-ASK-FPPC** — as far in advance as possible.

If you learn to understand these interests and to spot potential problems, the battle is mostly won because you can then seek help on the more technical details of the law from your agency's legal counsel or from the California Fair Political Practices Commission. **The Commission's toll-free advice line is 1-866-ASK-FPPC (1-866-275-3772).**

Under rules adopted by the FPPC, deciding whether you have a financial conflict of interest under the Political Reform Act is an eight-step process. If you methodically think through the steps whenever there may be a problem, you can avoid most — if not all — mistakes. These steps are spelled out and explained in general terms in this booklet.

If you learn nothing else from this booklet, remember these things:

- **This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests.**
- **Whether you have a conflict of interest that disqualifies you depends heavily on the facts of each governmental decision.**
- **The most important proactive step you can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.**

On the next page are the eight steps:

Eight steps to help you decide

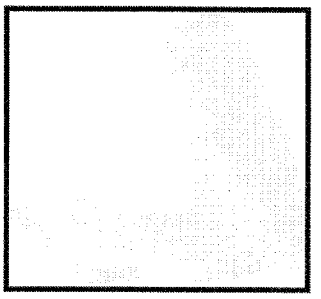

Step One: Are you a "public official" within the meaning of the rules?

Step Two: Are you making, participating in making, or influencing a governmental decision?

Step Three: What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

Step Four: Are your economic interests directly or indirectly involved in the governmental decision?

Step Five: What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

Step Six: The important question: Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

Step Seven: If you have a conflict of interest, does the "public generally" exception apply?

Step Eight: Even if you have a disqualifying conflict of interest, is your participation legally required?

Next, here is a non-technical explanation of each:

Public Official

Step One — Are you a "public official," within the meaning of the rules?

The Act's conflict-of-interest rules apply to "public officials" as defined in the law. This first step in the analysis is usually a formality — you are probably a public official covered by the rules. If you are an elected official or an employee of a state or local government agency who is designated in your agency's conflict-of-interest code, you are a "public official." If you file a Statement of Economic Interests (Form 700) each year, you are a "public official" under the Act (even if you are not required to file a Form 700, in some cases you may still be considered a public official because the definition covers more than specifically designated employees). The cases that are tougher to determine typically involve consultants, investment managers and advisers, and public-private partnerships. If you have any doubts, contact your agency's legal counsel or the FPPC.

Governmental Decision

Step Two — Are you making, participating in making, or influencing a governmental decision?

The second step in the process is deciding if you are engaging in the kind of conduct regulated by the

conflict-of-interest rules. The Act's conflict-of-interest rules apply when you:

- ***Make*** a governmental decision (for example, by voting or making an appointment).
- ***Participate*** in making a governmental decision (for example, by giving advice or making recommendations to the decision-maker).
- ***Influence*** a governmental decision (for example, by communicating with the decision-maker).

A good rule of thumb for deciding whether your actions constitute making, participating in making, or influencing a governmental decision is to ask yourself if you are exercising *discretion* or *judgment* with regard to the decision. If the answer is "yes," then your conduct with regard to the decision is very probably covered.

When you have a conflict — Regulation 18702.5 (special rule for section 87200 public officials)

Government Code section 87105 and regulation 18702.5 outline a procedure that public officials specified in section 87200 must follow for disclosure of economic interests when they have a conflict of interest at a public meeting. The full text of this law and regulation may be viewed in the Library and Publications section of the FPPC's website at http://www.fppc.ca.gov.

Public officials specified in section 87200 of the Government Code, such as council members, planning commissioners, and boards of supervisors, must pub-

licly identify in detail the economic interest that creates the conflict, step down from the dais **and must then leave the room**. This identification must be following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences.

Additionally, the disqualified official may not be counted toward achieving a quorum while the item is being discussed.

The identification of the conflict and economic interest must be made orally and shall be made part of the public record.

Exceptions:

- If the decision is to take place during a closed session, the identification of the economic interest must be made during the public meeting prior to the closed session but is limited to a declaration that the official has a conflict of interest. The economic interest that is the basis for the conflict need not be disclosed. The official may not be present during consideration of the closed session item and may not obtain or review any non-public information regarding the decision.

- A public official is not required to leave the room for an agenda item on the consent calendar provided that the official recuses himself or herself and publicly discloses the economic interest as described above.

- A public official may speak as a member of the general public only when the economic interest that is the basis for the conflict is a personal economic interest, for example, his or her personal residence or wholly owned business. The official must leave the dais to speak from the same area as the members of the public and may listen to the public discussion of the matter.

Examples:

— The Arroyo City Council is considering widening the street in front of council member Smith's personal residence, which he solely owns. Council member Smith must disclose on the record that his home creates a conflict of interest preventing him from participating in the vote. He must leave the dais but can sit in the public area, speak on the matter as it applies to him and listen to the public discussion.

— Planning Commissioner Garcia is a greater than 10% partner in an engineering firm. The firm represents a client who is an applicant on a project pending before the planning commission. Commissioner Garcia must publicly disclose that the applicant is a source of income to her requiring her recusal. Commissioner Garcia must step down from the dais and leave the room. Since this is not a personal interest that is the basis for the conflict, she ***may not*** *sit in the public area and listen to the discussion.*

— Supervisor Robertson rents a home to a county employee. The county employee is the sub-

ject of a disciplinary matter in a closed session of the Board of Supervisors. During the open session prior to adjourning to closed session, Supervisor Robertson announces that he must recuse himself from participating in the closed session ***but does not disclose that the reason for his recusal is a source of income nor does he name the county employee that is the source of income to him.*** *He may not attend the closed session or obtain any non-public information from the closed session.*

Economic Interests

Step Three — What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

From a practical point of view, this third step is the most important part of the law for you. The Act's conflict-of-interest provisions apply only to conflicts of interest arising from economic interests. There are six kinds of such economic interests from which conflicts of interest can arise:

- **Business Investment**. You have an economic interest in a business entity in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more.

- **Business Employment or Management.** You have an economic interest in a business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management.

- **Real Property.** You have an economic interest in real property in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more, and also in certain leasehold interests.

"The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise."

- **Sources of Income.** You have an economic interest in anyone, whether an individual or an organization, from whom you have received (or from whom you have been promised) $500 or more in income within 12 months prior to the decision about which you are concerned. When thinking about sources of income, keep in mind that you have a community property interest in your spouse's or registered domestic partner's income — a person from whom your spouse or registered domestic partner receives income may also be a source of a conflict of interest to you. Also keep in mind that if you, your spouse, your registered domestic partner or your dependent children own 10 percent of more of a business, you are considered to be receiving "pass-through" income from the business's clients. In other words, the business's clients may be considered sources of income to you.

- **Gifts.** You have an economic interest in anyone, whether an individual or an organization, who has

given you gifts which total $390 or more within 12 months prior to the decision about which you are concerned.

- **Personal Financial Effect.** You have an economic interest in your personal expenses, income, assets, or liabilities, as well as those of your immediate family. This is known as the "personal financial effects" rule. If these expenses, income, assets or liabilities are likely to go up or down by $250 or more in a 12-month period as a result of the governmental decision, then the decision has a "personal financial effect" on you.

On the Statement of Economic Interests (Form 700) you file each year, you disclose many of the economic interests that could cause a conflict of interest for you. However, be aware that not all of the economic interests that may cause a conflict of interest are listed on the Form 700. A good example is your home. It is common for a personal residence to be the economic interest that triggers a conflict of interest even though you are not required to disclose your home on the Form 700.

Directly or Indirectly Involved?

Step Four — Are your economic interests directly or indirectly involved in the governmental decision?

An economic interest which is directly involved in — and therefore directly affected by — a governmental decision creates a bigger risk of a conflict of interest than does an economic interest which is only indirectly involved in the decision. As a result, the FPPC's conflict-of-interest regulations distinguish between economic interests that are directly involved and interests that are indirectly involved.

Once you have identified your economic interests, you must next decide if they are directly involved in the governmental decision about which you are concerned. The FPPC has established specific rules for determining whether each kind of economic interest is directly or indirectly involved in a governmental decision.

The details of these rules are beyond the scope of this guide. In general, however, an economic interest is directly involved if it is the subject of the governmental decision. For example, if the interest is real property, and the decision is about building a donut shop down the block from the property, then the interest is directly involved. If the interest is a business, and the decision is whether to grant a license for which the business has applied, the interest is directly involved.

These are just examples; you should contact your agency counsel, the FPPC and the specific regulations

if you have questions as each case arises. Note also that the next step in the analysis — applying the right standard to determine whether an impact is material — depends in part on whether the interest is directly or indirectly involved. The regulations — Sections 18704 through 18704.5 — and other helpful information can be found on the FPPC's web site, http://www.fppc.ca.gov.

Materiality (Importance)

Step Five — What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

At the heart of deciding whether you have a conflict of interest is a prediction: Is it sufficiently likely that the governmental decision will have a material financial effect on your economic interests? As used here, the word "material" is akin to the term "important." You will have a conflict of interest only if it is reasonably foreseeable that the governmental decision will have an important impact on your economic interests.

The FPPC has adopted rules for deciding what kinds of financial effects are important enough to trigger a conflict of interest. These rules are called "materiality standards," that is, they are the standards that should be used for judging what kinds of financial impacts resulting from governmental decisions are considered material or important.

There are too many of these rules to review in detail in this booklet. Again, you can seek advice for your

"Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them."

-- California Political Reform Act of 1974

agency counsel or the FPPC. However, to understand the rules at a "big picture" level, remember these facts:

- If the economic interest is directly involved in the governmental decision, the standard or threshold for deeming a financial impact to be material is stricter (i.e. lower). This is because an economic interest that is directly involved in a governmental decision presents a bigger conflict-of-interest risk for the public official who holds the interest.

- On the other hand, if the economic interest is not directly involved, the materiality standard is more lenient because the indirectly involved interest presents a lesser danger of a conflict of interest.

- There are different sets of standards for the different types of economic interests. That is, there is one set of materiality standards for business entities, another set for real property interests, and so on.

- The rules vary by the size and situation of the economic interest. For example, a moment's thought will tell you that a $20,000 impact resulting from a governmental decision may be crucial to a small business, but may be a drop in the bucket for a big corporation. For example, the materiality standards

distinguish between large and small businesses, between real property which is close or far from property which is the subject of the decision.

Does a Conflict of Interest Result?

Step Six — Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

As already mentioned in the introduction, the heart of the matter is deciding whether it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests.

What does "sufficiently likely" mean? Put another way, how "likely" is "likely enough?" The Political Reform Act uses the words "reasonably foreseeable." The FPPC has interpreted these words to mean "substantially likely." Generally speaking, the likelihood need not be a certainty, but it must be more than merely possible.

A concrete way to think about this is to ask yourself the following question: Is it substantially likely that one of the materiality standards I identified in step five will be met as a result of the government decision? Step six calls for a factual determination, not necessarily a legal one. Also, an agency may sometimes segment (break down into separate decisions) a decision to allow participation by an official if certain conditions are

met. Therefore, you should always look at your economic interest and how it fits into the entire factual picture surrounding the decision.

"Public Generally" Exception

Step Seven — If you have a conflict of interest, does the "public generally" exception apply?

Now that you have determined that you will have a conflict of interest for a particular decision, you should see if the exceptions in Step 7 and Step 8 permit you to participate anyway. Not all conflicts of interest prevent you from lawfully taking part in the government decision at hand. Even if you otherwise have a conflict of interest, you are not disqualified from the decision if the "public generally" exception applies.

This exception exists because you are less likely to be biased by a financial impact when a significant part of the community has economic interests that are substantially likely to feel essentially the same impact from a governmental decision that your economic interests are likely to feel. If you can show that a significant segment of your jurisdiction has an economic interest that feels a financial impact which is substantially similar to the impact on your economic interest, then the exception applies.

The "public generally" exception must be considered with care. You may not just assume that it applies. There are specific rules for identifying the specific seg-

ments of the general population with which you may compare your economic interest, and specific rules for deciding whether the financial impact is substantially similar. Again, contact your agency counsel, the FPPC and the specific rules for advice and details. The regulations outlining the steps to apply the "public generally" exception can be found on the FPPC website at http://www.fppc.ca.gov under regulations 18707-18707.9.

Are you required to participate?

Step Eight — Even if you have a disqualifying conflict of interest, is your participation legally required?

In certain rare circumstances, you may be called upon to take part in a decision despite the fact that you have a disqualifying conflict of interest. This "legally required participation" rule applies only in certain very specific circumstances in which your government agency would be paralyzed, unable to act. You are most strongly encouraged to seek advice from your agency legal counsel or the FPPC before you act under this rule.

Conclusion

Generally speaking, here are the keys to meeting your obligations under the Political Reform Act's conflict-of-interest laws:

- Know the purpose of the law, which is to prevent biases, actual and apparent, which result from the financial interests of the decision-makers.

- Learn to spot potential trouble early. Understand which of your economic interests could give rise to a conflict of interest.

- Understand the "big picture" of the rules. For example, know why the rules distinguish between directly and indirectly involved interests, and why the public generally exception exists.

- Realize the importance of the facts. Deciding whether you have a disqualifying conflict of interest depends just as much — if not more — on the facts of your particular situation as it does on the law.

- Don't try to memorize all of the specific conflict-of-interest rules. The rules are complex, and the penalties for violating them are significant. Learn to understand the "big picture." You'll then be able to look up or ask about the particular rules you need to apply to any given case.

- Don't be afraid to ask for advice. It is available from your agency's legal counsel and from the FPPC.

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MV00060506

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of the Moreno Valley Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt Resolution No. 2010-37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

The City of Moreno Valley Community Facilities District No. 2 (Auto Mall) ("CFD No. 2") formation permitted a bonded indebtedness in an amount not to exceed $14,700,000. The sale of bonds in June 1989 financed infrastructure improvements and acquisition. Except for funds set aside for traffic signal construction at the eastbound off ramp of State Route 60 and Moreno Beach Dr., the improvements were declared complete in 1993, and the excess improvement funds were used to retire $2,805,000 in bonds in December 1993. The traffic signal construction was completed June 14, 1996, and the remaining funds were used to call $95,000 in bonds on June 2, 1997.

There were special tax payment delinquencies on eleven (11) parcels within CFD No. 2. Landmark Land Company of California failed to remit their payments starting with the April 10, 1994 through December 10, 1999 installments on nine parcels. Foreclosure proceedings began in May 1994. The foreclosure was delayed due to bankruptcy proceedings against Oak Tree Federal Savings Bank, Landmark Land Company's parent corporation. On February 7, 1997, a judicial foreclosure sale was held at the Riverside County Courthouse. No bids were received for the properties. In addition to the nine Landmark Land Company delinquencies, the Federal Deposit Insurance Corporation (FDIC) failed to make the April 10, 1997, through December 10, 1999, payments on two (2) parcels.

The bonds defaulted on December 1999, requiring City staff to work with the current auto dealerships and professional consultants to resolve the delinquencies by refinancing the outstanding debt and providing for the acquisition of the nonperforming parcels by new property owners.

On January 25, 2000, a Settlement Agreement, as developed through a combined effort of City staff, the Auto Mall dealerships, and professional consultants, was approved by the City Council. The City Council adopted the Amended and Restated Agreement on March 7, 2000. These agreements provided for the refinancing of the CFD No. 2 Special Tax Bonds and restructuring of the special taxes, remedied the Event of Default on December 1, 1999, reduced and discharged the delinquent ad valorem taxes and special taxes, provided for the disposition of the nonperforming parcels, facilitated development of the nonperforming parcels, established a defined interpretation of the calculation of special tax, and settled all claims. In March 2000, the City formed Community Facilities District No. 3 ("CFD No. 3") for the purpose of restructuring the special tax and issuing bonds to refinance CFD No. 2. On April 5, 2000, $8,075,000 of CFD No. 3 bonds were sold to refinance the outstanding CFD No. 2 bonds. At formation of CFD No. 3, the rate and method of apportionment ("RMA") established a maximum special tax rate that could be levied against properties within CFD No. 3.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 2 was established to finance the capital costs for public improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were sold to provide the funding for acquisition of these improvements. Only properties benefiting from the improvements had annual special tax levies placed on the property tax roll to repay the bonded indebtedness. CFD No. 3 Special Tax Bonds, Series 2000 (the "Bonds"), were issued to refinance the CFD No. 2 bonds. Due to these factors, CFD No. 3 is exempt from the provisions of Proposition 218. Subsequent increases if required, not addressed in the March 7, 2000, CFD Report, will be subject to a two-thirds voter approval by the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the RMA required to cover the special tax requirement for CFD No. 3, as submitted in the Special Tax

Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The maximum special tax rates are based upon the assigned zone and development status for each parcel within CFD No. 3, as determined by the timing of the building permit. Developed parcels are those parcels that have a building permit issued prior to January of the current year. For each fiscal year following 2000/01, the Maximum Special Tax rates shall increase by an amount equal to 2% of the Maximum Special Tax in effect for the prior fiscal year. The Maximum Special Tax applicable to each parcel, or portion thereof, shall be obtained by multiplying the taxable acreage for the parcel or portion thereof by the appropriate maximum special tax rate for the parcel's assigned zone as shown within the table below.

Community Facilities District No. 3 (Auto Mall Refinancing) MAXIMUM SPECIAL TAX RATES BY LAND USE CLASSIFICATION FOR FISCAL YEAR 2010/11		
Zone	Developed Property	Undeveloped Property
A	NA*	NA*
B	$14,628/Taxable Acres	$7,905/Taxable Acres
C	$9,751/Taxable Acres	$3,279/Taxable Acres

Based upon the application of the RMA, properties located within Zone A of CFD No. 3 are not taxable after FY 2009/10.

The special tax levy is applied only to those taxable parcels within the boundaries of CFD No. 3 and will be collected on the annual tax bills prepared by the County of Riverside. The debt service shall be paid from a combination of CFD special taxes and Redevelopment tax increment and limited project specific sales tax.

ALTERNATIVES

1. Approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 3 Bonds.*

2. Do not approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 3 Bonds. Bond reserves cover the shortfall and/or the payments to the bondholders to prevent an event of default. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the CFD No. 3 property owner's 2010/11 tax bill. The amounts of the individual charges are reported in the Annual Special Tax Report on file in the office of the City Treasurer. **The funds collected through the CFD No. 3 are restricted funds, which may only be used to pay the debt service for CFD No. 3.** There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment and sales tax revenues, as defined in various Participation Agreements, may offset the special tax.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 3 bonded indebtedness shall be collected in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 3, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer.

NOTIFICATION

Not Applicable

ATTACHMENTS/EXHIBITS

Exhibit A — A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 3

Exhibit B — Boundary Map of CFD No. 3

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060512

RESOLUTION NO. 2010-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 2000-27 ("Resolution") approving the form of the Bond Indenture ("Indenture") terms and conditions pertaining to the issuance of the Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) Special Tax Bond, Series 2000 in the amount of $8,075,000 of the; and,

WHEREAS, the City has prepared and submitted the Annual Special Tax Report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District, which is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 3 as set forth in the Report and herby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

Resolution No. 2010-__
Date Adopted: _____

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare}

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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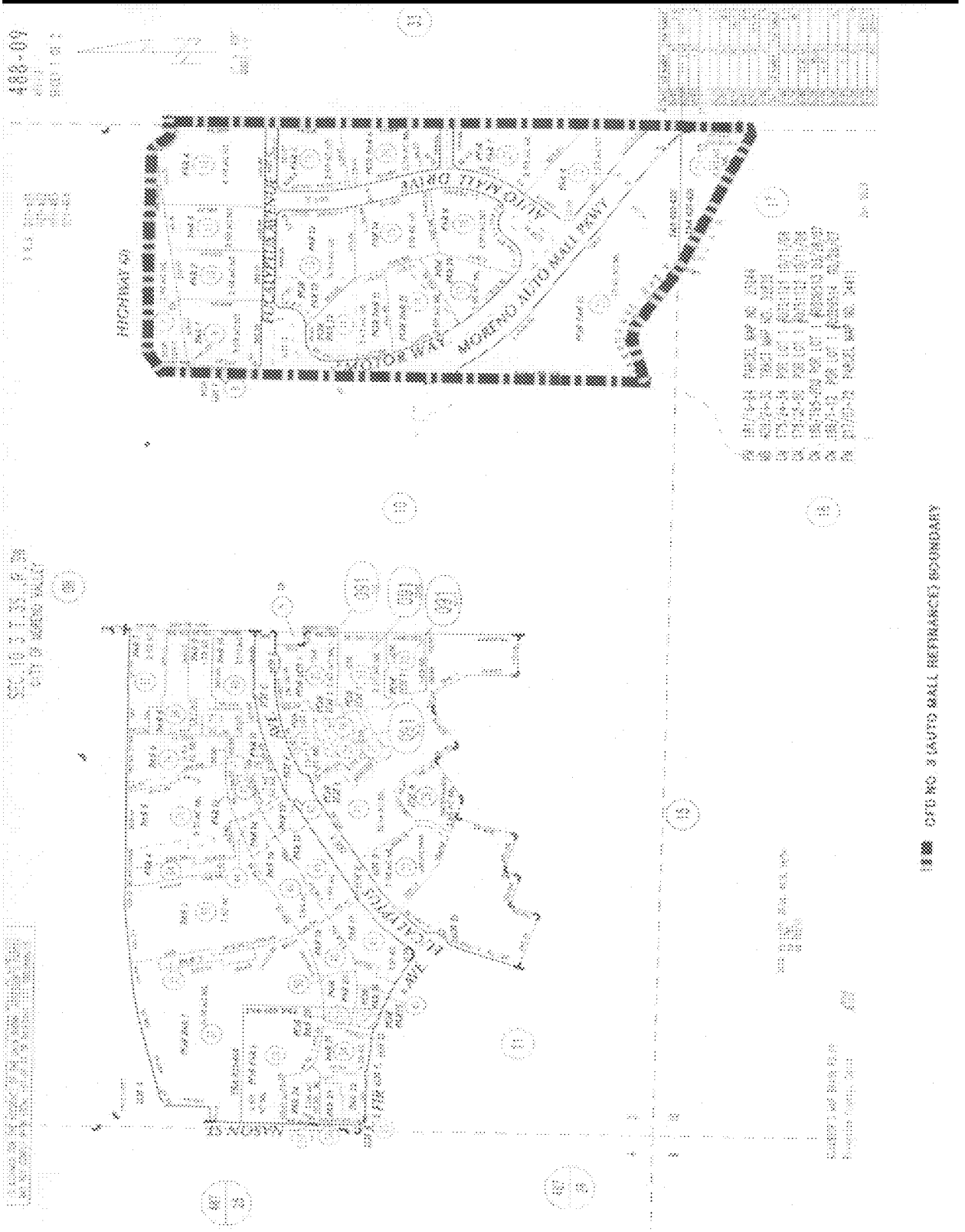

Exhibit B

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MV00060518

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

1 Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1; and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1 was authorized to issue bonds. In April 1988, the Series A Bonds were sold in the amount of $9,000,000 to finance Phase I improvements. The Series B Bonds were sold in August 1991 in the amount of $12,000,000 to fund the remaining improvements within CFD No. 87-1.

In May of 1994, the legislative body of CFD No. 87-1 approved the issuance of the Special Tax Refunding Series A ($14,170,000) and Series B ($8,530,000) Bonds, which were sold on June 24, 1994. These bonds are collectively known as the "Prior Bonds".

In October of 2007, the legislative body of CFD No. 87-1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 (Towngate) Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the Prior Bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 was established to finance the capital costs for roadway improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were issued to provide funding for these improvements. Only commercial properties within the CFD No. 87-1 are subject to the annual special tax to repay the bonded indebtedness. Subsequent increases in the special tax, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum special tax rate for CFD No. 87-1 is $11,500 per net acre. This amount is uniformly applied to developed property and may only be applied to undeveloped property if the maximum special tax levy on the developed property is insufficient to cover the annual special tax requirement.

The special tax will be levied per parcel and collected on the annual property tax bills, which are prepared by the County of Riverside. Only taxable parcels within the boundaries of CFD No. 87-1 shall be subject to the special tax. The total special tax requirement will be funded through a combination of CFD No. 87-1 special tax, TownGate Specific Plan Area tax increment as provided by the Redevelopment Agency, and excess Reserve Fund interest earnings.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Annual Accountability Report in compliance with

California Government Code Sections 53410 and 53411 ("Code Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with Fiscal Year (FY) 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Annual Special Tax and Bond Accountability Report which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information, as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there would be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales. Failure to file the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the FY 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1. **Funds collected through CFD No. 87-1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1.** The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer.

There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment, as defined in various Owner Participation Agreements, may offset the special taxes. No single family residential property is affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to repay the CFD No. 87-1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1, shall have an opportunity to consider implementing the RMA to provide the payment of annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1. The other report approves the special tax levy and reporting requirements for CFD No. 87-1 Improvement Area No. 1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1
Exhibit C	Boundary Map for CFD No. 87-1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060524

RESOLUTION NO. 2010-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 88-13 establishing the terms and conditions pertaining to the issuance of the $9,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Special Tax Bonds, Series "A" ("1988 Bonds"); and, adopted Resolution No. 91-90 establishing the terms and conditions pertaining to the issuance of the $12,000,000 City of Moreno Valley Towngate Community Facilities District No. 87-1 Special Tax Bonds, Series "B" ("1991 Bonds"); and,

WHEREAS, the District, did previously adopt Resolution No. 94-28, which established the terms and conditions pertaining to the issuance of the City of Moreno Valley Community Facilities District No. 87-1 (Towngate) $14,170,000 Special Tax Refunding Bonds, Series A ("1994 Series A Bonds") and $8,330,000 Special Tax Refunding Bonds, Series B ("1994 Series B Bond") (collectively, the "Prior Bonds"); and,

WHEREAS, the legislative body of the District determined that it would be prudent in the management of the fiscal affairs of the District to proceed with issuing bonds for the purpose of refunding the Prior Bonds; and,

WHEREAS, this legislative body, approved Resolution No. 2007-119 to authorize the issuance of 2007 Special Tax Refunding Bonds for CFD No. 87-1, which were sold on November 29, 2007, at $10,665,000; and,

WHEREAS, this legislative body approved the Bond Indenture to establish the terms and conditions pertaining to the issuance of the 2007 Special Tax Refunding Bonds; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 87-1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this day _____ of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060528

RESOLUTION NO. 2010-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF AN ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file a report with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the report in compliance with the above mentioned Government Code Sections, and that a copy of the Annual Accountability Report is on file in the office of the City Treasurer for review by the public upon request.

.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

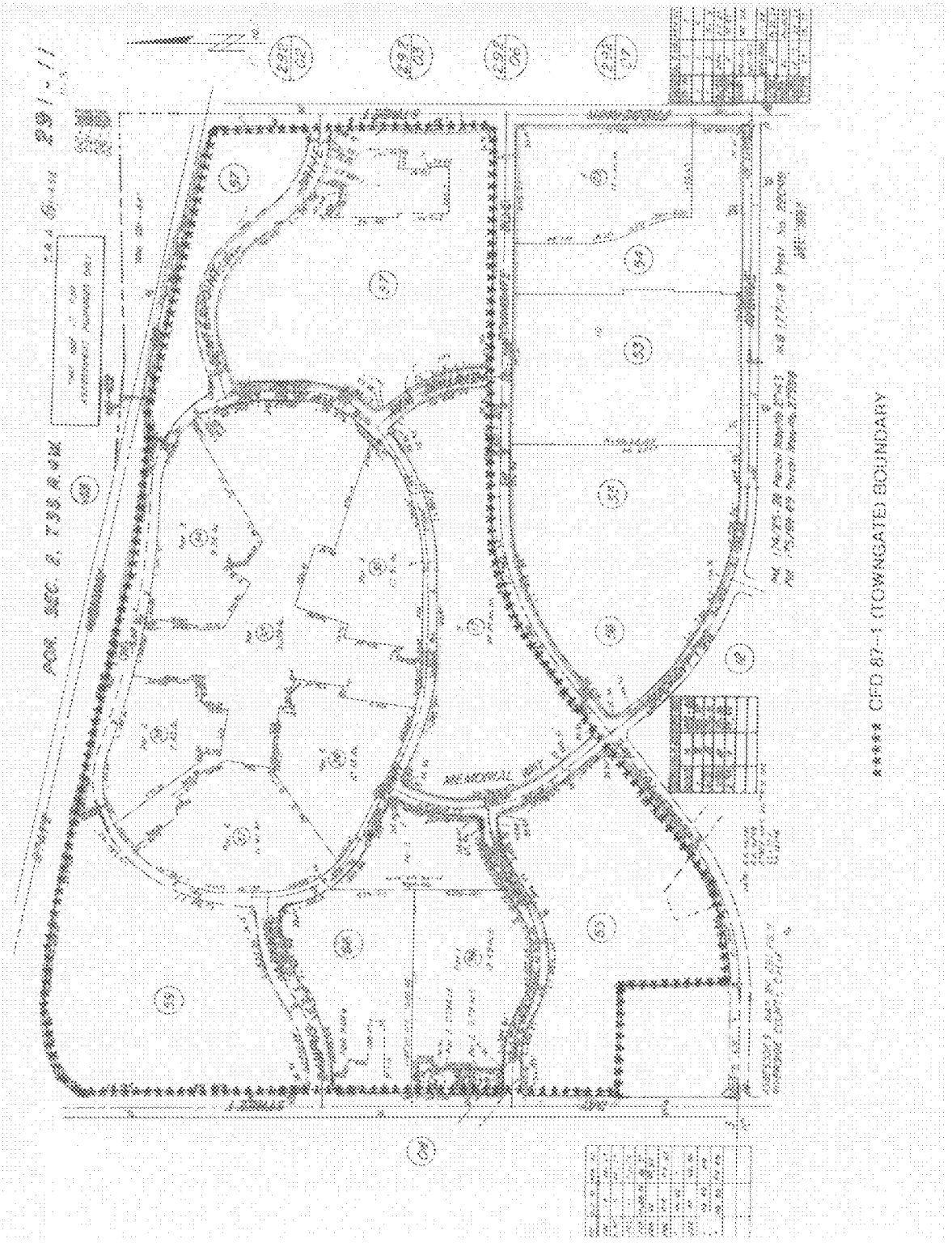

Exhibit C

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MV00060532

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

1) Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

2 Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1, Improvement Area No. 1 was authorized to issue bonds. On March 23, 1993, the Moreno Valley City Council approved Resolution No. 93-16 to authorize the issuance of $5,000,000 in bonds for

CFD No. 87-1 Improvement Area No. 1, which were sold on June 24, 1994. The bonds contained a capitalized interest component, which precluded the necessity to levy a Special Tax for 1993/94; therefore, fiscal year (FY) 1994/95 was the first year for a Special Tax levy.

In October of 2007, the legislative body of CFD No. 87-1 Improvement Area No. 1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the refunded bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 Improvement Area No. 1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 Improvement Area No. 1 was established to finance the acquisition, construction, and/or installation of public facilities, which include sewer and water improvements, traffic signals, freeway ramps and land for a detention basin. Bonds were issued to provide funding for these improvements. Only commercial properties within the District are subject to an annual special tax to repay the bonded indebtedness. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1 Improvement Area No.1, as submitted in the Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The special taxes for CFD 87-1 Improvement Area No. 1 shall be levied at a uniform rate per taxable acre on all parcels within each of two tax rate areas. Tax Rate Area 1 consists of approximately 80.15 net taxable acres, which is responsible for 59% of the special tax levy up to the maximum special tax rate of $4,450 per taxable acre. Tax Rate Area 2 is responsible for 41% of the special tax levy up to a maximum special tax rate of $3,850 per taxable acre.

The special tax will be levied per parcel and collected on the annual property tax bills as prepared by the County of Riverside. The special tax levy is applied only to those parcels within the boundaries of CFD No. 87-1 Improvement Area No. 1.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Improvement Area No. 1 Annual Accountability Report in compliance with California Government Code Sections 53410 and 53411 ("Code

Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with FY 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Improvement Area No. 1 Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval will allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with the Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 Improvement Area No. 1 Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting the viability of future bond sales. Filing of the Annual Accountability Report is a legal requirement, which would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1 Improvement Area No. 1. **The funds collected through the CFD No. 87-1, Improvement Area No. 1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1,**

Improvement Area No. 1. The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are no general fund expenditures involved with this special tax obligation. The property within the CFD No. 87-1 Improvement Area No. 1 boundary is commercial; therefore, there are no residential properties affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 87-1 Improvement Area No. 1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1 Improvement Area No. 1, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1 Improvement Area No. 1. The other one approves the special tax levy and reporting requirements for CFD No. 87-1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1
Exhibit C	Boundary Map CFD No. 87-1 Improvement Area No.1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060538

RESOLUTION NO. 2010-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 Improvement Area No. 1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 93-16 approving the Bond Indenture terms and conditions pertaining to the issuance of the $5,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Bonds; and,

WHEREAS, on October 27, 2007, the legislative body adopted Resolution No. 2007-120, which authorized the issuance of Special Tax Refunding Bonds for the District to accomplish a net reduction in the debt service requirement, and approved the Bond Indenture terms and conditions pertaining to the issuance of $4,075,000 for Community Facilities District No. 87-1 Improvement Area No. 1; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No 87-1 Improvement Area No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the tax.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060542

RESOLUTION NO. 2010-41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 IMPROVEMENT AREA NO. 1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

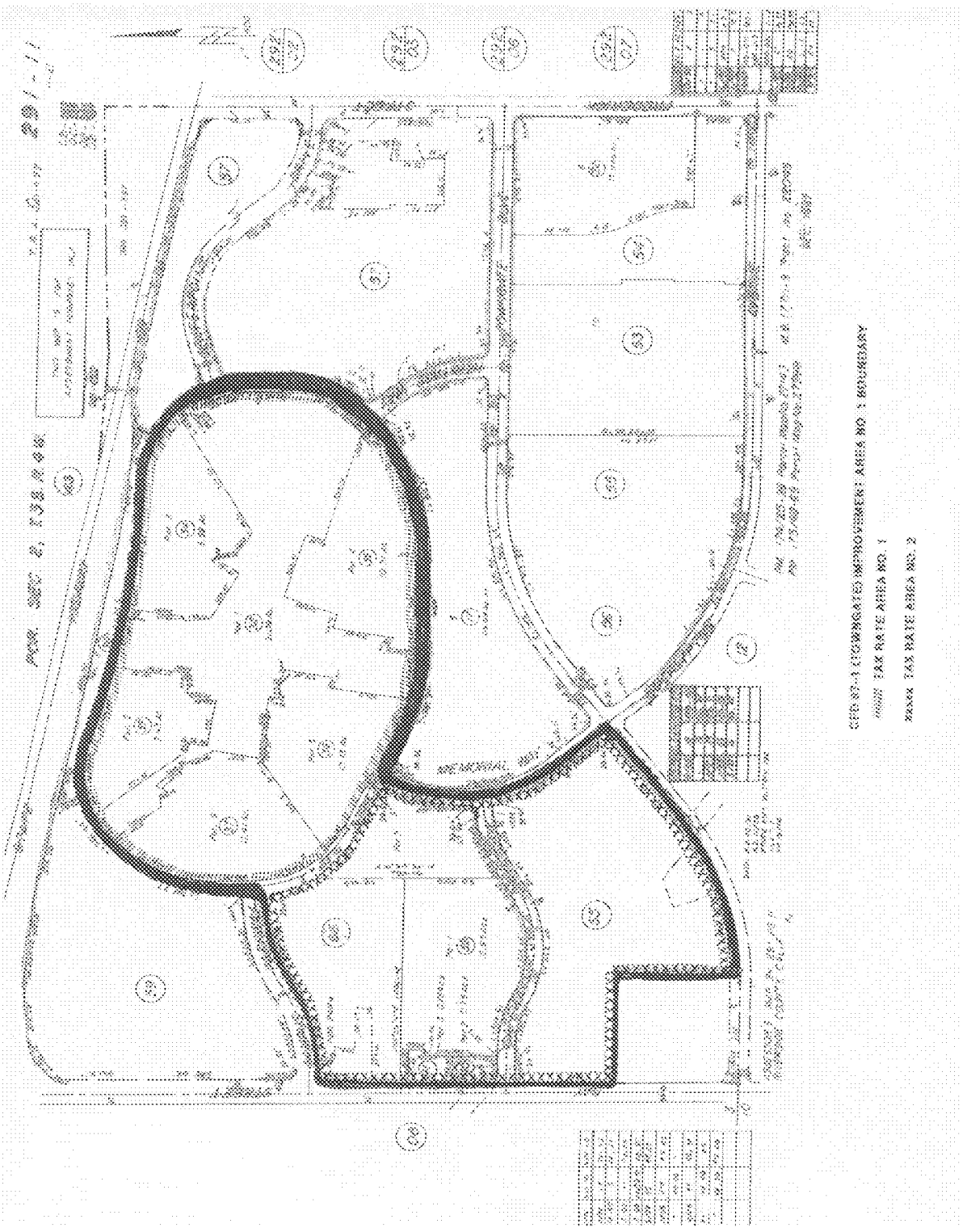

Exhibit C

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MV00060546

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Fixed Charges\County Submission\2010-11\Prop 218 Stfrpt 6.8.10.doc

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MV00060550

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060554

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060558

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 5

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

1. Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

BACKGROUND

Community Facilities District No. 5 ("CFD No. 5" or "District") consists of Stoneridge Towne Centre, which is zoned for commercial/retail use. The site, located at the northeast corner of the Nason Street and Fir Avenue, is approximately 64 gross acres, of which 33 are net taxable acres.

On October 25, 2005, City Council adopted Resolution No. 2005-104 to form CFD No. 5 to finance the capital costs related to the Stoneridge Towne Centre commercial development for street improvements (Nason Street, Dracaea Avenue, Eucalyptus Avenue, and Fir Avenue), traffic signals, water, sewer, drainage, and electrical improvements.

California Government Code Sections 53410 and 53411 ("Code Sections") state that any local bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures that include, but are not limited to, the chief fiscal officer of the issuing local agency filing an Annual Accountability Report with its governing body at least once a year. The Annual Accountability Report shall contain the specific purpose of the bonds, both the amount of funds collected and expended, and the status of any project required or authorized to be funded as identified in the statement indicating the specific purpose of the bonds.

DISCUSSION

Each year during the term of the debt, an Annual Special Tax Report must be approved by the City Council to provide funds for the annual debt service requirements. Detailed within the Annual Special Tax Report are the total annual debt service, administrative requirements, and the calculation of the special tax levy, as per the rate and method of apportionment ("RMA"), to meet the FY 2010/11 special tax requirement. The FY 2010/11 Annual Special Tax Report is on file with the City Treasurer.

The maximum annual special tax for developed and undeveloped property has been established by the RMA at $10,652.00 per acre for FY 2006/07. Per the RMA, the maximum annual special tax shall be increased by an amount equal to two percent (2%) each fiscal year in order to meet the annual special tax requirement. The maximum special tax rate for FY 2010/11 is $11,530 per acre. Subsequent increases, not addressed in the RMA, will be subject to a two-thirds voter approval of the property owners. The County of Riverside collects the special tax levy per taxable parcel, not exempted, on the annual property tax bills.

The special tax is applied only to those taxable parcels within the District boundaries, excluding parcels not subject to the special tax, which includes parcels owned by Target Corp and Kohls Dept Stores, Inc. that prepaid their special tax obligation. The CFD No.5 debt service is calculated based on a total acreage of 33.

The CFD No. 5 Annual Accountability Report provides the following accountability measure as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification of the satisfaction of the requirement that the proceeds are being applied only to the specific purposes identified to the CFD formation and bond financing documents. This includes the creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

The Annual Special Tax Report and the Annual Accountability Report have been consolidated into the Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer.

ALTERNATIVES

1. **Approve and adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *Approval of the resolutions will allow for the collection of the special taxes necessary to cover the annual debt service of CFD No. 5 and ensure reporting compliance with the Code Sections.*

2. **Do not approve or adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *If the special tax levy was not approved, there may be a shortage of funds necessary to cover the annual debt service of CFD No. 5. Not approving the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 Riverside County property tax bill for those parcels subject to the special tax. **The special tax levied on properties within the boundaries of CFD No. 5 can only be used to cover the annual special tax requirement for the District. There is no fiscal impact on the General Fund associated with the annual debt service or for the submittal of the Annual Special Tax and Bond Accountability Report for CFD No. 5.**

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to cover the annual debt service for CFD No. 5 shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 5, per the RMA, required to cover the special tax requirement of CFD No. 5, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Also being considered is the approval and submittal of the Annual Accountability Report for CFD No. 5.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Annual Special Tax Report

EXHIBIT B A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 5

EXHIBIT C Boundary Map of CFD No. 5

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 5 Stoneridge\Administration\Annual Reports\2010-11\staff report and resolutions\CFD 5 10_11 levy - Staff Report.doc

RESOLUTION NO. 2010-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 5 ("CFD No. 5" or "District") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 701 ("Ordinance") to authorize a levy of a special tax within CFD No. 5; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060570

RESOLUTION NO. 2010-44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, Government Code §53410 requires that on or after January 1, 2001 any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 5 OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

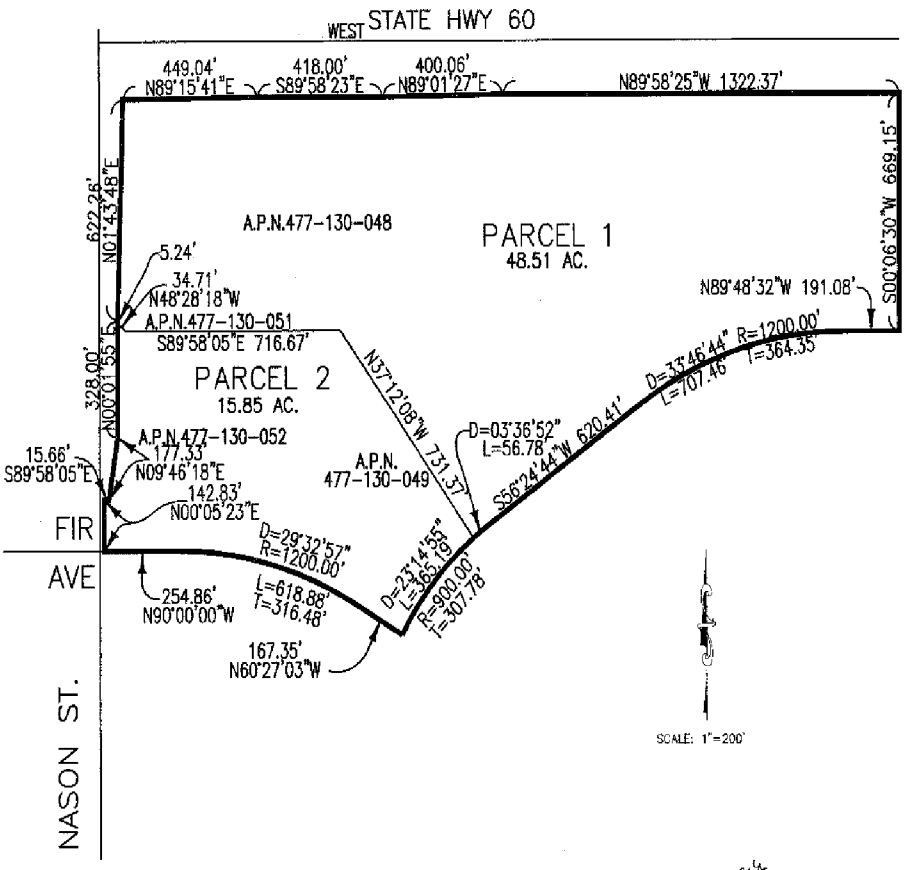

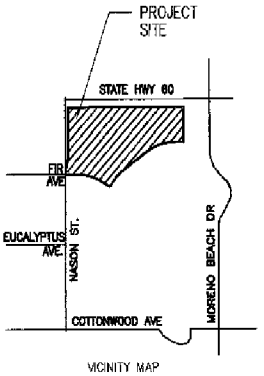

VICINITY MAP
NO SCALE

LEGEND

DISTRICT BOUNDARY

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 20th DAY OF June 2005.

CITY CLERK OF THE CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 5 CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY: AT A REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE 13th DAY OF September 2005. BY ITS RESOLUTION No. 2005-78.

CITY CLERK OF THE CITY OF MORENO VALLEY

FILED THIS 22nd DAY OF September, 2005. AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 64 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS PAGE NOS. 20 THROUGH — AS INSTRUMENT NO. 2005-0785291 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF RIVERSIDE

FEE $ 7.—

REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

HARRIS & ASSOCIATES
34 Executive Park, Suite 150
Irvine, CA 92614
(949) 655-3900 • FAX (949) 655-3595

PROPOSED BOUNDARY MAP

Community Facilities District No. 5
of the City of Moreno Valley
County of Riverside, California

Sheet 1 OF 1

04/22/05

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EXHIBIT C

Item No. A.9

MV00060573

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MV00060574

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 4—Maintenance

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

BACKGROUND

Centerpointe Business Park is an industrial development area, which is generally located north of Cactus Avenue, south of Alessandro Boulevard, east of Frederick Street, and west of Heacock Street. As a condition of development, stormwater and detention basin improvements were constructed to accommodate water runoff and detention for new and future developments within the industrial development area and adjoining properties.

On October 25, 2005, City Council adopted Resolution No. 2005-97 to form and establish CFD No. 4—M, to provide stormwater facilities maintenance, and to authorize the collection of a special tax against all nonexempt property within the Centerpointe Business Park industrial development, including adjacent properties that may in the future be annexed into CFD No. 4—M. Maintenance, as defined in the resolution to form CFD No. 4—M includes, but is not limited to, the provisions of all labor, materials, administration, equipment, utilities, and incidental expenses necessary to provide maintenance of the stormwater facilities. To fund the cost of maintenance, all

nonexempt properties within the boundaries of CFD No. 4—M shall be subject to an annual special tax levy.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to cover the special tax requirement for CFD No. 4—M, as submitted in the special tax report on file in the office of the City Treasurer. Detailed within the annual special tax report ("Report") is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum annual special tax for each assessor's parcel of developed and undeveloped property, as established by the RMA, shall be increased each fiscal year thereafter, beginning in July 2007, by an amount equal to the Engineering News-Record Building Cost Index ("BCI") for the City of Los Angeles, measured as of the end of the calendar year. The BCI for calendar year 2009 did not increase so the maximum special tax for FY 2010/11 will remain at $0.00853 per square foot of land area. The special tax levy shall be applied proportionately on each parcel of developed and undeveloped property within the boundaries of CFD No. 4—M at up to 100% of the applicable maximum annual special tax. The special tax levy per parcel will be collected on the Riverside County property tax bill. However, the special tax levy for the United States Postal Service, assessor parcel number 297-170-071, shall be hand billed.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *This approval will allow collection of the special taxes necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *If the special tax levy was not approved, there may be a shortage of funds necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

FISCAL IMPACT

The fiscal impact for CFD No. 4—M will be a levy of a special tax applied to the property owner's FY 2010/11 tax bill or a hand bill for tax-exempt properties. **The special tax levied on properties within the boundaries of CFD No. 4—M can only be used to cover the annual special tax requirement for the district. There is no impact on**

the General Fund regarding the levy of the special tax for CFD No. 4—M. Properties within the boundaries of CFD No. 4—M consist of commercial and industrial developments; residential properties are not affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to fund CFD No. 4—M services shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 4—M, per the RMA, to provide ongoing administrative and maintenance services for the stormwater and detention basin improvements.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No. 4—M

EXHIBIT B Boundary Map of CFD No. 4—M

EXHIBIT C Future Annexation Area Map of CFD No. 4—M

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 4—Maintenance\Administration\Annual Report\2010-11\staff report and resolution\Staff_Report for CFD No 4—M annual report.doc

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MV00060578

RESOLUTION NO. 2010-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 697 ("Ordinance") approving the rate and method of apportionment of special taxes ("RMA") to authorize a levy of a special taxes within CFD No. 4-M; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 4-M as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060582

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

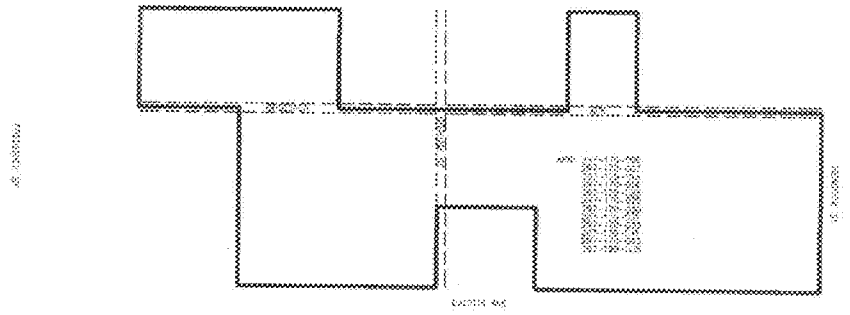

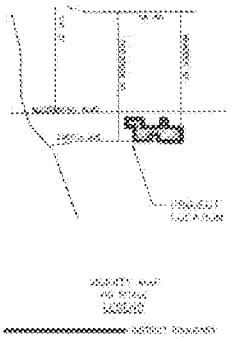

PROPOSED BOUNDARY MAP

Proposed Boundary of
Community Facilities District No. 4–Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT B

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MV00060584

FUTURE ANNEXATION AREA OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

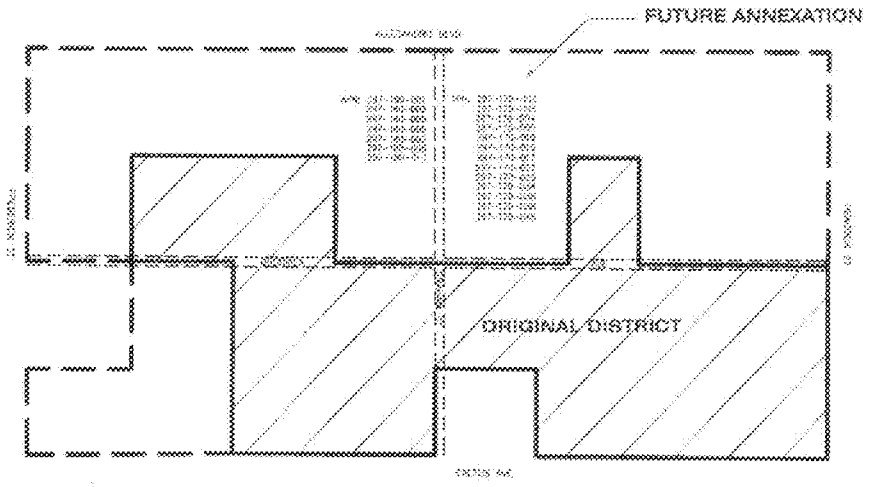

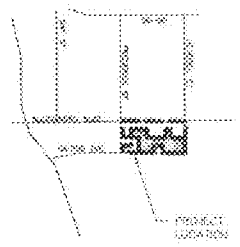

PROPOSED BOUNDARY MAP

Future annexation Area of
Community Facilities District No. 4-Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT C

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MV00060586

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - COMMERCIAL – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center and drug store located at the southeast corner of Iris Avenue and Perris Boulevard that was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, and storm drain. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $538,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Commercial - 90% Bond Reduction.doc

RESOLUTION NO. 2010-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - COMMERCIAL, AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Corporation on the portion of Iris Avenue and Perris Boulevard associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Commercial, and accept the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Commercial are complete, and the portion of Iris Avenue and Perris Boulevard associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

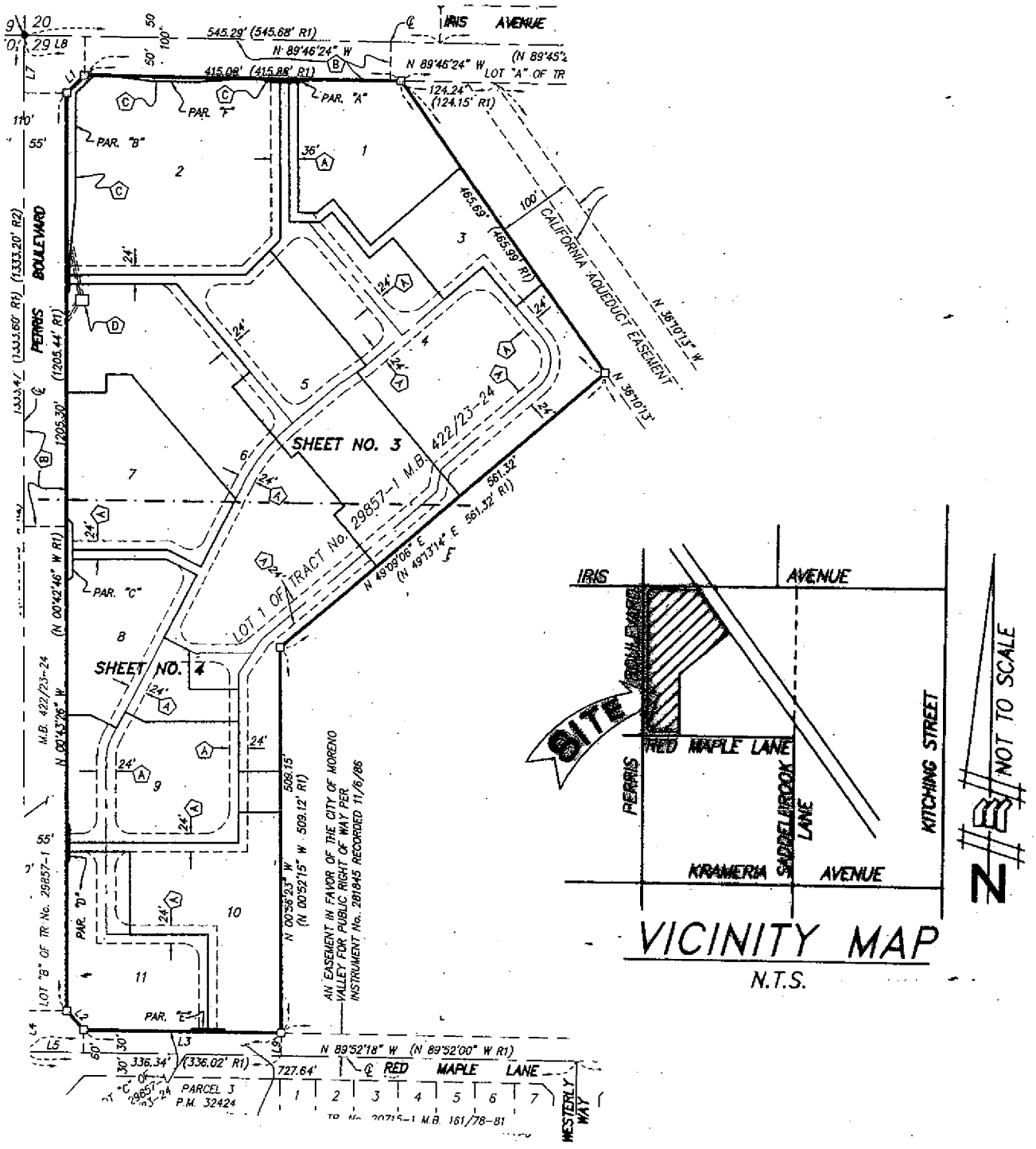

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 33726 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

EXHIBIT "A"

Item No. A.11

MV00060593

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MV00060594

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - STORM DRAIN – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center located on Red Maple Lane, east of Perris Boulevard that was conditionally approved requiring installation of storm drain facilities on Red Maple Lane. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $294,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and

Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Storm Drain - 90% Bond Reduction.doc

RESOLUTION NO. 2010-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - STORM DRAIN, AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Company on the portion of Red Maple Lane associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Storm Drain, and accept the portion of Red Maple Lane associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Storm Drain are complete, and the portion of Red Maple Lane associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

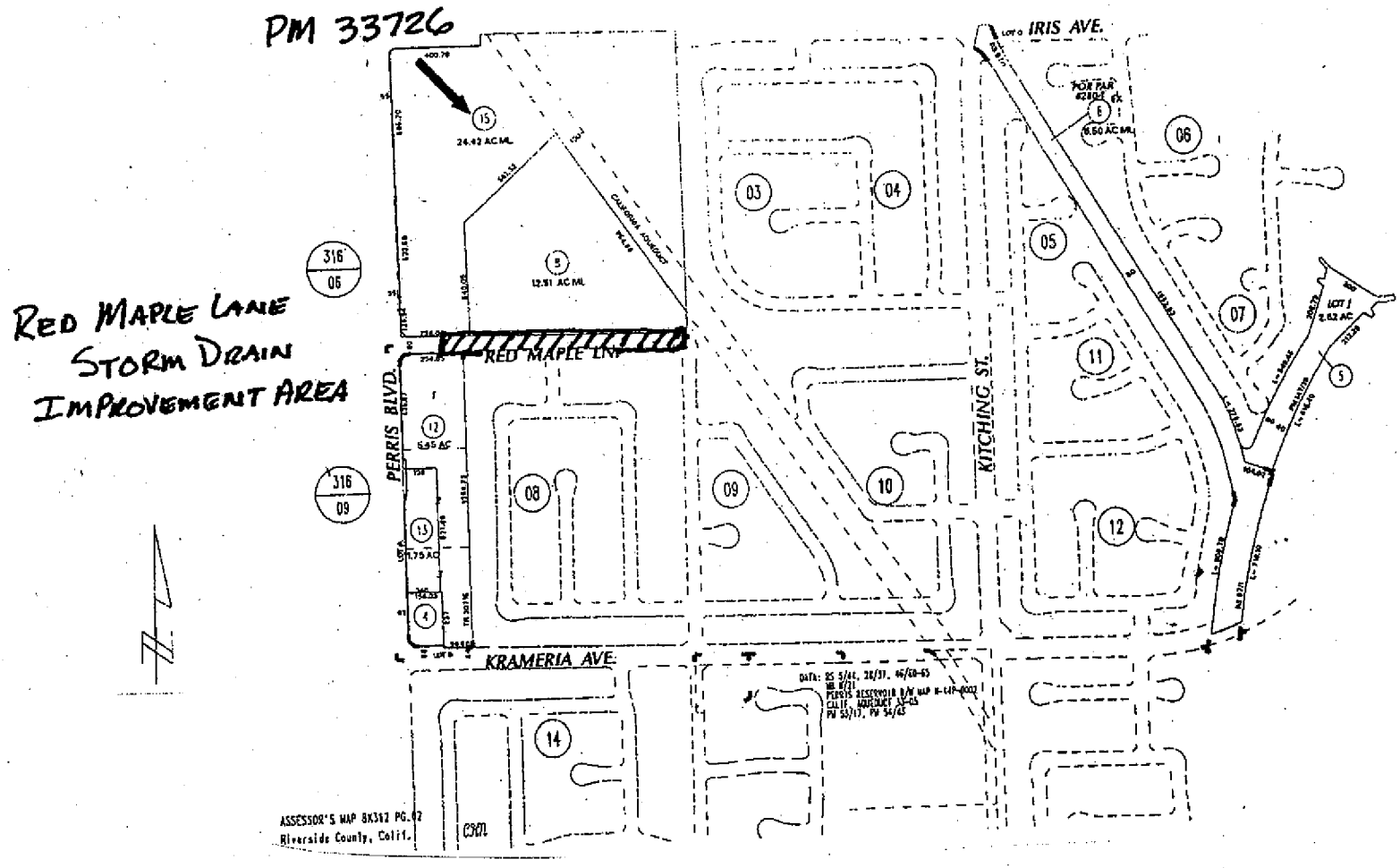

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

PM 33726 STORM DRAIN
VICINITY MAP

EXHIBIT "A"

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MV00060602

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE

RECOMMENDED ACTION

Staff recommends that the City Council review and approve the annual Agreements for Services with two of the local chambers of commerce – the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

BACKGROUND

A chamber of commerce provides the important role of acting as a liaison between city government and the business community. A local chamber of commerce can help enhance a city's economic development efforts by actively working with the business community on a variety of retention and business support activities.

In Moreno Valley, there are three chambers of commerce – the Moreno Valley Chamber of Commerce (MVCC), the Moreno Valley Hispanic Chamber of Commerce (MVHCC), and the Moreno Valley Black Chamber of Commerce (MVBCC). City funding, through an annual Agreement of Services, has been provided in exchange for the chambers performing a variety of specified business outreach services and special programs that improve the overall business climate in Moreno Valley.

The MVCC started receiving annual funding of $24,000 from the City in FY 1999/2000 (in the mid to late 1990's the MVCC worked with the City on a number of specific projects, but had not established annual funding arrangements). The MVHCC obtained $6,000 in annual funding from the City starting in FY 2000/01. The difference in funding level between the two Chamber's was in recognition of the MVCC's larger membership and the many special programs the MVCC performed including being the liaison with March ARB, co-sponsoring the Leadership Moreno Valley program, preparing a City

Map, operating a City Visitor Information Center at the Moreno Valley Mall, and managing the Master Community Calendar of Events. In FY 2000/01, the City formalized its relationship with the MVCC and the MVHCC by entering into an annual contract – an Agreement for Services. This is a common practice for cities and chambers in California. In FY 2005/06, the City entered into an annual Agreement for Services with the MVBCC with an established funding amount of $6,000.

DISCUSSION

In FY 2009/10, the City of Moreno Valley provided the following financial contributions to the three Chambers of Commerce:

Chamber	Annual Contribution
Moreno Valley Chamber of Commerce	$24,000 plus two complimentary 5-hour ballroom rentals.
Moreno Valley Black Chamber of Commerce	$5,500 plus two complimentary 5-hour ballroom rentals. (Please note the Moreno Valley Black Chamber Board of Directors voted to decline participation in the ERC program citing that their non-profit Foundation has a similar program staffed by their volunteers. They consented to deducting $500.00 from their annual compensation.)
Moreno Valley Hispanic Chamber of Commerce	$6,000 plus two complimentary 5-hour ballroom rentals.

Four years ago, the City increased overall funding to the three chambers by providing two complimentary uses of the Conference and Recreation Center (CRC) for programs. The use of the City facilities improves the quality of programs and enhances the marketing of the CRC.

Before moving forward with renewing contracts for FY 2010/11, the Economic Development Department staff met with executives from each of the respective Chambers to discuss their respective scopes of work and identify opportunities for the Chambers to further cooperate in working together to enhance business services and business opportunities in the community. Because of the challenging economic times, emphasis is being placed on the implementation of a “Shop Moreno Valley” program by the City, along with support by each Chamber. The proposed changes to the scopes of work for each chamber are similar (please refer to Exhibits A, B, and C for the full text of each chamber’s scope of work, including highlighted changes from FY 2009/10):

On May 27, 2010, City staff was informed that the Board of Directors of the Moreno Valley Black Chamber of Commerce (MVBCC) has decided not to pursue a renewal of its Agreement with the City for FY 2010/11. In taking this action, the MVBCC stated it will continue to help the City and the other two chambers with the Business Roundtable and Joint Mixers if it desires the MVBCC’s participation.

ALTERNATIVES

1. Approve the renewal of the Agreement for Services with the two chambers (MVCC and MVHCC) as proposed per the established funding levels.

   Staff recommends this alternative because the renewal of the Agreements as proposed properly compensates each chamber commensurate with their respective proposed scopes of work.

2. Reject the renewal of the Agreements and direct staff to pursue changes to the Agreement for Services.

FISCAL IMPACT

As part of the FY 2010/11 Agreements for Services, City staff recommends adopting the following "Schedule of Compensation" for services rendered. This type of format clearly spells out the service delivery established through the contractual relationship between the City and the respective chambers of commerce. The funding source for these services will be from FY 2010/11 Budget, Account No. 010.21110.6255, Economic Development, Other Professional Services.

Chambers of Commerce Compensation

	TYPE OF SERVICE	MVCC	MVHCC
☐	Basic Business Support and Retention Services	$8,000*	$2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage master Community Calendar)	12,500**	N/A
☐	Proposed Cooperative Programs (Shop Moreno Valley)	500	500
	Total	**$24,000**	**$6,000**

**Note: MVCC's compensation is higher because of a larger membership base.*

***Note: MVCC performs a variety of other programs that benefit the business community and enhance the overall economic development efforts of the City.*

CITY COUNCIL GOALS

Positive Environment: Create a possible environment for the development of Moreno Valley's future.

SUMMARY

The City contracts with the chambers of commerce for business support services. Through the Agreements for Services, the City shall compensate the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce for a variety of specified services.

ATTACHMENTS/EXHIBITS

Exhibit A: Proposed Agreement and Scope of Services for the Moreno Valley Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Exhibit B: Proposed Agreement and Scope of Services for the Moreno Valley Hispanic Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Prepared By:
Denise Bagley
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~, 2010 by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments in advance of each calendar quarter to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $24,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in FY ~~2009-10~~ 2010-11. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director	~~Executive Director~~ President
Economic Development Department	Moreno Valley Chamber of Commerce
City of Moreno Valley	~~22500 Town Circle, Suite 2090~~
P. O. Box 88005	12625 Frederick Street, E-2
Moreno Valley, CA 92552-0805	Moreno Valley, CA 92553

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber Executive Director as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and al losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly

or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of

Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous

places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY	MORENO VALLEY CHAMBER OF COMMERCE
By: _____	By: _____
Title: _____	Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement
Approved Certificate of Workers' Compensation Insurance

Exhibit A
Moreno Valley Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1 The Moreno Valley Chamber of Commerce ("Chamber") will continue to sponsor and operate Wake-Up Moreno Valley.

Article 2 The Chamber will assist the City in its relationship with March Air Reserve Base and keep the City informed of the activities of the Military Affairs Committee.

Article 3 The Chamber will serve as an information source for businesses seeking opportunities in Moreno Valley, as well as functioning as a visitor and information center.

Article 4 Chamber will provide a personal welcome to new businesses and offer assistance in contacting governmental agencies.

Article 5 Chamber will assist the City Economic Development staff in business retention and small business legislative support; including active participation and coordination of the Business Roundtable, Leadership Moreno Valley, and the Economic Development Department Business Visitation Programs.

Article 6 Chamber will create and maintain a master community calendar as part of their Special Events function and keep the City advised on a monthly basis. Included with this calendar will be the specific events and activities of the other local Chambers of Commerce.

Article 7 The Chamber will maintain their ongoing committees and the services provided through those committees.

Article 8 Chamber will continue to provide maps of the city, including any updating as necessary.

~~Article 9 Chamber will provide City a complete roster of dues paying members including names and addresses annually.~~

~~Article 10 Chamber will have a membership performance goal of increasing membership by 10% in one year.~~

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 11 Chamber shall cooperate with the Moreno Valley Hispanic and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one of the three annual Mega Mixers.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Article 12 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in bi-monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 13 Chamber shall participate with the Moreno Valley Hispanic Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 14 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 15 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 16 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 17 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Exhibit B
Moreno Valley Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 8,000
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage a Master Community Calendar)	12,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program~~s~~: Shop Moreno Valley Campaign ~~Employment Resource Center~~	 2,000 ~~500~~
	Total	**$ 24,000**

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/11/2009

PRODUCER
CS&S/ASSOCIATED PRODUCERS INSURANCE
PO BOX 946580
Maitland, FL 32794-6580
1-877-724-2669

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: American Casualty Co of Reading, PA	20427 A(XV) CA
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
MORENO VALLEY CHAMBER OF COMMERCE
12625 Frederick Street, Ste E-3
Moreno Valley, CA 92553

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [X] LOC	2091080061	12/22/09	12/22/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
						MED EXP (Any one person)	$ 10,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS - COMP/OP AGG	$ 2,000,000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$

RISK MANAGEMENT
Approved
M. Alonzo 11-23-09
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Certificate Holder is named as Owner/Lessee/Contractor (A)

CERTIFICATE HOLDER
The City of Moreno Valley; Moreno Valley Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

CNA Small Business Service Center
PO Box 946580
Maitland, FL 32794-6580

000008

The City of Moreno Valley; Moreno Valley
Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

0000300000000000000111109030 7

SB-300120-A
(Ed. 01/06)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization: EFFECTIVE 12/22/2009 TO 12/22/2010 CNP 2091080061
THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 FREDERICK STREET, MORENO VALLEY, CA 92552
* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

CNA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

Effective: 12/22/08 to 12/22/09
Moreno Valley Chamber of Commerce - Pol # 2091080061

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization:

City of Moreno Valley
Moreno Valley Community Services District,
Redevelopment Agency of the City of Moreno Valley
14177 Frederick St., Moreno Valley, CA 92552

* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

POLICYHOLDER · ·Y SK

STATE COMPENSATION INSURANCE FUND

NR-5 (CA)

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 05-01-2009

GROUP:
POLICY NUMBER: 1344343-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 05-01-2010
05-01-2009/05-01-2010

CITY OF MORENO VALLEY SK
P.O. BOX 88005 , 14177 FREDERICK STRE
MORENO VALLEY CA 92552-0805

This is to certify that we have issued a valid Workers' Compensation Insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 days advance written notice to the employer.

We will also give you 30 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

Jamea Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #2065 ENTITLED CERTIFICATE HOLDERS' NOTICE EFFECTIVE 05-01-2004 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

RISK MANAGEMENT
Approved

M. Alloy — By
5-5-09 — Date

EMPLOYER

MORENO VALLEY CHAMBER OF COMMERCE, A SK
NON-PROFIT CORP.
22500 TOWN CIR STE 2080
MORENO VALLEY CA 92553

M0409

PRINTED : 04-17-2009

(REV.2-05)

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~ 2010, by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY HISPANIC CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $6,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in ~~FY 2009/10~~ FY 2010/2011. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

Exhibit B

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director Economic Development Department City of Moreno Valley P. O. Box 88005 Moreno Valley, CA 92552-0805	President, Moreno Valley Hispanic Chamber of Commerce P.O. Box 246 Moreno Valley, CA 92556

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber President as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees,

and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage

shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied,

pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY

By: _____

Title: _____

Date: _____

MORENO VALLEY HISPANIC CHAMBER OF COMMERCE

By: _____

Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement

Approved Certificate of Workers' Compensation Insurance

Moreno Valley Hispanic Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1: The Moreno Valley Hispanic Chamber of Commerce ("Chamber") will provide participation / sponsorship in the following committees, services, and/or events:

1. ~~Maintain the Chamber Membership Committee~~.
2. Conduct the Cinco de Mayo Fiesta.
3. Participate in the City's Fourth of July Parade/Celebration.
4. Celebrate Hispanic Heritage Month - September.
5. Participate in and support the Sister City Program with San Juan de Los Lagos.
6. Sponsor and operate monthly Adelante! Moreno Valley events and Chamber mixers to support Moreno Valley businesses.
7. Conduct an annual Installation Dinner and Recognition of the outstanding member Business of the Year.
8. Cooperate with the Moreno Valley Chamber of Commerce in their production of a master community calendar by providing logistical information about the Moreno Valley Hispanic Chamber of Commerce's specific events and activities by the 10th day of each month.
9. Support the City of Moreno Valley through operation of the Se Habla Español program, which promotes Moreno Valley's businesses to Spanish-speaking residents.
10. Facilitate Communication between Hispanic Business Owners and the City.
11. ~~Facilitate communication between the Hispanic community and the two school districts~~. Award an annual college scholarship to a Moreno Valley student(s).
12. ~~Partner with Small Business Administration and other governmental agencies that provide business seminars for Hispanic businesses.~~
13. Continue to operate as point of contact for businesses seeking relocation to Moreno Valley.
14. Assist the City Economic Development staff with business retention and small business legislative support; including active participation and coordination of the Business Roundtable, and the Economic Development Department's Business Visitation Program.

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 2 Chamber shall cooperate with the Moreno Valley and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one annual Mega Mixer.

Article 3 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 4 Chamber shall participate with the Moreno Valley Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 5 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 6 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 7 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 8 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

Exhibit B
Moreno Valley Hispanic Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program: Shop Moreno Valley Program ~~Workforce Development Employment Center)~~	~~500~~ 2,000 ~~500~~
	Total	**$ 6,000**

ACORD® CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/15/2010

PRODUCER
MARSHALL C. SCOTT STATE FARM INSURANCE
23020 ATLANTIC CIRCLE
MORENO VALLEY, CA 92553

THIS CERTIFICATE IS ISSUED AS MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
THE MORENO VALLEY HISPANIC CHAMBER OF COMMERCE
P.O. BOX 246
MORENO VALLEY, CA 92556-0246

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A:	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY	92-XC-2752-9	12/14/2009	12/14/2010	EACH OCCURRENCE	$ 2,000,000
		X COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	$
		CLAIMS MADE OCCUR				MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$
		GEN'L AGGREGATE LIMIT APPLIES PER:				GENERAL AGGREGATE	$ 4,000,000
		POLICY PRO-JECT LOC				PRODUCTS - COMP/OP AGG	$ 4,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		ANY AUTO				BODILY INJURY (Per person)	$
		ALL OWNED AUTOS				BODILY INJURY (Per accident)	$
		SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	$
		HIRED AUTOS					
		NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$
		OCCUR CLAIMS MADE				AGGREGATE	$
		DEDUCTIBLE					$
		RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS / OTHER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

RISK MANAGEMENT
Approved
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
LOCATION OF OPERATION: 23020 ATLANTIC CIRCLE, MORENO VALLEY, CA 92553, DEDUCTIBLE: $500
DESCRIPTION OF OPERATIONS: MONTHLY BOARD OF DIRECTORS MEETING AND ALL OTHER MVHCC ACTIVITIES HELD AT RIVERSIDE COUNTY REGIONAL MEDICAL CENTER
ADDL INSURED: THE COUNTY OF RIVERSIDE, ITS AGENCIES, DISTRICTS, SPECIAL DISTRICTS, AND DEPARTMENTS, THEIR RESPECTIVE DIRECTORS, OFFICERS, BOARD OF SUPERVISORS, EMPLOYEES, ELECTED OR APPOINTED OFFICIALS, AGENTS OR REPRESENTATIVES, 26520 CACTUS AVE., MORENO VALLEY, CA 92555

CERTIFICATE HOLDER

ADDL INSURED: The Community Redevelopement Agency of the City of Moreno Valley Services District
14075 Frederick st Moreno Valley Ca 92553

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

The registration notices indicate ownership of the marks by their respective owners ©ACORD CORPORATION 1988, 2007

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

By Date 5-10-10

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

M. Alloy 5-10-10
By Date

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Alonso 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

☐ **SECTION I.** This applies only to **COVERAGE A - BUILDINGS.**

☐ **SECTION I.** This applies only to **COVERAGE B - BUSINESS PERSONAL PROPERTY.**

Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. structural alterations or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Allen 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

☐ **SECTION I.** This applies only to **COVERAGE A - BUILDINGS.**

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Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. **structural alterations** or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

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MV00060634

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND ADOPT THE PROPOSED RESOLUTION TO AUTHORIZE THE EXECUTION OF PROGRAM SUPPLEMENTAL AGREEMENT NO. 025-N TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIPL 5441 (046), HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve and adopt Resolution No. 48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

BACKGROUND

In 2008, the Transportation Engineering Division successfully applied for HSIP funds to retrofit 117 signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment. This equipment allows fire trucks, police vehicles, and ambulances to pre-empt traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

On August 26, 2008, Caltrans District 8 announced the release of the HSIP (cycle 2) list of approved projects for FFY 2007/08 and 2008/2009. The list contained 173 projects totaling more than $67 million of federal safety funds. The list was waiting to be programmed into the Federal Transportation Improvement Program (FTIP)

On February 10, 2009, the City received notification from Southern California Association of Government (SCAG) that the above HSIP (cycle 2) list of approved projects for FY 2007/08 and 2008/2009 were programmed in the FTIP.

The approved Emergency Vehicle Pre-emption (EVP) equipment project is for $1,000,000 and requires local match funding of 10%. This includes the total estimated cost of preliminary engineering and construction.

On April 13, 2010, the City received authorization from the Department of Transportation to proceed with the preliminary engineering for the project.

DISCUSSION

One aspect of the HSIP program is to assist local agencies with providing safer routes for emergency vehicles traveling through signalized intersections. Emergency vehicle pre-emption systems aid public safety by: 1) Reducing the need for emergency vehicles to run red lights when responding to emergencies; 2) Stopping traffic in conflicting directions while allowing traffic to proceed in the same direction, thereby clearing a path for the emergency vehicle; and 3) Reducing response time to incidents. Studies have shown potential reduction in response times in the range of 14% to 23%.

To receive $18,900 in federal reimbursement for preliminary engineering, the Program Supplement Agreement must be fully executed and have an authorizing resolution that clearly identifies the project and the Official authorized to execute the agreement.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will allow the City to receive the Highway Safety Improvement Program reimbursement for the project preliminary engineering.*

2. Do not approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State

Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and do not authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will prohibit the City from receiving any Highway Safety Improvement Program reimbursement.*

FISCAL IMPACT

Program Supplement Agreement No. 025-N, to the Administering Agency-State Agreement for the preliminary engineering for Emergency Vehicle Pre-emption (EVP) equipment, will provide for reimbursement of up to $18,900 in federal funds. The program requires local match funding of 10%. The total cost of preliminary engineering is estimated at $21,000. Local matching funds for this grant are included in the Public Works CIP budget for FY 09/10.

The City will be required to use its own funds to complete this project and then receive progress reimbursement during each phase of the project. The City will use Development Impact Fee (DIF) Account No. 417.79129 funds for the project. This is approved funding for FY 09/10. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. **There is no impact to the General Fund.**

ANTICIPATED PROJECT SCHEDULE:

Prepare Required Documents for Preliminary Engineering ..... August 2010

Design completion ..... September 2010

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of the Agenda

ATTACHMENTS

Attachment "A" – Proposed Resolution
Attachment "B" - Location Map
Attachment "C" - Program Supplement No. 0000

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 025-N, TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIP 5441 (046) BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION, AND THE CITY OF MORENO VALLEY, FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

WHEREAS, the HSIP program allows government agencies to apply for grants in an effort to retrofit existing signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment to allow fire trucks, police vehicles, and ambulances to cause traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

WHEREAS, it appears to be in the City's best interest to apply for such funding; and

WHEREAS, 117 existing signalized intersections throughout the City are eligible to receive federal grant funding, up to a maximum of $18,900, for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment through the Highway Safety Improvement Program; and

WHEREAS, the City of Moreno Valley will be reimbursed up to a maximum of $18,900 in federal funds for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment; and

WHEREAS, the City of Moreno Valley will contribute local match funding of 10%; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: Program Supplement Agreement 025-N to Administering Agency-State Agreement No. 08-5441R for Federal Funded Projects between the State of California, acting by and through the Department of Transportation, and the City of Moreno Valley, provides funding for the individual project and said program Supplement Agreement No. 025-N is hereby approved. The Public Works Director/City Engineer shall execute the same on behalf of the City.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

W:\TrafficEng\alank\HSIP\Cycle 2\Satff Reports and Resolutions\RESOLUTION NO 2010-000- Preliminary Engineering.doc

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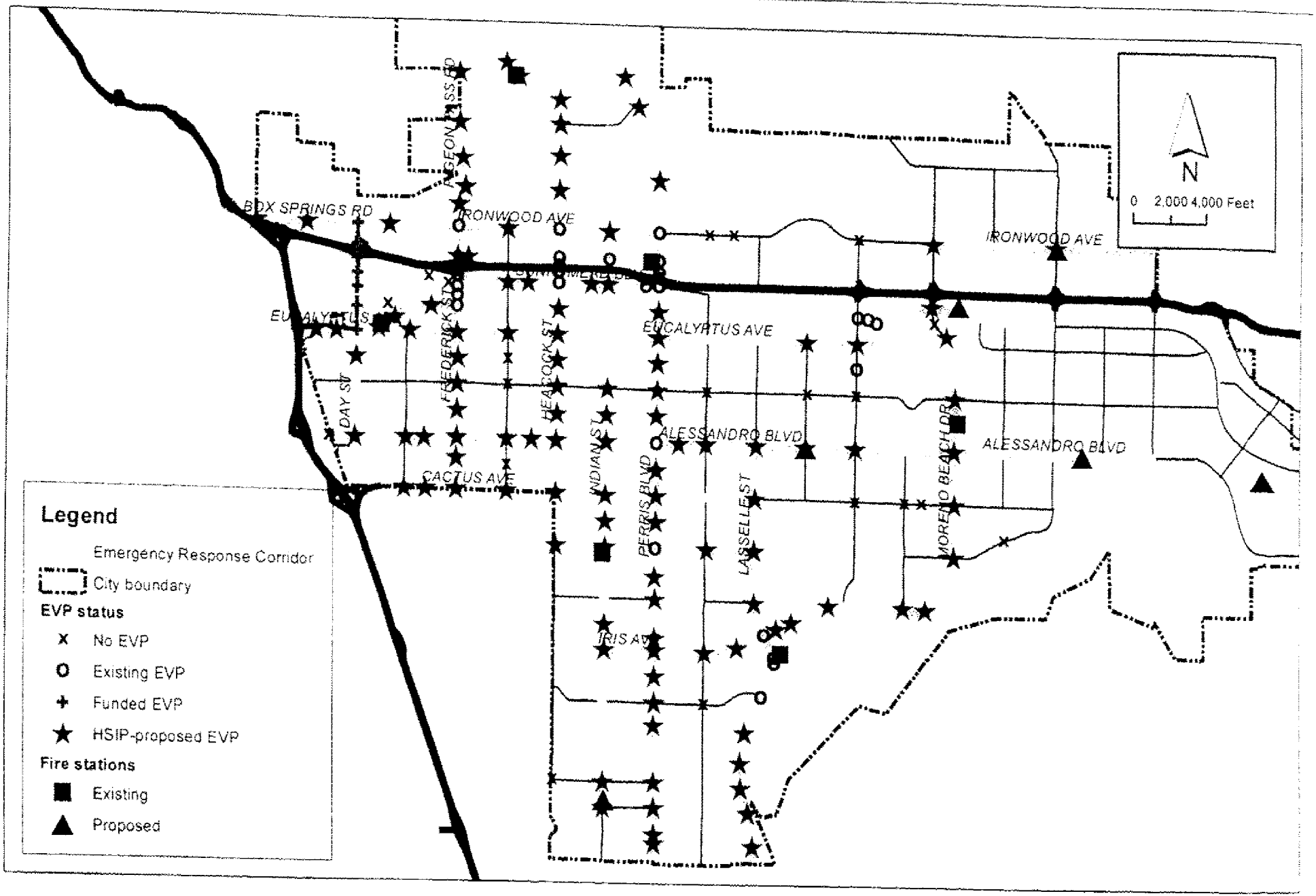

City of Moreno Valley
HSIP Grant Application
Proposed EVP Locations

Attachment "B"

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MV00060644

PROGRAM SUPPLEMENT NO. N025
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 08-5441R

Date: April 27, 2010
Location: 08-RIV-0-MORV
Project Number: ISIPL-5441(016)
E.A. Number: 08-925157

This Program Supplement hereby incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 05-29-07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by State of any funds derived from sources noted below obligated to this project, the Administering Agency accepts and will comply with the Special covenants or Remarks setforth on the following pages.

PROJECT LOCATION:
At 117 signalized intersections in Moreno Valley

TYPE OF WORK: Emergency vehicle pre-emption system

LENGTH: 0 (MILES)

Estimated Cost	Federal Funds		Matching Funds		
	LS30		LOCAL		OTHER
$21,000.00		$18,900.00	$2,100.00	$0.00	$0.00

CITY OF MORENO VALLEY

By _____

Date _____

Attest _____

Title _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____ Date 4/23/10 $18,900.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT
1	2009	2660-102-890	2009-2010	20.30.010.550	C	262042	892-F	18,900.00

SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

2. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

3. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

   If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

   ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

4. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is

SPECIAL COVENANTS OR REMARKS

incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

5. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

6. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award or with submittal of the ADMINISTERING AGENCY's first invoice for the construction contract, whichever is earlier.

   Failure to do so will cause a delay in the State processing invoices for the construction phase.
   Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

7. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

   ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to

SPECIAL COVENANTS OR REMARKS

the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the DistrictLocal Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney.

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

BACKGROUND

On October 23, 2007 the Community Redevelopment Agency was authorized to issue Series A tax allocation bonds (the "Series A Bonds") in an amount not to exceed $55 million to finance projects. One of the Series A projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement

Project. This bond funded project must be completed in an expeditious manner in order to meet stipulated expenditure targets within specific timeframes established by the IRS for tax-exempt financing. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration (MND) for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

In October 2009, environmental permit applications were prepared and submitted to the United States Army Corps of Engineers, California Department of Fish and Game (CDFG), and the California Regional Water Quality Control Board. The submittal of applications initiated the permit negotiation process with the three resource agencies.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, completing the acquisition of all necessary right-of-way for the improvements.

On May 13, 2010 CDFG issued the Agreement Regarding Proposed Stream or Lake Alteration for City signature.

The project is currently being advertised for construction bids with a scheduled bid opening date of June 15, 2010.

DISCUSSION

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements on the south side only from Heacock Street to Nita Drive will construct: storm drain Line H along Ironwood Avenue from Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive.

The improvements on Ironwood Avenue from Heacock Street to Perris Boulevard will construct: missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, traffic signal modifications for the intersections of Indian Street at Ironwood Avenue, and Perris Boulevard at Ironwood Avenue, street lights, right-of-way acquisition, and relocation of Southern California Edison (SCE) transmission poles.

The City is required to mitigate permanent and temporary impacts resulting from this project as part of the project MND approved by City Council on March 24, 2009. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, CDFG, and California Regional Water Quality Control Board. The City Council is requested to authorize the Public Works Director to execute the Agreement Regarding Proposed Stream or Lake Alteration, as well as any amendments, subject to approval of the City Attorney. This agreement with CDFG is required as part of the environmental mitigation for the project. As a result of negotiations with the resource agencies, the resulting CDFG agreement stipulates that the City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at a pre-approved CDFG location. Upon payment of the mitigation fee, the resource agencies concurrence to proceed with construction is achieved. The SAWA, a CDFG sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts.

SAWA has provided an estimate of $148,500, based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 10% is included in the event of adjustments. This action is necessary at this time in order to obtain final permits, keep the project on-schedule, and avoid starting construction during the rainy season.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the

Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative allows the City to complete the project on schedule.*

2. Do not authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, do not authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and do not authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625). These funds utilized for this project are designated for capital improvements only. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Total Available Funds	**$3,841,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$64,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
SAWA In-Lieu Fees	$163,000
Total Estimated Project Costs	**$3,027,000**

ANTICIPATED SCHEDULE:

Complete Design and Permitting	April 2010
Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

It is critical to conform to the above listed schedule to avoid the rainy season window due to the nature of these flood control improvements, otherwise, the project may be deferred by approximately 5-6 months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is required to mitigate permanent and temporary impacts resulting from this project. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, California Department of Fish and Game, and California Regional Water Quality Control Board. As a result of negotiations with the resource agencies, CDFG requires the City to provide funds to SAWA in order to mitigate for the environmental impacts at project site. Signature on the Agreement Regarding Proposed Stream or Lake Alteration and demonstration of payment of mitigation fee to SAWA will allow project construction to proceed.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement Regarding Proposed Stream or Lake Alteration

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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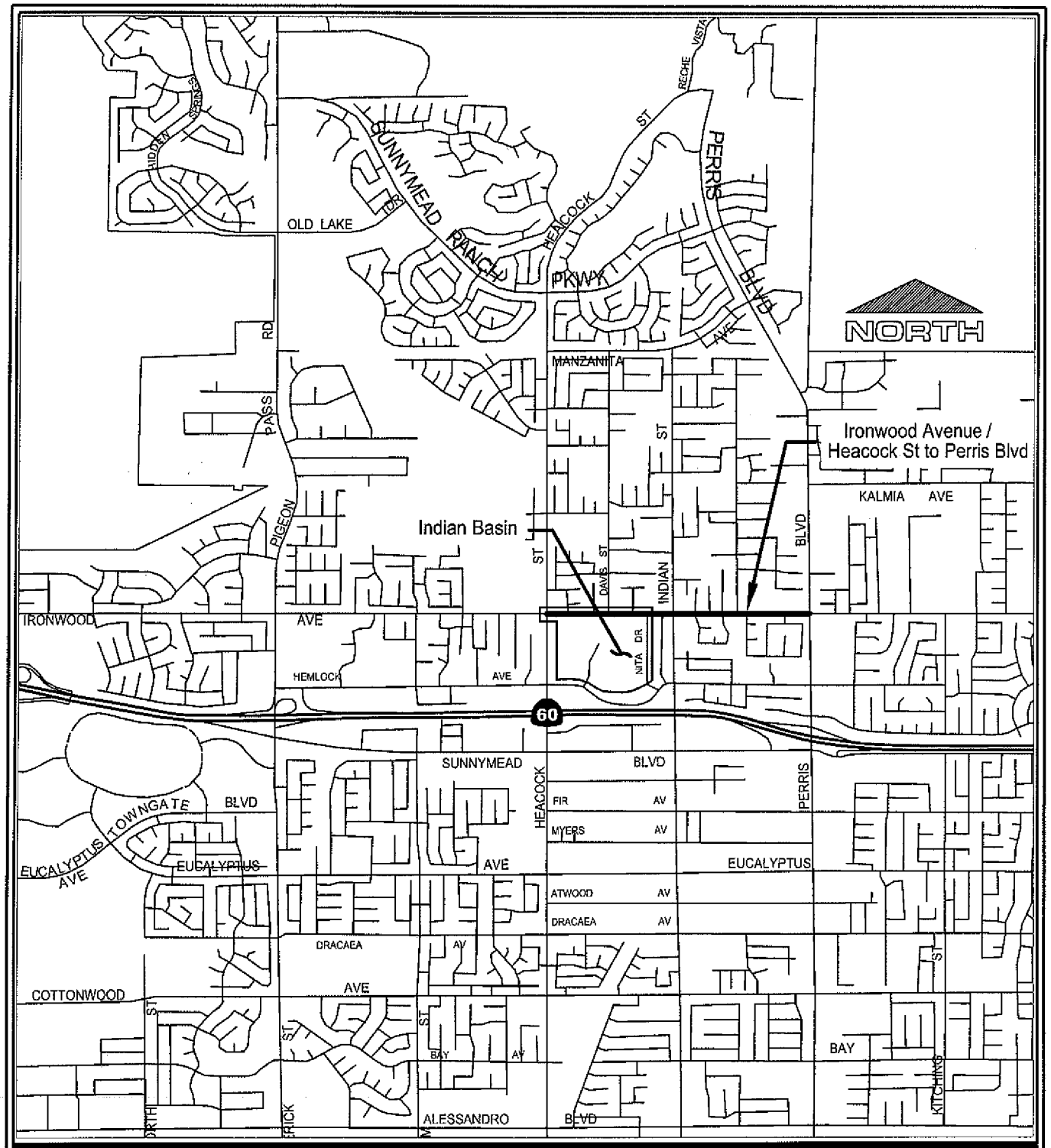

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
Phone (909) 484-0459
Fax (909) 481-2945

Notification No. 1600-2009-0115-R6 (Revision 2) May 13, 2010

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereafter called the **Department**, and the City of Moreno Valley, represented by Ms. Margery Lazarus, 14177 Frederick Street, City of Moreno Valley, State of California, 92552, Phone (951) 413-3133, hereafter called the **Permittee**, is as follows:

WHEREAS, pursuant to Section 1602 of the California Fish and Game Code, the Permittee, on the 27th day of October 2009, notified the Department that to develop the Ironwood Avenue and Indian Detention Basin Improvements Project, they intend to divert or obstruct the natural flow of, or change the bed, channel, or bank of, or use material from the streambed of the following waters: **Bale Creek**, an **Unnamed Creek**, and **Indian Detention Basin**, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, City of Moreno Valley, County of Riverside, Township 3 South, Range 3 West, Section 6, Sunnymead, California USGS Quadrangle.

WHEREAS, the Department (represented by Ms. Anna Milloy) has determined that such construction may substantially adversely affect those existing fish and wildlife resources within the creeks and basin, referenced above in paragraph 2 of this page, including songbirds, raptors, other birds, reptiles, mammals, amphibians, plants and all other fish and wildlife resources, including that riparian vegetation which provides habitat for such species, in the area.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife resources during the **Permittee's** work. The Permittee hereby agrees to accept the following measures/conditions as part of the proposed work.

If the Permittee's work changes from that stated in the notification specified above, this Agreement is no longer valid and a new notification shall be submitted to the Department. Failure to comply with the provisions of this Agreement and with other pertinent code sections, including but not limited to Fish and Game Code Sections 1602, 5650, 5652, 5937, and 5948, may result in prosecution.

Nothing in this Agreement authorizes the Permittee to trespass on any land or property, nor does it relieve the Permittee of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated Agreement does not constitute Department endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This Agreement becomes **effective the date of Department's signature and terminates on May 13, 2012,** for construction of the proposed project only. This Agreement shall remain in effect for that time necessary to satisfy the terms/conditions of this Agreement. Any provisions of the agreement may be amended at any time provided such amendment is agreed to in writing by both parties. Mutually approved amendments become part of the original agreement and are subject to all previously negotiated provisions. The Permittee may request one extension of the agreement period. The extension shall be requested prior to the termination date of the agreement.

Attachment "B"

1. The following provisions constitute the limit of activities agreed to and resolved by this Agreement. The signing of this Agreement does not imply that the Permittee is precluded from doing other activities at the site. However, activities not specifically agreed to and resolved by this Agreement shall be subject to separate notification pursuant to Fish and Game Code Sections 1600 et seq.

Project/Site Description

2. The project site is located within Bale Creek, an Unnamed Creek, and Indian Detention Basin, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, in the City of Moreno Valley, County of Riverside. For the Ironwood Avenue and Indian Detention Basin Improvements Project, the Permittee is proposing to make improvements to Ironwood Avenue on the north side from Heacock Street to Perris Boulevard, and on the south side from Heacock Street to Indian Avenue. The project will also include improvements to the local storm drain systems, Lines H and H-1A, which drain into the existing Indian Detention Basin. Lines H and H-1A will be extended to the intersection of Ironwood Avenue and Davis Street, and directed south to Indian Detention Basin over the Unnamed Creek, which will be permanently filled and used as a maintenance road for the basin. A small portion of Bale Creek will also be filled in association with the extension of Line H. Impacts to the Indian Detention Basin include the installation of a concrete and riprap outlet structure where Lines H and H-1A will enter the basin and construction of the maintenance road and an access ramp into the basin. The project will temporarily impact 0.26 acres of jurisdictional areas, consisting of 0.17 acres of riparian habitat and 0.08 acres of streambed. The project will permanently impact 0.48 acres of jurisdictional areas, consisting of 0.04 acres of wetland habitat, 0.41 acres of riparian habitat, and 0.02 acres of streambed. Total project impacts of 0.74 acres of jurisdictional areas are authorized under this Agreement.

3. The Permittee shall not impact more than 0.74 acres of Departmental jurisdictional areas. If impacts to drainages or riparian habitat exceed that authorized in Condition 2 of the Agreement, the Permittee shall mitigate at a minimum 5:1 replacement-to-impact ratio for the impacts beyond those previously authorized by this Agreement and submit a new lake or streambed alteration notification for the entire project. All mitigation shall be approved by the Department.

Mitigation, Monitoring, and Reporting

4. To mitigate for project impacts, the Applicant shall provide sufficient funds to the Santa Ana Watershed Association (SAWA) for the active removal of **no less than 1.98 acres** of Tamarisk (*Tamarix* spp.) and other nonnative plant species within the San Jacinto River. A report shall be submitted to the Department annually (by SAWA), documenting the progress of the enhancement site. Photos of the enhancement site shall be included in the annual reports. The funding provided to SAWA shall include the cost of the initial removal, and monitoring, maintenance, and reporting of the enhancement site for a minimum of five years. **Prior to the initiation of any project activities in jurisdictional areas and within 90 days of signing this Agreement**, the Applicant shall submit to the Department for review and approval written documentation certifying the contribution of funds to SAWA for the enhancement effort.

5. An annual report shall be submitted by SAWA to the Department for a minimum of five years following initial Tamarisk and nonnative plant removal. At a minimum, this report shall include the following information: (1) information regarding Tamarisk and nonnative plant removal, including: (a) the methods used for removal, (b) the amount removed and/or treated, (c) the frequency and timing of removal and treatment, (d) disposal specifics, and (e) a summary of the general successes and failures or failure of the nonnative removal plan; and (2) information regarding native plant species recruitment, including: (a) the types of native plants recruited, including species' names, and (b) the amount of native plants recruited by

species. The report shall also include wildlife species observed at the enhancement site during monitoring surveys including sensitive species and/or listed species. Photos from designated photo stations shall be included. The first annual report is due to the Department **no later than June 1, 2011**.

Site Access

6. The Department reserves the right to enter the project site at any time to ensure compliance with the terms and conditions of this Agreement. The Permittee herein grants to Department employees and/or their consultants (accompanied by a Department employee) the right to enter the project site at any time, to ensure compliance with the terms and conditions of this Agreement and/or to determine the impacts of the project on wildlife and aquatic resources and/or their habitats.

Verification of Compliance

7. The Department shall verify compliance with protective measures to ensure the accuracy of the Permittee's mitigation, monitoring, and reporting efforts. The Department may, at its sole discretion, review relevant documents maintained by the Permittee, interview the Permittee's employees and agents, inspect the work site, and take other actions to assess compliance with or the effectiveness of protective measures in this Agreement.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

8. The issuance of this Agreement does not authorize the take of any state and/or federally listed threatened, endangered, or fully protected species. Additionally, it does not infer that the project is consistent with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) or that the project is a Biologically Equivalent or Superior Preservation Alternative. If modifications to the project are necessary to meet MSHCP requirements because the project is found during the MSHCP review process to be inconsistent with the MSHCP and/or the Western Riverside County Regional Conservation Authority (RCA) and/or Wildlife Agencies (Department and/or U.S. Fish and Wildlife Service) do not agree the project is a Biologically Equivalent or Superior Preservation Alternative, then a request for an amendment to this Agreement will be required.

Burrowing Owl Mitigation Measures

9. To avoid direct take of burrowing owls, a qualified biologist shall conduct burrowing owl preconstruction surveys of the project site following the 1993 Burrowing Owl Consortium Guidelines (BOCG). Surveys shall be conducted no later than 30 days prior to initiation of project activities. If owls are found onsite, no disturbance shall occur within 300 feet of the occupied burrow during the nesting season (March 1 through August 31). Owls may be passively relocated (following BOCG) outside the breeding season by a qualified biologist. A relocation plan shall be submitted to the Department for review and approval.

Notification to the California Natural Diversity Database

10. If any sensitive species are observed on or in proximity to the project site, or during project surveys, the Permittee shall submit California Natural Diversity Data Base (CNDDB) forms and maps to the CNDDB within five working days of the sightings, and provide the regional Department office with copies of the CNDDB forms and survey maps. The CNDDB form is available online at: www.dfg.ca.gov/whdab/pdfs/natspec.pdf. **This information shall be mailed within five days to:** California Department of Fish and Game Natural Diversity Data Base, 1807 13th Street, Suite 202, Sacramento, CA 95814, Phone (916) 324-3812. A copy of this information shall also be mailed within five days to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

Project Construction

11. The Permittee shall not remove vegetation from the project site from March 15 to September 15 to avoid impacts to nesting birds. If project construction cannot be avoided during the period of March 15 through September 15, the Permittee shall have a qualified biologist survey all potential nesting vegetation within the project site for nesting birds, prior to commencing project activities (including construction and/or site preparation). Surveys shall be conducted once a day for five days at the appropriate time of day during the breeding season and surveys shall end no more than three days prior to vegetation removal and/or disturbance. Documentation of surveys and findings shall be submitted to the Department for review and concurrence prior to conducting project activities. If no nesting birds were observed and concurrence was received from the Department, project activities may begin. If an active bird nest is located, the nest site shall be fenced a minimum of 200 feet (500 feet for Least Bell's vireo, Southwestern willow flycatcher, and/or raptors) in all directions, and this area shall not be disturbed until after September 15 and until the nest becomes inactive. If threatened or endangered species are observed in the area, no work shall occur during the breeding season (March 15 through September 15) to avoid direct or indirect (noise) take of listed species.

12. Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory non-game birds (as listed under the Migratory Bird Treaty Act).

13. A qualified biologist shall be onsite to monitor all activities that result in the clearing or grading of sensitive habitat as well as grading, excavation, and/or other ground-disturbing activities in jurisdictional areas. The Permittee shall flag the limits of grading and the jurisdictional areas, perform necessary surveys, and take photographs during the construction process, as required by this Agreement. The biological monitor is required to halt construction activities if threatened or endangered species are identified and notify the appropriate agencies immediately.

Lighting Impacts

14. No lighting, except that in existence or required for public safety shall be allowed to impact jurisdictional areas, and the lighting and fencing for infrastructure adjacent to jurisdictional areas shall be designed or reviewed by a qualified biologist to allow wildlife to move within the open space and conserved areas without hindrance.

Setbacks from Jurisdictional Areas

15. The Department recommends the use of native plants to the greatest extent feasible in the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels. The Permittee shall not plant, seed, or otherwise introduce invasive nonnative plant species to the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels (minimum 100 foot setback from open space areas and 150 foot setback from stream channels and wetland/riparian mitigation sites). Invasive nonnative plant species not to be used include those species listed on the "California Invasive Plant Inventory, February 2006" and the "February 2007 Inventory Update", (which are updates to Lists A & B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999"). This list includes: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, bush lupine, sweet alyssum, English ivy, French broom, Scotch broom, Spanish broom, and pepperweed. A copy of the complete list can be obtained by contacting the California Invasive Plant Council by phone at (510) 843-3902, at their website at www.cal-ipc.org, or by email at info@cal-ipc.org.

16. The Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.

17. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance.

18. Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.

19. Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by the Permittee or any party working under contract or with the permission of the Permittee, shall be removed immediately.

20. No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any lake, streambed, or flowing stream.

21. No equipment maintenance shall be done within or near any lake, streambed, or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.

22. The Permittee shall notify the Department, in writing, at least five (5) days prior to initiation of project activities in jurisdictional areas as noted in Condition 2 above, and at least five (5) days prior to completion of project activities in jurisdictional areas as noted in Condition 2 above. Notification shall be mailed to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

23. The Permittee shall **provide a copy of this Agreement to all contractors, subcontractors, and project supervisors. Copies of the Agreement shall be readily available at work sites at all times during periods of active work** and must be presented to any Department personnel, or personnel from another agency upon demand.

Change of Conditions

24. The Permittee shall notify the Department of any change of conditions to the project, the jurisdictional impacts, or the mitigation efforts, if the conditions at the site of a proposed project change in a manner which increases or decreases the risk that a fish or wildlife resource may be substantially adversely affected by the proposed project. The notifying report shall be provided to the Department no later than seven (7) days after the change of conditions is identified. As used here, change of condition refers to the processes, procedures, and methods of operation of a project, the biological and physical characteristics of a project area, or the laws or regulations pertinent to the project as defined below.

A. Biological conditions: a change in biological conditions includes, but is not limited to the following: 1) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, not previously known to occur in the area; or 2) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

B. Physical conditions: a change in physical conditions includes, but is not limited to the following: 1) a change in the morphology of a river, stream, or lake, such as the lowering of a bed or scouring of a bank, or changes in stream form and configuration caused by flooding; 2) the movement of a river or stream channel to a different location; 3) a reduction of or other change in riparian vegetation on the bed, channel, or bank of a river, stream, or lake, or 4) changes to the hydrologic regime such as fluctuations in the timing or volume of water flows in a river or stream.

C. Legal conditions: a change in legal conditions includes, but is not limited to the following: a change in Regulations, Statutory Law, a Judicial or Court decision, or the listing of a species for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

Extension of Agreement

25. The term of this Agreement shall not exceed five years in accordance with Fish and Game Code Section 1605. The Permittee may request one (1) extension of this Agreement prior to its termination for a period up to five (5) years, subject to Department approval. The extension request and fees shall be submitted to the Department's Region 6 Office at the above address. If the Permittee fails to request the extension prior to the agreement's termination then the Permittee shall submit a new notification with fees and required information to the Department. Any activities conducted under an expired agreement are a violation of Fish and Game Code Section 1600 et seq.

Suspension of Permit

26. The Department reserves the right to suspend or revoke this Agreement, after giving notice to the Permittee, if the Department determines that the Permittee has breached any of the terms or conditions of this Agreement, or for other reasons, including but not limited to the following:

A. The Department determines that the information provided by the Permittee in support of the notification/agreement is incomplete or inaccurate;

B. The Department obtains new information that was not known to it in preparing the terms and conditions of the agreement;

C. The project or project activities as described in the notification/agreement have changed; or

D. The conditions affecting fish and wildlife resources change or the Department determines that project activities will result in a substantial adverse effect on the environment.

Concurrence (1600-2009-0115-R6)

In WITNESS WHEREOF, the parties below have executed this Lake or Streambed Alteration Agreement Number 1600-2009-0115-R6 (Revision 2) as indicated below:

Date	City of Moreno Valley Chris A. Vogt, P.E. Public Works Director/ City Engineer	**City of Moreno Valley** **Represented by Ms. Margery Lazarus**
Date		**Ms. Kimberly Nicol** **Deputy Regional Manager** **Department of Fish and Game** **Inland Deserts Region**

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

BACKGROUND

On July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges for the City of Moreno Valley's Electric Utility, or Moreno Valley Utility (MVU). Electric Rule 12 entitled "Rates and Optional Rates" of that document states that the rates to be charged by and paid to the City's utility for electric service will be the rates legally in effect and on file with the Electric Utility Division, Department of Public Works. At its meeting on December 9, 2003, the City Council approved Ordinances 650 and 651 providing for the establishment and adjustment of electric rates by resolution.

DISCUSSION

Consistent with Ordinances 650 and 651, the resolution considered in this action amends MVU's Electric Rates. A complete copy of the proposed *Electric Rates* document is available for review in the Public Works Department, Electric Utility Division office. To ensure the City's rates are just and reasonable and to ensure that the City's rates are set at a level sufficient to cover the utility's costs, it will be necessary for the City Council to approve an adjustment of the rates that MVU charge customers for service from time to time. Due to the structure of MVU's rates, the customer's usage

will ultimately determine the impact of this proposed rate adjustment on their monthly billings.

For example, the proposed rate adjustments considered in this council action will affect a residential customer who uses 600 kWh in a month differently than a customer who uses 1,000 kWh in a month. The proposed rate changes considered in the council action will result in an increase of MVU's rate schedules for both the summer season and winter season. Pursuant to MVU's rates, the summer season begins at 12:00am on the first Sunday in June and continues until 12:00am on the first Sunday in October. The winter season begins at 12:00am on the first Sunday in October, and continues until 12:00am on the first Sunday in June of the following year. Generally speaking, there are four months in the summer season, and eight months in the winter season.

If the City Council approves the proposed rate adjustments, the average MVU residential customer taking service under Schedule A who uses 600 kWh per month will experience an increase in their bill of 0.4% in summer, and an increase of 6.83% in winter. This results in an increase of $0.32 for each summer bill, and a $6.47 increase for each of the winter season's bills. Similarly, an MVU residential customer who uses 1,000 kWh per month will experience a decrease of 7.97% in the summer season, and an increase of 14.84% in the winter season. This results in a $12.93 increase in the customer's monthly bill for summer, and an increase of $27.67 per month for each month of the winter season.

If the City Council approves the proposed rate adjustments, the average MVU small commercial customer taking service under Schedule B who uses 2,978 kWh per month will experience an increase of 5.2% for each month of the summer season, and an 8.0% increase for each month of the winter season. The average MVU large commercial customer taking service under Schedule C who uses 24,531 kWh per month with a demand of 100kW will experience an increase of 4.0% in summer and a decrease of 8.99% in winter. The average MVU large commercial, time-of-use customer taking service under Schedule TOU-LGS who uses 386,896 kWh per month with a demand of 865 kW in summer, and who uses 392,333 kWh per month with a demand of 666 kW in winter, will experience an increase of 3.8% in summer and an increase of 8.8% in winter. Schedule TC-1, MVU's rates for traffic controllers, will increase by 7.6%. MVU's current street light rate schedule (Schedule SL) will increase 2.1% and 2.7% for 9,500 and 22,000 lumen lamps, respectively.

If approved by the City Council, these changes will become effective at 12:00 a.m. on June 9, 2010.

Pursuant to Section 5 of the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City is obligated to adjust its rates from time to time so that the City's electric rates remain roughly equivalent to the otherwise applicable investor owned utility rate schedules. This council action will also true up MVU's rates to comply with this obligation. If adopted, the net impact upon MVU customers will be an increase in rates.

ALTERNATIVES

1. Approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *The amendment of the Electric Rates will allow the City's utility to recover its costs for service, and to offer competitive rates.*

2. Do not approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *This would restrict the City's utility in its ability to recover utility costs, and also its ability to offer competitive rates.*

FISCAL IMPACT

As rates are adjusted, revenues will reflect the adjustments. Utility revenues will increase slightly if the proposed changes are adopted by City Council. These funds are restricted for Moreno Valley Utility purposes.

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.

POSITIVE ENVIRONMENT:
The proposed rate adjustments ensures timely changes to the rates of the City's utility, and helps to create a positive environment for economic development within the community. The City of Moreno Valley will offer competitive rates and will help the City create new, well paying jobs.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution

Prepared By: George Hanson
Electric Utility Division Manager

Department Head Approval: Chris A. Vogt, P. E
Public Works Director/City Engineer

Concurred By: Darcy Ramirez
Senior Financial Analyst

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\Electric Utility\Administration - Finance\Staff Reports\2010 SR's\SR - Rate and Rules Adjustments 8Jun2010.doc

RESOLUTION NO. 2010-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES, AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR MORENO VALLEY UTILITY

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in the document. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates and Electric Service Rules, Fees, and Charges as on file in the Public Works Department and City Clerk's Office.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

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MV00060672

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-8928022-1

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125).

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto.

BACKGROUND

On February 26, 2008, the City Council awarded the Sunnymead Boulevard Revitalization Project (Stage 1) construction contract and authorized the issuance of a Purchase Order in the amount of $5,286,234.80 (the bid amount plus 10% contingency) to Environmental Construction, Inc. (ECI). The ECI contract includes infrastructure improvements and aesthetic enhancements such as a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns.

On November 25, 2008, the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized

the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract includes raised medians, color concrete center turn-lanes, median landscaping, and concrete intersection pavement.

DISCUSSION

The Stage 1 construction work with ECI started in May 2008 and is currently winding down to completion in August 2010. ECI is currently working on the gateway entry arch. Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because all the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. The total requested Change Order increase to the Purchase Order is $195,000. Meanwhile the City and Contractor are working together to resolve several construction claims issues.

The increase in the ECI contract is attributed to the overall value added scope of work augmentation resulting from additional bid item work quantities and the current six Contract Change Orders (CCOs) issued on this project. These CCOs include the widening of the intersection corners at the Sunnymead Boulevard and Heacock Street intersection to enhance turning movements for larger vehicles and commercial trucks while making it safer for pedestrians. This modification required a new traffic signal, poles, signal heads, and service cabinet. Altering the intersection also resulted in the need to install a handrail at the east sidewalk entrance at Bancomer Bank to meet Americans with Disabilities Act (ADA) requirements. ADA requirements also necessitated the installation of truncated domes at each of the intersection curb access ramps. In addition, storm drain improvements and catch basins were constructed near the intersection of Indian Avenue and Sunnymead Boulevard to minimize the intermittent flooding problem at that location. The former City Manager also ordered the re-design of the gateway arch and parkway monument signs resulting in a higher valued gateway arch structure and monument signs with enhanced features and improved continuity throughout the boulevard.

The added improvements enhanced the aesthetic and functional value of the Sunnymead Boulevard project. Despite the fact that the cost of the project went up, the final product provided a superior value for the investment, improved public safety, and enhanced the appearance of the Boulevard. Due to the value added improvements instituted as part of the CCOs and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and authorize the City Manager to execute

the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and do not authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will delay payment to the contractor, delay completion of the improvements and incur extra cost to the City.*

FISCAL IMPACT

The Stage 1 project by ECI was funded with Lease Revenue Bond funds (Fund 501) as budgeted for Fiscal Year 2009/2010.

Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. An increase of $195,000 is requested to increase Purchase Order No. 35442 for ECI from the project's unencumbered budget in 501.82125 to cover the remaining contractual expenditures. The funding for this project is restricted to Sunnymead Boulevard capital improvements and cannot be used for other activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Est. Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Est. Construction Related Costs for Median/Intersection (Stage 2)	($3,499,000)

Breakdown of Stage 1 Related Work

Contractor (includes contingency) (501.82125)	$5,286,000
Requested increase in PO No. 35442 for ECI	**$195,000**
Consultant Construction Management/Inspection Services (includes contingency)	$330,000
Geotechnical Services	$65,000
Survey Services	$70,000
Project Administration*	$352,000
Total Amount for Stage 1 Construction	$6,298,000

Remaining Combined Project Balance in Funds 892, 501, and 125 ..... $429,000

* Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:
Completion of Stage 1 Construction.....August 2010
Completion of Stage 2 Construction..... October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Environmental Construction, Inc. has been constructing the revitalization improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 1). The improved infrastructure and aesthetic enhancements include a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns. Due to the value added improvements instituted as part of the Contract Change Orders and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order by $195,000 from the unencumbered project budget.

ATTACHMENT

Attachment "A" – Change Order Form

Prepared By:
Christopher Wiberg
Senior Engineer, P.E.

Concurred By:
Barry Foster
Economic Development Director Programs

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-1 Sidewalk Parkway Improv\CC Report\060810 pk Staff Rpt Change Order for ECI.doc

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MV00060678

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**5/27/10**	**VENDOR NAME:**	Environmental Construction, Inc.
		VENDOR NO.#	ORIGINAL PO NUMBER
		2342928	35442
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35442 by $195,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-1).	$195,000.00

Notes:		**Change Order Sub Total from Above:**	$195,000.00
		Original P.O. and Prior Change OrderAmount:	$5,286,234.80
		Revised Total Spend:	**$5,481,234.80**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 05/27/2010			
Divison Manager ($15k)		Date:	100.0%	501.82125.7200	$5,481,234.80
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$5,481,234.80

Attachment "A"

V 1.4

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MV00060680

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 8, 2010

TITLE: APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES)

RECOMMENDED ACTION

Staff recommends that the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

BACKGROUND

Memoranda of Understanding (MOU) concerning compensation and other terms and conditions of employment are currently in effect for Fiscal Year (FY) 2009-10 with the three City employee associations: Moreno Valley City Employees Association (MVCEA), Moreno Valley Management Association (MVMA), and Moreno Valley Confidential Management Employees (MVCME). Effective July 1, 2009, each of these MOUs incorporated a new two-tier benefit structure in which new employees' benefit banks would be reduced from $13,629 to $12,000 per year, along with the new employees paying the employee share of the retirement contribution to the California Public Employees' Retirement System (CalPERS).

DISCUSSION

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence, treating the rehire actions as "reinstatements" rather than "new hires". Employees recalled after being laid off are currently reinstated to the same salary and benefits they were receiving prior to the lay-off.

Proposed amendments to the current FY 2009-10 MOUs between the City and the two management associations (MVMA and MVCME) are attached for City Council's consideration. Exhibit "A" is the proposed amendment for the MVMA MOU; Exhibit "B" is the proposed amendment for the MVCME MOU. MVMA and MVCME have approved the amendments for their respective associations. A proposed amendment has also been provided to MVCEA and is currently under consideration by that association. It is in the City's best interest to amend the MOUs with the management associations at this time, rather than waiting for approval from MVCEA for the amendment related to their MOU. Although the proposed amendments relate to the FY 2009-10 MOUs, it is intended that they will also be incorporated in future MOUs.

Following is the text from the FY 2009-10 MOUs with MVMA and MVCME that pertain to the two-tier benefit system:

6. BENEFIT BANK

The benefit bank for employees hired after July 1, 2009 shall be reduced from $13,629 per year to $12,000 per year.

7. PERS EMPLOYEE CONTRIBUTIONS

Employees hired after July 1, 2009 shall pay the employee's portion of CalPERS retirement contributions (currently 8%). These contributions shall be deducted from the employee's bi-weekly pay. In addition, the City will cease paying the Employer Paid Member Contribution (EPMC) for these employees.

The text of the proposed amendments to the MVMA and MVCME MOUs (Exhibit "A" and Exhibit "B") is shown below:

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Approve the proposed amendments to the FY 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

2. Do not approve the proposed amendments.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The fiscal impact of the proposed amendments cannot be determined since it is not known how many former employees may be rehired within one year of their separation. However, it is likely to be very few employees; thus representing a minimal fiscal impact to the City. Offsetting this minimal fiscal impact is the opportunity to rehire an experienced employee who would be able to make an immediate contribution to the organization without any need for training or other orientation. No employees will be rehired unless it is in the City's best interest to do so.

CITY COUNCIL GOALS

None applicable

SUMMARY

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence treating the rehire actions as "reinstatements" rather than "new hires". Since a new two-tier benefit system took effect July 1, 2009, it is proposed that amendments to the MOUs with the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) be approved to provide the same benefits to former employees who are rehired within one year of separation as they were receiving prior to separation. A proposed amendment has also been provided to the Moreno Valley City Employees Association and is currently under consideration by that association.

ATTACHMENTS/EXHIBITS

Exhibit "A" - Amendment to MOU with Moreno Valley Management Association
Exhibit "B" - Amendment to MOU with Moreno Valley Confidential Management Employees

Prepared By:
Steve Elam
Interim Financial & Administrative Services Director

Department Head Approval:
John Ruiz
Interim Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Exhibit "A"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Management Association (MVMA)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

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MV00060686

Exhibit "B"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Confidential Management Employees (MVCME)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

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MV00060688

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00060690

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 1.

BACKGROUND

In 1986, CSD Zone A was established to fund park and recreational services. Over the years the cost of providing park maintenance services steadily increased, while the CSD Zone A annual charge of $87.50 per parcel (per Dwelling Unit ["DU"] for apartments) remained fixed since fiscal year ("FY") 1992/93. Rising program costs along with an increase of new residential developments in recent years created a need for additional funding to support the new neighborhood park areas. CSD Zone A funds cannot adequately accommodate the maintenance costs of both existing and newly constructed neighborhood park areas. In an effort to provide for the ongoing maintenance and safety of new neighborhood parks, without jeopardizing CSD Zone A funding for existing park and recreation services, the CSD formed CFD No. 1.

On July 8, 2003, the CSD Board conducted a Public Hearing for the formation of CFD No. 1, approved a resolution to provide for future territory annexation into CFD No. 1 and authorized a special tax levy. The special tax funds public services, such as

ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks accepted by the City of Moreno Valley Parks and Community Services Department for maintenance after District formation in July 2003. FY 2003/04 was the first year for the special tax levy.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds approval by the property owners within CFD No. 1.

DISCUSSION

The CSD Board shall have the opportunity to consider implementing the rate and method of apportionment of special tax ("RMA") required to cover the special tax requirement of CFD No. 1, as submitted in the Annual Special Tax Report ("Report") on file in the office of the City Treasurer.

Detailed within the Report is the description of the CFD proceedings, identification of participating developments, park projects maintained within the District, description of services, and amount of the special tax to be levied for 2010/11. The maximum special tax rate for FY 2010/11 is $143 per DU; however, the FY 2010/11 CFD No. 1 levy shall be based on projected District expenses and shall not exceed the maximum special tax amount. The 2010/11 CSD Zone A levy of $87.50 per dwelling unit will continue to be collected to support maintenance of existing parks and recreation programs. The special tax levy per residential parcel or per DU for apartments will be collected on the Riverside County property tax bill and is applied only to those parcels, or any portion thereof, annexed into CFD No. 1.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *This approval will allow collection of monies necessary to fund ongoing maintenance services of CFD No. 1.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *CSD Zone A funds maintenance and operations of existing park areas, recreation facilities and programs; however, these funds are inadequate to support ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks as a result of added residential development. If the CFD No. 1 special tax is not*

authorized to be levied, there will be a shortage of funds to pay for maintenance and Park Ranger costs associated with new neighborhood parks.

FISCAL IMPACT

The fiscal impact will be a levy of a special tax applied to the property owner's 2010/11 Riverside County property tax bill. **The special tax levied on properties within the boundaries of CFD No. 1 can only be used to cover the annual special tax requirement for the District. Collection of the CFD No. 1 special tax reduces the level of CSD Zone A and General Fund support necessary to maintain neighborhood parks.** Properties within CFD No. 1 are new residential developments, which create the need for new neighborhood parks. Neither existing nor new commercial/industrial properties are affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
A special tax necessary to fund CFD No. 1 is collected according to the provisions outlined within the Mello-Roos Community Facilities Act of 1982.

SUMMARY

The CSD Board shall have an opportunity to consider implementing the levy for CFD No. 1, per the RMA, as identified within the Report on file in the office of the City Treasurer.

EXHIBITS

Exhibit A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No.1
Exhibit B Boundary Map CFD No. 1

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Concurred by:
Mike McCarty
Parks & Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 1 Neighborhood Parks\Annual Report\2010-11\Staff Report 06.08.10.doc

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MV00060694

RESOLUTION NO. CSD 2010-07

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 1

WHEREAS, the CITY COUNCIL for the CITY OF MORENO VALLEY, CALIFORNIA, acting in their capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), did form Community Facilities District No.1 ("CFD No. 1" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the CSD Board, acting as the legislative body, did introduce and adopt Ordinance Nos. CSD-40 (Urgency Ordinance) and CSD-41 (an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California) to authorize the levy of a special tax within CFD No. 1; and,

WHEREAS, the CSD Board adopted Resolution No. CSD 2003-26 authorizing annexation of Territory in the future to CFD No. 1; and,

WHEREAS, annexations to CFD No. 1 have been conducted by the Community Services District following formation of the District; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover

the annual special tax requirement of CFD No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, Acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060698

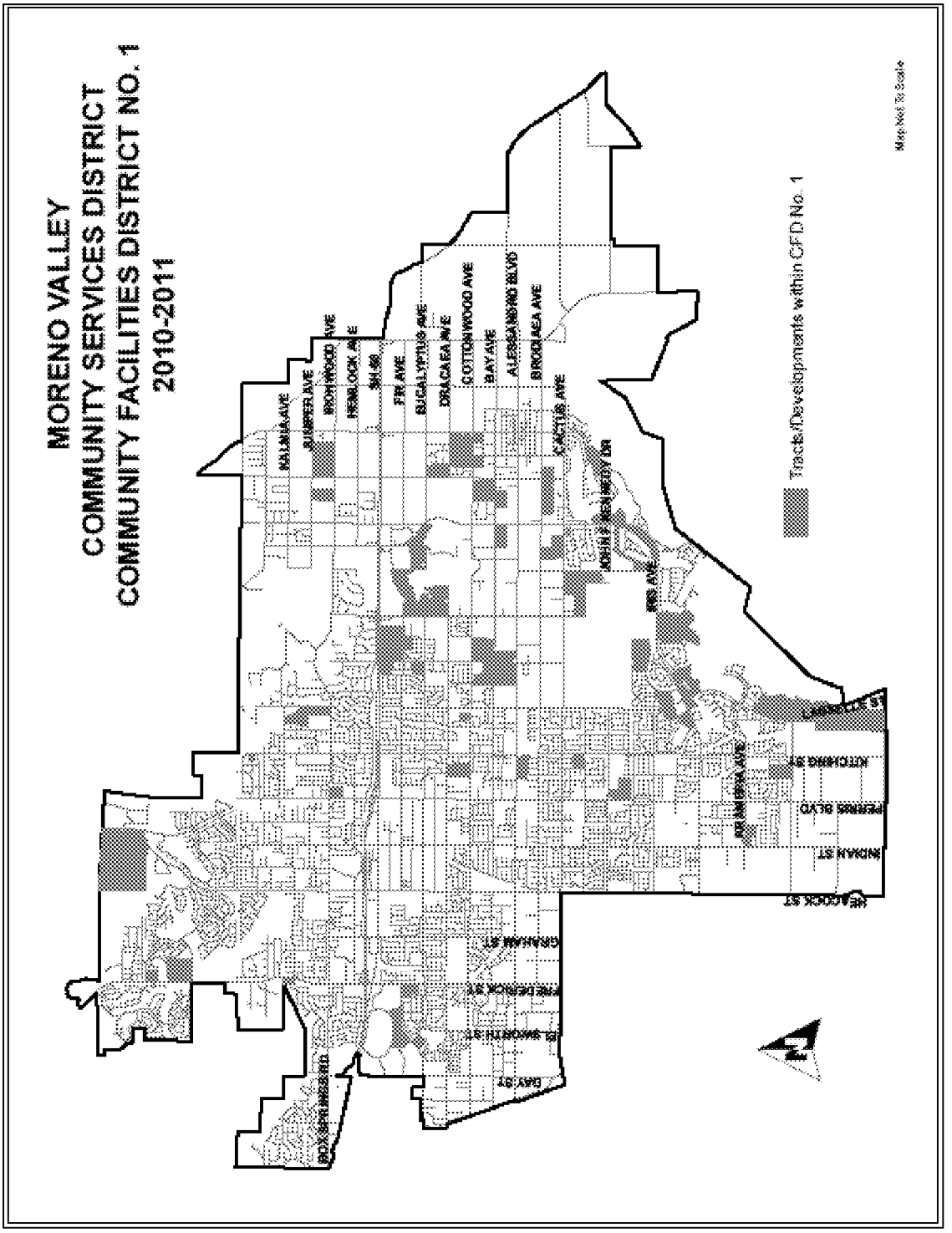
MORENO VALLEY
COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 1
2010-2011
KALMIA AVE
SUMMER AVE
IRONWOOD AVE
HEMLOCK AVE
SILAS
FIR AVE
EUCALYPTUS AVE
DRACAEA AVE
COTTONWOOD AVE
BAY AVE
ALESSANDRO BLVD
BROCAEA AVE
CACTUS AVE
JOHN F. KENNEDY DR
IRIS AVE
LEMON ST
KITCHING ST
PERRIS BLVD
INDIAN ST
MEADOW ST
GRAHAM ST
PINE DERRICK ST
SIMONTI ST
BAY ST
BOX SPRINGS BLVD
Tracts/Developments within CFD No. 1
Map Not To Scale

EXHIBIT B

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MV00060700

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060704

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060708

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00060712

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

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MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00060718

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00060720

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice;

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

ADVISORY COMMITTEE RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local

agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance. The requirements include a higher-level effort to divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

The City Council conducted the Public Meeting on May 26, 2010, to provide an opportunity for the public to address the City Council on the proposed FY 2010/2011 annual NPDES regulatory rates.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. Conducting the Public Hearing allows property owners an opportunity to address the City Council regarding the continuation of the "NPDES Regulatory Rate Schedule for New

Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development."

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from February 2009 – February 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the proposed "Resolution, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

2. Do not approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the pro "Resolution, A Resolution of the

City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll." *By not conducting the Public Hearing and adopting the resolution, the County of Riverside ("County") may challenge our ability to place the NPDES rates on the County property tax bill.*

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For FY 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For FY 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is less than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

The proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

Public Facilities and Capital Projects

The revenue collected from the proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to conduct the Public Hearing, and to adopt the resolution authorizing and approving the levy of the annual NPDES regulatory rates, on certain benefiting properties within the City as submitted in the NPDES Special Levy Report. While state law, after adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such hearings were required under state statutes before adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County collects the rates each year on the property tax bill. The County requires an annual resolution be approved to establish the authority to collect the annual NPDES rate on the tax bill. Approval of the resolution will satisfy the County requirement. The resolution also includes information on compliance with Proposition 218.

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification was published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Attachment "1" – Proposed Resolution

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060728

RESOLUTION NO. 2010-50

A RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AND APPROVING THE LEVY OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT ON THE COUNTY OF RIVERSIDE PROPERTY TAX ROLL

WHEREAS, as part of the 1972 Federal Clean Water Act, the federal government mandated that public agencies comply with the NPDES program to obtain Permits to discharge storm water runoff into municipally owned drainage facilities; and,

WHEREAS, on January 29, 2010, the Santa Ana Regional Water Quality Control Board issued new requirements that cities must address, regarding the water pollution contained in storm water runoff to remain in compliance with federal mandates; and,

WHEREAS, the City Council introduced Ordinance No. 708, on January 10, 2006, to repeal and reenact Chapter 3.50 of Title 3 of the City of Moreno Valley Municipal Code by relating to the establishment and collection of the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development based on the approved NPDES regulatory rate and authorization of subsequent rate adjustments by resolution; and,

WHEREAS, Sections 5473 through 5473.8 of the California Health and Safety Code provides that such services may be funded, in whole or in part, by rates which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the City; and,

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the interest of the City to have the NPDES regulatory rate on new residential, common interest, commercial, industrial, and quasi-public use development be so collected on the County of Riverside property tax roll; and,

WHEREAS, the City Council has determined that levying a regulatory rate against each assessable parcel of real property that is required to comply with the NPDES Permit program, as hereinafter established, is necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from these land uses; and,

WHEREAS, the City Council heretofore caused a report to be prepared that identified each parcel of real property, which is subject to the regulatory rate, and has caused notice of said report and of the public hearing thereon to be duly given; and,

WHEREAS, the City Council held a Public Hearing on June 8, 2010, at which time all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any; and,

WHEREAS, on June 8, 2010, the City Council reviewed and considered the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development to fund the federally mandated NPDES program; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council shall authorize collection of the NPDES regulatory rate on the County of Riverside tax bill for federally mandated NPDES requirements to address the discharge of storm water runoff into municipally owned drainage facilities.

2. The maximum rate to be collected for fiscal year (FY) 2010/2011 shall be $273.00 per parcel for new residential development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

3. The maximum rate to be collected for FY 2010/2011 shall be $205.00 per parcel for new common interest, commercial, industrial, and quasi-public-use development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

4. The NPDES regulatory rate, as herein confirmed, shall be collected on the tax roll at the same time and by the same persons, and in the same manner as, together with and not separately from, general taxes, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties, as provided for in Sections 5473 through 5473.8 of the California Health and Safety Code.

5. The City Council made a finding that collection of the NPDES regulatory rate is in compliance with Proposition 218.

6. The effective date of this Resolution shall be June 8, 2010.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060732

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; approve and adopt the proposed resolutions:

1. Approve and adopt the proposed Resolution No. CSD 2010-09 (Zone A);
2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B)
3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C)
4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D)
5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E)
6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A)
7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A)
8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A)
9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M)

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Approval of the proposed resolutions will continue the currently approved annual parcel charges and the proposed amount for each charge in fiscal year (FY) 2010/11. Parcel charges help to fund parks and recreational services, residential street lighting, arterial street lighting, maintenance of parkway landscaping, extensive parkway landscaping, internal parkway landscaping/walls, medians, and the improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard, as described in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee may review charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide a variety of benefit services. Zones within the CSD were established to allocate costs to those parcels that receive proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

The CSD Board conducted the Public Meeting on May 25, 2010, to provide the first opportunity for the public to address the CSD Board on the annual CSD charges.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as currently collected are in compliance with Proposition 218. Any future charge increases, other than an inflation adjustment that has been approved during a prior mail ballot proceeding, shall require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings adopted by the City Council and the CSD Board on January 22, 2002, as amended on January 24, 2006 and March 24, 2009.

DISCUSSION

The following section lists the zones and summarizes the services provided by the CSD to each zone, along with the proposed and the current year annual charges. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the mail ballot proceeding process or a previously authorized inflation adjustment implemented to achieve full-cost recovery. The adjustment for FY 2010/11 is 1.83% and is based on the

percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide park maintenance and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit (residential), nonresidential units (commercial and industrial) and undeveloped parcels. (The current FY 2009/10 charge is $87.50.) The proposed FY 2010/11 levy for Zone A is approximately $5,020,225.00.

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23.00 per parcel per year for those properties which were annexed into the zone prior to 1999. Property owners of 7,326 parcels that balloted after 1999 to receive Zone B services and authorized an annual inflation adjustment, shall be charged $24.42 per parcel per year. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight services paying $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23.00 or $24.42 per parcel per year, to $39.00 per parcel per year and would allow for an annual CPI increase, if necessary, to fund the annual cost to provide residential street lighting services. (The current FY 2009/10 charges are $6.00 for reduced streetlight service and $23.00 or $24.00 for standard level streetlight service.) The proposed FY 2010/11 levy for Zone B is approximately $933,637.82, which does not include the proposed increase. If the $39.00 parcel charge is approved, the FY 2010/11 levy is estimated to be $1,565,226.00.

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9.00. (The current FY 2009/10 charge is $9.00.) The proposed FY 2010/11 levy for Zone C is approximately $430,713.00.

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. A listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11 are included in the Zone D Resolution. A majority of affected property owners, of certain tracts, approved an inflation adjustment in prior Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts as noted on the Zone D Resolution.

The CSD shall be conducting a mail ballot proceeding in July 2010 for an increase to the proposed charges to recover costs for the following tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. Tracts not approving the proposed increase shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines. The proposed FY 2010/11 levy for Zone D is approximately $1,233.742.22, which does not include the Zone D

increases. If the Zone D increases are approved, the estimated parcel charges for Zone D are approximately $1,359,287.04.

Zone E is authorized to provide high-service-level parkway landscape maintenance of extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the CPI charge adjustment shall be applied to Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are included in the Zone E Resolution. The proposed FY 2010/11 levy for Zone E is approximately $2,347,678.16.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel. (Current FY 2009/10 charge is $76.00.) The total FY 2010/11 levy for Zone E-1A is approximately $43,100.66.

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel. (Current FY 2009/10 charge is $66.00.) Total FY 2010/11 levy for Zone E-3A is approximately $31,584.00.

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109.00. (Current FY 2009/10 charge is $109.00.) The total FY 2010/11 levy for Zone E-4A is approximately $10,791.00.

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an inflation factor. The current FY 2009/10 charges and the proposed FY 2010/11 annual charges for Zone M are included in the Zone M Resolution. The total FY 2010/11 levy for Zone M is approximately $210,696.16.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation, based on front linear footage, of the properties adjacent to the improvements. The Zone S charge for 2010/11 is $2.80 per front linear footage, per year, which may include an inflation factor. The total FY 2010/11 levy for Zone S is approximately $53,295.20, which does not include the Zone S increase. (Current FY 2009/10 charge is $2.75 per front liner footage).

ALTERNATIVES

1. **Conduct a Public Hearing** to approve and adopt the proposed resolutions. *Although not required under Proposition 218, City policy has been to continue holding a Public Hearing. By conducting the Public Hearing on June 8, 2010, property owners shall be given an opportunity to address the CSD Board regarding the continuation of the CSD annual charges for the associated benefit services. Approving CSD Zones B, C, D, E, E-1A, E-3A, E-4A, M and S charges as proposed by staff shall authorize the CSD to continue providing maintenance at the applicable service levels. Approving the proposed charge for CSD Zone A will partially fund park maintenance and recreational services, along with some proposed capital improvements. The County of Riverside requires that resolutions be approved annually to authorize collecting the annual CSD parcel charges on the property tax bills. Approval of these resolutions will satisfy the County requirement.*

2. **Do not conduct the Public Hearing** and do not approve and adopt the resolutions. *Even though a Public Hearing is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Hearing to allow the public to address the CSD Board. By not adopting the resolutions, the County may challenge the City CSD's ability to place the CSD charges on the County property tax bill.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. Charges, including CPI adjustments, have been approved by the affected property owners through prior proceedings or are part of a current mail ballot proceeding. The annual inflation factor is based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M and S are restricted funds, which may only be used to pay for costs within each respective CSD Zone.**

Approving charges less than those proposed by staff may require a decrease to both the level and quality of service from that provided during FY 2009/10. The service levels may be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS
CSD landscape maintenance services help enhance community image, neighborhood pride and cleanliness. Residential properties, which have landscaped parkways and/or medians,

as maintained by the CSD, help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant materials helps in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION
The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES
Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. The CSD maintenance of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The actions before the CSD Board are to conduct the Public Hearing, and to approve and adopt the resolutions for the continuation of the currently approved CSD parcel charges and the proposed amount of the charge on certain properties within each of the existing zones as submitted in the Preliminary Annual Levy Report. Since the adoption of Proposition 218 state legislation, public hearings to consider charges or fees already in place are not mandated; such hearings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County requires resolutions be approved annually to establish the authority to collect the annual CSD parcel charges on the property tax bills. Approval of the resolutions will satisfy the County requirement. The resolutions also include information in compliance with Proposition 218.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, for the May 25, 2010 Public Meeting and June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was published on May 18, 2010 and May 25, 2010.

ATTACHMENTS

Attachment 1	Proposed Resolution for Zone A
Attachment 2	Proposed Resolution for Zone B
Attachment 3	Proposed Resolution for Zone C
Attachment 4	Proposed Resolution for Zone D
Attachment 5	Proposed Resolution for Zone E
Attachment 6	Proposed Resolution for Zone E-1A
Attachment 7	Proposed Resolution for Zone E-3A
Attachment 8	Proposed Resolution for Zone E-4A

Attachment 9 Proposed Resolution for Zone M
Attachment 10 Proposed Resolution for Zone S

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060740

RESOLUTION NO. CSD 2010-09

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE A (PARKS AND COMMUNITY SERVICES) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for parks and recreation services within the CSD and provides funding for such services, in part, through CSD Zone A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone A (Parks and Community Services) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone A is a necessary and equitable charge to fund, in part, the furnishing of parks and recreation services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of eighty-seven dollars and fifty cents ($87.50) to defray in part the costs of furnishing parks and recreation services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone A parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and are therefore not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-10

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE B (RESIDENTIAL STREET LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for residential street lighting services within the CSD and provides funding for such services, in part, through CSD Zone B; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone B (Residential Street Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone B is a necessary and equitable charge to fund, in part, the residential street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The charge is hereby approved to be levied at the maximum rate of thirty-nine dollars ($39.00), if and only if said maximum rate is approved by the majority of the property owners in the mail ballot proceeding under Proposition 218 currently scheduled to be concluded at a public hearing scheduled for September 14, 2010. In the event that said maximum rate is not approved by a majority of the property owners in said ballot proceeding, the charge is hereby approved to be levied at the existing and previously approved respective rates of twenty-three dollars ($23.00) and twenty-four dollars ($24.42) as applicable.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone B, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone B is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-11

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE C (ARTERIAL STREET LIGHTING AND INTERSECTION LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for intersection and arterial street lighting services within the CSD and provides funding for such services, in part, through CSD Zone C; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone C (Arterial Street Lighting and Intersection Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone C is a necessary and equitable charge to fund, in part, the arterial and intersection street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared that identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of nine dollars ($9.00) to defray in part the costs of furnishing arterial and intersection street lighting services within the CSD is hereby approved and adopted.

2. The herein approved service charge is hereby confirmed for each parcel of real property within CSD Zone C, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone C parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and therefore are not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-12

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone D; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone D (Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Adjustment ("CPI") adjustment (if applicable), and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone D is a necessary and equitable charge to fund, in part, the parkway landscape services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing parkway landscape services to the following tracts within the CSD is hereby approved and adopted as follows:

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
10191/18468*	$70.26	
11848*	$85.52	
12305	$57.00	
12608	$0.00	
12773*	$81.46	$121.00
12902*	$73.30	
13576/19080/19081*	$32.58	
13585	$57.00	
14387/12268	$57.00	
15387	$57.00	
15433*	$91.64	
16768*	$65.16	
16769*	$62.10	
16770	$57.00	
17033*	$176.26	
17176	$57.00	
17334	$345.00	
17387	$57.00	
17457*	$80.44	
17867	$57.00	
18283	$57.00	
18512/21322	$82.00	
18784/20906	$177.00	
18930*	$78.40	
19032	$130.00	
19141*	$76.36	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
19142	$57.00	
19143	$57.00	
19208	$74.00	
19210*	$69.24	$112.00
19233	$57.00	
19363	$57.00	
19434	$57.00	
19474	$57.00	
19496*	$65.16	
19500*	$74.32	
19509	$57.00	
19518/18372	$57.00	
19529*	$71.28	
19533	$57.00	
19541*	$94.70	
19551	$96.00	
19675*	$81.46	
19685*	$71.28	
19799	$272.20	
19852	$69.00	
19862*	$150.80	
19912*	$84.50	
19937*	$109.04	$157.00
19957	$69.00	
20030*	$101.92	
20032	$57.00	
20072	$89.00	
20120*	$95.72	
20197	$57.00	
20272	$120.10	
20301	$57.00	
20404*	$98.76	$178.00
20525	$57.00	
20552	$57.00	
20579*	$57.00/$108.40/$160.98	$144.00
20660*	$107.02	
20715	$94.00	
20718*	$141.64	$234.00
20859	$66.00	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
20869	$57.00	
20941*	$104.98	
21113	$57.00	$89.00
21332*	$97.74	
21333*	$212.00	$345.00
21345*	$116.18	
21597*	$300.60	$473.00
21616*	$377.78	
21737*	$214.04	
21806*	$70.26	
22093	$138.00	
22180	$247.00	
22276	$196.62	
22277*	$269.02	
22371*	$291.42	
22889*	$189.40	$313.00
22999	$67.00	
23046	$183.00	
24721	$57.00	
27251-1	$465.00	
27526*	$163.02	
28882*	$104.98	$179.00
29038*	$61.08	
30027	$201.00	
30967*	$467.38	
31129*	$82.48	
31257*	$1,069.20	$1,414.00
31268*	$184.40	
31269*	$218.92	
31269-1*	$300.60	$355.00
31284	$127.10	
31305	$496.00	
31424*	$218.92	
31591*	$462.70	
31618	$364.00	
32005	$112.00	
32018*	$69.24	$160.00

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
32625	$1,000.00	
32715	$401.00	
33436	$42.00	
33637	$297.00	
33962	$494.00	
4-Custom Home	$567.00	

Note: *Proposed parcel charges for FY 2010/11 include a CPI adjustment.

In the event that Tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, or 32018 do not individually approve the maximum balloted charge by the majority of the property owners in the separate mail ballot proceedings under Proposition 218 currently scheduled to be concluded at the public hearing on July 13, 2010, the charges hereby approved will be the FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings, as identified above.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone D, as set forth in the report on said charge filed with the Secretary of the District, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone D is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060760

RESOLUTION NO. CSD 2010-13

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE IMPROVEMENT AND MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide high-service-level parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E and the various subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E (High-service-level Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within the various subzones of Zone E of the CSD is a necessary and equitable charge to fund, in part, the high-service-level parkway landscape improvement and maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing high-service-level parkway landscape improvement and maintenance services within the CSD is hereby approved and adopted as follows:

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2010/11 Proposed Charges
E-1	TownGate	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 34299	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 32142	$56.00
		Tract 32143	$53.96
		Tract 32144	$53.96
		Tract 32145	$31.56
		Tract 32146	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00
E-7	Centerpointe	Per acre	$679.80
E-8	Promontory Park	Per condo unit:	$188.00
		Per parcel	$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00
E-14	Mahogany Fields	Per parcel	$277.98
E-15	Celebration	Per parcel	$333.00
E-16	Shadow Mountain	Per parcel	$293.26

2. The herein approved charges are hereby confirmed for each parcel of real property within the various subzones of CSD Zone E, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the service charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060766

RESOLUTION NO. CSD 2010-14

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-1A (RENAISSANCE PARK – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Renaissance Park walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-1A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-1A (Renaissance Park Walls/internal Parkway Landscape Maintenance) so collected on the tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property, within CSD Zone E-1A is a necessary and equitable charge to fund, in part, the walls/internal parkway landscape maintenance services for Renaissance Park by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of seventy-seven dollars and thirty eight cents ($77.38), which includes previously approved CPI adjustments, to defray in part the costs of furnishing Renaissance Park walls/internal parkway landscape improvement and maintenance services within the CSD, is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-1A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-1A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-15

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-3A (LASSELLE POWERLINE PARKWAY – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Lasselle Powerline Parkway walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-3A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property within CSD Zone E-3A is a necessary and equitable charge to fund, in part, walls/internal parkway landscape maintenance services for the Lasselle Powerline Parkway by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property that is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of the public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of sixty-seven dollars and twenty cents ($67.20), which includes previously approved CPI adjustments for CSD Zone E-3A (Lasselle Powerline Parkway) to defray in part the costs of furnishing walls/internal parkway landscape maintenance services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-3A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone E-3A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-16

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-4A (DAYBREAK DEVELOPMENT – INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-4A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-4A (Daybreak Development - Internal Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone E-4A is a necessary and equitable charge to fund, in part, internal parkway landscape maintenance services for the Daybreak Development by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of one hundred nine dollars ($109.00), which includes previously approved CPI adjustments for Zone E-4A (Daybreak Development) to defray in part the costs of internal parkway landscape maintenance services within the CSD hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-4A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-4A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-17

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE M (COMMERCIAL/ INDUSTRIAL/MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide commercial/industrial/multifamily improved median maintenance services within the CSD and provides funding for such services, in part, through CSD Zone M; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for CSD Zone M (Commercial/industrial/multifamily improved median maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable commercial/industrial/multifamily property within CSD Zone M is a necessary and equitable charge to fund, in part, the improved median maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of not more than 16.1 cents per median square foot per month, which includes previously approved CPI adjustments, to defray in part the costs of furnishing commercial/industrial/multifamily improved median maintenance services within the CSD, is hereby approved and adopted as follows:

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,047.80
Cactus Commerce Center	24364	297-130-039	$798.00
		297-130-041	$1,957.00
		297-130-042	$1,610.00
Home Depot	21504	485-220-030	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$302.72
Perris Blvd. Storage	PA02-0117	312-020-017	$1,592.16
		312-020-018	$1,517.74
Red Maple Center		312-020-020	$592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023	$5,958.92
		484-020-024	$7,283.02
Moreno Valley Health, LLC	33930	297-140-049	$1,151.82
		297-140-050	$1,184.44
		297-140-051	$1,317.96
		297-140-052	$1,041.74

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
OPT Moreno Valley, LLC	27008	482-700-001	$388.34
		482-700-005	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$403.64
Auto Detail Shop		291-191-024	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,629.24
		297-170-069	$10,852.68
		297-170-071	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,419.96
		312-360-002	$668.26
		312-360-003	$457.52
		312-360-004	$1,603.64
		312-360-005	$1,245.28
		312-360-006	$2,016.12
		312-360-007	$787.72
		312-360-008	$742.64
		312-360-009	$824.92
		312-360-010	$833.92
		312-360-011	$669.40
Commercial Project	TPM 32961	316-210-074	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	$2,324.04
Oakwood Apts	PA04-0010	486-070-004	$2,981.50
		486-070-011	$2,981.50
Moreno Marketplace	PA05-0169	486-250-021	$8,149.44
		486-250-024	$7,867.58
		486-250-025	$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	$10,595.40
		488-090-037 to -040	
		488-090-043	
		488-090-047 to -057	
		488-090-064	
		488-090-071	
		488-090-073 to -074	
		488-090-076	
		488-090-082 to -085	

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
Condominium Complex	32756	484-030-020	$619.72
		484-030-022	$619.72
OMP Development	34572	297-150-055	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$843.98
March Graham Partners	34022	297-170-004	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	$3,180.26
MV Properties	33152	297-120-002	$981.60
		297-120-003	$710.44
		297-120-016	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,149.78
		297-120-011	$1,482.08
		297-120-012	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	$7,554.16
Two-Bldg Commercial Center	PA07-0139	484-020-026	$2,814.32
Highland Fairview	TPM 35629	488-360-008	$4,152.22
		488-360-009	$3,467.92
		488-360-010	$3,467.92
		488-360-011	$6,935.84
		488-360-012	$6,620.56
		488-350-002	$17,601.72
California Drug Consultant		486-280-041	$9,775.68
Delphinium Apartments	PA04-0028	484-242-020	$2,986.60

2. The herein approved charge calculation is hereby confirmed for each parcel of real property within CSD Zone M, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale

and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone M is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00060786

RESOLUTION NO. CSD 2010-18

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE S (SUNNYMEAD BOULEVARD MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") shall provide maintenance for improvements under construction along Sunnymead Boulevard from Frederick Street to Perris Boulevard; and,

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and,

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone S (Sunnymead Boulevard Maintenance) along from Frederick Street to Perris Boulevard be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI"), and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone S is a necessary and equitable charge to fund, in part, the furnishing of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held a said hearing, at which time all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and,

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of two dollars and eighty cents ($2.80), per front linear square footage, which may include previously approved CPI, to defray in part the costs of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard within the CSD is hereby approved and adopted.

2. The herein approved parcel charges calculated is hereby confirmed for each said parcel of real property within CSD Zone S, as set forth in the report on said charge filed with the CSD Secretary, as such may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone S is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passages of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charge calculation to the Auditor of the County of Riverside and to the Tax Collector of said County, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

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MV00060792

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk
Bob Hansen, City Attorney

AGENDA DATE: June 8, 2010

TITLE: GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010 RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES

RECOMMENDED ACTION

Staff recommends that the City Council adopt the following resolutions:

1. Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities; and

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code; and

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010; and

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor; and

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

SUMMARY

Submitted for adoption are six resolutions necessary for calling and giving notice of a general municipal election on November 2, 2010; requesting the Board of Supervisors to consolidate said general municipal election with the statewide general election; and adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters; ordering the submission to the qualified electors of two advisory ballot measures relating to changing from an appointed to an elected mayor; directing the City Attorney to prepare an impartial analysis; and providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

BACKGROUND/DISCUSSION

A general municipal election will be held in the City of Moreno Valley on November 2, 2010 for the purpose of electing, by district, two members of the City Council for one four (4) year term each in Council Districts 2 & 4. In addition, the City Council previously directed that the staff prepare resolutions for the submission to the voters of two advisory ballot measures relating to changing from an appointed to an elected mayor. Originally, the Council had directed that one ballot measure asking two questions be submitted to the voter. The City Clerk's office has been advised by the County Registrar of Voters that the County's election system cannot accommodate multiple questions for one ballot measure and the two questions must be presented as two separate ballot measures. Accordingly, the attached resolutions have been redrafted from those previously presented to the Council to reflect this change. The text of the ballot measures remains the same, except that the information is repeated for each measure and one sentence has been added to clarify the reasons for the two measures as well as address the Council's expressed concern that the public might not

understand that a future election would be required to enact the Directly Elected Mayor system. That sentence reads:

> To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

It appears as a separate paragraph towards the end of the measure text just prior to the actual ballot questions.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

An early estimate from the Registrar's office for the cost of the election is $45,000 – $50,000. The cost may increase due to the Registrar's direction that the two questions comprising the advisory ballot measures must be submitted as separate ballot measures rather than one. The cost of the extra ballot measure is estimated to be $10,000 – 25,000. $70,500 is included in the 2010-11 City Clerk base budget for these activities.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Resolution calling and giving notice of the holding of a general municipal election
B. Resolution requesting consolidation with statewide general election
C. Resolution adopting regulations for candidates
D. Resolution ordering the submission to the qualified electors
E. Resolution directing the city attorney to prepare an impartial analysis
F. Resolution providing for the filing of rebuttal arguments
G. Municipal Information Form
H. City Boundary Map

Prepared By
Jane Halstead, City Clerk
Bob Herrick, Special Counsel

Department Head Approval
Jane Halstead, City Clerk
Bob Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060796

RESOLUTION NO. 2010-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 2, 2010 for the election of Municipal Officers; and

WHEREAS, the Nomination Period for said Election will be July 12, 2010 through August 5, 2010, during regular office hours as posted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four years.

SECTION 2. That the election called and so ordered hereby shall be held for the purpose of electing City Council members from Council District Two (2) and Council District Four (4), as such districts have heretofore been established and designated by the City Council.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14212 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED and ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Moreno Valley, California, called a General Municipal Election to be held on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council.

WHEREAS, it is desirable that such general municipal election be consolidated with the Statewide General Election to be held on the same date, and that within the City, the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of Riverside canvass the returns of said municipal election, and that the elections be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council of the City of Moreno Valley.

SECTION 2. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the Registrar of Voters of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is hereby requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Moreno Valley, California, recognizes that additional costs will be incurred by the County by reason of this consolidation and

agrees to reimburse the County for such additional costs.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors, the Registrar of Voters of the County of Riverside, and with the County Clerk.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS FOR THE ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010

WHEREAS, Section 13307 of the California Elections Code permits the governing body of any local agency to adopt regulations pertaining to charges for handling, packaging, and mailing the candidates' statements in relation to elections for nonpartisan elective offices;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the California Elections Code, each candidate for elective office to be voted for at an election to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement cannot reference other candidates, their character, qualifications or activities. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers, July 12, 2010 through August 5, 2010, during regular office hours as posted, and until 5:00 p.m. of the next working day after the close of the nomination period.

Pursuant to § 13107 of the California Elections Code, each candidate has to fill out a ballot designation worksheet that supports the use of his/her ballot designation in compliance with the provisions of California Elections Code 13106 and 13107.

SECTION 2. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3. PAYMENT. A candidate filing a candidates' statement for inclusion in the sample ballot shall pay in advance his or her pro rata share for printing, handling and mailing, as a condition of having his or her statement included in the voter's pamphlet. A deposit of: $450 for Council District Two (2), and $375 for Council District

Four (4), must be paid at the time each candidate's statement is filed. Payment of the deposit shall be by cash or by check payable to the City of Moreno Valley. The City Clerk shall bill each candidate for any cost in excess of the deposit or, if the actual cost is found to be less than the deposit, shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. COPY TO CANDIDATE. The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating papers are issued.

SECTION 5. REPEAL OF PRIOR RESOLUTIONS. All previous resolutions establishing council policy on payment for candidates' statements are repealed.

SECTION 6. LIMITED APPLICABILITY. This resolution shall apply only to the election to be held on Tuesday, November 2, 2010 and shall then be repealed.

SECTION 7. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF MORENO VALLEY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR.

WHEREAS, a General Municipal Election will be held on Tuesday, November 2, 2010; and

WHEREAS, the City Council also desires to submit to the voters at the election two advisory ballot measures relating to changing from an appointed to an elected mayor:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the Riverside County Registrar of Voters is directed to add the advisory measure to the ballot for the City of Moreno Valley to the General Municipal Election to be held on Tuesday, November 2, 2010, relating to changing from an appointed to an elected mayor.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following measures in the following form:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following questions:

1. Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters.

Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".

- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the election on the proposed measures shall be consolidated with the November 2, 2010 General Election through the County Registrar of Voters and the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Election Code of the State of California

SECTION 5. That the City Clerk shall keep one or more copies of the proposed measures available for public inspection at the office of the City Clerk.

SECTION 6. (a) Notice is hereby given that written arguments, not to exceed three hundred (300) words in length, shall be filed at the office of the City Clerk, 14177 Frederick Street, Post Office Box 88005, Moreno Valley, California, 92552-0805, not later than 5:00 p.m on August 16, 2010..

(b) Each argument submitted for or against the foregoing measures shall be accompanied by the statement set forth in §9600 of the California Elections Code, must be completed and signed by the author of such argument, and shall comply with the provisions of §§9280 through 9287 of the California Elections Code.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections consolidated through the County Registrar of Voters.

SECTION 8. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the County Elections Department of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures, and the Board of Supervisors of the County of Riverside is hereby requested to authorize said Elections Department to furnish such services; and that the Board of Supervisors is hereby requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the election.

SECTION 10. The City Clerk is hereby ordered to certify to the adoption of this resolution and proclamation, and to file copies hereof, with the Clerk of the Board of Supervisors of the County of Riverside and with the Registrar of Voters of the County of Riverside, and to enter it into the book of original Resolutions.

APPROVED AND ADOPTED this _____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS REGARDING THE ADVISORY BALLOT MEASURE RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010.

WHEREAS, a General Municipal Election is to be held in the City of Moreno Valley, California, on November 2, 2010 at which there will be submitted to the voters the following advisory ballot measures:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters.

Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does resolve, declare, determine and order as follows:

SECTION 8. That the City Council directs the City Clerk to transmit a copy of the measures to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the Elections Official for the filing of primary arguments.

SECTION 2. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED this ____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00060810

RESOLUTION NO. 2010-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES SUBMITTED AT THE NOVEMBER 2, 2010 MUNICIPAL ELECTION

WHEREAS, Election Code §9220 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections;

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does hereby resolve, determine and order as follows:

SECTION 1. That pursuant to Elections Code §9220, when the City Clerk has selected the arguments for and against each measure which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than 5:00 p.m. on August 26, 2010. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the general election to be held on November 2, 2010, and shall then be repealed.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED this __ day of June, 2010.

_____
Mayor

ATTEST:

APPROVED AS TO FORM:

_____
City Clerk

_____
City Attorney

Exhibit F

Resolution No. 2010-___
Date Adopted: June __, 2010

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MV00060812

Municipal Information Form

City of Moreno Valley — City

November 2, 2010 — Date of Election

OFFICES TO BE VOTED ON: (Check offices to be voted on)

		NAMES OF INCUMBENTS / FULL TERM OR SHORT TERM
2	For City Council (# to elect)	DISTRICT NO. 2 - RICHARD A. STEWART/FULL TERM DISTRICT NO. 4 - BONNIE FLICKINGER/FULL TERM
	For Mayor	
	For City Clerk	
	For City Treasurer	

Will there be any measures on the ballot? YES [X] NO [ ]

CANDIDATE'S STATEMENT:

- **TYPESETTING:** Statements will not be edited by the Registrar of Voters.
- **COST:** Estimated deposit is based on number of voters in jurisdiction.
  Candidate's Statement will be paid by:
  Candidate [X] City [ ]

SERVICES REQUESTED OF REGISTRAR OF VOTERS:

- Nomination Forms. The forms will be provided on C.D. accompanied by one original paper set.
- In Consolidated Elections, Registrar of Voters will publish the Polling Places in the Press Enterprise pursuant to E.C. 10417.

  Is additional publication required in your local newspaper? YES [ ] NO [X]
  If yes, a copy will be provided to City for local publication.
- Registrar of Voters will automatically provide one copy of the alphabetical listing of registered voters in the city.
  Please indicate which Format you would prefer: [X] C.D. OR [ ] Paper

  Would you like a Street Index in addition to alphabetical list? YES [X] NO [ ]

MAP OR BOUNDARY DESCRIPTION IS ENCLOSED: YES [X] NO [ ]

[X] There are no boundary changes [ ] See boundary changes

Date: May 20, 2010 Signed: Jane Halstead
Jane Halstead, City Clerk

Phone Number: (951) 413-3001

Fax Number: (951) 413-3009

P.O. BOX 88005, MORENO VALLEY, CA. 92552-0805
Mailing Address

E-mail address: janeh@moval.org

Exhibit G

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MV00060814

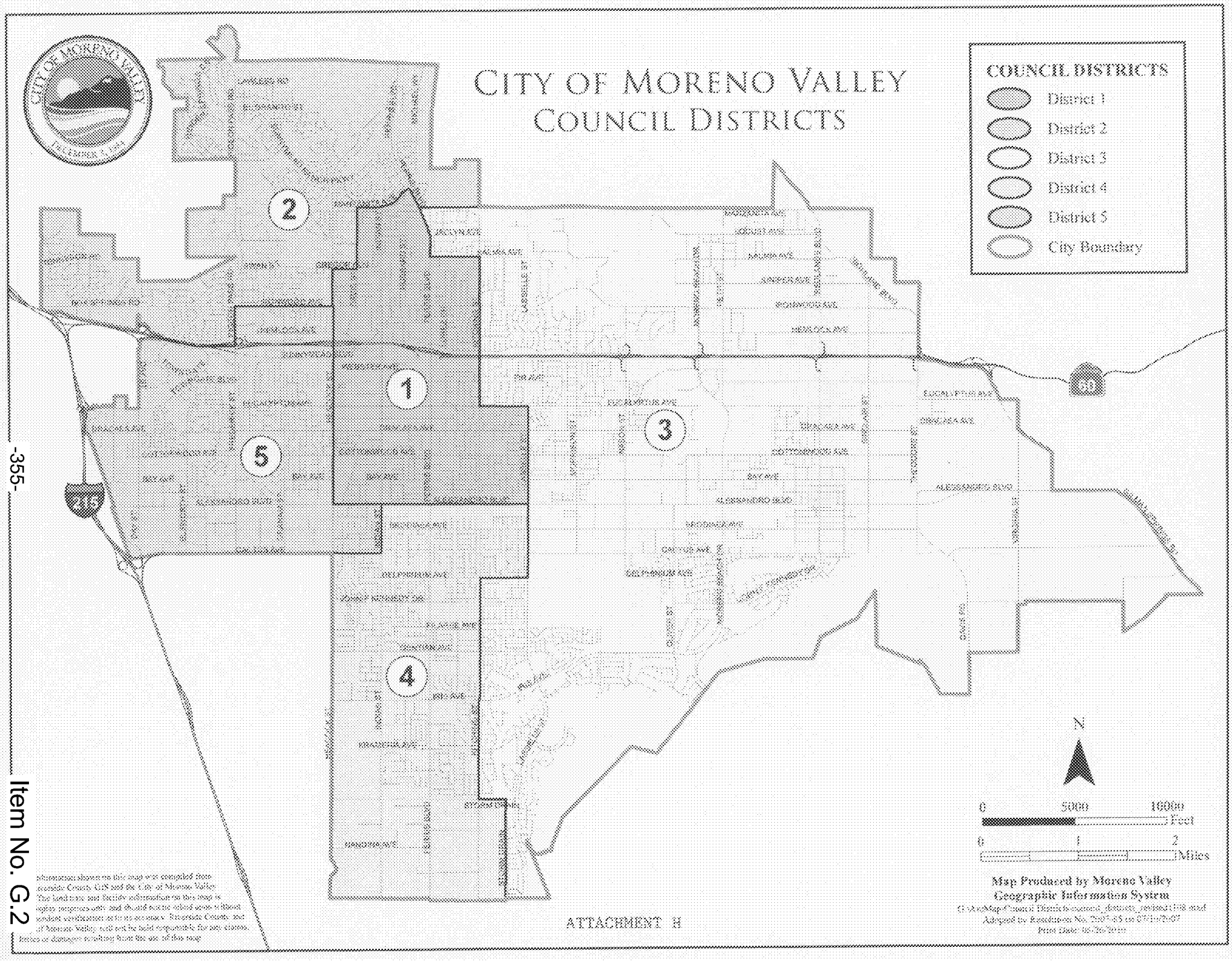

Item No. G.2

MV00060815

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MV00060816

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: SHOP MOVAL PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

BACKGROUND

As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, and in turn, support general fund programs and services, Economic Development staff has partnered with the three Chambers of Commerce to create a SHOP MOVAL awareness for both the business community and residents. This effort began at the onset of FY 2009/2010 by providing graphic standards such as logo development and collateral design elements (See Exhibit A). Promotion of the SHOP MOVAL message was also included as performance measures in their respective FY 2009/2010 contracts. The idea was to have each Chamber of Commerce create a SHOP MOVAL program tailored to the specific needs of its membership with the City providing the overall SHOP MOVAL logo.

DISCUSSION

Most leading economists indicate that the recession is slowing as declines in sales tax revenue settle into single digits, up from three years of double-digit declines. Clearly, this is a positive change. However, the City of Moreno Valley along with other jurisdictions in the Inland Region continues to face the reality of what will be a slow recovery. The need to keep consumer spending here in Moreno Valley will be important to helping the local economy recover.

To build upon the momentum created by the Chambers and their members, and demonstrate increased leadership by the City, Economic Development staff has drafted

a SHOP MOVAL program. Maximizing a moderate, yet cost-effective budget, the proposed program (See Exhibit B) is designed to utilize multiple communication vehicles, along with providing additional tools to the Chambers of Commerce. Establishing a multi-faceted SHOP MOVAL program will increase public awareness of the benefits of shopping local and increasing sales tax revenue for the City to use in funding General Funds services and activities.

The major components recommended for the SHOP MOVAL program include:

- Advertising including banners, Mall kiosk, print media ads, and promotional items.
- Public Relations including web pages, a new targeted automotive purchase incentive program, local business discount programs, MVTV-3 (PSA's and programming), and social media usage.

With a limited budget, staff recommends pursuing a variety of partnerships (Chambers of Commerce, local businesses, major shopping center owners, and auto dealerships) to undertake some of the SHOP MOVAL programs. Forging strategic partnerships with the local businesses community will not only make the SHOP MOVAL program more cost-effective, but also it will also strengthen the "buy-in" of local businesses.

ALTERNATIVES

1. Accept the SHOP MOVAL Program as proposed.
2. Direct staff to make changes to the SHOP MOVAL Program per City Council's input.
3. Reject the use of a SHOP MOVAL Program.

FISCAL IMPACT

The City of Moreno Valley will increasingly benefit from growing sales tax revenue generated as the region recovers from the economic downturn. Additionally, helping local businesses create new employment opportunities and retaining local businesses increases consumer spending. The FY 2009-2010 Budget for Economic Development includes a budget allocation for SHOP MOVAL in the amount of $40,000. The preliminary FY 2010-2011 Budget includes a budget allocation for SHOP MOVAL in the amount of $20,000.

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Facilities and Capital Projects: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and executing programs, which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

ATTACHMENTS/EXHIBITS

EXHIBIT A: SHOP MOVAL Graphic Design Samples
EXHIBIT B: SHOP MOVAL Program

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060820

Shop MOVAL Graphic Design Samples

Logo

Banner design

Ad design

EXHIBIT A

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MV00060822

Shop MOVAL Program

Program Summary

Shop MOVAL is an awareness campaign designed to educate residents/businesses of the benefits of shopping in Moreno Valley and increase community pride. The campaign could include the following components:

- Public/private partnerships
- Sponsorships (monetary and in-kind)
- Marketing

What does shopping local do for the community?

- Increases general fund supporting safety, parks, libraries
  - 1% of each dollar spent in Moreno Valley stays in Moreno Valley
- Strengthens new and existing businesses
- Creates jobs
- Increases Community Pride

Messages

- Money spent in Moreno Valley stays in Moreno Valley
- Improve quality of life
- Invest in your community
- If you shop, they will come
- Making a good thing better
- Enjoy life in Moreno Valley
- Support your Library, Parks, Police , Fire, Youth Programs

City Program Budget	$60,000
FY 2009/2010: $40,000	
FY 2010/2011: $20,000	

Program Components	Estimated Cost
Marketing Plan	
Advertising	
Banners	$10,500
• 70: Key retail areas (Supplement 10 existing TownGate areas and MV Mall); Stoneridge Towne Centre; MV Plaza, and Auto Mall.	
Mall Kiosk	$3,600
• 12 months	
Print/Web	
• *Your Villa*- 6x (full-page; inside front cover)	$10,050
• *Press Enterprise* (Flier Inserts: 12 X)	$6,600
• PE.com (4 X 750,000 impressions)	$3,000
• *La Prensa* (Flier Inserts: 6 X)	$4,000
• *Citylink*	$0

Shop MOVAL Program

Promotional Items

- Magnets (Quantity: 20,000) $2,175

Public Relations

- Webpage(s) $0

  Webpages to include: key messages; new-vehicle incentive program; links to chambers of commerce, other sponsors and online Yellow Pages bookmarked for Moreno Valley; hot button for Facebook; petition page to show support for desired new business; and opt-in sign-up for potential electronic newsletter and updates/alerts.

- Local Business Discount Program $0

  Encourage Chambers of Commerce to pursue a discount program within their respective memberships. City staff would assist by providing a graphic for a downloadable discount card and posters for their members that are participating by providing a discount or added-value.

- New Vehicle Incentive Program $20,000

  Staff will work with Auto Dealer's Association to develop incentive co-op program encouraging the purchase of new vehicles.

- MVTV-3 $0
  - News Center: PSA; Interviews with Barry Foster along with presentation of human interest story coming from library, parks or public safety highlighting benefits of public services.
  - Bulletin
  - On hold message

- Social Media $0

  Create Fan page on Facebook

- Outdoor Advertising $0

  Request scheduled use of Moreno Valley Mall and Auto Mall reader boards.

In-person Promotion $0

- Chamber Events
- Service groups
- City Events

Shop MOVAL Program

Sponsorships/Partnerships

Existing Sponsorship (Monetary/In-kind)

- City of Moreno Valley

  $60,000 (FY 2009-2010 and FY2010-11) plus staff

- Chambers' of Commerce
  - Moreno Valley Chamber of Commerce: $1,000 (decals); $ 775.00 in-kind advertising in *Your Villa*

- Fritz Duda

  $2,400: Existing banner program in TownGate

- *Your Villa*

  $850 Value for Logo placement to date

Future Sponsorship (Monetary/In-kind)

- MV Auto Mall

  New Vehicle Purchase Incentive Program- Value TBD and use of new message board

- MV Mall

  Use of message board

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MV00060826

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE MORENO VALLEY MUNICPAL CODE RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing offenses and amending Section 6.04.080 relating to notice of nuisance violations.

BACKGROUND

Staff has reported an increase over the past two years of incidents related to trespassing and drinking in public. Trespass is currently regulated by Section 602 of the California Penal Code. However, the various sections of the penal code do not provide a comprehensive approach to general trespass on private property. As a result of the fact specific nuances of state trespassing laws, very few instances of what is commonly thought to be trespassing actually is enforceable under state law.

Likewise, state law deals with intoxication in public but requires a very specific set of facts in order to convict for public intoxication. Moreno Valley currently does not have

any laws to prevent or restrict the consumption of alcohol in public, even when such consumption does not rise to the level of public intoxication.

Reports of increased public nuisance activity related to trespass and drinking have increased. These reports include trespassing and holding parties in vacant, abandoned or foreclosed properties, skateboarding in business parking lots, loitering and drinking at liquor stores, especially those associated with an attached or nearby recycling center.

DISCUSSION

In order to combat some of these nuisance conditions, the City Attorney's Office was asked to create new ordinance addressing trespassing and drinking in public. The proposed ordinance is laid out in three sections. The first section prohibits the drinking of an alcoholic beverage on or within public places, including streets and sidewalks. The penalties for drinking in public can range from a $100 Administrative Citation up to a misdemeanor violation for repeat offenders with maximum penalties of a $1,000.00 fine and up to six months in jail. The act of possessing an open container of alcohol (without drinking) constitutes a lesser charge with a maximum penalty of $500 and no jail time.

The second proposed section addresses trespassing on private property. A violation of this section constitutes a misdemeanor as well and may be enforced through Administrative Citations of a criminal complaint. Trespassing is prohibited on properly posted property or upon property where the owner, or the owner's agent, has asked an individual to remove himself therefrom and that person refuses to leave. A property owner can provide a written authorization to the police department to act as there agent to remove trespassers from their property. This could be used by banks to allow officers to remove and/or arrest individuals trespassing in vacant homes as well as by business entities that have recurring problems with unauthorized persons using their facilities or parking lots.

The third section relates to trespassing on publicly owned property. It allows for the "banning" of certain individuals who violate the law, rule or policy of a public park or facility for up to one year. The failure of a banned individual to remove himself from the property or his subsequent return would constitute a trespass violation. Both trespass sections provide exceptions for statutorily or constitutionally protected activity such as labor picketing or anti-discrimination provisions.

Additionally, it has been discovered that current code provisions relating to providing notice of code violations require service of the notice personally or by mailing and posting the subject property where the nuisance is occurring. The proposed ordinance changes this language to provide that notice may be service personally, mailed to the property owner, or posted on the subject property. This provides a more economical approach and ensures that affected property owners will receive the proper notice.

These new tools will provide the police department the ability to quickly and easily enforce these local crimes without the burdens imposed by the state law. Furthermore, these violations will be prosecuted and tracked by the City Attorney's Office. This allows the City to track repeat violators and ensure that proper penalties, restitution, stay away orders and other terms of probation are in effect against repeat offenders.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinance for adoption. The ordinance would take effect thirty-one (31) days after adoption.

2. Direct staff to make changes to the ordinance and return to City Council on a later date with a revised Ordinance.

3. Take no action.

FISCAL IMPACT

No significant fiscal impacts are projected although some additional revenue will be realized through fine collection.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

ATTACHMENTS/EXHIBITS

1. Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

Prepared by: Paul J. Early, Deputy City Attorney III

Department Head Approval, Robert L. Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060830

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 8, 2010 (continued from the meeting of May 25, 2010)

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement, the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

The RTS Program application fee, deposit and vehicle release fee were included in the City Council 2010 Fee Schedule which was approved on May 25, 2010.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC
Exhibit "B" – Draft Request for Proposals with agreement

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00060844

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

A. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

B. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

C. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weigh rating of the class of Tow Truck changes, said weigh ratings of the class of Tow Truck or Trucks shall replace those weigh ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program has been developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8½" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.

b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
Bonnie Flickinger, Mayor

_____
Date

TOW OPERATOR

BY: _____

TITLE: _____
(President/Vice President/Other)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary/Other)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

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MV00060886

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 8, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

On May 25, 2010, the City Council provided direction to staff regarding a number of Deficit Reduction Options to be implemented in an effort to balance the FY 2010-11 Operating Budget. These Deficit Reduction Options have been incorporated in a proposed budget balancing plan, which has the support of all Department Heads and is hereby submitted by the Interim City Manager for the City Council's consideration.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of over $17.8 million.

Budgetary Adjustments to Reduce Deficit

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the $17.8 million deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues), as reflected in the following table:

Projected FY 2010-11 General Fund Operating Deficit		($17,876,300)
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	$1,520,800	
- Transfers to return previous General Fund subsidies	$1,639,100	
- Other transfers	$3,979,100	
- Total Budgetary Adjustments		$7,139,000
Budget Issues:		
- Re-establish funding for Budget Officer	($98,700)	
- Supplement Emergency Operations Grant	($43,100)	
- Increase in NPDES Regulatory Fee	($76,000)	
- Total Budget Issues		($217,800)
Net Budgetary Deficit		($10,955,100)

Updated FY 2009-10 Year-End Projections

Concurrent with the City Council's budget deliberations that have taken place over the past several weeks, staff has been thoroughly reviewing the FY 2009-10 year-end projections to ensure their accuracy. Based on the revenues received through May, staff believes that the FY 2009-10 Development Services revenue projections are likely to fall short of the projected amount by $500,000. Therefore, the projected FY 2009-10 savings of $1,520,800, as shown in the above table, will be reduced to $1,020,800.

Proceeds from Settlement of ENCO Litigation

On May 25, 2010, the City Council authorized approval of a Settlement Agreement between the City and ENCO Utility Services, which will result in payment to the City of $1.25 million. Staff is recommending that the settlement proceeds be allocated as follows:

▪ Repayment of Moreno Valley Utility (MVU) start-up loan from the General Fund:	$747,041
▪ Reimbursement of General Fund legal expenses incurred In the ENCO litigation:	$225,192
General Fund proceeds:	$972,233
▪ Balance retained by MVU as reimbursement for litigation expenses incurred in ENCO litigation ($813,113); could also be used to repay a portion of MVU start-up loan from Special Districts in the amount of $580,657:	$277,767
Total proceeds from Settlement Agreement:	$1,250,000

Deficit Reduction Options Approved by City Council

On May 25, 2010, the City Council reviewed the Deficit Reduction Options (DROs) included in the Deficit Reduction Plan and provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 General Fund Operating Budget. These DROs will offset the projected General Fund deficit by $3.2 million. Each of these Council-approved DROs is highlighted in yellow in the Deficit Reduction Plan which is attached as Exhibit "A".

Additional Proposed DROs without Requiring Use of Reserves

In addition to the DROs approved for implementation by the City Council on May 25, 2010, a comprehensive review of other DROs was conducted by the Budget Review Committee in an effort to balance the FY 2010-11 Operating Budget. Additional General Fund DROs totaling $2.3 million, which would not require the use of reserves, are recommended for implementation, as well as non General Fund DROs totaling $5.2 million, which are needed to offset projected operating deficits in the respective funds. These DROs, which are highlighted in green in Exhibit "A", have the support of all Department Heads and are recommended for implementation by the Interim City Manager.

Proposed Use of Reserves

If the proposed allocation of proceeds from the ENCO litigation is authorized by the City Council, combined with the Council-approved DROs of $3.2 million and additional staff-recommended DROs of $2.3 million, there will be a remaining General Fund deficit in the FY 2010-11 Operating Budget of approximately $5 million. To offset this deficit, staff is recommending use of $5 million in reserves as summarized below:

▪ Reduction in MVU Line of Credit (from $4.6 million to $2.6 million)	$2,000,000
▪ Reduction in General Contingency Reserves (from $10.1 million to $9.6 million; maintaining 12% Reserve Policy)	$500,000
▪ Reduction in Capital Expenditures Reserve (from $4.2 million to $1.7 million)	$2,500,000
▪ Total Use of Reserves to Balance Budget	$5,000,000

The proposed use of $5 million in General Fund reserves is depicted in Exhibit "B". With respect to the Emergencies/Contingencies Reserve, if the Council-approved and additional staff-recommended DROs are implemented, the General Fund Operating Budget will be reduced from $85.6 million to $80.1 million. Maintaining the current 12% contingency reserve policy will free up $500,000 to be used for FY 2010-11 operations. With respect to the MVU Line of Credit (LOC), this LOC has not been needed since inception of MVU. Allowing for future contingencies, this reserve can be reduced to $2.6 million; freeing up $2 million to be used for FY 2010-11 General Fund operations.

Although there has been discussion about potentially redeeming a portion of the Redevelopment Agency's 2007 Series B Tax Allocation Bonds to free up reserves, the proposed use of reserves as summarized on the preceding page would not require redemption of these bonds. Since there are legal fees associated with bond redemption (estimated at between $5,000 and $10,000), it would be advantageous to delay bond redemption until it is necessary.

Interim City Manager's Proposed Budget Balancing Plan

The following table summarizes the Interim City Manager's proposed plan for balancing the FY 2010-11 General Fund Operating Budget:

Description	Item Total	Category Total	Remaining (Deficit) Surplus
FY 2010-11 General Fund Net Operating Deficit		($10,955,100)	($10,955,100)
Adjustment to projected FY 2009-10 savings ($1.0 million vs. $1.5 million due to reduction in Development Services revenues)		($500,000)	($11,455,100)
Proceeds from settlement of ENCO litigation:			
- Repayment of MVU start-up loan from General Fund	$747,041		($10,708,059)
- Reimbursement of General Fund legal expenses	$225,192	$972,233	($10,482,867)
DROs approved by City Council on May 25, 2010		$3,160,445	($7,322,422)
Additional staff-proposed DROs without use of reserves		$2,343,740	($4,978,682)
Proposed use of reserves		$5,000,000	$21,318
Net Operating Surplus			**$21,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the Interim City Manager's proposed budget balancing plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5.5 million;
- Provides a balance between General Fund expenditure reductions ($5.5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.
2. Consider the Interim City Manager's proposed budget balancing plan.
3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan. Approval of the Interim City Manager's proposed budget balancing plan will enable adoption of the FY 2010-11 Operating Budget with a General Fund surplus of $21,318.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the $17.8 million General Fund deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). The Deficit Reduction Plan provides $20.1 million in options for offsetting this net operating deficit so that a balanced budget can be adopted.

On May 25, 2010, the City Council provided direction to staff regarding a number of Deficit Reduction Options to be implemented in an effort to balance the FY 2010-11 Operating Budget. These Deficit Reduction Options, along with others recommended by staff, have been incorporated in a proposed budget balancing plan, which has the support of all Department Heads and is recommended by the Interim City Manager. This proposed budget balancing plan preserves critical funding for public safety; maintains essential public services; maintains City staffing with no lay-offs; addresses the General Fund structural deficit by reducing expenditures by $5.5 million; provides a balance between expenditure reductions ($5.5 million) and use of reserves ($5 million); maintains the General Fund contingency reserve policy at 12% of budgeted expenditures; addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds; and eliminates the need to redeem RDA bonds at the present time. The Interim City Manager's proposed budget balancing plan is hereby submitted for the City Council's consideration.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Exhibit "A" – Deficit Reduction Options Proposed for Implementation
Exhibit "B" – General Fund Reserves Summary

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Deficit Reduction Options (DROs) Proposed for Implementation to Balance FY 2010-11 Operating Budget

DROs Highlighted in Yellow =	Approved by City Council on May 25, 2010
DROs Highlighted in Beige =	Additional Savings resulting from DRO Revision; Approved by City Council on May 25, 2010
DROs Highlighted in Green =	Additional Staff Recommendations

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position.		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position.		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary).			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time).			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0		0	
Filled - Transfer to other funding sources	0		0	
Vacant	2		2	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		1		
Total City Council/City Clerk		**4**		**2**

MV00060894

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position.			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	2			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		3		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Attorney		**3**		**1**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%.	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000.		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract.			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position.			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position.			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position.			X			X	1		FTC	Vacant		37,268	37,268
6a	City Mgr	City Mgr	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.			X			X						58,995	58,995
City Manager Total										**3**					**$583,068**	**$583,068**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	3		2	
Total FTC		3		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Manager		**3**		**2**

MV00060896

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions.	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager position with a Sr. Management Analyst position.	X			X								119,289	119,289
4a	Community Dev	Dev Svcs Admin Support	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.												37,772	37,772
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X			1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
9	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X						60,000	60,000
Community Development Department Total										**1**					**$566,850**	**$566,850**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Community Development		**1**		**1**

MV00060898

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Economic Development		**0**		**0**

May 2010

MV00060899

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						56,800	56,800
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off	47,100	47,100
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off	58,600	58,600
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off	12,000	12,000
			Animal Care Technician			X			X	1		FTC	Vacant		50,900	50,900
			Office Aide			X			X	1		Temp	Filled	Lay-off	17,800	17,800
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*.			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

MV00060900

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						12,745	12,745
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off	55,137	55,137
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off	53,297	53,297
			Accounting Technician			X			X	1		FTC	Filled	Lay-off	67,344	67,344
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off	54,277	54,277
Financial & Administrative Services Department Total										**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing	ORIGINAL		PROPOSED
FTC (Full-time Career)			
Filled - Lay-off	11		
Filled - Transfer to other funding sources	0		
Vacant	2		
Total FTC		13	0
Part-time (P/T)			
Filled - Lay-off		0	0
Temporary (Temp)			
Filled - Lay-off		2	0
Total Financial & Administrative Services		**15**	**0**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes.	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position.			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions:			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings:			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class.	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist.			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			*** Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.													
Fire Department Total										**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	11		1	
Vacant	0			
Total FTC		11		1
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Fire		**12**		**1**

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review).	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review).	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Human Resources		**0**		**0**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items.		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos.		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23).*			X			X						(21,840)	(21,840)
	Library Total									**1**					**$190,160**	**($21,840)**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Library		**1**		**1**

MV00060904

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC).	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Defund Golf Course Maint Worker (transfer to CFD #1).		X			X		1		FTC	Filled	Transfer	43,900	0
3	Parks	Community Events	Suspension of 4th of July celebration in FY 2011-12 (parade & festival).			X			X						118,300	0
	Parks & Community Services Department Total									**2**					**$228,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	1		1	
Vacant	1		1	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Transfer to other funding sources		0		0
Total Parks & Community Services		**2**		**2**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						31,580	31,580
			Motorcycle Officer			X			X		2	FTC	Filled	Transfer	468,124	468,124
			Motorcycle Officer			X			X		2	FTC	Vacant		468,124	468,124
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer	230,208	230,208
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X							
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X							
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X							
			Patrol Officer			X			X		4	FTC	Filled	Transfer	920,830	920,830
Police Department Total											**17**				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	15			
Vacant	2		2	
Total FTC		17		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Police		**17**		**2**

MV00060906

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24).*		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer position, thereby leaving one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transp. Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 22	Public Works	Transp. Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			* **MOE NOTE:** DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.													
Public Works Department Total										**35**					**$3,779,338**	**$3,779,338**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources	18		11	
Vacant	3		3	
Total FTC		27		14
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off	3			
Filled - Transfer to other funding sources	0			
Vacant	4			
Total Temporary		7		0
Total Public Works		**35**		**14**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	FTC Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
Non-Department Total															**$6,000,000**	**$6,000,000**
GRAND TOTAL CITY-WIDE										**65**	**28**				**$25,396,576**	**$20,230,901**

City - DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	19		0	
Filled - Transfer to other funding sources	19		12	
Vacant	14		11	
Total FTC		52		23
Part-time (P/T)				
Filled - Lay-off		3		0
Temporary (Temp)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources				
Vacant	4			
Total Temporary		10		0
TOTAL CITY		**65**		**23**

Contract (Police & Fire) - DRO Position Summary Listing				
FTC (Full-time Career)				
Fire - Filled - Transfer to other funding sources	11		1	
Police - Filled - Transfer to other funding sources	15			
Police - Vacant	2		2	
Total FTC		28		3
TOTAL CONTRACT (Police & Fire)		**28**		**3**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			2010-11 Deficit (Net of Adjustments & Budget Issues)													(10,955,100)
			Adjustment to FY 2009-10 savings													(500,000)
			Loan Repayment of Moreno Valley Utility (MVU) of start-up costs to the General Fund													747,041
			Reimbursement of General Fund legal costs related to ENCO litigation													225,192
			Net													(10,482,867)
			Council Approved DROs												4,398,953	3,063,678
			Additional DRO Savings (defunding of Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed)												96,767	96,767
			Revised Total - Council Approved DROs												4,495,720	3,160,445
			Interim City Manager Proposed DROs (without Use of Reserves)												**6,174,140**	**2,343,740**
			Total Proposed DROs												**10,669,860**	**5,504,185**
			Proposed Use of Reserves													**5,000,000**
			Net Operating Surplus													**21,318**

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MV00060914

Exhibit "B"

City of Moreno Valley
General Fund Reserves

Reserve Designation:	Budgeted 2009-10 Reserves	Adopted Uses in 2009-10	Projected Balance 2009-10	Pledged for RDA Bonds	Proposed Use of Reserves 2010-11	Projected Balance 2010-11	Comments
- Encumbrances	254,440	(254,440)	0			0	
- Prepaid and Other Assets	34,019	(34,019)	0			0	
- Continuing Appropriations	526,020	(526,020)	0			0	
- Emergencies/Contingencies	10,100,000	0	10,100,000	(10,100,000)	500,000	9,600,000	Council Policy is 12% of GF Expenditure Budget ($80.1m x 12% = $9.6m)
- Development Services	2,300,000	(2,300,000)	0			0	
- Capital Expenditures & Emergency Equipment	12,632,732	(8,444,365) *	4,188,367		2,500,000	1,688,367	Designated for priority capital projects without other funding source.
- Advances Receivable	18,799,289		18,799,289	(12,400,000)		18,799,289	Funds are loaned/pledged and not available.
- Future Debt Service	1,000,000		1,000,000		0	1,000,000	Reserved for future debt service.
- Moreno Valley Utility Line of Credit (LOC)	4,600,000		4,600,000		2,000,000	2,600,000	LOC has not been needed since inception of MVU. $2m reservation can be removed.
- Post-Employment Medical Benefit	120,000	(120,000)	0			0	
Total	**50,366,500**	**(11,678,844)**	**38,687,656**	**(22,500,000)**	**5,000,000**	**33,687,656**	

**** Notes***

Contingency Reserves	*4,308,465*
FY 2008-09 Savings	*3,652,900*
Other Operating Designations	*483,000*
Total	***8,444,365***

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MV00060916

City of Moreno Valley

FY 2010-11 Operating Budget

Proposed Budget Balancing Plan

June 8, 2010

Projected General Fund Deficit

Projected FY 2010-11 General Fund Operating Deficit		($17,876,300)
Budgetary Adjustments:		
- Current year savings	$1,520,800	
- Transfers to return GF Subsidies	$1,639,100	
- Other Transfers	$3,979,100	
- Total Adjustments		$7,139,000
Budget Issues:		
- Re-establish funding for Budget Officer	($98,700)	
- Supplement Emergency Operations Grant	($43,100)	
- Increase in NPDES Regulatory Fee	($76,000)	
- Total Budget Issues		($217,800)
Net Budgetary Deficit (Deficit Reduction Plan)		($10,955,100)

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Proposed Budget Balancing Plan

Description	Item Total	Category Total	Remaining (Deficit) Surplus
FY 2010-11 Projected General Fund Net Operating Deficit		($10,955,100)	($10,955,100)
Adjustment to projected FY 2009-10 savings ($1.0 million vs. $1.5 million)		($500,000)	($11,455,100)
Proceeds from settlement of ENCO litigation ($1.25 million):			
- Repayment of MVU start-up loan from General Fund	$747,041		($10,708,059)
- Reimbursement of General Fund legal expenses	$225,192	$972,233	($10,482,867)
DROs approved by City Council on May 25, 2010		$3,160,445	($7,322,422)
Additional staff-proposed DROs without use of reserves		$2,343,740	($4,978,682)
Proposed use of reserves:		$5,000,000	$21,318
Net Operating Surplus			**$21,318**

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Proposed Use of Reserves

Reserve Designation	Amount
Reduction in MVU Line of Credit (from $4.6 million to $2.6 million)	$2,000,000
Reduction in General Contingency Reserves (from $10.1 million to $9.6 million; maintaining 12% Reserve Policy)	$500,000
Reduction in Capital Expenditures Reserve (from $4.2 million to $1.7 million)	$2,500,000
Total Use of Reserves to Balance Budget	$5,000,000

Proposed Budget Balancing Plan

- Preserves public safety, with only minimal reductions (Police budget still increasing);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;
- Addresses the General Fund structural deficit by reducing expenditures by $5.5 million;
- Provides a balance between General Fund expenditure reductions ($5.5 million) and use of reserves ($5 million);

Proposed Budget Balancing Plan

- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

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Proposed Budget Balancing Plan

Deficit Reduction Options Proposed for Implementation to Balance FY 2010-11 Operating Budget

Legend: Yellow: Council Approved on May 25, 2010
Beige: Additional Savings from DRO Revision; Council Approved on May 25, 2010
Green: Additional Staff Recommendations

MV00060923

City Council / City Clerk

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Mod.	High	Public Service Min./None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position.		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position.		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary).			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time).			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0		0	
Filled - Transfer to other funding sources	0		0	
Vacant	2		2	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		1		
Total City Council/City Clerk		**4**		**2**

City Attorney

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position.			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	2			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		3		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Attorney		**3**		**1**

City Manager

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%.	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000.		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract.			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position.			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position.			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position.			X			X	1		FTC	Vacant		37,268	37,268
6a	City Mgr	City Mgr	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.			X			X						58,995	58,995
City Manager Total										**3**					**$583,068**	**$583,068**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	3		2	
Total FTC		3		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Manager		**3**		**2**

Community Development

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions.	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager position with a Sr. Management Analyst position.	X			X								119,289	119,289
4a	Community Dev	Dev Svcs Admin Support	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.												37,772	37,772
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X			1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000

Community Development *(page 2)*

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
g	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X							60,000	60,000
	Community Development Department Total									1					**$566,850**	**$566,850**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Community Development		**1**		**1**

Economic Development

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Economic Development		**0**		**0**

Financial & Administrative Services

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						56,800	56,800
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off	47,100	47,100
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off	58,600	58,600
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off	12,000	12,000
			Animal Care Technician			X			X	1		FTC	Vacant		50,900	50,900
			Office Aide			X			X	1		Temp	Filled	Lay-off	17,800	17,800
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*.			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

MV00060930

Financial & Admin. Services *(page 2)*

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						12,745	12,745
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off	55,137	55,137
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off	53,297	53,297
			Accounting Technician			X			X	1		FTC	Filled	Lay-off	67,344	67,344
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off	54,277	54,277
	Financial & Administrative Services Department Total									**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing	ORIGINAL		PROPOSED
FTC (Full-time Career)			
Filled - Lay-off	11		
Filled - Transfer to other funding sources	0		
Vacant	2		
Total FTC		13	0
Part-time (P/T)			
Filled - Lay-off		0	0
Temporary (Temp)			
Filled - Lay-off		2	0
Total Financial & Administrative Services		**15**	**0**

Fire

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	Service Level Impact: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	Staffing Impact: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	Budgetary Savings: Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes.	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position.			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions:			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings:			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class.	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			* **Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.													
Fire Department Total										**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	11		1	
Vacant	0			
Total FTC		11		1
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Fire		**12**		**1**

Human Resources

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review).	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review).	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Human Resources		**0**		**0**

Library

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items.		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos.		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23)*			X			X						(21,840)	(21,840)
	Library Total									1					**$190,160**	($21,840)

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Library		1		1

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Parks & Community Services

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC).	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Defund Golf Course Maint Worker (transfer to CFD #1).		X			X		1		FTC	Filled	Transfer	43,900	0
3	Parks	Community Events	Suspension of 4th of July celebration in FY 2011-12 (parade & festival).			X			X						118,300	0
	Parks & Community Services Department Total									2					**$228,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	1		1	
Vacant	1		1	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Transfer to other funding sources		0		0
Total Parks & Community Services		**2**		**2**

Police

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	City No.	Contract No.	STAFFING IMPACT FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						31,580	31,580
			Motorcycle Officer			X			X		2	FTC	Filled	Transfer	468,124	468,124
			Motorcycle Officer			X			X		2	FTC	Vacant		468,124	468,124
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer	230,208	230,208
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X							
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X							
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X							
			Patrol Officer			X			X		4	FTC	Filled	Transfer	920,830	920,830
Police Department Total											17				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	15			
Vacant	2		2	
Total FTC		17		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Police		17		2

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Public Works

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24)*.		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

Public Works (page 2)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

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Public Works (page 3)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer, one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transp. Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

Public Works (page 4)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 22	Public Works	Transp. Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

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Public Works (page 5)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			* **MOE NOTE**: DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.													
Public Works Department Total										35					$3,779,338	$3,779,338

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources	18		11	
Vacant	3		3	
Total FTC		27		14
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off	3			
Filled - Transfer to other funding sources	0			
Vacant	4			
Total Temporary		7		0
Total Public Works		35		14

Non-Departmental

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
	Non-Department Total														**$6,000,000**	**$6,000,000**
	GRAND TOTAL CITY-WIDE									**65**	**28**				**$25,396,576**	**$20,230,901**

City - DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	19		0	
Filled - Transfer to other funding sources	19		12	
Vacant	14		11	
Total FTC		52		23
Part-time (P/T)				
Filled - Lay-off		3		0
Temporary (Temp)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources				
Vacant	4			
Total Temporary		10		0
TOTAL CITY		**65**		**23**

Contract (Police & Fire) - DRO Position Summary Listing				
FTC (Full-time Career)				
Fire - Filled - Transfer to other funding sources	11		1	
Police - Filled - Transfer to other funding sources	15			
Police - Vacant	2		2	
Total FTC		28		3
TOTAL CONTRACT (Police & Fire)		**28**		**3**

City-wide Summary

Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
2010-11 Deficit (Net of Adjustments & Budget Issues)													(10,955,100)
Adjustment to FY 2009-10 savings													(500,000)
Loan Repayment of Moreno Valley Utility (MVU) of start-up costs to the General Fund													747,041
Reimbursement of General Fund legal costs related to ENCO litigation													225,192
Net													(10,482,867)
Council Approved DROs												4,398,953	3,063,678
Additional DRO Savings (defunding of Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed)												96,767	96,767
Revised Total - Council Approved DROs												4,495,720	3,160,445
Interim City Manager Proposed DROs (without Use of Reserves)												**6,174,140**	**2,343,740**
Total Proposed DROs												**10,669,860**	**5,504,185**
Proposed Use of Reserves													**5,000,000**
Net Operating Surplus													**21,318**

General Fund Reserves

Reserve Designation:	Budgeted 2009-10 Reserves	Adopted Uses in 2009-10	Projected Balance 2009-10	Pledged for RDA Bonds	Proposed Use of Reserves 2010-11	Projected Balance 2010-11	Comments
- Encumbrances	254,440	(254,440)	0			0	
- Prepaid and Other Assets	34,019	(34,019)	0			0	
- Continuing Appropriations	526,020	(526,020)	0			0	
- Emergencies/Contingencies	10,100,000	0	10,100,000	(10,100,000)	500,000	9,600,000	Council Policy is 12% of GF Expenditure Budget ($80.1m x 12% = $9.6m)
- Development Services	2,300,000	(2,300,000)	0			0	
- Capital Expenditures & Emergency Equipment	12,632,732	(8,444,365) *	4,188,367		2,500,000	1,688,367	Designated for priority capital projects without other funding source.
- Advances Receivable	18,799,289		18,799,289	(12,400,000)		18,799,289	Funds are loaned/pledged and not available.
- Future Debt Service	1,000,000		1,000,000		0	1,000,000	Reserved for future debt service.
- Moreno Valley Utility Line of Credit (LOC)	4,600,000		4,600,000		2,000,000	2,600,000	LOC has not been needed since inception of MVU. $2m reservation can be removed.
- Post-Employment Medical Benefit	120,000	(120,000)	0			0	
Total	**50,366,500**	**(11,678,844)**	**38,687,656**	**(22,500,000)**	**5,000,000**	**33,687,656**	

**** Notes***

Contingency Reserves	*4,308,465*
FY 2008-09 Savings	*3,652,900*
Other Operating Designations	*483,000*
Total	***8,444,365***

Wrap-Up

- Questions
- Council direction

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MV00060946

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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FY 2010-2011 Proposed Capital Improvement Plan

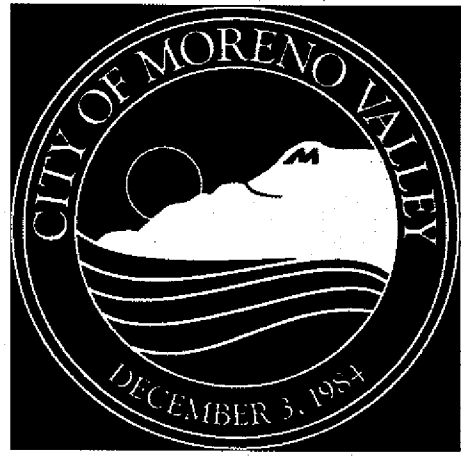

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00060952

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00060954

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00060956

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS FY 2009-2010

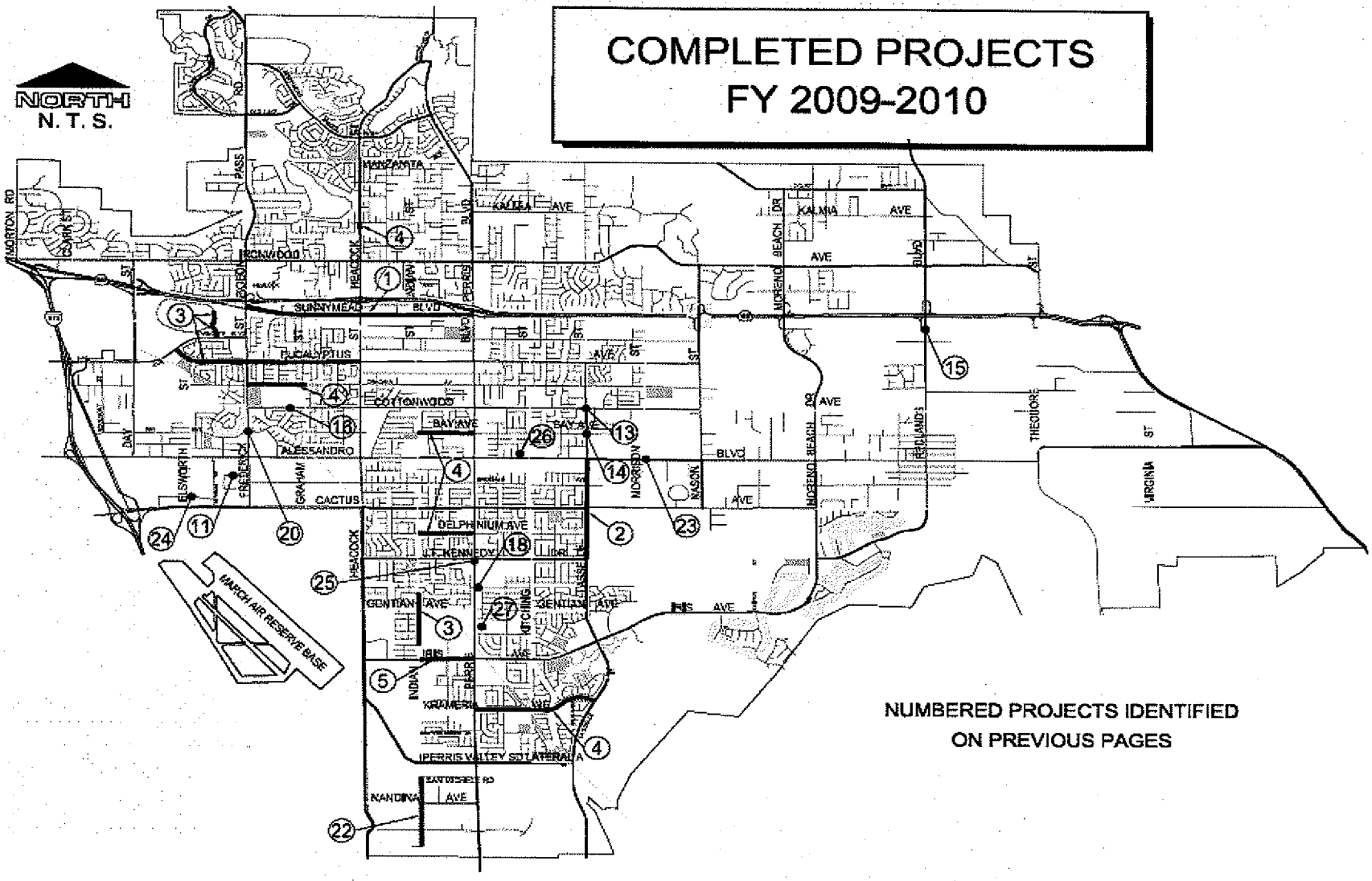

NUMBERED PROJECTS IDENTIFIED ON PREVIOUS PAGES

Completed Projects FY 2009-2010

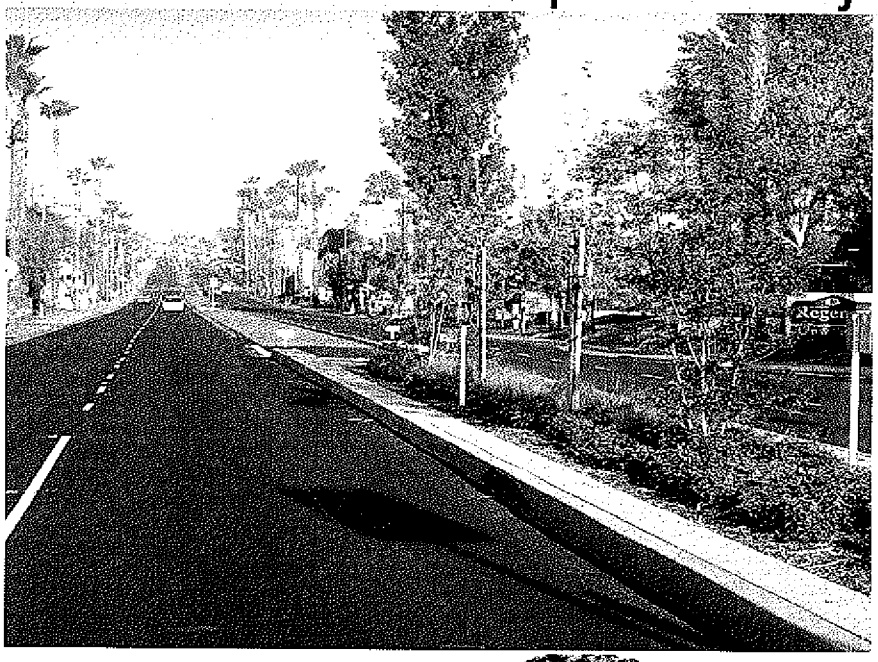

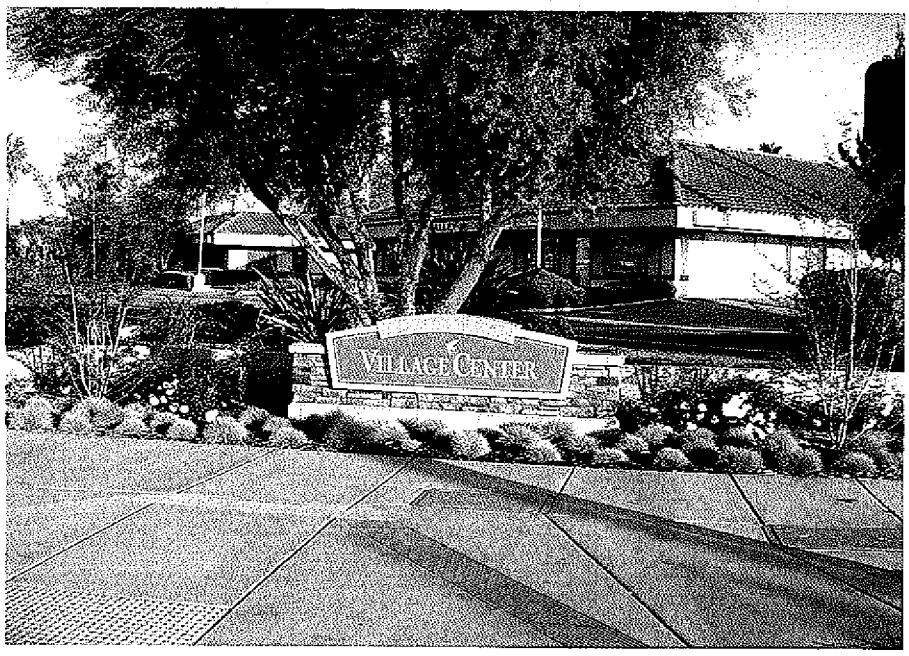

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

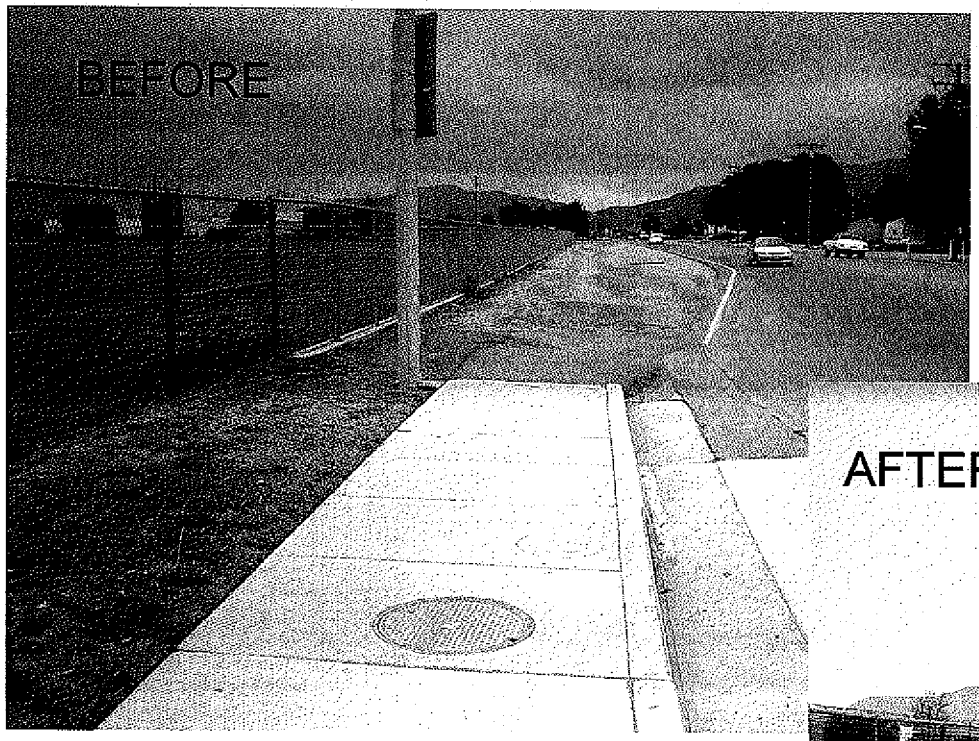

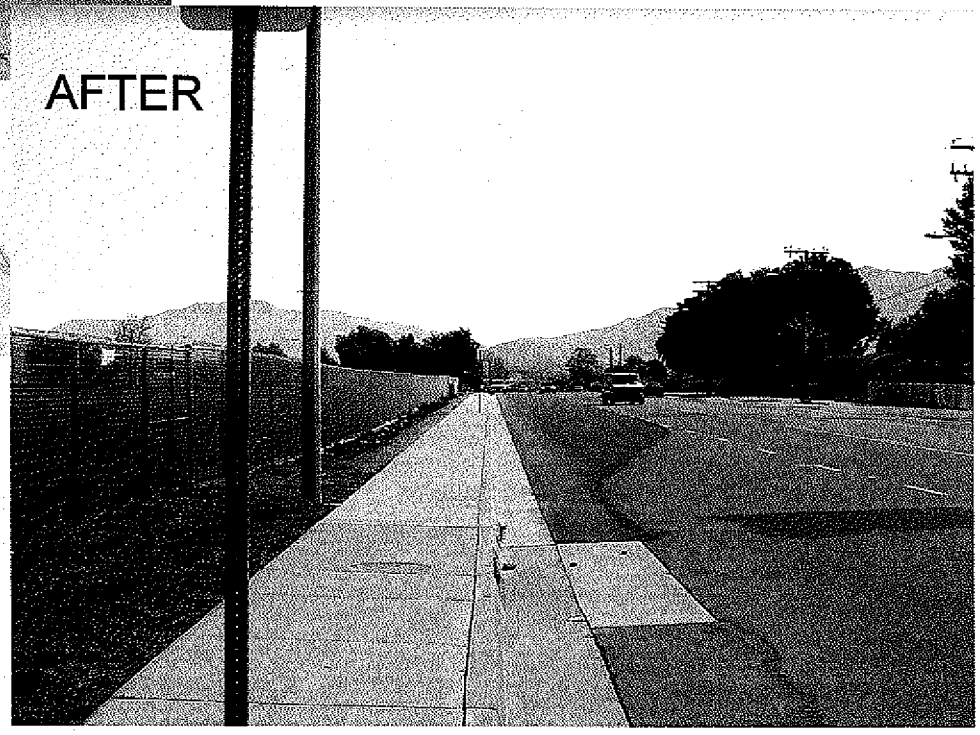

Iris Avenue from Indian Street to Perris Boulevard

MV00060960

Completed Projects FY 2009-2010

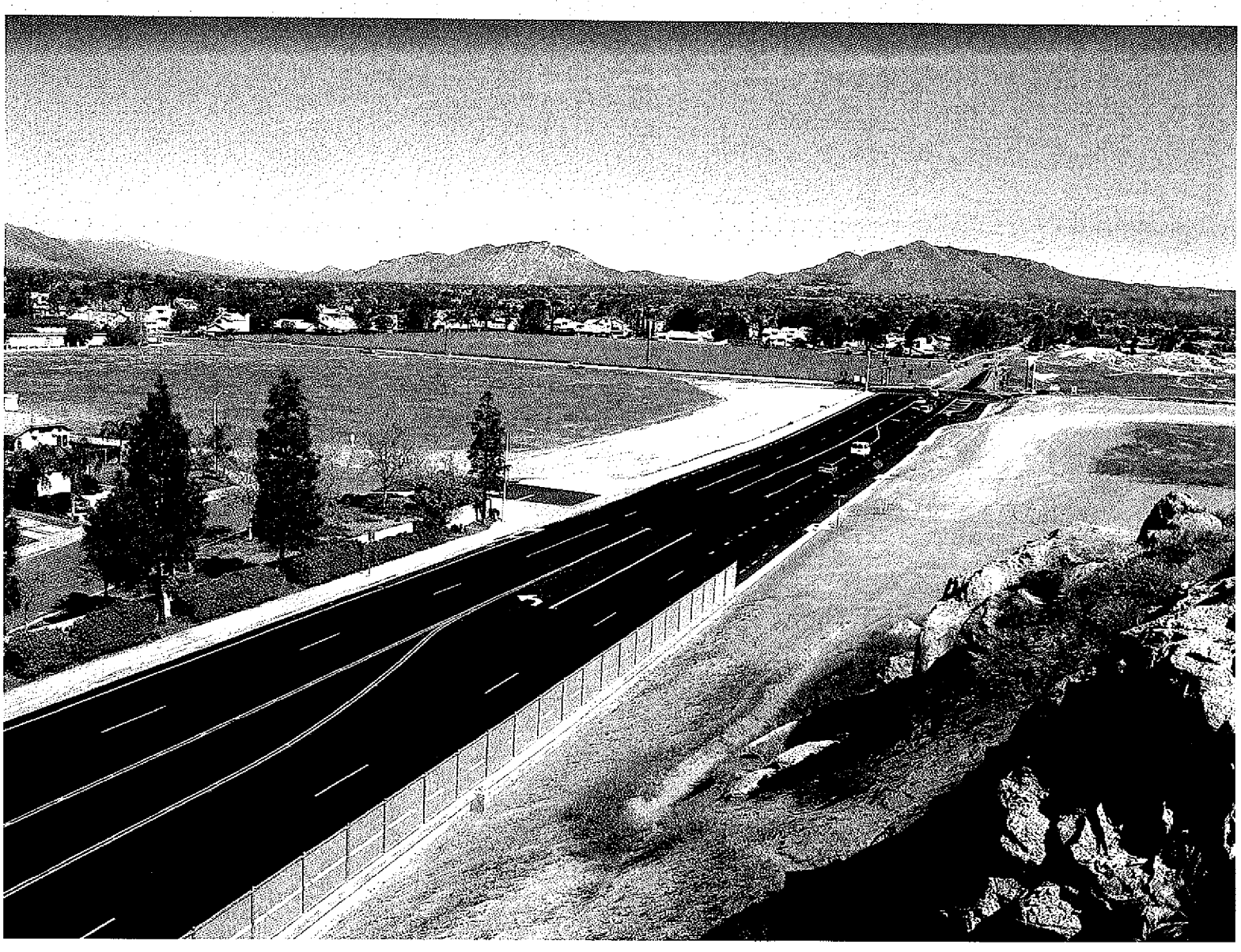

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

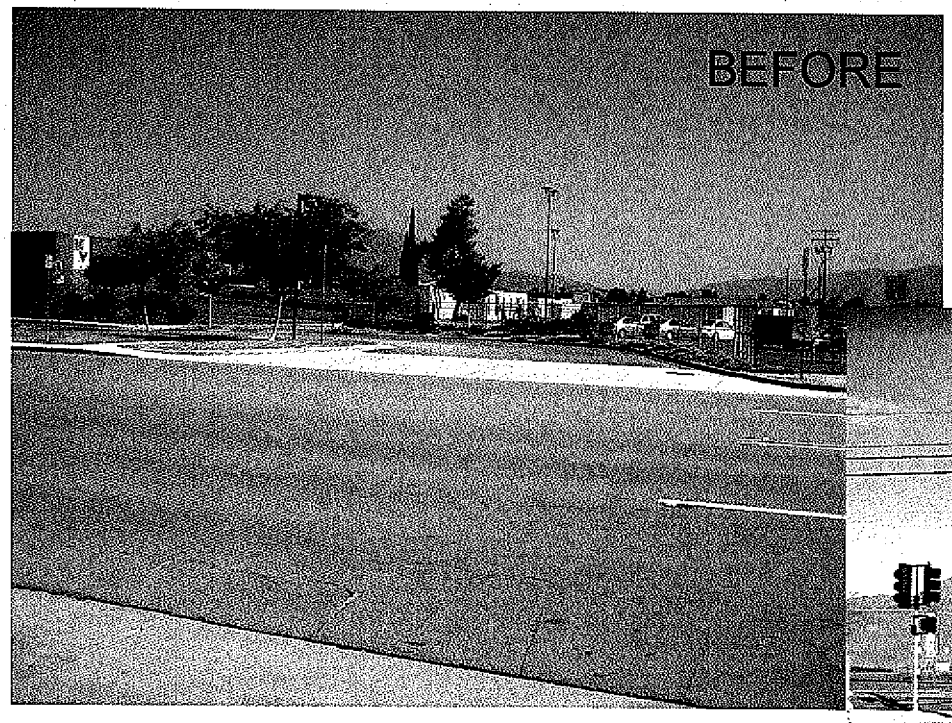

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00060962

Completed Projects FY 2009-2010

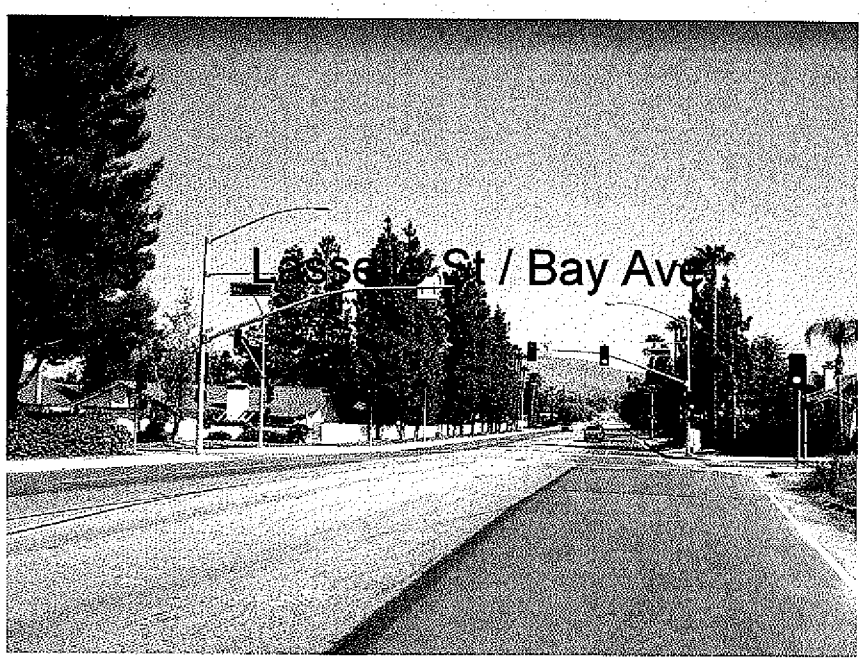

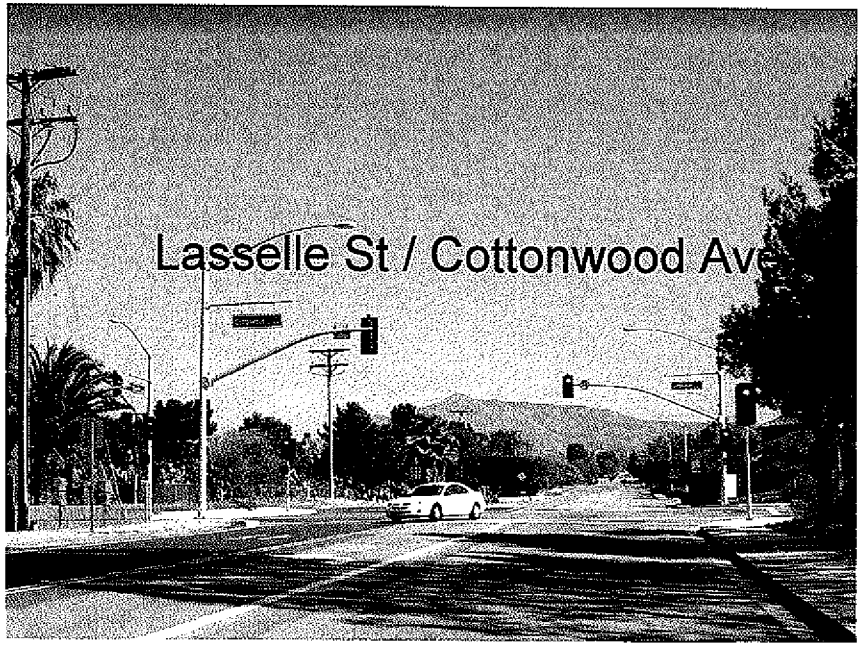

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

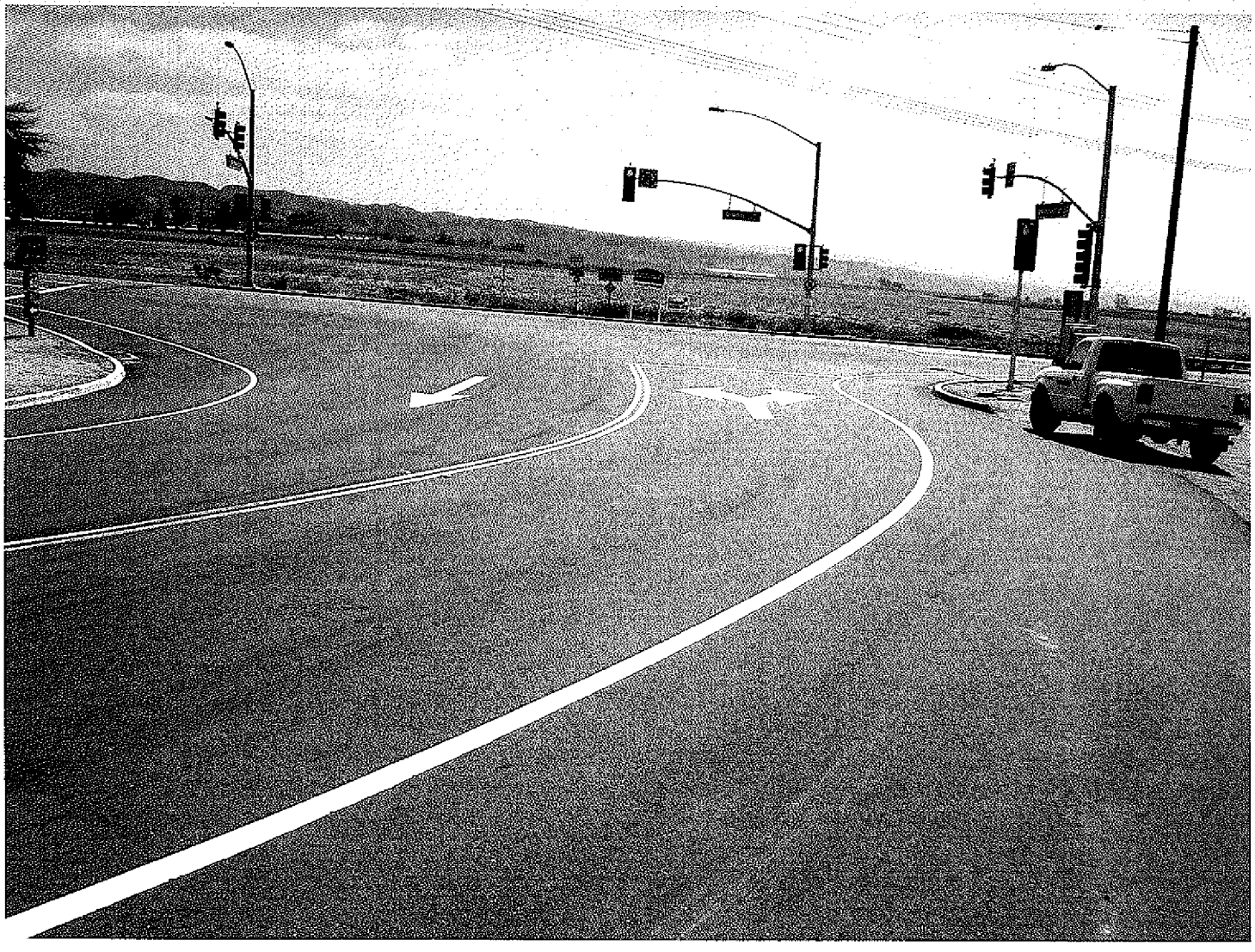

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00060966

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00060968

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00060970

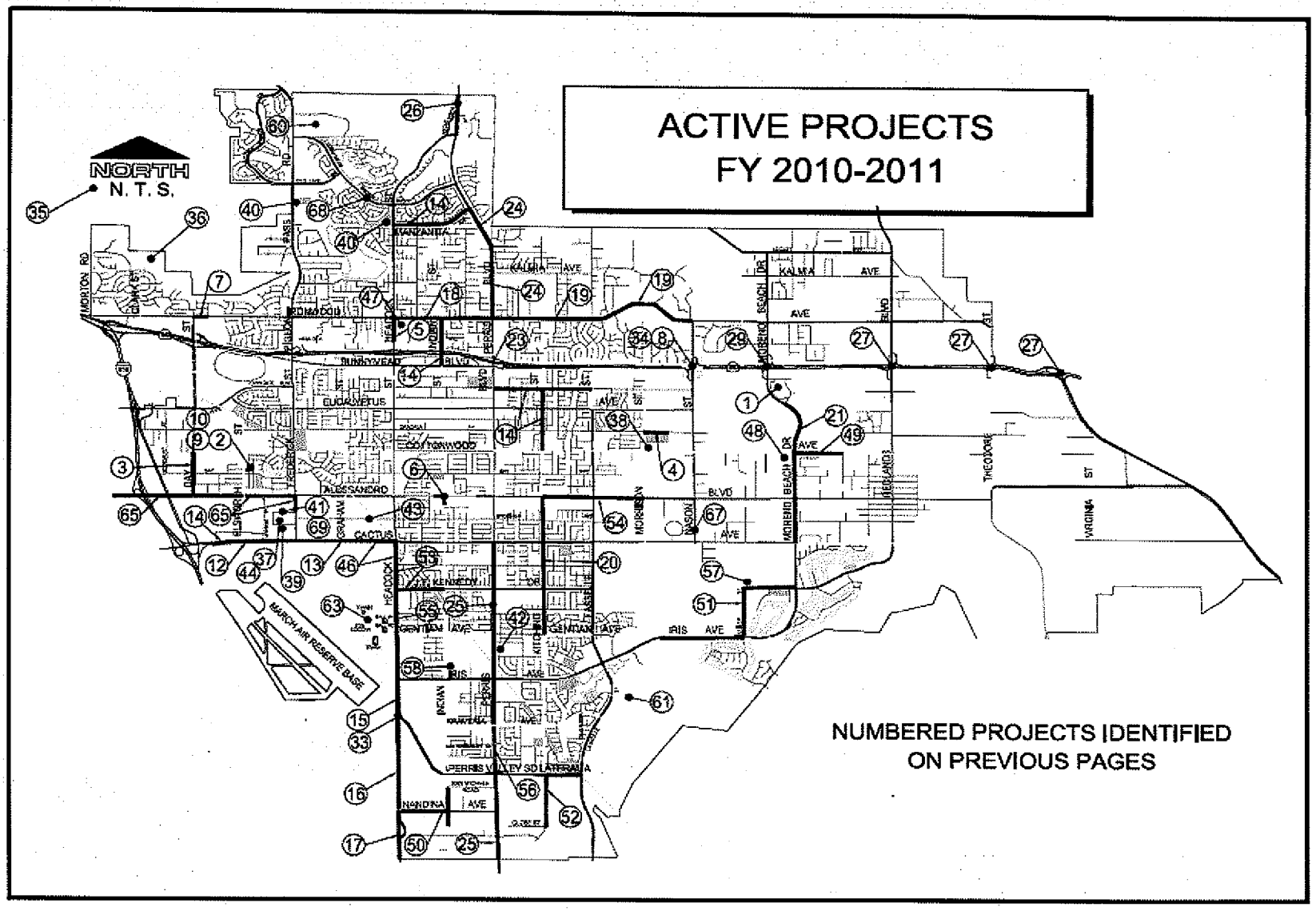
ACTIVE PROJECTS
FY 2010-2011
NORTH
N. T. S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
KALMIA AVE
SUNNYVEAD BLVD
EUCALYPTUS
COTTONWOOD
ALESSANDRO
CACTUS
KENNEDY
GENTIAN AVE
IRIS AVE
INDIANA AVE
PERRIS VALLEY SD LATERAL A
MORTON RD
HEACOCK
PERRIS BLVD
MORENO BEACH DR
THEODORE ST
VIRGINIA ST

Item No. G.7

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00060972

Active Projects FY 2010-2011

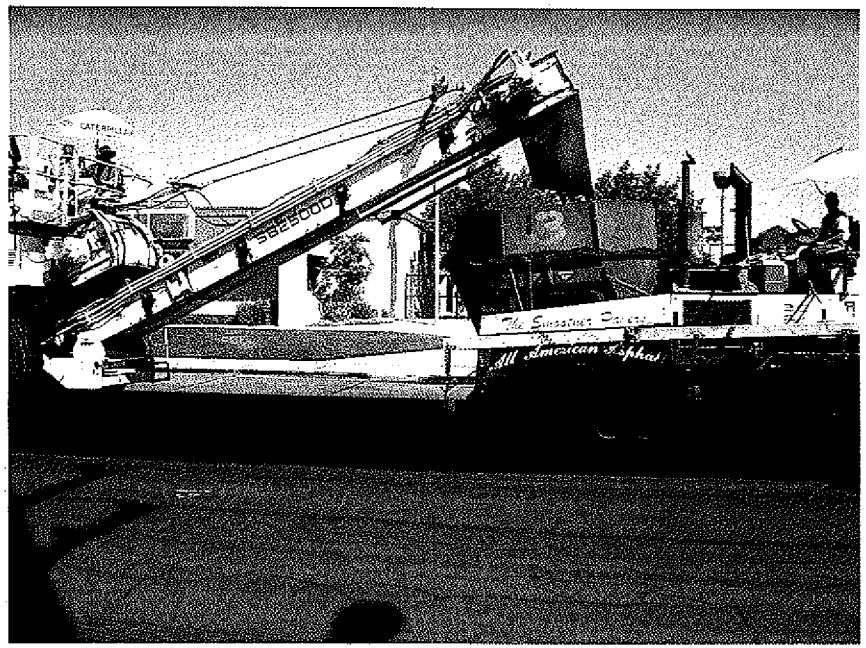

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

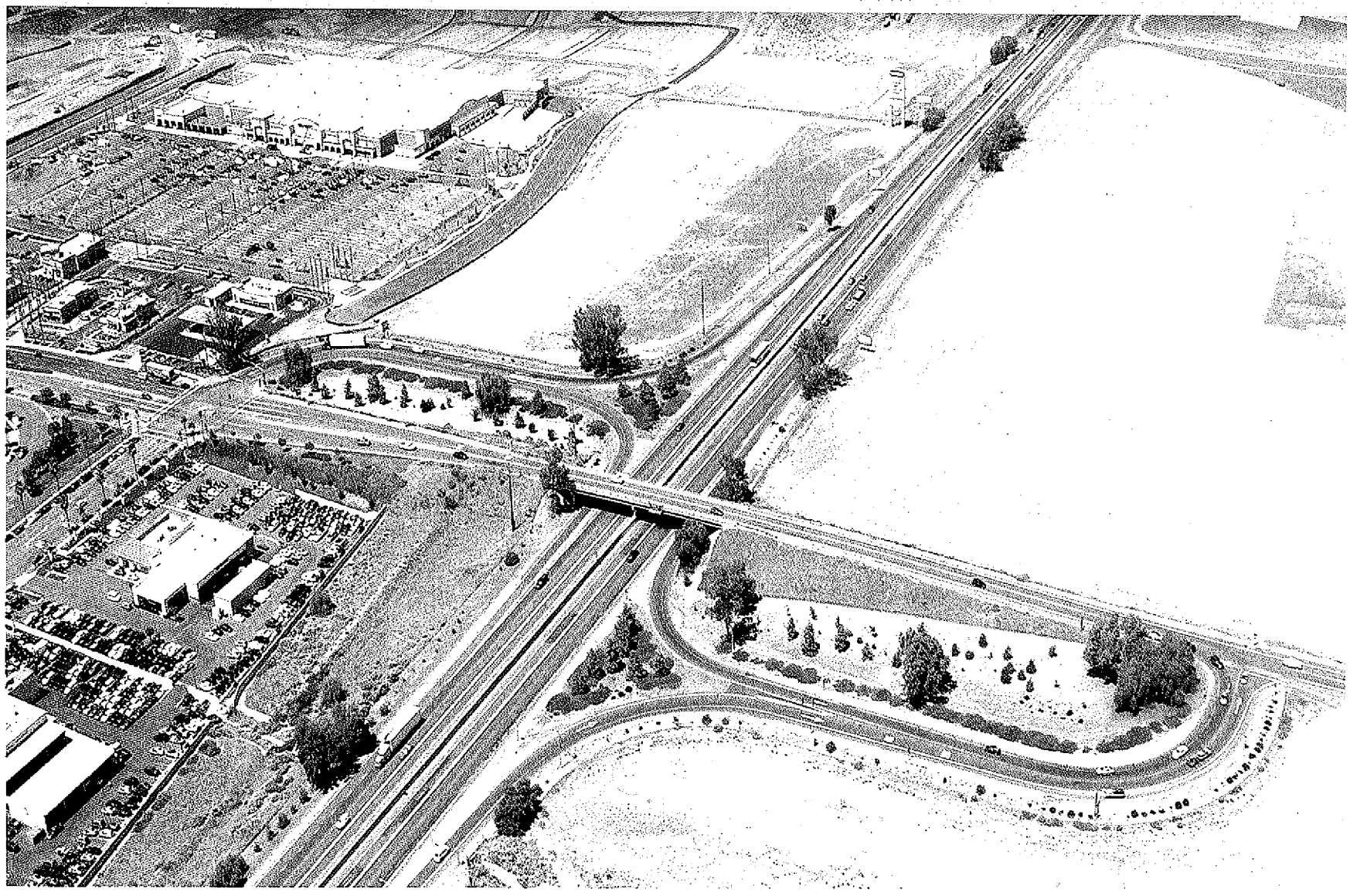

SR-60 / Moreno Beach Drive Interchange

Active Projects FY 2010-2011

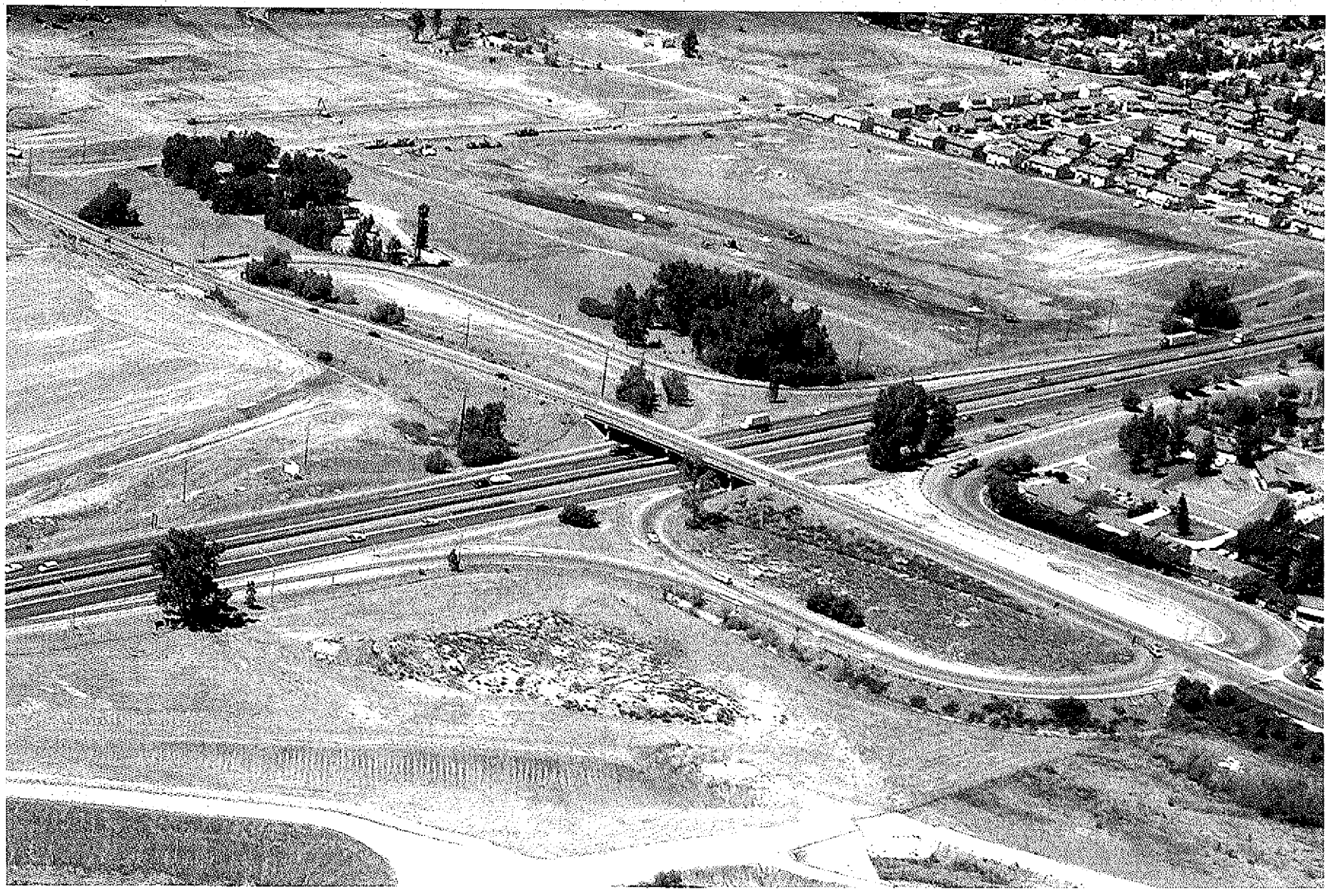

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00060976

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00060978

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS
FY 2010-2011

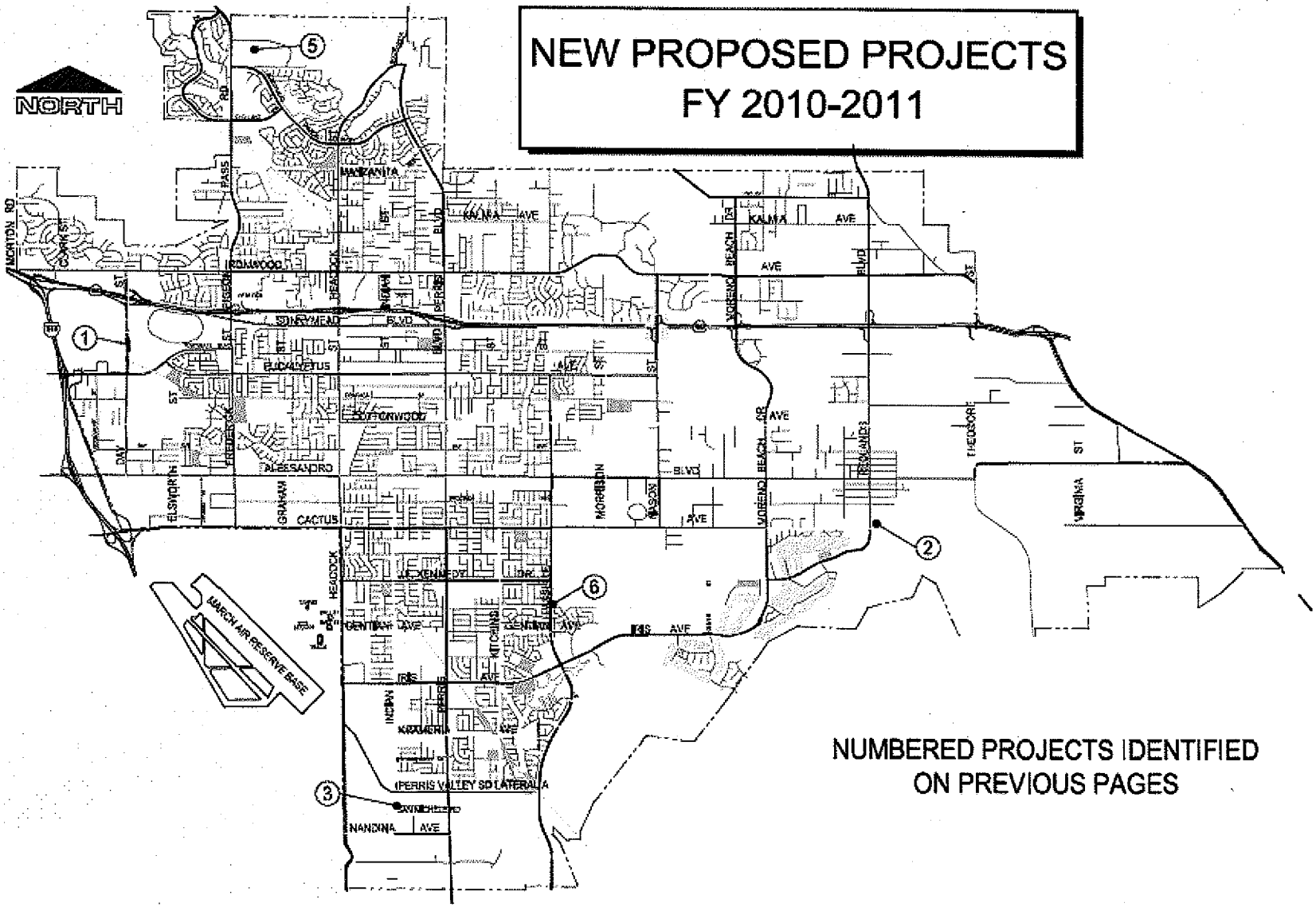

NUMBERED PROJECTS IDENTIFIED
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MV00060980

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

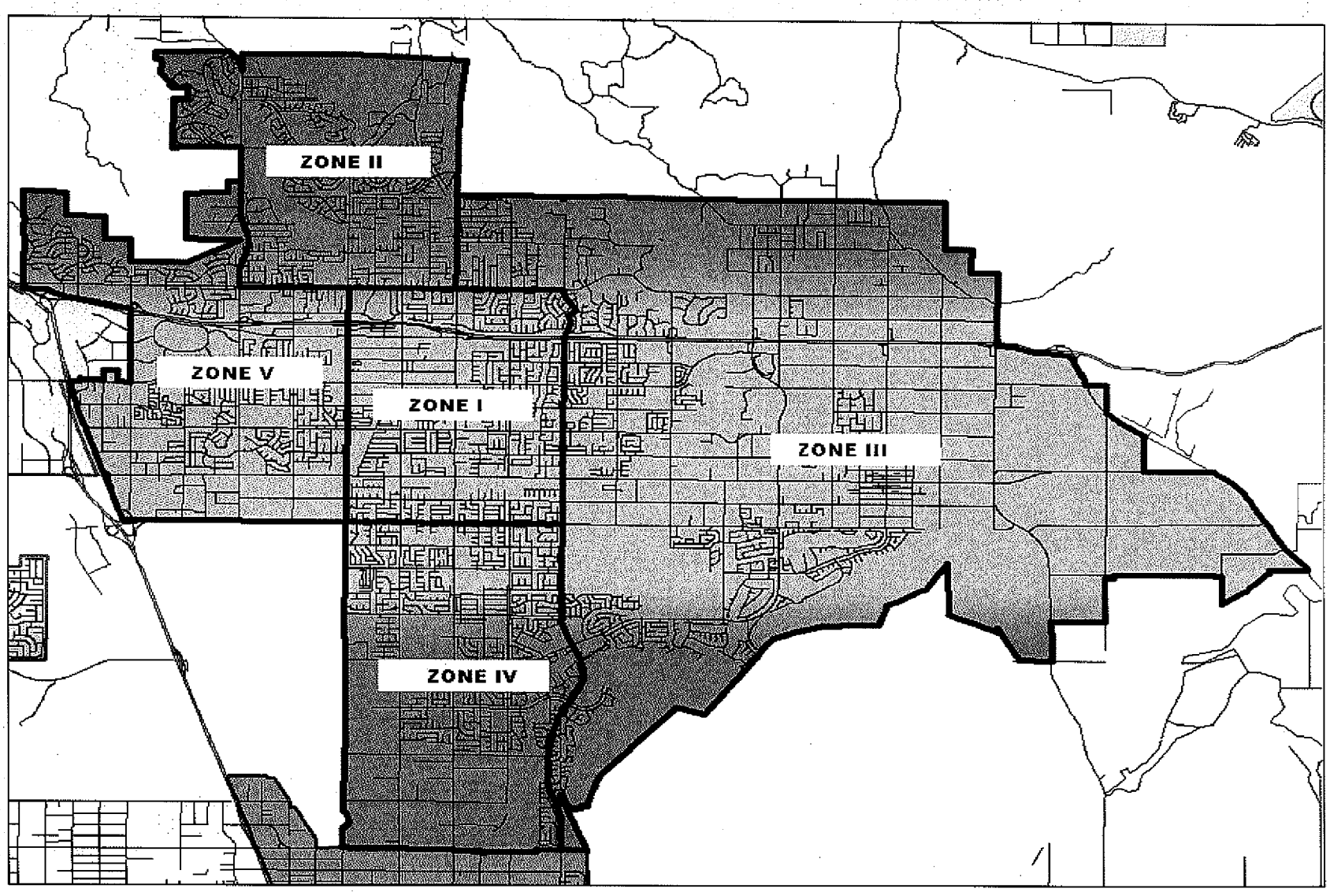

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00060986

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00060990

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00060992

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00060994

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the two (2) escrow accounts.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Line 'F' storm drain improvements in order to provide flood protection and drainage for the Developer's planned development. The improvements included but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD).

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required storm drain.

The developer has completed and submitted an Agreement for Line 'F' Storm Drain Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required storm drain facilities are not completed within said timeframe. The limits of the storm drain improvements are from the culverts along the south side of State Route 60, to a point approximately 1,150 feet south of Eucalyptus, and within Eucalyptus Avenue generally from Redlands Boulevard to Theodore Street.

Accompanying the agreement is a Faithful Performance cash security in the amount of $6,813,595 and a Material and Labor Performance cash security in the amount of $3,406,797 (per the approved Engineer's Estimate for the storm drain). The City will hold the Faithful Performance and Material and Labor securities for both the District's Drainage Facilities and the City's Drainage Facilities. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Line 'F' Storm Drain improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and

are consistent with the conditions of approval for the project. This agreement will be executed prior to any issuance of permits for construction of said facilities. Upon completion of the Storm Drain Improvements and after the City Council and RCFC & WD accept the project; the City will only then release the securities.

The Cooperative Agreement is the District's mechanism by which the District, the City, and the Developer coordinate the construction and maintenance of Master Storm Drain facilities. Typically, the developer would enter into a Cooperative Agreement with the City and the District prior to the start of construction of the storm drain. In this case, the District has agreed to issue a Right of Entry letter in the interim to allow the District inspectors to enter the property and permit the storm drain construction to begin while the Cooperative Agreement is processed through the two agencies.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Line 'F' Storm Drain Security
Exhibit "C" - Escrow Instructions

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-08-10 - PA07-0090 - PM 35629 - H.F. Logistics Storm Drain Agree.doc

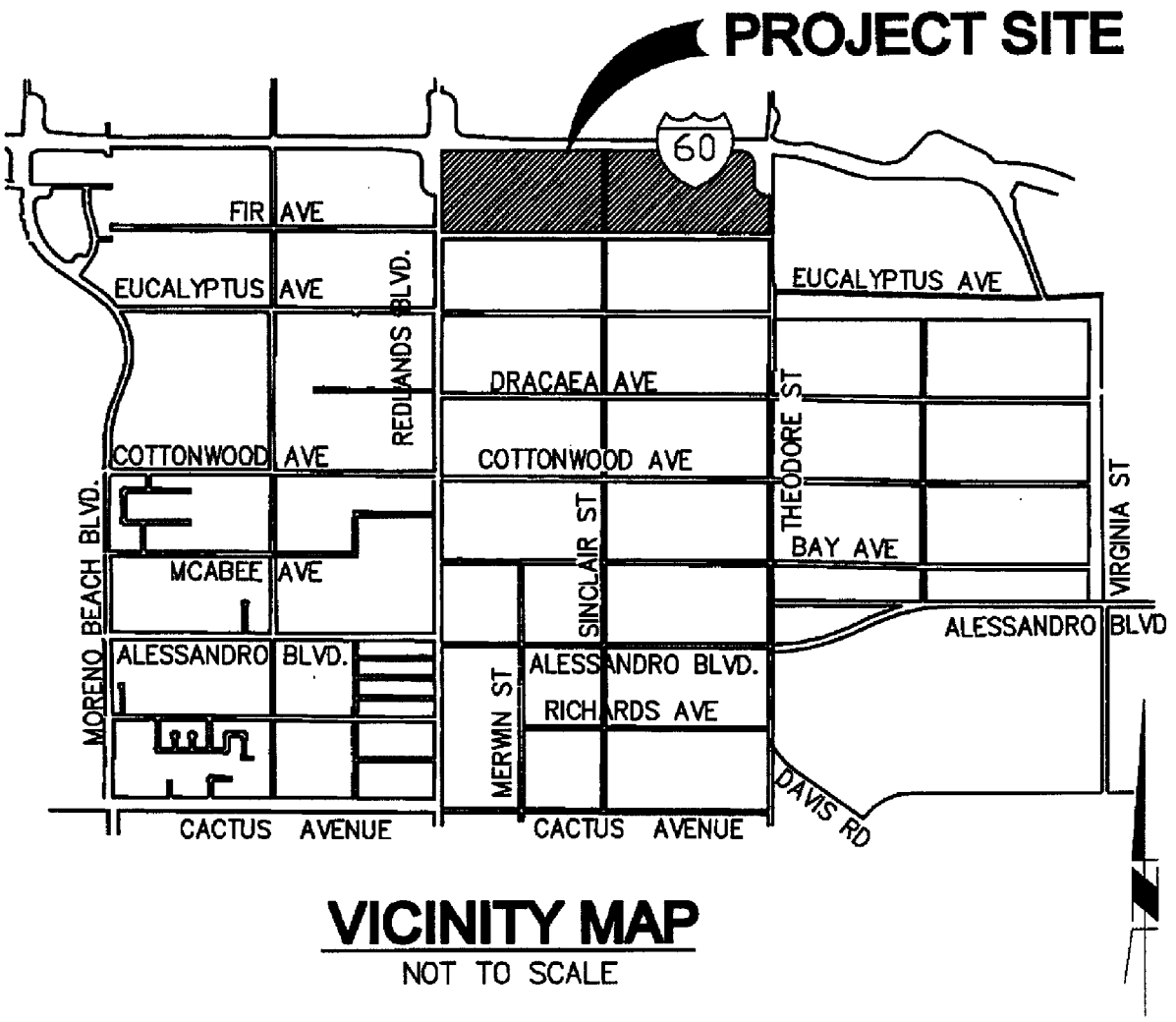

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00061000

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the escrow accounts securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees, prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $6,813,595.00, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: NCS-442058-SD), and 2) the estimated cost of labor and materials, in the amount of $3,406,797.50, for payment of labor and materials (First American Title Insurance Company Escrow Number: NCS-442818-SD) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. The escrow account (First American Title Insurance Company Escrow Number: NCS-442818-SD) securing the estimated cost of labor and materials shall be released to Developer no sooner than 90 days after acceptance of the improvements by the City. After acceptance of the improvements by the City, a total of ten percent of the original escrow deposit for the faithful performance (First American Title Insurance Company Escrow Number: NCS-442058-SD) shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code section 66499 to secure required warranty work. Amounts held in the escrow accounts shall only be reduced when the escrow officer is instructed in writing by the City Engineer to release an amount held in an escrow account. Developer shall be responsible for paying all costs of the escrow accounts. Developer agrees to maintain said escrow accounts with good and sufficient funds or increase the amounts of said escrow accounts, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of the escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at any time during the term of this agreement, subject to approval of the City Engineer and the City Attorney.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate any and all rights of the Developer because of such default whereupon the City Engineer shall instruct the escrow officer to release the necessary funds from the escrow account(s) to cure the default(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds to the City without any consent from Developer. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive, Suite 200
San Diego, Ca 92122
Attn: Verna Gregory-Senior Commercial Escrow Officer

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

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MV00061004

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-442818-SD / NCS-442058-SD DATE: 06 / 08 / 2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Line 'F' Storm Drain plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics -SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Line 'F' Storm Drain Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX T1, LLC, a California limited liability company

By: Iddo Benzeevi, President and CEO

EXHIBIT C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 8, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor
Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

2. "Saved by the Helmet" Award Presentation to Luryn Hills

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

4. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 8, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Barry E. Knight, Celebration Worship Center C.O.G.I.C.

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California,

Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1

(Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2010-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2010-41

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

Resolution No. 2010-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement

No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges

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for Moreno Valley

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Vallley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR

FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

   Resolution No. CSD 2010-09

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

   Resolution No. CSD 2010-10

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

   Resolution No. CSD 2010-11

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

   Resolution No. CSD 2010-12

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the

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Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of fhe City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone

M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a

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general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the

City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

   Ordinance No. 812

   An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

3. Proclamation Recognizing Mental Health Month – May 2010

4. Recognition of Vista Heights Middle School – California State History Day Winners

5. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 25, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:47 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member William H. Batey II

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
Ernie Baker	Lieutenant
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Motion to Continue Agenda Item G7 by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a voice vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items

A13 and A15, which were pulled for separate discussion/action. Motion by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

AGENDA ORDER

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Council Member Richard A. Stewart stated due to a business relationship with his law office with other auto dealers, other than Moss Bros., he would abstain from participating, discussing or voting on Item G5, and he would be absent from the dais until completed.

Council Member Richard A. Stewart recused himself due to a business relationship.

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Moss, Deanna Reeder, and Pete Bleckert.

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Richard A. Stewart recused.

Council Member Richard A. Stewart returned to the Dias at 7:24 p.m.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to adopt Resolution No. 2010-23 approving the fee schedule for 2010-11 with the changes made tonight, which are 1) projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities; this program encompasses all Departments and all fees for projects in the program; 2) fees for non-residents to participate in Recreation Programs will be charged at full cost recovery, which is the Resident Fee plus 30%; 3) subject to confirmation that the Animal Services fee changes do not exceed actual cost recovery, the specific fee changes are for Animal Redemption – a) 1st impound from $20 to $25, 2nd impound from $40 to $50, 3rd Impound from $56 to $75; b) Boarding – Re-inspection Fee from $18 to $50; c) Licensing – Potentially Dangerous/Vicious from $77 to $99 by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

No action was taken.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, and Susan Gilchrist.

Recommendation:

1. Approve ~~revised~~ Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

Resolution No. 2010-35

A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

2. Approve ~~revised~~ Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

Resolution No. 2010-36

A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

Meeting reconvened after a brief break.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder

1. Vote for Paul Zellerbach and reject Rod Pacheco

Jose Chavez

1. Community Park

Charlene Weddington
1. Careers of members of Trail Seekers
2. Equestrian Park accomplishments

Daryl Terrell
1. Job loss and home foreclosures

Tom Jerele, Sr.
1. Trail Seekers
2. Development Impact Fees
3. June 10 - Free Concert

Pete Bleckert
1. Trail Seekers
2. Red Lights

AGENDA ORDER

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

Regarding AB 811 Senator Feinstein put in for $5M and applied to the California Energy Commission for $20M. Out of $110.3M available, only $4.6M came to Southern California, which is where two-thirds of the population is. The Administrative and Finance Committee took it to court, sued the state, and won. The Judge granted all relief requested including a Writ of Mandate ordering the Department of General Services to adjudicate WRCOG's protest, and a permanent injunction prohibiting the distribution of any funds until they have met WRCOG's concerns and answered their protest.

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

March Healthcare is moving ahead. It's a $3B project, and it will create 8,200 jobs, and most will be higher end jobs. There will be around 1,100 construction jobs. The demolition of some of the buildings is currently being coordinated. The Discovery Channel is looking at filming a sequential film on the demolition of the hospital. Mr. Russell came in from

Washington, D.C., and during lunch with him mutual concerns and issues were shared. A variety of general aviation plans are moving ahead. Several lawsuits were settled. The demur was sustained on the challenge by Ray Johnson to the expansion of the Fresh and Easy. Washington, D.C. is supporting the Free Trade Zone.

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

No action required.

AGENDA ORDER

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, Susan Gilchrist, Darryl Terrell, and Pete Bleckert.

Recommendation: That the City Council:
1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

Motion to adopt resolution 2010-33 and have the sign design change be brought back to Council for final approval at a future date, and that such sign design shall comply with the legal requirements as well as include the city seal or some other specific Moreno Valley identification, and the redesign will become the template for all communities in the city by m/Council Member Richard A. Stewart, s/Mayor Bonnie Flickinger Approved by a vote of 5-0.

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 3-2, Mayor Bonnie Flickinger and Mayor Pro Tem Robin N. Hastings voted no.

A brief recess was held at 9:58 p.m.

AGENDA ORDER

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Mayor Flickinger opened the agenda for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

No action required.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments, which were received by Deanna Reeder.

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

It was agreed the lawsuit settlement will be put against the deficit. The Council unanimously agreed on the BDO Recommendations as follows:

City Council/City Clerk

1. **Defund Assistant City Clerk Position**
2. **Defund Administrative Assistant Position from Council Office.**

City Attorney

1. **Defund Assistant City Attorney Position**

City Manager

1. **Reduce PR/Advertising Budget by 40% in Media and Communications**
2. **Reduce City Manager Contingency to $140,000**
3. **Defund vacant Executive Assistant to the City Manager Position**
4. **Defund Deputy City Manager Position and not Replace with a Sr. Management Analyst Position**

Community Development

1. **In Code/Building and Safety – Revenue Enhancement – Hire two Temp Parking Control Officers to work on Career Employee Furlough Days; Other Miscellaneous Revenue Increases and Reductions**

Economic Development

1. **.6235 – Public Relations: Reduce Advertising, Broker Events, Regional Event Sponsorships, Shop Moreno Valley Campaign**
2. **Consolidating Several Object Codes**
   .6252 – Dues and Subscriptions: Reduced IEEP Membership for City
   .6255 – Other Professional Services
   .6221 – Training and Travel
   .6215 – Communications
   .6231 – Advertising

.6256 – Legal Services
.6310 – Copier Charges
.6311 – Office Supplies
.6321 – Postage and Mail
.6391 – Other Materials

3. **Salaries/Benefits: Reimbursing ED Admin Salaries by 50% of Management Analyst's Salary, Which is Charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's Salary to HOME Funds to More Accurately Reflect Current Workload**

Financial and Administrative Services

1. **Facilities CIP – Defund City Hall Annex 1 Capital Improvement Project Since the Facility is Not Currently Needed for Staff Expansion**

Fire

1. **Fire Prevention – Suspend Funding for Permit Plus Changes**
2. **Fire Ops – Defund Paramedic Captain Position**
3. **Emergency Ops – Increase CPR Fees from $30 to $65 Per Class**

Human Resources

1. **Workers' Comp – Reduce Workers' Compensation Reserves (Original Fund Balance of $4.5M Less DRO of $1.3 Will Leave a New Balance of $3.2M, Which is Approximately 85% Confidence Level Per Actuarial Review)**
2. **General Liability – Reduce Liability Reserves (Original Fund Balance of $2.0M Less DRO of $80K Will Leave a New Balance of $1.9M, Which is Approximately 85% Confidence Level Per Actuarial Review)**

Public Works

1. **Street Sweeping – Eliminate Contract Sweeping and Create Additional Equipment Operator Position in Lieu of Existing Maintenance Worker II Position Via an Existing Eligibility List From a Recent Internal Recruitment to Replace Contract Sweeping Function**

Discussion will continue to the next Study Session.

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Item continued. Approved by a 5-0 vote.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Item continued. Approved by a 5-0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

No report given.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

No comments given.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:50 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 19 – June 1, 2010.

Reports on Reimbursable Activities May 19 – June 1, 2010		
Council Member	Date	Meeting
William H. Batey II	5/26/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Bonnie Flickinger	5/26/10	UCR Citizens University Committee
	6/01/10	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings	5/26/10	32nd Annual Law Enforcement Appreciation and Awards Ceremony
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061056

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CONFLICT OF INTEREST CODE – AGENCY REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council, as the code reviewing body of the City of Moreno Valley, direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The California Government Code §87306.5 provides that by no later than July 1 of each even-numbered year, the code reviewing body (City Council) shall direct every local agency, which has adopted a Conflict of Interest Code in accordance with the Political Reform Act of 1974 (Government Code §87100, et. seq.) to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of §87302 and §87303 to the code reviewing body.

The code is not effective until approved by the code reviewing body. Within 90 days after receiving any proposed amendments or revisions, the code reviewing body shall do one of the following: (a) approve the proposed code as submitted; (b) revise the proposed code and approve it as revised; or (c) return the proposed code to the agency for revision and resubmission within 60 days. The code reviewing body shall either approve the revised code or revise it and approve it. When an amendment is approved

by the code reviewing body, it will be deemed adopted and will be promulgated by the agency.

Upon review of its code, if no change in the code is required, the local agency head (City Manager) shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

DISCUSSION

Attached to this report are the following documents provided by the Fair Political Practices Commission for each agency's consideration and use:

- Biennial Notice Worksheet
- Overview of Political Reform Act's Conflict of Interest Laws

Upon receipt of any amendments to the Conflict of Interest Code, which may include the addition or deletion of any staff positions in the City, staff will present the appropriate resolutions for Council approval.

ALTERNATIVES

Not applicable. The biennial review by every local government agency of its conflict of interest is a statutory requirement. As code reviewing body, the City Council must direct each local agency, which has adopted such conflict of interest code, to review its code and determine whether any changes are necessary.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Biennial Notice Worksheet
B. Overview of the Political Reform Act's Conflict of Interest Laws

Prepared By
Jane Halstead

Department Head Approval
Jane Halstead

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Local Agency Biennial Notice Worksheet

The following checklist may assist in the review of an agency's conflict-of-interest code. This is only a guide and is not intended to be an exclusive list of issues that may need review.

Does the code contain the following three basic components?

√ Language that incorporates FPPC Reg. 18730 or contains the basic provisions required in Government Code section 87302

√ A list of designated positions whose duties include making or participating in making governmental decisions

√ Disclosure categories specifying financial interests (investments, interests in real property, income, and business positions) that filers in designated positions must disclose

Review the agency's organization chart and duty statements

√ Do positions need to be added or deleted?

√ Is there a need to reclassify disclosure for any positions?

√ Are consultants designated?

√ Do any officials/consultants manage public investments?

√ Amendments needed? Use underline and strikeout to illustrate changes.

Review the minutes of the agency's boards, commissions and committees

√ Are they solely advisory or do they have decision-making authority?

III. ~~PUBLIC WORKS OFFICE~~
MAINTENANCE DIVISION

1. Maintenance Superintendent 2
2. Maintenance Supervisor 2
~~2. Asst. Maintenance Superintendent ..... 2~~
3. Senior Equipment Technician 3
~~4. Equipment Services Technician ..... 3~~

- The Public Works Office became the Maintenance Division.
- The Asst. Maintenance Superintendent was reclassified to Maintenance Supervisor.
- The Equipment Services Technician is a manual position and was deleted.

Other Documentation

√ A review of joint powers agreements, minutes and annual reports may assist in determining whether designated positions and their respective disclosure categories are accurately reflected.

Notification

√ If amendments are needed, notify employees and the public.

EXHIBIT A

Fair Political Practices Commission
(866) ASK-FPPC/www.fppc.ca.gov
Biennial Notice Mailing - May 2006

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MV00061060

Can I vote?

A Basic Overview Of Public Officials' Obligations Under the Political Reform Act's Conflict-of-Interest Rules

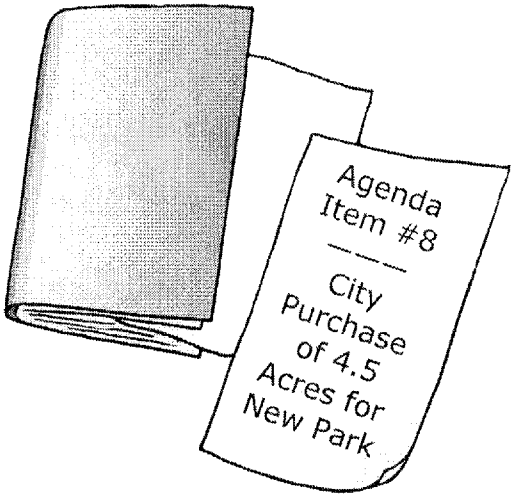

California Fair Political Practices Commission

EXHIBIT B

"My home is near the proposed new shopping mall. Can I vote on the issue at next month's Planning Commission meeting?"

Many of you may have been confronted with such questions. This booklet is offered by the FPPC as a general overview of your obligations under the Political Reform Act's conflict-of-interest rules. Using non-technical terms, the booklet is aimed at helping you understand your obligations at the "big picture" level and to help guide you to more detailed resources.

Stripped of legal jargon:

➢You have a conflict of interest with regard to a particular government decision if it is sufficiently likely that

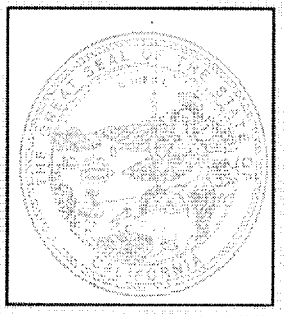

Fair Political Practices Commission

Toll-free Advice Line: 1-866-ASK-FPPC

MV00061062

the outcome of the decision will have an important impact on your economic interests, **and**

➢a significant portion of your jurisdiction does not also feel the important impact on their economic interests.

The voters who enacted the Political Reform Act by ballot measure in 1974 judged such circumstances to be enough to influence, or to appear to others to influence, your judgment with regard to that decision.

The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise. No one ever has a conflict of interest under the Act "on general principles" or because of personal bias regarding a person or subject. A conflict of interest can only arise from particular kinds of economic interests, which are explained in non-technical terms later in this booklet.

An important note...

You should not rely solely on this booklet to ensure compliance with the Political Reform Act, but should also consult the Act and Commission regulations. The Political Reform Act is set forth at Cal. Gov. Code §§81000-91014, and the Fair Political Practices Commission regulations are contained in Title 2, Division 6 of the California Code of Regulations. Both the Act and regulations are available on the FPPC's web site, http://www.fppc.ca.gov. Persons with obligations under the Act or their authorized representatives are also encouraged to call the FPPC toll-free advice line — **1-866-ASK-FPPC** — as far in advance as possible.

If you learn to understand these interests and to spot potential problems, the battle is mostly won because you can then seek help on the more technical details of the law from your agency's legal counsel or from the California Fair Political Practices Commission. **The Commission's toll-free advice line is 1-866-ASK-FPPC (1-866-275-3772).**

Under rules adopted by the FPPC, deciding whether you have a financial conflict of interest under the Political Reform Act is an eight-step process. If you methodically think through the steps whenever there may be a problem, you can avoid most — if not all — mistakes. These steps are spelled out and explained in general terms in this booklet.

If you learn nothing else from this booklet, remember these things:

- **This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests.**
- **Whether you have a conflict of interest that disqualifies you depends heavily on the facts of each governmental decision.**
- **The most important proactive step you can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.**

On the next page are the eight steps:

Eight steps to help you decide

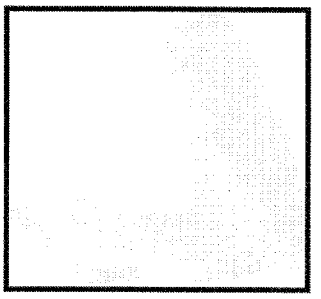

Step One: Are you a "public official" within the meaning of the rules?

Step Two: Are you making, participating in making, or influencing a governmental decision?

Step Three: What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

Step Four: Are your economic interests directly or indirectly involved in the governmental decision?

Step Five: What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

Step Six: The important question: Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

Step Seven: If you have a conflict of interest, does the "public generally" exception apply?

Step Eight: Even if you have a disqualifying conflict of interest, is your participation legally required?

Next, here is a non-technical explanation of each:

Public Official

Step One — Are you a "public official," within the meaning of the rules?

The Act's conflict-of-interest rules apply to "public officials" as defined in the law. This first step in the analysis is usually a formality — you are probably a public official covered by the rules. If you are an elected official or an employee of a state or local government agency who is designated in your agency's conflict-of-interest code, you are a "public official." If you file a Statement of Economic Interests (Form 700) each year, you are a "public official" under the Act (even if you are not required to file a Form 700, in some cases you may still be considered a public official because the definition covers more than specifically designated employees). The cases that are tougher to determine typically involve consultants, investment managers and advisers, and public-private partnerships. If you have any doubts, contact your agency's legal counsel or the FPPC.

Governmental Decision

Step Two — Are you making, participating in making, or influencing a governmental decision?

The second step in the process is deciding if you are engaging in the kind of conduct regulated by the

conflict-of-interest rules. The Act's conflict-of-interest rules apply when you:

- ***Make*** a governmental decision (for example, by voting or making an appointment).
- ***Participate*** in making a governmental decision (for example, by giving advice or making recommendations to the decision-maker).
- ***Influence*** a governmental decision (for example, by communicating with the decision-maker).

A good rule of thumb for deciding whether your actions constitute making, participating in making, or influencing a governmental decision is to ask yourself if you are exercising *discretion* or *judgment* with regard to the decision. If the answer is "yes," then your conduct with regard to the decision is very probably covered.

When you have a conflict — Regulation 18702.5 (special rule for section 87200 public officials)

Government Code section 87105 and regulation 18702.5 outline a procedure that public officials specified in section 87200 must follow for disclosure of economic interests when they have a conflict of interest at a public meeting. The full text of this law and regulation may be viewed in the Library and Publications section of the FPPC's website at http://www.fppc.ca.gov.

Public officials specified in section 87200 of the Government Code, such as council members, planning commissioners, and boards of supervisors, must pub-

licly identify in detail the economic interest that creates the conflict, step down from the dais **and must then leave the room**. This identification must be following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences.

Additionally, the disqualified official may not be counted toward achieving a quorum while the item is being discussed.

The identification of the conflict and economic interest must be made orally and shall be made part of the public record.

Exceptions:

- If the decision is to take place during a closed session, the identification of the economic interest must be made during the public meeting prior to the closed session but is limited to a declaration that the official has a conflict of interest. The economic interest that is the basis for the conflict need not be disclosed. The official may not be present during consideration of the closed session item and may not obtain or review any non-public information regarding the decision.

- A public official is not required to leave the room for an agenda item on the consent calendar provided that the official recuses himself or herself and publicly discloses the economic interest as described above.

- A public official may speak as a member of the general public only when the economic interest that is the basis for the conflict is a personal economic interest, for example, his or her personal residence or wholly owned business. The official must leave the dais to speak from the same area as the members of the public and may listen to the public discussion of the matter.

Examples:

— The Arroyo City Council is considering widening the street in front of council member Smith's personal residence, which he solely owns. Council member Smith must disclose on the record that his home creates a conflict of interest preventing him from participating in the vote. He must leave the dais but can sit in the public area, speak on the matter as it applies to him and listen to the public discussion.

— Planning Commissioner Garcia is a greater than 10% partner in an engineering firm. The firm represents a client who is an applicant on a project pending before the planning commission. Commissioner Garcia must publicly disclose that the applicant is a source of income to her requiring her recusal. Commissioner Garcia must step down from the dais and leave the room. Since this is not a personal interest that is the basis for the conflict, she ***may not*** *sit in the public area and listen to the discussion.*

— Supervisor Robertson rents a home to a county employee. The county employee is the sub-

ject of a disciplinary matter in a closed session of the Board of Supervisors. During the open session prior to adjourning to closed session, Supervisor Robertson announces that he must recuse himself from participating in the closed session ***but does not disclose that the reason for his recusal is a source of income nor does he name the county employee that is the source of income to him.*** *He may not attend the closed session or obtain any non-public information from the closed session.*

Economic Interests

Step Three — What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

From a practical point of view, this third step is the most important part of the law for you. The Act's conflict-of-interest provisions apply only to conflicts of interest arising from economic interests. There are six kinds of such economic interests from which conflicts of interest can arise:

- **Business Investment**. You have an economic interest in a business entity in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more.

- **Business Employment or Management.** You have an economic interest in a business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management.

- **Real Property.** You have an economic interest in real property in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more, and also in certain leasehold interests.

"The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise."

- **Sources of Income.** You have an economic interest in anyone, whether an individual or an organization, from whom you have received (or from whom you have been promised) $500 or more in income within 12 months prior to the decision about which you are concerned. When thinking about sources of income, keep in mind that you have a community property interest in your spouse's or registered domestic partner's income — a person from whom your spouse or registered domestic partner receives income may also be a source of a conflict of interest to you. Also keep in mind that if you, your spouse, your registered domestic partner or your dependent children own 10 percent of more of a business, you are considered to be receiving "pass-through" income from the business's clients. In other words, the business's clients may be considered sources of income to you.

- **Gifts.** You have an economic interest in anyone, whether an individual or an organization, who has

given you gifts which total $390 or more within 12 months prior to the decision about which you are concerned.

- **Personal Financial Effect.** You have an economic interest in your personal expenses, income, assets, or liabilities, as well as those of your immediate family. This is known as the "personal financial effects" rule. If these expenses, income, assets or liabilities are likely to go up or down by $250 or more in a 12-month period as a result of the governmental decision, then the decision has a "personal financial effect" on you.

On the Statement of Economic Interests (Form 700) you file each year, you disclose many of the economic interests that could cause a conflict of interest for you. However, be aware that not all of the economic interests that may cause a conflict of interest are listed on the Form 700. A good example is your home. It is common for a personal residence to be the economic interest that triggers a conflict of interest even though you are not required to disclose your home on the Form 700.

Directly or Indirectly Involved?

Step Four — Are your economic interests directly or indirectly involved in the governmental decision?

An economic interest which is directly involved in — and therefore directly affected by — a governmental decision creates a bigger risk of a conflict of interest than does an economic interest which is only indirectly involved in the decision. As a result, the FPPC's conflict-of-interest regulations distinguish between economic interests that are directly involved and interests that are indirectly involved.

Once you have identified your economic interests, you must next decide if they are directly involved in the governmental decision about which you are concerned. The FPPC has established specific rules for determining whether each kind of economic interest is directly or indirectly involved in a governmental decision.

The details of these rules are beyond the scope of this guide. In general, however, an economic interest is directly involved if it is the subject of the governmental decision. For example, if the interest is real property, and the decision is about building a donut shop down the block from the property, then the interest is directly involved. If the interest is a business, and the decision is whether to grant a license for which the business has applied, the interest is directly involved.

These are just examples; you should contact your agency counsel, the FPPC and the specific regulations

if you have questions as each case arises. Note also that the next step in the analysis — applying the right standard to determine whether an impact is material — depends in part on whether the interest is directly or indirectly involved. The regulations — Sections 18704 through 18704.5 — and other helpful information can be found on the FPPC's web site, http://www.fppc.ca.gov.

Materiality (Importance)

Step Five — What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

At the heart of deciding whether you have a conflict of interest is a prediction: Is it sufficiently likely that the governmental decision will have a material financial effect on your economic interests? As used here, the word "material" is akin to the term "important." You will have a conflict of interest only if it is reasonably foreseeable that the governmental decision will have an important impact on your economic interests.

The FPPC has adopted rules for deciding what kinds of financial effects are important enough to trigger a conflict of interest. These rules are called "materiality standards," that is, they are the standards that should be used for judging what kinds of financial impacts resulting from governmental decisions are considered material or important.

There are too many of these rules to review in detail in this booklet. Again, you can seek advice for your

"Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them."

-- California Political Reform Act of 1974

agency counsel or the FPPC. However, to understand the rules at a "big picture" level, remember these facts:

- If the economic interest is directly involved in the governmental decision, the standard or threshold for deeming a financial impact to be material is stricter (i.e. lower). This is because an economic interest that is directly involved in a governmental decision presents a bigger conflict-of-interest risk for the public official who holds the interest.

- On the other hand, if the economic interest is not directly involved, the materiality standard is more lenient because the indirectly involved interest presents a lesser danger of a conflict of interest.

- There are different sets of standards for the different types of economic interests. That is, there is one set of materiality standards for business entities, another set for real property interests, and so on.

- The rules vary by the size and situation of the economic interest. For example, a moment's thought will tell you that a $20,000 impact resulting from a governmental decision may be crucial to a small business, but may be a drop in the bucket for a big corporation. For example, the materiality standards

distinguish between large and small businesses, between real property which is close or far from property which is the subject of the decision.

Does a Conflict of Interest Result?

Step Six — Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

As already mentioned in the introduction, the heart of the matter is deciding whether it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests.

What does "sufficiently likely" mean? Put another way, how "likely" is "likely enough?" The Political Reform Act uses the words "reasonably foreseeable." The FPPC has interpreted these words to mean "substantially likely." Generally speaking, the likelihood need not be a certainty, but it must be more than merely possible.

A concrete way to think about this is to ask yourself the following question: Is it substantially likely that one of the materiality standards I identified in step five will be met as a result of the government decision? Step six calls for a factual determination, not necessarily a legal one. Also, an agency may sometimes segment (break down into separate decisions) a decision to allow participation by an official if certain conditions are

met. Therefore, you should always look at your economic interest and how it fits into the entire factual picture surrounding the decision.

"Public Generally" Exception

Step Seven — If you have a conflict of interest, does the "public generally" exception apply?

Now that you have determined that you will have a conflict of interest for a particular decision, you should see if the exceptions in Step 7 and Step 8 permit you to participate anyway. Not all conflicts of interest prevent you from lawfully taking part in the government decision at hand. Even if you otherwise have a conflict of interest, you are not disqualified from the decision if the "public generally" exception applies.

This exception exists because you are less likely to be biased by a financial impact when a significant part of the community has economic interests that are substantially likely to feel essentially the same impact from a governmental decision that your economic interests are likely to feel. If you can show that a significant segment of your jurisdiction has an economic interest that feels a financial impact which is substantially similar to the impact on your economic interest, then the exception applies.

The "public generally" exception must be considered with care. You may not just assume that it applies. There are specific rules for identifying the specific seg-

ments of the general population with which you may compare your economic interest, and specific rules for deciding whether the financial impact is substantially similar. Again, contact your agency counsel, the FPPC and the specific rules for advice and details. The regulations outlining the steps to apply the "public generally" exception can be found on the FPPC website at http://www.fppc.ca.gov under regulations 18707-18707.9.

Are you required to participate?

Step Eight — Even if you have a disqualifying conflict of interest, is your participation legally required?

In certain rare circumstances, you may be called upon to take part in a decision despite the fact that you have a disqualifying conflict of interest. This "legally required participation" rule applies only in certain very specific circumstances in which your government agency would be paralyzed, unable to act. You are most strongly encouraged to seek advice from your agency legal counsel or the FPPC before you act under this rule.

Conclusion

Generally speaking, here are the keys to meeting your obligations under the Political Reform Act's conflict-of-interest laws:

- Know the purpose of the law, which is to prevent biases, actual and apparent, which result from the financial interests of the decision-makers.

- Learn to spot potential trouble early. Understand which of your economic interests could give rise to a conflict of interest.

- Understand the "big picture" of the rules. For example, know why the rules distinguish between directly and indirectly involved interests, and why the public generally exception exists.

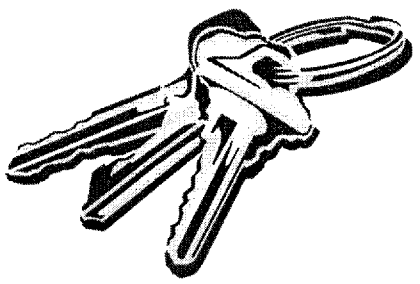

- Realize the importance of the facts. Deciding whether you have a disqualifying conflict of interest depends just as much — if not more — on the facts of your particular situation as it does on the law.

- Don't try to memorize all of the specific conflict-of-interest rules. The rules are complex, and the penalties for violating them are significant. Learn to understand the "big picture." You'll then be able to look up or ask about the particular rules you need to apply to any given case.

- Don't be afraid to ask for advice. It is available from your agency's legal counsel and from the FPPC.

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MV00061080

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of the Moreno Valley Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt Resolution No. 2010-37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

The City of Moreno Valley Community Facilities District No. 2 (Auto Mall) ("CFD No. 2") formation permitted a bonded indebtedness in an amount not to exceed $14,700,000. The sale of bonds in June 1989 financed infrastructure improvements and acquisition. Except for funds set aside for traffic signal construction at the eastbound off ramp of State Route 60 and Moreno Beach Dr., the improvements were declared complete in 1993, and the excess improvement funds were used to retire $2,805,000 in bonds in December 1993. The traffic signal construction was completed June 14, 1996, and the remaining funds were used to call $95,000 in bonds on June 2, 1997.

There were special tax payment delinquencies on eleven (11) parcels within CFD No. 2. Landmark Land Company of California failed to remit their payments starting with the April 10, 1994 through December 10, 1999 installments on nine parcels. Foreclosure proceedings began in May 1994. The foreclosure was delayed due to bankruptcy proceedings against Oak Tree Federal Savings Bank, Landmark Land Company's parent corporation. On February 7, 1997, a judicial foreclosure sale was held at the Riverside County Courthouse. No bids were received for the properties. In addition to the nine Landmark Land Company delinquencies, the Federal Deposit Insurance Corporation (FDIC) failed to make the April 10, 1997, through December 10, 1999, payments on two (2) parcels.

The bonds defaulted on December 1999, requiring City staff to work with the current auto dealerships and professional consultants to resolve the delinquencies by refinancing the outstanding debt and providing for the acquisition of the nonperforming parcels by new property owners.

On January 25, 2000, a Settlement Agreement, as developed through a combined effort of City staff, the Auto Mall dealerships, and professional consultants, was approved by the City Council. The City Council adopted the Amended and Restated Agreement on March 7, 2000. These agreements provided for the refinancing of the CFD No. 2 Special Tax Bonds and restructuring of the special taxes, remedied the Event of Default on December 1, 1999, reduced and discharged the delinquent ad valorem taxes and special taxes, provided for the disposition of the nonperforming parcels, facilitated development of the nonperforming parcels, established a defined interpretation of the calculation of special tax, and settled all claims. In March 2000, the City formed Community Facilities District No. 3 ("CFD No. 3") for the purpose of restructuring the special tax and issuing bonds to refinance CFD No. 2. On April 5, 2000, $8,075,000 of CFD No. 3 bonds were sold to refinance the outstanding CFD No. 2 bonds. At formation of CFD No. 3, the rate and method of apportionment ("RMA") established a maximum special tax rate that could be levied against properties within CFD No. 3.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 2 was established to finance the capital costs for public improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were sold to provide the funding for acquisition of these improvements. Only properties benefiting from the improvements had annual special tax levies placed on the property tax roll to repay the bonded indebtedness. CFD No. 3 Special Tax Bonds, Series 2000 (the "Bonds"), were issued to refinance the CFD No. 2 bonds. Due to these factors, CFD No. 3 is exempt from the provisions of Proposition 218. Subsequent increases if required, not addressed in the March 7, 2000, CFD Report, will be subject to a two-thirds voter approval by the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the RMA required to cover the special tax requirement for CFD No. 3, as submitted in the Special Tax

Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The maximum special tax rates are based upon the assigned zone and development status for each parcel within CFD No. 3, as determined by the timing of the building permit. Developed parcels are those parcels that have a building permit issued prior to January of the current year. For each fiscal year following 2000/01, the Maximum Special Tax rates shall increase by an amount equal to 2% of the Maximum Special Tax in effect for the prior fiscal year. The Maximum Special Tax applicable to each parcel, or portion thereof, shall be obtained by multiplying the taxable acreage for the parcel or portion thereof by the appropriate maximum special tax rate for the parcel's assigned zone as shown within the table below.

Community Facilities District No. 3 (Auto Mall Refinancing) MAXIMUM SPECIAL TAX RATES BY LAND USE CLASSIFICATION FOR FISCAL YEAR 2010/11		
Zone	Developed Property	Undeveloped Property
A	NA*	NA*
B	$14,628/Taxable Acres	$7,905/Taxable Acres
C	$9,751/Taxable Acres	$3,279/Taxable Acres

Based upon the application of the RMA, properties located within Zone A of CFD No. 3 are not taxable after FY 2009/10.

The special tax levy is applied only to those taxable parcels within the boundaries of CFD No. 3 and will be collected on the annual tax bills prepared by the County of Riverside. The debt service shall be paid from a combination of CFD special taxes and Redevelopment tax increment and limited project specific sales tax.

ALTERNATIVES

1. Approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 3 Bonds.*

2. Do not approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 3 Bonds. Bond reserves cover the shortfall and/or the payments to the bondholders to prevent an event of default. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the CFD No. 3 property owner's 2010/11 tax bill. The amounts of the individual charges are reported in the Annual Special Tax Report on file in the office of the City Treasurer. **The funds collected through the CFD No. 3 are restricted funds, which may only be used to pay the debt service for CFD No. 3.** There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment and sales tax revenues, as defined in various Participation Agreements, may offset the special tax.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 3 bonded indebtedness shall be collected in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 3, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer.

NOTIFICATION

Not Applicable

ATTACHMENTS/EXHIBITS

Exhibit A — A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 3

Exhibit B — Boundary Map of CFD No. 3

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061086

RESOLUTION NO. 2010-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 2000-27 ("Resolution") approving the form of the Bond Indenture ("Indenture") terms and conditions pertaining to the issuance of the Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) Special Tax Bond, Series 2000 in the amount of $8,075,000 of the; and,

WHEREAS, the City has prepared and submitted the Annual Special Tax Report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District, which is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 3 as set forth in the Report and herby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

Resolution No. 2010-__
Date Adopted: _____

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare}

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061090

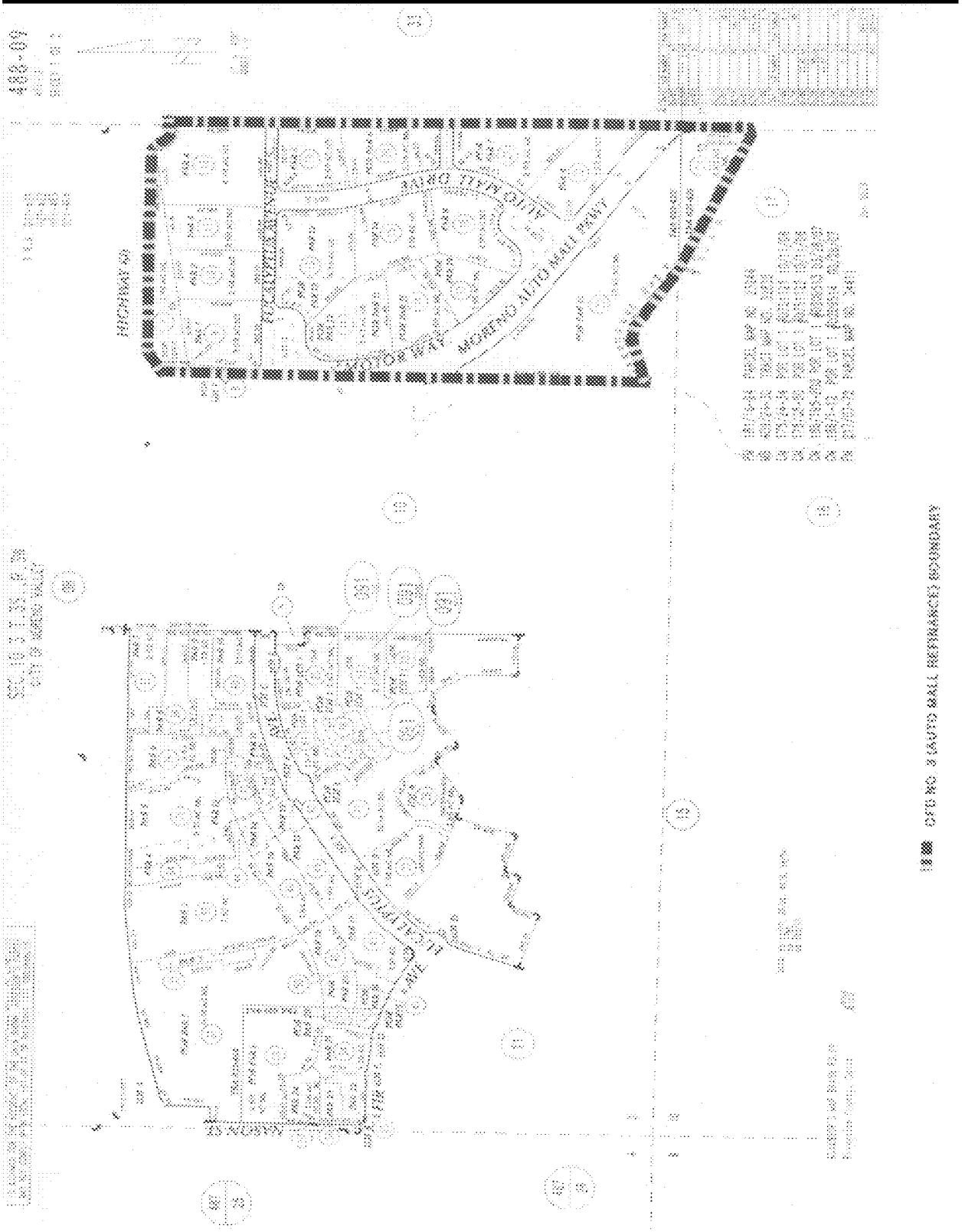

Exhibit B

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MV00061092

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

1 Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1; and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1 was authorized to issue bonds. In April 1988, the Series A Bonds were sold in the amount of $9,000,000 to finance Phase I improvements. The Series B Bonds were sold in August 1991 in the amount of $12,000,000 to fund the remaining improvements within CFD No. 87-1.

In May of 1994, the legislative body of CFD No. 87-1 approved the issuance of the Special Tax Refunding Series A ($14,170,000) and Series B ($8,530,000) Bonds, which were sold on June 24, 1994. These bonds are collectively known as the "Prior Bonds".

In October of 2007, the legislative body of CFD No. 87-1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 (Towngate) Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the Prior Bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 was established to finance the capital costs for roadway improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were issued to provide funding for these improvements. Only commercial properties within the CFD No. 87-1 are subject to the annual special tax to repay the bonded indebtedness. Subsequent increases in the special tax, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum special tax rate for CFD No. 87-1 is $11,500 per net acre. This amount is uniformly applied to developed property and may only be applied to undeveloped property if the maximum special tax levy on the developed property is insufficient to cover the annual special tax requirement.

The special tax will be levied per parcel and collected on the annual property tax bills, which are prepared by the County of Riverside. Only taxable parcels within the boundaries of CFD No. 87-1 shall be subject to the special tax. The total special tax requirement will be funded through a combination of CFD No. 87-1 special tax, TownGate Specific Plan Area tax increment as provided by the Redevelopment Agency, and excess Reserve Fund interest earnings.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Annual Accountability Report in compliance with

California Government Code Sections 53410 and 53411 ("Code Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with Fiscal Year (FY) 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Annual Special Tax and Bond Accountability Report which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information, as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there would be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales. Failure to file the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the FY 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1. **Funds collected through CFD No. 87-1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1.** The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer.

There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment, as defined in various Owner Participation Agreements, may offset the special taxes. No single family residential property is affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to repay the CFD No. 87-1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1, shall have an opportunity to consider implementing the RMA to provide the payment of annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1. The other report approves the special tax levy and reporting requirements for CFD No. 87-1 Improvement Area No. 1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1
Exhibit C	Boundary Map for CFD No. 87-1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061098

RESOLUTION NO. 2010-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 88-13 establishing the terms and conditions pertaining to the issuance of the $9,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Special Tax Bonds, Series "A" ("1988 Bonds"); and, adopted Resolution No. 91-90 establishing the terms and conditions pertaining to the issuance of the $12,000,000 City of Moreno Valley Towngate Community Facilities District No. 87-1 Special Tax Bonds, Series "B" ("1991 Bonds"); and,

WHEREAS, the District, did previously adopt Resolution No. 94-28, which established the terms and conditions pertaining to the issuance of the City of Moreno Valley Community Facilities District No. 87-1 (Towngate) $14,170,000 Special Tax Refunding Bonds, Series A ("1994 Series A Bonds") and $8,330,000 Special Tax Refunding Bonds, Series B ("1994 Series B Bond") (collectively, the "Prior Bonds"); and,

WHEREAS, the legislative body of the District determined that it would be prudent in the management of the fiscal affairs of the District to proceed with issuing bonds for the purpose of refunding the Prior Bonds; and,

WHEREAS, this legislative body, approved Resolution No. 2007-119 to authorize the issuance of 2007 Special Tax Refunding Bonds for CFD No. 87-1, which were sold on November 29, 2007, at $10,665,000; and,

WHEREAS, this legislative body approved the Bond Indenture to establish the terms and conditions pertaining to the issuance of the 2007 Special Tax Refunding Bonds; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 87-1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this day _____ of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061102

RESOLUTION NO. 2010-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF AN ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file a report with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the report in compliance with the above mentioned Government Code Sections, and that a copy of the Annual Accountability Report is on file in the office of the City Treasurer for review by the public upon request.

.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

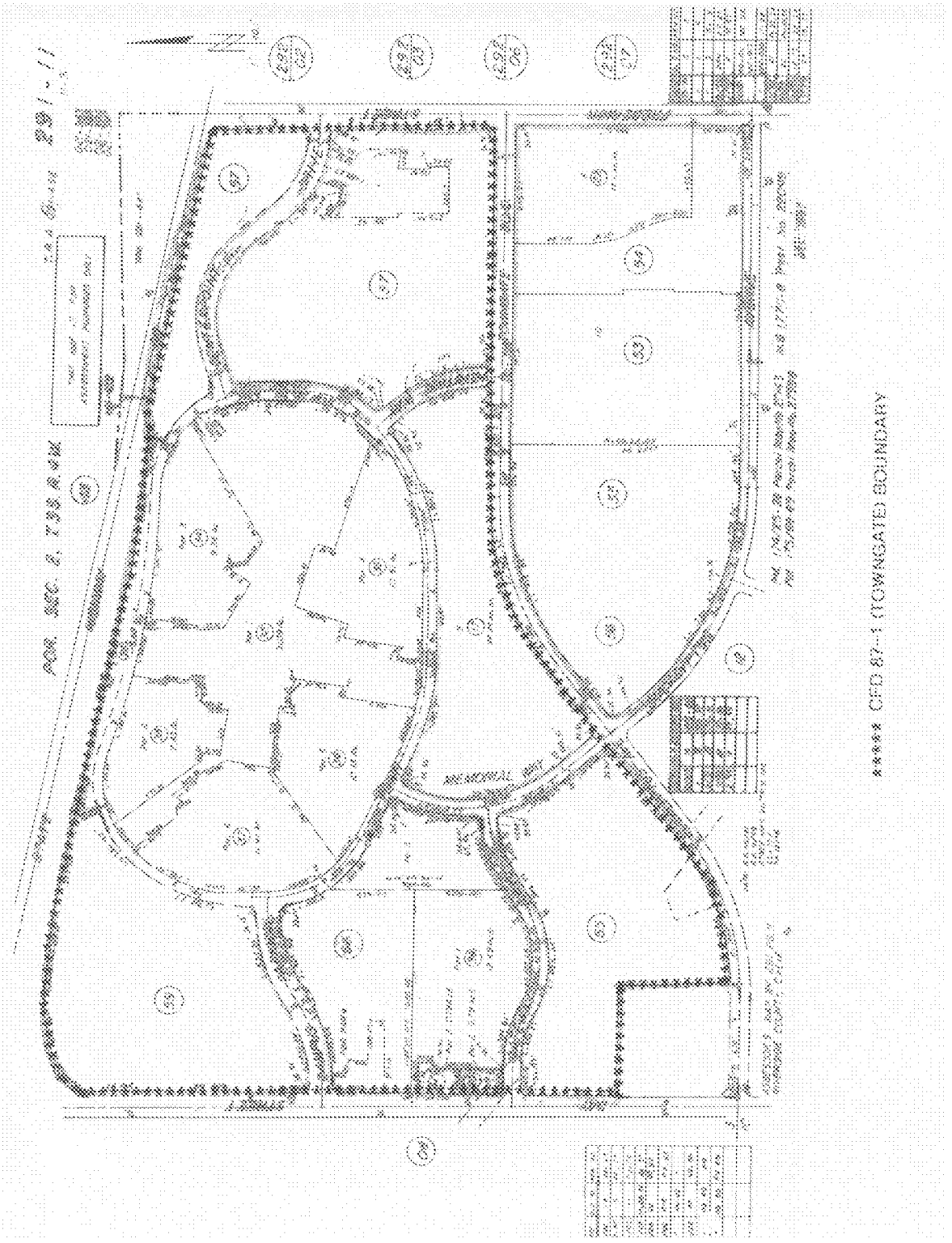

Exhibit C

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MV00061106

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

1) Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

2 Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1, Improvement Area No. 1 was authorized to issue bonds. On March 23, 1993, the Moreno Valley City Council approved Resolution No. 93-16 to authorize the issuance of $5,000,000 in bonds for

CFD No. 87-1 Improvement Area No. 1, which were sold on June 24, 1994. The bonds contained a capitalized interest component, which precluded the necessity to levy a Special Tax for 1993/94; therefore, fiscal year (FY) 1994/95 was the first year for a Special Tax levy.

In October of 2007, the legislative body of CFD No. 87-1 Improvement Area No. 1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the refunded bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 Improvement Area No. 1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 Improvement Area No. 1 was established to finance the acquisition, construction, and/or installation of public facilities, which include sewer and water improvements, traffic signals, freeway ramps and land for a detention basin. Bonds were issued to provide funding for these improvements. Only commercial properties within the District are subject to an annual special tax to repay the bonded indebtedness. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1 Improvement Area No.1, as submitted in the Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The special taxes for CFD 87-1 Improvement Area No. 1 shall be levied at a uniform rate per taxable acre on all parcels within each of two tax rate areas. Tax Rate Area 1 consists of approximately 80.15 net taxable acres, which is responsible for 59% of the special tax levy up to the maximum special tax rate of $4,450 per taxable acre. Tax Rate Area 2 is responsible for 41% of the special tax levy up to a maximum special tax rate of $3,850 per taxable acre.

The special tax will be levied per parcel and collected on the annual property tax bills as prepared by the County of Riverside. The special tax levy is applied only to those parcels within the boundaries of CFD No. 87-1 Improvement Area No. 1.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Improvement Area No. 1 Annual Accountability Report in compliance with California Government Code Sections 53410 and 53411 ("Code

Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with FY 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Improvement Area No. 1 Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval will allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with the Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 Improvement Area No. 1 Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting the viability of future bond sales. Filing of the Annual Accountability Report is a legal requirement, which would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1 Improvement Area No. 1. **The funds collected through the CFD No. 87-1, Improvement Area No. 1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1,**

Improvement Area No. 1. The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are no general fund expenditures involved with this special tax obligation. The property within the CFD No. 87-1 Improvement Area No. 1 boundary is commercial; therefore, there are no residential properties affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 87-1 Improvement Area No. 1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1 Improvement Area No. 1, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1 Improvement Area No. 1. The other one approves the special tax levy and reporting requirements for CFD No. 87-1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1
Exhibit C	Boundary Map CFD No. 87-1 Improvement Area No.1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061112

RESOLUTION NO. 2010-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 Improvement Area No. 1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 93-16 approving the Bond Indenture terms and conditions pertaining to the issuance of the $5,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Bonds; and,

WHEREAS, on October 27, 2007, the legislative body adopted Resolution No. 2007-120, which authorized the issuance of Special Tax Refunding Bonds for the District to accomplish a net reduction in the debt service requirement, and approved the Bond Indenture terms and conditions pertaining to the issuance of $4,075,000 for Community Facilities District No. 87-1 Improvement Area No. 1; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No 87-1 Improvement Area No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the tax.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061116

RESOLUTION NO. 2010-41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 IMPROVEMENT AREA NO. 1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

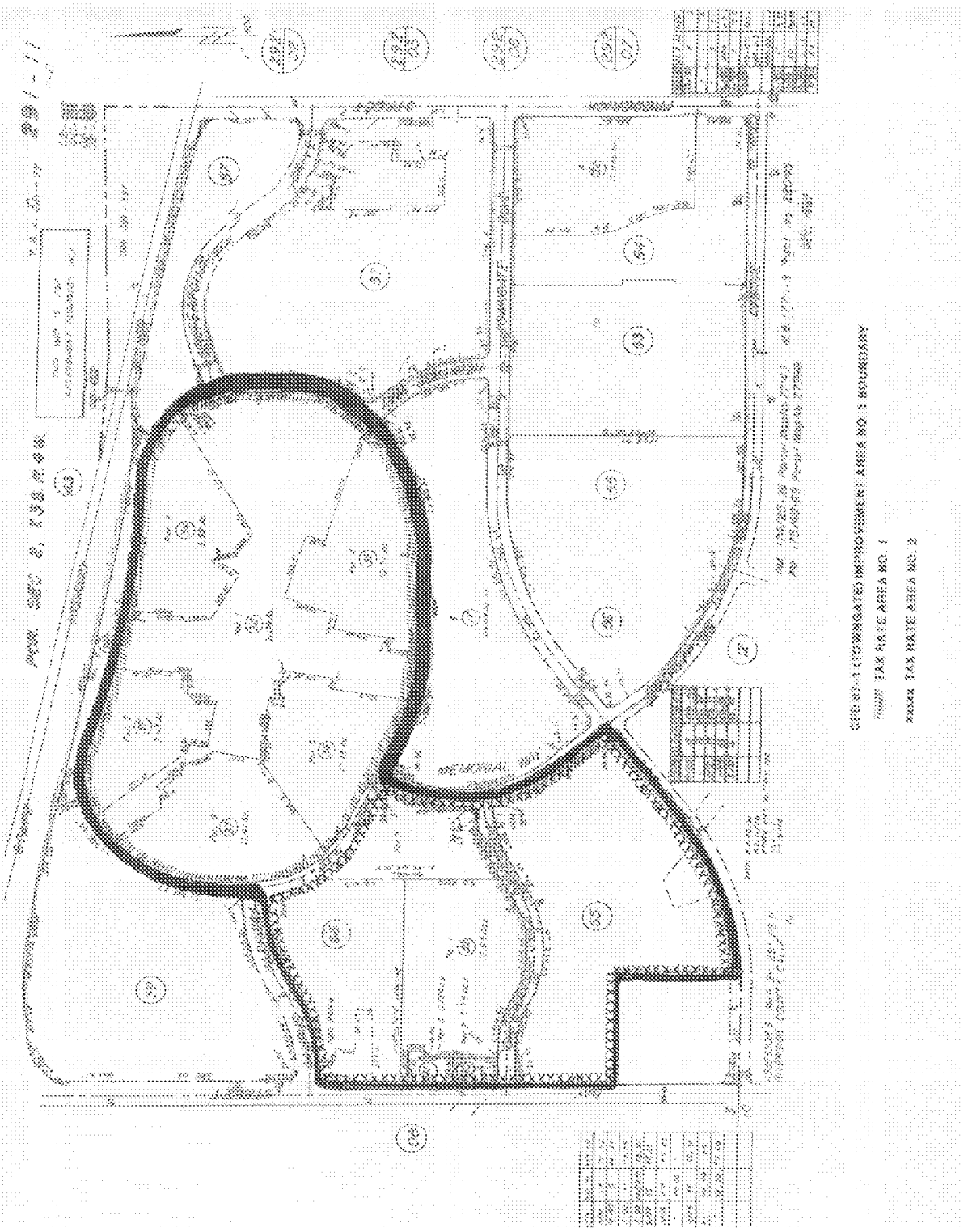

Exhibit C

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MV00061120

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Fixed Charges\County Submission\2010-11\Prop 218 Stfrpt 6.8.10.doc

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MV00061124

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061128

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061132

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 5

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

1. Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

BACKGROUND

Community Facilities District No. 5 ("CFD No. 5" or "District") consists of Stoneridge Towne Centre, which is zoned for commercial/retail use. The site, located at the northeast corner of the Nason Street and Fir Avenue, is approximately 64 gross acres, of which 33 are net taxable acres.

On October 25, 2005, City Council adopted Resolution No. 2005-104 to form CFD No. 5 to finance the capital costs related to the Stoneridge Towne Centre commercial development for street improvements (Nason Street, Dracaea Avenue, Eucalyptus Avenue, and Fir Avenue), traffic signals, water, sewer, drainage, and electrical improvements.

California Government Code Sections 53410 and 53411 ("Code Sections") state that any local bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures that include, but are not limited to, the chief fiscal officer of the issuing local agency filing an Annual Accountability Report with its governing body at least once a year. The Annual Accountability Report shall contain the specific purpose of the bonds, both the amount of funds collected and expended, and the status of any project required or authorized to be funded as identified in the statement indicating the specific purpose of the bonds.

DISCUSSION

Each year during the term of the debt, an Annual Special Tax Report must be approved by the City Council to provide funds for the annual debt service requirements. Detailed within the Annual Special Tax Report are the total annual debt service, administrative requirements, and the calculation of the special tax levy, as per the rate and method of apportionment ("RMA"), to meet the FY 2010/11 special tax requirement. The FY 2010/11 Annual Special Tax Report is on file with the City Treasurer.

The maximum annual special tax for developed and undeveloped property has been established by the RMA at $10,652.00 per acre for FY 2006/07. Per the RMA, the maximum annual special tax shall be increased by an amount equal to two percent (2%) each fiscal year in order to meet the annual special tax requirement. The maximum special tax rate for FY 2010/11 is $11,530 per acre. Subsequent increases, not addressed in the RMA, will be subject to a two-thirds voter approval of the property owners. The County of Riverside collects the special tax levy per taxable parcel, not exempted, on the annual property tax bills.

The special tax is applied only to those taxable parcels within the District boundaries, excluding parcels not subject to the special tax, which includes parcels owned by Target Corp and Kohls Dept Stores, Inc. that prepaid their special tax obligation. The CFD No.5 debt service is calculated based on a total acreage of 33.

The CFD No. 5 Annual Accountability Report provides the following accountability measure as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification of the satisfaction of the requirement that the proceeds are being applied only to the specific purposes identified to the CFD formation and bond financing documents. This includes the creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

The Annual Special Tax Report and the Annual Accountability Report have been consolidated into the Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer.

ALTERNATIVES

1. **Approve and adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *Approval of the resolutions will allow for the collection of the special taxes necessary to cover the annual debt service of CFD No. 5 and ensure reporting compliance with the Code Sections.*

2. **Do not approve or adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *If the special tax levy was not approved, there may be a shortage of funds necessary to cover the annual debt service of CFD No. 5. Not approving the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 Riverside County property tax bill for those parcels subject to the special tax. **The special tax levied on properties within the boundaries of CFD No. 5 can only be used to cover the annual special tax requirement for the District. There is no fiscal impact on the General Fund associated with the annual debt service or for the submittal of the Annual Special Tax and Bond Accountability Report for CFD No. 5.**

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to cover the annual debt service for CFD No. 5 shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 5, per the RMA, required to cover the special tax requirement of CFD No. 5, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Also being considered is the approval and submittal of the Annual Accountability Report for CFD No. 5.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Annual Special Tax Report

EXHIBIT B A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 5

EXHIBIT C Boundary Map of CFD No. 5

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 5 Stoneridge\Administration\Annual Reports\2010-11\staff report and resolutions\CFD 5 10_11 levy - Staff Report.doc

RESOLUTION NO. 2010-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 5 ("CFD No. 5" or "District") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 701 ("Ordinance") to authorize a levy of a special tax within CFD No. 5; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061144

RESOLUTION NO. 2010-44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, Government Code §53410 requires that on or after January 1, 2001 any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 5 OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

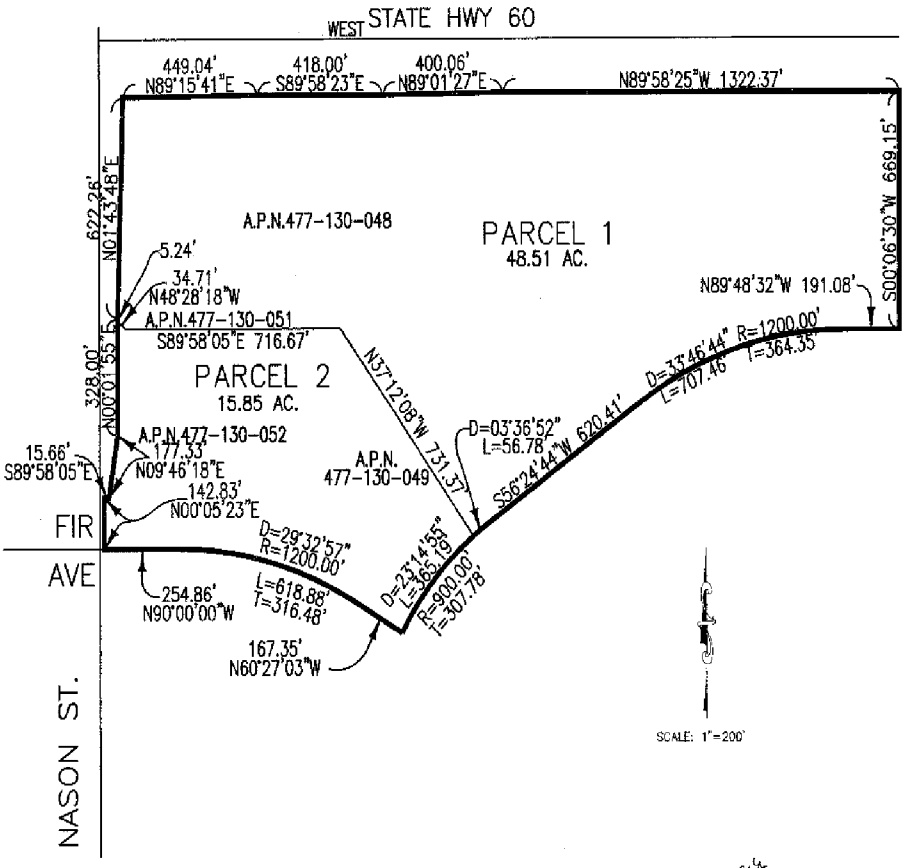

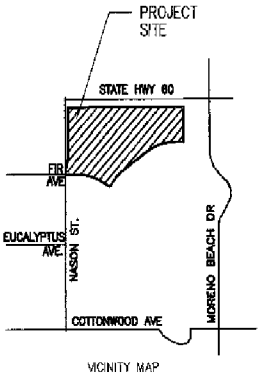

VICINITY MAP
NO SCALE

LEGEND

DISTRICT BOUNDARY

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 20th DAY OF June 2005.

CITY CLERK OF THE CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 5 CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY: AT A REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE 13th DAY OF September 2005. BY ITS RESOLUTION No. 2005-78.

CITY CLERK OF THE CITY OF MORENO VALLEY

FILED THIS 22nd DAY OF September, 2005. AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 64 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS PAGE NOS. 20 THROUGH — AS INSTRUMENT NO. 2005-0785291 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF RIVERSIDE

FEE $ 7

REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

PROPOSED BOUNDARY MAP

Community Facilities District No. 5
of the City of Moreno Valley
County of Riverside, California

Sheet 1 OF 1

HARRIS & ASSOCIATES
34 Executive Park, Suite 150
Irvine, CA 92614
(949) 655-3900 • FAX (949) 655-3595

04/22/05

G:\Moreno Valley\CFD\B\Map\CFD No 5 - Stonebridge Ranch.dwg

EXHIBIT C

Item No. A.9

MV00061147

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MV00061148

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 4—Maintenance

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

BACKGROUND

Centerpointe Business Park is an industrial development area, which is generally located north of Cactus Avenue, south of Alessandro Boulevard, east of Frederick Street, and west of Heacock Street. As a condition of development, stormwater and detention basin improvements were constructed to accommodate water runoff and detention for new and future developments within the industrial development area and adjoining properties.

On October 25, 2005, City Council adopted Resolution No. 2005-97 to form and establish CFD No. 4—M, to provide stormwater facilities maintenance, and to authorize the collection of a special tax against all nonexempt property within the Centerpointe Business Park industrial development, including adjacent properties that may in the future be annexed into CFD No. 4—M. Maintenance, as defined in the resolution to form CFD No. 4—M includes, but is not limited to, the provisions of all labor, materials, administration, equipment, utilities, and incidental expenses necessary to provide maintenance of the stormwater facilities. To fund the cost of maintenance, all

nonexempt properties within the boundaries of CFD No. 4—M shall be subject to an annual special tax levy.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to cover the special tax requirement for CFD No. 4—M, as submitted in the special tax report on file in the office of the City Treasurer. Detailed within the annual special tax report ("Report") is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum annual special tax for each assessor's parcel of developed and undeveloped property, as established by the RMA, shall be increased each fiscal year thereafter, beginning in July 2007, by an amount equal to the Engineering News-Record Building Cost Index ("BCI") for the City of Los Angeles, measured as of the end of the calendar year. The BCI for calendar year 2009 did not increase so the maximum special tax for FY 2010/11 will remain at $0.00853 per square foot of land area. The special tax levy shall be applied proportionately on each parcel of developed and undeveloped property within the boundaries of CFD No. 4—M at up to 100% of the applicable maximum annual special tax. The special tax levy per parcel will be collected on the Riverside County property tax bill. However, the special tax levy for the United States Postal Service, assessor parcel number 297-170-071, shall be hand billed.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *This approval will allow collection of the special taxes necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *If the special tax levy was not approved, there may be a shortage of funds necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

FISCAL IMPACT

The fiscal impact for CFD No. 4—M will be a levy of a special tax applied to the property owner's FY 2010/11 tax bill or a hand bill for tax-exempt properties. **The special tax levied on properties within the boundaries of CFD No. 4—M can only be used to cover the annual special tax requirement for the district. There is no impact on**

the General Fund regarding the levy of the special tax for CFD No. 4—M. Properties within the boundaries of CFD No. 4—M consist of commercial and industrial developments; residential properties are not affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to fund CFD No. 4—M services shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 4—M, per the RMA, to provide ongoing administrative and maintenance services for the stormwater and detention basin improvements.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No. 4—M

EXHIBIT B Boundary Map of CFD No. 4—M

EXHIBIT C Future Annexation Area Map of CFD No. 4—M

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 4—Maintenance\Administration\Annual Report\2010-11\staff report and resolution\Staff_Report for CFD No 4—M annual report.doc

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MV00061152

RESOLUTION NO. 2010-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 697 ("Ordinance") approving the rate and method of apportionment of special taxes ("RMA") to authorize a levy of a special taxes within CFD No. 4-M; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 4-M as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061156

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

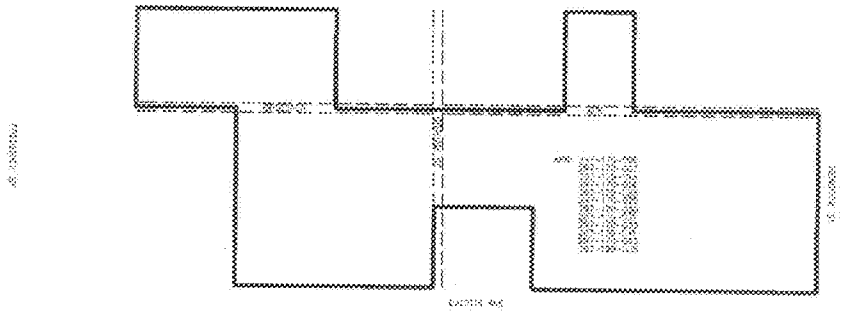

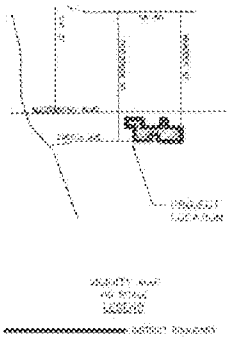

PROPOSED BOUNDARY MAP

Proposed Boundary of
Community Facilities District No. 4–Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT B

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MV00061158

FUTURE ANNEXATION AREA OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

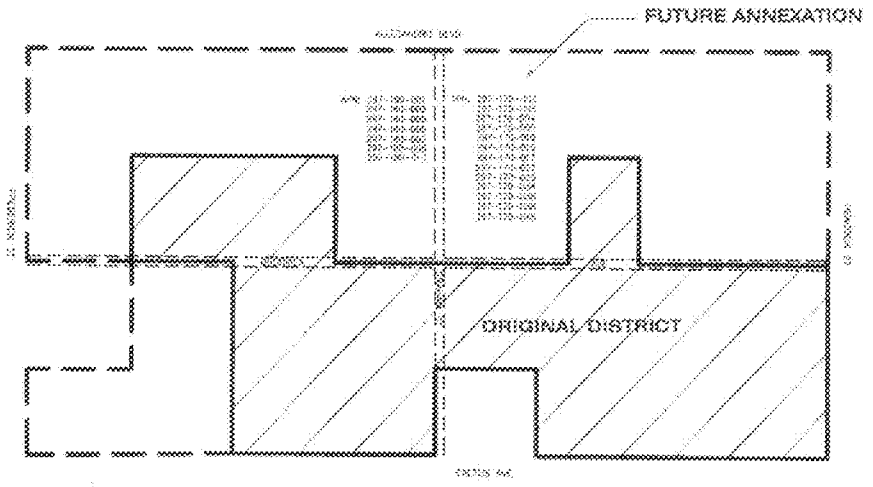

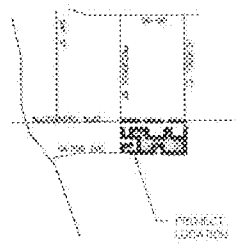

PROPOSED BOUNDARY MAP

Future annexation Area of
Community Facilities District No. 4-Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT C

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MV00061160

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - COMMERCIAL – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center and drug store located at the southeast corner of Iris Avenue and Perris Boulevard that was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, and storm drain. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $538,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Commercial - 90% Bond Reduction.doc

RESOLUTION NO. 2010-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - COMMERCIAL, AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Corporation on the portion of Iris Avenue and Perris Boulevard associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Commercial, and accept the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Commercial are complete, and the portion of Iris Avenue and Perris Boulevard associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

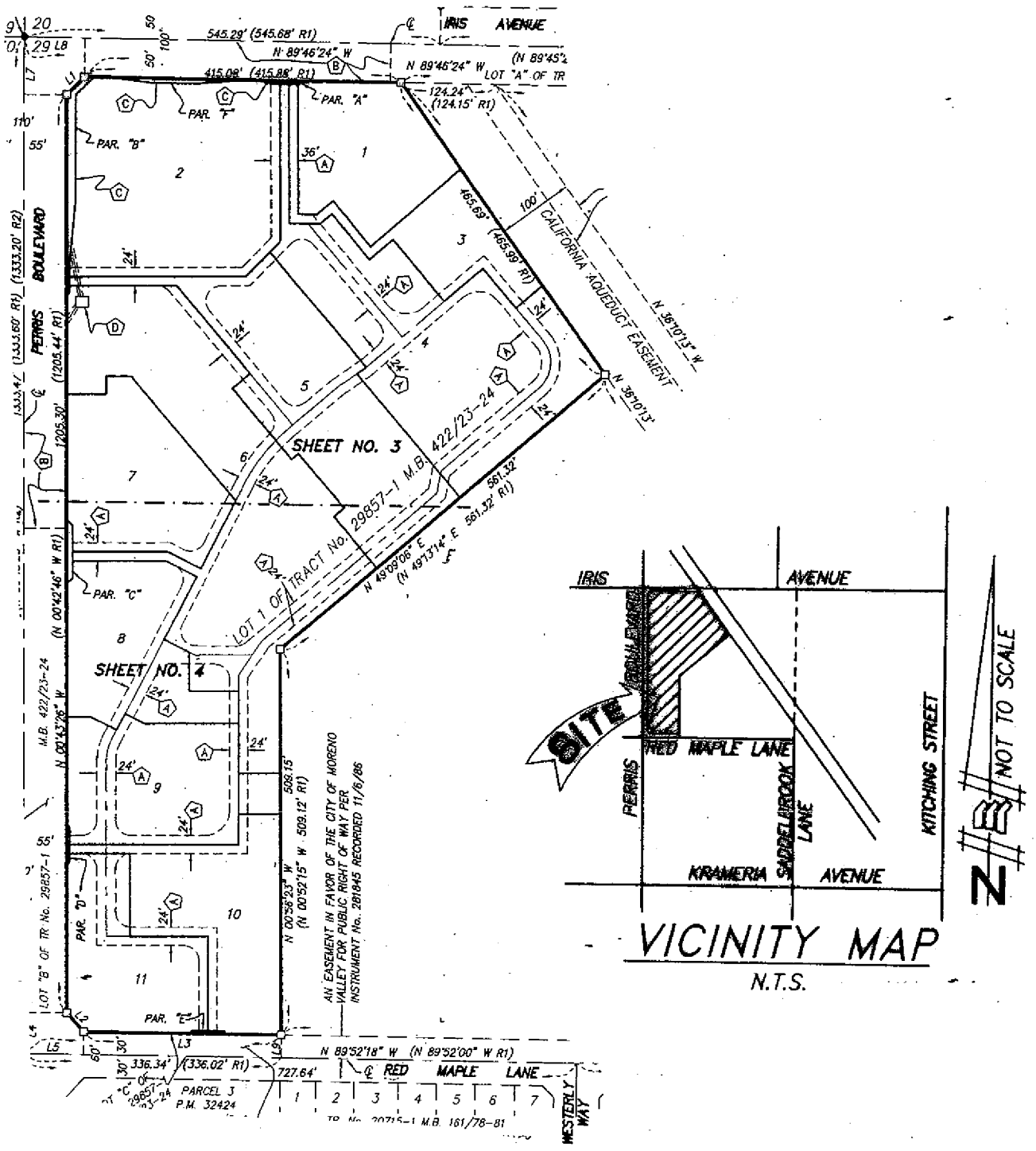

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 33726 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

EXHIBIT "A"

Item No. A.11

MV00061167

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MV00061168

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - STORM DRAIN – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center located on Red Maple Lane, east of Perris Boulevard that was conditionally approved requiring installation of storm drain facilities on Red Maple Lane. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $294,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and

Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Storm Drain - 90% Bond Reduction.doc

RESOLUTION NO. 2010-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - STORM DRAIN, AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Company on the portion of Red Maple Lane associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Storm Drain, and accept the portion of Red Maple Lane associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Storm Drain are complete, and the portion of Red Maple Lane associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

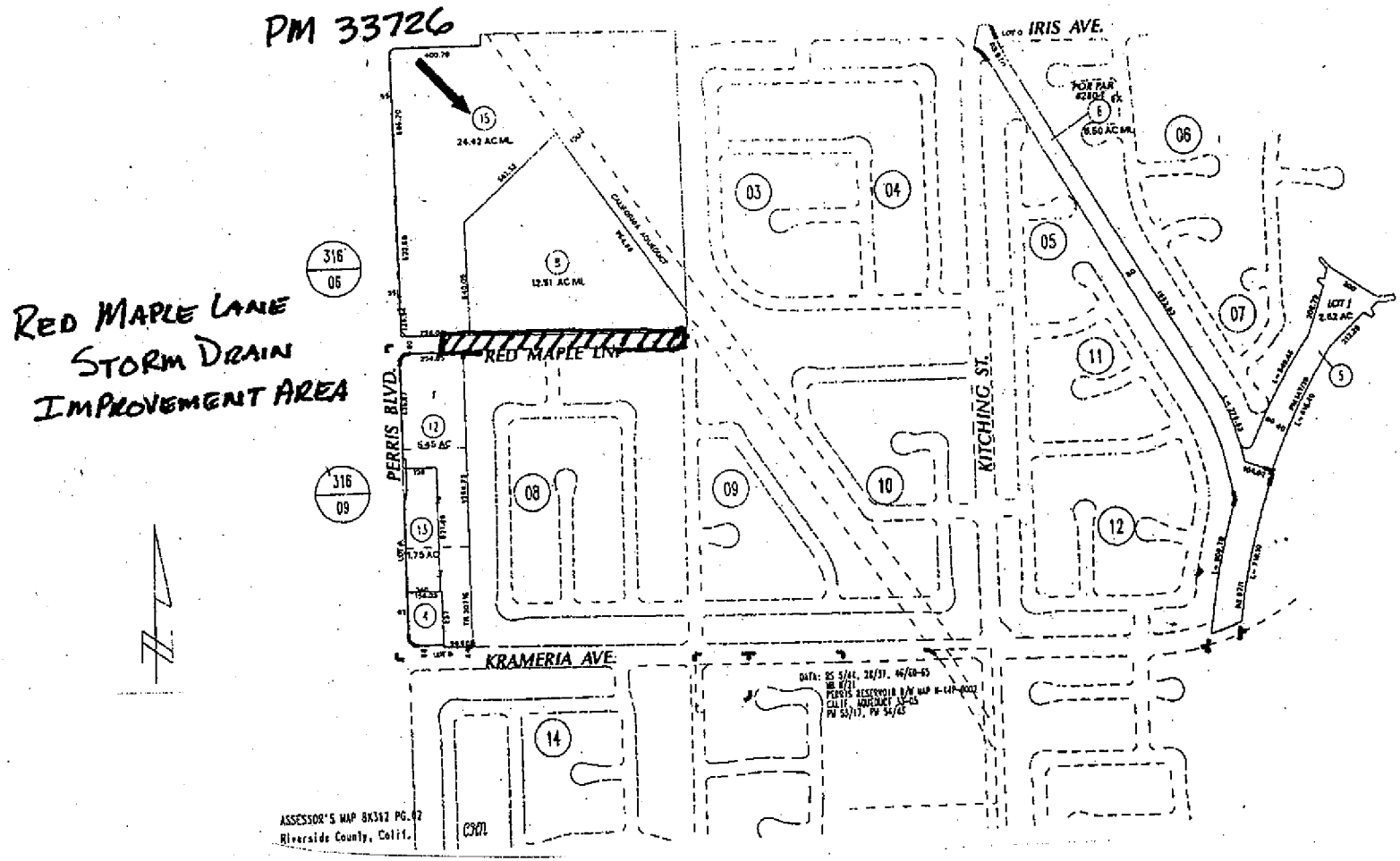

EXHIBIT "A"

-141-

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

PM 33726 STORM DRAIN
VICINITY MAP

Item No. A.12

MV00061175

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MV00061176

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE

RECOMMENDED ACTION

Staff recommends that the City Council review and approve the annual Agreements for Services with two of the local chambers of commerce – the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

BACKGROUND

A chamber of commerce provides the important role of acting as a liaison between city government and the business community. A local chamber of commerce can help enhance a city's economic development efforts by actively working with the business community on a variety of retention and business support activities.

In Moreno Valley, there are three chambers of commerce – the Moreno Valley Chamber of Commerce (MVCC), the Moreno Valley Hispanic Chamber of Commerce (MVHCC), and the Moreno Valley Black Chamber of Commerce (MVBCC). City funding, through an annual Agreement of Services, has been provided in exchange for the chambers performing a variety of specified business outreach services and special programs that improve the overall business climate in Moreno Valley.

The MVCC started receiving annual funding of $24,000 from the City in FY 1999/2000 (in the mid to late 1990's the MVCC worked with the City on a number of specific projects, but had not established annual funding arrangements). The MVHCC obtained $6,000 in annual funding from the City starting in FY 2000/01. The difference in funding level between the two Chamber's was in recognition of the MVCC's larger membership and the many special programs the MVCC performed including being the liaison with March ARB, co-sponsoring the Leadership Moreno Valley program, preparing a City

Map, operating a City Visitor Information Center at the Moreno Valley Mall, and managing the Master Community Calendar of Events. In FY 2000/01, the City formalized its relationship with the MVCC and the MVHCC by entering into an annual contract – an Agreement for Services. This is a common practice for cities and chambers in California. In FY 2005/06, the City entered into an annual Agreement for Services with the MVBCC with an established funding amount of $6,000.

DISCUSSION

In FY 2009/10, the City of Moreno Valley provided the following financial contributions to the three Chambers of Commerce:

Chamber	Annual Contribution
Moreno Valley Chamber of Commerce	$24,000 plus two complimentary 5-hour ballroom rentals.
Moreno Valley Black Chamber of Commerce	$5,500 plus two complimentary 5-hour ballroom rentals. (Please note the Moreno Valley Black Chamber Board of Directors voted to decline participation in the ERC program citing that their non-profit Foundation has a similar program staffed by their volunteers. They consented to deducting $500.00 from their annual compensation.)
Moreno Valley Hispanic Chamber of Commerce	$6,000 plus two complimentary 5-hour ballroom rentals.

Four years ago, the City increased overall funding to the three chambers by providing two complimentary uses of the Conference and Recreation Center (CRC) for programs. The use of the City facilities improves the quality of programs and enhances the marketing of the CRC.

Before moving forward with renewing contracts for FY 2010/11, the Economic Development Department staff met with executives from each of the respective Chambers to discuss their respective scopes of work and identify opportunities for the Chambers to further cooperate in working together to enhance business services and business opportunities in the community. Because of the challenging economic times, emphasis is being placed on the implementation of a “Shop Moreno Valley” program by the City, along with support by each Chamber. The proposed changes to the scopes of work for each chamber are similar (please refer to Exhibits A, B, and C for the full text of each chamber’s scope of work, including highlighted changes from FY 2009/10):

On May 27, 2010, City staff was informed that the Board of Directors of the Moreno Valley Black Chamber of Commerce (MVBCC) has decided not to pursue a renewal of its Agreement with the City for FY 2010/11. In taking this action, the MVBCC stated it will continue to help the City and the other two chambers with the Business Roundtable and Joint Mixers if it desires the MVBCC’s participation.

ALTERNATIVES

1. Approve the renewal of the Agreement for Services with the two chambers (MVCC and MVHCC) as proposed per the established funding levels.

   Staff recommends this alternative because the renewal of the Agreements as proposed properly compensates each chamber commensurate with their respective proposed scopes of work.

2. Reject the renewal of the Agreements and direct staff to pursue changes to the Agreement for Services.

FISCAL IMPACT

As part of the FY 2010/11 Agreements for Services, City staff recommends adopting the following "Schedule of Compensation" for services rendered. This type of format clearly spells out the service delivery established through the contractual relationship between the City and the respective chambers of commerce. The funding source for these services will be from FY 2010/11 Budget, Account No. 010.21110.6255, Economic Development, Other Professional Services.

Chambers of Commerce Compensation

	TYPE OF SERVICE	MVCC	MVHCC
☐	Basic Business Support and Retention Services	$8,000*	$2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage master Community Calendar)	12,500**	N/A
☐	Proposed Cooperative Programs (Shop Moreno Valley)	500	500
	Total	**$24,000**	**$6,000**

**Note: MVCC's compensation is higher because of a larger membership base.*

***Note: MVCC performs a variety of other programs that benefit the business community and enhance the overall economic development efforts of the City.*

CITY COUNCIL GOALS

Positive Environment: Create a possible environment for the development of Moreno Valley's future.

SUMMARY

The City contracts with the chambers of commerce for business support services. Through the Agreements for Services, the City shall compensate the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce for a variety of specified services.

ATTACHMENTS/EXHIBITS

Exhibit A: Proposed Agreement and Scope of Services for the Moreno Valley Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Exhibit B: Proposed Agreement and Scope of Services for the Moreno Valley Hispanic Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Prepared By:
Denise Bagley
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~, 2010 by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments in advance of each calendar quarter to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $24,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in FY ~~2009-10~~ 2010-11. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director	~~Executive Director~~ President
Economic Development Department	Moreno Valley Chamber of Commerce
City of Moreno Valley	~~22500 Town Circle, Suite 2090~~
P. O. Box 88005	12625 Frederick Street, E-2
Moreno Valley, CA 92552-0805	Moreno Valley, CA 92553

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber Executive Director as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and al losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly

or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of

Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous

places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY	MORENO VALLEY CHAMBER OF COMMERCE
By: _____	By: _____
Title: _____	Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement
Approved Certificate of Workers' Compensation Insurance

Exhibit A
Moreno Valley Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1 The Moreno Valley Chamber of Commerce ("Chamber") will continue to sponsor and operate Wake-Up Moreno Valley.

Article 2 The Chamber will assist the City in its relationship with March Air Reserve Base and keep the City informed of the activities of the Military Affairs Committee.

Article 3 The Chamber will serve as an information source for businesses seeking opportunities in Moreno Valley, as well as functioning as a visitor and information center.

Article 4 Chamber will provide a personal welcome to new businesses and offer assistance in contacting governmental agencies.

Article 5 Chamber will assist the City Economic Development staff in business retention and small business legislative support; including active participation and coordination of the Business Roundtable, Leadership Moreno Valley, and the Economic Development Department Business Visitation Programs.

Article 6 Chamber will create and maintain a master community calendar as part of their Special Events function and keep the City advised on a monthly basis. Included with this calendar will be the specific events and activities of the other local Chambers of Commerce.

Article 7 The Chamber will maintain their ongoing committees and the services provided through those committees.

Article 8 Chamber will continue to provide maps of the city, including any updating as necessary.

~~Article 9 Chamber will provide City a complete roster of dues paying members including names and addresses annually.~~

~~Article 10 Chamber will have a membership performance goal of increasing membership by 10% in one year.~~

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 11 Chamber shall cooperate with the Moreno Valley Hispanic and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one of the three annual Mega Mixers.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Article 12 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in bi-monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 13 Chamber shall participate with the Moreno Valley Hispanic Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 14 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 15 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 16 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 17 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Exhibit B
Moreno Valley Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 8,000
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage a Master Community Calendar)	12,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program~~s~~: Shop Moreno Valley Campaign ~~Employment Resource Center~~	 2,000 ~~500~~
	Total	**$ 24,000**

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/11/2009

PRODUCER
CS&S/ASSOCIATED PRODUCERS INSURANCE
PO BOX 946580
Maitland, FL 32794-6580
1-877-724-2669

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: American Casualty Co of Reading, PA	20427 A(XV) CA
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
MORENO VALLEY CHAMBER OF COMMERCE
12625 Frederick Street, Ste E-3
Moreno Valley, CA 92553

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [X] LOC	2091080061	12/22/09	12/22/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
						MED EXP (Any one person)	$ 10,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS - COMP/OP AGG	$ 2,000,000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$

RISK MANAGEMENT
Approved
M. Alonzo 11-23-09
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Certificate Holder is named as Owner/Lessee/Contractor (A)

CERTIFICATE HOLDER
The City of Moreno Valley; Moreno Valley Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

CNA Small Business Service Center
PO Box 946580
Maitland, FL 32794-6580

000008

The City of Moreno Valley; Moreno Valley
Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

0000300000000000000111109030 7

SB-300120-A
(Ed. 01/06)

CNA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization: EFFECTIVE 12/22/2009 TO 12/22/2010 CNP 2091080061 **THE CITY OF MORENO VALLEY** **MORENO VALLEY COMMUNITY SERVICES DISTRICT** **REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY** **14177 FREDERICK STREET, MORENO VALLEY, CA 92552**
* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

CNA

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

Effective: 12/22/08 to 12/22/09
Moreno Valley Chamber of Commerce - Pol # 2091080061

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization:

City of Moreno Valley
Moreno Valley Community Services District,
Redevelopment Agency of the City of Moreno Valley
14177 Frederick St., Moreno Valley, CA 92552

* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

POLICYHOLDER · ·Y SK

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

NR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 05-01-2009

GROUP:
POLICY NUMBER: 1344343-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 05-01-2010
05-01-2009/05-01-2010

CITY OF MORENO VALLEY SK
P.O. BOX 88005 , 14177 FREDERICK STRE
MORENO VALLEY CA 92552-0805

This is to certify that we have issued a valid Workers' Compensation Insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 days advance written notice to the employer.

We will also give you 30 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

Jamea Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #2065 ENTITLED CERTIFICATE HOLDERS' NOTICE EFFECTIVE 05-01-2004 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

RISK MANAGEMENT
Approved

M. Alloy — By
5-5-09 — Date

EMPLOYER

MORENO VALLEY CHAMBER OF COMMERCE, A SK
NON-PROFIT CORP.
22500 TOWN CIR STE 2080
MORENO VALLEY CA 92553

M0409

PRINTED : 04-17-2009

(REV.2-05)

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~ 2010, by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY HISPANIC CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $6,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in ~~FY 2009/10~~ FY 2010/2011. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

Exhibit B

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director Economic Development Department City of Moreno Valley P. O. Box 88005 Moreno Valley, CA 92552-0805	President, Moreno Valley Hispanic Chamber of Commerce P.O. Box 246 Moreno Valley, CA 92556

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber President as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees,

and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage

shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied,

pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY

By: _____

Title: _____

Date: _____

MORENO VALLEY HISPANIC CHAMBER OF COMMERCE

By: _____

Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement

Approved Certificate of Workers' Compensation Insurance

Moreno Valley Hispanic Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1: The Moreno Valley Hispanic Chamber of Commerce ("Chamber") will provide participation / sponsorship in the following committees, services, and/or events:

1. ~~Maintain the Chamber Membership Committee~~.
2. Conduct the Cinco de Mayo Fiesta.
3. Participate in the City's Fourth of July Parade/Celebration.
4. Celebrate Hispanic Heritage Month - September.
5. Participate in and support the Sister City Program with San Juan de Los Lagos.
6. Sponsor and operate monthly Adelante! Moreno Valley events and Chamber mixers to support Moreno Valley businesses.
7. Conduct an annual Installation Dinner and Recognition of the outstanding member Business of the Year.
8. Cooperate with the Moreno Valley Chamber of Commerce in their production of a master community calendar by providing logistical information about the Moreno Valley Hispanic Chamber of Commerce's specific events and activities by the 10th day of each month.
9. Support the City of Moreno Valley through operation of the Se Habla Español program, which promotes Moreno Valley's businesses to Spanish-speaking residents.
10. Facilitate Communication between Hispanic Business Owners and the City.
11. ~~Facilitate communication between the Hispanic community and the two school districts~~. Award an annual college scholarship to a Moreno Valley student(s).
12. ~~Partner with Small Business Administration and other governmental agencies that provide business seminars for Hispanic businesses.~~
13. Continue to operate as point of contact for businesses seeking relocation to Moreno Valley.
14. Assist the City Economic Development staff with business retention and small business legislative support; including active participation and coordination of the Business Roundtable, and the Economic Development Department's Business Visitation Program.

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 2 Chamber shall cooperate with the Moreno Valley and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one annual Mega Mixer.

Article 3 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 4 Chamber shall participate with the Moreno Valley Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 5 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 6 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 7 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 8 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

Exhibit B
Moreno Valley Hispanic Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program: Shop Moreno Valley Program ~~Workforce Development Employment Center)~~	~~500~~ 2,000 ~~500~~
	Total	**$ 6,000**

ACORD® CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/15/2010

PRODUCER
MARSHALL C. SCOTT STATE FARM INSURANCE
23020 ATLANTIC CIRCLE
MORENO VALLEY, CA 92553

THIS CERTIFICATE IS ISSUED AS MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A:	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
THE MORENO VALLEY HISPANIC CHAMBER OF COMMERCE
P.O. BOX 246
MORENO VALLEY, CA 92556-0246

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY	92-XC-2752-9	12/14/2009	12/14/2010	EACH OCCURRENCE	$ 2,000,000
		X COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	$
		CLAIMS MADE OCCUR				MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$
		GEN'L AGGREGATE LIMIT APPLIES PER:				GENERAL AGGREGATE	$ 4,000,000
		POLICY PRO-JECT LOC				PRODUCTS - COMP/OP AGG	$ 4,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		ANY AUTO				BODILY INJURY (Per person)	$
		ALL OWNED AUTOS				BODILY INJURY (Per accident)	$
		SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	$
		HIRED AUTOS					
		NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$
		OCCUR CLAIMS MADE				AGGREGATE	$
		DEDUCTIBLE					$
		RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS / OTHER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

RISK MANAGEMENT
Approved
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
LOCATION OF OPERATION: 23020 ATLANTIC CIRCLE, MORENO VALLEY, CA 92553, DEDUCTIBLE: $500
DESCRIPTION OF OPERATIONS: MONTHLY BOARD OF DIRECTORS MEETING AND ALL OTHER MVHCC ACTIVITIES HELD AT RIVERSIDE COUNTY REGIONAL MEDICAL CENTER
ADDL INSURED: THE COUNTY OF RIVERSIDE, ITS AGENCIES, DISTRICTS, SPECIAL DISTRICTS, AND DEPARTMENTS, THEIR RESPECTIVE DIRECTORS, OFFICERS, BOARD OF SUPERVISORS, EMPLOYEES, ELECTED OR APPOINTED OFFICIALS, AGENTS OR REPRESENTATIVES, 26520 CACTUS AVE., MORENO VALLEY, CA 92555

CERTIFICATE HOLDER

ADDL INSURED: The Community Redevelopement Agency of the City of Moreno Valley Services District
14075 Frederick st Moreno Valley Ca 92553

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

The registration notices indicate ownership of the marks by their respective owners ©ACORD CORPORATION 1988, 2007

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

By Date 5-10-10

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

M. Alloy 5-10-10
By Date

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Alonso 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

☐ **SECTION I.** This applies only to **COVERAGE A - BUILDINGS.**

☐ **SECTION I.** This applies only to **COVERAGE B - BUSINESS PERSONAL PROPERTY.**

Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. structural alterations or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Allen 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

☐ **SECTION I.** This applies only to **COVERAGE A - BUILDINGS.**

☐ **SECTION I.** This applies only to **COVERAGE B - BUSINESS PERSONAL PROPERTY.**

Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. **structural alterations** or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

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MV00061208

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND ADOPT THE PROPOSED RESOLUTION TO AUTHORIZE THE EXECUTION OF PROGRAM SUPPLEMENTAL AGREEMENT NO. 025-N TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIPL 5441 (046), HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve and adopt Resolution No. 48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

BACKGROUND

In 2008, the Transportation Engineering Division successfully applied for HSIP funds to retrofit 117 signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment. This equipment allows fire trucks, police vehicles, and ambulances to pre-empt traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

On August 26, 2008, Caltrans District 8 announced the release of the HSIP (cycle 2) list of approved projects for FFY 2007/08 and 2008/2009. The list contained 173 projects totaling more than $67 million of federal safety funds. The list was waiting to be programmed into the Federal Transportation Improvement Program (FTIP)

On February 10, 2009, the City received notification from Southern California Association of Government (SCAG) that the above HSIP (cycle 2) list of approved projects for FY 2007/08 and 2008/2009 were programmed in the FTIP.

The approved Emergency Vehicle Pre-emption (EVP) equipment project is for $1,000,000 and requires local match funding of 10%. This includes the total estimated cost of preliminary engineering and construction.

On April 13, 2010, the City received authorization from the Department of Transportation to proceed with the preliminary engineering for the project.

DISCUSSION

One aspect of the HSIP program is to assist local agencies with providing safer routes for emergency vehicles traveling through signalized intersections. Emergency vehicle pre-emption systems aid public safety by: 1) Reducing the need for emergency vehicles to run red lights when responding to emergencies; 2) Stopping traffic in conflicting directions while allowing traffic to proceed in the same direction, thereby clearing a path for the emergency vehicle; and 3) Reducing response time to incidents. Studies have shown potential reduction in response times in the range of 14% to 23%.

To receive $18,900 in federal reimbursement for preliminary engineering, the Program Supplement Agreement must be fully executed and have an authorizing resolution that clearly identifies the project and the Official authorized to execute the agreement.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will allow the City to receive the Highway Safety Improvement Program reimbursement for the project preliminary engineering.*

2. Do not approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State

Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and do not authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will prohibit the City from receiving any Highway Safety Improvement Program reimbursement.*

FISCAL IMPACT

Program Supplement Agreement No. 025-N, to the Administering Agency-State Agreement for the preliminary engineering for Emergency Vehicle Pre-emption (EVP) equipment, will provide for reimbursement of up to $18,900 in federal funds. The program requires local match funding of 10%. The total cost of preliminary engineering is estimated at $21,000. Local matching funds for this grant are included in the Public Works CIP budget for FY 09/10.

The City will be required to use its own funds to complete this project and then receive progress reimbursement during each phase of the project. The City will use Development Impact Fee (DIF) Account No. 417.79129 funds for the project. This is approved funding for FY 09/10. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. **There is no impact to the General Fund.**

ANTICIPATED PROJECT SCHEDULE:

Prepare Required Documents for Preliminary Engineering ..... August 2010

Design completion ..... September 2010

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of the Agenda

ATTACHMENTS

Attachment "A" – Proposed Resolution
Attachment "B" - Location Map
Attachment "C" - Program Supplement No. 0000

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 025-N, TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIP 5441 (046) BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION, AND THE CITY OF MORENO VALLEY, FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

WHEREAS, the HSIP program allows government agencies to apply for grants in an effort to retrofit existing signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment to allow fire trucks, police vehicles, and ambulances to cause traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

WHEREAS, it appears to be in the City's best interest to apply for such funding; and

WHEREAS, 117 existing signalized intersections throughout the City are eligible to receive federal grant funding, up to a maximum of $18,900, for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment through the Highway Safety Improvement Program; and

WHEREAS, the City of Moreno Valley will be reimbursed up to a maximum of $18,900 in federal funds for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment; and

WHEREAS, the City of Moreno Valley will contribute local match funding of 10%; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: Program Supplement Agreement 025-N to Administering Agency-State Agreement No. 08-5441R for Federal Funded Projects between the State of California, acting by and through the Department of Transportation, and the City of Moreno Valley, provides funding for the individual project and said program Supplement Agreement No. 025-N is hereby approved. The Public Works Director/City Engineer shall execute the same on behalf of the City.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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MV00061216

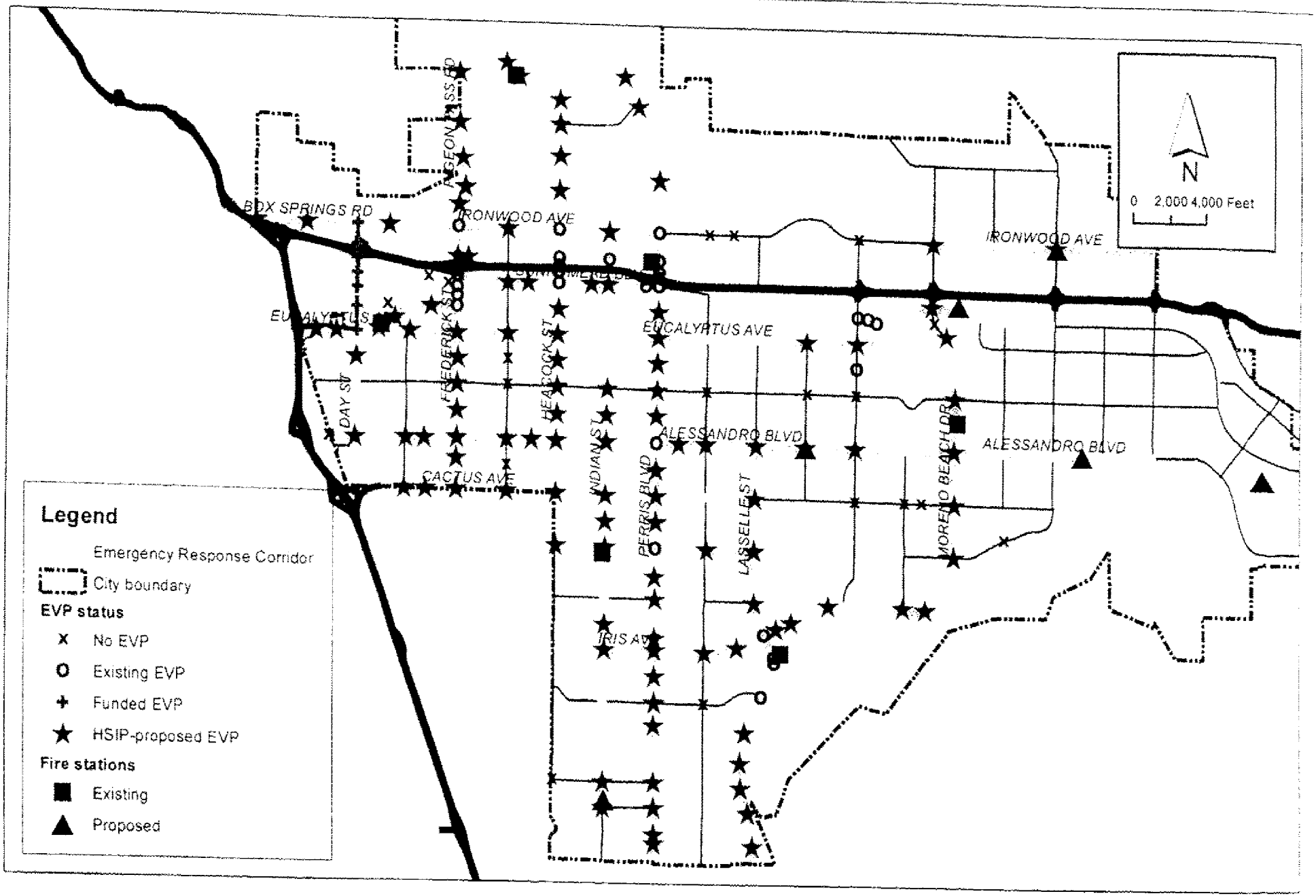

City of Moreno Valley
HSIP Grant Application
Proposed EVP Locations

Attachment "B"

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MV00061218

PROGRAM SUPPLEMENT NO. N025
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 08-5441R

Date: April 27, 2010
Location: 08 RIV 0 MORV
Project Number: ISIPL-5441(016)
E.A. Number: 08-925157

This Program Supplement hereby incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 05-29-07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by State of any funds derived from sources noted below obligated to this project, the Administering Agency accepts and will comply with the Special covenants or Remarks setforth on the following pages.

PROJECT LOCATION:
At 117 signalized intersections in Moreno Valley

TYPE OF WORK: Emergency vehicle pre-emption system

LENGTH: 0 (MILES)

Estimated Cost	Federal Funds		Matching Funds		
	LS30		LOCAL		OTHER
$21,000.00		$18,900.00	$2,100.00	$0.00	$0.00

CITY OF MORENO VALLEY

By _____

Date _____

Attest _____

Title _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____ Date 4/23/10 $18,900.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT
1	2009	2660-102-890	2009-2010	20.30.010.550	C	262042	892-F	18,900.00

SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

2. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

3. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

   If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

   ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

4. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is

SPECIAL COVENANTS OR REMARKS

incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

5. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

6. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award or with submittal of the ADMINISTERING AGENCY's first invoice for the construction contract, whichever is earlier.

   Failure to do so will cause a delay in the State processing invoices for the construction phase.
   Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

7. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

   ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to

SPECIAL COVENANTS OR REMARKS

the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the DistrictLocal Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney.

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

BACKGROUND

On October 23, 2007 the Community Redevelopment Agency was authorized to issue Series A tax allocation bonds (the "Series A Bonds") in an amount not to exceed $55 million to finance projects. One of the Series A projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement

Project. This bond funded project must be completed in an expeditious manner in order to meet stipulated expenditure targets within specific timeframes established by the IRS for tax-exempt financing. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration (MND) for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

In October 2009, environmental permit applications were prepared and submitted to the United States Army Corps of Engineers, California Department of Fish and Game (CDFG), and the California Regional Water Quality Control Board. The submittal of applications initiated the permit negotiation process with the three resource agencies.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, completing the acquisition of all necessary right-of-way for the improvements.

On May 13, 2010 CDFG issued the Agreement Regarding Proposed Stream or Lake Alteration for City signature.

The project is currently being advertised for construction bids with a scheduled bid opening date of June 15, 2010.

DISCUSSION

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements on the south side only from Heacock Street to Nita Drive will construct: storm drain Line H along Ironwood Avenue from Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive.

The improvements on Ironwood Avenue from Heacock Street to Perris Boulevard will construct: missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, traffic signal modifications for the intersections of Indian Street at Ironwood Avenue, and Perris Boulevard at Ironwood Avenue, street lights, right-of-way acquisition, and relocation of Southern California Edison (SCE) transmission poles.

The City is required to mitigate permanent and temporary impacts resulting from this project as part of the project MND approved by City Council on March 24, 2009. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, CDFG, and California Regional Water Quality Control Board. The City Council is requested to authorize the Public Works Director to execute the Agreement Regarding Proposed Stream or Lake Alteration, as well as any amendments, subject to approval of the City Attorney. This agreement with CDFG is required as part of the environmental mitigation for the project. As a result of negotiations with the resource agencies, the resulting CDFG agreement stipulates that the City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at a pre-approved CDFG location. Upon payment of the mitigation fee, the resource agencies concurrence to proceed with construction is achieved. The SAWA, a CDFG sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts.

SAWA has provided an estimate of $148,500, based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 10% is included in the event of adjustments. This action is necessary at this time in order to obtain final permits, keep the project on-schedule, and avoid starting construction during the rainy season.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the

Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative allows the City to complete the project on schedule.*

2. Do not authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, do not authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and do not authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625). These funds utilized for this project are designated for capital improvements only. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Total Available Funds	**$3,841,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$64,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
SAWA In-Lieu Fees	$163,000
Total Estimated Project Costs	**$3,027,000**

ANTICIPATED SCHEDULE:

Complete Design and Permitting	April 2010
Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

It is critical to conform to the above listed schedule to avoid the rainy season window due to the nature of these flood control improvements, otherwise, the project may be deferred by approximately 5-6 months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is required to mitigate permanent and temporary impacts resulting from this project. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, California Department of Fish and Game, and California Regional Water Quality Control Board. As a result of negotiations with the resource agencies, CDFG requires the City to provide funds to SAWA in order to mitigate for the environmental impacts at project site. Signature on the Agreement Regarding Proposed Stream or Lake Alteration and demonstration of payment of mitigation fee to SAWA will allow project construction to proceed.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement Regarding Proposed Stream or Lake Alteration

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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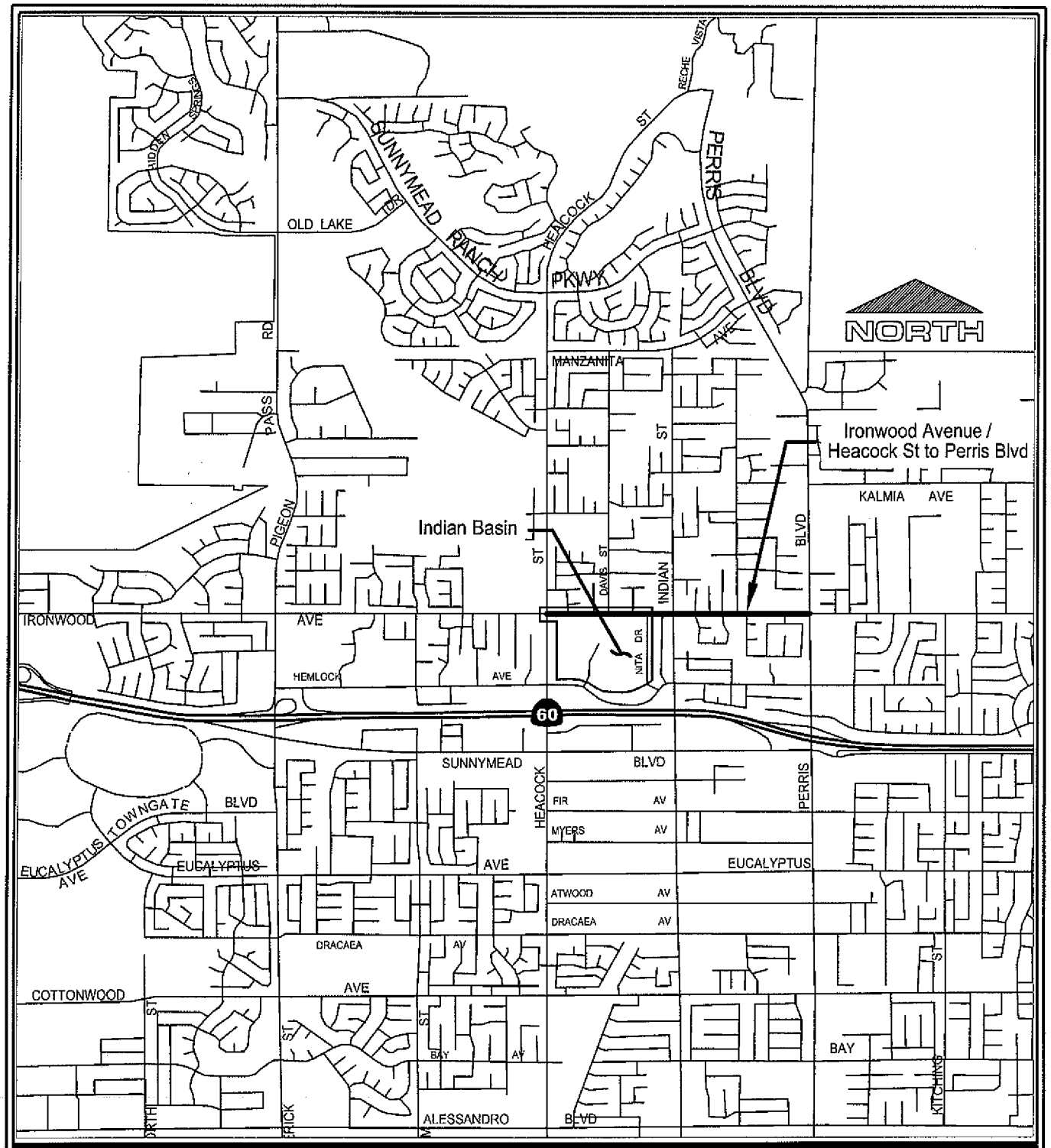

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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MV00061230

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
Phone (909) 484-0459
Fax (909) 481-2945

Notification No. 1600-2009-0115-R6 (Revision 2) May 13, 2010

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereafter called the **Department**, and the City of Moreno Valley, represented by Ms. Margery Lazarus, 14177 Frederick Street, City of Moreno Valley, State of California, 92552, Phone (951) 413-3133, hereafter called the **Permittee**, is as follows:

WHEREAS, pursuant to Section 1602 of the California Fish and Game Code, the Permittee, on the 27th day of October 2009, notified the Department that to develop the Ironwood Avenue and Indian Detention Basin Improvements Project, they intend to divert or obstruct the natural flow of, or change the bed, channel, or bank of, or use material from the streambed of the following waters: **Bale Creek**, an **Unnamed Creek**, and **Indian Detention Basin**, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, City of Moreno Valley, County of Riverside, Township 3 South, Range 3 West, Section 6, Sunnymead, California USGS Quadrangle.

WHEREAS, the Department (represented by Ms. Anna Milloy) has determined that such construction may substantially adversely affect those existing fish and wildlife resources within the creeks and basin, referenced above in paragraph 2 of this page, including songbirds, raptors, other birds, reptiles, mammals, amphibians, plants and all other fish and wildlife resources, including that riparian vegetation which provides habitat for such species, in the area.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife resources during the **Permittee's** work. The Permittee hereby agrees to accept the following measures/conditions as part of the proposed work.

If the Permittee's work changes from that stated in the notification specified above, this Agreement is no longer valid and a new notification shall be submitted to the Department. Failure to comply with the provisions of this Agreement and with other pertinent code sections, including but not limited to Fish and Game Code Sections 1602, 5650, 5652, 5937, and 5948, may result in prosecution.

Nothing in this Agreement authorizes the Permittee to trespass on any land or property, nor does it relieve the Permittee of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated Agreement does not constitute Department endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This Agreement becomes **effective the date of Department's signature and terminates on May 13, 2012,** for construction of the proposed project only. This Agreement shall remain in effect for that time necessary to satisfy the terms/conditions of this Agreement. Any provisions of the agreement may be amended at any time provided such amendment is agreed to in writing by both parties. Mutually approved amendments become part of the original agreement and are subject to all previously negotiated provisions. The Permittee may request one extension of the agreement period. The extension shall be requested prior to the termination date of the agreement.

Attachment "B"

1. The following provisions constitute the limit of activities agreed to and resolved by this Agreement. The signing of this Agreement does not imply that the Permittee is precluded from doing other activities at the site. However, activities not specifically agreed to and resolved by this Agreement shall be subject to separate notification pursuant to Fish and Game Code Sections 1600 et seq.

Project/Site Description

2. The project site is located within Bale Creek, an Unnamed Creek, and Indian Detention Basin, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, in the City of Moreno Valley, County of Riverside. For the Ironwood Avenue and Indian Detention Basin Improvements Project, the Permittee is proposing to make improvements to Ironwood Avenue on the north side from Heacock Street to Perris Boulevard, and on the south side from Heacock Street to Indian Avenue. The project will also include improvements to the local storm drain systems, Lines H and H-1A, which drain into the existing Indian Detention Basin. Lines H and H-1A will be extended to the intersection of Ironwood Avenue and Davis Street, and directed south to Indian Detention Basin over the Unnamed Creek, which will be permanently filled and used as a maintenance road for the basin. A small portion of Bale Creek will also be filled in association with the extension of Line H. Impacts to the Indian Detention Basin include the installation of a concrete and riprap outlet structure where Lines H and H-1A will enter the basin and construction of the maintenance road and an access ramp into the basin. The project will temporarily impact 0.26 acres of jurisdictional areas, consisting of 0.17 acres of riparian habitat and 0.08 acres of streambed. The project will permanently impact 0.48 acres of jurisdictional areas, consisting of 0.04 acres of wetland habitat, 0.41 acres of riparian habitat, and 0.02 acres of streambed. Total project impacts of 0.74 acres of jurisdictional areas are authorized under this Agreement.

3. The Permittee shall not impact more than 0.74 acres of Departmental jurisdictional areas. If impacts to drainages or riparian habitat exceed that authorized in Condition 2 of the Agreement, the Permittee shall mitigate at a minimum 5:1 replacement-to-impact ratio for the impacts beyond those previously authorized by this Agreement and submit a new lake or streambed alteration notification for the entire project. All mitigation shall be approved by the Department.

Mitigation, Monitoring, and Reporting

4. To mitigate for project impacts, the Applicant shall provide sufficient funds to the Santa Ana Watershed Association (SAWA) for the active removal of **no less than 1.98 acres** of Tamarisk (*Tamarix* spp.) and other nonnative plant species within the San Jacinto River. A report shall be submitted to the Department annually (by SAWA), documenting the progress of the enhancement site. Photos of the enhancement site shall be included in the annual reports. The funding provided to SAWA shall include the cost of the initial removal, and monitoring, maintenance, and reporting of the enhancement site for a minimum of five years. **Prior to the initiation of any project activities in jurisdictional areas and within 90 days of signing this Agreement**, the Applicant shall submit to the Department for review and approval written documentation certifying the contribution of funds to SAWA for the enhancement effort.

5. An annual report shall be submitted by SAWA to the Department for a minimum of five years following initial Tamarisk and nonnative plant removal. At a minimum, this report shall include the following information: (1) information regarding Tamarisk and nonnative plant removal, including: (a) the methods used for removal, (b) the amount removed and/or treated, (c) the frequency and timing of removal and treatment, (d) disposal specifics, and (e) a summary of the general successes and failures or failure of the nonnative removal plan; and (2) information regarding native plant species recruitment, including: (a) the types of native plants recruited, including species' names, and (b) the amount of native plants recruited by

species. The report shall also include wildlife species observed at the enhancement site during monitoring surveys including sensitive species and/or listed species. Photos from designated photo stations shall be included. The first annual report is due to the Department **no later than June 1, 2011**.

Site Access

6. The Department reserves the right to enter the project site at any time to ensure compliance with the terms and conditions of this Agreement. The Permittee herein grants to Department employees and/or their consultants (accompanied by a Department employee) the right to enter the project site at any time, to ensure compliance with the terms and conditions of this Agreement and/or to determine the impacts of the project on wildlife and aquatic resources and/or their habitats.

Verification of Compliance

7. The Department shall verify compliance with protective measures to ensure the accuracy of the Permittee's mitigation, monitoring, and reporting efforts. The Department may, at its sole discretion, review relevant documents maintained by the Permittee, interview the Permittee's employees and agents, inspect the work site, and take other actions to assess compliance with or the effectiveness of protective measures in this Agreement.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

8. The issuance of this Agreement does not authorize the take of any state and/or federally listed threatened, endangered, or fully protected species. Additionally, it does not infer that the project is consistent with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) or that the project is a Biologically Equivalent or Superior Preservation Alternative. If modifications to the project are necessary to meet MSHCP requirements because the project is found during the MSHCP review process to be inconsistent with the MSHCP and/or the Western Riverside County Regional Conservation Authority (RCA) and/or Wildlife Agencies (Department and/or U.S. Fish and Wildlife Service) do not agree the project is a Biologically Equivalent or Superior Preservation Alternative, then a request for an amendment to this Agreement will be required.

Burrowing Owl Mitigation Measures

9. To avoid direct take of burrowing owls, a qualified biologist shall conduct burrowing owl preconstruction surveys of the project site following the 1993 Burrowing Owl Consortium Guidelines (BOCG). Surveys shall be conducted no later than 30 days prior to initiation of project activities. If owls are found onsite, no disturbance shall occur within 300 feet of the occupied burrow during the nesting season (March 1 through August 31). Owls may be passively relocated (following BOCG) outside the breeding season by a qualified biologist. A relocation plan shall be submitted to the Department for review and approval.

Notification to the California Natural Diversity Database

10. If any sensitive species are observed on or in proximity to the project site, or during project surveys, the Permittee shall submit California Natural Diversity Data Base (CNDDB) forms and maps to the CNDDB within five working days of the sightings, and provide the regional Department office with copies of the CNDDB forms and survey maps. The CNDDB form is available online at: www.dfg.ca.gov/whdab/pdfs/natspec.pdf. **This information shall be mailed within five days to:** California Department of Fish and Game Natural Diversity Data Base, 1807 13th Street, Suite 202, Sacramento, CA 95814, Phone (916) 324-3812. A copy of this information shall also be mailed within five days to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

Project Construction

11. The Permittee shall not remove vegetation from the project site from March 15 to September 15 to avoid impacts to nesting birds. If project construction cannot be avoided during the period of March 15 through September 15, the Permittee shall have a qualified biologist survey all potential nesting vegetation within the project site for nesting birds, prior to commencing project activities (including construction and/or site preparation). Surveys shall be conducted once a day for five days at the appropriate time of day during the breeding season and surveys shall end no more than three days prior to vegetation removal and/or disturbance. Documentation of surveys and findings shall be submitted to the Department for review and concurrence prior to conducting project activities. If no nesting birds were observed and concurrence was received from the Department, project activities may begin. If an active bird nest is located, the nest site shall be fenced a minimum of 200 feet (500 feet for Least Bell's vireo, Southwestern willow flycatcher, and/or raptors) in all directions, and this area shall not be disturbed until after September 15 and until the nest becomes inactive. If threatened or endangered species are observed in the area, no work shall occur during the breeding season (March 15 through September 15) to avoid direct or indirect (noise) take of listed species.

12. Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory non-game birds (as listed under the Migratory Bird Treaty Act).

13. A qualified biologist shall be onsite to monitor all activities that result in the clearing or grading of sensitive habitat as well as grading, excavation, and/or other ground-disturbing activities in jurisdictional areas. The Permittee shall flag the limits of grading and the jurisdictional areas, perform necessary surveys, and take photographs during the construction process, as required by this Agreement. The biological monitor is required to halt construction activities if threatened or endangered species are identified and notify the appropriate agencies immediately.

Lighting Impacts

14. No lighting, except that in existence or required for public safety shall be allowed to impact jurisdictional areas, and the lighting and fencing for infrastructure adjacent to jurisdictional areas shall be designed or reviewed by a qualified biologist to allow wildlife to move within the open space and conserved areas without hindrance.

Setbacks from Jurisdictional Areas

15. The Department recommends the use of native plants to the greatest extent feasible in the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels. The Permittee shall not plant, seed, or otherwise introduce invasive nonnative plant species to the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels (minimum 100 foot setback from open space areas and 150 foot setback from stream channels and wetland/riparian mitigation sites). Invasive nonnative plant species not to be used include those species listed on the "California Invasive Plant Inventory, February 2006" and the "February 2007 Inventory Update", (which are updates to Lists A & B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999"). This list includes: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, bush lupine, sweet alyssum, English ivy, French broom, Scotch broom, Spanish broom, and pepperweed. A copy of the complete list can be obtained by contacting the California Invasive Plant Council by phone at (510) 843-3902, at their website at www.cal-ipc.org, or by email at info@cal-ipc.org.

16. The Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.

17. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance.

18. Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.

19. Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by the Permittee or any party working under contract or with the permission of the Permittee, shall be removed immediately.

20. No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any lake, streambed, or flowing stream.

21. No equipment maintenance shall be done within or near any lake, streambed, or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.

22. The Permittee shall notify the Department, in writing, at least five (5) days prior to initiation of project activities in jurisdictional areas as noted in Condition 2 above, and at least five (5) days prior to completion of project activities in jurisdictional areas as noted in Condition 2 above. Notification shall be mailed to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

23. The Permittee shall **provide a copy of this Agreement to all contractors, subcontractors, and project supervisors. Copies of the Agreement shall be readily available at work sites at all times during periods of active work** and must be presented to any Department personnel, or personnel from another agency upon demand.

Change of Conditions

24. The Permittee shall notify the Department of any change of conditions to the project, the jurisdictional impacts, or the mitigation efforts, if the conditions at the site of a proposed project change in a manner which increases or decreases the risk that a fish or wildlife resource may be substantially adversely affected by the proposed project. The notifying report shall be provided to the Department no later than seven (7) days after the change of conditions is identified. As used here, change of condition refers to the processes, procedures, and methods of operation of a project, the biological and physical characteristics of a project area, or the laws or regulations pertinent to the project as defined below.

A. Biological conditions: a change in biological conditions includes, but is not limited to the following: 1) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, not previously known to occur in the area; or 2) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

B. Physical conditions: a change in physical conditions includes, but is not limited to the following: 1) a change in the morphology of a river, stream, or lake, such as the lowering of a bed or scouring of a bank, or changes in stream form and configuration caused by flooding; 2) the movement of a river or stream channel to a different location; 3) a reduction of or other change in riparian vegetation on the bed, channel, or bank of a river, stream, or lake, or 4) changes to the hydrologic regime such as fluctuations in the timing or volume of water flows in a river or stream.

C. Legal conditions: a change in legal conditions includes, but is not limited to the following: a change in Regulations, Statutory Law, a Judicial or Court decision, or the listing of a species for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

Extension of Agreement

25. The term of this Agreement shall not exceed five years in accordance with Fish and Game Code Section 1605. The Permittee may request one (1) extension of this Agreement prior to its termination for a period up to five (5) years, subject to Department approval. The extension request and fees shall be submitted to the Department's Region 6 Office at the above address. If the Permittee fails to request the extension prior to the agreement's termination then the Permittee shall submit a new notification with fees and required information to the Department. Any activities conducted under an expired agreement are a violation of Fish and Game Code Section 1600 et seq.

Suspension of Permit

26. The Department reserves the right to suspend or revoke this Agreement, after giving notice to the Permittee, if the Department determines that the Permittee has breached any of the terms or conditions of this Agreement, or for other reasons, including but not limited to the following:

A. The Department determines that the information provided by the Permittee in support of the notification/agreement is incomplete or inaccurate;

B. The Department obtains new information that was not known to it in preparing the terms and conditions of the agreement;

C. The project or project activities as described in the notification/agreement have changed; or

D. The conditions affecting fish and wildlife resources change or the Department determines that project activities will result in a substantial adverse effect on the environment.

Concurrence (1600-2009-0115-R6)

In WITNESS WHEREOF, the parties below have executed this Lake or Streambed Alteration Agreement Number 1600-2009-0115-R6 (Revision 2) as indicated below:

Date	City of Moreno Valley Chris A. Vogt, P.E. Public Works Director/ City Engineer	**City of Moreno Valley** **Represented by Ms. Margery Lazarus**
Date		**Ms. Kimberly Nicol** **Deputy Regional Manager** **Department of Fish and Game** **Inland Deserts Region**

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MV00061238

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

BACKGROUND

On July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges for the City of Moreno Valley's Electric Utility, or Moreno Valley Utility (MVU). Electric Rule 12 entitled "Rates and Optional Rates" of that document states that the rates to be charged by and paid to the City's utility for electric service will be the rates legally in effect and on file with the Electric Utility Division, Department of Public Works. At its meeting on December 9, 2003, the City Council approved Ordinances 650 and 651 providing for the establishment and adjustment of electric rates by resolution.

DISCUSSION

Consistent with Ordinances 650 and 651, the resolution considered in this action amends MVU's Electric Rates. A complete copy of the proposed *Electric Rates* document is available for review in the Public Works Department, Electric Utility Division office. To ensure the City's rates are just and reasonable and to ensure that the City's rates are set at a level sufficient to cover the utility's costs, it will be necessary for the City Council to approve an adjustment of the rates that MVU charge customers for service from time to time. Due to the structure of MVU's rates, the customer's usage

will ultimately determine the impact of this proposed rate adjustment on their monthly billings.

For example, the proposed rate adjustments considered in this council action will affect a residential customer who uses 600 kWh in a month differently than a customer who uses 1,000 kWh in a month. The proposed rate changes considered in the council action will result in an increase of MVU's rate schedules for both the summer season and winter season. Pursuant to MVU's rates, the summer season begins at 12:00am on the first Sunday in June and continues until 12:00am on the first Sunday in October. The winter season begins at 12:00am on the first Sunday in October, and continues until 12:00am on the first Sunday in June of the following year. Generally speaking, there are four months in the summer season, and eight months in the winter season.

If the City Council approves the proposed rate adjustments, the average MVU residential customer taking service under Schedule A who uses 600 kWh per month will experience an increase in their bill of 0.4% in summer, and an increase of 6.83% in winter. This results in an increase of $0.32 for each summer bill, and a $6.47 increase for each of the winter season's bills. Similarly, an MVU residential customer who uses 1,000 kWh per month will experience a decrease of 7.97% in the summer season, and an increase of 14.84% in the winter season. This results in a $12.93 increase in the customer's monthly bill for summer, and an increase of $27.67 per month for each month of the winter season.

If the City Council approves the proposed rate adjustments, the average MVU small commercial customer taking service under Schedule B who uses 2,978 kWh per month will experience an increase of 5.2% for each month of the summer season, and an 8.0% increase for each month of the winter season. The average MVU large commercial customer taking service under Schedule C who uses 24,531 kWh per month with a demand of 100kW will experience an increase of 4.0% in summer and a decrease of 8.99% in winter. The average MVU large commercial, time-of-use customer taking service under Schedule TOU-LGS who uses 386,896 kWh per month with a demand of 865 kW in summer, and who uses 392,333 kWh per month with a demand of 666 kW in winter, will experience an increase of 3.8% in summer and an increase of 8.8% in winter. Schedule TC-1, MVU's rates for traffic controllers, will increase by 7.6%. MVU's current street light rate schedule (Schedule SL) will increase 2.1% and 2.7% for 9,500 and 22,000 lumen lamps, respectively.

If approved by the City Council, these changes will become effective at 12:00 a.m. on June 9, 2010.

Pursuant to Section 5 of the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City is obligated to adjust its rates from time to time so that the City's electric rates remain roughly equivalent to the otherwise applicable investor owned utility rate schedules. This council action will also true up MVU's rates to comply with this obligation. If adopted, the net impact upon MVU customers will be an increase in rates.

ALTERNATIVES

1. Approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *The amendment of the Electric Rates will allow the City's utility to recover its costs for service, and to offer competitive rates.*

2. Do not approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *This would restrict the City's utility in its ability to recover utility costs, and also its ability to offer competitive rates.*

FISCAL IMPACT

As rates are adjusted, revenues will reflect the adjustments. Utility revenues will increase slightly if the proposed changes are adopted by City Council. These funds are restricted for Moreno Valley Utility purposes.

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.

POSITIVE ENVIRONMENT:
The proposed rate adjustments ensures timely changes to the rates of the City's utility, and helps to create a positive environment for economic development within the community. The City of Moreno Valley will offer competitive rates and will help the City create new, well paying jobs.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution

Prepared By: George Hanson
Electric Utility Division Manager

Department Head Approval: Chris A. Vogt, P. E
Public Works Director/City Engineer

Concurred By: Darcy Ramirez
Senior Financial Analyst

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES, AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR MORENO VALLEY UTILITY

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in the document. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates and Electric Service Rules, Fees, and Charges as on file in the Public Works Department and City Clerk's Office.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

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MV00061246

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-8928022-1

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125).

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto.

BACKGROUND

On February 26, 2008, the City Council awarded the Sunnymead Boulevard Revitalization Project (Stage 1) construction contract and authorized the issuance of a Purchase Order in the amount of $5,286,234.80 (the bid amount plus 10% contingency) to Environmental Construction, Inc. (ECI). The ECI contract includes infrastructure improvements and aesthetic enhancements such as a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns.

On November 25, 2008, the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized

the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract includes raised medians, color concrete center turn-lanes, median landscaping, and concrete intersection pavement.

DISCUSSION

The Stage 1 construction work with ECI started in May 2008 and is currently winding down to completion in August 2010. ECI is currently working on the gateway entry arch. Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because all the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. The total requested Change Order increase to the Purchase Order is $195,000. Meanwhile the City and Contractor are working together to resolve several construction claims issues.

The increase in the ECI contract is attributed to the overall value added scope of work augmentation resulting from additional bid item work quantities and the current six Contract Change Orders (CCOs) issued on this project. These CCOs include the widening of the intersection corners at the Sunnymead Boulevard and Heacock Street intersection to enhance turning movements for larger vehicles and commercial trucks while making it safer for pedestrians. This modification required a new traffic signal, poles, signal heads, and service cabinet. Altering the intersection also resulted in the need to install a handrail at the east sidewalk entrance at Bancomer Bank to meet Americans with Disabilities Act (ADA) requirements. ADA requirements also necessitated the installation of truncated domes at each of the intersection curb access ramps. In addition, storm drain improvements and catch basins were constructed near the intersection of Indian Avenue and Sunnymead Boulevard to minimize the intermittent flooding problem at that location. The former City Manager also ordered the re-design of the gateway arch and parkway monument signs resulting in a higher valued gateway arch structure and monument signs with enhanced features and improved continuity throughout the boulevard.

The added improvements enhanced the aesthetic and functional value of the Sunnymead Boulevard project. Despite the fact that the cost of the project went up, the final product provided a superior value for the investment, improved public safety, and enhanced the appearance of the Boulevard. Due to the value added improvements instituted as part of the CCOs and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and authorize the City Manager to execute

the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and do not authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will delay payment to the contractor, delay completion of the improvements and incur extra cost to the City.*

FISCAL IMPACT

The Stage 1 project by ECI was funded with Lease Revenue Bond funds (Fund 501) as budgeted for Fiscal Year 2009/2010.

Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. An increase of $195,000 is requested to increase Purchase Order No. 35442 for ECI from the project's unencumbered budget in 501.82125 to cover the remaining contractual expenditures. The funding for this project is restricted to Sunnymead Boulevard capital improvements and cannot be used for other activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Est. Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Est. Construction Related Costs for Median/Intersection (Stage 2)	($3,499,000)

Breakdown of Stage 1 Related Work

Contractor (includes contingency) (501.82125)	$5,286,000
Requested increase in PO No. 35442 for ECI	**$195,000**
Consultant Construction Management/Inspection Services (includes contingency)	$330,000
Geotechnical Services	$65,000
Survey Services	$70,000
Project Administration*	$352,000
Total Amount for Stage 1 Construction	$6,298,000

Remaining Combined Project Balance in Funds 892, 501, and 125 ..... $429,000

* Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:
Completion of Stage 1 Construction.....August 2010
Completion of Stage 2 Construction..... October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Environmental Construction, Inc. has been constructing the revitalization improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 1). The improved infrastructure and aesthetic enhancements include a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns. Due to the value added improvements instituted as part of the Contract Change Orders and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order by $195,000 from the unencumbered project budget.

ATTACHMENT

Attachment "A" – Change Order Form

Prepared By:
Christopher Wiberg
Senior Engineer, P.E.

Concurred By:
Barry Foster
Economic Development Director Programs

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-1 Sidewalk Parkway Improv\CC Report\060810 pk Staff Rpt Change Order for ECI.doc

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MV00061252

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**5/27/10**	**VENDOR NAME:**	Environmental Construction, Inc.
		VENDOR NO.#	ORIGINAL PO NUMBER
		2342928	35442
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35442 by $195,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-1).	$195,000.00

Notes:		**Change Order Sub Total from Above:**	$195,000.00
		Original P.O. and Prior Change OrderAmount:	$5,286,234.80
		Revised Total Spend:	**$5,481,234.80**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 05/27/2010			
Divison Manager ($15k)		Date:	100.0%	501.82125.7200	$5,481,234.80
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$5,481,234.80

Attachment "A"

V 1.4

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MV00061254

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 8, 2010

TITLE: APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES)

RECOMMENDED ACTION

Staff recommends that the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

BACKGROUND

Memoranda of Understanding (MOU) concerning compensation and other terms and conditions of employment are currently in effect for Fiscal Year (FY) 2009-10 with the three City employee associations: Moreno Valley City Employees Association (MVCEA), Moreno Valley Management Association (MVMA), and Moreno Valley Confidential Management Employees (MVCME). Effective July 1, 2009, each of these MOUs incorporated a new two-tier benefit structure in which new employees' benefit banks would be reduced from $13,629 to $12,000 per year, along with the new employees paying the employee share of the retirement contribution to the California Public Employees' Retirement System (CalPERS).

DISCUSSION

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence, treating the rehire actions as "reinstatements" rather than "new hires". Employees recalled after being laid off are currently reinstated to the same salary and benefits they were receiving prior to the lay-off.

Proposed amendments to the current FY 2009-10 MOUs between the City and the two management associations (MVMA and MVCME) are attached for City Council's consideration. Exhibit "A" is the proposed amendment for the MVMA MOU; Exhibit "B" is the proposed amendment for the MVCME MOU. MVMA and MVCME have approved the amendments for their respective associations. A proposed amendment has also been provided to MVCEA and is currently under consideration by that association. It is in the City's best interest to amend the MOUs with the management associations at this time, rather than waiting for approval from MVCEA for the amendment related to their MOU. Although the proposed amendments relate to the FY 2009-10 MOUs, it is intended that they will also be incorporated in future MOUs.

Following is the text from the FY 2009-10 MOUs with MVMA and MVCME that pertain to the two-tier benefit system:

6. BENEFIT BANK

The benefit bank for employees hired after July 1, 2009 shall be reduced from $13,629 per year to $12,000 per year.

7. PERS EMPLOYEE CONTRIBUTIONS

Employees hired after July 1, 2009 shall pay the employee's portion of CalPERS retirement contributions (currently 8%). These contributions shall be deducted from the employee's bi-weekly pay. In addition, the City will cease paying the Employer Paid Member Contribution (EPMC) for these employees.

The text of the proposed amendments to the MVMA and MVCME MOUs (Exhibit "A" and Exhibit "B") is shown below:

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Approve the proposed amendments to the FY 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

2. Do not approve the proposed amendments.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The fiscal impact of the proposed amendments cannot be determined since it is not known how many former employees may be rehired within one year of their separation. However, it is likely to be very few employees; thus representing a minimal fiscal impact to the City. Offsetting this minimal fiscal impact is the opportunity to rehire an experienced employee who would be able to make an immediate contribution to the organization without any need for training or other orientation. No employees will be rehired unless it is in the City's best interest to do so.

CITY COUNCIL GOALS

None applicable

SUMMARY

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence treating the rehire actions as "reinstatements" rather than "new hires". Since a new two-tier benefit system took effect July 1, 2009, it is proposed that amendments to the MOUs with the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) be approved to provide the same benefits to former employees who are rehired within one year of separation as they were receiving prior to separation. A proposed amendment has also been provided to the Moreno Valley City Employees Association and is currently under consideration by that association.

ATTACHMENTS/EXHIBITS

Exhibit "A" - Amendment to MOU with Moreno Valley Management Association
Exhibit "B" - Amendment to MOU with Moreno Valley Confidential Management Employees

Prepared By:
Steve Elam
Interim Financial & Administrative Services Director

Department Head Approval:
John Ruiz
Interim Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Exhibit "A"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Management Association (MVMA)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

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MV00061260

Exhibit "B"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Confidential Management Employees (MVCME)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

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MV00061262

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00061264

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 1.

BACKGROUND

In 1986, CSD Zone A was established to fund park and recreational services. Over the years the cost of providing park maintenance services steadily increased, while the CSD Zone A annual charge of $87.50 per parcel (per Dwelling Unit ["DU"] for apartments) remained fixed since fiscal year ("FY") 1992/93. Rising program costs along with an increase of new residential developments in recent years created a need for additional funding to support the new neighborhood park areas. CSD Zone A funds cannot adequately accommodate the maintenance costs of both existing and newly constructed neighborhood park areas. In an effort to provide for the ongoing maintenance and safety of new neighborhood parks, without jeopardizing CSD Zone A funding for existing park and recreation services, the CSD formed CFD No. 1.

On July 8, 2003, the CSD Board conducted a Public Hearing for the formation of CFD No. 1, approved a resolution to provide for future territory annexation into CFD No. 1 and authorized a special tax levy. The special tax funds public services, such as

ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks accepted by the City of Moreno Valley Parks and Community Services Department for maintenance after District formation in July 2003. FY 2003/04 was the first year for the special tax levy.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds approval by the property owners within CFD No. 1.

DISCUSSION

The CSD Board shall have the opportunity to consider implementing the rate and method of apportionment of special tax ("RMA") required to cover the special tax requirement of CFD No. 1, as submitted in the Annual Special Tax Report ("Report") on file in the office of the City Treasurer.

Detailed within the Report is the description of the CFD proceedings, identification of participating developments, park projects maintained within the District, description of services, and amount of the special tax to be levied for 2010/11. The maximum special tax rate for FY 2010/11 is $143 per DU; however, the FY 2010/11 CFD No. 1 levy shall be based on projected District expenses and shall not exceed the maximum special tax amount. The 2010/11 CSD Zone A levy of $87.50 per dwelling unit will continue to be collected to support maintenance of existing parks and recreation programs. The special tax levy per residential parcel or per DU for apartments will be collected on the Riverside County property tax bill and is applied only to those parcels, or any portion thereof, annexed into CFD No. 1.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *This approval will allow collection of monies necessary to fund ongoing maintenance services of CFD No. 1.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *CSD Zone A funds maintenance and operations of existing park areas, recreation facilities and programs; however, these funds are inadequate to support ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks as a result of added residential development. If the CFD No. 1 special tax is not*

authorized to be levied, there will be a shortage of funds to pay for maintenance and Park Ranger costs associated with new neighborhood parks.

FISCAL IMPACT

The fiscal impact will be a levy of a special tax applied to the property owner's 2010/11 Riverside County property tax bill. **The special tax levied on properties within the boundaries of CFD No. 1 can only be used to cover the annual special tax requirement for the District. Collection of the CFD No. 1 special tax reduces the level of CSD Zone A and General Fund support necessary to maintain neighborhood parks.** Properties within CFD No. 1 are new residential developments, which create the need for new neighborhood parks. Neither existing nor new commercial/industrial properties are affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
A special tax necessary to fund CFD No. 1 is collected according to the provisions outlined within the Mello-Roos Community Facilities Act of 1982.

SUMMARY

The CSD Board shall have an opportunity to consider implementing the levy for CFD No. 1, per the RMA, as identified within the Report on file in the office of the City Treasurer.

EXHIBITS

Exhibit A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No.1
Exhibit B Boundary Map CFD No. 1

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Concurred by:
Mike McCarty
Parks & Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 1 Neighborhood Parks\Annual Report\2010-11\Staff Report 06.08.10.doc

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MV00061268

RESOLUTION NO. CSD 2010-07

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 1

WHEREAS, the CITY COUNCIL for the CITY OF MORENO VALLEY, CALIFORNIA, acting in their capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), did form Community Facilities District No.1 ("CFD No. 1" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the CSD Board, acting as the legislative body, did introduce and adopt Ordinance Nos. CSD-40 (Urgency Ordinance) and CSD-41 (an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California) to authorize the levy of a special tax within CFD No. 1; and,

WHEREAS, the CSD Board adopted Resolution No. CSD 2003-26 authorizing annexation of Territory in the future to CFD No. 1; and,

WHEREAS, annexations to CFD No. 1 have been conducted by the Community Services District following formation of the District; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover

the annual special tax requirement of CFD No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, Acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061272

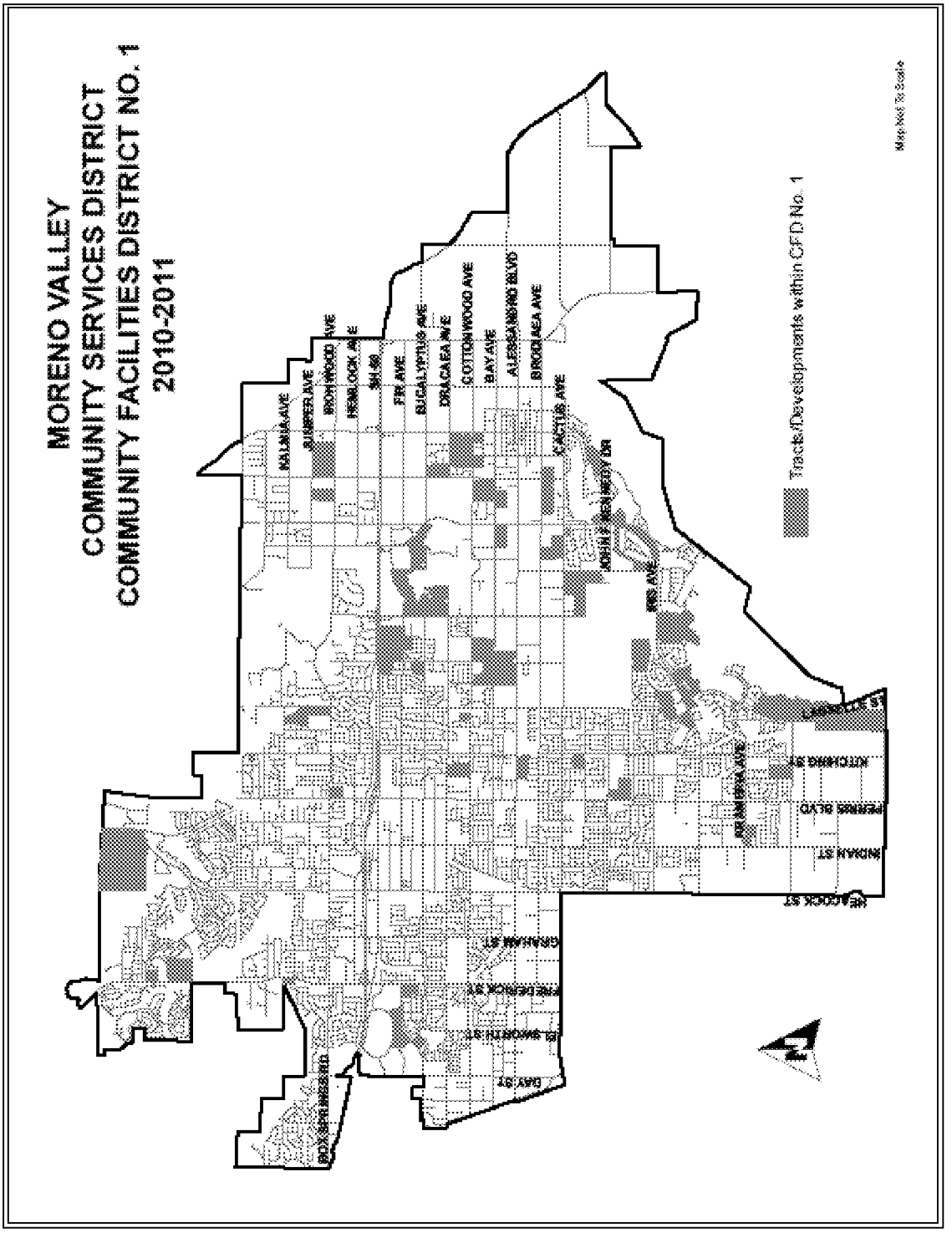
MORENO VALLEY
COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 1
2010-2011
KALMIA AVE
SUMMER AVE
IRONWOOD AVE
HEMLOCK AVE
SILAS
FIR AVE
EUCALYPTUS AVE
DRACAEA AVE
COTTONWOOD AVE
BAY AVE
ALESSANDRO BLVD
BROCAEA AVE
CACTUS AVE
JOHN F. KENNEDY DR
IRIS AVE
LEMON ST
KITCHING ST
PERRIS BLVD
INDIAN ST
MEADOW ST
GRAHAM ST
PINE DERRICK ST
SIMONTI ST
BAY ST
BOX SPRINGS BLVD
Tracts/Developments within CFD No. 1
Map Not To Scale

EXHIBIT B

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MV00061274

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Fixed Charges\County Submission\2010-11\Prop 218 Stfrpt 6.8.10.doc

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MV00061278

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061282

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00061286

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00061292

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00061294

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice;

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

ADVISORY COMMITTEE RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local

agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance. The requirements include a higher-level effort to divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

The City Council conducted the Public Meeting on May 26, 2010, to provide an opportunity for the public to address the City Council on the proposed FY 2010/2011 annual NPDES regulatory rates.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. Conducting the Public Hearing allows property owners an opportunity to address the City Council regarding the continuation of the "NPDES Regulatory Rate Schedule for New

Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development."

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from February 2009 – February 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the proposed "Resolution, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

2. Do not approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the pro "Resolution, A Resolution of the

City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll." *By not conducting the Public Hearing and adopting the resolution, the County of Riverside ("County") may challenge our ability to place the NPDES rates on the County property tax bill.*

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For FY 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For FY 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is less than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

The proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

Public Facilities and Capital Projects

The revenue collected from the proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to conduct the Public Hearing, and to adopt the resolution authorizing and approving the levy of the annual NPDES regulatory rates, on certain benefiting properties within the City as submitted in the NPDES Special Levy Report. While state law, after adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such hearings were required under state statutes before adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County collects the rates each year on the property tax bill. The County requires an annual resolution be approved to establish the authority to collect the annual NPDES rate on the tax bill. Approval of the resolution will satisfy the County requirement. The resolution also includes information on compliance with Proposition 218.

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification was published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Attachment "1" – Proposed Resolution

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061302

RESOLUTION NO. 2010-50

A RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AND APPROVING THE LEVY OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT ON THE COUNTY OF RIVERSIDE PROPERTY TAX ROLL

WHEREAS, as part of the 1972 Federal Clean Water Act, the federal government mandated that public agencies comply with the NPDES program to obtain Permits to discharge storm water runoff into municipally owned drainage facilities; and,

WHEREAS, on January 29, 2010, the Santa Ana Regional Water Quality Control Board issued new requirements that cities must address, regarding the water pollution contained in storm water runoff to remain in compliance with federal mandates; and,

WHEREAS, the City Council introduced Ordinance No. 708, on January 10, 2006, to repeal and reenact Chapter 3.50 of Title 3 of the City of Moreno Valley Municipal Code by relating to the establishment and collection of the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development based on the approved NPDES regulatory rate and authorization of subsequent rate adjustments by resolution; and,

WHEREAS, Sections 5473 through 5473.8 of the California Health and Safety Code provides that such services may be funded, in whole or in part, by rates which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the City; and,

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the interest of the City to have the NPDES regulatory rate on new residential, common interest, commercial, industrial, and quasi-public use development be so collected on the County of Riverside property tax roll; and,

WHEREAS, the City Council has determined that levying a regulatory rate against each assessable parcel of real property that is required to comply with the NPDES Permit program, as hereinafter established, is necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from these land uses; and,

WHEREAS, the City Council heretofore caused a report to be prepared that identified each parcel of real property, which is subject to the regulatory rate, and has caused notice of said report and of the public hearing thereon to be duly given; and,

WHEREAS, the City Council held a Public Hearing on June 8, 2010, at which time all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any; and,

WHEREAS, on June 8, 2010, the City Council reviewed and considered the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development to fund the federally mandated NPDES program; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council shall authorize collection of the NPDES regulatory rate on the County of Riverside tax bill for federally mandated NPDES requirements to address the discharge of storm water runoff into municipally owned drainage facilities.

2. The maximum rate to be collected for fiscal year (FY) 2010/2011 shall be $273.00 per parcel for new residential development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

3. The maximum rate to be collected for FY 2010/2011 shall be $205.00 per parcel for new common interest, commercial, industrial, and quasi-public-use development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

4. The NPDES regulatory rate, as herein confirmed, shall be collected on the tax roll at the same time and by the same persons, and in the same manner as, together with and not separately from, general taxes, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties, as provided for in Sections 5473 through 5473.8 of the California Health and Safety Code.

5. The City Council made a finding that collection of the NPDES regulatory rate is in compliance with Proposition 218.

6. The effective date of this Resolution shall be June 8, 2010.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00061306

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; approve and adopt the proposed resolutions:

1. Approve and adopt the proposed Resolution No. CSD 2010-09 (Zone A);
2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B)
3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C)
4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D)
5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E)
6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A)
7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A)
8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A)
9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M)

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Approval of the proposed resolutions will continue the currently approved annual parcel charges and the proposed amount for each charge in fiscal year (FY) 2010/11. Parcel charges help to fund parks and recreational services, residential street lighting, arterial street lighting, maintenance of parkway landscaping, extensive parkway landscaping, internal parkway landscaping/walls, medians, and the improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard, as described in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee may review charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide a variety of benefit services. Zones within the CSD were established to allocate costs to those parcels that receive proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

The CSD Board conducted the Public Meeting on May 25, 2010, to provide the first opportunity for the public to address the CSD Board on the annual CSD charges.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as currently collected are in compliance with Proposition 218. Any future charge increases, other than an inflation adjustment that has been approved during a prior mail ballot proceeding, shall require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings adopted by the City Council and the CSD Board on January 22, 2002, as amended on January 24, 2006 and March 24, 2009.

DISCUSSION

The following section lists the zones and summarizes the services provided by the CSD to each zone, along with the proposed and the current year annual charges. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the mail ballot proceeding process or a previously authorized inflation adjustment implemented to achieve full-cost recovery. The adjustment for FY 2010/11 is 1.83% and is based on the

percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide park maintenance and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit (residential), nonresidential units (commercial and industrial) and undeveloped parcels. (The current FY 2009/10 charge is $87.50.) The proposed FY 2010/11 levy for Zone A is approximately $5,020,225.00.

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23.00 per parcel per year for those properties which were annexed into the zone prior to 1999. Property owners of 7,326 parcels that balloted after 1999 to receive Zone B services and authorized an annual inflation adjustment, shall be charged $24.42 per parcel per year. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight services paying $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23.00 or $24.42 per parcel per year, to $39.00 per parcel per year and would allow for an annual CPI increase, if necessary, to fund the annual cost to provide residential street lighting services. (The current FY 2009/10 charges are $6.00 for reduced streetlight service and $23.00 or $24.00 for standard level streetlight service.) The proposed FY 2010/11 levy for Zone B is approximately $933,637.82, which does not include the proposed increase. If the $39.00 parcel charge is approved, the FY 2010/11 levy is estimated to be $1,565,226.00.

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9.00. (The current FY 2009/10 charge is $9.00.) The proposed FY 2010/11 levy for Zone C is approximately $430,713.00.

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. A listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11 are included in the Zone D Resolution. A majority of affected property owners, of certain tracts, approved an inflation adjustment in prior Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts as noted on the Zone D Resolution.

The CSD shall be conducting a mail ballot proceeding in July 2010 for an increase to the proposed charges to recover costs for the following tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. Tracts not approving the proposed increase shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines. The proposed FY 2010/11 levy for Zone D is approximately $1,233.742.22, which does not include the Zone D

increases. If the Zone D increases are approved, the estimated parcel charges for Zone D are approximately $1,359,287.04.

Zone E is authorized to provide high-service-level parkway landscape maintenance of extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the CPI charge adjustment shall be applied to Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are included in the Zone E Resolution. The proposed FY 2010/11 levy for Zone E is approximately $2,347,678.16.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel. (Current FY 2009/10 charge is $76.00.) The total FY 2010/11 levy for Zone E-1A is approximately $43,100.66.

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel. (Current FY 2009/10 charge is $66.00.) Total FY 2010/11 levy for Zone E-3A is approximately $31,584.00.

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109.00. (Current FY 2009/10 charge is $109.00.) The total FY 2010/11 levy for Zone E-4A is approximately $10,791.00.

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an inflation factor. The current FY 2009/10 charges and the proposed FY 2010/11 annual charges for Zone M are included in the Zone M Resolution. The total FY 2010/11 levy for Zone M is approximately $210,696.16.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation, based on front linear footage, of the properties adjacent to the improvements. The Zone S charge for 2010/11 is $2.80 per front linear footage, per year, which may include an inflation factor. The total FY 2010/11 levy for Zone S is approximately $53,295.20, which does not include the Zone S increase. (Current FY 2009/10 charge is $2.75 per front liner footage).

ALTERNATIVES

1. **Conduct a Public Hearing** to approve and adopt the proposed resolutions. *Although not required under Proposition 218, City policy has been to continue holding a Public Hearing. By conducting the Public Hearing on June 8, 2010, property owners shall be given an opportunity to address the CSD Board regarding the continuation of the CSD annual charges for the associated benefit services. Approving CSD Zones B, C, D, E, E-1A, E-3A, E-4A, M and S charges as proposed by staff shall authorize the CSD to continue providing maintenance at the applicable service levels. Approving the proposed charge for CSD Zone A will partially fund park maintenance and recreational services, along with some proposed capital improvements. The County of Riverside requires that resolutions be approved annually to authorize collecting the annual CSD parcel charges on the property tax bills. Approval of these resolutions will satisfy the County requirement.*

2. **Do not conduct the Public Hearing** and do not approve and adopt the resolutions. *Even though a Public Hearing is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Hearing to allow the public to address the CSD Board. By not adopting the resolutions, the County may challenge the City CSD's ability to place the CSD charges on the County property tax bill.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. Charges, including CPI adjustments, have been approved by the affected property owners through prior proceedings or are part of a current mail ballot proceeding. The annual inflation factor is based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M and S are restricted funds, which may only be used to pay for costs within each respective CSD Zone.**

Approving charges less than those proposed by staff may require a decrease to both the level and quality of service from that provided during FY 2009/10. The service levels may be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS
CSD landscape maintenance services help enhance community image, neighborhood pride and cleanliness. Residential properties, which have landscaped parkways and/or medians,

as maintained by the CSD, help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant materials helps in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION
The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES
Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. The CSD maintenance of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The actions before the CSD Board are to conduct the Public Hearing, and to approve and adopt the resolutions for the continuation of the currently approved CSD parcel charges and the proposed amount of the charge on certain properties within each of the existing zones as submitted in the Preliminary Annual Levy Report. Since the adoption of Proposition 218 state legislation, public hearings to consider charges or fees already in place are not mandated; such hearings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County requires resolutions be approved annually to establish the authority to collect the annual CSD parcel charges on the property tax bills. Approval of the resolutions will satisfy the County requirement. The resolutions also include information in compliance with Proposition 218.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, for the May 25, 2010 Public Meeting and June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was published on May 18, 2010 and May 25, 2010.

ATTACHMENTS

Attachment 1	Proposed Resolution for Zone A
Attachment 2	Proposed Resolution for Zone B
Attachment 3	Proposed Resolution for Zone C
Attachment 4	Proposed Resolution for Zone D
Attachment 5	Proposed Resolution for Zone E
Attachment 6	Proposed Resolution for Zone E-1A
Attachment 7	Proposed Resolution for Zone E-3A
Attachment 8	Proposed Resolution for Zone E-4A

Attachment 9 Proposed Resolution for Zone M
Attachment 10 Proposed Resolution for Zone S

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061314

RESOLUTION NO. CSD 2010-09

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE A (PARKS AND COMMUNITY SERVICES) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for parks and recreation services within the CSD and provides funding for such services, in part, through CSD Zone A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone A (Parks and Community Services) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone A is a necessary and equitable charge to fund, in part, the furnishing of parks and recreation services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of eighty-seven dollars and fifty cents ($87.50) to defray in part the costs of furnishing parks and recreation services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone A parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and are therefore not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-10

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE B (RESIDENTIAL STREET LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for residential street lighting services within the CSD and provides funding for such services, in part, through CSD Zone B; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone B (Residential Street Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone B is a necessary and equitable charge to fund, in part, the residential street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The charge is hereby approved to be levied at the maximum rate of thirty-nine dollars ($39.00), if and only if said maximum rate is approved by the majority of the property owners in the mail ballot proceeding under Proposition 218 currently scheduled to be concluded at a public hearing scheduled for September 14, 2010. In the event that said maximum rate is not approved by a majority of the property owners in said ballot proceeding, the charge is hereby approved to be levied at the existing and previously approved respective rates of twenty-three dollars ($23.00) and twenty-four dollars ($24.42) as applicable.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone B, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone B is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-11

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE C (ARTERIAL STREET LIGHTING AND INTERSECTION LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for intersection and arterial street lighting services within the CSD and provides funding for such services, in part, through CSD Zone C; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone C (Arterial Street Lighting and Intersection Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone C is a necessary and equitable charge to fund, in part, the arterial and intersection street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared that identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of nine dollars ($9.00) to defray in part the costs of furnishing arterial and intersection street lighting services within the CSD is hereby approved and adopted.

2. The herein approved service charge is hereby confirmed for each parcel of real property within CSD Zone C, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone C parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and therefore are not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-12

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone D; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone D (Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Adjustment ("CPI") adjustment (if applicable), and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone D is a necessary and equitable charge to fund, in part, the parkway landscape services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing parkway landscape services to the following tracts within the CSD is hereby approved and adopted as follows:

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
10191/18468*	$70.26	
11848*	$85.52	
12305	$57.00	
12608	$0.00	
12773*	$81.46	$121.00
12902*	$73.30	
13576/19080/19081*	$32.58	
13585	$57.00	
14387/12268	$57.00	
15387	$57.00	
15433*	$91.64	
16768*	$65.16	
16769*	$62.10	
16770	$57.00	
17033*	$176.26	
17176	$57.00	
17334	$345.00	
17387	$57.00	
17457*	$80.44	
17867	$57.00	
18283	$57.00	
18512/21322	$82.00	
18784/20906	$177.00	
18930*	$78.40	
19032	$130.00	
19141*	$76.36	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
19142	$57.00	
19143	$57.00	
19208	$74.00	
19210*	$69.24	$112.00
19233	$57.00	
19363	$57.00	
19434	$57.00	
19474	$57.00	
19496*	$65.16	
19500*	$74.32	
19509	$57.00	
19518/18372	$57.00	
19529*	$71.28	
19533	$57.00	
19541*	$94.70	
19551	$96.00	
19675*	$81.46	
19685*	$71.28	
19799	$272.20	
19852	$69.00	
19862*	$150.80	
19912*	$84.50	
19937*	$109.04	$157.00
19957	$69.00	
20030*	$101.92	
20032	$57.00	
20072	$89.00	
20120*	$95.72	
20197	$57.00	
20272	$120.10	
20301	$57.00	
20404*	$98.76	$178.00
20525	$57.00	
20552	$57.00	
20579*	$57.00/$108.40/$160.98	$144.00
20660*	$107.02	
20715	$94.00	
20718*	$141.64	$234.00
20859	$66.00	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
20869	$57.00	
20941*	$104.98	
21113	$57.00	$89.00
21332*	$97.74	
21333*	$212.00	$345.00
21345*	$116.18	
21597*	$300.60	$473.00
21616*	$377.78	
21737*	$214.04	
21806*	$70.26	
22093	$138.00	
22180	$247.00	
22276	$196.62	
22277*	$269.02	
22371*	$291.42	
22889*	$189.40	$313.00
22999	$67.00	
23046	$183.00	
24721	$57.00	
27251-1	$465.00	
27526*	$163.02	
28882*	$104.98	$179.00
29038*	$61.08	
30027	$201.00	
30967*	$467.38	
31129*	$82.48	
31257*	$1,069.20	$1,414.00
31268*	$184.40	
31269*	$218.92	
31269-1*	$300.60	$355.00
31284	$127.10	
31305	$496.00	
31424*	$218.92	
31591*	$462.70	
31618	$364.00	
32005	$112.00	
32018*	$69.24	$160.00

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
32625	$1,000.00	
32715	$401.00	
33436	$42.00	
33637	$297.00	
33962	$494.00	
4-Custom Home	$567.00	

Note: *Proposed parcel charges for FY 2010/11 include a CPI adjustment.

In the event that Tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, or 32018 do not individually approve the maximum balloted charge by the majority of the property owners in the separate mail ballot proceedings under Proposition 218 currently scheduled to be concluded at the public hearing on July 13, 2010, the charges hereby approved will be the FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings, as identified above.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone D, as set forth in the report on said charge filed with the Secretary of the District, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone D is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00061334

RESOLUTION NO. CSD 2010-13

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE IMPROVEMENT AND MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide high-service-level parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E and the various subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E (High-service-level Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within the various subzones of Zone E of the CSD is a necessary and equitable charge to fund, in part, the high-service-level parkway landscape improvement and maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing high-service-level parkway landscape improvement and maintenance services within the CSD is hereby approved and adopted as follows:

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2010/11 Proposed Charges
E-1	TownGate	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 34299	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 32142	$56.00
		Tract 32143	$53.96
		Tract 32144	$53.96
		Tract 32145	$31.56
		Tract 32146	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00
E-7	Centerpointe	Per acre	$679.80
E-8	Promontory Park	Per condo unit:	$188.00
		Per parcel	$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00
E-14	Mahogany Fields	Per parcel	$277.98
E-15	Celebration	Per parcel	$333.00
E-16	Shadow Mountain	Per parcel	$293.26

2. The herein approved charges are hereby confirmed for each parcel of real property within the various subzones of CSD Zone E, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the service charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

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MV00061340

RESOLUTION NO. CSD 2010-14

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-1A (RENAISSANCE PARK – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Renaissance Park walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-1A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-1A (Renaissance Park Walls/internal Parkway Landscape Maintenance) so collected on the tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property, within CSD Zone E-1A is a necessary and equitable charge to fund, in part, the walls/internal parkway landscape maintenance services for Renaissance Park by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of seventy-seven dollars and thirty eight cents ($77.38), which includes previously approved CPI adjustments, to defray in part the costs of furnishing Renaissance Park walls/internal parkway landscape improvement and maintenance services within the CSD, is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-1A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-1A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-15

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-3A (LASSELLE POWERLINE PARKWAY – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Lasselle Powerline Parkway walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-3A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property within CSD Zone E-3A is a necessary and equitable charge to fund, in part, walls/internal parkway landscape maintenance services for the Lasselle Powerline Parkway by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property that is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of the public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of sixty-seven dollars and twenty cents ($67.20), which includes previously approved CPI adjustments for CSD Zone E-3A (Lasselle Powerline Parkway) to defray in part the costs of furnishing walls/internal parkway landscape maintenance services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-3A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone E-3A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-16

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-4A (DAYBREAK DEVELOPMENT – INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-4A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-4A (Daybreak Development - Internal Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone E-4A is a necessary and equitable charge to fund, in part, internal parkway landscape maintenance services for the Daybreak Development by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of one hundred nine dollars ($109.00), which includes previously approved CPI adjustments for Zone E-4A (Daybreak Development) to defray in part the costs of internal parkway landscape maintenance services within the CSD hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-4A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-4A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-17

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE M (COMMERCIAL/ INDUSTRIAL/MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide commercial/industrial/multifamily improved median maintenance services within the CSD and provides funding for such services, in part, through CSD Zone M; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for CSD Zone M (Commercial/industrial/multifamily improved median maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable commercial/industrial/multifamily property within CSD Zone M is a necessary and equitable charge to fund, in part, the improved median maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of not more than 16.1 cents per median square foot per month, which includes previously approved CPI adjustments, to defray in part the costs of furnishing commercial/industrial/multifamily improved median maintenance services within the CSD, is hereby approved and adopted as follows:

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,047.80
Cactus Commerce Center	24364	297-130-039	$798.00
		297-130-041	$1,957.00
		297-130-042	$1,610.00
Home Depot	21504	485-220-030	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$302.72
Perris Blvd. Storage	PA02-0117	312-020-017	$1,592.16
		312-020-018	$1,517.74
Red Maple Center		312-020-020	$592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023	$5,958.92
		484-020-024	$7,283.02
Moreno Valley Health, LLC	33930	297-140-049	$1,151.82
		297-140-050	$1,184.44
		297-140-051	$1,317.96
		297-140-052	$1,041.74

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
OPT Moreno Valley, LLC	27008	482-700-001	$388.34
		482-700-005	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$403.64
Auto Detail Shop		291-191-024	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,629.24
		297-170-069	$10,852.68
		297-170-071	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,419.96
		312-360-002	$668.26
		312-360-003	$457.52
		312-360-004	$1,603.64
		312-360-005	$1,245.28
		312-360-006	$2,016.12
		312-360-007	$787.72
		312-360-008	$742.64
		312-360-009	$824.92
		312-360-010	$833.92
		312-360-011	$669.40
Commercial Project	TPM 32961	316-210-074	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	$2,324.04
Oakwood Apts	PA04-0010	486-070-004	$2,981.50
		486-070-011	$2,981.50
Moreno Marketplace	PA05-0169	486-250-021	$8,149.44
		486-250-024	$7,867.58
		486-250-025	$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	$10,595.40
		488-090-037 to -040	
		488-090-043	
		488-090-047 to -057	
		488-090-064	
		488-090-071	
		488-090-073 to -074	
		488-090-076	
		488-090-082 to -085	

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
Condominium Complex	32756	484-030-020	$619.72
		484-030-022	$619.72
OMP Development	34572	297-150-055	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$843.98
March Graham Partners	34022	297-170-004	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	$3,180.26
MV Properties	33152	297-120-002	$981.60
		297-120-003	$710.44
		297-120-016	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,149.78
		297-120-011	$1,482.08
		297-120-012	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	$7,554.16
Two-Bldg Commercial Center	PA07-0139	484-020-026	$2,814.32
Highland Fairview	TPM 35629	488-360-008	$4,152.22
		488-360-009	$3,467.92
		488-360-010	$3,467.92
		488-360-011	$6,935.84
		488-360-012	$6,620.56
		488-350-002	$17,601.72
California Drug Consultant		486-280-041	$9,775.68
Delphinium Apartments	PA04-0028	484-242-020	$2,986.60

2. The herein approved charge calculation is hereby confirmed for each parcel of real property within CSD Zone M, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale

and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone M is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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MV00061360

RESOLUTION NO. CSD 2010-18

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE S (SUNNYMEAD BOULEVARD MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") shall provide maintenance for improvements under construction along Sunnymead Boulevard from Frederick Street to Perris Boulevard; and,

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and,

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone S (Sunnymead Boulevard Maintenance) along from Frederick Street to Perris Boulevard be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI"), and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone S is a necessary and equitable charge to fund, in part, the furnishing of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held a said hearing, at which time all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and,

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of two dollars and eighty cents ($2.80), per front linear square footage, which may include previously approved CPI, to defray in part the costs of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard within the CSD is hereby approved and adopted.

2. The herein approved parcel charges calculated is hereby confirmed for each said parcel of real property within CSD Zone S, as set forth in the report on said charge filed with the CSD Secretary, as such may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone S is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passages of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charge calculation to the Auditor of the County of Riverside and to the Tax Collector of said County, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

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MV00061366

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk
Bob Hansen, City Attorney

AGENDA DATE: June 8, 2010

TITLE: GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010 RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES

RECOMMENDED ACTION

Staff recommends that the City Council adopt the following resolutions:

1. Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities; and

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code; and

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010; and

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor; and

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

SUMMARY

Submitted for adoption are six resolutions necessary for calling and giving notice of a general municipal election on November 2, 2010; requesting the Board of Supervisors to consolidate said general municipal election with the statewide general election; and adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters; ordering the submission to the qualified electors of two advisory ballot measures relating to changing from an appointed to an elected mayor; directing the City Attorney to prepare an impartial analysis; and providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

BACKGROUND/DISCUSSION

A general municipal election will be held in the City of Moreno Valley on November 2, 2010 for the purpose of electing, by district, two members of the City Council for one four (4) year term each in Council Districts 2 & 4. In addition, the City Council previously directed that the staff prepare resolutions for the submission to the voters of two advisory ballot measures relating to changing from an appointed to an elected mayor. Originally, the Council had directed that one ballot measure asking two questions be submitted to the voter. The City Clerk's office has been advised by the County Registrar of Voters that the County's election system cannot accommodate multiple questions for one ballot measure and the two questions must be presented as two separate ballot measures. Accordingly, the attached resolutions have been redrafted from those previously presented to the Council to reflect this change. The text of the ballot measures remains the same, except that the information is repeated for each measure and one sentence has been added to clarify the reasons for the two measures as well as address the Council's expressed concern that the public might not

understand that a future election would be required to enact the Directly Elected Mayor system. That sentence reads:

> To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

It appears as a separate paragraph towards the end of the measure text just prior to the actual ballot questions.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

An early estimate from the Registrar's office for the cost of the election is $45,000 – $50,000. The cost may increase due to the Registrar's direction that the two questions comprising the advisory ballot measures must be submitted as separate ballot measures rather than one. The cost of the extra ballot measure is estimated to be $10,000 – 25,000. $70,500 is included in the 2010-11 City Clerk base budget for these activities.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Resolution calling and giving notice of the holding of a general municipal election
B. Resolution requesting consolidation with statewide general election
C. Resolution adopting regulations for candidates
D. Resolution ordering the submission to the qualified electors
E. Resolution directing the city attorney to prepare an impartial analysis
F. Resolution providing for the filing of rebuttal arguments
G. Municipal Information Form
H. City Boundary Map

Prepared By
Jane Halstead, City Clerk
Bob Herrick, Special Counsel

Department Head Approval
Jane Halstead, City Clerk
Bob Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061370

RESOLUTION NO. 2010-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 2, 2010 for the election of Municipal Officers; and

WHEREAS, the Nomination Period for said Election will be July 12, 2010 through August 5, 2010, during regular office hours as posted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four years.

SECTION 2. That the election called and so ordered hereby shall be held for the purpose of electing City Council members from Council District Two (2) and Council District Four (4), as such districts have heretofore been established and designated by the City Council.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14212 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED and ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Moreno Valley, California, called a General Municipal Election to be held on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council.

WHEREAS, it is desirable that such general municipal election be consolidated with the Statewide General Election to be held on the same date, and that within the City, the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of Riverside canvass the returns of said municipal election, and that the elections be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council of the City of Moreno Valley.

SECTION 2. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the Registrar of Voters of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is hereby requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Moreno Valley, California, recognizes that additional costs will be incurred by the County by reason of this consolidation and

agrees to reimburse the County for such additional costs.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors, the Registrar of Voters of the County of Riverside, and with the County Clerk.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS FOR THE ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010

WHEREAS, Section 13307 of the California Elections Code permits the governing body of any local agency to adopt regulations pertaining to charges for handling, packaging, and mailing the candidates' statements in relation to elections for nonpartisan elective offices;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the California Elections Code, each candidate for elective office to be voted for at an election to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement cannot reference other candidates, their character, qualifications or activities. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers, July 12, 2010 through August 5, 2010, during regular office hours as posted, and until 5:00 p.m. of the next working day after the close of the nomination period.

Pursuant to § 13107 of the California Elections Code, each candidate has to fill out a ballot designation worksheet that supports the use of his/her ballot designation in compliance with the provisions of California Elections Code 13106 and 13107.

SECTION 2. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3. PAYMENT. A candidate filing a candidates' statement for inclusion in the sample ballot shall pay in advance his or her pro rata share for printing, handling and mailing, as a condition of having his or her statement included in the voter's pamphlet. A deposit of: $450 for Council District Two (2), and $375 for Council District

Four (4), must be paid at the time each candidate's statement is filed. Payment of the deposit shall be by cash or by check payable to the City of Moreno Valley. The City Clerk shall bill each candidate for any cost in excess of the deposit or, if the actual cost is found to be less than the deposit, shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. COPY TO CANDIDATE. The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating papers are issued.

SECTION 5. REPEAL OF PRIOR RESOLUTIONS. All previous resolutions establishing council policy on payment for candidates' statements are repealed.

SECTION 6. LIMITED APPLICABILITY. This resolution shall apply only to the election to be held on Tuesday, November 2, 2010 and shall then be repealed.

SECTION 7. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF MORENO VALLEY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR.

WHEREAS, a General Municipal Election will be held on Tuesday, November 2, 2010; and

WHEREAS, the City Council also desires to submit to the voters at the election two advisory ballot measures relating to changing from an appointed to an elected mayor:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the Riverside County Registrar of Voters is directed to add the advisory measure to the ballot for the City of Moreno Valley to the General Municipal Election to be held on Tuesday, November 2, 2010, relating to changing from an appointed to an elected mayor.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following measures in the following form:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following questions:

1. Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

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- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the election on the proposed measures shall be consolidated with the November 2, 2010 General Election through the County Registrar of Voters and the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Election Code of the State of California

SECTION 5. That the City Clerk shall keep one or more copies of the proposed measures available for public inspection at the office of the City Clerk.

SECTION 6. (a) Notice is hereby given that written arguments, not to exceed three hundred (300) words in length, shall be filed at the office of the City Clerk, 14177 Frederick Street, Post Office Box 88005, Moreno Valley, California, 92552-0805, not later than 5:00 p.m on August 16, 2010..

(b) Each argument submitted for or against the foregoing measures shall be accompanied by the statement set forth in §9600 of the California Elections Code, must be completed and signed by the author of such argument, and shall comply with the provisions of §§9280 through 9287 of the California Elections Code.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections consolidated through the County Registrar of Voters.

SECTION 8. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the County Elections Department of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures, and the Board of Supervisors of the County of Riverside is hereby requested to authorize said Elections Department to furnish such services; and that the Board of Supervisors is hereby requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the election.

SECTION 10. The City Clerk is hereby ordered to certify to the adoption of this resolution and proclamation, and to file copies hereof, with the Clerk of the Board of Supervisors of the County of Riverside and with the Registrar of Voters of the County of Riverside, and to enter it into the book of original Resolutions.

APPROVED AND ADOPTED this _____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS REGARDING THE ADVISORY BALLOT MEASURE RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010.

WHEREAS, a General Municipal Election is to be held in the City of Moreno Valley, California, on November 2, 2010 at which there will be submitted to the voters the following advisory ballot measures:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

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- The voters of all Council districts would elect the Mayor "at large".
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- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does resolve, declare, determine and order as follows:

SECTION 8. That the City Council directs the City Clerk to transmit a copy of the measures to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the Elections Official for the filing of primary arguments.

SECTION 2. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED this ____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00061384

RESOLUTION NO. 2010-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES SUBMITTED AT THE NOVEMBER 2, 2010 MUNICIPAL ELECTION

WHEREAS, Election Code §9220 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections;

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does hereby resolve, determine and order as follows:

SECTION 1. That pursuant to Elections Code §9220, when the City Clerk has selected the arguments for and against each measure which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than 5:00 p.m. on August 26, 2010. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the general election to be held on November 2, 2010, and shall then be repealed.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED this __ day of June, 2010.

_____
Mayor

ATTEST:

APPROVED AS TO FORM:

_____
City Clerk

_____
City Attorney

Exhibit F

Resolution No. 2010-___
Date Adopted: June __, 2010

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MV00061386

Municipal Information Form

City of Moreno Valley — City

November 2, 2010 — Date of Election

OFFICES TO BE VOTED ON: (Check offices to be voted on)

		NAMES OF INCUMBENTS / FULL TERM OR SHORT TERM
2	For City Council (# to elect)	DISTRICT NO. 2 - RICHARD A. STEWART/FULL TERM DISTRICT NO. 4 - BONNIE FLICKINGER/FULL TERM
	For Mayor	
	For City Clerk	
	For City Treasurer	

Will there be any measures on the ballot? YES [X] NO [ ]

CANDIDATE'S STATEMENT:

- **TYPESETTING:** Statements will not be edited by the Registrar of Voters.
- **COST:** Estimated deposit is based on number of voters in jurisdiction.
  Candidate's Statement will be paid by:
  Candidate [X] City [ ]

SERVICES REQUESTED OF REGISTRAR OF VOTERS:

- Nomination Forms. The forms will be provided on C.D. accompanied by one original paper set.
- In Consolidated Elections, Registrar of Voters will publish the Polling Places in the Press Enterprise pursuant to E.C. 10417.

  Is additional publication required in your local newspaper? YES [ ] NO [X]
  If yes, a copy will be provided to City for local publication.
- Registrar of Voters will automatically provide one copy of the alphabetical listing of registered voters in the city.
  Please indicate which Format you would prefer: [X] C.D. OR [ ] Paper

  Would you like a Street Index in addition to alphabetical list? YES [X] NO [ ]

MAP OR BOUNDARY DESCRIPTION IS ENCLOSED: YES [X] NO [ ]

[X] There are no boundary changes [ ] See boundary changes

Date: May 20, 2010 Signed: Jane Halstead
Jane Halstead, City Clerk

Phone Number: (951) 413-3001

Fax Number: (951) 413-3009

P.O. BOX 88005, MORENO VALLEY, CA. 92552-0805
Mailing Address

E-mail address: janeh@moval.org

Exhibit G

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MV00061388

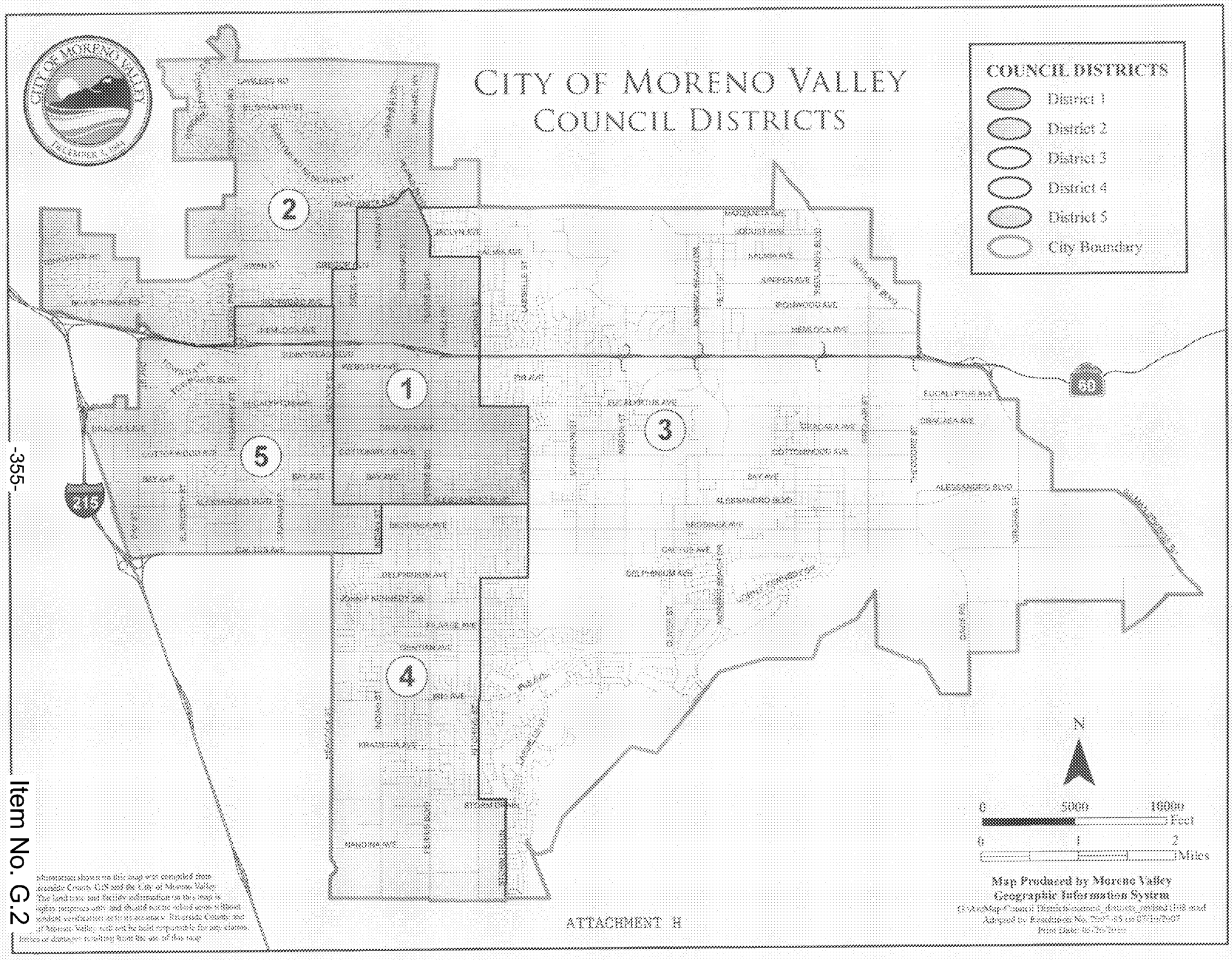

ATTACHMENT H

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MV00061390

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: SHOP MOVAL PROGRAM

RECOMMENDED ACTION

Staff recommends that the City Council provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

BACKGROUND

As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, and in turn, support general fund programs and services, Economic Development staff has partnered with the three Chambers of Commerce to create a SHOP MOVAL awareness for both the business community and residents. This effort began at the onset of FY 2009/2010 by providing graphic standards such as logo development and collateral design elements (See Exhibit A). Promotion of the SHOP MOVAL message was also included as performance measures in their respective FY 2009/2010 contracts. The idea was to have each Chamber of Commerce create a SHOP MOVAL program tailored to the specific needs of its membership with the City providing the overall SHOP MOVAL logo.

DISCUSSION

Most leading economists indicate that the recession is slowing as declines in sales tax revenue settle into single digits, up from three years of double-digit declines. Clearly, this is a positive change. However, the City of Moreno Valley along with other jurisdictions in the Inland Region continues to face the reality of what will be a slow recovery. The need to keep consumer spending here in Moreno Valley will be important to helping the local economy recover.

To build upon the momentum created by the Chambers and their members, and demonstrate increased leadership by the City, Economic Development staff has drafted

a SHOP MOVAL program. Maximizing a moderate, yet cost-effective budget, the proposed program (See Exhibit B) is designed to utilize multiple communication vehicles, along with providing additional tools to the Chambers of Commerce. Establishing a multi-faceted SHOP MOVAL program will increase public awareness of the benefits of shopping local and increasing sales tax revenue for the City to use in funding General Funds services and activities.

The major components recommended for the SHOP MOVAL program include:

- Advertising including banners, Mall kiosk, print media ads, and promotional items.
- Public Relations including web pages, a new targeted automotive purchase incentive program, local business discount programs, MVTV-3 (PSA's and programming), and social media usage.

With a limited budget, staff recommends pursuing a variety of partnerships (Chambers of Commerce, local businesses, major shopping center owners, and auto dealerships) to undertake some of the SHOP MOVAL programs. Forging strategic partnerships with the local businesses community will not only make the SHOP MOVAL program more cost-effective, but also it will also strengthen the "buy-in" of local businesses.

ALTERNATIVES

1. Accept the SHOP MOVAL Program as proposed.
2. Direct staff to make changes to the SHOP MOVAL Program per City Council's input.
3. Reject the use of a SHOP MOVAL Program.

FISCAL IMPACT

The City of Moreno Valley will increasingly benefit from growing sales tax revenue generated as the region recovers from the economic downturn. Additionally, helping local businesses create new employment opportunities and retaining local businesses increases consumer spending. The FY 2009-2010 Budget for Economic Development includes a budget allocation for SHOP MOVAL in the amount of $40,000. The preliminary FY 2010-2011 Budget includes a budget allocation for SHOP MOVAL in the amount of $20,000.

CITY COUNCIL GOALS

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public Facilities and Capital Projects: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and executing programs, which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

ATTACHMENTS/EXHIBITS

EXHIBIT A: SHOP MOVAL Graphic Design Samples
EXHIBIT B: SHOP MOVAL Program

Prepared By:
Shanna Palau
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061394

Shop MOVAL Graphic Design Samples

Logo

Banner design

Ad design

EXHIBIT A

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MV00061396

Shop MOVAL Program

Program Summary

Shop MOVAL is an awareness campaign designed to educate residents/businesses of the benefits of shopping in Moreno Valley and increase community pride. The campaign could include the following components:

- Public/private partnerships
- Sponsorships (monetary and in-kind)
- Marketing

What does shopping local do for the community?

- Increases general fund supporting safety, parks, libraries
  - 1% of each dollar spent in Moreno Valley stays in Moreno Valley
- Strengthens new and existing businesses
- Creates jobs
- Increases Community Pride

Messages

- Money spent in Moreno Valley stays in Moreno Valley
- Improve quality of life
- Invest in your community
- If you shop, they will come
- Making a good thing better
- Enjoy life in Moreno Valley
- Support your Library, Parks, Police , Fire, Youth Programs

City Program Budget	$60,000
FY 2009/2010: $40,000	
FY 2010/2011: $20,000	

Program Components	Estimated Cost
Marketing Plan	
Advertising	
Banners	$10,500
• 70: Key retail areas (Supplement 10 existing TownGate areas and MV Mall); Stoneridge Towne Centre; MV Plaza, and Auto Mall.	
Mall Kiosk	$3,600
• 12 months	
Print/Web	
• *Your Villa*- 6x (full-page; inside front cover)	$10,050
• *Press Enterprise* (Flier Inserts: 12 X)	$6,600
• PE.com (4 X 750,000 impressions)	$3,000
• *La Prensa* (Flier Inserts: 6 X)	$4,000
• *Citylink*	$0

Shop MOVAL Program

Promotional Items

- Magnets (Quantity: 20,000) $2,175

Public Relations

- Webpage(s) $0

  Webpages to include: key messages; new-vehicle incentive program; links to chambers of commerce, other sponsors and online Yellow Pages bookmarked for Moreno Valley; hot button for Facebook; petition page to show support for desired new business; and opt-in sign-up for potential electronic newsletter and updates/alerts.

- Local Business Discount Program $0

  Encourage Chambers of Commerce to pursue a discount program within their respective memberships. City staff would assist by providing a graphic for a downloadable discount card and posters for their members that are participating by providing a discount or added-value.

- New Vehicle Incentive Program $20,000

  Staff will work with Auto Dealer's Association to develop incentive co-op program encouraging the purchase of new vehicles.

- MVTV-3 $0
  - News Center: PSA; Interviews with Barry Foster along with presentation of human interest story coming from library, parks or public safety highlighting benefits of public services.
  - Bulletin
  - On hold message

- Social Media $0

  Create Fan page on Facebook

- Outdoor Advertising $0

  Request scheduled use of Moreno Valley Mall and Auto Mall reader boards.

In-person Promotion $0

- Chamber Events
- Service groups
- City Events

Shop MOVAL Program

Sponsorships/Partnerships

Existing Sponsorship (Monetary/In-kind)

- City of Moreno Valley

$60,000 (FY 2009-2010 and FY2010-11) plus staff

- Chambers' of Commerce
  - Moreno Valley Chamber of Commerce: $1,000 (decals); $ 775.00 in-kind advertising in *Your Villa*

- Fritz Duda

$2,400: Existing banner program in TownGate

- *Your Villa*

$850 Value for Logo placement to date

Future Sponsorship (Monetary/In-kind)

- MV Auto Mall

New Vehicle Purchase Incentive Program- Value TBD and use of new message board

- MV Mall

Use of message board

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MV00061400

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Robert Hansen, City Attorney

AGENDA DATE: May 11, 2010

TITLE: ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE MORENO VALLEY MUNICPAL CODE RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing offenses and amending Section 6.04.080 relating to notice of nuisance violations.

BACKGROUND

Staff has reported an increase over the past two years of incidents related to trespassing and drinking in public. Trespass is currently regulated by Section 602 of the California Penal Code. However, the various sections of the penal code do not provide a comprehensive approach to general trespass on private property. As a result of the fact specific nuances of state trespassing laws, very few instances of what is commonly thought to be trespassing actually is enforceable under state law.

Likewise, state law deals with intoxication in public but requires a very specific set of facts in order to convict for public intoxication. Moreno Valley currently does not have

any laws to prevent or restrict the consumption of alcohol in public, even when such consumption does not rise to the level of public intoxication.

Reports of increased public nuisance activity related to trespass and drinking have increased. These reports include trespassing and holding parties in vacant, abandoned or foreclosed properties, skateboarding in business parking lots, loitering and drinking at liquor stores, especially those associated with an attached or nearby recycling center.

DISCUSSION

In order to combat some of these nuisance conditions, the City Attorney's Office was asked to create new ordinance addressing trespassing and drinking in public. The proposed ordinance is laid out in three sections. The first section prohibits the drinking of an alcoholic beverage on or within public places, including streets and sidewalks. The penalties for drinking in public can range from a $100 Administrative Citation up to a misdemeanor violation for repeat offenders with maximum penalties of a $1,000.00 fine and up to six months in jail. The act of possessing an open container of alcohol (without drinking) constitutes a lesser charge with a maximum penalty of $500 and no jail time.

The second proposed section addresses trespassing on private property. A violation of this section constitutes a misdemeanor as well and may be enforced through Administrative Citations of a criminal complaint. Trespassing is prohibited on properly posted property or upon property where the owner, or the owner's agent, has asked an individual to remove himself therefrom and that person refuses to leave. A property owner can provide a written authorization to the police department to act as there agent to remove trespassers from their property. This could be used by banks to allow officers to remove and/or arrest individuals trespassing in vacant homes as well as by business entities that have recurring problems with unauthorized persons using their facilities or parking lots.

The third section relates to trespassing on publicly owned property. It allows for the "banning" of certain individuals who violate the law, rule or policy of a public park or facility for up to one year. The failure of a banned individual to remove himself from the property or his subsequent return would constitute a trespass violation. Both trespass sections provide exceptions for statutorily or constitutionally protected activity such as labor picketing or anti-discrimination provisions.

Additionally, it has been discovered that current code provisions relating to providing notice of code violations require service of the notice personally or by mailing and posting the subject property where the nuisance is occurring. The proposed ordinance changes this language to provide that notice may be service personally, mailed to the property owner, or posted on the subject property. This provides a more economical approach and ensures that affected property owners will receive the proper notice.

These new tools will provide the police department the ability to quickly and easily enforce these local crimes without the burdens imposed by the state law. Furthermore, these violations will be prosecuted and tracked by the City Attorney's Office. This allows the City to track repeat violators and ensure that proper penalties, restitution, stay away orders and other terms of probation are in effect against repeat offenders.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinance for adoption. The ordinance would take effect thirty-one (31) days after adoption.

2. Direct staff to make changes to the ordinance and return to City Council on a later date with a revised Ordinance.

3. Take no action.

FISCAL IMPACT

No significant fiscal impacts are projected although some additional revenue will be realized through fine collection.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

ATTACHMENTS/EXHIBITS

1. Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to trespass and drinking in public.

Prepared by: Paul J. Early, Deputy City Attorney III

Department Head Approval, Robert L. Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061404

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 8, 2010 (continued from the meeting of May 25, 2010)

TITLE: A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM.

RECOMMENDED ACTION

Staff recommends the City Council take the following action:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Public Safety Subcommittee of Mayor Flickinger and Council Member Batey reviewed the draft Rotational Tow Service Program documents at their meetings of February 8, March 8, and April 12. At the conclusion of the April 12th meeting, the Subcommittee was satisfied with the draft documents and instructed Staff to present the documents to the full City Council at a future meeting.

BACKGROUND

At the September 2009 City Council Study Session, the City Council discussed the needs of implementing a local Rotational Tow Service (RTS) Program. At the same

meeting a number of tow operators and their attorney presented a letter outlining specific terms and conditions to be included in a new RTS Program. The City Council subsequently instructed Staff to develop a RTS Program for City Council consideration in the future. Staff has completed its drafting of RTS Program and is prepared to have the City Council review and approve the documents. The RTS Program documents consist of: 1) an updated and amended RTS Program ordinance (Chapter 12.14); and 2) a draft Request for Proposals and agreement.

DISCUSSION

RTS Program Documents

At the request of the City Council, staff developed basic regulations for the operation of an official RTS Program in police emergency situations, removal of illegally parked vehicles, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. The RTS Program also establishes regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in the Moreno Valley Municipal Code.

The purpose in creating such a RTS Program is to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

The proposed official RTS Program will require a towing business to file an application in response to a City Request for Proposals. Those towing businesses submitting an application for consideration by the City Council will pay an application fee to cover staff's time in evaluating its proposal.

If a contract is approved by the City Council permitting a towing business to participate in the City's official RTS Program, it will be for five years. During the contract period, Staff will be responsible to: 1) monitor the contracts, 2) perform site visits/inspections, 3) review monthly reports, 4) investigate complaints, 5) conducted annual meetings, and 6) coordinate special programs and scheduled checkpoints. The Code & Neighborhood Services Division of the Community Development Department will be charged with the responsibility of Program's management and oversight.

Staff of the Police Department, Code Compliance, Financial & Administrative Services Department, Risk Management, City Attorney's Office, and City Manager's Office analyzed the City's existing towing service program and regulations codified in Chapter 12.14 of the Moreno Valley Municipal Code and made a number of edits to insure a tow operator or business conducts his/her business in a manner acceptable to the City.

Attached for the City Council's review and discussion, are the following draft Rotational Tow Service Program documents:

- Draft Ordinance. Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service has been rewritten to have consistent and complete rules and procedures for all to follow (Exhibit "A").
- Draft Request for Proposals. The draft Request for Proposals establishes a process of review of proposals submitted by tow operators or businesses that are interested in providing the service to the City. Attached to the RFP is the sample Agreement to be used for contracting such services with City Council approved tow operators and businesses (Exhibit "B").

Meeting With Existing Tow Operators
On Thursday, March 18, 2010, Staff of the City Manager's Office, City Attorney's Office, Police Department, and Community Development Department (Code Compliance and Planning Divisions) met with seven tow operators to review the draft ordinance and other related documents. The meeting was productive and provided constructive dialogue between the operators and City Staff. Generally, the tow operators are supportive of the City's RTS Program. The tow operators have been invited to this City Council meeting and to participate in the discussion.

ALTERNATIVES

1. Introduce the proposed amendment to Chapter 12.14 of the Moreno Valley Municipal Code and approve the Request for Proposal, implementing a Rotational Tow Service Program citywide (***Staff recommended action***).

2. Direct Staff to explore other options to the RTS Program.

3. Take no action. This alternative would continue the current RTS Program as is.

FISCAL IMPACT

Staff is anticipating full cost recovery from tow operators wanting to participate in the RTS Program. Cost recovery will be accomplished in three ways. First, the RTS Program would establish a RTS Application Fee to recover the cost of the City Manager's and City Attorney's Offices and of the Community Development, Human Resources, Police, and Financial & Administrative Services Departments in evaluating an RTS Program Application. The estimated time Staff would spend to review an application was multiplied by a fully-burdened blended hourly rate to establish an application fee of $2,828.

The second cost recovery fee would require a tow operator being awarded a contract to provide towing services to deposit $5,000 to cover the City's cost in administering the contract during the term of the contract of five years. Staff of the six departments will charge their actual fully-burdened rate to the deposit for full cost recovery. If the balance of the deposit falls below $500, Staff will require, per City Council agreement, the tow operator to replenish the fund and failure to make the deposit whole would be grounds for suspension or removal from the RTS Program.

Finally, the City/Code Compliance Division has not charge a vehicle release fee as does the Police Department (current fee of $120). It is estimated that the cost of staff's time to release a vehicle would be $74 per vehicle. The fee was established on the basis of a fully burdened blended rate of staff and time to release the vehicle. A fee of $74 will be imposed to those owners of a vehicle or his/her authorized agent wanting the vehicle returned.

The RTS Program application fee, deposit and vehicle release fee were included in the City Council 2010 Fee Schedule which was approved on May 25, 2010.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

The Proposed RTS Program will establish standard for all to operate by and therefore, create a strong advocacy relations with City of Moreno Valley towing businesses.

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Included in the RTS Program is a means by which the City can recover its costs of managing such a RTS Program.

SUMMARY

As directed by the City Council, Staff has prepared an amendment to Chapter 12.14 of the Moreno Valley Municipal Code setting forth appropriate and fair regulations to operate a Rotational Tow Service Program. The Program will establish response times, vehicle storage criteria, monthly reporting, suspension/revocation procedures, and other operational standards for the City and tow operators to follow. The Request for Proposals and sample agreement will provide a process to fairly evaluate the tow business and insure compliance with the amended ordinance.

NOTIFICATION

Staff has notified local tow operators interested in the RTS Program of the City Council meeting and pending action.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Draft amended Chapter 12.14 of the MVMC
Exhibit "B" – Draft Request for Proposals with agreement

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00061418

Exhibit "A"

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.

12.14.100 Storage facility.
12.14.110 Standard rules of operation.
12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

A. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

B. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

C. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weigh rating of the class of Tow Truck changes, said weigh ratings of the class of Tow Truck or Trucks shall replace those weigh ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred (100) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. However, vehicles that have been approved by the Department of Motor Vehicles for lien sale can be towed outside of City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

Exhibit "B"

REQUEST FOR PROPOSALS

MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM
_____, 2010

The City of Moreno Valley is inviting proposals from qualified tow operators who wish to enter into an agreement with the City for the Rotational Tow Service Program (the "RTS Program") for the removal of vehicles from the public right-of-way (i.e. "Off-Site Vehicle Removal") and for the removal of inoperative vehicles from private property (i.e. "Vehicle Abatement Services"). More specifically, the requested services include, but are not limited to: towing and storing of vehicles involved in accidents or disabled for other causes (when alternate towing is either not appropriate or is not requested by the owner or operator of the vehicle), towing and/or storing of vehicles which for other reasons are within the jurisdiction of the Moreno Valley Police Department, including towing of improperly parked vehicles, vehicles that obstruct or impede the flow of traffic, emergency lanes or walkways, and/or handicapped parking spaces, impounded/forfeited vehicles, and/or vehicles seized for evidence. In addition, the tow operators will service the City's Code Compliance Division of the Community Development Department in the towing and storage of inoperative, abandoned, and dismantled vehicles from private property as set forth in the Chapter 11.24, "Vehicle Abatement", of the City's Municipal Code.

BACKGROUND

An ordinance and agreement for the RTS Program has been developed which will include rules and regulations and performance standards. These will include, but not be limited to; rules governing response time, towing, storage, equipment, storage facilities, fees, customer relations, and disciplinary actions deemed necessary for the Police Department and City to effectively manage the RTS Program. Each participating Tow Operator must agree to abide by the terms and conditions of the agreement. Copies of the ordinance and sample agreement to be executed by the Tow Operator and City are attached as Attachment 1 and Attachment 2, respectively.

Approximately 510 vehicles were towed in 2009 by the Moreno Valley Police Department. Of this amount, approximately 280 vehicles or 56 percent of the vehicles were "30-day impound" vehicles and 230 vehicles or 44 percent were

towed and stored for a variety of reasons. Most of the vehicles towed by the Moreno Valley Police Department are associated with its safe driver checkpoint program. Frequency of these checkpoint programs may vary, however the City currently conducts such events periodically on an as-needed-basis to reduce public safety concerns.

In addition to the Police Department activity, the City's Code Compliance Division anticipates towing approximately 100 vehicles each year from private property and public right-of-ways. Many of the vehicles towed under the City's Vehicle Abatement Program are abandoned, inoperative and/or disabled.

Tow Operators selected to participate in the City's RTS Program shall agree to pay the City for actual and reasonable costs incurred in connection with administration of the RTS Program. Tow Operators will be required to pay a $2,828 Rotational Tow Service Application Fee at the time an application is filed to with the City Clerk. This fee is non-fundable. If a Tow Operator is approved by the City Council to participate on the City's RTS Program and an agreement is executed by both parties, the Tow Operator must deposit $5,000 with the City to cover the expenses of the Police Department and City in the administration of the RTS Program during the contract period prior to beginning service. The Police Department and City will drawdown the deposit to covers its cost for the general administration of the RTS Program and terms and conditions of the RTS agreement. At any time a Tow Operator's deposit balance is less than $500, the Tow Operator shall be required to replenish its account within the 30-day notice by the City. Failure to replenish the account will be cause for suspension and/or revocation of a Tow Operator's Permit.

Proposals from Tow Operators to participate in the City's RTS Program will be evaluated by a qualified evaluation committee comprised of representatives of the City Manager's Office, City Attorney's Office, Police Department, Community Development Department, Human Resources Department, and Financial & Administrative Services Department. The evaluation committee will submit the proposals and its recommendations to the City Council for review and approval of an agreement to participate on the City's RTS Program.

Included in this Request for Proposals (the "RFP") is a summary of Chapter 12.14, "Police and City of Moreno Valley Rotational Tow Service", of the Moreno Valley Municipal Code. Each Tow Operator shall be solely responsible for examining the attached Chapter 12.14 and sample agreement (Attachments 1 and 2) including any Addenda issued during the RFP period, and for informing itself with respect to any and all conditions, which may in any way affect the amount and nature of the Tow Operator's response, or the performance of the services in the event the Tow Operator is selected and an agreement between the two parties is entered into.

It is the responsibility of each Tow Operator to inquire to the City of Moreno Valley, prior to submission of its proposal, any aspect of this RFP which needs clarification or interpretation. If it is determined by the City that the response to the clarification or interpretation is material, a written response will be prepared and distributed as Addenda to all Tow Operators and/or individuals that have received a RFP.

GENERAL REQUIREMENTS

1. A Tow Operator submitting a proposal to participate in the City's RTS Program must have a valid City of Moreno Valley business license to conduct business in the City as a tow operator or business at the time the proposal is submitted for consideration by the City.

2. A tow business/operator submitting an application for the City of Moreno Valley RTS Program shall not have a financial interest in any other tow company and/or applicant within the City of Moreno Valley. Financial interest includes: business license, insurance, tow truck and equipment ownership, employees, and/or storage facility, or real estate.

3. The tow operator, storage yard/office must be located within the City limits and have an active City business license to be considered for the RTS Program. If a Tow Operator's business license becomes inactive, the tow business or operator shall be removed from the RTS Program as set forth in the sample agreement. If a tow operator has more than one storage facility, each location or locations will be reviewed on an individual basis and be approved by the City Council of the City of Moreno Valley before the location is part of the RTS Program.

4. The performance period of the Agreement will be for five (5) years, beginning _____. Tow businesses and/or operators not participating in the Request for Proposals (RFP) process will not be eligible to participate in this City's RTS Program until the City establishes a subsequent open enrollment period.

5. All responses shall be prepared by and at the expenses of the Tow Operator.

6. Each response shall be executed by the Tow Operator's authorized representative or officer.

EVALUATION OF QUALIFICATIONS AND INFORMATION

Responses to the RFP will be evaluated on the basis of various factors, including, but not limited to, the following:

1. Demonstrated financial strength including, but not limited to, the Tow Operator's:
   a. Current facilities, equipment and personnel,

b. Capability of securing financing for facilities, equipment, personnel (payroll), upgrades, replacement of vehicles, or other resources, and
c. Credit worthiness.

2. Quality of Tow Operator's existing or proposed facilities, equipment and personnel.

3. Demonstrated and successful completion of services of similar scope and size, including, but not limited to:
   a. Years of experience as an official police tow service provider or municipal service provider,
   b. Timeliness of performance, and
   c. Customer testimonials (i.e., satisfaction/complaints) and references.

4. Other cities' and clients' evaluations of the Tow Operator's prior or current services and any actions taken by such cities or clients regarding the Tow Operator.

5. Demonstrated safety record for the Tow Operator's tow vehicles and employees.

6. Degree to which the proposer ascertained and addressed the City of Moreno Valley's needs and priorities.

PROPOSAL SUBMITTAL REQUIREMENTS

Respondents to this RFP should, at a minimum, provide the information requested below. Interested Tow Operators are encouraged to provide additional information not specifically identified below that would help demonstrate their qualifications to provide tow services to the Police Department and City. Tow Operators should not assume their past or current experience with the City demonstrates knowledge of the City's current needs or that the City representatives that will review the responses possess knowledge of this experience. The evaluation of each response will be based upon the evaluation criteria applied to the proposals submitted.

Each response shall be formatted to provide the following information in sequence.

1. Organizational Information
   a. Provide your company's legal or official name and any DBA's used by the company and documentation to these individuals or officers authorized to commit to its proposal on behalf of the company.
   b. Provide the company's organizational structure (e.g., corporation, partnership, LLC, etc.), jurisdiction in which your company is organized and the date of such organization.
   c. Provide the company's Federal Tax Identification number.

d. Provide the name, address, telephone, fax number and e-mail address of the person who will serve as the contact to the Police Department and City with regards to the RFP response, with authorization to make representations on behalf of and bind your company.
e. Provide proof that your company is currently in good standing in the State of California and has the necessary permits, licenses, etc., to perform the tow services as requested.
f. Provide a statement that your company accepts all conditions and requirements contained in this RFP, Chapter 12.14 of the Moreno Valley Municipal Code, and sample agreement or a description of any exceptions thereto.

2. Facilities, Equipment and Personnel
   a. Facilities. Provide the address of your towing business' administrative office(s) and vehicle storage facility(ies). A fully dimensioned Site Plan of the tow operator's administrative office/storage yard shall be submitted with the application package. Plans shall be drawn to an engineer scale not to exceed 1" = 50' or less than 1" = 20', with a north arrow oriented to top of the Plan. The Plan shall be prepared as follows:
      I. Name, address and phone number of the applicant/tow operator,
      II. Property lines and lot dimensions,
      III. Dimensions of all access points to the site (pedestrian and vehicular), off-street parking areas, loading areas, and parking spaces for customers and employees,
      IV. Location of all building structures and the distances between buildings and the property lines,
      V. Location of all driveways and landscape planters or areas,
      VI. Location of all building security lights and parking lot lights (refer to Chapter 12.14 for security requirements),
      VII. Location and type of perimeter fencing, and
      VIII. Evidence that indicates the lot will accommodate the minimum number of cars required in Chapter 12.14 and comply with the required parking standards outlined in Chapter 9.11 of the Moreno Valley Municipal Code.

   b. A Deed of Trust or other legal document identifying ownership of the property to be used for a towing business shall be submitted with a towing operator's proposal. If the towing business leases the property for a towing business, provide copies of the lease or other documentation that the property owner has agreed to the use of the property for a towing business.
   c. Please list any secondary facilities and provide the same information as requested in the previous paragraph (2,a).
   d. Equipment. Identify in detail each vehicle and related equipment towing business would utilize in the City's RTS program (Class A, B, C, and D tow trucks). Include the make, model, year and equipment of each

vehicle. The Tow Operator must provide a copy of current California Highway Patrol Forms CHP407F, Safetynet Driver/Vehicle Inspection Report and CHP 234B, Tow Truck Inspection Guide for each Tow Truck participating in the RTS Program. Please describe and/or include a copy of the company's vehicle replacement policy.

e. Personnel. Indentify all personnel that will provide services under the City's RTS Program. Include all drivers, supervisory and office personnel. The Tow Operator may use the appropriate CHP Form for a rotational tow agreement as long as said forms are current. Identify the towing business' recruitment, training and customer service practices.

3. Financial/Organizational Information
   a. Provide a brief history of the towing business and its towing services experience. Include the experience of the company's key management personnel.
   b. Provide a description of the ongoing program(s) the company has in place to identify substance abuse and to ensure maintenance of an alcohol and drug free work place.
   c. Identify how your towing business will provide the required monthly reports to include tracking of stored/impounded vehicles, release of vehicles, and other information you feel is pertinent to the RTS Program and as requested in Chapter 12.14 of the Moreno Valley Municipal Code.
   d. Provide certificate of insurance evidencing the insurance coverage carried by your company meets the City's minimum coverage limits listed in the agreement attached as Attachment 2.
   e. Identify the years of experience that you have as an official police/city tow service provider.
   f. List any contracts your towing business currently has or has had in the recent past (last five years), similar to the City's requirements. Give the name and contact information for each reference.
   g. State any complaints the towing business has received from cities it has contracted with within the past two years. Include equipment violations, inspection citations, etc.
   h. Indicate whether or not your towing business has been suspended or terminated from a towing program operated by another governmental agency. State the reasons for the suspension and/or termination.
   i. Describe the towing business' safety policies and all safety training provided to your employees. If the towing business has been cited, suspended or terminated for safety violations, please supply the date and description the violation and/or incident.
   j. Provide your towing business collection procedure(s) and policy(ies).
   k. Provide information about how the towing business would move a large number of vehicles in a short period of time (i.e., 10 vehicles in an hour).

4. Rates for Service
   a. Fees charged to a vehicle's owner or authorized agent for response calls originating from the Police Department or the City, shall be reasonable and not in excess of those rates charged for similar services provided in response to requests initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner (California Highway Patrol Form CHP 234A may be used to list rates for services):

      I. The towing operator shall submit his/her proposed hourly rate to the city as part of this RFP. The City Council shall determine the validity and reasonableness of the submitted rate.
      II. Validity will be based upon telephone quotes, posted rates, charges to retail customers, etc. Any submitted rate in excess of a towing business' retail rate will be considered invalid and will not be accepted. A towing business who submits an invalid rate shall not be allowed to resubmit a new rate and will be disqualified from City's RTS Program until the next enrollment period.
      III. Reasonableness shall be determined as compared to other rates. A Tow Operator who submits a rate that is determined to be excessive shall be allowed to resubmit his/her rates only once during this contract period.
      IV. Provide your storage and any other fee your towing business charges an owner of a vehicle or his/her authorized agent.
      V. The Tow Operator shall submit a mark-up rate (percentage of the cost to the Tow Operator) for retail equipment and specialized labor not otherwise listed on the application.

RFP SUBMISSION AND DEADLINE

Tow businesses and operators interested in participating in the City of Moreno Valley RTS Program shall submit the requested information, completed forms, and any other pertinent information and an RTS Application Fee of $2,828 made payable to the "City of Moreno Valley" to:

Jane Halstead, City Clerk
City Clerk's Office
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

All proposals shall be sealed within one envelop and clearly marked "***REQUEST FOR PROPOSALS – MORENO VALLEY POLICE DEPARTMENT AND CITY ROTATIONAL TOW SERVICE PROGRAM***."

Proposals are due to the City of Moreno Valley City Clerk's Office before 4:30 p.m. on _____, 2010. An applicant shall submit five (5) copies of the proposal

and one (1), unbound 8½" x 11" black and white copy that is reproducible and a complete (i.e., text, forms, plans, etc.) electronic copy in a Adobe, PDF format.

Failure to comply with the instruction set forth in the RFP will be considered as non-responsive and will not be accepted. If you cannot meet one or more of the terms and conditions of this RFP and/or the regulations set forth in Chapter 12.14 of the Moreno Valley Municipal Code, you must list separately those items and provide an explanation why such terms and conditions and regulations cannot be met. Furthermore, the City Council reserves the right to reject any and all bids at any time during this process and waive any discrepancies and/or irregularities in submitted proposals as it deems appropriate.

The city assumes no responsibility for delays caused by any package or mail delivery service. Postmarking, faxed or e-mail proposals by the due date ***WILL NOT*** substitute for receipt of a submittal. Additional time will not be granted to any single proposer; however, additional time may be granted to all proposers when the City determines that circumstances require it.

Any questions regarding this RFP should be directed to Rick Hartmann, Interim Assistant City Manager at Moreno Valley City Hall by telephone at (951) 413-3030 or via e-mail at rickh@moval.org.

Attachments: 1; Chapter 12.14 of the Moreno Valley Municipal Code
2; City Agreement

Attachement 1
Chapter 12.14 Police and City of Moreno Valley Rotational Tow Service
(To be attached)

Attachment 2

CITY of Moreno Valley
INDEPENDENT CONTRACTOR AGREEMENT
Rotational Tow Services Program

This Agreement is made by and between the CITY of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "CITY", and the following named independent contractor, hereinafter referred to as the "TOW OPERATOR," based upon CITY policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as an independent contractor; and
B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the CITY signs this Agreement.

1. TOW OPERATOR INFORMATION

Tow Operator's Business/Company Name: _____
Authorized Representative: _____
Address: _____
CITY: _____ State: ____ Zip: _____
Business Phone: (___) _____ Fax No. ( ) _____
E-mail address/Web site: _____
Other Contact Number: _____
Social Security Number: _____
Business License Number: _____
Federal Tax I.D. Number: _____

2. TOW OPERATOR SERVICES, FEES, AND RELEVANT DATES

W I T N E S S E T H

WHEREAS, the CITY seeks to engage the services of the TOW OPERATOR to participate in CITY Rotational Tow Services Program for towing services throughout the City of Moreno Valley for the removal of vehicles from the public right-of-way (i.e., "Off-site Vehicle Removal") and the removal of inoperable vehicles from private property (i.e., "Vehicle Abatement Services") at no cost or charge to the CITY, or its contract services with the Riverside County Sheriff's Department and the Riverside County Fire Department and its service provider, Cal Fire, and

WHEREAS, the CITY agrees to utilize, on a rotational basis, for Off-Site Vehicle Removal and Vehicle Abatement Services, only those TOW OPERATOR(s) located in the City of Moreno Valley, as defined herein and as set forth in Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of the Moreno Valley Municipal Code and attached hereto as Exhibit "A" and made a part hereof, who have signed an Agreement with the CITY, and

WHEREAS, the TOW OPERATOR who is a signatory to this Agreement, has completed and submitted the necessary information and other documents required by the CITY (hereinafter call "Request for Proposal or RFP") attached hereto as Exhibit "B" and made a part hereof, to provide Rotational Towing Services within its corporate boundaries, and

WHEREAS, the TOW OPERATOR represents that it has the necessary expertise, licenses, equipment, storage facilities, personnel, and insurance and has been issued a CITY Tow Operator's Permit and Tow Truck Permit(s) in accordance with Chapter 5.02, Business License and Chapter 12.14 of the Moreno Valley Municipal Code to meet all requirements of the CITY to provide towing services within the City of Moreno Valley, and

WHEREAS, the CITY has relied upon TOW OPERATOR's representations in entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

A. The TOW OPERATOR's Proposal. The TOW OPERATOR's proposal is described in Exhibit "C" attached hereto and incorporated herein by this reference.

B. Contract Period. The TOW OPERATOR Starting Date is _____ and the TOW OPERATOR Ending Date is _____. The TOW OPERATOR shall not be responsible for delays caused by others or delays beyond the TOW OPERATOR's reasonable control (excluding delays caused by non-performance or unjustified delay by TOW OPERATOR, or his/her/its employees).

C. General Responsibilities of TOW OPERATOR.

I. TOW OPERATOR shall provide towing services at the request and direction of the Riverside County Sheriff's Department (herein after referred to as "Moreno Valley Police Department") and CITY'S Code & Neighborhood Services Division for all tows necessary from public right-of-way and from private property. Calls for towing services shall be initiated by the MORENO

VALLEY POLICE DEPARTMENT and/or by the CITY'S Code & Neighborhood Services Division under the CITY'S Vehicle Abatement Program.

II. The OPERATOR shall be responsible for reasonable cleanup of debris left at the scene of a collision or at the direction of the MORENO VALLEY POLICE DEPARTMENT.

III. There shall be no charge or fee to the CITY, or MORENO VALLEY POLICE DEPARTMENT or the CITY'S Code & Neighborhood Services Division for any towing services by the OPERATOR to include vehicles towed at the request of the CITY/MORENO VALLEY POLICE DEPARTMENT in which the vehicle is used in the commission of a crime or other matters in which the vehicle must be impounded for investigation and/or further analysis. All charges or fees shall be applied only to the legal owner or registered owner of the vehicle or to the property owner as appropriate. All reference to charges or fees in this Agreement thereto shall refer to charges against the vehicle owner and not to the CITY, MORENO VALLEY POLICE DEPARTMENT or CITY'S Code & Neighborhood Services Division.

IV. The TOW OPERATOR shall maintain records of tow services furnished including a description of vehicles, nature of service and time and location of calls. Such records may be inspected at any time by the MORENO VALLEY POLICE DEPARTMENT and CITY. The OPERATOR shall mark the windshield of each vehicle towed as part of the CITY Rotational Tow Services Program to read: "MOVAL" and either "I" for "impounded" or "S" for "stored".

V. The TOW OPERATOR and its tow truck drivers shall maintain, during the entire contract period, proper licenses, in accordance with California Vehicle Code Section 12804 and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

VI. Towing vehicles will be maintained in compliance with the provisions of Sections 24605, 25253, 25300, 27700, and 27907 of California Vehicle Code and Section 9701 of the Revenue and Taxation Code and the CITY as set forth in Chapter 12.14 of the Moreno Valley Municipal Code.

D. <u>Fees for Special Operations</u>

I. For special operations involving Class B, C, and D tow trucks, the TOW OPERATOR shall submit his/her proposed fees for vehicle recovery operations and load salvage operations to the CITY. Fees shall be reasonable and consistent with industry standards for similar operations. Charges in excess of the one hour minimum charge outlined in this section may be charged in fifteen–minute increments.

a. Hourly rates shall be established for the following:
   1) Auxiliary Equipment, e.g., airbags, converter gear/dolly, additional trailers, etc.
   2) Contracted Equipment, e.g., airbags, converter gear/dolly, additional trailers, forklifts, scoop loaders, etc.
   3) Contract labor.

b. The CITY shall determine the reasonableness of the fees for these types of operations, based upon the average of the proposed fees submitted and a comparison to industry standards for similar operations.

II. If the TOW OPERATOR performs a service for which a required rate was not submitted to, and/or approved by the CITY, the TOW OPERATOR shall only be entitled to charge for the actual cost of that service. Example: contract labor rate not submitted, the TOW OPERATOR may only charge for the actual rate paid for the labor.

E. Release of Stored or Impounded Vehicle. No vehicle shall be released to a vehicle's owner or authorized representative or agent without prior written approval from the CITY to release the vehicle from the OPERATOR's possession.

3. STANDARD TERMS AND CONDITIONS

A. Control of Work. TOW OPERATOR is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The CITY will not provide any training to TOW OPERATOR or his/her/its employees.

B. Intent of Parties. TOW OPERATOR is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the TOW OPERATOR or any individual whose compensation for services is paid by the TOW OPERATOR, an agent or employee of the CITY, or authorizing the TOW OPERATOR to create or assume any obligation or liability for or on behalf of the CITY, or entitling the TOW OPERATOR to any right, benefit, or privilege applicable to any officer or employee of the CITY.

C. Responsibilities of the CITY. The MORENO VALLEY POLICE DEPARTMENT and CITY'S Code Compliance Division will maintain rotational lists composed solely of the TOW OPERATOR who is signatories to the Agreement unless as otherwise provided for by MORENO VALLEY POLICE DEPARTMENT or CITY procedure. To the greatest extend feasible, the MORENO VALLEY POLICE

DEPARTMENT and CITY'S Code Compliance Division shall use the same rotational list.

D. Legal Considerations. The TOW OPERATOR shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. TOW OPERATOR Indemnification. TOW OPERATOR shall indemnify, defend and hold the CITY, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of TOW OPERATOR's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the TOW OPERATOR is not covered under the CITY's general liability insurance, employee benefits, or worker's compensation. It further establishes that the TOW OPERATOR shall be fully responsible for such coverage.

F. CITY Indemnification. The CITY agrees to indemnify, defend and save the TOW OPERATOR and its officers, agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the CITY's, RDA's and CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CITY under this Agreement, or are caused or claim to be caused by the negligent acts of the CITY, RDA and CSD, their officers, agents or employees, or its contractor(s) or any person acting for the CITY or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any claims arising from the negligence or willful misconduct of the TOW OPERATOR, its officers, agent, or employees.

G. Insurance Requirements. Where determined applicable by the CITY, TOW OPERATOR will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

I. General Liability Insurance: To protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the TOW OPERATOR, sub-

TOW OPERATOR, or any person acting for the TOW OPERATOR or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

a. Bodily Injury $1,000,000 per occurrence/ $2,000,000 aggregate
b. Property Damage $500,000 per occurrence/ $500,000 aggregate

II. Minimum Limits of Insurance: Commercial Business Automobile Liability: $500,000 per accident for bodily injury and property damage with a combined single limit for Class A tow trucks. The combined single limits for Class B, C, and D shall be not less than $1,000,000. These minimum standards are to include non-owned and hired auto coverage.

III. On-Hook Coverage: Insuring the vehicle in tow with limits based on the size of the tow truck.

a. Class A Tow Truck: $ 25,000
b. Class B Tow Truck: $ 50,000
c. Class C Tow Truck: $100,000
d. Class D Tow Truck: $100,000

III. Garage Liability: Includes premises and operations. Coverage for bodily injury and property damage with a combined single limit of not less than $50,000.

a. Garage Keepers Liability: Shall be the same minimum as on-hook coverage for vehicles in the care, custody, and control of the TOW OPERATOR in the storage yard.

b. Uninsured Motorist: Legal minimum combined single limit. In no case shall the required insurance coverage have a deductible greater than $1,000.

c. Deductibles and Self-Insured Retention: Any deductible of self-insured retention must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respect to the City, its officers, officials, employees and volunteers; or the OPERATOR shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expenses.

d. Worker's Compensation Insurance: In such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the TOW OPERATOR and the CITY, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the TOW OPERATOR in the course of carrying out the Agreement. This coverage may be waived if the TOW OPERATOR is determined to be functioning as a sole proprietor and the CITY provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement.

Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated on CITY/CSD/RDA premises. Such coverage limits shall not be less than $1,000,000 combined single limit.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the CITY's Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s) provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy.

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the CITY, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the TOW OPERATOR shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by TOW OPERATOR in the course of performing or otherwise as a result of its work, shall become the sole property of the CITY unless explicitly stated otherwise in this Agreement. The TOW OPERATOR may retain copies of any and all material, including drawings, documents, and specifications, produced by the TOW OPERATOR in performance of this Agreement. The CITY and the TOW OPERATOR agree that to the extent permitted by law, until final approval by the CITY, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current Proposal as attached (Exhibit "C"). This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. Suspension, Revocation and Termination. The CITY may suspend or revoke a TOW OPERATOR's permit as set forth in Chapter 12.14 of the Moreno Valley Municipal Code. In the event the CITY revokes the TOW OPERATOR's permit, this agreement with the TOW OPERATOR shall be terminated by giving at least ten (10) days written notice to the TOW OPERATOR. The written notice shall specify the date of termination. In the event the CITY terminates this Agreement for cause, the TOW OPERATOR shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.

K. Recovery of City Administrative Fees and Costs. In accordance with California Vehicle Coded Section 12110(b) and in consideration of the CITY's granting of the right to tow, impound and store vehicles at the direction of the CITY pursuant to this agreement, each TOW OPERATOR shall pay the CITY for its actual and reasonable costs incurred in administering the agreement and operating a RTS Program. The administrative costs of operating a RTS Program to be recovered are, but not limited to, the following: developing a RFP and Agreement, issuance of permits, annual meeting, site inspections, DUI checkpoint coordination, correspondence with TOW OPERATOR, review of monthly reports, and enforcement of terms and conditions of the RFP, TOW OPERATOR's Proposal, and Chapter 12.14 of the Moreno Valley Municipal Code.

Prior to the beginning of service, the TOW OPERATOR shall deposit with the CITY $5,000 to cover the City of Moreno Valley's reasonably borne administrative costs (i.e., salary plus direct and indirect costs) of MORENO VALLEY POLICE DEPARTMENT and CITY personnel involved in operating the RTS Program. At such time the balance of the deposit is less than $500, the CITY shall notify the TOW OPERATOR in writing to replenish said deposit. If the TOW OPERATOR fails to replenish the deposit within thirty (30) calendar days from the date of the written notice, the CITY shall suspend the TOW OPERATOR from the RTS Program until the funds are received by the CITY. If the TOW OPERATOR fails to replenish the deposit amount within sixty (60) days, this agreement with the TOW OPERATOR shall be terminated and removed from the RTS Program for the remainder of the contract period. Any outstanding CITY administrative fees are immediately due and payable.

L. Restrictions on CITY Employees. The TOW OPERATOR shall not employ any CITY employee or official in the work performed pursuant to this Agreement. No officer or employee of the CITY shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

CITY OF MORENO VALLEY

BY: _____
Bonnie Flickinger, Mayor

_____
Date

TOW OPERATOR

BY: _____

TITLE: _____
(President/Vice President/Other)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary/Other)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

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MV00061460

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 8, 2010

TITLE: CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

BACKGROUND

An overview of the Fiscal Year (FY) 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan was provided to the City Council on May 18, 2010 (continued from May 11, 2010) to begin the deliberation process that will lead to budget adoption. During the May 18th Study Session, each Department Head also provided an overview of their department's Deficit Reduction Options and responded to questions from the City Council.

On May 25, 2010, the City Council provided direction to staff regarding a number of Deficit Reduction Options to be implemented in an effort to balance the FY 2010-11 Operating Budget. These Deficit Reduction Options have been incorporated in a proposed budget balancing plan, which has the support of all Department Heads and is hereby submitted by the Interim City Manager for the City Council's consideration.

DISCUSSION

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of over $17.8 million.

Budgetary Adjustments to Reduce Deficit

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the $17.8 million deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues), as reflected in the following table:

Projected FY 2010-11 General Fund Operating Deficit		($17,876,300)
Budgetary Adjustments:		
- Current year savings to be carried over to FY 2010-11	$1,520,800	
- Transfers to return previous General Fund subsidies	$1,639,100	
- Other transfers	$3,979,100	
- Total Budgetary Adjustments		$7,139,000
Budget Issues:		
- Re-establish funding for Budget Officer	($98,700)	
- Supplement Emergency Operations Grant	($43,100)	
- Increase in NPDES Regulatory Fee	($76,000)	
- Total Budget Issues		($217,800)
Net Budgetary Deficit		($10,955,100)

Updated FY 2009-10 Year-End Projections

Concurrent with the City Council's budget deliberations that have taken place over the past several weeks, staff has been thoroughly reviewing the FY 2009-10 year-end projections to ensure their accuracy. Based on the revenues received through May, staff believes that the FY 2009-10 Development Services revenue projections are likely to fall short of the projected amount by $500,000. Therefore, the projected FY 2009-10 savings of $1,520,800, as shown in the above table, will be reduced to $1,020,800.

Proceeds from Settlement of ENCO Litigation

On May 25, 2010, the City Council authorized approval of a Settlement Agreement between the City and ENCO Utility Services, which will result in payment to the City of $1.25 million. Staff is recommending that the settlement proceeds be allocated as follows:

▪ Repayment of Moreno Valley Utility (MVU) start-up loan from the General Fund:	$747,041
▪ Reimbursement of General Fund legal expenses incurred In the ENCO litigation:	$225,192
General Fund proceeds:	$972,233
▪ Balance retained by MVU as reimbursement for litigation expenses incurred in ENCO litigation ($813,113); could also be used to repay a portion of MVU start-up loan from Special Districts in the amount of $580,657:	$277,767
Total proceeds from Settlement Agreement:	$1,250,000

Deficit Reduction Options Approved by City Council

On May 25, 2010, the City Council reviewed the Deficit Reduction Options (DROs) included in the Deficit Reduction Plan and provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 General Fund Operating Budget. These DROs will offset the projected General Fund deficit by $3.2 million. Each of these Council-approved DROs is highlighted in yellow in the Deficit Reduction Plan which is attached as Exhibit "A".

Additional Proposed DROs without Requiring Use of Reserves

In addition to the DROs approved for implementation by the City Council on May 25, 2010, a comprehensive review of other DROs was conducted by the Budget Review Committee in an effort to balance the FY 2010-11 Operating Budget. Additional General Fund DROs totaling $2.3 million, which would not require the use of reserves, are recommended for implementation, as well as non General Fund DROs totaling $5.2 million, which are needed to offset projected operating deficits in the respective funds. These DROs, which are highlighted in green in Exhibit "A", have the support of all Department Heads and are recommended for implementation by the Interim City Manager.

Proposed Use of Reserves

If the proposed allocation of proceeds from the ENCO litigation is authorized by the City Council, combined with the Council-approved DROs of $3.2 million and additional staff-recommended DROs of $2.3 million, there will be a remaining General Fund deficit in the FY 2010-11 Operating Budget of approximately $5 million. To offset this deficit, staff is recommending use of $5 million in reserves as summarized below:

▪ Reduction in MVU Line of Credit (from $4.6 million to $2.6 million)	$2,000,000
▪ Reduction in General Contingency Reserves (from $10.1 million to $9.6 million; maintaining 12% Reserve Policy)	$500,000
▪ Reduction in Capital Expenditures Reserve (from $4.2 million to $1.7 million)	$2,500,000
▪ Total Use of Reserves to Balance Budget	$5,000,000

The proposed use of $5 million in General Fund reserves is depicted in Exhibit "B". With respect to the Emergencies/Contingencies Reserve, if the Council-approved and additional staff-recommended DROs are implemented, the General Fund Operating Budget will be reduced from $85.6 million to $80.1 million. Maintaining the current 12% contingency reserve policy will free up $500,000 to be used for FY 2010-11 operations. With respect to the MVU Line of Credit (LOC), this LOC has not been needed since inception of MVU. Allowing for future contingencies, this reserve can be reduced to $2.6 million; freeing up $2 million to be used for FY 2010-11 General Fund operations.

Although there has been discussion about potentially redeeming a portion of the Redevelopment Agency's 2007 Series B Tax Allocation Bonds to free up reserves, the proposed use of reserves as summarized on the preceding page would not require redemption of these bonds. Since there are legal fees associated with bond redemption (estimated at between $5,000 and $10,000), it would be advantageous to delay bond redemption until it is necessary.

Interim City Manager's Proposed Budget Balancing Plan

The following table summarizes the Interim City Manager's proposed plan for balancing the FY 2010-11 General Fund Operating Budget:

Description	Item Total	Category Total	Remaining (Deficit) Surplus
FY 2010-11 General Fund Net Operating Deficit		($10,955,100)	($10,955,100)
Adjustment to projected FY 2009-10 savings ($1.0 million vs. $1.5 million due to reduction in Development Services revenues)		($500,000)	($11,455,100)
Proceeds from settlement of ENCO litigation:			
- Repayment of MVU start-up loan from General Fund	$747,041		($10,708,059)
- Reimbursement of General Fund legal expenses	$225,192	$972,233	($10,482,867)
DROs approved by City Council on May 25, 2010		$3,160,445	($7,322,422)
Additional staff-proposed DROs without use of reserves		$2,343,740	($4,978,682)
Proposed use of reserves		$5,000,000	$21,318
Net Operating Surplus			**$21,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the Interim City Manager's proposed budget balancing plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5.5 million;
- Provides a balance between General Fund expenditure reductions ($5.5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan.
2. Consider the Interim City Manager's proposed budget balancing plan.
3. Provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

The fiscal impacts of the FY 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan are contained within the respective documents; the most significant impacts being the proposed solutions for balancing the projected General Fund operating deficit (net of adjustments) of approximately $11 million, which are detailed in the Deficit Reduction Plan. Approval of the Interim City Manager's proposed budget balancing plan will enable adoption of the FY 2010-11 Operating Budget with a General Fund surplus of $21,318.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City's Preliminary Base Operating Budget for FY 2010-11 reflects expenditures of $185.5 million, representing all funds and special districts. The General Fund portion of the budget is $85.6 million. However, General Fund operating revenues to support this budget are estimated at $67.8 million; leaving an operating deficit of $17.8 million.

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the $17.8 million General Fund deficit can be reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues). The Deficit Reduction Plan provides $20.1 million in options for offsetting this net operating deficit so that a balanced budget can be adopted.

On May 25, 2010, the City Council provided direction to staff regarding a number of Deficit Reduction Options to be implemented in an effort to balance the FY 2010-11 Operating Budget. These Deficit Reduction Options, along with others recommended by staff, have been incorporated in a proposed budget balancing plan, which has the support of all Department Heads and is recommended by the Interim City Manager. This proposed budget balancing plan preserves critical funding for public safety; maintains essential public services; maintains City staffing with no lay-offs; addresses the General Fund structural deficit by reducing expenditures by $5.5 million; provides a balance between expenditure reductions ($5.5 million) and use of reserves ($5 million); maintains the General Fund contingency reserve policy at 12% of budgeted expenditures; addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds; and eliminates the need to redeem RDA bonds at the present time. The Interim City Manager's proposed budget balancing plan is hereby submitted for the City Council's consideration.

NOTIFICATION

Publication of the agenda

ATTACHMENTS/EXHIBITS

Exhibit "A" – Deficit Reduction Options Proposed for Implementation
Exhibit "B" – General Fund Reserves Summary

Prepared by:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Deficit Reduction Options (DROs) Proposed for Implementation to Balance FY 2010-11 Operating Budget

DROs Highlighted in Yellow =	Approved by City Council on May 25, 2010
DROs Highlighted in Beige =	Additional Savings resulting from DRO Revision; Approved by City Council on May 25, 2010
DROs Highlighted in Green =	Additional Staff Recommendations

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position.		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position.		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary).			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time).			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0		0	
Filled - Transfer to other funding sources	0		0	
Vacant	2		2	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		1		
Total City Council/City Clerk		**4**		**2**

MV00061468

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position.			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	2			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		3		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Attorney		**3**		**1**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%.	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000.		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract.			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position.			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position.			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position.			X			X	1		FTC	Vacant		37,268	37,268
6a	City Mgr	City Mgr	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.			X			X						58,995	58,995
City Manager Total										**3**					**$583,068**	**$583,068**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	3		2	
Total FTC		3		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Manager		**3**		**2**

MV00061470

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions.	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager position with a Sr. Management Analyst position.	X			X								119,289	119,289
4a	Community Dev	Dev Svcs Admin Support	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.												37,772	37,772
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X				1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
9	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X						60,000	60,000
Community Development Department Total										**1**					**$566,850**	**$566,850**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Community Development		**1**		**1**

MV00061472

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Economic Development		**0**		**0**

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						56,800	56,800
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off	47,100	47,100
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off	58,600	58,600
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off	12,000	12,000
			Animal Care Technician			X			X	1		FTC	Vacant		50,900	50,900
			Office Aide			X			X	1		Temp	Filled	Lay-off	17,800	17,800
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*.			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

May 2010

MV00061474

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						12,745	12,745
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off	55,137	55,137
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off	53,297	53,297
			Accounting Technician			X			X	1		FTC	Filled	Lay-off	67,344	67,344
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off	54,277	54,277
Financial & Administrative Services Department Total										**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing	ORIGINAL		PROPOSED
FTC (Full-time Career)			
Filled - Lay-off	11		
Filled - Transfer to other funding sources	0		
Vacant	2		
Total FTC		13	0
Part-time (P/T)			
Filled - Lay-off		0	0
Temporary (Temp)			
Filled - Lay-off		2	0
Total Financial & Administrative Services		**15**	**0**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes.	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position.			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions:			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings:			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class.	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist.			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			*** Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.													
Fire Department Total										**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	11		1	
Vacant	0			
Total FTC		11		1
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Fire		**12**		**1**

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review).	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review).	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Human Resources		**0**		**0**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items.		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos.		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23)*.			X			X						(21,840)	(21,840)
	Library Total									**1**					**$190,160**	**($21,840)**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Library		**1**		**1**

MV00061478

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC).	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Defund Golf Course Maint Worker (transfer to CFD #1).		X			X		1		FTC	Filled	Transfer	43,900	0
3	Parks	Community Events	Suspension of 4th of July celebration in FY 2011-12 (parade & festival).			X			X						118,300	0
	Parks & Community Services Department Total									**2**					**$228,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	1		1	
Vacant	1		1	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Transfer to other funding sources		0		0
Total Parks & Community Services		**2**		**2**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						31,580	31,580
			Motorcycle Officer			X			X		2	FTC	Filled	Transfer	468,124	468,124
			Motorcycle Officer			X			X		2	FTC	Vacant		468,124	468,124
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer	230,208	230,208
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X							
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X							
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X							
			Patrol Officer			X			X		4	FTC	Filled	Transfer	920,830	920,830
Police Department Total											**17**				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	15			
Vacant	2		2	
Total FTC		17		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Police		**17**		**2**

MV00061480

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24).*		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer position, thereby leaving one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transp. Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

May 2010

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 22	Public Works	Transp. Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

MV00061484

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			* **MOE NOTE:** DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.														
Public Works Department Total										**35**					**$3,779,338**	**$3,779,338**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources	18		11	
Vacant	3		3	
Total FTC		27		14
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off	3			
Filled - Transfer to other funding sources	0			
Vacant	4			
Total Temporary		7		0
Total Public Works		**35**		**14**

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	FTC Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
Non-Department Total															**$6,000,000**	**$6,000,000**
GRAND TOTAL CITY-WIDE										**65**	**28**				**$25,396,576**	**$20,230,901**

City - DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	19		0	
Filled - Transfer to other funding sources	19		12	
Vacant	14		11	
Total FTC		52		23
Part-time (P/T)				
Filled - Lay-off		3		0
Temporary (Temp)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources				
Vacant	4			
Total Temporary		10		0
TOTAL CITY		**65**		**23**

Contract (Police & Fire) - DRO Position Summary Listing				
FTC (Full-time Career)				
Fire - Filled - Transfer to other funding sources	11		1	
Police - Filled - Transfer to other funding sources	15			
Police - Vacant	2		2	
Total FTC		28		3
TOTAL CONTRACT (Police & Fire)		**28**		**3**

MV00061486

City of Moreno Valley
FY 2010-11 Deficit Reduction Options

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
			2010-11 Deficit (Net of Adjustments & Budget Issues)													(10,955,100)
			Adjustment to FY 2009-10 savings													(500,000)
			Loan Repayment of Moreno Valley Utility (MVU) of start-up costs to the General Fund													747,041
			Reimbursement of General Fund legal costs related to ENCO litigation													225,192
			Net													(10,482,867)
			Council Approved DROs												4,398,953	3,063,678
			Additional DRO Savings (defunding of Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed)												96,767	96,767
			Revised Total - Council Approved DROs												4,495,720	3,160,445
			Interim City Manager Proposed DROs (without Use of Reserves)												**6,174,140**	**2,343,740**
			Total Proposed DROs												**10,669,860**	**5,504,185**
			Proposed Use of Reserves													**5,000,000**
			Net Operating Surplus													**21,318**

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MV00061488

Exhibit "B"

City of Moreno Valley
General Fund Reserves

Reserve Designation:	Budgeted 2009-10 Reserves	Adopted Uses in 2009-10	Projected Balance 2009-10	Pledged for RDA Bonds	Proposed Use of Reserves 2010-11	Projected Balance 2010-11	Comments
- Encumbrances	254,440	(254,440)	0			0	
- Prepaid and Other Assets	34,019	(34,019)	0			0	
- Continuing Appropriations	526,020	(526,020)	0			0	
- Emergencies/Contingencies	10,100,000	0	10,100,000	(10,100,000)	500,000	9,600,000	Council Policy is 12% of GF Expenditure Budget ($80.1m x 12% = $9.6m)
- Development Services	2,300,000	(2,300,000)	0			0	
- Capital Expenditures & Emergency Equipment	12,632,732	(8,444,365) *	4,188,367		2,500,000	1,688,367	Designated for priority capital projects without other funding source.
- Advances Receivable	18,799,289		18,799,289	(12,400,000)		18,799,289	Funds are loaned/pledged and not available.
- Future Debt Service	1,000,000		1,000,000		0	1,000,000	Reserved for future debt service.
- Moreno Valley Utility Line of Credit (LOC)	4,600,000		4,600,000		2,000,000	2,600,000	LOC has not been needed since inception of MVU. $2m reservation can be removed.
- Post-Employment Medical Benefit	120,000	(120,000)	0			0	
Total	**50,366,500**	**(11,678,844)**	**38,687,656**	**(22,500,000)**	**5,000,000**	**33,687,656**	

**** Notes***

Contingency Reserves	*4,308,465*
FY 2008-09 Savings	*3,652,900*
Other Operating Designations	*483,000*
Total	***8,444,365***

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MV00061490

City of Moreno Valley

FY 2010-11 Operating Budget

Proposed Budget Balancing Plan

June 8, 2010

Projected General Fund Deficit

Projected FY 2010-11 General Fund Operating Deficit		($17,876,300)
Budgetary Adjustments:		
- Current year savings	$1,520,800	
- Transfers to return GF Subsidies	$1,639,100	
- Other Transfers	$3,979,100	
- Total Adjustments		$7,139,000
Budget Issues:		
- Re-establish funding for Budget Officer	($98,700)	
- Supplement Emergency Operations Grant	($43,100)	
- Increase in NPDES Regulatory Fee	($76,000)	
- Total Budget Issues		($217,800)
Net Budgetary Deficit (Deficit Reduction Plan)		($10,955,100)

MV00061492

Proposed Budget Balancing Plan

Description	Item Total	Category Total	Remaining (Deficit) Surplus
FY 2010-11 Projected General Fund Net Operating Deficit		($10,955,100)	($10,955,100)
Adjustment to projected FY 2009-10 savings ($1.0 million vs. $1.5 million)		($500,000)	($11,455,100)
Proceeds from settlement of ENCO litigation ($1.25 million):			
- Repayment of MVU start-up loan from General Fund	$747,041		($10,708,059)
- Reimbursement of General Fund legal expenses	$225,192	$972,233	($10,482,867)
DROs approved by City Council on May 25, 2010		$3,160,445	($7,322,422)
Additional staff-proposed DROs without use of reserves		$2,343,740	($4,978,682)
Proposed use of reserves:		$5,000,000	$21,318
Net Operating Surplus			**$21,318**

Proposed Use of Reserves

Reserve Designation	Amount
Reduction in MVU Line of Credit (from $4.6 million to $2.6 million)	$2,000,000
Reduction in General Contingency Reserves (from $10.1 million to $9.6 million; maintaining 12% Reserve Policy)	$500,000
Reduction in Capital Expenditures Reserve (from $4.2 million to $1.7 million)	$2,500,000
Total Use of Reserves to Balance Budget	$5,000,000

Proposed Budget Balancing Plan

- Preserves public safety, with only minimal reductions (Police budget still increasing);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;
- Addresses the General Fund structural deficit by reducing expenditures by $5.5 million;
- Provides a balance between General Fund expenditure reductions ($5.5 million) and use of reserves ($5 million);

Proposed Budget Balancing Plan

- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

MV00061496

Proposed Budget Balancing Plan

Deficit Reduction Options Proposed for Implementation to Balance FY 2010-11 Operating Budget

Legend: Yellow: Council Approved on May 25, 2010
Beige: Additional Savings from DRO Revision; Council Approved on May 25, 2010
Green: Additional Staff Recommendations

MV00061497

City Council / City Clerk

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Mod.	High	Public Service Min./None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Council/ Clerk	City Clerk	Defund Assistant City Clerk Position.		X			X		1		FTC	Vacant		90,201	90,201
2	Council/ Clerk	Council	Defund Administrative Assistant Position.		X			X		1		FTC	Vacant		58,500	58,500
3	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Temporary).			X			X	1		Temp	Filled	Lay-off	39,700	39,700
4	Council/ Clerk	City Clerk	Defund Senior Office Assistant Position (Part-time).			X			X	1		P/T	Filled	Lay-off	38,513	38,513
	City Council/City Clerk Total									**4**					**$226,914**	**$226,914**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,416,140**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0		0	
Filled - Transfer to other funding sources	0		0	
Vacant	2		2	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		1		
Total City Council/City Clerk		**4**		**2**

City Attorney

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Mod.	High	Public Service Min./None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Atty	City Atty	Defund Assistant City Attorney Position.			X			X	1		FTC	Vacant		206,376	206,376
2	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	94,698	94,698
3	City Atty	City Atty	Deputy City Attorney III			X			X	1		FTC	Filled	Lay-off	89,877	89,877
	City Attorney Total									**3**					**$390,951**	**$390,951**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,252,546**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	2			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		3		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Attorney		**3**		**1**

City Manager

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	City Mgr	Media & Comm.	Reduce PR/advertising budget by 40%.	X				X							42,000	42,000
2	City Mgr	Non-Dept	Reduce City Manager's contingency to $140,000.		X			X							110,000	110,000
3	City Mgr	City Mgr	Eliminate state lobbyist contract.			X			X						37,800	37,800
4	City Mgr	City Mgr	Defund vacant Assistant City Manager position.			X			X	1		FTC	Vacant		226,364	226,364
5	City Mgr	City Mgr	Defund vacant Executive Assistant to the City Manager position.			X			X	1		FTC	Vacant		70,641	70,641
6	City Mgr	City Mgr	Replace Deputy City Manager position with a Sr. Management Analyst position.			X			X	1		FTC	Vacant		37,268	37,268
6a	City Mgr	City Mgr	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.			X			X						58,995	58,995
City Manager Total										**3**					**$583,068**	**$583,068**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$1,996,200**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	3		2	
Total FTC		3		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total City Manager		**3**		**2**

Community Development

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Community Dev	Code/Building & Safety	Revenue Enhancement - Hire 2 temp Parking Control officers to work on career employee furlough days; other miscellaneous revenue increases & reductions.	X			X								180,800	180,800
2	Community Dev	Code	Terminate HALT Camera Program. Service can still be provided through MVPD's implementation of the tripwire camera system.	X			X								900	900
3	Community Dev	Code	Terminate 5 Neighborhood Cleanups. The clean-up events in district 1,4 and 5 can be funded by CDBG while district 2 and 3 could be funded from an alternate source.	X			X								800	800
4	Community Dev	Dev Svcs Admin Support	Replace Deputy City Manager position with a Sr. Management Analyst position.	X			X								119,289	119,289
4a	Community Dev	Dev Svcs Admin Support	Additional savings from defunding Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed.												37,772	37,772
5	Community Dev	Graffiti Restitution/ Code	Defund Code Compliance Field Supervisor (vacant) 25% in Graffiti; 75% in Code. Adjust split for Senior Code Compliance Officer to 20% in Graffiti; 80% in Code.	X			X			1		FTC	Vacant		81,519	81,519
6	Community Dev	Admin/ Code	Fund Department Head (vacant-70% in Admin; 30% in Code) for 6-months City temporary and 6-months as City career employee. This would allow new City Manager ample time to recruit/appoint a new CD Director.	X			X								15,231	15,231
7	Community Dev	Building & Safety	Fund Building Official (vacant-100%) for 6-months City temporary and 6-months as City career employee. This would allow ample time to recruit/appoint a full-time Building Official.	X			X								22,539	22,539
8	Community Dev	Code	Terminate Shopping Cart Retrieval Program. The City's Shopping Cart Retrieval Program was developed to address citizen concerns regarding the proliferation of abandoned shopping carts . The elimination of this program may result increased numbers of abandoned carts citywide.		X			X							48,000	48,000

Community Development *(page 2)*

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
g	Community Dev	Building & Safety	Eliminate Nuisance Abatement funding. The elimination of these funds would impact the ability of the Building & Safety Division to enforce the CA Health and Safety Codes, Section 17910 (State Housing Laws), which requires local agencies to abate nuisances that affect habitability. The elimination of this abatement service will oblige the Building Division to order vacation of residential premises on a more frequent basis. All abatement costs are recoverable through special assessments or payment by the property owner, lender, or institutions. If all recovered funds were placed in a REVOLVING housing/building abatement account instead of being deposited to the General Fund, a reliable source of funding for this service would exist.	X					X							60,000	60,000
	Community Development Department Total									1					**$566,850**	**$566,850**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction * **$5,019,000**

** Note: Savings of $818k also realized in 2010-11 Preliminary Base budget*

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Community Development		**1**		**1**

Economic Development

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Economic Dev	Economic Development	.6235 - Public Relations: Reduce advertising, broker events, regional event sponsorships, Shop Moreno Valley campaign.	X			X								159,919	159,919
2	Economic Dev	Economic Development	CONSOLIDATING SEVERAL OBJECT CODES .6252 - Dues and Subscriptions: reduced IEEP membership for City .6255 - Other Professional Services .6221 - Training and Travel .6215 - Communications .6231 - Advertising .6256 - Legal Services .6310 - Copier Charges .6311 - Office Supplies .6321 - Postage and Mail .6391 - Other Materials	X			X								66,160	66,160
3	Economic Dev	Economic Development	Salaries/Benefits: Reimbursing ED Admin salaries by 50% of Management Analyst's salary, which is charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's salary to HOME funds to more accurately reflect current workload.	X			X								18,499	18,499
	Economic Development Department Total														**$244,578**	**$244,578**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$685,451**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Economic Development		**0**		**0**

Financial & Administrative Services

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Financial & Adm Svcs	Facilities CIP	Defund City Hall Annex 1 capital improvement project since the facility is not currently needed for staff expansion.	X			X								1,589,800	874,400
2	Financial & Adm Svcs	Facilities	Implement various Facilities Maintenance budget reductions that will minimally impact City operations.	X			X								237,000	0
3	Financial & Adm Svcs	Facilities	Defer CRC emergency generator project in anticipation of obtaining Homeland Security grant funding.	X			X								132,000	0
4	Financial & Adm Svcs	Facilities	Postpone replacement of City Hall HVAC system, or obtain alternate funding source to supplement EECBG funding.		X		X								275,000	0
5	Financial & Adm Svcs	Facilities	Cancel or postpone FY 2009-10 budgeted facilities maintenance items that do not have a significant impact on staff or the public.		X		X								778,200	0
6	Financial & Adm Svcs	Facilities	Cancel or postpone facilities maintenance items in the FY 2010-11 budget that do not have a significant impact on staff or the public.		X		X								249,000	0
7	Financial & Adm Svcs	Tech Svcs	Cancel or postpone FY 2009-10 budgeted technology projects that are not mandated by law, ordinance, or contractual obligation.			X		X							1,044,200	0
8	Financial & Adm Svcs	Tech Svcs	Reduce expenditures in Technology Services that will not eliminate essential services but may impair staff's ability to complete tasks efficiently.			X		X							674,800	0
9	Financial & Adm Svcs	Treasury Ops	Revenue Enhancement - Amend Municipal Code to repeal the practice of not collecting Business License gross receipts taxes of less than $100.	X					X						72,400	72,400
10	Financial & Adm Svcs	Purchasing	Defund the Senior Administrative Assistant position.			X		X		1		FTC	Filled	Lay-off	63,500	63,500
11	Financial & Adm Svcs	Admin	Defund the Executive Assistant I position.			X			X	1		FTC	Filled	Lay-off	63,900	63,900
12	Financial & Adm Svcs	Animal Svcs	Suspend non-mandated animal control programs; reduce service levels in field and kennel operations, (which includes the following positions:			X			X						56,800	56,800
			Animal Services License Inspector			X			X	1		FTC	Filled	Lay-off	47,100	47,100
			Animal Control Officer			X			X	1		FTC	Filled	Lay-off	58,600	58,600
			Animal Control Officer			X			X	1		Temp	Filled	Lay-off	12,000	12,000
			Animal Care Technician			X			X	1		FTC	Vacant		50,900	50,900
			Office Aide			X			X	1		Temp	Filled	Lay-off	17,800	17,800
12-a	Financial & Adm Svcs	Animal Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Animal Control Officer should the filled FTC Animal Control Officer be defunded *(detail on page 22)*.			X			X						(17,900)	(17,900)
13	Financial & Adm Svcs	Financial Ops	Defund the Principal Accountant position; as a result, reduce various activities in the Accounting Section significantly impacting budgeting and financial reporting capabilities.			X			X	1		FTC	Vacant		88,400	88,400

Financial & Admin. Services (page 2)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
14	Financial & Adm Svcs	Treasury Ops	Reduce the Career staffing level in the Treasury Operations Division (currently at 50%) by 3 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						261,500	261,500
			Accounting Technician			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off		
15	Financial & Adm Svcs	Financial Ops	Reduce the Career staffing level in the Financial Operations Division (currently at 60%) by 4 additional positions, significantly impacting the Division's ability to perform essential services which includes:			X			X						12,745	12,745
			Senior Payroll Technician			X			X	1		FTC	Filled	Lay-off	55,137	55,137
			Senior Administrative Assistant			X			X	1		FTC	Filled	Lay-off	53,297	53,297
			Accounting Technician			X			X	1		FTC	Filled	Lay-off	67,344	67,344
			Accounting Assistant			X			X	1		FTC	Filled	Lay-off	54,277	54,277
	Financial & Administrative Services Department Total									**15**					**$5,997,800**	**$1,892,200**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$14,737,325**

DRO Position Summary Listing	ORIGINAL		PROPOSED
FTC (Full-time Career)			
Filled - Lay-off	11		
Filled - Transfer to other funding sources	0		
Vacant	2		
Total FTC		13	0
Part-time (P/T)			
Filled - Lay-off		0	0
Temporary (Temp)			
Filled - Lay-off		2	0
Total Financial & Administrative Services		**15**	**0**

Fire

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Fire	Fire Prev	Suspend Funding for Permit Plus Changes.	X			X								5,000	5,000
2	Fire	Fire Ops	Defund Paramedic Captain Position.			X			X		1	FTC	Filled	Transfer	198,700	198,700
* 3A	Fire	Fire Ops	Reduce Truck Company to a Fire Engine - 3 Positions:			X			X						435,940	435,940
			Fire Apparatus Engineer			X			X		1	FTC	Filled	Transfer		
			Fire Fighter II			X			X		2	FTC	Filled	Transfer		
* 3B	Fire	Fire Ops	Defund Truck Company Completely - an additional 7 positions to 3A - Incremental difference shown in the cost savings:			X			X						1,122,847	1,122,847
			Fire Captain			X			X		2	FTC	Filled	Transfer		
			Fire Apparatus Engineer			X			X		2	FTC	Filled	Transfer		
			Fire Fighter-Paramedic			X			X		3	FTC	Filled	Transfer		
1	Fire	Emerg Ops	Increase CPR fees from $35 to $60 per class.	X				X							35,200	35,200
2	Fire	Emerg Ops	Defund Part Time Emerg Ops & Vol Svcs Program Specialist			X			X	1		P/T	Filled	Lay-off	22,285	22,285
			* **Note**: DRO 3A proposes to reduce one (1) Truck Company to a Fire Engine which includes the defunding of three (3) positions; DRO 3B proposes to defund the whole Truck Company which includes the 3 positions listed in DRO 3A plus an additional seven (7) positions to total ten (10) positions. Therefore, the total costs for defunding the whole Truck Company would include both DROs 3A & 3B.													
	Fire Department Total									**1**	**11**				**$1,819,972**	**$1,819,972**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$16,724,410**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	11		1	
Vacant	0			
Total FTC		11		1
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Fire		**12**		**1**

Human Resources

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
1	Human Resources	Workers' Comp	Reduce workers' compensation reserves (Original fund balance of $4.5m less DRO of $1.3 will leave a new balance of $3.2 which is approximately 85% confidence level per actuarial review).	X			X								1,297,500	713,625
2	Human Resources	General Liability	Reduce liability reserves (Original fund balance of $2.0m less DRO of $80k will leave a new balance of $1.9 which is approximately 85% confidence level per actuarial review).	X			X								80,000	44,000
	Human Resources Department Total														**$1,377,500**	**$757,625**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$3,292,900**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	0			
Total FTC		0		0
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Human Resources		**0**		**0**

Library

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Library	Library Svcs	Reduce miscellaneous small line items.		X		X								2,820	0
2	Library	Library Svcs	Reduce object code 6351 - Books, records, films, videos.		X				X						120,559	0
3	Library	Library Svcs	Defund one (1) full-time career librarian position.			X			X	1		FTC	Vacant		88,621	0
3-a	Library	Library Svcs	PROPOSED DRO OFFSET requesting to fill one (1) Temporary Librarian positions should the vacant FTC Librarian position be defunded *(detail on page 23)*			X			X						(21,840)	(21,840)
	Library Total									1					**$190,160**	($21,840)

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$2,161,300**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	0			
Vacant	1		1	
Total FTC		1		1
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Library		**1**		**1**

MV00061508

Parks & Community Services

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Parks	STARS	Defund Sr. Human Resources Analyst (.7 FTC).	X			X			1		FTC	Vacant		66,000	0
2	Parks	Golf Course	Defund Golf Course Maint Worker (transfer to CFD #1).		X			X		1		FTC	Filled	Transfer	43,900	0
3	Parks	Community Events	Suspension of 4th of July celebration in FY 2011-12 (parade & festival).			X			X						118,300	0
	Parks & Community Services Department Total									2					**$228,200**	**$0**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$8,446,400**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	1		1	
Vacant	1		1	
Total FTC		2		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Transfer to other funding sources		0		0
Total Parks & Community Services		**2**		**2**

Police

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	City No.	Contract No.	STAFFING IMPACT FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Police	Towngate Mall	275 hours of program overtime during the Holiday Season.		X			X							15,714	15,714
2	Police	POP	250 hours of program overtime for off-road vehicle enforcement.		X			X							14,285	14,285
3	Police	Traffic	Provide for traffic safety through enforcement and conduct accident investigations which include:			X			X						31,580	31,580
			Motorcycle Officer			X			X		2	FTC	Filled	Transfer	468,124	468,124
			Motorcycle Officer			X			X		2	FTC	Vacant		468,124	468,124
			Accident Investigation Officer			X			X		1	FTC	Filled	Transfer	230,208	230,208
4	Police	POP	Provides for zone policing concept, crime free multi-housing program, and other POP programs which include:			X			X							
			POP (Problem Oriented Policing) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
5	Police	SET	Provides for investigation of illegal drug activity, gang activity, and career criminal apprehension which include:			X			X							
			SET (Special Enforcement Team) Officer			X			X		4	FTC	Filled	Transfer	921,190	921,190
6	Police	Patrol	Respond to calls for service from citizens in the community and conducts pro-active enforcement which include:			X			X							
			Patrol Officer			X			X		4	FTC	Filled	Transfer	920,830	920,830
	Police Department Total										17				**$3,991,245**	**$3,991,245**

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$41,960,324**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	0			
Filled - Transfer to other funding sources	15			
Vacant	2		2	
Total FTC		17		2
Part-time (P/T)				
Filled - Lay-off		0		0
Temporary (Temp)				
Filled - Lay-off		0		0
Total Police		17		2

MV00061510

Public Works

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Public Works	Street Sweeping	Eliminate contract sweeping and create additional Equipment Operator position in lieu of existing Maintenance Worker II position via an existing eligibility list from a recent internal recruitment to replace contract sweeping function.	X			X								33,100	33,100
2	Public Works	PW Admin/Solid Waste	Defund vacant Public Works Program Manager position.	X				X		1		FTC	Vacant		68,700	68,700
3	Public Works	Catch Basin Maintenance	Defund vacant Maintenance Worker II position on the Catch Basin Maintenance crew.		X			X		1		FTC	Vacant		71,319	71,319
3-a	Public Works	Catch Basin Maintenance	PROPOSED DRO OFFSET requesting funding for two (2) Temporary, P/T Laborers should the vacant Maintenance Worker II position be defunded *(detail on page 24)*.		X			X							(32,417)	(32,417)
4	Public Works	Land Development	Reduce professional services for consultant plan check and utilize consultant services only for final map reviews requiring the signature of a Licensed Land Surveyor.		X			X							105,300	105,300
5	Public Works	Land Dev - Insp. Svcs.	Reduce professional services for construction inspection by 100%.		X			X							12,400	12,400
6	Public Works	Trans Dev. Svcs./Trans Eng	Defund vacant Senior Administrative Assistant position (associated with Development Services and General Fund) and partially transfer Executive Assistant I position to Transportation Engineering Division. Additionally, transfer 5% of PW Director/City Engineer personnel costs to Special Districts Administration.			X			X	1		FTC	Vacant		34,200	34,200
7	Public Works	Land Dev. - Insp Svcs.	Increase Land Development inspection request period from two (2) working days to three (3) working days due to a 33% decrease in Land Development inspection staffing via the reassignment of one (1) Construction Inspector to Capital Projects Division. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget. **DRO No. 7 will change from a transfer to a lay-off if the number of proposed projects within the Proposed Capital Improvement Plan is significantly decreased.**			X			X	1		FTC	Filled	Transfer	103,761	103,761
8	Public Works	Land Dev. - Insp Svcs.	Increase customer service time for inspection scheduling and responding to contractor questions/requests due to a decrease of 100% of administrative support staff for the Land Development Inspection Section via the transfer of one (1) Senior Office Assistant to the Capital Projects Division.			X			X	1		FTC	Filled	Transfer	59,588	59,588
9	Public Works	Street Sweeping	Subsidize Street Sweeping Program with additional Air Quality Grant Funds, resulting in 96% of the annual grant revenue being designated for street sweeping program subsidization and eliminating the ability to fund the U Pass Program or other air quality related capital projects/programs with AQMD grant funds.	X					X						110,000	110,000

Public Works (page 2)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 10	Public Works	Concrete Maintenance	Fund City-Wide Concrete Program with Measure A funds, resulting in 16% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						360,300	360,300
			Lead Maintenance Worker	X					X	1		FTC	Filled	Transfer		
			Maintenance Worker II	X					X	2		FTC	Filled	Transfer		
* 11	Public Works	Sign/Striping	Fund City-Wide Traffic Sign/Striping Program with Measure A funds, resulting in a cumulative 52% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects.	X					X						811,500	811,500
			Traffic Operations Supervisor	X					X	1		FTC	Filled	Transfer		
			Lead Traffic Signing/Marking Tech	X					X	2		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech I	X					X	1		FTC	Filled	Transfer		
			Traffic Signing/Marking Tech II	X					X	2		FTC	Filled	Transfer		
12	Public Works	Land Development / LD - Insp Svcs.	Double the wait time for customer service requests for permits and other assistance required from Land Development due to a decrease of 50% of permit staff via the defunding of one (1) filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	62,102	62,102
13	Public Works	Land Dev. - Insp Svcs.	Increase inspection request period from (2) two working days to (6) six working days due to a cumulative 66% decrease in Land Development inspection staffing via the defunding of one (1) filled, full-time Construction Inspector position. In the event of a workload increase or request to expedite inspection response, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	73,920	73,920
14	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 30-working day turn-around due to a 33% decrease in Land Development plan check staff via the defunding of one (1) filled, full-time Associate Engineer position. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	102,097	102,097
15	Public Works	Land Development / LD - Insp Svcs.	Triple the wait time for customer service requests for permits and other assistance required from Land Development due to a cumulative decrease of 100% of permit staff via the defunding of one (1) additional, filled, full-time Permit Technician position.			X			X	1		FTC	Filled	Lay-off	66,813	66,813

Public Works (page 3)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
16	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around time from 20-working day turn-around to 45-working day turn-around due to a cumulative 66% decrease in Land Development plan check staff via the defunding of one (1) additional filled, full-time Associate Engineer, one (1) Associate Engineer, one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	86,546	86,546
17	Public Works	Transp. Dev. Svcs.	Increase transportation related plan check review and development inquiries turn-around such that a new 45-day turn-around time-line is regularly exceeded due to a decrease of 100% of professional engineering staff for the Transportation Development Section via the transfer of one (1) Senior Engineer to the Capital Projects Division. **DRO No. 17 will change from a transfer to a position defunding if DRO No. 19 is implemented.**			X			X	1		FTC	Filled	Transfer	168,117	168,117
18	Public Works	Land Development / LD - Insp Svcs.	Increase plan check turn-around such that the new 45-day turn-around time-line is regularly exceeded due to a cumulative 100% decrease in Land Development plan check staff via the lay-off of one (1) additional, filled, full-time Associate Engineer position, thereby leaving one (1) Senior Engineer and the Engineering Division Manager as the only remaining technical staff in Land Development. In the event of a workload increase or request to expedite plan check turn-around, consultant services will be required as an addition to the approved budget.			X			X	1		FTC	Filled	Lay-off	112,103	112,103
19	Public Works	Land Development / LD - Insp Svcs.	Increase turn-around time for Land Development entitlement review due to a decrease of 100% of senior level professional engineering staff via the transfer of one (1) Senior Engineer to the Capital Projects Division, thereby leaving only the Engineering Division Manager as the sole remaining technical staff member in Land Development.			X			X	1		FTC	Filled	Transfer	179,989	179,989
20	Public Works	Graffiti Removal	Reduce Graffiti Abatement Program to exclude private property (including block walls), operate 5-days/week (currently 7-day/week operation), increase turn-around time to 72 hours, (current 48 hour turn-around) and defund (4) vacant, temporary part-time Laborer positions.			X			X	4		Temp	Vacant		86,400	86,400
21	Public Works	Graffiti Removal	Entirely eliminate Graffiti Abatement Program including defunding of (3) filled, temporary part-time Laborer positions and (1) filled, part-time Maintenance Worker I position.			X			X						116,400	116,400
			Maintenance Worker I			X			X	1		P/T	Filled	Lay-off		
			Laborer			X			X	3		Temp	Filled	Lay-off		

Public Works (page 4)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Internal Service Mod.	Internal Service High	Public Service Min./ None	Public Service Mod	Public Service High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
* 22	Public Works	Transp. Engineering	Create new business unit (Transportation Operations) comprised of elements of the existing Transportation Engineering business unit and fund City-Wide Transportation Operations Program with Measure A funds, resulting in a cumulative 64% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							292,100	292,100
			Senior Traffic Engineer	X					X	1		FTC	Filled	Transfer		
			Senior Engineering Technician	X					X	1		FTC	Filled	Transfer		
* 23	Public Works	Traffic Signal Maint.	Fund City-Wide Traffic Signal Maintenance Program with Measure A funds, resulting in a cumulative 95% of annual Measure A funds being designated for street maintenance operations and decreasing the funding available for annual pavement overlay and slurry seal capital projects. Implementation of this DRO will result in the City being out of compliance with its Traffic Congestion Relief Funds (TCRF) Maintenance of Effort (MOE) requirement, which will result in a loss of approximately $1.7M TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE requirement.	X					X							695,000	695,000
			Senior Traffic Signal Technician							1		FTC	Filled	Transfer		
			Traffic Signal Technician							2		FTC	Filled	Transfer		

MV00061514

Public Works (page 5)

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
			* **MOE NOTE**: DRO No.'s 10, 11, 22 and 23 impact the City's Measure A and Traffic Congestion Relief Fund (TCRF) Maintenance of Effort (MOE) compliance. Both Measure A and TCRF have separate MOE requirements establishing a certain amount of General Fund expenditures dedicated to street maintenance that the City must maintain in order to continue to remain eligible to receive annual Measure A and TCRF revenues of approximately $2.3M and $1.7M respectively. Although DRO No.'s 10 and 11 may be implemented for FY 2010-11, it is uncertain if this implementation can remain for FY 2011-12 without risking placing the City in a state of non-compliance and resulting in a loss of $2.3M of Measure A revenue for FY 2012-13 and every year thereafter that the City remains in a state of non-compliance. (The Riverside County Transportation Commission is currently studying the MOE issue and it is anticipated that the MOE requirement for FY 2010-11 and future years will be determined in Summer 2010). The implementation of DRO No.'s 22 and 23 will result in the City being out of compliance with its TCRF MOE requirement, which will result in a loss of approximately $1.7m TCRF revenue for FY 2011-12 and every year thereafter that the City remains out of compliance with the MOE effort.													
Public Works Department Total										35					$3,779,338	$3,779,338

Departmental Preliminary Base Operating Budget subject to Deficit Reduction **$10,228,052**

DRO Position Summary Listing	ORIGINAL		PROPOSED	
FTC (Full-time Career)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources	18		11	
Vacant	3		3	
Total FTC		27		14
Part-time (P/T)				
Filled - Lay-off		1		0
Temporary (Temp)				
Filled - Lay-off	3			
Filled - Transfer to other funding sources	0			
Vacant	4			
Total Temporary		7		0
Total Public Works		35		14

Non-Departmental

Dept Rank	Dept	Business Unit	Description of Program/Function or Activity	SERVICE LEVEL IMPACT Internal Service Min./ None	Mod.	High	Public Service Min./ None	Mod	High	STAFFING IMPACT City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS Total	General Fund
1	Non-Dept	Non-Dept	Redeem up to $6 million of the 2007 Series B Tax Allocation Bonds, enabling these funds to be used for General Fund operations.	X			X								6,000,000	6,000,000
	Non-Department Total														**$6,000,000**	**$6,000,000**
	GRAND TOTAL CITY-WIDE									**65**	**28**				**$25,396,576**	**$20,230,901**

City - DRO Position Summary Listing	**ORIGINAL**		**PROPOSED**	
FTC (Full-time Career)				
Filled - Lay-off	19		0	
Filled - Transfer to other funding sources	19		12	
Vacant	14		11	
Total FTC		52		23
Part-time (P/T)				
Filled - Lay-off		3		0
Temporary (Temp)				
Filled - Lay-off	6			
Filled - Transfer to other funding sources				
Vacant	4			
Total Temporary		10		0
TOTAL CITY		**65**		**23**

Contract (Police & Fire) - DRO Position Summary Listing				
FTC (Full-time Career)				
Fire - Filled - Transfer to other funding sources	11		1	
Police - Filled - Transfer to other funding sources	15			
Police - Vacant	2		2	
Total FTC		28		3
TOTAL CONTRACT (Police & Fire)		**28**		**3**

City-wide Summary

Description of Program/Function or Activity	SERVICE LEVEL IMPACT: Internal Service Min./None	Internal Service Mod.	Internal Service High	Public Service Min./None	Public Service Mod	Public Service High	STAFFING IMPACT: City No.	Contract No.	FTC P/T Temp	Filled/ Vacant	Transfer or Lay-off	BUDGETARY SAVINGS: Total	General Fund
2010-11 Deficit (Net of Adjustments & Budget Issues)													(10,955,100)
Adjustment to FY 2009-10 savings													(500,000)
Loan Repayment of Moreno Valley Utility (MVU) of start-up costs to the General Fund													747,041
Reimbursement of General Fund legal costs related to ENCO litigation													225,192
Net													(10,482,867)
Council Approved DROs												4,398,953	3,063,678
Additional DRO Savings (defunding of Deputy CM position rather than reclassifying position to Sr. Management Analyst as originally proposed)												96,767	96,767
Revised Total - Council Approved DROs												4,495,720	3,160,445
Interim City Manager Proposed DROs (without Use of Reserves)												**6,174,140**	**2,343,740**
Total Proposed DROs												**10,669,860**	**5,504,185**
Proposed Use of Reserves													**5,000,000**
Net Operating Surplus													**21,318**

General Fund Reserves

Reserve Designation:	Budgeted 2009-10 Reserves	Adopted Uses in 2009-10	Projected Balance 2009-10	Pledged for RDA Bonds	Proposed Use of Reserves 2010-11	Projected Balance 2010-11	Comments
- Encumbrances	254,440	(254,440)	0			0	
- Prepaid and Other Assets	34,019	(34,019)	0			0	
- Continuing Appropriations	526,020	(526,020)	0			0	
- Emergencies/Contingencies	10,100,000	0	10,100,000	(10,100,000)	500,000	9,600,000	Council Policy is 12% of GF Expenditure Budget ($80.1m x 12% = $9.6m)
- Development Services	2,300,000	(2,300,000)	0			0	
- Capital Expenditures & Emergency Equipment	12,632,732	(8,444,365) *	4,188,367		2,500,000	1,688,367	Designated for priority capital projects without other funding source.
- Advances Receivable	18,799,289		18,799,289	(12,400,000)		18,799,289	Funds are loaned/pledged and not available.
- Future Debt Service	1,000,000		1,000,000		0	1,000,000	Reserved for future debt service.
- Moreno Valley Utility Line of Credit (LOC)	4,600,000		4,600,000		2,000,000	2,600,000	LOC has not been needed since inception of MVU. $2m reservation can be removed.
- Post-Employment Medical Benefit	120,000	(120,000)	0			0	
Total	**50,366,500**	**(11,678,844)**	**38,687,656**	**(22,500,000)**	**5,000,000**	**33,687,656**	

**** Notes***

Contingency Reserves	*4,308,465*
FY 2008-09 Savings	*3,652,900*
Other Operating Designations	*483,000*
Total	***8,444,365***

Wrap-Up

- Questions
- Council direction

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MV00061520

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: May 25, 2010 (continued from May 11, 2010)

TITLE: FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

BACKGROUND

The purpose of the CIP is to identify needed improvements and establish long-term funding priorities. The CIP is presented to the City Council each year for review and discussion in order to affirm or provide direction for reprioritizing planned improvements for the benefit of the community.

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, and anticipated development trends within the City.

DISCUSSION

The CIP is a tool used to track the accumulation and use of resources for designing, acquiring, constructing, and rehabilitating City infrastructure, such as buildings and roads. The CIP also provides a framework for funding capital projects and helps the City forecast and coordinate long-term needs. Capital planning ensures the timely repair and replacement of aging infrastructure and the implementation of community priorities to meet the demands of a growing and changing population. The CIP provides expenditure and funding source detail for the following types of capital projects budgeted and funded for FY 2010-11, as well as projects anticipated through build-out of the City:

Category	Proposed Budget for FY 2010-11 Funding
• Street Improvements	$36,498,000
• Bridges	$20,208,000
• Buildings	$15,081,000
• Drainage, Sewers, and Waterlines	$5,728,000
• Electric Utility	$3,855,000
• Landscaping	$0
• Parks	$4,100,000
• Traffic Signals	$1,916,000
• Underground Utilities	$201,000

Projects proposed for FY 2010-11 total $87,587,000. The cost estimate for all identified projects through build-out total is approximately $1.69 billion, which includes funded, partially funded, and unfunded projects.

With regard to revenue, Measure "A" (Fund 125) is a major funding source for transportation infrastructure improvements. Because Measure "A" funds are used to provide required City matching funds for federal, state, and county transportation grant awards, the reimbursement from these grants is deposited into the Measure "A" fund balance. The Measure "A" fund accounts for approximately 46 percent of new capital spending requests for FY 2010-11.

Development Impact Fee for Arterial Streets and Traffic Signals (DIF – Funds 416 and 417) savings realized by completed projects for FY 2009-10 are being reappropriated for FY 2010-11 CIP projects. No new DIF revenues for FY 2010-11 are programmed for CIP projects.

Gas Tax (Fund 121) is not programmed for CIP projects, and therefore any state-imposed Gas Tax reduction would not directly impact the CIP. It is important to recognize, however, that the Gas Tax does contribute to funding the operating budgets of various Public Works Department Divisions.

The Financial & Administrative Services Department is in the process of implementing an indirect cost rate (ICR) that would be applied to projects in order to minimize Gas Tax operating budget cost impacts by distributing overhead costs to CIP projects.

This report offers an opportunity for the City Council to review the CIP and to provide commentary and concurrence or new direction on projects planned for the next fiscal year, as well as subsequent years. Should the City Council make changes in the prioritization of projects, other projects may be deferred.

Staff will bring the CIP back to the City Council for review each year to add, delete, and change priorities as needed.

ALTERNATIVES

1. Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will allow needed improvements.*

2. Do not review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and do not provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects. *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

The CIP budget strives to meet the City's growing infrastructure needs, not only for new projects, but for maintenance of existing infrastructure as well. This year, perhaps even more so than last, the reality of shrinking revenues from all revenue sources, such as Measure "A", DIF, Transportation Uniform Mitigation Fee (TUMF), and Gas Tax, make this effort even more challenging. The fiscal impact is dependent on the outcome of the budget process, which takes place over the next two months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

ATTACHMENT

Attachment "A" – FY 2010-2011 Proposed Capital Improvement Plan PowerPoint Presentation (PG 609-652)

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Larry - CIP\2010-2011 CIP\CC Reports\051110 CC Presentation\FY 10-11 CIP CC Staff Report 051110 Final.doc

FY 2010-2011 Proposed Capital Improvement Plan

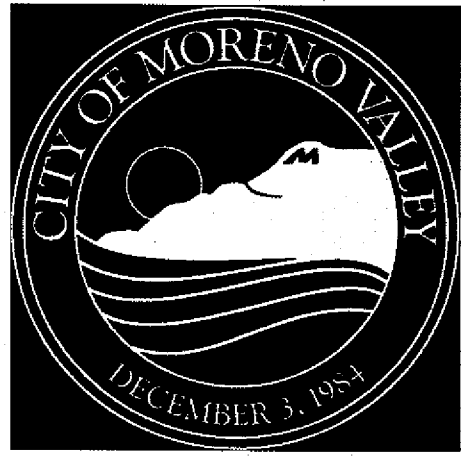

City of Moreno Valley
May 11, 2010

Attachment "A"

FY 2010-2011 Proposed Capital Improvement Plan Objectives

- City Council to Review, Comment, and Provide Concurrence or Provide New Priorities
- Recognize That Reprioritization of Projects May Defer Some Projects to a Later Time
- Bring Back to City Council Each Year to Add, Delete, and Change Priorities as Needed

MV00061526

Completed Projects FY 2009-2010

Street Improvements

1. Sunnymead Boulevard from Frederick Street to Perris Boulevard
2. Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard
3. Citywide Annual Pavement Resurfacing Program (Phase I)
   - Eucalyptus Avenue from Towngate Boulevard to Heacock Street
   - Heritage Way from Town Circle to Towngate Boulevard
   - Indian Street from Saint Thomas Avenue to Katrina Avenue
   - Towngate Circle from Heritage Way to Centerpoint Drive
4. Citywide Annual Pavement Resurfacing Program (Phase II)
   - Bay Avenue from Indian Street to Perris Boulevard
   - Delphinium Avenue from Indian Street to Perris Boulevard
   - Dracaea Avenue from Frederick Street to Graham Street
   - Heacock Street from Gregory Lane to 500 Ft ± South of Gregory Lane
   - Krameria Avenue from Perris Boulevard to Lasselle Street
5. Iris Avenue from Indian Street to Perris Boulevard
6. Surface Recycling Program
7. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
8. Residential Traffic Management Program (Speed Hump Program)
   - Apple Blossom Lane Speed Hump
   - Superior Avenue Speed Hump
9. Bicycle Lane

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements
    - Alessandro Boulevard and Morrison Street (Northwest Corner)
    - Cottonwood Avenue from 275 Ft West of Darwin Drive to 225 Ft East of Collie Court
    - Cottonwood Avenue from 550 Ft West of Prancer Lane to 200 Ft East of Prancer Lane
    - Eucalyptus Avenue from 400 Ft West of Essen Lane to 270 Ft East of Essen Lane
    - Lasselle Street from 500 Ft South to 1,125 Ft South of Iris Avenue
    - Lasselle Street from South City Limits to 109 Ft North
    - Moreno Beach Drive / Cactus Avenue Intersection (Northwest Corner)
    - Morrison Street / Cottonwood Avenue Intersection (Southeast Corner)
      - Cottonwood Avenue from Morrison Street to 1,260 Ft East of Morrison Street
      - Morrison Street from Bay Avenue to Cottonwood Avenue
      - Bay Avenue from Morrison Street to 1,320 Ft East of Morrison Street
    - South side of Nandina Avenue West of Indian Street

MV00061528

Completed Projects FY 2009-2010

Street Improvements

10. Developer Street and Storm Drain Improvements (Cont.)
    - Nason Street / Fir Avenue
      - Nason Street from Fir Avenue to Dracaea Avenue
      - Fir Avenue from Nason Street to Eucalyptus Avenue
      - Eucalyptus Avenue from Nason Street to 3,550 Ft East of Nason Street
    - Perris Boulevard 350 Ft South of Alessandro Boulevard
    - Perris Boulevard / Eucalyptus Avenue
      - Eucalyptus Avenue from Perris Boulevard to 520 Ft West of Bridal Trail Road
      - Perris Boulevard from 200 Ft South of Myers Avenue to Eucalyptus Avenue
    - Redlands Boulevard / Cottonwood Avenue (Southeast Corner)
    - San Michele Road from 650 Ft East of Indian Street to 1,325 East of Indian Street

Cost = $ 38,910,159

Completed Projects FY 2009-2010

Underground Utilities

11. City Hall to Animal Shelter Fiber Extension

Cost = $ 179,000

Bridges

12. Bridge Repair Maintenance Program

Cost = $ 258,000

Traffic Signals

13. Lasselle Street / Cottonwood Avenue Traffic Signal
14. Lasselle Street / Bay Avenue Traffic Signal
15. SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal
16. Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal
17. Developer Traffic Signal Improvements
    - Traffic Signal Modification at Old 215 / Alessandro Boulevard

Cost = $ 1,575,032

MV00061530

Completed Projects FY 2009-2010

Parks

18. Patriot Park (formerly Sheila Street Park)
19. Parks and Recreation Master Plan
20. Bay Avenue / Frederick Street Corner Improvements
21. Developer Park Improvements
    - Cold Creek Trail Head
    - Rockridge Park (formerly Stoneridge Park)

Cost = $ 3,518,015

Electric Utility

22. MVU-0004 Indian / San Michele / Grove View BB (11)
23. MVU-0006 Alessandro 12KV Feeder, Phase I
24. MVU-0007 Goldencrest / Elsworth – 12 KV Line Extension
25. MVU-0009 Perris 12KV Feeder, Phase I

Cost = $ 2,446,746

Buildings

26. Slurry Seal Library Parking Lot
27. City Maintenance Yard Improvements / Renovation

Cost = $ 232,138

Completed Projects Total = $ 47,119,090

COMPLETED PROJECTS FY 2009-2010

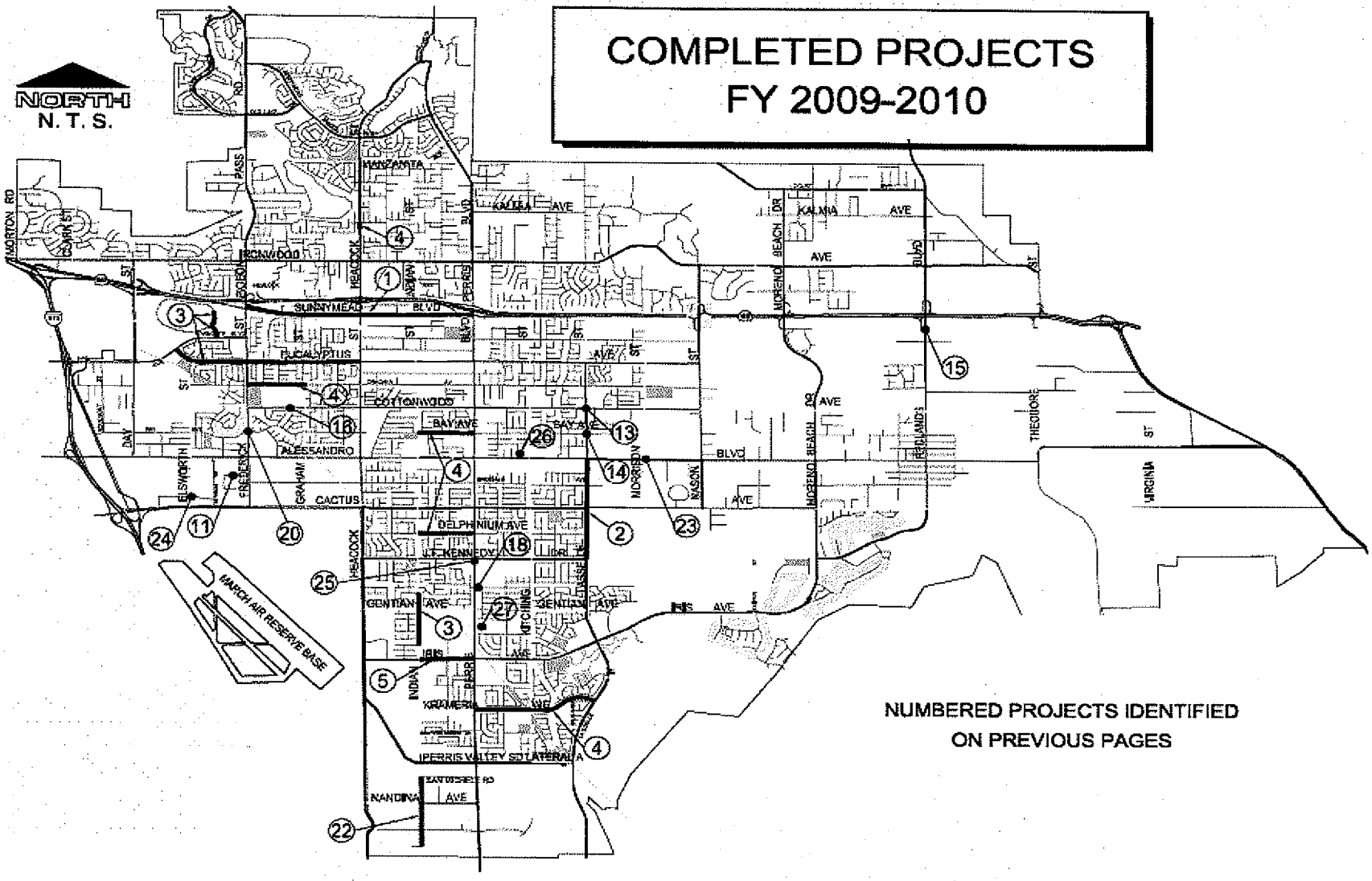

Completed Projects FY 2009-2010

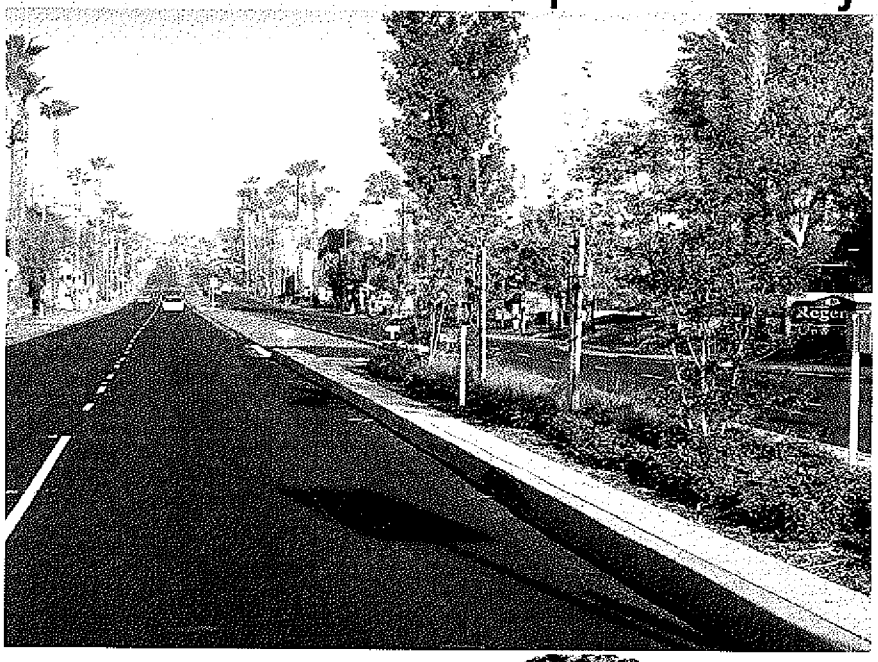

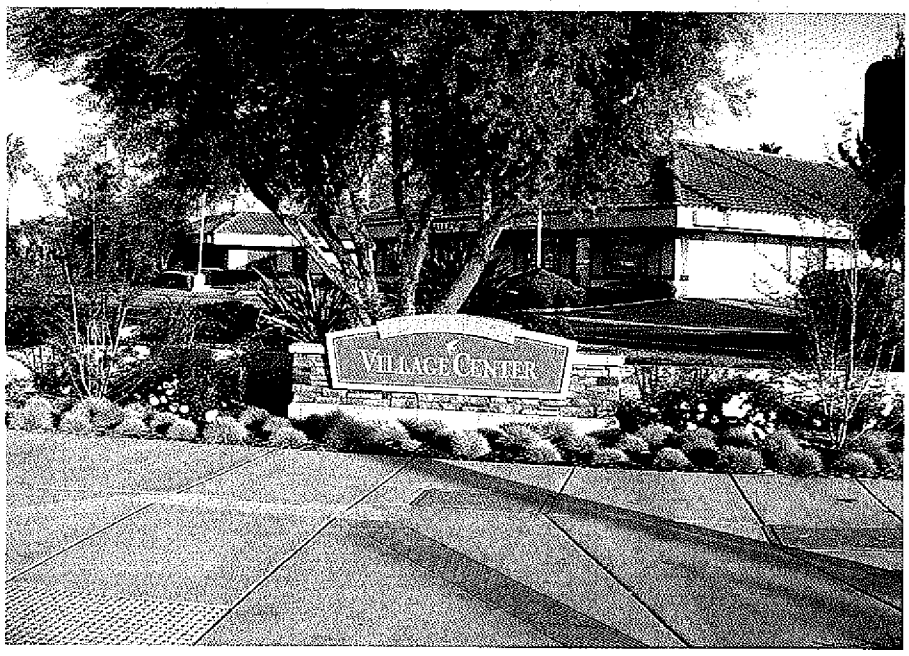

Sunnymead Boulevard from Frederick Street to Perris Boulevard

Completed Projects FY 2009-2010

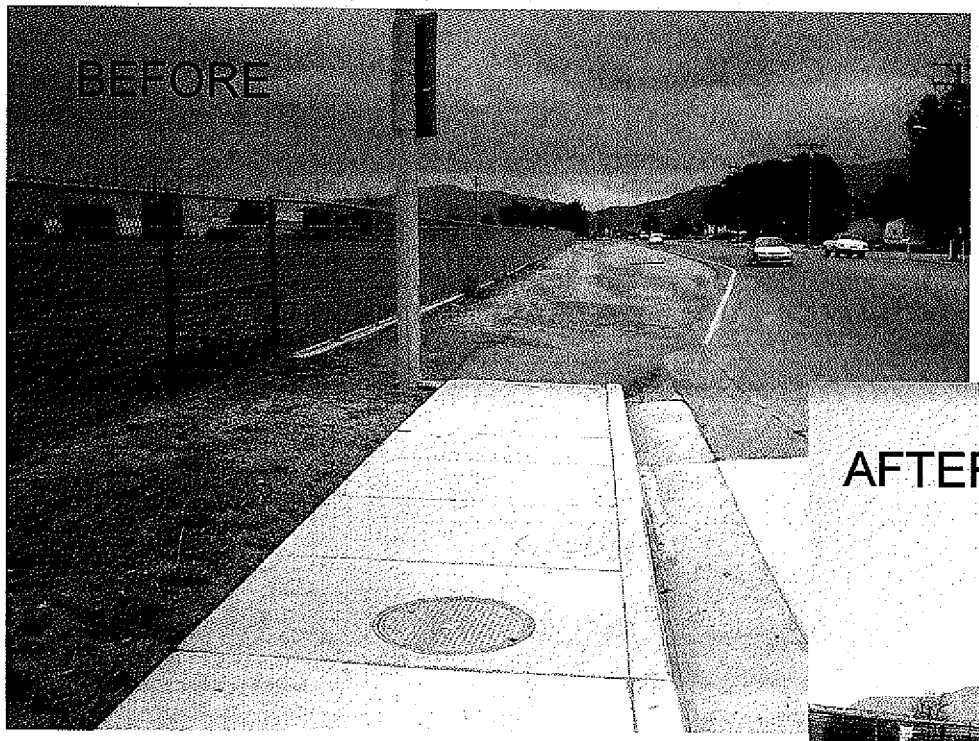

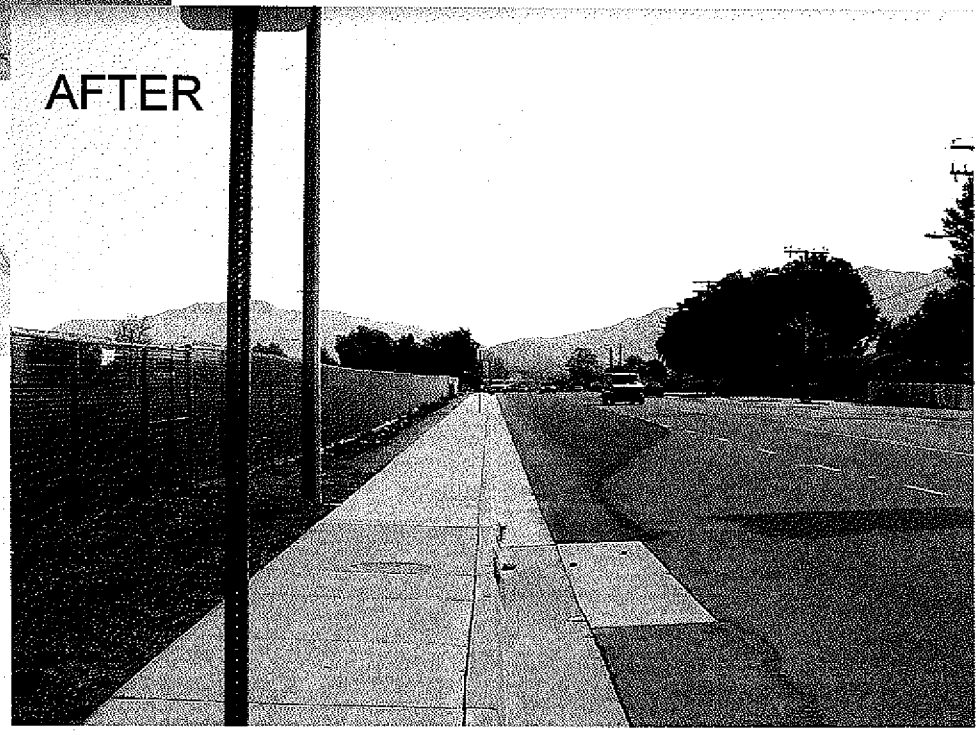

Iris Avenue from Indian Street to Perris Boulevard

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Completed Projects FY 2009-2010

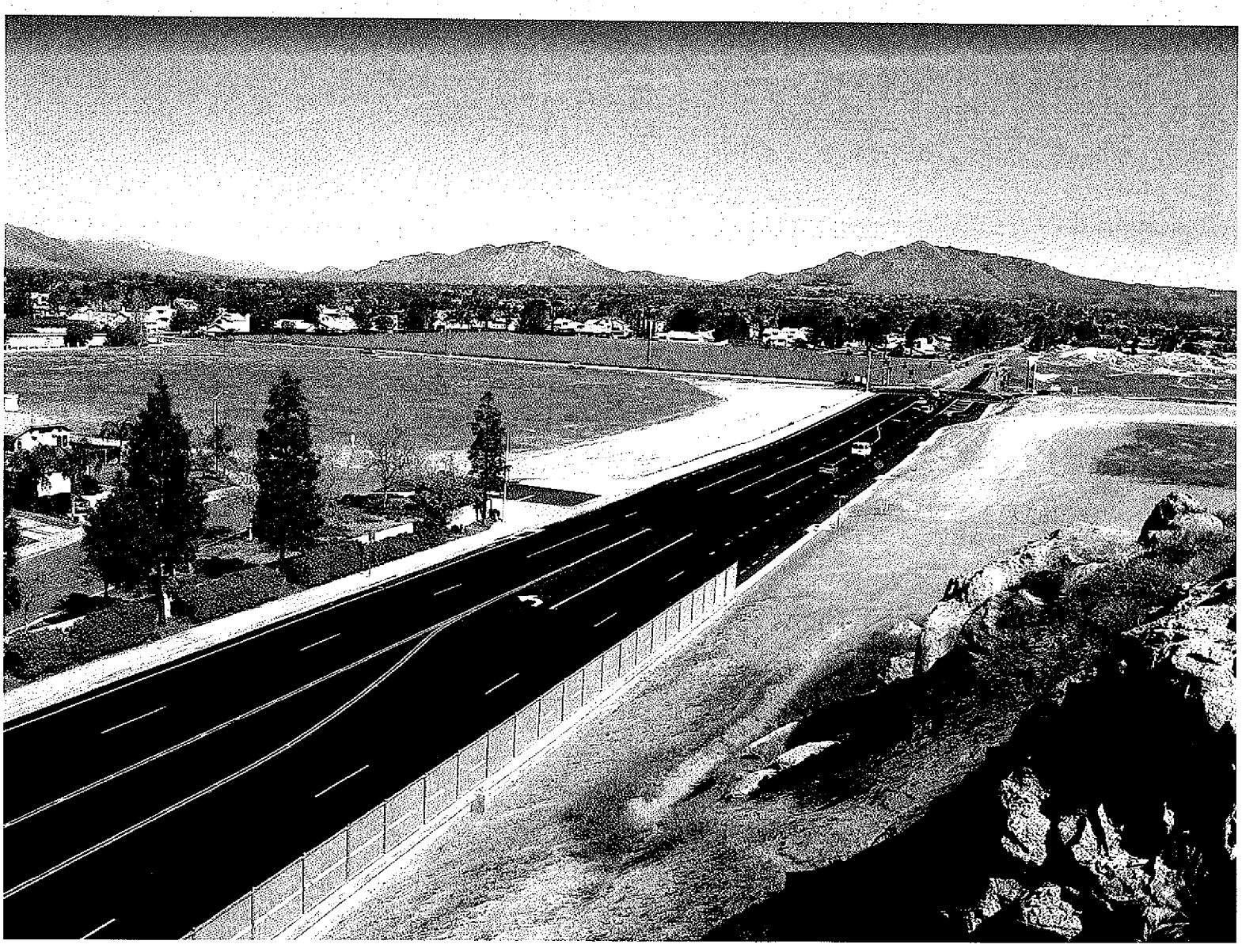

Lasselle Street from John F. Kennedy Drive to Alessandro Boulevard

Completed Projects FY 2009-2010

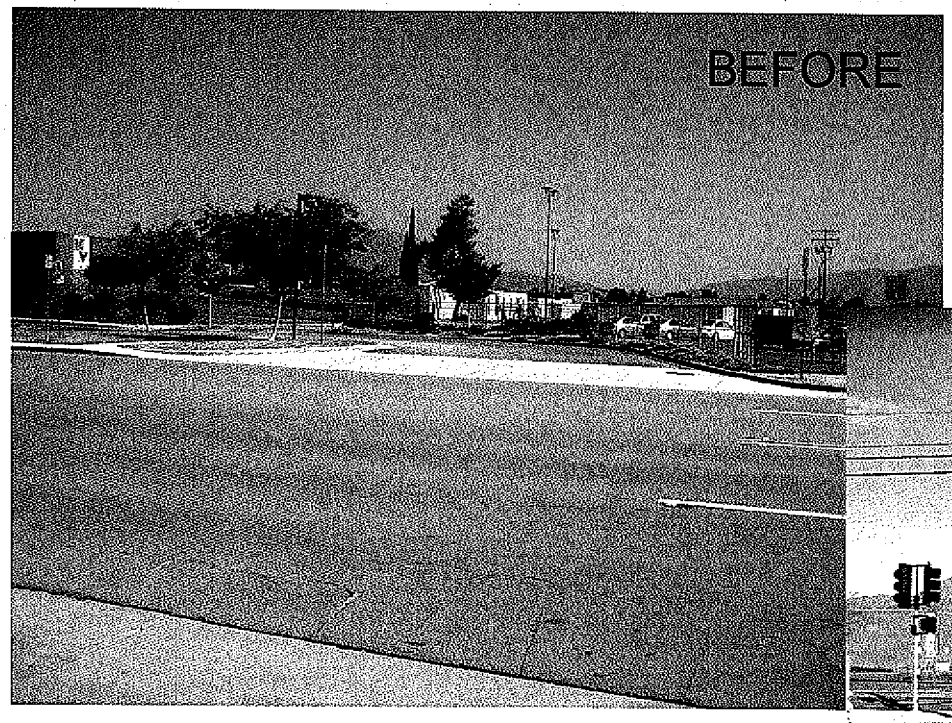

Cottonwood Avenue / Pattilynn Drive School Crossing Traffic Signal

MV00061536

Completed Projects FY 2009-2010

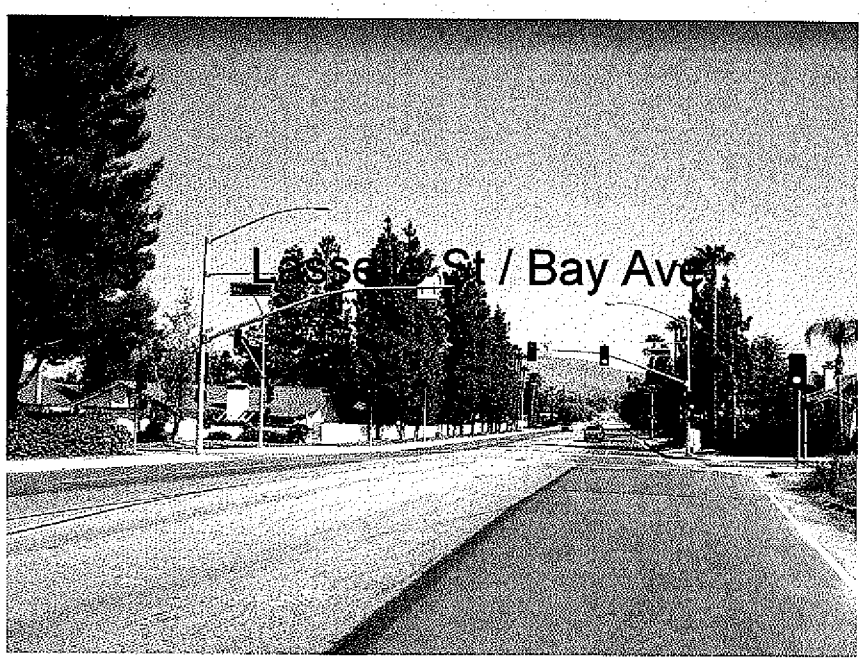

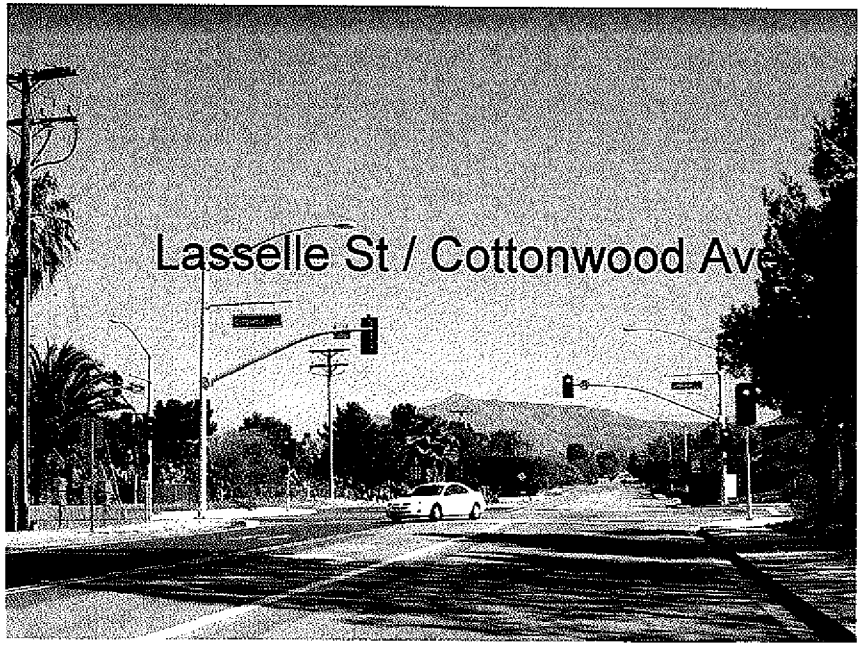

Lasselle Street / Cottonwood Avenue and
Lasselle Street / Bay Avenue Traffic Signals

Completed Projects FY 2009-2010

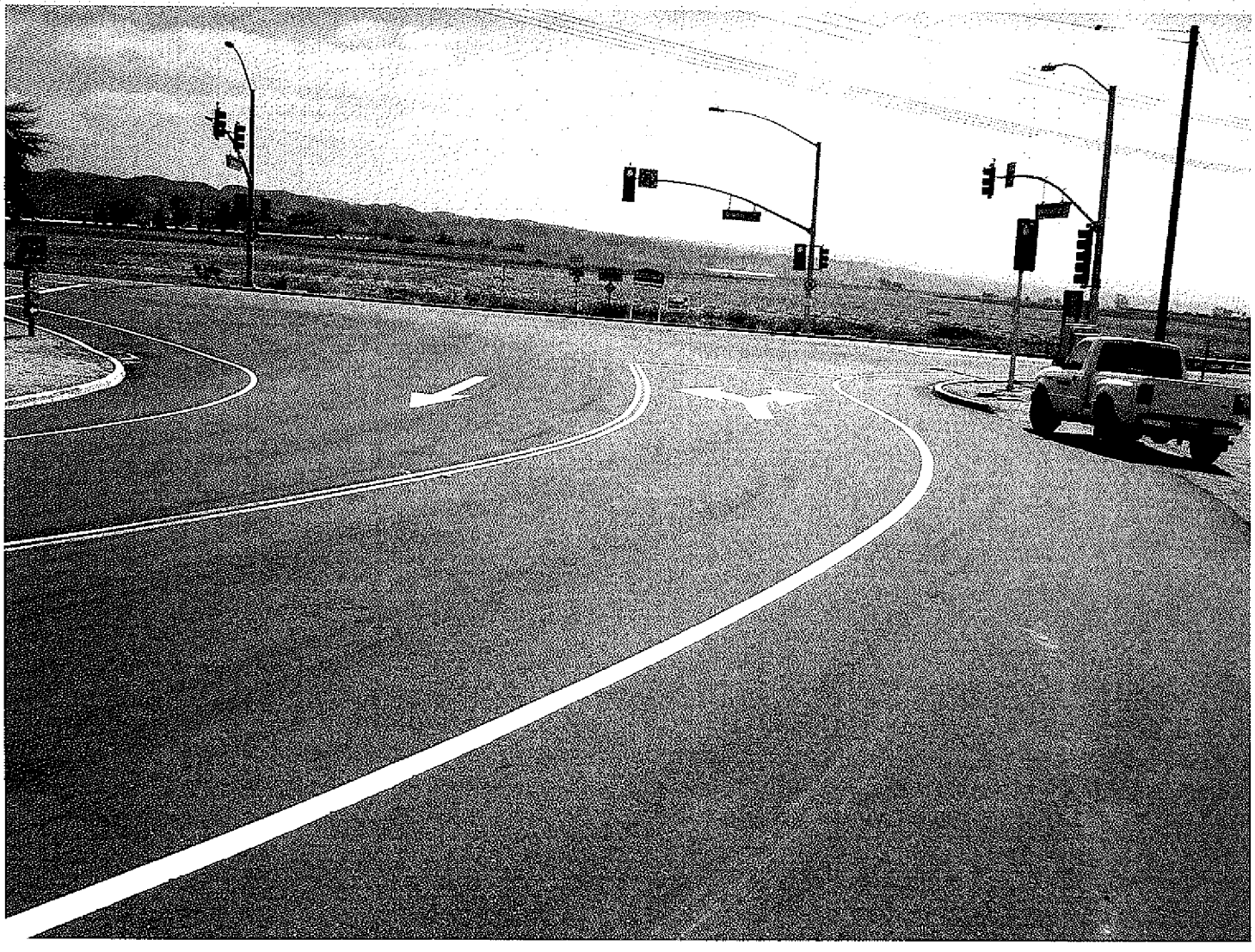

SR-60 Eastbound Ramps / Redlands Boulevard Traffic Signal

Active Projects FY 2010-2011

Street Improvements

1. Auto Mall Street Upgrades (Construction)
2. Boeing Street and McDonnel Street Sidewalks from Bay Avenue to Vought Street (Construction)
3. Day Street Improvements from Alessandro Boulevard to Cottonwood Avenue (Construction)
4. Dracaea Avenue Sidewalk from Morrison Street to Mascot Lane (Design & Construction)
5. Heacock Street Improvements from Hemlock Avenue to Ironwood Avenue (Right of Way & Construction)
6. Indian Street / Alessandro Boulevard Sidewalk Improvements (Construction)
7. Ironwood Avenue Improvements from Day Street to Barclay Drive (Construction)
8. SR-60 / Nason Street Interchange (Construction)
9. Temco Street Sidewalk from Boeing Street to Pan Am Boulevard (Construction)
10. Vought Street Sidewalk from Boeing Street to Pan Am Boulevard and Boeing Street Sidewalk from Vought Street to Temco Street (Construction)
11. Annual ADA Compliant Curb Ramp Upgrades (Design & Construction)
12. Cactus Avenue Eastbound 3rd Lane Improvements from I-215 to Veterans Way (Right of Way)
13. Cactus Avenue Eastbound 3rd Lane Improvements from Veterans Way to Heacock Street (Right of Way)
14. Citywide Annual Pavement Resurfacing Program (Design & Construction)
    - Kitching Street from Fir Avenue to Cottonwood Avenue
    - Manzanita Avenue from Heacock Street to Perris Boulevard
    - Cactus Avenue from Commerce Center Drive to Elsworth Street
    - Indian Street from Ironwood Avenue to Sunnymead Boulevard
    - Fir Avenue from Perris Boulevard to Lasselle Street

Active Projects FY 2010-2011

Street Improvements

15. Heacock Street from Perris Valley Storm Drain Lateral "A" to Cactus Avenue (Right of Way)
16. Heacock Street from San Michele Road to Perris Valley Storm Drain Lateral "A" (Right of Way)
17. Heacock Street South Extension (Alignment Study)
18. Ironwood Avenue from Heacock Street to Perris Boulevard (Utility Relocation & Storm Drain Construction)
19. Ironwood Avenue from Perris Boulevard to Nason Street (Preliminary Design)
20. Kitching Street from Alessandro Boulevard to Gentian Avenue (Construction)
21. Moreno Beach Drive Widening from Cactus Avenue to Auto Mall Drive (Preliminary Alignment Study & Preliminary Study Report)
22. Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
23. Perris Boulevard Southbound Lane to SR-60 Westbound On-Ramp (Right of Way & Construction)
24. Perris Boulevard Widening from Ironwood Avenue to Manzanita Avenue (Right of Way)
25. Perris Boulevard Widening from Perris Valley Storm Drain Lateral "B" to Cactus Avenue (Design & Right of Way)
26. Reche Vista Drive Realignment / Perris Boulevard from Heacock Street to North City Limits (Design & Right of Way)
27. Redlands Boulevard / SR-60 Interchange; Theodore Street / SR-60 Interchange; Gilman Springs Road / SR-60 Interchange (Preliminary Design)

MV00061540

Active Projects FY 2010-2011

28. Residential Traffic Management Program (Speed Hump Program) (Design & Construction)
29. SR-60 / Moreno Beach Drive Interchange (Design, Environmental, & Right of Way)
30. Street Improvement Program (SIP) (Design & Construction)
31. Surface Recycling (Construction)

Cost = $ 36,091,000

Bridges

32. Bridge Repair Maintenance Program (Design & Construction)
33. Heacock Street Bridge / Perris Valley Strom Drain Lateral "A" (Design & Construction)
34. SR-60 / Nason Street Overcrossing Bridge (Design & Utility Relocation)

Cost = $ 20,208,000

Buildings

35. 800 MHz Radio Repeater System Centralization (Construction)
36. Box Springs Communications Site (Construction)
37. Emergency Operations Center (EOC) (Construction)
38. Morrison Park Fire Station (formerly Fire Station #107) (Design)
39. Renovation of City Hall Annex Building #1 (Construction)
40. Roof Replacement at Gateway and Westbluff Parks (Construction)
41. Civic Center Site Improvements (Exterior) (Design)
42. Corporate Yard Facility (Design & Construction)

Active Projects FY 2010-2011

43. Fire Station #65 (formerly Fire Station #65 Replacement) (Land Acquisition)
44. Public Safety Building Conversion (Construction)

Cost = $ 13,616,000

Drainage, Sewers, and Waterlines

45. Edgemont Water System Phase I (Design)
46. Heacock Street and Cactus Avenue Channel Improvements (Design)
47. Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements (Construction)

Cost = $ 5,728,000

Electric Utility

48. LRB Funded Utility Projects (Construction)
49. MVU-0003 Cottonwood / Moreno Beach / Quincy BB (6) (Design & Construction)
50. MVU-0004 Indian / San Michele / Grove View BB (11) (Design & Construction)
51. MVU-0005 Circuit #5 Substation / Nason / Iris (Design & Construction)
52. MVU-0008 Globe Channel Crossing (12) (Design & Construction)
53. MVU-0010 Heacock 12KV Feeder, Phase 1 (Design & Construction)
54. MVU-0011 Alessandro 12KV Feeder, Phase 2 (Design & Construction)
55. MVU-0012 Heacock 12KV Feeder, Phase 2 (Design & Construction)
56. MVU-0014 Perris 12KV Feeder, Phase 2 – Krameria / Cardinal (Design & Construction)

Cost = $ 3,855,000

MV00061542

Active Projects FY 2010-2011

Parks

57. Celebration Park Splash Pad Surfacing (Design & Construction)
58. Install Access Gate at March Middle School Field (Construction)
59. Install Musco Control Link Automated Lighting Systems (Construction)
60. Shadow Mountain Park Ball Field Lighting (Design)
61. College Park Phase II Amphitheater (Design / Environmental)
62. Future Park Site Land Acquisition (Land Acquisition)
63. March Field Park Master Plan (Preliminary Design)
64. Replacement Playground Equipment (Design & Construction)

Cost = $ 3,649,000

Active Projects FY 2010-2011

Traffic Signals

65. City of Moreno Valley / City of Riverside Intertie (Design & Construction)
66. Emergency Vehicle Pre-emption at 117 Traffic Signals (Design & Construction)
67. Nason Street / Riverside County Regional Medical Center Main Driveway Traffic Signal (Design, Right of Way, & Construction)
68. Sunnymead Ranch Parkway / Village Road East Traffic Signal (Construction)
69. Transportation Management Center (Design & Construction)
70. Traffic Signal Coordination Program (Ongoing)

Cost = $ 1,881,000

Active Projects Total Cost = $ 85,028,000

MV00061544

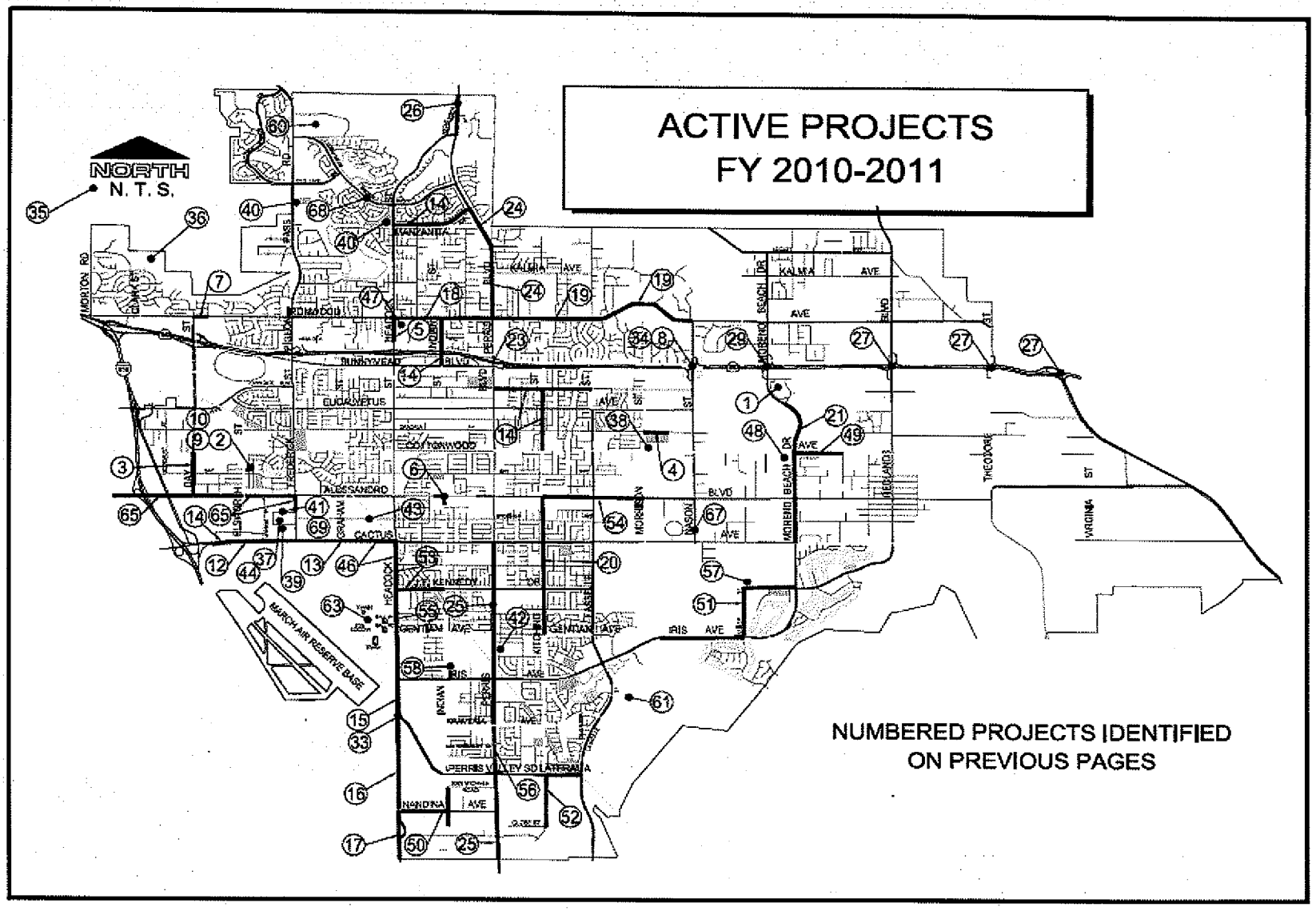
ACTIVE PROJECTS
FY 2010-2011
NORTH
N. T. S.
NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES
MARCH AIR RESERVE BASE
MORENO BEACH
KALMIA AVE
SUNNYVEAD BLVD
EUCALYPTUS
COTTONWOOD
ALESSANDRO
CACTUS
KENNEDY
GENTIAN AVE
IRIS AVE
INDIANA AVE
PERRIS VALLEY SD LATERAL A
MORTON RD
HEACOCK
PERRIS BLVD
MORENO BEACH DR
THEODORE ST
VIRGINIA ST

Item No. G.7

Active Projects FY 2010-2011

Temco Street, Boeing Street, and Vought Street Sidewalk Improvements

MV00061546

Active Projects FY 2010-2011

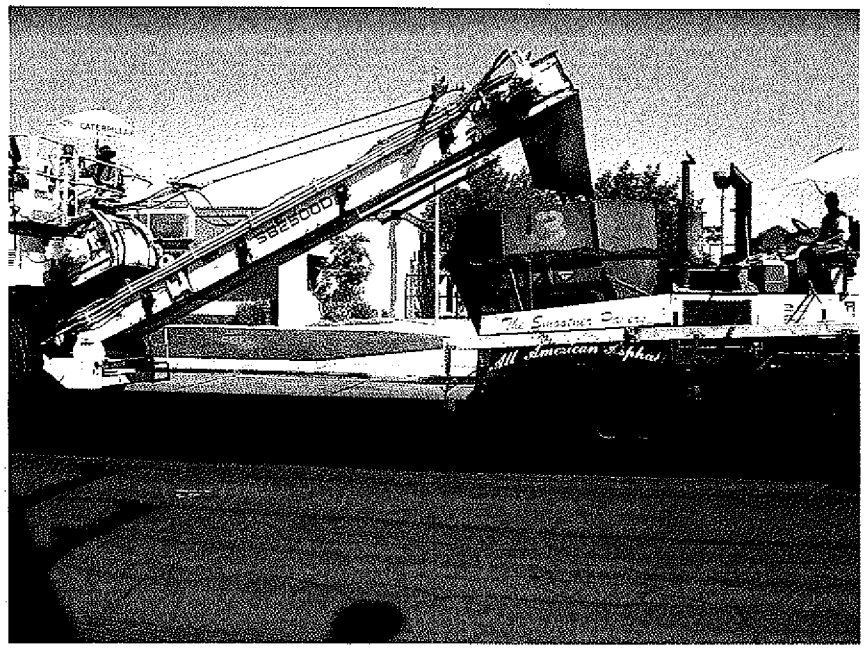

Citywide Annual Pavement Resurfacing Program

Active Projects FY 2010-2011

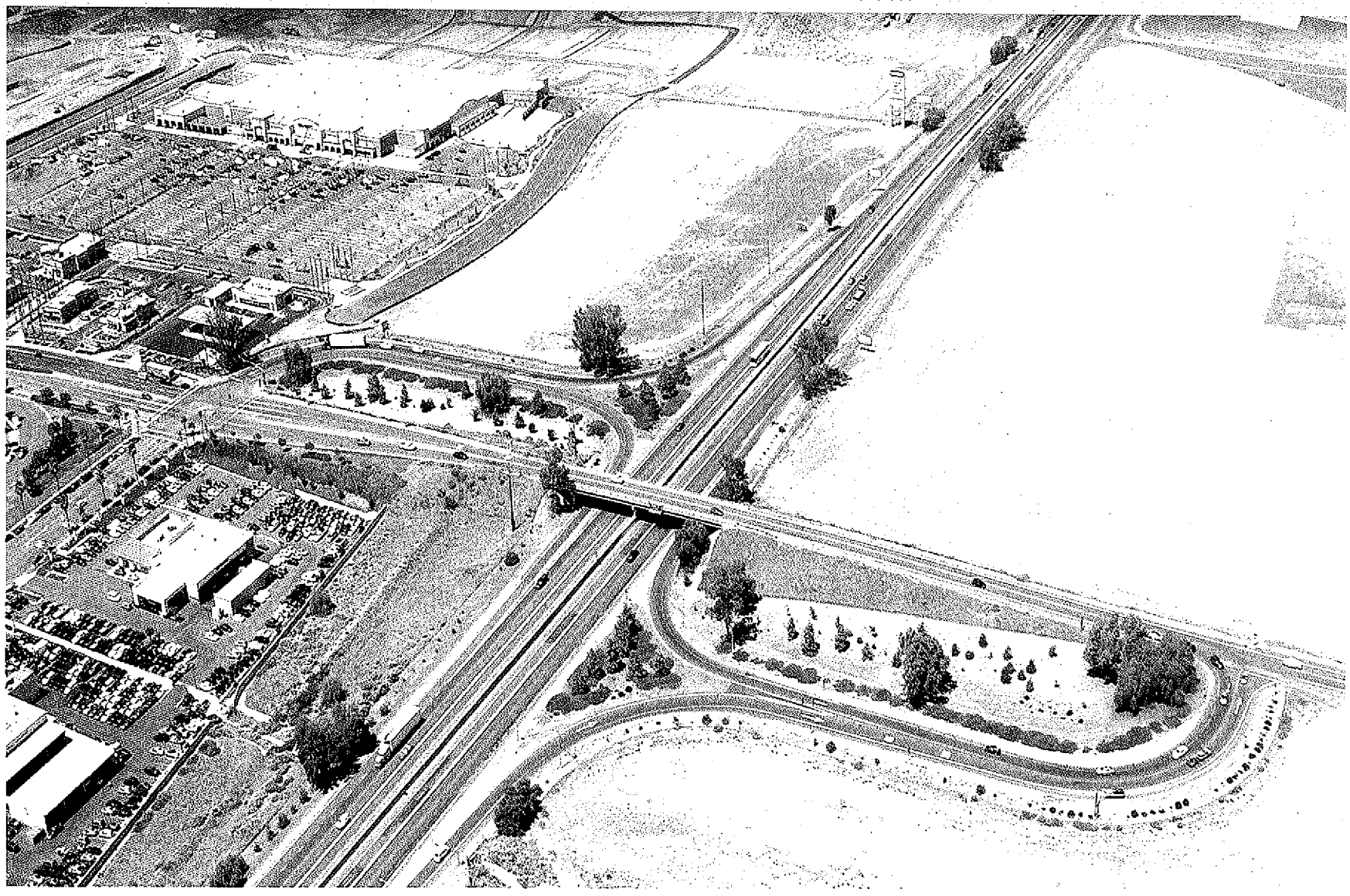

SR-60 / Moreno Beach Drive Interchange

Active Projects FY 2010-2011

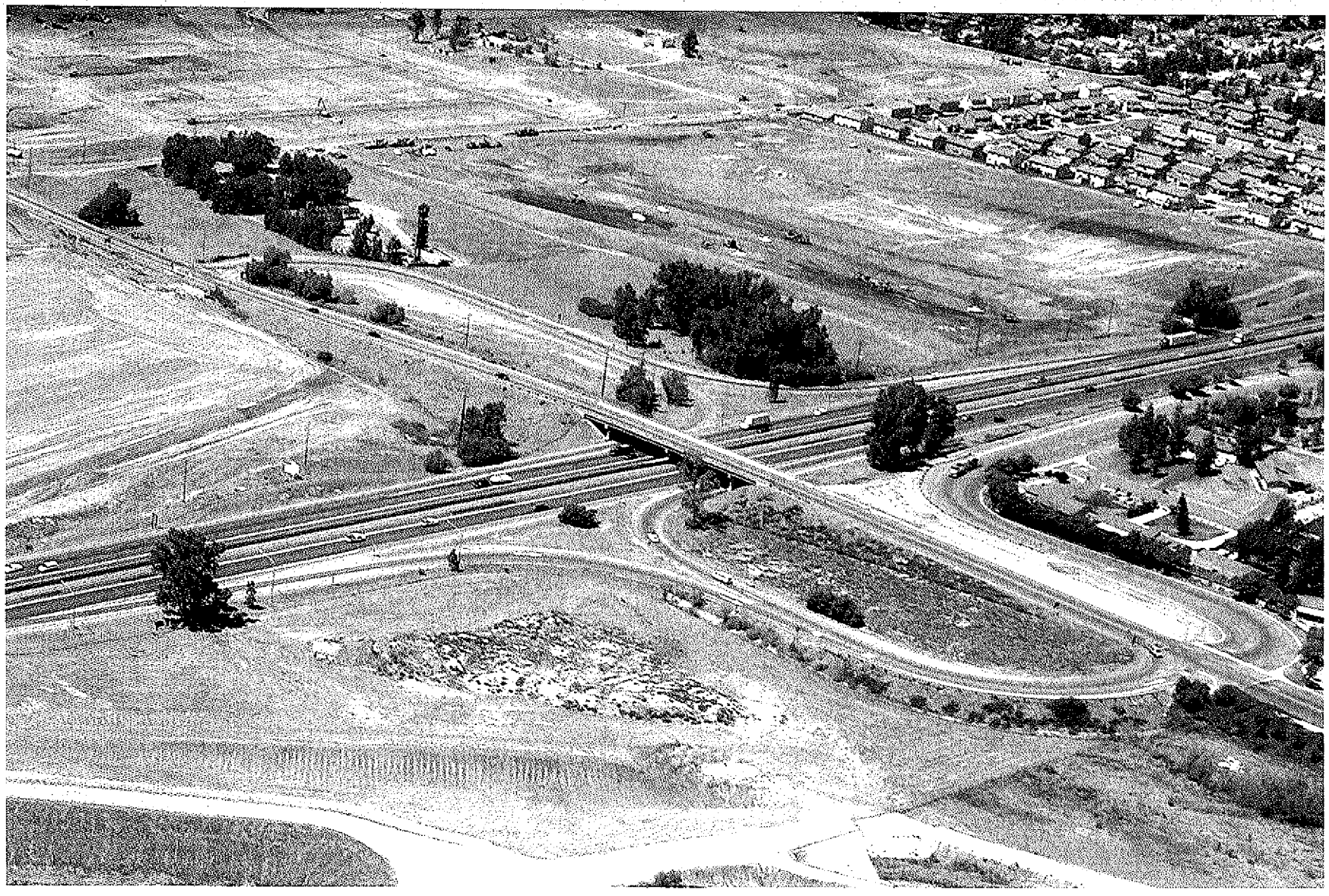

SR-60 / Nason Street Interchange

Active Projects FY 2010-2011

SR-60 / Nason Street Interchange Utility Relocation Construction

MV00061550

Assumptions Used to Prioritize New Proposed Projects

- Availability of Matching Federal or State Grant Funds
- Allocation of Dedicated Transportation Uniform Mitigation Fee (TUMF) Funding
- Funding Criteria and Deadlines (Bonds, Grants, and Outside Agency Agreements)
- No Anticipated New Development Impact Fee (DIF) Revenues
- Potential Reduced New Gas Tax Revenue (Impacts Public Works Staff Operating Budget)
- Logical Sequential Order to Previous City Council Approved Funding for Projects
- Street Improvement Program (SIP) Program – Approved City Council List
- Pavement Rehabilitation Program (formerly Slurry Seal Program) (Crack Seal)
- Citywide Annual Pavement Resurfacing Program – Based on Pavement Management System
- Developer / Development Driven
- Warrant Requirement (e.g., Traffic Signals)

New Proposed Projects FY 2010-2011

Street Improvements

1. Day Street Widening from Eucalyptus Avenue to 660 Feet North (Design)

Cost = $ 350,000

Buildings

2. Highland Fire Station (Land Acquisition)
3. Industrial Fire Station (Land Acquisition)

Cost = $ 1,460,000

Parks

4. Park Monument Signs (Design & Construction)
5. Shadow Mountain Park Restrooms (Design & Construction)

Cost = $ 310,000

MV00061552

New Proposed Projects FY 2010-2011

Traffic Signals

6. Lasselle Street / Margaret Avenue Traffic Signal (Design)

Cost = $ 20,000

Underground Utilities

7. Citywide Fiber Optic Communications Expansion (Design & Construction)

Cost = $ 199,000

New Proposed Projects Total Cost = $ 2,339,000

NEW PROPOSED PROJECTS
FY 2010-2011

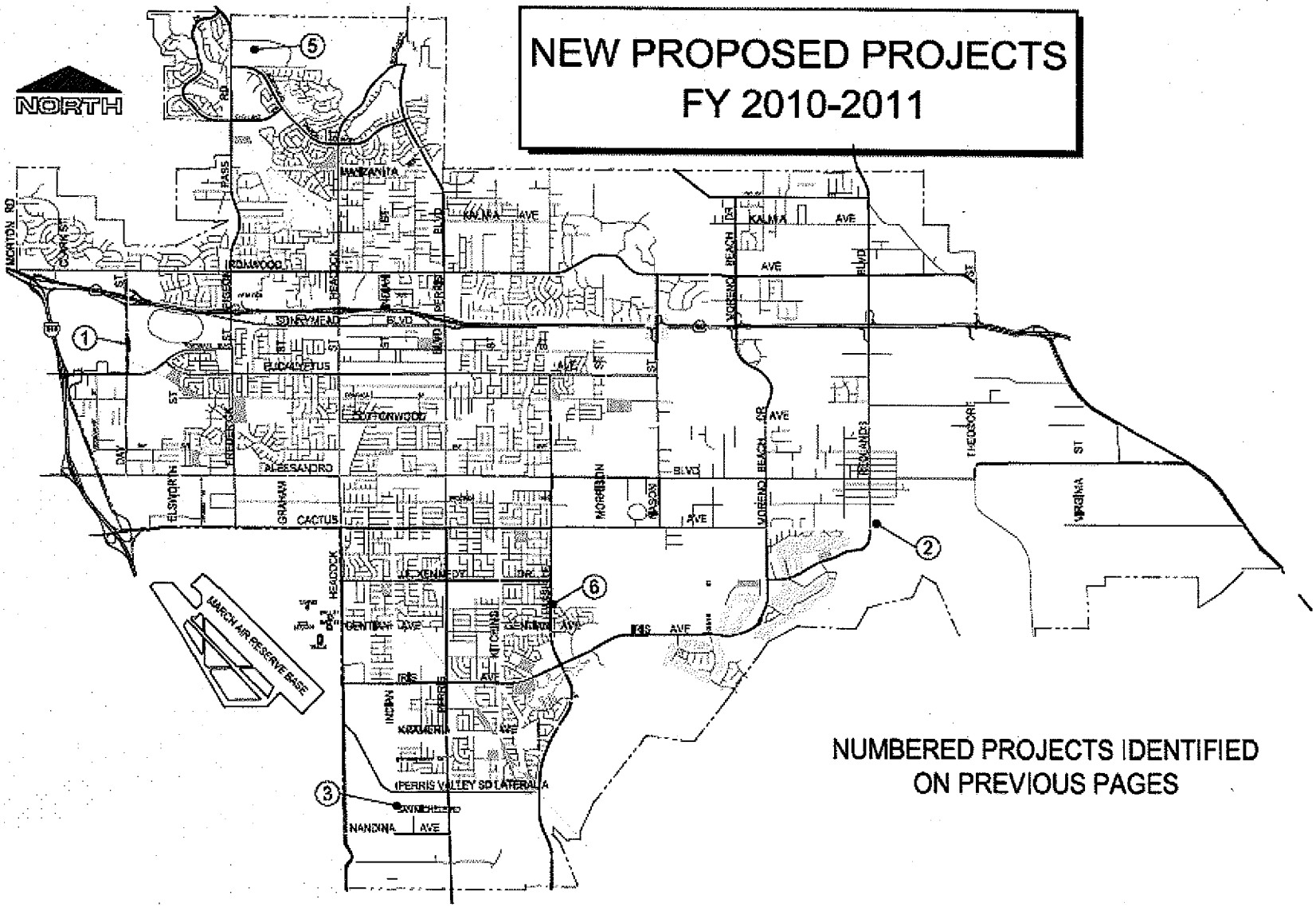

NUMBERED PROJECTS IDENTIFIED
ON PREVIOUS PAGES

FY 2010-2011 PROJECT COSTS BY CATEGORY

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	36,498
• BRIDGES	$	20,208
• BUILDINGS	$	15,081
• DRAINAGE, SEWERS, AND WATERLINES	$	5,728
• ELECTRIC UTILITY	$	3,855
• LANDSCAPING	$	0
• PARKS	$	4,100
• TRAFFIC SIGNALS	$	1,916
• UNDERGROUND UTILITIES	$	201
ESTIMATED TOTAL	$	87,587

STREET IMPROVEMENTS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$25,083	$11,415	$52,102	$57,000	$69,039	$662,770	$877,409

Zones for Pavement Rehabilitation Program (formerly Slurry Seal Program)

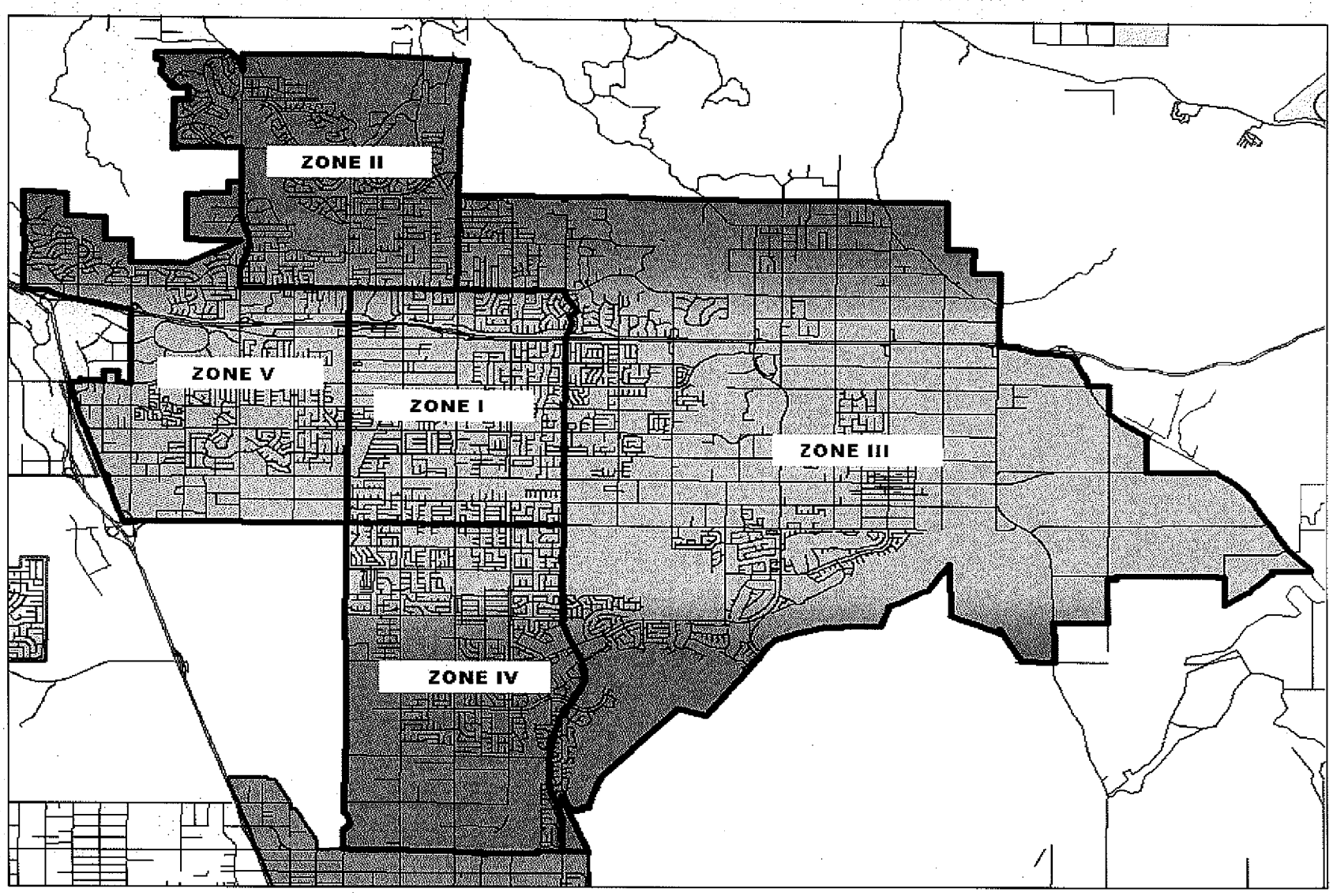

BRIDGES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$17,388	$2,820	$0	$0	$0	$100,244	$120,452

BUILDINGS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$13,051	$2,030	$1,621	$3,655	$5,147	$229,388	$254,892

DRAINAGE, SEWERS, AND WATERLINES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$5,728	$0	$0	$230	$1,833	$36,011	$43,802

MV00061560

ELECTRIC UTILITY

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,855	$0	$0	$2,000	$5,507	$4,388	$15,750

LANDSCAPING

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$0	$0	$120	$120	$120	$120	$480

MV00061562

PARKS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$3,550	$550	$3,406	$1,417	$552	$321,003	$330,478

TRAFFIC SIGNALS

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$1,659	$257	$1,268	$30	$302	$43,546	$47,062

MV00061564

UNDERGROUND UTILITIES

Cost By Fiscal Year

(Amount in $1,000's)

FY 09/10 Carryover to FY 10/11	New Request FY 10/11	Plan 11/12	Plan 12/13	Plan 13/14	Plan 14/15 & Beyond	Grand Total
$2	$199	$0	$0	$155	$2,801	$3,157

SUMMARY COSTS BY CATEGORY

Total Build-Out

(Amount in $1,000's)

• STREET IMPROVEMENTS	$	877,409
• BRIDGES	$	120,452
• BUILDINGS	$	254,892
• DRAINAGE, SEWERS, AND WATERLINES	$	43,802
• ELECTRIC UTILITY	$	15,750
• LANDSCAPING	$	480
• PARKS	$	330,478
• TRAFFIC SIGNALS	$	47,062
• UNDERGROUND UTILITIES	$	3,157
TOTAL	$	1,693,482

MV00061566

FY 2010-2011 Proposed Capital Improvement Plan Summary

- The projects recommended for FY 2010-2011 are based on development, funding availabilities, and individual project status
- City Council to review, comment, and provide concurrence or provide new priorities
- Recognize that reprioritization of projects may defer some projects to a later time
- Bring back to City Council each year to add, delete, and change priorities as needed

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MV00061568

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the cash security being placed into the two (2) escrow accounts.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Line 'F' storm drain improvements in order to provide flood protection and drainage for the Developer's planned development. The improvements included but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD).

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required storm drain.

The developer has completed and submitted an Agreement for Line 'F' Storm Drain Security and provided City staff with the escrow instructions and agrees to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required storm drain facilities are not completed within said timeframe. The limits of the storm drain improvements are from the culverts along the south side of State Route 60, to a point approximately 1,150 feet south of Eucalyptus, and within Eucalyptus Avenue generally from Redlands Boulevard to Theodore Street.

Accompanying the agreement is a Faithful Performance cash security in the amount of $6,813,595 and a Material and Labor Performance cash security in the amount of $3,406,797 (per the approved Engineer's Estimate for the storm drain). The City will hold the Faithful Performance and Material and Labor securities for both the District's Drainage Facilities and the City's Drainage Facilities. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Line 'F' Storm Drain improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and

are consistent with the conditions of approval for the project. This agreement will be executed prior to any issuance of permits for construction of said facilities. Upon completion of the Storm Drain Improvements and after the City Council and RCFC & WD accept the project; the City will only then release the securities.

The Cooperative Agreement is the District's mechanism by which the District, the City, and the Developer coordinate the construction and maintenance of Master Storm Drain facilities. Typically, the developer would enter into a Cooperative Agreement with the City and the District prior to the start of construction of the storm drain. In this case, the District has agreed to issue a Right of Entry letter in the interim to allow the District inspectors to enter the property and permit the storm drain construction to begin while the Cooperative Agreement is processed through the two agencies.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Agreement for Line 'F' Storm Drain Security
Exhibit "C" - Escrow Instructions

Prepared By
Mark W. Sambito, P.E.
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-08-10 - PA07-0090 - PM 35629 - H.F. Logistics Storm Drain Agree.doc

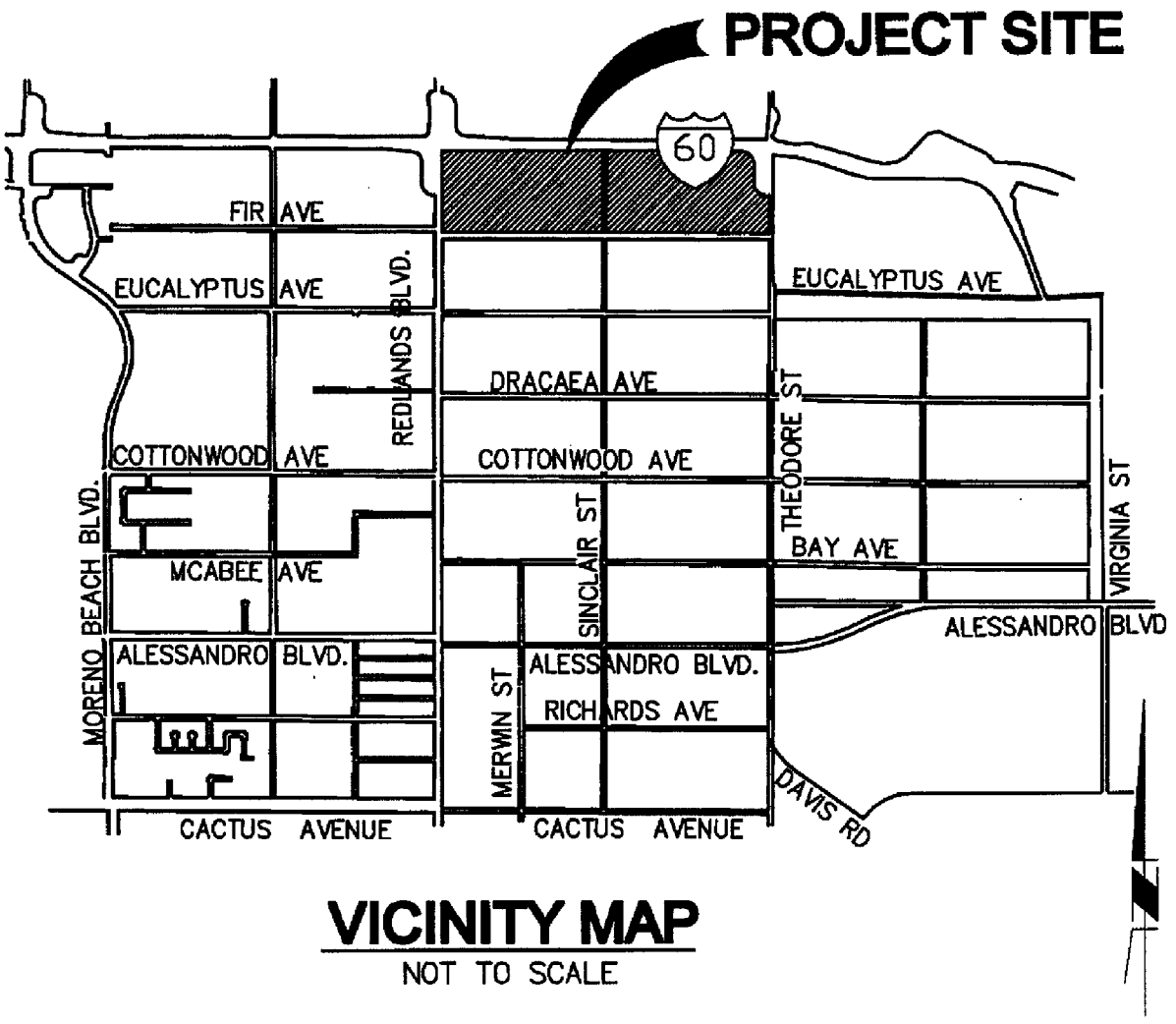

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00061574

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT B

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the escrow accounts securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees, prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $6,813,595.00, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: NCS-442058-SD), and 2) the estimated cost of labor and materials, in the amount of $3,406,797.50, for payment of labor and materials (First American Title Insurance Company Escrow Number: NCS-442818-SD) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. The escrow account (First American Title Insurance Company Escrow Number: NCS-442818-SD) securing the estimated cost of labor and materials shall be released to Developer no sooner than 90 days after acceptance of the improvements by the City. After acceptance of the improvements by the City, a total of ten percent of the original escrow deposit for the faithful performance (First American Title Insurance Company Escrow Number: NCS-442058-SD) shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code section 66499 to secure required warranty work. Amounts held in the escrow accounts shall only be reduced when the escrow officer is instructed in writing by the City Engineer to release an amount held in an escrow account. Developer shall be responsible for paying all costs of the escrow accounts. Developer agrees to maintain said escrow accounts with good and sufficient funds or increase the amounts of said escrow accounts, or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of the escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at any time during the term of this agreement, subject to approval of the City Engineer and the City Attorney.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate any and all rights of the Developer because of such default whereupon the City Engineer shall instruct the escrow officer to release the necessary funds from the escrow account(s) to cure the default(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds to the City without any consent from Developer. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive, Suite 200
San Diego, Ca 92122
Attn: Verna Gregory-Senior Commercial Escrow Officer

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

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MV00061578

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-442818-SD / NCS-442058-SD DATE: 06 / 08 / 2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Line 'F' Storm Drain plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics -SKX T1, LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Line 'F' Storm Drain Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX T1, LLC, a California limited liability company

By: Iddo Benzeevi, President and CEO

EXHIBIT C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.0 1.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moren o Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Departmen t)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

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Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211 ;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

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Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-258 97

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

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District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

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p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

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Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDEN ROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropr iations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISH ING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appr opriations limit at $13,567,175 for the Moreno Valley Communit y Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 20 10-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of de linquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSS ION OR SEPARATE ACTION

MV00061597

G. REPORTS

G.1 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.2 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.3 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G.4 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

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1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.5 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance

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to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.6 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution Of The City Council Of The City Of Moreno Valley, California, Adopting The Operating Budget For Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution Of The Moreno Valley Community Services District, Adopting The Operating Budget For Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the

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Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley, California Adopting The Operating Budget For Fiscal Year 2010-11

G.7 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

G.8 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/ OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00061602

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00061603

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

Item No. A.2

MV00061605

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00061612

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010 /11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/ Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

MV00061627

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

MV00061631

MV00061632

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Item No. A.3

MV00061633

MV00061634

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061636

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ __
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MORENO VALLEY
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MORENO VALLEY
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MORENO VALLEY
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			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$364 2252F
: #+0) 4&E) ,. ;		&RKLJTTS'X		
HVE3 &8) 4&FACVD N&<' B' 9G>' &EA>' 3' & ' >! @DEA! ECL&D ! &		&JTTLXTTS%Z		
CA9->' &A<A>NV&CF VGEDF<C				
)*+,*,-+-	$EE-2),	$9--34F-E576		
			%9P: 8$%K8H=>A:	9--34F-E576
)*+7*,-+-	$EE-233	$9-E+4272577		
			%9P: 8$%K8H=>A:	$F)46E6577
			%9P: 8$%K8H=>A:	9--34E-E5-
: #+0) 4&E) ,. ;		&JCQLPVJS2U		
HVE3 &8) 4&CA9->' &A<A>NV&CF VGEDF<C &		&KLTUZLXVKS2P		
C@AVVA<A>NV&<F> E@& 9A>D' &0GC2&VS-S				
)*+,*,-+-	$-+7-E	$2,E4)E35--		
			: D H; $ C: 8L<$%K8 H=>A:	$2,E4)E35-
: #+0) 4&E) ,. ;		&TJQLUCR&VM		
HVE3 &8) 4&C@AVVA<A>NV&<F>E@& 9A>D' & 0GC2&VS-S&		&ZZZLXUVB&M		

MV00061645

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3 DCF<				
	)*6*,-+-	$-+F),	$F4F-E556 7	
			PG>; $H=8LA@8: G: 8BHI	$4E,65 7
			PG>; $H=8LA@LD9?:	$34 265E+
			PG>; $H=8LA@8>=>U	$24F,F536
			PG>; $H=8LA@BFA	$ 4&,65,
			PG>; $H=8LA@>CGBD>	$ 4&)F52+
			PG>; $H=8LA@K?A; >; B9C	$-4)F52+
	)*+7*,-+-	$-,-3-	$-)E42,7576	
			:DH; 8BHB<	$53E5-2
			:DH; 8BHB<	$+5E-
			:DH; 8BHB<	$E)5E2
			:DH; 8BHB<	$5735 2
			:DH; 8BHB<	$-+-5E
			:DH; 8BHB<	$42+E5FF
			:DH; 8BHB<	$E,35)F
			:DH; 8BHB<	$E)+5F6
			:DH; 8BHB<	$47,EEE6
			:DH; 8BHB<	$-4F757E
			:DH; 8BHB<	$-4,652-
			:DH; 8BHB<	$-52E
			:DH; 8BHB<	$734E,E5)F
			:DH; 8BHB<	$264)6,5E,
			:DH; 8BHB<	$483F5)-
			:DH; 8BHB<	$,56F
			:DH; 8BHB<	$,576
			:DH; 8BHB<	$,5-)
			:DH; 8BHB<	$6653E
			:DH; 8BHB<	$E+56.
			:DH; 8BHB<	$F755)
			:DH; 8BHB<	$25)7
	: #+O)4&E),.;	&PXRUVTQ&KU		
HVE3 &&) 4&CF GE@A><& ' WDHF><D &A3 DCF<&		**&RUUZKUTXX&VZ**		
CFGE@A><& ' WDHF><D &A3 DCF<& FS				
	)*,3*,-+-	$-,+E6	$7-4-6556	
			8: %DHUC; $9!9>HBDB BA@><9A; 5	$7-4-6556
	: #+O)4&E),.;	&ZMUVMKS&K		
HVE3 &&) 4&CF GE@A><& ' WDHF><D &A3 DCF<& ! F S&		**&ZMUVMKS&K**		
CE'<3'>3 &D<CG>'<! A& F				
	)*+,*,-+-	$-+7+3	$2-46+6556 7	
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-,4376 5F2
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-F47,E576
			DH: $C&GBA>?BDB <$&CAK8>CH:	@-75 7
	: #+O)4&E),.;	&TMKPKS&Z		
HVE3 &&) 4&CE'<3'>3 &&CG>'<! A& F&		**&TJRUXKJS&U**		

MV00061646

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
GSCS&[' <B7! ' W! ' > 3C				
) *+, *, -+-	$--) -2+	$FF42, -5 E		
			H>DH>8G$%U; $H<HD: $ CG$) *-F*+-	$FF42, -5 E
) *, 7*, -+-	$--) +, +	$72463E5-7		
			H>DH>8G$%U; $H<HD: $ CG$) *, , *+-	$72463E5-7
: #+O) 4&E) ,. ;		&PXMQQQ&&X		
HVE3 &&) 4&GSCS&[' <B7! ' W! ' > 3C&		**&PLXMPLUMZSXP**		
GSCS&E> A' CG> V				
) *+, *, -+-	$ -+7, 2	$2-4FF+522		
			A! @, 6$ W$H: AA$H> A=	$2-4FF+522
: #+O) 4&E) ,. ;		&TMXXPS&T		
HVE3 &&) 4&GSCS&E> A' CG> V&		**&TMXXPS&T**		
G<DEA3 & F<E>' ! EF > C& F9 - ' <V&D<! S				
) *, 3*, -+-	$EE-) -6	$2, 6462-5-		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$2. 6462-5 -
: #+O) 4&E) ,. ;		&TJKLKTMBM		
HVE3 &&) 4&G<DEA3 & F<E>' ! EF > C& F9 - ' <V& B< ! S&		**&PLQRMLMTMBM**		
: FWG<EAA> & A<EA> &FH&> D A> CD& A& F G<EV				
) *6*, -+-	$ -+FF2	$2-4---5-		
			8: C; >D$> AA&A; $AJ HA@%8%&%8LU	$ -4--5 -
			8: C; >D$> 88: >8A$A JHA@%8%&%8LU	$-4--5 -
: #+O) 4&E) ,. ;		&TMMMMBM		
HVE3 &&) 4& FWG<EAA> & A<EA> &FH&> D A> CD& A ! FG<EV&		**&ZKLJQJS&T**		
] AWWC&H' >NF& F>- F>' EA&E>GCE				
) *, 7*, -+-	$--) -F+	$--4) F65E-		
			E&C; $9C$-77F$D >A : $B: J$?CG	$--4) F65E-
) *, 7*, -+-	$--) -3+	$-4+E4EF) 5) -		
			E&C; $9C$ - - 6$D >A : $B: J$?CG	$-4+E4EF) 5) -
) *, 7*, -+-	$--) -E+	$-4+-4E775-F		
			, - - F$D8?$G: ?; $AJ H$%><U: C;	$-4+-4E775-F
) *2-*, -+-	$--) +2+	$-4-F+42) 75-3		
			G: ?; $AJ H@% HB-D$ >W A	$-4-F+42) 75-3
: #+O) 4&E) ,. ;		&TLUMPLKZQS&T		
HVE3 &&) 4&] AWWC&H' >NF& F>- F>' EA&E>GCE&		**&ZLMJZLUCKS&JT**		

MV00061647

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
] @AAWA>&' : D<NL&D<! S				
)*6*,-+-	$EE-2,)	$)346+5-		
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$346+5-
)*+,*,-+-	$EE-2)3	$6734FFE5)+		
			: U: 8L$A; 8: : ; $%>J : UC; $P98I	$-24+7-52E
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$E246EE52
)*,3*,-+-	$EE-)-F	$62-42F-5-3		
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$-42)65F2
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$6F4E375FF
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$)74E7E57
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$+4635F
	: #+O)4&E),.;	&PLPXTLTZZ$%X		
HVE3 &&) 4&] @AAWA> &' : D<NL&D<! S&		&JLXPPLPUX$%Z		
] D<\WA>& &BAWW&! F<CGWED<N&A<ND<AA>C				
)*6*,-+-	$-+FE+	$2+4)-5-		
			; : U%&A; >!!EDL$AJ HA@D>%&%&89MA	$-64E)-5-
			; : U%&A; >!!EDL$AJ HA@D>%&%&89MA	$-64)--5-
	: #+O)4&E),.;	&TPLJUMBM		
HVE3 &&) 4&] D<\WA> & &BAWW&! F<CGWED<N& A<ND<AA>C&		&TRXLRPX$%Z		
] >! FN&] ACEA><&>D: A>CD3A&! FS&FH&N F: E&CS				
)*+7*,-+-	$-,-EE	$)42F-5-		
			; KU!$B: AEG: C; D>D$1 : : A	$)42F-5-
	: #+O)4&E),.;	&JJLTXMBM		
HVE3 &&) 4&] >! FN&] ACEA><&>D A>CD3A&! FS& FH&NF : E&CS&		&PLPPKLRX$%J		
	C*=,),.;	&PLJXJLRTP$%R		

MV00061648

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012

! @A! BC&WACC&E@' < &I JKLMMM

&E>' <CFHE&CFWGEDF<CL&D<! S

)*+7*,-+-	$-+722	$-4E75-		
			>K;9;K8C$A9!;P>8:$K%L8>G:	$-4E75-
: #+O)4&E),.;		&PLJCZ&M		
HVE3&)4&E>' <CFHE&CFWGEDF<CL&D<! S&		&PLJCZ&M		

UKJ<3& D>&9F[DWDEV&] D<N

)*E*,-+-	$-+E,7	$-5-		
			?8&L&L: C&U: D&C$8:;&B: UC;$)*+-	$-5-
: #+O)4&E),.;		&IMB&M		
HVE3&)4&KJ<3& D>&9F[DWDEV&] D<N &		&PPX&M		

UN&] D>AWACCL&D<!

)*6*,-+-	$-+66,	$3-5-E		
			8:!KCG@KA&D&H$9J8%U;	$3-5-E
: #+O)4&E),.;		&RMBPQ		
HVE3&)4&UN&] D>AWACCL&D<! &		&RMBPQ		

' &&- FCE' W&A_->ACC

)*+7*,-+-	$-+72)	$)25-		
			8:!KCG@KA&D&H$9J8%U;	$)25-
: #+O)4&E),.;		&JT&M		
HVE3&)4&&&-FCE' W&A_->ACC&		&JT&M		

' & &D&>A->FN>' -@D C&&&&&&&&JUMRTRJ

)*6*,-+-	$-+662	$F75-2		
			8%8L8%=H$AJHA@&; $&J%8JUC; $%8LU	$F75-2
)*+,*,-+-	$-+E2-	$-4FEE5,7		
			8%8L8%=H$AJHA@&; $&J%8JUC; $%8LU	$6)5F-
			8%8L8%=H$AJHA@><$A; $&J%8JUC; A	$-4672576
			8%8L8%=H$AJHA@><$A; $&J%8JUC; A	$-2755)
)*,3*,-+-	$-,-72	$))5F)		
			8%8L8%=H$AJHA@B;H=&CL$A; $%89M	$)E537
			8%8L8%=H$AJHA@K;9$J>D&%89M	$-735-6
: #+O)4&E),.;		&IPPJS&R		
HVE3&)4&&&>A->FN>' -@D C&&&&&&&&JUMRTRJ&		&PZLKRT&U		

' & &'&N>' 3D<N& F<E>' !EF>C

)*6*,-+-	$-+66)	$7-5-		
			8:!KCG@KA&D&H$9J8%U;	$7-5-
: #+O)4&E),.;		&ZS&M		
HVE3&)4&&&&N>' 3D<N& F<E>' !EF>C&		&ZS&M		

MV00061649

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
' & & &' : D<N& F9 -<' V				
)*+7*, -+-	$-+726	$2,5)+		
			8: !KCG@KASDBH$9J8%U;	$2,5)+
	: #+O) 4E) ,. ;	&JS&P		
HVE3 &) 4& & & &' : D<N& F9 -<' V&		&JS&P		
' & & &F &&&A<N D<AA>A3 &CVCEA9 CL&D<!				
)*+7*, -+-	$-+723	$25E-		
			8: !KCG@KASDBH$9J8%U;	$25E-
	: #+O) 4E) ,. ;	&TS&M		
HVE3 &) 4& & & & F &&&A<N D<AA>A3 &CV CEA9 CL& D<!&		&TS&M		
' &<&> &D<3 GCE>DAC L&D<!				
)*+, *, -+-	$-+E2+	$-5-		
			%&9% 8; <$B: =>?@6+-3$9><$J:	$34FE56-
			%&9% 8; <$B: =>?@)36)$AE>D9>	$E46)F5-
			%&9% 8; <$B: =>?@)36)$AE>D9>	$2E4+E65-
			%&9% 8; <$B: =>?@)36)$AE>D9>	$246-5-
			%&9% 8; <$B: =>?@,+FF$E GB>C$A;	$74FF65-
			%&9% 8; <$B: =>?@,+FF$E GB>C$A;	$)4F265-
			%&9% 8; <$B: =>?@,+FF$E GB>C$A;	$7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$E4F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$-34+25-
			%&9% 8; <$B: =>?@6+-3$9><$J:	@4FE56-
			%&9% 8; <$B: =>?@)36)$AE>D9>	@E46)F5-
			%&9% 8; <$B: =>?@)36)$AE>D9>	@2E4+E65-
			%&9% 8; <$B: =>?@)36)$AE>D9>	@246-5-
			%&9% 8; <$B: =>?@,+FF$E GB>C$A;	@74FF65-
			%&9% 8; <$B: =>?@,+FF$E GB>C$A;	@)4F265-
			%&9% 8; <$B: =>?@,+FF$E GB>C$A;	@7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@E4F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@34+25-
)*,3*, -+-	$-,-76	$,4E),56-		
			%&9% 8; <$B: =>?@6+-3$9><$J:	$.4E).56-
	: #+O) 4E) ,. ;	&JIQLUS&M		
HVE3 &) 4& & & &D<3 GCE>DACL&D<!&		&PTPLUKUS&Q		
' [AVE' L&N D<<V				
)*+7*, -+-	$-+72F	$-5-		
			8: !KCG@>?B A$G: %	$-5-
	: #+O) 4E) ,. ;	&IMB&M		
HVE3 &) 4& [AVE' L&N D<<V&		&IMB&M		

MV00061650

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
' [CFWGEA&CG>: ADWW <! A				
)*6*,-+-	$EE-,6E	$24F+F56 2		
			L%A$I: =$ 8>HI: 8@&9DBH: $G: %	$7EE563
			L%A$I: =$ 8>HI: 8@H; B>; B9C	$365+)
			L%A$I: =$ 8>HI: 8@AJH$%D>C	$ 4 E652 7
			L%A$I: =$ 8>HI: 8@>; ; : 8<	$FE5)
	: #+O) 4&E) ,. ;	&TLXPX$KT		
HVE3 &) 4& [CFWGEA&CG>: ADWW <! A&		&TLXPX$KT		
' ! ! ACC&CA! G>DEV&! F<E>FWC&D<ES&D<! S				
)*6*,-+-	$-+666	$-4 3-5-		
			A: H$J9CB;98EC L$A JH@>H$A; 8L	$F65-
			A: H$J9CB;98EC L$A JH@8H	$F65-
			A: H$J9CB;98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB;98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB;98EC L$A JH@BB: $EC A%H;	$F3-5-
	: #+O) 4&E) ,. ;	&PLMRMBM		
HVE3 &) 4& ! ! ACC&CA! G>DEV& F<E>FWC&D<ES& B<! S&		&PTLPQJ$KZ		
' ! ! FG<EA9-C				
)*6*,-+-	$-+663	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $2*+7	$E,E5-
)*+,*,-+-	$-+E2,	$7-65,6		
			; : U%&AJHA@%9G>H>$P*: $2*,3	$E,E5-
			; : U%&AJHA@%9G>H>$?I L8G	$FF5,6
)*+7*,-+-	$-+72E	$E2755-		
			; : U%&AJHA@%9G>H>$P*: $,*,	$E2755-
)*,3*,-+-	$-,-7E	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $,*7	$E,E5-
	: #+O) 4&E) ,. ;	&TLJMMBKK		
HVE3 &) 4& ! ! FG<EA9-C&		&PMLUTQ&KK		
' ! A& ' C@&A_->ACC &bUPPR				
)*6*,-+-	$-+66F	$-)+5,3		
			8: !KCG@KA$DB-H$9J8%U;	9-)+5,3
	: #+O) 4&E) ,. ;	&PUPS$R		
HVE3 &) 4& ! A& ' C@&A_->ACC&bUPPR&		&PUPS$R		
' ! A&HFFE] ' >A				
)*+7*,-+-	$-+727	$)5-7		
			8: !KCG@KA$DB-H$9J8%U;	$)5-7
	: #+O) 4&E) ,. ;	&LUS$Z		
HVE3 &) 4& ! A&HFF E] ' >A&		&LUS$Z		

MV00061651

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
' ! G<' L&VGDC& S				
	)*6*,-+-	$-+66E	$-4335)-	
			8: !KCG@GUEC$HB>; E9CS!::A	$-4335)-
	: #+0) 4&E) ,.;		&PLPRRSJM	
HVE3 &) 4& ! G<' L&VGDC& S&			&PLPRRSJM	
' 3' 9CL&9' >B&VS				
	)*6*,-+-	$-+FE2	$2+E5F2	
			8:; B&:: $U: GB-H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,.;		&TPQ&KT	
HVE3 &) 4& 3' 9CL&9' >B&VS&			&TLPQXSTM	
' 3WA>@F>CE&D<EA> <' EDF<' W&D<! S				
	)*+,*,-+-	$EE-2,F	$),65-+	
			H>CE&D: $8>E&E&L@DK:	$-)+5&F
			H>CE&D: $8>E&E&L@>WD W	$E252)
	: #+0) 4&E) ,.;		&JJKSVP	
HVE3 &) 4& 3WA>@F>CE&D<EA> <' EDF<' W&D<! S&			&JLRZXSSJ	
' 39D<CG>A				
	)*+,*,-+-	$-+E22	$48--5-	
			P8I UCA$H9U%&GUC $AJHA	$48--5-
	: #+0) 4&E) ,.;		&LRMMB&M	
HVE3 &) 4& 39E<CG>A&			&RLMMB&M	
' 3:' <! A3&AWA! E>D!				
	)*+7*,-+-	$-+7)-	$47)65-	
			:DH; $P98I @&>8IA	$7--5-
			:DH; $P98I @&>8IA	$2E5-
			:DH; $P98I @&>8IA	$2)25-
			:DH; $P98I @&>8IA	$3,5-
			:DH; $P98I @&>8IA	$6+)5-
			:DH; $P98I @&>8IA	$-EF5-
			:DH; $P98I @&>8IA	$625-
			:DH; $P98I @&>8IA	$-E25-
			:DH; $P98I @&>8IA	$-25-
			:DH; $P98I @&>8IA	$3,5-
	)*,3*,-+-	$-,-77	$)FF5-	
			:DH; $P98I @!GZ+	$3,5-
			:DH; $P98I @!GZ+	$+65-
	: #+0) 4&E) ,.;		&TLJJJSVM	
HVE3 &) 4& 3:' <! A3&AWA! E>D&			&QLKJUSVM	

MV00061652

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$45,5)+7-*46) 1#) 8&. /(#+,	-./(#+,& '()*+,012
' W! F><&HA<! A& F9 -' <V				
	)*6*,-+-	$-+63-	$ 255,	
			8: !KCG@KA$DB-H$9J8%U;	$ 256,
	: #+O) 4E) ,. ;		&TS$KJ	
HVE3 &) 4& W! F><&HA<! A& F9 -' <V&			&TS$KJ	
' WD A' L&>D @' >3				
	)*+7*,-+-	$-+7)+	$-6655-	
			UED >L: $B: BJ?K8A : U: C;	$F)56-
			UED >L: $B: BJ?K8A : U: C;	$E+5-
	: #+O) 4E) ,. ;		&PKK$KM	
HVE3 &) 4& WD A' L&>D @ >3&			&KUTS$K	
' WW&3 DC! FG<E&D<CG>' <! A&CA>: D AL&D<! S				
	)*6*,-+-	$-+63+	$7F56-	
			8: !KCG@KA$DB-H$9J8%U;	$7F56-
	: #+O) 4E) ,. ;		&ZX$KM	
HVE3 &) 4& WW&3 DC! FG<E&3CG>' <! A& CA>: D AL&3<! S&			&ZX$KM	
' WWAVL&A>D<				
	)*,3*,-+-	$-,+-+	$-5-	
			8: !KCG@>?B A$G: %	$-5-
	: #+O) 4E) ,. ;		&IMB$M	
HVE3 &) 4& WWAVL&A>D< &			&IMB$M	
' WWD <! A&>ACFG>! A& F<CGWED<NL&WW!				
	)*6*,-+-	$-+63,	$F43-5F6	
			: W H$B: H8KB U: C; $AJHA	$F43-5F6
	: #+O) 4E) ,. ;		&LJRMBKK	
HVE3 &) 4& WWD <! A&>ACFG>! A& ! F<CGWED<NL&WW! &			&LJRMBKK	
' WWD <E&D<CG>' <! A&CA>: D ACL&D<! S				
	)*6*,-+-	$-+632	$-423+5-E	
			EC AK8>CH: @%HD$ J: C; A	$-423+5-E
	: #+O) 4E) ,. ;		&PLTRP$MQ	
HVE3 &) 4& WWD <E&3CG>' <! A&CA>: D ACL&D<! S&			&PMLMMT$LQ	
' WWD <\ &WDHA&D<CG>' <! A& F				
	)*+,*,-+-	$-+E2)	$F65-	
			C9C@W U%, $>CCKB, <	$F65-
	: #+O) 4E) ,. ;		&KK$M	
HVE3 &) 4& WWD <\ &WDHA&D<CG>' <! A& F&			&KKMB$M	

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
' 9A>D ' <&[GDV&B< N&9' B<EA<' <! A&[F				
)*+7*,-+-	$-+7),-	$35),		
			8: !KCG@KAS[DB-H$9J8%U;	$35),
: #+0)4&E),.;		&RSUU		
HVE3&&)4& 9A>D ' <&[GDV&B< N& 9' B<EA<' <! A&[F&		&RSUU		
' 9A>D ' <&HF>A<CD! &<G>CAC				
)*+,*,-+-	$EE-2,E	$6E25-		
			?D99G$$8>PA	$6E25-
)*+7*,-+-	$EE-2)7	$725-		
			?D99G$$8>PA	$725-
)*,3*,-+-	$EE-2F3	$6+256-		
			?D99G$$8>PA	$6+256-
: #+0)4&E),.;		&PLPQZSZM		
HVE3&&)4& 9A>D ' <&HF>A<CD &G>CAC&		&PLXKMBTM		
' 9A>D ' <&G[WD &-F] A>& CCF! D EDF <				
)*+7*,-+-	$-+7)2	$247F65,+		
			U: U?: 8A=B%GK: A@67E+6	$33,56)
			U: U?: 8A=B%GK: A@67E+6	$242+,52F
: #+0)4&E),.;		&TZXKSIP		
HVE3&&)4& 9A>D ' <&G[WD &F] A>& ' CCF! D EDF <&		&TZXKSIP		
' 9A>D ' <&c GD B&->D<ED<N				
)*+7*,-+-	$-,-7-	$4-F65-		
			>CUD$HC; 8D$C9; B-H: A	$4-F65-
: #+0)4&E),.;		&IPXKS3M		
HVE3&&)4& 9A>D ' <&c GD B&->D<ED<N&		&TZZUSST		
' 9A>D ' <&-FE' >V&[>FF9& FS				
)*6*,-+-	$-+63)	$242+-5-,		
			A; 8: : ; $AP: : %&CL$?899U$B A	$725-7
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E75.
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E-5-6
			A; 8: : ; $AP: : %&CL$?899U$B A	$)F5-3
)*,3*,-+-	$-,+-,	$-4635-7,		
			A; 8: : ; $AP: : %&CL$?899U$B A	$-)5EE
			A; 8: : ; $AP: : %&CL$?899U$B A	$F+35-F
			A; 8: : ; $AP: : %&CL$?899U$B A	$2265-2F
: #+0)4&E),.;		&UZRRSZU		
HVE3&&)4& 9A>D ' <&-FE' >V&[>FF9& FS&		&ZTZJPSRP		

MV00061654

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
' 9 EA! @&AWA: ' EF>&CA>: D AC				
)*+7*,-+-	$-+7))	$-+E52F		
			: D J>; 98$AJH@B <$=>DD	$-+E52F
	: #+O) 4&E) ,. ;	&PPQSTX		
HVE3 &&) 4& 9 EA! @&AWA: ' EF>&CA>: D A C&		&PLXMMB&P		
' <' V' L&BD9 &>AVA				
)*+7*,-+-	$-+7)6	$6)55-		
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$E5-
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$-355-
)*,3*,-+-	$-,+-2	$655-		
			UBD >L: $B: BJ?K8A : U: C;	$655-
	: #+O) 4&E) ,. ;	&TMMB&M		
HVE3 &&) 4& <' V' L&BD9 &>AVA&		&TTKS&M		
' <3>A] CY[' BA>L&C GA				
)*+,*,-+-	$-+E26	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
)*+7*,-+-	$-+7)3	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
	: #+O) 4&E) ,. ;	&PKMB&M		
HVE3 &&) 4& <3>A] CY[' BA>L&CGA&		&KJKS&M		
' <NAW &<' DVC& &C-'				
)*6*,-+-	$-+636	$35-		
			8: !KCG@KADH9J8%U;	$35-
	: #+O) 4&E) ,. ;	&JRSRM		
HVE3 &&) 4& <NAW &<' DVC& &C-' &		&JRSRM		
' <D9' W&A9A>NA<! V & WD<D L&D<! S				
)*+7*,-+-	$-,-7+	$26-5-		
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$F-5-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$665-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
	: #+O) 4&E) ,. ;	&TKMB&M		
HVE3 &&) 4& <D9' W&A9A>NA<! V& WD<D L&D<! S&		&JLKTUS&M		

MV00061655

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
' <D9' W&-ACE&9' <' NA9A<E&CA>: D ACL &D<! S				
)*6*,-+-	$-+633	$3--5-		
			% A; 9HC; 8D@: : 9BUJD9; 9?><AE6:	$2--5-
			: U: 8L9?: : 9BUJD@ 8H	$2--5-
)*,3*,-+-	$-,+-)	$47-5-		
			% A; 9HC; 8D@5>8I A	$365-
			% A; 9HC; 8D@5>8I A	$665-
			% A; 9HC; 8D@J>8H=9I DG	$2-5-
			% A; 9HC; 8D@5>D	$--5-
			% A; 9HC; 8D@!GSZ+	$3-5-
			% A; 9HC; 8D@DI 9H 8A	$E-5-
			% A; 9HC; 8D@; >8A9?DGL	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
: #+O 4&E),.;		&IKZMMM		
HVE3 &9) 4& <D9' W&-ACE&9' <' NA9A<E& CA>: D ACL&D<! S&		&IMMMMMM		
' >[VaC				
)*6*,-+-	$-+63F	$E)5++		
			8: !KCG@KASDH9J8%U;	$E)5++
: #+O 4&E),.;		&LUSPP		
HVE3 &9) 4& >[VaC&		&LUSPP		
' >! @A>L&E>' : DC				
)*+,*,-+-	$-+E23	$+-5-		
			8: !KCG@B>; E9CS9J8%U;	$+-5-
: #+O 4&E),.;		&PMMM		
HVE3 &9) 4& >! @A>L&E>' : DC&		&PMMM		
' >! @DEA! EG>' W&3 A CDN<& &CDN<L&D<! S				
)*6*,-+-	$-+63E	$75)7		
			8: !KCG@KASDH9J8%U;	$75)7
: #+O 4&E),.;		&ZS&Z		
HVE3 &9) 4& >! @DEA! EG>' W&3 ACDN<& &CDN<L& D<! S&		&ZS&Z		
' >! @D A&9' <' NA9A <E&CA>: D A				
)*+7*,-+-	$-+7)F	$-4236552		
			9!!AB: 9A; 98>L: @HB <9HD 8I A	$-4236552
: #+O 4&E),.;		&PTRKSKT		
HVE3 &9) 4& >! @D A&9' <' NA9A<E&CA>: D A&		&PTTUTS&Z		

MV00061656

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
' >! F& 97-9 &&' > &] ' C@				
)*6*,-+-	$-+637	$2-5 E		
			8: !KCG@KAS[DH$9J8%J;	$2-5 E
: #+O) 4&E) ,. ;		&TMSQ		
HVE3 &&) 4& > ! F & 97-9 &&' > &] ' C@&		&TMSQ		
' >A' M] ACE&HA<! A& ! F				
)*+7*,-+-	$-+7) E	$65-		
			8: !KCG@KAS[DH$9J8%J;	$65-
: #+O) 4&E) ,. ;		&KSVM		
HVE3 &&) 4& > A' M] A CE&HA< ! A& F &		&KSVM		
' >>F] @A' 3 &] ' EA>				
)*6*,-+-	$-+6F-	$6-5-		
			P; 8$4K8E1$BC; D@CUD[A=D, 8	$6-5-
			P; 8$4K8E1$BC; D@8$H; 8	$65-
			P; 8$4K8E1$BC; D@%HD[GEA;	$65-
			P; 8$4K8E1$BC; D@: H=$AJHA	$65-
			P; 8$4K8E1$BC; D@8H	$65-
)*+,*,-+-	$-+E2F	$65-		
			P; 8$4K8E1$BC; D@>H$CCW	$65-
)*+7*,-+-	$-+7) 7	$65-		
			P; 8$4K8E1$BC; D@; >8A	$65-
)*,3*,-+-	$-,+-6	$2)-5FE		
			P; 8$4K8E1$BC; D@HB<$->D	$-,65+
			P; 8$4K8E1$BC; D@HB<$<>8G	$65-
			P; 8$4K8E1$BC; D@8CA$ 8D8	$65-
			P; 8$4K8E1$BC; D@F8>8<	$65-
			P; 8$4K8E1$BC; D@AS[3	$65-
			P; 8$4K8E1$BC; D@AS[) E	$65-
			P; 8$4K8E1$BC; D@AS[,	$65-
			P; 8$4K8E1$BC; D@AS[6E	$-65FF
			P; 8$4K8E1$BC; D@AS[7+	$65-
			P; 8$4K8E1$BC; D@AS[36	$65-
: #+O) 4&E) ,. ;		&KUVBKQ		
HVE3 &&) 4& > > F] @A' 3 &] ' EA> &		&KLKRT$KX		
' C@VAVL&E@F9' C				
)*,3*,-+-	$-,+-3	$6-5-		
			8: !KCG@8>%&G: %9AB	$6-5-
: #+O) 4&E) ,. ;		&KVBVM		
HVE3 &&) 4& C@VAVL&E@F 9' C&		&KVBVM		

MV00061657

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
' CD <&D9-F>E&9' > BAE				
)*6*,-+-	$-+6F+	$3F57)		
			8: !KCG@KADBH9J8%U;	$3F57)
: #+0) 4&E),.;		&RXSZU		
HVE3&&) 4& CD <&D9-F>E&9' > BAE&		&RXSZU		
' CCF! D EA3&A<ND< AA>CL&D<! S				
)*+7*,-+-	$-+76-	$,-46,-5-		
			=: >H9HI $A; $PE&G: C E&CL$%&89M$AJHA	$-46,-5-
: #+0) 4&E),.;		&JMKJMB&M		
HVE3&&) 4& CCF! D EA3&A<ND< AA>CL&D<! S&		&KRLQXUSPP		
' CCF! D E&F<&C&Ac GDEV&9' <' NA9A<EL&D<!				
)*+7*,-+-	$-+76+	$,57F		
			8: !KCG@KADBH9J8%U;	$,57F
: #+0) 4&E),.;		&JJSZX		
HVE3&&) 4& CCF! D E&F<&C&Ac GDEV& 9' <' NA9A<EL&D<! &		&JJSZX		
' E` E&9F[DWDEV				
)*6*,-+-	$-+6F,	$7,526		
			H9UUKCBH>; E9C$AJ HA@)?D$HUUCG	$7,526
)*,3*,-+-	$-,+-F	$7,5),		
			H9UUKCBH>; E9C$AJ HA	$7,5),
: #+0) 4&E),.;		&PCLJSXX		
HVE3&&) 4& E` E&9F [DWDEV&		&PLLVPPSRJ		
' E` E79! D				
)*+,*,-+-	$-+E2E	$9-E2567		
			H9UUKCBH>; E9C$AJ HA@1; !	9-E2567
: #+0) 4&E),.;		&PCTS$KZ		
HVE3&&) 4& E` E79! D&		&PLCTRSLQ		
**' : DW L&N>DCAW&' **				
)*+7*,-+-	$-+76,	$635--		
			8: !KCG@CUD$AJHA$! : : A	$2-5-
			8: !KCG@CUD$AJHA$! : : A	$9-5-
			8: !KCG@CUD$AJHA$! : : A	$9-35-
: #+0) 4&E),.;		&KRS$M		
HVE3&&) 4& : DW L&N>DCAW&' &		&KRS$M		
[' ! @A>L&N>' ! A				
)*6*,-+-	$-+6F)	$2-65--		
			8: ; B&: : $U: GBH>D&?: C: !B	$2-65--
: #+0) 4&E),.;		&TMKSRM		
HVE3&&) 4&[' ! @A>L&N>' ! A&		&ILUTRSLP		

MV00061658

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
[' >< ACL&3' >WA< A					
	)*6*,-+-	$-+FE)	$9-+)55-		
				8:; B&B:: $U: GB+>D&?: C: !B	$9-+)55-
	: #+O) 4&E),.;		&PPUSXM		
HVE3 &&) 4&[' >< ACL&&' >WA< A&			&PLPPKSXR		
[' >F< & FFW&- W CE A>D< N &FH&CFS&[' S					
	)*6*,-+-	$-+6F6	$ 3572		
				8: !KCG@KASDB+$9J8%U;	$ 3572
	: #+O) 4&E),.;		&JRSZT		
HVE3 &&) 4&[' >F< & FFW&- W CEA>D< N&F H&CFS&[! ' S&			&JRSZT		
[' CD &[' ! BHWF]					
	)*6*,-+-	$-+6F3	$2-5--		
				?>HI !D9P$: A; BCL	$2-5-
	: #+O) 4&E),.;		&TMBM		
HVE3 &&) 4&[' CD &[' ! BHWF] &			&PLTJUSRK		
[' EEA>V\ F< AL&D< ! S					
	)*,3*,-+-	$-,+-E	$24)F65-,		
				?>;;: 8B A@&9DB+: $G: %;	$24)--5-
				?>;;: 8B A@>D A$; >W	$7F56-
				?>;;: 8B A@=B%BCL	$F65-,
				?>;;: 8B A@>D A$; >W&-HH8K>D	@7F56-
	: #+O) 4&E),.;		&TLUXKSPJ		
HVE3 &&) 4&[' EEA>V\ F< AL&D< ! S&			&TLUXKSPJ		
[A' >& ' WWAV& WA' <A>C					
	)*+7*,-+-	$-+762	$7-57,		
				8: !KCG@KASDB+$9J8%U;	$7-57,
	: #+O) 4&E),.;		&ZMEZJ		
HVE3 &&) 4&[A' >& ' WWAV& WA' <A>C&			&ZMEZJ		
[A! B<A>L& ' E>D B					
	)*6*,-+-	$-+6FF	$7,25F-		
				8:; B&B:: $U: GB+>D&?: C: !B	$7,25F-
	: #+O) 4&E),.;		&ZJTSXM		
HVE3 &&) 4&[A! B<A> L& ' E>D B&			&PLXKMBPM		
[AWWD< N L&ACCD ' & S					
	)*6*,-+-	$-+6FE	$7+)5E		
				8: !KCG@GUBD$HB>; B9CS!: : A	$7+)5E
	: #+O) 4&E),.;		&ZPUSMQ		
HVE3 &&) 4&[AWWD< N L&ACCD ' & S&			&ZPUSMQ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
[A9GC&W <3C! '-AL &3<! S				
)*6*, -+-	$-+6F7	$-3,5)E		
			&8&LGUL&: %> &A@9H$%&9M H;	$-3,5)E
)*+, *, -+-	$-+E27	$-F4/E)533		
			D>CGAH>% 3U>&C; @)	$2655F
			D>CGAH>% 3U>&C; @)	$72655-
			D>CGAH>% 3U>&C; @)	$7,52,
			D>CGAH>% 3U>&C; @)	$-7257,
			D>CGAH>% 3U>&C; @)	$--+53E
			D>CGAH>% 3U>&C; @)	$FF56
			D>CGAH>% 3U>&C; @)	$-6496-573
			D>CGAH>% 3U>&C; @)>	$23F53)
			D>CGAH>% 3U>&C; @2>	$,756
			&8&LGUL&: %> &@&A?$H9CJ$%&9M	$---56F
	: #+O)4&E),.;	&PQUPUX$PU		
HVE3&)4&[A9GC&W <3C! '-AL&3<! S&		&JMKLUZX$&R		
[A<&[WGA&3:9L&9C				
)*+, *, -+-	$-+E)-	$F)-5-		
			:U: 8L$I:; $AJHA	$56-5-
			:U: 8L$I:; $AJHA	$-7-5-
)*, 3*, -+-	$-, ++-	$-765-		
			:U: 8L$I:; $AJHA	$-765-
	: #+O)4&E),.;	&TKS&M		
HVE3&)4&[A<&[WGA&3:9L&9C&		&TKS&M		
[A<ACVCE				
)*+7*, -+-	$EE-26,	$-5-2		
			H9?8>$AK?A&5<@%8, -+-	$-)52
			H9?8>$AK?A&5<@%8, -+-	$5F-
	: #+O)4&E),.;	&JMPT		
HVE3&)4&[A<ACVCE&		&JMS&R		
[A<ACVCEL&3<! S				
)*, 3*, -+-	$-, +++	$F-52)		
			!D W$>GU&C$AJHA	$,652)
			!D W$>GU&C$AJHA	$)65-
	: #+O)4&E),.;	&JXMSTU		
HVE3&)4&[A<ACVCEL&3<! S&		&JZCQ5&R		
[A<HF>3L&9D @' AW				
)*, 3*, -+-	$-, ++,	$365-		
			8: !KCG@&C; D&G: %	$365-
	: #+O)4&E),.;	&RKS&M		
HVE3&)4&[A<HF>3L&9D @ AW&		&RKS&M		

MV00061660

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
[ACEL&[ACE& &B> DANA> L&WW-				
)*+,*,-+-	$-+E)+	$-E25-		
			D L>D&AJHA	$-+655-
			D L>D&AJHA	$3F56-
)*,3*,-+-	$-,++2	$-2-55)		
			D L>D&AJHA	$6,55-
			D L>D&AJHA	$3E526
			D L>D&AJHA	$7537
: #+O 4&E),.;		&TPT$KU		
HVE3 &B) 4&[ACEL&[ACE& &B> DANA> L&WW- &		&PTLTQZ$RU		
[A: DWWA:C& D> & F <3 DEDF <D<N				
)*6*,-+-	$-+6E-	$-5F6		
			8: !KCG@KAS DB-H$9J8%U;	$-5F6
: #+O 4&E),.;		&JMBKK		
HVE3 &B) 4&[A: DWWA:C& D> & F <3 DEDF <D<N &		&JMBKK		
[DF YEF_&W [F>' EF>DAC				
)*+7*,-+-	$-+76)	$248E75E		
			; 9WB-H9D9L<$: A; A	$-F5F
			; 9WB-H9D9L<$: A; A	$-46E5+
			; 9WB-H9D9L<$: A; A	$4.)57-
: #+O 4&E),.;		&TIRQZ$ZQ		
HVE3 &B) 4&[DF YEF_&W [F>' EF>DAC&		&TRIPZZS$K		
[DEC&[VEAC& &9 F> A				
)*+7*,-+-	$-+766	$F-572		
			8: !KCG@KAS DB-H$9J8%U;	$F-572
: #+O 4&E),.;		&IMBXT		
HVE3 &B) 4&[DEC&[V EAC& &9 F> A&		&IMBXT		
[WGA&C@DAW3 &F H& ' WDHF><D				
)*+7*,-+-	$-+763	$6,,5EF		
			=:>D,=$&CA$%8: UBKU	$FE5E6
			=:>D,=$&CA$%8: UBKU	$))5.
: #+O 4&E),.;		&KJJ$$X		
HVE3 &B) 4&[WGA&C@DAW3 &F H& ' WDHF><D &		&ZLPKQ&M		
[F[F&DL&HAWD_				
)*6*,-+-	$-+6E+	$F+5-		
			UBD >L: $B: BJ?K8A : U: C;	$F+5-
)*,3*,-+-	$-,++)	$3,5-		
			UBD >L: $B: BJ?K8A : U: C;	$3,5-
: #+O 4&E),.;		&PTT$M		
HVE3 &B) 4&[F[F&DL&HAWD_ &		&RTP$PK		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
[-&] ACE& F' CE&> F3G! ECL&WW!				
)*6*,-+-	$-+6E,	$5F5 7		
			8: !KCG@KAS□B-H$9J8%U;	$25+
			8: !KCG@KAS□B-H$9J8%U;	$2)5-E
: #+O 4&E),.;		&XS&Z		
HVE3&) 4&[-&] ACE& F' CE&> F3G! ECL&WW! &		&PUX&Z		
[-C&E' ! ED ' WL&D< !				
)*,3*,-+-	$-,++6	$-E5 7		
			%&; H= : A@&9□B-H: $G : %	$E5-
			%&; H= : A@&9□B-H: $G : %	$75-7
: #+O 4&E),.;		&PQ&Z		
HVE3&) 4&[-C&E' ! ED ' WL&D< ! &		&ZS&K		
[>□EF L&E>' ! V				
)*+,*,-+-	$-+E),	$2F5-		
			8: !KCG@=: D : 8$!: :	$2F5-
: #+O 4&E),.;		&TX&M		
HVE3&) 4&[>□EF L&E>' ! V&		&TX&M		
[>FF BCL&BA9 AE@>'				
)*+7*,-+-	$-+76F	$-,,5-		
			8: !KCG@>; = $B: LB&;	$-,,5-
: #+O 4&E),.;		&PJJ&M		
HVE3&) 4&[>FF BCL&BA9 AE@>' &		&PJJ&M		
[G! BD< N@ 9 L&CE' <				
)*6*,-+-	$-+6E2	$2+E5F2		
			8: ; B&: : $U: G-H>D&?: C: !B	$2+E5F2
: #+O 4&E),.;		&TPQ&T		
HVE3&) 4&[G! BD< N@ 9 L&CE' < &		&PLJXU&J		
[G>WD< NEF< & F' E&H' ! EF>V&FH& ' L&WW!				
)*6*,-+-	$-+6E)	$-47FF5-		
			8: !KCG@KAS□B-H$9J8%U;	$-47FF5-
: #+O 4&E),.;		&PZXX&M		
HVE3&) 4&[G>WD< NEF< & F' E&H' ! EF>V&FH& ! ' L&WW! &		&PZXX&M		
! &@&' &D<! S				
)*6*,-+-	$-+6E6	$)5-		
			8: !KCG@KAS□B-H$9J8%U;	$)5-
: #+O 4&E),.;		&JU&PM		
HVE3&) 4&[&@&' &D<! S&		&JU&PM		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
! ' &CE' EA&EA' ! @A> &C&>AED>A9A<E&CV CEA9				
	)*+2*, -+-	$--)-6+	$-, 4-F-5,	
			>CCD&D 8*H8: G; &7F&H=&B: ! B&H9%A	$-, 4-F-5,
	: #+0) 4&E) ,. ;		&PJLPXM&J	
HVE3 &&) 4&: ' &CE' EA&EA' ! @A> &C&>AED>A9A<E& CVCEA9 &			&PJLPXM&J	
! ' D<L&N>ANF>V				
	)*6*, -+-	$ -+FE6	$2+E5F2	
			8: ; &B: : $U: G&H>D&?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&: ' D<L&N>ANF>V&			&UKUZ&SK	
! ' W : A>' C&CE' <3' >3 &9' EA>D WC				
	)*, 3*, -+-	$ -, ++3	$F) F5 2	
			H: U: C; $%K8H=>A:	$F) F5 2
	: #+0) 4&E) ,. ;		&UUX&T	
HVE3 &&) 4&: ' W : A>' C&CE' <3' >3 & 9' EA>D WC&			&UMPPX&Q	
! ' WDHF><D &[GDV&D<N&CE' <3' >3C& F 9 9 DCCDF<				
	)*+, *, -+-	$ -+E) 2	$3275/-	
			% 8UB $I>DK>; &9C $I: : A	$3275/-
	: #+0) 4&E) ,. ;		&RTZ&M	
HVE3 &&) 4&: ' WDHF><D &[GDV&D<N&CE' <3' >3C ! F 9 9 DCCDF< &			&LJUU&RM	
! ' WDHF><D &3A-' >E9A<E&F H&HDC@& <3&N' 9A				
	)*6*, -+-	$ -+6E3	$&3-5 6	
			U>M98$-U: CGUC; $I : : @83-*C>A9C	$&3-5 6
	: #+0) 4&E) ,. ;		&KRM&K	
HVE3 &&) 4&: ' WDHF><D &&A-' >E9A<E&F H&HDC@& ' <3&N' 9A&			&KLCPM&K	
! ' WDHF><D & F F WC& &C-' CL&D<! S				
	)*+7*, -+-	$ -+76E	$ E5-6	
			8: ! KCG@KA&DH&9J8%U;	$ E5-6
	: #+0) 4&E) ,. ;		&JQ&PK	
HVE3 &&) 4&: ' WDHF><D & F F WC& &C-' C L&D<! S&			&JQ&PK	
! ' WDHF><D &[' EA>C@A3 &A<ND<AA>D<N & F>-S				
	)*, 3*, -+-	$EE-2FF	$&--5 6	
			%&9! $AJHA@&>-7-- , 6	$&--5 6
	: #+0) 4&E) ,. ;		&KM&K	
HVE3 &&) 4&: ' WDHF><D &[' EA>C@A3 & A<ND<AA>D<N& F>- S&			&LJXP&K	

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
! ' W: ' >V& @' -AW&F H&9 F>A< F& ' WWAV				
)*+7*,-+-	$-+767	$--5-		
			8: !KCG@&C; D&G: %	$--5-
: #+0) 4&E) ,. ;		&PMVB&M		
HVE3 &&) 4&: ' W: ' >V& @ -AW&F H&9 F>A< F& :' WWAV&		&PMVB&M		
! ' <<F<L& <' &9 S				
)*6*,-+-	$-+6EF	$2+E5F2		
			8: ; &&: : $J: GB&H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&: ' <<F<L& <' &9 S&		&PLJXUSZJ		
! ' <F<&HD<' <! D W&CA>: D ACL&D<! S				
)*6*,-+-	$-+6EE	$F467-5&E		
			H9%B 8$D >A:	$F4 675 7
			H9%B 8$D >A: @>D: A$ >W	$&2+527
: #+0) 4&E) ,. ;		&XLKZMVRQ		
HVE3 &&) 4&: ' <F<&HB' <! D W&CA>: D ACL&&<! S&		&KKZMVRSSM		
! ' >[F<AL&N' [>D&W'				
)*,3*,-+-	$-,++F	$-2,5-		
			E&A; 8KH; 98$AJHA@9D D98&H$G>CH	$-2,5-
: #+0) 4&E) ,. ;		&PTJS&M		
HVE3 &&) 4&: ' >[F<AL&N' [>D&W' &		&KPTS&M		
! ' >EA>L&>FC' W<				
)*6*,-+-	$-+FE3	$&7)5-		
			8: ; &&: : $J: GB&H>D&?: C: !B	$&7)5-
: #+0) 4&E) ,. ;		&ZUS&M		
HVE3 &&) 4&: ' >EA>L&>FC' W<&		&JLXRRSTR		
! ' CBAVL&&A[>' & S				
)*6*,-+-	$-+FEF	$2+E5F2		
			8: ; &&: : $J: GB&H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&: ' CBAVL&&A[>' & S&		&JLKLZSSK		
! A>EDHDA3 & >A3 DE &>A- F>ED<N L&D<!				
)*+7*,-+-	$-+73-	$-E522		
			H8: GB $%&89! ED $A JHA	$-E522
: #+0) 4&E) ,. ;		&PQ&ST		
HVE3 &&) 4&: A>EDHDA3 & >A3 DE&>A- F>E D<N L&D<! &		&PZRSPQ		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$45,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
! @' <! VL& @D G>G					
	)*,3*,-+-	$-,++E	$-325E-		
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$7253-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 35E-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 25)-
	: #+O) 4&E) ,. ;		&PRTS&M		
HVE3 &) 4&I @ <! VL& @D G>G&			&PILUXS&M		
! @' <3 WA>& CCAE&9 ' <' NA9A<EL&D<!					
	)*+7*,-+-	$EE-262	$347+75-		
				EC J: A; U: C; $JL; $A JHA	$347+75-
	: #+O) 4&E) ,. ;		&RIZPZS&M		
HVE3 &) 4&I @ <3 WA>& CCAE&9 ' <' NA9A <EL& B<! &			&RIZPZS&M		
! @' -9' <L&CEA: A					
	)*6*,-+-	$-+6E7	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQS&T		
HVE3 &) 4&I @ -9' < L&CEA: A&			&TIPQXS&M		
! @' --AWWL&DC' ' !					
	)*6*,-+-	$-+67-	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQS&T		
HVE3 &) 4&I @ --AWW&DC' ' ! &			&TIPQXS&M		
! @' : A\ L& <NAW 7^ FCA					
	)*6*,-+-	$-+67+	$2-5-		
				8: !KCG$-CUD$AJHA$I: : A	$-5-
				8: !KCG@CUD$AJHA$I: : A	$-5-
	: #+O) 4&E) ,. ;		&TMB&M		
HVE3 &) 4&I @ : A\ L& <NAW 7^F CA&			&TMB&M		
! @A>>V& ' WWAV&HA A3					
	)*+7*,-+-	$-+73+	$-+65-6		
				G9L$I 99G@7$U>W	$-+65-6
	: #+O) 4&E) ,. ;		&PPKS&K		
HVE3 &) 4&I @A>>V& ' WWAV&HAA3 &			&PIRXXS&U		
! @D<ACA&N FG>9AE					
	)*+7*,-+-	$-+73,	$6F5-		
				8: !KCG@KADEH9J8%U;	$6F5-
	: #+O) 4&E) ,. ;		&XS&M		
HVE3 &) 4&I @B ACA &N F G>9 AE&			&XS&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
! @>DCED <L&F] A<					
	)*6*,-+-	$-+FEE	$-7)552		
				8: ; B3: : $U: GBH>D$?: C: !B	$-7)552
	: #+O)4&E),.;		&PZUSKT		
HVE3 &) 4& @> DCED <L&F] A<&			&LJJMBKR		
! @GW & DCE' & FWD! A&HFG<3' EDF<					
	)*+7*,-+-	$-+732	$-6-5-		
				A9$H>$L>CL$H9C! $@>$F@E	$6-5-
				A9$H>$L>CL$H9C! $@>$F@E	$6-5-
				A9$H>$L>CL$H9C! $@>$F@E	$6-5-
	: #+O)4&E),.;		&PKMBMM		
HVE3 &) 4& @GW & DCE' & FWD A&HFG<3' EDF<&			&PKMBMM		
! D<3V&H' >>' >&H' 9 DW&3' V! ' >A					
	)*6*,-+-	$-+67,	$35)2		
				8: !KCG@KADBH9J8%U;	$35)2
	: #+O)4&E),.;		&IRSJT		
HVE3 &) 4& D<3V&H' >>' >&H' 9 DW&3' V! ' >A&			&IRSJT		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
! D<E' C& F>-F>' EDF<				
	)*6*,-+-	$-+67)	$2-F5-	
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$-35E
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$+5)-
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$+5)-
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@&; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@&; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@&; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$)5E
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$)5E
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJH@&; 8B%&ECLH8: P	$-2EE
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
	)*+,*,-+-	$-+E)6	$+-52	
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJHA@&>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJHA@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJHA@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJHA@&BLCECLH8: P	$-2EE
			KCH98U$BC; D$AJHA@&BLCECLH8: P	$-2EE
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-5-7E
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-5-7E
			KCH98U$BC; D$AJHA@J>H$J>E$C;	$-356
	)*+7*,-+-	$-+73)	$E-53)	
			KCH98U$BC; D$AJH@&>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJH@I!G$A; >!!	$-5-7E
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
	)*,3*,-+-	$-,+,-	$7,E52	
			KCH98U$BC; D$AJH@&; $J>E$C;	$.E5-
			KCH98U$BC; D$AJH@&; $J>E$C;	$)+57
			KCH98U$BC; D$AJH@&; $J>E$C;	$E35)7
			KCH98U$BC; D$AJH@&; $J>E$C;	$335)7
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
			KCH 98U$BC; D$AJH@1.9DI $H8A	$65E6
			KCH 98U$BC; D$AJH@1.9DI $H8A	$65E6
			KCH 98U$BC; D$AJH@1.8>!! B, E$H8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B, E$H8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B, E$H8: P	$E52F
			KCH 98U$BC; D$AJH@NKB'&U>EC;	$+5)-
			KCH 98U$BC; D$AJH@NKB'&U>EC;	$+5)-
			KCH 98U$BC; D$AJH@NKB'&U>EC;	$+5)-
			KCH 98U$BC; D$AJH@8: : $U>EC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>EC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>EC;	$E52F
			KCH 98U$BC; D$AJH@&; $AP: : %&EC L	$65E
			KCH 98U$BC; D$AJH@&; $AP: : %&EC L	$65E
			KCH 98U$BC; D$AJH@&; $AP: : %&EC L	$65E
			KCH 98U$BC; D$AJH@&; $G8C$U>EC;	$ 5F7
			KCH 98U$BC; D$AJH@&; $G8C$U>EC;	$ 5F7
			KCH 98U$BC; D$AJH@&; $G8C$U>EC;	$ 5F7
			KCH 98U$BC; D$AJH@9CH$U>EC;	$E52F
			KCH 98U$BC; D$AJH@9CH$U>EC;	$E52F
			KCH 98U$BC; D$AJH@9CH$U>EC;	$E52F
			KCH 98U$BC; D$AJH@8>!! B H$U>EC;	$+52
			KCH 98U$BC; D$AJH@&L CEC L $H8: P	$+25E6
			KCH 98U$BC; D$AJH@%>8I A	$625+
			KCH 98U$BC; D$AJH@!GS2+	$-5'E
			KCH 98U$BC; D$AJH@>H$U>EC;	$+3536
	: #+0) 4&E) ,. ;	&PLKJRSRM		
HVE3 &) 4& E' C& F>-F>' E F<&		&RLKZMBKM		
! EV&FH&9 F>A<F& ' WWAV& A[' &E>GCE				
	)*+,*,-+-	$EE-2,7	$ 43,55-	
			: W U% $I: ?>	$ 43,55-
	: #+0) 4&E) ,. ;	&JLMRJSKM		
HVE3 &) 4& EV&FH&9 F>A<F& ' WWAV& A[' & E>GCE&		&JJLPRJSKM		
! D D CEF<A				
	)*+,*,-+-	$EE-22-	$ 665-	
			H9CAKD, EC L $AJHA	$ 665-
	: #+0) 4&E) ,. ;	&IKKSMM		
HVE3 &) 4& D D CE F<A&		&ZLXPMZM		
! W VEF<L&CD9 F<<A				
	)'6*,-+-	$-+676	$-5-	
			8: !KCG@&>?B A$I: : $G: %9AB,	$-5-
	: #+0) 4&E) ,. ;	&IMBMM		
HVE3 &) 4& W VEF<L&CD9 F<<A&		&IMBMM		

MV00061668

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
! WD<D ' &9A3D ' & ' >' &EF3FC					
	)*6*,-+-	$-+673	$7-55)		
				8: !KCG@KASDBH$9J8%U;	$7-55)
	: #+O)4&E),.;		&ZMBKU		
HVE3&&)4&WB<D ' &9A3D ' &' >' &EF3FC&			&ZMBKU		
! <F' &>ANDF<&					
	)*6*,-+-	$-+67F	$-265-		
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
	: #+O)4&E),.;		&PTKSM		
HVE3&&)4&<F' &>ANDF<&&			&RXKSM		
! F' CE&CDN<&D<!					
	)*+7*,-+-	$-+736	$F5-7		
				8: !KCG@KASDBH$9J8%U;	$F5-7
	: #+O)4&E),.;		&JXSKZ		
HVE3&&)4&F' CE&CDN<&D<! &			&JXSKZ		
! FWF<D W&CG--WA9A<E' W&D<CG>' <! A					
	)*,3*,-+-	$-,+,+	$F4-2F552		
				AK%%D U: C; >D&CA K8>CH:	$F4-2F552
	: #+O)4&E),.;		&LPTXSRT		
HVE3&&)4&FWF<D W&CG--WA9A<E' W& B<CG>' <! A&			&ZLMKTSKQ		
! F9&&FF>& &@' >3]' >AL&D<!					
	)*+7*,-+-	$-+733	$F7552		
				8: !KCG@KASDBH$9J8%U;	$F7552
	: #+O)4&E),.;		&ZSKT		
HVE3&&)4&F9&&FF>& &@' >3]' >AL&D<! &			&ZSKT		
! F99G<DEV&@A' WE@& @' >DEDAC					
	)*+,*,-+-	$-+E)3	$-6+5)F		
				H=H$H9C; 8B?K; B9CA	$-6+5)F
	)*,3*,-+-	$-,+,,	$-6+5)F		
				H=H$H9C; 8B?K; B9CA	$-6+5)F
	: #+O)4&E),.;		&TMUSZU		
HVE3&&)4&F99G<DEV&@A' WE@& @ >DEDAC&			&QLMPQ&JT		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
! F9-AEDED A&CE>D3A				
)*6*,-+-	$-+67E	$-4)E75EE		
			A%&98; A$-P>8GA	$-4)E75EE
)*+7*,-+-	$-+73F	$-4-F5E)		
			A%&98; A$-P>8GA	$-4-F5E)
	: #+0)4&E),.;	&JILZXSKJ		
HVE3&8)4&I F9-AEDED A&CE>D3A&		&KIPTRSTQ		
! F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >				
)*+,*,-+-	$-+E)F	$-2F5E7		
			D L>D&AK?AH8B%B9C	$-2F5E7
	: #+0)4&E),.;	&PTXSSZ		
HVE3&8)4&I F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >&		&KCKSSX		
! FCE! F				
)*6*,-+-	$-+677	$-46-65,F		
			UBAHSAK%%CBA@I= BDGA$%CH	$-46-65,F
)*+,*,-+-	$-+E)E	$233552		
			UBAHSAK%%CBA@I ; $%>8I	$233552
)*+7*,-+-	$-+737	$-422+5,)		
			UBAHSAK%%CBA@; >8A	$6EEE)
			UBAHSAK%%CBA@; >8A	$-F563
			UBAHSAK%%CBA@; >8A	$3653E
			UBAHSAK%%CBA@; >8A	$-36557
			UBAHSAK%%CBA@; >8A	$3F5F
			UBAHSAK%%CBA@; >8A	$-65,
			UBAHSAK%%CBA@G G	$3+5E
)*,3*,-+-	$-,+,2	$27F5)		
			UBAHSAK%%CBA@I= BDGA$%CH	$FF5-2
			UBAHSAK%%CBA@; >8A	$EF5F3
			UBAHSAK%%CBA@; >8A	$-)-52
			UBAHSAK%%CBA@; >8A	$7,53,
	: #+0)4&E),.;	&TERMMBKQ		
HVE3&8)4&I FCE! F&		&JKCTJPSZP		
! FCEDMF] L&9' >V&^F				
)*+,*,-+-	$-+E)7	$5)55-		
			8: !KCG@B>; BDC$$BAUBAA: G	$5)55-
	: #+0)4&E),.;	&KUSKM		
HVE3&8)4&I FCEDMF] L&9' >V&F&		&KUSKM		

MV00061670

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
! FG<CAWD<N&EA' 9L&E@A				
)*+, *, -+-	$-+E6-	$-46-5-		
			: U%D9<: : $HCADCL$AJHA	$-46-5-
)*, 3*, -+-	$-, +,)	$-46-5-		
			: U%D9<: : $HCADCL$AJHA	$-46-5-
: #+O 4&E) ,. ;		&JLKMVB&M		
HVE3 &) 4&I FG<CAWD<N&EA' 9L&E@A&		&PJLKMVB&M		
! FG<E>V&CcGD>A&A CE' EAC				
)*+7*, -+-	$-+7F-	$-365F,		
			8: !KCG@&; $KA: 8$>W A	$7-5'E
			8: !KCG@&; $KA: 8$>W A	$F)5F)
: #+O 4&E) ,. ;		&PRKSXJ		
HVE3 &) 4&I FG<E>V&CcGD>A&ACE' EAC&		&RMZSPT		
! FG<EV&FH&>D A>C D&A&&>9' -				
)*+, *, -+-	$-+E6+	$)+56		
			8: H98G>; E9C$BNA; A	$)+56
: #+O 4&E) ,. ;		&PSSK		
HVE3 &) 4&I FG<EV&FH&>D A>CD&A&&>9' -&		&TRRSRM		
! FG<EV&FH&>D A>C D&A& G3DEF>				
)*6*, -+-	$-+3--	$E4)35-		
			%>8I ECL$HC; 8D9: : A	$342, -5-
			%>8I ECL$HC; 8D9: : A	$-47, 35-
: #+O 4&E) ,. ;		&QJURSM		
HVE3 &) 4&I FG<EV&FH&>D A>CD&A& G3DEF>&		&ZKQVUSZK		
! >' <A& >! @DEA! EG >' W&N>FG-				
)*+, *, -+-	$-+E6,	$4)-65-		
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$-4F+65-
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$37-5-
: #+O 4&E) ,. ;		&JLUMKSM		
HVE3 &) 4&I >' <A& >! @DEA! EG>' W&N>FG-&		&RLXMVB&M		
! >F] <& ' CEWA&9GL&WW				
)*6*, -+-	$-+3-+	$2+52-		
			8: !KCG@KASDBH$9J8%U;	$2+52-
: #+O 4&E) ,. ;		&TPSTM		
HVE3 &) 4&I >F] <& ' CEWA&9GL&WW&		&TPSTM		

MV00061671

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! E' D&' ! DHD &N>AA<C! ' -A					
	)*,3*,-+-	$EE-2FE	$)477F5-2		
				D>CGAH>% 3J>E&; @GAL+P	$)4E7F5-2
				D>CGAH>% 3J>E&; @GAL+P	$F65-6
				D>CGAH>% 3J>E&; @GAL+P	$)5F6
	: #+O)4&E),.;		&JZZXS/T		
HVE3&)4& E' D&' ! DHD &N>AA<C! ' -A&			&KJLVPPS/K		
! GA:' CL&B' ED&A					
	)*+7*,-+-	$-+7F+	$2F53-		
				8:!KCG@BJ:$198$9;A	$2F53-
	: #+O)4&E),.;		&TXSRM		
HVE3&)4& GA:' CL&B' ED&A&			&TXSRM		
3& &3&CA>:D AC&3 [' &3& &3&3 DC-FC' WL&D<!S					
	)*+7*,-+-	$-+7F,	$F)65-		
				GB&%9A>D&AJHA@C UD&A=D,8	$F)65-
	: #+O)4&E),.;		&UKS/M		
HVE3&)4& & &3&CA>:D AC&3 [' &3& &3& 3DC-FC' W&3<!S&			&UERMVB/M		
3& &C&N F<CE>G! E DF<					
	)*6*,-+-	$-+3-,	$F65-		
				8:!KCG@KASDBH$9J8%U;	$F65-
	: #+O)4&E),.;		&KS/M		
HVE3&)4& & &C&N F<CE>G! ED F<&			&KS/M		
3&N&C&W <3C! ' -AL&D<!					
	)*6*,-+-	$-+3-2	$752E		
				8:!KCG@KASDBH$9J8%U;	$752E
	: #+O)4&E),.;		&ZSTQ		
HVE3&)4& &N&C&W <3C! ' -AL&D<!&			&ZSTQ		
3' DW&N FG><' W&N F>-F>' ED F<					
	)*6*,-+-	$-+3-)	$F6253)		
				AK?AH8B%;$9CS$BCP D@>GM	$F6253)
	: #+O)4&E),.;		&KTSRU		
HVE3&)4& ' DW&N FG><' W&N F>-F>' ED F<&			&RLTUZSRU		
3' WAL&B' E@WAA<					
	)*6*,-+-	$-+FE7	$2+6557		
				8:;B&:: 3J:GBH>D&?:C:!B,	$2+6557
	: #+O)4&E),.;		&TPKS&Z		
HVE3&)4& ' WAL&B' E@WAA<&			&TLPKQ&KU		

MV00061672

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	8888888888888 8888888888888 8888888 3#1$456,5)+7-*46) 1#8) 88&./(#+,	-./(#+,& '()*+,012
3' <DAW&C& @' >9' ! V				
)*6*,-+-	$-+3-6	$6F5-		
			8: !KCG@KAS DH$9J8%U;	$6F5-
: #+0) 4&E) ,. ;		&KX&M		
HVE3 &) 4&' <DAW&C& @ >9' ! V&		&KX&M		
3' E' &ED BAEL&D<! S				
)*6*,-+-	$EE-,33	$,46)255)		
			HB>; B9C$%&8HAACL@&G	$4EE255-
			HB>; B9C$%&8HAACL@&G	$24),57
			HB>; B9C$%&8HAACL@&G	$427+52F
			HB>; B9C$%&8HAACL@DGL*A!; <	$)-55-
			HB>; B9C$%&8HAACL@DGL*A!; <	$E)52,
			HB>; B9C$%&8HAACL@I9G:	$F-2735 3
			HB>; B9C$-%%&DH$U>E; *AK%%&98;	$9-65-
)*+,*,-+-	$EE-22+	$64)FF5,6		
			HB>; B9C$%&8HAACL@I9G:	$7)65-
			HB>; B9C$%&8HAACL@I9G:	$9-4)3F5+
			HB>; B9C$%&8HAACL@I9G:	$9-46+75E
			HB>; B9C$%&8HAACL@DGL*A!; <	$9-46))5E
)*,3*,-+-	$EE-2F7	$48,752 2		
			HB>; B9C$%&8HAACL@I9G:	$4)3,5F6
			HB>; B9C$%&8HAACL@I9G:	$4-335E
: #+0) 4&E) ,. ;		&TJIEKKMBPJ		
HVE3 &) 4&' E' &ED BAEL&D<! S&		&PKKIPXUSKJ		
3' E' cGD B& F>-F>' EA&@A' 3cG' >EA>C				
)*,3*,-+-	$-,+,3	$9-2-55-		
			9CDE: $AJHA@&9DEH:	$9-2-55-
: #+0) 4&E) ,. ;		&PTMBKM		
HVE3 &) 4&' E' cGD B& F>-F>' EA& @A' 3cG' >EA>C&		&IJMKS&M		
3' : D& 8A: ' <C& & C CF! D EACL&D<! S				
)*6*,-+-	$-+3-3	$2F,55-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$2F,55-
)*,3*,-+-	$-,+,F	$F4-F55-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$F4-F55-
: #+0) 4&E) ,. ;		&KLKCMB&M		
HVE3 &) 4&' : D& 8A: ' <C& & CCF! D EA CL&D<! S&		&RLKKUSKZ		
3A[D<' D>A& F9-' < V				
)*6*,-+-	$-+3-F	$2F65-		
			?9ED 8$U>E; @B <$->DD	$9-)-5-
			?9ED 8$U>E; @&A?	$9-)-5-
			?9ED 8$U>E; @I8H	$765-
: #+0) 4&E) ,. ;		&TXKS&M		
HVE3 &) 4& A[D<' D>A& F9-' <V&		&PLXCMBKK		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
3AA>V& 9A>D ' <& F>-					
	)*+7*,-+-	$EE-26)	$-E47)F5E3		
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$-F4),+5F6
				!8: BL=; $H=>8L:	$-46E-5-
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$3522
				56-[$KA: $>W$>HH 8K>D	@E-5,
	: #+0)4E),.;		&PQZUX&QR		
HVE3&) 4&AA>V& 9A>D ' <& F>-&			&TXUJJUSTJ		
3AWE' &A<E' W					
	)*6*,-+-	$-+3-E	$-+46)567		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-+46)567
	: #+0)4E),.;		&PPUMKUS&Z		
HVE3&) 4&AWE' &A<E' W&			&PPUUJJTS&M		
3AWE' ! ' >A&GC'					
	)*+,*,-+-	$-+E62	$-42EE56-		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-42EE56-
	: #+0)4E),.;		&RUTQQ&M		
HVE3&) 4&AWE' ! ' >A&GC' &			&RXUJXRS&P		
3A<<DC&N>G[[& & CCF! D EACL&WW					
	)*6*,-+-	$EE-,3F	$E--5-		
				%D>C$B: JB P$AJHA @EB:	$E--5-
	: #+0)4E),.;		&QMMB&M		
HVE3&) 4&A<<DC&N>G[[& & CCF! D EACL&WW			&ZIRCK&M		
3A<<DC&F>ED &&>A<E' WC					
	)*+7*,-+-	$-+7F2	$E75F2		
				8: !KCG@KA$DB-H$9J8%U;	$E75F2
	: #+0)4E),.;		&QZ9&T		
HVE3&) 4&A<<DC&F>ED &&>A<E' WC&			&QZ9&T		
3A-' >E9A<E&FH& F <CA>:' EDF<					
	)*+,*,-+-	$-+E6)	$-47,52F		
				AUE$!: : A$D AA$B: ; >EC>L:	$-423-527
				AUE$!: : A$D AA$B: ; >EC>L:	@E5,
	: #+0)4E),.;		&PUZJ$TX		
HVE3&) 4&A-' >E9 A<E&FH& F <CA>:' EDF< &			&JLUJT$PK		
3A-' >E9A<E&FH&A< :D>F<9A<E' W&@A' WE@					
	)*+7*,-+-	$-+7F)	$F)5-		
				=: >D = $% 8UB$!: :	$F)5-
	: #+0)4E),.;		&XU&M		
HVE3&) 4&A-' >E9 A<E&FH&A< :D>F<9A<E' W& @A' WE@&			&JQJ$M		

MV00061674

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
3ACED<V&8' <! A] A' >L&D<!				
)*6*,-+-	$-+3-7	$-F57)		
			8: !KCG@KASDB-H$9J8%U;	$-F57)
	: #+0)4E),.;	&PXSZU		
HVE3&8)4&ACEB<V&8' <! A] A' >L&B<!&		&PXSZU		
3A_EA>L&ED9FE@V&W&				
)*6*,-+-	$-+3+-	$-4E6+5-		
			8: !KCG@GUB<$-HB>; B9C$!::A	$6+5-
			8: !KCG@GUB<$-HB>; B9C$!::A	$-4--5-
	: #+0)4E),.;	&PLQKPS&M		
HVE3&8)4&A_EA>L&ED9FE@V&W&		&PLQKPS&M		
3DCED<! ED AW&/F G>C				
)*,3*,-+-	$-,+,7	$-6-5-E		
			:U%D9<::$KCB98U @&P	$-6-5-E
	: #+0)4E),.;	&PKMB&Q		
HVE3&8)4&DCEB<! ED AW&/F G>C&		&PKMB&Q		
3DCED<NGDC@A3&HWVD<N&!>FCC&CF! DA EV				
)*,3*,-+-	$-,+2-	$2-5-		
			L89KCG$?8:>I BCL@B3JKA:KU	$-5-
			L89KCG$?8:>I BCL@B3JKA:KU	$-5-
			L89KCG$?8:>I BCL@B3JKA:KU	$-5-
	: #+0)4E),.;	&TMB&M		
HVE3&8)4&DCEB<NGDC@A3&HWVB<N&!>FCC& CF! DAEV&		&TMB&M		
3FWA_&3FWW >&A_->ACCL&D<!				
)*6*,-+-	$-+3++	$)56		
			8: !KCG@KASDB-H$9J8%U;	$)56
	: #+0)4E),.;	&USJK		
HVE3&8)4&FWA_&3FWW >&A_->ACCL&D<!&		&USJK		
3F<' @GA& -->' DC' W& CCF! D EAC				
)*,3*,-+-	$EE-2E-	$-+4E,-5-		
			% 88BA$?DJG$PB6: CBCL$%89M&AJHA	$74--5-
			% 88BA$?DJG$PB6: CBCL$%89M&AJHA	$4F.-5-
	: #+0)4E),.;	&PPLQJMB&M		
HVE3&8)4&F<' @GA& -->' DC' W& CCF! D EAC		&RJLTMB&M		
3F>VL& WWAA<&HS				
)*6*,-+-	$-+3+,	$)+6552		
			8:;B8:::$U:GB-H>D&?:C:!B)	$-7)552
			8:;B8:::$U:GB-H>D&?:C:!B)	$,+5-
	: #+0)4E),.;	&PKS&T		
HVE3&8)4&F>VL& WWAA<&HS&		&UZXUSU		

MV00061675

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
3>A_WA>L&3' :D3					
	)*+6*, -+-	$-+72+	$2,65-		
				% 8$GB U@H9C9UBH$H8BJ: A$HD>AA	$2,65-
	: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&3>A_WA>L&3' :D3 &			&KJMB&M		
3G>' <L&[W <!'					
	)*+, *, -+-	$-+E66	$2+65-		
				EC:A; 8KH; 98$AJHA@9D D98BH$GCH	$-F25-
				EC:A; 8KH; 98$AJHA@9D D98BH$GCH	$-), 5-
	: #+O) 4&E) ,. ;		&TPK&M		
HVE3 &) 4&G>' <L&[W <!' &			&LJJR&M		
A&>S&[WF! B& WG9[D<N& &@A' ED<N L&D<! S					
	)*6*, -+-	$-+3+2	$FF)5E)		
				?>HI !D9P$B%DHUC; @>; : 8B>D	$&2,5E
				?>HI !D9P$B%DHUC; @>?98	$-F-5-
				?>HI !D9P$B%DHUC; @>; : 8B>D	$2653,
				?>HI !D9P$: A; EC:L	$235)-
	)*+, *, -+-	$-+E63	$-)653-		
				?>HI !D9P$: A; EC:L	$-)653-
	)*, 3*, -+-	$-, +2+	$37+53-		
				?>HI !D9P$: A; EC:L @+	$F,5E-
				?>HI !D9P$: A; EC:L @,	$235E-
				?>HI !D9P$: A; EC:L @+6	$235)-
				?>HI !D9P$: A; EC:L @C3U	$235)-
				?>HI !D9P$: A; EC:L @AL+	$F,5E-
				?>HI !D9P$: A; EC:L @C9A	$235)-
	: #+O) 4&E) ,. ;		&PLERPJ&U		
HVE3 &) 4&A>S&[WF! B& WG9[D<N& &@A' ED<N L& D<! S&			&ZLPMRSZ		
A' NWAED9A&I FG<CA WD<N&CA>:D AC					
	)*+7*, -+-	$-+7F6	$65-		
				8: !KCG@KADBH9J8%U;	$65-
	: #+O) 4&E) ,. ;		&IK&M		
HVE3 &) 4&A' NWAED9A&I FG<CAWD<N& CA>:D AC&			&IK&M		
A' >WL&-' GW					
	)*, 3*, -+-	$-, +2,	$-FF5-		
				% 8$GB U@HH$-; ; <A$A%BEC:L$H9C!	$-FF5-
	: #+O) 4&E) ,. ;		&PXX&M		
HVE3 &) 4&A' >WL&-' GW&			&PXX&M		

MV00061676

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
A' CEA><8&9 G<D D' W&] ' EA>&8 DCE>D E				
	)*6*, -+-	$-+3+)	$F42) 75 3	
			P>; : 8$H=8LA@U: 8 L$9%A$H; 8$%&89M	$2+5F-
			P>; : 8$H=8LA$! 98$! : ?8K>8<	$6+53E
			P>; : 8$H=8LA$! 98$U>8H=	$335 E
			P>; : 8$H=8LA$! 98$U>8H=	$2+7566
			P>; : 8$H=8LA$! 98$U>8H=	$-4 E-5 7
			P>; : 8$H=8LA$! 98$U>8H=	$ E5 F
			P>; : 8$H=8LA$! 98$U>8H=	$-48++53)
			P>; : 8$H=8LA$! 98$U>8H=	$-4+F, 526
			P>; : 8$H=8LA$! 98$U>8H=	$-4277 5 -
			P>; : 8$H=8LA$! 98$U>8H=	$-) 5 6
			P>; : 8$H=8LA$! 98$U>8H=	$ +257 3
			P>; : 8$H=8LA$! 98$U>8H=	$2- 2E)
			P>; : 8$H=8LA$! 98$U>8H=	$335-7
			8HDJG$P>; : 8@8>BC$U>BC; $%8LU	$3- 5F6
			8HDJG$P>; : 8@&; 5&AP: : %&C L$%8LU	$3- 5F6
			8HDJG$P>; : 8@&; 5&AP: : %&C L$%8LU	$ 3- 5F)
			8HDJG$P>; : 8@&; 8: : ; $U>BC; $%8LU	$EE5 .
	)*+, *, -+-	$-+E6F	$-3482E5-)	
			P>; : 8$H=8LA$! 98$U>8H=	$F) 5E+
			P>; : 8$H=8LA$! 98$U>8H=	$-46, 65 6
			P>; : 8$H=8LA$! 98$U>8H=	$2E5) -
			P>; : 8$H=8LA$! 98$U>8H=	$ 4 +652)
			P>; : 8$H=8LA$! 98$U>8H=	$3476) 5F6
			P>; : 8$H=8LA$! 98$U>8H=	$-472E527
			P>; : 8$H=8LA$! 98$U>8H=	$-422F5E)
			P>; : 8$H=8LA$! 98$U>8H=	$3) , 5 2
			P>; : 8$H=8LA$! 98$U>8H=	$7. F57)
			P>; : 8$H=8LA$! 98$U>8H=	$-E+567
			P>; : 8$H=8LA$! 98$U>8H=	$-3, 5++
			P>; : 8$H=8LA$! 98$U>8H=	$) 65)
			P>; : 8$H=8LA$! 98$U>8H=	$-2753 3
			P>; : 8$H=8LA$! 98$U>8H=	$6) 5 7
	)*, 3*, -+-	$-, +22	$-) 42+25E-	
			P>; : 8$H=8LA$! 98$U>8H=	$ FE52.
			P>; : 8$H=8LA$! 98$U>8H=	$642, E5+
			P>; : 8$H=8LA$! 98$U>8H=	$-463F5F+
			P>; : 8$H=8LA$! 98$U>8H=	$ 46325 7+
			P>; : 8$H=8LA$! 98$U>8H=	$ F) 53,
			P>; : 8$H=8LA$! 98$U>8H=	$-4F7352 3
			P>; : 8$H=8LA$! 98$U>8H=	$-422, 5E+
			P>; : 8$H=8LA$! 98$U>8H=	$, 65+2
			P>; : 8$H=8LA$! 98$U>8H=	$2335-7
			P>; : 8$H=8LA$! 98$U>8H=	$ E-5F)
	: #+O) 4&E) ,. ;	&TQLTMPSPM		

HVE3 &) 4&A' CEA><&9 G<D D' W&] ' EA>& 3 DCE>D E& &ZTPLRRKSPQ

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
A! FW [&D<! S				
)*6*,-+-	$-+3+6	$2522E		
			8: !KCG@KADH9J8%U;	$2522E
: #+0)4E),.;		&RTS'Q		
HVE3&)48A! FW [&D<! S&		&RTS'Q		
A! F9FEDF<LD<! S				
)*6*,-+-	$-+3+3	$46)E52		
			H9CAKD, EC L$AJHA@%HD$GEA;	$46)E52
)*+7*,-+-	$-+7FF	$4E+5+		
			H9CAKD, EC L$AJHA@&; EB <	$4E+5+
: #+0)4E),.;		&ZUWZ$QU		
HVE3&)48A! F9FEDF<LD<! S&		&PPLQUJS'U		
A3NAW <A&9F[DVA&-' >B				
)*+,*,-+-	$EE-22,	$-,57F		
			8: !KCG@&; $KA: 8$>W A	$-,57F
: #+0)4E),.;		&RJS'X		
HVE3&)48A3NAW <A&9F[DVA&-' >B&		&ZZ$PX		
A3DE@&&H$&<' :' >> F				
)*+7*,-+-	$-+7FE	$5)53F		
			8: !KCG@KADH9J8%U;	$5)53F
: #+0)4E),.;		&KJ5RX		
HVE3&)48A3DE@&&H$&<' :' >>F&		&KJ5RX		
ANNA>CEA<L& <<A				
)*6*,-+-	$-+3+F	$2-653-		
			8: ; BB: : $U: GBH>D$?: C: !B	$2-653-
: #+0)4E),.;		&TMKSRM		
HVE3&)48ANNA>CEA<L& <<A&		&ILQTQ$ST		
A9-D>A&D<CGW EDF <LD<!				
)*6*,-+-	$-+3+E	$65-		
			8: !KCG@KADH9J8%U;	$65-
: #+0)4E),.;		&IKS'M		
HVE3&)48A9-D>A&D<CGW EDF <LD<! &		&IKS'M		
A9-D>A&C-F>EC				
)*+7*,-+-	$EE-266	$54+3573		
			A%98; A$KCH98UA@&>8I A	$-)E5+3
			A%98; A$KCH98UA@&>8I A	$543EE-
: #+0)4E),.;		&KJPRS'R		
HVE3&)48A9-D>A&C-F>EC&		&PULQQZ$PR		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
A<! @ <EA3 & DWW N A&FH&NDHEC				
)*6*,-+-	$-+3+7	$-,5-2		
			8: !KCG@KAS DB H$9J8%U;	$-,5-2
: #+0)4E),.;		&RJS/T		
HVE3 &)4&A<! @ <EA3 & DWW NA&FH&NDHEC&		&RJS/T		
A<! F&GEDWDEV&CA> : D AC&9 F>A<F& ' WWAV&WW				
)*+,*,-+-	$-+E6E	$24F6-5-		
			H?C; $D >A: @@; ; CPG	$)F5+)
			H?C; $D >A: @@; ; CPG	$-4-,5E3
			H?C; $D >A: @&CGB C*C>CGE&>	$E+52,
			H?C; $D >A: @&CGB C*C>CGE&>	$-43E5E
			H?C; $D >A: @&BEA	$7E56
			H?C; $D >A: @&BEA	$-46+576
)*+7*,-+-	$-+7F7	$2486F5-3		
			LBA$G>; >$H9CJ: 8A E9C	$2-5F-
			: D H; $U: ; : 8$1 : : A	$-42-F5)3
			: D H; $U: ; : 8$1 : : A	$4F+75-
: #+0)4E),.;		&XILIVK$PR		
HVE3 &)4&A<! F&GEDWDEV&CA> : D AC&9 F>A<F& : ' WWAV&WW&		&PLCKK1PMD&VK		
A<: D>F<9A<E' W&9 F W&D<N& F<! A-ECL&D<!				
)*6*,-+-	$-+3,+	$F-57F		
			8: !KCG@KAS DB H$9J8%U;	$F-57F
: #+0)4E),.;		&IMEZX		
HVE3 &)4&A<: D>F< 9A<E' W&9 FW&B<N& ! F<! A-ECL&D<! &		&IMEZX		
AC-D<F\ ' L&>FCV				
)*+7*,-+-	$-+7E-	$F6-5-		
			8: !KCG@@C; D&G: %&)*2	$F6-5-
: #+0)4E),.;		&KIMB/M		
HVE3 &)4&AC-D<F\ ' L&>FCV&		&KIMB/M		
A: ' <CL&9 AW: '				
)*+,*,-+-	$-+E67	$2,755-		
			8: !KCG@B>; E9C$9J8%U;	$2,755-
: #+0)4E),.;		&TJZ$KM		
HVE3 &)4&A: ' <CL&9 AW: ' &		&TJZ$KM		
A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S				
)*,3*,-+-	$-,+2)	$775-)		
			E&8EL>; E9C$AK%%DBA	$E25-3
			E&8EL>; E9C$AK%%DBA	$-65-E
: #+0)4E),.;		&KZZ$/U		
HVE3 &)4&A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S		&PTILPJ$ZK		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46)1#)8&.,/(#+,	-./(#+,& '( )*+,012
A_! AW&W <3C! ' -AL &D<!				
)*+, *, -+-	$-+E3-	$24EE75-		
			D>CGAH>% 3U>EC; @PN!	$52-56-
			D>CGAH>% 3U>EC; @PN!	$4--5-
			D>CGAH>% 3U>EC; @PN!	$7E-5-
			D>CGAH>% 3U>EC; @PN!	$-FE56-
)*, 3*, -+-	$-, +26	$-, 4F)5,		
			D>CGAH>% 3U>EC; @F	$4833E+
			D>CGAH>% 3U>EC; @H: D ?$%>8I	$-4F-523
			D>CGAH>% 3U>EC; @&8$9U$%>8I	$-46-+57E
			D>CGAH>% 3U>EC; @+)	$24)3+5F
			D>CGAH>% 3U>EC; @PN!	$-47)65-
			D>CGAH>% 3U>EC; @PN?	$-47))5-
			D>CGAH>% 3U>EC; @+6	$E65-
: #+O)4&E),.;		&PRLKRTS&J		
HVE3&&)4&A_! AW&W <3C! ' -AL&&<! &		&IMKIPUQS&Q		
H' D>&@FGCD<N& FG<! DW&F H&>D& FL&<! S				
)*, 3*, -+-	$EE-2E+	$24)F35-E		
			HG?L$IKCG: G$AJHA@8HDA8$%&8: J	$4275)
			HG?L$IKCG: G$AJHA@8HDA8$%&8: J	$-4235?)
: #+O)4&E),.;		&TILUXRSPQ		
HVE3&&)4&H' D>&@F GCD<N& FG<! DW&F H&>D& FL& D<! &		&UIZLUS&M		
H' <<D<NL&AHH>AV &&A' <				
)*+7*, -+-	$-+7E+	$7)5-		
			EDA; 8KH; EDC$AJHA@2&G><A	$7)5-
: #+O)4&E),.;		&IZUS&M		
HVE3&&)4&H' <<D<NL&AHH>AV&&A' <&		&IZUS&M		
HA3A>' W&A_->ACC				
)*+, *, -+-	$-+E3+	$-F5)+		
			,6F2+F,--@W%8: A A$U>EEEC L	$-F5)+
: #+O)4&E),.;		&PXS&P		
HVE3&&)4&HA3A>' W&A_->ACC&		&PJJS&M		
HAA<CE>' L&\F@<				
)*6*, -+-	$-+F7-	$23+56		
			8:; EB: : $U: GEH>D&?: C: !B	$23+56
: #+O)4&E),.;		&TRPS&K		
HVE3&&)4&HAA<CE>' L&F@<&		&TLRPJS&M		

MV00061680

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
HA<! AEA! @L&D<!				
)*6*,-+-	$-+3,,	$-6-5-		
			8: !KCG@KAS&DH$9J8%U;	$-6-5-
	: #+0) 4&E),.;	&PKIVB/M		
HVE3 &) 4&HA<! AEA! @L&D<! &		&PKIVB/M		
HD<ACCA& A>CF<<A W& CCF! D EAC				
)*6*,-+-	$-+3,2	$F4-665-2		
			;: U%&AJHA@: HI C: 8$P*: $2*+2	$-4673E+
			;: U%&AJHA@: HI C: 8$P*: $2*,-	$-4E6)523
			;: U%&AJHA@: HI C: 8$P*: $2*,F	$-4E6)523
			;: U%&AJHA@: DA9C $P*: $2*+2	$EF)5E-
			;: U%&AJHA@: DA9C $P*: $2*,-	$EF)5E-
)*+,*,-+-	$-+E3,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $2*,F	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*2	$-4E6)523
)*+7*,-+-	$-+7E,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $*2	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*+-	$-4E6)523
)*,3*,-+-	$-,+23	$24EF65)+		
			;: U%&AJHA@: DA9C $P*: $*,F	$3635--
			;: U%&AJHA@: DA9C $P*: $2*3	$E6-56-
			;: U%&AJHA@: DA9C $P*: $*+F	$3635--
			;: U%&AJHA@: HI C: 8$P*: $*+F	$-4F+,5F+
	: #+0) 4&E),.;	&PRLTQQ,&R		
HVE3 &) 4&HD< ACCA & A>CF<<AW& CCF! D EAC&		&PRLTQQ,&R		
HD>CE& 9A>D '<& F>A&WFND L&D<! S				
)*+,*,-+-	$-+E32	$52E5-		
			9CD&E: $%&89%&E&C!9 @&9G:	$E65-
			9CD&E: $%&89%&E&C!9 @&GG	$FF5-
			9CD&E: $%&89%&E&C!9 @A%	$-F35-
)*,3*,-+-	$-,+2F	$67,5-		
			9CD&E: $%&89%&E&C!9 @&9G:	$E65-
			9CD&E: $%&89%&E&C!9 @&GG	$2+5-
			9CD&E: $%&89%&E&C!9 @A%	$-F35-
	: #+0) 4&E),.;	&PLPTVB/M		
HVE3 &) 4&HD> CE& 9A>D '<& F>A&WFND L&D<! S&		&JLUQVB/M		

MV00061681

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
HD>CE& @FD A&CA> : D AC				
)*6*,-+-	$EE-,37	$3257-		
			H9!!: : $AJHA@U%&%>EG	$2,5)
			H9!!: : $AJHA@U%&%>EG	$2+533
)*+,*,-+-	$EE-222	$ 752E		
			H9!!: : $AJHA@U%&%>EG	$ 752E
)*+7*,-+-	$EE-263	$6E-5)		
			H9!!: : $AJHA@U%&%>EG	$E-57+
			H9!!: : $AJHA@U%&%>EG	$7653
			H9!!: : $AJHA@U%&%>EG	9-FF53E
			H9!!: : $AJHA@U%&%>EG	9-75+F
			H9!!: : $AJHA@U%&%>EG	$EE5-)
			H9!!: : $AJHA@U%&%>EG	$ E52E
)*,3*,-+-	$EE-2E,	$2356+		
			H9!!: : $AJHA@U%&%>EG	$2356+
: #+0) 4&E) ,. ;		&IVZ&T		
HVE3 &) 4&HD>CE& @FD A&CA> : D AC&		&QPZXST		
HDE<ACC&PZ& ' &PK K&PP!				
)*,3*,-+-	$-,+2E	$E+5-		
			L<U$J: U?: 8A=B%&G : GKH; E9CA	$E+5-
: #+0) 4&E) ,. ;		&QCP&M		
HVE3 &) 4&HDE<ACC&PZ& ' &PKK&PP! &		&UZPK&M		
HFWAV& &W >3<A>				
)*,7*,-+-	$-,,++	$24--5-		
			D L>D$AJHA@&: ; >BC: 8	$24--5-
: #+0) 4&E) ,. ;		&TUMMB&M		
HVE3 &) 4&HFWAV& &W >3<A>&		&TUMMB&M		
HFCEA>L&<' <! V& S				
)*6*,-+-	$-+3,)	$2+6557		
			8: ; E&: : $J: GEH>D&?: C: !B	$2+6557
: #+0) 4&E) ,. ;		&TPK&Z		
HVE3 &) 4&HFCEA>L&<' <! V& &		&PUJRK&M		
HFEF&H' <E' CVL&D<!				
)*6*,-+-	$-+3,6	$9-5,		
			8: !KCG@KACEH9J8%U;	$9-5,
: #+0) 4&E) ,. ;		&JMEJJ		
HVE3 &) 4&HFEF&H' <E' CVL&D<!&		&JMEJJ		

MV00061682

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
H>' <! A&G[WD ' EDF<CL&D<! S				
)*+,*,-+-	$-+E3)	$-4E--5-		
			>GJ: 8; EA&CL$AJHA@GG	$-4E--5-
: #+0)4&E),.;		&PLQMVB&M		
HVE3&&)4&&H>' <! A&G[WD ' EDF<CL&D<! S&		&ZLRMVB&M		
H>' <! @DCA&E' _&[F ' >3				
)*+,*,-+-	$-+E36	$3F6576		
			L>8CEA=U: C;	$-,56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675)6
			L>8CEA=U: C;	$6)5-
)*,3*,-+-	$-,+27	$3F352E		
			L>8CEA=U: C;	$-.56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675EE
			L>8CEA=U: C;	$6)5-
: #+0)4&E),.;		&PLTKJSTT		
HVE3&&)4&&H>' <! @DCA&E' _&[F ' >3&		&PPLKJPS&Z		
H>' <BWD<L&WS& S				
)*+,*,-+-	$-+E33	$-F5-		
			UED >L: $B: EJ?K8A : U: C;	$-F5-
: #+0)4&E),.;		&IVKS&M		
HVE3&&)4&&H>' <BWD<L&WS& S&		&PLUUCS&M		
H>A3:C&NW CC& &9 D>>F>L&D<! S				
)*6*,-+-	$-+3,3	$F,25-		
			PECG9P$8>U: $8%DHUC; @&8$H; 8	$67E5-
			PECG9P$A: >D$AJH@!A$26E	$-,65-
: #+0)4&E),.;		&JTS&M		
HVE3&&)4&&H> A3:C&NW CC& &9 D>>F>L&D<! S&		&PLVCZS&T		
HGW[>DN@E& &'] F>CBDL&WS&VS S				
)*+7*,-+-	$-+7E2	$E4F7)5-		
			D L>D$AJHA@&; EEB; BA	$E4F7)5-
: #+0)4&E),.;		&QXZUS&M		
HVE3&&)4&&HGW[>DN@E& &'] F>CBDL&WS&VS S&		&PJLKVMB&Q		
N' CEAWG9L&WAF[' >3F				
)*,3*,-+-	$-,+)-	$-5-		
			8: !KCG@&>?BA$G: %	$-5-
: #+0)4&E),.;		&IMB&M		
HVE3&&)4&&N' CEAWG9L&WAF[' >3F&		&IMB&M		

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	[redacted] 3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( ) *+,012
N' CEF<L&>D @' >3				
) '6*, -+-	$-+F7+	$2+E5F2		
			8: ; B&: : $J: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&N' CEF<L&>D @' >3 &		&TTPQXSTM		
NA<A>' W&CA! G>DEV &CA>: D ACL&D<! S				
) '6*, -+-	$-+3, F	$9-E) 5-E		
			A: HK8B <$AJHA@H8H	$9-E) 5-E
) '6*, -+-	$EE-, F+	$) 3-5, -		
			A: HK8B <$AJHA@: CB9 8$H; 8	$) 66))
			A: HK8B <$AJHA@H8H	$+) 5F3
) *+, *, -+-	$EE-22)	$4-E35))		
			A: HK8B <$AJHA@B?8>8<	$9-. . 5F.
			A: HK8B <$AJHA@B?8>8<	$9-, , 5F,
			A: HK8B <$AJHA@B?8>8<	$9+25)-
			A: HK8B <$AJHA@B?8>8<	$9+25)-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
) *+7*, -+-	$EE-26F	$9-E) 5-E		
			A: HK8B <$AJHA@PCL; :	$9-F52E
			A: HK8B <$AJHA@PCL; :	$F35F-
) *, 3*, -+-	$EE-2E2	$4++35/,		
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@&; BB B A$ CCW	$F35-.
			A: HK8B <$AJHA@B?8>8<	$9+25)-
			A: HK8B <$AJHA@B?8>8<	$9+25)-
	: #+O) 4&E) ,. ;	&KLMTP&KJ		
HVE3 &&) 4&NA<A>' W&CA! G>DEV&CA>: D ACL& B<! S&		&JRLXRX&ZK		
NAF>NA&C' WD<' C&E>AA&>ACA>: ' EDF<				
) '6*, -+-	$-+3, E	$4++5/6		
			; 8: : $ 8BJUBCL$AJ H@&AL,	$) F5-
			; 8: : $ 8BJUBCL$AJ H@+	$9-FE3E)
			; 8: : $ 8BJUBCL$AJ H@+>	$, 2566
			; 8: : $ 8BJUBCL$AJ H@,	$E-) 5FE
			; 8: : $ 8BJUBCL$AJ H@C$J	$26F53E
) *+7*, -+-	$-+7E)	$6-5E)		
			8: !KCG@KADBH9J8%J;	$6-5E)
	: #+O) 4&E) ,. ;	&JLMRJ&KZ		
HVE3 &&) 4&NAF>NA&C' W&' C&E>AA& ->ACA>: ' EDF<&		&&ZLKRM&R		

MV00061684

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
NDI [CL&NDB A<L&WF! @A>L&EG><A>& &C A<AE&WV-				
)*6*,-+-	$EE-,F,	$-4E++5F-		
			D L>D&AJHA	$5E-56-
			D L>D&AJHA	$-4-2+5-
)*+7*,-+-	$EE-26E	$4E)35-		
			D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4E)35-
)*,3*,-+-	$EE-2E)	$64/735-7		
			D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4+6)6
			D L>D&AJHA	$-47E-53)
	: #+O)4&E),.;	&PMERKTSKZ		
HVE3&&) 4&NDI [CL&NDB A<L&WF! @A>L&EG><A>& & CA<AE&WV-&		&PUUERVPS&VZ		
ND-CF<L&&D>' <3'				
)*+,*,-+-	$-+E3F	$-765--		
			8: !KCG@% 8UB$!::A	$7F53-
			8: !KCG@% 8UB$!::A	$7F53-
	: #+O)4&E),.;	&PZKSIM		
HVE3&&) 4&NDCF<L&&D>' <3'&		&PZKSIM		
NFW3A<aC&AWA! E>F <D aC				
)*+7*,-+-	$-+7E6	$)5,		
			8: !KCG@KASDBH$9J8%U;	$)5,
	: #+O)4&E),.;	&USUU		
HVE3&&) 4&NFW3A<aC&AWA! E>F <D aC&		&USUU		
NF9A\L&NA>' >3F& &N' [>DAW				
)*,3*,-+-	$-,+)+	$-5--		
			8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;	&IMBM		
HVE3&&) 4&NF9A\L&NA>' >3F& &N' [>DAW&		&IMBM		
NF<N&A<EA>->DCAC L&D<! S				
)*+,*,-+-	$-+E3E	$)4E6-5--		
			%D>C$H=:HI $AJHA	$46--5-
			%D>C$H=:HI $AJHA	$426-5-
	: #+O)4&E),.;	&JLCKMBM		
HVE3&&) 4&NF<N&A<EA>->DCACL&D<! S&		&QERPUSKM		
NF<\' WACL&[>D <				
)*,3*,-+-	$-,+),	$-5--		
			8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;	&IMBM		
HVE3&&) 4&NF<\' WACL&[>D <&		&IMBM		

MV00061685

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
NF<\' WA\ L&9' >D[AW				
)*+,*,-+-	$-+E37	$5)55-		
			8: !KCG@B>; B9C$$BAUBAA: G	$5)55-
	: #+0)4&E),.;	&KUSKM		
HVE3&8)4&NF<\' WA\ L&9' >D[AW&		&KUSKM		
NF>3F<L&] DWAD 9&D>:D<N&DDD				
)*6*,-+-	$-+3,7	$225,E		
			8: !KCG@&G$HB>; B9C$!::A	$225,E
	: #+0)4&E),.;	&TTS&Q		
HVE3&8)4&NF>3F<L&] DWAD 9&D>:D<N&DDD&		&TTS&Q		
NF>9&D<!S				
)*,3*,-+-	$-,+)2	$24)EE5E2		
			M-CB,98B-D&AK%%DBA@&>8IA&U>B&C	$-423,5),
			M-CB,98B-D&AK%%DBA@&>8IA&U>B&C	$-46EB52E
			M-CB,98B-D&AK%%DBA@&>8IA&U>B&C	$5)+52
	: #+0)4&E),.;	&TILQQ&&T		
HVE3&8)4&NF>9&D<!S&		&PPLMRZ&TP		
NFV'&HFF3C&FH&\'WDHF><D				
)*6*,-+-	$-+32-	$75F)		
			8: !KCG@KA&DB-H&9J8%U;	$75F)
	: #+0)4&E),.;	&JZ&KU		
HVE3&8)4&NFV'&HF F3C&FH&\'WDHF><D&		&JZ&KU		
NF\3A! BD&8\'<				
)*6*,-+-	$EE-,F2	$FE25-		
			B&A; 8KH; 98$AJHA@KCL$!K	$26+5-
			B&A; 8KH; 98$AJHA@KCL$!K	$2 5-
	: #+0)4&E),.;	&QTS&M		
HVE3&8)4&NF\3A! BD&8\'<&		&RJZP&M		
N>'HL&3'9				
)*6*,-+-	$-+32+	$F65-		
			8: !KCG@%><*C: K; : 8$!::A	$F65-
	: #+0)4&E),.;	&K<&M		
HVE3&8)4&N>'HL&3'9&		&K<&M		
N>'HHDEDE>'!BA>L&D<!S				
)*6*,-+-	$EE-,F)	$2)-5-		
			H>U: 8>$B: %>BB	$2)-5-
	: #+0)4&E),.;	&TUMB&M		
HVE3&8)4&N>'HHDEDE>'!BA>L&D<!S&		&QTUMB&M		

MV00061686

| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( ) *+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
NGEDA>>A\ L&F[A> E				
)'6*,-+-	$-+323	$2+E5F2		
			8: ; B3: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &) 4&NGEDA>> A\ L&F[A> E&		&PLQZJ&ZM		
NGVaC&W <3C! ' -A&9' D<EA<' <! A				
)'6*,-+-	$-+32F	$235E7		
			8: !KCG@KA&DBH$9J8%U;	$235E7
	: #+O) 4&E) ,. ;	&TR&&Z		
HVE3 &) 4&NGVaC&W <3C! ' -A&9' D<EA<' <! A&		&TR&&Z		
NG\ 9' <aC& ' >E&CA>: D A				
)*+,*,-+-	$EE-226	$)4)75-		
			H>8; $B; 8JD&AJHA	$)4)75-
	: #+O) 4&E) ,. ;	&JMLZ&M		
HVE3 &) 4&NG\ 9' <aC& ' >E&CA>: D A&		&JMLZ&M		
@& & &<' DW				
)'6*,-+-	$-+32E	$7+5-		
			8: !KCG@KA&DBH$9J8%U;	$7+5-
	: #+O) 4&E) ,. ;	&ZP&M		
HVE3 &) 4&@& & &<' DW&		&ZP&M		
@& &>&[WF! B				
)*+,*,-+-	$-+EF+	$-,65-2		
			?KA&DBH$9J8%U; $B!CG	$F-5E
			?KA&DBH$9J8%U; $B!CG	$6)5F6
	: #+O) 4&E) ,. ;	&RJK&T		
HVE3 &) 4&@& & &[WF! B&		&RJK&T		
@& &DL&D<! S				
)'6*,-+-	$-+327	$)65-		
			8: !KCG@KA&DBH$9J8%U;	$)65-
	: #+O) 4&E) ,. ;	&JK&M		
HVE3 &) 4&@& &DL&D<! S&		&JK&M		
@ 9[G>NL&D>A<A				
)'6*,-+-	$-+F72	$7635-7		
			8: ; B3: : $U: GBH>D&?: C: !B	$7635-7
	: #+O) 4&E) ,. ;	&ZKR&PZ		
HVE3 &) 4&@ 9[G>NL&D>A<A&		&LJZP&RX		

MV00061688

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
@ 9WD<L&] DWD 9&>S					
	)*6*,-+-	$-+F7)	$2+6557		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+6557
	: #+O) 4&E) ,. ;		&TPK&KZ		
HVE3 &) 4&@ 9WD<L&] DWD 9&>S&			&TLJTQ&/U		
@ <' <D L&>' <3'					
	)*+7*,-+-	$-+7EF	$-5-		
				8: !KCG@&>?B A&G: %	$-5-
	: #+O) 4&E) ,. ;		&IMB&/M		
HVE3 &) 4&@ <' <D L&>' <3' &			&CPS&/M		
@ <3V&>A-' D>&CA> : D A					
	)*6*,-+-	$-+3)-	$2+5-E		
				8: !KCG@KA&DBH&9J8%U;	$2+5-E
	: #+O) 4&E) ,. ;		&TPS&/Q		
HVE3 &) 4&@ <3V&>A-' D>&CA> : D A&			&TPS&/Q		
@ <ACL&9' >ED<&3S					
	)*6*,-+-	$-+F76	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&KT		
HVE3 &) 4&@ <ACL&9' >ED<&3S&			&TLPQX&TM		
@ <CA<L&>F[A>E&/S					
	)*,3*,-+-	$-,+)3	$-FF5-		
				% 8$GB U@HH$>; ; <A&A%&BEC L&H9C!	$-FF5-
	: #+O) 4&E) ,. ;		&PXX&/M		
HVE3 &) 4&@ <CA<L&>F[A>E&/S&			&TKL&/M		
@ --V&E D>A&[FFB&CEF>A					
	)*+7*,-+-	$-+7EE	$F+5,		
				8: !KCG@KA&DBH&9J8%U;	$F+5.
	: #+O) 4&E) ,. ;		&PS&J		
HVE3 &) 4&@ --V&E D>A&[FFB&CEF>A&			&PS&J		
@ >3D<N L&^F@<&CS					
	)*6*,-+-	$-+3)+	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&KT		
HVE3 &) 4&@ >3D<N L&^F@<&CS&			&TLPQX&TM		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
@ >E9' <<L&>D B					
	)*6*,-+-	$-+3),	$2F5)3		
				8:;B: :$U: GH>D&?: C: !B	$2F5)3
	: #+0)4&E),.;		&RTXSJR		
HVE3&)4@ >E9' <<L&>D B&			&ILKJSKX		
@ EHDAW3L& @ >WAC					
	)*6*,-+-	$-+3)2	$2+E5F2		
				8:;B: :$U: GH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;		&TPQ&KT		
HVE3&)4@ EHDAW3L& @ >WAC&			&ILKJZSJK		
@ GCA>L& 3>D <'					
	)*+7*,-+-	$-+7E7	$F7E5--		
				EC:A; 8KH; E9C$AJHA@+$G><A	$F7E5-
	: #+0)4&E),.;		&KZQ&M		
HVE3&)4@ GCA>L& 3>D <' &			&TLTMRS&M		
@3 W7@D<3 A>WDEA>&3 A&WW 9' C& & CCF ! D EAC					
	)*6*,-+-	$-+3))	$)4 665-		
				H9C; 8>H; $AJHA@> D A$ >W	$7--5-
				>KGB$AJHA@> D A $ >W	$ 4EE 552
				>KGB$AJHA@> D A $ >W	$F,56F
	: #+0)4&E),.;		&LJKKSJM		
HVE3&)4@3 W7@D< 3 A>WDEA>&3 A&WW 9' C& & CCF ! D EAC&			&PRLMTZSKP		
@AA>V&D<EA><' EDF <' WL&D<! S					
	)*+7*,-+-	$EE-267	$-F4)E-5--		
				C: P$U>EC$D7 8>8< $%&9M$AJHA	$-F4)E-5-
	: #+0)4&E),.;		&PXLUCMB&M		
HVE3&)4@AA>V&D<EA><' EDF <' WL&D<! S&			&JPKLMKJSKK		
@AHHWAVL&>FCC&] S					
	)*6*,-+-	$-+F73	$2+E5F2		
				8:;B: :$U: GH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;		&TPQ&KT		
HVE3&)4@AHHWAVL&>FCC&] S&			&ILKJZSJK		
@A9-@DWW&3' V! ' >A					
	)*6*,-+-	$-+3)6	$5)5--		
				8:!KCG@KA$D&H$9J8%U;	$5)5-
	: #+0)4&E),.;		&KJS&M		
HVE3&)4@A9-@DWW&3' V! ' >A&			&KJS&M		

MV00061690

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
@A>9' <&] AIICBA>L &D<! S				
)*6*,-+-	$-+3)3	$F65-6		
			8: !KCG@KASDBH9J8%U;	$F65-6
: #+O)4E),.;		&KKSPK		
HVE3 &)4@A>9' <&] AIICBA>L &D<! S&		&KKSPK		
@A>>D BL&>F[A>E&3S				
)*6*,-+-	$-+3)F	$2+E5F2		
			8:;BB:: $U: GBH>D&?: C: !B	$2+E5F2
: #+O)4E),.;		&TPQSKT		
HVE3 &)4@A>>D BL&>F[A>E&3S&		&TTPQXSTM		
@ACWD<L&9D @' AW&BS				
)*+,*,-+-	$-+EF,	$2+E52-		
			;8>J: D$ W%@CCD$H>$LBA$H9C!5	$3,52-
			;8>J: D$ W%@CCD$H>$LBA$H9C!5	$635-
: #+O)4E),.;		&TPQSTM		
HVE3 &)4@ACWD<L&9D @' AW&BS&		&ZJZS&M		
@D BF>V&H' >9C				
)*6*,-+-	$-+3)E	$)5-+		
			8: !KCG@KASDBH9J8%U;	$)5+
: #+O)4E),.;		&USM/P		
HVE3 &)4@D BF>V&H' >9C&		&USM/P		
@DNNCL&3A[>'				
)*,3*,-+-	$-,+)F	$6,5-		
			EDA;8KH;98$AJHA@EB%>ED;EDL	9-))5-
			EDA;8KH;98$AJHA@EB%>ED;EDL	$E5-
			EDA;8KH;98$AJHA@EB%>ED;EDL	$E-5-
: #+O)4E),.;		&KJS&M		
HVE3 &)4@DNNCL&3A[>' &		&PLPPRS&M		
@FN' >3L&\F@<&ES				
)*6*,-+-	$-+3)7	$F--5-		
			8:;BB:: $U: GBH>D&?: C: !B	$F--5-
: #+O)4E),.;		&IMMB&M		
HVE3 &)4@FN' >3L&F@<&ES&		&QPXSPK		
@FWE\L&NWF>D				
)*+7*,-+-	$-+77-	$-5-		
			8: !KCG@&>?BA$G: %	$-5-
: #+O)4E),.;		&IMB&M		
HVE3 &)4@FWE\L&NWF>D &		&IMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
@F GCA> L&A3 DE@&AS				
	)*6*, -+-	$ -+36-	$2+E5F2	
			8: ; B&: : $U: GBH>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&@F GCA> L&A3 DE@&AS&			&TTPQXSTM	
@G[& F<CE>G! EDF< &C-A! D WDEACL&D< !				
	)*+7*, -+-	$ -+77+	$))55E	
			8: ! KCG@KAS&DBH$9J8%U;	$))55E
	: #+O) 4&E) ,. ;		&JU&XQ	
HVE3 &&) 4&@G[& F<CE>G! EDF< &C-A! D WDEACL& B< ! &			&JU&XQ	
@G[[' >3 L&9 F<AE				
	)*+7*, -+-	$ -+77,	$ -5- -	
			8: ! KCG@&>?B A$G: %	$ -5- -
	: #+O) 4&E) ,. ;		&IMBMM	
HVE3 &&) 4&@G[[' >3 L&9 F<AE&			&IMBMM	
@G<EL&WA_V				
	)*+7*, -+-	$ -+772	$6, 5- -	
			8: ! KCG@BJ: $! 98$ 9; A	$6, 5- -
	: #+O) 4&E) ,. ;		&KJ&MM	
HVE3 &&) 4&@G<EL&WA_V&			&KJ&MM	
D 9' &>AED>A9A<E&! F>-&UKX				
	)*7*, -+-	$ 3+3	$7-8E7-5)	
			G: ! $-H9U%&) 6F$) * - 7*+-	$7-8E7-5)
	)*, 2*, -+-	$ 3,)	$9-, 4) +-52F	
			G: ! $-H9U%&) 6F$) *, 2*+-	$9-, 4+-52F
	: #+O) 4&E) ,. ;		&JJIMZZSZP	
HVE3 &&) 4&@D 9' & A ED>A9A<E&! F>-&UKX&			&TPPLKQJUSZP	
DW&CF>>A<EF&9 F[DWA&' >B				
	)*+, *, -+-	$ -+EF2	$-6E5 6	
			8: ! KCG@&; $KA: 8$ >W A	$-6E5 6
	: #+O) 4&E) ,. ;		&PKQ&IK	
HVE3 &&) 4&@DW&CF>> A<EF&9 F[DWA&' >B &			&PLRXRSTP	

MV00061692

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&.//(#+,&	-./(#+,& '()*+,012
D9' <DA&BD<N				
	)*6*,-+-	$-+36+	$-,25-	
			8: !KCG@>8E9KA$*H9 : : A	$-5-
			8: !KCG@>8E9KA$*H9 : : A	$-5-
			8: !KCG@>8E9KA$*H9 : : A	$-5-
			8: !KCG@>8E9KA$*H9 : : A	$-E5-
			8: !KCG@>8E9KA$*H9 : : A	$-65-
			8: !KCG@>8E9KA$*H9 : : A	$6-5-
	: #+O) 4&E) ,. ;	&RJTS&M		
HVE3 &&) 4&&9' <DA&BD<N&		&RJTS&M		
D9-A>D W&I GCEF9&! ' [D<AECL&D<!				
	)*+7*,-+-	$-+77)	$25-	
			8: !KCG@KADH9J8%U;	$25-
	: #+O) 4&E) ,. ;	&JTS&M		
HVE3 &&) 4&&9-A>D W&I GCEF9&! ' [D<AECL&D<!&		&JTS&M		
D<N&GC' & <<GDEV& &VDHA&D<CG>' <! A& FS				
	)*+,*,-+-	$-+EF)	$F65-	
			C9C@W U%; $>CCKB; <	$F65-
	: #+O) 4&E) ,. ;	&JXK&M		
HVE3 &&) 4&&D<N&GC' & <<GDEV& &VDHA& D<CG>' <! A& FS&		&JLXKMB&M		
D<W <3& F<E>' ! EF>CL&D<! S3[' dA<:D>F YEACE				
	)*,3*,-+-	$-,+)E	$-4-725,6	
			CKB&>CH: $>?; UC; $AJHA@E3+-,-+6	$-4-725,6
	: #+O) 4&E) ,. ;	&PIPZTS&K		
HVE3 &&) 4&&D<W <3& F<E>' ! EF>CL& D<! S3[' dA<:D>F YEACE&		&RJIPJMB&R		
D<W <3&A9-D>A& > ! @DE>! EG>' W&C-A! D WEDACL				
	)*6*,-+-	$-+36,	$2,53)	
			8: !KCG@KADH9J8%U;	$2,53)
	: #+O) 4&E) ,. ;	&TJS&U		
HVE3 &&) 4&&D<W <3&A9-D>A& > ! @DE>! EG>' W& C-A! D WEDACL&		&TJS&U		
D<W <3&A9-D>A&9' N' \D<A				
	)*+,*,-+-	$-+EF6	$-4765-	
			>GJ: 8; &AEC L$AJHA@GG	$-4765-
	: #+O) 4&E) ,. ;	&PLJZK&M		
HVE3 &&) 4&&D<W <3&A9-D>A&9' N' \D<A&		&KIPQM&M		

MV00061693

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
D<W <3 8A9 - D> A& > F - A> EV&CA> : D AL& D<!				
) *+7*, -+-	$EE-23-	$E,) 5 -		
			CKBA>CH: $>?; UC; $AJH@7F+E- - - 3	$FF5 -
			CKBA>CH: $>?; UC; $AJH@B H= BC L*U	$6- 5 -
			CKBA>CH: $>?; UC; $AJH@22F+$%> C	$-, , 5 -
			=>D $AJHA@I9G:	$F65 -
: #+O) 4&E) ,. ;		&QJUSM		
HVE3 &) 4&& W <3 8A9 - D> A& > F - A> EV& CA> : D AL&& ! &		&KKLUTXSPM		
D<W <3 8MQ >' >V&C VCEA9				
) *+, *, -+-	$ -+EF3	$-4E325+		
			, - - 7*+-$U: U?: 8A= B%&GK: A	$-4E325+
: #+O) 4&E) ,. ;		&PLQRTSVP		
HVE3 &) 4&& W <3 8MQ >' >V&CVCEA9 &		&UUMUXSXP		
D<CD3 A&- W <ECL&D<! S				
) *, 3*, -+-	$EE-2E6	$2+35-		
			%D>C; $U>EC; @I8H	$2+35-
: #+O) 4&E) ,. ;		&TPRSVM		
HVE3 &) 4&& CD3 A&- W <ECL&& ! S&		&TLPRMBVM		
D<EA><' W&>A: A<GA &CA>: D A				
) *+*, -+-	$ 3++	$ 4 - - 5 -		
			G: %&I: G$ >W&P*= $) *+*+-	$ 4 - - 5 -
: #+O) 4&E) ,. ;		&UUMMBVM		
HVE3 &) 4&& EA><' W&>A: A<GA&CA>: D A&		&TLPQUUTUQSZ		
D>F<&9 FG<E' D<&FHHYCDEA&&' E' & >FE A! EDF<				
) *6*, -+-	$ -+362	$7) 357 7		
			G>; >$A; 98>L: $AJH A	$7) 357 7
) *, 3*, -+-	$ -, +) 7	$-4+655)		
			G>; >$A; 98>L: $AJH A	$-4+655)
: #+O) 4&E) ,. ;		&PLZRJSKT		
HVE3 &) 4&& F<&9 F G<E' D<&FHHYCDEA&&' E' & ->FEA! EDF<&		&PPLKQXSJU		
D>F<] FF3 &C9 FBA&C @F -				
) *+7*, -+-	$ -+776	$F+573		
			8: !KCG@KASDBH$9J8%U;	$F+573
: #+O) 4&E) ,. ;		&XPSZR		
HVE3 &) 4&& F<] FF 3 &C9 FBA&C@F - &		&XPSZR		

MV00061694

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
DCN&E@A>9' W&CVCE A9 C&GC' L&D<!				
) *6*, -+-	$ -+36)	$6F5)		
			; = : 8U>D&BJ>LBCL$H>U: 8>$B: %>BB	$6F5)
			; = : 8U>D&BJ>LBCL$H>U: 8>$B: %>BB	$-56)
			; = : 8U>D&BJ>LBCL$H>U: 8>$B: %>BB	@56)
: #+O) 4&E) ,. ;		&KKX$RJ		
HVE3 &) 4&DCN&E@A>9' W&CVCEA9 C&GC' L&D<! &		&ZRJ&Z		
DCC&C] AA- D<N L&D<! S				
) *6*, -+-	$EE- , E-	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F. -5 -
) *, 3*, -+-	$EE-2E3	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F, -5 -
: #+O) 4&E) ,. ;		&JLKTP$JM		
HVE3 &) 4&DCC&C] A A- D<N L&D<! S&		&JTLKKM$JM		
^&& &@&& F<E>' ! ED<N				
) *6*, -+-	$EE- , E+	$24+65-		
			H9C; 8>H; $AJHA@A$Z6E	$24+65 -
: #+O) 4&E) ,. ;		&LLTPK$JM		
HVE3 &) 4&&& &@&& F<E>' ! ED<N&		&RRLTKP$JJ		
^' ! BCF<L&^A>' 9V				
) *+, *, -+-	$ -+EFF	$-4 2-5-		
			; KB$B9C$B: BJ?K8A: U: C;	$-4 2-5 -
: #+O) 4&E) ,. ;		&PLJTM$JM		
HVE3 &) 4&' ! BCF<L&A>' 9V&		&PLXRT$XM		
^' <<AV& &' <<AV&' EEF><AV&C: ! CL&D<! S				
) *+, *, -+-	$ -+EFE	$F65-		
			D L>D&H9K8B 8$AJ HA	$F65 -
: #+O) 4&E) ,. ;		&KK$JM		
HVE3 &) 4&' <<AV&' &' <<AV& EEF><AV& C: ! CL&D<! S&		&PLQKT$JM		
^' G>ANGD&FC! ' >				
) *6*, -+-	$ -+366	$-E) 5-		
			8: ! KCG@B>; B9C$9J 8%U;	$-E) 5 -
: #+O) 4&E) ,. ;		&PQLJ$JM		
HVE3 &) 4&' G>ANGD&FC! ' >&		&PLMTP$JJ		

MV00061695

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
^3A3 NA&CFHE] ' >AL &WW!				
)*6*,-+-	$-+F7F	$F6-5-		
			H9CAKD, E&L$AJHA@9!; P>8: $G: J	$F6-5-
)*+,*,-+-	$EE-223	$665-		
			H9CAKD, E&L$AJHA@8	$665-
)*+7*,-+-	$EE-23+	$64)-5-		
			H9CAKD, E&L$AJHA	$64)-5-
: #+0)4&E),.;		&RLUUK$M		
HVE3 &&) 4&3 A3 NA&CFHE] ' >AL&WW! &		&PMRLRZX$RQ		
^@&3 ACDN<& & CCF ! D EAC				
)*+*,-+-	$EE-,6F	$E,+5-		
			C>U: $%CN$G&A%D><@GG	$E,+5-
: #+0)4&E),.;		&QJP$M		
HVE3 &&) 4&@&3 ACDN<& & CCF ! D EAC&		&QLUXP$M		
^D9A<A\ L&A99' <GA W				
)*,3*,-+-	$-,+6-	$-,5-		
			8: !KCG@>CI $!::A$9C$9J8H=8LG$G	$-.5-
: #+0)4&E),.;		&PMJ$M		
HVE3 &&) 4&D A<A\ L&A99' <GAW&		&PMJ$M		
^^:C&9' >BAE& &WDcGF>				
)*6*,-+-	$-+363	$-635-		
			8: !KCG@KA$D&H$9J8%U;	$-6-5E
			8: !KCG@KA$D&H$9J8%U;	$&)3
			8: !KCG@KA$D&H$9J8%U;	$523
: #+0)4&E),.;		&PKR$M		
HVE3 &&) 4&^:C&9' >BAE& &WDcGF>&		&PKR$M		
^F@<&3 AA>A&W <3C!' -ACL&D<!S				
)*+7*,-+-	$-+773	$F)5)		
			8: !KCG@KA$D&H$9J8%U;	$F)5)
: #+0)4&E),.;		&U$RU		
HVE3 &&) 4&F@<&3 AA>A&W <3C!' -ACL&D<!S&		&U$RU		
^F@<CF<L&3 AWD				
)*,3*,-+-	$-,+6+	$F,5-		
			E&A; 8KH; 98$AJHA@:89?&HA	$F,5-
: #+0)4&E),.;		&J$M		
HVE3 &&) 4&F@<CF<L&3 AWD&		&TJ$M		

MV00061696

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&.//(#+,	-./(#+,& '()*+,012
^FWWD&[AA					
	)*+7*,-+-	$-+77F	$FF52E		
				8: !KCG@KASDBH$9J8%U;	$FF52E
	: #+O) 4&E) ,. ;		&XXSTQ		
HVE3 &) 4&F WWD&[AA&			&XXSTQ		
^F<AC&DDD&^FCA- @					
	)*+7*,-+-	$-+77E	$E65 5-		
				UBD >L: $B: BJ?K8A : U: C;	$2) 55-
				UBD >L: $B: BJ?K8A : U: C;	$6+5 -
	: #+O) 4&E) ,. ;		&XXSXM		
HVE3 &) 4&F<AC&DDD&FCA- @&			&XXPSLK		
^F<ACL&CGC' <					
	)*6*,-+-	$-+F7E	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&F<ACL&CGC' <&			&TLPQXSTM		
^FG><AVC&PMPX					
	)*6*,-+-	$-+36F	$E65 6		
				8: !KCG@KASDBH$9J8%U;	$E65 6
	: #+O) 4&E) ,. ;		&XXSJK		
HVE3 &) 4&FG><AVC&PMPX&			&XXSJK		
^E[&CG- - WW& FSL&D<! S					
	)*+7*,-+-	$-+777	$E4 +-52		
				AJH$H>?BD: ; $!98$ 8>!$ABLC>D	$E4 +-52
	: #+O) 4&E) ,. ;		&LJPMRT		
HVE3 &) 4&E[&CG- - WW& FSL&D<! S&			&KTLMMD&P		
^G' <DE' C&9' >BAE					
	)*6*,-+-	$-+36E	$3F5- -		
				8: !KCG@KASDBH$9J8%U;	$3F5 -
	: #+O) 4&E) ,. ;		&RXSMM		
HVE3 &) 4&G' <DE' C&9' >BAE&			&RXSMM		
B& &[ACEL&D<!					
	)*6*,-+-	$-+367	$3F5- -		
				8: !KCG@KASDBH$9J8%U;	$F+5 2
				8: !KCG@KASDBH$9J8%U;	@) 5 2
	: #+O) 4&E) ,. ;		&XXSMM		
HVE3 &) 4&B& &[ACEL&D<! &			&XXSMM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
B' DCA> & A>9' <A<E A				
)*+7*, -+-	$-,---	$2-5-		
			8: !KCG@>DA: $>D>8U$: :	$2-5-
	: #+0) 4E) ,. ;	&TMB/M		
HVE3 &) 4&B' DCA> & A>9' <A<EA&		&TXUPS&J		
B' C@AHD FG>L&@FC CAD<				
)*6*, -+-	$-+33-	$-2)5+		
			UED >L: $B: BJ?K8A : U: C;	$2)5+
			UED >L: $B: BJ?K8A : U: C;	$--55-
	: #+0) 4E) ,. ;	&PTUS&P		
HVE3 &) 4&B' C@AHD FG>L&@FCCAD< &		&JXJS&P		
B3 9 &9 A> D< D <L&D< ! S				
)*, 3*, -+-	$EE-2EF	$E4+-5-		
			?9: BCL*UHG9CC: DAB: P>D $%89M	$24765-
			; : UH9$A; A: P> D $%89M	$4F-5-
			J9KL=; $A; A: P >D $%89M	$)65-
	: #+0) 4E) ,. ;	&QRPMB/M		
HVE3 &) 4&B3 9 &9 A> D< D <L&D< ! S&		&RQUKS/M		
BAAN' <L& ' >FW				
)*+7*, -+-	$-,--+	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
	: #+0) 4E) ,. ;	&IMB/M		
HVE3 &) 4&BAAN' <L& ' >FW&		&IMB/M		
BA<<AE@&F@<CF<				
)*6*, -+-	$-+33+	$6E5-		
			8: !KCG@KADH9J8%U;	$6E5-
	: #+0) 4E) ,. ;	&KQB/M		
HVE3 &) 4&BA<<AE@&F@<CF<&		&KQB/M		
BA>A<VD&F@<				
)*6*, -+-	$-+33,	$-7,5-		
			% 8$GB U@8>CAB$J A$H9C!5	$-7,5-
	: #+0) 4E) ,. ;	&PZJS/M		
HVE3 &) 4&BA>A<VD&F@<&		&PZQB/M		
BD<N L&' E>D D & S				
)*6*, -+-	$-+332	$2+E5F2		
			8: ; BB: : $J: GBH>D$?: C: !B	$2+E5F2
	: #+0) 4E) ,. ;	&TPQ&T		
HVE3 &) 4&BD<N L& ' E>D D & S&		&JKUZS&K		

MV00061698

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&&./(#+,	-./(#+,& '()*+,012
BF' & F>-F>' EDF<				
)*6*,-+-	$-+33)	$-64F,25-		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-)4725-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-463-5-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$F-5-
)*,3*,-+-	$-,+6,	$-4E)+5,6		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-4E)+5,6
	: #+O)4&E),.;	&RLKRUSTK		
HVE3&)4&BF' & F>-F>' EDF<&		&JPPLQXX&M		
BFW[L& @ >WAC&AS				
)*6*,-+-	$-+F77	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFW[L& @ >WAC&A&&		&TLPQXSTM		
BFWW >L&BVWA				
)*6*,-+-	$-+336	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFWW >L&BVWA&		&PLJXUSZJ		
BVWAL&N' >V&9S				
)*6*,-+-	$-+E--	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BVWAL&N' >V&9S&		&LKLZS&K		
W& &N& ' [WA& F<CE>G! EDF<				
)*+7*,-+-	$-,--,	$6F5-		
			8: !KCG@KAS&DBH$9J8%U;	$6F5-
	: #+O)4&E),.;	&XS&M		
HVE3&)4&W& &N& ' [WA& F<CE>G! EDF<&		&XS&M		
W [AWWAY9' >:D<L&D<!S				
)*,3*,-+-	$-,+62	$E4--5-		
			AKCC<UG$?DJG$B: J B, $%89M&AJHA	$E4--5-
	: #+O)4&E),.;	&QLPMM&M		
HVE3&)4&W [AWWAY9' >:D<L&D<!S&		&QLPMM&M		
W H' E' L&\FCA-@D< A				
)*6*,-+-	$-+E-+	$2+6557		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+6557
	: #+O)4&E),.;	&TPK&XZ		
HVE3&)4&W H' E' L&FCA-@D< A&		&TLPKQ&XU		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
W <3A>CL&F>AE@'				
)*6*,-+-	$-+333	$--5-		
			8: !KCG@: C; >D&G: %&2*,-*+-	$--5-
	: #+O) 4&E) ,. ;	&IMVB/M		
HVE3 &) 4&W <3A>CL&F>AE@ &		&IMVB/M		
W <NA<3F>HL&[A<^' 9D<				
)*6*,-+-	$-+33F	$2+E5F2		
			8: ; B&: : $U: GB&H>D&?: C: !B;	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &) 4&W <NA<3F>HL&[A<^' 9D< &		&ILQRQ&X		
W E@' 9& &] ' EBD<CL&WW-				
)*,3*,-+-	$-,+6)	$4F)65-		
			%&9!$AJHA@>CG&G: J	$3,55-
			%&9!$AJHA@>CG&G: J	$-65-
			%&9!$AJHA@>CG&G: J	$F65-
			%&9!$AJHA@>CG&G: J	$-4EF56-
			%&9!$AJHA@>CG&G: J	$-47+65-
	: #+O) 4&E) ,. ;	&JLXUK&M		
HVE3 &) 4&W E@' 9& &] ' EBD<CL&WW- &		&JLXUK&M		
W EDEG3A&T&9A3D &N>FG-				
)*+,*,-+-	$-+EF7	$-486-5-		
			>GJ: 8; BA&CL$AJHA@GG	$-486-5-
	: #+O) 4&E) ,. ;	&PLRKVB/M		
HVE3 &) 4&W EDEG3A&T&9A3D &N>FG- &		&LTMVB/M		
W] <&EA! @&AcGD-9A<E				
)*6*,-+-	$EE-,EF	$)+53F		
			UBAH$%>8; A@J>E&C; $C&9%8	$2EE5-
			UBAH$%>8; A@J>E&C; $C&9%8	$625)F
	: #+O) 4&E) ,. ;	&JUPSRX		
HVE3 &) 4&W] <&EA! @&AcGD-9A<E&		&TLJMVS/Q		
W] VA>C&EDEWA&D<!				
)*+7*,-+-	$-,--2	$6-5-		
			%&8: DBJ$ B D $B% @&98%&:8G$%&89M	$6-5-
)*,+*,-+-	$--)-7+	$-,47EE56-		
			: AH&9P$G: %&9AB; @>A: U: C; $%K8H=5	$-,47EE56-
	: #+O) 4&E) ,. ;	&PTILJTQ&KM		
HVE3 &) 4&W] VA>C&EDEWA&D<! &		&JPPLQKVB/M		

MV00061700

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
WAAL& @DWD 8&9 D @ AW				
)*6*,-+-	$-+33E	$)E-55F		
			8: !KCG@GUBC$HB>; B9CS!: : A	$)E-55F
: #+0) 4&E) ,. ;		&JCMBX		
HVE3 &) 4&WAAL& @DWD &9 D @ AW&		&JCMBX		
WADN@EF<& F<CGWE D<N L&D<! S				
)*+,*,-+-	$EE-22F	$-4))5-		
			D>AA: DD $A; $PBG: CBCL$/&89M&AJHA	$-4))5-
: #+0) 4&E) ,. ;		&PMDMUUS&M		
HVE3 &) 4&WADN@EF <& F<CGWEB N L&D< ! S&		&JLCLRSRU		
WAF<C&9' CEA>& WA ' <D<N				
)*6*,-+-	$-+337	$F57		
			8: !KCG@KASDBH9J8%U;	$F57
: #+0) 4&E) ,. ;		&JXS&Z		
HVE3 &) 4&WAF<C&9 ' CEA>& WA' <B N&		&JXS&Z		
WA] DCL& ' >FW/<&C S				
)*6*,-+-	$-+E-,	$2+6557		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+6557
: #+0) 4&E) ,. ;		&TPKS&Z		
HVE3 &) 4&WA] DCL& ! ' >FW/<&C S&		&TLPKKSTM		
WA_DC<A_DC				
)*,3*,-+-	$EE-2EE	$-4)E-5-		
			9CDB: $D L>D&AJH A@; <$-; ; 98C: <	$F)-5-
			9CDB: $D L>D&AJH A@; <$HD 8I A	$2F-5-
			9CDB: $D L>D&AJH A@GG	$2F-5-
: #+0) 4&E) ,. ;		&PLUCMB&M		
HVE3 &) 4&WA_DC<A_DC&		&PKLPZKS&M		
WA_DC<A_DC& >' ! E D A&9 N9 ES				
)*,3*,-+-	$-,+66	$-4)F75)3		
			; U*?U$-CCK>D&U>BC; : C>CH:	$&265-
			; U*?U$-CCK>D&U>BC; : C>CH:	$7))5)3
: #+0) 4&E) ,. ;		&PLUXZS&R		
HVE3 &) 4&WA_DC<A_DC& >' ! ED A&9 N9 ES&		&PLUXZS&R		
WD9& &<' C! D9 A<EF &A<ND<AA>D<N& F>-S				
)*,3*,-+-	$-,+63	$,+4&EF5F-		
			% 88BA$?D$PBG: CBCL$!89U$B>U$/%	$,+4&EF5F-
: #+0) 4&E) ,. ;		&PIRCX&M		
HVE3 &) 4&WD9& & <' C! D9 A<EF &A<ND<AA>D<N& ! F>-S&		&KKKLCMPSTX		

MV00061701

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&&./(#+,	-./(#+,& '()*+,012
WD9 F<L&^F CA&9 L&9 S3 S				
	)*6*,-+-	$-+3F-	$2253	
			8: !KCG@KAS DB H$9J8%U;	$2253
	: #+0) 4&E) ,. ;		&TS'R	
HVE3 &&) 4&^WD F<L&^F CA&9 L&9 S3 S&.			&TS'R	
WD<3 F L&@A>9 D<' &N S				
	)*6*,-+-	$-+E-2	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B;	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&^WD<3 F L&@A>9 D<' &N S&.			&ULXUPS&U	
WD C! F9 [L&>' V9 F<3				
	)*+7*,-+-	$-,--)	$F65-	
			8: !KCG@*C$G: %9AB;	$F65-
	: #+0) 4&E) ,. ;		&KS&M	
HVE3 &&) 4&^WD C! F9 [L&>' V9 F<3 &.			&KS&M	
WDC' &^' >9' <& F<C GWED<N				
	)*+,*,-+-	$-+EE-	$-4325-	
			H9CAKD; BC L$AJHA@A%	$-4325-
	: #+0) 4&E) ,. ;		&PLMRTS&M	
HVE3 &&) 4&^WDC' &' >9' <& F<CGWED<N &.			&PLMRTS&M	
WDEEWA&[AD^D<N				
	)*+7*,-+-	$-,--6	$EF56	
			8: !KCG@KAS DB H$9J8%U;	$EF56
	: #+0) 4&E) ,. ;		&QXS&K	
HVE3 &&) 4&^WDEEWA&[AD^D<N &.			&QXS&K	
WF N' <L&! @' >WAC				
	)*6*,-+-	$-+E-)	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B;	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&^WF N' <L&! @' >WAC &.			&ULMQ&RP	
WF<A&&>' D<A>& & >F<EF&<F &UL&E@A				
	)*6*,-+-	$-+3F+	$225-	
			8: !KCG@KAS DB H$9J8%U;	$225-
	: #+0) 4&E) ,. ;		&TS&M	
HVE3 &&) 4&^WF<A&&>' D<A>& & >F<EF&<F &UL& E@A &.			&TS&M	

MV00061702

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
WF>&NAFEA! @<D ' W&N>FG-L&D<! S				
)*+7*,-+-	$EE-23,	$6F-5-		
			%&; 8E9; $%&>8I $%&89 M&AJHA	$2-5-
			%&; 8E9; $%&>8I $%&89 M&AJHA	$-)-5-
)*,3*,-+-	$EE-2E7	$4)65-		
			J9KL=; $A; 5A&G: P>D $%&89M	$-43-5-
			;: UH9$A; 5A&G: P> D $%&89M	$7E65-
	: #+O)4&E),.;	&ILCPK$M		
HVE3&&) 4&\F>&NAF EA! @<D ' W&N>FG-L&D<! S&		&RTIL/KP$RM		
WFGDCL&/D/D				
)*6*,-+-	$-+3F,	$3+5-		
			8: !KCG@D>AA$B: LB&*>8: C>$A9HH8	$3+5-
	: #+O)4&E),.;	&RP$M		
HVE3&&) 4&\F GDCL&/D/D &		&RP$M		
WF] &>D A& GEF&N W CC&bRM				
)*6*,-+-	$-+3F2	$FF5-		
			8: !KCG@KADBH9J8%U;	$FF5-
	: #+O)4&E),.;	&XS$M		
HVE3&&) 4&\F] &>D A& GEF&N W CC&bRM&		&XS$M		
WG9WAVL&>F[A>E& S				
)*6*,-+-	$-+E-6	$2+E5F2		
			8: ;B&: :$U: GB&H>D&?: C: !B	$2+E5F2
	: #+O)4&E),.;	&TPQ$KT		
HVE3&&) 4&\G9WAVL&>F[A>E& S&		&TIPQXS$M		
9& &9&@' D>&C' WF<				
)*+7*,-+-	$-,--3	$265,6		
			8: !KCG@KADBH9J8%U;	$265,6
	: #+O)4&E),.;	&TKS$K		
HVE3&&) 4&9&&9@' D>&C' WF<&		&TKS$K		
9&\& WA' <D<N& F9-' <V				
)*+7*,-+-	$-,--F	$),5F		
			8: !KCG@KADBH9J8%U;	$),5F
	: #+O)4&E),.;	&JU$X		
HVE3&&) 4&9&& WA' <D<N& F9-' <V&		&JU$X		
9&] &@& 9A>D' CL&D<! S				
)*+7*,-+-	$-,--E	$2F5-		
			8: !KCG@KADBH9J8%U;	$2F5-
	: #+O)4&E),.;	&TX$M		
HVE3&&) 4&9&] &@& 9A>D' CL&D<! S&		&TX$M		

MV00061703

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9' ! EA! & WA' <G-& F>-F>' EDF<				
)*+7*, -+-	$-,--7	$),5-		
			8: !KCG@KASDBH9J8%U;	$),5-
: #+0) 4&E) ,. ;		&JUS/M		
HVE3&) 4&9' ! EA! & WA' <G-& F>-F>' EDF<&		&JUS/M		
9' N<FWD & FFW& <3&C-' &CG--W				
)*6*, -+-	$-+3F)	$6+56		
			8: !KCG@KASDBH9J8%U;	$6+56
: #+0) 4&E) ,. ;		&KPSIK		
HVE3&) 4&9' N<FWD & FFW& <3&C-' &CG--W&		&KPSIK		
9' <' NA9A<E& 33A3 &CA>:D AC				
)*+7*, -+-	$-,-+-	$F52E		
			8: !KCG@KASDBH9J8%U;	$F52E
: #+0) 4&E) ,. ;		&XSTQ		
HVE3&) 4&9' <' NA9 A<E& 33A3&CA>:D AC&		&XSTQ		
9' <\' <FL&B' >W				
)*+7*, -+-	$-,-++	$--5-		
			8: !KCG@: C; >D&G: %9AB	$--5-
: #+0) 4&E) ,. ;		&MVB/M		
HVE3&) 4&9' <\' <FL&B' >W &		&TPJS/M		
9' >D<L&9' >E@'				
)*6*, -+-	$-+3F6	$675-		
			8: !KCG@D>AA$B: LBA*>8: C>$A9HH8	$675-
: #+0) 4&E) ,. ;		&KZS/M		
HVE3&) 4&9' >D<L&9' >E@ &		&KZS/M		
9' >B&[A' 9DC@&] ' EA>->FFHD<NL&D<!S				
)*6*, -+-	$-+3F3	$EF5-		
			8: !KCG@KASDBH9J8%U;	$EF5-
: #+0) 4&E) ,. ;		&QXS/M		
HVE3&) 4&9' >B&[A' 9DC@&] ' EA>->FFHD<NL& D<!S&		&QXS/M		
9' >>FcGD<L&A33V				
)*+,*, -+-	$-+EE+	$)-5-		
			8: !KCG@C; D&G: %	$-)-5-
			8: !KCG@C; D&G: %	$--5-
: #+0) 4&E) ,. ;		&UMB/M		
HVE3&) 4&9' >>FcGD<L&A33V&		&UMB/M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
9' >ED<A\L&H>' <B				
)*+,*, -+-	$-+EE,	$-365-		
			% 8$GB U@CCD&I B8: $'&8: J$P8I A=%	$-365-
	: #+0)4&E),.;	&PRK&M		
HVE3&&)4&' >ED<A\L&H>' <B&		&PRK&M		
9' E@DCL&<FW <				
)*6*, -+-	$-+3FF	$735-		
			8: ; &B: : $U: GBH>D&?: C: !B	$735-
	: #+0)4&E),.;	&ZR&M		
HVE3&&)4&' E@DCL&<FW <&		&ZZMM&M		
9' ED @& F>-F>' EDF<				
)*+7*, -+-	$EE-232	$64 62526		
			>A%=>D, BH$U>; : 8B>D	$-42,)52E
			>A%=>D, BH$U>; : 8B>D	$-42,)52E
			>A%=>D, BH$U>; : 8B>D	$-4 F. 516
			>A%=>D, BH$U>; : 8B>D	$-422+56)
	: #+0)4&E),.;	&KJKT&K		
HVE3&&)4&' ED @& F>-F>' EDF<&		&TKXJU&K		
9' _D<FCBD&CGA& S				
)*6*, -+-	$-+E-3	$2+E5F2		
			8: ; &B: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;	&TPQ&T		
HVE3&&)4&' _D<FC BD&CGA& S&		&TPQX&M		
9! & F<<AWW& ' [D<AECL&D<! S				
)*6*, -+-	$-+3FE	$65-)		
			8: !KCG@KA&D&H$9J8%U;	$65-)
	: #+0)4&E),.;	&K&U		
HVE3&&)4&! & F<<AWW& ' [D<AECL&D<! S&		&K&U		
9! &<AAW&C&A3G! ' E DF<' W&H' 9DW&3' V& ' >A				
)*6*, -+-	$-+3F7	$225-6		
			8: !KCG@KA&D&H$9J8%U;	$225-6
	: #+0)4&E),.;	&T&K		
HVE3&&)4&! &AAW&C&A3G! ' EDF<' W&H' 9DW&3' V& ' >A&		&T&K		
9!!' >E@V& &[A>WD<L&WW-				
)*+7*, -+-	$EE-23)	$-46)65-		
			D L>D&AJHA@&; &B; BA	$-46)65-
	: #+0)4&E),.;	&PLKJK&M		
HVE3&&)4&!!' >E@V& &[A>W&L&WW-&		&TPLPXK&Z		

MV00061705

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[illegible] 3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
9! D					
	)*,3*,-+-	$-,+6F	$-4-7F56F		
				EC; : 8C: ; $H9CC: H; E9C$AJHA	$-4-7F56F
	: #+0) 4&E) ,. ;		&PLPZX$KX		
HVE3 &) 4&9 ! D&			&PTLTKR$KP		
9! D] F>W3! F9					
	)*,3*,-+-	$-,+6E	$-4-,E5-,		
				H9UUKCEH>; E9C$AJ HA	$-4-,E5-,
	: #+0) 4&E) ,. ;		&PLMJQ&PJ		
HVE3 &) 4&9 ! D] F> W3! F9&			&PMJZJ$JU		
9AW 3& & CCF! D E AC					
	)*+,*,-+-	$-+EE2	$4-6-53E		
				%D>C$H=: HI $AJHA	$4-6-53E
	: #+0) 4&E) ,. ;		&LPKMERQ		
HVE3 &) 4&9 AW 3& & CCF! D EAC&			&TQLTXZ$TR		
9A<NDCEGL&/AC@D WA9					
	)*+,*,-+-	$-+EE)	$-+E55-		
				UED >L: $B: EJ?K8A : U: C;	$-+E55-
	: #+0) 4&E) ,. ;		&PPQ&M		
HVE3 &) 4&9 A<NDCE GL&/AC@D WA9&			&ZZK$K		
9A<FC&CEA>AFC					
	)*6*,-+-	$-+3E-	$F+52+		
				8: !KCG@KADEH9J8%U;	$F+52+
	: #+0) 4&E) ,. ;		&PS$P		
HVE3 &) 4&9 A<FC&C EA>AFC&			&PS$P		
9ACCD<L&/FGDC					
	)*6*,-+-	$-+E-F	$2+E5F2		
				8: ; EB: : $U: GEH>D$?: C: !B;	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&9 ACCD<L&/FGDC&			&LKLZ$&K		
9NE&FH& 9A>D ' L&D<! S					
	)*+,*,-+-	$EE-22E	$24--5-		
				H9A; $HDJEDL$AJHA @; =$N; 8$7*+-	$46--5-
				H9A; $HDJEDL$AJHA @; =$N; 8$7*+-	$6--5-
	: #+0) 4&E) ,. ;		&TLMMBM		
HVE3 &) 4&9 NE&FH&' 9A>D ' L&D<! S&			&PJLMMBM		

MV00061706

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&.//(#+,	-./(#+,& '()*+,012
9D @' AW& ' B@' >F: &C! ' HHFW3 D<N				
)*6*,-+-	$-+3E+	$65FF		
			8: !KCG@KAS DB-H$9J8%U;	$65FF
: #+0)4E),.;		&IKSXX		
HVE3 &)4& D @' AW& ' B@' >F: &C! ' HHFW3 D<N		&IKSXX		
9DWACL&>F[A>E				
)*6*,-+-	$-+E-E	$9-7)552		
			8: ; BB: : $U: GB-H>D&?: C: !B;	$9-7)552
: #+0)4E),.;		&PZUSXT		
HVE3 &)4& DWACL&>F[A>E&		&ILJJMBXR		
9D<' >3L&9' >B&AS				
)*6*,-+-	$-+E-7	$2-E5-F		
			8: ; BB: : $U: GB-H>D&?: C: !B;	$2-E5-F
: #+0)4E),.;		&TMDSPX		
HVE3 &)4& D<' >3L&9' >B&AS&		&IZCRSXP		
9D>' !WA&>A! >A' EDF<&AcGD-9A<E				
)*+7*,-+-	$-,-+,	$-4F65)7		
			%D><L89KCG$ NKB%@&-8I A	$E7F57)
			%D><L89KCG$ NKB%@&-8I A	$-FF566
)*,3*,-+-	$-,+67	$-46F+5E2		
			%D><L89KCG$ NKB%@&-8I A	$6775 3
			%D><L89KCG$ NKB%@&-8I A	$-3)5,
			%D><L89KCG$ NKB%@&-8I A	$-75 7
			%D><L89KCG$ NKB%@&-8I A	$6775 3
: #+0)4E),.;		&IRUXSTJ		
HVE3 &)4& D>' !WA&>A! >A' EDF<&AcGD-9A<E&		&ILUPRSJU		
9DCCDF<&C@AAE&9A E' WL&D<! S				
)*+7*,-+-	$-,-+2	$6F5 6		
			8: !KCG@KAS DB-H$9J8%U;	$6F5 6
: #+0)4E),.;		&XSIK		
HVE3 &)4& DCDF< &C@AAE&9AE' WL&D<! S&		&XSIK		
9DE! @AWWL&8' :D3				
)*+7*,-+-	$-,-+)	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0)4E),.;		&IMBM		
HVE3 &)4& DE! @AWWL&8' :D3&		&IMBM		

MV00061707

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
9F3A><8D9' NA				
)*+7*,-+-	$-,-+6	$3E57)		
			8: !KCG@KASDBH$9J8%U;	$3E57)
	: #+0) 4&E) ,. ;	&RQSZU		
HVE3&8) 4&9 F3A><8D9' NA&		&RQSZU		
9FWWD' L&9 DBA				
)*6*,-+-	$-+E+-	$)-+5),		
			8: ; BB: : $U: GBH>D&?: C: !B)	$)-+5),
	: #+0) 4&E) ,. ;	&UVPSUU		
HVE3&8) 4&9 FWWD' L&9 DBA&		&TUJPPSTX		
9F<EDAWL&F>W <3F				
)*+7*,-+-	$-,-+3	$-65-		
			8: !KCG@CUDDBH: CA: $1: :	$-65-
	: #+0) 4&E) ,. ;	&PKSVM		
HVE3&8) 4&9 F<EDAWL&F>W <3F&		&PKSVM		
9F>' L&' E>D D & S				
)*6*,-+-	$-+E++	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B)	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQSXT		
HVE3&8) 4&9 F>' L&' E>D D & S&		&TUPQXSTM		
9F>A<F&' WWAV&[W' ! B&@' 9[A>&FH& F99A>! A				
)*6*,-+-	$-+3E,	$--5-		
			8: !KCG@?D&A; >L: $BC; D&G: %	$--5-
)*6*,-+-	$-+3E2	$-42F65-		
			?KABC: AA$AJHA@, =$BCA; DJC;	$-42F65-
	: #+0) 4&E) ,. ;	&PLUXKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&[W' ! B&@' 9[A>& FH& F99A>! A&		&KLQZTSVM		
9F>A<F&' WWAV&@' 9[A>&FH& F99A>! A				
)*+,*,-+-	$-+EE6	$34F65-		
			?KABC: AA$AJHA@, =$N; 8$7*+-	$34--5-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
	: #+0) 4&E) ,. ;	&RUVKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&@' 9[A>&F H& ! F99A>! A&		&ZLPMVBVM		

MV00061708

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#) 8&. / (#+,	-./(#+,& '( )*+,012
9F>A<F&' WWAV& DEV&A9-WFVAAC& CC F! S				
)*7*,-+-	$3+6	$-46F75-		
			UJH: >$GK: A$)*- 7*+-	$-46F75-
)*,2*,-+-	$3,2	$-46F75-		
			UJH: >$GK: A$)*, 2*+-	$-46F75-
: #+0) 4E),.;		&TLPKQ&M		
HVE3 &) 4&9 F>A<F&:' WWAV& DEV&A9-WFVAAC& ' CCF! S&		&TULQKTS&M		
9F>A<F&' WWAV& WD<D' &9A3D' &H' 9DWD>				
)*+7*,-+-	$-,-+F	$-657F		
			8: !KCG@KA$DB-H$9J8%U;	$-657F
: #+0) 4E),.;		&PMKSZX		
HVE3 &) 4&9 F>A<F&:' WWAV& WD<D' &9 A3D' & H' 9DWD>&		&PMKSZX		
9F>A<F&' WWAV& F 99G<DEV&A3G!' EDF<& A<EA>				
)*,3*,-+-	$-,+3-	$F)65F6		
			; K; 98EDL%&LU@JG?L	$F)65F6
: #+0) 4E),.;		&UKSXK		
HVE3 &) 4&9 F>A<F&:' WWAV& F99G<DEV& A3G!' EDF<& A<EA>&		&RLPZMSTM		
9F>A<F&' WWAV&N' EA]' VL&WW				
)*,3*,-+-	$EE-27-	$,+4725)2		
			D>A: @>H$DB BA $-CCW&?DGL	$,46E57F
			D>A: @: H=$AJHA$>CCW	$64F657-
			D>A: @%HD$GEA; $>CCW	$-24-6E56-3
: #+0) 4E),.;		&PLMZTSJT		
HVE3 &) 4&9 F>A<F&:' WWAV&N' EA]' VL&WW&		&PMZTUSTM		
9F>A<F&' WWAV&W] & A<EA>				
)*+7*,-+-	$-,-+E	$375EE		
			8: !KCG@KA$DB-H$9J8%U;	$375EE
: #+0) 4E),.;		&RZSSQ		
HVE3 &) 4&9 F>A<F&:' WWAV&W] & A<EA>&		&RZSSQ		
9F>A<F&' WWAV&EF VFE'				
)*6*,-+-	$-+3E6	$-5-		
			A% HB-D$>W$B: BJ ?K8A: U: C;	$-324665,7
			A% HB-D$>W$B: BJ ?K8A: U: C;	@324665,7
: #+0) 4E),.;		&VBM		
HVE3 &) 4&9 F>A<F&:' WWAV&EF VFE'&		&VBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&G< DHDA3 &C! @FFW&3 DCE>D E				
)*6*,-+-	$-+3E3	$-7463-5-		
			; 8>CA%98; >; B9C$H9A; A@; >8A	$-7463-5-
)*6*,-+-	$-+3EF	$EE5-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$EE5-
)*6*,-+-	$-+3EE	$2-35-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$2-35-
: #+0)4E),.;		&IMPKUS/M		
HVE3 &) 4&9 F>A<F&: ' WWAV&G< DHDA3 &C ! @FFW& 3 DCE>D E&		&JJUICRMB/K		
9F>A<F& ' WWAV&G E DWDEV				
)*,3*,-+-	$-,+3+	$3,5+		
			: D H; 8BHB<@&; $I DG$9! ! BH:	$3.5+
: #+0)4E),.;		&RJS/P		
HVE3 &) 4&9 F>A<F&: ' WWAV&GEDWDEV&		&JRRQTXSTM		
9F>A<F& ' WWAV&] ' C@&@FGCA				
)*6*,-+-	$-+3E7	$,5-		
			8: !KCG@KAS DBH$9J8%U;	$,5-
: #+0)4E),.;		&JJS/M		
HVE3 &) 4&9 F>A<F&: ' WWAV&] ' C@&@FGCA&		&JJS/M		
9F>N' <L&WDC' & S				
)*6*,-+-	$-+E+,	$2+E5F2		
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0)4E),.;		&TPQSXT		
HVE3 &) 4&9 F>N' <L&WDC' & S&		&TTPQXSTM		
9F>>F] &9A' 3F] C& F>-F>' EDF<				
)*+7*,-+-	$-,-,-	$6-5)		
			8: !KCG@KAS DBH$9J8%U;	$6-5)
: #+0)4E),.;		&KMBRU		
HVE3 &) 4&9 F>>F] &9A' 3F] C& ! F>-F>' EDF<&		&KMBRU		
9G<D D' W&AcGD 9 A<E&9' D<EA<' <! A&' CCF				
)*6*,-+-	$-+37+	$F65-		
			U: U?: 8A=B%B: C: P >D	$F65-
: #+0)4E),.;		&KKS/M		
HVE3 &) 4&9 G<D D' W&AcGD 9 A<E& 9' D<EA<' <! A& CCF &		&KKS/M		

MV00061710

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
9G\' BL&WW				
)*+7*, -+-	$-, -, +	$325-2		
			8: !KCG@KASDBH$9J8%J;	$325-2
	: #+0) 4&E) ,. ;	&RTS/T		
HVE3&&) 4&9 G\' BL&WW &		&RTS/T		
<' DF-Y<' ED<' W& CCF! &FH&D<3GCE>D' W& &FHH				
)*, 3*, -+-	$-, +3,	$24 635--		
			>GJ: 8; BAEC L$AJHA@GG	$24 635-
	: #+0) 4&E) ,. ;	&TLJKR&/M		
HVE3&&) 4&' DF-Y<' ED<' W& CCF! &FH& D<3GCE>D W& &FHH&		&RLKPJS/M		
<' <! VaC&E>G! BD<N L&D<!				
)*6*, -+-	$-+37,	$375--		
			8: !KCG@KASDBH$9J8%J;	$375-
	: #+0) 4&E) ,. ;	&RZS/M		
HVE3&&) 4&' <! VaC&E>G! BD<NL&D<! &		&RZS/M		
<' ED<] D<A&>AED>A9A<E&CFWGED<C				
)*7*, -+-	$3+2	$346) F5F7		
			%A; $G: !$H9U%&! 98 $! BH>$)*-7*+-	$346) F5F7
)*7*, -+-	$3+)	$,+4)-755,		
			G: !$H9U%&) 6F$D&) -+X-Y$)*-7*+-	$,+4)-755,
)*, 2*, -+-	$3, +	$E48, F52+		
			%A; $G: !$H9U%&! 98 $! BH>$)*, 2*+-	$E48, F52+
	: #+0) 4&E) ,. ;	&TRLKQJ&RJ		
HVE3&&) 4&' ED<] D<A&>AED>A9A<E& CFWGED<C&		&XUULKTKSPP		
<' :' >>AEEAL&>' W-@				
)*6*, -+-	$-+372	$2+E5F2		
			8: ; BB: : $J: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ&XT		
HVE3&&) 4&' :' >>AEEAL&>' W-@&		&PLJXUS&J		
<' :' >>FL&@A>D[A>EF				
)*+7*, -+-	$-, -, ,	$F6-5--		
			8: !KCG@&C; D&G: %&2*2-	$F6-5-
	: #+0) 4&E) ,. ;	&KKMB/M		
HVE3&&) 4&' :' >>FL&@A>D[A>EF &		&PLMKMB/M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
<' : ! F&CA! G>DEV&C VCEA9C				
)*6*, -+-	$EE-2--	$E4275)E		
			H>U: 8>C NKB4@9LBA; BHA$-8: >	$4-)E5-7
			H>U: 8>C NKB4@&A?$ 89C; $C9??<	$4-7+5 7
)*, 3*, -+-	$EE-27+	$2)25--		
			GJ8$B: %-B@9DH: $G: %	$2)25-
: #+0) 4E) ,. ;		&QRQJ$JQ		
HVE3 &) 4&' : ! F&C A! G>DEV&CVCEA9C&		&ZLQQMBM		
<[C&N F: A><9A<E&H D<' <! A&N>FG-				
)*6*, -+-	$EE-2-+	$)+75)-		
			>CCK>D$CBH: CA: $I : :	$)+75-
: #+0) 4E) ,. ;		&PZ$M		
HVE3 &) 4&[C&N F: A><9A<E&HB' <! A& N>FG-&		&KZPZ$M		
<AWCF<L&>F[A>E				
)*6*, -+-	$-+37)	$2-65)-		
			8: ; B&: : $U: GBH>D$?: C: !B)	$2-65)-
: #+0) 4E) ,. ;		&TMK$RM		
HVE3 &) 4&AWCF<L&>F[A>E&		&ILUTR$P		
<AWCF<L&>GE@&W$				
)*6*, -+-	$-+E+2	$2+E5F2		
			8: ; B&: : $U: GBH>D$?: C: !B)	$2+E5F2
: #+0) 4E) ,. ;		&TPQ$KT		
HVE3 &) 4&AWCF<L&>GE@&W$&		&TIPQK$TM		
<AWCF<L&EDD FE@V&D' <				
)*+7*, -+-	$-,-,2	$F3-5--		
			EDA; 8KH; EDC$AJHA@-$G><A	$F3-5-
: #+0) 4E) ,. ;		&RMBM		
HVE3 &) 4&AWCF<L&EDD FE@V&D' <&		&PIPMJ$JM		
<AWCF<L& D D <				
)*, 3*, -+-	$-,+32	$-5--		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4E) ,. ;		&IMBM		
HVE3 &) 4&AWCF<L& D D <&		&IMBM		
<AGCE' A3EA>L& >' DN&C				
)*6*, -+-	$-+376	$2+E5F2		
			8: ; B&: : $U: GBH>D$?: C: !B)	$2+E5F2
: #+0) 4E) ,. ;		&TPQ$KT		
HVE3 &) 4&AGCE' A3EA>L& >' DN&C&		&TIPQK$TM		

MV00061712

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&.,/(#+,	-./(#+,& '( )*+,012
<A] &@F-A& @>DCED' <& A<EA>L&D<! S					
	)*6*,-+-	$-+373	$65-,		
				8: !KCG@KADH9J8%U;	$65-,
	: #+0) 4&E) ,. ;		&JK$PJ		
HVE3 &) 4&: A] &@F-A& @>DCED <& A<EA>L& B<! S&			&JK$PJ		
<A] &@F>D F<&9 F[DVA&@F9A& '>B					
	)*+,*,-+-	$-+EEF	$E5)		
				8: !KCG@&; $KA: 8$>W A	$E5)
	: #+0) 4&E) ,. ;		&QSRU		
HVE3 &) 4&: A] &@F> D F<&9 F[DVA&@F9A &'>B&			&QVSZ		
<DA[G>NA>L&^G3DE @&S					
	)*6*,-+-	$-+37F	$-+5,		
				8: ; B&: : $U: GB&H>D&?: C: !B	$-+5,
	: #+0) 4&E) ,. ;		&JVPSJU		
HVE3 &) 4&: DA[G>NA>L&^G3DE@& S&			&JJVPUSVM		
<D<VF& &9 FF>A&NAFEA! @<D ' W					
	)*+,*,-+-	$-+EEE	$-4 765 6		
				: U8LCH<$9%A$H; 8$%&9M&AJHA	$-4 765 6
	: #+0) 4&E) ,. ;		&PLJZKSJK		
HVE3 &) 4&: B<VF& &9 FF>A&NAFEA! @<D ' W&			&RXIZMTSPJ		
<D& & GE&@' D>&CEG3DF					
	)*+7*,-+-	$-,-,)	$2,52)		
				8: !KCG@KADH9J8%U;	$2,52)
	: #+0) 4&E) ,. ;		&TJSTU		
HVE3 &) 4&: D& & GE&@' D>&CEG3DF&			&TJSTU		
<F[AW&CVCEA9C					
	)*,3*,-+-	$EE-27,	$-E47,75)		
				%&9!$AJHA@A	$-4--5-
				%&9!$AJHA@A	$-)47)F5-
				%&9!$AJHA@A	$47E,5)
	: #+0) 4&E) ,. ;		&PQIZJZSJU		
HVE3 &) 4&: F[AW&CVCEA9C&			&RMXRZSJU		
F! ' 9-FL&^GWDA					
	)*+7*,-+-	$-,-,6	$F65-		
				8: !KCG@*C$G: %9AB;	$F65-
	: #+0) 4&E) ,. ;		&KKSVM		
HVE3 &) 4&F! ' 9-FL&^GWDA&			&KKSVM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
FW3 & FG<E>V&[' BA>V				
)*6*,-+-	$-+37E	$2F5-		
			8: !KCG@KAS[DB-H$9J8%U;	$2F5-
: #+0) 4&E) ,. ;		&TXSPM		
HVE3 &) 4&F W& & FG<E>V&[' BA>V&		&TXSPM		
FWD @' <EL&CF<^' &3 S				
)*+,*,-+-	$-+EE7	$-,25-		
			8: !KCG@& 8UB$1::A	$-,,5-
			8: !KCG@& 8UB$1::A	$57-
			8: !KCG@& 8UB$1::A	$5-
: #+0) 4&E) ,. ;		&RJTS/M		
HVE3 &) 4&F WD @ < EL&CF<^' & S&		&RJTS/M		
F<A&[A' GEV&CG--W V& &C' WF<&CG--W V2				
)*6*,-+-	$-+377	$65-,		
			8: !KCG@KAS[DB-H$9J8%U;	$65-.
: #+0) 4&E) ,. ;		&IKSPJ		
HVE3 &) 4&F<A&[A' GEV&CG--W V& &C' WF<& 0CG--W V2&		&IKSPJ		
F-A>' ED F<&C' HA@F GCAL&D<! S				
)*,3*,-+-	$-,+3)	$EE,5EE		
			A=:D:8%&LU@G?L	$7+5/F
			A=:D:8%&LU@G?L	$27-5/+
: #+0) 4&E) ,. ;		&QQJSSQ		
HVE3 &) 4&F-A>' ED F<&C' HA@F GCAL&D< ! S&		&RMUUSSQ		
F>' ! WA& 9A>D '				
)*6*,-+-	$-+F--	$,4675E,		
			A9!; P>8: $K%G>; :*AK%%98;	$,4675E
: #+0) 4&E) ,. ;		&JJILUKZSQJ		
HVE3 &) 4&F>' ! WA& 9A>D ' &		&QZLKXQ&KJ		
FGE[' ! B&' ED F& &CG<&>FF9C				
)*6*,-+-	$-+F-+	$,56+		
			8: !KCG@KAS[DB-H$9J8%U;	$,56+
: #+0) 4&E) ,. ;		&UJSKP		
HVE3 &) 4&F GE[' ! B&' ED F& &CG<&>FF 9C&		&UJSKP		

MV00061714

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
F: A>W <3&' ! DHD & & GEWA>L&D<! S				
)*+7*,-+-	$-,-,3	$-,4--5-		
			A8@-*C>A9C$A; $BC; 8H=CL$%&89M	$-,4--5-
)*,3*,-+-	$-,+36	$34F,-5-		
			8BL=; $9!$P><$AJH A@>8B9KA$%&89M	$34F,-5-
	: #+O) 4&E),.;	&PQLQJMB&M		
HVE3 &&) 4&F: A>W <3&' ! DHD & & GEWA>L&D<! S		&PKPLTJZ$&M		
-' ! DHD &N>AA<&@F >ED GWEG>' W&C: !				
)*+,*,-+-	$-+E7-	$7)F5E2		
			D>CGAH>% $U>BC; @+)	$-2-5-
			D>CGAH>% $U>BC; @2	$2655)
			D>CGAH>% $U>BC; @)	$225)7
			D>CGAH>% $U>BC; @+	$-E56+
			D>CGAH>% $U>BC; @F	$-5)7
)*,3*,-+-	$-,+33	$-,65-		
			?: : $-H9C; 89D@AL+:	$-,65-
	: #+O) 4&E),.;	&PLMKJS&T		
HVE3 &&) 4&' ! DHD &N>AA<&@F >ED GWEG>' W& C: ! &		&PMPMTS&Z		
-' ! DHD &C' HAEV& FG<! DW				
)*6*,-+-	$-+F-,	$43+25F-		
			A>!:; <$ 8>BCBCL@B6: 9	$E5F-
			A>!:; <$ 8>BCBCL@P98I A=9%	$-4375/,
			A>!:; <$ 8>BCBCL@P98I A=9%	$265-E
)*,3*,-+-	$-,+3F	$2E75F7		
			A>!:; <$ 8>BCBCL@B6: 9	$75F7
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$2665+2
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$)5EF
	: #+O) 4&E),.;	&TLMMTS&Z		
HVE3 &&) 4&' ! DHD &C' HAEV& FG<! DW&		&QZJQ&X		
-' ! DHD &EAWA9' <' NA9A<E&CA>: D AC				
)*,3*,-+-	$-,+3E	$2E5)E		
			%&<%=9C: $AJHA@&G	$3,53)
			%&<%=9C: $AJHA@&B; <PBG:	$2F65E
	: #+O) 4&E),.;	&JTQ&JQ		
HVE3 &&) 4&' ! DHD &EAWA9' <' NA9A<E& CA>: D AC&		&JKQMB&R		
-' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!				
)*+7*,-+-	$-,-,F	$3536		
			8: !KCG@KADBH9J8%U;	$3536
	: #+O) 4&E),.;	&JR&RK		
HVE3 &&) 4&' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!		&JR&RK		

MV00061715

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
-' 9 :C&8 F<GEC				
)*6*,-+-	$-+F-)	$235-E		
			8: !KCG@KA$D-H$9J8%U;	$235-E
: #+0) 4&E) ,. ;		&TR&VQ		
HVE3 &8) 4&' 9 :C&8 F<GEC&		**&TR&VQ**		
-' <3' &[F] W				
)*6*,-+-	$-+F-6	$75)+		
			8: !KCG@KA$D-H$9J8%U;	$75)+
: #+0) 4&E) ,. ;		&ZS&JP		
HVE3 &8) 4&' <3' &[F] W&		**&ZS&JP**		
**-' >CF<L&>ANB<' **				
)*6*,-+-	$-+F-3	$3+5--		
			8: !KCG@D>AA$B: LB&*>8: C>$A9HH8	$3+5-
: #+0) 4&E) ,. ;		&RP&VM		
HVE3 &8) 4&' >CF<L&>ANB<' &		**&RP&VM**		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*,3*,-+-	$-,+37	$-F4)3)5-E		
			A8@-*U98$?H=$G8$C; 8H=CL$%89M	$-F4)3)5-E
: #+0) 4&E) ,. ;		&PXILRUL&VQ		
HVE3 &8) 4&' >CF<C&E>' <C-F>E' EDF<& N>FG-L&D<! S&		**&PLVMPLKJJ&TT**		
-' EEA>CF<L& WH>A V				
)*6*,-+-	$-+F-E	$-7)552		
			8: ; B&B: : $U: GBH>D&?: C: !B)	$-7)552
: #+0) 4&E) ,. ;		&PZU&KT		
HVE3 &8) 4&' EEA>CF<L& WH>AV&		**&ULPPP&ZP**		
-' : A>L&^' ! cGAVB< A&N S				
)*+,*,-+-	$-+E7,	$E,65--		
			%89!$AJHA@P: ??	$E,65-
: #+0) 4&E) ,. ;		&QJK&VM		
HVE3 &8) 4&' : A>L&^' ! cGAVB< A&N S&		**&QJK&VM**		
-[C& &^				
)*+,*,-+-	$EE-227	$)4-65--		
			A=: B>$A; $CL=?8= 99G$%>8I $%89M	$)4-65-
: #+0) 4&E) ,. ;		&UL&MK&VM		
HVE3 &8) 4&[C& & &		**&TRLTPJ&QJ**		

MV00061716

	! "#$%& 3 . ,#	! "#$%& < * (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./ (#+,& ' ( ) * +,012
- A! F>' > FL&@ADB D					
	) *+, *, -+-	$ -+E72	$ -5-		
				8: ! KCG@&>?B A$G: %	$ -5-
	) *, 3*, -+-	$ -, +F-	$F65-		
				8: ! KCG@*C$G: %9AB	$F65-
	: #+O) 4&E) ,. ;		&KS&M		
HVE3 &&) 4& A! F>' > FL&@ADB D&			&KS&M		
- A< DN' > &E' _&CA>: D A					
	) *+7*, -+-	$ -, -, E	$ 65-2		
				8: ! KCG@KAS DB-H$9J 8%U;	$ 65-2
	: #+O) 4&E) ,. ;		&JK&PT		
HVE3 &&) 4& A< DN' > &E' _&CA>: D A&			&JK&PT		
- A< EF< &9 A3 D L&D< ! S					
	) *, 3*, -+-	$ -, , +-	$ 4F- -5-		
				>GJ: 8; BAEC L$AJ HA @GG	$ 4F- -5-
	: #+O) 4&E) ,. ;		&UXMMB&M		
HVE3 &&) 4& A< EF< &9 A3 D L&D< ! S&			&QPMMB&M		
- A> A\ L&^FCA					
	) *, 3*, -+-	$ -, +F+	$5) 55-		
				8: ! KCG@B >; B9C$9J 8%U;	$5) 55-
	: #+O) 4&E) ,. ;		&KU&KM		
HVE3 &&) 4& A> A\ L&^FCA&			&KU&KM		
- A>>VL&< F>9'					
	) *6*, -+-	$ -+F-7	$2+E5F2		
				8: ; BB: : $U: GB-H>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&KT		
HVE3 &&) 4& A>>VL&< F>9' &			&TLPQX&TM		
- A> C&WF< N&EA>9 & ' >A&>FN>' 9					
	) *+, *, -+-	$ -+E7)	$ 225EF		
				D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	) *, 3*, -+-	$ -, +F,	$ 225EF		
				D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	: #+O) 4&E) ,. ;		&QRX&KU		
HVE3 &&) 4& A> C&WF < N&EA>9 & ' >A&>F N>' 9 &			&PPLJQX&KT		
- A>: F& ' D< E& FS					
	) *6*, -+-	$ -+F+-	$-+) 5-7		
				%-BC; @8>! ! B-H$GBJ	$-+) 5-7
	: #+O) 4&E) ,. ;		&PPU&PZ		
HVE3 &&) 4& A>: F& ' B< E& F S&			&TZILPMBKJ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
- AEA> CA< &3 A' < L&D< ! S				
)*6*, -+-	$-+F++	$6-5-		
			8: ! KCG@KAS DB H$9J8%J;	$6-5-
: #+O) 4&E) ,. ;		&KVB/M		
HVE3 &8) 4& AEA> CA < &3 A' < L&D< ! S&		&PVVB/M		
- AEA> CF< L&I @> DDE D< A				
)*+7*, -+-	$-,-,7	$ 6255-		
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ -355-
: #+O) 4&E) ,. ;		&KTS&M		
HVE3 &8) 4& AEA> CF < L&I @> DDEB< A&		&TUZS&K		
- D A! @%N' > ED< AWWD&& < 3 > A'				
)*+7*, -+-	$-,-2-	$-F5-		
			8: ! KCG@D> AAS$B: L B&;	$-F5-
: #+O) 4&E) ,. ;		&PVKS&M		
HVE3 &8) 4& D A! @%N' > EB< AWWD&& < 3 > A' &		&PVKS&M		
- D & > D< EB< N				
)*, 3*, -+-	$EE-27)	$7EE5-		
			%3 B&C; B&C L@<+-*++ $HB&@?B&C G: 8A	$7EE5-
: #+O) 4&E) ,. ;		&ZQQS&M		
HVE3 &8) 4& D & > D< EB< N&		&UPJJS&Z		
- F DA9' &W < 3 C! ' - A L&D< ! S				
)*, 3*, -+-	$EE-276	$24) 3) 5E6		
			D> CGAH>% $U> B&C; @/C$A	$-4222EE6
			D> CGAH>% $U> B&C; @ +,	$ 4-2+5-
: #+O) 4&E) ,. ;		&TLURUS&K		
HVE3 &8) 4& F DA9' &W < 3 C! ' - AL&D< ! S&		&TMLKKZS&T		
- F WW > 3 L&> F ! @AWWA				
)*+7*, -+-	$-,-2+	$ 6) 5-		
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ -355-
: #+O) 4&E) ,. ;		&KUS&M		
HVE3 &8) 4& F WW > 3 L&> F ! @AWWA&		&TMTS&M		
- F F WAL&WDWADA				
)*6*, -+-	$-+F+,	$6, 5-		
			8: ! KCG@&: L B&$A! > ; : ?8G$HD> AA	$6, 5-
: #+O) 4&E) ,. ;		&KJS&M		
HVE3 &8) 4& F F WAL&WDWADA&		&KJS&M		

MV00061718

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
-FGB& &CEAD<WAL&D<! S				
)*6*,-+-	$-+F+2	$-4)6E5-		
			H9; ; 9CPG*%>; ; ; ED< CC$G8$ 8>! $AB L	$-4)6E5-
)*+,*,-+-	$-+E76	$-)4)E)5E		
			8: ; : C; E9C$B DA@E; ; CPG*%>; ; ; ED<CC	$-)4)E)5E
	: #+0)4E),.;	&PKIZLUJ$KQ		
HVE3 &&) 4& FGB& &CEAD< WAL&D< ! S&		&TKMCKUJ&Q		
->D AL&NAF>NA&AS				
)*6*,-+-	$-+E+)	$2+E5F2		
			8: ; EB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0)4E),.;	&TPQ&XT		
HVE3 &&) 4& >D AL&NAF>NA&AS&		&TLPQXSTM		
->FY! >' HE& WG9[D<N& F9-' <VL&D<!				
)*+7*,-+-	$-,-2,	$F75&F		
			8: !KCG@KADBH9J8%U;	$F75&F
	: #+0)4E),.;	&ZS&RX		
HVE3 &&) 4& >FY! >' HE& WG9[D< N& F9-' <VL& D< ! &		&ZS&RX		
->FEA! E&/FG>&@F9 A				
)*+7*,-+-	$-,-22	$E35&6		
			8: !KCG@KADBH9J8%U;	$E35&6
	: #+0)4E),.;	&QR&SRK		
HVE3 &&) 4& >FEA! E&/FG>&@F9 A&		&QR&SRK		
->FEA! EDF<&F<AL&D<! S				
)*+,*,-+-	$-+E73	$)-5-		
			A: HK8B<$AJHA@&8 9$A=9%	$-5-
			A: HK8B<$AJHA@JJ ; J	$-5-
	: #+0)4E),.;	&JMB&M		
HVE3 &&) 4& >FEA! EDF< &F< AL&D< ! S&		&JMMB&M		
-CF9' C				
)*+,*,-+-	$-+E7F	$E4-2&6-		
			D>AA: DD $A; $PB&G: CEDL$%&89M$AJHA	$E4-2&6-
	: #+0)4E),.;	&QLMMT$XM		
HVE3 &&) 4& CF9' C&		&PXQLXMPS&R		
-GWWD 9LAE>A<E&3 S				
)*6*,-+-	$-+F+)	$2+E5F2		
			8: ; EB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0)4E),.;	&TPQ&XT		
HVE3 &&) 4& GWWD 9 LAE> A< E&3 S&		&TLPQXSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
-] &A<@' <! A9A<E&! A<EA>				
)*,3*,-+-	$EE-273	$F27557		
			: U: 8L$AJHA$%89L@HG?L	$F27557
	: #+0)4&E),.;	&TZ$&Z		
HVE3&8)4&-] &A<@' <! A9A<E& A<EA>&		&PPRUXURS%Q		
c&<' DVC& &C-'				
)*+7*,-+-	$-,-2)	$565-F		
			8: !KCG@KA$DB-H$9J8%U;	$565-F
)*+7*,-+-	$-,-26	$F+5F2		
			8: !KCG@KA$DB-H$9J8%U;	$F+5F2
	: #+0)4&E),.;	&RJRS&M		
HVE3&8)4&c&' DVC& &C-' &		&RJRS&M		
c' \ D&9A3D ' W&N>FG-L&D<!				
)*6*,-+-	$-+F+6	$E+5E2		
			8: !KCG@KA$DB-H$9J8%U;	$E+5E2
	: #+0)4&E),.;	&PS&T		
HVE3&8)4&' \ D&9A3D ' W&N>FG-L&D<! &		&PS&T		
>& &C&F: A>@A' 3&8 FF>CL&D<! S				
)*6*,-+-	$EE-2-)	$4 3,5-		
			G998$J>BC; @>HBDB BA	$6-52)
			G998$J>BC; @>HBDB BA	$6-522
			G998$J>BC; @>HBDB BA	$6-522
			G998$J>BC; @&A?	$6F5-
			G998$J>BC; @&A?	$9++)5-
			G998$J>BC; @A$Z3	$-+5-
			G998$J>BC; @: CB9-8$H; 8	$9-3+5-
			G998$J>BC; @&; $! DG$9!!BH:	$9-,+5-
			G998$J>BC; @A$Z3 6	$9-)+5-
			G998$J>BC; @A$Z7 +	$-+5-
			G998$J>BC; @A$Z,	$-+5-
			G998$J>BC; @!B <$<>8G	$)+5-
			G998$J>BC; @A$Z6 E	$-+5-
			G998$J>BC; @A$Z) E	$9-)+5-
			G998$J>BC; @CUD$A=D 8	$9-2+5-
)*,3*,-+-	$EE-27F	$2-,5-		
			G998$J>BC; @&A?	$25-
			G998$J>BC; @&A?	$9-6-5-
			G998$J>BC; @&A?	$9-)356-
	: #+0)4&E),.;	&UTRU$&M		
HVE3&8)4&-& &C&F: A>@A' 3&8 FF>CL&D<! S&		&RUXUU$&M		

MV00061720

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
>' WW&9' <' NA9A<E &CA>: D ACL&WW				
)*6*,-+-	$-+F+3	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $2*F	$F+75E
)*+,*,-+-	$-+E7E	$2483755EF		
			;: U%&AJHA@: CG: 8A9C$P*: $*,E	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*+)	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*,+	$F+75E
			;: U%&AJHA@J: GBC> $P*: $2*F	$2F25E
			;: U%&AJHA@J: GBC> $P*: $2*+)	$+E572
			;: U%&AJHA@: CG: 8A9C$P*: $2*,E	$F+75E
)*,3*,-+-	$-,+F2	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $)*)	$F+75E
: #+O) 4&E) ,.;		&KIPMCJ&JT		
HVE3&) 4&' WW&9 ' <' NA9A<E&CA>: D ACL& WW &		&RJLJLJ&J/Z		
>' 9D>A\L&HA><' <3 F				
)*+7*,-+-	$-,-23	$2+5-		
			8: !KCG@CUDCDH: CA: $1::;	$2+5-
: #+O) 4&E) ,.;		&TP&/M		
HVE3&) 4&' 9D>A\L&HA><' <3F&		&TP&/M		
>' 9D>A\L&9' <GAW&CS				
)*6*,-+-	$-+F+F	$,5F		
			8: !KCG@KASCDH$9J8%U;	$,5F
: #+O) 4&E) ,.;		&JJ&/K		
HVE3&) 4&' 9D>A\L&9' <GAW&CS&		&JJ&/K		
>' V9F<3L&3A<DCA&9S				
)*6*,-+-	$-+F+E	$2+E56-		
			% 8$GBU@I=>U: D 9C$H9C!5	$2+E56-
: #+O) 4&E) ,.;		&TPQ&KM		
HVE3&) 4&' V9F<3L&3A<DCA&9S&		&TPQ&KM		
>' V<A&] ' EA>& F<3 DEDF<D<N				
)*6*,-+-	$-+F+7	$,56-		
			8: !KCG@KASCDH$9J8%U;	$,56-
: #+O) 4&E) ,.;		&JJ&KM		
HVE3&) 4&' V<A&] ' EA>& F<3DEDF<D<N&		&JJ&KM		
>A&W <AE				
)*6*,-+-	$-+F,-	$,56,		
			8: !KCG@KASCDH$9J8%U;	$,56,
: #+O) 4&E) ,.;		&JJ&KJ		
HVE3&) 4&A&W <AE&		&JJ&KJ		

MV00061721

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
>ANA<EC&G! &7&G<D: A>CDEV&FH& ' WDH F><D				
	)*+7*,-+-	$-,-2F		$-E5-
			HKH$J: ;; ECL	$-E5-
	: #+O) 4&E) ,. ;			&PQ&/M
HVE3 &) 4&- ANA<EC&G! &&G<D A>CDEV &FH& ! ' WDHF><D &				&JVB/M
>A<E' W&CA>: D A& F>-S				
	)*6*,-+-	$-+F,+		$6F5-+
			8: !KCG@KASDBH$9J8%J;	$6F5-+
	: #+O) 4&E) ,. ;			&XS/P
HVE3 &) 4&- A<E' W&CA>: D A& F>-S&				&XS/P
>A: A<GA&A_-A>ECL &D<! S				
	)*+,*,-+-	$-+E77		$ 4/275--
			HB>; E9C$/&HAACL@CUD&AJHA	$ 4/275--
	: #+O) 4&E) ,. ;			&UZTZS&M
HVE3 &) 4&- A: A<GA&A_-A> ECL&&< ! S&				&TKZZJS/K
>N! & F<CE>G! EDF<				
	)*+7*,-+-	$-,-2E		$25-F
			8: !KCG@KASDBH$9J8%J;	$25-F
	: #+O) 4&E) ,. ;			&JTS/K
HVE3 &) 4&- N! & F<CE>G! EDF<&				&JTS/K
>N DCL&WW!				
	)*6*,-+-	$-+F,,		$765-)
			8: !KCG@KASDBH$9J8%J;	$765-)
	: #+O) 4&E) ,. ;			&ZKS&U
HVE3 &) 4&- NDCL&WW! &				&ZKS&U
>D A&HD>A& >FEA! EDF<				
	)*6*,-+-	$-+F,2		$22+5--
			8: !KCG@KASDBH$9J8%J;	$E+5-
			8: !KCG@KASDBH$9J8%J;	$6-5-
	: #+O) 4&E) ,. ;			&TPS/M
HVE3 &) 4&- D A&HD>A& >FEA! EDF<&				&TPS/M
>D @' >3&/F-A\ & F<CE>G! EDF<				
	)*+7*,-+-	$-,-27		$7+5-E
			8: !KCG@KASDBH$9J8%J;	$7+5-E
	: #+O) 4&E) ,. ;			&PS/Q
HVE3 &) 4&- D @' >3&/F-A\ & F<CE>G! EDF<&				&PUV/KUUVKZS&X

MV00061722

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$&6,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
>D<' &C&[A' GEV&& A CDN<				
)*6*, -+-	$-+F,)	$-523		
			8: !KCG@KA&DH$9J8%U;	$-523
: #+O) 4&E) ,. ;		&JMBR		
HVE3 &&) 4&> B<' &C&[A' GEV&& ACDN< &		&JMBR		
>D&c G DA>L&C' >'				
)*6*, -+-	$-+F, 6	$F65-		
			8: !KCG@%&<*C: K; : 8$! : : A	$F65-
: #+O) 4&E) ,. ;		&KS&M		
HVE3 &&) 4&> D&c G DA>L&C' >' &		&KS&M		
>D A>CD& A& >A' & ' -A& >DCDC& A<EA >				
)*, 3*, -+-	$-, +F)	$2, 577		
			HG?L$! KCG: G$AJHA@&8: J$%8LU	$2, 577
: #+O) 4&E) ,. ;		&JTJSZZ		
HVE3 &&) 4&> D A>CD& A& >A' & ' -A& >DCDC& ! A<EA>&		&LLMTPSRT		
>D A>CD& A& FG<EV &D<HF>9' EDF<&EA! @<FWFNV				
)*6*, -+-	$-+F, 3	$-4E225-		
			8>GE9$AJHA@&G	$-4FE75-
			J%C$H9CC: H; E9C$AJHA	$25)-
)*, 3*, -+-	$-, +F6	$25)-		
			J%C$H9CC: H; E9C$AJHA	$25)-
: #+O) 4&E) ,. ;		&PLQXRSXM		
HVE3 &&) 4&> D A>CD& A& FG<EV&& HF>9' EDF<& EA! @<FWFNV&		&MCLJCSRT		
>D A>CD& A& FG<EV &C@A>DHH& FG>E&C A>:D AC				
)*+, *, -+-	$-+7-+	$276576		
			L>8CE&=U: C;	$276576
)*, 3*, -+-	$-, +F3	$F7, 5-3		
			L>8CE&=U: C;	$F7, 5-3
: #+O) 4&E) ,. ;		&PLPCQSPP		
HVE3 &&) 4&> D A>CD& A& FG<EV&C@A>DH H& ! FG>E&CA>:D AC&		&ZLJZKSZT		
>D A>CD& A& FG<EV &C@A>DHH&9:				
)*+, *, -+-	$-+7-,	$22-5-2		
			: W 8>$GK; <@*+F$HI $/9EC;	$22-5-2
: #+O) 4&E) ,. ;		&TTMBPT		
HVE3 &&) 4&> D A>CD& A& FG<EV&C@A>DH H&9:&		&PMLMPZSPM		

MV00061723

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <*(=#4	! "#$%& ' ( ) *+,	[redacted] 3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
>D A>CD3 A&>G[[A> &CE' 9 - & &A<N>' : D<N				
) *+, *, -+-	$ -+7-2	$-355+		
			>%%&9J>D&A; >U%@% K8H=>A&C L	$-25+
			>%%&9J>D&A; >U%@% K8H=>A&C L	$256-
		: #+O) 4&E) ,. ;	&PRS&P	
HVE3 &&) 4&> D A>CD3 A&>G[[A> &CE' 9 - & & A<N>' : D&N&			&PRS&P	
>^&>' V9 F<3 & AE&C A>: D AC				
) *+7*, -+-	$ -, -) -	$ F5-,		
			8: ! KCG@KAS&D&H$9J8%U;	$ F5-,
		: #+O) 4&E) ,. ;	&JXS&U	
HVE3 &&) 4&> ^&>' V9 F<3 & AE&C A>: D AC &			&JXS&U	
>W& &A<N D<AA>D<N				
) *+, *, -+-	$EE-2) -	$342F-56-		
			; : U%&A; >! ! E&C L$AJ HA@&>%%&9M&A	$342F-56-
		: #+O) 4&E) ,. ;	&RLTXM&KM	
HVE3 &&) 4&> W& &A<N D&>AA>D&N&			&PTMLKZZS&K	
>F[A>ECF<L& <EFD<AEEA& S				
) *+, *, -+-	$ -+7-)	$ 65-		
			8: ! KCG@B>; E9C$&BAUBA: G	$ 65-
		: #+O) 4&E) ,. ;	&JKS&M	
HVE3 &&) 4&> F[A>ECF<L& <EF D&AEEA& S&			&JKS&M	
>F[D<CF<L&A>D				
) *+7*, -+-	$ -, -) +	$265-		
			% 8$&B U@J>GG$&B: H9LCB E9C$ JC;	$265-
		: #+O) 4&E) ,. ;	&TKS&M	
HVE3 &&) 4&> F[D&CF<L&A>D &			&TKS&M	
>F[D<CF<Y3' : D&CL&V' : F<<A				
) *6*, -+-	$ -+F, F	$6-5-		
			8: ! KCG@8>%&B: C; >D&G: %	$6-5-
		: #+O) 4&E) ,. ;	&MV&M	
HVE3 &&) 4&> F[D&CF<Y3' : D&CL&V' : F<<A&			&MV&M	
>F! @ L&C' >' &M&				
) *6*, -+-	$ -+F, E	$EEE52-		
			8: ; E&: : $J: GE&H>D&?: C: ! B	$EEE52-
		: #+O) 4&E) ,. ;	&QQQS&M	
HVE3 &&) 4&> F ! @ L&C' >' &M&			&LRRUS&M	

MV00061724

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
>F! B] AWWL&' ! cGA WD<A				
)*+,*,-+-	$-+7-6	$F65-		
			8: !KCG@*C$G: %9AB	$F65-
: #+0) 4&E) ,. ;		&KK&M		
HVE3 &) 4&- F! B] AWWL&' ! cGAWD<A&		&KK&M		
>F3>DNGA\ L&' >WFC				
)*+,*,-+-	$-+7-3	$9365-		
			% 8$GB U@CCD&! B8: $/&8: J$P8I A=%	$9365-
: #+0) 4&E) ,. ;		&PRK&M		
HVE3 &) 4&- F3>DNGA\ L&' >WFC&		&PRK&M		
>F3>DNGA\ L&W G>A<				
)*+7*,-+-	$-,-),,	$625-		
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$35-
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$-35-
: #+0) 4&E) ,. ;		&KT&M		
HVE3 &) 4&- F3>DNGA\ L&W G>A<&		&KT&M		
>F3>DNGA\ L&F9' >				
)*+6*,-+-	$-+72,	$2,65-		
			% 8$GB U@H9C9UB-H$H8BJ: A$HD>AA	$2,65-
: #+0) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&- F3>DNGA\ L&F9' >&		&KT&M		
>FNA>CL&AGNA<A				
)*6*,-+-	$-+E+6	$2+E5F2		
			8: ; B&: : $J: GB-H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&- FNA>CL&AGNA<A&		&UKUZ&K		
>F^' CL&CEA: A				
)*,3*,-+-	$-,+FF	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&MB&M		
HVE3 &) 4&- F^' CL&CEA: A&		&MB&M		
>F9' <L&9D>D 9				
)*6*,-+-	$-+F,7	$-5-		
			8: !KCG@&>?B A$! : : $G: %9AB	$-5-
: #+0) 4&E) ,. ;		&MB&M		
HVE3 &) 4&- F9' <L&9D>D 9&		&MB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&&./(#+,	-./(#+,& '()*+,012
>F9A>FC&HFF3&>F3G!EC				
)*6*,-+-	$-+F2-	$+5-		
			8: !KCG@KA&DB-H&9J8%U;	$+5-
: #+O) 4&E) ,. ;		&IP&M		
HVE3 &) 4&> F9A>FC &HFF3&>F3G!EC&		&IP&M		
>FCCL&8' :D&ES				
)*6*,-+-	$-+E+3	$2+E5F2		
			8: ; &B: : $U: G&H>D&?: C: !B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&> FCCL&8' :D&ES&		&TLPQXSTM		
>FCCF<L&NFGDC& S				
)*6*,-+-	$-+E+F	$E75E3		
			8: ; &B: : $U: G&H>D&?: C: !B	$7355-
			8: ; &B: : $U: G&H>D&?: C: !B	9-7252 3
: #+O) 4&E) ,. ;		&UQZ&SR		
HVE3 &) 4&> FCCF<L&NFGDC& S&		&ULXKZ&SX		
>GCCAWWL&H>'<B				
)*,3*,-+-	$-,+FE	$-5-		
			8: !KCG@&>?B A&S: %	$-5-
: #+O) 4&E) ,. ;		&IMB&M		
HVE3 &) 4&> GCCAWWL&H>'<B&		&IMB&M		
>GCCFL&^F@<				
)*6*,-+-	$-+E+E	$2+E5F2		
			8: ; &B: : $U: G&H>D&?: C: !B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&> GCCFL&^F@<&		&TLPQXSTM		
C' & CCF! D EAC				
)*,3*,-+-	$EE-27E	$9-,4&--5-		
			;: U%&A; >!!E&CL$AJ HA@I>%&%&89MA	$9-,4&--5-
: #+O) 4&E) ,. ;		&PJLRMMB&M		
HVE3 &) 4&C' & CCF ! D EAC&		&PPPLPPJ&XM		
C' 9&B@G9FF>F& @D>F->' ! ED & >FH& F>-				
)*+7*,-+-	$-,-)2	$252-		
			8: !KCG@KA&DB-H&9J8%U;	$252-
: #+O) 4&E) ,. ;		&JTSTM		
HVE3 &) 4&C' 9&B@G9FF>F& @D>F->' ! ED & ->FH& F>-&		&JTSTM		

MV00061726

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
C' <F& EEF><AV&CA >: D A				
)*+,*,-+-	$-+7-F	$+-5-		
			D L>D&AJHA@&9H=>	$+-5-
: #+0) 4&E) ,. ;		&PPMB&M		
HVE3 &) 4&C' <F& EEF><AV&CA>: D A&		&QPMB&M		
C' -DA<L&>' W-@&N S				
)*6*,-+-	$-+F2+	$-6+57)		
			8: !KCG@GUE&C$-HB>; &9C$!: : A	$-6+57)
: #+0) 4&E) ,. ;		&PKPSZU		
HVE3 &) 4&C' -DA<L&>' W-@&N S&		&PKPSZU		
C' : A>& GE				
)*6*,-+-	$-+F22	$-5)E		
			8: !KCG@KAS&DB-H$9J8%U;	$-5)E
: #+0) 4&E) ,. ;		&IMBJQ		
HVE3 &) 4&C' : A>& GE&		&IMBJQ		
C' : YF<& ' >-AE& &EDVA				
)*6*,-+-	$-+F2,	$3)5-7		
			8: !KCG@KAS&DB-H$9J8%U;	$3)5-7
: #+0) 4&E) ,. ;		&RUSPZ		
HVE3 &) 4&C' : YF<& ' >-AE& &EDVA&		&RUSPZ		
C! &CDN<C				
)*+7*,-+-	$-,-))	$-43-5-		
			%K?DB-H$-: >8&C L$A BLCA	$7)65-
			%K?DB-H$-: >8&C L$A BLCA	$2+65-
: #+0) 4&E) ,. ;		&PLJRMB&M		
HVE3 &) 4&C! &CDN< C&		&KLTKKSB&M		
C! 9' H&CS& ' &9G<DS& E@VAED &HA3A>' EDF<				
)*+7*,-+-	$-,-)6	$-F65-		
			,--7$! D>L$! 99; ?> DD& C; 8<$!: : A	$-F65-
)*+7*,-+-	$-,-)3	$6,65-		
			<; =$?>A! : ; ?>DD& C; 8<$!: : A	$6,65-
: #+0) 4&E) ,. ;		&IMMB&M		
HVE3 &) 4&C! 9' H&CS& ' &9G<DS& E@VAED & HA3A>' EDF<&		&PLJTUB&M		
C! 9' HYD<W <3& ' WWAVC				
)*+7*,-+-	$-,-)F	$6-5-		
			>CE&CA; >DD>; &9C $ J: C;	$6-5-
: #+0) 4&E) ,. ;		&KMB&M		
HVE3 &) 4&C! 9' HYD<W <3& ' WWAVC&		&KMB&M		

MV00061727

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.//(#+,	-./(#+,& '()*+,012
C! >AA<: DCDF<&3 D> A! E				
)*,3*,-+-	$-,+F7	$-42,E5-		
			>GJ:8; BAECL$AJHA@8H	$F3E5-
			>GJ:8; BAECL$AJHA@8H	$63-5-
: #+0) 4&E),.;		&PLTJQ&M		
HVE3 &&) 4&C! >AA<: DCDF<&3 D> A! E&		&KLKJMB&M		
CA! G>DEV&WF! B& &BAV				
)*6*,-+-	$-+F2)	$F25,6		
			D9HI $AJH@K%& : <A	$F25,6
)*+,*,-+-	$-+72-	$3+55-		
			D9HI $3: %>BBA@&>8 I A	$3+55-
)*,3*,-+-	$EE-277	$,755-		
			D9HI $3: %>BBA@&9DBH:	$,755-
: #+0) 4&E),.;		&PQJJS&K		
HVE3 &&) 4&CA! G>DEV&WF! B& &BAV&		&PRLJKQS&Q		
CAW @7CFG<3&E@AF WFNV& @>DCED <&C EF>A				
)*6*,-+-	$-+F26	$EF53E		
			8: !KCG@KADBH9J8%U;	$EF53E
: #+0) 4&E),.;		&QX&RQ		
HVE3 &&) 4&CAW @7C FG<3&E@AF WFNV& ! @> DCED <&CEF>A&		&QX&RQ		
CAWA! E&[GDW3				
)*6*,-+-	$-+F23	$25-		
			8: !KCG@KADBH9J8%U;	$25-
: #+0) 4&E),.;		&JT&M		
HVE3 &&) 4&CAWA! E&[GDW3&		&JT&M		
CA] AWW&C&> D A>CD3 A&3 ' D> V&3<!				
)*+7*,-+-	$-,)E	$F+55+		
			8: !KCG@KADBH9J8%U;	$F+55+
: #+0) 4&E),.;		&PS&P		
HVE3 &&) 4&CA] AWW&C&> D A>CD3 A&3 ' D> V&3<! &		&PS&P		
C@ @L&' N3DC@				
)*+7*,-+-	$EE-23F	$,-46,-5-		
			;:U%&A; >!!BCL$AJ HA@!>%&/&89MA	$-46,-5-
: #+0) 4&E),.;		&MKJMB&M		
HVE3 &&) 4&C@ @L&' N3DC@&		&PQKJQM&M		

MV00061728

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

| ! "#$%& 3 . ,# | ! "#$%& <* (=#4 | ! "#$%& ' ( ) * +, | &&&&

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( ) *+,012
CD<NA>& & FHHD<L& -!				
)*,3*,-+-	$EE-)--	$24EE75-		
			D L>D?AJHA@83-*C>A9C?A; ?4&89M	$24)75-
			D L>D?AJHA@83-*C>A9C?A; ?4&89M	$)-5-
	: #+0) 4&E) ,.;	&TLQQZ?XM		
HVE3 &) 4&CB: NA>&` & FHHB: L& -! &		&RZLMKP?RK		
CD<NWAEF<Y3A! GD> L&' <DC@AD				
)*+7*,-+-	$-,-7,	$26)5-		
			UED >L: ?B: EJ?K8A : U: C;	$?25-
			; 8>J: D& W%@99A; ?H9C!: 8: CH:	$6)56-
			; 8>J: D& W%@99A; ?H9C!: 8: CH:	$-356-
	: #+0) 4&E) ,.;	&TKUX?M		
HVE3 &) 4&CB: NWAE F<Y3A! GD> L&' <DC@AD &		&UMEK		
CBV& G[WDC@D<N				
)*+7*,-+-	$-,-6)	$E4FF25-		
			%8E; EC L?AJHA@K UU: 8+-	$E4FF25-
	: #+0) 4&E) ,.;	&QXXT?XM		
HVE3 &) 4&CBV& G[WDC@D<N&		&JQLUUU?XM		
CBV&E>' DVC&D F[DVA& DVW NA				
)*+,*,-+-	$-+7-7	$35-7		
			8: !KCG@&; ?KA: 8$>W A	$35-7
	: #+0) 4&E) ,.;	&RS?Z		
HVE3 &) 4&CBV&E>' DVC&D F[DVA& DVW NA&		&JQ&M		
CW NA>9' <L&CGC' < & S				
)*6*,-+-	$-+E+7	$2+E5F2		
			8: ; B&: : $J: GB&H>D&?: C: !B;	$2+E5F2
	: #+0) 4&E) ,.;	&PQ&T		
HVE3 &) 4&CW NA>9' <L&CGC' <& S&		&TLXUZ?XR		
C9 DE@L&A><ACE&H>' <B				
)*6*,-+-	$-+F27	$32F5)3		
			8: ; B&: : $J: GB&H>D&?: C: !B;	$32F5)3
	: #+0) 4&E) ,.;	&RTX?JR		
HVE3 &) 4&C9 DE@L&A><ACE&H>' <B&		&LJRQ&P		
C9 DE@L&VDC'				
)*6*,-+-	$-+F)-	$2-5F+		
			8: !KCG@KA?DB&H?9J8%J;	$2-5F+
	: #+0) 4&E) ,.;	&TMBXP		
HVE3 &) 4&C9 DE@L&VDC' &		&TMBXP		

MV00061730

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
C9 DE@L&9' >D & S				
)*6*,-+-	$-+E,-	$2+6557		
			8:; B&:: $U: GB&H>D&?: C: !B	$2+6557
	: #+0) 4&E) ,.;	&TPK&KZ		
HVE3 &&) 4&C9 DE@L&9' >D & S&		&PKURSPM		
C9 FBA& WGC				
)*+7*,-+-	$-,-66	$+52		
			8: !KCG@KAS&DB&H$9J8%U;	$+52
	: #+0) 4&E) ,.;	&JPS&T		
HVE3 &&) 4&C9 FBA& WGC&		&JPS&T		
C9 FBA&C@F-&EF[' ! ! F				
)*+7*,-+-	$-,-63	$2252		
			8: !KCG@KAS&DB&H$9J8%U;	$2252
	: #+0) 4&E) ,.;	&TTS&T		
HVE3 &&) 4&C9 FBA&C @F-&EF[' ! ! F&		&TTS&T		
CF S&' WDH&C! @F FW&F H&9 GCD				
)*,3*,-+-	$-,+E+	$-4--56		
			E&A;8KH;98$AJHA@KB&>8	$-E75-
			E&A;8KH;98$AJHA@&B&C9	$7F5-
			E&A;8KH;98$AJHA@&B&C9	$-E75-
			E&A;8KH;98$AJHA@&B&C9	$-75 6
			E&A;8KH;98$AJHA@&B&C9	$+35-
	: #+0) 4&E) ,.;	&PLPMM&K		
HVE3 &&) 4&CF S&' WDH&C! @F FW&F H&9 GCD &		&ZLCZM&K		
CF! F&N>FG-L&D<!				
)*6*,-+-	$-+F)+	$-+4E3)5E		
			!K: D&%K8H=>A:	$&4E7257 6
			!K: D&%K8H=>A:	$&47F-52
)*,3*,-+-	$-,+E,	$+43-573		
			!K: D&%K8H=>A:	$&46))5+
			!K: D&%K8H=>A:	$ 462F56+
			!K: D&%K8H=>A:	$&4F)357,
			!K: D&%K8H=>A:	$&4)2,5-,
	: #+0) 4&E) ,.;	&TTLPJK&KU		
HVE3 &&) 4&CF! F&N>FG-L&D<! &		&PUZLPUK&PU		
CF3A<&A<EA>->DCA CL&D<! S&3[' &A' CV &/FN'				
)*,3*,-+-	$-,+E2	$-6)5E-		
			E&A;8KH;98$AJHA@9L>	$FF5)-
			E&A;8KH;98$AJHA@9L>	$FF5)-
	: #+0) 4&E) ,.;	&PKU&&M		
HVE3 &&) 4&CF3A<&A<EA>->DCAC L&D<! S&3[' & A' CV&/FN' &		&KRX&RM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
CF<NL&@AWA<				
	)*+7*,-+-	$-,-6F	$-+,5-	
			8: !KCG@D>AA$B: LBA;	$-+,5-
	: #+O)4E),.;		&PPJ$M	
HVE3&)4&CF<NL&@AWA<&			&PPJ$M	
CFC' L&F>NA				
	)*+,*,-+-	$-+7+-	$26,5-	
			EC A; 8KH; 98$AJHA@EC%9$!98$ EGA	$735-
			EC A; 8KH; 98$AJHA@>8>;:G9	$635-
	: #+O)4E),.;		&TKJ$M	
HVE3&)4&CFC' L& F>NA&			&TERMJ$M	
CFGE@&[' V&9' CF<>V				
	)*+7*,-+-	$-,-6E	$5F5-	
			8: !KCG@KA$DB-H$9J8%U;	$5F5-
	: #+O)4E),.;		&XS$M	
HVE3&)4&CFGE@&[' V&9' CF<>V&			&XS$M	
CFGE@& F' CE& D>&cG' WDEV&9N9E&3DCE>D E				
	)*+,*,-+-	$-+7++	$-75-	
			:UBAA$9CA$!::@A $26E	$-75-
	)*+,*,-+-	$-+7+,	$725+	
			>CCD$9% 8>; EC L$!::A@A$26E	$725+
	: #+O)4E),.;		&JMJ$P	
HVE3&)4&CFGE@& F' CE& D>&cG' WDEV&9N9E& 3DCE>D E&			&TERPK$PX	
CFGE@& F' CE& c93				
	)*+7*,-+-	$-,-67	$-6)5E+	
			8: L@U%D$ 8>CA%$H998G$ 8CL	$-6)5E+
	: #+O)4E),.;		&PKJ$P	
HVE3&)4&CFGE@& F' CE& c93&			&PKJ$P	

MV00061732

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46)1#&)8&&.//(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3DCF<				
	)*6*, -+-	$-+F)2	$64)E+53F	
			: D H; 8BHB<	$-)5F-
			: D H; 8BHB<	$-5FE
			: D H; 8BHB<	$F365+
			: D H; 8BHB<	$46,,53-
			: D H; 8BHB<	$225)6
			: D H; 8BHB<	$+)57,
			: D H; 8BHB<	$225+E
			: D H; 8BHB<	$37,57
			: D H; 8BHB<	$225E6
			: D H; 8BHB<	$275-2
			: D H; 8BHB<	$4,+5)+
			: D H; 8BHB<	$63527
			: D H; 8BHB<	$)53
	)*+, *, -+-	$-+7+2	$34)+-5,	
			: D H; 8BHB<	$25)
			: D H; 8BHB<	$-E5)
			: D H; 8BHB<	$3.5F6
			: D H; 8BHB<	$42)E5)
			: D H; 8BHB<	$E,+5)F
			: D H; 8BHB<	$E)+523
			: D H; 8BHB<	$3)57
			: D H; 8BHB<	$E)57
			: D H; 8BHB<	$EFE5+
			: D H; 8BHB<	$7256F
			: D H; 8BHB<	$+523
			: D H; 8BHB<	$E7)5F2
			: D H; 8BHB<	$)F572
			: D H; 8BHB<	$2E523
			: D H; 8BHB<	$325)E
	)*+, *, -+-	$-+7+)	$)4)35F2	
			E>$H=>8L: A@K?A; >; E9C	$)4)35F2
	)*+7*, -+-	$-,-3+	$2)65F+	
			: D H; 8BH$H=>8L: A	$2)65F+
	)*, 3*, -+-	$-,+E)	$)E4FE357-	
			: D H; 8BHB<	$F)53)
			: D H; 8BHB<	$64F+52
			: D H; 8BHB<	$486F5)F
			: D H; 8BHB<	$75+E
			: D H; 8BHB<	$6F5EF
			: D H; 8BHB<	$4EE-5),
			: D H; 8BHB<	$2.5-3
			: D H; 8BHB<	$)4E6E2+
			: D H; 8BHB<	$F)57
			: D H; 8BHB<	$)-5)
			: D H; 8BHB<	$4627 5 7
			: D H; 8BHB<	$).5+
			: D H; 8BHB<	$,-57E
			: D H; 8BHB<	$5-)536
			: D H; 8BHB<	$6,5)6
			: D H; 8BHB<	$2EE-
			: D H; 8BHB<	$25++

MV00061733

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& ' ( ) *+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
C-A! BL&N' >V&[S					
	)'6*,-+-	$-+E,+	$2+E5F2		
				8:; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E),.;		&TPQ&XT		
HVE3 &) 4&C-A! BL&N' >V&[S&			&TLPQXSTM		
C-A! E>G9& ' >A					
	)'6*,-+-	$-+F)3	$F)5-		
				8: !KCG@KAS&DBH$9J8%U;	$F)5-
	: #+O) 4&E),.;		&XUS&M		
HVE3 &) 4&C-A! E>G9& ' >A&			&ZQLXUM&RU		
C-A<! A>L&9' >E@'					
	)'6*,-+-	$-+E,,	$-7)552		
				8:; BB: : $U: GBH>D&?: C: !B	$-7)552
	: #+O) 4&E),.;		&PZUS&T		
HVE3 &) 4&C-A<! A> L&9' >E@ &			&LLJJM&XR		
C-F>EC&D<<F:' EF> C					
	)*+,*,-+-	$-+7+6	$24)F65-		
				A%9-8; A$9!!BHB>; BCL$AJHA	$F65-
				A%9-8; A$9!!BHB>; BCL$AJHA	$24)--5-
	: #+O) 4&E),.;		&TLUXKS&M		
HVE3 &) 4&C-F>EC&B<<F:' EF>C&			&KLQZKS&M		
C->D<E					
	)'6*,-+-	$-+F)F	$-5-		
				AK?%9: C>$H9U%DB CH: $!::	$-5-
	: #+O) 4&E),.;		&LM&M		
HVE3 &) 4&C->B<E&			&PPM&M		
C->D<E7<A_EAW					
	)*+,*,-+-	$EE-2)2	$225E3		
				)+F6))2)-@!: DD&% =$H=8L$L; !	$225E3
	: #+O) 4&E),.;		&TTS&R		
HVE3 &) 4&C->B<E7<A_EAW&			&RZRSPQ		
CE'<3'>3&D<CG>'<!A&F					
	)'6*,-+-	$-+F)E	$-486,553		
				AK%%D U: C; >DB&CA K8>CH:	$-486,553
	: #+O) 4&E),.;		&PLRKJS&R		
HVE3 &) 4&CE'<3'>3&B<CG>'<!A&F&			&TJRLXKJS&U		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#8%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '( )*+,012
CE' <WAV& F<: A>NA <E&CA! G>DEV&CFWG EDF<CL&D				
)*+7*,-+-	$-,-32	$-7357		
			8: !KCG@KA&DB-H$9J8%J;	$-7357
	: #+0) 4&E) ,. ;	&ZRSZ		
HVE3 &8) 4&CE' <WAV& F<: A>NA<E&CA! G>DEV& CFWGEDF<CL&&		&ZRSZ		
CE' <WAV& F<: A>NA <E&CA! G>DEV&CFWG E<CL&D<!				
)*6*,-+-	$EE-2+2	$-46))5E2		
			U9CB98EDL$AJHA@H8H	$-F65-
			U9CB98EDL$AJHA@H8H	$7,5-
			U9CB98EDL$AJHA@J!%HH	$-65-
			U9CB98EDL$AJHA@PCL;:	$,-57E
			U9CB98EDL$AJHA@:H=$AJHA	$-65-
			U9CB98EDL$AJHA@%HDG3BA;	$-)F5-
			U9CB98EDL$AJHA@%A?	$-7)5E6
			U9CB98EDL$AJHA@CCW&Z+	$-65-
)*+,*,-+-	$EE-2))	$-5-		
			U9CB98EDL$AJHA@PCL;:	$-35E
			U9CB98EDL$AJHA@PCL;:	$6675-7
			U9CB98EDL$AJHA@PCL;:	@35E
			U9CB98EDL$AJHA@PCL;:	@6675-7
)*,3*,-+-	$EE-)-+	$)725-+		
			U9CB98EDL$AJHA@L;!	$775-
			U9CB98EDL$AJHA@%-8I A	$-335E6
			U9CB98EDL$AJHA@%-8I A	$,F5-3
	: #+0) 4&E) ,. ;	&UVTXSU		
HVE3 &8) 4&CE' <WAV& F<: A>NA<E&CA! G>DEV& CFWGE<CL&&!&		&RPMQSR		
CE' <EA! & F<CGWED<NL&D<!S				
)*6*,-+-	$-+F)7	$E,52)		
			8: !KCG@KA&DB-H$9J8%J;	$E,52)
	: #+0) 4&E) ,. ;	&QJSTU		
HVE3 &8) 4&CE' <EA! & F<CGWEB:NL&&!&		&QJSTU		
CE' >& WA' <A>C				
)*6*,-+-	$-+F6-	$35-		
			8: !KCG@KA&DB-H$9J8%J;	$35-
	: #+0) 4&E) ,. ;	&RSXM		
HVE3 &8) 4&CE' >& WA' <A>C&		&RSXM		

MV00061736

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CE' EA&[F' >3&FH&A cG' WD' EDF<				
)*+7*, -+-	$-,-3)	$E--5-		
			>CC: W>; B9C$H: 8; $! : : @-*G><$A; 5	$E--5-
)*, F*, -+-	$2++-	$2467)5-		
			A>D A$D&KA: $>W	$2467)5-
: #+O)4&E),.;		&UTZUS&M		
HVE3&&)4&CE' EA&[F' >3&FH&A cG' WD' EDF<&		&TKZPQS&Z		
CE' EA& F<E>FWWA> aC&FHHD A				
)*, 3*, -+-	$-,+EE	$42+,5E3		
			>CCK>D&A; 8: : ; $B: %98; $E*-7	$42+,5E3
: #+O)4&E),.;		&UTPJS&R		
HVE3&&)4&CE' EA& F<E>FWWA> aC&FHHD A&		&UQPJS&R		
CE' EA&3 DC[G>CA9A <E&G<DE				
)*+*, -+-	$3-2	$-4)7755,		
			H=EDG$A K%/98; $P*=$)*-+*+-	$-4 7755.
)*+6*, -+-	$3+,	$-4-,255,		
			H=EDG$A K%/98; $P*=$)*+6*+-	$-4-.255.
)*, 7*, -+-	$3,-	$-4-,255,		
			H=EDG$A K%/98; $P*=$)*, 7*+-	$-4-,255,
: #+O)4&E),.;		&TLXUR3&R		
HVE3&&)4&CE' EA&3 DC[G>CA9A <E&G<DE&		&TZLJPUS&M		
CE' EA&<AE				
)*+7*, -+-	$EE-237	$-426-5-		
			H9C; 8>H; : G$AJHA	$-426-5-
: #+O)4&E),.;		&PLTKMB&M		
HVE3&&)4&CE' EA&<AE&		&PLTKMB&M		
CE' EA&FH& ' WDH73A-E&FH&D<3GCE>D W				
)*+,*, -+-	$-+7+F	$--65-		
			% 8UB$! : : @8H	$--65-
: #+O)4&E),.;		&PMKS&M		
HVE3&&)4&CE' EA&F H& ' WDH73A-E&F H& D<3GCE>D W&		&PMB&M		

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
CE' EA&F H& ' WDHF> <D &3A- ES&F H&^GC ED A				
)'6*, -+-	$-+F6+	$242+25-		
			!ECL: 8%&ECJ; ECL$AJHA@&G	$242+25-
)*+7*, -+-	$-, -36	$-427)5-		
			!ECL: 8%&ECJ; ECL$AJHA@8	$&)5-
			?D99G$-DH=D&-CD< A@&G	$-422-5-
)*, 3*, -+-	$-, +E7	$E3)5-		
			!ECL: 8%&ECJ; ECL$AJHA@&; >8A	$&+, 5-
			!ECL: 8%&ECJ; ECL$AJHA@8: >AK8<	$ EE5-
			!ECL: 8%&ECJ; ECL$AJHA@A	$&)5-
: #+O) 4&E) ,. ;		&KLKXPS&M		
HVE3 &&) 4&CE' EA&F H& ' WDHF> <D &3A- ES&F H& ^GCED A&		&KPLKUUS&M		
CE' EA&F H& ' WDHF> <D 73A- E&F H& F9&C: ! C` 3A:				
)*, 3*, -+-	$-, +7-	$2-75F7		
			8: !KCG@JS&K; EEB<	$-25++
			8: !KCG@JS&K; EEB<	$, 52-
			8: !KCG@JS&K; EEB<	$225+E
			8: !KCG@JS&K; EEB<	$-6+5-
: #+O) 4&E) ,. ;		&TMZ&XZ		
HVE3 &&) 4&CE' EA&F H& ' WDHF> <D 73A- E&F H& ! F9&C: ! C` 3A: &		&PLTQQ&&KT		
CEA< F&CFWGEDF <C&E>' <C! >D-EDF <&C: ! CS&&D<				
)*+7*, -+-	$-, -33	$,4E)75E		
			; 8>CAH8B%; E9CS$AJHA@&G	$4E)75E
: #+O) 4&E) ,. ;		&IKQLZS&Q		
HVE3 &&) 4&CEA< F&CFWGEDF <C& E>' <C! >D-EDF <&C: ! CS&&D< &		&TJLTJZS&Q		
CEA>D V! WA&&[HD2&				
)*, 3*, -+-	$EE-)-,	$&+F5E3		
			P>A; : $-> KDECL$AJ HA@CUD$A=D, 8	$&+F5E3
: #+O) 4&E) ,. ;		&KPXS&R		
HVE3 &&) 4&CEA>D V! WA&&[HD2&		&JLLZQ&PR		
CEA: A&C&W <3C! ' - D<N& &] AA3& [' EA 9A<E				
)'6*, -+-	$-+F6,	$&-5-		
			8: !KCG@KADEH9J8%U;	$&-5-
: #+O) 4&E) ,. ;		&RMB&M		
HVE3 &&) 4&CEA: A&C &W <3C! ' -D<N& &] AA3& ' [' EA9A<E&		&JRRTRS&K		
CEA: A&C& ' WWAV&< G>CA>V				
)'6*, -+-	$-+F62	$EF52F		
			8: !KCG@KADEH9J8%U;	$EF52F
: #+O) 4&E) ,. ;		&QXS&X		
HVE3 &&) 4&CEA: A&C& ' WWAV&< G>CA>V&		&IMLK&J		

MV00061738

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
CEA] ' > EL& WDHHF > 3				
) *6*, -+-	$ -+E, 2	$ 6+5-7		
			8: ; B3: : $U: GBH>D&?: C: ! B	$ 6+5-7
	: #+O) 4&E) ,. ;	&IKPS&Z		
HVE3 &&) 4&CEA] ' > E L& WDHHF > 3 &		&PIZZRS&P		
CEF < A> D3 NA& A< EA > & ' > E< A> C				
) *6*, -+-	$ -+F6)	$9-, -5-		
			8: ! KCG@KAS D3H$9J8%U;	$9-, -5-
	: #+O) 4&E) ,. ;	&RJMB&M		
HVE3 &&) 4&CEF < A> D3 NA& A< EA> & ' > E< A> C&		&JKKIQJKS&T		
CE> ' 3 WD< NL&/F ! ! ' L& ' > WCF < & &> ' GE@				
) *+, *, -+-	$ -+7+E	$625-		
			D L> D&AJHA@BAN $UL;	$625-
	: #+O) 4&E) ,. ;	&KTS&M		
HVE3 &&) 4&CE> ' 3 WD< NL&/F ! ! ' L& ' > WCF < & & >' GE@&		&CPLTQJS&Q		
CE> AD @L&EA> > V&/S				
) *6*, -+-	$ -+F66	$2-522		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2-522
	: #+O) 4&E) ,. ;	&TMBT		
HVE3 &&) 4&CE> AD @L&EA> > V&/S&		&KQMBTP		
CE> D BWA> &DL&^F @< &] S				
) *6*, -+-	$ -+F63	$2+E5-2		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2+E5-2
	: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &&) 4&CE> D BWA> &DL&^F @< &] S&		&JLKJZS&K		
CG9 A> HF > 3 L& @> DC ED<'				
) *, 3*, -+-	$ -, +7+	$2E5-		
			EDA; 8KH; E9DC9AJHA@&G><'	$2E5-
	: #+O) 4&E) ,. ;	&TQB&M		
HVE3 &&) 4&CG9 A> HF > 3 L& @> DCEB<' &		&TQMB&M		

MV00061739

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
CG<<V9A' 3& ! A&@' >3] ' >A				
)*6*,-+-	$-+F6F	$-2553		
			UEAH$AK%&DB A@B8:	$65)2
			UEAH$AK%&DB A@B8:	$E5+2
)*+,*,-+-	$-+7+7	$)225,7		
			UEAH$AK%&DB A@&9 DBH:	$9-56-
			UEAH$AK%&DB A@&9 DBH:	$7522
			UEAH$AK%&DB A@&9 DBH:	$23)52+
			UEAH$AK%&DB A@&9 DBH:	$9-5F-
			UEAH$AK%&DB A@&9 DBH:	$-53)
			UEAH$AK%&DB A@&9 DBH:	$+53)
			UEAH$AK%&DB A@&9 DBH:	$65+F
)*+7*,-+-	$-,-3F	$F522		
			UEAH$AK%&DB A@B8:	$F522
: #+O) 4&E),.;		&JKUSPQ		
HVE3&8) 4&CG<<V9A' 3& ! A&@ >3] ' >A&		&TLKPRSVU		
CG<<V9A' 3&9F<EAC CF>D&C! @FFW				
)*+7*,-+-	$-,-3E	$3)52,		
			8: !KCG@KAS DBH$9J8%U;	$3)52,
: #+O) 4&E),.;		&RUSTJ		
HVE3&8) 4&CG<<V9A' 3&9F<EACCF>D&C! @FFW		&RUSTJ		
CG-A>DF>&HG><DEG>A				
)*6*,-+-	$-+F6E	$)F523		
			8: !KCG@KAS DBH$9J8%U;	$)F523
: #+O) 4&E),.;		&JXSTR		
HVE3&8) 4&CG-A>DF>&HG><DEG>A&		&JXSTR		
C] AAE&H' ! EF>V&bU CZ				
)*6*,-+-	$-+F67	$)35,		
			8: !KCG@KAS DBH$9J8%U;	$)35.
: #+O) 4&E),.;		&JRSTJ		
HVE3&8) 4&C] AAE&H' ! EF>V&bUCZ&		&JRSTJ		
E&9&C& CCF! D EAC				
)*+7*,-+-	$-,-37	$)E5,+		
			8: !KCG@KAS DBH$9J8%U;	$)E5,+
: #+O) 4&E),.;		&JCSTP		
HVE3&8) 4&E&9&C& CCF! D EAC&		&JCSTP		
ES/S&VD<&D<EA><' EDF<' W				
)*,3*,-+-	$-,+7,	$F483+5F+		
			L8>==>U$A; $9J8H8A ACL*A8@-$%&89M	$F483+5F+
: #+O) 4&E),.;		&KERRPSXP		
HVE3&8) 4&ES/S&VD<&D<EA><' EDF<' W&		&RQLPZJSXM		

MV00061740

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'( )*+,012	-./(#+,&'( )*+,012
E' cGA>D &NG' 3' WG -' <'				
)*+7*,-+-	$-,-F+	$2F57-		
			8: !KCG@KASDBH$9J8%J;	$2F57-
: #+0) 4&E) ,. ;		&TXSZM		
HVE3 &&) 4&E' cGA>D &NG' 3' WG-' <' &		&TXSZM		
EA! @<D ' >A& F9-G EA>&CVCEA9 CL&D<!				
)*6*,-+-	$-+F3-	$2E5E-		
			8: !KCG@KASDBH$9J8%J;	$2E5E-
: #+0) 4&E) ,. ;		&TQ&SM		
HVE3 &&) 4&EA! @<D ' >A& F9-GEA>&CVC EA9 CL& B<! &		&TQ&SM		
E@A&[' >[A>C				
)*+7*,-+-	$-,-F,	$2)552		
			8: !KCG@KASDBH$9J8%J;	$2)552
: #+0) 4&E) ,. ;		&TUSKT		
HVE3 &&) 4&E@A&[' > [A>C&		&TUSKT		
E@A>9' W! FFW&D<! S				
)*6*,-+-	$-+F3+	$2-,5-		
			>H$KCB $AJH@KCC<UG$/&I AC?>8	$E65-
			>H$KCB $AJH@KCC<UG$/&I AC?>8	$E65-
			>H$KCB $AJH@NK: A; 8B>C$H; 8	$335-
			>H$KCB $AJH@NK: A; 8B>C$H; 8	$335-
: #+0) 4&E) ,. ;		&TMJS&M		
HVE3 &&) 4&E@A>9' W! FFW&D<! S&		&PQLCKMSTR		
E@F9! F& F<CE>G! E DF<L&D<! S				
)*6*,-+-	$-+F3,	$-24F)+56		
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-,423F52+
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-42F)5+)
: #+0) 4&E) ,. ;		&PTLXUPS&K		
HVE3 &&) 4&E@F9! F&! F<CE>G! EDF<L&D<! S&		&PTLXUPS&K		
EDFC&E' ! F&<F&T				
)*6*,-+-	$-+F32	$3252E		
			8: !KCG@KASDBH$9J8%J;	$3252E
: #+0) 4&E) ,. ;		&RTS'Q		
HVE3 &&) 4&EDFC&E' ! F&<F&T&		&RTS'Q		
EY9F[DVA				
)*+7*,-+-	$-,-F-	$6F5-		
			8: !KCG@KASDBH$9J8%J;	$6F5-
: #+0) 4&E) ,. ;		&KXS&M		
HVE3 &&) 4&EY9F [DVA&		&PQJS&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&&./(#+,	-./(#+,& '()*+,012
EF9 CAWVD& <NAWF				
)*+,*,-+-	$-+7,-	$5)55-		
			8: !KCG@B>; B9C$5BAUBAA: G	$6)55-
	: #+0)4E),.;	&KUSXM		
HVE3 &8)4E F9 CAWVD& <NAWF &		&KUSXM		
EF>>ACL&>F[A>E				
)*+,*,-+-	$-+7,+	$)255-		
			8: BJ?@&C!9% 9%D $P98I A=9%	$)255-
	: #+0)4E),.;	&JTSXM		
HVE3 &8)4E F>>ACL&>F[A>E&		&JTSXM		
E>'HHD & F<E>FW&CA>:D AL&D<!S				
)*,3*,-+-	$-,+72	$54F)55-		
			;8>!!B-H$D>LA4$A BLCACA; >CGA	$)4F6E5F3
			A>D A$>W	$)+352)
	: #+0)4E),.;	&KIPXUSXM		
HVE3 &8)4E>'HHD & F<E>FW&CA>:D A L&D<!S&		&KIPXUSXM		
E>'<L&<NGVAE				
)*+7*,-+-	$-,-F2	$5,5-		
			8: !KCG@CUD&DB-H: CA: $1:::	$5,5-
	: #+0)4E),.;	&KJSVM		
HVE3 &8)4E>'<L&<NGVAE&		&KJSVM		
E>A'CG>A&[F_L&D<!S				
)*6*,-+-	$-+F3)	$+5-2		
			8: !KCG@KAS&DB-H$9J8%U;	$+5-2
	: #+0)4E),.;	&IPSPT		
HVE3 &8)4E>A'CG>A&[F_L&D<!S&		&IPSPT		
E>AA&F H&VDHAL&D<!S				
)*6*,-+-	$-+F36	$25,+		
			8: !KCG@KAS&DB-H$9J8%U;	$25,+
	: #+0)4E),.;	&TSIP		
HVE3 &8)4E>AA&F H&VDHAL&D<!S&		&TSIP		

MV00061742

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
E>D @AL&E' >'				
)*,3*,-+-	$-,+76	$-472+5)-		
			EC A; 8KH; 98$AJHA@>DD ;	$2665--
			EC A; 8KH; 98$AJHA@>DD ; *>H89	$EE5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2225-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$ EE53-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2+-5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$-FF53-
			EC A; 8KH; 98$AJHA@ B%&- 9%&G>CH:	$ EE53-
			EC A; 8KH; 98$AJHA@&D; : 8UG$?>DD ;	$EE5E-
	: #+O) 4&E) ,. ;	&PLZTPS&M		
HVE3 &&) 4&E> D @AL&E' >' &		&PZLJZPS&M		
E>D! DE V&VD< A< &C G- - VW L&D<! S				
)*,3*,-+-	$-,+7)	$)F55-		
			DE C: C$B: C; >D&! 98 $H8H	$,55-
			DE C: C$B: C; >D&! 98 $H8H	$65-
	: #+O) 4&E) ,. ;	&JX$&M		
HVE3 &&) 4&E> D! DE V&VB: A< &CG- - VW L&B: ! S&		&PLRJJVB&M		
E>F-D ' W&- W \ ' &< G>CA>VL&D<! S				
)*,3*,-+-	$-,+73	$-E47+25)E		
			EB 8EL$B: %> EBA@/9C: $ @	$7735)2
			DCGAH%&J>EC; @/9C: $ @	$-64F- - 5-
			DCGAH%&J>EC; @/9C: $ @3	$ 4 +F5)6
	: #+O) 4&E) ,. ;	&PQJZPT$RQ		
HVE3 &&) 4&E> F-D ' W&- W \ ' &< G>CA>VL&B: ! S&		&PQTLJKPS&K		
E>G N>AA< &W <3! ' >A				
)*,3*,-+-	$-,+7F	$,+476F5)-		
			EB 8EL$B: %> EBA@/9C: $GAL@	$-25++
			EB 8EL$B: %> EBA@8>H; $2+,E)	$635)2
			EB 8EL$B: %> EBA@8>H; $2- - ,F	$757
			EB 8EL$B: %> EBA@8>H; $-,F,	$-532
			EB 8EL$B: %> EBA@8>H; $-7,-E	$3)5F-
			EB 8EL$B: %> EBA@8>H; $-7,-E	$-25E)
			DCGAH%P98I @8>H; $E3	$2-5-
			DCGAH%&J>EC; @/9C: $J	$642,)5E7
			DCGAH%&J>EC; @/9C: $GAL@	$F4-252E
			DCGAH%&J>EC; @/9C: $GAL@	$246++5 7
			DCGAH%&J>EC; @/9C: $GAL@	$ 47-75+)
	: #+O) 4&E) ,. ;	&JPLZKX$&M		
HVE3 &&) 4&E> GN>AA< &W <3! ' >A&		&TMTLJPX$&J		

MV00061743

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46)1#8)8&.,/(#+,	-./(#+,& '( )*+,012
EG<EW <3L&' 9AC				
	)*6*,-+-	$-+E,)	$6+5-7	
			8:; B3:: $U: GBH>D$?: C: !B	$6+5-7
	: #+0) 4&E),.;		&IKP$/Z	
HVE3&8) 4&EG<EW <3L&' 9AC&			&PIZZR$P	
EG>[FC! ' -AL&D<! S				
	)*,3*,-+-	$EE-)-2	$34),)5E-	
			>CCD$UKDH=B$LB/9C: $@	$34),)5E-
	: #+0) 4&E),.;		&RLJJU$M	
HVE3&8) 4&EG>[FC! ' -AL&D<! S&			&ZLKXX$M	
E]D<&N>' -@D C				
	)*,3*,-+-	$EE-)-)	$9-325-2	
			J:=BHD $L8>%=BHA $!98$%G$KCB	$9-325-2
	: #+0) 4&E),.;		&PRT$PT	
HVE3&8) 4&E]D<&N>' -@D C&			&JJTKZ$XR	
GC&@A' WE@] F>BC&9A3D ' W&N>FG-				
	)*+,*,-+-	$-+7,,	$365-	
			:U%D9<::$G9;*GUJ $W+U	$365-
	)*+7*,-+-	$-,-F)	$64-6+5-	
			C: P$U%D9<::$%=< ABH>DA	$635-
			C: P$U%D9<::$%=< ABH>DA	$24775-
			C: P$U%D9<::$%=< ABH>DA	$-46735-
	: #+0) 4&E),.;		&KJPR$M	
HVE3&8) 4&GC&@A' WE@] F>BC&9A3D ' W& N>FG-&			&PKIPTR$M	
G! &>ANA<EC&&NF: Ea\&& F99G<DEV&>AW EDF<				
	)*6*,-+-	$-+F3F	$5)5-	
			2*,)4)*,E45*,3 @; LA	$5)5-
	: #+0) 4&E),.;		&KU$M	
HVE3&8) 4&G! &>ANA<EC&&NF: Ea\&& ! F99G<DEV&>AW EDF<&			&PZQ$M	
GY@' GW& F&FH& ' WDHF><D				
	)*6*,-+-	$-+F33	$375-	
			8: !KCG@KADBH9J8%U;	$375-
	: #+0) 4&E),.;		&RZ$M	
HVE3&8) 4&GY@ GW& F&FH& ' WDHF><D &			&RZ$M	
GW$9A>&D<3GCE>DAC L&D<! S				
	)*+7*,-+-	$-,-F6	$E4+)52+	
			8>BEL!>?8BH>; B9C$!98$?8B$L:	$E4+)52+
	: #+0) 4&E),.;		&QRPUSTP	
HVE3&8) 4&GW$9A>&D<3GCE>DAC L&D<! S&			&QRPUSTP	

MV00061744

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
G<DF<&[' <B&FH& ' WDHF><D				
)*6*, -+-	$-+F3E	$2235-		
			EDJ: A; U: C; $A>!: I : : %EDL$AJHA	$2235-
)*+7*, -+-	$-, -F3	$-F-5-		
			U9C; =D<$D9H$ 8>C A!: 8$! : : A	$-F-5-
	: #+O) 4E) ,. ;	&KVR&M		
HVE3 &) 4&G<DF<&[' <B&FH& ' WDHF><D &		&JQXLKXZ&LZ		
G<DEA3 &D<C-A! EDF <& &EACED<N&D<!				
)*, 3*, -+-	$-, +7E	$-4F+75-6		
			>CCD&%-J: UC; $B: A K8!>HEDL$%&89M	$-4F+75-6
	: #+O) 4E) ,. ;	&PLXPZ&PK		
HVE3 &) 4&G<DEA3 &D<C-A! EDF <& &EAC ED<N&D<! &		&JMLKRQ&JM		
G<DEA3 & F] A>&NA< A>' EDF<L&D<! S				
)*6*, -+-	$-+F37	$24+65-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ6E	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @= D 8	$5-65-
			L: C: 8>; 98$D9>G$? >CI $: A; @!5-5	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @&A?	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ3	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ)E	$+-5-
)*+7*, -+-	$-, -FF	$-4 2-5-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$-F+5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$ 2E5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$-)-5F
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$ 375)2
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$ +65-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$-765-
	: #+O) 4E) ,. ;	&LJUK&M		
HVE3 &) 4&G<DEA3 &-F] A>&NA< A>' EDF< L&D<! S&		&PLZZM&R		
G<DEA3 &CDEA&CA>: D AC&FH& ' L&D<! S				
)*6*, -+-	$-+FF-	$3+5F-		
			8: !KCG@KADH9J8%J;	$3+5F-
)*6*, -+-	$EE-2+3	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GB5	$7F56
)*+, *, -+-	$EE-2)6	$-E)5F,		
			%98; >?D $ 9ED ; $AJH@9D!$H; 8	$FF522
			!: CH: $B: C; >D@CBJ>D$A=: D : 8	$-F527
)*+7*, -+-	$EE-2F-	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GB5	$7F56
	: #+O) 4E) ,. ;	&UP&KJ		
HVE3 &) 4&G<DEA3 &CDEA&CA>: D AC&FH & ' L&D<! S&		&ZLUKP&RK		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&'($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
G<DEA3 &CE' EAC&E> A' CG>V				
)*+, *, -+-	$-+7,)	$6-5-		
			%<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
)*, 3*, -+-	$-, +77	$6-5-		
			%<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
: #+0) 4&E) ,. ;		&PMMB/M		
HVE3 &8) 4&G<DEA3 &CE' EAC&E> A' CG>V&		&KLKXMB/M		
G<DEA3 &] ' V&FH&D< W <3& ' WWAVC				
)*+, *, -+-	$-+7, 6	$3, F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3, F5-E
)*, 3*, -+-	$-, , --	$3, F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3, F5-E
: #+0) 4&E) ,. ;		&PLJKUSTR		
HVE3 &8) 4&G<DEA3 &] ' V&FH&D< W <3& ' WWAVC&		&PQLPRTSZM		
G-EF<L&A9DBF				
)*+7*, -+-	$-, -FE	$335-		
			8: !KCG@CUD&AJH$!: : A	$2-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-35-
: #+0) 4&E) ,. ;		&RRS/M		
HVE3 &8) 4&G-EF<L&A9DBF&		&RRS/M		
GC' & W >9&CVCEA9 CL&D<! S				
)*+7*, -+-	$-, -F7	$2-5-		
			8: !KCG@KA$DB-H$9J8%U;	$2-5-
: #+0) 4&E) ,. ;		&TMB/M		
HVE3 &8) 4&GC' & W >9&CVCEA9 CL&D<! S&		&TMB/M		
GC' &9F[DVDEV7 >! @&] D>AWACC				
)*+7*, -+-	$EE-2F+	$735-7		
			%L: 8$AJH@&>8I $B>CL: 8A	$5-2
			%L: 8$AJH@8>CA%$GB5	$65-7
			%L: 8$AJH@B VS%>; 89D&J9DC; 8A5	$2256)
			%L: 8$AJH@CBJ>D$AJHA	$2E57-
			%L: 8$AJH@%8: A C >W A	$-F52
: #+0) 4&E) ,. ;		&ZRSZZ		
HVE3 &8) 4&GC' &9F[DVDEV7 >! @&] D>AWACC&		&QJRSRX		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
:' ! ' EA&-ACE&AWD9 D<' EDF<& F9-' <V				
)*6*, -+-	$EE-2+F	$-4-65-		
			% A; $HC; 8D@&; EDE <$I DG$9! ! EH:	$)65-
			% A; $HC; 8D@BE <$=>DD	$F65-
			% A; $HC; 8D@BB: $A; $Z) E	$)65-
			% A; $HC; 8D@BB: $A; $Z,	$)65-
			% A; $HC; 8D@BB: $A; $Z6E	$)65-
			% A; $HC; 8D@BB: $A; $Z36	$)65-
			% A; $HC; 8D@BB: $A; $Z3	$)65-
			% A; $HC; 8D@BB: $A; $Z7+	$)65-
			% A; $HC; 8D@9C! $D&B: H$H; 8	$F65-
			% A; $HC; 8D@9D! $H; 8$%&89$A=9%	$,56-
			% A; $HC; 8D@J; J$A; KGE9	$,56-
			% A; $HC; 8D@E98>8<	$665-
			% A; $HC; 8D@9PCL>; : $H9UU$H; 8	$)65-
			% A; $HC; 8D@: CE98$H; 8	$665-
			% A; $HC; 8D@8>CA%&$ 8D8	$)65-
			% A; $HC; 8D@BE <$<>8G	$+65-
			% A; $HC; 8D@&K?$A>! : ; <$?DGL	$F65-
			% A; $HC; 8D@CEJ> D$A=: D : 8	$+65-
			% A; $HC; 8D@CC: W$?DGL$-	$665-
			% A; $HC; 8D@>8?$=9??<$A=9%	$)65-
			% A; $HC; 8D@; >8A$?DGL*U>8?	$)65-
			% A; $HC; 8D@>8H=$I DG$%>8I $H5H5	$)65-
)*, 3*, -+-	$EE-)-3	$67-5-		
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?E: P><	$6-5-
: #+O) 4&E) ,. ;		&PLXZK&M		
HVE3 &&) 4&' ! ' EA&-ACE&AWD9 D<' EDF< & ! F9-' <V&		&PKLJXK&M		
:' WD&I FF-A>& & CCF! D EACL&D<! S				
)*6*, -+-	$EE-2+E	$74)6-5-		
			; : U%&A; >! ! EDCL$AJ HA@I>%&%&89MA	$74)6-5-
: #+O) 4&E) ,. ;		&ZLLKM&M		
HVE3 &&) 4&' W&I F F-A>& & CCF! D EA CL&D<! S&		&PTQLQLJX&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
: ' <3A>8@] B& F<C GWEB< NL&WW					
	)*+7*,-+-	$-,-E-	$4--5-		
				%>J: UC; $JLU; $%8L U$K%G>; : $AJHA	$4--5-
	: #+0) 4&E) ,. ;		&LIJMVB/M		
HVE3 &) 4& ' <3A>8@] B& F<CGWEB< NL&WW &			&JXLKZTS/M		
: ' C& CCF! D EACL& B<! S					
	)*+7*,-+-	$EE-2F,	$,-46,-5-		
				; : U%&A; >!! E<L$AJ HA@!>%&%89MA	$-46,-5-
	: #+0) 4&E) ,. ;		&JMLKJMB/M		
HVE3 &) 4& ' C& CC F! D EACL&B< ! S&			&PQLJXJKS/M		
: A>3 B< & F<! >AEAL& B<! S					
	)*6*,-+-	$-+FF+	$3-5-		
				8: !KCG@KAS<B-H$9J8%U;	$3-5-
	: #+0) 4&E) ,. ;		&RMB/M		
HVE3 &) 4& A>3 B< &! F<! >AEAL&B< ! S&			&RMB/M		
: A>D F<					
	)*+,*,-+-	$-+7,3	$-4F--573		
				?>HI ?9C: $H=8LA	$-4F--573
	: #+0) 4&E) ,. ;		&PLXMMZR		
HVE3 &) 4& A>D F< &			&PRLQTJS&K		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&.//(#+,	-./(#+,& '()*+,012
: A> D F < & ' WDHF > < D				
)*+,*,-+-	$-+7,F	$-48,6556+		
			;:D %=9C:3H=8LA	$2,5-2
			;:D %=9C:3H=8LA	$2-+573
			;:D %=9C:3H=8LA	9-E75)F
			;:D %=9C:3H=8LA	$6,25FF
			;:D %=9C:3H=8LA	$23E52E
			;:D %=9C:3H=8LA	$E25F2
			;:D %=9C:3H=8LA	$26)52.
			;:D %=9C:3H=8LA	$26,5E7
			;:D %=9C:3H=8LA	$FE57F
			;:D %=9C:3H=8LA	$2265)2
			;:D %=9C:3H=8LA	$625F,
			;:D %=9C:3H=8LA	$52+5E
			;:D %=9C:3H=8LA	$-,52E
			;:D %=9C:3H=8LA	$735-,
			;:D %=9C:3H=8LA	$FE527
			;:D %=9C:3H=8LA	9-7,5F
			;:D %=9C:3H=8LA	$E65-6
			;:D %=9C:3H=8LA	$635E)
			;:D %=9C:3H=8LA	9-E5E,
			;:D %=9C:3H=8LA	9-,25-F
			;:D %=9C:3H=8LA	$3,5FE
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9)+53
			;:D %=9C:3H=8LA	$657-2
			;:D %=9C:3H=8LA	9),57,
			;:D %=9C:3H=8LA	9-755E
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	9-775)-
			;:D %=9C:3H=8LA	9-)355F
			;:D %=9C:3H=8LA	$5E5-
			;:D %=9C:3H=8LA	$365,E
			;:D %=9C:3H=8LA	9-6E57)
			;:D %=9C:3H=8LA	$F,57-
			;:D %=9C:3H=8LA	9-75-F
			;:D %=9C:3H=8LA	$F357E
			;:D %=9C:3H=8LA	$2F35-E
			;:D %=9C:3H=8LA	$2462E3+
)*,3*,-+-	$-,,-+	$3+E5,6		
			;:D %=9C:3H=8LA@8H	$3+E5,6
: #+O)4&E),.;		&PLJUTSXR		
HVE3 &) 4& A> D F < & ' WDHF > < D &		&PMVDTMVB/Z		
: D3 AF &C@F > AC				
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			8: !KCG@KASDBH$9J8%U;	$F5-F
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MORENO VALLEY
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			8: !KCG@KASDBH9J8%U;	$-5-F
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			AK%%DB A$!98$L8> !!B BBUJD	$35,
			AK%%DB A$!98$L8> !!B BBUJD	$+52+
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	: #+0)4&E),.;	&ZZT$XM		
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	: #+0)4&E),.;	&KKIMB/M		
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: FV' NA>&HWAAE&CV CEA9LD<! S				
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			HCL$!K: D$!98$A; 8::; $/8LU	$9-83E522
			HCL$!K: D$!98$G8>BC$U>BC; $/8LU	$6+57,
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MORENO VALLEY
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			>A%=>D, BH$J>; :8B>D	$+25E3
			>A%=>D, BH$J>; :8B>D	$+25E3
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			>A%=>D, BH$J>; :8B>D	9-FF5+-
			>A%=>D, BH$J>; :8B>D	$,E5+3
			>A%=>D, BH$J>; :8B>D	9-)+5F3
			>A%=>D, BH$J>; :8B>D	$E25+)
			>A%=>D, BH$J>; :8B>D	$2-5++
			>A%=>D, BH$J>; :8B>D	9-3)5E3
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			8:;BB:: $U: GBH>D&?: C: !B	$32F53
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HVE3&8)4&] ' NVL&' >VWF<&		&TLPQXSTM		
] ' @AA3L&9G<AA>				
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			8: !KCG@&C; D&G: %&)*2	$--5-
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HVE3&)4&] ' C@D<NEF<&D<:A<EF>V&CA>:DA&			&RX&R		
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				E5A;8KH;E9C5AJHA@&G><A	$2),5-
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HVE3&)4&] ' CEA&9' <' NA9A<E &FH&E@A& D<W <3&A9-D>A&			&PTUTZ&P		
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	)*6*,-+-	$-+FFE	$E-5-		
				8:!KCG@>8E9KA5*H9::A	$2-5-
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				8:!KCG@>8E9KA5*H9::A	$-5-
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HVE3&)4&] ' EBD<CL& <<DA&			&QM&M		
] AA9CL&9AN' <&AS					
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				8:!KCG@B>;E9C5J8%U;	$9-5-
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HVE3&)4&] AA9CL&9AN' <&AS&			&JM&M		
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				>CCK>D5GUE5::	$4--5-
	: #+0)4&E),.;		&UUMM&M		
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MORENO VALLEY
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] AWVC&H' >NF& F>- F>' EA&E>GCE				
)*+*,-+-	$-2,2+	$-4,65EE		
			EC; : 8: A; $I>8B?D: $B>; : $9CG	$-4,65EE
: #+0) 4&E),.;		&PIJJKS&Q		
HVE3 &) 4&] AVVC&H' >NF& F>-F>' EA&E>GCE&		&ZIMJZILJCK&JT		
] ACE&NF: A><9A<E&CA>: D AC				
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			\HD >8\$K; 9$ 8> HI $AJHA$I 98$%G	$5--5-
: #+0) 4&E),.;		&KMMB/M		
HVE3 &) 4&] ACE&NF : A><9A<E&CA>: D A C&		&JLKMMB/M		
] ACE&N>FG-				
)*+7*,-+-	$EE-2F)	$3)5-,		
			9CDE: $H=8LA@ L>DE!9	$-E)5-,
			D L>D$%K?DH>; E9 CA$AK?AH8% CA	$E-5-
: #+0) 4&E),.;		&RRJJ&PJ		
HVE3 &) 4&] ACE&N> FG-&		&KLKKRS&P		
] ACEA><&9G<D D' W&] ' EA>&3 DCE>D E				
)*,3*,-+-	$-,,-3	$FF+5F6		
			P>; : 8$H=8LA@>8? $?>DD!B DGA	$2675-2
			P>; : 8$H=8LA@!%HH$DCGAH%	$26F5),-
			P>; : 8$H=8LA@!%HH$?DGL	$662-
: #+0) 4&E),.;		&XPS&K		
HVE3 &) 4&] ACEA><&9G<D D' W&] ' EA>& 3 DCE>D E&		&PILJJTS&Q		
] @DC@A>L&BVWA				
)*+7*,-+-	$-,,-E3	$5--5-		
			8: !KCG@8>%&G: %9AB	$5--5-
: #+0) 4&E),.;		&KMMB/M		
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MORENO VALLEY
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HVE3&8)4&] DAWD<L&>F<' W3& S&			&TLPQXSTM	
] DWW3' <& <3& CCF!D EAC				
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			U98$?:>H=$G8$PBG:CBCL$%&89M	$+4265-2
	)*+,*,-+-	$-+7,7	$,24F665),,	
			U98$?:>H=$G8$PBG:CBCL$%&89M	$24F665),,
	)*+7*,-+-	$-,-EF	$5)-5--	
			:>A;8BGL:BBB: JB P$AJHA	$5)-5-
	: #+0)4&E),.;		&JKLKTMBJK	
HVE3&8)4&] DWW3' <&<3& CCF!D EAC&			&JRZLPQRSMM	
] DWW3' <&HD<' <!D W&CA>:D AC				
	)*,3*,-+-	$-,,-E	$,4--5--	
			!<$E"-7$>CCK>D$GBAHD9AK8:$AJH	$-4--5-
			!<$E"-7$>CCK>D$GBAHD9AK8:$AJH	$-4--5-
	: #+0)4&E),.;		&LLMMMBM	
HVE3&8)4&] DWW3' <&HD<' <!D W&CA>:D AC&			&PMPJKS&X	
] DWWD 9 CL&' <A&WS				
	)*6*,-+-	$-+FE-	$-,,52E	
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	: #+0)4&E),.;		&PJJS'Q	
HVE3&8)4&] DWWD 9 CL&' <A&W&S&			&PLJJPS&RJ	
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	)*6*,-+-	$-+FE,	$---5--	
			8:!KCG@&G$HB>;!9CS!::A	$---5-
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			: W 8>H; $P>; : 8*! > C@! ! BH: $ $%A?	$6-5-
			M-CB 98B DAJHA@J>8H= $! DG$%>8I	$766F-
			M-CB 98B DAJHA@HB <$-> DD	$46EE52
			M-CB 98B DAJHA@HB <$:>8G	$2)357-
			M-CB 98B DAJHA@ 8>CA%$ 8D8	$7E1-
			M-CB 98B DAJHA@ A>$-CC: W	$F265F2
			M-CB 98B DAJHA@J >H5$-CC: W	9-,)57
			M-CB 98B DAJHA@DB78>8<	9-4FF+5F7
			M-CB 98B DAJHA@L9D! $%89$A=9%	$3))5F-
			M-CB 98B DAJHA@JJ; J$A; KGB9	$6E5-6
			M-CB 98B DAJHA@4K?$A!; <$?DGL	$643)56
			M-CB 98B DAJHA@L>CL$ AI $198H:	9-+,52,
			M-CB 98B DAJHA@A: CB98$H; 8	9-47+35-E
			M-CB 98B DAJHA@ 9PCL>; : $-H5-H5	$37+52E
			M-CB 98B DAJHA@ A$-CC: W	$625 2
			M-CB 98B DAJHA@H9C! $C&B: H$-H; 8	$24)F572
			U>8@-$G><$%98; : 8$AJHA	9-4+)-5-
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			M-CB 98B DAJHA@A: CB98$H; 8	$3-5-
			M-CB 98B DAJHA@H9C! $C&B: H$-H; 8	$76-5-
			M-CB 98B DAJHA@ U%&B: A$-H; 8	$2)E573
			M-CB 98B DAJHA@AKCC<UG$ D U5	9-E)5--
			M-CB 98B DAJHA@B>BC?9P$BBGL:	$2+-5-7
			M-CB 98B DAJHA@B: G$U>%D $ D U	$2+-5-7
			M-CB 98B DAJHA@A; >8A$-GN; 8A	$7EBFF
			M-CB 98B DAJHA@AKCC<UG$UBGGD	9-6,5--
	: #+O) 4&E) ,. ;	&RILUPT$&Z		
HVE3 &&) 4&] G>9 &C&\' <DEF>D W&CA>: D! ACL& B< ! S&		&KQLTQX$&X		
_A>F_				
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			H9%B 8$BC; D'U>BC; @&G	$2256+
			H9%B 8$BC; D'U>BC; @&G	$6)5-
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	$3E53
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	9-)EFFE
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	$3-5-
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	9-46-7567
			H9%B 8$BC; D'U>BC; @8>%=BHA$GBI	$27F5F7
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			H9%B 8$BC; D'U>BC; @&>8I A	$26752)
			H9%B 8$BC; D'U>BC; *%8BC; A@&>8I A	9-4-75E
			H9%B 8$BC; D'U>BC; @&; >8A	9-F5-
			H9%B 8$ W-H$%8BC; A$-H=8L@&; >8A	$4+,)5E-
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MORENO VALLEY
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\ G9' >&D<3 GCE>DAC L&D<! S				
)*6*,-+-	$EE-2,3	$6467,52F		
			ABLCA$! 98$ 8>CA%&GB	$++5E
			ABLCA$! 98$ 8>CA%&GB	$64))53
			ABLCA$! 98%&-8I A	9-2F5-2
)*+,*,-+-	$EE-2)E	$2-35,)		
			ABLCA$- >8GP>8: $! 98%&-8I A	$2-35,)
)*,3*,-+-	$EE-)-7	$3E65-2		
			ABLCA$! 98%&-8I A	9-725-7
			ABLCA$! 98%&-8I A	$7,5-)
: #+O) 4&E),.;		&RLKQTSKU		
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C*=,),.;		&PLTXPLQVPSZK		
N>' <3 &E FE' W		&PJLRUULUTTSVP		

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061760

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 38	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.86
2.0	One	120.41	222.72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14.43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50.10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204.77	
Monthly Minimum Pull Fee (compactor)	$	296.00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71.36	
Relocation	$	71.36	
Set Up Fee	$	25.09	

MV00061762

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

MV00061764

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00061766

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapProj\ PROJECTS\ Heyr- 08-28268628 - Patriot Park\ CCReports\ StaffReport - NOC (CC6-22-10).doc

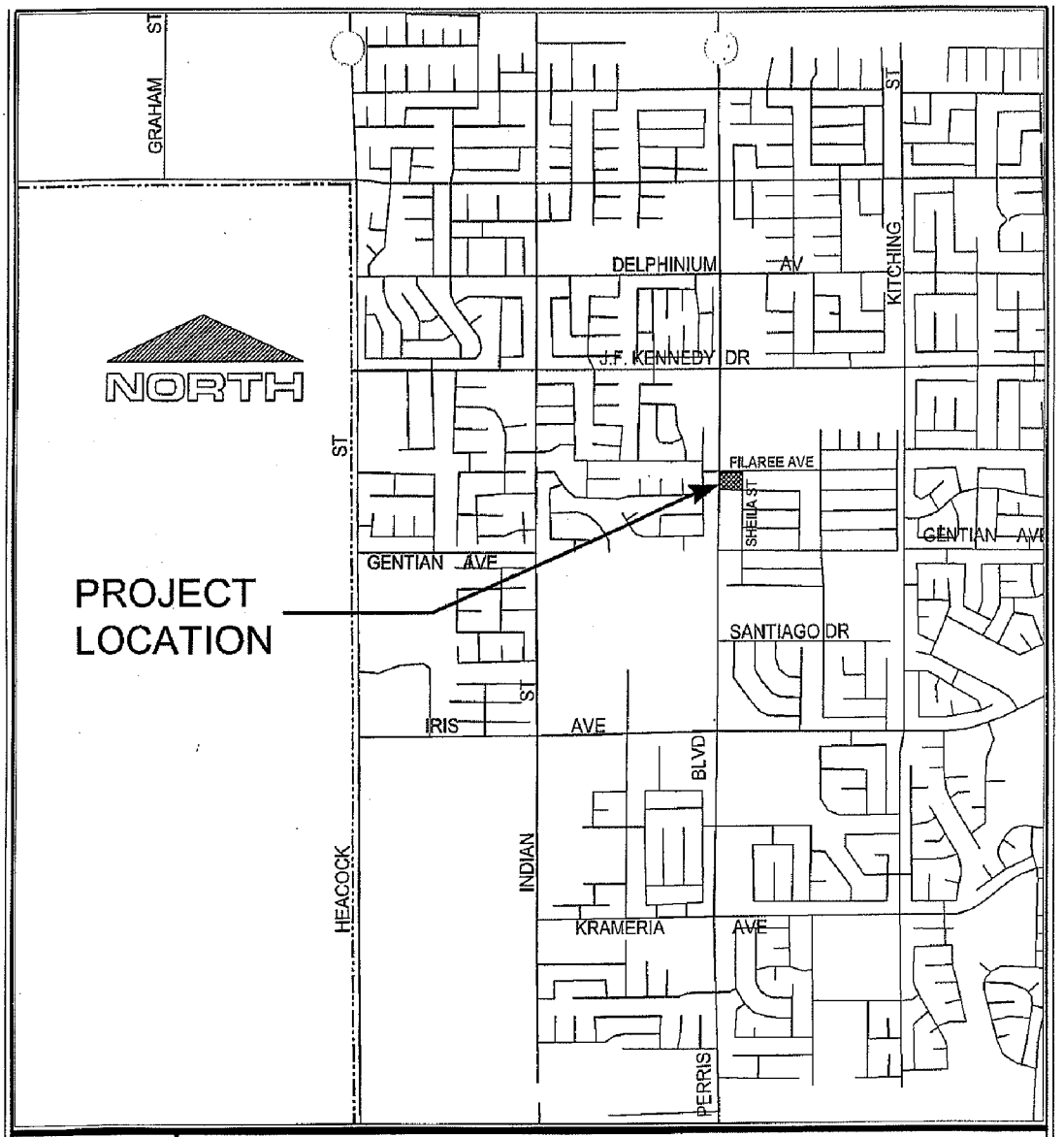

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

MV00061769

MV00061770

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

MV00061772

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061774

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00061778

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official : Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I **Organizations Affected:**

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II **Responsibilities of City Office:**

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

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perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V **Procedures:**

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

   a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

   b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

   c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

MV00061786

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

MV00061788

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061789

MV00061790

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Bonnie Flickinger, Mayor

ATTACHMENT A

MV00061791

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT A

MV00061792

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ATTACHMENT B

MV00061794

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

ATTACHMENT C

MV00061796

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

MV00061797

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00061798

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00061799

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

Item No. A.9

ATTACHMENT C

MV00061800

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Item No. A.9

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Item No. A.9

MV00061802

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

ATTACHMENT D

MV00061804

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives,and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

ATTACHMENT E

MV00061806

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00061808

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00061810

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

MV00061812

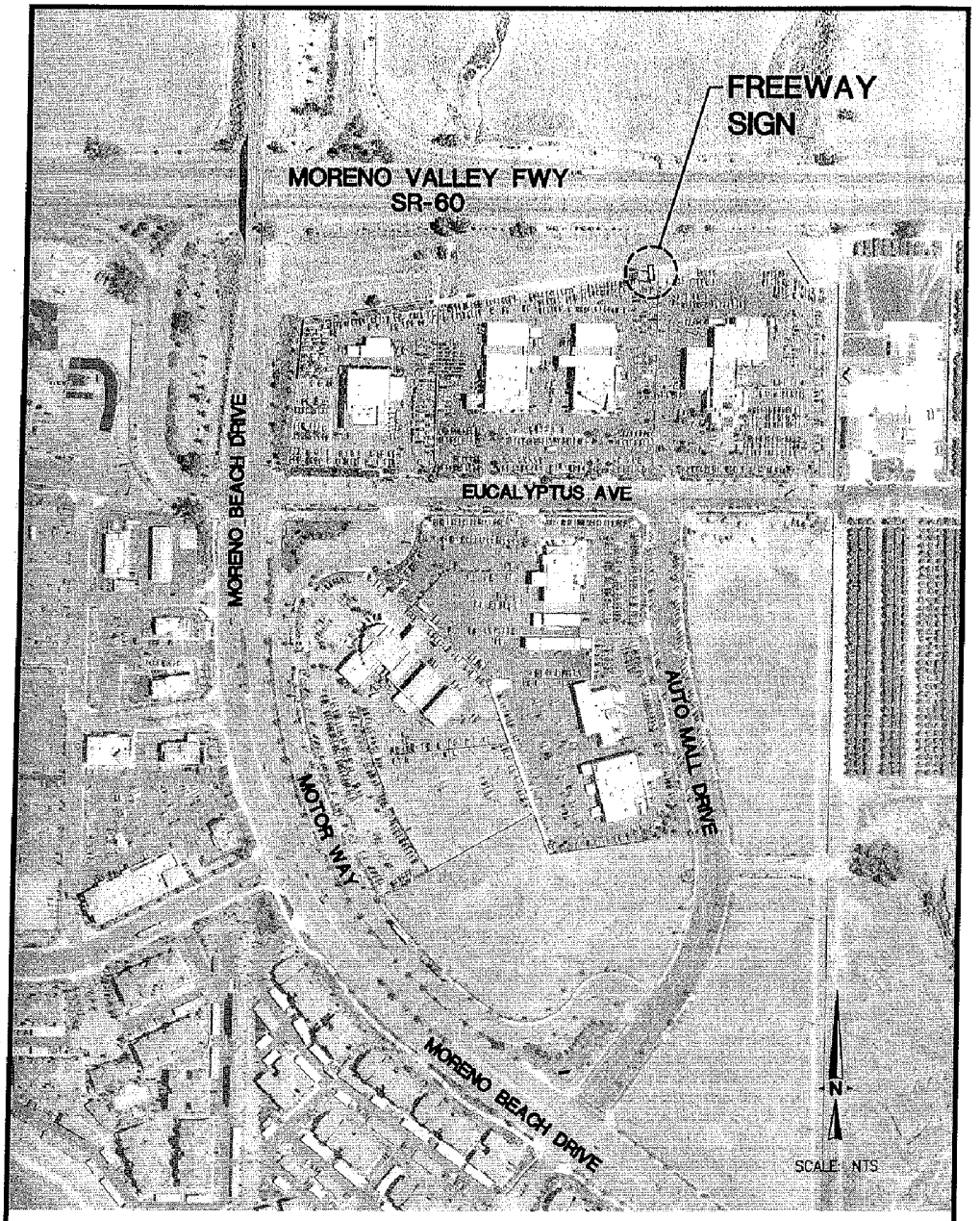

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. A.10

MV00061814

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00061821

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00061824

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

MV00061826

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.10

MV00061827

MV00061828

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00061830

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00061832

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00061834

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061836

MorenoValley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

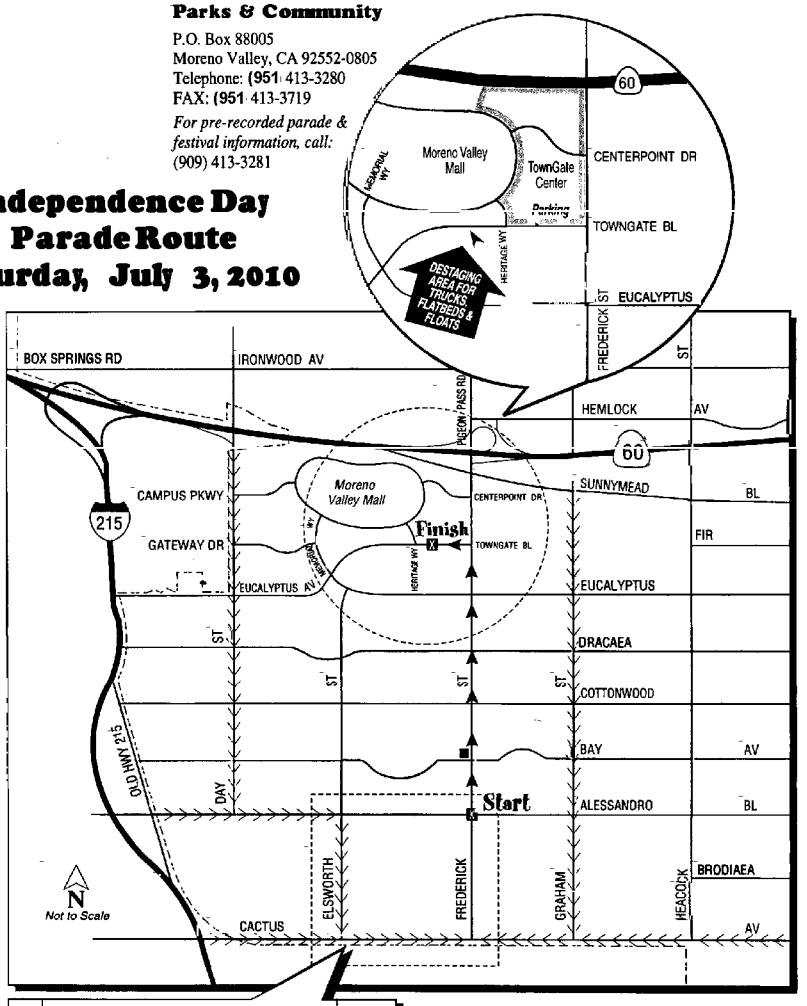

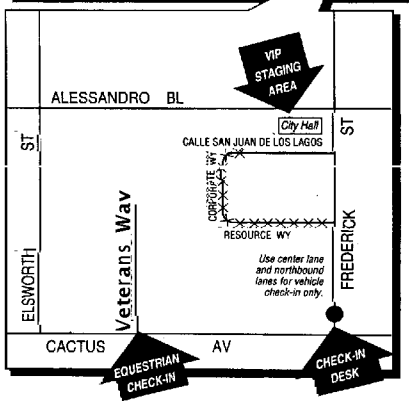

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

MV00061838

Attachment 2

July 4th Festival
Street Closures

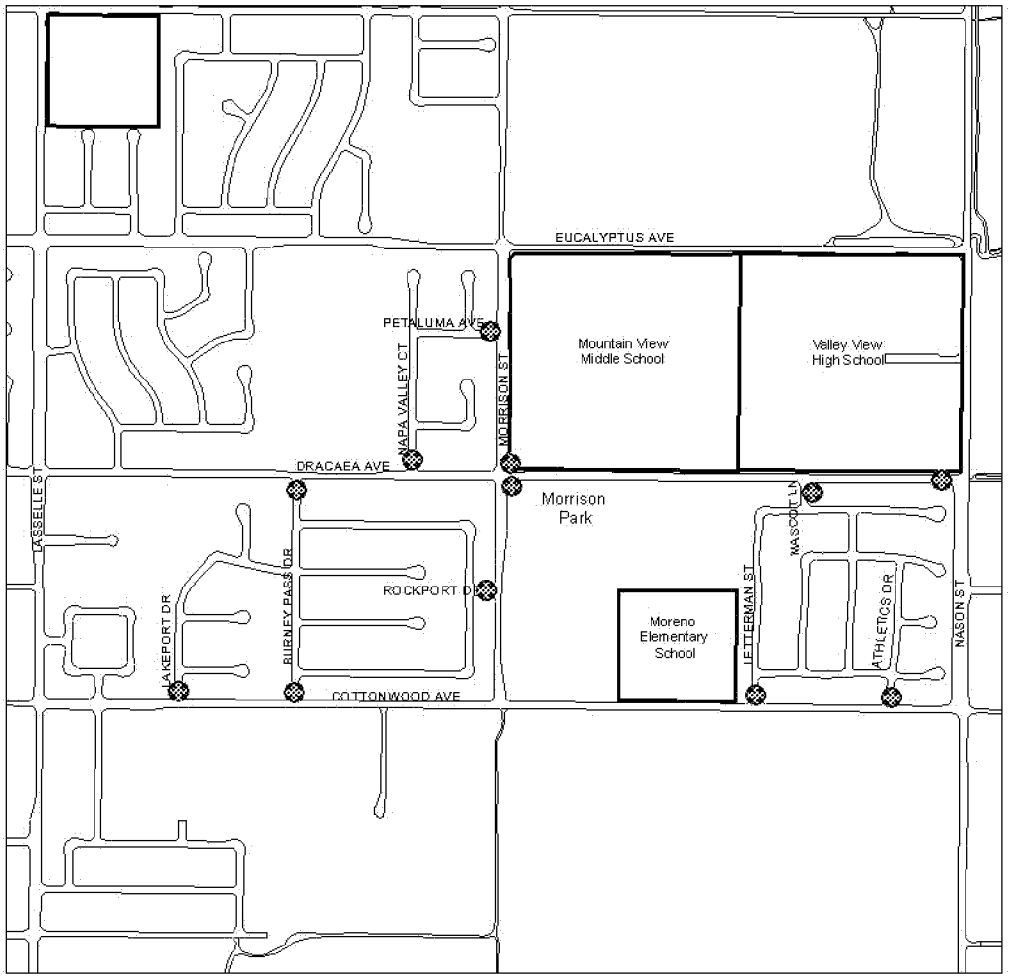

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. A.11

MV00061839

MV00061840

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

MV00061842

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

** pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

MV00061844

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapProj\ PROJECTS\ Mang- 98-25897 Route 60-Nason Interchange\ CC Reports\ CDFGSAA Staff Reports\ 98-25897 Route 60-Nason Interchange Conservation Easement Staff Rpt 062210.doc

MV00061846

RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

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which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

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B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

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2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____ _____ –
Mayor

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ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

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ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Section:

12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

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the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

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be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required . Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

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1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____day of_____2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.
2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061882

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employm ent Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

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MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00061885

MV00061886

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

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FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6 261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920 .00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061890

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By: _____
President

Date: _____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

MV00061892

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION.**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **CONTRACTOR'S COMPENSATION**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

MV00061905

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

MV00061906

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

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2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

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TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

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EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

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EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020

Agency Ucf: 0F62058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(X)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By Date 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevelopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER
City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

ACORD 25 (2001/08) Certificate # 2240 © ACORD CORPORATION 1988

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Dec. 8. 2009 10:29AM ALLSTATE INSURANCE No. 8808 P. 2

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	ANY ONE LOSS
PHYSICAL DAMAGE LIMIT	ANY ONE PERSON
MEDICAL EXPENSE LIMIT	

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010

Coverage Basis	Limits		
	Combined Single Limit of Liability		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
	Split Liability Limits		
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Bodily Injury	Property Damage	Each
			PERSON
☐ OWNED PRIVATE PASSENGER AUTOS			ACCIDENT
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-4-09

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

U10523-2

Item No. B.3

MV00061921

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

NR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00061922

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00061924

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00061926

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

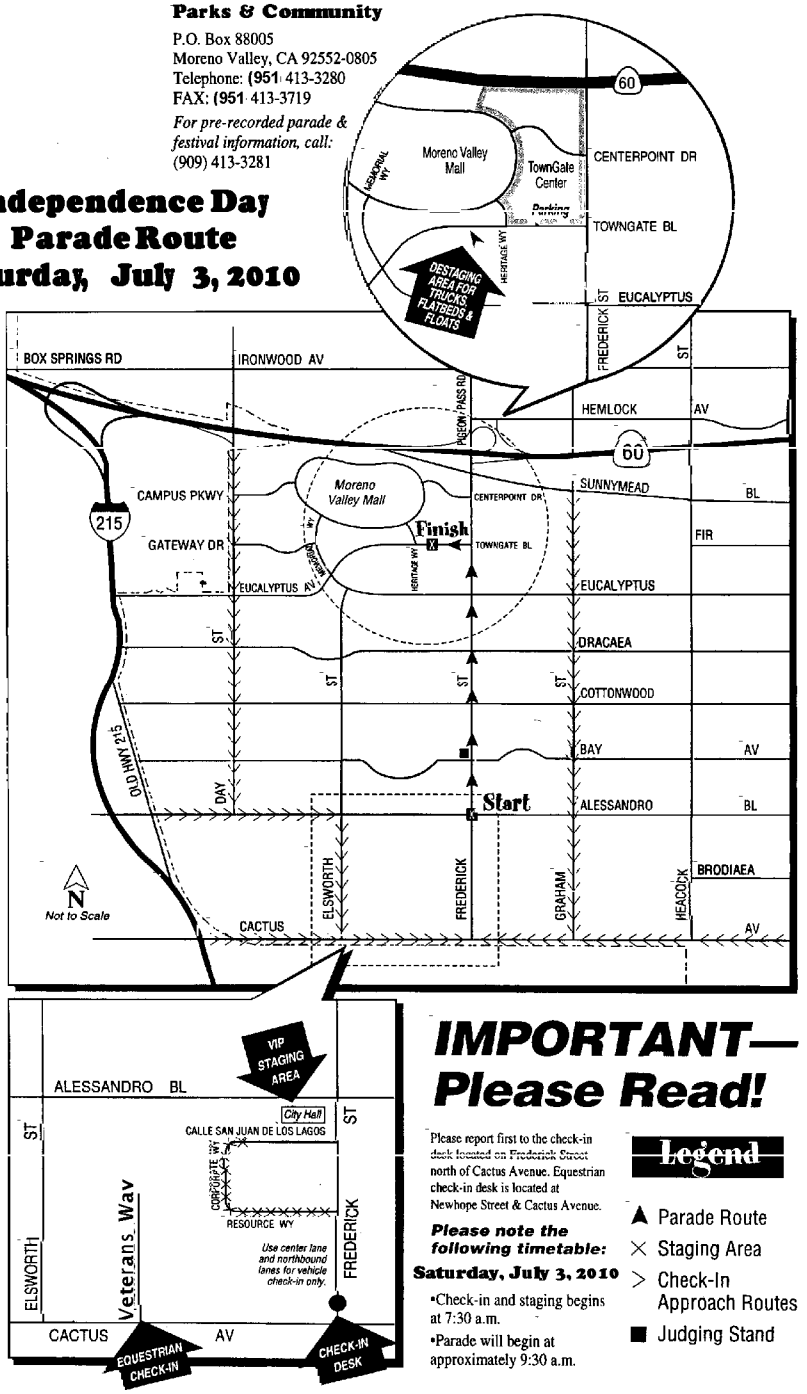

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

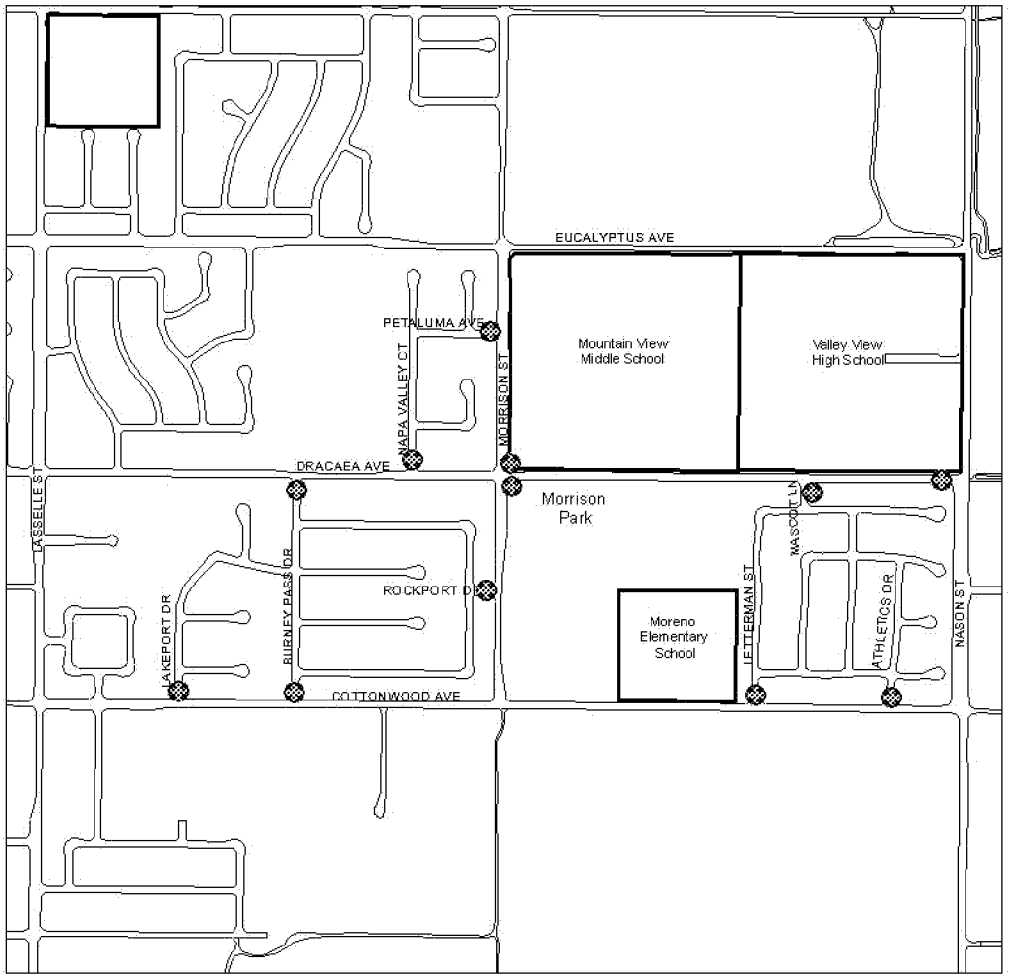

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.4

MV00061929

MV00061930

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00061931

MV00061932

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00061934

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00061936

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

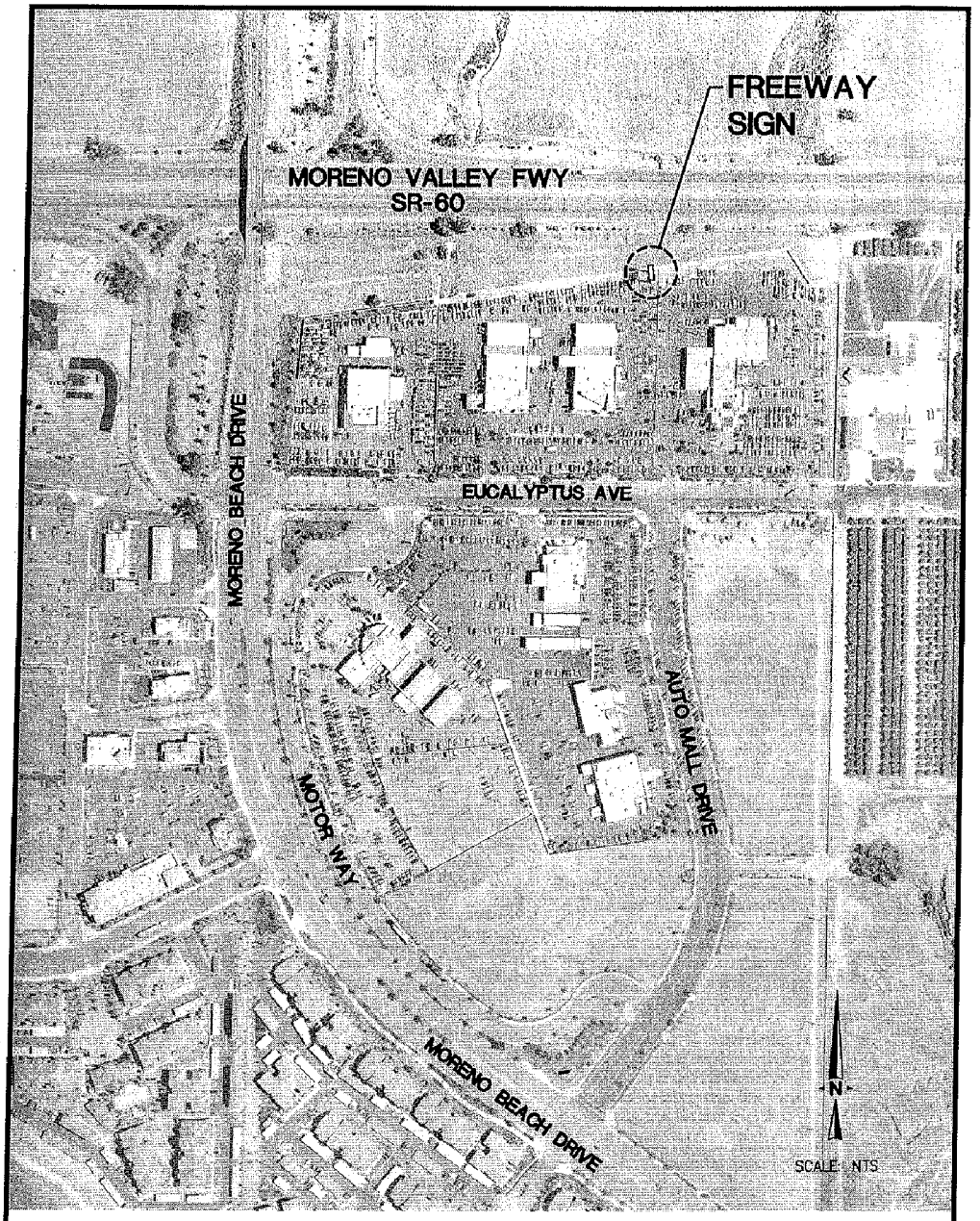

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. C.3

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00061946

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

MV00061949

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00061952

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00061954

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00061956

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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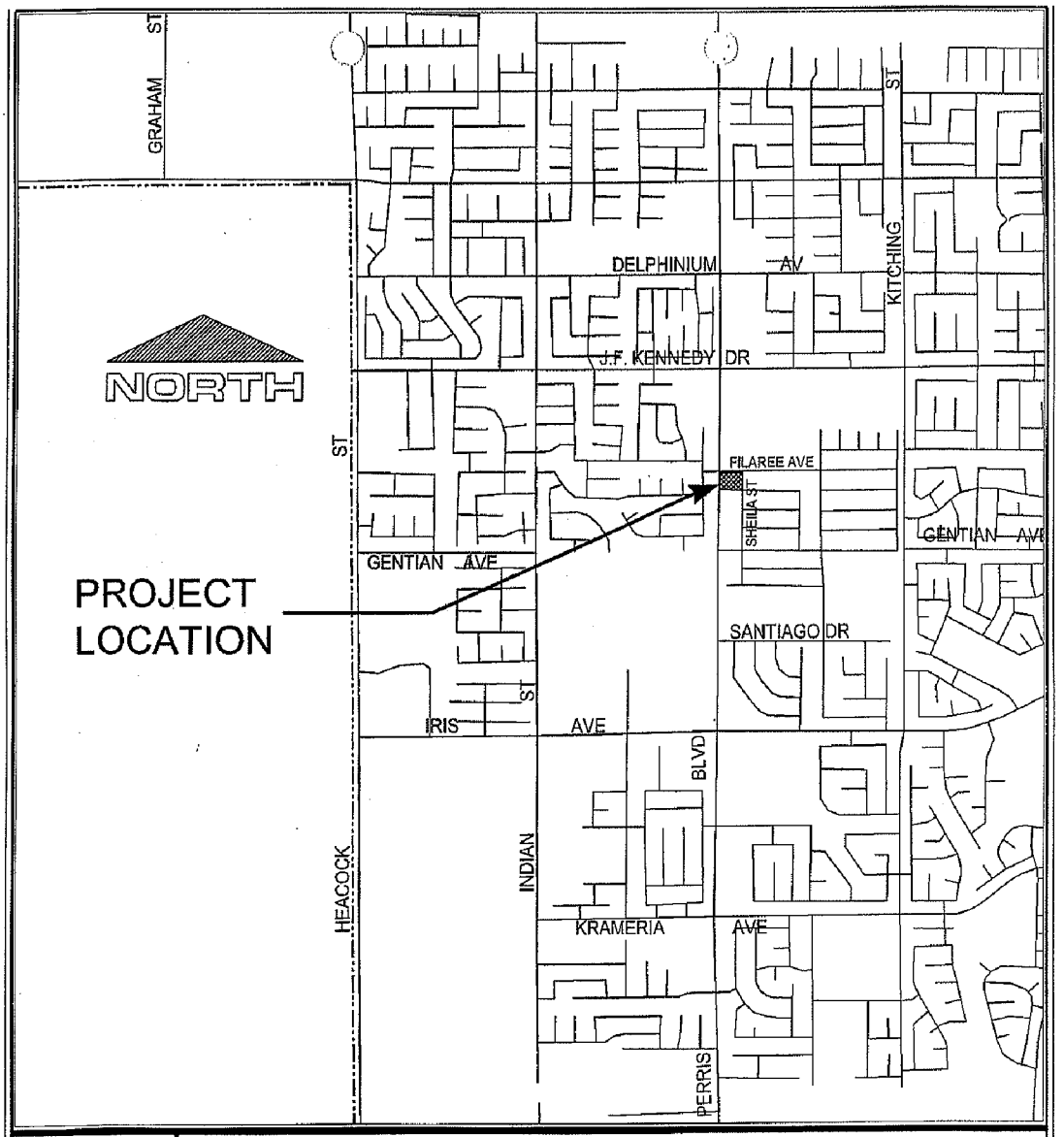

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

Item No. C.4

MV00061960

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00061961

MV00061962

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

MV00061964

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061966

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

MV00061969

MV00061970

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 16,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

MV00061971

MV00061972

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	$ 67,754,400
Less: Non-Proceeds of Tax	16,977,112
A) Total Appropriations Subject to the Limit	$ 50,777,288

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306

REMAINING APPROPRIATIONS CAPACITY

(E - A)	$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.1

MV00061973

MV00061974

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.68%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$41,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.28%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,566,175	$72,653,027	$4,913,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

MV00061975

MV00061976

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

MV00061978

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ _____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____ _____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____ _____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

MV00061983

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EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A- Parks & Recreation	$ 1,586,739		$ 1,586,739
Zone B- Residential Lights	16,110		16,110
Zone C- Arterial Lights	139,300		139,300
Zone L - Library Services	120,120		120,120
Fees			
Zone A- Parks & Recreation		5,934,500	5,934,500
Zone B- Residential Lights		93,060	93,060
Zone C- Arterial Lights		431,700	431,700
Zone D- Standard Landscaping		114,150	114,150
Zone E- Extensive Landscaping		246,000	246,000
Zone L - Library Services		8,950	8,950
Zone M - Median Fund		24,200	24,200
Zone S - Sunnymead Blvd Maintenance		5,240	5,240
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A- Parks & Recreation		16,500	16,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A- Parks & Recreation		29,860	29,860
Zone L - Library Services		421,990	421,990
Zone M - Median Fund		13,400	13,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89%	80.11%	100.00%
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A- $0
Zone B- $0
Zone C- $9,000
Zone D- $1,300
Zone E- $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

Item No. E.2

MV00061985

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EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,388,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriation s Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.2

MV00061987

MV00061988

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,992,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,238,904	$14,089,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.83%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,198,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

MV00061990

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

MV00061992

source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00061994

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

MV00061998

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

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Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq*.) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

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Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty- first (121 st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorde d before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse again st the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writin g to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHI BITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062004

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

#262869 v5

MV00062012

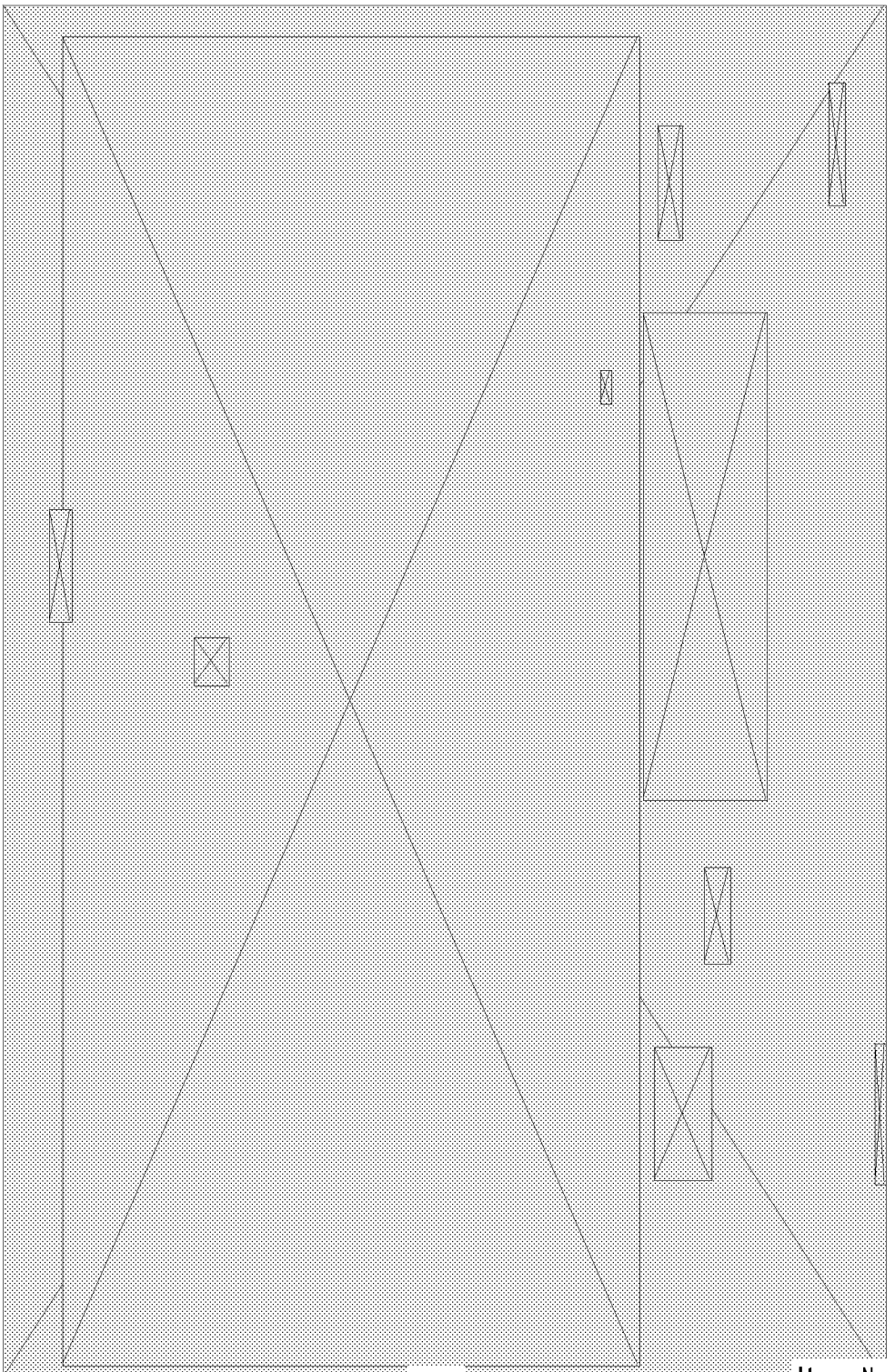

Item No. G.1

MV00062013

MV00062014

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158 .10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

MV00062016

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00062018

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062020

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2 **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

MV00062022

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

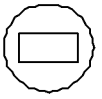

A circle around the box **and/ or** associated clause; or

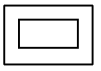

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062024

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00 * 160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		$ 12,800.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	–		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	$ 16,696.63		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	$ 2,600.21		
Total Expenditures		$ 19,296.84	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,496.84)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$50.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$80.00
2009 — 2010	$80.00

MV00062026

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

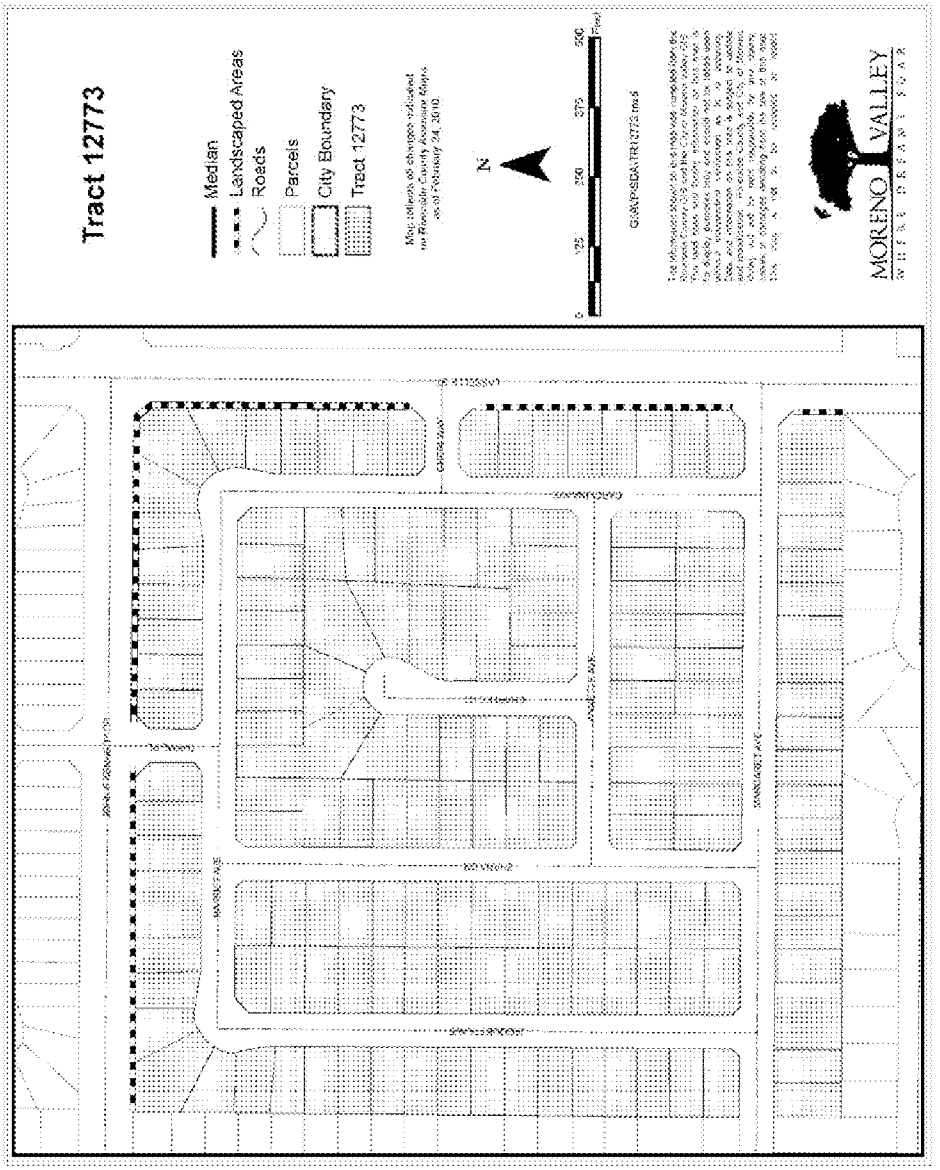
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map contents and changes indicated
on Riverside County Assessor Maps
as of February 24, 2010
N
0
125
250
375
500
Feet
G:\MVPSB\ALTR\12773.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 09-10\ZONE D 1920\Tract 1920 packet.doc

MV00062030

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062032

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

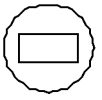

A circle around the box **and/ or** associated clause; or

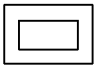

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062034

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($58.00*142 parcels)	$ 8,236.00		
Total Revenue Generated Annually		$ 8,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.03		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	$ 11,785.20		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	$ 1,825.37		
Total Expenditures		$ 13,610.57	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,314.57)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990 – 1991	$55.00
1991 – 1992	$56.00
1992 – 1993	$56.00
1993 – 1994	$57.00
1994 – 1995	$57.00
1995 – 1996	$57.00
1996 – 1997	$57.00
1997 – 1998	$57.00
1998 – 1999	$57.00
1999 – 2000	$57.00
2000 – 2001	$57.00
2001 – 2002	$57.00
2002 – 2003	$57.00
2003 – 2004	$57.00
2004 – 2005	$57.00
2005 – 2006	$57.00
2006 – 2007	$57.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

MV00062036

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

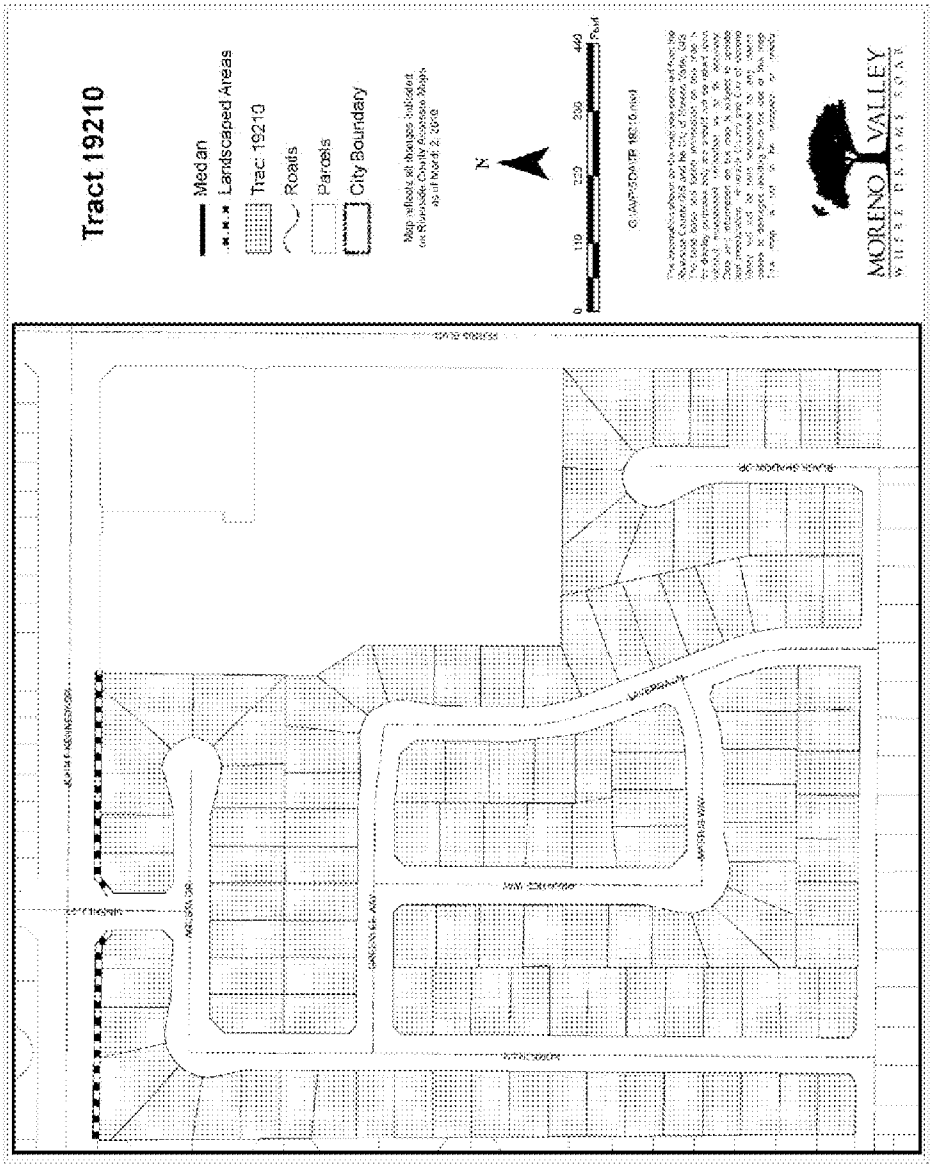
Tract 19210
Median
Landscaped Areas
Trac 19210
Roads
Parcels
City Boundary
N
0
110
220
330
440
Feet
MORENO VALLEY

MV00062038

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19287 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19287 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19287 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\19257\Tract 19257 packet.doc

MV00062040

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062042

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062043

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

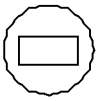

A circle around the box **and/ or** associated clause; or

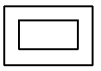

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062044

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19837 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10 * 163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		$ 17,457.30	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	258.89		
Water (Eastern Municipal Water District)	3,016.23		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	$ 22,102.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,236.76		
City Administration	2,015.04		
Total Indirect Costs	$ 3,441.97		
Total Expenditures		$ 25,544.34	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (8,087.04)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$70.00
2002 — 2003	$71.00
2003 — 2004	$71.00
2004 — 2005	$72.00
2005 — 2006	$75.00
2006 — 2007	$100.00
2007 — 2008	$103.00
2008 — 2009	$107.00
2009 — 2010	$107.10

MV00062046

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or tri-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

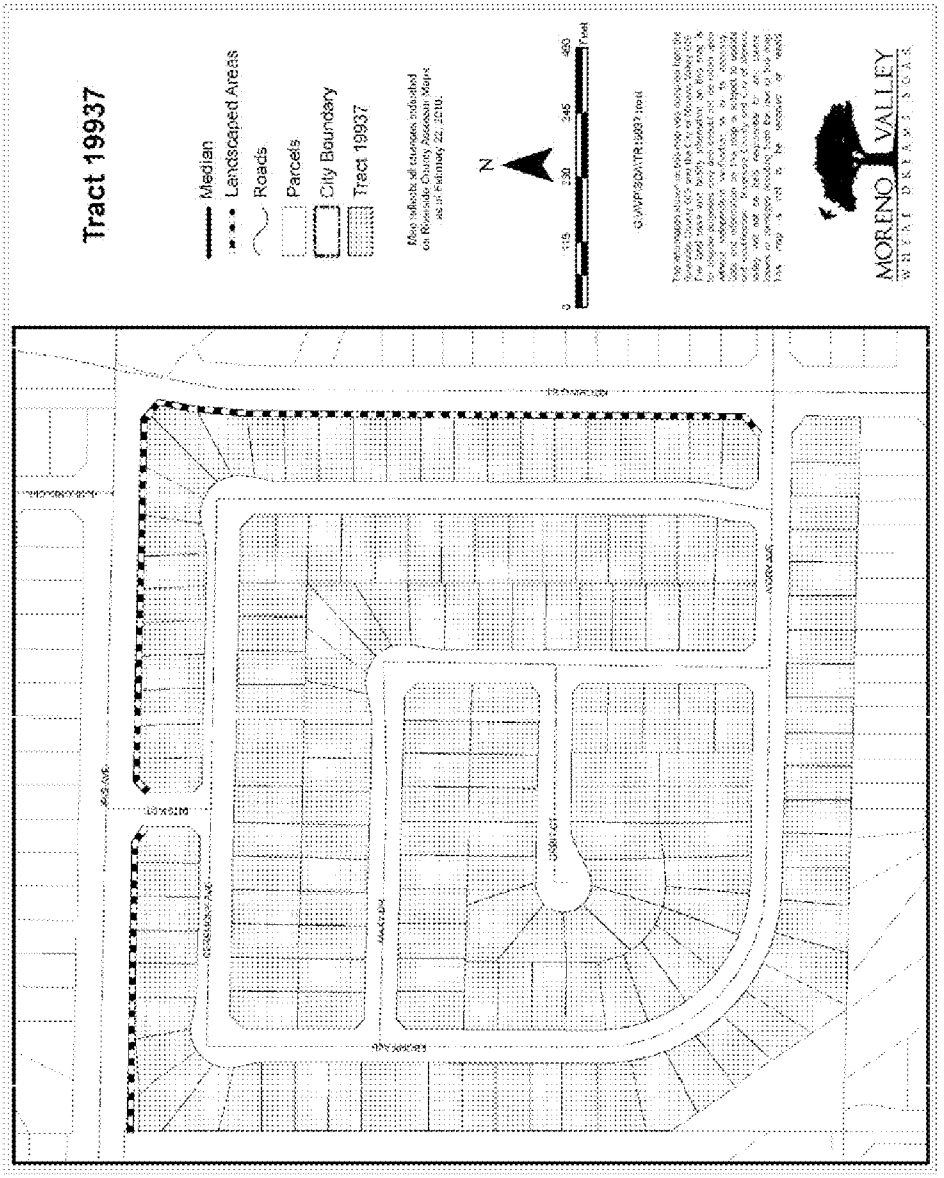
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
245
490
Feet
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MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Genia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062050

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062052

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

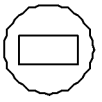

A circle around the box **and/ or** associated clause; or

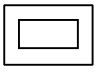

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062054

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97 * 238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		$ 23,086.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	$ 35,568.75		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,123.97		
City Administration	3,338.92		
Total Indirect Costs	$ 5,574.58		
Total Expenditures		$ 42,143.33	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (19,057.33)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$83.00
2002 — 2003	$85.00
2003 — 2004	$88.00
2004 — 2005	$90.00
2005 — 2006	$94.00 *
2006 — 2007	$94.00
2007 — 2008	$94.00
2008 — 2009	$97.00
2009 — 2010	$97.00

* Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.

MV00062056

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

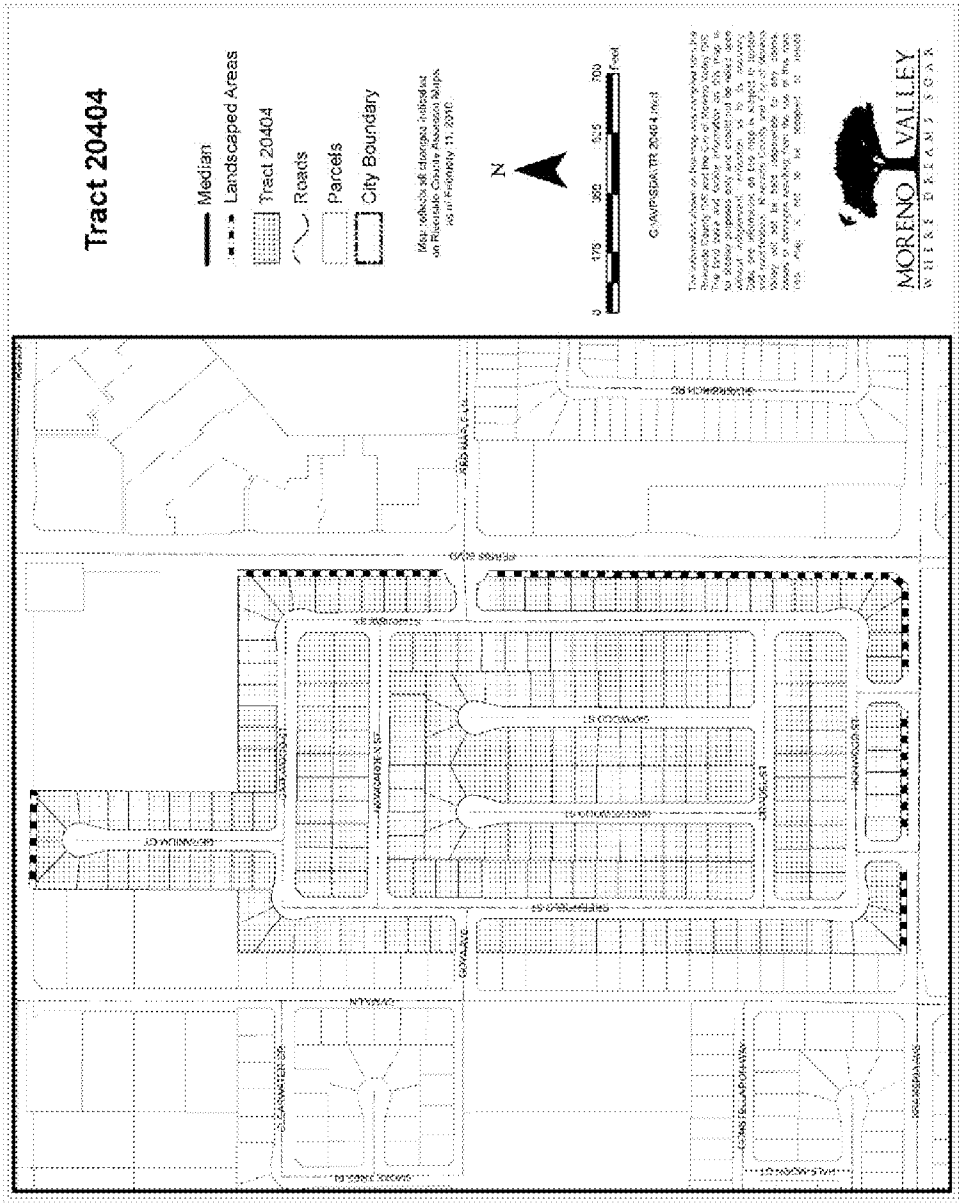
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00062058

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264-331-001
Owner Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\25579\Tract 25579a packet.doc

MV00062060

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062062

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951.413.3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

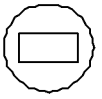

A circle around the box **and/ or** associated clause; or

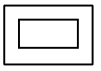

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062064

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		$	7,179.10
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,791.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	$ 20,001.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	$ 3,086.66		
Total Expenditures		$	23,088.03
Operating Shortfall (Total Revenue less Total Expenditures)			$ (15,908.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00/ $80.00/ $135.00
2002 — 2003	$57.00/ $80.00/ $135.00
2003 — 2004	$57.00/ $80.00/ $135.00
2004 — 2005	$57.00/ $80.00/ $135.00
2005 — 2006	$57.00/ $94.00/ $141.00
2006 — 2007	$57.00/ $98.00/ $147.00
2007 — 2008	$57.00/ $101.00/ $151.00
2008 — 2009	$57.00/ $106.00/ $158.00
2009 — 2010	$57.00/ $106.10/ $158.10

MV00062066

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

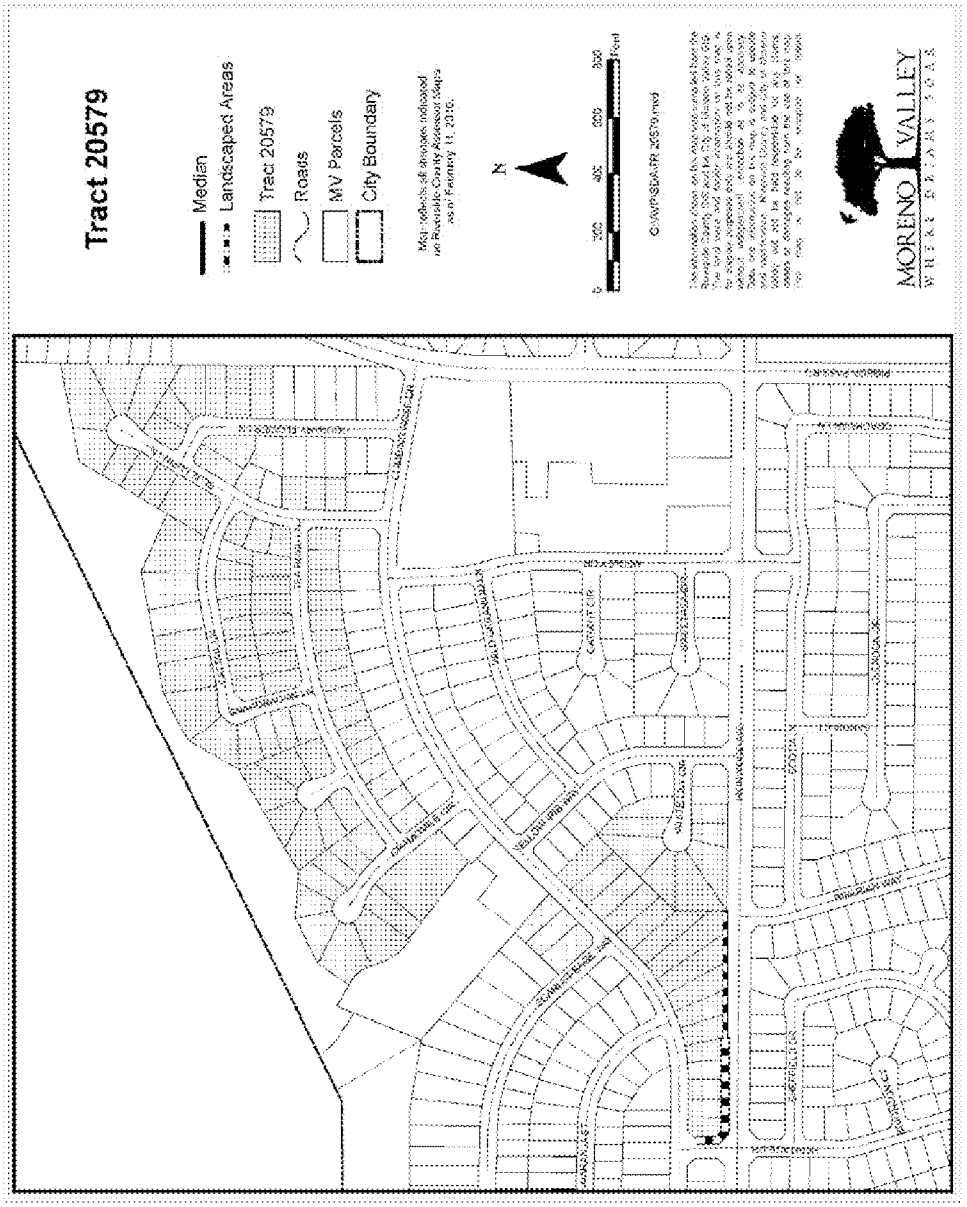
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
N
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\ SpecialDist\ jennifer\ballots for FY 09-10\ ZONE D 20718\ Tract 20718 packet.doc

MV00062070

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062072

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $284.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

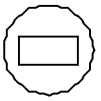

A circle around the box **and/ or** associated clause; or

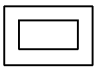

A square or rectangle around the box **and/ or** associated clause .

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062074

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20718 ANALYSIS

Revenues:

2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40	
Total Revenue Generated Annually		$ 14,466.40

Estimated Expenditures:

Direct Costs:		
Base Maintenance Contract	$ 6,459.60	
Vandalism	11.12	
Electricity (Southern California Edison)	258.81	
Water (Eastern Municipal Water District)	1,964.78	
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39	
Landscaping Equipment and Personnel	9,701.74	
Total Direct Costs	$ 21,046.44	
Indirect Costs:		
Miscellaneous Indirect Expenses	$ 119.03	
Special Districts Administration	1,225.29	
City Administration	1,918.78	
Total Indirect Costs	$ 3,263.15	
Total Expenditures		$ 24,309.59
Operating Shortfall (Total Revenue less Total Expenditures)		$ (9,843.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$71.00
2002 — 2003	$71.00
2003 — 2004	$96.00
2004 — 2005	$96.00
2005 — 2006	$100.00
2006 — 2007	$129.00
2007 — 2008	$133.00
2008 — 2009	$139.00
2009 — 2010	$139.10

MV00062076

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

MV00062077

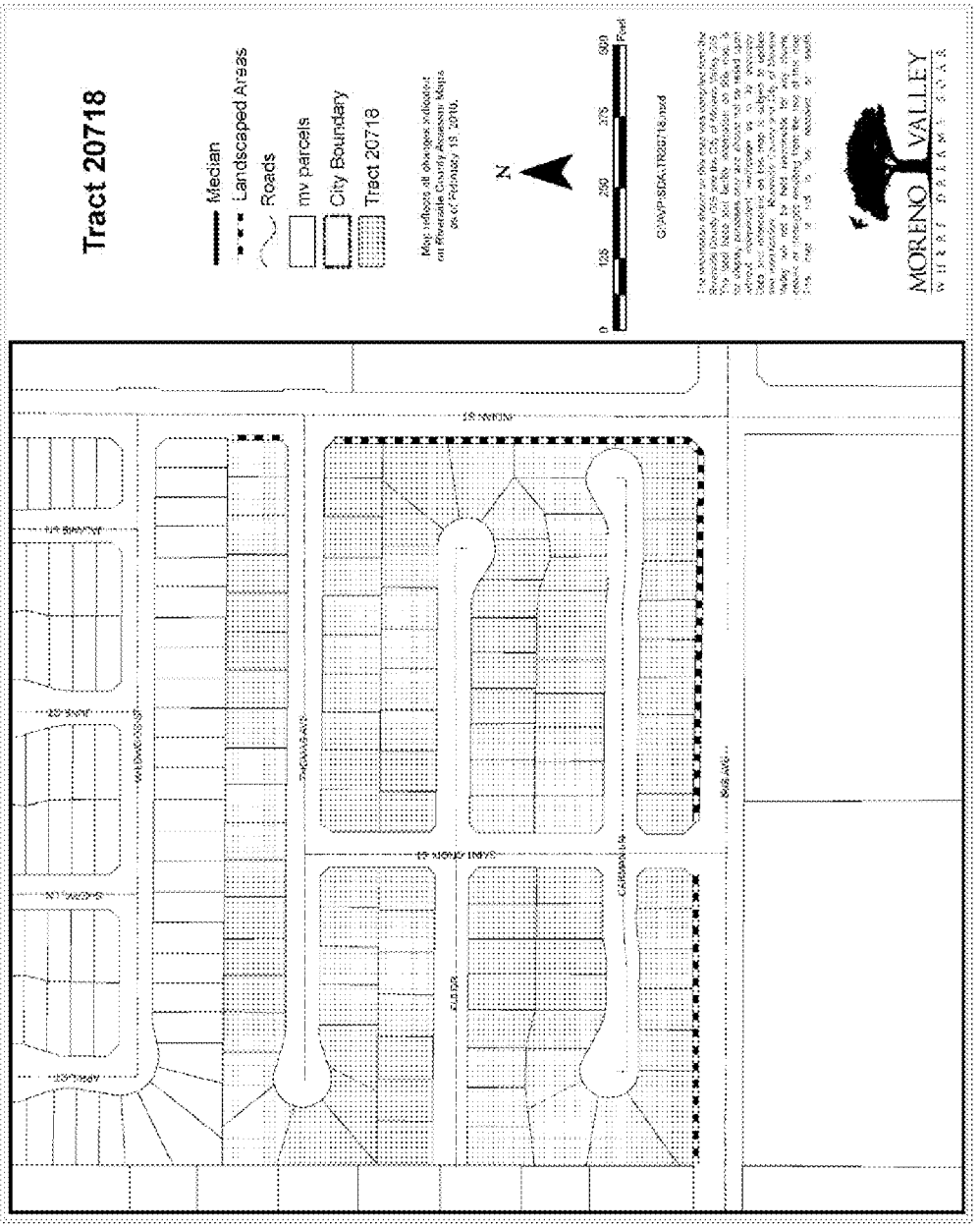
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 19, 2010.
N
0
125
250
375
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Feet
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MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mendo
Patricia K Mendo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\ jennifer\Ballots for FY 09-10\ZONE D\2113 Tract 2113 packet.doc

MV00062080

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062082

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062083

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

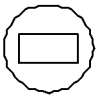

A circle around the box **and/ or** associated clause; or

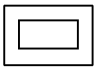

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062084

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		$ 9,462.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,916.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	$ 12,739.82		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	$ 1,972.11		
Total Expenditures		$ 14,711.93	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,249.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$57.00
2009 — 2010	$57.00

MV00062086

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

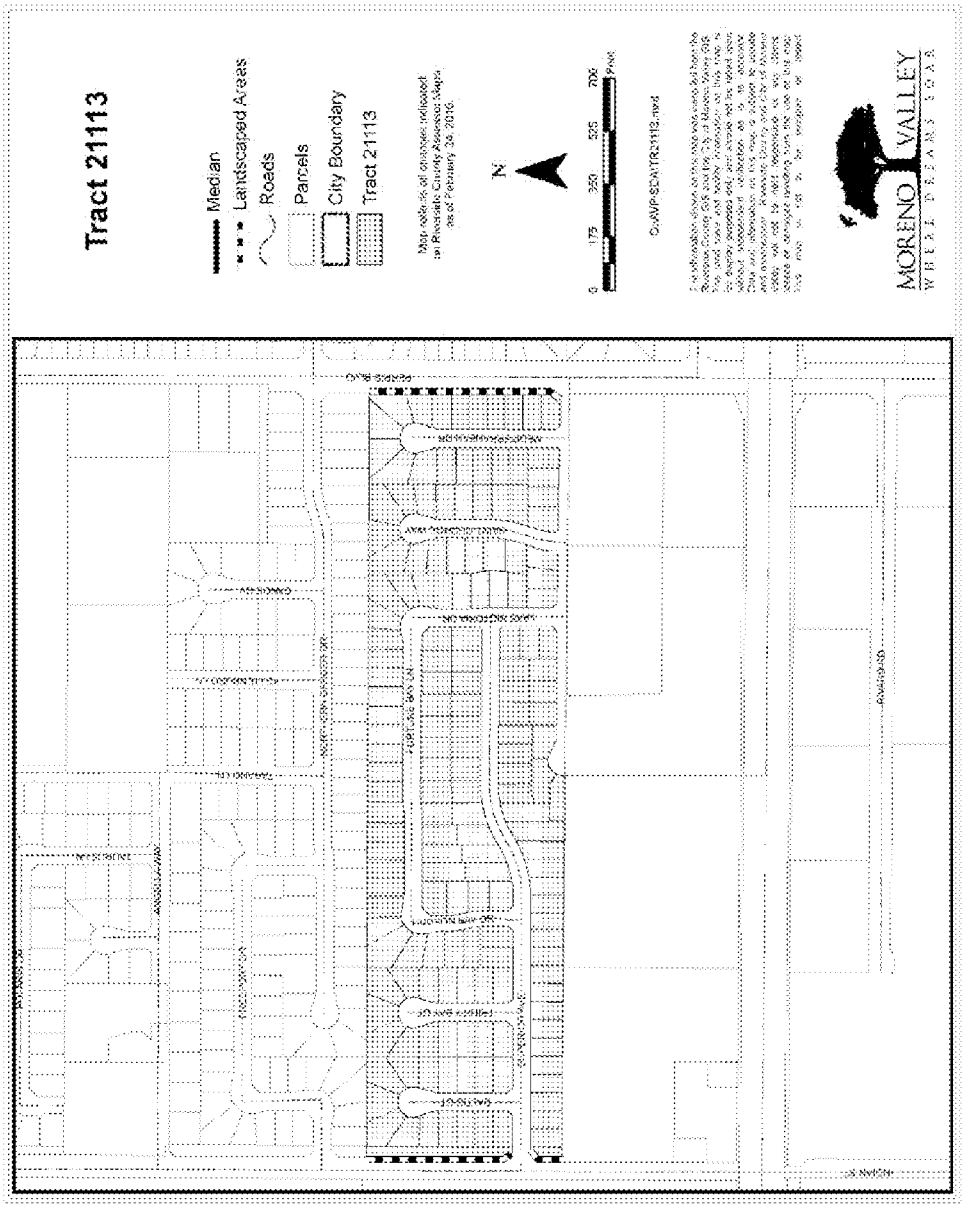
Tract 21113
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113
N
0
175
350
525
700
Feet
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22845 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062090

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. Adiminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062092

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

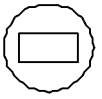

A circle around the box **and/ or** associated clause; or

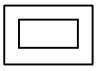

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062094

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($108.20* 127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		$ 26,441.40	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,308.60		
Vandalism	53.86		
Electricity (Southern California Edison)	258.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	$ 37,879.56		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	$ 5,840.99		
Total Expenditures		$ 43,720.55	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (17,279.15)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$190.00
2002 — 2003	$190.00
2003 — 2004	$190.00
2004 — 2005	$193.00
2005 — 2006	$201.00
2006 — 2007	$208.00
2007 — 2008	$208.00
2008 — 2009	$208.00
2009 — 2010	$208.20

MV00062096

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

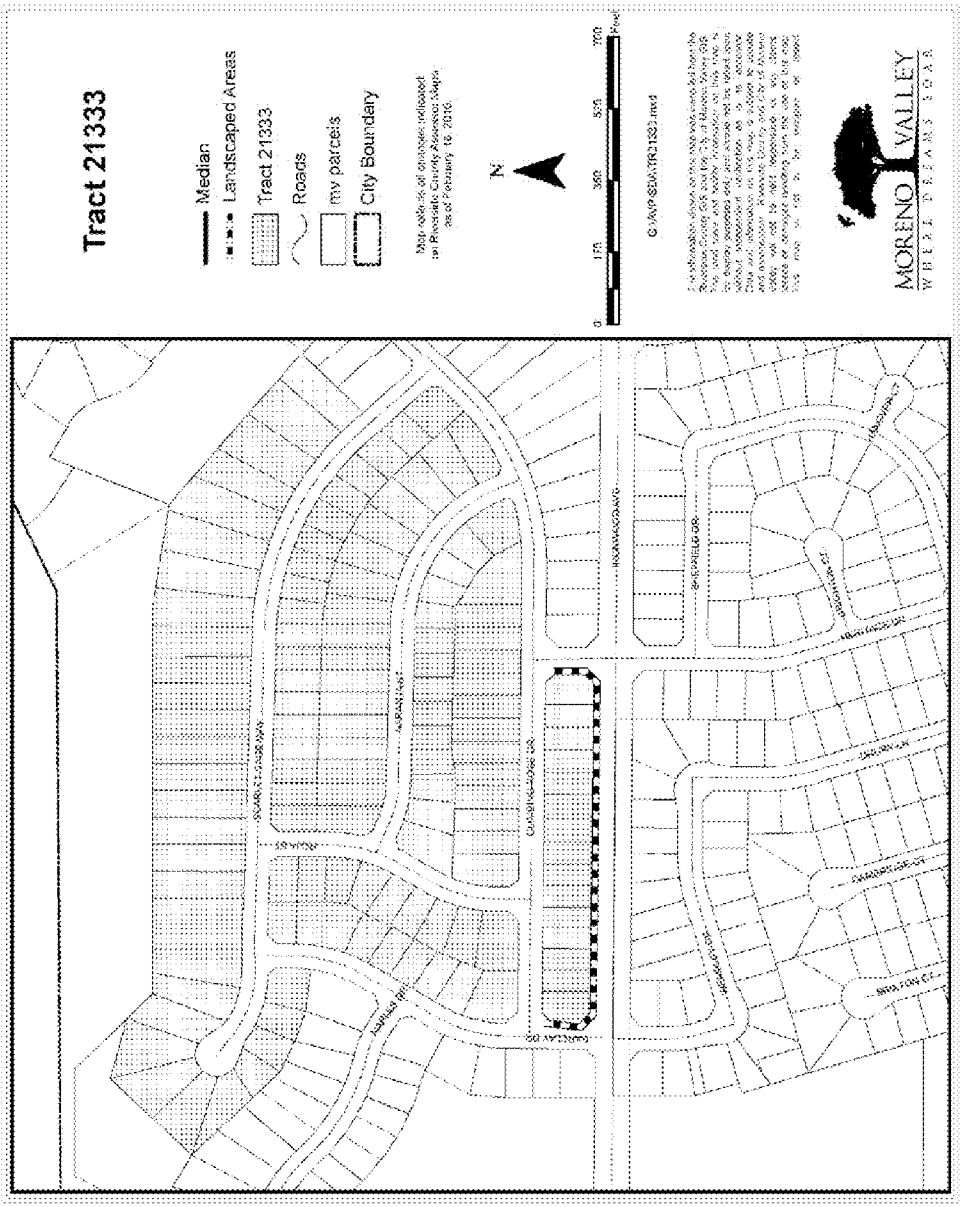
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
my parcels
City Boundary
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Feet
MORENO VALLEY

MV00062098

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062100

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062102

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $325.20 to $473.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062103

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

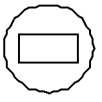

A circle around the box **and/ or** associated clause; or

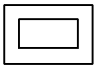

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062104

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 26597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		$ 22,140.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,360.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	$ 30,677.87		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	$ 4,724.40		
Total Expenditures		$ 35,402.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (13,262.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$237.00
2002 — 2003	$242.00
2003 — 2004	$242.00
2004 — 2005	$246.00
2005 — 2006	$257.00
2006 — 2007	$257.00
2007 — 2008	$295.00
2008 — 2009	$295.00
2009 — 2010	$295.20

MV00062106

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

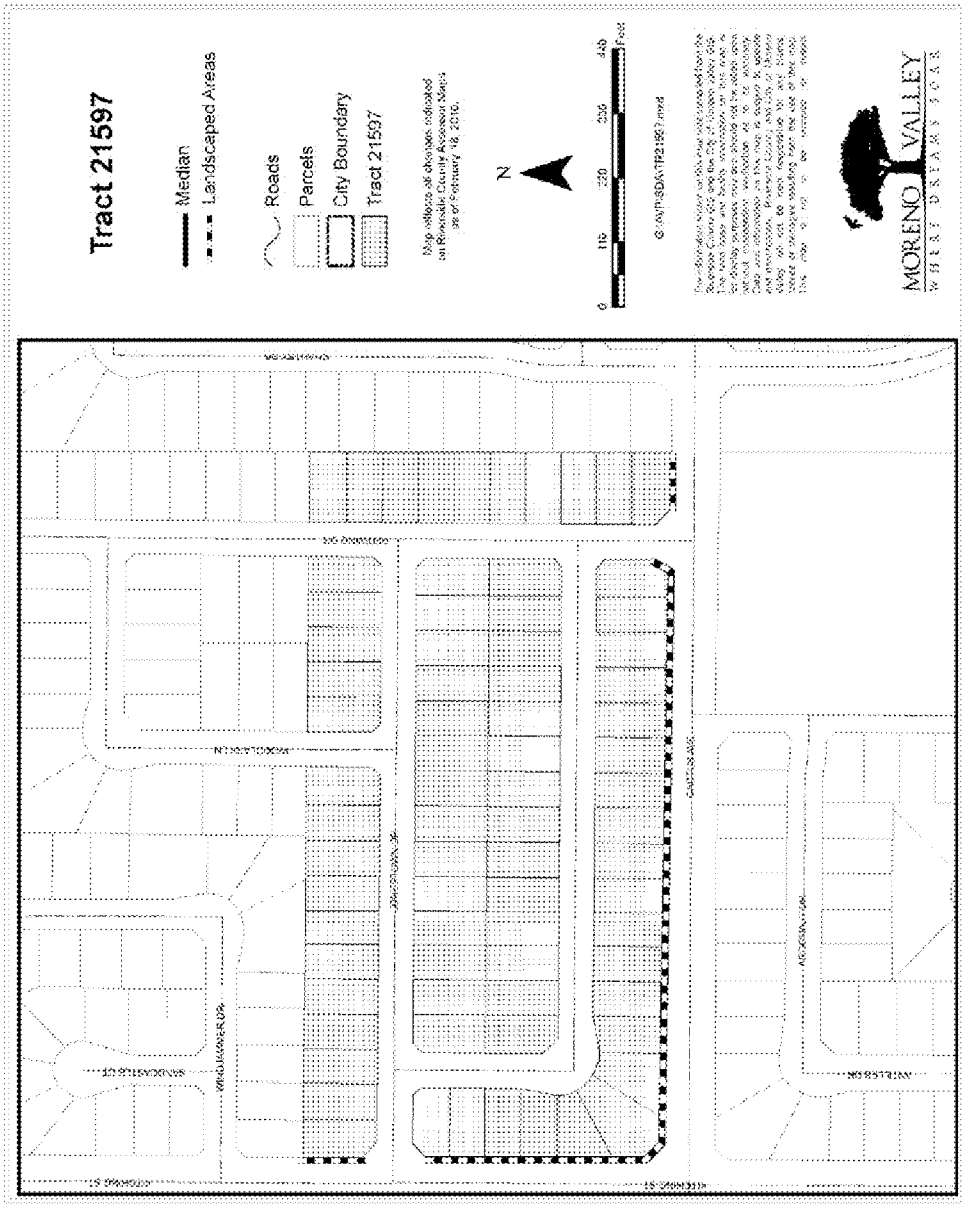
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
110
220
330
440
Feet
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 28889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 0910\ZONE D\28389 Tract 28389 packet.doc

MV00062110

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062112

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062113

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

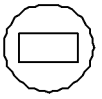

A circle around the box **and/ or** associated clause; or

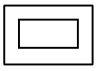

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062114

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28389 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		$	10,416.00
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	39.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,205.86		
Landscaping Equipment and Personnel	6,922.88		
Total Direct Costs	$ 15,169.98		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	$ 2,324.81		
Total Expenditures		$	17,494.79
Operating Shortfall (Total Revenue less Total Expenditures)		$	(7,078.79)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Item No. G.2

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$186.00
2004 — 2005	$186.00
2005 — 2006	$186.00
2006 — 2007	$186.00
2007 — 2008	$186.00
2008 — 2009	$186.00
2009 — 2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

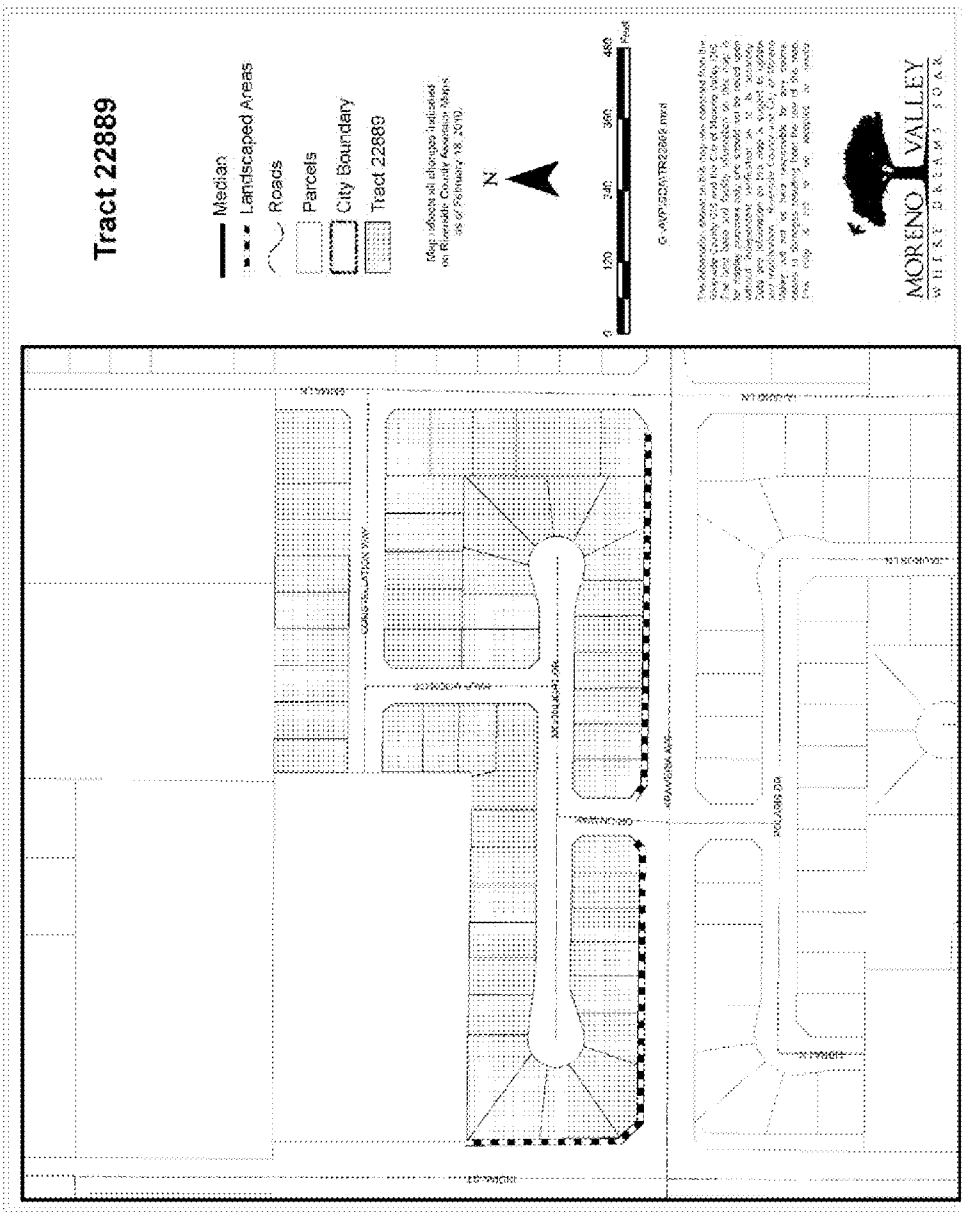
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
N
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360
480
Feet
MORENO VALLEY

MV00062118

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\28882 Tract 28882 packet.doc

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062122

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062123

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

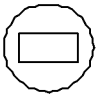

A circle around the box **and/ or** associated clause; or

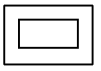

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062124

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		$ 11,444.10	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	–		
Electricity (Southern California Edison)	259.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	$ 17,105.72		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	$ 2,668.37		
Total Expenditures		$ 19,774.09	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (8,329.99)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999 – 2000	$70.00
2000 – 2001	$70.00
2001 – 2002	$70.00
2002 – 2003	$74.00
2003 – 2004	$77.00
2004 – 2005	$78.00
2005 – 2006	$80.00
2006 – 2007	$96.00
2007 – 2008	$99.00
2008 – 2009	$103.00
2009 – 2010	$103.10

MV00062126

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

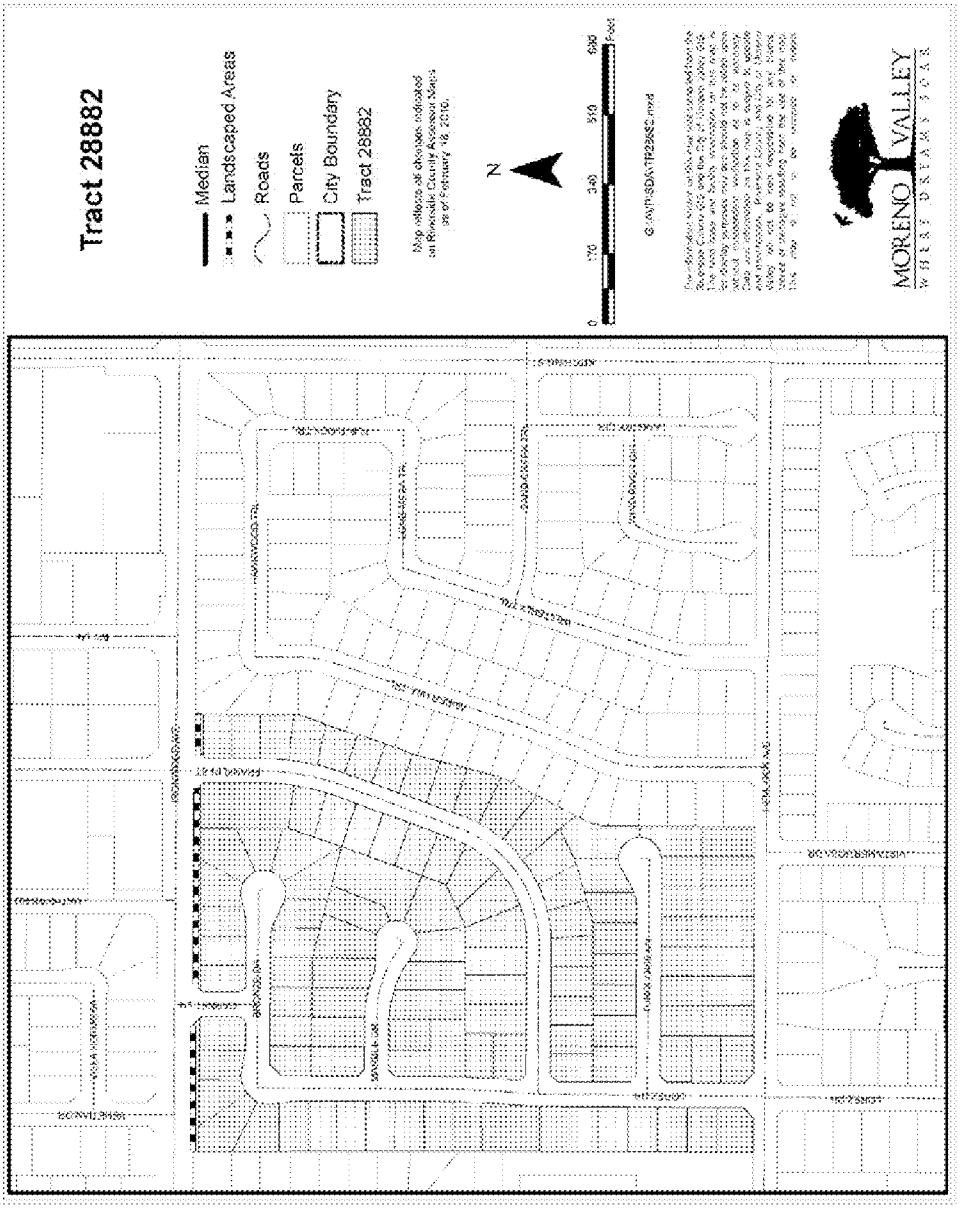
Tract 28882
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MORENO VALLEY

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn McGriswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062130

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062132

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951.413.3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

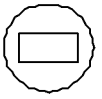

A circle around the box **and/ or** associated clause; or

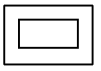

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062134

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		$ 17,850.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,492.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	$ 20,837.99		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,123.15		
City Administration	1,989.77		
Total Indirect Costs	$ 3,183.28		
Total Expenditures		$ 24,021.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,171.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006 – 2007	$1,050
2007 – 2008	$1,050
2008 – 2009	$1,050
2009 – 2010	$1,050

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 3 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

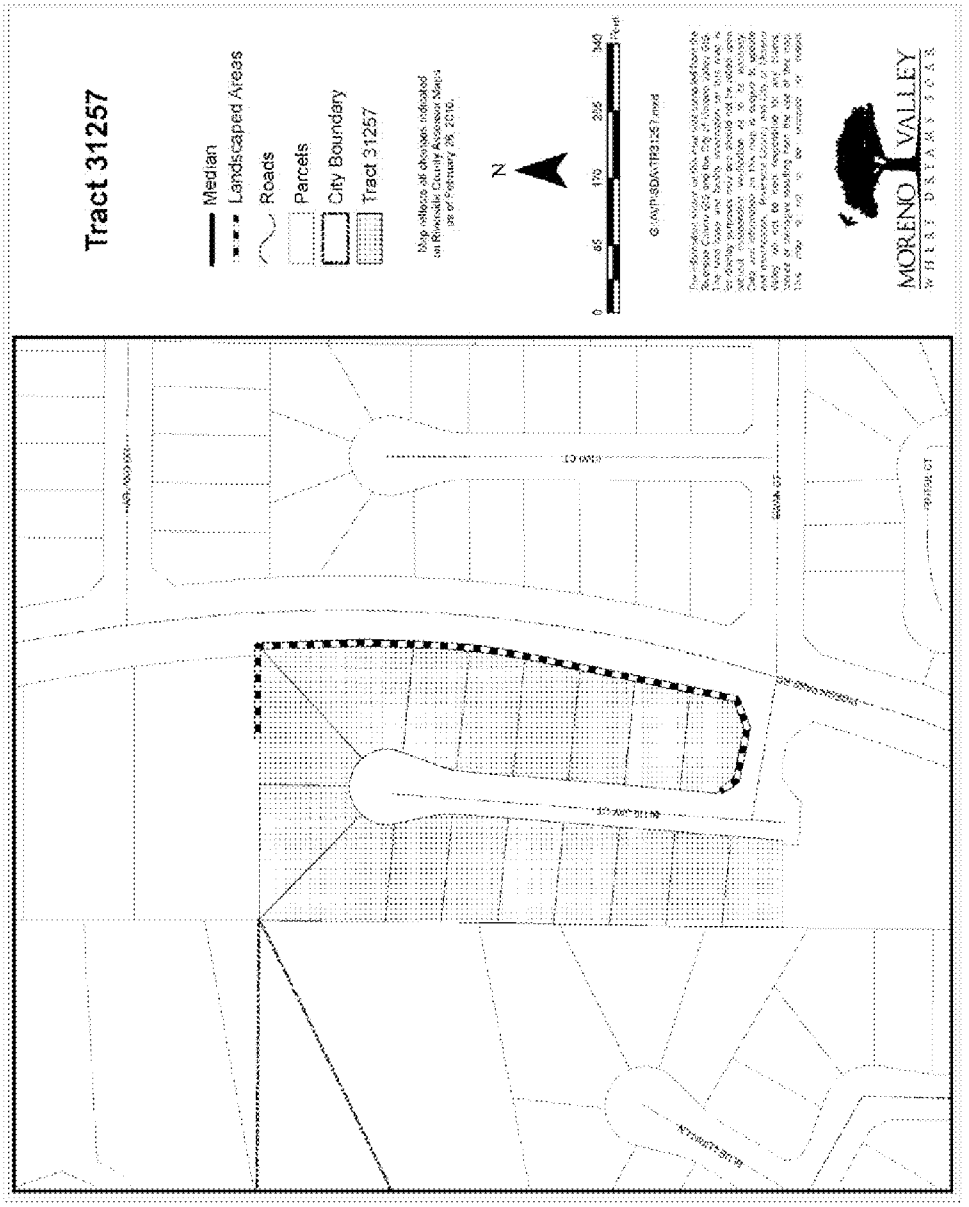
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
N
MORENO VALLEY

MV00062138

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269—1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269—1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062142

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $285.20 to $355.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062143

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

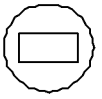

A circle around the box **and/ or** associated clause; or

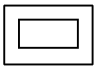

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062144

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($35.20*1107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		$	31,586.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	356.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	$ 32,793.95		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,992.21		
City Administration	2,908.78		
Total Indirect Costs	$ 5,101.64		
Total Expenditures		$	37,895.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(6,309.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269—1

TAX YEAR	PARCEL CHARGE
2005—2006	$225.00
2006—2007	$225.00
2007—2008	$225.00
2008—2009	$225.00
2009—2010	$225.00

MV00062146

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

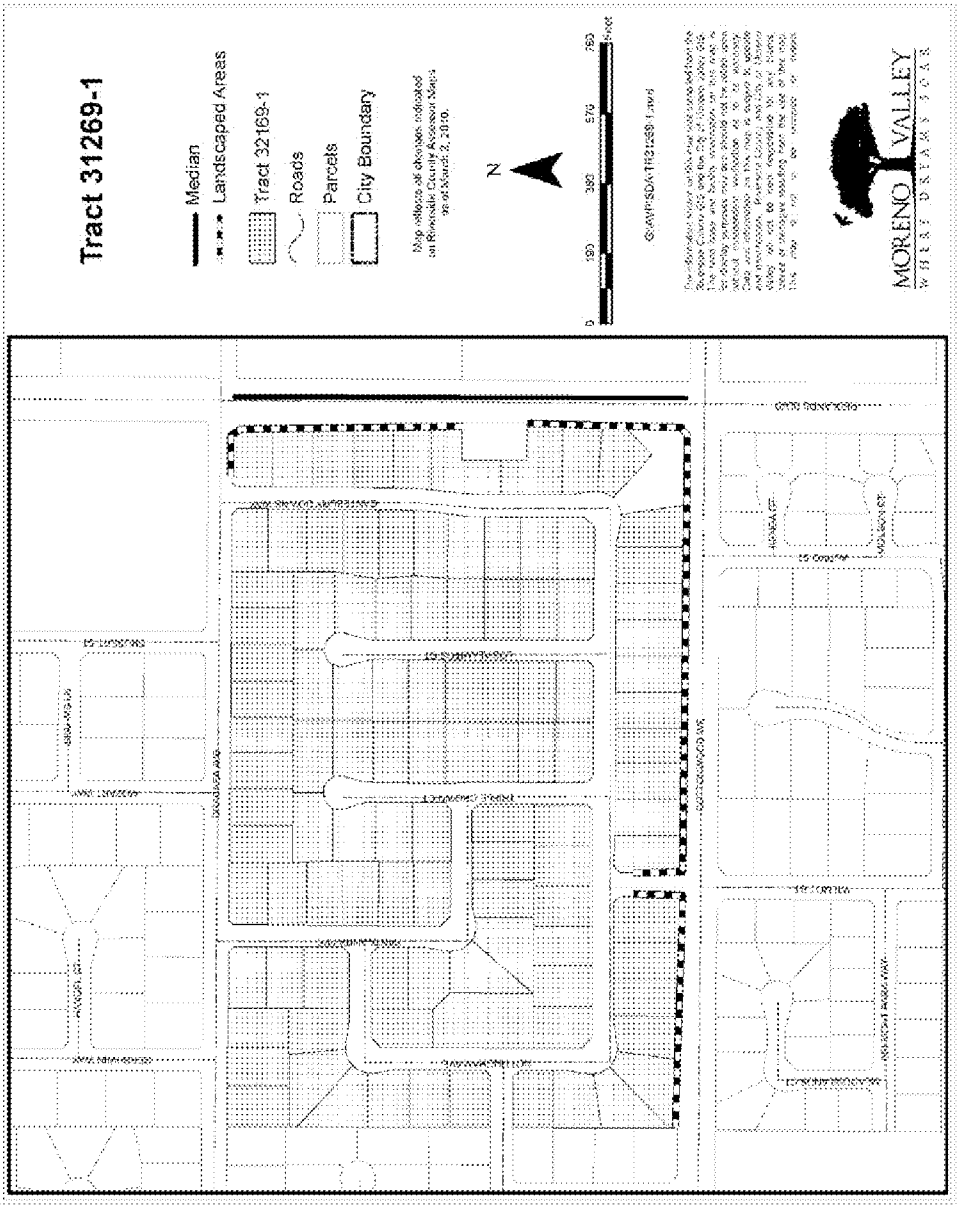
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2016.
N
0
190
380
570
760
Feet
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062150

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062152

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

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BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

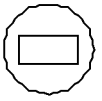

A circle around the box **and/ or** associated clause; or

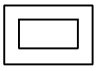

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		$ 5,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	–		
Electricity (Southern California Edison)	236.67		
Water (Eastern Municipal Water District)	1,859.00		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,997.24		
Total Direct Costs	$ 10,645.51		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	$ 1,626.18		
Total Expenditures		$ 12,271.69	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,035.69)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005 – 2006	$34.00
2006 – 2007	$34.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

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COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

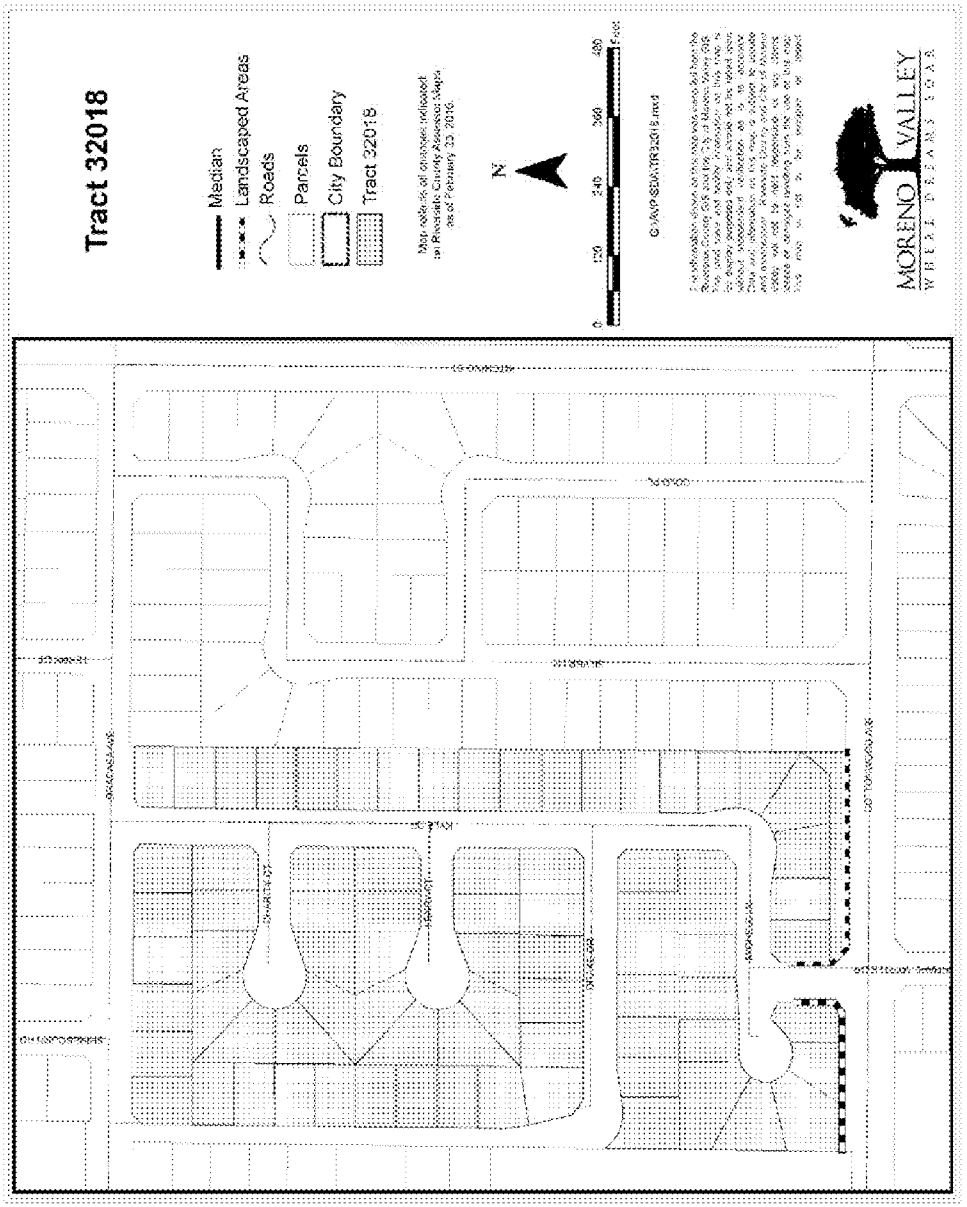
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
N
0
120
240
360
480
Feet
MORENO VALLEY

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, is planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*
Juanita M. Barnes*

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George W. Brummer***
Virgil Chancy*
Marie Hyta **(plans to attend meeting in May)
Jacqueline Dawn Qualls

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer ***
Alvin C. Horn
Frank D. Pavlik*

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

\\ zurich\ shared\ InterDept\ Council-Clerk\ City Clerk Files\ Advisory Boards and Commissions\ Appointment Staff Reports\ 2010\ June 10 Appointments Staff Report.doc

MV00062162

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

MV00062164

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels ; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

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ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062168

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the afore mentioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such proration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

_____ _____ –
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

Resolution No. 2010-62
ATTACHMENT 2 Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

Resolution No. 2010-62
Date Adopted: June 8, 2010

ATTACHMENT 2

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	**$1,829,606**	**10%**
9% Tax Credit Equity	**$9,242,933**	**49%**
RDA Funds	**$6,750,000**	**36%**
Affordable Housing Fee Reductions-City	**$991,608**	**5%**
Affordable Housing Fee Reductions-County	**$79,632**	**<1%**
General Partner Equity	**$99,029**	**<1%**
Total	**$18,992,808**	**100%**

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

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with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

MV00062182

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062184

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

ATTACHMENT A

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

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Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(98,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(76,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225, 192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

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CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062194

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,210	$479,000		$1,002,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,437
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,002,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF - CCATCRT - PD - AB3232	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/ EDUC/ GOV ACCESS	550,000								550,000
134	EMPG - EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	227,000								227,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORMWATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORMWATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					236,611	236,611	236,611	8,234,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					228,300	228,300	228,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD #1	1,005,105								1,005,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,238								183,238
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIALSTS DEV IMPACT FEE	104,700					1,309,975	1,309,975	1,309,975	1,413,675
202	TRAFFICSIGS DEV IMPACT FEE	28,700								28,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,903	212,903	212,903	254,003
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	90,700								90,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
215	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
217	FHWA TRANSIMS	186,600								186,600
218	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
219	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
220	2009 - DJ - BX - 1178 JAG GRANT	78,118								78,118
223	EMERGENCY SVCS AGENCY	14,000								14,000
252	JAG 2009 SB - 59 - 2266 FUND	435,700								435,700
290	CDBG FY05/06 FUND	10,000								10,000
292	CDBG FY07/08 FUND	14,700								14,700
293	CDBG FY08/09 FUND	418,652								418,652
295	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16 - 08 - 1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REF NDG	1,158,700								1,158,700
316	ASSMT DIST 98 - 1 - DEBT SVC	27,00								27,00
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,220								404,220
328	AUTOMLREFIN - CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD #5 STONERIDGE DEBT SVC	362,220								362,220
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIALSTREETS	296,000								296,000

Item No. G.6

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,750								38,750
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP- ADMIN FUND	625 00								625 00
529	CFD #5 STONERIDGE CAP/ ADM	54,000								54,000
530	CFD #4 I- INFRS CAP/ ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,305,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A -DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A -CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,321,900	(2,272,220)	0	150,000	0	2,300,225	2,450,225	178,005	13,498,905
	NET REVENUES	**$180,916,700**	**($681,140)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,488**	**$203,305,188**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

MV00062196

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$27,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	27,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF – CCAGRT – PD – AB3229	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/ EDUC/ GOV ACCESS	447,120					447,120
134	EMPG – EMERGNCY MGMT PREP	94,120					94,120
136	OTS – POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/ 02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,120,120					1,120,120
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,120					13,120
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,120)			(162,120)	8,284,120
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ARTL LGHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,120					2,837,120
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD #1	951,120					951,120
185	ZONE "S"	112,000					112,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIALSTS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
217	FHWA TRANSIMS	30,000					30,000
219	EECBG FUND				1,365,800	1,365,800	1,365,800
220	2009 – DJ – BX – 1178 BAG GRANT	78,118					78,118
285	CDBG FY 10/ 11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG 14 USED OIL RECYCLG	27,900					27,900
295	TRI 16 – 06 – 1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGTIMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGTSPCL TAX REF NDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98 – 1 – DEBT SVC	2,400			300	300	2,700
321	CH COM 97 DEBT SVC FUND	82,025					82,025
325	PUBSAFTY BOND DEBT SVC	404,120					404,120
328	AUTOMLR REFIN – CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD #5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I – INFR DEBT SVC	11,493,120					11,493,120
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGTIM PV SPCL TAX CAP	38,120					38,120
515	2007 TWNGT SPCL TAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD #5 STONERIDGE CAP/ ADM	53,700					53,700
530	CFD #4 I-INFR CAP/ ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,120					318,120
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007 TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds[1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

MV00062198

ATTACHMENT "B"

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

ATTACHMENT "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT "C"

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

ATTACHMENT "D"

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.8

MV00062205

MV00062206

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MV00062208

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00062209

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.0 1.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moren o Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Departmen t)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

MV00062210

Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211 ;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

MV00062211

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

MV00062213

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-258 97

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

MV00062214

INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

MV00062215

District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

MV00062216

p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

MV00062217

Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDEN ROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropr iations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISH ING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appr opriations limit at $13,567,175 for the Moreno Valley Communit y Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 20 10-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of de linquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSS ION OR SEPARATE ACTION

MV00062219

G. REPORTS

G.1 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.2 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.3 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G.4 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

MV00062220

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.5 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance

MV00062221

to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.6 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution Of The City Council Of The City Of Moreno Valley, California, Adopting The Operating Budget For Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution Of The Moreno Valley Community Services District, Adopting The Operating Budget For Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the

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Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley, California Adopting The Operating Budget For Fiscal Year 2010-11

G.7 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

   Resolution No. 2010-65

   A Resolution of the City Council of the City of Moreno Valley, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

   Resolution No. CSD 2010-21

   A Resolution of the Moreno Valley Community Services District, Adopting the Capital Improvement Plan for Fiscal Year 2010-11

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital

MV00062223

Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.8 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/ OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00062224

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00062225

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00062226

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

Item No. A.2

MV00062227

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00062234

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010 /11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/ Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

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adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

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G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

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take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Item No. A.3

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ --
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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				: D H; 8BHB<	$)75-7
				: D H; 8BHB<	$--57
				: D H; 8BHB<	$-8-75-
				: D H; 8BHB<	$E4F+352+
				: D H; 8BHB<	$74-3522
				: D H; 8BHB<	$46+5+F
				: D H; 8BHB<	$2476)5EF
				: D H; 8BHB<	$F-F56+
				: D H; 8BHB<	$-4+,5F+
				: D H; 8BHB<	$++E)25E)
				: D H; 8BHB<	$8325E
				: D H; 8BHB<	$-EE57)
				: D H; 8BHB<	$++F5FF
				: D H; 8BHB<	$F66)E
				: D H; 8BHB<	$635E6
				: D H; 8BHB<	$635+
				: D H; 8BHB<	$-2+56E
				: D H; 8BHB<	$7357
	: #+O)4E),.;		&JQIVRJSZQ		
HVE3 &) 4&) F>A<F&: ' WWAV&GEDWEV&			&RJRIQTXSTM		
9FCC&[>FC&& ^3 L&D<! S					
	)*6*,-+-	$-+37-	$6,4F235-F		
				A% HB-D$>W&B: BJ ?K8A: U: C;	$6.4F235-F
	: #+O)4E),.;		&KJLXTRS&K		
HVE3 &) 4&) FCC&[> FC&& ^3 L&D<! S&			&KJLXTRS&K		
9FCC&[>FC&@F<3' L&D<! S					
	)*6*,-+-	$EE-,77	$624E,+5F+		
				A% HB-D$>W&B: BJ ?K8A: U: C;	$624E,+5F+
	: #+O)4E),.;		&KTLQJPSXP		
HVE3 &) 4&) FCC&[> FC&@F<3' L&D<! S&			&KTLQJPSXP		
9FCC&9F&' W&>F- A>EDACL&WW!					
	)*+,*,-+-	$-+EE3	$-324665)7		
				A% HB-D$>W&B: BJ ?K8A: U: C;	$-324665)7
	: #+O)4E),.;		&PRTLJKKSLZ		
HVE3 &) 4&) FCC&9F &' W&>F-A>EDACL&WW! &			&PRTLJKKSLZ		
9:&>' <! @F&3F>' 3F &DWE3 S&>' >E<A>C@D-					
	)*+,*,-+-	$--)-)+	$-42--4--5-		
				D9>C$-L8UC; @&>CH=9$G98>G9$A95	$-42--4--5-
	: #+O)4E),.;		&PLTMMLMMMBM		
HVE3 &) 4&) :&' <! @F&F>' 3F &DWE3 S& -' >E<A>C@D-&			&JLCMMLMMMBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
<' EDF<] D& A&> AED> A9 A<E&CFWGEDF<C				
)*,2*,-+-	$3,,	$647),5F		
			G: !$H9U%&)6F$D& -+X-Y$)*,2*+-	$647),5F
: #+0)4&E),.;		&KIZUJ$V/K		
HVE3&)4&' EDF<] D& A&> AED> A9 A<E& CFWGEDF<C&		&KUUKTK$PP		
-' W-L&D<! S&3[' &A_! AW&' :D<N& F9-' <V				
)*6*,-+-	$-+F-2	$6E4E3+52+		
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$6E4E3+52+
)*+,*,-+-	$-+E7+	$-724-7,5F)		
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$-745-+5.
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$-6E427-5F,
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$-64,-+5-
: #+0)4&E),.;		&JKPIZKJ$V/K		
HVE3&)4&' W-L&D<! S&3[' &A_! AW&' :D<N& F9-' <V&		&JIPTJIKZJ$V/T		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*6*,-+-	$-+F-F	$,74+)536		
			A8@-*U98$?H=$G8$E; 8H=CL$?&B9M	$-F42F75)E
			A8@-*C>A9C$A; $9J8H8AACL$?&B9M	$+4F265-F
: #+0)4&E),.;		&ZIPPU$RK		
HVE3&)4&' >CF<C&E>' <C-F>E' EDF<& N>FG-L&D<! S&		&PLMPIKJJ$T		
-A>C&@A' WE@&D<CG >' <! A				
)*3*,-+-	$--2+E+	$-7642-7,52E		
			: U%D$=: >D,=$E&A$-)*-3*+-	$-7642-7,52E
: #+0)4&E),.;		&PZKIZJ$Q		
HVE3&)4& A>C&@A' WE@&D<CG>' <! A&		&PIZTPIPTR$P		
-A>C&> AED> A9 A<E				
)*,*,-+-	$3+-	$-7+4E,F5E,		
			% 8A$B: ; B&: U: C; $-)*-,*+-	$-7+4E,F5E,
)*+3*,-+-	$3+7	$-EE46)-5)-		
			% 8A$B: ; B&: U: C; $-)*+3*+-	$-EE46)-5)-
)*2-*,-+-	$3,F	$-7,4)+556		
			% 8A$B: ; B&: U: C; $-)*2-*+-	$-7,4)+556
: #+0)4&E),.;		&KXJIQVZ$X		
HVE3&)4& A>C& A ED> A9 A<E&		&IXVKIKZJ$Q		
>D @' >3&VF-A\& F<CE>G! EDF<				
)*+,*,-+-	$-+7--	$3)46F5-E		
			: D H; 8BH$K; B&B<$?&B9M H; A$AJHA	$3)46F5-E
: #+0)4&E),.;		&RUJKX$V/Q		
HVE3&)4& D @' >3&VF-A\& F<CE>G! EDF<&		&PLVKUJVKZ$JX		

MV00062266

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
>FACVD<N&<' B' 9G>' &EA>' 3' & >! @DEA ! ECL&D<!					
	)*+7*,-+-	$EE-236	$364 2252F		
				%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$364 2252F
	: #+O) 4&E) ,. ;		&RKLJTTS'X		
HVE3 &&) 4&- FACVD< N&<' B' 9G>' &EA>' 3' & ' >! @DEA! ECL&D<! &			&JTTLXTTS%Z		
CA9 - >' &A<A>NV&CF VGEDF<C					
	)*+,*,-+-	$EE-2),	$9--34F-E576		
				%9P: 8$%K8H=>A:	$9--34F-E576
	)*+7*,-+-	$EE-233	$9-E+4272577		
				%9P: 8$%K8H=>A:	$F)46E6577
				%9P: 8$%K8H=>A:	$9--34E-E5-
	: #+O) 4&E) ,. ;		&JCQLPVJS%U		
HVE3 &&) 4&CA9 - >' &A<A>NV&CF VGEDF<C &			&KLTUZLXVKS%P		
C@AVVA<A>NV&<F> E@& 9A>D' &0GC2&VS-S					
	)*+,*,-+-	$-+7-E	$2,E4)E35-		
				: D H; $ C: 8L<$%K8 H=>A:	$2,E4)E35-
	: #+O) 4&E) ,. ;		&TJQLUCR&VM		
HVE3 &&) 4&C@AVVA<A>NV&<F>E@& 9A>D' & 0GC2&VS-S&			&ZZZLXUVB&M		

MV00062267

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
CFGE@A><& ' WDHF><D &A3 DCF<				
	)*6*,-+-	$-+F),	$F4F-E556 7	
			PG>; $H=8LA@8: G: 8BHI	$-4E,65 7
			PG>; $H=8LA@LD9?:	$34 265E+
			PG>; $H=8LA@8>=>U	$24F,F536
			PG>; $H=8LA@BFA	$ 4),65,
			PG>; $H=8LA@>CGBD>	$ 4) F52+
			PG>; $H=8LA@K?A; >; B9C	$-4) F52+
	)*+7*,-+-	$-,-3-	$-)E42,7576	
			:D H; 8BHB<	$53E5-2
			:D H; 8BHB<	$ +5E-
			:D H; 8BHB<	$ E) 5E2
			:D H; 8BHB<	$5735 2
			:D H; 8BHB<	$-+-5 E
			:D H; 8BHB<	$ 42+E5FF
			:D H; 8BHB<	$E,35 F
			:D H; 8BHB<	$E) +5F6
			:D H; 8BHB<	$ 47,E5E6
			:D H; 8BHB<	$-4 F757E
			:D H; 8BHB<	$-4,652-
			:D H; 8BHB<	$-52E
			:D H; 8BHB<	$73 4E,E5 F
			:D H; 8BHB<	$264 6,5E,
			:D H; 8BHB<	$ 43F5 -
			:D H; 8BHB<	$,56F
			:D H; 8BHB<	$,576
			:D H; 8BHB<	$,5-)
			:D H; 8BHB<	$3653E
			:D H; 8BHB<	$E+56.
			:D H; 8BHB<	$F755)
			:D H; 8BHB<	$25) 7
	: #+O) 4&E),.;	&PXRUVTQ&KU		
HVE3 &) 4&CF GE@A><& ' WDHF><D &A3 DCF<&		**&RUZKUXXS&VZ**		
CFGE@A><& ' WDHF><D &A3 DCF<& FS				
	)*,3*,-+-	$-,+E6	$7-4-6556	
			8: %DHUC; $9!9>HBDB BA@><9A; 5	$7-4-6556
	: #+O) 4&E),.;	&ZMUVMKS&K		
HVE3 &) 4&CF GE@A><& ' WDHF><D &A3 DCF<& ! F S&		**&ZMUVMKS&K**		
CE' <3' >3 &D<CG>' <! A&! F				
	)*+,*,-+-	$-+7+3	$2-46+6557	
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-,4376 5F2
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-F4 7,E576
			DH: $C&GBA>?BDB <$&CAK8>CH:	@-75 7
	: #+O) 4&E),.;	&TMKPKS&Z		
HVE3 &) 4&CE' <3' >3 &&CG>' <! A&! F&		**&TJRUXKJS&U**		

MV00062268

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( ) *+,012
GSCS&[' <B7! ' W! ' > 3C				
)*+, *, -+-	$--)-2+	$FF42, -5 E		
			H>DH>8G$%U; $H<HD: $ CG$) *-F*+-	$FF42, -5 E
)*, 7*, -+-	$--)+, +	$72463E5-7		
			H>DH>8G$%U; $H<HD: $ CG$) *, , *+-	$72463E5-7
: #+O) 4&E) ,. ;		&PXMQQQQ&X		
HVE3 &) 4&GSCS&[' <B7! ' W! ' > 3C&		&PLXMPLUMZSXP		
GSCS&E> A' CG> V				
)*+, *, -+-	$ -+7, 2	$2-4FF+522		
			A! @, 6$ W$H: AA$H> A=	$2-4FF+522
: #+O) 4&E) ,. ;		&TMXXPSTT		
HVE3 &) 4&GSCS&E> A' CG> V&		&TMXXPSTT		
G<DEA3 & F<E>' ! EF > C& F9 - ' <V&D<! S				
)*, 3*, -+-	$EE-)-6	$2, 6462-5-		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$2. 6462-5-
: #+O) 4&E) ,. ;		&TJKLKTMBMM		
HVE3 &) 4&G<DEA3 & F<E>' ! EF > C& F9 - ' <V& B< ! S&		&PLQRMMMTMBMM		
: FWG<EAA> & A<EA> &F H&> D A> CD& A& F G<EV				
)*6*, -+-	$ -+FF2	$2-4---5-		
			8: C; >D$> AA&A; $AJ HA@%8%&%8LU	$-4--5-
			8: C; >D$> 88: >8A$A JHA@%8%&%8LU	$-4--5-
: #+O) 4&E) ,. ;		&TMMMMBMM		
HVE3 &) 4& FWG<EAA> & A<EA> &F H&> D A> CD& A& ! FG<EV&		&ZKLJQJSTT		
] AWWC&H' >NF& F>- F>' EA&E>GCE				
)*, 7*, -+-	$--)-F+	$--4)F65E-		
			E&C; $9C$-77F$D >A : $B: J$?CG	$--4)F65E-
)*, 7*, -+-	$--)-3+	$-4+E4EF)5)-		
			E&C; $9C$--6$D >A : $B: J$?CG	$-4+E4EF)5)-
)*, 7*, -+-	$--)-E+	$-4++-4E775-F		
			, --F$D8?$G: ?; $AJ H$%><U: C;	$-4++-4E775-F
)*2-*, -+-	$--)+2+	$-4-F+42)75-3		
			G: ?; $AJH@% HB>D$ >W A	$-4-F+42)75-3
: #+O) 4&E) ,. ;		&TLUMPLKZQSTT		
HVE3 &) 4&] AWWC&H' >NF& F>-F>' EA&E>GCE&		&ZLMJZLUCKSJT		

MV00062269

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#$) 8&. /(#+,	-./(#+,& '()*+,012
] @AAWA>&' : D<NL&D<! S				
	)*6*,-+-	$EE-2,)	$)34 6+5-	
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$34 6+5-
	)*+,*,-+-	$EE-2)3	$6734FFE5)+	
			: U: 8L$A; 8: : ; $%>J : UC; $P98I	$-24+7-52E
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$E246EE5 2
	)*,3*,-+-	$EE-)-F	$62-42F-5-3	
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$-42)65F2
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$6F4E375FF
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$)74E7E5 7
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$+4 635F
	: #+O) 4E),.;	&PLPXTLTZZ$%X		
HVE3 &) 4&] @AAWA> &' : D<NL&D<! S&		&LLXPPLPLUX$%Z		
] D<\WA>& &BAWW&! F<CGWED<N&A<ND<AA>C				
	)*6*,-+-	$-+FE+	$2+4)-5-	
			; : U%&A; >!!EDL$AJ HA@D>%&%&89MA	$-64E)-5-
			; : U%&A; >!!EDL$AJ HA@D>%&%&89MA	$-64)--5-
	: #+O) 4E),.;	&TPLJUMBM		
HVE3 &) 4&] D<\WA> & &BAWW&! F<CGWED<N& A<ND<AA>C&		&TRXLRPX$%Z		
] >! FN&] ACEA><&>D: A>CD3A& FS&FH&N F: E&CS				
	)*+7*,-+-	$-,-EE	$)42F-5-	
			; KU!$B: AEG: C; D>D$1 : : A	$)42F-5-
	: #+O) 4E),.;	&JJLTXMBM		
HVE3 &) 4&] >! FN&] ACEA><&>D A>CD3A& FS& FH&NF : E&CS&		&PLPPKLRX$%J		
	C*=,),.;	&PLJXJLRTP$%R		

MV00062270

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012

! @A! BC&WACC&E@' < &I JKLMMM

&E>' <CFHE&CFWGEDF<CL&D<! S

)*+7*,-+-	$-+722	$-4E75-		
			>K;9;K8C$A9!;P>8:$K%L8>G:	$-4E75-
: #+O)4&E),.;		&PLJCZ$&M		
HVE3&)4&E>' <CFHE&CFWGEDF<CL&D<! S&		&PLJCZ$&M		

UKJ<3& D>&9F[DWDEV&] D<N

)*E*,-+-	$-+E,7	$-5-		
			?8&L$L: C$&U: D&C$8:;&B: UC;$)*+-	$-5-
: #+O)4&E),.;		&IMB&M		
HVE3&)4&KJ<3& D>&9F[DWDEV&] D<N &		&PPX$&M		

UN&] D>AWACCL&D<!

)*6*,-+-	$-+66,	$3-5-E		
			8:!KCG@KA$D&H$9J8%U;	$3-5-E
: #+O)4&E),.;		&RMBPQ		
HVE3&)4&UN&] D>AWACCL&D<! &		&RMBPQ		

' &&- FCE' W&A_->ACC

)*+7*,-+-	$-+72)	$)25-		
			8:!KCG@KA$D&H$9J8%U;	$)25-
: #+O)4&E),.;		&JT$XM		
HVE3&)4&&-FCE' W&A_->ACC&		&JT$XM		

' & &D&>A->FN>' -@D C&&&&&&&&JUMRTRJ

)*6*,-+-	$-+662	$F75'2		
			8%8L8%=H$AJHA@&; $&J%8JUC; $B:AK8!	$F75'2
)*+,*,-+-	$-+E2-	$-4FEE5,7		
			8%8L8%=H$AJHA@&; $&J%8JUC; $%8LU	$6)5F-
			8%8L8%=H$AJHA@><$A; $&J%8JUC; A	$-4672576
			8%8L8%=H$AJHA@><$A; $&J%8JUC; A	$-2755)
)*,3*,-+-	$-,-72	$))5F)		
			8%8L8%=H$AJHA@B;H=&CL$A; $%89M	$)E537
			8%8L8%=H$AJHA@K;9$J>D&%89M	$-735-6
: #+O)4&E),.;		&IEPPJS&R		
HVE3&)4&&&-A->FN>' -@D C&&&&&&&&JUMRTRJ&		&PZ&KRT$&U		

' & &'&N>' 3D<N& F<E>' !EF>C

)*6*,-+-	$-+66)	$75-		
			8:!KCG@KA$D&H$9J8%U;	$75-
: #+O)4&E),.;		&Z$XM		
HVE3&)4&&&N>' 3D<N& F<E>' !EF>C&		&Z$XM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
' & & &' : D<N& F9-<' V				
	)*+7*,-+-	$-+726	$2,5)+	
			8: !KCG@KASDBH$9J8%U;	$2,5)+
	: #+O) 4E),.;		&TJ&P	
HVE3 &) 4& & & &' : D<N& F9-<' V&			&TJ&P	
' & & &F &&&A<N D<AA>A3 &CVCEA9 CL&D< !				
	)*+7*,-+-	$-+723	$25E-	
			8: !KCG@KASDBH$9J8%U;	$25E-
	: #+O) 4E),.;		&TS&M	
HVE3 &) 4& & & &F &&&A<N D<AA>A3 &CV CEA9 CL& D< ! &			&TS&M	
' &< &> &D< 3 GCE> DAC L&D< !				
	)*+,*,-+-	$-+E2+	$5-	
			%&9% 8; <$B: =>?@6+-3$9><$J:	$34FE56-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$E46)F5-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$2E4+E65-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$246-5-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$74FF65-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$)4F265-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$E4F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$-34+25-
			%&9% 8; <$B: =>?@6+-3$9><$J:	@4FE56-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@E46)F5-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@2E4+E65-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@246-5-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@74FF65-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@)4F265-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@E4F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@34+25-
	)*,3*,-+-	$-,-76	$,4E),56-	
			%&9% 8; <$B: =>?@6+-3$9><$J:	$.4E).56-
	: #+O) 4E),.;		&JIQLUS&M	
HVE3 &) 4& & & &< 3 GCE> DACL&D< ! &			&PTPLUKUS&Q	
' [AVE' L&N D<V				
	)*+7*,-+-	$-+72F	$-5-	
			8: !KCG@>?B A$G: %	$-5-
	: #+O) 4E),.;		&IMB&M	
HVE3 &) 4& [AVE' L&N D<V&			&IMB&M	

MV00062272

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
' [CFWGEA&CG>: ADWW <! A				
)*6*,-+-	$EE-,6E	$24F+F56 2		
			L%A$I: =$ 8>HI : 8@9DBH: $G: %	$7EE563
			L%A$I: =$ 8>HI : 8@H; B>; B9C	$365+)
			L%A$I: =$ 8>HI : 8@JH$%D>C	$ 4 E652 7
			L%A$I: =$ 8>HI : 8@>; ; : 8<	$FE5)
	: #+O) 4&E) ,. ;	&TLXPX$KT		
HVE3 &8) 4& [CFWGEA&CG>: ADWW <! A&		&TLXPX$KT		
' ! ! ACC&CA! G>DEV&! F<E>FWC&D<ES&D<! S				
)*6*,-+-	$-+666	$-4 3-5-		
			A: H$J9CB;98EC L$A JH@>H$A; 8L	$F65-
			A: H$J9CB;98EC L$A JH@8H	$F65-
			A: H$J9CB;98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB;98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB;98EC L$A JH@BB: $EC A%H;	$F3-5-
	: #+O) 4&E) ,. ;	&PLMRMBM		
HVE3 &8) 4& ! ! ACC&CA! G>DEV& F<E>FWC&D<ES& B<! S&		&PTLPQJ$KZ		
' ! ! FG<EA9-C				
)*6*,-+-	$-+663	$E,E5-		
			; : U%$AJHA@%9G>H >$P*: $2*+7	$E,E5-
)*+,*,-+-	$-+E2,	$7-65,6		
			; : U%$AJHA@%9G>H >$P*: $2*,3	$E,E5-
			; : U%$AJHA@%9G>H >$?I L8G	$FF5,6
)*+7*,-+-	$-+72E	$E2755-		
			; : U%$AJHA@%9G>H >$P*: $,*,	$E2755-
)*,3*,-+-	$-,-7E	$E,E5-		
			; : U%$AJHA@%9G>H >$P*: $,*7	$E,E5-
	: #+O) 4&E) ,. ;	&TLJMMBKK		
HVE3 &8) 4& ! ! FG<EA9-C&		&PMLUTQ$KK		
' ! A& ' C@&A_->ACC &bUPPR				
)*6*,-+-	$-+66F	$-)+5,3		
			8: !KCG@KADBH9J8%U;	$-)+5,3
	: #+O) 4&E) ,. ;	&PUPS$R		
HVE3 &8) 4& ! A& ' C@&A_->ACC&bUPPR&		&PUPS$R		
' ! A&HFFE] ' >A				
)*+7*,-+-	$-+727	$)5-7		
			8: !KCG@KADBH9J8%U;	$)5-7
	: #+O) 4&E) ,. ;	&LUS$Z		
HVE3 &8) 4& ! A&HFFE] ' >A&		&LUS$Z		

MV00062273

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&.,/(#+,	-./(#+,& '()*+,012
' ! G<' L&\G D& S					
	)'6*,-+-	$-+66E	$-4335)-		
				8: ! KCG@GUE$HB>; B9CS! : : A	$-4335)-
	: #+0) 4&E) ,. ;		&PLPRRSJM		
HVE3 &) 4& ! G<' L&\G D& S&			&PLPRRSJM		
' 3' 9 CL&9' >B&\S					
	)'6*,-+-	$-+FE2	$2+E5F2		
				8: ; B&: : $U: GB-H>D&?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&KT		
HVE3 &) 4& 3' 9 CL&9' >B&\S&			&TLPQXSTM		
' 3 WA>@F>CE&D<EA> <' ED F<' W&D<! S					
	)*+,*,-+-	$EE-2,F	$),65-+		
				H>CE&D: $ 8>E&E&L@DK:	$-)+5&F
				H>CE&D: $ 8>E&E&L@>WD W	$ E252)
	: #+0) 4&E) ,. ;		&JJKS\P		
HVE3 &) 4& 3 WA>@F>CE&D<EA><' ED F<' W&D<! S&			&JLRZXSSJ		
' 3 9 D<CG>A					
	)*+,*,-+-	$-+E22	$48--5-		
				P8I UCA$H9U%&>GUC $AJHA	$48--5-
	: #+0) 4&E) ,. ;		&JLRMMB\M		
HVE3 &) 4& 3 9 D<CG>A&			&RLMMMB\M		
' 3:' <! A3 &AWA! E>D!					
	)*+7*,-+-	$-+7)-	$47)65-		
				: D H; $P98I @&>8I A	$7--5-
				: D H; $P98I @&>8I A	$2E5-
				: D H; $P98I @&>8I A	$2)25-
				: D H; $P98I @&>8I A	$3,5-
				: D H; $P98I @&>8I A	$6+)5-
				: D H; $P98I @&>8I A	$-EF5-
				: D H; $P98I @&>8I A	$625-
				: D H; $P98I @&>8I A	$-E25-
				: D H; $P98I @&>8I A	$-25-
				: D H; $P98I @&>8I A	$3,5-
	)*,3*,-+-	$-,-77	$)FF5-		
				: D H; $P98I @! GZ+	$3,5-
				: D H; $P98I @! GZ+	$+65-
	: #+0) 4&E) ,. ;		&TLJJJS\M		
HVE3 &) 4& 3:' <! A3 &AWA! E>D&			&QLKJJS\M		

MV00062274

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
' W! F><&HA<! A& F9 -' <V				
	)*6*,-+-	$-+63-	$ 2556,	
			8: !KCG@KAS[DH$9J8%U;	$ 256,
	: #+0) 4&E) ,. ;		&TS&KJ	
HVE3 &8) 4& W! F><&HA<! A& F9 -' <V&			&TS&KJ	
' WD A' L&>D @' >3				
	)*+7*,-+-	$-+7)+	$-6655-	
			UED >L: $B: BJ?K8A : U: C;	$F)56-
			UED >L: $B: BJ?K8A : U: C;	$E+5-
	: #+0) 4&E) ,. ;		&PKK&XM	
HVE3 &8) 4& WD A' L&>D @' >3&			&KUTS&K	
' WW&3 DC! FG<E&D<CG>' <! A&CA>: D AL&D<! S				
	)*6*,-+-	$-+63+	$7F56-	
			8: !KCG@KAS[DH$9J8%U;	$7F56-
	: #+0) 4&E) ,. ;		&ZX&XM	
HVE3 &8) 4& WW&3 DC! FG<E&D<CG>' <! A& CA>: D AL&D<! S&			&ZX&XM	
' WWAVL&A>D<				
	)*,3*,-+-	$-,+-+	$-5-	
			8: !KCG@>?B A&G: %	$-5-
	: #+0) 4&E) ,. ;		&IMB&M	
HVE3 &8) 4& WWAVL&A>D< &			&IMB&M	
' WWD <! A&>ACFG>! A& F<CGWED<NL&WW!				
	)*6*,-+-	$-+63,	$F43-5F6	
			: W H$B: H8KB U: C; $AJHA	$F43-5F6
	: #+0) 4&E) ,. ;		&LJRMB&K	
HVE3 &8) 4& WWD <! A&>ACFG>! A& ! F<CGWED<NL&WW! &			&LJRMB&K	
' WWD <E&D<CG>' <! A&CA>: D ACL&D<! S				
	)*6*,-+-	$-+632	$-423+5-E	
			E&AK8>CH: @%HD$ J: C; A	$-423+5-E
	: #+0) 4&E) ,. ;		&PLTRP&MQ	
HVE3 &8) 4& WWD <E&D<CG>' <! A&CA>: D ACL& D<! S&			&PMLMMT&LQ	
' WWD <\ &MDHA&D<CG>' <! A& F				
	)*+,*,-+-	$-+E2)	$F65-	
			C9C@W U%, $>CCKB, <	$F65-
	: #+0) 4&E) ,. ;		&K&M	
HVE3 &8) 4& WWD <\ &MDHA&D<CG>' <! A&! F&			&KMB&M	

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
' 9A>D ' <&[GDV&B< N&9' B<EA<' <! A&[F				
	)*+7*,-+-	$-+7),	$35),	
			8: !KCG@KA$DB-H$9J8%U;	$35),
	: #+0)4&E),.;		&JRSJU	
HVE3&&) 4& 9A>D ' <&[GDV&B< N& 9' B<EA<' <! A&[F&			&JRSJU	
' 9A>D ' <&HF>A<CD! &<G>CAC				
	)*+,*,-+-	$EE-2,E	$6E25-	
			?D99G$G8>PA	$6E25-
	)*+7*,-+-	$EE-2)7	$725-	
			?D99G$G8>PA	$725-
	)*,3*,-+-	$EE-2F3	$6+256-	
			?D99G$G8>PA	$6+256-
	: #+0)4&E),.;		&PLPQZSZM	
HVE3&&) 4& 9A>D ' <&HF>A<CD &G>CAC&			&PLXKMBTM	
' 9A>D ' <&G[WD &-F] A>& CCF! D EDF <				
	)*+7*,-+-	$-+7)2	$247F65+	
			U: U?: 8A=B%GK: A@67E+6	$33,56)
			U: U?: 8A=B%GK: A@67E+6	$242+,52F
	: #+0)4&E),.;		&TZXKSIP	
HVE3&&) 4& 9A>D ' <&G[WD &F] A>& ' CCF! D EDF <&			&TZXKSIP	
' 9A>D ' <&GD B&->D<ED<N				
	)*+7*,-+-	$-,-7-	$4-F65-	
			>CUD$HC; 8D$C9; B-H: A	$4-F65-
	: #+0)4&E),.;		&IPXKS3M	
HVE3&&) 4& 9A>D ' <&GD B&->D<ED<N&			&TZZUSJT	
' 9A>D ' <&-FE' >V&[>FF9& FS				
	)'6*,-+-	$-+63)	$242+-5-,	
			A; 8: : ; $AP: : %&CL$?899U$B A	$725-7
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E75.
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E-5-6
			A; 8: : ; $AP: : %&CL$?899U$B A	$)F5-3
	)*,3*,-+-	$-,+-,	$-4635-7,	
			A; 8: : ; $AP: : %&CL$?899U$B A	$-)5EE
			A; 8: : ; $AP: : %&CL$?899U$B A	$F+35-F
			A; 8: : ; $AP: : %&CL$?899U$B A	$2265-2F
	: #+0)4&E),.;		&JZRRSZU	
HVE3&&) 4& 9A>D ' <&-FE' >V&[>FF9& FS&			&JZIZJPSRP	

MV00062276

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
' 9 EA! @&AWA: ' EF>&CA>: D AC				
)*+7*,-+-	$-+7))	$-+E52F		
			: D J>; 98$AJH@B <$=>DD	$-+E52F
	: #+O) 4&E) ,. ;	&PPQSTX		
HVE3 &&) 4& 9 EA! @&AWA: ' EF>&CA>: D A C&		&PLXMMB&P		
' <' V' L&BD9 &>AVA				
)*+7*,-+-	$-+7)6	$6)55-		
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$E5-
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$-355-
)*,3*,-+-	$-,+-2	$655-		
			UBD >L: $B: BJ?K8A : U: C;	$655-
	: #+O) 4&E) ,. ;	&TMMB&M		
HVE3 &&) 4& <' V' L&BD9 &>AVA&		&TTKS&M		
' <3>A] CY[' BA>L&C GA				
)*+,*,-+-	$-+E26	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
)*+7*,-+-	$-+7)3	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
	: #+O) 4&E) ,. ;	&PKMB&M		
HVE3 &&) 4& <3>A] CY[' BA>L&CGA&		&KJKS&M		
' <NAW &<' DVC& &C-'				
)*6*,-+-	$-+636	$35-		
			8: !KCG@KADH9J8%U;	$35-
	: #+O) 4&E) ,. ;	&JRSRM		
HVE3 &&) 4& <NAW &<' DVC& &C-' &		&JRSRM		
' <D9' W&A9A>NA<! V & WD<D L&D<! S				
)*+7*,-+-	$-,-7+	$26-5-		
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$F-5-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$665-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
	: #+O) 4&E) ,. ;	&TKMB&M		
HVE3 &&) 4& <D9' W&A9A>NA<! V& WD<D L&D<! S&		&JLKTUS&M		

MV00062277

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
' <D9' W&-ACE&9' <' NA9A<E&CA>: D ACL &D<! S				
	)*6*,-+-	$-+633	$3--5-	
			% A; 9HC; 8D@: : 9BUJD9; 9?><AE6:	$2--5-
			: U: 8L9?: : 9BUJD@ 8H	$2--5-
	)*,3*,-+-	$-,+-)	$47-5-	
			% A; 9HC; 8D@&>8I A	$365-
			% A; 9HC; 8D@&>8I A	$665-
			% A; 9HC; 8D@J>8H=9I DG	$22-5-
			% A; 9HC; 8D@&>D	$--5-
			% A; 9HC; 8D@!GSZ+	$3-5-
			% A; 9HC; 8D@DI 9H 8A	$E-5-
			% A; 9HC; 8D@; >8A9?DGL	$--5-
			% A; 9HC; 8D@&>8I A	$--5-
			% A; 9HC; 8D@&>8I A	$--5-
			% A; 9HC; 8D@&>8I A	$--5-
	: #+O 4&E),.;	&IKQZMMM		
HVE3 &&) 4& <D9' W&-ACE&9' <' NA9A<E& CA>: D ACL&D<! S&		&IMMMMMM		
' >[VaC				
	)*6*,-+-	$-+63F	$E)5++	
			8: !KCG@KASDH9J8%U;	$E)5++
	: #+O 4&E),.;	&LUSPP		
HVE3 &&) 4& >[VaC&		&LUSPP		
' >! @A>L&E>' : DC				
	)*+,*,-+-	$-+E23	$+-5-	
			8: !KCG@B>; E9CS9J8%U;	$+-5-
	: #+O 4&E),.;	&PMMMM		
HVE3 &&) 4& >! @A>L&E>' : DC&		&PMMMM		
' >! @DEA! EG>' W&3 A CDN<& &CDN<L&D<! S				
	)*6*,-+-	$-+63E	$75)7	
			8: !KCG@KASDH9J8%U;	$75)7
	: #+O 4&E),.;	&ZS&Z		
HVE3 &&) 4& >! @DEA! EG>' W&3 ACDN<& &CDN<L& D<! S&		&ZS&Z		
' >! @D A&9' <' NA9A <E&CA>: D A				
	)*+7*,-+-	$-+7)F	$-4236552	
			9!!AB: 9A; 98>L: @HB <9HD 8I A	$-4236552
	: #+O 4&E),.;	&PTRKSKT		
HVE3 &&) 4& >! @D A&9' <' NA9A<E&CA>: D A&		&PTTUTS&Z		

MV00062278

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
' >! F& 97-9 &&' > &] ' C@				
)*6*,-+-	$-+637	$2-5 E		
			8: !KCG@KAS[DH$9J8%J;	$2-5 E
: #+O) 4&E) ,. ;		&TMSQ		
HVE3 &) 4& > ! F & 97-9 &&' > &] ' C@&		&TMSQ		
' >A' M] ACE&HA<! A& ! F				
)*+7*,-+-	$-+7) E	$65-		
			8: !KCG@KAS[DH$9J8%J;	$65-
: #+O) 4&E) ,. ;		&KSVM		
HVE3 &) 4& > A' M] A CE&HA< ! A& F &		&KSVM		
' >>F] @A' 3 &] ' EA>				
)*6*,-+-	$-+6F-	$6-5-		
			P; 8$4K8E1$BC; D@CUD[A=D, 8	$6-5-
			P; 8$4K8E1$BC; D@8$H; 8	$65-
			P; 8$4K8E1$BC; D@%HD[GEA;	$65-
			P; 8$4K8E1$BC; D@: H=$AJHA	$65-
			P; 8$4K8E1$BC; D@8H	$65-
)*+,*,-+-	$-+E2F	$65-		
			P; 8$4K8E1$BC; D@>H$CCW	$65-
)*+7*,-+-	$-+7) 7	$65-		
			P; 8$4K8E1$BC; D@; >8A	$65-
)*,3*,-+-	$-,+-6	$2)-5FE		
			P; 8$4K8E1$BC; D@HB<$->D	$-,65+
			P; 8$4K8E1$BC; D@HB<$<>8G	$65-
			P; 8$4K8E1$BC; D@8CA$ 8D8	$65-
			P; 8$4K8E1$BC; D@F8>8<	$65-
			P; 8$4K8E1$BC; D@AS[3	$65-
			P; 8$4K8E1$BC; D@AS[) E	$65-
			P; 8$4K8E1$BC; D@AS[,	$65-
			P; 8$4K8E1$BC; D@AS[6E	$-65FF
			P; 8$4K8E1$BC; D@AS[7+	$65-
			P; 8$4K8E1$BC; D@AS[36	$65-
: #+O) 4&E) ,. ;		&KUVBKQ		
HVE3 &) 4& >>F] @A' 3 &] ' EA> &		&KLKRT$KX		
' C@WAVL&E@F9' C				
)*,3*,-+-	$-,+-3	$6-5-		
			8: !KCG@8>%&G: %9AB	$6-5-
: #+O) 4&E) ,. ;		&KVBVM		
HVE3 &) 4& C@WAVL&E@F 9' C&		&KVBVM		

MV00062279

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
' CD <&D9-F>E&9' > BAE				
)*6*,-+-	$-+6F+	$3F57)		
			8: !KCG@KADH9J8%U;	$3F57)
: #+0) 4&E),.;		&RXSZU		
HVE3&8) 4& CD <&D9-F>E&9' > BAE&		&RXSZU		
' CCF! D EA3&A<ND< AA>CL&D<! S				
)*+7*,-+-	$-+76-	$,-46,-5-		
			=: >H9HI $A; $PE&G: C E&CL$%&89M$AJHA	$-46,-5-
: #+0) 4&E),.;		&JMKJMB/M		
HVE3&8) 4& CCF! D EA3&A<ND< AA>CL&D<! S&		&KRLQXUSP		
' CCF! D E&F<&C&Ac GDEV&9' <' NA9A<EL&D<!				
)*+7*,-+-	$-+76+	$,57F		
			8: !KCG@KADH9J8%U;	$,57F
: #+0) 4&E),.;		&JJSZX		
HVE3&8) 4& CCF! D E&F<&C&Ac GDEV& 9' <' NA9A<EL&D<! &		&JJSZX		
' E` E&9F[DWDEV				
)*6*,-+-	$-+6F,	$7,526		
			H9UUKCBH>; E9C$AJ HA@)?D$HUUCG	$7,526
)*,3*,-+-	$-,+-F	$7,5),		
			H9UUKCBH>; E9C$AJ HA	$7,5),
: #+0) 4&E),.;		&PCLJSXX		
HVE3&8) 4& E` E&9F [DWDEV&		&PLVPPSRJ		
' E` E79! D				
)*+,*,-+-	$-+E2E	$9-E2567		
			H9UUKCBH>; E9C$AJ HA@1; !	9-E2567
: #+0) 4&E),.;		&PCTSKZ		
HVE3&8) 4& E` E79! D&		&PLQTRSDQ		
**' : DW L&N>DCAW&' **				
)*+7*,-+-	$-+76,	$635--		
			8: !KCG@CUD$AJHA$! : : A	$2-5-
			8: !KCG@CUD$AJHA$! : : A	$9-5-
			8: !KCG@CUD$AJHA$! : : A	$9-35-
: #+0) 4&E),.;		&KRSVM		
HVE3&8) 4& : DW L&N>DCAW&' &		&KRSVM		
[' ! @A>L&N>' ! A				
)*6*,-+-	$-+6F)	$2-65--		
			8: ; B&: : $U: GBH>D&?: C: !B	$2-65-
: #+0) 4&E),.;		&TMKSRM		
HVE3&8) 4&[' ! @A>L&N>' ! A&		&ILUTRSDP		

MV00062280

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
[' ><ACL&3' >WA<A				
	)*6*,-+-	$-+FE)	$9-+)55-	
			8:;B3:: $U: GBH>D&?: C: !B	9-+)55-
	: #+O) 4E),.;		&PPUSXM	
HVE3 &8) 4&[' ><ACL&2' >WA<A&			&PLPPKSXR	
[' >F<& FFW&-W CEA>D<N&FH&CFS&[' S				
	)*6*,-+-	$-+6F6	$ 357 2	
			8: !KCG@KASDBH$9J8%U;	$ 357 2
	: #+O) 4E),.;		&JRSZT	
HVE3 &8) 4&[' >F<& FFW&-W CEA>D<N&F H&CFS&! ' S&			&JRSZT	
[' CD &[' ! BHWF]				
	)*6*,-+-	$-+6F3	$2-5---	
			?>HI !D9P$: A; BCL	$2-5-
	: #+O) 4E),.;		&TMBM	
HVE3 &8) 4&[' CD &[' ! BHWF] &			&PLTJUSRK	
[' EEA>V\ F<AL&D<! S				
	)*,3*,-+-	$-,+-E	$24)F65-,	
			?>;;: 8B A@&9DBH: $G: %	$24)--5-
			?>;;: 8B A@>D A$; >W	$ 7F56-
			?>;;: 8B A@=B%BCL	$F65-,
			?>;;: 8B A@>D A$; >W$-HH8K>D	@7F56-
	: #+O) 4E),.;		&TLUXKSPJ	
HVE3 &8) 4&[' EEA>V\ F<AL&D<! S&			&TLUXKSPJ	
[A' >& ' WWAV& WA' <A>C				
	)*+7*,-+-	$-+762	$7-57,	
			8: !KCG@KASDBH$9J8%U;	$7-57,
	: #+O) 4E),.;		&ZMEZJ	
HVE3 &8) 4&[A' >& ' WWAV& WA' <A>C&			&ZMEZJ	
[A! B<A>L& ' E>D B				
	)*6*,-+-	$-+6FF	$7,25F-	
			8: ;B3:: $U: GBH>D&?: C: !B	$7,25F-
	: #+O) 4E),.;		&ZJTSXM	
HVE3 &8) 4&[A! B<A>L& ' E>D B&			&PLXKMBPM	
[AWWD<NL&ACCD ' & S				
	)*6*,-+-	$-+6FE	$7+)5-E	
			8: !KCG@GUBD$HB>; B9CS!: : A	$7+)5-E
	: #+O) 4E),.;		&ZPUSMQ	
HVE3 &8) 4&[AWWD<NL&ACCD ' & S&			&ZPUSMQ	

MV00062281

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&&./(#+,	-./(#+,& '()*+,012
[A9GC&W <3C! '-AL &D<! S				
)*6*, -+-	$-+6F7	$-3,5)E		
			&&8&LGUL&: %>&& A@9H$%&9M H;	$-3,5)E
)*+, *, -+-	$-+E27	$-F4/E)533		
			D>CGAH>% 3U>&&C; @)	$2655F
			D>CGAH>% 3U>&&C; @)	$72655-
			D>CGAH>% 3U>&&C; @)	$7,52,
			D>CGAH>% 3U>&&C; @)	$-7257,
			D>CGAH>% 3U>&&C; @)	$--+53E
			D>CGAH>% 3U>&&C; @)	$FF56
			D>CGAH>% 3U>&&C; @)	$-6496-573
			D>CGAH>% 3U>&&C; @)>	$23F53)
			D>CGAH>% 3U>&&C; @2>	$,756
			&&8&LGUL&: %>&& @&A?$H9CJ$%&9M	$---56F
	:#+O)4&E),.;	&PQUPUX$PU		
HVE3&&)4&[A9GC&W <3C! '-AL&&<! S&		&JMKLUZX$&R		
[A<&[WGA&&3:9L&9C				
)*+, *, -+-	$-+E)-	$F)-5-		
			:U: 8L$I:; $AJHA	$66-5-
			:U: 8L$I:; $AJHA	$-7-5-
)*, 3*, -+-	$-, ++-	$-765-		
			:U: 8L$I:; $AJHA	$-765-
	:#+O)4&E),.;	&TKS&M		
HVE3&&)4&[A<&[WGA&&3:9L&9C&		&TKS&M		
[A<ACVCE				
)*+7*, -+-	$EE-26,	$-52		
			H9?8>$AK?A&&<@%8, -+-	$-)52
			H9?8>$AK?A&&<@%8, -+-	$&5F-
	:#+O)4&E),.;	&JM&PT		
HVE3&&)4&[A<ACVCE&		&JM&R		
[A<ACVCEL&D<! S				
)*, 3*, -+-	$-, +++	$F-52)		
			!D W&GU&&C$AJHA	$,652)
			!D W&GU&&C$AJHA	$)65-
	:#+O)4&E),.;	&JXM&TU		
HVE3&&)4&[A<ACVCEL&&<! S&		&JZCQ&&R		
[A<HF>3L&9D @' AW				
)*, 3*, -+-	$-, ++,	$365-		
			8: !KCG@&C; D&G: %	$365-
	:#+O)4&E),.;	&RK&M		
HVE3&&)4&[A<HF>3L&9D @ AW&		&RK&M		

MV00062282

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
[ACEL&[ACE& &B> DANA> L&WW-				
)*+,*,-+-	$-+E)+	$-E25-		
			D L>D&AJHA	$-+655-
			D L>D&AJHA	$3F56-
)*,3*,-+-	$-,++2	$-2-55)		
			D L>D&AJHA	$6,55-
			D L>D&AJHA	$3E526
			D L>D&AJHA	$7537
: #+O 4&E),.;		&TPT$KU		
HVE3 &B) 4&[ACEL&[ACE& &B> DANA> L&WW- &		&PTLTQZ$RU		
[A: DWWA:C& D> & F <3 DEDF <D<N				
)*6*,-+-	$-+6E-	$-5F6		
			8: !KCG@KAS DB-H$9J8%U;	$-5F6
: #+O 4&E),.;		&JMBKK		
HVE3 &B) 4&[A: DWWA:C& D> & F <3 DEDF <D<N &		&JMBKK		
[DF YEF_&W [F>' EF >DAC				
)*+7*,-+-	$-+76)	$248E75E		
			; 9WB-H9D9L<$: A; A	$-F5F
			; 9WB-H9D9L<$: A; A	$-46E5+
			; 9WB-H9D9L<$: A; A	$4.)57-
: #+O 4&E),.;		&TIRQZ$ZQ		
HVE3 &B) 4&[DF YEF_&W [F>' EF >DAC&		&TRIPZZS$K		
[DEC&[VEAC& &9 F> A				
)*+7*,-+-	$-+766	$F-572		
			8: !KCG@KAS DB-H$9J8%U;	$F-572
: #+O 4&E),.;		&IMBXT		
HVE3 &B) 4&[DEC&[V EAC& &9 F> A&		&IMBXT		
[WGA&C@DAW3 &F H& ' WDHF><D				
)*+7*,-+-	$-+763	$6,,5EF		
			=:>D,=$&CA$%8: UBKU	$FE5E6
			=:>D,=$&CA$%8: UBKU	$))5.
: #+O 4&E),.;		&KJJ$$X		
HVE3 &B) 4&[WGA&C@DAW3 &F H& ' WDHF><D &		&ZLPKQ&M		
[F[F &DL&HAWD_				
)*6*,-+-	$-+6E+	$F+5-		
			UBD >L: $B: BJ?K8A : U: C;	$F+5-
)*,3*,-+-	$-,++)	$3,5-		
			UBD >L: $B: BJ?K8A : U: C;	$3,5-
: #+O 4&E),.;		&PTT$M		
HVE3 &B) 4&[F[F &DL&HAWD_ &		&RTP$PK		

MV00062283

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
[-&] ACE& F' CE&> F3G! ECL&WW!					
	)*6*,-+-	$-+6E,	$5F5 7		
				8: !KCG@KAS[B:H$9J8%U;	$25+
				8: !KCG@KAS[B:H$9J8%U;	$2)5-E
	: #+O) 4&E) ,. ;		&XS&Z		
HVE3&) 4&[-&] ACE& F' CE&> F3G! ECL&WW! &			&PUX&V&Z		
[-C&E' ! ED ' WL&D< !					
	)*,3*,-+-	$-,++6	$-E5) 7		
				%&; H= : A@&9[B:H: $G : %	$E5-
				%&; H= : A@&9[B:H: $G : %	$75-7
	: #+O) 4&E) ,. ;		&PQ&Z		
HVE3&) 4&[-C&E' ! ED ' WL&D< ! &			&ZS&K		
[>[EF L&E>' ! V					
	)*+,*,-+-	$-+E) ,	$2F5-		
				8: !KCG@= : D : 8$! : :	$2F5-
	: #+O) 4&E) ,. ;		&TX&M		
HVE3&) 4&[>[EF L&E>' ! V&			&TX&M		
[>FFBCL&BA9AE@>'					
	)*+7*,-+-	$-+76F	$-, , 5-		
				8: !KCG@>; = $B: LB&;	$-, , 5-
	: #+O) 4&E) ,. ;		&RJJ&M		
HVE3&) 4&[>FFBCL&BA9AE@>' &			&RJJ&M		
[G! BD<N@ 9L&CE' <					
	)*6*,-+-	$-+6E2	$2+E5F2		
				8: ; B&: : $U: GB&H>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&T		
HVE3&) 4&[G! BD<N@ 9L&CE' < &			&PLJXU&J		
[G>WD<NEF<& F' E&H' ! EF>V&FH& ' L&WW!					
	)*6*,-+-	$-+6E)	$-47FF5-		
				8: !KCG@KAS[B:H$9J8%U;	$-47FF5-
	: #+O) 4&E) ,. ;		&PZXX&M		
HVE3&) 4&[G>WD<NEF<& F' E&H' ! EF>V&FH& ! ' L&WW! &			&PZXX&M		
! &@&'&D<! S					
	)*6*,-+-	$-+6E6	$)5-		
				8: !KCG@KAS[B:H$9J8%U;	$)5-
	: #+O) 4&E) ,. ;		&JU&M		
HVE3&) 4&[&@&'&D<! S&			&JU&M		

MV00062284

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
! ' &CE' EA&EA' ! @A> &C&>AED>A9A<E&CV CEA9				
	)*+2*,-+-	$-,4F-5,		
			>CCDD 8*H8: G; 57F3H=3B: ! B-H9%A	$-,4F-5,
	: #+0) 4&E) ,. ;	&PJLPXMSJ		
HVE3 &&) 4&' &CE' EA&EA' ! @A> &C&>AED>A9A<E& CVCEA9 &		&PJLPXMSJ		
! ' D<L&N>ANF>V				
	)*6*,-+-	$-+FE6	$2+E5F2	
			8: ; B3: : 3U: GB-H>D3?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&' D<L&N>ANF>V&		&UKUZSSK		
! ' W : A>' C&CE' <3' >3 &9' EA>D WC				
	)*,3*,-+-	$-,++3	$F)F5,2	
			H: U: C; 3/K8H=>A:	$F)F5,2
	: #+0) 4&E) ,. ;	&UUXSIT		
HVE3 &&) 4&' W : A>' C&CE' <3' >3 & 9' EA>D WC&		&UMPPXSZQ		
! ' WDHF><D &[GDV3 D<N&CE' <3' >3C& F 9 9 DCCDF<				
	)*+,*,-+-	$-+E)2	$3275/-	
			% 8UB 3I>DK>; B9C 3I : : A	$3275/-
	: #+0) 4&E) ,. ;	&RTZSZM		
HVE3 &&) 4&' WDHF><D &[GDV3 D<N&CE' <3' >3C ! F 9 9 DCCDF<&		&UJUUSRM		
! ' WDHF><D &3A-' >E9A<E&F H&HDC@& <3&N' 9A				
	)*6*,-+-	$-+6E3	$3-5,6	
			U>M98$-U: CGUC; 3I : : @83-*C>A9C	$3-5,6
	: #+0) 4&E) ,. ;	&KRMSIK		
HVE3 &&) 4&' WDHF><D &&A-' >E9A<E&F H&HDC@& ' <3&N' 9A&		&KLCPMSIK		
! ' WDHF><D & F F WC& &C-' CL&D<! S				
	)*+7*,-+-	$-+76E	$E5-6	
			8: ! KCG@KA3DB-H9J8%U;	$E5-6
	: #+0) 4&E) ,. ;	&JQ&PK		
HVE3 &&) 4&' WDHF><D & F F WC& &C-' C L&D<! S&		&JQ&PK		
! ' WDHF><D &[' EA>C@A3&A<ND<AA>D<N & F>-S				
	)*,3*,-+-	$EE-2FF	$5--5,6	
			%89! $AJHA@&>-7--,6	$5--5,6
	: #+0) 4&E) ,. ;	&KMMSIK		
HVE3 &&) 4&' WDHF><D &[' EA>C@A3& A<ND<AA>D<N& F>- S&		&LJXPSXK		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
! ' W: ' >V& @' -AW&F H&9 F>A< F& ' WWAV				
	)*+7*,-+-	$-+767	$--5-	
			8: !KCG@&C; D&G: %	$--5-
	: #+0) 4&E) ,. ;		&PMVB&M	
HVE3 &&) 4&: ' W: ' >V& @ -AW&F H&9 F>A< F& :' WWAV&			&PMVB&M	
! ' <<F<L& <' &9 S				
	)*6*,-+-	$-+6EF	$2+E5F2	
			8: ; &&: : $J: G&H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&: ' <<F<L& <' &9 S&			&PLJXUSZJ	
! ' <F<&HD<' <! D W&CA>: D ACL&D<! S				
	)*6*,-+-	$-+6EE	$F467-5&E	
			H9%&B 8$D >A:	$F4675 7
			H9%&B 8$D >A: @>D: A$ >W	$&2+527
	: #+0) 4&E) ,. ;		&XLKZMVRQ	
HVE3 &&) 4&: ' <F<&HB' <! D W&CA>: D ACL&&<! S&			&KKZMVRSM	
! ' >[F<AL&N' [>DAW'				
	)*,3*,-+-	$-,++F	$-2,5-	
			E&A; 8KH; 98$AJHA@9D D98&H$G>CH	$-2,5-
	: #+0) 4&E) ,. ;		&PTJS&M	
HVE3 &&) 4&: ' >[F<AL&N' [>DAW' &			&KPTS&M	
! ' >EA>L&>FC' W<'				
	)*6*,-+-	$-+FE3	$&7)5-	
			8: ; &&: : $J: G&H>D&?: C: !B	$&7)5-
	: #+0) 4&E) ,. ;		&ZUS&M	
HVE3 &&) 4&: ' >EA>L&>FC' W<' &			&JLXRRSTR	
! ' CBAVL&&A[>' & S				
	)*6*,-+-	$-+FEF	$2+E5F2	
			8: ; &&: : $J: G&H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&: ' CBAVL&&A[>' & S&			&JLKLZS&K	
! A>EDHDA3 & >A3 DE &>A- F>ED<N L&D<!				
	)*+7*,-+-	$-+73-	$-E522	
			H8: GB $%&89! E&D $A JHA	$-E522
	: #+0) 4&E) ,. ;		&PQ&ST	
HVE3 &&) 4&: A>EDHDA3 & >A3 DE&>A- F>E E&N L&D&<! &			&PZRSPQ	

MV00062286

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$45,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
! @' <! VL& @D G>G					
	)*,3*,-+-	$-,++E	$-325E-		
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$7253-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 36E-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 25)-
	: #+O 4E) ,. ;		&PRTS&M		
HVE3 &) 4& @ <! VL& @D G>G&			&PILUX&M		
! @' <3 WA>& CCAE&9 ' <' NA9A<EL&D<!					
	)*+7*,-+-	$EE-262	$347+75-		
				EC J: A; U: C; $JL; $A JHA	$347+75-
	: #+O 4E) ,. ;		&RZPZ&M		
HVE3 &) 4& @ <3 WA>& CCAE&9 ' <' NA9A <EL& B<! &			&RZPZ&M		
! @' -9' <L&CEA: A					
	)*6*,-+-	$-+6E7	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: !B	$2+E5F2
	: #+O 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ -9' < L&CEA: A&			&TIPQX&TM		
! @' --AWWL&D C' ' !					
	)*6*,-+-	$-+67-	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: !B	$2+E5F2
	: #+O 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ --AWWL&D C' ' ! &			&TIPQX&TM		
! @' : A\ L& <NAW 7^ FCA					
	)*6*,-+-	$-+67+	$2-5-		
				8: !KCG$-CUD$AJHA$!: : A	$-5-
				8: !KCG@CUD$AJHA$!: : A	$-5-
	: #+O 4E) ,. ;		&TMB&M		
HVE3 &) 4& @ : A\ L& <NAW 7^F CA&			&TMB&M		
! @A>>V& ' WWAV&HA A3					
	)*+7*,-+-	$-+73+	$-+65-6		
				G9L$!99G@7$U>W	$-+65-6
	: #+O 4E) ,. ;		&PPK&K		
HVE3 &) 4& @A>>V& ' WWAV&HAA3 &			&PIRXX&U		
! @D<ACA&N FG>9AE					
	)*+7*,-+-	$-+73,	$6F5-		
				8: !KCG@KADEH9J8%U;	$6F5-
	: #+O 4E) ,. ;		&XS&M		
HVE3 &) 4& @B ACA &N F G>9 AE&			&XS&M		

MV00062287

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
! @>DCED <L&F] A<					
	)*6*,-+-	$-+FEE	$-7)552		
				8: ; B3: : $U: GBH>D$?: C: !B	$-7)552
	: #+O)4&E),.;		&PZUSKT		
HVE3 &)4& @>DCED <L&F] A<&			&LJJMBKR		
! @GW & DCE' & FWD! A&HFG<3' EDF<					
	)*+7*,-+-	$-+732	$-6-5-		
				A9$H>$L>CL$H9C! $@J><$F@E	$6-5-
				A9$H>$L>CL$H9C! $@J><$F@E	$6-5-
				A9$H>$L>CL$H9C! $@J><$F@E	$6-5-
	: #+O)4&E),.;		&PKMBMM		
HVE3 &)4& @GW & DCE' & FWD A&HFG<3' EDF<&			&PKMBMM		
! D<3V&H' >>' >&H' 9 DW&3' V! ' >A					
	)*6*,-+-	$-+67,	$35)2		
				8: !KCG@KADBH9J8%U;	$35)2
	: #+O)4&E),.;		&IRSJT		
HVE3 &)4& D<3V&H' >>' >&H' 9 DW&3' V! ' >A&			&IRSJT		

MV00062288

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
! D<E' C& F>-F>' EDF<				
	)*6*,-+-	$-+67)	$2-F5-	
			KCH98U$BC; D$AJH@J>E@; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E@; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E@; $H8: P	$E52F
			KCH98U$BC; D$AJH@NKB/&J>E@;	$-35E
			KCH98U$BC; D$AJH@NKB/&J>E@;	$+5)-
			KCH98U$BC; D$AJH@NKB/&J>E@;	$+5)-
			KCH98U$BC; D$AJH@8: : $J>E@;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E@;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E@;	$E52F
			KCH98U$BC; D$AJH@A; 8: : ; $J>E@;	$65E
			KCH98U$BC; D$AJH@A; 8: : ; $J>E@;	$65E
			KCH98U$BC; D$AJH@A; 8: : ; $J>E@;	$65E
			KCH98U$BC; D$AJH@A; 8U$G8C$J>E@	$5-7
			KCH98U$BC; D$AJH@A; 8U$G8C$J>E@	$5-7
			KCH98U$BC; D$AJH@A; 8U$G8C$J>E@	$5-7
			KCH98U$BC; D$AJH@A; 8: : ; $J>E@;	$)5E
			KCH98U$BC; D$AJH@A; 8: : ; $J>E@;	$)5E
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@8!!H$J>E@;	$+52
			KCH98U$BC; D$AJH@A; 8B/&E@L$H8: P	$-2EE
			KCH98U$BC; D$AJH@J>H$J>E@;	$-356
			KCH98U$BC; D$AJH@J>H$J>E@;	$-356
	)*+,*,-+-	$-+E)6	$+-52	
			KCH98U$BC; D$AJHA@&K8H=>AE@L	$273
			KCH98U$BC; D$AJHA@&K8H=>AE@L	$273
			KCH98U$BC; D$AJHA@&K8H=>AE@L	$273
			KCH98U$BC; D$AJHA@&K8H=>AE@L	$273
			KCH98U$BC; D$AJHA@&>8I A$J>E@;	$625+
			KCH98U$BC; D$AJHA@&>8I A$J>E@;	$625+
			KCH98U$BC; D$AJHA@8!!H$J>E@;	$+52
			KCH98U$BC; D$AJHA@8!!H$J>E@;	$+52
			KCH98U$BC; D$AJHA@BLCE@L$H8: P	$-2EE
			KCH98U$BC; D$AJHA@BLCE@L$H8: P	$-2EE
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-57E
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-57E
			KCH98U$BC; D$AJHA@J>H$J>E@;	$-356
	)*+7*,-+-	$-+73)	$E-53)	
			KCH98U$BC; D$AJH@&>8I A$J>E@;	$625+
			KCH98U$BC; D$AJH@I!G$A; >!!	$-57E
			KCH98U$BC; D$AJH@J>H$J>E@;	$-356
	)*,3*,-+-	$-,+,-	$7,E52	
			KCH98U$BC; D$AJH@A; $J>E@;	$.E3-
			KCH98U$BC; D$AJH@A; $J>E@;	$)+57
			KCH98U$BC; D$AJH@A; $J>E@;	$E35)7
			KCH98U$BC; D$AJH@A; $J>E@;	$335)7
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&. / (#+,	-./ (#+,& '()*+,012
			KCH 98U$BC; D$AJH@1.9DI $H8A	$65E6
			KCH 98U$BC; D$AJH@1.9DI $H8A	$65E6
			KCH 98U$BC; D$AJH@1.8>!! B, E$H8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B, E$H8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B, E$H8: P	$E52F
			KCH 98U$BC; D$AJH@NKB'&U>EC;	$ +5 -
			KCH 98U$BC; D$AJH@NKB'&U>EC;	$ +5 -
			KCH 98U$BC; D$AJH@NKB'&U>EC;	$ +5 -
			KCH 98U$BC; D$AJH@8: : $U>EC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>EC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>EC;	$E52F
			KCH 98U$BC; D$AJH@&; $AP: : %&EC L	$65E
			KCH 98U$BC; D$AJH@&; $AP: : %&EC L	$65E
			KCH 98U$BC; D$AJH@&; $AP: : %&EC L	$65E
			KCH 98U$BC; D$AJH@&; $G8C$U>EC;	$ 5F7
			KCH 98U$BC; D$AJH@&; $G8C$U>EC;	$ 5F7
			KCH 98U$BC; D$AJH@&; $G8C$U>EC;	$ 5F7
			KCH 98U$BC; D$AJH@9CH$U>EC;	$E52F
			KCH 98U$BC; D$AJH@9CH$U>EC;	$E52F
			KCH 98U$BC; D$AJH@9CH$U>EC;	$E52F
			KCH 98U$BC; D$AJH@8>!! B H$U>EC;	$+5 2
			KCH 98U$BC; D$AJH@&L CEC L $H8: P	$+25E6
			KCH 98U$BC; D$AJH@&>8I A	$625 +
			KCH 98U$BC; D$AJH@!GS2+	$- 5FE
			KCH 98U$BC; D$AJH@>H$U>EC;	$+3536
	: #+0 4&E) ,. ;	&PLKJRSRM		
HVE3 &) 4& E' C& F>-F>' E F<&		&RLKZMBKM		
! EV&FH&9 F>A<F& ' WWAV& A[' &E>GCE				
	)*+, *, -+-	$EE-2, 7	$ 43, 55-	
			: W U% $I: ?>	$ 43, 55-
	: #+0 4&E) ,. ;	&JLMRJSKM		
HVE3 &) 4& EV&FH&9 F>A<F& ' WWAV& A[' & E>GCE&		&JJLPRJSKM		
! D D CEF<A				
	)*+, *, -+-	$EE-22-	$ 665-	
			H9CAKD, EC L $AJHA	$ 665 -
	: #+0 4&E) ,. ;	&IKKSMM		
HVE3 &) 4& D D CE F<A&		&ZLXPMZM		
! W VEF<L&CD9 F<<A				
	)*6*, -+-	$ -+676	$ -5-	
			8: ! KCG@&>?B A$I: : $G: %9AB,	$ -5 -
	: #+0 4&E) ,. ;	&IMBMM		
HVE3 &) 4& W VEF<L&CD9 F<<A&		&IMBMM		

MV00062290

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! WD<D ' &9A3D ' & ' >' &EF3FC				
)*6*,-+-	$-+673	$7-55)		
			8: !KCG@KASDBH$9J8%U;	$7-55)
	: #+O)4&E),.;	&ZMBKU		
HVE3&&)4& WB<D ' &9A3D ' &' >' &EF3FC&		&ZMBKU		
! <F' &>ANDF<&				
)*6*,-+-	$-+67F	$-265-		
			)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
			)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
			)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
	: #+O)4&E),.;	&PTKSMM		
HVE3&&)4& <F' &>ANDF<&&		&RXKSMM		
! F' CE&CDN<&D<!				
)*+7*,-+-	$-+736	$F5-7		
			8: !KCG@KASDBH$9J8%U;	$F5-7
	: #+O)4&E),.;	&JXSKZ		
HVE3&&)4& F' CE&CDN<&D<!&		&JXSKZ		
! FWF<D W&CG--WA9A<E' W&D<CG>' <!A				
)*,3*,-+-	$-,+,+	$F4-2F552		
			AK%%D U: C; >D&CA K8>CH:	$F4-2F552
	: #+O)4&E),.;	&LPTXSRT		
HVE3&&)4& FWF<D W&CG--WA9A<E' W&D<CG>' <!A&		&ZLMKTSKQ		
! F9&&FF>& &@' >3]' >AL&D<!				
)*+7*,-+-	$-+733	$F7552		
			8: !KCG@KASDBH$9J8%U;	$F7552
	: #+O)4&E),.;	&ZSKT		
HVE3&&)4& F9&&FF>& &@' >3]' >AL&D<!&		&ZSKT		
! F99G<DEV&@A' WE@& @' >DEDAC				
)*+,*,-+-	$-+E)3	$-6+5)F		
			H=H$H9C; 8B?K; B9CA	$-6+5)F
)*,3*,-+-	$-,+,,	$-6+5)F		
			H=H$H9C; 8B?K; B9CA	$-6+5)F
	: #+O)4&E),.;	&TMUSZU		
HVE3&&)4& F99G<DEV&@A' WE@& @ >DEDAC&		&QLMPQSJT		

MV00062291

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
! F9-AEDED A&CE>D3A				
)*6*,-+-	$-+67E	$-4)E75EE		
			A%&98; A$-P>8GA	$-4)E75EE
)*+7*,-+-	$-+73F	$-4-F5E)		
			A%&98; A$-P>8GA	$-4-F5E)
: #+0)4&E),.;		&JILZXSKJ		
HVE3&8)4&I F9-AEDED A&CE>D3A&		&KLPTRSTQ		
! F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >				
)*+,*,-+-	$-+E)F	$-2F5E7		
			D L>D&AK?AH8B%B9C	$-2F5E7
: #+0)4&E),.;		&PTXSSZ		
HVE3&8)4&I F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >&		&KCKSSX		
! FCE! F				
)*6*,-+-	$-+677	$-46-65,F		
			UBAH$AK%%CDBA@@I= EDGA$%CDH	$-46-65,F
)*+,*,-+-	$-+E)E	$2335552		
			UBAH$AK%%CDBA@@I ; $%>8I	$2335552
)*+7*,-+-	$-+737	$-422+5,)		
			UBAH$AK%%CDBA@@; >8A	$6EEE)
			UBAH$AK%%CDBA@@; >8A	$-F553
			UBAH$AK%%CDBA@@; >8A	$3653E
			UBAH$AK%%CDBA@@; >8A	$-36557
			UBAH$AK%%CDBA@@; >8A	$3F5F
			UBAH$AK%%CDBA@@; >8A	$-65,
			UBAH$AK%%CDBA@G G	$3+5E
)*,3*,-+-	$-,+,2	$27F55)		
			UBAH$AK%%CDBA@@I= EDGA$%CDH	$FF5-2
			UBAH$AK%%CDBA@@; >8A	$EF5F3
			UBAH$AK%%CDBA@@; >8A	$-)-52
			UBAH$AK%%CDBA@@; >8A	$7,53,
: #+0)4&E),.;		&TERMMBKQ		
HVE3&8)4&I FCE! F&		&JKLTJPSZP		
! FCEDWF] L&9' >V&^F				
)*+,*,-+-	$-+E)7	$5)55-		
			8: !KCG@@B>; EDC$$BAUBAA: G	$5)55-
: #+0)4&E),.;		&KUSKM		
HVE3&8)4&I FCEDWF] L&9' >V&F&		&KUSKM		

MV00062292

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
! FG<CAWD<N&EA' 9L&E@A				
)*+, *, -+-	$-+E6-	$-46-5-		
			: U%D9<: : $HCADCL$AJHA	$-46-5-
)*, 3*, -+-	$-, +,)	$-46-5-		
			: U%D9<: : $HCADCL$AJHA	$-46-5-
: #+0) 4&E) ,. ;		&JLKVMB&M		
HVE3 &) 4&: FG<CAWD<N&EA' 9L&E@A&		&PJLKVMB&M		
! FG<E>V&CcGD>A&A CE' EAC				
)*+7*, -+-	$-+7F-	$-365F,		
			8: !KCG@&; $KA: 8$>W A	$7-57E
			8: !KCG@&; $KA: 8$>W A	$F)5F)
: #+0) 4&E) ,. ;		&PRKSXJ		
HVE3 &) 4&: FG<E>V&CcGD>A&ACE' EAC&		&RVZSPT		
! FG<EV&FH&>D A>C D&A&&>9' -				
)*+, *, -+-	$-+E6+	$)+56		
			8: H98G>; E9C$BNA; A	$)+56
: #+0) 4&E) ,. ;		&JPSIK		
HVE3 &) 4&: FG<EV&FH&>D A>CD&A&&>9' -&		&TRRSRM		
! FG<EV&FH&>D A>C D&A& G3DEF>				
)*6*, -+-	$-+3--	$E4)35-		
			%>8I ECL$HC; 8D9: : A	$342, -5-
			%>8I ECL$HC; 8D9: : A	$-47, 35-
: #+0) 4&E) ,. ;		&QJURSVM		
HVE3 &) 4&: FG<EV&FH&>D A>CD&A& G3DEF>&		&ZKIQVUSZK		
! >' <A& >! @DEA! EG >' W&N>FG-				
)*+, *, -+-	$-+E6,	$4)-65-		
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$-4F+65-
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$37-5-
: #+0) 4&E) ,. ;		&JILIMKSVM		
HVE3 &) 4&: >' <A& >! @DEA! EG>' W&N>FG-&		&RLXVMB&M		
! >F] <& ' CEWA&9GL&WW				
)*6*, -+-	$-+3-+	$2+52-		
			8: !KCG@KASDBH$9J8%U;	$2+52-
: #+0) 4&E) ,. ;		&TPSTM		
HVE3 &) 4&: >F] <& ' CEWA&9GL&WW&		&TPSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! E' D&' ! DHD &N>AA<C! ' -A				
)*,3*,-+-	$EE-2FE	$)477F5-2		
			D>CGAH>% 3J>E&; @GAL+P	$)4E7F5-2
			D>CGAH>% 3J>E&; @GAL+P	$F65-6
			D>CGAH>% 3J>E&; @GAL+P	$)5F6
	: #+O)4E),.;	&JZZXS/T		
HVE3&)4& E' D&' ! DHD &N>AA<C! ' -A&		&KJLVPPS/K		
! GA:' CL&B' ED&A				
)*+7*,-+-	$-+7F+	$2F53-		
			8:!KCG@BJ:$198$9;A	$2F53-
	: #+O)4E),.;	&TXSRM		
HVE3&)4& GA:' CL&B' ED&A&		&TXSRM		
3& &3&CA>:D AC&3 [' &3& &3&3 DC-FC' WL&D<!S				
)*+7*,-+-	$-+7F,	$F)65-		
			GB&%9A>D&AJHA@C UD&A=D,8	$F)65-
	: #+O)4E),.;	&UKS/M		
HVE3&)4& & &3&CA>:D AC&3 [' &3& &3& 3DC-FC' W&3<!S&		&LRVVB/M		
3& &C&3 F<CE>G! E DF<				
)*6*,-+-	$-+3-,	$F65-		
			8:!KCG@KAS DBH$9J8%U;	$F65-
	: #+O)4E),.;	&KS/M		
HVE3&)4& & &C&3 F<CE>G! E DF<&		&KS/M		
3&A&C&W <3C! ' -AL&D<!				
)*6*,-+-	$-+3-2	$752E		
			8:!KCG@KAS DBH$9J8%U;	$752E
	: #+O)4E),.;	&ZS'Q		
HVE3&)4& &A&C&W <3C! ' -AL&D<!&		&ZS'Q		
3' DW&'FG><' W&L F>-F>' ED F<				
)*6*,-+-	$-+3-)	$F625)		
			AK?AH8B%$9CS BCP D@>GM	$F625)
	: #+O)4E),.;	&KTSRU		
HVE3&)4& ' DW&'FG><' W&L F>-F>' ED F<&		&RLTUZSRU		
3' WAL&B' E@AA<				
)*6*,-+-	$-+FE7	$2+6557		
			8:;B&:: 3J:GBH>D&?:C:!B,	$2+6557
	: #+O)4E),.;	&TPKS/Z		
HVE3&)4& ' WAL&B' E@AA<&		&TLPKQ&/U		

MV00062294

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
3' <DAW&C& @' >9' ! V				
)*6*,-+-	$-+3-6	$6F5-		
			8: !KCG@KADH9J8%U;	$6F5-
: #+O) 4&E) ,. ;		&KX&M		
HVE3 &) 4&' <DAW&C& @ >9' ! V&		&KX&M		
3' E' &ED BAEL&D<! S				
)*6*,-+-	$EE-,33	$,46)255)		
			HB>; E9C$%&HAACL@%G	$4EE255-
			HB>; E9C$%&HAACL@%G	$24),57
			HB>; E9C$%&HAACL@%G	$427+52F
			HB>; E9C$%&HAACL@DGL*A!; <	$)-55-
			HB>; E9C$%&HAACL@DGL*A!; <	$E)52,
			HB>; E9C$%&HAACL@!9G:	$F-2735 3
			HB>; E9C$-%%DH$U>E; *AK%%98;	$-65-
)*+,*,-+-	$EE-22+	$64)FF5,6		
			HB>; E9C$%&HAACL@!9G:	$7)65-
			HB>; E9C$%&HAACL@!9G:	$-4)3F5+
			HB>; E9C$%&HAACL@!9G:	$-46+75E
			HB>; E9C$%&HAACL@DGL*A!; <	$-46))5E
)*,3*,-+-	$EE-2F7	$48,752 2		
			HB>; E9C$%&HAACL@!9G:	$43,5F6
			HB>; E9C$%&HAACL@!9G:	$43355E
: #+O) 4&E) ,. ;		&TJ&E&KM&PJ		
HVE3 &) 4&' E' &ED BAEL&D<! S&		&PKK&PXU&KJ		
3' E' cGD B&F>-F>' EA&@A' 3cG' >EA>C				
)*,3*,-+-	$-,+,3	$-2-55-		
			9CDE: $AJHA@%9DEH:	$-2-55-
: #+O) 4&E) ,. ;		&PTM&KM		
HVE3 &) 4&' E' cGD B&F>-F>' EA& @A' 3cG' >EA>C&		&LJM&KM		
3' : D&8A: ' <C& & C CF! D EACL&D<! S				
)*6*,-+-	$-+3-3	$2F,55-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$2F,55-
)*,3*,-+-	$-,+,F	$F4-F55-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$F4-F55-
: #+O) 4&E) ,. ;		&KL&CM&M		
HVE3 &) 4&' : D&8A: ' <C& & CCF! D EA CL&D<! S&		&RL&KU&KZ		
3A[D<' D>A& F9-' < V				
)*6*,-+-	$-+3-F	$2F65-		
			?9E) 8$U>E; @%B <$->DD	$-)-5-
			?9E) 8$U>E; @%A?	$-)-5-
			?9E) 8$U>E; @%8H	$765-
: #+O) 4&E) ,. ;		&TX&KM&M		
HVE3 &) 4&A[D<' D>A& F9-' <V&		&PLX&CM&RK		

MV00062295

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
3AA>V& 9A>D ' <& F>-					
	)*+7*,-+-	$EE-26)	$-E47) F5E3		
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$-F4), +5F6
				!8: BL=; $H=>8L:	$-46E-5-
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$3522
				56-[$KA: $>W$>HH 8K>D	@E-5,
	: #+0) 4E),.;		8PQZUX$QR		
HVE3 &) 4& AA>V& 9A>D ' <& F>-&			8TXUJJUSTJ		
3AWE' &A<E' W					
	)*6*,-+-	$-+3-E	$-+46) 567		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-+46) 567
	: #+0) 4E),.;		8PPUMKUS$Z		
HVE3 &) 4& AWE' & A<E' W&			8PPUUJJTS$M		
3AWE' ! ' >A&GC'					
	)*+,*,-+-	$-+E62	$342EE56-		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$342EE56-
	: #+0) 4E),.;		8RUTQQ$M		
HVE3 &) 4& AWE' ! ' >A&GC' &			8RXUJXRS$P		
3A<<DC&N>G[[& & CCF! D EACL&WW					
	)*6*,-+-	$EE-,3F	$E--5-		
				%D>C$B: JB P$AJHA @EB:	$E--5-
	: #+0) 4E),.;		8QMMB$M		
HVE3 &) 4& A<<DC&N>G[[& & CCF! D EACL&WW			8ZIRCK$M		
3A<<DC&F>ED &&>A<E' WC					
	)*+7*,-+-	$-+7F2	$E75F2		
				8: !KCG@KA$DB-H$9J8%U;	$E75F2
	: #+0) 4E),.;		8QZ9$T		
HVE3 &) 4& A<<DC&F>ED &&>A<E' WC&			8QZ9$T		
3A-' >E9A<E&FH& F <CA>:' EDF<					
	)*+,*,-+-	$-+E6)	$-47,52F		
				AUE$!: : A$D AA$B: ; >EC>L:	$-423-527
				AUE$!: : A$D AA$B: ; >EC>L:	@E5,
	: #+0) 4E),.;		8PUZJ$TX		
HVE3 &) 4& A-' >E9 A<E&FH& F <CA>:' EDF<&			8JLUJT$PK		
3A-' >E9A<E&FH&A< :D>F<9A<E' W&@A' WE@					
	)*+7*,-+-	$-+7F)	$F)5-		
				=: >D=$% 8UB$!: :	$F)5-
	: #+0) 4E),.;		8XUS$M		
HVE3 &) 4& A-' >E9 A<E&FH&A< :D>F<9A<E' W& @A' WE@&			8JQJS$M		

MV00062296

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
3ACED<V&' <! A] A' >L&D<!				
)*6*,-+-	$-+3-7	$-F57)		
			8: !KCG@KASDB-H$9J8%U;	$-F57)
	: #+0)4E),.;	&PXSZU		
HVE3&)4& ACEB<V&' <! A] A' >L&<! &		&PXSZU		
3A_EA>L&ED9FE@V&WS				
)*6*,-+-	$-+3+-	$-4E6+5-		
			8: !KCG@GUE$-HB>; B9C$!::A	$6+5-
			8: !KCG@GUE$-HB>; B9C$!::A	$-4--5-
	: #+0)4E),.;	&PLQKPSVM		
HVE3&)4& A_EA>L&ED9FE@V&WS&		&PLQKPSVM		
3DCED<! ED AWV&/F G>C				
)*,3*,-+-	$-,+,7	$-6-5-E		
			:U%D9<::$KCB98U @&P	$-6-5-E
	: #+0)4E),.;	&PKMVMQ		
HVE3&)4& DCEB<! ED AWV&/FG>C&		&PKMVMQ		
3DCED<NGDC@A3&HWVD<N&! >FCC&CF! DA EV				
)*,3*,-+-	$-,+2-	$2-5-		
			L89KCG$-8:>I BCL@B3JKA:KU	$-5-
			L89KCG$-8:>I BCL@B3JKA:KU	$-5-
			L89KCG$-8:>I BCL@B3JKA:KU	$-5-
	: #+0)4E),.;	&TMVMM		
HVE3&)4& DCEB<N GDC@A3&HWVD<N&! >FCC& CF! DAEV&		&TMVMM		
3FWA_&3FWW >&A_- >ACCL&D<!				
)*6*,-+-	$-+3++	$)56		
			8: !KCG@KASDB-H$9J8%U;	$)56
	: #+0)4E),.;	&USJK		
HVE3&)4& FWA_& FWW >&A_->ACCL&D<! &		&USJK		
3F<' @GA& -->' DC' W& CCF! D EAC				
)*,3*,-+-	$EE-2E-	$-+4E,-5-		
			% 88BADJGPB: CBCL$%89M@AJHA	$74--5-
			% 88BADJGPB: CBCL$%89M@AJHA	$4F.-5-
	: #+0)4E),.;	&PPLQJMVMM		
HVE3&)4& F<' @GA& -->' DC' W& CCF! D EAC		&RJLTMVMM		
3F>VL& WWAA<&HS				
)*6*,-+-	$-+3+,	$)+6552		
			8:;B8:::$U:GB-H>D$?:C:!B	$-7)552
			8:;B8:::$U:GB-H>D$?:C:!B	$,+5-
	: #+0)4E),.;	&PKSXT		
HVE3&)4& F>VL& WWAA<&HS&		&UZXUSU		

MV00062297

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
3>A_WA>L&3' :D3					
	)*+6*, -+-	$-+72+	$2,65-		
				% 8$GB U@H9C9UBH$H8BJ: A$HD>AA	$2,65-
	: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&3>A_WA>L&3' :D3 &			&KJMB&M		
3G>' <L&[W <!'					
	)*+, *, -+-	$-+E66	$2+65-		
				EC:A; 8KH; 98$AJHA@9D D98BH$GCH	$-F25-
				EC:A; 8KH; 98$AJHA@9D D98BH$GCH	$-), 5-
	: #+O) 4&E) ,. ;		&TPK&M		
HVE3 &) 4&G>' <L&[W <!' &			&LJJR&M		
A&>S&[WF! B& WG9[D<N& &@A' ED<N L&D<! S					
	)*6*, -+-	$-+3+2	$FF)5E)		
				?>HI !D9P$B%DHUC; @>; : 8B>D	$&2,5E
				?>HI !D9P$B%DHUC; @>?98	$-F-5-
				?>HI !D9P$B%DHUC; @>; : 8B>D	$2653,
				?>HI !D9P$: A; EC:L	$235)-
	)*+, *, -+-	$-+E63	$-)653-		
				?>HI !D9P$: A; EC:L	$-)653-
	)*, 3*, -+-	$-, +2+	$37+53-		
				?>HI !D9P$: A; EC:L @+	$F,5E-
				?>HI !D9P$: A; EC:L @,	$235E-
				?>HI !D9P$: A; EC:L @+6	$235)-
				?>HI !D9P$: A; EC:L @C3U	$235)-
				?>HI !D9P$: A; EC:L @AL+	$F,5E-
				?>HI !D9P$: A; EC:L @C3A	$235)-
	: #+O) 4&E) ,. ;		&PLERPJ&U		
HVE3 &) 4&A&>S&[WF! B& WG9[D<N& &@A' ED<N L& D<! S&			&ZLPMRSZ		
A' NWAED9A&I FG<CA WD<N&CA>:D AC					
	)*+7*, -+-	$-+7F6	$65-		
				8: !KCG@KADBH9J8%U;	$65-
	: #+O) 4&E) ,. ;		&K&M		
HVE3 &) 4&A' NWAED9A&I FG<CAWD<N& CA>:D AC&			&K&M		
A' >WL&-' GW					
	)*, 3*, -+-	$-, +2,	$-FF5-		
				% 8$GB U@HH$-; ; <A$A%BEC:L$H9C!	$-FF5-
	: #+O) 4&E) ,. ;		&PXX&M		
HVE3 &) 4&A' >WL&-' GW&			&PXX&M		

MV00062298

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '( )*+,012
A' CEA><8&9 G<D D' W&] ' EA>&8 DCE>D E				
)*6*,-+-	$-+3+)	$F42) 75 3		
			P>; : 8$H=8LA@U: 8 L$9%A$H; 8$%89M	$2+5F-
			P>; : 8$H=8LA$ 98$! : ?8K>8<	$6+53E
			P>; : 8$H=8LA$ 98$U>8H=	$335 E
			P>; : 8$H=8LA$ 98$U>8H=	$2+7566
			P>; : 8$H=8LA$ 98$U>8H=	$-4 E-5 7
			P>; : 8$H=8LA$ 98$U>8H=	$ E5 F
			P>; : 8$H=8LA$ 98$U>8H=	$-8++53)
			P>; : 8$H=8LA$ 98$U>8H=	$-4-F, 526
			P>; : 8$H=8LA$ 98$U>8H=	$-4277 5 -
			P>; : 8$H=8LA$ 98$U>8H=	$-) 5 6
			P>; : 8$H=8LA$ 98$U>8H=	$ +257 3
			P>; : 8$H=8LA$ 98$U>8H=	$2- 2E)
			P>; : 8$H=8LA$ 98$U>8H=	$335-7
			8HDJG$P>; : 8@8>BC$U>BC; $%8LU	$3- 5F6
			8HDJG$P>; : 8@; 5AP: : %BC L$%8LU	$3- 5F6
			8HDJG$P>; : 8@; 5AP: : %BC L$%8LU	$ 3- 5F)
			8HDJG$P>; : 8@; 8: : ; $U>BC; $%8LU	$EE5 .
)*+,*,-+-	$-+E6F	$-3482E5-)		
			P>; : 8$H=8LA$ 98$U>8H=	$F) 5E+
			P>; : 8$H=8LA$ 98$U>8H=	$-46, 65 6
			P>; : 8$H=8LA$ 98$U>8H=	$2E) -
			P>; : 8$H=8LA$ 98$U>8H=	$ 4 +652)
			P>; : 8$H=8LA$ 98$U>8H=	$476) 5F6
			P>; : 8$H=8LA$ 98$U>8H=	$-472E527
			P>; : 8$H=8LA$ 98$U>8H=	$-422F5E)
			P>; : 8$H=8LA$ 98$U>8H=	$3) , 5 2
			P>; : 8$H=8LA$ 98$U>8H=	$7. F57)
			P>; : 8$H=8LA$ 98$U>8H=	$-E+567
			P>; : 8$H=8LA$ 98$U>8H=	$-3, 5++
			P>; : 8$H=8LA$ 98$U>8H=	$) 65)
			P>; : 8$H=8LA$ 98$U>8H=	$-2753 3
			P>; : 8$H=8LA$ 98$U>8H=	$6) 5 7
)*,3*,-+-	$-,+22	$-)42+25E-		
			P>; : 8$H=8LA$ 98$U>8H=	$ FE52.
			P>; : 8$H=8LA$ 98$U>8H=	$642, E5++
			P>; : 8$H=8LA$ 98$U>8H=	$-463F5F+
			P>; : 8$H=8LA$ 98$U>8H=	$ 46325 7+
			P>; : 8$H=8LA$ 98$U>8H=	$ F) 53,
			P>; : 8$H=8LA$ 98$U>8H=	$-4F7352 3
			P>; : 8$H=8LA$ 98$U>8H=	$-422, 5E+
			P>; : 8$H=8LA$ 98$U>8H=	$, 65+2
			P>; : 8$H=8LA$ 98$U>8H=	$2335-7
			P>; : 8$H=8LA$ 98$U>8H=	$ E-5F)
: #+O) 4&E) ,. ;		&TQLTMPSPM		
HVE3 &) 4&A' CEA><&9 G<D D' W&] ' EA>& 3 DCE>D E&		&ZTPLRRKSPQ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
A! FW [&D<! S				
)*6*,-+-	$-+3+6	$2522E		
			8: !KCG@KADH9J8%U;	$2522E
: #+O)4E),.;		&RTSQ		
HVE3&)48A! FW [&D<! S&				&RTSQ
A! F9FEDF<LD<! S				
)*6*,-+-	$-+3+3	$)46)E52		
			H9CAKD, EC L$AJHA@%HD$GEA;	$)46)E52
)*+7*,-+-	$-+7FF	$)4E+5+		
			H9CAKD, EC L$AJHA@&; EB <	$)4E+5+
: #+O)4E),.;		&ZUWZSU		
HVE3&)48A! F9FEDF<LD<! S&				&PPLQUSTU
A3NAW <A&9F[DVA&-' >B				
)*+,*,-+-	$EE-22,	$-,57F		
			8: !KCG@&; $KA: 8$>W A	$-,57F
: #+O)4E),.;		&RJSX		
HVE3&)48A3NAW <A&9F[DVA&-' >B&				&ZZSPX
A3DE@&&HS&<' :' >>F				
)*+7*,-+-	$-+7FE	$5)53F		
			8: !KCG@KADH9J8%U;	$5)53F
: #+O)4E),.;		&KUSRX		
HVE3&)48A3DE@&&HS&<' :' >>F&				&KUSRX
ANNA>CEA<L& <<A				
)*6*,-+-	$-+3+F	$2-653-		
			8: ; BB: : $U: GBH>D$?: C: !B	$2-653-
: #+O)4E),.;		&TMKSRM		
HVE3&)48ANNA>CEA<L& <<A&				&LQTQSST
A9-D>A&D<CGW EDF <LD<!				
)*6*,-+-	$-+3+E	$65--		
			8: !KCG@KADH9J8%U;	$65-
: #+O)4E),.;		&KSVM		
HVE3&)48A9-D>A&B<CGW EDF <LD<! &				&KSVM
A9-D>A&C-F>EC				
)*+7*,-+-	$EE-266	$54+3573		
			A%98; A$KCH98UA@&>8I A	$-)E5+3
			A%98; A$KCH98UA@&>8I A	$543EE-
: #+O)4E),.;		&KJPRSR		
HVE3&)48A9-D>A&C-F>EC&				&PULQQZSPR

MV00062300

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
A<! @ <EA3 & DWW N A&F H&N DHEC				
)*6*,-+-	$-+3+7	$-,5-2		
			8: !KCG@KAS DB H$9J8%U;	$-,5-2
	: #+0)4E),.;	&RJS/T		
HVE3 &) 4&A<! @ <EA3 & DWW NA&F H&N DHEC&		&RJS/T		
A<! F&GED/DEV&CA> : D AC&9 F>A<F& ' WWAV&WW				
)*+,*,-+-	$-+E6E	$24F6-5-		
			H?C; $D >A: @@; ; CPG	$F5+)
			H?C; $D >A: @@; ; CPG	$-4-,5E3
			H?C; $D >A: @&CGB C*C>CGE&>	$E+52,
			H?C; $D >A: @&CGB C*C>CGE&>	$-43E3E
			H?C; $D >A: @&B E A	$7E56
			H?C; $D >A: @&B E A	$-46+576
)*+7*,-+-	$-+7F7	$2486F5-3		
			LE&$G>; >$H9CJ: 8A E9C	$2-5F-
			: D H; $U: ; : 8$9 : : A	$-42-F53
			: D H; $U: ; : 8$9 : : A	$4F+75-
	: #+0)4E),.;	&XILIVKSPR		
HVE3 &) 4&A<! F&GED/DEV&CA> : D AC&9 F>A<F& : ' WWAV&WW &		&PLCKKIPMD&/K		
A<: D>F<9A<E' W&9 F W&D<N& F<! A-ECL&D<!				
)*6*,-+-	$-+3,+	$F-57F		
			8: !KCG@KAS DB H$9J8%U;	$F-57F
	: #+0)4E),.;	&IMEX		
HVE3 &) 4&A<: D>F<9A<E' W&9 F W&D<N& ! F<! A-ECL&D<! &		&IMEX		
AC-D<F\ ' L&>FCV				
)*+7*,-+-	$-+7E-	$F6-5-		
			8: !KCG@@C; D&G: %&)*2	$F6-5-
	: #+0)4E),.;	&KIMB/M		
HVE3 &) 4&AC-D<F\ ' L&>FCV&		&KIMB/M		
A: ' <CL&9 AW: '				
)*+,*,-+-	$-+E67	$2,755-		
			8: !KCG@B>; E9C$9J8%U;	$2,755-
	: #+0)4E),.;	&TJZ$KM		
HVE3 &) 4&A: ' <CL&9 AW: ' &		&TJZ$KM		
A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S				
)*,3*,-+-	$-,+2)	$775-)		
			E&8&L>; E9C$AK%%DB A	$E25-3
			E&8&L>; E9C$AK%%DB A	$-65-7E
	: #+0)4E),.;	&KZZ$/U		
HVE3 &) 4&A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S		&PTILPJS2K		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
A_! AW&W <3C! ' -AL &D<!					
	)*+,*,-+-	$-+E3-	$24EE75-		
				D>CGAH>% 3U>EC; @PN!	$52-56-
				D>CGAH>% 3U>EC; @PN!	$4--5-
				D>CGAH>% 3U>EC; @PN!	$7E-5-
				D>CGAH>% 3U>EC; @PN!	$-FE56-
	)*,3*,-+-	$-,+26	$-,4F)5,		
				D>CGAH>% 3U>EC; @F	$4833E+
				D>CGAH>% 3U>EC; @H: D ?$%>8I	$-4F-523
				D>CGAH>% 3U>EC; @&8$9U$%>8I	$-46-+57E
				D>CGAH>% 3U>EC; @+)	$24)3+5F
				D>CGAH>% 3U>EC; @PN!	$-47)65-
				D>CGAH>% 3U>EC; @PN?	$-47))5-
				D>CGAH>% 3U>EC; @+6	$E65-
	: #+O)4&E),.;		&PRLKRTS3J		
HVE3 &) 4&A_! AW&W <3C! ' -AL&D<! &			&JMKIPUQSTQ		
H' D>&@FGCD<N& FG<! DW&F H&>D& FL&D<! S					
	)*,3*,-+-	$EE-2E+	$24)F35-E		
				HG?L$!KCG: G$AJHA@8HDA8$%&8: J	$4275)
				HG?L$!KCG: G$AJHA@8HDA8$%&8: J	$-4235?)
	: #+O)4&E),.;		&TILUXRSPQ		
HVE3 &) 4&H' D>&@F GCD<N& FG<! DW&F H&>D& FL& D<! &			&JJIZLJJS3M		
H' <<D<NL&AHH>AV &A' <					
	)*+7*,-+-	$-+7E+	$)7)5-		
				EC A; 8KH; E9C$AJHA@2$G><A	$7)5-
	: #+O)4&E),.;		&LZUS3M		
HVE3 &) 4&H' <<D<NL&AHH>AV&A' <&			&LZUS3M		
HA3A>' W&A_->ACC					
	)*+,*,-+-	$-+E3+	$-F5)+		
				,6F2+F,--@W%8: A A$U>EEEC L	$-F5)+
	: #+O)4&E),.;		&PXS&P		
HVE3 &) 4&HA3A>' W&A_->ACC&			&PJJS3M		
HAA<CE>' L&\F@<					
	)*6*,-+-	$-+F7-	$23+56		
				8:; EB: : $U: GBH>D&?: C: !B	$23+56
	: #+O)4&E),.;		&TRPS3K		
HVE3 &) 4&HAA<CE>' L&F@<&			&TLRPJ$3M		

MV00062302

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
HA<! AEA! @L&D<!				
)*6*,-+-	$-+3,,	$-6-5-		
			8: !KCG@KAS DH$9J8%U;	$-6-5-
	: #+O) 4&E),.;	&PKMVB/M		
HVE3 &) 4&HA<! AEA! @L&D<! &		&PKMVB/M		
HD<ACCA& A>CF<<A W& CCF! D EAC				
)*6*,-+-	$-+3,2	$F4-665-2		
			;: U%&AJHA@: HI C: 8$P*: $2*+2	$-4673E+
			;: U%&AJHA@: HI C: 8$P*: $2*,-	$-4E6)523
			;: U%&AJHA@: HI C: 8$P*: $2*,F	$-4E6)523
			;: U%&AJHA@: DA9C $P*: $2*+2	$EF)5E-
			;: U%&AJHA@: DA9C $P*: $2*,-	$EF)5E-
)*+,*,-+-	$-+E3,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $2*,F	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*2	$-4E6)523
)*+7*,-+-	$-+7E,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $*2	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*+-	$-4E6)523
)*,3*,-+-	$-,+23	$24EF65)+		
			;: U%&AJHA@: DA9C $P*: $*,F	$3635--
			;: U%&AJHA@: DA9C $P*: $2*3	$E6-56-
			;: U%&AJHA@: DA9C $P*: $*+F	$3635--
			;: U%&AJHA@: HI C: 8$P*: $*+F	$-4F+,5F+
	: #+O) 4&E),.;	&PRLTQQ,&R		
HVE3 &) 4&HD<ACCA & A>CF<<AW& CCF! D EAC&		&PRLTQQ,&R		
HD>CE& 9A>D '<& F>A&WFND L&D<! S				
)*+,*,-+-	$-+E32	$52E5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$FF5-
			9CDE: $%&89%&E!9 @A%	$-F35-
)*,3*,-+-	$-,+2F	$67,5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$2+5-
			9CDE: $%&89%&E!9 @A%	$-F35-
	: #+O) 4&E),.;	&PLPTMB/M		
HVE3 &) 4&HD>CE& 9A>D '<& F>A&WFND L&D<! S&		&JLUQMB/M		

MV00062303

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
HD>CE& @FD A&CA> : D AC				
)*6*,-+-	$EE-,37	$325-7-		
			H9!!: : $AJHA@U%&%>EG	$2,5)
			H9!!: : $AJHA@U%&%>EG	$2+53
)*+,*,-+-	$EE-222	$ 752E		
			H9!!: : $AJHA@U%&%>EG	$ 752E
)*+7*,-+-	$EE-263	$6E-5-)		
			H9!!: : $AJHA@U%&%>EG	$E-57+
			H9!!: : $AJHA@U%&%>EG	$765F3
			H9!!: : $AJHA@U%&%>EG	9-FF53E
			H9!!: : $AJHA@U%&%>EG	9--75-F
			H9!!: : $AJHA@U%&%>EG	$EE5-)
			H9!!: : $AJHA@U%&%>EG	$ E52E
)*,3*,-+-	$EE-2E,	$2356+		
			H9!!: : $AJHA@U%&%>EG	$2356+
: #+0)4&E),.;		&IVZ&T		
HVE3&&)4&HD>CE& @FD A&CA> : D AC&		&QPZXS&J		
HDE<ACC&PZ& ' &PK K&PP!				
)*,3*,-+-	$-,+2E	$E+5--		
			L<U$J: U?: 8A=B%&G : GKH; E9CA	$E+5-
: #+0)4&E),.;		&QCP&M		
HVE3&&)4&HDE<ACC&PZ& ' &PKK&PP! &		&UZPK&M		
HFWAV& &W >3<A>				
)*,7*,-+-	$-,,++	$24--5--		
			D L>D$AJHA@&: ; >BC: 8	$24--5-
: #+0)4&E),.;		&TUMM&M		
HVE3&&)4&HFWAV& &W >3<A>&		&TUMM&M		
HFCEA>L&<' <! V& S				
)*6*,-+-	$-+3,)	$2+6557		
			8: ; E&: : $J: GEH>D&?: C: !E	$2+6557
: #+0)4&E),.;		&TPK&Z		
HVE3&&)4&HFCEA>L&<' <! V& S&		&PLJRK&M		
HFEF&H' <E' CVL&D<!				
)*6*,-+-	$-+3,6	$9-5,		
			8: !KCG@KACEH9J8%U;	$9-5,
: #+0)4&E),.;		&JM&U		
HVE3&&)4&HFEF&H' <E' CVL&D<! &		&JM&U		

MV00062304

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( ) *+,012
N' CEF<L&>D @' >3				
) '6*, -+-	$-+F7+	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&N' CEF<L&>D @' >3 &		&TTPQXSTM		
NA<A>' W&CA! G>DEV &CA>: D ACL&D<! S				
) '6*, -+-	$-+3, F	$9-E) 5-E		
			A: HK8B <$AJHA@H8H	$9-E) 5-E
) '6*, -+-	$EE-, F+	$) 3-5, -		
			A: HK8B <$AJHA@: CB9 8$H; 8	$) 65))
			A: HK8B <$AJHA@H8H	$+) 5F3
) *+, *, -+-	$EE-22)	$4-E35))		
			A: HK8B <$AJHA@B?8>8<	$9-. . 5F.
			A: HK8B <$AJHA@B?8>8<	$9-, , 5F,
			A: HK8B <$AJHA@B?8>8<	$9+25$-
			A: HK8B <$AJHA@B?8>8<	$9+25$-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
) *+7*, -+-	$EE-26F	$9-E) 5-E		
			A: HK8B <$AJHA@PCL; :	$9-F52E
			A: HK8B <$AJHA@PCL; :	$F35F-
) *, 3*, -+-	$EE-2E2	$4++35',		
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@&; BB B A$ CCW	$F35-.
			A: HK8B <$AJHA@B?8>8<	$9+25$-
			A: HK8B <$AJHA@B?8>8<	$9+25$-
	: #+O) 4&E) ,. ;	&KLMTP&KJ		
HVE3 &&) 4&NA<A>' W&CA! G>DEV&CA>: D ACL& B<! S&		&JRLXRXSZK		
NAF>NA&C' WD<' C&E>AA&>ACA>: ' EDF<				
) '6*, -+-	$-+3, E	$4++5'6		
			; 8: : $ 8BJUBCL$AJ H@&AL,	$) F5-.
			; 8: : $ 8BJUBCL$AJ H@+	$9-FE3E)
			; 8: : $ 8BJUBCL$AJ H@+>	$, 2566
			; 8: : $ 8BJUBCL$AJ H@,	$E-) 5FE
			; 8: : $ 8BJUBCL$AJ H@C$J	$26F53E
) *+7*, -+-	$-+7E)	$6-5E)		
			8: !KCG@KADBH9J8%J;	$6-5E)
	: #+O) 4&E) ,. ;	&JLMRJ&KZ		
HVE3 &&) 4&NAF>NA&C' W&' C&E>AA& ->ACA>: ' EDF<&		&QZLKRM&R		

MV00062306

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
NDI [CL&NDB A<L&WF! @A>L&EG><A>& &C A<AE&WV-					
	)*6*,-+-	$EE-,F,	$-4E++5F-		
				D L>D&AJHA	$5E-56-
				D L>D&AJHA	$-4-2+5-
	)*+7*,-+-	$EE-26E	$4E)35-		
				D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4E)35-
	)*,3*,-+-	$EE-2E)	$64/735-7		
				D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4+6)6
				D L>D&AJHA	$-47E-53)
	: #+O)4&E),.;		&PMERKTSKZ		
HVE3&&)4&NDI [CL&NDB A<L&WF! @A>L&EG><A>& & CA<AE&WV-&			&PUUERVPS&VZ		
ND-CF<L&&D>' <3'					
	)*+,*,-+-	$-+E3F	$-765--		
				8: !KCG@% 8UB$!::A	$7F53-
				8: !KCG@% 8UB$!::A	$7F53-
	: #+O)4&E),.;		&PZKSIM		
HVE3&&)4&NDCF<L&&D>' <3' &			&PZKSIM		
NFW3A<aC&AWA! E>F <D aC					
	)*+7*,-+-	$-+7E6	$)5,		
				8: !KCG@KASDBH$9J8%U;	$)5,
	: #+O)4&E),.;		&USUU		
HVE3&&)4&NFW3A<aC&AWA! E>F <D aC&			&USUU		
NF9A\L&NA>' >3F& &N' [>DAW					
	)*,3*,-+-	$-,+)+	$-5--		
				8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;		&IMBM		
HVE3&&)4&NF9A\L&NA>' >3F& &N' [>DAW &			&IMBM		
NF<N&A<EA>->DCAC L&D<! S					
	)*+,*,-+-	$-+E3E	$)4E6-5--		
				%D>C$H=:HI $AJHA	$46--5-
				%D>C$H=:HI $AJHA	$426-5-
	: #+O)4&E),.;		&JCKMBM		
HVE3&&)4&NF<N&A<EA>->DCACL&D<! S&			&QERPUSKM		
NF<\' WACL&[>D <					
	)*,3*,-+-	$-,+),	$-5--		
				8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;		&IMBM		
HVE3&&)4&NF<\' WACL&[>D <&			&IMBM		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
NF<\' WA\ L&9' >D[A W					
	)*+,*,-+-	$-+E37	$5)55-		
				8: !KCG@B>; B9C$$BAUBAA: G	$6)55-
	: #+0)4&E),.;		&KUSKM		
HVE3&8)4&NF<\' WA\ L&9' >D[AW&			&KUSKM		
NF>3F<L&] DWAD 9&D>:D<N&DDD					
	)*6*,-+-	$-+3,7	$225E		
				8: !KCG@&G$HB>; B9C$!::A	$225E
	: #+0)4&E),.;		&TTS&Q		
HVE3&8)4&NF>3F<L&] DWAD 9&D>:D<N&DDD&			&TTS&Q		
NF>9&D<!S					
	)*,3*,-+-	$-,+)2	$24)EE5E2		
				M-CB;98B-D&AK%%DBA@&>8IA&U>B&C	$-423,5),
				M-CB;98B-D&AK%%DBA@&>8IA&U>B&C	$-46EB52E
				M-CB;98B-D&AK%%DBA@&>8IA&U>B&C	$5)+52
	: #+0)4&E),.;		&TILUQQ&ST		
HVE3&8)4&NF>9&D<!S&			&PPLMRZ&TP		
NFV'&HFF3C&FH&\'WDHF><D					
	)*6*,-+-	$-+32-	$75F)		
				8: !KCG@KA&DB-H$9J8%U;	$75F)
	: #+0)4&E),.;		&JZ&KU		
HVE3&8)4&NFV'&HF F3C&FH&\'WDHF><D&			&JZ&KU		
NF\3A! BD&8'<					
	)*6*,-+-	$EE-,F2	$FE25-		
				B&CA;8KH;98$AJHA@KCL$!K	$26+5-
				B&CA;8KH;98$AJHA@KCL$!K	$25-
	: #+0)4&E),.;		&QTS&M		
HVE3&8)4&NF\3A! BD&8'<&			&RJZP&M		
N>'HL&3'9					
	)*6*,-+-	$-+32+	$F65-		
				8: !KCG@%><*C: K;::8$!::A	$F65-
	: #+0)4&E),.;		&K<&M		
HVE3&8)4&N>'HL&3'9&			&K<&M		
N>'HHDEDE>'!BA>L&D<!S					
	)*6*,-+-	$EE-,F)	$2)-5-		
				H>U: 8>$B: %>B&B	$2)-5-
	: #+0)4&E),.;		&TUMB&M		
HVE3&8)4&N>'HHDEDE>'!BA>L&D<!S&			&QTUMB&M		

MV00062308

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
N>' <D GCL&D<! S				
)*6*,-+-	$-+32,	$-2765,		
			U>C>L: G&AJH@E5: 9&A; 8: >UE5L	$-426-5-
			U>C>L: G&AJH@E5: 9&A; 8: >UE5L	$65.
)*+7*,-+-	$-+7E3	$-2-5-		
			%&GH>A; E5L$U>C>L: G&AJH	$-2-5-
	: #+0) 4&E),.;	&PKJKS&J		
HVE3 &) 4&N>' <D GCL&D<! S&		**&PUTUJS&M**		
N>' -@D &CFWGEDF<C&WE3 S				
)*6*,-+-	$-+322	$-F65-		
			AKCC<UG&?DJG&B: J B$?&8 9M&AJHA	$-F65-
	: #+0) 4&E),.;	&PXK&M		
HVE3 &) 4&N>' -@D &CFWGEDF<C&WE3 S&		**&TRMPS&K**		
N>DHHD<L&9' >WA<A &				
)*6*,-+-	$-+F7,	$2-653-		
			8: ; E5: : $U: GEH>D&?: C: !B	$2-653-
	: #+0) 4&E),.;	&TMKS&M		
HVE3 &) 4&N>DHHD<L&9' >WA<A& &		**&ILUTRS&P**		
N>FG-&& AWE' & F<CGWE' <ECL&D<!				
)*,3*,-+-	$-,+))	$-47665-		
			%K?&A!; <?DGL$H9CJ: 8AE9C$%&9M	$-47665-
	: #+0) 4&E),.;	&PZKK&M		
HVE3 &) 4&N>FG-&& AWE' & F<CGWE' <ECL&D<! &		**&LTPK&M**		
NGACE&CA>: D AC				
)*+,*,-+-	$-+EF-	$2)5E		
			H9K8A: TB+,2*>%B,3@J><F4$-+-	$2)5E
	: #+0) 4&E),.;	&TUS&Q		
HVE3 &) 4&NGACE&CA>: D AC&		**&TUS&Q**		
NGDWW <L&>A[A!!' &CS				
)*6*,-+-	$-+32)	$325-3		
			8: ; E5: : $U: GEH>D&?: C: !B	$325-3
	: #+0) 4&E),.;	&RTS&R		
HVE3 &) 4&NGDWW <L&>A[A!!' &CS&		**&PLPMK&P**		
NGDWWDCL&WD<3' &[S				
)*6*,-+-	$-+326	$2+E5F2		
			8: ; E5: : $U: GEH>D&?: C: !B	$2+E5F2
	: #+0) 4&E),.;	&TPQ&T		
HVE3 &) 4&NGDWWDCL&WD<3' &[S&		**&TLPQX&M**		

MV00062309

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#$) 8&. / (#+,	-./(#+,& '()*+,012
NGEDA>>A\ L&F[A> E				
	)'6*,-+-	$-+323	$2+E5F2	
			8: ; B3: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&T	
HVE3 &) 4&NGEDA>> A\ L&F[A> E&			&PLQZJ&ZM	
NGVaC&W <3C! ' -A&9' D<EA<' <! A				
	)'6*,-+-	$-+32F	$235E7	
			8: !KCG@KA&DBH$9J8%U;	$235E7
	: #+O) 4&E) ,. ;		&TR&&Z	
HVE3 &) 4&NGVaC&W <3C! ' -A&9' D<EA<' <! A&			&TR&&Z	
NG\ 9' <aC& ' >E&CA>: D A				
	)*+,*,-+-	$EE-226	$4)75-	
			H>8; $B; 8JD&AJHA	$4)75-
	: #+O) 4&E) ,. ;		&JMLZ&M	
HVE3 &) 4&NG\ 9' <aC& ' >E&CA>: D A&			&JMLZ&M	
@& & &<' DW				
	)'6*,-+-	$-+32E	$7+5-	
			8: !KCG@KA&DBH$9J8%U;	$7+5-
	: #+O) 4&E) ,. ;		&ZP&M	
HVE3 &) 4&@& & &<' DW&			&ZP&M	
@& &>&[WF! B				
	)*+,*,-+-	$-+EF+	$-,65-2	
			?KA&DBH$9J8%U; $B!CG	$F-5E
			?KA&DBH$9J8%U; $B!CG	$6)5F6
	: #+O) 4&E) ,. ;		&RJK&T	
HVE3 &) 4&@& & &[WF! B&			&RJK&T	
@& &DL&D<! S				
	)'6*,-+-	$-+327	$65-	
			8: !KCG@KA&DBH$9J8%U;	$65-
	: #+O) 4&E) ,. ;		&JK&M	
HVE3 &) 4&@& &DL&D<! S&			&JK&M	
@ 9[G>NL&D>A<A				
	)'6*,-+-	$-+F72	$7635-7	
			8: ; B3: : $U: GBH>D&?: C: !B	$7635-7
	: #+O) 4&E) ,. ;		&ZKR&FZ	
HVE3 &) 4&@ 9[G>NL&D>A<A&			&LJZP&RX	

MV00062310

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
@ 9VD<L&] DVVD 9&>S					
	)'6*,-+-	$-+F7)	$2+6557		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+6557
	: #+O) 4&E) ,. ;		&TPK&KZ		
HVE3 &) 4&@ 9VD<L&] DVVD 9&>S&			&TLJTQ&VU		
@ <' <D L&>' <3'					
	)*+7*,-+-	$-+7EF	$-5-		
				8: !KCG@&>?B A&G: %	$-5-
	: #+O) 4&E) ,. ;		&IMB&VM		
HVE3 &) 4&@ <' <D L&>' <3' &			&CPS&VM		
@ <3V&>A-' D>&CA> : D A					
	)'6*,-+-	$-+3)-	$2+5-E		
				8: !KCG@KA&DBH&9J8%U;	$2+5-E
	: #+O) 4&E) ,. ;		&TPS&VQ		
HVE3 &) 4&@ <3V&>A-' D>&CA> : D A&			&TPS&VQ		
@ <ACL&9' >ED<&3S					
	)'6*,-+-	$-+F76	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&@ <ACL&9' >ED<&3S&			&TLPQX&TM		
@ <CA<L&>F[A>E&WS					
	)*,3*,-+-	$-,+)3	$9-FF5-		
				% 8$GB U@HH$>; ; <A&A%&BEC L&H9C!	9-FF5-
	: #+O) 4&E) ,. ;		&PXX&VM		
HVE3 &) 4&@ <CA<L&>F[A>E&W&			&TKL&VM		
@ --V&EDD A&[FFB&CEF>A					
	)*+7*,-+-	$-+7EE	$F+5,		
				8: !KCG@KA&DBH&9J8%U;	$F+5.
	: #+O) 4&E) ,. ;		&PS&VJ		
HVE3 &) 4&@ --V&EDD A&[FFB&CEF>A&			&PS&VJ		
@ >3D<N L&^F@<&CS					
	)'6*,-+-	$-+3)+	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&@ >3D<N L&^F@<&CS&			&TLPQX&TM		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
@ >E9' <<L&>D B					
	)*6*,-+-	$-+3),	$2F5)3		
				8:; B: :$U: GH>D?: C: !B	$2F5)3
	: #+0)4E),.;		&RTXSJR		
HVE3 &) 4@ >E9' <<L&>D B&			&ILKJSKX		
@ EHDAW3 L& @ >WAC					
	)*6*,-+-	$-+3)2	$2+E5F2		
				8:; B: :$U: GH>D?: C: !B	$2+E5F2
	: #+0)4E),.;		&TPQSKT		
HVE3 &) 4@ EHDAW3 L& @ >WAC&			&ILKJZSJK		
@ GCA>L& 3>D <'					
	)*+7*,-+-	$-+7E7	$F7E5-		
				E:A; 8KH; E9C$AJHA@+$G><A	$F7E5-
	: #+0)4E),.;		&KZQSM		
HVE3 &) 4@ GCA>L& 3>D <' &			&TLTMRSM		
@3 W7@D<3 A>WEA>&3 A&WW 9' C& & CCF !D EAC					
	)*6*,-+-	$-+3))	$)4665-		
				H9C; 8>H; $AJHA@> D A$ >W	$7--5-
				>KGB$AJHA@> D A $ >W	$4EE,552
				>KGB$AJHA@> D A $ >W	$F,56F
	: #+0)4E),.;		&LJKKSM		
HVE3 &) 4@3 W7@D<3 A>WEA>&3 A&WW 9' C& & ' CCF !D EAC&			&PRMTZSKP		
@AA>V&D<EA><' EDF <' WL&D<!S					
	)*+7*,-+-	$EE-267	$-F4)E-5-		
				C: P$U>E:$D?78>8< $%8 9M$AJHA	$-F4)E-5-
	: #+0)4E),.;		&PXLJCMBM		
HVE3 &) 4@AA>V&D<EA><' EDF <' WL&D<!S&			&JPKLMKJSKK		
@AHHWAVL&>FCC&]S					
	)*6*,-+-	$-+F73	$2+E5F2		
				8:; B: :$U: GH>D?: C: !B	$2+E5F2
	: #+0)4E),.;		&TPQSKT		
HVE3 &) 4@AHHWAVL&>FCC&]S&			&ILKJZSJK		
@A9-@DWW&3' V!' >A					
	)*6*,-+-	$-+3)6	$5)5-		
				8:!KCG@KA$D:H$9J8%U;	$5)5-
	: #+0)4E),.;		&KJSM		
HVE3 &) 4@A9-@DWW&3' V!' >A&			&KJSM		

MV00062312

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
@A>9' <&] AIICBA>L &I<! S				
	)*6*, -+-	$-+3)3	$F65-6	
			8: !KCG@KASIIH9J8%U;	$F65-6
	: #+O) 4E) ,. ;		&KKSPK	
HVE3 &) 4&@A>9' <&] AIICBA>L &I<! S&			&KKSPK	
@A>>D BL&>F[A>E&3S				
	)*6*, -+-	$-+3)F	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQSKT	
HVE3 &) 4&@A>>D BL&>F[A>E&3S&			&TTPQXSTM	
@ACWI<L&9D @' AW&BS				
	)*+, *, -+-	$-+EF,	$2+E52-	
			; 8>J: D$ W%@CCD$H>$LBA$H9C!5	$3, 52-
			; 8>J: D$ W%@CCD$H>$LBA$H9C!5	$635-
	: #+O) 4E) ,. ;		&TPQSTM	
HVE3 &) 4&@ACWI<L&9D @' AW&BS&			&ZJZS&M	
@D BF>V&H' >9C				
	)*6*, -+-	$-+3)E	$)5-+	
			8: !KCG@KASIIH9J8%U;	$)5+
	: #+O) 4E) ,. ;		&USSMP	
HVE3 &) 4&@D BF>V&H' >9C&			&USSMP	
@DNNCL&3A[>'				
	)*,3*, -+-	$-,+)F	$6,5-	
			EIA; 8KH; 98$AJHA@EI&%>EI; EIL	9-))5-
			EIA; 8KH; 98$AJHA@EI&%>EI; EIL	$E5-
			EIA; 8KH; 98$AJHA@EI&%>EI; EIL	$E-5-
	: #+O) 4E) ,. ;		&IKJSSM	
HVE3 &) 4&@DNNCL&3A[>' &			&PLPPRS&M	
@FN' >3L&\F@<&ES				
	)*6*, -+-	$-+3)7	$F--5-	
			8: ; BB: : $U: GBH>D&?: C: !B	$F--5-
	: #+O) 4E) ,. ;		&IMMBM	
HVE3 &) 4&@FN' >3L&\F@<&ES&			&QPXSPK	
@FWE\ L&NWF>D				
	)*+7*, -+-	$-+77-	$-5-	
			8: !KCG@&>?BA$G: %	$-5-
	: #+O) 4E) ,. ;		&IMBM	
HVE3 &) 4&@FWE\ L&NWF>D &			&IMBM	

MV00062313

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
@F GCA> L&A3 DE@&AS				
	)*6*, -+-	$ -+36-	$2+E5F2	
			8: ; B&: : $U: GBH>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&@F GCA> L&A3 DE@&AS&			&TTPQXSTM	
@G[& F<CE>G! EDF< &C-A! D WDEACL&D< !				
	)*+7*, -+-	$ -+77+	$))55E	
			8: ! KCG@KAS&DBH$9J8%U;	$))55E
	: #+O) 4&E) ,. ;		&JU&XQ	
HVE3 &&) 4&@G[& F<CE>G! EDF< &C-A! D WDEACL& B< ! &			&JU&XQ	
@G[[' >3 L&9 F<AE				
	)*+7*, -+-	$ -+77,	$ -5- -	
			8: ! KCG@&>?B A$G: %	$ -5- -
	: #+O) 4&E) ,. ;		&IMBMM	
HVE3 &&) 4&@G[[' >3 L&9 F<AE&			&IMBMM	
@G<EL&WA_V				
	)*+7*, -+-	$ -+772	$6, 5- -	
			8: ! KCG@BJ: 198 9; A	$6, 5- -
	: #+O) 4&E) ,. ;		&KJ&MM	
HVE3 &&) 4&@G<EL&WA_V&			&KJ&MM	
D 9' &>AED>A9A<E&! F>-&UKX				
	)*7*, -+-	$ 3+3	$74&E75&)	
			G: ! $+9U%&) 6F$) * -7*+-	$74&E75&)
	)*, 2*, -+-	$ 3,)	$9-, 4) +-52F	
			G: ! $+9U%&) 6F$) *, 2*+-	$9-, 4+-52F
	: #+O) 4&E) ,. ;		&JJIMZZSZP	
HVE3 &&) 4&D 9' & A ED>A9A<E&! F>-&UKX&			&TPPLKQJJSZP	
DW&CF>>A<EF&9 F[DWA&' >B				
	)*+, *, -+-	$ -+EF2	$-6E5 6	
			8: ! KCG@&; $KA: 8$>W A	$-6E5 6
	: #+O) 4&E) ,. ;		&PKQ&IK	
HVE3 &&) 4&DW&CF>> A<EF&9 F[DWA&' >B &			&PLRXRSTP	

MV00062314

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
D9' <DABD<N					
	)*6*,-+-	$-+36+	$-,25-		
				8: !KCG@>8E9KA$*H9 : : A	$-5-
				8: !KCG@>8E9KA$*H9 : : A	$-5-
				8: !KCG@>8E9KA$*H9 : : A	$-5-
				8: !KCG@>8E9KA$*H9 : : A	$-E5-
				8: !KCG@>8E9KA$*H9 : : A	$-65-
				8: !KCG@>8E9KA$*H9 : : A	$6-5-
	: #+O) 4&E) ,. ;		&RJTS&M		
HVE3 &&) 4&9' <DABD<N&			&RJTS&M		
D9-A>D W&I GCEF9&! ' [D<AECLA&D<!					
	)*+7*,-+-	$-+77)	$ 255-		
				8: !KCG@KASDB-H$9J8%U;	$ 255-
	: #+O) 4&E) ,. ;		&JTS&M		
HVE3 &&) 4&9-A>D W&I GCEF9&! ' [D<AECLA&D<! &			&JTS&M		
D<N&GC' & <<GDEV& &WDHA&D<CG>' <! A & FS					
	)*+,*,-+-	$-+EF)	$ F65-		
				C9C@W U%; $-CCKB; <	$ F65-
	: #+O) 4&E) ,. ;		&JXKS&M		
HVE3 &&) 4&D<N&GC' & <<GDEV& &WDHA& D<CG>' <! A& FS&			&JLXKMB&M		
D<W <3& F<E>' ! EF>CLA&D<! S&3[' dA<:D>F YEACE					
	)*,3*,-+-	$-,+)E	$-4-725 6		
				CKBA>CH: $-?; UC; $AJHA@E3+-,-+6	$-4-725 6
	: #+O) 4&E) ,. ;		&PLPZTS&K		
HVE3 &&) 4&D<W <3& F<E>' ! EF>CL& D<! S&3[' dA<:D>F YEACE&			&RJLPJMB&R		
D<W <3&A9-D>A& > ! @DE>! EG>' W&C-A! D WEDACL					
	)*6*,-+-	$-+36,	$2,53)		
				8: !KCG@KASDB-H$9J8%U;	$2,53)
	: #+O) 4&E) ,. ;		&TJS&U		
HVE3 &&) 4&D<W <3&A9-D>A& > ! @DE>! EG>' W& C-A! D WEDACL&			&TJS&U		
D<W <3&A9-D>A&9' N' \ D<A					
	)*+,*,-+-	$-+EF6	$-4 765-		
				>GJ: 8; BAECL$AJHA@GG	$-4 765-
	: #+O) 4&E) ,. ;		&PLJZKS&M		
HVE3 &&) 4&D<W <3&A9-D>A&9' N' \ D<A&			&KLPQMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
D<W <3 8A9-D>A&> F-A>EV&CA>:D AL&D<!				
)*+7*,-+-	$EE-23-	$E,)5-		
			CKBA>CH: $>?; UC; $AJH@7F+E---3	$FF5-
			CKBA>CH: $>?; UC; $AJH@B H=BC L*U	$6-5-
			CKBA>CH: $>?; UC; $AJH@22F+$%>C	$-,,5-
			=>D $AJHA@I9G:	$F65-
	: #+0) 4&E),.;	&QJUS M		
HVE3 &) 4&& W <3 8A9-D>A&>F-A>EV& CA>:D AL&&!&		&KKLUTX$PM		
D<W <3 8MQ>'>V&C VCEA9				
)*+,*,-+-	$-+EF3	$-4E325+		
			,--7*+-$U: U?: 8A= B%GK: A	$-4E325+
	: #+0) 4&E),.;	&PLQRTS$P		
HVE3 &) 4&& W <3 8MQ>'>V&CVCEA9&		&UUMUX$XP		
D<CB A&-W <ECL&D<!S				
)*,3*,-+-	$EE-2E6	$2+35-		
			%D>C; $U>BC; @I8H	$2+35-
	: #+0) 4&E),.;	&TPRS M		
HVE3 &) 4&& CB A&-W <ECL&&!S&		&TLPRMB M		
D<EA><' W&>A: A<GA &CA>:D A				
)*+*,-+-	$3++	$4--5-		
			G: %&I: G$ >V$P*=$)*+*+-	$4--5-
	: #+0) 4&E),.;	&UUMMB M		
HVE3 &) 4&& EA><' W&>A: A<GA&CA>:D A&		&TLPQUTUQ$Z		
D>F<&9 FG<E' D<&FHHYCDEA&&' E' &>FE A! EDF<				
)*6*,-+-	$-+362	$7)357		
			G>; >$A; 98>L: $AJH A	$7)357
)*,3*,-+-	$-,+)7	$-4+655)		
			G>; >$A; 98>L: $AJH A	$-4+655)
	: #+0) 4&E),.;	&PLZRJ$KT		
HVE3 &) 4&& F<&9 F G<E' D<&FHHYCDEA&&' E' & ->FEA! EDF<&		&PPLKQX$JU		
D>F<] FF3 &C9 FBA&C @F-				
)*+7*,-+-	$-+776	$F+573		
			8: !KCG@KA$DB H$9J8%U;	$F+573
	: #+0) 4&E),.;	&PS$R		
HVE3 &) 4&& F<] FF 3 &C9 FBA&C@F-&		&PS$R		

MV00062316

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
DCN&E@A>9' W&CVCE A9 C&GC' L&D<!				
) *6*, -+-	$ -+36)	$6F5)		
			; = : 8U>D&BJ>LB&CL$H>U: 8>$B: %>BB	$6F5)
			; = : 8U>D&BJ>LB&CL$H>U: 8>$B: %>BB	$-56)
			; = : 8U>D&BJ>LB&CL$H>U: 8>$B: %>BB	@56)
: #+O) 4&E) ,. ;		&KKX$RU		
HVE3 &) 4&DCN&E@A>9' W&CVCEA9 C&GC' L&D<! &		&ZRUX&Z		
DCC&C] AA- D<N L&D<! S				
) *6*, -+-	$EE- , E-	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F. -5-
) *, 3*, -+-	$EE-2E3	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F, -5-
: #+O) 4&E) ,. ;		&JLKTP$JM		
HVE3 &) 4&DCC&C] A A- D<N L&D<! S&		&JTLKKM$JM		
^&& &@&& F<E>' ! ED<N				
) *6*, -+-	$EE- , E+	$24+65-		
			H9C; 8>H; $AJHA@A$Z6E	$24+65-
: #+O) 4&E) ,. ;		&LTPK$JM		
HVE3 &) 4&&& &@&& F<E>' ! ED<N&		&RRLTKP$LJ		
^' ! BCF<L&^A>' 9V				
) *+, *, -+-	$ -+EFF	$-4 2-5-		
			; KB;B9C$B: BJ?K8A: U: C;	$-4 2-5-
: #+O) 4&E) ,. ;		&PLJTM$JM		
HVE3 &) 4&' ! BCF<L&A>' 9V&		&PLXRT$XM		
^' <<AV& &' <<AV&' EEF><AV&C: ! CL&D<! S				
) *+, *, -+-	$ -+EFE	$F65-		
			D L>D&H9K8B 8$AJ HA	$F65-
: #+O) 4&E) ,. ;		&KK$JM		
HVE3 &) 4&' <<AV&' &' <<AV& EEF><AV& C: ! CL&D<! S&		&PLQKT$JM		
^' G>ANGD&FC! ' >				
) *6*, -+-	$ -+366	$-E) 5-		
			8: ! KCG@B>; B9C$9J 8%LJ;	$-E) 5-
: #+O) 4&E) ,. ;		&PQLJ$JM		
HVE3 &) 4&' G>ANGD&FC! ' >&		&PLMTP$LJ		

MV00062317

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
^3 A3 NA&CFHE] ' >AL &WW!				
)*6*,-+-	$-+F7F	$F6-5-		
			H9CAKD, E&L$AJHA@9!; P>8: $G: J	$F6-5-
)*+,*,-+-	$EE-223	$665-		
			H9CAKD, E&L$AJHA@8	$665-
)*+7*,-+-	$EE-23+	$64)-5-		
			H9CAKD, E&L$AJHA	$64)-5-
: #+O) 4&E),.;		&RLUUK$M		
HVE3 &) 4&3 A3 NA&CFHE] ' >AL&WW! &		&PMRLRZX$RQ		
^@&3 ACDN<& & CCF ! D EAC				
)*+*,-+-	$EE-,6F	$E,+5-		
			C>U: $%CN$G&A%D><@GG	$E,+5-
: #+O) 4&E),.;		&QJP$M		
HVE3 &) 4&@&3 ACDN<& & CCF ! D EAC&		&QLUXP$M		
^D9 A<A\ L&A9 9' <GA W				
)*,3*,-+-	$-,+6-	$-,5-		
			8: !KCG@>CI $!: : A$9C$9J8H=8LG$G	$-.5-
: #+O) 4&E),.;		&PMJ$M		
HVE3 &) 4&D A<A\ L&A9 9' <GAW&		&PMJ$M		
^^:C&9' >BAE& &WDcGF>				
)*6*,-+-	$-+363	$-635--		
			8: !KCG@KA$D&H$9J8%U;	$-6-5E
			8: !KCG@KA$D&H$9J8%U;	$&)3
			8: !KCG@KA$D&H$9J8%U;	$523
: #+O) 4&E),.;		&PKR$M		
HVE3 &) 4&^:C&9' >BAE& &WDcGF>&		&PKR$M		
^F@<&3 AA>A&W <3C ! ' -ACL&D<! S				
)*+7*,-+-	$-+773	$F)5)		
			8: !KCG@KA$D&H$9J8%U;	$F)5)
: #+O) 4&E),.;		&U$RU		
HVE3 &) 4&F@<&3 A A>A&W <3C ! ' -ACL&D<! S&		&U$RU		
^F@<CF<L&3 AWD				
)*,3*,-+-	$-,+6+	$F,5-		
			E&A; 8KH; 98$AJHA@: 89?&HA	$F,5-
: #+O) 4&E),.;		&J$M		
HVE3 &) 4&F@<CF< L&3 AWD &		&TJ$M		

MV00062318

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
^FWWD[AA				
	)*+7*,-+-	$-+77F	$FF52E	
			8: !KCG@KASDBH$9J8%U;	$FF52E
	: #+O) 4E) ,. ;		&XSTQ	
HVE3 &) 4&F WWD[AA&			&XSTQ	
^F<AC&DDD&^FCA- @				
	)*+7*,-+-	$-+77E	$E65 5-	
			UBD >L: $B: BJ?K8A : U: C;	$2) 55-
			UBD >L: $B: BJ?K8A : U: C;	$6+5 -
	: #+O) 4E) ,. ;		&XKSVM	
HVE3 &) 4&F<AC&DDD&FCA- @&			&XPSLK	
^F<ACL&CGC' <				
	)*6*,-+-	$-+F7E	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQ&XT	
HVE3 &) 4&F<ACL&CGC' <&			&TLPQXSTM	
^FG><AVC&PMPX				
	)*6*,-+-	$-+36F	$E65 6	
			8: !KCG@KASDBH$9J8%U;	$E65 6
	: #+O) 4E) ,. ;		&XKSJK	
HVE3 &) 4&FG><AVC&PMPX&			&XKSJK	
^E[&CG- -WW& FSL&D<! S				
	)*+7*,-+-	$-+777	$E4 +-52	
			AJH$H>?BC: ; $!98$ 8>!$ABLC>D	$E4 +-52
	: #+O) 4E) ,. ;		&LJPMRT	
HVE3 &) 4&E[&CG- -WW& FSL&D<! S&			&KTLMMD&P	
^G' <DE' C&9' >BAE				
	)*6*,-+-	$-+36E	$3F5-	
			8: !KCG@KASDBH$9J8%U;	$3F5 -
	: #+O) 4E) ,. ;		&RXSVM	
HVE3 &) 4&G' <DE' C&9' >BAE&			&RXSVM	
B& &[ACEL&D<!				
	)*6*,-+-	$-+367	$3F5-	
			8: !KCG@KASDBH$9J8%U;	$F+5 2
			8: !KCG@KASDBH$9J8%U;	@) 5 2
	: #+O) 4E) ,. ;		&XSVM	
HVE3 &) 4&B& &[ACEL&D<! &			&XSVM	

MV00062319

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
B' DCA>& A>9' <A<E A					
	)*+7*,-+-	$-,---	$2-5-		
				8: !KCG@>DA: $>D>8U$: :	$2-5-
		: #+O) 4E) ,. ;	&TMB/M		
HVE3 &) 4&B' DCA>&-A>9' <A<EA&			&TXUPS&J		
B' C@AHD-FG>L&@FC CAD<					
	)*6*,-+-	$-+33-	$-2)5+		
				UED >L: $B: BJ?K8A : U: C;	$2)5+
				UED >L: $B: BJ?K8A : U: C;	$--55-
		: #+O) 4E) ,. ;	&PTUS&P		
HVE3 &) 4&B' C@AHD-FG>L&@FCCAD< &			&JXJS&P		
B3 9 &9 A> D< D <L&D< ! S					
	)*,3*,-+-	$EE-2EF	$E4+-5-		
				?9: EC L*UHG9CC: D$AEG: P>D $%89M	$24765-
				; : UH9$A; 5$AEG: P> D $%89M	$4F-5-
				J9KL=; $A; 5$AEG: P >D $%89M	$)65-
		: #+O) 4E) ,. ;	&QRPMB/M		
HVE3 &) 4&B3 9 &9 A> D< D <L&D< ! S&			&RQUKS/M		
BAAN' <L& ' >FW					
	)*+7*,-+-	$-,--+	$-5-		
				8: !KCG@&>?B A$G: %	$-5-
		: #+O) 4E) ,. ;	&JMB/M		
HVE3 &) 4&BAAN' <L& ' >FW&			&JMB/M		
BA<<AE@&'F@<CF<					
	)*6*,-+-	$-+33+	$6E5-		
				8: !KCG@KADH9J8%U;	$6E5-
		: #+O) 4E) ,. ;	&KQB/M		
HVE3 &) 4&BA<<AE@&'F@<CF< &			&KQB/M		
BA>A<VD&'F@<					
	)*6*,-+-	$-+33,	$-7,5-		
				% 8$GB U@8>CAEJ A$H9C!5	$-7,5-
		: #+O) 4E) ,. ;	&PZJS/M		
HVE3 &) 4&BA>A<VD&'F@< &			&PZQB/M		
BD<N L&-' E>D D & S					
	)*6*,-+-	$-+332	$2+E5-F2		
				8: ; EB: : $U: GEH>D$?: C: !B	$2+E5-F2
		: #+O) 4E) ,. ;	&TPQ&T		
HVE3 &) 4&BD<N L&-' E>D D & S&			&UKUZS&K		

MV00062320

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
BF' & F>-F>' EDF<				
)*6*,-+-	$-+33)	$-64F,25-		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-)4725-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-463-5-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$F-5-
)*,3*,-+-	$-,+6,	$-4E)+5,6		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-4E)+5,6
	: #+O)4&E),.;	&RLKRUSTK		
HVE3&)4&BF' & F>-F>' EDF<&		&JPPLQXX&M		
BFW[L& @ >WAC&AS				
)*6*,-+-	$-+F77	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFW[L& @ >WAC&A&&		&TLPQXSTM		
BFWW >L&BVWA				
)*6*,-+-	$-+336	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFWW >L&BVWA&		&PLJXUSZJ		
BVWAL&N' >V&9S				
)*6*,-+-	$-+E--	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BVWAL&N' >V&9S&		&ILKUZS&K		
W& &N& ' [WA& F<CE>G! EDF<				
)*+7*,-+-	$-,--,	$6F5-		
			8: !KCG@KAS&DBH$9J8%U;	$6F5-
	: #+O)4&E),.;	&KX&M		
HVE3&)4&W& &N& ' [WA& F<CE>G! EDF<&		&KX&M		
W [AWWAY9' >:D<L&D<! S				
)*,3*,-+-	$-,+62	$E4--5-		
			AKCC<UG$?DJG$B: J B, $%89M&AJHA	$E4--5-
	: #+O)4&E),.;	&QLPMVB&M		
HVE3&)4&W [AWWAY9' >:D<L&D<! S&		&QLPMVB&M		
W H' E' L&\FCA-@D< A				
)*6*,-+-	$-+E-+	$2+6557		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+6557
	: #+O)4&E),.;	&TPK&XZ		
HVE3&)4&W H' E' L&FCA-@D< A&		&TLPKQ&XU		

MV00062321

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&.//(#+,&'()*+,012	-./(#+,&'()*+,012
W <3A>CL&F>AE@'				
)*6*,-+-	$-+333	$--5-		
			8: !KCG@&: C; >D&G: %&2*,-*+-	$--5-
: #+O) 4&E) ,. ;		&IMVB&M		
HVE3 &) 4&W <3A>CL&F>AE@ &		&IMVB&M		
W <NA<3F>HL&[A<^' 9D<				
)*6*,-+-	$-+33F	$2+E5F2		
			8: ; B&: : $U: GB&H>D&?: C: !B;	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&X T		
HVE3 &) 4&W <NA<3F>HL&[A<^' 9D< &		&ILQRQ&X		
W E@' 9& &] ' EBD<CL&WW-				
)*,3*,-+-	$-,+6)	$4F)65-		
			%&9!$AJHA@>CG&G: J	$3,55-
			%&9!$AJHA@>CG&G: J	$-65-
			%&9!$AJHA@>CG&G: J	$F65-
			%&9!$AJHA@>CG&G: J	$-4EF56-
			%&9!$AJHA@>CG&G: J	$-47+65-
: #+O) 4&E) ,. ;		&JLXUK&M		
HVE3 &) 4&W E@' 9& &] ' EBD<CL&WW- &		&JLXUK&M		
W EDEG3A&T&9A3D &N>FG-				
)*+,*,-+-	$-+EF7	$-486-5-		
			>GJ: 8; B&EC L$AJHA@GG	$-486-5-
: #+O) 4&E) ,. ;		&PLRKVB&M		
HVE3 &) 4&W EDEG3A&T&9A3D &N>FG- &		&LLTMVB&M		
W] <&EA! @&AcGD-9A<E				
)*6*,-+-	$EE-,EF	$)+53F		
			UB&H$%>8; A@J>E&C; $C&9%8	$2EE5-
			UB&H$%>8; A@J>E&C; $C&9%8	$625)F
: #+O) 4&E) ,. ;		&JUPSRX		
HVE3 &) 4&W] <&EA! @&AcGD-9A<E &		&TLJMVS&Q		
W] VA>C&EDEWA&D<!				
)*+7*,-+-	$-,--2	$6-5-		
			%&8: DBJ$ B D $B% @&98%&8G$%&89M	$6-5-
)*,+*,-+-	$--)-7+	$-,47EE56-		
			: AH&9P$G: %&9AB; @>A: U: C; $%K8H=5	$-,47EE56-
: #+O) 4&E) ,. ;		&PTILJTQ&M		
HVE3 &) 4&W] VA>C&EDEWA&D<! &		&JPPLQKVB&M		

MV00062322

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
WAAL& @DWD 8&9 D @ AW				
)*6*,-+-	$-+33E	$)E-55F		
			8: !KCG@GUBC$HB>; B9CS!: : A	$)E-55F
: #+0) 4&E) ,. ;		&JCMBX		
HVE3 &) 4&WAAL& @DWD &9 D @ AW&		&JCMBX		
WADN@EF<& F<CGWE D<NL&D<! S				
)*+,*,-+-	$EE-22F	$-4))5-		
			D>AA: DD $A; $PBG: CBCL$/&89M&AJHA	$-4))5-
: #+0) 4&E) ,. ;		&PMDMUUS&M		
HVE3 &) 4&WADN@EF <& F<CGWEB NL&D<! S&		&JLCLRSRU		
WAF<C&9' CEA>& WA ' <D<N				
)*6*,-+-	$-+337	$F57		
			8: !KCG@KAS$DB-H$9J8%U;	$F57
: #+0) 4&E) ,. ;		&JXS&Z		
HVE3 &) 4&WAF<C&9 ' CEA>& WA' <B<N&		&JXS&Z		
WA] DCL& ' >FW/<&C S				
)*6*,-+-	$-+E-,	$2+6557		
			8: ; B&: : $U: GB-H>D&?: C: !B	$2+6557
: #+0) 4&E) ,. ;		&TPKS&Z		
HVE3 &) 4&WA] DCL&! ' >FW/<&C S&		&TLPKKSTM		
WA_DC<A_DC				
)*,3*,-+-	$EE-2EE	$-4)E-5-		
			9CDB: $D L>D&AJH A@; <$-; ; 98C: <	$F)-5-
			9CDB: $D L>D&AJH A@; <$HD 8I A	$2F-5-
			9CDB: $D L>D&AJH A@GG	$2F-5-
: #+0) 4&E) ,. ;		&PLUCMB&M		
HVE3 &) 4&WA_DC<A_DC&		&PKLPZKS&M		
WA_DC<A_DC&>' ! E D A&9 N9 ES				
)*,3*,-+-	$-,+66	$-4)F75)3		
			; U*?U$-CCK>D&U>BC; : C>CH:	$&265-
			; U*?U$-CCK>D&U>BC; : C>CH:	$7))5)3
: #+0) 4&E) ,. ;		&PLUXZS&R		
HVE3 &) 4&WA_DC<A_DC&>' ! ED A&9 N9 ES&		&PLUXZS&R		
WD9& &<' C! D9 A<EF &A<ND<AA>B<N& F>-S				
)*,3*,-+-	$-,+63	$,+4&EF5F-		
			% 88B&A?D&PBG: CBCL$! 89U$B>U$/%	$,+4&EF5F-
: #+0) 4&E) ,. ;		&PIRCX&M		
HVE3 &) 4&WD9& & <' C! D9 A<EF &A<NB<AA>B<N& ! F>-S&		&KKKLCMPSTX		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-. / (#+, & ' ( ) * +,012
WD9 F < L&^ F CA&9 L&9 S3 S				
) *6*, -+-	$ -+3F-	$2253		
			8: ! KCG@KAS DB H$9J8%U;	$2253
: #+O) 4&E) ,. ;		&TS'R		
HVE3 &&) 4&^VD F < L&^ F CA&9 L&9 S3 S&.		&TS'R		
WD< 3 F L&@A> 9 D<' &N S				
) *6*, -+-	$ -+E-2	$2+E5F2		
			8: ; BB: : $U: GBH> D&?: C: ! B)	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&^VD< 3 F L&@A> 9 D<' &N S&.		&UIXUPS&U		
WD- C! F 9 [L&>' V9 F < 3				
) *+7*, -+-	$ -, --)	$F65-		
			8: ! KCG@*C$G: %9AB)	$F65-
: #+O) 4&E) ,. ;		&KS&M		
HVE3 &&) 4&^VD C! F 9 [L&>' V9 F < 3 &		&KS&M		
WDC' &^' > 9' < &! F < C GWED< N				
) *+, *, -+-	$ -+EE-	$-4325-		
			H9CAKD) BC L$AJHA@A%	$-4325-
: #+O) 4&E) ,. ;		&PUVRTS&M		
HVE3 &&) 4&^VDC' &' > 9' < &! F < CGWED< N &		&PUVRTS&M		
WDEEWA&[AD^D< N				
) *+7*, -+-	$ -, --6	$EF5)6		
			8: ! KCG@KAS DB H$9J8%U;	$EF5)6
: #+O) 4&E) ,. ;		&QXS&JK		
HVE3 &&) 4&^VDEEWA&[AD^D< N &		&QXS&JK		
WF N' < L&! @' > WAC				
) *6*, -+-	$ -+E-)	$2+E5F2		
			8: ; BB: : $U: GBH> D&?: C: ! B)	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&^VF N' < L&! @' > WAC &		&ULMQ&RP		
WF < A&& > ' D< A> & & > F < EF & < F &UL&E@A				
) *6*, -+-	$ -+3F+	$225-		
			8: ! KCG@KAS DB H$9J8%U;	$225-
: #+O) 4&E) ,. ;		&TS&M		
HVE3 &&) 4&^VF < A&& > ' D< A> & & > F < EF & < F &UL& E@A &		&TS&M		

MV00062324

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '( ) *+,012
WF>&NAFEA! @<D ' W&N>FG-L&D<! S				
) *+7*, -+-	$EE-23,	$6F-5-		
			%&; 8E9; $%&>8I $%&89 M&AJHA	$2-5-
			%&; 8E9; $%&>8I $%&89 M&AJHA	$-)-5-
) *, 3*, -+-	$EE-2E7	$4)65-		
			J9KL=; $A; 5AE&: P>D $%&89M	$-43-5-
			; : UH9$A; 5AE&: P> D $%&89M	$7E65-
	: #+O) 4E) ,. ;		&ULCPK$M	
HVE3 &) 4&\F>&NAF EA! @<D ' W&N>FG-L&D<! S&			&RTLLVKP$RM	
WFGDCL&VDVD				
) *6*, -+-	$-+3F,	$3+5-		
			8: !KCG@D>AA$B: LEA*>8: C>$A9HH8	$3+5-
	: #+O) 4E) ,. ;		&RP$M	
HVE3 &) 4&\F GDCL&VDVD &			&RP$M	
WF] &>D A& GEF&N W CC&bRM				
) *6*, -+-	$-+3F2	$FF5-		
			8: !KCG@KADEH9J8%U;	$FF5-
	: #+O) 4E) ,. ;		&XS$M	
HVE3 &) 4&\F] &>D A& GEF&N W CC&bRM&			&XS$M	
WG9WAVL&>F[A>E& S				
) *6*, -+-	$-+E-6	$2+E5F2		
			8: ; EB: : $U: GEH>D$?: C: !B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQ$KT	
HVE3 &) 4&\G9WAVL&>F[A>E& S&			&TLPQXS$M	
9& &9&@' D>&C' WF<				
) *+7*, -+-	$-,--3	$265,6		
			8: !KCG@KADEH9J8%U;	$265,6
	: #+O) 4E) ,. ;		&TKS$K	
HVE3 &) 4&9 & &9&@' D>&C' WF<&			&TKS$K	
9&\& WA' <D<N& F9-' <V				
) *+7*, -+-	$-,--F	$,,5F		
			8: !KCG@KADEH9J8%U;	$,,5F
	: #+O) 4E) ,. ;		&UJ$X	
HVE3 &) 4&9 &&\ WA' <D<N& F9-' <V&			&UJ$X	
9&] &@& 9A>D ' CL&D<! S				
) *+7*, -+-	$-,--E	$2F5-		
			8: !KCG@KADEH9J8%U;	$2F5-
	: #+O) 4E) ,. ;		&TX$M	
HVE3 &) 4&9 &] &@& 9A>D ' CL&D<! S&			&TX$M	

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9' ! EA! & WA' <G-& F>-F>' EDF<				
)*+7*,-+-	$-,--7	$),5-		
			8: !KCG@KASDBH9J8%U;	$),5-
: #+0) 4&E) ,. ;		&JUS/M		
HVE3&) 4&9' ! EA! & WA' <G-& F>-F>' EDF<&		&JUS/M		
9' N<FWD & FFW& <3&C-' &CG--W				
)*6*,-+-	$-+3F)	$5+5 6		
			8: !KCG@KASDBH9J8%U;	$5+5 6
: #+0) 4&E) ,. ;		&KPSK		
HVE3&) 4&9' N<FWD & FFW& <3&C-' &CG--W&		&KPSK		
9' <' NA9A<E& 33A3 &CA>:D AC				
)*+7*,-+-	$-,-+-	$F52E		
			8: !KCG@KASDBH9J8%U;	$F52E
: #+0) 4&E) ,. ;		&XSTQ		
HVE3&) 4&9' <' NA9 A<E& 33A3&CA>:D AC&		&XSTQ		
9' <\' <FL&B' >W				
)*+7*,-+-	$-,-++	$--5-		
			8: !KCG@: C; >D&G: %9AB	$--5-
: #+0) 4&E) ,. ;		&MVB/M		
HVE3&) 4&9' <\' <FL&B' >W &		&TPJS/M		
9' >D<L&9' >E@'				
)*6*,-+-	$-+3F6	$675-		
			8: !KCG@D>AA$B: LBA*>8: C>$A9HH8	$675-
: #+0) 4&E) ,. ;		&KZS/M		
HVE3&) 4&9' >D<L&9' >E@ &		&KZS/M		
9' >B&[A' 9DC@&] ' EA>->FFHD<NL&D<!S				
)*6*,-+-	$-+3F3	$EF5-		
			8: !KCG@KASDBH9J8%U;	$EF5-
: #+0) 4&E) ,. ;		&QXS/M		
HVE3&) 4&9' >B&[A' 9DC@&] ' EA>->FFHD<NL& D<!S&		&QXS/M		
9' >>FcGD<L&A33V				
)*+,*,-+-	$-+EE+	$)-5-		
			8: !KCG@C; D&G: %	$-)-5-
			8: !KCG@C; D&G: %	$--5-
: #+0) 4&E) ,. ;		&UMB/M		
HVE3&) 4&9' >>FcGD<L&A33V&		&UMB/M		

MV00062326

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
9' >ED<A\L&H>' <B				
)*+,*, -+-	$-+EE,	$-365-		
			% 8$GB U@CCD&I B8: $'&8: J$P8I A=%	$-365-
	: #+0)4&E),.;	&PRK&M		
HVE3&&)4&' >ED<A\L&H>' <B&		&PRK&M		
9' E@DCL&<FW <				
)*6*, -+-	$-+3FF	$735-		
			8: ; BB: : $U: GBH>D&?: C: !B	$735-
	: #+0)4&E),.;	&ZR&M		
HVE3&&)4&' E@DCL&<FW <&		&ZZMM&M		
9' ED @& F>-F>' EDF<				
)*+7*, -+-	$EE-232	$64 62526		
			>A%=>D, BH$U>; : 8B>D	$-42,)52E
			>A%=>D, BH$U>; : 8B>D	$-42,)52E
			>A%=>D, BH$U>; : 8B>D	$-4 F. 516
			>A%=>D, BH$U>; : 8B>D	$-422+56)
	: #+0)4&E),.;	&KJKT&K		
HVE3&&)4&' ED @& F>-F>' EDF<&		&TKXJU&K		
9' _D<FCBD&CGA& S				
)*6*, -+-	$-+E-3	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;	&TPQ&T		
HVE3&&)4&' _D<FC BD&CGA& S&		&TPQX&M		
9! & F<<AWW& ' [D<AECL&D<! S				
)*6*, -+-	$-+3FE	$65-)		
			8: !KCG@KA&D&H$9J8%U;	$65-)
	: #+0)4&E),.;	&K&U		
HVE3&&)4&! & F<<AWW& ' [D<AECL&D<! S&		&K&U		
9! &<AAW&C&A3G! ' E DF<' W&H' 9DW&3' V& ' >A				
)*6*, -+-	$-+3F7	$225-6		
			8: !KCG@KA&D&H$9J8%U;	$225-6
	: #+0)4&E),.;	&T&K		
HVE3&&)4&! &AAW&C&A3G! ' EDF<' W&H' 9DW&3' V& ' >A&		&T&K		
9! ! ' >E@V& &[A>WD<L&WW-				
)*+7*, -+-	$EE-23)	$-46)65-		
			D L>D&AJHA@&; BB; BA	$-46)65-
	: #+0)4&E),.;	&PLKJK&M		
HVE3&&)4&! ! ' >E@V& &[A>WD<L&WW-&		&TPLPXK&Z		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[illegible] 3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
9! D					
	)*,3*,-+-	$-,+6F	$-4-7F56F		
				EC; : 8C: ; $H9CC: H; E9C$AJHA	$-4-7F56F
	: #+0) 4&E) ,. ;		&PLPZX$KX		
HVE3 &) 4&9 ! D&			&PTLTKR$KP		
9! D] F>W3! F9					
	)*,3*,-+-	$-,+6E	$-4-,E5-,		
				H9UUKCEH>; E9C$AJ HA	$-4-,E5-,
	: #+0) 4&E) ,. ;		&PLMJQ$PJ		
HVE3 &) 4&9 ! D] F> W3! F9&			&PMJZJ$JU		
9AW 3& & CCF! D E AC					
	)*+,*,-+-	$-+EE2	$4-6-53E		
				%D>C$H=: HI $AJHA	$4-6-53E
	: #+0) 4&E) ,. ;		&LPKMBRQ		
HVE3 &) 4&9 AW 3& & CCF! D EAC&			&TQLTXZ$TR		
9A<NDCEGL&/AC@D WA9					
	)*+,*,-+-	$-+EE)	$-+E56-		
				UED >L: $B: EJ?K8A : U: C;	$-+E56-
	: #+0) 4&E) ,. ;		&PPQ$KM		
HVE3 &) 4&9 A<NDCE GL&/AC@D WA9&			&ZZK$KK		
9A<FC&CEA>AFC					
	)*6*,-+-	$-+3E-	$F+52+		
				8: !KCG@KACEH9J8%U;	$F+52+
	: #+0) 4&E) ,. ;		&PS$P		
HVE3 &) 4&9 A<FC&C EA>AFC&			&PS$P		
9ACCD<L&/FGDC					
	)*6*,-+-	$-+E-F	$2+E5F2		
				8: ; EB: : $U: GEH>D$?: C: !B;	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ$KT		
HVE3 &) 4&9 ACCD<L&/FGDC&			&LKLZ$SK		
9NE&FH& 9A>D ' L&D<! S					
	)*+,*,-+-	$EE-22E	$24--5-		
				H9A; $HDJECL$AJHA @; =$N; 8$7*+-	$46--5-
				H9A; $HDJECL$AJHA @; =$N; 8$7*+-	$6--5-
	: #+0) 4&E) ,. ;		&TLMMBM		
HVE3 &) 4&9 NE&FH&' 9A>D ' L&D<! S&			&PJLMMBM		

MV00062328

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
9D @' AW& ' B@' >F: &C! ' HHFW3 D<N				
)*6*,-+-	$-+3E+	$65FF		
			8: !KCG@KAS DB-H$9J8%U;	$65FF
: #+0) 4E) ,. ;		&IKSXX		
HVE3 &) 4& D @' AW& ' B@' >F: &C! ' HHFW3 D<N		&IKSXX		
9DWACL&>F[A>E				
)*6*,-+-	$-+E-E	$9-7)552		
			8: ; BB: : $U: GB-H>D&?: C: !B;	$9-7)552
: #+0) 4E) ,. ;		&PZUSKT		
HVE3 &) 4& DWACL&>F[A>E&		&ILJJMBKR		
9D<' >3L&9' >B&AS				
)*6*,-+-	$-+E-7	$2-E5-F		
			8: ; BB: : $U: GB-H>D&?: C: !B;	$2-E5-F
: #+0) 4E) ,. ;		&TMDBPX		
HVE3 &) 4& D<' >3L&9' >B&AS&		&IZQRSKP		
9D>' !WA&>A! >A' EDF<&AcGD-9A<E				
)*+7*,-+-	$-,-+,	$-4F65)7		
			%D><L89KCG$ NKB%@&-8I A	$E7F57)
			%D><L89KCG$ NKB%@&-8I A	$-FF566
)*,3*,-+-	$-,+67	$-46F+5E2		
			%D><L89KCG$ NKB%@&-8I A	$6775 3
			%D><L89KCG$ NKB%@&-8I A	$-3)5,
			%D><L89KCG$ NKB%@&-8I A	$-75)7
			%D><L89KCG$ NKB%@&-8I A	$6775 3
: #+0) 4E) ,. ;		&IRUXSTJ		
HVE3 &) 4& D>' !WA&>A! >A' EDF<&AcGD-9A<E&		&ILUPRSU		
9DCCDF<&C@AAE&9A E' WL&D<! S				
)*+7*,-+-	$-,-+2	$6F5)6		
			8: !KCG@KAS DB-H$9J8%U;	$6F5)6
: #+0) 4E) ,. ;		&XSIK		
HVE3 &) 4& DCDF<&C@AAE&9A E' WL&D<! S&		&XSIK		
9DE! @AWWL&3' :D3				
)*+7*,-+-	$-,-+)	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4E) ,. ;		&IMBM		
HVE3 &) 4& DE! @AWWL&3' :D3&		&IMBM		

MV00062329

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9F3A><8D9' NA				
)*+7*,-+-	$-,-+6	$3E57)		
			8: !KCG@KASDBH$9J8%U;	$3E57)
: #+0) 4&E) ,. ;		&RQSZU		
HVE3&8) 4&9 F3A><8D9' NA&		&RQSZU		
9FWWD' L&9 DBA				
)*6*,-+-	$-+E+-	$)-+5),		
			8: ; BB: : $U: GBH>D&?: C: !B;	$)-+5),
: #+0) 4&E) ,. ;		&UVPSUU		
HVE3&8) 4&9 FWWD' L&9 DBA&		&TUJPPSTX		
9F<EDAWL&F>W <3F				
)*+7*,-+-	$-,-+3	$-65-		
			8: !KCG@CUDDBH: CA: $!: :	$-65-
: #+0) 4&E) ,. ;		&PKSVM		
HVE3&8) 4&9 F<EDAWL&F>W <3F&		&PKSVM		
9F>' L&' E>D D & S				
)*6*,-+-	$-+E++	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B;	$2+E5F2
: #+0) 4&E) ,. ;		&TPQSXT		
HVE3&8) 4&9 F>' L&' E>D D & S&		&TUPQXSTM		
9F>A<F&' WWAV&[W' !B&@' 9[A>&FH& F99A>!A				
)*6*,-+-	$-+3E,	$--5-		
			8: !KCG@?D&A; >L: $BC; D&G: %	$--5-
)*6*,-+-	$-+3E2	$-42F65-		
			?KABC: AA$AJHA@; =$BCA; DJC;	$-42F65-
: #+0) 4&E) ,. ;		&PLUXKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&[W' !B&@' 9[A>& FH& F99A>!A&		&KLQZTSVM		
9F>A<F&' WWAV&@' 9[A>&FH& F99A>!A				
)*+,*,-+-	$-+EE6	$34F65-		
			?KABC: AA$AJHA@; =$N; 8$7*+-	$34--5-
			P>I: @&%&U: :; BC:L@*,)	$-65-
			P>I: @&%&U: :; BC:L@*,)	$-65-
			P>I: @&%&U: :; BC:L@*,)	$-65-
			P>I: @&%&U: :; BC:L@*,)	$-65-
			P>I: @&%&U: :; BC:L@*,)	$-65-
: #+0) 4&E) ,. ;		&RUVKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&@' 9[A>&F H& !F99A>!A&		&ZLPMVBVM		

MV00062330

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
9F>A<F&' WWAV& DEV&A9-WFVAAC& CC F! S				
)*7*, -+-	$3+6	$-46F75-		
			UJH: >$GK: A$)*- 7*+-	$-46F75-
)*, 2*, -+-	$3, 2	$-46F75-		
			UJH: >$GK: A$)*, 2*+-	$-46F75-
: #+0) 4E) ,. ;		&TLPKQ&M		
HVE3 &) 4&9 F>A<F&:' WWAV& DEV&A9-WFVAAC& ' CCF! S&		&TULQKTS&M		
9F>A<F&' WWAV& WD<D' &9A3D' &H' 9DWD>				
)*+7*, -+-	$-, -+F	$-657F		
			8: !KCG@KA$DB-H$9J8%U;	$-657F
: #+0) 4E) ,. ;		&PMKSZX		
HVE3 &) 4&9 F>A<F&:' WWAV& WD<D' &9 A3D' & H' 9DWD>&		&PMKSZX		
9F>A<F&' WWAV& F 99G<DEV&A3G!' EDF<& A<EA>				
)*, 3*, -+-	$-, +3-	$F)65F6		
			; K; 98EDL$%&LU@JG?L	$F)65F6
: #+0) 4E) ,. ;		&UKSXK		
HVE3 &) 4&9 F>A<F&:' WWAV& F 99G<DEV & A3G!' EDF<& A<EA>&		&RLPZMSTM		
9F>A<F&' WWAV&N' EA]' VL&WW				
)*, 3*, -+-	$EE-27-	$,+4-725)2		
			D>A: @)>HEDB B A $-CCW$?DGL	$,4)6E57F
			D>A: @: H=$AJHA$>CCW	$64F657-
			D>A: @%HD$GEA; $>CCW	$-24-6E56-3
: #+0) 4E) ,. ;		&PLMZTSJT		
HVE3 &) 4&9 F>A<F&:' WWAV&N' EA]' VL&WW&		&PMZTUSTM		
9F>A<F&' WWAV&W] & A<EA>				
)*+7*, -+-	$-, -+E	$375EE		
			8: !KCG@KA$DB-H$9J8%U;	$375EE
: #+0) 4E) ,. ;		&RZSSQ		
HVE3 &) 4&9 F>A<F&:' WWAV&W] & A<EA>&		&RZSSQ		
9F>A<F&' WWAV&EF VFE'				
)*6*, -+-	$-+3E6	$-5-		
			A% HB-D$>W$B: EJ ?K8A: U: C;	$-324)665)7
			A% HB-D$>W$B: EJ ?K8A: U: C;	@324)665)7
: #+0) 4E) ,. ;		&VBM		
HVE3 &) 4&9 F>A<F&:' WWAV&EF VFE'&		&VBM		

MV00062331

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&G< DHDA3 &C! @FFW&3 DCE>D E				
)*6*,-+-	$-+3E3	$-7463-5-		
			; 8>CA%98; >; B9C$H9A; A@; >8A	$-7463-5-
)*6*,-+-	$-+3EF	$EE5-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$EE5-
)*6*,-+-	$-+3EE	$2-35-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$2-35-
: #+0) 4&E) ,. ;		&IMPKUS/M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&G< DHDA3 &C ! @FFW& 3 DCE>D E&		&JJUICRMB/K		
9F>A<F& ' WWAV&G E DWDEV				
)*,3*,-+-	$-,+3+	$3,5+		
			: D H; 8BHB<@&; $I DG$9! ! BH:	$3.5+
: #+0) 4&E) ,. ;		&RJS/P		
HVE3 &B) 4&9 F>A<F&: ' WWAV&EDWDEV&		&RJRICTXSTM		
9F>A<F& ' WWAV&] ' C@&@FGCA				
)*6*,-+-	$-+3E7	$,55-		
			8: !KCG@KAS DBH$9J8%U;	$,55-
: #+0) 4&E) ,. ;		&JJS&M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&] ' C@&@FGCA&		&JJS&M		
9F>N' <L&WDC' & S				
)*6*,-+-	$-+E+,	$2+E5F2		
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &B) 4&9 F>N' <L&WDC' & S&		&TIPQXSTM		
9F>>F] &9A' 3F] C& F>-F>' EDF<				
)*+7*,-+-	$-,-,-	$6-53)		
			8: !KCG@KAS DBH$9J8%U;	$6-53)
: #+0) 4&E) ,. ;		&KMBRU		
HVE3 &B) 4&9 F>>F] &9A' 3F] C& ! F>-F>' EDF<&		&KMBRU		
9G<D D' W&AcGD 9 A<E&9' D<EA<' <! A&' CCF				
)*6*,-+-	$-+37+	$F65-		
			U: U?: 8A=B%B: C: P >D	$F65-
: #+0) 4&E) ,. ;		&KS/M		
HVE3 &B) 4&9 G<D D' W&AcGD 9 A<E& 9' D<EA<' <! A& CCF &		&KS/M		

MV00062332

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
9G\' BL&WV				
)*+7*, -+-	$-, -, +	$325-2		
			8: !KCG@KASDBH$9J8%U;	$325-2
: #+0) 4&E) ,. ;		&RTS/T		
HVE3 &) 4&9 G\' BL&WV &		&RTS/T		
<' DF-Y<' EDF<' W& CCF! &FH&D<3 GCE>D' W& &FHH				
)*, 3*, -+-	$-, +3,	$24 635--		
			>GJ: 8; BAEC L$AJHA @GG	$24 635-
: #+0) 4&E) ,. ;		&TUJKR&V/M		
HVE3 &) 4&: ' DF-Y<' EDF<' W& CCF! &FH& D<3 GCE>D W& &FHH&		&RULKPJS&V/M		
<' <! VaC&E>G! BD<N L&D<!				
)*6*, -+-	$-+37,	$375--		
			8: !KCG@KASDBH$9J8%U;	$375-
: #+0) 4&E) ,. ;		&RZS&V/M		
HVE3 &) 4&: ' <! VaC&E>G! BD<NL&D<! &		&RZS&V/M		
<' EDF<] D&A&>AED>A9A<E&CFWGEDF<C				
)*7*, -+-	$3+2	$346) F5F7		
			%A; $G: !$H9U%&! 98 $! BH>$) *-7*+-	$346) F5F7
)*7*, -+-	$3+)	$,+4)-755,		
			G: !$H9U%&) 6F$D&) -+X-Y$) *-7*+-	$,+4)-755,
)*, 2*, -+-	$3, +	$E48, F52+		
			%A; $G: !$H9U%&! 98 $! BH>$) *, 2*+-	$E48, F52+
: #+0) 4&E) ,. ;		&TRLKQU&RJ		
HVE3 &) 4&: ' EDF<] D&A&>AED>A9A<E& CFWGEDF<C&		&XUULKTKS&PP		
<' :' >>AEEAL&>' W-@				
)*6*, -+-	$-+372	$2+E5F2		
			8: ; BB: : $J: GBH>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&: ' :' >>AEEAL&>' W-@&		&PLJXUS&ZJ		
<' :' >>FL&@A>D[A>EF				
)*+7*, -+-	$-, -, ,	$F6-5--		
			8: !KCG@&C; D&G: %&2*2-	$F6-5-
: #+0) 4&E) ,. ;		&KKMB&M		
HVE3 &) 4&: ' :' >>FL&@A>D[A>EF &		&PLMKMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
<' : ! F&CA! G>DEV&C VCEA9C				
)*6*, -+-	$EE-2--	$E4275)E		
			H>U: 8>C NKB4@9LBA; BHA$-8: >	$4-)E5-7
			H>U: 8>C NKB4@&A?$ 89C; $C9??<	$4-7+5 7
)*, 3*, -+-	$EE-27+	$2)25-		
			GJ8$B: %-B@&9DH: $G: %	$2)25-
: #+0) 4&E) ,. ;		&QRQJ$JQ		
HVE3 &8) 4&' : ! F&C A! G>DEV&CVCEA9C&		&ZLQQMBM		
<[C&N F: A><9A<E&H D<' <! A&N>FG-				
)*6*, -+-	$EE-2-+	$)+75-		
			>CCK>D$CBH: CA: $I : :	$)+75-
: #+0) 4&E) ,. ;		&PZS$M		
HVE3 &8) 4&[C&N F: A><9A<E&HB' <! A& N>FG-&		&KZPZS$M		
<AWCF<L&>F[A>E				
)*6*, -+-	$-+37)	$2-65--		
			8: ; B&: : $U: GBH>D$?: C: !B	$2-65-
: #+0) 4&E) ,. ;		&TMKSRM		
HVE3 &8) 4&AWCF<L&>F[A>E&		&ILUTRS$P		
<AWCF<L&>GE@&W$				
)*6*, -+-	$-+E+2	$2+E5F2		
			8: ; B&: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ8KT		
HVE3 &8) 4&AWCF<L&>GE@&W$&		&TIPQKS$M		
<AWCF<L&EDD FE@V&D' <				
)*+7*, -+-	$-,-,2	$F3-5--		
			EBCA; 8KH; E9C$AJHA@-$G><A	$F3-5-
: #+0) 4&E) ,. ;		&KRMBM		
HVE3 &8) 4&AWCF<L&EDD FE@V&D' <&		&PIPMJ$JM		
<AWCF<L& D D <				
)*, 3*, -+-	$-,+32	$-5--		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&IMBM		
HVE3 &8) 4&AWCF<L& D D <&		&IMBM		
<AGCE' A3EA>L&I >' DN&C				
)*6*, -+-	$-+376	$2+E5F2		
			8: ; B&: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ8KT		
HVE3 &8) 4&AGCE' A3EA>L&I >' DN&C&		&TIPQKS$M		

MV00062334

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
<A] &@F-A& @>DCED' <& A<EA>L&D<! S				
)*6*,-+-	$-+373	$65-,		
			8: !KCG@KA&DB-H$9J8%U;	$65-,
	: #+O)4E),.;	&JK$PJ		
HVE3&)4&:A] &@F-A& @>DCED <& A<EA>L& B<! S&		&JK$PJ		
<A] &@F>D F<&9 F[DVA&@F9A& '>B				
)*+,*,-+-	$-+EEF	$E53)		
			8: !KCG@&; $KA: 8$>W A	$E53)
	: #+O)4E),.;	&Q&RU		
HVE3&)4&:A] &@F> D F<&9 F[DVA&@F9A &'>B&		&QV&UZ		
<DA[G>NA>L&^G3DE @&& S				
)*6*,-+-	$-+37F	$-+5,		
			8: ; B&: : $U: GB-H>D&?: C: !B	$-+5,
	: #+O)4E),.;	&MVPS&U		
HVE3&)4&:DA[G>NA>L&^G3DE@&& S&		&MVPUS&M		
<D<VF& &9 F F>A&NAFEA! @<D ' W				
)*+,*,-+-	$-+EEE	$-4765,6		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$-4765,6
	: #+O)4E),.;	&PLJZK&SK		
HVE3&)4&:B<VF& &9 F F>A&NAFEA! @<D ' W&		&RXIZMT$PJ		
<D-& & GE&@' D>&CEG3DF				
)*+7*,-+-	$-,-,)	$2,52)		
			8: !KCG@KA&DB-H$9J8%U;	$2.52)
	: #+O)4E),.;	&TJ$TU		
HVE3&)4&:D& & GE&@' D>&CEG3DF&		&TJ$TU		
<F[AW&CVCEA9C				
)*,3*,-+-	$EE-27,	$-E47,75)		
			%&9!$AJHA@A	$-4--5-
			%&9!$AJHA@A	$-)47)F5-
			%&9!$AJHA@A	$47E,5)
	: #+O)4E),.;	&PQIZJZ$JU		
HVE3&)4&:F[AW&CVCEA9C&		&RMXRZ$JU		
F! ' 9-FL&^GWDA				
)*+7*,-+-	$-,-,6	$F65-		
			8: !KCG@*C$G: %9AB;	$F65-
	: #+O)4E),.;	&K$M		
HVE3&)4&:F! ' 9-FL&^GWDA&		&K$M		

MV00062335

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
FW3 & FG<E>V&[' BA>V				
)*6*,-+-	$-+37E	$2F5-		
			8: !KCG@KA[DB-H$9J8%U;	$2F5-
: #+0) 4&E) ,. ;		&XSPM		
HVE3 &) 4&F W& & FG<E>V&[' BA>V&		&XSPM		
FWD @' <EL&CF<^' &3 S				
)*+,*,-+-	$-+EE7	$-,25-		
			8: !KCG@& 8UB$1::A	$-,,5-
			8: !KCG@& 8UB$1::A	$57-
			8: !KCG@& 8UB$1::A	$5-
: #+0) 4&E) ,. ;		&RJTS/M		
HVE3 &) 4&F WD @ < EL&CF<^' & S&		&RJTS/M		
F<A&[A' GEV&CG--W V& &C' WF<&CG--W V2				
)*6*,-+-	$-+377	$65-,		
			8: !KCG@KA[DB-H$9J8%U;	$65-.
: #+0) 4&E) ,. ;		&IKSPJ		
HVE3 &) 4&F<A&[A' GEV&CG--W V& &C' WF<& 0CG--W V2&		&IKSPJ		
F-A>' ED F<&C' HA@F GCAL&D<! S				
)*,3*,-+-	$-,+3)	$EE,5EE		
			A=:D:8%&LU@G?L	$7+5/F
			A=:D:8%&LU@G?L	$27-5/+
: #+0) 4&E) ,. ;		&QQJSSQ		
HVE3 &) 4&F-A>' ED F<&C' HA@F GCAL&D<! S&		&RMUUSSQ		
F>' ! WA& 9A>D '				
)*6*,-+-	$-+F--	$,4675E,		
			A9!; P>8: $K%G>; : *AK%%98;	$,4675E,
: #+0) 4&E) ,. ;		&JILUKZSSJ		
HVE3 &) 4&F>' ! WA& 9A>D ' &		&QZLKXQ&KJ		
FGE[' ! B&' ED F& &CG<&>FF9C				
)*6*,-+-	$-+F-+	$,55+		
			8: !KCG@KA[DB-H$9J8%U;	$,55+
: #+0) 4&E) ,. ;		&JJSKP		
HVE3 &) 4&F GE[' ! B&' ED F& &CG<&>FF9C&		&JJSKP		

MV00062336

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&./(#+,	-./(#+,& '()*+,012
F: A>W <3&' ! DHD & & GEWA>L&D<! S				
)*+7*,-+-	$-,-,3	$-,4--5-		
			A8@-*C>A9C$A; $BC; 8H=CL$%&89M	$-,4--5-
)*,3*,-+-	$-,+36	$34F,-5-		
			8BL=; $9!$P><$AJH A@>8B9KA$%&89M	$34F,-5-
	: #+O) 4&E),.;	&PQLQJMB/M		
HVE3 &&) 4&F: A>W <3&' ! DHD & & GEWA>L&D<! S		&PKPLTJZ$KM		
-' ! DHD &N>AA<&@F >ED GWEG>' W&C: !				
)*+,*,-+-	$-+E7-	$7)F5E2		
			D>CGAH>% $U>BC; @+)	$-2-5-
			D>CGAH>% $U>BC; @2	$2655)
			D>CGAH>% $U>BC; @)	$225)7
			D>CGAH>% $U>BC; @+	$-E56+
			D>CGAH>% $U>BC; @F	$-5)7
)*,3*,-+-	$-,+33	$-,65-		
			?: : $H9C; 89D@AL+:	$-,65-
	: #+O) 4&E),.;	&PLVKJS$T		
HVE3 &&) 4&' ! DHD &N>AA<&@F >ED GWEG>' W& C: ! &		&PMPMTS$Z		
-' ! DHD &C' HAEV& FG<! DW				
)*6*,-+-	$-+F-,	$)4&+25F-		
			A>!:; <$ 8>BCBCL@B6: 9	$E5F-
			A>!:; <$ 8>BCBCL@P98I A=9%	$-4375/,
			A>!:; <$ 8>BCBCL@P98I A=9%	$2655E
)*,3*,-+-	$-,+3F	$2E75F7		
			A>!:; <$ 8>BCBCL@B6: 9	$75F7
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$2665+2
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$)5EF
	: #+O) 4&E),.;	&TLVMTS$Z		
HVE3 &&) 4&' ! DHD &C' HAEV& FG<! DW&		&QZJQ$X		
-' ! DHD &EAWA9' <' NA9A<E&CA>: D AC				
)*,3*,-+-	$-,+3E	$)2E5)E		
			%&<%=9C: $AJHA@&G	$3,53)
			%&<%=9C: $AJHA@&B; <PBG:	$2F65E
	: #+O) 4&E),.;	&JTQ&JQ		
HVE3 &&) 4&' ! DHD &EAWA9' <' NA9A<E& CA>: D AC&		&JKQMBKR		
-' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!				
)*+7*,-+-	$-,-,F	$)3536		
			8: !KCG@KADBH9J8%U;	$)3536
	: #+O) 4&E),.;	&JRSRK		
HVE3 &&) 4&' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!		&JRSRK		

MV00062337

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
-' 9 :C&8 F<GEC				
)*6*,-+-	$-+F-)	$235-E		
			8: !KCG@KA$D-H$9J8%U;	$235-E
: #+0) 4&E) ,. ;		&TR&VQ		
HVE3 &8) 4&' 9 :C&8 F<GEC&		**&TR&VQ**		
-' <3' &[F] W				
)*6*,-+-	$-+F-6	$75)+		
			8: !KCG@KA$D-H$9J8%U;	$75)+
: #+0) 4&E) ,. ;		&ZS&JP		
HVE3 &8) 4&' <3' &[F] W&		**&ZS&JP**		
**-' >CF<L&>ANB<' **				
)*6*,-+-	$-+F-3	$3+5--		
			8: !KCG@D>AA$B: LB&*>8: C>$A9HH8	$3+5-
: #+0) 4&E) ,. ;		&RP&VM		
HVE3 &8) 4&' >CF<L&>ANB<' &		**&RP&VM**		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*,3*,-+-	$-,+37	$-F4)3)5-E		
			A8@-*U98?H=$G8$C; 8H=CL$%89M	$-F4)3)5-E
: #+0) 4&E) ,. ;		&PXILRU&VQ		
HVE3 &8) 4&' >CF<C&E>' <C-F>E' EDF<& N>FG-L&D<! S&		**&PLVMPLKJJ&TT**		
-' EEA>CF<L& WH>A V				
)*6*,-+-	$-+F-E	$-7)552		
			8: ; B&B: : $U: GBH>D&?: C: !B	$-7)552
: #+0) 4&E) ,. ;		&PZU&KT		
HVE3 &8) 4&' EEA>CF<L& WH>AV&		**&ULPPP&ZP**		
-' : A>L&^' ! cGAVB< A&N S				
)*+,*,-+-	$-+E7,	$E,65--		
			%89!$AJHA@P: ??	$E,65-
: #+0) 4&E) ,. ;		&QJK&VM		
HVE3 &8) 4&' : A>L&^' ! cGAVB< A&N S&		**&QJK&VM**		
-[C& &^				
)*+,*,-+-	$EE-227	$4-65--		
			A=: B>$A; $CL=?8= 99G$%>8I $%89M	$4-65-
: #+0) 4&E) ,. ;		&UL&MK&VM		
HVE3 &8) 4&[C& & &		**&TRLTPJ&QJ**		

MV00062338

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./ (#+,& ' ( ) * +,012
- A! F>' > FL&@ADB D					
	) *+, *, -+-	$ -+E72	$ -5-		
				8: ! KCG@&>?B A&G: %	$ -5-
	) *, 3*, -+-	$ -, +F-	$F65-		
				8: ! KCG@*C$G: %9AB	$F65-
	: #+O) 4&E) ,. ;		&KS&M		
HVE3 &&) 4& A! F>' > FL&@ADB D&			&KS&M		
- A<DN' > &E' _&CA>: D A					
	) *+7*, -+-	$ -, -, E	$ 65-2		
				8: ! KCG@KAS DB-H$9J 8%U;	$ 65-2
	: #+O) 4&E) ,. ;		&JK&PT		
HVE3 &&) 4& A<DN' > &E' _&CA>: D A&			&JK&PT		
- A<EF<&9A3D L&D< ! S					
	) *, 3*, -+-	$ -, , +-	$ 4F--5-		
				>GJ: 8; BAEC L$AJ HA @GG	$ 4F--5-
	: #+O) 4&E) ,. ;		&UXMMB&M		
HVE3 &&) 4& A<EF<&9A3D L&D< ! S&			&QPMMB&M		
- A>A\ L&^FCA					
	) *, 3*, -+-	$ -, +F+	$5) 55-		
				8: ! KCG@B>; B9C$9J 8%U;	$5) 55-
	: #+O) 4&E) ,. ;		&KU&KM		
HVE3 &&) 4& A> A\ L&^FCA&			&KU&KM		
- A>>VL&<F>9'					
	) *6*, -+-	$ -+F-7	$2+E5F2		
				8: ; BB: : $U: GB-H>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&KT		
HVE3 &&) 4& A>>VL&<F>9' &			&TLPQX&TM		
- A>C&\F<N&EA>9& ' >A&>FN>' 9					
	) *+, *, -+-	$ -+E7)	$ 225EF		
				D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	) *, 3*, -+-	$ -, +F,	$ 225EF		
				D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	: #+O) 4&E) ,. ;		&QRX&KU		
HVE3 &&) 4& A>C&\F <N&EA>9& ' >A&>F N>' 9&			&PPLJQX&KT		
- A>: F& ' D<E& FS					
	) *6*, -+-	$ -+F+-	$-+) 5-7		
				%-BC; @8>! ! BH$GBJ	$-+) 5-7
	: #+O) 4&E) ,. ;		&PPU&PZ		
HVE3 &&) 4& A>: F& ' B<E& FS&			&TZILPM&KJ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
- AEA> CA< &3 A' < L&D< ! S				
)*6*, -+-	$-+F++	$6-5-		
			8: ! KCG@KAS DB H$9J8%J;	$6-5-
: #+O) 4&E) ,. ;		&KVB/M		
HVE3 &8) 4& AEA> CA < &3 A' < L&D< ! S&		&PVVB/M		
- AEA> CF< L&I @> DDE D< A				
)*+7*, -+-	$-,-,7	$ 6255-		
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ -355-
: #+O) 4&E) ,. ;		&KTS/M		
HVE3 &8) 4& AEA> CF < L&I @> DDE D< A&		&TUZS/K		
- D A! @'N' > ED< AWW D&I < 3 > A'				
)*+7*, -+-	$-,-2-	$-F5-		
			8: ! KCG@D> AA$B: L B;	$-F5-
: #+O) 4&E) ,. ;		&PVKS/M		
HVE3 &8) 4& D A! @'N' > ED< AWW D&I < 3 > A' &		&PVKS/M		
- D & > D< ED< N				
)*, 3*, -+-	$EE-27)	$7EE5-		
			%3 E; E L@<+-*++ $HB&?E G: 8A	$7EE5-
: #+O) 4&E) ,. ;		&CQQS/M		
HVE3 &8) 4& D & > D< ED< N&		&UPJJS/Z		
- F DA9' &W < 3 C! ' - A L&D< ! S				
)*, 3*, -+-	$EE-276	$24)3) 5E6		
			D> CGAH>% $U> E; @/C$A	$-4222EE6
			D> CGAH>% $U> E; @ +,	$ 4-2+5-
: #+O) 4&E) ,. ;		&TLURUS/K		
HVE3 &8) 4& F DA9' &W < 3 C! ' - A L&D< ! S&		&TMLKKZS/T		
- F WW > 3 L&> F ! @AWWA				
)*+7*, -+-	$-,-2+	$ 6)5-		
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ -355-
: #+O) 4&E) ,. ;		&KUS/M		
HVE3 &8) 4& F WW > 3 L&> F ! @AWWA&		&TMTS/M		
- F F WAL&WDWDA				
)*6*, -+-	$-+F+,	$6,5-		
			8: ! KCG@3: L B$A > ; : ?8G$HD> AA	$6,5-
: #+O) 4&E) ,. ;		&KJS/M		
HVE3 &8) 4& F F WAL&WDWDA&		&KJS/M		

MV00062340

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
-FGB& &CEAD<WAL&D<! S				
)*6*,-+-	$-+F+2	$-4)6E5-		
			H9; ; 9CPG*%>; ; ; ED< CC$G8$ 8>! $AB L	$-4)6E5-
)*+,*,-+-	$-+E76	$-)4)E)5E		
			8: ; : C; E9C$BDA@E; ; CPG*%>; ; ; ED<CC	$-)4)E)5E
: #+0)4E),.;		&PKIZLUJ$KQ		
HVE3&&) 4& FGB& &CEAD< WAL&D< ! S&		&TKMCKUJ&Q		
->D AL&NAF>NA&AS				
)*6*,-+-	$-+E+)	$2+E5F2		
			8: ; EB: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0)4E),.;		&TPQ&XT		
HVE3&&) 4& >D AL&NAF>NA&AS&		&TLPQXSTM		
->FY! >' HE& WG9[D<N& F9-' <VL&D<!				
)*+7*,-+-	$-,-2,	$F75&F		
			8: !KCG@KADBH9J8%U;	$F75&F
: #+0)4E),.;		&ZS&RX		
HVE3&&) 4& >FY! >' HE& WG9[D< N& F9-' <VL& D< ! &		&ZS&RX		
->FEA! E&/FG>&@F9 A				
)*+7*,-+-	$-,-22	$E35&6		
			8: !KCG@KADBH9J8%U;	$E35&6
: #+0)4E),.;		&QR&SRK		
HVE3&&) 4& >FEA! E&/FG>&@F9 A&		&QR&SRK		
->FEA! EDF<&F<AL&D<! S				
)*+,*,-+-	$-+E73	$)-5-		
			A: HK8B<$AJHA@&8 9$A=9%	$-5-
			A: HK8B<$AJHA@JJ ; J	$-5-
: #+0)4E),.;		&JMB&M		
HVE3&&) 4& >FEA! EDF< &F< AL&D< ! S&		&JMMB&M		
-CF9' C				
)*+,*,-+-	$-+E7F	$E4-2&6-		
			D>AA: DD $A; $PB&G: CED L$%&89M$AJHA	$E4-2&6-
: #+0)4E),.;		&QLMMT$XM		
HVE3&&) 4& CF9' C&		&PXQLXMPS&R		
-GWWD 9 L&E>A<E&3 S				
)*6*,-+-	$-+F+)	$2+E5F2		
			8: ; EB: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0)4E),.;		&TPQ&XT		
HVE3&&) 4& GWWD 9 L&E>A< E&3 S&		&TLPQXSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
-] &A<@' <! A9A<E&! A<EA>				
) *, 3*, -+-	$EE-273	$F27557		
			: U: 8L$AJHA$'&89L@HG?L	$F27557
: #+O) 4&E) ,. ;		&TZ$&Z		
HVE3 &&) 4&-] &A<@' <! A9A<E& A<EA> &		&PPRUXURS&VQ		
c&<' DVC& &C-'				
) *+7*, -+-	$ -, -2)	$565-F		
			8: !KCG@KA$DB-H$9J8%U;	$565-F
) *+7*, -+-	$ -, -26	$F+5-F2		
			8: !KCG@KA$DB-H$9J8%U;	$F+5-F2
: #+O) 4&E) ,. ;		&RJRS&M		
HVE3 &&) 4&c &' DVC & &C-' &		&RJRS&M		
c' \ D&9 A3 D ' W&N> F G-L&D<!				
) *6*, -+-	$ -+F+6	$E+5-E2		
			8: !KCG@KA$DB-H$9J8%U;	$E+5-E2
: #+O) 4&E) ,. ;		&PS&T		
HVE3 &&) 4&c' \ D&9 A 3 D ' W&N> F G-L&D<! &		&PS&T		
>& &C&F: A>@A' 3 &&& F F>CL&D<! S				
) *6*, -+-	$EE-2-)	$ 4 3, 5--		
			G998$J>BC; @>HBDB B A	$6-52)
			G998$J>BC; @>HBDB B A	$6-522
			G998$J>BC; @>HBDB B A	$6-522
			G998$J>BC; @&A?	$6F5-
			G998$J>BC; @&A?	$9++) 5-
			G998$J>BC; @A$Z3	$ -+5-
			G998$J>BC; @: CB9-8$H; 8	$9-3+5-
			G998$J>BC; @&; $! DG$9! ! BH:	$9-, +5-
			G998$J>BC; @A$Z3 6	$9-) +5-
			G998$J>BC; @A$Z7 +	$ -+5-
			G998$J>BC; @A$Z,	$ -+5-
			G998$J>BC; @!B <$<>8G	$) +5-
			G998$J>BC; @A$Z6 E	$ -+5-
			G998$J>BC; @A$Z) E	$9-) +5-
			G998$J>BC; @CUD$A= D 8	$9-2+5-
) *, 3*, -+-	$EE-27F	$2-, 5--		
			G998$J>BC; @&A?	$25-
			G998$J>BC; @&A?	$9-6- 5-
			G998$J>BC; @&A?	$9-) 356-
: #+O) 4&E) ,. ;		&UTRU$&M		
HVE3 &&) 4&- & &C&F : A>@A' 3 &&& F F>CL&D<! S&		&RJXUU$&M		

MV00062342

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
>' WW&9' <' NA9A<E &CA>: D ACL&WW				
)*6*,-+-	$-+F+3	$F+75E		
			;:U%&AJHA@:CG:8A9C$P*:$2*F	$F+75E
)*+,*,-+-	$-+E7E	2837EF		
			;:U%&AJHA@:CG:8A9C$P*:$*,E	$F+75E
			;:U%&AJHA@:CG:8A9C$P*:$2*+)	$F+75E
			;:U%&AJHA@:CG:8A9C$P*:$2*,+	$F+75E
			;:U%&AJHA@J:GBC>$P*:$2*F	$2F2E
			;:U%&AJHA@J:GBC>$P*:$2*+)	$+E572
			;:U%&AJHA@:CG:8A9C$P*:$2*,E	$F+75E
)*,3*,-+-	$-,+F2	$F+75E		
			;:U%&AJHA@:CG:8A9C$P*:$*)	$F+75E
:#+O)4&E),.;		&KIPMCJ&JT		
HVE3&)4&' WW&9' <' NA9A<E&CA>:D ACL& WW&		&RJLJLJ&/Z		
>' 9D>A\L&HA><' <3 F				
)*+7*,-+-	$-,-23	$2+5-		
			8:!KCG@CUD&DH:CA:$!::	$2+5-
:#+O)4&E),.;		&TP&/M		
HVE3&)4&' 9D>A\L&HA><' <3F&		&TP&/M		
>' 9D>A\L&9' <GAW&CS				
)*6*,-+-	$-+F+F	$,5F		
			8:!KCG@KAS&DH&9J8%J;	$,5F
:#+O)4&E),.;		&JJ&/K		
HVE3&)4&' 9D>A\L&9' <GAW&CS&		&JJ&/K		
>' V9F<3L&3A<DCA&9S				
)*6*,-+-	$-+F+E	$2+E56-		
			%8$GBU@I=>U:D 9C$H9C!5	$2+E56-
:#+O)4&E),.;		&TPQ&KM		
HVE3&)4&' V9F<3L&3A<DCA&9S&		&TPQ&KM		
>' V<A&] ' EA>& F<3 DEDF<D<N				
)*6*,-+-	$-+F+7	$,56-		
			8:!KCG@KAS&DH&9J8%J;	$,56-
:#+O)4&E),.;		&JJ&KM		
HVE3&)4&' V<A&] ' EA>& F<3DEDF<D<N&		&JJ&KM		
>A&W <AE				
)*6*,-+-	$-+F,-	$,56,		
			8:!KCG@KAS&DH&9J8%J;	$,56,
:#+O)4&E),.;		&JJ&KJ		
HVE3&)4&A&W <AE&		&JJ&KJ		

MV00062343

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#$) 8&.,/(#+,	-./(#+,& '()*+,012
>ANA<EC&G! &7&G<D: A>CDEV&FH& ' WDH F><D				
	)*+7*,-+-	$-,-2F		$-E5-
			HKH$J: ;; ECL	$-E5-
	: #+0) 4&E) ,. ;			&PQ&/M
HVE3 &) 4& ANA<EC&G! &&G<D A>CDEV &FH& ! ' WDHF><D &				&JVB/M
>A<E' W&CA>: D A& F>-S				
	)*6*,-+-	$-+F,+		$6F5-+
			8: !KCG@KASDBH$9J8%J;	$6F5-+
	: #+0) 4&E) ,. ;			&XS/P
HVE3 &) 4& A<E' W&CA>: D A& F>-S&				&XS/P
>A: A<GA&A_-A>ECL &D<! S				
	)*+,*,-+-	$-+E77		$ 4/275--
			HB>; E9C$/&HAACL@CUD&AJHA	$ 4/275--
	: #+0) 4&E) ,. ;			&IZTZS&M
HVE3 &) 4& A: A<GA&A_-A>ECL&& ! S&				&TKZZJS/K
>N! & F<CE>G! EDF<				
	)*+7*,-+-	$-,-2E		$25-F
			8: !KCG@KASDBH$9J8%J;	$25-F
	: #+0) 4&E) ,. ;			&JTS/K
HVE3 &) 4& N! & F<CE>G! EDF<&				&JTS/K
>NDCL&WW!				
	)*6*,-+-	$-+F,,		$765-)
			8: !KCG@KASDBH$9J8%J;	$765-)
	: #+0) 4&E) ,. ;			&KSRU
HVE3 &) 4& NDCL&WW! &				&KSRU
>D A&HD>A& >FEA! EDF<				
	)*6*,-+-	$-+F,2		$22+5--
			8: !KCG@KASDBH$9J8%J;	$E+5-
			8: !KCG@KASDBH$9J8%J;	$6-5-
	: #+0) 4&E) ,. ;			&TPS/M
HVE3 &) 4& D A&HD>A& >FEA! EDF<&				&TPS/M
>D @' >3&/F-A\ & F<CE>G! EDF<				
	)*+7*,-+-	$-,-27		$7+5-E
			8: !KCG@KASDBH$9J8%J;	$7+5-E
	: #+0) 4&E) ,. ;			&PS/Q
HVE3 &) 4& D @' >3&/F-A\ & F<CE>G! EDF<&				&PUV/KUUVKZS&X

MV00062344

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#$) 8&. / (#+,	-./(#+,& '()*+,012
>D<' &C&[A' GEV&A CDN<				
)*6*, -+-	$-+F,)	$-523		
			8: !KCG@KA\$DB-H\$9J8%U;	$-523
	: #+O) 4&E) ,. ;	&JMBR		
HVE3 &) 4& D< ' &C&[A' GEV&ACDN< &		&JMBR		
>DcGDA>L&C' >'				
)*6*, -+-	$-+F, 6	$F65-		
			8: !KCG@%&<*C: K; : 8\$! : : A	$F65-
	: #+O) 4&E) ,. ;	&KS\M		
HVE3 &) 4& Dc GDA> L&C' >' &		&KS\M		
>D A>CD3 A& >A' & ' -A& >DCDC& A<EA >				
)*, 3*, -+-	$-, +F)	$2, 577		
			HG?L\$! KCG: G\$AJHA@&8: J\$%8LU	$2, 577
	: #+O) 4&E) ,. ;	&JTJSZ		
HVE3 &) 4& D A>CD3 A& >A' & ' -A& >DCDC& ! A<EA>&		&LLMTPSRT		
>D A>CD3 A& FG<EV &D<HF>9' EDF<&EA! @<FWFNV				
)*6*, -+-	$-+F, 3	$-4E225-		
			8>GD\$9\$AJHA@&G	$-4FE75-
			J%C\$H9CC: H; D\$9C\$AJHA	$25)-
)*, 3*, -+-	$-, +F6	$25)-		
			J%C\$H9CC: H; D\$9C\$AJHA	$25)-
	: #+O) 4&E) ,. ;	&PLQXRSXM		
HVE3 &) 4& D A>CD3 A& FG<EV&D<HF>9' EDF<& EA! @<FWFNV&		&MCLJCSRT		
>D A>CD3 A& FG<EV &C@A>DHH& FG>E&CA>: D AC				
)*+, *, -+-	$-+7-+	$276576		
			L>8CBA=U: C;	$276576
)*, 3*, -+-	$-, +F3	$F7, 5-3		
			L>8CBA=U: C;	$F7, 5-3
	: #+O) 4&E) ,. ;	&PLPQQSPP		
HVE3 &) 4& D A>CD3 A& FG<EV&C@A>DH H& ! FG>E&CA>: D AC&		&ZLJZKSZT		
>D A>CD3 A& FG<EV &C@A>DHH&9:				
)*+, *, -+-	$-+7-,	$22-5-2		
			: W 8>\$GK; <@*+F\$HI \$/9BC;	$22-5-2
	: #+O) 4&E) ,. ;	&TTMBPT		
HVE3 &) 4& D A>CD3 A& FG<EV&C@A>DH H&9:&		&PMLMPZSPM		

MV00062345

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
>D A>CD3 A&G[[A> &CE' 9-& &A<N>' : D<N				
	)*+,*,-+-	$-+7-2	$-355+	
			>%%&9J>D&A; >U%@% K8H=>AE&L	$-25+
			>%%&9J>D&A; >U%@% K8H=>AE&L	$256-
		: #+0) 4&E) ,. ;	&PRSXP	
HVE3 &8) 4&- D A>CD3 A&- G[[A> &CE' 9-& & A<N>' : E&N&			&PRSXP	
>^&' V9 F<3& AE&C A>: D AC				
	)*+7*,-+-	$-,-)-	$F5-,	
			8: !KCG@KAS&DH$9J8%U;	$F5-,
		: #+0) 4&E) ,. ;	&JXS&U	
HVE3 &8) 4&- ^&' V9 F<3& AE&C A>: D AC &			&JXS&U	
>W& &A<N D<AA>D<N				
	)*+,*,-+-	$EE-2)-	$342F-55-	
			;: U%&A; >!!E&L$AJ HA@&>%%&9M&A	$342F-55-
		: #+0) 4&E) ,. ;	&RLTXMBKM	
HVE3 &8) 4&- W& &A<N E&AA>E&N&			&PTMLKZZSKK	
>F[A>ECF<L& <EFD<AEEA& S				
	)*+,*,-+-	$-+7-)	$65-	
			8: !KCG@&B>; E9C$&BAUE&A: G	$65-
		: #+0) 4&E) ,. ;	&JKS&M	
HVE3 &8) 4&- F[A>ECF<L& <EF E&AEEA& S&			&JKS&M	
>F[D<CF<L&A>D				
	)*+7*,-+-	$-,-)+	$265-	
			% 8$&B U@&>GG$&B: H9LCB E9C$ JC;	$265-
		: #+0) 4&E) ,. ;	&TKS&M	
HVE3 &8) 4&- F[E&CF<L&A>D &			&TKS&M	
>F[D<CF<Y3' : DCL&V' : F<<A				
	)*6*,-+-	$-+F,F	$6-5-	
			8: !KCG@8>%&B: C; >D&G: %	$6-5-
		: #+0) 4&E) ,. ;	&MVB&M	
HVE3 &8) 4&- F[E&CF<Y3' : DCL&V' : F<<A&			&MVB&M	
>F! @ L&C' >' &M&				
	)*6*,-+-	$-+F,E	$EEE52-	
			8: ; E&B: : $U: GE&H>D&?: C: !B	$EEE52-
		: #+0) 4&E) ,. ;	&QQQSTM	
HVE3 &8) 4&- F! @ L&C' >' &M&			&LRRUSZM	

MV00062346

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
>F! B] AWWL&\' ! cGA WD<A				
)*+,*,-+-	$-+7-6	$F65-		
			8: !KCG@*C$G: %9AB	$F65-
: #+O) 4&E) ,. ;		&KK&M		
HVE3 &) 4&> F! B] AWWL&\' ! cGAWD<A&		&KK&M		
>F3>DNGA\ L&\ ' >WFC				
)*+,*,-+-	$-+7-3	$9365-		
			% 8$GB U@CCD&! B8: $/&8: J$P8I A=%	$9365-
: #+O) 4&E) ,. ;		&PRK&M		
HVE3 &) 4&> F3>DNGA\ L&\ ' >WFC&		&PRK&M		
>F3>DNGA\ L&W G>A<				
)*+7*,-+-	$-,-),	$625-		
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$3 35-
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$-35-
: #+O) 4&E) ,. ;		&KT&M		
HVE3 &) 4&> F3>DNGA\ L&W G>A< &		&KT&M		
>F3>DNGA\ L&F9' >				
)*+6*,-+-	$-+72,	$2,65-		
			% 8$GB U@H9C9UB-H$H8BJ: A$HD>AA	$2,65-
: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&> F3>DNGA\ L&F9' > &		&JKT&M		
>FNA>CL&AGNA<A				
)*6*,-+-	$-+E+6	$2+E5F2		
			8: ; B&: : $J: GB-H>D&?: C: !B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&> FNA>CL&AGNA<A&		&JKUZ&K		
>F^' CL&CEA: A				
)*,3*,-+-	$-,+FF	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+O) 4&E) ,. ;		&JMB&M		
HVE3 &) 4&> F^' CL&CEA: A&		&JMB&M		
>F9' <L&9D>D 9				
)*6*,-+-	$-+F,7	$-5-		
			8: !KCG@&>?B A$!: : $G: %9AB	$-5-
: #+O) 4&E) ,. ;		&JMB&M		
HVE3 &) 4&> F9' <L&9D>D 9&		&JMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
>F9A>FC&HFF3&>F3G! EC					
	)*6*,-+-	$-+F2-	$+5-		
				8: !KCG@KA&DB-H&9J8%U;	$+5-
	: #+O) 4&E) ,. ;		&IP&M		
HVE3 &8) 4&F9A>FC &HFF3&>F3G! EC&			&IP&M		
>FCCL&8' :D&ES					
	)*6*,-+-	$-+E+3	$2+E5F2		
				8: ; B&: : $U: GB-H>D&?: C: !B;	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &8) 4&F CCL&8' :D&ES&			&TLPQXSTM		
>FCCF<L&NFGD&S					
	)*6*,-+-	$-+E+F	$E75E3		
				8: ; B&: : $U: GB-H>D&?: C: !B;	$7355-
				8: ; B&: : $U: GB-H>D&?: C: !B;	9-7252 3
	: #+O) 4&E) ,. ;		&QZ&SR		
HVE3 &8) 4&F CCF<L&NFGD&S&			&LXKZ&X		
>GCCAWWL&H>' <B					
	)*,3*,-+-	$-,+FE	$-5-		
				8: !KCG@&>?B A&S: %	$-5-
	: #+O) 4&E) ,. ;		&IM&M		
HVE3 &8) 4&GCCAWWL&H>' <B&			&IM&M		
>GCCFL&^F@<					
	)*6*,-+-	$-+E+E	$2+E5F2		
				8: ; B&: : $U: GB-H>D&?: C: !B;	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &8) 4&GCCFL&^F@<&			&TLPQXSTM		
C' & CCF! D EAC					
	)*,3*,-+-	$EE-27E	$-,43--5-		
				; : U%&A; >!!E&CL$AJ HA@I>%&?&89MA	$-,43--5-
	: #+O) 4&E) ,. ;		&PJLRMM&M		
HVE3 &8) 4&C' & CCF ! D EAC&			&PPPLPPJ&XM		
C' 9&B@G9FF>F& @D>F->' ! ED & >FH& F>-					
	)*+7*,-+-	$-,-)2	$252-		
				8: !KCG@KA&DB-H&9J8%U;	$252-
	: #+O) 4&E) ,. ;		&JTSTM		
HVE3 &8) 4&C' 9&B@G9FF>F& @D>F->' ! ED & ->FH& F>-&			&JTSTM		

MV00062348

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
C' <F& EEF><AV&CA >: D A					
	)*+,*,-+-	$-+7-F	$-+-5-		
				D L>D&AJHA@&9H=>	9-+-5-
	: #+0) 4&E),.;		&PPMB/M		
HVE3 &) 4&C' <F& EEF><AV&CA>: D A&			&QPMB/M		
C' -DA<L&>' W-@&N S					
	)*6*,-+-	$-+F2+	$-6+57)		
				8: !KCG@GUE&C$-HB>; &9CS!::A	9-6+57)
	: #+0) 4&E),.;		&PKPSZU		
HVE3 &) 4&C' -DA<L&>' W-@&N S&			&PKPSZU		
C' :A>& GE					
	)*6*,-+-	$-+F22	$-5)E		
				8: !KCG@KAS&DB-H$9J8%U;	$-5)E
	: #+0) 4&E),.;		&IMBJQ		
HVE3 &) 4&C' :A>& GE&			&IMBJQ		
C' :YF<& ' >-AE& &EDVA					
	)*6*,-+-	$-+F2,	$3)5-7		
				8: !KCG@KAS&DB-H$9J8%U;	$3)5-7
	: #+0) 4&E),.;		&RUSPZ		
HVE3 &) 4&C' :YF<& ' >-AE& &EDVA&			&RUSPZ		
C! &CDN<C					
	)*+7*,-+-	$-,-))	$-43-5-		
				%K?DB-H$-:>8&C L$A BLCA	$7)65-
				%K?DB-H$-:>8&C L$A BLCA	$2+65-
	: #+0) 4&E),.;		&PLJRMB/M		
HVE3 &) 4&C! &CDN<C&			&KLTKKSB/M		
C! 9' H&CS& ' &9G<DS& E@VAED &HA3A>' EDF<					
	)*+7*,-+-	$-,-)6	$-F65-		
				,--7$! D>L$! 99; ?> DD& C; 8<$!::A	9-F65-
	)*+7*,-+-	$-,-)3	$6,65-		
				<; =$?>A!::; ?>DD& C; 8<$!::A	$6,65-
	: #+0) 4&E),.;		&IMMB/M		
HVE3 &) 4&C! 9' H&CS& ' &9G<DS& E@VAED & HA3A>' EDF<&			&PLJTUSB/M		
C! 9' HYD<W <3& ' WWAVC					
	)*+7*,-+-	$-,-)F	$6-5-		
				>O&&CA; >DD>; &9C $ J: C;	$6-5-
	: #+0) 4&E),.;		&KMB/M		
HVE3 &) 4&C! 9' HYD<W <3& ' WWAVC&			&KMB/M		

MV00062349

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
C! >AA<: DCDF<&3 D> A! E				
)*,3*,-+-	$-,+F7	$-42,E5-		
			>GJ:8; BAECL$AJHA@8H	$F3E5-
			>GJ:8; BAECL$AJHA@8H	$63-5-
		: #+0)4&E),.;	&PLTJQ&M	
HVE3&) 4&C! >AA<: DCDF<&3 D> A! E&			&KLKJMB&M	
CA! G>DEV&WF! B& &BAV				
)*6*,-+-	$-+F2)	$F25,6		
			D9HI $AJH@K%$: <A	$F25,6
)*+,*,-+-	$-+72-	$3+56-		
			D9HI $3: %>BBA@&>8IA	$3+56-
)*,3*,-+-	$EE-277	$,756-		
			D9HI $3: %>BBA@&9DBH:	$,756-
		: #+0)4&E),.;	&PQLJS&K	
HVE3&) 4&CA! G>DEV&WF! B& &BAV&			&PRLJKQS&Q	
CAW @7CFG<3&E@AF WFNV& @>DCED <&C EF>A				
)*6*,-+-	$-+F26	$EF53E		
			8: !KCG@KADBH9J8%U;	$EF53E
		: #+0)4&E),.;	&QX&RQ	
HVE3&) 4&CAW @7C FG<3&E@AF WFNV& ! @> DCED <&CEF>A&			&QX&RQ	
CAWA! E&[GDW3				
)*6*,-+-	$-+F23	$25-		
			8: !KCG@KADBH9J8%U;	$25-
		: #+0)4&E),.;	&TS&M	
HVE3&) 4&CAWA! E&[GDW3&			&TS&M	
CA] AWW&C&> D A>CD3A&3 ' D> V&3<!				
)*+7*,-+-	$-,)E	$F+56+		
			8: !KCG@KADBH9J8%U;	$F+56+
		: #+0)4&E),.;	&PS&P	
HVE3&) 4&CA] AWW&C&> D A>CD3A&3 ' D> V&3<! &			&PS&P	
C@ @L&' N3DC@				
)*+7*,-+-	$EE-23F	$,-46,-5-		
			;:U%&A;>!!BCL$AJ HA@!>%&/&89MA	$-46,-5-
		: #+0)4&E),.;	&MKJMB&M	
HVE3&) 4&C@ @L&' N3DC@&			&PQKJQM&M	

MV00062350

| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.,/(#+,	-./(#+,& '()*+,012
CD<NA>& & FHHD<L& -!					
	)*,3*,-+-	$EE-)--	$24EE75-		
				D L>D?AJHA@83-*C>A9C?A; ?48 9M	$24)75-
				D L>D?AJHA@83-*C>A9C?A; ?48 9M	$)-5-
	: #+0)4&E),.;		&TLQQZ?KM		
HVE3 &8) 4&CB: NA>&` & FHHB: L& -! &			&RZLMKP?RK		
CD<NWAEF<Y3A! GD> L&' <DC@AD					
	)*+7*,-+-	$-,-7,	$26)5-		
				UHD >L: ?B: BJ?K8A : U: C;	$725-
				;8>J: D? W%@99A; ?H9C!: 8: CH:	$6)56-
				;8>J: D? W%@99A; ?H9C!: 8: CH:	$-356-
	: #+0)4&E),.;		&TKUSM		
HVE3 &8) 4&CB: NWAE F<Y3A! GD> L&' <DC@AD &			&UMEK		
CBV& G[WDC@D<N					
	)*+7*,-+-	$-,-6)	$E4FF25-		
				%8 E; ED L?AJHA@K UU: 8+-	$E4FF25-
	: #+0)4&E),.;		&QXXTSKM		
HVE3 &8) 4&CBV& G[WDC@D<N&			&JQUUUSKM		
CBV&E>' DVC&9 F[DVA& DVW NA					
	)*+,*,-+-	$-+7-7	$35-7		
				8: !KCG@&; ?KA: 8$>W A	$35-7
	: #+0)4&E),.;		&RSPZ		
HVE3 &8) 4&CBV&E>' DVC&9 F[DVA& DVW NA&			&JQ&RM		
CW NA>9' <L&CGC' < & S					
	)*6*,-+-	$-+E+7	$2+E5F2		
				8: ; B: : $J: GH>D?: C: !B;	$2+E5F2
	: #+0)4&E),.;		&TPQ&T		
HVE3 &8) 4&CW NA>9' <L&CGC' <& S&			&TLXUZ?KR		
C9 DE@L&A><ACE&H>' <B					
	)*6*,-+-	$-+F27	$32F53		
				8: ; B: : $J: GH>D?: C: !B;	$32F53
	: #+0)4&E),.;		&RTX&JR		
HVE3 &8) 4&C9 DE@L&A><ACE&H>' <B&			&LJRQ&JP		
C9 DE@L&VDC'					
	)*6*,-+-	$-+F)-	$2-5F+		
				8: !KCG@KA?DH?9J8%J;	$2-5F+
	: #+0)4&E),.;		&TMBXP		
HVE3 &8) 4&C9 DE@L&VDC' &			&TMBXP		

MV00062352

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
C9 DE@L&9' >D & S				
)*6*,-+-	$-+E,-	$2+6557		
			8:; B&:: $U: GBH>D&?: C: !B	$2+6557
	: #+0) 4&E) ,.;	&TPK&KZ		
HVE3 &&) 4&C9 DE@L&9' >D & S&		&PKURSPM		
C9 FBA& WGC				
)*+7*,-+-	$-,-66	$+52		
			8: !KCG@KAS&DBH$9J8%U;	$+52
	: #+0) 4&E) ,.;	&JPS&T		
HVE3 &&) 4&C9 FBA& WGC&		&JPS&T		
C9 FBA&C@F-&EF[' ! ! F				
)*+7*,-+-	$-,-63	$2522		
			8: !KCG@KAS&DBH$9J8%U;	$2522
	: #+0) 4&E) ,.;	&TTS&T		
HVE3 &&) 4&C9 FBA&C @F-&EF[' ! ! F&		&TTS&T		
CF S&' WDH&C! @F FW&F H&9 GCD				
)*,3*,-+-	$-,+E+	$-4--56		
			E&A;8KH;98$AJHA@KB>8	$-E75-
			E&A;8KH;98$AJHA@&B>C9	$7F5-
			E&A;8KH;98$AJHA@&B>C9	$-E75-
			E&A;8KH;98$AJHA@&B>C9	$-756
			E&A;8KH;98$AJHA@&B>C9	$+35-
	: #+0) 4&E) ,.;	&PLPMM&K		
HVE3 &&) 4&CF S&' WDH&C! @F FW&F H&9 GCD&		&ZLCZM&K		
CF! F&N>FG-L&D<!				
)*6*,-+-	$-+F)+	$-+4E3)5E		
			!K: D&%K8H=>A:	$&4E7257 6
			!K: D&%K8H=>A:	$&47F-52
)*,3*,-+-	$-,+E,	$+43-573		
			!K: D&%K8H=>A:	$&46))5+
			!K: D&%K8H=>A:	$462F56+
			!K: D&%K8H=>A:	$&4F)357,
			!K: D&%K8H=>A:	$&42,5-,
	: #+0) 4&E) ,.;	&TTLPJK&KU		
HVE3 &&) 4&CF! F&N>FG-L&D<! &		&PUZLPUK&PU		
CF3A<&A<EA>->DCA CL&D<! S&3[' &A' CV&/FN'				
)*,3*,-+-	$-,+E2	$-6)5E-		
			E&A;8KH;98$AJHA@9L>	$FF5)-
			E&A;8KH;98$AJHA@9L>	$FF5)-
	: #+0) 4&E) ,.;	&PKUK&M		
HVE3 &&) 4&CF3A<&A<EA>->DCAC L&D<! S&3[' & A' CV&/FN' &		&KRX&RM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
CF<NL&@AWA<					
	)*+7*,-+-	$-,-6F	$9-+,5-		
				8: !KCG@D>AA$3: LBA;	$9-+,5-
	: #+O)4E),.;		&PPJ$M		
HVE3&)4&CF<NL&@AWA<&			&PPJ$M		
CFC' L&F>NA					
	)*+,*,-+-	$-+7+-	$26,5-		
				EC A; 8KH; 98$AJHA@EC%&9$!98$ EGA	$735-
				EC A; 8KH; 98$AJHA@>8>;:G9	$635-
	: #+O)4E),.;		&TKJ$M		
HVE3&)4&CFC' L& F>NA&			&TERMJ$M		
CFGE@&' V&9' CF<>V					
	)*+7*,-+-	$-,-6E	$5F5-		
				8: !KCG@KA$DB-H$9J8%U;	$5F5-
	: #+O)4E),.;		&XS$M		
HVE3&)4&CFGE@&' V&9' CF<>V&			&XS$M		
CFGE@& F' CE& D>&cG' WDEV&9N9E&3DCE>D E					
	)*+,*,-+-	$-+7++	$-75-		
				:UBAA$9CA$!::@A $26E	$-75-
	)*+,*,-+-	$-+7+,	$725+		
				>CCD$9% 8>; EC L$!::A@A$26E	$725+
	: #+O)4E),.;		&JMJ$P		
HVE3&)4&CFGE@& F' CE& D>&cG' WDEV&9N9E& 3DCE>D E&			&TERPK$PX		
CFGE@& F' CE& c93					
	)*+7*,-+-	$-,-67	$9-6)5E+		
				8: L@U%D$ 8>CA%&H998G$ 8CL	$9-6)5E+
	: #+O)4E),.;		&PKJ$P		
HVE3&)4&CFGE@& F' CE& c93&			&PKJ$P		

MV00062354

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)88&./(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3DCF<				
)*6*,-+-	$-+F)2	$64)E+53F		
			:D H; 8BHB<	$-)5F-
			:D H; 8BHB<	$-5FE
			:D H; 8BHB<	$F365+
			:D H; 8BHB<	$46,,53-
			:D H; 8BHB<	$225)6
			:D H; 8BHB<	$+)57,
			:D H; 8BHB<	$225+E
			:D H; 8BHB<	$37,57
			:D H; 8BHB<	$225E6
			:D H; 8BHB<	$275-2
			:D H; 8BHB<	$4,+5)+
			:D H; 8BHB<	$6352 7
			:D H; 8BHB<	$)53
)*+,*,-+-	$-+7+2	$34)+-5,		
			:D H; 8BHB<	$25)
			:D H; 8BHB<	$-E5)
			:D H; 8BHB<	$3.5F6
			:D H; 8BHB<	$42)E5)
			:D H; 8BHB<	$E,+5)F
			:D H; 8BHB<	$E)+523
			:D H; 8BHB<	$3)57
			:D H; 8BHB<	$E)57
			:D H; 8BHB<	$EFE5+
			:D H; 8BHB<	$7256F
			:D H; 8BHB<	$+523
			:D H; 8BHB<	$E7)5F2
			:D H; 8BHB<	$)F572
			:D H; 8BHB<	$2E523
			:D H; 8BHB<	$325)E
)*+,*,-+-	$-+7+)	$)4)35F2		
			EI>$H=>8L: A@BK?A; >; E9C	$)4)35F2
)*+7*,-+-	$-,-3+	$2)65F+		
			:D H; 8BHB$H=>8L: A	$2)65F+
)*,3*,-+-	$-,+E)	$)E4FE357-		
			:D H; 8BHB<	$F)53)
			:D H; 8BHB<	$64F+52
			:D H; 8BHB<	$486F5)F
			:D H; 8BHB<	$75+E
			:D H; 8BHB<	$6F5EF
			:D H; 8BHB<	$4EE-5),
			:D H; 8BHB<	$2.5-3
			:D H; 8BHB<	$)4E6E2+
			:D H; 8BHB<	$F)57
			:D H; 8BHB<	$)-)-5)
			:D H; 8BHB<	$46275 7
			:D H; 8BHB<	$).5+
			:D H; 8BHB<	$),-57E
			:D H; 8BHB<	$6-)536
			:D H; 8BHB<	$6,5)6
			:D H; 8BHB<	$2EE-
			:D H; 8BHB<	$25++

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
C- A! BL&N' >V&[S				
	) '6*, -+-	$ -+E, +		$2+E5F2
			8: ; BB: : $U: GBH>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;			&TPQ&XT
HVE3 &) 4&C- A! BL&N' >V&[S&				&TLPQXSTM
C- A! E>G9 & ' >A				
	) '6*, -+-	$ -+F) 3		$F) 5-
			8: ! KCG@KAS&DBH$9J8%U;	$F) 5-
	: #+O) 4&E) ,. ;			&XU&M
HVE3 &) 4&C- A! E>G9 & ' >A&				&ZQLXUMBRU
C- A<! A>L&9' >E@'				
	) '6*, -+-	$ -+E, ,		$-7) 552
			8: ; BB: : $U: GBH>D&?: C: ! B	$-7) 552
	: #+O) 4&E) ,. ;			&PZU&XT
HVE3 &) 4&C- A<! A> L&9' >E@ &				&LLJJMBXR
C- F>EC&D<<F: ' EF> C				
	) *+, *, -+-	$ -+7+6		$24) F65-
			A%9-8; A$9! ! BHB>; BCL$AJHA	$F65-
			A%9-8; A$9! ! BHB>; BCL$AJHA	$24) --5-
	: #+O) 4&E) ,. ;			&TLUXK&M
HVE3 &) 4&C- F>EC&B<<F: ' EF>C&				&KLQZK&M
C- >D<E				
	) '6*, -+-	$ -+F) F		$ -5-
			AK?%9: C>$H9U%DB CH: $! : :	$ -5-
	: #+O) 4&E) ,. ;			&IMB&M
HVE3 &) 4&C- >D<E&				&PPMB&M
C- >D<E7<A_EAW				
	) *+, *, -+-	$EE-2) 2		$225E3
			) +F6)) 2) -@!: DD&% =$H=8L$L; !	$225E3
	: #+O) 4&E) ,. ;			&TT&R
HVE3 &) 4&C- >D<E7<A_EAW&				&RZR&PQ
CE' <3' >3 &D<CG>' <! A& F				
	) '6*, -+-	$ -+F) E		$-486, 553
			AK%%D U: C; >DB&CA K8>CH:	$-486, 553
	: #+O) 4&E) ,. ;			&PLRKJ&R
HVE3 &) 4&CE' <3' >3 &B<CG>' <! A& F&				&TJRLXKJ&U

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#8%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&&.//(#+,	-./(#+,& '()*+,012
CE' <WAV& F<: A>NA <E&CA! G>DEV&CFWG EDF<CL&D				
)*+7*,-+-	$-,-32	$-7357		
			8: !KCG@KA$DB-H$9J8%J;	$-7357
	: #+0) 4&E) ,. ;	&ZRSZZ		
HVE3 &8) 4&CE' <WAV& F<: A>NA<E&CA! G>DEV& CFWGEDF<CL&&		&ZRSZZ		
CE' <WAV& F<: A>NA <E&CA! G>DEV&CFWG E<CL&D<!				
)*6*,-+-	$EE-2+2	$-46))5E2		
			U9CB98EDL$AJHA@H8H	$-F65-
			U9CB98EDL$AJHA@H8H	$7,5-
			U9CB98EDL$AJHA@J!%HH	$-65-
			U9CB98EDL$AJHA@PCL;:	$,-57E
			U9CB98EDL$AJHA@:H=$AJHA	$-65-
			U9CB98EDL$AJHA@%HDG3BA;	$-)F5-
			U9CB98EDL$AJHA@%A?	$-7)5E6
			U9CB98EDL$AJHA@CCW&Z+	$-65-
)*+,*,-+-	$EE-2))	$-5-		
			U9CB98EDL$AJHA@PCL;:	$-35E
			U9CB98EDL$AJHA@PCL;:	$6675-7
			U9CB98EDL$AJHA@PCL;:	@35E
			U9CB98EDL$AJHA@PCL;:	@6675-7
)*,3*,-+-	$EE-)-+	$)725-+		
			U9CB98EDL$AJHA@L;!	$775-
			U9CB98EDL$AJHA@%>8I A	$-335E6
			U9CB98EDL$AJHA@%>8I A	$,F5-3
	: #+0) 4&E) ,. ;	&UMTXSU		
HVE3 &8) 4&CE' <WAV& F<: A>NA<E&CA! G>DEV& CFWGE<CL&&!&		&RIPMQ&R		
CE' <EA! & F<CGWED<NL&D<!S				
)*6*,-+-	$-+F)7	$E,52)		
			8: !KCG@KA$DB-H$9J8%J;	$E,52)
	: #+0) 4&E) ,. ;	&QJSTU		
HVE3 &8) 4&CE' <EA! & F<CGWEB<NL&&!&		&QJSTU		
CE' >& WA' <A>C				
)*6*,-+-	$-+F6-	$35-		
			8: !KCG@KA$DB-H$9J8%J;	$35-
	: #+0) 4&E) ,. ;	&RSXM		
HVE3 &8) 4&CE' >& WA' <A>C&		&RSXM		

MV00062358

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CE' EA&[F' >3&FH&A cG' WD' EDF<					
	)*+7*, -+-	$-,-3)	$E--5-		
				>CC: W>; B9C$H: 8; $! : : @-*G><$A; 5	$E--5-
	)*, F*, -+-	$2++-	$2467)5-		
				A>D A$D&KA: $>W	$2467)5-
	: #+O)4&E),.;		&JDTZUS&M		
HVE3&&)4&CE' EA&[F' >3&FH&A cG' WD' EDF<&			&TKIZPQS&Z		
CE' EA& F<E>FWWA> aC&FHHD A					
	)*,3*, -+-	$-,+EE	$42+,5E3		
				>CCK>D&A; 8: : ; $B: %98; $E*-7	$42+,5E3
	: #+O)4&E),.;		&JDTPJS&R		
HVE3&&)4&CE' EA& F<E>FWWA> aC&FHHD A&			&JDQPJS&R		
CE' EA&3 DC[G>CA9A <E&G<DE					
	)*+*, -+-	$3-2	$-4)7755,		
				H=EDG$A K%/98; $P*=$)*-+*+-	$-4 7755.
	)*+6*, -+-	$3+,	$-4-,255,		
				H=EDG$A K%/98; $P*=$)*+6*+-	$-4-.255.
	)*,7*, -+-	$3,-	$-4-,255,		
				H=EDG$A K%/98; $P*=$)*,7*+-	$-4-,255,
	: #+O)4&E),.;		&TLXUR3&R		
HVE3&&)4&CE' EA&3 DC[G>CA9A <E&G<DE &			&TZLJPUS&M		
CE' EA&<AE					
	)*+7*, -+-	$EE-237	$-426-5-		
				H9C; 8>H; : G$AJHA	$-426-5-
	: #+O)4&E),.;		&PLTKMB&M		
HVE3&&)4&CE' EA&<AE&			&PLTKMB&M		
CE' EA&F H&' WDH73 A-E&FH&D<3GCE>D W					
	)*+,*, -+-	$-+7+F	$--65-		
				% 8UB$! : : @8H	$--65-
	: #+O)4&E),.;		&PMKS&M		
HVE3&&)4&CE' EA&F H&' WDH73 A-E&FH& D<3GCE>D W&			&JPMB&M		

MV00062359

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&	-./(#+,& '()*+,012
CE' EA&F H& ' WDHF><D &3A- ES&F H&^GC ED A				
)*6*,-+-	$-+F6+	$242+25-		
			!ECL: 8%&ECJ; ECL$AJHA@&G	$242+25-
)*+7*,-+-	$-,-36	$-427)5-		
			!ECL: 8%&ECJ; ECL$AJHA@8	$3)5-
			?D99G$-DH=D$-CD< A@&G	$-422-5-
)*,3*,-+-	$-,+E7	$E3)5-		
			!ECL: 8%&ECJ; ECL$AJHA@&; >8A	$&+,5-
			!ECL: 8%&ECJ; ECL$AJHA@8: >AK8<	$EE5-
			!ECL: 8%&ECJ; ECL$AJHA@A	$3)5-
	: #+O)4&E),.;	&KLKXPS&M		
HVE3 &&) 4&CE' EA&F H& ' WDHF><D &3A- ES&F H& ^GCED A&		&KPLKUUS&M		
CE' EA&F H& ' WDHF><D 73A- E&F H& F9&C: ! C` 3A:				
)*,3*,-+-	$-,+7-	$2-75F7		
			8: !KCG@JS$K; EEB<	$-25++
			8: !KCG@JS$K; EEB<	$,52-
			8: !KCG@JS$K; EEB<	$225+E
			8: !KCG@JS$K; EEB<	$-6+5-
	: #+O)4&E),.;	&TMZ&XZ		
HVE3 &&) 4&CE' EA&F H& ' WDHF><D 73A- E&F H& ! F9&C: ! C` 3A: &		&PLTQQ&&KT		
CEA<F&CFWGEDF<C&E>' <C! >D-EDF<&C: ! CS&&D<				
)*+7*,-+-	$-,-33	$4E)75E		
			;8>CAH8B%; E9CS$AJHA@&G	$4E)75E
	: #+O)4&E),.;	&IKQLZS&Q		
HVE3 &&) 4&CEA<F&CFWGEDF<C& E>' <C! >DEDF<&C: ! CS&&D< &		&TJLTJZS&Q		
CEA>D V! WA&&[HD2&				
)*,3*,-+-	$EE-)-,	$&+F5E3		
			P>A; : $-> KDECL$AJ HA@CUD$A=D,8	$&+F5E3
	: #+O)4&E),.;	&KPXS&R		
HVE3 &&) 4&CEA>D V ! WA&&[HD2&		&JLLZQ&PR		
CEA: A&C&W <3C! ' - D<N& &] AA3& [' EA 9A<E				
)*6*,-+-	$-+F6,	$&-5-		
			8: !KCG@KADEH9J8%U;	$&-5-
	: #+O)4&E),.;	&RMB&M		
HVE3 &&) 4&CEA: A&C &W <3C! ' -D<N& &] AA3& ' [' EA9A<E&		&JRRTRS&K		
CEA: A&C& ' WWAV&< G>CA>V				
)*6*,-+-	$-+F62	$EF52F		
			8: !KCG@KADEH9J8%U;	$EF52F
	: #+O)4&E),.;	&QXS&X		
HVE3 &&) 4&CEA: A&C & ' WWAV&< G>CA>V&		&IMLK&J		

MV00062360

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
CEA] ' > EL& WDHHF > 3				
) *6*, -+-	$ -+E, 2	$ 6+5-7		
			8: ; B3: : $U: GBH>D&?: C: ! B	$ 6+5-7
	: #+O) 4&E) ,. ;	&IKPS&/Z		
HVE3 &&) 4&CEA] ' > E L& WDHHF > 3 &		&PIZZRS&P		
CEF < A> D3 NA& A< EA > & ' > E< A> C				
) *6*, -+-	$ -+F6)	$9-, -5-		
			8: ! KCG@KAS D3H$9J8%U;	9-, -5-
	: #+O) 4&E) ,. ;	&RJMB&/M		
HVE3 &&) 4&CEF < A> D3 NA& A< EA> & ' > E< A> C&		&JKKIQJKS&T		
CE>' 3 WD< NL&/F ! ! ' L& ' > WCF < & &>' GE@				
) *+, *, -+-	$ -+7+E	$625-		
			D L> D&AJHA@BA $UL;	$625-
	: #+O) 4&E) ,. ;	&KTS&/M		
HVE3 &&) 4&CE>' 3 WD< NL&/F ! ! ' L& ' > WCF < & & >' GE@&		&CPLTQJS&Q		
CE> AD @L&EA> > V&/S				
) *6*, -+-	$ -+F66	$2-522		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2-522
	: #+O) 4&E) ,. ;	&TMBT		
HVE3 &&) 4&CE> AD @L&EA> > V&/S&		&KQMBTP		
CE> D BWA> &DL&^F @< &] S				
) *6*, -+-	$ -+F63	$2+E5-2		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2+E5-2
	: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &&) 4&CE> D BWA> &DL&^F @< &] S&		&JLKJZS&K		
CG9 A> HF > 3 L& @> DC ED<'				
) *, 3*, -+-	$ -, +7+	$2E5-		
			EDA; 8KH; E9DC9AJHA@&G><'	$2E5-
	: #+O) 4&E) ,. ;	&TQB&/M		
HVE3 &&) 4&CG9 A> HF > 3 L& @> DCEB<' &		&TQMB&/M		

MV00062361

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
CG<<V9A' 3& ! A&@' >3] ' >A				
)*6*,-+-	$-+F6F	$-2553		
			UEAH$AK%&CB A@B8:	$65)2
			UEAH$AK%&CB A@B8:	$E5+2
)*+,*,-+-	$-+7+7	$)225,7		
			UEAH$AK%&CB A@&9 DBH:	$9-56-
			UEAH$AK%&CB A@&9 DBH:	$7522
			UEAH$AK%&CB A@&9 DBH:	$23)52+
			UEAH$AK%&CB A@&9 DBH:	$9-5F-
			UEAH$AK%&CB A@&9 DBH:	$-53)
			UEAH$AK%&CB A@&9 DBH:	$+53)
			UEAH$AK%&CB A@&9 DBH:	$65+F
)*+7*,-+-	$-,-3F	$F522		
			UEAH$AK%&CB A@B8:	$F522
: #+O) 4&E),.;		&JKUSPQ		
HVE3&8) 4&CG<<V9A' 3& ! A&@ >3] ' >A&		&TLKPRSVU		
CG<<V9A' 3&9F<EAC CF>D&C! @FFW				
)*+7*,-+-	$-,-3E	$3)52,		
			8: !KCG@KAS&DBH$9J8%U;	$3)52,
: #+O) 4&E),.;		&RUSTJ		
HVE3&8) 4&CG<<V9A' 3&9F<EACCF>D&C! @FFW		&RUSTJ		
CG-A>DF>&HG><DEG>A				
)*6*,-+-	$-+F6E	$)F523		
			8: !KCG@KAS&DBH$9J8%U;	$)F523
: #+O) 4&E),.;		&JXSTR		
HVE3&8) 4&CG-A>DF>&HG><DEG>A&		&JXSTR		
C] AAE&H' ! EF>V&bU CZ				
)*6*,-+-	$-+F67	$)35,		
			8: !KCG@KAS&DBH$9J8%U;	$)35.
: #+O) 4&E),.;		&JRSTJ		
HVE3&8) 4&C] AAE&H' ! EF>V&bUCZ&		&JRSTJ		
E&9&C& CCF! D EAC				
)*+7*,-+-	$-,-37	$)E5,+		
			8: !KCG@KAS&DBH$9J8%U;	$)E5,+
: #+O) 4&E),.;		&JCSTP		
HVE3&8) 4&E&9&C& CCF! D EAC&		&JCSTP		
ES/S&/D<&D<EA><' EDF<' W				
)*,3*,-+-	$-,+7,	$F483+5F+		
			L8>==>U$A; $9J8H8A ACL*A8@-$%&89M	$F483+5F+
: #+O) 4&E),.;		&UERRPSXP		
HVE3&8) 4&ES/S&/D<&D<EA><' EDF<' W&		&RQLPZJSXM		

MV00062362

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&.//(#+,&	-./(#+,& '()*+,012
E' cGA>D &NG' 3' WG -' <'				
)*+7*,-+-	$-,-F+	$2F57-		
			8: !KCG@KASDBH$9J8%J;	$2F57-
: #+0) 4&E) ,. ;		&TXSZM		
HVE3 &&) 4&E' cGA>D &NG' 3' WG-' <' &		&TXSZM		
EA! @<D ' >A& F9-G EA>&CVCEA9 CL&D<!				
)*6*,-+-	$-+F3-	$2E5E-		
			8: !KCG@KASDBH$9J8%J;	$2E5E-
: #+0) 4&E) ,. ;		&TQ&SM		
HVE3 &&) 4&EA! @<D ' >A& F9-GEA>&CVC EA9 CL& B<!&		&TQ&SM		
E@A&[' >[A>C				
)*+7*,-+-	$-,-F,	$2)552		
			8: !KCG@KASDBH$9J8%J;	$2)552
: #+0) 4&E) ,. ;		&TUSKT		
HVE3 &&) 4&E@A&[' >[A>C&		&TUSKT		
E@A>9' W! FFW&D<! S				
)*6*,-+-	$-+F3+	$2-,5-		
			>HKCBAJH@KCC<UG$/&I AC?>8	$E65-
			>HKCBAJH@KCC<UG$/&I AC?>8	$E65-
			>HKCBAJH@NK: A; 8B>C$H; 8	$335-
			>HKCBAJH@NK: A; 8B>C$H; 8	$335-
: #+0) 4&E) ,. ;		&TMJS&M		
HVE3 &&) 4&E@A>9' W! FFW&D<! S&		&PQLCKMSTR		
E@F9! F& F<CE>G! E DF<L&D<! S				
)*6*,-+-	$-+F3,	$-24F)+5)6		
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-,423F52+
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-42F)5+)
: #+0) 4&E) ,. ;		&PTLXUPS&K		
HVE3 &&) 4&E@F9! F&! F<CE>G! EDF<L&D<! S&		&PTLXUPS&K		
EDFC&E' ! F&<F&T				
)*6*,-+-	$-+F32	$3252E		
			8: !KCG@KASDBH$9J8%J;	$3252E
: #+0) 4&E) ,. ;		&RTS'Q		
HVE3 &&) 4&EDFC&E' ! F&<F&T&		&RTS'Q		
EY9F[DVA				
)*+7*,-+-	$-,-F-	$6F5--		
			8: !KCG@KASDBH$9J8%J;	$6F5-
: #+0) 4&E) ,. ;		&KXS&M		
HVE3 &&) 4&EY9F[DVA&		&PQJS&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
EF9 CAWD& <NAWF				
)*+,*,-+-	$-+7,-	$5)55-		
			8: !KCG@B>; B9C$5BAUBAA: G	$6)56-
	: #+0)4E),.;	&KU&M		
HVE3&)4EF9 CAWD& <NAWF&		&KU&M		
EF>>ACL&>F[A>E				
)*+,*,-+-	$-+7,+	$)255-		
			8: BJ?@&C!9% 9%D $P98I A=9%	$)255-
	: #+0)4E),.;	&JT&M		
HVE3&)4EF>>ACL&>F[A>E&		&JT&M		
E>'HHD&F<E>FW&CA>:DAL&D<!S				
)*,3*,-+-	$-,+72	$54F)55-		
			;8>!!B-H$D>LA4&A BLCA$C&A; >CGA	$)4F6E5+3
			A>DA$>W	$)+352)
	: #+0)4E),.;	&KIPXU&M		
HVE3&)4E>'HHD&F<E>FW&CA>:DAL&D<!S&		&KIPXU&M		
E>'<L&<NGVAE				
)*+7*,-+-	$-,-F2	$5,5-		
			8: !KCG@CUD&DB-H: CA: $1:::	$5,5-
	: #+0)4E),.;	&KJ&M		
HVE3&)4E>'<L&<NGVAE&		&KJ&M		
E>A'CG>A&[F_L&D<!S				
)*6*,-+-	$-+F3)	$+5-2		
			8: !KCG@KAS DB-H$9J8%J;	$+5-2
	: #+0)4E),.;	&IP&T		
HVE3&)4E>A'CG>A&[F_L&D<!S&		&IP&T		
E>AA&F H&VDHAL&D<!S				
)*6*,-+-	$-+F36	$25,+		
			8: !KCG@KAS DB-H$9J8%J;	$25,+
	: #+0)4E),.;	&TS&P		
HVE3&)4E>AA&F H&VDHAL&D<!S&		&TS&P		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
E>D @AL&E' >'				
)*,3*,-+-	$-,+76	$-472+5)-		
			EC A; 8KH; 98$AJHA@>DD ;	$2665-
			EC A; 8KH; 98$AJHA@>DD ; *>H89	$EE5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2225-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$ EE53-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2+-5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$-FF53-
			EC A; 8KH; 98$AJHA@B%&-9%&G>CH:	$ EE53-
			EC A; 8KH; 98$AJHA@&D; : 8UG$?>DD ;	$EE5E-
	: #+O) 4&E) ,. ;	&PLZTPS&M		
HVE3 &&) 4&E> D @AL&E' >' &		&PZLJZPS&M		
E>D! DE V&VD< A< &C G- - VW L&D<! S				
)*,3*,-+-	$-,+7)	$)F55-		
			DE C: C$B: C; >D&! 98 $H8H	$,55-
			DE C: C$B: C; >D&! 98 $H8H	$65-
	: #+O) 4&E) ,. ;	&JX$&M		
HVE3 &&) 4&E> D! DE V&VB: A< &CG- - VW L&B: ! S&		&PLRJJVB&M		
E>F-D ' W&- W \ ' &< G>CA>VL&D<! S				
)*,3*,-+-	$-,+73	$-E47+25)E		
			EB 8EL$B: %>EBA@9C: $ @	$7735)2
			DCGAH%&J>EC; @9C: $ @	$-64F- -5-
			DCGAH%&J>EC; @9C: $ @3	$4+F5)6
	: #+O) 4&E) ,. ;	&PQJZPT$RQ		
HVE3 &&) 4&E> F-D ' W&- W \ ' &< G>CA>VL&B: ! S&		&PQTLJKPS&K		
E>GN>AA< &W <3! ' >A				
)*,3*,-+-	$-,+7F	$,+476F5)-		
			EB 8EL$B: %>EBA@9C: $GAL@	$-25++
			EB 8EL$B: %>EBA@8>H; $2+,E)	$635)2
			EB 8EL$B: %>EBA@8>H; $2- -,F	$757
			EB 8EL$B: %>EBA@8>H; $-,F,	$-532
			EB 8EL$B: %>EBA@8>H; $-7,-E	$3)5F-
			EB 8EL$B: %>EBA@8>H; $-7,-E	$-25E)
			DCGAH%&P98I @8>H; $E3	$2-5-
			DCGAH%&J>EC; @9C: $J	$642,)5E7
			DCGAH%&J>EC; @9C: $GAL@	$F4-252E
			DCGAH%&J>EC; @9C: $GAL@	$246++57
			DCGAH%&J>EC; @9C: $GAL@	$47-75+)
	: #+O) 4&E) ,. ;	&JPLZKX$&M		
HVE3 &&) 4&E> GN>AA< &W <3! ' >A&		&TMTLJPX$&J		

MV00062365

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46)1#8)8&.,/(#+,	-./(#+,& '( )*+,012
EG<EW <3L&' 9AC				
	)*6*,-+-	$-+E,)	$6+5-7	
			8:; B8:: $U: GBH>D&?: C: !B	$6+5-7
	: #+0) 4&E),.;		&IKP&/Z	
HVE3&8) 4&EG<EW <3L&' 9AC&			&PIZZR&P	
EG>[FC! ' -AL&D<! S				
	)*,3*,-+-	$EE-)-2	$34),)5E-	
			>CCD&UKDH=B&L&B$/9C: $@	$34),)5E-
	: #+0) 4&E),.;		&RLJJU&M	
HVE3&8) 4&EG>[FC! ' -AL&D<! S&			&ZLKXX&M	
E]D<&N>' -@D C				
	)*,3*,-+-	$EE-)-)	$9-325-2	
			J:=BHD $L8>%=BHA $!98$%G$KCB	$9-325-2
	: #+0) 4&E),.;		&PRT&PT	
HVE3&8) 4&E]D<&N>' -@D C&			&JJTKZ&R	
G&C&S@A' WE@] F>BC&9A3D ' W&N>FG-				
	)*+,*,-+-	$-+7,,	$365-	
			:U%D9<::$G9;*GJJ $W+U	$365-
	)*+7*,-+-	$-,-F)	$64-6+5-	
			C: P$ U%D9<::$%=< ABH>DA	$635-
			C: P$ U%D9<::$%=< ABH>DA	$24775-
			C: P$ U%D9<::$%=< ABH>DA	9-46735-
	: #+0) 4&E),.;		&KJPR&M	
HVE3&8) 4&G&C&S@A' WE@] F>BC&9A3D ' W& N>FG-&			&PKIPTR&M	
G! &>ANA<EC&&NF: Ea/&& F99G<DEV&>AW EDF<				
	)*6*,-+-	$-+F3F	$5)5-	
			2*,)4)*,E45*,3 @; LA	$5)5-
	: #+0) 4&E),.;		&KU&M	
HVE3&8) 4&G! &>ANA<EC&&NF: Ea/&& ! F99G<DEV&>AW EDF<&			&ZZQ&M	
GY@' GW& F&FH& ' WDHF><D				
	)*6*,-+-	$-+F33	$375-	
			8: !KCG@KA&DBH&9J8%U;	$375-
	: #+0) 4&E),.;		&RZ&M	
HVE3&8) 4&GY@ GW& F&FH& ' WDHF><D &			&RZ&M	
GW&9A>&D<3GCE>DAC L&D<! S				
	)*+7*,-+-	$-,-F6	$E4+)52+	
			8>BE&L&!>?8BH>; B&C&!98&?8B&L:	$E4+)52+
	: #+0) 4&E),.;		&QRPU&P	
HVE3&8) 4&GW&9A>&D<3GCE>DAC L&D<! S&			&QRPU&P	

MV00062366

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
G<DF<&[' <B&FH& ' WDHF><D				
)*6*, -+-	$-+F3E	$2235-		
			EDJ: A; U: C; $A>!: I : : %EDL$AJHA	$2235-
)*+7*, -+-	$-,-F3	$-F-5-		
			U9C; =D<$D9H$ 8>C A!: 8$! : : A	$-F-5-
	: #+0) 4E) ,. ;	&KVR&M		
HVE3 &) 4&G<DF<&[' <B&FH& ' WDHF><D &		&JQXLKXZ&LZ		
G<DEA3 &D<C-A! EDF <& &EACED<N&D<!				
)*,3*, -+-	$-,+7E	$-4F+75-6		
			>CCD&%-J: UC; $B: A K8!>HEDL$%&89M	$-4F+75-6
	: #+0) 4E) ,. ;	&PLXPZ&PK		
HVE3 &) 4&G<DEA3 &D<C-A! EDF <& &EAC ED<N&D<! &		&MLKRQ&M		
G<DEA3 & F] A>&NA< A>' EDF<L&D<! S				
)*6*, -+-	$-+F37	$24+65-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ6E	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @= D 8	$-65-
			L: C: 8>; 98$D9>G$? >CI $: A; @!5-5	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @&A?	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ3	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ)E	$+-5-
)*+7*, -+-	$-,-FF	$-42-5-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$-F+5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$2E5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$-)-5F
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$375)2
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$+65-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$-765-
	: #+0) 4E) ,. ;	&LJUK&M		
HVE3 &) 4&G<DEA3 &-F] A>&NA< A>' EDF< L&D<! S&		&PLZZM&R		
G<DEA3 &CDEA&CA>: D AC&FH& ' L&D<! S				
)*6*, -+-	$-+FF-	$3+5F-		
			8: !KCG@KADH9J8%J;	$3+5F-
)*6*, -+-	$EE-2+3	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GE5	$7F56
)*+, *, -+-	$EE-2)6	$-E)5F,		
			%98; >?D $ 9ED ; $AJH@9D!$H; 8	$FF522
			!: CH: $B: C; >D@CEJ>D$A=: D : 8	$-F527
)*+7*, -+-	$EE-2F-	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GE5	$7F56
	: #+0) 4E) ,. ;	&UP&KJ		
HVE3 &) 4&G<DEA3 &CDEA&CA>: D AC&FH & ' L&D<! S&		&ZLUKP&RK		

MV00062367

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
G<DEA3 &CE' EAC&E> A' CG>V				
)*+,*,-+-	$-+7,)	$6-5-		
			%<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
)*,3*,-+-	$-,+77	$6-5-		
			%<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
: #+0) 4&E) ,. ;		&PMMM		
HVE3 &) 4&G<DEA3 &CE' EAC&E> A' CG>V&		&KLKXMMM		
G<DEA3 &] ' V&FH&D< W <3& ' WWAVC				
)*+,*,-+-	$-+7,6	$3,F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3,F5-E
)*,3*,-+-	$-,,--	$3,F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3,F5-E
: #+0) 4&E) ,. ;		&PLJKUSTR		
HVE3 &) 4&G<DEA3 &] ' V&FH&D< W <3& ' WWAVC&		&PQLPRTSZM		
G-EF<L&A9DBF				
)*+7*,-+-	$-,-FE	$335-		
			8: !KCG@CUD&AJH$!: : A	$2-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-35-
: #+0) 4&E) ,. ;		&RRSMM		
HVE3 &) 4&G-EF<L&A9DBF&		&RRSMM		
GC' & W >9&CVCEA9 CL&D<! S				
)*+7*,-+-	$-,-F7	$2-5-		
			8: !KCG@KA$DB-H$9J8%U;	$2-5-
: #+0) 4&E) ,. ;		&TMMM		
HVE3 &) 4&GC' & W >9&CVCEA9 CL&D<! S&		&TMMM		
GC' &9F[DWDEV7 >! @&] D>AWACC				
)*+7*,-+-	$EE-2F+	$735-7		
			%L: 8$AJH@&>8I $B>CL: 8A	$5-2
			%L: 8$AJH@8>CA%$GB5	$65-7
			%L: 8$AJH@B VS%>; 89D&J9DC; 8A5	$2256)
			%L: 8$AJH@CBJ>D$AJHA	$2E57-
			%L: 8$AJH@%8: A C >W A	$-F52
: #+0) 4&E) ,. ;		&ZRSZZ		
HVE3 &) 4&GC' &9F[DWDEV7 >! @&] D>AWACC&		&QJRSRX		

MV00062368

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
:' ! ' EA&-ACE&AWD9 D<' EDF<& F9-' <V				
)*6*,-+-	$EE-2+F	$-4-65-		
			% A; $HC; 8D@&; EDB <$I DG$9! ! EH:	$)65-
			% A; $HC; 8D@B <$=>DD	$F65-
			% A; $HC; 8D@BB: $A; $Z) E	$)65-
			% A; $HC; 8D@BB: $A; $Z,	$)65-
			% A; $HC; 8D@BB: $A; $Z6E	$)65-
			% A; $HC; 8D@BB: $A; $Z36	$)65-
			% A; $HC; 8D@BB: $A; $Z3	$)65-
			% A; $HC; 8D@BB: $A; $Z7+	$)65-
			% A; $HC; 8D@9C! $D&B: H$H; 8	$F65-
			% A; $HC; 8D@9D! $H; 8$%&89$A=9%	$,56-
			% A; $HC; 8D@J; J$A; KGD9	$,56-
			% A; $HC; 8D@D9 8>8<	$665-
			% A; $HC; 8D@9PCL>; : $H9UU$H; 8	$)65-
			% A; $HC; 8D@: CD9 8$H; 8	$665-
			% A; $HC; 8D@8>CA%&$ 8D8	$)65-
			% A; $HC; 8D@B <$<>8G	$+65-
			% A; $HC; 8D@K?$A>! : ; <$?DGL	$F65-
			% A; $HC; 8D@CBJ> D$A=: D : 8	$+65-
			% A; $HC; 8D@CC: W$?DGL$-	$665-
			% A; $HC; 8D@>8?$=9??<$A=9%	$)65-
			% A; $HC; 8D@; >8A$?DGL*U>8?	$)65-
			% A; $HC; 8D@>8H= $I DG$%>8I $H5H5	$)65-
)*,3*,-+-	$EE-)-3	$67-5-		
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
: #+O) 4&E),.;		&PLXZKS&M		
HVE3 &&) 4&' ! ' EA&-ACE&AWD9 D<' EDF< & ! F9-' <V&		&PKLJXKS&M		
:' WD&I FF-A>& & CCF! D EACL&D<! S				
)*6*,-+-	$EE-2+E	$74)6-5-		
			; : U%&A; >! ! EDCL$AJ HA@I>%&%&89MA	$74)6-5-
: #+O) 4&E),.;		&ZLLKMB&M		
HVE3 &&) 4&' WD&I F F-A>& & CCF! D EACL&D<! S&		&PTQLQLJXS&M		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$46,5)+7-*46) 1#) 8&. /(#+,	-./(#+,& '()*+,012
: ' <3A>8@] B& F<C GWEB< NL&WW					
	)*+7*,-+-	$-,-E-	$4--5-		
				%>J: UC; $JLU; $%8L U$K%G>; : $AJHA	$4--5-
	: #+O) 4&E) ,. ;		&LIJMVB/M		
HVE3 &) 4& ' <3A>8@] B& F<CGWEB< NL&WW &			&JXIKZTS/M		
: ' C& CCF! D EACL& B< ! S					
	)*+7*,-+-	$EE-2F,	$,-46,-5-		
				; : U%&A; >!! EBCL$AJ HA@!>%&%8 9MA	$-46,-5-
	: #+O) 4&E) ,. ;		&IMKJMB/M		
HVE3 &) 4& ' C& CC F! D EACL&B< ! S&			&PQLIXJKS/M		
: A>3 B< & F<! >AEAL&B< ! S					
	)*6*,-+-	$-+FF+	$3-5-		
				8: !KCG@KA$CB-H$9J8%U;	$3-5-
	: #+O) 4&E) ,. ;		&RMB/M		
HVE3 &) 4& A>3 B< &! F<! >AEAL&B< ! S&			&RMB/M		
: A>D F<					
	)*+,*,-+-	$-+7,3	$-4F--573		
				?>HI ?9C: $H=8LA	$-4F--573
	: #+O) 4&E) ,. ;		&PLXMMZR		
HVE3 &) 4& A>D F< &			&PRLQTJS&K		

MV00062370

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
: A>D F<& ' WDHF><D					
	)*+,*,-+-	$-+7,F	$-48,6556+		
				;:D %=9C:3H=8LA	$2,5-2
				;:D %=9C:3H=8LA	$2-+573
				;:D %=9C:3H=8LA	9-E75)F
				;:D %=9C:3H=8LA	$6,25FF
				;:D %=9C:3H=8LA	$23E52E
				;:D %=9C:3H=8LA	$E25F2
				;:D %=9C:3H=8LA	$26)52.
				;:D %=9C:3H=8LA	$26,5E7
				;:D %=9C:3H=8LA	$FE57F
				;:D %=9C:3H=8LA	$2265)2
				;:D %=9C:3H=8LA	$625F,
				;:D %=9C:3H=8LA	$52+5E
				;:D %=9C:3H=8LA	$-,52E
				;:D %=9C:3H=8LA	$735-,
				;:D %=9C:3H=8LA	$FE527
				;:D %=9C:3H=8LA	9-7,5F
				;:D %=9C:3H=8LA	$E65-6
				;:D %=9C:3H=8LA	$635E)
				;:D %=9C:3H=8LA	9-E5E,
				;:D %=9C:3H=8LA	9-,25-F
				;:D %=9C:3H=8LA	$3,5FE
				;:D %=9C:3H=8LA	9-5+
				;:D %=9C:3H=8LA	9-5+
				;:D %=9C:3H=8LA	9)+53
				;:D %=9C:3H=8LA	$657-2
				;:D %=9C:3H=8LA	9),57,
				;:D %=9C:3H=8LA	9-755E
				;:D %=9C:3H=8LA	$-532
				;:D %=9C:3H=8LA	$-532
				;:D %=9C:3H=8LA	9-775)-
				;:D %=9C:3H=8LA	9-)355F
				;:D %=9C:3H=8LA	$5E5-
				;:D %=9C:3H=8LA	$365,E
				;:D %=9C:3H=8LA	9-6E57)
				;:D %=9C:3H=8LA	$F,57-
				;:D %=9C:3H=8LA	9-75-F
				;:D %=9C:3H=8LA	$F357E
				;:D %=9C:3H=8LA	$2F35-E
				;:D %=9C:3H=8LA	$2462E3+
	)*,3*,-+-	$-,,-+	$3+E5,6		
				;:D %=9C:3H=8LA@8H	$3+E5,6
	: #+O)4&E),.;		&PLJUTSXR		
HVE3 &) 4& A>D F< & ' WDHF><D &			&PMVDTMVB/Z		
: D3 AF &C@F>AC					
	)*+7*,-+-	$-,-E+	$F5-F		
				8: !KCG@KASDBH$9J8%U;	$F5-F
	: #+O)4&E),.;		&IXS/K		
HVE3 &) 4& D3 AF &C @F>AC&			&IXS/K		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
: DN DN L&A><ACE				
	)*6*,-+-	$-+E,6	$2+E5F2	
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &) 4& DN DN L&A><ACE&			&TTPQXSTM	
: DCDF<&U&8 A\ DN<				
	)*+7*,-+-	$-,-E,	$-5-F	
			8: !KCG@KAS DBH$9J8%U;	$-5-F
	: #+0) 4&E) ,. ;		&JMB/K	
HVE3 &) 4& DCDF<&U&8 A\ DN<&			&JMB/K	
: DCDF<&CA>: D A& W <				
	)*6*,-+-	$EE-2,-	$42,+56	
			: U%D9<: : $JBA5DC$ BCAK8>CH:	$42,+56
	: #+0) 4&E) ,. ;		&JDTJPS/K	
HVE3 &) 4& DCDF<&CA>: D A& W <&			&JUUJMPS/P	
: DCE' & ' D<E& F>- F>' EDF<				
	)*6*,-+-	$-+FF,	$EF56 2	
			AK%%DB A$!98$L8> !!B BBUJD AK%%DB A$!98$L8> !!B BBUJD	$35, $+52+
	)*+7*,-+-	$-,-E2	$7-657F	
			%-BC; *AK%%DA$!98 $L8>!!B BBUJD	$7-657F
	: #+0) 4&E) ,. ;		&ZZT$XM	
HVE3 &) 4& DCE' & ' BE& F>-F>' EDF<&			&PPZTT$/Z	
: DCEA>>' & >A3 DE&G<DF<				
	)*,3*,-+-	$-,,-,	$F6-5-	
			8: !KCG@BC; D$G: %&)*+,	$F6-5-
	: #+0) 4&E) ,. ;		&KKMB/M	
HVE3 &) 4& DCEA>>' & >A3 DE&G<DF<&			&QKMB/M	
: FV' NA>&HWAAE&CV CEA9L&D<! S				
	)*6*,-+-	$EE-2,+	$-47,-56	
			HCL$!K: D$!98$A; 8: : ; $/8LU HCL$!K: D$!98$G8>BC$U>BC; $/8LU	$-83E522 $6+57,
	: #+0) 4&E) ,. ;		&PZJMS/K	
HVE3 &) 4& FV' NA> &HWAAE&CVCEA9L&D<! S&			&PXIRUU5RU	

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
: GW! ' <&9' EA>D WC & F L&D<! S				
)*6*,-+-	$-+FF)	$-4-+5E+		
			>A%=>D, B#$J>;:8B>D	$+25+6
			>A%=>D, B#$J>;:8B>D	9-FF5+-
			>A%=>D, B#$J>;:8B>D	$E25E)
			>A%=>D, B#$J>;:8B>D	$+25E3
			>A%=>D, B#$J>;:8B>D	$+25E3
)*+7*,-+-	$-,-E)	$34))5F-		
			>A%=>D, B#$J>;:8B>D	$4-.-52E
			>A%=>D, B#$J>;:8B>D	9-47-+566
			>A%=>D, B#$J>;:8B>D	$E)56)
			>A%=>D, B#$J>;:8B>D	$++5-2
			>A%=>D, B#$J>;:8B>D	9-FF5E-
			>A%=>D, B#$J>;:8B>D	9-FF5+-
			>A%=>D, B#$J>;:8B>D	$,E5+3
			>A%=>D, B#$J>;:8B>D	9-)+5F3
			>A%=>D, B#$J>;:8B>D	$E25+)
			>A%=>D, B#$J>;:8B>D	$2-5++
			>A%=>D, B#$J>;:8B>D	9-3)5E3
			>A%=>D, B#$J>;:8B>D	9-2-57)
			>A%=>D, B#$J>;:8B>D	9-2-57)
			>A%=>D, B#$J>;:8B>D	$3,5-7
	:#+O,4&E),.;	&KLKURSXP		
HVE3 &&) 4& GW! ' <&9' EA>D WC& F L&D< ! S&		&PMPLQXJSVQ		
] ' NNF<A>&\>SL&NWA<<& S				
)*6*,-+-	$-+E,3	$2+E5F2		
			8:;BB:: $J: GBH>D&?: C: !B)	$2+E5F2
	:#+O,4&E),.;	&TPQSXT		
HVE3 &&) 4&] ' NNF<A>&> SL&NWA<<& S&		&TLPQXSTM		
] ' N<A>L&N' >V&& S				
)*6*,-+-	$-+E,F	$2+6557		
			8:;BB:: $J: GBH>D&?: C: !B)	$2+6557
	:#+O,4&E),.;	&TPKSXZ		
HVE3 &&) 4&] ' N<A>L&N' >V&& S&		&TLPXUSXU		
] ' NVL& ' >VWF<				
)*6*,-+-	$-+FF6	$32F5)3		
			8:;BB:: $J: GBH>D&?: C: !B)	$32F5)3
	:#+O,4&E),.;	&RTXSJR		
HVE3 &&) 4&] ' NVL& ' >VWF<&		&TLPQXSTM		
] ' @AA3 L&9 G<AA>				
)*+7*,-+-	$-,-E6	$--5-		
			8:!KCG@&C; D&G: %&)*2	$--5-
	:#+O,4&E),.;	&MMBMM		
HVE3 &&) 4&] ' @AA3 L&9 G<AA>&		&MMBMM		

MV00062373

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
] ' C@D<NEF<&D<:A<EF>V&CA>:D A					
	)*6*, -+-	$-+FF3	$3F5E3		
				8: !KCG@KA5DB-H$9J8%U;	$3F5E3
	: #+0) 4&E) ,. ;		&RX&&R		
HVE3 &&) 4&] ' C@B<N EF<&D<:A<EF>V&CA>:D A&			&RX&&R		
] ' C@D<NEF<L& >EACD					
	)*6*, -+-	$-+FFF	$--5-		
				L: C$DB?$A: ; ; D U :C;	$--5-
	: #+0) 4&E) ,. ;		&IMMB/M		
HVE3 &&) 4&] ' C@B<N EF<L& >EACD &			&IMMB/M		
] ' CCF<L&BD>B					
	)*+7*, -+-	$EE-2F2	$2), 5-		
				E<A; 8KH; E9C$AJHA@&G><A	$2), 5-
	: #+0) 4&E) ,. ;		&TUU&M		
HVE3 &&) 4&] ' CCF<L&BD>B&			&PIZMMB/M		
] ' CEA&9' <' NA9A<E &FH&E@A&D<W <3&A9-D>A					
	)*,3*, -+-	$-,,-2	$-4))55+		
				A; 98>L: $E<$B: C; >DA	$-4))55+
	: #+0) 4&E) ,. ;		&PLJUU&P		
HVE3 &&) 4&] ' CEA&9 ' <' NA9A<E&F H&E@A & B<W <3&A9-D>A&			&PTUTTZ&P		
] ' EBD<CL& <<DA					
	)*6*, -+-	$-+FFE	$E-5-		
				8: !KCG@>8E9KA$*H$I: : A	$2-5-
				8: !KCG@>8E9KA$*H$I: : A	$-5-
				8: !KCG@>8E9KA$*H$I: : A	$-5-
				8: !KCG@>8E9KA$*H$I: : A	$-5-
				8: !KCG@>8E9KA$*H$I: : A	$-5-
	: #+0) 4&E) ,. ;		&QMB/M		
HVE3 &&) 4&] ' EBB<CL& <<DA&			&QMB/M		
] AA9CL&9AN' <&AS					
	)*+,*, -+-	$-+7,E	$-5-		
				8: !KCG@B>; E9C$9J8%U;	$-5-
	: #+0) 4&E) ,. ;		&JMB/M		
HVE3 &&) 4&] AA9CL&9AN' <&AS&			&JMB/M		
] AWWC&H' >NF&[' <B					
	)*,3*, -+-	$-,,-)	$4--5-		
				>CCK>D&>GUE<$I: :	$4--5-
	: #+0) 4&E) ,. ;		&LLMMB/M		
HVE3 &&) 4&] AWWC&H' >NF&[' <B&			&PQLKTMB/M		

MV00062374

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.//(#+,	-./(#+,& '()*+,012
] AWVC&H' >NF& F>- F>' EA&E>GCE				
)*+*,-+-	$-2,2+	$-4,65EE		
			EC; : 8: A; $I>8B?D: $B>; : $9CG	$-4,65EE
: #+0) 4&E) ,. ;		&PIJJKS&Q		
HVE3 &8) 4&] AWVC&H' >NF& F>-F>' EA&E>GCE&		&ZIMJZILJCK&JT		
] ACE&NF: A><9A<E&CA>: D AC				
)*,3*,-+-	$-,,-6	$5--5-		
			\HD >8\$K; 9$ 8> HI $AJHA$I 98$%G	$5--5-
: #+0) 4&E) ,. ;		&KMMB/M		
HVE3 &8) 4&] ACE&NF : A><9A<E&CA>: D A C&		&JLKMMB/M		
] ACE&N>FG-				
)*+7*,-+-	$EE-2F)	$3)5-,		
			9CDE: $H=8LA@ L>DE!9	$-E)5-,
			D L>D$%K?DH>; E9 CA$AK?AH8% CA	$E-5-
: #+0) 4&E) ,. ;		&RRJJ&PJ		
HVE3 &8) 4&] ACE&N> FG-&		&KLKKR&RP		
] ACEA><&9G<D D' W&] ' EA>&3 DCE>D E				
)*,3*,-+-	$-,,-3	$FF+5F6		
			P>; : 8$H=8LA@>8? $?>DD!B DGA	$2675-2
			P>; : 8$H=8LA@!%HH$DCGAH%	$26F5),-
			P>; : 8$H=8LA@!%HH$?DGL	$662-
: #+0) 4&E) ,. ;		&XPS&K		
HVE3 &8) 4&] ACEA><&9G<D D' W&] ' EA>& 3 DCE>D E&		&PILJJTS&Q		
] @DC@A>L&BVWA				
)*+7*,-+-	$-,,-E3	$5--5-		
			8: !KCG@8>%&G: %9AB	$5--5-
: #+0) 4&E) ,. ;		&KMMB/M		
HVE3 &8) 4&] @DC@A>L&BVWA&		&KMMB/M		
] @DEAL&! S/&S				
)*,3*,-+-	$-,,-F	$-5-		
			8: !KCG@B>; E9C$9J8%U;	$--5-
			8: !KCG@B>; E9C$9J8%U;	@--5-
)*,7*,-+-	$-,,+,	$--5-		
			8: !KCG@B>; E9C$9J8%U;	$--5-
: #+0) 4&E) ,. ;		&PMMB/M		
HVE3 &8) 4&] @DEAL&! S/&S		&PMMB/M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
] DAWD<L&>F<' W3& S					
	)*6*, -+-	$-+E, E	$2+E5F2		
				8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&T		
HVE3 &8) 4&] DAWD<L&>F<' W3& S&			&TLPQXSTM		
] DWW3' <& <3& CCF ! D EAC					
	)*6*, -+-	$-+FF7	$,+4 265-2		
				U98$?: >H=$G8$PBG: CBCL$%&9M	$+4 265-2
	)*+, *, -+-	$-+7, 7	$,24F665),,		
				U98$?: >H=$G8$PBG: CBCL$%&9M	$24F665),,
	)*+7*, -+-	$-, -EF	$5)-5--		
				: >A; 8BGL: $ B3$3: JB P$AJHA	$5)-5-
	: #+0) 4&E) ,. ;		&JKLKTMLJK		
HVE3 &8) 4&] DWW3' <& <3& CCF ! D EAC&			&JRZLPQRSJM		
] DWW3' <&HD<' <! D W&CA>: D AC					
	)*, 3*, -+-	$-, , -E	$,4--5--		
				!<$E"-7$>CCK>D$GBAHD9AK8: $AJH	$-4--5-
				!<$E"-7$>CCK>D$GBAHD9AK8: $AJH	$-4--5-
	: #+0) 4&E) ,. ;		&LLMMMJM		
HVE3 &8) 4&] DWW3' <&HD<' <! D W&CA>: D AC&			&PMPJKS&X		
] DWWD 9 CL&' <A&WS					
	)*6*, -+-	$-+FE-	$-, , ,52E		
				8: ; B3: : $U: GBH>D$?: C: !B	$-, , ,52E
	: #+0) 4&E) ,. ;		&RJJS&Q		
HVE3 &8) 4&] DWWD 9 CL&' <A&W&&			&PLJJPS&RJ		
] >A3 AL&C@ >F<					
	)*6*, -+-	$-+FE,	$--5--		
				8: !KCG@&G$HB>; B9C$!: : A	$--5-
	: #+0) 4&E) ,. ;		&PMMBJM		
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MORENO VALLEY
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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062382

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 38	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.86
2.0	One	120.41	222.72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14.43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50.10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204.77	
Monthly Minimum Pull Fee (compactor)	$	296.00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71.36	
Relocation	$	71.36	
Set Up Fee	$	25.09	

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CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

MV00062386

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00062388

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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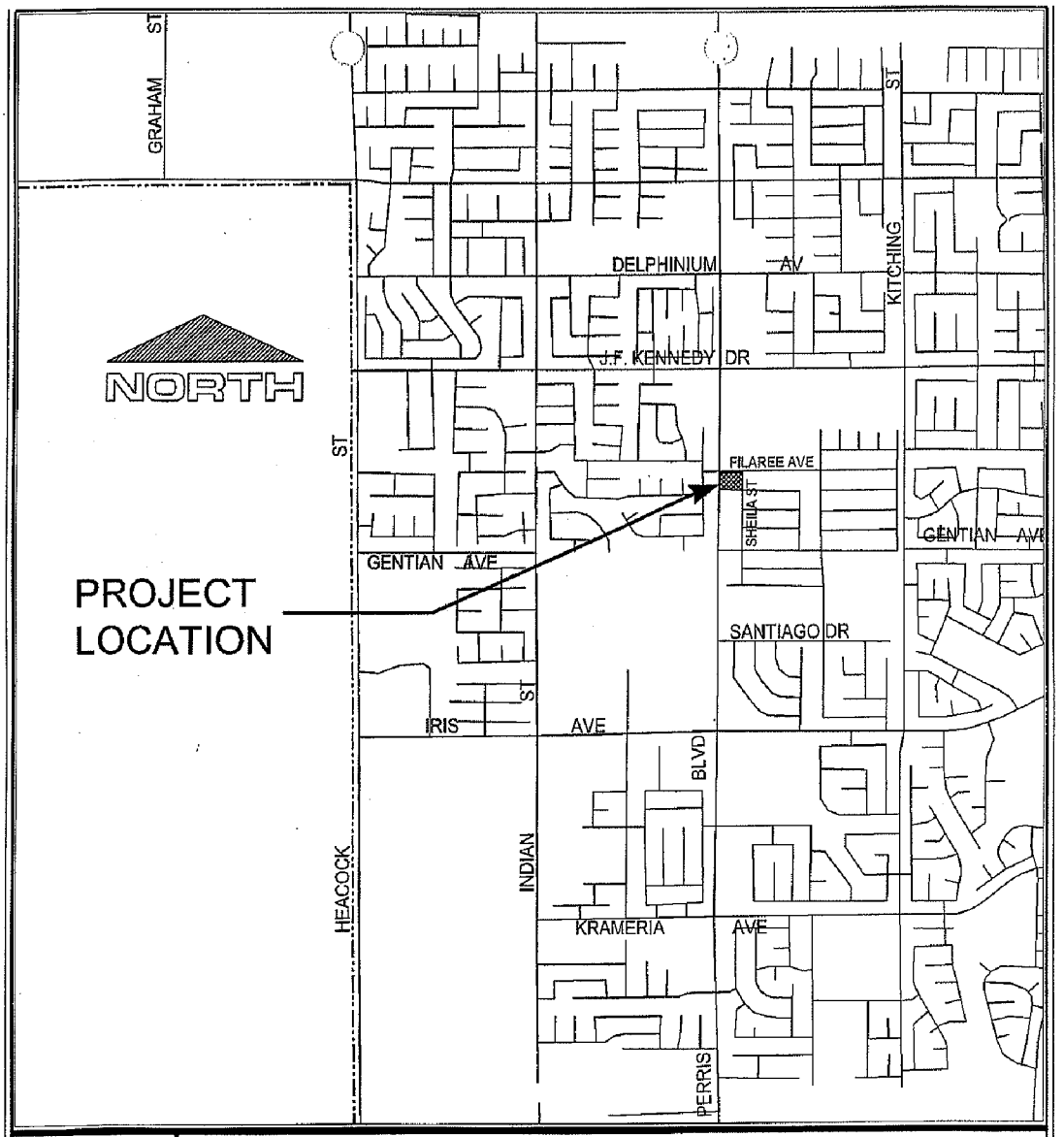

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

MV00062391

MV00062392

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

MV00062394

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062396

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00062400

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official : Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I **Organizations Affected:**

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II **Responsibilities of City Office:**

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

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perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V **Procedures:**

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

   a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

   b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

   c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

MV00062408

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

MV00062410

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062411

MV00062412

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Bonnie Flickinger, Mayor

ATTACHMENT A

MV00062413

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT A

MV00062414

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ATTACHMENT B

MV00062416

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

ATTACHMENT C

MV00062418

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

MV00062419

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00062420

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00062421

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

Item No. A.9

ATTACHMENT C

MV00062422

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00062423

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Item No. A.9

MV00062424

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

ATTACHMENT D

MV00062426

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives,and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

ATTACHMENT E

MV00062428

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00062430

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

MV00062431

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00062432

Miscellaneous	$ 5,000
Total Estimated Construction Related Costs	**$890,000**

** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	July 2010
Start Construction	August 2010
Complete Construction	March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

MV00062434

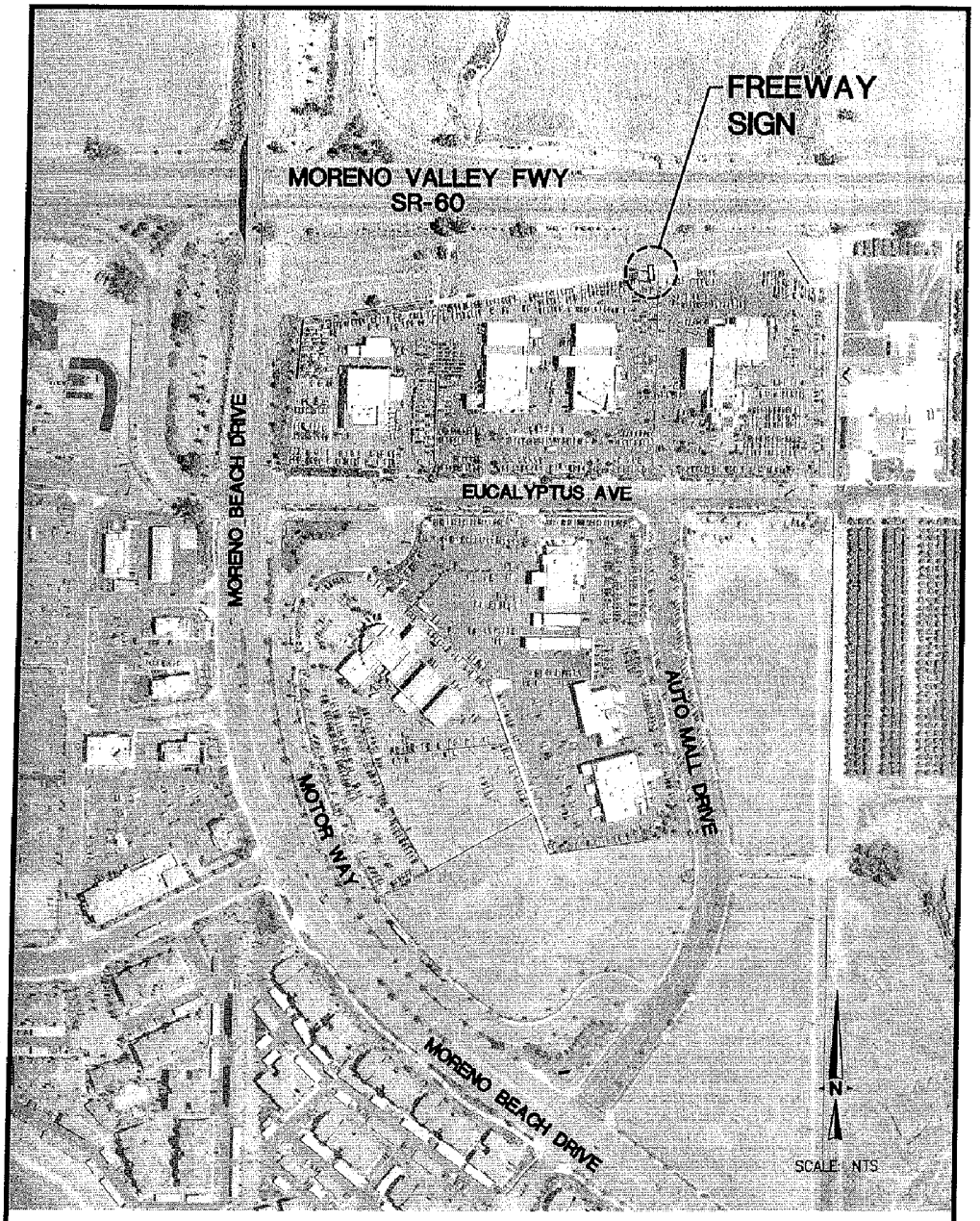

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. A.10

MV00062436

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00062443

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Securely attach this document to the signed document.

MV00062446

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

MV00062448

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Securely attach this document to the signed document.

Item No. A.10

MV00062450

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00062452

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00062454

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

MV00062455

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00062456

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062458

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

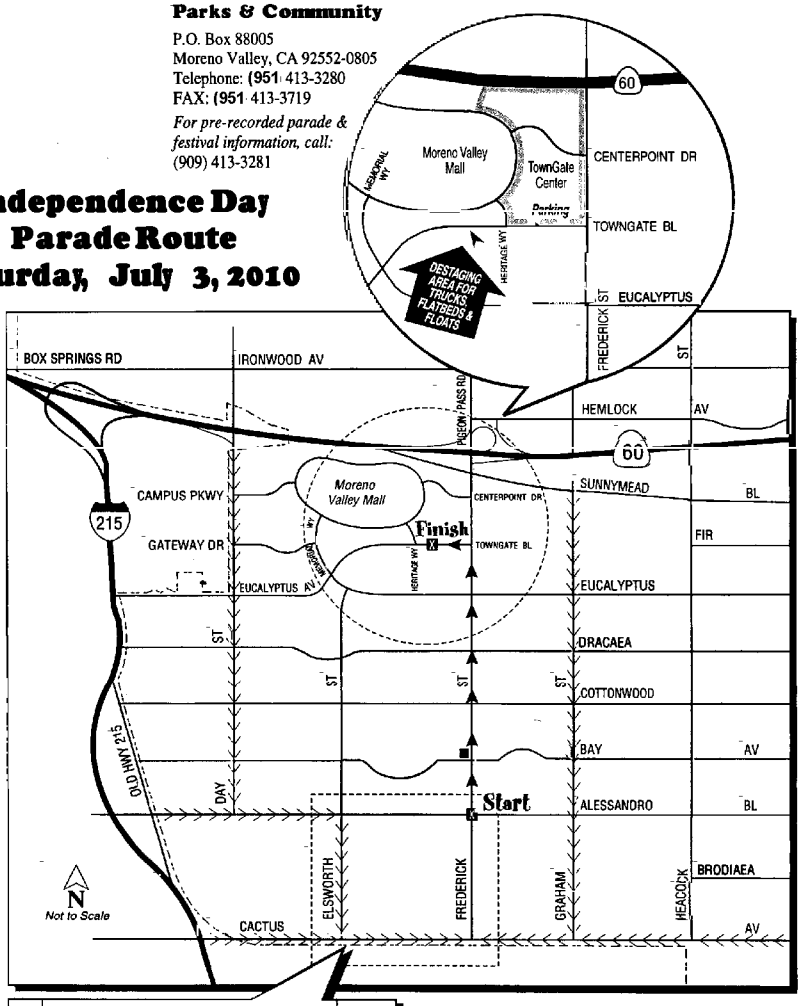

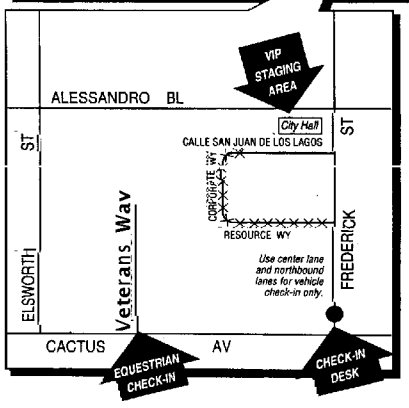

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

MV00062460

Attachment 2

July 4th Festival
Street Closures

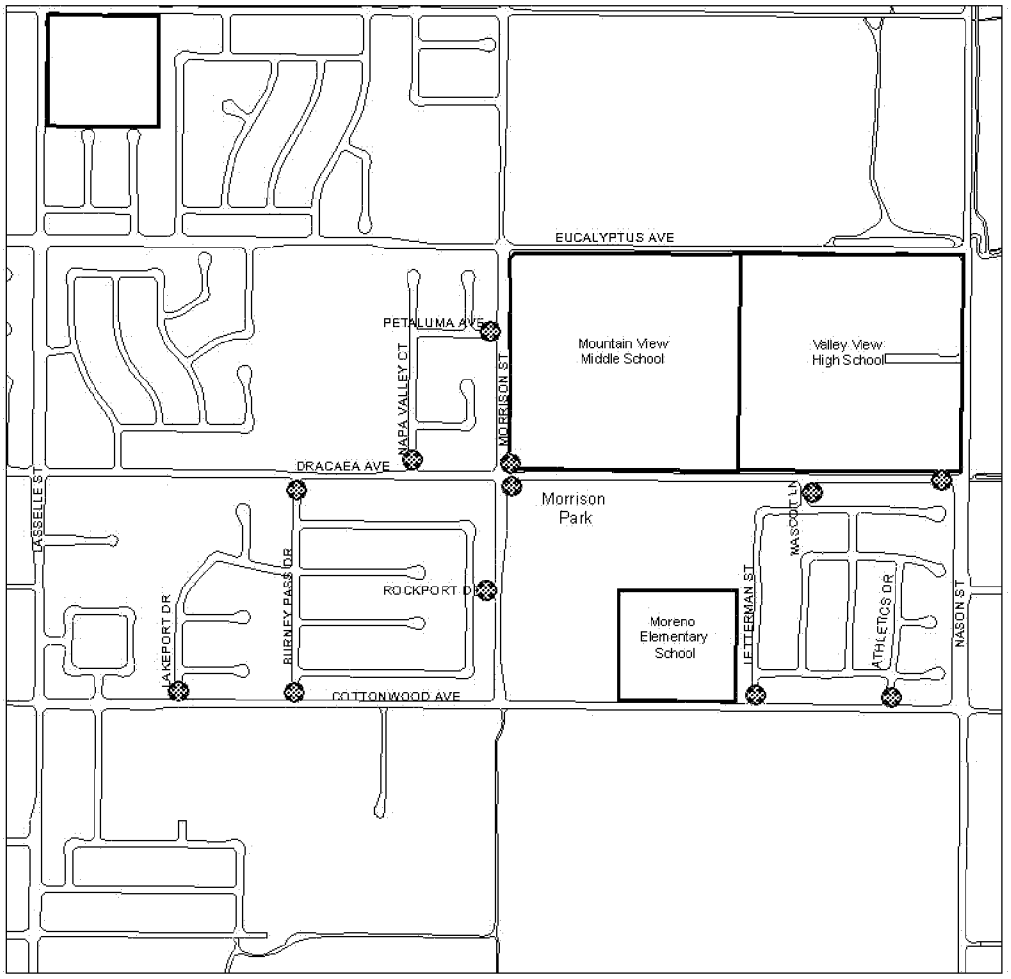

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. A.11

MV00062461

MV00062462

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

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SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

** pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

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PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

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Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

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which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

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B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

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2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____ _____ –
Mayor

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ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

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ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Section:

12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

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C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

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12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

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be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

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vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

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1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____day of_____2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.
2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062504

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employm ent Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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Exhibit B

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

MV00062506

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00062507

MV00062508

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

MV00062510

FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6 261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920 .00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062512

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By: _____
President

Date: _____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

MV00062514

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION.**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **CONTRACTOR'S COMPENSATION**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

MV00062520

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

MV00062522

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

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EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

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parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

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2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

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BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

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DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00062538

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

MV00062539

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00062540

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020

Agency Ucif: 0F62058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(X)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By: M. Elmore Date: 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevelopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

ACORD 25 (2001/08) Certificate # 2240 © ACORD CORPORATION 1988

MV00062542

Dec. 8. 2009 10:29AM ALLSTATE INSURANCE No. 8808 P. 2

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	ANY ONE LOSS
PHYSICAL DAMAGE LIMIT	ANY ONE PERSON
MEDICAL EXPENSE LIMIT	

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010

Coverage Basis	Limits		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-4-09

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

U10523-2

Item No. B.3

MV00062543

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

NR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00062544

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00062546

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00062548

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

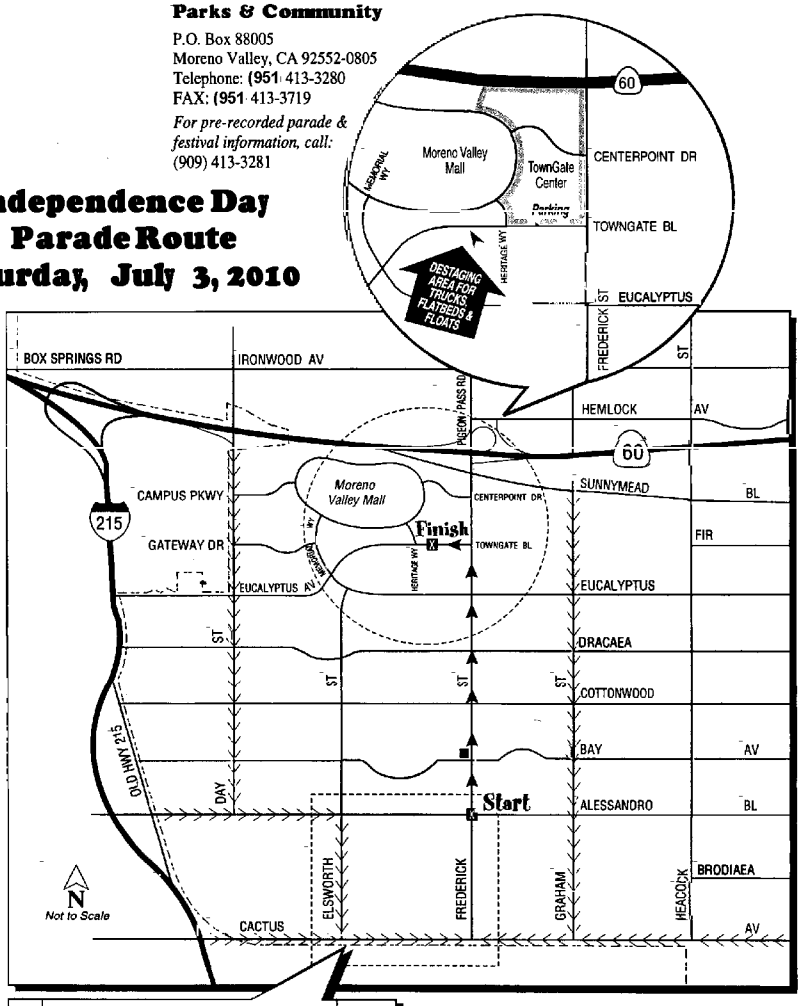

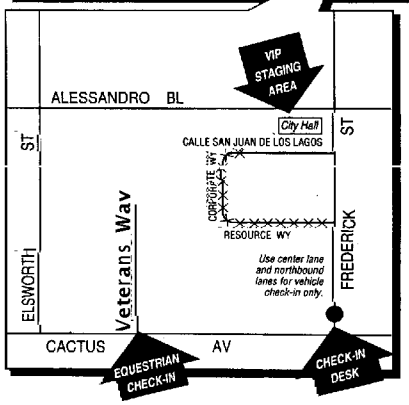

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

MV00062550

Attachment 2

July 4th Festival
Street Closures

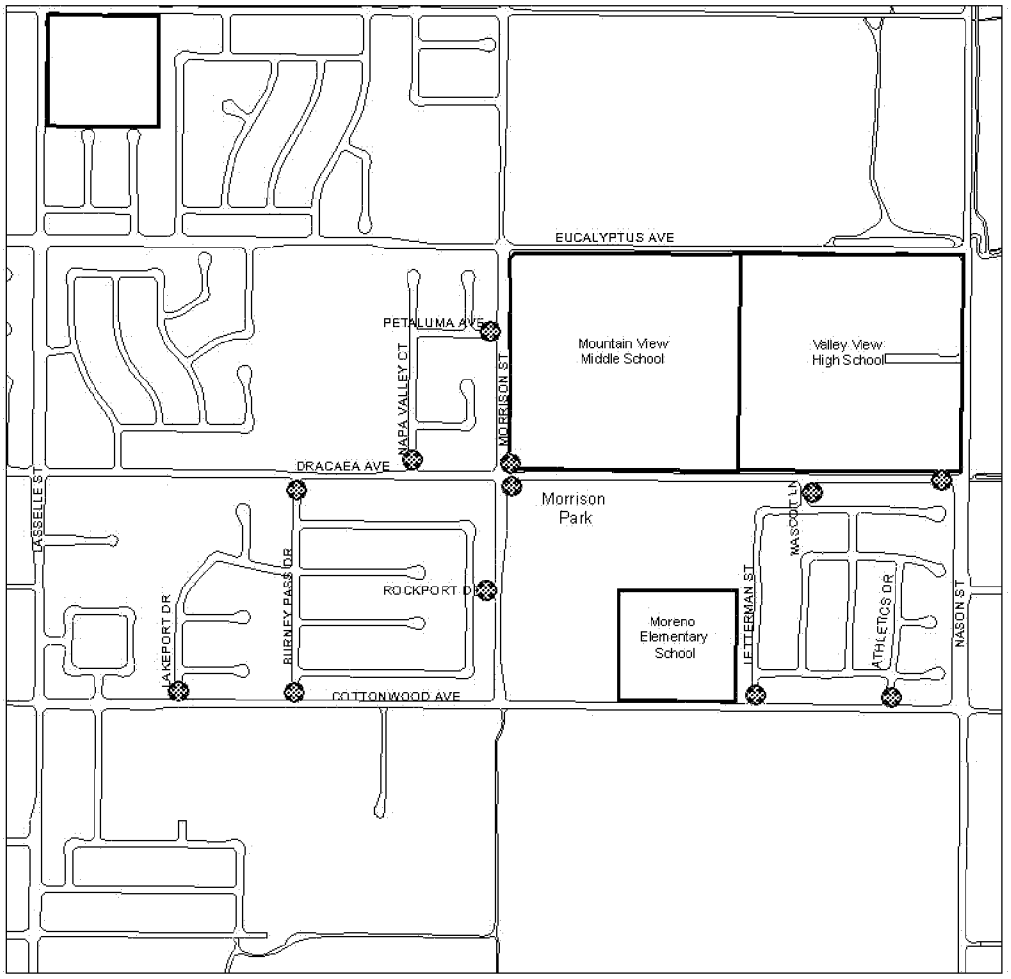

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.4

MV00062551

MV00062552

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00062553

MV00062554

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00062556

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00062558

Miscellaneous	$ 5,000
Total Estimated Construction Related Costs	**$890,000**

** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	July 2010
Start Construction	August 2010
Complete Construction	March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

MV00062559

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

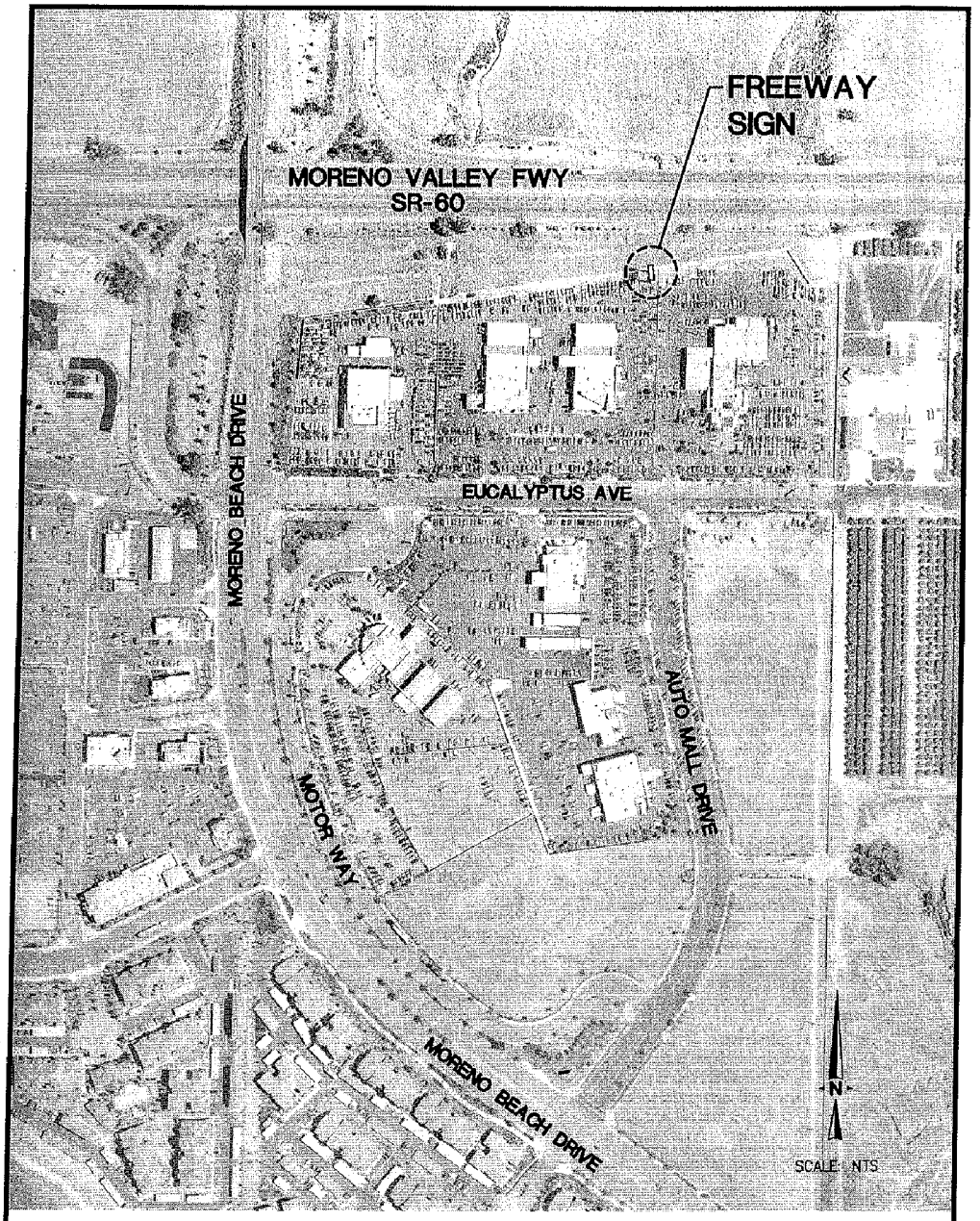

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. C.3

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00062568

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

MV00062571

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

MV00062572

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00062574

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00062576

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00062578

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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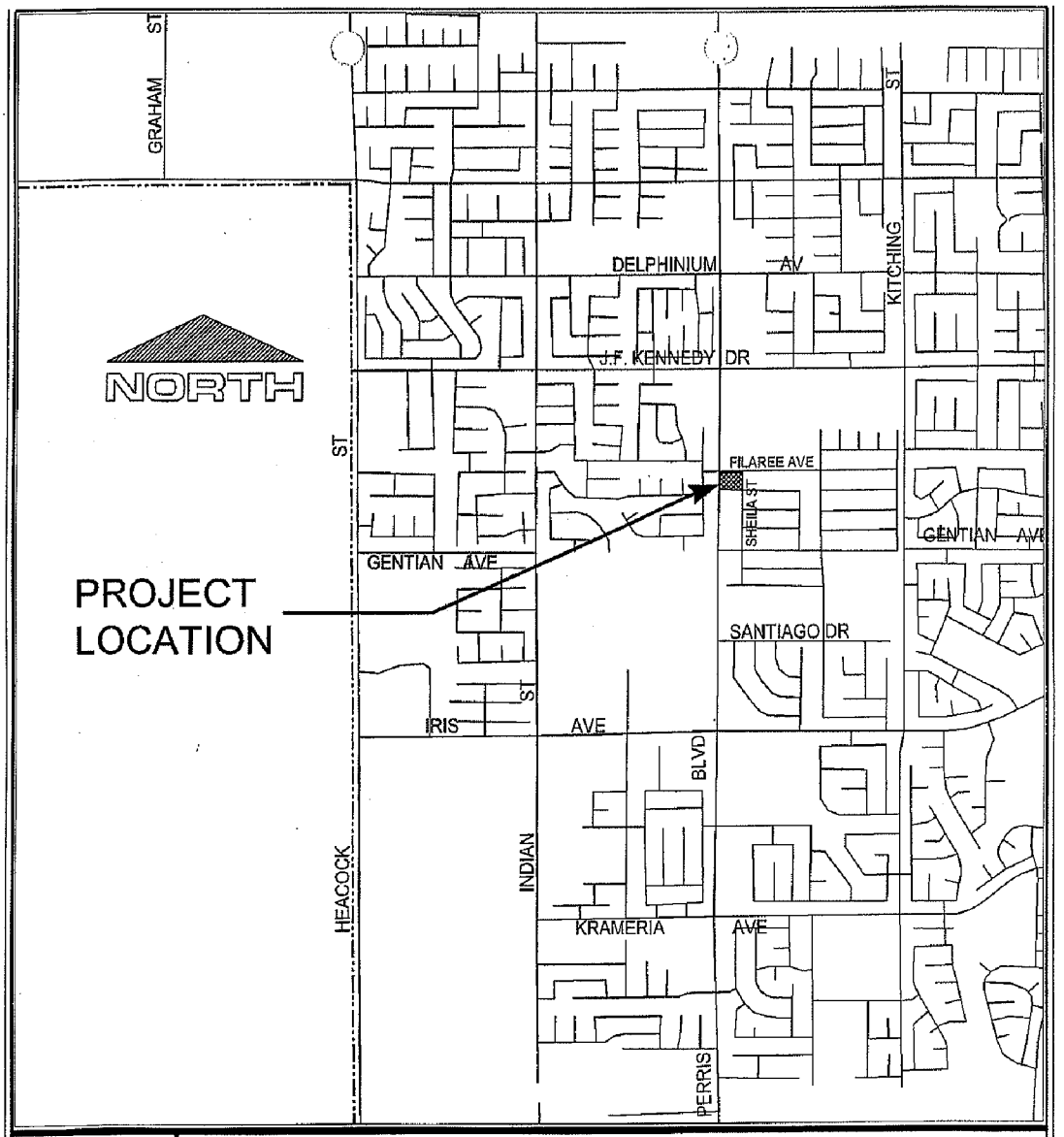

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

Item No. C.4

MV00062582

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00062583

MV00062584

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

MV00062586

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

MV00062587

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062588

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

MV00062591

MV00062592

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 16,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

MV00062593

MV00062594

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	$ 67,754,400
Less: Non-Proceeds of Tax	16,977,112
A) Total Appropriations Subject to the Limit	$ 50,777,288

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306

REMAINING APPROPRIATIONS CAPACITY

(E - A)	$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

MV00062596

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$6,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$6,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.68%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$41,032,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.28%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,566,175	$72,653,027	$4,913,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,669	$8,713,881
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

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of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ _____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____ _____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____ _____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

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EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A- Parks & Recreation	$ 1,586,739		$ 1,586,739
Zone B- Residential Lights	16,110		16,110
Zone C- Arterial Lights	139,300		139,300
Zone L - Library Services	120,120		120,120
Fees			
Zone A- Parks & Recreation		5,934,500	5,934,500
Zone B- Residential Lights		93,060	93,060
Zone C- Arterial Lights		431,700	431,700
Zone D- Standard Landscaping		114,150	114,150
Zone E- Extensive Landscaping		246,000	246,000
Zone L - Library Services		8,950	8,950
Zone M - Median Fund		24,120	24,120
Zone S - Sunnymead Blvd Maintenance		52,400	52,400
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A- Parks & Recreation		16,500	16,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A- Parks & Recreation		29,860	29,860
Zone L - Library Services		421,930	421,930
Zone M - Median Fund		13,400	13,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89%	80.11%	100.00%
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A- $0
Zone B- $0
Zone C- $9,000
Zone D- $1,300
Zone E- $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

Item No. E.2

MV00062608

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,388,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriation s Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.2

MV00062609

MV00062610

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,992,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,238,904	$14,089,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.83%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,198,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

MV00062612

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

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source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062616

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

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Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq*.) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

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Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty- first (121 st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

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only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorde d before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse again st the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writin g to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHI BITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062626

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

MV00062627

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

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EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

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SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

#262869 v5

MV00062634

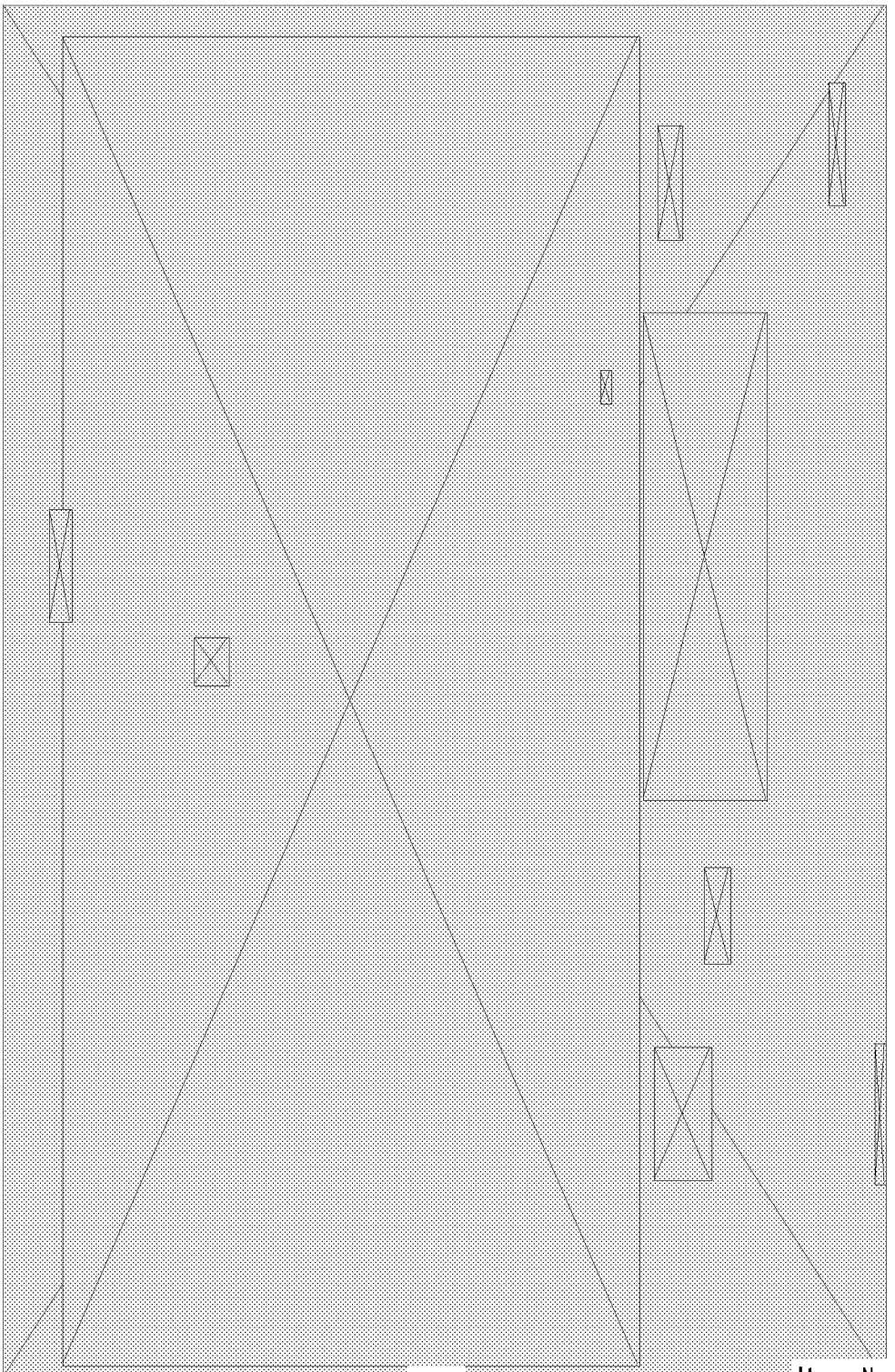

Item No. G.1

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158 .10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

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Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00062640

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062642

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2 **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

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3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

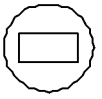

A circle around the box **and/ or** associated clause; or

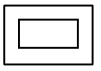

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062646

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		$ 12,800.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	–		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	$ 16,696.63		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	$ 2,600.21		
Total Expenditures		$ 19,296.84	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,496.84)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$50.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$80.00
2009 — 2010	$80.00

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COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

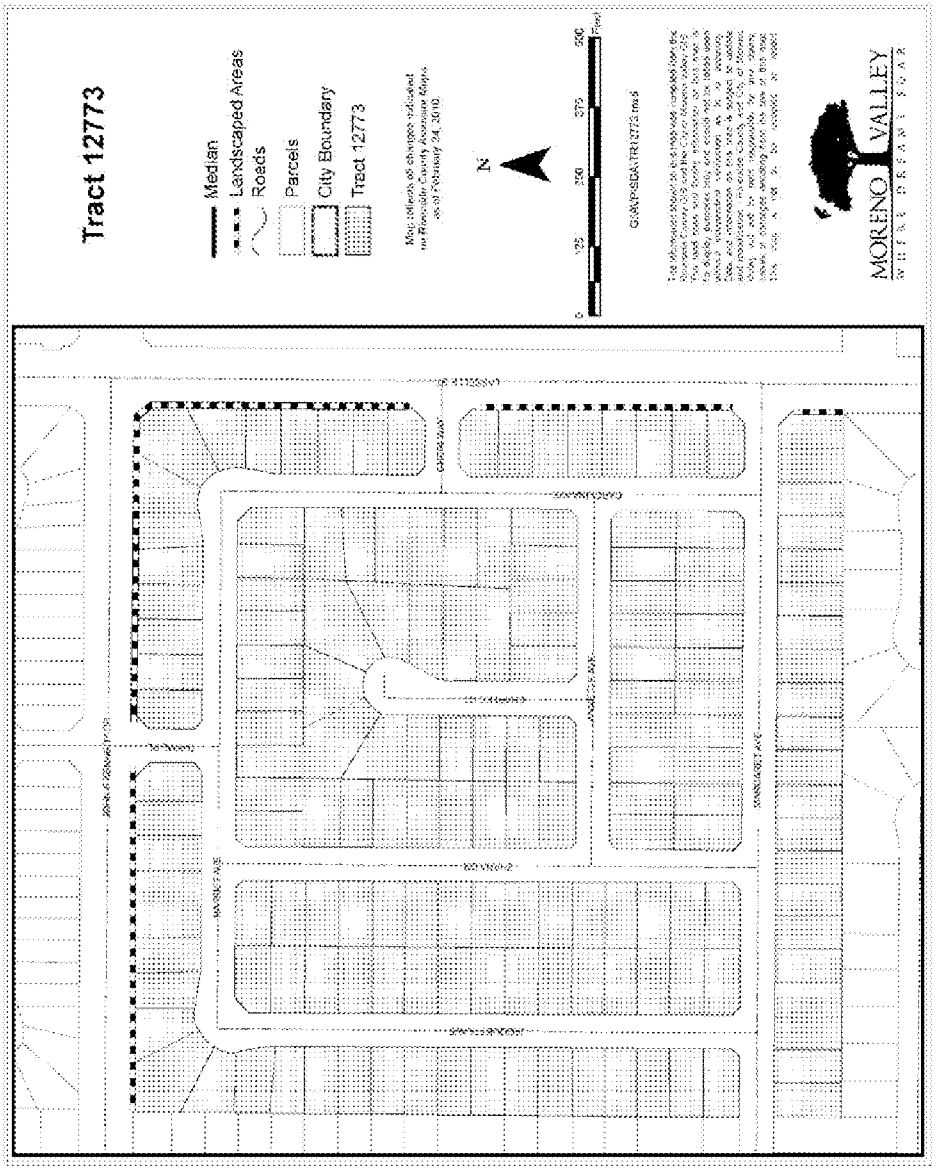
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map contents and changes indicated
on Riverside County Assessor Maps
as of February 24, 2010
N
0
125
250
375
500
Feet
G:\MVPSB\ALTR\12773.mxd
MORENO VALLEY

MV00062650

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062652

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062654

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062655

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

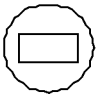

A circle around the box **and/ or** associated clause; or

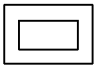

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062656

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($58.00*142 parcels)	$ 8,236.00		
Total Revenue Generated Annually		$ 8,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.03		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	$ 11,785.20		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	$ 1,825.37		
Total Expenditures		$ 13,610.57	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,314.57)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990 – 1991	$55.00
1991 – 1992	$56.00
1992 – 1993	$56.00
1993 – 1994	$57.00
1994 – 1995	$57.00
1995 – 1996	$57.00
1996 – 1997	$57.00
1997 – 1998	$57.00
1998 – 1999	$57.00
1999 – 2000	$57.00
2000 – 2001	$57.00
2001 – 2002	$57.00
2002 – 2003	$57.00
2003 – 2004	$57.00
2004 – 2005	$57.00
2005 – 2006	$57.00
2006 – 2007	$57.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

MV00062658

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

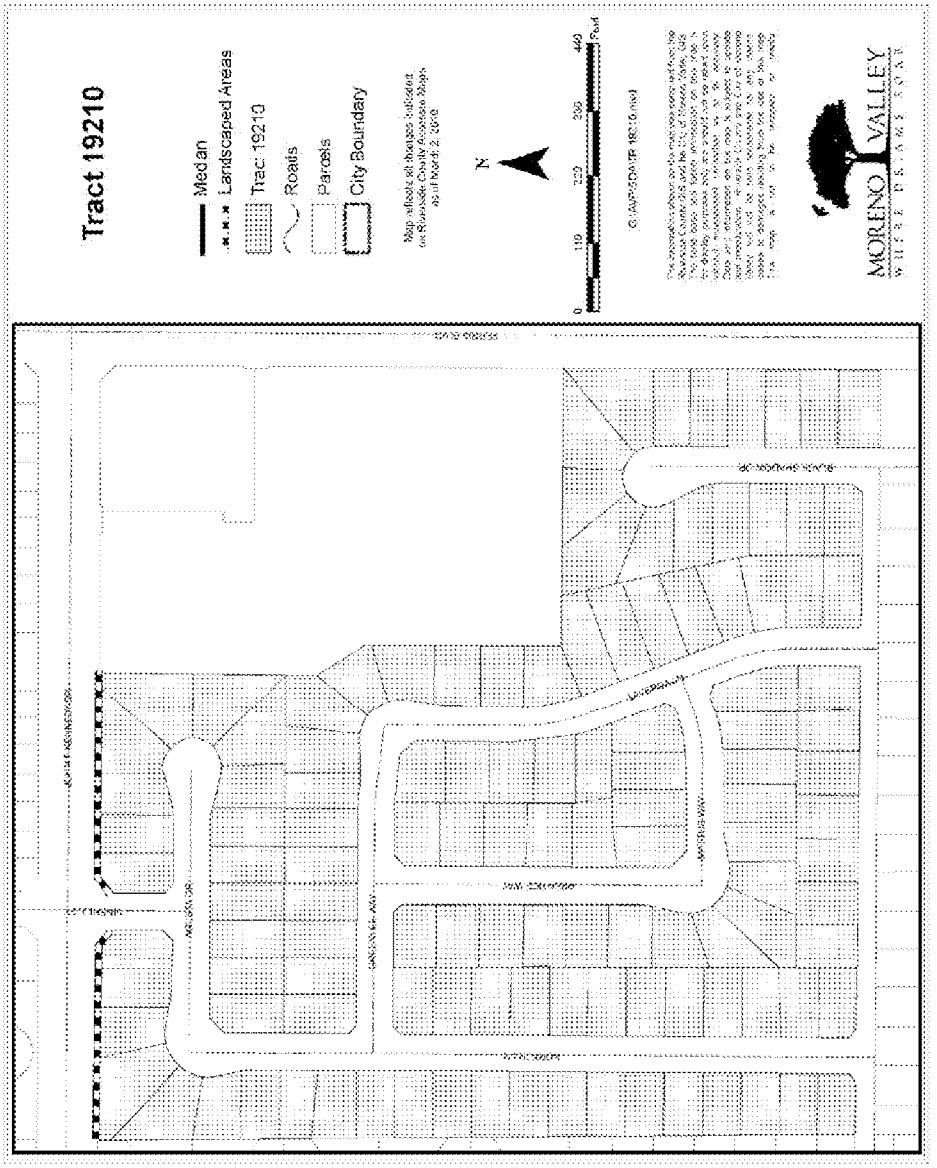
Tract 19210
Median
Landscaped Areas
Trac 19210
Roads
Parcels
City Boundary
N
0
110
220
330
440
Feet
MORENO VALLEY

MV00062660

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19287 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19287 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19287 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\19257\Tract 19257 packet.doc

MV00062662

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062664

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062665

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

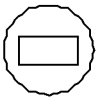

A circle around the box **and/ or** associated clause; or

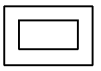

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062666

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19837 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10 * 163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		$ 17,457.30	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	258.89		
Water (Eastern Municipal Water District)	3,016.23		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	$ 22,102.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,236.76		
City Administration	2,015.04		
Total Indirect Costs	$ 3,441.97		
Total Expenditures		$ 25,544.34	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (8,087.04)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$70.00
2002 — 2003	$71.00
2003 — 2004	$71.00
2004 — 2005	$72.00
2005 — 2006	$75.00
2006 — 2007	$100.00
2007 — 2008	$103.00
2008 — 2009	$107.00
2009 — 2010	$107.10

MV00062668

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or tri-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

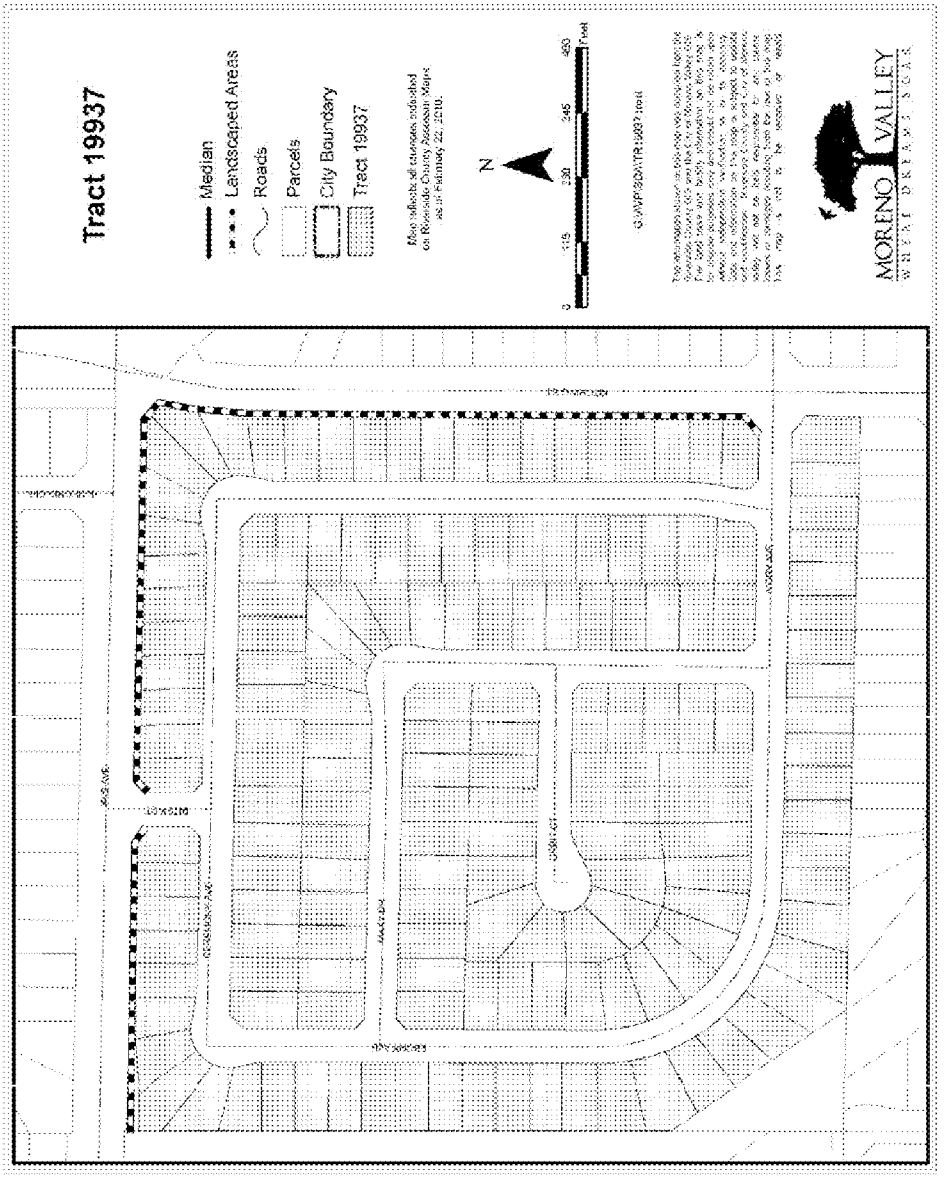
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
245
460
Feet
G:\MVP\BOX\TR19937.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Genia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062672

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062674

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062675

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

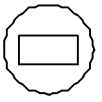

A circle around the box **and/ or** associated clause; or

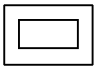

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062676

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		$ 23,086.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	$ 35,568.75		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,123.97		
City Administration	3,338.92		
Total Indirect Costs	$ 5,574.58		
Total Expenditures		$ 42,143.33	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (19,057.33)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$83.00
2002 — 2003	$85.00
2003 — 2004	$88.00
2004 — 2005	$90.00
2005 — 2006	$94.00 *
2006 — 2007	$94.00
2007 — 2008	$94.00
2008 — 2009	$97.00
2009 — 2010	$97.00

* Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.

MV00062678

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

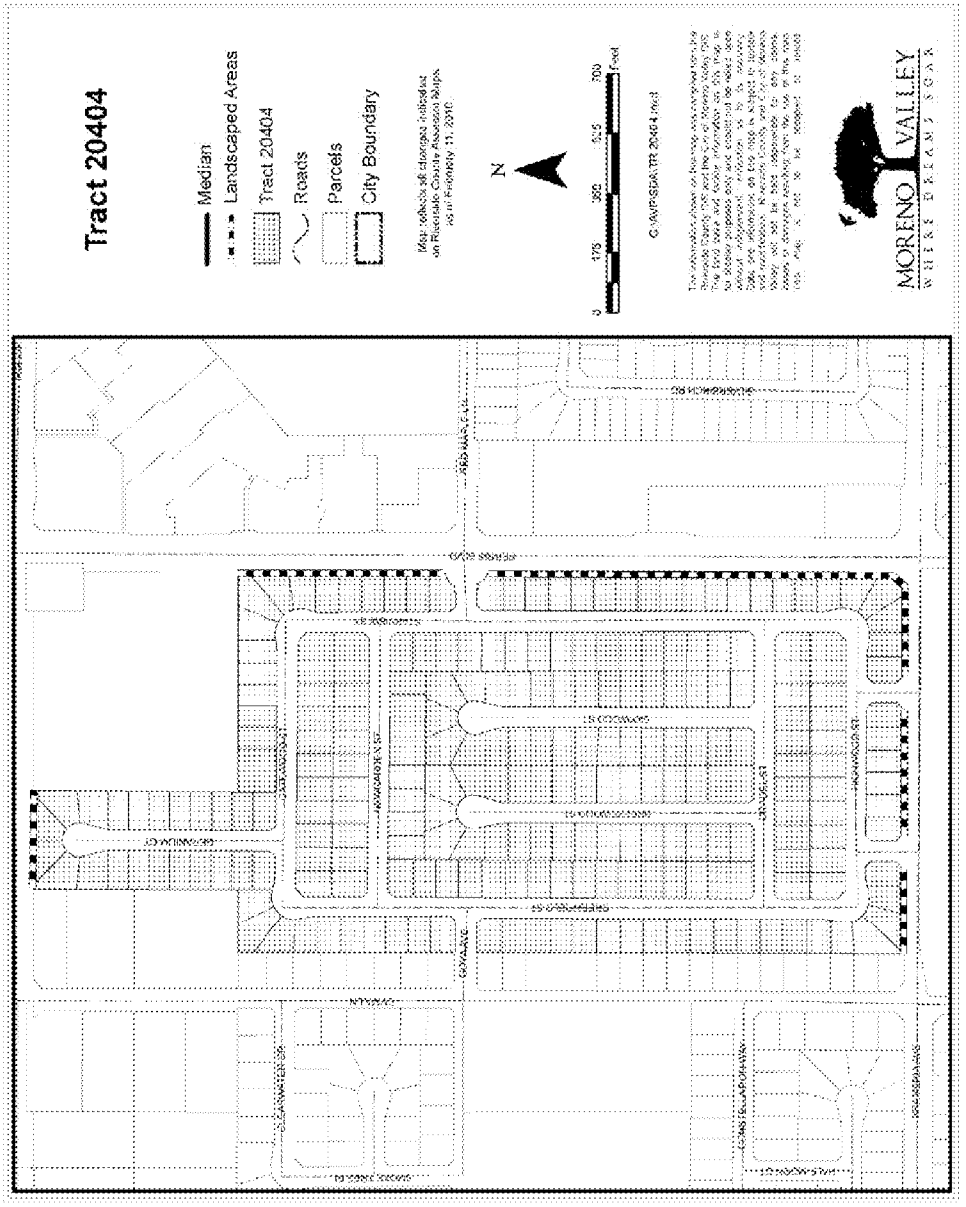
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00062680

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264-331-001
Owner Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062682

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062684

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951.413.3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

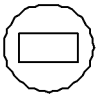

A circle around the box **and/ or** associated clause; or

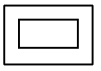

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062686

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		$	7,179.10
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,791.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	$ 20,001.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	$ 3,086.66		
Total Expenditures		$	23,088.03
Operating Shortfall (Total Revenue less Total Expenditures)			$ (15,908.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00/ $80.00/ $135.00
2002 — 2003	$57.00/ $80.00/ $135.00
2003 — 2004	$57.00/ $80.00/ $135.00
2004 — 2005	$57.00/ $80.00/ $135.00
2005 — 2006	$57.00/ $94.00/ $141.00
2006 — 2007	$57.00/ $98.00/ $147.00
2007 — 2008	$57.00/ $101.00/ $151.00
2008 — 2009	$57.00/ $106.00/ $158.00
2009 — 2010	$57.00/ $106.10/ $158.10

MV00062688

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

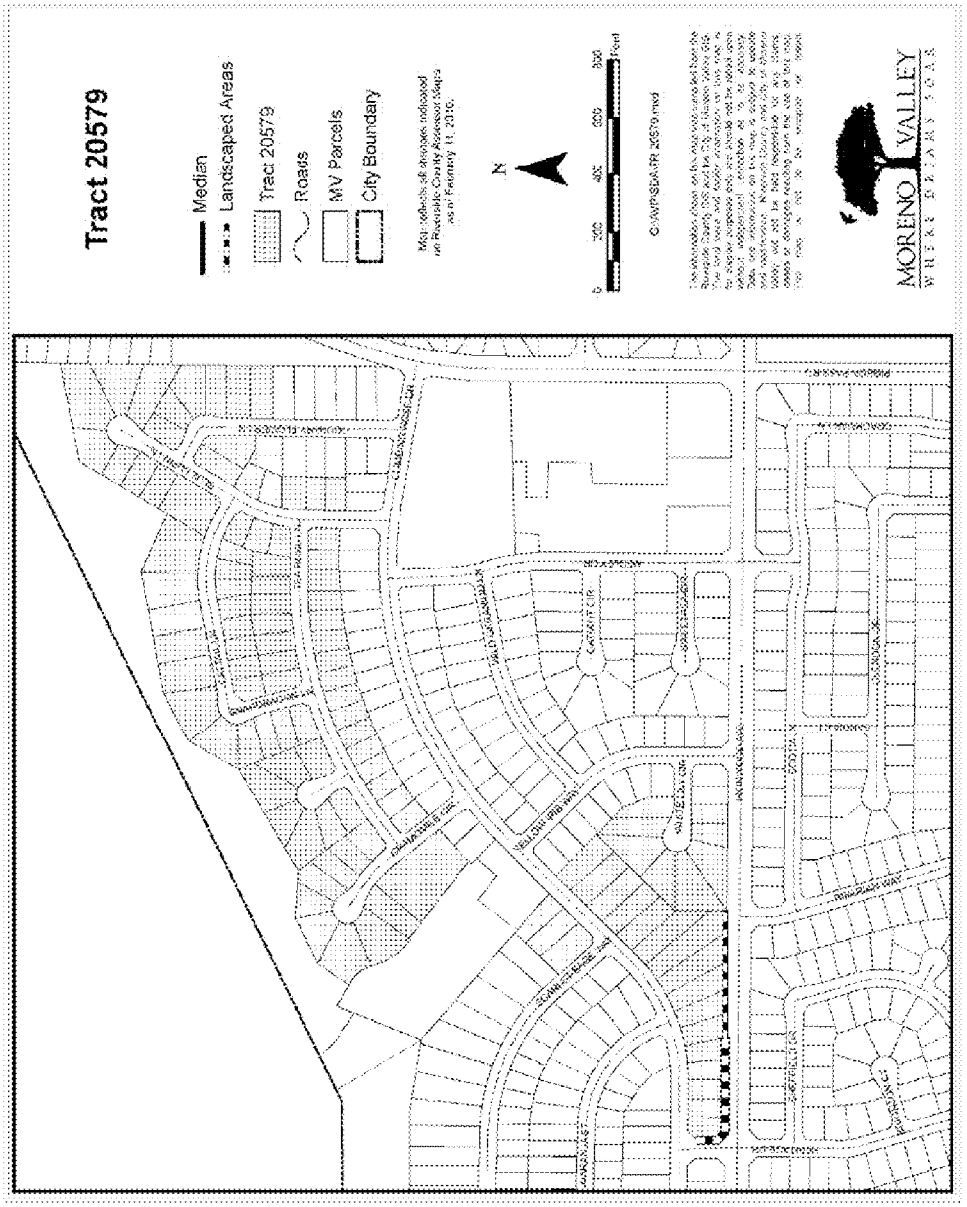
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
N
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\ SpecialDist\ jennifert\alBots for FY 0910. ZONE D 20718\ Tract 20718 packet.doc

MV00062692

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062694

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $284.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062695

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

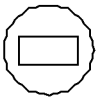

A circle around the box **and/ or** associated clause; or

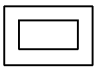

A square or rectangle around the box **and/ or** associated clause .

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062696

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		$	14,466.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	258.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	$ 21,046.44		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.03		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	$ 3,263.15		
Total Expenditures		$	24,309.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(9,843.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$71.00
2002 — 2003	$71.00
2003 — 2004	$96.00
2004 — 2005	$96.00
2005 — 2006	$100.00
2006 — 2007	$129.00
2007 — 2008	$133.00
2008 — 2009	$139.00
2009 — 2010	$139.10

MV00062698

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

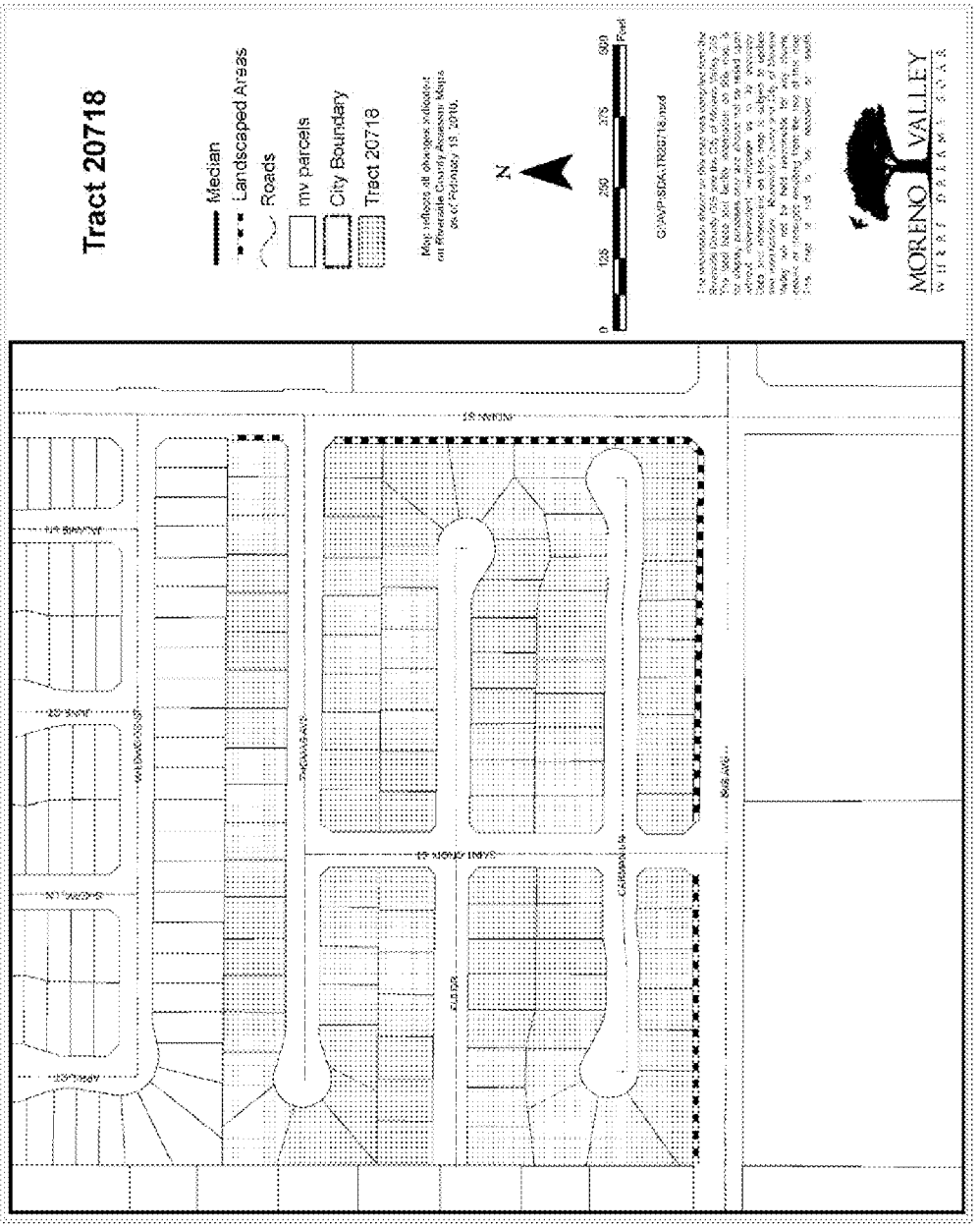
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 19, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR20718.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mindo
Patricia K Mindo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062702

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062704

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062705

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

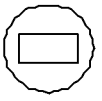

A circle around the box **and/ or** associated clause; or

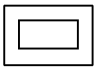

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062706

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		$ 9,462.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,916.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	$ 12,739.82		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	$ 1,972.11		
Total Expenditures		$ 14,711.93	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,249.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$57.00
2009 — 2010	$57.00

MV00062708

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

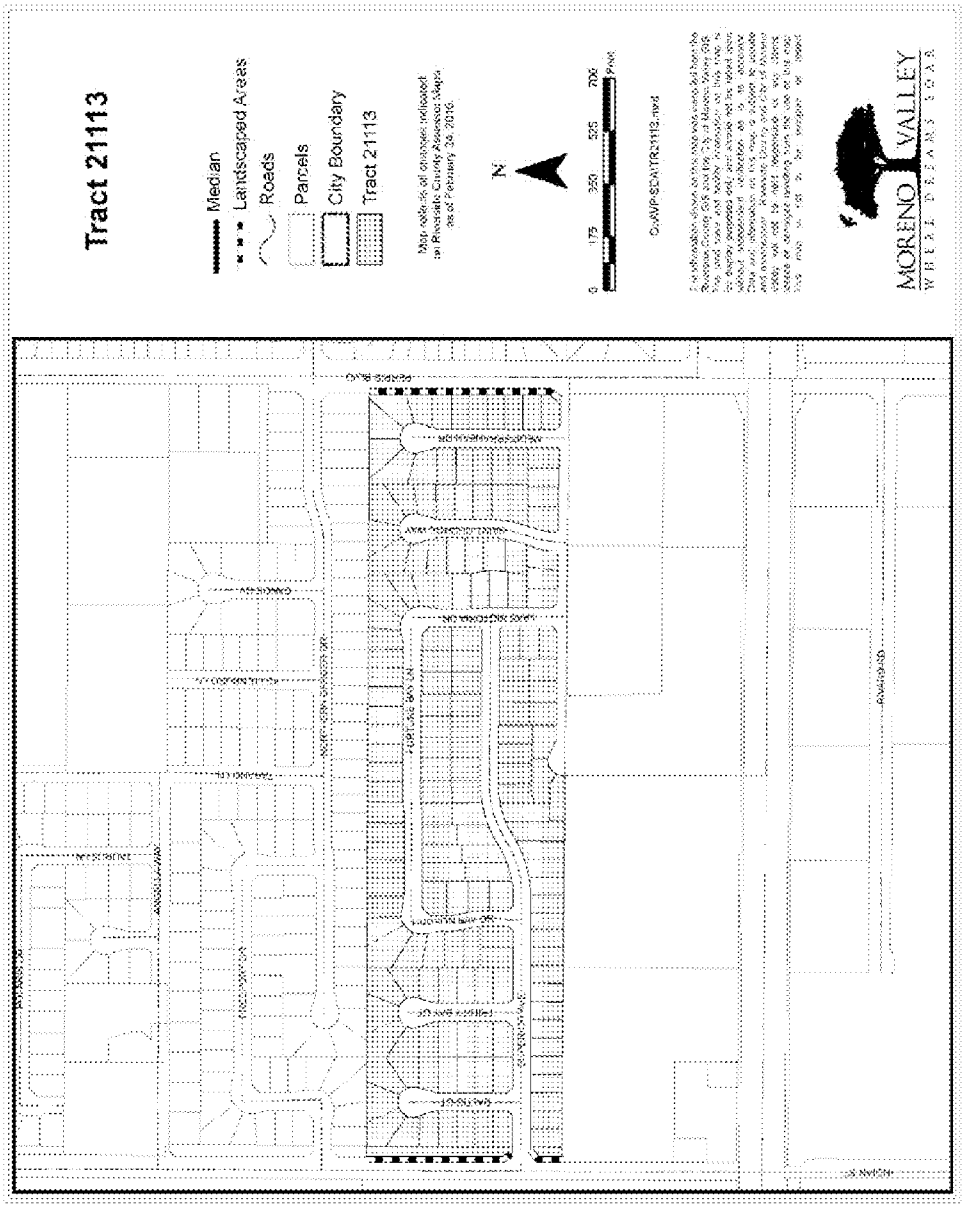
Tract 21113
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113
N
0
175
350
525
700
Feet
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22845 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062712

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. Adiminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062714

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062715

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

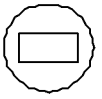

A circle around the box **and/ or** associated clause; or

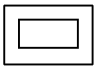

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062716

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($108.20* 127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		$ 26,441.40	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,308.60		
Vandalism	53.86		
Electricity (Southern California Edison)	258.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	$ 37,879.56		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	$ 5,840.99		
Total Expenditures		$ 43,720.55	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (17,279.15)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$190.00
2002 — 2003	$190.00
2003 — 2004	$190.00
2004 — 2005	$193.00
2005 — 2006	$201.00
2006 — 2007	$208.00
2007 — 2008	$208.00
2008 — 2009	$208.00
2009 — 2010	$208.20

MV00062718

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

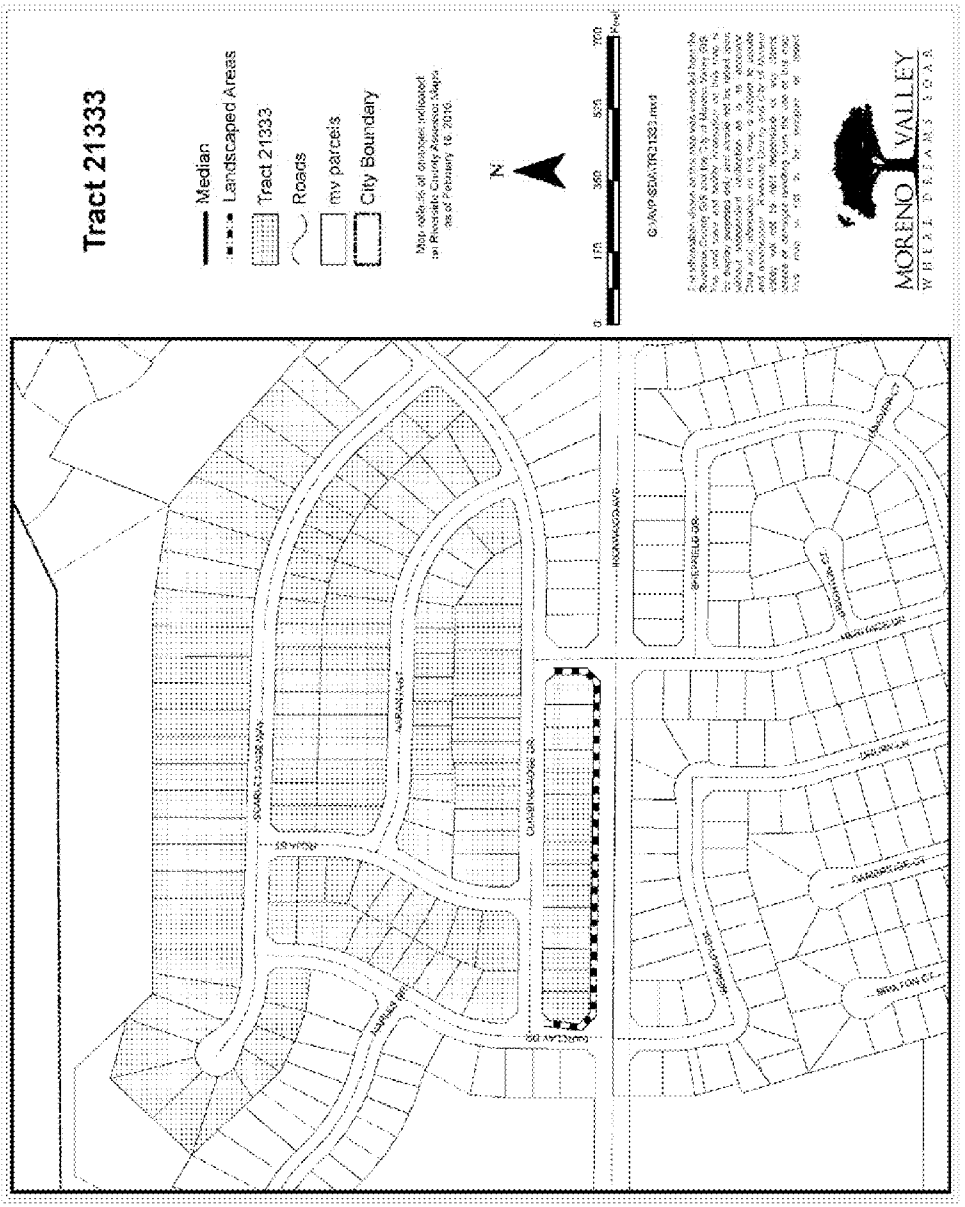
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
my parcels
City Boundary
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00062720

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062722

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062724

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $325.20 to $473.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062725

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

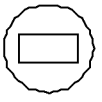

A circle around the box **and/ or** associated clause; or

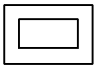

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062726

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 26597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		$ 22,140.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,360.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	$ 30,677.87		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	$ 4,724.40		
Total Expenditures		$ 35,402.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (13,262.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$237.00
2002 — 2003	$242.00
2003 — 2004	$242.00
2004 — 2005	$246.00
2005 — 2006	$257.00
2006 — 2007	$257.00
2007 — 2008	$285.00
2008 — 2009	$285.00
2009 — 2010	$285.20

MV00062728

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

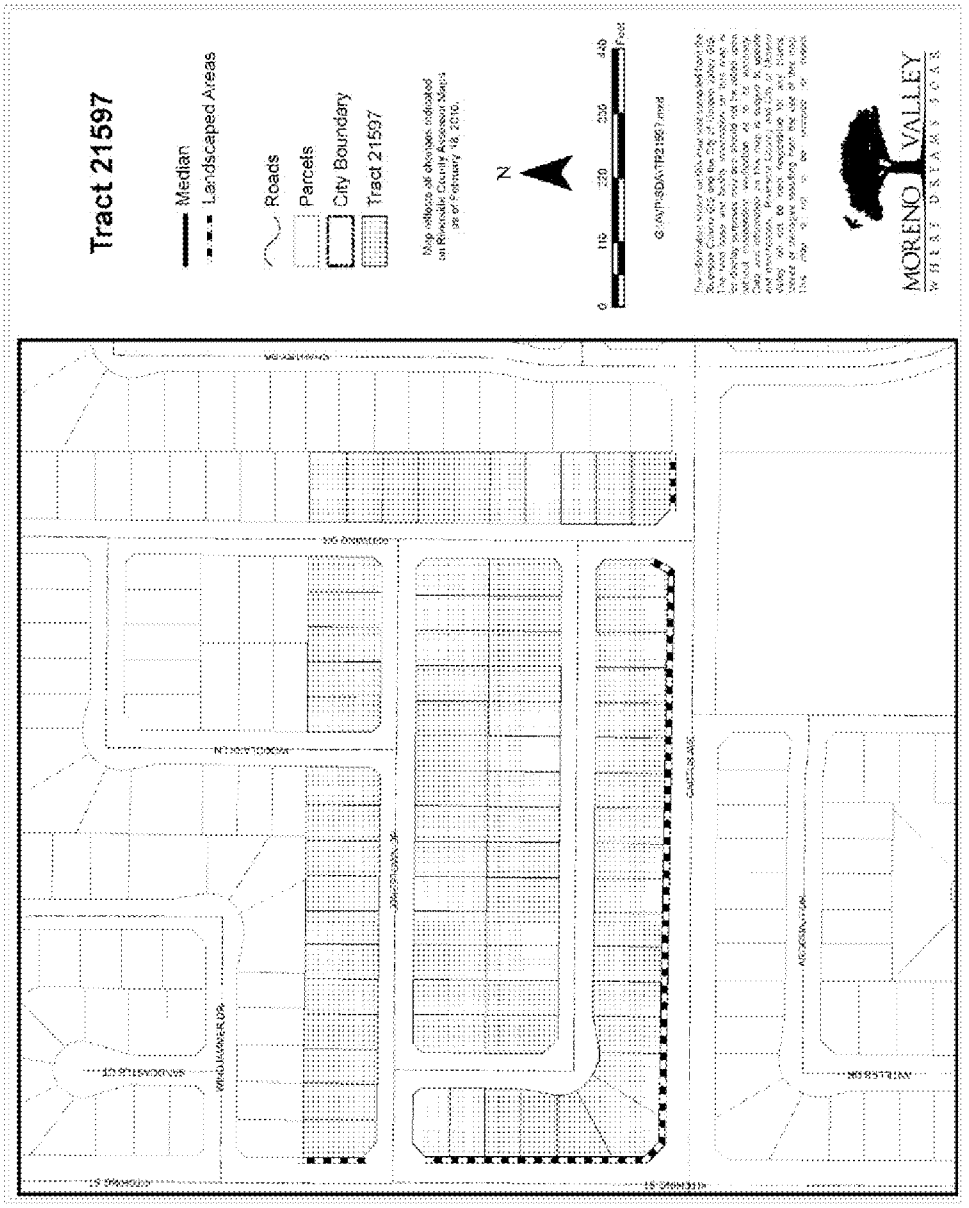
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
110
220
330
440
Feet
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 28889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 0910\ZONE D\2889 Tract 2889 packet.doc

MV00062732

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062734

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

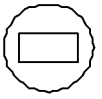

A circle around the box **and/ or** associated clause; or

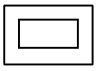

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062736

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28389 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		$ 10,416.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	39.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,205.86		
Landscaping Equipment and Personnel	6,922.88		
Total Direct Costs	$ 15,169.98		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	$ 2,324.81		
Total Expenditures		$ 17,494.79	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,078.79)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Item No. G.2

MV00062737

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$186.00
2004 — 2005	$186.00
2005 — 2006	$186.00
2006 — 2007	$186.00
2007 — 2008	$186.00
2008 — 2009	$186.00
2009 — 2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

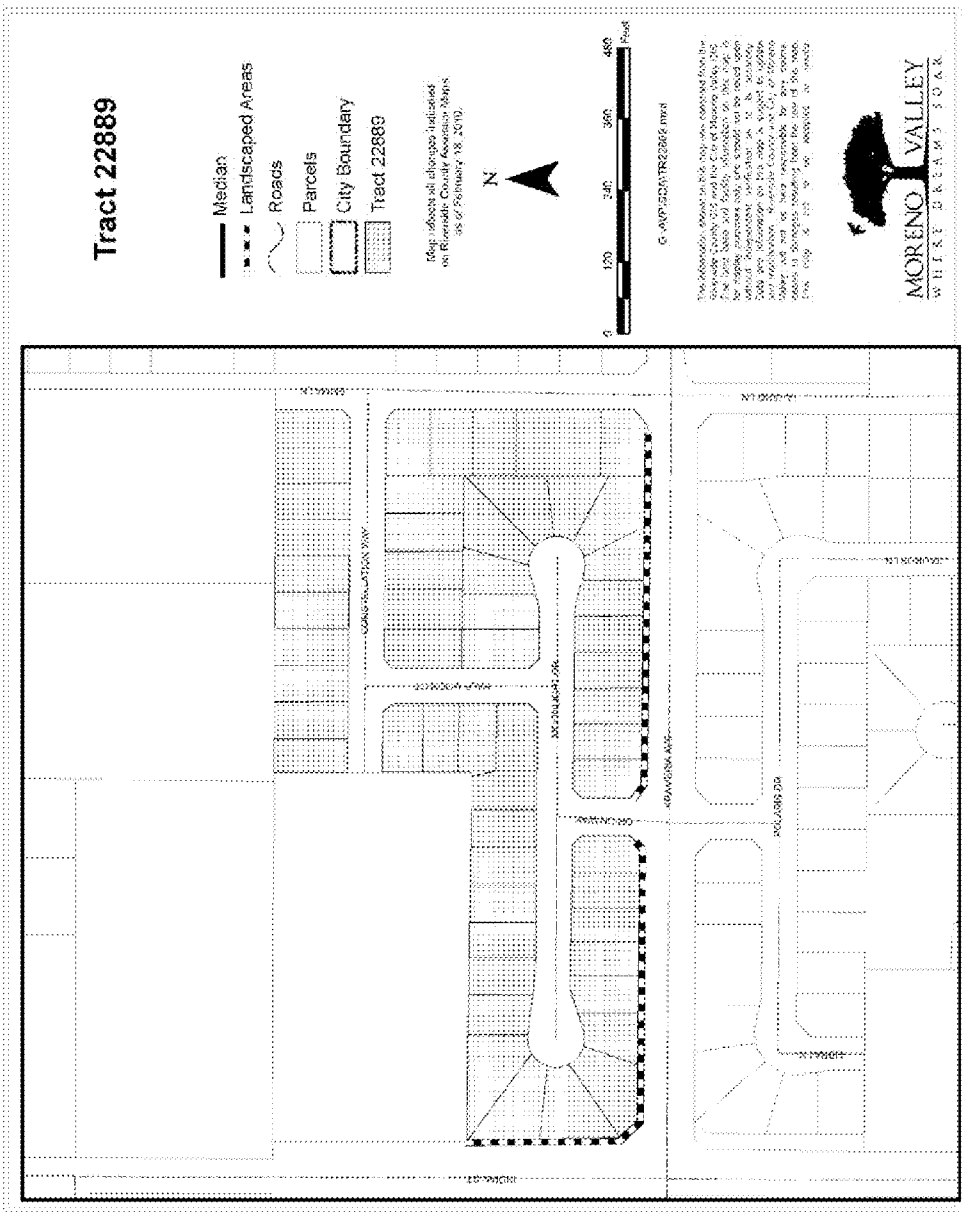
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
N
0
120
240
360
480
Feet
MORENO VALLEY

MV00062740

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\28882 Tract 28882 packet.doc

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062744

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062745

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

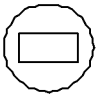

A circle around the box **and/ or** associated clause; or

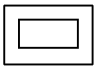

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062746

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		$ 11,444.10	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	–		
Electricity (Southern California Edison)	259.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	$ 17,105.72		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	$ 2,668.37		
Total Expenditures		$ 19,774.09	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (8,329.99)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999 – 2000	$70.00
2000 – 2001	$70.00
2001 – 2002	$70.00
2002 – 2003	$74.00
2003 – 2004	$77.00
2004 – 2005	$78.00
2005 – 2006	$80.00
2006 – 2007	$96.00
2007 – 2008	$99.00
2008 – 2009	$103.00
2009 – 2010	$103.10

MV00062748

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

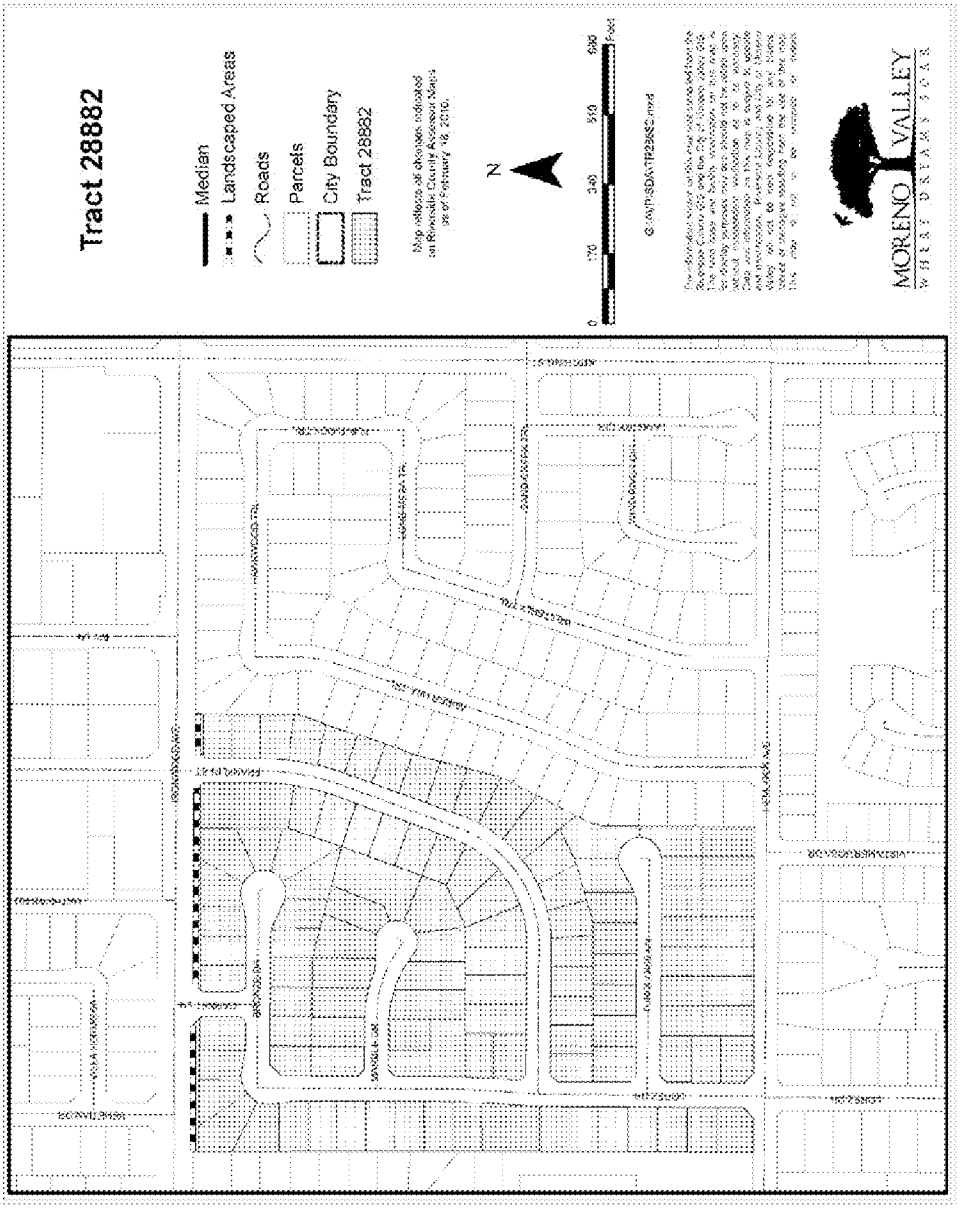
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
N
0
170
340
510
680
Feet
MORENO VALLEY

MV00062750

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn McCriswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062752

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062755

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

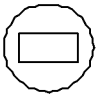

A circle around the box **and/ or** associated clause; or

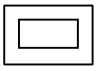

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062756

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		$ 17,850.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,492.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	$ 20,837.99		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,123.15		
City Administration	1,989.77		
Total Indirect Costs	$ 3,183.28		
Total Expenditures		$ 24,021.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,171.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006 – 2007	$1,050
2007 – 2008	$1,050
2008 – 2009	$1,050
2009 – 2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 3 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

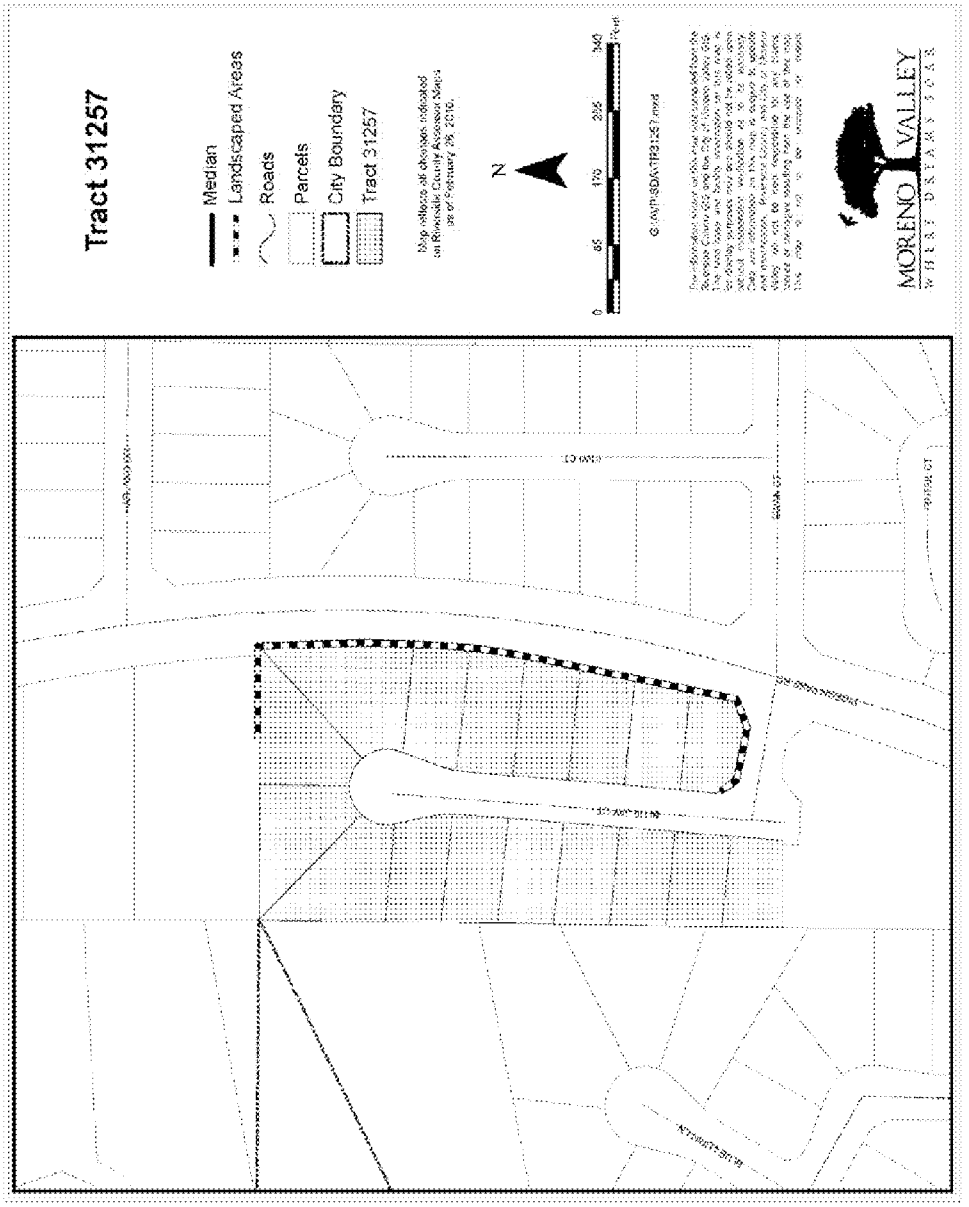
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
N
MORENO VALLEY

MV00062760

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00062762

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269—1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269—1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00062764

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $285.20 to $355.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00062765

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

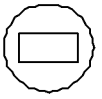

A circle around the box **and/ or** associated clause; or

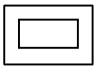

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00062766

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($35.20*1107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		$	31,586.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	356.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	$ 32,793.95		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,919.21		
City Administration	2,989.78		
Total Indirect Costs	$ 5,101.64		
Total Expenditures		$	37,895.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(6,309.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$225.00
2006-2007	$225.00
2007-2008	$225.00
2008-2009	$225.00
2009-2010	$225.00

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COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

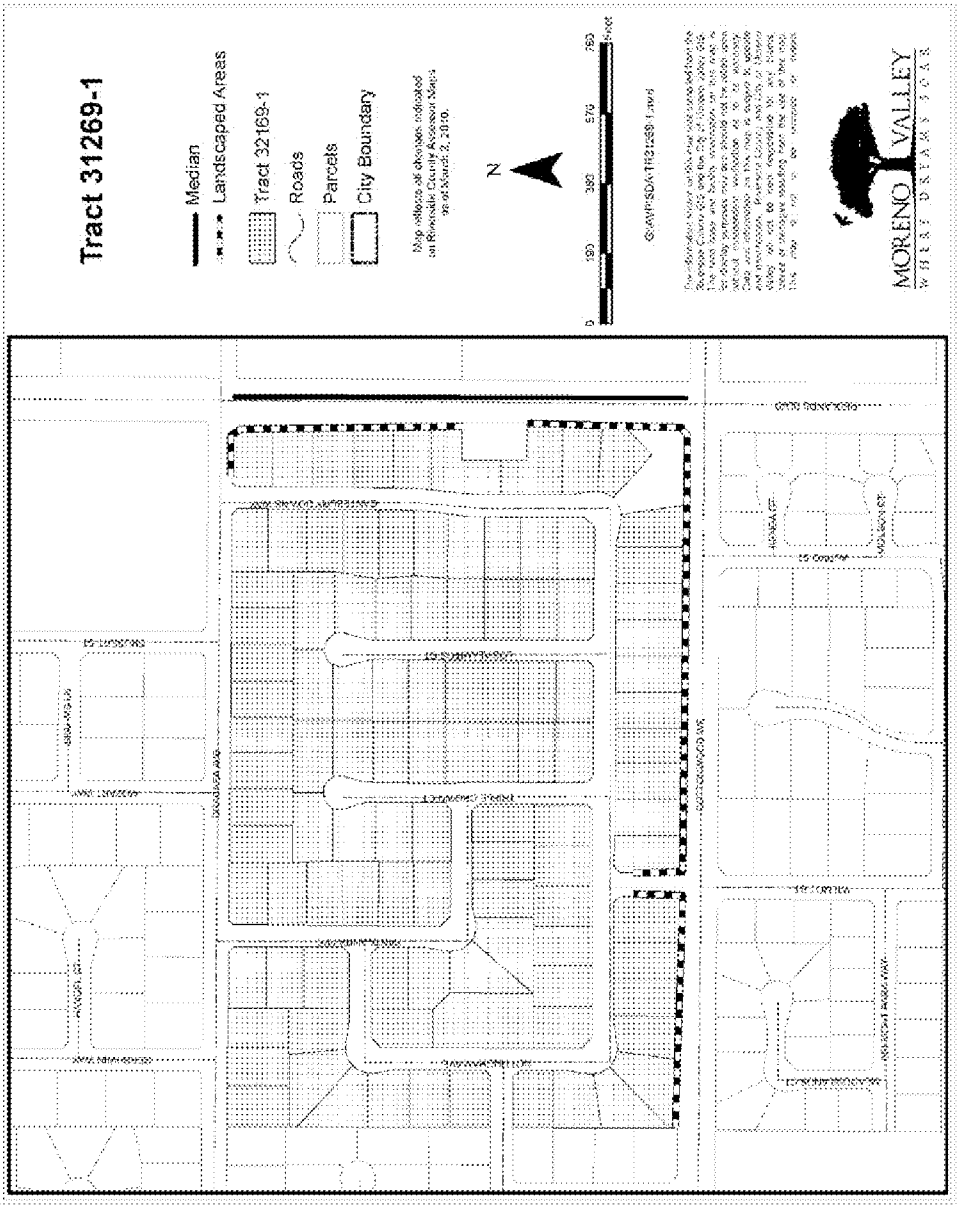
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2016.
N
0
190
380
570
760
Feet
MORENO VALLEY
WHERE DREAMS SOAR

MV00062770

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 09-10\ZONE D 3018\Tract 3018 packet.doc

MV00062772

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $168.00 to $160.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

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BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

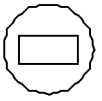

A circle around the box **and/ or** associated clause; or

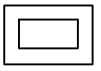

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		$ 5,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	—		
Electricity (Southern California Edison)	236.67		
Water (Eastern Municipal Water District)	1,859.00		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,997.24		
Total Direct Costs	$ 10,645.51		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	$ 1,626.18		
Total Expenditures		$ 12,271.69	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,035.69)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005 – 2006	$34.00
2006 – 2007	$34.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

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COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

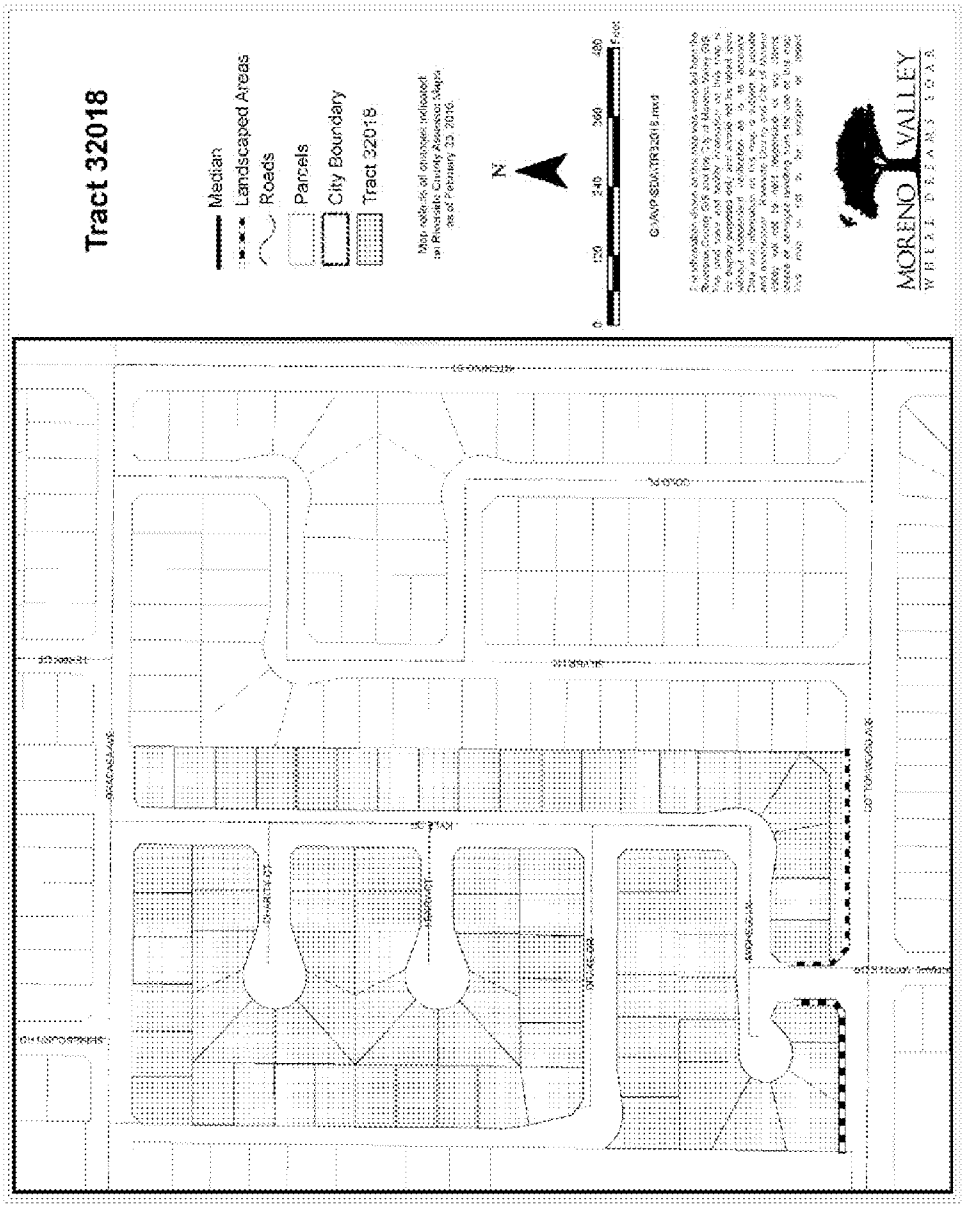
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
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Feet
MORENO VALLEY

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, is planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*
Juanita M. Barnes*

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George W. Brummer***
Virgil Chancy*
Marie Hyta **(plans to attend meeting in May)
Jacqueline Dawn Qualls

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer ***
Alvin C. Horn
Frank D. Pavlik*

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00062784

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

MV00062786

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels ; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

MV00062788

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062790

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the afore mentioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such proration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

_____ _____ –
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

ATTACHMENT 2

Resolution No. 2010-62
Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

Resolution No. 2010-62
Date Adopted: June 8, 2010

ATTACHMENT 2

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	**$1,829,606**	**10%**
9% Tax Credit Equity	**$9,242,933**	**49%**
RDA Funds	**$6,750,000**	**36%**
Affordable Housing Fee Reductions-City	**$991,608**	**5%**
Affordable Housing Fee Reductions-County	**$79,632**	**<1%**
General Partner Equity	**$99,029**	**<1%**
Total	**$18,992,808**	**100%**

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

MV00062802

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

MV00062804

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062806

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

ATTACHMENT A

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(98,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(76,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225, 192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

MV00062814

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062816

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,210	$479,000		$1,002,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,437
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,002,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF - CCATCRT - PD - AB3232	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/ EDUC/ GOV ACCESS	550,000								550,000
134	EMPG - EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	227,000								227,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORMWATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORMWATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					236,611	236,611	236,611	8,234,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					228,300	228,300	228,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD #1	1,005,105								1,005,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,238								183,238
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIALSTS DEV IMPACT FEE	104,700					1,309,975	1,309,975	1,309,975	1,413,675
202	TRAFFICSIGS DEV IMPACT FEE	28,700								28,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,903	212,903	212,903	254,003
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	907,700								907,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
215	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
217	FHWA TRANSIMS	186,600								186,600
218	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
219	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
220	2009 - DJ - BX - 1178 JAG GRANT	78,118								78,118
223	EMERGENCY SVCS AGENCY	14,000								14,000
252	JAG 2009 SB - 59 - 2266 FUND	435,700								435,700
290	CDBG FY05/06 FUND	10,000								10,000
292	CDBG FY07/08 FUND	14,700								14,700
293	CDBG FY08/09 FUND	418,652								418,652
295	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16 - 08 - 1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REF NDG	1,158,700								1,158,700
316	ASSMT DIST 98 - 1 - DEBT SVC	27,00								27,00
321	CH COP 97 DEBT SVC	822,035								822,035
325	PUB SAFTY BOND DEBT SVC	404,220								404,220
328	AUTOMLREFIN - CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD #5 STONERIDGE DEBT SVC	362,220								362,220
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIALSTREETS	296,000								296,000

Item No. G.6

MV00062817

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,750								38,750
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP- ADMIN FUND	625 00								625 00
529	CFD #5 STONERIDGE CAP/ ADM	54,000								54,000
530	CFD #4 I- INFRS CAP/ ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,305,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A -DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A -CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,321,900	(2,272,220)	0	150,000	0	2,300,225	2,450,225	178,005	13,498,905
	NET REVENUES	**$180,916,700**	**($681,140)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,488**	**$203,305,188**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

MV00062818

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$27,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	27,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF – CCAGRT – PD – AB3229	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/ EDUC/ GOV ACCESS	447,120					447,120
134	EMPG – EMERGNCY MGMT PREP	94,120					94,120
136	OTS – POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/ 02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,120,120					1,120,120
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,120					13,120
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,120)			(162,120)	8,284,120
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ARTL GHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,120					2,837,120
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD #1	951,120					951,120
185	ZONE "S"	112,000					112,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIALSTS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
217	FHWA TRANSIMS	30,000					30,000
219	EECBG FUND				1,365,800	1,365,800	1,365,800
220	2009 – DJ – BX – 1178 BAG GRANT	78,118					78,118
285	CDBG FY 10/ 11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG 14 USED OIL RECYCLG	27,900					27,900
295	TRI 16 – 06 – 1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGTIMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGTSPCL TAX REF NDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98 – 1 – DEBT SVC	2,400			300	300	2,700
321	CH COM 97 DEBT SVC FUND	82,025					82,025
325	PUBSAFTY BOND DEBT SVC	404,120					404,120
328	AUTOMLR REFIN – CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD #5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I – INFR DEBT SVC	11,493,120					11,493,120
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

Item No. G.6

MV00062819

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGTIM PV SPCL TAX CAP	38,120					38,120
515	2007 TWNGT SPCL TAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTO MALL CAP-ADMIN FUND	61,900					61,900
529	CFD #5 STONERIDGE CAP/ ADM	53,700					53,700
530	CFD #4 I-INFR CAP/ ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,120					318,120
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007 TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds[1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

MV00062820

ATTACHMENT "B"

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

ATTACHMENT "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT "C"

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

ATTACHMENT "D"

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.8

MV00062827

MV00062828

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MV00062830

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00062831

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.0 1.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moren o Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Departmen t)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

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Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211 ;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

MV00062833

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-258 97

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

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District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

MV00062838

p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

MV00062839

Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDEN ROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropr iations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISH ING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appr opriations limit at $13,567,175 for the Moreno Valley Communit y Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 20 10-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of de linquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSS ION OR SEPARATE ACTION

MV00062841

G. REPORTS

G.1 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.2 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.3 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G.4 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

MV00062842

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.5 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance

MV00062843

to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.6 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution Of The City Council Of The City Of Moreno Valley, California, Adopting The Operating Budget For Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution Of The Moreno Valley Community Services District, Adopting The Operating Budget For Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the

MV00062844

Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley, California Adopting The Operating Budget For Fiscal Year 2010-11

G.7 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District, Adopting the Capital Improvement Plan for Fiscal Year 2010-11

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital

MV00062845

Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.8 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/ OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00062846

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00062847

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00062848

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

Item No. A.2

MV00062849

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

MV00062854

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00062856

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

MV00062858

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010 /11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

MV00062863

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MV00062864

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

MV00062867

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/ Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

MV00062869

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

MV00062871

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

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take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Item No. A.3

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MV00062878

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00062880

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ __
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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HVE3 &) 4&A9-WFV9 A<E&3A: AWF-9A<E& 3A-' >E9A<E&		&PLPMKIRJMSTU		

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '( )*+,012
A<! F&GEDVEV&CA> : D AC&9 F>A<F& ' WVAV&VV!				
)*6*,-+-	$-+3,-	$-3)42E653-		
			%&9!$AJHA@&BEA*%: 88EA	$,-56-
			%&9!$AJHA@&I : ; H= : 8A	$-4E35 3
			%&9!$AJHA@&>CH=9$G98>G9	$-)57
			%&9!$AJHA@&; 8: : ; $DL=; $BUJD	$E-5E
			%&9!$AJHA@&8>V: : $%>BD;	$)E5F7
			%&9!$AJHA@&8>V: : $%>BD;	$)5-
			GEA; 8E7K; E9C$H=8LA	$-. E46F-5E
			A% HB>D$H=8LA	$34675-
			9CDE: $K; EEB <$AJHA	$+,5F-
			% 88EA$?D$-, I J$I : : G: 8*BEA@!I	$F4E),57E
			?>G$G: ?; $G: GKH; E9C	@4225)+
			H>H; KA*D>AA: DD $+, I J$HBH$B	$EE5-
			H>H; KA*D>AA: DD $+, I J$HBH$B	$+4)F757F
			L9DG: CH8: A; @DAP98; =$?>HI ?9C:	$2+F572
			L9DG: CH8: A; @DAP98; =$?>HI ?9C:	$FF,57,
			3; =HBHJ9J>D$A K?A; 5$P98I	$-47-75E2
: #+0)4E),.;		&PRUTQK&RM		
HVE3&8)4&A<! F&GEDVEV&CA> : D AC&9 F>A<F& : ' WVAV&VV! &		&PLQKKIPMD&M/K		
@ [DE' E&HF>&@G9' <DEV&>D A>CD&A				
)*,3*,-+-	$-,+)6	$6+4E-+533		
			8: EJ?$B: NK: A; @9 KAEL$>L8: : UC;	$6+4E-+533
: #+0)4E),.;		&KPLQVPS&R		
HVE3&8)4&@ [DE' E&HF>&@G9' <DEV&>D: A>CD&A		&KTLXTTS&R		
D<EA><' W&>A: A<GA &CA>: D A				
)*7*,-+-	$3+F	$-,7427,522		
			!: G$EDH9U: $>W&P*=$)*-7*+-	$-,7427,522
)*,2*,-+-	$3,6	$-,342235F6		
			G: %&I: G$>W&P*=$$)*,2*+-	$-,342235F6
: #+0)4E),.;		&JKKLXJZS&/Q		
HVE3&8)4&EA><' W&>A: A<GA&CA>: D A&		&TLPQUTUQS&Z		
9F>A<F& ' WVAV&I ' ! EGC&>' <! @L&VV!				
)*6*,-+-	$-+3E)	$6746375-		
			8: EJ?K8A: U: C; $>L 8: : U: C;	$6746375-
: #+0)4E),.;		&KZLKRZS&/M		
HVE3&8)4&9F>A<F&: ' WVAV&I ' ! EGC&>' <! @L& VV! &		&KZLKRZS&/M		
9F>A<F& ' WVAV&> F-A>EDACL&VV!				
)*,F*,-+-	$--)+++	$3-64--5-		
			8: !KCG$ 89AE9C$H; 8D$H>A=$A: H	$3-64--5-
: #+0)4E),.;		&RMKLMMB&M		
HVE3&8)4&9F>A<F&: ' WVAV&>F-A>EDA CL&VV!		&RMKLMMB&M		

MV00062886

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&GE DWEV				
)*+7*,-+-	$-,-+7	$)E43,57E		
			: D H; 8BHB<	$-,,53
			: D H; 8BHB<	$)75-7
			: D H; 8BHB<	$--57
			: D H; 8BHB<	$-8-75-
			: D H; 8BHB<	$E4F+352+
			: D H; 8BHB<	$74-3522
			: D H; 8BHB<	$46+5-F
			: D H; 8BHB<	$2476)5EF
			: D H; 8BHB<	$F-F56+
			: D H; 8BHB<	$-4+,5F+
			: D H; 8BHB<	$++E)25E)
			: D H; 8BHB<	$8-8325E
			: D H; 8BHB<	$-EE57)
			: D H; 8BHB<	$++F5FF
			: D H; 8BHB<	$F66)E
			: D H; 8BHB<	$635E6
			: D H; 8BHB<	$635+
			: D H; 8BHB<	$-2+56E
			: D H; 8BHB<	$7357
: #+O)4E),.;		&JQIVRJSZQ		
HVE3 &) 4&9 F>A<F&: ' WWAV&GEDWEV&		&RJRIQTXSTM		
9FCC&[>FC&& ^3 L&D<! S				
)*6*,-+-	$-+37-	$6,4F235-F		
			A% HB-D$>W&B: BJ ?K8A: U: C;	$6.4F235-F
: #+O)4E),.;		&KJLXTRS&/K		
HVE3 &) 4&9 FCC&[> FC&& ^3 L&D<! S&		&KJLXTRS&/K		
9FCC&[>FC&@F<3' L&D<! S				
)*6*,-+-	$EE-,77	$624E,+5F+		
			A% HB-D$>W&B: BJ ?K8A: U: C;	$624E,+5F+
: #+O)4E),.;		&KTIQJPSXP		
HVE3 &) 4&9 FCC&[> FC&@F<3' L&D<! S&		&KTIQJPSXP		
9FCC&9F&' W&>F- A>EDACL&WW!				
)*+,*,-+-	$-+EE3	$-324665)7		
			A% HB-D$>W&B: BJ ?K8A: U: C;	$-324665)7
: #+O)4E),.;		&PRTLJKKSLZ		
HVE3 &) 4&9 FCC&9F &' W&>F-A>EDACL&WW! &		&PRTLJKKSLZ		
9:&>' <! @F&3F>' 3F &DWE3 S&>' >E<A>C@D-				
)*+,*,-+-	$--)-)+	$-42--4--5-		
			D9>C$-L8UC; @&>CH=9$G98>G9$A95	$-42--4--5-
: #+O)4E),.;		&PLTMMLMMMBM		
HVE3 &) 4&9 :&' <! @F&F>' 3F &DWE3 S& -' >E<A>C@D-&		&ILCMMLMMMBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#8%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
<' EDF<] D& A&> AED> A9 A<E&CF WG EDF<C				
)*,2*,-+-	$3,,	$647),5F		
			G: !$H9U%&6F$D& -+X-Y$)*,2*+-	$647),5F
: #+0)4&E),.;		&KKZUJ$V/K		
HVE3&8) 4&' EDF<] D& A&> AED> A9 A<E& CF WG EDF<C&		&KUUKTK$PP		
-' W-L&D<! S&3[' &A_! AW&' :D<N& F9-' <V				
)*6*,-+-	$-+F-2	$6E4E3+52+	AKCC<UG$?DJG$B: J B$?&8 9M$AJHA	$6E4E3+52+
)*+,*,-+-	$-+E7+	$-724-7,5F)		
			AKCC<UG$?DJG$B: J B$?&8 9M$AJHA	$-746-+5.
			AKCC<UG$?DJG$B: J B$?&8 9M$AJHA	$-6E427-5F,
			AKCC<UG$?DJG$B: J B$?&8 9M$AJHA	$-64,-+5-
: #+0)4&E),.;		&JKPIZKJ$V/K		
HVE3&8) 4&' W-L&D<! S&3[' &A_! AW&' :D<N& ! F9-' <V&		&JIPTJIKZJ$V/T		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*6*,-+-	$-+F-F	$,74+)536		
			A8@-*U98$?H=$G8$E; 8H=CL$?&8 9M	$-F42F75)E
			A8@-*C>A9C$A; $9J8H8AACL$?&8 9M	$+4F265-F
: #+0)4&E),.;		&ZIPPU$RK		
HVE3&8) 4&' >CF<C&E>' <C-F>E' EDF<& N>FG-L&D<! S&		&PLMPIKJJ$T		
-A>C&@A' WE@&D<CG >' <! A				
)*3*,-+-	$--2+E+	$-7642 7,52E		
			: U%D$=: >D,=$E&CA$-)*-3*+-	$-7642 7,52E
: #+0)4&E),.;		&PZKIZJ$Q		
HVE3&8) 4&A>C&@A' WE@&D<CG>' <! A&		&PIZTPIPTR$P		
-A>C&> AED> A9 A<E				
)*,*,-+-	$3+-	$-7+4E,F5E,		
			% 8A$B: ; B&: U: C; $-)*-,*+-	$-7+4E,F5E,
)*+3*,-+-	$3+7	$-EE46)-5)-		
			% 8A$B: ; B&: U: C; $-)*+3*+-	$-EE46)-5)-
)*2-*,-+-	$3,F	$-7,4)+566		
			% 8A$B: ; B&: U: C; $-)*2-*+-	$-7,4)+566
: #+0)4&E),.;		&KXJIQVZ$X		
HVE3&8) 4&A>C&A ED> A9 A<E&		&IXVKIKZJ$Q		
>D @' >3&VF-A\& F<CE>G! EDF<				
)*+,*,-+-	$-+7--	$3)46F5-E		
			: D H; 8BH$K; B&B<$?&8 9M H; A$AJHA	$3)46F5-E
: #+0)4&E),.;		&RUJKX$V/Q		
HVE3&8) 4&D @' >3&VF-A\& F<CE>G! EDF<&		&PLVKUJVKZ$JX		

MV00062888

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
>FACVD<N&<' B' 9G>' &EA>' 3' & >! @DEA ! ECL&D<!					
	)*+7*,-+-	$EE-236	$364 2252F		
				%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$364 2252F
	: #+0) 4&E) ,. ;		&RKLJTTS'X		
HVE3 &&) 4&- FACVD< N&<' B' 9G>' &EA>' 3' & ' >! @DEA! ECL&D<! &			&JTTLXTTS%Z		
CA9->' &A<A>NV&CF VGEDF<C					
	)*+,*,-+-	$EE-2),	$9--34F-E576		
				%9P: 8$%K8H=>A:	9--34F-E576
	)*+7*,-+-	$EE-233	$9-E+4272577		
				%9P: 8$%K8H=>A:	$F)46E6577
				%9P: 8$%K8H=>A:	9--34E-E5-
	: #+0) 4&E) ,. ;		&JCQLPVJS%U		
HVE3 &&) 4&CA9->' &A<A>NV&CF VGEDF<C &			&KLTUZLXVKS%P		
C@AVVA<A>NV&<F> E@& 9A>D' &0GC2&VS-S					
	)*+,*,-+-	$-+7-E	$2,E4)E35-		
				:D H; $C: 8L<$%K8 H=>A:	$2,E4)E35-
	: #+0) 4&E) ,. ;		&TJQLUCR&VM		
HVE3 &&) 4&C@AVVA<A>NV&<F>E@& 9A>D' & 0GC2&VS-S&			&ZZZLXUVB&M		

MV00062889

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3 DCF<				
)*6*,-+-	$-+F),	$F4F-E556		
			PG>; $H=8LA@8: G: 8BHI	$4E,65 7
			PG>; $H=8LA@LD9?:	$34 265E+
			PG>; $H=8LA@8>=>U	$24F,F536
			PG>; $H=8LA@BFA	$ 4&,65,
			PG>; $H=8LA@>CGBD>	$ 4&)F52+
			PG>; $H=8LA@K?A; >; B9C	$-4)F52+
)*+7*,-+-	$-,-3-	$-)E42,7576		
			:DH; 8BHB<	$53E5-2
			:DH; 8BHB<	$+5E-
			:DH; 8BHB<	$E)5E2
			:DH; 8BHB<	$5735 2
			:DH; 8BHB<	$+-5E
			:DH; 8BHB<	$42+E5FF
			:DH; 8BHB<	$E,35)F
			:DH; 8BHB<	$E)+5F6
			:DH; 8BHB<	$47,EEE6
			:DH; 8BHB<	$-4F757E
			:DH; 8BHB<	$-4,652-
			:DH; 8BHB<	$-52E
			:DH; 8BHB<	$734E,E5)F
			:DH; 8BHB<	$264)6,5E,
			:DH; 8BHB<	$ 43F5)-
			:DH; 8BHB<	$,56F
			:DH; 8BHB<	$,576
			:DH; 8BHB<	$,5-)
			:DH; 8BHB<	$3653E
			:DH; 8BHB<	$E+56.
			:DH; 8BHB<	$F755)
			:DH; 8BHB<	$25)7
	: #+O)4&E),.;	&PXRLMTQ&KU		
HVE3 &&) 4&CF GE@A><& ' WDHF><D &A3 DCF<&		**&RLLZKLTXX&MZ**		
CFGE@A><& ' WDHF><D &A3 DCF<& FS				
)*,3*,-+-	$-,+E6	$7-4-6556		
			8: %DHUC; $9!9>HBDB BA@><9A; 5	$7-4-6556
	: #+O)4&E),.;	&ZMLMMK&KK		
HVE3 &&) 4&CF GE@A><& ' WDHF><D &A3 DCF<& ! F S&		**&ZMLMMK&KK**		
CE' <3' >3 &D<CG>' <! A& F				
)*+,*,-+-	$-+7+3	$2-46+6557	DH: $C&GBA>?BDB <$&CAK8>CH:	$-,4376 5F2
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-F47,E576
			DH: $C&GBA>?BDB <$&CAK8>CH:	@-75 7
	: #+O)4&E),.;	&TMLKPK&KZ		
HVE3 &&) 4&CE' <3' >3 &&CG>' <! A& F&		**&TJRLXKJ&KU**		

MV00062890

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( ) *+,012
GSCS&[' <B7! ' W! ' > 3C				
) *+, *, -+-	$--) -2+	$FF42, -5 E		
			H>DH>8G$%U; $H<HD: $ CG$) *-F*+-	$FF42, -5 E
) *, 7*, -+-	$--) +, +	$72463E5-7		
			H>DH>8G$%U; $H<HD: $ CG$) *, , *+-	$72463E5-7
: #+0) 4&E) ,. ;		&PXMQQQ&&X		
HVE3 &&) 4&GSCS&[' <B7! ' W! ' > 3C&		&PLXMPLUMZSXP		
GSCS&E> A' CG> V				
) *+, *, -+-	$ -+7, 2	$2-4FF+522		
			A! @, 6$ W$H: AA$H> A=	$2-4FF+522
: #+0) 4&E) ,. ;		&TMXXPST		
HVE3 &&) 4&GSCS&E> A' CG> V&		&TMXXPST		
G<DEA3 & F<E>' ! EF> C& F9 -' <V&D<! S				
) *, 3*, -+-	$EE-) -6	$2, 6462-5-		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$2. 6462-5-
: #+0) 4&E) ,. ;		&TJKLKTMBM		
HVE3 &&) 4&G<DEA3 & F<E>' ! EF> C& F9 -' <V& B< ! S&		&PLQRMMTMBM		
: FWG<EAA> & A<EA> &FH&> D A> CD& A& F G<EV				
) *6*, -+-	$ -+FF2	$2-4---5-		
			8: C; >D$> AA&A; $AJ HA@%8%&%8LU	$-4--5-
			8: C; >D$> 88: >8A$A JHA@%8%&%8LU	$-4--5-
: #+0) 4&E) ,. ;		&TMMMMBM		
HVE3 &&) 4& FWG<EAA> & A<EA> &FH&> D A> CD& A ! FG<EV&		&ZKLJQJST		
] AWWC&H' >NF& F>- F>' EA&E>GCE				
) *, 7*, -+-	$--) -F+	$--4) F65E-		
			E&C; $9C$-77F$D >A : $B: J$?CG	$--4) F65E-
) *, 7*, -+-	$--) -3+	$-4+E4EF) 5) -		
			E&C; $9C$--6$D >A : $B: J$?CG	$-4+E4EF) 5) -
) *, 7*, -+-	$--) -E+	$-4++-4E775-F		
			, --F$D8?$G: ?; $AJ H$%><U: C;	$-4++-4E775-F
) *2-*, -+-	$--) +2+	$-4-F+42) 75-3		
			G: ?; $AJH@% HB>D$ >W A	$-4-F+42) 75-3
: #+0) 4&E) ,. ;		&TLUMPLKZQST		
HVE3 &&) 4&] AWWC&H' >NF& F>-F>' EA&E>GCE&		&ZLMJZLUCKSJT		

MV00062891

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
] @AAWA>&' : D<NL&D<! S				
)*6*,-+-	$EE-2,)	$)34 6+5-		
			D>AA: DD $A; $PEG: CEDL$%89M$AJHA	$34 6+5-
)*+,*,-+-	$EE-2)3	$6734FFE5)+		
			: U: 8L$A; 8: : ; $%>J : UC; $P98I	$-24-7-52E
			D>AA: DD $A; $PEG: CEDL$%89M$AJHA	$E246EE5 2
)*,3*,-+-	$EE-)-F	$62-42F-5-3		
			D>AA: DD $A; $PEG: CEDL$%89M$AJHA	$-42)65F2
			D>AA: DD $A; $PEG: CEDL$%89M$AJHA	$6F4E375FF
			D>AA: DD $A; $PEG: CEDL$%89M$AJHA	$)74E7E5 7
			D>AA: DD $A; $PEG: CEDL$%89M$AJHA	$+4 6356F
	: #+O) 4E),.;	&PLPXTLTZZ$%X		
HVE3 &8) 4&] @AAWA> &' : D<NL&D<! S&		&ILXPPLPUX$%Z		
] D<\WA>& &BAWW&! F<CGWED<N&A<ND<AA>C				
)*6*,-+-	$-+FE+	$2+4)-5-		
			; : U%$A; >!!EDL$AJ HA@D>%$%89MA	$-64E)-5-
			; : U%$A; >!!EDL$AJ HA@D>%$%89MA	$-64)--5-
	: #+O) 4E),.;	&TPLJUMBM		
HVE3 &8) 4&] D<\WA> & &BAWW&! F<CGWED<N& A<ND<AA>C&		&TRXLRPX$%Z		
] >! FN&] ACEA><&>D: A>CD3A&! FS&FH&N F: E&CS				
)*+7*,-+-	$-,-EE	$)42F-5-		
			; KU!$B: AEG: C; B>D$1 : : A	$)42F-5-
	: #+O) 4E),.;	&JJLTXMBM		
HVE3 &8) 4&] >! FN&] ACEA><&>D A>CD3A&! FS& FH&NF : E&CS&		&PLPPKLRX$%J		
	C*=,),.;	&PPLJXJLRTP$%R		

MV00062892

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#8%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012

! @A! BC&WACC&E@' < &I JKLMMM

&E>' <CFHE&CFWGEDF<CL&D<! S

)*+7*,-+-	$-+722	$-4E75-	
			>K;9;K8C$A9!;P>8:$K%L8>G: 9-4E75-
			: #+O)4&E),.; &PLJCZ&M

HVE3&)4&E>' <CFHE&CFWGEDF<CL&D<! S& &PLJCZ&M

UKJ<3& D>&9F[DWDEV&] D<N

)*E*,-+-	$-+E,7	$-5-	
			?8&L&L: C&U: D&C$8:; &B: UC; $)*+- $-5-
			: #+O)4&E),.; &IMB&M

HVE3&)4&JKJ<3& D>&9F[DWDEV&] D<N & &PPX&M

UN&] D>AWACCL&D<!

)*6*,-+-	$-+66,	$3-5-E	
			8:!KCG@KA&D&H$9J8%U; $3-5-E
			: #+O)4&E),.; &RMBPQ

HVE3&)4&UN&] D>AWACCL&D<! & &RMBPQ

' &&- FCE' W&A_->ACC

)*+7*,-+-	$-+72)	$)25-	
			8:!KCG@KA&D&H$9J8%U; $)25-
			: #+O)4&E),.; &JT&M

HVE3&)4& &&-FCE' W&A_->ACC& &JT&M

' & &D&>A->FN>' -@D C&&&&&&&&JUMRTRJ

)*6*,-+-	$-+662	$F75-2	
			8%8L8%=H$AJHA@&; $&J%8JUC; $B: AK8! $F75-2
)*+,*,-+-	$-+E2-	$-4FEE5,7	
			8%8L8%=H$AJHA@&; $&J%8JUC; $%8LU $6)5F-
			8%8L8%=H$AJHA@><$A; $&J%8JUC; A 9-4672576
			8%8L8%=H$AJHA@><$A; $&J%8JUC; A 9-2755)
)*,3*,-+-	$-,-72	$))5F)	
			8%8L8%=H$AJHA@B; H=&CL$A; $%89M $)E537
			8%8L8%=H$AJHA@K;9$U>D&%89M 9-735-6
			: #+O)4&E),.; &IPPJS&R

HVE3&)4& & &&-A->FN>' -@D C&&&&&&&&JUMRTRJ& &PZ1KRT&U

' & &'&N>' 3D<N& F<E>' !EF>C

)*6*,-+-	$-+66)	$75--	
			8:!KCG@KA&D&H$9J8%U; $75--
			: #+O)4&E),.; &Z&M

HVE3&)4& & &&N>' 3D<N& F<E>' !EF>C& &Z&M

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
' & & &' : D<N& F9 -<' V				
)*+7*,-+-	$-+726	$2,5)+		
			8: !KCG@KASDBH$9J8%U;	$2,5)+
	: #+O) 4E) ,. ;	&TJ&P		
HVE3 &) 4& & & &' : D<N& F9 -<' V&		&TJ&P		
' & & &F &&&A<N D<AA>A3 &CVCEA9 CL&D< !				
)*+7*,-+-	$-+723	$25E-		
			8: !KCG@KASDBH$9J8%U;	$25E-
	: #+O) 4E) ,. ;	&TT&M		
HVE3 &) 4& & & & F &&&A<N D<AA>A3 &CV CEA9 CL& D< ! &		&TT&M		
' &<&> &D<3 GCE>DAC L&D< !				
)*+,*,-+-	$-+E2+	$-5-		
			%&9% 8; <$B: =>?@6+-3$9><$J:	$34FE56-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$E46)F5-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$2E4+E65-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$246-5-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$74FF65-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$)4F265-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$E4F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$-34+25-
			%&9% 8; <$B: =>?@6+-3$9><$J:	@4FE56-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@E46)F5-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@2E4+E65-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@246-5-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@74FF65-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@)4F265-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@64F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@34+25-
)*,3*,-+-	$-,-76	$,4E),56-		
			%&9% 8; <$B: =>?@6+-3$9><$J:	$.4E).56-
	: #+O) 4E) ,. ;	&JIQLJJ&M		
HVE3 &) 4& & & &D<3 GCE>DACL&D< ! &		&PTPLLKJJ&Q		
' [AVE' L&N D<V				
)*+7*,-+-	$-+72F	$-5-		
			8: !KCG@?BA$G: %	$-5-
	: #+O) 4E) ,. ;	&IM&M		
HVE3 &) 4& [AVE' L&N D<V&		&IM&M		

MV00062894

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
' [CFWGEA&CG>: ADWW <! A				
)*6*,-+-	$EE-,6E	$24F+F56 2		
			L%A$I: =$ 8>HI: 8@&9DBH: $G: %	$7EE563
			L%A$I: =$ 8>HI: 8@H; B>; B9C	$365+)
			L%A$I: =$ 8>HI: 8@AJH$%D>C	$ 4 E652 7
			L%A$I: =$ 8>HI: 8@>; ; : 8<	$FE5))
	: #+O) 4&E) ,. ;	&TLXPX$&T		
HVE3 &) 4& [CFWGEA&CG>: ADWW <! A&		&TLXPX$&T		
' ! ! ACC&CA! G>DEV&! F<E>FWC&D<ES&D<! S				
)*6*,-+-	$-+666	$-4 3-5-		
			A: H$J9CB98EC L$A JH@>H$A; 8L	$F65-
			A: H$J9CB98EC L$A JH@8H	$F65-
			A: H$J9CB98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB98EC L$A JH@BB: $&CA%H;	$F3-5-
	: #+O) 4&E) ,. ;	&PLMRMBM		
HVE3 &) 4& ! ! ACC&CA! G>DEV& F<E>FWC&D<ES& B<! S&		&PTLPQJ$&Z		
' ! ! FG<EA9-C				
)*6*,-+-	$-+663	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $2*+7	$E,E5-
)*+,*,-+-	$-+E2,	$7-65,6		
			; : U%&AJHA@%9G>H>$P*: $2*,3	$E,E5-
			; : U%&AJHA@%9G>H>$?I L8G	$FF5,6
)*+7*,-+-	$-+72E	$E2755-		
			; : U%&AJHA@%9G>H>$P*: $,*,	$E2755-
)*,3*,-+-	$-,-7E	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $,*7	$E,E5-
	: #+O) 4&E) ,. ;	&TLJMMBK		
HVE3 &) 4& ! ! FG<EA9-C&		&PMLUTQ&K		
' ! A& ' C@&A_->ACC &bUPPR				
)*6*,-+-	$-+66F	$-)+5,3		
			8: !KCG@KADBH9J8%U;	$-)+5,3
	: #+O) 4&E) ,. ;	&PUPS$R		
HVE3 &) 4& ! A& ' C@&A_->ACC&bUPPR&		&PUPS$R		
' ! A&HFFE] ' >A				
)*+7*,-+-	$-+727	$)5-7		
			8: !KCG@KADBH9J8%U;	$)5-7
	: #+O) 4&E) ,. ;	&LUS$Z		
HVE3 &) 4& ! A&HFF E] ' >A&		&LUS$Z		

MV00062895

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&.,/(#+,	-./(#+,& '()*+,012
' ! G<' L&VGDC& S					
	)'6*,-+-	$-+66E	$-4335)-		
				8: !KCG@GUEC$HB>; B9CS!: : A	$-4335)-
	: #+0) 4&E) ,. ;		&PLPRRSJM		
HVE3 &) 4& ! G<' L&VGDC& S&			&PLPRRSJM		
' 3' 9CL&9' >B&VS					
	)'6*,-+-	$-+FE2	$2+E5F2		
				8: ; B&: : $U: GB-H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&KT		
HVE3 &) 4& 3' 9CL&9' >B&VS&			&TLPQXSTM		
' 3WA>@F>CE&D<EA> <' EDF<' W&D<! S					
	)*+,*,-+-	$EE-2,F	$),65-+		
				H>CE&D: $8>E&E&L@DK:	$-)+5&F
				H>CE&D: $8>E&E&L@>WD W	$E252)
	: #+0) 4&E) ,. ;		&JJKSVP		
HVE3 &) 4& 3WA>@F>CE&D<EA> <' EDF<' W&D<! S&			&JLRZXSSJ		
' 39D<CG>A					
	)*+,*,-+-	$-+E22	$48--5-		
				P8I UCA$H9U%&>GUC $AJHA	$48--5-
	: #+0) 4&E) ,. ;		&LRMMVBM		
HVE3 &) 4& 39E<CG>A&			&RLMMVBM		
' 3:' <! A3&AWA! E>D!					
	)*+7*,-+-	$-+7)-	$47)65-		
				: D H; $P98I @&>8I A	$7--5-
				: D H; $P98I @&>8I A	$2E5-
				: D H; $P98I @&>8I A	$2)25-
				: D H; $P98I @&>8I A	$3,5-
				: D H; $P98I @&>8I A	$6+)5-
				: D H; $P98I @&>8I A	$-EF5-
				: D H; $P98I @&>8I A	$625-
				: D H; $P98I @&>8I A	$-E25-
				: D H; $P98I @&>8I A	$-25-
				: D H; $P98I @&>8I A	$3,5-
	)*,3*,-+-	$-,-77	$)FF5-		
				: D H; $P98I @!GZ+	$3,5-
				: D H; $P98I @!GZ+	$+65-
	: #+0) 4&E) ,. ;		&TLJJJSVM		
HVE3 &) 4& 3:' <! A3&AWA! E>D&			&QLKJUSVM		

MV00062896

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$45,5)+7-*46) 1#) 8&. /(#+,	-./(#+,& '()*+,012
' W! F><&HA<! A& F9 -' <V				
	)*6*,-+-	$-+63-	$ 255,	
			8: !KCG@KA$DB-H$9J8%U;	$ 256,
	: #+O) 4E) ,. ;		&TS$KJ	
HVE3 &) 4& W! F><&HA<! A& F9 -' <V&			&TS$KJ	
' WD A' L&>D @' >3				
	)*+7*,-+-	$-+7)+	$-6655-	
			UED >L: $B: BJ?K8A : U: C;	$F)55-
			UED >L: $B: BJ?K8A : U: C;	$E+5-
	: #+O) 4E) ,. ;		&PKK$KM	
HVE3 &) 4& WD A' L&>D @ >3&			&KUTS$K	
' WW&3 DC! FG<E&D<CG>' <! A&CA>: D AL&D<! S				
	)*6*,-+-	$-+63+	$7F55-	
			8: !KCG@KA$DB-H$9J8%U;	$7F55-
	: #+O) 4E) ,. ;		&ZX$KM	
HVE3 &) 4& WW&3 DC! FG<E&3CG>' <! A& CA>: D AL&3<! S&			&ZX$KM	
' WWAVL&A>D<				
	)*,3*,-+-	$-,+-+	$-5-	
			8: !KCG@>?B A$G: %	$-5-
	: #+O) 4E) ,. ;		&IMB$M	
HVE3 &) 4& WWAVL&A>D< &			&IMB$M	
' WWD <! A&>ACFG>! A& F<CGWED<NL&WW!				
	)*6*,-+-	$-+63,	$F43-5F6	
			: W HS$B: H8KB U: C; $AJHA	$F43-5F6
	: #+O) 4E) ,. ;		&LJRMBKK	
HVE3 &) 4& WWD <! A&>ACFG>! A& ! F<CGWED<NL&WW! &			&LJRMBKK	
' WWD <E&D<CG>' <! A&CA>: D ACL&D<! S				
	)*6*,-+-	$-+632	$-423+5-E	
			EC AK8>CH: @%HD$ J: C; A	$-423+5-E
	: #+O) 4E) ,. ;		&PLTRPS$MQ	
HVE3 &) 4& WWD <E&3CG>' <! A&CA>: D ACL& D<! S&			&PMLMMTS$QQ	
' WWD <\ &WDHA&D<CG>' <! A& F				
	)*+,*,-+-	$-+E2)	$F65-	
			C9C@W U%, $>CCKB, <	$F65-
	: #+O) 4E) ,. ;		&KS$M	
HVE3 &) 4& WWD <\ &WDHA&D<CG>' <! A& F&			&KMB$M	

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$46,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
' 9A>D ' <&[GDV&B< N&9' B<EA<' <! A&[F				
	)*+7*,-+-	$-+7),	$35),	
			8: !KCG@KAS[DB-H$9J8%U;	$35),
	: #+0) 4&E),.;		&JRSJU	
HVE3&&) 4& 9A>D ' <&[GDV&B< N& 9' B<EA<' <! A&[F&			&JRSJU	
' 9A>D ' <&HF>A<CD! &<G>CAC				
	)*+,*,-+-	$EE-2,E	$6E25-	
			?D99G$G8>PA	$6E25-
	)*+7*,-+-	$EE-2)7	$725-	
			?D99G$G8>PA	$725-
	)*,3*,-+-	$EE-2F3	$6+256-	
			?D99G$G8>PA	$6+256-
	: #+0) 4&E),.;		&PLPQZSZM	
HVE3&&) 4& 9A>D ' <&HF>A<CD &G>CAC&			&PLXKMBTM	
' 9A>D ' <&G[WD &-F] A>& CCF! D EDF<				
	)*+7*,-+-	$-+7)2	$247F65+	
			U: U?: 8A=B%GK: A@67E+6	$33,56)
			U: U?: 8A=B%GK: A@67E+6	$242+,52F
	: #+0) 4&E),.;		&TZXKSIP	
HVE3&&) 4& 9A>D ' <&G[WD &F] A>& ' CCF! D EDF<&			&TZXKSIP	
' 9A>D ' <&c GD B&->D<ED<N				
	)*+7*,-+-	$-,-7-	$4-F65-	
			>CUD$HC; 8D$C9; B-H: A	$4-F65-
	: #+0) 4&E),.;		&IPXKS3M	
HVE3&&) 4& 9A>D ' <&c GD B&->D<ED<N&			&TZZUSJT	
' 9A>D ' <&-FE' >V&[>FF9& FS				
	)*6*,-+-	$-+63)	$242+-5-,	
			A; 8: : ; $AP: : %&CL$?899U$B A	$725-7
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E75.
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E-5-6
			A; 8: : ; $AP: : %&CL$?899U$B A	$)F5-3
	)*,3*,-+-	$-,+-,	$-4635-7,	
			A; 8: : ; $AP: : %&CL$?899U$B A	$-)5EE
			A; 8: : ; $AP: : %&CL$?899U$B A	$F+35-F
			A; 8: : ; $AP: : %&CL$?899U$B A	$2265-2F
	: #+0) 4&E),.;		&JZRRSZU	
HVE3&&) 4& 9A>D ' <&-FE' >V&[>FF9& FS&			&JZIZJPSRP	

MV00062898

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
' 9 EA! @&AWA: ' EF>&CA>: D AC				
)*+7*,-+-	$-+7))	$-+E52F		
			: D J>; 98$AJH@B <$=>DD	$-+E52F
	: #+O) 4&E) ,. ;	&PPCSTX		
HVE3 &&) 4& 9 EA! @&AWA: ' EF>&CA>: D A C&		&PLXMMB&P		
' <' V' L&BD9 &>AVA				
)*+7*,-+-	$-+7)6	$6)55-		
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$E5-
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$-355-
)*,3*,-+-	$-,+-2	$655-		
			UBD >L: $B: BJ?K8A : U: C;	$655-
	: #+O) 4&E) ,. ;	&TMMB&M		
HVE3 &&) 4& <' V' L&BD9 &>AVA&		&TTKS&M		
' <3>A] CY[' BA>L&C GA				
)*+,*,-+-	$-+E26	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
)*+7*,-+-	$-+7)3	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
	: #+O) 4&E) ,. ;	&PKMB&M		
HVE3 &&) 4& <3>A] CY[' BA>L&CGA&		&KJKS&M		
' <NAW &<' DVC& &C-'				
)*6*,-+-	$-+636	$35-		
			8: !KCG@KADH9J8%U;	$35-
	: #+O) 4&E) ,. ;	&JRSRM		
HVE3 &&) 4& <NAW &<' DVC& &C-' &		&JRSRM		
' <D9' W&A9A>NA<! V & WD<D L&D<! S				
)*+7*,-+-	$-,-7+	$26-5-		
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$F-5-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$665-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
	: #+O) 4&E) ,. ;	&TKMB&M		
HVE3 &&) 4& <D9' W&A9A>NA<! V& WD<D L&D<! S&		&JLKTUS&M		

MV00062899

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
' <D9' W&-ACE&9' <' NA9A<E&CA>: D ACL &D<! S				
	)*6*,-+-	$-+633	$3--5-	
			% A; 9HC; 8D@: : 9BUJD9; 9?><AE6:	$2--5-
			: U: 8L9?: : 9BUJD@ 8H	$2--5-
	)*,3*,-+-	$-,+-)	$47-5-	
			% A; 9HC; 8D@&>8I A	$365-
			% A; 9HC; 8D@&>8I A	$665-
			% A; 9HC; 8D@J>8H=9DG	$22-5-
			% A; 9HC; 8D@&>D	$--5-
			% A; 9HC; 8D@!GS2+	$3-5-
			% A; 9HC; 8D@DI 9H8A	$E-5-
			% A; 9HC; 8D@; >8A9?DGL	$--5-
			% A; 9HC; 8D@&>8I A	$--5-
			% A; 9HC; 8D@&>8I A	$--5-
			% A; 9HC; 8D@&>8I A	$--5-
	: #+O 4&E),.;	&IKQZMMM		
HVE3 &9) 4& <D9' W&-ACE&9' <' NA9A<E& CA>: D ACL&D<! S&		&IMMMMMM		
' >[VaC				
	)*6*,-+-	$-+63F	$E)5++	
			8: !KCG@KA9DH9J8%U;	$E)5++
	: #+O 4&E),.;	&LUSPP		
HVE3 &9) 4& >[VaC&		&LUSPP		
' >! @A>L&E>' : DC				
	)*+,*,-+-	$-+E23	$+-5-	
			8: !KCG@B>; E9C9J8%U;	$+-5-
	: #+O 4&E),.;	&PMMMM		
HVE3 &9) 4& >! @A>L&E>' : DC&		&PMMMM		
' >! @DEA! EG>' W&3 A CDN<& &CDN<L&D<! S				
	)*6*,-+-	$-+63E	$75)7	
			8: !KCG@KA9DH9J8%U;	$75)7
	: #+O 4&E),.;	&ZS&Z		
HVE3 &9) 4& >! @DEA! EG>' W&3 ACDN<& &CDN<L& D<! S&		&ZS&Z		
' >! @D A&9' <' NA9A <E&CA>: D A				
	)*+7*,-+-	$-+7)F	$-4236552	
			9!!AB: 9A; 98>L: @HB <9HD 8I A	$-4236552
	: #+O 4&E),.;	&PLTRKSKT		
HVE3 &9) 4& >! @D A&9' <' NA9A<E&CA>: D A&		&PTLTUTS&Z		

MV00062900

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
' >! F& 97-9 &&' > &] ' C@				
)*6*,-+-	$-+637	$2-5 E		
			8: !KCG@KAS[DH$9J8%J;	$2-5 E
: #+O) 4&E) ,. ;		&TMSQ		
HVE3 &) 4& > ! F & 9 7-9 &&' > &] ' C@&		&TMSQ		
' >A' M] ACE&HA<! A& ! F				
)*+7*,-+-	$-+7) E	$65-		
			8: !KCG@KAS[DH$9J8%J;	$65-
: #+O) 4&E) ,. ;		&KSVM		
HVE3 &) 4& > A' M] A CE&HA< ! A& F &		&KSVM		
' >>F] @A' 3 &] ' EA>				
)*6*,-+-	$-+6F-	$6-5-		
			P; 8$4K8E1$BC; D@CUD[A=D, 8	$6-5-
			P; 8$4K8E1$BC; D@8$H; 8	$65-
			P; 8$4K8E1$BC; D@%HD[GEA;	$65-
			P; 8$4K8E1$BC; D@: H=$AJHA	$65-
			P; 8$4K8E1$BC; D@8H	$65-
)*+,*,-+-	$-+E2F	$65-		
			P; 8$4K8E1$BC; D@>H$CCW	$65-
)*+7*,-+-	$-+7) 7	$65-		
			P; 8$4K8E1$BC; D@; >8A	$65-
)*,3*,-+-	$-,+-6	$2)-5FE		
			P; 8$4K8E1$BC; D@B <$->D	$-,65+
			P; 8$4K8E1$BC; D@B <$<>8G	$65-
			P; 8$4K8E1$BC; D@8CA$ 8D8	$65-
			P; 8$4K8E1$BC; D@F 8>8<	$65-
			P; 8$4K8E1$BC; D@A$Z3	$65-
			P; 8$4K8E1$BC; D@A$Z) E	$65-
			P; 8$4K8E1$BC; D@A$Z,	$65-
			P; 8$4K8E1$BC; D@A$Z6E	$-65FF
			P; 8$4K8E1$BC; D@A$Z7+	$65-
			P; 8$4K8E1$BC; D@A$Z36	$65-
: #+O) 4&E) ,. ;		&KUVBKQ		
HVE3 &) 4& >> F] @A' 3 &] ' EA> &		&KLKRT$KX		
' C@VAVL&E@F9' C				
)*,3*,-+-	$-,+-3	$6-5-		
			8: !KCG@8>%&G: %9AB	$6-5-
: #+O) 4&E) ,. ;		&KVBVM		
HVE3 &) 4& C@VAVL&E@F 9' C&		&KVBVM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
' CD < &9 - F > E&9 ' > BAE					
	)*6*, -+-	$-+6F+	$3F57)		
				8: !KCG@KADH9J8%U;	$3F57)
	: #+0) 4&) ,. ;		&RXSZU		
HVE3 &) 4& CD < &9 - F > E&9 ' > BAE&			&RXSZU		
' CCF! D EA3 &A< ND< AA> CL&D< ! S					
	)*+7*, -+-	$-+76-	$,-46,-5-		
				=: >H9HI $A; $P E&: C E&L$%&89M$AJHA	$-46,-5-
	: #+0) 4&) ,. ;		&JMKJMB/M		
HVE3 &) 4& CCF ! D EA3 &A< ND< AA> CL&D< ! S&			&KRLQXUSP		
' CCF! D ED< &C&Ac GDEV&9 ' <' NA9A< EL&D< !					
	)*+7*, -+-	$-+76+	$,57F		
				8: !KCG@KADH9J8%U;	$,57F
	: #+0) 4&) ,. ;		&JJSZX		
HVE3 &) 4& CCF ! D ED< &C&Ac GDEV& 9 ' <' NA9A< EL&D< ! &			&JJSZX		
' E` E&9 F[DVDEV					
	)*6*, -+-	$-+6F,	$7,526		
				H9UUKCH>; E9C$AJ HA@)?D$HUUCG	$7,526
	)*,3*, -+-	$-,+-F	$7,5,		
				H9UUKCH>; E9C$AJ HA	$7,5,
	: #+0) 4&) ,. ;		&PCLJSXX		
HVE3 &) 4& E` E&9 F [DVDEV&			&PLVPPSRJ		
' E` E79 ! D					
	)*+,*, -+-	$-+E2E	$-E2567		
				H9UUKCH>; E9C$AJ HA@); !	$-E2567
	: #+0) 4&) ,. ;		&PCTS$KZ		
HVE3 &) 4& E` E79 ! D&			&PLQTRSLQ		
' : DV L&N > DCAV&'					
	)*+7*, -+-	$-+76,	$635-		
				8: !KCG@CUD$AJHA$! : : A	$2-5-
				8: !KCG@CUD$AJHA$! : : A	$-5-
				8: !KCG@CUD$AJHA$! : : A	$-35-
	: #+0) 4&) ,. ;		&KRSVM		
HVE3 &) 4& : DV L&N > DCAV&' &			&KRSVM		
[' ! @A> L&N > ' ! A					
	)*6*, -+-	$-+6F)	$2-65-		
				8: ; E&: : $U: GH>D$?: C: !B	$2-65-
	: #+0) 4&) ,. ;		&TMKSRM		
HVE3 &) 4&[' ! @A> L&N > ' ! A&			&ILUTRSLP		

MV00062902

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&.,/(#+,&'()*+,012	-./(#+,&'()*+,012
[' >< ACL&3' >WA< A				
	)*6*,-+-	$-+FE)	$9-+)55-	
			8:; B&B:: $U: GBH>D&?: C: !B	9-+)55-
	: #+O) 4&E),.;		&PPUSXM	
HVE3 &&) 4&[' >< ACL&&' >WA< A&			&PLPPKSXR	
[' >F< & FFW&- W CE A>D< N &FH&CFS&[' S				
	)*6*,-+-	$-+6F6	$ 3572	
			8: !KCG@KASDBH$9J8%U;	$ 3572
	: #+O) 4&E),.;		&JRSZT	
HVE3 &&) 4&[' >F< & FFW&- W CEA>D< N&F H&CFS&[! ' S&			&JRSZT	
[' CD &[' ! BHWF]				
	)*6*,-+-	$-+6F3	$2-5--	
			?>HI !D9P$: A; BCL	$2-5-
	: #+O) 4&E),.;		&TMBM	
HVE3 &&) 4&[' CD &[' ! BHWF] &			&PLTJUSRK	
[' EEA>V\ F< AL&D< ! S				
	)*,3*,-+-	$-,+-E	$24)F65-,	
			?>;;: 8B A@&9DBH: $G: %;	$24)--5-
			?>;;: 8B A@>D A$; >W	$7F56-
			?>;;: 8B A@=B%BCL	$F65-,
			?>;;: 8B A@>D A$; >W$-HH8K>D	@7F56-
	: #+O) 4&E),.;		&TLUXKSPJ	
HVE3 &&) 4&[' EEA>V\ F< AL&D< ! S&			&TLUXKSPJ	
[A' >& ' WWAV& WA' <A>C				
	)*+7*,-+-	$-+762	$7-57,	
			8: !KCG@KASDBH$9J8%U;	$7-57,
	: #+O) 4&E),.;		&ZMEZJ	
HVE3 &&) 4&[A' >& ' WWAV& WA' <A>C&			&ZMEZJ	
[A! B<A>L& ' E>D B				
	)*6*,-+-	$-+6FF	$7,25F-	
			8: ;B&B:: $U: GBH>D&?: C: !B	$7,25F-
	: #+O) 4&E),.;		&ZJTSXM	
HVE3 &&) 4&[A! B<A>L& ' E>D B&			&PLXKMBPM	
[AWWD< N L&\ACCD ' & S				
	)*6*,-+-	$-+6FE	$7+)5E	
			8: !KCG@GUBD$HB>; B9CS!: : A	$7+)5E
	: #+O) 4&E),.;		&ZPUSMQ	
HVE3 &&) 4&[AWWD< N L&ACCD ' & S&			&ZPUSMQ	

MV00062903

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
[A9GC&W <3C! '-AL &3<! S				
	)*6*, -+-	$-+6F7	$-3,5)E	
			8&8&L$GUL$3: %>&3 A@9H$%&9M H;	$-3,5)E
	)*+, *, -+-	$-+E27	$-F4/E)533	
			D>CGAH>% 3U>&C; @)	$2655F
			D>CGAH>% 3U>&C; @)	$72655-
			D>CGAH>% 3U>&C; @)	$7,52,
			D>CGAH>% 3U>&C; @)	$-7257,
			D>CGAH>% 3U>&C; @)	$--+53E
			D>CGAH>% 3U>&C; @)	$FF56
			D>CGAH>% 3U>&C; @)	$-6496-573
			D>CGAH>% 3U>&C; @)>	$23F53)
			D>CGAH>% 3U>&C; @2>	$,756
			8&8&L$GUL$3: %>&3 @&A?$H9CJ$%&9M	$--56F
	: #+O)4&E),.;	&PQUPUX$PU		
HVE3&3)4&[A9GC&W <3C! '-AL&3<! S&		&JMKLUZX$KR		
[A<&[WGA&3:9L&9C				
	)*+, *, -+-	$-+E)-5-	$F)-5-	
			:U: 8L$I:; $AJHA	$56-5-
			:U: 8L$I:; $AJHA	$-7-5-
	)*, 3*, -+-	$-,++-	$-765-	
			:U: 8L$I:; $AJHA	$-765-
	: #+O)4&E),.;	&TKS&M		
HVE3&3)4&[A<&[WGA&3:9L&9C&		&TKS&M		
[A<ACVCE				
	)*+7*, -+-	$EE-26,	$-5-2	
			H9?8>$AK?A&5<@%8,-+-	$-)52
			H9?8>$AK?A&5<@%8,-+-	$55F-
	: #+O)4&E),.;	&JMSPT		
HVE3&3)4&[A<ACVCE&		&JMS&R		
[A<ACVCEL&3<! S				
	)*, 3*, -+-	$-,+++	$F-52)	
			!D W$GUE&$AJHA	$,652)
			!D W$GUE&$AJHA	$)65-
	: #+O)4&E),.;	&JXMSTU		
HVE3&3)4&[A<ACVCEL&3<! S&		&JZCQ5&R		
[A<HF>3L&9D @' AW				
	)*, 3*, -+-	$-,++,	$365-	
			8: !KCG@&C; D&G: %	$365-
	: #+O)4&E),.;	&RKS&M		
HVE3&3)4&[A<HF>3L&9D @ AW&		&RKS&M		

MV00062904

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
[ACEL&[ACE& &B> DANA> L&WW-				
)*+,*,-+-	$-+E)+	$-E25-		
			D L>D&AJHA	$-+655-
			D L>D&AJHA	$3F56-
)*,3*,-+-	$-,++2	$-2-55)		
			D L>D&AJHA	$6,55-
			D L>D&AJHA	$3E526
			D L>D&AJHA	$7537
: #+O 4&E),.;		&TPT$KU		
HVE3 &B) 4&[ACEL&[ACE& &B> DANA> L&WW- &		&PTLTQZ$RU		
[A: DWWA:C& D> & F <3 DEDF <D<N				
)*6*,-+-	$-+6E-	$-5F6		
			8: !KCG@KAS DB-H$9J8%U;	$-5F6
: #+O 4&E),.;		&JMBKK		
HVE3 &B) 4&[A: DWWA:C& D> & F <3 DEDF <D<N &		&JMBKK		
[DF YEF_&W [F>' EF>DAC				
)*+7*,-+-	$-+76)	$248E75E		
			; 9WB-H9D9L<$: A; A	$-F5F
			; 9WB-H9D9L<$: A; A	$-46E5+
			; 9WB-H9D9L<$: A; A	$4.)57-
: #+O 4&E),.;		&TIRQZ$ZQ		
HVE3 &B) 4&[DF YEF_&W [F>' EF>DAC&		&TRIPZZS$K		
[DEC&[VEAC& &9 F> A				
)*+7*,-+-	$-+766	$F-572		
			8: !KCG@KAS DB-H$9J8%U;	$F-572
: #+O 4&E),.;		&IMBXT		
HVE3 &B) 4&[DEC&[V EAC& &9 F> A&		&IMBXT		
[WGA&C@DAW3 &F H& ' WDHF><D				
)*+7*,-+-	$-+763	$6,,5EF		
			=:>D,=$&CA$%8: UBKU	$FE5E6
			=:>D,=$&CA$%8: UBKU	$))5.
: #+O 4&E),.;		&KJJ$$X		
HVE3 &B) 4&[WGA&C@DAW3 &F H& ' WDHF><D &		&ZLPKQ&M		
[F[F &DL&HAWD_				
)*6*,-+-	$-+6E+	$F+5-		
			UBD >L: $B: BJ?K8A : U: C;	$F+5-
)*,3*,-+-	$-,++)	$3,5-		
			UBD >L: $B: BJ?K8A : U: C;	$3,5-
: #+O 4&E),.;		&PTT$M		
HVE3 &B) 4&[F[F &DL&HAWD_ &		&RTP$PK		

MV00062905

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
[-&] ACE& F' CE&> F3G! ECL&WW!					
	)*6*,-+-	$-+6E,	$5F5 7		
				8: !KCG@KAS□B-H$9J8%U;	$25+
				8: !KCG@KAS□B-H$9J8%U;	$2)5-E
	: #+O 4&E),.;		&XS&Z		
HVE3&) 4&[-&] ACE& F' CE&> F3G! ECL&WW! &			&PUX&Z		
[-C&E' ! ED ' WL&D< !					
	)*,3*,-+-	$-,++6	$-E5 7		
				%&; H= : A@&9□B-H: $G : %	$E5-
				%&; H= : A@&9□B-H: $G : %	$75-7
	: #+O 4&E),.;		&PQ&Z		
HVE3&) 4&[-C&E' ! ED ' WL&D< ! &			&ZS&K		
[>□EF L&E>' ! V					
	)*+,*,-+-	$-+E),	$2F5-		
				8: !KCG@= : D : 8$! : :	$2F5-
	: #+O 4&E),.;		&TX&M		
HVE3&) 4&[>□EF L&E>' ! V&			&TX&M		
[>FF BCL&BA9 AE@>'					
	)*+7*,-+-	$-+76F	$-,,5-		
				8: !KCG@>; = $B: L□A;	$-,,5-
	: #+O 4&E),.;		&RJJ&M		
HVE3&) 4&[>FF BCL&BA9 AE@>' &			&RJJ&M		
[G! BD< N@ 9 L&CE' <					
	)*6*,-+-	$-+6E2	$2+E5F2		
				8: ; B: : $U: G-H>D&?: C: !B	$2+E5F2
	: #+O 4&E),.;		&TPQ&T		
HVE3&) 4&[G! BD< N@ 9 L&CE' < &			&PLJXU&J		
[G>WD< NEF< & F' E&H' ! EF>V&FH& ' L&WW!					
	)*6*,-+-	$-+6E)	$-47FF5-		
				8: !KCG@KAS□B-H$9J8%U;	$-47FF5-
	: #+O 4&E),.;		&PZXX&M		
HVE3&) 4&[G>WD< NEF< & F' E&H' ! EF>V&FH& ! ' L&WW! &			&PZXX&M		
! &@&' &D< ! S					
	)*6*,-+-	$-+6E6	$)5-		
				8: !KCG@KAS□B-H$9J8%U;	$)5-
	: #+O 4&E),.;		&JU&M		
HVE3&) 4&[&@&' &D< ! S&			&JU&M		

MV00062906

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
! ' &CE' EA&EA' ! @A> &C&>AED>A9A<E&CV CEA9				
	)*+2*,-+-	$-,4F-5,		
			>CCD&D 8*H8: G; &7F&H=&B: ! B&H9%A	$-,4F-5,
	: #+0) 4&E) ,. ;	&PJLPXM&J		
HVE3 &&) 4&: ' &CE' EA&EA' ! @A> &C&>AED>A9A<E& CVCEA9 &		&PJLPXM&J		
! ' D<L&N>ANF>V				
	)*6*,-+-	$-+FE6	$2+E5F2	
			8: ; B&: : $U: GB&H>D&?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&: ' D<L&N>ANF>V&		&UKUZS&K		
! ' W : A>' C&CE' <3' >3 &9' EA>D WC				
	)*,3*,-+-	$-,++3	$F)F5,2	
			H: U: C; $%K8H=>A:	$F)F5,2
	: #+0) 4&E) ,. ;	&UUX&T		
HVE3 &&) 4&: ' W : A>' C&CE' <3' >3 & 9' EA>D WC&		&UMPPX&Z&Q		
! ' WDHF><D &[GD%3 D<N&CE' <3' >3C& F 9 9 DCCDF<				
	)*+,*,-+-	$-+E)2	$3275/-	
			% 8UB $I>DK>; B9C $I: : A	$3275/-
	: #+0) 4&E) ,. ;	&RTZS&M		
HVE3 &&) 4&: ' WDHF><D &[GD%3 D<N&CE' <3' >3C ! F 9 9 DCCDF< &		&UJUU&RM		
! ' WDHF><D &3A-' >E9A<E&F H&HDC@& <3&N' 9A				
	)*6*,-+-	$-+6E3	$&3-5,6	
			U>M98$-U: CGUC; $I : : @83-*C>A9C	$&3-5,6
	: #+0) 4&E) ,. ;	&KRM&K		
HVE3 &&) 4&: ' WDHF><D &&A-' >E9A<E&F H&HDC@& ' <3&N' 9A&		&KLCPM&K		
! ' WDHF><D & F F WC& &C-' CL&D<! S				
	)*+7*,-+-	$-+76E	$E5-6	
			8: ! KCG@KA&DB-H&9J8%U;	$E5-6
	: #+0) 4&E) ,. ;	&JQ&PK		
HVE3 &&) 4&: ' WDHF><D & F F WC& &C-' C L&D< ! S&		&JQ&PK		
! ' WDHF><D &[' EA>C@A3&A<ND<AA>D<N & F>-S				
	)*,3*,-+-	$EE-2FF	$&--5,6	
			%&9! $AJHA@&>-7-- ,6	$&--5,6
	: #+0) 4&E) ,. ;	&KM&K		
HVE3 &&) 4&: ' WDHF><D &[' EA>C@A3& A<ND<AA>D<N& F>- S&		&LJXP&K		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
! ' W: ' >V& @' -AW&F H&9 F>A< F& ' WWAV				
) *+7*, -+-	$-+767	$--5-		
			8: !KCG@&C; D&G: %	$--5-
: #+0) 4&E) ,. ;		&PMMB&M		
HVE3 &&) 4&: ' W: ' >V& @ -AW&F H&9 F>A< F& :' WWAV&		&PMMB&M		
! ' <<F<L& <' &9 S				
) *6*, -+-	$-+6EF	$2+E5F2		
			8: ; &&: : $J: G&H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&: ' <<F<L& <' &9 S&		&PLJXUSZJ		
! ' <F<&HD<' <! D W&CA>: D ACL&D<! S				
) *6*, -+-	$-+6EE	$F467-5&E		
			H9%B 8$D >A:	$F4 675 7
			H9%B 8$D >A: @>D: A$ >W	$2+527
: #+0) 4&E) ,. ;		&XLKZMB&RQ		
HVE3 &&) 4&: ' <F<&HB<' <! D W&CA>: D ACL&D<! S&		&KKZMRS&M		
! ' >[F<AL&N' [>D&W'				
) *, 3*, -+-	$-, ++F	$-2, 5-		
			E&A; 8KH; 98$AJHA@9D D98&H$G>CH	$-2, 5-
: #+0) 4&E) ,. ;		&PTJS&M		
HVE3 &&) 4&: ' >[F<AL&N' [>D&W' &		&KPTS&M		
! ' >EA>L&>FC' W<				
) *6*, -+-	$-+FE3	$67)5-		
			8: ; &&: : $J: G&H>D&?: C: !B	$67)5-
: #+0) 4&E) ,. ;		&ZUS&M		
HVE3 &&) 4&: ' >EA>L&>FC' W<&		&JLXRRSTR		
! ' CBAVL&&A[>' & S				
) *6*, -+-	$-+FEF	$2+E5F2		
			8: ; &&: : $J: G&H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&: ' CBAVL&&A[>' & S&		&JLKLZS&K		
! A>EDHDA3 & >A3 DE &>A- F>ED<N L&D<!				
) *+7*, -+-	$-+73-	$-E522		
			H8: GB $%&89! E&D $A JHA	$-E522
: #+0) 4&E) ,. ;		&PQ&ST		
HVE3 &&) 4&: A>EDHDA3 & >A3 DE&>A- F>E D<N L&D<! &		&PZRSPQ		

MV00062908

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) *+,	3#1$45 ,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
! @' <! VL& @D G>G					
	) *, 3*, -+-	$ -, ++E	$-325E-		
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$7253-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 36E-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 25) -
	: #+O) 4E) ,. ;		&PRTS&M		
HVE3 &) 4& @ <! VL& @D G>G&			&PILUXS&M		
! @' <3 WA>& CCAE&9 ' <' NA9A<EL&D<!					
	) *+7*, -+-	$EE-262	$347+75-		
				EC J: A; U: C; $JL; $A JHA	$347+75 -
	: #+O) 4E) ,. ;		&RIZPZS&M		
HVE3 &) 4& @ <3 WA>& CCAE&9 ' <' NA9A <EL& B<! &			&RIZPZS&M		
! @' -9' <L&CEA: A					
	) *6*, -+-	$ -+6E7	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: ! B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ -9' < L&CEA: A&			&TIPQXS&M		
! @' - - AWWL&DC' ' !					
	) *6*, -+-	$ -+67-	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: ! B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ - - AWWL&DC' ' ! &			&TIPQXS&M		
! @' : A\ L& <NAW 7^ FCA					
	) *6*, -+-	$ -+67+	$2-5-		
				8: ! KCG$-CUD$AJHA$! : : A	$ -5 -
				8: ! KCG@CUD$AJHA$! : : A	$-5 -
	: #+O) 4E) ,. ;		&TMB&M		
HVE3 &) 4& @ : A\ L& <NAW 7^F CA&			&TMB&M		
! @A>>V& ' WWAV&HA A3					
	) *+7*, -+-	$ -+73+	$-+65-6		
				G9L$! 99G@7$U>W	$-+65-6
	: #+O) 4E) ,. ;		&PPKS&K		
HVE3 &) 4& @A>>V& ' WWAV&HAA3 &			&PIRXXS&U		
! @D<ACA&N FG>9AE					
	) *+7*, -+-	$ -+73,	$6F5-		
				8: ! KCG@KADEH9J8%U;	$6F5 -
	: #+O) 4E) ,. ;		&XS&M		
HVE3 &) 4& @B ACA &N F G>9 AE&			&XS&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
! @>DCED <L&F] A<					
	)*6*,-+-	$-+FEE	$-7)552		
				8:;B3:: $U: GBH>D&?: C: !B	$-7)552
	: #+O)4&E),.;		&PZUSKT		
HVE3&)4& @>DCED <L&F] A<&			&LJJMBKR		
! @GW & DCE' & FWD! A&HFG<3' EDF<					
	)*+7*,-+-	$-+732	$-6-5-		
				A9&H>$L>CL$H9C! 5@)><$F@E	$6-5-
				A9&H>$L>CL$H9C! 5@)><$F@E	$6-5-
				A9&H>$L>CL$H9C! 5@)><$F@E	$6-5-
	: #+O)4&E),.;		&PKMBMM		
HVE3&)4& @GW & DCE' & FWD A&HFG<3' EDF<&			&PKMBMM		
! D<3V&H' >>' >&H' 9 DW&3' V! ' >A					
	)*6*,-+-	$-+67,	$35)2		
				8: !KCG@KA&DBH$9J8%U;	$35)2
	: #+O)4&E),.;		&IRSJT		
HVE3&)4& D<3V&H' >>' >&H' 9 DW&3' V! ' >A&			&IRSJT		

MV00062910

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
! D<E' C& F>-F>' EDF<				
	)*6*,-+-	$-+67)	$2-F5-	
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$-35E
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$+5)-
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$+5)-
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@&; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@&; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@&; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$)5E
			KCH98U$BC; D$AJH@&; 8: : ; $J>E$C;	$)5E
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJH@&; 8B%&ECLH8: P	$-2EE
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
	)*+,*,-+-	$-+E)6	$+-52	
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&K8H=>AE$CL	$273
			KCH98U$BC; D$AJHA@&>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJHA@&>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJHA@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJHA@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJHA@&BLCECLH8: P	$-2EE
			KCH98U$BC; D$AJHA@&BLCECLH8: P	$-2EE
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-57E
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-57E
			KCH98U$BC; D$AJHA@J>H$J>E$C;	$-356
	)*+7*,-+-	$-+73)	$E-53)	
			KCH98U$BC; D$AJH@&>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJH@I!G$A; >!!	$-57E
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
	)*,3*,-+-	$-,+,-	$7,E52	
			KCH98U$BC; D$AJH@&; $J>E$C;	$.E5-
			KCH98U$BC; D$AJH@&; $J>E$C;	$)+57
			KCH98U$BC; D$AJH@&; $J>E$C;	$E35)7
			KCH98U$BC; D$AJH@&; $J>E$C;	$335)7
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE

MV00062911

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&. / (#+,	-./(#+,& '()*+,012
			KCH 98U$BC; D$AJH@1.9DI $H8A	$6EE6
			KCH 98U$BC; D$AJH@1.9DI $H8A	$6EE6
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@NKB@U>BC;	$+5-
			KCH 98U$BC; D$AJH@NKB@U>BC;	$+5-
			KCH 98U$BC; D$AJH@NKB@U>BC;	$+5-
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@A; $AP: : %BCL	$66E
			KCH 98U$BC; D$AJH@A; $AP: : %BCL	$66E
			KCH 98U$BC; D$AJH@A; $AP: : %BCL	$66E
			KCH 98U$BC; D$AJH@A; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@A; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@A; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@I9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@I9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@I9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@8>!! BH$U>BC;	$+52
			KCH 98U$BC; D$AJH@BLCBCL$H8: P	$+25E6
			KCH 98U$BC; D$AJH@%>8I A	$625+
			KCH 98U$BC; D$AJH@!GSZ+	$-5FE
			KCH 98U$BC; D$AJH@>H$U>BC;	$+3536
	: #+0) 4&E) ,. ;	&PLKJRSRM		
HVE3 &&) 4&I BE' C&I F>-F>' EBF<&		&RLKZMBKM		
! DEV&FH&9 F>A<F& ' WWAV& A[' &E>GCE				
	)*+,*,-+-	$EE-2,7	$ 43,55-	
			: W U% $I: ?>	$ 43,55-
	: #+0) 4&E) ,. ;	&JLMRJSKM		
HVE3 &&) 4&I DEV&FH&9 F>A<F& ' WWAV& A[' & E>GCE&		&JJLPRJSKM		
! D D CEF<A				
	)*+,*,-+-	$EE-22-	$ 665-	
			H9CAKD BCL$AJHA	$ 665-
	: #+0) 4&E) ,. ;	&IKKSMM		
HVE3 &&) 4&I D D CE F<A&		&ZLXPMZM		
! W VEF<L&CD9 F<<A				
	)'6*,-+-	$-+676	$-5-	
			8: !KCG@&>?B A$I: : $G: %9AB	$-5-
	: #+0) 4&E) ,. ;	&IMBMM		
HVE3 &&) 4&I W VEF<L&CD9 F<<A&		&IMBMM		

MV00062912

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! WD<D ' &9A3D ' & ' >' &EF3FC					
	)*6*,-+-	$-+673	$7-55)		
				8: !KCG@KASDBH$9J8%U;	$7-55)
	: #+O)4&E),.;		&ZMBKU		
HVE3&&)4&WB<D ' &9A3D ' &' >' &EF3FC&			&ZMBKU		
! <F' &>ANDF<&					
	)*6*,-+-	$-+67F	$-265-		
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
	: #+O)4&E),.;		&PTKSM		
HVE3&&)4&<F' &>ANDF<&&			&RXKSM		
! F' CE&CDN<&D<!					
	)*+7*,-+-	$-+736	$F5-7		
				8: !KCG@KASDBH$9J8%U;	$F5-7
	: #+O)4&E),.;		&JXSKZ		
HVE3&&)4&F' CE&CDN<&D<!&			&JXSKZ		
! FWF<D W&CG--WA9A<E' W&D<CG>' <!A					
	)*,3*,-+-	$-,+,+	$F4-2F552		
				AK%%D U: C; >D&CA K8>CH:	$F4-2F552
	: #+O)4&E),.;		&LPTXSRT		
HVE3&&)4&FWF<D W&CG--WA9A<E' W&D<CG>' <!A&			&ZLMKTSKQ		
! F9&&FF>& &@' >3]' >AL&D<!					
	)*+7*,-+-	$-+733	$F7552		
				8: !KCG@KASDBH$9J8%U;	$F7552
	: #+O)4&E),.;		&ZSKT		
HVE3&&)4&F9&&FF>& &@' >3]' >AL&D<!&			&ZSKT		
! F99G<DEV&@A' WE@& @' >DEDAC					
	)*+,*,-+-	$-+E)3	$-6+5)F		
				H=H$H9C; 8B?K; B9CA	$-6+5)F
	)*,3*,-+-	$-,+,,	$-6+5)F		
				H=H$H9C; 8B?K; B9CA	$-6+5)F
	: #+O)4&E),.;		&TMUSZU		
HVE3&&)4&F99G<DEV&@A' WE@& @ >DEDAC&			&QLMPQ&JT		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
! F9-AEDED A&CE>D3A				
)*6*,-+-	$-+67E	$-4)E75EE		
			A%&98; A$-P>8GA	$-4)E75EE
)*+7*,-+-	$-+73F	$-4-F5E)		
			A%&98; A$-P>8GA	$-4-F5E)
	: #+0)4&E),.;	&JILZXSKJ		
HVE3&8)4&I F9-AEDED A&CE>D3A&		&KIPTRSTQ		
! F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >				
)*+,*,-+-	$-+E)F	$-2F5E7		
			D L>D&AK?AH8B%B9C	$-2F5E7
	: #+0)4&E),.;	&PTXSSZ		
HVE3&8)4&I F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >&		&KCKSSX		
! FCE! F				
)*6*,-+-	$-+677	$-46-65,F		
			UBAH$AK%%CBA@I= BDGA$%CH	$-46-65,F
)*+,*,-+-	$-+E)E	$2335552		
			UBAH$AK%%CBA@I ; $%>8I	$2335552
)*+7*,-+-	$-+737	$-422+5,)		
			UBAH$AK%%CBA@; >8A	$6EEE)
			UBAH$AK%%CBA@; >8A	$-F553
			UBAH$AK%%CBA@; >8A	$3653E
			UBAH$AK%%CBA@; >8A	$-36557
			UBAH$AK%%CBA@; >8A	$3F5F
			UBAH$AK%%CBA@; >8A	$-65,
			UBAH$AK%%CBA@G G	$33+5E
)*,3*,-+-	$-,+,2	$27F55)		
			UBAH$AK%%CBA@I= BDGA$%CH	$FF5-2
			UBAH$AK%%CBA@; >8A	$EF5F3
			UBAH$AK%%CBA@; >8A	$-)-52
			UBAH$AK%%CBA@; >8A	$7,53,
	: #+0)4&E),.;	&TERMMBKQ		
HVE3&8)4&I FCE! F&		&JKCTJPSZP		
! FCEDWF] L&9' >V&^F				
)*+,*,-+-	$-+E)7	$5)55-		
			8: !KCG@B>; BDC$$BAUBAA: G	$5)55-
	: #+0)4&E),.;	&KUSKM		
HVE3&8)4&I FCEDWF] L&9' >V&F&		&KUSKM		

MV00062914

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
! FG<CAWD<N&EA' 9L&E@A				
) *+, *, -+-	$ -+E6-	$-46-5-		
			: U%D9<: : 9HCADCL$AJHA	9-46-5-
) *, 3*, -+-	$ -, +,)	$-46-5-		
			: U%D9<: : 9HCADCL$AJHA	9-46-5-
: #+O 4&E) ,. ;		&JLKVMB/M		
HVE3 &) 4& FG<CAWD<N&EA' 9L&E@A&		&PJLKVMB/M		
! FG<E>V&CcGD>A&A CE' EAC				
) *+7*, -+-	$ -+7F-	$-365F,		
			8: !KCG@&; 9KA: 8$>W A	97-57E
			8: !KCG@&; 9KA: 8$>W A	9F)5F)
: #+O 4&E) ,. ;		&PRKSXJ		
HVE3 &) 4& FG<E>V&CcGD>A&ACE' EAC&		&RMZSPT		
! FG<EV&FH&>D A>C D&A&&>9' -				
) *+, *, -+-	$ -+E6+	$)+56		
			8: H98G>; E9C$BNA; A	9)+56
: #+O 4&E) ,. ;		&JPSIK		
HVE3 &) 4& FG<EV&FH&>D A>CD&A&&>9' -&		&TRRSRM		
! FG<EV&FH&>D A>C D&A& G3DEF>				
) *6*, -+-	$ -+3--	$E4)35-		
			%>8I ECL$HC; 8D9: : A	92, -5-
			%>8I ECL$HC; 8D9: : A	9-47,35-
: #+O 4&E) ,. ;		&QJURS/M		
HVE3 &) 4& FG<EV&FH&>D A>CD&A& G3DEF>&		&ZKIQVUSZK		
! >' <A& >! @DEA! EG >' W&N>FG-				
) *+, *, -+-	$ -+E6,	$4)-65-		
			%K?9A!; <9DGL$H9CJ: 8AE9C$&89M	9-4F+65-
			%K?9A!; <9DGL$H9CJ: 8AE9C$&89M	97-5-
: #+O 4&E) ,. ;		&JLUMKS/M		
HVE3 &) 4& >' <A& >! @DEA! EG>' W&N>FG-&		&RLXVMB/M		
! >F] <& ' CEWA&9GL&WW				
) *6*, -+-	$ -+3-+	$2+52-		
			8: !KCG@KASDBH9J8%U;	$2+52-
: #+O 4&E) ,. ;		&TPSTM		
HVE3 &) 4& >F] <& ' CEWA&9GL&WW &		&TPSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! E' D&' ! DHD &N>AA<C! ' -A				
)*,3*,-+-	$EE-2FE	$)477F5-2		
			D>CGAH>% $J>E&; @GAL+P	$)4E7F5-2
			D>CGAH>% $J>E&; @GAL+P	$F65-6
			D>CGAH>% $J>E&; @GAL+P	$)5F6
	: #+O)4&E),.;	&JZZXS/T		
HVE3&)4& E' D&' ! DHD &N>AA<C! ' -A&		&KJLVPPS/K		
! GA:' CL&B' ED&A				
)*+7*,-+-	$-+7F+	$2F53-		
			8:!KCG@BJ:$198$9;A	$2F53-
	: #+O)4&E),.;	&TXSRM		
HVE3&)4& GA:' CL&B' ED&A&		&TXSRM		
3& &3&CA>:D AC&3 [' &3& &3&3 DC-FC' WL&D<!S				
)*+7*,-+-	$-+7F,	$F)65--		
			GB&%9A>D&AJHA@C UD&A=D,8	$F)65-
	: #+O)4&E),.;	&UKS/M		
HVE3&)4& & &3&CA>:D AC&3 [' &3& &3& 3DC-FC' W&3<!S&		&LRVVB/M		
3& &C&N F<CE>G! E DF<				
)*6*,-+-	$-+3-,	$F65--		
			8:!KCG@KAS DBH$9J8%U;	$F65-
	: #+O)4&E),.;	&KS/M		
HVE3&)4& & &C&N F<CE>G! ED F<&		&KS/M		
3&A&C&W <3C! ' -AL&D<!				
)*6*,-+-	$-+3-2	$752E		
			8:!KCG@KAS DBH$9J8%U;	$752E
	: #+O)4&E),.;	&ZS'Q		
HVE3&)4& &A&C&W <3C! ' -AL&D<!&		&ZS'Q		
3' DW&' FG><' W&L F>-F>' ED F<				
)*6*,-+-	$-+3-)	$F6253)		
			AK?AH8B%;B9CS$BCP D@>GM	$F6253)
	: #+O)4&E),.;	&KTSRU		
HVE3&)4& ' DW&' FG><' W&L F>-F>' ED F<&		&RLTUZSRU		
3' WAL&B' E@WAA<				
)*6*,-+-	$-+FE7	$2+6557		
			8:;B&:: $J:GBH>D&?:C:!B,	$2+6557
	: #+O)4&E),.;	&TPKS&Z		
HVE3&)4& ' WAL&B' E@WAA<&		&TLPKQ&U		

MV00062916

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
3' <DAW&C& @' >9' ! V				
)*6*,-+-	$-+3-6	$6F5-		
			8: !KCG@KAS DH$9J8%U;	$6F5-
: #+O) 4&E) ,. ;		&KX&M		
HVE3 &) 4&' <DAW&C& @ >9' ! V&		&KX&M		
3' E' &ED BAEL&D<! S				
)*6*,-+-	$EE-,33	$,46)255)		
			HB>; E9C$%&HAACL@%G	$4EE255-
			HB>; E9C$%&HAACL@%G	$24),57
			HB>; E9C$%&HAACL@%G	$427+52F
			HB>; E9C$%&HAACL@DGL*A!; <	$)-55-
			HB>; E9C$%&HAACL@DGL*A!; <	$E)52,
			HB>; E9C$%&HAACL@!9G:	$F-2735 3
			HB>; E9C$-%%DH$U>E; *AK%%98;	$-65-
)*+,*,-+-	$EE-22+	$64)FF5,6		
			HB>; E9C$%&HAACL@!9G:	$7)65-
			HB>; E9C$%&HAACL@!9G:	$-4)3F5+
			HB>; E9C$%&HAACL@!9G:	$-46+75E
			HB>; E9C$%&HAACL@DGL*A!; <	$-46))5E
)*,3*,-+-	$EE-2F7	$48,752 2		
			HB>; E9C$%&HAACL@!9G:	$43,5F6
			HB>; E9C$%&HAACL@!9G:	$43355E
: #+O) 4&E) ,. ;		&TJ&E&KM&PJ		
HVE3 &) 4&' E' &ED BAEL&D<! S&		&PKK&PXU&KJ		
3' E' cGD B& F>-F>' EA&@A' 3cG' >EA>C				
)*,3*,-+-	$-,+,3	$-2-55-		
			9CDE: $AJHA@%9DEH:	$-2-55-
: #+O) 4&E) ,. ;		&PTM&KM		
HVE3 &) 4&' E' cGD B& F>-F>' EA& @A' 3cG' >EA>C&		&LJM&KM		
3' : D& 8A: ' <C& & C CF! D EACL&D<! S				
)*6*,-+-	$-+3-3	$2F,55-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$2F,55-
)*,3*,-+-	$-,+,F	$F4-F55-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$F4-F55-
: #+O) 4&E) ,. ;		&KL&CM&M		
HVE3 &) 4&' : D& 8A: ' <C& & CCF! D EA CL&D<! S&		&RL&KU&KZ		
3A[D<' D>A& F9-' <V				
)*6*,-+-	$-+3-F	$2F65-		
			?9E) 8$U>E; @%B <$->DD	$-)-5-
			?9E) 8$U>E; @%A?	$-)-5-
			?9E) 8$U>E; @%8H	$765-
: #+O) 4&E) ,. ;		&TX&KM&M		
HVE3 &) 4&A[D<' D>A& F9-' <V&		&PLX&CM&RK		

MV00062917

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
3AA>V& 9A>D ' <& F>-					
	)*+7*,-+-	$EE-26)	$-E47)F5E3		
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$-F4),+5F6
				!8: BL=; $H=>8L:	$-46E-5-
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$3522
				56-[$KA: $>W$>HH 8K>D	@E-5,
	: #+0)4E),.;		8PQZUX$QR		
HVE3 &) 4& AA>V& 9A>D ' <& F>-&			8TXLJJUSTJ		
3AWE' &A<E' W					
	)*6*,-+-	$-+3-E	$-+46)557		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-+46)557
	: #+0)4E),.;		8PPLMKUS$Z		
HVE3 &) 4& AWE' & A<E' W&			8PPULJJTS$M		
3AWE' ! ' >A&GC'					
	)*+,*,-+-	$-+E62	$-42EE56-		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-42EE56-
	: #+0)4E),.;		8RLTQQ$KM		
HVE3 &) 4& AWE' ! ' >A&GC' &			8RXLJXRS$P		
3A<<DC&N>G[[& & CCF! D EACL&WW					
	)*6*,-+-	$EE-,3F	$E--5-		
				%D>C$B: JB P$AJHA @EB:	$E--5-
	: #+0)4E),.;		8QMMB$M		
HVE3 &) 4& A<<DC&N>G[[& & CCF! D EACL&WW			8ZLRCKBM		
3A<<DC&F>ED &&>A<E' WC					
	)*+7*,-+-	$-+7F2	$E75F2		
				8: !KCG@KADEH9J8%U;	$E75F2
	: #+0)4E),.;		8QZ$KT		
HVE3 &) 4& A<<DC&F>ED &&>A<E' WC&			8QZ$KT		
3A-' >E9A<E&FH& F <CA>:' EDF<					
	)*+,*,-+-	$-+E6)	$-47,52F		
				AUE$!: : A$D AA$B: ; >EC>L:	$-423-527
				AUE$!: : A$D AA$B: ; >EC>L:	@E5,
	: #+0)4E),.;		8PLJZJ$TX		
HVE3 &) 4& A-' >E9 A<E&FH& F <CA>:' EDF< &			8JLLJT$PK		
3A-' >E9A<E&FH&A< :D>F<9A<E' W&@A' WE@					
	)*+7*,-+-	$-+7F)	$F)5-		
				=:>D=$% 8UB$!: :	$F)5-
	: #+0)4E),.;		8XUS$M		
HVE3 &) 4& A-' >E9 A<E&FH&A< :D>F<9A<E' W& @A' WE@&			8JQJS$M		

MV00062918

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
3ACEB<V&8' <! A] A' >L&D<!				
)*6*,-+-	$-+3-7	$-F57)		
			8: !KCG@KASDB-H$9J8%U;	$-F57)
	: #+O)4E),.;	&PXSZU		
HVE3&8)4&ACEB<V&8' <! A] A' >L&B<!&		&PXSZU		
3A_EA>L&ED9FE@V&W&				
)*6*,-+-	$-+3+-	$-4E6+5-		
			8: !KCG@GUB&C$-HB>; B9C$!::A	$6+5-
			8: !KCG@GUB&C$-HB>; B9C$!::A	$-4--5-
	: #+O)4E),.;	&PLQKPS&M		
HVE3&8)4&A_EA>L&ED9FE@V&W&		&PLQKPS&M		
3DCED<! ED AW&/F G>C				
)*,3*,-+-	$-,+,7	$-6-5-E		
			:U%D9<::$KCB98U @&P	$-6-5-E
	: #+O)4E),.;	&PKMB&Q		
HVE3&8)4&DCEB<! ED AW&/F G>C&		&PKMB&Q		
3DCED<NGDC@A3&HWVD<N&!>FCC&CF! DA EV				
)*,3*,-+-	$-,+2-	$2-5-		
			L89KCG$9 8: >I BCL@B3UKA: KU	$-5-
			L89KCG$9 8: >I BCL@B3UKA: KU	$-5-
			L89KCG$9 8: >I BCL@B3UKA: KU	$-5-
	: #+O)4E),.;	&TMB&M		
HVE3&8)4&DCEB<NGDC@A3&HWVB<N&!>FCC& CF! DAEV&		&TMB&M		
3FWA_&3FWW >&A_->ACCL&D<!				
)*6*,-+-	$-+3++	$)56		
			8: !KCG@KASDB-H$9J8%U;	$)56
	: #+O)4E),.;	&USJK		
HVE3&8)4&FWA_&3FWW >&A_->ACCL&D<!&		&USJK		
3F<' @GA& -->' DC' W& CCF! D EAC				
)*,3*,-+-	$EE-2E-	$-+4E,-5-		
			% 88BA$9DJG$PB&: CB&CL$%89M&AJHA	$74--5-
			% 88BA$9DJG$PB&: CB&CL$%89M&AJHA	$4F.-5-
	: #+O)4E),.;	&PPLQJMB&M		
HVE3&8)4&F<' @GA& -->' DC' W& CCF! D EAC		&RJLTMB&M		
3F>VL& WWAA<&HS				
)*6*,-+-	$-+3+,	$)+6552		
			8: ;B&: :$U: GB-H>D&?: C: !B)	$-7)552
			8: ;B&: :$U: GB-H>D&?: C: !B)	$,+5-
	: #+O)4E),.;	&PKS&T		
HVE3&8)4&F>VL& WWAA<&HS&		&UZXUSU		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
3>A_WA>L&3' :D3					
	)*+6*,-+-	$-+72+	$2,65-		
				% 8$GB U@H9C9UBH$H8BJ: A$HD>AA	$2,65-
	: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&3>A_WA>L&3' :D3 &			&KJMB&M		
3G>' <L&[W <!'					
	)*+,*,-+-	$-+E66	$2+65-		
				E@A; 8KH; 98$AJHA@9D D98BH$GCH	$F25-
				E@A; 8KH; 98$AJHA@9D D98BH$GCH	$),5-
	: #+O) 4&E) ,. ;		&TPK&M		
HVE3 &) 4&G>' <L&[W <!' &			&LJJR&M		
A&>S&[WF! B& WG9[D<N& &@A' ED<NL&D<! S					
	)*6*,-+-	$-+3+2	$FF)5E)		
				?>HI !D9P$B%DHUC; @>; : 8B>D	$2,5E
				?>HI !D9P$B%DHUC; @>?98	$F-5-
				?>HI !D9P$B%DHUC; @>; : 8B>D	$2653,
				?>HI !D9P$: A; E@L	$235)-
	)*+,*,-+-	$-+E63	$)65--		
				?>HI !D9P$: A; E@L	$)65-
	)*,3*,-+-	$-,+2+	$37+5-		
				?>HI !D9P$: A; E@L @+	$F,5E-
				?>HI !D9P$: A; E@L @,	$235E-
				?>HI !D9P$: A; E@L @+6	$235)-
				?>HI !D9P$: A; E@L @C3U	$235)-
				?>HI !D9P$: A; E@L @AL+	$F,5E-
				?>HI !D9P$: A; E@L @C9A	$235)-
	: #+O) 4&E) ,. ;		&PLRPJ&U		
HVE3 &) 4&A&>S&[WF! B& WG9[D<N& &@A' ED<NL& D<! S&			&ZLPMRSZ		
A' NWAED9A&I FG<CA WD<N&CA>:D AC					
	)*+7*,-+-	$-+7F6	$65-		
				8: !KCG@KADBH9J8%U;	$65-
	: #+O) 4&E) ,. ;		&IK&M		
HVE3 &) 4&A' NWAED9A&I FG<CAWD<N& CA>:D AC&			&IK&M		
A' >WL&-' GW					
	)*,3*,-+-	$-,+2,	$)FF5-		
				% 8$GB U@HH$; ; <A$A%BE@L$H9C!	$)FF5-
	: #+O) 4&E) ,. ;		&PXX&M		
HVE3 &) 4&A' >WL&-' GW&			&PXX&M		

MV00062920

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
A' CEA><8&9 G<D D' W&] ' EA>&8 DCE>D E				
)*6*, -+-	$-+3+)	$F42) 75 3		
			P>; : 8$H=8LA@U: 8 L$9%A$H; 8$%&89M	$2+5F-
			P>; : 8$H=8LA$! 98$! : ?8K>8<	$6+53E
			P>; : 8$H=8LA$! 98$U>8H=	$335 E
			P>; : 8$H=8LA$! 98$U>8H=	$2+7566
			P>; : 8$H=8LA$! 98$U>8H=	$-4 E-5 7
			P>; : 8$H=8LA$! 98$U>8H=	$ E5 F
			P>; : 8$H=8LA$! 98$U>8H=	$-48++53)
			P>; : 8$H=8LA$! 98$U>8H=	$-4+F, 526
			P>; : 8$H=8LA$! 98$U>8H=	$-4277 5 -
			P>; : 8$H=8LA$! 98$U>8H=	$-) 5 6
			P>; : 8$H=8LA$! 98$U>8H=	$ +257 3
			P>; : 8$H=8LA$! 98$U>8H=	$2- 2E)
			P>; : 8$H=8LA$! 98$U>8H=	$335-7
			8HDJG$P>; : 8@8>BC$U>BC; $%8LU	$3- 5F6
			8HDJG$P>; : 8@&; 5&AP: : %&C L$%8LU	$3- 5F6
			8HDJG$P>; : 8@&; 5&AP: : %&C L$%8LU	$ 3- 5F)
			8HDJG$P>; : 8@&; 8: : ; $U>BC; $%8LU	$EE5 .
)*+, *, -+-	$-+E6F	$-3482E5-)		
			P>; : 8$H=8LA$! 98$U>8H=	$F) 5E+
			P>; : 8$H=8LA$! 98$U>8H=	$-46, 65 6
			P>; : 8$H=8LA$! 98$U>8H=	$2E) -
			P>; : 8$H=8LA$! 98$U>8H=	$ 4 +652)
			P>; : 8$H=8LA$! 98$U>8H=	$3476) 5F6
			P>; : 8$H=8LA$! 98$U>8H=	$-472E527
			P>; : 8$H=8LA$! 98$U>8H=	$-422F5E)
			P>; : 8$H=8LA$! 98$U>8H=	$3) , 5 2
			P>; : 8$H=8LA$! 98$U>8H=	$7. F57)
			P>; : 8$H=8LA$! 98$U>8H=	$-E+567
			P>; : 8$H=8LA$! 98$U>8H=	$-3, 5++
			P>; : 8$H=8LA$! 98$U>8H=	$) 65)
			P>; : 8$H=8LA$! 98$U>8H=	$-2753 3
			P>; : 8$H=8LA$! 98$U>8H=	$6) 5 7
)*, 3*, -+-	$-, +22	$-) 42+25E-		
			P>; : 8$H=8LA$! 98$U>8H=	$ FE52.
			P>; : 8$H=8LA$! 98$U>8H=	$642, E5+
			P>; : 8$H=8LA$! 98$U>8H=	$-463F5F+
			P>; : 8$H=8LA$! 98$U>8H=	$ 46325 7+
			P>; : 8$H=8LA$! 98$U>8H=	$ F) 53,
			P>; : 8$H=8LA$! 98$U>8H=	$-4F7352 3
			P>; : 8$H=8LA$! 98$U>8H=	$-422, 5E+
			P>; : 8$H=8LA$! 98$U>8H=	$, 65+2
			P>; : 8$H=8LA$! 98$U>8H=	$2335-7
			P>; : 8$H=8LA$! 98$U>8H=	$ E-5F)
: #+O) 4&E) ,. ;		&TQLTMPSPM		

HVE3 &) 4&A' CEA><&9 G<D D' W&] ' EA>& 3 DCE>D E& &ZTPLRRKSPQ

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
A! FW [&D<! S				
)*6*,-+-	$-+3+6	$2522E		
			8: !KCG@KADH9J8%U;	$2522E
: #+O)4E),.;		&RTS'Q		
HVE3&)48A! FW [&D<! S&		&RTS'Q		
A! F9FEDF<LD<! S				
)*6*,-+-	$-+3+3	$)46)E5)2		
			H9CAKD, EC L$AJHA@%HD$GEA;	$)46)E5)2
)*+7*,-+-	$-+7FF	$)4)E+5)+		
			H9CAKD, EC L$AJHA@%; EB <	$)4)E+5)+
: #+O)4E),.;		&ZUWZ&U		
HVE3&)48A! F9FEDF<LD<! S&		&PPLQUJ&U		
A3NAW <A&9F[DVA&-' >B				
)*+,*,-+-	$EE-22,	$-,57F		
			8: !KCG@%; $KA: 8$>W A	$-,57F
: #+O)4E),.;		&RJ&X		
HVE3&)48A3NAW <A&9F[DVA&-' >B&		&ZZ$PX		
A3DE@&&H&&<' :' >> F				
)*+7*,-+-	$-+7FE	$5)53F		
			8: !KCG@KADH9J8%U;	$5)53F
: #+O)4E),.;		&KU5RX		
HVE3&)48A3DE@&&H&&<' :' >>F&		&KU5RX		
ANNA>CEA<L& <<A				
)*6*,-+-	$-+3+F	$2-653-		
			8: ; BB: : $U: GBH>D$?: C: !B,	$2-653-
: #+O)4E),.;		&TMK5RM		
HVE3&)48ANNA>CEA<L& <<A&		&ILQTQ&T		
A9-D>A&D<CGW EDF <LD<!				
)*6*,-+-	$-+3+E	$65--		
			8: !KCG@KADH9J8%U;	$65-
: #+O)4E),.;		&IK&M		
HVE3&)48A9-D>A&D<CGW EDF <LD<! &		&IK&M		
A9-D>A&C-F>EC				
)*+7*,-+-	$EE-266	$54+3573		
			A%98; A$KCH98UA@%>8I A	$-)E5+3
			A%98; A$KCH98UA@%>8I A	$543EE-
: #+O)4E),.;		&KJPR&R		
HVE3&)48A9-D>A&C-F>EC&		&PULQQZ$PR		

MV00062922

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
A<! @ <EA3 & DWW N A&FH&NDHEC				
)*6*,-+-	$-+3+7	$-,5-2		
			8: !KCG@KASDBH$9J8%U;	$-,5-2
: #+0)4E),.;		&RJS/T		
HVE3 &) 4&A<! @ <EA3 & DWW NA&FH&NDHEC&		&RJS/T		
A<! F&GEDWDEV&CA> : D AC&9 F>A<F& ' WWAV&WW				
)*+,*,-+-	$-+E6E	$24F6-5--		
			H?C; $D >A: @@; ; CPG	$)F5+)
			H?C; $D >A: @@; ; CPG	$-4-,5E3
			H?C; $D >A: @&CGB- C*C>CGB&>	$E+52,
			H?C; $D >A: @&CGB- C*C>CGB&>	$-43E53E
			H?C; $D >A: @&BBA	$7E56
			H?C; $D >A: @&BBA	$-46+576
)*+7*,-+-	$-+7F7	$2486F5-3		
			LBA$G>; >$H9CJ: 8A B9C	$2-5F-
			: D H; $U: ; : 8$9 : : A	$-42-F5)3
			: D H; $U: ; : 8$9 : : A	$4F+75-
: #+0)4E),.;		&XILIVK$PR		
HVE3 &) 4&A<! F&GEDWDEV&CA> : D AC&9 F>A<F& : ' WWAV&WW &		&PLCKK1PMD&/K		
A<: D>F<9A<E' W&9 F W&D<N& F<! A-ECL&D<!				
)*6*,-+-	$-+3,+	$F-57F		
			8: !KCG@KASDBH$9J8%U;	$F-57F
: #+0)4E),.;		&IMEX		
HVE3 &) 4&A<: D>F<9A<E' W&9 FW&B<N& ! F<! A-ECL&<! &		&IMEX		
AC-D<F\ ' L&>FCV				
)*+7*,-+-	$-+7E-	$F6-5--		
			8: !KCG@@C; D&G: %&)*2	$F6-5-
: #+0)4E),.;		&KIMB/M		
HVE3 &) 4&AC-B<F\ ' L&>FCV&		&KIMB/M		
A: ' <CL&9 AW: '				
)*+,*,-+-	$-+E67	$2,755-		
			8: !KCG@B>; B9C$9J8%U;	$2,755-
: #+0)4E),.;		&TJZ$KM		
HVE3 &) 4&A: ' <CL&9 AW: ' &		&TJZ$KM		
A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S				
)*,3*,-+-	$-,+2)	$775-)		
			B&8&L>; B9C$AK%%DBA	$E25-3
			B&8&L>; B9C$AK%%DBA	$-65-E
: #+0)4E),.;		&KZZ$/U		
HVE3 &) 4&A] B<N&D>>DN' EDF<&>F3G! ECL&<! S		&PTILPJ$ZK		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
A_! AW&W <3C! ' -AL &D<!					
	)*+,*,-+-	$-+E3-	$24EE75-		
				D>CGAH>% 3U>EC; @PN!	$52-56-
				D>CGAH>% 3U>EC; @PN!	$4--5-
				D>CGAH>% 3U>EC; @PN!	$7E-5-
				D>CGAH>% 3U>EC; @PN!	$-FE56-
	)*,3*,-+-	$-,+26	$-,4F)5,		
				D>CGAH>% 3U>EC; @F	$4833E+
				D>CGAH>% 3U>EC; @H: D ?$%>8I	$-4F-523
				D>CGAH>% 3U>EC; @&8$9U$%>8I	$-46-+57E
				D>CGAH>% 3U>EC; @+)	$24)3+5F
				D>CGAH>% 3U>EC; @PN!	$-47)65-
				D>CGAH>% 3U>EC; @PN?	$-47))5-
				D>CGAH>% 3U>EC; @+6	$E65-
	: #+O)4&E),.;		&PRLKRTS&J		
HVE3 &) 4&A_! AW&W <3C! ' -AL&D<! &			&JMKIPUQS&Q		
H' D>&@FGCD<N& FG<! DW&F H&>D& FL&D<! S					
	)*,3*,-+-	$EE-2E+	$24)F35-E		
				HG?L$IKCG: G$AJHA@8HDA8$%&8: J	$4275)
				HG?L$IKCG: G$AJHA@8HDA8$%&8: J	$-4235?)
	: #+O)4&E),.;		&TILUXRSPQ		
HVE3 &) 4&H' D>&@F GCD<N& FG<! DW&F H&>D& FL& D<! &			&JJIZLJJS&M		
H' <<D<NL&AHH>AV &A' <					
	)*+7*,-+-	$-+7E+	$)7)5-		
				EC&A; 8KH; E&DC$AJHA@2&G><A	$7)5-
	: #+O)4&E),.;		&IZUS&M		
HVE3 &) 4&H' <<D<NL&AHH>AV&A' <&			&IZUS&M		
HA3A>' W&A_->ACC					
	)*+,*,-+-	$-+E3+	$-F5)+		
				,6F2+F,--@W%8: A A$U>EEEC L	$-F5)+
	: #+O)4&E),.;		&PXS&P		
HVE3 &) 4&HA3A>' W&A_->ACC&			&PJJS&M		
HAA<CE>' L&^F@<					
	)*6*,-+-	$-+F7-	$23+56		
				8:; EB: : $U: GBH>D&?: C: !B	$23+56
	: #+O)4&E),.;		&TRPS&K		
HVE3 &) 4&HAA<CE>' L&F@<&			&TLRPJS&M		

MV00062924

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
HA<! AEA! @L&D<!				
)*6*,-+-	$-+3,,	$-6-5-		
			8: !KCG@KAS DH$9J8%J;	$-6-5-
	: #+O) 4&E),.;	&PKMB/M		
HVE3 &) 4&HA<! AEA! @L&D<! &		&PKMB/M		
HD<ACCA& A>CF<<A W& CCF! D EAC				
)*6*,-+-	$-+3,2	$F4-665-2		
			;: U%&AJHA@: HI C: 8$P*: $2*+2	$-4673E+
			;: U%&AJHA@: HI C: 8$P*: $2*,-	$-4E6)523
			;: U%&AJHA@: HI C: 8$P*: $2*,F	$-4E6)523
			;: U%&AJHA@: DA9C $P*: $2*+2	$EF)5E-
			;: U%&AJHA@: DA9C $P*: $2*,-	$EF)5E-
)*+,*,-+-	$-+E3,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $2*,F	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*2	$-4E6)523
)*+7*,-+-	$-+7E,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $*2	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*+-	$-4E6)523
)*,3*,-+-	$-,+23	$24EF65)+		
			;: U%&AJHA@: DA9C $P*: $*,F	$3635--
			;: U%&AJHA@: DA9C $P*: $2*3	$E6-56-
			;: U%&AJHA@: DA9C $P*: $*+F	$3635--
			;: U%&AJHA@: HI C: 8$P*: $*+F	$-4F+,5F+
	: #+O) 4&E),.;	&PRLTQQ/&R		
HVE3 &) 4&HD<ACCA & A>CF<<AW& CCF! D EAC&		&PRLTQQ/&R		
HD>CE& 9A>D '<& F>A&WFND L&D<! S				
)*+,*,-+-	$-+E32	$52E5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$FF5-
			9CDE: $%&89%&E!9 @A%	$-F35-
)*,3*,-+-	$-,+2F	$67,5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$2+5-
			9CDE: $%&89%&E!9 @A%	$-F35-
	: #+O) 4&E),.;	&PLPTMB/M		
HVE3 &) 4&HD>CE& 9A>D '<& F>A&WFND L&D<! S&		&JLUQMB/M		

MV00062925

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
HD>CE& @FD A&CA> : D AC				
)*6*,-+-	$EE-,37	$325--		
			H9!!: : $AJHA@U%&%>EG	$2,5)
			H9!!: : $AJHA@U%&%>EG	$2+53
)*+,*,-+-	$EE-222	$ 752E		
			H9!!: : $AJHA@U%&%>EG	$ 752E
)*+7*,-+-	$EE-263	$6E-5-)		
			H9!!: : $AJHA@U%&%>EG	$E-57+
			H9!!: : $AJHA@U%&%>EG	$765F3
			H9!!: : $AJHA@U%&%>EG	9-FF53E
			H9!!: : $AJHA@U%&%>EG	9--75-F
			H9!!: : $AJHA@U%&%>EG	$EE5-)
			H9!!: : $AJHA@U%&%>EG	$ E52E
)*,3*,-+-	$EE-2E,	$2356+		
			H9!!: : $AJHA@U%&%>EG	$2356+
: #+O)4&E),.;		&IVZ&T		
HVE3&&) 4&HD>CE& @FD A&CA> : D AC&		&QPZXST J		
HDE<ACC&PZ& ' &PK K&PP!				
)*,3*,-+-	$-,+2E	$ E+5--		
			L<U$J: U?: 8A=B%&G : GKH; E9CA	$ E+5-
: #+O)4&E),.;		&QCP&M		
HVE3&&) 4&HDE<ACC&PZ& ' &PK K&PP! &		&UZPK&M		
HFWAV& &W >3<A>				
)*,7*,-+-	$-,,++	$24--5--		
			D L>D$AJHA@&: ; >BC: 8	$24--5-
: #+O)4&E),.;		&TUMMB&M		
HVE3&&) 4&HFWAV& &W >3<A>&		&TUMMB&M		
HFCEA>L&<' <! V& S				
)*6*,-+-	$-+3,)	$2+6557		
			8: ; E&: : $J: GEH>D&?: C: !B	$2+6557
: #+O)4&E),.;		&TPK&Z		
HVE3&&) 4&HFCEA>L&<' <! V& S&		&PUFK&M		
HFEF&H' <E' CVL&D<!				
)*6*,-+-	$-+3,6	$9-5,		
			8: !KCG@KACDH9J8%U;	$9-5,
: #+O)4&E),.;		&JMEJ		
HVE3&&) 4&HFEF&H' <E' CVL&D<! &		&JMEJ		

MV00062926

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
H>' <! A&-G[WD ' EDF<CL&D<! S				
)*+,*,-+-	$-+E3)	$-4E--5-		
			>GJ: 8; EA&CL$AJHA@GG	$-4E--5-
: #+0)4&E),.;		&PLQMVB&M		
HVE3&&)4&&H>' <! A&-G[WD ' EDF<CL&D<! S&		&ZLRMVB&M		
H>' <! @DCA&E' _&[F ' >3				
)*+,*,-+-	$-+E36	$3F6576		
			L>8CEA=U: C;	$-,56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675)6
			L>8CEA=U: C;	$6)5-
)*,3*,-+-	$-,+27	$3F352E		
			L>8CEA=U: C;	$-.56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675EE
			L>8CEA=U: C;	$6)5-
: #+0)4&E),.;		&PLTKJSTT		
HVE3&&)4&&H>' <! @DCA&E' _&[F ' >3&		&PPLKJPS&Z		
H>' <BWD<L&WS& S				
)*+,*,-+-	$-+E33	$-F5-		
			UED >L: $B: EJ?K8A : U: C;	$-F5-
: #+0)4&E),.;		&IVKS&M		
HVE3&&)4&&H>' <BWD<L&WS& S&		&PLUUCS&M		
H>A3:C&NW CC& &9 D>>F>L&D<! S				
)*6*,-+-	$-+3,3	$F,25-		
			PECG9P$8>U: $8%DHUC; @&8$H; 8	$67E5-
			PECG9P$A: >D$AJH@!A$26E	$-,65-
: #+0)4&E),.;		&JTS&M		
HVE3&&)4&&H>A3:C&NW CC& &9 D>>F>L&D<! S&		&PLVCZS&T		
HGW[>DN@E& &'] F>CBDL&WS&S- S				
)*+7*,-+-	$-+7E2	$E4F7)5-		
			D L>D$AJHA@&; EEB; BA	$E4F7)5-
: #+0)4&E),.;		&QXZUS&M		
HVE3&&)4&&HGW[>DN@E& &'] F>CBDL&WS&S&		&PJLKVMB&Q		
N' CEAWG9L&WAF[' >3F				
)*,3*,-+-	$-,+)-	$-5-		
			8: !KCG@&>?BA$G: %	$-5-
: #+0)4&E),.;		&IMB&M		
HVE3&&)4&&N' CEAWG9L&WAF[' >3F&		&IMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
N' CEF<L&> D @' >3				
) *6*, -+-	$ -+F7+	$2+E5F2		
			8: ; B3: : $J: GBH>D$?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &) 4&N' CEF<L&> D @' >3 &		&TLPQXSTM		
NA<A>' W&CA! G>DEV &CA>: D ACL&D<! S				
) *6*, -+-	$ -+3, F	$9-E) 5-E		
			A: HK8B <$AJHA@H8H	$9-E) 5-E
) *6*, -+-	$EE-, F+	$) 3-5, -		
			A: HK8B <$AJHA@: CB9 8$H; 8	$) 65))
			A: HK8B <$AJHA@H8H	$+) 5F3
) *+, *, -+-	$EE-22)	$, 4-E35))		
			A: HK8B <$AJHA@B?8>8<	$9-. . 5F.
			A: HK8B <$AJHA@B?8>8<	$9-, , 5F,
			A: HK8B <$AJHA@B?8>8<	$3+25$-
			A: HK8B <$AJHA@B?8>8<	$3+25$-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
) *+7*, -+-	$EE-26F	$9-E) 5-E		
			A: HK8B <$AJHA@PCL; :	$9-F52E
			A: HK8B <$AJHA@PCL; :	$F35F-
) *, 3*, -+-	$EE-2E2	$, 4-+35',		
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@K; BB3 BA$-CCW	$ F35-.
			A: HK8B <$AJHA@B?8>8<	$3+25$-
			A: HK8B <$AJHA@B?8>8<	$3+25$-
	: #+O) 4&E) ,. ;	&KLMTP&KJ		
HVE3 &) 4&NA<A>' W&CA! G>DEV&CA>: D ACL& B<! S&		&JRLXRX&ZK		
NAF>NA&C' WD<' C&E>AA&->ACA>: ' EDF<				
) *6*, -+-	$ -+3, E	$, 4++5'6		
			; 8: : $ 8BJUBCL$AJ H@&AL,	$) F5-
			; 8: : $ 8BJUBCL$AJ H@+	$-FE3E)
			; 8: : $ 8BJUBCL$AJ H@+>	$, 2566
			; 8: : $ 8BJUBCL$AJ H@,	$E-) 5FE
			; 8: : $ 8BJUBCL$AJ H@C$J	$26F53E
) *+7*, -+-	$ -+7E)	$6-5E)		
			8: ! KCG@KADBH9J8%J;	$6-5E)
	: #+O) 4&E) ,. ;	&JLMRJ&KZ		
HVE3 &) 4&NAF>NA&C' W&' C&E>AA& ->ACA>: ' EDF<&		&QZLKRM&R		

MV00062928

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
NDI [CL&NDB A<L&WF! @A>L&EG><A>& &C A<AE&WV-					
	)*6*,-+-	$EE-,F,	$-4E++5F-		
				D L>D&AJHA	$5E-56-
				D L>D&AJHA	$-4-2+5-
	)*+7*,-+-	$EE-26E	$4E)35-		
				D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4E)35-
	)*,3*,-+-	$EE-2E)	$64/735-7		
				D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4+6)6
				D L>D&AJHA	$-47E-53)
	: #+O)4&E),.;		&PMERKTSKZ		
HVE3&8)4&NDI [CL&NDB A<L&WF! @A>L&E G><A>& & CA<AE&WV-&			&PUUERVPS&VZ		
ND-CF<L&9D>' <3'					
	)*+,*,-+-	$-+E3F	$-765--		
				8: !KCG@% 8UB$9!::A	$7F53-
				8: !KCG@% 8UB$9!::A	$7F53-
	: #+O)4&E),.;		&PZKSIM		
HVE3&8)4&NDCF<L&9D>' <3' &			&PZKSIM		
NFW3A<aC&AWA! E>F <D aC					
	)*+7*,-+-	$-+7E6	$)5,		
				8: !KCG@KASDBH$9J8%U;	$)5,
	: #+O)4&E),.;		&USUU		
HVE3&8)4&NFW3A<aC&AWA! E>F <D aC&			&USUU		
NF9A\L&NA>' >3F& &N' [>DAW					
	)*,3*,-+-	$-,+)+	$-5--		
				8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;		&IMBM		
HVE3&8)4&NF9A\L&NA>' >3F& &N' [>DAW &			&IMBM		
NF<N&A<EA>->DCAC L&D<! S					
	)*+,*,-+-	$-+E3E	$)4E6-5--		
				%D>C$H=:HI $AJHA	$46--5-
				%D>C$H=:HI $AJHA	$426-5-
	: #+O)4&E),.;		&JCKMBM		
HVE3&8)4&NF<N&A< EA>->DCACL&D<! S&			&QERPUSKM		
NF<\' WACL&[>D <					
	)*,3*,-+-	$-,+),	$-5--		
				8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;		&IMBM		
HVE3&8)4&NF<\' WACL&[>D <&			&IMBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
NF<\' WA\ L&9' >D[AW				
)*+,*,-+-	$-+E37	$5)55-		
			8: !KCG@B>; B9C$$BAUBAA: G	$5)55-
	: #+0)4&E),.;	&KUSKM		
HVE3&8)4&NF<\' WA\ L&9' >D[AW&		&KUSKM		
NF>3F<L&] DWAD 9&D>:D<N&DDD				
)*6*,-+-	$-+3,7	$225E		
			8: !KCG@&G$HB>; B9C$!::A	$225E
	: #+0)4&E),.;	&TTS&Q		
HVE3&8)4&NF>3F<L&] DWAD 9&D>:D<N&DDD&		&TTS&Q		
NF>9&D<!S				
)*,3*,-+-	$-,+)2	$24)EE5E2		
			M-CB;98B-D&AK%%DBA@&>8IA&U>B&C	$-423,5),
			M-CB;98B-D&AK%%DBA@&>8IA&U>B&C	$-46EB52E
			M-CB;98B-D&AK%%DBA@&>8IA&U>B&C	$5)+52
	: #+0)4&E),.;	&TILQQS&T		
HVE3&8)4&NF>9&D<!S&		&PPLMRZS&P		
NFV'&HFF3C&FH&\'WDHF><D				
)*6*,-+-	$-+32-	$75F)		
			8: !KCG@KA&DB-H$9J8%&U;	$75F)
	: #+0)4&E),.;	&JZS&U		
HVE3&8)4&NFV'&HFF3C&FH&\'WDHF><D&		&JZS&U		
NF\3A!BD&8\'<				
)*6*,-+-	$EE-,F2	$FE25-		
			B&C;8KH;98$AJHA@KCL$!K	$26+5-
			B&C;8KH;98$AJHA@KCL$!K	$25-
	: #+0)4&E),.;	&QTS&M		
HVE3&8)4&NF\3A!BD&8\'<&		&RJZPS&M		
N>'HL&3'9				
)*6*,-+-	$-+32+	$F65-		
			8: !KCG@%><*C: K;: 8$!::A	$F65-
	: #+0)4&E),.;	&KKS&M		
HVE3&8)4&N>'HL&3'9&		&KKS&M		
N>'HHDEDE>'!BA>L&D<!S				
)*6*,-+-	$EE-,F)	$2)-5-		
			H>U:8>$B:%>BB	$2)-5-
	: #+0)4&E),.;	&TUMB&M		
HVE3&8)4&N>'HHDEDE>'!BA>L&D<!S&		&QTUMB&M		

MV00062930

| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( ) *+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
NGEDA>>A\ L&F[A> E					
	)'6*,-+-	$-+323	$2+E5F2		
				8: ; B&: : $U: GB+>D&?: C: !B	$2+E5F2
		: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &) 4&NGEDA>> A\ L&F[A> E&			&PLQZJ&ZM		
NGVaC&W <3C! ' -A&9' D<EA<' <! A					
	)'6*,-+-	$-+32F	$235E7		
				8: !KCG@KA&DB+$9J8%U;	$235E7
		: #+O) 4&E) ,. ;	&TR&&Z		
HVE3 &) 4&NGVaC&W <3C! ' -A&9' D<EA<' <! A&			&TR&&Z		
NG\ 9' <aC& ' >E&CA>: D A					
	)*+,*,-+-	$EE-226	$)4)75-		
				H>8; $B; 8JD&AJHA	$)4)75-
		: #+O) 4&E) ,. ;	&JMLZ&M		
HVE3 &) 4&NG\ 9' <aC& ' >E&CA>: D A&			&JMLZ&M		
@& & &<' DW					
	)'6*,-+-	$-+32E	$7+5-		
				8: !KCG@KA&DB+$9J8%U;	$7+5-
		: #+O) 4&E) ,. ;	&ZP&M		
HVE3 &) 4&@& & &<' DW&			&ZP&M		
@& &>&[WF! B					
	)*+,*,-+-	$-+EF+	$-,65-2		
				?KA&DB+$9J8%U; $B!CG	$F-5E
				?KA&DB+$9J8%U; $B!CG	$6)5F6
		: #+O) 4&E) ,. ;	&RJK&T		
HVE3 &) 4&@& & &[WF! B&			&RJK&T		
@& &DL&D<! S					
	)'6*,-+-	$-+327	$)65-		
				8: !KCG@KA&DB+$9J8%U;	$)65-
		: #+O) 4&E) ,. ;	&JK&M		
HVE3 &) 4&@& &DL&D<! S&			&JK&M		
@ 9[G>NL&D>A<A					
	)'6*,-+-	$-+F72	$7635-7		
				8: ; B&: : $U: GB+>D&?: C: !B	$7635-7
		: #+O) 4&E) ,. ;	&ZKR&PZ		
HVE3 &) 4&@ 9[G>NL&D>A<A&			&LJZP&RX		

MV00062932

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
@ 9VD<L&] DVVD 9&>S					
	)*6*, -+-	$-+F7)	$2+6557		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+6557
	: #+O) 4&E) ,. ;		&TPK&KZ		
HVE3 &) 4&@ 9VD<L&] DVVD 9&>S&			&TLJTQ&VU		
@ <' <D L&>' <3'					
	)*+7*, -+-	$-+7EF	$-5-		
				8: !KCG@&>?B A&G: %	$-5-
	: #+O) 4&E) ,. ;		&IMB&M		
HVE3 &) 4&@ <' <D L&>' <3' &			&CPS&M		
@ <3V&>A-' D>&CA> : D A					
	)*6*, -+-	$-+3)-	$2+5-E		
				8: !KCG@KA&DBH&9J8%U;	$2+5-E
	: #+O) 4&E) ,. ;		&TPS&VQ		
HVE3 &) 4&@ <3V&>A-' D>&CA> : D A&			&TPS&VQ		
@ <ACL&9' >ED<&3S					
	)*6*, -+-	$-+F76	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&@ <ACL&9' >ED<&3S&			&TLPQX&TM		
@ <CA<L&>F[A>E&WS					
	)*, 3*, -+-	$-,+)3	$9-FF5-		
				% 8$GB U@HH$>; ; <A&A%B&CL&9C!	9-FF5-
	: #+O) 4&E) ,. ;		&PXX&VM		
HVE3 &) 4&@ <CA<L&>F[A>E&W&			&TKL&VM		
@ --V&E D>A&[FFB&CEF>A					
	)*+7*, -+-	$-+7EE	$F+5,		
				8: !KCG@KA&DBH&9J8%U;	$F+5.
	: #+O) 4&E) ,. ;		&PS&J		
HVE3 &) 4&@ --V&E D>A&[FFB&CEF>A&			&PS&J		
@ >3D<N L&^F@<&CS					
	)*6*, -+-	$-+3)+	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&@ >3D<N L&^F@<&CS&			&TLPQX&TM		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
@ >E9' <<L&>D B					
	)*6*,-+-	$-+3),	$2F5)3		
				8:;B&:: $U: GH>D&?: C: !B	$2F5)3
	: #+0)4&E),.;		&RTXSJR		
HVE3&)4&@ >E9' <<L&>D B&			&ILKJSKX		
@ EHDAW3L& @' >WAC					
	)*6*,-+-	$-+3)2	$2+E5F2		
				8:;B&:: $U: GH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;		&TPQ&KT		
HVE3&)4&@ EHDAW3L& @ >WAC&			&ILKJZS&K		
@ GCA>L& 3>D <'					
	)*+7*,-+-	$-+7E7	$F7E5-		
				E&A; 8KH; E9C$AJHA@+$G><A	$F7E5-
	: #+0)4&E),.;		&KZQ&M		
HVE3&)4&@ GCA>L& 3>D <' &			&TLTMRS&M		
@3W7@D<3A>WDEA>&3A&WW 9' C& & CCF !D EAC					
	)*6*,-+-	$-+3))	$)4665-		
				H9C; 8>H; $AJHA@&>D A$>W	$7--5-
				>KGB$AJHA@&>D A$>W	$4EE,552
				>KGB$AJHA@&>D A$>W	$F,56F
	: #+0)4&E),.;		&LJKKS&M		
HVE3&)4&@3W7@D<3A>WDEA>&3A&WW 9' C& & CCF !D EAC&			&PRLMTZSKP		
@AA>V&D<EA><' EDF <' WL&D<!S					
	)*+7*,-+-	$EE-267	$-F4)E-5-		
				C: P$U>E&$D7 8>8< $%&9M$AJHA	$-F4)E-5-
	: #+0)4&E),.;		&PXLUQMB&M		
HVE3&)4&@AA>V&D<EA><' EDF <' WL&D<!S&			&JPKLMKJSKK		
@AHHWAVL&>FCC&]S					
	)*6*,-+-	$-+F73	$2+E5F2		
				8:;B&:: $U: GH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;		&TPQ&KT		
HVE3&)4&@AHHWAVL&>FCC&]S&			&ILKJZS&K		
@A9-@DWW&3' V!' >A					
	)*6*,-+-	$-+3)6	$6)5-		
				8:!KCG@KA$D&H$9J8%U;	$6)5-
	: #+0)4&E),.;		&KJS&M		
HVE3&)4&@A9-@DWW&3' V!' >A&			&KJS&M		

MV00062934

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
@A>9' <&] AIICBA>L &D<! S				
	)*6*,-+-	$-+3)3	$F65-6	
			8: !KCG@KASIDH9J8%U;	$F65-6
	: #+O)4E),.;		&KKSPK	
HVE3 &)4@A>9' <&] AIICBA>L &D<! S&			&KKSPK	
@A>>D BL&>F[A>E&3S				
	)*6*,-+-	$-+3)F	$2+E5F2	
			8: ; B: : $U: GH>D?: C: !B	$2+E5F2
	: #+O)4E),.;		&TPQSKT	
HVE3 &)4@A>>D BL&>F[A>E&3S&			&TTPQXSTM	
@ACWD<L&9D @' AW&BS				
	)*+,*,-+-	$-+EF,	$2+E52-	
			; 8>J: D$ W%@CCD$H>$LBA$H9C!5	$3,52-
			; 8>J: D$ W%@CCD$H>$LBA$H9C!5	$635-
	: #+O)4E),.;		&TPQSTM	
HVE3 &)4@ACWD<L&9D @' AW&BS&			&ZJZSVM	
@D BF>V&H' >9C				
	)*6*,-+-	$-+3)E	$)5-+	
			8: !KCG@KASIDH9J8%U;	$)5+
	: #+O)4E),.;		&USVP	
HVE3 &)4@D BF>V&H' >9C&			&USVP	
@DNNCL&3A[>'				
	)*,3*,-+-	$-,+)F	$6,5-	
			EA; 8KH; 98$AJHA@ED%>E; EL	9-))5-
			EA; 8KH; 98$AJHA@ED%>E; EL	$E5-
			EA; 8KH; 98$AJHA@ED%>E; EL	$E-5-
	: #+O)4E),.;		&KJSVM	
HVE3 &)4@DNNCL&3A[>' &			&PLPPRSVM	
@FN' >3L&\F@<&ES				
	)*6*,-+-	$-+3)7	$F--5-	
			8: ; B: : $U: GH>D?: C: !B	$F--5-
	: #+O)4E),.;		&MMBVM	
HVE3 &)4@FN' >3L&F@<&ES&			&QPXSPK	
@FWE\ L&NWF>D				
	)*+7*,-+-	$-+77-	$-5-	
			8: !KCG@?>?BA$G: %	$-5-
	: #+O)4E),.;		&MBVM	
HVE3 &)4@FWE\ L&NWF>D &			&MBVM	

MV00062935

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
@F GCA> L&A3 DE@&AS				
	)*6*, -+-	$-+36-	$2+E5F2	
			8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&@F GCA> L&A3 DE@&AS&			&TTPQXSTM	
@G[& F<CE>G! EDF< &C-A! D WDEACL&D< !				
	)*+7*, -+-	$-+77+	$)55E	
			8: !KCG@KAS&DBH$9J8%U;	$)55E
	: #+0) 4&E) ,. ;		&JU&KQ	
HVE3 &&) 4&@G[& F<CE>G! EDF< &C-A! D WDEACL& B< ! &			&JU&KQ	
@G[[' >3 L&9 F<AE				
	)*+7*, -+-	$-+77,	$-5-	
			8: !KCG@&>?B A$G: %	$-5-
	: #+0) 4&E) ,. ;		&IMBMM	
HVE3 &&) 4&@G[[' >3 L&9 F<AE&			&IMBMM	
@G<EL&WA_V				
	)*+7*, -+-	$-+772	$6,5-	
			8: !KCG@BJ: $!98$ 9; A	$6,5-
	: #+0) 4&E) ,. ;		&KJ&MM	
HVE3 &&) 4&@G<EL&WA_V&			&KJ&MM	
D 9' &>AED>A9A<E&! F>-&UKX				
	)*7*, -+-	$3+3	$74&E75)	
			G: !$+9U%&6F$)*-7*+-	$74&E75)
	)*,2*, -+-	$3,)	$-,4)+-52F	
			G: !$+9U%&6F$) *,2*+-	$-.4+-52F
	: #+0) 4&E) ,. ;		&JJMZZSZP	
HVE3 &&) 4&D 9' & AED>A9A<E&! F>-&UKX&			&TPPLKQJJSP	
DW&CF>>A<EF&9 F[DWA&' >B				
	)*+,*, -+-	$-+EF2	$-6E56	
			8: !KCG@&; $KA: 8$>W A	$-6E56
	: #+0) 4&E) ,. ;		&PKQ&IK	
HVE3 &&) 4&DW&CF>> A<EF&9 F[DWA&' >B &			&PLRXRSTP	

MV00062936

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
D9' <DA&BD<N				
	)*6*,-+-	$-+36+	$-,25-	
			8: !KCG@>8E9KA$*H9!:A	$-5-
			8: !KCG@>8E9KA$*H9!:A	$-5-
			8: !KCG@>8E9KA$*H9!:A	$-5-
			8: !KCG@>8E9KA$*H9!:A	$-E5-
			8: !KCG@>8E9KA$*H9!:A	$-65-
			8: !KCG@>8E9KA$*H9!:A	$6-5-
	: #+O) 4&E),.;	&RJTS&M		
HVE3&&) 4&&9' <DA&BD<N&		&RJTS&M		
D9-A>D W&! GCEF9&!' [D<AECL&D<!				
	)*+7*,-+-	$-+77)	$25-	
			8: !KCG@KADH9J8%U;	$25-
	: #+O) 4&E),.;	&TS&M		
HVE3&&) 4&&9-A>D W&! GCEF9&!' [D<AECL&D<!&		&TS&M		
D<N&GC' & <<GDEV& &WDHA&D<CG>' <! A& FS				
	)*+,*,-+-	$-+EF)	$F65-	
			C9C@W U%; $>CCKB; <	$F65-
	: #+O) 4&E),.;	&JXK&M		
HVE3&&) 4&&D<N&GC' & <<GDEV& &WDHA& D<CG>' <! A& FS&		&JXKMB&M		
D<W <3& F<E>' ! EF>CL&D<! S3[' dA<:D>F YEACE				
	)*,3*,-+-	$-,+)E	$-4-725,6	
			CKB>CH: $>?; UC; $AJHA@E3+-,-+6	$-4-725,6
	: #+O) 4&E),.;	&PIPZTS&K		
HVE3&&) 4&&D<W <3& F<E>' ! EF>CL& D<! S3[' dA<:D>F YEACE&		&RJIPJMB&R		
D<W <3&A9-D>A& > ! @DE>! EG>' W&C-A! D WEDACL				
	)*6*,-+-	$-+36,	$2,53)	
			8: !KCG@KADH9J8%U;	$2,53)
	: #+O) 4&E),.;	&TJ&RU		
HVE3&&) 4&&D<W <3&A9-D>A& > ! @DE>! EG>' W& C-A! D WEDACL&		&TJ&RU		
D<W <3&A9-D>A&9' N' \D<A				
	)*+,*,-+-	$-+EF6	$-4765-	
			>GJ: 8; BAECL$AJHA@GG	$-4765-
	: #+O) 4&E),.;	&PLJZK&M		
HVE3&&) 4&&D<W <3&A9-D>A&9' N' \D<A&		&KIPQM&M		

MV00062937

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
D<W <3&A9-D>A&>F-A>EV&CA>:D AL&D<!				
)*+7*, -+-	$EE-23-	$E,)5-		
			CKBA>CH: $>?; UC; $AJH@7F+E---3	$FF5-
			CKBA>CH: $>?; UC; $AJH@B H=EC L*U	$6-5-
			CKBA>CH: $>?; UC; $AJH@22F+$%>C	$-,,5-
			=>D $AJHA@I9G:	$F65-
: #+0 4&E),.;		&QJUS M		
HVE3 &) 4&& W <3&A9-D>A&>F-A>EV& CA>:D AL&&!&		&KKLUTX$PM		
D<W <3&MQ>'>V&C VCEA9				
)*+,*, -+-	$-+EF3	$-4E325+		
			,--7*+-$U: U?: 8A= B%GK: A	$-4E325+
: #+0 4&E),.;		&PLQRTS$P		
HVE3 &) 4&& W <3&MQ>'>V&CVCEA9&		&UUMUX$XP		
D<CD3 A&-W <ECL&D<!S				
)*,3*, -+-	$EE-2E6	$2+35-		
			%D>C; $U>E; @I8H	$2+35-
: #+0 4&E),.;		&TPRS M		
HVE3 &) 4&& CD3 A&-W <ECL&&!S&		&TLPRMB M		
D<EA><' W&>A: A<GA &CA>:D A				
)*+*, -+-	$3++	$4--5-		
			G: %&I: G$>V&P*=$)*+*+-	$4--5-
: #+0 4&E),.;		&UUMMB M		
HVE3 &) 4&& EA><' W&>A: A<GA&CA>:D A&		&TLPQUUTUQ&Z		
D>F<&9 FG<E' D<&FHHYCDEA&&' E' &>FE A! EDF<				
)*6*, -+-	$-+362	$7)357		
			G>; >$A; 98>L: $AJH A	$7)357
)*,3*, -+-	$-,+)7	$-4+655)		
			G>; >$A; 98>L: $AJH A	$-4+655)
: #+0 4&E),.;		&PLZRJ$KT		
HVE3 &) 4&& F<&9 F G<E' D<&FHHYCDEA&&' E' & ->FEA! EDF<&		&PPLKQX$JU		
D>F<] FF3 &C9 FBA&C @F-				
)*+7*, -+-	$-+776	$F+573		
			8: !KCG@KA$DB H$9J8%U;	$F+573
: #+0 4&E),.;		&PS&R		
HVE3 &) 4&& F<] FF 3 &C9 FBA&C@F-&		&PS&R		

MV00062938

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
DCN&E@A>9' W&CVCE A9C&GC' L&D<!				
)*6*,-+-	$-+36)	$6F5)		
			;=: 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	$6F5)
			;=: 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	$-56)
			;=: 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	@56)
	: #+O) 4&E),.;	&KKX$RU		
HVE3 &) 4&DCN&E@A>9' W&CVCEA9C&GC' L&D<! &		&ZRUX&Z		
DCC&C] AA-D<NL&D<!S				
)*6*,-+-	$EE-,E-	$4365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46)65F-
			%9P: 8$AP: : %&CL$A JHA	$F.-5-
)*,3*,-+-	$EE-2E3	$4365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46)65F-
			%9P: 8$AP: : %&CL$A JHA	$F,-5-
	: #+O) 4&E),.;	&JLKTP$JM		
HVE3 &) 4&DCC&C] A A-E<NL&D<!S&		&JTLKKM&JM		
^&& &@&& F<E>' !ED<N				
)*6*,-+-	$EE-,E+	$242+65-		
			H9C;8>H;$AJHA@A$Z6E	$242+65-
	: #+O) 4&E),.;	&LLTPK$JM		
HVE3 &) 4&&&&@&&! F<E>' !ED<N&		&RRLTKPS&J		
^' ! BCF<L&^A>' 9V				
)*+,*,-+-	$-+EFF	$-42-5-		
			;KB&E9C$B: BJ?K8A: U: C;	$-42-5-
	: #+O) 4&E),.;	&PLJTM&JM		
HVE3 &) 4&' ! BCF<L&A>' 9V&		&PLXRT$XM		
^' <<AV& &' <<AV&' EEF><AV&C: ! CL&D<!S				
)*+,*,-+-	$-+EFE	$F65-		
			D L>D&H9K8B8$AJ HA	$F65-
	: #+O) 4&E),.;	&KK$JM		
HVE3 &) 4&' <<AV&' &' <<AV& EEF><AV& C: ! CL&D<! S&		&PLQKT$JM		
^' G>ANGD&FC! '>				
)*6*,-+-	$-+366	$-E)5-		
			8: !KCG@B>; E9C$9J8%U;	$-E)5-
	: #+O) 4&E),.;	&PQLJ$JM		
HVE3 &) 4&' G>ANGD&FC! '>&		&PLMTPS&J		

MV00062939

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
^3A3 NA&CFHE] ' >AL &AW!				
)*6*,-+-	$-+F7F	$F6-5-		
			H9CAKD, E:L$AJHA@9!; P>8: $G: J	$F6-5-
)*+,*,-+-	$EE-223	$665-		
			H9CAKD, E:L$AJHA@8	$665-
)*+7*,-+-	$EE-23+	$64)-5-		
			H9CAKD, E:L$AJHA	$64)-5-
: #+O)4E),.;		&RLUUK$M		
HVE3 &)4&3 A3 NA&CFHE] ' >AL&AW! &		&PMRLRZX$RQ		
^@&3 ACDN<& & CCF ! D EAC				
)*+*,-+-	$EE-,6F	$E,+5-		
			C>U: $4DN$GFA%D><@GG	$E,+5-
: #+O)4E),.;		&QJP$M		
HVE3 &)4&@&3 ACDN<& & CCF ! D EAC&		&QLUXP$M		
^D9A<A\ L&A99' <GA W				
)*,3*,-+-	$-,+6-	$-,5-		
			8: !KCG@>CI $!: : A$9C$9J8H=8LG$G	$-.5-
: #+O)4E),.;		&PMJ$M		
HVE3 &)4&D A<A\ L&A99' <GAW&		&PMJ$M		
^^:C&9' >BAE& &ADcGF>				
)*6*,-+-	$-+363	$-635-		
			8: !KCG@KA$D:H$9J8%U;	$-6-5E
			8: !KCG@KA$D:H$9J8%U;	$25)3
			8: !KCG@KA$D:H$9J8%U;	$523
: #+O)4E),.;		&PKR$M		
HVE3 &)4&^:C&9' >BAE& &AD:GF> &		&PKR$M		
^F@<&3 AA>A&W <3C ! ' -ACL&D<! S				
)*+7*,-+-	$-+773	$F)5)		
			8: !KCG@KA$D:H$9J8%U;	$F)5)
: #+O)4E),.;		&U$RU		
HVE3 &)4&F@<&3 AA>A&W <3C ! ' -ACL&D<! S&		&U$RU		
^F@<CF<L&3 AWD				
)*,3*,-+-	$-,+6+	$F,5-		
			E:A; 8KH; 98$AJHA@: 89?E:HA	$F,5-
: #+O)4E),.;		&J$M		
HVE3 &)4&F@<CF< L&3 AWD &		&TJ$M		

MV00062940

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
^FWWD&[AA					
	)*+7*,-+-	$-+77F	$FF52E		
				8: !KCG@KASDBH$9J8%U;	$FF52E
	: #+O) 4&E) ,. ;		&XXSTQ		
HVE3 &) 4&F WWD&[AA&			&XXSTQ		
^F<AC&DDD&^FCA- @					
	)*+7*,-+-	$-+77E	$E65 5-		
				UBD >L: $B: BJ?K8A : U: C;	$2) 55-
				UBD >L: $B: BJ?K8A : U: C;	$6+5 -
	: #+O) 4&E) ,. ;		&XXSXM		
HVE3 &) 4&F<AC&DDD&FCA- @&			&XXPSXK		
^F<ACL&CGC' <					
	)'6*,-+-	$-+F7E	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&F<ACL&CGC' <&			&TLPQXSTM		
^FG><AVC&PMPX					
	)'6*,-+-	$-+36F	$E65 6		
				8: !KCG@KASDBH$9J8%U;	$E65 6
	: #+O) 4&E) ,. ;		&XXSXK		
HVE3 &) 4&F G><AV C&PMPX&			&XXSXK		
^E[&CG- - WW& F S&D<! S					
	)*+7*,-+-	$-+777	$E4 +-52		
				AJH$H>?BC: ; $! 98$ 8>!$ABLC>D	$E4 +-52
	: #+O) 4&E) ,. ;		&XJPMRT		
HVE3 &) 4&E[&CG- - WW& F S&D<! S&			&KTLMMD&P		
^G' <DE' C&9' >BAE					
	)'6*,-+-	$-+36E	$3F5- -		
				8: !KCG@KASDBH$9J8%U;	$3F5 -
	: #+O) 4&E) ,. ;		&XXSXM		
HVE3 &) 4&G' <DE' C&9' >BAE&			&XXSXM		
B& &[ACEL&D<!					
	)'6*,-+-	$-+367	$3F5- -		
				8: !KCG@KASDBH$9J8%U;	$F+5 2
				8: !KCG@KASDBH$9J8%U;	@) 5 2
	: #+O) 4&E) ,. ;		&XXSXM		
HVE3 &) 4&B& &[ACEL&D<! &			&XXSXM		

MV00062941

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
B' DCA>& A>9' <A<E A					
	)*+7*,-+-	$-,---	$2-5-		
				8: !KCG@>DA: $>D>8U$: :	$2-5-
	: #+0) 4E) ,. ;		&TMB/M		
HVE3 &) 4&B' DCA>&-A>9' <A<EA&			&TXUPS&J		
B' C@AHD-FG>L&@FC CAD<					
	)*6*,-+-	$-+33-	$-2)5+		
				UED >L: $B: BJ?K8A : U: C;	$2)5+
				UED >L: $B: BJ?K8A : U: C;	$--55-
	: #+0) 4E) ,. ;		&PTUS&P		
HVE3 &) 4&B' C@AHD-FG>L&@FCCAD< &			&JXJS&P		
B3 9 &9 A>D D <L&D<! S					
	)*,3*,-+-	$EE-2EF	$E4+-5-		
				?9: BCL*UHG9CC: DAB: P>D $%89M	$24765-
				; : UH9$A; A: P> D $%89M	$4F-5-
				J9KL=; $A; A: P >D $%89M	$)65-
	: #+0) 4E) ,. ;		&QRPMB/M		
HVE3 &) 4&B3 9 &9 A> D D <L&D<! S&			&RQUKS/M		
BAAN' <L& ' >FW					
	)*+7*,-+-	$-,--+	$-5-		
				8: !KCG@&>?B A$G: %	$-5-
	: #+0) 4E) ,. ;		&IMB/M		
HVE3 &) 4&BAAN' <L& ' >FW&			&IMB/M		
BA<<AE@&'F@<CF<					
	)*6*,-+-	$-+33+	$6E5-		
				8: !KCG@KADBH9J8%U;	$6E5-
	: #+0) 4E) ,. ;		&KQB/M		
HVE3 &) 4&BA<<AE@&'F@<CF< &			&KQB/M		
BA>A<VD&'F@<					
	)*6*,-+-	$-+33,	$-7,5-		
				% 8$GB U@8>CAB$J A$H9C!5	$-7,5-
	: #+0) 4E) ,. ;		&PZJS/M		
HVE3 &) 4&BA>A<VD&'F@< &			&PZQB/M		
BD<N L&-' E>D D & S					
	)*6*,-+-	$-+332	$2+E5F2		
				8: ; BB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0) 4E) ,. ;		&TPQ&T		
HVE3 &) 4&BD<N L&-' E>D D & S&			&UKUZS&K		

MV00062942

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
BF' & F>-F>' EDF<				
)*6*,-+-	$-+33)	$-64F,25-		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-)4725-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-463-5-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$F-5-
)*,3*,-+-	$-,+6,	$-4E)+5,6		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-4E)+5,6
	: #+O)4&E),.;	&RLKRUSTK		
HVE3&)4&BF' & F>-F>' EDF<&		&JPPLQXX&M		
BFW[L& @ >WAC&AS				
)*6*,-+-	$-+F77	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFW[L& @ >WAC&A&&		&TLPQXSTM		
BFWW >L&BVWA				
)*6*,-+-	$-+336	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFWW >L&BVWA&		&PLJXUSZJ		
BVWAL&N' >V&9S				
)*6*,-+-	$-+E--	$2+E5F2		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BVWAL&N' >V&9S&		&ILKUZS&K		
W& &N& ' [WA& F<CE>G! EDF<				
)*+7*,-+-	$-,--,	$6F5-		
			8: !KCG@KAS&DBH$9J8%U;	$6F5-
	: #+O)4&E),.;	&KX&M		
HVE3&)4&W& &N& ' [WA& F<CE>G! EDF<&		&KX&M		
W [AWWAY9' >:D<L&D<! S				
)*,3*,-+-	$-,+62	$E4--5-		
			AKCC<UG$?DJG$B: J B, $%89M&AJHA	$E4--5-
	: #+O)4&E),.;	&QLPMVB&M		
HVE3&)4&W [AWWAY9' >:D<L&D<! S&		&QLPMVB&M		
W H' E' L&\FCA-@D< A				
)*6*,-+-	$-+E-+	$2+6557		
			8: ; B&: : $U: GBH>D&?: C: !B,	$2+6557
	: #+O)4&E),.;	&TPK&XZ		
HVE3&)4&W H' E' L&FCA-@D< A&		&TLPKQ&XU		

MV00062943

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
W <3A>CL&F>AE@'				
)*6*,-+-	$-+333	$--5-		
			8: !KCG@: C; >D&G: %&2*,-*+-	$--5-
	: #+O) 4&E) ,. ;	&IMVB/M		
HVE3 &) 4&W <3A>CL&F>AE@ &		&IMVB/M		
W <NA<3F>HL&[A<^' 9D<				
)*6*,-+-	$-+33F	$2+E5F2		
			8: ; B&: : $U: GB&H>D&?: C: !B;	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &) 4&W <NA<3F>HL&[A<^' 9D< &		&ILQRQ&X		
W E@' 9& &] ' EBD<CL&WW-				
)*,3*,-+-	$-,+6)	$4F)65-		
			%&9!$AJHA@>CG&G: J	$3,55-
			%&9!$AJHA@>CG&G: J	$-65-
			%&9!$AJHA@>CG&G: J	$F65-
			%&9!$AJHA@>CG&G: J	$-4EF56-
			%&9!$AJHA@>CG&G: J	$-47+65-
	: #+O) 4&E) ,. ;	&JLXUK&M		
HVE3 &) 4&W E@' 9& &] ' EBD<CL&WW- &		&JLXUK&M		
W EDEG3A&T&9A3D &N>FG-				
)*+,*,-+-	$-+EF7	$-486-5-		
			>GJ: 8; BA&CL$AJHA@GG	$-486-5-
	: #+O) 4&E) ,. ;	&PLRKVB/M		
HVE3 &) 4&W EDEG3A&T&9A3D &N>FG- &		&LTVVB/M		
W] <&EA! @&AcGD-9A<E				
)*6*,-+-	$EE-,EF	$)+53F		
			UBAH$%>8; A@J>E&C; $C&9%8	$2EE5-
			UBAH$%>8; A@J>E&C; $C&9%8	$625)F
	: #+O) 4&E) ,. ;	&JUPSRX		
HVE3 &) 4&W] <&EA! @&AcGD-9A<E&		&TLJVVS/Q		
W] VA>C&EDEWA&D<!				
)*+7*,-+-	$-,--2	$6-5-		
			%&8: DBJ$ B D $B% @&98%&:8G$%&89M	$6-5-
)*,+*,-+-	$--)-7+	$-,47EE56-		
			: AH&9P$G: %&9AB; @>A: U: C; $%K8H=5	$-,47EE56-
	: #+O) 4&E) ,. ;	&PTLJTQ&KM		
HVE3 &) 4&W] VA>C&EDEWA&D<! &		&JPPLQKVB/M		

MV00062944

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
WAAL& @DWD 8&9 D @ AW				
)*6*,-+-	$-+33E	$)E-55F		
			8: !KCG@GUBC$HB>; B9CS!: : A	$)E-55F
: #+0) 4&E) ,. ;		&JCMBX		
HVE3 &) 4&WAAL& @DWD &9 D @ AW&		&JCMBX		
WADN@EF<& F<CGWE D<N L&D<! S				
)*+,*,-+-	$EE-22F	$)-4))5-		
			D>AA: DD $A; $PBG: CBCL$/&89M&AJHA	$)-4))5-
: #+0) 4&E) ,. ;		&PMDMUUS/M		
HVE3 &) 4&WADN@EF <& F<CGWEB N L&D<! S&		&JICLRSRU		
WAF<C&9' CEA>& WA' <D<N				
)*6*,-+-	$-+337	$F5,7		
			8: !KCG@KAS$DB-H$9J8%U;	$F5,7
: #+0) 4&E) ,. ;		&JXS/Z		
HVE3 &) 4&WAF<C&9 ' CEA>& WA' <B<N&		&JXS/Z		
WA] DCL& ' >FW/<&C S				
)*6*,-+-	$-+E-,	$2+65,57		
			8: ; BB: : $U: GB-H>D&?: C: !B	$2+65,57
: #+0) 4&E) ,. ;		&TPKS/Z		
HVE3 &) 4&WA] DCL&! ' >FW/<&C&		&TLPKKSTM		
WA_DC<A_DC				
)*,3*,-+-	$EE-2EE	$)-4)E-5-		
			9CDB: $D L>D&AJH A@; <$-; ; 98C: <	$F)-5-
			9CDB: $D L>D&AJH A@; <$HD 8I A	$2F-5-
			9CDB: $D L>D&AJH A@GG	$2F-5-
: #+0) 4&E) ,. ;		&PLUCMB/M		
HVE3 &) 4&WA_DC<A_DC&		&PKLPZKS/M		
WA_DC<A_DC&>' ! E D A&9 N9 ES				
)*,3*,-+-	$-,+66	$)-4)F75)3		
			; U*?U$-CCK>D&U>BC; : C>CH:	$$265-
			; U*?U$-CCK>D&U>BC; : C>CH:	$7))5)3
: #+0) 4&E) ,. ;		&PLUXZ$JR		
HVE3 &) 4&WA_DC<A_DC&>' ! ED A&9 N9 ES&		&PLUXZ$JR		
WD9& &<' C! D9 A<EF &A<N D<AA>D<N& F>-S				
)*,3*,-+-	$-,+63	$,+43EF5F-		
			% 88BA$?D$PBG: CBCL$!89U$B>U$/%	$,+43EF5F-
: #+0) 4&E) ,. ;		&PIRCX$M		
HVE3 &) 4&WD9& & <' C! D9 A<EF &A<N D<AA>D<N& ! F>-S&		&KKKLCMPSTX		

MV00062945

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-. / (#+, & ' ( ) * +,012
WD9 F < L&^ F CA&9 L&9 S3 S					
	) *6*, -+-	$ -+3F-	$2253		
				8: ! KCG@KAS DB H$9J8%U;	$2253
	: #+O) 4&E) ,. ;		&TS'R		
HVE3 &&) 4&^VD F < L&^ F CA&9 L&9 S3 S&.			&TS'R		
WD< 3 F L&@A> 9 D< ' &N S					
	) *6*, -+-	$ -+E-2	$2+E5F2		
				8: ; BB: : $U: GBH> D&?: C: ! B)	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&^VD< 3 F L&@A> 9 D< ' &N S&.			&UIXUPS&U		
WD- C! F 9 [L&> ' V9 F < 3					
	) *+7*, -+-	$ -, --)	$F65-		
				8: ! KCG@*C$G: %9AB)	$F65-
	: #+O) 4&E) ,. ;		&KS&M		
HVE3 &&) 4&^VD C! F 9 [L&> ' V9 F < 3 &.			&KS&M		
WDC' &^' > 9 ' < &! F < C GWED< N					
	) *+, *, -+-	$ -+EE-	$-4325-		
				H9CAKD) BC L$AJHA@A%	$-4325-
	: #+O) 4&E) ,. ;		&PUVRT&M		
HVE3 &&) 4&^VDC' &' > 9 ' < &! F < CGWED< N &.			&PUVRT&M		
WDEEWA&[AD^D< N					
	) *+7*, -+-	$ -, --6	$EF5)6		
				8: ! KCG@KAS DB H$9J8%U;	$EF5)6
	: #+O) 4&E) ,. ;		&QX&JK		
HVE3 &&) 4&^VDEEWA&[AD^D< N &.			&QX&JK		
WF N ' < L&! @ ' > WAC					
	) *6*, -+-	$ -+E-)	$2+E5F2		
				8: ; BB: : $U: GBH> D&?: C: ! B)	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&^VF N ' < L&! @ ' > WAC&.			&ULUVQ&RP		
WF < A&& > ' D< A> & & > F < EF & < F &UL&E @A					
	) *6*, -+-	$ -+3F+	$225-		
				8: ! KCG@KAS DB H$9J8%U;	$225-
	: #+O) 4&E) ,. ;		&TS&M		
HVE3 &&) 4&^VF < A&& > ' B< A> & & > F < EF & < F &UL& E@A&.			&TS&M		

MV00062946

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( ) *+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9' ! EA! & WA' <G-& F>-F>' EDF<				
)*+7*, -+-	$-,--7	$,5-		
			8: !KCG@KASDBH9J8%U;	$,5-
: #+0) 4&E) ,. ;		&JUS/M		
HVE3&) 4&9' ! EA! & WA' <G-& F>-F>' EDF<&		&JUS/M		
9' N<FWD & FFW& <3&C-' &CG--W				
)*6*, -+-	$-+3F)	$6+56		
			8: !KCG@KASDBH9J8%U;	$6+56
: #+0) 4&E) ,. ;		&KPSK		
HVE3&) 4&9' N<FWD & FFW& <3&C-' &CG--W&		&KPSK		
9' <' NA9A<E& 33A3 &CA>:D AC				
)*+7*, -+-	$-,-+-	$F52E		
			8: !KCG@KASDBH9J8%U;	$F52E
: #+0) 4&E) ,. ;		&XSTQ		
HVE3&) 4&9' <' NA9 A<E& 33A3&CA>:D AC&		&XSTQ		
9' <\' <FL&B' >W				
)*+7*, -+-	$-,-++	$--5-		
			8: !KCG@: C; >D&G: %9AB	$--5-
: #+0) 4&E) ,. ;		&MVB/M		
HVE3&) 4&9' <\' <FL&B' >W &		&TPJS/M		
9' >D<L&9' >E@'				
)*6*, -+-	$-+3F6	$675-		
			8: !KCG@D>AA$B: LBA*>8: C>$A9HH8	$675-
: #+0) 4&E) ,. ;		&KZS/M		
HVE3&) 4&9' >D<L&9' >E@ &		&KZS/M		
9' >B&[A' 9DC@&] ' EA>->FFHD<NL&D<!S				
)*6*, -+-	$-+3F3	$EF5-		
			8: !KCG@KASDBH9J8%U;	$EF5-
: #+0) 4&E) ,. ;		&QXS/M		
HVE3&) 4&9' >B&[A' 9DC@&] ' EA>->FFHD<NL& D<!S&		&QXS/M		
9' >>FcGD<L&A33V				
)*+,*, -+-	$-+EE+	$)-5-		
			8: !KCG@C; D&G: %	$-)-5-
			8: !KCG@C; D&G: %	$--5-
: #+0) 4&E) ,. ;		&UMB/M		
HVE3&) 4&9' >>FcGD<L&A33V&		&UMB/M		

MV00062948

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3 . ,#	! "#$%& <*(=#4	! "#$%& ' ( ) *+,	3#1$456,5) +7-*46) 1#8) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
9' >ED<A\ L&H>' <B				
	)*+, *, -+-	$ -+EE,	$365-	
			% 8$GB U@CCD9I B8: 9%8: J9P8I A=%	$365-
	: #+O) 4&E) ,. ;		&PRK&M	
HVE3 &) 4&9' >ED<A\ L&H>' <B&			&PRK&M	
9' E@DCL&<FW <				
	)*6*, -+-	$ -+3FF	$735-	
			8: ; BB: : $U: GBH>D&?: C: ! B	$735-
	: #+O) 4&E) ,. ;		&ZR&M	
HVE3 &) 4&9' E@DCL&<FW <&			&IZMM&M	
9' ED @& F>-F>' EDF<				
	)*+7*, -+-	$EE-232	$64 62526	
			>A%=>D, BH$U>; : 8B>D	$42,) 52E
			>A%=>D, BH$U>; : 8B>D	$42,) 52E
			>A%=>D, BH$U>; : 8B>D	$4 F. 56
			>A%=>D, BH$U>; : 8B>D	$422+56)
	: #+O) 4&E) ,. ;		&KJKT&K	
HVE3 &) 4&9' ED @& F>-F>' EDF<&			&TKIXJU&K	
9' _D<FCBD&CGA& S				
	)*6*, -+-	$ -+E-3	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&T	
HVE3 &) 4&9' _D<FC BD&CGA& S&			&TIPQX&M	
9! & F<<AWW& ' [D<AECL&D<! S				
	)*6*, -+-	$ -+3FE	$65-)	
			8: ! KCG@KA&D&H$9J8%U;	$65-)
	: #+O) 4&E) ,. ;		&IK&U	
HVE3 &) 4&9! & F<<AWW& ' [D<AECL&D<! S&			&IK&U	
9! &<AAW&C&A3G! ' E DF<' W&H' 9DW&3' V & ' >A				
	)*6*, -+-	$ -+3F7	$225-6	
			8: ! KCG@KA&D&H$9J8%U;	$225-6
	: #+O) 4&E) ,. ;		&TT&K	
HVE3 &) 4&9! & AAW&C&A3G! ' EDF<' W&H' 9DW& 3' V& ' >A&			&TT&K	
9! ! ' >E@V& &[A>WD<L&WW-				
	)*+7*, -+-	$EE-23)	$-46) 65-	
			D L>D&AJHA@&; BB; B A	$-46) 65-
	: #+O) 4&E) ,. ;		&PIKJK&M	
HVE3 &) 4&9! ! ' >E@V& &[A>WD<L&WW-&			&TPIPXK&Z	

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
9! D				
)*,3*,-+-	$-,+6F	$-4-7F56F		
			E0; : 8C: ; $H9CC: H; E9C$AJ HA	$-4-7F56F
	: #+0) 4&E) ,. ;	&PLPZX$KX		
HVE3 &8) 4&9 ! D&		&PTLTKR$KP		
9! D9 F>W8! F9				
)*,3*,-+-	$-,+6E	$-4-,E5-,		
			H9UUKCBH>; E9C$AJ HA	$-4-,E5-,
	: #+0) 4&E) ,. ;	&PLMJQ$PJ		
HVE3 &8) 4&9 ! D9 F> W8! F9&		&PMJZJ$JU		
9AW 3& & CCF! D E AC				
)*+,*,-+-	$-+EE2	$4-6-53E		
			%D>C$H=: HI $AJ HA	$4-6-53E
	: #+0) 4&E) ,. ;	&LPKMBRQ		
HVE3 &8) 4&9 AW 3& & CCF! D EAC&		&TQLTXZ$TR		
9A<NDCEGL&/AC@D WA9				
)*+,*,-+-	$-+EE)	$-+E56-		
			UBD >L: $B: BJ?K8A : U: C;	$-+E56-
	: #+0) 4&E) ,. ;	&PPQ8KM		
HVE3 &8) 4&9 A<NDCE GL&/AC@D WA9&		&ZZK$KK		
9A<FC&CEA>AFC				
)*6*,-+-	$-+3E-	$F+52+		
			8: !KCG@KADBH9J8%U;	$F+52+
	: #+0) 4&E) ,. ;	&PS$P		
HVE3 &8) 4&9 A<FC&C EA>AFC&		&PS$P		
9ACCD<L&/FGDC				
)*6*,-+-	$-+E-F	$2+E5F2		
			8: ; BB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ8KT		
HVE3 &8) 4&9 ACCD<L&/FGDC&		&UKLZ$$K		
9NE&FH& 9A>D ' L&D<! S				
)*+,*,-+-	$EE-22E	$24--5-		
			H9A; $HDJBCL$AJ HA @; =$N; 8$7*+-	$46--5-
			H9A; $HDJBCL$AJ HA @; =$N; 8$7*+-	$6--5-
	: #+0) 4&E) ,. ;	&TLMMBM		
HVE3 &8) 4&9 NE&FH&' 9A>D ' L&D<! S&		&RJLMMBM		

MV00062950

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
9D @' AW& ' B@' >F: &C! ' HHFW3 D<N				
)*6*,-+-	$-+3E+	$65FF		
			8: !KCG@KAS DB-H$9J8%U;	$65FF
: #+0) 4&E) ,. ;		&IKSXX		
HVE3 &8) 4&9 D @' AW& ' B@' >F: &C! ' HHFW3 D<N		**&IKSXX**		
9DWACL&> F[A>E				
)*6*,-+-	$-+E-E	$9-7)552		
			8: ; BB: : $U: GB-H>D&?: C: !B;	$9-7)552
: #+0) 4&E) ,. ;		&PZUSKT		
HVE3 &8) 4&9 DWACL&> F[A>E&		**&IJJJMBKR**		
9D<' >3 L&9' >B&AS				
)*6*,-+-	$-+E-7	$2-E5-F		
			8: ; BB: : $U: GB-H>D&?: C: !B;	$2-E5-F
: #+0) 4&E) ,. ;		&TMDBPX		
HVE3 &8) 4&9 D<' >3 L&9' >B&AS&		**&IZCRSKP**		
9D>' ! WA&>A! >A' EDF<&AcGD-9A<E				
)*+7*,-+-	$-,-+,	$-4F65)7		
			%D><L89KCG$ NKB%@&>8I A	$E7F57)
			%D><L89KCG$ NKB%@&>8I A	$-FF566
)*,3*,-+-	$-,+67	$-46F+5E2		
			%D><L89KCG$ NKB%@&>8I A	$6775 3
			%D><L89KCG$ NKB%@&>8I A	$-3)5,
			%D><L89KCG$ NKB%@&>8I A	$-75)7
			%D><L89KCG$ NKB%@&>8I A	$6775 3
: #+0) 4&E) ,. ;		&IRUXSTJ		
HVE3 &8) 4&9 D>' ! WA&>A! >A' EDF<&AcGD-9A<E&		**&ILUPRSIU**		
9DCCDF<&C@AAE&9 A E' WL&D<! S				
)*+7*,-+-	$-,-+2	$6F5)6		
			8: !KCG@KAS DB-H$9J8%U;	$6F5)6
: #+0) 4&E) ,. ;		&KXSIK		
HVE3 &8) 4&9 DCDF<&C@AAE&9 AE' WL&D<! S&		**&KXSIK**		
9DE! @AWWL&8' :D3				
)*+7*,-+-	$-,-+)	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&IMBMM		
HVE3 &8) 4&9 DE! @AWWL&8' :D3&		**&IMBMM**		

MV00062951

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
9F3A><8D9' NA					
	)*+7*,-+-	$-,-+6	$3E57)		
				8: !KCG@KASDBH$9J8%U;	$3E57)
	: #+0) 4&E) ,. ;		&RQSZU		
HVE3 &) 4&9 F3A><8D9' NA&			&RQSZU		
9FWWD' L&9 DBA					
	)*6*,-+-	$-+E+-	$)-+5),		
				8: ; BB: : $U: GBH>D&?: C: !B)	$)-+5),
	: #+0) 4&E) ,. ;		&UVPSUU		
HVE3 &) 4&9 FWWD' L&9 DBA&			&TUJPPSTX		
9F<EDAWL&F>W <3F					
	)*+7*,-+-	$-,-+3	$-65-		
				8: !KCG@CUDDBH: CA: $!: :	$-65-
	: #+0) 4&E) ,. ;		&PKSVM		
HVE3 &) 4&9 F<EDAWL&F>W <3F&			&PKSVM		
9F>' L&' E>D D & S					
	)*6*,-+-	$-+E++	$2+E5F2		
				8: ; BB: : $U: GBH>D&?: C: !B)	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQSXT		
HVE3 &) 4&9 F>' L&' E>D D & S&			&TUPQXSTM		
9F>A<F&' WWAV&[W' ! B&@' 9[A>&FH& F99A>! A					
	)*6*,-+-	$-+3E,	$--5-		
				8: !KCG@?D&A; >L: $BC; D&G: %	$--5-
	)*6*,-+-	$-+3E2	$-42F65-		
				?KABC: AA$AJHA@, =$BCA; DJC;	$-42F65-
	: #+0) 4&E) ,. ;		&PLUXKSVM		
HVE3 &) 4&9 F>A<F&' WWAV&[W' ! B&@' 9[A>& FH& F99A>! A&			&KLQZTSVM		
9F>A<F&' WWAV&@' 9[A>&FH& F99A>! A					
	)*+,*,-+-	$-+EE6	$34F65-		
				?KABC: AA$AJHA@, =$N; 8$7*+-	$34--5-
				P>I: @&%&U: : ; BC:L@*,)	$-65-
				P>I: @&%&U: : ; BC:L@*,)	$-65-
				P>I: @&%&U: : ; BC:L@*,)	$-65-
				P>I: @&%&U: : ; BC:L@*,)	$-65-
				P>I: @&%&U: : ; BC:L@*,)	$-65-
	: #+0) 4&E) ,. ;		&RUVKSVM		
HVE3 &) 4&9 F>A<F&' WWAV&@' 9[A>&F H& ! F99A>! A&			&ZLPMVBVM		

MV00062952

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
9F>A<F& ' WWAV& DEV&A9-WFVAAC& CC F! S					
	)*7*,-+-	$3+6	$-46F75-		
				UJH: >$GK: A$&)*- 7*+-	$-46F75-
	)*,2*,-+-	$3,2	$-46F75-		
				UJH: >$GK: A$&)*, 2*+-	$-46F75-
	: #+O) 4&E) ,. ;		&TLPKQ&M		
HVE3 &&) 4&9 F>A<F&: ' WWAV& DEV&A9-WFVAAC& ' CCF! S&			&TULQKTS&M		
9F>A<F& ' WWAV& WD<D ' &9A3D ' &H' 9 DWD >					
	)*+7*,-+-	$-,-+F	$-657F		
				8: !KCG@KA&DB-H$9J8%U;	$-657F
	: #+O) 4&E) ,. ;		&PMKSZX		
HVE3 &&) 4&9 F>A<F&: ' WWAV& WD<D ' &9 A3D ' & H' 9 DWD >&			&PMKSZX		
9F>A<F& ' WWAV& F 99G<DEV&A3G! ' EDF<& A<EA>					
	)*,3*,-+-	$-,+3-	$F)65F6		
				; K; 98&DL$%&LU@&G?L	$F)65F6
	: #+O) 4&E) ,. ;		&UKSXK		
HVE3 &&) 4&9 F>A<F&: ' WWAV& F 99G<DEV & A3G! ' EDF<& A<EA>&			&RLPZMSTM		
9F>A<F& ' WWAV&N' EA] ' VL&WW					
	)*,3*,-+-	$EE-27-	$,+4725)2		
				D >A: @>H&DB A $-CCW&?DGL	$,)6E57F
				D >A: @: H=$AJHA$>CCW	$&4)F657-
				D >A: @%HD&GEA; $>CCW	$-24-6E56&3
	: #+O) 4&E) ,. ;		&PLMZTSJT		
HVE3 &&) 4&9 F>A<F&: ' WWAV&N' EA] ' VL&WW&			&PMZTUSTM		
9F>A<F& ' WWAV&W] & A<EA>					
	)*+7*,-+-	$-,-+E	$375EE		
				8: !KCG@KA&DB-H$9J8%U;	$375EE
	: #+O) 4&E) ,. ;		&RZ&SQQ		
HVE3 &&) 4&9 F>A<F&: ' WWAV&W] & A<EA >&			&RZ&SQQ		
9F>A<F& ' WWAV&EF VFE'					
	)*6*,-+-	$-+3E6	$-5-		
				A% HB-D$ >W&B: EJ ?K8A: U: C;	$-324)665)7
				A% HB-D$ >W&B: EJ ?K8A: U: C;	@&324)665)7
	: #+O) 4&E) ,. ;		&VBM		
HVE3 &&) 4&9 F>A<F&: ' WWAV&EF VFE' &			&VBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&G< DHDA3 &C! @FFW&3 DCE>D E				
)*6*,-+-	$-+3E3	$-7463-5-		
			; 8>CA%98; >; B9C$H9A; A@; >8A	$-7463-5-
)*6*,-+-	$-+3EF	$EE5-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$EE5-
)*6*,-+-	$-+3EE	$2-35-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$2-35-
: #+0) 4&E) ,. ;		&IMPKUS/M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&G< DHDA3 &C ! @FFW& 3 DCE>D E&		&JJUICRMB/K		
9F>A<F& ' WWAV&G E DWDEV				
)*,3*,-+-	$-,+3+	$3,5+		
			: D H; 8BHB<@&; $I DG$9! ! BH:	$3.5+
: #+0) 4&E) ,. ;		&RJS/P		
HVE3 &B) 4&9 F>A<F&: ' WWAV&EDWDEV&		&RJRICTXSTM		
9F>A<F& ' WWAV&] ' C@&@FGCA				
)*6*,-+-	$-+3E7	$,55-		
			8: !KCG@KAS DBH$9J8%U;	$,55-
: #+0) 4&E) ,. ;		&JJS&M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&] ' C@&@FGCA&		&JJS&M		
9F>N' <L&WDC' & S				
)*6*,-+-	$-+E+,	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &B) 4&9 F>N' <L&WDC' & S&		&TIPQXSTM		
9F>>F] &9A' 3F] C& F>-F>' EDF<				
)*+7*,-+-	$-,-,-	$6-53)		
			8: !KCG@KAS DBH$9J8%U;	$6-53)
: #+0) 4&E) ,. ;		&KMBRU		
HVE3 &B) 4&9 F>>F] &9A' 3F] C& ! F>-F>' EDF<&		&KMBRU		
9G<D D' WWAcGD 9 A<E&9' D<EA<' <! A&' CCF				
)*6*,-+-	$-+37+	$F65-		
			U: U?: 8A=B%B: C: P >D	$F65-
: #+0) 4&E) ,. ;		&KKS/M		
HVE3 &B) 4&9 G<D D' WWAcGD 9 A<E& 9' D<EA<' <! A& CCF &		&KKS/M		

MV00062954

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
9G\' BL&WW				
)*+7*, -+-	$-, -, +	$325-2		
			8: !KCG@KAS DB-H$9J8%U;	$325-2
	: #+0) 4&E) ,. ;	&RTS/T		
HVE3 &&) 4&9 G\' BL&WW &		&RTS/T		
<' DF-Y<' ED F<' W& CCF! &F H&D<3 GCE>D' W& &F HH				
)*, 3*, -+-	$-, +3,	$24 635--		
			>GJ: 8; BA&E L$AJ HA @GG	$24 635-
	: #+0) 4&E) ,. ;	&TUJKR&/M		
HVE3 &&) 4&:' DF-Y<' ED F<' W& CCF! &F H& D<3 GCE>D W& &F HH&		&RUKPJ&/M		
<' <! VaC&E>G! BD<N L&D<!				
)*6*, -+-	$-+37,	$375--		
			8: !KCG@KAS DB-H$9J8%U;	$375-
	: #+0) 4&E) ,. ;	&RZ&/M		
HVE3 &&) 4&:' <! VaC&E>G! BD<N L&D<! &		&RZ&/M		
<' ED F<] D<A&>AED>A9A<E&CF WG ED F<C				
)*7*, -+-	$3+2	$346) F5F7		
			%A; $G: !$-H9U%&! 98 $! B-H>$)*-7*+-	$346) F5F7
)*7*, -+-	$3+)	$,+4)-755,		
			G: !$-H9U%&) 6F$D&) -+X-Y$)*-7*+-	$,+4)-755,
)*, 2*, -+-	$3, +	$E48, F52+		
			%A; $G: !$-H9U%&! 98 $! B-H>$)*, 2*+-	$E48, F52+
	: #+0) 4&E) ,. ;	&TRUKQU&RJ		
HVE3 &&) 4&:' ED F<] D<A&>AED>A9A<E& CF WG ED F<C&		&XUUUKTK&PP		
<' :' >>AEEAL&>' W-@				
)*6*, -+-	$-+372	$2+E5F2		
			8: ; BB: : $J: GB-H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&:' :' >>AEEAL&>' W-@&		&PUJXU&ZJ		
<' :' >>FL&@A>D[A>EF				
)*+7*, -+-	$-, -, ,	$F6-5--		
			8: !KCG@&C; D&G: %&2*2-	$F6-5-
	: #+0) 4&E) ,. ;	&KKVB&/M		
HVE3 &&) 4&:' :' >>F L&@A>D[A>EF &		&PLVKVB&/M		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
<' : ! F&CA! G>DEV&C VCEA9C					
	)*6*,-+-	$EE-2--	$E4275)E		
				H>U: 8>C NKB4@9LBA; BHA$-8: >	$4-)E5-7
				H>U: 8>C NKB4@&A?$ 89C; $C9??<	$4-7+57
	)*,3*,-+-	$EE-27+	$2)25--		
				GJ8$B: %-BB@&9DBH: $G: %	$2)25-
		: #+0)4E),.;	&QRQJ$JQ		
HVE3&&)4&' : ! F&CA! G>DEV&CVCEA9C&			&ZLQQMBM		
<[C&N F: A><9A<E&H D<' <! A&N>FG-					
	)*6*,-+-	$EE-2-+	$)+75)-		
				>CCK>D$CBH: CA: $I : :	$)+75-
		: #+0)4E),.;	&PZS$M		
HVE3&&)4&[C&N F: A><9A<E&HB' <! A& N>FG-&			&KZPZS$M		
<AWCF<L&>F[A>E					
	)*6*,-+-	$-+37)	$2-65)-		
				8: ; BB: : $J: GBH>D$?: C: !B)	$2-65)-
		: #+0)4E),.;	&TMKSRM		
HVE3&&)4&AWCF<L&>F[A>E&			&ILUTRS$P		
<AWCF<L&>GE@&W&					
	)*6*,-+-	$-+E+2	$2+E5F2		
				8: ; BB: : $J: GBH>D$?: C: !B)	$2+E5F2
		: #+0)4E),.;	&TPQ&XT		
HVE3&&)4&AWCF<L&>GE@&W&			&TIPQXS$M		
<AWCF<L&EDD FE@V&D' <					
	)*+7*,-+-	$-,-,2	$F3-5--		
				BCA; 8KH; BDC9AJHA@-$G><A	$F3-5-
		: #+0)4E),.;	&RMBM		
HVE3&&)4&AWCF<L&EDD FE@V&D' <&			&PIPMJ$M		
<AWCF<L& D D <					
	)*,3*,-+-	$-,+32	$-5--		
				8: !KCG@&>?B A$G: %	$-5-
		: #+0)4E),.;	&IMBM		
HVE3&&)4&AWCF<L& D D <&			&IMBM		
<AGCE' A3EA>L& >' DN&C					
	)*6*,-+-	$-+376	$2+E5F2		
				8: ; BB: : $J: GBH>D$?: C: !B)	$2+E5F2
		: #+0)4E),.;	&TPQ&XT		
HVE3&&)4&AGCE' A3EA>L& >' DN&C&			&TIPQXS$M		

MV00062956

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
<A] &@F-A& @>DCED' <& A<EA>L&D<! S				
)*6*,-+-	$-+373	$65-,		
			8: !KCG@KADH9J8%U;	$65-,
: #+0)4&E),.;		&JK$PJ		
HVE3&)4&:A] &@F-A& @>DCED <& A<EA>L& B<! S&		&JK$PJ		
<A] &@F>D F<&9F[DVA&@F9A& '>B				
)*+,*,-+-	$-+EEF	$E53)		
			8: !KCG@&; $KA: 8$>W A	$E53)
: #+0)4&E),.;		&O&RU		
HVE3&)4&:A] &@F> D F<&9F[DVA&@F9A &'>B&		&OV&UZ		
<DA[G>NA>L&^G3DE @&& S				
)*6*,-+-	$-+37F	$-+5,		
			8: ; B&: : $U: GH>D&?: C: !B	$-+5,
: #+0)4&E),.;		&MVP&JU		
HVE3&)4&:DA[G>NA>L&^G3DE@&& S&		&MVPUS M		
<D<VF& &9FF>A&NAFEA! @<D ' W				
)*+,*,-+-	$-+EEE	$-4765,6		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$-4765,6
: #+0)4&E),.;		&PLJZK$JK		
HVE3&)4&:B<VF& &9FF>A&NAFEA! @<D ' W&		&RXIZMT$PJ		
<D-& & GE&@' D>&CEG3DF				
)*+7*,-+-	$-,-,)	$2,52)		
			8: !KCG@KADH9J8%U;	$2.52)
: #+0)4&E),.;		&TJ$TU		
HVE3&)4&:D& & GE&@' D>&CEG3DF&		&TJ$TU		
<F[AW&CVCEA9C				
)*,3*,-+-	$EE-27,	$-E47,75)		
			%&9!$AJHA@A	$-4--5-
			%&9!$AJHA@A	$-)47)F5-
			%&9!$AJHA@A	$47E,5)
: #+0)4&E),.;		&PQIZJZ$JU		
HVE3&)4&:F[AW&CVCEA9C&		&RMXRZ$JU		
F! ' 9-FL&^GWDA				
)*+7*,-+-	$-,-,6	$F65-		
			8: !KCG@*C$G: %9AB;	$F65-
: #+0)4&E),.;		&K$M		
HVE3&)4&:F! ' 9-FL&^GWDA&		&K$M		

MV00062957

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
FW3 & FG<E>V&[' BA>V				
)*6*,-+-	$-+37E	$2F5-		
			8: !KCG@KAS[DB-H$9J8%U;	$2F5-
: #+0) 4&E) ,. ;		&TXSPM		
HVE3 &) 4&FW& & FG<E>V&[' BA>V&		&TXSPM		
FWD @' <EL&CF<^' &3 S				
)*+,*,-+-	$-+EE7	$-,25-		
			8: !KCG@& 8UB$1::A	$-,,5-
			8: !KCG@& 8UB$1::A	$57-
			8: !KCG@& 8UB$1::A	$5-
: #+0) 4&E) ,. ;		&RJTS/M		
HVE3 &) 4&FWD @ <EL&CF<^' && S&		&RJTS/M		
F<A&[A' GEV&CG--WV& &C' WF<&CG--WV2				
)*6*,-+-	$-+377	$65-,		
			8: !KCG@KAS[DB-H$9J8%U;	$65-.
: #+0) 4&E) ,. ;		&IKSPJ		
HVE3 &) 4&F<A&[A' GEV&CG--WV& &C' WF<& 0CG--WV2&		&IKSPJ		
F-A>' E[F<&C' HA@F GCAL&D<!S				
)*,3*,-+-	$-,+3)	$EE,5EE		
			A=:D:8%&LU@G?L	$7+5/F
			A=:D:8%&LU@G?L	$27-5/+
: #+0) 4&E) ,. ;		&QQJSSQ		
HVE3 &) 4&F-A>' E[F<&C' HA@F GCAL&D<!S&		&RMUUSSQ		
**F>' !WA& 9A>D' **				
)*6*,-+-	$-+F--	$,4675E,		
			A9!;P>8: $K%G>;:*AK%%98;	$,4675E,
: #+0) 4&E) ,. ;		&JJILUKZSQJ		
HVE3 &) 4&F>' !WA& 9A>D' &		&QZLKXQ&KJ		
FGE[' !B&' E[F& &CG<&>FF9C				
)*6*,-+-	$-+F-+	$,55+		
			8: !KCG@KAS[DB-H$9J8%U;	$,55+
: #+0) 4&E) ,. ;		&UJSKP		
HVE3 &) 4&FGE[' !B&' E[F& &CG<&>FF9C&		&UJSKP		

MV00062958

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
F: A>W <3&' ! DHD & & GEWA>L&D<! S				
)*+7*,-+-	$-,-,3	$-,4--5-		
			A8@-*C>A9C$A; $BC; 8H=CL$%&89M	$-,4--5-
)*,3*,-+-	$-,+36	$34F,-5-		
			8BL=; $9!$P><$AJH A@>8B9KA$%&89M	$34F,-5-
	: #+O)4&E),.;	&PQLQJMB/M		
HVE3&B)4&F: A>W <3&' ! DHD & & GEWA>L&D<! S		&PKPLTJZ$KM		
-' ! DHD &N>AA<&@F >ED GWEG>' W&C: !				
)*+,*,-+-	$-+E7-	$7)F5E2		
			D>CGAH>% $U>BC; @+)	$-2-5-
			D>CGAH>% $U>BC; @2	$2655)
			D>CGAH>% $U>BC; @)	$225)7
			D>CGAH>% $U>BC; @+	$-E56+
			D>CGAH>% $U>BC; @F	$-5)7
)*,3*,-+-	$-,+33	$-,65-		
			?: : $-H9C; 89D@AL+:	$-,65-
	: #+O)4&E),.;	&PLMKJS$T		
HVE3&B)4&' ! DHD &N>AA<&@F >ED GWEG>' W& C: ! &		&PMPMTS$Z		
-' ! DHD &C' HAEV& FG<! DW				
)*6*,-+-	$-+F-,	$)4&+25F-		
			A>!:; <$ 8>BCBCL@B6: 9	$E5F-
			A>!:; <$ 8>BCBCL@P98I A=9%	$-4375/,
			A>!:; <$ 8>BCBCL@P98I A=9%	$265-E
)*,3*,-+-	$-,+3F	$2E75F7		
			A>!:; <$ 8>BCBCL@B6: 9	$75F7
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$2665+2
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$)5EF
	: #+O)4&E),.;	&TLMTS$Z		
HVE3&B)4&' ! DHD &C' HAEV& FG<! DW&		&QZJQ$X		
-' ! DHD &EAWA9' <' NA9A<E&CA>: D AC				
)*,3*,-+-	$-,+3E	$)2E5)E		
			%&<%&=9C: $AJHA@&G	$3,53)
			%&<%&=9C: $AJHA@&B; <PBG:	$2F65E
	: #+O)4&E),.;	&JTQ&JQ		
HVE3&B)4&' ! DHD &EAWA9' <' NA9A<E& CA>: D AC&		&JKQMBKR		
-' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!				
)*+7*,-+-	$-,-,F	$)3536		
			8: !KCG@KADBH9J8%U;	$)3536
	: #+O)4&E),.;	&JRSRK		
HVE3&B)4&' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!		&JRSRK		

MV00062959

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
-' 9 :C&8 F<GEC				
)*6*,-+-	$-+F-)	$235-E		
			8: !KCG@KA$D-H$9J8%U;	$235-E
: #+0) 4&E) ,. ;		&TR&VQ		
HVE3 &8) 4&' 9 :C&8 F<GEC&		**&TR&VQ**		
-' <3' &[F] W				
)*6*,-+-	$-+F-6	$75)+		
			8: !KCG@KA$D-H$9J8%U;	$75)+
: #+0) 4&E) ,. ;		&ZS&JP		
HVE3 &8) 4&' <3' &[F] W&		**&ZS&JP**		
**-' >CF<L&>AND&<' **				
)*6*,-+-	$-+F-3	$3+5--		
			8: !KCG@D>AA$B: L B&*>8: C>$A9HH8	$3+5-
: #+0) 4&E) ,. ;		&RP&VM		
**HVE3 &8) 4&' >CF<L&>AND&<' & **		**&RP&VM**		
-' >CF<C&E>' <C-F> E' E D F<&N>FG-L&D&<! S				
)*,3*,-+-	$-,+37	$-F4)3)5-E		
			A8@-*U98$?H=$G8$C; 8H=CL$%89M	$-F4)3)5-E
: #+0) 4&E) ,. ;		&PXILRUJ&VQ		
HVE3 &8) 4&' >CF<C&E>' <C-F>E' E D F<& N>FG-L&D&<! S&		**&PLVMPLKJJ&TT**		
-' EEA>CF<L& WH>A V				
)*6*,-+-	$-+F-E	$-7)552		
			8: ; B&B: : $U: GBH>D&?: C: !B	$-7)552
: #+0) 4&E) ,. ;		&PZU&KT		
HVE3 &8) 4&' EEA>CF<L& WH>AV&		**&ULPPP&ZP**		
-' : A>L&^' ! cGAVD&< A&N S				
)*+,*,-+-	$-+E7,	$E,65--		
			%89!$AJHA@P: ??	$E,65-
: #+0) 4&E) ,. ;		&QJK&VM		
HVE3 &8) 4&' : A>L&^' ! cGAVD&< A&N S&		**&QJK&VM**		
-[C& &^				
)*+,*,-+-	$EE-227	$4-65--		
			A=: B>$A; $CL=?8= 99G$%>8I $%89M	$4-65-
: #+0) 4&E) ,. ;		&UL&VMK&VM		
HVE3 &8) 4&[C& & &		**&TRLTPJ&QJ**		

MV00062960

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
- A! F>' >FL&@ADB D				
) *+, *, -+-	$ -+E72	$ -5-		
			8: ! KCG@&>?B A&G: %	$ -5-
) *, 3*, -+-	$ -, +F-	$F65-		
			8: ! KCG@*C$G: %9AB	$F65-
	: #+O) 4&E) ,. ;	&KS&M		
HVE3 &&) 4& A! F>' > FL&@ADB D&		&KS&M		
- A<DN' >&E' _&CA>: D A				
) *+7*, -+-	$ -, -, E	$ 65-2		
			8: ! KCG@KAS DB-H$9J 8%U;	$ 65-2
	: #+O) 4&E) ,. ;	&JK&PT		
HVE3 &&) 4& A<DN' > &E' _&CA>: D A&		&JK&PT		
- A<EF<&9A3D L&D<! S				
) *, 3*, -+-	$ -, , +-	$ 4F--5-		
			>GJ: 8; BAEC L$AJ HA @GG	$ 4F--5-
	: #+O) 4&E) ,. ;	&UIXMVB&M		
HVE3 &&) 4& A<EF<&9A3D L&D<! S&		&QIPMVB&M		
- A>A\ L&^FCA				
) *, 3*, -+-	$ -, +F+	$5) 55-		
			8: ! KCG@B>; B9C$9J 8%U;	$5) 55-
	: #+O) 4&E) ,. ;	&KU&XM		
HVE3 &&) 4& A> A\ L&^FCA&		&KU&XM		
- A>>VL&<F>9'				
) *6*, -+-	$ -+F-7	$2+E5F2		
			8: ; BB: : $U: GB-H>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&KT		
HVE3 &&) 4& A>>VL&<F>9' &		&TLPQX&TM		
- A>C&VF<N&EA>9&' >A&>FN>' 9				
) *+, *, -+-	$ -+E7)	$ 225EF		
			D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
) *, 3*, -+-	$ -, +F,	$ 225EF		
			D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	: #+O) 4&E) ,. ;	&QRX&KU		
HVE3 &&) 4& A> C&VF <N&EA>9&' >A&>F N>' 9&		&PPLJQX&KT		
- A>: F&' D<E& FS				
) *6*, -+-	$ -+F+-	$-+) 5-7		
			%-BC; @8>!! B-H$GBJ	$-+) 5-7
	: #+O) 4&E) ,. ;	&PPU&PZ		
HVE3 &&) 4& A>: F& ' B<E& F&		&TZILPVB&KJ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
- AEA> CA< &3 A' < L&D< ! S				
)*6*, -+-	$-+F++	$6-5-		
			8: ! KCG@KAS DH$9J8%J;	$6-5-
	: #+O) 4E) ,. ;	&KVB/M		
HVE3 &) 4& AEA> CA < &3 A' < L&D< ! S&		&PVVB/M		
- AEA> CF< L&I @> DDE D< A				
)*+7*, -+-	$-,-,7	$ 6255-		
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ -355-
	: #+O) 4E) ,. ;	&KTS/M		
HVE3 &) 4& AEA> CF < L&I @> DDE D< A&		&TUZ$K		
- D A! @YN' > ED< AWW D&I < 3 > A'				
)*+7*, -+-	$-,-2-	$-F5-		
			8: ! KCG@D> AA$B: L BA;	$-F5-
	: #+O) 4E) ,. ;	&PVKS/M		
HVE3 &) 4& D A! @YN' > ED< AWW D&I < 3 > A' &		&PVKS/M		
- D & > D< ED< N				
)*, 3*, -+-	$EE-27)	$7EE5-		
			%3 ED; ED L@<+-*++ $HB%?ED G: 8A	$7EE5-
	: #+O) 4E) ,. ;	&ZQQ$/M		
HVE3 &) 4& D & > D< ED< N&		&UPJJ$ZZ		
- F DA9' &W < 3 C! ' - A L&D< ! S				
)*, 3*, -+-	$EE-276	$24)3)5E6		
			D> CGAH>% $U> ED; @/C$A	$-4222EE6
			D> CGAH>% $U> ED; @ +,	$ 4-2+5-
	: #+O) 4E) ,. ;	&TLURUS$K		
HVE3 &) 4& F DA9' &W < 3 C! ' - AL&D< ! S&		&TMLK-Z$PT		
- F WW > 3 L&> F ! @AWWA				
)*+7*, -+-	$-,-2+	$ 6)5-		
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ F56-
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ -356-
	: #+O) 4E) ,. ;	&KUS/M		
HVE3 &) 4& F WW > 3 L&> F ! @AWWA&		&TMT$/M		
- F F WAL&WDWDA				
)*6*, -+-	$-+F+,	$6,5-		
			8: ! KCG@3: LBA$AI >; : ?8G$HD> AA	$6,5-
	: #+O) 4E) ,. ;	&KJS/M		
HVE3 &) 4& F F WAL&WDWDA&		&KJS/M		

MV00062962

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
-FGB& &CEAD<WAL&D<! S				
)*6*,-+-	$-+F+2	$-4)6E5-		
			H9; ; 9CPG*%>; ; ED< CC$G8$ 8>! $AEL	$-4)6E5-
)*+,*,-+-	$-+E76	$-)4)E)5E		
			8: ; : C; E9C$BDA@E; ; CPG*%>; ; ED<CC	$-)4)E)5E
: #+0) 4&E) ,. ;		&PKIZLU$KQ		
HVE3 &&) 4& FGB& &CEAD< WAL&D<! S&		&TKMCKUSQ		
->D AL&NAF>NA&AS				
)*6*,-+-	$-+E+)	$2+E5F2		
			8: ; EB: : $U: GEH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4& >D AL&NAF>NA&AS&		&TLPQXSTM		
->FY! >' HE& WG9[D<N& F9-' <VL&D<!				
)*+7*,-+-	$-,-2,	$F75&F		
			8: !KCG@KADEH9J8%U;	$F75&F
: #+0) 4&E) ,. ;		&ZS&RX		
HVE3 &&) 4& >FY! >' HE& WG9[E< N& F9-' <VL& E< ! &		&ZS&RX		
->FEA! E&/FG>&@F9 A				
)*+7*,-+-	$-,-22	$E35&6		
			8: !KCG@KADEH9J8%U;	$E35&6
: #+0) 4&E) ,. ;		&QR&RK		
HVE3 &&) 4& >FEA! E&/FG>&@F9 A&		&QR&RK		
->FEA! EDF<&F<AL&D<! S				
)*+,*,-+-	$-+E73	$)-5-		
			A: HK8B<$AJHA@&8 9$A=9%	$-5-
			A: HK8B<$AJHA@JJ ; J	$-5-
: #+0) 4&E) ,. ;		&JMBMM		
HVE3 &&) 4& >FEA! EDF<&F<AL&D<! S&		&JMMBMM		
-CF9' C				
)*+,*,-+-	$-+E7F	$E4-2&6-		
			D>AA: DD $A; $PB&: CEDL$%&89M$AJHA	$E4-2&6-
: #+0) 4&E) ,. ;		&QLMMT$XM		
HVE3 &&) 4& CF9' C&		&PXQLXMPS&R		
-GWWD 9LAE>A<E&3 S				
)*6*,-+-	$-+F+)	$2+E5F2		
			8: ; EB: : $U: GEH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4& GWWD 9 LAE>A<E&3 S&		&TLPQXSTM		

MV00062963

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
-] &A<@' <! A9A<E&! A<EA>				
)*,3*,-+-	$EE-273	$F2756 7		
			: U: 8L$AJHA$%&89L@HG?L	$F2756 7
: #+0)4&E),.;		&TZ$&Z		
HVE3&&)4&-] &A<@' <! A9A<E& A<EA>&		&PPRUXURS&VQ		
c&<' DVC& &C-'				
)*+7*,-+-	$-,-2)	$65-F		
			8: !KCG@KA$DB-H$9J8%U;	$65-F
)*+7*,-+-	$-,-26	$F+5-F2		
			8: !KCG@KA$DB-H$9J8%U;	$F+5-F2
: #+0)4&E),.;		&RJRS&M		
HVE3&&)4&&' DVC& &C-'&		&RJRS&M		
c' \ D&9A3D' W&N>FG-L&D<!				
)*6*,-+-	$-+F+6	$E+5-E2		
			8: !KCG@KA$DB-H$9J8%U;	$E+5-E2
: #+0)4&E),.;		&PS&T		
HVE3&&)4&&' \ D&9A3D' W&N>FG-L&D<! &		&PS&T		
>& &C&F: A>@A' 3&& FF>CL&D<! S				
)*6*,-+-	$EE-2-)	$4 3,5-		
			G998$J>BC; @>HBDB BA	$6-52)
			G998$J>BC; @>HBDB BA	$6-522
			G998$J>BC; @>HBDB BA	$6-522
			G998$J>BC; @&A?	$6F5-
			G998$J>BC; @&A?	$9++)5-
			G998$J>BC; @A$Z3	$-+5-
			G998$J>BC; @: CB9-8$H; 8	$9-3+5-
			G998$J>BC; @&; $! DG$9!!BH:	$9-,+5-
			G998$J>BC; @A$Z3 6	$9-)+5-
			G998$J>BC; @A$Z7 +	$-+5-
			G998$J>BC; @A$Z,	$-+5-
			G998$J>BC; @!B <$<>8G	$)+5-
			G998$J>BC; @A$Z6 E	$-+5-
			G998$J>BC; @A$Z) E	$9-)+5-
			G998$J>BC; @CUD$A=D 8	$9-2+5-
)*,3*,-+-	$EE-27F	$2-,5-		
			G998$J>BC; @&A?	$25-
			G998$J>BC; @&A?	$9-6-5-
			G998$J>BC; @&A?	$9-)356-
: #+0)4&E),.;		&UTRU$&M		
HVE3&&)4&-& &C&F: A>@A' 3&FF>CL&D<! S&		&RUXUU$&M		

MV00062964

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
>' WW&9' <' NA9A<E &CA>: D ACL&WW				
)*6*,-+-	$-+F+3	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $2*F	$F+75E
)*+,*,-+-	$-+E7E	2837EF		
			;: U%&AJHA@: CG: 8A9C$P*: $*,E	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*+)	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*,+	$F+75E
			;: U%&AJHA@J: GBC> $P*: $2*F	$2F2$E
			;: U%&AJHA@J: GBC> $P*: $2*+)	$+E572
			;: U%&AJHA@: CG: 8A9C$P*: $2*,E	$F+75E
)*,3*,-+-	$-,+F2	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $)*)	$F+75E
: #+O)4&E),.;		&KIPMC&JT		
HVE3&&) 4&' WW&9 ' <' NA9A<E&CA>: D ACL& WW &		&RJLJLJ&/Z		
>' 9D>A\L&HA><' <3 F				
)*+7*,-+-	$-,-23	$2+5-		
			8: !KCG@CUD&DH: CA: $1::	$2+5-
: #+O)4&E),.;		&TP&/M		
HVE3&&) 4&' 9D>A\L&HA><' <3F&		&TP&/M		
>' 9D>A\L&9' <GAW&CS				
)*6*,-+-	$-+F+F	$,5F		
			8: !KCG@KAS&DH&9J8%U;	$,5F
: #+O)4&E),.;		&JJ&/K		
HVE3&&) 4&' 9D>A\L&9' <GAW&CS&		&JJ&/K		
>' V9F<3L&3A<DCA&9S				
)*6*,-+-	$-+F+E	$2+E56-		
			% 8$GBU@I=>U: D 9C$H9C!5	$2+E56-
: #+O)4&E),.;		&TPQ&KM		
HVE3&&) 4&' V9F<3L&3A<DCA&9S&		&TPQ&KM		
>' V<A&] ' EA>& F<3 DEDF<D<N				
)*6*,-+-	$-+F+7	$,56-		
			8: !KCG@KAS&DH&9J8%U;	$,56-
: #+O)4&E),.;		&JJ&KM		
HVE3&&) 4&' V<A&] ' EA>& F<3DEDF<D<N&		&JJ&KM		
>A&W <AE				
)*6*,-+-	$-+F,-	$,56,		
			8: !KCG@KAS&DH&9J8%U;	$,56,
: #+O)4&E),.;		&JJ&KJ		
HVE3&&) 4&A&W <AE&		&JJ&KJ		

MV00062965

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
>ANA<EC&G! &7&G<D: A>CDEV&FH& ' WDH F><D				
	)*+7*,-+-	$-,-2F		$-E5-
			HKH$J: ;; ECL	$-E5-
	: #+O) 4&E) ,. ;			&PQ&/M
HVE3 &) 4& ANA<EC&G! &&G<D A>CDEV &FH& ! ' WDHF><D &				&JVB/M
>A<E' W&CA>: D A& F>-S				
	)*6*,-+-	$-+F,+		$6F5-+
			8: !KCG@KASDBH$9J8%J;	$6F5-+
	: #+O) 4&E) ,. ;			&XS/P
HVE3 &) 4& A<E' W&CA>: D A& F>-S&				&XS/P
>A: A<GA&A_-A>ECL &D<! S				
	)*+,*,-+-	$-+E77		$ 4/275-
			HB>; E9C$/&HAACL@CUD&AJHA	$ 4/275-
	: #+O) 4&E) ,. ;			&IZTZ&/M
HVE3 &) 4& A: A<GA&A_-A>ECL&&! S&				&TKZZJ&/K
>N! & F<CE>G! EDF<				
	)*+7*,-+-	$-,-2E		$25-F
			8: !KCG@KASDBH$9J8%J;	$25-F
	: #+O) 4&E) ,. ;			&JT&/K
HVE3 &) 4& N! & F<CE>G! EDF<&				&JT&/K
>NDCL&WW!				
	)*6*,-+-	$-+F,,		$765-)
			8: !KCG@KASDBH$9J8%J;	$765-)
	: #+O) 4&E) ,. ;			&ZK&RU
HVE3 &) 4& NDCL&WW! &				&ZK&RU
>D A&HD>A& >FEA! EDF<				
	)*6*,-+-	$-+F,2		$22+5-
			8: !KCG@KASDBH$9J8%J;	$E+5-
			8: !KCG@KASDBH$9J8%J;	$6-5-
	: #+O) 4&E) ,. ;			&TP&/M
HVE3 &) 4& D A&HD>A& >FEA! EDF<&				&TP&/M
>D @' >3&/F-A\ & F<CE>G! EDF<				
	)*+7*,-+-	$-,-27		$7+5-E
			8: !KCG@KASDBH$9J8%J;	$7+5-E
	: #+O) 4&E) ,. ;			&PS/Q
HVE3 &) 4& D @' >3&/F-A\ & F<CE>G! EDF<&				&PU/KUU/KZS&/X

MV00062966

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$&5,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
>D<' &C&[A' GEV&8 A CDN<				
)*6*, -+-	$-+F,)	$-523		
			8: !KCG@KA&CDH&9J8%U;	$-523
: #+0) 4&E) ,. ;		&JMBR		
HVE3 &&) 4&> D&' &C&[A' GEV&8 ACDN< &		&JMBR		
>D&c G DA>L&C' >'				
)*6*, -+-	$-+F, 6	$F65-		
			8: !KCG@%&<*C: K; : 8&! : : A	$F65-
: #+0) 4&E) ,. ;		&KS&M		
HVE3 &&) 4&> D&c G DA>L&C' >' &		&KS&M		
>D A>CD8 A& >A' & ' -A& >DCDC& A<EA >				
)*, 3*, -+-	$-, +F)	$2,577		
			HG?L&! KCG: G&AJHA@&8: J&%8LU	$2,577
: #+0) 4&E) ,. ;		&JTJ&Z		
HVE3 &&) 4&> D A>CD8 A& >A' & ' -A& >DCDC& ! A<EA> &		&LMTP&RT		
>D A>CD8 A& FG<EV &D<HF>9' EDF<&EA! @<FWFNV				
)*6*, -+-	$-+F, 3	$-4E225-		
			8>GD&9&AJHA@&G	$-4FE75-
			J%C$H9CC: H; D&C&AJHA	$25)-
)*, 3*, -+-	$-, +F6	$25)-		
			J%C$H9CC: H; D&C&AJHA	$25)-
: #+0) 4&E) ,. ;		&PLQXR&XM		
HVE3 &&) 4&> D A>CD8 A& FG<EV&&<HF>9' EDF<& EA! @<FWFNV&		&MCLJC&RT		
>D A>CD8 A& FG<EV &C@A>DHH& FG>E&C A>: D AC				
)*+, *, -+-	$-+7-+	$276576		
			L>8CB&=U: C;	$276576
)*, 3*, -+-	$-, +F3	$F7,5-3		
			L>8CB&=U: C;	$F7,5-3
: #+0) 4&E) ,. ;		&PLPQQ&PP		
HVE3 &&) 4&> D A>CD8 A& FG<EV&C@A>DH H& ! FG>E&CA>: D AC&		&ZLJZK&ZT		
>D A>CD8 A& FG<EV &C@A>DHH&9:				
)*+, *, -+-	$-+7-,	$22-5-2		
			: W 8>&GK; <@*+F&HI &/&9EC;	$22-5-2
: #+0) 4&E) ,. ;		&TTM&PT		
HVE3 &&) 4&> D A>CD8 A& FG<EV&C@A>DH H&9: &		&PMLMPZ&PM		

MV00062967

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
>D A>CD8 A&G[[A> &CE' 9-& &A<N>' : D<N				
)*+,*,-+-	$-+7-2	$-355+		
			>%%&9J>D&A; >U%@% K8H=>AE&L	$-25+
			>%%&9J>D&A; >U%@% K8H=>AE&L	$256-
		: #+0) 4&E) ,. ;	&PRSXP	
HVE3 &8) 4&D A>CD8 A&G[[A> &CE' 9-& & A<N>' : E&N&			&PRSXP	
>^&' V9 F<3& AE&C A>: D AC				
)*+7*,-+-	$-,-)-	$F5-,		
			8: !KCG@KAS&DH&9J8%U;	$F5-,
		: #+0) 4&E) ,. ;	&JXS&U	
HVE3 &8) 4&^&' V9 F<3& AE&C A>: D AC &			&JXS&U	
>W& &A<N D<AA>D<N				
)*+,*,-+-	$EE-2)-	$342F-56-		
			; : U%&A; >!!E&L&AJ HA@&>%&%&9M&A	$342F-56-
		: #+0) 4&E) ,. ;	&RLTXMBKM	
HVE3 &8) 4&W& &A<N E&AA>E&N&			&PTMLKZZSKK	
>F[A>ECF<L& <EFD<AEEA& S				
)*+,*,-+-	$-+7-)	$65-		
			8: !KCG@&B>; &9C$&BAUB&A: G	$65-
		: #+0) 4&E) ,. ;	&JKS&M	
HVE3 &8) 4&F[A>ECF<L& <EF E&AEEA& S&			&JKS&M	
>F[D<CF<L&A>D				
)*+7*,-+-	$-,-)+	$265-		
			% 8$&B U@&>GG$&B: H9LCB&9C$ JC;	$265-
		: #+0) 4&E) ,. ;	&TKS&M	
HVE3 &8) 4&F[E&CF<L&A>D &			&TKS&M	
>F[D<CF<Y3' : DCL&V' : F<<A				
)*6*,-+-	$-+F,F	$6-5-		
			8: !KCG@8>%&B: C; >D&G: %	$6-5-
		: #+0) 4&E) ,. ;	&MVB&M	
HVE3 &8) 4&F[E&CF<Y3' : DCL&V' : F<<A&			&MVB&M	
>F! @ L&C' >' &M&S				
)*6*,-+-	$-+F,E	$EEE52-		
			8: ; &B: : $U: GB&H>D&?: C: !B	$EEE52-
		: #+0) 4&E) ,. ;	&QQQSTM	
HVE3 &8) 4&F! @ L&C' >' &M&			&LRRUSZM	

MV00062968

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#8%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#8) 88&./(#+,	-./(#+,& '()*+,012
>F! B] AWWL&\' ! cGA WD<A				
)*+,*,-+-	$-+7-6	$F65-		
			8: !KCG@*C$G: %9AB	$F65-
: #+0) 4&E) ,. ;		&KK&M		
HVE3 &8) 4&> F ! B] AWWL&\' ! cGAWD< A&		&KK&M		
>F3>DNGA\ L&\ ' >WFC				
)*+,*,-+-	$-+7-3	$9-365-		
			% 8$GB U@CCD&! B8: $/&8: J$P8I A=%	$9-365-
: #+0) 4&E) ,. ;		&PKK&M		
HVE3 &8) 4&> F3>DNGA\ L&\ ' >WFC&		&PKK&M		
>F3>DNGA\ L&W G>A<				
)*+7*,-+-	$-,-),	$625-		
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$ 356-
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$-356-
: #+0) 4&E) ,. ;		&KT&M		
HVE3 &8) 4&> F3>DNGA\ L&W G>A<&		&KT&M		
>F3>DNGA\ L&F9' >				
)*+6*,-+-	$-+72,	$2,65-		
			% 8$GB U@H9C9UBH$H8BJ: A$HD>AA	$2,65-
: #+0) 4&E) ,. ;		&TJK&M		
HVE3 &8) 4&> F3>DNGA\ L&F9' >&		&KT&M		
>FNA>CL&AGNA<A				
)*6*,-+-	$-+E+6	$2+E5F2		
			8: ; B&: : $J: GBH>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&T		
HVE3 &8) 4&> FNA>CL&AGNA<A&		&UKUZ&K		
>F^' CL&CEA: A				
)*,3*,-+-	$-,+FF	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&VB&M		
HVE3 &8) 4&> F^' CL&CEA: A&		&VB&M		
>F9' <L&9D>D 9				
)*6*,-+-	$-+F,7	$-5-		
			8: !KCG@&>?B A$!: : $G: %9AB	$-5-
: #+0) 4&E) ,. ;		&VB&M		
HVE3 &8) 4&> F9' <L&9D>D 9&		&VB&M		

MV00062969

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&&./(#+,	-./(#+,& '()*+,012
>F9A>FC&HFF3&>F3G!EC				
)*6*,-+-	$-+F2-	$+5-		
			8: !KCG@KA&DB:H&9J8%U;	$+5-
: #+0) 4&E) ,. ;		&IP&M		
HVE3 &) 4&> F9A>FC &HFF3&>F3G!EC&		&IP&M		
>FCCL&8' :D&ES				
)*6*,-+-	$-+E+3	$2+E5F2		
			8: ; B&: : $U: GB:H>D&?: C: !B;	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&> FCCL&8' :D&ES&		&TLPQXSTM		
>FCCF<L&NFGD&S				
)*6*,-+-	$-+E+F	$E75E3		
			8: ; B&: : $U: GB:H>D&?: C: !B;	$7355-
			8: ; B&: : $U: GB:H>D&?: C: !B;	9-7252 3
: #+0) 4&E) ,. ;		&QZ&SR		
HVE3 &) 4&> FCCF<L&NFGD&S&		&LXKZ&SX		
>GCCAWWL&H>'<B				
)*,3*,-+-	$-,+FE	$-5-		
			8: !KCG@&>?B A&S: %	$-5-
: #+0) 4&E) ,. ;		&IM&M		
HVE3 &) 4&> GCCAWWL&H>'<B&		&IM&M		
>GCCFL&^F@<				
)*6*,-+-	$-+E+E	$2+E5F2		
			8: ; B&: : $U: GB:H>D&?: C: !B;	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&> GCCFL&^F@<&		&TLPQXSTM		
C' & CCF! D EAC				
)*,3*,-+-	$EE-27E	$9-,48--5-		
			; : U%&A; >!!E&CL$AJ HA@I>%&8/&89MA	$9-,48--5-
: #+0) 4&E) ,. ;		&PJLRMM&M		
HVE3 &) 4&C' & CCF ! D EAC&		&PPPLPPJ&XM		
C' 9&B@G9FF>F& @D>F->'! ED & >FH& F>-				
)*+7*,-+-	$-,-)2	$252-		
			8: !KCG@KA&DB:H&9J8%U;	$252-
: #+0) 4&E) ,. ;		&JT&TM		
HVE3 &) 4&C' 9&B@G9FF>F& @D>F->'! ED & ->FH& F>-&		&JT&TM		

MV00062970

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
C' <F& EEF><AV&CA >: D A				
)*+,*,-+-	$-+7-F	$+-5-		
			D L>DAJHA@9H=>	9+-5-
: #+0) 4&) ,. ;		&PPMB/M		
HVE3&) 4&C' <F& EEF><AV&CA>: D A&		&QPMB/M		
C' -DA<L&>' W-@&N S				
)*6*,-+-	$-+F2+	$-6+57)		
			8: !KCG@GUE&C$-HB>; E9C$!: : A	9-6+57)
: #+0) 4&) ,. ;		&PKPSZU		
HVE3&) 4&C' -DA<L&>' W-@&N S&		&PKPSZU		
C' : A>& GE				
)*6*,-+-	$-+F22	$-5)E		
			8: !KCG@KAS&DB-H$9J8%U;	$-5)E
: #+0) 4&) ,. ;		&IMBJQ		
HVE3&) 4&C' : A>& GE&		&IMBJQ		
C' : YF<& ' >-AE& &EDVA				
)*6*,-+-	$-+F2,	$3)5-7		
			8: !KCG@KAS&DB-H$9J8%U;	$3)5-7
: #+0) 4&) ,. ;		&RUSPZ		
HVE3&) 4&C' : YF<& ' >-AE& &EDVA&		&RUSPZ		
C! &CDN<C				
)*+7*,-+-	$-,-))	$-43-5-		
			%K?DB-H$-: >8&C L$A BLCA	$7)65-
			%K?DB-H$-: >8&C L$A BLCA	$2+65-
: #+0) 4&) ,. ;		&PLJRMB/M		
HVE3&) 4&C! &CDN< C&		&KLTKKSB/M		
C! 9' H&CS& ' &9G<DS& E@VAED &HA3A>' EDF<				
)*+7*,-+-	$-,-)6	$-F65-		
			,--7$! D>L$! 99; ?> DD& C; 8<$!: : A	9-F65-
)*+7*,-+-	$-,-)3	$6,65-		
			<; =$?>A! : ; ?>DD& C; 8<$!: : A	$6,65-
: #+0) 4&) ,. ;		&IMMB/M		
HVE3&) 4&C! 9' H&CS& ' &9G<DS& E@VAED & HA3A>' EDF<&		&PLJTUSB/M		
C! 9' HYD<W <3& ' WWAVC				
)*+7*,-+-	$-,-)F	$6-5-		
			>CE&CA; >DD>; E9C $ J: C;	$6-5-
: #+0) 4&) ,. ;		&KMB/M		
HVE3&) 4&C! 9' HYD<W <3& ' WWAVC&		&KMB/M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.//(#+,	-./(#+,& '()*+,012
C! >AA<: DCDF<&3 D> A! E				
)*,3*,-+-	$-,+F7	$-42,E5-		
			>GJ:8; BAECL$AJHA@8H	$F3E5-
			>GJ:8; BAECL$AJHA@8H	$63-5-
: #+0)4&E),.;		&PLTJQ&M		
HVE3&) 4&C! >AA<: DCDF<&3 D> A! E&		&KLKJMB&M		
CA! G>DEV&WF! B& &BAV				
)*6*,-+-	$-+F2)	$F25,6		
			D9HI $AJH@K%$: <A	$F25,6
)*+,*,-+-	$-+72-	$3+56-		
			D9HI $3: %>BBA@&>8IA	$3+56-
)*,3*,-+-	$EE-277	$,756-		
			D9HI $3: %>BBA@&9DBH:	$,756-
: #+0)4&E),.;		&PQJJS&K		
HVE3&) 4&CA! G>DEV&WF! B& &BAV&		&PRLJKQS&Q		
CAW @7CFG<3&E@AF WFNV& @>DCED <&C EF>A				
)*6*,-+-	$-+F26	$EF53E		
			8: !KCG@KADBH9J8%U;	$EF53E
: #+0)4&E),.;		&QX&RQ		
HVE3&) 4&CAW @7C FG<3&E@AF WFNV& ! @> DCED <&CEF>A&		&QX&RQ		
CAWA! E&[GDW3				
)*6*,-+-	$-+F23	$25-		
			8: !KCG@KADBH9J8%U;	$25-
: #+0)4&E),.;		&TS&M		
HVE3&) 4&CAWA! E&[GDW3&		&TS&M		
CA] AWW&C&> D A>CD3A&3 ' D> V&3<!				
)*+7*,-+-	$-,)E	$F+56+		
			8: !KCG@KADBH9J8%U;	$F+56+
: #+0)4&E),.;		&PS&P		
HVE3&) 4&CA] AWW&C&> D A>CD3A&3 ' D> V&3<! &		&PS&P		
C@ @L&' N3DC@				
)*+7*,-+-	$EE-23F	$,-46,-5-		
			;:U%&A;>!!BCL$AJ HA@!>%&&89MA	$-46,-5-
: #+0)4&E),.;		&MKJMB&M		
HVE3&) 4&C@ @L&' N3DC@&		&PQKJQM&M		

MV00062972

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&.,/(#+,& 3#1$456,5)+7-*46) 1#&) 8&&.,/(#+,	-./(#+,& '()*+,012
C@ >BAVL&>F[D<				
)*+7*, -+-	$-,-)7	$F65-		
			8: !KCG@*C$G: %ÐAB	$F65-
: #+O 4&E) ,. ;		&KK&M		
HVE3 &) 4&C@ >BAVL&>F[D< &		&KK&M		
C@ >>AEEL&C@ >F< &BS				
)*6*, -+-	$-+F2F	$-72523		
			8: ; &B: : $U: GH>D&?: C: !B	$-72523
: #+O 4&E) ,. ;		&PZTSR		
HVE3 &) 4&C@ >>AEEL&C@ >F< &BS&		&PLQUQ&M		
C@AW3 F< L&CEG' >E&@S				
)*6*, -+-	$-+F2E	$2+E5F2		
			8: ; &B: : $U: GH>D&?: C: !B	$2+E5F2
: #+O 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&C@AW3 F< L&CEG' >E&@&		&TLPQX&TM		
C@AWW&F DW& FS				
)*+7*, -+-	$-,-6-	$-E5,		
			!K: D&%K8H=>A: A@CBJ>D&AJHA	$-6F572
			!K: D&%K8H=>A: @%: H$GBA; 8BH; A	$6-57
)*,3*, -+-	$-,+E-	$-46,)53-		
			!K: D&%K8H=>A: A@&G$J9; 98H<HD A	$-42-F526
			!K: D&%K8H=>A: A@&G$H8BJ: $%8: J	$+F56
: #+O 4&E) ,. ;		&PLXTJ&J		
HVE3 &) 4&C@AWW&F DW& F S&		&PRQQJ&J		
C@D 9' <L&9 D @ AW				
)*+7*, -+-	$-,-6+	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+O 4&E) ,. ;		&JMB&M		
HVE3 &) 4&C@D 9' <L&9 D @ AW&		&JMB&M		
C@>AD< A>L&>A[A! ! '				
)*+7*, -+-	$-,-6,	$6-5-		
			8: !KCG@8>%&G: %ÐAB	$6-5-
: #+O 4&E) ,. ;		&KMB&M		
HVE3 &) 4&C@>AD< A>L&>A[A! ! ' &		&KMB&M		
C@G>EWAHHL&'A' << AEEA&W&				
)*+7*, -+-	$-,-62	$F7E5-		
			E&A; 8KH; E9C$AJHA@+$G><A	$F7E5-
: #+O 4&E) ,. ;		&ZQB&M		
HVE3 &) 4&C@G>EWAHHL&'A' <<AEEA&W&		&TLJRQB&M		

MV00062973

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
CD<NA>& & FHHD<L& -!				
)*,3*,-+-	$EE-)--	$24EE755-		
			D L>D&AJHA@83-*C>A9C$A; $&89M	$24)755-
			D L>D&AJHA@83-*C>A9C$A; $&89M	$)-5-
: #+O 4&E),.;		&TLQQZ$XM		
HVE3 &) 4&CB: NA>&` & FHHB: L& -! &		&RZLMKP$RK		
CD<NWAEF<Y3A! GD> L&' <DC@AD				
)*+7*,-+-	$-,-7,	$26)5-		
			UHD >L: $B: BJ?K8A : U: C;	$725-
			;8>J: D$ W%@99A; $H9C!: 8: CH:	$6)56-
			;8>J: D$ W%@99A; $H9C!: 8: CH:	$-356-
: #+O 4&E),.;		&TKUS$M		
HVE3 &) 4&CB: NWAE F<Y3A! GD> L&' <DC@AD &		&UMEK		
CBV& G[WDC@D<N				
)*+7*,-+-	$-,-6)	$E4FF256-		
			%8BE; BD L$AJHA@K UU: 8+-	$E4FF256-
: #+O 4&E),.;		&QXXT$XM		
HVE3 &) 4&CBV& G[WDC@D<N&		&JQUUU$XM		
CBV&E>' DVC&9 F[DVA& DVW NA				
)*+,*,-+-	$-+7-7	$35-7		
			8: !KCG@&; $KA: 8$>W A	$35-7
: #+O 4&E),.;		&RS$Z		
HVE3 &) 4&CBV&E>' DVC&9 F[DVA& DVW NA&		&JQ&M		
CW NA>9' <L&CGC' < & S				
)*6*,-+-	$-+E+7	$2+E5F2		
			8: ; B&: : $J: GBH>D$?: C: !B;	$2+E5F2
: #+O 4&E),.;		&PQ&T		
HVE3 &) 4&CW NA>9' <L&CGC' <& S&		&TXUZ$XR		
C9 DE@L&A><ACE&H>' <B				
)*6*,-+-	$-+F27	$32F53		
			8: ; B&: : $J: GBH>D$?: C: !B;	$32F53
: #+O 4&E),.;		&RTX$JR		
HVE3 &) 4&C9 DE@L&A><ACE&H>' <B&		&LJRQ&P		
C9 DE@L&VDC'				
)*6*,-+-	$-+F)-	$2-5F+		
			8: !KCG@KADBH9J8%J;	$2-5F+
: #+O 4&E),.;		&TMBXP		
HVE3 &) 4&C9 DE@L&VDC' &		&TMBXP		

MV00062974

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
C9 DE@L&9' >D & S				
)*6*,-+-	$-+E,-	$2+6557		
			8:; B&:: $U: GBH>D&?: C: !B	$2+6557
	: #+0) 4&E) ,.;	&TPK&KZ		
HVE3 &) 4&C9 DE@L&9' >D & S&		&PKURSPM		
C9 FBA& WGC				
)*+7*,-+-	$-,-66	$+52		
			8: !KCG@KAS&DBH$9J8%U;	$+52
	: #+0) 4&E) ,.;	&JPS&T		
HVE3 &) 4&C9 FBA& WGC&		&JPS&T		
C9 FBA&C@F-&EF[' ! ! F				
)*+7*,-+-	$-,-63	$2252		
			8: !KCG@KAS&DBH$9J8%U;	$2252
	: #+0) 4&E) ,.;	&TTS&T		
HVE3 &) 4&C9 FBA&C @F-&EF[' ! ! F&		&TTS&T		
CF S&' WDH&C! @F FW&F H&9 GCD				
)*,3*,-+-	$-,+E+	$-4--56		
			E&A;8KH;98$AJHA@KB>8	$-E75-
			E&A;8KH;98$AJHA@&B C9	$7F5-
			E&A;8KH;98$AJHA@&B C9	$-E75-
			E&A;8KH;98$AJHA@&B C9	$-756
			E&A;8KH;98$AJHA@&B C9	$+35-
	: #+0) 4&E) ,.;	&PLPMM&K		
HVE3 &) 4&CF S&' WDH&C! @F FW&F H&9 GCD &		&ZLCZM&K		
CF! F&N>FG-L&D<!				
)*6*,-+-	$-+F)+	$-+4E3)5E		
			!K: D&%K8H=>A:	$&4E7257 6
			!K: D&%K8H=>A:	$&47F-52
)*,3*,-+-	$-,+E,	$+43-573		
			!K: D&%K8H=>A:	$&46))5+
			!K: D&%K8H=>A:	$462F56+
			!K: D&%K8H=>A:	$&4F)357,
			!K: D&%K8H=>A:	$&42,5-,
	: #+0) 4&E) ,.;	&TTLPJK&KU		
HVE3 &) 4&CF! F&N>FG-L&D<! &		&PUZLPUK&PU		
CF3A<&A<EA>->DCA CL&D<! S&3[' &A' CV&/FN'				
)*,3*,-+-	$-,+E2	$-6)5E-		
			E&A;8KH;98$AJHA@9L>	$FF5)-
			E&A;8KH;98$AJHA@9L>	$FF5)-
	: #+0) 4&E) ,.;	&PKU&&M		
HVE3 &) 4&CF3A<&A<EA>->DCAC L&D<! S&3[' & A' CV&/FN' &		&KRX&&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
CF<NL&@AWA<					
	)*+7*,-+-	$-,-6F	$9-+,5-		
				8: !KCG@D>AA$3: LBA;	$9-+,5-
	: #+0)4E),.;		&PPJ$M		
HVE3&8)4&CF<NL&@AWA<&			&PPJ$M		
CFC' L&F>NA					
	)*+,*,-+-	$-+7+-	$26,5-		
				EC A; 8KH; 98$AJHA@EC%9$!98$ EGA	$735-
				EC A; 8KH; 98$AJHA@>8>;:G9	$635-
	: #+0)4E),.;		&TKJ$M		
HVE3&8)4&CFC' L& F>NA&			&TERMJ$M		
CFGE@&[' V&9' CF<>V					
	)*+7*,-+-	$-,-6E	$5F5-		
				8: !KCG@KA$DB-H$9J8%U;	$5F5-
	: #+0)4E),.;		&XS$M		
HVE3&8)4&CFGE@&[' V&9' CF<>V&			&XS$M		
CFGE@& F' CE& D>&cG' WDEV&9N9E&3DCE>D E					
	)*+,*,-+-	$-+7++	$-75-		
				:UBAA$9CA$!::@A $26E	$-75-
	)*+,*,-+-	$-+7+,	$725+		
				>CCD$9% 8>; EC L$!::A@A$26E	$725+
	: #+0)4E),.;		&JMJ$P		
HVE3&8)4&CFGE@& F' CE& D>&cG' WDEV&9N9E& 3DCE>D E&			&TERPK$PX		
CFGE@& F' CE& c93					
	)*+7*,-+-	$-,-67	$-6)5E+		
				8: L@U%D$ 8>CA%$H998G$ 8CL	$-6)5E+
	: #+0)4E),.;		&PKJ$P		
HVE3&8)4&CFGE@& F' CE& c93&			&PKJ$P		

MV00062976

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3DCF<				
	)*6*,-+-	$-+F)2	$64)E+53F	
			: D H; 8BHB<	$-)5F-
			: D H; 8BHB<	$-5FE
			: D H; 8BHB<	$F365+
			: D H; 8BHB<	$46,,53-
			: D H; 8BHB<	$225)6
			: D H; 8BHB<	$+)57,
			: D H; 8BHB<	$225+E
			: D H; 8BHB<	$37,57
			: D H; 8BHB<	$225E6
			: D H; 8BHB<	$275-2
			: D H; 8BHB<	$4,+5)+
			: D H; 8BHB<	$6352 7
			: D H; 8BHB<	$)53
	)*+,*,-+-	$-+7+2	$34)+-5,	
			: D H; 8BHB<	$25)
			: D H; 8BHB<	$-E5)
			: D H; 8BHB<	$3.5F6
			: D H; 8BHB<	$42)E5)
			: D H; 8BHB<	$E,+5)F
			: D H; 8BHB<	$E)+523
			: D H; 8BHB<	$3)57
			: D H; 8BHB<	$E)57
			: D H; 8BHB<	$EFE5+
			: D H; 8BHB<	$7256F
			: D H; 8BHB<	$+523
			: D H; 8BHB<	$E7)5F2
			: D H; 8BHB<	$)F572
			: D H; 8BHB<	$2E523
			: D H; 8BHB<	$325)E
	)*+,*,-+-	$-+7+)	$)4)35F2	
			E1>$H=>8L: A@BK?A; >; E9C	$)4)35F2
	)*+7*,-+-	$-,-3+	$2)65F+	
			: D H; 8BHB$H=>8L: A	$2)65F+
	)*,3*,-+-	$-,+E)	$)E4FE357-	
			: D H; 8BHB<	$F)53)
			: D H; 8BHB<	$64F+52
			: D H; 8BHB<	$486F5)F
			: D H; 8BHB<	$75+E
			: D H; 8BHB<	$6F5EF
			: D H; 8BHB<	$4EE-5),
			: D H; 8BHB<	$2.5-3
			: D H; 8BHB<	$)4E6E2+
			: D H; 8BHB<	$F)57
			: D H; 8BHB<	$)-)-5)
			: D H; 8BHB<	$4627 5 7
			: D H; 8BHB<	$).5+
			: D H; 8BHB<	$),-57E
			: D H; 8BHB<	$5-)536
			: D H; 8BHB<	$6,5)6
			: D H; 8BHB<	$2EE-
			: D H; 8BHB<	$25++

MV00062977

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
C-A! BL&N' >V&[S					
	)'6*,-+-	$-+E,+	$2+E5F2		
				8:; B&B:: $U: GBH>D&?: C: !B)	$2+E5F2
	: #+0) 4&E),.;		&TPQ&XT		
HVE3 &8) 4&C-A! BL&N' >V&[S&			&TLPQXSTM		
C-A! E>G9 & ' >A					
	)'6*,-+-	$-+F)3	$F)5-		
				8: !KCG@KAS&DBH$9J8%U;	$F)5-
	: #+0) 4&E),.;		&XU&M		
HVE3 &8) 4&C-A! E>G9 & ' >A&			&ZQLXUMBRU		
C-A<! A>L&9' >E@'					
	)'6*,-+-	$-+E,,	$-7)552		
				8:; B&B:: $U: GBH>D&?: C: !B)	$-7)552
	: #+0) 4&E),.;		&PZU&XT		
HVE3 &8) 4&C-A<! A> L&9' >E@ &			&LJJJMBXR		
C-F>EC&D<<F:' EF>C					
	)*+,*,-+-	$-+7+6	$24)F65-		
				A%9-8; A$9!!BHB>; BCL$AJHA	$F65-
				A%9-8; A$9!!BHB>; BCL$AJHA	$24)--5-
	: #+0) 4&E),.;		&TLUXK&M		
HVE3 &8) 4&C-F>EC&B<<F:' EF>C&			&KLQZK&M		
C->D<E					
	)'6*,-+-	$-+F)F	$-5-		
				AK?%9: C>$H9U%DB CH: $!::	$-5-
	: #+0) 4&E),.;		&MB&M		
HVE3 &8) 4&C->B<E&			&PMB&M		
C->D<E7<A_EAW					
	)*+,*,-+-	$EE-2)2	$225E3		
				)+F6))2)-@!: DD&% =$H=8L$L; !	$225E3
	: #+0) 4&E),.;		&TT&R		
HVE3 &8) 4&C->B<E7<A_EAW&			&RZR&PQ		
CE'<3'>3&D<CG>'<!A& F					
	)'6*,-+-	$-+F)E	$-486,553		
				AK%%D U: C; >DB&CA K8>CH:	$-486,553
	: #+0) 4&E),.;		&PLR&KJ&XR		
HVE3 &8) 4&CE'<3'>3&B<CG>'<!A& F&			&TJRLX&KJ&XU		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
CE' EA&[F' >3&FH&A cG' WD' EDF<				
)*+7*, -+-	$-,-3)	$E--5-		
			>CC: W>; B9C$H: 8; $! : : @-*G><$A; 5	$E--5-
)*, F*, -+-	$2++-	$2467)5-		
			A>D A$D8KA: $>W	$2467)5-
: #+0)4&E),.;		&JDTZUSM		
HVE3&8)4&CE' EA&[F' >3&FH&A cG' WD' EDF<&		&TKIZPQSZ		
CE' EA& F<E>FWWA> aC&FHHD A				
)*, 3*, -+-	$-,+EE	$42+,5E3		
			>CCK>D8A; 8: : ; $B: %98; $E*-7	$42+,5E3
: #+0)4&E),.;		&JDTPJSSR		
HVE3&8)4&CE' EA& F<E>FWWA> aC&FHHD A&		&JDQPJSSR		
CE' EA&3 DC[G>CA9A <E&G<DE				
)*+*, -+-	$3-2	$-4)7755,		
			H=EDG$A K%/98; $P*=$)*-+*+-	$-4 7755.
)*+6*, -+-	$3+,	$-4-,255,		
			H=EDG$A K%/98; $P*=$)*+6*+-	$-4-.255.
)*, 7*, -+-	$3,-	$-4-,255,		
			H=EDG$A K%/98; $P*=$)*, 7*+-	$-4-,255,
: #+0)4&E),.;		&TLXURSSR		
HVE3&8)4&CE' EA& DC[G>CA9A <E&G<DE &		&TZLJPUSSM		
CE' EA&<AE				
)*+7*, -+-	$EE-237	$-426-5-		
			H9C; 8>H; : G$AJHA	$-426-5-
: #+0)4&E),.;		&PLTKMSSM		
HVE3&8)4&CE' EA&<AE&		&PLTKMSSM		
CE' EA&F H& ' WDH73 A-E&F H&D<3GCE>D W				
)*+,*, -+-	$-+7+F	$--65-		
			% 8UB$! : : @8H	$--65-
: #+0)4&E),.;		&PMKSSM		
HVE3&8)4&CE' EA&F H& ' WDH73 A-E&F H& D<3GCE>D W&		&JPMSSM		

MV00062981

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
CE' EA&F H& ' WDHF><D &3A- ES&F H&^GC ED A				
)*6*,-+-	$-+F6+	$242+25-		
			!ECL: 8%&ECD; ECL$AJHA@&G	$242+25-
)*+7*,-+-	$-,-36	$-427)5-		
			!ECL: 8%&ECD; ECL$AJHA@8	$3)5-
			?D99G$-DH=D$-CD< A@&G	$-422-5-
)*,3*,-+-	$-,+E7	$E3)5-		
			!ECL: 8%&ECD; ECL$AJHA@&; >8A	$&+,5-
			!ECL: 8%&ECD; ECL$AJHA@8: >AK8<	$EE5-
			!ECL: 8%&ECD; ECL$AJHA@A	$3)5-
	: #+O)4&E),.;	&KLKXPS&M		
HVE3 &&) 4&CE' EA&F H& ' WDHF><D &3A- ES&F H& ^GCED A&		&KPLKUUS&M		
CE' EA&F H& ' WDHF><D 73A- E&F H& F9&C: ! C` 3A:				
)*,3*,-+-	$-,+7-	$2-75F7		
			8: !KCG@JS$K; EEB<	$-25++
			8: !KCG@JS$K; EEB<	$,52-
			8: !KCG@JS$K; EEB<	$225+E
			8: !KCG@JS$K; EEB<	$-6+5-
	: #+O)4&E),.;	&TMZ$KZ		
HVE3 &&) 4&CE' EA&F H& ' WDHF><D 73A- E&F H& ! F9&C: ! C` 3A: &		&PLTQQ&KT		
CEA<F&CFWGEDF<C&E>' <C! >D-EDF<&C: ! CS&D<				
)*+7*,-+-	$-,-33	$,4E)75E		
			;8>CAH8B%; E9CS$AJHA@&G	$4E)75E
	: #+O)4&E),.;	&IKQLZS&Q		
HVE3 &&) 4&CEA<F&CFWGEDF<C& E>' <C! >DEDF<&C: ! CS&D< &		&TJLTJZS&Q		
CEA>D V! WA&D[HD2&				
)*,3*,-+-	$EE-)-,	$&+F5E3		
			P>A; : $-> KDECL$AJ HA@CUD$A=D,8	$&+F5E3
	: #+O)4&E),.;	&KPXS&R		
HVE3 &&) 4&CEA>D V! WA&D[HD2&		&JLLZQ&PR		
CEA: A&C&W <3C! ' - D<N& &] AA3& [' EA 9A<E				
)*6*,-+-	$-+F6,	$3-5-		
			8: !KCG@KADEH9J8%U;	$3-5-
	: #+O)4&E),.;	&RMB&M		
HVE3 &&) 4&CEA: A&C &W <3C! ' -D<N& &] AA3& ' [' EA9A<E&		&JRRTRS&K		
CEA: A&C& ' WWAV&< G>CA>V				
)*6*,-+-	$-+F62	$EF52F		
			8: !KCG@KADEH9J8%U;	$EF52F
	: #+O)4&E),.;	&QXS&X		
HVE3 &&) 4&CEA: A&C& ' WWAV&< G>CA>V&		&IMLK&J		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
CEA] ' > EL& WDHHF > 3				
) *6*, -+-	$ -+E, 2	$ 6+5-7		
			8: ; B3: : $U: GBH>D&?: C: ! B	$ 6+5-7
	: #+O) 4&E) ,. ;	&IKPS&/Z		
HVE3 &&) 4&CEA] ' > E L& WDHHF > 3 &		&PIZZRS&P		
CEF < A> D3 NA& A< EA > & ' > E< A> C				
) *6*, -+-	$ -+F6)	$9-, -5-		
			8: ! KCG@KAS D3H$9J8%U;	$9-, -5-
	: #+O) 4&E) ,. ;	&RJMB&/M		
HVE3 &&) 4&CEF < A> D3 NA& A< EA> & ' > E< A> C&		&JKKIQJKS&T		
CE>' 3 WD< NL&/F ! ! ' L& ' > WCF < & &>' GE@				
) *+, *, -+-	$ -+7+E	$625-		
			D L> D&AJHA@BAN $UL;	$625-
	: #+O) 4&E) ,. ;	&KTS&/M		
HVE3 &&) 4&CE>' 3 WD< NL&/F ! ! ' L& ' > WCF < & & >' GE@&		&CPLTQJS&Q		
CE> AD @L&EA> > V&/S				
) *6*, -+-	$ -+F66	$2-522		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2-522
	: #+O) 4&E) ,. ;	&TMBT		
HVE3 &&) 4&CE> AD @L&EA> > V&/S&		&KQMBTP		
CE> D BWA> &DL&^F @< &] S				
) *6*, -+-	$ -+F63	$2+E5-2		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2+E5-2
	: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &&) 4&CE> D BWA> &DL&^F @< &] S&		&JLKJZS&K		
CG9 A> HF > 3 L& @> DC ED<'				
) *, 3*, -+-	$ -, +7+	$2E5-		
			EDA; 8KH; E9DC9AJHA@&G><'	$2E5-
	: #+O) 4&E) ,. ;	&TQB&/M		
HVE3 &&) 4&CG9 A> HF > 3 L& @> DCEB<' &		&TQMB&/M		

MV00062983

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
CG<<V9A' 3& ! A&@' >3] ' >A				
)*6*,-+-	$-+F6F	$-2553		
			UEAH$AK%&DB A@B8:	$65)2
			UEAH$AK%&DB A@B8:	$E5+2
)*+,*,-+-	$-+7+7	$)225,7		
			UEAH$AK%&DB A@&9 DBH:	$9-56-
			UEAH$AK%&DB A@&9 DBH:	$7522
			UEAH$AK%&DB A@&9 DBH:	$23)52+
			UEAH$AK%&DB A@&9 DBH:	$9-5F-
			UEAH$AK%&DB A@&9 DBH:	$-53)
			UEAH$AK%&DB A@&9 DBH:	$+53)
			UEAH$AK%&DB A@&9 DBH:	$65+F
)*+7*,-+-	$-,-3F	$F522		
			UEAH$AK%&DB A@B8:	$F522
: #+O) 4&E) ,.;		&JKUSPQ		
HVE3&8) 4&CG<<V9A' 3& ! A&@ >3] ' >A&		&TLKPRSVU		
CG<<V9A' 3&9F<EAC CF>D&C! @FFW				
)*+7*,-+-	$-,-3E	$3)52,		
			8: !KCG@KAS DBH$9J8%U;	$3)52,
: #+O) 4&E) ,.;		&RUSTJ		
HVE3&8) 4&CG<<V9A' 3&9F<EACCF>D&C! @FFW		&RUSTJ		
CG-A>DF>&HG><DEG>A				
)*6*,-+-	$-+F6E	$)F523		
			8: !KCG@KAS DBH$9J8%U;	$)F523
: #+O) 4&E) ,.;		&JXSTR		
HVE3&8) 4&CG-A>DF>&HG><DEG>A&		&JXSTR		
C] AAE&H' ! EF>V&bU CZ				
)*6*,-+-	$-+F67	$)35,		
			8: !KCG@KAS DBH$9J8%U;	$)35.
: #+O) 4&E) ,.;		&JRSTJ		
HVE3&8) 4&C] AAE&H' ! EF>V&bUCZ&		&JRSTJ		
E&9&C& CCF! D EAC				
)*+7*,-+-	$-,-37	$)E5,+		
			8: !KCG@KAS DBH$9J8%U;	$)E5,+
: #+O) 4&E) ,.;		&JCSTP		
HVE3&8) 4&E&9&C& CCF! D EAC&		&JCSTP		
ES/S&VD<&D<EA><' EDF<' W				
)*,3*,-+-	$-,+7,	$F483+5F+		
			L8>=>U$A; $9J8H8A ACL*A8@-$%&89M	$F483+5F+
: #+O) 4&E) ,.;		&UERRPSXP		
HVE3&8) 4&ES/S&VD<&D<EA><' EDF<' W&		&RQLPZJSXM		

MV00062984

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
E' cGA>D &NG' 3' WG -' <'				
)*+7*,-+-	$-,-F+	$2F57-		
			8: !KCG@KASDBH$9J8%J;	$2F57-
	: #+0) 4&E) ,. ;	&TXSZM		
HVE3 &&) 4&E' cGA>D &NG' 3' WG-' <' &		&TXSZM		
EA! @<D ' >A& F9-G EA>&CVCEA9 CL&D<!				
)*6*,-+-	$-+F3-	$2E5E-		
			8: !KCG@KASDBH$9J8%J;	$2E5E-
	: #+0) 4&E) ,. ;	&TQ&SM		
HVE3 &&) 4&EA! @<D ' >A& F9-GEA>&CVC EA9 CL& B<!&		&TQ&SM		
E@A&[' >[A>C				
)*+7*,-+-	$-,-F,	$2)552		
			8: !KCG@KASDBH$9J8%J;	$2)552
	: #+0) 4&E) ,. ;	&TUSKT		
HVE3 &&) 4&E@A&[' >[A>C&		&TUSKT		
E@A>9' W! FFW&D<! S				
)*6*,-+-	$-+F3+	$2-,5--		
			>H$KCB $AJH@KCC<UG$/&I AC?>8	$E65-
			>H$KCB $AJH@KCC<UG$/&I AC?>8	$E65-
			>H$KCB $AJH@NK: A; 8B>C$H; 8	$335-
			>H$KCB $AJH@NK: A; 8B>C$H; 8	$335-
	: #+0) 4&E) ,. ;	&TMJS&M		
HVE3 &&) 4&E@A>9' W! FFW&D<! S&		&PQLCKMSTR		
E@F9! F& F<CE>G! E DF<L&D<! S				
)*6*,-+-	$-+F3,	$-24F)+5)6		
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-,423F52+
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-42F)5+)
	: #+0) 4&E) ,. ;	&PTLXUPS&K		
HVE3 &&) 4&E@F9! F&! F<CE>G! EDF<L&D<! S&		&PTLXUPS&K		
EDFC&E' ! F&<F&T				
)*6*,-+-	$-+F32	$3252E		
			8: !KCG@KASDBH$9J8%J;	$3252E
	: #+0) 4&E) ,. ;	&RTS'Q		
HVE3 &&) 4&EDFC&E' ! F&<F&T&		&RTS'Q		
EY9F[DVA				
)*+7*,-+-	$-,-F-	$6F5--		
			8: !KCG@KASDBH$9J8%J;	$6F5-
	: #+0) 4&E) ,. ;	&KXS&M		
HVE3 &&) 4&EY9F[DVA&		&PQJS&M		

MV00062985

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
EF9 CAWVD& <NAWF				
)*+,*,-+-	$-+7,-	$5)55-		
			8: !KCG@B>; B9C$5BAUBAA: G	$6)56-
	: #+O)4E),.;	&KUSXM		
HVE3 &)4EF9 CAWVD& <NAWF&		&KUSXM		
EF>>ACL&>F[A>E				
)*+,*,-+-	$-+7,+	$)255-		
			8: BJ?@&C!9% 9%D $P98I A=9%	$)255-
	: #+O)4E),.;	&JTSXM		
HVE3 &)4EF>>ACL&>F[A>E&		&JTSXM		
E>'HHD & F<E>FW&CA>:D AL&D<!S				
)*,3*,-+-	$-,+72	$54F)55-		
			;8>!!B-H$D>LA4&A BLCA$C&A; >CGA	$)4F6E5+3
			A>D A$>W	$)+352)
	: #+O)4E),.;	&KIPXUSXM		
HVE3 &)4E>'HHD & F<E>FW&CA>:D A L&D<!S&		&KIPXUSXM		
E>'<L&<NGVAE				
)*+7*,-+-	$-,-F2	$5,5-		
			8: !KCG@CUD&DB-H: CA: $1:::	$5,5-
	: #+O)4E),.;	&KJSVM		
HVE3 &)4E>'<L&<NGVAE&		&KJSVM		
E>A'CG>A&[F_L&D<!S				
)*6*,-+-	$-+F3)	$+5-2		
			8: !KCG@KAS&DB-H$9J8%U;	$+5-2
	: #+O)4E),.;	&IPSPT		
HVE3 &)4E>A'CG>A&[F_L&D<!S&		&IPSPT		
E>AA&F H&VDHAL&D<!S				
)*6*,-+-	$-+F36	$25,+		
			8: !KCG@KAS&DB-H$9J8%U;	$25,+
	: #+O)4E),.;	&TSIP		
HVE3 &)4E>AA&F H&VDHAL&D<!S&		&TSIP		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3 . ,#	! "#$%& <*(=#4	! "#$%& ' ( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
E>D @AL&E' >'				
)*, 3*, -+-	$-, +76	$-472+5)-		
			EC A; 8KH; 98$AJHA@>DD ;	$2665 -
			EC A; 8KH; 98$AJHA@>DD ; *>H89	$EE5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2225 -
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$ EE53-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2+- 5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$-FF53-
			EC A; 8KH; 98$AJHA@ B%&- 9%&G>CH:	$ EE53-
			EC A; 8KH; 98$AJHA@&D; : 8UG$?>DD ;	$EE5E-
: #+O) 4&E) ,. ;		&PLZTP$&M		
HVE3 &&) 4&E> D @AL&E' >' &		&PZLJZP$&M		
E>D! DE V&VD< A< &C G- - VW L&D< ! S				
)*, 3*, -+-	$-, +7)	$)F55-		
			DE C: C$B: C; >D&! 98 $H8H	$, 55-
			DE C: C$B: C; >D&! 98 $H8H	$ 65 -
: #+O) 4&E) ,. ;		&JX$&M		
HVE3 &&) 4&E> D! DE V&VB: A< &CG- - VW L&B: ! S&		&PLRJJVB&M		
E>F - D ' W&- W \ ' &< G> CA> VL&D< ! S				
)*, 3*, -+-	$-, +73	$-E47+25)E		
			EB 8EL$B: %> EBA@/9 C: $ @	$7735) 2
			DCGAH%&J> EC; @/9C: $ @	$-64F- - 5 -
			DCGAH%&J> EC; @/9C: $ @3	$ 4 +F5) 6
: #+O) 4&E) ,. ;		&PQZPT$&Q		
HVE3 &&) 4&E> F - D ' W&- W \ ' &< G> CA> VL&D< ! S&		&PQTJJKP$&K		
E>G N> AA< &W <3 ! ' > A				
)*, 3*, -+-	$-, +7F	$,+476F5)-		
			EB 8EL$B: %> EBA@/9 C: $GAL@	$-25++
			EB 8EL$B: %> EBA@8 >H; $2+, E)	$635) 2
			EB 8EL$B: %> EBA@8 >H; $2- - , F	$757 7
			EB 8EL$B: %> EBA@8 >H; $ - , F,	$ - 532
			EB 8EL$B: %> EBA@8 >H; $-7, - E	$3) 5F-
			EB 8EL$B: %> EBA@8 >H; $-7, - E	$-25E)
			DCGAH%P98I @8>H; $E3	$2- 5 -
			DCGAH%&J> EC; @/9C: $J	$642,) 5E7
			DCGAH%&J> EC; @/9C: $GAL@	$F4 - 252E
			DCGAH%&J> EC; @/9C: $GAL@	$246++5 7
			DCGAH%&J> EC; @/9C: $GAL@	$ 47- 75+)
: #+O) 4&E) ,. ;		&JPLZKX$&M		
HVE3 &&) 4&E> GN> AA< &W <3 ! ' > A&		&TMTLJPX$&J		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46)1#8)8&.,/(#+,	-./(#+,& '( )*+,012
EG<EW <3L&' 9AC				
	)*6*,-+-	$-+E,)	$6+5-7	
			8:; B8:: $U: GBH>D&?: C: !B	$6+5-7
	: #+0) 4&E),.;		&IKP&/Z	
HVE3&8) 4&EG<EW <3L&' 9AC&			&PIZZR&P	
EG>[FC! '-AL&&<! S				
	)*,3*,-+-	$EE-)-2	$34),)5E-	
			>CCD&UKD=B&L&&C$/9C: $@	$34),)5E-
	: #+0) 4&E),.;		&RLUUU&M	
HVE3&8) 4&EG>[FC! '-AL&&<! S&			&ZLKXX&M	
E]D<&N>'-@D C				
	)*,3*,-+-	$EE-)-)	$9-325-2	
			J:=BHD $L8>%=BHA $!98$%G$KCB	$9-325-2
	: #+0) 4&E),.;		&PRT&PT	
HVE3&8) 4&E]D<&N>'-@D C&			&JLTKZ&R	
G&C&&@A' WE@] F>BC&9A3D' W&N>FG-				
	)*+,*,-+-	$-+7,,	$365-	
			:U%D9<::$G9;*GUJ $W+U	$365-
	)*+7*,-+-	$-,-F)	$64-6+5-	
			C: P$ U%D9<::$%=< ABH>DA	$635-
			C: P$ U%D9<::$%=< ABH>DA	$24775-
			C: P$ U%D9<::$%=< ABH>DA	9-46735-
	: #+0) 4&E),.;		&KJPR&M	
HVE3&8) 4&G&C&&@A' WE@] F>BC&9A3D' W& N>FG-&			&PKIPTR&M	
G! &>ANA<EC&&NF: Ea\&& F99G<DEV&>AW EDF<				
	)*6*,-+-	$-+F3F	$5)5-	
			2*,)4)*,E45*,3 @; LA	$5)5-
	: #+0) 4&E),.;		&KU&M	
HVE3&8) 4&G! &>ANA<EC&&NF: Ea\&& ! F99G<DEV&>AW EDF<&			&ZZQ&M	
GY@' GW& F&FH& ' WDHF><D				
	)*6*,-+-	$-+F33	$375-	
			8: !KCG@KA&DBH&9J8%U;	$375-
	: #+0) 4&E),.;		&RZ&M	
HVE3&8) 4&GY@ GW& F&FH& ' WDHF><D &			&RZ&M	
GW&9A>&D<3GCE>DAC L&D<! S				
	)*+7*,-+-	$-,-F6	$E4+)52+	
			8>BE&L&!>?8BH>; B9C&!98&?8B&L:	$E4+)52+
	: #+0) 4&E),.;		&QRPUTP	
HVE3&8) 4&GW&9A>&D<3GCE>DAC L&D<! S&			&QRPUTP	

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
G<DF<&[' <B&FH&[' WDHF><D				
)*6*, -+-	$-+F3E	$2235-		
			EDJ: A; U: C; $A>!: I : : %EDL$AJHA	$2235-
)*+7*, -+-	$-, -F3	$-F-5-		
			U9C; =D<$D9H$ 8>C A!: 8$! : : A	$-F-5-
	: #+0) 4E) ,. ;	&KVR&M		
HVE3 &8) 4&G<DF<&[' <B&FH&[' WDHF><D &		&JQXLKXZ&LZ		
G<DEA3 &D<C-A! EDF <& &EACED<N&D<!				
)*, 3*, -+-	$-, +7E	$-4F+75-6		
			>CCD&%-J: UC; $B: A K8!>HEDL$%&89M	$-4F+75-6
	: #+0) 4E) ,. ;	&PLXPZ&PK		
HVE3 &8) 4&G<DEA3 &D<C-A! EDF <& &EAC ED<N&D<! &		&JMLKRQ&JM		
G<DEA3 & F] A>&NA< A>' EDF<L&D<! S				
)*6*, -+-	$-+F37	$24+65-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ6E	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @= D 8	$5-65-
			L: C: 8>; 98$D9>G$? >CI $: A; @!5-5	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @&A?	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ3	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ)E	$+-5-
)*+7*, -+-	$-, -FF	$-4 2-5-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$-F+5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$ 2E5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$-)-5F
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$ 375)2
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$ +65-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$-765-
	: #+0) 4E) ,. ;	&LJUK&M		
HVE3 &8) 4&G<DEA3 &-F] A>&NA<A>' EDF< L&D<! S&		&PIZZM&R		
G<DEA3 &CDEA&CA>: D AC&FH&[' L&D<! S				
)*6*, -+-	$-+FF-	$3+5F-		
			8: !KCG@KADH9J8%J;	$3+5F-
)*6*, -+-	$EE-2+3	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GB5	$7F56
)*+, *, -+-	$EE-2)6	$-E)5F,		
			%98; >?D $ 9ED ; $AJH@9D!$H; 8	$FF52
			!: CH: $B: C; >D@CBJ>D?A=: D : 8	$-F527
)*+7*, -+-	$EE-2F-	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GB5	$7F56
	: #+0) 4E) ,. ;	&UP&J		
HVE3 &8) 4&G<DEA3 &CDEA&CA>: D AC&FH &[' L&D<! S&		&ZLUKP&K		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&'($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.//(#+,	-./(#+,& '()*+,012
G<DEA3 &CE' EAC&E> A' CG>V				
)*+, *, -+-	$-+7,)	$6-5-		
			%<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
)*, 3*, -+-	$-, +77	$6-5-		
			%<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
: #+0) 4&E) ,. ;		&PMMM		
HVE3 &) 4&G<DEA3 &CE' EAC&E> A' CG>V&		&KLKXMMM		
G<DEA3 &] ' V&FH&D< W <3 & ' WWAVC				
)*+, *, -+-	$-+7, 6	$3, F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3, F5-E
)*, 3*, -+-	$-, , --	$3, F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3, F5-E
: #+0) 4&E) ,. ;		&PLJKUSTR		
HVE3 &) 4&G<DEA3 &] ' V&FH&D< W <3 & ' WWAVC&		&PQLPRTSZM		
G-EF<L&A9 DBF				
)*+7*, -+-	$-, -FE	$335-		
			8: !KCG@CUD&AJH$!: : A	$2-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-35-
: #+0) 4&E) ,. ;		&RRSMM		
HVE3 &) 4&G-EF<L&A9 DBF&		&RRSMM		
GC' & W >9 &CVCEA9 CL&D<! S				
)*+7*, -+-	$-, -F7	$2-5-		
			8: !KCG@KA$DB-H$9J8%U;	$2-5-
: #+0) 4&E) ,. ;		&TMMM		
HVE3 &) 4&GC' & W >9 &CVCEA9 CL&D<! S&		&TMMM		
GC' &9 F[DWDEV7 >! @&] D>AWACC				
)*+7*, -+-	$EE-2F+	$735-7		
			%L: 8$AJH@&>8I $B >CL: 8A	$5-2
			%L: 8$AJH@8>CA%$GB5	$65-7
			%L: 8$AJH@B VS%>; 89D&J9DC; 8A5	$2256)
			%L: 8$AJH@CBJ>D$AJHA	$2E57-
			%L: 8$AJH@%8: A C >W A	$-F52
: #+0) 4&E) ,. ;		&ZRSZZ		
HVE3 &) 4&GC' &9 F[DWDEV7 >! @&] D>AWACC&		&QJRSRX		

MV00062990

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
:' ! ' EA&-ACE&AWD9 D<' EDF<& F9-' <V				
)*6*, -+-	$EE-2+F	$-4-65-		
			% A; $HC; 8D@&; EDB <$I DG$9! ! EH:	$)65-
			% A; $HC; 8D@B <$=>DD	$F65-
			% A; $HC; 8D@BB: $A; $Z) E	$)65-
			% A; $HC; 8D@BB: $A; $Z,	$)65-
			% A; $HC; 8D@BB: $A; $Z6E	$)65-
			% A; $HC; 8D@BB: $A; $Z36	$)65-
			% A; $HC; 8D@BB: $A; $Z3	$)65-
			% A; $HC; 8D@BB: $A; $Z7+	$)65-
			% A; $HC; 8D@9C! $D8B: H$H; 8	$F65-
			% A; $HC; 8D@9DI $H; 8$%89$A=9%	$,56-
			% A; $HC; 8D@J; J$A; KGB9	$,56-
			% A; $HC; 8D@B9 8>8<	$665-
			% A; $HC; 8D@9PCL>; : $H9UU$H; 8	$)65-
			% A; $HC; 8D@: CB98$H; 8	$665-
			% A; $HC; 8D@8>CA%&$ 8D8	$)65-
			% A; $HC; 8D@B <$<>8G	$+65-
			% A; $HC; 8D@K?$A>! : ; <$?DGL	$F65-
			% A; $HC; 8D@CBJ> D$A=: D : 8	$+65-
			% A; $HC; 8D@CC: W$?DGL$-	$665-
			% A; $HC; 8D@>8?$=9??<$A=9%	$)65-
			% A; $HC; 8D@; >8A$?DGL*U>8?	$)65-
			% A; $HC; 8D@>8H= $I DG$%>8I $H5H5	$)65-
)*,3*, -+-	$EE-)-3	$67-5-		
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
: #+O) 4&E) ,. ;		&PLXZKS&M		
HVE3 &&) 4&' ! ' EA&-ACE&AWD9 D<' EDF< & ! F9-' <V&		&PKLJXKS&M		
:' WD&I FF-A>& & C CF! D EACL&D<! S				
)*6*, -+-	$EE-2+E	$74)6-5-		
			; : U%&A; >! ! EDCL$AJ HA@I>%&%&89MA	$74)6-5-
: #+O) 4&E) ,. ;		&ZLLKMB&M		
HVE3 &&) 4&' W&I F F-A>& & CCF! D EA CL&D<! S&		&PTQLQLJXS&M		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[redacted] 3#1$%&5,5)+7-*46) 1#) 8&. / (#+,	-./(#+,& '( )*+,012
: ' <3A>8@'] B& F<C GWEB< NL&WW					
	)*+7*,-+-	$-,-E-	$4--5-		
				%>J: UC; $JLU; $%8L U$K%G>; : $AJHA	$4--5-
	: #+O) 4&E) ,. ;		&LIJMVB/M		
HVE3 &) 4& ' <3A>8@'] B& F<CGWEB< NL&WW &			&JXLKZTS/M		
: ' C& CCF! D EACL& B< ! S					
	)*+7*,-+-	$EE-2F,	$,-46,-5-		
				; : U%&A; >!! EBCL$AJ HA@!>%&%8 9MA	$-46,-5-
	: #+O) 4&E) ,. ;		&IMKJMB/M		
HVE3 &) 4& ' C& CC F! D EACL&B< ! S&			&PQLJXJKS/M		
: A>3 B< & F<! >AEAL& B< ! S					
	)*6*,-+-	$-+FF+	$3-5-		
				8: !KCG@KAS$B-H$9J8%U;	$3-5-
	: #+O) 4&E) ,. ;		&RMB/M		
HVE3 &) 4& A>3 B< &! F<! >AEAL& B< ! S&			&RMB/M		
: A> D F<					
	)*+,*,-+-	$-+7,3	$-4F--573		
				?>HI ?9C: $H=8LA	$-4F--573
	: #+O) 4&E) ,. ;		&PLXMMZR		
HVE3 &) 4& A> D F< &			&PRLQTJS&K		

MV00062992

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
: A>D F<& ' WDHF><D				
)*+,*,-+-	$-+7,F	$-48,6556+		
			;:D %=9C:3H=8LA	$2,5-2
			;:D %=9C:3H=8LA	$2-+573
			;:D %=9C:3H=8LA	9-E75)F
			;:D %=9C:3H=8LA	$6,25FF
			;:D %=9C:3H=8LA	$23E52E
			;:D %=9C:3H=8LA	$E25F2
			;:D %=9C:3H=8LA	$26)52.
			;:D %=9C:3H=8LA	$26,5E7
			;:D %=9C:3H=8LA	$FE57F
			;:D %=9C:3H=8LA	$2265)2
			;:D %=9C:3H=8LA	$625F,
			;:D %=9C:3H=8LA	$52+5E
			;:D %=9C:3H=8LA	$-,52E
			;:D %=9C:3H=8LA	$735-,
			;:D %=9C:3H=8LA	$FE527
			;:D %=9C:3H=8LA	9-7,5F
			;:D %=9C:3H=8LA	$E65-6
			;:D %=9C:3H=8LA	$635E)
			;:D %=9C:3H=8LA	9-E5E,
			;:D %=9C:3H=8LA	9-,25-F
			;:D %=9C:3H=8LA	$3,5FE
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9)+53
			;:D %=9C:3H=8LA	$657-2
			;:D %=9C:3H=8LA	9),57,
			;:D %=9C:3H=8LA	9-755E
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	9-775)-
			;:D %=9C:3H=8LA	9-)355F
			;:D %=9C:3H=8LA	$5E5-
			;:D %=9C:3H=8LA	$365,E
			;:D %=9C:3H=8LA	9-6E57)
			;:D %=9C:3H=8LA	$F,57-
			;:D %=9C:3H=8LA	9-75-F
			;:D %=9C:3H=8LA	$F357E
			;:D %=9C:3H=8LA	$2F35-E
			;:D %=9C:3H=8LA	$2462E3+
)*,3*,-+-	$-,,-+	$3+E5,6		
			;:D %=9C:3H=8LA@8H	$3+E5,6
: #+O)4&E),.;		&PLJUTSXR		
HVE3 &) 4& A>D F< & ' WDHF><D &		&PMVDTMVB/Z		
: D3 AF &C@F>AC				
)*+7*,-+-	$-,-E+	$F5-F		
			8: !KCG@KASDB-H$9J8%U;	$F5-F
: #+O)4&E),.;		&IXS/K		
HVE3 &) 4& D3 AF &C @F>AC&		&IXS/K		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
: DN DN L&A><ACE				
	)*6*,-+-	$-+E,6	$2+E5F2	
			8: ; B3: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &) 4& DN DN L&A><ACE&			&TTPQXSTM	
: DCDF<&U&3 A\ DN<				
	)*+7*,-+-	$-,-E,	$-5-F	
			8: !KCG@KAS DBH$9J8%U;	$-5-F
	: #+0) 4&E) ,. ;		&JMB/K	
HVE3 &) 4& DCDF<&U&3 A\ DN<&			&JMB/K	
: DCDF<&CA>: D A& W <				
	)*6*,-+-	$EE-2,-	$42,+56	
			: U%D9<: : $JBA5DC$ BCAK8>CH:	$42,+56
	: #+0) 4&E) ,. ;		&JDTJPS&K	
HVE3 &) 4& DCDF<&CA>: D A& W <&			&JUUJMPS&P	
: DCE' & ' D<E& F>- F>' EDF<				
	)*6*,-+-	$-+FF,	$EF-52	
			AK%%DB A$!98$L8> !!B BBUJD	$35,
			AK%%DB A$!98$L8> !!B BBUJD	$+52+
	)*+7*,-+-	$-,-E2	$7-657F	
			%-BC; *AK%%DA$!98 $L8>!!B BBUJD	$7-657F
	: #+0) 4&E) ,. ;		&ZZT$&M	
HVE3 &) 4& DCE' & ' D<E& F>-F>' EDF<&			&PPZTTS&Z	
: DCEA>>' & >A3 DE&G<DF<				
	)*,3*,-+-	$-,,-,	$F6-5--	
			8: !KCG@3C; D&G: %&)*+,	$F6-5-
	: #+0) 4&E) ,. ;		&KKMB&M	
HVE3 &) 4& DCEA>>' & >A3 DE&G<DF<&			&QKMB&M	
: FV' NA>&HWAAE&CV CEA9L&D<! S				
	)*6*,-+-	$EE-2,+	$-47,-56	
			HCL$!K: D$!98$A; 8: : ; $%8LU	$-83E522
			HCL$!K: D$!98$G8>BC$U>BC; $%8LU	$6+57,
	: #+0) 4&E) ,. ;		&PZJMS&K	
HVE3 &) 4& FV' NA> &HWAAE&CVCEA9L&D<! S&			&PXIRUU&RU	

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
: GW ' <&9' EA>D WC & FL&D<! S				
)*6*, -+-	$-+FF)	$-4--+5E+		
			>A%=>D, BH$J>; : 8B>D	$+25+6
			>A%=>D, BH$J>; : 8B>D	9-FF5+-
			>A%=>D, BH$J>; : 8B>D	$E25E)
			>A%=>D, BH$J>; : 8B>D	$+25E3
			>A%=>D, BH$J>; : 8B>D	$+25E3
)*+7*, -+-	$-,-E)	$34))5F-		
			>A%=>D, BH$J>; : 8B>D	$4-.-52E
			>A%=>D, BH$J>; : 8B>D	9-47-+566
			>A%=>D, BH$J>; : 8B>D	$E)56)
			>A%=>D, BH$J>; : 8B>D	$++52
			>A%=>D, BH$J>; : 8B>D	9-FF5E-
			>A%=>D, BH$J>; : 8B>D	9-FF5+-
			>A%=>D, BH$J>; : 8B>D	$,E5+3
			>A%=>D, BH$J>; : 8B>D	9-)+5F3
			>A%=>D, BH$J>; : 8B>D	$E25+)
			>A%=>D, BH$J>; : 8B>D	$2-5++
			>A%=>D, BH$J>; : 8B>D	9-3)5E3
			>A%=>D, BH$J>; : 8B>D	9-2-57)
			>A%=>D, BH$J>; : 8B>D	9-2-57)
			>A%=>D, BH$J>; : 8B>D	$3,5-7
	: #+O,4&E),.;	&KLKURSXP		
HVE3 &&) 4&GW ' <&9' EA>D WC& FL&D< ! S&		&PMPLQXJSVQ		
] ' NNF<A>&'>SL&NWA<<& S				
)*6*, -+-	$-+E,3	$2+E5F2		
			8:;BB:: $J: GBH>D&?: C: !B)	$2+E5F2
	: #+O,4&E),.;	&TPQSXT		
HVE3 &&) 4&] ' NNF<A>&>SL&NWA<<& S&		&TLPQXSTM		
] ' N<A>L&N' >V&& S				
)*6*, -+-	$-+E,F	$2+6557		
			8:;BB:: $J: GBH>D&?: C: !B)	$2+6557
	: #+O,4&E),.;	&TPKSXZ		
HVE3 &&) 4&] ' N<A>L&N' >V&& S&		&TLPXUSXU		
] ' NVL& ' >VWF<				
)*6*, -+-	$-+FF6	$32F5)3		
			8:;BB:: $J: GBH>D&?: C: !B)	$32F5)3
	: #+O,4&E),.;	&RTXSJR		
HVE3 &&) 4&] ' NVL& ' >VWF<&		&TLPQXSTM		
] ' @AA3 L&9 G<AA>				
)*+7*, -+-	$-,-E6	$--5-		
			8: !KCG@&C; D&G: %&)*2	$--5-
	: #+O,4&E),.;	&MMBM		
HVE3 &&) 4&] ' @AA3 L&9 G<AA>&		&MMBM		

MV00062995

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
] ' C@D<NEF<&D<:A<EF>V&CA>:D A					
	)*6*,-+-	$-+FF3	$3F5E3		
				8: !KCG@KASDBH$9J8%U;	$3F5E3
	: #+O)4E),.;		&RXSSR		
HVE3&&)4&] ' C@D<NEF<&D<:A<EF>V&CA>:D A&			&RXSSR		
] ' C@D<NEF<L& >EACD					
	)*6*,-+-	$-+FFF	$--5-		
				L: C$DB?$A:;;D U :C;	$--5-
	: #+O)4E),.;		&IMMBM		
HVE3&&)4&] ' C@D<NEF<L& >EACD &			&IMMBM		
] ' CCF<L&BD>B					
	)*+7*,-+-	$EE-2F2	$2),5-		
				E<A; 8KH; E9C$AJHA@&G><A	$2),5-
	: #+O)4E),.;		&TUJSM		
HVE3&&)4&] ' CCF<L&BD>B&			&PLZMMBM		
] ' CEA&9' <' NA9A<E &FH&E@A&D<W <3&A9-D>A					
	)*,3*,-+-	$-,,-2	$-4))55+		
				A; 98>L: $E<$B: C; >DA	$-4))55+
	: #+O)4E),.;		&PLJUUSKP		
HVE3&&)4&] ' CEA&9' <' NA9A<E &FH&E@A& B<W <3&A9-D>A&			&PTLTTZSKP		
] ' EBD<CL& <<DA					
	)*6*,-+-	$-+FFE	$E-5-		
				8: !KCG@>8E9KA$*H$!::A	$2-5-
				8: !KCG@>8E9KA$*H$!::A	$-5-
				8: !KCG@>8E9KA$*H$!::A	$-5-
				8: !KCG@>8E9KA$*H$!::A	$-5-
				8: !KCG@>8E9KA$*H$!::A	$-5-
	: #+O)4E),.;		&QMBM		
HVE3&&)4&] ' EBD<CL& <<DA&			&QMBM		
] AA9CL&9AN' <&AS					
	)*+,*,-+-	$-+7,E	$9-5-		
				8: !KCG@B>;E9C$9J8%U;	$9-5-
	: #+O)4E),.;		&JMBM		
HVE3&&)4&] AA9CL&9AN' <&AS&			&JMBM		
] AWWC&H' >NF&[' <B					
	)*,3*,-+-	$-,,-)	$4--5-		
				>CCK>D$>GUE<$!::	$4--5-
	: #+O)4E),.;		&LLMMBM		
HVE3&&)4&] AWWC&H' >NF&[' <B&			&PQLKTMBM		

MV00062996

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
] AWVC&H' >NF& F>- F>' EA&E>GCE				
)*+*,-+-	$-2,2+	$-4,65EE		
			EC; : 8: A; $I>8B?D: $B>; : $9CG	$-4,65EE
: #+0)4&E),.;		&PIJJKS&Q		
HVE3 &8)43] AVVC&H' >NF& F>-F>' EA&E>GCE&		&ZIMJZILJCK&JT		
] ACE&NF: A><9A<E&CA>: D AC				
)*,3*,-+-	$-,,-6	$6--5-		
			\HD >8\$K; 9$ 8> HI $AJHA$I 98$%G	$6--5-
: #+0)4&E),.;		&KMMB&M		
HVE3 &8)43] ACE&NF :A><9A<E&CA>: D A C&		&JLKMMB&M		
] ACE&N>FG-				
)*+7*,-+-	$EE-2F)	$3)5-,		
			9CDE: $H=8LA@ L>DE!9	$-E)5-,
			D L>D$%K?DH>; E9 CA$AK?AH8% CA	$E-5-
: #+0)4&E),.;		&RRJJ&PJ		
HVE3 &8)43] ACE&N> FG-&		&KLKKR&RP		
] ACEA><&9G<D D' W&] ' EA>&3 DCE>D E				
)*,3*,-+-	$-,,-3	$FF+5F6		
			P>; : 8$H=8LA@>8? $?>DD!B DGA	$2675-2
			P>; : 8$H=8LA@!%HH$DCGAH%	$26F5),-
			P>; : 8$H=8LA@!%HH$?DGL	$662-
: #+0)4&E),.;		&XPS&K		
HVE3 &8)43] ACEA><&9G<D D' W&] ' EA>& 3 DCE>D E&		&PILJJTS&Q		
] @DC@A>L&BVWA				
)*+7*,-+-	$-,,-E3	$6-5-		
			8: !KCG@8>%&G: %9AB	$6-5-
: #+0)4&E),.;		&KMMB&M		
HVE3 &8)43] @DC@A>L&BVWA&		&KMMB&M		
] @DEAL&! S/&S				
)*,3*,-+-	$-,,-F	$-5-		
			8: !KCG@B>; E9C$9J8%U;	$--5-
			8: !KCG@B>; E9C$9J8%U;	@--5-
)*,7*,-+-	$-,,+,	$--5-		
			8: !KCG@B>; E9C$9J8%U;	$--5-
: #+0)4&E),.;		&PMMB&M		
HVE3 &8)43] @DEAL&! S/&S&		&PMMB&M		

MV00062997

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
] DAWD<L&>F<' W3& S				
)*6*,-+-	$-+E,E	$2+E5F2		
			8:;BB::$U:GBH>D$?:C:!B	$2+E5F2
: #+0)4&E),.;		&TPQ&T		
HVE3&8)4&] DAWD<L&>F<' W3& S&		&TLPQXSTM		
] DWW3' <& <3& CCF!D EAC				
)*6*,-+-	$-+FF7	$,+4265-2		
			U98$?:>H=$G8$PBG:CBCL$%&89M	$+4265-2
)*+,*,-+-	$-+7,7	$,24F665),,		
			U98$?:>H=$G8$PBG:CBCL$%&89M	$24F665),,
)*+7*,-+-	$-,-EF	$5)-5--		
			:>A;8BGL:BBB: JBP$AJHA	$5)-5-
: #+0)4&E),.;		&JKLKTMLJK		
HVE3&8)4&] DWW3' <&<3& CCF!D EAC&		&JRZLPQRSJM		
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MORENO VALLEY
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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063004

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 36	225 46	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.86
2.0	One	120.41	222.72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14.43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50.10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204.77	
Monthly Minimum Pull Fee (compactor)	$	296.00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71.36	
Relocation	$	71.36	
Set Up Fee	$	25.09	

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CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

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SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

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FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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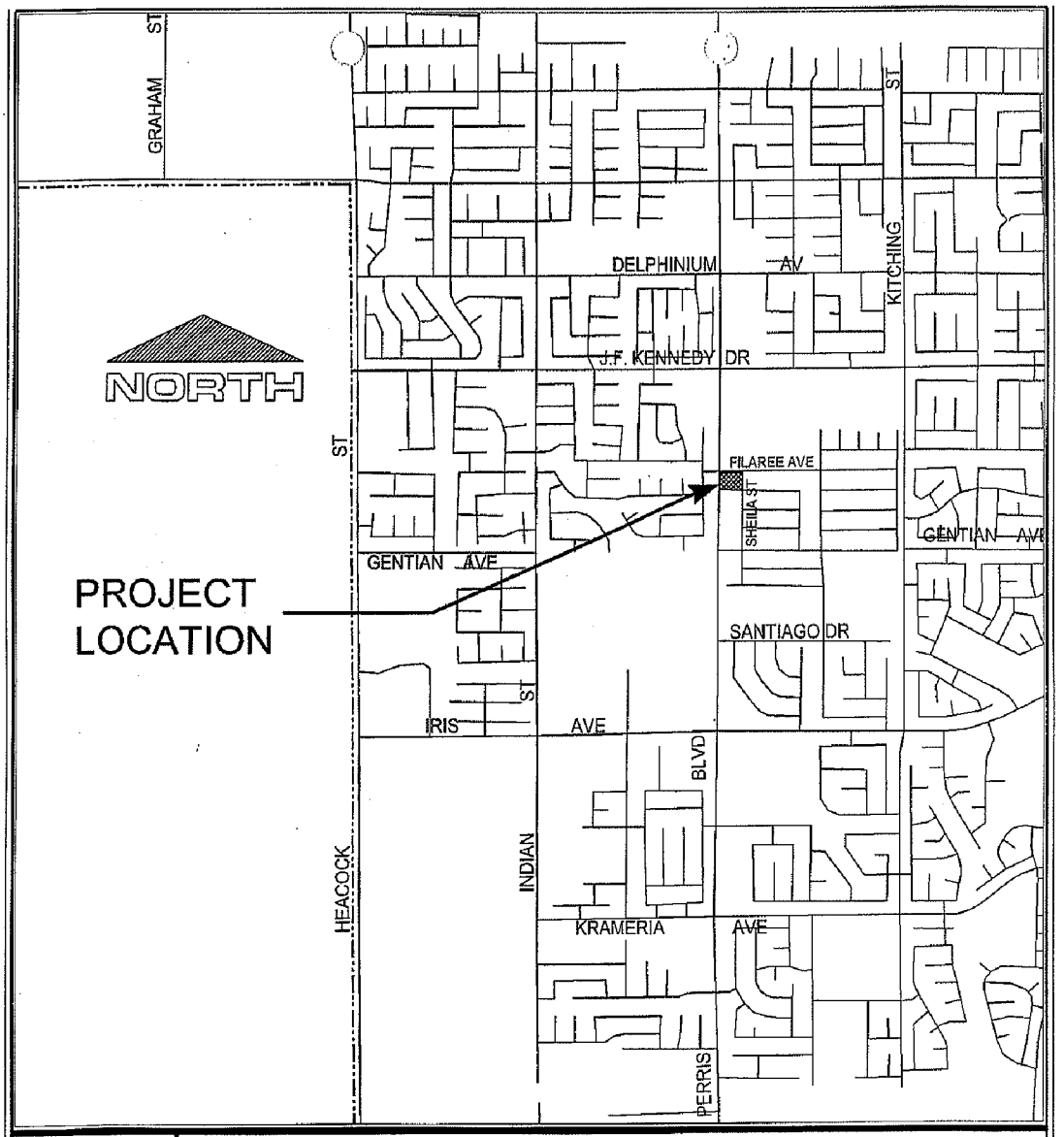

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

MV00063013

MV00063014

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

MV00063016

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063018

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00063022

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063024

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official : Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I **Organizations Affected:**

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II **Responsibilities of City Office:**

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

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perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V **Procedures:**

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

STANDARDS OF ETHICS

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

   a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

   b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

   c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

MV00063030

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

MV00063032

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063033

MV00063034

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Bonnie Flickinger, Mayor

ATTACHMENT A

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT A

MV00063036

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ATTACHMENT B

MV00063038

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

ATTACHMENT C

MV00063040

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

MV00063041

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00063042

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00063043

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

Item No. A.9

ATTACHMENT C

MV00063044

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Item No. A.9

MV00063046

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

ATTACHMENT D

MV00063048

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives,and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

ATTACHMENT E

MV00063050

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00063052

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

MV00063053

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00063054

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

MV00063056

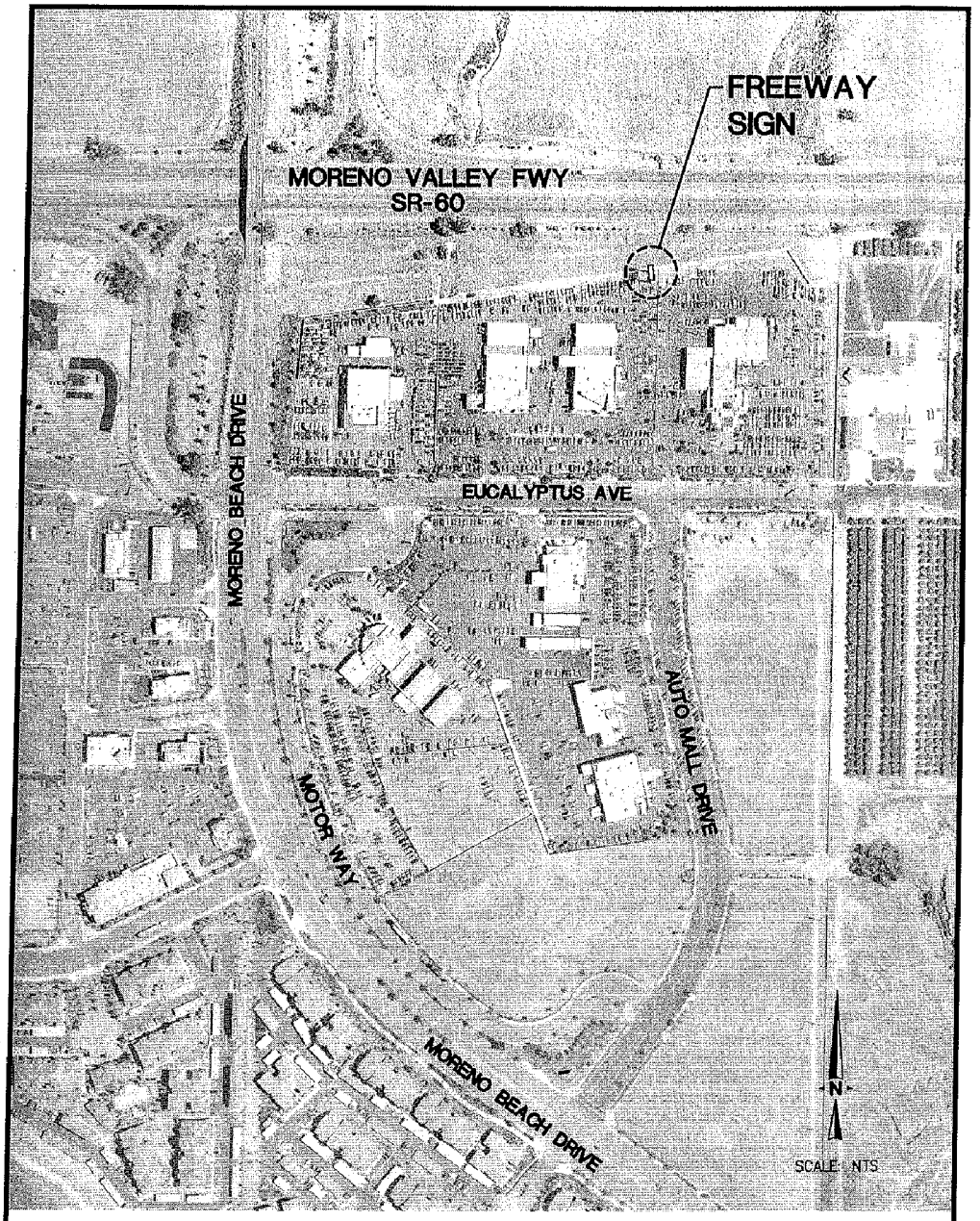

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. A.10

MV00063058

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
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  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063065

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063068

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

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(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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  - Indicate title or type of attached document, number of pages and date.
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- Securely attach this document to the signed document.

Item No. A.10

MV00063072

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00063074

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00063076

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

MV00063077

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00063078

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063080

MorenoValley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

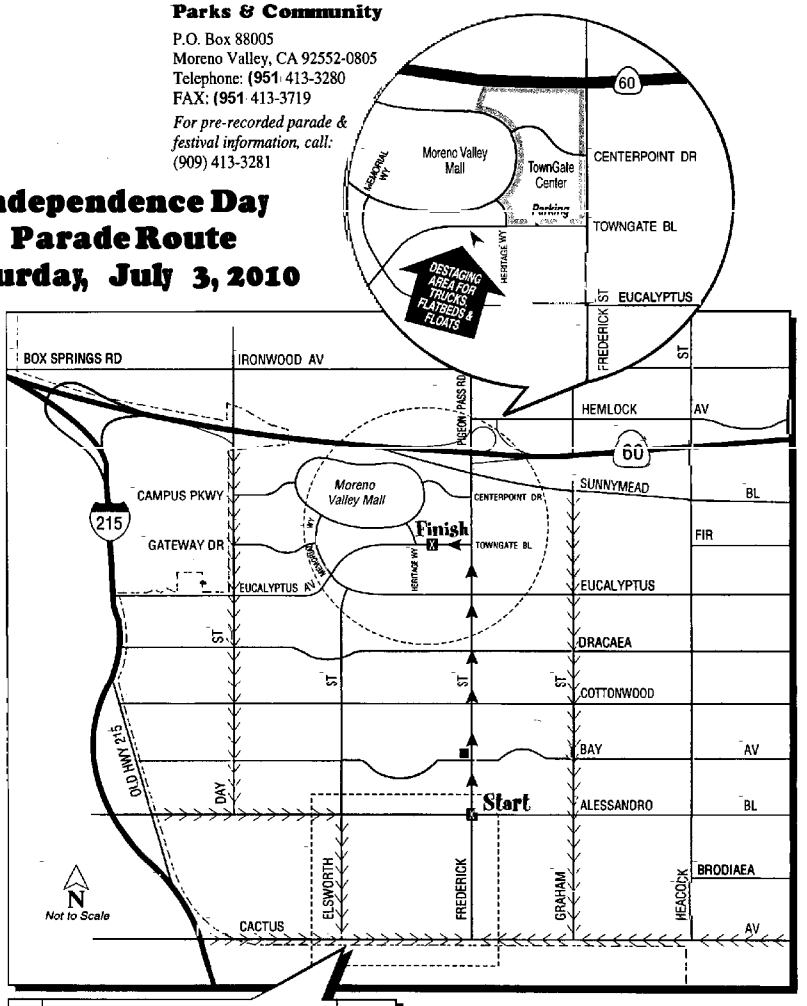

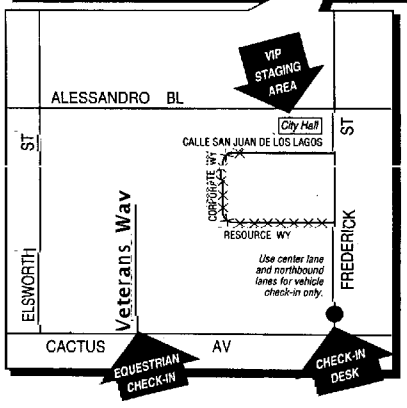

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

MV00063081

MV00063082

Attachment 2

July 4th Festival
Street Closures

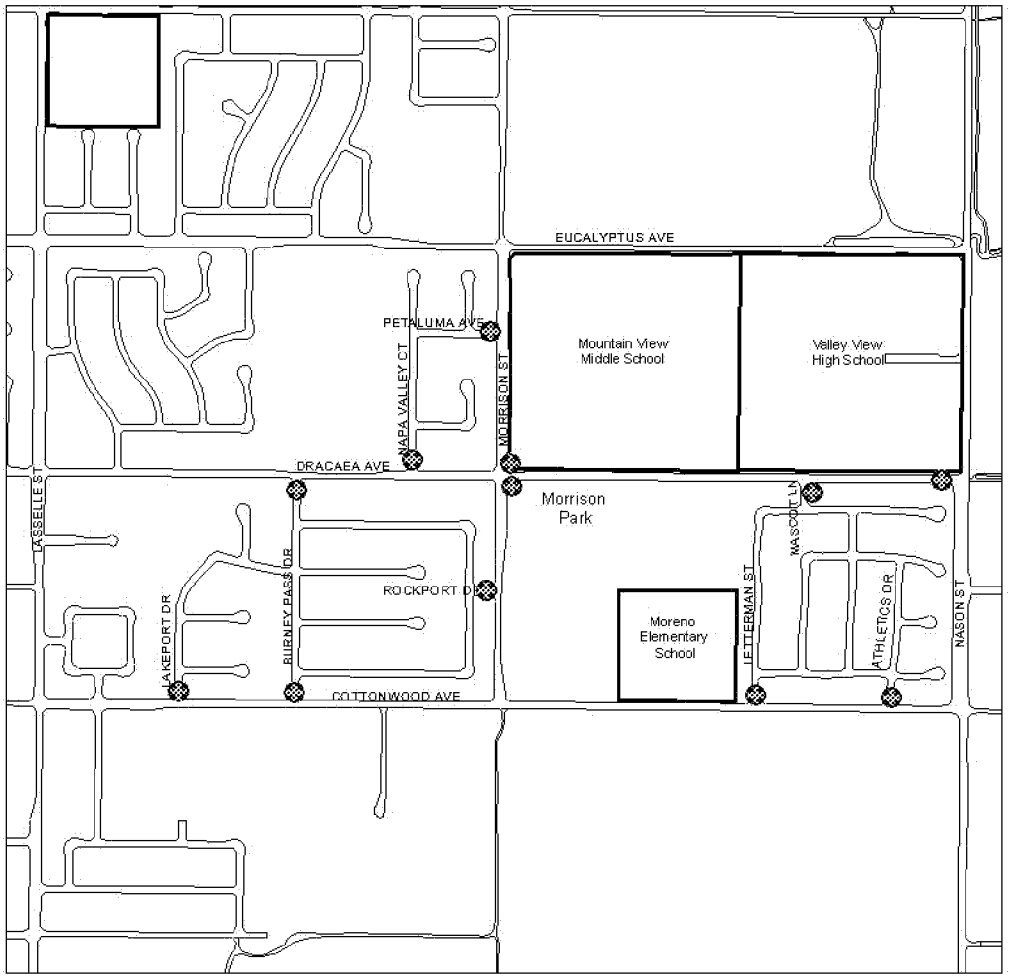

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

MV00063083

MV00063084

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

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SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

** pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

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PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

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Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

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which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

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B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

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2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____ _____ –
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

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ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Section:

12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required . Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____day of_____2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.
2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063126

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employm ent Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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Exhibit B

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

MV00063128

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00063129

MV00063130

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

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FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6 261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920 .00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063134

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date: _____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

MV00063136

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION.**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **CONTRACTOR'S COMPENSATION**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

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Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

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EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

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2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

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BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

MV00063160

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

MV00063161

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

MV00063162

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020

Agency Ucf: 0F62058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(X)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By Date 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevelopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

ACORD 25 (2001/08) Certificate # 2240 © ACORD CORPORATION 1988

MV00063164

Dec. 8. 2009 10:29AM ALLSTATE INSURANCE No. 8808 P. 2

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	
PHYSICAL DAMAGE LIMIT	ANY ONE LOSS
MEDICAL EXPENSE LIMIT	ANY ONE PERSON

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010

Coverage Basis	Limits		
	Combined Single Limit of Liability		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
	Split Liability Limits		
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

RISK MANAGEMENT Approved

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-9-09

CANCELLATION

Number of days notice 30

DOUG MOORE (909) 463-6716 — Authorized Representative

December 8, 2009 — Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

U10523-2

Item No. B.3

MV00063165

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

NR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00063166

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00063168

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00063170

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

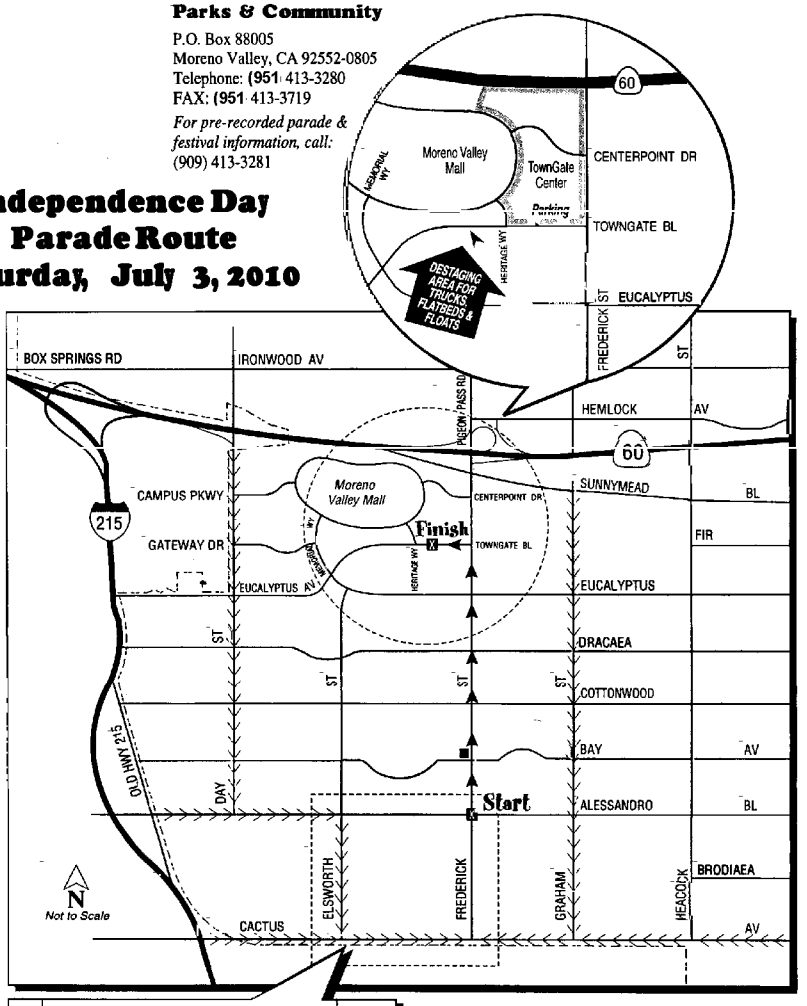

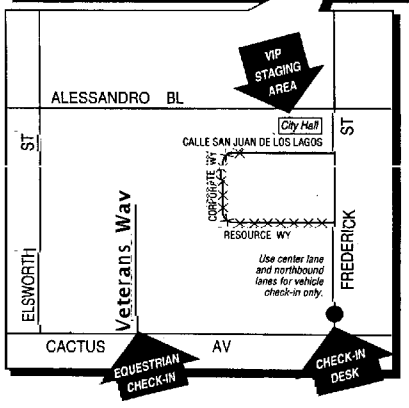

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

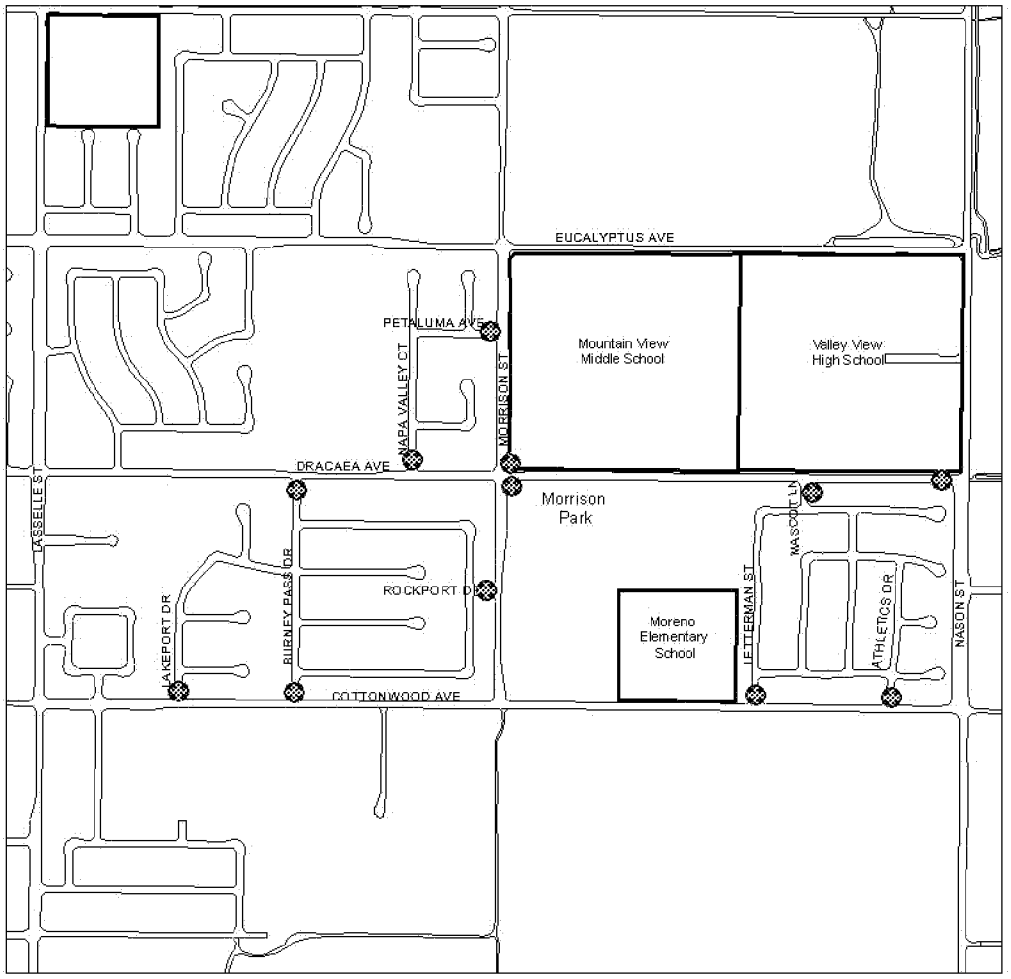

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.4

MV00063173

MV00063174

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00063175

MV00063176

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00063178

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00063180

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

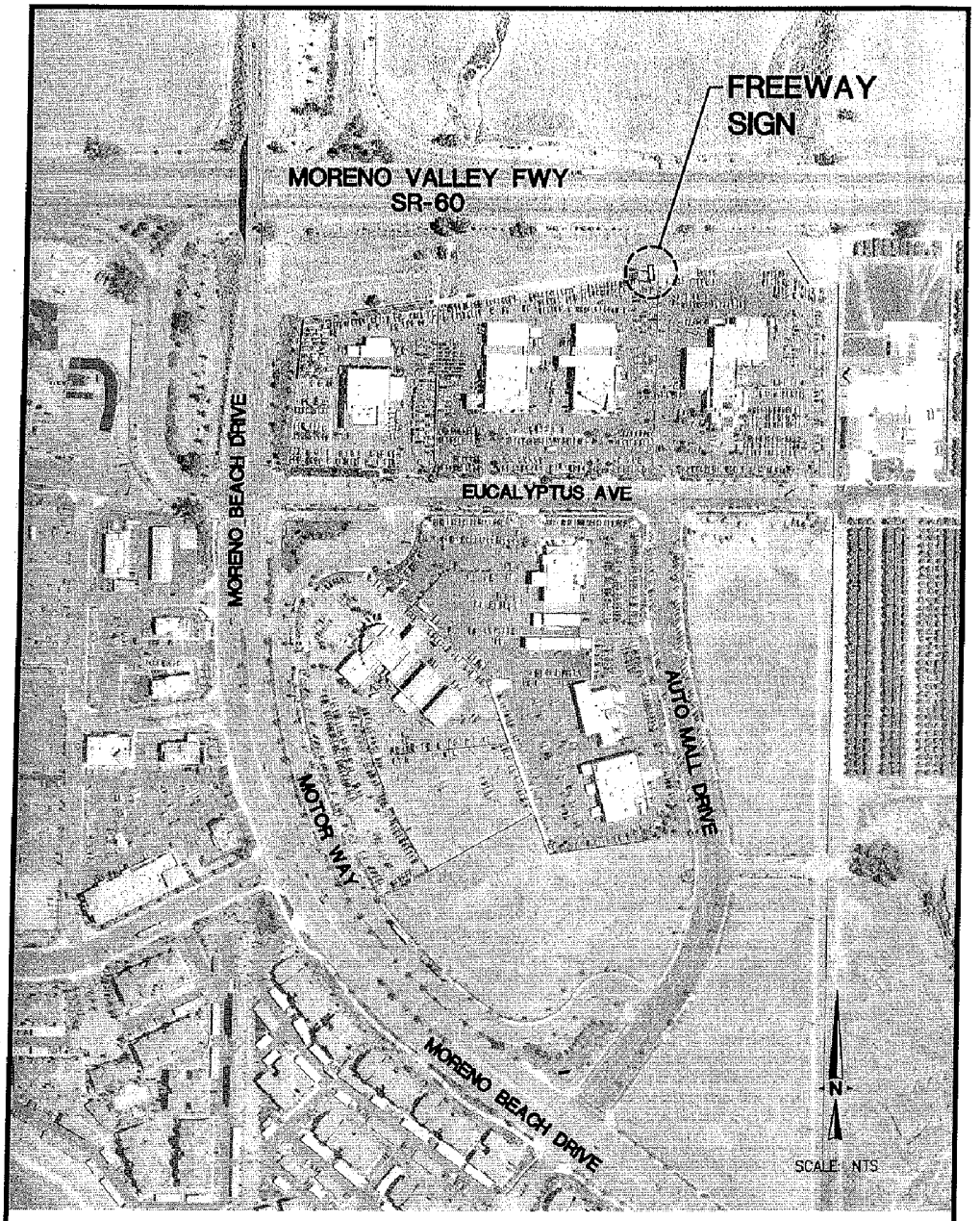

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063190

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

MV00063194

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00063198

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00063200

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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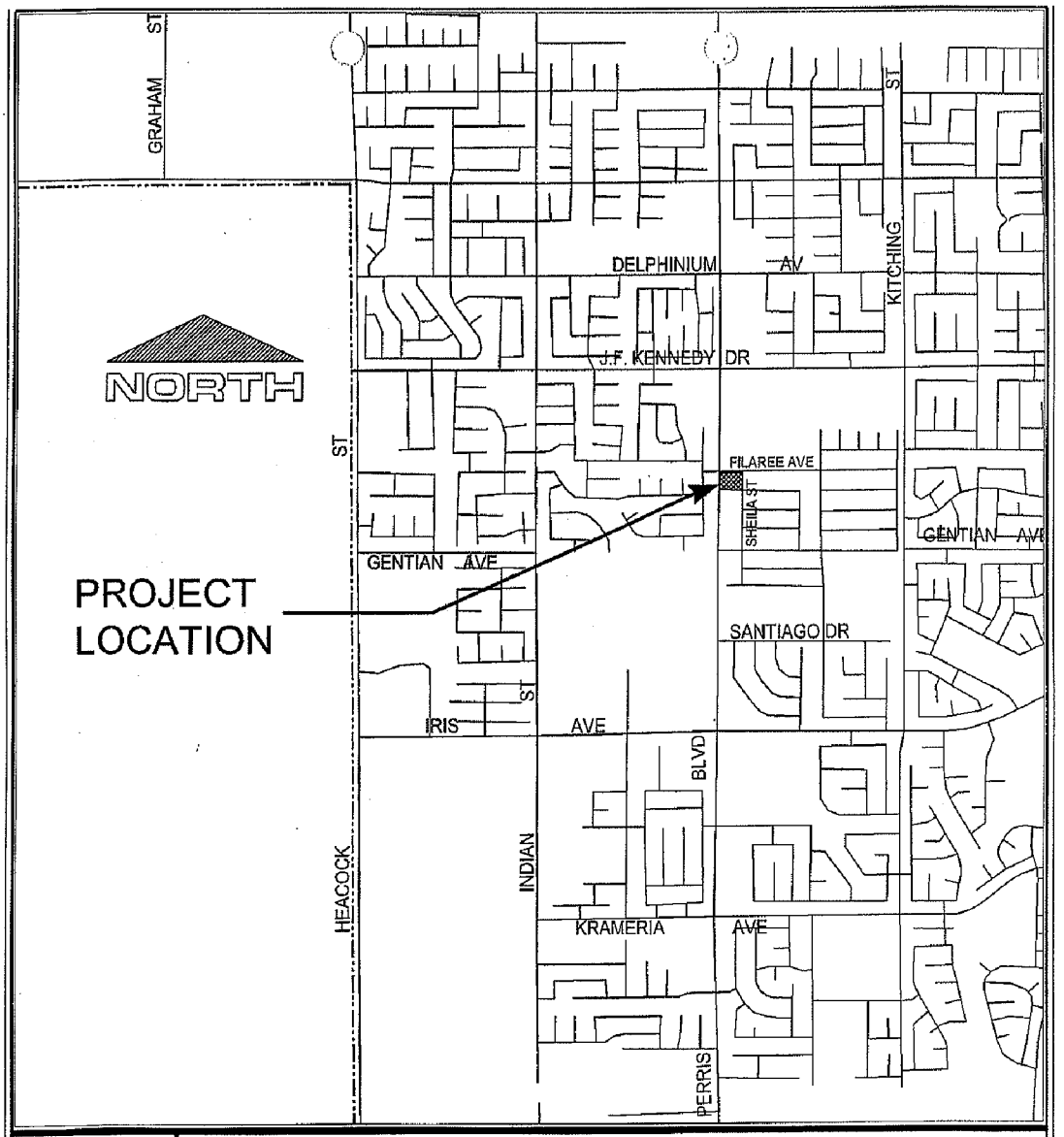

LOCATION MAP

Public Works Department Capital Projects Division	Patriot Park
Scale: None	PROJECT NUMBER 08-28268628
Attachment "A"	

MV00063203

MV00063204

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00063205

MV00063206

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

MV00063208

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063210

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

MV00063213

MV00063214

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 16,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

MV00063215

MV00063216

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	$ 67,754,400
Less: Non-Proceeds of Tax	16,977,112
A) Total Appropriations Subject to the Limit	$ 50,777,288

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306

REMAINING APPROPRIATIONS CAPACITY	
(E - A)	$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.1

MV00063217

MV00063218

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.68%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$41,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.28%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,566,175	$72,653,027	$4,913,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,669	$8,713,881
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

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of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ _____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____ _____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____ _____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

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EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A- Parks & Recreation	$ 1,586,739		$ 1,586,739
Zone B- Residential Lights	16,110		16,110
Zone C- Arterial Lights	139,300		139,300
Zone L - Library Services	120,120		120,120
Fees			
Zone A- Parks & Recreation		5,934,500	5,934,500
Zone B- Residential Lights		93,060	93,060
Zone C- Arterial Lights		431,700	431,700
Zone D- Standard Landscaping		114,150	114,150
Zone E- Extensive Landscaping		246,000	246,000
Zone L - Library Services		8,950	8,950
Zone M - Median Fund		24,200	24,200
Zone S - Sunnymead Blvd Maintenance		5,240	5,240
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A- Parks & Recreation		16,500	16,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A- Parks & Recreation		29,860	29,860
Zone L - Library Services		421,990	421,990
Zone M - Median Fund		13,400	13,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89%	80.11%	100.00%
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A- $0
Zone B- $0
Zone C- $9,000
Zone D- $1,300
Zone E- $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

Item No. E.2

MV00063230

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,383,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriation s Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.2

MV00063231

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EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,992,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,238,904	$14,089,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.83%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
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2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,198,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

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source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063238

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

MV00063242

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

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Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq*.) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

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Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty- first (121 st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

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only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorde d before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse again st the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writin g to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHI BITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063248

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

MV00063249

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

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EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

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SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

#262869 v5

MV00063256

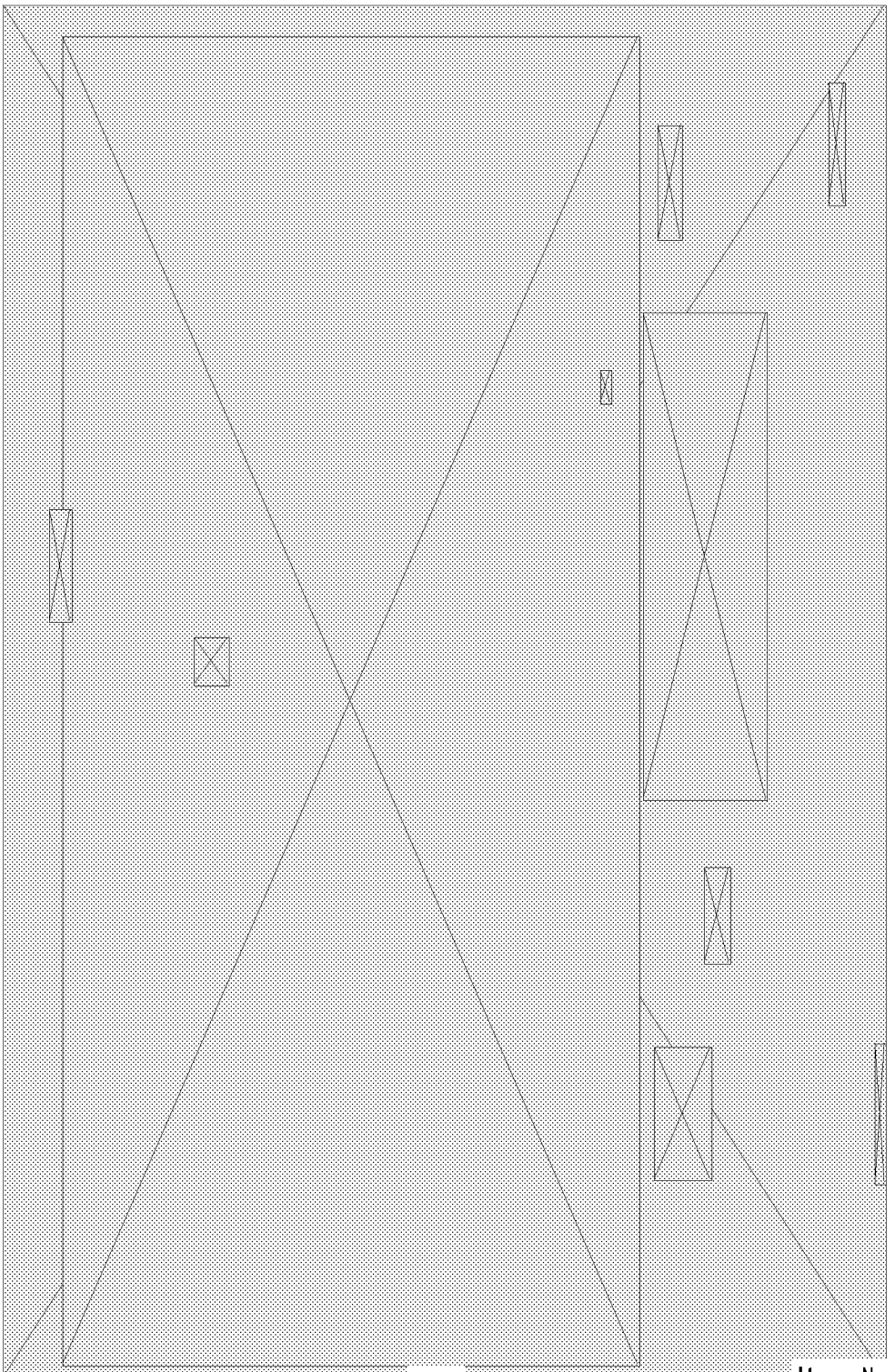

Item No. G.1

MV00063257

MV00063258

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158 .10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

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Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ SpecialDist\ejennifert\ Ballots for FY 09.10\ ZONED\ StfrptZone D PM 06.22.10.doc

MV00063262

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063264

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2 **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

MV00063266

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

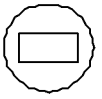

A circle around the box **and/ or** associated clause; or

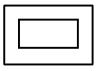

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063268

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00 * 160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		$ 12,800.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	–		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	$ 16,696.63		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	$ 2,600.21		
Total Expenditures		$ 19,296.84	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,496.84)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$50.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$80.00
2009 — 2010	$80.00

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COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

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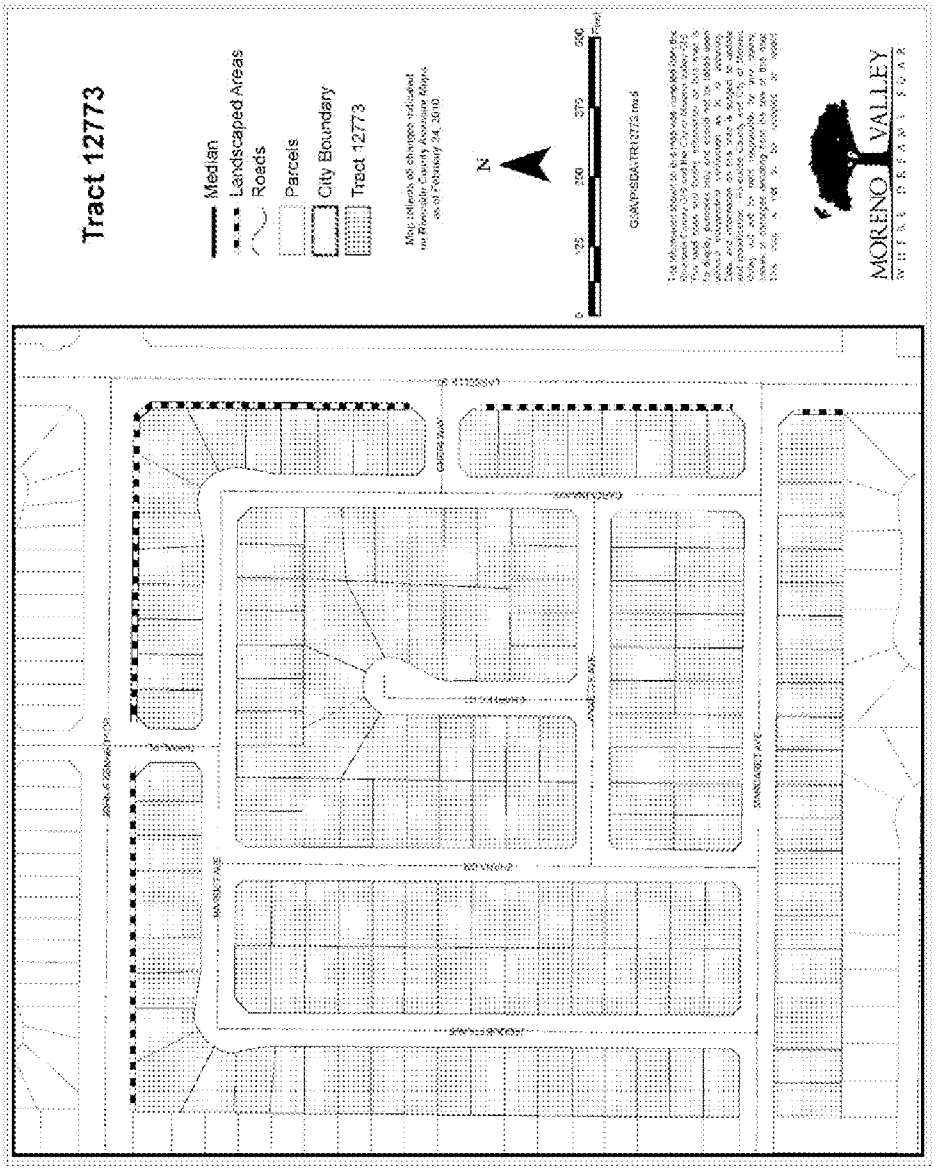
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map contents and changes indicated
on Riverside County Assessor Maps
as of February 24, 2010
N
0
125
250
375
500
Feet
G:\MVPSB\ATR\12773.mxd
MORENO VALLEY

MV00063272

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063274

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063276

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063277

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

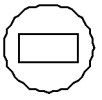

A circle around the box **and/ or** associated clause; or

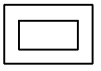

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063278

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($58.00*142 parcels)	$ 8,236.00		
Total Revenue Generated Annually		$ 8,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.03		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	$ 11,785.20		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	$ 1,825.37		
Total Expenditures		$ 13,610.57	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,314.57)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990 – 1991	$55.00
1991 – 1992	$56.00
1992 – 1993	$56.00
1993 – 1994	$57.00
1994 – 1995	$57.00
1995 – 1996	$57.00
1996 – 1997	$57.00
1997 – 1998	$57.00
1998 – 1999	$57.00
1999 – 2000	$57.00
2000 – 2001	$57.00
2001 – 2002	$57.00
2002 – 2003	$57.00
2003 – 2004	$57.00
2004 – 2005	$57.00
2005 – 2006	$57.00
2006 – 2007	$57.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

MV00063280

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 3 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

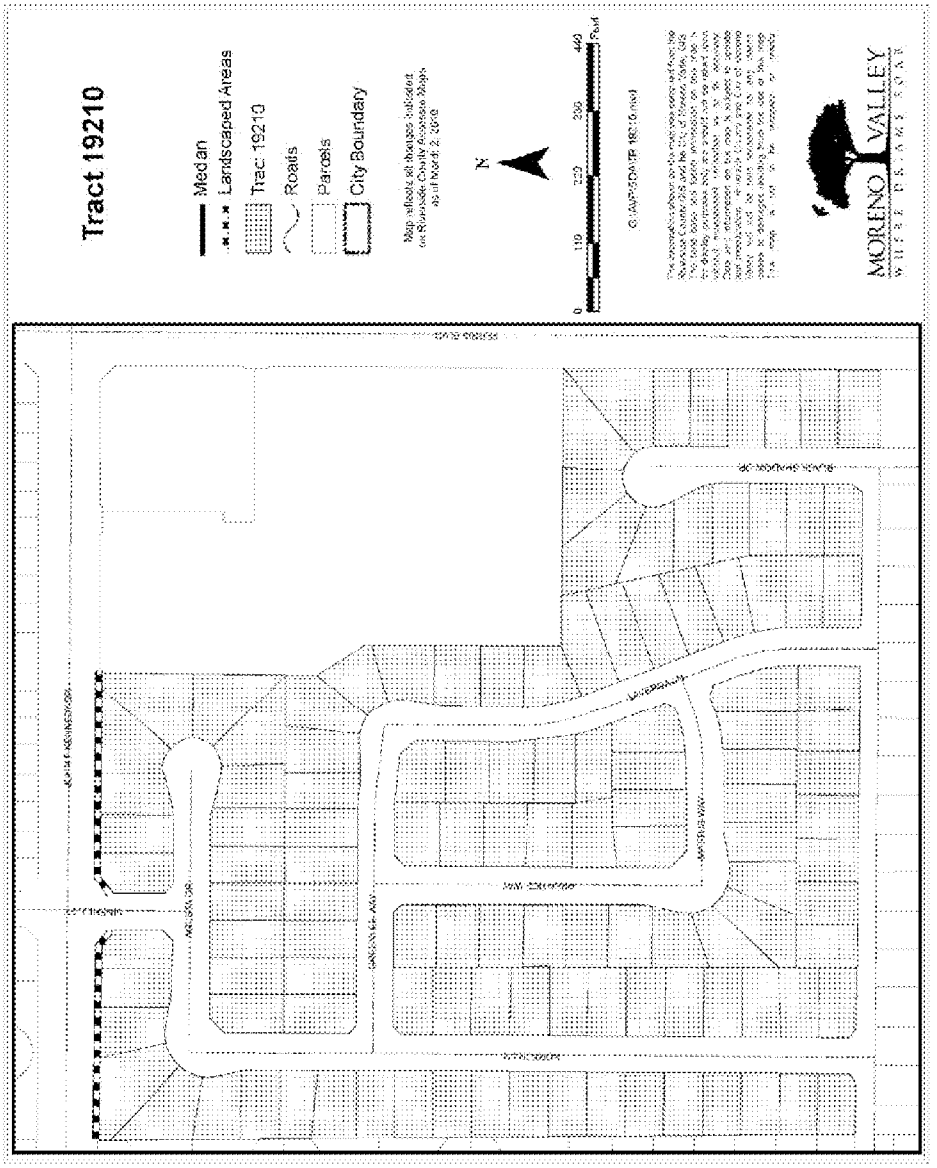
Tract 19210
Median
Landscaped Areas
Trac 19210
Roads
Parcels
City Boundary
N
0
110
220
330
440
Feet
MORENO VALLEY

MV00063282

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19287 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19287 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19287 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\19257\Tract 19257 packet.doc

MV00063284

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063286

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063287

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

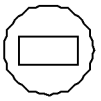

A circle around the box **and/ or** associated clause; or

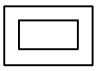

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063288

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19837 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10 * 163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		$ 17,457.30	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	258.89		
Water (Eastern Municipal Water District)	3,016.23		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	$ 22,102.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,236.76		
City Administration	2,015.04		
Total Indirect Costs	$ 3,441.97		
Total Expenditures		$ 25,544.34	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (8,087.04)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$70.00
2002 — 2003	$71.00
2003 — 2004	$71.00
2004 — 2005	$72.00
2005 — 2006	$75.00
2006 — 2007	$100.00
2007 — 2008	$103.00
2008 — 2009	$107.00
2009 — 2010	$107.10

MV00063290

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or tri-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

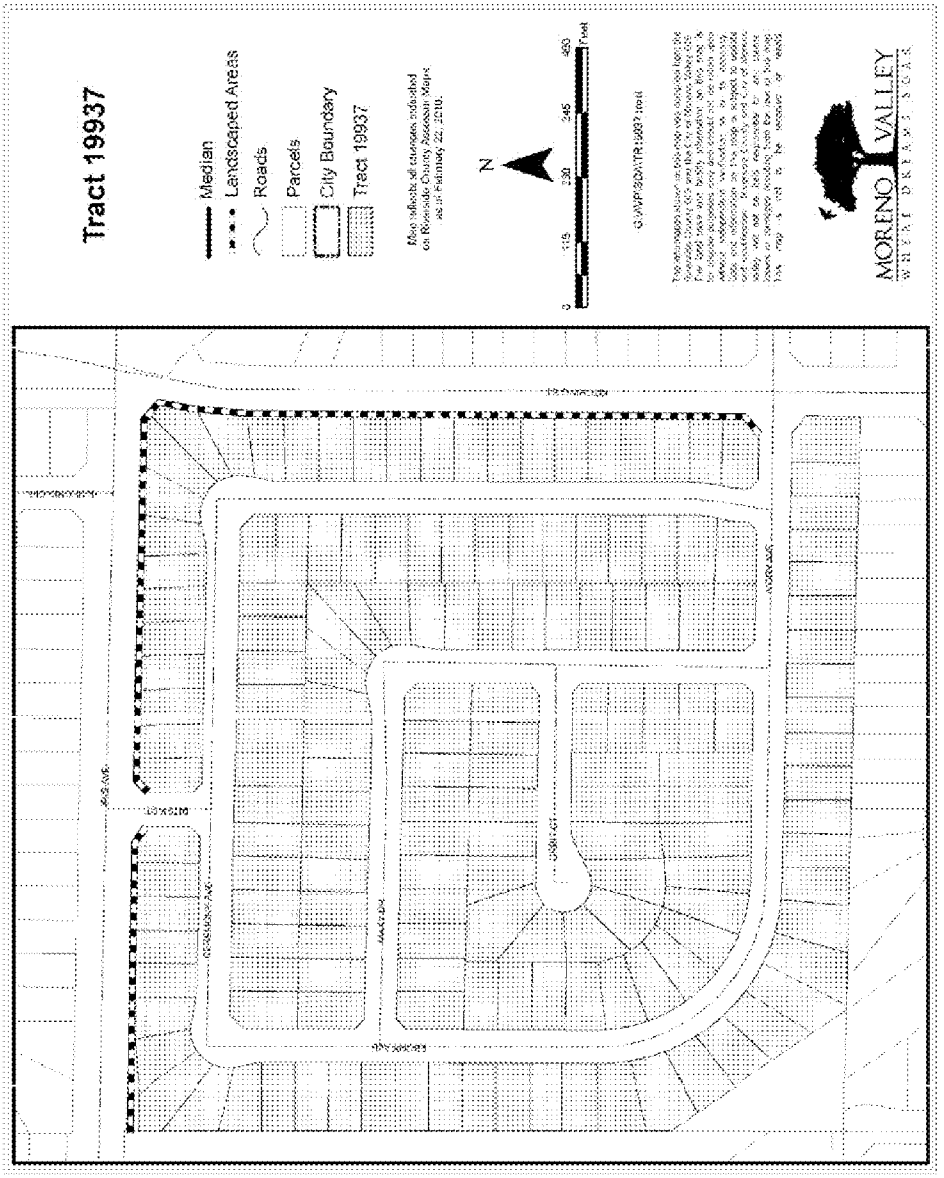
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
245
490
Feet
G:\MVP\SDX\TR19937.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Genia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063294

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063296

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

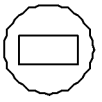

A circle around the box **and/ or** associated clause; or

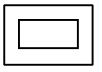

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063298

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		$ 23,086.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	$ 35,568.75		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,123.97		
City Administration	3,338.92		
Total Indirect Costs	$ 5,574.58		
Total Expenditures		$ 42,143.33	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (19,057.33)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$83.00
2002 — 2003	$85.00
2003 — 2004	$88.00
2004 — 2005	$90.00
2005 — 2006	$94.00 *
2006 — 2007	$94.00
2007 — 2008	$94.00
2008 — 2009	$97.00
2009 — 2010	$97.00

* Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.

MV00063300

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

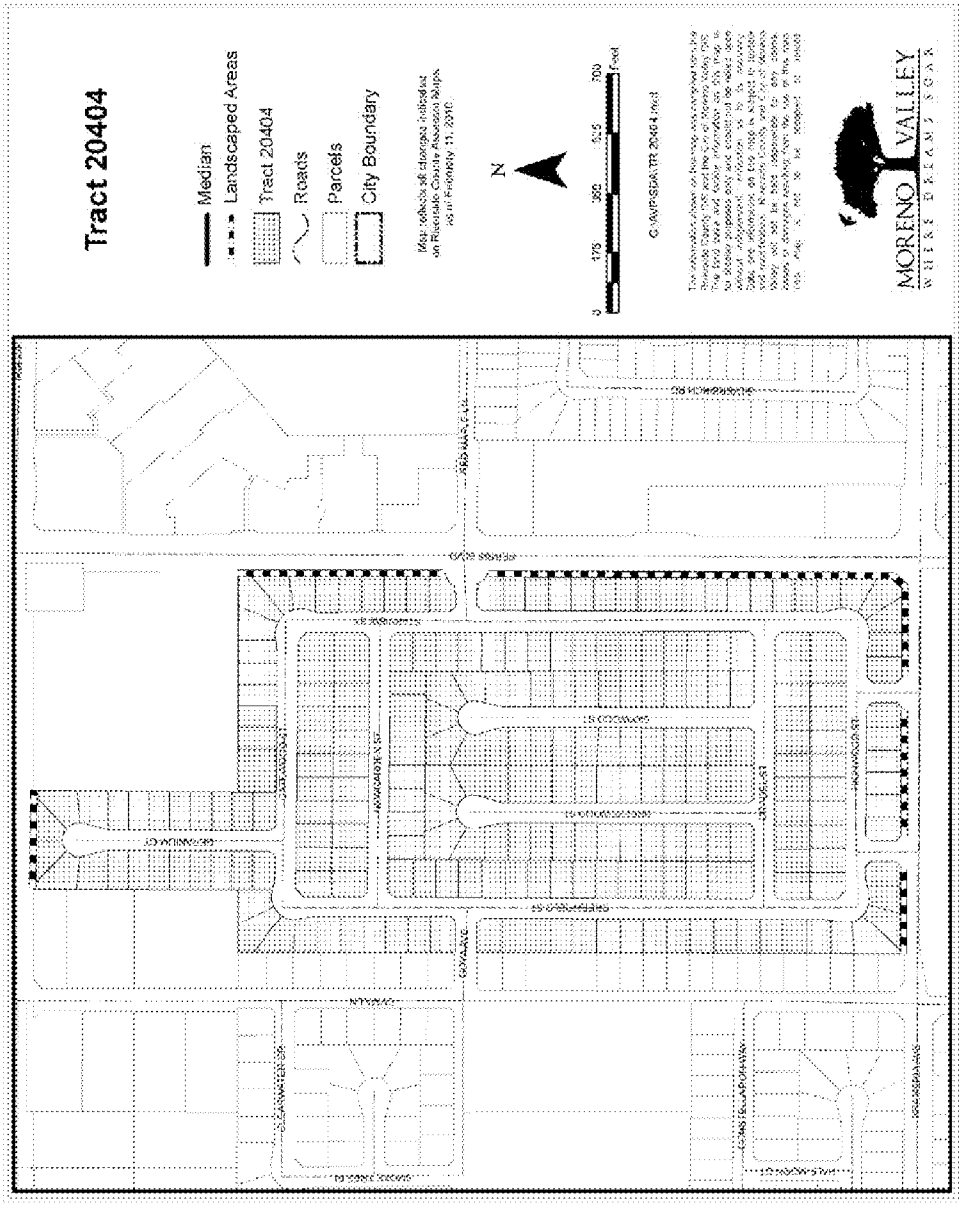
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00063302

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264-331001
Owner Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063304

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063306

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951.413.3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

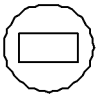

A circle around the box **and/ or** associated clause; or

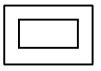

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063308

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		$	7,179.10
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,791.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	$ 20,001.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	$ 3,086.66		
Total Expenditures		$	23,088.03
Operating Shortfall (Total Revenue less Total Expenditures)		$	(15,908.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00/ $80.00/ $135.00
2002 — 2003	$57.00/ $80.00/ $135.00
2003 — 2004	$57.00/ $80.00/ $135.00
2004 — 2005	$57.00/ $80.00/ $135.00
2005 — 2006	$57.00/ $94.00/ $141.00
2006 — 2007	$57.00/ $98.00/ $147.00
2007 — 2008	$57.00/ $101.00/ $151.00
2008 — 2009	$57.00/ $106.00/ $158.00
2009 — 2010	$57.00/ $106.10/ $158.10

MV00063310

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

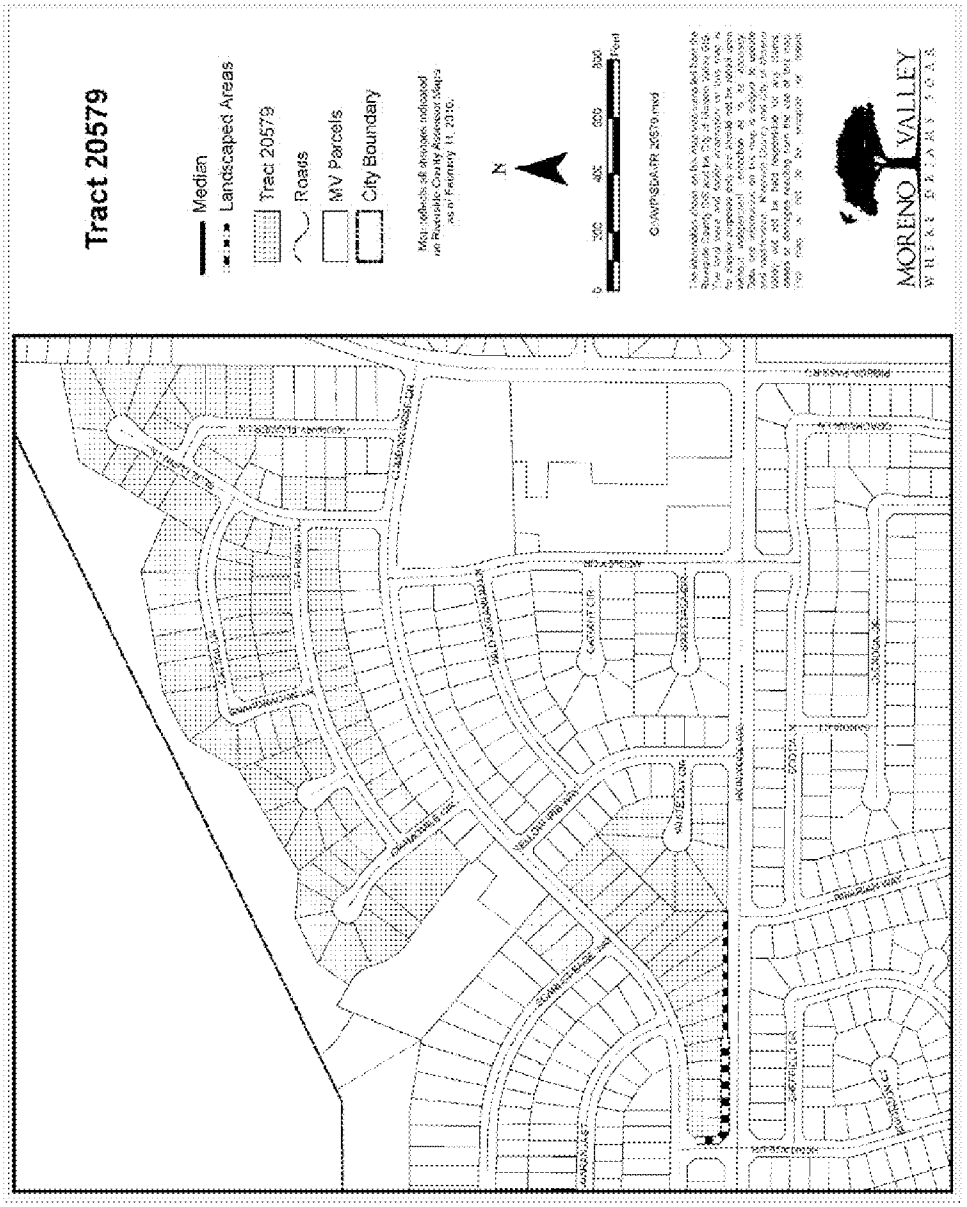
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
N
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\ SpecialDist\ jennifer\ballots for FY 09-10\ ZONE D 20718\ Tract 20718 packet.doc

MV00063314

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063316

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $284.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

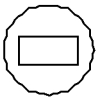

A circle around the box **and/ or** associated clause; or

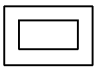

A square or rectangle around the box **and/ or** associated clause .

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063318

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		$	14,466.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	258.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	$ 21,046.44		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.03		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	$ 3,263.15		
Total Expenditures		$	24,309.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(9,843.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$71.00
2002 — 2003	$71.00
2003 — 2004	$96.00
2004 — 2005	$96.00
2005 — 2006	$100.00
2006 — 2007	$129.00
2007 — 2008	$133.00
2008 — 2009	$139.00
2009 — 2010	$139.10

MV00063320

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

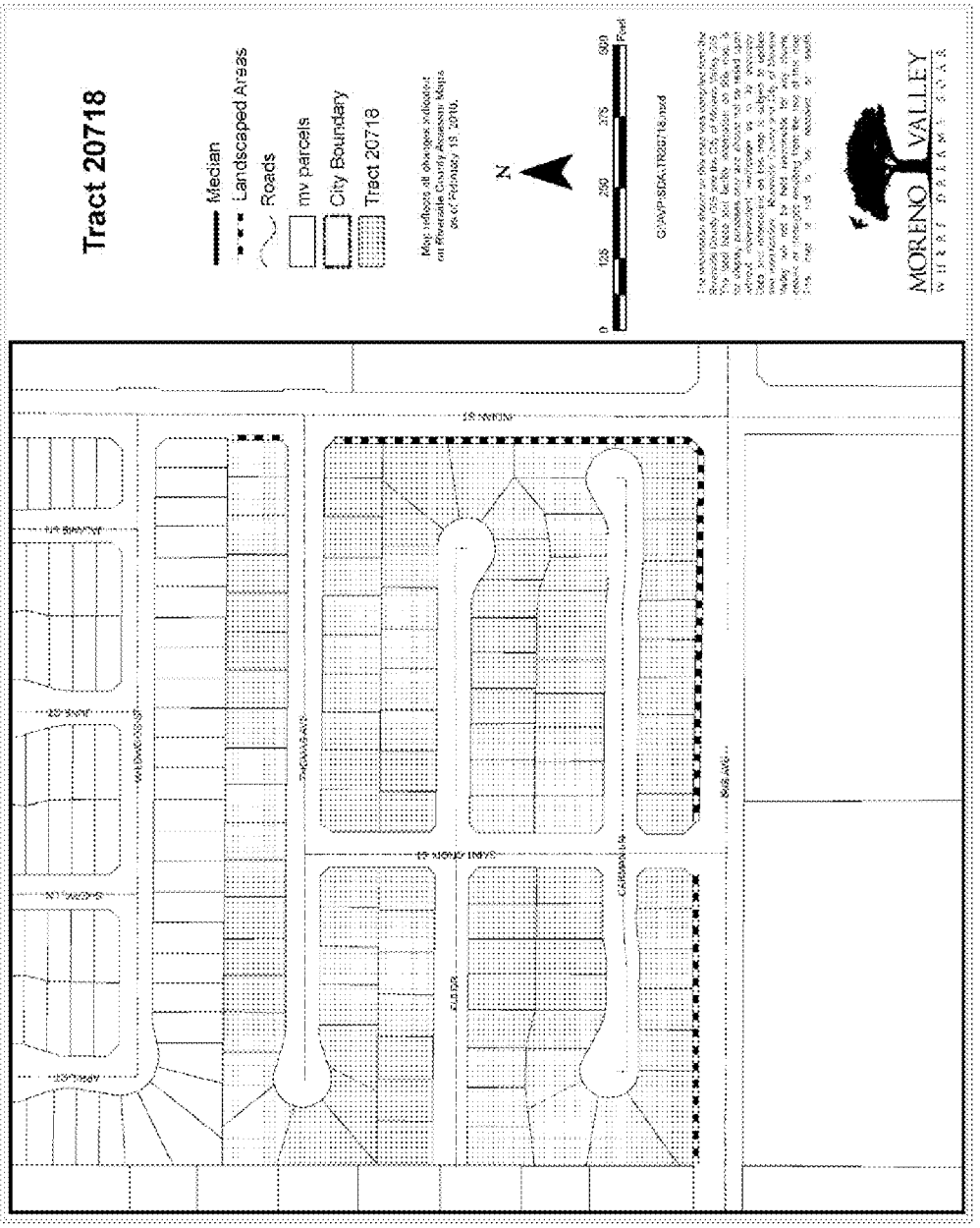
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 19, 2010.
N
0
125
250
375
500
Feet
MORENO VALLEY

MV00063322

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mindo
Patricia K Mindo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063324

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063326

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063327

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

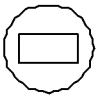

A circle around the box **and/ or** associated clause; or

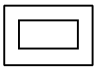

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063328

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		$ 9,462.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,916.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	$ 12,739.82		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	$ 1,972.11		
Total Expenditures		$ 14,711.93	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,249.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$57.00
2009 — 2010	$57.00

MV00063330

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

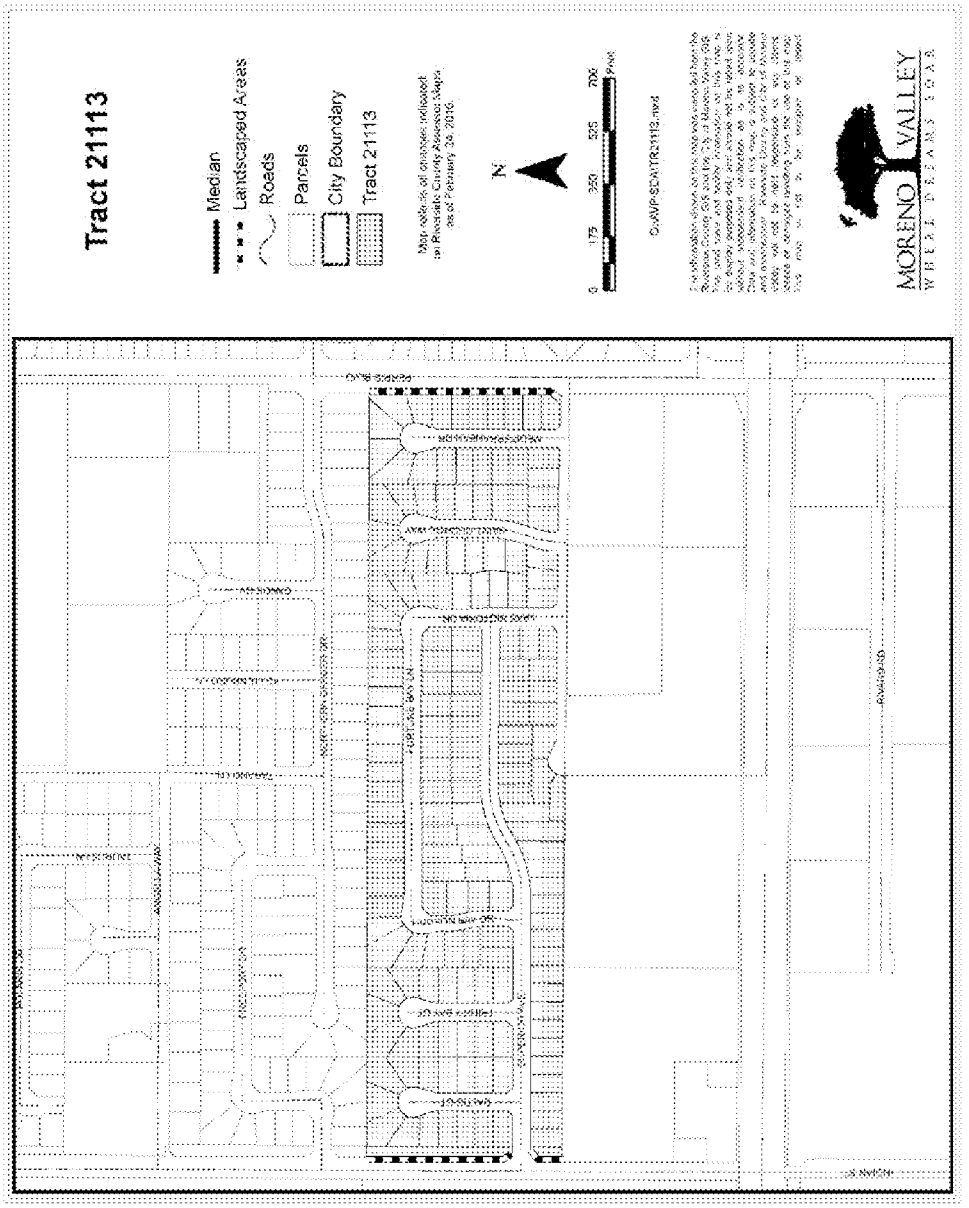
Tract 21113
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113
N
0
175
350
525
700
Feet
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22845 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063334

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. Adiminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063336

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

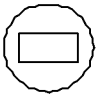

A circle around the box **and/ or** associated clause; or

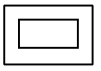

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063338

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($108.20* 127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		$ 26,441.40	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,308.60		
Vandalism	53.86		
Electricity (Southern California Edison)	258.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	$ 37,879.56		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	$ 5,840.99		
Total Expenditures		$ 43,720.55	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (17,279.15)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$190.00
2002 — 2003	$190.00
2003 — 2004	$190.00
2004 — 2005	$193.00
2005 — 2006	$201.00
2006 — 2007	$208.00
2007 — 2008	$208.00
2008 — 2009	$208.00
2009 — 2010	$208.20

MV00063340

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

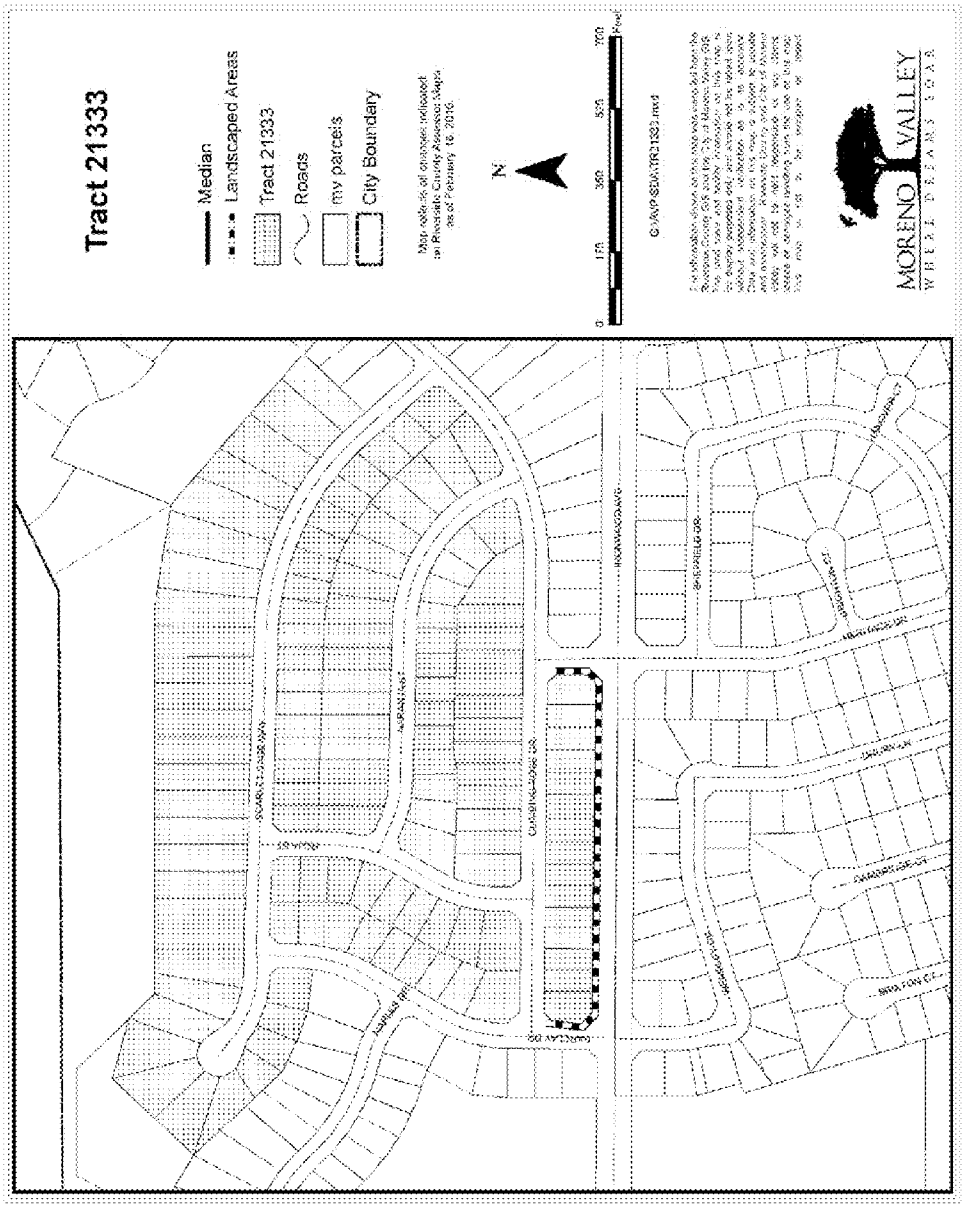
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
my parcels
City Boundary
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00063342

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

MV00063343

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063344

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063346

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $325.20 to $473.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063347

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

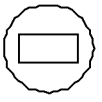

A circle around the box **and/ or** associated clause; or

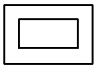

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063348

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 26597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		$ 22,140.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,360.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	$ 30,677.87		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	$ 4,724.40		
Total Expenditures		$ 35,402.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (13,262.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$237.00
2002 — 2003	$242.00
2003 — 2004	$242.00
2004 — 2005	$246.00
2005 — 2006	$257.00
2006 — 2007	$257.00
2007 — 2008	$295.00
2008 — 2009	$295.00
2009 — 2010	$295.20

MV00063350

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

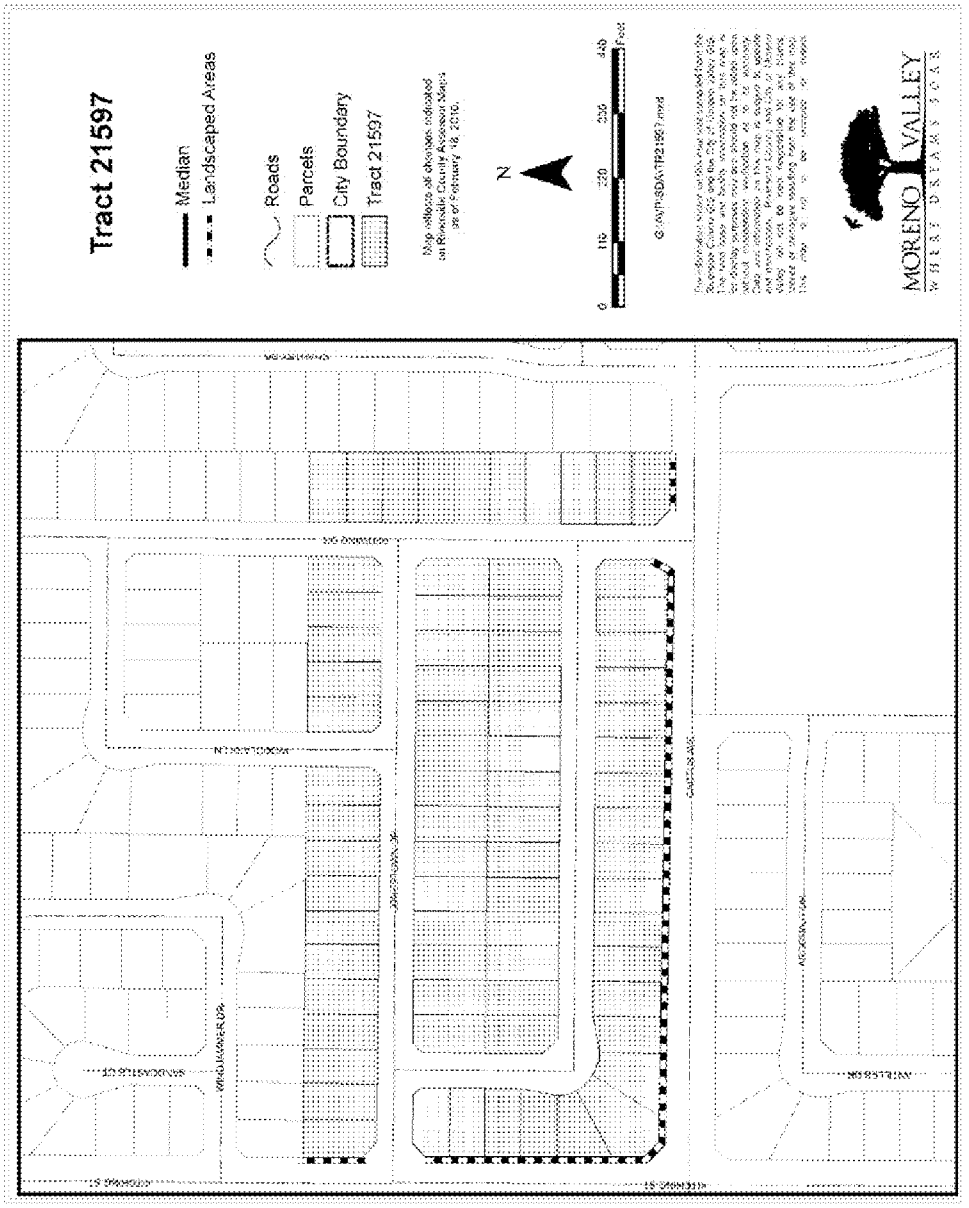
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
110
220
330
440
Feet
MORENO VALLEY
WHERE DREAMS SOAR

MV00063352

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 28889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 0910\ZONE D 2889\Tract 2889 packet.doc

MV00063354

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063356

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

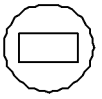

A circle around the box **and/ or** associated clause; or

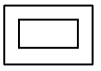

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063358

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28389 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		$	10,416.00
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	39.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,205.86		
Landscaping Equipment and Personnel	6,922.88		
Total Direct Costs	$ 15,169.98		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	$ 2,324.81		
Total Expenditures		$	17,494.79
Operating Shortfall (Total Revenue less Total Expenditures)		$	(7,078.79)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Item No. G.2

MV00063359

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$186.00
2004 — 2005	$186.00
2005 — 2006	$186.00
2006 — 2007	$186.00
2007 — 2008	$186.00
2008 — 2009	$186.00
2009 — 2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

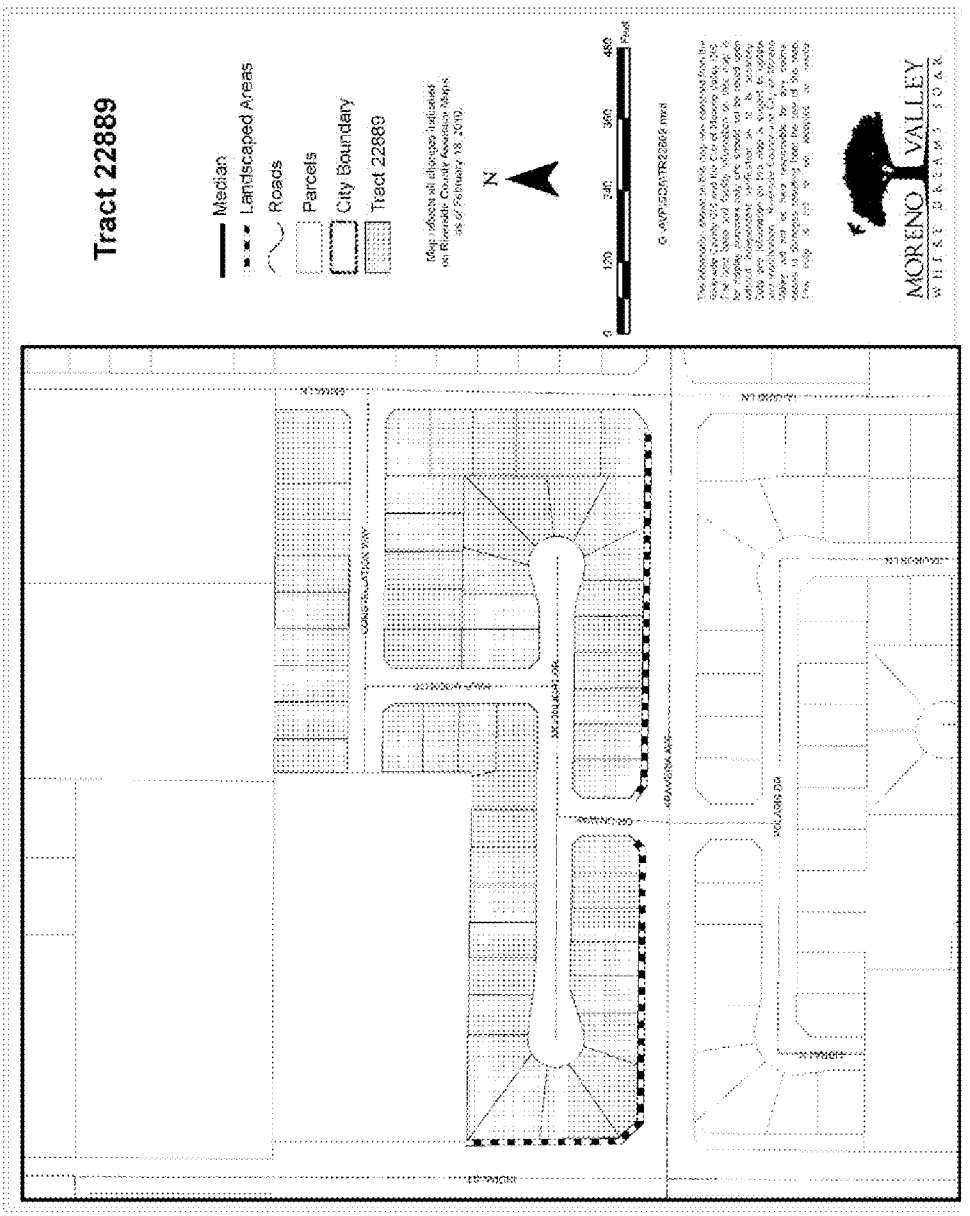
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
N
0
120
240
360
480
Feet
MORENO VALLEY

MV00063362

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\Jennifer\Ballots for FY 09-10\ZONE D\28882 Tract 28882 packet.doc

MV00063364

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063366

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063367

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

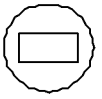

A circle around the box **and/ or** associated clause; or

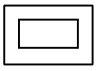

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063368

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		$ 11,444.10	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	–		
Electricity (Southern California Edison)	259.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	$ 17,105.72		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	$ 2,668.37		
Total Expenditures		$ 19,774.09	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (8,329.99)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999 – 2000	$70.00
2000 – 2001	$70.00
2001 – 2002	$70.00
2002 – 2003	$74.00
2003 – 2004	$77.00
2004 – 2005	$78.00
2005 – 2006	$80.00
2006 – 2007	$96.00
2007 – 2008	$99.00
2008 – 2009	$103.00
2009 – 2010	$103.10

MV00063370

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

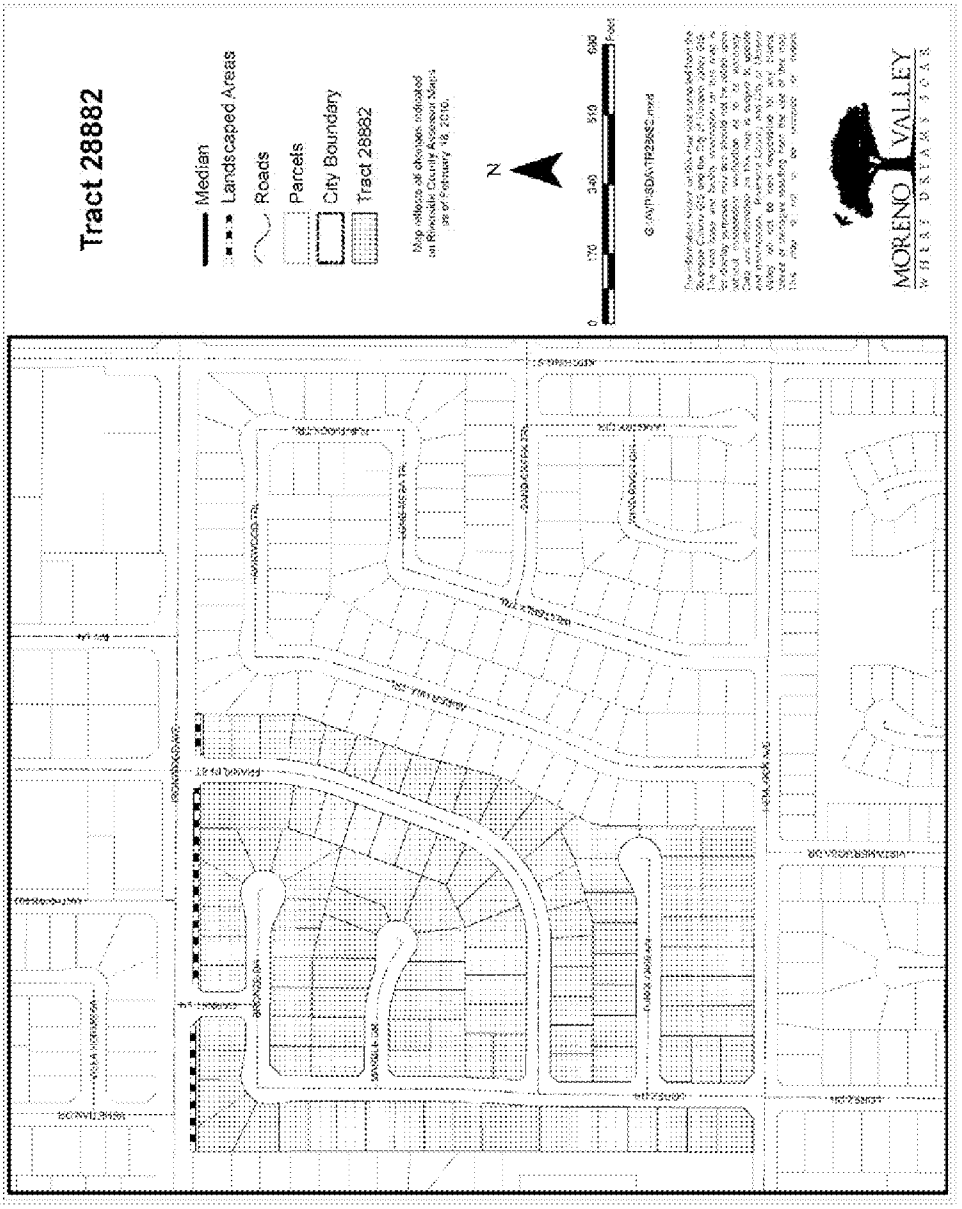
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
N
0
170
340
510
680
Feet
MORENO VALLEY

MV00063372

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn McGriswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063374

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063376

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063377

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

- ✔ A check mark substantially inside a box;
- ✕ An X mark substantially inside a box;
- ● A dot or oval mark substantially inside a box;
- ■ A completely shaded or filled mark substantially inside a box;
- A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;
- A circle around the box **and/ or** associated clause; or
- A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063378

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		$ 17,850.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,492.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	$ 20,837.99		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,123.15		
City Administration	1,989.77		
Total Indirect Costs	$ 3,183.28		
Total Expenditures		$ 24,021.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,171.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006 – 2007	$1,050
2007 – 2008	$1,050
2008 – 2009	$1,050
2009 – 2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 3 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

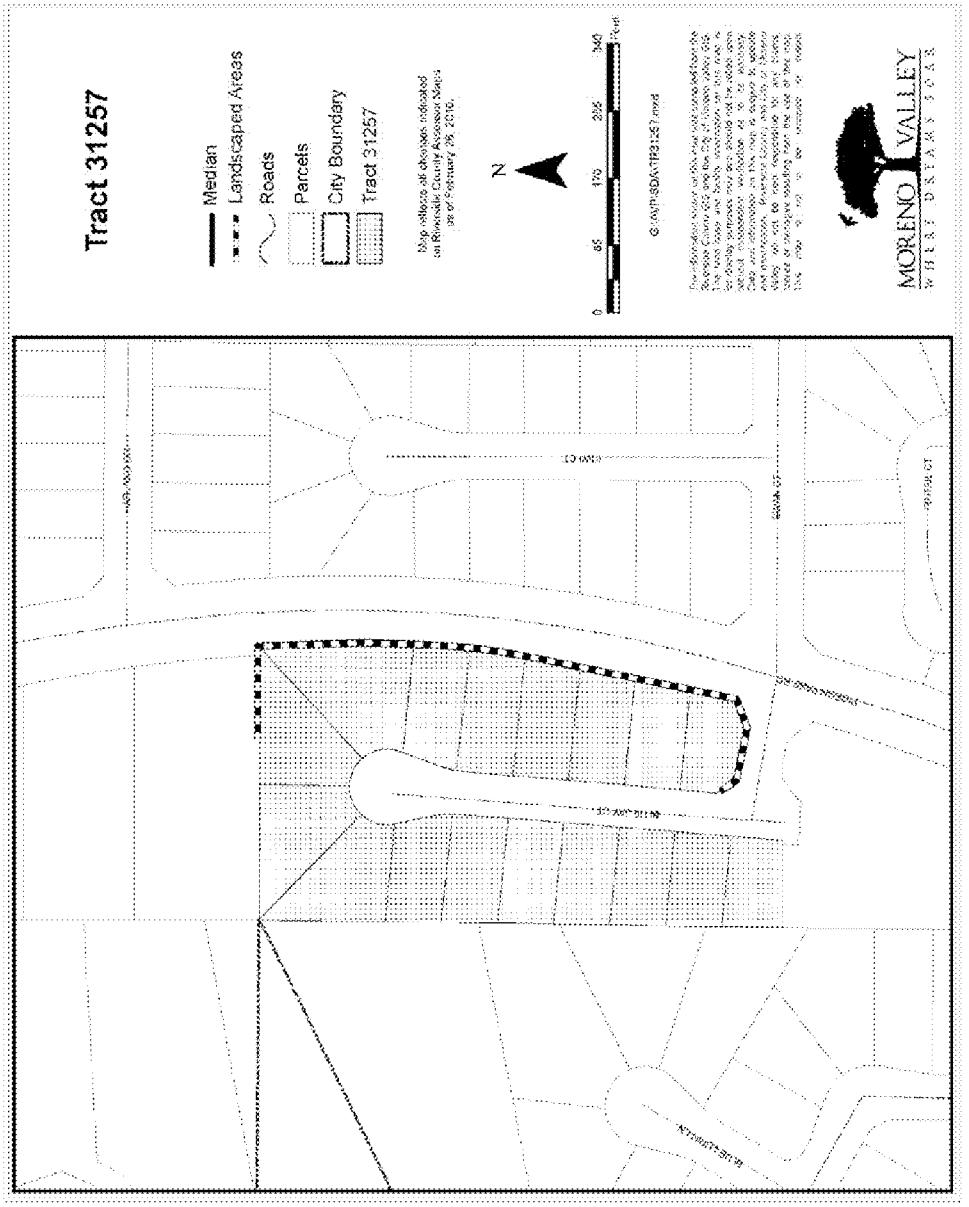
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
N
MORENO VALLEY

MV00063382

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063384

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269—1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269—1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063386

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $285.20 to $355.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063387

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

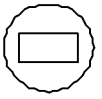

A circle around the box **and/ or** associated clause; or

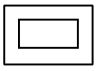

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063388

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($35.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		$	31,586.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	356.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	$ 32,793.95		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,992.21		
City Administration	2,908.78		
Total Indirect Costs	$ 5,101.64		
Total Expenditures		$	37,895.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(6,309.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269—1

TAX YEAR	PARCEL CHARGE
2005—2006	$225.00
2006—2007	$225.00
2007—2008	$225.00
2008—2009	$225.00
2009—2010	$225.00

MV00063390

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

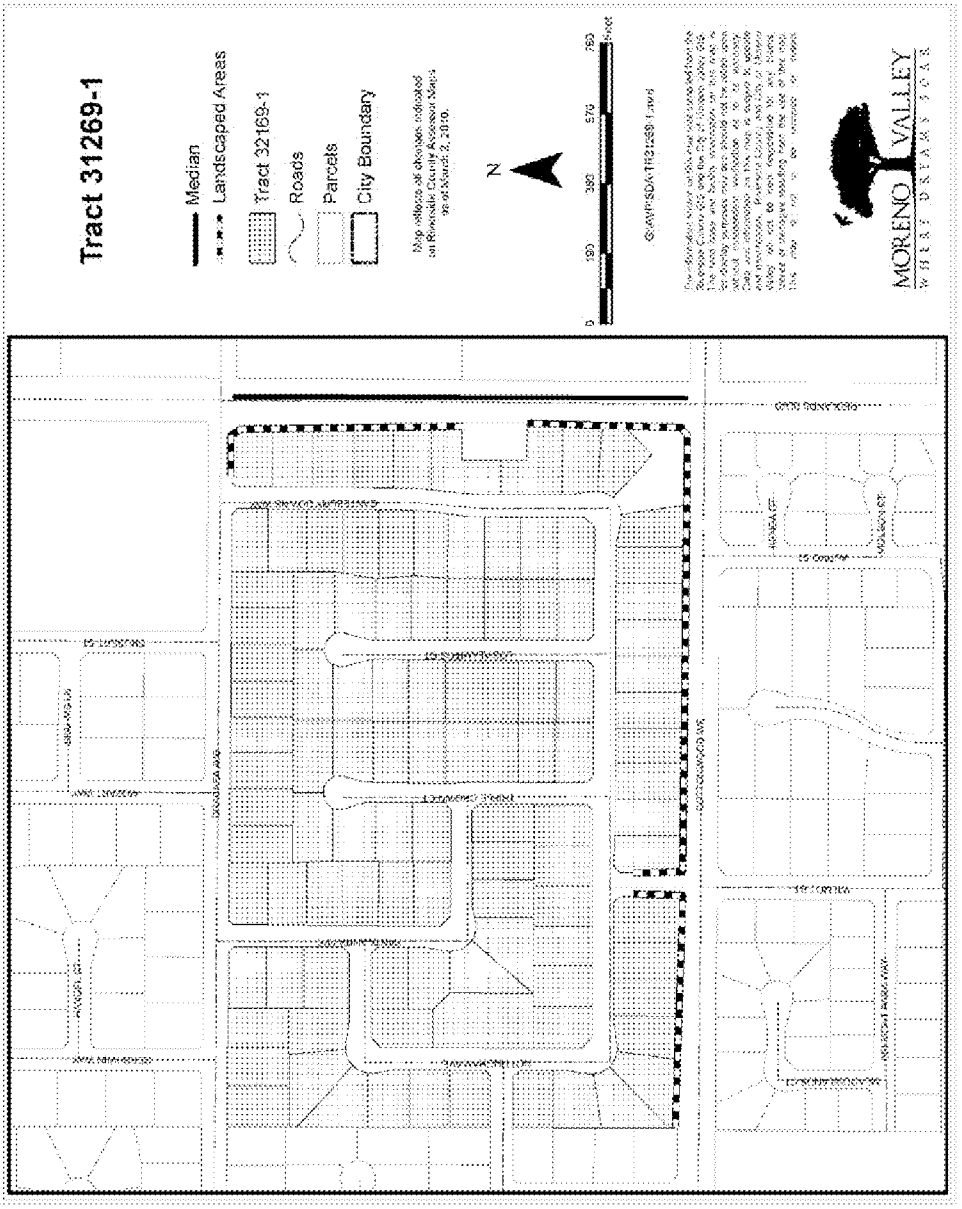
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2016.
N
0
190
380
570
760
Feet
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 09-10\ZONE D 32018\Tract 32018 packet.doc

MV00063394

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $168.00 to $160.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

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BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

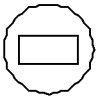

A circle around the box **and/ or** associated clause; or

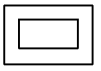

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		$ 5,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	—		
Electricity (Southern California Edison)	236.67		
Water (Eastern Municipal Water District)	1,859.00		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,997.24		
Total Direct Costs	$ 10,645.51		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	$ 1,626.18		
Total Expenditures		$ 12,271.69	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,035.69)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005 – 2006	$34.00
2006 – 2007	$34.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

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COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

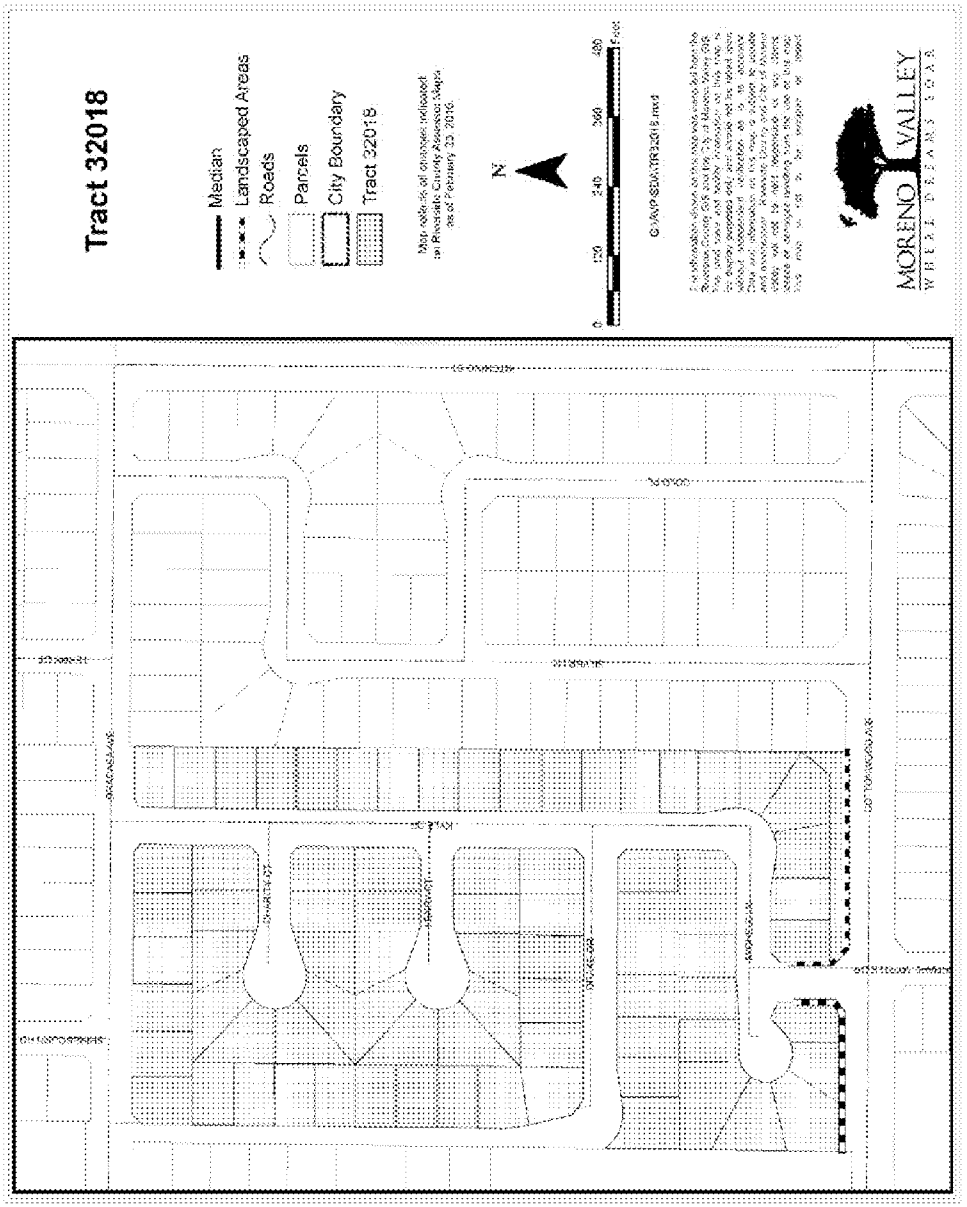
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
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120
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360
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Feet
MORENO VALLEY

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, is planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*
Juanita M. Barnes*

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George W. Brummer***
Virgil Chancy*
Marie Hyta **(plans to attend meeting in May)
Jacqueline Dawn Qualls

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer ***
Alvin C. Horn
Frank D. Pavlik*

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00063406

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

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residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels ; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

MV00063410

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063412

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the afore mentioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such proration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

_____ _____ –
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

Resolution No. 2010-62
ATTACHMENT 2 Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

Resolution No. 2010-62
Date Adopted: June 8, 2010

ATTACHMENT 2

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	**$1,829,606**	**10%**
9% Tax Credit Equity	**$9,242,933**	**49%**
RDA Funds	**$6,750,000**	**36%**
Affordable Housing Fee Reductions-City	**$991,608**	**5%**
Affordable Housing Fee Reductions-County	**$79,632**	**<1%**
General Partner Equity	**$99,029**	**<1%**
Total	**$18,992,808**	**100%**

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

MV00063424

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

MV00063426

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063428

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

ATTACHMENT A

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Item No. G.6

MV00063433

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(98,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(76,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225, 192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

MV00063436

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063438

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,210	$479,000		$1,002,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,437
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,002,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF - CCATCRT - PD - AB3232	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/ EDUC/ GOV ACCESS	550,000								550,000
134	EMPG - EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	227,000								227,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORMWATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORMWATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					236,611	236,611	236,611	8,234,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					228,300	228,300	228,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD #1	1,005,105								1,005,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,238								183,238
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIALSTS DEV IMPACT FEE	104,700					1,309,975	1,309,975	1,309,975	1,413,675
202	TRAFFICSIGS DEV IMPACT FEE	28,700								28,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,903	212,903	212,903	254,003
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	907,700								907,700
206	QUIMBY IN-LIEU PARK FEE	526,00								526,00
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,210								4,210
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
215	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
217	FHWA TRANSIMS	186,600								186,600
218	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
219	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
220	2009 - DJ - BX - 1178 JAG GRANT	78,118								78,118
223	EMERGENCY SVCS AGENCY	14,000								14,000
252	JAG 2009 SB - 59 - 2266 FUND	435,700								435,700
290	CDBG FY05/06 FUND	10,000								10,000
292	CDBG FY07/08 FUND	14,700								14,700
293	CDBG FY08/09 FUND	418,652								418,652
295	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16 - 08 - 1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REF NDG	1,158,700								1,158,700
316	ASSMT DIST 98 - 1 - DEBT SVC	27,00								27,00
321	CH COP 97 DEBT SVC	822,035								822,035
325	PUB SAFTY BOND DEBT SVC	404,210								404,210
328	AUTOMLREFIN - CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD #5 STONERIDGE DEBT SVC	362,210								362,210
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIALSTREETS	296,000								296,000

Item No. G.6

MV00063439

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,750								38,750
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP- ADMIN FUND	625 00								625 00
529	CFD #5 STONERIDGE CAP/ ADM	54,000								54,000
530	CFD #4 I- INFRS CAP/ ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,305,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A -DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A -CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,321,900	(2,272,220)	0	150,000	0	2,300,225	2,450,225	178,005	13,498,905
	NET REVENUES	**$180,916,700**	**($681,140)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,488**	**$203,305,188**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

MV00063440

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$27,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	27,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF – CCAGRT – PD – AB3229	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/ EDUC/ GOV ACCESS	447,120					447,120
134	EMPG – EMERGNCY MGMT PREP	94,120					94,120
136	OTS – POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/ 02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,120,120					1,120,120
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,120					13,120
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,120)			(162,120)	8,284,120
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ART LGHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,120					2,837,120
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD #1	951,120					951,120
185	ZONE "S"	112,000					112,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIALSTS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
217	FHWA TRANSIMS	30,000					30,000
219	EECBG FUND				1,365,800	1,365,800	1,365,800
220	2009 – DJ – BX – 1178 BAG GRANT	78,118					78,118
285	CDBG FY 10/ 11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG 14 USED OIL RECYCLG	27,900					27,900
295	TRI 16 – 06 – 1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGTIMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGTSPCL TAX REF NDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98 – 1 – DEBT SVC	2,400			300	300	2,700
321	CH COP97 DEBT SVC FUND	82,025					82,025
325	PUBSAFTY BOND DEBT SVC	404,120					404,120
328	AUTOMLR REFIN – CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD #5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I – INFR DEBT SVC	11,493,120					11,493,120
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGTIM PV SPCL TAX CAP	38,120					38,120
515	2007 TWNGT SPCL TAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD #5 STONERIDGE CAP/ ADM	53,700					53,700
530	CFD #4 I-INFR CAP/ ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,120					318,120
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007 TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds[1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

MV00063442

ATTACHMENT "B"

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

ATTACHMENT "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT "C"

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

ATTACHMENT "D"

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.8

MV00063449

MV00063450

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MV00063452

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00063453

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.0 1.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moren o Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Departmen t)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

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Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211 ;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

MV00063455

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-258 97

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

MV00063459

District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

MV00063460

p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

MV00063461

Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDEN ROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropr iations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISH ING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appr opriations limit at $13,567,175 for the Moreno Valley Communit y Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 20 10-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of de linquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSS ION OR SEPARATE ACTION

MV00063463

G. REPORTS

G.1 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.2 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.3 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G.4 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

MV00063464

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.5 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance

MV00063465

to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.6 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution Of The City Council Of The City Of Moreno Valley, California, Adopting The Operating Budget For Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution Of The Moreno Valley Community Services District, Adopting The Operating Budget For Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the

MV00063466

Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley, California Adopting The Operating Budget For Fiscal Year 2010-11

G.7 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11,

MV00063467

including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.8 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/ OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00063468

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00063469

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00063470

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

Item No. A.2

MV00063471

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

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A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00063478

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010 /11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

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MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

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3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/ Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

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adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

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G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

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Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Item No. A.3

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MV00063500

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063502

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ __
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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			P>;: 8$H=8LA$!98$U>8H=	$7FF5 6
			P>;: 8$H=8LA$!98$U>8H=	$-3+52
			P>;: 8$H=8LA$!98$U>8H=	$FE35 2
			P>;: 8$H=8LA$!98$U>8H=	$-65F,
			P>;: 8$H=8LA$!98$U>8H=	$276, 5F2
			P>;: 8$H=8LA$!98$U>8H=	$ 4EE25/F
			P>;: 8$H=8LA$!98$U>8H=	$FF35.
			P>;: 8$H=8LA$!98$U>8H=	$242225) E
			P>;: 8$H=8LA$!98$U>8H=	$-436577
			P>;: 8$H=8LA$!98$U>8H=	$) 4,,5) E
			P>;: 8$H=8LA$!98$U>8H=	$E4E3+573
			P>;: 8$H=8LA$!98$U>8H=	$-4-.52.
			P>;: 8$H=8LA$!98$U>8H=	$) E5-,
			P>;: 8$H=8LA$!98$U>8H=	$-4-352-
			P>;: 8$H=8LA$!98$U>8H=	$ 4,,5+
			P>;: 8$H=8LA$!98$U>8H=	$2)52,
			P>;: 8$H=8LA$!98$U>8H=	$+.5+
			P>;: 8$H=8LA$!98$U>8H=	$2)+52
			P>;: 8$H=8LA$!98$U>8H=	$-E7526
			P>;: 8$H=8LA$!98$U>8H=	$735 2
			P>;: 8$H=8LA$!98$U>8H=	$27E57-
			P>;: 8$H=8LA$!98$U>8H=	$6FE52E
			P>;: 8$H=8LA$!98$U>8H=	$2-F572
	: #+0)4&E),.;	&TRLXKTSZJ		
HVE3&)4&A' CEA><&9G<D D' W&] ' EA>& 3DCE>D E&		&ZTPLRRKSPQ		
A9-WFV9A<E&3A: AW F-9A<E&3A-' >E9A< E				
)*7*,-+-	$3+E	$236+65)6		
			A;>;: $&CH9U: $>W$P*=$)*-7*+-	$236+65 6
)*,2*,-+-	$3,3	$2)47F75/E		
			G: %&A;>;: $>W$P*=$$)*,2*+-	$2)47F75/E
	: #+0)4&E),.;	&KPLUZKSJT		
HVE3&)4&A9-WFV9 A<E&3A: AWF-9A<E& 3A-' >E9A<E&		&PLPMKLRJMSTU		

MV00063507

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
A<! F&GEDVEV&CA> : D AC&9 F>A<F& ' WVAV&VV!				
	)*6*,-+-	$-+3,-	$-3)42E653-	
			%&9!$AJHA@&BA*%: 88BA	$,-56-
			%&9!$AJHA@&I : ; H= : 8A	$-4E35 3
			%&9!$AJHA@&>CH=9$G98>G9	$-)57
			%&9!$AJHA@&; 8: : ; $DL=; $BUJD	$E-5E
			%&9!$AJHA@&8>V: : $%>BD;	$)E5F7
			%&9!$AJHA@&8>V: : $%>BD;	$)5-
			GBA; 8B7K; B9C$H=8LA	$-.E46F-5E
			A% HB>D&H=8LA	$34675-
			9CDBD: $K; BDB <$AJHA	$+,5F-
			% 88BA$?D$-, I J$I : : G: 8*BBA@!I	$F4E),57E
			?>G$G: ?; $G: GKH; B9C	@4225)+
			H>H; KA*D>AA: DD $+, I J$HBBH$ B	$EE5-
			H>H; KA*D>AA: DD $+, I J$HBBH$ B	$+4)F757F
			L9DG: CH8: A; @DAP 98; =$?>HI ?9C:	$2+F572
			L9DG: CH8: A; @DAP 98; =$?>HI ?9C:	$FF,57,
			3; =$HBBH$J9J>D$A K?A; 5$P98I	$-47-75E2
	: #+0) 4E),.;	&PRUUTQK$RM		
HVE3 &&) 4&A<! F&GEDVEV&CA> : D AC&9 F>A<F& : ' VVAV&VV! &		&PLQKKLPMQ&/K		
@ [DE' E&HF>&@G9' <DEV&>D A>CD&A				
	)*,3*,-+-	$-,+)6	$6+4E-+533	
			8: BJ?$B: NK: A; @9 KABDL$>L8: : UC;	$6+4E-+533
	: #+0) 4E),.;	&KPLQVPSRR		
HVE3 &&) 4&@ [DE' E&HF>&@G9' <DEV&>D: A>CD&A		&KTLXTTSRR		
D<EA><' V&>A: A<GA &CA>: D A				
	)*7*,-+-	$3+F	$-,7427,522	
			!: G$&CH9U: $>V&P *=$)*-7*+-	$-,7427,522
	)*,2*,-+-	$3,6	$-,342235F6	
			G: %&!: G$>V&P*=$$)*,2*+-	$-,342235F6
	: #+0) 4E),.;	&JKKLXJZS&/Q		
HVE3 &&) 4&@EA><' V&>A: A<GA&CA>: D A&		&TLPQUTUQS&Z		
9F>A<F& ' VVAV&! ' ! EGC&>' <! @L&VV!				
	)*6*,-+-	$-+3E)	$6746375-	
			8: BJ?K8A: U: C; $>L 8: : U: C;	$6746375-
	: #+0) 4E),.;	&KZLKRZS&/M		
HVE3 &&) 4&9F>A<F&: ' VVAV&! ' ! EGC&>' <! @L& VV! &		&KZLKRZS&/M		
9F>A<F& ' VVAV&> F-A>EDACL&VV!				
	)*,F*,-+-	$--)+++	$3-64--5-	
			8: !KCG$ 89AB9C$H; 8D$H>A=$A: H	$3-64--5-
	: #+0) 4E),.;	&RMKLMMB&/M		
HVE3 &&) 4&9F>A<F&: ' VVAV&>F-A>EDA CL&VV!		&RMKLMMB&/M		

MV00063508

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&GE DWEV					
	)*+7*,-+-	$-,-+7	$)E43,57E		
				: D H; 8BHB<	$-,,53
				: D H; 8BHB<	$)75-7
				: D H; 8BHB<	$--57
				: D H; 8BHB<	$-8-75-
				: D H; 8BHB<	$E4F+352+
				: D H; 8BHB<	$74-3522
				: D H; 8BHB<	$46+5+F
				: D H; 8BHB<	$2476)5EF
				: D H; 8BHB<	$F-F56+
				: D H; 8BHB<	$-4+,5F+
				: D H; 8BHB<	$++E)25E)
				: D H; 8BHB<	$8-8325E
				: D H; 8BHB<	$-EE57)
				: D H; 8BHB<	$++F5FF
				: D H; 8BHB<	$F66)E
				: D H; 8BHB<	$635E6
				: D H; 8BHB<	$635+
				: D H; 8BHB<	$-2+56E
				: D H; 8BHB<	$7357
	: #+O)4E),.;		&JQIVRJSZQ		
HVE3&)4&>F>A<F&: ' WWAV&GEDWEV&			&RJRIQTXSTM		
9FCC&[>FC&& ^3 L&D<! S					
	)*6*,-+-	$-+37-	$6,4F235-F		
				A% HB-D$>W&B: BJ ?K8A: U: C;	$6.4F235-F
	: #+O)4E),.;		&KJLXTRS&/K		
HVE3&)4&>FCC&[> FC&& ^3 L&D<! S&			&KJLXTRS&/K		
9FCC&[>FC&@F<3' L&D<! S					
	)*6*,-+-	$EE-,77	$624E,+5F+		
				A% HB-D$>W&B: BJ ?K8A: U: C;	$624E,+5F+
	: #+O)4E),.;		&KTLQJPSXP		
HVE3&)4&>FCC&[> FC&@F<3' L&D<! S&			&KTLQJPSXP		
9FCC&9F&' W&>F- A>EDACL&WW!					
	)*+,*,-+-	$-+EE3	$-324665)7		
				A% HB-D$>W&B: BJ ?K8A: U: C;	$-324665)7
	: #+O)4E),.;		&PRTLJKKSLZ		
HVE3&)4&>FCC&9F &' W&>F-A>EDACL&WW! &			&PRTLJKKSLZ		
9:&>' <! @F&3F>' 3F &DWE3&>' >E<A>C@D-					
	)*+,*,-+-	$--)-)+	$-42--4--5-		
				D9>C$-L8UC; @&>CH=9$G98>G9$A95	$-42--4--5-
	: #+O)4E),.;		&PLTMMLMMMBM		
HVE3&)4&>:&' <! @F&3F>' 3F &DWE3&& -' >E<A>C@D-&			&JLCMMLMMMBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
<' EDF<] D& A&> AED> A9 A<E&CFWGEDF<C				
)*,2*,-+-	$3,,	$647),5F		
			G: !$H9U%&6F$D& -+X-Y$)*,2*+-	$647),5F
: #+0)4&E),.;		&KKZUJ&V&K		
HVE3&&)4&' EDF<] D& A&> AED> A9 A<E& CFWGEDF<C&		&KUUKTK&PP		
-' W-L&D<! S&3[' &A_! AW&' :D<N& F9-' <V				
)*6*,-+-	$-+F-2	$6E4E3+52+		
			AKCC<UG&?DJG&B: J B,&V&B9M&AJHA	$6E4E3+52+
)*+,*,-+-	$-+E7+	$-724-7,5F)		
			AKCC<UG&?DJG&B: J B,&V&B9M&AJHA	$-745-+5.
			AKCC<UG&?DJG&B: J B,&V&B9M&AJHA	$-6E427-5F,
			AKCC<UG&?DJG&B: J B,&V&B9M&AJHA	$-64,-+5-
: #+0)4&E),.;		&JKPIZKJ&V&K		
HVE3&&)4&' W-L&D<! S&3[' &A_! AW&' :D<N& ! F9-' <V&		&JIPTJIKZJ&V&T		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*6*,-+-	$-+F-F	$,74+)536		
			A8@-*U98?H=$G8$E; 8H=CL$V&B9M	$-F42F75)E
			A8@-*C>A9C$A; $9J8H8AACL$V&B9M	$+4F265-F
: #+0)4&E),.;		&ZIPPU&R&K		
HVE3&&)4&' >CF<C&E>' <C-F>E' EDF<& N>FG-L&D<! S&		&PLMPIKJJ&T		
-A>C&@A' WE@&D<CG >' <! A				
)*3*,-+-	$--2+E+	$-7642-7,52E		
			: U%D&: >D,=$E&A$-)*-3*+-	$-7642-7,52E
: #+0)4&E),.;		&PZKIZJ&Q		
HVE3&&)4& A>C&@A' WE@&D<CG>' <! A&		&PIZTPIPTR&P		
-A>C&>AED>A9A<E				
)*,*,-+-	$3+-	$-7+4E,F5E,		
			% 8A$B: ; B&B: U: C; $-)*-,*+-	$-7+4E,F5E,
)*+3*,-+-	$3+7	$-EE46)-5)-		
			% 8A$B: ; B&B: U: C; $-)*+3*+-	$-EE46)-5)-
)*2-*,-+-	$3,F	$-7,4)+566		
			% 8A$B: ; B&B: U: C; $-)*2-*+-	$-7,4)+566
: #+0)4&E),.;		&KXJIQVZ&X		
HVE3&&)4& A>C& A ED> A9 A<E&		&IXVKIKZJ&Q		
>D @' >3&VF-A\& F<CE>G! EDF<				
)*+,*,-+-	$-+7--	$3)46F5-E		
			: D H; 8BH&K; B&B<$V&B9M H; A&AJHA	$3)46F5-E
: #+0)4&E),.;		&RUJKX&V&Q		
HVE3&&)4& D @' >3&VF-A\& F<CE>G! EDF<&		&PLVKUJVKZ&JX		

MV00063510

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
>FACVD<N&<' B' 9G>' &EA>' 3' & >! @DEA ! ECL&D<!				
)*+7*,-+-	$EE-236	$364 2252F		
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$364 2252F
: #+0) 4&E) ,. ;		&RKLJTTS'X		
HVE3 &8) 4&FACVD N&<' B' 9G>' &EA>' 3' & ' >! @DEA! ECL&D! &		&JTTLXTTS%Z		
CA9->' &A<A>NV&CF VGEDF<C				
)*+,*,-+-	$EE-2),	$9--34F-E576		
			%9P: 8$%K8H=>A:	9-34F-E576
)*+7*,-+-	$EE-233	$9-E+4272577		
			%9P: 8$%K8H=>A:	$F)46E6577
			%9P: 8$%K8H=>A:	9-34E-E5-
: #+0) 4&E) ,. ;		&JCQLPVJS2U		
HVE3 &8) 4&CA9->' &A<A>NV&CF VGEDF<C &		&KLTUZLXVKS2P		
C@AVVA<A>NV&<F> E@& 9A>D' &0GC2&VS-S				
)*+,*,-+-	$-+7-E	$2,E4)E35-		
			: D H; $ C: 8L<$%K8 H=>A:	$2,E4)E35-
: #+0) 4&E) ,. ;		&TJQLUCR&VM		
HVE3 &8) 4&C@AVVA<A>NV&<F>E@& 9A>D' & 0GC2&VS-S&		&ZZZLXUVB&M		

MV00063511

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
CFGE@A><& ' WDHF><D &A3 DCF<				
	)*6*,-+-	$-+F),	$F4F-E556 7	
			PG>; $H=8LA@8: G: 8BHI	$4E,65 7
			PG>; $H=8LA@LD9?:	$34 265E+
			PG>; $H=8LA@8>=>U	$24F,F536
			PG>; $H=8LA@BFA	$ 4),65,
			PG>; $H=8LA@>CGBD>	$ 4) F52+
			PG>; $H=8LA@K?A; >; B9C	$-4) F52+
	)*+7*,-+-	$-,-3-	$-)E42,7576	
			: D H; 8BHB<	$3E5-2
			: D H; 8BHB<	$+5E-
			: D H; 8BHB<	$E)5E2
			: D H; 8BHB<	$5735 2
			: D H; 8BHB<	$+-5E
			: D H; 8BHB<	$ 42+E5FF
			: D H; 8BHB<	$E,35)F
			: D H; 8BHB<	$E)+5F6
			: D H; 8BHB<	$ 47,EEE6
			: D H; 8BHB<	$-4 F757E
			: D H; 8BHB<	$-4,652-
			: D H; 8BHB<	$-52E
			: D H; 8BHB<	$734E,E5)F
			: D H; 8BHB<	$264)6,5E,
			: D H; 8BHB<	$ 43F5)-
			: D H; 8BHB<	$,56F
			: D H; 8BHB<	$,576
			: D H; 8BHB<	$,5-)
			: D H; 8BHB<	$3653E
			: D H; 8BHB<	$E+56.
			: D H; 8BHB<	$F755)
			: D H; 8BHB<	$25)7
	: #+O) 4&E),.;	&PXRUVTQ&KU		
HVE3 &) 4&CF GE@A><& ' WDHF><D &A3 DCF<&		**&RUUZKUTXX&VZ**		
CFGE@A><& ' WDHF><D &A3 DCF<& FS				
	)*,3*,-+-	$-,+E6	$7-4-6556	
			8: %DHUC; $9!9>HBDB BA@><9A; 5	$7-4-6556
	: #+O) 4&E),.;	&ZMUVMK&KK		
HVE3 &) 4&CF GE@A><& ' WDHF><D &A3 DCF<& ! F S&		**&ZMUVMK&KK**		
CE' <3' >3 &D<CG>' <! A& F				
	)*+,*,-+-	$-+7+3	$2-46+6557	
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-,4376 5F2
			DH: $C&GBA>?BDB <$&CAK8>CH:	$-F47,E576
			DH: $C&GBA>?BDB <$&CAK8>CH:	@-75 7
	: #+O) 4&E),.;	&TMKPK&KZ		
HVE3 &) 4&CE' <3' >3 &D<CG>' <! A& F&		**&TJRUXKJ&KU**		

MV00063512

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	[illegible] 3#1$456,5) +7-*46) 1#8) 8&. / (#+,	-./(#+,& '( ) *+,012
GSCS&[' <B7! ' W! ' > 3C				
)*+, *, -+-	$--)-2+	$FF42, -5 E		
			H>DH>8G$%U; $H<HD: $ CG$) *-F*+-	$FF42, -5 E
)*, 7*, -+-	$--)+, +	$72463E5-7		
			H>DH>8G$%U; $H<HD: $ CG$) *, , *+-	$72463E5-7
	: #+0) 4&E) ,. ;	8PXMQQQ&X		
HVE3 &8) 4&G SCS&[' <B7! ' W! ' > 3C&		8PLXMPLUMZSXP		
GSCS&E> A' CG> V				
)*+, *, -+-	$ -+7, 2	$2-4FF+522		
			A! @, 6$ W$H: AA$H> A=	$2-4FF+522
	: #+0) 4&E) ,. ;	8TMXXPST		
HVE3 &8) 4&G SCS&E> A' CG> V&		8TMXXPST		
G<DEA3 & F<E>' ! EF> C& F9 - ' <V&D<! S				
)*, 3*, -+-	$EE-)-6	$2, 6462-5--		
			: U8LCH<$9%A$H; 8$%89M$AJHA	$2. 6462-5-
	: #+0) 4&E) ,. ;	8TJKLKTMBM		
HVE3 &8) 4&G< DEA3 & F<E>' ! EF> C& F9 - ' <V& B< ! S&		8PLQRMMTMBM		
: FWG<EAA>& A<EA> &FH&> D A> CD& A& F G<EV				
)*6*, -+-	$ -+FF2	$2-4---5--		
			8: C; >D$> AAE&A; $AJ HA@%8%&%8LU	$-4--5-
			8: C; >D$> 88: >8A$A JHA@%8%&%8LU	$-4--5-
	: #+0) 4&E) ,. ;	8TMMMMBM		
HVE3 &8) 4& FWG<EAA>& A<EA> &FH&> D A> CD& A ! FG<EV&		8ZKLJQJST		
] AWWC&H' >NF& F>- F>' EA&E>GCE				
)*, 7*, -+-	$--)-F+	$--4)F65E-		
			E&C; $9C$-77F$D >A : $B: J$?CG	$--4)F65E-
)*, 7*, -+-	$--)-3+	$-4+E4EF)5)-		
			E&C; $9C$--6$D >A : $B: J$?CG	$-4+E4EF)5)-
)*, 7*, -+-	$--)-E+	$-4++-4E775-F		
			, --F$D8?$G: ?; $AJ H$%><U: C;	$-4++-4E775-F
)*2-*, -+-	$--)+2+	$-4-F+42)75-3		
			G: ?; $AJH@% HB>D$ >W A	$-4-F+42)75-3
	: #+0) 4&E) ,. ;	8TLUMPLKZQST		
HVE3 &8) 4&] AWWC&H' >NF& F>-F>' EA&E>GCE&		8ZLMJZLUCKSJT		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"(&) *+*, -+-$/#'01/&) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
] @AAWA> & ' : B< N L&B< ! S				
) *6*, -+-	$EE-2,)	$) 34 6+5-		
			D> AA: DD $A; $PBG: CBCL$%&89M$AJ HA	$ 34 6+5 -
) *+, *, -+-	$EE-2) 3	$6734FFE5) +		
			: U: 8L$A; 8: : ; $%> J : UC; $P98I	$-24-7-52E
			D> AA: DD $A; $PBG: CBCL$%&89M$AJ HA	$5E246EE5 2
) *, 3*, -+-	$EE-) -F	$62-42F-5-3		
			D> AA: DD $A; $PBG: CBCL$%&89M$AJ HA	$-42) 65F2
			D> AA: DD $A; $PBG: CBCL$%&89M$AJ HA	$5F4E375FF
			D> AA: DD $A; $PBG: CBCL$%&89M$AJ HA	$) 74E7E5 7
			D> AA: DD $A; $PBG: CBCL$%&89M$AJ HA	$ +4 635F
	: #+O) 4&E) ,. ;	&PLPXTLTZZ$%X		
HVE3 &&) 4&] @AAWA> & ' : B< N L&B< ! S&		&JLXPPLPLUX$%Z		
] B< \ WA> & &BAWW&! F< CGWEB< N &A< N B< AA> C				
) *6*, -+-	$ -+FE+	$2+4) -5-		
			; : U%&A; > ! ! BCL$AJ HA@B> %&%&89MA	$-64E) - 5 -
			; : U%&A; > ! ! BCL$AJ HA@B> %&%&89MA	$-64) - - 5 -
	: #+O) 4&E) ,. ;	&TPLJUMBM		
HVE3 &&) 4&] B< \ WA> & &BAWW&! F< CGWEB< N &A< N B< AA> C&		&TRXLRPX$%Z		
] >! F N&] ACEA> < &> D: A> CD3 A&! F S&F H&N F: E&CS				
) *+7*, -+-	$ -, -EE	$) 42F-5-		
			; KU! $B: ABG: C; B> D$I : : A	$) 42F- 5 -
	: #+O) 4&E) ,. ;	&JJLTXMBM		
HVE3 &&) 4&] > ! F N&] ACEA> < &> D A> CD3 A&! F S&F H&N F: E&CS&		&PLPPKLLRX$%J		
	C*=,) ,. ;	&PPLJXJLRTP$%R		

MV00063514

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012

! @A! BC&WACC&E@' < &I JKLMMM

&E>' <CFHE&CFWGEDF<CL&D<! S

)*+7*, -+-	$-+722	$-4 E75-		
			>K; 9; K8C$A9!; P>8: $K%L8>G:	$-4 E75-
: #+O) 4&E) ,. ;		&PLJCZ$M		
HVE3 &) 4&E>' <CF HE&CFWGEDF<CL&D<! S&		&PLJCZ$M		

UKJ<3& D>&9 F[DWDEV&] D<N

)*E*, -+-	$-+E, 7	$-5-		
			?8BL$L: C$U: DBC$8: ; BB: UC; $)*+-	$-5-
: #+O) 4&E) ,. ;		&IMB$M		
HVE3 &) 4&KJ<3& D>&9 F[DWDEV&] D<N &		&PPX$M		

UN&] D>AWACCL&D<!

)*6*, -+-	$-+66,	$3-5-E		
			8: !KCG@KA$DB-H$9J8%U;	$3-5-E
: #+O) 4&E) ,. ;		&RMBPQ		
HVE3 &) 4&UN&] D>A WACCL&D<! &		&RMBPQ		

' &&- FCE' W&A_->A CC

)*+7*, -+-	$-+72)	$)25-		
			8: !KCG@KA$DB-H$9J8%U;	$)25-
: #+O) 4&E) ,. ;		&JT$M		
HVE3 &) 4& &&- FCE' W&A_->ACC&		&JT$M		

' & &D&>A->FN>' -@D C&&&&&&&&JUMRTRJ

)*6*, -+-	$-+662	$F75-2		
			8%8L8%=H$AJHA@&; $BJ%8JUC; $B: AK8!	$F75-2
)*+, *, -+-	$-+E2-	$-4FEE5, 7		
			8%8L8%=H$AJHA@&; $BJ%8JUC; $%8LU	$6)5F-
			8%8L8%=H$AJHA@><$A; $BJ%8JUC; A	$-4672576
			8%8L8%=H$AJHA@><$A; $BJ%8JUC; A	$-2755)
)*, 3*, -+-	$-, -72	$))5F)		
			8%8L8%=H$AJHA@B; H=BCL$A; $%89M	$)E537
			8%8L8%=H$AJHA@K; 9$J>DD$%89M	$-735-6
: #+O) 4&E) ,. ;		&IPPJS$R		
HVE3 &) 4& & &D&>A->FN>' -@D C&&&&&&&&JUMRTRJ&		&PZLKRT$U		

' & &'&N>' 3D<N& F<E>' ! EF>C

)*6*, -+-	$-+66)	$7 5-5-		
			8: !KCG@KA$DB-H$9J8%U;	$7 5-5-
: #+O) 4&E) ,. ;		&IZ$M		
HVE3 &) 4& & &&N >' 3D<N& F<E>' ! EF>C&		&IZ$M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted]	-./(#+,& '()*+,012
' & & &' : D<N& F9-<' V				
)*+7*,-+-	$-+726	$2,5)+		
			8: !KCG@KASDBH$9J8%U;	$2,5)+
: #+O)4E),.;		&TJ&P		
HVE3&)4& & & &' : D<N& F9-<' V&		&TJ&P		
' & & &F&&&A<ND<AA>A3&CVCEA9CL&D<!				
)*+7*,-+-	$-+723	$25E-		
			8: !KCG@KASDBH$9J8%U;	$25E-
: #+O)4E),.;		&TT&M		
HVE3&)4& & & &F&&&A<ND<AA>A3&CV CEA9CL& D<!&		&TT&M		
' &<&>&D<3GCE>DACL&D<!				
)*+,*,-+-	$-+E2+	$5-		
			%&9% 8;<$B: =>?@6+-3$9><$J:	$34FE56-
			%&9% 8;<$B: =>?@)36)$A&E>D9>	$E46)F5-
			%&9% 8;<$B: =>?@)36)$A&E>D9>	$2E4+E65-
			%&9% 8;<$B: =>?@)36)$A&E>D9>	$246-5-
			%&9% 8;<$B: =>?@,+FF$&E>GB>C$A;	$74FF65-
			%&9% 8;<$B: =>?@,+FF$&E>GB>C$A;	$)4F265-
			%&9% 8;<$B: =>?@,+FF$&E>GB>C$A;	$7-5-
			%&9% 8;<$B: =>?@67-7$%-8AD<	$E4F-75-
			%&9% 8;<$B: =>?@67-7$%-8AD<	$64FE5-
			%&9% 8;<$B: =>?@67-7$%-8AD<	$-34+25-
			%&9% 8;<$B: =>?@6+-3$9><$J:	@4FE56-
			%&9% 8;<$B: =>?@)36)$A&E>D9>	@E46)F5-
			%&9% 8;<$B: =>?@)36)$A&E>D9>	@2E4+E65-
			%&9% 8;<$B: =>?@)36)$A&E>D9>	@246-5-
			%&9% 8;<$B: =>?@,+FF$&E>GB>C$A;	@74FF65-
			%&9% 8;<$B: =>?@,+FF$&E>GB>C$A;	@)4F265-
			%&9% 8;<$B: =>?@,+FF$&E>GB>C$A;	@7-5-
			%&9% 8;<$B: =>?@67-7$%-8AD<	@64F-75-
			%&9% 8;<$B: =>?@67-7$%-8AD<	@64FE5-
			%&9% 8;<$B: =>?@67-7$%-8AD<	@34+25-
)*,3*,-+-	$-,-76	$,4E),56-		
			%&9% 8;<$B: =>?@6+-3$9><$J:	$.4E).56-
: #+O)4E),.;		&JJ&LJJ&M		
HVE3&)4& & & &D<3GCE>DACL&D<!&		&PTPLJK&J&Q		
' [AVE' L&ND<<V				
)*+7*,-+-	$-+72F	$-5-		
			8: !KCG@>?BA$G: %	$-5-
: #+O)4E),.;		&JM&M		
HVE3&)4& [AVE' L&ND<<V&		&JM&M		

MV00063516

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
' [CFWGEA&CG>: ADWW <! A				
)*6*,-+-	$EE-,6E	$24F+F56 2		
			L%A$I: =$ 8>HI: 8@&9DBH: $G: %	$7EE563
			L%A$I: =$ 8>HI: 8@H; B>; B9C	$365+)
			L%A$I: =$ 8>HI: 8@AJH$%D>C	$ 4 E652 7
			L%A$I: =$ 8>HI: 8@>; ; : 8<	$FE5))
	: #+O) 4&E) ,. ;	&TLXPX$&T		
HVE3 &) 4& [CFWGEA&CG>: ADWW <! A&		&TLXPX$&T		
' ! ! ACC&CA! G>DEV& ! F<E>FWC&D<ES&D<! S				
)*6*,-+-	$-+666	$-4 3-5-		
			A: H$J9CB; 98EC L$A JH@>H$A; 8L	$F65-
			A: H$J9CB; 98EC L$A JH@8H	$F65-
			A: H$J9CB; 98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB; 98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB; 98EC L$A JH@BB: $&CA%H;	$F3-5-
	: #+O) 4&E) ,. ;	&PLMRMBM		
HVE3 &) 4& ! ! ACC&CA! G>DEV& F<E>FWC&D<ES& B<! S&		&PTLPQJ$&Z		
' ! ! FG<EA9-C				
)*6*,-+-	$-+663	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $2*+7	$E,E5-
)*+,*,-+-	$-+E2,	$7-65,6		
			; : U%&AJHA@%9G>H>$P*: $2*,3	$E,E5-
			; : U%&AJHA@%9G>H>$?I L8G	$FF5,6
)*+7*,-+-	$-+72E	$E2755-		
			; : U%&AJHA@%9G>H>$P*: $,*,	$E2755-
)*,3*,-+-	$-,-7E	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $,*7	$E,E5-
	: #+O) 4&E) ,. ;	&TLJMMB&K		
HVE3 &) 4& ! ! FG<EA9-C&		&PMLJTQ&K		
' ! A& ' C@&A_->ACC &bUPPR				
)*6*,-+-	$-+66F	$-)+5,3		
			8: !KCG@KADBH9J8%U;	$-)+5,3
	: #+O) 4&E) ,. ;	&PUPS$R		
HVE3 &) 4& ! A& ' C@&A_->ACC&bUPPR&		&PUPS$R		
' ! A&HFFE] ' >A				
)*+7*,-+-	$-+727	$)5-7		
			8: !KCG@KADBH9J8%U;	$)5-7
	: #+O) 4&E) ,. ;	&LUS$Z		
HVE3 &) 4& ! A&HFF E] ' >A&		&LUS$Z		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
' ! G<' L&VGDC& S				
	)*6*,-+-	$-+66E	$-4335)-	
			8: !KCG@GUEC$HB>; B9CS!::A	$-4335)-
	: #+0) 4&E) ,.;		&PLPRRSJM	
HVE3 &) 4& ! G<' L&VGDC& S&			&PLPRRSJM	
' 3' 9CL&9' >B&VS				
	)*6*,-+-	$-+FE2	$2+E5F2	
			8:; B&:: $U: GB-H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,.;		&TPQ&KT	
HVE3 &) 4& 3' 9CL&9' >B&VS&			&TLPQXSTM	
' 3WA>@F>CE&D<EA> <' EDF<' W&D<! S				
	)*+,*,-+-	$EE-2,F	$),65-+	
			H>CE&: $8>E&E&L@DK:	$-)+5&F
			H>CE&: $8>E&E&L@>WD W	$E252)
	: #+0) 4&E) ,.;		&JJKSVP	
HVE3 &) 4& 3WA>@F>CE&D<EA> <' EDF<' W&D<! S&			&JLRZXSSJ	
' 39D<CG>A				
	)*+,*,-+-	$-+E22	$48--5-	
			P8I UCA$H9U%&GUC $AJHA	$48--5-
	: #+0) 4&E) ,.;		&LRMMB&M	
HVE3 &) 4& 39E<CG>A&			&RLMMB&M	
' 3:' <! A3&AWA! E>D!				
	)*+7*,-+-	$-+7)-	$47)65-	
			:DH; $P98I @&>8IA	$7--5-
			:DH; $P98I @&>8IA	$2E5-
			:DH; $P98I @&>8IA	$2)25-
			:DH; $P98I @&>8IA	$3,5-
			:DH; $P98I @&>8IA	$6+)5-
			:DH; $P98I @&>8IA	$-EF5-
			:DH; $P98I @&>8IA	$625-
			:DH; $P98I @&>8IA	$-E25-
			:DH; $P98I @&>8IA	$-25-
			:DH; $P98I @&>8IA	$3,5-
	)*,3*,-+-	$-,-77	$)FF5-	
			:DH; $P98I @!GZ+	$3,5-
			:DH; $P98I @!GZ+	$+65-
	: #+0) 4&E) ,.;		&TLJJJSVM	
HVE3 &) 4& 3:' <! A3&AWA! E>D&			&QLKJUSVM	

MV00063518

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
' W! F><&HA<! A& F9 -' <V				
	)*6*, -+-	$-+63-	$ 2556,	
			8: !KCG@KAS[DH$9J8%U;	$ 256,
	: #+0) 4&E) ,. ;		&TS&KJ	
HVE3 &8) 4& W! F><&HA<! A& F9 -' <V&			&TS&KJ	
' WD A' L&>D @' >3				
	)*+7*, -+-	$-+7)+	$-6655-	
			UED >L: $B: BJ?K8A : U: C;	$F)56-
			UED >L: $B: BJ?K8A : U: C;	$E+5-
	: #+0) 4&E) ,. ;		&PKK&XM	
HVE3 &8) 4& WD A' L&>D @' >3&			&KUTS&K	
' WW&3 DC! FG<E&D<CG>' <! A&CA>: D AL&D<! S				
	)*6*, -+-	$-+63+	$7F56-	
			8: !KCG@KAS[DH$9J8%U;	$7F56-
	: #+0) 4&E) ,. ;		&ZX&XM	
HVE3 &8) 4& WW&3 DC! FG<E&D<CG>' <! A& CA>: D AL&D<! S&			&ZX&XM	
' WWAVL&A>D<				
	)*, 3*, -+-	$-, +-+	$-5-	
			8: !KCG@>?B A&G: %	$-5-
	: #+0) 4&E) ,. ;		&IMB&M	
HVE3 &8) 4& WWAVL&A>D< &			&IMB&M	
' WWD <! A&>ACFG>! A& F<CGWED<NL&WW!				
	)*6*, -+-	$-+63,	$F43-5F6	
			: W H$B: H8KB U: C; $AJHA	$F43-5F6
	: #+0) 4&E) ,. ;		&LJRMB&K	
HVE3 &8) 4& WWD <! A&>ACFG>! A& ! F<CGWED<NL&WW! &			&LJRMB&K	
' WWD <E&D<CG>' <! A&CA>: D ACL&D<! S				
	)*6*, -+-	$-+632	$-423+5-E	
			E&AK8>CH: @%HD$ J: C; A	$-423+5-E
	: #+0) 4&E) ,. ;		&PLTRP&MQ	
HVE3 &8) 4& WWD <E&D<CG>' <! A&CA>: D ACL& D<! S&			&PMLMMT&LQ	
' WWD <\ &MDHA&D<CG>' <! A& F				
	)*+, *, -+-	$-+E2)	$F65-	
			C9C@W U%, $>CCKB, <	$F65-
	: #+0) 4&E) ,. ;		&K&M	
HVE3 &8) 4& WWD <\ &MDHA&D<CG>' <! A& F&			&KMB&M	

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
' 9A>D ' <&[GDV&B< N&9' D<EA<' <! A&[F				
)*+7*,-+-	$-+7),	$35),		
			8: !KCG@KA$DB<H$9J8%U;	$35),
: #+0)4&E),.;		&RS&U		
HVE3&&) 4& 9A>D ' <&[GDV&B< N& 9' D<EA<' <! A&[F&		&RS&U		
' 9A>D ' <&HF>A<CD! &<G>CAC				
)*+,*,-+-	$EE-2,E	$6E25-		
			?D99G$G8>PA	$6E25-
)*+7*,-+-	$EE-2)7	$725-		
			?D99G$G8>PA	$725-
)*,3*,-+-	$EE-2F3	$6+256-		
			?D99G$G8>PA	$6+256-
: #+0)4&E),.;		&PLPQZ&ZM		
HVE3&&) 4& 9A>D ' <&HF>A<CD &G>CAC&		&PLXKVB&M		
' 9A>D ' <&G[WD &-F] A>& CCF! D ED<F <				
)*+7*,-+-	$-+7)2	$247F65+		
			U: U?: 8A=B%GK: A@67E+6	$33,56)
			U: U?: 8A=B%GK: A@67E+6	$242+,52F
: #+0)4&E),.;		&TZXK&P		
HVE3&&) 4& 9A>D ' <&G[WD &F] A>& ' CCF! D ED<&		&TZXK&P		
' 9A>D ' <&GD B&->D<ED<N				
)*+7*,-+-	$-,-7-	$4-F65-		
			>CUD$HC; 8D$C9; BH: A	$4-F65-
: #+0)4&E),.;		&UPXK&M		
HVE3&&) 4& 9A>D ' <&GD B&->D<ED<N&		&TZZU&T		
' 9A>D ' <&-FE' >V&[>FF9& FS				
)*6*,-+-	$-+63)	$242+-5-,		
			A; 8: : ; $AP: : %&CL$?899U$B A	$725-7
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E75.
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E-5-6
			A; 8: : ; $AP: : %&CL$?899U$B A	$)F5-3
)*,3*,-+-	$-,+-,	$-4635-7,		
			A; 8: : ; $AP: : %&CL$?899U$B A	$-)5EE
			A; 8: : ; $AP: : %&CL$?899U$B A	$F+35-F
			A; 8: : ; $AP: : %&CL$?899U$B A	$2265-2F
: #+0)4&E),.;		&UZRR&ZU		
HVE3&&) 4& 9A>D ' <&-FE' >V&[>FF9& FS&		&ZTZJP&RP		

MV00063520

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.//(#+,	-./(#+,& '()*+,012
' 9 EA! @&AWA: ' EF>&CA>: D AC				
)*+7*,-+-	$-+7))	$-+E52F		
			: D J>; 98$AJH@B <$=>DD	$-+E52F
		&PPCSTX		
HVE3 &) 4& 9 EA! @&AWA: ' EF>&CA>: D A C&		&PLXMMLP		
' <' V' L&BD9 &AVA				
)*+7*,-+-	$-+7)6	$6)55-		
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$E5-
			; 8>J: D$ W%@99A; $-H9C!: 8: CH:	$-355-
)*,3*,-+-	$-,+-2	$655-		
			UBD >L: $B: BJ?K8A : U: C;	$655-
		&TMMBM		
HVE3 &) 4& <' V' L&BD9 &AVA&		&TTKSM		
' <3>A] CY[' BA>L&C GA				
)*+,*,-+-	$-+E26	$F65-		
			EC A; 8KH; 98$AJHA@%8	$F65-
)*+7*,-+-	$-+7)3	$F65-		
			EC A; 8KH; 98$AJHA@%8	$F65-
		&PKMBM		
HVE3 &) 4& <3>A] CY[' BA>L&CGA&		&KJKSM		
' <NAW &<' DVC& &C-'				
)*6*,-+-	$-+636	$353-		
			8: !KCG@KADH9J8%U;	$353-
		&URSM		
HVE3 &) 4& <NAW &<' DVC& &C-' &		&URSM		
' <D9' W&A9A>NA<! V & WD<D L&D<! S				
)*+7*,-+-	$-,-7+	$26-5-		
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$F-5-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$665-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
		&TKMBM		
HVE3 &) 4& <D9' W&A9A>NA<! V& WD<D L&D<! S&		&JLKTUSM		

MV00063521

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
' <D9' W&-ACE&9' <' NA9A<E&CA>: D ACL &D<! S				
)*6*,-+-	$-+633	$3--5-		
			% A; 9HC; 8D@: : 9BUJD9>; 9?><AE6:	$2--5-
			: U: 8L9?: : 9BUJD@ 8H	$2--5-
)*,3*,-+-	$-,+-)	$47-5-		
			% A; 9HC; 8D@5>8I A	$365-
			% A; 9HC; 8D@5>8I A	$665-
			% A; 9HC; 8D@J>8H=9I DG	$2-5-
			% A; 9HC; 8D@5>D	$--5-
			% A; 9HC; 8D@!GS2+	$3-5-
			% A; 9HC; 8D@DI 9H 8A	$E-5-
			% A; 9HC; 8D@; >8A9?DGL	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
: #+O 4&E),.;		&IKQZMMM		
HVE3 &9) 4& <D9' W&-ACE&9' <' NA9A<E& CA>: D ACL&D<! S&		&IMMMMMM		
' >[VaC				
)*6*,-+-	$-+63F	$E)5++		
			8: !KCG@KAS DH9J8%U;	$E)5++
: #+O 4&E),.;		&LUSPP		
HVE3 &9) 4& >[VaC&		&LUSPP		
' >! @A>L&E>' : DC				
)*+,*,-+-	$-+E23	$+-5-		
			8: !KCG@B>; E9CS9J8%U;	$+-5-
: #+O 4&E),.;		&PMMMM		
HVE3 &9) 4& >! @A>L&E>' : DC&		&PMMMM		
' >! @DEA! EG>' W&3 A CDN<& &CDN<L&D<! S				
)*6*,-+-	$-+63E	$75)7		
			8: !KCG@KAS DH9J8%U;	$75)7
: #+O 4&E),.;		&ZS&Z		
HVE3 &9) 4& >! @DEA! EG>' W&3 ACDN<& &CDN<L& D<! S&		&ZS&Z		
' >! @D A&9' <' NA9A <E&CA>: D A				
)*+7*,-+-	$-+7)F	$-4236552		
			9!!AB: 9A; 98>L: @HB <9HD 8I A	$-4236552
: #+O 4&E),.;		&PTRKSKT		
HVE3 &9) 4& >! @D A&9' <' NA9A<E&CA>: D A&		&PTTUTS&Z		

MV00063522

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
' >! F& 97-9 &&' > &] ' C@				
)*6*,-+-	$-+637	$2-5 E		
			8: !KCG@KAS[DH$9J8%J;	$2-5 E
: #+O) 4&E) ,. ;		&TMSQ		
HVE3 &) 4& > ! F & 97-9 &&' > &] ' C@&		&TMSQ		
' >A' M] ACE&HA<! A& ! F				
)*+7*,-+-	$-+7) E	$65-		
			8: !KCG@KAS[DH$9J8%J;	$65-
: #+O) 4&E) ,. ;		&KSVM		
HVE3 &) 4& > A' M] A CE&HA< ! A& F &		&KSVM		
' >>F] @A' 3 &] ' EA>				
)*6*,-+-	$-+6F-	$6-5-		
			P; 8$4K8E1$BC; D@CUD[A=D, 8	$6-5-
			P; 8$4K8E1$BC; D@8$H; 8	$65-
			P; 8$4K8E1$BC; D@%HD[GEA;	$65-
			P; 8$4K8E1$BC; D@: H=$AJHA	$65-
			P; 8$4K8E1$BC; D@8H	$65-
)*+,*,-+-	$-+E2F	$65-		
			P; 8$4K8E1$BC; D@>H$CCW	$65-
)*+7*,-+-	$-+7) 7	$65-		
			P; 8$4K8E1$BC; D@; >8A	$65-
)*,3*,-+-	$-,+-6	$2)-5FE		
			P; 8$4K8E1$BC; D@HB<$->D	$-,65+
			P; 8$4K8E1$BC; D@HB<$<>8G	$65-
			P; 8$4K8E1$BC; D@8CA$ 8D8	$65-
			P; 8$4K8E1$BC; D@F8>8<	$65-
			P; 8$4K8E1$BC; D@AZ3	$65-
			P; 8$4K8E1$BC; D@AZ) E	$65-
			P; 8$4K8E1$BC; D@AZ,	$65-
			P; 8$4K8E1$BC; D@AZ6E	$-65FF
			P; 8$4K8E1$BC; D@AZ7+	$65-
			P; 8$4K8E1$BC; D@AZ36	$65-
: #+O) 4&E) ,. ;		&KUVBKQ		
HVE3 &) 4& >> F] @A' 3 &] ' EA> &		&KLKRT$KX		
' C@MAVL&E@F9' C				
)*,3*,-+-	$-,+-3	$6-5-		
			8: !KCG@8>%&G: %9AB	$6-5-
: #+O) 4&E) ,. ;		&KMBVM		
HVE3 &) 4& C@MAVL&E@F 9' C&		&KMBVM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&./(#+,	-./(#+,& '()*+,012
' CD <&D9-F>E&9' > BAE				
)*6*,-+-	$-+6F+	$3F57)		
			8: !KCG@KADH9J8%U;	$3F57)
: #+0)4&E),.;		&RXSZU		
HVE3&8)4& CD <&D9-F>E&9' > BAE&		&RXSZU		
' CCF! D EA3&A<ND< AA>CL&D<! S				
)*+7*,-+-	$-+76-	$,-46,-5-		
			=: >H9HI $A; $PE&G: C E&CL$%&89M$AJHA	$-46,-5-
: #+0)4&E),.;		&JMKJMB&M		
HVE3&8)4& CCF! D EA3&A<ND< AA>CL&D<! S&		&KRLQXUSP		
' CCF! D ED<&C&Ac GDEV&9' <' NA9A<EL&D<!				
)*+7*,-+-	$-+76+	$,57F		
			8: !KCG@KADH9J8%U;	$,57F
: #+0)4&E),.;		&JJSZX		
HVE3&8)4& CCF! D ED<&C&Ac GDEV& 9' <' NA9A<EL&D! &		&JJSZX		
' E` E&9F[DVDEV				
)*6*,-+-	$-+6F,	$7,526		
			H9UUKCH>; E9C$AJ HA@?D$HUUCG	$7,526
)*,3*,-+-	$-,+-F	$7,5,		
			H9UUKCH>; E9C$AJ HA	$7,5,
: #+0)4&E),.;		&PCLJSXX		
HVE3&8)4& E` E&9F[DVDEV&		&PLVPPSRJ		
' E` E79! D				
)*+,*,-+-	$-+E2E	$9-E2567		
			H9UUKCH>; E9C$AJ HA@; !	$9-E2567
: #+0)4&E),.;		&PCTS$KZ		
HVE3&8)4& E` E79! D&		&PLQTRSDQ		
**' : DV L&N>DCAV&' **				
)*+7*,-+-	$-+76,	$635-		
			8: !KCG@CUD$AJHA$! : : A	$2-5-
			8: !KCG@CUD$AJHA$! : : A	$9-5-
			8: !KCG@CUD$AJHA$! : : A	$9-35-
: #+0)4&E),.;		&KRS$VM		
HVE3&8)4& : DV L&N>DCAV&' &		&KRS$VM		
[' ! @A>L&N>' ! A				
)*6*,-+-	$-+6F)	$2-65-		
			8: ; E&B: : $U: GH>D$?: C: !B	$2-65-
: #+0)4&E),.;		&TMKSRM		
HVE3&8)4&[' ! @A>L&N>' ! A&		&ILUTRSDP		

MV00063524

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
[' ><ACL&3' >WA<A				
	)*6*,-+-	$-+FE)	$9-+)55-	
			8:; B&:: $U: GB-H>D&?: C: !B	$9-+)55-
	: #+O) 4&E),.;		&PPUSXM	
HVE3 &&) 4&[' ><ACL&&' >WA<A&			&PLPPKSXR	
[' >F<& FFW&-W CE A>D<N&FH&CFS&[' S				
	)*6*,-+-	$-+6F6	$ 3572	
			8: !KCG@KASDB-H$9J8%U;	$ 3572
	: #+O) 4&E),.;		&JRSZT	
HVE3 &&) 4&[' >F<& FFW&-W CEA>D<N&F H&CFS&[! ' S&			&JRSZT	
[' CD &[' ! BHWF]				
	)*6*,-+-	$-+6F3	$2-5--	
			?>HI !D9P$: A; BCL	$2-5-
	: #+O) 4&E),.;		&TMBM	
HVE3 &&) 4&[' CD &[' ! BHWF] &			&PLTJUSRK	
[' EEA>V\ F<ALD<! S				
	)*,3*,-+-	$-,+-E	$24)F65-,	
			?>;;: 8B A@&9DB-H: $G: %;	$24)--5-
			?>;;: 8B A@>D A$; >W	$7F56-
			?>;;: 8B A@=B%BCL	$F65-,
			?>;;: 8B A@>D A$; >W$-HH8K>D	@7F56-
	: #+O) 4&E),.;		&TLUXKSPJ	
HVE3 &&) 4&[' EEA>V\ F<ALD<! S&			&TLUXKSPJ	
[A' >& ' WWAV& WA' <A>C				
	)*+7*,-+-	$-+762	$7-57,	
			8: !KCG@KASDB-H$9J8%U;	$7-57,
	: #+O) 4&E),.;		&ZMEZJ	
HVE3 &&) 4&[A' >& ' WWAV& WA' <A>C&			&ZMEZJ	
[A! B<A>L& ' E>D B				
	)*6*,-+-	$-+6FF	$7,25F-	
			8: ;B&:: $U: GB-H>D&?: C: !B	$7,25F-
	: #+O) 4&E),.;		&ZJTSXM	
HVE3 &&) 4&[A! B<A>L& ' E>D B&			&PLXKMBPM	
[AWWD<NL&ACCD ' & S				
	)*6*,-+-	$-+6FE	$7+)5E	
			8: !KCG@GUBD$HB>; B9CS! : : A	$7+)5E
	: #+O) 4&E),.;		&ZPUSMQ	
HVE3 &&) 4&[AWWD<NL&ACCD ' & S&			&ZPUSMQ	

MV00063525

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
[A9GC&W <3C! '-AL &D<! S				
)*6*, -+-	$-+6F7	$-3,5)E		
			B8BLGULB: %>BB A@9H$W&89M H;	$-3,5)E
)*+, *, -+-	$-+E27	$-F4/E)533		
			D>CGAH>% 3U>BC; @)	$2655F
			D>CGAH>% 3U>BC; @)	$72655-
			D>CGAH>% 3U>BC; @)	$7,52,
			D>CGAH>% 3U>BC; @)	$-7257,
			D>CGAH>% 3U>BC; @)	$--+53E
			D>CGAH>% 3U>BC; @)	$FF56
			D>CGAH>% 3U>BC; @)	$-6496-573
			D>CGAH>% 3U>BC; @)>	$23F53)
			D>CGAH>% 3U>BC; @2>	$,756
			B8BLGULB: %>BB @&A?$H9CJ$W&89M	$--55F
: #+O)4&E),.;		&PQLPUX$PU		
HVE3&B)4&[A9GC&W <3C! '-AL&D<! S&		&JMKLUZX$XR		
[A<&[WGA&3:9L&9C				
)*+, *, -+-	$-+E)-	$F)-5-		
			:U: 8L$I:; $AJHA	$56-5-
			:U: 8L$I:; $AJHA	$-7-5-
)*, 3*, -+-	$-, ++-	$-765-		
			:U: 8L$I:; $AJHA	$-765-
: #+O)4&E),.;		&TKS$M		
HVE3&B)4&[A<&[WGA&3:9L&9C&		&TKS$M		
[A<ACVCE				
)*+7*, -+-	$EE-26,	$-5-2		
			H9?8>$AK?AB5<@%8, -+-	$-)52
			H9?8>$AK?AB5<@%8, -+-	$55F-
: #+O)4&E),.;		&JMSPT		
HVE3&B)4&[A<ACVCE&		&JMS$R		
[A<ACVCEL&D<! S				
)*, 3*, -+-	$-, +++	$F-52)		
			!D W$>GUBC$AJHA	$,652)
			!D W$>GUBC$AJHA	$)65-
: #+O)4&E),.;		&JXMSTU		
HVE3&B)4&[A<ACVCEL&D<! S&		&JZCQ5$R		
[A<HF>3L&9D @' AW				
)*, 3*, -+-	$-, ++,	$365-		
			8: !KCG@&C; D&G: %	$365-
: #+O)4&E),.;		&RKS$M		
HVE3&B)4&[A<HF>3L&9D @ AW&		&RKS$M		

MV00063526

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+	-./(#+,& '()*+,012
[ACEL&[ACE& &B> DANA> L&WW-				
)*+,*,-+-	$-+E)+	$-E25-		
			D L>D&AJHA	$-+655-
			D L>D&AJHA	$3F56-
)*,3*,-+-	$-,++2	$-2-55)		
			D L>D&AJHA	$6,55-
			D L>D&AJHA	$3E526
			D L>D&AJHA	$7537
: #+O 4&E),.;		&TPT$KU		
HVE3 &B) 4&[ACEL&[ACE& &B> DANA> L&WW- &		&PTLTQZ$RU		
[A: DWWA:C& D> & F <3 DEDF <D<N				
)*6*,-+-	$-+6E-	$-5F6		
			8: !KCG@KAS DB-H$9J8%U;	$-5F6
: #+O 4&E),.;		&JMBKK		
HVE3 &B) 4&[A: DWWA:C& D> & F <3 DEDF <D<N &		&JMBKK		
[DF YEF_&W [F>' EF>DAC				
)*+7*,-+-	$-+76)	$248E75E		
			; 9WB-H9D9L<$: A; A	$-F5F
			; 9WB-H9D9L<$: A; A	$-46E5+
			; 9WB-H9D9L<$: A; A	$4.)57-
: #+O 4&E),.;		&TIRQZ$ZQ		
HVE3 &B) 4&[DF YEF_&W [F>' EF>DAC&		&TRIPZZS$K		
[DEC&[VEAC& &9 F> A				
)*+7*,-+-	$-+766	$F-572		
			8: !KCG@KAS DB-H$9J8%U;	$F-572
: #+O 4&E),.;		&IMBXT		
HVE3 &B) 4&[DEC&[V EAC& &9 F> A&		&IMBXT		
[WGA&C@DAW3 &F H& ' WDHF><D				
)*+7*,-+-	$-+763	$6,,5EF		
			=:>D,=$&CA$%8: UBKU	$FE5E6
			=:>D,=$&CA$%8: UBKU	$))5.
: #+O 4&E),.;		&KJJ$$X		
HVE3 &B) 4&[WGA&C@DAW3 &F H& ' WDHF><D &		&ZLPKQ&M		
[F[F&DL&HAWD_				
)*6*,-+-	$-+6E+	$F+5-		
			UBD >L: $B: BJ?K8A : U: C;	$F+5-
)*,3*,-+-	$-,++)	$3,5-		
			UBD >L: $B: BJ?K8A : U: C;	$3,5-
: #+O 4&E),.;		&PTT$M		
HVE3 &B) 4&[F[F&DL&HAWD_ &		&RTP$PK		

MV00063527

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#8/&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
[-&] ACE& F' CE&> F3G! ECL&WW!				
)*6*,-+-	$-+6E,	$5F5 7		
			8: !KCG@KAS□B-H9J8%U;	$25+-
			8: !KCG@KAS□B-H9J8%U;	$2)5-E
: #+O) 4&E) ,. ;		&XS/Z		
HVE3 &) 4&[-&] ACE & F' CE&> F3G! ECL&WW! &		&PUXS/Z		
[-C&E' ! ED ' WL&D< !				
)*,3*,-+-	$-,++6	$-E5) 7		
			%&; H= : A@&9□B-H: $G : %	$E5-
			%&; H= : A@&9□B-H: $G : %	$75-7
: #+O) 4&E) ,. ;		&PQ&/Z		
HVE3 &) 4&[-C&E' ! ED ' WL&D< ! &		&ZS/K		
[>□EF L&E>' ! V				
)*+,*,-+-	$-+E) ,	$2F5-		
			8: !KCG@= : D : 8$! : :	$2F5-
: #+O) 4&E) ,. ;		&TXS/M		
HVE3 &) 4&[>□EF L&E>' ! V&		&TXS/M		
[>FF BCL&BA9 AE@>'				
)*+7*,-+-	$-+76F	$-, , 5-		
			8: !KCG@>; = $B: LB&;	$-, , 5-
: #+O) 4&E) ,. ;		&PJJS/M		
HVE3 &) 4&[>FF BCL&BA9 AE@>' &		&PJJS/M		
[G! BD< N@ 9 L&CE' <				
)*6*,-+-	$-+6E2	$2+E5F2		
			8: ; B&: : $U: GB-H>D&?: C: !B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&[G! BD< N@ 9 L&CE' < &		&PLJXUS/J		
[G>WD< NEF< & F' E&H' ! EF>V&FH& ' L&WW!				
)*6*,-+-	$-+6E)	$-47FF5-		
			8: !KCG@KAS□B-H9J8%U;	$-47FF5-
: #+O) 4&E) ,. ;		&PIZXX&M		
HVE3 &) 4&[G>WD< NEF< & F' E&H' ! EF>V&FH& ! ' L&WW! &		&PIZXX&M		
! &@&' &D< ! S				
)*6*,-+-	$-+6E6	$)5-		
			8: !KCG@KAS□B-H9J8%U;	$)5-
: #+O) 4&E) ,. ;		&JUSPM		
HVE3 &) 4&[&@&' &D< ! S&		&JUSPM		

MV00063528

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
! ' W: ' >V& @' -AW&F H&9 F>A< F& ' WWAV				
	)*+7*,-+-	$-+767	$--5-	
			8: !KCG@&C; D&G: %	$--5-
	: #+0) 4&E) ,. ;		&PMVB&M	
HVE3 &&) 4&' W:' >V& @ -AW&F H&9 F>A< F& :' WWAV&			&PMVB&M	
! ' <<F<L& <' &9 S				
	)*6*,-+-	$-+6EF	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&' <<F<L& <' &9 S&			&PLJXUSZJ	
! ' <F<&HD<' <! D W&CA>: D ACL&D<! S				
	)*6*,-+-	$-+6EE	$F467-5&E	
			H9%B 8$D >A:	$F4 675 7
			H9%B 8$D >A: @>D: A$ >W	$&2+527
	: #+0) 4&E) ,. ;		&XLKZMVRQ	
HVE3 &&) 4&' <F<&HB' <! D W&CA>: D ACL&&<! S&			&KKZMVRSM	
! ' >[F<AL&N' [>D&W'				
	)*,3*,-+-	$-,++F	$-2,5-	
			BCA; 8KH; 98$AJHA@9D D98BH$G>CH	$-2,5-
	: #+0) 4&E) ,. ;		&PTJS&M	
HVE3 &&) 4&' >[F<AL&N' [>D&W' &			&KPTS&M	
! ' >EA>L&>FC' W<'				
	)*6*,-+-	$-+FE3	$&7)5-	
			8: ; BB: : $U: GBH>D&?: C: !B	$&7)5-
	: #+0) 4&E) ,. ;		&ZUS&M	
HVE3 &&) 4&' >EA>L&>FC' W<' &			&JLXRRSTR	
! ' CBAVL&&A[>' & S				
	)*6*,-+-	$-+FEF	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&' CBAVL&&A[>' & S&			&JLKUZS&K	
! A>EDHDA3 & >A3 DE &>A- F>ED<N L&D<!				
	)*+7*,-+-	$-+73-	$-E522	
			H8: GB $%&89! BD $A JHA	$-E522
	: #+0) 4&E) ,. ;		&PQ&ST	
HVE3 &&) 4&' A>EDHDA3 & >A3 DE&>A- F>E B<N L&D<! &			&PZRSPQ	

MV00063530

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$45,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
! @' <! VL& @D G>G					
	)*,3*,-+-	$-,++E	$-325E-		
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$7253-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 35E-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 25)-
	: #+O 4E) ,. ;		&PRTS&M		
HVE3 &) 4& @ <! VL& @D G>G&			&PILUX&M		
! @' <3 WA>& CCAE&9 ' <' NA9A<EL&D<!					
	)*+7*,-+-	$EE-262	$347+75-		
				EC J: A; U: C; $JL; $A JHA	$347+75-
	: #+O 4E) ,. ;		&RZPZS&M		
HVE3 &) 4& @ <3 WA>& CCAE&9 ' <' NA9A <EL& B<! &			&RZPZS&M		
! @' -9' <L&CEA: A					
	)*6*,-+-	$-+6E7	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: !B	$2+E5F2
	: #+O 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ -9' < L&CEA: A&			&TIPQX&TM		
! @' --AWWL&D C' ' !					
	)*6*,-+-	$-+67-	$2+E5F2		
				8: ; EB: : $J: GEH>D$?: C: !B	$2+E5F2
	: #+O 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ --AWWL&D C' ' ! &			&TIPQX&TM		
! @' : A\ L& <NAW 7^ FCA					
	)*6*,-+-	$-+67+	$2-5-		
				8: !KCG$-CUD$AJHA$!: : A	$-5-
				8: !KCG@CUD$AJHA$!: : A	$-5-
	: #+O 4E) ,. ;		&TMB&M		
HVE3 &) 4& @ : A\ L& <NAW 7^F CA&			&TMB&M		
! @A>>V& ' WWAV&HA A3					
	)*+7*,-+-	$-+73+	$-+65-6		
				G9L$!99G@7$U>W	$-+65-6
	: #+O 4E) ,. ;		&PPKS&K		
HVE3 &) 4& @A>>V& ' WWAV&HAA3 &			&PIRXX&SU		
! @D<ACA&N FG>9AE					
	)*+7*,-+-	$-+73,	$6F5-		
				8: !KCG@KADEH9J8%U;	$6F5-
	: #+O 4E) ,. ;		&XS&M		
HVE3 &) 4& @B ACA &N F G>9 AE&			&XS&M		

MV00063531

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
! @>DCED <L&F] A<					
	)*6*,-+-	$-+FEE	$-7)552		
				8:;B&:: $U: GBH>D&?: C: !B	$-7)552
	: #+O)4&E),.;		&PZUSKT		
HVE3&&)4& @>DCED <L&F] A<&			&LJJMBKR		
! @GW & DCE' & FWD! A&HFG<3' EDF<					
	)*+7*,-+-	$-+732	$-6-5-		
				A9&H>$L>CL$H9C! &@J><$F@E	$6-5-
				A9&H>$L>CL$H9C! &@J><$F@E	$6-5-
				A9&H>$L>CL$H9C! &@J><$F@E	$6-5-
	: #+O)4&E),.;		&PKMBMM		
HVE3&&)4& @GW & DCE' & FWD A&HFG<3' EDF<&			&PKMBMM		
! D<3V&H' >>' >&H' 9 DW&3' V! ' >A					
	)*6*,-+-	$-+67,	$35)2		
				8: !KCG@KA&DBH$9J8%U;	$35)2
	: #+O)4&E),.;		&IRSJT		
HVE3&&)4& D<3V&H' >>' >&H' 9 DW&3' V! ' >A&			&IRSJT		

MV00063532

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
! D<E' C& F>-F>' EDF<				
	)*6*,-+-	$-+67)	$2-F5-	
			KCH98U$BC; D&AJH@J>E; $H8: P	$E52F
			KCH98U$BC; D&AJH@J>E; $H8: P	$E52F
			KCH98U$BC; D&AJH@J>E; $H8: P	$E52F
			KCH98U$BC; D&AJH@NKB&J>E;	$-35E
			KCH98U$BC; D&AJH@NKB&J>E;	$+5)-
			KCH98U$BC; D&AJH@NKB&J>E;	$+5)-
			KCH98U$BC; D&AJH@8: : $J>E;	$E52F
			KCH98U$BC; D&AJH@8: : $J>E;	$E52F
			KCH98U$BC; D&AJH@8: : $J>E;	$E52F
			KCH98U$BC; D&AJH@&; 8: : ; $J>E;	$65E
			KCH98U$BC; D&AJH@&; 8: : ; $J>E;	$65E
			KCH98U$BC; D&AJH@&; 8: : ; $J>E;	$65E
			KCH98U$BC; D&AJH@&; 8U$G8C$J>E	$5-7
			KCH98U$BC; D&AJH@&; 8U$G8C$J>E	$5-7
			KCH98U$BC; D&AJH@&; 8U$G8C$J>E	$5-7
			KCH98U$BC; D&AJH@&; 8: : ; $J>E;	$)5E
			KCH98U$BC; D&AJH@&; 8: : ; $J>E;	$)5E
			KCH98U$BC; D&AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D&AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D&AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D&AJH@8!!H$J>E;	$+52
			KCH98U$BC; D&AJH@&; 8B&EL$H8: P	$-25E
			KCH98U$BC; D&AJH@>H$J>E;	$-356
			KCH98U$BC; D&AJH@>H$J>E;	$-356
	)*+,*,-+-	$-+E)6	$+-52	
			KCH98U$BC; D&AJHA@&K8H=>AE'L	$273
			KCH98U$BC; D&AJHA@&K8H=>AE'L	$273
			KCH98U$BC; D&AJHA@&K8H=>AE'L	$273
			KCH98U$BC; D&AJHA@&K8H=>AE'L	$273
			KCH98U$BC; D&AJHA@&>8I A$J>E;	$625+
			KCH98U$BC; D&AJHA@&>8I A$J>E;	$625+
			KCH98U$BC; D&AJHA@8!!H$J>E;	$+52
			KCH98U$BC; D&AJHA@8!!H$J>E;	$+52
			KCH98U$BC; D&AJHA@&BLCE'L$H8: P	$-25E
			KCH98U$BC; D&AJHA@&BLCE'L$H8: P	$-25E
			KCH98U$BC; D&AJHA@I!GZ+$A; >!!	$-57E
			KCH98U$BC; D&AJHA@I!GZ+$A; >!!	$-57E
			KCH98U$BC; D&AJHA@>H$J>E;	$-356
	)*+7*,-+-	$-+73)	$E-53)	
			KCH98U$BC; D&AJH@&>8I A$J>E;	$625+
			KCH98U$BC; D&AJH@I!G$A; >!!	$-57E
			KCH98U$BC; D&AJH@>H$J>E;	$-356
	)*,3*,-+-	$-,+,-	$7,E52	
			KCH98U$BC; D&AJH@&; $J>E;	$.E5-
			KCH98U$BC; D&AJH@&; $J>E;	$)+57
			KCH98U$BC; D&AJH@&; $J>E;	$E35)7
			KCH98U$BC; D&AJH@&; $J>E;	$335)7
			KCH98U$BC; D&AJH@L9DI$H8A	$6EE
			KCH98U$BC; D&AJH@L9DI$H8A	$6EE
			KCH98U$BC; D&AJH@L9DI$H8A	$6EE
			KCH98U$BC; D&AJH@L9DI$H8A	$6EE

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46) 1#) 8&. / (#+,	-./(#+,& '()*+,012
			KCH 98U$BC; D$AJH@1.9DI $H8A	$6EE6
			KCH 98U$BC; D$AJH@1.9DI $H8A	$6EE6
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@NKB@6U>BC;	$+5-
			KCH 98U$BC; D$AJH@NKB@6U>BC;	$+5-
			KCH 98U$BC; D$AJH@NKB@6U>BC;	$+5-
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@6; $AP: : %6BCL	$66E
			KCH 98U$BC; D$AJH@6; $AP: : %6BCL	$66E
			KCH 98U$BC; D$AJH@6; $AP: : %6BCL	$66E
			KCH 98U$BC; D$AJH@6; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@6; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@6; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@@I9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@@I9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@@I9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@8>!! BH$U>BC;	$+52
			KCH 98U$BC; D$AJH@BLCBCL$H8: P	$+25E6
			KCH 98U$BC; D$AJH@%>8I A	$625+
			KCH 98U$BC; D$AJH@!GSZ+	$-5FE
			KCH 98U$BC; D$AJH@>H$U>BC;	$+3536
	: #+0) 4&E) ,. ;	&PLKJRSRM		
HVE3 &&) 4&: BE' C&: F>-F>' EBF<&		&RLKZMBKM		
! DEV&FH&9 F>A<F& ' WWAV& A[' &E>GCE				
	)*+, *, -+-	$EE-2, 7	$ 43, 55-	
			: W U% $J: ?>	$ 43, 55-
	: #+0) 4&E) ,. ;	&JLMRJSKM		
HVE3 &&) 4&: DEV&FH&9 F>A<F& ' WWAV& A[' & E>GCE&		&JJLPRJSKM		
! D D CEF<A				
	)*+, *, -+-	$EE-22-	$ 665-	
			H9CAKD BCL$AJHA	$ 665-
	: #+0) 4&E) ,. ;	&IKKSMM		
HVE3 &&) 4&: D D CE F<A&		&ZLXPMZM		
! W VEF<L&CD9 F<<A				
	)'6*, -+-	$ -+676	$ -5-	
			8: !KCG@&>?B A$!: : $G: %9AB	$ -5-
	: #+0) 4&E) ,. ;	&IMBMM		
HVE3 &&) 4&: W VEF<L&CD9 F<<A&		&IMBMM		

MV00063534

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
! WD<D ' &9A3D ' & ' >' &EF3FC				
)*6*, -+-	$-+673	$7-55)		
			8: !KCG@KASDBH$9J8%U;	$7-55)
	: #+O)4&E),.;	&ZMBKU		
HVE3&&)4&WB<D ' &9A3D ' &' >' &EF3FC&		&ZMBKU		
! <F' &>ANDF<&				
)*6*, -+-	$-+67F	$-265-		
			)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
			)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
			)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
	: #+O)4&E),.;	&PTKSM		
HVE3&&)4&<F' &>ANDF<&&		&RXKSM		
! F' CE&CDN<&D<!				
)*+7*, -+-	$-+736	$F5-7		
			8: !KCG@KASDBH$9J8%U;	$F5-7
	: #+O)4&E),.;	&JXSKZ		
HVE3&&)4&F' CE&CDN<&D<!&		&JXSKZ		
! FWF<D W&CG--WA9A<E' W&D<CG>' <!A				
)*,3*, -+-	$-,+,+	$F4-2F532		
			AK%%D U: C; >D&CA K8>CH:	$F4-2F532
	: #+O)4&E),.;	&LPTXSRT		
HVE3&&)4&FWF<D W&CG--WA9A<E' W&D<CG>' <!A&		&ZLMKTSKQ		
! F9&&FF>& &@' >3]' >AL&D<!				
)*+7*, -+-	$-+733	$F7562		
			8: !KCG@KASDBH$9J8%U;	$F7562
	: #+O)4&E),.;	&ZSKT		
HVE3&&)4&F9&&FF>& &@' >3]' >AL&D<!&		&ZSKT		
! F99G<DEV&@A' WE@& @' >DEDAC				
)*+,*, -+-	$-+E)3	$-6+5)F		
			H=H$H9C; 8B?K; B9CA	$-6+5)F
)*,3*, -+-	$-,+,,	$-6+5)F		
			H=H$H9C; 8B?K; B9CA	$-6+5)F
	: #+O)4&E),.;	&TMUSZU		
HVE3&&)4&F99G<DEV&@A' WE@& @ >DEDAC&		&QLMPQ&JT		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
! F9 - AEDED A&CE>D3 A				
)*6*,-+-	$-+67E	$-4)E75EE		
			A%)98; A$-P>8GA	$-4)E75EE
)*+7*,-+-	$-+73F	$-4-F5E)		
			A%)98; A$-P>8GA	$-4-F5E)
	: #+0) 4&E) ,. ;	&JILZXSKJ		
HVE3 &8) 4&I F9 - AEDED A&CE>D3 A&		&KLPTRSTQ		
! F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >				
)*+,*,-+-	$-+E)F	$-2F5E7		
			D L>D?AK?AH8B¼ B9C	$-2F5E7
	: #+0) 4&E) ,. ;	&PTXSSZ		
HVE3 &8) 4&I F<ED<GD<N&A3G! ' EDF<&FH&E@A& [' >&		&KCKSSX		
! FCE! F				
)*6*,-+-	$-+677	$-46-65,F		
			UBAH$AK%%CB A@I= BDGA$%CH	$-46-65,F
)*+,*,-+-	$-+E)E	$233552		
			UBAH$AK%%CB A@I ; $%>8I	$233552
)*+7*,-+-	$-+737	$-422+5,)		
			UBAH$AK%%CB A@; >8A	$6EEE)
			UBAH$AK%%CB A@; >8A	$-F563
			UBAH$AK%%CB A@; >8A	$3653E
			UBAH$AK%%CB A@; >8A	$-36557
			UBAH$AK%%CB A@; >8A	$3F5F
			UBAH$AK%%CB A@; >8A	$-65,
			UBAH$AK%%CB A@G G	$33+5E
)*,3*,-+-	$-,+,2	$27F55)		
			UBAH$AK%%CB A@I= BDGA$%CH	$FF5-2
			UBAH$AK%%CB A@; >8A	$EF5F3
			UBAH$AK%%CB A@; >8A	$-)-52
			UBAH$AK%%CB A@; >8A	$7,53,
	: #+0) 4&E) ,. ;	&TERMMBKQ		
HVE3 &8) 4&I FCE! F&		&JKLTJPSZP		
! FCEDWF] L&9' >V&^F				
)*+,*,-+-	$-+E)7	$5)55-		
			8: !KCG@IB>; BDC$$BAUBAA: G	$5)55-
	: #+0) 4&E) ,. ;	&KUSKM		
HVE3 &8) 4&I FCEDWF] L&9' >V&F&		&KUSKM		

MV00063536

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
! FG<CAWD<N&EA' 9L&E@A				
)*+, *, -+-	$-+E6-	$-46-5-		
			: U%D9<: : $HCADCL$AJHA	$-46-5-
)*, 3*, -+-	$-, +,)	$-46-5-		
			: U%D9<: : $HCADCL$AJHA	$-46-5-
: #+0) 4&E) ,. ;		&JLKMVB&M		
HVE3 &) 4&I FG<CAWD<N&EA' 9L&E@A&		&PJLKMVB&M		
! FG<E>V&CcGD>A&A CE' EAC				
)*+7*, -+-	$-+7F-	$-365F,		
			8: !KCG@&; $KA: 8$>W A	$7-5'E
			8: !KCG@&; $KA: 8$>W A	$F)5F)
: #+0) 4&E) ,. ;		&PRKSXJ		
HVE3 &) 4&I FG<E>V&CcGD>A&ACE' EAC&		&RMZSPT		
! FG<EV&FH&>D A>C D&A&&>9' -				
)*+, *, -+-	$-+E6+	$)+56		
			8: H98G>; E9C$BNA; A	$)+56
: #+0) 4&E) ,. ;		&PSSK		
HVE3 &) 4&I FG<EV&FH&>D A>CD&A&&>9' -&		&TRRSRM		
! FG<EV&FH&>D A>C D&A& G3DEF>				
)*6*, -+-	$-+3--	$E4)35-		
			%>8I ECL$HC; 8D$: : A	$342, -5-
			%>8I ECL$HC; 8D$: : A	$-47, 35-
: #+0) 4&E) ,. ;		&QJURSM		
HVE3 &) 4&I FG<EV&FH&>D A>CD&A& G3DEF>&		&ZKQVUSZK		
! >' <A& >! @DEA! EG >' W&N>FG-				
)*+, *, -+-	$-+E6,	$4)-65-		
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$-4F+65-
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$37-5-
: #+0) 4&E) ,. ;		&JLUMKSM		
HVE3 &) 4&I >' <A& >! @DEA! EG>' W&N>FG-&		&RLXMVB&M		
! >F] <& ' CEWA&9GL&WW				
)*6*, -+-	$-+3-+	$2+52-		
			8: !KCG@KASDH9J8%U;	$2+52-
: #+0) 4&E) ,. ;		&TPSTM		
HVE3 &) 4&I >F] <& ' CEWA&9GL&WW&		&TPSTM		

MV00063537

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! E' D&' ! DHD &N>AA<C! ' -A				
)*,3*,-+-	$EE-2FE	$)477F5-2		
			D>CGAH>% 3J>E&; @GAL+P	$)4E7F5-2
			D>CGAH>% 3J>E&; @GAL+P	$F65-6
			D>CGAH>% 3J>E&; @GAL+P	$)5F6
	: #+0)4&E),.;	&JZZXS/T		
HVE3&)4& E' D&' ! DHD &N>AA<C! ' -A&		&KJLVPPS/K		
! GA:' CL&B' ED&A				
)*+7*,-+-	$-+7F+	$2F53-		
			8:!KCG@BJ:$198$9;A	$2F53-
	: #+0)4&E),.;	&TXSRM		
HVE3&)4& GA:' CL&B' ED&A&		&TXSRM		
3& &3&CA>:D AC&3 [' &3& &3&3 D&-FC' W&&<!S				
)*+7*,-+-	$-+7F,	$F)65-		
			GB&%9A>D&AJHA@C UD&A=D,8	$F)65-
	: #+0)4&E),.;	&UKS/M		
HVE3&)4& & &3&CA>:D AC&3 [' &3& &3& 3D&-FC' W&&<!S&		&LRVVB/M		
3& &C&& F<CE>G! E DF<				
)*6*,-+-	$-+3-,	$F65-		
			8:!KCG@KAS&DBH$9J8%U;	$F65-
	: #+0)4&E),.;	&KS/M		
HVE3&)4& & &C&& F<CE>G! E DF<&		&KS/M		
3&A&C&V <3C! ' -AL&D<!				
)*6*,-+-	$-+3-2	$752E		
			8:!KCG@KAS&DBH$9J8%U;	$752E
	: #+0)4&E),.;	&ZS'Q		
HVE3&)4& &A&C&V <3C! ' -AL&D<!&		&ZS'Q		
3' DV&&FG><' W&& F>-F>' E DF<				
)*6*,-+-	$-+3-)	$F625)		
			AK?AH8B%;B9CS&BCP D&@>GM	$F625)
	: #+0)4&E),.;	&KTSRU		
HVE3&)4& ' DV&&FG><' W&& F>-F>' E DF<&		&RLTUZSRU		
3' WAL&B' E@AAA<				
)*6*,-+-	$-+FE7	$2+6557		
			8:;B&:: 3J:GBH>D&?:C:!B,	$2+6557
	: #+0)4&E),.;	&TPKS&Z		
HVE3&)4& ' WAL&B' E@AAA<&		&TLPKQ&U		

MV00063538

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
3' <DAW&C& @' >9' ! V				
)*6*,-+-	$-+3-6	$6F5-		
			8: !KCG@KADH9J8%U;	$6F5-
: #+O) 4&E),.;		&KX&M		
HVE3&) 4&' <DAW&C& @' >9' ! V&		&KX&M		
3' E' &ED BAEL&D<! S				
)*6*,-+-	$EE-,33	$,46)255)		
			HB>; E9C$%&HAACL@&G	$4EE255-
			HB>; E9C$%&HAACL@&G	$24),57
			HB>; E9C$%&HAACL@&G	$427+52F
			HB>; E9C$%&HAACL@DGL*A!; <	$)-55-
			HB>; E9C$%&HAACL@DGL*A!; <	$E)52,
			HB>; E9C$%&HAACL@I9G:	$F-2735 3
			HB>; E9C$-%%DH$U>E; *AK%%98;	$-65-
)*+,*,-+-	$EE-22+	$64)FF5,6		
			HB>; E9C$%&HAACL@I9G:	$7)65-
			HB>; E9C$%&HAACL@I9G:	$-4)3F5+
			HB>; E9C$%&HAACL@I9G:	$-46+75E
			HB>; E9C$%&HAACL@DGL*A!; <	$-46))5E
)*,3*,-+-	$EE-2F7	$48,752 2		
			HB>; E9C$%&HAACL@I9G:	$43,5F6
			HB>; E9C$%&HAACL@I9G:	$43355E
: #+O) 4&E),.;		&TJ1E&KMBPJ		
HVE3&) 4&' E' &ED BAEL&D<! S&		&PKK1PXU&KJ		
3' E' cGD B&I F>-F>' EA&@A' 3cG' >EA>C				
)*,3*,-+-	$-,+,3	$-2-55-		
			9CDE: $AJHA@&9DEH:	$-2-55-
: #+O) 4&E),.;		&PTM&KM		
HVE3&) 4&' E' cGD B&I F>-F>' EA& @A' 3cG' >EA>C&		&LJM&KM		
3' :D&A: ' <C& & C CF! D EACL&D<! S				
)*6*,-+-	$-+3-3	$2F,55-		
			AKCC<UGDJGB: J B$%&9M&AJHA	$2F,55-
)*,3*,-+-	$-,+,F	$F4-F55-		
			AKCC<UGDJGB: J B$%&9M&AJHA	$F4-F55-
: #+O) 4&E),.;		&KLKCMB&M		
HVE3&) 4&' :D&A:' <C& & CCF! D EACL&D<! S&		&RLKKU&KZ		
3A[D<' D>A&I F9-' <V				
)*6*,-+-	$-+3-F	$2F65-		
			?9E) 8$U>E; @&B <$->DD	$-)-5-
			?9E) 8$U>E; @&A?	$-)-5-
			?9E) 8$U>E; @&8H	$765-
: #+O) 4&E),.;		&TXK&M		
HVE3&) 4&A[D<' D>A&I F9-' <V&		&PLXCMBK		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& ' ( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& ' ( )*+,012
3AA>V& 9A>D ' <& F>-					
	)*+7*,-+-	$EE-26)	$-E47) F5E3		
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$-F4), +5F6
				!8: BL=; $H=>8L:	$-46E-5-
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$3522
				56-[$KA: $>W$>HH 8K>D	@E-5,
	: #+0) 4E),.;		&PQZUX&QR		
HVE3 &) 4& AA>V& 9A>D ' <& F>-&			&TXUJJUSTJ		
3AWE' &A<E' W					
	)*6*,-+-	$-+3-E	$-+46) 567		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-+46) 567
	: #+0) 4E),.;		&PPUMKUS&Z		
HVE3 &) 4& AWE' & A<E' W&			&PPUUJJTS&M		
3AWE' ! ' >A&GC'					
	)*+,*,-+-	$-+E62	$342EE56-		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$342EE56-
	: #+0) 4E),.;		&RUTQQ&M		
HVE3 &) 4& AWE' ! ' >A&GC' &			&RXUJXRS&P		
3A<<DC&N>G[[& & CCF! D EACL&WW					
	)*6*,-+-	$EE-,3F	$E--5-		
				%D>C$B: JB P$AJHA @EB:	$E--5-
	: #+0) 4E),.;		&QMMB&M		
HVE3 &) 4& A<<DC&N>G[[& & CCF! D EACL&WW			&ZIRCK&M		
3A<<DC&F>ED &&>A<E' WC					
	)*+7*,-+-	$-+7F2	$E75F2		
				8: !KCG@KA$DB-H$9J8%U;	$E75F2
	: #+0) 4E),.;		&QZ9&T		
HVE3 &) 4& A<<DC&F>ED &&>A<E' WC&			&QZ9&T		
3A-' >E9A<E&FH& F <CA>:' EDF<					
	)*+,*,-+-	$-+E6)	$-47,52F		
				AUE$!: : A$D AA$B: ; >EC>L:	$-423-527
				AUE$!: : A$D AA$B: ; >EC>L:	@E5,
	: #+0) 4E),.;		&PUZJ&X		
HVE3 &) 4& A-' >E9 A<E&FH& F <CA>:' EDF<&			&JLUJT&K		
3A-' >E9A<E&FH&A< :D>F<9A<E' W&@A' WE@					
	)*+7*,-+-	$-+7F)	$F)5-		
				=: >D = $% 8UB$!: :	$F)5-
	: #+0) 4E),.;		&XU&M		
HVE3 &) 4& A-' >E9 A<E&FH&A< :D>F<9A <E' W& @A' WE@&			&JQJ&M		

MV00063540

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
3ACED<V&' <!A] A' >L&D<!					
	)*6*,-+-	$-+3-7	$-F57)		
				8: !KCG@KASDB-H$9J8%U;	$-F57)
	: #+O)4E),.;		&PXSZU		
HVE3&)4& ACEB<V&' <!A] A' >L&<!&			&PXSZU		
3A_EA>L&ED9FE@V&WS					
	)*6*,-+-	$-+3+-	$-4E6+5-		
				8: !KCG@GUEC$-HB>; B9CS!::A	$6+5-
				8: !KCG@GUEC$-HB>; B9CS!::A	$-4--5-
	: #+O)4E),.;		&PLQKPSVM		
HVE3&)4& A_EA>L&ED9FE@V&WS&			&PLQKPSVM		
3DCED<! ED AWV&/F G>C					
	)*,3*,-+-	$-,+,7	$-6-5-E		
				:U%D9<::$KCB98U @&P	$-6-5-E
	: #+O)4E),.;		&PKMVMQ		
HVE3&)4& DCEB<! ED AWV&/F G>C&			&PKMVMQ		
3DCED<NGDC@A3&HWVD<N&!>FCC&CF! DA EV					
	)*,3*,-+-	$-,+2-	$2-5-		
				L89KCG$8:>I BCL@BB3UKA:KU	$-5-
				L89KCG$8:>I BCL@BB3UKA:KU	$-5-
				L89KCG$8:>I BCL@BB3UKA:KU	$-5-
	: #+O)4E),.;		&TMVMM		
HVE3&)4& DCEB<N GDC@A3&HWVB<N&!>FCC& CF! DAEV&			&TMVMM		
3FWA_&3FWW >&A_->ACCL&D<!					
	)*6*,-+-	$-+3++	$)56		
				8: !KCG@KASDB-H$9J8%U;	$)56
	: #+O)4E),.;		&USUK		
HVE3&)4& FWA_& FWW >&A_->ACCL&D<! &			&USUK		
3F<' @GA& -->' DC' W& CCF! D EAC					
	)*,3*,-+-	$EE-2E-	$-+4E,-5-		
				% 88BADJGPB: CBCL$%89M@AJHA	$74--5-
				% 88BADJGPB: CBCL$%89M@AJHA	$4F.-5-
	: #+O)4E),.;		&PPLQJMVMM		
HVE3&)4& F<' @GA& -->' DC' W& CCF! D EAC&			&RJLTMVMM		
3F>VL& WWAA<&HS					
	)*6*,-+-	$-+3+,	$)+6552		
				8: ;BB::$U:GBH>D&?:C:!B	$-7)552
				8: ;BB::$U:GBH>D&?:C:!B	$,+5-
	: #+O)4E),.;		&PKSXT		
HVE3&)4& F>VL& WWAA<&HS&			&UZXUSU		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
3>A_WA>L&3' :D3					
	)*+6*, -+-	$-+72+	$2,65-		
				% 8$GB U@H9C9UBH$H8BJ: A$HD>AA	$2,65-
	: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&3>A_WA>L&3' :D3 &			&KJMB&M		
3G>' <L&[W <!'					
	)*+, *, -+-	$-+E66	$2+65-		
				EC:A; 8KH; 98$AJHA@9D D98BH$GCH	$-F25-
				EC:A; 8KH; 98$AJHA@9D D98BH$GCH	$-), 5-
	: #+O) 4&E) ,. ;		&TPK&M		
HVE3 &) 4&G>' <L&[W <!' &			&LJJR&M		
A&>S&[WF! B& WG9[D<N& &@A' ED<NL&D<! S					
	)*6*, -+-	$-+3+2	$FF)5E)		
				?>HI !D9P$B%DHUC; @>; : 8B>D	$&2,5E
				?>HI !D9P$B%DHUC; @>?98	$-F-5-
				?>HI !D9P$B%DHUC; @>; : 8B>D	$2653,
				?>HI !D9P$: A; EC:L	$235)-
	)*+, *, -+-	$-+E63	$-)653-		
				?>HI !D9P$: A; EC:L	$-)653-
	)*, 3*, -+-	$-, +2+	$37+53-		
				?>HI !D9P$: A; EC:L @+	$F,5E-
				?>HI !D9P$: A; EC:L @,	$235E-
				?>HI !D9P$: A; EC:L @+6	$235)-
				?>HI !D9P$: A; EC:L @C3U	$235)-
				?>HI !D9P$: A; EC:L @AL+	$F,5E-
				?>HI !D9P$: A; EC:L @C9A	$235)-
	: #+O) 4&E) ,. ;		&PLERPJ&U		
HVE3 &) 4&A&>S&[WF! B& WG9[D<N& &@A' ED<NL& D<! S&			&ZLPMRSZ		
A' NWAED9A&I FG<CA WD<N&CA>:D AC					
	)*+7*, -+-	$-+7F6	$65-		
				8: !KCG@KADBH9J8%U;	$65-
	: #+O) 4&E) ,. ;		&IK&M		
HVE3 &) 4&A' NWAED9A&I FG<CAWD<N& CA>:D AC&			&IK&M		
A' >WL&-' GW					
	)*, 3*, -+-	$-, +2,	$-FF5-		
				% 8$GB U@HH$-; ; <A$A%BEC:L$H9C!	$-FF5-
	: #+O) 4&E) ,. ;		&PXX&M		
HVE3 &) 4&A' >WL&-' GW&			&PXX&M		

MV00063542

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
A' CEA><8&9 G<D D' W&] ' EA>&8 DCE>D E				
)*6*, -+-	$-+3+)	$F42) 75 3		
			P>; : 8$H=8LA@U: 8 L$9%A$H; 8$%89M	$2+5F-
			P>; : 8$H=8LA$! 98$! : ?8K>8<	$6+53E
			P>; : 8$H=8LA$! 98$U>8H=	$335 E
			P>; : 8$H=8LA$! 98$U>8H=	$2+7566
			P>; : 8$H=8LA$! 98$U>8H=	$-4 E-5 7
			P>; : 8$H=8LA$! 98$U>8H=	$ E5 F
			P>; : 8$H=8LA$! 98$U>8H=	$-8++53)
			P>; : 8$H=8LA$! 98$U>8H=	$-4-F, 526
			P>; : 8$H=8LA$! 98$U>8H=	$-4277 5 -
			P>; : 8$H=8LA$! 98$U>8H=	$-) 5 6
			P>; : 8$H=8LA$! 98$U>8H=	$ +257 3
			P>; : 8$H=8LA$! 98$U>8H=	$2- 25E)
			P>; : 8$H=8LA$! 98$U>8H=	$335-7
			8HDJG$P>; : 8@8>BC$U>BC; $%8LU	$3- 5F6
			8HDJG$P>; : 8@&; 5AP: : %BC L$%8LU	$3- 5F6
			8HDJG$P>; : 8@&; 5AP: : %BC L$%8LU	$ 3- 5F)
			8HDJG$P>; : 8@&; 8: : ; $U>BC; $%8LU	$EE5 .
)*+, *, -+-	$-+E6F	$-3482E5-)		
			P>; : 8$H=8LA$! 98$U>8H=	$F) 5E+
			P>; : 8$H=8LA$! 98$U>8H=	$-46, 65 6
			P>; : 8$H=8LA$! 98$U>8H=	$2E5) -
			P>; : 8$H=8LA$! 98$U>8H=	$ 4 +652)
			P>; : 8$H=8LA$! 98$U>8H=	$3476) 5F6
			P>; : 8$H=8LA$! 98$U>8H=	$-472E527
			P>; : 8$H=8LA$! 98$U>8H=	$-422F5E)
			P>; : 8$H=8LA$! 98$U>8H=	$3) , 5 2
			P>; : 8$H=8LA$! 98$U>8H=	$7. F57)
			P>; : 8$H=8LA$! 98$U>8H=	$-E+567
			P>; : 8$H=8LA$! 98$U>8H=	$-3, 5++
			P>; : 8$H=8LA$! 98$U>8H=	$) 65)
			P>; : 8$H=8LA$! 98$U>8H=	$-2753 3
			P>; : 8$H=8LA$! 98$U>8H=	$6) 5 7
)*, 3*, -+-	$-, +22	$-) 42+25E-		
			P>; : 8$H=8LA$! 98$U>8H=	$ FE52.
			P>; : 8$H=8LA$! 98$U>8H=	$642, E5+
			P>; : 8$H=8LA$! 98$U>8H=	$-43F5F+
			P>; : 8$H=8LA$! 98$U>8H=	$ 46325 7+
			P>; : 8$H=8LA$! 98$U>8H=	$ F) 53,
			P>; : 8$H=8LA$! 98$U>8H=	$-4-73523
			P>; : 8$H=8LA$! 98$U>8H=	$-422, 5E+
			P>; : 8$H=8LA$! 98$U>8H=	$, 65+2
			P>; : 8$H=8LA$! 98$U>8H=	$2335-7
			P>; : 8$H=8LA$! 98$U>8H=	$ E-5F)
: #+O) 4&E) ,. ;		&TQLTMPS$PM		

HVE3 &) 4&A' CEA><&9 G<D D' W&] ' EA>& 3 DCE>D E& &ZTPLRRKS$PQ

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
A! FW [&D<! S					
	)*6*,-+-	$-+3+6	$2E		
				8: !KCG@KADH9J8%U;	$2E
	: #+O)4E),.;		&TSQ		
HVE3&)4&A! FW [&D<! S&			&TSQ		
A! F9FEDF<L&D<! S					
	)*6*,-+-	$-+3+3	$46)E52		
				H9CAKD,&DL$AJHA@%HD&GA;	$46)E52
	)*+7*,-+-	$-+7FF	$4E+5+		
				H9CAKD,&DL$AJHA@&; &D<	$4E+5+
	: #+O)4E),.;		&ZUWZSU		
HVE3&)4&A! F9FEDF<L&D<! S&			&PPLQUUSU		
A3NAW <A&9F[DVA&-' >B					
	)*+,*,-+-	$EE-22,	$-,57F		
				8: !KCG@&; $KA: 8$>W A	$-,57F
	: #+O)4E),.;		&RJSX		
HVE3&)4&A3NAW <A&9F[DVA&-' >B&			&ZZSPX		
A3DE@&&H&&<' :' >> F					
	)*+7*,-+-	$-+7FE	$5)53F		
				8: !KCG@KADH9J8%U;	$5)53F
	: #+O)4E),.;		&KUSRX		
HVE3&)4&A3DE@&&H&&<' :' >> F&			&KUSRX		
ANNA>CEA<L& <<A					
	)*6*,-+-	$-+3+F	$2-653-		
				8: ; &B: : $U: G&H>D&?: C: !B,	$2-653-
	: #+O)4E),.;		&TMKSRM		
HVE3&)4&ANNA>CEA<L& <<A&			&LQTQSST		
A9-D>A&D<CGW EDF <L&D<!					
	)*6*,-+-	$-+3+E	$65-		
				8: !KCG@KADH9J8%U;	$65-
	: #+O)4E),.;		&KSVM		
HVE3&)4&A9-D>A&D<CGW EDF <L&D<! &			&KSVM		
A9-D>A&C-F>EC					
	)*+7*,-+-	$EE-266	$64+3573		
				A%98; A$KCH98UA@&>8I A	9-)E5+3
				A%98; A$KCH98UA@&>8I A	$643EE-
	: #+O)4E),.;		&KJPRSZR		
HVE3&)4&A9-D>A&C-F>EC&			&PULQQZSPR		

MV00063544

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | 8888888888

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
A_! AW&W <3C! ' -AL &D<!				
)*+, *, -+-	$-+E3-	$24EE75-		
			D>CGAH>% 3U>E&; @PN!	$52-56-
			D>CGAH>% 3U>E&; @PN!	$4--5-
			D>CGAH>% 3U>E&; @PN!	$7E-5-
			D>CGAH>% 3U>E&; @PN!	$-FE56-
)*, 3*, -+-	$-, +26	$-, 4F)5,		
			D>CGAH>% 3U>E&; @F	$4833E+
			D>CGAH>% 3U>E&; @H: D ?$%>8I	$-4F-523
			D>CGAH>% 3U>E&; @&8$9U$%>8I	$-46-+57E
			D>CGAH>% 3U>E&; @+)	$24)3+5F
			D>CGAH>% 3U>E&; @PN!	$-47)65-
			D>CGAH>% 3U>E&; @PN?	$-47))5-
			D>CGAH>% 3U>E&; @+6	$E65-
: #+O)4&E),.;		&PRLKRTS&J		
HVE3&&)4&A_! AW&W <3C! ' -AL&D<! &		&JMKIPUQS&Q		
H' D>&@FGCD<N& FG<! DW&F H&>D& FL&D<! S				
)*, 3*, -+-	$EE-2E+	$24)F35-E		
			HG?L$!KCG: G$AJHA@8HDA8$%&8: J	$4275)
			HG?L$!KCG: G$AJHA@8HDA8$%&8: J	$-4235?)
: #+O)4&E),.;		&TILUXRSPQ		
HVE3&&)4&H' D>&@F GCD<N& FG<! DW&F H&>D& FL& D<! &		&JJIZLJJS&M		
H' <<D<NL&AHH>AV &&A' <				
)*+7*, -+-	$-+7E+	$7)5-		
			E&A; 8KH; E&DC$AJHA@2&G><A	$7)5-
: #+O)4&E),.;		&LZUS&M		
HVE3&&)4&H' <<D<NL&AHH>AV&&A' <&		&LZUS&M		
HA3A>' W&A_->ACC				
)*+, *, -+-	$-+E3+	$-F5)+		
			,6F2+F,--@W%8: A A$U>EE&L	$-F5)+
: #+O)4&E),.;		&PXS&P		
HVE3&&)4&HA3A>' W&A_->ACC&		&PJJS&M		
HAA<CE>' L&AF@<				
)*6*, -+-	$-+F7-	$23+56		
			8:; E&B: : $U: GEH>D&?: C: !E	$23+56
: #+O)4&E),.;		&TRPS&K		
HVE3&&)4&HAA<CE>' L&AF@<&		&TLRPJS&M		

MV00063546

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
HA<! AEA! @L&D<!				
)*6*,-+-	$-+3,,	$-6-5-		
			8: !KCG@KAS DH$9J8%J;	$-6-5-
	: #+O) 4&E) ,. ;	&PKMVB/M		
HVE3 &) 4&HA<! AEA! @L&D<! &		&PKMVB/M		
HD<ACCA& A>CF<<A W& CCF! D EAC				
)*6*,-+-	$-+3,2	$F4-665-2		
			;: U%&AJHA@: HI C: 8$P*: $2*+2	$-4673E+
			;: U%&AJHA@: HI C: 8$P*: $2*,-	$-4E6) 523
			;: U%&AJHA@: HI C: 8$P*: $2*,F	$-4E6) 523
			;: U%&AJHA@: DA9C $P*: $2*+2	$EF) 5E-
			;: U%&AJHA@: DA9C $P*: $2*,-	$EF) 5E-
)*+,*,-+-	$-+E3,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $2*,F	$EF) 5E-
			;: U%&AJHA@: HI C: 8$P*: $*2	$-4E6) 523
)*+7*,-+-	$-+7E,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $*2	$EF) 5E-
			;: U%&AJHA@: HI C: 8$P*: $*+-	$-4E6) 523
)*,3*,-+-	$-,+23	$24EF65)+		
			;: U%&AJHA@: DA9C $P*: $*,F	$3635--
			;: U%&AJHA@: DA9C $P*: $2*3	$E6-56-
			;: U%&AJHA@: DA9C $P*: $*+F	$3635--
			;: U%&AJHA@: HI C: 8$P*: $*+F	$-4F+,5F+
	: #+O) 4&E) ,. ;	&PRLTQQ&R		
HVE3 &) 4&HD<ACCA & A>CF<<AW& CCF! D EAC&		&PRLTQQ&R		
HD>CE& 9A>D '<& F>A&WFND L&D<! S				
)*+,*,-+-	$-+E32	$52E5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$FF5-
			9CDE: $%&89%&E!9 @A%	$-F35-
)*,3*,-+-	$-,+2F	$67,5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$2+5-
			9CDE: $%&89%&E!9 @A%	$-F35-
	: #+O) 4&E) ,. ;	&PLPTMB/M		
HVE3 &) 4&HD>CE& 9A>D '<& F>A&WFND L&D<! S&		&JLUQMB/M		

MV00063547

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
HD>CE& @FD A&CA> : D AC				
)*6*,-+-	$EE-,37	$3257-		
			H9!!: : $AJHA@U%6%>EG	$2,5)
			H9!!: : $AJHA@U%6%>EG	$2+533
)*+,*,-+-	$EE-222	$ 752E		
			H9!!: : $AJHA@U%6%>EG	$ 752E
)*+7*,-+-	$EE-263	$6E-5)		
			H9!!: : $AJHA@U%6%>EG	$E-57+
			H9!!: : $AJHA@U%6%>EG	$7653
			H9!!: : $AJHA@U%6%>EG	9-FF53E
			H9!!: : $AJHA@U%6%>EG	9-75+F
			H9!!: : $AJHA@U%6%>EG	$EE5-)
			H9!!: : $AJHA@U%6%>EG	$ E52E
)*,3*,-+-	$EE-2E,	$2356+		
			H9!!: : $AJHA@U%6%>EG	$2356+
: #+0)4&E),.;		&IVZ&T		
HVE3&&) 4&HD>CE& @FD A&CA> : D AC&		&QPZXST J		
HDE<ACC&PZ& ' &PK K&PP!				
)*,3*,-+-	$-,+2E	$E+5-		
			L<U$J: U?: 8A=B%&G : GKH; E9CA	$E+5-
: #+0)4&E),.;		&QCP&VM		
HVE3&&) 4&HDE<ACC&PZ& ' &PK K&PP! &		&UZPK&VM		
HFWAV& &W >3<A>				
)*,7*,-+-	$-,,++	$24--5-		
			D L>D$AJHA@&: ; >BC: 8	$24--5-
: #+0)4&E),.;		&TUVMV&VM		
HVE3&&) 4&HFWAV& &W >3<A>&		&TUVMV&VM		
HFCEA>L&<' <! V& S				
)*6*,-+-	$-+3,)	$2+6557		
			8: ; E&: : $J: GEH>D&?: C: !E	$2+6557
: #+0)4&E),.;		&TPK&XZ		
HVE3&&) 4&HFCEA>L&<' <! V& S&		&PUJRK&XM		
HFEF&H' <E' CVL&D<!				
)*6*,-+-	$-+3,6	$9-5,		
			8: !KCG@KACEH9J8%U;	$9-5,
: #+0)4&E),.;		&JVE&U		
HVE3&&) 4&HFEF&H' <E' CVL&D<! &		&JVE&U		

MV00063548

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
H>' <! A&G[WD ' EDF<CL&D<! S				
) *+, *, -+-	$-+E3)	$-4E--5-		
			>GJ: 8; EA&CL$AJHA@GG	$-4E--5-
: #+0) 4&E) ,. ;		&PLQVMB&M		
HVE3 &) 4&H>' <! A&G[WD ' EDF<CL&D<! S&		&ZLRVMB&M		
H>' <! @DCA&E' _&[F ' >3				
) *+, *, -+-	$-+E36	$3F657 6		
			L>8CEA=U: C;	$-, 56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675) 6
			L>8CEA=U: C;	$6) 5-
) *, 3*, -+-	$-, +27	$3F352E		
			L>8CEA=U: C;	$-, 56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675EE
			L>8CEA=U: C;	$6) 5-
: #+0) 4&E) ,. ;		&PLTKJSTT		
HVE3 &) 4&H>' <! @DCA&E' _&[F ' >3&		&PPLKJPS&Z		
H>' <BWD<L&WS& S				
) *+, *, -+-	$-+E33	$-F5-		
			UED >L: $B: EJ?K8A : U: C;	$-F5-
: #+0) 4&E) ,. ;		&IMKS&M		
HVE3 &) 4&H>' <BWD<L&WS& S&		&PLUUCS&M		
H>A3 :C&NW CC& &9 D>>F>L&D<! S				
) *6*, -+-	$-+3, 3	$F, 25-		
			PECG9P$ 8>U: $8%DHUC; @&8$H; 8	$67E5-
			PECG9P$A: >D$AJH@! A$26E	$-, 65-
: #+0) 4&E) ,. ;		&JTS&M		
HVE3 &) 4&H> A3 :C&NW CC& &9 D>>F>L&D<! S&		&PLMCZS&T		
HGW[>DN@E& &'] F>CBDL&WS&W S				
) *+7*, -+-	$-+7E2	$E4F7) 5-		
			D L>D$AJHA@&; EEB; B A	$E4F7) 5-
: #+0) 4&E) ,. ;		&QXZUS&M		
HVE3 &) 4&HGW[>DN@E& &'] F>CBDL&WS&W S&		&PJLKVMB&Q		
N' CEAWG9L&WAF[' >3F				
) *, 3*, -+-	$-, +)-	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&IMB&M		
HVE3 &) 4&N' CEAWG9L&WAF[' >3F&		&IMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
N' CEF<L&> D @' >3				
) *6*, -+-	$ -+F7+	$2+E5F2		
			8: ; B&: : $J: GBH>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &) 4&N' CEF<L&> D @' >3 &		&TTPQXSTM		
NA<A>' W&CA! G>DEV &CA>: D ACL&D<! S				
) *6*, -+-	$ -+3, F	$9-E) 5-E		
			A: HK8B <$AJHA@H8H	$9-E) 5-E
) *6*, -+-	$EE-, F+	$) 3-5, -		
			A: HK8B <$AJHA@: CB9 8$H; 8	$) 65))
			A: HK8B <$AJHA@H8H	$+) 5F3
) *+, *, -+-	$EE-22)	$, 4-E35))		
			A: HK8B <$AJHA@B?8>8<	$9-. . 5F.
			A: HK8B <$AJHA@B?8>8<	$9-, , 5F,
			A: HK8B <$AJHA@B?8>8<	$3+25)-
			A: HK8B <$AJHA@B?8>8<	$3+25)-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
) *+7*, -+-	$EE-26F	$9-E) 5-E		
			A: HK8B <$AJHA@PCL; :	$9-F52E
			A: HK8B <$AJHA@PCL; :	$F35F-
) *, 3*, -+-	$EE-2E2	$, 4-+35/,		
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@&; BB B A$-CCW	$ F35-.
			A: HK8B <$AJHA@B?8>8<	$3+25)-
			A: HK8B <$AJHA@B?8>8<	$3+25)-
	: #+O) 4&E) ,. ;	&KLMTP&KJ		
HVE3 &) 4&NA<A>' W&CA! G>DEV&CA>: D ACL& B<! S&		&JRLXRX&ZK		
NAF>NA&C' WD<' C&E>AA&->ACA>: ' EDF<				
) *6*, -+-	$ -+3, E	$, 4++5/6		
			; 8: : $ 8BJUBCL$AJ H@&AL,	$) F5-.
			; 8: : $ 8BJUBCL$AJ H@+	$-FE3E)
			; 8: : $ 8BJUBCL$AJ H@+>	$, 2566
			; 8: : $ 8BJUBCL$AJ H@,	$E-) 5FE
			; 8: : $ 8BJUBCL$AJ H@C$J	$26F53E
) *+7*, -+-	$ -+7E)	$6-5E)		
			8: ! KCG@KADBH9J8%J;	$6-5E)
	: #+O) 4&E) ,. ;	&JLMRJ&KZ		
HVE3 &) 4&NAF>NA&C' W&' C&E>AA& ->ACA>: ' EDF<&		&QZLKRM&R		

MV00063550

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
NDI [CL&NDB A<L&WF! @A>L&EG><A>& &C A<AE&WV-					
	)*6*,-+-	$EE-,F,	$-4E++5F-		
				D L>D&AJHA	$5E-56-
				D L>D&AJHA	$-4-2+5-
	)*+7*,-+-	$EE-26E	$4E)35-		
				D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4E)35-
	)*,3*,-+-	$EE-2E)	$64/735-7		
				D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4+6)6
				D L>D&AJHA	$-47E-53)
	: #+O)4&E),.;		&PMERKTSKZ		
HVE3&8)4&NDI [CL&NDB A<L&WF! @A>L&E G><A>& & CA<AE&WV-&			&PUULRVPS&VZ		
ND-CF<L&9D>' <3'					
	)*+,*,-+-	$-+E3F	$-765-		
				8: !KCG@% 8UB$9!::A	$7F53-
				8: !KCG@% 8UB$9!::A	$7F53-
	: #+O)4&E),.;		&PZKSIM		
HVE3&8)4&NDCF<L&9D>' <3'&			&PZKSIM		
NFW3A<aC&AWA! E>F <D aC					
	)*+7*,-+-	$-+7E6	$)5,		
				8: !KCG@KASDBH$9J8%U;	$)5,
	: #+O)4&E),.;		&USUU		
HVE3&8)4&NFW3A<aC&AWA! E>F <D aC&			&USUU		
NF9A\L&NA>' >3F& &N' [>DAW					
	)*,3*,-+-	$-,+)+	$-5-		
				8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;		&IMBM		
HVE3&8)4&NF9A\L&NA>' >3F& &N' [>DAW&			&IMBM		
NF<N&A<EA>->DCAC L&D<! S					
	)*+,*,-+-	$-+E3E	$)4E6-5-		
				%D>C$H=:HI $AJHA	$46--5-
				%D>C$H=:HI $AJHA	$426-5-
	: #+O)4&E),.;		&JCKMBM		
HVE3&8)4&NF<N&A<EA>->DCACL&D<! S&			&QERPUSKM		
NF<\' WACL&[>D <					
	)*,3*,-+-	$-,+),	$-5-		
				8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;		&IMBM		
HVE3&8)4&NF<\' WACL&[>D <&			&IMBM		

MV00063551

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
NF<\' WA\ L&9' >D[AW				
)*+,*,-+-	$-+E37	$5)55-		
			8: !KCG@B>; B9C$$BAUBAA: G	$5)55-
: #+0)4&E),.;		&KUSKM		
HVE3&8)4&NF<\' WA\ L&9' >D[AW&		&KUSKM		
NF>3F<L&] DWAD 9&D>:D<N&DDD				
)*6*,-+-	$-+3,7	$225,E		
			8: !KCG@&G$HB>; B9C$!::A	$225,E
: #+0)4&E),.;		&TTS&Q		
HVE3&8)4&NF>3F<L&] DWAD 9&D>:D<N&DDD&		&TTS&Q		
NF>9&D<!S				
)*,3*,-+-	$-,+)2	$24)EE5E2		
			M-CB,98B-D&AK%%DBA@&>8IA&U>B&C	$-423,5),
			M-CB,98B-D&AK%%DBA@&>8IA&U>B&C	$-46EB52E
			M-CB,98B-D&AK%%DBA@&>8IA&U>B&C	$5)+52
: #+0)4&E),.;		&TILQQS&T		
HVE3&8)4&NF>9&D<!S&		&PPLMRZS&P		
NFV'&HFF3C&FH&\'WDHF><D				
)*6*,-+-	$-+32-	$75F)		
			8: !KCG@KA&DB-H$9J8%U;	$75F)
: #+0)4&E),.;		&JZSKU		
HVE3&8)4&NFV'&HFF3C&FH&\'WDHF><D&		&JZSKU		
NF\3A!BD&8'<				
)*6*,-+-	$EE-,F2	$FE25-		
			B&A;8KH;98$AJHA@KCL$!K	$26+5-
			B&A;8KH;98$AJHA@KCL$!K	$25-
: #+0)4&E),.;		&QTS&M		
HVE3&8)4&NF\3A!BD&8'<&		&RJZPS&M		
N>'HL&3'9				
)*6*,-+-	$-+32+	$F65-		
			8: !KCG@%><*C: K;: 8$!::A	$F65-
: #+0)4&E),.;		&KKS&M		
HVE3&8)4&N>'HL&3'9&		&KKS&M		
N>'HHDEDE>'!BA>L&D<!S				
)*6*,-+-	$EE-,F)	$2)-5-		
			H>U:8>$B:%>BB	$2)-5-
: #+0)4&E),.;		&TUMB&M		
HVE3&8)4&N>'HHDEDE>'!BA>L&D<!S&		&QTUMB&M		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
N>' <D GCL&D<! S					
	)'6*,-+-	$-+32,	$-2765,		
				U>C>L: G&AJH@E5: 9&A; 8: >UE5L	$-426-5-
				U>C>L: G&AJH@E5: 9&A; 8: >UE5L	$65.
	)*+7*,-+-	$-+7E3	$-2-5-		
				%&GH>A; E5L$U>C>L: G&AJH	$-2-5-
		: #+0) 4&E) ,. ;	&PKJKS&J		
HVE3 &) 4&N>' <D GCL&D<! S&			&PUTUJS&M		
N>' -@D &CFWGEDF<C&WE3 S					
	)'6*,-+-	$-+322	$-F65-		
				AKCC<UG&?DJG&B: J B$?&8 9M&AJHA	$-F65-
		: #+0) 4&E) ,. ;	&PXK&M		
HVE3 &) 4&N>' -@D &CFWGEDF<C&WE3 S&			&TRMPS&K		
N>DHHD<L&9' >WA<A &					
	)'6*,-+-	$-+F7,	$2-653-		
				8: ; E5: : $U: GEH>D&?: C: !B	$2-653-
		: #+0) 4&E) ,. ;	&TMKS&M		
HVE3 &) 4&N>DHHD<L&9' >WA<A& &			&ILUTRS&P		
N>FG-&& AWE' & F<CGWE' <ECL&D<!					
	)*,3*,-+-	$-,+))	$-47665-		
				%K?&A!; <?DGL$H9 CJ: 8AE9C$%&9M	$-47665-
		: #+0) 4&E) ,. ;	&PZKK&M		
HVE3 &) 4&N>FG-&& AWE' & F<CGWE' <ECL&D<! &			&LTPK&M		
NGACE&CA>: D AC					
	)*+,*,-+-	$-+EF-	$2)5E		
				H9K8A: TB+,2*>%B,3@J><F4$-+-	$2)5E
		: #+0) 4&E) ,. ;	&TUS&Q		
HVE3 &) 4&NGACE&CA>: D AC&			&TUS&Q		
NGDWW <L&>A[A! ! ' &CS					
	)'6*,-+-	$-+32)	$325-3		
				8: ; E5: : $U: GEH>D&?: C: !B	$325-3
		: #+0) 4&E) ,. ;	&RTS&R		
HVE3 &) 4&NGDWW <L&>A[A! ! ' &CS&			&PLPMK&P		
NGDWWDCL&WD<3' &[S					
	)'6*,-+-	$-+326	$2+E5F2		
				8: ; E5: : $U: GEH>D&?: C: !B	$2+E5F2
		: #+0) 4&E) ,. ;	&PQ&KT		
HVE3 &) 4&NGDWWDCL&WD<3' &[S&			&TLPQX&TM		

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[illegible] 3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
NGEDA>>A\ L&F[A> E				
)'6*,-+-	$-+323	$2+E5F2		
			8: ; B&: : $U: GB+>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &) 4&NGEDA>> A\ L&F[A> E&		&PLQZJ&ZM		
NGVaC&W <3C! ' -A&9' D<EA<' <! A				
)'6*,-+-	$-+32F	$235E7		
			8: !KCG@KA&DB+$9J8%U;	$235E7
	: #+O) 4&E) ,. ;	&TR&&Z		
HVE3 &) 4&NGVaC&W <3C! ' -A&9' D<EA<' <! A&		&TR&&Z		
NG\ 9' <aC& ' >E&CA>: D A				
)*+,*,-+-	$EE-226	$)4)75-		
			H>8; $B; 8JD&AJHA	$)4)75-
	: #+O) 4&E) ,. ;	&JMLZ&M		
HVE3 &) 4&NG\ 9' <aC& ' >E&CA>: D A&		&JMLZ&M		
@& & &<' DW				
)'6*,-+-	$-+32E	$7+5-		
			8: !KCG@KA&DB+$9J8%U;	$7+5-
	: #+O) 4&E) ,. ;	&ZP&M		
HVE3 &) 4&@& & &<' DW&		&ZP&M		
@& &>&[WF! B				
)*+,*,-+-	$-+EF+	$-,65-2		
			?KA&DB+$9J8%U; $B!CG	$F-5E
			?KA&DB+$9J8%U; $B!CG	$6)5F6
	: #+O) 4&E) ,. ;	&RJK&T		
HVE3 &) 4&@& & &[WF! B&		&RJK&T		
@& &DD&<! S				
)'6*,-+-	$-+327	$)65-		
			8: !KCG@KA&DB+$9J8%U;	$)65-
	: #+O) 4&E) ,. ;	&JK&M		
HVE3 &) 4&@& &DD&<! S&		&JK&M		
@ 9[G>NL&D>A<A				
)'6*,-+-	$-+F72	$7635-7		
			8: ; B&: : $U: GB+>D&?: C: !B	$7635-7
	: #+O) 4&E) ,. ;	&ZKR&PZ		
HVE3 &) 4&@ 9[G>NL&D>A<A&		&LJZP&RX		

MV00063554

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
@ 9WD<L&] DWD 9&>S					
	)*6*,-+-	$-+F7)	$2+6557		
				8:;BB:: $U: GBH>D&?: C: !B	$2+6557
	: #+O) 4&E),.;		&TPK&KZ		
HVE3&&) 4&@ 9WD<L&] DWD 9&>S&			&TLJTQ&/U		
@ <' <D L&>' <3'					
	)*+7*,-+-	$-+7EF	$-5-		
				8: !KCG@&>?B A&G: %	$-5-
	: #+O) 4&E),.;		&IMB&/M		
HVE3&&) 4&@ <' <D L&>' <3' &			&CPS&/M		
@ <3V&>A-' D>&CA> : D A					
	)*6*,-+-	$-+3)-	$2+5-E		
				8: !KCG@KA&DBH&9J8%U;	$2+5-E
	: #+O) 4&E),.;		&TPS&/Q		
HVE3&&) 4&@ <3V&>A-' D>&CA> : D A&			&TPS&/Q		
@ <ACL&9' >ED<&3S					
	)*6*,-+-	$-+F76	$2+E5F2		
				8: ;BB:: $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E),.;		&TPQ&KT		
HVE3&&) 4&@ <ACL&9' >ED<&3S&			&TLPQX&TM		
@ <CA<L&>F[A>E&/S					
	)*,3*,-+-	$-,+)3	$-FF5-		
				% 8$GB U@HH$>;; <A&A%&E&L&H9C!	$-FF5-
	: #+O) 4&E),.;		&PXX&/M		
HVE3&&) 4&@ <CA<L&>F[A>E&/S&			&TKL&/M		
@ --V&E&D A&[FFB&CEF>A					
	)*+7*,-+-	$-+7EE	$F+5,		
				8: !KCG@KA&DBH&9J8%U;	$F+5.
	: #+O) 4&E),.;		&PS&J		
HVE3&&) 4&@ --V&E&D A&[FFB&CEF>A&			&PS&J		
@ >3D<N L&^F@<&CS					
	)*6*,-+-	$-+3)+	$2+E5F2		
				8:;BB:: $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E),.;		&TPQ&KT		
HVE3&&) 4&@ >3D<N L&^F@<&CS&			&TLPQX&TM		

MV00063555

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
@ >E9' <<L&>D B				
	)*6*,-+-	$-+3),		$2F5)3
			8:; B&: : $U: GBH>D&?: C: !B	$2F5)3
	: #+0)4&E),.;		&RTXSUR	
HVE3&)4&@ >E9' <<L&>D B&			&ILKUSKX	
@ EHDAW3L& @' >WA C				
	)*6*,-+-	$-+3)2		$2+E5F2
			8:; B&: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;		&TPQSKT	
HVE3&)4&@ EHDAW3L& @ >WAC&			&ILKUZSUK	
@ GCA>L& 3>D <'				
	)*+7*,-+-	$-+7E7		$F7E5-
			B&CA; 8KH; B&DC$AJHA@+$G><A	$F7E5-
	: #+0)4&E),.;		&KZQSVM	
HVE3&)4&@ GCA>L& 3>D <' &			&TLTMRSVM	
@3W7@D<3A>WDEA>&3A&WW 9' C& & CCF !D EAC				
	)*6*,-+-	$-+3))	$)4665-	
			H9C; 8>H; $AJHA@&>D A$>W	$7--5-
			>KGB$AJHA@&>D A$>W	$4EE,552
			>KGB$AJHA@&>D A$>W	$F,56F
	: #+0)4&E),.;		&LJKKSVM	
HVE3&)4&@3W7@D<3A>WDEA>&3A&WW 9' C& & CCF !D EAC&			&PRMTZSKP	
@AA>V&D<EA><' EDF <' WL&D<!S				
	)*+7*,-+-	$EE-267	$-F4)E-5-	
			C: P$U>B&$D&78>8< $%&9M$AJHA	$-F4)E-5-
	: #+0)4&E),.;		&PXLUQMVM	
HVE3&)4&@AA>V&D<EA><' EDF <' WL&D<!S&			&JPKLMKJSKK	
@AHHWAVL&>FCC&]S				
	)*6*,-+-	$-+F73		$2+E5F2
			8:; B&: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;		&TPQSKT	
HVE3&)4&@AHHWAVL&>FCC&]S&			&ILKUZSUK	
@A9-@DWW&3' V! ' >A				
	)*6*,-+-	$-+3)6	$6)5-	
			8:!KCG@KADBH9J8%U;	$6)5-
	: #+0)4&E),.;		&KUSVM	
HVE3&)4&@A9-@DWW&3' V! ' >A&			&KUSVM	

MV00063556

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
@A>9' <&] ADCCBA>L &D<! S				
	)*6*,-+-	$-+3)3	$F65-6	
			8: !KCG@KASDBH$9J8%U;	$F65-6
	: #+O)4E),.;		&KKSPK	
HVE3 &)4@A>9' <&] ADCCBA>L &D<! S&			&KKSPK	
@A>>D BL&>F[A>E&3S				
	)*6*,-+-	$-+3)F	$2+E5F2	
			8: ; BB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+O)4E),.;		&TPQSKT	
HVE3 &)4@A>>D BL&>F[A>E&3S&			&TTPQXSTM	
@ACWD<L&9D @' AW&BS				
	)*+,*,-+-	$-+EF,	$2+E52-	
			;8>J: D$ W%@CCD$H>$LBA$H9C!5	$3,52-
			;8>J: D$ W%@CCD$H>$LBA$H9C!5	$635-
	: #+O)4E),.;		&TPQSTM	
HVE3 &)4@ACWD<L&9D @' AW&BS&			&ZJZS&M	
@D BF>V&H' >9C				
	)*6*,-+-	$-+3)E	$)5-+	
			8: !KCG@KASDBH$9J8%U;	$)5+
	: #+O)4E),.;		&USS/P	
HVE3 &)4@D BF>V&H' >9C&			&USS/P	
@DNNCL&3A[>'				
	)*,3*,-+-	$-,+)F	$6,5-	
			EDA;8KH;98$AJHA@EB%>ED;EDL	9-))5-
			EDA;8KH;98$AJHA@EB%>ED;EDL	$E5-
			EDA;8KH;98$AJHA@EB%>ED;EDL	$E-5-
	: #+O)4E),.;		&KJS&M	
HVE3 &)4@DNNCL&3A[>' &			&PLPPRS&M	
@FN' >3L&\F@<&ES				
	)*6*,-+-	$-+3)7	$F--5-	
			8: ; BB: : $U: GBH>D$?: C: !B	$F--5-
	: #+O)4E),.;		&MMB&M	
HVE3 &)4@FN' >3L&F@<&ES&			&QPXSPK	
@FWE\ L&NWF>D				
	)*+7*,-+-	$-+77-	$-5-	
			8: !KCG@&>?BA$G: %	$-5-
	: #+O)4E),.;		&MB&M	
HVE3 &)4@FWE\ L&NWF>D &			&MB&M	

MV00063557

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
@F GCA> L&A3 DE@&AS					
	)*6*, -+-	$-+36-	$2+E5F2		
				8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&@F GCA> L&A3 DE@&AS&			&TTPQXSTM		
@G[& F<CE>G! EDF< &C-A! D WDEACL&D< !					
	)*+7*, -+-	$-+77+	$)55E		
				8: !KCG@KAS&DBH$9J8%U;	$)55E
	: #+O) 4&E) ,. ;		&JU&KQ		
HVE3 &&) 4&@G[& F<CE>G! EDF< &C-A! D WDEACL& B< ! &			&JU&KQ		
@G[[' >3L&9 F<AE					
	)*+7*, -+-	$-+77,	$-5-		
				8: !KCG@&>?B A&G: %	$-5-
	: #+O) 4&E) ,. ;		&IMBMM		
HVE3 &&) 4&@G[[' >3L&9 F<AE&			&IMBMM		
@G<EL&WA_V					
	)*+7*, -+-	$-+772	$6,5-		
				8: !KCG@BJ: $!98$ 9; A	$6,5-
	: #+O) 4&E) ,. ;		&KJ&MM		
HVE3 &&) 4&@G<EL&WA_V&			&KJ&MM		
D 9' &>AED>A9A<E&! F>-&UKX					
	)*7*, -+-	$3+3	$74&E75))		
				G: !$+9U%&)6F$)*-7*+-	$74&E75))
	)*,2*, -+-	$3,)	$9-,4)+-52F		
				G: !$+9U%&)6F$)*,2*+-	$9-,4+-52F
	: #+O) 4&E) ,. ;		&JJIMZZSZP		
HVE3 &&) 4&@D 9' & A ED>A9A<E&! F>-&UKX&			&TPPLKQJJSZP		
DM&CF>>A<EF&9 F[DMA&' >B					
	)*+,*, -+-	$-+EF2	$-6E56		
				8: !KCG@&; $KA: 8$>W A	$-6E56
	: #+O) 4&E) ,. ;		&PKQ&IK		
HVE3 &&) 4&@DM&CF>> A<EF&9 F[DMA&' >B &			&PLRXRSTP		

MV00063558

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
D9' <DLBBD<N					
	)*6*,-+-	$-+36+	$-,25-		
				8: !KCG@>8E9KA$*H9 : : A	$-5-
				8: !KCG@>8E9KA$*H9 : : A	$-5-
				8: !KCG@>8E9KA$*H9 : : A	$-5-
				8: !KCG@>8E9KA$*H9 : : A	$-E5-
				8: !KCG@>8E9KA$*H9 : : A	$-65-
				8: !KCG@>8E9KA$*H9 : : A	$6-5-
	: #+O) 4&E) ,. ;		&RJTS&M		
HVE3 &&) 4&9' <DLBBD<N&			&RJTS&M		
D9-A>D W&I GCEF9&! ' [D<AECL&D<!					
	)*+7*,-+-	$-+77)	$25-		
				8: !KCG@KADH9J8%U;	$25-
	: #+O) 4&E) ,. ;		&TS&M		
HVE3 &&) 4&9-A>D W&I GCEF9&! ' [D<AECL&D<! &			&TS&M		
D<N&GC' & <<GDEV& &VDHA&D<CG>' <! A & FS					
	)*+,*,-+-	$-+EF)	$F65-		
				C9C@W U%; $>CCKB; <	$F65-
	: #+O) 4&E) ,. ;		&JXK&M		
HVE3 &&) 4&D<N&GC' & <<GDEV& &VDHA& D<CG>' <! A& FS&			&JLXKMB&M		
D<W <3& F<E>' ! EF>CL&D<! S3[' dA<:D>F YEACE					
	)*,3*,-+-	$-,+)E	$-4-725,6		
				CKB&>CH: $>?; UC; $AJHA@E3+-,-+6	$-4-725,6
	: #+O) 4&E) ,. ;		&PIPZTS&K		
HVE3 &&) 4&D<W <3& F<E>' ! EF>CL& D<! S3[' dA<:D>F YEACE&			&RJIPJMB&R		
D<W <3&A9-D>A& > ! @DE>! EG>' W&C-A! D WEDACL					
	)*6*,-+-	$-+36,	$2,53)		
				8: !KCG@KADH9J8%U;	$2,53)
	: #+O) 4&E) ,. ;		&TJS&U		
HVE3 &&) 4&D<W <3&A9-D>A& > ! @DE>! EG>' W& C-A! D WEDACL&			&TJS&U		
D<W <3&A9-D>A&9' N' \D<A					
	)*+,*,-+-	$-+EF6	$-4765-		
				>GJ: 8; BAECL$AJHA@GG	$-4765-
	: #+O) 4&E) ,. ;		&PLJZK&M		
HVE3 &&) 4&D<W <3&A9-D>A&9' N' \D<A&			&KIPQM&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
D<W <3 8A9 - D> A& > F - A> EV&CA> : D AL& D<!				
) *+7*, -+-	$EE-23-	$E,) 5 -		
			CKBA>CH: $>?; UC; $AJH@7F+E- - - 3	$FF5 -
			CKBA>CH: $>?; UC; $AJH@B H= BC L*U	$6- 5 -
			CKBA>CH: $>?; UC; $AJH@22F+$%> C	$-, , 5 -
			=>D $AJHA@I9G:	$F65 -
: #+O 4&E) ,. ;		&QJUSIM		
HVE3 &) 4&@ W <3 8A9 - D> A& > F - A> EV& CA> : D AL&@ ! &		&KKLUTX$PM		
D<W <3 8AD> ' >V&C VCEA9				
) *+, *, -+-	$ -+EF3	$-4E325 +		
			, - - 7*+- $J: U?: 8A= B&GK: A	$-4E325 +
: #+O 4&E) ,. ;		&PLQRTS$P		
HVE3 &) 4&@ W <3 8AD> ' >V&CVCEA9 &		&IIMUX$XP		
D<CD3 A&- W <ECL&D<! S				
) *, 3*, -+-	$EE-2E6	$2+35 -		
			%D>C; $J>BC; @I8H	$2+35 -
: #+O 4&E) ,. ;		&TPRS$M		
HVE3 &) 4&@ CD3 A&- W <ECL&@ ! $&		&TLPRMB$M		
D<EA><' W&>A: A<GA &CA>: D A				
) *+*, -+-	$ 3++	$ 4 - - 5 -		
			G: %&I : G$ >V&P *= $) *+*+-	$ 4 - - 5 -
: #+O 4&E) ,. ;		&IIMMB$M		
HVE3 &) 4&@ EA><' W&>A: A<GA&CA>: D A&		&TLPQLJTUQ$Z		
D>F<&9 FG<E' D<&FHHYCDEA&' E' & >FE A! EDF<				
) *6*, -+-	$ -+362	$7) 357 7		
			G>; >$A; 98>L: $AJH A	$7) 357 7
) *, 3*, -+-	$ -, +) 7	$-4 +655)		
			G>; >$A; 98>L: $AJH A	$-4 +655)
: #+O 4&E) ,. ;		&PIZRJ$KT		
HVE3 &) 4&@ F<&9 F G<E' D<&FHHYCDEA&' E' & -> FEA! EDF<&		&PPLKQX$JU		
D>F<] FF3 &C9 FBA&C @F -				
) *+7*, -+-	$ -+776	$F+573		
			8: ! KCG@KA$DB H$9J8%J;	$F+573
: #+O 4&E) ,. ;		&XPS$R		
HVE3 &) 4&@ F<] FF 3 &C9 F BA&C@F - &		&XPS$R		

MV00063560

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
DCN&E@A>9' W&CVCE A9 C&GC' L&D<!				
) *6*, -+-	$ -+36)	$6F5)		
			; = : 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	$6F5)
			; = : 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	$-56)
			; = : 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	@56)
: #+O) 4&E) ,. ;		&KKX$RU		
HVE3 &) 4&DCN&E@A>9' W&CVCEA9 C&GC' L&D<! &		&ZRUX&Z		
DCC&C] AA-D<NL&D<! S				
) *6*, -+-	$EE-, E-	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F. -5-
) *, 3*, -+-	$EE-2E3	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F, -5-
: #+O) 4&E) ,. ;		&JLKTP$JM		
HVE3 &) 4&DCC&C] A A-E<NL&D<! S&		&JTLKKM$JM		
^&& &@&& F<E>' ! ED<N				
) *6*, -+-	$EE-, E+	$24+65-		
			H9C; 8>H; $AJHA@A$Z6E	$24+65-
: #+O) 4&E) ,. ;		&TLTPK$JM		
HVE3 &) 4&&& &@&& F<E>' ! ED<N&		&RRLTKP$LJ		
^' ! BCF<L&^A>' 9V				
) *+, *, -+-	$ -+EFF	$-4 2-5-		
			; KB E9C$B: BJ?K8A: U: C;	$-4 2-5-
: #+O) 4&E) ,. ;		&PLJTM$JM		
HVE3 &) 4&' ! BCF<L&A>' 9V&		&PLXRT$XM		
^' <<AV& &' <<AV&' EEF><AV&C: ! CL&D<! S				
) *+, *, -+-	$ -+EFE	$F65-		
			D L>D&H9K8B 8$AJ HA	$F65-
: #+O) 4&E) ,. ;		&KK$JM		
HVE3 &) 4&' <<AV&' &' <<AV& EEF><AV& C: ! CL&D<! S&		&PLQKT$JM		
^' G>ANGD&FC! ' >				
) *6*, -+-	$ -+366	$-E) 5-		
			8: ! KCG@B>; E9C$9J 8%LJ;	$-E) 5-
: #+O) 4&E) ,. ;		&PQLJ$JM		
HVE3 &) 4&' G>ANGD&FC! ' >&		&PLMTP$LJ		

MV00063561

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
^3A3 NA&CFHE] ' >AL &WW!				
)*6*,-+-	$-+F7F	$F6-5-		
			H9CAKD, E&L$AJHA@9!; P>8: $G: J	$F6-5-
)*+,*,-+-	$EE-223	$665-		
			H9CAKD, E&L$AJHA@8	$665-
)*+7*,-+-	$EE-23+	$64)-5-		
			H9CAKD, E&L$AJHA	$64)-5-
: #+0) 4&E),.;		&RLUUK$M		
HVE3 &&) 4&3 A3 NA&CFHE] ' >AL&WW! &		&PMRLRZX$RQ		
^@&3 ACDN<& & CCF ! D EAC				
)*+*,-+-	$EE-,6F	$E,+5-		
			C>U: $%CN$G&A%D><@GG	$E,+5-
: #+0) 4&E),.;		&QJP$M		
HVE3 &&) 4&@&3 ACDN<& & CCF ! D EAC&		&QLUXP$M		
^D9A<A\ L&A99' <GA W				
)*,3*,-+-	$-,+6-	$-,5-		
			8: !KCG@>CI $!::A$9C$9J8H=8LG$G	$-.5-
: #+0) 4&E),.;		&PMJ$M		
HVE3 &&) 4&D A<A\ L&A99' <GAW&		&PMJ$M		
^^:C&9' >BAE& &WDcGF>				
)*6*,-+-	$-+363	$-635-		
			8: !KCG@KA$D&H$9J8%U;	$-6-5E
			8: !KCG@KA$D&H$9J8%U;	$&)3
			8: !KCG@KA$D&H$9J8%U;	$523
: #+0) 4&E),.;		&PKR$M		
HVE3 &&) 4&^:C&9' >BAE& &WDcGF>&		&PKR$M		
^F@<&3 AA>A&W <3C!' -ACL&D<!S				
)*+7*,-+-	$-+773	$F)5)		
			8: !KCG@KA$D&H$9J8%U;	$F)5)
: #+0) 4&E),.;		&U$RU		
HVE3 &&) 4&F@<&3 AA>A&W <3C!' -ACL&D<!S&		&U$RU		
^F@<CF<L&3 AWD				
)*,3*,-+-	$-,+6+	$F,5-		
			E&A;8KH;98$AJHA@:89?E&HA	$F,5-
: #+0) 4&E),.;		&J$M		
HVE3 &&) 4&F@<CF<L&3 AWD &		&TJ$M		

MV00063562

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
^FWWD[AA				
	)*+7*,-+-	$-+77F	$FF52E	
			8: !KCG@KASDBH$9J8%U;	$FF52E
	: #+O) 4E) ,. ;		&XSTQ	
HVE3 &) 4&F WWD[AA&			&XSTQ	
^F<ACSDDD&^FCA- @				
	)*+7*,-+-	$-+77E	$E65 5-	
			UBD >L: $B: BJ?K8A : U: C;	$2) 55-
			UBD >L: $B: BJ?K8A : U: C;	$6+5 -
	: #+O) 4E) ,. ;		&XKSXM	
HVE3 &) 4&F<ACSDDD&FCA- @&			&XPSLK	
^F<ACL&CGC' <				
	)*6*,-+-	$-+F7E	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQ&XT	
HVE3 &) 4&F<ACL&CGC' <&			&TLPQXSTM	
^FG><AVC&PMPX				
	)*6*,-+-	$-+36F	$E65 6	
			8: !KCG@KASDBH$9J8%U;	$E65 6
	: #+O) 4E) ,. ;		&XKSJK	
HVE3 &) 4&FG><AVC&PMPX&			&XKSJK	
^E[&CG- - WW& FS&D<! S				
	)*+7*,-+-	$-+777	$E4 +-52	
			AJH$H>?BC: ; $!98$ 8>!$ABLC>D	$E4 +-52
	: #+O) 4E) ,. ;		&LJPMRT	
HVE3 &) 4&E[&CG- - WW& FS&D<! S&			&KTLMMD&P	
^G' <DE' C&9' >BAE				
	)*6*,-+-	$-+36E	$3F5- -	
			8: !KCG@KASDBH$9J8%U;	$3F5 -
	: #+O) 4E) ,. ;		&RXSMM	
HVE3 &) 4&G' <DE' C&9' >BAE&			&RXSMM	
B& &[ACEL&D<!				
	)*6*,-+-	$-+367	$3F5- -	
			8: !KCG@KASDBH$9J8%U;	$F+5 2
			8: !KCG@KASDBH$9J8%U;	@) 5 2
	: #+O) 4E) ,. ;		&XSMM	
HVE3 &) 4&B& &[ACEL&D<! &			&XSMM	

MV00063563

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
B' DCA>& A>9' <A<E A				
)*+7*, -+-	$-,---	$2-5-		
			8: !KCG@>DA: $>D>8U$: :	$2-5-
	: #+O) 4E) ,. ;	&TMB/M		
HVE3 &) 4&B' DCA>&-A>9' <A<EA&		&TXUPS&J		
B' C@AHD-FG>L&@FC CAD<				
)*6*, -+-	$-+33-	$-2)5+		
			UED >L: $B: BJ?K8A : U: C;	$2)5+
			UED >L: $B: BJ?K8A : U: C;	$--55-
	: #+O) 4E) ,. ;	&PTUS&P		
HVE3 &) 4&B' C@AHD-FG>L&@FCCAD< &		&JXJS&P		
B3 9 &9 A> D< D < L&D< ! S				
)*, 3*, -+-	$EE-2EF	$E4+-5-		
			?9: BCL*UHG9CC: DAB: P>D $%89M	$24F765-
			; : UH9$A; 5A$B$: P> D $%89M	$4F-5-
			J9KL=; $A; 5A$B$: P >D $%89M	$)65-
	: #+O) 4E) ,. ;	&QRPMB/M		
HVE3 &) 4&B3 9 &9 A> D< D < L&D< ! S&		&RQUKS/M		
BAAN' <L&' >FW				
)*+7*, -+-	$-,--+	$-5-		
			8: !KCG@&>?B A$B: %	$-5-
	: #+O) 4E) ,. ;	&IMB/M		
HVE3 &) 4&BAAN' <L&' >FW&		&IMB/M		
BA<<AE@&F@<CF<				
)*6*, -+-	$-+33+	$6E5-		
			8: !KCG@KADH9J8%U;	$6E5-
	: #+O) 4E) ,. ;	&KQB/M		
HVE3 &) 4&BA<<AE@&F@<CF<&		&KQB/M		
BA>A<VD&F@<				
)*6*, -+-	$-+33,	$-7,5-		
			% 8$$B U@8>CAB$J A$H9C!5	$-7,5-
	: #+O) 4E) ,. ;	&PZJS/M		
HVE3 &) 4&BA>A<VD&F@<&		&PZQB/M		
BD<N L&' E>D D & S				
)*6*, -+-	$-+332	$2+E5F2		
			8: ; BB: : $J: GBH>D$?: C: !B	$2+E5F2
	: #+O) 4E) ,. ;	&TPQ&T		
HVE3 &) 4&BD<N L&' E>D D & S&		&JKLZS&K		

MV00063564

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&&./(#+,	-./(#+,& '()*+,012
BF' & F>-F>' EDF<				
)*6*,-+-	$-+33)	$-64F,25-		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-)4725-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-463-5-
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$F-5-
)*,3*,-+-	$-,+6,	$-4E)+56		
			8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-4E)+56
	: #+O)4&E),.;	&RLKRUSTK		
HVE3&)4&BF' & F>-F>' EDF<&		&JPPLQXX&M		
BFW[L& @ >WAC&AS				
)*6*,-+-	$-+F77	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFW[L& @ >WAC&AS&		&TLPQXSTM		
BFWW >L&BVWA				
)*6*,-+-	$-+336	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFWW >L&BVWA&		&PLJXUSZJ		
BVWAL&N' >V&9S				
)*6*,-+-	$-+E--	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BVWAL&N' >V&9S&		&ULKUZS&K		
W& &N& ' [WA& F<CE>G! EDF<				
)*+7*,-+-	$-,--,	$6F5-		
			8: !KCG@KAS&DBH$9J8%U;	$6F5-
	: #+O)4&E),.;	&XS&M		
HVE3&)4&W& &N& ' [WA& F<CE>G! EDF<&		&XS&M		
W [AWWAY9' >:D<L&D<!S				
)*,3*,-+-	$-,+62	$E4--5-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$E4--5-
	: #+O)4&E),.;	&QLPMVB&M		
HVE3&)4&W [AWWAY9' >:D<L&D<!S&		&QLPMVB&M		
W H' E' L&FCA-@D< A				
)*6*,-+-	$-+E-+	$2+6557		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+6557
	: #+O)4&E),.;	&TPK&XZ		
HVE3&)4&W H' E' L&FCA-@D< A&		&TLPKQ&XU		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
W <3A>CL&F>AE@'				
)*6*,-+-	$-+333	$--5-		
			8: !KCG@&: C; >D&G: %&2*,-*+-	$--5-
: #+O) 4&E) ,. ;		&IMVB/M		
HVE3 &) 4&W <3A>CL&F>AE@ &		&IMVB/M		
W <NA<3F>HL&[A<^' 9D<				
)*6*,-+-	$-+33F	$2+E5F2		
			8: ; B&: : $U: GB&H>D&?: C: !B)	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&W <NA<3F>HL&[A<^' 9D< &		&ILQRQ&X		
W E@' 9& &] ' EBD<CL&WW-				
)*,3*,-+-	$-,+6)	$4F)65-		
			%&9!$AJHA@>CG&G: J	$3,55-
			%&9!$AJHA@>CG&G: J	$-65-
			%&9!$AJHA@>CG&G: J	$F65-
			%&9!$AJHA@>CG&G: J	$-4EF56-
			%&9!$AJHA@>CG&G: J	$-47+65-
: #+O) 4&E) ,. ;		&JLXUK&M		
HVE3 &) 4&W E@' 9& &] ' EBD<CL&WW- &		&JLXUK&M		
W EDEG3A&T&9A3D &N>FG-				
)*+,*,-+-	$-+EF7	$-486-5-		
			>GJ: 8; BA&CL$AJHA@GG	$-486-5-
: #+O) 4&E) ,. ;		&PLRKVB/M		
HVE3 &) 4&W EDEG3A&T&9A3D &N>FG- &		&LLTMVB/M		
W] <&EA! @&AcGD-9A<E				
)*6*,-+-	$EE-,EF	$)+53F		
			UBAH$%>8; A@J>E&C; $C&9%8	$2EE5-
			UBAH$%>8; A@J>E&C; $C&9%8	$625)F
: #+O) 4&E) ,. ;		&JUPSRX		
HVE3 &) 4&W] <&EA! @&AcGD-9A<E&		&TLJMVS/Q		
W] VA>C&EDEWA&D<!				
)*+7*,-+-	$-,--2	$6-5-		
			%&8: DBJ$ B D $B% @&98%&:8G$%&89M	$6-5-
)*,+*,-+-	$--)-7+	$-,47EE56-		
			: AH&9P$G: %&9AB) @>A: U: C; $%K8H=5	$-,47EE56-
: #+O) 4&E) ,. ;		&PTLJTQ&KM		
HVE3 &) 4&W] VA>C&EDEWA&D<! &		&JPPLQKVB/M		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
WAAL& @DWD 8&D @ AW				
)*6*,-+-	$-+33E	$)E-55F		
			8: !KCG@GUBC$HB>; B9CS!: : A	$)E-55F
: #+0) 4&E) ,. ;		&JCMBX		
HVE3 &) 4&WAAL& @DWD &D @ AW&		&JCMBX		
WADN@EF<& F<CGWE D<NL&D<! S				
)*+,*,-+-	$EE-22F	$)-4))5-		
			D>AA: DD $A; $PBG: CBCL$/&89M&AJHA	$)-4))5-
: #+0) 4&E) ,. ;		&PMDMUUS&M		
HVE3 &) 4&WADN@EF <& F<CGWEB NL&D<! S&		&JICLRSRU		
WAF<C&9' CEA>& WA' <D<N				
)*6*,-+-	$-+337	$F5,7		
			8: !KCG@KAS$DB-H$9J8%U;	$F5,7
: #+0) 4&E) ,. ;		&JXS&Z		
HVE3 &) 4&WAF<C&9 ' CEA>& WA' <B<N&		&JXS&Z		
WA] DCL& ' >FW/<&C S				
)*6*,-+-	$-+E-,	$2+65,57		
			8: ; B&: : $U: GB-H>D&?: C: !B	$2+65,57
: #+0) 4&E) ,. ;		&TPKS&Z		
HVE3 &) 4&WA] DCL&! ' >FW/<&C&		&TLPKKSTM		
WA_DC<A_DC				
)*,3*,-+-	$EE-2EE	$)-4)E-5-		
			9CDB: $D L>D&AJH A@; <$-; ; 98C: <	$F)-5-
			9CDB: $D L>D&AJH A@; <$HD 8I A	$2F-5-
			9CDB: $D L>D&AJH A@GG	$2F-5-
: #+0) 4&E) ,. ;		&PLUCMBM		
HVE3 &) 4&WA_DC<A_DC&		&PKLPZKS&M		
WA_DC<A_DC&>' ! E D A&9 N9 ES				
)*,3*,-+-	$-,+66	$)-4)F75,3		
			; U*?U$-CCK>D&U>BC; : C>CH:	$&265-
			; U*?U$-CCK>D&U>BC; : C>CH:	$7))5,3
: #+0) 4&E) ,. ;		&PLUXZS&R		
HVE3 &) 4&WA_DC<A_DC&>' ! ED A&9 N9 ES&		&PLUXZS&R		
WD9& &<' C! D9A<EF &A<ND<AA>D<N& F>-S				
)*,3*,-+-	$-,+63	$,+43EF5F-		
			% 88B&A?D&PBG: CBCL$!89U$B>U$/%	$,+43EF5F-
: #+0) 4&E) ,. ;		&PIRCX&M		
HVE3 &) 4&WD& & ' C! D9A<EF &A<NB<AA>B<N& ! F>-S&		&KKKLCMPSTX		

MV00063567

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-. / (#+, & ' ( ) * +,012
WD9 F < L&^ F CA&9 L&9 S3 S				
) *6*, -+-	$ -+3F-	$2253		
			8: ! KCG@KAS DB H$9J8%U;	$2253
: #+O) 4&E) ,. ;		&TS'R		
HVE3 &&) 4&^VD9 F < L&^F CA&9 L&9 S3 S&.		&TS'R		
WD< 3 F L&@A> 9 D< ' &N S				
) *6*, -+-	$ -+E-2	$2+E5F2		
			8: ; BB: : $U: GBH> D&?: C: ! B;	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&^VD< 3 F L&@A> 9 D< ' &N S&.		&UIXUPS&U		
WD- C! F 9 [L&> ' V9 F < 3				
) *+7*, -+-	$ -, --)	$F65-		
			8: ! KCG@*C$G: %9AB;	$F65-
: #+O) 4&E) ,. ;		&KS&M		
HVE3 &&) 4&^VD- C! F 9 [L&> ' V9 F < 3 &		&KS&M		
WDC' &^' > 9 ' < & F < C GWED< N				
) *+, *, -+-	$ -+EE-	$-4325-		
			H9CAKD; BC L$AJHA@A%	$-4325-
: #+O) 4&E) ,. ;		&PUVRTS&M		
HVE3 &&) 4&^WDC' &' > 9 ' < & F < CGWED< N &		&PUVRTS&M		
WDEEWA&[AD^D< N				
) *+7*, -+-	$ -, --6	$EF56		
			8: ! KCG@KAS DB H$9J8%U;	$EF56
: #+O) 4&E) ,. ;		&QXS&K		
HVE3 &&) 4&^WDEEWA&[AD^D< N &		&QXS&K		
WF N ' < L& @ ' > WAC				
) *6*, -+-	$ -+E-)	$2+E5F2		
			8: ; BB: : $U: GBH> D&?: C: ! B;	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&^VF N ' < L& @ ' > WAC &		&ULUVQ&RP		
WF < A&& > ' D< A> & & > F < EF & < F &UL&E @A				
) *6*, -+-	$ -+3F+	$225-		
			8: ! KCG@KAS DB H$9J8%U;	$225-
: #+O) 4&E) ,. ;		&TS&M		
HVE3 &&) 4&^VF < A&& > ' D< A> & & > F < EF & < F &UL& E@A &		&TS&M		

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| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9' ! EA! & WA' <G-& F>-F>' EDF<				
)*+7*,-+-	$-,--7	$,5-		
			8: !KCG@KASDBH9J8%U;	$,5-
: #+0) 4&E),.;		&JUS/M		
HVE3&) 4&' ! EA! & WA' <G-& F>-F>' EDF<&		&JUS/M		
9' N<FWD & FFW& <3&C-' &CG--W				
)*6*,-+-	$-+3F)	$6+56		
			8: !KCG@KASDBH9J8%U;	$6+56
: #+0) 4&E),.;		&KPS/K		
HVE3&) 4&' N<FWD & FFW& <3&C-' &CG--W&		&KPS/K		
9' <' NA9A<E& 33A3 &CA>:D AC				
)*+7*,-+-	$-,-+-	$F52E		
			8: !KCG@KASDBH9J8%U;	$F52E
: #+0) 4&E),.;		&XST/Q		
HVE3&) 4&' <' NA9 A<E& 33A3&CA>:D AC&		&XST/Q		
9' <\' <FL&B' >W				
)*+7*,-+-	$-,-++	$--5-		
			8: !KCG@: C; >D&G: %9AB	$--5-
: #+0) 4&E),.;		&MVB/M		
HVE3&) 4&' <\' <FL&B' >W &		&TPJ/M		
9' >D<L&9' >E@'				
)*6*,-+-	$-+3F6	$675-		
			8: !KCG@D>AA$B: LBA*>8: C>$A9HH8	$675-
: #+0) 4&E),.;		&KZS/M		
HVE3&) 4&' >D<L&9' >E@ &		&KZS/M		
9' >B&[A' 9DC@&] ' EA>->FFHD<NL&D<!S				
)*6*,-+-	$-+3F3	$EF5-		
			8: !KCG@KASDBH9J8%U;	$EF5-
: #+0) 4&E),.;		&QXS/M		
HVE3&) 4&' >B&[A' 9DC@&] ' EA>->FFHD<NL& D<!S&		&QXS/M		
9' >>FcGD<L&A33V				
)*+,*,-+-	$-+EE+	$)-5-		
			8: !KCG@C; D&G: %	9-)-5-
			8: !KCG@C; D&G: %	9--5-
: #+0) 4&E),.;		&UMB/M		
HVE3&) 4&' >>FcGD<L&A33V&		&UMB/M		

MV00063570

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
9' >ED<A\L&H>' <B				
)*+,*,-+-	$-+EE,	$-365-		
			% 8$GB U@CCD&I B8: $'&8: J$P8I A=%	$-365-
	: #+0)4&E),.;	&PRK&M		
HVE3&8)4&' >ED<A\L&H>' <B&		&PRK&M		
9' E@DCL&<FW <				
)*6*,-+-	$-+3FF	$735-		
			8:;BB::$U: GBH>D&?: C: !B	$735-
	: #+0)4&E),.;	&ZR&M		
HVE3&8)4&' E@DCL&<FW <&		&ZZMM&M		
9' ED @& F>-F>' EDF<				
)*+7*,-+-	$EE-232	$64 62526		
			>A%=>D, BH$U>;::8B>D	$-42,)52E
			>A%=>D, BH$U>;::8B>D	$-42,)52E
			>A%=>D, BH$U>;::8B>D	$-4 F. 516
			>A%=>D, BH$U>;::8B>D	$-422+56)
	: #+0)4&E),.;	&KJKT&K		
HVE3&8)4&' ED @& F>-F>' EDF<&		&TKXJU&K		
9' _D<FCBD&CGA& S				
)*6*,-+-	$-+E-3	$2+E5F2		
			8:;BB::$U: GBH>D&?: C: !B	$2+E5F2
	: #+0)4&E),.;	&TPQ&T		
HVE3&8)4&' _D<FC BD&CGA& S&		&TPQX&M		
9! & F<<AWW& ' [D<AECL&D<! S				
)*6*,-+-	$-+3FE	$65-)		
			8:!KCG@KA&D&H$9J8%U;	$65-)
	: #+0)4&E),.;	&K&U		
HVE3&8)4&! & F<<AWW& ' [D<AECL&D<! S&		&K&U		
9! &<AAW&C&A3G! ' E DF<' W&H' 9DW&3' V& ' >A				
)*6*,-+-	$-+3F7	$225-6		
			8:!KCG@KA&D&H$9J8%U;	$225-6
	: #+0)4&E),.;	&T&K		
HVE3&8)4&! &AAW&C&A3G! ' EDF<' W&H' 9DW&3' V& ' >A&		&T&K		
9!!' >E@V& &[A>WD<L&WW-				
)*+7*,-+-	$EE-23)	$-46)65-		
			D L>D&AJHA@&; BB; BA	$-46)65-
	: #+0)4&E),.;	&PLKJK&M		
HVE3&8)4&!!' >E@V& &[A>WD<L&WW-&		&TPLPXK&Z		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[illegible] 3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
9! D					
	)*,3*,-+-	$-,+6F	$-4-7F56F		
				EC; : 8C: ; $H9CC: H; E9C$AJHA	$-4-7F56F
	: #+0) 4&E) ,. ;		&PLPZX$KX		
HVE3 &) 4&9 ! D&			&PTLTKR$KP		
9! D] F>W3! F9					
	)*,3*,-+-	$-,+6E	$-4-,E5-,		
				H9UUKCEH>; E9C$AJ HA	$-4-,E5-,
	: #+0) 4&E) ,. ;		&PLMJQ$PJ		
HVE3 &) 4&9 ! D] F> W3! F9&			&PMJZJ$JU		
9AW 3& & CCF! D E AC					
	)*+,*,-+-	$-+EE2	$4-6-53E		
				%D>C$H=: HI $AJHA	$4-6-53E
	: #+0) 4&E) ,. ;		&LPKMBRQ		
HVE3 &) 4&9 AW 3& & CCF! D EAC&			&TQLTXZ$TR		
9A<NDCEGL&/AC@D WA9					
	)*+,*,-+-	$-+EE)	$-+E56-		
				UED >L: $B: EJ?K8A : U: C;	$-+E56-
	: #+0) 4&E) ,. ;		&PPQ$KM		
HVE3 &) 4&9 A<NDCE GL&/AC@D WA9&			&ZZK$KK		
9A<FC&CEA>AFC					
	)*6*,-+-	$-+3E-	$F+52+		
				8: !KCG@KACEH9J8%U;	$F+52+
	: #+0) 4&E) ,. ;		&PS$P		
HVE3 &) 4&9 A<FC&C EA>AFC&			&PS$P		
9ACCD<L&/FGDC					
	)*6*,-+-	$-+E-F	$2+E5F2		
				8: ; EB: : $U: GEH>D$?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ$KT		
HVE3 &) 4&9 ACCD<L&/FGDC&			&LKLZ$$K		
9NE&FH& 9A>D ' L&D<! S					
	)*+,*,-+-	$EE-22E	$24--5-		
				H9A; $HDJECL$AJHA @; =$N; 8$7*+-	$46--5-
				H9A; $HDJECL$AJHA @; =$N; 8$7*+-	$6--5-
	: #+0) 4&E) ,. ;		&TLMMBM		
HVE3 &) 4&9 NE&FH&' 9A>D ' L&D<! S&			&PJLMMBM		

MV00063572

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
9D @' AW& ' B@' >F: &C! ' HHFW3 D< N				
)*6*,-+-	$-+3E+	$65FF		
			8: !KCG@KAS DB-H$9J8%U;	$65FF
: #+0)4E),.;		&IKSXX		
HVE3 &)4& D @' AW& ' B@' >F: &C! ' HHFW3 D< N		&IKSXX		
9DWACL&>F[A>E				
)*6*,-+-	$-+E-E	$9-7)552		
			8: ; BB: : $U: GB-H>D&?: C: !B	$9-7)552
: #+0)4E),.;		&PZUSXT		
HVE3 &)4& DWACL&>F[A>E&		&ILJJMBXR		
9D<' >3L&9' >B&AS				
)*6*,-+-	$-+E-7	$2-E5-F		
			8: ; BB: : $U: GB-H>D&?: C: !B	$2-E5-F
: #+0)4E),.;		&TMDBPX		
HVE3 &)4& D< ' >3L&9' >B&AS&		&IZCRSXP		
9D>' ! WA&>A! >A' EDF<&AcGD-9A<E				
)*+7*,-+-	$-,-+,	$-4F65)7		
			%D><L89KCG$ NKB%@&-8I A	$E7F57)
			%D><L89KCG$ NKB%@&-8I A	$-FF566
)*,3*,-+-	$-,+67	$-46F+5E2		
			%D><L89KCG$ NKB%@&-8I A	$6775 3
			%D><L89KCG$ NKB%@&-8I A	$-3)5,
			%D><L89KCG$ NKB%@&-8I A	$-75,7
			%D><L89KCG$ NKB%@&-8I A	$6775 3
: #+0)4E),.;		&IRUXSTJ		
HVE3 &)4& D>' ! WA&>A! >A' EDF<&AcGD-9A<E&		&ILUPRSU		
9DCCDF<&C@AAE&9A E' WL&D<! S				
)*+7*,-+-	$-,-+2	$6F5,6		
			8: !KCG@KAS DB-H$9J8%U;	$6F5,6
: #+0)4E),.;		&XSIK		
HVE3 &)4& DCDF< &C@AAE&9AE' WL&D< ! S&		&XSIK		
9DE! @AWWL&8' : D3				
)*+7*,-+-	$-,-+)	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0)4E),.;		&IMBM		
HVE3 &)4& DE! @AWWL&8' : D3&		&IMBM		

MV00063573

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
9F3A><8D9' NA				
)*+7*,-+-	$-,-+6	$3E57)		
			8: !KCG@KASDBH$9J8%U;	$3E57)
	: #+0) 4&E) ,. ;	&RQSZU		
HVE3&8) 4&9 F3A><8D9' NA&		&RQSZU		
9FWWD' L&9 DBA				
)*6*,-+-	$-+E+-	$)-+5),		
			8: ; BB: : $U: GBH>D&?: C: !B)	$)-+5),
	: #+0) 4&E) ,. ;	&UVPSUU		
HVE3&8) 4&9 FWWD' L&9 DBA&		&TUJPPSTX		
9F<EDAWL&F>W <3F				
)*+7*,-+-	$-,-+3	$-65-		
			8: !KCG@CUDDBH: CA: $! : :	$-65-
	: #+0) 4&E) ,. ;	&PKSVM		
HVE3&8) 4&9 F<EDAWL&F>W <3F&		&PKSVM		
9F>' L&' E>D D & S				
)*6*,-+-	$-+E++	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B)	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQSXT		
HVE3&8) 4&9 F>' L&' E>D D & S&		&TUPQXSTM		
9F>A<F&' WWAV&[W' ! B&@' 9[A>&FH& F99A>! A				
)*6*,-+-	$-+3E,	$--5-		
			8: !KCG@?D&A; >L: $BC; D&G: %	$--5-
)*6*,-+-	$-+3E2	$-42F65-		
			?KABC: AA$AJHA@, =$BCA; DJC;	$-42F65-
	: #+0) 4&E) ,. ;	&PLUXKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&[W' ! B&@' 9[A>& FH& F99A>! A&		&KLQZTSVM		
9F>A<F&' WWAV&@' 9[A>&FH& F99A>! A				
)*+,*,-+-	$-+EE6	$34F65-		
			?KABC: AA$AJHA@, =$N; 8$7*+-	$34--5-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
	: #+0) 4&E) ,. ;	&RUVKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&@' 9[A>&F H& ! F99A>! A&		&ZZLPMVBVM		

MV00063574

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
9F>A<F& ' WWAV& DEV&A9-WFVAAC& CC F! S					
	)*7*,-+-	$3+6	$-46F75-		
				UJH: >$GK: A$) *- 7*+-	$-46F75-
	)*,2*,-+-	$3,2	$-46F75-		
				UJH: >$GK: A$) *, 2*+-	$-46F75-
	: #+O) 4E) ,. ;		&TIPKQ&M		
HVE3 &) 4&) F>A<F&: ' WWAV& DEV&A9-WFVAAC& ' CCF! S&			&TUIQKTS&M		
9F>A<F& ' WWAV& WD<D ' &9A3D ' &H' 9 DWD >					
	)*+7*,-+-	$-,-+F	$-657F		
				8: !KCG@KA$DB-H$9J8%U;	$-657F
	: #+O) 4E) ,. ;		&PMKS&X		
HVE3 &) 4&) F>A<F&: ' WWAV& WD<D ' &9 A3D ' & H' 9 DWD >&			&PMKS&X		
9F>A<F& ' WWAV& F 99G<DEV&A3G! ' EDF <& A<EA>					
	)*,3*,-+-	$-,+3-	$F)65F6		
				; K; 98E&L%&LU@&G?L	$F)65F6
	: #+O) 4E) ,. ;		&UK&S&K		
HVE3 &) 4&) F>A<F&: ' WWAV& F99G<DEV & A3G! ' EDF <& A<EA> &			&RIPZMS&M		
9F>A<F& ' WWAV&N' EA] ' VI&WW					
	)*,3*,-+-	$EE-27-	$,+4725)2		
				D >A: @>H&B B A $-CCW&?DGL	$,)6E57F
				D >A: @: H=$AJHA$>CCW	$&4)F657-
				D >A: @%HD&GEA; $>CCW	$-24-6E56&3
	: #+O) 4E) ,. ;		&PIMZTS&JT		
HVE3 &) 4&) F>A<F&: ' WWAV&N' EA] ' VI&WW &			&PMZTUS&M		
9F>A<F& ' WWAV&W] & A<EA>					
	)*+7*,-+-	$-,-+E	$375EE		
				8: !KCG@KA$DB-H$9J8%U;	$375EE
	: #+O) 4E) ,. ;		&RZ&S&Q		
HVE3 &) 4&) F>A<F&: ' WWAV&W] & A<EA >&			&RZ&S&Q		
9F>A<F& ' WWAV&EF VFE'					
	)*6*,-+-	$-+3E6	$-5-		
				A% HB-D$ >W$B: B$J ?K8A: U: C;	$-324)665)7
				A% HB-D$ >W$B: B$J ?K8A: U: C;	@324)665)7
	: #+O) 4E) ,. ;		&V&B&M		
HVE3 &) 4&) F>A<F&: ' WWAV&EF VFE' &			&V&B&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&G< DHDA3 &C! @FFW&3 DCE>D E				
)*6*,-+-	$-+3E3	$-7463-5-		
			; 8>CA%98; >; B9C$H9A; A@; >8A	$-7463-5-
)*6*,-+-	$-+3EF	$EE5-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$EE5-
)*6*,-+-	$-+3EE	$2-35-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$2-35-
: #+0) 4&E) ,. ;		&IMPKUS/M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&G< DHDA3 &C ! @FFW& 3 DCE>D E&		&JJUICRMB/K		
9F>A<F& ' WWAV&G E DWDEV				
)*,3*,-+-	$-,+3+	$3,5+		
			: D H; 8BHB<@&; $I DG$9! ! BH:	$3.5+
: #+0) 4&E) ,. ;		&RJS/P		
HVE3 &B) 4&9 F>A<F&: ' WWAV&GEDWDEV&		&RJRICTXSTM		
9F>A<F& ' WWAV&] ' C@&@FGCA				
)*6*,-+-	$-+3E7	$,55-		
			8: !KCG@KASDBH9J8%U;	$,55-
: #+0) 4&E) ,. ;		&JJS&M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&] ' C@&@FGCA&		&JJS&M		
9F>N' <L&WDC' & S				
)*6*,-+-	$-+E+,	$2+E5F2		
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &B) 4&9 F>N' <L&WDC' & S&		&TIPQXSTM		
9F>>F] &9A' 3F] C& F>-F>' EDF<				
)*+7*,-+-	$-,-,-	$6-53)		
			8: !KCG@KASDBH9J8%U;	$6-53)
: #+0) 4&E) ,. ;		&KMBRU		
HVE3 &B) 4&9 F>>F] &9A' 3F] C& ! F>-F>' EDF<&		&KMBRU		
9G<D D' W&AcGD 9 A<E&9' D<EA<' <! A&' CCF				
)*6*,-+-	$-+37+	$F65-		
			U: U?: 8A=B%B: C: P >D	$F65-
: #+0) 4&E) ,. ;		&KS/M		
HVE3 &B) 4&9 G<D D' W&AcGD 9 A<E& 9' D<EA<' <! A& CCF &		&KS/M		

MV00063576

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
9G\' BL&WV				
)*+7*, -+-	$-, -, +	$325-2		
			8: !KCG@KAS[DB-H$9J8%U;	$325-2
	: #+0) 4&E) ,. ;	&RTS/T		
HVE3 &&) 4&9 G\' BL&WV &		&RTS/T		
<' DF-Y<' ED[F<' W& CCF! &FH&D<3 GCE>D' W& &FHH				
)*, 3*, -+-	$-, +3,	$24 635--		
			>GJ: 8; BA&E[L$AJHA@GG	$24 635-
	: #+0) 4&E) ,. ;	&TUJKR&V/M		
HVE3 &&) 4&: ' DF-Y<' ED[F<' W& CCF! &FH& D<3 GCE>D W& &FHH&		&RULKPJ&V/M		
<' <! VaC&E>G! BD<N L&D<!				
)*6*, -+-	$-+37,	$375--		
			8: !KCG@KAS[DB-H$9J8%U;	$375-
	: #+0) 4&E) ,. ;	&RZS/M		
HVE3 &&) 4&: ' <! VaC&E>G! BD<NL&D<! &		&RZS/M		
<' ED[F<] D&A&>AED>A9A<E&CFWGED[F<C				
)*7*, -+-	$3+2	$346) F5F7		
			%A; $G: !$-H9U%&! 98 $! BH>$)*-7*+-	$346) F5F7
)*7*, -+-	$3+)	$,+4)-755,		
			G: !$-H9U%&) 6F$D&) -+X-Y$)*-7*+-	$,+4)-755,
)*, 2*, -+-	$3, +	$E48, F52+		
			%A; $G: !$-H9U%&! 98 $! BH>$)*, 2*+-	$E48, F52+
	: #+0) 4&E) ,. ;	&TRLKQL&RJ		
HVE3 &&) 4&: ' ED[F<] D&A&>AED>A9A<E& CFWGED[F<C&		&XUULKTK&PP		
<' :' >>AEEAL&>' W-@				
)*6*, -+-	$-+372	$2+E5F2		
			8: ; BB: : $J: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&: ' :' >>AEEAL&>' W-@&		&PLJXU&ZJ		
<' :' >>FL&@A>D[A>EF				
)*+7*, -+-	$-, -, ,	$F6-5--		
			8: !KCG@&C; D&G: %&2*2-	$F6-5-
	: #+0) 4&E) ,. ;	&KKMB&M		
HVE3 &&) 4&: ' :' >>FL&@A>D[A>EF &		&PLMKMB&M		

MV00063577

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. /(#+,	-./(#+,& '()*+,012
<' : ! F&CA! G>DEV&C VCEA9C				
)*6*,-+-	$EE-2--	$E4275)E		
			H>U: 8>C NKB4@9LBA; BHA$-8: >	$4-)E5-7
			H>U: 8>C NKB4@&A?$ 89C; $C9??<	$4-7+5 7
)*,3*,-+-	$EE-27+	$2)25--		
			GJ8$B: %-BB@&9DBH: $G: %	$2)25-
: #+0) 4&E) ,. ;		&QRQJ$JQ		
HVE3 &8) 4&: ' : ! F&C A! G>DEV&CVCEA9C&		&ZLQQMBM		
<[C&N F: A><9A<E&H D<' <! A&N>FG-				
)*6*,-+-	$EE-2-+	$)+75)-		
			>CCK>D$CBH: CA: $! : :	$)+75-
: #+0) 4&E) ,. ;		&PZS$M		
HVE3 &8) 4&: [C&N F: A><9A<E&HB' <! A& N>FG-&		&KZPZS$M		
<AWCF<L&>F[A>E				
)*6*,-+-	$-+37)	$2-65)-		
			8: ; BB: : $U: GBH>D$?: C: !B)	$2-65)-
: #+0) 4&E) ,. ;		&TMKSRM		
HVE3 &8) 4&: AWCF<L&>F[A>E&		&ILUTRS$P		
<AWCF<L&>GE@&W$				
)*6*,-+-	$-+E+2	$2+E5F2		
			8: ; BB: : $U: GBH>D$?: C: !B)	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ8XT		
HVE3 &8) 4&: AWCF<L&>GE@&W$&		&TIPQXS$M		
<AWCF<L&EDD FE@V&D' <				
)*+7*,-+-	$-,-,2	$F3-5---		
			BCA; 8KH; BDC9AJHA@-$G><A	$F3-5-
: #+0) 4&E) ,. ;		&RMBM		
HVE3 &8) 4&: AWCF<L&EDD FE@V&D' <&		&PLPMJ$M		
<AWCF<L& D D <				
)*,3*,-+-	$-,+32	$)-5---		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&IMBM		
HVE3 &8) 4&: AWCF<L& D D <&		&IMBM		
<AGCE' A3EA>L& >' DN&C				
)*6*,-+-	$-+376	$2+E5F2		
			8: ; BB: : $U: GBH>D$?: C: !B)	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ8XT		
HVE3 &8) 4&: AGCE' A3EA>L& >' DN&C&		&TIPQXS$M		

MV00063578

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&.//(#+,&'()*+,012	-./(#+,&'()*+,012
<A] &@F-A& @>DCED' <& A<EA>L&D<! S				
)*6*,-+-	$-+373	$65-,		
			8: !KCG@KA&DB-H$9J8%U;	$65-,
: #+0)4&E),.;		&JK$PJ		
HVE3&) 4&: A] &@F-A& @>DCED <& A<EA>L& B<! S&		&JK$PJ		
<A] &@F>D F<&9 F[DVA&@F9A& '>B				
)*+,*,-+-	$-+EEF	$E53)		
			8: !KCG@&; $KA: 8$>W A	$E53)
: #+0)4&E),.;		&QSRU		
HVE3&) 4&: A] &@F> D F<&9 F[DVA&@F9A &'>B&		&QVSZ		
<DA[G>NA>L&^G3DE @&& S				
)*6*,-+-	$-+37F	$-+5,		
			8: ; B&: : $U: GB-H>D&?: C: !B	$-+5,
: #+0)4&E),.;		&JVPSJU		
HVE3&) 4&: DA[G>NA>L&^G3DE@&& S&		&JJVPUSVM		
<D<VF& &9 FF>A&NAFEA! @<D ' W				
)*+,*,-+-	$-+EEE	$-4765,6		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$-4765,6
: #+0)4&E),.;		&PLJZKSJK		
HVE3&) 4&: B<VF& &9 FF>A&NAFEA! @<D ' W&		&RXIZMTSPJ		
<D-& & GE&@' D>&CEG3DF				
)*+7*,-+-	$-,-,)	$2,52)		
			8: !KCG@KA&DB-H$9J8%U;	$2,52)
: #+0)4&E),.;		&TJSTU		
HVE3&) 4&: D& & GE&@' D>&CEG3DF&		&TJSTU		
<F[AW&CVCEA9C				
)*,3*,-+-	$EE-27,	$-E47,75)		
			%&9!$AJHA@A	$-4--5-
			%&9!$AJHA@A	$-)47)F5-
			%&9!$AJHA@A	$47E,5)
: #+0)4&E),.;		&PQIZJZSJU		
HVE3&) 4&: F[AW&CVCEA9C&		&RMXRZSJU		
F! ' 9-FL&^GWDA				
)*+7*,-+-	$-,-,6	$F65-		
			8: !KCG@*C$G: %9AB;	$F65-
: #+0)4&E),.;		&KKSVM		
HVE3&) 4&F! ' 9-FL&^GWDA&		&KKSVM		

MV00063579

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
FW3 & FG<E>V&[' BA>V				
)*6*,-+-	$-+37E	$2F5-		
			8: !KCG@KA[DB-H$9J8%U;	$2F5-
: #+0) 4&E) ,. ;		&XSPM		
HVE3 &) 4&F W& & FG<E>V&[' BA>V&		&XSPM		
FWD @' <EL&CF<^' &3 S				
)*+,*,-+-	$-+EE7	$-,25-		
			8: !KCG@& 8UB$1::A	$-,,5-
			8: !KCG@& 8UB$1::A	$57-
			8: !KCG@& 8UB$1::A	$5-
: #+0) 4&E) ,. ;		&RJTS/M		
HVE3 &) 4&F WD @ <EL&CF<^' && S&		&RJTS/M		
F<A&[A' GEV&CG--WV& &C' WF<&CG--WV2				
)*6*,-+-	$-+377	$65-,		
			8: !KCG@KA[DB-H$9J8%U;	$65-.
: #+0) 4&E) ,. ;		&IKSPJ		
HVE3 &) 4&F<A&[A' GEV&CG--WV& &C' WF<& 0CG--WV2&		&IKSPJ		
F-A>' EDF<&C' HA@F GCAL&D<!S				
)*,3*,-+-	$-,+3)	$EE,5EE		
			A=:D:8%&LU@G?L	$7+5/F
			A=:D:8%&LU@G?L	$27-5/+
: #+0) 4&E) ,. ;		&QQJSSQ		
HVE3 &) 4&F-A>' EDF<&C' HA@F GCAL&D<!S&		&RMUUSSQ		
F>' !WA& 9A>D'				
)*6*,-+-	$-+F--	$,4675E,		
			A9!;P>8: $K%G>;:*AK%%98;	$,4675E,
: #+0) 4&E) ,. ;		&JILUKZSQJ		
HVE3 &) 4&F>' !WA& 9A>D' &		&QZLKXQ&KJ		
FGE[' !B&' EDF& &CG<&>FF9C				
)*6*,-+-	$-+F-+	$,56+		
			8: !KCG@KA[DB-H$9J8%U;	$,56+
: #+0) 4&E) ,. ;		&UJSKP		
HVE3 &) 4&F GE[' !B&' EDF& &CG<&>FF9C&		&UJSKP		

MV00063580

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
F: A>W <3&' ! DHD & & GEWA>L&D<! S				
)*+7*,-+-	$-,-,3	$-,4--5-		
			A8@-*C>A9C$A; $BC; 8H=CL$%&89M	$-,4--5-
)*,3*,-+-	$-,+36	$34F,-5-		
			8BL=; $9!$P><$AJH A@>8B9KA$%&89M	$34F,-5-
: #+O)4&E),.;		&PQLQJMB/M		
HVE3&B)4&F: A>W <3&' ! DHD & & GEWA>L&D<! S		&PKPLTJZ$KM		
-' ! DHD &N>AA<&@F >ED GWEG>' W&C: !				
)*+,*,-+-	$-+E7-	$7)F5E2		
			D>CGAH>% $U>BC; @+)	$-2-5-
			D>CGAH>% $U>BC; @2	$2655)
			D>CGAH>% $U>BC; @)	$225)7
			D>CGAH>% $U>BC; @+	$-E56+
			D>CGAH>% $U>BC; @F	$-5)7
)*,3*,-+-	$-,+33	$-,65-		
			?: : $H9C; 89D@AL+:	$-,65-
: #+O)4&E),.;		&PLVKJS$T		
HVE3&B)4&' ! DHD &N>AA<&@F >ED GWEG>' W& C: ! &		&PMPMTS$Z		
-' ! DHD &C' HAEV& FG<! DW				
)*6*,-+-	$-+F-,	$)4&+25F-		
			A>!:;<$ 8>BCBCL@B6: 9	$E5F-
			A>!:;<$ 8>BCBCL@P98I A=9%	$-4375/,
			A>!:;<$ 8>BCBCL@P98I A=9%	$265-E
)*,3*,-+-	$-,+3F	$2E75F7		
			A>!:;<$ 8>BCBCL@B6: 9	$75F7
			A>!:;<$ 8>BCBCL@J?8A=%&BCPD	$2665+2
			A>!:;<$ 8>BCBCL@J?8A=%&BCPD	$)5EF
: #+O)4&E),.;		&TLVMTS$Z		
HVE3&B)4&' ! DHD &C' HAEV& FG<! DW&		&QZJQ$X		
-' ! DHD &EAWA9' <' NA9A<E&CA>: D AC				
)*,3*,-+-	$-,+3E	$)2E5)E		
			%&<%=9C: $AJHA@&G	$3,53)
			%&<%=9C: $AJHA@&B; <PBG:	$2F65E)
: #+O)4&E),.;		&JTQ&JQ		
HVE3&B)4&' ! DHD &EAWA9' <' NA9A<E& CA>: D AC&		&JLKQMBKR		
-' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!				
)*+7*,-+-	$-,-,F	$)3536		
			8: !KCG@KADBH9J8%U;	$)3536
: #+O)4&E),.;		&JRSRK		
HVE3&B)4&' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!		&JRSRK		

MV00063581

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
-' 9 :C&8 F<GEC				
)*6*,-+-	$-+F-)	$235-E		
			8: !KCG@KA$D-H$9J8%U;	$235-E
: #+0) 4&E) ,. ;		&TR&VQ		
HVE3 &8) 4&' 9 :C&8 F<GEC&		**&TR&VQ**		
-' <3' &[F] W				
)*6*,-+-	$-+F-6	$75)+		
			8: !KCG@KA$D-H$9J8%U;	$75)+
: #+0) 4&E) ,. ;		&VZ&UP		
HVE3 &8) 4&' <3' &[F] W&		**&VZ&UP**		
**-' >CF<L&>ANB<' **				
)*6*,-+-	$-+F-3	$3+5--		
			8: !KCG@D>AA$B: LB&*>8: C>$A9HH8	$3+5-
: #+0) 4&E) ,. ;		&RP&VM		
HVE3 &8) 4&' >CF<L&>ANB<' &		**&RP&VM**		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*,3*,-+-	$-,+37	$-F4)3)5-E		
			A8@-*U98?H=$G8$C; 8H=CL$%89M	$-F4)3)5-E
: #+0) 4&E) ,. ;		&PXULRU&VQ		
HVE3 &8) 4&' >CF<C&E>' <C-F>E' EDF<&N>FG-L&D<! S&		**&PLVMPLKJJ&TT**		
-' EEA>CF<L& WH>A V				
)*6*,-+-	$-+F-E	$-7)552		
			8: ; B&B: : $U: GBH>D&?: C: !B	$-7)552
: #+0) 4&E) ,. ;		&PZU&KT		
HVE3 &8) 4&' EEA>CF<L& WH>AV&		**&ULPPP&ZP**		
-' : A>L&^' ! cGAVB< A&N S				
)*+,*,-+-	$-+E7,	$E,65--		
			%89!$AJHA@P: ??	$E,65-
: #+0) 4&E) ,. ;		&QJK&VM		
HVE3 &8) 4&' : A>L&^' ! cGAVB< A&N S&		**&QJK&VM**		
-[C& &^				
)*+,*,-+-	$EE-227	$)4-65--		
			A=: B>$A; $CL=?8= 99G$%>8I $%89M	$)4-65-
: #+0) 4&E) ,. ;		&UUVMK&VM		
HVE3 &8) 4&[C& & &		**&TRUTPJ&QJ**		

MV00063582

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
- A! F>' >FL&@ADB D				
) *+, *, -+-	$ -+E72	$ -5-		
			8: ! KCG@&>?B A$G: %	$ -5-
) *, 3*, -+-	$ -, +F-	$F65-		
			8: ! KCG@*C$G: %9AB	$F65-
	: #+O) 4&E) ,. ;	&KS&M		
HVE3 &&) 4& A! F>' > FL&@ADB D&		&KS&M		
- A<DN' >&E' _&CA>: D A				
) *+7*, -+-	$ -, -, E	$ 65-2		
			8: ! KCG@KAS$DB-H$9J 8%U;	$ 65-2
	: #+O) 4&E) ,. ;	&JK&PT		
HVE3 &&) 4& A<DN' > &E' _&CA>: D A&		&JK&PT		
- A<EF<&9A3D L&D<! S				
) *, 3*, -+-	$ -, , +-	$ 4F--5-		
			>GJ: 8; BAEC L$AJ HA @GG	$ 4F--5-
	: #+O) 4&E) ,. ;	&UIXMVB&M		
HVE3 &&) 4& A<EF<&9A3D L&D<! S&		&QIPMVB&M		
- A>A\ L&^FCA				
) *, 3*, -+-	$ -, +F+	$5) 55-		
			8: ! KCG@B>; B9C$9J 8%U;	$5) 55-
	: #+O) 4&E) ,. ;	&KU&XM		
HVE3 &&) 4& A> A\ L&^FCA&		&KU&XM		
- A>>VL&<F>9'				
) *6*, -+-	$ -+F-7	$2+E5F2		
			8: ; BB: : $U: GB-H>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&KT		
HVE3 &&) 4& A>>VL&<F>9' &		&TLPQX&TM		
- A>C&VF<N&EA>9&' >A&>FN>' 9				
) *+, *, -+-	$ -+E7)	$ 225EF		
			D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
) *, 3*, -+-	$ -, +F,	$ 225EF		
			D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	: #+O) 4&E) ,. ;	&QRX&KU		
HVE3 &&) 4& A> C&VF <N&EA>9&' >A&>F N>' 9&		&PPLJQX&KT		
- A>: F&' D<E& FS				
) *6*, -+-	$ -+F+-	$-+) 5-7		
			%-BC; @8>!! B-H$GBJ	$-+) 5-7
	: #+O) 4&E) ,. ;	&PPU&PZ		
HVE3 &&) 4& A>: F& ' B<E& F&		&TZILPVB&KJ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
- AEA> CA< &3 A' < L&D< ! S				
)*6*, -+-	$-+F++	$6-5-		
			8: ! KCG@KAS DB H$9J8%J;	$6-5-
	: #+O) 4E) ,. ;	&KVB/M		
HVE3 &) 4& AEA> CA < &3 A' < L&D< ! S&		&PVVB/M		
- AEA> CF< L&I @> DCE D< A				
)*+7*, -+-	$-,-,7	$ 6255-		
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ -355-
	: #+O) 4E) ,. ;	&KTS/M		
HVE3 &) 4& AEA> CF < L&I @> DCEB< A&		&TUZ$K		
- D A! @YN' > ED< AWW D&I < 3 > A'				
)*+7*, -+-	$-,-2-	$-F5-		
			8: ! KCG@D> AA$B: L BA;	$-F5-
	: #+O) 4E) ,. ;	&PVKS/M		
HVE3 &) 4& D A! @YN' > EB< AWW D&I < 3 > A' &		&PVKS/M		
- D & > D< EB< N				
)*, 3*, -+-	$EE-27)	$7EE5-		
			%3 BE; BE L@<+-*++ $HB%?BE G: 8A	$7EE5-
	: #+O) 4E) ,. ;	&ZQQS/M		
HVE3 &) 4& D & > D< EB< N&		&UPJJS&Z		
- F DA$9' &W < 3 C! ' - A L&D< ! S				
)*, 3*, -+-	$EE-276	$24) 3) 5E6		
			D> CGAH>% $U> BE; @/C$A	$-4222EE6
			D> CGAH>% $U> BE; @ +,	$ 4-2+5-
	: #+O) 4E) ,. ;	&TLURUS&K		
HVE3 &) 4& F DA$9' &W < 3 C! ' - AL&D< ! S&		&TMLK-Z$PT		
- F WW > 3 L&> F ! @AWWA				
)*+7*, -+-	$-,-2+	$ 6) 5-		
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ F56-
			; 8>J: D$ V%@99A; $H9C! : 8: CH:	$ -356-
	: #+O) 4E) ,. ;	&KUS/M		
HVE3 &) 4& F WW > 3 L&> F ! @AWWA&		&TMT$/M		
- F F WAL&WDWDA				
)*6*, -+-	$-+F+,	$6, 5-		
			8: ! KCG@3: LBA$A I >; : ?8G$HD> AA	$6, 5-
	: #+O) 4E) ,. ;	&KJS/M		
HVE3 &) 4& F F WAL&WDWDA&		&KJS/M		

MV00063584

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&./(#+,	-./(#+,& '()*+,012
-FGB& &CEAD<WAL&D<! S					
	)*6*,-+-	$-+F+2	$-4)6E5-		
				H9; ; 9CPG*%>; ; ED< CC$G8$ 8>!$AB L	$-4)6E5-
	)*+,*,-+-	$-+E76	$-)4)E)5E		
				8: ; : C; E9C$BDA@E; ; CPG*%>; ; ED<CC	$-)4)E)5E
	: #+0)4E),.;		&PKIZLU$KQ		
HVE3&&) 4& FGB& &CEAD< WAL&D< ! S&			&TKMCKUSQ		
->D AL&NAF>NA&AS					
	)*6*,-+-	$-+E+)	$2+E5F2		
				8: ; EB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0)4E),.;		&TPQ&XT		
HVE3&&) 4& >D AL&NAF>NA&AS&			&TLPQXSTM		
->FY! >' HE& WG9[D<N& F9-' <VL&D<!					
	)*+7*,-+-	$-,-2,	$F75&F		
				8: !KCG@KADBH9J8%U;	$F75&F
	: #+0)4E),.;		&ZS&RX		
HVE3&&) 4& >FY! >' HE& WG9[D< N& F9-' <VL& D< ! &			&ZS&RX		
->FEA! E&/FG>&@F9 A					
	)*+7*,-+-	$-,-22	$E35&6		
				8: !KCG@KADBH9J8%U;	$E35&6
	: #+0)4E),.;		&QR&RK		
HVE3&&) 4& >FEA! E&/FG>&@F9 A&			&QR&RK		
->FEA! EDF<&F<AL&D<! S					
	)*+,*,-+-	$-+E73	$)-5-		
				A: HK8B<$AJHA@&8 9$A=9%	$-5-
				A: HK8B<$AJHA@JJ ; J	$-5-
	: #+0)4E),.;		&JMBMM		
HVE3&&) 4& >FEA! EDF< &F< AL&D< ! S&			&JMMBMM		
-CF9' C					
	)*+,*,-+-	$-+E7F	$E4-2&6-		
				D>AA: DD $A; $PB&G: CEDL$%&89M$AJHA	$E4-2&6-
	: #+0)4E),.;		&QLMMT$XM		
HVE3&&) 4& CF9' C&			&PXQLXMPS&R		
-GWWD 9LAE>A<E&3 S					
	)*6*,-+-	$-+F+)	$2+E5F2		
				8: ; EB: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+0)4E),.;		&TPQ&XT		
HVE3&&) 4& GWWD 9 LAE> A< E&3 S&			&TLPQXSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
-] &A<@' <! A9A<E&! A<EA>				
) *, 3*, -+-	$EE-273	$F2756 7		
			: U: 8L$AJHA$/&89L@HG?L	$F2756 7
: #+O) 4&E) ,. ;		&TZ$&Z		
HVE3 &&) 4&-] &A<@' <! A9A<E& A<EA> &		&PPRUXURS&Q		
c&<' DVC& &C-'				
) *+7*, -+-	$ -, -2)	$65-F		
			8: !KCG@KA$DB-H$9J8%U;	$65-F
) *+7*, -+-	$ -, -26	$F+5F2		
			8: !KCG@KA$DB-H$9J8%U;	$F+5F2
: #+O) 4&E) ,. ;		&RJRS&M		
HVE3 &&) 4&c &' DVC & &C-' &		&RJRS&M		
c' \ D&9 A3 D ' W&N> F G-L&D<!				
) *6*, -+-	$ -+F+6	$E+5E2		
			8: !KCG@KA$DB-H$9J8%U;	$E+5E2
: #+O) 4&E) ,. ;		&PS&T		
HVE3 &&) 4&c' \ D&9 A 3 D ' W&N> F G-L&D<! &		&PS&T		
>& &C&F: A>@A' 3 &&& F F>CL&D<! S				
) *6*, -+-	$EE-2-)	$ 4 3, 5--		
			G998$J>BC; @>HBDB B A	$6-52)
			G998$J>BC; @>HBDB B A	$6-522
			G998$J>BC; @>HBDB B A	$6-522
			G998$J>BC; @&A?	$6F5-
			G998$J>BC; @&A?	$9++) 5-
			G998$J>BC; @A$Z3	$ -+5-
			G998$J>BC; @: CB9-8$H; 8	$9-3+5-
			G998$J>BC; @&; $! DG$9! ! BH:	$9-, +5-
			G998$J>BC; @A$Z3 6	$9-) +5-
			G998$J>BC; @A$Z7 +	$ -+5-
			G998$J>BC; @A$Z,	$ -+5-
			G998$J>BC; @!B <$<>8G	$) +5-
			G998$J>BC; @A$Z6 E	$ -+5-
			G998$J>BC; @A$Z) E	$9-) +5-
			G998$J>BC; @CUD$A= D 8	$9-2+5-
) *, 3*, -+-	$EE-27F	$2-, 5-		
			G998$J>BC; @&A?	$35-
			G998$J>BC; @&A?	$9-6-5-
			G998$J>BC; @&A?	$9-) 356-
: #+O) 4&E) ,. ;		&UTRU$&M		
HVE3 &&) 4&c & &C&F : A>@A' 3 &&& F F>CL&D<! S&		&RJXUU$&M		

MV00063586

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
>' WWW&9' <' NA9A<E &CA>: D ACL&WW				
)*6*,-+-	$-+F+3	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $2*F	$F+75E
)*+,*,-+-	$-+E7E	2837EF		
			;: U%&AJHA@: CG: 8A9C$P*: $*,E	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*+)	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*,+	$F+75E
			;: U%&AJHA@J: GBC> $P*: $2*F	$2F2$E
			;: U%&AJHA@J: GBC> $P*: $2*+)	$+E572
			;: U%&AJHA@: CG: 8A9C$P*: $2*,E	$F+75E
)*,3*,-+-	$-,+F2	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $)*)	$F+75E
: #+O) 4&E) ,.;		&KIPMCJ&JT		
HVE3&) 4&' WWW&9 ' <' NA9A<E&CA>: D ACL& WW &		&RJLJLLJ&/Z		
>' 9D>A\ L&HA><' <3 F				
)*+7*,-+-	$-,-23	$2+5-		
			8: !KCG@CUDCDH: CA: $1::;	$2+5-
: #+O) 4&E) ,.;		&TP&/M		
HVE3&) 4&' 9D>A\ L&HA><' <3F&		&TP&/M		
>' 9D>A\ L&9' <GAW&CS				
)*6*,-+-	$-+F+F	$,5F		
			8: !KCG@KASCDH$9J8%U;	$,5F
: #+O) 4&E) ,.;		&JJ&/K		
HVE3&) 4&' 9D>A\ L&9' <GAW&CS&		&JJ&/K		
>' V9F<3L&3A<DCA&9S				
)*6*,-+-	$-+F+E	$2+E56-		
			% 8$GBU@I=>U: D 9C$H9C!5	$2+E56-
: #+O) 4&E) ,.;		&TPQ&KM		
HVE3&) 4&' V9F<3L&3A<DCA&9S&		&TPQ&KM		
>' V<A&] ' EA>& F<3 DEDF<D<N				
)*6*,-+-	$-+F+7	$,56-		
			8: !KCG@KASCDH$9J8%U;	$,56-
: #+O) 4&E) ,.;		&JJ&KM		
HVE3&) 4&' V<A&] ' EA>& F<3DEDF<D<N&		&JJ&KM		
>A&W <AE				
)*6*,-+-	$-+F,-	$,56,		
			8: !KCG@KASCDH$9J8%U;	$,56,
: #+O) 4&E) ,.;		&JJ&KJ		
HVE3&) 4&A&W <AE&		&JJ&KJ		

MV00063587

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
>ANA<EC&G! &7&G<D: A>CDEV&FH& ' WDH F><D				
	)*+7*,-+-	$-,-2F		$-E5-
			HKH$J: : ; ECL	$-E5-
	: #+O) 4&E) ,. ;			&PQ&/M
HVE3 &) 4& ANA<EC&G! &&G<D A>CDEV &FH& ! ' WDHF><D &				&JVB/M
>A<E' W&CA>: D A& F>-S				
	)*6*,-+-	$-+F,+		$6F5-+
			8: !KCG@KASDBH$9J8%J;	$6F5-+
	: #+O) 4&E) ,. ;			&XS/P
HVE3 &) 4& A<E' W&CA>: D A& F>-S&				&XS/P
>A: A<GA&A_-A>ECL &D<! S				
	)*+,*,-+-	$-+E77		$ 4/275--
			HB>; E9C$/&HAACL@CUD&AJHA	$ 4/275--
	: #+O) 4&E) ,. ;			&IZTZS&M
HVE3 &) 4& A: A<GA&A_-A>ECL&&! S&				&TKZZJS/K
>N! & F<CE>G! EDF<				
	)*+7*,-+-	$-,-2E		$25-F
			8: !KCG@KASDBH$9J8%J;	$25-F
	: #+O) 4&E) ,. ;			&JTS/K
HVE3 &) 4& N! & F<CE>G! EDF<&				&JTS/K
>N DCL&WW!				
	)*6*,-+-	$-+F,,		$765-)
			8: !KCG@KASDBH$9J8%J;	$765-)
	: #+O) 4&E) ,. ;			&ZKS&U
HVE3 &) 4& NDCL&WW! &				&ZKS&U
>D A&HD>A& >FEA! EDF<				
	)*6*,-+-	$-+F,2		$22+5--
			8: !KCG@KASDBH$9J8%J;	$E+5-
			8: !KCG@KASDBH$9J8%J;	$6-5-
	: #+O) 4&E) ,. ;			&TPS/M
HVE3 &) 4& D A&HD>A& >FEA! EDF<&				&TPS/M
>D @' >3&/F-A\ & F<CE>G! EDF<				
	)*+7*,-+-	$-,-27		$7+5-E
			8: !KCG@KASDBH$9J8%J;	$7+5-E
	: #+O) 4&E) ,. ;			&PS/Q
HVE3 &) 4& D @' >3&/F-A\ & F<CE>G! EDF<&				&PUV/KUUVKZS&X

MV00063588

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$&5,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
>D<' &C&[A' GEV&A CDN<				
)*6*, -+-	$-+F,)	$-523		
			8: !KCG@KA&DH$9J8%U;	$-523
: #+O 4&E) ,. ;		&JMBR		
HVE3 &) 4&> D<' &C&[A' GEV&ACDN< &		&JMBR		
>D<G DA>L&C' >'				
)*6*, -+-	$-+F, 6	$F65-		
			8: !KCG@%&<*C: K; : 8$!: : A	$F65-
: #+O 4&E) ,. ;		&KS&M		
HVE3 &) 4&> D<G DA>L&C' >' &		&KS&M		
>D A>CD3 A& >A' & ' -A& >DCDC& A<EA >				
)*, 3*, -+-	$-, +F)	$2,577		
			HG?L$!KCG: G$AJHA@&8: J$%8LU	$2,577
: #+O 4&E) ,. ;		&JTJSZ		
HVE3 &) 4&> D A>CD3 A& >A' & ' -A& >DCDC& ! A<EA>&		&LLMTPSRT		
>D A>CD3 A& FG<EV &D<HF>9' EDF<&EA! @<FWFNV				
)*6*, -+-	$-+F, 3	$-4E225-		
			8>GD9AJHA@&G	$-4FE75-
			J%C$H9CC: H; D$C$AJHA	$25)-
)*, 3*, -+-	$-, +F6	$25)-		
			J%C$H9CC: H; D$C$AJHA	$25)-
: #+O 4&E) ,. ;		&PLQXRSXM		
HVE3 &) 4&> D A>CD3 A& FG<EV&&HF>9' EDF<& EA! @<FWFNV&		&MCLJCSRT		
>D A>CD3 A& FG<EV &C@A>DHH& FG>E&C A>:D AC				
)*+, *, -+-	$-+7-+	$276576		
			L>8CB&=U: C;	$276576
)*, 3*, -+-	$-, +F3	$F7,5-3		
			L>8CB&=U: C;	$F7,5-3
: #+O 4&E) ,. ;		&PLPCQSPP		
HVE3 &) 4&> D A>CD3 A& FG<EV&C@A>DHH& ! FG>E&CA>:D AC&		&ZLJZKSZT		
>D A>CD3 A& FG<EV &C@A>DHH&9:				
)*+, *, -+-	$-+7-,	$22-5-2		
			:W 8>$GK; <@*+F$HI $/&EC;	$22-5-2
: #+O 4&E) ,. ;		&TTMBT		
HVE3 &) 4&> D A>CD3 A& FG<EV&C@A>DHH&9:&		&PMLMPZSPM		

MV00063589

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
>D A>CD8 A&G[[A> &CE' 9-& &A<N>' : D<N				
	)*+,*,-+-	$-+7-2	$-355+	
			>%%&9J>D&A; >U%@% K8H=>AE&L	$-25+
			>%%&9J>D&A; >U%@% K8H=>AE&L	$256-
		: #+0) 4&E) ,. ;	&PRSXP	
HVE3 &&) 4&- D A>CD8 A&G[[A> &CE' 9-& & A<N>' : E&N&			&PRSXP	
>^&' V9 F<3& AE&C A>: D AC				
	)*+7*,-+-	$-,-)-	$F5-,	
			8: !KCG@KAS&DH$9J8%U;	$F5-,
		: #+0) 4&E) ,. ;	&JXS&U	
HVE3 &&) 4&- ^&' V9 F<3& AE&C A>: D AC &			&JXS&U	
>W& &A<N D<AA>D<N				
	)*+,*,-+-	$EE-2)-	$342F-56-	
			;: U%&A; >!!E&L$AJ HA@&>%%&9M&A	$342F-56-
		: #+0) 4&E) ,. ;	&RLTXM&KM	
HVE3 &&) 4&- W& &A<N E&AA>E&N&			&PTMLKZZSXK	
>F[A>ECF<L& <EFD<AEEA& S				
	)*+,*,-+-	$-+7-)	$65-	
			8: !KCG@&B>; E&C$&BAUE&A: G	$65-
		: #+0) 4&E) ,. ;	&JKS&M	
HVE3 &&) 4&- F[A>ECF<L& <EF E&AEEA& S&			&JKS&M	
>F[D<CF<L&A>D				
	)*+7*,-+-	$-,-)+	$265-	
			% 8$&B U@&>GG$&B: H9LCB E&C$ JC;	$265-
		: #+0) 4&E) ,. ;	&TKS&M	
HVE3 &&) 4&- F[E&CF<L&A>D &			&TKS&M	
>F[D<CF<Y3' : DCL&V' : F<<A				
	)*6*,-+-	$-+F,F	$6-5-	
			8: !KCG@8>%&B: C; >D&G: %	$6-5-
		: #+0) 4&E) ,. ;	&MVB&M	
HVE3 &&) 4&- F[E&CF<Y3' : DCL&V' : F<<A&			&MVB&M	
>F! @ L&C' >' &M&				
	)*6*,-+-	$-+F,E	$EEE52-	
			8: ; E&B: : $U: GE&H>D&?: C: !B	$EEE52-
		: #+0) 4&E) ,. ;	&QQQSTM	
HVE3 &&) 4&- F! @ L&C' >' &M&			&LRRUSZM	

MV00063590

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
>F! B] AWWL&' ! cGA WD<A				
)*+,*,-+-	$-+7-6	$F65-		
			8: !KCG@*C$G: %9AB	$F65-
: #+0) 4&E) ,. ;		&KK&M		
HVE3 &) 4&- F! B] AWWL&' ! cGAWD<A&		&KK&M		
>F3>DNGA\ L&' >WFC				
)*+,*,-+-	$-+7-3	$9365-		
			% 8$GB U@CCD&! B8: $/&8: J$P8I A=%	$9365-
: #+0) 4&E) ,. ;		&PRK&M		
HVE3 &) 4&- F3>DNGA\ L&' >WFC&		&PRK&M		
>F3>DNGA\ L&W G>A<				
)*+7*,-+-	$-,-),,	$625-		
			;8>J: D$ W%@99A; $H9C!: 8: CH:	$35-
			;8>J: D$ W%@99A; $H9C!: 8: CH:	$-35-
: #+0) 4&E) ,. ;		&KT&M		
HVE3 &) 4&- F3>DNGA\ L&W G>A<&		&KT&M		
>F3>DNGA\ L&F9' >				
)*+6*,-+-	$-+72,	$2,65-		
			% 8$GB U@H9C9UB-H$H8BJ: A$HD>AA	$2,65-
: #+0) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&- F3>DNGA\ L&F9' >&		&KT&M		
>FNA>CL&AGNA<A				
)*6*,-+-	$-+E+6	$2+E5F2		
			8: ;B&: :$J: GB-H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&- FNA>CL&AGNA<A&		&UKUZ&K		
>F^' CL&CEA: A				
)*,3*,-+-	$-,+FF	$-5-		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&VB&M		
HVE3 &) 4&- F^' CL&CEA: A&		&VB&M		
>F9' <L&9D>D 9				
)*6*,-+-	$-+F,7	$-5-		
			8: !KCG@&>?B A$! : :$G: %9AB	$-5-
: #+0) 4&E) ,. ;		&VB&M		
HVE3 &) 4&- F9' <L&9D>D 9&		&VB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&&./(#+,	-./(#+,& '()*+,012
>F9A>FC&HFF3&>F3G!EC					
	)*6*,-+-	$-+F2-	$+5-		
				8: !KCG@KA&DB:H&9J8%U;	$+5-
	: #+O) 4&E) ,. ;		&IP&M		
HVE3&8) 4&>F9A>FC&HFF3&>F3G!EC&			&IP&M		
>FCCL&8'::D&ES					
	)*6*,-+-	$-+E+3	$2+E5F2		
				8: ; B&: : $U: GB&H>D&?: C: !B&	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3&8) 4&>FCCL&8'::D&ES&			&TLPQXSTM		
>FCCF<L&NFGDC&S					
	)*6*,-+-	$-+E+F	$E75E3		
				8: ; B&: : $U: GB&H>D&?: C: !B&	$7355-
				8: ; B&: : $U: GB&H>D&?: C: !B&	9-7252 3
	: #+O) 4&E) ,. ;		&QZ&SR		
HVE3&8) 4&>FCCF<L&NFGDC&S&			&LXKZ&X		
>GCCAWWL&H>'<B					
	)*,3*,-+-	$-,+FE	$-5-		
				8: !KCG@&>?B A&S: %	$-5-
	: #+O) 4&E) ,. ;		&IM&M		
HVE3&8) 4&>GCCAWWL&H>'<B&			&IM&M		
>GCCFL&^F@<					
	)*6*,-+-	$-+E+E	$2+E5F2		
				8: ; B&: : $U: GB&H>D&?: C: !B&	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3&8) 4&>GCCFL&^F@<&			&TLPQXSTM		
C'&CCF!DEAC					
	)*,3*,-+-	$EE-27E	$9-,48--5-		
				;: U%&A; >!!E&CL$AJ HA@I>%&8/&89MA	$9-,48--5-
	: #+O) 4&E) ,. ;		&PJLRMM&M		
HVE3&8) 4&C'&CCF!DEAC&			&PPPLPPJ&XM		
C'9&B@G9FF>F& @D>F->'!ED&>FH& F>-					
	)*+7*,-+-	$-,-)2	$252-		
				8: !KCG@KA&DB:H&9J8%U;	$252-
	: #+O) 4&E) ,. ;		&JTSTM		
HVE3&8) 4&C'9&B@G9FF>F& @D>F->'!ED& ->FH& F>-&			&JTSTM		

MV00063592

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
C' <F& EEF><AV&CA >: D A				
)*+,*,-+-	$-+7-F	$+-5-		
			D L>D&AJHA@&9H=>	$+-5-
: #+0) 4&E) ,. ;		&PPMB&M		
HVE3 &) 4&C' <F& EEF><AV&CA>: D A&		&QPMB&M		
C' -D&<L&>' W-@&N S				
)*6*,-+-	$-+F2+	$-6+57)		
			8: !KCG@GUE&C$-HB>; &9C$!: : A	$-6+57)
: #+0) 4&E) ,. ;		&PKPSZU		
HVE3 &) 4&C' -D&<L&>' W-@&N S&		&PKPSZU		
C' : A>& GE				
)*6*,-+-	$-+F22	$-5)E		
			8: !KCG@KAS&DB-H$9J8%U;	$-5)E
: #+0) 4&E) ,. ;		&IMBJQ		
HVE3 &) 4&C' : A>& GE&		&IMBJQ		
C' : YF<& ' >-AE& &EDVA				
)*6*,-+-	$-+F2,	$&)5-7		
			8: !KCG@KAS&DB-H$9J8%U;	$&)5-7
: #+0) 4&E) ,. ;		&RUSPZ		
HVE3 &) 4&C' : YF<& ' >-AE& &EDVA&		&RUSPZ		
C! &CDN<C				
)*+7*,-+-	$-,-))	$-43-5-		
			%K?D&-H$-: >8E&C L$A BLCA	$7)65-
			%K?D&-H$-: >8E&C L$A BLCA	$2+65-
: #+0) 4&E) ,. ;		&PLJRMB&M		
HVE3 &) 4&C! &CDN< C&		&KLTKKSB&M		
C! 9' H&CS&! ' &9G<DS& E@VAED &HA3A>' EDF<				
)*+7*,-+-	$-,-)6	$-F65-		
			,--7$! D>L$! 99; ?> D&$ C; 8<$!: : A	$-F65-
)*+7*,-+-	$-,-)3	$&,65-		
			<; =$?>A! : ; ?>D&$ C; 8<$!: : A	$&,65-
: #+0) 4&E) ,. ;		&IMMB&M		
HVE3 &) 4&C! 9' H&C S&! ' &9G<D& E@VAED & HA3A>' EDF<&		&PLJTUSB&M		
C! 9' HYD<W <3& ' WWAVC				
)*+7*,-+-	$-,-)F	$&-5-		
			>C&&CA; >DD>; &9C $ J: C;	$&-5-
: #+0) 4&E) ,. ;		&KMB&M		
HVE3 &) 4&C! 9' HYD<W <3& ' WWAVC&		&KMB&M		

MV00063593

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.//(#+,	-./(#+,& '()*+,012
C! >AA<: DCDF<&3 D> A! E				
)*,3*,-+-	$-,+F7	$-42,E5-		
			>GJ:8; BAECL$AJHA@8H	$F3E5-
			>GJ:8; BAECL$AJHA@8H	$63-5-
: #+O)4&E),.;		&PLTJQ&M		
HVE3&) 4&C! >AA<: DCDF<&3 D> A! E&		&KLKJMB&M		
CA! G>DEV&WF! B& &BAV				
)*6*,-+-	$-+F2)	$F25,6		
			D9HI $AJH@K%& : <A	$F25,6
)*+,*,-+-	$-+72-	$3+55-		
			D9HI $3: %>BBA@&>8 I A	$3+55-
)*,3*,-+-	$EE-277	$,755-		
			D9HI $3: %>BBA@&9DBH:	$,755-
: #+O)4&E),.;		&PQJJS&K		
HVE3&) 4&CA! G>DEV&WF! B& &BAV&		&PRLJKQS&Q		
CAW @7CFG<3&E@AF WFNV& @>DCED <&CEF>A				
)*6*,-+-	$-+F26	$EF53E		
			8: !KCG@KADBH9J8%U;	$EF53E
: #+O)4&E),.;		&QX&RQ		
HVE3&) 4&CAW @7CFG<3&E@AF WFNV& ! @> DCED <&CEF>A&		&QX&RQ		
CAWA! E&[GDW3				
)*6*,-+-	$-+F23	$25-		
			8: !KCG@KADBH9J8%U;	$25-
: #+O)4&E),.;		&TS&M		
HVE3&) 4&CAWA! E&[GDW3&		&TS&M		
CA] AWW&C&> D A>CD3A&3 ' D> V&3<!				
)*+7*,-+-	$-,)E	$F+55+		
			8: !KCG@KADBH9J8%U;	$F+55+
: #+O)4&E),.;		&PS&P		
HVE3&) 4&CA] AWW&C&> D A>CD3A&3 ' D> V&3<!&		&PS&P		
C@ @L&' N3DC@				
)*+7*,-+-	$EE-23F	$,-46,-5-		
			;:U%&A; >!!BCL$AJ HA@!>%&/&89MA	$-46,-5-
: #+O)4&E),.;		&MKJMB&M		
HVE3&) 4&C@ @L&' N3DC@&		&PQKJQM&M		

MV00063594

| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
CD<NA>& & FHHD<L& -!					
	)*,3*,-+-	$EE-)--	$24EE75-		
				D L>D?AJHA@83-*C>A9C?A; ?48 9M	$24)75-
				D L>D?AJHA@83-*C>A9C?A; ?48 9M	$)-5-
	: #+0) 4&E),.;		&TLQQZ?XM		
HVE3 &) 4&CB: NA>&` & FHHB: L& -! &			&RZLMKP?RK		
CD<NWAEF<Y3A! GD> L&' <DC@AD					
	)*+7*,-+-	$-,-7,	$26)5-		
				UHD >L: ?B: BJ?K8A : U: C;	$725-
				;8>J: D? W%@99A; ?H9C!: 8: CH:	$6)56-
				;8>J: D? W%@99A; ?H9C!: 8: CH:	$-356-
	: #+0) 4&E),.;		&TKUSM		
HVE3 &) 4&CB: NWAE F<Y3A! GD> L&' <DC@AD &			&UMEK		
CBV& G[WDC@D<N					
	)*+7*,-+-	$-,-6)	$E4FF25-		
				%8 E; ED L?AJHA@K UU: 8+-	$E4FF25-
	: #+0) 4&E),.;		&QXXT?XM		
HVE3 &) 4&CBV& G[WDC@D<N&			&JQLUUU?XM		
CBV&E>' DVC&9 F[DVA& DVW NA					
	)*+,*,-+-	$-+7-7	$35-7		
				8: !KCG@K; ?KA: 8$>W A	$35-7
	: #+0) 4&E),.;		&RS?Z		
HVE3 &) 4&CBV&E>' DVC&9 F[DVA& DVW NA&			&JQ&M		
CW NA>9' <L&CGC' < & S					
	)*6*,-+-	$-+E+7	$2+E5F2		
				8: ; B&: : ?J: GBH>D?: C: !B;	$2+E5F2
	: #+0) 4&E),.;		&PQ&T		
HVE3 &) 4&CW NA>9' <L&CGC' <& S&			&TXUZ?XR		
C9 DE@L&A><ACE&H>' <B					
	)*6*,-+-	$-+F27	$32F53		
				8: ; B&: : ?J: GBH>D?: C: !B;	$32F53
	: #+0) 4&E),.;		&RTX?JR		
HVE3 &) 4&C9 DE@L&A><ACE&H>' <B&			&LJRQ&P		
C9 DE@L&VDC'					
	)*6*,-+-	$-+F)-	$2-5F+		
				8: !KCG@KA?DBH?9J8%J;	$2-5F+
	: #+0) 4&E),.;		&TMBXP		
HVE3 &) 4&C9 DE@L&VDC' &			&TMBXP		

MV00063596

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	[illegible] 3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-. / (#+,& ' ( ) * +,012
C9 DE@L&9' > D & S					
	) '6*, -+-	$ -+E, -	$2+6557		
				8: ; B&: : $U: GBH>D&?: C: ! B	$2+6557
	: #+O) 4&E) ,. ;		&TPK&KZ		
HVE3 &&) 4&C9 DE@L&9' > D & S&			&PLKURSPM		
C9 FBA& WGC					
	) *+7*, -+-	$ -, -66	$ +5 2		
				8: ! KCG@KAS&DBH$9J8%U;	$ +5 2
	: #+O) 4&E) ,. ;		&JPS&T		
HVE3 &&) 4&C9 FBA& WGC&			&JPS&T		
C9 FBA&C@F - &EF[' ! ! F					
	) *+7*, -+-	$ -, -63	$2252 2		
				8: ! KCG@KAS&DBH$9J8%U;	$2252 2
	: #+O) 4&E) ,. ;		&TTS&T		
HVE3 &&) 4&C9 FBA&C @F - &EF [' ! ! F&			&TTS&T		
CF S&' WDH&C! @F F W&F H&9 GCD					
	) *, 3*, -+-	$ -, +E+	$-4--5 6		
				E&A; 8KH; 98$AJHA@KB>8	$-E75 -
				E&A; 8KH; 98$AJHA@&B C9	$ 7F5 -
				E&A; 8KH; 98$AJHA@&B C9	$-E75 -
				E&A; 8KH; 98$AJHA@&B C9	$ -75 6
				E&A; 8KH; 98$AJHA@&B C9	$ +35 -
	: #+O) 4&E) ,. ;		&PLPMM&K		
HVE3 &&) 4&CF S&' WDH&C! @F F W&F H&9 GC D&			&ZLCZM&K		
CF! F&N> FG - L&D<!					
	) '6*, -+-	$ -+F) +	$-+4E3) 5E		
				! K: D&%K8H=>A:	$54E72576
				! K: D&%K8H=>A:	$47F-532
	) *, 3*, -+-	$ -, +E,	$ +4 3-573		
				! K: D&%K8H=>A:	$46)) 5 +
				! K: D&%K8H=>A:	$ 462F56+
				! K: D&%K8H=>A:	$4F) 357,
				! K: D&%K8H=>A:	$4 2, 5-,
	: #+O) 4&E) ,. ;		&TTLPJK&KU		
HVE3 &&) 4&CF ! F&N> FG - L&D< ! &			&PUZLPUK&PU		
CF 3 A< &A< EA> - > DCA CL&D<! S&3 [' &A' CV &/FN'					
	) *, 3*, -+-	$ -, +E2	$-6) 5E-		
				E&A; 8KH; 98$AJHA@9L>	$FF5 -
				E&A; 8KH; 98$AJHA@9L>	$FF5 -
	: #+O) 4&E) ,. ;		&PKU&&M		
HVE3 &&) 4&CF 3 A< &A < EA> - > DCACL&D< ! S&3 [' & A' CV&/F N' &			&KRX&RM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46)1#)8&./(#+,	-./(#+,& '()*+,012
CF<NL&@AWA<				
	)*+7*,-+-	$-,-6F	$9-+,5-	
			8: !KCG@D>AA$3: LEA;	$9-+,5-
	: #+0)4&E),.;		&PPJ$M	
HVE3&)4&CF<NL&@AWA<&			&PPJ$M	
CFC' L&F>NA				
	)*+,*,-+-	$-+7+-	$26,5-	
			EC:A; 8KH; 98$AJHA@EC%&9$!98$ EGA	$735-
			EC:A; 8KH; 98$AJHA@>8>; : G9	$635-
	: #+0)4&E),.;		&TKJ$M	
HVE3&)4&CFC' L& F>NA&			&TERMJ$M	
CFGE@&[' V&9' CF<>V				
	)*+7*,-+-	$-,-6E	$5F5-	
			8: !KCG@KADH9J8%U;	$5F5-
	: #+0)4&E),.;		&XS$M	
HVE3&)4&CFGE@&[' V&9' CF<>V&			&XS$M	
CFGE@& F' CE& D>&cG' WDEV&9N9E&3DCE>D E				
	)*+,*,-+-	$-+7++	$-75-	
			: UEAA$9CA$! : : @A $26E	$-75-
	)*+,*,-+-	$-+7+,	$725+	
			>CCD$9% 8>; EC:L$! : : A@A$26E	$725+
	: #+0)4&E),.;		&MJ$P	
HVE3&)4&CFGE@& F' CE& D>&cG' WDEV&9N9E& 3DCE>D E&			&TERPK$PX	
CFGE@& F' CE& c93				
	)*+7*,-+-	$-,-67	$-6)5E+	
			8: L@U%D$ 8>CA%&H998G$ 8CL	$-6)5E+
	: #+0)4&E),.;		&PKJ$P	
HVE3&)4&CFGE@& F' CE& c93&			&PKJ$P	

MV00063598

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&.//(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3DCF<				
	)*6*,-+-	$-+F)2	$64)E+53F	
			:DH;8BHB<	$-)5F-
			:DH;8BHB<	$-5FE
			:DH;8BHB<	$F365+
			:DH;8BHB<	$46,,53-
			:DH;8BHB<	$225)6
			:DH;8BHB<	$+)57,
			:DH;8BHB<	$225+E
			:DH;8BHB<	$37,57
			:DH;8BHB<	$225E6
			:DH;8BHB<	$275-2
			:DH;8BHB<	$4,+5)+
			:DH;8BHB<	$63527
			:DH;8BHB<	$)53
	)*+,*,-+-	$-+7+2	$34)+-5,	
			:DH;8BHB<	$25)
			:DH;8BHB<	$-E5)
			:DH;8BHB<	$3.5F6
			:DH;8BHB<	$42)E5)
			:DH;8BHB<	$E,+5)F
			:DH;8BHB<	$E)+523
			:DH;8BHB<	$3)57
			:DH;8BHB<	$E)57
			:DH;8BHB<	$EFE5+
			:DH;8BHB<	$7256F
			:DH;8BHB<	$+523
			:DH;8BHB<	$E7)5F2
			:DH;8BHB<	$)F572
			:DH;8BHB<	$2E523
			:DH;8BHB<	$325)E
	)*+,*,-+-	$-+7+)	$)4)35F2	
			EI>$H=>8L:A@BK?A;>;E9C	$)4)35F2
	)*+7*,-+-	$-,-3+	$2)65F+	
			:DH;8BH$H=>8L:A	$2)65F+
	)*,3*,-+-	$-,+E)	$)E4FE357-	
			:DH;8BHB<	$F)53)
			:DH;8BHB<	$64F+52
			:DH;8BHB<	$486F5)F
			:DH;8BHB<	$75+E
			:DH;8BHB<	$6F5EF
			:DH;8BHB<	$4EE-5),
			:DH;8BHB<	$2.5-3
			:DH;8BHB<	$)4E6E2+
			:DH;8BHB<	$F)57
			:DH;8BHB<	$)-5)
			:DH;8BHB<	$46275 7
			:DH;8BHB<	$).5+
			:DH;8BHB<	$),-57E
			:DH;8BHB<	$5-)536
			:DH;8BHB<	$6,5)6
			:DH;8BHB<	$2EE-
			:DH;8BHB<	$25++

MV00063599

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
C-A! BL&N' >V&[S				
)'6*,-+-	$-+E,+	$2+E5F2		
			8:;BB::$U:GBH>D&?:C:!B	$2+E5F2
: #+O) 4&E),.;		&TPQ&XT		
HVE3 &) 4&C-A! BL&N' >V&[S&		&TLPQXSTM		
C-A! E>G9&' >A				
)'6*,-+-	$-+F)3	$F)5-		
			8:!KCG@KAS&DBH$9J8%U;	$F)5-
: #+O) 4&E),.;		&XUS&M		
HVE3 &) 4&C-A! E>G9&' >A&		&ZQLXUMBRU		
C-A<! A>L&9' >E@'				
)'6*,-+-	$-+E,,	$-7)552		
			8:;BB::$U:GBH>D&?:C:!B	$-7)552
: #+O) 4&E),.;		&PZUS&T		
HVE3 &) 4&C-A<! A> L&9' >E@ &		&LLJJMBXR		
C-F>EC&D<<F:' EF>C				
)*+,*,-+-	$-+7+6	$24)F65-		
			A%9&8;A&9!!BHB>;BCL$AJHA	$F65-
			A%9&8;A&9!!BHB>;BCL$AJHA	$24)--5-
: #+O) 4&E),.;		&TLUXKS&M		
HVE3 &) 4&C-F>EC&B<<F:' EF>C&		&KKLQZKS&M		
C->D<E				
)'6*,-+-	$-+F)F	$-5-		
			AK?%&9:C>$H9U%DB CH:$!::	$-5-
: #+O) 4&E),.;		&MMB&M		
HVE3 &) 4&C->B<E&		&PPMB&M		
C->D<E7<A_EAW				
)*+,*,-+-	$EE-2)2	$225E3		
			)+F6))2)-@!:DD&% =$H=8L$L;!	$225E3
: #+O) 4&E),.;		&TTS&R		
HVE3 &) 4&C->B<E7<A_EAW&		&RZRS&PQ		
CE'<3'>3&D<CG>'<!A&F				
)'6*,-+-	$-+F)E	$-486,553		
			AK%&D U:C;>DB&CA K8>CH:	$-486,553
: #+O) 4&E),.;		&PLRKJS&R		
HVE3 &) 4&CE'<3'>3&B<CG>'<!A&F&		&TJRLXKJS&U		

MV00063601

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CE' EA&[F' >3&FH&A cG' WD' EDF<				
)*+7*, -+-	$-,-3)	$E--5-		
			>CC: W>; B9C$H: 8; $! : : @-*G><$A; 5	$E--5-
)*, F*, -+-	$2++-	$2467)5-		
			A>D A$D&KA: $>W	$2467)5-
: #+O)4&E),.;		&JDTZUS&M		
HVE3&&)4&CE' EA&[F' >3&FH&A cG' WD' EDF<&		&TKIZPQS&Z		
CE' EA& F<E>FWWA> aC&FHHD A				
)*, 3*, -+-	$-,+EE	$42+,5E3		
			>CCK>D&A; 8: : ; $B: %98; $E*-7	$42+,5E3
: #+O)4&E),.;		&JDTPJS&R		
HVE3&&)4&CE' EA& F<E>FWWA> aC&FHHD A&		&JDQPJS&R		
CE' EA&3 DC[G>CA9A <E&G<DE				
)*+*, -+-	$3-2	$-4)7755,		
			H=EDG$A K%/98; $P*=$)*-+*+-	$-4 7756.
)*+6*, -+-	$3+,	$-4-,2556,		
			H=EDG$A K%/98; $P*=$)*+6*+-	$-4-.256.
)*, 7*, -+-	$3,-	$-4-,2556,		
			H=EDG$A K%/98; $P*=$)*, 7*+-	$-4-,256,
: #+O)4&E),.;		&TDXUR3&R		
HVE3&&)4&CE' EA& DC[G>CA9A <E&G<DE &		&TZLJPUS&M		
CE' EA&<AE				
)*+7*, -+-	$EE-237	$-426-5-		
			H9C; 8>H; : G$AJHA	$-426-5-
: #+O)4&E),.;		&PDTKMB&M		
HVE3&&)4&CE' EA&<AE&		&PDTKMB&M		
CE' EA&FH& ' WDH73 A-E&FH&D<3GCE>D W				
)*+,*, -+-	$-+7+F	$-65-		
			% 8UB$! : : @8H	$-65-
: #+O)4&E),.;		&PMKS&M		
HVE3&&)4&CE' EA&F H& ' WDH73 A-E&F H& D<3GCE>D W&		&JPMB&M		

MV00063603

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
CE' EA&F H& ' WDHF> <D &3A- ES&F H&^GC ED A				
)*6*, -+-	$-+F6+	$242+25-		
			!ECL: 8%&ECD; ECL$AJHA@&G	$242+25-
)*+7*, -+-	$-, -36	$-427)5-		
			!ECL: 8%&ECD; ECL$AJHA@8	$3)5-
			?D99G$-DH=D$-CD< A@&G	$-422-5-
)*, 3*, -+-	$-, +E7	$E3)5-		
			!ECL: 8%&ECD; ECL$AJHA@&; >8A	$&+, 5-
			!ECL: 8%&ECD; ECL$AJHA@8: >AK8<	$ EE5-
			!ECL: 8%&ECD; ECL$AJHA@A	$3)5-
	: #+O) 4&E) ,. ;	&KLKXPS&M		
HVE3 &&) 4&CE' EA&F H& ' WDHF> <D &3A- ES&F H& ^GCED A&		&KPLKUUS&M		
CE' EA&F H& ' WDHF> <D 73A- E&F H& F9&C: ! C` 3A:				
)*, 3*, -+-	$-, +7-	$2-75F7		
			8: !KCG@JS$K; EEB<	$-25++
			8: !KCG@JS$K; EEB<	$, 52-
			8: !KCG@JS$K; EEB<	$225+E
			8: !KCG@JS$K; EEB<	$-6+5-
	: #+O) 4&E) ,. ;	&TMZ&XZ		
HVE3 &&) 4&CE' EA&F H& ' WDHF> <D 73A- E&F H& ! F9&C: ! C` 3A: &		&PLTQQ&&KT		
CEA< F&CFWGEDF <C&E>' <C! >D-EDF <&C: ! CS&&D<				
)*+7*, -+-	$-, -33	$,4E)75E		
			; 8>CAH8B%; E9CS$AJHA@&G	$4E)75E
	: #+O) 4&E) ,. ;	&IKQLZS&Q		
HVE3 &&) 4&CEA< F&C FWGEDF <C& E>' <C! >D EDF <&C: ! CS&&D< &		&TJLTJZS&Q		
CEA>D V! WA&&[HD2&				
)*, 3*, -+-	$EE-)-,	$&+F5E3		
			P>A; : $-> KDECL$AJ HA@CUD$A=D, 8	$&+F5E3
	: #+O) 4&E) ,. ;	&KPXS&R		
HVE3 &&) 4&CEA>D V ! WA&&[HD2&		&JLLZQ&PR		
CEA: A&C&W <3C! ' - D<N& &] AA3& [' EA 9A<E				
)*6*, -+-	$-+F6,	$&-5-		
			8: !KCG@KADEH9J8%U;	$&-5-
	: #+O) 4&E) ,. ;	&RMB&M		
HVE3 &&) 4&CEA: A&C &W <3C! ' -D<N& &] AA3& ' [' EA9A<E&		&JRRTRS&K		
CEA: A&C& ' WWAV&< G>CA>V				
)*6*, -+-	$-+F62	$EF52F		
			8: !KCG@KADEH9J8%U;	$EF52F
	: #+O) 4&E) ,. ;	&QXS&X		
HVE3 &&) 4&CEA: A&C & ' WWAV&< G>CA>V&		&IMLK&QJ		

MV00063604

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
CEA] ' > EL& WDHHF > 3				
) *6*, -+-	$ -+E, 2	$ 6+5-7		
			8: ; B3: : $U: GBH>D&?: C: ! B	$ 6+5-7
	: #+O) 4&E) ,. ;	&IKPS&/Z		
HVE3 &&) 4&CEA] ' > E L& WDHHF > 3 &		&PIZZRS&P		
CEF < A> D3 NA& A< EA > & ' > E< A> C				
) *6*, -+-	$ -+F6)	$9-, -5-		
			8: ! KCG@KAS&DBH$9J8%U;	$9-, -5-
	: #+O) 4&E) ,. ;	&RJMB&/M		
HVE3 &&) 4&CEF < A> D3 NA& A< EA> & ' > E< A> C&		&JKK1QJKS&T		
CE> ' 3 WD< N L&/F ! ! ' L& ' > WCF < & &> ' GE@				
) *+, *, -+-	$ -+7+E	$625-		
			D L> D&AJHA@BA $UL;	$625-
	: #+O) 4&E) ,. ;	&KTS&/M		
HVE3 &&) 4&CE> ' 3 WD< N L&/F ! ! ' L& ' > WCF < & & >' GE@&		&CPLTQJS&Q		
CE> AD @L&EA> > V&/S				
) *6*, -+-	$ -+F66	$2-522		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2-522
	: #+O) 4&E) ,. ;	&TMBT		
HVE3 &&) 4&CE> AD @L&EA> > V&/S&		&KQMBTP		
CE> D BWA> &DL&^F @< &] S				
) *6*, -+-	$ -+F63	$2+E5-2		
			8: ; B3: : $U: GBH>D&?: C: ! B	$2+E5-2
	: #+O) 4&E) ,. ;	&TPQ&T		
HVE3 &&) 4&CE> D BWA> &DL&^F @< &] S&		&JLKJZS&K		
CG9 A> HF > 3 L& @> DC ED< '				
) *, 3*, -+-	$ -, +7+	$2E5-		
			EDA; 8KH; E9DC9AJHA@&G><|	$2E5-
	: #+O) 4&E) ,. ;	&TQB&/M		
HVE3 &&) 4&CG9 A> HF > 3 L& @> DCEB< ' &		&TQMB&/M		

MV00063605

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
CG<<V9A' 3& ! A&@' >3] ' >A				
)*6*,-+-	$-+F6F	$-2553		
			UEAH$AK%&CB A@B8:	$65)2
			UEAH$AK%&CB A@B8:	$E5+2
)*+,*,-+-	$-+7+7	$)225,7		
			UEAH$AK%&CB A@&9 DBH:	$9-56-
			UEAH$AK%&CB A@&9 DBH:	$7522
			UEAH$AK%&CB A@&9 DBH:	$23)52+
			UEAH$AK%&CB A@&9 DBH:	$9-5F-
			UEAH$AK%&CB A@&9 DBH:	$-53)
			UEAH$AK%&CB A@&9 DBH:	$+53)
			UEAH$AK%&CB A@&9 DBH:	$65+F
)*+7*,-+-	$-,-3F	$F522		
			UEAH$AK%&CB A@B8:	$F522
: #+O) 4&E) ,. ;		&JKUSPQ		
HVE3 &) 4&CG<<V9A' 3& ! A&@ >3] ' >A&		**&TLKPRSVU**		
CG<<V9A' 3&9F<EAC CF>D&C! @FFW				
)*+7*,-+-	$-,-3E	$3)52,		
			8: !KCG@KAS&DBH$9J8%U;	$3)52,
: #+O) 4&E) ,. ;		&RUSTJ		
HVE3 &) 4&CG<<V9A' 3&9F<EACCF>D&C! @FFW		**&RUSTJ**		
CG-A>DF>&HG><DEG>A				
)*6*,-+-	$-+F6E	$)F523		
			8: !KCG@KAS&DBH$9J8%U;	$)F523
: #+O) 4&E) ,. ;		&JXSTR		
HVE3 &) 4&CG-A>DF>&HG><DEG>A&		**&JXSTR**		
C] AAE&H' ! EF>V&bU CZ				
)*6*,-+-	$-+F67	$)35,		
			8: !KCG@KAS&DBH$9J8%U;	$)35.
: #+O) 4&E) ,. ;		&JRSJ		
HVE3 &) 4&C] AAE&H' ! EF>V&bUCZ&		**&JRSJ**		
E&9&C& CCF! D EAC				
)*+7*,-+-	$-,-37	$)E5,+		
			8: !KCG@KAS&DBH$9J8%U;	$)E5,+
: #+O) 4&E) ,. ;		&JCSJP		
HVE3 &) 4&E&9&C& CCF! D EAC&		**&JCSJP**		
ES/S&/D<&D<EA><' EDF<' W				
)*,3*,-+-	$-,+7,	$F483+5F+		
			L8>=>U$A; $9J8H8A ACL*A8@-$%&89M	$F483+5F+
: #+O) 4&E) ,. ;		&KERRPSXP		
HVE3 &) 4&ES/S&/D<&D<EA><' EDF<' W&		**&RQLPZJSXM**		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
E' cGA>D &NG' 3' WG -' <'				
)*+7*,-+-	$-,-F+	$2F57-		
			8: !KCG@KASDBH$9J8%J;	$2F57-
: #+0) 4&E) ,. ;		&TXSZM		
HVE3 &&) 4&E' cGA>D &NG' 3' WG-' <' &		&TXSZM		
EA! @<D ' >A& F9-G EA>&CVCEA9 CL&D<!				
)*6*,-+-	$-+F3-	$2E5E-		
			8: !KCG@KASDBH$9J8%J;	$2E5E-
: #+0) 4&E) ,. ;		&TQ&SM		
HVE3 &&) 4&EA! @<D ' >A& F9-GEA>&CVC EA9 CL& B<!&		&TQ&SM		
E@A&[' >[A>C				
)*+7*,-+-	$-,-F,	$2)552		
			8: !KCG@KASDBH$9J8%J;	$2)552
: #+0) 4&E) ,. ;		&TUS&T		
HVE3 &&) 4&E@A&[' >[A>C&		&TUS&T		
E@A>9' W! FFW&D<! S				
)*6*,-+-	$-+F3+	$2-,5--		
			>HKCBAJH@KCC<UG$/&I AC?>8	$E65-
			>HKCBAJH@KCC<UG$/&I AC?>8	$E65-
			>HKCBAJH@NK: A; 8B>C$H; 8	$335-
			>HKCBAJH@NK: A; 8B>C$H; 8	$335-
: #+0) 4&E) ,. ;		&TMJS&M		
HVE3 &&) 4&E@A>9' W! FFW&D<! S&		&PQLCKMSTR		
E@F9! F& F<CE>G! E DF<L&D<! S				
)*6*,-+-	$-+F3,	$-24F)+5)6		
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-,423F52+
			>8; : 8B>DP>DD&B: !K8?BA=UC; *: @	$-42F)5+)
: #+0) 4&E) ,. ;		&PTLXUPS&K		
HVE3 &&) 4&E@F9! F&! F<CE>G! EDF<L&D<! S&		&PTLXUPS&K		
EDFC&E' ! F&<F&T				
)*6*,-+-	$-+F32	$3252E		
			8: !KCG@KASDBH$9J8%J;	$3252E
: #+0) 4&E) ,. ;		&RTS'Q		
HVE3 &&) 4&EDFC&E' ! F&<F&T&		&RTS'Q		
EY9F[DVA				
)*+7*,-+-	$-,-F-	$6F5--		
			8: !KCG@KASDBH$9J8%J;	$6F5-
: #+0) 4&E) ,. ;		&KXS&M		
HVE3 &&) 4&EY9F[DVA&		&PQJS&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
EF9 DCAWVD& <NAWF				
)*+,*,-+-	$-+7,-	$5)55-		
			8: !KCG@UB>; B9CS$BAUBAA: G	$6)56-
	: #+0)4&E),.;	&KUSXM		
HVE3&&)4&EF9 DCAWVD& <NAWF&		&KUSXM		
EF>>ACL&>F[A>E				
)*+,*,-+-	$-+7,+	$)255-		
			8: BJ?@&C!9% 9%D $P98I A=9%	$)255-
	: #+0)4&E),.;	&JTSXM		
HVE3&&)4&EF>>ACL&>F[A>E&		&JTSXM		
E>'HHD&F<E>FW&CA>:DAL&D<!S				
)*,3*,-+-	$-,+72	$54F)55-		
			;8>!!B-H$D>LA4&A BLCA$C&A; >CGA	$)4F6E5+3
			A>DA$>W	$)+352)
	: #+0)4&E),.;	&KIPXUSXM		
HVE3&&)4&E>'HHD&F<E>FW&CA>:DAL&D<!S&		&KIPXUSXM		
E>'<L&<NGVAE				
)*+7*,-+-	$-,-F2	$5,5-		
			8: !KCG@CUD&DB-H: CA: $1:::	$6,5-
	: #+0)4&E),.;	&KJSVM		
HVE3&&)4&E>'<L&<NGVAE&		&KJSVM		
E>A'CG>A&[F_L&D<!S				
)*6*,-+-	$-+F3)	$+5-2		
			8: !KCG@KAS&DB-H$9J8%U;	$+5-2
	: #+0)4&E),.;	&IPSPT		
HVE3&&)4&E>A'CG>A&[F_L&D<!S&		&IPSPT		
E>AA&FH&VDHAL&D<!S				
)*6*,-+-	$-+F36	$25,+		
			8: !KCG@KAS&DB-H$9J8%U;	$25,+
	: #+0)4&E),.;	&TSIP		
HVE3&&)4&E>AA&FH&VDHAL&D<!S&		&TSIP		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
E>D @AL&E' >'				
)*,3*,-+-	$-,+76	$-472+5)-		
			EC A; 8KH; 98$AJHA@>DD ;	$2665-
			EC A; 8KH; 98$AJHA@>DD ; *>H89	$EE5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2225-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$ EE53-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2+-5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$-FF53-
			EC A; 8KH; 98$AJHA@B%&-9%&G>CH:	$ EE53-
			EC A; 8KH; 98$AJHA@&D; : 8UG$?>DD ;	$EE5E-
	: #+O) 4&E) ,. ;	&PLZTP$&M		
HVE3 &&) 4&E> D @AL&E' >' &		&PZLJZP$&M		
E>D! DE V&VD< A< &C G- - VWL&D<! S				
)*,3*,-+-	$-,+7)	$)F55-		
			DE C: C$B: C; >D&! 98 $H8H	$,55-
			DE C: C$B: C; >D&! 98 $H8H	$65-
	: #+O) 4&E) ,. ;	&JX$&M		
HVE3 &&) 4&E> D! DE V&VB: A< &CG- - VWL&B: ! S&		&PLRJJVB&M		
E>F-D ' W&-W \' &< G>CA>VL&D<! S				
)*,3*,-+-	$-,+73	$-E47+25)E		
			EB 8BL$B: %>EBA@9C: $ @	$7735)2
			DCGAH%&J>EC; @9C: $ @	$-64F- -5-
			DCGAH%&J>EC; @9C: $ @3	$4+F5)6
	: #+O) 4&E) ,. ;	&PQZPT$&Q		
HVE3 &&) 4&E> F-D ' W&-W \' &G>CA>VL&D<! S&		&PQTLJKP$&K		
E>GN>AA< &W <3! ' >A				
)*,3*,-+-	$-,+7F	$,+476F5)-		
			EB 8BL$B: %>EBA@9C: $GAL@	$-25++
			EB 8BL$B: %>EBA@8>H; $2+,E)	$635)2
			EB 8BL$B: %>EBA@8>H; $2- -,F	$757
			EB 8BL$B: %>EBA@8>H; $-,F,	$-532
			EB 8BL$B: %>EBA@8>H; $-7,-E	$3)5F-
			EB 8BL$B: %>EBA@8>H; $-7,-E	$-25E)
			DCGAH%&P98I @8>H; $E3	$2-5-
			DCGAH%&J>EC; @9C: $J	$642,)5E7
			DCGAH%&J>EC; @9C: $GAL@	$F4-252E
			DCGAH%&J>EC; @9C: $GAL@	$246++57
			DCGAH%&J>EC; @9C: $GAL@	$47-75+)
	: #+O) 4&E) ,. ;	&JPLZKX$&M		
HVE3 &&) 4&E> GN>AA< &W <3! ' >A&		&TMTLJPX$&J		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,&'()*+,012	-./(#+,&'()*+,012
EG<EW <3L&' 9AC				
	)*6*,-+-	$-+E,)	$6+5-7	
			8: ; B&: : $U: GBH>D&?: C: !B	$6+5-7
	: #+0) 4&E) ,. ;		&IKP&/Z	
HVE3 &) 4&EG<EW <3L&' 9AC&			&PIZZR&P	
EG>[FC! ' -AL&D<! S				
	)*,3*,-+-	$EE-)-2	$34),)5E-	
			>CCD&UKDH=B&L&B$/9C: $@	$34),)5E-
	: #+0) 4&E) ,. ;		&RLJJU&M	
HVE3 &) 4&EG>[FC! ' -AL&D<! S&			&ZLKXX&M	
E] D<&N>' -@D C				
	)*,3*,-+-	$EE-)-)	$9-325-2	
			J: =BHD $L8>%=BHA $!98$%G$KCB	$9-325-2
	: #+0) 4&E) ,. ;		&PRT&PT	
HVE3 &) 4&E] D<&N>' -@D C&			&JJTKZ&R	
G&C&S&@A' WE@] F>BC&9A3D ' W&N>FG-				
	)*+,*,-+-	$-+7,,	$365-	
			: U%D9<: : $G9; *GUJ $W+U	$365-
	)*+7*,-+-	$-,-F)	$64-6+5-	
			C: P$ U%D9<: : $%=< ABH>DA	$635-
			C: P$ U%D9<: : $%=< ABH>DA	$24775-
			C: P$ U%D9<: : $%=< ABH>DA	9-46735-
	: #+0) 4&E) ,. ;		&KJP&R&M	
HVE3 &) 4&G&C&S&@A' WE@] F>BC&9A3D ' W& N>FG-&			&PKIPTR&M	
G! &>ANA<EC&&NF: Ea/&& F99G<DEV&>AW EDF<				
	)*6*,-+-	$-+F3F	$5)5-	
			2*,)4)*,E45*,3 @; LA	$5)5-
	: #+0) 4&E) ,. ;		&KU&M	
HVE3 &) 4&G! &>ANA<EC&&NF: Ea/&& ! F99G<DEV&>AW EDF<&			&ZZQ&M	
GY@' GW& F&FH& ' WDHF><D				
	)*6*,-+-	$-+F33	$375-	
			8: !KCG@KA&DBH&9J8%U;	$375-
	: #+0) 4&E) ,. ;		&RZ&M	
HVE3 &) 4&GY@' GW& F&FH& ' WDHF><D &			&RZ&M	
GW&9A>&D<3GCE>DAC L&D<! S				
	)*+7*,-+-	$-,-F6	$E4+)52+	
			8>B&E&L&!>?8BH>; B&9C&!98&?8B&L:	$E4+)52+
	: #+0) 4&E) ,. ;		&QRPU&P	
HVE3 &) 4&GW&9A>&D<3GCE>DAC L&D<! S&			&QRPU&P	

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.,/(#+,	-./(#+,& '()*+,012
G<DF<&[' <B&FH&[' WDHF><D				
)*6*, -+-	$-+F3E	$2235-		
			EDJ: A; U: C; $A>!: I : : %EDL$AJHA	$2235-
)*+7*, -+-	$-,-F3	$-F-5-		
			U9C; =D<$D9H$ 8>C A!: 8$! : : A	$-F-5-
	: #+0) 4E) ,. ;	&KVR&M		
HVE3 &8) 4&G<DF<&[' <B&FH&[' WDHF><D &		&JQXLKXZ&LZ		
G<DEA3 &D<C-A! EDF <& &EACED<N&D<!				
)*,3*, -+-	$-,+7E	$-4F+75-6		
			>CCD&%-J: UC; $B: A K8!>HEDL$%&89M	$-4F+75-6
	: #+0) 4E) ,. ;	&PLXPZ&PK		
HVE3 &8) 4&G<DEA3 &D<C-A! EDF <& &EAC ED<N&D<! &		&JMLKRQ&JM		
G<DEA3 & F] A>&NA< A>' EDF<L&D<! S				
)*6*, -+-	$-+F37	$24+65-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ6E	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @= D 8	$5-65-
			L: C: 8>; 98$D9>G$? >CI $: A; @!5-5	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @&A?	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ3	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ)E	$+-5-
)*+7*, -+-	$-,-FF	$-42-5-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$-F+5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$2E5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$-)-5F
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$375)2
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$+65-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$-765-
	: #+0) 4E) ,. ;	&LJUK&M		
HVE3 &8) 4&G<DEA3 &-F] A>&NA< A>' EDF< L&D<! S&		&PLZZM&R		
G<DEA3 &CDEA&CA>: D AC&FH&[' L&D<! S				
)*6*, -+-	$-+FF-	$3+5F-		
			8: !KCG@KADH9J8%J;	$3+5F-
)*6*, -+-	$EE-2+3	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GE5	$7F56
)*+, *, -+-	$EE-2)6	$-E)5F,		
			%98; >?D $ 9ED ; $AJH@9D!$H; 8	$FF522
			!: CH: $B: C; >D@CEJ>D$A=: D : 8	$-F527
)*+7*, -+-	$EE-2F-	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GE5	$7F56
	: #+0) 4E) ,. ;	&UP&KJ		
HVE3 &8) 4&G<DEA3 &CDEA&CA>: D AC&FH &[' L&D<! S&		&ZLUKP&RK		

MV00063611

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
G<DEA3 &CE' EAC&E> A' CG>V				
)*+,*,-+-	$-+7,)	$6-5-		
			%&<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
)*,3*,-+-	$-,+77	$6-5-		
			%&<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
: #+O) 4&E),.;		&PMMM		
HVE3 &) 4&G<DEA3 &CE' EAC&E> A' CG>V&		&KLKXMMM		
G<DEA3 &] ' V&FH&D< W <3& ' WWAVC				
)*+,*,-+-	$-+7,6	$3,F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3,F5-E
)*,3*,-+-	$-,,--	$3,F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3,F5-E
: #+O) 4&E),.;		&PLJKUSTR		
HVE3 &) 4&G<DEA3 &] ' V&FH&D< W <3& ' WWAVC&		&PQLPRTSZM		
G-EF<L&A9DBF				
)*+7*,-+-	$-,-FE	$335-		
			8: !KCG@CUD&AJH$!: : A	$2-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-35-
: #+O) 4&E),.;		&RRSMM		
HVE3 &) 4&G-EF<L&A9DBF&		&RRSMM		
GC' & W >9&CVCEA9 CL&D<! S				
)*+7*,-+-	$-,-F7	$2-5-		
			8: !KCG@KA$DB-H$9J8%U;	$2-5-
: #+O) 4&E),.;		&TMMM		
HVE3 &) 4&GC' & W >9&CVCEA9 CL&D<! S&		&TMMM		
GC' &9F[DWDEV7 >! @&] D>AWACC				
)*+7*,-+-	$EE-2F+	$735-7		
			%&L: 8$AJH@&>8I $B>CL: 8A	$5-2
			%&L: 8$AJH@8>CA%$GBI5	$65-7
			%&L: 8$AJH@IB VS%>; 89D$J9DC; 8A5	$2256)
			%&L: 8$AJH@CBJ>D$AJHA	$2E57-
			%&L: 8$AJH@%&8: A C >W A	$-F5)2
: #+O) 4&E),.;		&ZRSZZ		
HVE3 &) 4&GC' &9F[DWDEV7 >! @&] D>AWACC&		&QJRSRX		

MV00063612

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
:' ! ' EA&-ACE&AWD9 B<' EDF<& F9-' <V				
)*6*, -+-	$EE-2+F	$-4-65-		
			% A; $HC; 8D@&; EDB <$I DG$9! ! EH:	$)65-
			% A; $HC; 8D@B <$=>DD	$F65-
			% A; $HC; 8D@BB: $A; $Z) E	$)65-
			% A; $HC; 8D@BB: $A; $Z,	$)65-
			% A; $HC; 8D@BB: $A; $Z6E	$)65-
			% A; $HC; 8D@BB: $A; $Z36	$)65-
			% A; $HC; 8D@BB: $A; $Z3	$)65-
			% A; $HC; 8D@BB: $A; $Z7+	$)65-
			% A; $HC; 8D@9C! $D&B: H$H; 8	$F65-
			% A; $HC; 8D@9D! $H; 8$%&89$A=9%	$,56-
			% A; $HC; 8D@J; J$A; KGB9	$,56-
			% A; $HC; 8D@B9 8>8<	$665-
			% A; $HC; 8D@9PCL>; : $H9UU$H; 8	$)65-
			% A; $HC; 8D@: CB9 8$H; 8	$665-
			% A; $HC; 8D@8>CA%&$ 8DB	$)65-
			% A; $HC; 8D@B <$<>8G	$+65-
			% A; $HC; 8D@K?$A>! : ; <$?DGL	$F65-
			% A; $HC; 8D@CBJ> D$A=: D : 8	$+65-
			% A; $HC; 8D@CC: W$?DGL$-	$665-
			% A; $HC; 8D@>8?$=9??<$A=9%	$)65-
			% A; $HC; 8D@; >8A$?DGL*U>8?	$)65-
			% A; $HC; 8D@>8H= $I DG$%>8I $H5H5	$)65-
)*,3*, -+-	$EE-)-3	$67-5-		
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
	: #+O) 4&E) ,. ;	&PLXZKS&M		
HVE3 &&) 4&' ! ' EA&-ACE&AWD9 B<' EDF< & ! F9-' <V&		&PKLJXKS&M		
:' WD&I FF-A>& & CCF! D EACL&B<! S				
)*6*, -+-	$EE-2+E	$74)6-5-		
			; : U%&A; >! ! EBCL$AJ HA@I>%&%&89MA	$74)6-5-
	: #+O) 4&E) ,. ;	&ZLLKMB&M		
HVE3 &&) 4&' W&I F F-A>& & CCF! D EACL&B<! S&		&PTQLQLJXS&M		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46) 1#) 8&. /(#+,	-./(#+,& '()*+,012
: ' <3A>8@] B& F<C GWEB< NL&WW					
	)*+7*,-+-	$-,-E-	$4--5-		
				%>J: UC; $JLU; $%8L U$K%G>; : $AJHA	$4--5-
	: #+O) 4&E) ,. ;		&LIJMVB/M		
HVE3 &) 4& ' <3A>8@] B& F<CGWEB< NL&WW &			&JXIKZTS/M		
: ' C& CCF! D EACL& B< ! S					
	)*+7*,-+-	$EE-2F,	$,-46,-5-		
				; : U%&A; >!! EBCL$AJ HA@!>%&%8 9MA	$-46,-5-
	: #+O) 4&E) ,. ;		&IMKJMB/M		
HVE3 &) 4& ' C& CC F! D EACL&B< ! S&			&PQLIXJKS/M		
: A>3 B< & F<! >AEAL& B< ! S					
	)*6*,-+-	$-+FF+	$3-5-		
				8: !KCG@KA$CB-H$9J8%U;	$3-5-
	: #+O) 4&E) ,. ;		&RMB/M		
HVE3 &) 4& A>3 B< &! F<! >AEAL&B< ! S&			&RMB/M		
: A>D F<					
	)*+,*,-+-	$-+7,3	$-4F--573		
				?>HI ?9C: $H=8LA	$-4F--573
	: #+O) 4&E) ,. ;		&PLXMMZR		
HVE3 &) 4& A>D F< &			&PRLQTJS&K		

MV00063614

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
: A> D F < & ' WDHF > < D				
)*+,*,-+-	$-+7,F	$-48,6556+		
			;:D %=9C:3H=8LA	$2,5-2
			;:D %=9C:3H=8LA	$2-+573
			;:D %=9C:3H=8LA	9-E75)F
			;:D %=9C:3H=8LA	$6,25FF
			;:D %=9C:3H=8LA	$23E52E
			;:D %=9C:3H=8LA	$E25F2
			;:D %=9C:3H=8LA	$26)52.
			;:D %=9C:3H=8LA	$26,5E7
			;:D %=9C:3H=8LA	$FE57F
			;:D %=9C:3H=8LA	$2265)2
			;:D %=9C:3H=8LA	$625F,
			;:D %=9C:3H=8LA	$52+5E
			;:D %=9C:3H=8LA	$-,52E
			;:D %=9C:3H=8LA	$735-,
			;:D %=9C:3H=8LA	$FE527
			;:D %=9C:3H=8LA	9-7,5F
			;:D %=9C:3H=8LA	$E65-6
			;:D %=9C:3H=8LA	$635E)
			;:D %=9C:3H=8LA	9-E5E,
			;:D %=9C:3H=8LA	9-,25-F
			;:D %=9C:3H=8LA	$3,5FE
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9)+53
			;:D %=9C:3H=8LA	$657-2
			;:D %=9C:3H=8LA	9),57,
			;:D %=9C:3H=8LA	9-755E
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	9-775)-
			;:D %=9C:3H=8LA	9-)355F
			;:D %=9C:3H=8LA	$5E5-
			;:D %=9C:3H=8LA	$365,E
			;:D %=9C:3H=8LA	9-6E57)
			;:D %=9C:3H=8LA	$F,57-
			;:D %=9C:3H=8LA	9-75-F
			;:D %=9C:3H=8LA	$F357E
			;:D %=9C:3H=8LA	$2F35-E
			;:D %=9C:3H=8LA	$2462E3+
)*,3*,-+-	$-,,-+	$3+E5,6		
			;:D %=9C:3H=8LA@8H	$3+E5,6
	: #+O)4&E),.;	&PLJUTSXR		
HVE3 &) 4& A> D F < & ' WDHF > < D &		**&PMVDTMVB/Z**		
: D AF &C@F > AC				
)*+7*,-+-	$-,-E+	$F5-F		
			8: !KCG@KASDBH$9J8%U;	$F5-F
	: #+O)4&E),.;	&IXS/K		
HVE3 &) 4& D AF &C @F > AC&		**&IXS/K**		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,&	-./(#+,& '()*+,012
: DN DN L&A><ACE				
)*6*,-+-	$-+E,6	$2+E5F2		
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&XT		
HVE3 &) 4& DN DN L&A><ACE&		&TTPQXSTM		
: DCDF<&U&3 A\ DN<				
)*+7*,-+-	$-,-E,	$-5-F		
			8: !KCG@KASDBH9J8%U;	$-5-F
	: #+O) 4&E) ,. ;	&JMB/K		
HVE3 &) 4& DCDF<&U&3 A\ DN<&		&JMB/K		
: DCDF<&CA>: D A& W <				
)*6*,-+-	$EE-2,-	$42,+56		
			: U%D9<: : $JBA5DC$ BCAK8>CH:	$42,+56
	: #+O) 4&E) ,. ;	&JDTJPS$K		
HVE3 &) 4& DCDF<&CA>: D A& W <&		&JJJJMPS$P		
: DCE' & ' D<E& F>- F>' EDF<				
)*6*,-+-	$-+FF,	$EF-52		
			AK%%DB A$!98$L8> !!B BBUJD	$35,
			AK%%DB A$!98$L8> !!B BBUJD	$+52+
)*+7*,-+-	$-,-E2	$7-657F		
			%-BC; *AK%%DA$!98 $L8>!!B BBUJD	$7-657F
	: #+O) 4&E) ,. ;	&ZZT$XM		
HVE3 &) 4& DCE' & ' B<E& F>-F>' EDF<&		&PPIZTT$JZ		
: DCEA>>' & >A3 DE&G<DF<				
)*,3*,-+-	$-,,-,	$F6-5--		
			8: !KCG@3C; D$G: %&)*+,	$F6-5-
	: #+O) 4&E) ,. ;	&KKIMB/M		
HVE3 &) 4& DCEA>>' & >A3 DE&G<DF<&		&QKIMB/M		
: FV' NA>&HWAAE&CV CEA9L&D<! S				
)*6*,-+-	$EE-2,+	$9-47,-56		
			HCL$!K: D$!98$A; 8: : ; $%8LU	$9-83E522
			HCL$!K: D$!98$G8>BC$U>BC; $%8LU	$6+57,
	: #+O) 4&E) ,. ;	&PIZJMS$K		
HVE3 &) 4& FV' NA> &HWAAE&CVCEA9L&D<! S&		&PXIRUU5RU		

MV00063616

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
: GW ' <&9' EA>D WC & FL&D<! S				
)*6*,-+-	$-+FF)	$-4--+5E+		
			>A%=>D BH$J>;:8B>D	$+25+6
			>A%=>D BH$J>;:8B>D	9-FF5-
			>A%=>D BH$J>;:8B>D	$E25E)
			>A%=>D BH$J>;:8B>D	$+25E3
			>A%=>D BH$J>;:8B>D	$+25E3
)*+7*,-+-	$-,-E)	$34))5F-		
			>A%=>D BH$J>;:8B>D	$4-.-52E
			>A%=>D BH$J>;:8B>D	9-47-+566
			>A%=>D BH$J>;:8B>D	$E)56)
			>A%=>D BH$J>;:8B>D	$++52
			>A%=>D BH$J>;:8B>D	9-FF5E-
			>A%=>D BH$J>;:8B>D	9-FF5-
			>A%=>D BH$J>;:8B>D	$,E5-3
			>A%=>D BH$J>;:8B>D	9-)+5F3
			>A%=>D BH$J>;:8B>D	$E25-)
			>A%=>D BH$J>;:8B>D	$2-5++
			>A%=>D BH$J>;:8B>D	9-3)5E3
			>A%=>D BH$J>;:8B>D	9-2-57)
			>A%=>D BH$J>;:8B>D	9-2-57)
			>A%=>D BH$J>;:8B>D	$3,5-7
	: #+O 4&E),.;	&KLKURSXP		
HVE3 &8) 4& GW ' <&9' EA>D WC& FL&D< ! S&		&PMPLQXJSVQ		
] ' NNF<A>&\>SL&NWA<<& S				
)*6*,-+-	$-+E,3	$2+E5F2		
			8:;BB::$U:GBH>D&?:C:!B)	$2+E5F2
	: #+O 4&E),.;	&TPQSXT		
HVE3 &8) 4&] ' NNF<A>&> SL&NWA<<& S&		&TLPQXSTM		
] ' N<A>L&N' >V&& S				
)*6*,-+-	$-+E,F	$2+6557		
			8:;BB::$U:GBH>D&?:C:!B)	$2+6557
	: #+O 4&E),.;	&TPKSXZ		
HVE3 &8) 4&] ' N<A>L&N' >V&& S&		&TLPXUSXU		
] ' NVL&' >VWF<				
)*6*,-+-	$-+FF6	$32F5)3		
			8:;BB::$U:GBH>D&?:C:!B)	$32F5)3
	: #+O 4&E),.;	&RTXSJR		
HVE3 &8) 4&] ' NVL&' >VWF<&		&TLPQXSTM		
] ' @AA3L&9G<AA>				
)*+7*,-+-	$-,-E6	$--5-		
			8:!KCG@&C;D&G:%&)*2	$--5-
	: #+O 4&E),.;	&MMBMM		
HVE3 &8) 4&] ' @AA3L&9G<AA>&		&MMBMM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '( )*+,012
] ' C@D<NEF<&D<: A< EF>V&CA>: D A				
)*6*, -+-	$-+FF3	$3F5E3		
			8: !KCG@KA5DB-H$9J8%U;	$3F5E3
: #+O) 4&E) ,. ;		&RX&&R		
HVE3 &&) 4&] ' C@B<N EF < &D<: A< EF > V&CA > : D A&		&RX&&R		
] ' C@D<NEF<L& >EACD				
)*6*, -+-	$-+FFF	$--5-		
			L: C$DB?$A: ; ; D U : C;	$--5-
: #+O) 4&E) ,. ;		&IMMBM		
HVE3 &&) 4&] ' C@B<N EF < L& > EACD &		&IMMBM		
] ' CCF<L&BD>B				
)*+7*, -+-	$EE-2F2	$2) , 5-		
			E<A; 8KH; E9C$AJHA@&G><A	$2) , 5-
: #+O) 4&E) ,. ;		&TUJ&M		
HVE3 &&) 4&] ' CCF < L&BD> B&		&PIZMMBM		
] ' CEA&9' <' NA9A<E &F H&E@A&D<W <3 &A 9 - D>A				
)*, 3*, -+-	$-, , -2	$-4)) 55+		
			A; 98>L: $E<$B: C; >DA	$-4)) 55+
: #+O) 4&E) ,. ;		&PLJUU&P		
HVE3 &&) 4&] ' CEA&9 ' <' NA9 A< E&F H&E@A & B<W <3 &A9 - D> A&		&PTLTTZ&P		
] ' EBD<CL& <<DA				
)*6*, -+-	$-+FFE	$E-5-		
			8: !KCG@>8E9KA$*H$I : : A	$2-5-
			8: !KCG@>8E9KA$*H$I : : A	$-5-
			8: !KCG@>8E9KA$*H$I : : A	$-5-
			8: !KCG@>8E9KA$*H$I : : A	$-5-
			8: !KCG@>8E9KA$*H$I : : A	$-5-
: #+O) 4&E) ,. ;		&QMBM		
HVE3 &&) 4&] ' EBB<CL& <<DA&		&QMBM		
] AA9CL&9AN' <&AS				
)*+, *, -+-	$-+7, E	$-5-		
			8: !KCG@B>; E9C$9J8%U;	$-5-
: #+O) 4&E) ,. ;		&JMBM		
HVE3 &&) 4&] AA9CL&9AN' <&AS&		&JMBM		
] AWWC&H' >NF&[' <B				
)*, 3*, -+-	$-, , -)	$4--5-		
			>CCK>D&>GUE<$I : :	$4--5-
: #+O) 4&E) ,. ;		&LLMMBM		
HVE3 &&) 4&] AWWC&H' >NF&[' <B&		&PQLKTMBM		

MV00063618

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
] AWVC&H' >NF& F>- F>' EA&E>GCE				
	)*+*,-+-	$-2,2+	$-4,65EE	
			EC; : 8: A; $I>8B?D: $B>; : $9CG	$-4,65EE
	: #+0) 4&E),.;		&PIJJKS&Q	
HVE3 &) 4&] AWVC&H' >NF& F>-F>' EA&E>GCE&			&ZIMJZILJCK&JT	
] ACE&NF: A><9A<E&CA>: D AC				
	)*,3*,-+-	$-,,-6	$6--5-	
			\HD >8\$K; 9$ 8> HI $AJHA$I 98$%G	$6--5-
	: #+0) 4&E),.;		&KMMB/M	
HVE3 &) 4&] ACE&NF : A><9A<E&CA>: D A C&			&JLKMMB/M	
] ACE&N>FG-				
	)*+7*,-+-	$EE-2F)	$3)5-,	
			9CDE: $H=8LA@ L>DEC!9	$-E)5-,
			D L>D$%K?DH>; E9 CA$AK?AH8% CA	$E-5-
	: #+0) 4&E),.;		&RRJ&PJ	
HVE3 &) 4&] ACE&N> FG-&			&KLKKR&RP	
] ACEA><&9G<D D' W&] ' EA>&3 DCE>D E				
	)*,3*,-+-	$-,,-3	$FF+5F6	
			P>; : 8$H=8LA@>8? $?>DD!B DGA	$2675-2
			P>; : 8$H=8LA@!%HH$DCGAH%	$26F5),-
			P>; : 8$H=8LA@!%HH$?DGL	$662-
	: #+0) 4&E),.;		&XPS&K	
HVE3 &) 4&] ACEA><&9G<D D' W&] ' EA>& 3 DCE>D E&			&PILJJTS&Q	
] @DC@A>L&BVWA				
	)*+7*,-+-	$-,,-E3	$6-5-	
			8: !KCG@8>%&G: %9AB	$6-5-
	: #+0) 4&E),.;		&KMMB/M	
HVE3 &) 4&] @DC@A>L&BVWA&			&KMMB/M	
] @DEAL&! S/&S				
	)*,3*,-+-	$-,,-F	$-5-	
			8: !KCG@B>; E9C$9J8%U;	$--5-
			8: !KCG@B>; E9C$9J8%U;	@--5-
	)*,7*,-+-	$-,,+,	$--5-	
			8: !KCG@B>; E9C$9J8%U;	$--5-
	: #+0) 4&E),.;		&PMMB/M	
HVE3 &) 4&] @DEAL&! S/&&			&PMMB/M	

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.//(#+,	-./(#+,& '()*+,012
] DAWD<L&>F<' W3& S				
)*6*, -+-	$-+E, E	$2+E5F2		
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &8) 4&] DAWD<L&>F<' W3& S&		&TLPQXSTM		
] DWW3' <& <3& CCF ! D EAC				
)*6*, -+-	$-+FF7	$,+4 265-2		
			U98$?: >H=$G8$PBG: CBCL$%&9M	$+4 265-2
)*+, *, -+-	$-+7, 7	$,24F665),		
			U98$?: >H=$G8$PBG: CBCL$%&9M	$24F665),
)*+7*, -+-	$-, -EF	$5)-5--		
			:>A; 8BGL: $ B3$3: JB P$AJHA	$5)-5-
: #+O) 4&E) ,. ;		&JKLKTMLJK		
HVE3 &8) 4&] DWW3' <& <3& CCF ! D EAC&		&JRZLPQRSM		
] DWW3' <&HD<' <! D W&CA>: D AC				
)*, 3*, -+-	$-, , -E	$,4--5--		
			!<$E"-7$>CCK>D$GBAHD9AK8: $AJH	$-4--5-
			!<$E"-7$>CCK>D$GBAHD9AK8: $AJH	$-4--5-
: #+O) 4&E) ,. ;		&LLMMMM		
HVE3 &8) 4&] DWW3' <&HD<' <! D W&CA>: D AC&		&PMPJKSXX		
] DWWD 9 CL&' <A&WS				
)*6*, -+-	$-+FE-	$-, , ,52E		
			8: ; B3: : $U: GBH>D$?: C: !B	$-, , ,52E
: #+O) 4&E) ,. ;		&RJJSTQ		
HVE3 &8) 4&] DWWD 9 CL&' <A&W&&		&PLJJPSRJ		
] >A3 AL&C@ >F<				
)*6*, -+-	$-+FE,	$--5--		
			8: !KCG@&G$HB>; B9CS!: : A	$--5-
: #+O) 4&E) ,. ;		&PMMMM		
HVE3 &8) 4&] >A3 AL&C@ >F<&		&PMMMM		

MV00063620

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
] G>9 &C&\' <DEF>D W&CA>: D ACL&D< ! S				
)*+,*,-+-	$EE-2)F	$7--5-		
			!: ?@-$G><$%98; : 8$AJHA	$7--5-
)*+7*,-+-	$EE-2F6	$,48775E		
			: W 8>H; $P>; : 8*! > C@! ! BH: $ $%A?	$6-5-
			M-CB 98B DAJHA@J>8H= $! DG$%>8I	$766F-
			M-CB 98B DAJHA@HB <$-> DD	$46EE52
			M-CB 98B DAJHA@HB <$:>8G	$2)357-
			M-CB 98B DAJHA@ 8>CA%$ 8DB	$7E1-
			M-CB 98B DAJHA@ A>$-CC: W	$F265F2
			M-CB 98B DAJHA@J >H5$-CC: W	9-,)57
			M-CB 98B DAJHA@DB78>8<	9-4FF+5F7
			M-CB 98B DAJHA@L9D! $%89$A=9%	$3))5F-
			M-CB 98B DAJHA@JJ; J$A; KGB9	$6E5-6
			M-CB 98B DAJHA@4K?$A!; <$?DGL	$643)56
			M-CB 98B DAJHA@L>CL$ AI $! 98H:	9-+,52,
			M-CB 98B DAJHA@A: CB98$H; 8	9-47+35-E
			M-CB 98B DAJHA@ 9PCL>; : $-H5-H5	$37+52E
			M-CB 98B DAJHA@ A$-CC: W	$ 625 2
			M-CB 98B DAJHA@H9C! $C&B: H$-H; 8	$24)F572
			U>8@-$G><$%98; : 8$AJHA	9-4+)-5-
)*,3*,-+-	$EE-)-E	$,4E+)5)+		
			M-CB 98B DAJHA@A: CB98$H; 8	$3-5-
			M-CB 98B DAJHA@H9C! $C&B: H$-H; 8	$76-5-
			M-CB 98B DAJHA@ U%&B: A$-H; 8	$2)E573
			M-CB 98B DAJHA@AKCC<UG$ D U5	9-E)5--
			M-CB 98B DAJHA@B>BC?9P$BBGL:	$2+-5-7
			M-CB 98B DAJHA@B: G$U>%D $ D U	$2+-5-7
			M-CB 98B DAJHA@A; >8A$-GN; 8A	$7EBFF
			M-CB 98B DAJHA@AKCC<UG$UBGGD	9-6,5--
	: #+O) 4&E) ,. ;	&RILUPT$&Z		
HVE3 &&) 4&] G>9 &C&\' <DEF>D W&CA>: D! ACL& B< ! S&		&KQLTQX$&X		
_A>F_				
)*+7*,-+-	$-,-E7	$,4BF+5F2		
			H9%B 8$BC; D'U>BC; @&G	$2256+
			H9%B 8$BC; D'U>BC; @&G	$6)5-
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MORENO VALLEY
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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063626

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 38	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.86
2.0	One	120.41	222.72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14.43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50.10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204.77	
Monthly Minimum Pull Fee (compactor)	$	296.00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71.36	
Relocation	$	71.36	
Set Up Fee	$	25.09	

MV00063628

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

MV00063630

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00063632

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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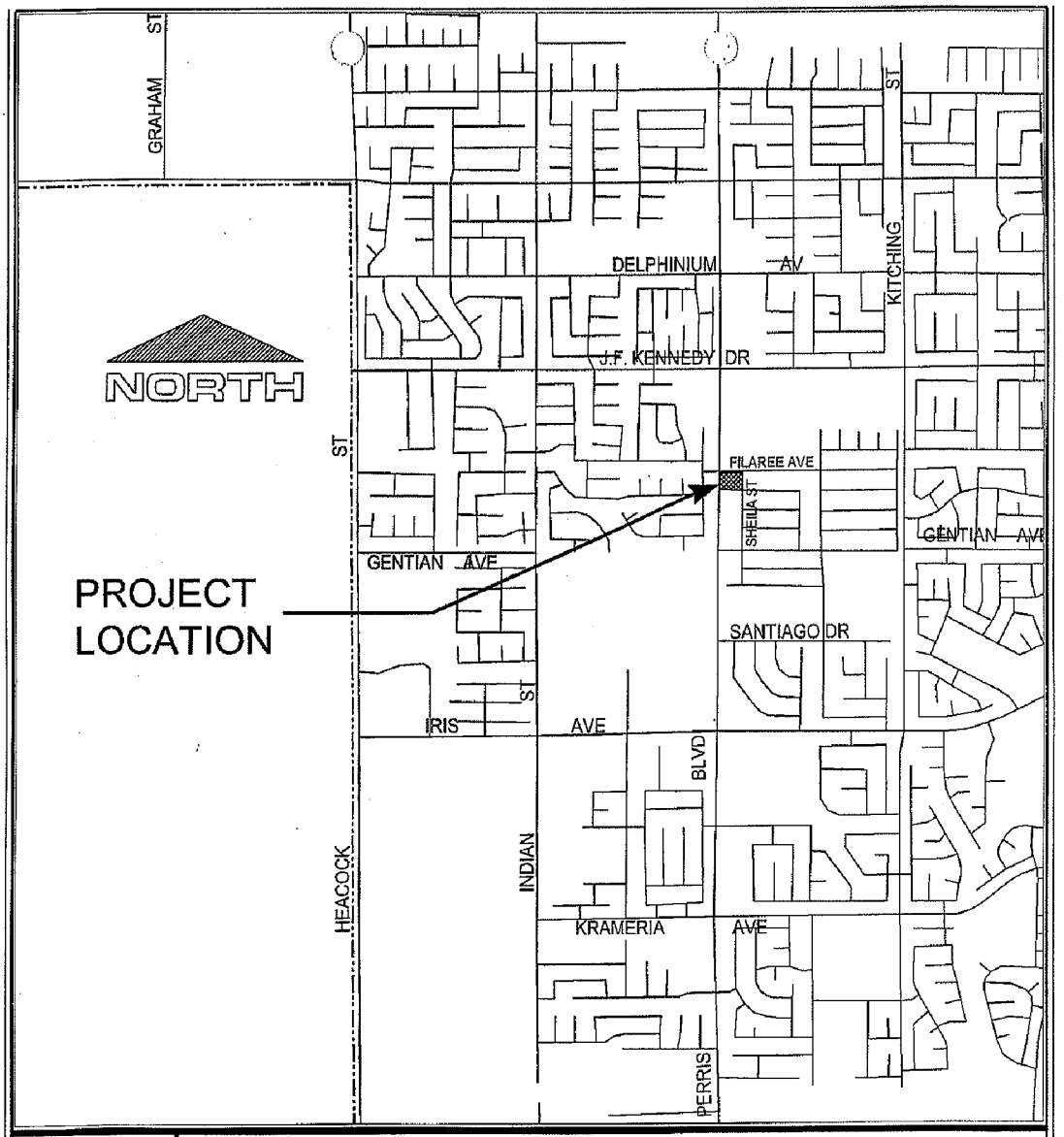

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

MV00063635

MV00063636

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

MV00063638

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063640

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00063644

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063646

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official : Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I Organizations Affected:

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II Responsibilities of City Office:

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

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perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V **Procedures:**

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

STANDARDS OF ETHICS

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

   a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

   b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

   c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

MV00063652

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

MV00063654

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063655

MV00063656

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Bonnie Flickinger, Mayor

ATTACHMENT A

MV00063657

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT A

MV00063658

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ATTACHMENT B

MV00063660

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

ATTACHMENT C

MV00063662

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

MV00063663

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00063664

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00063665

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

Item No. A.9

ATTACHMENT C

MV00063666

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00063667

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Item No. A.9

MV00063668

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

ATTACHMENT D

MV00063670

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives,and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

ATTACHMENT E

MV00063672

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00063674

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

MV00063675

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00063676

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

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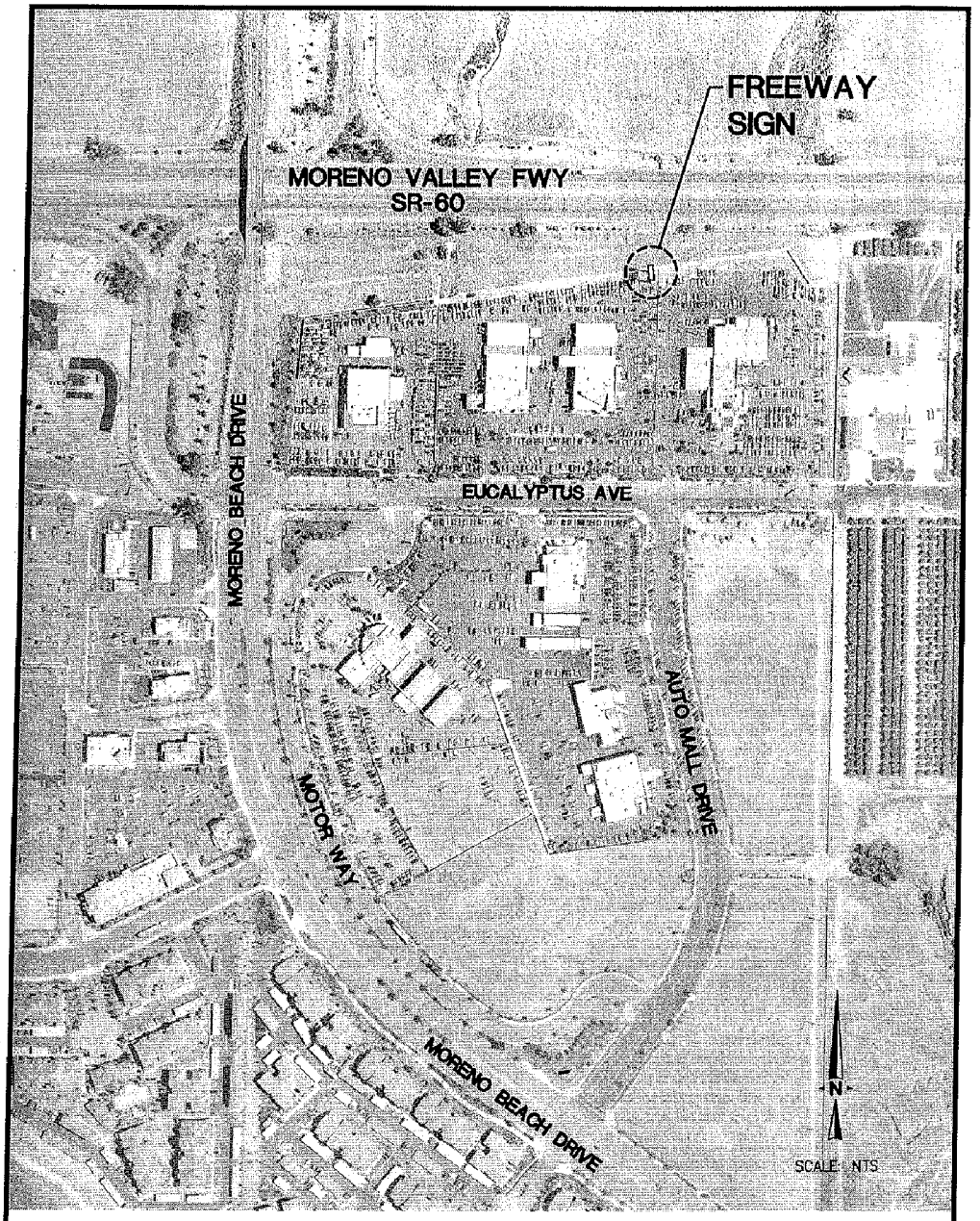

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. A.10

MV00063680

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063687

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
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  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063690

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

MV00063692

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
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- ☐ Other _____

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  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.10

MV00063694

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00063696

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00063698

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

MV00063699

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00063700

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063702

MorenoValley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

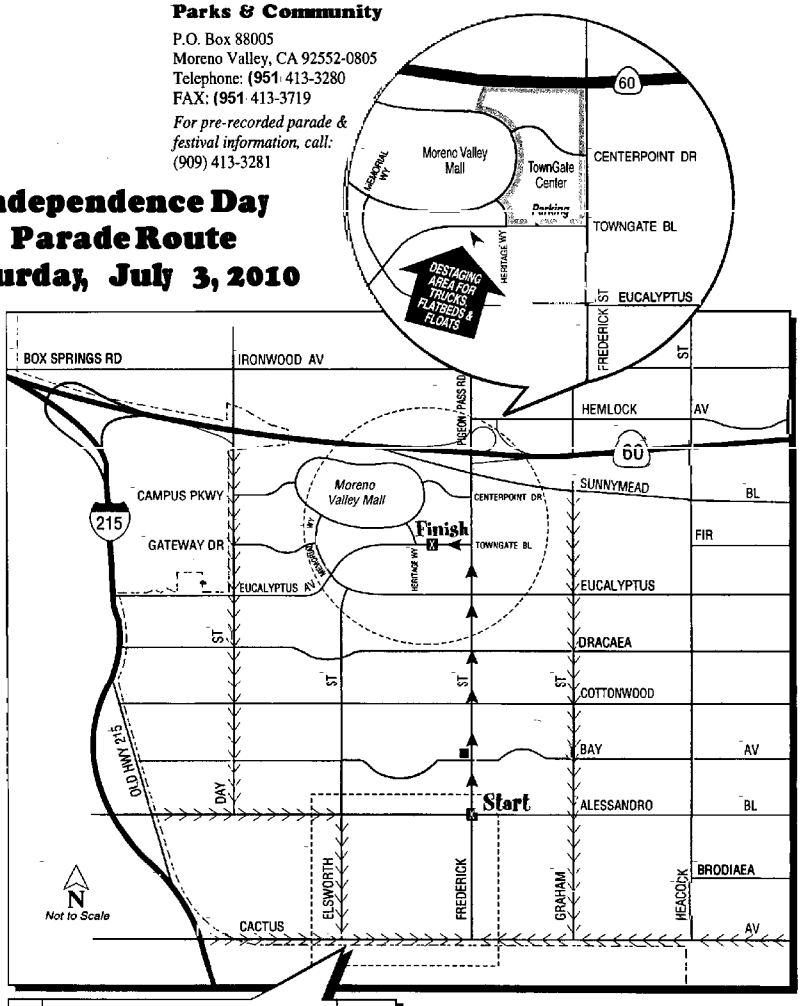

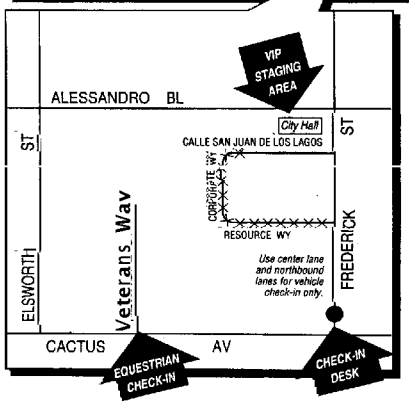

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

MV00063703

MV00063704

Attachment 2

July 4th Festival
Street Closures

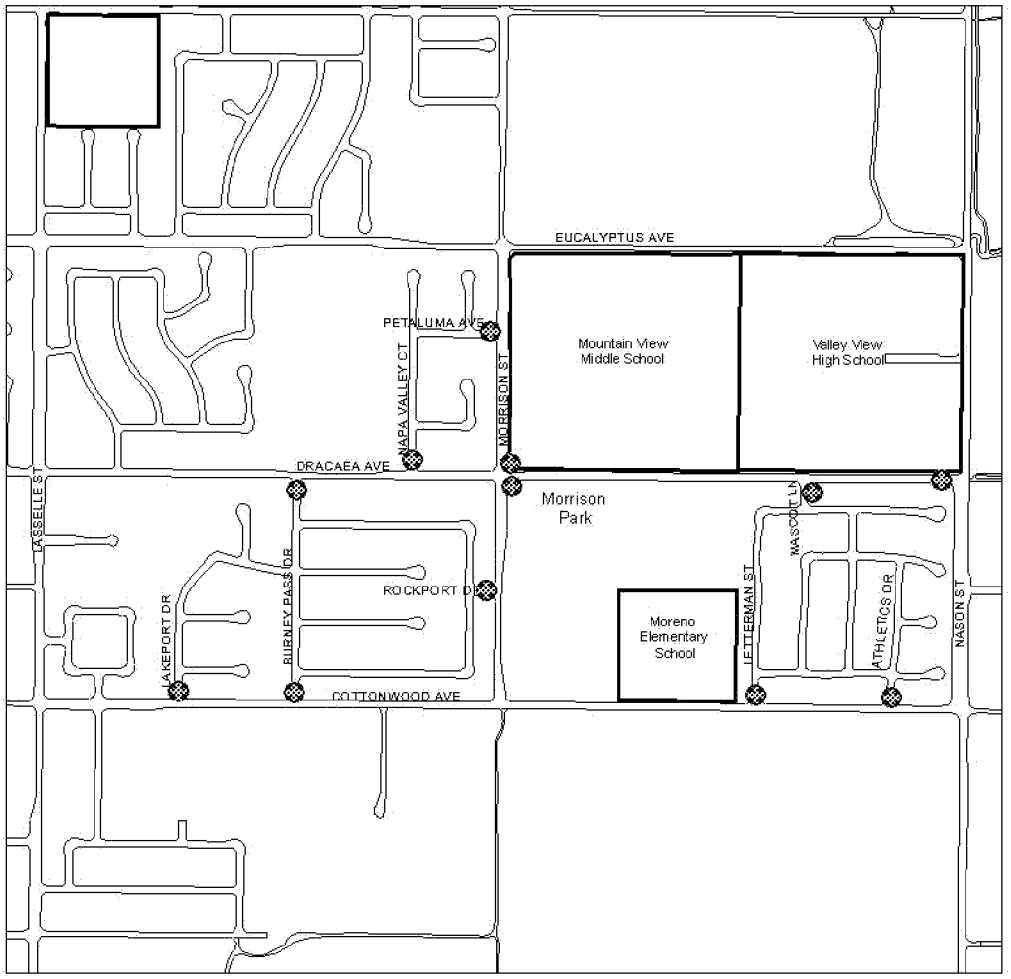

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. A.11

MV00063706

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

MV00063708

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

** pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

MV00063710

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

MV00063711

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00063712

RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

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which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

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B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

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2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____ _____ –
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

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ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Section:

12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

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C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

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the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required . Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

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vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

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1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

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12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____day of_____2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

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ALTERNATIVES

1. Approve the amendment to the employment agreement.

2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employm ent Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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/////

Exhibit B

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

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MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

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FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6 261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920 .00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

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Community Services District of the
City of Moreno Valley

By: _____
President

Date: _____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

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AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION.**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **CONTRACTOR'S COMPENSATION**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

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Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

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EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

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parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

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2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

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BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

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DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

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TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

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EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

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EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020
Agency Lic#: 0F62058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(X)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By: [signature] Date: 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS

Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevelopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER

City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

ACORD 25 (2001/08) Certificate # 2240 © ACORD CORPORATION 1988

MV00063786

Dec. 8. 2009 10:29AM ALLSTATE INSURANCE No. 8808 P. 2

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	ANY ONE LOSS
PHYSICAL DAMAGE LIMIT	ANY ONE PERSON
MEDICAL EXPENSE LIMIT	

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010

Coverage Basis	Limits		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-4-09

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

U10523-2

Item No. B.3

MV00063787

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

NR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00063788

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00063790

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00063792

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719

For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

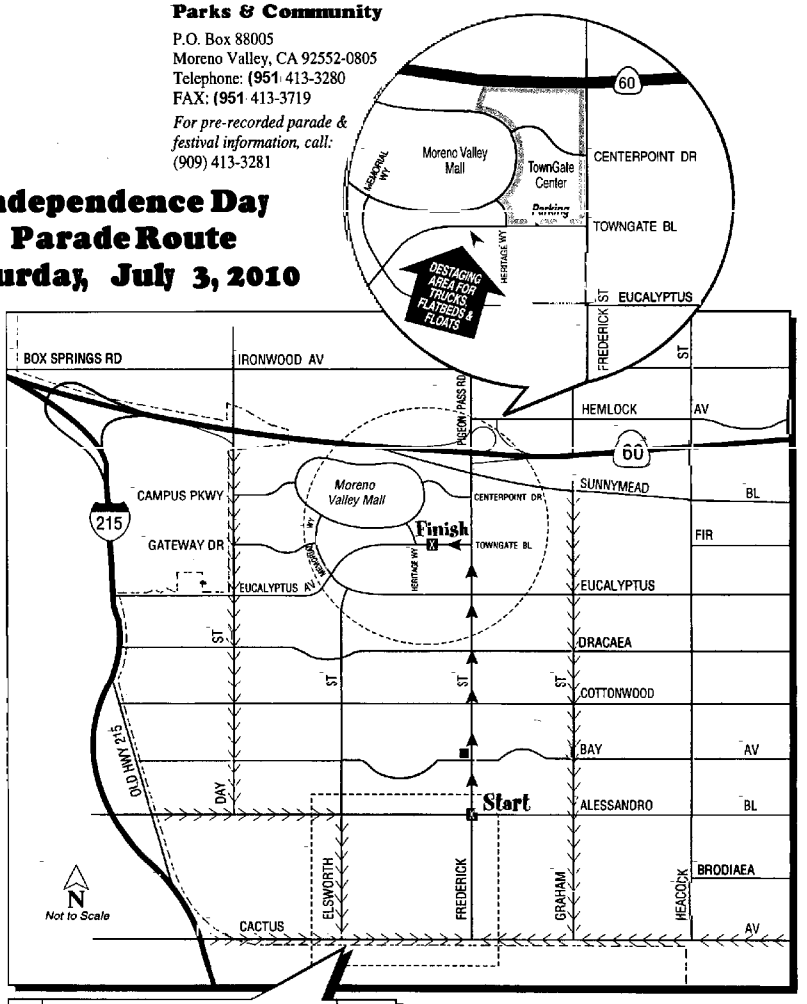

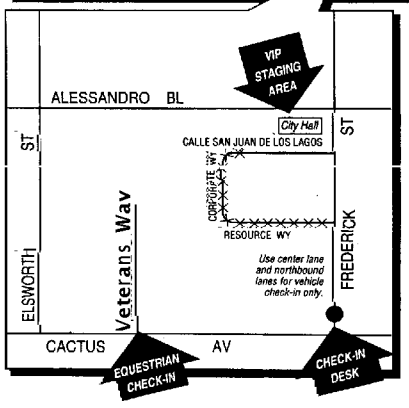

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

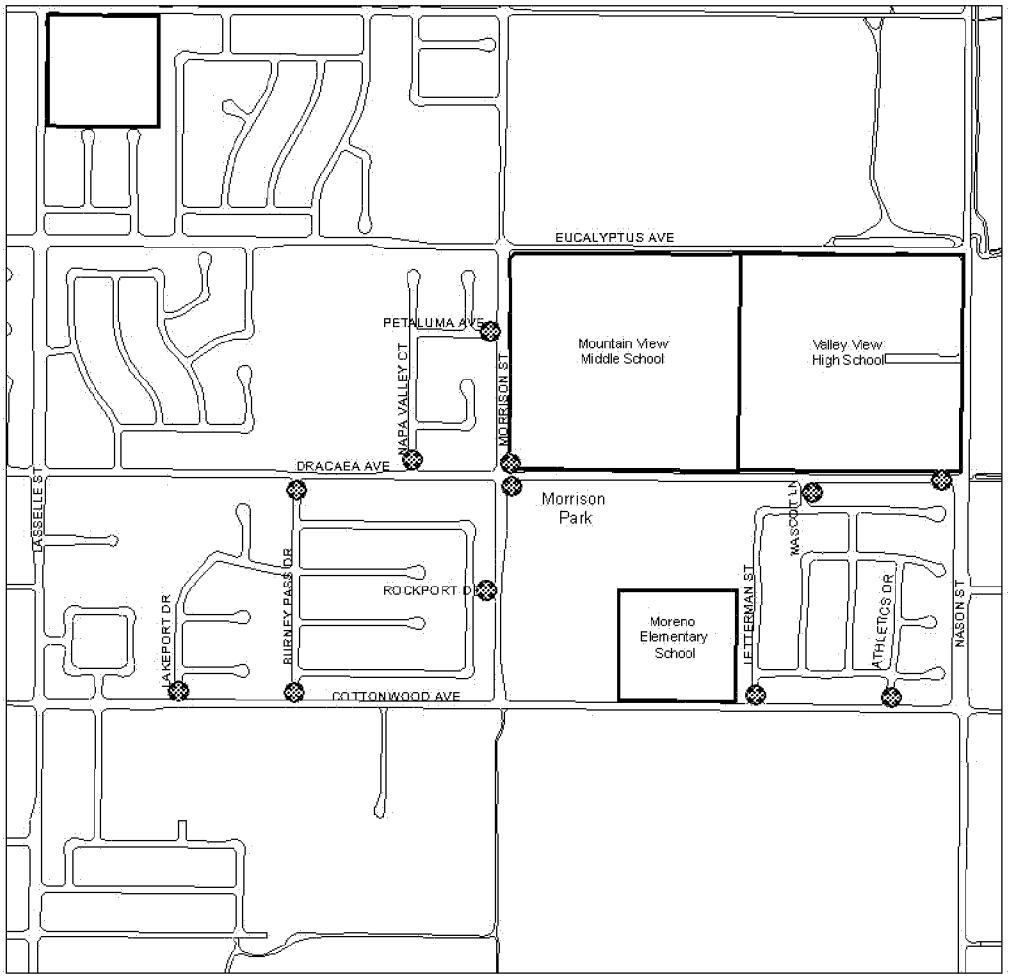

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.4

MV00063795

MV00063796

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00063797

MV00063798

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00063800

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00063802

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

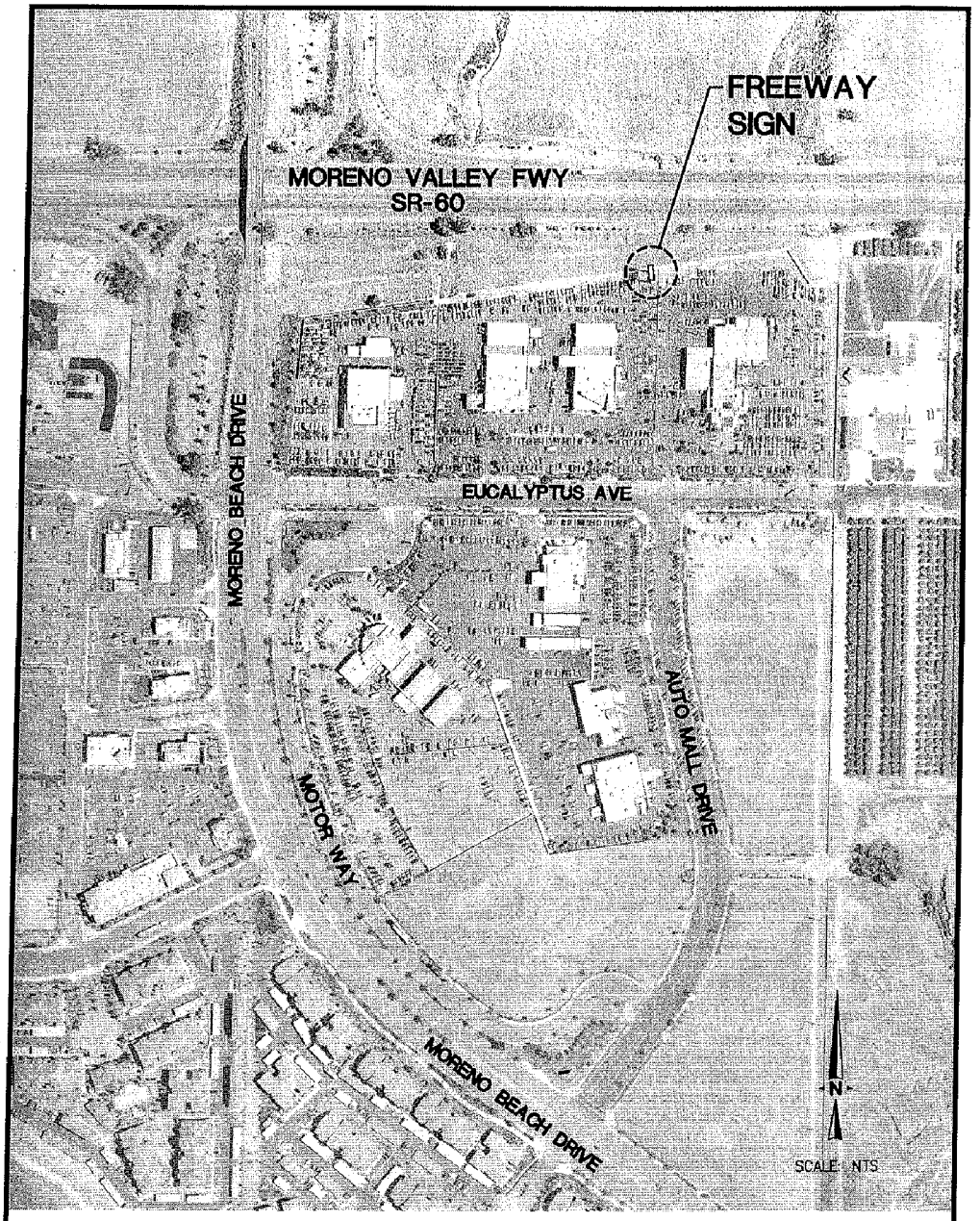

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. C.3

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063812

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

MV00063815

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

MV00063816

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00063818

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00063820

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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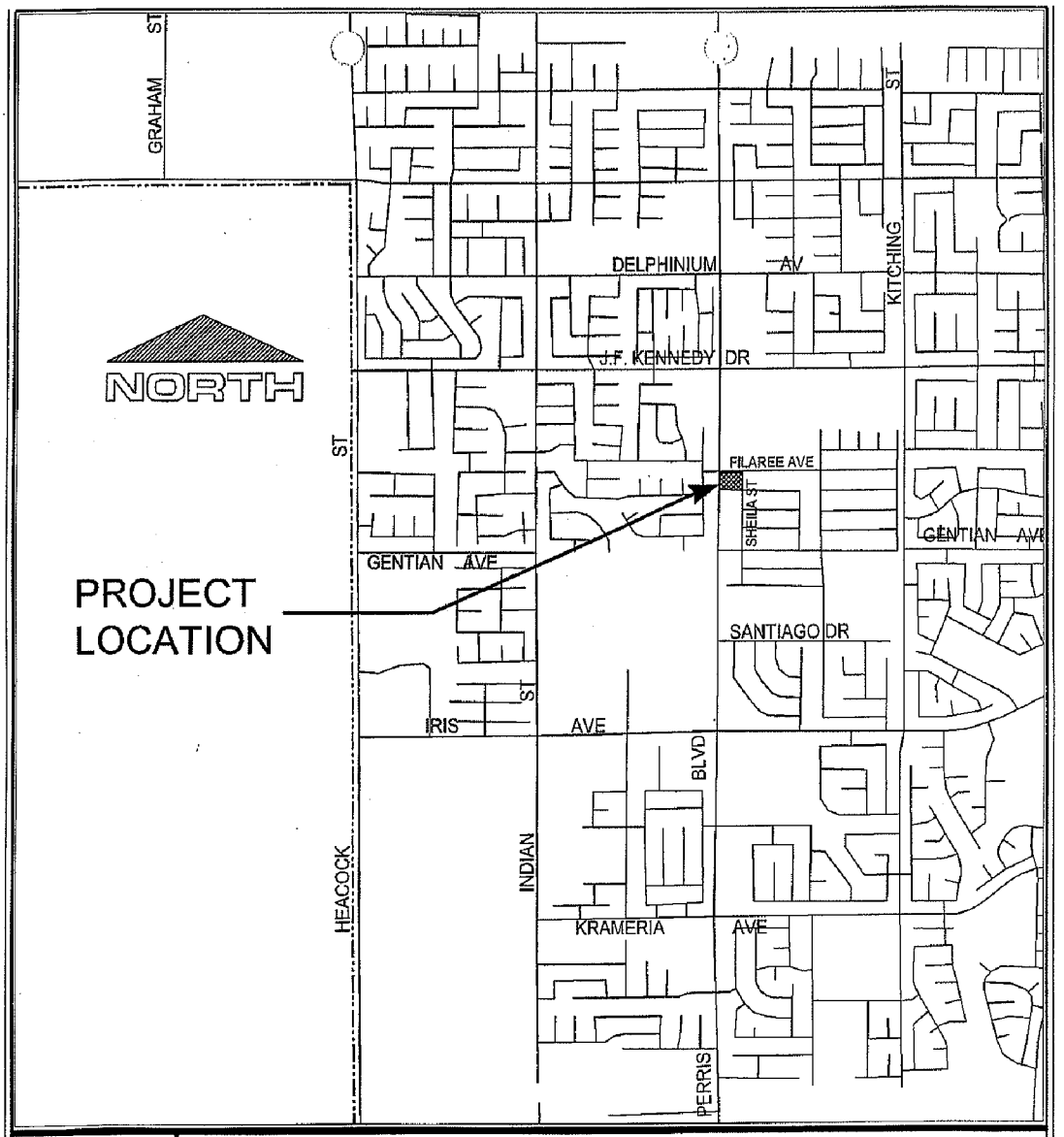

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

Item No. C.4

MV00063826

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00063827

MV00063828

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

MV00063830

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063832

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

MV00063835

MV00063836

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 16,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

MV00063837

MV00063838

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	$ 67,754,400
Less: Non-Proceeds of Tax	16,977,112
A) Total Appropriations Subject to the Limit	$ 50,777,288

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306

REMAINING APPROPRIATIONS CAPACITY

(E - A)	$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.1

MV00063839

MV00063840

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.68%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$41,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.28%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,566,175	$72,653,027	$4,913,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,669	$8,713,881
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

MV00063841

MV00063842

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

MV00063844

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ _____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____ _____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____ _____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

MV00063849

MV00063850

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A- Parks & Recreation	$ 1,586,739		$ 1,586,739
Zone B- Residential Lights	16,110		16,110
Zone C- Arterial Lights	139,300		139,300
Zone L - Library Services	120,120		120,120
Fees			
Zone A- Parks & Recreation		5,934,500	5,934,500
Zone B- Residential Lights		93,060	93,060
Zone C- Arterial Lights		431,700	431,700
Zone D- Standard Landscaping		114,150	114,150
Zone E- Extensive Landscaping		246,000	246,000
Zone L - Library Services		8,950	8,950
Zone M - Median Fund		24,120	24,120
Zone S - Sunnymead Blvd Maintenance		5,240	5,240
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A- Parks & Recreation		16,500	16,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A- Parks & Recreation		29,860	29,860
Zone L - Library Services		421,990	421,990
Zone M - Median Fund		13,400	13,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89%	80.11%	100.00%
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A- $0
Zone B- $0
Zone C- $9,000
Zone D- $1,300
Zone E- $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

Item No. E.2

MV00063852

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,388,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriation s Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.2

MV00063853

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EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,992,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,238,904	$14,089,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.83%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,198,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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MV00063856

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

MV00063858

source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063860

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

MV00063864

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

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Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq*.) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

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Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty- first (121 st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

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only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorde d before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse again st the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writin g to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHI BITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00063870

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

MV00063871

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

MV00063872

EXHIBIT "A"

LEGAL DESCRIPTION

MV00063873

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

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SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

#262869 v5

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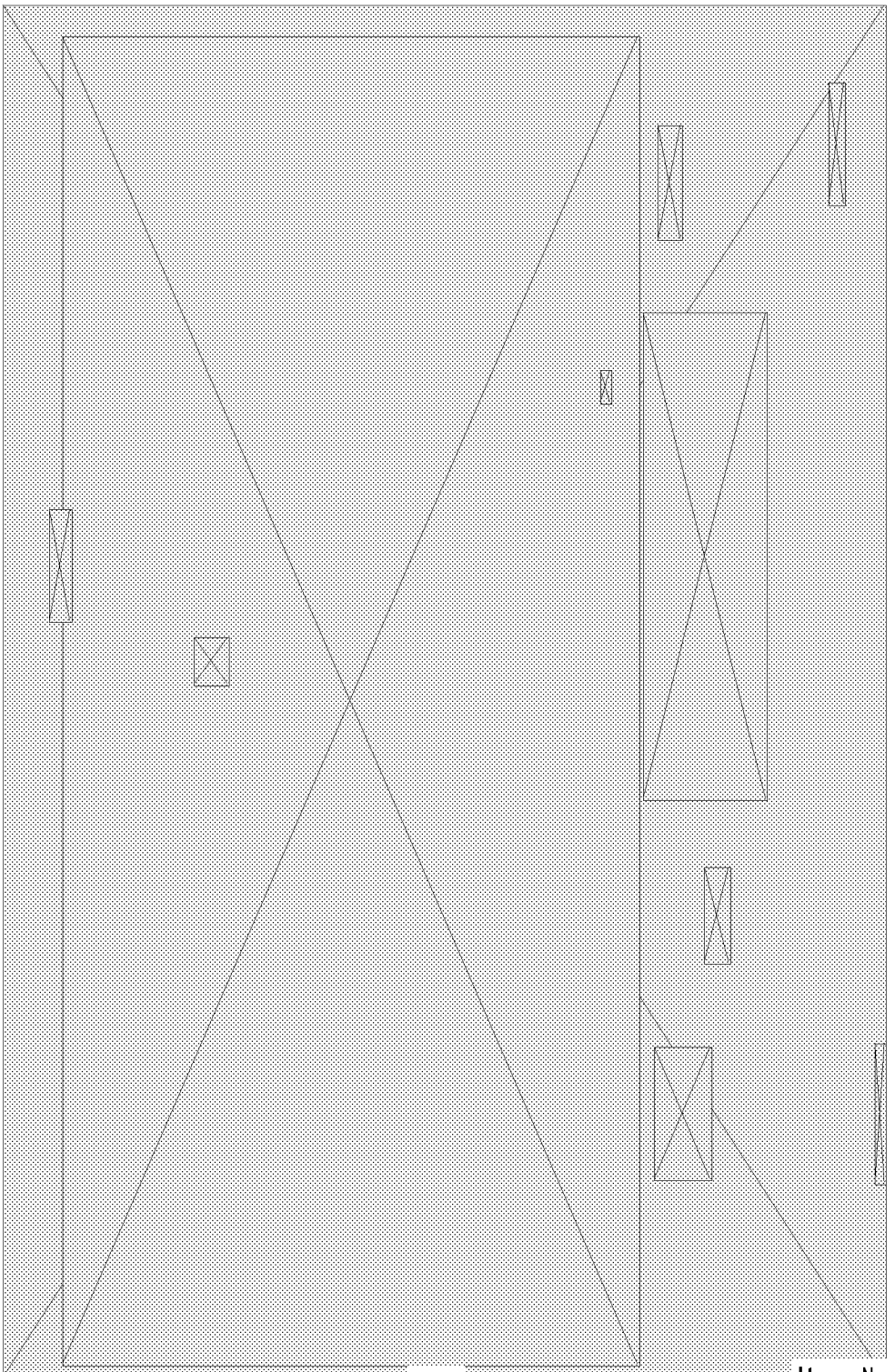

Item No. G.1

MV00063879

MV00063880

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158 .10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

MV00063882

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00063884

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063886

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. Adiminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2 **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

MV00063888

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

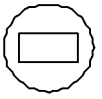

A circle around the box **and/ or** associated clause; or

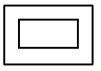

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063890

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00 * 160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		$ 12,800.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	–		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	$ 16,696.63		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	$ 2,600.21		
Total Expenditures		$ 19,296.84	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,496.84)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$50.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$80.00
2009 — 2010	$80.00

MV00063892

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

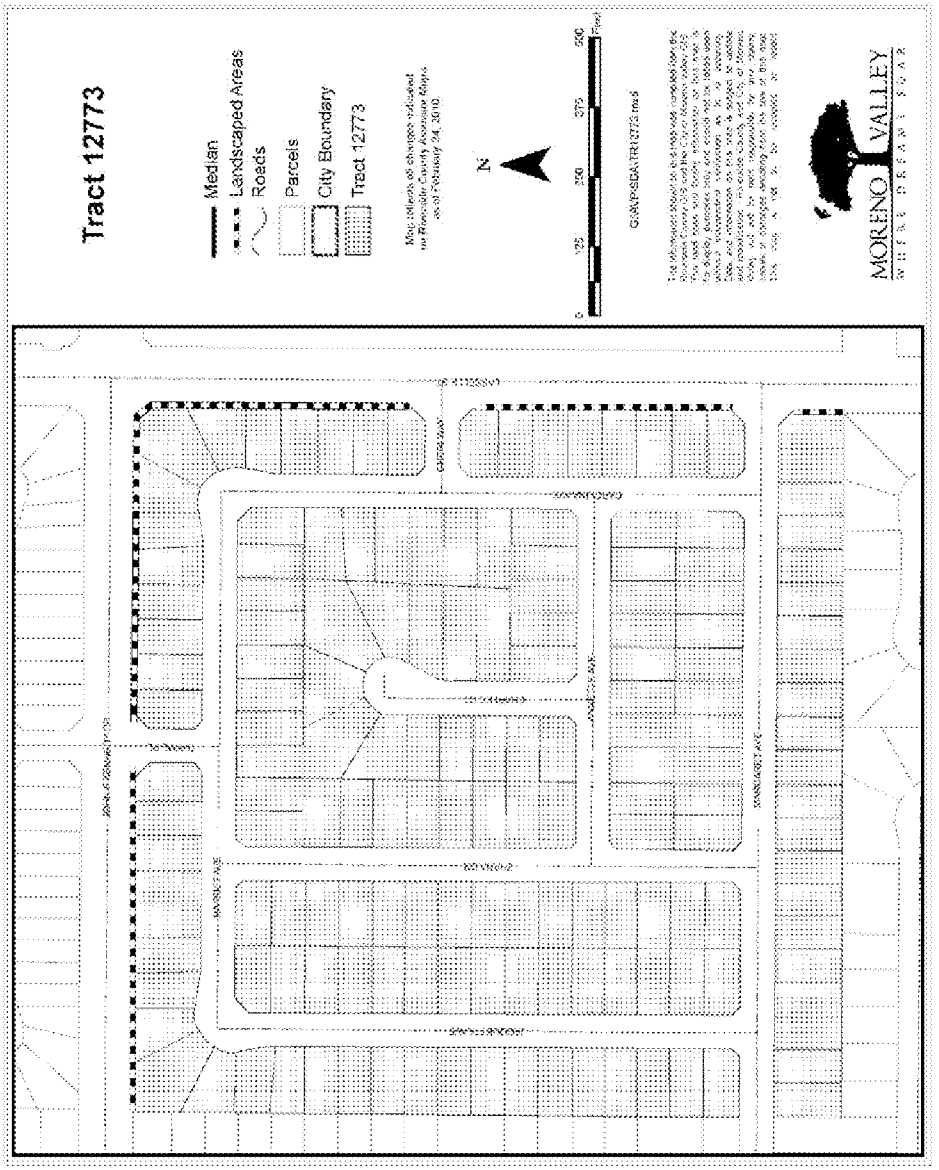
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map contents are changed as indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\MVPSB\ALTR\12773.mxd
MORENO VALLEY

MV00063894

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063896

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063898

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

MV00063899

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

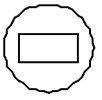

A circle around the box **and/ or** associated clause; or

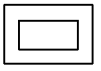

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063900

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($58.00*142 parcels)	$ 8,236.00		
Total Revenue Generated Annually		$ 8,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.03		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	$ 11,785.20		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	$ 1,825.37		
Total Expenditures		$ 13,610.57	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,314.57)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990 – 1991	$55.00
1991 – 1992	$56.00
1992 – 1993	$56.00
1993 – 1994	$57.00
1994 – 1995	$57.00
1995 – 1996	$57.00
1996 – 1997	$57.00
1997 – 1998	$57.00
1998 – 1999	$57.00
1999 – 2000	$57.00
2000 – 2001	$57.00
2001 – 2002	$57.00
2002 – 2003	$57.00
2003 – 2004	$57.00
2004 – 2005	$57.00
2005 – 2006	$57.00
2006 – 2007	$57.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

MV00063902

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

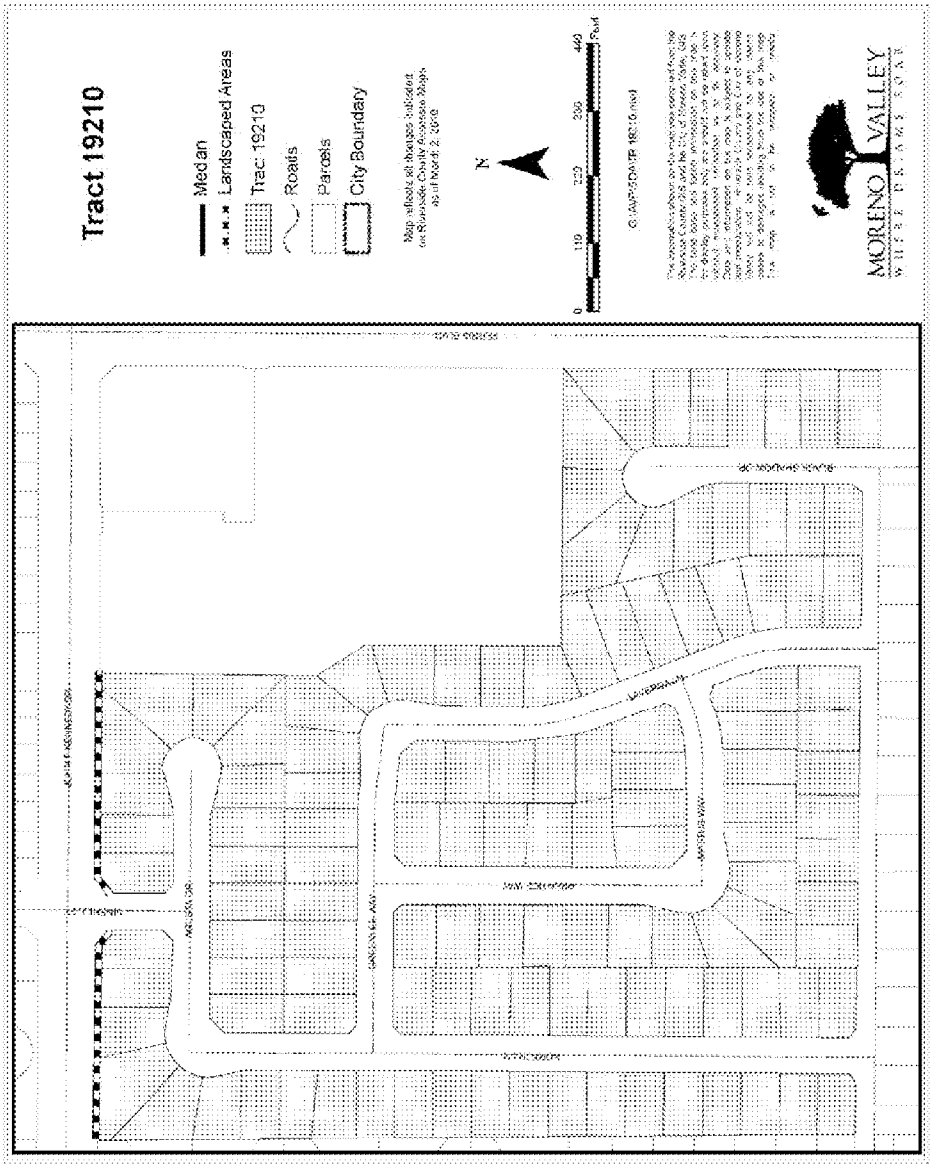
Tract 19210
Median
Landscaped Areas
Trac 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2018
N
0
110
220
330
440
Feet
MORENO VALLEY

MV00063904

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19287 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19287 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19287 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D 19257\Tract 19257 packet.doc

MV00063906

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063908

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063909

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

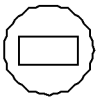

A circle around the box **and/ or** associated clause; or

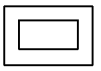

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063910

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19837 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10 * 163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		$ 17,457.30	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	258.89		
Water (Eastern Municipal Water District)	3,016.23		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	$ 22,102.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,236.76		
City Administration	2,015.04		
Total Indirect Costs	$ 3,441.97		
Total Expenditures		$ 25,544.34	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (8,087.04)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$70.00
2002 — 2003	$71.00
2003 — 2004	$71.00
2004 — 2005	$72.00
2005 — 2006	$75.00
2006 — 2007	$100.00
2007 — 2008	$103.00
2008 — 2009	$107.00
2009 — 2010	$107.10

MV00063912

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or tri-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

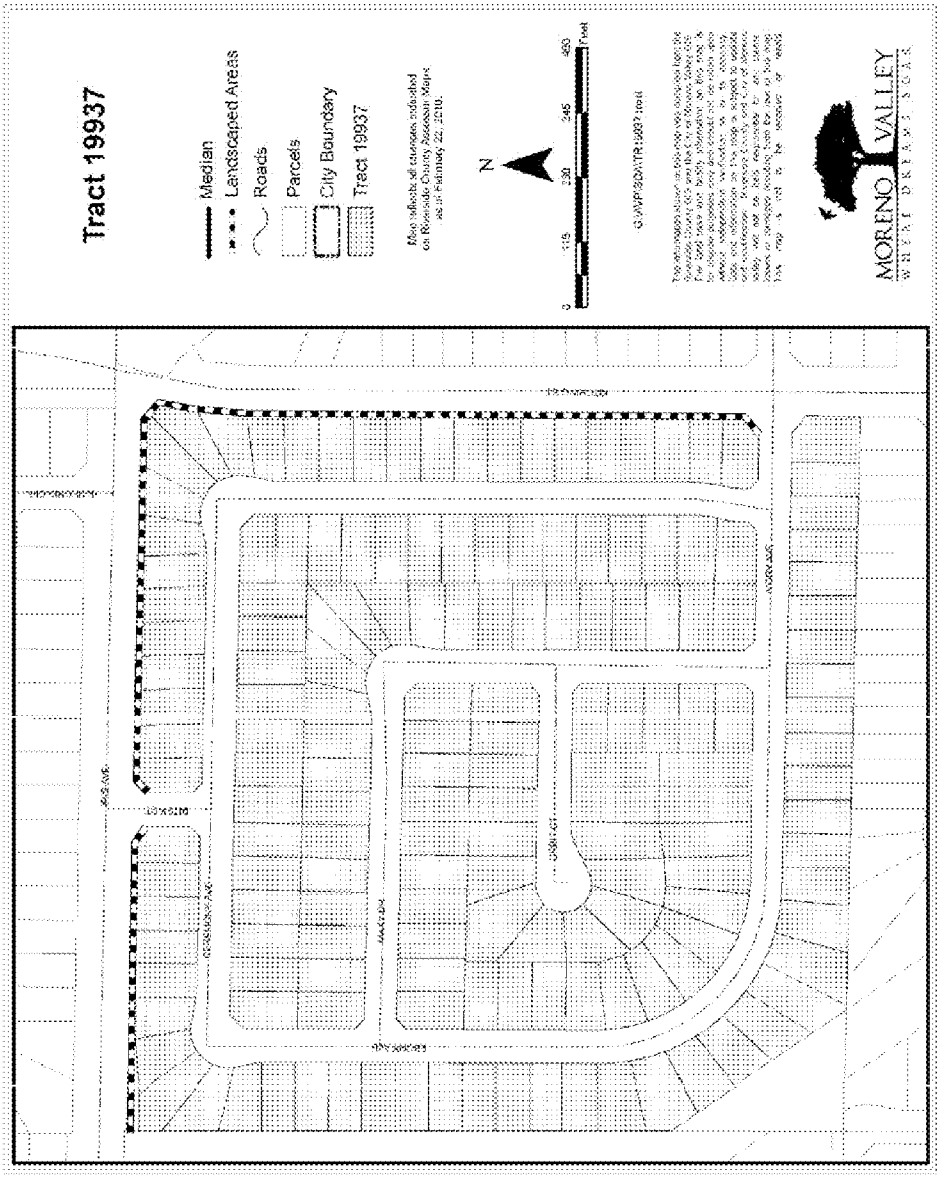
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
245
490
Feet
G:\MVP\SDX\TR19937.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Genia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063916

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063918

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063919

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

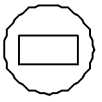

A circle around the box **and/ or** associated clause; or

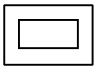

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063920

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97 * 238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		$ 23,086.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	$ 35,568.75		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,123.97		
City Administration	3,338.92		
Total Indirect Costs	$ 5,574.58		
Total Expenditures		$ 42,143.33	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (19,057.33)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$83.00
2002 — 2003	$85.00
2003 — 2004	$88.00
2004 — 2005	$90.00
2005 — 2006	$94.00 *
2006 — 2007	$94.00
2007 — 2008	$94.00
2008 — 2009	$97.00
2009 — 2010	$97.00

* Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.

MV00063922

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

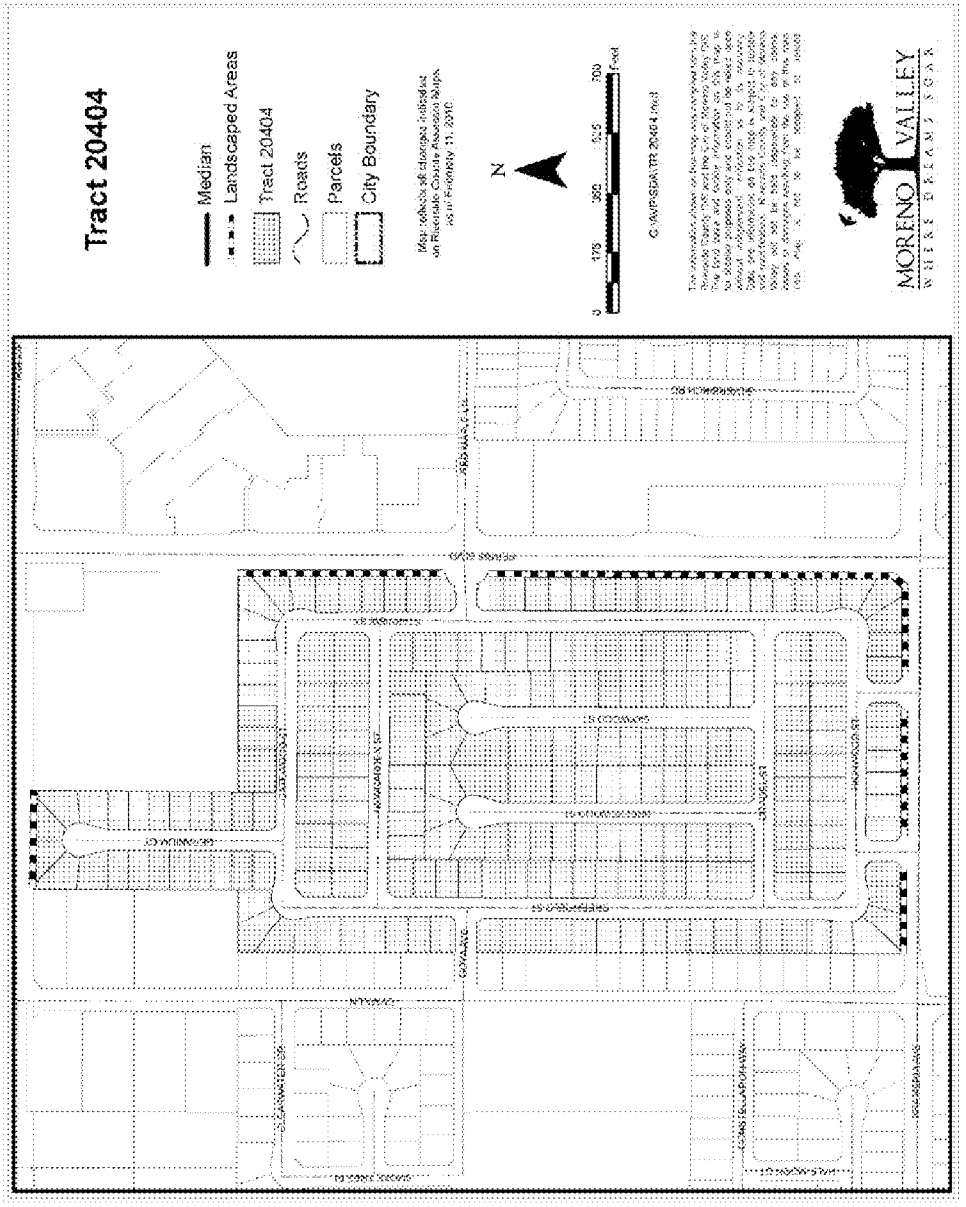
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes initiated on Riverside County Assessor Maps as of February 11, 2010.
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00063924

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264-331-001
Owner Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\25579\Tract 25579a packet.doc

MV00063926

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063928

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063929

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

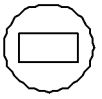

A circle around the box **and/ or** associated clause; or

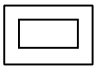

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063930

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		$	7,179.10
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,791.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	$ 20,001.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	$ 3,086.66		
Total Expenditures		$	23,088.03
Operating Shortfall (Total Revenue less Total Expenditures)			$ (15,908.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00/ $80.00/ $135.00
2002 — 2003	$57.00/ $80.00/ $135.00
2003 — 2004	$57.00/ $80.00/ $135.00
2004 — 2005	$57.00/ $80.00/ $135.00
2005 — 2006	$57.00/ $94.00/ $141.00
2006 — 2007	$57.00/ $98.00/ $147.00
2007 — 2008	$57.00/ $101.00/ $151.00
2008 — 2009	$57.00/ $106.00/ $158.00
2009 — 2010	$57.00/ $106.10/ $158.10

MV00063932

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

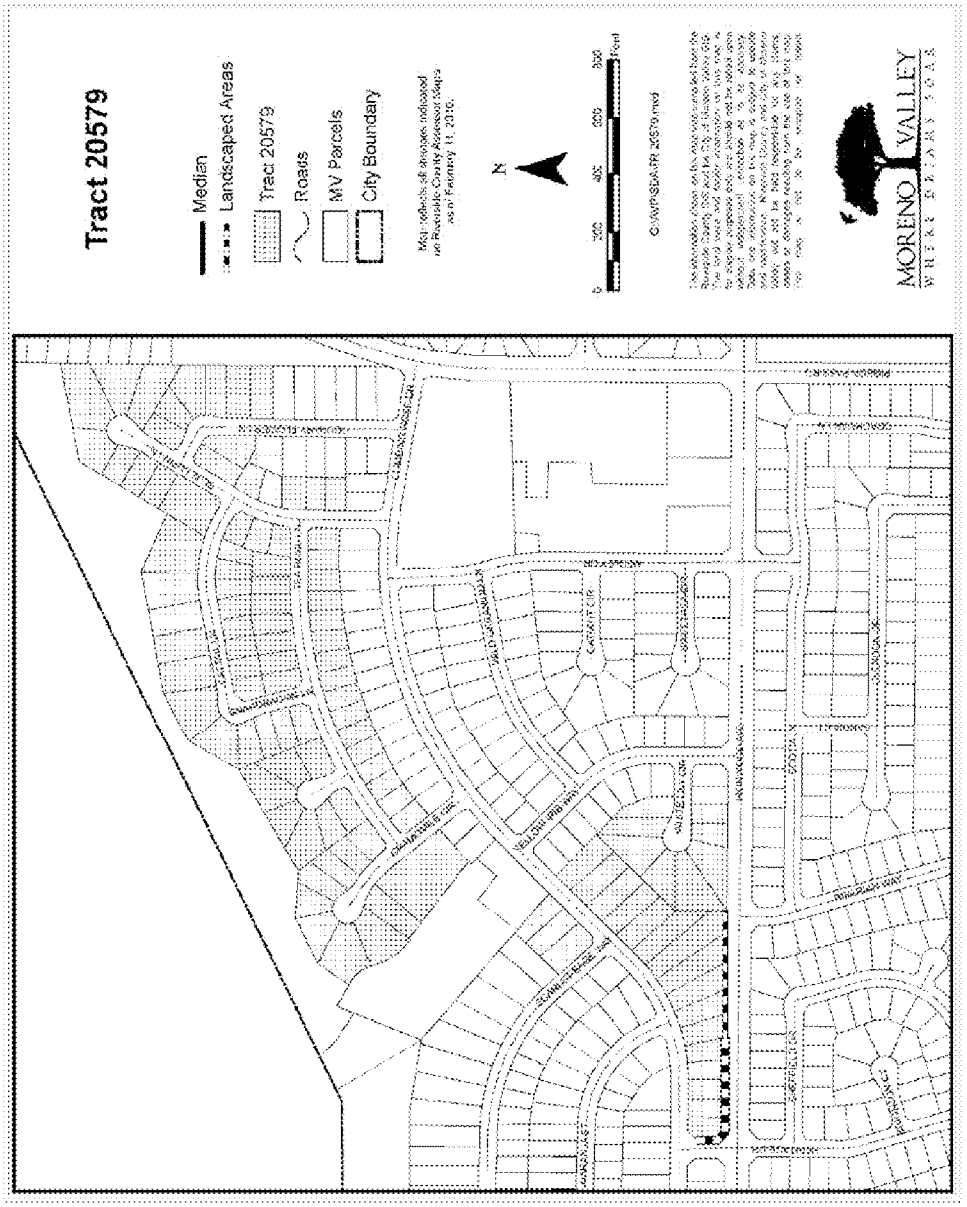
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
N
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063936

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063938

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $284.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063939

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

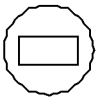

A circle around the box **and/ or** associated clause; or

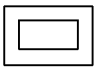

A square or rectangle around the box **and/ or** associated clause .

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063940

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		$	14,466.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	258.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	$ 21,046.44		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.03		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	$ 3,263.15		
Total Expenditures		$	24,309.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(9,843.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$71.00
2002 — 2003	$71.00
2003 — 2004	$96.00
2004 — 2005	$96.00
2005 — 2006	$100.00
2006 — 2007	$129.00
2007 — 2008	$133.00
2008 — 2009	$139.00
2009 — 2010	$139.10

MV00063942

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

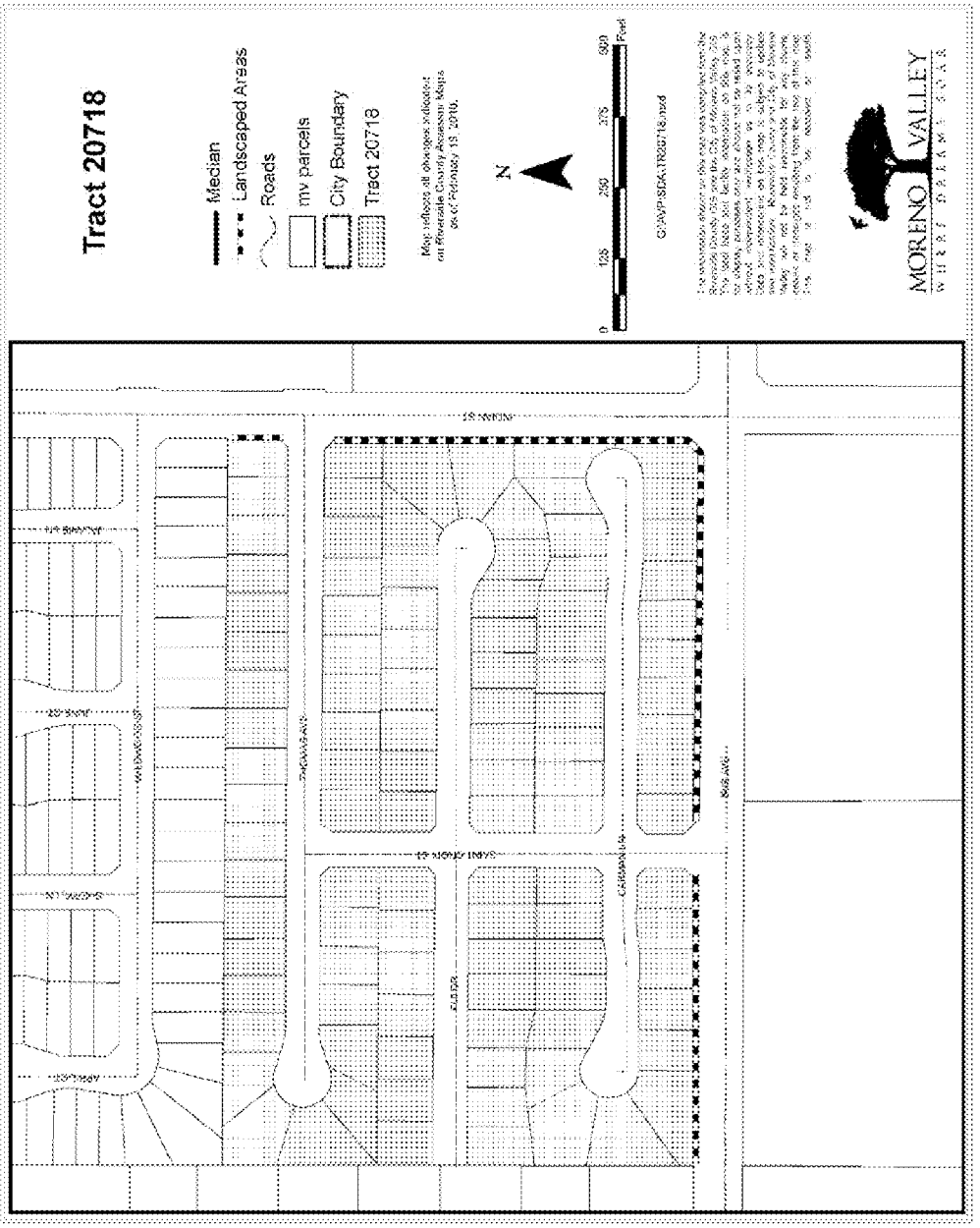
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 19, 2010.
N
0
125
250
375
500
Feet
G:\APP-SDA\TR20718.mxd
MORENO VALLEY

MV00063944

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mindo
Patricia K Mindo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\Jennifer\Ballots for FY 09-10\ZONE D\2113 Tract 2113 packet.doc

MV00063946

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063948

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063949

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

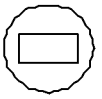

A circle around the box **and/ or** associated clause; or

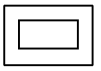

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063950

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		$ 9,462.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,916.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	$ 12,739.82		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	$ 1,972.11		
Total Expenditures		$ 14,711.93	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (5,249.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$57.00
2009 — 2010	$57.00

MV00063952

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

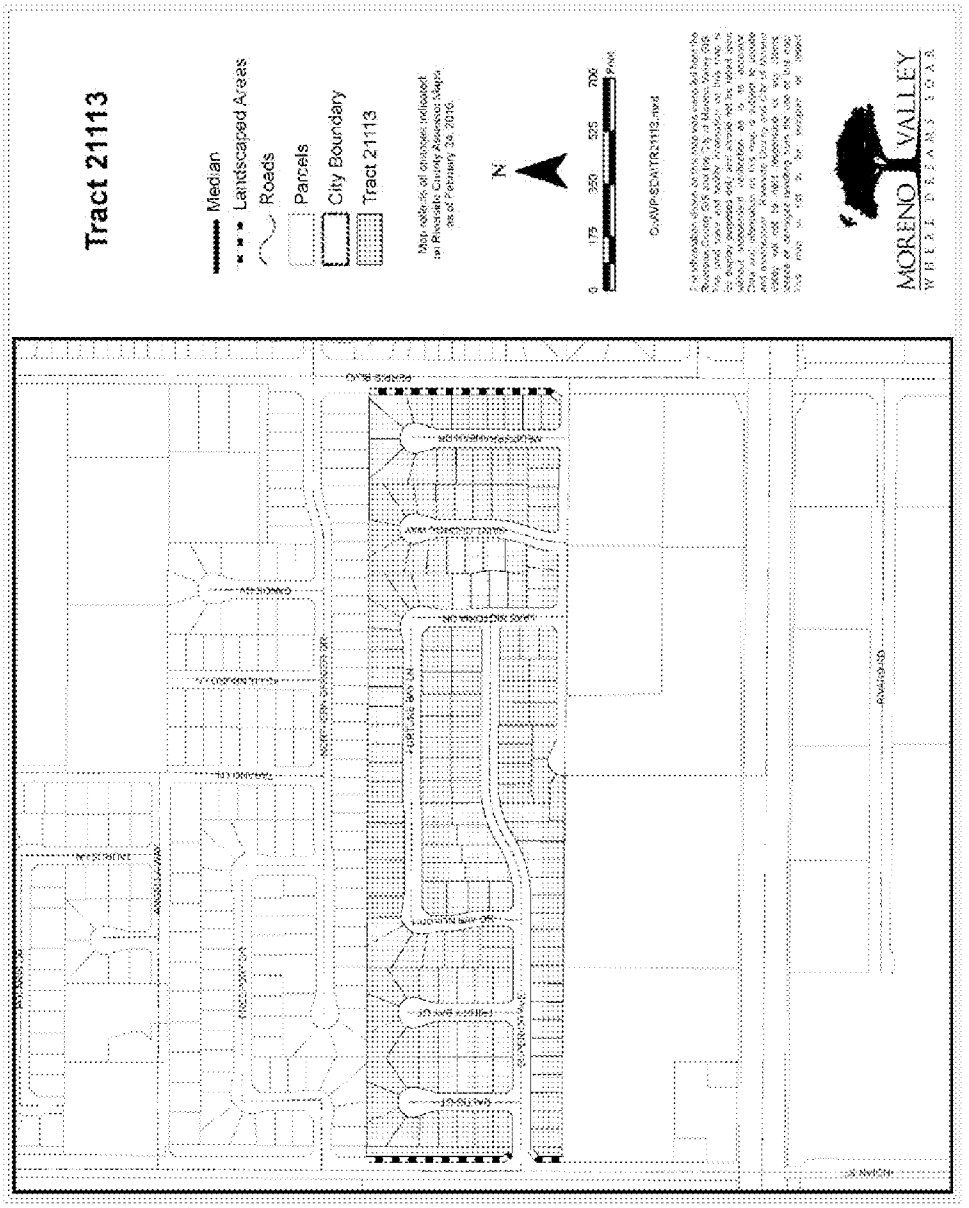
Tract 21113
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113
N
0
175
350
525
700
Feet
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22845 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 09-10\ZONE D\2333 Tract 2333 packet.doc

MV00063956

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. Adiminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063958

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

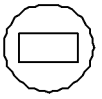

A circle around the box **and/ or** associated clause; or

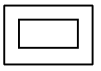

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063960

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($108.20* 127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		$ 26,441.40	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,308.60		
Vandalism	53.86		
Electricity (Southern California Edison)	258.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	$ 37,879.56		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	$ 5,840.99		
Total Expenditures		$ 43,720.55	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (17,279.15)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$190.00
2002 — 2003	$190.00
2003 — 2004	$190.00
2004 — 2005	$193.00
2005 — 2006	$201.00
2006 — 2007	$208.00
2007 — 2008	$208.00
2008 — 2009	$208.00
2009 — 2010	$208.20

MV00063962

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

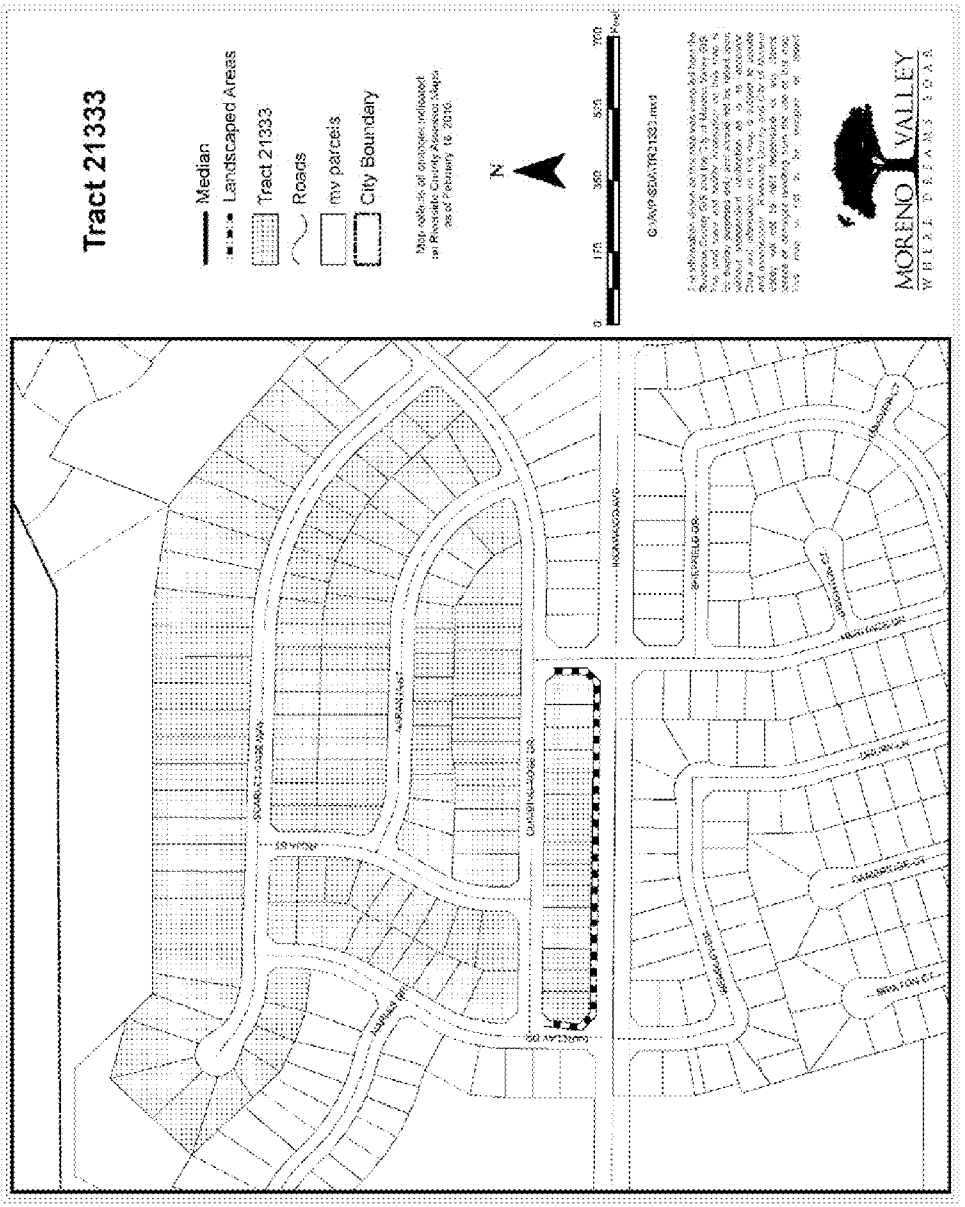
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
my parcels
City Boundary
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00063964

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

MV00063965

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063966

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063968

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $325.20 to $473.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063969

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

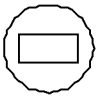

A circle around the box **and/ or** associated clause; or

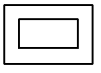

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063970

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 26597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		$ 22,140.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,360.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	$ 30,677.87		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	$ 4,724.40		
Total Expenditures		$ 35,402.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (13,262.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$237.00
2002 — 2003	$242.00
2003 — 2004	$242.00
2004 — 2005	$246.00
2005 — 2006	$257.00
2006 — 2007	$257.00
2007 — 2008	$295.00
2008 — 2009	$295.00
2009 — 2010	$295.20

MV00063972

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

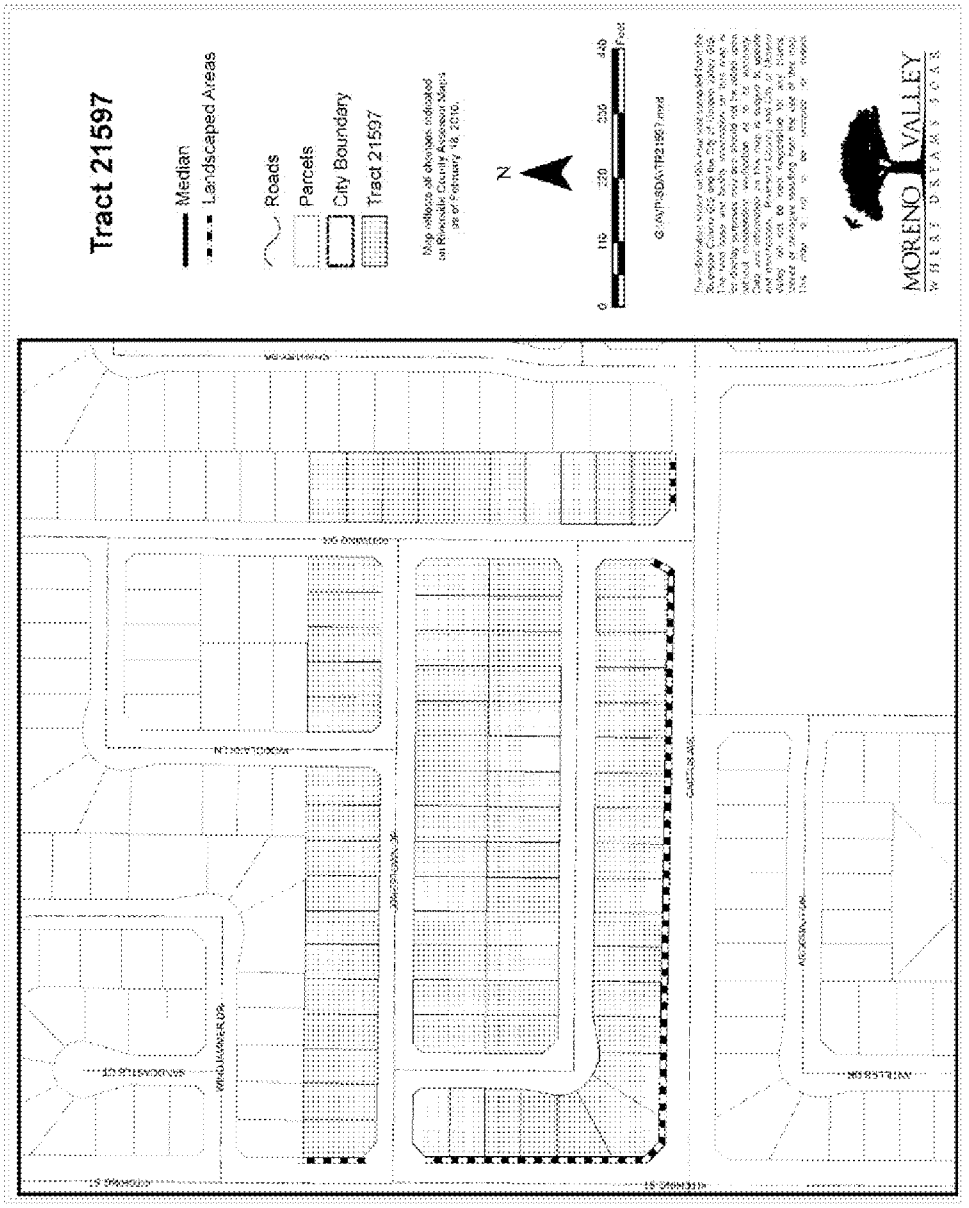
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
N
0
110
220
330
440
Feet
MORENO VALLEY

MV00063974

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 28889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 0910\ZONE D\28389 Tract 28389 packet.doc

MV00063976

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063978

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063979

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

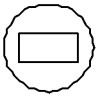

A circle around the box **and/ or** associated clause; or

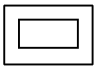

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063980

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28389 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		$ 10,416.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	39.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,205.86		
Landscaping Equipment and Personnel	6,922.88		
Total Direct Costs	$ 15,169.98		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	$ 2,324.81		
Total Expenditures		$ 17,494.79	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,078.79)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Item No. G.2

MV00063981

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$186.00
2004 — 2005	$186.00
2005 — 2006	$186.00
2006 — 2007	$186.00
2007 — 2008	$186.00
2008 — 2009	$186.00
2009 — 2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

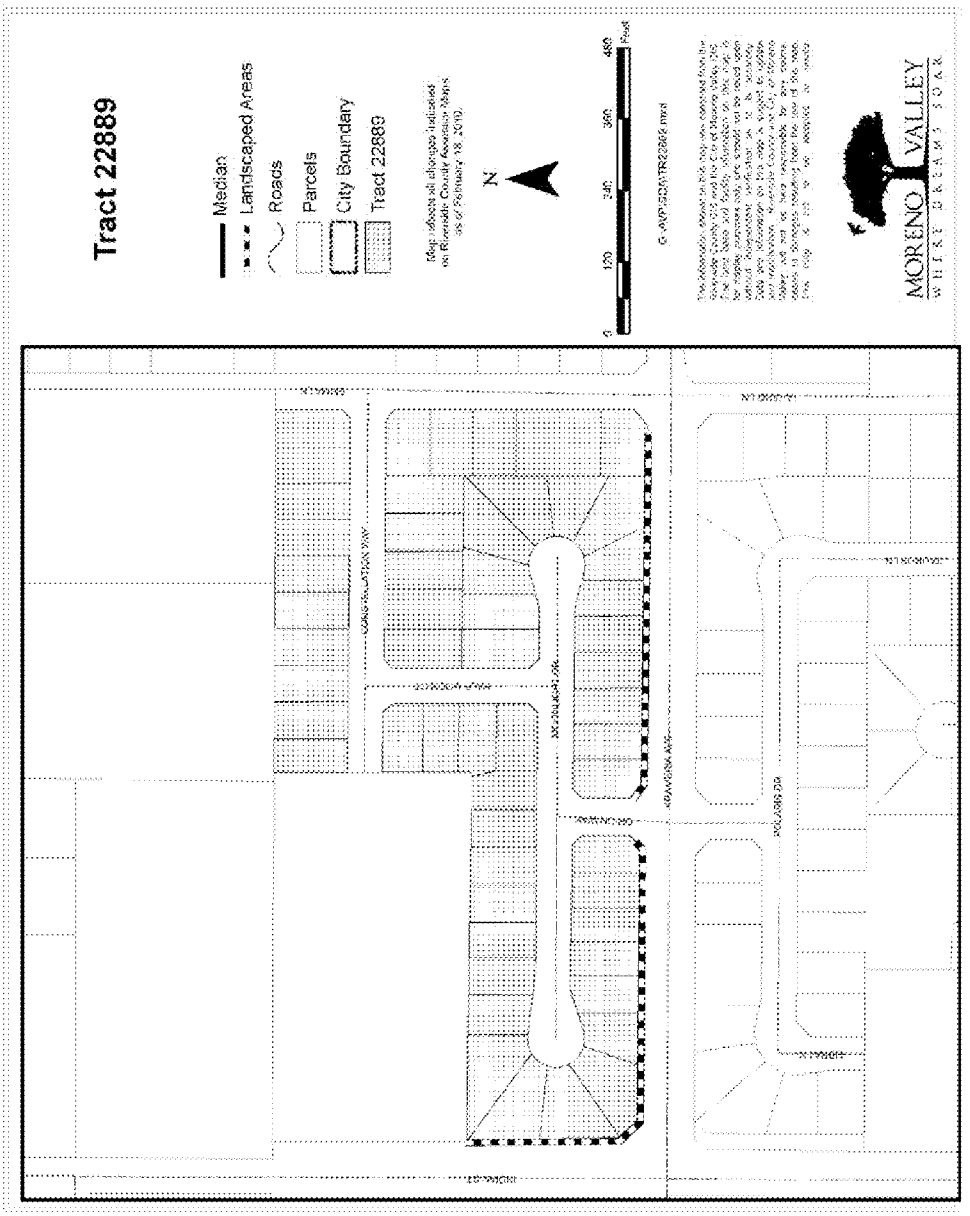
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
N
0
120
240
360
480
Feet
MORENO VALLEY

MV00063984

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063986

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063988

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063989

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

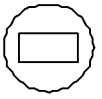

A circle around the box **and/ or** associated clause; or

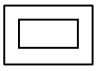

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00063990

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		$ 11,444.10	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	–		
Electricity (Southern California Edison)	259.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,051.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	$ 17,105.72		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	$ 2,668.37		
Total Expenditures		$ 19,774.09	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (8,329.99)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999 – 2000	$70.00
2000 – 2001	$70.00
2001 – 2002	$70.00
2002 – 2003	$74.00
2003 – 2004	$77.00
2004 – 2005	$78.00
2005 – 2006	$80.00
2006 – 2007	$96.00
2007 – 2008	$99.00
2008 – 2009	$103.00
2009 – 2010	$103.10

MV00063992

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

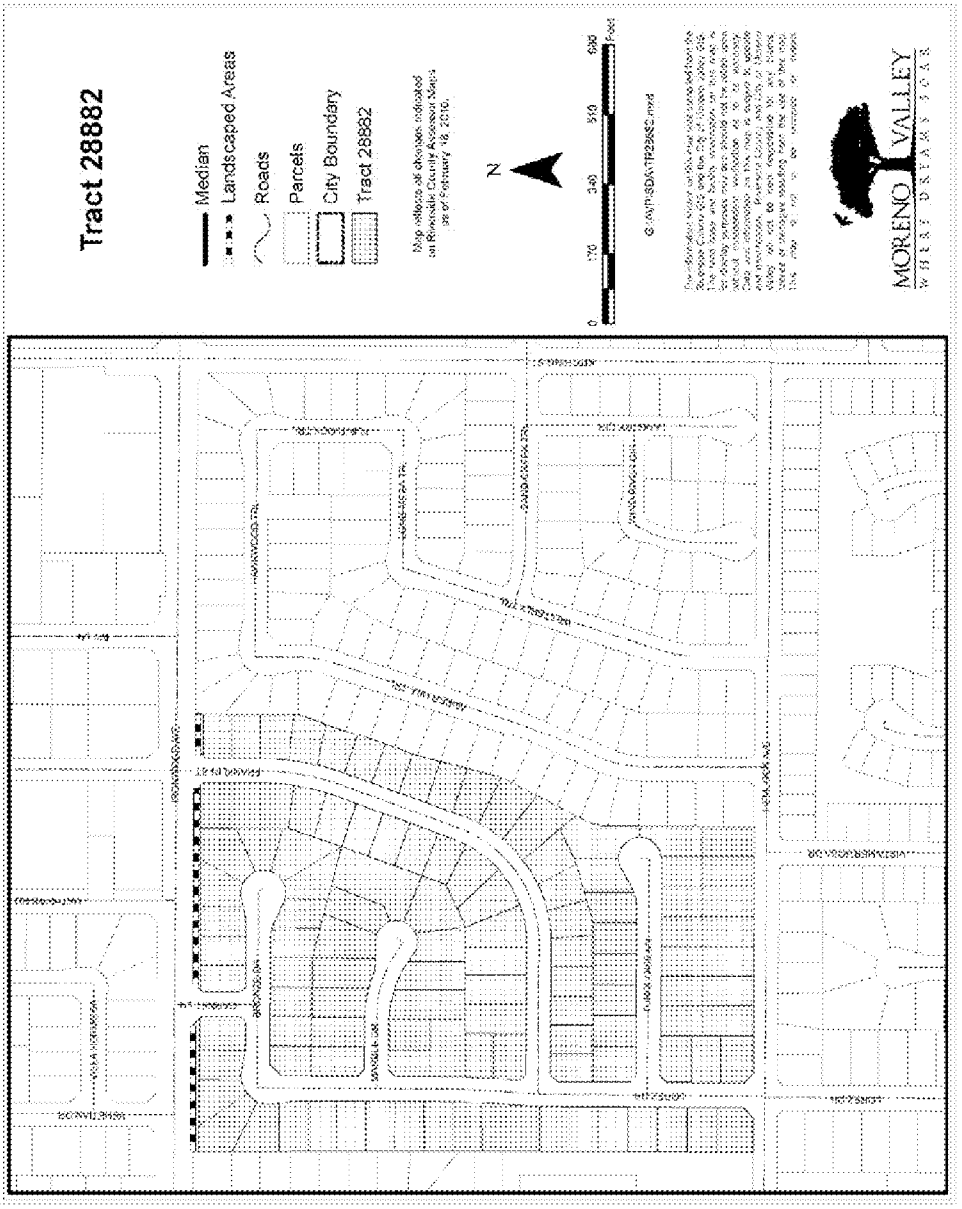
Tract 28882
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MORENO VALLEY

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TEL: 951.413.3480
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn McCriswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00063996

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00063998

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00063999

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

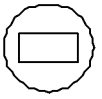

A circle around the box **and/ or** associated clause; or

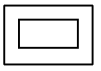

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064000

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		$ 17,850.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,492.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	$ 20,837.99		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	$ 3,183.28		
Total Expenditures		$ 24,021.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,171.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006 – 2007	$1,050
2007 – 2008	$1,050
2008 – 2009	$1,050
2009 – 2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 3 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

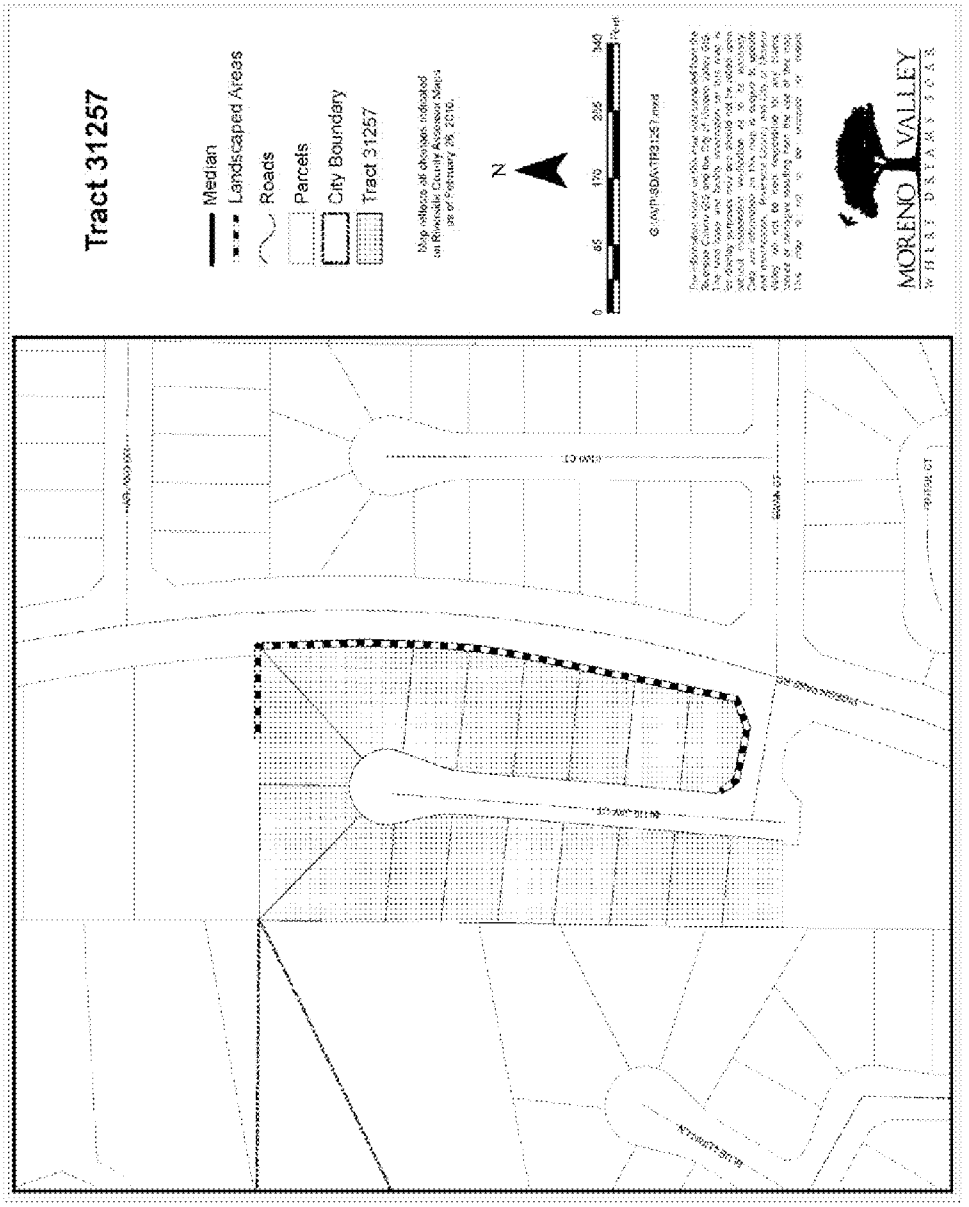
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
N
0
85
170
255
340
Feet
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269—1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269—1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064008

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $285.20 to $355.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064009

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

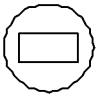

A circle around the box **and/ or** associated clause; or

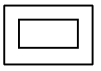

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064010

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		$	31,586.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	356.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	$ 32,793.95		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,992.21		
City Administration	2,908.78		
Total Indirect Costs	$ 5,101.64		
Total Expenditures		$	37,895.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(6,309.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$225.00
2006-2007	$225.00
2007-2008	$225.00
2008-2009	$225.00
2009-2010	$225.00

MV00064012

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

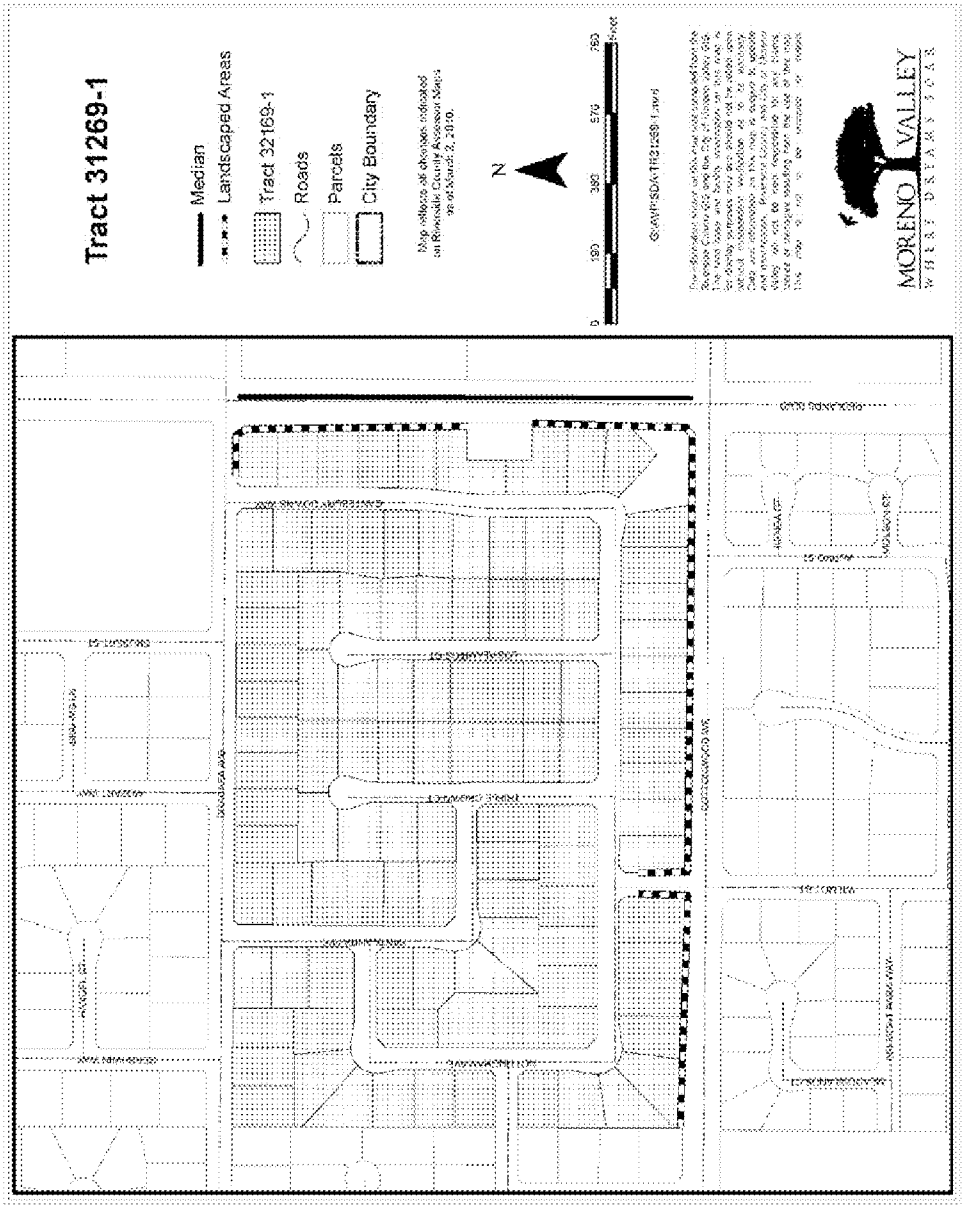
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
N
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064016

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064018

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

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BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

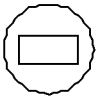

A circle around the box **and/ or** associated clause; or

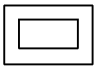

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		$ 5,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	–		
Electricity (Southern California Edison)	236.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,997.24		
Total Direct Costs	$ 10,645.51		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	$ 1,626.18		
Total Expenditures		$ 12,271.69	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,035.69)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005 – 2006	$34.00
2006 – 2007	$34.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

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COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

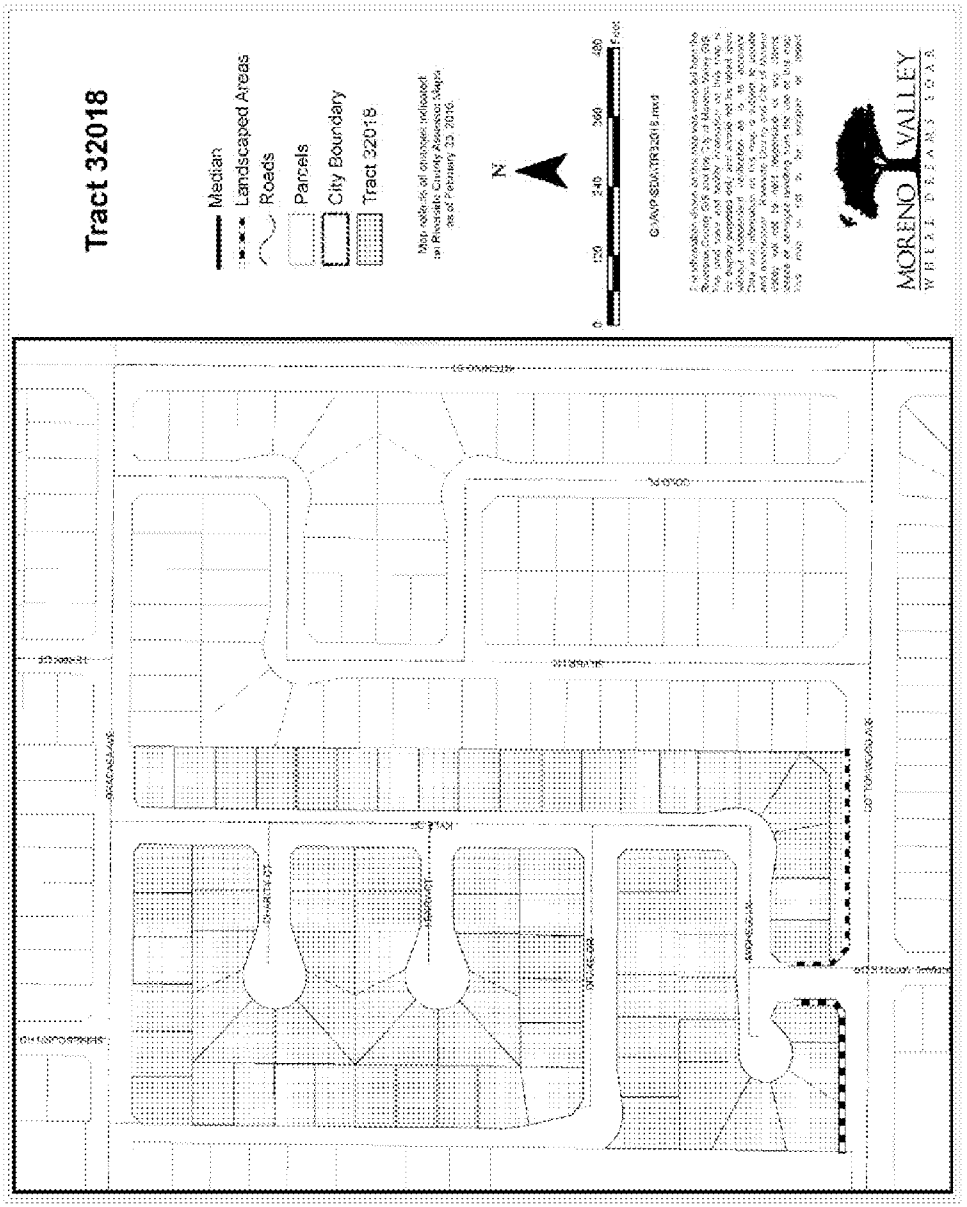
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
N
0
120
240
360
480
Feet
MORENO VALLEY

MV00064024

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, is planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*
Juanita M. Barnes*

MV00064026

George W. Brummer***
Virgil Chancy*
Marie Hyta **(plans to attend meeting in May)
Jacqueline Dawn Qualls

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer ***
Alvin C. Horn
Frank D. Pavlik*

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

\\ zurich\ shared\ InterDept\ Council-Clerk\ City Clerk Files\ Advisory Boards and Commissions\ Appointment Staff Reports\ 2010\ June 10 Appointments Staff Report.doc

MV00064028

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

MV00064030

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels ; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

MV00064032

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064034

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the afore mentioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such proration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

_____ _____ _
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

Resolution No. 2010-62
ATTACHMENT 2 Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

Resolution No. 2010-62
Date Adopted: June 8, 2010

ATTACHMENT 2

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	**$1,829,606**	**10%**
9% Tax Credit Equity	**$9,242,933**	**49%**
RDA Funds	**$6,750,000**	**36%**
Affordable Housing Fee Reductions-City	**$991,608**	**5%**
Affordable Housing Fee Reductions-County	**$79,632**	**<1%**
General Partner Equity	**$99,029**	**<1%**
Total	**$18,992,808**	**100%**

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

MV00064046

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

MV00064048

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064050

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

ATTACHMENT A

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(98,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(76,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225, 192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

MV00064058

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064060

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,210	$479,000		$1,002,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,427
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,002,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF - CCATCRT - PD - AB3232	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/ EDUC/ GOV ACCESS	550,000								550,000
134	EMPG - EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	227,000								227,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORMWATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORMWATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					236,611	236,611	236,611	8,234,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					228,300	228,300	228,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD #1	1,005,105								1,005,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,238								183,238
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIALSTS DEV IMPACT FEE	104,700					1,309,975	1,309,975	1,309,975	1,413,675
202	TRAFFICSIGS DEV IMPACT FEE	28,700								28,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,903	212,903	212,903	254,003
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	90,700								90,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
215	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
217	FHWA TRANSIMS	186,600								186,600
218	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
219	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
220	2009 - DJ - BX - 1178 JAG GRANT	78,118								78,118
223	EMERGENCY SVCS AGENCY	14,000								14,000
252	JAG 2009 SB - 59 - 2266 FUND	435,700								435,700
290	CDBG FY05/06 FUND	10,000								10,000
292	CDBG FY07/08 FUND	14,700								14,700
293	CDBG FY08/09 FUND	418,652								418,652
295	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16 - 08 - 1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REF NDG	1,158,700								1,158,700
316	ASSMT DIST 98 - 1 - DEBT SVC	27,00								27,00
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,220								404,220
328	AUTOMLREFIN - CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD #5 STONERIDGE DEBT SVC	362,220								362,220
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIALSTREETS	296,000								296,000

Item No. G.6

MV00064061

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,750								38,750
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP- ADMIN FUND	625.00								625.00
529	CFD #5 STONERIDGE CAP/ ADM	54,000								54,000
530	CFD #4 I- INFRS CAP/ ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,305,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A -DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A -CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,321,900	(2,272,220)	0	150,000	0	2,300,225	2,450,225	178,005	13,498,905
	NET REVENUES	**$180,916,700**	**($681,160)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,488**	**$203,305,188**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

MV00064062

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$27,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	27,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF – CCAGRT – PD – AB3229	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/ EDUC/ GOV ACCESS	447,120					447,120
134	EMPG – EMERGNCY MGMT PREP	94,120					94,120
136	OTS – POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/ 02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,120,120					1,120,120
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,120					13,120
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,120)			(162,120)	8,284,120
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ART LGHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,120					2,837,120
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD #1	951,120					951,120
185	ZONE "S"	112,000					112,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIALSTS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
217	FHWA TRANSIMS	30,000					30,000
219	EECBG FUND				1,365,800	1,365,800	1,365,800
220	2009 – DJ – BX – 1178 BAG GRANT	78,118					78,118
285	CDBG FY 10/ 11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG 14 USED OIL RECYCLG	27,900					27,900
295	TRI 16 – 06 – 1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGTIMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGTSPCL TAX REF NDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98 – 1 – DEBT SVC	2,400			300	300	2,700
321	CH COP 97 DEBT SVC FUND	82,025					82,025
325	PUBSAFTY BOND DEBT SVC	404,120					404,120
328	AUTOMLR REFIN – CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD #5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I – INFR DEBT SVC	11,493,120					11,493,120
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGTIM PV SPCL TAX CAP	38,120					38,120
515	2007 TWNGT SPCL TAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD #5 STONERIDGE CAP/ ADM	53,700					53,700
530	CFD #4 I-INFR CAP/ ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,120					318,120
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007 TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds[1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

MV00064064

ATTACHMENT "B"

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

ATTACHMENT "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT "C"

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

ATTACHMENT "D"

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.8

MV00064071

MV00064072

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MV00064074

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00064075

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.0 1.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moren o Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Departmen t)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

MV00064076

Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211 ;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

MV00064077

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-258 97

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

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District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

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p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

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Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDEN ROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropr iations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISH ING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appr opriations limit at $13,567,175 for the Moreno Valley Communit y Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 20 10-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of de linquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSS ION OR SEPARATE ACTION

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G. REPORTS

G.1 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.2 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.3 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G.4 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

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1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.5 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance

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to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.6 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the

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Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

G.7 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

   Resolution No. 2010-65

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

   Resolution No. CSD 2010-21

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11,

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including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.8 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/ OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00064091

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00064092

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

Item No. A.2

MV00064093

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR - CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

MV00064098

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00064100

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010 /11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/ Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/ Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

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adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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Item No. A.3

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064124

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ --
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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			:DH;8BHB<	$-EE57)
			:DH;8BHB<	$-+F5FF
			:DH;8BHB<	$F66)E
			:DH;8BHB<	$635E6
			:DH;8BHB<	$635+
			:DH;8BHB<	$-2+56E
			:DH;8BHB<	$7357
	:#+O)4E),.;	&JQIJVRJSZQ		
HVE3&)4&>F>A<F&:' WWAV&GEDWEV&		&RJRIQTXSTM		
9FCC&[>FC&& ^3L&D<!S				
)*6*,-+-	$-+37-	$6,4F235-F		
			A%HB-D$>W&B:BJ?K8A:U:C;	$6.4F235-F
	:#+O)4E),.;	&KJIXTRS&/K		
HVE3&)4&>FCC&[> FC&& ^3L&&<!S&		&KJIXTRS&/K		
9FCC&[>FC&@F<3' L&D<!S				
)*6*,-+-	$EE-,77	$624E,+5F+		
			A%HB-D$>W&B:BJ?K8A:U:C;	$624E,+5F+
	:#+O)4E),.;	&KTIQJPSXP		
HVE3&)4&>FCC&[> FC&@F<3' L&&<!S&		&KTIQJPSXP		
9FCC&9F&' W&->F- A>EDACL&WW!				
)*+,*,-+-	$-+EE3	$-324665)7		
			A%HB-D$>W&B:BJ?K8A:U:C;	$-324665)7
	:#+O)4E),.;	&PRTIJKKSIZ		
HVE3&)4&>FCC&>F &' W&->F-A>EDACL&WW! &		&PRTIJKKSIZ		
9:&>' <!@F&3F>' 3F &DWE3S&' >E<A>C@D-				
)*+,*,-+-	$--)-)+	$-42--4--5-		
			D9>C$-L8UC;@&>CH=9$G98>G9$A95	$-42--4--5-
	:#+O)4E),.;	&PLTMMDMMMBM		
HVE3&)4&>:&' <!@F&&F>' 3F &DWE3S& -' >E<A>C@D-&		&ILCMMDMMMBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)88&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)88&./(#+,	-./(#+,& '()*+,012
<' EDF<] D& A&> AED> A9 A<E&CFWGEDF<C				
)*,2*,-+-	$3,,	$647),5F		
			G: !$H9U%&)6F$D& -+X-Y$)*,2*+-	$647),5F
: #+0)4&E),.;		&KIZUJ$V/K		
HVE3&)4&' EDF<] D& A&> AED> A9 A<E& CFWGEDF<C&		&KUUKTK$PP		
-' W-L&D<! S&3[' &A_! AW&' :D<N& F9-' <V				
)*6*,-+-	$-+F-2	$6E4E3+52+		
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$6E4E3+52+
)*+,*,-+-	$-+E7+	$-724-7,5F)		
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$-74&-+5.
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$-6E427-5F,
			AKCC<UG$?DJG$B: J B$?&B9M$AJHA	$-64,-+5-
: #+0)4&E),.;		&JKPIZKJ$V/K		
HVE3&)4&' W-L&D<! S&3[' &A_! AW&' :D<N& ! F9-' <V&		&JIPTJIKZJ$V/T		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S				
)*6*,-+-	$-+F-F	$,74+)536		
			A8@-*U98$?H=$G8$E; 8H=CL$?&B9M	$-F42F75)E
			A8@-*C>A9C$A; $9J8H8AACL$?&B9M	$+4F265-F
: #+0)4&E),.;		&ZIPPU$RK		
HVE3&)4&' >CF<C&E>' <C-F>E' EDF<& N>FG-L&D<! S&		&PLMPIKJJ$T		
-A>C&@A' WE@&D<CG >' <! A				
)*3*,-+-	$--2+E+	$-7642-7,52E		
			: U%D$=: >D,=$E&A$-)*-3*+-	$-7642-7,52E
: #+0)4&E),.;		&PZKIZJ$Q		
HVE3&)4& A>C&@A' WE@&D<CG>' <! A&		&PIZTPIPTR$P		
-A>C&>AED>A9A<E				
)*,*,-+-	$3+-	$-7+4E,F5E,		
			% 8A$B: ; B&: U: C; $-)*-,*+-	$-7+4E,F5E,
)*+3*,-+-	$3+7	$-EE46)-5)-		
			% 8A$B: ; B&: U: C; $-)*+3*+-	$-EE46)-5)-
)*2-*,-+-	$3,F	$-7,4)+566		
			% 8A$B: ; B&: U: C; $-)*2-*+-	$-7,4)+566
: #+0)4&E),.;		&KXJIQVZ$X		
HVE3&)4& A>C& A ED> A9 A<E&		&IXVKIKZJ$Q		
>D @' >3&VF-A\& F<CE>G! EDF<				
)*+,*,-+-	$-+7--	$3)46F5-E		
			: D H; 8BH$K; B&B<$?&B9M H; A$AJHA	$3)46F5-E
: #+0)4&E),.;		&RUJKX$V/Q		
HVE3&)4& D @' >3&VF-A\& F<CE>G! EDF<&		&PLVKUJVKZ$JX		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '( )*+,012
>FACVD<N&<' B' 9G>' &EA>' 3' & >! @DEA ! ECL&D<!				
)*+7*,-+-	$EE-236	$364 2252F		
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$364 2252F
: #+0) 4&E) ,. ;		&RKLJTTS'X		
HVE3 &8) 4&FACVD N&<' B' 9G>' &EA>' 3' & ' >! @DEA! ECL&D ! &		&JTTLXTTS%Z		
CA9->' &A<A>NV&CF VGEDF<C				
)*+,*,-+-	$EE-2),	$9--34F-E576		
			%9P: 8$%K8H=>A:	9-34F-E576
)*+7*,-+-	$EE-233	$9-E+4272577		
			%9P: 8$%K8H=>A:	$F)46E6577
			%9P: 8$%K8H=>A:	9-34E-E5-
: #+0) 4&E) ,. ;		&JCQLPVJS2U		
HVE3 &8) 4&CA9->' &A<A>NV&CF VGEDF<C &		&KLTUZLXVKS2P		
C@AVVA<A>NV&<F> E@& 9A>D' &0GC2&VS-S				
)*+,*,-+-	$-+7-E	$2,E4)E35-		
			: D H; $ C: 8L<$%K8 H=>A:	$2,E4)E35-
: #+0) 4&E) ,. ;		&TJQLUCR&VM		
HVE3 &8) 4&C@AVVA<A>NV&<F>E@& 9A>D' & 0GC2&VS-S&		&ZZZLXUVB&M		

MV00064133

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3 DCF<				
	)*6*,-+-	$-+F),	$F4F-E556 7	
			PG>; $H=8LA@8: G: 8BHI	$4E,65 7
			PG>; $H=8LA@LD9?:	$34 265E+
			PG>; $H=8LA@8>=>U	$24F,F536
			PG>; $H=8LA@BFA	$ 4),65,
			PG>; $H=8LA@>CGBD>	$ 4) F52+
			PG>; $H=8LA@K?A; >; B9C	$-4) F52+
	)*+7*,-+-	$-,-3-	$-) E42,7576	
			:D H; 8BHB<	$3E5-2
			:D H; 8BHB<	$ +5E-
			:D H; 8BHB<	$ E) 5E2
			:D H; 8BHB<	$5735 2
			:D H; 8BHB<	$-+-5 E
			:D H; 8BHB<	$ 42+E5FF
			:D H; 8BHB<	$E,35 F
			:D H; 8BHB<	$E) +5F6
			:D H; 8BHB<	$ 47,E5E6
			:D H; 8BHB<	$-4 F757E
			:D H; 8BHB<	$-4,652-
			:D H; 8BHB<	$ -52E
			:D H; 8BHB<	$734E,E5 F
			:D H; 8BHB<	$264 6,5E,
			:D H; 8BHB<	$ 43F5 -
			:D H; 8BHB<	$,56F
			:D H; 8BHB<	$,576
			:D H; 8BHB<	$,5-)
			:D H; 8BHB<	$6653E
			:D H; 8BHB<	$E+56.
			:D H; 8BHB<	$ F755)
			:D H; 8BHB<	$ 25 7
	: #+O 4&E),.;	&PXRUVTQ&KU		
HVE3 &) 4&CF GE@A><& ' WDHF><D &A3 DCF<&		&RUUZKUTXX&VZ		
CFGE@A><& ' WDHF><D &A3 DCF<& FS				
	)*,3*,-+-	$-,+E6	$7-4-6556	
			8: %DHUC; $9!9>HBDB BA@><9A; 5	$7-4-6556
	: #+O 4&E),.;	&ZMUVMK&KK		
HVE3 &) 4&CF GE@A><& ' WDHF><D &A3 DCF<& ! F S&		&ZMUVMK&KK		
CE' <3' >3 &D<CG>' <! A& F				
	)*+,*,-+-	$-+7+3	$2-46+6557	
			DH: $C&GBA>?BDB <$BCAK8>CH:	$-,4376 5F2
			DH: $C&GBA>?BDB <$BCAK8>CH:	$-F4 7,E576
			DH: $C&GBA>?BDB <$BCAK8>CH:	@-75 7
	: #+O 4&E),.;	&TMKPK&KZ		
HVE3 &) 4&CE' <3' >3 &D<CG>' <! A& F&		&TJRUXKJ&KU		

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! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#8) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
GSCS8[' <B7! ' W! ' > 3C				
) *+, *, -+-	$--) -2+	$FF42, -5 E		
			H>DH>8G$%U; $H<HD: $ CG$) *- F*+-	$FF42, -5 E
) *, 7*, -+-	$--) +, +	$72463E5-7		
			H>DH>8G$%U; $H<HD: $ CG$) *, , *+-	$72463E5-7
	: #+O) 4&E) ,. ;	8PXMQQQ8&X		
HVE3 &8) 4&GSCS8[' <B7! ' W! ' > 3C&		8PLXMPLUMZSXP		
GSCS8E> A' CG> V				
) *+, *, -+-	$ -+7, 2	$2-4FF+522		
			A! @, 6$ W%H: AA$%H> A=	$2-4FF+522
	: #+O) 4&E) ,. ;	8TMXXPST		
HVE3 &8) 4&GSCS8E> A' CG> V&		8TMXXPST		
G<DEA3 & F<E>' ! EF > C& F9 - ' <V&D<! S				
) *, 3*, -+-	$EE-) -6	$2, 6462-5-		
			: U8LCH<$9%A$%H; 8$%89M&AJHA	$2. 6462-5 -
	: #+O) 4&E) ,. ;	8TJKLKTMBM		
HVE3 &8) 4&G<DEA3 & F<E>' ! EF > C& F9 - ' <V& B< ! S&		8PLQRMMTMBM		
: FWG<EAA> & A<EA> &F H& D A> CD3 A& F G<EV				
) *6*, -+-	$ -+FF2	$2-4---5-		
			8: C; > D$> AAE&A; $AJ HA@%8%&%8LU	$ -4--5 -
			8: C; > D$> 88: >8A$A JHA@%8%&%8LU	$-4--5 -
	: #+O) 4&E) ,. ;	8TMMMMBM		
HVE3 &8) 4& F WG<EAA> & A<EA> &F H& D A> CD3 A ! F G<EV&		8ZKLJQJST		
] AWWC&H' >N F& F>- F>' EA&E>GCE				
) *, 7*, -+-	$--) -F+	$--4) F65E-		
			E&C; $9C$-77F$D >A : $B: J$?CG	$--4) F65E-
) *, 7*, -+-	$--) -3+	$-4+E4EF) 5) -		
			E&C; $9C$ - - 6$D >A : $B: J$?CG	$-4+E4EF) 5) -
) *, 7*, -+-	$--) -E+	$-4+-4E775-F		
			, - - F$D8?$G: ?; $AJ H$%><U: C;	$-4+-4E775-F
) *2-*, -+-	$--) +2+	$-4-F+42) 75-3		
			G: ?; $AJ H@% HB>D$ >W A	$-4-F+42) 75-3
	: #+O) 4&E) ,. ;	8TLUMPLKZQST		
HVE3 &8) 4&] AWWC&H' >N F& F>- F>' EA&E>GCE&		8ZLMJZLUCKSJT		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
] @AAWA>&' : D<NL&D<! S				
)*6*,-+-	$EE-2,)	$)346+5-		
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$346+5-
)*+,*,-+-	$EE-2)3	$6734FFE5)+		
			: U: 8L$A; 8: : ; $%>J : UC; $P98I	$-24+7-52E
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$E246EE52
)*,3*,-+-	$EE-)-F	$62-42F-5-3		
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$-42)65F2
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$6F4E375FF
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$)74E7E57
			D>AA: DD $A; $PEG: CEDL$%&89M$AJHA	$+4635F
	: #+O)4&E),.;	&PLPXTLTZZ$%X		
HVE3 &&) 4&] @AAWA> &' : D<NL&D<! S&		&JLXPPLPUX$%Z		
] D<\WA>& &BAWW&! F<CGWED<N&A<ND<AA>C				
)*6*,-+-	$-+FE+	$2+4)-5-		
			; : U%&A; >!!EDL$AJ HA@D>%&%&89MA	$-64E)-5-
			; : U%&A; >!!EDL$AJ HA@D>%&%&89MA	$-64)--5-
	: #+O)4&E),.;	&TPLJUMBM		
HVE3 &&) 4&] D<\WA> & &BAWW&! F<CGWED<N& A<ND<AA>C&		&TRXLRPX$%Z		
] >! FN&] ACEA><&>D: A>CD3A&! FS&FH&N F: E&CS				
)*+7*,-+-	$-,-EE	$)42F-5-		
			; KU!$B: AEG: C; B>D$1 : : A	$)42F-5-
	: #+O)4&E),.;	&JJLTXMBM		
HVE3 &&) 4&] >! FN&] ACEA><&>D A>CD3A&! FS& FH&NF : E&CS&		&PLPPKLRX$%J		
	C*=,),.;	&PLJXJLRTP$%R		

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| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46) 1#8) 88&./(#+,	-./(#+,& '()*+,012
' & & &' : D<N& F9-<' V				
	)*+7*,-+-	$-+726	$2,5)+	
			8: !KCG@KASDBH$9J8%U;	$2,5)+
	: #+O) 4E),.;		&TJ&P	
HVE3 &) 4& & & &' : D<N& F9-<' V&			&TJ&P	
' & & &F &&&A<N D<AA>A3 &CVCEA9 CL&D< !				
	)*+7*,-+-	$-+723	$25E-	
			8: !KCG@KASDBH$9J8%U;	$25E-
	: #+O) 4E),.;		&TS&M	
HVE3 &) 4& & & &F &&&A<N D<AA>A3 &CV CEA9 CL& D< ! &			&TS&M	
' &<&> &D<3 GCE> DAC L&D< !				
	)*+,*,-+-	$-+E2+	$5-	
			%&9% 8; <$B: =>?@6+-3$9><$J:	$34FE56-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$E46)F5-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$2E4+E65-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	$246-5-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$74FF65-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$)4F265-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	$7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$E4F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	$-34+25-
			%&9% 8; <$B: =>?@6+-3$9><$J:	@4FE56-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@E46)F5-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@2E4+E65-
			%&9% 8; <$B: =>?@)36)$A&E>D9>	@246-5-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@74FF65-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@)4F265-
			%&9% 8; <$B: =>?@,+FF$&E GB>C$A;	@7-5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@64F-75-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@64FE5-
			%&9% 8; <$B: =>?@67-7$%-8AD<	@34+25-
	)*,3*,-+-	$-,-76	$,4E),56-	
			%&9% 8; <$B: =>?@6+-3$9><$J:	$.4E).56-
	: #+O) 4E),.;		&JIQLUJ&M	
HVE3 &) 4& & & &D<3 GCE> DACL&D< ! &			&PTPLUKU&Q	
' [AVE' L&N D<V				
	)*+7*,-+-	$-+72F	$-5-	
			8: !KCG@>?B A$G: %	$-5-
	: #+O) 4E),.;		&IM&M	
HVE3 &) 4& [AVE' L&N D<V&			&IM&M	

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '( ) *+,012
' [CFWGEA&CG>: ADWW <! A				
)*6*,-+-	$EE-,6E	$24F+F56 2		
			L%A$I: =$ 8>HI: 8@&9DBH: $G: %	$7EE563
			L%A$I: =$ 8>HI: 8@H; B>; B9C	$365+)
			L%A$I: =$ 8>HI: 8@JHS%D>C	$ 4 E652 7
			L%A$I: =$ 8>HI: 8@>; ; : 8<	$FE5)
	: #+O) 4&E) ,. ;	&TLXPX$KT		
HVE3 &) 4& [CFWGEA&CG>: ADWW <! A&		&TLXPX$KT		
' ! ! ACC&CA! G>DEV& ! F<E>FWC&D<ES&D<! S				
)*6*,-+-	$-+666	$-4 3-5-		
			A: H$J9CB98EC L$A JH@>H$A; 8L	$F65-
			A: H$J9CB98EC L$A JH@8H	$F65-
			A: H$J9CB98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB98EC L$A JH@A: A$?DGL	$F65-
			A: H$J9CB98EC L$A JH@BB: $EC A%H;	$F3-5-
	: #+O) 4&E) ,. ;	&PLMRMBM		
HVE3 &) 4& ! ! ACC&CA! G>DEV& F<E>FWC&D<ES& B<! S&		&PTLPQJ$KZ		
' ! ! FG<EA9-C				
)*6*,-+-	$-+663	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $2*+7	$E,E5-
)*+,*,-+-	$-+E2,	$7-65,6		
			; : U%&AJHA@%9G>H>$P*: $2*,3	$E,E5-
			; : U%&AJHA@%9G>H>$?I L8G	$FF5,6
)*+7*,-+-	$-+72E	$E2755-		
			; : U%&AJHA@%9G>H>$P*: $,*,	$E2755-
)*,3*,-+-	$-,-7E	$E,E5-		
			; : U%&AJHA@%9G>H>$P*: $,*7	$E,E5-
	: #+O) 4&E) ,. ;	&TLJMMBKK		
HVE3 &) 4& ! ! FG<EA9-C&		&PMLUTQ&KK		
' ! A& ' C@&A_->ACC &bUPPR				
)*6*,-+-	$-+66F	$-)+5,3		
			8: !KCG@KADBH9J8%U;	$-)+5,3
	: #+O) 4&E) ,. ;	&PUPS$R		
HVE3 &) 4& ! A& ' C@&A_->ACC&bUPPR&		&PUPS$R		
' ! A&HFFE] ' >A				
)*+7*,-+-	$-+727	$)5-7		
			8: !KCG@KADBH9J8%U;	$)5-7
	: #+O) 4&E) ,. ;	&LUS$Z		
HVE3 &) 4& ! A&HFF E] ' >A&		&LUS$Z		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
' ! G<' L&\G D& S					
	)*6*,-+-	$-+66E	$-4335)-		
				8: !KCG@GUE$HB>; B9CS!::A	$-4335)-
	: #+0) 4&E),.;		&PLPRRSJM		
HVE3 &) 4& ! G<' L&\G D& S&			&PLPRRSJM		
' 3' 9CL&9' >B&\S					
	)*6*,-+-	$-+FE2	$2+E5F2		
				8:;B&:: $U: GB-H>D&?: C: !B	$2+E5F2
	: #+0) 4&E),.;		&TPQ&KT		
HVE3 &) 4& 3' 9CL&9' >B&\S&			&TLPQXSTM		
' 3WA>@F>CE&D<EA> <' EDF<' W&D<! S					
	)*+,*,-+-	$EE-2,F	$),65-+		
				H>CE&D: $8>E&E&L@DK:	$-)+5&F
				H>CE&D: $8>E&E&L@>WD W	$E252)
	: #+0) 4&E),.;		&JJKS\P		
HVE3 &) 4& 3WA>@F>CE&D<EA> <' EDF<' W&D<! S&			&JLRZXSSJ		
' 39D<CG>A					
	)*+,*,-+-	$-+E22	$48--5-		
				P8I UCA$H9U%&GUC $AJHA	$48--5-
	: #+0) 4&E),.;		&LRMMB\M		
HVE3 &) 4& 39D<CG>A&			&RLMMB\M		
' 3:' <! A3&AWA! E>D!					
	)*+7*,-+-	$-+7)-	$47)65-		
				:DH; $P98I @&>8IA	$7--5-
				:DH; $P98I @&>8IA	$2E5-
				:DH; $P98I @&>8IA	$2)25-
				:DH; $P98I @&>8IA	$3,5-
				:DH; $P98I @&>8IA	$6+)5-
				:DH; $P98I @&>8IA	$-EF5-
				:DH; $P98I @&>8IA	$625-
				:DH; $P98I @&>8IA	$-E25-
				:DH; $P98I @&>8IA	$-25-
				:DH; $P98I @&>8IA	$3,5-
	)*,3*,-+-	$-,-77	$)FF5-		
				:DH; $P98I @!GZ+	$3,5-
				:DH; $P98I @!GZ+	$+65-
	: #+0) 4&E),.;		&TLJJJ\M		
HVE3 &) 4& 3:' <! A3&AWA! E>D&			&QLKJJ\M		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$45,5)+7-*46) 1#) 8&. /(#+,	-./(#+,& '()*+,012
' W! F><&HA<! A& F9 -' <V				
	)*6*,-+-	$-+63-	$ 255,	
			8: !KCG@KAS[illegible]HS9J8%U;	$ 256,
	: #+O) 4E) ,. ;		&TS&J	
HVE3 &) 4& W! F><&HA<! A& F9 -' <V&			&TS&J	
' WD A' L&>D @' >3				
	)*+7*,-+-	$-+7)+	$-6655-	
			UED >L: $B: BJ?K8A : U: C;	$F)56-
			UED >L: $B: BJ?K8A : U: C;	$E+5-
	: #+O) 4E) ,. ;		&PKK&M	
HVE3 &) 4& WD A' L&>D @ >3&			&KUTS&K	
' WW&3 DC! FG<E&D<CG>' <! A&CA>: D AL&D<! S				
	)*6*,-+-	$-+63+	$7F55-	
			8: !KCG@KAS[illegible]HS9J8%U;	$7F56-
	: #+O) 4E) ,. ;		&ZX&M	
HVE3 &) 4& WW&3 DC! FG<E&3CG>' <! A& CA>: D AL&3<! S&			&ZX&M	
' WWAVL&A>D<				
	)*,3*,-+-	$-,+-+	$-5-	
			8: !KCG@>?B A&G: %	$-5-
	: #+O) 4E) ,. ;		&IMB&M	
HVE3 &) 4& WWAVL&A>D< &			&IMB&M	
' WWD <! A&>ACFG>! A& F<CGWED<NL&WW!				
	)*6*,-+-	$-+63,	$F43-5F6	
			: W HS&B: H8KB U: C; $AJHA	$F43-5F6
	: #+O) 4E) ,. ;		&LJRMB&K	
HVE3 &) 4& WWD <! A&>ACFG>! A& ! F<CGWED<NL&WW! &			&LJRMB&K	
' WWD <E&D<CG>' <! A&CA>: D ACL&D<! S				
	)*6*,-+-	$-+632	$-423+5-E	
			E&AK8>CH: @%HD& J: C; A	$-423+5-E
	: #+O) 4E) ,. ;		&PLTRPS&Q	
HVE3 &) 4& WWD <E&3CG>' <! A&CA>: D ACL&D<! S&			&PMLMTS&Q	
' WWD <\ &WDHA&D<CG>' <! A& F				
	)*+,*,-+-	$-+E2)	$F65-	
			C9C@W U%, $>CCKB, <	$F65-
	: #+O) 4E) ,. ;		&K&M	
HVE3 &) 4& WWD <\ &WDHA&D<CG>' <! A& F&			&KMB&M	

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$46,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
' 9A>D ' <&[GDV&B< N&9' D<EA<' <! A&[F				
)*+7*,-+-	$-+7),-	$35),		
			8: !KCG@KA$DB<H$9J8%U;	$35),
: #+0)4&E),.;		&RSUU		
HVE3&&) 4& 9A>D ' <&[GDV&B< N& 9' D<EA<' <! A&[F&		&RSUU		
' 9A>D ' <&HF>A<CD! &<G>CAC				
)*+,*,-+-	$EE-2,E	$6E25-		
			?D99G$G8>PA	$6E25-
)*+7*,-+-	$EE-2)7	$725-		
			?D99G$G8>PA	$725-
)*,3*,-+-	$EE-2F3	$6+256-		
			?D99G$G8>PA	$6+256-
: #+0)4&E),.;		&PLPQZSZM		
HVE3&&) 4& 9A>D ' <&HF>A<CD &G>CAC&		&PLXKMBTM		
' 9A>D ' <&G[WD &-F] A>& CCF! D ED<F <				
)*+7*,-+-	$-+7)2	$247F65+		
			U: U?: 8A=B%GK: A@67E+6	$33,56)
			U: U?: 8A=B%GK: A@67E+6	$242+,52F
: #+0)4&E),.;		&TZXKSIP		
HVE3&&) 4& 9A>D ' <&G[WD &F] A>& ' CCF! D ED<&		&TZXKSIP		
' 9A>D ' <&c GD B&->D<ED<N				
)*+7*,-+-	$-,-7-	$4-F65-		
			>CUD$HC; 8D$C9; BH: A	$4-F65-
: #+0)4&E),.;		&IPXKS3M		
HVE3&&) 4& 9A>D ' <&c GD B&->D<ED<N&		&TZZUS2T		
' 9A>D ' <&-FE' >V&[>FF9& FS				
)*6*,-+-	$-+63)	$242+-5-,		
			A; 8: : ; $AP: : %&CL$?899U$B A	$725-7
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E75.
			A; 8: : ; $AP: : %&CL$?899U$B A	$-4-E-5-6
			A; 8: : ; $AP: : %&CL$?899U$B A	$)F5-3
)*,3*,-+-	$-,+-,	$-4635-7,		
			A; 8: : ; $AP: : %&CL$?899U$B A	$-)5EE
			A; 8: : ; $AP: : %&CL$?899U$B A	$F+352F
			A; 8: : ; $AP: : %&CL$?899U$B A	$2652F
: #+0)4&E),.;		&UZRRSZU		
HVE3&&) 4& 9A>D ' <&-FE' >V&[>FF9& FS&		&ZTZJPSRP		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
' 9 EA! @&AWA: ' EF>&CA>: D AC				
)*+7*,-+-	$-+7))	$-+E52F		
			: D J>; 98$AJH@B <$=>DD	$-+E52F
	: #+O) 4&E) ,. ;	&PPCSTX		
HVE3 &&) 4& 9 EA! @&AWA: ' EF>&CA>: D A C&		&PLXMMB&P		
' <' V' L&BD9 &>AVA				
)*+7*,-+-	$-+7)6	$6)55-		
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$E5-
			; 8>J: D$ W%@99A; $H9C!: 8: CH:	$-355-
)*,3*,-+-	$-,+-2	$655-		
			UBD >L: $B: BJ?K8A : U: C;	$655-
	: #+O) 4&E) ,. ;	&TMMB&M		
HVE3 &&) 4& <' V' L&BD9 &>AVA&		&TTKS&M		
' <3>A] CY[' BA>L&C GA				
)*+,*,-+-	$-+E26	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
)*+7*,-+-	$-+7)3	$F65-		
			BCA; 8KH; 98$AJHA@%8	$F65-
	: #+O) 4&E) ,. ;	&PKMB&M		
HVE3 &&) 4& <3>A] CY[' BA>L&CGA&		&KJKS&M		
' <NAW &<' DVC& &C-'				
)*6*,-+-	$-+636	$35-		
			8: !KCG@KADH9J8%U;	$35-
	: #+O) 4&E) ,. ;	&JRSRM		
HVE3 &&) 4& <NAW &<' DVC& &C-' &		&JRSRM		
' <D9' W&A9A>NA<! V & WD<D L&D<! S				
)*+7*,-+-	$-,-7+	$26-5-		
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$F-5-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
			: U: 8L: CH<$U: ; $AJ HA	$665-
			: U: 8L: CH<$U: ; $AJ HA	$F65-
	: #+O) 4&E) ,. ;	&TKMB&M		
HVE3 &&) 4& <D9' W&A9A>NA<! V& WD<D L&D<! S&		&JLKTUS&M		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
' <D9' W&-ACE&9' <' NA9A<E&CA>: D ACL &D<! S				
)*6*,-+-	$-+633	$3--5-		
			% A; 9HC; 8D@: : 9BUJD9>; 9?><AE6:	92--5-
			: U: 8L9?: : 9BUJD@ 8H	92--5-
)*,3*,-+-	$-,+-)	$47-5-		
			% A; 9HC; 8D@5>8I A	9365-
			% A; 9HC; 8D@5>8I A	$665-
			% A; 9HC; 8D@J>8H=9I DG	92-5-
			% A; 9HC; 8D@5>D	9--5-
			% A; 9HC; 8D@!GSZ+	93-5-
			% A; 9HC; 8D@DI 9H 8A	9E-5-
			% A; 9HC; 8D@; >8A9?DGL	9--5-
			% A; 9HC; 8D@5>8I A	9--5-
			% A; 9HC; 8D@5>8I A	$--5-
			% A; 9HC; 8D@5>8I A	$--5-
: #+O 4&E),.;		&IKQZMMM		
HVE3 &&) 4& <D9' W&-ACE&9' <' NA9A<E& CA>: D ACL&D<! S&		&IMMMMMM		
' >[VaC				
)*6*,-+-	$-+63F	$E)5++		
			8: !KCG@KASDH9J8%U;	$E)5++
: #+O 4&E),.;		&LUSPP		
HVE3 &&) 4& >[VaC&		&LUSPP		
' >! @A>L&E>' : DC				
)*+,*,-+-	$-+E23	$+-5-		
			8: !KCG@B>; E9CS9J8%U;	$+-5-
: #+O 4&E),.;		&PMMMM		
HVE3 &&) 4& >! @A>L&E>' : DC&		&PMMMM		
' >! @DEA! EG>' W&3A CDN<& &CDN<L&D<! S				
)*6*,-+-	$-+63E	$75)7		
			8: !KCG@KASDH9J8%U;	$75)7
: #+O 4&E),.;		&ZS&Z		
HVE3 &&) 4& >! @DEA! EG>' W&3 ACDN<& &CDN<L& D<! S&		&ZS&Z		
' >! @D A&9' <' NA9A <E&CA>: D A				
)*+7*,-+-	$-+7)F	$-4236&52		
			9!!AB: 9A; 98>L: @HB <9HD 8I A	9-4236&52
: #+O 4&E),.;		&PTRKSKT		
HVE3 &&) 4& >! @D A&9' <' NA9A<E&CA>: D A&		&PTTUTS&Z		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&./(#+,	-./(#+,& '()*+,012
' CD <&D9-F>E&9' > BAE				
)*6*,-+-	$-+6F+	$3F57)		
			8: !KCG@KADBH9J8%U;	$3F57)
: #+0)4&E),.;		&RXSZU		
HVE3&8)4& CD <&D9-F>E&9' > BAE&		&RXSZU		
' CCF! D EA3&A<ND< AA>CL&D<! S				
)*+7*,-+-	$-+76-	$,-46,-5-		
			=:>H9HI $A; $PE&G: C E&CL$%&89M$AJHA	$-46,-5-
: #+0)4&E),.;		&JMKJMB&M		
HVE3&8)4& CCF! D EA3&A<ND< AA>CL&D<! S&		&KRLQXUSP		
' CCF! D ED&F<&C&Ac GDEV&9' <' NA9A<EL&D<!				
)*+7*,-+-	$-+76+	$,57F		
			8: !KCG@KADBH9J8%U;	$,57F
: #+0)4&E),.;		&JJSZX		
HVE3&8)4& CCF! D ED&F<&C&Ac GDEV& 9' <' NA9A<EL&D<! &		&JJSZX		
' E` E&9F[DWDEV				
)*6*,-+-	$-+6F,	$7,526		
			H9UUKCBH>; E9C$AJ HA@)?D&HUUCG	$7,526
)*,3*,-+-	$-,+-F	$7,5),		
			H9UUKCBH>; E9C$AJ HA	$7,5),
: #+0)4&E),.;		&PCLJSXX		
HVE3&8)4& E` E&9F [DWDEV&		&PLVPPSRJ		
' E` E79! D				
)*+,*,-+-	$-+E2E	$9-E2567		
			H9UUKCBH>; E9C$AJ HA@1; !	9-E2567
: #+0)4&E),.;		&PCTS$KZ		
HVE3&8)4& E` E79! D&		&PLQTRSDQ		
' : DW L&N>DCAW8'				
)*+7*,-+-	$-+76,	$635--		
			8: !KCG@CUD$AJHA$! : : A	$2-5-
			8: !KCG@CUD$AJHA$! : : A	$9-5-
			8: !KCG@CUD$AJHA$! : : A	$9-35-
: #+0)4&E),.;		&KRSVM		
HVE3&8)4& : DW L&N>DCAW8' &		&KRSVM		
[' ! @A>L&N>' ! A				
)*6*,-+-	$-+6F)	$2-65--		
			8: ; E&B: : $U: GBH>D&?: C: !B	$2-65-
: #+0)4&E),.;		&TMKSRM		
HVE3&8)4[' ! @A>L&N>' ! A&		&ILUTRSDP		

MV00064146

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&.,/(#+,	-./(#+,& '()*+,012
[' ><ACL&3' >WA<A				
	)*6*,-+-	$-+FE)	$9-+)55-	
			8:; B&B:: $U: GBH>D&?: C: !B	$9-+)55-
	: #+O) 4&E),.;		&PPUSXM	
HVE3 &&) 4&[' ><ACL&&' >WA<A&			&PLPPKSXR	
[' >F<& FFW&-W CEA>D&N&FH&CFS&' S				
	)*6*,-+-	$-+6F6	$ 3572	
			8: !KCG@KASDBH$9J8%U;	$ 3572
	: #+O) 4&E),.;		&JRSZT	
HVE3 &&) 4&[' >F<& FFW&-W CEA>D&N&F H&CFS&& !' S&			&JRSZT	
[' CD &[' ! BHWF]				
	)*6*,-+-	$-+6F3	$2-5--	
			?>HI !D9P$: A; BCL	$2-5-
	: #+O) 4&E),.;		&TMBM	
HVE3 &&) 4&[' CD &[' ! BHWF] &			&PLTJUSRK	
[' EEA>V\ F<AL&D<! S				
	)*,3*,-+-	$-,+-E	$24)F65-,	
			?>;;: 8B A@&9DBH: $G: %	$24)--5-
			?>;;: 8B A@>D A$; >W	$7F56-
			?>;;: 8B A@=B%BCL	$F65-,
			?>;;: 8B A@>D A$; >W&-HH8K>D	@7F56-
	: #+O) 4&E),.;		&TLUXKSPJ	
HVE3 &&) 4&[' EEA>V\ F<AL&D<! S&			&TLUXKSPJ	
[A' >&' WWAV& WA' <A>C				
	)*+7*,-+-	$-+762	$7-57,	
			8: !KCG@KASDBH$9J8%U;	$7-57,
	: #+O) 4&E),.;		&ZMBZJ	
HVE3 &&) 4&[A' >&' WWAV& WA' <A>C&			&ZMBZJ	
[A! B<A>L&-' E>D B				
	)*6*,-+-	$-+6FF	$7,25F-	
			8: ;B&B:: $U: GBH>D&?: C: !B	$7,25F-
	: #+O) 4&E),.;		&ZJTSXM	
HVE3 &&) 4&[A! B<A>L&-' E>D B&			&PLXKMBPM	
[AWWD<NL&\ACCD' & S				
	)*6*,-+-	$-+6FE	$7+)5E	
			8: !KCG@GUBD$HB>; B9CS!: A	$7+)5E
	: #+O) 4&E),.;		&ZPUSMQ	
HVE3 &&) 4&[AWWD<NL&ACCD' & S&			&ZPUSMQ	

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
[A9GC&W <3C! '-AL &3<! S				
	)*6*, -+-	$-+6F7	$-3,5)E	
			8&8&L$GUL$3: %>&3 A@9H$%&9M H;	$-3,5)E
	)*+, *, -+-	$-+E27	$-F4/E)533	
			D>CGAH>% 3U>&C; @)	$2655F
			D>CGAH>% 3U>&C; @)	$72655-
			D>CGAH>% 3U>&C; @)	$7,52,
			D>CGAH>% 3U>&C; @)	$-7257,
			D>CGAH>% 3U>&C; @)	$--+52E
			D>CGAH>% 3U>&C; @)	$FF56
			D>CGAH>% 3U>&C; @)	$-6496-573
			D>CGAH>% 3U>&C; @)>	$23F53)
			D>CGAH>% 3U>&C; @2>	$,756
			8&8&L$GUL$3: %>&3 @&A?$H9CJ$%&9M	$--55F
	: #+O)4&E),.;	&PQUPUX$PU		
HVE3 &3) 4&[A9GC&W <3C! '-AL&3<! S&		&JMKLUZX$KR		
[A<&[WGA&3 : 9L&9C				
	)*+, *, -+-	$-+E)-5-	$F)-5-	
			: U: 8L$I: ; $AJHA	$56-5-
			: U: 8L$I: ; $AJHA	$-7-5-
	)*, 3*, -+-	$-, ++-	$-765-	
			: U: 8L$I: ; $AJHA	$-765-
	: #+O)4&E),.;	&TKS&M		
HVE3 &3) 4&[A<&[WGA&3 : 9L&9C&		&TKS&M		
[A<ACVCE				
	)*+7*, -+-	$EE-26,	$-5-2	
			H9?8>$AK?A&5<@%8, -+-	$-)52
			H9?8>$AK?A&5<@%8, -+-	$55F-
	: #+O)4&E),.;	&JMSPT		
HVE3 &3) 4&[A<ACVCE&		&JMS&R		
[A<ACVCEL&3<! S				
	)*, 3*, -+-	$-, +++	$F-52)	
			!D W$>GU&C$AJHA	$,652)
			!D W$>GU&C$AJHA	$)65-
	: #+O)4&E),.;	&JXMSTU		
HVE3 &3) 4&[A<ACVCEL&3<! S&		&JZCQ5&R		
[A<HF>3L&9D @' AW				
	)*, 3*, -+-	$-, ++,	$365-	
			8: !KCG@&C; D&G: %	$365-
	: #+O)4&E),.;	&RKS&M		
HVE3 &3) 4&[A<HF>3L&9D @ AW&		&RKS&M		

MV00064148

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
[ACEL&[ACE& &B> DANA> L&WW-				
)*+,*,-+-	$-+E)+	$-E25-		
			D L>D&AJHA	$-+655-
			D L>D&AJHA	$3F56-
)*,3*,-+-	$-,++2	$-2-55)		
			D L>D&AJHA	$6,55-
			D L>D&AJHA	$3E526
			D L>D&AJHA	$7537
: #+O 4&E),.;		&TPT$KU		
HVE3 &B) 4&[ACEL&[ACE& &B> DANA> L&WW- &		&PTLTQZ$RU		
[A: DWWA:C& D> & F <3 DEDF <D<N				
)*6*,-+-	$-+6E-	$-5F6		
			8: !KCG@KAS DB-H$9J8%U;	$-5F6
: #+O 4&E),.;		&JMBKK		
HVE3 &B) 4&[A: DWWA:C& D> & F <3 DEDF <D<N &		&JMBKK		
[DF YEF_&W [F>' EF>DAC				
)*+7*,-+-	$-+76)	$248E75E		
			;9WB-H9D9L<$:A;A	$-F5F
			;9WB-H9D9L<$:A;A	$-46E5+
			;9WB-H9D9L<$:A;A	$4.)57-
: #+O 4&E),.;		&TIRQZ$ZQ		
HVE3 &B) 4&[DF YEF_&W [F>' EF>DAC&		&TRIPZZS$K		
[DEC&[VEAC& &9 F> A				
)*+7*,-+-	$-+766	$F-572		
			8: !KCG@KAS DB-H$9J8%U;	$F-572
: #+O 4&E),.;		&IMBZT		
HVE3 &B) 4&[DEC&[V EAC& &9 F> A&		&IMBZT		
[WGA&C@DAW3 &F H& ' WDHF><D				
)*+7*,-+-	$-+763	$6,,5EF		
			=:>D,=$&CA$%8:UBKU	$FE5E6
			=:>D,=$&CA$%8:UBKU	$))5.
: #+O 4&E),.;		&KJJ$$X		
HVE3 &B) 4&[WGA&C@DAW3 &F H& ' WDHF><D &		&ZLPKQ&M		
[F[F&DL&HAWD_				
)*6*,-+-	$-+6E+	$F+5-		
			UBD>L:$B:BJ?K8A:U:C;	$F+5-
)*,3*,-+-	$-,++)	$3,5-		
			UBD>L:$B:BJ?K8A:U:C;	$3,5-
: #+O 4&E),.;		&PTT$M		
HVE3 &B) 4&[F[F&DL&HAWD_ &		&RTP$PK		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&.,/(#+,	-./(#+,& '()*+,012
[-&] ACE& F' CE&> F3G! ECL&WW!				
)*6*,-+-	$-+6E,	$5F5 7		
			8: !KCG@KAS□B-H9J8%U;	$25+
			8: !KCG@KAS□B-H9J8%U;	$2)5-E
: #+O) 4&E) ,. ;		&XS&Z		
HVE3 &&) 4&[-&] ACE & F' CE&> F3G! ECL&WW! &		&PUX&V&Z		
[-C&E' ! ED ' WL&D< !				
)*,3*,-+-	$-,++6	$-E5) 7		
			%&; H= : A@&9□B-H: $G : %	$E5-
			%&; H= : A@&9□B-H: $G : %	$75-7
: #+O) 4&E) ,. ;		&PQ&&Z		
HVE3 &&) 4&[-C&E' ! ED ' WL&D< ! &		&ZS&K		
[>□EF L&E>' ! V				
)*+,*,-+-	$-+E) ,	$2F5-		
			8: !KCG@= : D : 8&!: :	$2F5-
: #+O) 4&E) ,. ;		&TX&&M		
HVE3 &&) 4&[>□EF L&E>' ! V&		&TX&&M		
[>FF BCL&BA9 AE@>'				
)*+7*,-+-	$-+76F	$-, , 5-		
			8: !KCG@>; = $B: LB&;	$-, , 5-
: #+O) 4&E) ,. ;		&PJJ&&M		
HVE3 &&) 4&[>FF BCL&BA9 AE@>' &		&PJJ&&M		
[G! BD< N@ 9 L&CE' <				
)*6*,-+-	$-+6E2	$2+E5F2		
			8: ; B&: : $U: GB-H>D&?: C: !B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&&T		
HVE3 &&) 4&[G! BD< N@ 9 L&CE' < &		&PLJXU&&J		
[G>WD< NEF <& F' E&H' ! EF>V&FH& ' L&WW!				
)*6*,-+-	$-+6E)	$-47FF5-		
			8: !KCG@KAS□B-H9J8%U;	$-47FF5-
: #+O) 4&E) ,. ;		&PZXX&&M		
HVE3 &&) 4&[G>WD< NEF <& F' E&H' ! EF>V&FH& ! ' L&WW! &		&PZXX&&M		
! &@&' &D<! S				
)*6*,-+-	$-+6E6	$)5-		
			8: !KCG@KAS□B-H9J8%U;	$)5-
: #+O) 4&E) ,. ;		&JU&PM		
HVE3 &&) 4&[&@&' &D<! S&		&JU&PM		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
! ' &CE' EA&EA' ! @A> &C&>AED>A9A<E&CV CEA9				
	)*+2*,-+-	$-,4F-5,		
			>CCD&D 8*H8: G; &7F&H=&B: ! B&H9%A	$-,4F-5,
	: #+0) 4&E) ,. ;	&PJLPXM&J		
HVE3 &&) 4&: ' &CE' EA&EA' ! @A> &C&>AED>A9A<E& CVCEA9 &		&PJLPXM&J		
! ' D<L&N>ANF>V				
	)*6*,-+-	$-+FE6	$2+E5F2	
			8: ; B&: : $U: GB&H>D&?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;	&TPQ&XT		
HVE3 &&) 4&: ' D<L&N>ANF>V&		&UKUZ&SK		
! ' W : A>' C&CE' <3' >3 &9' EA>D WC				
	)*,3*,-+-	$-,++3	$F)F5,2	
			H: U: C; $%K8H=>A:	$F)F5,2
	: #+0) 4&E) ,. ;	&UUX&T		
HVE3 &&) 4&: ' W : A>' C&CE' <3' >3 & 9' EA>D WC&		&UMPPX&Z&Q		
! ' WDHF><D &[GD%3 D<N&CE' <3' >3C& F 9 9 DCCDF<				
	)*+,*,-+-	$-+E)2	$3275/-	
			% 8UB $I>DK>; B9C $I: : A	$3275/-
	: #+0) 4&E) ,. ;	&RTZ&Z&M		
HVE3 &&) 4&: ' WDHF><D &[GD%3 D<N&CE' <3' >3C ! F 9 9 DCCDF< &		&UJUU&RM		
! ' WDHF><D &3A-' >E9A<E&F H&HDC@& <3&N' 9A				
	)*6*,-+-	$-+6E3	$3-56	
			U>M98$-U: CGUC; $I : : @83-*C>A9C	$3-56
	: #+0) 4&E) ,. ;	&KRM&SK		
HVE3 &&) 4&: ' WDHF><D &&A-' >E9A<E&F H&HDC@& ' <3&N' 9A&		&KLCPM&SK		
! ' WDHF><D & F F WC& &C-' CL&D<! S				
	)*+7*,-+-	$-+76E	$E5-6	
			8: ! KCG@KA&DB-H$9J8%U;	$E5-6
	: #+0) 4&E) ,. ;	&JQ&PK		
HVE3 &&) 4&: ' WDHF><D & F F WC& &C-' C L&D< ! S&		&JQ&PK		
! ' WDHF><D &[' EA>C@A3&A<ND<AA>D<N & F>-S				
	)*,3*,-+-	$EE-2FF	$5--56	
			%&9! $AJHA@&>-7-- ,6	$5--56
	: #+0) 4&E) ,. ;	&KM&SK		
HVE3 &&) 4&: ' WDHF><D &[' EA>C@A3& A<ND<AA>D<N& F>- S&		&LJXP&XK		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
! ' W: ' >V& @' -AW&F H&9 F>A< F& ' WWAV				
	)*+7*,-+-	$-+767	$--5-	
			8: !KCG@&C; D&G: %	$--5-
	: #+0) 4&E) ,. ;		&PMVB&M	
HVE3 &&) 4&: ' W: ' >V& @ -AW&F H&9 F>A< F& :' WWAV&			&PMVB&M	
! ' <<F<L& <' &9 S				
	)*6*,-+-	$-+6EF	$2+E5F2	
			8: ; &&: : $J: G&H>D&?: C: !&	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&: ' <<F<L& <' &9 S&			&PLJXUSZJ	
! ' <F<&HD<' <! D W&CA>: D ACL&D<! S				
	)*6*,-+-	$-+6EE	$F467-5&E	
			H9%&B 8$D >A:	$F4675 7
			H9%&B 8$D >A: @>D: A$ >W	$&2+527
	: #+0) 4&E) ,. ;		&XLKZMVRQ	
HVE3 &&) 4&: ' <F<&HB<' <! D W&CA>: D ACL&&<! S&			&KKZMVRSM	
! ' >[F<AL&N' [>DAW'				
	)*,3*,-+-	$-,++F	$-2,5-	
			E&A; 8KH; 98$AJHA@9D D98&H$G>CH	$-2,5-
	: #+0) 4&E) ,. ;		&PTJS&M	
HVE3 &&) 4&: ' >[F<AL&N' [>DAW' &			&KPTS&M	
! ' >EA>L&>FC' W<'				
	)*6*,-+-	$-+FE3	$&7)5-	
			8: ; &&: : $J: G&H>D&?: C: !&	$&7)5-
	: #+0) 4&E) ,. ;		&ZUS&M	
HVE3 &&) 4&: ' >EA>L&>FC' W<' &			&JLXRRSTR	
! ' CBAVL&&A[>' & S				
	)*6*,-+-	$-+FEF	$2+E5F2	
			8: ; &&: : $J: G&H>D&?: C: !&	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&: ' CBAVL&&A[>' & S&			&JLKLZS&K	
! A>EDHDA3 & >A3 DE &>A- F>ED<N L&D<!				
	)*+7*,-+-	$-+73-	$-E522	
			H8: GB $%&89! E&D $A JHA	$-E522
	: #+0) 4&E) ,. ;		&PQ&ST	
HVE3 &&) 4&: A>EDHDA3 & >A3 DE&>A- F>E E&N L&D<! &			&PZRSPQ	

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) *+,	3#1$45 ,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
! @' <! VL& @D G>G					
	) *, 3*, -+-	$ -, ++E	$-325E-		
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$7253-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 36E-
				EC A; 8KH; 98$AJHA@>P>EB C$GCH	$ 26) -
	: #+O) 4E) ,. ;		&PRTS&M		
HVE3 &) 4& @ <! VL& @D G>G&			&PILUXS&M		
! @' <3 WA>& CCAE&9 ' <' NA9 A<EL&D<!					
	) *+7*, -+-	$EE-262	$347+75-		
				EC J: A; U: C; $JL; $A JHA	$347+75 -
	: #+O) 4E) ,. ;		&RZPZS&M		
HVE3 &) 4& @ <3 WA>& CCAE&9 ' <' NA9 A <EL& B<! &			&RZPZS&M		
! @' -9' <L&CEA: A					
	) *6*, -+-	$ -+6E7	$2+E5F2		
				8: ; EB: : $J: GBH>D$?: C: ! B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ -9' < L&CEA: A&			&TIPQXS&M		
! @' - - AWWL&DC' ' !					
	) *6*, -+-	$ -+67-	$2+E5F2		
				8: ; EB: : $J: GBH>D$?: C: ! B	$2+E5F2
	: #+O) 4E) ,. ;		&TPQS&T		
HVE3 &) 4& @ - - AWW&DC' ' ! &			&TIPQXS&M		
! @' : A\ L& <NAW 7^ FCA					
	) *6*, -+-	$ -+67+	$2-5-		
				8: ! KCG$-CUD$AJHA$! : : A	$ -5 -
				8: ! KCG@CUD$AJHA$! : : A	$-5 -
	: #+O) 4E) ,. ;		&TMB&M		
HVE3 &) 4& @ : A\ L& <NAW 7^F CA&			&TMB&M		
! @A>>V& ' WWAV&HA A3					
	) *+7*, -+-	$ -+73+	$-+65 6		
				G9L$! 99G@7$U>W	$-+65 6
	: #+O) 4E) ,. ;		&PPKS&K		
HVE3 &) 4& @A>>V& ' WWAV&HAA3 &			&PIRXXS&U		
! @D<ACA&N FG>9AE					
	) *+7*, -+-	$ -+73,	$6F5-		
				8: ! KCG@KADBH9J8%U;	$6F5 -
	: #+O) 4E) ,. ;		&XS&M		
HVE3 &) 4& @B ACA &N F G>9 AE&			&XS&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
! @>DCED <L&F] A<					
	)*6*,-+-	$-+FEE	$-7)552		
				8:;B3:: $U: GBH>D&?: C: !B	$-7)552
	: #+O)4&E),.;		&PZUSKT		
HVE3&8)4& @>DCED <L&F] A<&			&LJJMBKR		
! @GW & DCE' & FWD! A&HFG<3' EDF<					
	)*+7*,-+-	$-+732	$-6-5-		
				A9&H>$L>CL$H9C! 5@)><$F@E	$6-5-
				A9&H>$L>CL$H9C! 5@)><$F@E	$6-5-
				A9&H>$L>CL$H9C! 5@)><$F@E	$6-5-
	: #+O)4&E),.;		&PKMBMM		
HVE3&8)4& @GW & DCE' & FWD A&HFG<3' EDF<&			&PKMBMM		
! D<3V&H' >>' >&H' 9 DW&3' V! ' >A					
	)*6*,-+-	$-+67,	$35)2		
				8: !KCG@KA&DBH$9J8%U;	$35)2
	: #+O)4&E),.;		&IRSJT		
HVE3&8)4& D<3V&H' >>' >&H' 9 DW&3' V! ' >A&			&IRSJT		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&&./(#+,	-./(#+,& '()*+,012
! D<E' C& F>-F>' EDF<				
	)*6*,-+-	$-+67)	$2-F5-	
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@J>E$C; $H8: P	$E52F
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$-35E
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$+5)-
			KCH98U$BC; D$AJH@NKB%&J>E$C;	$+5)-
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@8: : $J>E$C;	$E52F
			KCH98U$BC; D$AJH@A; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@A; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@A; 8: : ; $J>E$C;	$65E
			KCH98U$BC; D$AJH@A; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@A; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@A; 8U$G8C$J>E$C	$5-7
			KCH98U$BC; D$AJH@A; 8: : ; $J>E$C;	$)5E
			KCH98U$BC; D$AJH@A; 8: : ; $J>E$C;	$)5E
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@I9CH8: ; : $JC;	$E52F
			KCH98U$BC; D$AJH@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJH@A; 8B%&ECLH8: P	$-2EE
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
	)*+,*,-+-	$-+E)6	$+-52	
			KCH98U$BC; D$AJHA@%K8H=>AECL	$273
			KCH98U$BC; D$AJHA@%K8H=>AECL	$273
			KCH98U$BC; D$AJHA@%K8H=>AECL	$273
			KCH98U$BC; D$AJHA@%K8H=>AECL	$273
			KCH98U$BC; D$AJHA@%>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJHA@%>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJHA@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJHA@8!!H$J>E$C;	$+52
			KCH98U$BC; D$AJHA@BLCECLH8: P	$-2EE
			KCH98U$BC; D$AJHA@BLCECLH8: P	$-2EE
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-5-7E
			KCH98U$BC; D$AJHA@I!GZ+$A; >!!	$-5-7E
			KCH98U$BC; D$AJHA@J>H$J>E$C;	$-356
	)*+7*,-+-	$-+73)	$E-53)	
			KCH98U$BC; D$AJH@%>8I A$J>E$C;	$625+
			KCH98U$BC; D$AJH@I!G$A; >!!	$-5-7E
			KCH98U$BC; D$AJH@J>H$J>E$C;	$-356
	)*,3*,-+-	$-,+,-	$7,E52	
			KCH98U$BC; D$AJH@A; $J>E$C;	$.E5-
			KCH98U$BC; D$AJH@A; $J>E$C;	$)+57
			KCH98U$BC; D$AJH@A; $J>E$C;	$E35)7
			KCH98U$BC; D$AJH@A; $J>E$C;	$335)7
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE
			KCH98U$BC; D$AJH@L9DI$H8A	$6EE

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
			KCH 98U$BC; D$AJH@1.9DI $H8A	$65E6
			KCH 98U$BC; D$AJH@1.9DI $H8A	$65E6
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@1.8>!! B BH8: P	$E52F
			KCH 98U$BC; D$AJH@NKB@&U>BC;	$ +5 -
			KCH 98U$BC; D$AJH@NKB@&U>BC;	$ +5 -
			KCH 98U$BC; D$AJH@NKB@&U>BC;	$ +5 -
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@8: : $U>BC;	$E52F
			KCH 98U$BC; D$AJH@&; $AP: : %&BC L	$65E
			KCH 98U$BC; D$AJH@&; $AP: : %&BC L	$65E
			KCH 98U$BC; D$AJH@&; $AP: : %&BC L	$65E
			KCH 98U$BC; D$AJH@&; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@&; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@&; $G8C$U>BC;	$ 5F7
			KCH 98U$BC; D$AJH@9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@9CH$U>BC;	$E52F
			KCH 98U$BC; D$AJH@8>!! BH$U>BC;	$+5 2
			KCH 98U$BC; D$AJH@BLCBC L$H8: P	$-25E6
			KCH 98U$BC; D$AJH@&-8I A	$625 +
			KCH 98U$BC; D$AJH@!GS2+	$-5FE
			KCH 98U$BC; D$AJH@>H$U>BC;	$-3536
	: #+0 4&E) ,. ;	&PLKJRSRM		
HVE3 &) 4& B&E' C& F>-F>' EBF<&		&RLKZMBKM		
! DEV&FH&9 F>A<F& ' WWAV& A[' &E>GCE				
	)*+, *, -+-	$EE-2, 7	$ 43, 55-	
			: W U% $I: ?>	$ 43, 55-
	: #+0 4&E) ,. ;	&JLMRJSKM		
HVE3 &) 4& DEV&FH&9 F>A<F& ' WWAV& A[' & E>GCE&		&JJLPRJSKM		
! D D CEF<A				
	)*+, *, -+-	$EE-22-	$ 665-	
			H9CAKD BCL$AJHA	$ 665-
	: #+0 4&E) ,. ;	&IKKSMM		
HVE3 &) 4& D D CE F<A&		&ZLXPMZM		
! W VEF<L&CD9 F<<A				
	)'6*, -+-	$ -+676	$ -5-	
			8: !KCG@&>?B A$I: : $G: %9AB	$ -5-
	: #+0 4&E) ,. ;	&IMBMM		
HVE3 &) 4& W VEF<L&CD9 F<<A&		&IMBMM		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted]	-./(#+,& '()*+,012
! WD<D ' &9A3D ' & ' >' &EF3FC					
	)*6*,-+-	$-+673	$7-55)		
				8: !KCG@KASDBH$9J8%U;	$7-55)
	: #+O)4&E),.;		&ZMBKU		
HVE3&&)4&WB<D ' &9A3D ' &' >' &EF3FC&			&ZMBKU		
! <F' &>ANDF<&					
	)*6*,-+-	$-+67F	$-265-		
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
				)*,E*+-$G8KL$8: CGA*>?KA: $8CL	$65-
	: #+O)4&E),.;		&PTKSM		
HVE3&&)4&<F' &>ANDF<&&			&RXKSM		
! F' CE&CDN<&D<!					
	)*+7*,-+-	$-+736	$F5-7		
				8: !KCG@KASDBH$9J8%U;	$F5-7
	: #+O)4&E),.;		&JXSKZ		
HVE3&&)4&F' CE&CDN<&D<! &			&JXSKZ		
! FWF<D W&CG--WA9A<E' W&D<CG>' <! A					
	)*,3*,-+-	$-,+,+	$F4-2F552		
				AK%%D U: C; >D&CA K8>CH:	$F4-2F552
	: #+O)4&E),.;		&LPTXSRT		
HVE3&&)4&FWF<D W&CG--WA9A<E' W& B<CG>' <! A&			&ZLMKTSKQ		
! F9&&FF>& &@' >3]' >AL&D<!					
	)*+7*,-+-	$-+733	$F7552		
				8: !KCG@KASDBH$9J8%U;	$F7552
	: #+O)4&E),.;		&ZSKT		
HVE3&&)4&F9&&FF>& &@' >3]' >AL&D<! &			&ZSKT		
! F99G<DEV&@A' WE@& @' >DEDAC					
	)*+,*,-+-	$-+E)3	$-6+5)F		
				H=H$H9C; 8B?K; B9CA	$-6+5)F
	)*,3*,-+-	$-,+,,	$-6+5)F		
				H=H$H9C; 8B?K; B9CA	$-6+5)F
	: #+O)4&E),.;		&TMUSZU		
HVE3&&)4&F99G<DEV&@A' WE@& @ >DEDAC&			&QLMPQ&JT		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
! F9-AEDED A&CE>D3A				
)*6*,-+-	$-+67E	$-4)E75EE		
			A%&98; A$-P>8GA	$-4)E75EE
)*+7*,-+-	$-+73F	$-4-F5E)		
			A%&98; A$-P>8GA	$-4-F5E)
	: #+0)4&E),.;	&JILZXSKJ		
HVE3&8)4&I F9-AEDED A&CE>D3A&		&KIPTRSTQ		
! F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >				
)*+,*,-+-	$-+E)F	$-2F5E7		
			D L>D&AK?AH8B%B9C	$-2F5E7
	: #+0)4&E),.;	&PTXSSZ		
HVE3&8)4&I F<ED<GD<N&A3G! ' EDF<&FH&E@A&[' >&		&KCKSSX		
! FCE! F				
)*6*,-+-	$-+677	$-46-65,F		
			UBAHSAK%%CBA@I= BDGA$%CH	$-46-65,F
)*+,*,-+-	$-+E)E	$2335552		
			UBAHSAK%%CBA@I ; $%>8I	$2335552
)*+7*,-+-	$-+737	$-422+5,)		
			UBAHSAK%%CBA@; >8A	$6EEE)
			UBAHSAK%%CBA@; >8A	$-F553
			UBAHSAK%%CBA@; >8A	$3653E
			UBAHSAK%%CBA@; >8A	$-36557
			UBAHSAK%%CBA@; >8A	$3F5F
			UBAHSAK%%CBA@; >8A	$-65,
			UBAHSAK%%CBA@G G	$3+5E
)*,3*,-+-	$-,+,2	$27F55)		
			UBAHSAK%%CBA@I= BDGA$%CH	$FF5-2
			UBAHSAK%%CBA@; >8A	$EF5F3
			UBAHSAK%%CBA@; >8A	$-)-52
			UBAHSAK%%CBA@; >8A	$7,53,
	: #+0)4&E),.;	&TERMMBKQ		
HVE3&8)4&I FCE! F&		&JKCTJPSZP		
! FCEDWF] L&9' >V&^F				
)*+,*,-+-	$-+E)7	$5)55-		
			8: !KCG@B>; BDC$$BAUBAA: G	$5)55-
	: #+0)4&E),.;	&KUSKM		
HVE3&8)4&I FCEDWF] L&9' >V&F&		&KUSKM		

MV00064158

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
! FG<CAWD<N&EA' 9 L&E@A				
) *+, *, -+-	$ -+E6-	$-4 6-5-		
			: U%D9<: : $HCADCL$ AJ HA	$-4 6-5-
) *, 3*, -+-	$ -, +,)	$-4 6-5-		
			: U%D9<: : $HCADCL$ AJ HA	$-4 6-5-
: #+O) 4&E) ,. ;		&JLKVMB&M		
HVE3 &) 4&I FG<CAWD<N&EA' 9 L&E@A&		&PJLKVMB&M		
! FG<E>V&CcGD>A&A CE' EAC				
) *+7*, -+-	$ -+7F-	$-365F,		
			8: ! KCG@&; $KA: 8$ >W A	$7-5/E
			8: ! KCG@&; $KA: 8$ >W A	$F) 5F)
: #+O) 4&E) ,. ;		&PRKSXJ		
HVE3 &) 4&I FG<E>V&CcGD>A&ACE' EAC&		&RMZSPT		
! FG<EV&FH&>D A>C D&A&&>9' -				
) *+, *, -+-	$ -+E6+	$) +5 6		
			8: H98G>; E9C$BNA; A	$) +5 6
: #+O) 4&E) ,. ;		&PSSK		
HVE3 &) 4&I FG<EV&FH&>D A>CD&A&&>9' -&		&TRRSRM		
! FG<EV&FH&>D A>C D&A& G3 DEF>				
) *6*, -+-	$ -+3--	$E4) 35-		
			%>8I ECL$HC; 8D$: : A	$3-42, -5-
			%>8I ECL$HC; 8D$: : A	$-47, 35-
: #+O) 4&E) ,. ;		&QJJURSM		
HVE3 &) 4&I FG<EV&FH&>D A>CD&A& G3 DEF>&		&ZKKQVUSZK		
! >' <A& >! @DEA! EG >' W&N>FG-				
) *+, *, -+-	$ -+E6,	$ 4) -65-		
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$-4F+65-
			%K?$A!; <$?DGL$H9 CJ: 8AE9C$%&9M	$37-5-
: #+O) 4&E) ,. ;		&JLLMKSM		
HVE3 &) 4&I >' <A& >! @DEA! EG>' W&N>FG-&		&RLXVMB&M		
! >F] <& ' CEWA&9 GL&WW				
) *6*, -+-	$ -+3-+	$2+52-		
			8: ! KCG@KASDBH$9J 8%U;	$2+52-
: #+O) 4&E) ,. ;		&TPSTM		
HVE3 &) 4&I >F] <& ' CEWA&9 GL&WW &		&TPSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
! E' D&' ! DHD &N>AA<C! ' -A				
)*,3*,-+-	$EE-2FE	$)477F5-2		
			D>CGAH>% 3J>E&; @GAL+P	$)4E7F5-2
			D>CGAH>% 3J>E&; @GAL+P	$F65-6
			D>CGAH>% 3J>E&; @GAL+P	$)5F6
	: #+O)4&E),.;	&JZZXS/T		
HVE3&)4& E' D&' ! DHD &N>AA<C! ' -A&		&KJLVPPS/K		
! GA:' CL&B' ED&A				
)*+7*,-+-	$-+7F+	$2F53-		
			8:!KCG@BJ:$198$9;A	$2F53-
	: #+O)4&E),.;	&TXSRM		
HVE3&)4& GA:' CL&B' ED&A&		&TXSRM		
3& &3&CA>:D AC&3 [' &3& &3&3 D&-FC' W&D&<!S				
)*+7*,-+-	$-+7F,	$F)65-		
			GB&%9A>D&AJHA@C UD&A=D,8	$F)65-
	: #+O)4&E),.;	&UKS/M		
HVE3&)4& & &3&CA>:D AC&3 [' &3& &3& 3D&-FC' W&D&<!S&		&LRVVB/M		
3& &C&N F<CE>G! E DF<				
)*6*,-+-	$-+3-,	$F65-		
			8:!KCG@KAS&DBH$9J8%U;	$F65-
	: #+O)4&E),.;	&KS/M		
HVE3&)4& & &C&N F<CE>G! E DF<&		&KS/M		
3&W&C&W <3C! ' -AL&D<!				
)*6*,-+-	$-+3-2	$752E		
			8:!KCG@KAS&DBH$9J8%U;	$752E
	: #+O)4&E),.;	&ZS'Q		
HVE3&)4& &W&C&W <3C! ' -AL&D<!&		&ZS'Q		
3' DW&' FG><' W&L F>-F>' ED F<				
)*6*,-+-	$-+3-)	$F6253)		
			AK?AH8B%$9CS&BCP D&@>GM	$F6253)
	: #+O)4&E),.;	&KTSRU		
HVE3&)4& ' DW&' FG><' W&L F>-F>' ED F<&		&RLTUZSRU		
3' WAL&B' E@WAA<				
)*6*,-+-	$-+FE7	$2+6557		
			8:;B&:: 3J:GBH>D&?:C:!B,	$2+6557
	: #+O)4&E),.;	&TPKS&Z		
HVE3&)4& ' WAL&B' E@WAA<&		&TLPKQ&U		

MV00064160

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	8888888888888 8888888888888 8888888 3#1$456,5)+7-*46) 1#8) 88&./(#+,	-./(#+,& '()*+,012
3' <DAW&C& @' >9' ! V				
)*6*,-+-	$-+3-6	$6F5-		
			8: !KCG@KAS DH$9J8%U;	$6F5-
: #+0) 4&E) ,. ;		&KX&M		
HVE3 &) 4&' <DAW&C& @ >9' ! V&		&KX&M		
3' E' &ED BAEL&D<! S				
)*6*,-+-	$EE-,33	$,46)2&5)		
			HB>; E9C$%&HAACL@%G	$4EE2&5-
			HB>; E9C$%&HAACL@%G	$24),57
			HB>; E9C$%&HAACL@%G	$427+52F
			HB>; E9C$%&HAACL@DGL*A!; <	$)-&5-
			HB>; E9C$%&HAACL@DGL*A!; <	$E)52,
			HB>; E9C$%&HAACL@!9G:	$F-2736&3
			HB>; E9C$-%%DH$U>E; *AK%%98;	$-65-
)*+,*,-+-	$EE-22+	$64)FF5,6		
			HB>; E9C$%&HAACL@!9G:	$7)65-
			HB>; E9C$%&HAACL@!9G:	$-4)3F5+
			HB>; E9C$%&HAACL@!9G:	$-46+75E
			HB>; E9C$%&HAACL@DGL*A!; <	$-46))5E
)*,3*,-+-	$EE-2F7	$48,75&2		
			HB>; E9C$%&HAACL@!9G:	$43,5F6
			HB>; E9C$%&HAACL@!9G:	$4-335E
: #+0) 4&E) ,. ;		&TJIEKKMFJ		
HVE3 &) 4&' E' &ED BAEL&D<! S&		&PKK1PXU&KJ		
3' E' cGD B&I F>-F>' EA&@A' 3cG' >EA>C				
)*,3*,-+-	$-,+,3	$-2-5&-		
			9CDE: $AJHA@%9DEH:	$-2-5&-
: #+0) 4&E) ,. ;		&PTM&KM		
HVE3 &) 4&' E' cGD B&I F>-F>' EA& @A' 3cG' >EA>C&		&LJMK&M		
3' : D& &A: ' <C& & C CF! D EACL&D<! S				
)*6*,-+-	$-+3-3	$2F,5&-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$2F,5&-
)*,3*,-+-	$-,+,F	$F4-F5&-		
			AKCC<UG$?DJG$B: J B$%&89M&AJHA	$F4-F5&-
: #+0) 4&E) ,. ;		&KLKCMB&M		
HVE3 &) 4&' : D& &A: ' <C& & CCF! D EA CL&D<! S&		&RLKKU&KZ		
3A[D<' D>A&I F9-' < V				
)*6*,-+-	$-+3-F	$2F65-		
			?9ED 8$U>E; @%B <$->DD	$-)-5-
			?9ED 8$U>E; @%A?	$-)-5-
			?9ED 8$U>E; @%8H	$765-
: #+0) 4&E) ,. ;		&TXK&M		
HVE3 &) 4&A[D<' D>A&I F9-' <V&		&PLXCMFK		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
3AA>V& 9A>D ' <& F>-					
	)*+7*,-+-	$EE-26)	$-E47)F5E3		
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$-F4),+5F6
				!8: BL=; $H=>8L:	$-46E-5-
				A: >D>C; 198H8>HI $A: >DEC L$%8LU	$3522
				56-[$KA: $>W$>HH 8K>D	@E-5,
	: #+0)4E),.;		8PQZUX$QR		
HVE3 &) 4& AA>V& 9A>D ' <& F>-&			8TXLJJUSTJ		
3AWE' &A<E' W					
	)*6*,-+-	$-+3-E	$-+46)567		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-+46)567
	: #+0)4E),.;		8PPLMKUS$Z		
HVE3 &) 4& AWE' & A<E' W&			8PPULJJTS$M		
3AWE' ! ' >A&GC'					
	)*+,*,-+-	$-+E62	$-42EE56-		
				: U%D9<: : $G: C; >D$ EC AK8>CH:	$-42EE56-
	: #+0)4E),.;		8RLTQQ$KM		
HVE3 &) 4& AWE' ! ' >A&GC' &			8RXLJXRS$P		
3A<<DC&N>G[[& & CCF! D EACL&WW					
	)*6*,-+-	$EE-,3F	$E--5-		
				%D>C$B: JB P$AJHA @EB:	$E--5-
	: #+0)4E),.;		8QMMB$M		
HVE3 &) 4& A<<DC&N>G[[& & CCF! D EACL&WW			8ZLRCK$M		
3A<<DC&F>ED &&>A<E' WC					
	)*+7*,-+-	$-+7F2	$E75-2		
				8: !KCG@KA$DB-H$9J8%U;	$E75-2
	: #+0)4E),.;		8QZ$KT		
HVE3 &) 4& A<<DC&F>ED &&>A<E' WC&			8QZ$KT		
3A-' >E9A<E&FH& F <CA>:' EDF<					
	)*+,*,-+-	$-+E6)	$-47,52F		
				AUE$!: : A$D AA$B: ; >EC>L:	$-423-527
				AUE$!: : A$D AA$B: ; >EC>L:	@E5,
	: #+0)4E),.;		8PLJZJS$X		
HVE3 &) 4& A-' >E9 A<E&FH& F <CA>:' EDF<&			8JLLJT$PK		
3A-' >E9A<E&FH&A< :D>F<9A<E' W&@A' WE@					
	)*+7*,-+-	$-+7F)	$F)5-		
				=: >D =$% 8UB$!: :	$F)5-
	: #+0)4E),.;		8XUS$M		
HVE3 &) 4& A-' >E9 A<E&FH&A< :D>F<9A <E' W& @A' WE@&			8JQJS$M		

MV00064162

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&8&./(#+,	-./(#+,& '()*+,012
3ACED<V&8' <! A] A' >L&D<!				
)*6*,-+-	$-+3-7	$-F57)		
			8: !KCG@KASDB-H$9J8%U;	$-F57)
	: #+0)4E),.;	&PXSZU		
HVE3&8)4&ACEB<V&8' <! A] A' >L&B<!&		&PXSZU		
3A_EA>L&ED9FE@V&W&				
)*6*,-+-	$-+3+-	$-4E6+5-		
			8: !KCG@GUBC$-HB>; B9CS! : : A	$6+5-
			8: !KCG@GUBC$-HB>; B9CS! : : A	$-4--5-
	: #+0)4E),.;	&PLQKPS&M		
HVE3&8)4&A_EA>L&ED9FE@V&W&		&PLQKPS&M		
3DCED<! ED AW&/F G>C				
)*,3*,-+-	$-,+,7	$-6-5-E		
			: U%D9<: : $KCB!98U @&P	$-6-5-E
	: #+0)4E),.;	&PKMB&Q		
HVE3&8)4&DCEB<! ED AW&/FG>C&		&PKMB&Q		
3DCED<NGDC@A3&HWVD<N&! >FCC&CF! DA EV				
)*,3*,-+-	$-,+2-	$2-5-		
			L89KCG$-8: >I BCL@BB3UKA: KU	$-5-
			L89KCG$-8: >I BCL@BB3UKA: KU	$-5-
			L89KCG$-8: >I BCL@BB3UKA: KU	$-5-
	: #+0)4E),.;	&TMB&M		
HVE3&8)4&DCEB<NGDC@A3&HWVB<N&! >FCC& CF! DAEV&		&TMB&M		
3FWA_&3FWW >&A_- >ACCL&D<!				
)*6*,-+-	$-+3++	$)56		
			8: !KCG@KASDB-H$9J8%U;	$)56
	: #+0)4E),.;	&USJK		
HVE3&8)4&FWA_& FWW >&A_->ACCL&D<!&		&USJK		
3F<' @GA& -->' DC' W& CCF! D EAC				
)*,3*,-+-	$EE-2E-	$-+4E,-5-		
			% 88BADJGPB6: CBCL$%89M&AJHA	$74--5-
			% 88BADJGPB6: CBCL$%89M&AJHA	$4F.-5-
	: #+0)4E),.;	&PPLQJMB&M		
HVE3&8)4&F<' @GA& -->' DC' W& CCF! D EAC		&RJLTMB&M		
3F>VL& WWAA<&HS				
)*6*,-+-	$-+3+,	$)+6552		
			8: ; BB: : $U: GB-H>D&?: C: !B	$-7)552
			8: ; BB: : $U: GB-H>D&?: C: !B	$,+5-
	: #+0)4E),.;	&PKS&T		
HVE3&8)4&F>VL& WWAA<&HS&		&UZXUSU		

MV00064163

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
3 > A_WA> L&3 ' : D3					
	) *+6*, -+-	$ -+72+	$2, 65-		
				% 8$GB U@H9C9UBH$H8BJ: A$HD>AA	$2, 65-
	: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &) 4&3 > A_WA> L&3 ' : D3 &			&KJMB&M		
3 G>' <L&[W <! '					
	) *+, *, -+-	$ -+E66	$2+65-		
				E@A; 8KH; 98$AJHA@9D D98B$GCH	$F25-
				E@A; 8KH; 98$AJHA@9D D98B$GCH	$), 5-
	: #+O) 4&E) ,. ;		&TPK&M		
HVE3 &) 4&3 G>' <L&[W <! ' &			&LJJR&M		
A&>S&[WF! B& WG9 [D<N& &@A' ED<N L&D<! S					
	) *6*, -+-	$ -+3+2	$FF) 5E)		
				?>HI ! D9P$B%DHUC; @>; : 8B>D	$&2, 5E,
				?>HI ! D9P$B%DHUC; @>?98	$F- 5-
				?>HI ! D9P$B%DHUC; @>; : 8B>D	$2653,
				?>HI ! D9P$: A; E@L	$236)-
	) *+, *, -+-	$ -+E63	$) 653-		
				?>HI ! D9P$: A; E@L	$) 653-
	) *, 3*, -+-	$ -, +2+	$37+53-		
				?>HI ! D9P$: A; E@L @+	$F, 5E-
				?>HI ! D9P$: A; E@L @,	$ 235E-
				?>HI ! D9P$: A; E@L @+6	$236)-
				?>HI ! D9P$: A; E@L @C3U	$236)-
				?>HI ! D9P$: A; E@L @AL+	$F, 5E-
				?>HI ! D9P$: A; E@L @C9A	$236)-
	: #+O) 4&E) ,. ;		&PLRPJ&M		
HVE3 &) 4&A> S&[WF ! B& WG9 [D<N& &@A' ED<N L& D<! S&			&ZLPMRSZ		
A' NWAED9 A& FG<CA WD<N &CA>: D AC					
	) *+7*, -+-	$ -+7F6	$ 65-		
				8: ! KCG@KA$DB H$9J8%U;	$ 65-
	: #+O) 4&E) ,. ;		&IK&M		
HVE3 &) 4&A' NWAED9 A& FG<CAWD<N & CA> : D AC&			&IK&M		
A' >WL&- ' GW					
	) *, 3*, -+-	$ -, +2,	$) FF5-		
				% 8$GB U@HH$; ; <A$A%BE@L$H9C!	$) FF5-
	: #+O) 4&E) ,. ;		&PXX&M		
HVE3 &) 4&A' >WL&- ' GW&			&PXX&M		

MV00064164

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
A' CEA><8&9G<D D' W&] ' EA>&8 DCE>D E				
	)*6*, -+-	$-+3+)	$F42)75 3	
			P>; : 8$H=8LA@U: 8 L$9%A$H; 8$%89M	$2+5F-
			P>; : 8$H=8LA$!98$!: ?8K>8<	$6+53E
			P>; : 8$H=8LA$!98$U>8H=	$335 E
			P>; : 8$H=8LA$!98$U>8H=	$2+7566
			P>; : 8$H=8LA$!98$U>8H=	$-4 E-5 7
			P>; : 8$H=8LA$!98$U>8H=	$ E5 F
			P>; : 8$H=8LA$!98$U>8H=	$-8++53)
			P>; : 8$H=8LA$!98$U>8H=	$-4-F, 526
			P>; : 8$H=8LA$!98$U>8H=	$-4277 5 -
			P>; : 8$H=8LA$!98$U>8H=	$-) 5 6
			P>; : 8$H=8LA$!98$U>8H=	$ +257 3
			P>; : 8$H=8LA$!98$U>8H=	$2- 2E)
			P>; : 8$H=8LA$!98$U>8H=	$335-7
			8HDJG$P>; : 8@8>BC$U>BC; $%8LU	$3- 5F6
			8HDJG$P>; : 8@; 5AP: : %BC L$%8LU	$3- 5F6
			8HDJG$P>; : 8@; 5AP: : %BC L$%8LU	$ 3- 5F)
			8HDJG$P>; : 8@; 8: : ; $U>BC; $%8LU	$EE5 .
	)*+, *, -+-	$-+E6F	$-3482E5-)	
			P>; : 8$H=8LA$!98$U>8H=	$F) 5E+
			P>; : 8$H=8LA$!98$U>8H=	$-46, 65 6
			P>; : 8$H=8LA$!98$U>8H=	$2E) -
			P>; : 8$H=8LA$!98$U>8H=	$ 4 +652)
			P>; : 8$H=8LA$!98$U>8H=	$3476) 5F6
			P>; : 8$H=8LA$!98$U>8H=	$-472E527
			P>; : 8$H=8LA$!98$U>8H=	$-422F5E)
			P>; : 8$H=8LA$!98$U>8H=	$3) , 5 2
			P>; : 8$H=8LA$!98$U>8H=	$7. F57)
			P>; : 8$H=8LA$!98$U>8H=	$-E+567
			P>; : 8$H=8LA$!98$U>8H=	$-3, 5++
			P>; : 8$H=8LA$!98$U>8H=	$) 65)
			P>; : 8$H=8LA$!98$U>8H=	$-2753 3
			P>; : 8$H=8LA$!98$U>8H=	$6) 5 7
	)*, 3*, -+-	$-, +22	$-) 42+25E-	
			P>; : 8$H=8LA$!98$U>8H=	$ FE52.
			P>; : 8$H=8LA$!98$U>8H=	$642, E5++
			P>; : 8$H=8LA$!98$U>8H=	$-463F5F+
			P>; : 8$H=8LA$!98$U>8H=	$ 463257+
			P>; : 8$H=8LA$!98$U>8H=	$ F) 53,
			P>; : 8$H=8LA$!98$U>8H=	$-4F7352 3
			P>; : 8$H=8LA$!98$U>8H=	$-422, 5E+
			P>; : 8$H=8LA$!98$U>8H=	$, 65+2
			P>; : 8$H=8LA$!98$U>8H=	$2335-7
			P>; : 8$H=8LA$!98$U>8H=	$ E-5F)
	: #+O) 4&E) ,. ;	&TQLTMPSPM		
HVE3 &8) 4&A' CEA><8&9G<D D' W&] ' EA>& 3 DCE>D E&		&ZTPLRRKSPQ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
A! FW [&D<! S				
)*6*,-+-	$-+3+6	$2522E		
			8: !KCG@KADH9J8%U;	$2522E
: #+O) 4&) ,. ;		&RTS'Q		
HVE3 &) 4&A! FW [&D<! S&		&RTS'Q		
A! F9FEDF<L&D<! S				
)*6*,-+-	$-+3+3	$)46)E5)2		
			H9CAKD, &DCL$AJHA@&%HD&GEA;	$)46)E5)2
)*+7*,-+-	$-+7FF	$)4)E+5)+		
			H9CAKD, &DCL$AJHA@&; &DB <	$)4)E+5)+
: #+O) 4&) ,. ;		&ZUWZ&U		
HVE3 &) 4&A! F9FEDF<L&D<! S&		&PPLQUJS'U		
A3NAW <A&9F[DVA&-' >B				
)*+,*,-+-	$EE-22,	$-,57F		
			8: !KCG@&; $KA: 8$>W A	$-,57F
: #+O) 4&) ,. ;		&RJS'X		
HVE3 &) 4&A3NAW <A&9F[DVA&-' >B&		&ZZS$X		
A3DE@&&HS&<' :' >> F				
)*+7*,-+-	$-+7FE	$5)53F		
			8: !KCG@KADH9J8%U;	$5)53F
: #+O) 4&) ,. ;		&KJ5RX		
HVE3 &) 4&A3DE@&&HS&<' :' >> F&		&KJ5RX		
ANNA>CEA<L& <<A				
)*6*,-+-	$-+3+F	$2-653-		
			8: ; &B: : $U: GH>D$?: C: !B	$2-653-
: #+O) 4&) ,. ;		&TMKSRM		
HVE3 &) 4&ANNA>CEA<L& <<A&		&LQTQS'T		
A9-D>A&D<CGW EDF <L&D<!				
)*6*,-+-	$-+3+E	$65--		
			8: !KCG@KADH9J8%U;	$65-
: #+O) 4&) ,. ;		&KS'M		
HVE3 &) 4&A9-D>A&D<CGW EDF <L&D<! &		&KS'M		
A9-D>A&C-F>EC				
)*+7*,-+-	$EE-266	$54+3573		
			A%98; A$KCH98UA@&>8I A	$-)E5+3
			A%98; A$KCH98UA@&>8I A	$543EE-
: #+O) 4&) ,. ;		&KJPRSR		
HVE3 &) 4&A9-D>A&C-F>EC&		&PULQQZ$R		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&./(#+,	-./(#+,& '()*+,012
A<! @ <EA3& DWW N A&FH&NDHEC				
)*6*,-+-	$-+3+7	$-,5-2		
			8: !KCG@KAS DB H$9J8%U;	$-,5-2
: #+0)4E),.;		&RJS/T		
HVE3&8)48A<! @ <EA3& DWW NA&FH&NDHEC&		&RJS/T		
A<! F&GEDWDEV&CA> : D AC&9F>A<F& ' WWAV&WW				
)*+,*,-+-	$-+E6E	$24F6-5-		
			H?C; $D >A: @@; ; CPG	$)F5+)
			H?C; $D >A: @@; ; CPG	$-4-,5E3
			H?C; $D >A: @&CGB- C*C>CGB&>	$E+52,
			H?C; $D >A: @&CGB- C*C>CGB&>	$-43E53E
			H?C; $D >A: @&B-A	$7E56
			H?C; $D >A: @&B-A	$-46+576
)*+7*,-+-	$-+7F7	$,2436F5-3		
			LB&$G>; >$-H9CJ: 8A B9C	$32-5F-
			: D H; $U: ; : 8$9 : : A	$-42-F5)3
			: D H; $U: ; : 8$9 : : A	$4F+75-
: #+0)4E),.;		&XILIVKSPR		
HVE3&8)48A<! F&GEDWDEV&CA> : D AC&9 F>A<F& : ' WWAV&WW &		&PLCKKLPMD&/K		
A<: D>F<9A<E' W&9F W&D<N& F<! A-ECL&D<!				
)*6*,-+-	$-+3,+	$F-57F		
			8: !KCG@KAS DB H$9J8%U;	$F-57F
: #+0)4E),.;		&IMEZX		
HVE3&8)48A<: D>F<9A<E' W&9F W&D<N& ! F<! A-ECL&D<! &		&IMEZX		
AC-D<F\' L&>FCV				
)*+7*,-+-	$-+7E-	$F6-5-		
			8: !KCG@@C; D&G: %&)*2	$F6-5-
: #+0)4E),.;		&KIMB/M		
HVE3&8)48AC-D<F\' L&>FCV&		&KIMB/M		
A:' <CL&9AW:'				
)*+,*,-+-	$-+E67	$2,755-		
			8: !KCG@B>; B9C$9J8%U;	$2,755-
: #+0)4E),.;		&TJZ$KM		
HVE3&8)48A:' <CL&9AW:' &		&TJZ$KM		
A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S				
)*,3*,-+-	$-,+2)	$775-)		
			B&8BL>; B9C$AK%%DBA	$E25-3
			B&8BL>; B9C$AK%%DBA	$-657E
: #+0)4E),.;		&KZZ$/U		
HVE3&8)48A] D<N&D>>DN' EDF<&>F3G! ECL&D<! S		&PTILPJS2K		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&.//(#+,	-./(#+,& '()*+,012
A_! AW&W <3C! ' -AL &D<!				
)*+,*,-+-	$-+E3-	$24EE75-		
			D>CGAH>% 3U>E&; @PN!	$52-56-
			D>CGAH>% 3U>E&; @PN!	$4--5-
			D>CGAH>% 3U>E&; @PN!	$7E-5-
			D>CGAH>% 3U>E&; @PN!	$-FE56-
)*,3*,-+-	$-,+26	$-,4F)5,		
			D>CGAH>% 3U>E&; @F	$4335E+
			D>CGAH>% 3U>E&; @H: D ?$%>8I	$-4F-523
			D>CGAH>% 3U>E&; @&8$9U$%>8I	$-46-+57E
			D>CGAH>% 3U>E&; @+)	$24)3+5F
			D>CGAH>% 3U>E&; @PN!	$-47)65-
			D>CGAH>% 3U>E&; @PN?	$-47))5-
			D>CGAH>% 3U>E&; @+6	$E65-
: #+O)4&E),.;		&PRLKRTS&J		
HVE3&)4&A_! AW&W <3C! ' -AL&D<! &		&JMKIPUQS&Q		
H' D>&@FGCD<N& FG<! DW&F H&>D& FL&D<! S				
)*,3*,-+-	$EE-2E+	$24)F35-E		
			HG?L$!KCG: G$AJHA@8HDA8$%&8: J	$4275)
			HG?L$!KCG: G$AJHA@8HDA8$%&8: J	$-4235?)
: #+O)4&E),.;		&TILUXRSPQ		
HVE3&)4&H' D>&@F GCD<N& FG<! DW&F H&>D& FL& D<! &		&JJIZLJJS&M		
H' <<D<NL&AHH>AV &A' <				
)*+7*,-+-	$-+7E+	$7)5-		
			E&A; 8KH; E&DC$AJHA@2&G><A	$7)5-
: #+O)4&E),.;		&LZUS&M		
HVE3&)4&H' <<D<NL&AHH>AV&A' <&		&LZUS&M		
HA3A>' W&A_->ACC				
)*+,*,-+-	$-+E3+	$-F5)+		
			,6F2+F,--@W%8: A A$U>E&E&L	$-F5)+
: #+O)4&E),.;		&PXS&P		
HVE3&)4&HA3A>' W&A_->ACC&		&PJJS&M		
HAA<CE>' L&\F@<				
)*6*,-+-	$-+F7-	$23+56		
			8:; E&B: : $U: GBH>D&?: C: !B	$23+56
: #+O)4&E),.;		&TRPS&K		
HVE3&)4&HAA<CE>' L&F@<&		&TLRPJS&M		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
HA<! AEA! @L&D<!				
)*6*,-+-	$-+3,,	$-6-5-		
			8: !KCG@KAS DH$9J8%U;	$-6-5-
	: #+O) 4&E),.;	&PKMVB/M		
HVE3 &&) 4&HA<! AEA! @L&D<! &		&PKMVB/M		
HD<ACCA& A>CF<<A W& CCF! D EAC				
)*6*,-+-	$-+3,2	$F4-665-2		
			;: U%&AJHA@: HI C: 8$P*: $2*+2	$-4673E+
			;: U%&AJHA@: HI C: 8$P*: $2*,-	$-4E6)523
			;: U%&AJHA@: HI C: 8$P*: $2*,F	$-4E6)523
			;: U%&AJHA@: DA9C $P*: $2*+2	$EF)5E-
			;: U%&AJHA@: DA9C $P*: $2*,-	$EF)5E-
)*+,*,-+-	$-+E3,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $2*,F	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*2	$-4E6)523
)*+7*,-+-	$-+7E,	$4F,75-3		
			;: U%&AJHA@: DA9C $P*: $*2	$EF)5E-
			;: U%&AJHA@: HI C: 8$P*: $*+-	$-4E6)523
)*,3*,-+-	$-,+23	$24EF65)+		
			;: U%&AJHA@: DA9C $P*: $*,F	$3635--
			;: U%&AJHA@: DA9C $P*: $2*3	$E6-56-
			;: U%&AJHA@: DA9C $P*: $*+F	$3635--
			;: U%&AJHA@: HI C: 8$P*: $*+F	$-4F+,5F+
	: #+O) 4&E),.;	&PRLTQQ,&R		
HVE3 &&) 4&HD<ACCA & A>CF<<AW& CCF! D EAC&		&PRLTQQ,&R		
HD>CE& 9A>D '<& F>A&WFND L&D<! S				
)*+,*,-+-	$-+E32	$52E5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$FF5-
			9CDE: $%&89%&E!9 @A%	$-F35-
)*,3*,-+-	$-,+2F	$67,5-		
			9CDE: $%&89%&E!9 @9G:	$E65-
			9CDE: $%&89%&E!9 @GG	$2+5-
			9CDE: $%&89%&E!9 @A%	$-F35-
	: #+O) 4&E),.;	&PLPTMB/M		
HVE3 &&) 4&HD>CE& 9A>D '<& F>A&WFND L&D<! S&		&JLUQMB/M		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,	-./(#+,& '()*+,012
HD>CE& @FD A&CA> : D AC					
	)*6*,-+-	$EE-,37	$325-7-		
				H9!!: : $AJHA@U%6%>EG	$2,5)
				H9!!: : $AJHA@U%6%>EG	$2+53
	)*+,*,-+-	$EE-222	$ 752E		
				H9!!: : $AJHA@U%6%>EG	$ 752E
	)*+7*,-+-	$EE-263	$6E-5-)		
				H9!!: : $AJHA@U%6%>EG	$E-57+
				H9!!: : $AJHA@U%6%>EG	$765F3
				H9!!: : $AJHA@U%6%>EG	9-FF53E
				H9!!: : $AJHA@U%6%>EG	9-75-F
				H9!!: : $AJHA@U%6%>EG	$EE5-)
				H9!!: : $AJHA@U%6%>EG	$ E52E
	)*,3*,-+-	$EE-2E,	$2356+		
				H9!!: : $AJHA@U%6%>EG	$2356+
	: #+0) 4&E) ,. ;		&IVZ&T		
HVE3 &&) 4&HD>CE& @FD A&CA> : D AC&			&QPZXST		
HDE<ACC&PZ& ' &PK K&PP!					
	)*,3*,-+-	$-,+2E	$ E+5--		
				L<U$J: U?: 8A=B%&G : GKH; E9CA	$E+5-
	: #+0) 4&E) ,. ;		&QCP&VM		
HVE3 &&) 4&HDE<ACC&PZ& ' &PKK&PP! &			&UZPK&VM		
HFWAV& &W >3<A>					
	)*,7*,-+-	$-,,++	$24--5--		
				D L>D$AJHA@&: ; >BC: 8	$24--5-
	: #+0) 4&E) ,. ;		&TUVMVB&M		
HVE3 &&) 4&HFWAV& &W >3<A>&			&TUVMVB&M		
HFCEA>L&<' <! V& S					
	)*6*,-+-	$-+3,)	$2+6557		
				8: ; E&: : $J: GEH>D&?: C: !E)	$2+6557
	: #+0) 4&E) ,. ;		&TPK&KZ		
HVE3 &&) 4&HFCEA>L&<' <! V& S&			&PUJRK&XM		
HFEF&H' <E' CVL&D<!					
	)*6*,-+-	$-+3,6	$9-5,		
				8: !KCG@KACEH9J8%U;	$9-5,
	: #+0) 4&E) ,. ;		&JVE&U		
HVE3 &&) 4&HFEF&H' <E' CVL&D<! &			&JVE&U		

MV00064170

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[illegible] 3#1$456,5)+7-*46)1#&) 8&&./(#+,	-./(#+,& '()*+,012
H>' <! A&G[WD ' EDF<CL&D<! S				
)*+,*,-+-	$-+E3)	$-4E--5-		
			>GJ: 8; EA&CL$AJHA@GG	$-4E--5-
: #+0) 4&E) ,. ;		&PLQVMB&M		
HVE3 &) 4&H>' <! A&G[WD ' EDF<CL&D<! S&		&ZLRVMB&M		
H>' <! @DCA&E' _&[F ' >3				
)*+,*,-+-	$-+E36	$3F657 6		
			L>8CEA=U: C;	$-,56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675)6
			L>8CEA=U: C;	$6)5-
)*,3*,-+-	$-,+27	$3F352E		
			L>8CEA=U: C;	$-.56-
			L>8CEA=U: C;	$6-5-
			L>8CEA=U: C;	$2675EE
			L>8CEA=U: C;	$6)5-
: #+0) 4&E) ,. ;		&PLTKJSTT		
HVE3 &) 4&H>' <! @DCA&E' _&[F ' >3&		&PPLKJPS&Z		
H>' <BWD<L&WS& S				
)*+,*,-+-	$-+E33	$-F5-		
			UED >L: $B: EJ?K8A : U: C;	$-F5-
: #+0) 4&E) ,. ;		&IMKS&M		
HVE3 &) 4&H>' <BWD<L&WS& S&		&PLUUCS&M		
H>A3 :C&NW CC& &9 D>>F>L&D<! S				
)*6*,-+-	$-+3,3	$F,25-		
			PECG9P$8>U: $B%DHUC; @&8$H; 8	$67E5-
			PECG9P$A: >D$AJH@!A$26E	$-,65-
: #+0) 4&E) ,. ;		&JTS&M		
HVE3 &) 4&H> A3 :C&NW CC& &9 D>>F>L&D<! S&		&PLMCZS&T		
HGW[>DN@E& &'] F>CBDL&WS&W S				
)*+7*,-+-	$-+7E2	$E4F7)5-		
			D L>D$AJHA@&; EEB; BA	$E4F7)5-
: #+0) 4&E) ,. ;		&QXZUS&M		
HVE3 &) 4&HGW[>DN@E& &'] F>CBDL&WS&W S&		&PJLKVMB&Q		
N' CEAWG9L&WAF[' >3F				
)*,3*,-+-	$-,+)-	$-5-		
			8: !KCG@&>?BA$G: %	$-5-
: #+0) 4&E) ,. ;		&IMB&M		
HVE3 &) 4&N' CEAWG9L&WAF[' >3F&		&IMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-. / (#+,& ' ( ) * +,012
N' CEF<L&> D @' >3				
) *6*, -+-	$ -+F7+	$2+E5F2		
			8: ; B&: : $J: GBH>D&?: C: ! B	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4&N' CEF<L&> D @' >3 &		&TLPQXSTM		
NA<A>' W&CA! G>DEV &CA>: D ACL&D<! S				
) *6*, -+-	$ -+3, F	$9-E) 5-E		
			A: HK8B <$AJHA@H8H	$9-E) 5-E
) *6*, -+-	$EE-, F+	$) 3-5, -		
			A: HK8B <$AJHA@: CB9&8$H; 8	$) 65))
			A: HK8B <$AJHA@H8H	$+) 5F3
) *+, *, -+-	$EE-22)	$ 4-E35))		
			A: HK8B <$AJHA@B?8>8<	$9-. . 5F.
			A: HK8B <$AJHA@B?8>8<	$9-, , 5F,
			A: HK8B <$AJHA@B?8>8<	$&+25&-
			A: HK8B <$AJHA@B?8>8<	$&+25&-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
) *+7*, -+-	$EE-26F	$9-E) 5-E		
			A: HK8B <$AJHA@PCL; :	$9-F52E
			A: HK8B <$AJHA@PCL; :	$F35F-
) *, 3*, -+-	$EE-2E2	$ 4-+35&,		
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@H8H	$2-35E-
			A: HK8B <$AJHA@&; B&B BA$-CCW	$ F35-.
			A: HK8B <$AJHA@B?8>8<	$&+25&-
			A: HK8B <$AJHA@B?8>8<	$&+25&-
: #+O) 4&E) ,. ;		&KLMTP&KJ		
HVE3 &&) 4&NA<A>' W&CA! G>DEV&CA>: D ACL& B<! S&		&JRLXRX&ZK		
NAF>NA&C' WD<' C&E>AA&->ACA>: ' EDF<				
) *6*, -+-	$ -+3, E	$ 4++5&6		
			; 8: : $ 8BJUBCL$AJ H@&AL,	$) F5&-
			; 8: : $ 8BJUBCL$AJ H@+	$9-FE3E)
			; 8: : $ 8BJUBCL$AJ H@+>	$, 2&66
			; 8: : $ 8BJUBCL$AJ H@,	$E-) 5FE
			; 8: : $ 8BJUBCL$AJ H@C$J	$26F53E
) *+7*, -+-	$ -+7E)	$&-5E)		
			8: ! KCG@KADBH9J8%J;	$&-5E)
: #+O) 4&E) ,. ;		&JLMRJ&KZ		
HVE3 &&) 4&NAF>NA&C' W&<' C&E>AA& ->ACA>: ' EDF<&		&&ZLKRM&R		

MV00064172

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
NDI [CL&NDB A<L&WF! @A>L&EG><A>& &C A<AE&WV-				
)*6*,-+-	$EE-,F,	$-4E++5F-		
			D L>D&AJHA	$5E-56-
			D L>D&AJHA	$-4-2+5-
)*+7*,-+-	$EE-26E	$4E)35-		
			D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4E)35-
)*,3*,-+-	$EE-2E)	$64/735-7		
			D L>D&AJHA@I9UU$%&I $A9HH: 8$!DG	$4+6)6
			D L>D&AJHA	$-47E-53)
	: #+O)4&E),.;	&PMERKTSKZ		
HVE3&&) 4&NDI [CL&NDB A<L&WF! @A>L&EG><A>& & CA<AE&WV-&		&PUUERVPS&/Z		
ND-CF<L&&D>' <3'				
)*+,*,-+-	$-+E3F	$-765--		
			8: !KCG@% 8UB$!::A	$7F53-
			8: !KCG@% 8UB$!::A	$7F53-
	: #+O)4&E),.;	&PZKSIM		
HVE3&&) 4&NDCF<L&&D>' <3'&		&PZKSIM		
NFW3A<aC&AWA! E>F <D aC				
)*+7*,-+-	$-+7E6	$)5,		
			8: !KCG@KASDBH$9J8%U;	$)5,
	: #+O)4&E),.;	&USUU		
HVE3&&) 4&NFW3A<aC&AWA! E>F <D aC&		&USUU		
NF9A\L&NA>' >3F& &N' [>DAW				
)*,3*,-+-	$-,+)+	$-5--		
			8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;	&IMBM		
HVE3&&) 4&NF9A\L&NA>' >3F& &N' [>DAW&		&IMBM		
NF<N&A<EA>->DCAC L&D<! S				
)*+,*,-+-	$-+E3E	$)4E6-5--		
			%D>C$H=:HI $AJHA	$46--5-
			%D>C$H=:HI $AJHA	$426-5-
	: #+O)4&E),.;	&JLCKMBM		
HVE3&&) 4&NF<N&A<EA>->DCACL&D<! S&		&QERPUSKM		
NF<\' WACL&[>D <				
)*,3*,-+-	$-,+),	$-5--		
			8: !KCG@&>?BA$G: %	$-5-
	: #+O)4&E),.;	&IMBM		
HVE3&&) 4&NF<\' WACL&[>D <&		&IMBM		

MV00064173

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
NF<\' WA\ L&9' >D[AW				
)*+,*,-+-	$-+E37	$5)55-		
			8: !KCG@B>; B9C$$BAUBAA: G	$6)55-
	: #+0)4&E),.;	&KUSXM		
HVE3&8)4&NF<\' WA\ L&9' >D[AW&		&KUSXM		
NF>3F<L&] DWAD 9&D>:D<N&DDD				
)*6*,-+-	$-+3,7	$225,E		
			8: !KCG@&G$HB>; B9C$!::A	$225,E
	: #+0)4&E),.;	&TTS!Q		
HVE3&8)4&NF>3F<L&] DWAD 9&D>:D<N&DDD&		&TTS!Q		
NF>9&D<!S				
)*,3*,-+-	$-,+)2	$24)EE5E2		
			M-CB,98B-D&AK%%DBA@&>8IA$U>B@	$-423,5),
			M-CB,98B-D&AK%%DBA@&>8IA$U>B@	$-46EB52E
			M-CB,98B-D&AK%%DBA@&>8IA$U>B@	$5)+52
	: #+0)4&E),.;	&TILQQXST		
HVE3&8)4&NF>9&D<!S&		&PPLWRZSTP		
NFV'&HFF3C&FH&\' WDHF><D				
)*6*,-+-	$-+32-	$75F)		
			8: !KCG@KA$DB-H$9J8%U;	$75F)
	: #+0)4&E),.;	&JZSXU		
HVE3&8)4&NFV'&HF F3C&FH&\' WDHF><D &		&JZSXU		
NF\3A! BD&8' <				
)*6*,-+-	$EE-,F2	$FE25-		
			B@A;8KH;98$AJHA@KCL$!K	$26+5-
			B@A;8KH;98$AJHA@KCL$!K	$2 5-
	: #+0)4&E),.;	&QTSXM		
HVE3&8)4&NF\3A! BD&8' <&		&RJZPSXM		
N>' HL&3' 9				
)*6*,-+-	$-+32+	$F65-		
			8: !KCG@%><*C: K;: 8$!::A	$F65-
	: #+0)4&E),.;	&KKSXM		
HVE3&8)4&N>' HL&3' 9&		&KKSXM		
N>' HHDEDE>' !BA>L&D<!S				
)*6*,-+-	$EE-,F)	$2)-5-		
			H>U: 8>$B: %>BB	$2)-5-
	: #+0)4&E),.;	&TUMBXM		
HVE3&8)4&N>' HHDEDE>' !BA>L&D<!S&		&QTUMBXM		

MV00064174

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
N>' <D GCL&D<! S				
)*6*,-+-	$-+32,	$-2765,		
			U>C>L: G&AJH@E5: 9&A; 8: >UE5L	$-426-5-
			U>C>L: G&AJH@E5: 9&A; 8: >UE5L	$165.
)*+7*,-+-	$-+7E3	$-2-5-		
			%&GH>A; E5L$U>C>L: G&AJH	$-2-5-
	: #+0) 4&E),.;	&PKJKS&J		
HVE3 &) 4&N>' <D GCL&D<! S&		**&PUTUJS&M**		
N>' -@D &CFWGEDF<C&WE3 S				
)*6*,-+-	$-+322	$-F65-		
			AKCC<UG&?DJG&B: J B$?&8 9M&AJHA	$-F65-
	: #+0) 4&E),.;	&PXK&M		
HVE3 &) 4&N>' -@D &CFWGEDF<C&WE3 S&		**&TRMPS&K**		
N>DHHD<L&9' >WA<A &				
)*6*,-+-	$-+F7,	$2-653-		
			8: ; E5: : $U: GEH>D&?: C: !B	$2-653-
	: #+0) 4&E),.;	&TMKS&M		
HVE3 &) 4&N>DHHD<L&9' >WA<A& &		**&ILUTRS&P**		
N>FG-&& AWE' & F<CGWE' <ECL&D<!				
)*,3*,-+-	$-,+))	$-47665-		
			%K?&A!; <?DGL$H9CJ: 8AE9C$%&9M	$-47665-
	: #+0) 4&E),.;	&PZKK&M		
HVE3 &) 4&N>FG-&& AWE' & F<CGWE' <ECL&D<! &		**&LTPK&M**		
NGACE&CA>: D AC				
)*+,*,-+-	$-+EF-	$2)5E		
			H9K8A: TB+,2*>%B,3@J><F4$-+-	$2)5E
	: #+0) 4&E),.;	&TUS&Q		
HVE3 &) 4&NGACE&CA>: D AC&		**&TUS&Q**		
NGDWW <L&>A[A! ! ' &CS				
)*6*,-+-	$-+32)	$325-3		
			8: ; E5: : $U: GEH>D&?: C: !B	$325-3
	: #+0) 4&E),.;	&RTS&R		
HVE3 &) 4&NGDWW <L&>A[A! ! ' &CS&		**&PLPMK&P**		
NGDWWDCL&WD<3' &[S				
)*6*,-+-	$-+326	$2+E5F2		
			8: ; E5: : $U: GEH>D&?: C: !B	$2+E5F2
	: #+0) 4&E),.;	&TPQ&T		
HVE3 &) 4&NGDWWDCL&WD<3' &[S&		**&TLPQX&M**		

MV00064175

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&./(#+,	-./(#+,& '()*+,012
NGEDA>>A\ L&F[A> E				
)'6*,-+-	$-+323	$2+E5F2		
			8:; B&:: $U: GB+>D&?: C: !B	$2+E5F2
	: #+O) 4&E),.;	&TPQ&T		
HVE3 &) 4&NGEDA>> A\ L&F[A> E&		&PLQZJ&ZM		
NGVaC&W <3C! ' -A&9' D<EA<' <! A				
)'6*,-+-	$-+32F	$235E7		
			8: !KCG@KA&DB+$9J8%U;	$235E7
	: #+O) 4&E),.;	&TR&&Z		
HVE3 &) 4&NGVaC&W <3C! ' -A&9' D<EA<' <! A&		&TR&&Z		
NG\ 9' <aC& ' >E&CA>: D A				
)*+,*,-+-	$EE-226	$)4)75-		
			H>8; $B; 8JD&AJHA	$)4)75-
	: #+O) 4&E),.;	&JMLZ&M		
HVE3 &) 4&NG\ 9' <aC& ' >E&CA>: D A&		&JMLZ&M		
@& & &<' DW				
)'6*,-+-	$-+32E	$7+5-		
			8: !KCG@KA&DB+$9J8%U;	$7+5-
	: #+O) 4&E),.;	&ZP&M		
HVE3 &) 4&@& & &<' DW&		&ZP&M		
@& &>&[WF! B				
)*+,*,-+-	$-+EF+	$-,65-2		
			?KA&DB+$9J8%U; $B!CG	$F-5E
			?KA&DB+$9J8%U; $B!CG	$6)5F6
	: #+O) 4&E),.;	&RJK&T		
HVE3 &) 4&@& & &[WF! B&		&RJK&T		
@& &DL&D<! S				
)'6*,-+-	$-+327	$)65-		
			8: !KCG@KA&DB+$9J8%U;	$)65-
	: #+O) 4&E),.;	&JK&M		
HVE3 &) 4&@& &DL&D<! S&		&JK&M		
@ 9[G>NL&D>A<A				
)'6*,-+-	$-+F72	$7635-7		
			8:; B&:: $U: GB+>D&?: C: !B	$7635-7
	: #+O) 4&E),.;	&ZKR&PZ		
HVE3 &) 4&@ 9[G>NL&D>A<A&		&LJZP&RX		

MV00064176

| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '()*+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$46,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
@ >E9' <<L&>D B					
	)*6*,-+-	$-+3),	$2F5)3		
				8:; B&: : $U: GH>D&?: C: !B	$2F5)3
	: #+0) 4&E),.;		&RTXSUR		
HVE3 &) 4@ >E9' <<L&>D B&			&ILKUSKX		
@ EHDAW3 L& @ >WAC					
	)*6*,-+-	$-+3)2	$2+E5F2		
				8:; B&: : $U: GH>D&?: C: !B	$2+E5F2
	: #+0) 4&E),.;		&TPQSKT		
HVE3 &) 4@ EHDAW3 L& @ >WAC&			&ILKUZSUK		
@ GCA>L& 3>D <'					
	)*+7*,-+-	$-+7E7	$F7E5-		
				E&A; 8KH; E9C$AJHA@+$G><A	$F7E5-
	: #+0) 4&E),.;		&KZQSVM		
HVE3 &) 4@ GCA>L& 3>D <' &			&TLTMRSVM		
@3 W7@D<3 A>WEA>&3 A&WW 9' C& & CCF !D EAC					
	)*6*,-+-	$-+3))	$)4665-		
				H9C; 8>H; $AJHA@&>D A$>W	$7--5-
				>KGB$AJHA@&>D A$>W	$4EE,552
				>KGB$AJHA@&>D A$>W	$F,56F
	: #+0) 4&E),.;		&LJKKSJM		
HVE3 &) 4@3 W7@D<3 A>WEA>&3 A&WW 9' C& & ' CCF !D EAC&			&PRLMTZSKP		
@AA>V&D<EA><' EDF <' WL&D<!S					
	)*+7*,-+-	$EE-267	$-F4)E-5-		
				C: P$U>E&$D7 8>8< $%&9M$AJHA	$-F4)E-5-
	: #+0) 4&E),.;		&PXLUCMVBM		
HVE3 &) 4@AA>V&D<EA><' EDF <' WL&D<!S&			&JPKLMKJSKK		
@AHHWAVL&>FCC&]S					
	)*6*,-+-	$-+F73	$2+E5F2		
				8:; B&: : $U: GH>D&?: C: !B	$2+E5F2
	: #+0) 4&E),.;		&TPQSKT		
HVE3 &) 4@AHHWAVL&>FCC&]S&			&ILKUZSUK		
@A9-@DWW&3' V!' >A					
	)*6*,-+-	$-+3)6	$5)5-		
				8:!KCG@KA$D&H$9J8%U;	$5)5-
	: #+0) 4&E),.;		&KUSVM		
HVE3 &) 4@A9-@DWW&3' V!' >A&			&KUSVM		

MV00064178

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
@A>9' <&] AIICBA>L &D<! S				
)*6*, -+-	$-+3)3	$F65-6		
			8: !KCG@KASDIH9J8%U;	$F65-6
: #+O) 4E) ,. ;		&KKSPK		
HVE3 &) 4&@A>9' <&] AIICBA>L &D<! S&		&KKSPK		
@A>>D BL&>F[A>E&3S				
)*6*, -+-	$-+3)F	$2+E5F2		
			8: ; &B: : $U: GBH>D&?: C: !B	$2+E5F2
: #+O) 4E) ,. ;		&TPQSKT		
HVE3 &) 4&@A>>D BL&>F[A>E&3S&		&TTPQXSTM		
@ACWD<L&9D @' AW&BS				
)*+, *, -+-	$-+EF,	$2+E52-		
			; 8>J: D$ W%@CCD$H>$LBA$H9C!5	$3, 52-
			; 8>J: D$ W%@CCD$H>$LBA$H9C!5	$635-
: #+O) 4E) ,. ;		&TPQSTM		
HVE3 &) 4&@ACWD<L&9D @' AW&BS&		&ZJZS&M		
@D BF>V&H' >9C				
)*6*, -+-	$-+3)E	$)5-+		
			8: !KCG@KASDIH9J8%U;	$)5+
: #+O) 4E) ,. ;		&USMP		
HVE3 &) 4&@D BF>V&H' >9C&		&USMP		
@DNNCL&3A[>'				
)*,3*, -+-	$-,+)F	$6,5-		
			EDA; 8KH; 98$AJHA@EDB%>ED; EDL	9-))5-
			EDA; 8KH; 98$AJHA@EDB%>ED; EDL	$E5-
			EDA; 8KH; 98$AJHA@EDB%>ED; EDL	$E-5-
: #+O) 4E) ,. ;		&KJSMM		
HVE3 &) 4&@DNNCL&3A[>' &		&PLPPRSMM		
@FN' >3L&\F@<&ES				
)*6*, -+-	$-+3)7	$F--5-		
			8: ; &B: : $U: GBH>D&?: C: !B	$F--5-
: #+O) 4E) ,. ;		&IMMBM		
HVE3 &) 4&@FN' >3L&\F@<&ES&		&QPXSPK		
@FWE\ L&NWF>D				
)*+7*, -+-	$-+77-	$-5-		
			8: !KCG@&>?BA$G: %	$-5-
: #+O) 4E) ,. ;		&IMBM		
HVE3 &) 4&@FWE\ L&NWF>D &		&IMBM		

MV00064179

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
@F GCA> L&A3 DE@&AS				
	)*6*, -+-	$-+36-	$2+E5F2	
			8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT	
HVE3 &&) 4&@F GCA> L&A3 DE@&AS&			&TTPQXSTM	
@G[& F<CE>G! EDF< &C-A! D WDEACL&D< !				
	)*+7*, -+-	$-+77+	$)55E	
			8: !KCG@KAS&DBH$9J8%U;	$)55E
	: #+O) 4&E) ,. ;		&JU&XQ	
HVE3 &&) 4&@G[& F<CE>G! EDF< &C-A! D WDEACL& B< ! &			&JU&XQ	
@G[[' >3 L&9 F<AE				
	)*+7*, -+-	$-+77,	$-5-	
			8: !KCG@&>?B A$G: %	$-5-
	: #+O) 4&E) ,. ;		&IMB&M	
HVE3 &&) 4&@G[[' >3 L&9 F<AE&			&IMB&M	
@G<EL&WA_V				
	)*+7*, -+-	$-+772	$6,5-	
			8: !KCG@BJ: 198 9; A	$6,5-
	: #+O) 4&E) ,. ;		&KJ&M	
HVE3 &&) 4&@G<EL&WA_V&			&KJ&M	
D 9' &>AED>A9A<E&! F>-&UKX				
	)*7*, -+-	$3+3	$74&E75&)	
			G: !$H9U%&)6F$)*-7*+-	$74&E75&)
	)*,2*, -+-	$3,)	$-,4)+-52F	
			G: !$H9U%&)6F$)*,2*+-	$-,4+-52F
	: #+O) 4&E) ,. ;		&JJIMZZSZP	
HVE3 &&) 4&D 9' & AED>A9A<E&! F>-&UKX&			&TPPLKQJJSZP	
DW&CF>>A<EF&9 F[DWA&' >B				
	)*+,*, -+-	$-+EF2	$-6E56	
			8: !KCG@&; $KA: 8$>W A	$-6E56
	: #+O) 4&E) ,. ;		&PKQ&IK	
HVE3 &&) 4&DW&CF>> A<EF&9 F[DWA&' >B &			&PLRXRSTP	

MV00064180

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
D9' <DA&BD<N				
	)*6*,-+-	$-+36+	$-,25-	
			8: !KCG@>8E9KA$*H9!:: A	$-5-
			8: !KCG@>8E9KA$*H9!:: A	$-5-
			8: !KCG@>8E9KA$*H9!:: A	$-5-
			8: !KCG@>8E9KA$*H9!:: A	$-E5-
			8: !KCG@>8E9KA$*H9!:: A	$-65-
			8: !KCG@>8E9KA$*H9!:: A	$6-5-
	: #+O) 4&E),.;	&RJTS&M		
HVE3&&) 4&D9' <DA&BD<N&		&RJTS&M		
D9-A>D W&I GCEF9&!' [D<AECL&D<!				
	)*+7*,-+-	$-+77)	$25-	
			8: !KCG@KADH9J8%U;	$25-
	: #+O) 4&E),.;	&ITS&M		
HVE3&&) 4&D9-A>D W&I GCEF9&!' [D<AECL&D<!&		&ITS&M		
D<N&GC' & <<GDEV& &VDHA&D<CG>' <! A& FS				
	)*+,*,-+-	$-+EF)	$F65-	
			C9C@W U%; $>CCKB; <	$F65-
	: #+O) 4&E),.;	&JXK&M		
HVE3&&) 4&D<N&GC' & <<GDEV& &VDHA& D<CG>' <! A& FS&		&JLXKMB&M		
D<W <3& F<E>' ! EF>CL&D<! S3[' dA<:D>F YEACE				
	)*,3*,-+-	$-,+)E	$-4-725,6	
			CKB>CH: $>?; UC; $AJHA@E3+-,-+6	$-4-725,6
	: #+O) 4&E),.;	&PIPZTS&K		
HVE3&&) 4&D<W <3& F<E>' ! EF>CL& D<! S3[' dA<:D>F YEACE&		&RJIPJMB&R		
D<W <3&A9-D>A& > ! @DE>! EG>' W&C-A! D WEDACL				
	)*6*,-+-	$-+36,	$2,53)	
			8: !KCG@KADH9J8%U;	$2,53)
	: #+O) 4&E),.;	&TJS&U		
HVE3&&) 4&D<W <3&A9-D>A& > ! @DE>! EG>' W& C-A! D WEDACL&		&TJS&U		
D<W <3&A9-D>A&9' N' \D<A				
	)*+,*,-+-	$-+EF6	$-4765-	
			>GJ: 8; BAECL$AJHA@GG	$-4765-
	: #+O) 4&E),.;	&PLJZK&M		
HVE3&&) 4&D<W <3&A9-D>A&9' N' \D<A&		&KIPQM&M		

MV00064181

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
D<W <3&A9-D>A&>F-A>EV&CA>:D AL&D<!				
)*+7*, -+-	$EE-23-	$E,)5-		
			CKBA>CH: $>?; UC; $AJH@7F+E---3	$FF5-
			CKBA>CH: $>?; UC; $AJH@B H=EC L*U	$6-5-
			CKBA>CH: $>?; UC; $AJH@22F+$%>C	$-,,5-
			=>D $AJHA@I9G:	$F65-
: #+0) 4&E),.;		&QJUS M		
HVE3 &) 4&& W <3&A9-D>A&>F-A>EV& CA>:D AL&&!&		&KKLUTX$PM		
D<W <3&MQ>'>V&C VCEA9				
)*+,*, -+-	$-+EF3	$-4E325+		
			,--7*+-$U: U?: 8A= B%&GK: A	$-4E325+
: #+0) 4&E),.;		&PLQRTS$P		
HVE3 &) 4&& W <3&MQ>'>V&CVCEA9&		&UUMUX$XP		
D<CD3 A&-W <ECL&D<!S				
)*,3*, -+-	$EE-2E6	$2+35-		
			%D>C; $U>E; @I8H	$2+35-
: #+0) 4&E),.;		&TPRS M		
HVE3 &) 4&& CD3 A&-W <ECL&&!S&		&TLPRMB M		
D<EA><' W&>A: A<GA &CA>:D A				
)*+*, -+-	$3++	$4--5-		
			G: %&I: G$ >W&P*=$)*+*+-	$4--5-
: #+0) 4&E),.;		&UUMMB M		
HVE3 &) 4&& EA><' W&>A: A<GA&CA>:D A&		&TLPQUTUQ&Z		
D>F<&9 FG<E' D<&FHHYCDEA&&' E' &>FE A! EDF<				
)*6*, -+-	$-+362	$7)357		
			G>; >$A; 98>L: $AJH A	$7)357
)*,3*, -+-	$-,+)7	$-4+655)		
			G>; >$A; 98>L: $AJH A	$-4+655)
: #+0) 4&E),.;		&PZRJ$KT		
HVE3 &) 4&& F<&9 F G<E' D<&FHHYCDEA&&' E' & ->FEA! EDF<&		&PPLKQX$JU		
D>F<] FF3 &C9 FBA&C @F-				
)*+7*, -+-	$-+776	$F+573		
			8: !KCG@KA$DB H$9J8%U;	$F+573
: #+0) 4&E),.;		&PS R		
HVE3 &) 4&& F<] FF 3 &C9 FBA&C@F-&		&PS R		

MV00064182

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
DCN&E@A>9' W&CVCE A9 C&GC' L&D<!				
) *6*, -+-	$ -+36)	$6F5)		
			; = : 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	$6F5)
			; = : 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	$-56)
			; = : 8U>D&BJ>LE&CL$H>U: 8>$B: %>BB	@56)
: #+O) 4&E) ,. ;		&KKX&RU		
HVE3 &) 4&DCN&E@A>9' W&CVCEA9 C&GC' L&D<! &		&ZRUX&Z		
DCC&C] AA- D<N L&D<! S				
) *6*, -+-	$EE- , E-	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F. -5-
) *, 3*, -+-	$EE-2E3	$ 4 365F-		
			%9P: 8$AP: : %&CL$A JHA	$-46) 65F-
			%9P: 8$AP: : %&CL$A JHA	$F, -5-
: #+O) 4&E) ,. ;		&JLKTP&JM		
HVE3 &) 4&DCC&C] A A- D<N L&D<! S&		&JTLKKM&JM		
^&& &@&& F<E>' ! ED<N				
) *6*, -+-	$EE- , E+	$24+65-		
			H9C; 8>H; $AJHA@A$Z6E	$24+65-
: #+O) 4&E) ,. ;		&LTPK&M		
HVE3 &) 4&&& &@&& F<E>' ! ED<N &		&RRLTKP&LJ		
^' ! BCF< L&^A>' 9V				
) *+, *, -+-	$ -+EFF	$-4 2-5-		
			; KB E9C$B: BJ?K8A: U: C;	$-4 2-5-
: #+O) 4&E) ,. ;		&PLJTM&M		
HVE3 &) 4&' ! BCF< L&A>' 9V&		&PLXRT&M		
^' <<AV& &' <<AV&' EEF><AV&C: ! CL&D<! S				
) *+, *, -+-	$ -+EFE	$F65-		
			D L>D&H9K8B 8$AJ HA	$F65-
: #+O) 4&E) ,. ;		&K&M		
HVE3 &) 4&' <<AV&' &' <<AV& EEF><AV& C: ! CL&D<! S&		&PLQKT&M		
^' G>ANG D&FC! ' >				
) *6*, -+-	$ -+366	$-E) 5-		
			8: ! KCG@B>; E9C$9J 8%LJ;	$-E) 5-
: #+O) 4&E) ,. ;		&PQL&M		
HVE3 &) 4&' G>ANG D&FC! ' >&		&PLMTP&LJ		

MV00064183

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
^3A3 NA&CFHE] ' >AL &WW!				
)*6*,-+-	$-+F7F	$F6-5-		
			H9CAKD, E&L$AJHA@9!; P>8: $G: J	$F6-5-
)*+,*,-+-	$EE-223	$665-		
			H9CAKD, E&L$AJHA@8	$665-
)*+7*,-+-	$EE-23+	$64)-5-		
			H9CAKD, E&L$AJHA	$64)-5-
: #+O)4&E),.;		&RLUUK$M		
HVE3 &&) 4&3 A3 NA&CFHE] ' >AL&WW! &		&PMRLRZX$RQ		
^@&3 ACDN<& & CCF ! D EAC				
)*+*,-+-	$EE-,6F	$E,+5-		
			C>U: $%CN$G&A%D><@GG	$E,+5-
: #+O)4&E),.;		&QJP$M		
HVE3 &&) 4&@&3 ACDN<& & CCF ! D EAC&		&QLUXP$M		
^D9A<A\ L&A99' <GA W				
)*,3*,-+-	$-,+6-	$-,5-		
			8: !KCG@>CI $!::A$9C$9J8H=8LG$G	$-.5-
: #+O)4&E),.;		&PMJ$M		
HVE3 &&) 4&D A<A\ L&A99' <GAW&		&PMJ$M		
^^:C&9' >BAE& &WDcGF>				
)*6*,-+-	$-+363	$-635--		
			8: !KCG@KA$D&H$9J8%U;	$-6-5E
			8: !KCG@KA$D&H$9J8%U;	$&)3
			8: !KCG@KA$D&H$9J8%U;	$523
: #+O)4&E),.;		&PKR$M		
HVE3 &&) 4&^:C&9' >BAE& &WDcGF>&		&PKR$M		
^F@<&3 AA>A&W <3C!' -ACL&D<!S				
)*+7*,-+-	$-+773	$F)5)		
			8: !KCG@KA$D&H$9J8%U;	$F)5)
: #+O)4&E),.;		&U$RU		
HVE3 &&) 4&F@<&3 AA>A&W <3C!' -ACL&D<!S&		&U$RU		
^F@<CF<L&3 AWD				
)*,3*,-+-	$-,+6+	$F,5-		
			E&A;8KH;98$AJHA@:89?E&HA	$F,5-
: #+O)4&E),.;		&J$M		
HVE3 &&) 4&F@<CF<L&3 AWD &		&TJ$M		

MV00064184

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
^FWWD&[AA				
	)*+7*,-+-	$-+77F	$FF52E	
			8: !KCG@KASDBH$9J8%U;	$FF52E
	: #+O) 4&E) ,. ;		&XXSTQ	
HVE3 &) 4&F WWD&[AA&			&XXSTQ	
^F<AC&DDD&^FCA- @				
	)*+7*,-+-	$-+77E	$E65 5-	
			UBD >L: $B: BJ?K8A : U: C;	$2) 55-
			UBD >L: $B: BJ?K8A : U: C;	$6+5 -
	: #+O) 4&E) ,. ;		&XXSXM	
HVE3 &) 4&F<AC&DDD&FCA- @&			&XXPSLK	
^F<ACL&CGC' <				
	)*6*,-+-	$-+F7E	$2+E5F2	
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT	
HVE3 &) 4&F<ACL&CGC' <&			&TLPQXSTM	
^FG><AVC&PMPX				
	)*6*,-+-	$-+36F	$E65 6	
			8: !KCG@KASDBH$9J8%U;	$E65 6
	: #+O) 4&E) ,. ;		&XXSJK	
HVE3 &) 4&FG><AVC&PMPX&			&XXSJK	
^E[&CG- - WW& FSL&D<! S				
	)*+7*,-+-	$-+777	$E4 +-52	
			AJH$H>?BD: ; $!98$ 8>!$ABLC>D	$E4 +-52
	: #+O) 4&E) ,. ;		&LJPMRT	
HVE3 &) 4&E[&CG- - WW& FSL&D<! S&			&KTLMMD&P	
^G' <DE' C&9' >BAE				
	)*6*,-+-	$-+36E	$3F5-	
			8: !KCG@KASDBH$9J8%U;	$3F5 -
	: #+O) 4&E) ,. ;		&RXSMM	
HVE3 &) 4&G' <DE' C&9' >BAE&			&RXSMM	
B&I &] ACELD<!				
	)*6*,-+-	$-+367	$3F5-	
			8: !KCG@KASDBH$9J8%U;	$F+5 2
			8: !KCG@KASDBH$9J8%U;	@) 5 2
	: #+O) 4&E) ,. ;		&XXSMM	
HVE3 &) 4&B&I &] ACELD&! &			&XXSMM	

MV00064185

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
B' DCA>& A>9' <A<E A					
	)*+7*,-+-	$-,---	$2-5-		
				8: !KCG@>DA: $>D>8U$: :	$2-5-
	: #+0) 4E) ,. ;		&TMB/M		
HVE3 &) 4&B' DCA>&-A>9' <A<EA&			&TXUPS&J		
B' C@AHD-FG>L&@FC CAD<					
	)*6*,-+-	$-+33-	$-2)5+		
				UED >L: $B: BJ?K8A : U: C;	$2)5+
				UED >L: $B: BJ?K8A : U: C;	$--55-
	: #+0) 4E) ,. ;		&PTUSXP		
HVE3 &) 4&B' C@AHD-FG>L&@FCCAD< &			&JXJS&P		
B3 9 &9 A>D D <L&D< ! S					
	)*,3*,-+-	$EE-2EF	$E4+-5-		
				?9: EDL*UHG9CC: D$AEG: P>D $%89M	$24765-
				; : UH9$A; 5$AEG: P> D $%89M	$4F-5-
				J9KL=; $A; 5$AEG: P >D $%89M	$)65-
	: #+0) 4E) ,. ;		&QERPMB/M		
HVE3 &) 4&B3 9 &9 A> D D <L&D< ! S&			&RFCUKS/M		
BAAN' <L& ' >FW					
	)*+7*,-+-	$-,--+	$-5-		
				8: !KCG@&>?B A$G: %	$-5-
	: #+0) 4E) ,. ;		&IMB/M		
HVE3 &) 4&BAAN' <L& ' >FW&			&IMB/M		
BA<<AE@&'F@<CF<					
	)*6*,-+-	$-+33+	$6E5-		
				8: !KCG@KADBH9J8%U;	$6E5-
	: #+0) 4E) ,. ;		&KQB/M		
HVE3 &) 4&BA<<AE@&'F@<CF< &			&KQB/M		
BA>A<VD&'F@<					
	)*6*,-+-	$-+33,	$-7,5-		
				% 8$GB U@8>CAEJ A$H9C!5	$-7,5-
	: #+0) 4E) ,. ;		&PZJS/M		
HVE3 &) 4&BA>A<VD&'F@< &			&PZQB/M		
BD<N L&-' E>D D & S					
	)*6*,-+-	$-+332	$2+E5-2		
				8: ; EB: : $U: GBH>D$?: C: !B	$2+E5-2
	: #+0) 4E) ,. ;		&TPQ&T		
HVE3 &) 4&BD<N L&-' E>D D & S&			&UKUZS&K		

MV00064186

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,	-./(#+,& '()*+,012
BF' & F>-F>' EDF<					
	)*6*,-+-	$-+33)	$-64F,25-		
				8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-)4725-
				8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-463-5-
				8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$F-5-
	)*,3*,-+-	$-,+6,	$-4E)+56		
				8: H=: $IEA; >$G8$B: >DBLCUC; $%89M	$-4E)+56
		: #+O)4&E),.;	&RLKRUSTK		
HVE3&)4&BF' & F>-F>' EDF<&			&JPPLQXX&M		
BFW[L& @ >WAC&AS					
	)*6*,-+-	$-+F77	$2+E5F2		
				8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
		: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFW[L& @ >WAC&AS&			&TLPQXS&M		
BFWW >L&BVWA					
	)*6*,-+-	$-+336	$2+E5F2		
				8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
		: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BFWW >L&BVWA&			&PLJXUSZJ		
BVWAL&N' >V&9S					
	)*6*,-+-	$-+E--	$2+E5F2		
				8: ; B&: : $U: GBH>D&?: C: !B	$2+E5F2
		: #+O)4&E),.;	&TPQ&XT		
HVE3&)4&BVWAL&N' >V&9S&			&ULKUZS&K		
W& &N& ' [WA& F<CE>G! EDF<					
	)*+7*,-+-	$-,--,	$6F5-		
				8: !KCG@KAS&DBH$9J8%U;	$6F5-
		: #+O)4&E),.;	&XS&M		
HVE3&)4&W& &N& ' [WA& F<CE>G! EDF<&			&XS&M		
W [AWWAY9' >:D<L&D<!S					
	)*,3*,-+-	$-,+62	$E4--5-		
				AKCC<UG$?DJG$B: J B$%&89M&AJHA	$E4--5-
		: #+O)4&E),.;	&QLPMW&M		
HVE3&)4&W [AWWAY9' >:D<L&D<!S&			&QLPMW&M		
W H' E' L&\FCA-@D< A					
	)*6*,-+-	$-+E-+	$2+6557		
				8: ; B&: : $U: GBH>D&?: C: !B	$2+6557
		: #+O)4&E),.;	&TPK&XZ		
HVE3&)4&W H' E' L&FCA-@D< A&			&TLPKQ&XU		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-./(#+,& '()*+,012
W <3A>CL&F>AE@'				
)*6*,-+-	$-+333	$--5-		
			8: !KCG@: C; >D&G: %&2*,-*+-	$--5-
: #+O) 4&E) ,. ;		&IMVB/M		
HVE3 &) 4&W <3A>CL&F>AE@ &		&IMVB/M		
W <NA<3F>HL&[A<^' 9D<				
)*6*,-+-	$-+33F	$2+E5F2		
			8: ; B&: : $U: GB&H>D&?: C: !B;	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&X T		
HVE3 &) 4&W <NA<3F>HL&[A<^' 9D< &		&ILQRQ&X		
W E@' 9& &] ' EBD<CL&WW-				
)*,3*,-+-	$-,+6)	$4F)65-		
			%&9!$AJHA@>CG&G: J	$3,55-
			%&9!$AJHA@>CG&G: J	$-65-
			%&9!$AJHA@>CG&G: J	$F65-
			%&9!$AJHA@>CG&G: J	$-4EF56-
			%&9!$AJHA@>CG&G: J	$-47+65-
: #+O) 4&E) ,. ;		&JLXUK&M		
HVE3 &) 4&W E@' 9& &] ' EBD<CL&WW- &		&JLXUK&M		
W EDEG3A&T&9A3D &N>FG-				
)*+,*,-+-	$-+EF7	$-486-5-		
			>GJ: 8; BA&CL$AJHA@GG	$-486-5-
: #+O) 4&E) ,. ;		&PLRKVB/M		
HVE3 &) 4&W EDEG3A&T&9A3D &N>FG- &		&LLTMVB/M		
W] <&EA! @&AcGD-9A<E				
)*6*,-+-	$EE-,EF	$)+53F		
			UBAH$%>8; A@J>E&C; $C&9%8	$2EE5-
			UBAH$%>8; A@J>E&C; $C&9%8	$625)F
: #+O) 4&E) ,. ;		&JUPSRX		
HVE3 &) 4&W] <&EA! @&AcGD-9A<E&		&TLJMVS/Q		
W] VA>C&EDEWA&D<!				
)*+7*,-+-	$-,--2	$6-5-		
			%&8: DBJ$ B D $B% @&98%&8G$%&89M	$6-5-
)*,+*,-+-	$--)-7+	$-,47EE56-		
			: AH89P$G: %9AB; @>A: U: C; $%K8H=5	$-,47EE56-
: #+O) 4&E) ,. ;		&PTLJTQ&M		
HVE3 &) 4&W] VA>C&EDEWA&D<! &		&JPPLQKVB/M		

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MORENO VALLEY
WHERE DREAMS SOAR

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! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&. /(#+,	-./(#+,& '()*+,012
WAAL& @DWD 8&9 D @ AW				
)*6*,-+-	$-+33E	$)E-55F		
			8: !KCG@GUBC$HB>; B9CS!: : A	$)E-55F
: #+O) 4&E) ,. ;		&JCMBX		
HVE3 &) 4&WAAL& @DWD &9 D @ AW&		&JCMBX		
WADN@EF<& F<CGWE D<N L&D<! S				
)*+,*,-+-	$EE-22F	$)-4))5-		
			D>AA: DD $A; $PBG: CBCL$/&89M&AJHA	$)-4))5-
: #+O) 4&E) ,. ;		&PMDMUUS/M		
HVE3 &) 4&WADN@EF <& F<CGWEB N L&D<! S&		&JLCLRSRU		
WAF<C&9' CEA>& WA' <D<N				
)*6*,-+-	$-+337	$F5,7		
			8: !KCG@KASDBH9J8%U;	$F5,7
: #+O) 4&E) ,. ;		&XS/Z		
HVE3 &) 4&WAF<C&9' CEA>& WA' <B N&		&XS/Z		
WA] DCL& ' >FW/<&C S				
)*6*,-+-	$-+E-,	$2+65,57		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+65,57
: #+O) 4&E) ,. ;		&TPKS/Z		
HVE3 &) 4&WA] DCL&! ' >FW/<&C&		&TLPKKSTM		
WA_DC<A_DC				
)*,3*,-+-	$EE-2EE	$)-4)E-5-		
			9CDB: $D L>D&AJH A@; <$-; ; 98C: <	$F)-5-
			9CDB: $D L>D&AJH A@; <$HD 8I A	$2F-5-
			9CDB: $D L>D&AJH A@GG	$2F-5-
: #+O) 4&E) ,. ;		&PLUCMB/M		
HVE3 &) 4&WA_DC<A_DC&		&PKLPZKS/M		
WA_DC<A_DC&>' ! E D A&9 N9 ES				
)*,3*,-+-	$-,+66	$)-4)F75)3		
			; U*?U$-CCK>D&U>BC; : C>CH:	$&265-
			; U*?U$-CCK>D&U>BC; : C>CH:	$7))5)3
: #+O) 4&E) ,. ;		&PLUXZ$JR		
HVE3 &) 4&WA_DC<A_DC&>' ! ED A&9 N9 ES&		&PLUXZ$JR		
WD9& &<' C! D9 A<EF &A<N D<AA>D<N& F>-S				
)*,3*,-+-	$-,+63	$,+43EF5F-		
			% 88BA$?D$PBG: CBCL$!89U$B>U$/%	$,+43EF5F-
: #+O) 4&E) ,. ;		&PIRCX$M		
HVE3 &) 4&WD9& & <' C! D9 A<EF &A<N D<AA>D<N& ! F>-S&		&KKKLCMPSTX		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#) 8&. / (#+,	-. / (#+, & ' ( ) * +,012
WD9 F < L&^ F CA&9 L&9 S3 S				
) *6*, -+-	$ -+3F-	$2253		
			8: ! KCG@KAS DB H$9J8%U;	$2253
: #+O) 4&E) ,. ;		&TS'R		
HVE3 &) 4&^VD9 F < L&^F CA&9 L&9 S3 S&.		&TS'R		
WD< 3 F L&@A> 9 D<' &N S				
) *6*, -+-	$ -+E-2	$2+E5F2		
			8: ; BB: : $U: GBH> D&?: C: ! B)	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&^VD< 3 F L&@A> 9 D<' &N S&.		&UIXUPS&U		
WD- C! F 9 [L&>' V9 F < 3				
) *+7*, -+-	$ -, --)	$F65-		
			8: ! KCG@*C$G: %9AB)	$F65-
: #+O) 4&E) ,. ;		&KS&M		
HVE3 &) 4&^VD C! F 9 [L&>' V9 F < 3 &		&KS&M		
WDC' &^' > 9' < & F < C GWED< N				
) *+, *, -+-	$ -+EE-	$-4325-		
			H9CAKD) BC L$AJHA@A%	$-4325-
: #+O) 4&E) ,. ;		&PUVRT&M		
HVE3 &) 4&^VDC' &' > 9' < & F < CGWED< N &		&PUVRT&M		
WDEEWA&[AD^D< N				
) *+7*, -+-	$ -, --6	$EF5)6		
			8: ! KCG@KAS DB H$9J8%U;	$EF5)6
: #+O) 4&E) ,. ;		&QX&JK		
HVE3 &) 4&^VDEEWA&[AD^D< N &		&QX&JK		
WF N' < L&! @' > WAC				
) *6*, -+-	$ -+E-)	$2+E5F2		
			8: ; BB: : $U: GBH> D&?: C: ! B)	$2+E5F2
: #+O) 4&E) ,. ;		&TPQ&XT		
HVE3 &) 4&^VF N' < L&! @' > WAC &		&ULMQ&RP		
WF < A&3 > ' D< A> & & > F < EF & < F &UL&E@A				
) *6*, -+-	$ -+3F+	$225-		
			8: ! KCG@KAS DB H$9J8%U;	$225-
: #+O) 4&E) ,. ;		&TT&M		
HVE3 &) 4&^VF < A&3 > ' D< A> & & > F < EF & < F &UL& E@A &		&TT&M		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '()*+,012
WF>&NAFEA! @<D ' W&N>FG-L&D<! S				
)*+7*,-+-	$EE-23,	$6F-5-		
			%&; 8E9; $%&>8I $%&89 M&AJHA	$2-5-
			%&; 8E9; $%&>8I $%&89 M&AJHA	$-)-5-
)*,3*,-+-	$EE-2E7	$4)65-		
			J9KL=; $A; 5A&G: P>D $%&89M	$-43-5-
			;: UH9$A; 5A&G: P> D $%&89M	$7E65-
	: #+O)4&E),.;	&ILCPK$M		
HVE3&&) 4&\F>&NAF EA! @<D ' W&N>FG-L&D<! S&		&RTIL/KP$RM		
WF GDCL&/D/D				
)*6*,-+-	$-+3F,	$3+5-		
			8: !KCG@D>AA$B: LB&*>8: C>$A9HH8	$3+5-
	: #+O)4&E),.;	&RP$M		
HVE3&&) 4&\F GDCL&/D/D &		&RP$M		
WF] &>D A& GEF&N W CC&bRM				
)*6*,-+-	$-+3F2	$FF5-		
			8: !KCG@KA$DB-H$9J8%U;	$FF5-
	: #+O)4&E),.;	&XS$M		
HVE3&&) 4&\F] &>D A& GEF&N W CC&bRM&		&XS$M		
WG9 WAVL&>F[A>E& S				
)*6*,-+-	$-+E-6	$2+E5F2		
			8: ;B&: :$U: GB-H>D&?: C: !B	$2+E5F2
	: #+O)4&E),.;	&TPQ$KT		
HVE3&&) 4&\G9 WAVL&>F[A>E& S&		&TIPQX$TM		
9& &9&@' D>&C' WF<				
)*+7*,-+-	$-,--3	$265,6		
			8: !KCG@KA$DB-H$9J8%U;	$265,6
	: #+O)4&E),.;	&TK$K		
HVE3&&) 4&9&&9&@' D>&C' WF<&		&TK$K		
9&\& WA' <D<N& F9-' <V				
)*+7*,-+-	$-,--F	$,56F		
			8: !KCG@KA$DB-H$9J8%U;	$,56F
	: #+O)4&E),.;	&UJ$X		
HVE3&&) 4&9&& WA' <D<N& F9-' <V&		&UJ$X		
9&] &@& 9A>D ' CL&D<! S				
)*+7*,-+-	$-,--E	$2F56-		
			8: !KCG@KA$DB-H$9J8%U;	$2F56-
	: #+O)4&E),.;	&TX$M		
HVE3&&) 4&9&] &@& 9A>D ' CL&D<! S&		&TX$M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.,/(#+,	-./(#+,& '()*+,012
9' ! EA! & WA' <G-& F>-F>' EDF<				
)*+7*, -+-	$-,--7	$),5-		
			8: !KCG@KASDBH9J8%U;	$),5-
: #+0) 4&E) ,. ;		&JUS/M		
HVE3&) 4&9' ! EA! & WA' <G-& F>-F>' EDF<&		&JUS/M		
9' N<FWD & FFW& <3&C-' &CG--W				
)*6*, -+-	$-+3F)	$5+56		
			8: !KCG@KASDBH9J8%U;	$5+56
: #+0) 4&E) ,. ;		&KPSK		
HVE3&) 4&9' N<FWD & FFW& <3&C-' &CG--W&		&KPSK		
9' <' NA9A<E& 33A3 &CA>:D AC				
)*+7*, -+-	$-,-+-	$F52E		
			8: !KCG@KASDBH9J8%U;	$F52E
: #+0) 4&E) ,. ;		&XSTQ		
HVE3&) 4&9' <' NA9 A<E& 33A3&CA>:D AC&		&XSTQ		
9' <\' <FL&B' >W				
)*+7*, -+-	$-,-++	$--5-		
			8: !KCG@: C; >D&G: %9AB	$--5-
: #+0) 4&E) ,. ;		&MVB/M		
HVE3&) 4&9' <\' <FL&B' >W &		&TPJS/M		
9' >D<L&9' >E@'				
)*6*, -+-	$-+3F6	$675-		
			8: !KCG@D>AA$B: LBA*>8: C>$A9HH8	$675-
: #+0) 4&E) ,. ;		&KZS/M		
HVE3&) 4&9' >D<L&9' >E@ &		&KZS/M		
9' >B&[A' 9DC@&] ' EA>->FFHD<NL&D<!S				
)*6*, -+-	$-+3F3	$EF5-		
			8: !KCG@KASDBH9J8%U;	$EF5-
: #+0) 4&E) ,. ;		&QXS/M		
HVE3&) 4&9' >B&[A' 9DC@&] ' EA>->FFHD<NL& D<!S&		&QXS/M		
9' >>FcGD<L&A33V				
)*+,*, -+-	$-+EE+	$)-5-		
			8: !KCG@C; D&G: %	$-)-5-
			8: !KCG@C; D&G: %	$--5-
: #+0) 4&E) ,. ;		&UMB/M		
HVE3&) 4&9' >>FcGD<L&A33V&		&UMB/M		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&.,/(#+,	-./(#+,& '()*+,012
9' >ED<A\L&H>' <B				
)*+,*,-+-	$-+EE,	$-365-		
			% 8$GB U@CCD&I B8: $'&8: J$P8I A=%	$-365-
	: #+0) 4&E) ,. ;		&PRK&M	
HVE3 &) 4&' >ED<A\L&H>' <B&			&PRK&M	
9' E@DCL&<FW <				
)*6*,-+-	$-+3FF	$735-		
			8: ; BB: : $U: GBH>D&?: C: !B	$735-
	: #+0) 4&E) ,. ;		&ZR&M	
HVE3 &) 4&' E@DCL&<FW <&			&ZMM&M	
9' ED @& F>-F>' EDF<				
)*+7*,-+-	$EE-232	$64 62526		
			>A%=>D, BH$U>; : 8B>D	$-42,)52E
			>A%=>D, BH$U>; : 8B>D	$-42,)52E
			>A%=>D, BH$U>; : 8B>D	$-4 F. 516
			>A%=>D, BH$U>; : 8B>D	$-422+56)
	: #+0) 4&E) ,. ;		&KJKT&K	
HVE3 &) 4&' ED @& F>-F>' EDF<&			&TKXJU&K	
9' _D<FCBD&CGA& S				
)*6*,-+-	$-+E-3	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&T	
HVE3 &) 4&' _D<FC BD&CGA& S&			&TPQX&M	
9! & F<<AWW& ' [D<AECL&D<! S				
)*6*,-+-	$-+3FE	$65-)		
			8: !KCG@KA&D&H$9J8%U;	$65-)
	: #+0) 4&E) ,. ;		&K&U	
HVE3 &) 4&' ! & F<<AWW& ' [D<AECL&D<! S&			&K&U	
9! &<AAW&C&A3G! ' E DF<' W&H' 9DW&3' V& ' >A				
)*6*,-+-	$-+3F7	$225-6		
			8: !KCG@KA&D&H$9J8%U;	$225-6
	: #+0) 4&E) ,. ;		&T&K	
HVE3 &) 4&' ! &<AAW&C&A3G! ' EDF<' W&H' 9DW& 3' V& ' >A&			&T&K	
9! ! ' >E@V& &[A>WD<L&WW-				
)*+7*,-+-	$EE-23)	$-46)65-		
			D L>D&AJHA@&; BB; BA	$-46)65-
	: #+0) 4&E) ,. ;		&PLKJK&M	
HVE3 &) 4&' ! ! ' >E@V& &[A>WD<L&WW-&			&TPLPXK&Z	

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
9! D					
	)*,3*,-+-	$-,+6F	$-4-7F56F		
				EC; : 8C: ; $H9CC: H; E9C$AJ HA	$-4-7F56F
	: #+0) 4&E) ,. ;		&PLPZX$KX		
HVE3 &8) 4&9 ! D&			&PTLTKR$KP		
9! D9 F>W8! F9					
	)*,3*,-+-	$-,+6E	$-4-,E5-,		
				H9UUKCEH>; E9C$AJ HA	$-4-,E5-,
	: #+0) 4&E) ,. ;		&PLMJQ$PJ		
HVE3 &8) 4&9 ! D9 F> W8! F9&			&PMJZJ$JU		
9AW 3& & CCF! D E AC					
	)*+,*,-+-	$-+EE2	$4-6-53E		
				%D>C$H=: HI $AJ HA	$4-6-53E
	: #+0) 4&E) ,. ;		&LPKMBRQ		
HVE3 &8) 4&9 AW 3& & CCF! D EAC&			&TQLTXZ$TR		
9A<NDCEGL&/AC@D WA9					
	)*+,*,-+-	$-+EE)	$-+E56-		
				UED >L: $B: EJ?K8A : U: C;	$-+E56-
	: #+0) 4&E) ,. ;		&PPQ8KM		
HVE3 &8) 4&9 A<NDCE GL&/AC@D WA9&			&ZZK$KK		
9A<FC&CEA>AFC					
	)*6*,-+-	$-+3E-	$F+52+		
				8: !KCG@KACEH9J8%U;	$F+52+
	: #+0) 4&E) ,. ;		&PS$P		
HVE3 &8) 4&9 A<FC&C EA>AFC&			&PS$P		
9ACCD<L&/FGDC					
	)*6*,-+-	$-+E-F	$2+E5F2		
				8: ; EB: : $U: GEH>D$?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ8KT		
HVE3 &8) 4&9 ACCD<L&/FGDC&			&LKLZ$SK		
9NE&FH& 9A>D ' L&D<! S					
	)*+,*,-+-	$EE-22E	$24--5-		
				H9A; $HDJEC L$AJ HA @; =$N; 8$7*+-	$46--5-
				H9A; $HDJEC L$AJ HA @; =$N; 8$7*+-	$6--5-
	: #+0) 4&E) ,. ;		&TLMMBM		
HVE3 &8) 4&9 NE&FH&' 9A>D ' L&D<! S&			&PJLMMBM		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
9D @' AW& ' B@' >F: &C! ' HHFW3 D< N					
	)*6*,-+-	$-+3E+	$65FF		
				8: !KCG@KA$DB-H$9J8%U;	$65FF
	: #+0)4E),.;		&IKSXX		
HVE3 &)4& D @' AW& ' B@' >F: &C! ' HHFW3 D< N			**&IKSXX**		
9DWACL&>F[A>E					
	)*6*,-+-	$-+E-E	$9-7)552		
				8: ; BB: : $U: GB-H>D&?: C: !B;	$9-7)552
	: #+0)4E),.;		&PZUSKT		
HVE3 &)4& DWACL&>F[A>E&			**&ILJJMBKR**		
9D< ' >3L&9 ' >B&AS					
	)*6*,-+-	$-+E-7	$2-E5-F		
				8: ; BB: : $U: GB-H>D&?: C: !B;	$2-E5-F
	: #+0)4E),.;		&TMDSPX		
HVE3 &)4& D< ' >3L&9 ' >B&AS&			**&IZQRSKP**		
9D> ' ! WA&>A! >A' EDF< &AcGD-9A< E					
	)*+7*,-+-	$-,-+,	$-4F65)7		
				%D><L89KCG$ NKB%@&-8I A	$E7F57)
				%D><L89KCG$ NKB%@&-8I A	$-FF566
	)*,3*,-+-	$-,+67	$-46F+5E2		
				%D><L89KCG$ NKB%@&-8I A	$6775 3
				%D><L89KCG$ NKB%@&-8I A	$-3)5,
				%D><L89KCG$ NKB%@&-8I A	$-75,7
				%D><L89KCG$ NKB%@&-8I A	$6775 3
	: #+0)4E),.;		&IRUXSTJ		
HVE3 &)4& D> ' ! WA&>A! >A' EDF< &AcGD-9A< E&			**&ILUPRSU**		
9DCCDF< &C@AAE&9A E' WL&D< ! S					
	)*+7*,-+-	$-,-+2	$6F5,6		
				8: !KCG@KA$DB-H$9J8%U;	$6F5,6
	: #+0)4E),.;		&XSIK		
HVE3 &)4& DCDF< &C@AAE&9AE' WL&D< ! S&			**&XSIK**		
9DE! @AWWL&3 ' :D3					
	)*+7*,-+-	$-,-+)	$-5-		
				8: !KCG@&>?B A$G: %	$-5-
	: #+0)4E),.;		&IMBM		
HVE3 &)4& DE! @AWWL&3 ' :D3&			**&IMBM**		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
9F3A><8D9' NA				
)*+7*,-+-	$-,-+6	$3E57)		
			8: !KCG@KASDBH$9J8%U;	$3E57)
	: #+O) 4&E) ,. ;	&RQSZU		
HVE3&8) 4&9 F3A><8D9' NA&		&RQSZU		
9FWWD' L&9 DBA				
)*6*,-+-	$-+E+-	$)-+5),		
			8: ; BB: : $U: GBH>D&?: C: !B)	$)-+5),
	: #+O) 4&E) ,. ;	&UVPSUU		
HVE3&8) 4&9 FWWD' L&9 DBA&		&TUJPPSTX		
9F<EDAWL&F>W <3F				
)*+7*,-+-	$-,-+3	$-65-		
			8: !KCG@CUDDBH: CA: $! : :	$-65-
	: #+O) 4&E) ,. ;	&PKSVM		
HVE3&8) 4&9 F<EDAWL&F>W <3F&		&PKSVM		
9F>' L&' E>D D & S				
)*6*,-+-	$-+E++	$2+E5F2		
			8: ; BB: : $U: GBH>D&?: C: !B)	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQSXT		
HVE3&8) 4&9 F>' L&' E>D D & S&		&TUPQXSTM		
9F>A<F&' WWAV&[W' ! B&@' 9[A>&FH& F99A>! A				
)*6*,-+-	$-+3E,	$--5-		
			8: !KCG@?D&A; >L: $BC; D&G: %	$--5-
)*6*,-+-	$-+3E2	$-42F65-		
			?KABC: AA$AJHA@; =$BCA; DJC;	$-42F65-
	: #+O) 4&E) ,. ;	&PLUXKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&[W' ! B&@' 9[A>& FH& F99A>! A&		&KLQZTSVM		
9F>A<F&' WWAV&@' 9[A>&FH& F99A>! A				
)*+,*,-+-	$-+EE6	$34F65-		
			?KABC: AA$AJHA@; =$N; 8$7*+-	$34--5-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
			P>I: @&%&U: : ; BC:L@*,)	$-65-
	: #+O) 4&E) ,. ;	&RUVKSVM		
HVE3&8) 4&9 F>A<F&' WWAV&@' 9[A>&F H& ! F99A>! A&		&ZLPMVBVM		

MV00064196

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( )*+,012
9F>A<F&' WWAV& DEV&A9-WFVAAC& CC F! S				
)*7*,-+-	$3+6	$-46F75-		
			UJH: >$GK: A$)*- 7*+-	$-46F75-
)*,2*,-+-	$3,2	$-46F75-		
			UJH: >$GK: A$)*, 2*+-	$-46F75-
: #+O) 4E),.;		&TLPKQ&M		
HVE3 &) 4&F>A<F&:' WWAV& DEV&A9-WFVAAC& ' CCF! S&		&TULQKTS&M		
9F>A<F&' WWAV& WD<D' &9A3D' &H' 9DWD>				
)*+7*,-+-	$-,-+F	$-657F		
			8: !KCG@KA$DB-H$9J8%U;	$-657F
: #+O) 4E),.;		&PMKSZX		
HVE3 &) 4&F>A<F&:' WWAV& WD<D' &9A3D' & H' 9DWD>&		&PMKSZX		
9F>A<F&' WWAV& F99G<DEV&A3G!' EDF<& A<EA>				
)*,3*,-+-	$-,+3-	$F)65F6		
			; K; 98E&L$%&LU@&G?L	$F)65F6
: #+O) 4E),.;		&UKSXK		
HVE3 &) 4&F>A<F&:' WWAV& F99G<DEV& A3G!' EDF<& A<EA>&		&RLPZMSTM		
9F>A<F&' WWAV&N' EA]' VL&WW				
)*,3*,-+-	$EE-27-	$,+4725)2		
			D>A: @)>HE&B A $-CCW&?DGL	$,4)6E57F
			D>A: @: H=$AJHA$>CCW	$&4)F657-
			D>A: @%HD&GEA; $>CCW	$-24-6E56&3
: #+O) 4E),.;		&PLMZTSJT		
HVE3 &) 4&F>A<F&:' WWAV&N' EA]' VL&WW&		&PMZTUSTM		
9F>A<F&' WWAV&W] & A<EA>				
)*+7*,-+-	$-,-+E	$375EE		
			8: !KCG@KA$DB-H$9J8%U;	$375EE
: #+O) 4E),.;		&RZSSQ		
HVE3 &) 4&F>A<F&:' WWAV&W] & A<EA>&		&RZSSQ		
9F>A<F&' WWAV&EF VFE'				
)*6*,-+-	$-+3E6	$-5-		
			A% HB-D$>W$B: EJ ?K8A: U: C;	$-324)665)7
			A% HB-D$>W$B: EJ ?K8A: U: C;	@324)665)7
: #+O) 4E),.;		&VBM		
HVE3 &) 4&F>A<F&:' WWAV&EF VFE'&		&VBM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&.,/(#+,	-./(#+,& '()*+,012
9F>A<F& ' WWAV&G< DHDA3 &C! @FFW&3 DCE>D E				
)*6*,-+-	$-+3E3	$-7463-5-		
			; 8>CA%98; >; B9C$H9A; A@; >8A	$-7463-5-
)*6*,-+-	$-+3EF	$EE5-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$EE5-
)*6*,-+-	$-+3EE	$2-35-		
			!>HEB<$BC; D@8HDA8$%8: J$P8I A	$2-35-
: #+0) 4&E) ,. ;		&IMPKJ&M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&G< DHDA3 &C ! @FFW& 3 DCE>D E&		&JJJICRMB/K		
9F>A<F& ' WWAV&G E DWDEV				
)*,3*,-+-	$-,+3+	$3,5+		
			: D H; 8BHB<@&; $I DG$9! ! BH:	$3.5+
: #+0) 4&E) ,. ;		&RJ$M/P		
HVE3 &B) 4&9 F>A<F&: ' WWAV&EDWDEV&		&RJRICTXSTM		
9F>A<F& ' WWAV&] ' C@&@FGCA				
)*6*,-+-	$-+3E7	$,55-		
			8: !KCG@KAS DBH$9J8%U;	$,55-
: #+0) 4&E) ,. ;		&J$&M		
HVE3 &B) 4&9 F>A<F&: ' WWAV&] ' C@&@FGCA&		&J$&M		
9F>N' <L&WDC' & S				
)*6*,-+-	$-+E+,	$2+E5F2		
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPC&T		
HVE3 &B) 4&9 F>N' <L&WDC' & S&		&TIPCX&TM		
9F>>F] &9A' 3F] C& F>-F>' EDF<				
)*+7*,-+-	$-,-,-	$6-53)		
			8: !KCG@KAS DBH$9J8%U;	$6-53)
: #+0) 4&E) ,. ;		&M5RU		
HVE3 &B) 4&9 F>>F] &9A' 3F] C& ! F>-F>' EDF<&		&M5RU		
9G<D D' W&AcGD 9 A<E&9' D<EA<' <! A&' CCF				
)*6*,-+-	$-+37+	$F65-		
			U: U?: 8A=B%B: C: P >D	$F65-
: #+0) 4&E) ,. ;		&K&M		
HVE3 &B) 4&9 G<D D' W&AcGD 9 A<E& 9' D<EA<' <! A& CCF &		&K&M		

MV00064198

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
9G\' BL&WW				
)*+7*, -+-	$-, -, +	$325-2		
			8: !KCG@KAS[redacted]H$9J8%J;	$325-2
: #+0) 4&E) ,. ;		&RTS&T		
HVE3&&) 4&9 G\' BL&WW &		&RTS&T		
<' DF-Y<' ED<' W& CCF! &FH&D<3GCE>D' W& &FHH				
)*, 3*, -+-	$-, +3,	$24 635--		
			>GJ: 8; [redacted]L$AJHA@GG	$24 635-
: #+0) 4&E) ,. ;		&TJKR&M		
HVE3&&) 4&' DF-Y<' ED<' W& CCF! &FH& D<3GCE>D W& &FHH&		&RLKPJ&M		
<' <! VaC&E>G! BD<N L&D<!				
)*6*, -+-	$-+37,	$375--		
			8: !KCG@KAS[redacted]H$9J8%J;	$375-
: #+0) 4&E) ,. ;		&RZ&M		
HVE3&&) 4&' <! VaC&E>G! BD<NL&D<! &		&RZ&M		
<' ED<] D&A&>AED>A9A<E&CFWGED<C				
)*7*, -+-	$3+2	$346)F5F7		
			%A; $G: !$H9U%&! 98 $! [redacted]H>$)*-7*+-	$346)F5F7
)*7*, -+-	$3+)	$,+4)-755,		
			G: !$H9U%&)6F$D&) -+X-Y$)*-7*+-	$,+4)-755,
)*, 2*, -+-	$3, +	$E48,F52+		
			%A; $G: !$H9U%&! 98 $! [redacted]H>$)*, 2*+-	$E48,F52+
: #+0) 4&E) ,. ;		&TRLKQL&RJ		
HVE3&&) 4&' ED<] D&A&>AED>A9A<E& CFWGED<C&		&XUULKTK&PP		
<' :' >>AEEAL&>' W-@				
)*6*, -+-	$-+372	$2+E5F2		
			8: ; [redacted]B: : $J: G[redacted]H>D&?: C: !B	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3&&) 4&' :' >>AEEAL&>' W-@&		&PLJXU&ZJ		
<' :' >>FL&@A>D[A>EF				
)*+7*, -+-	$-, -, ,	$F6-5--		
			8: !KCG@[redacted]C; D&G: %&2*2-	$F6-5-
: #+0) 4&E) ,. ;		&KKM[redacted]M		
HVE3&&) 4&' :' >>FL&@A>D[A>EF&		&PLMKM[redacted]M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
<' : ! F&CA! G>DEV&C VCEA9C				
)*6*,-+-	$EE-2--	$E4275)E		
			H>U: 8>C NKB@9LBA; BHA$-8: >	$4-)E5-7
			H>U: 8>C NKB@&A?$ 89C; $C9??<	$4-7+5 7
)*,3*,-+-	$EE-27+	$2)25--		
			GJ8$B: %-B@&9DH: $G: %	$2)25-
: #+0) 4&E) ,. ;		&QRQJ$JQ		
HVE3 &) 4&: ' : ! F&C A! G>DEV&CVCEA9C&		&ZLQQMMM		
<[C&N F: A><9A<E&H D<' <! A&N>FG-				
)*6*,-+-	$EE-2-+	$)+75)-		
			>CCK>D$CBH: CA: $I : :	$)+75-
: #+0) 4&E) ,. ;		&PZS$M		
HVE3 &) 4&: [C&N F: A><9A<E&HB' <! A& N>FG-&		&KZPZS$M		
<AWCF<L&>F[A>E				
)*6*,-+-	$-+37)	$2-65)-		
			8: ; B&: : $U: GBH>D$?: C: !B)	$2-65)-
: #+0) 4&E) ,. ;		&TMKSRM		
HVE3 &) 4&: AWCF<L&>F[A>E&		&ILUTRS$P		
<AWCF<L&>GE@&W$				
)*6*,-+-	$-+E+2	$2+E5F2		
			8: ; B&: : $U: GBH>D$?: C: !B)	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ$KT		
HVE3 &) 4&: AWCF<L&>GE@&W$&		&TIPQKS$M		
<AWCF<L&EDD FE@V&D' <				
)*+7*,-+-	$-,-,2	$F3-5---		
			EDA; 8KH; E9C$AJHA@-$G><A	$F3-5-
: #+0) 4&E) ,. ;		&KRMMM		
HVE3 &) 4&: AWCF<L&EDD FE@V&D' <&		&PIPMJ$M		
<AWCF<L& D D <				
)*,3*,-+-	$-,+32	$)-5---		
			8: !KCG@&>?B A$G: %	$-5-
: #+0) 4&E) ,. ;		&IMMM		
HVE3 &) 4&: AWCF<L& D D <&		&IMMM		
<AGCE' A3EA>L& >' DN&C				
)*6*,-+-	$-+376	$2+E5F2		
			8: ; B&: : $U: GBH>D$?: C: !B)	$2+E5F2
: #+0) 4&E) ,. ;		&TPQ$KT		
HVE3 &) 4&: AGCE' A3EA>L& >' DN&C&		&TIPQKS$M		

MV00064200

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
<A] &@F-A& @>DCED' <& A<EA>L&D<! S				
)*6*,-+-	$-+373	$65-,		
			8: !KCG@KA&DB-H$9J8%U;	$65-,
: #+0)4&E),.;		&JK$PJ		
HVE3&)4&:A] &@F-A& @>DCED <& A<EA>L& B<! S&		&JK$PJ		
<A] &@F>D F<&9 F[DVA&@F9A& '>B				
)*+,*,-+-	$-+EEF	$E5)		
			8: !KCG@&; $KA: 8$>W A	$E5)
: #+0)4&E),.;		&QSRU		
HVE3&)4&:A] &@F> D F<&9 F[DVA&@F9A &'>B&		&QVSZ		
<DA[G>NA>L&^G3DE @&& S				
)*6*,-+-	$-+37F	$-+5,		
			8: ; B&: : $U: GB-H>D&?: C: !B	$-+5,
: #+0)4&E),.;		&MVPSJU		
HVE3&)4&:DA[G>NA>L&^G3DE@&& S&		&MVPUSM		
<D<VF& &9 F F>A&NAFEA! @<D ' W				
)*+,*,-+-	$-+EEE	$-4765,6		
			: U8LCH<$9%A$H; 8$%&9M&AJHA	$-4765,6
: #+0)4&E),.;		&PLJZKSK		
HVE3&)4&:B<VF& &9 F F>A&NAFEA! @<D ' W&		&RXIZMTSPJ		
<D-& & GE&@' D>&CEG3DF				
)*+7*,-+-	$-,-,)	$2,52)		
			8: !KCG@KA&DB-H$9J8%U;	$2,52)
: #+0)4&E),.;		&TJSTU		
HVE3&)4&:D& & GE&@' D>&CEG3DF&		&TJSTU		
<F[AW&CVCEA9C				
)*,3*,-+-	$EE-27,	$-E47,75)		
			%&9!$AJHA@A	$-4--5-
			%&9!$AJHA@A	$-)47)F5-
			%&9!$AJHA@A	$47E,5)
: #+0)4&E),.;		&PQIZJZSJU		
HVE3&)4&:F[AW&CVCEA9C&		&RMXRZSJU		
F! ' 9-FL&^GWDA				
)*+7*,-+-	$-,-,6	$F65-		
			8: !KCG@*C$G: %9AB;	$F65-
: #+0)4&E),.;		&KK$M		
HVE3&)4&:F! ' 9-FL&^GWDA&		&KK$M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#) 8&.//(#+,	-./(#+,& '()*+,012
FW3 & FG<E>V&[' BA>V				
)*6*, -+-	$-+37E	$2F5-		
			8: !KCG@KA[DB-H$9J8%U;	$2F5-
: #+0) 4&E) ,. ;		&XSPM		
HVE3 &) 4&FW& & FG<E>V&[' BA>V&		&XSPM		
FWD @' <EL&CF<^' &3 S				
)*+, *, -+-	$-+EE7	$-, 25-		
			8: !KCG@& 8UB $1 : : A	$-, , 5-
			8: !KCG@& 8UB $1 : : A	$ 57-
			8: !KCG@& 8UB $1 : : A	$ 5-
: #+0) 4&E) ,. ;		&RJTS/M		
HVE3 &) 4&FWD @ < EL&CF<^' & S&		&RJTS/M		
F<A&[A' GEV&CG--WV& &C' WF<&CG--WV2				
)*6*, -+-	$-+377	$ 65-,		
			8: !KCG@KA[DB-H$9J8%U;	$ 65-.
: #+0) 4&E) ,. ;		&IKSPJ		
HVE3 &) 4&F<A&[A' GEV&CG--WV& &C' WF<& 0CG--WV2&		&IKSPJ		
F-A>' ED&F<&C' HA@F GCAL&D<! S				
)*, 3*, -+-	$-, +3)	$EE, 5EE		
			A=: D : 8%&LU@G?L	$ 7+5/F
			A=: D : 8%&LU@G?L	$27-5/+
: #+0) 4&E) ,. ;		&QQJS&Q		
HVE3 &) 4&F-A>' ED&F<&C' HA@F GCAL&D<! S&		&RMUUS/Q		
F>' ! WA& 9A>D '				
)*6*, -+-	$-+F--	$, 4675E,		
			A9!; P>8: $K%G>; : *AK%%98;	$, 4675E,
: #+0) 4&E) ,. ;		&JILUKZS&J		
HVE3 &) 4&F>' ! WA& 9A>D ' &		&QZLKXQ&J		
FGE[' ! B&' ED&F& &CG<&>FF9C				
)*6*, -+-	$-+F-+	$, 56+		
			8: !KCG@KA[DB-H$9J8%U;	$, 56+
: #+0) 4&E) ,. ;		&UJSKP		
HVE3 &) 4&FGE[' ! B&' ED&F& &CG<&>FF9C&		&UJSKP		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
F: A>W <3&' ! DHD & & GEWA>L&D<! S				
)*+7*,-+-	$-,-,3	$-,4--5-		
			A8@-*C>A9C$A; $BC; 8H=CL$%&89M	$-,4--5-
)*,3*,-+-	$-,+36	$34F,-5-		
			8BL=; $9!$P><$AJH A@>8B9KA$%&89M	$34F,-5-
	: #+O) 4&E),.;	&PQLQJMB&M		
HVE3 &&) 4&F: A>W <3&' ! DHD & & GEWA>L&D<! S		&PKPLTJZ$&M		
-' ! DHD &N>AA<&@F >ED GWEG>' W&C: !				
)*+,*,-+-	$-+E7-	$7)F5E2		
			D>CGAH>% $U>BC; @ +)	$-2-5-
			D>CGAH>% $U>BC; @ 2	$ 2655)
			D>CGAH>% $U>BC; @)	$ 225)7
			D>CGAH>% $U>BC; @ +	$-E56+
			D>CGAH>% $U>BC; @ F	$-5)7
)*,3*,-+-	$-,+33	$-,65-		
			?: : $H9C; 89D@AL+:	$-,65-
	: #+O) 4&E),.;	&PLVKJS&T		
HVE3 &&) 4&' ! DHD &N>AA<&@F >ED GWEG>' W& C: ! &		&PMPMTS&Z		
-' ! DHD &C' HAEV& FG<! DW				
)*6*,-+-	$-+F-,	$ 4&+25F-		
			A>!:; <$ 8>BCBCL@B&: 9	$E5F-
			A>!:; <$ 8>BCBCL@P98I A=9%	$-4375/,
			A>!:; <$ 8>BCBCL@P98I A=9%	$265-E
)*,3*,-+-	$-,+3F	$2E75F7		
			A>!:; <$ 8>BCBCL@B&: 9	$75F7
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$2665+2
			A>!:; <$ 8>BCBCL@J?8A=%&BCPD	$)5EF
	: #+O) 4&E),.;	&TLVMTS&Z		
HVE3 &&) 4&' ! DHD &C' HAEV& FG<! DW&		&QZJQ&X		
-' ! DHD &EAWA9' <' NA9A<E&CA>: D AC				
)*,3*,-+-	$-,+3E	$ 2E5)E		
			%&<%=9C: $AJHA@&G	$3,53)
			%&<%=9C: $AJHA@&B; <PBG:	$2F65E
	: #+O) 4&E),.;	&JTQ&JQ		
HVE3 &&) 4&' ! DHD &EAWA9' <' NA9A<E& CA>: D AC&		&JKQMB&R		
-' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!				
)*+7*,-+-	$-,-,F	$ 3536		
			8: !KCG@KADBH9J8%U;	$ 3536
	: #+O) 4&E),.;	&JR&RK		
HVE3 &&) 4&' ! DHD &GEDWEV&D<CE' WW EDF<L&D<!		&JR&RK		

MV00064203

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
-' 9 :C&8 F<GEC					
	)*6*,-+-	$-+F-)	$235-E		
				8: !KCG@KAS[DH$9J8%U;	$235-E
	: #+0) 4&E) ,. ;		&TRS/Q		
HVE3 &8) 4&' 9 :C&8 F<GEC&			&TRS/Q		
-' <3' &[F] W					
	)*6*,-+-	$-+F-6	$75)+		
				8: !KCG@KAS[DH$9J8%U;	$75)+
	: #+0) 4&E) ,. ;		&ZS&P		
HVE3 &8) 4&' <3' &[F] W&			&ZS&P		
**-' >CF<L&>ANB<' **					
	)*6*,-+-	$-+F-3	$3+5--		
				8: !KCG@D>AA$B: LB^*>8: C>$A9HH8	$3+5-
	: #+0) 4&E) ,. ;		&RPS/M		
HVE3 &8) 4&' >CF<L&>ANB<' &			&RPS/M		
-' >CF<C&E>' <C-F> E' EDF<&N>FG-L&D<! S					
	)*,3*,-+-	$-,+37	$9-F4)3)5-E		
				A8@-*U98$?H=$G8$C; 8H=CL$%89M	$9-F4)3)5-E
	: #+0) 4&E) ,. ;		&PXILRUS/Q		
HVE3 &8) 4&' >CF<C&E>' <C-F> E' EDF<& N>FG-L&D<! S&			&PLMPLKJJST		
-' EEA>CF<L& WH>A V					
	)*6*,-+-	$-+F-E	$9-7)552		
				8: ; B&: : $U: GBH>D&?: C: !B	$9-7)552
	: #+0) 4&E) ,. ;		&PZUSKT		
HVE3 &8) 4&' EEA>CF<L& WH>AV&			&ULPPPSZP		
-' : A>L&^' ! cGAWD< A&NS					
	)*+,*,-+-	$-+E7,	$E,65--		
				%89!$AJHA@P: ??	$E,65-
	: #+0) 4&E) ,. ;		&QJKS/M		
HVE3 &8) 4&' : A>L&^' ! cGAWD< A&NS&			&QJKS/M		
-[C& &^					
	)*+,*,-+-	$EE-227	$)4-65--		
				A=: BD>$A; $CL=?8= 99G$%>8I $%89M	$)4-65-
	: #+0) 4&E) ,. ;		&UUMKS/M		
HVE3 &8) 4&[C& & &			&TRUTPJSQJ		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
- A! F>' >FL&@ADB D				
) *+, *, -+-	$ -+E72	$ -5-		
			8: ! KCG@&>?B A&G: %	$ -5-
) *, 3*, -+-	$ -, +F-	$F65-		
			8: ! KCG@*C$G: %9AB	$F65-
	: #+O) 4&E) ,. ;	&KS&M		
HVE3 &&) 4& A! F>' > FL&@ADB D&		&KS&M		
- A<DN' >&E' _&CA>: D A				
) *+7*, -+-	$ -, -, E	$ 65-2		
			8: ! KCG@KAS DB-H$9J 8%U;	$ 65-2
	: #+O) 4&E) ,. ;	&JK&PT		
HVE3 &&) 4& A<DN' > &E' _&CA>: D A&		&JK&PT		
- A<EF<&9A3D L&D<! S				
) *, 3*, -+-	$ -, , +-	$ 4F--5-		
			>GJ: 8; BAEC L$AJ HA @GG	$ 4F--5-
	: #+O) 4&E) ,. ;	&UIXMVB&M		
HVE3 &&) 4& A<EF<&9A3D L&D<! S&		&QIPMVB&M		
- A>A\ L&^FCA				
) *, 3*, -+-	$ -, +F+	$5) 55-		
			8: ! KCG@B>; B9C$9J 8%U;	$5) 55-
	: #+O) 4&E) ,. ;	&KU&XM		
HVE3 &&) 4& A> A\ L&^FCA&		&KU&XM		
- A>>VL&<F>9'				
) *6*, -+-	$ -+F-7	$2+E5F2		
			8: ; BB: : $U: GB-H>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;	&TPQ&KT		
HVE3 &&) 4& A>>VL&<F>9' &		&TLPQX&TM		
- A>C&VF<N&EA>9&' >A&>FN>' 9				
) *+, *, -+-	$ -+E7)	$ 225EF		
			D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
) *, 3*, -+-	$ -, +F,	$ 225EF		
			D9CL$: 8U$H>8: $BCAK8>CH:	$ 225EF
	: #+O) 4&E) ,. ;	&QRX&KU		
HVE3 &&) 4& A> C&VF <N&EA>9&' >A&>F N>' 9&		&PPLJQX&KT		
- A>: F&' D<E& FS				
) *6*, -+-	$ -+F+-	$-+) 5-7		
			%-BC; @8>! ! BH$GBJ	$-+) 5-7
	: #+O) 4&E) ,. ;	&PPU&PZ		
HVE3 &&) 4& A>: F& ' D<E& FS&		&TZILPVB&KJ		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '()*+,012
- AEA> CA< &3 A' < L&D< ! S				
)*6*, -+-	$-+F++	$6-5-		
			8: ! KCG@KAS DB H$9J8%J;	$6-5-
: #+O) 4&E) ,. ;		&KVB/M		
HVE3 &8) 4& AEA> CA < &3 A' < L&D< ! S&		&PVVB/M		
- AEA> CF< L&I @> DDE D< A				
)*+7*, -+-	$-,-,7	$ 6255-		
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ -355-
: #+O) 4&E) ,. ;		&KTS&M		
HVE3 &8) 4& AEA> CF < L&I @> DDE D< A&		&TUZS&K		
- D A! @%N' > ED< AWW D&I < 3 > A'				
)*+7*, -+-	$-,-2-	$-F5-		
			8: ! KCG@D> AA$B: L B&;	$-F5-
: #+O) 4&E) ,. ;		&PVKS/M		
HVE3 &8) 4& D A! @%N' > ED< AWW D&I < 3 > A' &		&PVKS/M		
- D & > D< ED< N				
)*, 3*, -+-	$EE-27)	$7EE5-		
			%3 E&; E&L@<+-*++ $HB&?E&G: 8A	$7EE5-
: #+O) 4&E) ,. ;		&CQQS/M		
HVE3 &8) 4& D & > D< ED< N&		&UPJJS&Z		
- F DA$9' &W < 3 C! ' - A L&D< ! S				
)*, 3*, -+-	$EE-276	$24)3)5E6		
			D> CGAH>% $U> E&; @/C$A	$-4222EE6
			D> CGAH>% $U> E&; @ +,	$ 4-2+5-
: #+O) 4&E) ,. ;		&TLURUS&K		
HVE3 &8) 4& F DA$9' &W < 3 C! ' - A L&D< ! S&		&TMLK-Z$PT		
- F WW > 3 L&> F ! @AWWA				
)*+7*, -+-	$-,-2+	$ 6)5-		
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ F5-
			; 8>J: D&B V%@99A; $H9C! : 8: CH:	$ -355-
: #+O) 4&E) ,. ;		&KUS/M		
HVE3 &8) 4& F WW > 3 L&> F ! @AWWA&		&TMTS/M		
- F F WAL&WDWDA				
)*6*, -+-	$-+F+,	$6,5-		
			8: ! KCG@&: L B&$A! >; : ?8G$HD> AA	$6,5-
: #+O) 4&E) ,. ;		&KJS/M		
HVE3 &8) 4& F F WAL&WDWDA&		&KJS/M		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&./(#+,	-./(#+,& '()*+,012
-FGB& &CEAD<WAL&D<! S					
	)*6*,-+-	$-+F+2	$-4)6E5-		
				H9; ; 9CPG*%>; ; ED< CC$G8$ 8>! $AB L	$-4)6E5-
	)*+,*,-+-	$-+E76	$-)4)E)5E		
				8: ; : C; E9C$BDA@E; ; CPG*%>; ; ED<CC	$-)4)E)5E
	: #+0) 4&E) ,. ;		&PKIZLUS&Q		
HVE3 &&) 4& FGB& &CEAD< WAL&D< ! S&			&TKMCKUS&Q		
->D AL&NAF>NA&AS					
	)*6*,-+-	$-+E+)	$2+E5F2		
				8: ; EB: : $U: GBH>D&?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4& >D AL&NAF>NA&AS&			&TLPQXSTM		
->FY! >' HE& WG9[D<N& F9-' <VL&D<!					
	)*+7*,-+-	$-,-2,	$F75&F		
				8: ! KCG@KAS DBH$9J8%U;	$F75&F
	: #+0) 4&E) ,. ;		&ZS&RX		
HVE3 &&) 4& >FY! >' HE& WG9[D< N& F9-' <VL& D< ! &			&ZS&RX		
->FEA! E&/FG>&@F9 A					
	)*+7*,-+-	$-,-22	$E35&6		
				8: ! KCG@KAS DBH$9J8%U;	$E35&6
	: #+0) 4&E) ,. ;		&RS&RK		
HVE3 &&) 4& >FEA! E&/FG>&@F9 A&			&RS&RK		
->FEA! EDF<&F<AL&D<! S					
	)*+,*,-+-	$-+E73	$)-5-		
				A: HK8B <$AJHA@&8 9$A=9%	$-5-
				A: HK8B <$AJHA@J ; J	$-5-
	: #+0) 4&E) ,. ;		&JMB&M		
HVE3 &&) 4& >FEA! EDF< &F< AL&D< ! S&			&JMMB&M		
-CF9' C					
	)*+,*,-+-	$-+E7F	$E4-2&5-		
				D>AA: DD $A; $PB&G: CEDL$%&89M$AJHA	$E4-2&5-
	: #+0) 4&E) ,. ;		&QLMMT$XM		
HVE3 &&) 4& CF9' C&			&PXQLXMPS&R		
-GWWD 9LAE>A<E&3 S					
	)*6*,-+-	$-+F+)	$2+E5F2		
				8: ; EB: : $U: GBH>D&?: C: ! B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3 &&) 4& GWWD 9 LAE> A< E&3 S&			&TLPQXSTM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	3#1$456,5) +7-*46) 1#&) 8&&. / (#+,	-./(#+,& '( ) *+,012
-] &&A<@' <! A9A<E&! A<EA>				
) *, 3*, -+-	$EE-273	$F27557		
			: U: 8L$AJHA$'&89L@HG?L	$F27557
: #+0) 4&E) ,. ;		&TZ$&Z		
HVE3 &&) 4&-] &&A<@' <! A9A<E&! A<EA> &		&PPRUXUR$&VQ		
c&<' DVC& &C-'				
) *+7*, -+-	$-, -2)	$665-F		
			8: !KCG@KA$DB-H$9J8%U;	$665-F
) *+7*, -+-	$-, -26	$F+5-F2		
			8: !KCG@KA$DB-H$9J8%U;	$F+5-F2
: #+0) 4&E) ,. ;		&RJRS&M		
HVE3 &&) 4&-&' DVC & &C-' &		&RJRS&M		
c' \ D&9 A3 D ' W&N> F G-L&D<!				
) *6*, -+-	$-+F+6	$E+5-E2		
			8: !KCG@KA$DB-H$9J8%U;	$E+5-E2
: #+0) 4&E) ,. ;		&PS&T		
HVE3 &&) 4&-' \ D&9 A 3 D ' W&N> F G-L&D<! &		&PS&T		
>& &C&F: A>@A' 3 &&& F F>CL&D<! S				
) *6*, -+-	$EE-2-)	$ 4 3, 5--		
			G998$J>BC; @>HBDB B A	$6-52)
			G998$J>BC; @>HBDB B A	$6-522
			G998$J>BC; @>HBDB B A	$6-522
			G998$J>BC; @&A?	$6F5-
			G998$J>BC; @&A?	$9++) 5-
			G998$J>BC; @A$Z3	$ -+5-
			G998$J>BC; @: CB9-8$H; 8	$9-3+5-
			G998$J>BC; @&; $! DG$9! ! BH:	$9-, +5-
			G998$J>BC; @A$Z3 6	$9-) +5-
			G998$J>BC; @A$Z7 +	$ -+5-
			G998$J>BC; @A$Z,	$ -+5-
			G998$J>BC; @!B <$<>8G	$) +5-
			G998$J>BC; @A$Z6 E	$ -+5-
			G998$J>BC; @A$Z) E	$9-) +5-
			G998$J>BC; @CUD$A= D 8	$9-2+5-
) *, 3*, -+-	$EE-27F	$2-, 5--		
			G998$J>BC; @&A?	$25-
			G998$J>BC; @&A?	$9-6-5-
			G998$J>BC; @&A?	$9-) 356-
: #+0) 4&E) ,. ;		&UTRU$&M		
HVE3 &&) 4&-& &C&F : A>@A' 3 &&& F F>CL&D<! S&		&RJXUU$&M		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
>' WW&9' <' NA9A<E &CA>: D ACL&WW				
)*6*, -+-	$-+F+3	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $2*F	$F+75E
)*+, *, -+-	$-+E7E	$2483755EF		
			;: U%&AJHA@: CG: 8A9C$P*: $*, E	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*+)	$F+75E
			;: U%&AJHA@: CG: 8A9C$P*: $2*, +	$F+75E
			;: U%&AJHA@J: GBC> $P*: $2*F	$2F25E
			;: U%&AJHA@J: GBC> $P*: $2*+)	$+E572
			;: U%&AJHA@: CG: 8A9C$P*: $2*, E	$F+75E
)*, 3*, -+-	$-, +F2	$F+75E		
			;: U%&AJHA@: CG: 8A9C$P*: $)*)	$F+75E
: #+O) 4&E) ,. ;		&KIPMCJ&JT		
HVE3 &) 4&' WW&9 ' <' NA9A<E&CA>: D ACL& WW &		&RJLJLUJ&/Z		
>' 9D>A\ L&HA><' <3 F				
)*+7*, -+-	$-, -23	$2+5-		
			8: !KCG@CUDCDH: CA: $1: :	$2+5-
: #+O) 4&E) ,. ;		&TPS&M		
HVE3 &) 4&' 9D>A\ L&HA><' <3F&		&TPS&M		
>' 9D>A\ L&9' <GAW&CS				
)*6*, -+-	$-+F+F	$, 5F		
			8: !KCG@KASCDH$9J8%U;	$, 5F
: #+O) 4&E) ,. ;		&JJS&K		
HVE3 &) 4&' 9D>A\ L&9' <GAW&CS&		&JJS&K		
>' V9F<3L&3A<DCA&9S				
)*6*, -+-	$-+F+E	$2+E56-		
			% 8$GBU@I=>U: D 9C$H9C!5	$2+E56-
: #+O) 4&E) ,. ;		&TPQ&KM		
HVE3 &) 4&' V9F<3 L&3A<DCA&9S&		&TPQ&KM		
>' V<A&] ' EA>& F<3 DEDF<D<N				
)*6*, -+-	$-+F+7	$, 56-		
			8: !KCG@KASCDH$9J8%U;	$, 56-
: #+O) 4&E) ,. ;		&JJS&M		
HVE3 &) 4&' V<A&] ' EA>& F<3 DEDF<D<N&		&JJS&M		
>A&W <AE				
)*6*, -+-	$-+F, -	$, 56,		
			8: !KCG@KASCDH$9J8%U;	$, 56,
: #+O) 4&E) ,. ;		&JJS&J		
HVE3 &) 4&A&W <AE&		&JJS&J		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[redacted] 3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '( )*+,012
>ANA<EC&G! &7&G<D: A>CDEV&FH& ' WDH F><D				
	)*+7*,-+-	$-,-2F		$-E5-
			HKH$J: ;; ECL	$-E5-
	: #+O) 4&E) ,. ;			&PQ&/M
HVE3 &) 4&- ANA<EC&G! &&G<D A>CDEV &FH& ! ' WDHF><D &				&JVB/M
>A<E' W&CA>: D A& F>-S				
	)*6*,-+-	$-+F,+		$6F5-+
			8: !KCG@KASDBH$9J8%J;	$6F5-+
	: #+O) 4&E) ,. ;			&XS/P
HVE3 &) 4&- A<E' W&CA>: D A& F>-S&				&XS/P
>A: A<GA&A_-A>ECL &D<! S				
	)*+,*,-+-	$-+E77		$47275-
			HB>; E9C$/&HAACL@CUD&AJHA	$47275-
	: #+O) 4&E) ,. ;			&UZTZ&/M
HVE3 &) 4&- A: A<GA&A_-A> ECL&&<! S&				&TKZZJ$/K
>N! & F<CE>G! EDF<				
	)*+7*,-+-	$-,-2E		$25-F
			8: !KCG@KASDBH$9J8%J;	$25-F
	: #+O) 4&E) ,. ;			&JT$/K
HVE3 &) 4&- N! & F<CE>G! EDF<&				&JT$/K
>NDCL&WW!				
	)*6*,-+-	$-+F,,		$765-)
			8: !KCG@KASDBH$9J8%J;	$765-)
	: #+O) 4&E) ,. ;			&ZKS&U
HVE3 &) 4&- NDCL&WW! &				&ZKS&U
>D A&HD>A& >FEA! EDF<				
	)*6*,-+-	$-+F,2		$22+5-
			8: !KCG@KASDBH$9J8%J;	$E+5-
			8: !KCG@KASDBH$9J8%J;	$6-5-
	: #+O) 4&E) ,. ;			&TPS/M
HVE3 &) 4&- D A&HD>A& >FEA! EDF<&				&TPS/M
>D @' >3&/F-A\ & F<CE>G! EDF<				
	)*+7*,-+-	$-,-27		$7+5-E
			8: !KCG@KASDBH$9J8%J;	$7+5-E
	: #+O) 4&E) ,. ;			&PS/Q
HVE3 &) 4&- D @' >3&/F-A\ & F<CE>G! EDF<&				&PU/KUU/KZS/X

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted]	-./(#+,& '()*+,012
>D<' &C&[A' GEV&A CDN<				
)*6*,-+-	$-+F,)	$-523		
			8: !KCG@KA&DB-H$9J8%U;	$-523
: #+0) 4&E) ,. ;		&JMBR		
HVE3 &) 4&> B<' &C&[A' GEV&A CDN< &		&JMBR		
>D<G DA>L&C' >'				
)*6*,-+-	$-+F,6	$F65-		
			8: !KCG@%>-<*C: K; : 8$! : : A	$F65-
: #+0) 4&E) ,. ;		&KSMM		
HVE3 &) 4&> D<G DA>L&C' >' &		&KSMM		
>D A>CD3 A& >A' & ' -A& >DCDC& A<EA >				
)*,3*,-+-	$-,+F)	$2,577		
			HG?L$! KCG: G$AJHA@&8: J$%8LU	$2,577
: #+0) 4&E) ,. ;		&JTJSZZ		
HVE3 &) 4&> D A>CD3 A& >A' & ' -A& >DCDC& ! A<EA> &		&LLMTPSRT		
>D A>CD3 A& FG<EV &D<HF>9' EDF<&EA! @<FWFNV				
)*6*,-+-	$-+F,3	$-4E225-		
			8>GB9$AJHA@&G	$-4FE75-
			J%C$-H9CC: H; B9C$AJHA	$25)-
)*,3*,-+-	$-,+F6	$25)-		
			J%C$-H9CC: H; B9C$AJHA	$25)-
: #+0) 4&E) ,. ;		&PLQXRSXM		
HVE3 &) 4&> D A>CD3 A& FG<EV&D<HF>9' EDF<& EA! @<FWFNV&		&MCLJCSRT		
>D A>CD3 A& FG<EV &C@A>DHH& FG>E&C A>:D AC				
)*+,*,-+-	$-+7-+	$276576		
			L>8CBA=U: C;	$276576
)*,3*,-+-	$-,+F3	$F7,5-3		
			L>8CBA=U: C;	$F7,5-3
: #+0) 4&E) ,. ;		&PLPCQSPP		
HVE3 &) 4&> D A>CD3 A& FG<EV&C@A>DHH& ! FG>E&CA>:D AC&		&ZLJZKSZT		
>D A>CD3 A& FG<EV &C@A>DHH&9:				
)*+,*,-+-	$-+7-,	$22-5-2		
			:W 8>$GK; <@*+F$HI $/9BC;	$22-5-2
: #+0) 4&E) ,. ;		&TTMBPT		
HVE3 &) 4&> D A>CD3 A& FG<EV&C@A>DHH&9: &		&PMLMPZSPM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#8) 8&. / (#+,	-./(#+,& '()*+,012
>D A>CD3 A&>G[[A> &CE' 9-& &A<N>' : D<N				
	)*+,*,-+-	$-+7-2	$-355+	
			>%%&9J>D?A; >U%@% K8H=>AE&L	$-25+
			>%%&9J>D?A; >U%@% K8H=>AE&L	$256-
	: #+0) 4&E) ,. ;		&PRSXP	
HVE3 &8) 4&> D A>CD3 A&> G[[A> &CE' 9-& & A<N>' : E> N&			&PRSXP	
>^&>' V9 F<3& AE&C A>: D AC				
	)*+7*,-+-	$-,-)-	$F5-,	
			8: !KCG@KAS&D>H$9J8%U;	$F5-,
	: #+0) 4&E) ,. ;		&JXS&U	
HVE3 &8) 4&> ^&>' V9 F<3& AE&C A>: D AC &			&JXS&U	
>W& &A<N D<AA>D<N				
	)*+,*,-+-	$EE-2)-	$342F-56-	
			;: U%&A; >!!E&L$AJ HA@>%%&9MA	$342F-56-
	: #+0) 4&E) ,. ;		&RLTXMBKM	
HVE3 &8) 4&> W& &A<N E> AA>E> N&			&PTMKZZSKK	
>F[A>ECF<L& <EFD<AEEA& S				
	)*+,*,-+-	$-+7-)	$65-	
			8: !KCG@B>; E9C$&BAUBA: G	$65-
	: #+0) 4&E) ,. ;		&JKS&M	
HVE3 &8) 4&> F[A>ECF<L& <EF E> AEEA& S&			&JKS&M	
>F[D<CF<L&A>D				
	)*+7*,-+-	$-,-)+	$265-	
			% 8$&B U@J>GG$B: H9LCB E9C$ JC;	$265-
	: #+0) 4&E) ,. ;		&TKS&M	
HVE3 &8) 4&> F[E> CF<L&A>D &			&TKS&M	
>F[D<CF<Y3' : DCL&V' : F<<A				
	)*6*,-+-	$-+F,F	$6-5-	
			8: !KCG@8>%&B: C; >D&G: %	$6-5-
	: #+0) 4&E) ,. ;		&MVB&M	
HVE3 &8) 4&> F[E> CF<Y3' : DCL&V' : F<<A&			&MVB&M	
>F! @ L&C' >' &VS				
	)*6*,-+-	$-+F,E	$EEE52-	
			8: ; E&: : $J: GE&H>D&?: C: !B	$EEE52-
	: #+0) 4&E) ,. ;		&QQQSTM	
HVE3 &8) 4&> F! @ L&C' >' &VS&			&LRRUSZM	

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( ) *+,	[redacted] 3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '( ) *+,012
>F! B] AWWL&\' ! cGA WD<A					
	) *+, *, -+-	$ -+7-6	$F65-		
				8: ! KCG@*C$G: %ÐAB	$F65-
	: #+O) 4&E) ,. ;		&KK&M		
HVE3 &&) 4&> F ! B] AWWL&\' ! cGAWD<A&			&KK&M		
>F3>DNGA\ L&\ ' >WFC					
	) *+, *, -+-	$ -+7-3	$9-365-		
				% 8$GB U@CCD&! B8: $/&8: J$P8I A=%	$9-365-
	: #+O) 4&E) ,. ;		&PKK&M		
HVE3 &&) 4&> F3>DNGA\ L&\ ' >WFC&			&PKK&M		
>F3>DNGA\ L&W G>A<					
	) *+7*, -+-	$ -, -) ,	$ 625-		
				; 8>J: D$ W%@99A; $H9C! : 8: CH:	$ 3&5-
				; 8>J: D$ W%@99A; $H9C! : 8: CH:	$ -3&5-
	: #+O) 4&E) ,. ;		&KT&M		
HVE3 &&) 4&> F3>DNGA\ L&W G>A< &			&JQT&M		
>F3>DNGA\ L&F9' >					
	) *+6*, -+-	$ -+72,	$2, 65-		
				% 8$GB U@H9C9UB-H$H8BJ: A$HD>AA	$2, 65-
	: #+O) 4&E) ,. ;		&TJK&M		
HVE3 &&) 4&> F3>DNGA\ L&F9' > &			&JKT&M		
>FNA>CL&AGNA<A					
	) *6*, -+-	$ -+E+6	$2+E5F2		
				8: ; B&: : $J: GB-H>D&?: C: ! B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&T		
HVE3 &&) 4&> FNA>CL&AGNA< A&			&JKJZ&K		
>F^' CL&CEA: A					
	) *, 3*, -+-	$ -, +FF	$ -5-		
				8: ! KCG@&>?B A$G: %	$ -5-
	: #+O) 4&E) ,. ;		&IM&M		
HVE3 &&) 4&> F^' CL&CEA: A&			&IM&M		
>F9' <L&9D>D 9					
	) *6*, -+-	$ -+F, 7	$ -5-		
				8: ! KCG@&>?B A$! : : $G: %ÐAB	$ -5-
	: #+O) 4&E) ,. ;		&IM&M		
HVE3 &&) 4&> F9' <L&9D>D 9&			&IM&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.,/(#+,	-./(#+,& '()*+,012
>F9A>FC&HFF3&>F3G! EC					
	)*6*,-+-	$-+F2-	$+5-		
				8: !KCG@KAS[DH\$9J8%U;	$+5-
	: #+0) 4&E) ,. ;		&IPS&M		
HVE3&8) 4&>F9A>FC&HFF3&>F3G! EC&			&IPS&M		
>FCCL&8' :D&ES					
	)*6*,-+-	$-+E+3	$2+E5F2		
				8: ; &B: : $U: G&H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3&8) 4&>FCCL&8' :D&ES&			&TLPQXSTM		
>FCCF<L&NFGD&S					
	)*6*,-+-	$-+E+F	$E75E3		
				8: ; &B: : $U: G&H>D&?: C: !B	$7355-
				8: ; &B: : $U: G&H>D&?: C: !B	9-7252 3
	: #+0) 4&E) ,. ;		&UQZ&SR		
HVE3&8) 4&>FCCF<L&NFGD&S&			&ULXKZ&SX		
>GCCAWWL&H>' <B					
	)*,3*,-+-	$-,+FE	$-5-		
				8: !KCG@&>?B A&S: %	$-5-
	: #+0) 4&E) ,. ;		&IMB&M		
HVE3&8) 4&>GCCAWWL&H>' <B&			&IMB&M		
>GCCFL&^F@<					
	)*6*,-+-	$-+E+E	$2+E5F2		
				8: ; &B: : $U: G&H>D&?: C: !B	$2+E5F2
	: #+0) 4&E) ,. ;		&TPQ&XT		
HVE3&8) 4&>GCCFL&^F@<&			&TLPQXSTM		
C' & CCF! D EAC					
	)*,3*,-+-	$EE-27E	$-,4-5-		
				; : U%&A; >!!E&CL&AJ HA@I>%&8&89MA	$-,4-5-
	: #+0) 4&E) ,. ;		&PJLRMB&M		
HVE3&8) 4&C' & CCF ! D EAC&			&PPPLPPJ&XM		
C' 9&B@G9FF>F& @D>F->' ! ED & >FH& F>-					
	)*+7*,-+-	$-,-)2	$252-		
				8: !KCG@KAS[DH\$9J8%U;	$252-
	: #+0) 4&E) ,. ;		&JTSTM		
HVE3&8) 4&C' 9&B@G9FF>F& @D>F->' ! ED & ->FH& F>-&			&JTSTM		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
C' <F& EEF><AV&CA >: D A					
	)*+,*,-+-	$-+7-F	$-+-5-		
				D L>D&AJHA@&9H=>	$-+-5-
	: #+0) 4&E),.;		&PPMB&M		
HVE3&&) 4&C' <F& EEF><AV&CA>: D A&			&QPMB&M		
C' -D&<L&>' W-@&N S					
	)*6*,-+-	$-+F2+	$-6+57)		
				8: !KCG@GUE&C$-HB>; E9C$!::A	$-6+57)
	: #+0) 4&E),.;		&PKPSZU		
HVE3&&) 4&C' -D&<L&>' W-@&N S&			&PKPSZU		
C' :A>& GE					
	)*6*,-+-	$-+F22	$-5)E		
				8: !KCG@KAS&D&H$9J8%U;	$-5)E
	: #+0) 4&E),.;		&IMB&Q		
HVE3&&) 4&C' :A>& GE&			&IMB&Q		
C' :YF<& ' >-AE& &ED&A					
	)*6*,-+-	$-+F2,	$3)5-7		
				8: !KCG@KAS&D&H$9J8%U;	$3)5-7
	: #+0) 4&E),.;		&RUSPZ		
HVE3&&) 4&C' :YF<& ' >-AE& &ED&A&			&RUSPZ		
C! &CD&N<C					
	)*+7*,-+-	$-,-))	$-43-5-		
				%K?D&H$-:>8E&C L$A E&LCA	$7)65-
				%K?D&H$-:>8E&C L$A E&LCA	$2+65-
	: #+0) 4&E),.;		&PLJRMB&M		
HVE3&&) 4&C! &CD&N<C&			&KLTKKS&M		
C! 9' H&CS&! ' &9G<D&S& E@&AED &HA3A>' ED&F<					
	)*+7*,-+-	$-,-)6	$-F65-		
				,--7$!D>L$!99; ?> D&D&$ C; 8<$!::A	$-F65-
	)*+7*,-+-	$-,-)3	$6,65-		
				<; =$?>A!::; ?>D&D&$ C; 8<$!::A	$6,65-
	: #+0) 4&E),.;		&IMMB&M		
HVE3&&) 4&C! 9' H&C S&! ' &9G<D&S& E@&AED & HA3A>' ED&F<&			&PLJTUS&M		
C! 9' HYD&<W <3& ' WW&AVC					
	)*+7*,-+-	$-,-)F	$6-5-		
				>C&E&CA; >D&D>; E9C $ J:C;	$6-5-
	: #+0) 4&E),.;		&KMB&M		
HVE3&&) 4&C! 9' HYD&<W <3& ' WW&AVC&			&KMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.//(#+,	-./(#+,& '()*+,012
C! >AA<: DCDF<&3 D> A! E				
)*,3*,-+-	$-,+F7	$-42,E5-		
			>GJ:8; BAECL$AJHA@8H	$F3E5-
			>GJ:8; BAECL$AJHA@8H	$63-5-
: #+O)4&E),.;		&PLTJQ&M		
HVE3&&) 4&C! >AA<: DCDF<&3 D> A! E&		&KLKJMB&M		
CA! G>DEV&WF! B& &BAV				
)*6*,-+-	$-+F2)	$F25,6		
			D9HI $AJH@K%$: <A	$F25,6
)*+,*,-+-	$-+72-	$3+56-		
			D9HI $3: %>BBA@&>8IA	$3+56-
)*,3*,-+-	$EE-277	$,756-		
			D9HI $3: %>BBA@&9DBH:	$,756-
: #+O)4&E),.;		&PQJUSK		
HVE3&&) 4&CA! G>DEV&WF! B& &BAV&		&PRLMKQ&SQ		
CAW @7CFG<3&E@AF WFNV& @>DCED <&C EF>A				
)*6*,-+-	$-+F26	$EF53E		
			8: !KCG@KADBH9J8%U;	$EF53E
: #+O)4&E),.;		&QX&RQ		
HVE3&&) 4&CAW @7C FG<3&E@AF WFNV& ! @> DCED <&CEF>A&		&QX&RQ		
CAWA! E&[GDW3				
)*6*,-+-	$-+F23	$25-		
			8: !KCG@KADBH9J8%U;	$25-
: #+O)4&E),.;		&TS&M		
HVE3&&) 4&CAWA! E&[GDW3&		&TS&M		
CA] AWW&C&> D A>CD3A&3 ' D> V&3<!				
)*+7*,-+-	$-,)E	$F+56+		
			8: !KCG@KADBH9J8%U;	$F+56+
: #+O)4&E),.;		&PS&P		
HVE3&&) 4&CA] AWW&C&> D A>CD3A&3 ' D> V&3<!&		&PS&P		
C@ @L&' N3DC@				
)*+7*,-+-	$EE-23F	$,-46,-5-		
			;:U%&A;>!!BCL$AJ HA@!>%&&89MA	$-46,-5-
: #+O)4&E),.;		&MKJMB&M		
HVE3&&) 4&C@ @L&' N3DC@&		&PQKLJQMB&M		

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| | ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#8) 8&.,/(#+,	-./(#+,& '( )*+,012
CD<NA>& & FHHD<L& -!					
	)*,3*,-+-	$EE-)--	$24EE755-		
				D L>D?AJHA@83-*C>A9C?A; ?4?89M	$24)755-
				D L>D?AJHA@83-*C>A9C?A; ?4?89M	$)-5-
	: #+0) 4&E),.;		&TLQQZ?XM		
HVE3 &8) 4&CB: NA>&` & FHHB: L& -! &			&RZLMKP?RK		
CD<NWAEF<Y3A! GD> L&' <DC@AD					
	)*+7*,-+-	$-,-7,	$26)5-		
				UHD >L: ?B: BJ?K8A : U: C;	$?25-
				; 8>J: D? W%@99A; ?H9C!: 8: CH:	$6)56-
				; 8>J: D? W%@99A; ?H9C!: 8: CH:	$-356-
	: #+0) 4&E),.;		&TKUSM		
HVE3 &8) 4&CB: NWAE F<Y3A! GD> L&' <DC@AD &			&UMEK		
CBV& G[WDC@D<N					
	)*+7*,-+-	$-,-6)	$E4FF256-		
				%8BD; BD L?AJHA@K UU: 8+-	$E4FF256-
	: #+0) 4&E),.;		&QXXT?XM		
HVE3 &8) 4&CBV& G[WDC@D<N&			&JQUUU?XM		
CBV&E>' DVC&9 F[DVA& DVW NA					
	)*+,*,-+-	$-+7-7	$35-7		
				8: !KCG@K; ?KA: 8$>W A	$35-7
	: #+0) 4&E),.;		&RS?Z		
HVE3 &8) 4&CBV&E>' DVC&9 F[DVA& DVW NA&			&JQ&M		
CW NA>9' <L&CGC' < & S					
	)*6*,-+-	$-+E+7	$2+E5F2		
				8: ; B8: : $U: GBH>D?: C: !B;	$2+E5F2
	: #+0) 4&E),.;		&TPQ&T		
HVE3 &8) 4&CW NA>9' <L&CGC' <& S&			&TLXUZ?XR		
C9 DE@L&A><ACE&H>' <B					
	)*6*,-+-	$-+F27	$32F53		
				8: ; B8: : $U: GBH>D?: C: !B;	$32F53
	: #+0) 4&E),.;		&RTX?UR		
HVE3 &8) 4&C9 DE@L&A><ACE&H>' <B&			&LJRQ&P		
C9 DE@L&VDC'					
	)*6*,-+-	$-+F)-	$2-5F+		
				8: !KCG@KA?DBH?9J8%U;	$2-5F+
	: #+0) 4&E),.;		&TMBXP		
HVE3 &8) 4&C9 DE@L&VDC' &			&TMBXP		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&'()*+,012	-./(#+,&'()*+,012
C9 DE@L&9' >D & S				
)*6*,-+-	$-+E,-	$2+6557		
			8:; B&:: $U: GBH>D&?: C: !B	$2+6557
	: #+0) 4&E),.;	&TPK&KZ		
HVE3 &&) 4&C9 DE@L&9' >D & S&		&PKURSPM		
C9 FBA& WGC				
)*+7*,-+-	$-,-66	$+52		
			8: !KCG@KAS&DBH$9J8%U;	$+52
	: #+0) 4&E),.;	&JPS&T		
HVE3 &&) 4&C9 FBA& WGC&		&JPS&T		
C9 FBA&C@F-&EF[' ! ! F				
)*+7*,-+-	$-,-63	$2252		
			8: !KCG@KAS&DBH$9J8%U;	$2252
	: #+0) 4&E),.;	&TTS&T		
HVE3 &&) 4&C9 FBA&C @F-&EF[' ! ! F&		&TTS&T		
CF S&' WDH&C! @F FW&F H&9 GCD				
)*,3*,-+-	$-,+E+	$-4--56		
			E&A;8KH;98$AJHA@KB>8	$-E75-
			E&A;8KH;98$AJHA@&B>C9	$7F5-
			E&A;8KH;98$AJHA@&B>C9	$-E75-
			E&A;8KH;98$AJHA@&B>C9	$-75 6
			E&A;8KH;98$AJHA@&B>C9	$+35-
	: #+0) 4&E),.;	&PLPMM&K		
HVE3 &&) 4&CF S&' WDH&C! @F FW&F H&9 GCD &		&ZLCZM&K		
CF! F&N>FG-L&D<!				
)*6*,-+-	$-+F)+	$-+4E3)5E		
			!K: D&%K8H=>A:	$&4E7257 6
			!K: D&%K8H=>A:	$&47F-52
)*,3*,-+-	$-,+E,	$+43-573		
			!K: D&%K8H=>A:	$&46))5+
			!K: D&%K8H=>A:	$ 462F56+
			!K: D&%K8H=>A:	$&4F)357,
			!K: D&%K8H=>A:	$&42,5-,
	: #+0) 4&E),.;	&TTLPJK&KU		
HVE3 &&) 4&CF! F&N>FG-L&D<! &		&PUZLPUK&PU		
CF3A<&A<EA>->DCA CL&D<! S&3[' &A' CV &/FN'				
)*,3*,-+-	$-,+E2	$-6)5E-		
			E&A;8KH;98$AJHA@9L>	$FF5)-
			E&A;8KH;98$AJHA@9L>	$FF5)-
	: #+0) 4&E),.;	&PKU&&M		
HVE3 &&) 4&CF3A<&A<EA>->DCAC L&D<! S&3[' & A' CV&/FN' &		&KRX&RM		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &)8&9)4#+)& . ;;#/

! "#$%&> #?51,#4

! "#%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#)8&./(#+,	-./(#+,& '()*+,012
CF<NL&@AWA<					
	)*+7*,-+-	$-,-6F	$9-+,5-		
				8: !KCG@D>AA$3: LBA;	$9-+,5-
	: #+0)4E),.;		&PPJ$M		
HVE3&)4&CF<NL&@AWA<&			&PPJ$M		
CFC' L&F>NA					
	)*+,*,-+-	$-+7+-	$26,5-		
				EC A; 8KH; 98$AJHA@EC%9$!98$ EGA	$735-
				EC A; 8KH; 98$AJHA@>8>; : G9	$635-
	: #+0)4E),.;		&TKJ$M		
HVE3&)4&CFC' L& F>NA&			&TERMJ$M		
CFGE@&[' V&9' CF<>V					
	)*+7*,-+-	$-,-6E	$5F5-		
				8: !KCG@KA$DB-H$9J8%U;	$5F5-
	: #+0)4E),.;		&XS$M		
HVE3&)4&CFGE@&[' V&9' CF<>V&			&XS$M		
CFGE@& F' CE& D>&cG' WDEV&9N9E&3DCE>D E					
	)*+,*,-+-	$-+7++	$9-75-		
				: UBAA$9CA$! : : @A $26E	$9-75-
	)*+,*,-+-	$-+7+,	$725+		
				>CCD$9% 8>; EC L$! : : A@A$26E	$725+
	: #+0)4E),.;		&MJ$P		
HVE3&)4&CFGE@& F' CE& D>&cG' WDEV&9N9E& 3DCE>D E&			&TERPK$PX		
CFGE@& F' CE& c93					
	)*+7*,-+-	$-,-67	$9-6)5E+		
				8: L@U%D$ 8>CA%$H998G$ 8CL	$9-6)5E+
	: #+0)4E),.;		&PKJ$P		
HVE3&)4&CFGE@& F' CE& c93&			&PKJ$P		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	[redacted] 3#1$456,5)+7-*46)1#&)8&&.//(#+,	-./(#+,& '()*+,012
CFGE@A><& ' WDHF><D &A3DCF<				
	)*6*,-+-	$-+F)2	$64)E+53F	
			:DH;8BHB<	$-)5F-
			:DH;8BHB<	$-5FE
			:DH;8BHB<	$F365+
			:DH;8BHB<	$46,,53-
			:DH;8BHB<	$225)6
			:DH;8BHB<	$+)57,
			:DH;8BHB<	$225+E
			:DH;8BHB<	$37,57
			:DH;8BHB<	$225E6
			:DH;8BHB<	$275-2
			:DH;8BHB<	$4,+5)+
			:DH;8BHB<	$63527
			:DH;8BHB<	$)53
	)*+,*,-+-	$-+7+2	$34)+-5,	
			:DH;8BHB<	$25)
			:DH;8BHB<	$-E5)
			:DH;8BHB<	$3.5F6
			:DH;8BHB<	$42)E5)
			:DH;8BHB<	$E,+5)F
			:DH;8BHB<	$E)+523
			:DH;8BHB<	$3)57
			:DH;8BHB<	$E)57
			:DH;8BHB<	$EFE5+
			:DH;8BHB<	$7256F
			:DH;8BHB<	$+523
			:DH;8BHB<	$E7)5F2
			:DH;8BHB<	$)F572
			:DH;8BHB<	$2E523
			:DH;8BHB<	$325)E
	)*+,*,-+-	$-+7+)	$)4)35F2	
			E>$H=>8L:A@K?A;>;E9C	$)4)35F2
	)*+7*,-+-	$-,-3+	$2)65F+	
			:DH;8BH$H=>8L:A	$2)65F+
	)*,3*,-+-	$-,+E)	$E4FE357-	
			:DH;8BHB<	$F)53)
			:DH;8BHB<	$64F+52
			:DH;8BHB<	$486F5)F
			:DH;8BHB<	$75+E
			:DH;8BHB<	$6F5EF
			:DH;8BHB<	$4EE-5),
			:DH;8BHB<	$2.5-3
			:DH;8BHB<	$)4E6E2+
			:DH;8BHB<	$F)57
			:DH;8BHB<	$)-5)
			:DH;8BHB<	$46275 7
			:DH;8BHB<	$).5+
			:DH;8BHB<	$),-57E
			:DH;8BHB<	$6-)536
			:DH;8BHB<	$6,5)6
			:DH;8BHB<	$2EE-
			:DH;8BHB<	$25++

MV00064221

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

| ! "#$%& 3.,# | ! "#$%& <*(=#4 | ! "#$%& '( )*+, | &&&&

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.,/(#+,	-./(#+,& '()*+,012
C-A! BL&N' >V&[S				
)'6*,-+-	$-+E,+	$2+E5F2		
			8:;BB:: $U: GBH>D&?: C: !B	$2+E5F2
	: #+O) 4&E),.;	&TPQ&XT		
HVE3 &) 4&C-A! BL&N' >V&[S&		&TLPQXSTM		
C-A! E>G9 & ' >A				
)'6*,-+-	$-+F)3	$F)5-		
			8: !KCG@KAS&DBH$9J8%U;	$F)5-
	: #+O) 4&E),.;	&XUS&M		
HVE3 &) 4&C-A! E>G9 & ' >A&		&ZQLXUMBRU		
C-A<! A>L&9' >E@'				
)'6*,-+-	$-+E,,	$-7)552		
			8:;BB:: $U: GBH>D&?: C: !B	$-7)552
	: #+O) 4&E),.;	&PZUS&T		
HVE3 &) 4&C-A<! A> L&9' >E@ &		&LLJJMB&R		
C-F>EC&D<<F:' EF>C				
)*+,*,-+-	$-+7+6	$24)F65-		
			A%9-8; A$9!!BHB>; BCL$AJHA	$F65-
			A%9-8; A$9!!BHB>; BCL$AJHA	$24)--5-
	: #+O) 4&E),.;	&TLUXKS&M		
HVE3 &) 4&C-F>EC&B<<F:' EF>C&		&KKLQZKS&M		
C->D<E				
)'6*,-+-	$-+F)F	$-5-		
			AK?%9: C>$H9U%DB CH: $!::	$-5-
	: #+O) 4&E),.;	&IMB&M		
HVE3 &) 4&C->B<E&		&PPMB&M		
C->D<E7<A_EAW				
)*+,*,-+-	$EE-2)2	$225E3		
			)+F6))2)-@!: DD&% =$H=8L$L; !	$225E3
	: #+O) 4&E),.;	&TTS&R		
HVE3 &) 4&C->B<E7<A_EAW&		&RZRS&PQ		
CE'<3'>3&D<CG>'<!A& F				
)'6*,-+-	$-+F)E	$-486,553		
			AK%%D U: C; >DB&CA K8>CH:	$-486,553
	: #+O) 4&E),.;	&PLRKJS&R		
HVE3 &) 4&CE'<3'>3&B<CG>'<!A& F&		&TJRLXKJS&U		

MV00064223

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <*(=#4	! "#$%& ' ( ) *+,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) *+,012
CE' <WAV& F<: A>NA <E&CA! G>DEV&CFWG EDF<CL&D				
) *+7*, -+-	$-, -32	$-7357		
			8: !KCG@KA&DB-H$9J8%U;	$-7357
: #+O) 4&E) ,. ;		&ZRS&Z		
HVE3 &&) 4&CE' <WAV& F<: A>NA<E&CA! G>DEV& CFWGEDF<CL&&		&ZRS&Z		
CE' <WAV& F<: A>NA <E&CA! G>DEV&CFWG E<CL&D<!				
) *6*, -+-	$EE-2+2	$-46)) 5E2		
			U9CB98EC L$AJHA@H8H	$-F65-
			U9CB98EC L$AJHA@H8H	$7, 5-
			U9CB98EC L$AJHA@J!%HH	$-65-
			U9CB98EC L$AJHA@PCL; :	$, -57E
			U9CB98EC L$AJHA@: H=$AJHA	$-65-
			U9CB98EC L$AJHA@%HD&3EA;	$-) F5-
			U9CB98EC L$AJHA@%A?	$-7) 5E6
			U9CB98EC L$AJHA@CCW&Z+	$-65-
) *+, *, -+-	$EE-2))	$-5-		
			U9CB98EC L$AJHA@PCL; :	$-35E
			U9CB98EC L$AJHA@PCL; :	$6675-7
			U9CB98EC L$AJHA@PCL; :	@35E
			U9CB98EC L$AJHA@PCL; :	@6675-7
) *, 3*, -+-	$EE-) -+	$) 725-+		
			U9CB98EC L$AJHA@L; !	$775-
			U9CB98EC L$AJHA@%-8I A	$-335E6
			U9CB98EC L$AJHA@%-8I A	$, F5-3
: #+O) 4&E) ,. ;		&UMTX&U		
HVE3 &&) 4&CE' <WAV& F<: A>NA<E&CA! G>DEV& CFWGE<CL&&!&		&RIPMO&R		
CE' <EA! & F<CGWED<NL&D<!S				
) *6*, -+-	$-+F) 7	$E, 52)		
			8: !KCG@KA&DB-H$9J8%U;	$E, 52)
: #+O) 4&E) ,. ;		&QJS&U		
HVE3 &&) 4&CE' <EA! & F<CGWEB<NL&&!&		&QJS&U		
CE' >& WA' <A>C				
) *6*, -+-	$-+F6-	$ 356-		
			8: !KCG@KA&DB-H$9J8%U;	$ 356-
: #+O) 4&E) ,. ;		&RS&M		
HVE3 &&) 4&CE' >& WA' <A>C&		&RS&M		

MV00064224

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
CE' EA&[F' >3&FH&A cG' WD' EDF<				
)*+7*, -+-	$-,-3)	$E--5-		
			>CC: W>; B9C$H: 8; $! : : @-*G><$A; 5	$E--5-
)*, F*, -+-	$2++-	$2467)5-		
			A>D A$D&KA: $>W	$2467)5-
: #+O)4&E),.;		&JDTZUS&M		
HVE3&&)4&CE' EA&[F' >3&FH&A cG' WD' EDF<&		&TKIZPQS&Z		
CE' EA& F<E>FWWA> aC&FHHD A				
)*, 3*, -+-	$-,+EE	$42+,5E3		
			>CCK>D&A; 8: : ; $B: %98; $E*-7	$42+,5E3
: #+O)4&E),.;		&JDTPJS&R		
HVE3&&)4&CE' EA& F<E>FWWA> aC&FHHD A&		&JDQPJS&R		
CE' EA&3 DC[G>CA9A <E&G<DE				
)*+*, -+-	$3-2	$-4)7755,		
			H=EDG$A K%/98; $P*=$)*-+*+-	$-4 7755.
)*+6*, -+-	$3+,	$-4-,255,		
			H=EDG$A K%/98; $P*=$)*+6*+-	$-4-.255.
)*, 7*, -+-	$3,-	$-4-,255,		
			H=EDG$A K%/98; $P*=$)*, 7*+-	$-4-,255,
: #+O)4&E),.;		&TLXUR3&R		
HVE3&&)4&CE' EA& DC[G>CA9A <E&G<DE&		&TZLJPUS&M		
CE' EA&<AE				
)*+7*, -+-	$EE-237	$-426-5-		
			H9C; 8>H; : G$AJHA	$-426-5-
: #+O)4&E),.;		&PLTKMB&M		
HVE3&&)4&CE' EA&<AE&		&PLTKMB&M		
CE' EA&F H& ' WDH73 A-E&FH&D<3GCE>D W				
)*+,*, -+-	$-+7+F	$--65-		
			% 8UB$! : : @8H	$--65-
: #+O)4&E),.;		&PMKS&M		
HVE3&&)4&CE' EA&F H& ' WDH73 A-E&FH& D<3GCE>D W&		&JPMB&M		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,&	-./(#+,& '()*+,012
CE' EA&F H& ' WDHF><D &3A- ES&F H&^GC ED A				
)*6*,-+-	$-+F6+	$242+25-		
			!ECL: 8%&ECJ; ECL$AJHA@&G	$242+25-
)*+7*,-+-	$-,-36	$-427)5-		
			!ECL: 8%&ECJ; ECL$AJHA@8	$3)5-
			?D99G$-DH=D$-CD< A@&G	$-422-5-
)*,3*,-+-	$-,+E7	$E3)5-		
			!ECL: 8%&ECJ; ECL$AJHA@&; >8A	$&+,5-
			!ECL: 8%&ECJ; ECL$AJHA@8: >AK8<	$EE5-
			!ECL: 8%&ECJ; ECL$AJHA@A	$3)5-
	: #+O) 4&E) ,.;	&KLKXPS&M		
HVE3 &&) 4&CE' EA&F H& ' WDHF><D &3A- ES&F H& ^GCED A&		&KPLKUUS&M		
CE' EA&F H& ' WDHF><D 73A- E&F H& F9&C: ! C` 3A:				
)*,3*,-+-	$-,+7-	$2-75F7		
			8: !KCG@JS$K; EEB<	$-25++
			8: !KCG@JS$K; EEB<	$,52-
			8: !KCG@JS$K; EEB<	$225+E
			8: !KCG@JS$K; EEB<	$-6+5-
	: #+O) 4&E) ,.;	&TMZ$KZ		
HVE3 &&) 4&CE' EA&F H& ' WDHF><D 73A- E&F H& ! F9&C: ! C` 3A: &		&PLTQQ&KT		
CEA<F&CFWGEDF<C&E>' <C! >D-EDF<&C: ! CS&D<				
)*+7*,-+-	$-,-33	$,4E)75E		
			;8>CAH8B%; E9CS$AJHA@&G	$4E)75E
	: #+O) 4&E) ,.;	&IKQLZS$Q		
HVE3 &&) 4&CEA<F&CFWGEDF<C& E>' <C! >DEDF<&C: ! CS&D< &		&TJLTJZS$Q		
CEA>D V! WA&D[HD2&				
)*,3*,-+-	$EE-)-,	$&+F5E3		
			P>A; : $-> KDECL$AJ HA@CUD$A=D,8	$&+F5E3
	: #+O) 4&E) ,.;	&KPXS$R		
HVE3 &&) 4&CEA>D V! WA&D[HD2&		&JLLZQ&PR		
CEA: A&C&W <3C! ' - D<N& &] AA3& [' EA 9A<E				
)*6*,-+-	$-+F6,	$3-5-		
			8: !KCG@KASDH9J8%U;	$3-5-
	: #+O) 4&E) ,.;	&RMB&M		
HVE3 &&) 4&CEA: A&C &W <3C! ' -D<N& &] AA3& ' [' EA9A<E&		&JRLRTRS&K		
CEA: A&C& ' WWAV&< G>CA>V				
)*6*,-+-	$-+F62	$EF52F		
			8: !KCG@KASDH9J8%U;	$EF52F
	: #+O) 4&E) ,.;	&QXS$X		
HVE3 &&) 4&CEA: A&C& ' WWAV&< G>CA>V&		&IMLK&QJ		

MV00064226

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

	! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
CEA] ' > EL& WDHHF > 3					
	) *6*, -+-	$ -+E, 2	$ 6+5-7		
				8: ; B3: : $U: GB+>D&?: C: ! B	$ 6+5-7
	: #+O) 4&E) ,. ;		&IKPS&/Z		
HVE3 &) 4&CEA] ' > E L& WDHHF > 3 &			&PIZZRS&P		
CEF < A> D3 NA& A< EA > & ' > E< A> C					
	) *6*, -+-	$ -+F6)	$-, -5-		
				8: ! KCG@KAS D3H$9J8%U;	$-, -5-
	: #+O) 4&E) ,. ;		&RJMB&/M		
HVE3 &) 4&CEF < A> D3 NA& A< EA> & ' > E< A> C&			&JKKIQJKS&T		
CE>' 3 WD< NL&/F ! ! ' L& ' > WCF < & &>' GE@					
	) *+, *, -+-	$ -+7+E	$25-		
				D L> D&AJHA@BA $UL;	$25-
	: #+O) 4&E) ,. ;		&KTS&/M		
HVE3 &) 4&CE>' 3 WD< NL&/F ! ! ' L& ' > WCF < & & >' GE@&			&CPLTQJS&Q		
CE> AD @L&EA> > V&/S					
	) *6*, -+-	$ -+F66	$2-52		
				8: ; B3: : $U: GB+>D&?: C: ! B	$2-52
	: #+O) 4&E) ,. ;		&TMBT		
HVE3 &) 4&CE> AD @L&EA> > V&/S&			&KCMBTP		
CE> D BWA> &DL&^F @< &] S					
	) *6*, -+-	$ -+F63	$2+E5-2		
				8: ; B3: : $U: GB+>D&?: C: ! B	$2+E5-2
	: #+O) 4&E) ,. ;		&TPQ&T		
HVE3 &) 4&CE> D BWA> &DL&^F @< &] S&			&JLKJZS&K		
CG9 A> HF > 3 L& @> DC ED<'					
	) *, 3*, -+-	$ -, +7+	$2E5-		
				EC A; 8KH; E9C$AJHA@&G><	$2E5-
	: #+O) 4&E) ,. ;		&TQB&/M		
HVE3 &) 4&CG9 A> HF > 3 L& @> DC ED<' &			&TQMB&/M		

MV00064227

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&.//(#+,	-./(#+,& '()*+,012
CG<<V9A' 3& ! A&@' >3] ' >A				
)*6*,-+-	$-+F6F	$-2553		
			UEAH$AK%&CB A@B8:	$65)2
			UEAH$AK%&CB A@B8:	$E5+2
)*+,*,-+-	$-+7+7	$)225,7		
			UEAH$AK%&CB A@&9 DBH:	$9-56-
			UEAH$AK%&CB A@&9 DBH:	$7522
			UEAH$AK%&CB A@&9 DBH:	$23)52+
			UEAH$AK%&CB A@&9 DBH:	$9-5F-
			UEAH$AK%&CB A@&9 DBH:	$-53)
			UEAH$AK%&CB A@&9 DBH:	$+53)
			UEAH$AK%&CB A@&9 DBH:	$65+F
)*+7*,-+-	$-,-3F	$F522		
			UEAH$AK%&CB A@B8:	$F522
: #+O) 4&E) ,.;		&JKUSPQ		
HVE3 &8) 4&CG<<V9A' 3& ! A&@ >3] ' >A&		&TLKPRSVU		
CG<<V9A' 3&9F<EAC CF>D&C! @FFW				
)*+7*,-+-	$-,-3E	$3)52,		
			8: !KCG@KAS&DBH$9J8%U;	$3)52,
: #+O) 4&E) ,.;		&RUSTJ		
HVE3 &8) 4&CG<<V9A' 3&9F<EACCF>D&C! @FFW		&RUSTJ		
CG-A>DF>&HG><DEG>A				
)*6*,-+-	$-+F6E	$)F523		
			8: !KCG@KAS&DBH$9J8%U;	$)F523
: #+O) 4&E) ,.;		&JXSTR		
HVE3 &8) 4&CG-A>DF>&HG><DEG>A&		&JXSTR		
C] AAE&H' ! EF>V&bU CZ				
)*6*,-+-	$-+F67	$)35,		
			8: !KCG@KAS&DBH$9J8%U;	$)35.
: #+O) 4&E) ,.;		&JRSTJ		
HVE3 &8) 4&C] AAE&H' ! EF>V&bUCZ&		&JRSTJ		
E&9&C& CCF! D EAC				
)*+7*,-+-	$-,-37	$)E5,+		
			8: !KCG@KAS&DBH$9J8%U;	$)E5,+
: #+O) 4&E) ,.;		&JCSTP		
HVE3 &8) 4&E&9&C& CCF! D EAC&		&JCSTP		
ES/S&VD<&D<EA><' EDF<' W				
)*,3*,-+-	$-,+7,	$F483+5F+		
			L8>=>U$A; $9J8H8A ACL*A8@-$%&89M	$F483+5F+
: #+O) 4&E) ,.;		&KERRPSXP		
HVE3 &8) 4&ES/S&VD<&D<EA><' EDF<' W&		&RQLPZJSXM		

MV00064228

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
E' cGA>D &NG' 3' WG -' <'				
)*+7*,-+-	$-,-F+	$2F57-		
			8: !KCG@KASDBH$9J8%J;	$2F57-
	: #+0) 4&E) ,. ;	&TXSZM		
HVE3 &&) 4&E' cGA>D &NG' 3' WG-' <' &		&TXSZM		
EA! @<D ' >A& F9-G EA>&CVCEA9 CL&D<!				
)*6*,-+-	$-+F3-	$2E5E-		
			8: !KCG@KASDBH$9J8%J;	$2E5E-
	: #+0) 4&E) ,. ;	&TQ&SM		
HVE3 &&) 4&EA! @<D ' >A& F9-GEA>&CVC EA9 CL& B<!&		&TQ&SM		
E@A&[' >[A>C				
)*+7*,-+-	$-,-F,	$2)552		
			8: !KCG@KASDBH$9J8%J;	$2)552
	: #+0) 4&E) ,. ;	&TUSKT		
HVE3 &&) 4&E@A&[' >[A>C&		&TUSKT		
E@A>9' W! FFW&D<! S				
)*6*,-+-	$-+F3+	$2-,5-		
			>HKCBAJH@KCC<UG$/&I AC?>8	$E65-
			>HKCBAJH@KCC<UG$/&I AC?>8	$E65-
			>HKCBAJH@NK: A; 8B>C$H; 8	$335-
			>HKCBAJH@NK: A; 8B>C$H; 8	$335-
	: #+0) 4&E) ,. ;	&TMJS&M		
HVE3 &&) 4&E@A>9' W! FFW&D<! S&		&PQLCKMSTR		
E@F9! F& F<CE>G! E DF<L&D<! S				
)*6*,-+-	$-+F3,	$-24F)+5)6		
			>8; : 8B>D&P>DD&B: !K8?B&=UC; *: @	$-,423F52+
			>8; : 8B>D&P>DD&B: !K8?B&=UC; *: @	$-42F)5+)
	: #+0) 4&E) ,. ;	&PTLXUPS&K		
HVE3 &&) 4&E@F9! F&! F<CE>G! EDF<L&D<! S&		&PTLXUPS&K		
EDFC&E' ! F&<F&T				
)*6*,-+-	$-+F32	$3252E		
			8: !KCG@KASDBH$9J8%J;	$3252E
	: #+0) 4&E) ,. ;	&RTS'Q		
HVE3 &&) 4&EDFC&E' ! F&<F&T&		&RTS'Q		
EY9F[DVA				
)*+7*,-+-	$-,-F-	$6F5--		
			8: !KCG@KASDBH$9J8%J;	$6F5-
	: #+0) 4&E) ,. ;	&KXS&M		
HVE3 &&) 4&EY9F[DVA&		&PQJS&M		

MV00064229

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
EF9 CAWVD& <NAWF				
)*+,*,-+-	$-+7,-	$5)55-		
			8: !KCG@B>; B9CS5BAUBAA: G	$6)56-
	: #+0)4E),.;	&KUSXM		
HVE3 &)4EF9 CAWVD& <NAWF&		&KUSXM		
EF>>ACL&>F[A>E				
)*+,*,-+-	$-+7,+	$)255-		
			8: BJ?@&C!9% 9%D $P98I A=9%	$)255-
	: #+0)4E),.;	&JTSXM		
HVE3 &)4EF>>ACL&>F[A>E&		&JTSXM		
E>'HHD & F<E>FW&CA>:D AL&D<!S				
)*,3*,-+-	$-,+72	$54F)55-		
			;8>!!B-H$D>LA4A BLCA$C&A; >CGA	$)4F6E5F3
			A>D A$>W	$)+352)
	: #+0)4E),.;	&KIPXUSXM		
HVE3 &)4E>'HHD & F<E>FW&CA>:D A L&D<!S&		&KIPXUSXM		
E>'<L&<NGVAE				
)*+7*,-+-	$-,-F2	$5,5-		
			8: !KCG@CUD&DB-H: CA: $1:::	$5,5-
	: #+0)4E),.;	&KJSXM		
HVE3 &)4E>'<L&<NGVAE&		&KJSXM		
E>A'CG>A&[F_L&D<!S				
)*6*,-+-	$-+F3)	$+5-2		
			8: !KCG@KAS&DB-H$9J8%U;	$+5-2
	: #+0)4E),.;	&IPSPT		
HVE3 &)4E>A'CG>A&[F_L&D<!S&		&IPSPT		
E>AA&F H&VDHAL&D<!S				
)*6*,-+-	$-+F36	$25,+		
			8: !KCG@KAS&DB-H$9J8%U;	$25,+
	: #+0)4E),.;	&TSIP		
HVE3 &)4E>AA&F H&VDHAL&D<!S&		&TSIP		

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&'&#"($) *+*, -+-$/#'01/$) *2- *, -+-

! "#$%& 3 . ,#	! "#$%& <* (=#4	! "#$%& ' ( ) * +,	3#1$456,5) +7-*46) 1#&) 8&. / (#+,	-. / (#+,& ' ( ) * +,012
E>D @AL&E' >'				
) *, 3*, -+-	$ -, +76	$-472+5) -		
			EC A; 8KH; 98$AJHA@>DD ;	$2665 -
			EC A; 8KH; 98$AJHA@>DD ; *>H89	$EE5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2225 -
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$ EE53-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$2+- 5E-
			EC A; 8KH; 98$AJHA@>CH: $ W%D985	$-FF53-
			EC A; 8KH; 98$AJHA@ B%&- 9%&G>CH:	$ EE53-
			EC A; 8KH; 98$AJHA@&D; : 8UG$?>DD ;	$EE5E-
	: #+O) 4&E) ,. ;	&PLZTPS&M		
HVE3 &&) 4&E> D @AL&E' >' &		&PZLJZPS&M		
E>D! DE V&VD< A< &C G- - VW L&D<! S				
) *, 3*, -+-	$ -, +7)	$) F55-		
			DE C: C$B: C; >D&! 98 $H8H	$, 55-
			DE C: C$B: C; >D&! 98 $H8H	$ 65 -
	: #+O) 4&E) ,. ;	&JX$&M		
HVE3 &&) 4&E> D! DE V&VB: A< &CG- - VW L&B: ! S&		&PLRJJVB&M		
E>F - D ' W&- W \ ' &< G> CA> VL&D<! S				
) *, 3*, -+-	$ -, +73	$-E47+25&E		
			EB 8EL$B: %> EBA@/9C: $ @	$7735) 2
			DCGAH%&J> EC; @/9C: $ @	$-64F- - 5 -
			DCGAH%&J> EC; @/9C: $ @3	$ 4 +F5) 6
	: #+O) 4&E) ,. ;	&PQJZPT$RQ		
HVE3 &&) 4&E> F - D ' W&- W \ ' &< G> CA> VL&B: ! S&		&PQTLJKPS&K		
E>G N> AA< &W <3 ! ' > A				
) *, 3*, -+-	$ -, +7F	$, +476F5) -		
			EB 8EL$B: %> EBA@/9C: $GAL@	$-25++
			EB 8EL$B: %> EBA@8>H; $2+, E)	$635) 2
			EB 8EL$B: %> EBA@8>H; $2- - , F	$757 7
			EB 8EL$B: %> EBA@8>H; $ - , F,	$ - 532
			EB 8EL$B: %> EBA@8>H; $-7, - E	$3) 5F-
			EB 8EL$B: %> EBA@8>H; $-7, - E	$-25E)
			DCGAH%&P98I @8>H; $E3	$2- 5 -
			DCGAH%&J> EC; @/9C: $J	$642,) 5E7
			DCGAH%&J> EC; @/9C: $GAL@	$F4 - 252E
			DCGAH%&J> EC; @/9C: $GAL@	$246++5 7
			DCGAH%&J> EC; @/9C: $GAL@	$ 47- 75+)
	: #+O) 4&E) ,. ;	&JPLZKX$&M		
HVE3 &&) 4&E> GN> AA< &W <3 ! ' > A&		&TMTLJPX$&J		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#$%&#"($)*+*, -+-$/#'01/$)*2- *,-+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&. /(#+,&'()*+,012	-./(#+,&'()*+,012
EG<EW <3L&' 9AC				
	)*6*,-+-	$-+E,)	$6+5-7	
			8:; B8:: $U: GBH>D$?: C: !B	$6+5-7
	: #+0) 4&E),.;		&IKP&/Z	
HVE3&) 4&EG<EW <3L&' 9AC&			&PIZZR&P	
EG>[FC! '-AL&D<! S				
	)*,3*,-+-	$EE-)-2	$34),)5E-	
			>CCD&UKDH=BC L&BC $/9C: $@	$34),)5E-
	: #+0) 4&E),.;		&RLJJU&M	
HVE3&) 4&EG>[FC! '-AL&D<! S&			&ZLKXX&M	
E] D<&N>'-@D C				
	)*,3*,-+-	$EE-)-)	$9-325-2	
			J:=BHD $L8>%=BHA $!98$%G$KCB	$9-325-2
	: #+0) 4&E),.;		&PRT&PT	
HVE3&) 4&E] D<&N>'-@D C&			&JJTKZ&R	
G&C&@A' WE@] F>BC &9A3D' W&N>FG-				
	)*+,*,-+-	$-+7,,	$365-	
			:U%D9<::$G9;*GUJ $W+U	$365-
	)*+7*,-+-	$-,-F)	$64-6+5-	
			C: P$ U%D9<::$%=< ABH>DA	$635-
			C: P$ U%D9<::$%=< ABH>DA	$24 775-
			C: P$ U%D9<::$%=< ABH>DA	9-46735-
	: #+0) 4&E),.;		&KJPR&M	
HVE3&) 4&G&C&@A' WE@] F>BC&9A3D' W& N>FG-&			&PKIPTR&M	
G! &>ANA<EC&&NF: Ea/&& F99G<DEV&>AW EDF<				
	)*6*,-+-	$-+F3F	$5)5-	
			2*,)4)*,E45*,3 @; LA	$5)5-
	: #+0) 4&E),.;		&KU&M	
HVE3&) 4&G! &>ANA<EC&&NF: Ea/&& ! F99G<DEV&>AW EDF<&			&ZZQ&M	
GY@' GW& F&FH& ' WDHF><D				
	)*6*,-+-	$-+F33	$375-	
			8: !KCG@KADBH9J8%U;	$375-
	: #+0) 4&E),.;		&RZ&M	
HVE3&) 4&GY@ GW& F&FH& ' WDHF><D &			&RZ&M	
GW&9A>&D<3GCE>DAC L&D<! S				
	)*+7*,-+-	$-,-F6	$E4+)52+	
			8>BBC L$!>?8BH>; B9C$!98$?8BC L:	$E4+)52+
	: #+0) 4&E),.;		&QRPU&P	
HVE3&) 4&GW&9A>&D<3GCE>DAC L&D<! S&			&QRPU&P	

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MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

! "#$%&> #?51,#4

! "#&%&#"($)*+*, -+-$/#'01/$)*2- *, -+-

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.,/(#+,	-./(#+,& '()*+,012
G<DF<&[' <B&FH&' WDHF><D				
)*6*, -+-	$-+F3E	$2235-		
			EDJ: A; U: C; $A>!: I : : %EDL$AJHA	$2235-
)*+7*, -+-	$-,-F3	$-F-5-		
			U9C; =D<$D9H$ 8>C A!: 8$! : : A	$-F-5-
	: #+O) 4E) ,. ;	&KVR&M		
HVE3 &) 4&G<DF<&[' <B&FH&' WDHF><D &		&JQXLKXZ&LZ		
G<DEA3 &D<C-A! EDF <& &EACED<N&D<!				
)*,3*, -+-	$-,+7E	$-4F+75-6		
			>CCD&%-J: UC; $B: A K8!>HEDL$%&89M	$-4F+75-6
	: #+O) 4E) ,. ;	&PLXPZ&PK		
HVE3 &) 4&G<DEA3 &D<C-A! EDF <& &EAC ED<N&D<! &		&JMLKRQ&JM		
G<DEA3 & F] A>&NA< A>' EDF<L&D<! S				
)*6*, -+-	$-+F37	$24+65-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ6E	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @= D 8	$5-65-
			L: C: 8>; 98$D9>G$? >CI $: A; @!5-5	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @&A?	$)-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ3	$+-5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ)E	$+-5-
)*+7*, -+-	$-,-FF	$-42-5-		
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$-F+5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ7+	$2E5-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$-)-5F
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ,	$375)2
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$+65-
			L: C: 8>; 98$D9>G$? >CI $: A; @AZ36	$-765-
	: #+O) 4E) ,. ;	&LJUK&M		
HVE3 &) 4&G<DEA3 &-F] A>&NA< A>' EDF< L&D<! S&		&PIZZM&R		
G<DEA3 &CDEA&CA>: D AC&FH&' L&D<! S				
)*6*, -+-	$-+FF-	$3+5F-		
			8: !KCG@KADH9J8%J;	$3+5F-
)*6*, -+-	$EE-2+3	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GE5	$7F56
)*+, *, -+-	$EE-2)6	$-E)5F,		
			%98; >?D $ 9ED ; $AJH@9D!$H; 8	$FF522
			!: CH: $B: C; >D@CEJ>D$A=: D : 8	$-F527
)*+7*, -+-	$EE-2F-	$7F56		
			%98; >?D $ 9ED ; $AJH@JC9$GE5	$7F56
	: #+O) 4E) ,. ;	&UP&KJ		
HVE3 &) 4&G<DEA3 &CDEA&CA>: D AC&FH &' L&D<! S&		&ZLUKP&RK		

! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&) 8&&.//(#+,	-./(#+,& '()*+,012
G<DEA3 &CE' EAC&E> A' CG>V				
)*+,*,-+-	$-+7,)	$6-5-		
			%&<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
)*,3*,-+-	$-,+77	$6-5-		
			%&<89DD&G: GKH; E9 C$L8: : U: C;	$6-5-
	: #+O) 4&E),.;	&PMMB/M		
HVE3 &&) 4&G<DEA3 &CE' EAC&E> A' CG>V&		&KLKXMMB/M		
G<DEA3 &] ' V&FH&D< W <3& ' WWAVC				
)*+,*,-+-	$-+7,6	$3,F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3,F5-E
)*,3*,-+-	$-,,--	$3,F5-E		
			KCB: G$P><$H9C; 8 E'K; E9CA	$3,F5-E
	: #+O) 4&E),.;	&PLJKUSTR		
HVE3 &&) 4&G<DEA3 &] ' V&FH&D< W <3& ' WWAVC&		&PQLPRTSZM		
G-EF<L&A9DBF				
)*+7*,-+-	$-,-FE	$335-		
			8: !KCG@CUD&AJH$!: : A	$2-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-5-
			8: !KCG@CUD&AJH$!: : A	$-35-
	: #+O) 4&E),.;	&RRSM/M		
HVE3 &&) 4&G-EF<L&A9DBF&		&RRSM/M		
GC' & W >9&CVCEA9 CL&D<! S				
)*+7*,-+-	$-,-F7	$2-5-		
			8: !KCG@KA$DB-H$9J8%U;	$2-5-
	: #+O) 4&E),.;	&TMB/M		
HVE3 &&) 4&GC' & W >9&CVCEA9 CL&D<! S&		&TMB/M		
GC' &9F[DWDEV7 >! @&] D>AWACC				
)*+7*,-+-	$EE-2F+	$735-7		
			%&L: 8$AJH@&>8I $B>CL: 8A	$5-2
			%&L: 8$AJH@8>CA%$GB5	$65-7
			%&L: 8$AJH@B VS%>; 89D&J9DC; 8A5	$2256)
			%&L: 8$AJH@CBJ>D$AJHA	$2E57-
			%&L: 8$AJH@%&8: A C >W A	$-F52
	: #+O) 4&E),.;	&ZRSZZ		
HVE3 &&) 4&GC' &9F[DWDEV7 >! @&] D>AWACC&		&QJRSRX		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5)+7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
:' ! ' EA&-ACE&AWD9 B<' EDF<& F9-' <V				
)*6*, -+-	$EE-2+F	$-4-65-		
			% A; $HC; 8D@&; EDB <$I DG$9! ! EH:	$)65-
			% A; $HC; 8D@B <$=>DD	$F65-
			% A; $HC; 8D@BB: $A; $Z) E	$)65-
			% A; $HC; 8D@BB: $A; $Z,	$)65-
			% A; $HC; 8D@BB: $A; $Z6E	$)65-
			% A; $HC; 8D@BB: $A; $Z36	$)65-
			% A; $HC; 8D@BB: $A; $Z3	$)65-
			% A; $HC; 8D@BB: $A; $Z7+	$)65-
			% A; $HC; 8D@9C! $D&B: H$H; 8	$F65-
			% A; $HC; 8D@9D! $H; 8$%&89$A=9%	$,56-
			% A; $HC; 8D@J; J$A; KGB9	$,56-
			% A; $HC; 8D@B9 8>8<	$665-
			% A; $HC; 8D@9PCL>; : $H9UU$H; 8	$)65-
			% A; $HC; 8D@: CB9 8$H; 8	$665-
			% A; $HC; 8D@8>CA%&$ 8D8	$)65-
			% A; $HC; 8D@B <$<>8G	$+65-
			% A; $HC; 8D@K?$A>! : ; <$?DGL	$F65-
			% A; $HC; 8D@CBJ> D$A=: D : 8	$+65-
			% A; $HC; 8D@CC: W$?DGL$-	$665-
			% A; $HC; 8D@>8?$=9??<$A=9%	$)65-
			% A; $HC; 8D@; >8A$?DGL*U>8?	$)65-
			% A; $HC; 8D@>8H= $I DG$%>8I $H5H5	$)65-
)*,3*, -+-	$EE-)-3	$67-5-		
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			L9%=: 8$H9C; 89D@D H; 8$AK?A; 5	$)-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
			% A; $H9C; 89D@NK: GKH; $?B: P><	$6-5-
: #+O) 4&E) ,. ;		&PLXZKS&M		
HVE3 &&) 4&' ! ' EA&-ACE&AWD9 B<' EDF< & ! F9-' <V&		&PKLJXKS&M		
:' WD& FF-A>& & CCF! D EACL&B<! S				
)*6*, -+-	$EE-2+E	$74)6-5-		
			; : U%&A; >! ! EBCL$AJ HA@!>%&%&89MA	$74)6-5-
: #+O) 4&E) ,. ;		&ZLLKMB&M		
HVE3 &&) 4&' W&& F F-A>& & CCF! D EA CL&B<! S&		&PTQLQLJXS&M		

	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	[redacted] 3#1$46,5)+7-*46) 1#) 8&. / (#+,	-./(#+,& '( )*+,012
: ' <3A>8@'] B& F<C GWEB< NL&WW					
	)*+7*,-+-	$-,-E-	$4--5-		
				%>J: UC; $JLU; $%8L U$K%G>; : $AJHA	$4--5-
	: #+O) 4&E) ,. ;		&LIJMVB/M		
HVE3 &) 4& ' <3A>8@'] B& F<CGWEB< NL&WW &			&JXIKZTS/M		
: ' C& CCF! D EACL& B<! S					
	)*+7*,-+-	$EE-2F,	$,-46,-5-		
				; : U%&A; >!! EBCL$AJ HA@!>%&%8 9MA	$-46,-5-
	: #+O) 4&E) ,. ;		&IMKJMB/M		
HVE3 &) 4& ' C& CC F! D EACL&B< ! S&			&PQLIXJKS/M		
: A>3 B< & F<! >AEAL&B< ! S					
	)*6*,-+-	$-+FF+	$3-5-		
				8: !KCG@KA$CB-H$9J8%U;	$3-5-
	: #+O) 4&E) ,. ;		&RMB/M		
HVE3 &) 4& A>3 B< &! F<! >AEAL&B< ! S&			&RMB/M		
: A>D F<					
	)*+,*,-+-	$-+7,3	$-4F--573		
				?>HI ?9C: $H=8LA	$-4F--573
	: #+O) 4&E) ,. ;		&PLXMMZR		
HVE3 &) 4& A>D F< &			&PRLQTJS&K		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&.//(#+,	-./(#+,& '()*+,012
: A>D F<& ' WDHF><D				
)*+,*,-+-	$-+7,F	$-48,6556+		
			;:D %=9C:3H=8LA	$2,5-2
			;:D %=9C:3H=8LA	$2-+573
			;:D %=9C:3H=8LA	9-E75)F
			;:D %=9C:3H=8LA	$6,25FF
			;:D %=9C:3H=8LA	$23E52E
			;:D %=9C:3H=8LA	$E25F2
			;:D %=9C:3H=8LA	$26)52.
			;:D %=9C:3H=8LA	$26,5E7
			;:D %=9C:3H=8LA	$FE57F
			;:D %=9C:3H=8LA	$2265)2
			;:D %=9C:3H=8LA	$625F,
			;:D %=9C:3H=8LA	$52+5E
			;:D %=9C:3H=8LA	$-,52E
			;:D %=9C:3H=8LA	$735-,
			;:D %=9C:3H=8LA	$FE527
			;:D %=9C:3H=8LA	9-7,5F
			;:D %=9C:3H=8LA	$E65-6
			;:D %=9C:3H=8LA	$635E)
			;:D %=9C:3H=8LA	9-E5E,
			;:D %=9C:3H=8LA	9-,25-F
			;:D %=9C:3H=8LA	$3,5FE
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9-5+
			;:D %=9C:3H=8LA	9)+53
			;:D %=9C:3H=8LA	$657-2
			;:D %=9C:3H=8LA	9),57,
			;:D %=9C:3H=8LA	9-755E
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	$-532
			;:D %=9C:3H=8LA	9-775)-
			;:D %=9C:3H=8LA	9-)355F
			;:D %=9C:3H=8LA	$5E5-
			;:D %=9C:3H=8LA	$365,E
			;:D %=9C:3H=8LA	9-6E57)
			;:D %=9C:3H=8LA	$F,57-
			;:D %=9C:3H=8LA	9-75-F
			;:D %=9C:3H=8LA	$F357E
			;:D %=9C:3H=8LA	$2F35-E
			;:D %=9C:3H=8LA	$2462E3+
)*,3*,-+-	$-,,-+	$3+E5,6		
			;:D %=9C:3H=8LA@8H	$3+E5,6
	: #+O)4&E),.;	&PLJUTSXR		
HVE3 &) 4& A>D F< & ' WDHF><D &		**&PMMDTMMB/Z**		
: D3 AF &C@F>AC				
)*+7*,-+-	$-,-E+	$F5-F		
			8: !KCG@KASDBH$9J8%U;	$F5-F
	: #+O)4&E),.;	&IXS/K		
HVE3 &) 4& D3 AF &C @F>AC&		**&IXS/K**		

MORENO VALLEY
WHERE DREAMS SOAR

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#) 8&.//(#+,&	-./(#+,& '()*+,012
: DN DN L&A><ACE				
	)*6*,-+-	$-+E,6	$2+E5F2	
			8: ; B3: : $U: GBH>D$?: C: !B	$2+E5F2
	: #+O) 4&E) ,. ;		&TPQ&XT	
HVE3 &) 4& DN DN L&A><ACE&			&TTPQXSTM	
: DCDF<&U&3 A\ DN<				
	)*+7*,-+-	$-,-E,	$-5-F	
			8: !KCG@KAS DBH$9J8%U;	$-5-F
	: #+O) 4&E) ,. ;		&JMB/K	
HVE3 &) 4& DCDF<&U&3 A\ DN<&			&JMB/K	
: DCDF<&CA>: D A& W <				
	)*6*,-+-	$EE-2,-	$42,+56	
			: U%D9<: : $JBA5DC$ BCAK8>CH:	$42,+56
	: #+O) 4&E) ,. ;		&JDTJPS/K	
HVE3 &) 4& DCDF<&CA>: D A& W <&			&JUUJMPS/P	
: DCE' & ' D<E& F>- F>' EDF<				
	)*6*,-+-	$-+FF,	$EF56 2	
			AK%%DB A$!98$L8> !!B BBUJD AK%%DB A$!98$L8> !!B BBUJD	$35, $+52+
	)*+7*,-+-	$-,-E2	$7-657F	
			%-BC; *AK%%DA$!98 $L8>!!B BBUJD	$7-657F
	: #+O) 4&E) ,. ;		&ZZTS&M	
HVE3 &) 4& DCE' & ' BE& F>-F>' EDF<&			&PPIZTTS&IZ	
: DCEA>>' & >A3 DE&G<DF<				
	)*,3*,-+-	$-,,-,	$F6-5--	
			8: !KCG@3C; D&G: %&)*+,	$F6-5-
	: #+O) 4&E) ,. ;		&KKIMB/M	
HVE3 &) 4& DCEA>>' & >A3 DE&G<DF<&			&QKIMB/M	
: FV' NA>&HWAAE&CV CEA9 L&D<! S				
	)*6*,-+-	$EE-2,+	$-47,-56	
			HCL$!K: D$!98$A; 8: : ; $/&8LU HCL$!K: D$!98$G8>BC$U>BC; $/&8LU	$-&3E522 $6+57,
	: #+O) 4&E) ,. ;		&PIZJMS/K	
HVE3 &) 4& FV' NA> &HWAAE&CVCEA9 L&D<! S&			&PXIRUU5RU	

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MORENO VALLEY
WHERE DREAMS SOAR

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&.//(#+,	-./(#+,& '()*+,012
: GW ' <&9' EA>D WC & FL&D<! S				
)*6*, -+-	$-+FF)	$-4--+5E+		
			>A%=>D, BH$J>; : 8B>D	$+25+6
			>A%=>D, BH$J>; : 8B>D	9-FF5+-
			>A%=>D, BH$J>; : 8B>D	$E25E)
			>A%=>D, BH$J>; : 8B>D	$+25E3
			>A%=>D, BH$J>; : 8B>D	$+25E3
)*+7*, -+-	$-,-E)	$34))5F-		
			>A%=>D, BH$J>; : 8B>D	$4-.-52E
			>A%=>D, BH$J>; : 8B>D	9-47-+566
			>A%=>D, BH$J>; : 8B>D	$E)56)
			>A%=>D, BH$J>; : 8B>D	$++52
			>A%=>D, BH$J>; : 8B>D	9-FF5E-
			>A%=>D, BH$J>; : 8B>D	9-FF5+-
			>A%=>D, BH$J>; : 8B>D	$,E5+3
			>A%=>D, BH$J>; : 8B>D	9-)+5F3
			>A%=>D, BH$J>; : 8B>D	$E25+)
			>A%=>D, BH$J>; : 8B>D	$2-5++
			>A%=>D, BH$J>; : 8B>D	9-3)5E3
			>A%=>D, BH$J>; : 8B>D	9-2-57)
			>A%=>D, BH$J>; : 8B>D	9-2-57)
			>A%=>D, BH$J>; : 8B>D	$3,5-7
	: #+O,4&E),.;	&KLKURSXP		
HVE3 &&) 4&GW ' <&9' EA>D WC& FL&D< ! S&		&PMPLQXJSVQ		
] ' NNF<A>&'>SL&NWA<<& S				
)*6*, -+-	$-+E,3	$2+E5F2		
			8:;BB:: $U: GBH>D&?: C: !B)	$2+E5F2
	: #+O,4&E),.;	&TPQSXT		
HVE3 &&) 4&] ' NNF<A>&>SL&NWA<<& S&		&TLPQXSTM		
] ' N<A>L&N' >V&& S				
)*6*, -+-	$-+E,F	$2+6557		
			8:;BB:: $U: GBH>D&?: C: !B)	$2+6557
	: #+O,4&E),.;	&TPKSXZ		
HVE3 &&) 4&] ' N<A>L&N' >V&& S&		&TLPXUSXU		
] ' NVL&' >VWF<				
)*6*, -+-	$-+FF6	$32F5)3		
			8:;BB:: $U: GBH>D&?: C: !B)	$32F5)3
	: #+O,4&E),.;	&RTXSJR		
HVE3 &&) 4&] ' NVL&' >VWF<&		&TLPQXSTM		
] ' @AA3L&9G<AA>				
)*+7*, -+-	$-,-E6	$--5-		
			8: !KCG@&C; D&G: %&) *2	$--5-
	: #+O,4&E),.;	&MMBMM		
HVE3 &&) 4&] ' @AA3L&9G<AA>&		&MMBMM		

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MORENO VALLEY
WHERE DREAMS SOAR

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46) 1#&) 8&. / (#+,	-./(#+,& '()*+,012
] ' C@D<NEF<&D<: A< EF>V&CA>: D A				
)*6*, -+-	$-+FF3	$3F5E3		
			8: !KCG@KA$D-H$9J8%U;	$3F5E3
: #+O) 4&E) ,. ;		&RX&&R		
HVE3 &&) 4&] ' C@D<NEF<&D<: A< EF>V&CA>: D A&		&RX&&R		
] ' C@D<NEF<L& >EACD				
)*6*, -+-	$-+FFF	$--5-		
			L: C$D-?$A: ; ; D U : C;	$--5-
: #+O) 4&E) ,. ;		&MMMM		
HVE3 &&) 4&] ' C@D<NEF<L& >EACD &		&MMMM		
] ' CCF<L&BD>B				
)*+7*, -+-	$EE-2F2	$2), 5-		
			E$A; 8KH; E9C$AJHA@&G><A	$2), 5-
: #+O) 4&E) ,. ;		&TUU&M		
HVE3 &&) 4&] ' CCF<L&BD>B&		&PLZMMM		
] ' CEA&9' <' NA9A<E &FH&E@A&D<W <3&A9-D>A				
)*, 3*, -+-	$-, , -2	$-4))56+		
			A; 98>L: EB: C; >DA	$-4))56+
: #+O) 4&E) ,. ;		&PLJUU&P		
HVE3 &&) 4&] ' CEA&9' <' NA9A<E &FH&E@A& D<W <3&A9-D>A&		&PTUTTZ&P		
] ' EBD<CL& <<DA				
)*6*, -+-	$-+FFE	$E-5-		
			8: !KCG@>8E9KA$*H$I: : A	$2-5-
			8: !KCG@>8E9KA$*H$I: : A	$-5-
			8: !KCG@>8E9KA$*H$I: : A	$-5-
			8: !KCG@>8E9KA$*H$I: : A	$-5-
			8: !KCG@>8E9KA$*H$I: : A	$-5-
: #+O) 4&E) ,. ;		&QMMM		
HVE3 &&) 4&] ' EBD<CL& <<DA&		&QMMM		
] AA9CL&9AN' <&AS				
)*+, *, -+-	$-+7, E	$-5-		
			8: !KCG@B>; E9C$9J8%U;	$-5-
: #+O) 4&E) ,. ;		&JMMM		
HVE3 &&) 4&] AA9CL&9AN' <&AS&		&JMMM		
] AWWC&H' >NF&[' <B				
)*, 3*, -+-	$-, , -)	$4--5-		
			>CCK>D$>GUE$I: :	$4--5-
: #+O) 4&E) ,. ;		&UUMMM		
HVE3 &&) 4&] AWWC&H' >NF&[' <B&		&PQUKTMM		

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8) 8&.//(#+,	-./(#+,& '()*+,012
] AWVC&H' >NF& F>- F>' EA&E>GCE					
	)*+*,-+-	$-2,2+	$-4,65EE		
				EC; : 8: A; $I>8B?D: $B>; : $9CG	$-4,65EE
	: #+0)4&E),.;		&PIJJKS&Q		
HVE3 &8) 43] AWVC&H' >NF& F>-F>' EA&E>GCE&			&ZIMJZILJCK&JT		
] ACE&NF: A><9A<E&CA>: D AC					
	)*,3*,-+-	$-,,-6	$5--5-		
				\HD >8\$K; 9$ 8> HI $AJHA$I 98$%G	$5--5-
	: #+0)4&E),.;		&KMMB/M		
HVE3 &8) 43] ACE&NF : A><9A<E&CA>: D A C&			&JLKMMB/M		
] ACE&N>FG-					
	)*+7*,-+-	$EE-2F)	$3)5-,		
				9CDE: $H=8LA@ L>DEC!9	$-E)5-,
				D L>D$%K?DH>; E9 CA$AK?AH8% CA	$E-5-
	: #+0)4&E),.;		&RRUSPJ		
HVE3 &8) 43] ACE&N> FG-&			&KLKKRSRP		
] ACEA><&9G<D D' W&] ' EA>&3 DCE>D E					
	)*,3*,-+-	$-,,-3	$FF+5F6		
				P>; : 8$H=8LA@>8? $?>DD!B DGA	$2675-2
				P>; : 8$H=8LA@!%HH$DCGAH%	$26F5),-
				P>; : 8$H=8LA@!%HH$?DGL	$662-
	: #+0)4&E),.;		&XPSKK		
HVE3 &8) 43] ACEA><&9G<D D' W&] ' EA>& 3 DCE>D E&			&PILJJTSZQ		
] @DC@A>L&BVWA					
	)*+7*,-+-	$-,-E3	$5--5-		
				8: !KCG@8>%&G: %9AB	$5--5-
	: #+0)4&E),.;		&KMMB/M		
HVE3 &8) 43] @DC@A>L&BVWA&			&KMMB/M		
] @DEAL&! S/&S					
	)*,3*,-+-	$-,,-F	$-5-		
				8: !KCG@B>; E9C$9J8%U;	$--5-
				8: !KCG@B>; E9C$9J8%U;	@--5-
	)*,7*,-+-	$-,,+,	$--5-		
				8: !KCG@B>; E9C$9J8%U;	$--5-
	: #+0)4&E),.;		&PMMB/M		
HVE3 &8) 43] @DEAL&! S/&S&			&PMMB/M		

MORENO VALLEY
WHERE DREAMS SOAR

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	! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#8)8&.//(#+,	-./(#+,& '()*+,012
] DAWD<L&>F<' W3& S					
	)*6*,-+-	$-+E,E	$2+E5F2		
				8:;BB::$U:GBH>D$?:C:!B	$2+E5F2
	: #+0)4&E),.;		&TPQ&T		
HVE3&8)4&] DAWD<L&>F<' W3& S&			&TLPQXSTM		
] DWW3' <& <3& CCF!D EAC					
	)*6*,-+-	$-+FF7	$,+4265-2		
				U98$?:>H=$G8$PBG:CBCL$%&89M	$+4265-2
	)*+,*,-+-	$-+7,7	$,24F665),,		
				U98$?:>H=$G8$PBG:CBCL$%&89M	$24F665),,
	)*+7*,-+-	$-,-EF	$5)-5--		
				:>A;8BGL:BBB: JB P$AJHA	$5)-5-
	: #+0)4&E),.;		&JKLKTMBJK		
HVE3&8)4&] DWW3' <&<3& CCF!D EAC&			&JRZLPQRBM		
] DWW3' <&HD<' <!D W&CA>:D AC					
	)*,3*,-+-	$-,,-E	$,4--5--		
				!<$E"-7$>CCK>D$GBAHD9AK8:$AJH	$-4--5-
				!<$E"-7$>CCK>D$GBAHD9AK8:$AJH	$-4--5-
	: #+0)4&E),.;		&LLMMBM		
HVE3&8)4&] DWW3' <&HD<' <!D W&CA>:D AC&			&PMPJKS&X		
] DWWD 9 CL&' <A&WS					
	)*6*,-+-	$-+FE-	$-,,52E		
				8:;BB::$U:GBH>D$?:C:!B	$-,,52E
	: #+0)4&E),.;		&RJJS'Q		
HVE3&8)4&] DWWD 9 CL&' <A&W&&			&PLJJPS&RJ		
] >A3AL&C@ >F<					
	)*6*,-+-	$-+FE,	$-,--5--		
				8:!KCG@&G$HB>;!9C$!::A	$-,--5-
	: #+0)4&E),.;		&PMMBM		
HVE3&8)4&] >A3AL&C@ >F<&			&PMMBM		

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '( )*+,	3#1$456,5) +7-*46) 1#&) 8&&./(#+,	-./(#+,& '( )*+,012
] G>9 &C&\' <DEF>D W&CA>: D ACL&D< ! S				
)*+,*,-+-	$EE-2) F	$7--5-		
			!: ?@-$G><$%98; : 8$AJHA	$7--5-
)*+7*,-+-	$EE-2F6	$,48775E		
			: W 8>H; $P>; : 8*! > C@! ! BH: $ $%A?	$6-5-
			M-CB 98B DAJHA@J>8H= $! DG$%>8I	$766F-
			M-CB 98B DAJHA@HB <$->DD	$46EE52
			M-CB 98B DAJHA@HB <$:>8G	$2)357-
			M-CB 98B DAJHA@ 8>CA%$ 8DB	$7E1-
			M-CB 98B DAJHA@ A>$-CC: W	$F265F2
			M-CB 98B DAJHA@J >H5$-CC: W	9-,)57
			M-CB 98B DAJHA@DB78>8<	9-4FF+5F7
			M-CB 98B DAJHA@L9D! $%89$A=9%	$3))5F-
			M-CB 98B DAJHA@JJ; J$A; KGB9	$6E5-6
			M-CB 98B DAJHA@4K?$A!; <$?DGL	$643)56
			M-CB 98B DAJHA@L>CL$ AI $198H:	9-+,52,
			M-CB 98B DAJHA@A: CB98$H; 8	9-47+35-E
			M-CB 98B DAJHA@ 9PCL>; : $-H5-H5	$37+52E
			M-CB 98B DAJHA@ A$-CC: W	$625 2
			M-CB 98B DAJHA@H9C! $C&B: H$-H; 8	$24)F572
			U>8@-$G><$%98; : 8$AJHA	9-4+)-5-
)*,3*,-+-	$EE-)-E	$,4E+)5)+		
			M-CB 98B DAJHA@A: CB98$H; 8	$3-5-
			M-CB 98B DAJHA@H9C! $C&B: H$-H; 8	$76-5-
			M-CB 98B DAJHA@ U%&B: A$-H; 8	$2)E573
			M-CB 98B DAJHA@AKCC<UG$ D U5	9-E)5--
			M-CB 98B DAJHA@B>BC?9P$BBGL:	$2+-5-7
			M-CB 98B DAJHA@B: G$U>%D $ D U	$2+-5-7
			M-CB 98B DAJHA@A; >8A$-GN; 8A	$7EBEF
			M-CB 98B DAJHA@AKCC<UG$UBGGD	9-6,5--
	: #+O) 4&E) ,. ;	&RILUPT$&Z		
HVE3 &&) 4&] G>9 &C&\' <DEF>D W&CA>: D! ACL& B< ! S&		&KQLTQX$&X		
_A>F_				
)*+7*,-+-	$-,-E7	$,4BF+5F2		
			H9%B 8$BC; D'U>BC; @&G	$2256+
			H9%B 8$BC; D'U>BC; @&G	$6)5-
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	$3E53
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	9-)EFFE
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	$3-5-
			H9%B 8$BC; D'U>BC; *: W-H$%8C; A@&G	9-46-7567
			H9%B 8$BC; D'U>BC; @L8>%=BHA$GBL	$27F5F7
)*,3*,-+-	$-,,-7	$)4--5,		
			H9%B 8$BC; D'U>BC; @&>8I A	$2675 2)
			H9%B 8$BC; D'U>BC; *%8BC; A@&>8I A	9-4-75E
			H9%B 8$BC; D'U>BC; @&; >8A	9-F5-
			H9%B 8$ W-H$%8BC; A$-H=8L@&; >8A	$4+,)5E-
	: #+O) 4&E) ,. ;	&RLRXP$&K		
HVE3 &&) 4&_A>F_&		&KZLQRJ$&Z		

MORENO VALLEY
WHERE DREAMS SOAR

! 5,/ &) 8&9) 4#+) & . ;;#/

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! "#$%& 3.,#	! "#$%& <*(=#4	! "#$%& '()*+,	3#1$456,5)+7-*46)1#&)8&&./(#+,	-./(#+,& '()*+,012
\ G9' >&D<3 GCE>DAC L&D<! S				
)*6*,-+-	$EE-2,3	$6467,52F		
			ABLCA$! 98$ 8>CA%&GB	$++5E
			ABLCA$! 98$ 8>CA%&GB	$64))53
			ABLCA$! 98%&-8I A	9-2F5-2
)*+,*,-+-	$EE-2)E	$2-35,)		
			ABLCA$- >8GP>8: $! 98%&-8I A	$2-35,)
)*,3*,-+-	$EE-)-7	$3E65-2		
			ABLCA$! 98%&-8I A	9-725-7
			ABLCA$! 98%&-8I A	$7,5-)
: #+O) 4&E),.;		&RLKQTSKU		
HVE3 &) 4& G9' >&D<3 GCE>DACL&D<! S&		&TRLXPPSPR		
C*=,),.;		&PLTXPLQVPSZK		
N>' <3 &E FE' W		&PJLRUULUTTSVP		

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064248

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 38	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.86
2.0	One	120.41	222.72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14.43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50.10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204.77	
Monthly Minimum Pull Fee (compactor)	$	296.00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71.36	
Relocation	$	71.36	
Set Up Fee	$	25.09	

MV00064250

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

MV00064252

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

MV00064254

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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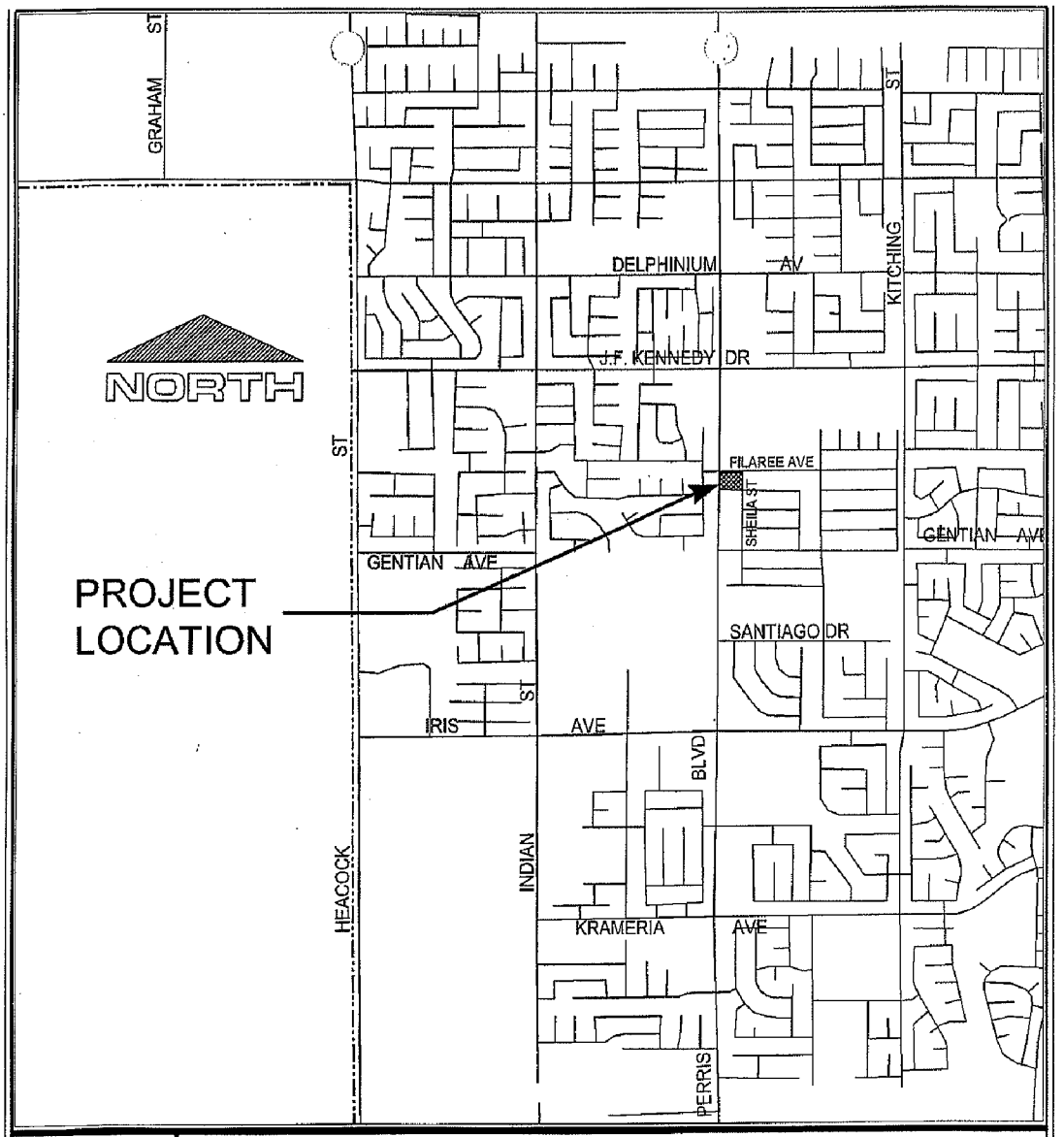

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

MV00064257

MV00064258

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

MV00064260

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064262

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00064266

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official : Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I **Organizations Affected:**

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II **Responsibilities of City Office:**

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

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perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V **Procedures:**

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

   a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

   b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

   c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

MV00064274

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

MV00064276

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064277

MV00064278

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Bonnie Flickinger, Mayor

1 Resolution No. 2010-59
Date Adopted: June 22, 2010

ATTACHMENT A

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT A

MV00064280

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ATTACHMENT B

MV00064282

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

ATTACHMENT C

MV00064284

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

MV00064285

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00064286

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00064287

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

Item No. A.9

ATTACHMENT C

MV00064288

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00064289

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Item No. A.9

MV00064290

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

ATTACHMENT D

MV00064292

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives,and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

ATTACHMENT E

MV00064294

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00064296

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

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Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00064298

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award ..... July 2010
Start Construction ..... August 2010
Complete Construction ..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

MV00064299

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

MV00064300

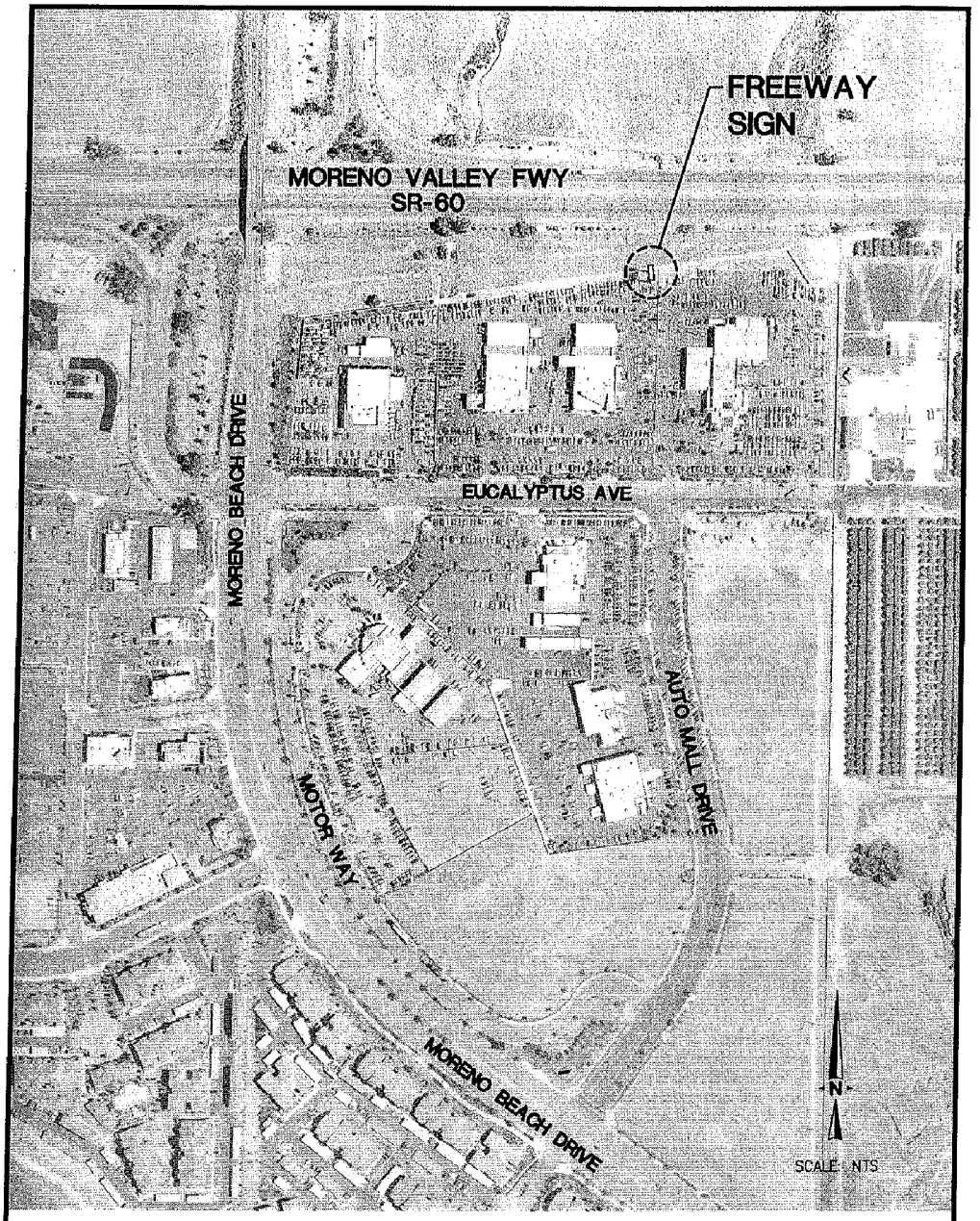

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Item No. A.10

MV00064302

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00064309

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00064312

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____ 20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.10

MV00064316

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00064318

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00064320

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

MV00064321

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00064322

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064324

MorenoValley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

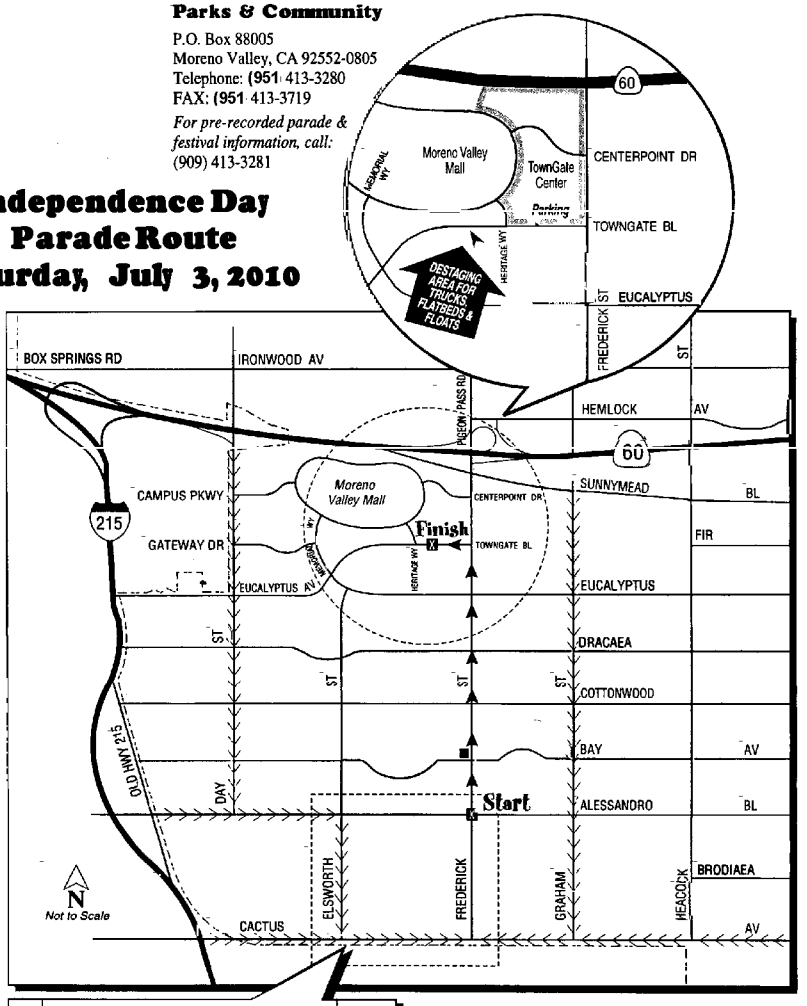

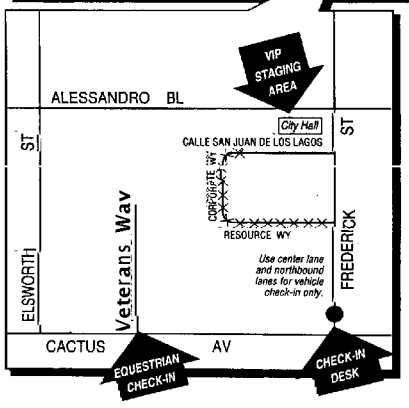

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

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MV00064326

Attachment 2

July 4th Festival
Street Closures

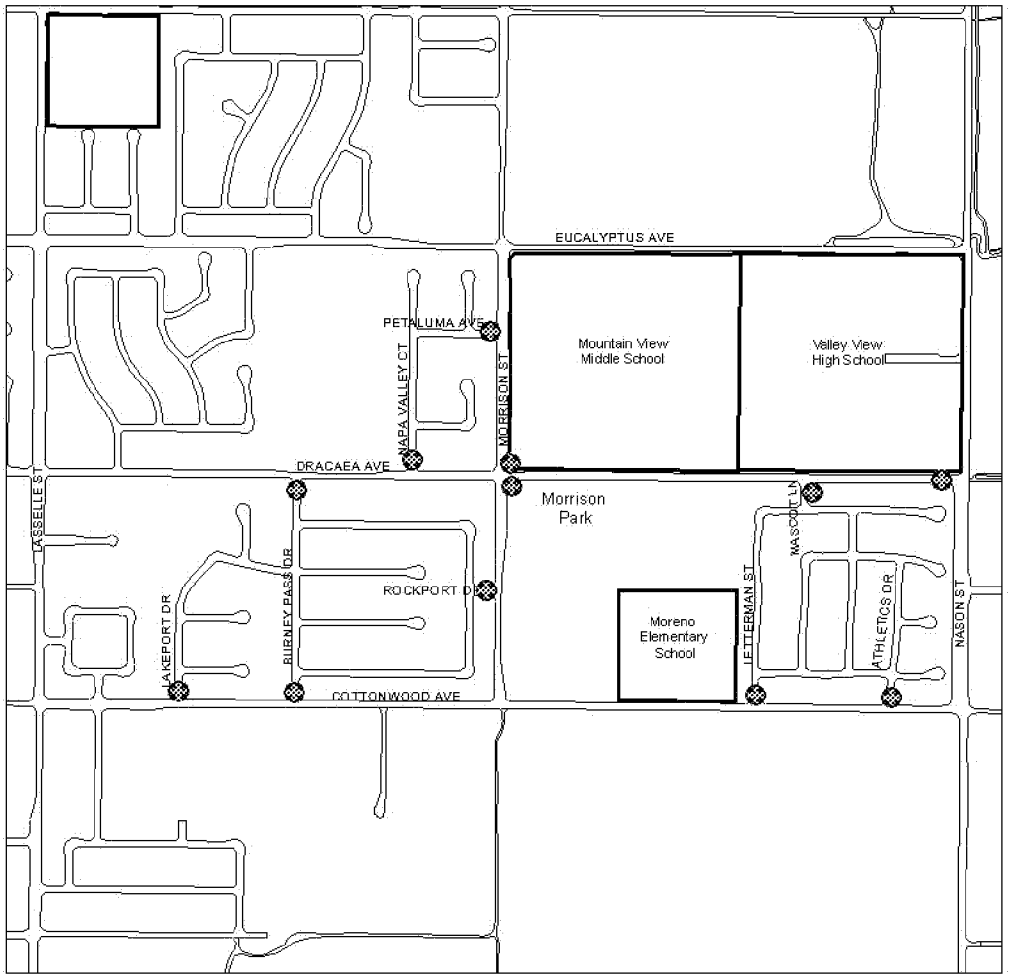

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. A.11

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MV00064328

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

MV00064330

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

** pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

MV00064332

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

MV00064333

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapProj\ PROJECTS\ Mang- 98-25897 Route 60-Nason Interchange\ CC Reports\ CDFGSAA Staff Reports\ 98-25897 Route 60-Nason Interchange Conservation Easement Staff Rpt 062210.doc

MV00064334

RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

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which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

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B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

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2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____ _____ –
Mayor

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ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Section:

12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

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current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

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the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

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be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

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vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

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1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

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12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____day of_____2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

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ALTERNATIVES

1. Approve the amendment to the employment agreement.
2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employm ent Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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Exhibit B

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

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MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

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FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6 261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920 .00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

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Community Services District of the
City of Moreno Valley

By:_____
President

Date: _____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

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AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION.**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **CONTRACTOR'S COMPENSATION**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

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this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

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Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

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44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

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EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

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communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

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parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

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2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

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TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

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EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

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EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020

Agency Ucf: 0F62058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(X)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By Date 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevelopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER
City of Morena Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

ACORD 25 (2001/08) Certificate # 2240 © ACORD CORPORATION 1988

MV00064408

Dec. 8. 2009 10:29AM ALLSTATE INSURANCE No. 8808 P. 2

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	ANY ONE LOSS
PHYSICAL DAMAGE LIMIT	ANY ONE PERSON
MEDICAL EXPENSE LIMIT	

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010

Coverage Basis	Limits		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000	EACH ACCIDENT
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-4-09

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

U10523-2

Item No. B.3

MV00064409

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

NR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00064410

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

MV00064412

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

MV00064414

ATTACHMENTS/EXHI BITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Communi ty Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

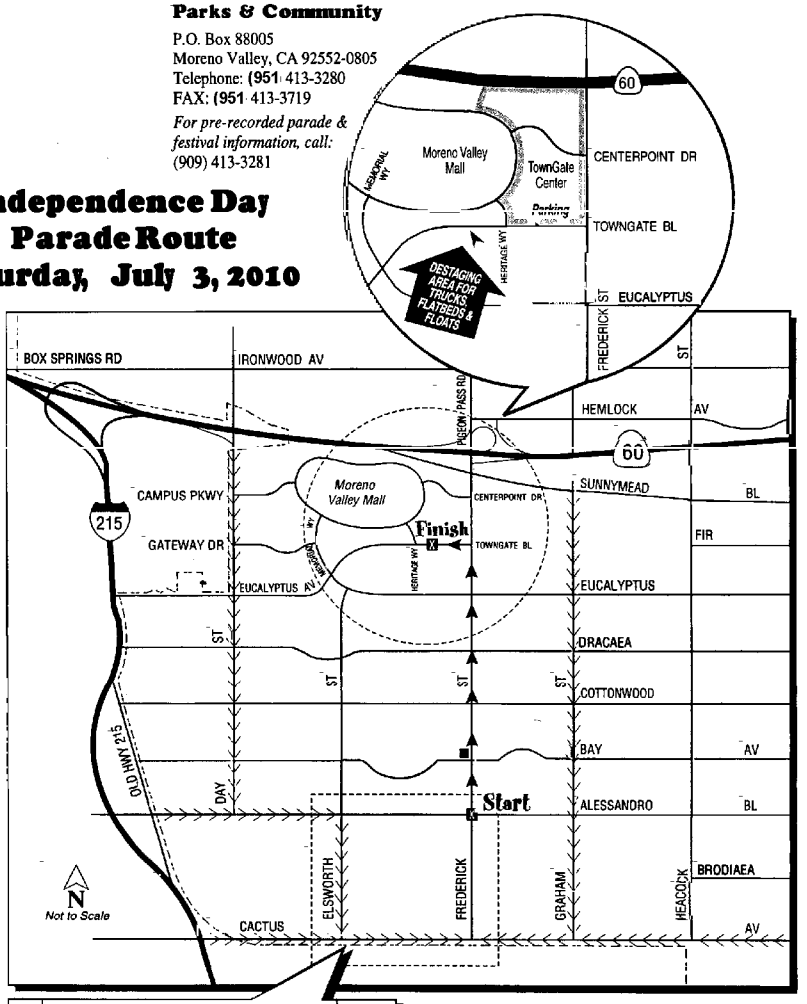

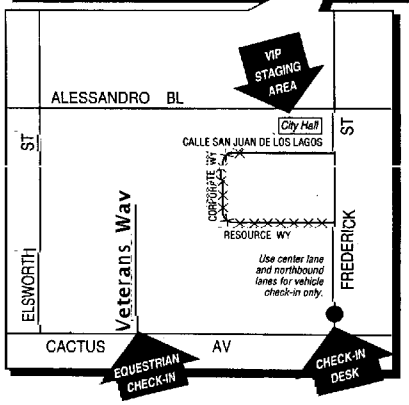

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

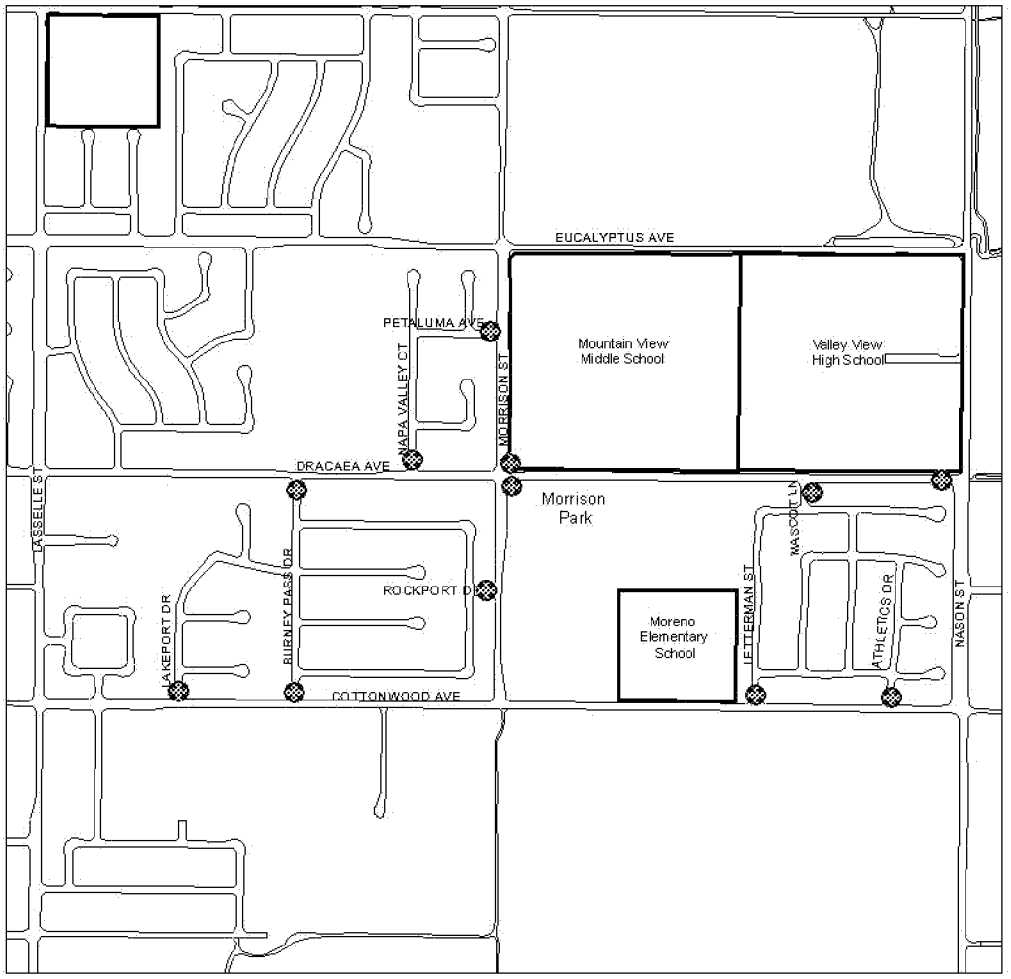

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.4

MV00064417

MV00064418

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00064419

MV00064420

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

MV00064422

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769. 00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements*.

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... ..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services	$10,000
Contractor Construction Costs (includes 15% contingency)	$813,000
Project Administration and City Inspection Costs*	$ 50,000
Construction Geotechnical Services	$ 12,000

MV00064424

Miscellaneous	$ 5,000
Total Estimated Construction Related Costs	**$890,000**

** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	July 2010
Start Construction	August 2010
Complete Construction	March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assista nt City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ CapProj\ CapRpj\ PROJECTS\ Guy 08-89791725 - Auto Mall Street Upgrades\ CCReports\ NOAPylon Sign 7-2010.doc

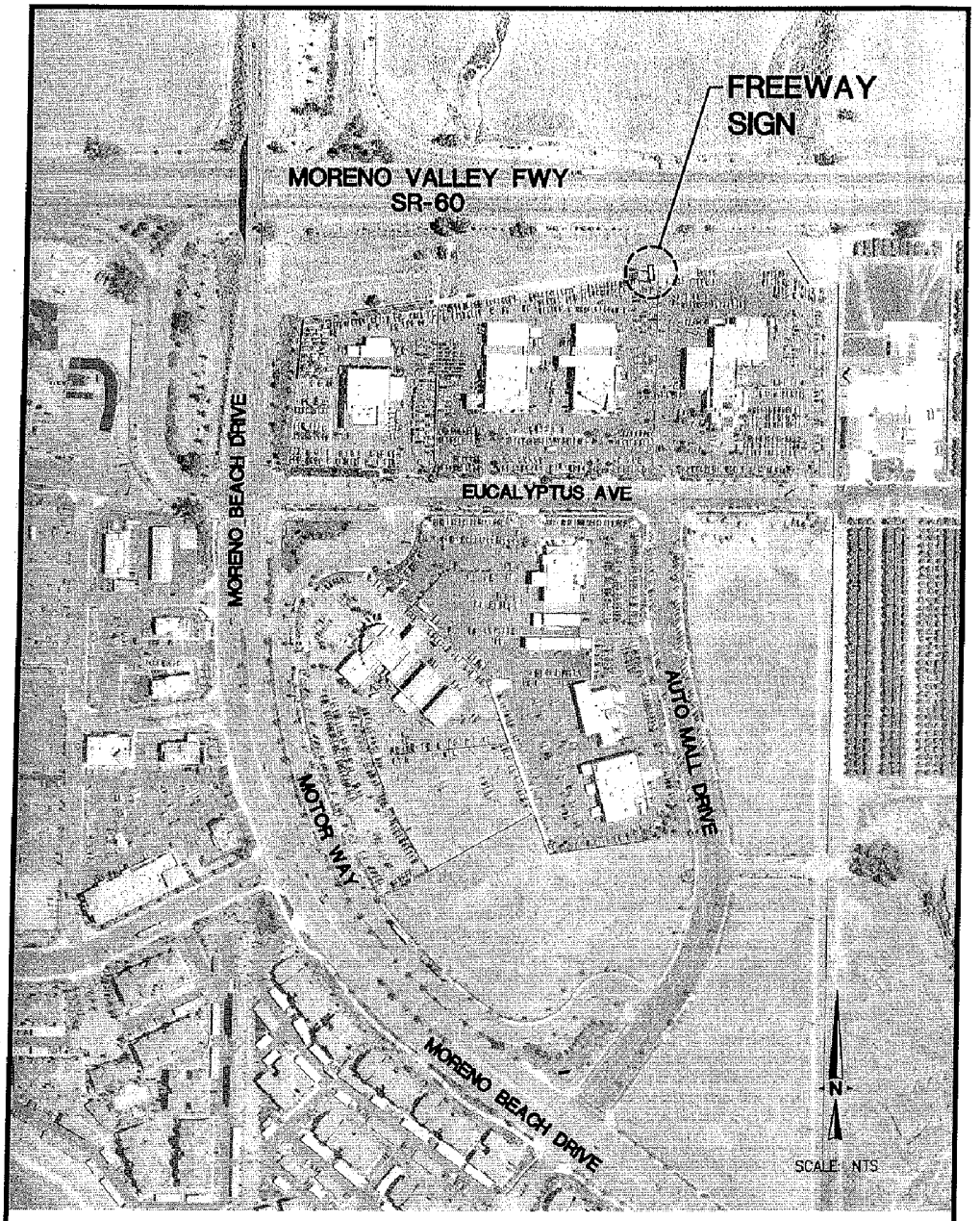

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: R:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosman

ATTACHMENT "A"

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00064434

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

MV00064437

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

MV00064438

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20___

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer
  _____
  (Title)
- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00064440

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

MV00064442

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)	$397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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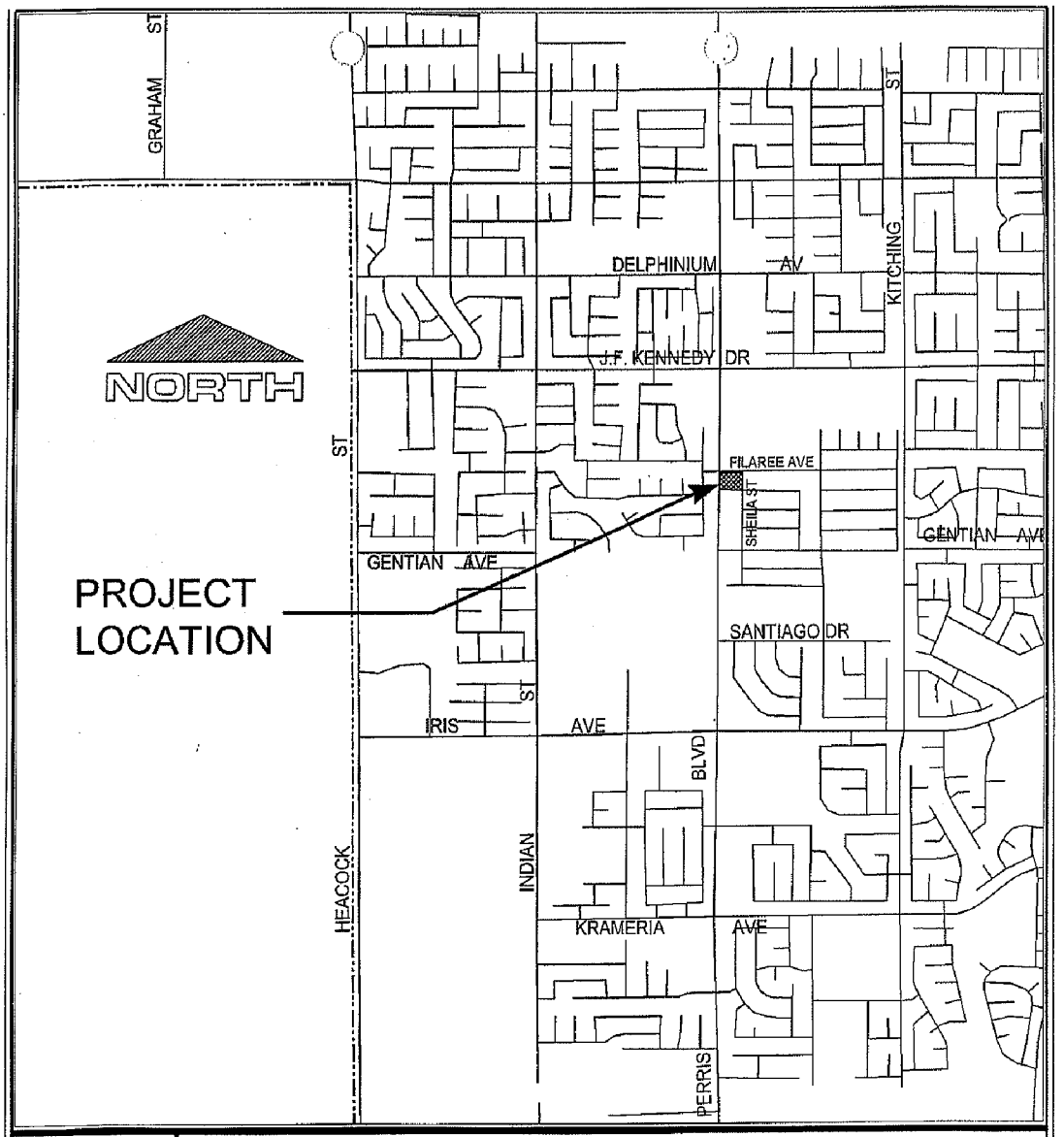

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

Item No. C.4

MV00064448

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A. 2

MV00064449

MV00064450

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

MV00064452

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064454

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

MV00064457

MV00064458

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 16,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

MV00064459

MV00064460

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	$ 67,754,400
Less: Non-Proceeds of Tax	16,977,112
A) Total Appropriations Subject to the Limit	$ 50,777,288

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306

REMAINING APPROPRIATIONS CAPACITY

(E - A)	$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.1

MV00064461

MV00064462

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.68%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$41,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.28%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,566,175	$72,653,027	$4,913,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

MV00064463

MV00064464

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

MV00064466

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____ _____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____ _____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____ _____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

MV00064472

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A- Parks & Recreation	$ 1,586,739		$ 1,586,739
Zone B- Residential Lights	16,110		16,110
Zone C- Arterial Lights	139,300		139,300
Zone L - Library Services	120,120		120,120
Fees			
Zone A- Parks & Recreation		5,934,500	5,934,500
Zone B- Residential Lights		93,060	93,060
Zone C- Arterial Lights		431,700	431,700
Zone D- Standard Landscaping		114,150	114,150
Zone E- Extensive Landscaping		246,000	246,000
Zone L - Library Services		8,950	8,950
Zone M - Median Fund		24,200	24,200
Zone S - Sunnymead Blvd Maintenance		52,400	52,400
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A- Parks & Recreation		16,500	16,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A- Parks & Recreation		29,600	29,600
Zone L - Library Services		421,900	421,900
Zone M - Median Fund		13,400	13,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89%	80.11%	100.00%
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A- $0
Zone B- $0
Zone C- $9,000
Zone D- $1,300
Zone E- $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

Item No. E.2

MV00064474

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,388,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriation s Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

Item No. E.2

MV00064475

MV00064476

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,992,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,238,904	$14,089,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.83%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,198,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

MV00064480

source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064482

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

MV00064486

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

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Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq*.) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

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Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty- first (121 st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

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only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorde d before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse again st the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writin g to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHI BITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

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EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

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SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

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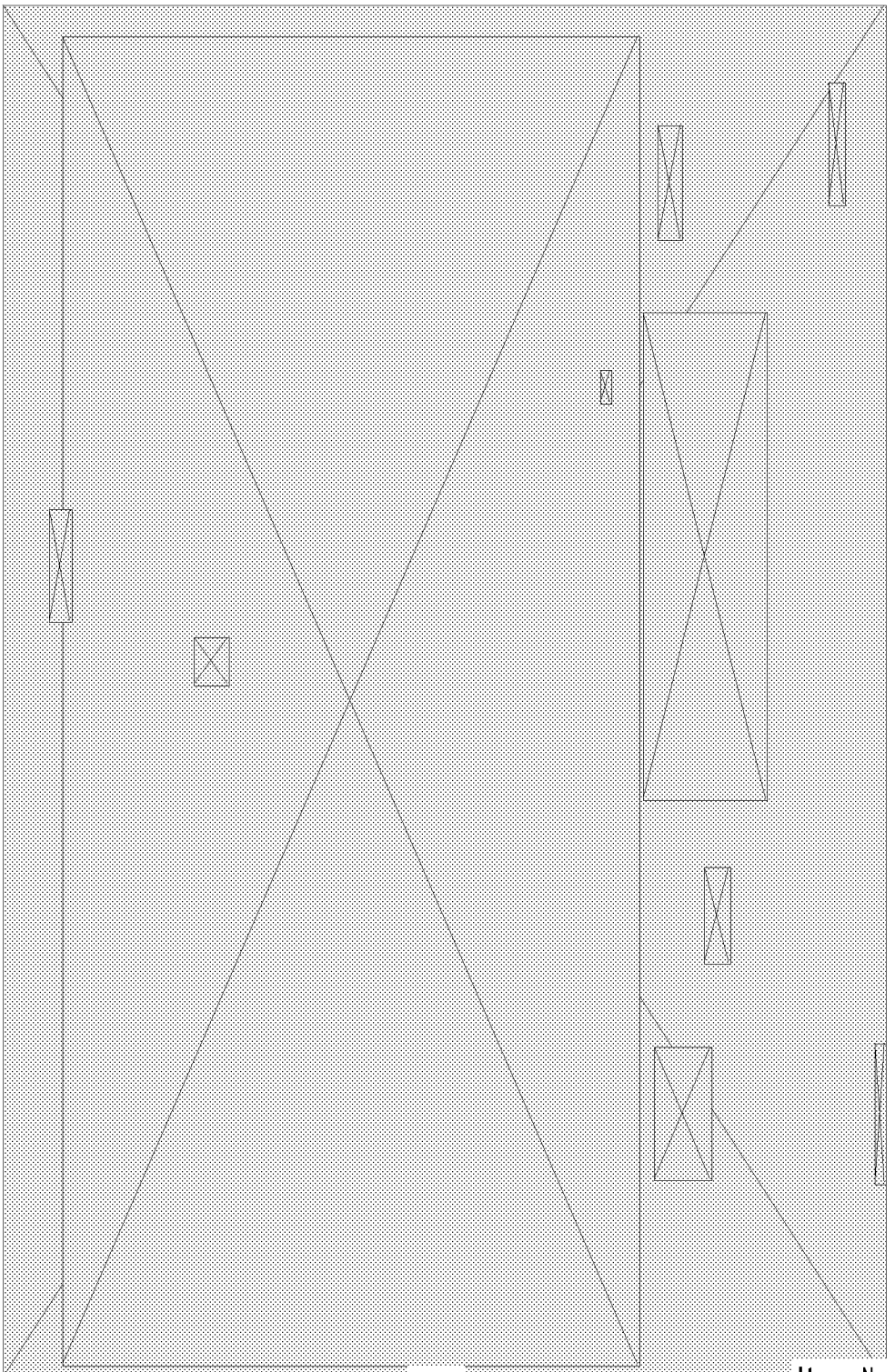

Item No. G.1

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158 .10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

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Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\ SpecialDist\ejennifert\ Ballots for FY 09.10\ ZONED\ StfrptZone D PM 06.22.10.doc

MV00064506

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064508

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2 **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

MV00064510

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

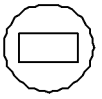

A circle around the box **and/ or** associated clause; or

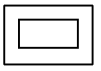

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00 * 160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		$ 12,800.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	–		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	$ 16,696.63		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	$ 2,600.21		
Total Expenditures		$ 19,296.84	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,496.84)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$50.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$80.00
2009 — 2010	$80.00

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COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

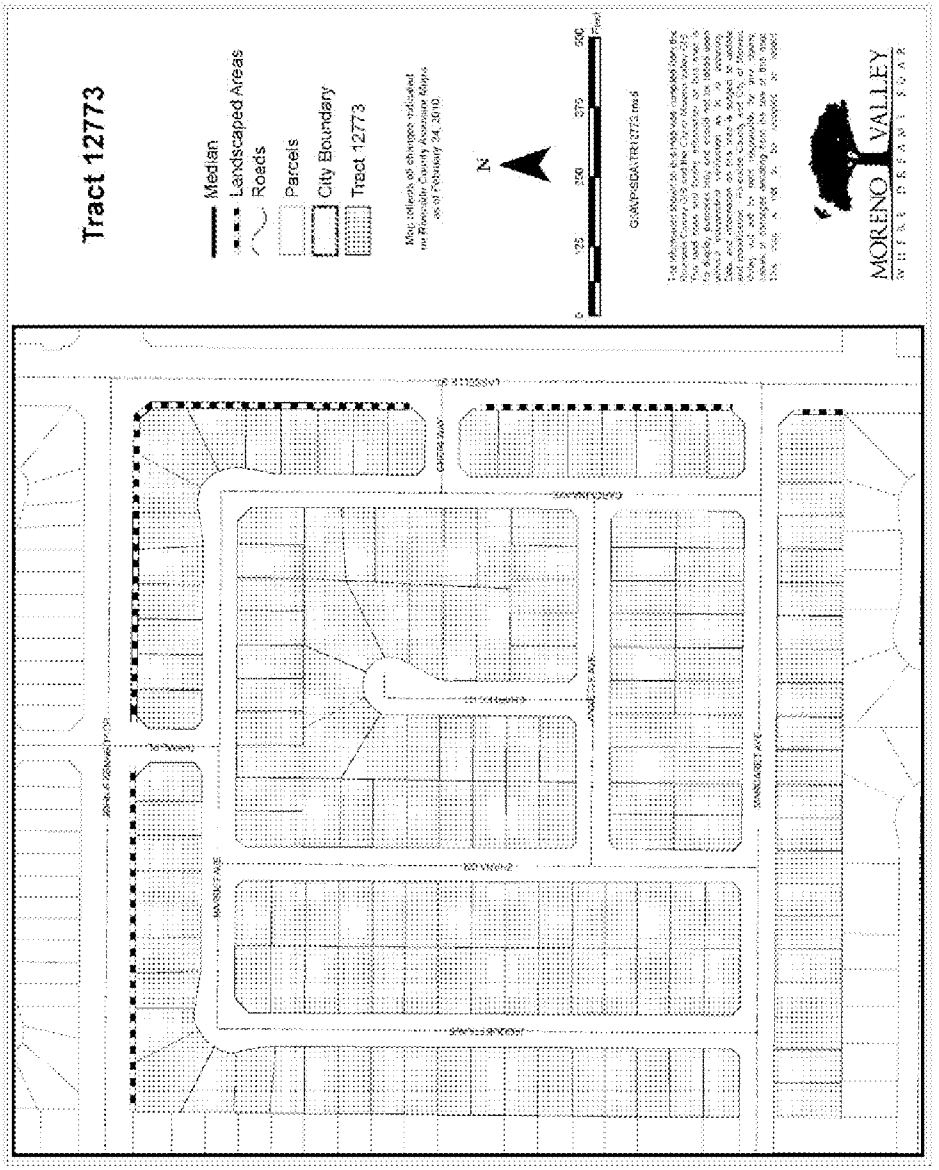
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map contents and changes indicated
on Riverside County Assessor Maps
as of February 24, 2010
N
0
125
250
375
500
Feet
G:\MXD\SBA\TR12773.mxd
MORENO VALLEY

MV00064516

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14075 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064518

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064520

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064521

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

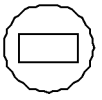

A circle around the box **and/ or** associated clause; or

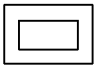

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064522

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($58.00*142 parcels)	$ 8,236.00		
Total Revenue Generated Annually		$ 8,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.03		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	$ 11,785.20		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	$ 1,825.37		
Total Expenditures		$ 13,610.57	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (5,314.57)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990 – 1991	$55.00
1991 – 1992	$56.00
1992 – 1993	$56.00
1993 – 1994	$57.00
1994 – 1995	$57.00
1995 – 1996	$57.00
1996 – 1997	$57.00
1997 – 1998	$57.00
1998 – 1999	$57.00
1999 – 2000	$57.00
2000 – 2001	$57.00
2001 – 2002	$57.00
2002 – 2003	$57.00
2003 – 2004	$57.00
2004 – 2005	$57.00
2005 – 2006	$57.00
2006 – 2007	$57.00
2007 – 2008	$58.00
2008 – 2009	$58.00
2009 – 2010	$58.00

MV00064524

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

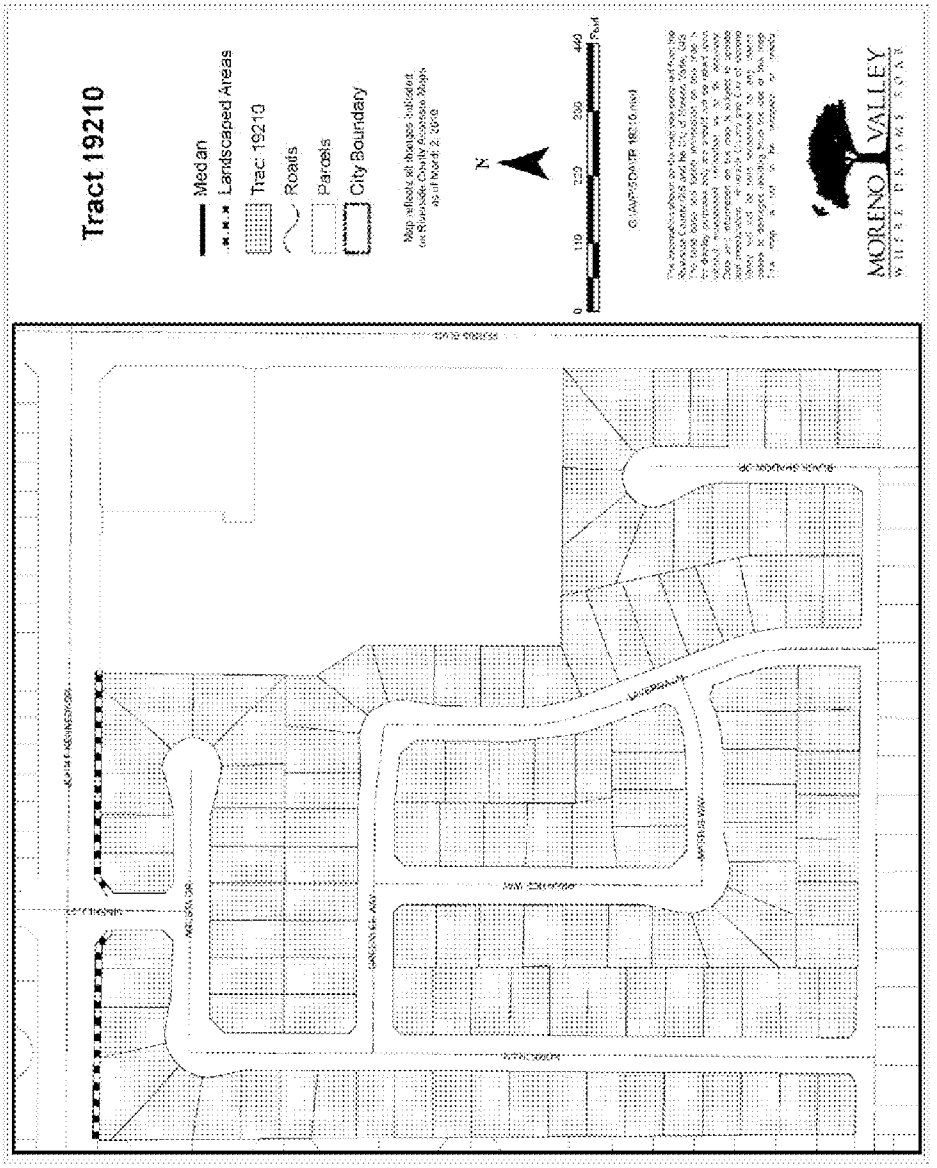
Tract 19210
Median
Landscaped Areas
Trac 19210
Roads
Parcels
City Boundary
N
0
110
220
330
440
Feet
MORENO VALLEY

MV00064526

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19287 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19287 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19287 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\19257\Tract 19257 packet.doc

MV00064528

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064530

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% +1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064531

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

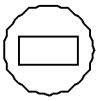

A circle around the box **and/ or** associated clause; or

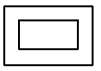

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064532

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 19837 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10 * 163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		$ 17,457.30	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	258.89		
Water (Eastern Municipal Water District)	3,016.23		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	$ 22,102.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,236.76		
City Administration	2,015.04		
Total Indirect Costs	$ 3,441.97		
Total Expenditures		$ 25,544.34	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (8,087.04)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$70.00
2002 — 2003	$71.00
2003 — 2004	$71.00
2004 — 2005	$72.00
2005 — 2006	$75.00
2006 — 2007	$100.00
2007 — 2008	$103.00
2008 — 2009	$107.00
2009 — 2010	$107.10

MV00064534

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or tri-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

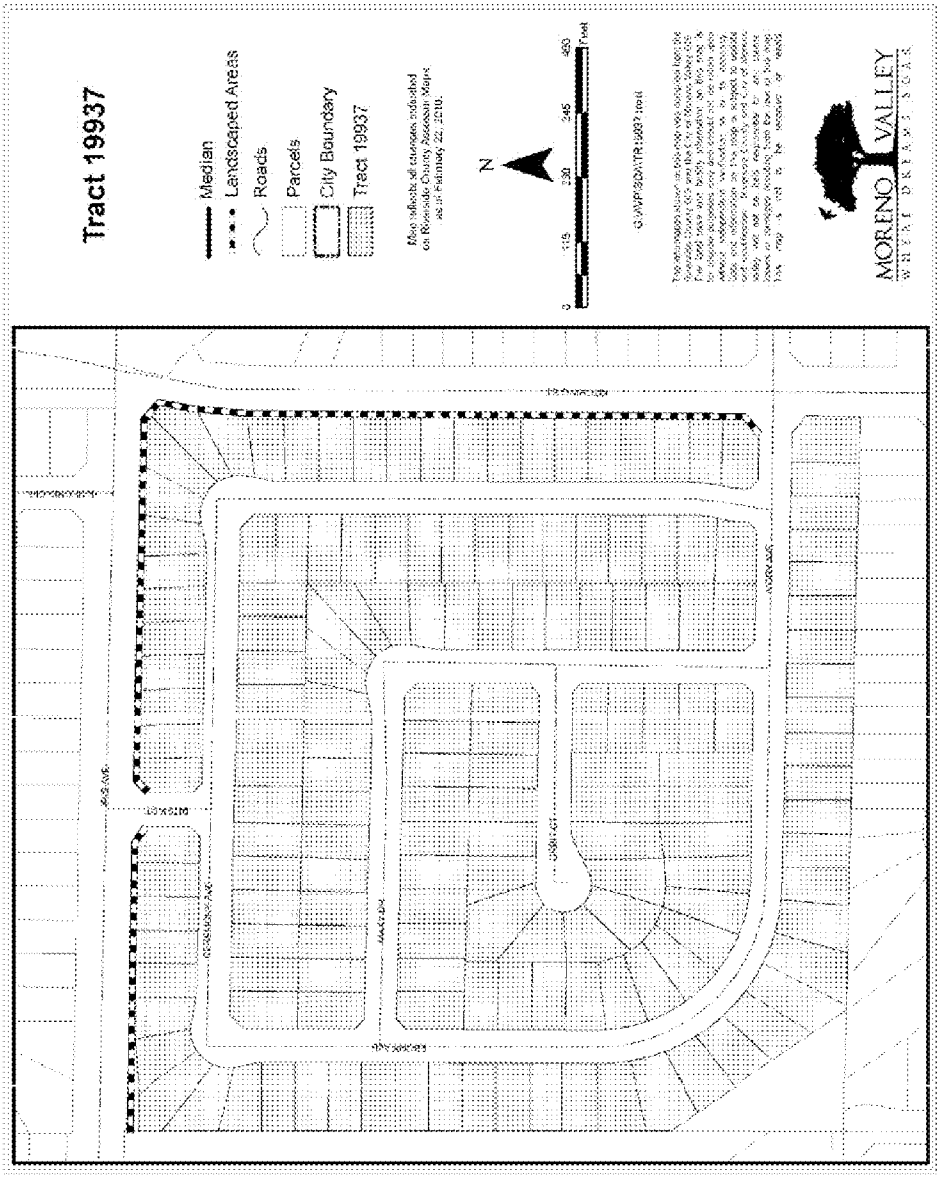
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
245
490
Feet
G:\MVP\SDX\TR19937.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Genia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064538

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064540

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064541

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

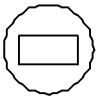

A circle around the box **and/ or** associated clause; or

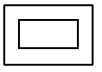

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064542

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97 * 238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		$ 23,086.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	$ 35,568.75		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,123.97		
City Administration	3,338.92		
Total Indirect Costs	$ 5,574.58		
Total Expenditures		$ 42,143.33	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (19,057.33)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$83.00
2002 — 2003	$85.00
2003 — 2004	$88.00
2004 — 2005	$90.00
2005 — 2006	$94.00 *
2006 — 2007	$94.00
2007 — 2008	$94.00
2008 — 2009	$97.00
2009 — 2010	$97.00

* Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.

MV00064544

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

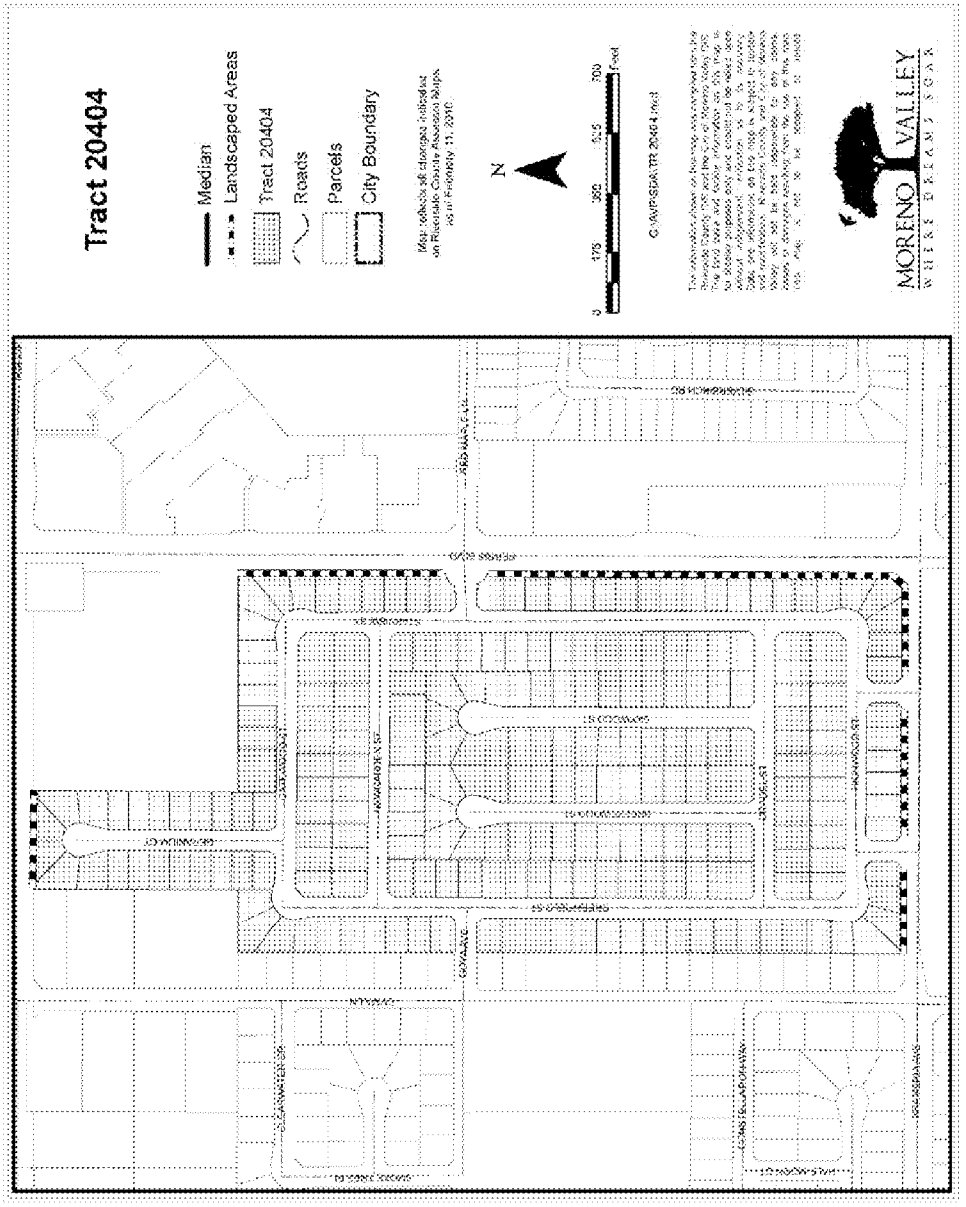
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00064546

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264-331-001
Owner Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\SpecialDist\jennifer\Ballots for FY 09-10\ZONE D\25579\Tract 25579a packet.doc

MV00064548

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064550

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064551

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

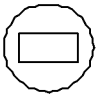

A circle around the box **and/ or** associated clause; or

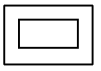

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064552

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		$	7,179.10
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,791.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	$ 20,001.37		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	$ 3,086.66		
Total Expenditures		$	23,088.03
Operating Shortfall (Total Revenue less Total Expenditures)			$ (15,908.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00/ $80.00/ $135.00
2002 — 2003	$57.00/ $80.00/ $135.00
2003 — 2004	$57.00/ $80.00/ $135.00
2004 — 2005	$57.00/ $80.00/ $135.00
2005 — 2006	$57.00/ $94.00/ $141.00
2006 — 2007	$57.00/ $98.00/ $147.00
2007 — 2008	$57.00/ $101.00/ $151.00
2008 — 2009	$57.00/ $106.00/ $158.00
2009 — 2010	$57.00/ $106.10/ $158.10

MV00064554

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

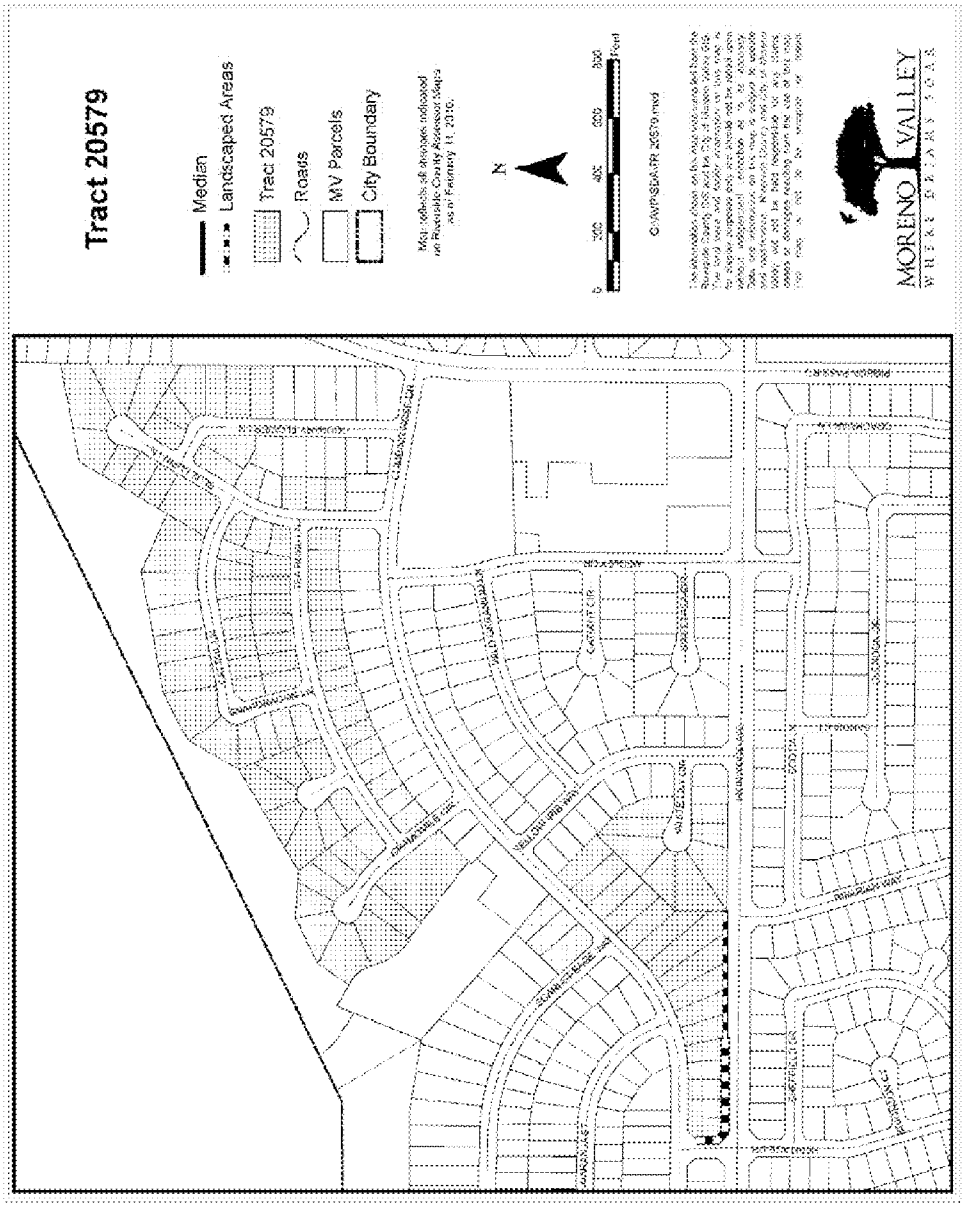
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
N
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064558

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064560

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $284.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064561

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

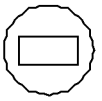

A circle around the box **and/ or** associated clause; or

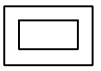

A square or rectangle around the box **and/ or** associated clause .

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property . Initials must be clearly printed and placed at the right top corner of the revised selection .**

MV00064562

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		$	14,466.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	258.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	$ 21,046.44		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.03		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	$ 3,263.15		
Total Expenditures		$	24,309.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(9,843.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$71.00
2002 — 2003	$71.00
2003 — 2004	$96.00
2004 — 2005	$96.00
2005 — 2006	$100.00
2006 — 2007	$129.00
2007 — 2008	$133.00
2008 — 2009	$139.00
2009 — 2010	$139.10

MV00064564

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

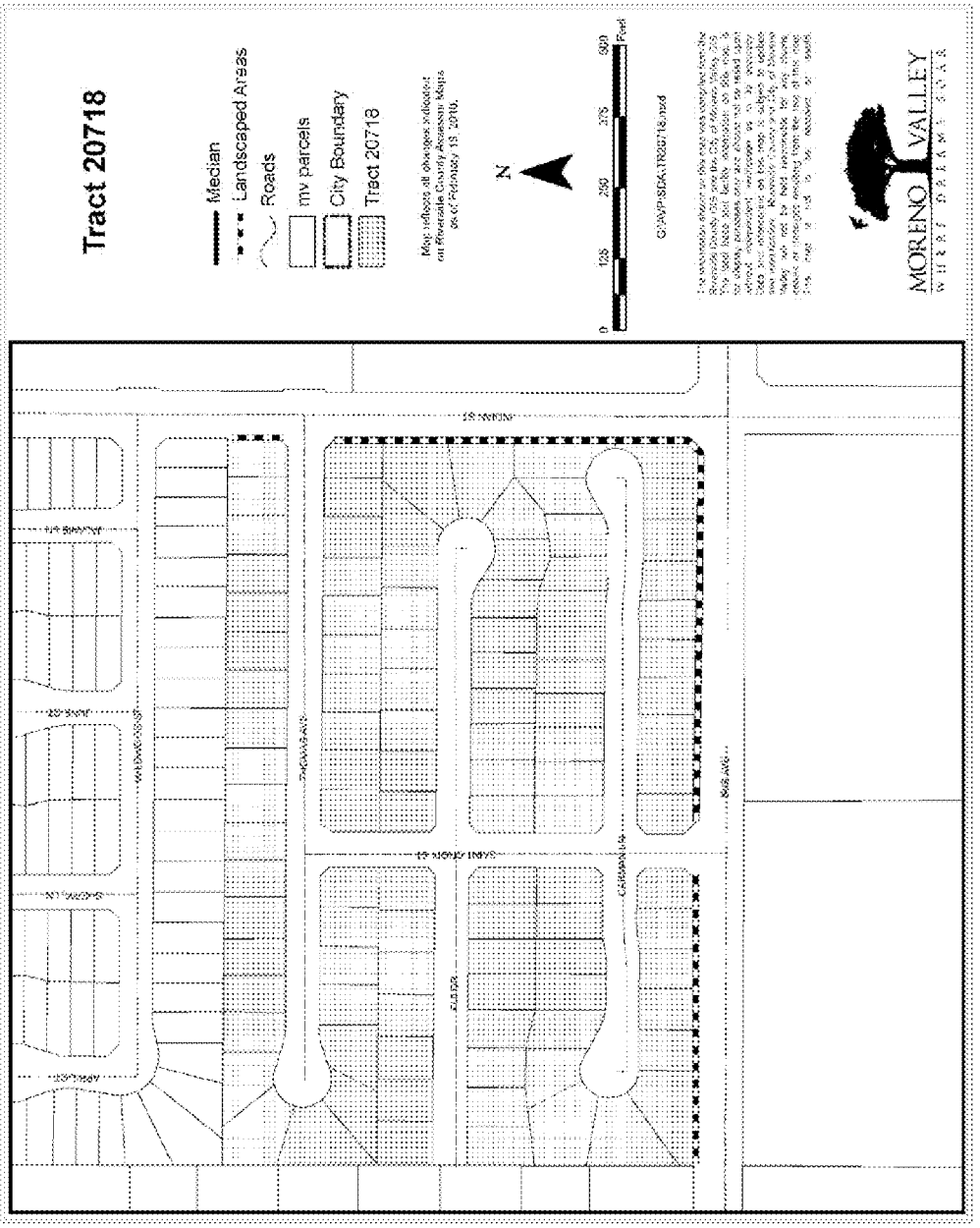
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 19, 2010.
N
0
125
250
375
500
Feet
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MORENO VALLEY

MV00064566

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mindo
Patricia K Mindo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064568

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064570

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064571

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

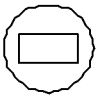

A circle around the box **and/ or** associated clause; or

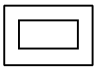

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064572

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		$ 9,462.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,916.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	$ 12,739.82		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	$ 1,972.11		
Total Expenditures		$ 14,711.93	
Operating Shortfall			
(Total Revenue less Total Expenditures)			$ (5,249.93)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$57.00
2004 — 2005	$57.00
2005 — 2006	$57.00
2006 — 2007	$57.00
2007 — 2008	$57.00
2008 — 2009	$57.00
2009 — 2010	$57.00

MV00064574

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

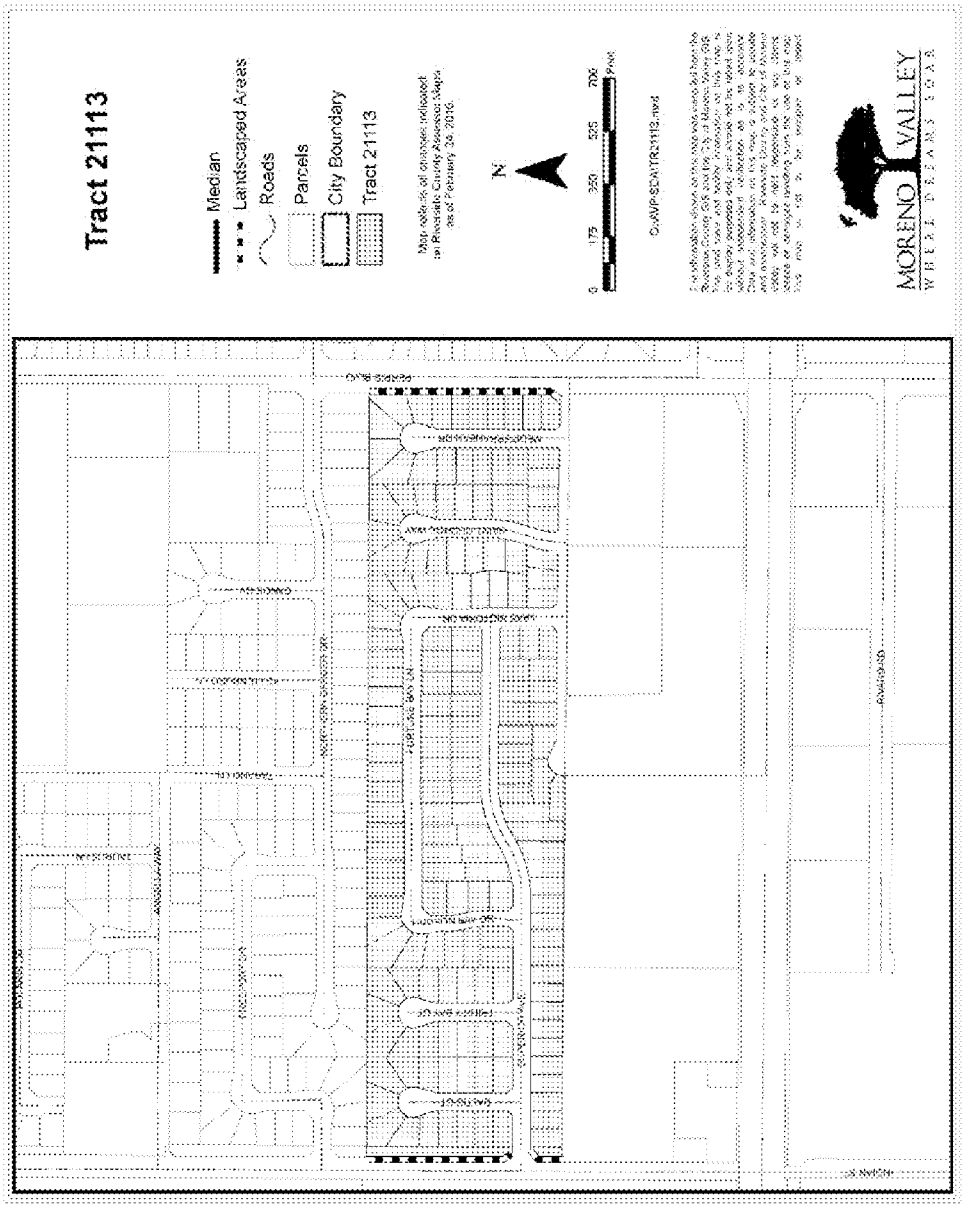
Tract 21113
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00064576

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22845 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 09-10\ZONE D\2333 Tract 2333 packet.doc

MV00064578

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. Adiminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064580

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

Llame al 951 413 3480 para obtener información verbal en Español

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box ;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

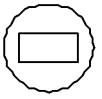

A circle around the box **and/ or** associated clause; or

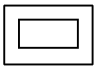

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064582

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($108.20* 127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		$ 26,441.40	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,308.60		
Vandalism	53.86		
Electricity (Southern California Edison)	258.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	$ 37,879.56		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	$ 5,840.99		
Total Expenditures		$ 43,720.55	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (17,279.15)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$190.00
2002 — 2003	$190.00
2003 — 2004	$190.00
2004 — 2005	$193.00
2005 — 2006	$201.00
2006 — 2007	$208.00
2007 — 2008	$208.00
2008 — 2009	$208.00
2009 — 2010	$208.20

MV00064584

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

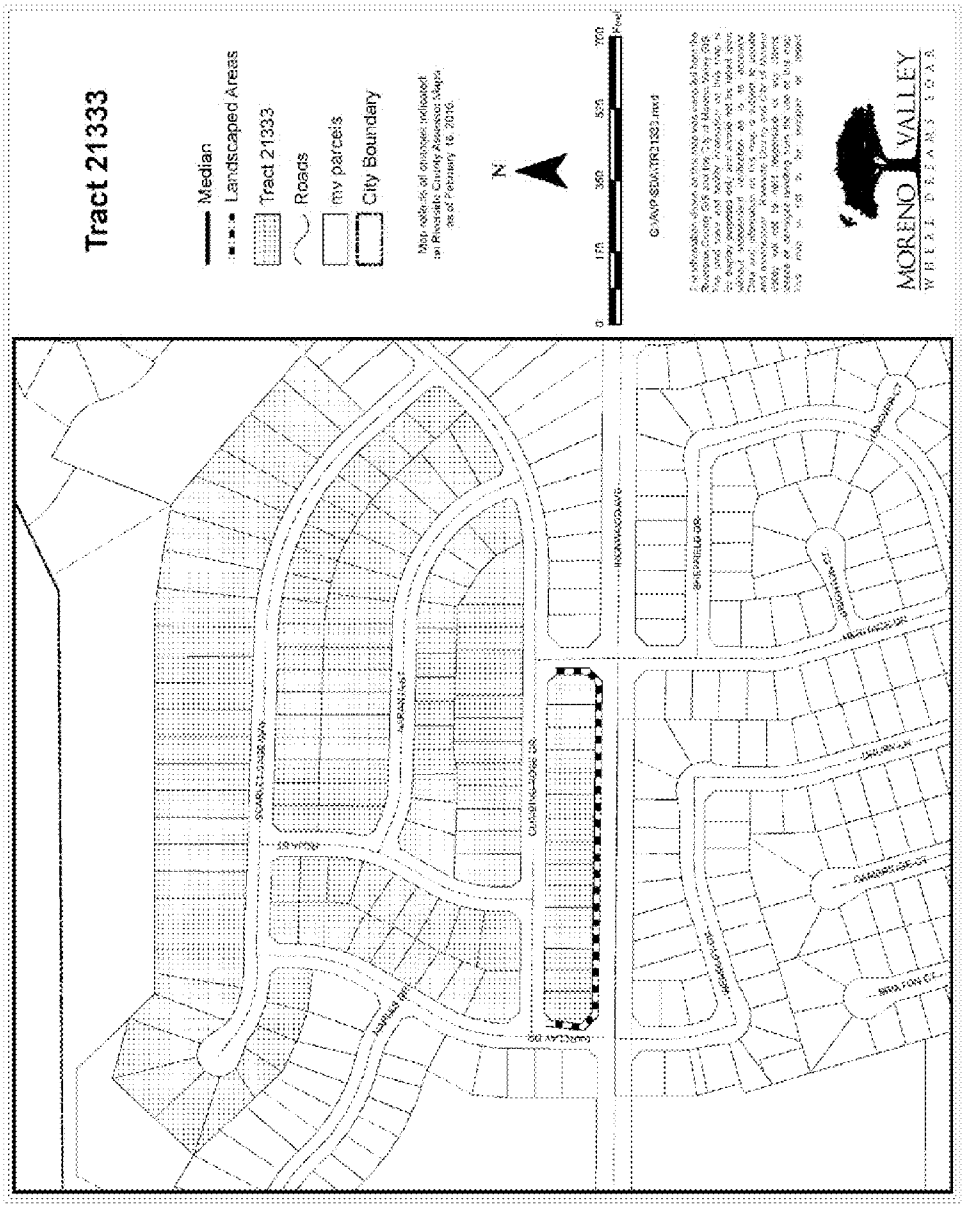
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
my parcels
City Boundary
N
0
175
350
525
700
Feet
MORENO VALLEY

MV00064586

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

MV00064587

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064588

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064590

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $325.20 to $473.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064591

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

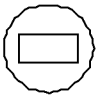

A circle around the box **and/ or** associated clause; or

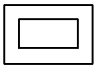

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064592

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 26597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		$ 22,140.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,360.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	$ 30,677.87		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	$ 4,724.40		
Total Expenditures		$ 35,402.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (13,262.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$237.00
2002 — 2003	$242.00
2003 — 2004	$242.00
2004 — 2005	$246.00
2005 — 2006	$257.00
2006 — 2007	$257.00
2007 — 2008	$285.00
2008 — 2009	$285.00
2009 — 2010	$285.20

MV00064594

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

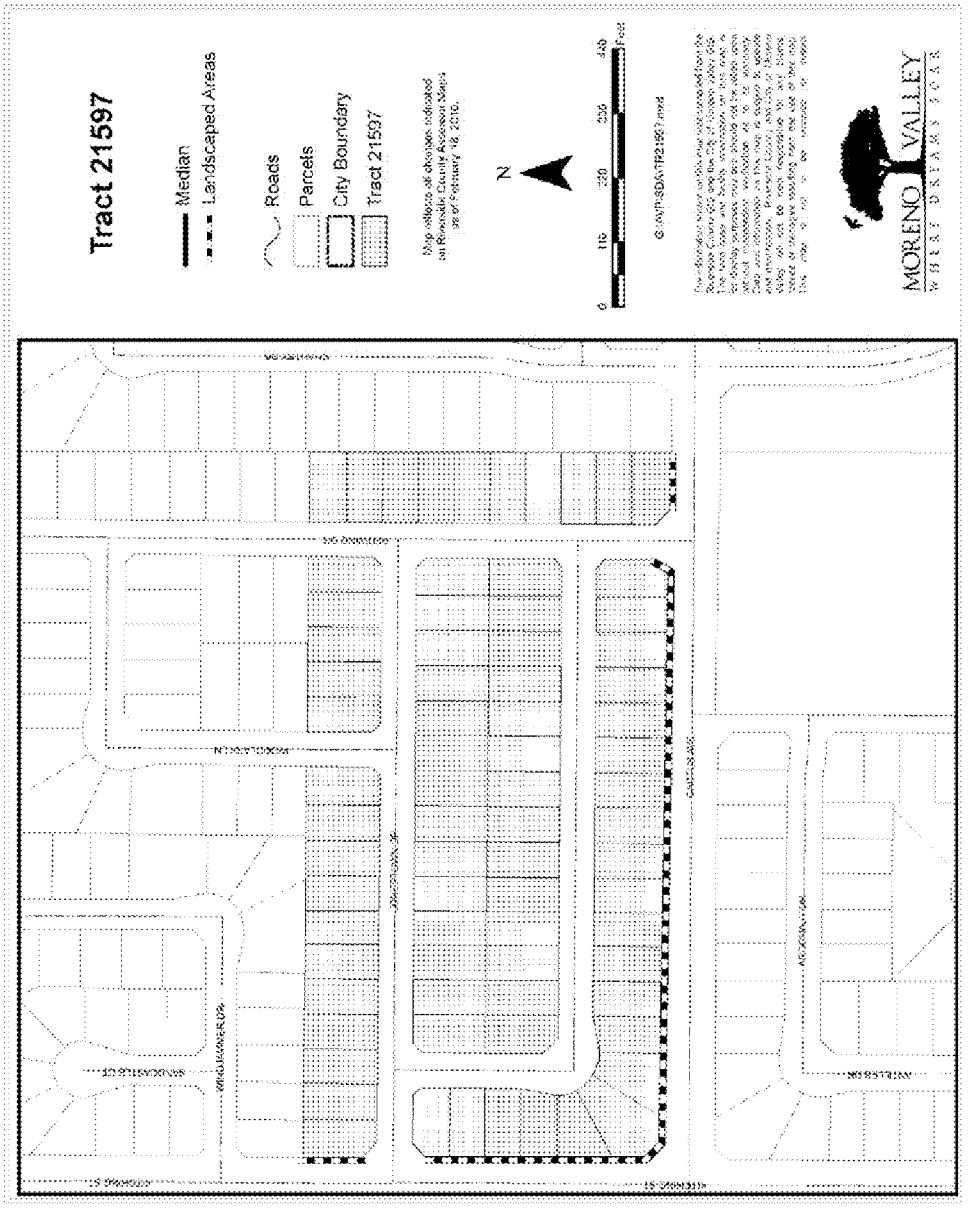
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
110
220
330
440
Feet
MORENO VALLEY
WHERE DREAMS SOAR

MV00064596

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 28889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

W:\pSpecialDist\jennifer\Ballots for FY 0910\ZONE D\28389 Tract 28389 packet.doc

MV00064598

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064600

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064601

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

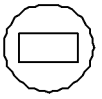

A circle around the box **and/ or** associated clause; or

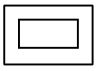

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064602

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28389 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		$	10,416.00
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	39.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,205.86		
Landscaping Equipment and Personnel	6,922.88		
Total Direct Costs	$ 15,169.98		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	$ 2,324.81		
Total Expenditures		$	17,494.79
Operating Shortfall (Total Revenue less Total Expenditures)		$	(7,078.79)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Item No. G.2

MV00064603

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988 — 1989	$50.00
1989 — 1990	$55.00
1990 — 1991	$55.00
1991 — 1992	$56.00
1992 — 1993	$56.00
1993 — 1994	$57.00
1994 — 1995	$57.00
1995 — 1996	$57.00
1996 — 1997	$57.00
1997 — 1998	$57.00
1998 — 1999	$57.00
1999 — 2000	$57.00
2000 — 2001	$57.00
2001 — 2002	$57.00
2002 — 2003	$57.00
2003 — 2004	$186.00
2004 — 2005	$186.00
2005 — 2006	$186.00
2006 — 2007	$186.00
2007 — 2008	$186.00
2008 — 2009	$186.00
2009 — 2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

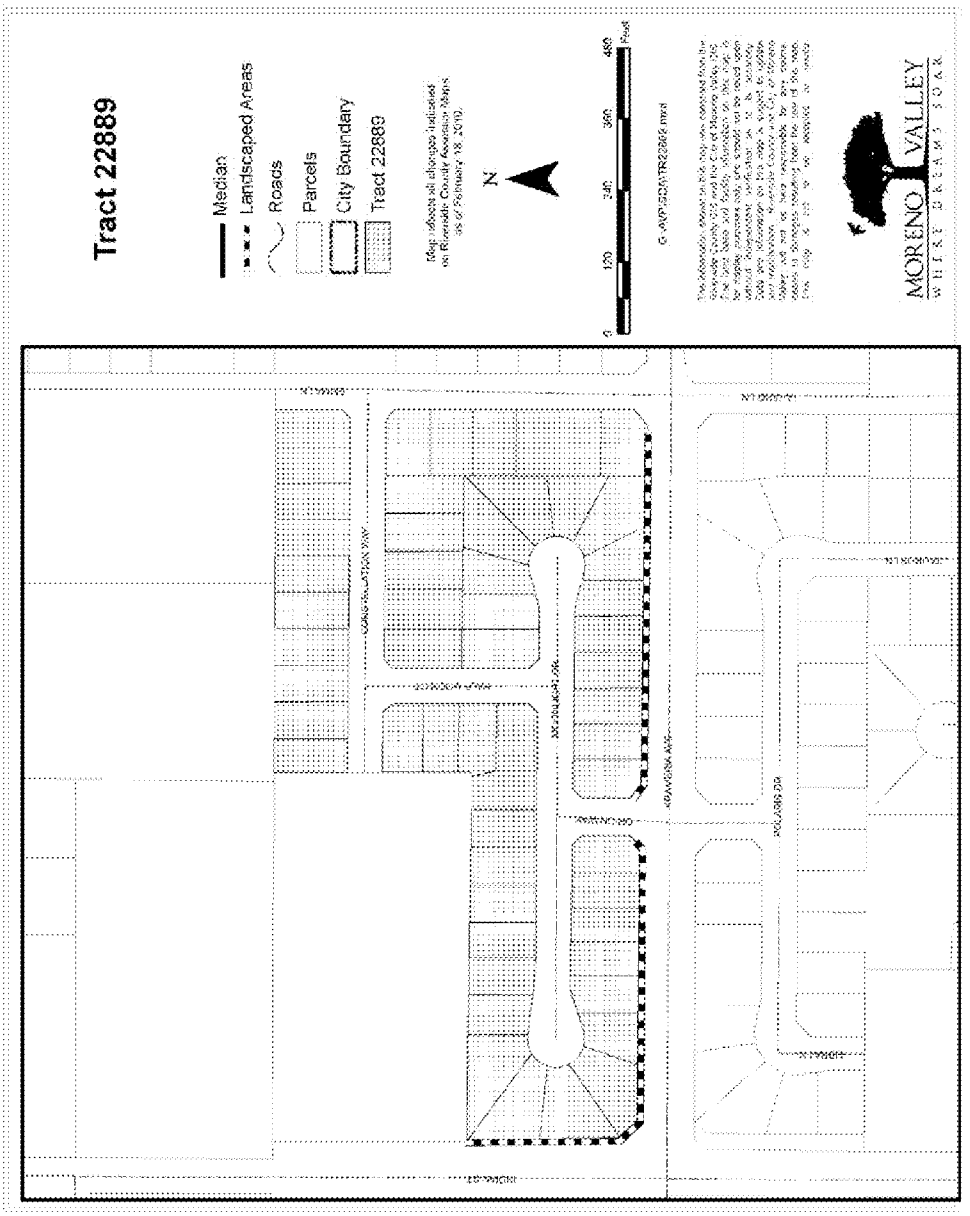
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
N
0
120
240
360
480
Feet
MORENO VALLEY

MV00064606

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951 413 3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064610

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064611

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

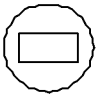

A circle around the box **and/ or** associated clause; or

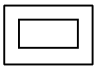

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064612

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		$ 11,444.10	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	–		
Electricity (Southern California Edison)	259.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	$ 17,105.72		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	$ 2,668.37		
Total Expenditures		$ 19,774.09	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (8,329.99)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999 – 2000	$70.00
2000 – 2001	$70.00
2001 – 2002	$70.00
2002 – 2003	$74.00
2003 – 2004	$77.00
2004 – 2005	$78.00
2005 – 2006	$80.00
2006 – 2007	$96.00
2007 – 2008	$99.00
2008 – 2009	$103.00
2009 – 2010	$103.10

MV00064614

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

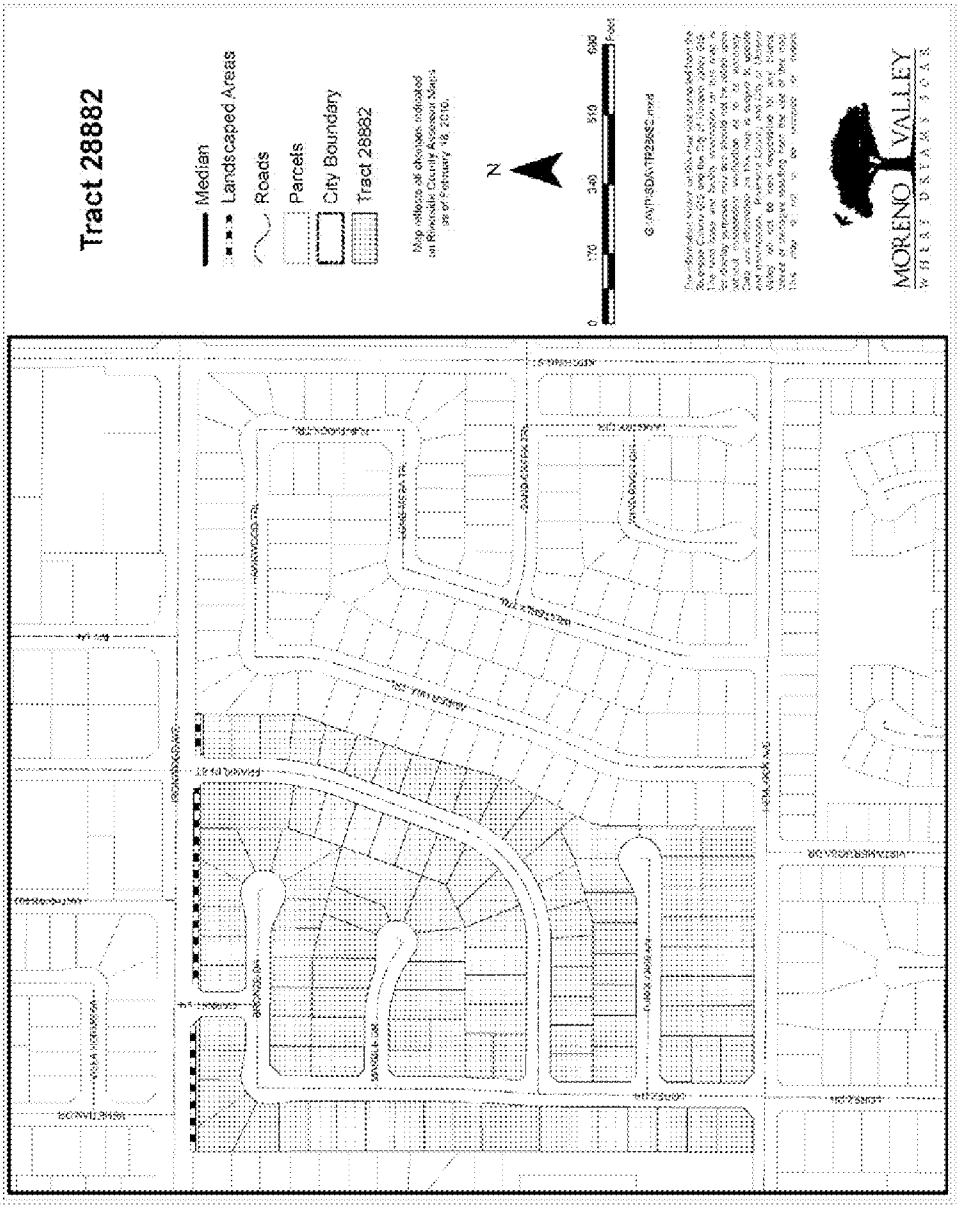
Tract 28882
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Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
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Feet
MORENO VALLEY

MV00064616

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn McCriswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064618

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064620

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064621

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

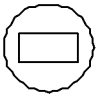

A circle around the box **and/ or** associated clause; or

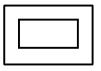

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064622

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		$ 17,850.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,492.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	$ 20,837.99		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,123.15		
City Administration	1,989.77		
Total Indirect Costs	$ 3,183.28		
Total Expenditures		$ 24,021.27	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (6,171.27)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006 – 2007	$1,050
2007 – 2008	$1,050
2008 – 2009	$1,050
2009 – 2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 3 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

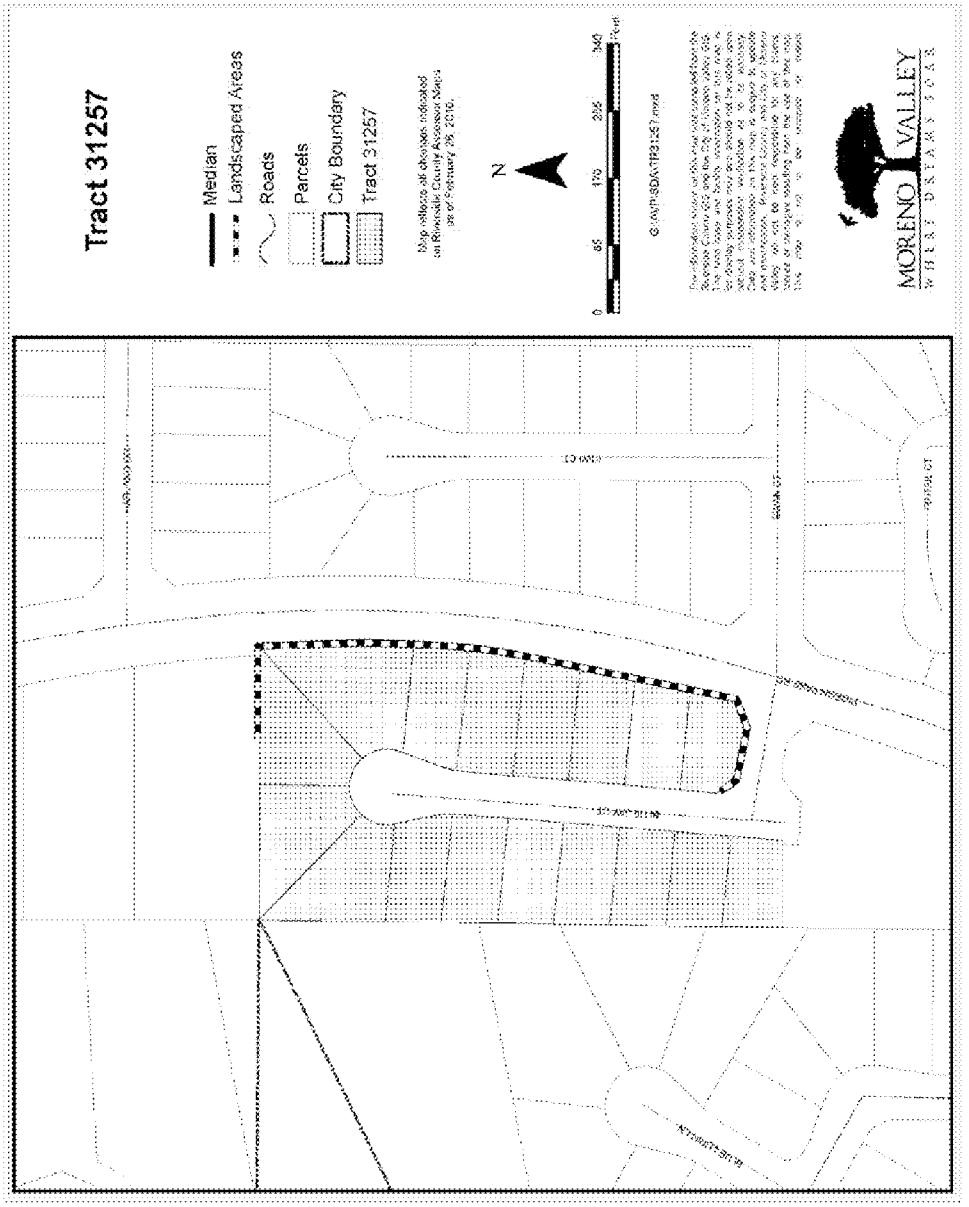
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
N
MORENO VALLEY

MV00064626

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $225.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064628

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269—1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269—1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

MV00064630

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $285.20 to $355.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

MV00064631

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

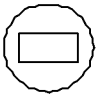

A circle around the box **and/ or** associated clause; or

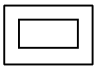

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

MV00064632

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		$	31,586.40
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	356.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	$ 32,793.95		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,919.21		
City Administration	2,989.78		
Total Indirect Costs	$ 5,101.64		
Total Expenditures		$	37,895.59
Operating Shortfall (Total Revenue less Total Expenditures)		$	(6,309.19)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/renovation projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$225.00
2006-2007	$225.00
2007-2008	$225.00
2008-2009	$225.00
2009-2010	$225.00

MV00064634

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or (bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

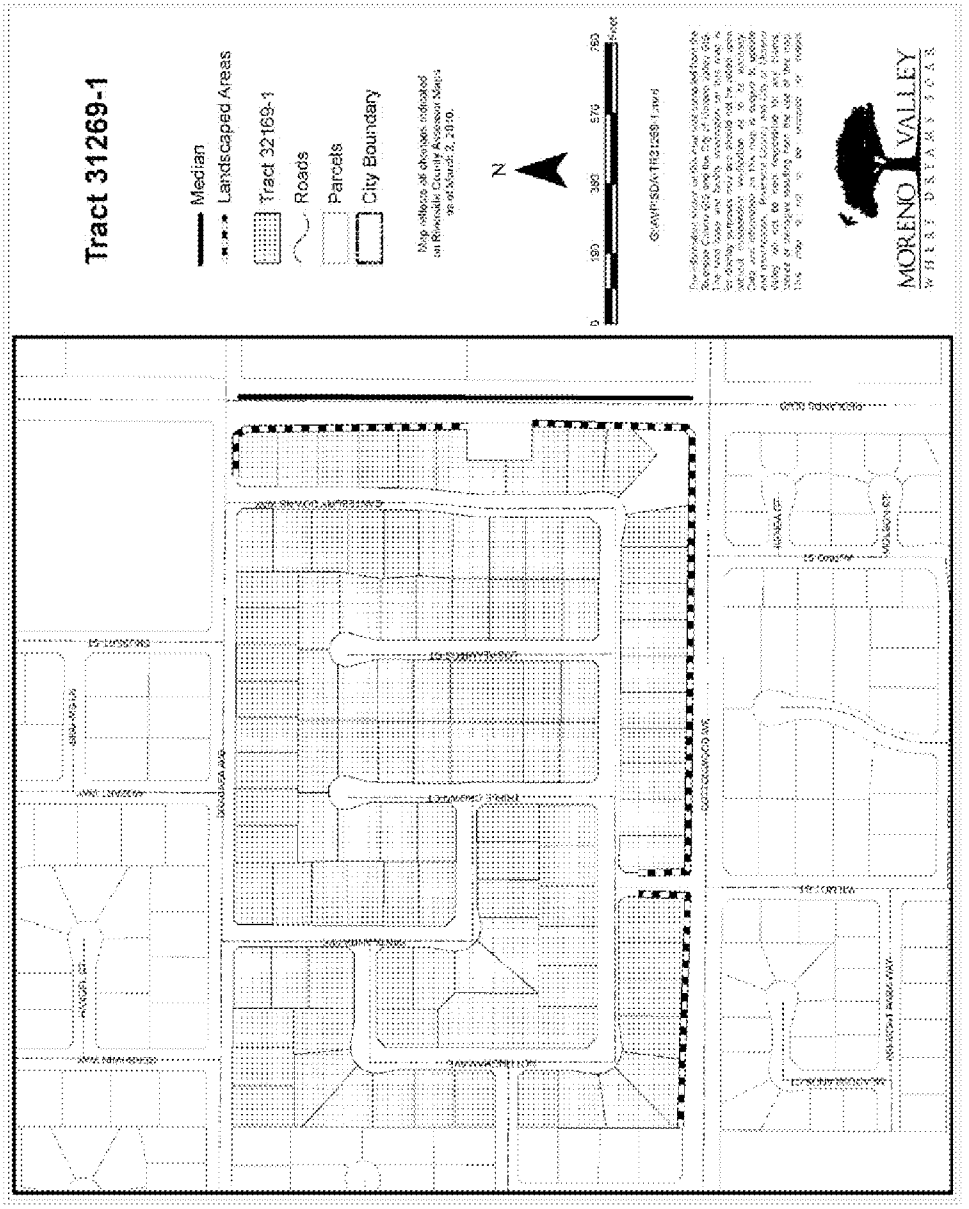
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2016.
N
0
190
380
570
760
Feet
MORENO VALLEY
WHERE DREAMS SOAR

MV00064636

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P.O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

Item No. G.2

MV00064637

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A Vogt, P.E.
Public Works Director/ City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Minto, Senior Landscape Services Inspector

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MV00064638

NOTICE TO PROPERTY OWNER—MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles—Riverside—Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property—related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost—saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full—cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage—paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/ CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50% + 1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/ 11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #230, maintenance services may be discontinued.

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BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/ Approved or NO/ Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

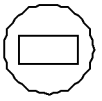

A circle around the box **and/ or** associated clause; or

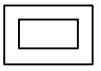

A square or rectangle around the box **and/ or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 2010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		$ 5,236.00	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	–		
Electricity (Southern California Edison)	236.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,997.24		
Total Direct Costs	$ 10,645.51		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	$ 1,626.18		
Total Expenditures		$ 12,271.69	
Operating Shortfall (Total Revenue less Total Expenditures)			$ (7,035.69)

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005 – 2006	$34.00
2006 – 2007	$34.00
2007 – 2008	$68.00
2008 – 2009	$68.00
2009 – 2010	$68.00

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COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

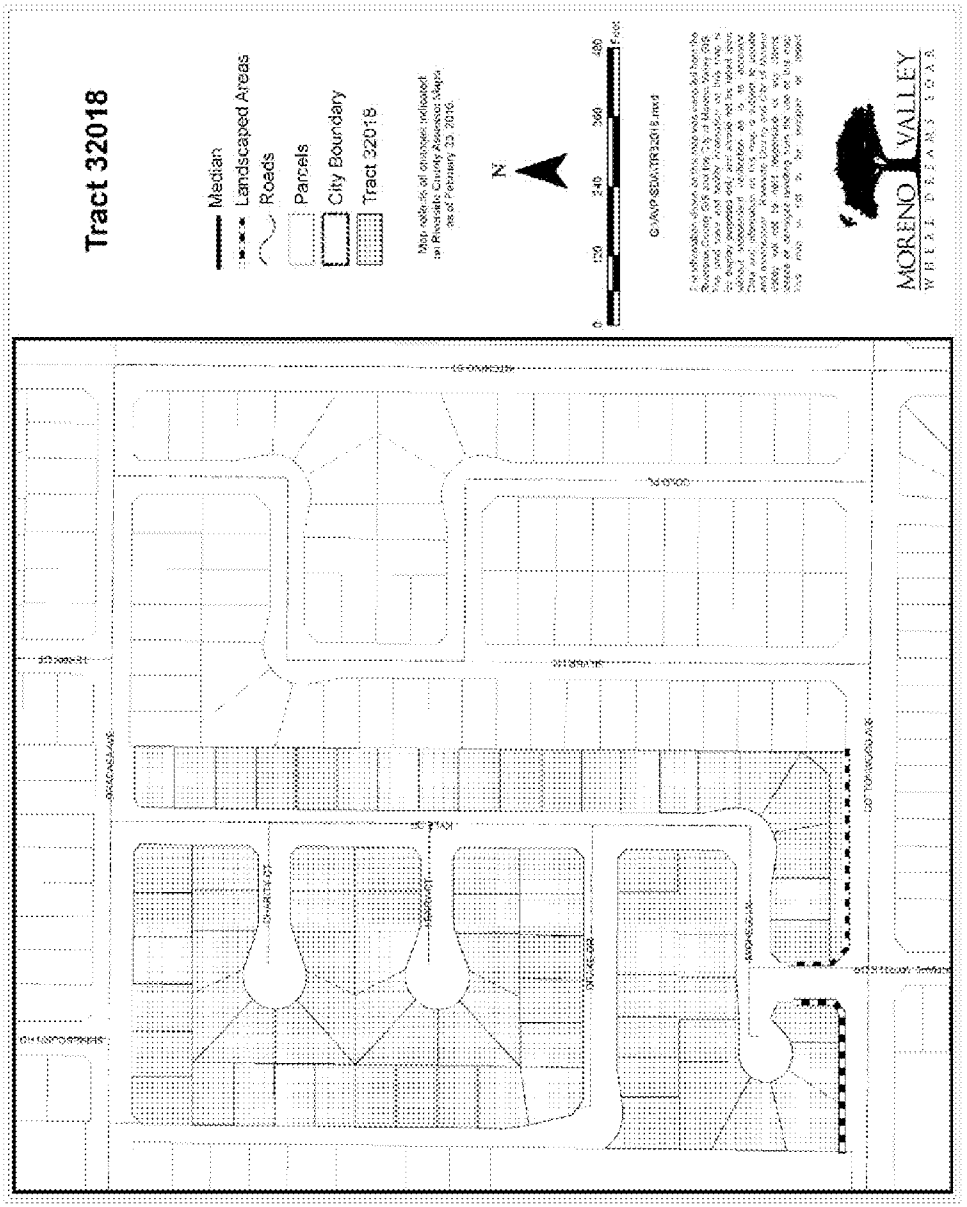
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
N
0
120
240
360
480
Feet
MORENO VALLEY

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, is planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*
Juanita M. Barnes*

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George W. Brummer***
Virgil Chancy*
Marie Hyta **(plans to attend meeting in May)
Jacqueline Dawn Qualls

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer ***
Alvin C. Horn
Frank D. Pavlik*

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

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residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels ; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

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ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064656

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the afore mentioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such proration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

_____ _____ –
Mayor

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

Resolution No. 2010-62
ATTACHMENT 2 Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____ _____
Mayor

Resolution No. 2010-62
Date Adopted: June 8, 2010

ATTACHMENT 2

ATTEST:

_____ _____
City Clerk

APPROVED AS TO FORM:

_____ _____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	**$1,829,606**	**10%**
9% Tax Credit Equity	**$9,242,933**	**49%**
RDA Funds	**$6,750,000**	**36%**
Affordable Housing Fee Reductions-City	**$991,608**	**5%**
Affordable Housing Fee Reductions-County	**$79,632**	**<1%**
General Partner Equity	**$99,029**	**<1%**
Total	**$18,992,808**	**100%**

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

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with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

MV00064670

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064672

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

ATTACHMENT A

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(98,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(76,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225, 192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

MV00064680

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

MV00064682

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,210	$479,000		$1,002,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,437
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,002,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF - CCATCRT - PD - AB3232	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/ EDUC/ GOV ACCESS	550,000								550,000
134	EMPG - EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	227,000								227,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORMWATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORMWATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					236,611	236,611	236,611	8,234,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					228,300	228,300	228,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD #1	1,005,105								1,005,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,238								183,238
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIALSTS DEV IMPACT FEE	104,700					1,309,975	1,309,975	1,309,975	1,413,675
202	TRAFFICSIGS DEV IMPACT FEE	28,700								28,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,903	212,903	212,903	254,003
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	907,700								907,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,210								4,210
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
215	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
217	FHWA TRANSIMS	186,600								186,600
218	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
219	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
220	2009 - DJ - BX - 1178 JAG GRANT	78,118								78,118
223	EMERGENCY SVCS AGENCY	14,000								14,000
252	JAG 2009 SB - 59 - 266 FUND	435,700								435,700
290	CDBG FY05/06 FUND	10,000								10,000
292	CDBG FY07/08 FUND	14,700								14,700
293	CDBG FY08/09 FUND	418,652								418,652
295	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16 - 08 - 1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REF NDG	1,158,700								1,158,700
316	ASSMT DIST 98 - 1 - DEBT SVC	27,00								27,00
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,210								404,210
328	AUTOMLREFIN - CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD #5 STONERIDGE DEBT SVC	362,210								362,210
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIALSTREETS	296,000								296,000

Item No. G.6

MV00064683

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund#	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,750								38,750
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP- ADMIN FUND	625 00								625 00
529	CFD #5 STONERIDGE CAP/ ADM	54,000								54,000
530	CFD #4 I- INFRS CAP/ ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,305,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A -DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A -CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,321,900	(2,272,220)	0	150,000	0	2,300,225	2,450,225	178,005	13,498,905
	NET REVENUES	**$180,916,700**	**($681,140)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,488**	**$203,305,188**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

MV00064684

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$27,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	27,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF – CCAGRT – PD – AB3229	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/ EDUC/ GOV ACCESS	447,120					447,120
134	EMPG – EMERGNCY MGMT PREP	94,120					94,120
136	OTS – POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/ 02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,120,120					1,120,120
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,120					13,120
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,120)			(162,120)	8,284,120
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ARTL GHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,120					2,837,120
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD #1	951,120					951,120
185	ZONE "S"	112,000					112,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIALSTS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
217	FHWA TRANSIMS	30,000					30,000
219	EECBG FUND				1,365,800	1,365,800	1,365,800
220	2009 – DJ – BX – 1178 BAG GRANT	78,118					78,118
285	CDBG FY 10/ 11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG 14 USED OIL RECYCLG	27,900					27,900
295	TRI 16 – 06 – 1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGTIMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGTSPCL TAX REF NDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98 – 1 – DEBT SVC	2,400			300	300	2,700
321	CH COM 97 DEBT SVC FUND	82,025					82,025
325	PUBSAFTY BOND DEBT SVC	404,120					404,120
328	AUTOMLR REFIN – CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD #5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I – INFR DEBT SVC	11,493,120					11,493,120
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations – Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGTIM PV SPCL TAX CAP	38,120					38,120
515	2007 TWNGT SPCL TAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD #5 STONERIDGE CAP/ ADM	53,700					53,700
530	CFD #4 I-INFR CAP/ ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,120					318,120
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007 TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds[1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

MV00064686

ATTACHMENT "B"

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

ATTACHMENT "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00064688

ATTACHMENT "C"

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

ATTACHMENT "D"

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.8

MV00064693

MV00064694

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MV00064696

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00064697

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Department)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

MV00064698

Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

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District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

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p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

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Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

*G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

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G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND

MV00064709

RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

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3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00064712

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

*1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*

Court: United States District Court, Central District of California

Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf

Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00064714

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

   Chief Anderson introduced Officer Morgan
   Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

   Sgt Jackie Horton introduced Luryn Hill
   Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

   Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

   Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

   Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00064742

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00064744

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
A N R INDUSTRIES, INC				
4/26/2010	202094	43,022.52		
			PROPERTY REHAB-24654 SINALOA	43,022.52
4/26/2010	202096	34,520.99		
			PROPERTY REHAB-25909 PARSLEY	34,520.99
4/26/2010	202097	31,068.87		
			PROPERTY REHAB-12177 INDIAN ST	31,068.87
	Vendor Total	**108,612.38**		
FYTD for A N R INDUSTRIES, INC		**131,454.88**		
AFTERSCHOOL STORE.COM				
4/5/2010	201559	34,902.91		
			SNACK SVCS-STARS	34,902.91
4/26/2010	202100	33,718.19		
			SNACK SVCS-STARS	33,718.19
	Vendor Total	**68,621.10**		
FYTD for AFTERSCHOOL STORE.COM		**264,673.53**		
AVI-CON INC.				
4/5/2010	201573	35,985.24		
			PUB SFTY BLDG CONVERSION PROJ	35,985.24
	Vendor Total	**35,985.24**		
FYTD for AVI-CON INC.		**35,985.24**		
BANK OF AMERICA				
4/12/2010	1004021	101,438.62		
			ACQ & ESCROW 14669 RIO HONDO	101,438.62
	Vendor Total	**101,438.62**		
FYTD for BANK OF AMERICA		**1,635,117.43**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	4/26/2010	202109	25,382.76		
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-UT SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-BIKE AQDCT	400.00
				LANDSCAPE MAINT-BIKE AQDCT	400.00
				LANDSCAPE MAINT-E2	16,077.18
	Vendor Total		**25,382.76**		
FYTD for BEMUS LANDSCAPE, INC.			**405,497.56**		
CALPERS					
	4/12/2010	201844	100,445.13		
				ARC PAYMENT LESS RET MED PAYOU	100,445.13
	Vendor Total		**100,445.13**		
FYTD for CALPERS			**871,257.69**		
CITIZENS BUSINESS BANK					
	4/6/2010	1004011	64,316.88		
				ACQ & ESCROW 14131 ST TROPEZ	64,316.88
	Vendor Total		**64,316.88**		
FYTD for CITIZENS BUSINESS BANK			**1,193,438.72**		
COMPU COM					
	4/19/2010	201968	113,901.13		
				MS LICENSING	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**116,885.38**		
CRITICAL SOLUTIONS					
	4/26/2010	202125	30,625.69		
				EMRGNCY OPS CTR PROJ SVCS	30,625.69
	Vendor Total		**30,625.69**		
FYTD for CRITICAL SOLUTIONS			**373,417.72**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DESERT CONCEPTS CONSTRUCTION, INC				
4/26/2010	202128	35,041.50		
			PATRIOT PARK IMPRVMNTS PROJ	35,041.50
Vendor Total		**35,041.50**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC		**68,339.70**		
EASTERN MUNICIPAL WATER DISTRICT				
4/19/2010	201976	36,753.92		
			WATER CHRGS FOR MARCH	1,189.26
			WATER CHRGS FOR MARCH	977.05
			WATER CHRGS FOR MARCH	161.63
			WATER CHRGS FOR MARCH	786.23
			WATER CHRGS FOR MARCH	105.72
			WATER CHRGS FOR MARCH	3,952.73
			WATER CHRGS FOR MARCH	2,883.97
			WATER CHRGS FOR MARCH	776.52
			WATER CHRGS FOR MARCH	3,333.48
			WATER CHRGS FOR MARCH	1,665.99
			WATER CHRGS FOR MARCH	4,222.48
			WATER CHRGS FOR MARCH	8,861.96
			WATER CHRGS FOR MARCH	1,402.32
			WATER CHRGS FOR MARCH	48.12
			WATER CHRGS FOR MARCH	1,406.30
			WATER CHRGS FOR MARCH	2,222.01
			WATER CHRGS FOR MARCH	634.32
			WATER CHRGS FOR MARCH	212.01
			WATER CHRGS FOR MARCH	341.03
			WATER CHRGS FOR MARCH	189.35
			WATER CHRGS FOR MARCH	96.23
			WATER CHRGS FOR MARCH	398.90
			WATER CHRGS FOR MARCH	578.38
			WATER CHRGS FOR MARCH	307.93
Vendor Total		**36,753.92**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**931,665.18**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
4/9/2010	2618	36,515.45		
			STATE INCOME TAX W/H 04/09/10	36,515.45
4/23/2010	2626	34,979.98		
			DEP STATE TAX W/H 04/23/10	34,979.98
Vendor Total		**71,495.43**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,107,620.34**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/5/2010	201620	164,385.60		
			PROF SVCS-IRIS/PERRIS	220.50
			PROF SVCS-SKETCHERS	1,286.26
			PROF SVCS-RANCHO DORADO	604.09
			PROF SVCS-STREET LGHT RMVL	280.82
			PROF SVCS-FRAZEE PAINT	48.79
			PROF SVCS-FRAZEE PAINT	24.40
			DISTRIBUTION CHRGS	128,570.82
			SPECIAL CHRGS	6,259.00
			ONLINE UTILITY SVCS	212.70
			PERRIS BL 12KV FEEDER/IRIS-JFK	7,842.98
			BAD DEBT DEDUCTION	-5,033.41
			CACTUS/LASSELLE 12KV CIRC TIE	588.00
			CACTUS/LASSELLE 12KV CIRC TIE	11,479.97
			GOLDENCREST-ELSWORTH BACKBONE	317.93
			GOLDENCREST-ELSWORTH BACKBONE	772.92
			6TH CIRC MOVAL SUBST. WORK	10,909.83
Vendor Total		**164,385.60**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,855,108.05**		
HABITAT FOR HUMANITY RIVERSIDE				
4/26/2010	202145	51,801.66		
			REIMB REQUEST-HOUSING AGREEMNT	51,801.66
Vendor Total		**51,801.66**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE		**53,733.66**		
INTERNAL REVENUE SERVICE				
4/9/2010	2617	129,392.33		
			FED INCOME TAX W/H 04/09/10	129,392.33
4/23/2010	2625	126,336.75		
			DEP FED TAX W/H 04/23/10	126,336.75
Vendor Total		**255,729.08**		
FYTD for INTERNAL REVENUE SERVICE		**3,184,348.99**		
MORENO VALLEY CACTUS RANCH, LLC				
4/5/2010	201684	59,569.00		
			REIMBURSEMENT AGREEMENT	59,569.00
Vendor Total		**59,569.00**		
FYTD for MORENO VALLEY CACTUS RANCH, LLC		**59,569.00**		
MORENO VALLEY PROPERTIES, LLC				
4/27/2010	1004111	605,000.00		
			REFUND EROSION CTRL CASH SEC	605,000.00
Vendor Total		**605,000.00**		
FYTD for MORENO VALLEY PROPERTIES, LLC		**605,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	4/19/2010	202019	48,062.98		
				ELECTRICITY	122.06
				ELECTRICITY	649.79
				ELECTRICITY	200.99
				ELECTRICITY	1,609.70
				ELECTRICITY	8,716.31
				ELECTRICITY	9,006.33
				ELECTRICITY	2,451.17
				ELECTRICITY	3,954.87
				ELECTRICITY	707.51
				ELECTRICITY	1,412.71
				ELECTRICITY	11,843.84
				ELECTRICITY	6,663.48
				ELECTRICITY	188.94
				ELECTRICITY	117.77
				ELECTRICITY	75.48
				ELECTRICITY	56.85
				ELECTRICITY	56.61
				ELECTRICITY	131.58
				ELECTRICITY	96.99
	Vendor Total		**48,062.98**		
FYTD for MORENO VALLEY UTILITY			**626,837.30**		
MOSS BROS CJD, INC.					
	4/5/2010	201690	52,736.07		
				SPECIAL TAX REIMBURSEMENT	52,736.07
	Vendor Total		**52,736.07**		
FYTD for MOSS BROS CJD, INC.			**52,736.07**		
MOSS BROS HONDA, INC.					
	4/5/2010	880299	53,821.71		
				SPECIAL TAX REIMBURSEMENT	53,821.71
	Vendor Total		**53,821.71**		
FYTD for MOSS BROS HONDA, INC.			**53,821.71**		
MOSS MO VAL PROPERTIES, LLC					
	4/12/2010	201886	163,255.49		
				SPECIAL TAX REIMBURSEMENT	163,255.49
	Vendor Total		**163,255.49**		
FYTD for MOSS MO VAL PROPERTIES, LLC			**163,255.49**		
MV RANCHO DORADO II LTD. PARTNERSHIP					
	4/12/2010	1004041	1,300,000.00		
				LOAN AGRMNT-RANCHO DORADO SO.	1,300,000.00
	Vendor Total		**1,300,000.00**		
FYTD for MV RANCHO DORADO II LTD. PARTNERSHIP			**2,800,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS				
4/23/2010	2622	25,942.07		
			DEF COMP 457 & 401(A) 04/23/10	25,942.07
Vendor Total		**25,942.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**744,535.11**		
PALP, INC. DBA EXCEL PAVING COMPANY				
4/5/2010	201703	58,861.31		
			SUNNYMD BLVD REVIT PROJ SVCS	58,861.31
4/12/2010	201891	193,092.74		
			SUNNYMD BLVD REVIT PROJ SVCS	19,501.02
			SUNNYMD BLVD REVIT PROJ SVCS	158,390.72
			SUNNYMD BLVD REVIT PROJ SVCS	15,201.00
Vendor Total		**251,954.05**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**2,132,594.03**		
PARSONS TRANSPORTATION GROUP, INC.				
4/5/2010	201707	29,114.65		
			SR-60/MOR BCH DR INTRCHNG PROJ	17,379.48
			SR-60/NASON ST OVRCRSSNG PROJ	11,735.17
Vendor Total		**29,114.65**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,001,522.33**		
PERS HEALTH INSURANCE				
4/6/2010	1003181	195,392.38		
			EMPL HEALTH INS 04/06/10	195,392.38
Vendor Total		**195,392.38**		
FYTD for PERS HEALTH INSURANCE		**1,931,136.41**		
PERS RETIREMENT				
4/2/2010	2610	191,827.82		
			PERS RETIREMENT 04/02/10	191,827.82
4/16/2010	2619	188,540.40		
			PERS RETIREMENT 04/16/10	188,540.40
4/30/2010	2627	192,441.55		
			PERS RETIREMENT 04/30/10	192,441.55
Vendor Total		**572,809.77**		
FYTD for PERS RETIREMENT		**4,707,592.48**		
RICHARD LOPEZ CONSTRUCTION				
4/12/2010	201900	464,257.08		
			ELECTRIC UTILITY PROJECTS SVCS	464,257.08
Vendor Total		**464,257.08**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,074,059.47**		

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ROESLING NAKAMURA TERADA ARCHITECTS, INC				
4/19/2010	880365	65,233.37		
			PUB SFTY BLDG CONVERSION PROJ	65,233.37
Vendor Total		**65,233.37**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC		**233,733.59**		
SEMPRA ENERGY SOLUTIONS				
4/12/2010	880342	106,708.95		
			POWER PURCHASE	106,708.95
4/19/2010	880366	181,393.99		
			POWER PURCHASE	74,585.99
			POWER PURCHASE	106,808.00
Vendor Total		**288,102.94**		
FYTD for SEMPRA ENERGY SOLUTIONS		**5,349,705.91**		
SHELL ENERGY NORTH AMERICA (US) L.P.				
4/12/2010	201908	328,486.00		
			ELECT ENERGY PURCHASE	328,486.00
Vendor Total		**328,486.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**999,740.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	4/5/2010	201742	27,708.59		
				WDAT CHRGS-FREDERICK	1,825.29
				WDAT CHRGS-GLOBE	6,435.81
				WDAT CHRGS-GRAHAM	3,727.65
				WDAT CHRGS-IRIS	2,625.22
				WDAT CHRGS-NANDINA	2,647.31
				WDAT CHRGS-SUBSTATION	10,447.31
	4/19/2010	202060	148,329.95		
				ELECTRICITY	568.13
				ELECTRICITY	21.80
				ELECTRICITY	284.83
				ELECTRICITY	596.63
				ELECTRICITY	110.48
				ELECTRICITY	2,318.77
				ELECTRICITY	826.47
				ELECTRICITY	841.75
				ELECTRICITY	2,928.85
				ELECTRICITY	1,079.98
				ELECTRICITY	1,225.30
				ELECTRICITY	20.38
				ELECTRICITY	96,828.47
				ELECTRICITY	35,452.82
				ELECTRICITY	4,667.40
				ELECTRICITY	22.57
				ELECTRICITY	42.95
				ELECTRICITY	22.14
				ELECTRICITY	65.68
				ELECTRICITY	81.52
				ELECTRICITY	279.54
				ELECTRICITY	43.49
	Vendor Total		**176,038.54**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,495,377.09**		
SOUTHERN CALIFORNIA EDISON CO.					
	4/26/2010	202185	90,005.55		
				REPLCMNT OF FACILITIES-DAY ST.	90,005.55
	Vendor Total		**90,005.55**		
FYTD for SOUTHERN CALIFORNIA EDISON CO.			**90,005.55**		
STANDARD INSURANCE CO					
	4/12/2010	201916	30,515.59		
				LIFE & DISABILITY INSURANCE	12,695.73
				LIFE & DISABILITY INSURANCE	17,928.95
				LIFE & DISABILITY INSURANCE	-109.09
	Vendor Total		**30,515.59**		
FYTD for STANDARD INSURANCE CO			**326,752.74**		

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U.S. BANK/CALCARDS					
	4/12/2010	1004031	77,320.28		
				CALCARD PMT CYCLE END 04/07/10	77,320.28
	4/29/2010	1004121	93,568.19		
				CALCARD PMT CYCLE END 04/22/10	93,568.19
	Vendor Total		**170,888.47**		
FYTD for U.S. BANK/CALCARDS			**1,701,409.71**		
U.S. TREASURY					
	4/12/2010	201923	30,771.33		
				SF-425 EXCESS CASH	30,771.33
	Vendor Total		**30,771.33**		
FYTD for U.S. TREASURY			**30,771.33**		
UNITED CONTRACTORS COMPANY INC.					
	4/26/2010	880405	325,530.00		
				EMRGNCY OPS CTR PROJ SVCS	325,530.00
	Vendor Total		**325,530.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,860,030.00**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	4/5/2010	201773	30,000.00		
				RENTAL ASSIST SVCS-HPRP PRGM	20,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	10,000.00
	Vendor Total		**30,000.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**95,282.23**		
WELLS FARGO CORPORATE TRUST					
	4/29/2010	1004071	100,475.80		
				INT ON 1997 LEASE REV BND	100,475.80
	4/29/2010	1004061	1,018,874.40		
				INT ON 2005 LEASE REV BND	1,018,874.40
	4/29/2010	1004081	1,110,899.07		
				2007 LRB DEBT SVC PAYMENT	1,110,899.07
	4/30/2010	1004131	1,171,349.06		
				DEBT SVC-SPECIAL TAXES	1,171,349.06
	Vendor Total		**3,401,598.33**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,029,485.43**		

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WHEELER PAVING, INC.					
	4/5/2010	880324	46,251.00		
				LASSELLE ST WIDENING PROJ SVCS	46,251.00
	4/12/2010	880346	596,778.41		
				EMERG STREET PAVEMNT WORK	13,190.38
				LASSELLE ST WIDENING PROJ SVCS	583,588.03
	4/26/2010	880407	530,370.16		
				LASSELLE ST WIDENING PROJ SVCS	1,345.73
				LASSELLE ST WIDENING PROJ SVCS	57,869.77
				LASSELLE ST WIDENING PROJ SVCS	449,898.09
				LASSELLE ST WIDENING PROJ SVCS	21,256.57
	Vendor Total		**1,173,399.57**		
FYTD for WHEELER PAVING, INC.			**2,711,147.09**		
WINZLER & KELLY CONSULTING ENGINEERS					
	4/5/2010	201781	31,240.00		
				TEMP STAFFING SVCS-CAP PROJS	15,840.00
				TEMP STAFFING SVCS-CAP PROJS	15,400.00
	Vendor Total		**31,240.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**367,617.59**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	4/19/2010	202088	44,370.00		
				TUMF RESIDENTIAL FEES	44,370.00
	Vendor Total		**44,370.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**1,115,467.42**		
	Subtotal		**11,272,631.06**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
TRANSOFT SOLUTIONS, INC.				
4/19/2010	201933	1,289.00		
			AUTOTURN SOFTWARE UPGRADE	1,289.00
Vendor Total		**1,289.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,289.00**		
452ND AIR MOBILITY WING				
4/8/2010	201829	20.00		
			BRIG GEN. MELIN RETIREMNT 4/10	20.00
Vendor Total		**20.00**		
FYTD for 452ND AIR MOBILITY WING		**117.00**		
4G WIRELESS, INC				
4/5/2010	201552	60.18		
			REFUND-BUS LIC OVRPMT	60.18
Vendor Total		**60.18**		
FYTD for 4G WIRELESS, INC		**60.18**		
A - POSTAL EXPRESS				
4/19/2010	201934	43.50		
			REFUND-BUS LIC OVRPMT	43.50
Vendor Total		**43.50**		
FYTD for A - POSTAL EXPRESS		**43.50**		
A & I REPROGRAPHICS 2406362				
4/5/2010	201553	79.93		
			RPRGRPHC SVCS-PAVEMNT RESURF	79.93
4/12/2010	201830	1,788.29		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	54.70
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	1,593.95
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	139.64
4/26/2010	202093	244.74		
			RPRGRPHC SVCS-KITCHING ST PROJ	48.69
			RPRGRPHC SVCS-AUTO MALL PROJ	196.05
Vendor Total		**2,112.96**		
FYTD for A & I REPROGRAPHICS 2406362		**19,563.04**		
A & J GRADING CONTRACTORS				
4/5/2010	201554	29.50		
			REFUND-BUS LIC OVRPMT	29.50
Vendor Total		**29.50**		
FYTD for A & J GRADING CONTRACTORS		**29.50**		

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A A A PAVING COMPNAY					
	4/19/2010	201935	32.41		
				REFUND-BUS LIC OVRPMT	32.41
	Vendor Total		**32.41**		
FYTD for A A A PAVING COMPNAY			**32.41**		
A C C O ENGINEERED SYSTEMS, INC					
	4/19/2010	201936	23.80		
				REFUND-BUS LIC OVRPMT	23.80
	Vendor Total		**23.80**		
FYTD for A C C O ENGINEERED SYSTEMS, INC			**23.80**		
A N R INDUSTRIES, INC					
	4/12/2010	201831	0.00		
				PROPERTY REHAB-25106 FAY AVE	6,478.50
				PROPERTY REHAB-24654 SINALOA	8,547.00
				PROPERTY REHAB-24654 SINALOA	38,185.00
				PROPERTY REHAB-24654 SINALOA	3,250.00
				PROPERTY REHAB-12177 INDIAN ST	9,775.00
				PROPERTY REHAB-12177 INDIAN ST	24,735.00
				PROPERTY REHAB-12177 INDIAN ST	490.00
				PROPERTY REHAB-25909 PARSLEY	8,709.00
				PROPERTY REHAB-25909 PARSLEY	25,078.00
				PROPERTY REHAB-25909 PARSLEY	16,213.00
				PROPERTY REHAB-25106 FAY AVE	-6,478.50
				PROPERTY REHAB-24654 SINALOA	-8,547.00
				PROPERTY REHAB-24654 SINALOA	-38,185.00
				PROPERTY REHAB-24654 SINALOA	-3,250.00
				PROPERTY REHAB-12177 INDIAN ST	-9,775.00
				PROPERTY REHAB-12177 INDIAN ST	-24,735.00
				PROPERTY REHAB-12177 INDIAN ST	-490.00
				PROPERTY REHAB-25909 PARSLEY	-8,709.00
				PROPERTY REHAB-25909 PARSLEY	-25,078.00
				PROPERTY REHAB-25909 PARSLEY	-16,213.00
	4/26/2010	202095	22,842.50		
				PROPERTY REHAB-25106 FAY AVE	22,842.50
	Vendor Total		**22,842.50**		
FYTD for A N R INDUSTRIES, INC			**131,454.88**		
ABEYTA, GINNY					
	4/19/2010	201937	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ABEYTA, GINNY			**20.00**		

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ABSOLUTE SURVEILLANCE					
	4/5/2010	880258	3,717.53		
				GPS VEH TRACKER-POLICE DEPT	988.56
				GPS VEH TRACKER-ACTIVATION	65.14
				GPS VEH TRACKER-SVC PLAN	2,085.39
				GPS VEH TRACKER-BATTERY	578.44
	Vendor Total		**3,717.53**		
FYTD for ABSOLUTE SURVEILLANCE			**3,717.53**		
ACCESS SECURITY CONTROLS INT., INC.					
	4/5/2010	201555	1,060.00		
				SEC MONITORING SVC-FAC STRG	75.00
				SEC MONITORING SVC-ERC	75.00
				SEC MONITORING SVC-ASES BLDG	75.00
				SEC MONITORING SVC-ASES BLDG	75.00
				SEC MONITORING SVC-FIRE INSPCT	760.00
	Vendor Total		**1,060.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**13,182.59**		
ACCOUNTEMPS					
	4/5/2010	201556	828.00		
				TEMP SVCS-APODACA W/E 3/19	828.00
	4/12/2010	201832	905.25		
				TEMP SVCS-APODACA W/E 3/26	828.00
				TEMP SVCS-APODACA BKGRD	77.25
	4/19/2010	201938	839.50		
				TEMP SVCS-APODACA W/E 4/2	839.50
	4/26/2010	202098	828.00		
				TEMP SVCS-APODACA W/E 4/9	828.00
	Vendor Total		**3,400.75**		
FYTD for ACCOUNTEMPS			**10,438.75**		
ACE CASH EXPRESS #4116					
	4/5/2010	201557	141.26		
				REFUND-BUS LIC OVRPMT	141.26
	Vendor Total		**141.26**		
FYTD for ACE CASH EXPRESS #4116			**141.26**		
ACE FOOTWARE					
	4/19/2010	201939	24.19		
				REFUND-BUS LIC OVRPMT	24.19
	Vendor Total		**24.19**		
FYTD for ACE FOOTWARE			**24.19**		

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ACUNA, LUIS A.					
	4/5/2010	201558	1,166.40		
				REFUND-ADMIN CITATION FEES	1,166.40
	Vendor Total		**1,166.40**		
FYTD for ACUNA, LUIS A.			**1,166.40**		
ADAMS, MARK L.					
	4/5/2010	201783	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,187.30**		
ADLERHORST INTERNATIONAL INC.					
	4/12/2010	880327	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,697.84**		
ADMINSURE					
	4/12/2010	201833	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**26,000.00**		
ADVANCED ELECTRIC					
	4/19/2010	201940	2,945.00		
				ELECT WORK-PARKS	900.00
				ELECT WORK-PARKS	238.00
				ELECT WORK-PARKS	343.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	514.00
				ELECT WORK-PARKS	187.00
				ELECT WORK-PARKS	253.00
				ELECT WORK-PARKS	183.00
				ELECT WORK-PARKS	203.00
				ELECT WORK-PARKS	62.00
	4/26/2010	202099	477.00		
				ELECT WORK-CFD#1	62.00
				ELECT WORK-CFD#1	415.00
	Vendor Total		**3,422.00**		
FYTD for ADVANCED ELECTRIC			**78,524.00**		

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ALCORN FENCE COMPANY					
	4/5/2010	201560	23.52		
				REFUND-BUS LIC OVRPMT	23.52
	Vendor Total		**23.52**		
FYTD for ALCORN FENCE COMPANY			**23.52**		
ALICEA, RICHARD					
	4/19/2010	201941	155.50		
				MILEAGE REIMBURSEMENT	74.50
				MILEAGE REIMBURSEMENT	81.00
	Vendor Total		**155.50**		
FYTD for ALICEA, RICHARD			**543.85**		
ALL DISCOUNT INSURANCE SERVICE, INC.					
	4/5/2010	201561	97.50		
				REFUND-BUS LIC OVRPMT	97.50
	Vendor Total		**97.50**		
FYTD for ALL DISCOUNT INSURANCE SERVICE, INC.			**97.50**		
ALLEY, ERIN					
	4/26/2010	202101	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ALLEY, ERIN			**20.00**		
ALLIANCE RESOURCE CONSULTING, LLC					
	4/5/2010	201562	7,260.75		
				EXEC RECRUITMENT SVCS	7,260.75
	Vendor Total		**7,260.75**		
FYTD for ALLIANCE RESOURCE CONSULTING, LLC			**7,260.75**		
ALLIANT INSURANCE SERVICES, INC.					
	4/5/2010	201563	1,361.08		
				INSURANCE-SPCL EVENTS	1,361.08
	Vendor Total		**1,361.08**		
FYTD for ALLIANT INSURANCE SERVICES, INC.			**10,003.88**		
ALLIANZ LIFE INSURANCE CO					
	4/12/2010	201834	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**750.00**		

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AMERICAN BUILDING MAINTENANCE CO				
4/19/2010	201942	46.42		
			REFUND-BUS LIC OVRPMT	46.42
Vendor Total		**46.42**		
FYTD for AMERICAN BUILDING MAINTENANCE CO		**46.42**		
AMERICAN FORENSIC NURSES				
4/12/2010	880328	583.00		
			BLOOD DRAWS	583.00
4/19/2010	880349	93.40		
			BLOOD DRAWS	93.40
4/26/2010	880376	513.50		
			BLOOD DRAWS	513.50
Vendor Total		**1,189.90**		
FYTD for AMERICAN FORENSIC NURSES		**21,750.30**		
AMERICAN PUBLIC POWER ASSOCIATION				
4/19/2010	201943	3,975.21		
			MEMBERSHIP DUES-59815	662.54
			MEMBERSHIP DUES-59815	3,312.67
Vendor Total		**3,975.21**		
FYTD for AMERICAN PUBLIC POWER ASSOCIATION		**3,975.21**		
AMERICAN QUICK PRINTING				
4/19/2010	202090	2,175.00		
			ANML CNTRL NOTICES	2,175.00
Vendor Total		**2,175.00**		
FYTD for AMERICAN QUICK PRINTING		**3,994.83**		
AMERICAN ROTARY BROOM CO.				
4/5/2010	201564	3,310.02		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	1,189.62
			STREET SWEEPING BROOM KITS	1,180.15
			STREET SWEEPING BROOM KITS	447.16
4/26/2010	202102	1,656.92		
			STREET SWEEPING BROOM KITS	604.88
			STREET SWEEPING BROOM KITS	716.67
			STREET SWEEPING BROOM KITS	335.37
Vendor Total		**4,966.94**		
FYTD for AMERICAN ROTARY BROOM CO.		**29,921.61**		

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AMTECH ELEVATOR SERVICES					
	4/19/2010	201944	118.37		
				ELEVATOR SVC-CITY HALL	118.37
	Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES			**1,700.41**		
ANAYA, KIM REYE					
	4/19/2010	201945	254.50		
				TRAVEL EXP-BOOST CONFERENCE	48.00
				TRAVEL EXP-BOOST CONFERENCE	206.50
	4/26/2010	202103	45.50		
				MILEAGE REIMBURSEMENT	45.50
	Vendor Total		**300.00**		
FYTD for ANAYA, KIM REYE			**335.00**		
ANDREWS-BAKER, SUE					
	4/12/2010	201835	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	4/19/2010	201946	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**150.00**		
FYTD for ANDREWS-BAKER, SUE			**525.00**		
ANGELA NAILS & SPA					
	4/5/2010	201565	46.60		
				REFUND-BUS LIC OVRPMT	46.60
	Vendor Total		**46.60**		
FYTD for ANGELA NAILS & SPA			**46.60**		
ANIMAL EMERGENCY CLINIC, INC.					
	4/19/2010	202091	350.00		
				EMERGENCY VET SVCS	75.00
				EMERGENCY VET SVCS	70.00
				EMERGENCY VET SVCS	75.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	75.00
	Vendor Total		**350.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**4,534.00**		

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ANIMAL PEST MANAGEMENT SERVICES, INC.					
	4/5/2010	201566	600.00		
				PEST CNTRL-BEE RMVL AT BAYSIDE	300.00
				EMERG BEE RMVL-CRC	300.00
	4/26/2010	202104	2,290.00		
				PEST CNTRL-PARKS	665.00
				PEST CNTRL-PARKS	255.00
				PEST CNTRL-MARCH FLD	330.00
				PEST CNTRL-PAL	100.00
				PEST CNTRL-CFD #1	160.00
				PEST CNTRL-GLF CRS	180.00
				PEST CNTRL-STARS BLDG	100.00
				PEST CNTRL-PARKS	100.00
				PEST CNTRL-PARKS	200.00
				PEST CNTRL-PARKS	200.00
	Vendor Total		**2,890.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**20,000.00**		
ARBY'S					
	4/5/2010	201567	84.11		
				REFUND-BUS LIC OVRPMT	84.11
	Vendor Total		**84.11**		
FYTD for ARBY'S			**84.11**		
ARCHER, TRAVIS					
	4/12/2010	201836	210.00		
				REFUND-CITATION OVRPMT	210.00
	Vendor Total		**210.00**		
FYTD for ARCHER, TRAVIS			**210.00**		
ARCHITECTURAL DESIGN & SIGN, INC.					
	4/5/2010	201568	49.49		
				REFUND-BUS LIC OVRPMT	49.49
	Vendor Total		**49.49**		
FYTD for ARCHITECTURAL DESIGN & SIGN, INC.			**49.49**		
ARCHIVE MANAGEMENT SERVICE					
	4/19/2010	201947	1,365.53		
				OFFSITE STORAGE-CITY CLERKS	1,365.53
	Vendor Total		**1,365.53**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**13,343.69**		

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ARCO AM/PM - CAR WASH					
	4/5/2010	201569	30.28		
				REFUND-BUS LIC OVRPMT	30.28
	Vendor Total		**30.28**		
FYTD for ARCO AM/PM - CAR WASH			**30.28**		
AREA0WEST FENCE CO					
	4/19/2010	201948	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for AREA0WEST FENCE CO			**25.00**		
ARROWHEAD WATER					
	4/5/2010	201570	150.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-CRC	25.00
	4/12/2010	201837	25.00		
				WTR PURIF RNTL-FAC ANNX	25.00
	4/19/2010	201949	25.00		
				WTR PURIF RNTL-STARS	25.00
	4/26/2010	202105	340.78		
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNS TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,563.57**		
ASHLEY, THOMAS					
	4/26/2010	202106	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for ASHLEY, THOMAS			**50.00**		

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ASIAN IMPORT MARKET					
	4/5/2010	201571	67.94		
				REFUND-BUS LIC OVRPMT	67.94
	Vendor Total		**67.94**		
FYTD for ASIAN IMPORT MARKET			**67.94**		
ASSOCIATED ENGINEERS, INC.					
	4/19/2010	201950	20,520.00		
				HEACOCK ST WIDENING PROJ SVCS	20,520.00
	Vendor Total		**20,520.00**		
FYTD for ASSOCIATED ENGINEERS, INC.			**56,874.11**		
ASSOCIATION'S EQUITY MANAGEMENT, INC					
	4/19/2010	201951	22.97		
				REFUND-BUS LIC OVRPMT	22.97
	Vendor Total		**22.97**		
FYTD for ASSOCIATION'S EQUITY MANAGEMENT, INC			**22.97**		
AT&T MOBILITY					
	4/5/2010	201572	92.35		
				COMMUNICATION SVCS-MBL CMMND	92.35
	4/26/2010	202107	92.42		
				COMMUNICATION SVCS	92.42
	Vendor Total		**184.77**		
FYTD for AT&T MOBILITY			**1,011.62**		
AT&T/MCI					
	4/12/2010	201838	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,836.88**		
AVILA, GRISELDA					
	4/19/2010	201952	56.00		
				REFUND-ANML SVCS FEES	30.00
				REFUND-ANML SVCS FEES	10.00
				REFUND-ANML SVCS FEES	16.00
	Vendor Total		**56.00**		
FYTD for AVILA, GRISELDA			**56.00**		
BACHER, GRACE					
	4/5/2010	201574	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,436.81**		

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BARNES, DARLENE					
	4/5/2010	201784	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,115.56**		
BARON POOL PLASTERING OF SO. CA.					
	4/5/2010	201575	26.93		
				REFUND-BUS LIC OVRPMT	26.93
	Vendor Total		**26.93**		
FYTD for BARON POOL PLASTERING OF SO. CA.			**26.93**		
BASIC BACKFLOW					
	4/5/2010	201576	30.00		
				BACKFLOW TESTING	30.00
	Vendor Total		**30.00**		
FYTD for BASIC BACKFLOW			**1,324.65**		
BATTERYZONE, INC.					
	4/26/2010	202108	3,475.12		
				BATTERIES-POLICE DEPT	3,400.00
				BATTERIES-SALES TAX	297.50
				BATTERIES-SHIPPING	75.12
				BATTERIES-SALES TAX ACCRUAL	-297.50
	Vendor Total		**3,475.12**		
FYTD for BATTERYZONE, INC.			**3,475.12**		
BEAR VALLEY CLEANERS					
	4/19/2010	201953	90.92		
				REFUND-BUS LIC OVRPMT	90.92
	Vendor Total		**90.92**		
FYTD for BEAR VALLEY CLEANERS			**90.92**		
BECKNER, PATRICK					
	4/5/2010	201577	923.70		
				RETIREE MEDICAL BENEFIT	923.70
	Vendor Total		**923.70**		
FYTD for BECKNER, PATRICK			**1,750.10**		
BELLING, JESSICA A.					
	4/5/2010	201578	914.08		
				REFUND-ADMIN CITATION FEES	914.08
	Vendor Total		**914.08**		
FYTD for BELLING, JESSICA A.			**914.08**		

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BEMUS LANDSCAPE, INC.					
	4/5/2010	201579	162.48		
				IRRIG DMG REPAIRS-EOC PROJECT	162.48
	4/12/2010	201839	17,984.66		
				LANDSCAPE MAINT-E4	35.57
				LANDSCAPE MAINT-E4	935.50
				LANDSCAPE MAINT-E4	92.32
				LANDSCAPE MAINT-E4	193.92
				LANDSCAPE MAINT-E4	101.68
				LANDSCAPE MAINT-E4	77.25
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-E3A	429.25
				IRRIG DMG REPAIR-PSB CONV PROJ	100.57
	Vendor Total		**18,147.14**		
FYTD for BEMUS LANDSCAPE, INC.			**405,497.56**		
BEN BLUE DVM, MS					
	4/12/2010	201840	740.00		
				EMERG VET SVCS	550.00
				EMERG VET SVCS	190.00
	4/26/2010	202110	195.00		
				EMERG VET SVCS	195.00
	Vendor Total		**935.00**		
FYTD for BEN BLUE DVM, MS			**935.00**		
BENESYST					
	4/19/2010	880352	20.13		
				COBRA SUBSIDY-APR2010	14.43
				COBRA SUBSIDY-APR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**40.26**		
BENESYST, INC.					
	4/26/2010	202111	470.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	245.00
	Vendor Total		**470.34**		
FYTD for BENESYST, INC.			**4,988.66**		
BENFORD, MICHAEL					
	4/26/2010	202112	65.00		
				REFUND-RNTL DEP	65.00
	Vendor Total		**65.00**		
FYTD for BENFORD, MICHAEL			**65.00**		

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BEST, BEST & KRIEGER, LLP					
	4/12/2010	201841	183.00		
				LEGAL SVCS	115.50
				LEGAL SVCS	67.50
	4/26/2010	202113	130.54		
				LEGAL SVCS	52.50
				LEGAL SVCS	68.35
				LEGAL SVCS	9.69
	Vendor Total		**313.54**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,389.64**		
BEVILLE'S AIR CONDITIONING					
	4/5/2010	201580	40.75		
				REFUND-BUS LIC OVRPMT	40.75
	Vendor Total		**40.75**		
FYTD for BEVILLE'S AIR CONDITIONING			**40.75**		
BIO-TOX LABORATORIES					
	4/19/2010	201954	3,689.98		
				TOXICOLOGY TESTS	407.07
				TOXICOLOGY TESTS	1,258.01
				TOXICOLOGY TESTS	2,024.90
	Vendor Total		**3,689.98**		
FYTD for BIO-TOX LABORATORIES			**36,199.25**		
BITS BYTES & MORE					
	4/19/2010	201955	70.93		
				REFUND-BUS LIC OVRPMT	70.93
	Vendor Total		**70.93**		
FYTD for BITS BYTES & MORE			**70.93**		
BLUE SHIELD OF CALIFORNIA					
	4/19/2010	201956	522.87		
				HEALTH INS PREMIUM	278.85
				HEALTH INS PREMIUM	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,158.80**		
BOBO II, FELIX					
	4/5/2010	201581	71.00		
				MILEAGE REIMBURSEMENT	71.00
	4/26/2010	202114	62.00		
				MILEAGE REIMBURSEMENT	62.00
	Vendor Total		**133.00**		
FYTD for BOBO II, FELIX			**631.15**		

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BP WEST COAST PRODUCTS, LLC				
4/5/2010	201582	57.29		
			REFUND-BUS LIC OVRPMT	23.11
			REFUND-BUS LIC OVRPMT	34.18
	Vendor Total	**57.29**		
FYTD for BP WEST COAST PRODUCTS, LLC		**147.09**		
BPS TACTICAL, INC				
4/26/2010	202115	18.49		
			PATCHES-POLICE DEPT	8.70
			PATCHES-POLICE DEPT	9.79
	Vendor Total	**18.49**		
FYTD for BPS TACTICAL, INC		**39.07**		
BRITO, TRACY				
4/12/2010	201842	37.00		
			REFUND-SHELTER FEE	37.00
	Vendor Total	**37.00**		
FYTD for BRITO, TRACY		**37.00**		
BROOKS, KEMETHRA				
4/19/2010	201957	122.00		
			REFUND-MATH REGIST	122.00
	Vendor Total	**122.00**		
FYTD for BROOKS, KEMETHRA		**122.00**		
BUCKINGHAM, STAN				
4/5/2010	201583	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**1,274.92**		
BURLINGTON COAT FACTORY OF CA, LLC				
4/5/2010	201584	1,977.50		
			REFUND-BUS LIC OVRPMT	1,977.50
	Vendor Total	**1,977.50**		
FYTD for BURLINGTON COAT FACTORY OF CA, LLC		**1,977.50**		
C H J INC.				
4/5/2010	201585	44.10		
			REFUND-BUS LIC OVRPMT	44.10
	Vendor Total	**44.10**		
FYTD for C H J INC.		**44.10**		

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CA STATE TEACHER'S RETIREMENT SYSTEM					
	4/13/2010	1004051	12,170.22		
				ANNL LTR/CREDT 97 CH REFI COPS	12,170.22
	Vendor Total		**12,170.22**		
FYTD for CA STATE TEACHER'S RETIREMENT SYSTEM			**12,170.22**		
CAIN, GREGORY					
	4/5/2010	201785	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,549.85**		
CALAVERAS STANDARD MATERIALS					
	4/26/2010	202116	747.23		
				CEMENT PURCHASE	747.23
	Vendor Total		**747.23**		
FYTD for CALAVERAS STANDARD MATERIALS			**20,117.98**		
CALIFORNIA BUILDING STANDARDS COMMISSION					
	4/12/2010	201843	639.90		
				PERMIT VALUATION FEES	639.90
	Vendor Total		**639.90**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION			**2,244.60**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	4/5/2010	201586	560.25		
				MAJOR AMENDMNT FEE-SR60/NASON	560.25
	Vendor Total		**560.25**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,810.25**		
CALIFORNIA POOLS & SPAS, INC.					
	4/19/2010	201958	48.15		
				REFUND-BUS LIC OVRPMT	48.15
	Vendor Total		**48.15**		
FYTD for CALIFORNIA POOLS & SPAS, INC.			**48.15**		
CALIFORNIA WATERSHED ENGINEERING CORP.					
	4/26/2010	880377	500.25		
				PROF SVCS-PA090025	500.25
	Vendor Total		**500.25**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.			**2,271.75**		

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CALVARY CHAPEL OF MORENO VALLEY					
	4/19/2010	201959	100.00		
				REFUND-RNTL DEP	100.00
	Vendor Total		**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY			**100.00**		
CANNON, ANA M.					
	4/5/2010	201587	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**1,274.92**		
CANON FINANCIAL SERVICES, INC.					
	4/5/2010	201588	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**75,906.80**		
CARBONE, GABRIELA					
	4/26/2010	202117	132.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	132.00
	Vendor Total		**132.00**		
FYTD for CARBONE, GABRIELA			**513.00**		
CARTER, ROSALYN					
	4/5/2010	201786	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,766.36**		
CASKEY, DEBRA C.					
	4/5/2010	201787	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,549.85**		
CERTIFIED CREDIT REPORTING, INC					
	4/19/2010	201960	18.33		
				CREDIT PROFILE SVCS	18.33
	Vendor Total		**18.33**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**196.18**		

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CHANCY, CHIZURU					
	4/26/2010	202118	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DNC	93.60
				INSTRUCTOR SVCS-HAWAIIAN DNC	46.80
				INSTRUCTOR SVCS-HAWAIIAN DNC	23.40
	Vendor Total		**163.80**		
FYTD for CHANCY, CHIZURU			**1,427.40**		
CHANDLER ASSET MANAGEMENT, INC					
	4/19/2010	880353	6,919.00		
				INVESTMENT MGT SVCS	6,919.00
	Vendor Total		**6,919.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**6,919.00**		
CHAPMAN, STEVE					
	4/5/2010	201589	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,187.30**		
CHAPPELL, ISAAC					
	4/5/2010	201590	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,187.30**		
CHAVEZ, ANGELA/JOSE					
	4/5/2010	201591	30.00		
				REFUND ANML SVCS FEES	20.00
				REFUND-ANML SVCS FEES	10.00
	Vendor Total		**30.00**		
FYTD for CHAVEZ, ANGELA/JOSE			**30.00**		
CHERRY VALLEY FEED					
	4/19/2010	201961	115.05		
				DOG FOOD-K9 MAX	115.05
	Vendor Total		**115.05**		
FYTD for CHERRY VALLEY FEED			**1,677.84**		
CHINESE GOURMET					
	4/19/2010	201962	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for CHINESE GOURMET			**57.00**		

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CHRISTIAN, OWEN					
	4/5/2010	201788	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,220.76**		
CHULA VISTA POLICE FOUNDATION					
	4/19/2010	201963	150.00		
				SO. CA GANG CONF.-MAY 27-28	50.00
				SO. CA GANG CONF.-MAY 27-28	50.00
				SO. CA GANG CONF.-MAY 27-28	50.00
	Vendor Total		**150.00**		
FYTD for CHULA VISTA POLICE FOUNDATION			**150.00**		
CINDY FARRAR FAMILY DAYCARE					
	4/5/2010	201592	26.43		
				REFUND-BUS LIC OVRPMT	26.43
	Vendor Total		**26.43**		
FYTD for CINDY FARRAR FAMILY DAYCARE			**26.43**		

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CINTAS CORPORATION					
	4/5/2010	201594	307.00		
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	16.82
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	44.28
				UNIFORM RNTL SVC-STREET MAINT	44.28
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-STRIPING CREW	13.85
				UNIFORM RNTL SVC-FAC MAINT	16.65
				UNIFORM RNTL SVC-FAC MAINT	16.65
	4/12/2010	201845	210.63		
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PARKS MAINT	53.01
				UNIFORM RNTL SVCS-PARKS MAINT	53.01
				UNIFORM RNTL SVCS-TRFFC MAINT	11.23
				UNIFORM RNTL SVCS-TRFFC MAINT	11.23
				UNIFORM RNTL SVCS-SIGNING CREW	13.85
				UNIFORM RNTL SVCS-SIGNING CREW	13.85
				UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
				UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
				UNIFORM RNTL SVCS-FAC MAINT	16.65
	4/19/2010	201964	80.64		
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-CFD STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	4/26/2010	202120	928.33		
				UNIFORM RNTL SVC-ST MAINT	428.40
				UNIFORM RNTL SVC-ST MAINT	41.49
				UNIFORM RNTL SVC-ST MAINT	86.49
				UNIFORM RNTL SVC-ST MAINT	66.49
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS	53.01
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
	Vendor Total	**1,526.60**		
FYTD for CINTAS CORPORATION		**6,590.70**		
CITY OF MORENO VALLEY VEBA TRUST				
4/12/2010	880329	4,062.50		
			EXEMPT VEBA	4,062.50
	Vendor Total	**4,062.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**42,162.50**		
CIVICSTONE				
4/12/2010	880330	255.00		
			CONSULTING SVCS	255.00
	Vendor Total	**255.00**		
FYTD for CIVICSTONE		**9,710.90**		
CLAYTON, SIMONNE				
4/5/2010	201595	20.00		
			REFUND-RABIES FEE DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CLAYTON, SIMONNE		**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CLINICA MEDICA PARA TODOS					
	4/5/2010	201596	90.54		
				REFUND-BUS LIC OVRPMT	90.54
	Vendor Total		**90.54**		
FYTD for CLINICA MEDICA PARA TODOS			**90.54**		
CNOA REGION V					
	4/5/2010	201597	135.00		
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
	Vendor Total		**135.00**		
FYTD for CNOA REGION V			**675.00**		
COAST SIGN INC					
	4/19/2010	201965	47.79		
				REFUND-BUS LIC OVRPMT	47.79
	Vendor Total		**47.79**		
FYTD for COAST SIGN INC			**47.79**		
COLONIAL SUPPLEMENTAL INSURANCE					
	4/26/2010	202121	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**79,053.78**		
COM DOOR & HARDWARE, INC					
	4/19/2010	201966	79.53		
				REFUND-BUS LIC OVRPMT	79.53
	Vendor Total		**79.53**		
FYTD for COM DOOR & HARDWARE, INC			**79.53**		
COMMUNITY HEALTH CHARITIES					
	4/12/2010	201846	151.47		
				CHC CONTRIBUTIONS	151.47
	4/26/2010	202122	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES			**8,018.43**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMPETITIVE STRIDE					
	4/5/2010	201598	1,489.88		
				SPORTS AWARDS	1,489.88
	4/19/2010	201967	1,007.84		
				SPORTS AWARDS	1,007.84
	Vendor Total		**2,497.72**		
FYTD for COMPETITIVE STRIDE			**5,136.38**		
CONTINUING EDUCATION OF THE BAR					
	4/12/2010	201847	137.89		
				LEGAL SUBSCRIPTION	137.89
	Vendor Total		**137.89**		
FYTD for CONTINUING EDUCATION OF THE BAR			**785.87**		
COSTCO					
	4/5/2010	201599	1,505.27		
				MISC SUPPLIES-CHILDS PLC	1,505.27
	4/12/2010	201848	366.53		
				MISC SUPPLIES-SKT PARK	366.53
	4/19/2010	201969	1,331.24		
				MISC SUPPLIES-STARS	58.84
				MISC SUPPLIES-STARS	107.56
				MISC SUPPLIES-STARS	65.68
				MISC SUPPLIES-STARS	165.59
				MISC SUPPLIES-STARS	67.07
				MISC SUPPLIES-STARS	205.22
				MISC SUPPLIES-EDD	661.28
	4/26/2010	202123	397.54		
				MISC SUPPLIES-CHILDS PLC	77.13
				MISC SUPPLIES-STARS	87.76
				MISC SUPPLIES-STARS	140.03
				MISC SUPPLIES-STARS	92.62
	Vendor Total		**3,600.58**		
FYTD for COSTCO			**45,321.91**		
COSTILOW, MARY JO					
	4/12/2010	201849	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for COSTILOW, MARY JO			**54.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNSELING TEAM, THE					
	4/12/2010	201850	1,250.00		
				EMPLOYEE CNSLNG SVCS	1,250.00
	4/26/2010	202124	1,250.00		
				EMPLOYEE CNSLNG SVCS	1,250.00
	Vendor Total		**2,500.00**		
FYTD for COUNSELING TEAM, THE			**12,500.00**		
COUNTRY SQUIRE ESTATES					
	4/19/2010	201970	165.72		
				REFUND-UT USER TAXES	90.98
				REFUND-UT USER TAXES	74.74
	Vendor Total		**165.72**		
FYTD for COUNTRY SQUIRE ESTATES			**609.13**		
COUNTY OF RIVERSIDE - RMAP					
	4/12/2010	201851	41.25		
				RECORDATION RQSTS	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**366.60**		
COUNTY OF RIVERSIDE AUDITOR					
	4/5/2010	201600	8,246.00		
				PARKING CNTRL FEES	6,320.00
				PARKING CNTRL FEES	1,926.00
	Vendor Total		**8,246.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**95,804.95**		
CRANE ARCHITECTURAL GROUP					
	4/12/2010	201852	2,405.00		
				PUB SFTY BLDG CONVERSION PROJ	1,715.00
				PUB SFTY BLDG CONVERSION PROJ	690.00
	Vendor Total		**2,405.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**6,700.00**		
CROWN CASTLE MU, LLC					
	4/5/2010	201601	31.30		
				REFUND-BUS LIC OVRPMT	31.30
	Vendor Total		**31.30**		
FYTD for CROWN CASTLE MU, LLC			**31.30**		

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CTAI PACIFIC GREENSCAPE				
4/26/2010	880378	4,997.03		
			LANDSCAPE MAINT-DSG1W	4,897.13
			LANDSCAPE MAINT-DSG1W	75.15
			LANDSCAPE MAINT-DSG1W	24.75
	Vendor Total	**4,997.03**		
FYTD for CTAI PACIFIC GREENSCAPE		**52,011.07**		
CUEVAS, KATIE				
4/19/2010	201971	37.60		
			REFUND-TIME FOR TOTS	37.60
	Vendor Total	**37.60**		
FYTD for CUEVAS, KATIE		**37.60**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
4/19/2010	201972	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**7,600.00**		
D & S CONSTRUCTION				
4/5/2010	201602	75.00		
			REFUND-BUS LIC OVRPMT	75.00
	Vendor Total	**75.00**		
FYTD for D & S CONSTRUCTION		**75.00**		
D L S LANDSCAPE, INC				
4/5/2010	201603	29.38		
			REFUND-BUS LIC OVRPMT	29.38
	Vendor Total	**29.38**		
FYTD for D L S LANDSCAPE, INC		**29.38**		
DAILY JOURNAL CORPORATION				
4/5/2010	201604	753.64		
			SUBSCRIPTION RNWL-LADJ	753.64
	Vendor Total	**753.64**		
FYTD for DAILY JOURNAL CORPORATION		**6,349.64**		
DALE, KATHLEEN				
4/5/2010	201789	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for DALE, KATHLEEN		**3,158.54**		

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DANIEL'S PHARMACY					
	4/5/2010	201605	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for DANIEL'S PHARMACY			**57.00**		
DATA TICKET, INC.					
	4/5/2010	880266	22,543.54		
				CITATION PRCSSNG-PD	6,883.50
				CITATION PRCSSNG-PD	3,242.29
				CITATION PRCSSNG-PD	4,391.37
				CITATION PRCSSNG-BLDG/SFTY	240.50
				CITATION PRCSSNG-BLDG/SFTY	284.32
				CITATION PRCSSNG-CODE	7,396.56
				CITATION APPLIC MAINT/SUPPORT	105.00
	4/12/2010	880331	5,477.25		
				CITATION PRCSSNG-CODE	945.10
				CITATION PRCSSNG-CODE	1,467.51
				CITATION PRCSSNG-CODE	1,519.82
				CITATION PRCSSNG-BLDG/SFTY	1,544.82
	4/26/2010	880379	4,629.33		
				CITATION PRCSSNG-CODE	2,462.75
				CITATION PRCSSNG-CODE	2,166.58
	Vendor Total		**32,650.12**		
FYTD for DATA TICKET, INC.			**155,174.52**		
DATAQUICK CORPORATE HEADQUARTERS					
	4/26/2010	202126	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,205.00**		
DAVID EVANS & ASSOCIATES, INC.					
	4/5/2010	201606	372.50		
				SUNNYMD BLVD REVIT PROJ SVCS	372.50
	4/26/2010	202127	7,207.50		
				SUNNYMD BLVD REVIT PROJ SVCS	7,207.50
	Vendor Total		**7,580.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**26,554.59**		
DEBINAIRE COMPANY					
	4/5/2010	201607	375.00		
				BOILER MAINT-CITY HALL	140.00
				BOILER MAINT-PSB	140.00
				BOILER MAINT-CRC	95.00
	Vendor Total		**375.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		

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DEERY AMERICAN CORP					
	4/19/2010	880354	18,947.86		
				SEALANT FOR CRACK SEALING PRGM	17,421.75
				FREIGHT CHARGE	1,580.00
				SEALANT FOR CRACK SEALING PRGM	26.33
				.50% USE TAX ACCRUAL	-80.22
	Vendor Total		**18,947.86**		
FYTD for DEERY AMERICAN CORP			**37,224.32**		
DELTA DENTAL					
	4/5/2010	201608	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**114,223.80**		
DELTACARE USA					
	4/12/2010	201853	6,388.50		
				EMPLOYEE DENTAL INSURANCE	6,388.50
	Vendor Total		**6,388.50**		
FYTD for DELTACARE USA			**67,276.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	4/5/2010	880267	800.00		
				PLAN REVIEW SVCS-FIRE	800.00
	Vendor Total		**800.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**9,685.00**		
DENNIS ORTIZ - RENTALS					
	4/19/2010	201973	89.73		
				REFUND-BUS LIC OVRPMT	89.73
	Vendor Total		**89.73**		
FYTD for DENNIS ORTIZ - RENTALS			**89.73**		
DEPARTMENT OF CONSERVATION					
	4/12/2010	201854	1,292.37		
				SMI FEES LESS RETAINAGE	1,360.39
				SMI FEES LESS RETAINAGE	-68.02
	Vendor Total		**1,292.37**		
FYTD for DEPARTMENT OF CONSERVATION			**4,423.15**		
DEPARTMENT OF ENVIRONMENTAL HEALTH					
	4/19/2010	201974	274.00		
				HEALTH PERMIT FEE	274.00
	Vendor Total		**274.00**		
FYTD for DEPARTMENT OF ENVIRONMENTAL HEALTH			**482.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DESTINY DANCEWEAR, INC					
	4/5/2010	201609	17.94		
				REFUND-BUS LIC OVRPMT	17.94
	Vendor Total		**17.94**		
FYTD for DESTINY DANCEWEAR, INC			**17.94**		
DEXTER, TIMOTHY L.					
	4/5/2010	201610	1,851.00		
				REFUND-ADMIN CITATION FEES	651.00
				REFUND-ADMIN CITATION FEES	1,200.00
	Vendor Total		**1,851.00**		
FYTD for DEXTER, TIMOTHY L.			**1,851.00**		
DISTINCTIVELY YOURS					
	4/26/2010	202129	150.08		
				EMPLOYEE UNIFORM-PW	150.08
	Vendor Total		**150.08**		
FYTD for DISTINCTIVELY YOURS			**150.08**		
DISTINGUISHED FLYING CROSS SOCIETY					
	4/26/2010	202130	30.00		
				GROUND BREAKING-AIR MUSEUM	10.00
				GROUND BREAKING-AIR MUSEUM	10.00
				GROUND BREAKING-AIR MUSEUM	10.00
	Vendor Total		**30.00**		
FYTD for DISTINGUISHED FLYING CROSS SOCIETY			**30.00**		
DOLEX DOLLAR EXPRESS, INC					
	4/5/2010	201611	24.45		
				REFUND-BUS LIC OVRPMT	24.45
	Vendor Total		**24.45**		
FYTD for DOLEX DOLLAR EXPRESS, INC			**24.45**		
DONAHUE APPRAISAL ASSOCIATES					
	4/26/2010	880380	11,820.00		
				PERRIS BLVD WIDENING PROJ SVCS	9,100.00
				PERRIS BLVD WIDENING PROJ SVCS	2,720.00
	Vendor Total		**11,820.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**62,300.00**		
DORY, ALLEEN F.					
	4/5/2010	201612	415.53		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	221.00
	Vendor Total		**415.53**		
FYTD for DORY, ALLEEN F.			**2,974.14**		

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DREXLER, DAVID					
	4/15/2010	201931	325.00		
				PER DIEM-ECONOMIC CRIMES CLASS	325.00
	Vendor Total		**325.00**		
FYTD for DREXLER, DAVID			**520.00**		
DURAN, BLANCA					
	4/12/2010	201855	315.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	173.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	142.00
	Vendor Total		**315.00**		
FYTD for DURAN, BLANCA			**2,226.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	4/5/2010	201613	774.84		
				BACKFLOW RPLCMNT-MATERIAL	532.82
				BACKFLOW RPLCMNT-LABOR	170.00
				BACKFLOW RPLCMNT-MATERIAL	35.62
				BACKFLOW TESTING	36.40
	4/12/2010	201856	145.60		
				BACKFLOW TESTING	145.60
	4/26/2010	202131	691.60		
				BACKFLOW TESTING-E1	72.80
				BACKFLOW TESTING-E2	436.80
				BACKFLOW TESTING-E15	36.40
				BACKFLOW TESTING-ZN M	36.40
				BACKFLOW TESTING-DSG1	72.80
				BACKFLOW TESTING-ZN S	36.40
	Vendor Total		**1,612.04**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,106.39**		
EAGLETIME COUNSELING SERVICES					
	4/19/2010	201975	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for EAGLETIME COUNSELING SERVICES			**25.00**		
EARLY, PAUL					
	4/26/2010	202132	177.00		
				PER DIEM-LCC ATTYS SPRING CONF	177.00
	Vendor Total		**177.00**		
FYTD for EARLY, PAUL			**177.00**		

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EASTERN MUNICIPAL WATER DISTRICT					
	4/5/2010	201614	7,349.26		
				WATER CHRGS-EMERG OPS CTR PROJ	331.70
				WATER CHRGS FOR FEBRUARY	51.68
				WATER CHRGS FOR MARCH	66.28
				WATER CHRGS FOR MARCH	319.55
				WATER CHRGS FOR MARCH	1,280.09
				WATER CHRGS FOR MARCH	48.27
				WATER CHRGS FOR MARCH	1,611.64
				WATER CHRGS FOR MARCH	1,172.35
				WATER CHRGS FOR MARCH	1,399.00
				WATER CHRGS FOR MARCH	14.45
				WATER CHRGS FOR MARCH	213.96
				WATER CHRGS FOR MARCH	303.84
				WATER CHRGS FOR MARCH	66.19
				RCLMD WATER-DRAIN MAINT PRGM	60.75
				RCLMD WATER-ST. SWEEPING PRGM	60.75
				RCLMD WATER-ST. SWEEPING PRGM	260.74
				RCLMD WATER-STREET MAINT PRGM	88.02
	4/12/2010	201857	16,638.04		
				WATER CHRGS FOR MARCH	74.81
				WATER CHRGS FOR MARCH	1,525.25
				WATER CHRGS FOR MARCH	38.40
				WATER CHRGS FOR MARCH	2,415.34
				WATER CHRGS FOR MARCH	6,954.75
				WATER CHRGS FOR MARCH	1,938.39
				WATER CHRGS FOR MARCH	1,337.84
				WATER CHRGS FOR MARCH	642.23
				WATER CHRGS FOR MARCH	927.94
				WATER CHRGS FOR MARCH	181.59
				WATER CHRGS FOR MARCH	162.11
				WATER CHRGS FOR MARCH	245.24
				WATER CHRGS FOR MARCH	139.66
				WATER CHRGS FOR MARCH	54.49
	4/26/2010	202133	14,313.80		
				WATER CHRGS FOR MARCH	278.32
				WATER CHRGS FOR MARCH	5,328.11
				WATER CHRGS FOR MARCH	1,667.71
				WATER CHRGS FOR MARCH	2,563.91
				WATER CHRGS FOR MARCH	274.62
				WATER CHRGS FOR MARCH	1,796.36
				WATER CHRGS FOR MARCH	1,332.81
				WATER CHRGS FOR MARCH	225.13
				WATER CHRGS FOR MARCH	366.09
				WATER CHRGS FOR MARCH	480.74
	Vendor Total		**38,301.10**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**931,665.18**		

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ECOLAB INC.					
	4/5/2010	201615	63.38		
				REFUND-BUS LIC OVRPMT	63.38
	Vendor Total		**63.38**		
FYTD for ECOLAB INC.			**63.38**		
ECOMOTION, INC.					
	4/5/2010	201616	4,548.43		
				CONSULTING SVCS-SPCL DIST	4,548.43
	4/19/2010	201977	4,481.41		
				CONSULTING SVCS-UTILITY	4,481.41
	Vendor Total		**9,029.84**		
FYTD for ECOMOTION, INC.			**11,842.34**		
EDGELANE MOBILE PARK					
	4/12/2010	880332	12.97		
				REFUND-UT USER TAXES	12.97
	Vendor Total		**12.97**		
FYTD for EDGELANE MOBILE PARK			**99.17**		
EDITH F. NAVARRO					
	4/19/2010	201978	54.67		
				REFUND-BUS LIC OVRPMT	54.67
	Vendor Total		**54.67**		
FYTD for EDITH F. NAVARRO			**54.67**		
EGGERSTEN, ANNE					
	4/5/2010	201617	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**2,838.23**		
EMPIRE INSULATION, INC					
	4/5/2010	201618	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for EMPIRE INSULATION, INC			**25.00**		
EMPIRE SPORTS					
	4/19/2010	880355	5,216.96		
				SPORTS UNIFORMS-PARKS	148.16
				SPORTS UNIFORMS-PARKS	5,068.80
	Vendor Total		**5,216.96**		
FYTD for EMPIRE SPORTS			**14,889.16**		

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ENCHANTED VILLAGE OF GIFTS				
4/5/2010	201619	12.03		
			REFUND-BUS LIC OVRPMT	12.03
Vendor Total		**12.03**		
FYTD for ENCHANTED VILLAGE OF GIFTS		**12.03**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/12/2010	201858	3,750.00		
			CBNT LEASE-CTTNWD	47.14
			CBNT LEASE-CTTNWD	1,202.86
			CBNT LEASE-INDIAN/NANDINA	81.32
			CBNT LEASE-INDIAN/NANDINA	1,168.68
			CBNT LEASE-IRIS	98.05
			CBNT LEASE-IRIS	1,151.95
4/19/2010	201979	23,657.16		
			GIS DATA CONVERSION	630.70
			ELECT METER FEES	20,307.46
			ELECT METER FEES	2,719.00
Vendor Total		**27,407.16**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,855,108.05**		
ENVIRONMENTAL MOLDING CONCEPTS, INC				
4/5/2010	201621	70.97		
			REFUND-BUS LIC OVRPMT	70.97
Vendor Total		**70.97**		
FYTD for ENVIRONMENTAL MOLDING CONCEPTS, INC		**70.97**		
ESPINOZA, ROSY				
4/19/2010	201980	750.00		
			REFUND-RNTL DEP 4/3	750.00
Vendor Total		**750.00**		
FYTD for ESPINOZA, ROSY		**750.00**		
EVANS, MELVA				
4/12/2010	201859	329.50		
			REFUND-CITATION OVRPMT	329.50
Vendor Total		**329.50**		
FYTD for EVANS, MELVA		**329.50**		
EWING IRRIGATION PRODUCTS, INC.				
4/26/2010	202134	599.04		
			IRRIGATION SUPPLIES	583.06
			IRRIGATION SUPPLIES	15.98
Vendor Total		**599.04**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**13,412.95**		

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EXCEL LANDSCAPE, INC					
	4/12/2010	201860	3,889.00		
				LANDSCAPE MAINT-WQF	530.50
				LANDSCAPE MAINT-WQF	2,200.00
				LANDSCAPE MAINT-WQF	980.00
				LANDSCAPE MAINT-WQF	178.50
	4/26/2010	202135	12,674.22		
				LANDSCAPE MAINT-E7	2,666.81
				LANDSCAPE MAINT-CELEB PARK	1,070.36
				LANDSCAPE MAINT-PROM PARK	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQF	1,945.00
				LANDSCAPE MAINT-WQB	1,944.00
				LANDSCAPE MAINT-E15	85.00
	Vendor Total		**16,563.22**		
FYTD for EXCEL LANDSCAPE, INC			**205,148.38**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	4/26/2010	880381	3,476.18		
				CDBG FUNDED SVCS-FRCLSR PREV	2,039.24
				CDBG FUNDED SVCS-FRCLSR PREV	1,436.94
	Vendor Total		**3,476.18**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**42,942.80**		
FANNING, JEFFREY DEAN					
	4/19/2010	201981	494.00		
				INSTRUCTION SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for FANNING, JEFFREY DEAN			**494.00**		
FEDERAL EXPRESS					
	4/12/2010	201861	17.41		
				257317200-EXPRESS MAILING	17.41
	Vendor Total		**17.41**		
FYTD for FEDERAL EXPRESS			**122.00**		
FEENSTRA, JOHN					
	4/5/2010	201790	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,612.50**		

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FENCETECH, INC					
	4/5/2010	201622	150.00		
				REFUND-BUS LIC OVRPMT	150.00
	Vendor Total		**150.00**		
FYTD for FENCETECH, INC			**150.00**		
FINESSE PERSONNEL ASSOCIATES					
	4/5/2010	201623	7,055.13		
				TEMP SVCS-BECKNER W/E 3/13	1,596.81
				TEMP SVCS-BECKNER W/E 3/20	1,854.36
				TEMP SVCS-BECKNER W/E 3/27	1,854.36
				TEMP SVCS-NELSON W/E 3/13	874.80
				TEMP SVCS-NELSON W/E 3/20	874.80
	4/12/2010	201862	2,729.16		
				TEMP SVCS-NELSON W/E 3/27	874.80
				TEMP SVCS-BECKNER W/E 4/3	1,854.36
	4/19/2010	201982	2,729.16		
				TEMP SVCS-NELSON W/E 4/3	874.80
				TEMP SVCS-BECKNER W/E 4/10	1,854.36
	4/26/2010	202136	3,875.41		
				TEMP SVCS-NELSON W/E 2/27	656.10
				TEMP SVCS-NELSON W/E 3/6	850.50
				TEMP SVCS-NELSON W/E 4/17	656.10
				TEMP SVCS-BECKNER W/E 4/17	1,712.71
	Vendor Total		**16,388.86**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**16,388.86**		
FIRST AMERICAN CORE LOGIC, INC.					
	4/12/2010	201863	538.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	277.00
				ONLINE PROP INFO-NSP	176.00
	4/26/2010	202137	592.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	331.00
				ONLINE PROP INFO-NSP	176.00
	Vendor Total		**1,130.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**4,480.00**		

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FIRST CHOICE SERVICES					
	4/5/2010	880269	63.90		
				COFFEE SVCS-EMP PAID	32.24
				COFFEE SVCS-EMP PAID	31.66
	4/12/2010	880333	29.38		
				COFFEE SVCS-EMP PAID	29.38
	4/19/2010	880356	580.04		
				COFFEE SVCS-EMP PAID	80.91
				COFFEE SVCS-EMP PAID	95.76
				COFFEE SVCS-EMP PAID	177.68
				COFFEE SVCS-EMP PAID	109.17
				COFFEE SVCS-EMP PAID	88.14
				COFFEE SVCS-EMP PAID	28.38
	4/26/2010	880382	36.51		
				COFFEE SVCS-EMP PAID	36.51
	Vendor Total		**709.83**		
FYTD for FIRST CHOICE SERVICES			**8,197.32**		
FITNESS 19 CA 155 11C					
	4/26/2010	202138	281.00		
				GYM MEMBERSHIP DEDUCTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,915.00**		
FOLEY & LARDNER					
	4/29/2010	202211	3,000.00		
				LEGAL SVCS-RETAINER	3,000.00
	Vendor Total		**3,000.00**		
FYTD for FOLEY & LARDNER			**3,000.00**		
FOSTER, NANCY A.					
	4/5/2010	201624	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,265.50**		
FOTO FANTASY, INC					
	4/5/2010	201625	40.42		
				REFUND-BUS LIC OVRPMT	40.42
	Vendor Total		**40.42**		
FYTD for FOTO FANTASY, INC			**40.42**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANCE PUBLICATIONS, INC.				
4/12/2010	201864	1,800.00		
			ADVERTISING SVCS-EDD	1,800.00
Vendor Total		**1,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.		**9,600.00**		
FRANCHISE TAX BOARD				
4/12/2010	201865	675.95		
			GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.45
			GARNISHMENT	254.00
4/26/2010	202139	676.38		
			GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.88
			GARNISHMENT	254.00
Vendor Total		**1,352.33**		
FYTD for FRANCHISE TAX BOARD		**11,541.09**		
FRANKLIN, L. C.				
4/12/2010	201866	207.00		
			MILEAGE REIMBURSEMENT	207.00
Vendor Total		**207.00**		
FYTD for FRANKLIN, L. C.		**1,448.70**		
FRED'S GLASS & MIRROR, INC.				
4/5/2010	201626	723.00		
			WINDOW FRAME RPLCMNT-SR CTR	598.00
			WINDOW SEAL SVC-FS #58	125.00
Vendor Total		**723.00**		
FYTD for FRED'S GLASS & MIRROR, INC.		**1,089.03**		
FULBRIGHT & JAWORSKI, L.L.P.				
4/19/2010	201983	8,794.40		
			LEGAL SVCS-UTILITIES	8,794.40
Vendor Total		**8,794.40**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**212,500.08**		
GASTELUM, LEOBARDO				
4/26/2010	202140	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for GASTELUM, LEOBARDO		**20.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GASTON, RICHARD					
	4/5/2010	201791	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,187.30**		
GENERAL SECURITY SERVICES, INC.					
	4/5/2010	201627	184.08		
				SECURITY SVCS-CRC	184.08
	4/5/2010	880271	460.20		
				SECURITY SVCS-SENIOR CTR	245.44
				SECURITY SVCS-CRC	214.76
	4/12/2010	880334	2,086.24		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
	4/19/2010	880357	184.08		
				SECURITY SVCS-TWNGTE	107.38
				SECURITY SVCS-TWNGTE	76.70
	4/26/2010	880383	2,116.92		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-UTILITIES ANNX	276.12
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	613.60
	Vendor Total		**5,031.52**		
FYTD for GENERAL SECURITY SERVICES, INC.			**46,767.95**		
GEORGE SALINAS TREE PRESERVATION					
	4/5/2010	201628	2,011.95		
				TREE TRIMMING SVC-DSG2	447.10
				TREE TRIMMING SVC-E1	178.84
				TREE TRIMMING SVC-E1A	223.55
				TREE TRIMMING SVC-E2	804.78
				TREE TRIMMING SVC-ZN M	357.68
	4/19/2010	201984	50.84		
				REFUND-BUS LIC OVRPMT	50.84
	Vendor Total		**2,062.79**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**89,560.26**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
4/5/2010	880272	1,811.70		
			LEGAL SVCS	680.50
			LEGAL SVCS	1,131.20
4/19/2010	880358	2,846.00		
			LEGAL SVCS-COMM PRK SOCCER FLD	2,846.00
4/26/2010	880384	5,996.09		
			LEGAL SVCS-COMM PRK SOCCER FLD	4,015.45
			LEGAL SVCS	1,980.64
	Vendor Total	**10,653.79**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**144,601.09**		
GIPSON, MIRANDA				
4/12/2010	201867	195.20		
			REFUND-PERMIT FEES	97.60
			REFUND-PERMIT FEES	97.60
	Vendor Total	**195.20**		
FYTD for GIPSON, MIRANDA		**195.20**		
GOLDEN'S ELECTRONIC'S				
4/19/2010	201985	24.42		
			REFUND-BUS LIC OVRPMT	24.42
	Vendor Total	**24.42**		
FYTD for GOLDEN'S ELECTRONIC'S		**24.42**		
GOMEZ, GERARDO & GABRIELA				
4/26/2010	202141	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for GOMEZ, GERARDO & GABRIELA		**20.00**		
GONG ENTERPRISES, INC.				
4/12/2010	201868	4,850.00		
			PLAN CHECK SVCS	2,500.00
			PLAN CHECK SVCS	2,350.00
	Vendor Total	**4,850.00**		
FYTD for GONG ENTERPRISES, INC.		**8,614.50**		
GONZALES, BRIAN				
4/26/2010	202142	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for GONZALES, BRIAN		**20.00**		

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GONZALEZ, MARIBEL				
4/12/2010	201869	54.50		
			REFUND-CITATION DISMISSED	54.50
Vendor Total		**54.50**		
FYTD for GONZALEZ, MARIBEL		**54.50**		
GORDON, WILLIAM IRVING III				
4/5/2010	201629	233.28		
			REFUND-PD CITATION FEES	233.28
Vendor Total		**233.28**		
FYTD for GORDON, WILLIAM IRVING III		**233.28**		
GORM INC.				
4/26/2010	202143	3,488.83		
			JANITORIAL SUPPLIES-PARKS MAIN	1,362.42
			JANITORIAL SUPPLIES-PARKS MAIN	1,585.38
			JANITORIAL SUPPLIES-PARKS MAIN	541.03
Vendor Total		**3,488.83**		
FYTD for GORM INC.		**11,069.31**		
GOYA FOODS OF CALIFORNIA				
4/5/2010	201630	49.74		
			REFUND-BUS LIC OVRPMT	49.74
Vendor Total		**49.74**		
FYTD for GOYA FOODS OF CALIFORNIA		**49.74**		
GOZDECKI, DAN				
4/5/2010	880273	783.00		
			INSTRUCTOR SVCS-KUNG FU	351.00
			INSTRUCTOR SVCS-KUNG FU	432.00
Vendor Total		**783.00**		
FYTD for GOZDECKI, DAN		**6,291.00**		
GRAF, ADAM				
4/5/2010	201631	75.00		
			REFUND-SPAY/NEUTER FEES	75.00
Vendor Total		**75.00**		
FYTD for GRAF, ADAM		**75.00**		
GRAFFITI TRACKER, INC.				
4/5/2010	880274	340.00		
			CAMERA REPAIR	340.00
Vendor Total		**340.00**		
FYTD for GRAFFITI TRACKER, INC.		**28,340.00**		

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GRANICUS, INC.					
	4/5/2010	201632	1,395.22		
				MANAGED SVC-VIDEO STREAMING	1,350.00
				MANAGED SVC-VIDEO STREAMING	45.22
	4/19/2010	201986	130.00		
				PODCASTING MANAGED SVC	130.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**14,342.20**		
GRAPHIC SOLUTIONS LTD.					
	4/5/2010	201633	175.00		
				SUNNYMD BLVD REVIT PROJ SVCS	175.00
	Vendor Total		**175.00**		
FYTD for GRAPHIC SOLUTIONS LTD.			**3,601.25**		
GRIFFIN, MARLENE C					
	4/5/2010	201792	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,436.81**		
GROUP DELTA CONSULTANTS, INC					
	4/26/2010	202144	1,955.00		
				PUB SFTY BLDG CONVERSION PROJ	1,955.00
	Vendor Total		**1,955.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**2,315.00**		
GUEST SERVICES					
	4/12/2010	201870	234.48		
				COURSE: R123/APR26-MAY7, 2010	234.48
	Vendor Total		**234.48**		
FYTD for GUEST SERVICES			**234.48**		
GUILLAN, REBECCA S.					
	4/5/2010	201634	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,107.91**		
GUILLIS, LINDA B.					
	4/5/2010	201635	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,187.30**		

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GUTIERREZ, ROBERT					
	4/5/2010	201636	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,892.90**		
GUY'S LANDSCAPE MAINTENANCE					
	4/5/2010	201637	36.89		
				REFUND-BUS LIC OVRPMT	36.89
	Vendor Total		**36.89**		
FYTD for GUY'S LANDSCAPE MAINTENANCE			**36.89**		
GUZMAN'S CART SERVICE					
	4/12/2010	880335	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**40,490.00**		
H & P NAIL					
	4/5/2010	201638	91.00		
				REFUND-BUS LIC OVRPMT	91.00
	Vendor Total		**91.00**		
FYTD for H & P NAIL			**91.00**		
H & R BLOCK					
	4/12/2010	201871	125.03		
				BUS. LIC. OVRPMT RFND	70.28
				BUS. LIC. OVRPMT RFND	54.75
	Vendor Total		**125.03**		
FYTD for H & R BLOCK			**125.03**		
H C I, INC.					
	4/5/2010	201639	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for H C I, INC.			**45.00**		
HAMBURG, IRENE					
	4/5/2010	201793	956.19		
				RETIREE MEDICAL BENEFIT	956.19
	Vendor Total		**956.19**		
FYTD for HAMBURG, IRENE			**4,291.67**		

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HAMLIN, WILLIAM R.					
	4/5/2010	201794	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,238.04**		
HANANIA, RANDA					
	4/19/2010	201987	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HANANIA, RANDA			**81.00**		
HANDY REPAIR SERVICE					
	4/5/2010	201640	31.08		
				REFUND-BUS LIC OVRPMT	31.08
	Vendor Total		**31.08**		
FYTD for HANDY REPAIR SERVICE			**31.08**		
HANES, MARTIN D.					
	4/5/2010	201795	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,187.30**		
HANSEN, ROBERT L.					
	4/26/2010	202146	177.00		
				PER DIEM-LCC ATTYS SPRING CONF	177.00
	Vendor Total		**177.00**		
FYTD for HANSEN, ROBERT L.			**354.00**		
HAPPY TIME BOOK STORE					
	4/19/2010	201988	71.22		
				REFUND-BUS LIC OVRPMT	71.22
	Vendor Total		**71.22**		
FYTD for HAPPY TIME BOOK STORE			**71.22**		
HARDING, JOHN S.					
	4/5/2010	201641	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,187.30**		

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HARTMANN, RICK					
	4/5/2010	201642	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**2,454.77**		
HATFIELD, CHARLES					
	4/5/2010	201643	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,549.85**		
HAUSER, ADRIANA					
	4/19/2010	201989	798.00		
				INSTRUCTION SVCS-21 DAYS	798.00
	Vendor Total		**798.00**		
FYTD for HAUSER, ADRIANA			**3,306.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	4/5/2010	201644	4,255.20		
				CONTRACT SVCS-SALES TAX	900.00
				AUDIT SVCS-SALES TAX	2,882.63
				AUDIT SVCS-SALES TAX	472.57
	Vendor Total		**4,255.20**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**16,039.71**		
HEERY INTERNATIONAL, INC.					
	4/19/2010	880359	17,480.00		
				NEW MAIN LIBRARY PROJ SVCS	17,480.00
	Vendor Total		**17,480.00**		
FYTD for HEERY INTERNATIONAL, INC.			**215,052.75**		
HEFFLEY, ROSS W.					
	4/5/2010	201796	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,549.85**		
HEMPHILL DAYCARE					
	4/5/2010	201645	54.00		
				REFUND-BUS LIC OVRPMT	54.00
	Vendor Total		**54.00**		
FYTD for HEMPHILL DAYCARE			**54.00**		

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HERMAN WEISSKER, INC.					
	4/5/2010	201646	75.15		
				REFUND-BUS LIC OVRPMT	75.15
	Vendor Total		**75.15**		
FYTD for HERMAN WEISSKER, INC.			**75.15**		
HERRICK, ROBERT D.					
	4/5/2010	201647	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,187.30**		
HESLIN, MICHAEL K.					
	4/12/2010	201872	318.30		
				TRAVEL EXP-ANNL CA GIS CONF.	62.30
				TRAVEL EXP-ANNL CA GIS CONF.	256.00
	Vendor Total		**318.30**		
FYTD for HESLIN, MICHAEL K.			**929.00**		
HICKORY FARMS					
	4/5/2010	201648	24.01		
				REFUND-BUS LIC OVRPMT	24.01
	Vendor Total		**24.01**		
FYTD for HICKORY FARMS			**24.01**		
HIGGS, DEBRA					
	4/26/2010	202147	252.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
				INSTRUCTOR SVCS-OIL PAINTING	28.00
				INSTRUCTOR SVCS-OIL PAINTING	80.00
	Vendor Total		**252.00**		
FYTD for HIGGS, DEBRA			**1,116.00**		
HOGARD, JOHN T.					
	4/5/2010	201649	700.00		
				RETIREE MEDICAL BENEFIT	700.00
	Vendor Total		**700.00**		
FYTD for HOGARD, JOHN T.			**817.15**		
HOLTZ, GLORIA					
	4/19/2010	201990	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HOLTZ, GLORIA			**40.00**		

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HOUSER, EDITH E.					
	4/5/2010	201650	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,187.30**		
HUB CONSTRUCTION SPECIALITES, INC					
	4/19/2010	201991	44.58		
				REFUND-BUS LIC OVRPMT	44.58
	Vendor Total		**44.58**		
FYTD for HUB CONSTRUCTION SPECIALITES, INC			**44.58**		
HUBBARD, MONET					
	4/19/2010	201992	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HUBBARD, MONET			**20.00**		
HUNT, LEXY					
	4/19/2010	201993	52.00		
				REFUND-TIME FOR TOTS	52.00
	Vendor Total		**52.00**		
FYTD for HUNT, LEXY			**52.00**		
ICMA RETIREMENT CORP 457					
	4/9/2010	2616	9,689.54		
				DEF COMP 457 04/09/10	9,689.54
	4/23/2010	2624	12,410.37		
				DEF COMP 457 04/23/10	12,410.37
	Vendor Total		**22,099.91**		
FYTD for ICMA RETIREMENT CORP 457			**311,584.81**		
IL SORRENTO MOBILE PARK					
	4/12/2010	201873	158.25		
				REFUND-UT USER TAXES	158.25
	Vendor Total		**158.25**		
FYTD for IL SORRENTO MOBILE PARK			**1,676.31**		

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IMANI, KING					
	4/5/2010	201651	123.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	18.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	50.00
	Vendor Total		**123.00**		
FYTD for IMANI, KING			**123.00**		
IMPERIAL CUSTOM CABINETS, INC					
	4/19/2010	201994	23.50		
				REFUND-BUS LIC OVRPMT	23.50
	Vendor Total		**23.50**		
FYTD for IMPERIAL CUSTOM CABINETS, INC			**23.50**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	4/12/2010	201874	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,750.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST					
	4/26/2010	202148	1,193.25		
				NUISANCE ABTMNT SVCS-486102015	1,193.25
	Vendor Total		**1,193.25**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST			**12,120.56**		
INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,					
	4/5/2010	201652	32.64		
				REFUND-BUS LIC OVRPMT	32.64
	Vendor Total		**32.64**		
FYTD for INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,			**32.64**		
INLAND EMPIRE MAGAZINE					
	4/12/2010	201875	1,295.00		
				ADVERTISING SVCS-EDD	1,295.00
	Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE			**5,180.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC				
4/19/2010	880360	824.20		
			NUISANCE ABTMNT SVC-297180006	477.20
			NUISANCE ABTMNT SVC-KITCHING/M	150.00
			NUISANCE ABTMNT SVC-13371 PAN	122.00
			HALT SVCS-CODE	75.00
	Vendor Total	**824.20**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**75,437.10**		
INLAND LIBRARY SYSTEM				
4/12/2010	201876	1,863.01		
			2009/10 MEMBERSHIP DUES	1,863.01
	Vendor Total	**1,863.01**		
FYTD for INLAND LIBRARY SYSTEM		**2,047.71**		
INSIDE PLANTS, INC.				
4/26/2010	880385	316.00		
			PLANT MAINT-CRC	316.00
	Vendor Total	**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,160.00**		
INTERNAL REVENUE SERVICE				
4/1/2010	2611	2,000.00		
			DEP FED TAX W/H 4/1/10	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**3,184,348.99**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION				
4/5/2010	201653	946.99		
			DATA STORAGE SVCS	946.99
4/26/2010	202149	1,015.54		
			DATA STORAGE SVCS	1,015.54
	Vendor Total	**1,962.53**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**11,587.44**		
IRONWOOD SMOKE SHOP				
4/19/2010	201995	71.96		
			REFUND-BUS LIC OVRPMT	71.96
	Vendor Total	**71.96**		
FYTD for IRONWOOD SMOKE SHOP		**71.96**		

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ISG THERMAL SYSTEMS USA, INC				
4/5/2010	201654	557.64		
			THERMAL IMAGING CAMERA REPAIR	557.64
			THERMAL IMAGING CAMERA REPAIR	1.54
			THERMAL IMAGING CAMERA REPAIR	-1.54
	Vendor Total	**557.64**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**964.89**		
ISS SWEEPING, INC.				
4/5/2010	880280	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
4/26/2010	880386	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
	Vendor Total	**4,531.40**		
FYTD for ISS SWEEPING, INC.		**23,550.40**		
J D H CONTRACTING				
4/5/2010	880281	3,315.00		
			CONTRACT SVCS-FS #58	3,315.00
	Vendor Total	**3,315.00**		
FYTD for J D H CONTRACTING		**66,351.84**		
JACKSON, JERAMY				
4/12/2010	201877	1,230.00		
			TUITION REIMBURSEMENT	1,230.00
	Vendor Total	**1,230.00**		
FYTD for JACKSON, JERAMY		**1,763.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				
4/12/2010	201878	75.00		
			LEGAL COURIER SVCS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,853.00**		
JAUREGUI, OSCAR				
4/5/2010	201655	184.00		
			REFUND-CITATION OVRPMT	184.00
	Vendor Total	**184.00**		
FYTD for JAUREGUI, OSCAR		**1,031.82**		

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JDEDGE SOFTWARE, LLC					
	4/5/2010	201797	750.00		
				CONSULTING SVCS-SOFTWARE DEV	750.00
	4/12/2010	880336	255.00		
				CONSULTING SVCS-HR	255.00
	4/19/2010	880361	5,440.00		
				CONSULTING SVCS	5,440.00
	Vendor Total		**6,445.00**		
FYTD for JDEDGE SOFTWARE, LLC			**106,697.68**		
JH DESIGN & ASSOCIATES					
	4/1/2010	880257	821.00		
				NAME PLQ DISPLAY-EDD	821.00
	Vendor Total		**821.00**		
FYTD for JH DESIGN & ASSOCIATES			**8,471.00**		
JIMENEZ, EMMANUEL					
	4/26/2010	202150	102.00		
				REFUND-BANK FEES ON OVRCHRGD D	102.00
	Vendor Total		**102.00**		
FYTD for JIMENEZ, EMMANUEL			**102.00**		
JJ'S MARKET & LIQUOR					
	4/5/2010	201656	156.90		
				REFUND-BUS LIC OVRPMT	150.08
				REFUND-BUS LIC OVRPMT	6.46
				REFUND-BUS LIC OVRPMT	0.36
	Vendor Total		**156.90**		
FYTD for JJ'S MARKET & LIQUOR			**156.90**		
JOHN DEERE LANDSCAPES, INC.					
	4/19/2010	201996	74.64		
				REFUND-BUS LIC OVRPMT	74.64
	Vendor Total		**74.64**		
FYTD for JOHN DEERE LANDSCAPES, INC.			**74.64**		
JOHNSON, DELIA					
	4/26/2010	202151	72.00		
				INSTRUCTOR SVCS-AEROBICS	72.00
	Vendor Total		**72.00**		
FYTD for JOHNSON, DELIA			**432.00**		

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JOLLI BEE					
	4/19/2010	201997	77.38		
				REFUND-BUS LIC OVRPMT	77.38
	Vendor Total		**77.38**		
FYTD for JOLLI BEE			**77.38**		
JONES III, JOSEPH					
	4/19/2010	201998	85.50		
				MILEAGE REIMBURSEMENT	34.50
				MILEAGE REIMBURSEMENT	51.00
	Vendor Total		**85.50**		
FYTD for JONES III, JOSEPH			**571.85**		
JONES, SUSAN					
	4/5/2010	201798	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,187.30**		
JOURNEYS #1017					
	4/5/2010	201657	85.25		
				REFUND-BUS LIC OVRPMT	85.25
	Vendor Total		**85.25**		
FYTD for JOURNEYS #1017			**85.25**		
JTB SUPPLY CO., INC.					
	4/19/2010	201999	8,210.63		
				SVC CABINET FOR TRAF SIGNAL	8,210.63
	Vendor Total		**8,210.63**		
FYTD for JTB SUPPLY CO., INC.			**53,008.41**		
JUANITAS MARKET					
	4/5/2010	201658	67.00		
				REFUND-BUS LIC OVRPMT	67.00
	Vendor Total		**67.00**		
FYTD for JUANITAS MARKET			**67.00**		
K C WEST, INC					
	4/5/2010	201659	57.00		
				REFUND-BUS LIC OVRPMT	71.23
				REFUND-BUS LIC OVRPMT	-14.23
	Vendor Total		**57.00**		
FYTD for K C WEST, INC			**57.00**		

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KAISER PERMANENTE					
	4/19/2010	202000	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for KAISER PERMANENTE			**3,741.82**		
KASHEFIPOUR, HOSSEIN					
	4/5/2010	201660	134.51		
				MILEAGE REIMBURSEMENT	34.01
				MILEAGE REIMBURSEMENT	100.50
	Vendor Total		**134.51**		
FYTD for KASHEFIPOUR, HOSSEIN			**472.21**		
KDM MERIDIAN, INC.					
	4/26/2010	880387	8,610.00		
				BOEING/MCDONNEL SIDEWALK PROJ	3,795.00
				TEMCO ST. SIDEWALK PROJ	4,470.00
				VOUGHT ST. SIDEWALK PROJ	345.00
	Vendor Total		**8,610.00**		
FYTD for KDM MERIDIAN, INC.			**76,845.00**		
KEEGAN, CAROL					
	4/19/2010	202001	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for KEEGAN, CAROL			**20.00**		
KENNETH JOHNSON					
	4/5/2010	201661	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for KENNETH JOHNSON			**58.00**		
KERENYI, JOHN					
	4/5/2010	201662	192.00		
				PER DIEM-TRANSIMS CONF.	192.00
	Vendor Total		**192.00**		
FYTD for KERENYI, JOHN			**198.00**		
KING, PATRICIA A.					
	4/5/2010	201663	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,549.85**		

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KOA CORPORATION					
	4/5/2010	201664	15,723.10		
				RECHE VISTA DR REALIGNMNT PROJ	14,093.10
				RECHE VISTA DR REALIGNMNT PROJ	1,560.00
				RECHE VISTA DR REALIGNMNT PROJ	70.00
	4/26/2010	202152	10,841.25		
				RECHE VISTA DR REALIGNMNT PROJ	10,841.25
	Vendor Total		**26,564.35**		
FYTD for KOA CORPORATION			**211,877.00**		
KOLB, CHARLES E.					
	4/5/2010	201799	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,187.30**		
KOLLAR, KYLE					
	4/5/2010	201665	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,274.92**		
KYLE, GARY M.					
	4/5/2010	201800	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,549.85**		
L & G CABLE CONSTRUCTION					
	4/19/2010	202002	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for L & G CABLE CONSTRUCTION			**57.00**		
LABELLE-MARVIN, INC.					
	4/26/2010	202153	8,100.00		
				SUNNYMD BLVD REVIT PROJ SVCS	8,100.00
	Vendor Total		**8,100.00**		
FYTD for LABELLE-MARVIN, INC.			**8,100.00**		
LAFATA, JOSEPHINE					
	4/5/2010	201801	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,158.54**		

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LANDERS, ORETHA				
4/5/2010	201666	200.00		
			REFUND-RENTAL DEP 3/20/10	200.00
Vendor Total		**200.00**		
FYTD for LANDERS, ORETHA		**200.00**		
LANGENDORF, BENJAMIN				
4/5/2010	201667	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for LANGENDORF, BENJAMIN		**2,868.57**		
LATHAM & WATKINS, LLP				
4/26/2010	202154	4,745.00		
			PROF SVCS-LAND DEV	662.50
			PROF SVCS-LAND DEV	405.00
			PROF SVCS-LAND DEV	675.00
			PROF SVCS-LAND DEV	1,087.50
			PROF SVCS-LAND DEV	1,915.00
Vendor Total		**4,745.00**		
FYTD for LATHAM & WATKINS, LLP		**4,745.00**		
LATITUDE 3 MEDIA GROUP				
4/12/2010	201879	1,650.00		
			ADVERTISING SVCS-EDD	1,650.00
Vendor Total		**1,650.00**		
FYTD for LATITUDE 3 MEDIA GROUP		**3,300.00**		
LAWN TECH EQUIPMENT				
4/5/2010	880287	441.67		
			MISC PARTS-MAINT & OPER	388.20
			MISC PARTS-MAINT & OPER	53.47
Vendor Total		**441.67**		
FYTD for LAWN TECH EQUIPMENT		**3,200.28**		
LAWYERS TITLE INC				
4/19/2010	202003	450.00		
			PRELIM TITLE RPT-CORP YRD PROJ	450.00
4/21/2010	1004091	12,988.50		
			ESCROW DEPOSIT-EASEMENT PURCH.	12,988.50
Vendor Total		**13,438.50**		
FYTD for LAWYERS TITLE INC		**211,850.50**		

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LEE, PHILLIP MICHAEL					
	4/5/2010	201668	480.57		
				REFUND-ADMIN CITATION FEES	480.57
	Vendor Total		**480.57**		
FYTD for LEE, PHILLIP MICHAEL			**480.57**		
LEIGHTON CONSULTING, INC.					
	4/12/2010	880337	10,044.00		
				LASSELLE ST WIDENING PROJ SVCS	10,044.00
	Vendor Total		**10,044.00**		
FYTD for LEIGHTON CONSULTING, INC.			**72,846.64**		
LEONS MASTER CLEANING					
	4/5/2010	201669	27.29		
				REFUND-BUS LIC OVRPMT	27.29
	Vendor Total		**27.29**		
FYTD for LEONS MASTER CLEANING			**27.29**		
LEWIS, CAROLYN S.					
	4/5/2010	201802	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**3,155.30**		
LEXISNEXIS					
	4/26/2010	880388	1,480.00		
				ONLINE LEGAL SVCS-CTY ATTORNEY	740.00
				ONLINE LEGAL SVCS-CTY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**15,195.00**		
LEXISNEXIS PRACTICE MGMT.					
	4/26/2010	202155	1,479.46		
				TM/BM ANNUAL MAINTENANCE	535.00
				TM/BM ANNUAL MAINTENANCE	944.46
	Vendor Total		**1,479.46**		
FYTD for LEXISNEXIS PRACTICE MGMT.			**1,479.46**		
LIM & NASCIMENTO ENGINEERING CORP.					
	4/26/2010	202156	21,687.70		
				PERRIS BL WIDENING FROM RAM XP	21,687.70
	Vendor Total		**21,687.70**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**555,801.37**		

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LIMON, JOSE M, M.D.					
	4/5/2010	201670	33.36		
				REFUND-BUS LIC OVRPMT	33.36
	Vendor Total		**33.36**		
FYTD for LIMON, JOSE M, M.D.			**33.36**		
LINDO, HERMINA G.					
	4/5/2010	201803	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LINDO, HERMINA G.			**2,741.44**		
LIPSCOMB, RAYMOND					
	4/19/2010	202004	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LIPSCOMB, RAYMOND			**75.00**		
LISA JARMAN CONSULTING					
	4/12/2010	201880	1,063.00		
				CONSULTING SVCS-NSP	1,063.00
	Vendor Total		**1,063.00**		
FYTD for LISA JARMAN CONSULTING			**1,063.00**		
LITTLE BEIJING					
	4/19/2010	202005	87.45		
				REFUND-BUS LIC OVRPMT	87.45
	Vendor Total		**87.45**		
FYTD for LITTLE BEIJING			**87.45**		
LOGAN, CHARLES					
	4/5/2010	201804	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,408.61**		
LONE DRAINER & PRONTO NO 4, THE					
	4/5/2010	201671	33.00		
				REFUND-BUS LIC OVRPMT	33.00
	Vendor Total		**33.00**		
FYTD for LONE DRAINER & PRONTO NO 4, THE			**33.00**		

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LOR GEOTECHNICAL GROUP, INC.					
	4/19/2010	880362	570.00		
				PATRIOT PARK PROJ SVCS	430.00
				PATRIOT PARK PROJ SVCS	140.00
	4/26/2010	880389	2,245.00		
				VOUGHT ST. SIDEWALK PROJ	1,260.00
				TEMCO ST. SIDEWALK PROJ	985.00
	Vendor Total		**2,815.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**63,071.60**		
LOUIS, LILIA					
	4/5/2010	201672	61.00		
				REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total		**61.00**		
FYTD for LOUIS, LILIA			**61.00**		
LOW PRICE AUTO GLASS #60					
	4/5/2010	201673	77.60		
				REFUND-BUS LIC OVRPMT	77.60
	Vendor Total		**77.60**		
FYTD for LOW PRICE AUTO GLASS #60			**77.60**		
LUMLEY, ROBERT C.					
	4/5/2010	201805	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,187.30**		
M & M HAIR SALON					
	4/19/2010	202006	35.25		
				REFUND-BUS LIC OVRPMT	35.25
	Vendor Total		**35.25**		
FYTD for M & M HAIR SALON			**35.25**		
M J CLEANING COMPANY					
	4/19/2010	202007	42.57		
				REFUND-BUS LIC OVRPMT	42.57
	Vendor Total		**42.57**		
FYTD for M J CLEANING COMPANY			**42.57**		
M W H AMERICAS, INC.					
	4/19/2010	202008	37.50		
				REFUND-BUS LIC OVRPMT	37.50
	Vendor Total		**37.50**		
FYTD for M W H AMERICAS, INC.			**37.50**		

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MACTEC CLEANUP CORPORATION				
4/19/2010	202009	42.00		
			REFUND-BUS LIC OVRPMT	42.00
Vendor Total		**42.00**		
FYTD for MACTEC CLEANUP CORPORATION		**42.00**		
MAGNOLIA POOL AND SPA SUPPLY				
4/5/2010	201674	51.25		
			REFUND-BUS LIC OVRPMT	51.25
Vendor Total		**51.25**		
FYTD for MAGNOLIA POOL AND SPA SUPPLY		**51.25**		
MANAGEMENT ADDED SERVICES				
4/19/2010	202010	27.38		
			REFUND-BUS LIC OVRPMT	27.38
Vendor Total		**27.38**		
FYTD for MANAGEMENT ADDED SERVICES		**27.38**		
MANZANO, KARLA				
4/19/2010	202011	200.00		
			REFUND-RENTAL DEPOSIT	200.00
Vendor Total		**200.00**		
FYTD for MANZANO, KARLA		**312.00**		
MARIN, MARTHA				
4/5/2010	201675	59.00		
			REFUND-CLASS REGIS/ARENA SOCCR	59.00
Vendor Total		**59.00**		
FYTD for MARIN, MARTHA		**59.00**		
MARK BEAMISH WATERPROOFING, INC.				
4/5/2010	201676	87.00		
			REFUND-BUS LIC OVRPMT	87.00
Vendor Total		**87.00**		
FYTD for MARK BEAMISH WATERPROOFING, INC.		**87.00**		
MARROQUIN, EDDY				
4/12/2010	201881	240.00		
			REFUND-RNTL DEP	140.00
			REFUND-RNTL DEP	100.00
Vendor Total		**240.00**		
FYTD for MARROQUIN, EDDY		**240.00**		

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MARTINEZ, FRANK					
	4/12/2010	201882	165.00		
				PER DIEM-ANNL FIRE PREV WRKSHP	165.00
	Vendor Total		**165.00**		
FYTD for MARTINEZ, FRANK			**165.00**		
MATHIS, NOLAN					
	4/5/2010	201677	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,900.80**		
MATICH CORPORATION					
	4/19/2010	880363	5,253.35		
				ASPHALTIC MATERIAL	1,324.68
				ASPHALTIC MATERIAL	1,324.68
				ASPHALTIC MATERIAL	1,272.45
				ASPHALTIC MATERIAL	1,331.54
	Vendor Total		**5,253.35**		
FYTD for MATICH CORPORATION			**35,724.35**		
MAXINOSKI, SUE A.					
	4/5/2010	201806	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,187.30**		
MC CONNELL CABINETS, INC.					
	4/5/2010	201678	25.04		
				REFUND-BUS LIC OVRPMT	25.04
	Vendor Total		**25.04**		
FYTD for MC CONNELL CABINETS, INC.			**25.04**		
MC NEEL'S EDUCATIONAL FAMILY DAY CARE					
	4/5/2010	201679	33.05		
				REFUND-BUS LIC OVRPMT	33.05
	Vendor Total		**33.05**		
FYTD for MC NEEL'S EDUCATIONAL FAMILY DAY CARE			**33.05**		
MCCARTHY & BERLIN, LLP					
	4/19/2010	880364	1,545.00		
				LEGAL SVCS-UTILITIES	1,545.00
	Vendor Total		**1,545.00**		
FYTD for MCCARTHY & BERLIN, LLP			**31,175.99**		

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MCI					
	4/26/2010	202157	1,197.57		
				INTERNET CONNECTION SVCS	1,197.57
	Vendor Total		**1,197.57**		
FYTD for MCI			**13,356.71**		
MCI WORLDCOM					
	4/26/2010	202158	1,028.12		
				COMMUNICATION SVCS	1,028.12
	Vendor Total		**1,028.12**		
FYTD for MCI WORLDCOM			**10,292.24**		
MELAD & ASSOCIATES					
	4/12/2010	201883	2,150.68		
				PLAN CHECK SVCS	2,150.68
	Vendor Total		**2,150.68**		
FYTD for MELAD & ASSOCIATES			**38,379.36**		
MENGISTU, YESHIALEM					
	4/12/2010	201884	118.50		
				MILEAGE REIMBURSEMENT	118.50
	Vendor Total		**118.50**		
FYTD for MENGISTU, YESHIALEM			**995.55**		
MENOS STEREOS					
	4/5/2010	201680	71.31		
				REFUND-BUS LIC OVRPMT	71.31
	Vendor Total		**71.31**		
FYTD for MENOS STEREOS			**71.31**		
MESSIN, LOUIS					
	4/5/2010	201807	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,549.85**		
MGT OF AMERICA, INC.					
	4/12/2010	880338	3,000.00		
				COST CLMING SVCS-4TH QTR 09/10	2,500.00
				COST CLMING SVCS-4TH QTR 09/10	500.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		

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MICHAEL ZAKHAROV SCAFFOLDING					
	4/5/2010	201681	25.77		
				REFUND-BUS LIC OVRPMT	25.77
	Vendor Total		**25.77**		
FYTD for MICHAEL ZAKHAROV SCAFFOLDING			**25.77**		
MILES, ROBERT					
	4/5/2010	201808	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,220.76**		
MINARD, MARK E.					
	4/5/2010	201809	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,986.51**		
MIRACLE RECREATION EQUIPMENT					
	4/19/2010	202012	1,075.49		
				PLAYGROUND EQUIP-PARKS	897.94
				PLAYGROUND EQUIP-PARKS	177.55
	4/26/2010	202159	1,571.83		
				PLAYGROUND EQUIP-PARKS	599.26
				PLAYGROUND EQUIP-PARKS	164.02
				PLAYGROUND EQUIP-PARKS	209.29
				PLAYGROUND EQUIP-PARKS	599.26
	Vendor Total		**2,647.32**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,416.24**		
MISSION SHEET METAL, INC.					
	4/19/2010	202013	57.25		
				REFUND-BUS LIC OVRPMT	57.25
	Vendor Total		**57.25**		
FYTD for MISSION SHEET METAL, INC.			**57.25**		
MITCHELL, DAVID					
	4/19/2010	202014	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MITCHELL, DAVID			**20.00**		

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MODERN IMAGE					
	4/19/2010	202015	68.94		
				REFUND-BUS LIC OVRPMT	68.94
	Vendor Total		**68.94**		
FYTD for MODERN IMAGE			**68.94**		
MOLLICA, MIKE					
	4/5/2010	201810	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,211.37**		
MONTIEL, ORLANDO					
	4/19/2010	202016	15.00		
				REFUND-ANML LICENSE FEE	15.00
	Vendor Total		**15.00**		
FYTD for MONTIEL, ORLANDO			**15.00**		
MORA, PATRICIA A.					
	4/5/2010	201811	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,187.30**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE					
	4/5/2010	201682	100.00		
				REFUND-MBL STAGE RNTL DEP	100.00
	4/5/2010	201683	1,375.00		
				BUSINESS SVCS-4TH INSTLMNT	1,375.00
	Vendor Total		**1,475.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**5,893.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	4/12/2010	201885	6,075.00		
				BUSINESS SVCS-4TH QTR 09/10	6,000.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
	Vendor Total		**6,075.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**29,100.00**		

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MORENO VALLEY CITY EMPLOYEES ASSOC.				
4/9/2010	2615	1,579.00		
			MVCEA DUES 04/09/10	1,579.00
4/23/2010	2623	1,579.00		
			MVCEA DUES 04/23/10	1,579.00
	Vendor Total	**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**34,853.50**		
MORENO VALLEY CLINICA MEDICA FAMILIAR				
4/19/2010	202017	105.97		
			REFUND-BUS LIC OVRPMT	105.97
	Vendor Total	**105.97**		
FYTD for MORENO VALLEY CLINICA MEDICA FAMILIAR		**105.97**		
MORENO VALLEY COMMUNITY EDUCATION CENTER				
4/26/2010	202160	745.75		
			TUTORING PRGM-CDBG	745.75
	Vendor Total	**745.75**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**6,190.30**		
MORENO VALLEY GATEWAY, LLC				
4/26/2010	880390	21,093.43		
			LEASE-FACILITIES ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX	5,475.90
			LEASE-SPCL DIST ANNX	13,158.56
	Vendor Total	**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC		**210,934.30**		
MORENO VALLEY LAW CENTER				
4/19/2010	202018	69.88		
			REFUND-BUS LIC OVRPMT	69.88
	Vendor Total	**69.88**		
FYTD for MORENO VALLEY LAW CENTER		**69.88**		
MORENO VALLEY TOYOTA				
4/5/2010	201685	0.00		
			SPECIAL TAX REIMBURSEMENT	163,255.49
			SPECIAL TAX REIMBURSEMENT	-163,255.49
	Vendor Total	**0.00**		
FYTD for MORENO VALLEY TOYOTA		**0.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	4/5/2010	201686	19,560.00		
				TRANSPORTATION COSTS-STARS	19,560.00
	4/5/2010	201687	288.00		
				FACILITY RNTL-FRCLSR PREV WRKS	288.00
	4/5/2010	201688	306.00		
				FACILITY RNTL-FRCLSR PREV WRKS	306.00
	Vendor Total		**20,154.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**424,860.07**		
MORENO VALLEY UTILITY					
	4/26/2010	202161	62.01		
				ELECTRICITY-UT FLD OFFICE	62.01
	Vendor Total		**62.01**		
FYTD for MORENO VALLEY UTILITY			**626,837.30**		
MORENO VALLEY WASH HOUSE					
	4/5/2010	201689	22.50		
				REFUND-BUS LIC OVRPMT	22.50
	Vendor Total		**22.50**		
FYTD for MORENO VALLEY WASH HOUSE			**22.50**		
MORGAN, LISA A.					
	4/5/2010	201812	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,187.30**		
MORROW MEADOWS CORPORATION					
	4/19/2010	202020	50.64		
				REFUND-BUS LIC OVRPMT	50.64
	Vendor Total		**50.64**		
FYTD for MORROW MEADOWS CORPORATION			**50.64**		
MUNICIPAL EQUIPMENT MAINTENANCE ASSO					
	4/5/2010	201691	75.00		
				MEMBERSHIP RENEWAL	75.00
	Vendor Total		**75.00**		
FYTD for MUNICIPAL EQUIPMENT MAINTENANCE ASSO			**75.00**		

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MUZAK, LLC					
	4/19/2010	202021	63.03		
				REFUND-BUS LIC OVRPMT	63.03
	Vendor Total		**63.03**		
FYTD for MUZAK, LLC			**63.03**		
NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF					
	4/26/2010	202162	3,256.00		
				ADVERTISING SVCS-EDD	3,256.00
	Vendor Total		**3,256.00**		
FYTD for NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF			**6,512.00**		
NANCY'S TRUCKING, INC					
	4/5/2010	201692	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for NANCY'S TRUCKING, INC			**69.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	4/9/2010	2613	6,547.79		
				PST DEF COMP FOR FICA 04/09/10	6,547.79
	4/9/2010	2614	21,409.52		
				DEF COMP 457 & 401(A) 04/09/10	21,409.52
	4/23/2010	2621	8,627.31		
				PST DEF COMP FOR FICA 04/23/10	8,627.31
	Vendor Total		**36,584.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**744,535.11**		
NAVARRETTE, RALPH					
	4/5/2010	201693	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,274.92**		
NAVARRO, HERIBERTO					
	4/19/2010	202022	750.00		
				REFUND-RNTL DEP 3/30	750.00
	Vendor Total		**750.00**		
FYTD for NAVARRO, HERIBERTO			**1,050.00**		

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NAVCO SECURITY SYSTEMS					
	4/5/2010	880300	8,339.48		
				CAMERA & EQUIP-LOGISTICS AREA	4,148.19
				CAMERA & EQUIP-PSB FRONT LOBBY	4,191.29
	4/26/2010	880391	343.00		
				DVR REPAIR-POLICE DEPT	343.00
	Vendor Total		**8,682.48**		
FYTD for NAVCO SECURITY SYSTEMS			**9,880.00**		
NBS GOVERNMENT FINANCE GROUP					
	4/5/2010	880301	419.20		
				ANNUAL LICENSE FEE	419.20
	Vendor Total		**419.20**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,919.20**		
NELSON, ROBERT					
	4/5/2010	201694	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,436.81**		
NELSON, RUTH L.					
	4/5/2010	201813	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,187.30**		
NELSON, TIMOTHY IVAN					
	4/19/2010	202023	760.00		
				INSTRUCTION SVCS-20 DAYS	760.00
	Vendor Total		**760.00**		
FYTD for NELSON, TIMOTHY IVAN			**1,102.00**		
NELSON, VIVIAN					
	4/26/2010	202163	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NELSON, VIVIAN			**20.00**		
NEUSTAEDTER, CRAIG S					
	4/5/2010	201695	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,187.30**		

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NEW HOPE CHRISTIAN CENTER, INC.					
	4/5/2010	201696	45.12		
				REFUND-BUS LIC OVRPMT	45.12
	Vendor Total		**45.12**		
FYTD for NEW HOPE CHRISTIAN CENTER, INC.			**45.12**		
NEW HORIZON MOBILE HOME PARK					
	4/12/2010	201887	8.64		
				REFUND-UT USER TAXES	8.64
	Vendor Total		**8.64**		
FYTD for NEW HORIZON MOBILE HOME PARK			**80.49**		
NIEBURGER, JUDITH A.					
	4/5/2010	201697	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,014.20**		
NINYO & MOORE GEOTECHNICAL					
	4/12/2010	201888	1,295.25		
				EMRGNCY OPS CTR PROJ SVCS	1,295.25
	Vendor Total		**1,295.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**67,903.12**		
NIP & CUT HAIR STUDIO					
	4/19/2010	202024	32.34		
				REFUND-BUS LIC OVRPMT	32.34
	Vendor Total		**32.34**		
FYTD for NIP & CUT HAIR STUDIO			**32.34**		
NOBEL SYSTEMS					
	4/26/2010	880392	18,929.44		
				PROF SVCS-TS	1,000.00
				PROF SVCS-TS	14,947.20
				PROF SVCS-TS	2,982.24
	Vendor Total		**18,929.44**		
FYTD for NOBEL SYSTEMS			**60,769.44**		
OCAMPO, JULIE					
	4/19/2010	202025	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for OCAMPO, JULIE			**75.00**		

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OLD COUNTRY BAKERY					
	4/5/2010	201698	37.10		
				REFUND-BUS LIC OVRPMT	37.10
	Vendor Total		**37.10**		
FYTD for OLD COUNTRY BAKERY			**37.10**		
OLIPHANT, SONJA D.					
	4/12/2010	201889	123.00		
				REFUND-PERMIT FEES	122.00
				REFUND-PERMIT FEES	0.90
				REFUND-PERMIT FEES	0.10
	Vendor Total		**123.00**		
FYTD for OLIPHANT, SONJA D.			**123.00**		
ONE BEAUTY SUPPLY & SALON (SUPPLY)					
	4/5/2010	201699	25.12		
				REFUND-BUS LIC OVRPMT	25.12
	Vendor Total		**25.12**		
FYTD for ONE BEAUTY SUPPLY & SALON (SUPPLY)			**25.12**		
OPERATION SAFEHOUSE, INC.					
	4/26/2010	202164	882.88		
				SHELTER PRGM-CDBG	491.97
				SHELTER PRGM-CDBG	390.91
	Vendor Total		**882.88**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,044.28**		
ORACLE AMERICA					
	4/5/2010	201700	22,459.82		
				SOFTWARE UPDATE/SUPPORT	22,459.82
	Vendor Total		**22,459.82**		
FYTD for ORACLE AMERICA			**89,578.72**		
OUTBACK PATIO & SUN ROOMS					
	4/5/2010	201701	42.51		
				REFUND-BUS LIC OVRPMT	42.51
	Vendor Total		**42.51**		
FYTD for OUTBACK PATIO & SUN ROOMS			**42.51**		

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OVERLAND PACIFIC & CUTLER, INC.				
4/19/2010	202026	12,100.00		
			SR-60/NASON ST INTRCHNG PROJ	12,100.00
4/26/2010	202165	6,720.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	6,720.00
	Vendor Total	**18,820.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**151,329.50**		
PACIFIC GREEN HORTICULTURAL SVC				
4/12/2010	201890	947.83		
			LANDSCAPE MAINT-E14	130.00
			LANDSCAPE MAINT-E3	235.54
			LANDSCAPE MAINT-E4	433.49
			LANDSCAPE MAINT-E1	108.51
			LANDSCAPE MAINT-E7	40.29
4/26/2010	202166	125.00		
			BEE CONTROL-DSG1E	125.00
	Vendor Total	**1,072.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**10,103.29**		
PACIFIC SAFETY COUNCIL				
4/5/2010	201702	2,613.70		
			SAFETY TRAINING-VIDEO	8.70
			SAFETY TRAINING-WORKSHOP	1,969.92
			SAFETY TRAINING-WORKSHOP	635.08
4/26/2010	202167	389.79		
			SAFETY TRAINING-VIDEO	9.79
			SAFETY TRAINING-MBRSHP RNWL	355.13
			SAFETY TRAINING-MBRSHP RNWL	24.87
	Vendor Total	**3,003.49**		
FYTD for PACIFIC SAFETY COUNCIL		**8,928.57**		
PACIFIC TELEMANAGEMENT SERVICES				
4/26/2010	202168	438.48		
			PAYPHONE SVCS-PD	62.64
			PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**2,580.76**		
PACIFIC UTILITY INSTALLATION, INC				
4/19/2010	202027	46.65		
			REFUND-BUS LIC OVRPMT	46.65
	Vendor Total	**46.65**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**46.65**		

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PAM'S DONUTS					
	4/5/2010	201704	36.08		
				REFUND-BUS LIC OVRPMT	36.08
	Vendor Total		**36.08**		
FYTD for PAM'S DONUTS			**36.08**		
PANDA BOWL					
	4/5/2010	201705	29.41		
				REFUND-BUS LIC OVRPMT	29.41
	Vendor Total		**29.41**		
FYTD for PANDA BOWL			**29.41**		
PARSON, REGINA					
	4/5/2010	201706	61.00		
				REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total		**61.00**		
FYTD for PARSON, REGINA			**61.00**		
PARSONS TRANSPORTATION GROUP, INC.					
	4/26/2010	202169	17,464.08		
				SR-60/MOR BCH DR INTRCHNG PROJ	17,464.08
	Vendor Total		**17,464.08**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**1,001,522.33**		
PATTERSON, ALFREY					
	4/5/2010	201708	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**2,111.91**		
PAVER, JACQUELINE G.					
	4/12/2010	201892	825.00		
				PROF SVCS-WEBB	825.00
	Vendor Total		**825.00**		
FYTD for PAVER, JACQUELINE G.			**825.00**		
PBS & J					
	4/12/2010	880339	4,005.00		
				SHEILA ST NGHBRHOOD PARK PROJ	4,005.00
	Vendor Total		**4,005.00**		
FYTD for PBS & J			**36,312.82**		

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PECORARO, HEIDI					
	4/12/2010	201893	20.00		
				REFUND-RABIES DEP	20.00
	4/26/2010	202170	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for PECORARO, HEIDI			**95.00**		
PENIGAR TAX SERVICE					
	4/19/2010	202028	45.13		
				REFUND-BUS LIC OVRPMT	45.13
	Vendor Total		**45.13**		
FYTD for PENIGAR TAX SERVICE			**45.13**		
PENTON MEDIA, INC.					
	4/26/2010	202210	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**8,100.00**		
PEREZ, JOSE					
	4/26/2010	202171	54.50		
				REFUND-CITATION OVRPMT	54.50
	Vendor Total		**54.50**		
FYTD for PEREZ, JOSE			**54.50**		
PERRY, NORMA					
	4/5/2010	201709	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,187.30**		
PERS LONG TERM CARE PROGRAM					
	4/12/2010	201894	433.87		
				LONG TERM CARE INSURANCE	433.87
	4/26/2010	202172	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,287.53**		
PERVO PAINT CO.					
	4/5/2010	201710	114.19		
				PAINT-TRAFFIC DIV	114.19
	Vendor Total		**114.19**		
FYTD for PERVO PAINT CO.			**39,410.52**		

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PETERSEN DEAN, INC.					
	4/5/2010	201711	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for PETERSEN DEAN, INC.			**100.00**		
PETERSON, CHRISTINE					
	4/19/2010	202029	253.50		
				TRAVEL EXP-BOOST CONFERENCE	47.00
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**253.50**		
FYTD for PETERSON, CHRISTINE			**349.55**		
PICECH-GARTINELLI, ANDREA					
	4/19/2010	202030	107.00		
				REFUND-CLASS REGIST	107.00
	Vendor Total		**107.00**		
FYTD for PICECH-GARTINELLI, ANDREA			**107.00**		
PIP PRINTING					
	4/26/2010	880394	988.00		
				PRINTING-FY10/11 CIP BINDERS	988.00
	Vendor Total		**988.00**		
FYTD for PIP PRINTING			**4,122.99**		
POIEMA LANDSCAPE, INC.					
	4/26/2010	880395	3,464.85		
				LANDSCAPE MAINT-ZN S	1,333.85
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**30,559.13**		
POLLARD, ROCHELLE					
	4/19/2010	202031	254.00		
				TRAVEL EXP-BOOST CONFERENCE	47.50
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**254.00**		
FYTD for POLLARD, ROCHELLE			**303.00**		
POOLE, LILLIE					
	4/5/2010	201712	52.00		
				REFUND-REGIS SKATEBRD CLASS	52.00
	Vendor Total		**52.00**		
FYTD for POOLE, LILLIE			**52.00**		

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POUK & STEINLE, INC.					
	4/5/2010	201713	1,458.00		
				COTTONWD/PATTILYNN DR TRAF SIG	1,458.00
	4/12/2010	201895	14,484.58		
				RETENTION RLS-CTTNWD/PATTILYNN	14,484.58
	Vendor Total		**15,942.58**		
FYTD for POUK & STEINLE, INC.			**350,854.88**		
PRICE, GEORGE E.					
	4/5/2010	201814	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,187.30**		
PRO-CRAFT PLUMBING COMPANY, INC					
	4/19/2010	202032	79.67		
				REFUND-BUS LIC OVRPMT	79.67
	Vendor Total		**79.67**		
FYTD for PRO-CRAFT PLUMBING COMPANY, INC			**79.67**		
PROTECT YOUR HOME					
	4/19/2010	202033	86.65		
				REFUND-BUS LIC OVRPMT	86.65
	Vendor Total		**86.65**		
FYTD for PROTECT YOUR HOME			**86.65**		
PROTECTION ONE, INC.					
	4/12/2010	201896	40.00		
				SECURITY SVCS-PRO SHOP	20.00
				SECURITY SVCS-MVTV	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**400.00**		
PSOMAS					
	4/12/2010	201897	8,003.50		
				LASSELLE ST WIDENING PROJ SVCS	8,003.50
	Vendor Total		**8,003.50**		
FYTD for PSOMAS			**178,701.26**		
PULLIAM, TRENT D.					
	4/5/2010	201714	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,187.30**		

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PW ENHANCEMENT CENTER					
	4/26/2010	880396	739.59		
				EMERG SVCS PROG-CDBG	739.59
	Vendor Total		**739.59**		
FYTD for PW ENHANCEMENT CENTER			**116,746.08**		
Q NAILS & SPA					
	4/19/2010	202034	55.07		
				REFUND-BUS LIC OVRPMT	55.07
	4/19/2010	202035	71.73		
				REFUND-BUS LIC OVRPMT	71.73
	Vendor Total		**126.80**		
FYTD for Q NAILS & SPA			**126.80**		
QAZI MEDICAL GROUP, INC					
	4/5/2010	201715	81.83		
				REFUND-BUS LIC OVRPMT	81.83
	Vendor Total		**81.83**		
FYTD for QAZI MEDICAL GROUP, INC			**81.83**		
R & S OVERHEAD DOORS, INC.					
	4/5/2010	880304	2,062.00		
				DOOR MAINT-FACILITIES	50.34
				DOOR MAINT-FACILITIES	50.33
				DOOR MAINT-FACILITIES	50.33
				DOOR MAINT-PSB	57.00
				DOOR MAINT-PSB	114.00
				DOOR MAINT-FS #6	201.00
				DOOR MAINT-SENIOR CTR	161.00
				DOOR MAINT-UT FLD OFFICE	121.00
				DOOR MAINT-FS #65	141.00
				DOOR MAINT-FS #91	201.00
				DOOR MAINT-FS #2	201.00
				DOOR MAINT-CITY YARD	241.00
				DOOR MAINT-FS #58	201.00
				DOOR MAINT-FS #48	141.00
				DOOR MAINT-ANML SHLTR	131.00
	4/26/2010	880397	302.50		
				DOOR MAINT-PSB	6.00
				DOOR MAINT-PSB	150.00
				DOOR MAINT-PSB	146.50
	Vendor Total		**2,364.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**26,744.50**		

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RALLY MANAGEMENT SERVICES, LLC					
	4/5/2010	201716	719.28		
				TEMP SVCS-HENDERSON W/E 3/7	719.28
	4/12/2010	201898	3,669.87		
				TEMP SVCS-HENDERSON W/E 2/28	719.28
				TEMP SVCS-HENDERSON W/E 3/14	719.28
				TEMP SVCS-HENDERSON W/E 3/21	719.28
				TEMP SVCS-MEDINA W/E 3/7	373.82
				TEMP SVCS-MEDINA W/E 3/14	418.93
				TEMP SVCS-HENDERSON W/E 3/28	719.28
	4/26/2010	202173	719.28		
				TEMP SVCS-HENDERSON W/E 4/4	719.28
	Vendor Total		**5,108.43**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**12,242.09**		
RAMIREZ, FERNANDO					
	4/19/2010	202036	31.00		
				REFUND-ANML LICENSE FEE	31.00
	Vendor Total		**31.00**		
FYTD for RAMIREZ, FERNANDO			**31.00**		
RAMIREZ, MANUEL S.					
	4/5/2010	201717	22.07		
				REFUND-BUS LIC OVRPMT	22.07
	Vendor Total		**22.07**		
FYTD for RAMIREZ, MANUEL S.			**22.07**		
RAYMOND, DENISE M.					
	4/5/2010	201718	318.50		
				PER DIEM-CHAMELEON CONF.	318.50
	Vendor Total		**318.50**		
FYTD for RAYMOND, DENISE M.			**318.50**		
RAYNE WATER CONDITIONING					
	4/5/2010	201719	22.50		
				REFUND-BUS LIC OVRPMT	22.50
	Vendor Total		**22.50**		
FYTD for RAYNE WATER CONDITIONING			**22.50**		
RE PLANET					
	4/5/2010	201720	22.52		
				REFUND-BUS LIC OVRPMT	22.52
	Vendor Total		**22.52**		
FYTD for RE PLANET			**22.52**		

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REGENTS UC / UNIVERSITY OF CALIFORNIA				
4/19/2010	202037	18.00		
			CUC MEETING	18.00
Vendor Total		**18.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA		**40.00**		
RENTAL SERVICE CORP.				
4/5/2010	201721	57.01		
			REFUND-BUS LIC OVRPMT	57.01
Vendor Total		**57.01**		
FYTD for RENTAL SERVICE CORP.		**57.01**		
REVENUE EXPERTS, INC.				
4/12/2010	201899	2,939.60		
			CITATION PRCSSNG-ANML SVCS	2,939.60
Vendor Total		**2,939.60**		
FYTD for REVENUE EXPERTS, INC.		**35,992.05**		
RGC CONSTRUCTION				
4/19/2010	202038	43.07		
			REFUND-BUS LIC OVRPMT	43.07
Vendor Total		**43.07**		
FYTD for RGC CONSTRUCTION		**43.07**		
RGIS, LLC				
4/5/2010	201722	95.64		
			REFUND-BUS LIC OVRPMT	95.64
Vendor Total		**95.64**		
FYTD for RGIS, LLC		**95.64**		
RICE FIRE PROTECTION				
4/5/2010	201723	331.00		
			REFUND-BUS LIC OVRPMT	81.00
			REFUND-BUS LIC OVRPMT	250.00
Vendor Total		**331.00**		
FYTD for RICE FIRE PROTECTION		**331.00**		
RICHARD LOPEZ CONSTRUCTION				
4/19/2010	202039	91.08		
			REFUND-BUS LIC OVRPMT	91.08
Vendor Total		**91.08**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,074,059.47**		

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RINA'S BEAUTY DESIGN					
	4/5/2010	201724	40.36		
				REFUND-BUS LIC OVRPMT	40.36
	Vendor Total		**40.36**		
FYTD for RINA'S BEAUTY DESIGN			**40.36**		
RIQUIER, SARA					
	4/5/2010	201725	75.00		
				REFUND-SPAY/NEUTER FEES	75.00
	Vendor Total		**75.00**		
FYTD for RIQUIER, SARA			**75.00**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	4/26/2010	202174	432.99		
				CDBG FUNDED SVCS-PREV PRGM	432.99
	Vendor Total		**432.99**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**7,031.63**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY					
	4/5/2010	201726	1,833.10		
				RADIO SVCS-PD	1,789.70
				VPN CONNECTION SVCS	43.40
	4/26/2010	202175	43.40		
				VPN CONNECTION SVCS	43.40
	Vendor Total		**1,876.50**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY			**20,848.63**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES					
	4/12/2010	201901	395.95		
				GARNISHMENT	395.95
	4/26/2010	202176	792.16		
				GARNISHMENT	792.16
	Vendor Total		**1,188.11**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**9,295.93**		
RIVERSIDE COUNTY SHERIFF MV					
	4/12/2010	201902	330.13		
				EXTRA DUTY-2/17 CK POINT	330.13
	Vendor Total		**330.13**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**10,019.10**		

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RIVERSIDE RUBBER STAMP & ENGRAVING				
4/12/2010	201903	16.51		
			APPROVAL STAMP-PURCHASING	13.01
			APPROVAL STAMP-PURCHASING	3.50
	Vendor Total	**16.51**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**16.51**		
RJ RAYMOND PET SERVICES				
4/19/2010	202040	27.02		
			REFUND-BUS LIC OVRPMT	27.02
	Vendor Total	**27.02**		
FYTD for RJ RAYMOND PET SERVICES		**27.02**		
RLZ ENGINEERING				
4/12/2010	880340	6,370.50		
			TEMP STAFFING SVCS-CAP PROJS	6,370.50
	Vendor Total	**6,370.50**		
FYTD for RLZ ENGINEERING		**130,599.75**		
ROBERTSON, ANTOINETTE Z.				
4/12/2010	201904	25.00		
			REFUND-CITATION DISMISSED	25.00
	Vendor Total	**25.00**		
FYTD for ROBERTSON, ANTOINETTE Z.		**25.00**		
ROBINSON, ERIC				
4/19/2010	202041	35.00		
			PER DIEM-MADD RECOGNITION EVNT	35.00
	Vendor Total	**35.00**		
FYTD for ROBINSON, ERIC		**35.00**		
ROBINSON-DAVIS, YAVONNE				
4/5/2010	201727	50.00		
			REFUND-TRAP RENTAL DEP	50.00
	Vendor Total	**50.00**		
FYTD for ROBINSON-DAVIS, YAVONNE		**50.00**		
ROCHA, SARA L.				
4/5/2010	201728	888.30		
			RETIREE MEDICAL BENEFIT	888.30
	Vendor Total	**888.30**		
FYTD for ROCHA, SARA L.		**2,664.90**		

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ROCKWELL, JACQUELINE					
	4/12/2010	201905	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ROCKWELL, JACQUELINE			**75.00**		
RODRIGUEZ, CARLOS					
	4/12/2010	201906	165.00		
				PER DIEM-ANNL FIRE PREV WRKSHP	165.00
	Vendor Total		**165.00**		
FYTD for RODRIGUEZ, CARLOS			**165.00**		
RODRIGUEZ, LAUREN					
	4/19/2010	202042	253.00		
				TRAVEL EXP-BOOST CONFERENCE	46.50
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**253.00**		
FYTD for RODRIGUEZ, LAUREN			**483.00**		
RODRIGUEZ, OMAR					
	4/15/2010	201932	325.00		
				PER DIEM-ECONOMIC CRIMES CLASS	325.00
	Vendor Total		**325.00**		
FYTD for RODRIGUEZ, OMAR			**453.00**		
ROGERS, EUGENE					
	4/5/2010	201815	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,549.85**		
ROJAS, STEVE					
	4/26/2010	202177	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROJAS, STEVE			**20.00**		
ROMAN, MIRIAM					
	4/5/2010	201729	20.00		
				REFUND-RABIES FEE DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ROMAN, MIRIAM			**20.00**		

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ROMEROS FOOD PRODUCTS					
	4/5/2010	201730	21.00		
				REFUND-BUS LIC OVRPMT	21.00
	Vendor Total		**21.00**		
FYTD for ROMEROS FOOD PRODUCTS			**21.00**		
ROSS, DAVID T.					
	4/5/2010	201816	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,187.30**		
ROSSON, LOUIS A.					
	4/5/2010	201817	289.86		
				RETIREE MEDICAL BENEFIT	96.50
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,759.57**		
RUSSELL, FRANK					
	4/26/2010	202178	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RUSSELL, FRANK			**20.00**		
RUSSO, JOHN					
	4/5/2010	201818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,187.30**		
SA ASSOCIATES					
	4/26/2010	880398	12,600.00		
				TEMP STAFFING SVCS-CAP PROJS	12,600.00
	Vendor Total		**12,600.00**		
FYTD for SA ASSOCIATES			**111,112.50**		
SAM KHUMOORO CHIROPRACTIC PROF CORP					
	4/19/2010	202043	43.30		
				REFUND-BUS LIC OVRPMT	43.30
	Vendor Total		**43.30**		
FYTD for SAM KHUMOORO CHIROPRACTIC PROF CORP			**43.30**		

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SANO ATTORNEY SERVICE					
	4/12/2010	201907	110.00		
				LEGAL SVCS-ROCHA	110.00
	Vendor Total		**110.00**		
FYTD for SANO ATTORNEY SERVICE			**810.00**		
SAPIEN, RALPH G.					
	4/5/2010	201731	151.94		
				REFUND-ADMIN CITATION FEES	151.94
	Vendor Total		**151.94**		
FYTD for SAPIEN, RALPH G.			**151.94**		
SAVER CUT					
	4/5/2010	201733	20.48		
				REFUND-BUS LIC OVRPMT	20.48
	Vendor Total		**20.48**		
FYTD for SAVER CUT			**20.48**		
SAV-ON CARPET & TILE					
	4/5/2010	201732	64.19		
				REFUND-BUS LIC OVRPMT	64.19
	Vendor Total		**64.19**		
FYTD for SAV-ON CARPET & TILE			**64.19**		
SC SIGNS					
	4/19/2010	202044	1,260.00		
				PUBLIC HEARING SIGNS	945.00
				PUBLIC HEARING SIGNS	315.00
	Vendor Total		**1,260.00**		
FYTD for SC SIGNS			**5,355.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	4/19/2010	202045	175.00		
				2009 FLAG FOOTBALL ENTRY FEES	175.00
	4/19/2010	202046	525.00		
				YTH BASKETBALL ENTRY FEES	525.00
	Vendor Total		**700.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**1,234.00**		
SCMAF-INLAND VALLEYS					
	4/19/2010	202047	50.00		
				A&I INSTALLATION EVENT	50.00
	Vendor Total		**50.00**		
FYTD for SCMAF-INLAND VALLEYS			**50.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SCREENVISION DIRECT				
4/26/2010	202179	1,328.00		
			ADVERTISING SVCS-ERC	768.00
			ADVERTISING SVCS-ERC	560.00
Vendor Total		**1,328.00**		
FYTD for SCREENVISION DIRECT		**7,540.00**		
SECURITY LOCK & KEY				
4/5/2010	201734	73.25		
			LOCK SVC-DUP KEYS	73.25
4/12/2010	201930	61.50		
			LOCK REPAIRS-PARKS	61.50
4/26/2010	880399	49.50		
			LOCK REPAIRS-POLICE	49.50
Vendor Total		**184.25**		
FYTD for SECURITY LOCK & KEY		**16,078.28**		
SELAH/SOUND THEOLOGY CHRISTIAN STORE				
4/5/2010	201735	87.68		
			REFUND-BUS LIC OVRPMT	87.68
Vendor Total		**87.68**		
FYTD for SELAH/SOUND THEOLOGY CHRISTIAN STORE		**87.68**		
SELECT BUILD				
4/5/2010	201736	23.00		
			REFUND-BUS LIC OVRPMT	23.00
Vendor Total		**23.00**		
FYTD for SELECT BUILD		**23.00**		
SEWELL'S RIVERSIDE DAIRY INC				
4/19/2010	202048	71.51		
			REFUND-BUS LIC OVRPMT	71.51
Vendor Total		**71.51**		
FYTD for SEWELL'S RIVERSIDE DAIRY INC		**71.51**		
SHAH, JAGDISH				
4/19/2010	880367	20,520.00		
			TEMP STAFFING SVCS-CAP PROJS	20,520.00
Vendor Total		**20,520.00**		
FYTD for SHAH, JAGDISH		**185,280.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SHARKEY, ROBIN					
	4/19/2010	202049	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SHARKEY, ROBIN			**75.00**		
SHARRETT, SHARON K.					
	4/5/2010	201737	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,848.40**		
SHELDON, STUART H.					
	4/5/2010	201738	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,187.30**		
SHELL OIL CO.					
	4/19/2010	202050	208.22		
				FUEL PURCHASES-ANIMAL SVCS	157.93
				FUEL PURCHASE-SPEC DISTRICTS	50.29
	4/26/2010	202180	1,524.60		
				FUEL PURCHASES-PD MOTORCYCLES	1,307.35
				FUEL PURCHASES-PD CRIME PREV	217.25
	Vendor Total		**1,732.82**		
FYTD for SHELL OIL CO.			**16,884.42**		
SHIPMAN, MICHAEL					
	4/19/2010	202051	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SHIPMAN, MICHAEL			**20.00**		
SHREINER, REBECCA					
	4/19/2010	202052	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SHREINER, REBECCA			**50.00**		
SHURTLEFF, JEANNETTE L.					
	4/19/2010	202053	798.00		
				INSTRUCTION SVCS-21 DAYS	798.00
	Vendor Total		**798.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,268.00**		

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SINGER & COFFIN, APC				
4/26/2010	880400	3,889.50		
			LEGAL SVCS-SR60/NASON ST PROJ	3,649.50
			LEGAL SVCS-SR60/NASON ST PROJ	240.00
Vendor Total		**3,889.50**		
FYTD for SINGER & COFFIN, APC		**69,051.65**		
SINGLETON-DECUIR, JANISHEIA				
4/19/2010	202092	354.00		
			MILEAGE REIMBURSEMENT	93.00
			TRAVEL EXP-BOOST CONFERENCE	54.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		**354.00**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**740.85**		
SKY PUBLISHING				
4/19/2010	202054	8,773.50		
			PRINTING SVCS-SUMMER10	8,773.50
Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING		**48,444.50**		
SKY TRAILS MOBILE VILLAGE				
4/12/2010	201909	26.19		
			REFUND-UT USER TAXES	26.19
Vendor Total		**26.19**		
FYTD for SKY TRAILS MOBILE VILLAGE		**228.60**		
SLAGERMAN, SUSAN A.				
4/5/2010	201819	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**3,749.76**		
SMITH, ERNEST FRANK				
4/5/2010	201739	637.46		
			RETIREE MEDICAL BENEFIT	637.46
Vendor Total		**637.46**		
FYTD for SMITH, ERNEST FRANK		**5,268.41**		
SMITH, LISA				
4/5/2010	201740	30.71		
			REFUND-BUS LIC OVRPMT	30.71
Vendor Total		**30.71**		
FYTD for SMITH, LISA		**30.71**		

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SMITH, MARIA A.					
	4/5/2010	201820	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,546.10**		
SMOKE PLUS					
	4/19/2010	202055	21.23		
				REFUND-BUS LIC OVRPMT	21.23
	Vendor Total		**21.23**		
FYTD for SMOKE PLUS			**21.23**		
SMOKE SHOP TOBACCO					
	4/19/2010	202056	33.33		
				REFUND-BUS LIC OVRPMT	33.33
	Vendor Total		**33.33**		
FYTD for SMOKE SHOP TOBACCO			**33.33**		
SO. CALIF SCHOOL OF MUSIC					
	4/26/2010	202181	1,100.25		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	297.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	209.25
				INSTRUCTOR SVCS-PIANO	216.00
	Vendor Total		**1,100.25**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**9,890.25**		
SOCO GROUP, INC					
	4/5/2010	201741	11,864.58		
				FUEL PURCHASE	5,893.95
				FUEL PURCHASE	5,970.63
	4/26/2010	202182	21,260.96		
				FUEL PURCHASE	5,544.41
				FUEL PURCHASE	4,537.51
				FUEL PURCHASE	5,746.92
				FUEL PURCHASE	5,432.12
	Vendor Total		**33,125.54**		
FYTD for SOCO GROUP, INC			**149,145.14**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	4/26/2010	202183	154.80		
				INSTRUCTOR SVCS-YOGA	77.40
				INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**567.60**		

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SONG, HELEN					
	4/19/2010	202057	112.00		
				REFUND-CLASS REGIST	112.00
	Vendor Total		**112.00**		
FYTD for SONG, HELEN			**112.00**		
SOSA, JORGE					
	4/12/2010	201910	352.20		
				INSTRUCTOR SVCS-NINPO FOR KIDS	96.00
				INSTRUCTOR SVCS-KARATEDO	256.20
	Vendor Total		**352.20**		
FYTD for SOSA, JORGE			**3,604.20**		
SOUTH BAY MASONRY					
	4/19/2010	202058	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SOUTH BAY MASONRY			**57.00**		
SOUTH COAST AIR QUALITY MGMT DISTRICT					
	4/12/2010	201911	109.00		
				EMISSIONS FEE-FS #58	109.00
	4/12/2010	201912	293.21		
				ANNL OPERATING FEES-FS #58	293.21
	Vendor Total		**402.21**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT			**3,615.17**		
SOUTH COAST AQMD					
	4/19/2010	202059	154.81		
				REG-EMPL TRANSP COORD TRNG	154.81
	Vendor Total		**154.81**		
FYTD for SOUTH COAST AQMD			**154.81**		

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SOUTHERN CALIFORNIA EDISON					
	4/5/2010	201743	5,481.67		
				ELECTRICITY	104.70
				ELECTRICITY	20.78
				ELECTRICITY	765.01
				ELECTRICITY	1,522.60
				ELECTRICITY	133.45
				ELECTRICITY	214.92
				ELECTRICITY	433.18
				ELECTRICITY	692.29
				ELECTRICITY	133.85
				ELECTRICITY	239.03
				ELECTRICITY	1,021.41
				ELECTRICITY	156.39
				ELECTRICITY	44.06
	4/12/2010	201913	6,410.52		
				ELECTRICITY	43.24
				ELECTRICITY	108.04
				ELECTRICITY	62.75
				ELECTRICITY	1,348.04
				ELECTRICITY	821.47
				ELECTRICITY	841.36
				ELECTRICITY	464.09
				ELECTRICITY	484.09
				ELECTRICITY	878.01
				ELECTRICITY	93.57
				ELECTRICITY	21.36
				ELECTRICITY	894.73
				ELECTRICITY	147.93
				ELECTRICITY	138.36
				ELECTRICITY	63.48
	4/12/2010	201914	14,146.73		
				IFA CHARGES-SUBSTATION	14,146.73
	4/19/2010	202061	345.71		
				ELECTRIC CHARGES	345.71
	4/26/2010	202184	18,786.90		
				ELECTRICITY	174.64
				ELECTRICITY	5,071.43
				ELECTRICITY	2,657.47
				ELECTRICITY	19.18
				ELECTRICITY	557.87
				ELECTRICITY	1,880.42
				ELECTRICITY	132.16
				ELECTRICITY	4,858.31
				ELECTRICITY	274.09
				ELECTRICITY	140.04
				ELECTRICITY	1,539.29
				ELECTRICITY	242.01
				ELECTRICITY	420.98
				ELECTRICITY	504.65
				ELECTRICITY	152.45
				ELECTRICITY	138.80
				ELECTRICITY	23.11

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	45,171.53		
FYTD for SOUTHERN CALIFORNIA EDISON		6,495,377.09		
SOUTHERN CALIFORNIA FIRE PROTECTION, INC				
4/5/2010	201744	75.00		
			REFUND-BUS LIC OVRPMT	75.00
	Vendor Total	75.00		
FYTD for SOUTHERN CALIFORNIA FIRE PROTECTION, INC		75.00		
SOUTHERN CALIFORNIA GAS CO.				
4/19/2010	202062	6,728.68		
			GAS CHARGES	32.88
			GAS CHARGES	865.62
			GAS CHARGES	2,555.87
			GAS CHARGES	21.33
			GAS CHARGES	105.63
			GAS CHARGES	760.22
			GAS CHARGES	169.37
			GAS CHARGES	111.61
			GAS CHARGES	842.53
			GAS CHARGES	213.50
			GAS CHARGES	247.20
			GAS CHARGES	170.35
			GAS CHARGES	138.41
			GAS CHARGES	252.90
			GAS CHARGES	241.26
	Vendor Total	6,728.68		
FYTD for SOUTHERN CALIFORNIA GAS CO.		261,387.79		
SOUTHWEST HEALTHCARE SYSTEM				
4/26/2010	202186	900.00		
			FORENSIC EXAM-POLICE	900.00
	Vendor Total	900.00		
FYTD for SOUTHWEST HEALTHCARE SYSTEM		1,800.00		
SPARKLETTS				
4/5/2010	201745	13.10		
			WATER SVCS-EMERG OPER	4.50
			WATER SVCS-CREEKSIDE ELEM	8.60
4/26/2010	202187	15.72		
			WATER SVCS-SNNYMD ELEM	15.03
			WATER SVCS-GOLF CRS	0.69
	Vendor Total	28.82		
FYTD for SPARKLETTS		394.99		

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SPECK, GARY B.					
	4/5/2010	201821	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,187.30**		
SPECTRUM CARE					
	4/5/2010	201746	74.00		
				REFUND-BUS LIC OVRPMT	74.00
	Vendor Total		**74.00**		
FYTD for SPECTRUM CARE			**98,740.64**		
SPENCER, MARTHA					
	4/5/2010	201822	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,220.76**		
SPORTS INNOVATORS					
	4/12/2010	201915	3,475.00		
				SPORTS OFFICIATING SVCS	75.00
				SPORTS OFFICIATING SVCS	3,400.00
	Vendor Total		**3,475.00**		
FYTD for SPORTS INNOVATORS			**25,895.00**		
SPRINT					
	4/5/2010	201747	20.00		
				SUBPOENA COMPLIANCE FEE	20.00
	Vendor Total		**20.00**		
FYTD for SPRINT			**110.00**		
SPRINT/NEXTEL					
	4/12/2010	880343	33.86		
				417544340-CELL PH CHRG GTF	33.86
	Vendor Total		**33.86**		
FYTD for SPRINT/NEXTEL			**696.18**		
STANDARD INSURANCE CO					
	4/5/2010	201748	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**326,752.74**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANLEY CONVERGENT SECURITY SOLUTIONS, I				
4/19/2010	202063	196.99		
			REFUND-BUS LIC OVRPMT	196.99
Vendor Total		**196.99**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTIONS, I		**196.99**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
4/5/2010	880313	1,544.83		
			MONITORING SVCS-CRC	175.00
			MONITORING SVCS-CRC	492.00
			MONITORING SVCS-MFPCC	105.00
			MONITORING SVCS-TWNGTE	220.98
			MONITORING SVCS-TECH SVCS	105.00
			MONITORING SVCS-SPCL DIST	147.00
			MONITORING SVCS-PSB	194.85
			MONITORING SVCS-ANNX #1	105.00
4/12/2010	880344	0.00		
			MONITORING SVCS-TWNGTE	16.08
			MONITORING SVCS-TWNGTE	559.19
			MONITORING SVCS-TWNGTE	-16.08
			MONITORING SVCS-TWNGTE	-559.19
4/26/2010	880401	493.01		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-PARKS	166.85
			MONITORING SVCS-PARKS	227.16
Vendor Total		**2,037.84**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**26,108.46**		
STANTEC CONSULTING, INC.				
4/5/2010	201749	82.34		
			REFUND-BUS LIC OVRPMT	82.34
Vendor Total		**82.34**		
FYTD for STANTEC CONSULTING, INC.		**82.34**		
STAR CLEANERS				
4/5/2010	201750	26.50		
			REFUND-BUS LIC OVRPMT	26.50
Vendor Total		**26.50**		
FYTD for STAR CLEANERS		**26.50**		

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STATE BOARD OF EQUALIZATION				
4/19/2010	202064	800.00		
			ANNEXATION CERT FEE-60/DAY ST.	800.00
4/27/2010	33110	3,594.00		
			SALES & USE TAX	3,594.00
Vendor Total		**4,394.00**		
FYTD for STATE BOARD OF EQUALIZATION		**35,918.29**		
STATE CONTROLLER'S OFFICE				
4/26/2010	202188	2,312.86		
			ANNUAL STREET REPORT 08/09	2,312.86
Vendor Total		**2,312.86**		
FYTD for STATE CONTROLLER'S OFFICE		**4,812.86**		
STATE DISBURSEMENT UNIT				
4/1/2010	2603	1,499.52		
			CHILD SUPPORT W/H 04/01/10	1,499.52
4/15/2010	2612	1,123.52		
			CHILD SUPPORT W/H 04/15/10	1,123.52
4/29/2010	2620	1,123.52		
			CHILD SUPPORT W/H 04/29/10	1,123.52
Vendor Total		**3,746.56**		
FYTD for STATE DISBURSEMENT UNIT		**39,214.50**		
STATE NET				
4/19/2010	880369	1,350.00		
			CONTRACTED SVCS	1,350.00
Vendor Total		**1,350.00**		
FYTD for STATE NET		**1,350.00**		
STATE OF CALIF/DEPT OF INDUSTRIAL				
4/12/2010	201917	105.00		
			PERMIT FEE-CRC	105.00
Vendor Total		**105.00**		
FYTD for STATE OF CALIF/DEPT OF INDUSTRIAL		**210.00**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE				
4/5/2010	201751	3,313.00		
			FINGERPRINTING SVCS-PD	3,313.00
4/19/2010	202065	1,394.00		
			FINGERPRINTING SVCS-HR	64.00
			BLOOD ALCHL ANLYS-PD	1,330.00
4/26/2010	202189	864.00		
			FINGERPRINTING SVCS-STARS	512.00
			FINGERPRINTING SVCS-TREASURY	288.00
			FINGERPRINTING SVCS-TS	64.00
	Vendor Total	**5,571.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**51,544.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
4/26/2010	202190	309.79		
			REFUND-MV UTILITY	103.11
			REFUND-MV UTILITY	22.30
			REFUND-MV UTILITY	33.18
			REFUND-MV UTILITY	151.20
	Vendor Total	**309.79**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,388.53**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
4/19/2010	202066	2,849.28		
			TRANSCRIPTION SVCS-PD	2,849.28
	Vendor Total	**2,849.28**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**32,329.28**		
STERICYCLE (BFI)				
4/26/2010	880402	517.86		
			WASTE HAULING SVCS-ANML SHLTR	517.86
	Vendor Total	**517.86**		
FYTD for STERICYCLE (BFI)		**4,498.16**		
STEVE'S LANDSCAPING & WEED ABATEMENT				
4/5/2010	201752	60.00		
			REFUND-BUS LIC OVRPMT	60.00
	Vendor Total	**60.00**		
FYTD for STEVE'S LANDSCAPING & WEED ABATEMENT		**46,636.75**		
STEVE'S VALLEY NURSERY				
4/5/2010	201753	87.37		
			REFUND-BUS LIC OVRPMT	87.37
	Vendor Total	**87.37**		
FYTD for STEVE'S VALLEY NURSERY		**204.82**		

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STEWART, CLIFFORD					
	4/5/2010	201823	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,996.81**		
STONERIDGE CENTER PARTNERS					
	4/5/2010	201754	120.00		
				REFUND-BUS LIC OVRPMT	120.00
	Vendor Total		**120.00**		
FYTD for STONERIDGE CENTER PARTNERS			**455,825.73**		
STRADLING, YOCCA, CARLSON & RAUTH					
	4/12/2010	201918	53.00		
				LEGAL SVCS-RISK MGT	53.00
	Vendor Total		**53.00**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,382.78**		
STREICH, TERRY L.					
	4/5/2010	201755	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**580.31**		
STRICKLER II, JOHN W.					
	4/5/2010	201756	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,549.85**		
SUMERFORD, CHRISTINA					
	4/26/2010	202191	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for SUMERFORD, CHRISTINA			**380.00**		

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SUNNYMEAD ACE HARDWARE				
4/5/2010	201757	13.56		
			MISC SUPPLIES-FIRE	5.43
			MISC SUPPLIES-FIRE	8.13
4/12/2010	201919	433.29		
			MISC SUPPLIES-POLICE	10.50
			MISC SUPPLIES-POLICE	9.33
			MISC SUPPLIES-POLICE	364.31
			MISC SUPPLIES-POLICE	1.70
			MISC SUPPLIES-POLICE	20.64
			MISC SUPPLIES-POLICE	21.64
			MISC SUPPLIES-POLICE	5.17
4/19/2010	202067	7.33		
			MISC SUPPLIES-FIRE	7.33
Vendor Total		**454.18**		
FYTD for SUNNYMEAD ACE HARDWARE		**3,516.02**		
SUNNYMEAD MONTESSORI SCHOOL				
4/19/2010	202068	64.32		
			REFUND-BUS LIC OVRPMT	64.32
Vendor Total		**64.32**		
FYTD for SUNNYMEAD MONTESSORI SCHOOL		**64.32**		
SUPERIOR FURNITURE				
4/5/2010	201758	47.36		
			REFUND-BUS LIC OVRPMT	47.36
Vendor Total		**47.36**		
FYTD for SUPERIOR FURNITURE		**47.36**		
SWEET FACTORY #489				
4/5/2010	201759	46.22		
			REFUND-BUS LIC OVRPMT	46.22
Vendor Total		**46.22**		
FYTD for SWEET FACTORY #489		**46.22**		
T M S ASSOCIATES				
4/19/2010	202069	48.21		
			REFUND-BUS LIC OVRPMT	48.21
Vendor Total		**48.21**		
FYTD for T M S ASSOCIATES		**48.21**		
T.Y. LIN INTERNATIONAL				
4/26/2010	202192	7,661.71		
			GRAHAM ST OVRCRSSNG/SR-60 PROJ	7,661.71
Vendor Total		**7,661.71**		
FYTD for T.Y. LIN INTERNATIONAL		**68,192.50**		

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TAQUERIA GUADALUPANA					
	4/19/2010	202071	37.90		
				REFUND-BUS LIC OVRPMT	37.90
	Vendor Total		**37.90**		
FYTD for TAQUERIA GUADALUPANA			**37.90**		
TECHNICARE COMPUTER SYSTEMS, INC					
	4/5/2010	201760	38.80		
				REFUND-BUS LIC OVRPMT	38.80
	Vendor Total		**38.80**		
FYTD for TECHNICARE COMPUTER SYSTEMS, INC			**38.80**		
THE BARBERS					
	4/19/2010	202072	34.53		
				REFUND-BUS LIC OVRPMT	34.53
	Vendor Total		**34.53**		
FYTD for THE BARBERS			**34.53**		
THERMAL-COOL INC.					
	4/5/2010	201761	302.00		
				AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
				AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
				AC UNIT SVC-EQUESTRIAN CTR	66.00
				AC UNIT SVC-EQUESTRIAN CTR	66.00
	Vendor Total		**302.00**		
FYTD for THERMAL-COOL INC.			**18,850.36**		
THOMCO CONSTRUCTION, INC.					
	4/5/2010	201762	13,741.45		
				ARTERIAL WALL REFURBISHMNT/E-4	12,367.31
				ARTERIAL WALL REFURBISHMNT/E-4	1,374.14
	Vendor Total		**13,741.45**		
FYTD for THOMCO CONSTRUCTION, INC.			**13,741.45**		
TIOS TACO NO 3					
	4/5/2010	201763	63.38		
				REFUND-BUS LIC OVRPMT	63.38
	Vendor Total		**63.38**		
FYTD for TIOS TACO NO 3			**63.38**		
T-MOBILE					
	4/19/2010	202070	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for T-MOBILE			**182.00**		

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TOMISELLI, ANGELO					
	4/12/2010	201920	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for TOMISELLI, ANGELO			**54.50**		
TORRES, ROBERT					
	4/12/2010	201921	43.50		
				REIMB-INFOPEOPLE WORKSHOP	43.50
	Vendor Total		**43.50**		
FYTD for TORRES, ROBERT			**43.50**		
TRAFFIC CONTROL SERVICE, INC.					
	4/26/2010	202193	5,174.50		
				TRAFFIC FLAGS, SIGNS & STANDS	4,758.16
				SALES TAX	416.34
	Vendor Total		**5,174.50**		
FYTD for TRAFFIC CONTROL SERVICE, INC.			**5,174.50**		
TRAN, NGUYET					
	4/19/2010	202073	52.00		
				REFUND-ANML LICENSE FEE	52.00
	Vendor Total		**52.00**		
FYTD for TRAN, NGUYET			**52.00**		
TREASURE BOX, INC.					
	4/5/2010	201764	21.13		
				REFUND-BUS LIC OVRPMT	21.13
	Vendor Total		**21.13**		
FYTD for TREASURE BOX, INC.			**21.13**		
TREE OF LIFE, INC.					
	4/5/2010	201765	23.21		
				REFUND-BUS LIC OVRPMT	23.21
	Vendor Total		**23.21**		
FYTD for TREE OF LIFE, INC.			**23.21**		

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TRICHE, TARA					
	4/26/2010	202195	1,931.40		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	88.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	310.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,931.40**		
FYTD for TRICHE, TARA			**19,291.80**		
TRI-CITY LINEN SUPPLY, INC.					
	4/26/2010	202194	47.50		
				LINEN RENTAL FOR CRC	22.50
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**47.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,640.70**		
TROPICAL PLAZA NURSERY, INC.					
	4/26/2010	202196	18,913.68		
				IRRIG REPAIRS-ZONE E-2	996.23
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
	Vendor Total		**18,913.68**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**183,251.75**		
TRUGREEN LANDCARE					
	4/26/2010	202197	21,957.40		
				IRRIG REPAIRS-ZONE DSG-2	13.11
				IRRIG REPAIRS-TRACT 31284	56.43
				IRRIG REPAIRS-TRACT 30027	9.99
				IRRIG REPAIRS-TRACT 20272	20.63
				IRRIG REPAIRS-TRACT 19208	64.70
				IRRIG REPAIRS-TRACT 19208	13.84
				LNDSCP WORK-TRACT 86	630.00
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-1E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	3,511.29
				LNDSCP MAINT-ZONE DSG-2	4,909.14
	Vendor Total		**21,957.40**		
FYTD for TRUGREEN LANDCARE			**303,017.02**		

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TUNTLAND, JAMES					
	4/5/2010	201824	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,996.81**		
TURBOSCAPE, INC.					
	4/26/2010	880403	6,424.80		
				ANNL MULCHING IN ZONE E-4	6,424.80
	Vendor Total		**6,424.80**		
FYTD for TURBOSCAPE, INC.			**9,577.20**		
TWIN GRAPHICS					
	4/26/2010	880404	163.13		
				VEHICLE GRAPHICS FOR PD UNIT	163.13
	Vendor Total		**163.13**		
FYTD for TWIN GRAPHICS			**4,359.76**		
U.S. HEALTHWORKS MEDICAL GROUP					
	4/12/2010	201922	65.00		
				EMPLOYEE DOT/DMV EXAM	65.00
	4/19/2010	202074	5,151.00		
				NEW EMPLOYEE PHYSICALS	256.00
				NEW EMPLOYEE PHYSICALS	3,299.00
				NEW EMPLOYEE PHYSICALS	1,596.00
	Vendor Total		**5,216.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**15,136.00**		
UC REGENTS - GOVT'L & COMMUNITY RELATION					
	4/5/2010	201767	54.00		
				3/24, 4/28, 5/26-MTGS	54.00
	Vendor Total		**54.00**		
FYTD for UC REGENTS - GOVT'L & COMMUNITY RELATION			**198.00**		
U-HAUL CO OF CALIFORNIA					
	4/5/2010	201766	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for U-HAUL CO OF CALIFORNIA			**69.00**		
ULMER INDUSTRIES, INC.					
	4/19/2010	202075	8,614.31		
				RAILING FABRICATION FOR BRIDGE	8,614.31
	Vendor Total		**8,614.31**		
FYTD for ULMER INDUSTRIES, INC.			**8,614.31**		

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UNION BANK OF CALIFORNIA				
4/5/2010	201768	336.00		
			INVESTMENT SAFEKEEPING SVCS	336.00
4/19/2010	202076	170.00		
			MONTHLY LOC TRANSFER FEES	170.00
	Vendor Total	**506.00**		
FYTD for UNION BANK OF CALIFORNIA		**287,579.49**		
UNITED INSPECTION & TESTING INC				
4/26/2010	202198	1,719.15		
			ANNL PAVEMNT RESURFACING PROJ	1,719.15
	Vendor Total	**1,719.15**		
FYTD for UNITED INSPECTION & TESTING INC		**20,568.40**		
UNITED POWER GENERATION, INC.				
4/5/2010	201769	3,015.00		
			GENERATOR LOAD BANK TEST-FS#58	410.00
			GENERATOR LOAD BANK TEST-SHLTR	505.00
			GENERATOR LOAD BANK TEST-C.H.	640.00
			GENERATOR LOAD BANK TEST-PSB	640.00
			GENERATOR LOAD BANK TEST-FS#6	410.00
			GENERATOR LOAD BANK TEST-FS#48	410.00
4/19/2010	202077	1,230.00		
			GENERATOR LOAD BANK TEST-FS#91	171.40
			GENERATOR LOAD BANK TEST-FS#91	238.60
			GENERATOR LOAD BANK TEST-FS#2	140.57
			GENERATOR LOAD BANK TEST-FS#2	269.43
			GENERATOR LOAD BANK TEST-FS#65	215.00
			GENERATOR LOAD BANK TEST-FS#65	195.00
	Vendor Total	**4,245.00**		
FYTD for UNITED POWER GENERATION, INC.		**21,990.66**		
UNITED SITE SERVICES OF CA, INC.				
4/5/2010	201770	61.70		
			REFUND-BUS LIC OVRPMT	61.70
4/5/2010	880316	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
4/12/2010	880345	184.72		
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
4/19/2010	880370	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
	Vendor Total	**441.52**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**9,451.65**		

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UNITED STATES TREASURY					
	4/12/2010	201924	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	4/26/2010	202199	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**5,570.00**		
UNITED WAY OF INLAND VALLEYS					
	4/12/2010	201925	627.18		
				UNITED WAY CONTRIBUTIONS	627.18
	4/26/2010	202200	627.18		
				UNITED WAY CONTRIBUTIONS	627.18
	Vendor Total		**1,254.36**		
FYTD for UNITED WAY OF INLAND VALLEYS			**18,163.90**		
UPTON, EMIKO					
	4/19/2010	202078	66.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	16.00
	Vendor Total		**66.00**		
FYTD for UPTON, EMIKO			**66.00**		
USA ALARM SYSTEMS, INC.					
	4/19/2010	202079	30.00		
				REFUND-BUS LIC OVRPMT	30.00
	Vendor Total		**30.00**		
FYTD for USA ALARM SYSTEMS, INC.			**30.00**		
USA MOBILITY/ARCH WIRELESS					
	4/19/2010	880371	96.99		
				PAGER SVC-PARK RANGERS	2.03
				PAGER SVC-TRANSP DIV.	5.09
				PAGER SVC-CITZ PATROL VOLNTRS.	33.54
				PAGER SVC-ANIMAL SVCS	38.90
				PAGER SVC-SPARES & TAXES	17.43
	Vendor Total		**96.99**		
FYTD for USA MOBILITY/ARCH WIRELESS			**826.67**		

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VACATE PEST ELIMINATION COMPANY					
	4/5/2010	880317	1,205.00		
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-TRANSP. TRLR	45.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-MARB HOBBY SHOP	45.00
				PEST CNTRL-STARS BLDG/MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
	4/26/2010	880406	590.00		
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
	Vendor Total		**1,795.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**15,275.00**		
VALI COOPER & ASSOCIATES, INC.					
	4/5/2010	880318	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**138,847.50**		

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VANDER HAWK CONSULTING, LLC					
	4/19/2010	202080	2,200.00		
				PAVEMNT MGMT PRGM UPDATE SVCS	2,200.00
	Vendor Total		**2,200.00**		
FYTD for VANDER HAWK CONSULTING, LLC			**47,593.00**		
VAS ASSOCIATES, INC.					
	4/19/2010	880372	20,520.00		
				TEMP STAFFING SVCS-CAP PROJS	20,520.00
	Vendor Total		**20,520.00**		
FYTD for VAS ASSOCIATES, INC.			**184,725.00**		
VERDIN CONCRETE, INC.					
	4/5/2010	201771	60.00		
				REFUND-BUS LIC OVRPMT	60.00
	Vendor Total		**60.00**		
FYTD for VERDIN CONCRETE, INC.			**60.00**		
VERIZON					
	4/12/2010	201926	1,700.96		
				BACKBONE CHRGS	1,700.96
	Vendor Total		**1,700.96**		
FYTD for VERIZON			**16,832.85**		

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VERIZON CALIFORNIA					
	4/12/2010	201927	10,625.51		
				TELEPHONE CHRGS	232.13
				TELEPHONE CHRGS	301.96
				TELEPHONE CHRGS	189.47
				TELEPHONE CHRGS	523.77
				TELEPHONE CHRGS	368.38
				TELEPHONE CHRGS	83.73
				TELEPHONE CHRGS	354.32
				TELEPHONE CHRGS	352.89
				TELEPHONE CHRGS	78.97
				TELEPHONE CHRGS	335.43
				TELEPHONE CHRGS	253.72
				TELEPHONE CHRGS	531.82
				TELEPHONE CHRGS	202.38
				TELEPHONE CHRGS	496.02
				TELEPHONE CHRGS	478.39
				TELEPHONE CHRGS	192.27
				TELEPHONE CHRGS	85.05
				TELEPHONE CHRGS	256.84
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	123.17
				TELEPHONE CHRGS	262.78
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	19.58
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	199.40
				TELEPHONE CHRGS	146.57
				TELEPHONE CHRGS	58.00
				TELEPHONE CHRGS	65.28
				TELEPHONE CHRGS	158.94
				TELEPHONE CHRGS	72.90
				TELEPHONE CHRGS	19.07
				TELEPHONE CHRGS	76.98
				TELEPHONE CHRGS	376.08
				TELEPHONE CHRGS	3,538.61
	4/26/2010	202201	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,243.76**		
FYTD for VERIZON CALIFORNIA			**100,300.09**		
VIDEO SHORES					
	4/19/2010	202081	27.07		
				REFUND-BUS LIC OVRPMT	27.07
	Vendor Total		**27.07**		
FYTD for VIDEO SHORES			**27.07**		

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VIGIL, ERNEST					
	4/5/2010	201825	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,187.30**		
VISION 4 DEZIGN					
	4/19/2010	202082	20.07		
				REFUND-BUS LIC OVRPMT	20.07
	Vendor Total		**20.07**		
FYTD for VISION 4 DEZIGN			**20.07**		
VISION SERVICE PLAN					
	4/5/2010	880320	4,321.25		
				EMPLOYEE VISION INSURANCE	4,321.25
	Vendor Total		**4,321.25**		
FYTD for VISION SERVICE PLAN			**44,201.21**		
VISTA PAINT CORPORATION					
	4/5/2010	201772	87.53		
				SUPPLIES FOR GRAFFITI RMVL	46.22
				SUPPLIES FOR GRAFFITI RMVL	41.31
	4/19/2010	202083	905.97		
				PAINT/SUPPLS FOR GRAFFITI RMVL	905.97
	Vendor Total		**993.50**		
FYTD for VISTA PAINT CORPORATION			**11,933.49**		
VISTERRA CREDIT UNION					
	4/26/2010	202202	750.00		
				REFUND-RNTL DEP 4/12	750.00
	Vendor Total		**750.00**		
FYTD for VISTERRA CREDIT UNION			**850.00**		
VOYAGER FLEET SYSTEM, INC.					
	4/5/2010	880321	1,920.25		
				CNG FUEL FOR STREET PRGM	1,668.33
				CNG FUEL FOR DRAIN MAINT PRGM	251.92
	Vendor Total		**1,920.25**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**17,644.64**		

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VULCAN MATERIALS CO, INC.					
	4/5/2010	201774	1,101.81		
				ASPHALTIC MATERIAL	213.15
				ASPHALTIC MATERIAL	177.10
				ASPHALTIC MATERIAL	283.84
				ASPHALTIC MATERIAL	213.86
				ASPHALTIC MATERIAL	213.86
	4/19/2010	202084	6,444.70		
				ASPHALTIC MATERIAL	2,120.68
				ASPHALTIC MATERIAL	1,901.55
				ASPHALTIC MATERIAL	284.54
				ASPHALTIC MATERIAL	211.03
				ASPHALTIC MATERIAL	177.80
				ASPHALTIC MATERIAL	177.10
				ASPHALTIC MATERIAL	228.16
				ASPHALTIC MATERIAL	141.76
				ASPHALTIC MATERIAL	283.14
				ASPHALTIC MATERIAL	230.11
				ASPHALTIC MATERIAL	164.86
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	262.09
	Vendor Total		**7,546.51**		
FYTD for VULCAN MATERIALS CO, INC.			**101,872.08**		
WAGGONER JR., GLENN C.					
	4/5/2010	201826	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,187.30**		
WAGNER, GARY D.					
	4/5/2010	201827	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,174.74**		
WAGY, CARYLON					
	4/5/2010	201775	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**3,187.30**		
WAHEED, MUNEER					
	4/19/2010	202085	200.00		
				REFUND-RNTL DEP 4/3	200.00
	Vendor Total		**200.00**		
FYTD for WAHEED, MUNEER			**200.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WASHINGTON INVENTORY SERVICE				
4/5/2010	201776	67.86		
			REFUND-BUS LIC OVRPMT	67.86
Vendor Total		**67.86**		
FYTD for WASHINGTON INVENTORY SERVICE		**67.86**		
WASHINGTON, ARTESIA				
4/5/2010	201777	200.00		
			GEN LIAB SETTLEMENT	200.00
Vendor Total		**200.00**		
FYTD for WASHINGTON, ARTESIA		**200.00**		
WASSON, KIRK				
4/19/2010	880373	342.00		
			INSTRUCTION SVCS-9 DAYS	342.00
Vendor Total		**342.00**		
FYTD for WASSON, KIRK		**1,900.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				
4/26/2010	202203	1,244.51		
			STORAGE BIN RENTALS	1,244.51
Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		**13,339.71**		
WATKINS, ANNIE				
4/5/2010	201778	80.00		
			REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	20.00
Vendor Total		**80.00**		
FYTD for WATKINS, ANNIE		**80.00**		
WEEMS, MEGAN E.				
4/12/2010	201928	40.00		
			REFUND-CITATION OVRPMT	40.00
Vendor Total		**40.00**		
FYTD for WEEMS, MEGAN E.		**40.00**		
WELLS FARGO BANK				
4/26/2010	202204	2,000.00		
			ANNUAL ADMIN FEE	2,000.00
Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK		**18,530.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WELLS FARGO CORPORATE TRUST					
	4/1/2010	1003231	1,225.88		
				INTEREST VARIABLE RATE BOND	1,225.88
	Vendor Total		**1,225.88**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,029,485.43**		
WEST GOVERNMENT SERVICES					
	4/26/2010	202205	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**4,500.00**		
WEST GROUP					
	4/19/2010	880374	664.12		
				ONLINE CHRGS-LEGAL INFO	184.12
				LEGAL PUBLICATIONS SUBSCRPTNS	480.00
	Vendor Total		**664.12**		
FYTD for WEST GROUP			**7,556.61**		
WESTERN MUNICIPAL WATER DISTRICT					
	4/26/2010	202206	771.75		
				WATER CHRGS-MARB BALLFIELDS	359.03
				WATER CHRGS-MFPCC LNDSCP	357.42
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**771.75**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**21,423.98**		
WHISHER, KYLE					
	4/19/2010	202086	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISHER, KYLE			**50.00**		
WHITE, C.L.					
	4/26/2010	202207	0.00		
				REFUND-CITATION OVRPMT	100.00
				REFUND-CITATION OVRPMT	-100.00
	4/29/2010	202212	100.00		
				REFUND-CITATION OVRPMT	100.00
	Vendor Total		**100.00**		
FYTD for WHITE, C.L.			**100.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WIELIN, RONALD A.					
	4/5/2010	201828	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,187.30**		
WILLDAN AND ASSOCIATES					
	4/5/2010	201779	21,235.03		
				MOR BEACH DR WIDENING PROJ	21,235.03
	4/12/2010	201929	23,755.42		
				MOR BEACH DR WIDENING PROJ	23,755.42
	4/19/2010	202087	540.00		
				EASTRIDGE EIR REVIEW SVCS	540.00
	Vendor Total		**45,530.45**		
FYTD for WILLDAN AND ASSOCIATES			**269,186.00**		
WILLDAN FINANCIAL SERVICES					
	4/26/2010	202208	2,000.00		
				FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
				FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
	Vendor Total		**2,000.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**10,125.77**		
WILLIAMS, JANE L.					
	4/5/2010	201780	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,221.62**		
WREDE, SHARON					
	4/5/2010	201782	100.00		
				REFUND-PD CITATION FEES	100.00
	Vendor Total		**100.00**		
FYTD for WREDE, SHARON			**100.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.					
	4/12/2010	880347	900.00		
				FEB-10 DAY PORTER SVCS	900.00
	4/19/2010	880375	22,699.28		
				EXTRACT WATER/FAN-OFFICE @ PSB	50.00
				JANITORIAL SVCS-MARCH FLD PARK	955.70
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FAC. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.32
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-TOWNGATE C.C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
				MAR-10 DAY PORTER SVCS	1,140.00
	4/26/2010	880408	2,814.41		
				JANITORIAL SVCS-SENIOR CTR	260.00
				JANITORIAL SVCS-CONF & REC CTR	950.00
				JANITORIAL SVCS-EMP RES CTR	348.96
				JANITORIAL SVCS-SUNNYMD ELEM.	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
	Vendor Total		**26,413.69**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**258,387.77**		
XEROX					
	4/19/2010	202089	2,671.73		
				COPIER RNTL/MAINT-PD	33.51
				COPIER RNTL/MAINT-PD	54.00
				COPIER RNTL/MAINT/EXC PRNTS-PD	268.06
				COPIER RNTL/MAINT/EXC PRNTS-PD	148.78
				COPIER RNTL/MAINT/EXC PRNTS-PD	260.00
				COPIER RNTL/MAINT/EXC PRNTS-PD	1,509.59
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	4/26/2010	202209	4,000.22		
				COPIER RNTL/MAINT-PARKS	359.34
				COPIER RNTL/MAINT/PRINTS-PARKS	1,409.08
				COPIER RNTL/MAINT-STARS	107.00
				COPIER EXC PRINTS CHRG-STARS	2,124.80
	Vendor Total		**6,671.95**		
FYTD for XEROX			**59,862.99**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	4/5/2010	880326	5,592.37		
				SIGNS FOR TRANSP. DIV	411.08
				SIGNS FOR TRANSP. DIV	5,044.26
				SIGNS FOR PARKS	137.03
	4/12/2010	880348	306.24		
				SIGNS HARDWARE FOR PARKS	306.24
	4/26/2010	880409	685.13		
				SIGNS FOR PARKS	193.09
				SIGNS FOR PARKS	492.04
	Vendor Total		**6,583.74**		
FYTD for ZUMAR INDUSTRIES, INC.			**36,711.16**		

Subtotal **1,371,801.95**

GRAND TOTAL **12,644,433.01**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00064870

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 36	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.66
2.0	One	120.41	222 72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1 065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14 43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50 10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

MV00064871

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204 77	
Monthly Minimum Pull Fee (compactor)	$	296 00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71 36	
Relocation	$	71 36	
Set Up Fee	$	25.09	

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

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MV00064874

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 Funds (Account 282.68628)..... $397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 08-28268628 - Patriot Park\CC Reports\Staff Report - NOC (CC 6-22-10).doc

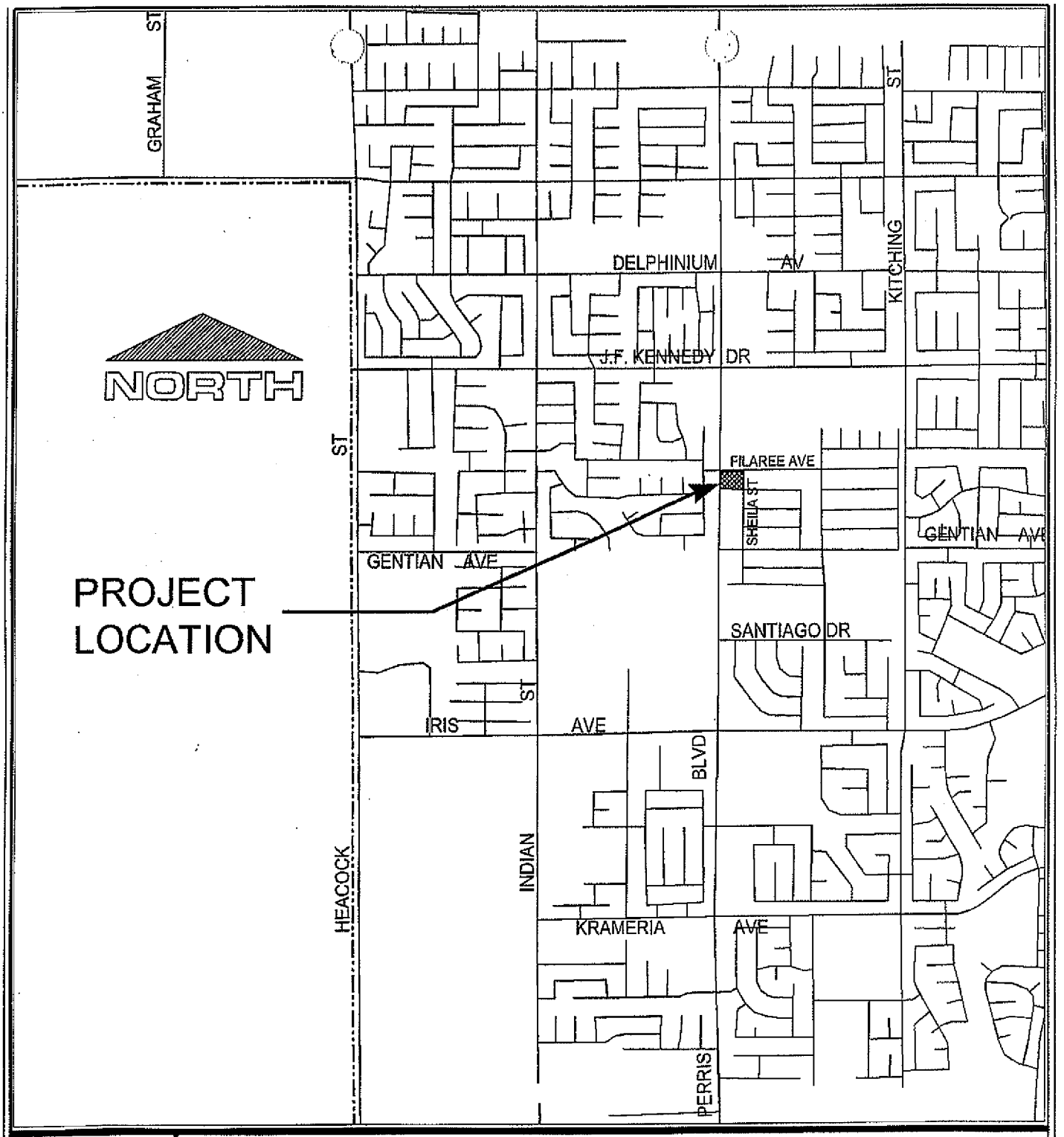

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

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MV00064880

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

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MV00064888

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official: Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I Organizations Affected:

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II Responsibilities of City Office:

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

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8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V Procedures:

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

    a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

    b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

    c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

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MV00064896

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00064900

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____

Bonnie Flickinger, Mayor

ATTACHMENT A

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

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MV00064904

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

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MV00064906

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

MV00064907

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

Item No. A.9

MV00064908

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

ATTACHMENT C

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

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MV00064914

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives, and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

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MV00064916

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769.00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:
Design Support Services..... $10,000
Contractor Construction Costs (includes 15% contingency)..... $813,000
Project Administration and City Inspection Costs* ..... $ 50,000
Construction Geotechnical Services..... $ 12,000

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... July 2010
Start Construction..... August 2010
Complete Construction..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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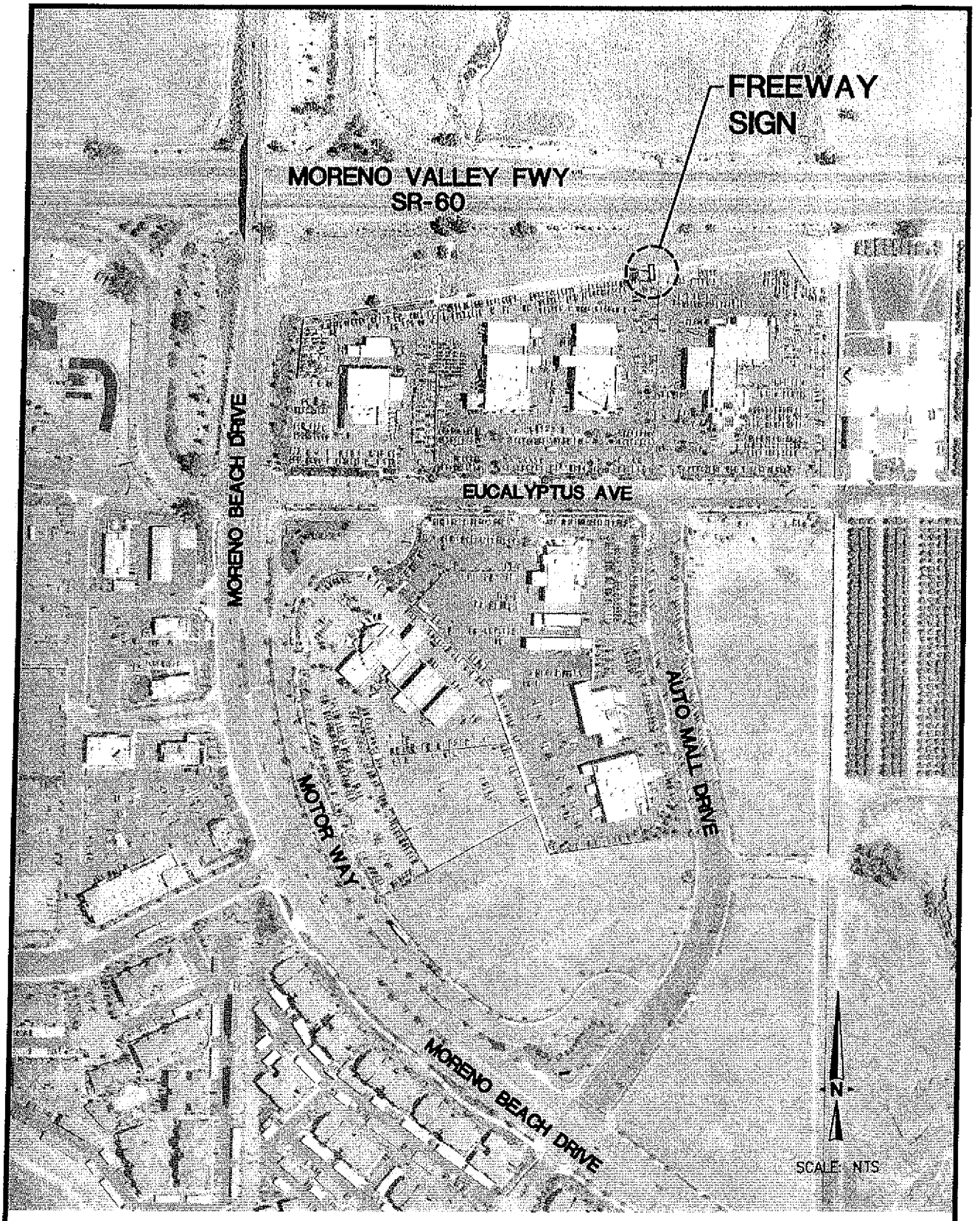

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: X:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH--SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbowman

ATTACHMENT "A"

Item No. A.10

MV00064923

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MV00064924

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.10

MV00064931

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00064934

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00064938

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

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MV00064940

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00064946

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

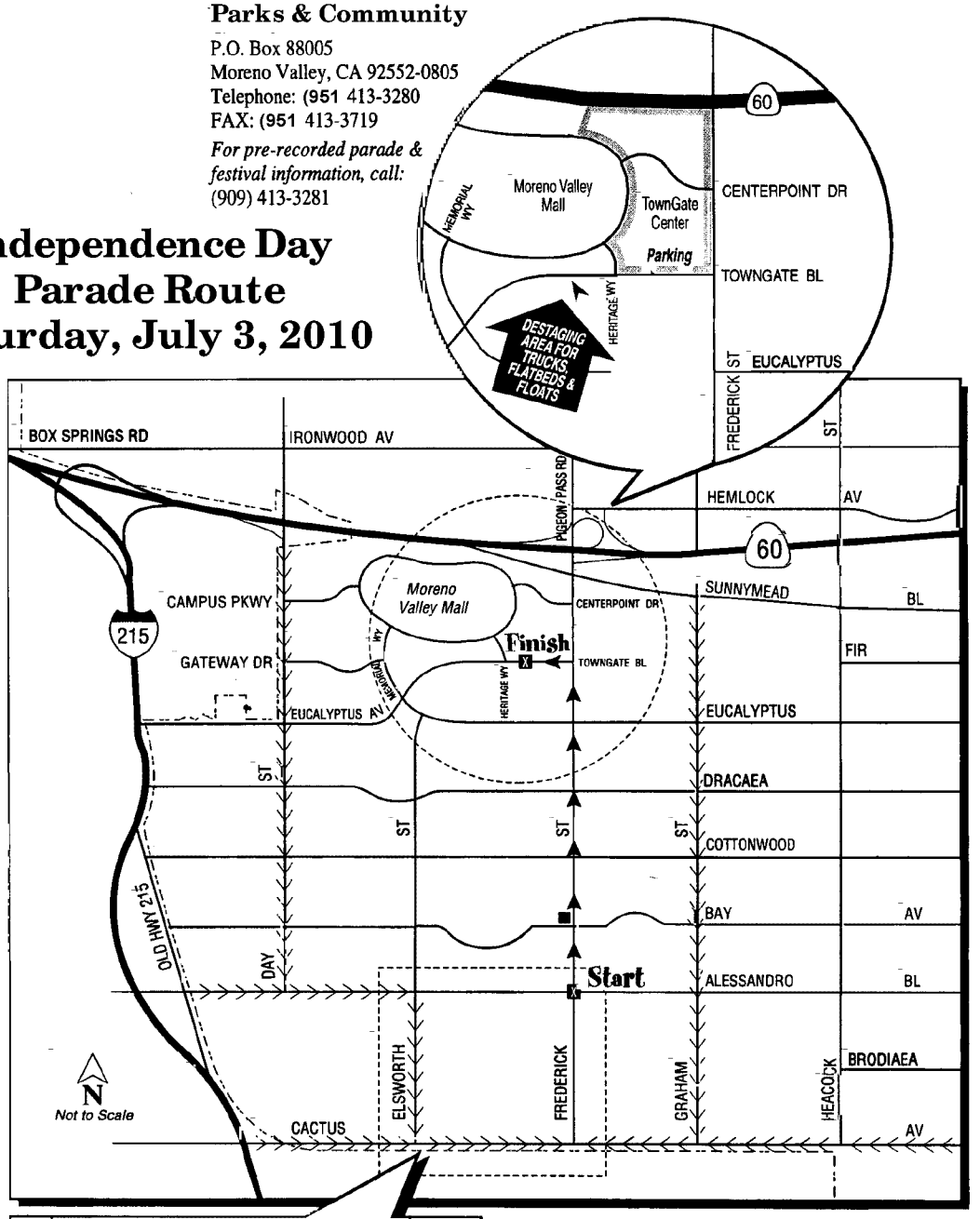

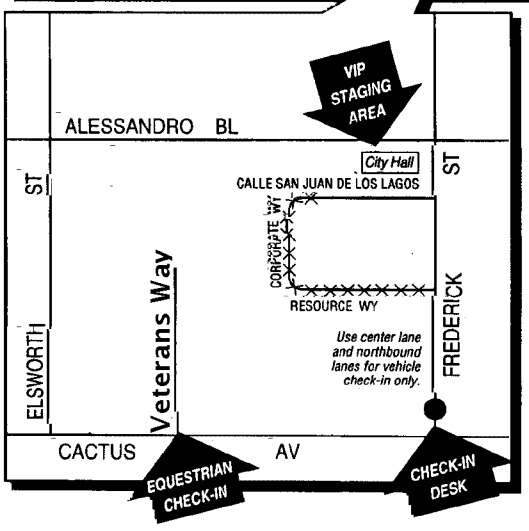

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

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MV00064948

Attachment 2

July 4th Festival
Street Closures

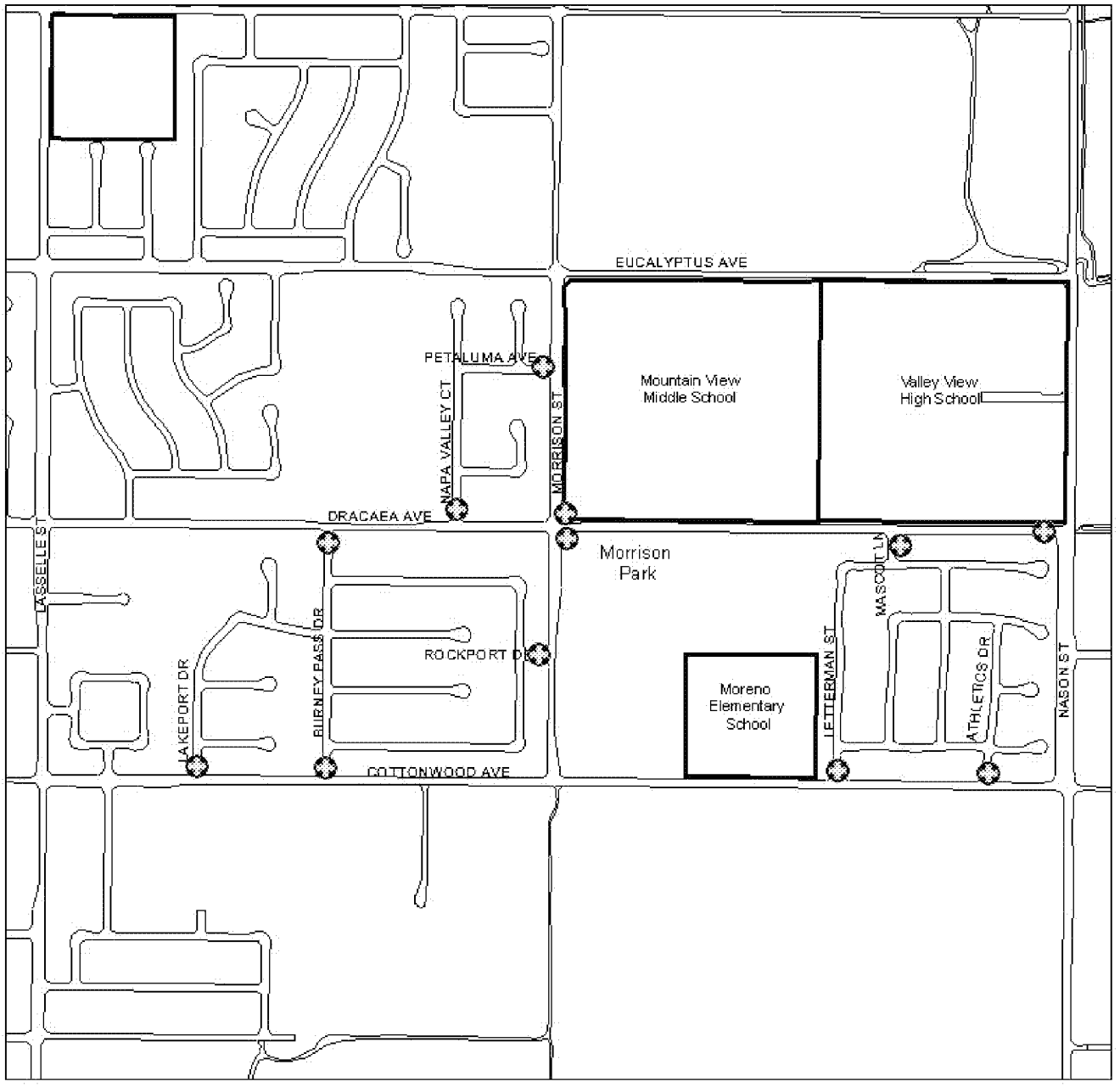

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. A.11

MV00064949

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MV00064950

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

**pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

Ordinance No.___
Date Adopted: May , 2010

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.

2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employment Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00064996

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

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barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020
Agency Lic#: 0F82058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(x)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By M. Elorza Date 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevlopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER
City of Moreno Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, IT'S AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

© ACORD CORPORATION 1988

ATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	ANY ONE LOSS
PHYSICAL DAMAGE LIMIT	ANY ONE PERSON
MEDICAL EXPENSE LIMIT	

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		EACH ACCIDENT
	BODILY INJURY BY ACCIDENT		EACH EMPLOYEE
EMPLOYERS'	BODILY INJURY BE DISEASE		POLICY LIMIT
LIABILITY	BODILY INJURY BY DISEASE		

AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010	

Coverage Basis	Limits		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000 ✓	EACH ACCIDENT
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date	

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009	

RISK MANAGEMENT Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-9-09

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

U10523-2

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

MR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00065032

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

   The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

   The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

   - Cactus Avenue and Frederick Street
   - Alessandro Boulevard and Frederick Street
   - Cottonwood Avenue and Frederick Street
   - Frederick Street and TownGate Boulevard
   - TownGate Boulevard and Heritage Way
   - Veterans Way and Alessandro Boulevard
   - Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

   The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00065038

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

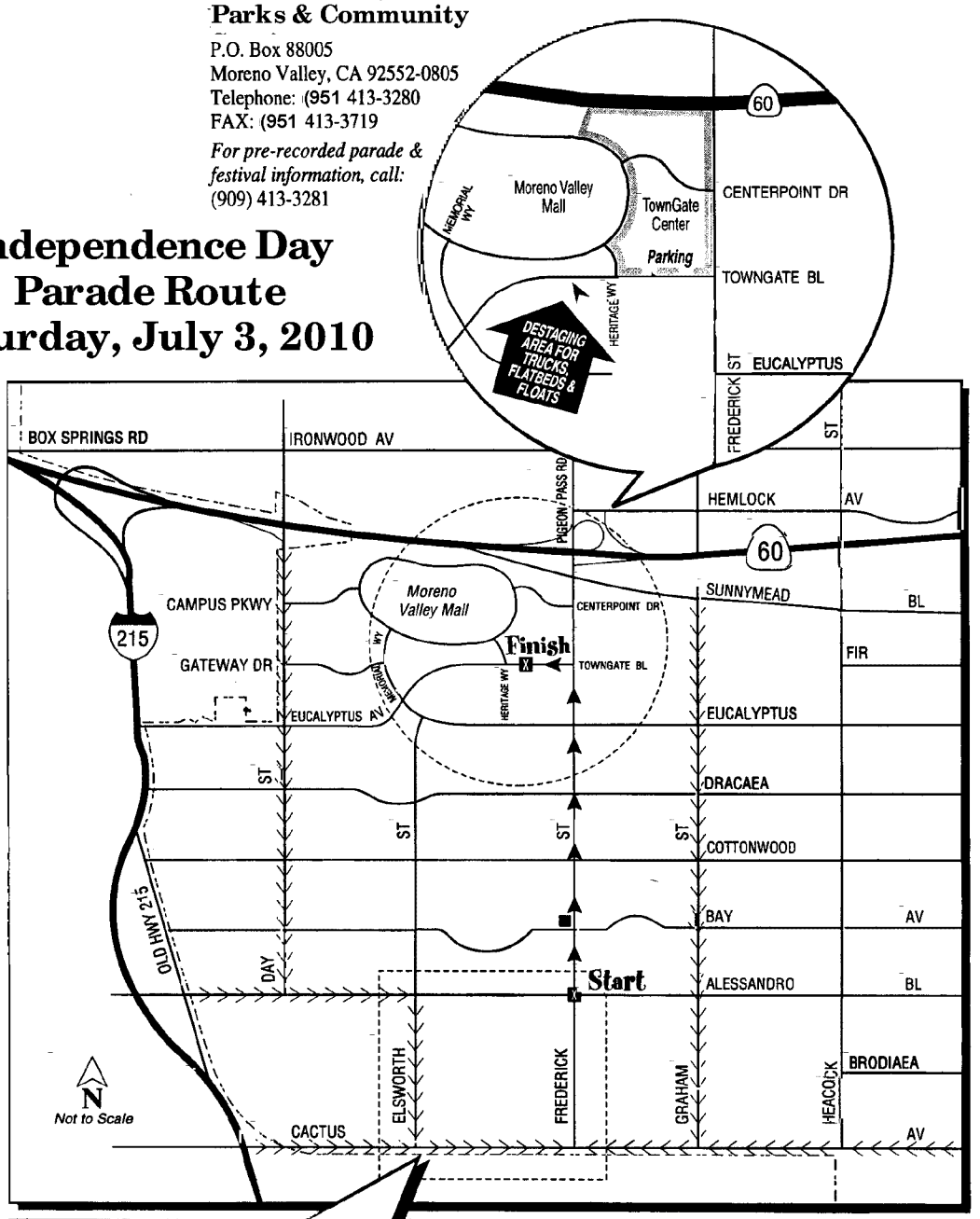

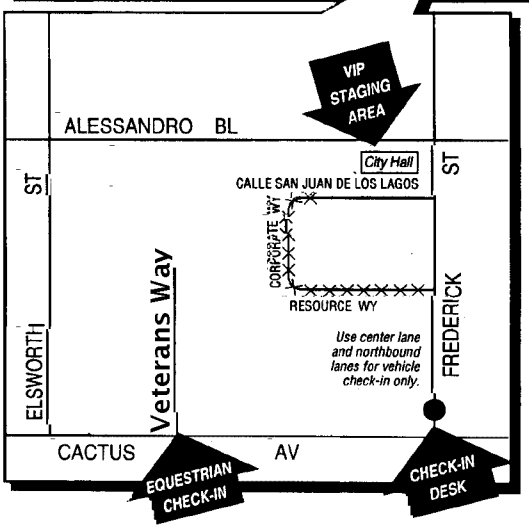

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

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MV00065040

July 4th Festival
Street Closures

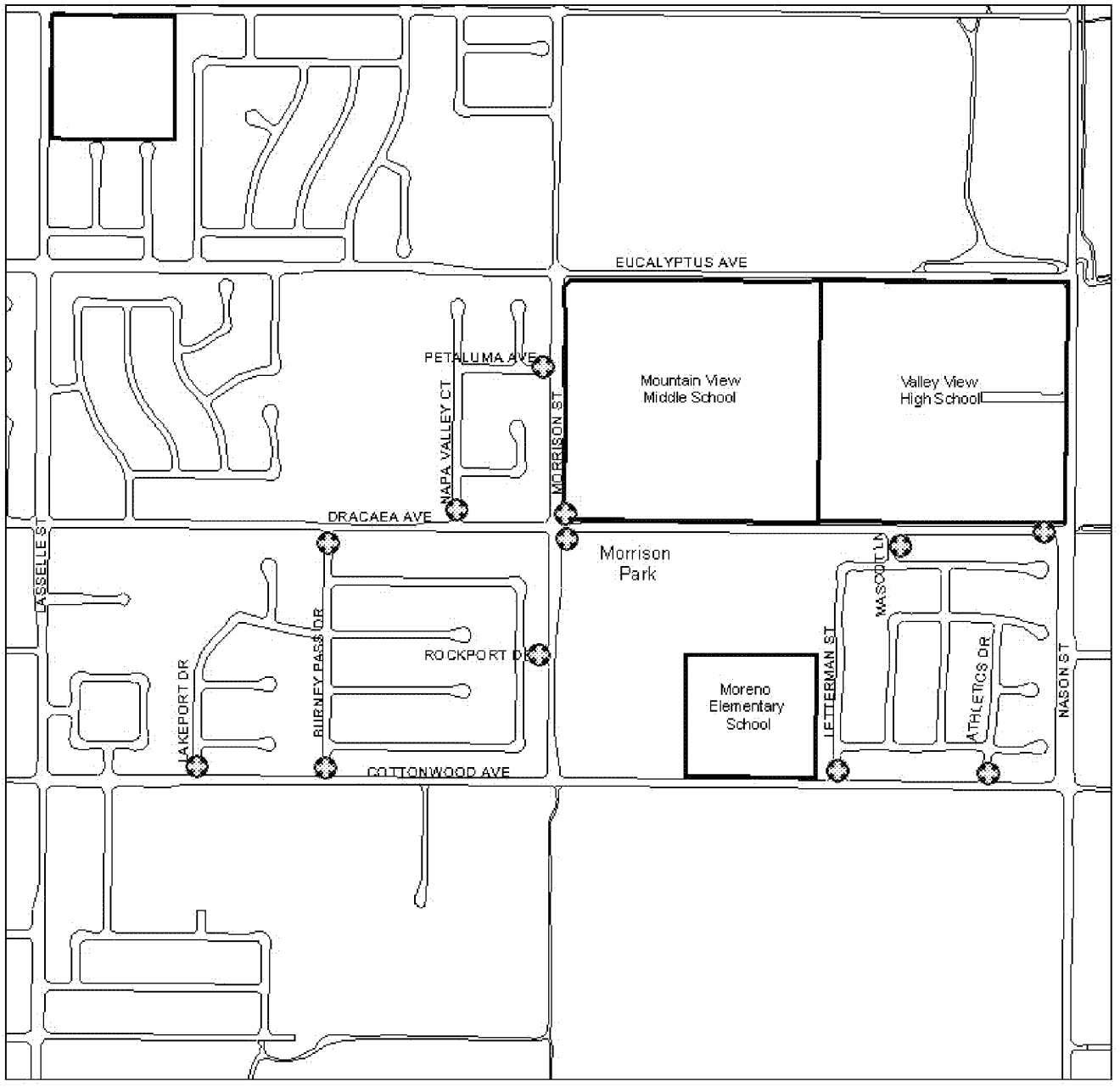

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

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MV00065042

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00065044

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769.00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:
Design Support Services..... $10,000
Contractor Construction Costs (includes 15% contingency)..... $813,000
Project Administration and City Inspection Costs* ..... $ 50,000
Construction Geotechnical Services..... $ 12,000

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... July 2010
Start Construction..... August 2010
Complete Construction..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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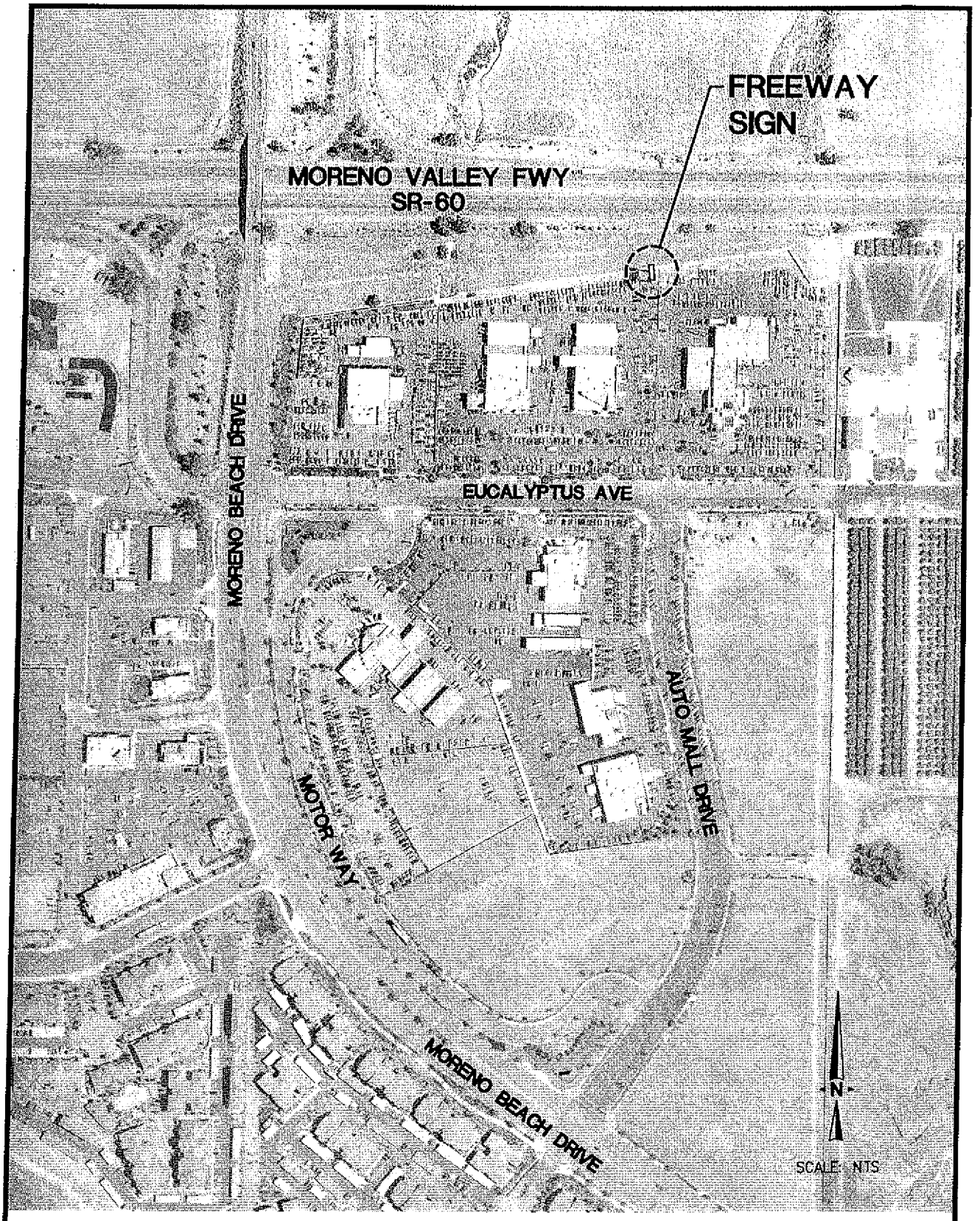

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: X:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH--SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbowman

ATTACHMENT "A"

Item No. C.3

MV00065051

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MV00065052

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

MV00065059

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00065062

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
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INSTRUCTIONS FOR COMPLETING THIS FORM

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- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00065066

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

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MV00065068

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 Funds (Account 282.68628)..... $397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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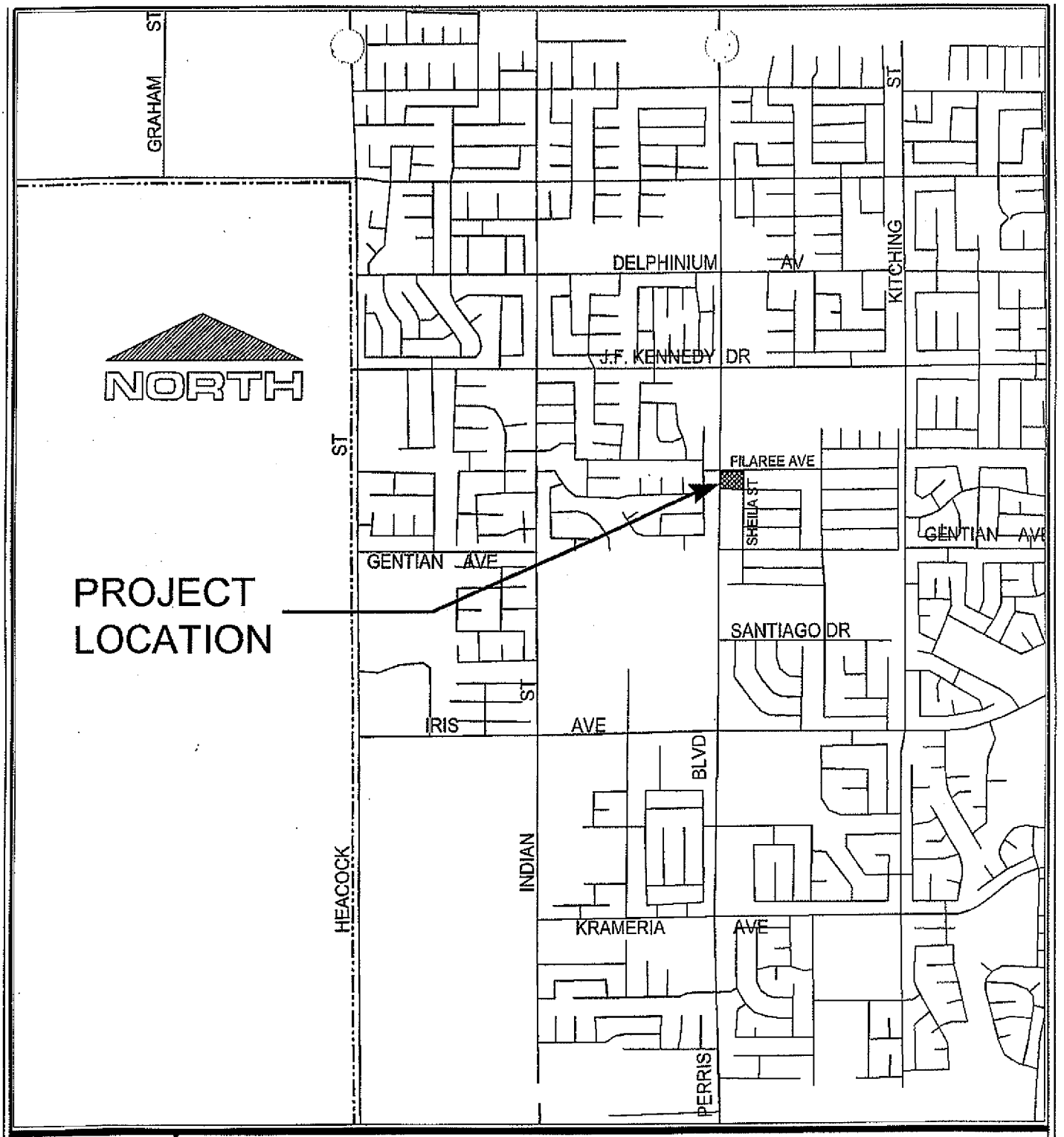

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

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MV00065074

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00065076

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

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MV00065084

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 15,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

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MV00065086

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 67,754,400
Less: Non-Proceeds of Tax			16,977,112
A) Total Appropriations Subject to the Limit			$ 50,777,288
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

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MV00065088

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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MV00065090

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

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MV00065098

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A - Parks & Recreation	$ 1,586,789		$ 1,586,789
Zone B - Residential Lights	116,100		116,100
Zone C - Arterial Lights	139,300		139,300
Zone L - Library Services	1,201,200		1,201,200
Fees			
Zone A - Parks & Recreation		5,934,500	5,934,500
Zone B - Residential Lights		930,600	930,600
Zone C - Arterial Lights		431,700	431,700
Zone D - Standard Landscaping		1,141,500	1,141,500
Zone E - Extensive Landscaping		2,406,000	2,406,000
Zone L - Library Services		89,500	89,500
Zone M - Median Fund		204,200	204,200
Zone S - Sunnymead Blvd Maintenance		52,400	52,400
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A - Parks & Recreation		186,500	186,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A - Parks & Recreation		289,800	289,800
Zone L - Library Services		424,900	424,900
Zone M - Median Fund		103,400	103,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89	80.11	100.00
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A - $0
Zone B - $0
Zone C - $9,000
Zone D - $1,300
Zone E - $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

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MV00065100

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,383,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

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MV00065102

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
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2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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MV00065104

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

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MV00065112

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

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MV00065114

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq.*) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

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MV00065128

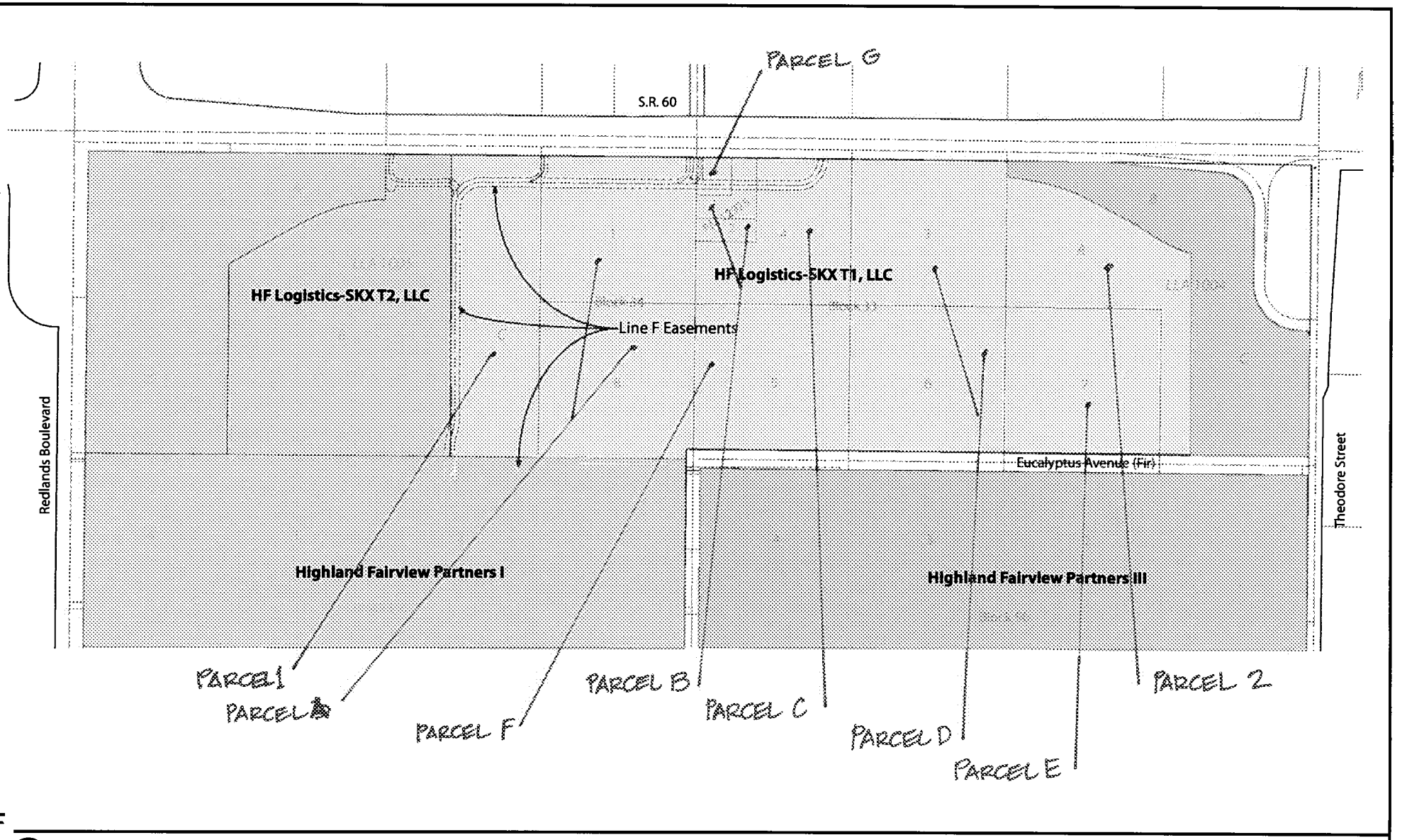

Not to scale
May 7, 2010

Highland Fairview Corporate Park - TPM 35629 Ownership Exhibit

Highland Fairview
Rancho Belago, Ca 92555

Highland Fairview Corporate Park\Design\HF Work\HFCP-Existing-LLA-Ownership

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

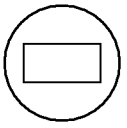

A circle around the box **<u>and/or</u>** associated clause; or

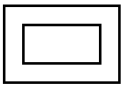

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

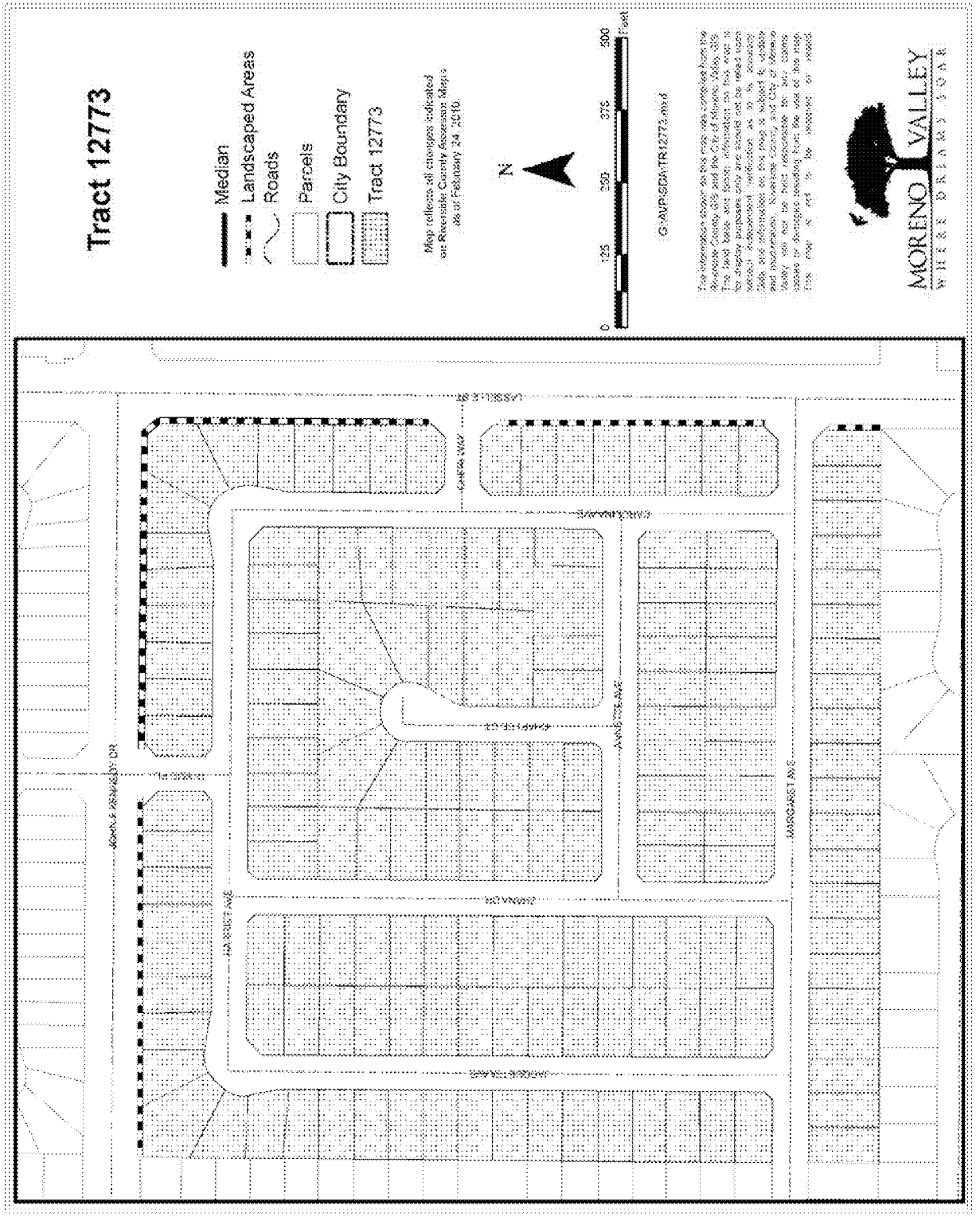
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR12773.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

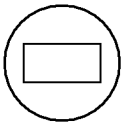

A circle around the box **and/or** associated clause; or

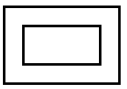

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

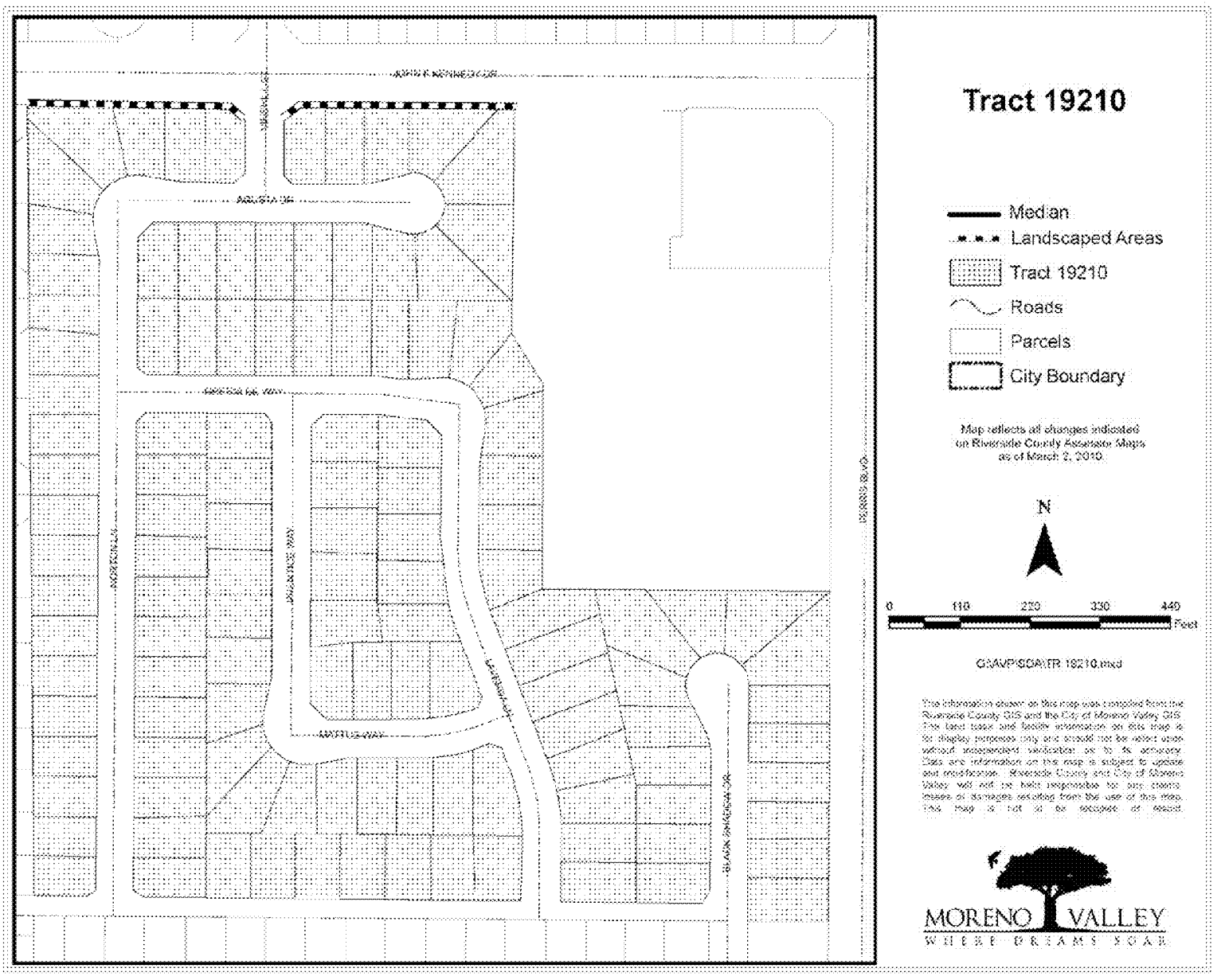
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
110
220
330
440
Feet
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

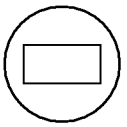

A circle around the box **and/or** associated clause; or

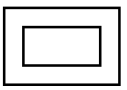

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

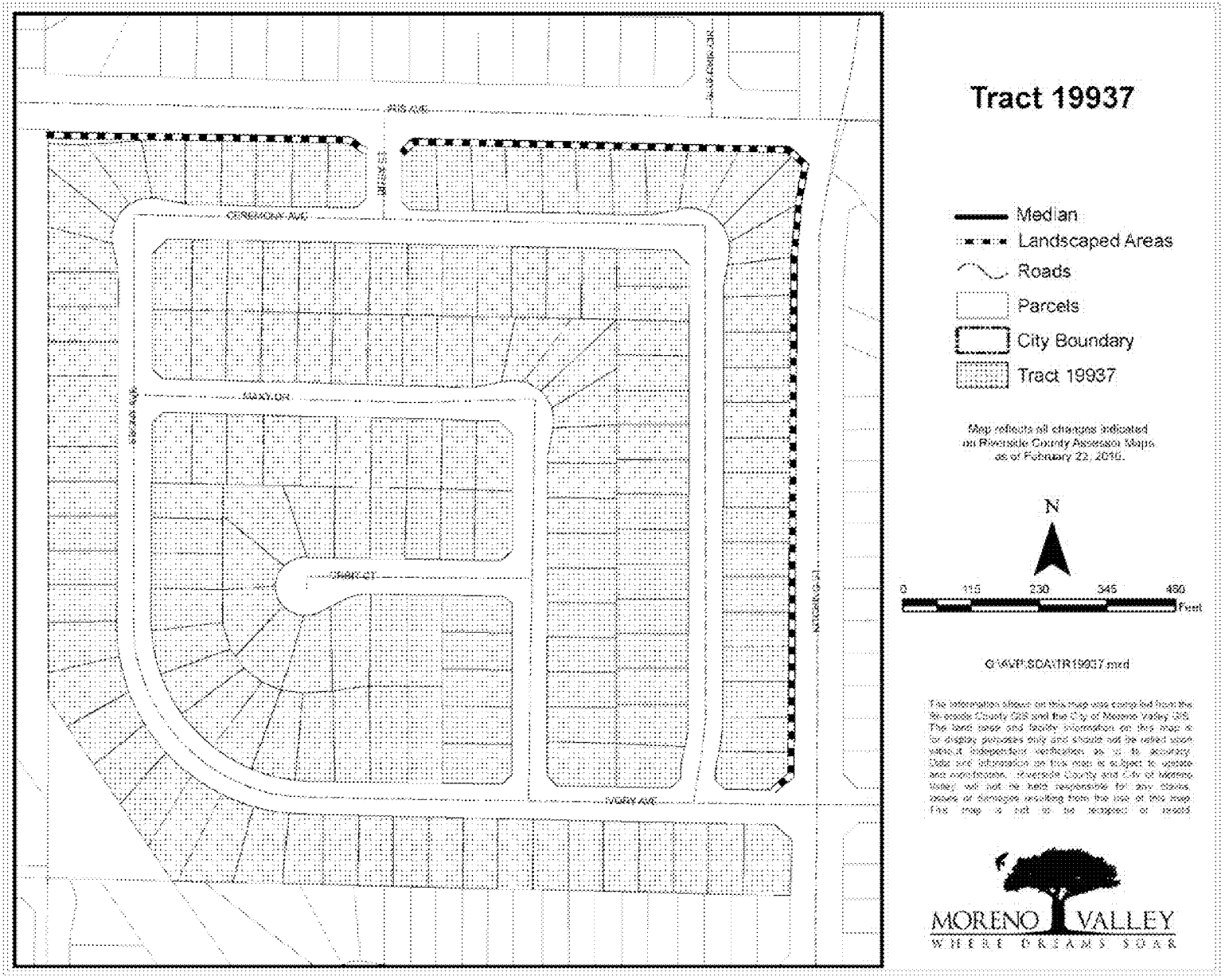
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
345
460
Feet
G:\AVP\SCA\TR19937.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

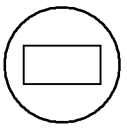

A circle around the box **<u>and/or</u>** associated clause; or

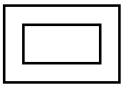

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

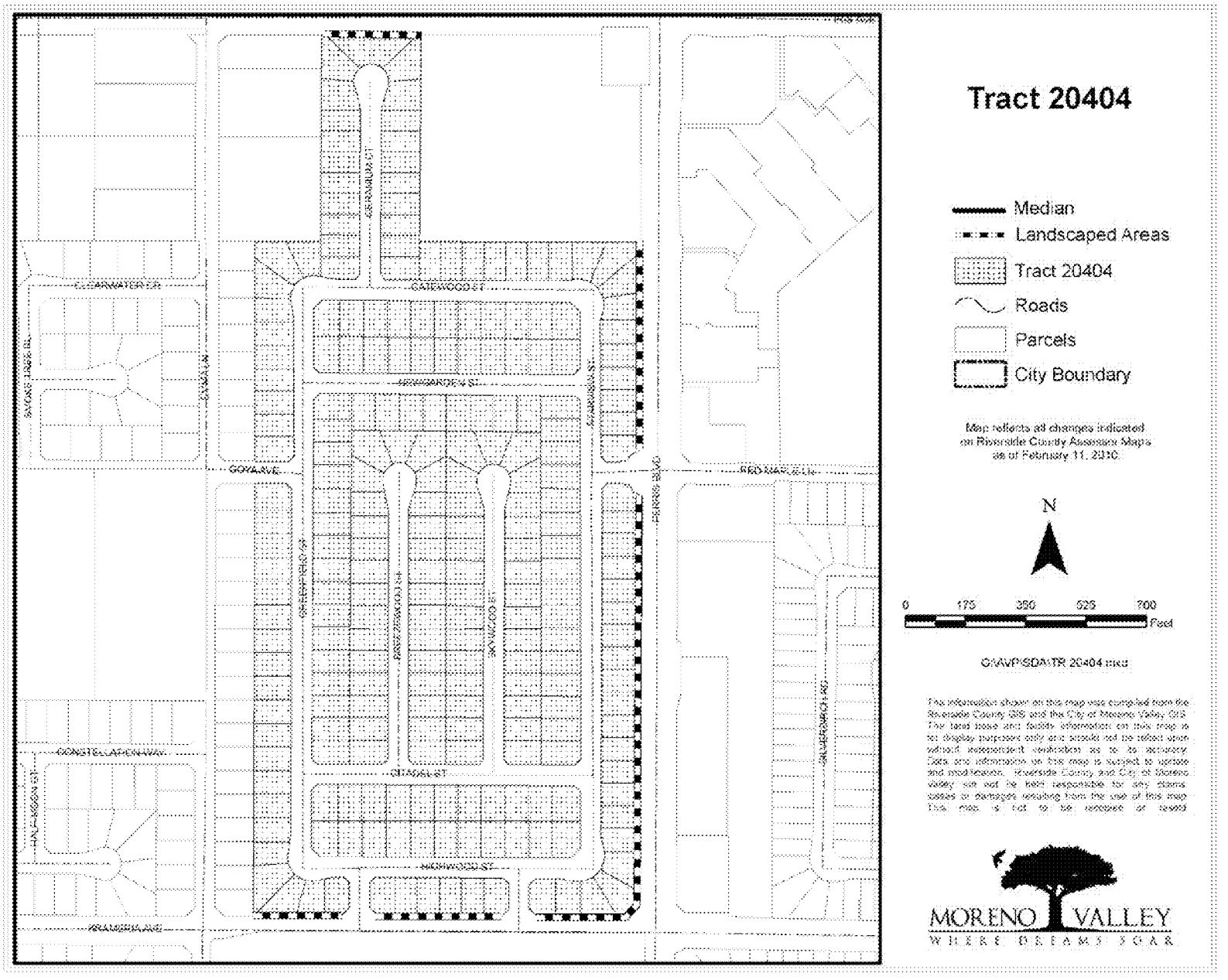
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 175 350 525 700 Feet
G:\AVP\SDA\TR 20404.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tax base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
CLEARWATER LN
GATEWOOD ST
SPRINGBROOK ST
GOYA AVE
RED MAPLE LN
PERRIS BLVD
GREENFIELD ST
SKYWOOD ST
CONSTELLATION WAY
HALLOWEEN ST
HIGHWOOD ST
FRANKLIN AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

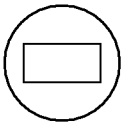

A circle around the box **<u>and/or</u>** associated clause; or

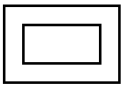

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$**	**7,179.10**
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

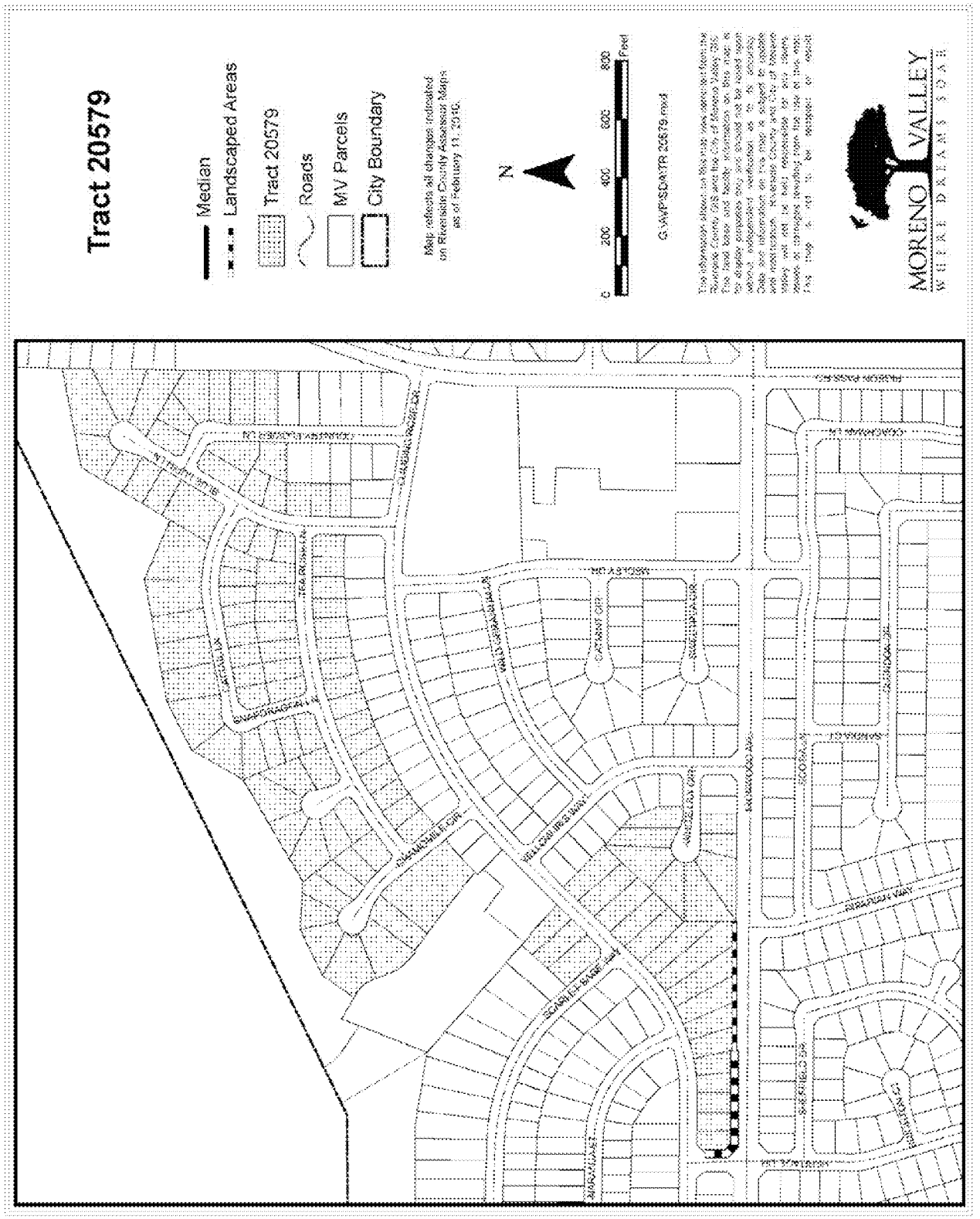
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20579\Tract 20579b packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

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LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

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V. SUMMARY OF BALLOT PROCEEDINGS

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BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

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A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

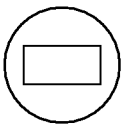

A circle around the box and/or associated clause; or

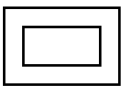

A square or rectangle around the box **and/or** associated clause.

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
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2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
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Direct Costs:				
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Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

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City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

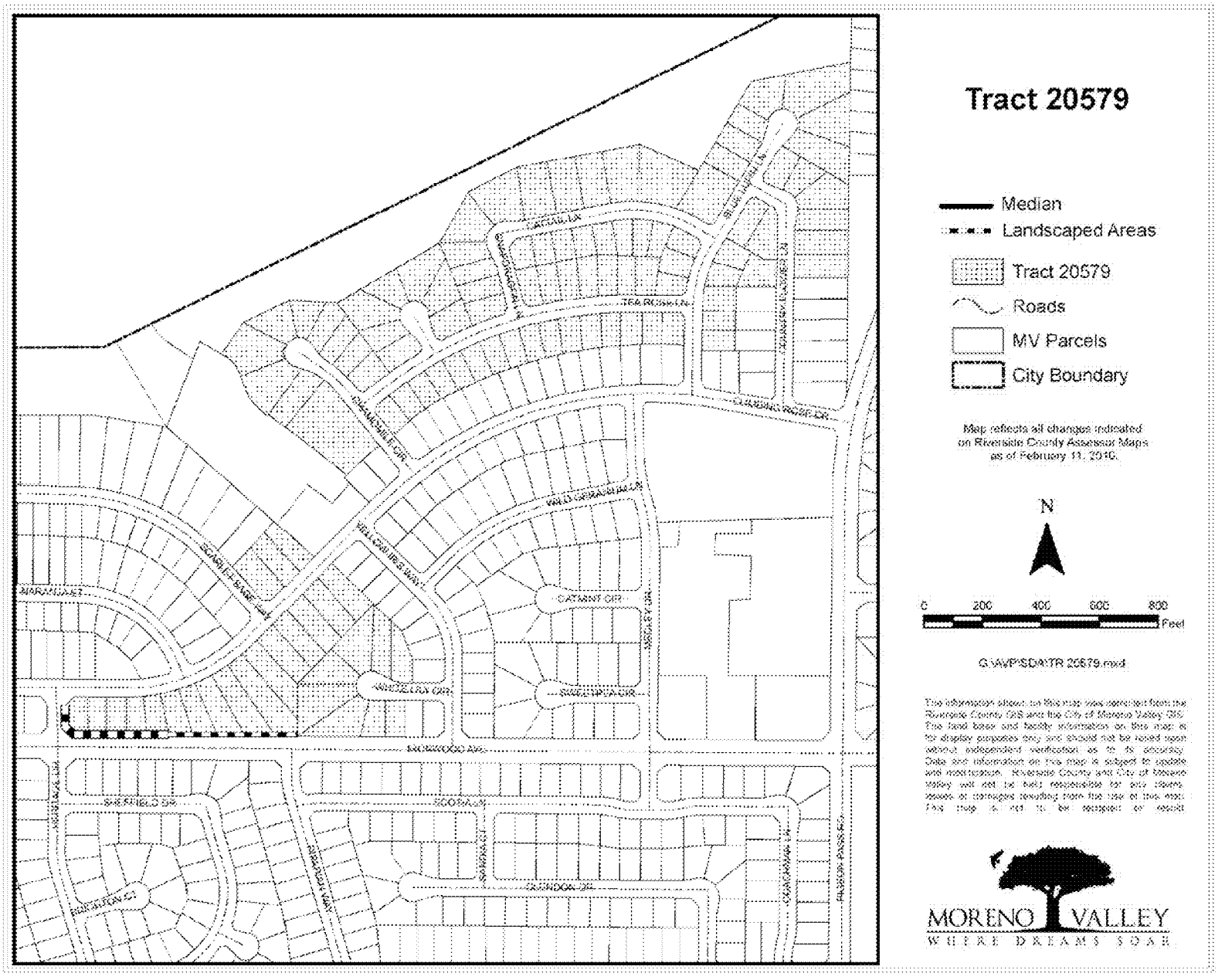
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 200 400 600 800 Feet
G:\WP\SD\NTR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información en Español.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

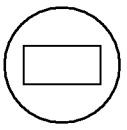

A circle around the box **and/or** associated clause; or

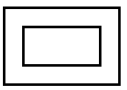

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$**	**7,179.10**
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

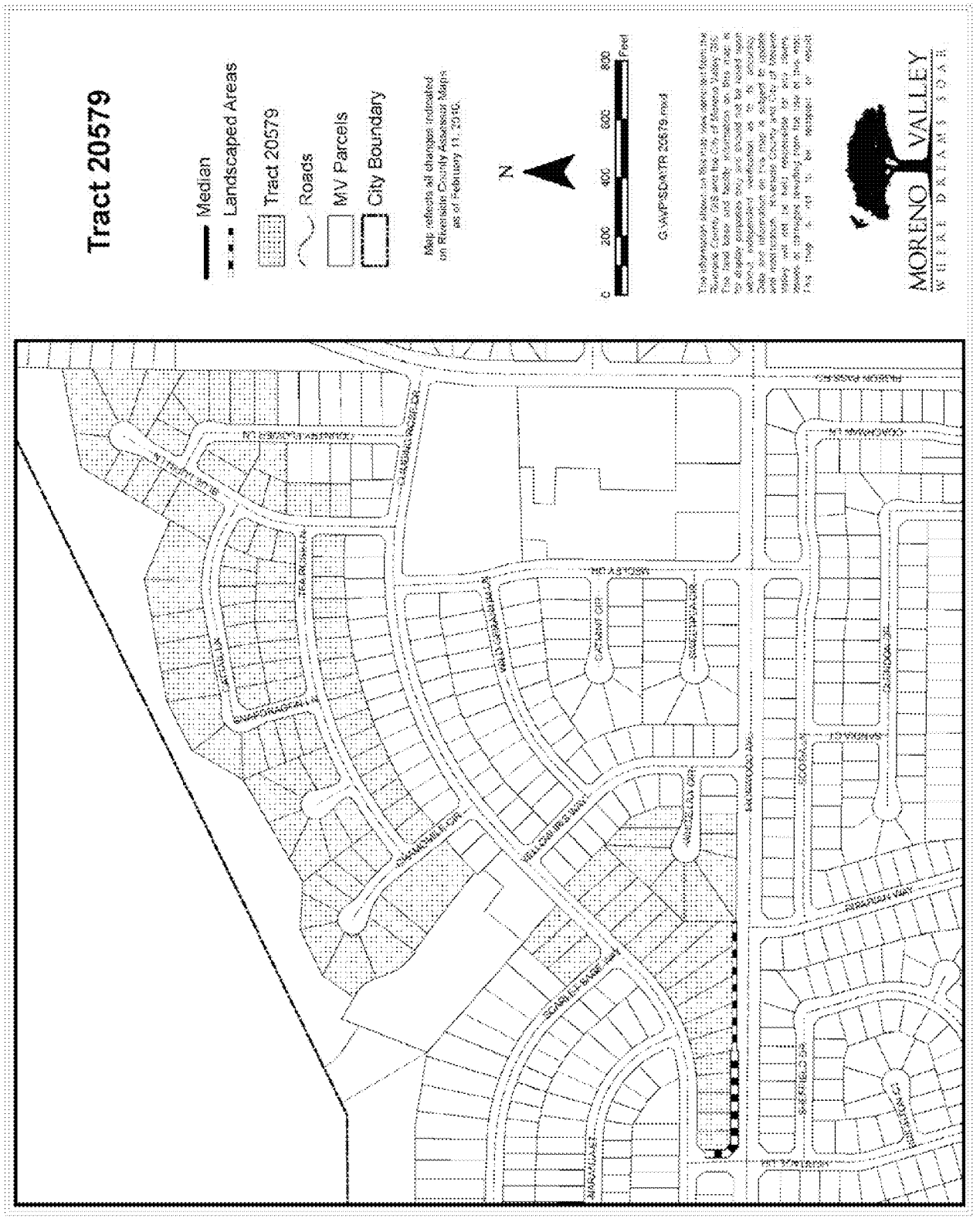
Tract 20579
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Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

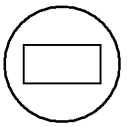

A circle around the box **and/or** associated clause; or

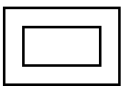

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

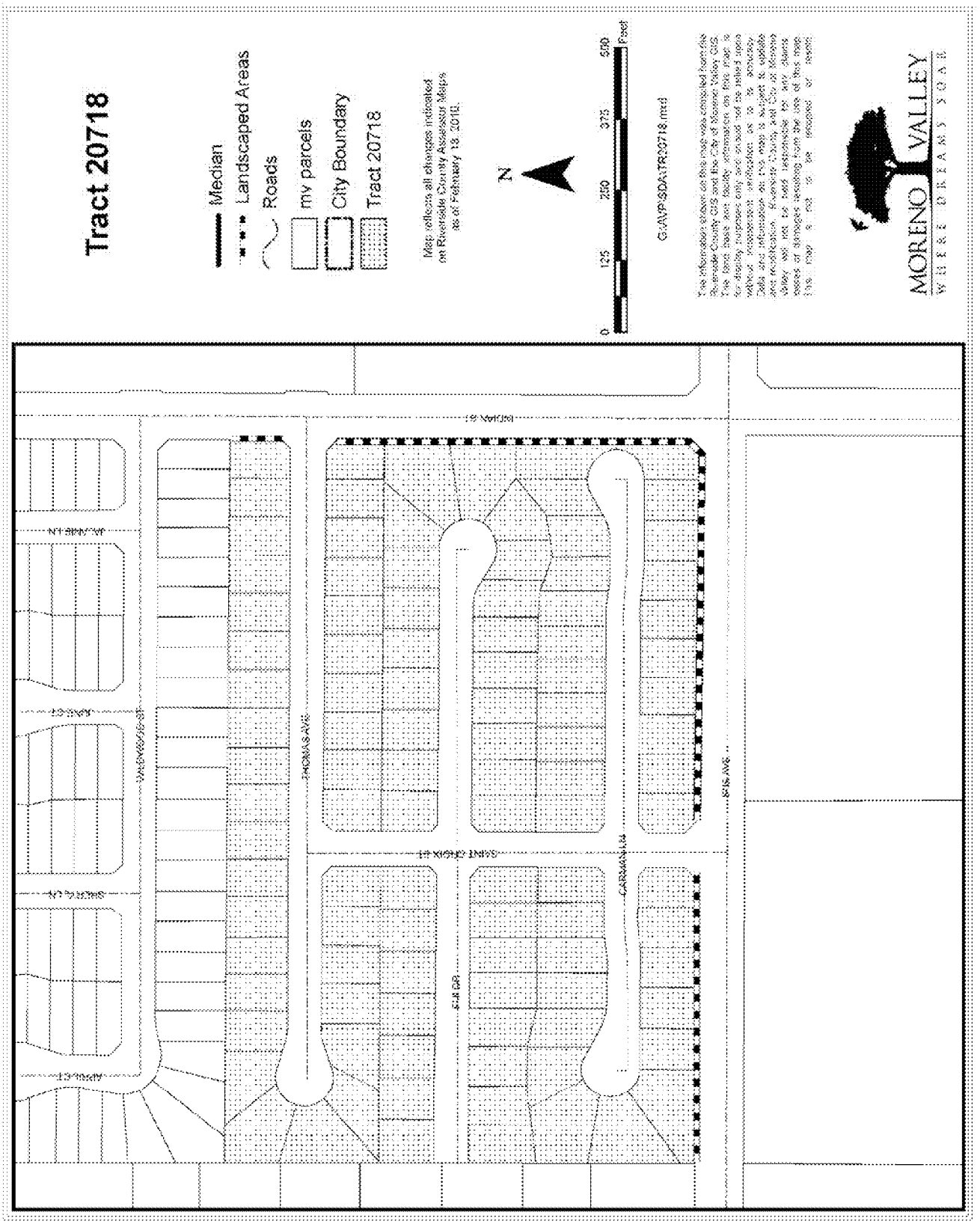
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 13, 2010.
N
0
125
250
375
500
Feet
G:\MVP\SDA\TR20718.mxd
MORENO VALLEY
WHERE DREAMS SOAR
THOMAS AVE
CARMANITA
BIRCH AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\21113\Tract 21113 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

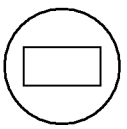

A circle around the box **and/or** associated clause; or

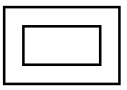

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

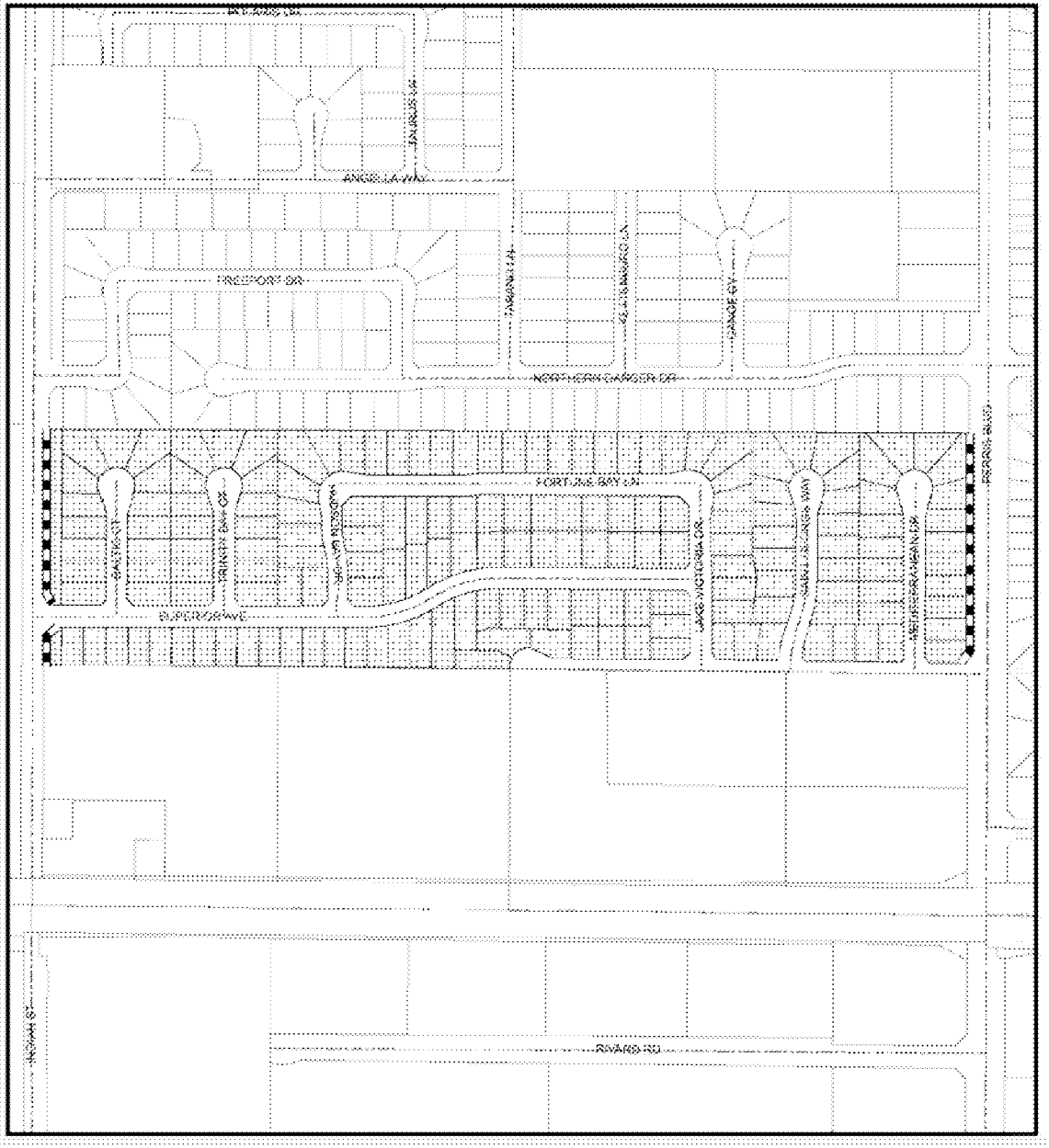

Tract 21113

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

N

0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley, GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

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FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

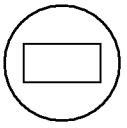

A circle around the box **<u>and/or</u>** associated clause; or

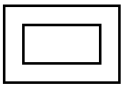

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

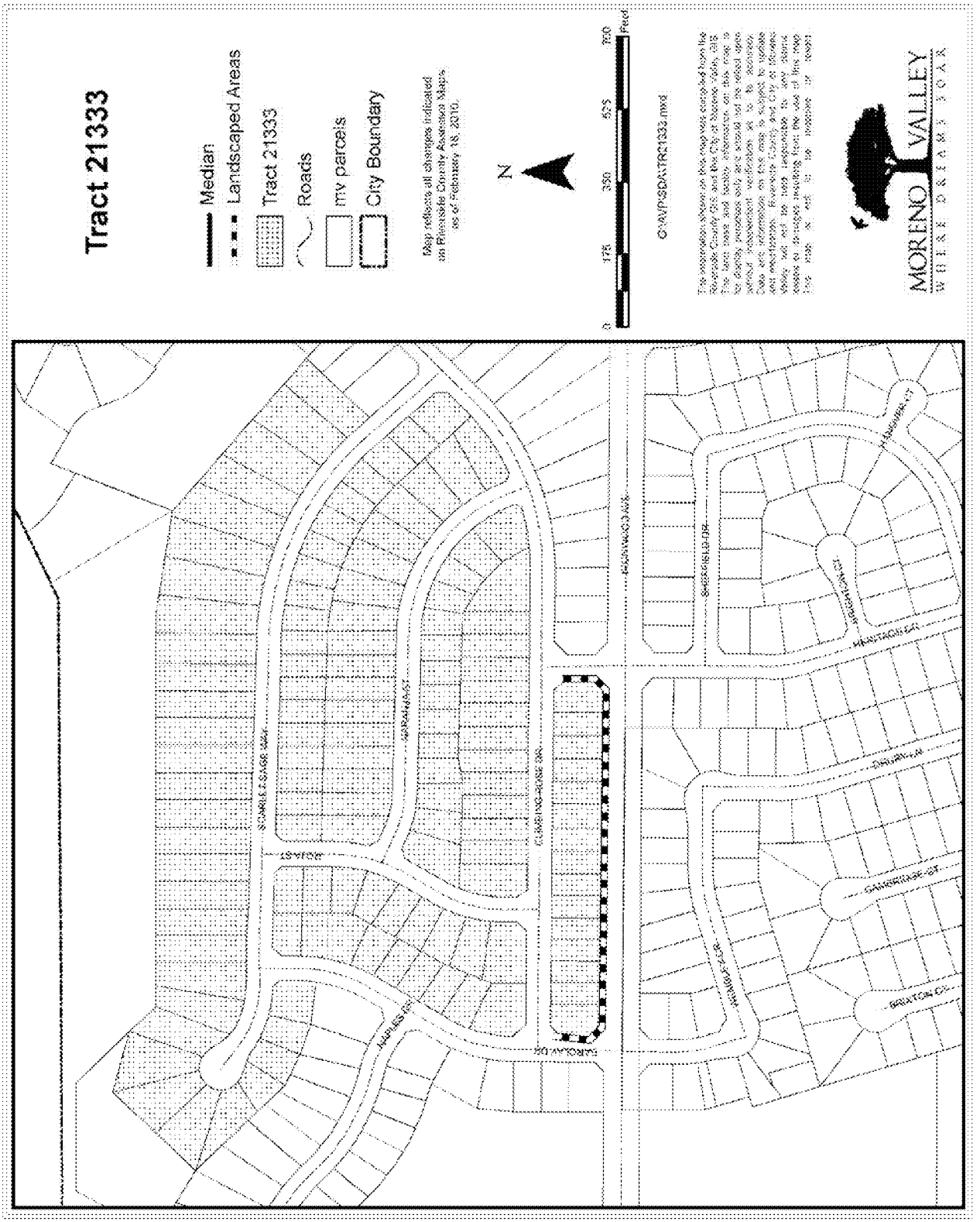
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
mv parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
175
350
525
700
Feet
G:\MVPSDA\TR21333.mxd
MORENO VALLEY
WHERE DREAMS SOAR
SCARLETSTONE WAY
ASHFORD ST
MAPLES ST
CARROLLTON DR
CHRISTINE-ROSE DR
HEACOCK ST
SHEFFIELD DR
HAMPTON CT
HAMPTON CT
DRURY LN
CAMBRIDGE ST
BRATON CT

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

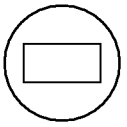

A circle around the box **and/or** associated clause; or

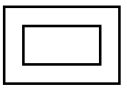

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

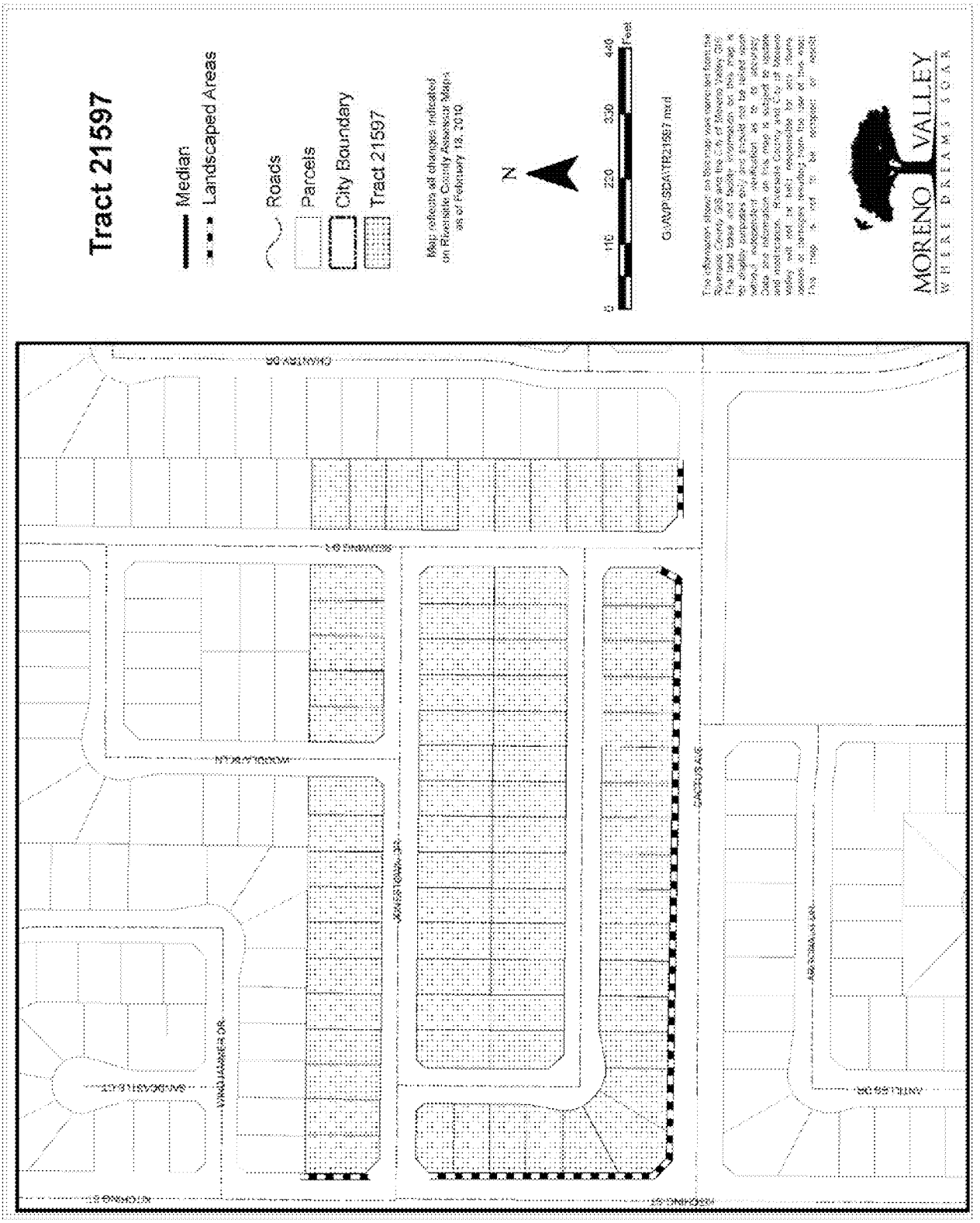
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0
110
220
330
440
Feet
G:\AP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

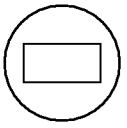

A circle around the box **<u>and/or</u>** associated clause; or

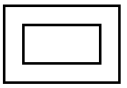

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

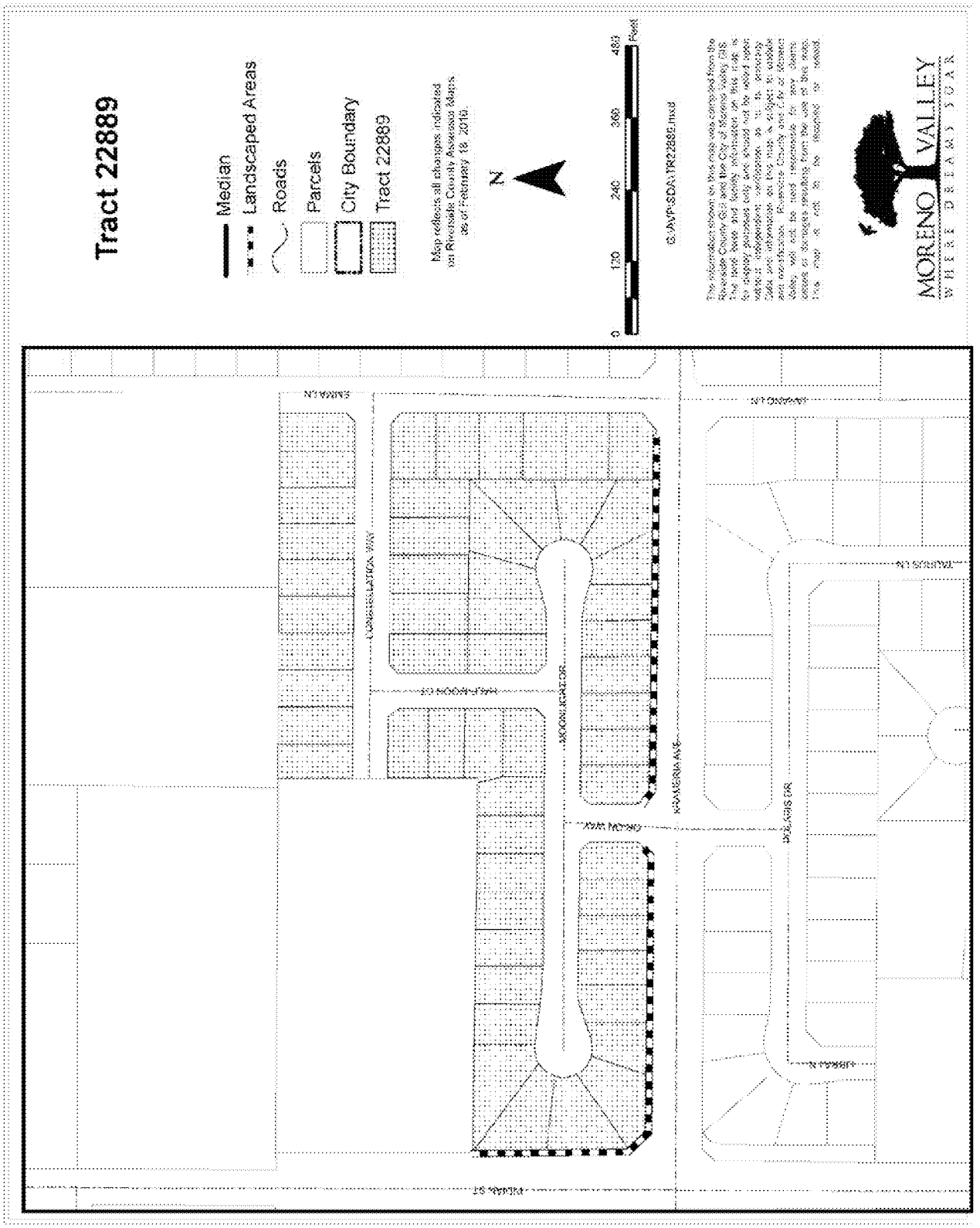
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2019.
N
0
120
240
360
480
Feet
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MORENO VALLEY
WHERE DREAMS SOAR
CONSTELLATION WAY
MOON ROCK DR
KITAMERIA AVE
DOLKIS DR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

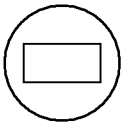

A circle around the box **<u>and/or</u>** associated clause; or

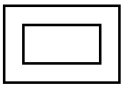

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

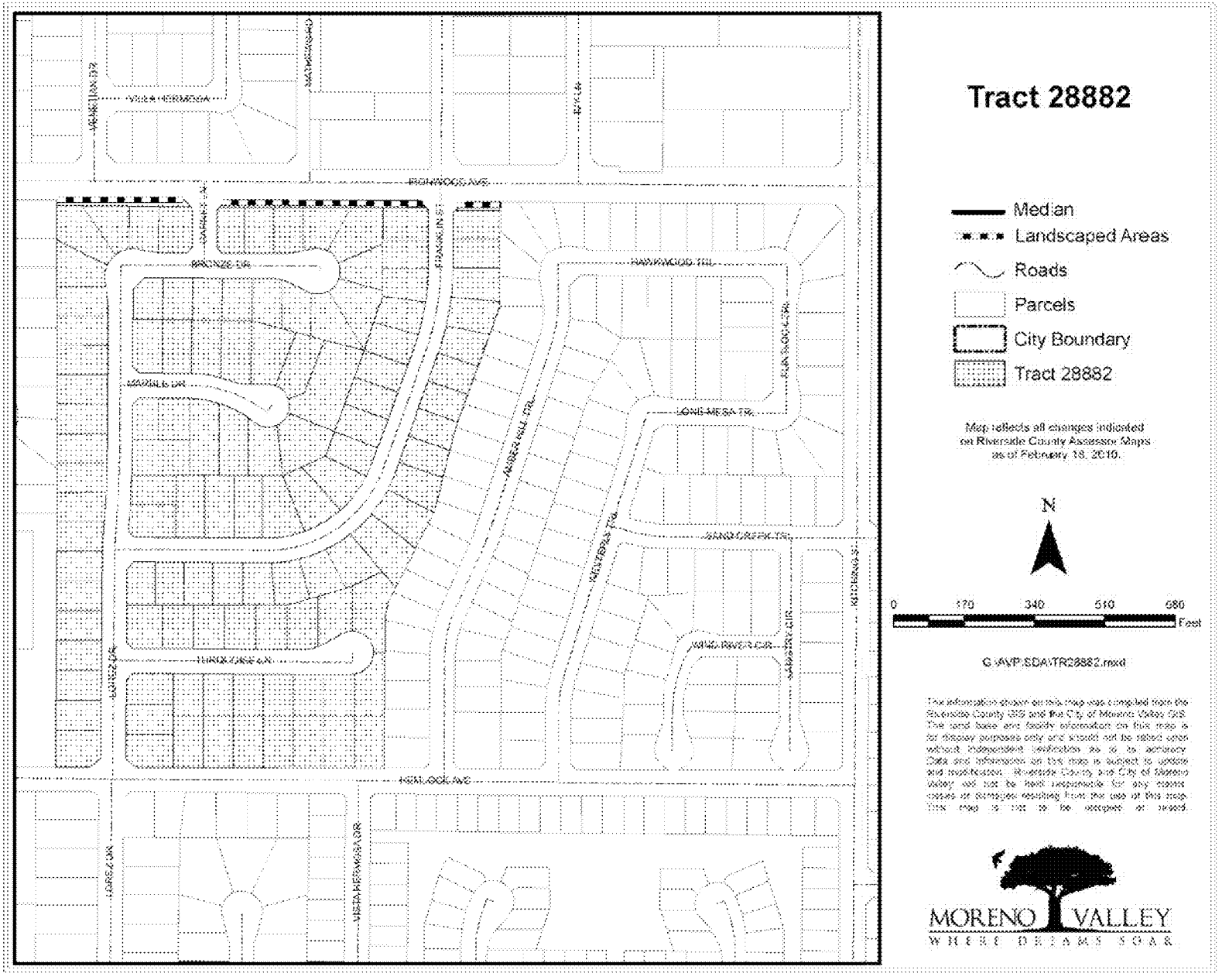
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
170
340
510
680
Feet
G:\AVP\SDA\TR28882.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\31257\Tract 31257 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información verbal en Español

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

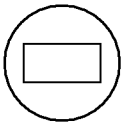

A circle around the box **and/or** associated clause; or

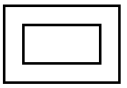

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

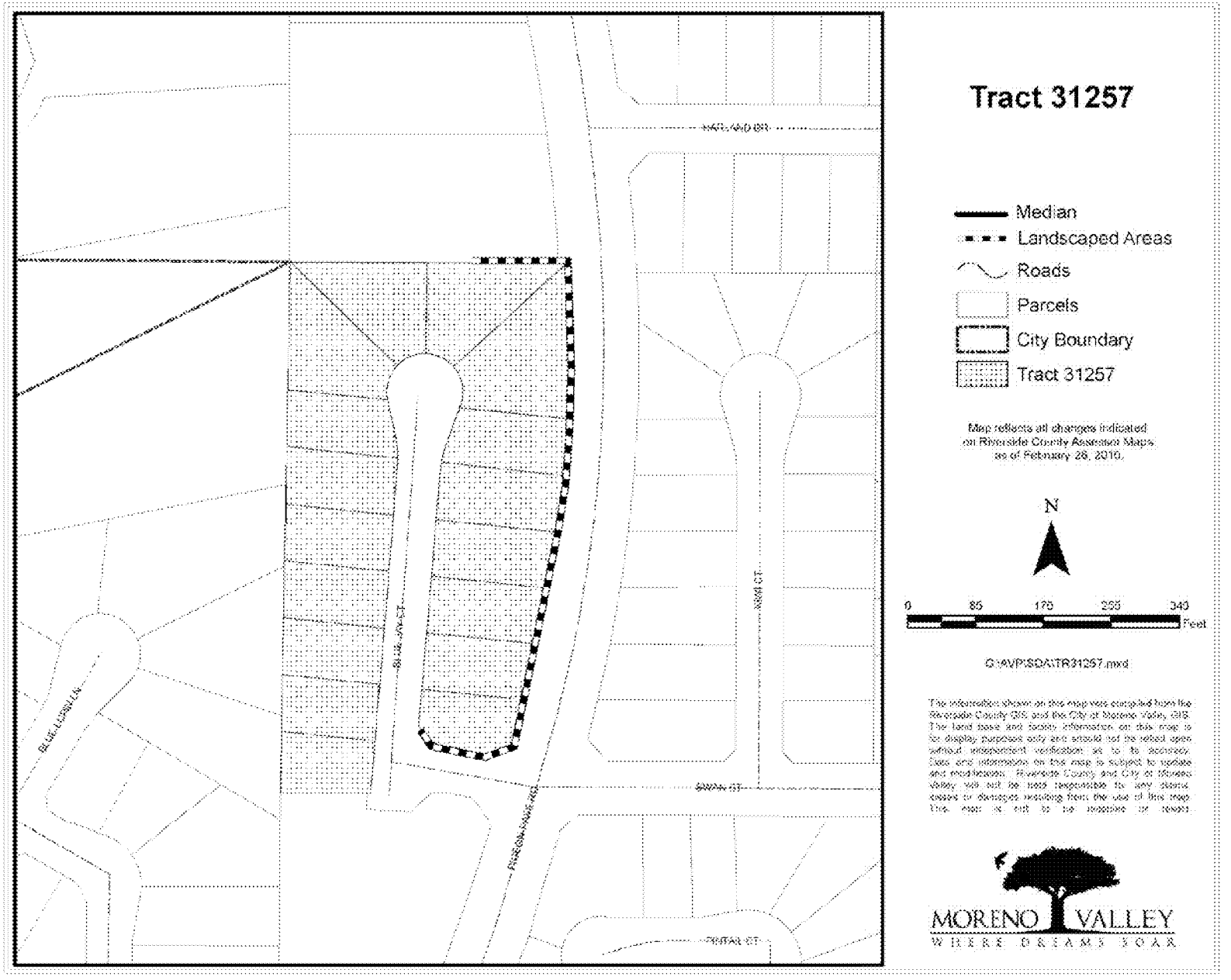
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
Map reflects all changes indicated on Riverside County Assessor Maps as of February 28, 2010.
N
0
85
170
255
340
Feet
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

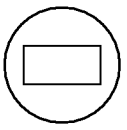

A circle around the box **and/or** associated clause; or

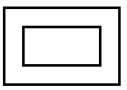

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

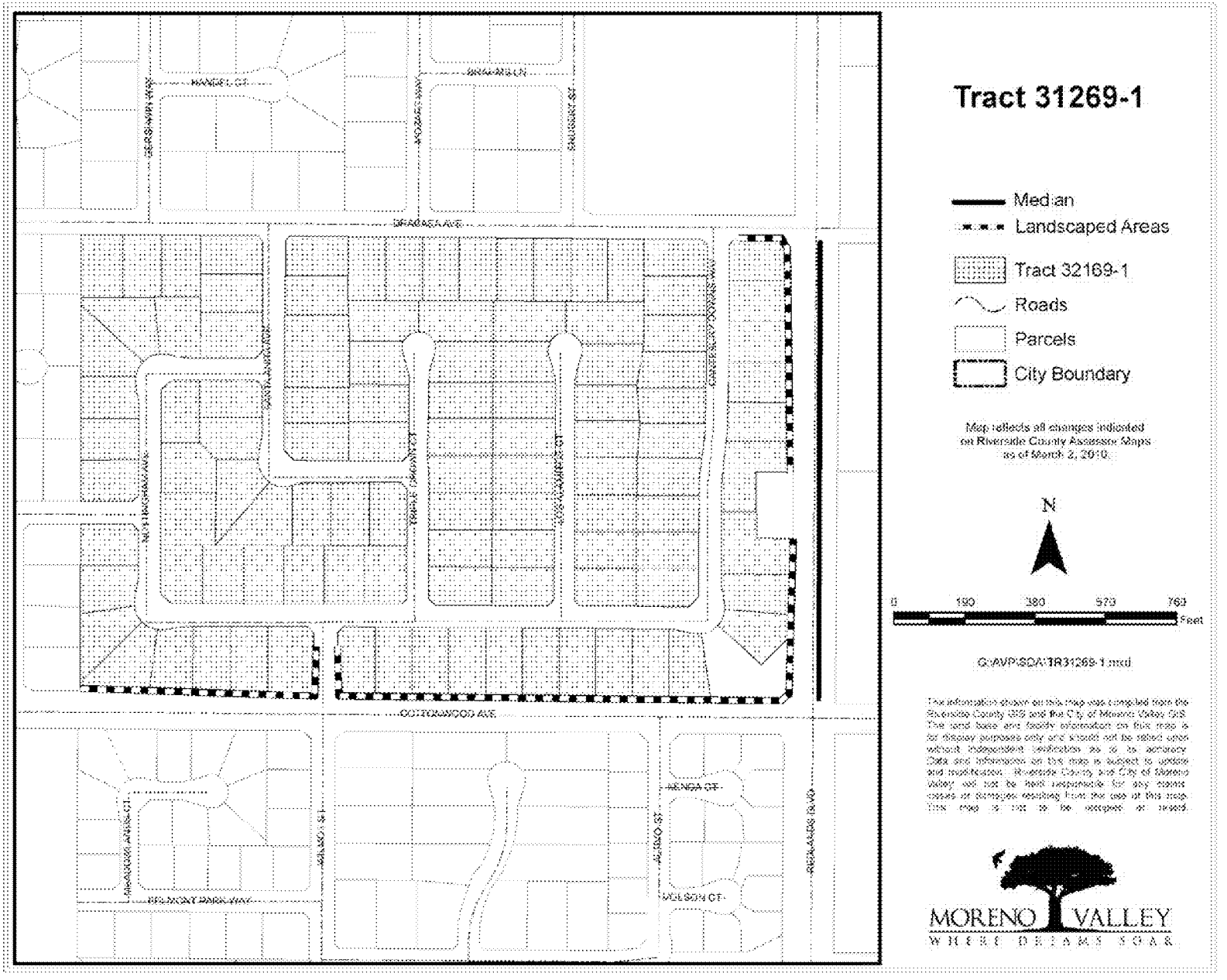
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
G:\AVP\SDA\TR31269-1.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
BRADLEY AVE
COTTONWOOD AVE
HENDA CT
WELSON CT
ALESSO ST
RIVERSIDE BLVD

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

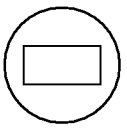

A circle around the box **<u>and/or</u>** associated clause; or

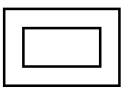

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

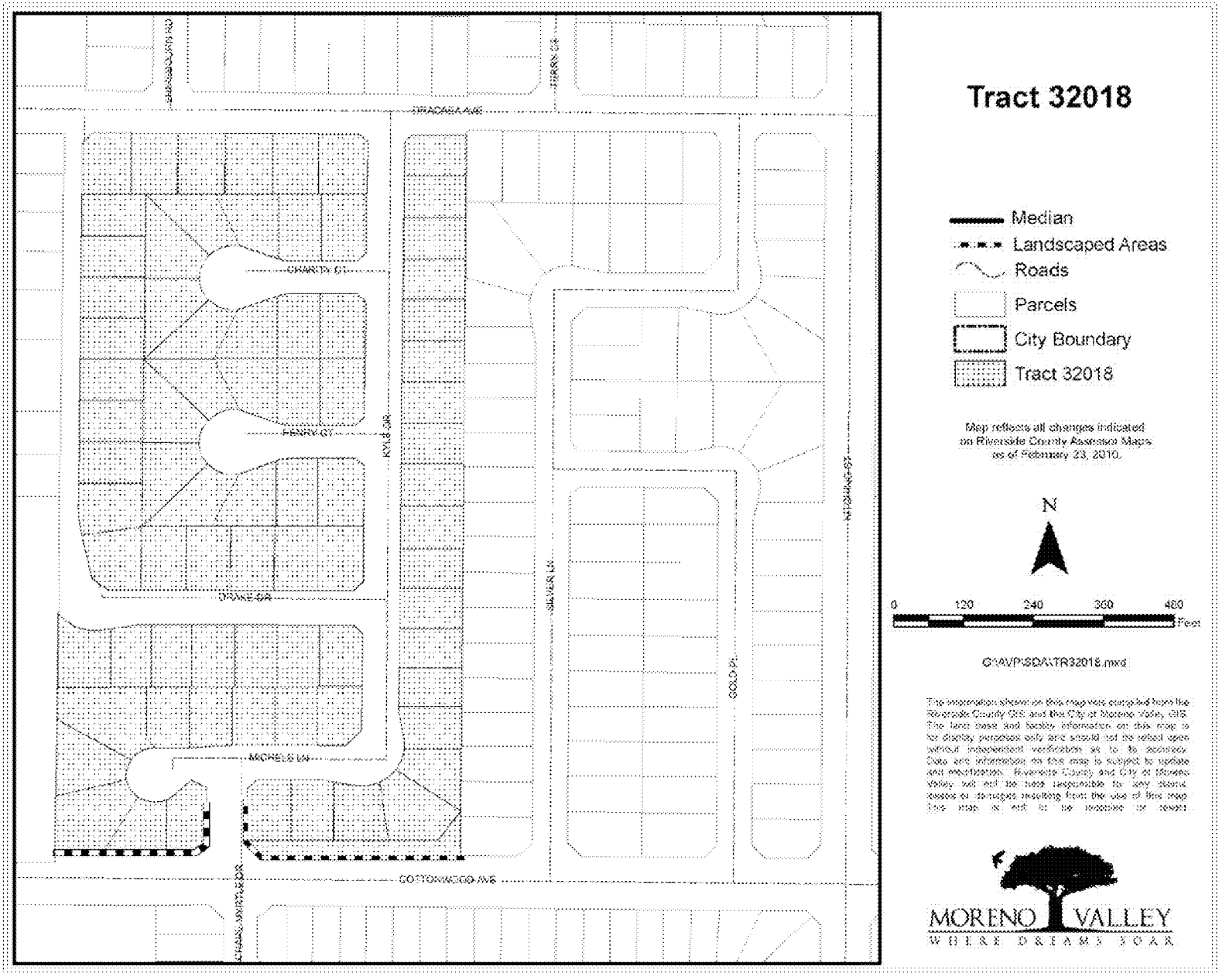
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR32018.mxd
MORENO VALLEY
WHERE DREAMS SOAR
ACACIA AVE
CHARITY CT
FERRY CT
KYLE DR
DRAKE DR
MICHELS LN
COTTONWOOD AVE
SILVER LN
GOLD PL
HEIDI AVE

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission and the Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, and George W. Brummer, an applicant to the Parks and Recreation Commission and the Traffic Safety Commission, are planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*

Juanita M. Barnes*
George W. Brummer**/***
Virgil Chancy*
Marie Hyta **

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer **/***
Alvin C. Horn
Frank D. Pavlik*
Jacqueline Dawn Qualls

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

\\zurich\shared\InterDept\Council-Clerk\City Clerk Files\Advisory Boards and Commissions\Appointment Staff Reports\2010\June 10 Appointments Staff Report.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00065304

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTIONS HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the aforementioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such pro ration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

ATTACHMENT 2

Resolution No. 2010-62
Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

Resolution No. 2010-62
ATTACHMENT 2 Date Adopted: June 8, 2010

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	$1,829,606	10%
9% Tax Credit Equity	$9,242,933	49%
RDA Funds	$6,750,000	36%
Affordable Housing Fee Reductions- City	$991,608	5%
Affordable Housing Fee Reductions- County	$79,632	<1%
General Partner Equity	$99,029	<1%
Total	$18,992,808	100%

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00065320

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(96,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(78,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225,192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00065330

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,200	$479,000		$1,020,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,427
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,020,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF-CCAT GRT-PD-AB322	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/EDUC/GOVT ACCESS	550,000								550,000
134	EMPG-EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	207,000								207,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORM WATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORM WATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					286,611	286,611	286,611	8,284,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					208,300	208,300	208,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD#1	1,006,105								1,006,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,218								183,218
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIAL STS DEV IMPACT FEE	104,700					1,308,975	1,308,975	1,308,975	1,413,675
202	TRAFFIC SIGS DEV IMPACT FEE	26,700								26,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,908	212,908	212,908	254,008
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	90,700								90,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
225	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
227	FHWA TRANSIMS	186,600								186,600
228	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
229	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118								78,118
233	EMERGENCY SVCS AGENCY	14,000								14,000
262	JAG 2009 SB-59-2366 FUND	435,700								435,700
280	CDBG FY05/06 FUND	10,000								10,000
282	CDBG FY07/08 FUND	14,700								14,700
283	CDBG FY08/09 FUND	418,652								418,652
285	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16-06-1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REFNDG	1,158,700								1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,700								2,700
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,200								404,200
328	AUTOML REFIN-CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD#5 STONERIDGE DEBT SVC	362,200								362,200
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION - DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIAL STREETS	296,000								296,000

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,250								38,250
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP-ADMIN FUND	62,500								62,500
529	CFD#5 STONERIDGE CAP/ADM	54,000								54,000
530	CFD #4I - INFRA CAP/ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,306,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A - DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A - CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,320,900	(2,272,200)	0	150,000	0	2,300,225	2,450,225	178,025	13,498,925
	NET REVENUES	**$180,916,700**	**($681,160)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,468**	**$203,305,168**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$217,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	217,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF-CCAT GRT-PD-AB322	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/EDUC/GOVT ACCESS	447,200					447,200
134	EMPG-EMERGNCY MGMT PREP	94,200					94,200
136	OTS - POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,230,200					1,230,200
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,200					13,200
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,200)			(162,200)	8,284,200
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ART LGHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,200					2,837,200
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD#1	951,200					951,200
185	ZONE "S"	120,000					120,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIAL STS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
227	FHWA TRANSIMS	30,000					30,000
229	EECBG FUND				1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118					78,118
285	CDBG FY10/11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG14 USED OIL RECYCLG	27,900					27,900
295	TRI16-06-1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGT IMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGT SPCL TAX REFNDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,400			300	300	2,700
321	CH COP 97 DEBT SVC FUND	822,025					822,025
325	PUB SAFTY BOND DEBT SVC	404,200					404,200
328	AUTOML REFIN-CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD#5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I - INFRA DEBT SVC	11,493,200					11,493,200
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION - DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGT IMPV SPCL TAX CAP	38,200					38,200
515	2007 TWNGT SPCLTAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD#5 STONERIDGE CAP/ADM	53,700					53,700
530	CFD #4I - INFRA CAP/ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,200					318,200
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds [1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

BACKGROUND

The purpose of the Proposed CIP is to identify needed improvements and establish long-term funding priorities. The Proposed CIP contains the list of projects comprising the budget and expenditures that will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

DISCUSSION

The Proposed CIP identifies and projects the costs of constructing the following types of projects anticipated through build-out of the City:

- Street Improvements
- Buildings
- Electric Utility
- Parks
- Underground Utilities
- Bridges
- Drainage, Sewers, and Waterlines
- Landscaping
- Traffic Signals

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, availability of matching federal, state, or regional grant funds, and anticipated development trends within the City.

During the Study Session on June 15, 2010, City Council directed staff to make revisions to various project forms in the FY 2010–11 Proposed CIP. Staff has also incorporated necessary revisions, resulting from error corrections, receiving updated information, and Deficit Reduction Option (DRO) impacts.

With regard to the DRO impact, on June 8, 2010, City Council approved the DRO that funds the City-Wide Traffic Signals and City-Wide Transportation Operations from the General Fund, thus making $1,037,000 in Measure "A" funds available for the Citywide Annual Pavement Resurfacing Program. Also, in March 2010, the Legislature passed, and the Governor signed into law, two assembly bills that effectively swapped Proposition 42 funds (Fund 225) for Gas Tax funds. As a result, the anticipated $1,830,944 increase in Gas Tax funds are appropriated for the Citywide Annual Pavement Resurfacing Program, while Proposition 42 funding is eliminated for FY 2010-2011. The State is purporting to delay the Gas Tax appropriation for approximately 9 months; therefore, the $1,830,944 is programmed for FY 2011-2012.

Both the City Council-directed revisions and the miscellaneous revisions are incorporated and documented in Attachment "A".

Capital Budget Adoption Actions

Revisions to the Proposed Capital Improvement Plan (Attachment "A") - This is a list of revisions to various project forms in the Proposed CIP that were incorporated as directed by City Council during the Study Session on June 15, 2010. Also incorporated are necessary revisions, resulting from error corrections and receiving updated information. The list includes proposed revisions to the Proposed CIP that would be, upon City Council approval, incorporated in the Adopted CIP. By incorporating Revisions to the Proposed CIP, the Adopted CIP, as the capital budget for the City of Moreno Valley for FY 2010-11, will be a more accurate, current, and superior document.

Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D") – As a long-standing best practice, each of the City's primary entities (the City, RDA, and CSD) will adopt separate resolutions to approve their respective budget.

ALTERNATIVES

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"). *This alternative will allow needed improvements.*

2. Do not adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, do not adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, do not adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"). *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

Projects have been identified as funded, partially funded, and unfunded for FY 2010-11 through FY 2014-15 and Beyond. The Capital Improvement Plan provides the funding and expenditure plan for FY 2010-11.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Staff recommends that the City Council adopt the Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D"), approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley, Community Services District, and Community Redevelopment Agency for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

ATTACHMENT

Attachment "A" – Revisions to the Proposed Capital Improvement Plan
Attachment "B" – Proposed Resolution No. 2010-65
Attachment "C" – Proposed Resolution No. CSD 2010-21
Attachment "D" – Proposed Resolution No. RDA 2010-05

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

Funded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount	Reason/Justification
106	Citywide Annual Pavement Resurfacing Program	3,932,869	4,969,969	Proposition 42 funding substituted with Gas Tax funds and Measure "A" funds reinstated per City Deficit Reduction Optio
120	Perris Blvd Southbound Ln to SR-60 Westbound On-Ramp	460,000	460,000	Project moved from Partially Funded to Funded
267	Renovation of City Hall Annex Building #1	2,239,765	0	Project on hold per City Deficit Reduction Options
273	Fire Station #65 (formerly Fire Station #65 Replacement)	570,000	520,000	Cost adjustment
274	Highland Fire Station	570,000	520,000	Cost adjustment
275	Industrial Fire Station	890,000	870,000	Cost adjustment
282	City Hall Roof Replacement	0	649,965	Project moved from Unfunded to Funded
352	Install Access Gate at March Middle School Field	5,000	0	Project completed in May 2010
355	Parks and Recreation Master Plan	0	19,679	Carryover funds as project will be completed in July 2010
Added	Bethune Park - Water Feature Retrofit	0	5,000	Added new project as directed during 6/15/10 Study Session

Unfunded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount	Reason/Justification
129	Alessandro Blvd / Old 215 Frontage Rd to Elsworth St	700,000	0	Project is now funded and part of Citywide Annual Pavement Resurfacing Program
308	Storm Drain Line "H1-A" Extension / Ironwood Avenue to North of Hubbard Street	1,159,000	0	Project deleted. Duplication of Project on Page 305
376	Aqueduct Bike Trail Security Lights and Landscaping	3,060,000	0	Project deleted, combined with project on page 377
377	Aqueduct Bike Trail Security Lights and Landscaping	1,103,000	4,163,000	Project combined with project on page 376
400	Markborough Property Master Plan and Development	20,000	75,000	Cost adjustment

Attachment "A"

CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

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RESOLUTION NO. 2010-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Proposed Capital Improvement Plan (CIP) for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the City Council per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Resolution No. 2010-___
Date adopted: June 22, 2010

Attachment "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION NO. CSD 2010-21

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the President and Board of Directors per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Resolution No. CSD 2010-___
Date adopted: June 22, 2010

Attachment "C"

_____
Mayor of the City of Moreno Valley
acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-05

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the Chairperson and Agency Members per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

Resolution No. RDA 2010-___
Date adopted: June 22, 2010

Attachment "D"

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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SUMMARY OF ACTIONS June 8, 2010

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

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A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

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G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN

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SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

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REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Department)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

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Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

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District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

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p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

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Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

*G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

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G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND

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RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

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4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

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3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

*1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*

Court: United States District Court, Central District of California

Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf

Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

   Chief Anderson introduced Officer Morgan
   Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

   Sgt Jackie Horton introduced Luryn Hill
   Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

   Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

   Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

   Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

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JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

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(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

   Resolution No. 2010-46

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00065390

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

MV00065392

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

MV00065394

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

MV00065395

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

MV00065396

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MV00065398

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

MV00065399

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

MV00065401

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

MV00065402

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

MV00065403

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

MV00065404

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

MV00065406

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

MV00065407

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:

Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER					
A N R INDUSTRIES, INC					
	4/26/2010	202094	43,022.52		
				PROPERTY REHAB-24654 SINALOA	43,022.52
	4/26/2010	202096	34,520.99		
				PROPERTY REHAB-25909 PARSLEY	34,520.99
	4/26/2010	202097	31,068.87		
				PROPERTY REHAB-12177 INDIAN ST	31,068.87
	Vendor Total		**108,612.38**		
FYTD for A N R INDUSTRIES, INC			**131,454.88**		
AFTERSCHOOL STORE.COM					
	4/5/2010	201559	34,902.91		
				SNACK SVCS-STARS	34,902.91
	4/26/2010	202100	33,718.19		
				SNACK SVCS-STARS	33,718.19
	Vendor Total		**68,621.10**		
FYTD for AFTERSCHOOL STORE.COM			**264,673.53**		
AVI-CON INC.					
	4/5/2010	201573	35,985.24		
				PUB SFTY BLDG CONVERSION PROJ	35,985.24
	Vendor Total		**35,985.24**		
FYTD for AVI-CON INC.			**35,985.24**		
BANK OF AMERICA					
	4/12/2010	1004021	101,438.62		
				ACQ & ESCROW 14669 RIO HONDO	101,438.62
	Vendor Total		**101,438.62**		
FYTD for BANK OF AMERICA			**1,635,117.43**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	4/26/2010	202109	25,382.76		
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-UT SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-BIKE AQDCT	400.00
				LANDSCAPE MAINT-BIKE AQDCT	400.00
				LANDSCAPE MAINT-E2	16,077.18
	Vendor Total		**25,382.76**		
FYTD for BEMUS LANDSCAPE, INC.			**405,497.56**		
CALPERS					
	4/12/2010	201844	100,445.13		
				ARC PAYMENT LESS RET MED PAYOU	100,445.13
	Vendor Total		**100,445.13**		
FYTD for CALPERS			**871,257.69**		
CITIZENS BUSINESS BANK					
	4/6/2010	1004011	64,316.88		
				ACQ & ESCROW 14131 ST TROPEZ	64,316.88
	Vendor Total		**64,316.88**		
FYTD for CITIZENS BUSINESS BANK			**1,193,438.72**		
COMPU COM					
	4/19/2010	201968	113,901.13		
				MS LICENSING	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**116,885.38**		
CRITICAL SOLUTIONS					
	4/26/2010	202125	30,625.69		
				EMRGNCY OPS CTR PROJ SVCS	30,625.69
	Vendor Total		**30,625.69**		
FYTD for CRITICAL SOLUTIONS			**373,417.72**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DESERT CONCEPTS CONSTRUCTION, INC				
4/26/2010	202128	35,041.50		
			PATRIOT PARK IMPRVMNTS PROJ	35,041.50
Vendor Total		**35,041.50**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC		**68,339.70**		
EASTERN MUNICIPAL WATER DISTRICT				
4/19/2010	201976	36,753.92		
			WATER CHRGS FOR MARCH	1,189.26
			WATER CHRGS FOR MARCH	977.05
			WATER CHRGS FOR MARCH	161.63
			WATER CHRGS FOR MARCH	786.23
			WATER CHRGS FOR MARCH	105.72
			WATER CHRGS FOR MARCH	3,952.73
			WATER CHRGS FOR MARCH	2,883.97
			WATER CHRGS FOR MARCH	776.52
			WATER CHRGS FOR MARCH	3,333.48
			WATER CHRGS FOR MARCH	1,665.99
			WATER CHRGS FOR MARCH	4,222.48
			WATER CHRGS FOR MARCH	8,861.96
			WATER CHRGS FOR MARCH	1,402.32
			WATER CHRGS FOR MARCH	48.12
			WATER CHRGS FOR MARCH	1,406.30
			WATER CHRGS FOR MARCH	2,222.01
			WATER CHRGS FOR MARCH	634.32
			WATER CHRGS FOR MARCH	212.01
			WATER CHRGS FOR MARCH	341.03
			WATER CHRGS FOR MARCH	189.35
			WATER CHRGS FOR MARCH	96.23
			WATER CHRGS FOR MARCH	398.90
			WATER CHRGS FOR MARCH	578.38
			WATER CHRGS FOR MARCH	307.93
Vendor Total		**36,753.92**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**931,665.18**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
4/9/2010	2618	36,515.45		
			STATE INCOME TAX W/H 04/09/10	36,515.45
4/23/2010	2626	34,979.98		
			DEP STATE TAX W/H 04/23/10	34,979.98
Vendor Total		**71,495.43**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,107,620.34**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/5/2010	201620	164,385.60		
			PROF SVCS-IRIS/PERRIS	220.50
			PROF SVCS-SKETCHERS	1,286.26
			PROF SVCS-RANCHO DORADO	604.09
			PROF SVCS-STREET LGHT RMVL	280.82
			PROF SVCS-FRAZEE PAINT	48.79
			PROF SVCS-FRAZEE PAINT	24.40
			DISTRIBUTION CHRGS	128,570.82
			SPECIAL CHRGS	6,259.00
			ONLINE UTILITY SVCS	212.70
			PERRIS BL 12KV FEEDER/IRIS-JFK	7,842.98
			BAD DEBT DEDUCTION	-5,033.41
			CACTUS/LASSELLE 12KV CIRC TIE	588.00
			CACTUS/LASSELLE 12KV CIRC TIE	11,479.97
			GOLDENCREST-ELSWORTH BACKBONE	317.93
			GOLDENCREST-ELSWORTH BACKBONE	772.92
			6TH CIRC MOVAL SUBST. WORK	10,909.83
Vendor Total		**164,385.60**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,855,108.05**		
HABITAT FOR HUMANITY RIVERSIDE				
4/26/2010	202145	51,801.66		
			REIMB REQUEST-HOUSING AGREEMNT	51,801.66
Vendor Total		**51,801.66**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE		**53,733.66**		
INTERNAL REVENUE SERVICE				
4/9/2010	2617	129,392.33		
			FED INCOME TAX W/H 04/09/10	129,392.33
4/23/2010	2625	126,336.75		
			DEP FED TAX W/H 04/23/10	126,336.75
Vendor Total		**255,729.08**		
FYTD for INTERNAL REVENUE SERVICE		**3,184,348.99**		
MORENO VALLEY CACTUS RANCH, LLC				
4/5/2010	201684	59,569.00		
			REIMBURSEMENT AGREEMENT	59,569.00
Vendor Total		**59,569.00**		
FYTD for MORENO VALLEY CACTUS RANCH, LLC		**59,569.00**		
MORENO VALLEY PROPERTIES, LLC				
4/27/2010	1004111	605,000.00		
			REFUND EROSION CTRL CASH SEC	605,000.00
Vendor Total		**605,000.00**		
FYTD for MORENO VALLEY PROPERTIES, LLC		**605,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	4/19/2010	202019	48,062.98		
				ELECTRICITY	122.06
				ELECTRICITY	649.79
				ELECTRICITY	200.99
				ELECTRICITY	1,609.70
				ELECTRICITY	8,716.31
				ELECTRICITY	9,006.33
				ELECTRICITY	2,451.17
				ELECTRICITY	3,954.87
				ELECTRICITY	707.51
				ELECTRICITY	1,412.71
				ELECTRICITY	11,843.84
				ELECTRICITY	6,663.48
				ELECTRICITY	188.94
				ELECTRICITY	117.77
				ELECTRICITY	75.48
				ELECTRICITY	56.85
				ELECTRICITY	56.61
				ELECTRICITY	131.58
				ELECTRICITY	96.99
	Vendor Total		**48,062.98**		
FYTD for MORENO VALLEY UTILITY			**626,837.30**		
MOSS BROS CJD, INC.					
	4/5/2010	201690	52,736.07		
				SPECIAL TAX REIMBURSEMENT	52,736.07
	Vendor Total		**52,736.07**		
FYTD for MOSS BROS CJD, INC.			**52,736.07**		
MOSS BROS HONDA, INC.					
	4/5/2010	880299	53,821.71		
				SPECIAL TAX REIMBURSEMENT	53,821.71
	Vendor Total		**53,821.71**		
FYTD for MOSS BROS HONDA, INC.			**53,821.71**		
MOSS MO VAL PROPERTIES, LLC					
	4/12/2010	201886	163,255.49		
				SPECIAL TAX REIMBURSEMENT	163,255.49
	Vendor Total		**163,255.49**		
FYTD for MOSS MO VAL PROPERTIES, LLC			**163,255.49**		
MV RANCHO DORADO II LTD. PARTNERSHIP					
	4/12/2010	1004041	1,300,000.00		
				LOAN AGRMNT-RANCHO DORADO SO.	1,300,000.00
	Vendor Total		**1,300,000.00**		
FYTD for MV RANCHO DORADO II LTD. PARTNERSHIP			**2,800,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS				
4/23/2010	2622	25,942.07		
			DEF COMP 457 & 401(A) 04/23/10	25,942.07
Vendor Total		**25,942.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**744,535.11**		
PALP, INC. DBA EXCEL PAVING COMPANY				
4/5/2010	201703	58,861.31		
			SUNNYMD BLVD REVIT PROJ SVCS	58,861.31
4/12/2010	201891	193,092.74		
			SUNNYMD BLVD REVIT PROJ SVCS	19,501.02
			SUNNYMD BLVD REVIT PROJ SVCS	158,390.72
			SUNNYMD BLVD REVIT PROJ SVCS	15,201.00
Vendor Total		**251,954.05**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**2,132,594.03**		
PARSONS TRANSPORTATION GROUP, INC.				
4/5/2010	201707	29,114.65		
			SR-60/MOR BCH DR INTRCHNG PROJ	17,379.48
			SR-60/NASON ST OVRCRSSNG PROJ	11,735.17
Vendor Total		**29,114.65**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,001,522.33**		
PERS HEALTH INSURANCE				
4/6/2010	1003181	195,392.38		
			EMPL HEALTH INS 04/06/10	195,392.38
Vendor Total		**195,392.38**		
FYTD for PERS HEALTH INSURANCE		**1,931,136.41**		
PERS RETIREMENT				
4/2/2010	2610	191,827.82		
			PERS RETIREMENT 04/02/10	191,827.82
4/16/2010	2619	188,540.40		
			PERS RETIREMENT 04/16/10	188,540.40
4/30/2010	2627	192,441.55		
			PERS RETIREMENT 04/30/10	192,441.55
Vendor Total		**572,809.77**		
FYTD for PERS RETIREMENT		**4,707,592.48**		
RICHARD LOPEZ CONSTRUCTION				
4/12/2010	201900	464,257.08		
			ELECTRIC UTILITY PROJECTS SVCS	464,257.08
Vendor Total		**464,257.08**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,074,059.47**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ROESLING NAKAMURA TERADA ARCHITECTS, INC				
4/19/2010	880365	65,233.37		
			PUB SFTY BLDG CONVERSION PROJ	65,233.37
Vendor Total		**65,233.37**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC		**233,733.59**		
SEMPRA ENERGY SOLUTIONS				
4/12/2010	880342	106,708.95		
			POWER PURCHASE	106,708.95
4/19/2010	880366	181,393.99		
			POWER PURCHASE	74,585.99
			POWER PURCHASE	106,808.00
Vendor Total		**288,102.94**		
FYTD for SEMPRA ENERGY SOLUTIONS		**5,349,705.91**		
SHELL ENERGY NORTH AMERICA (US) L.P.				
4/12/2010	201908	328,486.00		
			ELECT ENERGY PURCHASE	328,486.00
Vendor Total		**328,486.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**999,740.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	4/5/2010	201742	27,708.59		
				WDAT CHRGS-FREDERICK	1,825.29
				WDAT CHRGS-GLOBE	6,435.81
				WDAT CHRGS-GRAHAM	3,727.65
				WDAT CHRGS-IRIS	2,625.22
				WDAT CHRGS-NANDINA	2,647.31
				WDAT CHRGS-SUBSTATION	10,447.31
	4/19/2010	202060	148,329.95		
				ELECTRICITY	568.13
				ELECTRICITY	21.80
				ELECTRICITY	284.83
				ELECTRICITY	596.63
				ELECTRICITY	110.48
				ELECTRICITY	2,318.77
				ELECTRICITY	826.47
				ELECTRICITY	841.75
				ELECTRICITY	2,928.85
				ELECTRICITY	1,079.98
				ELECTRICITY	1,225.30
				ELECTRICITY	20.38
				ELECTRICITY	96,828.47
				ELECTRICITY	35,452.82
				ELECTRICITY	4,667.40
				ELECTRICITY	22.57
				ELECTRICITY	42.95
				ELECTRICITY	22.14
				ELECTRICITY	65.68
				ELECTRICITY	81.52
				ELECTRICITY	279.54
				ELECTRICITY	43.49
	Vendor Total		**176,038.54**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,495,377.09**		
SOUTHERN CALIFORNIA EDISON CO.					
	4/26/2010	202185	90,005.55		
				REPLCMNT OF FACILITIES-DAY ST.	90,005.55
	Vendor Total		**90,005.55**		
FYTD for SOUTHERN CALIFORNIA EDISON CO.			**90,005.55**		
STANDARD INSURANCE CO					
	4/12/2010	201916	30,515.59		
				LIFE & DISABILITY INSURANCE	12,695.73
				LIFE & DISABILITY INSURANCE	17,928.95
				LIFE & DISABILITY INSURANCE	-109.09
	Vendor Total		**30,515.59**		
FYTD for STANDARD INSURANCE CO			**326,752.74**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
U.S. BANK/CALCARDS					
	4/12/2010	1004031	77,320.28		
				CALCARD PMT CYCLE END 04/07/10	77,320.28
	4/29/2010	1004121	93,568.19		
				CALCARD PMT CYCLE END 04/22/10	93,568.19
	Vendor Total		**170,888.47**		
FYTD for U.S. BANK/CALCARDS			**1,701,409.71**		
U.S. TREASURY					
	4/12/2010	201923	30,771.33		
				SF-425 EXCESS CASH	30,771.33
	Vendor Total		**30,771.33**		
FYTD for U.S. TREASURY			**30,771.33**		
UNITED CONTRACTORS COMPANY INC.					
	4/26/2010	880405	325,530.00		
				EMRGNCY OPS CTR PROJ SVCS	325,530.00
	Vendor Total		**325,530.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,860,030.00**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	4/5/2010	201773	30,000.00		
				RENTAL ASSIST SVCS-HPRP PRGM	20,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	10,000.00
	Vendor Total		**30,000.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**95,282.23**		
WELLS FARGO CORPORATE TRUST					
	4/29/2010	1004071	100,475.80		
				INT ON 1997 LEASE REV BND	100,475.80
	4/29/2010	1004061	1,018,874.40		
				INT ON 2005 LEASE REV BND	1,018,874.40
	4/29/2010	1004081	1,110,899.07		
				2007 LRB DEBT SVC PAYMENT	1,110,899.07
	4/30/2010	1004131	1,171,349.06		
				DEBT SVC-SPECIAL TAXES	1,171,349.06
	Vendor Total		**3,401,598.33**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,029,485.43**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WHEELER PAVING, INC.					
	4/5/2010	880324	46,251.00		
				LASSELLE ST WIDENING PROJ SVCS	46,251.00
	4/12/2010	880346	596,778.41		
				EMERG STREET PAVEMNT WORK	13,190.38
				LASSELLE ST WIDENING PROJ SVCS	583,588.03
	4/26/2010	880407	530,370.16		
				LASSELLE ST WIDENING PROJ SVCS	1,345.73
				LASSELLE ST WIDENING PROJ SVCS	57,869.77
				LASSELLE ST WIDENING PROJ SVCS	449,898.09
				LASSELLE ST WIDENING PROJ SVCS	21,256.57
	Vendor Total		**1,173,399.57**		
FYTD for WHEELER PAVING, INC.			**2,711,147.09**		
WINZLER & KELLY CONSULTING ENGINEERS					
	4/5/2010	201781	31,240.00		
				TEMP STAFFING SVCS-CAP PROJS	15,840.00
				TEMP STAFFING SVCS-CAP PROJS	15,400.00
	Vendor Total		**31,240.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**367,617.59**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	4/19/2010	202088	44,370.00		
				TUMF RESIDENTIAL FEES	44,370.00
	Vendor Total		**44,370.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**1,115,467.42**		
	Subtotal		**11,272,631.06**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
TRANSOFT SOLUTIONS, INC.				
4/19/2010	201933	1,289.00		
			AUTOTURN SOFTWARE UPGRADE	1,289.00
Vendor Total		**1,289.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,289.00**		
452ND AIR MOBILITY WING				
4/8/2010	201829	20.00		
			BRIG GEN. MELIN RETIREMNT 4/10	20.00
Vendor Total		**20.00**		
FYTD for 452ND AIR MOBILITY WING		**117.00**		
4G WIRELESS, INC				
4/5/2010	201552	60.18		
			REFUND-BUS LIC OVRPMT	60.18
Vendor Total		**60.18**		
FYTD for 4G WIRELESS, INC		**60.18**		
A - POSTAL EXPRESS				
4/19/2010	201934	43.50		
			REFUND-BUS LIC OVRPMT	43.50
Vendor Total		**43.50**		
FYTD for A - POSTAL EXPRESS		**43.50**		
A & I REPROGRAPHICS 2406362				
4/5/2010	201553	79.93		
			RPRGRPHC SVCS-PAVEMNT RESURF	79.93
4/12/2010	201830	1,788.29		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	54.70
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	1,593.95
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	139.64
4/26/2010	202093	244.74		
			RPRGRPHC SVCS-KITCHING ST PROJ	48.69
			RPRGRPHC SVCS-AUTO MALL PROJ	196.05
Vendor Total		**2,112.96**		
FYTD for A & I REPROGRAPHICS 2406362		**19,563.04**		
A & J GRADING CONTRACTORS				
4/5/2010	201554	29.50		
			REFUND-BUS LIC OVRPMT	29.50
Vendor Total		**29.50**		
FYTD for A & J GRADING CONTRACTORS		**29.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
A A A PAVING COMPNAY					
	4/19/2010	201935	32.41		
				REFUND-BUS LIC OVRPMT	32.41
	Vendor Total		**32.41**		
FYTD for A A A PAVING COMPNAY			**32.41**		
A C C O ENGINEERED SYSTEMS, INC					
	4/19/2010	201936	23.80		
				REFUND-BUS LIC OVRPMT	23.80
	Vendor Total		**23.80**		
FYTD for A C C O ENGINEERED SYSTEMS, INC			**23.80**		
A N R INDUSTRIES, INC					
	4/12/2010	201831	0.00		
				PROPERTY REHAB-25106 FAY AVE	6,478.50
				PROPERTY REHAB-24654 SINALOA	8,547.00
				PROPERTY REHAB-24654 SINALOA	38,185.00
				PROPERTY REHAB-24654 SINALOA	3,250.00
				PROPERTY REHAB-12177 INDIAN ST	9,775.00
				PROPERTY REHAB-12177 INDIAN ST	24,735.00
				PROPERTY REHAB-12177 INDIAN ST	490.00
				PROPERTY REHAB-25909 PARSLEY	8,709.00
				PROPERTY REHAB-25909 PARSLEY	25,078.00
				PROPERTY REHAB-25909 PARSLEY	16,213.00
				PROPERTY REHAB-25106 FAY AVE	-6,478.50
				PROPERTY REHAB-24654 SINALOA	-8,547.00
				PROPERTY REHAB-24654 SINALOA	-38,185.00
				PROPERTY REHAB-24654 SINALOA	-3,250.00
				PROPERTY REHAB-12177 INDIAN ST	-9,775.00
				PROPERTY REHAB-12177 INDIAN ST	-24,735.00
				PROPERTY REHAB-12177 INDIAN ST	-490.00
				PROPERTY REHAB-25909 PARSLEY	-8,709.00
				PROPERTY REHAB-25909 PARSLEY	-25,078.00
				PROPERTY REHAB-25909 PARSLEY	-16,213.00
	4/26/2010	202095	22,842.50		
				PROPERTY REHAB-25106 FAY AVE	22,842.50
	Vendor Total		**22,842.50**		
FYTD for A N R INDUSTRIES, INC			**131,454.88**		
ABEYTA, GINNY					
	4/19/2010	201937	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ABEYTA, GINNY			**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ABSOLUTE SURVEILLANCE					
	4/5/2010	880258	3,717.53		
				GPS VEH TRACKER-POLICE DEPT	988.56
				GPS VEH TRACKER-ACTIVATION	65.14
				GPS VEH TRACKER-SVC PLAN	2,085.39
				GPS VEH TRACKER-BATTERY	578.44
	Vendor Total		**3,717.53**		
FYTD for ABSOLUTE SURVEILLANCE			**3,717.53**		
ACCESS SECURITY CONTROLS INT., INC.					
	4/5/2010	201555	1,060.00		
				SEC MONITORING SVC-FAC STRG	75.00
				SEC MONITORING SVC-ERC	75.00
				SEC MONITORING SVC-ASES BLDG	75.00
				SEC MONITORING SVC-ASES BLDG	75.00
				SEC MONITORING SVC-FIRE INSPCT	760.00
	Vendor Total		**1,060.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**13,182.59**		
ACCOUNTEMPS					
	4/5/2010	201556	828.00		
				TEMP SVCS-APODACA W/E 3/19	828.00
	4/12/2010	201832	905.25		
				TEMP SVCS-APODACA W/E 3/26	828.00
				TEMP SVCS-APODACA BKGRD	77.25
	4/19/2010	201938	839.50		
				TEMP SVCS-APODACA W/E 4/2	839.50
	4/26/2010	202098	828.00		
				TEMP SVCS-APODACA W/E 4/9	828.00
	Vendor Total		**3,400.75**		
FYTD for ACCOUNTEMPS			**10,438.75**		
ACE CASH EXPRESS #4116					
	4/5/2010	201557	141.26		
				REFUND-BUS LIC OVRPMT	141.26
	Vendor Total		**141.26**		
FYTD for ACE CASH EXPRESS #4116			**141.26**		
ACE FOOTWARE					
	4/19/2010	201939	24.19		
				REFUND-BUS LIC OVRPMT	24.19
	Vendor Total		**24.19**		
FYTD for ACE FOOTWARE			**24.19**		

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ACUNA, LUIS A.					
	4/5/2010	201558	1,166.40		
				REFUND-ADMIN CITATION FEES	1,166.40
	Vendor Total		**1,166.40**		
FYTD for ACUNA, LUIS A.			**1,166.40**		
ADAMS, MARK L.					
	4/5/2010	201783	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,187.30**		
ADLERHORST INTERNATIONAL INC.					
	4/12/2010	880327	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,697.84**		
ADMINSURE					
	4/12/2010	201833	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**26,000.00**		
ADVANCED ELECTRIC					
	4/19/2010	201940	2,945.00		
				ELECT WORK-PARKS	900.00
				ELECT WORK-PARKS	238.00
				ELECT WORK-PARKS	343.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	514.00
				ELECT WORK-PARKS	187.00
				ELECT WORK-PARKS	253.00
				ELECT WORK-PARKS	183.00
				ELECT WORK-PARKS	203.00
				ELECT WORK-PARKS	62.00
	4/26/2010	202099	477.00		
				ELECT WORK-CFD#1	62.00
				ELECT WORK-CFD#1	415.00
	Vendor Total		**3,422.00**		
FYTD for ADVANCED ELECTRIC			**78,524.00**		

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ALCORN FENCE COMPANY					
	4/5/2010	201560	23.52		
				REFUND-BUS LIC OVRPMT	23.52
	Vendor Total		**23.52**		
FYTD for ALCORN FENCE COMPANY			**23.52**		
ALICEA, RICHARD					
	4/19/2010	201941	155.50		
				MILEAGE REIMBURSEMENT	74.50
				MILEAGE REIMBURSEMENT	81.00
	Vendor Total		**155.50**		
FYTD for ALICEA, RICHARD			**543.85**		
ALL DISCOUNT INSURANCE SERVICE, INC.					
	4/5/2010	201561	97.50		
				REFUND-BUS LIC OVRPMT	97.50
	Vendor Total		**97.50**		
FYTD for ALL DISCOUNT INSURANCE SERVICE, INC.			**97.50**		
ALLEY, ERIN					
	4/26/2010	202101	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ALLEY, ERIN			**20.00**		
ALLIANCE RESOURCE CONSULTING, LLC					
	4/5/2010	201562	7,260.75		
				EXEC RECRUITMENT SVCS	7,260.75
	Vendor Total		**7,260.75**		
FYTD for ALLIANCE RESOURCE CONSULTING, LLC			**7,260.75**		
ALLIANT INSURANCE SERVICES, INC.					
	4/5/2010	201563	1,361.08		
				INSURANCE-SPCL EVENTS	1,361.08
	Vendor Total		**1,361.08**		
FYTD for ALLIANT INSURANCE SERVICES, INC.			**10,003.88**		
ALLIANZ LIFE INSURANCE CO					
	4/12/2010	201834	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**750.00**		

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AMERICAN BUILDING MAINTENANCE CO				
4/19/2010	201942	46.42		
			REFUND-BUS LIC OVRPMT	46.42
Vendor Total		**46.42**		
FYTD for AMERICAN BUILDING MAINTENANCE CO		**46.42**		
AMERICAN FORENSIC NURSES				
4/12/2010	880328	583.00		
			BLOOD DRAWS	583.00
4/19/2010	880349	93.40		
			BLOOD DRAWS	93.40
4/26/2010	880376	513.50		
			BLOOD DRAWS	513.50
Vendor Total		**1,189.90**		
FYTD for AMERICAN FORENSIC NURSES		**21,750.30**		
AMERICAN PUBLIC POWER ASSOCIATION				
4/19/2010	201943	3,975.21		
			MEMBERSHIP DUES-59815	662.54
			MEMBERSHIP DUES-59815	3,312.67
Vendor Total		**3,975.21**		
FYTD for AMERICAN PUBLIC POWER ASSOCIATION		**3,975.21**		
AMERICAN QUICK PRINTING				
4/19/2010	202090	2,175.00		
			ANML CNTRL NOTICES	2,175.00
Vendor Total		**2,175.00**		
FYTD for AMERICAN QUICK PRINTING		**3,994.83**		
AMERICAN ROTARY BROOM CO.				
4/5/2010	201564	3,310.02		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	1,189.62
			STREET SWEEPING BROOM KITS	1,180.15
			STREET SWEEPING BROOM KITS	447.16
4/26/2010	202102	1,656.92		
			STREET SWEEPING BROOM KITS	604.88
			STREET SWEEPING BROOM KITS	716.67
			STREET SWEEPING BROOM KITS	335.37
Vendor Total		**4,966.94**		
FYTD for AMERICAN ROTARY BROOM CO.		**29,921.61**		

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AMTECH ELEVATOR SERVICES					
	4/19/2010	201944	118.37		
				ELEVATOR SVC-CITY HALL	118.37
	Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES			**1,700.41**		
ANAYA, KIM REYE					
	4/19/2010	201945	254.50		
				TRAVEL EXP-BOOST CONFERENCE	48.00
				TRAVEL EXP-BOOST CONFERENCE	206.50
	4/26/2010	202103	45.50		
				MILEAGE REIMBURSEMENT	45.50
	Vendor Total		**300.00**		
FYTD for ANAYA, KIM REYE			**335.00**		
ANDREWS-BAKER, SUE					
	4/12/2010	201835	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	4/19/2010	201946	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**150.00**		
FYTD for ANDREWS-BAKER, SUE			**525.00**		
ANGELA NAILS & SPA					
	4/5/2010	201565	46.60		
				REFUND-BUS LIC OVRPMT	46.60
	Vendor Total		**46.60**		
FYTD for ANGELA NAILS & SPA			**46.60**		
ANIMAL EMERGENCY CLINIC, INC.					
	4/19/2010	202091	350.00		
				EMERGENCY VET SVCS	75.00
				EMERGENCY VET SVCS	70.00
				EMERGENCY VET SVCS	75.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	75.00
	Vendor Total		**350.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**4,534.00**		

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ANIMAL PEST MANAGEMENT SERVICES, INC.					
	4/5/2010	201566	600.00		
				PEST CNTRL-BEE RMVL AT BAYSIDE	300.00
				EMERG BEE RMVL-CRC	300.00
	4/26/2010	202104	2,290.00		
				PEST CNTRL-PARKS	665.00
				PEST CNTRL-PARKS	255.00
				PEST CNTRL-MARCH FLD	330.00
				PEST CNTRL-PAL	100.00
				PEST CNTRL-CFD #1	160.00
				PEST CNTRL-GLF CRS	180.00
				PEST CNTRL-STARS BLDG	100.00
				PEST CNTRL-PARKS	100.00
				PEST CNTRL-PARKS	200.00
				PEST CNTRL-PARKS	200.00
	Vendor Total		**2,890.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**20,000.00**		
ARBY'S					
	4/5/2010	201567	84.11		
				REFUND-BUS LIC OVRPMT	84.11
	Vendor Total		**84.11**		
FYTD for ARBY'S			**84.11**		
ARCHER, TRAVIS					
	4/12/2010	201836	210.00		
				REFUND-CITATION OVRPMT	210.00
	Vendor Total		**210.00**		
FYTD for ARCHER, TRAVIS			**210.00**		
ARCHITECTURAL DESIGN & SIGN, INC.					
	4/5/2010	201568	49.49		
				REFUND-BUS LIC OVRPMT	49.49
	Vendor Total		**49.49**		
FYTD for ARCHITECTURAL DESIGN & SIGN, INC.			**49.49**		
ARCHIVE MANAGEMENT SERVICE					
	4/19/2010	201947	1,365.53		
				OFFSITE STORAGE-CITY CLERKS	1,365.53
	Vendor Total		**1,365.53**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**13,343.69**		

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ARCO AM/PM - CAR WASH					
	4/5/2010	201569	30.28		
				REFUND-BUS LIC OVRPMT	30.28
	Vendor Total		**30.28**		
FYTD for ARCO AM/PM - CAR WASH			**30.28**		
AREA0WEST FENCE CO					
	4/19/2010	201948	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for AREA0WEST FENCE CO			**25.00**		
ARROWHEAD WATER					
	4/5/2010	201570	150.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-CRC	25.00
	4/12/2010	201837	25.00		
				WTR PURIF RNTL-FAC ANNX	25.00
	4/19/2010	201949	25.00		
				WTR PURIF RNTL-STARS	25.00
	4/26/2010	202105	340.78		
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNS TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,563.57**		
ASHLEY, THOMAS					
	4/26/2010	202106	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for ASHLEY, THOMAS			**50.00**		

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ASIAN IMPORT MARKET					
	4/5/2010	201571	67.94		
				REFUND-BUS LIC OVRPMT	67.94
	Vendor Total		**67.94**		
FYTD for ASIAN IMPORT MARKET			**67.94**		
ASSOCIATED ENGINEERS, INC.					
	4/19/2010	201950	20,520.00		
				HEACOCK ST WIDENING PROJ SVCS	20,520.00
	Vendor Total		**20,520.00**		
FYTD for ASSOCIATED ENGINEERS, INC.			**56,874.11**		
ASSOCIATION'S EQUITY MANAGEMENT, INC					
	4/19/2010	201951	22.97		
				REFUND-BUS LIC OVRPMT	22.97
	Vendor Total		**22.97**		
FYTD for ASSOCIATION'S EQUITY MANAGEMENT, INC			**22.97**		
AT&T MOBILITY					
	4/5/2010	201572	92.35		
				COMMUNICATION SVCS-MBL CMMND	92.35
	4/26/2010	202107	92.42		
				COMMUNICATION SVCS	92.42
	Vendor Total		**184.77**		
FYTD for AT&T MOBILITY			**1,011.62**		
AT&T/MCI					
	4/12/2010	201838	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,836.88**		
AVILA, GRISELDA					
	4/19/2010	201952	56.00		
				REFUND-ANML SVCS FEES	30.00
				REFUND-ANML SVCS FEES	10.00
				REFUND-ANML SVCS FEES	16.00
	Vendor Total		**56.00**		
FYTD for AVILA, GRISELDA			**56.00**		
BACHER, GRACE					
	4/5/2010	201574	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,436.81**		

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BARNES, DARLENE					
	4/5/2010	201784	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,115.56**		
BARON POOL PLASTERING OF SO. CA.					
	4/5/2010	201575	26.93		
				REFUND-BUS LIC OVRPMT	26.93
	Vendor Total		**26.93**		
FYTD for BARON POOL PLASTERING OF SO. CA.			**26.93**		
BASIC BACKFLOW					
	4/5/2010	201576	30.00		
				BACKFLOW TESTING	30.00
	Vendor Total		**30.00**		
FYTD for BASIC BACKFLOW			**1,324.65**		
BATTERYZONE, INC.					
	4/26/2010	202108	3,475.12		
				BATTERIES-POLICE DEPT	3,400.00
				BATTERIES-SALES TAX	297.50
				BATTERIES-SHIPPING	75.12
				BATTERIES-SALES TAX ACCRUAL	-297.50
	Vendor Total		**3,475.12**		
FYTD for BATTERYZONE, INC.			**3,475.12**		
BEAR VALLEY CLEANERS					
	4/19/2010	201953	90.92		
				REFUND-BUS LIC OVRPMT	90.92
	Vendor Total		**90.92**		
FYTD for BEAR VALLEY CLEANERS			**90.92**		
BECKNER, PATRICK					
	4/5/2010	201577	923.70		
				RETIREE MEDICAL BENEFIT	923.70
	Vendor Total		**923.70**		
FYTD for BECKNER, PATRICK			**1,750.10**		
BELLING, JESSICA A.					
	4/5/2010	201578	914.08		
				REFUND-ADMIN CITATION FEES	914.08
	Vendor Total		**914.08**		
FYTD for BELLING, JESSICA A.			**914.08**		

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BEMUS LANDSCAPE, INC.					
	4/5/2010	201579	162.48		
				IRRIG DMG REPAIRS-EOC PROJECT	162.48
	4/12/2010	201839	17,984.66		
				LANDSCAPE MAINT-E4	35.57
				LANDSCAPE MAINT-E4	935.50
				LANDSCAPE MAINT-E4	92.32
				LANDSCAPE MAINT-E4	193.92
				LANDSCAPE MAINT-E4	101.68
				LANDSCAPE MAINT-E4	77.25
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-E3A	429.25
				IRRIG DMG REPAIR-PSB CONV PROJ	100.57
	Vendor Total		**18,147.14**		
FYTD for BEMUS LANDSCAPE, INC.			**405,497.56**		
BEN BLUE DVM, MS					
	4/12/2010	201840	740.00		
				EMERG VET SVCS	550.00
				EMERG VET SVCS	190.00
	4/26/2010	202110	195.00		
				EMERG VET SVCS	195.00
	Vendor Total		**935.00**		
FYTD for BEN BLUE DVM, MS			**935.00**		
BENESYST					
	4/19/2010	880352	20.13		
				COBRA SUBSIDY-APR2010	14.43
				COBRA SUBSIDY-APR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**40.26**		
BENESYST, INC.					
	4/26/2010	202111	470.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	245.00
	Vendor Total		**470.34**		
FYTD for BENESYST, INC.			**4,988.66**		
BENFORD, MICHAEL					
	4/26/2010	202112	65.00		
				REFUND-RNTL DEP	65.00
	Vendor Total		**65.00**		
FYTD for BENFORD, MICHAEL			**65.00**		

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BEST, BEST & KRIEGER, LLP				
4/12/2010	201841	183.00		
			LEGAL SVCS	115.50
			LEGAL SVCS	67.50
4/26/2010	202113	130.54		
			LEGAL SVCS	52.50
			LEGAL SVCS	68.35
			LEGAL SVCS	9.69
	Vendor Total	**313.54**		
FYTD for BEST, BEST & KRIEGER, LLP		**13,389.64**		
BEVILLE'S AIR CONDITIONING				
4/5/2010	201580	40.75		
			REFUND-BUS LIC OVRPMT	40.75
	Vendor Total	**40.75**		
FYTD for BEVILLE'S AIR CONDITIONING		**40.75**		
BIO-TOX LABORATORIES				
4/19/2010	201954	3,689.98		
			TOXICOLOGY TESTS	407.07
			TOXICOLOGY TESTS	1,258.01
			TOXICOLOGY TESTS	2,024.90
	Vendor Total	**3,689.98**		
FYTD for BIO-TOX LABORATORIES		**36,199.25**		
BITS BYTES & MORE				
4/19/2010	201955	70.93		
			REFUND-BUS LIC OVRPMT	70.93
	Vendor Total	**70.93**		
FYTD for BITS BYTES & MORE		**70.93**		
BLUE SHIELD OF CALIFORNIA				
4/19/2010	201956	522.87		
			HEALTH INS PREMIUM	278.85
			HEALTH INS PREMIUM	244.02
	Vendor Total	**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA		**9,158.80**		
BOBO II, FELIX				
4/5/2010	201581	71.00		
			MILEAGE REIMBURSEMENT	71.00
4/26/2010	202114	62.00		
			MILEAGE REIMBURSEMENT	62.00
	Vendor Total	**133.00**		
FYTD for BOBO II, FELIX		**631.15**		

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BP WEST COAST PRODUCTS, LLC				
4/5/2010	201582	57.29		
			REFUND-BUS LIC OVRPMT	23.11
			REFUND-BUS LIC OVRPMT	34.18
Vendor Total		**57.29**		
FYTD for BP WEST COAST PRODUCTS, LLC		**147.09**		
BPS TACTICAL, INC				
4/26/2010	202115	18.49		
			PATCHES-POLICE DEPT	8.70
			PATCHES-POLICE DEPT	9.79
Vendor Total		**18.49**		
FYTD for BPS TACTICAL, INC		**39.07**		
BRITO, TRACY				
4/12/2010	201842	37.00		
			REFUND-SHELTER FEE	37.00
Vendor Total		**37.00**		
FYTD for BRITO, TRACY		**37.00**		
BROOKS, KEMETHRA				
4/19/2010	201957	122.00		
			REFUND-MATH REGIST	122.00
Vendor Total		**122.00**		
FYTD for BROOKS, KEMETHRA		**122.00**		
BUCKINGHAM, STAN				
4/5/2010	201583	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN		**1,274.92**		
BURLINGTON COAT FACTORY OF CA, LLC				
4/5/2010	201584	1,977.50		
			REFUND-BUS LIC OVRPMT	1,977.50
Vendor Total		**1,977.50**		
FYTD for BURLINGTON COAT FACTORY OF CA, LLC		**1,977.50**		
C H J INC.				
4/5/2010	201585	44.10		
			REFUND-BUS LIC OVRPMT	44.10
Vendor Total		**44.10**		
FYTD for C H J INC.		**44.10**		

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CA STATE TEACHER'S RETIREMENT SYSTEM					
	4/13/2010	1004051	12,170.22		
				ANNL LTR/CREDT 97 CH REFI COPS	12,170.22
	Vendor Total		**12,170.22**		
FYTD for CA STATE TEACHER'S RETIREMENT SYSTEM			**12,170.22**		
CAIN, GREGORY					
	4/5/2010	201785	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,549.85**		
CALAVERAS STANDARD MATERIALS					
	4/26/2010	202116	747.23		
				CEMENT PURCHASE	747.23
	Vendor Total		**747.23**		
FYTD for CALAVERAS STANDARD MATERIALS			**20,117.98**		
CALIFORNIA BUILDING STANDARDS COMMISSION					
	4/12/2010	201843	639.90		
				PERMIT VALUATION FEES	639.90
	Vendor Total		**639.90**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION			**2,244.60**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	4/5/2010	201586	560.25		
				MAJOR AMENDMNT FEE-SR60/NASON	560.25
	Vendor Total		**560.25**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,810.25**		
CALIFORNIA POOLS & SPAS, INC.					
	4/19/2010	201958	48.15		
				REFUND-BUS LIC OVRPMT	48.15
	Vendor Total		**48.15**		
FYTD for CALIFORNIA POOLS & SPAS, INC.			**48.15**		
CALIFORNIA WATERSHED ENGINEERING CORP.					
	4/26/2010	880377	500.25		
				PROF SVCS-PA090025	500.25
	Vendor Total		**500.25**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.			**2,271.75**		

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CALVARY CHAPEL OF MORENO VALLEY					
	4/19/2010	201959	100.00		
				REFUND-RNTL DEP	100.00
	Vendor Total		**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY			**100.00**		
CANNON, ANA M.					
	4/5/2010	201587	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**1,274.92**		
CANON FINANCIAL SERVICES, INC.					
	4/5/2010	201588	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**75,906.80**		
CARBONE, GABRIELA					
	4/26/2010	202117	132.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	132.00
	Vendor Total		**132.00**		
FYTD for CARBONE, GABRIELA			**513.00**		
CARTER, ROSALYN					
	4/5/2010	201786	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,766.36**		
CASKEY, DEBRA C.					
	4/5/2010	201787	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,549.85**		
CERTIFIED CREDIT REPORTING, INC					
	4/19/2010	201960	18.33		
				CREDIT PROFILE SVCS	18.33
	Vendor Total		**18.33**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**196.18**		

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CHANCY, CHIZURU					
	4/26/2010	202118	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DNC	93.60
				INSTRUCTOR SVCS-HAWAIIAN DNC	46.80
				INSTRUCTOR SVCS-HAWAIIAN DNC	23.40
	Vendor Total		**163.80**		
FYTD for CHANCY, CHIZURU			**1,427.40**		
CHANDLER ASSET MANAGEMENT, INC					
	4/19/2010	880353	6,919.00		
				INVESTMENT MGT SVCS	6,919.00
	Vendor Total		**6,919.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**6,919.00**		
CHAPMAN, STEVE					
	4/5/2010	201589	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,187.30**		
CHAPPELL, ISAAC					
	4/5/2010	201590	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,187.30**		
CHAVEZ, ANGELA/JOSE					
	4/5/2010	201591	30.00		
				REFUND ANML SVCS FEES	20.00
				REFUND-ANML SVCS FEES	10.00
	Vendor Total		**30.00**		
FYTD for CHAVEZ, ANGELA/JOSE			**30.00**		
CHERRY VALLEY FEED					
	4/19/2010	201961	115.05		
				DOG FOOD-K9 MAX	115.05
	Vendor Total		**115.05**		
FYTD for CHERRY VALLEY FEED			**1,677.84**		
CHINESE GOURMET					
	4/19/2010	201962	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for CHINESE GOURMET			**57.00**		

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CHRISTIAN, OWEN					
	4/5/2010	201788	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,220.76**		
CHULA VISTA POLICE FOUNDATION					
	4/19/2010	201963	150.00		
				SO. CA GANG CONF.-MAY 27-28	50.00
				SO. CA GANG CONF.-MAY 27-28	50.00
				SO. CA GANG CONF.-MAY 27-28	50.00
	Vendor Total		**150.00**		
FYTD for CHULA VISTA POLICE FOUNDATION			**150.00**		
CINDY FARRAR FAMILY DAYCARE					
	4/5/2010	201592	26.43		
				REFUND-BUS LIC OVRPMT	26.43
	Vendor Total		**26.43**		
FYTD for CINDY FARRAR FAMILY DAYCARE			**26.43**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	4/5/2010	201594	307.00		
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	16.82
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	44.28
				UNIFORM RNTL SVC-STREET MAINT	44.28
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-STRIPING CREW	13.85
				UNIFORM RNTL SVC-FAC MAINT	16.65
				UNIFORM RNTL SVC-FAC MAINT	16.65
	4/12/2010	201845	210.63		
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PARKS MAINT	53.01
				UNIFORM RNTL SVCS-PARKS MAINT	53.01
				UNIFORM RNTL SVCS-TRFFC MAINT	11.23
				UNIFORM RNTL SVCS-TRFFC MAINT	11.23
				UNIFORM RNTL SVCS-SIGNING CREW	13.85
				UNIFORM RNTL SVCS-SIGNING CREW	13.85
				UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
				UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
				UNIFORM RNTL SVCS-FAC MAINT	16.65
	4/19/2010	201964	80.64		
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-CFD STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	4/26/2010	202120	928.33		
				UNIFORM RNTL SVC-ST MAINT	428.40
				UNIFORM RNTL SVC-ST MAINT	41.49
				UNIFORM RNTL SVC-ST MAINT	86.49
				UNIFORM RNTL SVC-ST MAINT	66.49
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS	53.01
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
	Vendor Total	**1,526.60**		
FYTD for CINTAS CORPORATION		**6,590.70**		
CITY OF MORENO VALLEY VEBA TRUST				
4/12/2010	880329	4,062.50		
			EXEMPT VEBA	4,062.50
	Vendor Total	**4,062.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**42,162.50**		
CIVICSTONE				
4/12/2010	880330	255.00		
			CONSULTING SVCS	255.00
	Vendor Total	**255.00**		
FYTD for CIVICSTONE		**9,710.90**		
CLAYTON, SIMONNE				
4/5/2010	201595	20.00		
			REFUND-RABIES FEE DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CLAYTON, SIMONNE		**20.00**		

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CLINICA MEDICA PARA TODOS					
	4/5/2010	201596	90.54		
				REFUND-BUS LIC OVRPMT	90.54
	Vendor Total		**90.54**		
FYTD for CLINICA MEDICA PARA TODOS			**90.54**		
CNOA REGION V					
	4/5/2010	201597	135.00		
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
	Vendor Total		**135.00**		
FYTD for CNOA REGION V			**675.00**		
COAST SIGN INC					
	4/19/2010	201965	47.79		
				REFUND-BUS LIC OVRPMT	47.79
	Vendor Total		**47.79**		
FYTD for COAST SIGN INC			**47.79**		
COLONIAL SUPPLEMENTAL INSURANCE					
	4/26/2010	202121	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**79,053.78**		
COM DOOR & HARDWARE, INC					
	4/19/2010	201966	79.53		
				REFUND-BUS LIC OVRPMT	79.53
	Vendor Total		**79.53**		
FYTD for COM DOOR & HARDWARE, INC			**79.53**		
COMMUNITY HEALTH CHARITIES					
	4/12/2010	201846	151.47		
				CHC CONTRIBUTIONS	151.47
	4/26/2010	202122	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES			**8,018.43**		

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COMPETITIVE STRIDE					
	4/5/2010	201598	1,489.88		
				SPORTS AWARDS	1,489.88
	4/19/2010	201967	1,007.84		
				SPORTS AWARDS	1,007.84
	Vendor Total		**2,497.72**		
FYTD for COMPETITIVE STRIDE			**5,136.38**		
CONTINUING EDUCATION OF THE BAR					
	4/12/2010	201847	137.89		
				LEGAL SUBSCRIPTION	137.89
	Vendor Total		**137.89**		
FYTD for CONTINUING EDUCATION OF THE BAR			**785.87**		
COSTCO					
	4/5/2010	201599	1,505.27		
				MISC SUPPLIES-CHILDS PLC	1,505.27
	4/12/2010	201848	366.53		
				MISC SUPPLIES-SKT PARK	366.53
	4/19/2010	201969	1,331.24		
				MISC SUPPLIES-STARS	58.84
				MISC SUPPLIES-STARS	107.56
				MISC SUPPLIES-STARS	65.68
				MISC SUPPLIES-STARS	165.59
				MISC SUPPLIES-STARS	67.07
				MISC SUPPLIES-STARS	205.22
				MISC SUPPLIES-EDD	661.28
	4/26/2010	202123	397.54		
				MISC SUPPLIES-CHILDS PLC	77.13
				MISC SUPPLIES-STARS	87.76
				MISC SUPPLIES-STARS	140.03
				MISC SUPPLIES-STARS	92.62
	Vendor Total		**3,600.58**		
FYTD for COSTCO			**45,321.91**		
COSTILOW, MARY JO					
	4/12/2010	201849	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for COSTILOW, MARY JO			**54.50**		

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COUNSELING TEAM, THE					
	4/12/2010	201850	1,250.00		
				EMPLOYEE CNSLNG SVCS	1,250.00
	4/26/2010	202124	1,250.00		
				EMPLOYEE CNSLNG SVCS	1,250.00
	Vendor Total		**2,500.00**		
FYTD for COUNSELING TEAM, THE			**12,500.00**		
COUNTRY SQUIRE ESTATES					
	4/19/2010	201970	165.72		
				REFUND-UT USER TAXES	90.98
				REFUND-UT USER TAXES	74.74
	Vendor Total		**165.72**		
FYTD for COUNTRY SQUIRE ESTATES			**609.13**		
COUNTY OF RIVERSIDE - RMAP					
	4/12/2010	201851	41.25		
				RECORDATION RQSTS	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**366.60**		
COUNTY OF RIVERSIDE AUDITOR					
	4/5/2010	201600	8,246.00		
				PARKING CNTRL FEES	6,320.00
				PARKING CNTRL FEES	1,926.00
	Vendor Total		**8,246.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**95,804.95**		
CRANE ARCHITECTURAL GROUP					
	4/12/2010	201852	2,405.00		
				PUB SFTY BLDG CONVERSION PROJ	1,715.00
				PUB SFTY BLDG CONVERSION PROJ	690.00
	Vendor Total		**2,405.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**6,700.00**		
CROWN CASTLE MU, LLC					
	4/5/2010	201601	31.30		
				REFUND-BUS LIC OVRPMT	31.30
	Vendor Total		**31.30**		
FYTD for CROWN CASTLE MU, LLC			**31.30**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CTAI PACIFIC GREENSCAPE					
	4/26/2010	880378	4,997.03		
				LANDSCAPE MAINT-DSG1W	4,897.13
				LANDSCAPE MAINT-DSG1W	75.15
				LANDSCAPE MAINT-DSG1W	24.75
	Vendor Total		**4,997.03**		
FYTD for CTAI PACIFIC GREENSCAPE			**52,011.07**		
CUEVAS, KATIE					
	4/19/2010	201971	37.60		
				REFUND-TIME FOR TOTS	37.60
	Vendor Total		**37.60**		
FYTD for CUEVAS, KATIE			**37.60**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	4/19/2010	201972	745.00		
				DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**7,600.00**		
D & S CONSTRUCTION					
	4/5/2010	201602	75.00		
				REFUND-BUS LIC OVRPMT	75.00
	Vendor Total		**75.00**		
FYTD for D & S CONSTRUCTION			**75.00**		
D L S LANDSCAPE, INC					
	4/5/2010	201603	29.38		
				REFUND-BUS LIC OVRPMT	29.38
	Vendor Total		**29.38**		
FYTD for D L S LANDSCAPE, INC			**29.38**		
DAILY JOURNAL CORPORATION					
	4/5/2010	201604	753.64		
				SUBSCRIPTION RNWL-LADJ	753.64
	Vendor Total		**753.64**		
FYTD for DAILY JOURNAL CORPORATION			**6,349.64**		
DALE, KATHLEEN					
	4/5/2010	201789	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**3,158.54**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DANIEL'S PHARMACY					
	4/5/2010	201605	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for DANIEL'S PHARMACY			**57.00**		
DATA TICKET, INC.					
	4/5/2010	880266	22,543.54		
				CITATION PRCSSNG-PD	6,883.50
				CITATION PRCSSNG-PD	3,242.29
				CITATION PRCSSNG-PD	4,391.37
				CITATION PRCSSNG-BLDG/SFTY	240.50
				CITATION PRCSSNG-BLDG/SFTY	284.32
				CITATION PRCSSNG-CODE	7,396.56
				CITATION APPLIC MAINT/SUPPORT	105.00
	4/12/2010	880331	5,477.25		
				CITATION PRCSSNG-CODE	945.10
				CITATION PRCSSNG-CODE	1,467.51
				CITATION PRCSSNG-CODE	1,519.82
				CITATION PRCSSNG-BLDG/SFTY	1,544.82
	4/26/2010	880379	4,629.33		
				CITATION PRCSSNG-CODE	2,462.75
				CITATION PRCSSNG-CODE	2,166.58
	Vendor Total		**32,650.12**		
FYTD for DATA TICKET, INC.			**155,174.52**		
DATAQUICK CORPORATE HEADQUARTERS					
	4/26/2010	202126	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,205.00**		
DAVID EVANS & ASSOCIATES, INC.					
	4/5/2010	201606	372.50		
				SUNNYMD BLVD REVIT PROJ SVCS	372.50
	4/26/2010	202127	7,207.50		
				SUNNYMD BLVD REVIT PROJ SVCS	7,207.50
	Vendor Total		**7,580.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**26,554.59**		
DEBINAIRE COMPANY					
	4/5/2010	201607	375.00		
				BOILER MAINT-CITY HALL	140.00
				BOILER MAINT-PSB	140.00
				BOILER MAINT-CRC	95.00
	Vendor Total		**375.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		

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DEERY AMERICAN CORP					
	4/19/2010	880354	18,947.86		
				SEALANT FOR CRACK SEALING PRGM	17,421.75
				FREIGHT CHARGE	1,580.00
				SEALANT FOR CRACK SEALING PRGM	26.33
				.50% USE TAX ACCRUAL	-80.22
	Vendor Total		**18,947.86**		
FYTD for DEERY AMERICAN CORP			**37,224.32**		
DELTA DENTAL					
	4/5/2010	201608	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**114,223.80**		
DELTACARE USA					
	4/12/2010	201853	6,388.50		
				EMPLOYEE DENTAL INSURANCE	6,388.50
	Vendor Total		**6,388.50**		
FYTD for DELTACARE USA			**67,276.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	4/5/2010	880267	800.00		
				PLAN REVIEW SVCS-FIRE	800.00
	Vendor Total		**800.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**9,685.00**		
DENNIS ORTIZ - RENTALS					
	4/19/2010	201973	89.73		
				REFUND-BUS LIC OVRPMT	89.73
	Vendor Total		**89.73**		
FYTD for DENNIS ORTIZ - RENTALS			**89.73**		
DEPARTMENT OF CONSERVATION					
	4/12/2010	201854	1,292.37		
				SMI FEES LESS RETAINAGE	1,360.39
				SMI FEES LESS RETAINAGE	-68.02
	Vendor Total		**1,292.37**		
FYTD for DEPARTMENT OF CONSERVATION			**4,423.15**		
DEPARTMENT OF ENVIRONMENTAL HEALTH					
	4/19/2010	201974	274.00		
				HEALTH PERMIT FEE	274.00
	Vendor Total		**274.00**		
FYTD for DEPARTMENT OF ENVIRONMENTAL HEALTH			**482.00**		

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DESTINY DANCEWEAR, INC					
	4/5/2010	201609	17.94		
				REFUND-BUS LIC OVRPMT	17.94
	Vendor Total		**17.94**		
FYTD for DESTINY DANCEWEAR, INC			**17.94**		
DEXTER, TIMOTHY L.					
	4/5/2010	201610	1,851.00		
				REFUND-ADMIN CITATION FEES	651.00
				REFUND-ADMIN CITATION FEES	1,200.00
	Vendor Total		**1,851.00**		
FYTD for DEXTER, TIMOTHY L.			**1,851.00**		
DISTINCTIVELY YOURS					
	4/26/2010	202129	150.08		
				EMPLOYEE UNIFORM-PW	150.08
	Vendor Total		**150.08**		
FYTD for DISTINCTIVELY YOURS			**150.08**		
DISTINGUISHED FLYING CROSS SOCIETY					
	4/26/2010	202130	30.00		
				GROUND BREAKING-AIR MUSEUM	10.00
				GROUND BREAKING-AIR MUSEUM	10.00
				GROUND BREAKING-AIR MUSEUM	10.00
	Vendor Total		**30.00**		
FYTD for DISTINGUISHED FLYING CROSS SOCIETY			**30.00**		
DOLEX DOLLAR EXPRESS, INC					
	4/5/2010	201611	24.45		
				REFUND-BUS LIC OVRPMT	24.45
	Vendor Total		**24.45**		
FYTD for DOLEX DOLLAR EXPRESS, INC			**24.45**		
DONAHUE APPRAISAL ASSOCIATES					
	4/26/2010	880380	11,820.00		
				PERRIS BLVD WIDENING PROJ SVCS	9,100.00
				PERRIS BLVD WIDENING PROJ SVCS	2,720.00
	Vendor Total		**11,820.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**62,300.00**		
DORY, ALLEEN F.					
	4/5/2010	201612	415.53		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	221.00
	Vendor Total		**415.53**		
FYTD for DORY, ALLEEN F.			**2,974.14**		

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DREXLER, DAVID					
	4/15/2010	201931	325.00		
				PER DIEM-ECONOMIC CRIMES CLASS	325.00
	Vendor Total		**325.00**		
FYTD for DREXLER, DAVID			**520.00**		
DURAN, BLANCA					
	4/12/2010	201855	315.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	173.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	142.00
	Vendor Total		**315.00**		
FYTD for DURAN, BLANCA			**2,226.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	4/5/2010	201613	774.84		
				BACKFLOW RPLCMNT-MATERIAL	532.82
				BACKFLOW RPLCMNT-LABOR	170.00
				BACKFLOW RPLCMNT-MATERIAL	35.62
				BACKFLOW TESTING	36.40
	4/12/2010	201856	145.60		
				BACKFLOW TESTING	145.60
	4/26/2010	202131	691.60		
				BACKFLOW TESTING-E1	72.80
				BACKFLOW TESTING-E2	436.80
				BACKFLOW TESTING-E15	36.40
				BACKFLOW TESTING-ZN M	36.40
				BACKFLOW TESTING-DSG1	72.80
				BACKFLOW TESTING-ZN S	36.40
	Vendor Total		**1,612.04**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,106.39**		
EAGLETIME COUNSELING SERVICES					
	4/19/2010	201975	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for EAGLETIME COUNSELING SERVICES			**25.00**		
EARLY, PAUL					
	4/26/2010	202132	177.00		
				PER DIEM-LCC ATTYS SPRING CONF	177.00
	Vendor Total		**177.00**		
FYTD for EARLY, PAUL			**177.00**		

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EASTERN MUNICIPAL WATER DISTRICT					
	4/5/2010	201614	7,349.26		
				WATER CHRGS-EMERG OPS CTR PROJ	331.70
				WATER CHRGS FOR FEBRUARY	51.68
				WATER CHRGS FOR MARCH	66.28
				WATER CHRGS FOR MARCH	319.55
				WATER CHRGS FOR MARCH	1,280.09
				WATER CHRGS FOR MARCH	48.27
				WATER CHRGS FOR MARCH	1,611.64
				WATER CHRGS FOR MARCH	1,172.35
				WATER CHRGS FOR MARCH	1,399.00
				WATER CHRGS FOR MARCH	14.45
				WATER CHRGS FOR MARCH	213.96
				WATER CHRGS FOR MARCH	303.84
				WATER CHRGS FOR MARCH	66.19
				RCLMD WATER-DRAIN MAINT PRGM	60.75
				RCLMD WATER-ST. SWEEPING PRGM	60.75
				RCLMD WATER-ST. SWEEPING PRGM	260.74
				RCLMD WATER-STREET MAINT PRGM	88.02
	4/12/2010	201857	16,638.04		
				WATER CHRGS FOR MARCH	74.81
				WATER CHRGS FOR MARCH	1,525.25
				WATER CHRGS FOR MARCH	38.40
				WATER CHRGS FOR MARCH	2,415.34
				WATER CHRGS FOR MARCH	6,954.75
				WATER CHRGS FOR MARCH	1,938.39
				WATER CHRGS FOR MARCH	1,337.84
				WATER CHRGS FOR MARCH	642.23
				WATER CHRGS FOR MARCH	927.94
				WATER CHRGS FOR MARCH	181.59
				WATER CHRGS FOR MARCH	162.11
				WATER CHRGS FOR MARCH	245.24
				WATER CHRGS FOR MARCH	139.66
				WATER CHRGS FOR MARCH	54.49
	4/26/2010	202133	14,313.80		
				WATER CHRGS FOR MARCH	278.32
				WATER CHRGS FOR MARCH	5,328.11
				WATER CHRGS FOR MARCH	1,667.71
				WATER CHRGS FOR MARCH	2,563.91
				WATER CHRGS FOR MARCH	274.62
				WATER CHRGS FOR MARCH	1,796.36
				WATER CHRGS FOR MARCH	1,332.81
				WATER CHRGS FOR MARCH	225.13
				WATER CHRGS FOR MARCH	366.09
				WATER CHRGS FOR MARCH	480.74
	Vendor Total		**38,301.10**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**931,665.18**		

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ECOLAB INC.					
	4/5/2010	201615	63.38		
				REFUND-BUS LIC OVRPMT	63.38
	Vendor Total		**63.38**		
FYTD for ECOLAB INC.			**63.38**		
ECOMOTION, INC.					
	4/5/2010	201616	4,548.43		
				CONSULTING SVCS-SPCL DIST	4,548.43
	4/19/2010	201977	4,481.41		
				CONSULTING SVCS-UTILITY	4,481.41
	Vendor Total		**9,029.84**		
FYTD for ECOMOTION, INC.			**11,842.34**		
EDGELANE MOBILE PARK					
	4/12/2010	880332	12.97		
				REFUND-UT USER TAXES	12.97
	Vendor Total		**12.97**		
FYTD for EDGELANE MOBILE PARK			**99.17**		
EDITH F. NAVARRO					
	4/19/2010	201978	54.67		
				REFUND-BUS LIC OVRPMT	54.67
	Vendor Total		**54.67**		
FYTD for EDITH F. NAVARRO			**54.67**		
EGGERSTEN, ANNE					
	4/5/2010	201617	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**2,838.23**		
EMPIRE INSULATION, INC					
	4/5/2010	201618	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for EMPIRE INSULATION, INC			**25.00**		
EMPIRE SPORTS					
	4/19/2010	880355	5,216.96		
				SPORTS UNIFORMS-PARKS	148.16
				SPORTS UNIFORMS-PARKS	5,068.80
	Vendor Total		**5,216.96**		
FYTD for EMPIRE SPORTS			**14,889.16**		

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ENCHANTED VILLAGE OF GIFTS				
4/5/2010	201619	12.03		
			REFUND-BUS LIC OVRPMT	12.03
Vendor Total		**12.03**		
FYTD for ENCHANTED VILLAGE OF GIFTS		**12.03**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/12/2010	201858	3,750.00		
			CBNT LEASE-CTTNWD	47.14
			CBNT LEASE-CTTNWD	1,202.86
			CBNT LEASE-INDIAN/NANDINA	81.32
			CBNT LEASE-INDIAN/NANDINA	1,168.68
			CBNT LEASE-IRIS	98.05
			CBNT LEASE-IRIS	1,151.95
4/19/2010	201979	23,657.16		
			GIS DATA CONVERSION	630.70
			ELECT METER FEES	20,307.46
			ELECT METER FEES	2,719.00
Vendor Total		**27,407.16**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,855,108.05**		
ENVIRONMENTAL MOLDING CONCEPTS, INC				
4/5/2010	201621	70.97		
			REFUND-BUS LIC OVRPMT	70.97
Vendor Total		**70.97**		
FYTD for ENVIRONMENTAL MOLDING CONCEPTS, INC		**70.97**		
ESPINOZA, ROSY				
4/19/2010	201980	750.00		
			REFUND-RNTL DEP 4/3	750.00
Vendor Total		**750.00**		
FYTD for ESPINOZA, ROSY		**750.00**		
EVANS, MELVA				
4/12/2010	201859	329.50		
			REFUND-CITATION OVRPMT	329.50
Vendor Total		**329.50**		
FYTD for EVANS, MELVA		**329.50**		
EWING IRRIGATION PRODUCTS, INC.				
4/26/2010	202134	599.04		
			IRRIGATION SUPPLIES	583.06
			IRRIGATION SUPPLIES	15.98
Vendor Total		**599.04**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**13,412.95**		

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EXCEL LANDSCAPE, INC					
	4/12/2010	201860	3,889.00		
				LANDSCAPE MAINT-WQF	530.50
				LANDSCAPE MAINT-WQF	2,200.00
				LANDSCAPE MAINT-WQF	980.00
				LANDSCAPE MAINT-WQF	178.50
	4/26/2010	202135	12,674.22		
				LANDSCAPE MAINT-E7	2,666.81
				LANDSCAPE MAINT-CELEB PARK	1,070.36
				LANDSCAPE MAINT-PROM PARK	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQF	1,945.00
				LANDSCAPE MAINT-WQB	1,944.00
				LANDSCAPE MAINT-E15	85.00
	Vendor Total		**16,563.22**		
FYTD for EXCEL LANDSCAPE, INC			**205,148.38**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	4/26/2010	880381	3,476.18		
				CDBG FUNDED SVCS-FRCLSR PREV	2,039.24
				CDBG FUNDED SVCS-FRCLSR PREV	1,436.94
	Vendor Total		**3,476.18**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**42,942.80**		
FANNING, JEFFREY DEAN					
	4/19/2010	201981	494.00		
				INSTRUCTION SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for FANNING, JEFFREY DEAN			**494.00**		
FEDERAL EXPRESS					
	4/12/2010	201861	17.41		
				257317200-EXPRESS MAILING	17.41
	Vendor Total		**17.41**		
FYTD for FEDERAL EXPRESS			**122.00**		
FEENSTRA, JOHN					
	4/5/2010	201790	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,612.50**		

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FENCETECH, INC					
	4/5/2010	201622	150.00		
				REFUND-BUS LIC OVRPMT	150.00
	Vendor Total		**150.00**		
FYTD for FENCETECH, INC			**150.00**		
FINESSE PERSONNEL ASSOCIATES					
	4/5/2010	201623	7,055.13		
				TEMP SVCS-BECKNER W/E 3/13	1,596.81
				TEMP SVCS-BECKNER W/E 3/20	1,854.36
				TEMP SVCS-BECKNER W/E 3/27	1,854.36
				TEMP SVCS-NELSON W/E 3/13	874.80
				TEMP SVCS-NELSON W/E 3/20	874.80
	4/12/2010	201862	2,729.16		
				TEMP SVCS-NELSON W/E 3/27	874.80
				TEMP SVCS-BECKNER W/E 4/3	1,854.36
	4/19/2010	201982	2,729.16		
				TEMP SVCS-NELSON W/E 4/3	874.80
				TEMP SVCS-BECKNER W/E 4/10	1,854.36
	4/26/2010	202136	3,875.41		
				TEMP SVCS-NELSON W/E 2/27	656.10
				TEMP SVCS-NELSON W/E 3/6	850.50
				TEMP SVCS-NELSON W/E 4/17	656.10
				TEMP SVCS-BECKNER W/E 4/17	1,712.71
	Vendor Total		**16,388.86**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**16,388.86**		
FIRST AMERICAN CORE LOGIC, INC.					
	4/12/2010	201863	538.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	277.00
				ONLINE PROP INFO-NSP	176.00
	4/26/2010	202137	592.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	331.00
				ONLINE PROP INFO-NSP	176.00
	Vendor Total		**1,130.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**4,480.00**		

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FIRST CHOICE SERVICES					
	4/5/2010	880269	63.90		
				COFFEE SVCS-EMP PAID	32.24
				COFFEE SVCS-EMP PAID	31.66
	4/12/2010	880333	29.38		
				COFFEE SVCS-EMP PAID	29.38
	4/19/2010	880356	580.04		
				COFFEE SVCS-EMP PAID	80.91
				COFFEE SVCS-EMP PAID	95.76
				COFFEE SVCS-EMP PAID	177.68
				COFFEE SVCS-EMP PAID	109.17
				COFFEE SVCS-EMP PAID	88.14
				COFFEE SVCS-EMP PAID	28.38
	4/26/2010	880382	36.51		
				COFFEE SVCS-EMP PAID	36.51
	Vendor Total		**709.83**		
FYTD for FIRST CHOICE SERVICES			**8,197.32**		
FITNESS 19 CA 155 11C					
	4/26/2010	202138	281.00		
				GYM MEMBERSHIP DEDUCTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,915.00**		
FOLEY & LARDNER					
	4/29/2010	202211	3,000.00		
				LEGAL SVCS-RETAINER	3,000.00
	Vendor Total		**3,000.00**		
FYTD for FOLEY & LARDNER			**3,000.00**		
FOSTER, NANCY A.					
	4/5/2010	201624	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,265.50**		
FOTO FANTASY, INC					
	4/5/2010	201625	40.42		
				REFUND-BUS LIC OVRPMT	40.42
	Vendor Total		**40.42**		
FYTD for FOTO FANTASY, INC			**40.42**		

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FRANCE PUBLICATIONS, INC.				
4/12/2010	201864	1,800.00		
			ADVERTISING SVCS-EDD	1,800.00
Vendor Total		**1,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.		**9,600.00**		
FRANCHISE TAX BOARD				
4/12/2010	201865	675.95		
			GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.45
			GARNISHMENT	254.00
4/26/2010	202139	676.38		
			GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.88
			GARNISHMENT	254.00
Vendor Total		**1,352.33**		
FYTD for FRANCHISE TAX BOARD		**11,541.09**		
FRANKLIN, L. C.				
4/12/2010	201866	207.00		
			MILEAGE REIMBURSEMENT	207.00
Vendor Total		**207.00**		
FYTD for FRANKLIN, L. C.		**1,448.70**		
FRED'S GLASS & MIRROR, INC.				
4/5/2010	201626	723.00		
			WINDOW FRAME RPLCMNT-SR CTR	598.00
			WINDOW SEAL SVC-FS #58	125.00
Vendor Total		**723.00**		
FYTD for FRED'S GLASS & MIRROR, INC.		**1,089.03**		
FULBRIGHT & JAWORSKI, L.L.P.				
4/19/2010	201983	8,794.40		
			LEGAL SVCS-UTILITIES	8,794.40
Vendor Total		**8,794.40**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**212,500.08**		
GASTELUM, LEOBARDO				
4/26/2010	202140	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for GASTELUM, LEOBARDO		**20.00**		

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GASTON, RICHARD					
	4/5/2010	201791	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,187.30**		
GENERAL SECURITY SERVICES, INC.					
	4/5/2010	201627	184.08		
				SECURITY SVCS-CRC	184.08
	4/5/2010	880271	460.20		
				SECURITY SVCS-SENIOR CTR	245.44
				SECURITY SVCS-CRC	214.76
	4/12/2010	880334	2,086.24		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
	4/19/2010	880357	184.08		
				SECURITY SVCS-TWNGTE	107.38
				SECURITY SVCS-TWNGTE	76.70
	4/26/2010	880383	2,116.92		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-UTILITIES ANNX	276.12
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	613.60
	Vendor Total		**5,031.52**		
FYTD for GENERAL SECURITY SERVICES, INC.			**46,767.95**		
GEORGE SALINAS TREE PRESERVATION					
	4/5/2010	201628	2,011.95		
				TREE TRIMMING SVC-DSG2	447.10
				TREE TRIMMING SVC-E1	178.84
				TREE TRIMMING SVC-E1A	223.55
				TREE TRIMMING SVC-E2	804.78
				TREE TRIMMING SVC-ZN M	357.68
	4/19/2010	201984	50.84		
				REFUND-BUS LIC OVRPMT	50.84
	Vendor Total		**2,062.79**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**89,560.26**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
4/5/2010	880272	1,811.70		
			LEGAL SVCS	680.50
			LEGAL SVCS	1,131.20
4/19/2010	880358	2,846.00		
			LEGAL SVCS-COMM PRK SOCCER FLD	2,846.00
4/26/2010	880384	5,996.09		
			LEGAL SVCS-COMM PRK SOCCER FLD	4,015.45
			LEGAL SVCS	1,980.64
	Vendor Total	**10,653.79**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**144,601.09**		
GIPSON, MIRANDA				
4/12/2010	201867	195.20		
			REFUND-PERMIT FEES	97.60
			REFUND-PERMIT FEES	97.60
	Vendor Total	**195.20**		
FYTD for GIPSON, MIRANDA		**195.20**		
GOLDEN'S ELECTRONIC'S				
4/19/2010	201985	24.42		
			REFUND-BUS LIC OVRPMT	24.42
	Vendor Total	**24.42**		
FYTD for GOLDEN'S ELECTRONIC'S		**24.42**		
GOMEZ, GERARDO & GABRIELA				
4/26/2010	202141	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for GOMEZ, GERARDO & GABRIELA		**20.00**		
GONG ENTERPRISES, INC.				
4/12/2010	201868	4,850.00		
			PLAN CHECK SVCS	2,500.00
			PLAN CHECK SVCS	2,350.00
	Vendor Total	**4,850.00**		
FYTD for GONG ENTERPRISES, INC.		**8,614.50**		
GONZALES, BRIAN				
4/26/2010	202142	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for GONZALES, BRIAN		**20.00**		

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GONZALEZ, MARIBEL					
	4/12/2010	201869	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for GONZALEZ, MARIBEL			**54.50**		
GORDON, WILLIAM IRVING III					
	4/5/2010	201629	233.28		
				REFUND-PD CITATION FEES	233.28
	Vendor Total		**233.28**		
FYTD for GORDON, WILLIAM IRVING III			**233.28**		
GORM INC.					
	4/26/2010	202143	3,488.83		
				JANITORIAL SUPPLIES-PARKS MAIN	1,362.42
				JANITORIAL SUPPLIES-PARKS MAIN	1,585.38
				JANITORIAL SUPPLIES-PARKS MAIN	541.03
	Vendor Total		**3,488.83**		
FYTD for GORM INC.			**11,069.31**		
GOYA FOODS OF CALIFORNIA					
	4/5/2010	201630	49.74		
				REFUND-BUS LIC OVRPMT	49.74
	Vendor Total		**49.74**		
FYTD for GOYA FOODS OF CALIFORNIA			**49.74**		
GOZDECKI, DAN					
	4/5/2010	880273	783.00		
				INSTRUCTOR SVCS-KUNG FU	351.00
				INSTRUCTOR SVCS-KUNG FU	432.00
	Vendor Total		**783.00**		
FYTD for GOZDECKI, DAN			**6,291.00**		
GRAF, ADAM					
	4/5/2010	201631	75.00		
				REFUND-SPAY/NEUTER FEES	75.00
	Vendor Total		**75.00**		
FYTD for GRAF, ADAM			**75.00**		
GRAFFITI TRACKER, INC.					
	4/5/2010	880274	340.00		
				CAMERA REPAIR	340.00
	Vendor Total		**340.00**		
FYTD for GRAFFITI TRACKER, INC.			**28,340.00**		

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GRANICUS, INC.					
	4/5/2010	201632	1,395.22		
				MANAGED SVC-VIDEO STREAMING	1,350.00
				MANAGED SVC-VIDEO STREAMING	45.22
	4/19/2010	201986	130.00		
				PODCASTING MANAGED SVC	130.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**14,342.20**		
GRAPHIC SOLUTIONS LTD.					
	4/5/2010	201633	175.00		
				SUNNYMD BLVD REVIT PROJ SVCS	175.00
	Vendor Total		**175.00**		
FYTD for GRAPHIC SOLUTIONS LTD.			**3,601.25**		
GRIFFIN, MARLENE C					
	4/5/2010	201792	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,436.81**		
GROUP DELTA CONSULTANTS, INC					
	4/26/2010	202144	1,955.00		
				PUB SFTY BLDG CONVERSION PROJ	1,955.00
	Vendor Total		**1,955.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**2,315.00**		
GUEST SERVICES					
	4/12/2010	201870	234.48		
				COURSE: R123/APR26-MAY7, 2010	234.48
	Vendor Total		**234.48**		
FYTD for GUEST SERVICES			**234.48**		
GUILLAN, REBECCA S.					
	4/5/2010	201634	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,107.91**		
GUILLIS, LINDA B.					
	4/5/2010	201635	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,187.30**		

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GUTIERREZ, ROBERT					
	4/5/2010	201636	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,892.90**		
GUY'S LANDSCAPE MAINTENANCE					
	4/5/2010	201637	36.89		
				REFUND-BUS LIC OVRPMT	36.89
	Vendor Total		**36.89**		
FYTD for GUY'S LANDSCAPE MAINTENANCE			**36.89**		
GUZMAN'S CART SERVICE					
	4/12/2010	880335	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**40,490.00**		
H & P NAIL					
	4/5/2010	201638	91.00		
				REFUND-BUS LIC OVRPMT	91.00
	Vendor Total		**91.00**		
FYTD for H & P NAIL			**91.00**		
H & R BLOCK					
	4/12/2010	201871	125.03		
				BUS. LIC. OVRPMT RFND	70.28
				BUS. LIC. OVRPMT RFND	54.75
	Vendor Total		**125.03**		
FYTD for H & R BLOCK			**125.03**		
H C I, INC.					
	4/5/2010	201639	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for H C I, INC.			**45.00**		
HAMBURG, IRENE					
	4/5/2010	201793	956.19		
				RETIREE MEDICAL BENEFIT	956.19
	Vendor Total		**956.19**		
FYTD for HAMBURG, IRENE			**4,291.67**		

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HAMLIN, WILLIAM R.					
	4/5/2010	201794	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,238.04**		
HANANIA, RANDA					
	4/19/2010	201987	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HANANIA, RANDA			**81.00**		
HANDY REPAIR SERVICE					
	4/5/2010	201640	31.08		
				REFUND-BUS LIC OVRPMT	31.08
	Vendor Total		**31.08**		
FYTD for HANDY REPAIR SERVICE			**31.08**		
HANES, MARTIN D.					
	4/5/2010	201795	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,187.30**		
HANSEN, ROBERT L.					
	4/26/2010	202146	177.00		
				PER DIEM-LCC ATTYS SPRING CONF	177.00
	Vendor Total		**177.00**		
FYTD for HANSEN, ROBERT L.			**354.00**		
HAPPY TIME BOOK STORE					
	4/19/2010	201988	71.22		
				REFUND-BUS LIC OVRPMT	71.22
	Vendor Total		**71.22**		
FYTD for HAPPY TIME BOOK STORE			**71.22**		
HARDING, JOHN S.					
	4/5/2010	201641	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,187.30**		

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HARTMANN, RICK					
	4/5/2010	201642	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**2,454.77**		
HATFIELD, CHARLES					
	4/5/2010	201643	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,549.85**		
HAUSER, ADRIANA					
	4/19/2010	201989	798.00		
				INSTRUCTION SVCS-21 DAYS	798.00
	Vendor Total		**798.00**		
FYTD for HAUSER, ADRIANA			**3,306.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	4/5/2010	201644	4,255.20		
				CONTRACT SVCS-SALES TAX	900.00
				AUDIT SVCS-SALES TAX	2,882.63
				AUDIT SVCS-SALES TAX	472.57
	Vendor Total		**4,255.20**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**16,039.71**		
HEERY INTERNATIONAL, INC.					
	4/19/2010	880359	17,480.00		
				NEW MAIN LIBRARY PROJ SVCS	17,480.00
	Vendor Total		**17,480.00**		
FYTD for HEERY INTERNATIONAL, INC.			**215,052.75**		
HEFFLEY, ROSS W.					
	4/5/2010	201796	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,549.85**		
HEMPHILL DAYCARE					
	4/5/2010	201645	54.00		
				REFUND-BUS LIC OVRPMT	54.00
	Vendor Total		**54.00**		
FYTD for HEMPHILL DAYCARE			**54.00**		

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HERMAN WEISSKER, INC.					
	4/5/2010	201646	75.15		
				REFUND-BUS LIC OVRPMT	75.15
	Vendor Total		**75.15**		
FYTD for HERMAN WEISSKER, INC.			**75.15**		
HERRICK, ROBERT D.					
	4/5/2010	201647	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,187.30**		
HESLIN, MICHAEL K.					
	4/12/2010	201872	318.30		
				TRAVEL EXP-ANNL CA GIS CONF.	62.30
				TRAVEL EXP-ANNL CA GIS CONF.	256.00
	Vendor Total		**318.30**		
FYTD for HESLIN, MICHAEL K.			**929.00**		
HICKORY FARMS					
	4/5/2010	201648	24.01		
				REFUND-BUS LIC OVRPMT	24.01
	Vendor Total		**24.01**		
FYTD for HICKORY FARMS			**24.01**		
HIGGS, DEBRA					
	4/26/2010	202147	252.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
				INSTRUCTOR SVCS-OIL PAINTING	28.00
				INSTRUCTOR SVCS-OIL PAINTING	80.00
	Vendor Total		**252.00**		
FYTD for HIGGS, DEBRA			**1,116.00**		
HOGARD, JOHN T.					
	4/5/2010	201649	700.00		
				RETIREE MEDICAL BENEFIT	700.00
	Vendor Total		**700.00**		
FYTD for HOGARD, JOHN T.			**817.15**		
HOLTZ, GLORIA					
	4/19/2010	201990	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HOLTZ, GLORIA			**40.00**		

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HOUSER, EDITH E.					
	4/5/2010	201650	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,187.30**		
HUB CONSTRUCTION SPECIALITES, INC					
	4/19/2010	201991	44.58		
				REFUND-BUS LIC OVRPMT	44.58
	Vendor Total		**44.58**		
FYTD for HUB CONSTRUCTION SPECIALITES, INC			**44.58**		
HUBBARD, MONET					
	4/19/2010	201992	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HUBBARD, MONET			**20.00**		
HUNT, LEXY					
	4/19/2010	201993	52.00		
				REFUND-TIME FOR TOTS	52.00
	Vendor Total		**52.00**		
FYTD for HUNT, LEXY			**52.00**		
ICMA RETIREMENT CORP 457					
	4/9/2010	2616	9,689.54		
				DEF COMP 457 04/09/10	9,689.54
	4/23/2010	2624	12,410.37		
				DEF COMP 457 04/23/10	12,410.37
	Vendor Total		**22,099.91**		
FYTD for ICMA RETIREMENT CORP 457			**311,584.81**		
IL SORRENTO MOBILE PARK					
	4/12/2010	201873	158.25		
				REFUND-UT USER TAXES	158.25
	Vendor Total		**158.25**		
FYTD for IL SORRENTO MOBILE PARK			**1,676.31**		

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IMANI, KING					
	4/5/2010	201651	123.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	18.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	50.00
	Vendor Total		**123.00**		
FYTD for IMANI, KING			**123.00**		
IMPERIAL CUSTOM CABINETS, INC					
	4/19/2010	201994	23.50		
				REFUND-BUS LIC OVRPMT	23.50
	Vendor Total		**23.50**		
FYTD for IMPERIAL CUSTOM CABINETS, INC			**23.50**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	4/12/2010	201874	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,750.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST					
	4/26/2010	202148	1,193.25		
				NUISANCE ABTMNT SVCS-486102015	1,193.25
	Vendor Total		**1,193.25**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST			**12,120.56**		
INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,					
	4/5/2010	201652	32.64		
				REFUND-BUS LIC OVRPMT	32.64
	Vendor Total		**32.64**		
FYTD for INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,			**32.64**		
INLAND EMPIRE MAGAZINE					
	4/12/2010	201875	1,295.00		
				ADVERTISING SVCS-EDD	1,295.00
	Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE			**5,180.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC				
4/19/2010	880360	824.20		
			NUISANCE ABTMNT SVC-297180006	477.20
			NUISANCE ABTMNT SVC-KITCHING/M	150.00
			NUISANCE ABTMNT SVC-13371 PAN	122.00
			HALT SVCS-CODE	75.00
	Vendor Total	**824.20**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**75,437.10**		
INLAND LIBRARY SYSTEM				
4/12/2010	201876	1,863.01		
			2009/10 MEMBERSHIP DUES	1,863.01
	Vendor Total	**1,863.01**		
FYTD for INLAND LIBRARY SYSTEM		**2,047.71**		
INSIDE PLANTS, INC.				
4/26/2010	880385	316.00		
			PLANT MAINT-CRC	316.00
	Vendor Total	**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,160.00**		
INTERNAL REVENUE SERVICE				
4/1/2010	2611	2,000.00		
			DEP FED TAX W/H 4/1/10	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**3,184,348.99**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION				
4/5/2010	201653	946.99		
			DATA STORAGE SVCS	946.99
4/26/2010	202149	1,015.54		
			DATA STORAGE SVCS	1,015.54
	Vendor Total	**1,962.53**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**11,587.44**		
IRONWOOD SMOKE SHOP				
4/19/2010	201995	71.96		
			REFUND-BUS LIC OVRPMT	71.96
	Vendor Total	**71.96**		
FYTD for IRONWOOD SMOKE SHOP		**71.96**		

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ISG THERMAL SYSTEMS USA, INC				
4/5/2010	201654	557.64		
			THERMAL IMAGING CAMERA REPAIR	557.64
			THERMAL IMAGING CAMERA REPAIR	1.54
			THERMAL IMAGING CAMERA REPAIR	-1.54
Vendor Total		**557.64**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**964.89**		
ISS SWEEPING, INC.				
4/5/2010	880280	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
4/26/2010	880386	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
Vendor Total		**4,531.40**		
FYTD for ISS SWEEPING, INC.		**23,550.40**		
J D H CONTRACTING				
4/5/2010	880281	3,315.00		
			CONTRACT SVCS-FS #58	3,315.00
Vendor Total		**3,315.00**		
FYTD for J D H CONTRACTING		**66,351.84**		
JACKSON, JERAMY				
4/12/2010	201877	1,230.00		
			TUITION REIMBURSEMENT	1,230.00
Vendor Total		**1,230.00**		
FYTD for JACKSON, JERAMY		**1,763.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				
4/12/2010	201878	75.00		
			LEGAL COURIER SVCS	75.00
Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,853.00**		
JAUREGUI, OSCAR				
4/5/2010	201655	184.00		
			REFUND-CITATION OVRPMT	184.00
Vendor Total		**184.00**		
FYTD for JAUREGUI, OSCAR		**1,031.82**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JDEDGE SOFTWARE, LLC					
	4/5/2010	201797	750.00		
				CONSULTING SVCS-SOFTWARE DEV	750.00
	4/12/2010	880336	255.00		
				CONSULTING SVCS-HR	255.00
	4/19/2010	880361	5,440.00		
				CONSULTING SVCS	5,440.00
	Vendor Total		**6,445.00**		
FYTD for JDEDGE SOFTWARE, LLC			**106,697.68**		
JH DESIGN & ASSOCIATES					
	4/1/2010	880257	821.00		
				NAME PLQ DISPLAY-EDD	821.00
	Vendor Total		**821.00**		
FYTD for JH DESIGN & ASSOCIATES			**8,471.00**		
JIMENEZ, EMMANUEL					
	4/26/2010	202150	102.00		
				REFUND-BANK FEES ON OVRCHRGD D	102.00
	Vendor Total		**102.00**		
FYTD for JIMENEZ, EMMANUEL			**102.00**		
JJ'S MARKET & LIQUOR					
	4/5/2010	201656	156.90		
				REFUND-BUS LIC OVRPMT	150.08
				REFUND-BUS LIC OVRPMT	6.46
				REFUND-BUS LIC OVRPMT	0.36
	Vendor Total		**156.90**		
FYTD for JJ'S MARKET & LIQUOR			**156.90**		
JOHN DEERE LANDSCAPES, INC.					
	4/19/2010	201996	74.64		
				REFUND-BUS LIC OVRPMT	74.64
	Vendor Total		**74.64**		
FYTD for JOHN DEERE LANDSCAPES, INC.			**74.64**		
JOHNSON, DELIA					
	4/26/2010	202151	72.00		
				INSTRUCTOR SVCS-AEROBICS	72.00
	Vendor Total		**72.00**		
FYTD for JOHNSON, DELIA			**432.00**		

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JOLLI BEE					
	4/19/2010	201997	77.38		
				REFUND-BUS LIC OVRPMT	77.38
	Vendor Total		**77.38**		
FYTD for JOLLI BEE			**77.38**		
JONES III, JOSEPH					
	4/19/2010	201998	85.50		
				MILEAGE REIMBURSEMENT	34.50
				MILEAGE REIMBURSEMENT	51.00
	Vendor Total		**85.50**		
FYTD for JONES III, JOSEPH			**571.85**		
JONES, SUSAN					
	4/5/2010	201798	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,187.30**		
JOURNEYS #1017					
	4/5/2010	201657	85.25		
				REFUND-BUS LIC OVRPMT	85.25
	Vendor Total		**85.25**		
FYTD for JOURNEYS #1017			**85.25**		
JTB SUPPLY CO., INC.					
	4/19/2010	201999	8,210.63		
				SVC CABINET FOR TRAF SIGNAL	8,210.63
	Vendor Total		**8,210.63**		
FYTD for JTB SUPPLY CO., INC.			**53,008.41**		
JUANITAS MARKET					
	4/5/2010	201658	67.00		
				REFUND-BUS LIC OVRPMT	67.00
	Vendor Total		**67.00**		
FYTD for JUANITAS MARKET			**67.00**		
K C WEST, INC					
	4/5/2010	201659	57.00		
				REFUND-BUS LIC OVRPMT	71.23
				REFUND-BUS LIC OVRPMT	-14.23
	Vendor Total		**57.00**		
FYTD for K C WEST, INC			**57.00**		

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KAISER PERMANENTE					
	4/19/2010	202000	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for KAISER PERMANENTE			**3,741.82**		
KASHEFIPOUR, HOSSEIN					
	4/5/2010	201660	134.51		
				MILEAGE REIMBURSEMENT	34.01
				MILEAGE REIMBURSEMENT	100.50
	Vendor Total		**134.51**		
FYTD for KASHEFIPOUR, HOSSEIN			**472.21**		
KDM MERIDIAN, INC.					
	4/26/2010	880387	8,610.00		
				BOEING/MCDONNEL SIDEWALK PROJ	3,795.00
				TEMCO ST. SIDEWALK PROJ	4,470.00
				VOUGHT ST. SIDEWALK PROJ	345.00
	Vendor Total		**8,610.00**		
FYTD for KDM MERIDIAN, INC.			**76,845.00**		
KEEGAN, CAROL					
	4/19/2010	202001	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for KEEGAN, CAROL			**20.00**		
KENNETH JOHNSON					
	4/5/2010	201661	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for KENNETH JOHNSON			**58.00**		
KERENYI, JOHN					
	4/5/2010	201662	192.00		
				PER DIEM-TRANSIMS CONF.	192.00
	Vendor Total		**192.00**		
FYTD for KERENYI, JOHN			**198.00**		
KING, PATRICIA A.					
	4/5/2010	201663	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,549.85**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KOA CORPORATION					
	4/5/2010	201664	15,723.10		
				RECHE VISTA DR REALIGNMNT PROJ	14,093.10
				RECHE VISTA DR REALIGNMNT PROJ	1,560.00
				RECHE VISTA DR REALIGNMNT PROJ	70.00
	4/26/2010	202152	10,841.25		
				RECHE VISTA DR REALIGNMNT PROJ	10,841.25
	Vendor Total		**26,564.35**		
FYTD for KOA CORPORATION			**211,877.00**		
KOLB, CHARLES E.					
	4/5/2010	201799	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,187.30**		
KOLLAR, KYLE					
	4/5/2010	201665	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,274.92**		
KYLE, GARY M.					
	4/5/2010	201800	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,549.85**		
L & G CABLE CONSTRUCTION					
	4/19/2010	202002	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for L & G CABLE CONSTRUCTION			**57.00**		
LABELLE-MARVIN, INC.					
	4/26/2010	202153	8,100.00		
				SUNNYMD BLVD REVIT PROJ SVCS	8,100.00
	Vendor Total		**8,100.00**		
FYTD for LABELLE-MARVIN, INC.			**8,100.00**		
LAFATA, JOSEPHINE					
	4/5/2010	201801	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,158.54**		

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LANDERS, ORETHA					
	4/5/2010	201666	200.00		
				REFUND-RENTAL DEP 3/20/10	200.00
	Vendor Total		**200.00**		
FYTD for LANDERS, ORETHA			**200.00**		
LANGENDORF, BENJAMIN					
	4/5/2010	201667	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LANGENDORF, BENJAMIN			**2,868.57**		
LATHAM & WATKINS, LLP					
	4/26/2010	202154	4,745.00		
				PROF SVCS-LAND DEV	662.50
				PROF SVCS-LAND DEV	405.00
				PROF SVCS-LAND DEV	675.00
				PROF SVCS-LAND DEV	1,087.50
				PROF SVCS-LAND DEV	1,915.00
	Vendor Total		**4,745.00**		
FYTD for LATHAM & WATKINS, LLP			**4,745.00**		
LATITUDE 3 MEDIA GROUP					
	4/12/2010	201879	1,650.00		
				ADVERTISING SVCS-EDD	1,650.00
	Vendor Total		**1,650.00**		
FYTD for LATITUDE 3 MEDIA GROUP			**3,300.00**		
LAWN TECH EQUIPMENT					
	4/5/2010	880287	441.67		
				MISC PARTS-MAINT & OPER	388.20
				MISC PARTS-MAINT & OPER	53.47
	Vendor Total		**441.67**		
FYTD for LAWN TECH EQUIPMENT			**3,200.28**		
LAWYERS TITLE INC					
	4/19/2010	202003	450.00		
				PRELIM TITLE RPT-CORP YRD PROJ	450.00
	4/21/2010	1004091	12,988.50		
				ESCROW DEPOSIT-EASEMENT PURCH.	12,988.50
	Vendor Total		**13,438.50**		
FYTD for LAWYERS TITLE INC			**211,850.50**		

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LEE, PHILLIP MICHAEL					
	4/5/2010	201668	480.57		
				REFUND-ADMIN CITATION FEES	480.57
	Vendor Total		**480.57**		
FYTD for LEE, PHILLIP MICHAEL			**480.57**		
LEIGHTON CONSULTING, INC.					
	4/12/2010	880337	10,044.00		
				LASSELLE ST WIDENING PROJ SVCS	10,044.00
	Vendor Total		**10,044.00**		
FYTD for LEIGHTON CONSULTING, INC.			**72,846.64**		
LEONS MASTER CLEANING					
	4/5/2010	201669	27.29		
				REFUND-BUS LIC OVRPMT	27.29
	Vendor Total		**27.29**		
FYTD for LEONS MASTER CLEANING			**27.29**		
LEWIS, CAROLYN S.					
	4/5/2010	201802	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**3,155.30**		
LEXISNEXIS					
	4/26/2010	880388	1,480.00		
				ONLINE LEGAL SVCS-CTY ATTORNEY	740.00
				ONLINE LEGAL SVCS-CTY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**15,195.00**		
LEXISNEXIS PRACTICE MGMT.					
	4/26/2010	202155	1,479.46		
				TM/BM ANNUAL MAINTENANCE	535.00
				TM/BM ANNUAL MAINTENANCE	944.46
	Vendor Total		**1,479.46**		
FYTD for LEXISNEXIS PRACTICE MGMT.			**1,479.46**		
LIM & NASCIMENTO ENGINEERING CORP.					
	4/26/2010	202156	21,687.70		
				PERRIS BL WIDENING FROM RAM XP	21,687.70
	Vendor Total		**21,687.70**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**555,801.37**		

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LIMON, JOSE M, M.D.					
	4/5/2010	201670	33.36		
				REFUND-BUS LIC OVRPMT	33.36
	Vendor Total		**33.36**		
FYTD for LIMON, JOSE M, M.D.			**33.36**		
LINDO, HERMINA G.					
	4/5/2010	201803	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LINDO, HERMINA G.			**2,741.44**		
LIPSCOMB, RAYMOND					
	4/19/2010	202004	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LIPSCOMB, RAYMOND			**75.00**		
LISA JARMAN CONSULTING					
	4/12/2010	201880	1,063.00		
				CONSULTING SVCS-NSP	1,063.00
	Vendor Total		**1,063.00**		
FYTD for LISA JARMAN CONSULTING			**1,063.00**		
LITTLE BEIJING					
	4/19/2010	202005	87.45		
				REFUND-BUS LIC OVRPMT	87.45
	Vendor Total		**87.45**		
FYTD for LITTLE BEIJING			**87.45**		
LOGAN, CHARLES					
	4/5/2010	201804	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,408.61**		
LONE DRAINER & PRONTO NO 4, THE					
	4/5/2010	201671	33.00		
				REFUND-BUS LIC OVRPMT	33.00
	Vendor Total		**33.00**		
FYTD for LONE DRAINER & PRONTO NO 4, THE			**33.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LOR GEOTECHNICAL GROUP, INC.					
	4/19/2010	880362	570.00		
				PATRIOT PARK PROJ SVCS	430.00
				PATRIOT PARK PROJ SVCS	140.00
	4/26/2010	880389	2,245.00		
				VOUGHT ST. SIDEWALK PROJ	1,260.00
				TEMCO ST. SIDEWALK PROJ	985.00
	Vendor Total		**2,815.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**63,071.60**		
LOUIS, LILIA					
	4/5/2010	201672	61.00		
				REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total		**61.00**		
FYTD for LOUIS, LILIA			**61.00**		
LOW PRICE AUTO GLASS #60					
	4/5/2010	201673	77.60		
				REFUND-BUS LIC OVRPMT	77.60
	Vendor Total		**77.60**		
FYTD for LOW PRICE AUTO GLASS #60			**77.60**		
LUMLEY, ROBERT C.					
	4/5/2010	201805	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,187.30**		
M & M HAIR SALON					
	4/19/2010	202006	35.25		
				REFUND-BUS LIC OVRPMT	35.25
	Vendor Total		**35.25**		
FYTD for M & M HAIR SALON			**35.25**		
M J CLEANING COMPANY					
	4/19/2010	202007	42.57		
				REFUND-BUS LIC OVRPMT	42.57
	Vendor Total		**42.57**		
FYTD for M J CLEANING COMPANY			**42.57**		
M W H AMERICAS, INC.					
	4/19/2010	202008	37.50		
				REFUND-BUS LIC OVRPMT	37.50
	Vendor Total		**37.50**		
FYTD for M W H AMERICAS, INC.			**37.50**		

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MACTEC CLEANUP CORPORATION				
4/19/2010	202009	42.00		
			REFUND-BUS LIC OVRPMT	42.00
Vendor Total		**42.00**		
FYTD for MACTEC CLEANUP CORPORATION		**42.00**		
MAGNOLIA POOL AND SPA SUPPLY				
4/5/2010	201674	51.25		
			REFUND-BUS LIC OVRPMT	51.25
Vendor Total		**51.25**		
FYTD for MAGNOLIA POOL AND SPA SUPPLY		**51.25**		
MANAGEMENT ADDED SERVICES				
4/19/2010	202010	27.38		
			REFUND-BUS LIC OVRPMT	27.38
Vendor Total		**27.38**		
FYTD for MANAGEMENT ADDED SERVICES		**27.38**		
MANZANO, KARLA				
4/19/2010	202011	200.00		
			REFUND-RENTAL DEPOSIT	200.00
Vendor Total		**200.00**		
FYTD for MANZANO, KARLA		**312.00**		
MARIN, MARTHA				
4/5/2010	201675	59.00		
			REFUND-CLASS REGIS/ARENA SOCCR	59.00
Vendor Total		**59.00**		
FYTD for MARIN, MARTHA		**59.00**		
MARK BEAMISH WATERPROOFING, INC.				
4/5/2010	201676	87.00		
			REFUND-BUS LIC OVRPMT	87.00
Vendor Total		**87.00**		
FYTD for MARK BEAMISH WATERPROOFING, INC.		**87.00**		
MARROQUIN, EDDY				
4/12/2010	201881	240.00		
			REFUND-RNTL DEP	140.00
			REFUND-RNTL DEP	100.00
Vendor Total		**240.00**		
FYTD for MARROQUIN, EDDY		**240.00**		

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MARTINEZ, FRANK					
	4/12/2010	201882	165.00		
				PER DIEM-ANNL FIRE PREV WRKSHP	165.00
	Vendor Total		**165.00**		
FYTD for MARTINEZ, FRANK			**165.00**		
MATHIS, NOLAN					
	4/5/2010	201677	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,900.80**		
MATICH CORPORATION					
	4/19/2010	880363	5,253.35		
				ASPHALTIC MATERIAL	1,324.68
				ASPHALTIC MATERIAL	1,324.68
				ASPHALTIC MATERIAL	1,272.45
				ASPHALTIC MATERIAL	1,331.54
	Vendor Total		**5,253.35**		
FYTD for MATICH CORPORATION			**35,724.35**		
MAXINOSKI, SUE A.					
	4/5/2010	201806	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,187.30**		
MC CONNELL CABINETS, INC.					
	4/5/2010	201678	25.04		
				REFUND-BUS LIC OVRPMT	25.04
	Vendor Total		**25.04**		
FYTD for MC CONNELL CABINETS, INC.			**25.04**		
MC NEEL'S EDUCATIONAL FAMILY DAY CARE					
	4/5/2010	201679	33.05		
				REFUND-BUS LIC OVRPMT	33.05
	Vendor Total		**33.05**		
FYTD for MC NEEL'S EDUCATIONAL FAMILY DAY CARE			**33.05**		
MCCARTHY & BERLIN, LLP					
	4/19/2010	880364	1,545.00		
				LEGAL SVCS-UTILITIES	1,545.00
	Vendor Total		**1,545.00**		
FYTD for MCCARTHY & BERLIN, LLP			**31,175.99**		

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MCI					
	4/26/2010	202157	1,197.57		
				INTERNET CONNECTION SVCS	1,197.57
	Vendor Total		**1,197.57**		
FYTD for MCI			**13,356.71**		
MCI WORLDCOM					
	4/26/2010	202158	1,028.12		
				COMMUNICATION SVCS	1,028.12
	Vendor Total		**1,028.12**		
FYTD for MCI WORLDCOM			**10,292.24**		
MELAD & ASSOCIATES					
	4/12/2010	201883	2,150.68		
				PLAN CHECK SVCS	2,150.68
	Vendor Total		**2,150.68**		
FYTD for MELAD & ASSOCIATES			**38,379.36**		
MENGISTU, YESHIALEM					
	4/12/2010	201884	118.50		
				MILEAGE REIMBURSEMENT	118.50
	Vendor Total		**118.50**		
FYTD for MENGISTU, YESHIALEM			**995.55**		
MENOS STEREOS					
	4/5/2010	201680	71.31		
				REFUND-BUS LIC OVRPMT	71.31
	Vendor Total		**71.31**		
FYTD for MENOS STEREOS			**71.31**		
MESSIN, LOUIS					
	4/5/2010	201807	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,549.85**		
MGT OF AMERICA, INC.					
	4/12/2010	880338	3,000.00		
				COST CLMING SVCS-4TH QTR 09/10	2,500.00
				COST CLMING SVCS-4TH QTR 09/10	500.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		

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MICHAEL ZAKHAROV SCAFFOLDING					
	4/5/2010	201681	25.77		
				REFUND-BUS LIC OVRPMT	25.77
	Vendor Total		**25.77**		
FYTD for MICHAEL ZAKHAROV SCAFFOLDING			**25.77**		
MILES, ROBERT					
	4/5/2010	201808	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,220.76**		
MINARD, MARK E.					
	4/5/2010	201809	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,986.51**		
MIRACLE RECREATION EQUIPMENT					
	4/19/2010	202012	1,075.49		
				PLAYGROUND EQUIP-PARKS	897.94
				PLAYGROUND EQUIP-PARKS	177.55
	4/26/2010	202159	1,571.83		
				PLAYGROUND EQUIP-PARKS	599.26
				PLAYGROUND EQUIP-PARKS	164.02
				PLAYGROUND EQUIP-PARKS	209.29
				PLAYGROUND EQUIP-PARKS	599.26
	Vendor Total		**2,647.32**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,416.24**		
MISSION SHEET METAL, INC.					
	4/19/2010	202013	57.25		
				REFUND-BUS LIC OVRPMT	57.25
	Vendor Total		**57.25**		
FYTD for MISSION SHEET METAL, INC.			**57.25**		
MITCHELL, DAVID					
	4/19/2010	202014	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MITCHELL, DAVID			**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MODERN IMAGE					
	4/19/2010	202015	68.94		
				REFUND-BUS LIC OVRPMT	68.94
	Vendor Total		**68.94**		
FYTD for MODERN IMAGE			**68.94**		
MOLLICA, MIKE					
	4/5/2010	201810	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,211.37**		
MONTIEL, ORLANDO					
	4/19/2010	202016	15.00		
				REFUND-ANML LICENSE FEE	15.00
	Vendor Total		**15.00**		
FYTD for MONTIEL, ORLANDO			**15.00**		
MORA, PATRICIA A.					
	4/5/2010	201811	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,187.30**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE					
	4/5/2010	201682	100.00		
				REFUND-MBL STAGE RNTL DEP	100.00
	4/5/2010	201683	1,375.00		
				BUSINESS SVCS-4TH INSTLMNT	1,375.00
	Vendor Total		**1,475.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**5,893.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	4/12/2010	201885	6,075.00		
				BUSINESS SVCS-4TH QTR 09/10	6,000.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
	Vendor Total		**6,075.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**29,100.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY CITY EMPLOYEES ASSOC.				
4/9/2010	2615	1,579.00		
			MVCEA DUES 04/09/10	1,579.00
4/23/2010	2623	1,579.00		
			MVCEA DUES 04/23/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**34,853.50**		
MORENO VALLEY CLINICA MEDICA FAMILIAR				
4/19/2010	202017	105.97		
			REFUND-BUS LIC OVRPMT	105.97
Vendor Total		**105.97**		
FYTD for MORENO VALLEY CLINICA MEDICA FAMILIAR		**105.97**		
MORENO VALLEY COMMUNITY EDUCATION CENTER				
4/26/2010	202160	745.75		
			TUTORING PRGM-CDBG	745.75
Vendor Total		**745.75**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**6,190.30**		
MORENO VALLEY GATEWAY, LLC				
4/26/2010	880390	21,093.43		
			LEASE-FACILITIES ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX	5,475.90
			LEASE-SPCL DIST ANNX	13,158.56
Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC		**210,934.30**		
MORENO VALLEY LAW CENTER				
4/19/2010	202018	69.88		
			REFUND-BUS LIC OVRPMT	69.88
Vendor Total		**69.88**		
FYTD for MORENO VALLEY LAW CENTER		**69.88**		
MORENO VALLEY TOYOTA				
4/5/2010	201685	0.00		
			SPECIAL TAX REIMBURSEMENT	163,255.49
			SPECIAL TAX REIMBURSEMENT	-163,255.49
Vendor Total		**0.00**		
FYTD for MORENO VALLEY TOYOTA		**0.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	4/5/2010	201686	19,560.00		
				TRANSPORTATION COSTS-STARS	19,560.00
	4/5/2010	201687	288.00		
				FACILITY RNTL-FRCLSR PREV WRKS	288.00
	4/5/2010	201688	306.00		
				FACILITY RNTL-FRCLSR PREV WRKS	306.00
	Vendor Total		**20,154.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**424,860.07**		
MORENO VALLEY UTILITY					
	4/26/2010	202161	62.01		
				ELECTRICITY-UT FLD OFFICE	62.01
	Vendor Total		**62.01**		
FYTD for MORENO VALLEY UTILITY			**626,837.30**		
MORENO VALLEY WASH HOUSE					
	4/5/2010	201689	22.50		
				REFUND-BUS LIC OVRPMT	22.50
	Vendor Total		**22.50**		
FYTD for MORENO VALLEY WASH HOUSE			**22.50**		
MORGAN, LISA A.					
	4/5/2010	201812	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,187.30**		
MORROW MEADOWS CORPORATION					
	4/19/2010	202020	50.64		
				REFUND-BUS LIC OVRPMT	50.64
	Vendor Total		**50.64**		
FYTD for MORROW MEADOWS CORPORATION			**50.64**		
MUNICIPAL EQUIPMENT MAINTENANCE ASSO					
	4/5/2010	201691	75.00		
				MEMBERSHIP RENEWAL	75.00
	Vendor Total		**75.00**		
FYTD for MUNICIPAL EQUIPMENT MAINTENANCE ASSO			**75.00**		

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MUZAK, LLC					
	4/19/2010	202021	63.03		
				REFUND-BUS LIC OVRPMT	63.03
	Vendor Total		**63.03**		
FYTD for MUZAK, LLC			**63.03**		
NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF					
	4/26/2010	202162	3,256.00		
				ADVERTISING SVCS-EDD	3,256.00
	Vendor Total		**3,256.00**		
FYTD for NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF			**6,512.00**		
NANCY'S TRUCKING, INC					
	4/5/2010	201692	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for NANCY'S TRUCKING, INC			**69.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	4/9/2010	2613	6,547.79		
				PST DEF COMP FOR FICA 04/09/10	6,547.79
	4/9/2010	2614	21,409.52		
				DEF COMP 457 & 401(A) 04/09/10	21,409.52
	4/23/2010	2621	8,627.31		
				PST DEF COMP FOR FICA 04/23/10	8,627.31
	Vendor Total		**36,584.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**744,535.11**		
NAVARRETTE, RALPH					
	4/5/2010	201693	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,274.92**		
NAVARRO, HERIBERTO					
	4/19/2010	202022	750.00		
				REFUND-RNTL DEP 3/30	750.00
	Vendor Total		**750.00**		
FYTD for NAVARRO, HERIBERTO			**1,050.00**		

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NAVCO SECURITY SYSTEMS					
	4/5/2010	880300	8,339.48		
				CAMERA & EQUIP-LOGISTICS AREA	4,148.19
				CAMERA & EQUIP-PSB FRONT LOBBY	4,191.29
	4/26/2010	880391	343.00		
				DVR REPAIR-POLICE DEPT	343.00
	Vendor Total		**8,682.48**		
FYTD for NAVCO SECURITY SYSTEMS			**9,880.00**		
NBS GOVERNMENT FINANCE GROUP					
	4/5/2010	880301	419.20		
				ANNUAL LICENSE FEE	419.20
	Vendor Total		**419.20**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,919.20**		
NELSON, ROBERT					
	4/5/2010	201694	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,436.81**		
NELSON, RUTH L.					
	4/5/2010	201813	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,187.30**		
NELSON, TIMOTHY IVAN					
	4/19/2010	202023	760.00		
				INSTRUCTION SVCS-20 DAYS	760.00
	Vendor Total		**760.00**		
FYTD for NELSON, TIMOTHY IVAN			**1,102.00**		
NELSON, VIVIAN					
	4/26/2010	202163	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NELSON, VIVIAN			**20.00**		
NEUSTAEDTER, CRAIG S					
	4/5/2010	201695	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,187.30**		

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NEW HOPE CHRISTIAN CENTER, INC.					
	4/5/2010	201696	45.12		
				REFUND-BUS LIC OVRPMT	45.12
	Vendor Total		**45.12**		
FYTD for NEW HOPE CHRISTIAN CENTER, INC.			**45.12**		
NEW HORIZON MOBILE HOME PARK					
	4/12/2010	201887	8.64		
				REFUND-UT USER TAXES	8.64
	Vendor Total		**8.64**		
FYTD for NEW HORIZON MOBILE HOME PARK			**80.49**		
NIEBURGER, JUDITH A.					
	4/5/2010	201697	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,014.20**		
NINYO & MOORE GEOTECHNICAL					
	4/12/2010	201888	1,295.25		
				EMRGNCY OPS CTR PROJ SVCS	1,295.25
	Vendor Total		**1,295.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**67,903.12**		
NIP & CUT HAIR STUDIO					
	4/19/2010	202024	32.34		
				REFUND-BUS LIC OVRPMT	32.34
	Vendor Total		**32.34**		
FYTD for NIP & CUT HAIR STUDIO			**32.34**		
NOBEL SYSTEMS					
	4/26/2010	880392	18,929.44		
				PROF SVCS-TS	1,000.00
				PROF SVCS-TS	14,947.20
				PROF SVCS-TS	2,982.24
	Vendor Total		**18,929.44**		
FYTD for NOBEL SYSTEMS			**60,769.44**		
OCAMPO, JULIE					
	4/19/2010	202025	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for OCAMPO, JULIE			**75.00**		

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OLD COUNTRY BAKERY					
	4/5/2010	201698	37.10		
				REFUND-BUS LIC OVRPMT	37.10
	Vendor Total		**37.10**		
FYTD for OLD COUNTRY BAKERY			**37.10**		
OLIPHANT, SONJA D.					
	4/12/2010	201889	123.00		
				REFUND-PERMIT FEES	122.00
				REFUND-PERMIT FEES	0.90
				REFUND-PERMIT FEES	0.10
	Vendor Total		**123.00**		
FYTD for OLIPHANT, SONJA D.			**123.00**		
ONE BEAUTY SUPPLY & SALON (SUPPLY)					
	4/5/2010	201699	25.12		
				REFUND-BUS LIC OVRPMT	25.12
	Vendor Total		**25.12**		
FYTD for ONE BEAUTY SUPPLY & SALON (SUPPLY)			**25.12**		
OPERATION SAFEHOUSE, INC.					
	4/26/2010	202164	882.88		
				SHELTER PRGM-CDBG	491.97
				SHELTER PRGM-CDBG	390.91
	Vendor Total		**882.88**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,044.28**		
ORACLE AMERICA					
	4/5/2010	201700	22,459.82		
				SOFTWARE UPDATE/SUPPORT	22,459.82
	Vendor Total		**22,459.82**		
FYTD for ORACLE AMERICA			**89,578.72**		
OUTBACK PATIO & SUN ROOMS					
	4/5/2010	201701	42.51		
				REFUND-BUS LIC OVRPMT	42.51
	Vendor Total		**42.51**		
FYTD for OUTBACK PATIO & SUN ROOMS			**42.51**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
OVERLAND PACIFIC & CUTLER, INC.				
4/19/2010	202026	12,100.00		
			SR-60/NASON ST INTRCHNG PROJ	12,100.00
4/26/2010	202165	6,720.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	6,720.00
	Vendor Total	**18,820.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**151,329.50**		
PACIFIC GREEN HORTICULTURAL SVC				
4/12/2010	201890	947.83		
			LANDSCAPE MAINT-E14	130.00
			LANDSCAPE MAINT-E3	235.54
			LANDSCAPE MAINT-E4	433.49
			LANDSCAPE MAINT-E1	108.51
			LANDSCAPE MAINT-E7	40.29
4/26/2010	202166	125.00		
			BEE CONTROL-DSG1E	125.00
	Vendor Total	**1,072.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**10,103.29**		
PACIFIC SAFETY COUNCIL				
4/5/2010	201702	2,613.70		
			SAFETY TRAINING-VIDEO	8.70
			SAFETY TRAINING-WORKSHOP	1,969.92
			SAFETY TRAINING-WORKSHOP	635.08
4/26/2010	202167	389.79		
			SAFETY TRAINING-VIDEO	9.79
			SAFETY TRAINING-MBRSHP RNWL	355.13
			SAFETY TRAINING-MBRSHP RNWL	24.87
	Vendor Total	**3,003.49**		
FYTD for PACIFIC SAFETY COUNCIL		**8,928.57**		
PACIFIC TELEMANAGEMENT SERVICES				
4/26/2010	202168	438.48		
			PAYPHONE SVCS-PD	62.64
			PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**2,580.76**		
PACIFIC UTILITY INSTALLATION, INC				
4/19/2010	202027	46.65		
			REFUND-BUS LIC OVRPMT	46.65
	Vendor Total	**46.65**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**46.65**		

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PAM'S DONUTS					
	4/5/2010	201704	36.08		
				REFUND-BUS LIC OVRPMT	36.08
	Vendor Total		**36.08**		
FYTD for PAM'S DONUTS			**36.08**		
PANDA BOWL					
	4/5/2010	201705	29.41		
				REFUND-BUS LIC OVRPMT	29.41
	Vendor Total		**29.41**		
FYTD for PANDA BOWL			**29.41**		
PARSON, REGINA					
	4/5/2010	201706	61.00		
				REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total		**61.00**		
FYTD for PARSON, REGINA			**61.00**		
PARSONS TRANSPORTATION GROUP, INC.					
	4/26/2010	202169	17,464.08		
				SR-60/MOR BCH DR INTRCHNG PROJ	17,464.08
	Vendor Total		**17,464.08**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**1,001,522.33**		
PATTERSON, ALFREY					
	4/5/2010	201708	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**2,111.91**		
PAVER, JACQUELINE G.					
	4/12/2010	201892	825.00		
				PROF SVCS-WEBB	825.00
	Vendor Total		**825.00**		
FYTD for PAVER, JACQUELINE G.			**825.00**		
PBS & J					
	4/12/2010	880339	4,005.00		
				SHEILA ST NGHBRHOOD PARK PROJ	4,005.00
	Vendor Total		**4,005.00**		
FYTD for PBS & J			**36,312.82**		

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PECORARO, HEIDI					
	4/12/2010	201893	20.00		
				REFUND-RABIES DEP	20.00
	4/26/2010	202170	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for PECORARO, HEIDI			**95.00**		
PENIGAR TAX SERVICE					
	4/19/2010	202028	45.13		
				REFUND-BUS LIC OVRPMT	45.13
	Vendor Total		**45.13**		
FYTD for PENIGAR TAX SERVICE			**45.13**		
PENTON MEDIA, INC.					
	4/26/2010	202210	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**8,100.00**		
PEREZ, JOSE					
	4/26/2010	202171	54.50		
				REFUND-CITATION OVRPMT	54.50
	Vendor Total		**54.50**		
FYTD for PEREZ, JOSE			**54.50**		
PERRY, NORMA					
	4/5/2010	201709	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,187.30**		
PERS LONG TERM CARE PROGRAM					
	4/12/2010	201894	433.87		
				LONG TERM CARE INSURANCE	433.87
	4/26/2010	202172	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,287.53**		
PERVO PAINT CO.					
	4/5/2010	201710	114.19		
				PAINT-TRAFFIC DIV	114.19
	Vendor Total		**114.19**		
FYTD for PERVO PAINT CO.			**39,410.52**		

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PETERSEN DEAN, INC.				
4/5/2010	201711	50.00		
			REFUND-BUS LIC OVRPMT	50.00
Vendor Total		**50.00**		
FYTD for PETERSEN DEAN, INC.		**100.00**		
PETERSON, CHRISTINE				
4/19/2010	202029	253.50		
			TRAVEL EXP-BOOST CONFERENCE	47.00
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		**253.50**		
FYTD for PETERSON, CHRISTINE		**349.55**		
PICECH-GARTINELLI, ANDREA				
4/19/2010	202030	107.00		
			REFUND-CLASS REGIST	107.00
Vendor Total		**107.00**		
FYTD for PICECH-GARTINELLI, ANDREA		**107.00**		
PIP PRINTING				
4/26/2010	880394	988.00		
			PRINTING-FY10/11 CIP BINDERS	988.00
Vendor Total		**988.00**		
FYTD for PIP PRINTING		**4,122.99**		
POIEMA LANDSCAPE, INC.				
4/26/2010	880395	3,464.85		
			LANDSCAPE MAINT-ZN S	1,333.85
			LANDSCAPE MAINT-E12	2,131.00
Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.		**30,559.13**		
POLLARD, ROCHELLE				
4/19/2010	202031	254.00		
			TRAVEL EXP-BOOST CONFERENCE	47.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		**254.00**		
FYTD for POLLARD, ROCHELLE		**303.00**		
POOLE, LILLIE				
4/5/2010	201712	52.00		
			REFUND-REGIS SKATEBRD CLASS	52.00
Vendor Total		**52.00**		
FYTD for POOLE, LILLIE		**52.00**		

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POUK & STEINLE, INC.					
	4/5/2010	201713	1,458.00		
				COTTONWD/PATTILYNN DR TRAF SIG	1,458.00
	4/12/2010	201895	14,484.58		
				RETENTION RLS-CTTNWD/PATTILYNN	14,484.58
	Vendor Total		**15,942.58**		
FYTD for POUK & STEINLE, INC.			**350,854.88**		
PRICE, GEORGE E.					
	4/5/2010	201814	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,187.30**		
PRO-CRAFT PLUMBING COMPANY, INC					
	4/19/2010	202032	79.67		
				REFUND-BUS LIC OVRPMT	79.67
	Vendor Total		**79.67**		
FYTD for PRO-CRAFT PLUMBING COMPANY, INC			**79.67**		
PROTECT YOUR HOME					
	4/19/2010	202033	86.65		
				REFUND-BUS LIC OVRPMT	86.65
	Vendor Total		**86.65**		
FYTD for PROTECT YOUR HOME			**86.65**		
PROTECTION ONE, INC.					
	4/12/2010	201896	40.00		
				SECURITY SVCS-PRO SHOP	20.00
				SECURITY SVCS-MVTV	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**400.00**		
PSOMAS					
	4/12/2010	201897	8,003.50		
				LASSELLE ST WIDENING PROJ SVCS	8,003.50
	Vendor Total		**8,003.50**		
FYTD for PSOMAS			**178,701.26**		
PULLIAM, TRENT D.					
	4/5/2010	201714	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,187.30**		

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PW ENHANCEMENT CENTER					
	4/26/2010	880396	739.59		
				EMERG SVCS PROG-CDBG	739.59
	Vendor Total		**739.59**		
FYTD for PW ENHANCEMENT CENTER			**116,746.08**		
Q NAILS & SPA					
	4/19/2010	202034	55.07		
				REFUND-BUS LIC OVRPMT	55.07
	4/19/2010	202035	71.73		
				REFUND-BUS LIC OVRPMT	71.73
	Vendor Total		**126.80**		
FYTD for Q NAILS & SPA			**126.80**		
QAZI MEDICAL GROUP, INC					
	4/5/2010	201715	81.83		
				REFUND-BUS LIC OVRPMT	81.83
	Vendor Total		**81.83**		
FYTD for QAZI MEDICAL GROUP, INC			**81.83**		
R & S OVERHEAD DOORS, INC.					
	4/5/2010	880304	2,062.00		
				DOOR MAINT-FACILITIES	50.34
				DOOR MAINT-FACILITIES	50.33
				DOOR MAINT-FACILITIES	50.33
				DOOR MAINT-PSB	57.00
				DOOR MAINT-PSB	114.00
				DOOR MAINT-FS #6	201.00
				DOOR MAINT-SENIOR CTR	161.00
				DOOR MAINT-UT FLD OFFICE	121.00
				DOOR MAINT-FS #65	141.00
				DOOR MAINT-FS #91	201.00
				DOOR MAINT-FS #2	201.00
				DOOR MAINT-CITY YARD	241.00
				DOOR MAINT-FS #58	201.00
				DOOR MAINT-FS #48	141.00
				DOOR MAINT-ANML SHLTR	131.00
	4/26/2010	880397	302.50		
				DOOR MAINT-PSB	6.00
				DOOR MAINT-PSB	150.00
				DOOR MAINT-PSB	146.50
	Vendor Total		**2,364.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**26,744.50**		

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RALLY MANAGEMENT SERVICES, LLC				
4/5/2010	201716	719.28		
			TEMP SVCS-HENDERSON W/E 3/7	719.28
4/12/2010	201898	3,669.87		
			TEMP SVCS-HENDERSON W/E 2/28	719.28
			TEMP SVCS-HENDERSON W/E 3/14	719.28
			TEMP SVCS-HENDERSON W/E 3/21	719.28
			TEMP SVCS-MEDINA W/E 3/7	373.82
			TEMP SVCS-MEDINA W/E 3/14	418.93
			TEMP SVCS-HENDERSON W/E 3/28	719.28
4/26/2010	202173	719.28		
			TEMP SVCS-HENDERSON W/E 4/4	719.28
Vendor Total		**5,108.43**		
FYTD for RALLY MANAGEMENT SERVICES, LLC		**12,242.09**		
RAMIREZ, FERNANDO				
4/19/2010	202036	31.00		
			REFUND-ANML LICENSE FEE	31.00
Vendor Total		**31.00**		
FYTD for RAMIREZ, FERNANDO		**31.00**		
RAMIREZ, MANUEL S.				
4/5/2010	201717	22.07		
			REFUND-BUS LIC OVRPMT	22.07
Vendor Total		**22.07**		
FYTD for RAMIREZ, MANUEL S.		**22.07**		
RAYMOND, DENISE M.				
4/5/2010	201718	318.50		
			PER DIEM-CHAMELEON CONF.	318.50
Vendor Total		**318.50**		
FYTD for RAYMOND, DENISE M.		**318.50**		
RAYNE WATER CONDITIONING				
4/5/2010	201719	22.50		
			REFUND-BUS LIC OVRPMT	22.50
Vendor Total		**22.50**		
FYTD for RAYNE WATER CONDITIONING		**22.50**		
RE PLANET				
4/5/2010	201720	22.52		
			REFUND-BUS LIC OVRPMT	22.52
Vendor Total		**22.52**		
FYTD for RE PLANET		**22.52**		

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REGENTS UC / UNIVERSITY OF CALIFORNIA				
4/19/2010	202037	18.00		
			CUC MEETING	18.00
Vendor Total		**18.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA		**40.00**		
RENTAL SERVICE CORP.				
4/5/2010	201721	57.01		
			REFUND-BUS LIC OVRPMT	57.01
Vendor Total		**57.01**		
FYTD for RENTAL SERVICE CORP.		**57.01**		
REVENUE EXPERTS, INC.				
4/12/2010	201899	2,939.60		
			CITATION PRCSSNG-ANML SVCS	2,939.60
Vendor Total		**2,939.60**		
FYTD for REVENUE EXPERTS, INC.		**35,992.05**		
RGC CONSTRUCTION				
4/19/2010	202038	43.07		
			REFUND-BUS LIC OVRPMT	43.07
Vendor Total		**43.07**		
FYTD for RGC CONSTRUCTION		**43.07**		
RGIS, LLC				
4/5/2010	201722	95.64		
			REFUND-BUS LIC OVRPMT	95.64
Vendor Total		**95.64**		
FYTD for RGIS, LLC		**95.64**		
RICE FIRE PROTECTION				
4/5/2010	201723	331.00		
			REFUND-BUS LIC OVRPMT	81.00
			REFUND-BUS LIC OVRPMT	250.00
Vendor Total		**331.00**		
FYTD for RICE FIRE PROTECTION		**331.00**		
RICHARD LOPEZ CONSTRUCTION				
4/19/2010	202039	91.08		
			REFUND-BUS LIC OVRPMT	91.08
Vendor Total		**91.08**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,074,059.47**		

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RINA'S BEAUTY DESIGN				
4/5/2010	201724	40.36		
			REFUND-BUS LIC OVRPMT	40.36
Vendor Total		**40.36**		
FYTD for RINA'S BEAUTY DESIGN		**40.36**		
RIQUIER, SARA				
4/5/2010	201725	75.00		
			REFUND-SPAY/NEUTER FEES	75.00
Vendor Total		**75.00**		
FYTD for RIQUIER, SARA		**75.00**		
RIVERSIDE AREA RAPE CRISIS CENTER				
4/26/2010	202174	432.99		
			CDBG FUNDED SVCS-PREV PRGM	432.99
Vendor Total		**432.99**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**7,031.63**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
4/5/2010	201726	1,833.10		
			RADIO SVCS-PD	1,789.70
			VPN CONNECTION SVCS	43.40
4/26/2010	202175	43.40		
			VPN CONNECTION SVCS	43.40
Vendor Total		**1,876.50**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**20,848.63**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
4/12/2010	201901	395.95		
			GARNISHMENT	395.95
4/26/2010	202176	792.16		
			GARNISHMENT	792.16
Vendor Total		**1,188.11**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**9,295.93**		
RIVERSIDE COUNTY SHERIFF MV				
4/12/2010	201902	330.13		
			EXTRA DUTY-2/17 CK POINT	330.13
Vendor Total		**330.13**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**10,019.10**		

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RIVERSIDE RUBBER STAMP & ENGRAVING					
	4/12/2010	201903	16.51		
				APPROVAL STAMP-PURCHASING	13.01
				APPROVAL STAMP-PURCHASING	3.50
	Vendor Total		**16.51**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING			**16.51**		
RJ RAYMOND PET SERVICES					
	4/19/2010	202040	27.02		
				REFUND-BUS LIC OVRPMT	27.02
	Vendor Total		**27.02**		
FYTD for RJ RAYMOND PET SERVICES			**27.02**		
RLZ ENGINEERING					
	4/12/2010	880340	6,370.50		
				TEMP STAFFING SVCS-CAP PROJS	6,370.50
	Vendor Total		**6,370.50**		
FYTD for RLZ ENGINEERING			**130,599.75**		
ROBERTSON, ANTOINETTE Z.					
	4/12/2010	201904	25.00		
				REFUND-CITATION DISMISSED	25.00
	Vendor Total		**25.00**		
FYTD for ROBERTSON, ANTOINETTE Z.			**25.00**		
ROBINSON, ERIC					
	4/19/2010	202041	35.00		
				PER DIEM-MADD RECOGNITION EVNT	35.00
	Vendor Total		**35.00**		
FYTD for ROBINSON, ERIC			**35.00**		
ROBINSON-DAVIS, YAVONNE					
	4/5/2010	201727	50.00		
				REFUND-TRAP RENTAL DEP	50.00
	Vendor Total		**50.00**		
FYTD for ROBINSON-DAVIS, YAVONNE			**50.00**		
ROCHA, SARA L.					
	4/5/2010	201728	888.30		
				RETIREE MEDICAL BENEFIT	888.30
	Vendor Total		**888.30**		
FYTD for ROCHA, SARA L.			**2,664.90**		

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ROCKWELL, JACQUELINE					
	4/12/2010	201905	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ROCKWELL, JACQUELINE			**75.00**		
RODRIGUEZ, CARLOS					
	4/12/2010	201906	165.00		
				PER DIEM-ANNL FIRE PREV WRKSHP	165.00
	Vendor Total		**165.00**		
FYTD for RODRIGUEZ, CARLOS			**165.00**		
RODRIGUEZ, LAUREN					
	4/19/2010	202042	253.00		
				TRAVEL EXP-BOOST CONFERENCE	46.50
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**253.00**		
FYTD for RODRIGUEZ, LAUREN			**483.00**		
RODRIGUEZ, OMAR					
	4/15/2010	201932	325.00		
				PER DIEM-ECONOMIC CRIMES CLASS	325.00
	Vendor Total		**325.00**		
FYTD for RODRIGUEZ, OMAR			**453.00**		
ROGERS, EUGENE					
	4/5/2010	201815	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,549.85**		
ROJAS, STEVE					
	4/26/2010	202177	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROJAS, STEVE			**20.00**		
ROMAN, MIRIAM					
	4/5/2010	201729	20.00		
				REFUND-RABIES FEE DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ROMAN, MIRIAM			**20.00**		

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ROMEROS FOOD PRODUCTS					
	4/5/2010	201730	21.00		
				REFUND-BUS LIC OVRPMT	21.00
	Vendor Total		**21.00**		
FYTD for ROMEROS FOOD PRODUCTS			**21.00**		
ROSS, DAVID T.					
	4/5/2010	201816	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,187.30**		
ROSSON, LOUIS A.					
	4/5/2010	201817	289.86		
				RETIREE MEDICAL BENEFIT	96.50
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,759.57**		
RUSSELL, FRANK					
	4/26/2010	202178	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RUSSELL, FRANK			**20.00**		
RUSSO, JOHN					
	4/5/2010	201818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,187.30**		
SA ASSOCIATES					
	4/26/2010	880398	12,600.00		
				TEMP STAFFING SVCS-CAP PROJS	12,600.00
	Vendor Total		**12,600.00**		
FYTD for SA ASSOCIATES			**111,112.50**		
SAM KHUMOORO CHIROPRACTIC PROF CORP					
	4/19/2010	202043	43.30		
				REFUND-BUS LIC OVRPMT	43.30
	Vendor Total		**43.30**		
FYTD for SAM KHUMOORO CHIROPRACTIC PROF CORP			**43.30**		

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SANO ATTORNEY SERVICE					
	4/12/2010	201907	110.00		
				LEGAL SVCS-ROCHA	110.00
	Vendor Total		**110.00**		
FYTD for SANO ATTORNEY SERVICE			**810.00**		
SAPIEN, RALPH G.					
	4/5/2010	201731	151.94		
				REFUND-ADMIN CITATION FEES	151.94
	Vendor Total		**151.94**		
FYTD for SAPIEN, RALPH G.			**151.94**		
SAVER CUT					
	4/5/2010	201733	20.48		
				REFUND-BUS LIC OVRPMT	20.48
	Vendor Total		**20.48**		
FYTD for SAVER CUT			**20.48**		
SAV-ON CARPET & TILE					
	4/5/2010	201732	64.19		
				REFUND-BUS LIC OVRPMT	64.19
	Vendor Total		**64.19**		
FYTD for SAV-ON CARPET & TILE			**64.19**		
SC SIGNS					
	4/19/2010	202044	1,260.00		
				PUBLIC HEARING SIGNS	945.00
				PUBLIC HEARING SIGNS	315.00
	Vendor Total		**1,260.00**		
FYTD for SC SIGNS			**5,355.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	4/19/2010	202045	175.00		
				2009 FLAG FOOTBALL ENTRY FEES	175.00
	4/19/2010	202046	525.00		
				YTH BASKETBALL ENTRY FEES	525.00
	Vendor Total		**700.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**1,234.00**		
SCMAF-INLAND VALLEYS					
	4/19/2010	202047	50.00		
				A&I INSTALLATION EVENT	50.00
	Vendor Total		**50.00**		
FYTD for SCMAF-INLAND VALLEYS			**50.00**		

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SCREENVISION DIRECT					
	4/26/2010	202179	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	Vendor Total		**1,328.00**		
FYTD for SCREENVISION DIRECT			**7,540.00**		
SECURITY LOCK & KEY					
	4/5/2010	201734	73.25		
				LOCK SVC-DUP KEYS	73.25
	4/12/2010	201930	61.50		
				LOCK REPAIRS-PARKS	61.50
	4/26/2010	880399	49.50		
				LOCK REPAIRS-POLICE	49.50
	Vendor Total		**184.25**		
FYTD for SECURITY LOCK & KEY			**16,078.28**		
SELAH/SOUND THEOLOGY CHRISTIAN STORE					
	4/5/2010	201735	87.68		
				REFUND-BUS LIC OVRPMT	87.68
	Vendor Total		**87.68**		
FYTD for SELAH/SOUND THEOLOGY CHRISTIAN STORE			**87.68**		
SELECT BUILD					
	4/5/2010	201736	23.00		
				REFUND-BUS LIC OVRPMT	23.00
	Vendor Total		**23.00**		
FYTD for SELECT BUILD			**23.00**		
SEWELL'S RIVERSIDE DAIRY INC					
	4/19/2010	202048	71.51		
				REFUND-BUS LIC OVRPMT	71.51
	Vendor Total		**71.51**		
FYTD for SEWELL'S RIVERSIDE DAIRY INC			**71.51**		
SHAH, JAGDISH					
	4/19/2010	880367	20,520.00		
				TEMP STAFFING SVCS-CAP PROJS	20,520.00
	Vendor Total		**20,520.00**		
FYTD for SHAH, JAGDISH			**185,280.00**		

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SHARKEY, ROBIN					
	4/19/2010	202049	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SHARKEY, ROBIN			**75.00**		
SHARRETT, SHARON K.					
	4/5/2010	201737	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,848.40**		
SHELDON, STUART H.					
	4/5/2010	201738	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,187.30**		
SHELL OIL CO.					
	4/19/2010	202050	208.22		
				FUEL PURCHASES-ANIMAL SVCS	157.93
				FUEL PURCHASE-SPEC DISTRICTS	50.29
	4/26/2010	202180	1,524.60		
				FUEL PURCHASES-PD MOTORCYCLES	1,307.35
				FUEL PURCHASES-PD CRIME PREV	217.25
	Vendor Total		**1,732.82**		
FYTD for SHELL OIL CO.			**16,884.42**		
SHIPMAN, MICHAEL					
	4/19/2010	202051	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SHIPMAN, MICHAEL			**20.00**		
SHREINER, REBECCA					
	4/19/2010	202052	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SHREINER, REBECCA			**50.00**		
SHURTLEFF, JEANNETTE L.					
	4/19/2010	202053	798.00		
				INSTRUCTION SVCS-21 DAYS	798.00
	Vendor Total		**798.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,268.00**		

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SINGER & COFFIN, APC				
4/26/2010	880400	3,889.50		
			LEGAL SVCS-SR60/NASON ST PROJ	3,649.50
			LEGAL SVCS-SR60/NASON ST PROJ	240.00
Vendor Total		**3,889.50**		
FYTD for SINGER & COFFIN, APC		**69,051.65**		
SINGLETON-DECUIR, JANISHEIA				
4/19/2010	202092	354.00		
			MILEAGE REIMBURSEMENT	93.00
			TRAVEL EXP-BOOST CONFERENCE	54.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		**354.00**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**740.85**		
SKY PUBLISHING				
4/19/2010	202054	8,773.50		
			PRINTING SVCS-SUMMER10	8,773.50
Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING		**48,444.50**		
SKY TRAILS MOBILE VILLAGE				
4/12/2010	201909	26.19		
			REFUND-UT USER TAXES	26.19
Vendor Total		**26.19**		
FYTD for SKY TRAILS MOBILE VILLAGE		**228.60**		
SLAGERMAN, SUSAN A.				
4/5/2010	201819	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**3,749.76**		
SMITH, ERNEST FRANK				
4/5/2010	201739	637.46		
			RETIREE MEDICAL BENEFIT	637.46
Vendor Total		**637.46**		
FYTD for SMITH, ERNEST FRANK		**5,268.41**		
SMITH, LISA				
4/5/2010	201740	30.71		
			REFUND-BUS LIC OVRPMT	30.71
Vendor Total		**30.71**		
FYTD for SMITH, LISA		**30.71**		

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SMITH, MARIA A.					
	4/5/2010	201820	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,546.10**		
SMOKE PLUS					
	4/19/2010	202055	21.23		
				REFUND-BUS LIC OVRPMT	21.23
	Vendor Total		**21.23**		
FYTD for SMOKE PLUS			**21.23**		
SMOKE SHOP TOBACCO					
	4/19/2010	202056	33.33		
				REFUND-BUS LIC OVRPMT	33.33
	Vendor Total		**33.33**		
FYTD for SMOKE SHOP TOBACCO			**33.33**		
SO. CALIF SCHOOL OF MUSIC					
	4/26/2010	202181	1,100.25		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	297.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	209.25
				INSTRUCTOR SVCS-PIANO	216.00
	Vendor Total		**1,100.25**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**9,890.25**		
SOCO GROUP, INC					
	4/5/2010	201741	11,864.58		
				FUEL PURCHASE	5,893.95
				FUEL PURCHASE	5,970.63
	4/26/2010	202182	21,260.96		
				FUEL PURCHASE	5,544.41
				FUEL PURCHASE	4,537.51
				FUEL PURCHASE	5,746.92
				FUEL PURCHASE	5,432.12
	Vendor Total		**33,125.54**		
FYTD for SOCO GROUP, INC			**149,145.14**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	4/26/2010	202183	154.80		
				INSTRUCTOR SVCS-YOGA	77.40
				INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**567.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SONG, HELEN					
	4/19/2010	202057	112.00		
				REFUND-CLASS REGIST	112.00
	Vendor Total		**112.00**		
FYTD for SONG, HELEN			**112.00**		
SOSA, JORGE					
	4/12/2010	201910	352.20		
				INSTRUCTOR SVCS-NINPO FOR KIDS	96.00
				INSTRUCTOR SVCS-KARATEDO	256.20
	Vendor Total		**352.20**		
FYTD for SOSA, JORGE			**3,604.20**		
SOUTH BAY MASONRY					
	4/19/2010	202058	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SOUTH BAY MASONRY			**57.00**		
SOUTH COAST AIR QUALITY MGMT DISTRICT					
	4/12/2010	201911	109.00		
				EMISSIONS FEE-FS #58	109.00
	4/12/2010	201912	293.21		
				ANNL OPERATING FEES-FS #58	293.21
	Vendor Total		**402.21**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT			**3,615.17**		
SOUTH COAST AQMD					
	4/19/2010	202059	154.81		
				REG-EMPL TRANSP COORD TRNG	154.81
	Vendor Total		**154.81**		
FYTD for SOUTH COAST AQMD			**154.81**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	4/5/2010	201743	5,481.67		
				ELECTRICITY	104.70
				ELECTRICITY	20.78
				ELECTRICITY	765.01
				ELECTRICITY	1,522.60
				ELECTRICITY	133.45
				ELECTRICITY	214.92
				ELECTRICITY	433.18
				ELECTRICITY	692.29
				ELECTRICITY	133.85
				ELECTRICITY	239.03
				ELECTRICITY	1,021.41
				ELECTRICITY	156.39
				ELECTRICITY	44.06
	4/12/2010	201913	6,410.52		
				ELECTRICITY	43.24
				ELECTRICITY	108.04
				ELECTRICITY	62.75
				ELECTRICITY	1,348.04
				ELECTRICITY	821.47
				ELECTRICITY	841.36
				ELECTRICITY	464.09
				ELECTRICITY	484.09
				ELECTRICITY	878.01
				ELECTRICITY	93.57
				ELECTRICITY	21.36
				ELECTRICITY	894.73
				ELECTRICITY	147.93
				ELECTRICITY	138.36
				ELECTRICITY	63.48
	4/12/2010	201914	14,146.73		
				IFA CHARGES-SUBSTATION	14,146.73
	4/19/2010	202061	345.71		
				ELECTRIC CHARGES	345.71
	4/26/2010	202184	18,786.90		
				ELECTRICITY	174.64
				ELECTRICITY	5,071.43
				ELECTRICITY	2,657.47
				ELECTRICITY	19.18
				ELECTRICITY	557.87
				ELECTRICITY	1,880.42
				ELECTRICITY	132.16
				ELECTRICITY	4,858.31
				ELECTRICITY	274.09
				ELECTRICITY	140.04
				ELECTRICITY	1,539.29
				ELECTRICITY	242.01
				ELECTRICITY	420.98
				ELECTRICITY	504.65
				ELECTRICITY	152.45
				ELECTRICITY	138.80
				ELECTRICITY	23.11

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	45,171.53		
FYTD for SOUTHERN CALIFORNIA EDISON		6,495,377.09		
SOUTHERN CALIFORNIA FIRE PROTECTION, INC				
4/5/2010	201744	75.00		
			REFUND-BUS LIC OVRPMT	75.00
	Vendor Total	75.00		
FYTD for SOUTHERN CALIFORNIA FIRE PROTECTION, INC		75.00		
SOUTHERN CALIFORNIA GAS CO.				
4/19/2010	202062	6,728.68		
			GAS CHARGES	32.88
			GAS CHARGES	865.62
			GAS CHARGES	2,555.87
			GAS CHARGES	21.33
			GAS CHARGES	105.63
			GAS CHARGES	760.22
			GAS CHARGES	169.37
			GAS CHARGES	111.61
			GAS CHARGES	842.53
			GAS CHARGES	213.50
			GAS CHARGES	247.20
			GAS CHARGES	170.35
			GAS CHARGES	138.41
			GAS CHARGES	252.90
			GAS CHARGES	241.26
	Vendor Total	6,728.68		
FYTD for SOUTHERN CALIFORNIA GAS CO.		261,387.79		
SOUTHWEST HEALTHCARE SYSTEM				
4/26/2010	202186	900.00		
			FORENSIC EXAM-POLICE	900.00
	Vendor Total	900.00		
FYTD for SOUTHWEST HEALTHCARE SYSTEM		1,800.00		
SPARKLETTS				
4/5/2010	201745	13.10		
			WATER SVCS-EMERG OPER	4.50
			WATER SVCS-CREEKSIDE ELEM	8.60
4/26/2010	202187	15.72		
			WATER SVCS-SNNYMD ELEM	15.03
			WATER SVCS-GOLF CRS	0.69
	Vendor Total	28.82		
FYTD for SPARKLETTS		394.99		

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SPECK, GARY B.					
	4/5/2010	201821	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,187.30**		
SPECTRUM CARE					
	4/5/2010	201746	74.00		
				REFUND-BUS LIC OVRPMT	74.00
	Vendor Total		**74.00**		
FYTD for SPECTRUM CARE			**98,740.64**		
SPENCER, MARTHA					
	4/5/2010	201822	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,220.76**		
SPORTS INNOVATORS					
	4/12/2010	201915	3,475.00		
				SPORTS OFFICIATING SVCS	75.00
				SPORTS OFFICIATING SVCS	3,400.00
	Vendor Total		**3,475.00**		
FYTD for SPORTS INNOVATORS			**25,895.00**		
SPRINT					
	4/5/2010	201747	20.00		
				SUBPOENA COMPLIANCE FEE	20.00
	Vendor Total		**20.00**		
FYTD for SPRINT			**110.00**		
SPRINT/NEXTEL					
	4/12/2010	880343	33.86		
				417544340-CELL PH CHRG GTF	33.86
	Vendor Total		**33.86**		
FYTD for SPRINT/NEXTEL			**696.18**		
STANDARD INSURANCE CO					
	4/5/2010	201748	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**326,752.74**		

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STANLEY CONVERGENT SECURITY SOLUTIONS, I				
4/19/2010	202063	196.99		
			REFUND-BUS LIC OVRPMT	196.99
Vendor Total		**196.99**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTIONS, I		**196.99**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
4/5/2010	880313	1,544.83		
			MONITORING SVCS-CRC	175.00
			MONITORING SVCS-CRC	492.00
			MONITORING SVCS-MFPCC	105.00
			MONITORING SVCS-TWNGTE	220.98
			MONITORING SVCS-TECH SVCS	105.00
			MONITORING SVCS-SPCL DIST	147.00
			MONITORING SVCS-PSB	194.85
			MONITORING SVCS-ANNX #1	105.00
4/12/2010	880344	0.00		
			MONITORING SVCS-TWNGTE	16.08
			MONITORING SVCS-TWNGTE	559.19
			MONITORING SVCS-TWNGTE	-16.08
			MONITORING SVCS-TWNGTE	-559.19
4/26/2010	880401	493.01		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-PARKS	166.85
			MONITORING SVCS-PARKS	227.16
Vendor Total		**2,037.84**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**26,108.46**		
STANTEC CONSULTING, INC.				
4/5/2010	201749	82.34		
			REFUND-BUS LIC OVRPMT	82.34
Vendor Total		**82.34**		
FYTD for STANTEC CONSULTING, INC.		**82.34**		
STAR CLEANERS				
4/5/2010	201750	26.50		
			REFUND-BUS LIC OVRPMT	26.50
Vendor Total		**26.50**		
FYTD for STAR CLEANERS		**26.50**		

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STATE BOARD OF EQUALIZATION					
	4/19/2010	202064	800.00		
				ANNEXATION CERT FEE-60/DAY ST.	800.00
	4/27/2010	33110	3,594.00		
				SALES & USE TAX	3,594.00
	Vendor Total		**4,394.00**		
FYTD for STATE BOARD OF EQUALIZATION			**35,918.29**		
STATE CONTROLLER'S OFFICE					
	4/26/2010	202188	2,312.86		
				ANNUAL STREET REPORT 08/09	2,312.86
	Vendor Total		**2,312.86**		
FYTD for STATE CONTROLLER'S OFFICE			**4,812.86**		
STATE DISBURSEMENT UNIT					
	4/1/2010	2603	1,499.52		
				CHILD SUPPORT W/H 04/01/10	1,499.52
	4/15/2010	2612	1,123.52		
				CHILD SUPPORT W/H 04/15/10	1,123.52
	4/29/2010	2620	1,123.52		
				CHILD SUPPORT W/H 04/29/10	1,123.52
	Vendor Total		**3,746.56**		
FYTD for STATE DISBURSEMENT UNIT			**39,214.50**		
STATE NET					
	4/19/2010	880369	1,350.00		
				CONTRACTED SVCS	1,350.00
	Vendor Total		**1,350.00**		
FYTD for STATE NET			**1,350.00**		
STATE OF CALIF/DEPT OF INDUSTRIAL					
	4/12/2010	201917	105.00		
				PERMIT FEE-CRC	105.00
	Vendor Total		**105.00**		
FYTD for STATE OF CALIF/DEPT OF INDUSTRIAL			**210.00**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE				
4/5/2010	201751	3,313.00		
			FINGERPRINTING SVCS-PD	3,313.00
4/19/2010	202065	1,394.00		
			FINGERPRINTING SVCS-HR	64.00
			BLOOD ALCHL ANLYS-PD	1,330.00
4/26/2010	202189	864.00		
			FINGERPRINTING SVCS-STARS	512.00
			FINGERPRINTING SVCS-TREASURY	288.00
			FINGERPRINTING SVCS-TS	64.00
	Vendor Total	**5,571.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**51,544.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
4/26/2010	202190	309.79		
			REFUND-MV UTILITY	103.11
			REFUND-MV UTILITY	22.30
			REFUND-MV UTILITY	33.18
			REFUND-MV UTILITY	151.20
	Vendor Total	**309.79**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,388.53**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
4/19/2010	202066	2,849.28		
			TRANSCRIPTION SVCS-PD	2,849.28
	Vendor Total	**2,849.28**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**32,329.28**		
STERICYCLE (BFI)				
4/26/2010	880402	517.86		
			WASTE HAULING SVCS-ANML SHLTR	517.86
	Vendor Total	**517.86**		
FYTD for STERICYCLE (BFI)		**4,498.16**		
STEVE'S LANDSCAPING & WEED ABATEMENT				
4/5/2010	201752	60.00		
			REFUND-BUS LIC OVRPMT	60.00
	Vendor Total	**60.00**		
FYTD for STEVE'S LANDSCAPING & WEED ABATEMENT		**46,636.75**		
STEVE'S VALLEY NURSERY				
4/5/2010	201753	87.37		
			REFUND-BUS LIC OVRPMT	87.37
	Vendor Total	**87.37**		
FYTD for STEVE'S VALLEY NURSERY		**204.82**		

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STEWART, CLIFFORD					
	4/5/2010	201823	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,996.81**		
STONERIDGE CENTER PARTNERS					
	4/5/2010	201754	120.00		
				REFUND-BUS LIC OVRPMT	120.00
	Vendor Total		**120.00**		
FYTD for STONERIDGE CENTER PARTNERS			**455,825.73**		
STRADLING, YOCCA, CARLSON & RAUTH					
	4/12/2010	201918	53.00		
				LEGAL SVCS-RISK MGT	53.00
	Vendor Total		**53.00**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,382.78**		
STREICH, TERRY L.					
	4/5/2010	201755	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**580.31**		
STRICKLER II, JOHN W.					
	4/5/2010	201756	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,549.85**		
SUMERFORD, CHRISTINA					
	4/26/2010	202191	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for SUMERFORD, CHRISTINA			**380.00**		

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SUNNYMEAD ACE HARDWARE				
4/5/2010	201757	13.56		
			MISC SUPPLIES-FIRE	5.43
			MISC SUPPLIES-FIRE	8.13
4/12/2010	201919	433.29		
			MISC SUPPLIES-POLICE	10.50
			MISC SUPPLIES-POLICE	9.33
			MISC SUPPLIES-POLICE	364.31
			MISC SUPPLIES-POLICE	1.70
			MISC SUPPLIES-POLICE	20.64
			MISC SUPPLIES-POLICE	21.64
			MISC SUPPLIES-POLICE	5.17
4/19/2010	202067	7.33		
			MISC SUPPLIES-FIRE	7.33
Vendor Total		**454.18**		
FYTD for SUNNYMEAD ACE HARDWARE		**3,516.02**		
SUNNYMEAD MONTESSORI SCHOOL				
4/19/2010	202068	64.32		
			REFUND-BUS LIC OVRPMT	64.32
Vendor Total		**64.32**		
FYTD for SUNNYMEAD MONTESSORI SCHOOL		**64.32**		
SUPERIOR FURNITURE				
4/5/2010	201758	47.36		
			REFUND-BUS LIC OVRPMT	47.36
Vendor Total		**47.36**		
FYTD for SUPERIOR FURNITURE		**47.36**		
SWEET FACTORY #489				
4/5/2010	201759	46.22		
			REFUND-BUS LIC OVRPMT	46.22
Vendor Total		**46.22**		
FYTD for SWEET FACTORY #489		**46.22**		
T M S ASSOCIATES				
4/19/2010	202069	48.21		
			REFUND-BUS LIC OVRPMT	48.21
Vendor Total		**48.21**		
FYTD for T M S ASSOCIATES		**48.21**		
T.Y. LIN INTERNATIONAL				
4/26/2010	202192	7,661.71		
			GRAHAM ST OVRCRSSNG/SR-60 PROJ	7,661.71
Vendor Total		**7,661.71**		
FYTD for T.Y. LIN INTERNATIONAL		**68,192.50**		

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TAQUERIA GUADALUPANA					
	4/19/2010	202071	37.90		
				REFUND-BUS LIC OVRPMT	37.90
	Vendor Total		**37.90**		
FYTD for TAQUERIA GUADALUPANA			**37.90**		
TECHNICARE COMPUTER SYSTEMS, INC					
	4/5/2010	201760	38.80		
				REFUND-BUS LIC OVRPMT	38.80
	Vendor Total		**38.80**		
FYTD for TECHNICARE COMPUTER SYSTEMS, INC			**38.80**		
THE BARBERS					
	4/19/2010	202072	34.53		
				REFUND-BUS LIC OVRPMT	34.53
	Vendor Total		**34.53**		
FYTD for THE BARBERS			**34.53**		
THERMAL-COOL INC.					
	4/5/2010	201761	302.00		
				AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
				AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
				AC UNIT SVC-EQUESTRIAN CTR	66.00
				AC UNIT SVC-EQUESTRIAN CTR	66.00
	Vendor Total		**302.00**		
FYTD for THERMAL-COOL INC.			**18,850.36**		
THOMCO CONSTRUCTION, INC.					
	4/5/2010	201762	13,741.45		
				ARTERIAL WALL REFURBISHMNT/E-4	12,367.31
				ARTERIAL WALL REFURBISHMNT/E-4	1,374.14
	Vendor Total		**13,741.45**		
FYTD for THOMCO CONSTRUCTION, INC.			**13,741.45**		
TIOS TACO NO 3					
	4/5/2010	201763	63.38		
				REFUND-BUS LIC OVRPMT	63.38
	Vendor Total		**63.38**		
FYTD for TIOS TACO NO 3			**63.38**		
T-MOBILE					
	4/19/2010	202070	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for T-MOBILE			**182.00**		

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TOMISELLI, ANGELO					
	4/12/2010	201920	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for TOMISELLI, ANGELO			**54.50**		
TORRES, ROBERT					
	4/12/2010	201921	43.50		
				REIMB-INFOPEOPLE WORKSHOP	43.50
	Vendor Total		**43.50**		
FYTD for TORRES, ROBERT			**43.50**		
TRAFFIC CONTROL SERVICE, INC.					
	4/26/2010	202193	5,174.50		
				TRAFFIC FLAGS, SIGNS & STANDS	4,758.16
				SALES TAX	416.34
	Vendor Total		**5,174.50**		
FYTD for TRAFFIC CONTROL SERVICE, INC.			**5,174.50**		
TRAN, NGUYET					
	4/19/2010	202073	52.00		
				REFUND-ANML LICENSE FEE	52.00
	Vendor Total		**52.00**		
FYTD for TRAN, NGUYET			**52.00**		
TREASURE BOX, INC.					
	4/5/2010	201764	21.13		
				REFUND-BUS LIC OVRPMT	21.13
	Vendor Total		**21.13**		
FYTD for TREASURE BOX, INC.			**21.13**		
TREE OF LIFE, INC.					
	4/5/2010	201765	23.21		
				REFUND-BUS LIC OVRPMT	23.21
	Vendor Total		**23.21**		
FYTD for TREE OF LIFE, INC.			**23.21**		

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TRICHE, TARA					
	4/26/2010	202195	1,931.40		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	88.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	310.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,931.40**		
FYTD for TRICHE, TARA			**19,291.80**		
TRI-CITY LINEN SUPPLY, INC.					
	4/26/2010	202194	47.50		
				LINEN RENTAL FOR CRC	22.50
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**47.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,640.70**		
TROPICAL PLAZA NURSERY, INC.					
	4/26/2010	202196	18,913.68		
				IRRIG REPAIRS-ZONE E-2	996.23
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
	Vendor Total		**18,913.68**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**183,251.75**		
TRUGREEN LANDCARE					
	4/26/2010	202197	21,957.40		
				IRRIG REPAIRS-ZONE DSG-2	13.11
				IRRIG REPAIRS-TRACT 31284	56.43
				IRRIG REPAIRS-TRACT 30027	9.99
				IRRIG REPAIRS-TRACT 20272	20.63
				IRRIG REPAIRS-TRACT 19208	64.70
				IRRIG REPAIRS-TRACT 19208	13.84
				LNDSCP WORK-TRACT 86	630.00
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-1E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	3,511.29
				LNDSCP MAINT-ZONE DSG-2	4,909.14
	Vendor Total		**21,957.40**		
FYTD for TRUGREEN LANDCARE			**303,017.02**		

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TUNTLAND, JAMES					
	4/5/2010	201824	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,996.81**		
TURBOSCAPE, INC.					
	4/26/2010	880403	6,424.80		
				ANNL MULCHING IN ZONE E-4	6,424.80
	Vendor Total		**6,424.80**		
FYTD for TURBOSCAPE, INC.			**9,577.20**		
TWIN GRAPHICS					
	4/26/2010	880404	163.13		
				VEHICLE GRAPHICS FOR PD UNIT	163.13
	Vendor Total		**163.13**		
FYTD for TWIN GRAPHICS			**4,359.76**		
U.S. HEALTHWORKS MEDICAL GROUP					
	4/12/2010	201922	65.00		
				EMPLOYEE DOT/DMV EXAM	65.00
	4/19/2010	202074	5,151.00		
				NEW EMPLOYEE PHYSICALS	256.00
				NEW EMPLOYEE PHYSICALS	3,299.00
				NEW EMPLOYEE PHYSICALS	1,596.00
	Vendor Total		**5,216.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**15,136.00**		
UC REGENTS - GOVT'L & COMMUNITY RELATION					
	4/5/2010	201767	54.00		
				3/24, 4/28, 5/26-MTGS	54.00
	Vendor Total		**54.00**		
FYTD for UC REGENTS - GOVT'L & COMMUNITY RELATION			**198.00**		
U-HAUL CO OF CALIFORNIA					
	4/5/2010	201766	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for U-HAUL CO OF CALIFORNIA			**69.00**		
ULMER INDUSTRIES, INC.					
	4/19/2010	202075	8,614.31		
				RAILING FABRICATION FOR BRIDGE	8,614.31
	Vendor Total		**8,614.31**		
FYTD for ULMER INDUSTRIES, INC.			**8,614.31**		

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UNION BANK OF CALIFORNIA					
	4/5/2010	201768	336.00		
				INVESTMENT SAFEKEEPING SVCS	336.00
	4/19/2010	202076	170.00		
				MONTHLY LOC TRANSFER FEES	170.00
	Vendor Total		**506.00**		
FYTD for UNION BANK OF CALIFORNIA			**287,579.49**		
UNITED INSPECTION & TESTING INC					
	4/26/2010	202198	1,719.15		
				ANNL PAVEMNT RESURFACING PROJ	1,719.15
	Vendor Total		**1,719.15**		
FYTD for UNITED INSPECTION & TESTING INC			**20,568.40**		
UNITED POWER GENERATION, INC.					
	4/5/2010	201769	3,015.00		
				GENERATOR LOAD BANK TEST-FS#58	410.00
				GENERATOR LOAD BANK TEST-SHLTR	505.00
				GENERATOR LOAD BANK TEST-C.H.	640.00
				GENERATOR LOAD BANK TEST-PSB	640.00
				GENERATOR LOAD BANK TEST-FS#6	410.00
				GENERATOR LOAD BANK TEST-FS#48	410.00
	4/19/2010	202077	1,230.00		
				GENERATOR LOAD BANK TEST-FS#91	171.40
				GENERATOR LOAD BANK TEST-FS#91	238.60
				GENERATOR LOAD BANK TEST-FS#2	140.57
				GENERATOR LOAD BANK TEST-FS#2	269.43
				GENERATOR LOAD BANK TEST-FS#65	215.00
				GENERATOR LOAD BANK TEST-FS#65	195.00
	Vendor Total		**4,245.00**		
FYTD for UNITED POWER GENERATION, INC.			**21,990.66**		
UNITED SITE SERVICES OF CA, INC.					
	4/5/2010	201770	61.70		
				REFUND-BUS LIC OVRPMT	61.70
	4/5/2010	880316	97.55		
				PORTABLE TOILET SVC-M&O DIV.	97.55
	4/12/2010	880345	184.72		
				PORTABLE TOILET SVC-GOLF CTR	77.33
				FENCE RENTAL-ANIMAL SHELTER	107.39
	4/19/2010	880370	97.55		
				PORTABLE TOILET SVC-M&O DIV.	97.55
	Vendor Total		**441.52**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,451.65**		

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UNITED STATES TREASURY				
4/12/2010	201924	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
4/26/2010	202199	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**100.00**		
FYTD for UNITED STATES TREASURY		**5,570.00**		
UNITED WAY OF INLAND VALLEYS				
4/12/2010	201925	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
4/26/2010	202200	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
	Vendor Total	**1,254.36**		
FYTD for UNITED WAY OF INLAND VALLEYS		**18,163.90**		
UPTON, EMIKO				
4/19/2010	202078	66.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	16.00
	Vendor Total	**66.00**		
FYTD for UPTON, EMIKO		**66.00**		
USA ALARM SYSTEMS, INC.				
4/19/2010	202079	30.00		
			REFUND-BUS LIC OVRPMT	30.00
	Vendor Total	**30.00**		
FYTD for USA ALARM SYSTEMS, INC.		**30.00**		
USA MOBILITY/ARCH WIRELESS				
4/19/2010	880371	96.99		
			PAGER SVC-PARK RANGERS	2.03
			PAGER SVC-TRANSP DIV.	5.09
			PAGER SVC-CITZ PATROL VOLNTRS.	33.54
			PAGER SVC-ANIMAL SVCS	38.90
			PAGER SVC-SPARES & TAXES	17.43
	Vendor Total	**96.99**		
FYTD for USA MOBILITY/ARCH WIRELESS		**826.67**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY				
4/5/2010	880317	1,205.00		
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TRANSP. TRLR	45.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-MARB HOBBY SHOP	45.00
			PEST CNTRL-STARS BLDG/MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
4/26/2010	880406	590.00		
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
Vendor Total		**1,795.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**15,275.00**		
VALI COOPER & ASSOCIATES, INC.				
4/5/2010	880318	9,450.00		
			TEMP STAFFING SVCS-CAP PROJS	9,450.00
Vendor Total		**9,450.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**138,847.50**		

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VANDER HAWK CONSULTING, LLC				
4/19/2010	202080	2,200.00		
			PAVEMNT MGMT PRGM UPDATE SVCS	2,200.00
Vendor Total		**2,200.00**		
FYTD for VANDER HAWK CONSULTING, LLC		**47,593.00**		
VAS ASSOCIATES, INC.				
4/19/2010	880372	20,520.00		
			TEMP STAFFING SVCS-CAP PROJS	20,520.00
Vendor Total		**20,520.00**		
FYTD for VAS ASSOCIATES, INC.		**184,725.00**		
VERDIN CONCRETE, INC.				
4/5/2010	201771	60.00		
			REFUND-BUS LIC OVRPMT	60.00
Vendor Total		**60.00**		
FYTD for VERDIN CONCRETE, INC.		**60.00**		
VERIZON				
4/12/2010	201926	1,700.96		
			BACKBONE CHRGS	1,700.96
Vendor Total		**1,700.96**		
FYTD for VERIZON		**16,832.85**		

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VERIZON CALIFORNIA					
	4/12/2010	201927	10,625.51		
				TELEPHONE CHRGS	232.13
				TELEPHONE CHRGS	301.96
				TELEPHONE CHRGS	189.47
				TELEPHONE CHRGS	523.77
				TELEPHONE CHRGS	368.38
				TELEPHONE CHRGS	83.73
				TELEPHONE CHRGS	354.32
				TELEPHONE CHRGS	352.89
				TELEPHONE CHRGS	78.97
				TELEPHONE CHRGS	335.43
				TELEPHONE CHRGS	253.72
				TELEPHONE CHRGS	531.82
				TELEPHONE CHRGS	202.38
				TELEPHONE CHRGS	496.02
				TELEPHONE CHRGS	478.39
				TELEPHONE CHRGS	192.27
				TELEPHONE CHRGS	85.05
				TELEPHONE CHRGS	256.84
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	123.17
				TELEPHONE CHRGS	262.78
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	19.58
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	199.40
				TELEPHONE CHRGS	146.57
				TELEPHONE CHRGS	58.00
				TELEPHONE CHRGS	65.28
				TELEPHONE CHRGS	158.94
				TELEPHONE CHRGS	72.90
				TELEPHONE CHRGS	19.07
				TELEPHONE CHRGS	76.98
				TELEPHONE CHRGS	376.08
				TELEPHONE CHRGS	3,538.61
	4/26/2010	202201	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,243.76**		
FYTD for VERIZON CALIFORNIA			**100,300.09**		
VIDEO SHORES					
	4/19/2010	202081	27.07		
				REFUND-BUS LIC OVRPMT	27.07
	Vendor Total		**27.07**		
FYTD for VIDEO SHORES			**27.07**		

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VIGIL, ERNEST					
	4/5/2010	201825	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,187.30**		
VISION 4 DEZIGN					
	4/19/2010	202082	20.07		
				REFUND-BUS LIC OVRPMT	20.07
	Vendor Total		**20.07**		
FYTD for VISION 4 DEZIGN			**20.07**		
VISION SERVICE PLAN					
	4/5/2010	880320	4,321.25		
				EMPLOYEE VISION INSURANCE	4,321.25
	Vendor Total		**4,321.25**		
FYTD for VISION SERVICE PLAN			**44,201.21**		
VISTA PAINT CORPORATION					
	4/5/2010	201772	87.53		
				SUPPLIES FOR GRAFFITI RMVL	46.22
				SUPPLIES FOR GRAFFITI RMVL	41.31
	4/19/2010	202083	905.97		
				PAINT/SUPPLS FOR GRAFFITI RMVL	905.97
	Vendor Total		**993.50**		
FYTD for VISTA PAINT CORPORATION			**11,933.49**		
VISTERRA CREDIT UNION					
	4/26/2010	202202	750.00		
				REFUND-RNTL DEP 4/12	750.00
	Vendor Total		**750.00**		
FYTD for VISTERRA CREDIT UNION			**850.00**		
VOYAGER FLEET SYSTEM, INC.					
	4/5/2010	880321	1,920.25		
				CNG FUEL FOR STREET PRGM	1,668.33
				CNG FUEL FOR DRAIN MAINT PRGM	251.92
	Vendor Total		**1,920.25**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**17,644.64**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VULCAN MATERIALS CO, INC.					
	4/5/2010	201774	1,101.81		
				ASPHALTIC MATERIAL	213.15
				ASPHALTIC MATERIAL	177.10
				ASPHALTIC MATERIAL	283.84
				ASPHALTIC MATERIAL	213.86
				ASPHALTIC MATERIAL	213.86
	4/19/2010	202084	6,444.70		
				ASPHALTIC MATERIAL	2,120.68
				ASPHALTIC MATERIAL	1,901.55
				ASPHALTIC MATERIAL	284.54
				ASPHALTIC MATERIAL	211.03
				ASPHALTIC MATERIAL	177.80
				ASPHALTIC MATERIAL	177.10
				ASPHALTIC MATERIAL	228.16
				ASPHALTIC MATERIAL	141.76
				ASPHALTIC MATERIAL	283.14
				ASPHALTIC MATERIAL	230.11
				ASPHALTIC MATERIAL	164.86
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	262.09
	Vendor Total		**7,546.51**		
FYTD for VULCAN MATERIALS CO, INC.			**101,872.08**		
WAGGONER JR., GLENN C.					
	4/5/2010	201826	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,187.30**		
WAGNER, GARY D.					
	4/5/2010	201827	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,174.74**		
WAGY, CARYLON					
	4/5/2010	201775	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**3,187.30**		
WAHEED, MUNEER					
	4/19/2010	202085	200.00		
				REFUND-RNTL DEP 4/3	200.00
	Vendor Total		**200.00**		
FYTD for WAHEED, MUNEER			**200.00**		

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WASHINGTON INVENTORY SERVICE					
	4/5/2010	201776	67.86		
				REFUND-BUS LIC OVRPMT	67.86
	Vendor Total		**67.86**		
FYTD for WASHINGTON INVENTORY SERVICE			**67.86**		
WASHINGTON, ARTESIA					
	4/5/2010	201777	200.00		
				GEN LIAB SETTLEMENT	200.00
	Vendor Total		**200.00**		
FYTD for WASHINGTON, ARTESIA			**200.00**		
WASSON, KIRK					
	4/19/2010	880373	342.00		
				INSTRUCTION SVCS-9 DAYS	342.00
	Vendor Total		**342.00**		
FYTD for WASSON, KIRK			**1,900.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	4/26/2010	202203	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**13,339.71**		
WATKINS, ANNIE					
	4/5/2010	201778	80.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
	Vendor Total		**80.00**		
FYTD for WATKINS, ANNIE			**80.00**		
WEEMS, MEGAN E.					
	4/12/2010	201928	40.00		
				REFUND-CITATION OVRPMT	40.00
	Vendor Total		**40.00**		
FYTD for WEEMS, MEGAN E.			**40.00**		
WELLS FARGO BANK					
	4/26/2010	202204	2,000.00		
				ANNUAL ADMIN FEE	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,530.00**		

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WELLS FARGO CORPORATE TRUST					
	4/1/2010	1003231	1,225.88		
				INTEREST VARIABLE RATE BOND	1,225.88
	Vendor Total		**1,225.88**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,029,485.43**		
WEST GOVERNMENT SERVICES					
	4/26/2010	202205	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**4,500.00**		
WEST GROUP					
	4/19/2010	880374	664.12		
				ONLINE CHRGS-LEGAL INFO	184.12
				LEGAL PUBLICATIONS SUBSCRPTNS	480.00
	Vendor Total		**664.12**		
FYTD for WEST GROUP			**7,556.61**		
WESTERN MUNICIPAL WATER DISTRICT					
	4/26/2010	202206	771.75		
				WATER CHRGS-MARB BALLFIELDS	359.03
				WATER CHRGS-MFPCC LNDSCP	357.42
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**771.75**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**21,423.98**		
WHISHER, KYLE					
	4/19/2010	202086	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISHER, KYLE			**50.00**		
WHITE, C.L.					
	4/26/2010	202207	0.00		
				REFUND-CITATION OVRPMT	100.00
				REFUND-CITATION OVRPMT	-100.00
	4/29/2010	202212	100.00		
				REFUND-CITATION OVRPMT	100.00
	Vendor Total		**100.00**		
FYTD for WHITE, C.L.			**100.00**		

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WIELIN, RONALD A.					
	4/5/2010	201828	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,187.30**		
WILLDAN AND ASSOCIATES					
	4/5/2010	201779	21,235.03		
				MOR BEACH DR WIDENING PROJ	21,235.03
	4/12/2010	201929	23,755.42		
				MOR BEACH DR WIDENING PROJ	23,755.42
	4/19/2010	202087	540.00		
				EASTRIDGE EIR REVIEW SVCS	540.00
	Vendor Total		**45,530.45**		
FYTD for WILLDAN AND ASSOCIATES			**269,186.00**		
WILLDAN FINANCIAL SERVICES					
	4/26/2010	202208	2,000.00		
				FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
				FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
	Vendor Total		**2,000.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**10,125.77**		
WILLIAMS, JANE L.					
	4/5/2010	201780	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,221.62**		
WREDE, SHARON					
	4/5/2010	201782	100.00		
				REFUND-PD CITATION FEES	100.00
	Vendor Total		**100.00**		
FYTD for WREDE, SHARON			**100.00**		

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WURM'S JANITORIAL SERVICES, INC.				
4/12/2010	880347	900.00		
			FEB-10 DAY PORTER SVCS	900.00
4/19/2010	880375	22,699.28		
			EXTRACT WATER/FAN-OFFICE @ PSB	50.00
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRLR	98.40
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.32
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			MAR-10 DAY PORTER SVCS	1,140.00
4/26/2010	880408	2,814.41		
			JANITORIAL SVCS-SENIOR CTR	260.00
			JANITORIAL SVCS-CONF & REC CTR	950.00
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-SUNNYMD ELEM.	184.10
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
	Vendor Total	**26,413.69**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**258,387.77**		
XEROX				
4/19/2010	202089	2,671.73		
			COPIER RNTL/MAINT-PD	33.51
			COPIER RNTL/MAINT-PD	54.00
			COPIER RNTL/MAINT/EXC PRNTS-PD	268.06
			COPIER RNTL/MAINT/EXC PRNTS-PD	148.78
			COPIER RNTL/MAINT/EXC PRNTS-PD	260.00
			COPIER RNTL/MAINT/EXC PRNTS-PD	1,509.59
			COPIER RNTL/MAINT-GRAPHICS DIV	397.79
4/26/2010	202209	4,000.22		
			COPIER RNTL/MAINT-PARKS	359.34
			COPIER RNTL/MAINT/PRINTS-PARKS	1,409.08
			COPIER RNTL/MAINT-STARS	107.00
			COPIER EXC PRINTS CHRG-STARS	2,124.80
	Vendor Total	**6,671.95**		
FYTD for XEROX		**59,862.99**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	4/5/2010	880326	5,592.37		
				SIGNS FOR TRANSP. DIV	411.08
				SIGNS FOR TRANSP. DIV	5,044.26
				SIGNS FOR PARKS	137.03
	4/12/2010	880348	306.24		
				SIGNS HARDWARE FOR PARKS	306.24
	4/26/2010	880409	685.13		
				SIGNS FOR PARKS	193.09
				SIGNS FOR PARKS	492.04
	Vendor Total		**6,583.74**		
FYTD for ZUMAR INDUSTRIES, INC.			**36,711.16**		

Subtotal	**1,371,801.95**
GRAND TOTAL	**12,644,433.01**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 38	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

		Pick-ups per Week					
Size	QTY	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.36

COMMERCIAL REFUSE SERVICE

		Pick-ups per Week					
Size	QTY	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.36

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate)		Pick-ups per Week					
Size	QTY	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.66
2.0	One	120.41	222 72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,066.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14 43
35-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50 10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

		Pick-ups per Week	
Size	QTY	One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204 77	
Monthly Minimum Pull Fee (compactor)	$	296 00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71 36	
Relocation	$	71 36	
Set Up Fee	$	25.09	

MV00065538

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		**6.05**	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

		Pick-ups per Week					
Size	Qty	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

		Pick-ups per Week					
Size	QTY	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

MV00065539

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 Funds (Account 282.68628)..... $397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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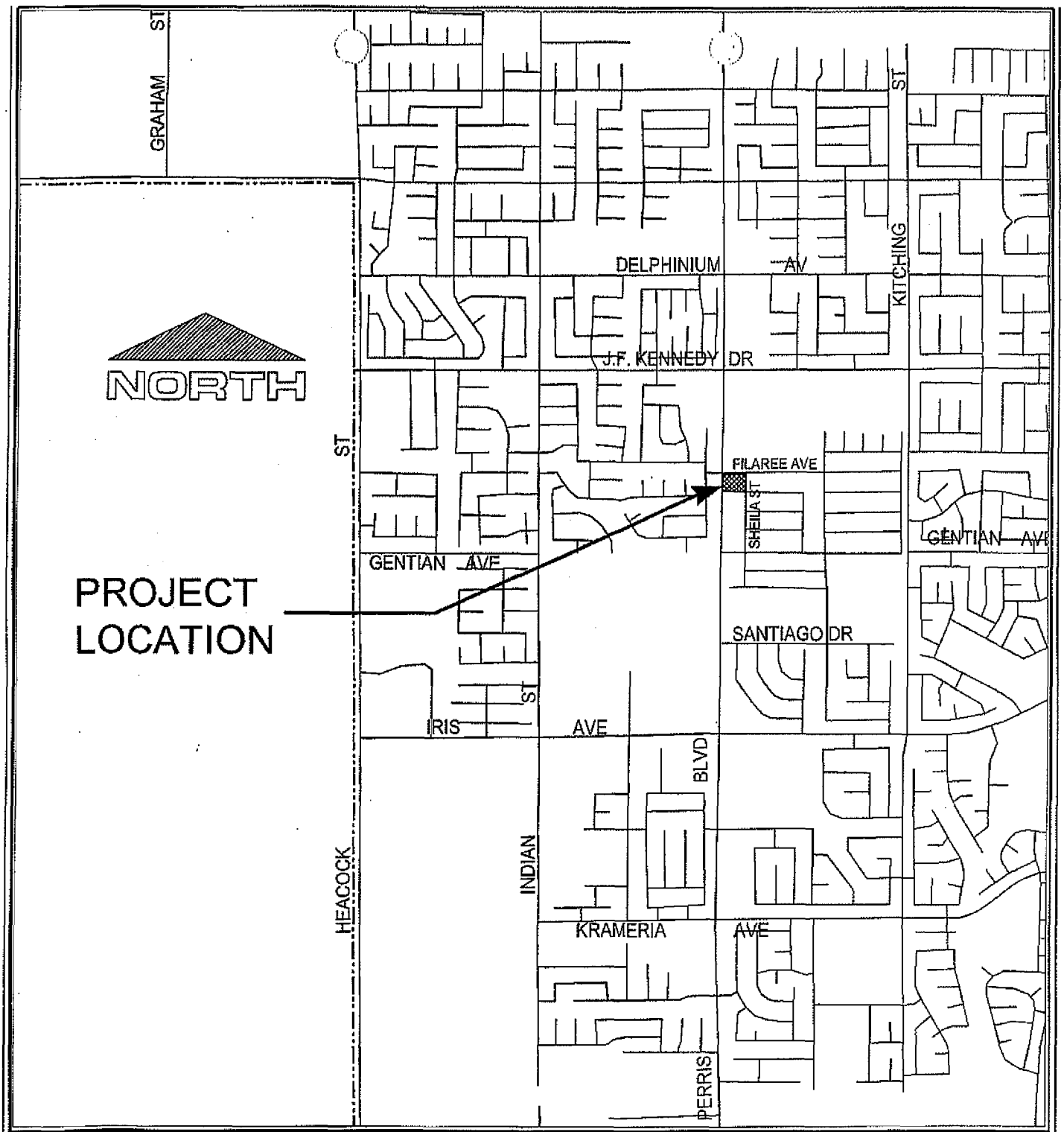

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official: Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I Organizations Affected:

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II Responsibilities of City Office:

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

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8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V Procedures:

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

    a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

    b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

    c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____

Bonnie Flickinger, Mayor

Resolution No. 2010-59
Date Adopted: June 22, 2010

ATTACHMENT A

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ATTACHMENT B

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

ATTACHMENT C

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

ATTACHMENT C

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

ATTACHMENT D

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives, and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

ATTACHMENT E

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769.00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:
Design Support Services..... $10,000
Contractor Construction Costs (includes 15% contingency)..... $813,000
Project Administration and City Inspection Costs* ..... $ 50,000
Construction Geotechnical Services..... $ 12,000

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... July 2010
Start Construction..... August 2010
Complete Construction..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\NOA Pylon Sign 7-2010.doc

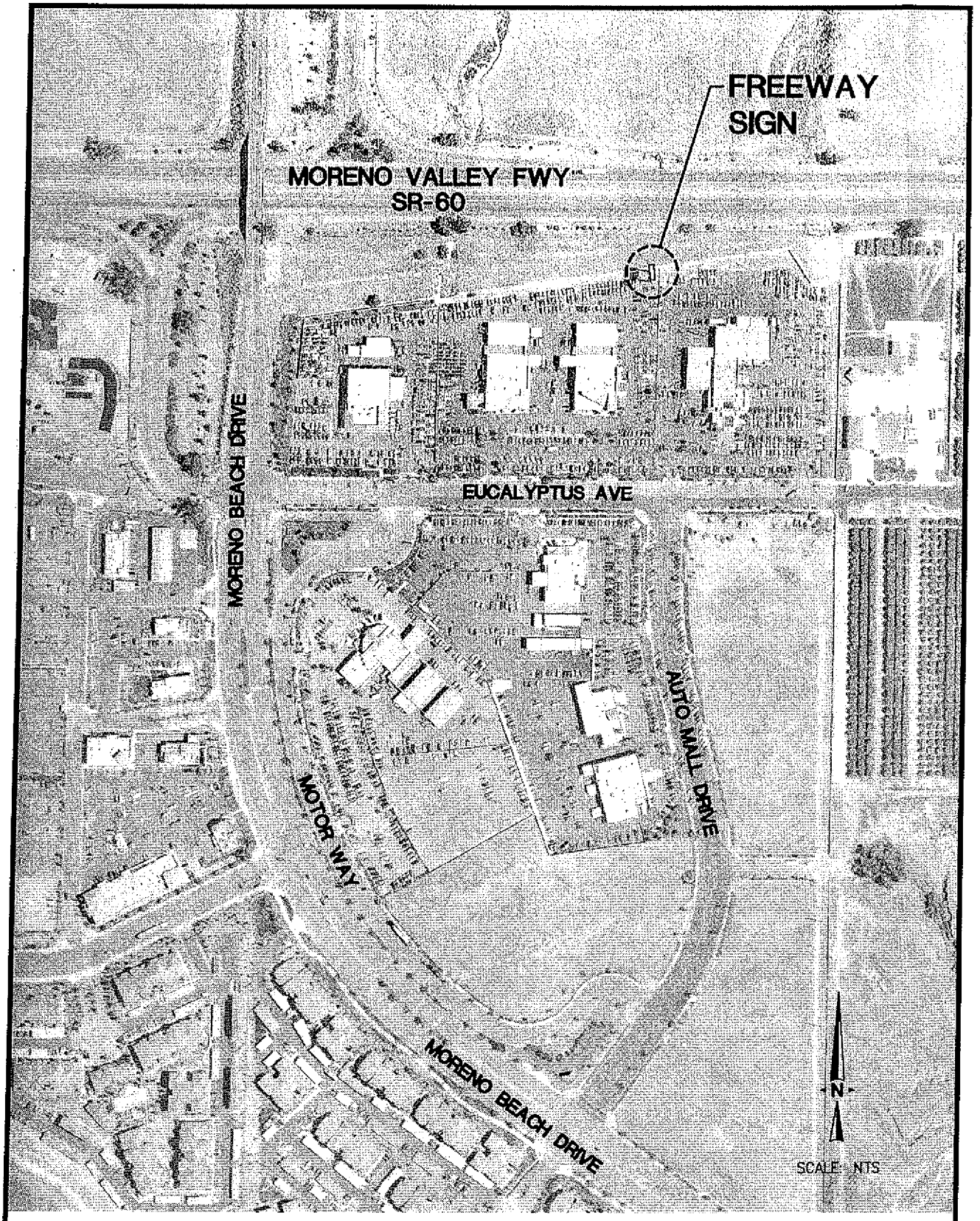

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: X:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH--SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosmer

ATTACHMENT "A"

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

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10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

MV00065589

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
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  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

MV00065592

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

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(Title or description of attached document continued)

Number of Pages _____

Document Date _____

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- ☐ Individual(s)
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_____
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  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

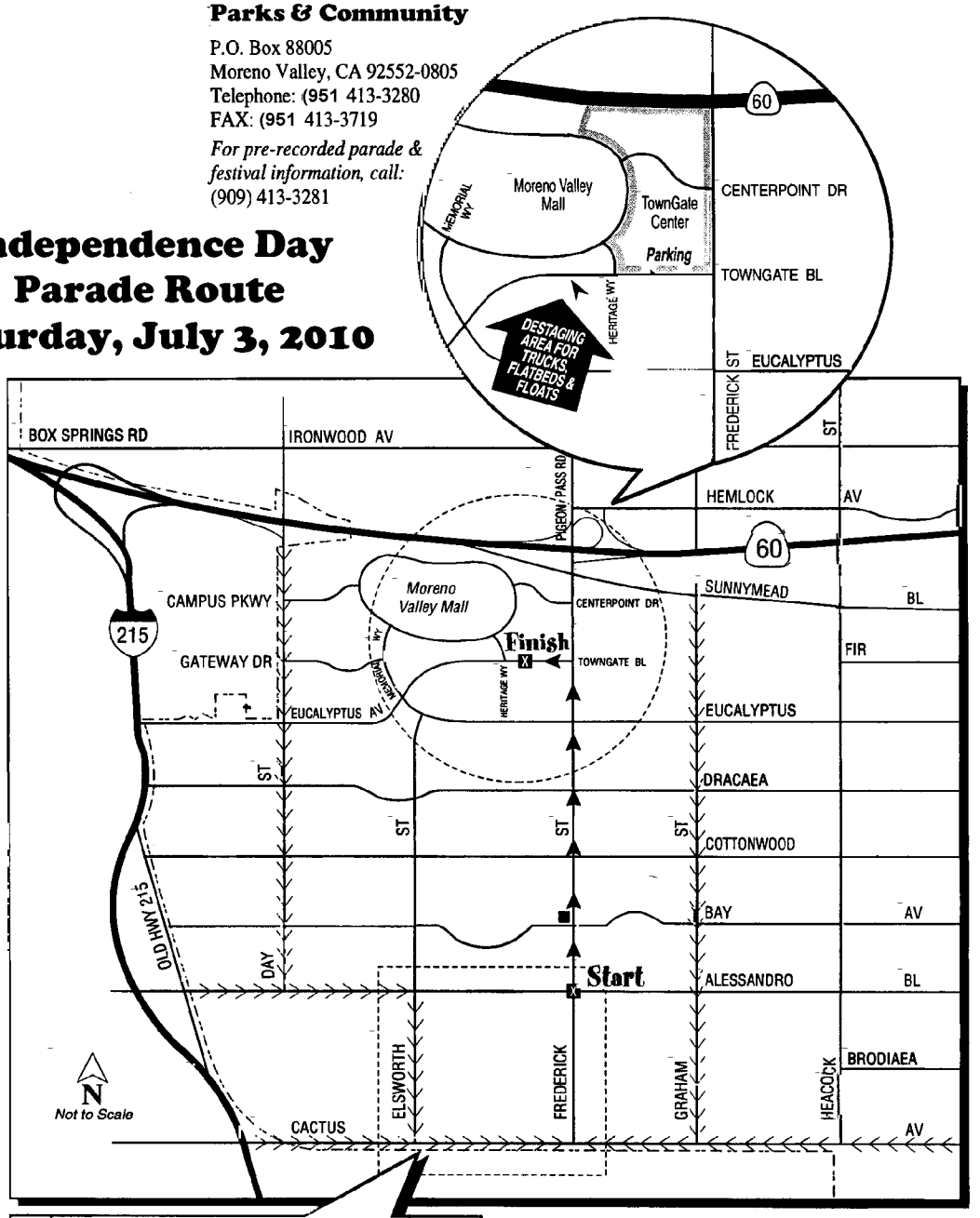

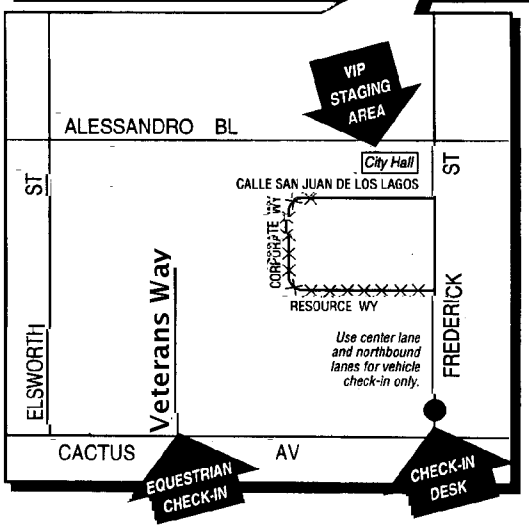

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

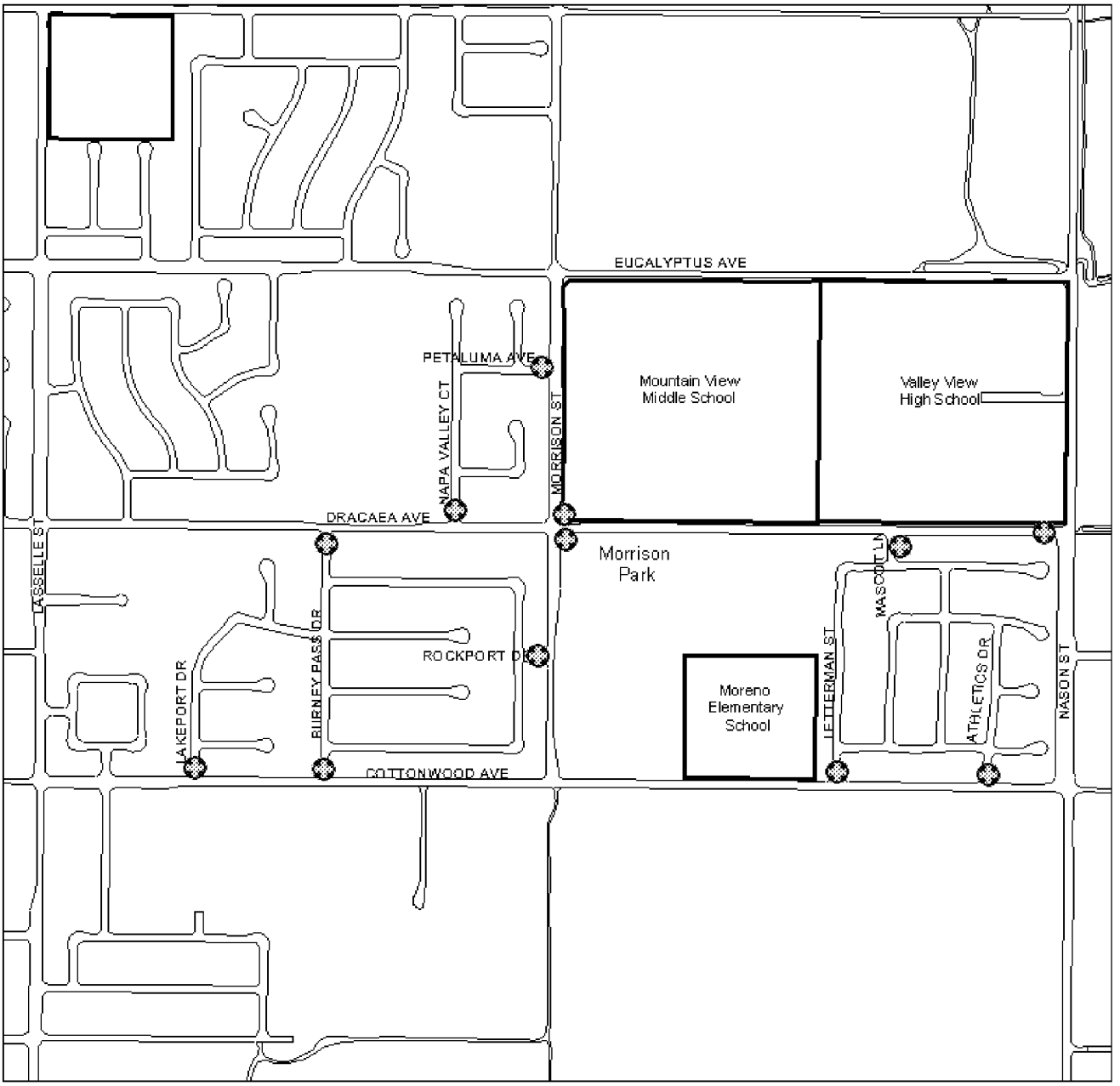

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

**pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

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12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

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"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

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"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

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C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

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12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

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designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

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current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

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12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

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the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

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be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

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D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

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thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

Deleted: one-hundred (100)

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

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3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

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Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

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12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

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vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

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Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

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1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

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1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

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2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

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12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

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SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.

2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employment Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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Exhibit A

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

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ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

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than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

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The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

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immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

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will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

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this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

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Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

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E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

<u>If to Contractor</u>:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

<u>If to CSD:</u>
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

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Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

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extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. AUTHORITY/MODIFICATION. The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. ACCEPTANCE OF FACSIMILE SIGNATURES. The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. CAPTIONS. The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. TIME IS OF ESSENCE. Time is of the essence for each and every provision of this Agreement.

41. FORCE MAJEURE. Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. STATEMENT OF EXPERIENCE. By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. PROTECTION OF RESIDENT WORKERS. The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

MV00065663

44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

MV00065664

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

MV00065665

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020

Agency Lic#: 0F82058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(x)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADDL INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By M. Elroy Date 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS

Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevlopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER

City of Morena Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, IT'S AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

© ACORD CORPORATION 1988

ATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	
PHYSICAL DAMAGE LIMIT	ANY ONE LOSS
MEDICAL EXPENSE LIMIT	ANY ONE PERSON

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS'	BODILY INJURY BE DISEASE		EACH EMPLOYEE
LIABILITY	BODILY INJURY BY DISEASE		POLICY LIMIT

AUTOMOBILE LIABILITY	Policy Number	Effective Date	Expiration Date
	048688337	11/08/2009	11/08/2010

Coverage Basis	Limits		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	Combined Single Limit of Liability		
	BODILY INJURY & PROPERTY DAMAGE	$1,000,000 ✓	EACH ACCIDENT
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Split Liability Limits		
	Bodily Injury	Property Damage	Each
☐ OWNED PRIVATE PASSENGER AUTOS			PERSON
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT

UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number	Effective Date	Expiration Date
	050001000	1/17/2008	1/17/2009

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives

U10523-2

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

MR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Meany — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC SJ
PO BOX 67
REDLANDS CA 92373

(REV.2-05) PRINTED : 10-23-2009 M0408

MV00065681

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment 1

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

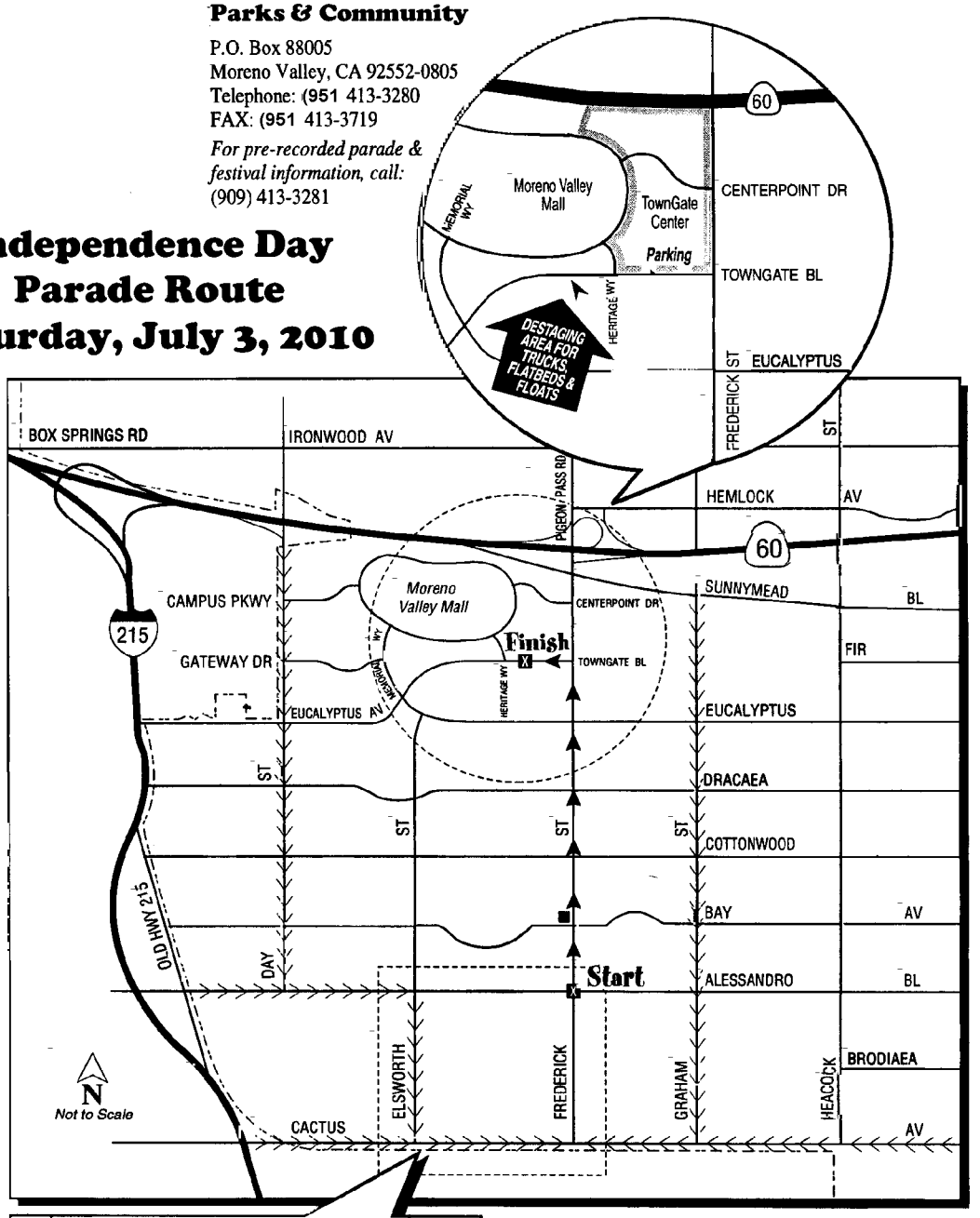

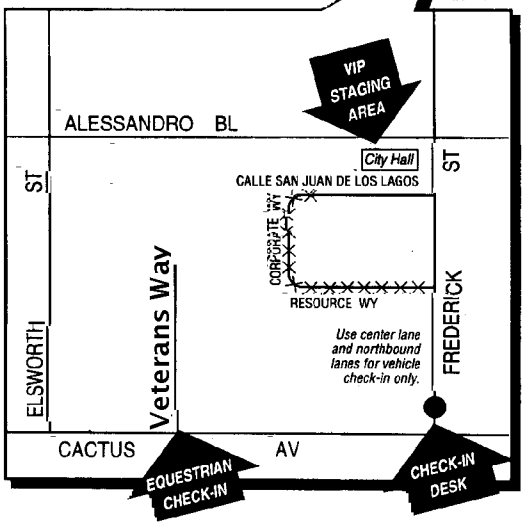

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

Attachment 2

July 4th Festival
Street Closures

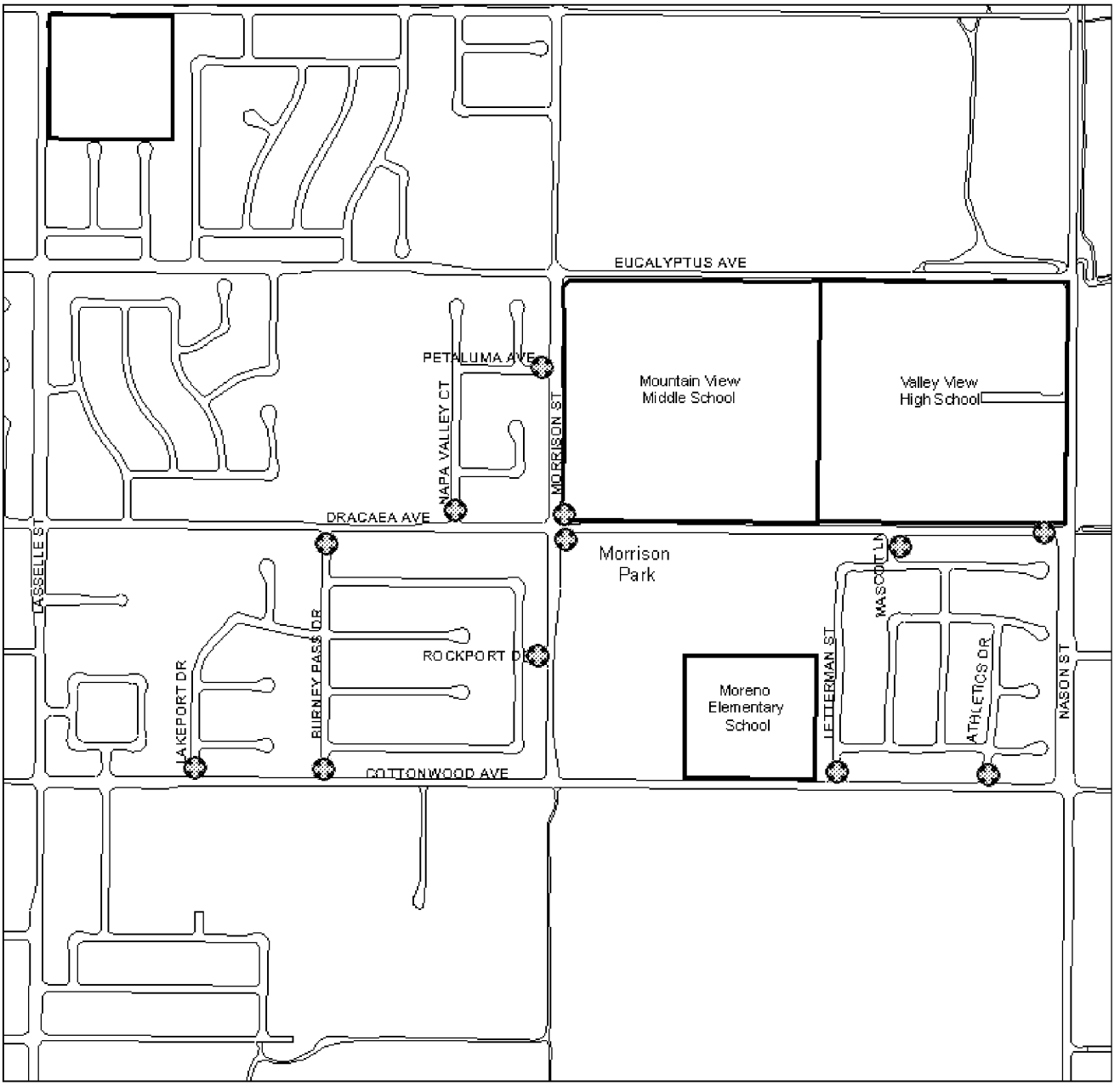

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769.00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:
Design Support Services..... $10,000
Contractor Construction Costs (includes 15% contingency)..... $813,000
Project Administration and City Inspection Costs* ..... $ 50,000
Construction Geotechnical Services..... $ 12,000

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... July 2010
Start Construction..... August 2010
Complete Construction..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\NOA Pylon Sign 7-2010.doc

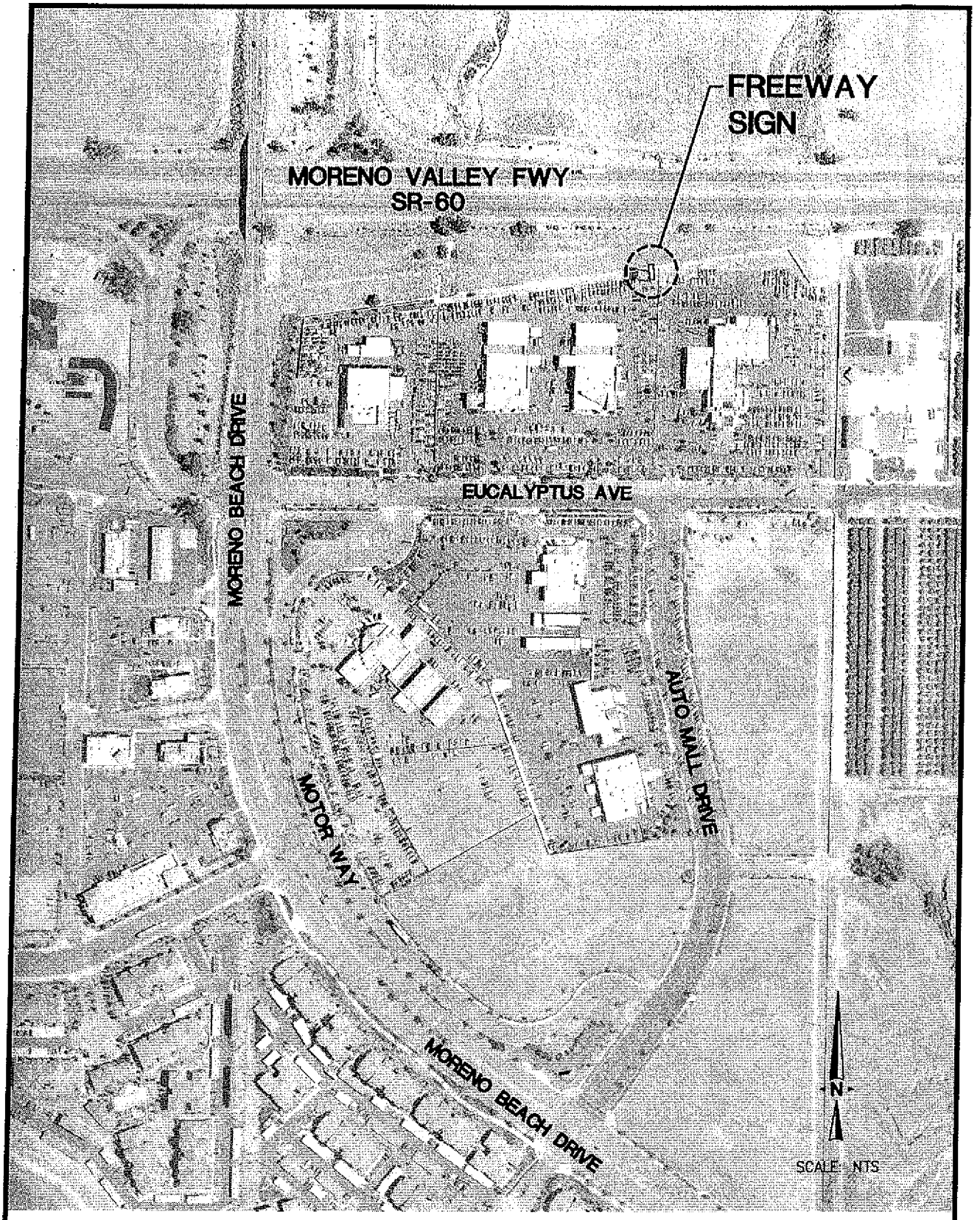

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: X:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH--SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbosmer

ATTACHMENT "A"

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

MV00065699

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

MV00065705

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

MV00065708

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 Funds (Account 282.68628)..... $397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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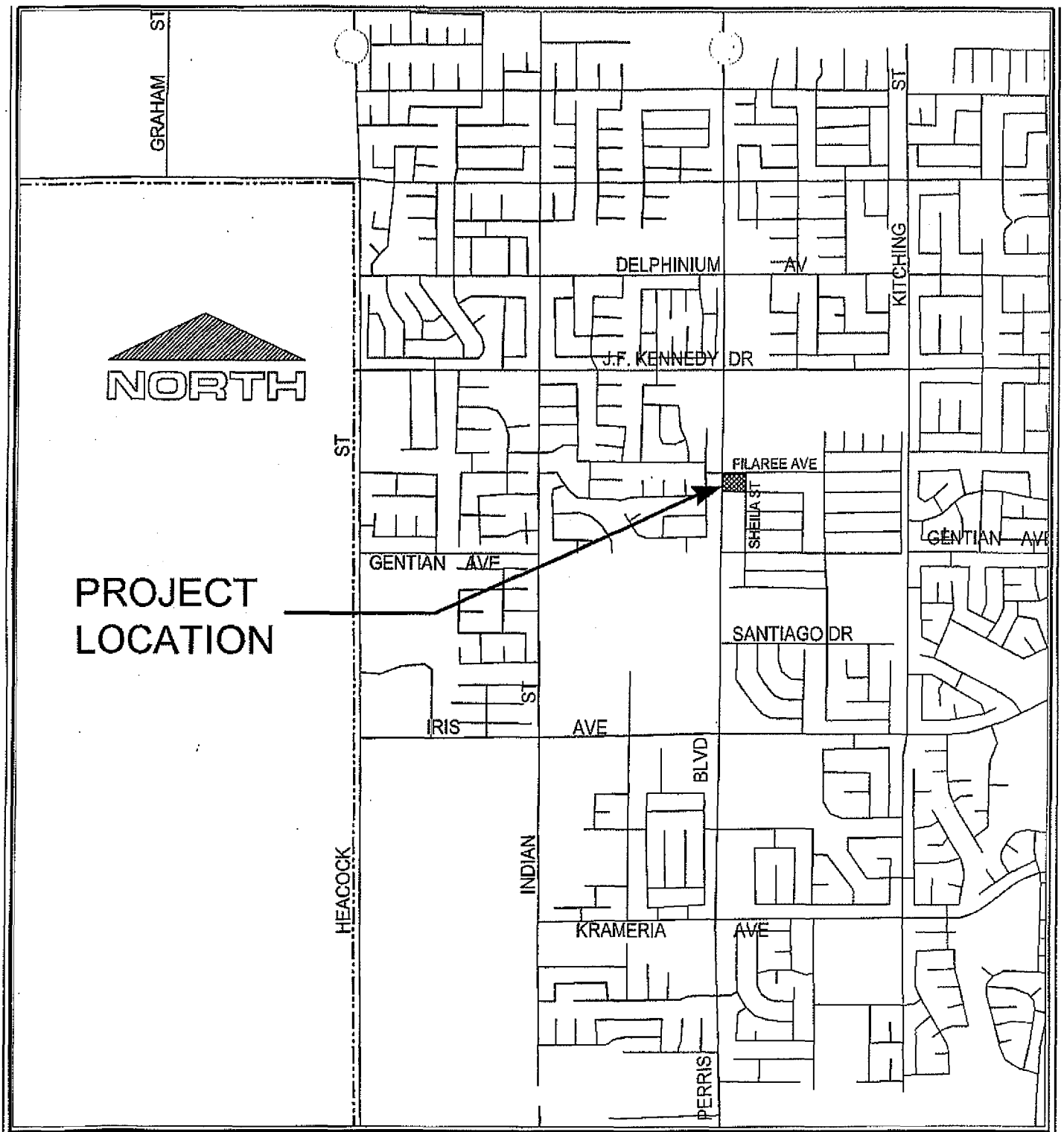

LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

MV00065721

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00065722

RESOLUTION JURAT

MV00065723

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 15,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 67,754,400
Less: Non-Proceeds of Tax			16,977,112
A) Total Appropriations Subject to the Limit			$ 50,777,288
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

MV00065726

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

MV00065731

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

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RESOLUTION JURAT

MV00065733

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A - Parks & Recreation	$ 1,586,789		$ 1,586,789
Zone B - Residential Lights	116,100		116,100
Zone C - Arterial Lights	139,300		139,300
Zone L - Library Services	1,201,200		1,201,200
Fees			
Zone A - Parks & Recreation		5,934,500	5,934,500
Zone B - Residential Lights		930,600	930,600
Zone C - Arterial Lights		431,700	431,700
Zone D - Standard Landscaping		1,141,500	1,141,500
Zone E - Extensive Landscaping		2,406,000	2,406,000
Zone L - Library Services		89,500	89,500
Zone M - Median Fund		204,200	204,200
Zone S - Sunnymead Blvd Maintenance		52,400	52,400
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A - Parks & Recreation		186,500	186,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A - Parks & Recreation		289,800	289,800
Zone L - Library Services		424,900	424,900
Zone M - Median Fund		103,400	103,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89	80.11	100.00
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A - $0
Zone B - $0
Zone C - $9,000
Zone D - $1,300
Zone E - $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,383,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

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CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq.*) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

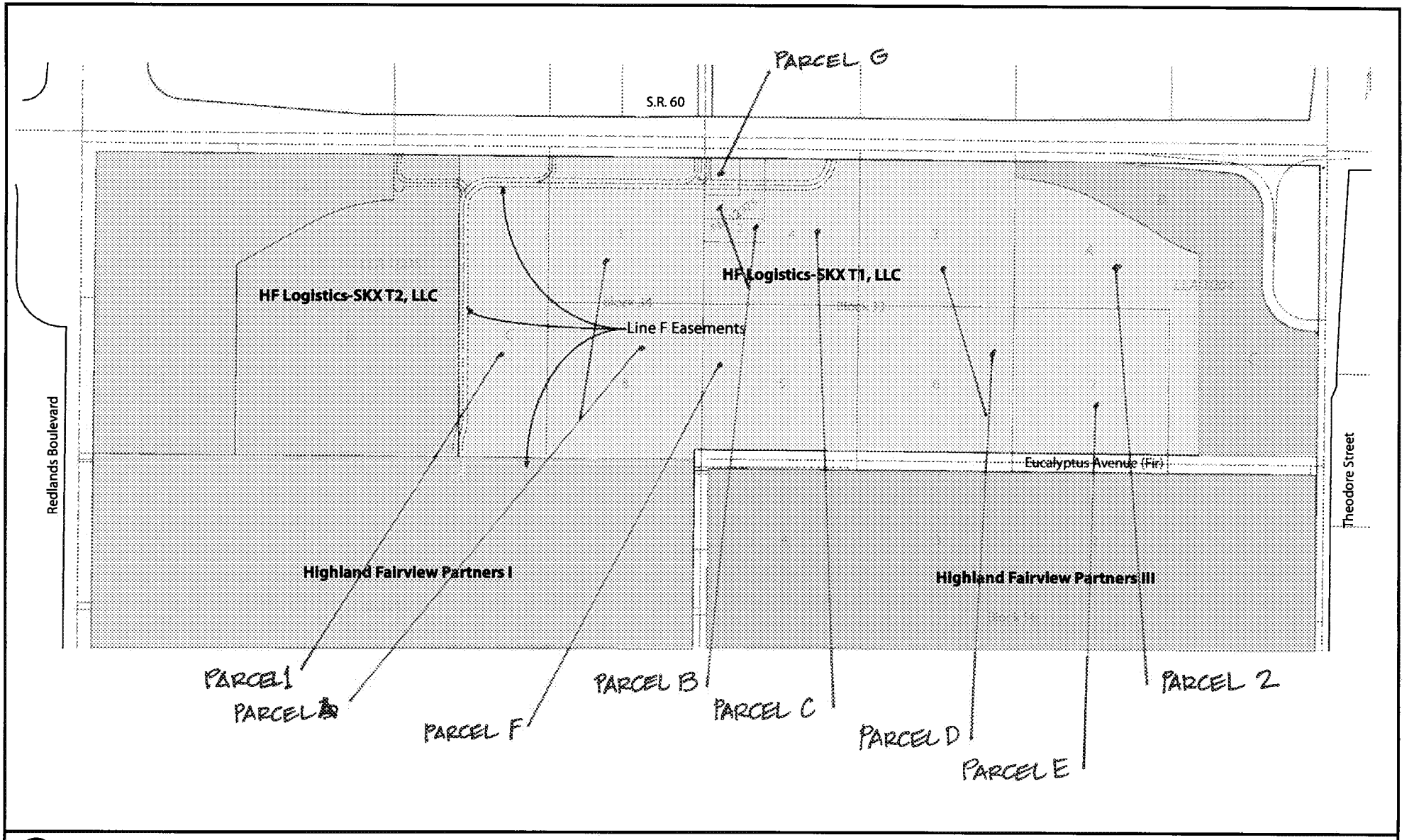

Not to scale
May 7, 2010

Highland Fairview Corporate Park - TPM 35629 Ownership Exhibit

Highland Fairview
Rancho Belago, Ca 92555

P:\Highland Fairview Corporate Park\Design\HF Work\HFCP-Existing-LLA-Ownership

MV00065758

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

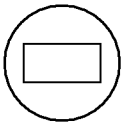

A circle around the box **<u>and/or</u>** associated clause; or

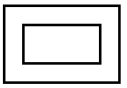

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

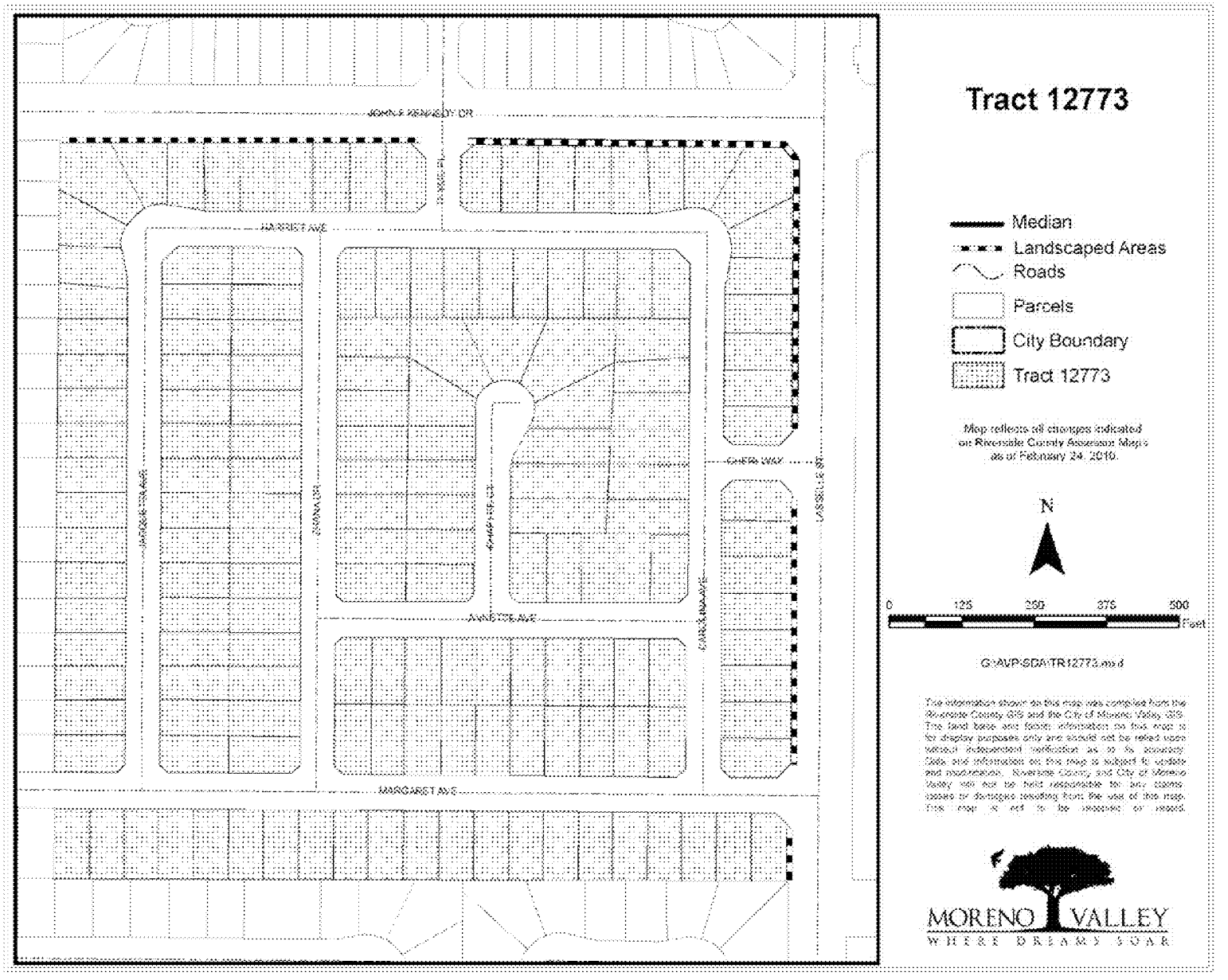
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP\SDA\TR12773.aw d
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
JOHN F KENNEDY DR
HARRIET AVE
CARTER WAY
LASSELLE ST
ANNETTE AVE
MARGARET AVE

MV00065772

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

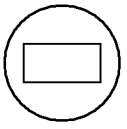

A circle around the box **and/or** associated clause; or

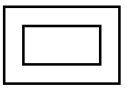

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

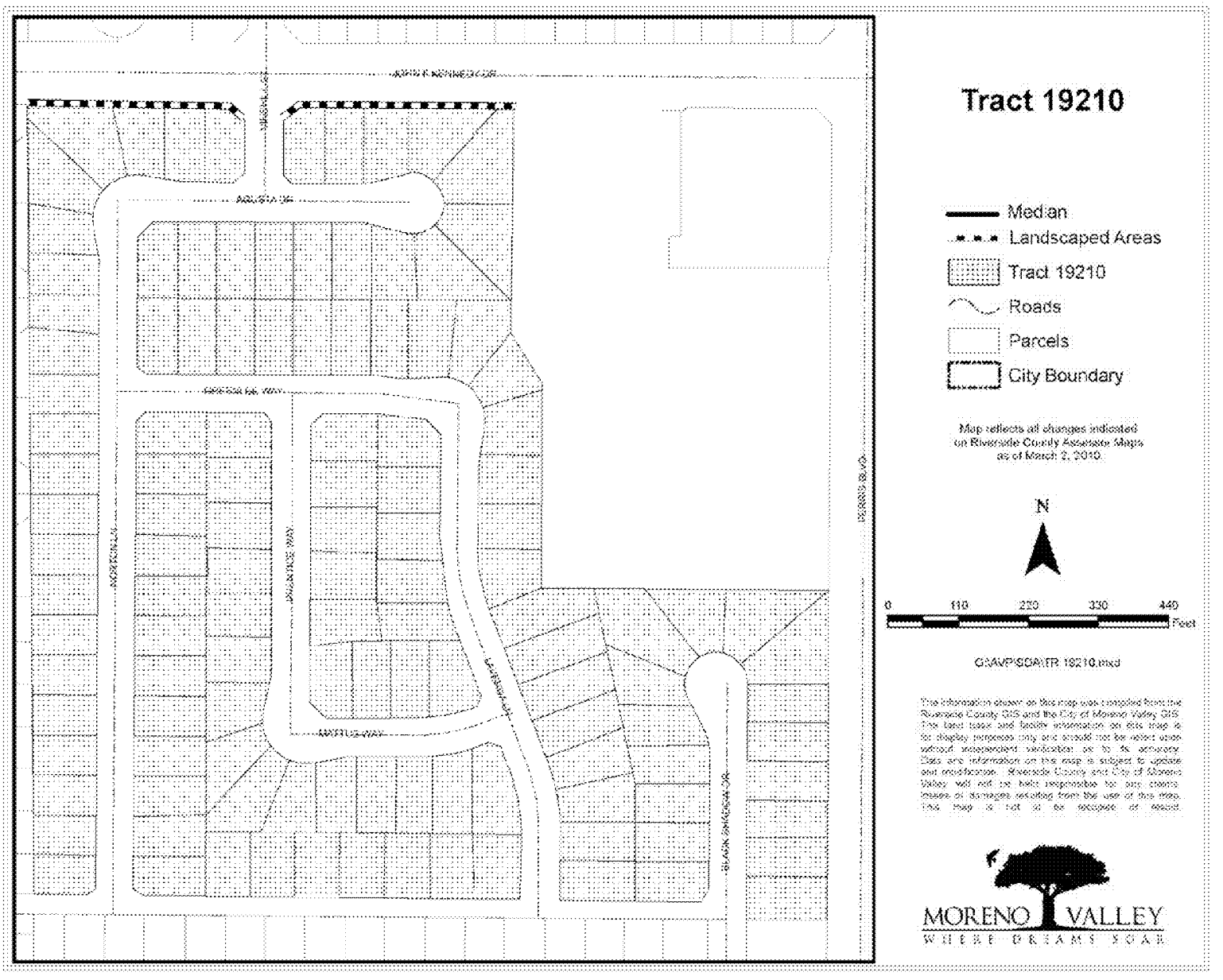
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
110
220
330
440
Feet
G:\MP\SCA\TR 19210.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. This land base and feature information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be copied or resold.
MORENO VALLEY
WHERE DREAMS SOAR

MV00065782

TEL: 951.413.3460
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\19937\Tract 19937 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

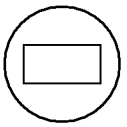

A circle around the box **and/or** associated clause; or

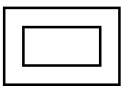

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

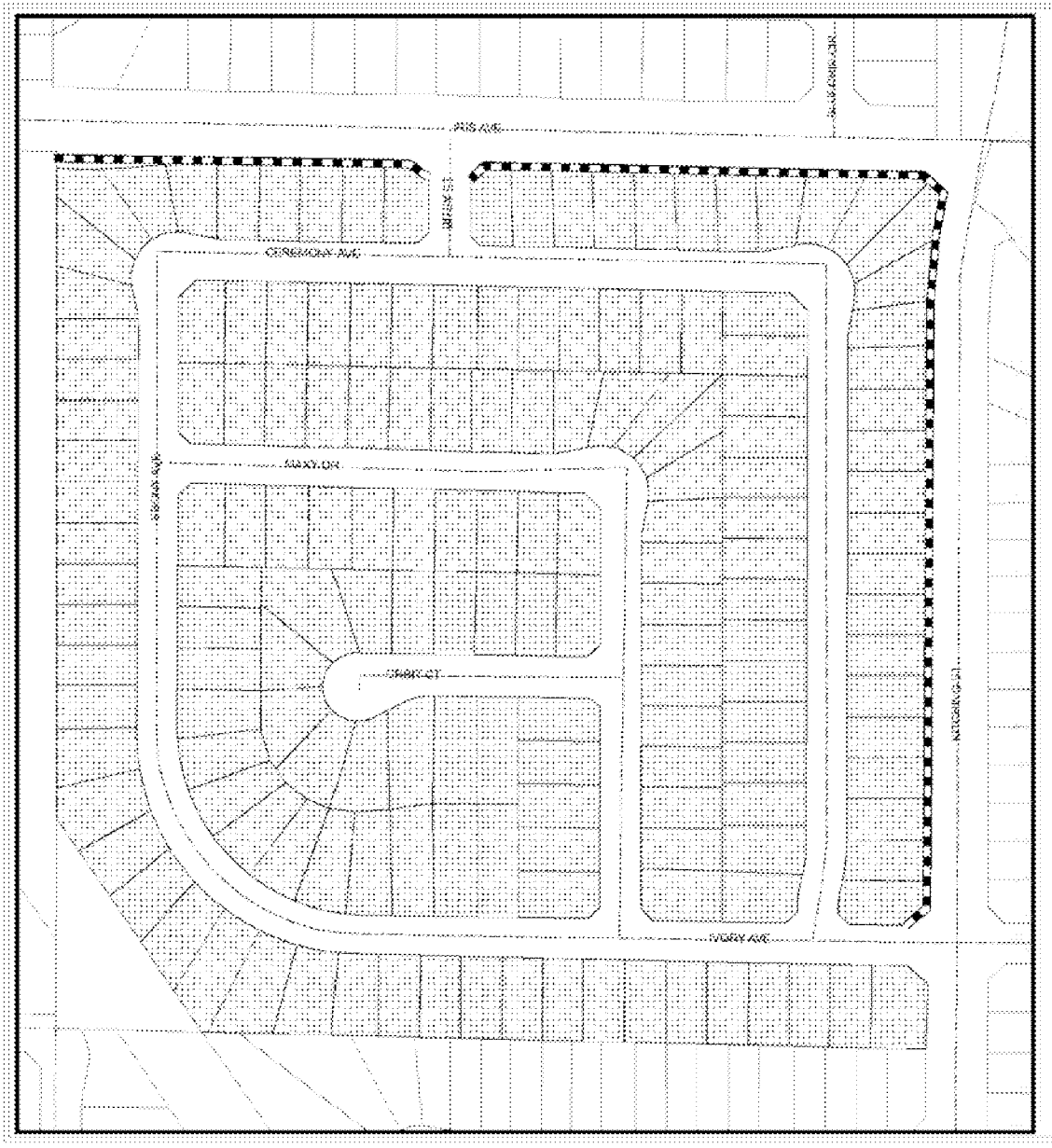

Tract 19937

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 19937

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.

N

0 115 230 345 460 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be accepted as legal

MORENO VALLEY
WHERE DREAMS SOAR

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TEL: 951.413.3480
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

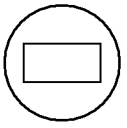

A circle around the box **<u>and/or</u>** associated clause; or

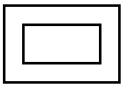

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

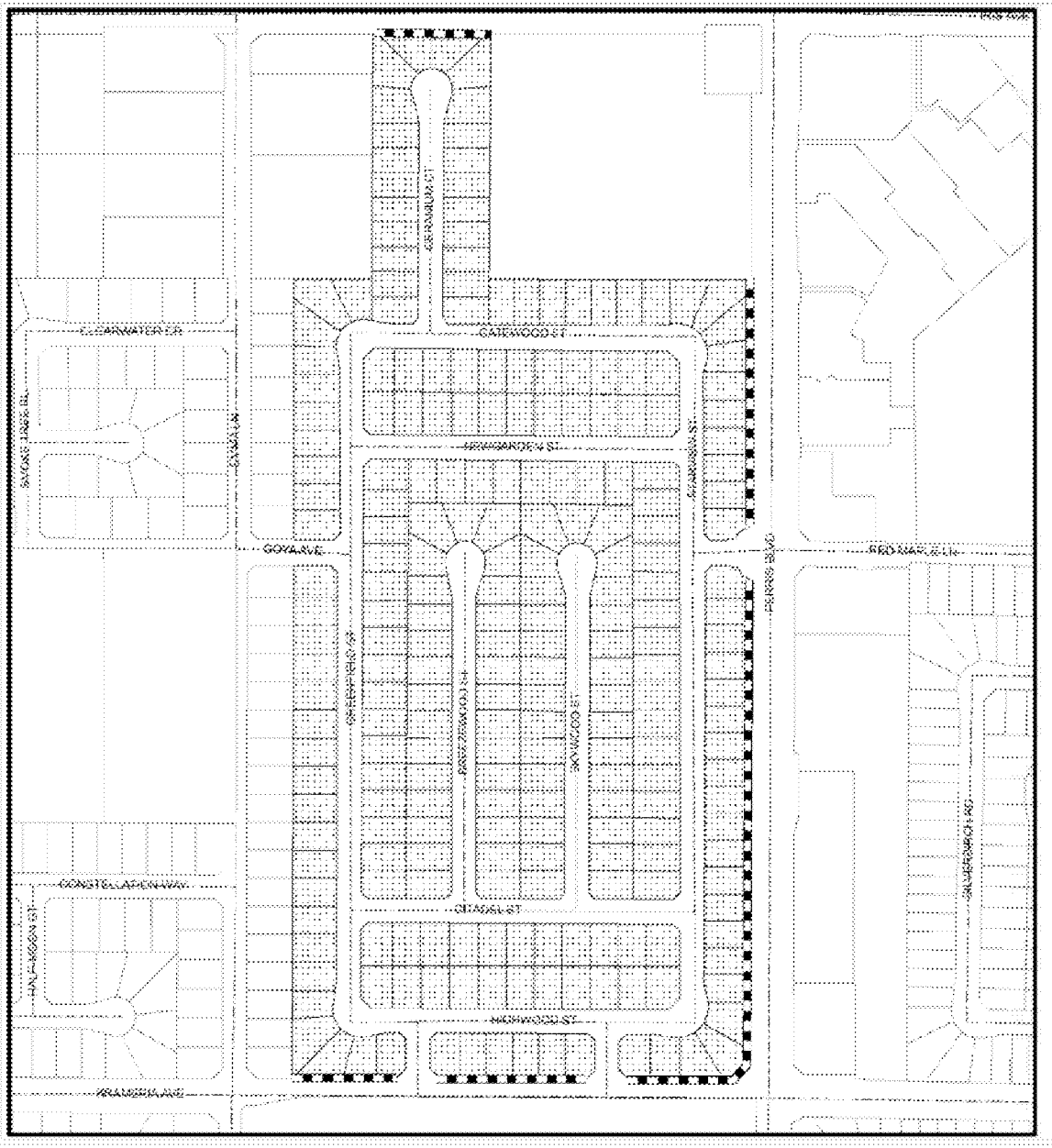

Tract 20404

- Median
- Landscaped Areas
- Tract 20404
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

N

0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tract base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV000065802

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

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   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

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BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

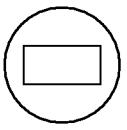

A circle around the box **<u>and/or</u>** associated clause; or

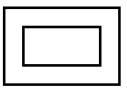

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Ballot Mark Revisions (Changes)

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

Median

Landscaped Areas

Tract 20579

Roads

MV Parcels

City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be accepted as record.

MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

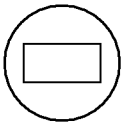

A circle around the box <u>and/or</u> associated clause; or

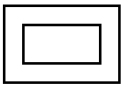

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

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0 200 400 600 800 Feet

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MORENO VALLEY
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MV000065822

TEL: 951.413.3480
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

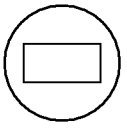

A circle around the box **<u>and/or</u>** associated clause; or

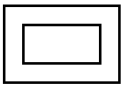

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

N

0 200 400 600 800 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be accepted as record.

MORENO VALLEY
WHERE DREAMS SOAR

MV000065832

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20718\Tract 20718 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

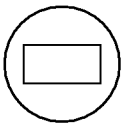

A circle around the box **and/or** associated clause; or

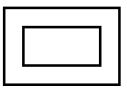

A square or rectangle around the box **and/or** associated clause**.**

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

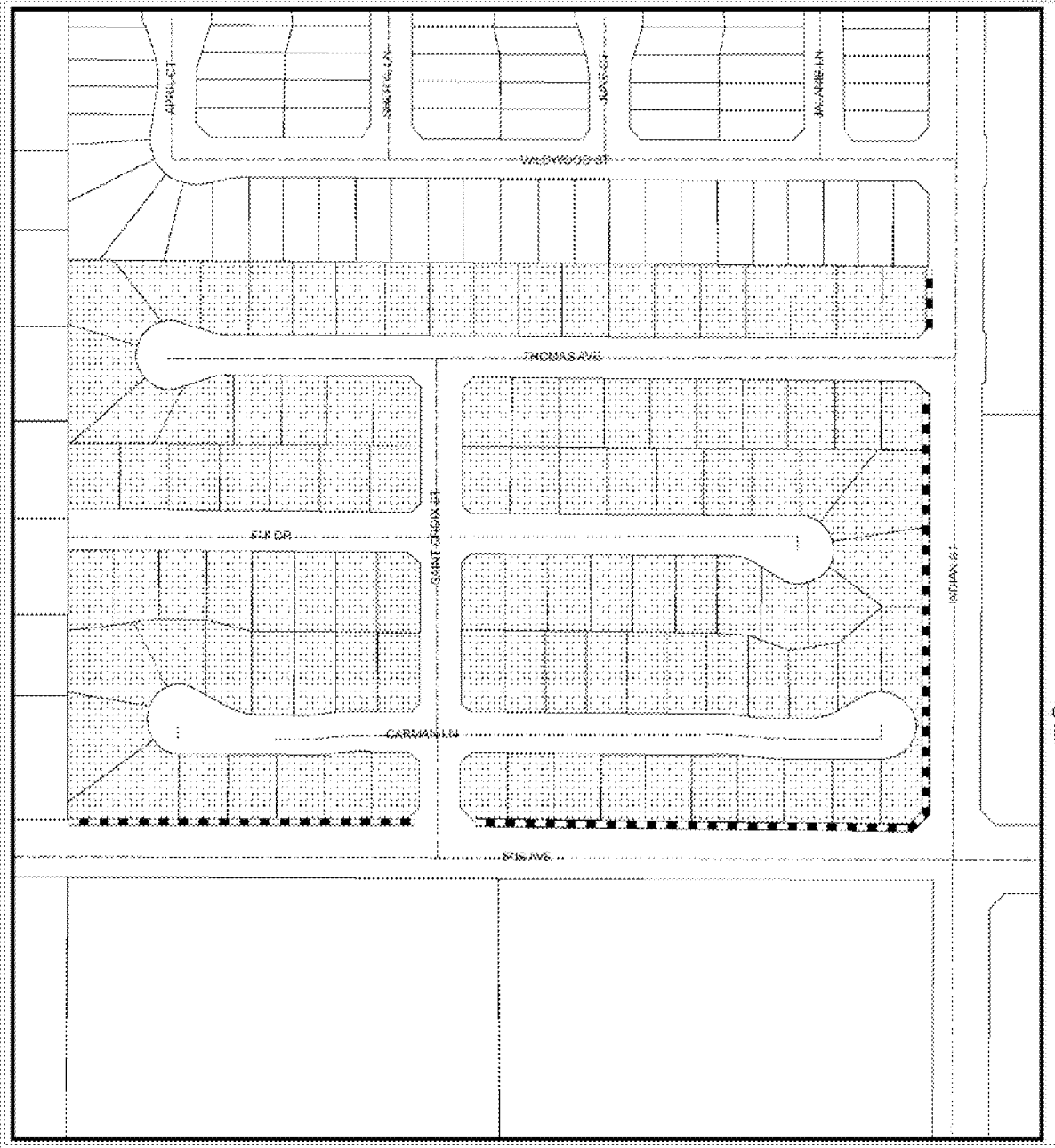

Tract 20718

- Median
- Landscaped Areas
- Roads
- mv parcels
- City Boundary
- Tract 20718

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

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0 125 250 375 500 Feet

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MORENO VALLEY
WHERE DREAMS SOAR

MV000065842

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

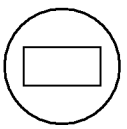

A circle around the box **<u>and/or</u>** associated clause; or

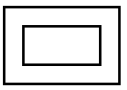

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

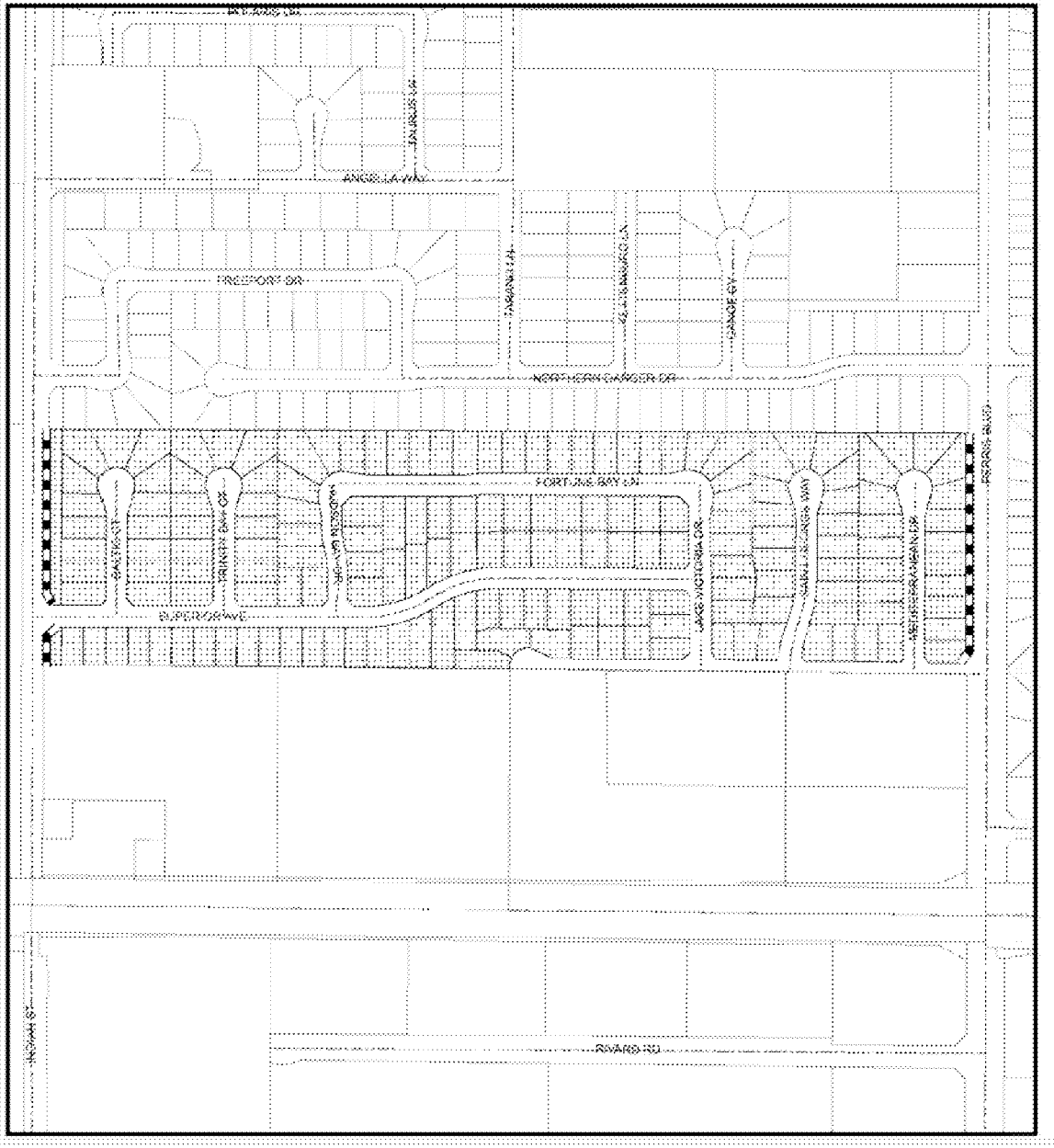

Tract 21113

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

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0 175 350 525 700 Feet

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14325 FREDERICK STREET, SUITE 9
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MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\21333\Tract 21333 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

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5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

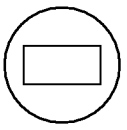

A circle around the box **and/or** associated clause; or

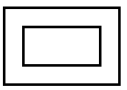

A square or rectangle around the box **and/or** associated clause.

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Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

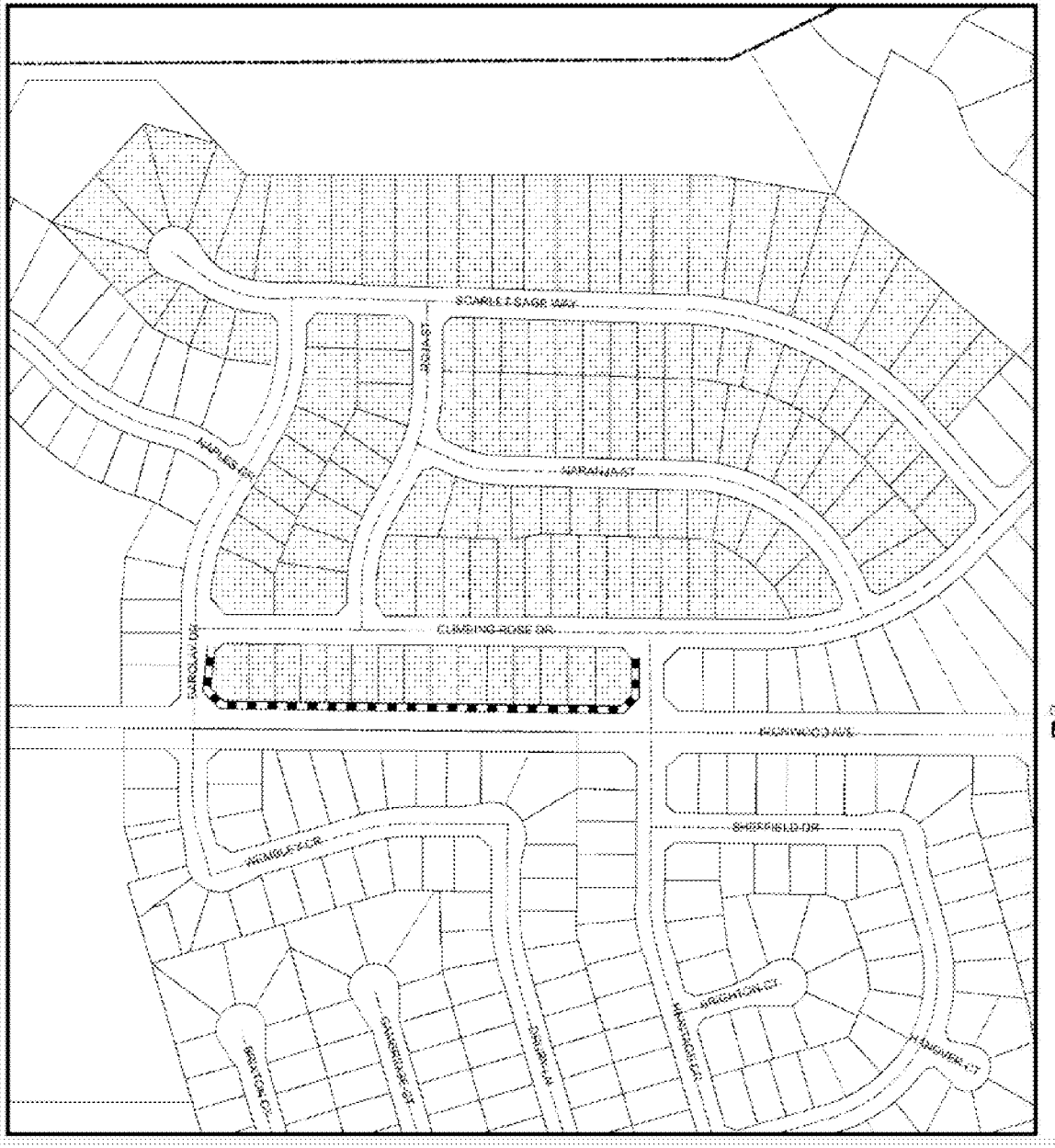

Tract 21333

- Median
- Landscaped Areas
- Tract 21333
- Roads
- mv parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

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0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00065862

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

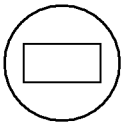

A circle around the box **and/or** associated clause; or

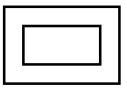

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

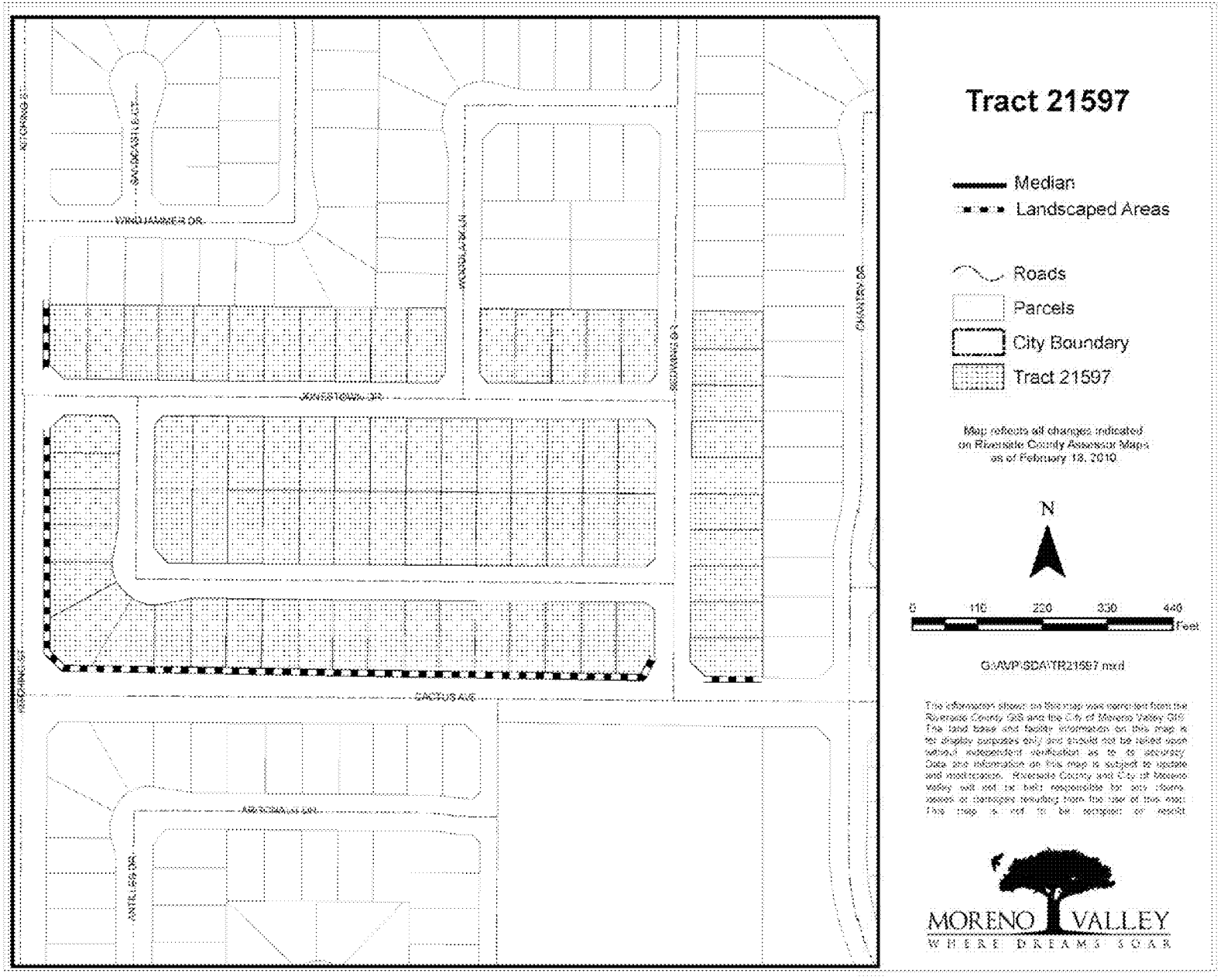

MV000065872

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

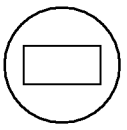

A circle around the box **and/or** associated clause; or

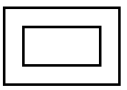

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

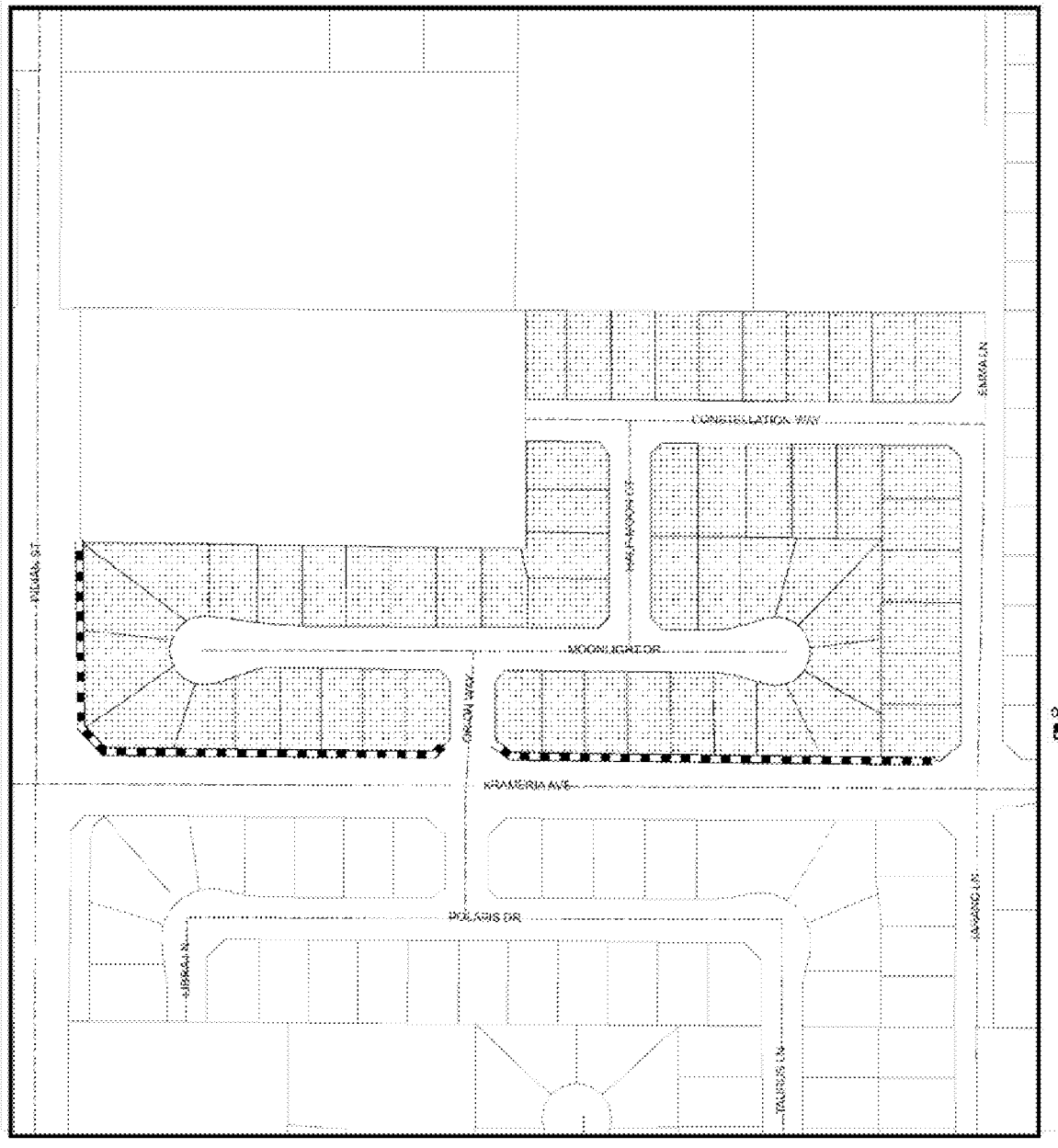

Tract 22889

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 22889

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

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0 120 240 360 480 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00065882

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\28882\Tract 28882 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

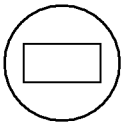

A circle around the box **and/or** associated clause; or

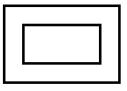

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

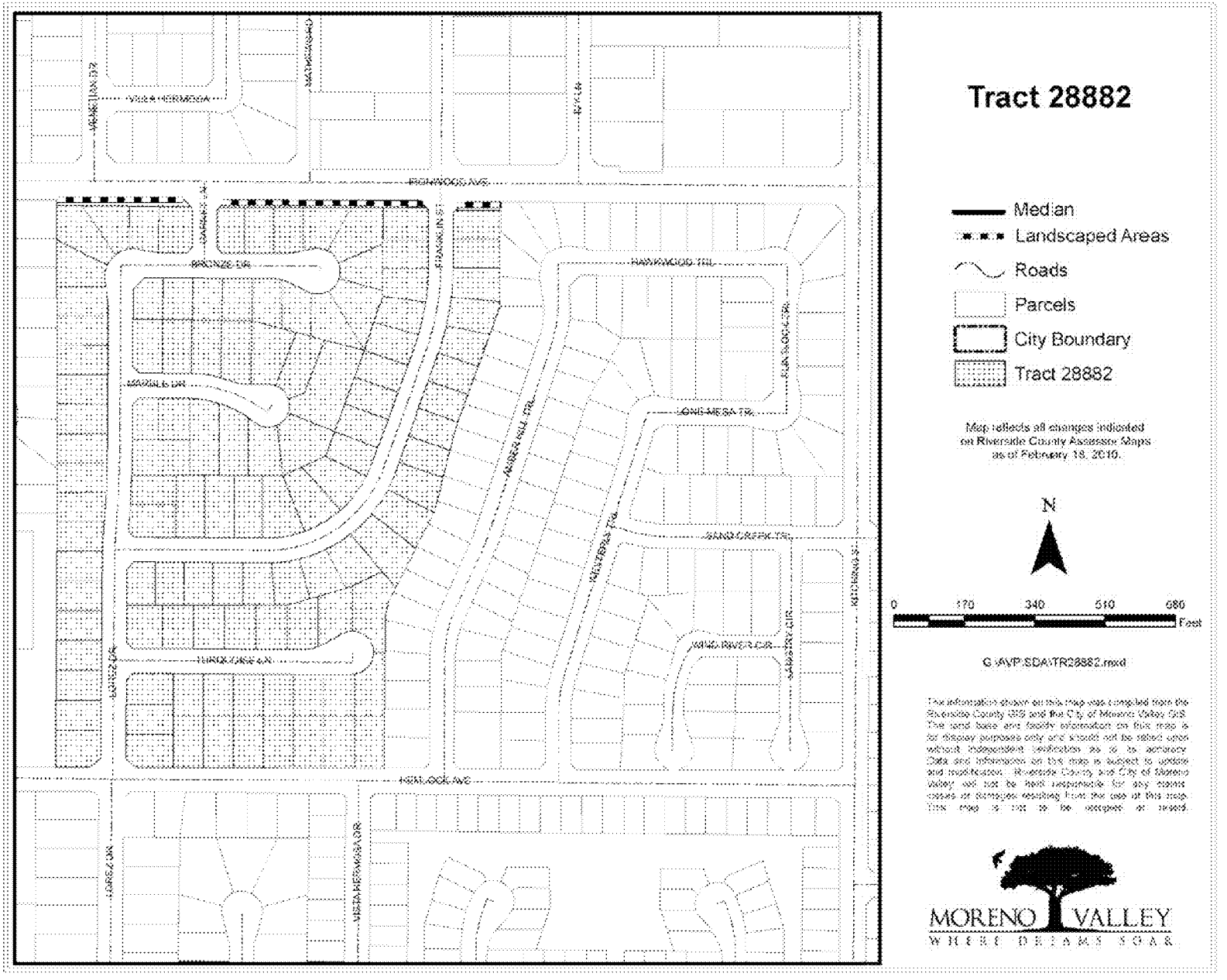
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
170
340
510
680
Feet
G:\AVP\SDA\TR28882.mxd
MORENO VALLEY
WHERE DREAMS SOAR

MV00065892

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

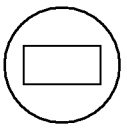

A circle around the box **<u>and/or</u>** associated clause; or

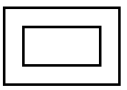

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

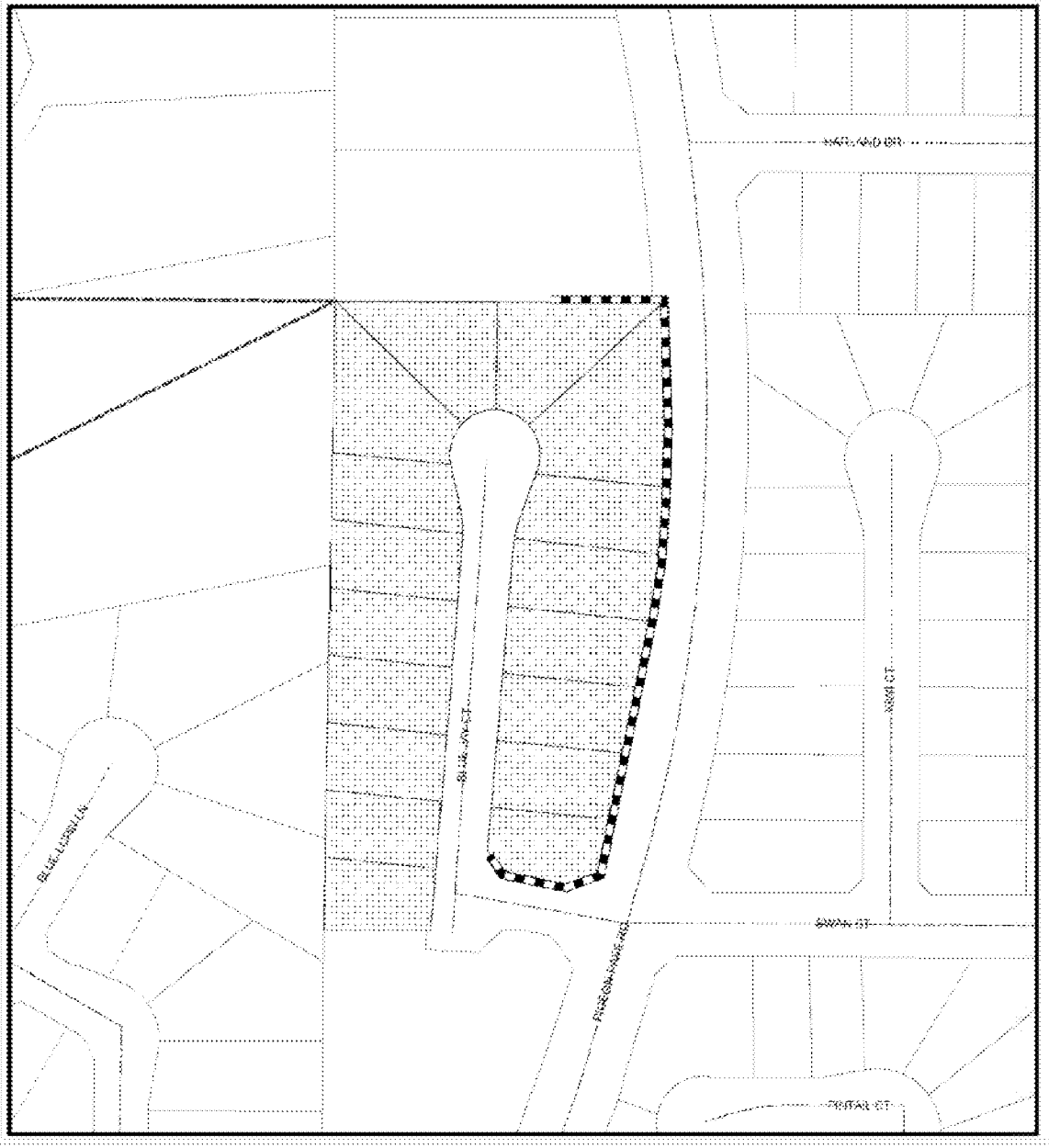

Tract 31257

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 31257

Map reflects all changes indicated on Riverside County Assessor Maps as of February 28, 2010.

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0 85 170 255 340 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

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WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\31269-1\Tract 31269-1 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

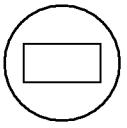

A circle around the box **<u>and/or</u>** associated clause; or

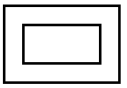

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

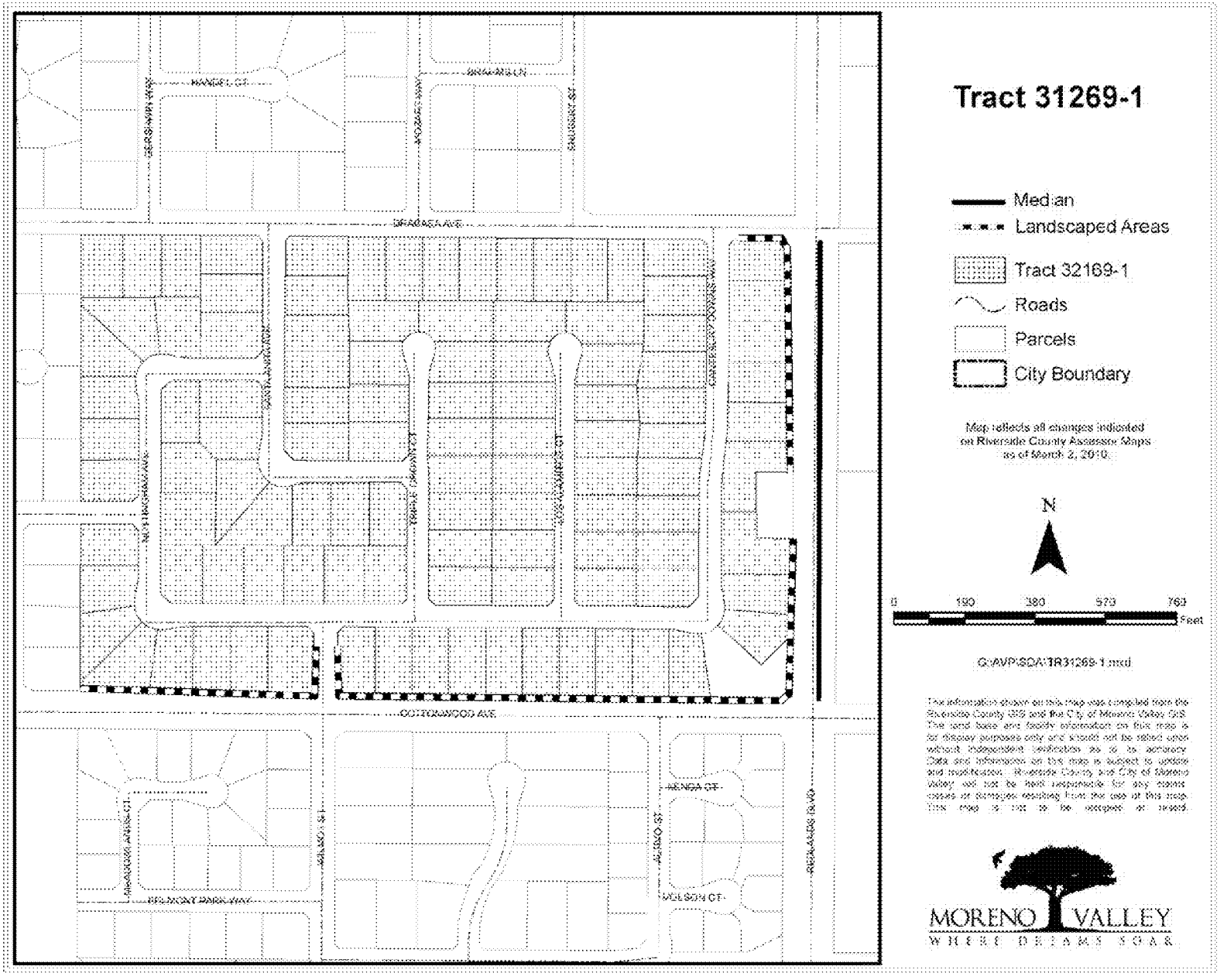
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
G:\AVP\SDA\TR31269-1.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
BRADLEY AVE
COTTONWOOD AVE
HENDA CT
WELSON CT
ALESSO ST
RIVERSIDE BLVD

MV00065912

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\32018\Tract 32018 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

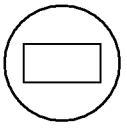

A circle around the box **and/or** associated clause; or

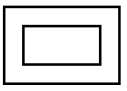

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

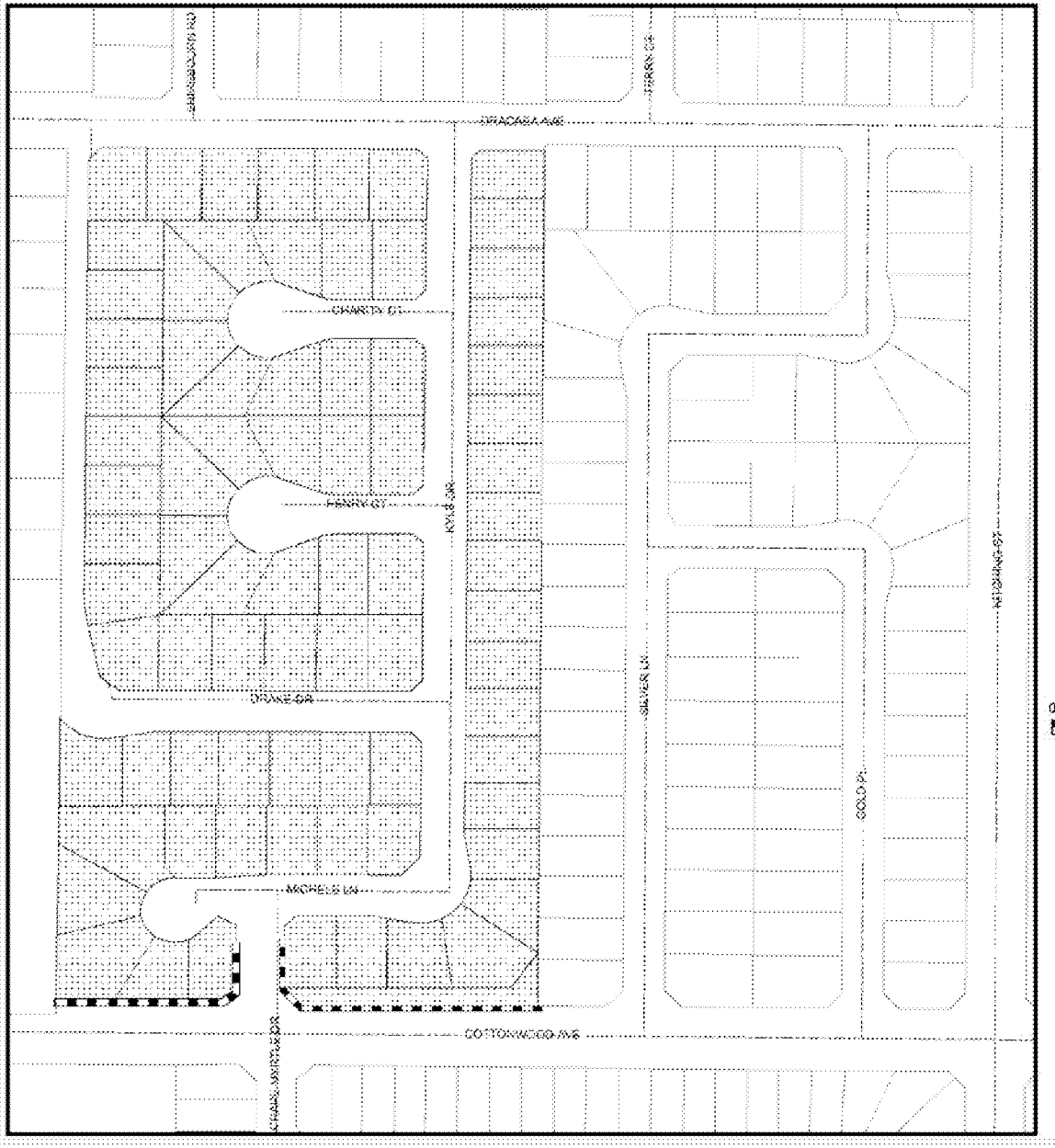

Tract 32018

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 32018

Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.

N

0 120 240 360 480 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley, GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV000065922

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission and the Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, and George W. Brummer, an applicant to the Parks and Recreation Commission and the Traffic Safety Commission, are planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*

Juanita M. Barnes*
George W. Brummer**/***
Virgil Chancy*
Marie Hyta **

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer **/***
Alvin C. Horn
Frank D. Pavlik*
Jacqueline Dawn Qualls

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

\\zurich\shared\InterDept\Council-Clerk\City Clerk Files\Advisory Boards and Commissions\Appointment Staff Reports\2010\June 10 Appointments Staff Report.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTIONS HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the aforementioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

ATTACHMENT 1

Resolution No. 2010-61
Date Adopted: June 8, 2010

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such pro ration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____

Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	$1,829,606	10%
9% Tax Credit Equity	$9,242,933	49%
RDA Funds	$6,750,000	36%
Affordable Housing Fee Reductions- City	$991,608	5%
Affordable Housing Fee Reductions- County	$79,632	<1%
General Partner Equity	$99,029	<1%
Total	$18,992,808	100%

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

MV00065949

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

MV00065950

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(96,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(78,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225,192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,200	$479,000		$1,020,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,427
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,020,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF-CCAT GRT-PD-AB322	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/EDUC/GOVT ACCESS	550,000								550,000
134	EMPG-EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	207,000								207,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORM WATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORM WATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					286,611	286,611	286,611	8,284,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					208,300	208,300	208,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD#1	1,006,105								1,006,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,218								183,218
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIAL STS DEV IMPACT FEE	104,700					1,308,975	1,308,975	1,308,975	1,413,675
202	TRAFFIC SIGS DEV IMPACT FEE	26,700								26,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,908	212,908	212,908	254,008
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	90,700								90,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
225	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
227	FHWA TRANSIMS	186,600								186,600
228	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
229	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118								78,118
233	EMERGENCY SVCS AGENCY	14,000								14,000
262	JAG 2009 SB-59-2366 FUND	435,700								435,700
280	CDBG FY05/06 FUND	10,000								10,000
282	CDBG FY07/08 FUND	14,700								14,700
283	CDBG FY08/09 FUND	418,652								418,652
285	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16-06-1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REFNDG	1,158,700								1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,700								2,700
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,200								404,200
328	AUTOML REFIN-CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD#5 STONERIDGE DEBT SVC	362,200								362,200
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION - DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIAL STREETS	296,000								296,000

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,250								38,250
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP-ADMIN FUND	62,500								62,500
529	CFD#5 STONERIDGE CAP/ADM	54,000								54,000
530	CFD #4I - INFRA CAP/ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,306,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A - DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A - CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,320,900	(2,272,200)	0	150,000	0	2,300,225	2,450,225	178,025	13,498,925
	NET REVENUES	**$180,916,700**	**($681,160)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,468**	**$203,305,168**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

Attachment "A"

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$217,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	217,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF-CCAT GRT-PD-AB322	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/EDUC/GOVT ACCESS	447,200					447,200
134	EMPG-EMERGNCY MGMT PREP	94,200					94,200
136	OTS - POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,230,200					1,230,200
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,200					13,200
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,200)			(162,200)	8,284,200
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ART LGHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,200					2,837,200
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD#1	951,200					951,200
185	ZONE "S"	120,000					120,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIAL STS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
227	FHWA TRANSIMS	30,000					30,000
229	EECBG FUND				1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118					78,118
285	CDBG FY10/11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG14 USED OIL RECYCLG	27,900					27,900
295	TRI16-06-1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGT IMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGT SPCL TAX REFNDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,400			300	300	2,700
321	CH COP 97 DEBT SVC FUND	822,025					822,025
325	PUB SAFTY BOND DEBT SVC	404,200					404,200
328	AUTOML REFIN-CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD#5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I - INFRA DEBT SVC	11,493,200					11,493,200
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION - DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGT IMPV SPCL TAX CAP	38,200					38,200
515	2007 TWNGT SPCLTAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD#5 STONERIDGE CAP/ADM	53,700					53,700
530	CFD #4I - INFRA CAP/ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,200					318,200
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds [1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

ATTACHMENT "B"

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

MV00065960

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00065961

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

BACKGROUND

The purpose of the Proposed CIP is to identify needed improvements and establish long-term funding priorities. The Proposed CIP contains the list of projects comprising the budget and expenditures that will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

DISCUSSION

The Proposed CIP identifies and projects the costs of constructing the following types of projects anticipated through build-out of the City:

- Street Improvements
- Buildings
- Electric Utility
- Parks
- Underground Utilities
- Bridges
- Drainage, Sewers, and Waterlines
- Landscaping
- Traffic Signals

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, availability of matching federal, state, or regional grant funds, and anticipated development trends within the City.

During the Study Session on June 15, 2010, City Council directed staff to make revisions to various project forms in the FY 2010–11 Proposed CIP. Staff has also incorporated necessary revisions, resulting from error corrections, receiving updated information, and Deficit Reduction Option (DRO) impacts.

With regard to the DRO impact, on June 8, 2010, City Council approved the DRO that funds the City-Wide Traffic Signals and City-Wide Transportation Operations from the General Fund, thus making $1,037,000 in Measure "A" funds available for the Citywide Annual Pavement Resurfacing Program. Also, in March 2010, the Legislature passed, and the Governor signed into law, two assembly bills that effectively swapped Proposition 42 funds (Fund 225) for Gas Tax funds. As a result, the anticipated $1,830,944 increase in Gas Tax funds are appropriated for the Citywide Annual Pavement Resurfacing Program, while Proposition 42 funding is eliminated for FY 2010-2011. The State is purporting to delay the Gas Tax appropriation for approximately 9 months; therefore, the $1,830,944 is programmed for FY 2011-2012.

Both the City Council-directed revisions and the miscellaneous revisions are incorporated and documented in Attachment "A".

Capital Budget Adoption Actions

Revisions to the Proposed Capital Improvement Plan (Attachment "A") - This is a list of revisions to various project forms in the Proposed CIP that were incorporated as directed by City Council during the Study Session on June 15, 2010. Also incorporated are necessary revisions, resulting from error corrections and receiving updated information. The list includes proposed revisions to the Proposed CIP that would be, upon City Council approval, incorporated in the Adopted CIP. By incorporating Revisions to the Proposed CIP, the Adopted CIP, as the capital budget for the City of Moreno Valley for FY 2010-11, will be a more accurate, current, and superior document.

Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D") – As a long-standing best practice, each of the City's primary entities (the City, RDA, and CSD) will adopt separate resolutions to approve their respective budget.

ALTERNATIVES

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"). *This alternative will allow needed improvements.*

2. Do not adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, do not adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, do not adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"). *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

Projects have been identified as funded, partially funded, and unfunded for FY 2010-11 through FY 2014-15 and Beyond. The Capital Improvement Plan provides the funding and expenditure plan for FY 2010-11.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Staff recommends that the City Council adopt the Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D"), approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley, Community Services District, and Community Redevelopment Agency for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

ATTACHMENT

Attachment "A" – Revisions to the Proposed Capital Improvement Plan
Attachment "B" – Proposed Resolution No. 2010-65
Attachment "C" – Proposed Resolution No. CSD 2010-21
Attachment "D" – Proposed Resolution No. RDA 2010-05

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

Attachment "A"

Funded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount
106	Citywide Annual Pavement Resurfacing Program	3,932,869	4,969,969
120	Perris Blvd Southbound Ln to SR-60 Westbound On-Ramp	460,000	460,000
267	Renovation of City Hall Annex Building #1	2,239,765	0
273	Fire Station #65 (formerly Fire Station #65 Replacement)	570,000	520,000
274	Highland Fire Station	570,000	520,000
275	Industrial Fire Station	890,000	870,000
282	City Hall Roof Replacement	0	649,965
352	Install Access Gate at March Middle School Field	5,000	0
355	Parks and Recreation Master Plan	0	19,679
Added	Bethune Park - Water Feature Retrofit	0	5,000
	Total	8,667,634	8,014,613

Unfunded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount
129	Alessandro Blvd / Old 215 Frontage Rd to Elsworth St	700,000	0
308	Storm Drain Line "H1-A" Extension / Ironwood Avenue	1,159,000	0
	to North of Hubbard Street		
376	Aqueduct Bike Trail Security Lights and Landscaping	3,060,000	0
377	Aqueduct Bike Trail Security Lights and Landscaping	1,103,000	4,163,000
400	Markborough Property Master Plan and Development	20,000	75,000
	Total	6,042,000	4,238,000

CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

	N	O	P	Q	R	S	T	U	V	W
1										
2										
3										
4										
5										
6	Reason/Justification									
7										
8	Proposition 42 funding substituted with Gas Tax funds and									
9	Measure "A" funds reinstated per City Deficit Reduction Options									
10	Project moved from Partially Funded to Funded									
11	Project on hold per City Deficit Reduction Options									
12	Cost adjustment									
13	Cost adjustment									
14	Cost adjustment									
15	Project moved from Unfunded to Funded									
16	Project completed in May 2010									
17	Carryover funds as project will be completed in July 2010									
18	Added new project as directed during 6/15/10 Study Session									
19										
20										
21										
22										
23										
24										
25										
26										
27	Reason/Justification									
28										
29	Project is now funded and part of Citywide Annual Pavement									
30	Resurfacing Program									
31	Project deleted. Duplication of Project on Page 305									
32										
33	Project deleted, combined with project on page 377									
34	Project combined with project on page 376									
35	Cost adjustment									
36										
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CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

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CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

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RESOLUTION NO. 2010-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Proposed Capital Improvement Plan (CIP) for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the City Council per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately

Resolution No. 2010-___
Date adopted: June 22, 2010

Attachment "B"

upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION NO. CSD 2010-21

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the President and Board of Directors per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Resolution No. CSD 2010-___
Date adopted: June 22, 2010

Attachment "C"

_____
Mayor of the City of Moreno Valley
acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-05

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the Chairperson and Agency Members per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be

posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MV00065983

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

MV00065984

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Department)

Recommendation:
1. Accept the work as complete for the Patriot Park Improvements

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Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;

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h. TownGate Boulevard between Frederick Street and Heritage Way;
i. Bay Avenue between Kristina Court and Courage Street;
j. Alessandro Boulevard between Chagall Court and Elsworth Street;
k. Alessandro Boulevard between Joy Street and Cactus Avenue;
l. Resource Way between Frederick Street and Corporate Way;
m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

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Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

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INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:
1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services

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District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

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p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:
1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive

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Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.
Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

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2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

*G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

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G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

   Resolution No. 2010-62

   A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND

RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. CSD 2010-20

   A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

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3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

*1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*

Court: United States District Court, Central District of California

Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf

Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

   Chief Anderson introduced Officer Morgan
   Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

   Sgt Jackie Horton introduced Luryn Hill
   Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

   Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

   Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

   Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

   Resolution No. 2010-46

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00066029

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

Reports on Reimbursable Activities June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066031

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of $12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
A N R INDUSTRIES, INC				
4/26/2010	202094	43,022.52		
			PROPERTY REHAB-24654 SINALOA	43,022.52
4/26/2010	202096	34,520.99		
			PROPERTY REHAB-25909 PARSLEY	34,520.99
4/26/2010	202097	31,068.87		
			PROPERTY REHAB-12177 INDIAN ST	31,068.87
	Vendor Total	**108,612.38**		
FYTD for A N R INDUSTRIES, INC		**131,454.88**		
AFTERSCHOOL STORE.COM				
4/5/2010	201559	34,902.91		
			SNACK SVCS-STARS	34,902.91
4/26/2010	202100	33,718.19		
			SNACK SVCS-STARS	33,718.19
	Vendor Total	**68,621.10**		
FYTD for AFTERSCHOOL STORE.COM		**264,673.53**		
AVI-CON INC.				
4/5/2010	201573	35,985.24		
			PUB SFTY BLDG CONVERSION PROJ	35,985.24
	Vendor Total	**35,985.24**		
FYTD for AVI-CON INC.		**35,985.24**		
BANK OF AMERICA				
4/12/2010	1004021	101,438.62		
			ACQ & ESCROW 14669 RIO HONDO	101,438.62
	Vendor Total	**101,438.62**		
FYTD for BANK OF AMERICA		**1,635,117.43**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	4/26/2010	202109	25,382.76		
				LANDSCAPE MAINT-PARKS	735.00
				LANDSCAPE MAINT-PARKS	262.50
				LANDSCAPE MAINT-PARKS	850.50
				LANDSCAPE MAINT-PARKS	525.00
				LANDSCAPE MAINT-PARKS	1,785.00
				LANDSCAPE MAINT-PARKS	600.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-UT SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-BIKE AQDCT	400.00
				LANDSCAPE MAINT-BIKE AQDCT	400.00
				LANDSCAPE MAINT-E2	16,077.18
	Vendor Total		**25,382.76**		
FYTD for BEMUS LANDSCAPE, INC.			**405,497.56**		
CALPERS					
	4/12/2010	201844	100,445.13		
				ARC PAYMENT LESS RET MED PAYOU	100,445.13
	Vendor Total		**100,445.13**		
FYTD for CALPERS			**871,257.69**		
CITIZENS BUSINESS BANK					
	4/6/2010	1004011	64,316.88		
				ACQ & ESCROW 14131 ST TROPEZ	64,316.88
	Vendor Total		**64,316.88**		
FYTD for CITIZENS BUSINESS BANK			**1,193,438.72**		
COMPU COM					
	4/19/2010	201968	113,901.13		
				MS LICENSING	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**116,885.38**		
CRITICAL SOLUTIONS					
	4/26/2010	202125	30,625.69		
				EMRGNCY OPS CTR PROJ SVCS	30,625.69
	Vendor Total		**30,625.69**		
FYTD for CRITICAL SOLUTIONS			**373,417.72**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DESERT CONCEPTS CONSTRUCTION, INC				
4/26/2010	202128	35,041.50		
			PATRIOT PARK IMPRVMNTS PROJ	35,041.50
Vendor Total		**35,041.50**		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC		**68,339.70**		
EASTERN MUNICIPAL WATER DISTRICT				
4/19/2010	201976	36,753.92		
			WATER CHRGS FOR MARCH	1,189.26
			WATER CHRGS FOR MARCH	977.05
			WATER CHRGS FOR MARCH	161.63
			WATER CHRGS FOR MARCH	786.23
			WATER CHRGS FOR MARCH	105.72
			WATER CHRGS FOR MARCH	3,952.73
			WATER CHRGS FOR MARCH	2,883.97
			WATER CHRGS FOR MARCH	776.52
			WATER CHRGS FOR MARCH	3,333.48
			WATER CHRGS FOR MARCH	1,665.99
			WATER CHRGS FOR MARCH	4,222.48
			WATER CHRGS FOR MARCH	8,861.96
			WATER CHRGS FOR MARCH	1,402.32
			WATER CHRGS FOR MARCH	48.12
			WATER CHRGS FOR MARCH	1,406.30
			WATER CHRGS FOR MARCH	2,222.01
			WATER CHRGS FOR MARCH	634.32
			WATER CHRGS FOR MARCH	212.01
			WATER CHRGS FOR MARCH	341.03
			WATER CHRGS FOR MARCH	189.35
			WATER CHRGS FOR MARCH	96.23
			WATER CHRGS FOR MARCH	398.90
			WATER CHRGS FOR MARCH	578.38
			WATER CHRGS FOR MARCH	307.93
Vendor Total		**36,753.92**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**931,665.18**		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
4/9/2010	2618	36,515.45		
			STATE INCOME TAX W/H 04/09/10	36,515.45
4/23/2010	2626	34,979.98		
			DEP STATE TAX W/H 04/23/10	34,979.98
Vendor Total		**71,495.43**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,107,620.34**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/5/2010	201620	164,385.60		
			PROF SVCS-IRIS/PERRIS	220.50
			PROF SVCS-SKETCHERS	1,286.26
			PROF SVCS-RANCHO DORADO	604.09
			PROF SVCS-STREET LGHT RMVL	280.82
			PROF SVCS-FRAZEE PAINT	48.79
			PROF SVCS-FRAZEE PAINT	24.40
			DISTRIBUTION CHRGS	128,570.82
			SPECIAL CHRGS	6,259.00
			ONLINE UTILITY SVCS	212.70
			PERRIS BL 12KV FEEDER/IRIS-JFK	7,842.98
			BAD DEBT DEDUCTION	-5,033.41
			CACTUS/LASSELLE 12KV CIRC TIE	588.00
			CACTUS/LASSELLE 12KV CIRC TIE	11,479.97
			GOLDENCREST-ELSWORTH BACKBONE	317.93
			GOLDENCREST-ELSWORTH BACKBONE	772.92
			6TH CIRC MOVAL SUBST. WORK	10,909.83
Vendor Total		**164,385.60**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,855,108.05**		
HABITAT FOR HUMANITY RIVERSIDE				
4/26/2010	202145	51,801.66		
			REIMB REQUEST-HOUSING AGREEMNT	51,801.66
Vendor Total		**51,801.66**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE		**53,733.66**		
INTERNAL REVENUE SERVICE				
4/9/2010	2617	129,392.33		
			FED INCOME TAX W/H 04/09/10	129,392.33
4/23/2010	2625	126,336.75		
			DEP FED TAX W/H 04/23/10	126,336.75
Vendor Total		**255,729.08**		
FYTD for INTERNAL REVENUE SERVICE		**3,184,348.99**		
MORENO VALLEY CACTUS RANCH, LLC				
4/5/2010	201684	59,569.00		
			REIMBURSEMENT AGREEMENT	59,569.00
Vendor Total		**59,569.00**		
FYTD for MORENO VALLEY CACTUS RANCH, LLC		**59,569.00**		
MORENO VALLEY PROPERTIES, LLC				
4/27/2010	1004111	605,000.00		
			REFUND EROSION CTRL CASH SEC	605,000.00
Vendor Total		**605,000.00**		
FYTD for MORENO VALLEY PROPERTIES, LLC		**605,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	4/19/2010	202019	48,062.98		
				ELECTRICITY	122.06
				ELECTRICITY	649.79
				ELECTRICITY	200.99
				ELECTRICITY	1,609.70
				ELECTRICITY	8,716.31
				ELECTRICITY	9,006.33
				ELECTRICITY	2,451.17
				ELECTRICITY	3,954.87
				ELECTRICITY	707.51
				ELECTRICITY	1,412.71
				ELECTRICITY	11,843.84
				ELECTRICITY	6,663.48
				ELECTRICITY	188.94
				ELECTRICITY	117.77
				ELECTRICITY	75.48
				ELECTRICITY	56.85
				ELECTRICITY	56.61
				ELECTRICITY	131.58
				ELECTRICITY	96.99
	Vendor Total		**48,062.98**		
FYTD for MORENO VALLEY UTILITY			**626,837.30**		
MOSS BROS CJD, INC.					
	4/5/2010	201690	52,736.07		
				SPECIAL TAX REIMBURSEMENT	52,736.07
	Vendor Total		**52,736.07**		
FYTD for MOSS BROS CJD, INC.			**52,736.07**		
MOSS BROS HONDA, INC.					
	4/5/2010	880299	53,821.71		
				SPECIAL TAX REIMBURSEMENT	53,821.71
	Vendor Total		**53,821.71**		
FYTD for MOSS BROS HONDA, INC.			**53,821.71**		
MOSS MO VAL PROPERTIES, LLC					
	4/12/2010	201886	163,255.49		
				SPECIAL TAX REIMBURSEMENT	163,255.49
	Vendor Total		**163,255.49**		
FYTD for MOSS MO VAL PROPERTIES, LLC			**163,255.49**		
MV RANCHO DORADO II LTD. PARTNERSHIP					
	4/12/2010	1004041	1,300,000.00		
				LOAN AGRMNT-RANCHO DORADO SO.	1,300,000.00
	Vendor Total		**1,300,000.00**		
FYTD for MV RANCHO DORADO II LTD. PARTNERSHIP			**2,800,000.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS				
4/23/2010	2622	25,942.07		
			DEF COMP 457 & 401(A) 04/23/10	25,942.07
Vendor Total		**25,942.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**744,535.11**		
PALP, INC. DBA EXCEL PAVING COMPANY				
4/5/2010	201703	58,861.31		
			SUNNYMD BLVD REVIT PROJ SVCS	58,861.31
4/12/2010	201891	193,092.74		
			SUNNYMD BLVD REVIT PROJ SVCS	19,501.02
			SUNNYMD BLVD REVIT PROJ SVCS	158,390.72
			SUNNYMD BLVD REVIT PROJ SVCS	15,201.00
Vendor Total		**251,954.05**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**2,132,594.03**		
PARSONS TRANSPORTATION GROUP, INC.				
4/5/2010	201707	29,114.65		
			SR-60/MOR BCH DR INTRCHNG PROJ	17,379.48
			SR-60/NASON ST OVRCRSSNG PROJ	11,735.17
Vendor Total		**29,114.65**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,001,522.33**		
PERS HEALTH INSURANCE				
4/6/2010	1003181	195,392.38		
			EMPL HEALTH INS 04/06/10	195,392.38
Vendor Total		**195,392.38**		
FYTD for PERS HEALTH INSURANCE		**1,931,136.41**		
PERS RETIREMENT				
4/2/2010	2610	191,827.82		
			PERS RETIREMENT 04/02/10	191,827.82
4/16/2010	2619	188,540.40		
			PERS RETIREMENT 04/16/10	188,540.40
4/30/2010	2627	192,441.55		
			PERS RETIREMENT 04/30/10	192,441.55
Vendor Total		**572,809.77**		
FYTD for PERS RETIREMENT		**4,707,592.48**		
RICHARD LOPEZ CONSTRUCTION				
4/12/2010	201900	464,257.08		
			ELECTRIC UTILITY PROJECTS SVCS	464,257.08
Vendor Total		**464,257.08**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,074,059.47**		

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ROESLING NAKAMURA TERADA ARCHITECTS, INC				
4/19/2010	880365	65,233.37		
			PUB SFTY BLDG CONVERSION PROJ	65,233.37
Vendor Total		**65,233.37**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC		**233,733.59**		
SEMPRA ENERGY SOLUTIONS				
4/12/2010	880342	106,708.95		
			POWER PURCHASE	106,708.95
4/19/2010	880366	181,393.99		
			POWER PURCHASE	74,585.99
			POWER PURCHASE	106,808.00
Vendor Total		**288,102.94**		
FYTD for SEMPRA ENERGY SOLUTIONS		**5,349,705.91**		
SHELL ENERGY NORTH AMERICA (US) L.P.				
4/12/2010	201908	328,486.00		
			ELECT ENERGY PURCHASE	328,486.00
Vendor Total		**328,486.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**999,740.00**		

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SOUTHERN CALIFORNIA EDISON					
	4/5/2010	201742	27,708.59		
				WDAT CHRGS-FREDERICK	1,825.29
				WDAT CHRGS-GLOBE	6,435.81
				WDAT CHRGS-GRAHAM	3,727.65
				WDAT CHRGS-IRIS	2,625.22
				WDAT CHRGS-NANDINA	2,647.31
				WDAT CHRGS-SUBSTATION	10,447.31
	4/19/2010	202060	148,329.95		
				ELECTRICITY	568.13
				ELECTRICITY	21.80
				ELECTRICITY	284.83
				ELECTRICITY	596.63
				ELECTRICITY	110.48
				ELECTRICITY	2,318.77
				ELECTRICITY	826.47
				ELECTRICITY	841.75
				ELECTRICITY	2,928.85
				ELECTRICITY	1,079.98
				ELECTRICITY	1,225.30
				ELECTRICITY	20.38
				ELECTRICITY	96,828.47
				ELECTRICITY	35,452.82
				ELECTRICITY	4,667.40
				ELECTRICITY	22.57
				ELECTRICITY	42.95
				ELECTRICITY	22.14
				ELECTRICITY	65.68
				ELECTRICITY	81.52
				ELECTRICITY	279.54
				ELECTRICITY	43.49
	Vendor Total		**176,038.54**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,495,377.09**		
SOUTHERN CALIFORNIA EDISON CO.					
	4/26/2010	202185	90,005.55		
				REPLCMNT OF FACILITIES-DAY ST.	90,005.55
	Vendor Total		**90,005.55**		
FYTD for SOUTHERN CALIFORNIA EDISON CO.			**90,005.55**		
STANDARD INSURANCE CO					
	4/12/2010	201916	30,515.59		
				LIFE & DISABILITY INSURANCE	12,695.73
				LIFE & DISABILITY INSURANCE	17,928.95
				LIFE & DISABILITY INSURANCE	-109.09
	Vendor Total		**30,515.59**		
FYTD for STANDARD INSURANCE CO			**326,752.74**		

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U.S. BANK/CALCARDS					
	4/12/2010	1004031	77,320.28		
				CALCARD PMT CYCLE END 04/07/10	77,320.28
	4/29/2010	1004121	93,568.19		
				CALCARD PMT CYCLE END 04/22/10	93,568.19
	Vendor Total		**170,888.47**		
FYTD for U.S. BANK/CALCARDS			**1,701,409.71**		
U.S. TREASURY					
	4/12/2010	201923	30,771.33		
				SF-425 EXCESS CASH	30,771.33
	Vendor Total		**30,771.33**		
FYTD for U.S. TREASURY			**30,771.33**		
UNITED CONTRACTORS COMPANY INC.					
	4/26/2010	880405	325,530.00		
				EMRGNCY OPS CTR PROJ SVCS	325,530.00
	Vendor Total		**325,530.00**		
FYTD for UNITED CONTRACTORS COMPANY INC.			**1,860,030.00**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	4/5/2010	201773	30,000.00		
				RENTAL ASSIST SVCS-HPRP PRGM	20,000.00
				RENTAL ARREARS SVCS-HPRP PRGM	10,000.00
	Vendor Total		**30,000.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**95,282.23**		
WELLS FARGO CORPORATE TRUST					
	4/29/2010	1004071	100,475.80		
				INT ON 1997 LEASE REV BND	100,475.80
	4/29/2010	1004061	1,018,874.40		
				INT ON 2005 LEASE REV BND	1,018,874.40
	4/29/2010	1004081	1,110,899.07		
				2007 LRB DEBT SVC PAYMENT	1,110,899.07
	4/30/2010	1004131	1,171,349.06		
				DEBT SVC-SPECIAL TAXES	1,171,349.06
	Vendor Total		**3,401,598.33**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,029,485.43**		

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WHEELER PAVING, INC.					
	4/5/2010	880324	46,251.00		
				LASSELLE ST WIDENING PROJ SVCS	46,251.00
	4/12/2010	880346	596,778.41		
				EMERG STREET PAVEMNT WORK	13,190.38
				LASSELLE ST WIDENING PROJ SVCS	583,588.03
	4/26/2010	880407	530,370.16		
				LASSELLE ST WIDENING PROJ SVCS	1,345.73
				LASSELLE ST WIDENING PROJ SVCS	57,869.77
				LASSELLE ST WIDENING PROJ SVCS	449,898.09
				LASSELLE ST WIDENING PROJ SVCS	21,256.57
	Vendor Total		**1,173,399.57**		
FYTD for WHEELER PAVING, INC.			**2,711,147.09**		
WINZLER & KELLY CONSULTING ENGINEERS					
	4/5/2010	201781	31,240.00		
				TEMP STAFFING SVCS-CAP PROJS	15,840.00
				TEMP STAFFING SVCS-CAP PROJS	15,400.00
	Vendor Total		**31,240.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**367,617.59**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	4/19/2010	202088	44,370.00		
				TUMF RESIDENTIAL FEES	44,370.00
	Vendor Total		**44,370.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**1,115,467.42**		
	Subtotal		**11,272,631.06**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
TRANSOFT SOLUTIONS, INC.				
4/19/2010	201933	1,289.00		
			AUTOTURN SOFTWARE UPGRADE	1,289.00
Vendor Total		**1,289.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,289.00**		
452ND AIR MOBILITY WING				
4/8/2010	201829	20.00		
			BRIG GEN. MELIN RETIREMNT 4/10	20.00
Vendor Total		**20.00**		
FYTD for 452ND AIR MOBILITY WING		**117.00**		
4G WIRELESS, INC				
4/5/2010	201552	60.18		
			REFUND-BUS LIC OVRPMT	60.18
Vendor Total		**60.18**		
FYTD for 4G WIRELESS, INC		**60.18**		
A - POSTAL EXPRESS				
4/19/2010	201934	43.50		
			REFUND-BUS LIC OVRPMT	43.50
Vendor Total		**43.50**		
FYTD for A - POSTAL EXPRESS		**43.50**		
A & I REPROGRAPHICS 2406362				
4/5/2010	201553	79.93		
			RPRGRPHC SVCS-PAVEMNT RESURF	79.93
4/12/2010	201830	1,788.29		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	54.70
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	1,593.95
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	139.64
4/26/2010	202093	244.74		
			RPRGRPHC SVCS-KITCHING ST PROJ	48.69
			RPRGRPHC SVCS-AUTO MALL PROJ	196.05
Vendor Total		**2,112.96**		
FYTD for A & I REPROGRAPHICS 2406362		**19,563.04**		
A & J GRADING CONTRACTORS				
4/5/2010	201554	29.50		
			REFUND-BUS LIC OVRPMT	29.50
Vendor Total		**29.50**		
FYTD for A & J GRADING CONTRACTORS		**29.50**		

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A A A PAVING COMPNAY					
	4/19/2010	201935	32.41		
				REFUND-BUS LIC OVRPMT	32.41
	Vendor Total		**32.41**		
FYTD for A A A PAVING COMPNAY			**32.41**		
A C C O ENGINEERED SYSTEMS, INC					
	4/19/2010	201936	23.80		
				REFUND-BUS LIC OVRPMT	23.80
	Vendor Total		**23.80**		
FYTD for A C C O ENGINEERED SYSTEMS, INC			**23.80**		
A N R INDUSTRIES, INC					
	4/12/2010	201831	0.00		
				PROPERTY REHAB-25106 FAY AVE	6,478.50
				PROPERTY REHAB-24654 SINALOA	8,547.00
				PROPERTY REHAB-24654 SINALOA	38,185.00
				PROPERTY REHAB-24654 SINALOA	3,250.00
				PROPERTY REHAB-12177 INDIAN ST	9,775.00
				PROPERTY REHAB-12177 INDIAN ST	24,735.00
				PROPERTY REHAB-12177 INDIAN ST	490.00
				PROPERTY REHAB-25909 PARSLEY	8,709.00
				PROPERTY REHAB-25909 PARSLEY	25,078.00
				PROPERTY REHAB-25909 PARSLEY	16,213.00
				PROPERTY REHAB-25106 FAY AVE	-6,478.50
				PROPERTY REHAB-24654 SINALOA	-8,547.00
				PROPERTY REHAB-24654 SINALOA	-38,185.00
				PROPERTY REHAB-24654 SINALOA	-3,250.00
				PROPERTY REHAB-12177 INDIAN ST	-9,775.00
				PROPERTY REHAB-12177 INDIAN ST	-24,735.00
				PROPERTY REHAB-12177 INDIAN ST	-490.00
				PROPERTY REHAB-25909 PARSLEY	-8,709.00
				PROPERTY REHAB-25909 PARSLEY	-25,078.00
				PROPERTY REHAB-25909 PARSLEY	-16,213.00
	4/26/2010	202095	22,842.50		
				PROPERTY REHAB-25106 FAY AVE	22,842.50
	Vendor Total		**22,842.50**		
FYTD for A N R INDUSTRIES, INC			**131,454.88**		
ABEYTA, GINNY					
	4/19/2010	201937	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ABEYTA, GINNY			**20.00**		

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ABSOLUTE SURVEILLANCE					
	4/5/2010	880258	3,717.53		
				GPS VEH TRACKER-POLICE DEPT	988.56
				GPS VEH TRACKER-ACTIVATION	65.14
				GPS VEH TRACKER-SVC PLAN	2,085.39
				GPS VEH TRACKER-BATTERY	578.44
	Vendor Total		**3,717.53**		
FYTD for ABSOLUTE SURVEILLANCE			**3,717.53**		
ACCESS SECURITY CONTROLS INT., INC.					
	4/5/2010	201555	1,060.00		
				SEC MONITORING SVC-FAC STRG	75.00
				SEC MONITORING SVC-ERC	75.00
				SEC MONITORING SVC-ASES BLDG	75.00
				SEC MONITORING SVC-ASES BLDG	75.00
				SEC MONITORING SVC-FIRE INSPCT	760.00
	Vendor Total		**1,060.00**		
FYTD for ACCESS SECURITY CONTROLS INT., INC.			**13,182.59**		
ACCOUNTEMPS					
	4/5/2010	201556	828.00		
				TEMP SVCS-APODACA W/E 3/19	828.00
	4/12/2010	201832	905.25		
				TEMP SVCS-APODACA W/E 3/26	828.00
				TEMP SVCS-APODACA BKGRD	77.25
	4/19/2010	201938	839.50		
				TEMP SVCS-APODACA W/E 4/2	839.50
	4/26/2010	202098	828.00		
				TEMP SVCS-APODACA W/E 4/9	828.00
	Vendor Total		**3,400.75**		
FYTD for ACCOUNTEMPS			**10,438.75**		
ACE CASH EXPRESS #4116					
	4/5/2010	201557	141.26		
				REFUND-BUS LIC OVRPMT	141.26
	Vendor Total		**141.26**		
FYTD for ACE CASH EXPRESS #4116			**141.26**		
ACE FOOTWARE					
	4/19/2010	201939	24.19		
				REFUND-BUS LIC OVRPMT	24.19
	Vendor Total		**24.19**		
FYTD for ACE FOOTWARE			**24.19**		

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ACUNA, LUIS A.					
	4/5/2010	201558	1,166.40		
				REFUND-ADMIN CITATION FEES	1,166.40
	Vendor Total		**1,166.40**		
FYTD for ACUNA, LUIS A.			**1,166.40**		
ADAMS, MARK L.					
	4/5/2010	201783	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,187.30**		
ADLERHORST INTERNATIONAL INC.					
	4/12/2010	880327	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-MAX/LEX	283.34
	Vendor Total		**425.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**4,697.84**		
ADMINSURE					
	4/12/2010	201833	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**26,000.00**		
ADVANCED ELECTRIC					
	4/19/2010	201940	2,945.00		
				ELECT WORK-PARKS	900.00
				ELECT WORK-PARKS	238.00
				ELECT WORK-PARKS	343.00
				ELECT WORK-PARKS	62.00
				ELECT WORK-PARKS	514.00
				ELECT WORK-PARKS	187.00
				ELECT WORK-PARKS	253.00
				ELECT WORK-PARKS	183.00
				ELECT WORK-PARKS	203.00
				ELECT WORK-PARKS	62.00
	4/26/2010	202099	477.00		
				ELECT WORK-CFD#1	62.00
				ELECT WORK-CFD#1	415.00
	Vendor Total		**3,422.00**		
FYTD for ADVANCED ELECTRIC			**78,524.00**		

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ALCORN FENCE COMPANY					
	4/5/2010	201560	23.52		
				REFUND-BUS LIC OVRPMT	23.52
	Vendor Total		**23.52**		
FYTD for ALCORN FENCE COMPANY			**23.52**		
ALICEA, RICHARD					
	4/19/2010	201941	155.50		
				MILEAGE REIMBURSEMENT	74.50
				MILEAGE REIMBURSEMENT	81.00
	Vendor Total		**155.50**		
FYTD for ALICEA, RICHARD			**543.85**		
ALL DISCOUNT INSURANCE SERVICE, INC.					
	4/5/2010	201561	97.50		
				REFUND-BUS LIC OVRPMT	97.50
	Vendor Total		**97.50**		
FYTD for ALL DISCOUNT INSURANCE SERVICE, INC.			**97.50**		
ALLEY, ERIN					
	4/26/2010	202101	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ALLEY, ERIN			**20.00**		
ALLIANCE RESOURCE CONSULTING, LLC					
	4/5/2010	201562	7,260.75		
				EXEC RECRUITMENT SVCS	7,260.75
	Vendor Total		**7,260.75**		
FYTD for ALLIANCE RESOURCE CONSULTING, LLC			**7,260.75**		
ALLIANT INSURANCE SERVICES, INC.					
	4/5/2010	201563	1,361.08		
				INSURANCE-SPCL EVENTS	1,361.08
	Vendor Total		**1,361.08**		
FYTD for ALLIANT INSURANCE SERVICES, INC.			**10,003.88**		
ALLIANZ LIFE INSURANCE CO					
	4/12/2010	201834	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**750.00**		

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AMERICAN BUILDING MAINTENANCE CO				
4/19/2010	201942	46.42		
			REFUND-BUS LIC OVRPMT	46.42
Vendor Total		**46.42**		
FYTD for AMERICAN BUILDING MAINTENANCE CO		**46.42**		
AMERICAN FORENSIC NURSES				
4/12/2010	880328	583.00		
			BLOOD DRAWS	583.00
4/19/2010	880349	93.40		
			BLOOD DRAWS	93.40
4/26/2010	880376	513.50		
			BLOOD DRAWS	513.50
Vendor Total		**1,189.90**		
FYTD for AMERICAN FORENSIC NURSES		**21,750.30**		
AMERICAN PUBLIC POWER ASSOCIATION				
4/19/2010	201943	3,975.21		
			MEMBERSHIP DUES-59815	662.54
			MEMBERSHIP DUES-59815	3,312.67
Vendor Total		**3,975.21**		
FYTD for AMERICAN PUBLIC POWER ASSOCIATION		**3,975.21**		
AMERICAN QUICK PRINTING				
4/19/2010	202090	2,175.00		
			ANML CNTRL NOTICES	2,175.00
Vendor Total		**2,175.00**		
FYTD for AMERICAN QUICK PRINTING		**3,994.83**		
AMERICAN ROTARY BROOM CO.				
4/5/2010	201564	3,310.02		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	1,189.62
			STREET SWEEPING BROOM KITS	1,180.15
			STREET SWEEPING BROOM KITS	447.16
4/26/2010	202102	1,656.92		
			STREET SWEEPING BROOM KITS	604.88
			STREET SWEEPING BROOM KITS	716.67
			STREET SWEEPING BROOM KITS	335.37
Vendor Total		**4,966.94**		
FYTD for AMERICAN ROTARY BROOM CO.		**29,921.61**		

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AMTECH ELEVATOR SERVICES					
	4/19/2010	201944	118.37		
				ELEVATOR SVC-CITY HALL	118.37
	Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES			**1,700.41**		
ANAYA, KIM REYE					
	4/19/2010	201945	254.50		
				TRAVEL EXP-BOOST CONFERENCE	48.00
				TRAVEL EXP-BOOST CONFERENCE	206.50
	4/26/2010	202103	45.50		
				MILEAGE REIMBURSEMENT	45.50
	Vendor Total		**300.00**		
FYTD for ANAYA, KIM REYE			**335.00**		
ANDREWS-BAKER, SUE					
	4/12/2010	201835	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	4/19/2010	201946	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**150.00**		
FYTD for ANDREWS-BAKER, SUE			**525.00**		
ANGELA NAILS & SPA					
	4/5/2010	201565	46.60		
				REFUND-BUS LIC OVRPMT	46.60
	Vendor Total		**46.60**		
FYTD for ANGELA NAILS & SPA			**46.60**		
ANIMAL EMERGENCY CLINIC, INC.					
	4/19/2010	202091	350.00		
				EMERGENCY VET SVCS	75.00
				EMERGENCY VET SVCS	70.00
				EMERGENCY VET SVCS	75.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	75.00
	Vendor Total		**350.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**4,534.00**		

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ANIMAL PEST MANAGEMENT SERVICES, INC.					
	4/5/2010	201566	600.00		
				PEST CNTRL-BEE RMVL AT BAYSIDE	300.00
				EMERG BEE RMVL-CRC	300.00
	4/26/2010	202104	2,290.00		
				PEST CNTRL-PARKS	665.00
				PEST CNTRL-PARKS	255.00
				PEST CNTRL-MARCH FLD	330.00
				PEST CNTRL-PAL	100.00
				PEST CNTRL-CFD #1	160.00
				PEST CNTRL-GLF CRS	180.00
				PEST CNTRL-STARS BLDG	100.00
				PEST CNTRL-PARKS	100.00
				PEST CNTRL-PARKS	200.00
				PEST CNTRL-PARKS	200.00
	Vendor Total		**2,890.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**20,000.00**		
ARBY'S					
	4/5/2010	201567	84.11		
				REFUND-BUS LIC OVRPMT	84.11
	Vendor Total		**84.11**		
FYTD for ARBY'S			**84.11**		
ARCHER, TRAVIS					
	4/12/2010	201836	210.00		
				REFUND-CITATION OVRPMT	210.00
	Vendor Total		**210.00**		
FYTD for ARCHER, TRAVIS			**210.00**		
ARCHITECTURAL DESIGN & SIGN, INC.					
	4/5/2010	201568	49.49		
				REFUND-BUS LIC OVRPMT	49.49
	Vendor Total		**49.49**		
FYTD for ARCHITECTURAL DESIGN & SIGN, INC.			**49.49**		
ARCHIVE MANAGEMENT SERVICE					
	4/19/2010	201947	1,365.53		
				OFFSITE STORAGE-CITY CLERKS	1,365.53
	Vendor Total		**1,365.53**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**13,343.69**		

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ARCO AM/PM - CAR WASH					
	4/5/2010	201569	30.28		
				REFUND-BUS LIC OVRPMT	30.28
	Vendor Total		**30.28**		
FYTD for ARCO AM/PM - CAR WASH			**30.28**		
AREA0WEST FENCE CO					
	4/19/2010	201948	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for AREA0WEST FENCE CO			**25.00**		
ARROWHEAD WATER					
	4/5/2010	201570	150.00		
				WTR PURIF RNTL-ANML SHLTR	50.00
				WTR PURIF RNTL-SR CTR	25.00
				WTR PURIF RNTL-SPCL DIST	25.00
				WTR PURIF RNTL-TECH SVCS	25.00
				WTR PURIF RNTL-CRC	25.00
	4/12/2010	201837	25.00		
				WTR PURIF RNTL-FAC ANNX	25.00
	4/19/2010	201949	25.00		
				WTR PURIF RNTL-STARS	25.00
	4/26/2010	202105	340.78		
				WTR PURIF RNTL-CITY HALL	125.01
				WTR PURIF RNTL-CITY YARD	25.00
				WTR PURIF RNTL-TRNS TRLR	25.00
				WTR PURIF RNTL-LIBRARY	25.00
				WTR PURIF RNTL-FS #6	25.00
				WTR PURIF RNTL-FS #48	25.00
				WTR PURIF RNTL-FS #2	25.00
				WTR PURIF RNTL-FS #58	15.77
				WTR PURIF RNTL-FS #91	25.00
				WTR PURIF RNTL-FS #65	25.00
	Vendor Total		**540.78**		
FYTD for ARROWHEAD WATER			**5,563.57**		
ASHLEY, THOMAS					
	4/26/2010	202106	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for ASHLEY, THOMAS			**50.00**		

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ASIAN IMPORT MARKET					
	4/5/2010	201571	67.94		
				REFUND-BUS LIC OVRPMT	67.94
	Vendor Total		**67.94**		
FYTD for ASIAN IMPORT MARKET			**67.94**		
ASSOCIATED ENGINEERS, INC.					
	4/19/2010	201950	20,520.00		
				HEACOCK ST WIDENING PROJ SVCS	20,520.00
	Vendor Total		**20,520.00**		
FYTD for ASSOCIATED ENGINEERS, INC.			**56,874.11**		
ASSOCIATION'S EQUITY MANAGEMENT, INC					
	4/19/2010	201951	22.97		
				REFUND-BUS LIC OVRPMT	22.97
	Vendor Total		**22.97**		
FYTD for ASSOCIATION'S EQUITY MANAGEMENT, INC			**22.97**		
AT&T MOBILITY					
	4/5/2010	201572	92.35		
				COMMUNICATION SVCS-MBL CMMND	92.35
	4/26/2010	202107	92.42		
				COMMUNICATION SVCS	92.42
	Vendor Total		**184.77**		
FYTD for AT&T MOBILITY			**1,011.62**		
AT&T/MCI					
	4/12/2010	201838	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**1,836.88**		
AVILA, GRISELDA					
	4/19/2010	201952	56.00		
				REFUND-ANML SVCS FEES	30.00
				REFUND-ANML SVCS FEES	10.00
				REFUND-ANML SVCS FEES	16.00
	Vendor Total		**56.00**		
FYTD for AVILA, GRISELDA			**56.00**		
BACHER, GRACE					
	4/5/2010	201574	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,436.81**		

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BARNES, DARLENE					
	4/5/2010	201784	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,115.56**		
BARON POOL PLASTERING OF SO. CA.					
	4/5/2010	201575	26.93		
				REFUND-BUS LIC OVRPMT	26.93
	Vendor Total		**26.93**		
FYTD for BARON POOL PLASTERING OF SO. CA.			**26.93**		
BASIC BACKFLOW					
	4/5/2010	201576	30.00		
				BACKFLOW TESTING	30.00
	Vendor Total		**30.00**		
FYTD for BASIC BACKFLOW			**1,324.65**		
BATTERYZONE, INC.					
	4/26/2010	202108	3,475.12		
				BATTERIES-POLICE DEPT	3,400.00
				BATTERIES-SALES TAX	297.50
				BATTERIES-SHIPPING	75.12
				BATTERIES-SALES TAX ACCRUAL	-297.50
	Vendor Total		**3,475.12**		
FYTD for BATTERYZONE, INC.			**3,475.12**		
BEAR VALLEY CLEANERS					
	4/19/2010	201953	90.92		
				REFUND-BUS LIC OVRPMT	90.92
	Vendor Total		**90.92**		
FYTD for BEAR VALLEY CLEANERS			**90.92**		
BECKNER, PATRICK					
	4/5/2010	201577	923.70		
				RETIREE MEDICAL BENEFIT	923.70
	Vendor Total		**923.70**		
FYTD for BECKNER, PATRICK			**1,750.10**		
BELLING, JESSICA A.					
	4/5/2010	201578	914.08		
				REFUND-ADMIN CITATION FEES	914.08
	Vendor Total		**914.08**		
FYTD for BELLING, JESSICA A.			**914.08**		

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BEMUS LANDSCAPE, INC.					
	4/5/2010	201579	162.48		
				IRRIG DMG REPAIRS-EOC PROJECT	162.48
	4/12/2010	201839	17,984.66		
				LANDSCAPE MAINT-E4	35.57
				LANDSCAPE MAINT-E4	935.50
				LANDSCAPE MAINT-E4	92.32
				LANDSCAPE MAINT-E4	193.92
				LANDSCAPE MAINT-E4	101.68
				LANDSCAPE MAINT-E4	77.25
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-E3A	429.25
				IRRIG DMG REPAIR-PSB CONV PROJ	100.57
	Vendor Total		**18,147.14**		
FYTD for BEMUS LANDSCAPE, INC.			**405,497.56**		
BEN BLUE DVM, MS					
	4/12/2010	201840	740.00		
				EMERG VET SVCS	550.00
				EMERG VET SVCS	190.00
	4/26/2010	202110	195.00		
				EMERG VET SVCS	195.00
	Vendor Total		**935.00**		
FYTD for BEN BLUE DVM, MS			**935.00**		
BENESYST					
	4/19/2010	880352	20.13		
				COBRA SUBSIDY-APR2010	14.43
				COBRA SUBSIDY-APR2010	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**40.26**		
BENESYST, INC.					
	4/26/2010	202111	470.34		
				FLEX ADMIN SVCS	225.34
				FLEX ADMIN SVCS	245.00
	Vendor Total		**470.34**		
FYTD for BENESYST, INC.			**4,988.66**		
BENFORD, MICHAEL					
	4/26/2010	202112	65.00		
				REFUND-RNTL DEP	65.00
	Vendor Total		**65.00**		
FYTD for BENFORD, MICHAEL			**65.00**		

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BEST, BEST & KRIEGER, LLP					
	4/12/2010	201841	183.00		
				LEGAL SVCS	115.50
				LEGAL SVCS	67.50
	4/26/2010	202113	130.54		
				LEGAL SVCS	52.50
				LEGAL SVCS	68.35
				LEGAL SVCS	9.69
	Vendor Total		**313.54**		
FYTD for BEST, BEST & KRIEGER, LLP			**13,389.64**		
BEVILLE'S AIR CONDITIONING					
	4/5/2010	201580	40.75		
				REFUND-BUS LIC OVRPMT	40.75
	Vendor Total		**40.75**		
FYTD for BEVILLE'S AIR CONDITIONING			**40.75**		
BIO-TOX LABORATORIES					
	4/19/2010	201954	3,689.98		
				TOXICOLOGY TESTS	407.07
				TOXICOLOGY TESTS	1,258.01
				TOXICOLOGY TESTS	2,024.90
	Vendor Total		**3,689.98**		
FYTD for BIO-TOX LABORATORIES			**36,199.25**		
BITS BYTES & MORE					
	4/19/2010	201955	70.93		
				REFUND-BUS LIC OVRPMT	70.93
	Vendor Total		**70.93**		
FYTD for BITS BYTES & MORE			**70.93**		
BLUE SHIELD OF CALIFORNIA					
	4/19/2010	201956	522.87		
				HEALTH INS PREMIUM	278.85
				HEALTH INS PREMIUM	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,158.80**		
BOBO II, FELIX					
	4/5/2010	201581	71.00		
				MILEAGE REIMBURSEMENT	71.00
	4/26/2010	202114	62.00		
				MILEAGE REIMBURSEMENT	62.00
	Vendor Total		**133.00**		
FYTD for BOBO II, FELIX			**631.15**		

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BP WEST COAST PRODUCTS, LLC				
4/5/2010	201582	57.29		
			REFUND-BUS LIC OVRPMT	23.11
			REFUND-BUS LIC OVRPMT	34.18
Vendor Total		**57.29**		
FYTD for BP WEST COAST PRODUCTS, LLC		**147.09**		
BPS TACTICAL, INC				
4/26/2010	202115	18.49		
			PATCHES-POLICE DEPT	8.70
			PATCHES-POLICE DEPT	9.79
Vendor Total		**18.49**		
FYTD for BPS TACTICAL, INC		**39.07**		
BRITO, TRACY				
4/12/2010	201842	37.00		
			REFUND-SHELTER FEE	37.00
Vendor Total		**37.00**		
FYTD for BRITO, TRACY		**37.00**		
BROOKS, KEMETHRA				
4/19/2010	201957	122.00		
			REFUND-MATH REGIST	122.00
Vendor Total		**122.00**		
FYTD for BROOKS, KEMETHRA		**122.00**		
BUCKINGHAM, STAN				
4/5/2010	201583	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN		**1,274.92**		
BURLINGTON COAT FACTORY OF CA, LLC				
4/5/2010	201584	1,977.50		
			REFUND-BUS LIC OVRPMT	1,977.50
Vendor Total		**1,977.50**		
FYTD for BURLINGTON COAT FACTORY OF CA, LLC		**1,977.50**		
C H J INC.				
4/5/2010	201585	44.10		
			REFUND-BUS LIC OVRPMT	44.10
Vendor Total		**44.10**		
FYTD for C H J INC.		**44.10**		

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CA STATE TEACHER'S RETIREMENT SYSTEM					
	4/13/2010	1004051	12,170.22		
				ANNL LTR/CREDT 97 CH REFI COPS	12,170.22
	Vendor Total		**12,170.22**		
FYTD for CA STATE TEACHER'S RETIREMENT SYSTEM			**12,170.22**		
CAIN, GREGORY					
	4/5/2010	201785	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**2,549.85**		
CALAVERAS STANDARD MATERIALS					
	4/26/2010	202116	747.23		
				CEMENT PURCHASE	747.23
	Vendor Total		**747.23**		
FYTD for CALAVERAS STANDARD MATERIALS			**20,117.98**		
CALIFORNIA BUILDING STANDARDS COMMISSION					
	4/12/2010	201843	639.90		
				PERMIT VALUATION FEES	639.90
	Vendor Total		**639.90**		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION			**2,244.60**		
CALIFORNIA DEPARTMENT OF FISH AND GAME					
	4/5/2010	201586	560.25		
				MAJOR AMENDMNT FEE-SR60/NASON	560.25
	Vendor Total		**560.25**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**5,810.25**		
CALIFORNIA POOLS & SPAS, INC.					
	4/19/2010	201958	48.15		
				REFUND-BUS LIC OVRPMT	48.15
	Vendor Total		**48.15**		
FYTD for CALIFORNIA POOLS & SPAS, INC.			**48.15**		
CALIFORNIA WATERSHED ENGINEERING CORP.					
	4/26/2010	880377	500.25		
				PROF SVCS-PA090025	500.25
	Vendor Total		**500.25**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.			**2,271.75**		

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CALVARY CHAPEL OF MORENO VALLEY					
	4/19/2010	201959	100.00		
				REFUND-RNTL DEP	100.00
	Vendor Total		**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY			**100.00**		
CANNON, ANA M.					
	4/5/2010	201587	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**1,274.92**		
CANON FINANCIAL SERVICES, INC.					
	4/5/2010	201588	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**75,906.80**		
CARBONE, GABRIELA					
	4/26/2010	202117	132.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	132.00
	Vendor Total		**132.00**		
FYTD for CARBONE, GABRIELA			**513.00**		
CARTER, ROSALYN					
	4/5/2010	201786	594.00		
				RETIREE MEDICAL BENEFIT	594.00
	Vendor Total		**594.00**		
FYTD for CARTER, ROSALYN			**2,766.36**		
CASKEY, DEBRA C.					
	4/5/2010	201787	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CASKEY, DEBRA C.			**2,549.85**		
CERTIFIED CREDIT REPORTING, INC					
	4/19/2010	201960	18.33		
				CREDIT PROFILE SVCS	18.33
	Vendor Total		**18.33**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**196.18**		

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CHANCY, CHIZURU					
	4/26/2010	202118	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DNC	93.60
				INSTRUCTOR SVCS-HAWAIIAN DNC	46.80
				INSTRUCTOR SVCS-HAWAIIAN DNC	23.40
	Vendor Total		**163.80**		
FYTD for CHANCY, CHIZURU			**1,427.40**		
CHANDLER ASSET MANAGEMENT, INC					
	4/19/2010	880353	6,919.00		
				INVESTMENT MGT SVCS	6,919.00
	Vendor Total		**6,919.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**6,919.00**		
CHAPMAN, STEVE					
	4/5/2010	201589	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,187.30**		
CHAPPELL, ISAAC					
	4/5/2010	201590	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,187.30**		
CHAVEZ, ANGELA/JOSE					
	4/5/2010	201591	30.00		
				REFUND ANML SVCS FEES	20.00
				REFUND-ANML SVCS FEES	10.00
	Vendor Total		**30.00**		
FYTD for CHAVEZ, ANGELA/JOSE			**30.00**		
CHERRY VALLEY FEED					
	4/19/2010	201961	115.05		
				DOG FOOD-K9 MAX	115.05
	Vendor Total		**115.05**		
FYTD for CHERRY VALLEY FEED			**1,677.84**		
CHINESE GOURMET					
	4/19/2010	201962	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for CHINESE GOURMET			**57.00**		

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CHRISTIAN, OWEN					
	4/5/2010	201788	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,220.76**		
CHULA VISTA POLICE FOUNDATION					
	4/19/2010	201963	150.00		
				SO. CA GANG CONF.-MAY 27-28	50.00
				SO. CA GANG CONF.-MAY 27-28	50.00
				SO. CA GANG CONF.-MAY 27-28	50.00
	Vendor Total		**150.00**		
FYTD for CHULA VISTA POLICE FOUNDATION			**150.00**		
CINDY FARRAR FAMILY DAYCARE					
	4/5/2010	201592	26.43		
				REFUND-BUS LIC OVRPMT	26.43
	Vendor Total		**26.43**		
FYTD for CINDY FARRAR FAMILY DAYCARE			**26.43**		

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CINTAS CORPORATION					
	4/5/2010	201594	307.00		
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-MAINT CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	16.82
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STREET MAINT	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	44.28
				UNIFORM RNTL SVC-STREET MAINT	44.28
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-CONCRETE MNT	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-STRIPING CREW	13.85
				UNIFORM RNTL SVC-FAC MAINT	16.65
				UNIFORM RNTL SVC-FAC MAINT	16.65
	4/12/2010	201845	210.63		
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PURCHASING	3.96
				UNIFORM RNTL SVCS-PARKS MAINT	53.01
				UNIFORM RNTL SVCS-PARKS MAINT	53.01
				UNIFORM RNTL SVCS-TRFFC MAINT	11.23
				UNIFORM RNTL SVCS-TRFFC MAINT	11.23
				UNIFORM RNTL SVCS-SIGNING CREW	13.85
				UNIFORM RNTL SVCS-SIGNING CREW	13.85
				UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
				UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
				UNIFORM RNTL SVCS-FAC MAINT	16.65
	4/19/2010	201964	80.64		
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-CFD STAFF	10.98
				UNIFORM RNTL SVC-FAC MAINT	16.65
	4/26/2010	202120	928.33		
				UNIFORM RNTL SVC-ST MAINT	428.40
				UNIFORM RNTL SVC-ST MAINT	41.49
				UNIFORM RNTL SVC-ST MAINT	86.49
				UNIFORM RNTL SVC-ST MAINT	66.49
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85
				UNIFORM RNTL SVC-GOLF CRS	5.85

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS	53.01
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
	Vendor Total	**1,526.60**		
FYTD for CINTAS CORPORATION		**6,590.70**		
CITY OF MORENO VALLEY VEBA TRUST				
4/12/2010	880329	4,062.50		
			EXEMPT VEBA	4,062.50
	Vendor Total	**4,062.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**42,162.50**		
CIVICSTONE				
4/12/2010	880330	255.00		
			CONSULTING SVCS	255.00
	Vendor Total	**255.00**		
FYTD for CIVICSTONE		**9,710.90**		
CLAYTON, SIMONNE				
4/5/2010	201595	20.00		
			REFUND-RABIES FEE DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CLAYTON, SIMONNE		**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CLINICA MEDICA PARA TODOS					
	4/5/2010	201596	90.54		
				REFUND-BUS LIC OVRPMT	90.54
	Vendor Total		**90.54**		
FYTD for CLINICA MEDICA PARA TODOS			**90.54**		
CNOA REGION V					
	4/5/2010	201597	135.00		
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
				4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
	Vendor Total		**135.00**		
FYTD for CNOA REGION V			**675.00**		
COAST SIGN INC					
	4/19/2010	201965	47.79		
				REFUND-BUS LIC OVRPMT	47.79
	Vendor Total		**47.79**		
FYTD for COAST SIGN INC			**47.79**		
COLONIAL SUPPLEMENTAL INSURANCE					
	4/26/2010	202121	7,137.63		
				SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**79,053.78**		
COM DOOR & HARDWARE, INC					
	4/19/2010	201966	79.53		
				REFUND-BUS LIC OVRPMT	79.53
	Vendor Total		**79.53**		
FYTD for COM DOOR & HARDWARE, INC			**79.53**		
COMMUNITY HEALTH CHARITIES					
	4/12/2010	201846	151.47		
				CHC CONTRIBUTIONS	151.47
	4/26/2010	202122	151.47		
				CHC CONTRIBUTIONS	151.47
	Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES			**8,018.43**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMPETITIVE STRIDE					
	4/5/2010	201598	1,489.88		
				SPORTS AWARDS	1,489.88
	4/19/2010	201967	1,007.84		
				SPORTS AWARDS	1,007.84
	Vendor Total		**2,497.72**		
FYTD for COMPETITIVE STRIDE			**5,136.38**		
CONTINUING EDUCATION OF THE BAR					
	4/12/2010	201847	137.89		
				LEGAL SUBSCRIPTION	137.89
	Vendor Total		**137.89**		
FYTD for CONTINUING EDUCATION OF THE BAR			**785.87**		
COSTCO					
	4/5/2010	201599	1,505.27		
				MISC SUPPLIES-CHILDS PLC	1,505.27
	4/12/2010	201848	366.53		
				MISC SUPPLIES-SKT PARK	366.53
	4/19/2010	201969	1,331.24		
				MISC SUPPLIES-STARS	58.84
				MISC SUPPLIES-STARS	107.56
				MISC SUPPLIES-STARS	65.68
				MISC SUPPLIES-STARS	165.59
				MISC SUPPLIES-STARS	67.07
				MISC SUPPLIES-STARS	205.22
				MISC SUPPLIES-EDD	661.28
	4/26/2010	202123	397.54		
				MISC SUPPLIES-CHILDS PLC	77.13
				MISC SUPPLIES-STARS	87.76
				MISC SUPPLIES-STARS	140.03
				MISC SUPPLIES-STARS	92.62
	Vendor Total		**3,600.58**		
FYTD for COSTCO			**45,321.91**		
COSTILOW, MARY JO					
	4/12/2010	201849	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for COSTILOW, MARY JO			**54.50**		

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COUNSELING TEAM, THE					
	4/12/2010	201850	1,250.00		
				EMPLOYEE CNSLNG SVCS	1,250.00
	4/26/2010	202124	1,250.00		
				EMPLOYEE CNSLNG SVCS	1,250.00
	Vendor Total		**2,500.00**		
FYTD for COUNSELING TEAM, THE			**12,500.00**		
COUNTRY SQUIRE ESTATES					
	4/19/2010	201970	165.72		
				REFUND-UT USER TAXES	90.98
				REFUND-UT USER TAXES	74.74
	Vendor Total		**165.72**		
FYTD for COUNTRY SQUIRE ESTATES			**609.13**		
COUNTY OF RIVERSIDE - RMAP					
	4/12/2010	201851	41.25		
				RECORDATION RQSTS	41.25
	Vendor Total		**41.25**		
FYTD for COUNTY OF RIVERSIDE - RMAP			**366.60**		
COUNTY OF RIVERSIDE AUDITOR					
	4/5/2010	201600	8,246.00		
				PARKING CNTRL FEES	6,320.00
				PARKING CNTRL FEES	1,926.00
	Vendor Total		**8,246.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**95,804.95**		
CRANE ARCHITECTURAL GROUP					
	4/12/2010	201852	2,405.00		
				PUB SFTY BLDG CONVERSION PROJ	1,715.00
				PUB SFTY BLDG CONVERSION PROJ	690.00
	Vendor Total		**2,405.00**		
FYTD for CRANE ARCHITECTURAL GROUP			**6,700.00**		
CROWN CASTLE MU, LLC					
	4/5/2010	201601	31.30		
				REFUND-BUS LIC OVRPMT	31.30
	Vendor Total		**31.30**		
FYTD for CROWN CASTLE MU, LLC			**31.30**		

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CTAI PACIFIC GREENSCAPE				
4/26/2010	880378	4,997.03		
			LANDSCAPE MAINT-DSG1W	4,897.13
			LANDSCAPE MAINT-DSG1W	75.15
			LANDSCAPE MAINT-DSG1W	24.75
	Vendor Total	**4,997.03**		
FYTD for CTAI PACIFIC GREENSCAPE		**52,011.07**		
CUEVAS, KATIE				
4/19/2010	201971	37.60		
			REFUND-TIME FOR TOTS	37.60
	Vendor Total	**37.60**		
FYTD for CUEVAS, KATIE		**37.60**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
4/19/2010	201972	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**7,600.00**		
D & S CONSTRUCTION				
4/5/2010	201602	75.00		
			REFUND-BUS LIC OVRPMT	75.00
	Vendor Total	**75.00**		
FYTD for D & S CONSTRUCTION		**75.00**		
D L S LANDSCAPE, INC				
4/5/2010	201603	29.38		
			REFUND-BUS LIC OVRPMT	29.38
	Vendor Total	**29.38**		
FYTD for D L S LANDSCAPE, INC		**29.38**		
DAILY JOURNAL CORPORATION				
4/5/2010	201604	753.64		
			SUBSCRIPTION RNWL-LADJ	753.64
	Vendor Total	**753.64**		
FYTD for DAILY JOURNAL CORPORATION		**6,349.64**		
DALE, KATHLEEN				
4/5/2010	201789	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for DALE, KATHLEEN		**3,158.54**		

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DANIEL'S PHARMACY					
	4/5/2010	201605	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for DANIEL'S PHARMACY			**57.00**		
DATA TICKET, INC.					
	4/5/2010	880266	22,543.54		
				CITATION PRCSSNG-PD	6,883.50
				CITATION PRCSSNG-PD	3,242.29
				CITATION PRCSSNG-PD	4,391.37
				CITATION PRCSSNG-BLDG/SFTY	240.50
				CITATION PRCSSNG-BLDG/SFTY	284.32
				CITATION PRCSSNG-CODE	7,396.56
				CITATION APPLIC MAINT/SUPPORT	105.00
	4/12/2010	880331	5,477.25		
				CITATION PRCSSNG-CODE	945.10
				CITATION PRCSSNG-CODE	1,467.51
				CITATION PRCSSNG-CODE	1,519.82
				CITATION PRCSSNG-BLDG/SFTY	1,544.82
	4/26/2010	880379	4,629.33		
				CITATION PRCSSNG-CODE	2,462.75
				CITATION PRCSSNG-CODE	2,166.58
	Vendor Total		**32,650.12**		
FYTD for DATA TICKET, INC.			**155,174.52**		
DATAQUICK CORPORATE HEADQUARTERS					
	4/26/2010	202126	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,205.00**		
DAVID EVANS & ASSOCIATES, INC.					
	4/5/2010	201606	372.50		
				SUNNYMD BLVD REVIT PROJ SVCS	372.50
	4/26/2010	202127	7,207.50		
				SUNNYMD BLVD REVIT PROJ SVCS	7,207.50
	Vendor Total		**7,580.00**		
FYTD for DAVID EVANS & ASSOCIATES, INC.			**26,554.59**		
DEBINAIRE COMPANY					
	4/5/2010	201607	375.00		
				BOILER MAINT-CITY HALL	140.00
				BOILER MAINT-PSB	140.00
				BOILER MAINT-CRC	95.00
	Vendor Total		**375.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		

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DEERY AMERICAN CORP					
	4/19/2010	880354	18,947.86		
				SEALANT FOR CRACK SEALING PRGM	17,421.75
				FREIGHT CHARGE	1,580.00
				SEALANT FOR CRACK SEALING PRGM	26.33
				.50% USE TAX ACCRUAL	-80.22
	Vendor Total		**18,947.86**		
FYTD for DEERY AMERICAN CORP			**37,224.32**		
DELTA DENTAL					
	4/5/2010	201608	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**114,223.80**		
DELTACARE USA					
	4/12/2010	201853	6,388.50		
				EMPLOYEE DENTAL INSURANCE	6,388.50
	Vendor Total		**6,388.50**		
FYTD for DELTACARE USA			**67,276.71**		
DENNIS GRUBB & ASSOCIATES, LLC					
	4/5/2010	880267	800.00		
				PLAN REVIEW SVCS-FIRE	800.00
	Vendor Total		**800.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**9,685.00**		
DENNIS ORTIZ - RENTALS					
	4/19/2010	201973	89.73		
				REFUND-BUS LIC OVRPMT	89.73
	Vendor Total		**89.73**		
FYTD for DENNIS ORTIZ - RENTALS			**89.73**		
DEPARTMENT OF CONSERVATION					
	4/12/2010	201854	1,292.37		
				SMI FEES LESS RETAINAGE	1,360.39
				SMI FEES LESS RETAINAGE	-68.02
	Vendor Total		**1,292.37**		
FYTD for DEPARTMENT OF CONSERVATION			**4,423.15**		
DEPARTMENT OF ENVIRONMENTAL HEALTH					
	4/19/2010	201974	274.00		
				HEALTH PERMIT FEE	274.00
	Vendor Total		**274.00**		
FYTD for DEPARTMENT OF ENVIRONMENTAL HEALTH			**482.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DESTINY DANCEWEAR, INC				
4/5/2010	201609	17.94		
			REFUND-BUS LIC OVRPMT	17.94
Vendor Total		**17.94**		
FYTD for DESTINY DANCEWEAR, INC		**17.94**		
DEXTER, TIMOTHY L.				
4/5/2010	201610	1,851.00		
			REFUND-ADMIN CITATION FEES	651.00
			REFUND-ADMIN CITATION FEES	1,200.00
Vendor Total		**1,851.00**		
FYTD for DEXTER, TIMOTHY L.		**1,851.00**		
DISTINCTIVELY YOURS				
4/26/2010	202129	150.08		
			EMPLOYEE UNIFORM-PW	150.08
Vendor Total		**150.08**		
FYTD for DISTINCTIVELY YOURS		**150.08**		
DISTINGUISHED FLYING CROSS SOCIETY				
4/26/2010	202130	30.00		
			GROUND BREAKING-AIR MUSEUM	10.00
			GROUND BREAKING-AIR MUSEUM	10.00
			GROUND BREAKING-AIR MUSEUM	10.00
Vendor Total		**30.00**		
FYTD for DISTINGUISHED FLYING CROSS SOCIETY		**30.00**		
DOLEX DOLLAR EXPRESS, INC				
4/5/2010	201611	24.45		
			REFUND-BUS LIC OVRPMT	24.45
Vendor Total		**24.45**		
FYTD for DOLEX DOLLAR EXPRESS, INC		**24.45**		
DONAHUE APPRAISAL ASSOCIATES				
4/26/2010	880380	11,820.00		
			PERRIS BLVD WIDENING PROJ SVCS	9,100.00
			PERRIS BLVD WIDENING PROJ SVCS	2,720.00
Vendor Total		**11,820.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES		**62,300.00**		
DORY, ALLEEN F.				
4/5/2010	201612	415.53		
			RETIREE MEDICAL BENEFIT	194.53
			RETIREE MEDICAL BENEFIT	221.00
Vendor Total		**415.53**		
FYTD for DORY, ALLEEN F.		**2,974.14**		

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DREXLER, DAVID					
	4/15/2010	201931	325.00		
				PER DIEM-ECONOMIC CRIMES CLASS	325.00
	Vendor Total		**325.00**		
FYTD for DREXLER, DAVID			**520.00**		
DURAN, BLANCA					
	4/12/2010	201855	315.00		
				INSTRUCTOR SVCS-FOLKLORIC DNC	173.00
				INSTRUCTOR SVCS-FOLKLORIC DNC	142.00
	Vendor Total		**315.00**		
FYTD for DURAN, BLANCA			**2,226.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	4/5/2010	201613	774.84		
				BACKFLOW RPLCMNT-MATERIAL	532.82
				BACKFLOW RPLCMNT-LABOR	170.00
				BACKFLOW RPLCMNT-MATERIAL	35.62
				BACKFLOW TESTING	36.40
	4/12/2010	201856	145.60		
				BACKFLOW TESTING	145.60
	4/26/2010	202131	691.60		
				BACKFLOW TESTING-E1	72.80
				BACKFLOW TESTING-E2	436.80
				BACKFLOW TESTING-E15	36.40
				BACKFLOW TESTING-ZN M	36.40
				BACKFLOW TESTING-DSG1	72.80
				BACKFLOW TESTING-ZN S	36.40
	Vendor Total		**1,612.04**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,106.39**		
EAGLETIME COUNSELING SERVICES					
	4/19/2010	201975	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for EAGLETIME COUNSELING SERVICES			**25.00**		
EARLY, PAUL					
	4/26/2010	202132	177.00		
				PER DIEM-LCC ATTYS SPRING CONF	177.00
	Vendor Total		**177.00**		
FYTD for EARLY, PAUL			**177.00**		

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EASTERN MUNICIPAL WATER DISTRICT					
	4/5/2010	201614	7,349.26		
				WATER CHRGS-EMERG OPS CTR PROJ	331.70
				WATER CHRGS FOR FEBRUARY	51.68
				WATER CHRGS FOR MARCH	66.28
				WATER CHRGS FOR MARCH	319.55
				WATER CHRGS FOR MARCH	1,280.09
				WATER CHRGS FOR MARCH	48.27
				WATER CHRGS FOR MARCH	1,611.64
				WATER CHRGS FOR MARCH	1,172.35
				WATER CHRGS FOR MARCH	1,399.00
				WATER CHRGS FOR MARCH	14.45
				WATER CHRGS FOR MARCH	213.96
				WATER CHRGS FOR MARCH	303.84
				WATER CHRGS FOR MARCH	66.19
				RCLMD WATER-DRAIN MAINT PRGM	60.75
				RCLMD WATER-ST. SWEEPING PRGM	60.75
				RCLMD WATER-ST. SWEEPING PRGM	260.74
				RCLMD WATER-STREET MAINT PRGM	88.02
	4/12/2010	201857	16,638.04		
				WATER CHRGS FOR MARCH	74.81
				WATER CHRGS FOR MARCH	1,525.25
				WATER CHRGS FOR MARCH	38.40
				WATER CHRGS FOR MARCH	2,415.34
				WATER CHRGS FOR MARCH	6,954.75
				WATER CHRGS FOR MARCH	1,938.39
				WATER CHRGS FOR MARCH	1,337.84
				WATER CHRGS FOR MARCH	642.23
				WATER CHRGS FOR MARCH	927.94
				WATER CHRGS FOR MARCH	181.59
				WATER CHRGS FOR MARCH	162.11
				WATER CHRGS FOR MARCH	245.24
				WATER CHRGS FOR MARCH	139.66
				WATER CHRGS FOR MARCH	54.49
	4/26/2010	202133	14,313.80		
				WATER CHRGS FOR MARCH	278.32
				WATER CHRGS FOR MARCH	5,328.11
				WATER CHRGS FOR MARCH	1,667.71
				WATER CHRGS FOR MARCH	2,563.91
				WATER CHRGS FOR MARCH	274.62
				WATER CHRGS FOR MARCH	1,796.36
				WATER CHRGS FOR MARCH	1,332.81
				WATER CHRGS FOR MARCH	225.13
				WATER CHRGS FOR MARCH	366.09
				WATER CHRGS FOR MARCH	480.74
	Vendor Total		**38,301.10**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**931,665.18**		

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ECOLAB INC.					
	4/5/2010	201615	63.38		
				REFUND-BUS LIC OVRPMT	63.38
	Vendor Total		**63.38**		
FYTD for ECOLAB INC.			**63.38**		
ECOMOTION, INC.					
	4/5/2010	201616	4,548.43		
				CONSULTING SVCS-SPCL DIST	4,548.43
	4/19/2010	201977	4,481.41		
				CONSULTING SVCS-UTILITY	4,481.41
	Vendor Total		**9,029.84**		
FYTD for ECOMOTION, INC.			**11,842.34**		
EDGELANE MOBILE PARK					
	4/12/2010	880332	12.97		
				REFUND-UT USER TAXES	12.97
	Vendor Total		**12.97**		
FYTD for EDGELANE MOBILE PARK			**99.17**		
EDITH F. NAVARRO					
	4/19/2010	201978	54.67		
				REFUND-BUS LIC OVRPMT	54.67
	Vendor Total		**54.67**		
FYTD for EDITH F. NAVARRO			**54.67**		
EGGERSTEN, ANNE					
	4/5/2010	201617	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**2,838.23**		
EMPIRE INSULATION, INC					
	4/5/2010	201618	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for EMPIRE INSULATION, INC			**25.00**		
EMPIRE SPORTS					
	4/19/2010	880355	5,216.96		
				SPORTS UNIFORMS-PARKS	148.16
				SPORTS UNIFORMS-PARKS	5,068.80
	Vendor Total		**5,216.96**		
FYTD for EMPIRE SPORTS			**14,889.16**		

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ENCHANTED VILLAGE OF GIFTS				
4/5/2010	201619	12.03		
			REFUND-BUS LIC OVRPMT	12.03
Vendor Total		**12.03**		
FYTD for ENCHANTED VILLAGE OF GIFTS		**12.03**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/12/2010	201858	3,750.00		
			CBNT LEASE-CTTNWD	47.14
			CBNT LEASE-CTTNWD	1,202.86
			CBNT LEASE-INDIAN/NANDINA	81.32
			CBNT LEASE-INDIAN/NANDINA	1,168.68
			CBNT LEASE-IRIS	98.05
			CBNT LEASE-IRIS	1,151.95
4/19/2010	201979	23,657.16		
			GIS DATA CONVERSION	630.70
			ELECT METER FEES	20,307.46
			ELECT METER FEES	2,719.00
Vendor Total		**27,407.16**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**1,855,108.05**		
ENVIRONMENTAL MOLDING CONCEPTS, INC				
4/5/2010	201621	70.97		
			REFUND-BUS LIC OVRPMT	70.97
Vendor Total		**70.97**		
FYTD for ENVIRONMENTAL MOLDING CONCEPTS, INC		**70.97**		
ESPINOZA, ROSY				
4/19/2010	201980	750.00		
			REFUND-RNTL DEP 4/3	750.00
Vendor Total		**750.00**		
FYTD for ESPINOZA, ROSY		**750.00**		
EVANS, MELVA				
4/12/2010	201859	329.50		
			REFUND-CITATION OVRPMT	329.50
Vendor Total		**329.50**		
FYTD for EVANS, MELVA		**329.50**		
EWING IRRIGATION PRODUCTS, INC.				
4/26/2010	202134	599.04		
			IRRIGATION SUPPLIES	583.06
			IRRIGATION SUPPLIES	15.98
Vendor Total		**599.04**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**13,412.95**		

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EXCEL LANDSCAPE, INC					
	4/12/2010	201860	3,889.00		
				LANDSCAPE MAINT-WQF	530.50
				LANDSCAPE MAINT-WQF	2,200.00
				LANDSCAPE MAINT-WQF	980.00
				LANDSCAPE MAINT-WQF	178.50
	4/26/2010	202135	12,674.22		
				LANDSCAPE MAINT-E7	2,666.81
				LANDSCAPE MAINT-CELEB PARK	1,070.36
				LANDSCAPE MAINT-PROM PARK	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQF	1,945.00
				LANDSCAPE MAINT-WQB	1,944.00
				LANDSCAPE MAINT-E15	85.00
	Vendor Total		**16,563.22**		
FYTD for EXCEL LANDSCAPE, INC			**205,148.38**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	4/26/2010	880381	3,476.18		
				CDBG FUNDED SVCS-FRCLSR PREV	2,039.24
				CDBG FUNDED SVCS-FRCLSR PREV	1,436.94
	Vendor Total		**3,476.18**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**42,942.80**		
FANNING, JEFFREY DEAN					
	4/19/2010	201981	494.00		
				INSTRUCTION SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for FANNING, JEFFREY DEAN			**494.00**		
FEDERAL EXPRESS					
	4/12/2010	201861	17.41		
				257317200-EXPRESS MAILING	17.41
	Vendor Total		**17.41**		
FYTD for FEDERAL EXPRESS			**122.00**		
FEENSTRA, JOHN					
	4/5/2010	201790	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,612.50**		

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FENCETECH, INC					
	4/5/2010	201622	150.00		
				REFUND-BUS LIC OVRPMT	150.00
	Vendor Total		**150.00**		
FYTD for FENCETECH, INC			**150.00**		
FINESSE PERSONNEL ASSOCIATES					
	4/5/2010	201623	7,055.13		
				TEMP SVCS-BECKNER W/E 3/13	1,596.81
				TEMP SVCS-BECKNER W/E 3/20	1,854.36
				TEMP SVCS-BECKNER W/E 3/27	1,854.36
				TEMP SVCS-NELSON W/E 3/13	874.80
				TEMP SVCS-NELSON W/E 3/20	874.80
	4/12/2010	201862	2,729.16		
				TEMP SVCS-NELSON W/E 3/27	874.80
				TEMP SVCS-BECKNER W/E 4/3	1,854.36
	4/19/2010	201982	2,729.16		
				TEMP SVCS-NELSON W/E 4/3	874.80
				TEMP SVCS-BECKNER W/E 4/10	1,854.36
	4/26/2010	202136	3,875.41		
				TEMP SVCS-NELSON W/E 2/27	656.10
				TEMP SVCS-NELSON W/E 3/6	850.50
				TEMP SVCS-NELSON W/E 4/17	656.10
				TEMP SVCS-BECKNER W/E 4/17	1,712.71
	Vendor Total		**16,388.86**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**16,388.86**		
FIRST AMERICAN CORE LOGIC, INC.					
	4/12/2010	201863	538.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	277.00
				ONLINE PROP INFO-NSP	176.00
	4/26/2010	202137	592.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	331.00
				ONLINE PROP INFO-NSP	176.00
	Vendor Total		**1,130.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**4,480.00**		

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FIRST CHOICE SERVICES					
	4/5/2010	880269	63.90		
				COFFEE SVCS-EMP PAID	32.24
				COFFEE SVCS-EMP PAID	31.66
	4/12/2010	880333	29.38		
				COFFEE SVCS-EMP PAID	29.38
	4/19/2010	880356	580.04		
				COFFEE SVCS-EMP PAID	80.91
				COFFEE SVCS-EMP PAID	95.76
				COFFEE SVCS-EMP PAID	177.68
				COFFEE SVCS-EMP PAID	109.17
				COFFEE SVCS-EMP PAID	88.14
				COFFEE SVCS-EMP PAID	28.38
	4/26/2010	880382	36.51		
				COFFEE SVCS-EMP PAID	36.51
	Vendor Total		**709.83**		
FYTD for FIRST CHOICE SERVICES			**8,197.32**		
FITNESS 19 CA 155 11C					
	4/26/2010	202138	281.00		
				GYM MEMBERSHIP DEDUCTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**2,915.00**		
FOLEY & LARDNER					
	4/29/2010	202211	3,000.00		
				LEGAL SVCS-RETAINER	3,000.00
	Vendor Total		**3,000.00**		
FYTD for FOLEY & LARDNER			**3,000.00**		
FOSTER, NANCY A.					
	4/5/2010	201624	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,265.50**		
FOTO FANTASY, INC					
	4/5/2010	201625	40.42		
				REFUND-BUS LIC OVRPMT	40.42
	Vendor Total		**40.42**		
FYTD for FOTO FANTASY, INC			**40.42**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANCE PUBLICATIONS, INC.				
4/12/2010	201864	1,800.00		
			ADVERTISING SVCS-EDD	1,800.00
Vendor Total		**1,800.00**		
FYTD for FRANCE PUBLICATIONS, INC.		**9,600.00**		
FRANCHISE TAX BOARD				
4/12/2010	201865	675.95		
			GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.45
			GARNISHMENT	254.00
4/26/2010	202139	676.38		
			GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.88
			GARNISHMENT	254.00
Vendor Total		**1,352.33**		
FYTD for FRANCHISE TAX BOARD		**11,541.09**		
FRANKLIN, L. C.				
4/12/2010	201866	207.00		
			MILEAGE REIMBURSEMENT	207.00
Vendor Total		**207.00**		
FYTD for FRANKLIN, L. C.		**1,448.70**		
FRED'S GLASS & MIRROR, INC.				
4/5/2010	201626	723.00		
			WINDOW FRAME RPLCMNT-SR CTR	598.00
			WINDOW SEAL SVC-FS #58	125.00
Vendor Total		**723.00**		
FYTD for FRED'S GLASS & MIRROR, INC.		**1,089.03**		
FULBRIGHT & JAWORSKI, L.L.P.				
4/19/2010	201983	8,794.40		
			LEGAL SVCS-UTILITIES	8,794.40
Vendor Total		**8,794.40**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**212,500.08**		
GASTELUM, LEOBARDO				
4/26/2010	202140	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for GASTELUM, LEOBARDO		**20.00**		

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GASTON, RICHARD					
	4/5/2010	201791	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,187.30**		
GENERAL SECURITY SERVICES, INC.					
	4/5/2010	201627	184.08		
				SECURITY SVCS-CRC	184.08
	4/5/2010	880271	460.20		
				SECURITY SVCS-SENIOR CTR	245.44
				SECURITY SVCS-CRC	214.76
	4/12/2010	880334	2,086.24		
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
	4/19/2010	880357	184.08		
				SECURITY SVCS-TWNGTE	107.38
				SECURITY SVCS-TWNGTE	76.70
	4/26/2010	880383	2,116.92		
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-CRC	306.80
				SECURITY SVCS-UTILITIES ANNX	276.12
				SECURITY SVCS-LIBRARY	613.60
				SECURITY SVCS-LIBRARY	613.60
	Vendor Total		**5,031.52**		
FYTD for GENERAL SECURITY SERVICES, INC.			**46,767.95**		
GEORGE SALINAS TREE PRESERVATION					
	4/5/2010	201628	2,011.95		
				TREE TRIMMING SVC-DSG2	447.10
				TREE TRIMMING SVC-E1	178.84
				TREE TRIMMING SVC-E1A	223.55
				TREE TRIMMING SVC-E2	804.78
				TREE TRIMMING SVC-ZN M	357.68
	4/19/2010	201984	50.84		
				REFUND-BUS LIC OVRPMT	50.84
	Vendor Total		**2,062.79**		
FYTD for GEORGE SALINAS TREE PRESERVATION			**89,560.26**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP					
	4/5/2010	880272	1,811.70		
				LEGAL SVCS	680.50
				LEGAL SVCS	1,131.20
	4/19/2010	880358	2,846.00		
				LEGAL SVCS-COMM PRK SOCCER FLD	2,846.00
	4/26/2010	880384	5,996.09		
				LEGAL SVCS-COMM PRK SOCCER FLD	4,015.45
				LEGAL SVCS	1,980.64
	Vendor Total		**10,653.79**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			**144,601.09**		
GIPSON, MIRANDA					
	4/12/2010	201867	195.20		
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	97.60
	Vendor Total		**195.20**		
FYTD for GIPSON, MIRANDA			**195.20**		
GOLDEN'S ELECTRONIC'S					
	4/19/2010	201985	24.42		
				REFUND-BUS LIC OVRPMT	24.42
	Vendor Total		**24.42**		
FYTD for GOLDEN'S ELECTRONIC'S			**24.42**		
GOMEZ, GERARDO & GABRIELA					
	4/26/2010	202141	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GOMEZ, GERARDO & GABRIELA			**20.00**		
GONG ENTERPRISES, INC.					
	4/12/2010	201868	4,850.00		
				PLAN CHECK SVCS	2,500.00
				PLAN CHECK SVCS	2,350.00
	Vendor Total		**4,850.00**		
FYTD for GONG ENTERPRISES, INC.			**8,614.50**		
GONZALES, BRIAN					
	4/26/2010	202142	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for GONZALES, BRIAN			**20.00**		

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GONZALEZ, MARIBEL				
4/12/2010	201869	54.50		
			REFUND-CITATION DISMISSED	54.50
Vendor Total		**54.50**		
FYTD for GONZALEZ, MARIBEL		**54.50**		
GORDON, WILLIAM IRVING III				
4/5/2010	201629	233.28		
			REFUND-PD CITATION FEES	233.28
Vendor Total		**233.28**		
FYTD for GORDON, WILLIAM IRVING III		**233.28**		
GORM INC.				
4/26/2010	202143	3,488.83		
			JANITORIAL SUPPLIES-PARKS MAIN	1,362.42
			JANITORIAL SUPPLIES-PARKS MAIN	1,585.38
			JANITORIAL SUPPLIES-PARKS MAIN	541.03
Vendor Total		**3,488.83**		
FYTD for GORM INC.		**11,069.31**		
GOYA FOODS OF CALIFORNIA				
4/5/2010	201630	49.74		
			REFUND-BUS LIC OVRPMT	49.74
Vendor Total		**49.74**		
FYTD for GOYA FOODS OF CALIFORNIA		**49.74**		
GOZDECKI, DAN				
4/5/2010	880273	783.00		
			INSTRUCTOR SVCS-KUNG FU	351.00
			INSTRUCTOR SVCS-KUNG FU	432.00
Vendor Total		**783.00**		
FYTD for GOZDECKI, DAN		**6,291.00**		
GRAF, ADAM				
4/5/2010	201631	75.00		
			REFUND-SPAY/NEUTER FEES	75.00
Vendor Total		**75.00**		
FYTD for GRAF, ADAM		**75.00**		
GRAFFITI TRACKER, INC.				
4/5/2010	880274	340.00		
			CAMERA REPAIR	340.00
Vendor Total		**340.00**		
FYTD for GRAFFITI TRACKER, INC.		**28,340.00**		

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GRANICUS, INC.					
	4/5/2010	201632	1,395.22		
				MANAGED SVC-VIDEO STREAMING	1,350.00
				MANAGED SVC-VIDEO STREAMING	45.22
	4/19/2010	201986	130.00		
				PODCASTING MANAGED SVC	130.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**14,342.20**		
GRAPHIC SOLUTIONS LTD.					
	4/5/2010	201633	175.00		
				SUNNYMD BLVD REVIT PROJ SVCS	175.00
	Vendor Total		**175.00**		
FYTD for GRAPHIC SOLUTIONS LTD.			**3,601.25**		
GRIFFIN, MARLENE C					
	4/5/2010	201792	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,436.81**		
GROUP DELTA CONSULTANTS, INC					
	4/26/2010	202144	1,955.00		
				PUB SFTY BLDG CONVERSION PROJ	1,955.00
	Vendor Total		**1,955.00**		
FYTD for GROUP DELTA CONSULTANTS, INC			**2,315.00**		
GUEST SERVICES					
	4/12/2010	201870	234.48		
				COURSE: R123/APR26-MAY7, 2010	234.48
	Vendor Total		**234.48**		
FYTD for GUEST SERVICES			**234.48**		
GUILLAN, REBECCA S.					
	4/5/2010	201634	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,107.91**		
GUILLIS, LINDA B.					
	4/5/2010	201635	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,187.30**		

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GUTIERREZ, ROBERT					
	4/5/2010	201636	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**1,892.90**		
GUY'S LANDSCAPE MAINTENANCE					
	4/5/2010	201637	36.89		
				REFUND-BUS LIC OVRPMT	36.89
	Vendor Total		**36.89**		
FYTD for GUY'S LANDSCAPE MAINTENANCE			**36.89**		
GUZMAN'S CART SERVICE					
	4/12/2010	880335	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**40,490.00**		
H & P NAIL					
	4/5/2010	201638	91.00		
				REFUND-BUS LIC OVRPMT	91.00
	Vendor Total		**91.00**		
FYTD for H & P NAIL			**91.00**		
H & R BLOCK					
	4/12/2010	201871	125.03		
				BUS. LIC. OVRPMT RFND	70.28
				BUS. LIC. OVRPMT RFND	54.75
	Vendor Total		**125.03**		
FYTD for H & R BLOCK			**125.03**		
H C I, INC.					
	4/5/2010	201639	45.00		
				REFUND-BUS LIC OVRPMT	45.00
	Vendor Total		**45.00**		
FYTD for H C I, INC.			**45.00**		
HAMBURG, IRENE					
	4/5/2010	201793	956.19		
				RETIREE MEDICAL BENEFIT	956.19
	Vendor Total		**956.19**		
FYTD for HAMBURG, IRENE			**4,291.67**		

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HAMLIN, WILLIAM R.					
	4/5/2010	201794	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,238.04**		
HANANIA, RANDA					
	4/19/2010	201987	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HANANIA, RANDA			**81.00**		
HANDY REPAIR SERVICE					
	4/5/2010	201640	31.08		
				REFUND-BUS LIC OVRPMT	31.08
	Vendor Total		**31.08**		
FYTD for HANDY REPAIR SERVICE			**31.08**		
HANES, MARTIN D.					
	4/5/2010	201795	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,187.30**		
HANSEN, ROBERT L.					
	4/26/2010	202146	177.00		
				PER DIEM-LCC ATTYS SPRING CONF	177.00
	Vendor Total		**177.00**		
FYTD for HANSEN, ROBERT L.			**354.00**		
HAPPY TIME BOOK STORE					
	4/19/2010	201988	71.22		
				REFUND-BUS LIC OVRPMT	71.22
	Vendor Total		**71.22**		
FYTD for HAPPY TIME BOOK STORE			**71.22**		
HARDING, JOHN S.					
	4/5/2010	201641	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,187.30**		

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HARTMANN, RICK					
	4/5/2010	201642	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for HARTMANN, RICK			**2,454.77**		
HATFIELD, CHARLES					
	4/5/2010	201643	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,549.85**		
HAUSER, ADRIANA					
	4/19/2010	201989	798.00		
				INSTRUCTION SVCS-21 DAYS	798.00
	Vendor Total		**798.00**		
FYTD for HAUSER, ADRIANA			**3,306.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES					
	4/5/2010	201644	4,255.20		
				CONTRACT SVCS-SALES TAX	900.00
				AUDIT SVCS-SALES TAX	2,882.63
				AUDIT SVCS-SALES TAX	472.57
	Vendor Total		**4,255.20**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**16,039.71**		
HEERY INTERNATIONAL, INC.					
	4/19/2010	880359	17,480.00		
				NEW MAIN LIBRARY PROJ SVCS	17,480.00
	Vendor Total		**17,480.00**		
FYTD for HEERY INTERNATIONAL, INC.			**215,052.75**		
HEFFLEY, ROSS W.					
	4/5/2010	201796	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**2,549.85**		
HEMPHILL DAYCARE					
	4/5/2010	201645	54.00		
				REFUND-BUS LIC OVRPMT	54.00
	Vendor Total		**54.00**		
FYTD for HEMPHILL DAYCARE			**54.00**		

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HERMAN WEISSKER, INC.					
	4/5/2010	201646	75.15		
				REFUND-BUS LIC OVRPMT	75.15
	Vendor Total		**75.15**		
FYTD for HERMAN WEISSKER, INC.			**75.15**		
HERRICK, ROBERT D.					
	4/5/2010	201647	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,187.30**		
HESLIN, MICHAEL K.					
	4/12/2010	201872	318.30		
				TRAVEL EXP-ANNL CA GIS CONF.	62.30
				TRAVEL EXP-ANNL CA GIS CONF.	256.00
	Vendor Total		**318.30**		
FYTD for HESLIN, MICHAEL K.			**929.00**		
HICKORY FARMS					
	4/5/2010	201648	24.01		
				REFUND-BUS LIC OVRPMT	24.01
	Vendor Total		**24.01**		
FYTD for HICKORY FARMS			**24.01**		
HIGGS, DEBRA					
	4/26/2010	202147	252.00		
				INSTRUCTOR SVCS-OIL PAINTING	144.00
				INSTRUCTOR SVCS-OIL PAINTING	28.00
				INSTRUCTOR SVCS-OIL PAINTING	80.00
	Vendor Total		**252.00**		
FYTD for HIGGS, DEBRA			**1,116.00**		
HOGARD, JOHN T.					
	4/5/2010	201649	700.00		
				RETIREE MEDICAL BENEFIT	700.00
	Vendor Total		**700.00**		
FYTD for HOGARD, JOHN T.			**817.15**		
HOLTZ, GLORIA					
	4/19/2010	201990	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HOLTZ, GLORIA			**40.00**		

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HOUSER, EDITH E.					
	4/5/2010	201650	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,187.30**		
HUB CONSTRUCTION SPECIALITES, INC					
	4/19/2010	201991	44.58		
				REFUND-BUS LIC OVRPMT	44.58
	Vendor Total		**44.58**		
FYTD for HUB CONSTRUCTION SPECIALITES, INC			**44.58**		
HUBBARD, MONET					
	4/19/2010	201992	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for HUBBARD, MONET			**20.00**		
HUNT, LEXY					
	4/19/2010	201993	52.00		
				REFUND-TIME FOR TOTS	52.00
	Vendor Total		**52.00**		
FYTD for HUNT, LEXY			**52.00**		
ICMA RETIREMENT CORP 457					
	4/9/2010	2616	9,689.54		
				DEF COMP 457 04/09/10	9,689.54
	4/23/2010	2624	12,410.37		
				DEF COMP 457 04/23/10	12,410.37
	Vendor Total		**22,099.91**		
FYTD for ICMA RETIREMENT CORP 457			**311,584.81**		
IL SORRENTO MOBILE PARK					
	4/12/2010	201873	158.25		
				REFUND-UT USER TAXES	158.25
	Vendor Total		**158.25**		
FYTD for IL SORRENTO MOBILE PARK			**1,676.31**		

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IMANI, KING					
	4/5/2010	201651	123.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	18.00
				REFUND-VARIOUS A/C FEES	15.00
				REFUND-VARIOUS A/C FEES	50.00
	Vendor Total		**123.00**		
FYTD for IMANI, KING			**123.00**		
IMPERIAL CUSTOM CABINETS, INC					
	4/19/2010	201994	23.50		
				REFUND-BUS LIC OVRPMT	23.50
	Vendor Total		**23.50**		
FYTD for IMPERIAL CUSTOM CABINETS, INC			**23.50**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	4/12/2010	201874	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**4,750.00**		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST					
	4/26/2010	202148	1,193.25		
				NUISANCE ABTMNT SVCS-486102015	1,193.25
	Vendor Total		**1,193.25**		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST			**12,120.56**		
INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,					
	4/5/2010	201652	32.64		
				REFUND-BUS LIC OVRPMT	32.64
	Vendor Total		**32.64**		
FYTD for INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,			**32.64**		
INLAND EMPIRE MAGAZINE					
	4/12/2010	201875	1,295.00		
				ADVERTISING SVCS-EDD	1,295.00
	Vendor Total		**1,295.00**		
FYTD for INLAND EMPIRE MAGAZINE			**5,180.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC				
4/19/2010	880360	824.20		
			NUISANCE ABTMNT SVC-297180006	477.20
			NUISANCE ABTMNT SVC-KITCHING/M	150.00
			NUISANCE ABTMNT SVC-13371 PAN	122.00
			HALT SVCS-CODE	75.00
	Vendor Total	**824.20**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**75,437.10**		
INLAND LIBRARY SYSTEM				
4/12/2010	201876	1,863.01		
			2009/10 MEMBERSHIP DUES	1,863.01
	Vendor Total	**1,863.01**		
FYTD for INLAND LIBRARY SYSTEM		**2,047.71**		
INSIDE PLANTS, INC.				
4/26/2010	880385	316.00		
			PLANT MAINT-CRC	316.00
	Vendor Total	**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,160.00**		
INTERNAL REVENUE SERVICE				
4/1/2010	2611	2,000.00		
			DEP FED TAX W/H 4/1/10	2,000.00
	Vendor Total	**2,000.00**		
FYTD for INTERNAL REVENUE SERVICE		**3,184,348.99**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION				
4/5/2010	201653	946.99		
			DATA STORAGE SVCS	946.99
4/26/2010	202149	1,015.54		
			DATA STORAGE SVCS	1,015.54
	Vendor Total	**1,962.53**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**11,587.44**		
IRONWOOD SMOKE SHOP				
4/19/2010	201995	71.96		
			REFUND-BUS LIC OVRPMT	71.96
	Vendor Total	**71.96**		
FYTD for IRONWOOD SMOKE SHOP		**71.96**		

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ISG THERMAL SYSTEMS USA, INC				
4/5/2010	201654	557.64		
			THERMAL IMAGING CAMERA REPAIR	557.64
			THERMAL IMAGING CAMERA REPAIR	1.54
			THERMAL IMAGING CAMERA REPAIR	-1.54
	Vendor Total	**557.64**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**964.89**		
ISS SWEEPING, INC.				
4/5/2010	880280	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
4/26/2010	880386	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
	Vendor Total	**4,531.40**		
FYTD for ISS SWEEPING, INC.		**23,550.40**		
J D H CONTRACTING				
4/5/2010	880281	3,315.00		
			CONTRACT SVCS-FS #58	3,315.00
	Vendor Total	**3,315.00**		
FYTD for J D H CONTRACTING		**66,351.84**		
JACKSON, JERAMY				
4/12/2010	201877	1,230.00		
			TUITION REIMBURSEMENT	1,230.00
	Vendor Total	**1,230.00**		
FYTD for JACKSON, JERAMY		**1,763.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				
4/12/2010	201878	75.00		
			LEGAL COURIER SVCS	75.00
	Vendor Total	**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,853.00**		
JAUREGUI, OSCAR				
4/5/2010	201655	184.00		
			REFUND-CITATION OVRPMT	184.00
	Vendor Total	**184.00**		
FYTD for JAUREGUI, OSCAR		**1,031.82**		

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JDEDGE SOFTWARE, LLC					
	4/5/2010	201797	750.00		
				CONSULTING SVCS-SOFTWARE DEV	750.00
	4/12/2010	880336	255.00		
				CONSULTING SVCS-HR	255.00
	4/19/2010	880361	5,440.00		
				CONSULTING SVCS	5,440.00
	Vendor Total		**6,445.00**		
FYTD for JDEDGE SOFTWARE, LLC			**106,697.68**		
JH DESIGN & ASSOCIATES					
	4/1/2010	880257	821.00		
				NAME PLQ DISPLAY-EDD	821.00
	Vendor Total		**821.00**		
FYTD for JH DESIGN & ASSOCIATES			**8,471.00**		
JIMENEZ, EMMANUEL					
	4/26/2010	202150	102.00		
				REFUND-BANK FEES ON OVRCHRGD D	102.00
	Vendor Total		**102.00**		
FYTD for JIMENEZ, EMMANUEL			**102.00**		
JJ'S MARKET & LIQUOR					
	4/5/2010	201656	156.90		
				REFUND-BUS LIC OVRPMT	150.08
				REFUND-BUS LIC OVRPMT	6.46
				REFUND-BUS LIC OVRPMT	0.36
	Vendor Total		**156.90**		
FYTD for JJ'S MARKET & LIQUOR			**156.90**		
JOHN DEERE LANDSCAPES, INC.					
	4/19/2010	201996	74.64		
				REFUND-BUS LIC OVRPMT	74.64
	Vendor Total		**74.64**		
FYTD for JOHN DEERE LANDSCAPES, INC.			**74.64**		
JOHNSON, DELIA					
	4/26/2010	202151	72.00		
				INSTRUCTOR SVCS-AEROBICS	72.00
	Vendor Total		**72.00**		
FYTD for JOHNSON, DELIA			**432.00**		

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JOLLI BEE					
	4/19/2010	201997	77.38		
				REFUND-BUS LIC OVRPMT	77.38
	Vendor Total		**77.38**		
FYTD for JOLLI BEE			**77.38**		
JONES III, JOSEPH					
	4/19/2010	201998	85.50		
				MILEAGE REIMBURSEMENT	34.50
				MILEAGE REIMBURSEMENT	51.00
	Vendor Total		**85.50**		
FYTD for JONES III, JOSEPH			**571.85**		
JONES, SUSAN					
	4/5/2010	201798	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,187.30**		
JOURNEYS #1017					
	4/5/2010	201657	85.25		
				REFUND-BUS LIC OVRPMT	85.25
	Vendor Total		**85.25**		
FYTD for JOURNEYS #1017			**85.25**		
JTB SUPPLY CO., INC.					
	4/19/2010	201999	8,210.63		
				SVC CABINET FOR TRAF SIGNAL	8,210.63
	Vendor Total		**8,210.63**		
FYTD for JTB SUPPLY CO., INC.			**53,008.41**		
JUANITAS MARKET					
	4/5/2010	201658	67.00		
				REFUND-BUS LIC OVRPMT	67.00
	Vendor Total		**67.00**		
FYTD for JUANITAS MARKET			**67.00**		
K C WEST, INC					
	4/5/2010	201659	57.00		
				REFUND-BUS LIC OVRPMT	71.23
				REFUND-BUS LIC OVRPMT	-14.23
	Vendor Total		**57.00**		
FYTD for K C WEST, INC			**57.00**		

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KAISER PERMANENTE					
	4/19/2010	202000	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for KAISER PERMANENTE			**3,741.82**		
KASHEFIPOUR, HOSSEIN					
	4/5/2010	201660	134.51		
				MILEAGE REIMBURSEMENT	34.01
				MILEAGE REIMBURSEMENT	100.50
	Vendor Total		**134.51**		
FYTD for KASHEFIPOUR, HOSSEIN			**472.21**		
KDM MERIDIAN, INC.					
	4/26/2010	880387	8,610.00		
				BOEING/MCDONNEL SIDEWALK PROJ	3,795.00
				TEMCO ST. SIDEWALK PROJ	4,470.00
				VOUGHT ST. SIDEWALK PROJ	345.00
	Vendor Total		**8,610.00**		
FYTD for KDM MERIDIAN, INC.			**76,845.00**		
KEEGAN, CAROL					
	4/19/2010	202001	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for KEEGAN, CAROL			**20.00**		
KENNETH JOHNSON					
	4/5/2010	201661	58.00		
				REFUND-BUS LIC OVRPMT	58.00
	Vendor Total		**58.00**		
FYTD for KENNETH JOHNSON			**58.00**		
KERENYI, JOHN					
	4/5/2010	201662	192.00		
				PER DIEM-TRANSIMS CONF.	192.00
	Vendor Total		**192.00**		
FYTD for KERENYI, JOHN			**198.00**		
KING, PATRICIA A.					
	4/5/2010	201663	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,549.85**		

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KOA CORPORATION					
	4/5/2010	201664	15,723.10		
				RECHE VISTA DR REALIGNMNT PROJ	14,093.10
				RECHE VISTA DR REALIGNMNT PROJ	1,560.00
				RECHE VISTA DR REALIGNMNT PROJ	70.00
	4/26/2010	202152	10,841.25		
				RECHE VISTA DR REALIGNMNT PROJ	10,841.25
	Vendor Total		**26,564.35**		
FYTD for KOA CORPORATION			**211,877.00**		
KOLB, CHARLES E.					
	4/5/2010	201799	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,187.30**		
KOLLAR, KYLE					
	4/5/2010	201665	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,274.92**		
KYLE, GARY M.					
	4/5/2010	201800	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,549.85**		
L & G CABLE CONSTRUCTION					
	4/19/2010	202002	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for L & G CABLE CONSTRUCTION			**57.00**		
LABELLE-MARVIN, INC.					
	4/26/2010	202153	8,100.00		
				SUNNYMD BLVD REVIT PROJ SVCS	8,100.00
	Vendor Total		**8,100.00**		
FYTD for LABELLE-MARVIN, INC.			**8,100.00**		
LAFATA, JOSEPHINE					
	4/5/2010	201801	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,158.54**		

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LANDERS, ORETHA				
4/5/2010	201666	200.00		
			REFUND-RENTAL DEP 3/20/10	200.00
Vendor Total		**200.00**		
FYTD for LANDERS, ORETHA		**200.00**		
LANGENDORF, BENJAMIN				
4/5/2010	201667	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for LANGENDORF, BENJAMIN		**2,868.57**		
LATHAM & WATKINS, LLP				
4/26/2010	202154	4,745.00		
			PROF SVCS-LAND DEV	662.50
			PROF SVCS-LAND DEV	405.00
			PROF SVCS-LAND DEV	675.00
			PROF SVCS-LAND DEV	1,087.50
			PROF SVCS-LAND DEV	1,915.00
Vendor Total		**4,745.00**		
FYTD for LATHAM & WATKINS, LLP		**4,745.00**		
LATITUDE 3 MEDIA GROUP				
4/12/2010	201879	1,650.00		
			ADVERTISING SVCS-EDD	1,650.00
Vendor Total		**1,650.00**		
FYTD for LATITUDE 3 MEDIA GROUP		**3,300.00**		
LAWN TECH EQUIPMENT				
4/5/2010	880287	441.67		
			MISC PARTS-MAINT & OPER	388.20
			MISC PARTS-MAINT & OPER	53.47
Vendor Total		**441.67**		
FYTD for LAWN TECH EQUIPMENT		**3,200.28**		
LAWYERS TITLE INC				
4/19/2010	202003	450.00		
			PRELIM TITLE RPT-CORP YRD PROJ	450.00
4/21/2010	1004091	12,988.50		
			ESCROW DEPOSIT-EASEMENT PURCH.	12,988.50
Vendor Total		**13,438.50**		
FYTD for LAWYERS TITLE INC		**211,850.50**		

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LEE, PHILLIP MICHAEL					
	4/5/2010	201668	480.57		
				REFUND-ADMIN CITATION FEES	480.57
	Vendor Total		**480.57**		
FYTD for LEE, PHILLIP MICHAEL			**480.57**		
LEIGHTON CONSULTING, INC.					
	4/12/2010	880337	10,044.00		
				LASSELLE ST WIDENING PROJ SVCS	10,044.00
	Vendor Total		**10,044.00**		
FYTD for LEIGHTON CONSULTING, INC.			**72,846.64**		
LEONS MASTER CLEANING					
	4/5/2010	201669	27.29		
				REFUND-BUS LIC OVRPMT	27.29
	Vendor Total		**27.29**		
FYTD for LEONS MASTER CLEANING			**27.29**		
LEWIS, CAROLYN S.					
	4/5/2010	201802	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LEWIS, CAROLYN S.			**3,155.30**		
LEXISNEXIS					
	4/26/2010	880388	1,480.00		
				ONLINE LEGAL SVCS-CTY ATTORNEY	740.00
				ONLINE LEGAL SVCS-CTY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**1,480.00**		
FYTD for LEXISNEXIS			**15,195.00**		
LEXISNEXIS PRACTICE MGMT.					
	4/26/2010	202155	1,479.46		
				TM/BM ANNUAL MAINTENANCE	535.00
				TM/BM ANNUAL MAINTENANCE	944.46
	Vendor Total		**1,479.46**		
FYTD for LEXISNEXIS PRACTICE MGMT.			**1,479.46**		
LIM & NASCIMENTO ENGINEERING CORP.					
	4/26/2010	202156	21,687.70		
				PERRIS BL WIDENING FROM RAM XP	21,687.70
	Vendor Total		**21,687.70**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**555,801.37**		

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LIMON, JOSE M, M.D.					
	4/5/2010	201670	33.36		
				REFUND-BUS LIC OVRPMT	33.36
	Vendor Total		**33.36**		
FYTD for LIMON, JOSE M, M.D.			**33.36**		
LINDO, HERMINA G.					
	4/5/2010	201803	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LINDO, HERMINA G.			**2,741.44**		
LIPSCOMB, RAYMOND					
	4/19/2010	202004	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LIPSCOMB, RAYMOND			**75.00**		
LISA JARMAN CONSULTING					
	4/12/2010	201880	1,063.00		
				CONSULTING SVCS-NSP	1,063.00
	Vendor Total		**1,063.00**		
FYTD for LISA JARMAN CONSULTING			**1,063.00**		
LITTLE BEIJING					
	4/19/2010	202005	87.45		
				REFUND-BUS LIC OVRPMT	87.45
	Vendor Total		**87.45**		
FYTD for LITTLE BEIJING			**87.45**		
LOGAN, CHARLES					
	4/5/2010	201804	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,408.61**		
LONE DRAINER & PRONTO NO 4, THE					
	4/5/2010	201671	33.00		
				REFUND-BUS LIC OVRPMT	33.00
	Vendor Total		**33.00**		
FYTD for LONE DRAINER & PRONTO NO 4, THE			**33.00**		

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LOR GEOTECHNICAL GROUP, INC.					
	4/19/2010	880362	570.00		
				PATRIOT PARK PROJ SVCS	430.00
				PATRIOT PARK PROJ SVCS	140.00
	4/26/2010	880389	2,245.00		
				VOUGHT ST. SIDEWALK PROJ	1,260.00
				TEMCO ST. SIDEWALK PROJ	985.00
	Vendor Total		**2,815.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**63,071.60**		
LOUIS, LILIA					
	4/5/2010	201672	61.00		
				REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total		**61.00**		
FYTD for LOUIS, LILIA			**61.00**		
LOW PRICE AUTO GLASS #60					
	4/5/2010	201673	77.60		
				REFUND-BUS LIC OVRPMT	77.60
	Vendor Total		**77.60**		
FYTD for LOW PRICE AUTO GLASS #60			**77.60**		
LUMLEY, ROBERT C.					
	4/5/2010	201805	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,187.30**		
M & M HAIR SALON					
	4/19/2010	202006	35.25		
				REFUND-BUS LIC OVRPMT	35.25
	Vendor Total		**35.25**		
FYTD for M & M HAIR SALON			**35.25**		
M J CLEANING COMPANY					
	4/19/2010	202007	42.57		
				REFUND-BUS LIC OVRPMT	42.57
	Vendor Total		**42.57**		
FYTD for M J CLEANING COMPANY			**42.57**		
M W H AMERICAS, INC.					
	4/19/2010	202008	37.50		
				REFUND-BUS LIC OVRPMT	37.50
	Vendor Total		**37.50**		
FYTD for M W H AMERICAS, INC.			**37.50**		

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MACTEC CLEANUP CORPORATION				
4/19/2010	202009	42.00		
			REFUND-BUS LIC OVRPMT	42.00
Vendor Total		**42.00**		
FYTD for MACTEC CLEANUP CORPORATION		**42.00**		
MAGNOLIA POOL AND SPA SUPPLY				
4/5/2010	201674	51.25		
			REFUND-BUS LIC OVRPMT	51.25
Vendor Total		**51.25**		
FYTD for MAGNOLIA POOL AND SPA SUPPLY		**51.25**		
MANAGEMENT ADDED SERVICES				
4/19/2010	202010	27.38		
			REFUND-BUS LIC OVRPMT	27.38
Vendor Total		**27.38**		
FYTD for MANAGEMENT ADDED SERVICES		**27.38**		
MANZANO, KARLA				
4/19/2010	202011	200.00		
			REFUND-RENTAL DEPOSIT	200.00
Vendor Total		**200.00**		
FYTD for MANZANO, KARLA		**312.00**		
MARIN, MARTHA				
4/5/2010	201675	59.00		
			REFUND-CLASS REGIS/ARENA SOCCR	59.00
Vendor Total		**59.00**		
FYTD for MARIN, MARTHA		**59.00**		
MARK BEAMISH WATERPROOFING, INC.				
4/5/2010	201676	87.00		
			REFUND-BUS LIC OVRPMT	87.00
Vendor Total		**87.00**		
FYTD for MARK BEAMISH WATERPROOFING, INC.		**87.00**		
MARROQUIN, EDDY				
4/12/2010	201881	240.00		
			REFUND-RNTL DEP	140.00
			REFUND-RNTL DEP	100.00
Vendor Total		**240.00**		
FYTD for MARROQUIN, EDDY		**240.00**		

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MARTINEZ, FRANK					
	4/12/2010	201882	165.00		
				PER DIEM-ANNL FIRE PREV WRKSHP	165.00
	Vendor Total		**165.00**		
FYTD for MARTINEZ, FRANK			**165.00**		
MATHIS, NOLAN					
	4/5/2010	201677	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**2,900.80**		
MATICH CORPORATION					
	4/19/2010	880363	5,253.35		
				ASPHALTIC MATERIAL	1,324.68
				ASPHALTIC MATERIAL	1,324.68
				ASPHALTIC MATERIAL	1,272.45
				ASPHALTIC MATERIAL	1,331.54
	Vendor Total		**5,253.35**		
FYTD for MATICH CORPORATION			**35,724.35**		
MAXINOSKI, SUE A.					
	4/5/2010	201806	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,187.30**		
MC CONNELL CABINETS, INC.					
	4/5/2010	201678	25.04		
				REFUND-BUS LIC OVRPMT	25.04
	Vendor Total		**25.04**		
FYTD for MC CONNELL CABINETS, INC.			**25.04**		
MC NEEL'S EDUCATIONAL FAMILY DAY CARE					
	4/5/2010	201679	33.05		
				REFUND-BUS LIC OVRPMT	33.05
	Vendor Total		**33.05**		
FYTD for MC NEEL'S EDUCATIONAL FAMILY DAY CARE			**33.05**		
MCCARTHY & BERLIN, LLP					
	4/19/2010	880364	1,545.00		
				LEGAL SVCS-UTILITIES	1,545.00
	Vendor Total		**1,545.00**		
FYTD for MCCARTHY & BERLIN, LLP			**31,175.99**		

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MCI					
	4/26/2010	202157	1,197.57		
				INTERNET CONNECTION SVCS	1,197.57
	Vendor Total		**1,197.57**		
FYTD for MCI			**13,356.71**		
MCI WORLDCOM					
	4/26/2010	202158	1,028.12		
				COMMUNICATION SVCS	1,028.12
	Vendor Total		**1,028.12**		
FYTD for MCI WORLDCOM			**10,292.24**		
MELAD & ASSOCIATES					
	4/12/2010	201883	2,150.68		
				PLAN CHECK SVCS	2,150.68
	Vendor Total		**2,150.68**		
FYTD for MELAD & ASSOCIATES			**38,379.36**		
MENGISTU, YESHIALEM					
	4/12/2010	201884	118.50		
				MILEAGE REIMBURSEMENT	118.50
	Vendor Total		**118.50**		
FYTD for MENGISTU, YESHIALEM			**995.55**		
MENOS STEREOS					
	4/5/2010	201680	71.31		
				REFUND-BUS LIC OVRPMT	71.31
	Vendor Total		**71.31**		
FYTD for MENOS STEREOS			**71.31**		
MESSIN, LOUIS					
	4/5/2010	201807	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,549.85**		
MGT OF AMERICA, INC.					
	4/12/2010	880338	3,000.00		
				COST CLMING SVCS-4TH QTR 09/10	2,500.00
				COST CLMING SVCS-4TH QTR 09/10	500.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		

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MICHAEL ZAKHAROV SCAFFOLDING					
	4/5/2010	201681	25.77		
				REFUND-BUS LIC OVRPMT	25.77
	Vendor Total		**25.77**		
FYTD for MICHAEL ZAKHAROV SCAFFOLDING			**25.77**		
MILES, ROBERT					
	4/5/2010	201808	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,220.76**		
MINARD, MARK E.					
	4/5/2010	201809	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**2,986.51**		
MIRACLE RECREATION EQUIPMENT					
	4/19/2010	202012	1,075.49		
				PLAYGROUND EQUIP-PARKS	897.94
				PLAYGROUND EQUIP-PARKS	177.55
	4/26/2010	202159	1,571.83		
				PLAYGROUND EQUIP-PARKS	599.26
				PLAYGROUND EQUIP-PARKS	164.02
				PLAYGROUND EQUIP-PARKS	209.29
				PLAYGROUND EQUIP-PARKS	599.26
	Vendor Total		**2,647.32**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,416.24**		
MISSION SHEET METAL, INC.					
	4/19/2010	202013	57.25		
				REFUND-BUS LIC OVRPMT	57.25
	Vendor Total		**57.25**		
FYTD for MISSION SHEET METAL, INC.			**57.25**		
MITCHELL, DAVID					
	4/19/2010	202014	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for MITCHELL, DAVID			**20.00**		

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MODERN IMAGE					
	4/19/2010	202015	68.94		
				REFUND-BUS LIC OVRPMT	68.94
	Vendor Total		**68.94**		
FYTD for MODERN IMAGE			**68.94**		
MOLLICA, MIKE					
	4/5/2010	201810	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,211.37**		
MONTIEL, ORLANDO					
	4/19/2010	202016	15.00		
				REFUND-ANML LICENSE FEE	15.00
	Vendor Total		**15.00**		
FYTD for MONTIEL, ORLANDO			**15.00**		
MORA, PATRICIA A.					
	4/5/2010	201811	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,187.30**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE					
	4/5/2010	201682	100.00		
				REFUND-MBL STAGE RNTL DEP	100.00
	4/5/2010	201683	1,375.00		
				BUSINESS SVCS-4TH INSTLMNT	1,375.00
	Vendor Total		**1,475.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**5,893.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	4/12/2010	201885	6,075.00		
				BUSINESS SVCS-4TH QTR 09/10	6,000.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
				WAKE-UP MEETING-3/24	15.00
	Vendor Total		**6,075.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**29,100.00**		

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MORENO VALLEY CITY EMPLOYEES ASSOC.				
4/9/2010	2615	1,579.00		
			MVCEA DUES 04/09/10	1,579.00
4/23/2010	2623	1,579.00		
			MVCEA DUES 04/23/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**34,853.50**		
MORENO VALLEY CLINICA MEDICA FAMILIAR				
4/19/2010	202017	105.97		
			REFUND-BUS LIC OVRPMT	105.97
Vendor Total		**105.97**		
FYTD for MORENO VALLEY CLINICA MEDICA FAMILIAR		**105.97**		
MORENO VALLEY COMMUNITY EDUCATION CENTER				
4/26/2010	202160	745.75		
			TUTORING PRGM-CDBG	745.75
Vendor Total		**745.75**		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		**6,190.30**		
MORENO VALLEY GATEWAY, LLC				
4/26/2010	880390	21,093.43		
			LEASE-FACILITIES ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX	5,475.90
			LEASE-SPCL DIST ANNX	13,158.56
Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC		**210,934.30**		
MORENO VALLEY LAW CENTER				
4/19/2010	202018	69.88		
			REFUND-BUS LIC OVRPMT	69.88
Vendor Total		**69.88**		
FYTD for MORENO VALLEY LAW CENTER		**69.88**		
MORENO VALLEY TOYOTA				
4/5/2010	201685	0.00		
			SPECIAL TAX REIMBURSEMENT	163,255.49
			SPECIAL TAX REIMBURSEMENT	-163,255.49
Vendor Total		**0.00**		
FYTD for MORENO VALLEY TOYOTA		**0.00**		

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MORENO VALLEY UNIFIED SCHOOL DISTRICT					
	4/5/2010	201686	19,560.00		
				TRANSPORTATION COSTS-STARS	19,560.00
	4/5/2010	201687	288.00		
				FACILITY RNTL-FRCLSR PREV WRKS	288.00
	4/5/2010	201688	306.00		
				FACILITY RNTL-FRCLSR PREV WRKS	306.00
	Vendor Total		**20,154.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT			**424,860.07**		
MORENO VALLEY UTILITY					
	4/26/2010	202161	62.01		
				ELECTRICITY-UT FLD OFFICE	62.01
	Vendor Total		**62.01**		
FYTD for MORENO VALLEY UTILITY			**626,837.30**		
MORENO VALLEY WASH HOUSE					
	4/5/2010	201689	22.50		
				REFUND-BUS LIC OVRPMT	22.50
	Vendor Total		**22.50**		
FYTD for MORENO VALLEY WASH HOUSE			**22.50**		
MORGAN, LISA A.					
	4/5/2010	201812	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,187.30**		
MORROW MEADOWS CORPORATION					
	4/19/2010	202020	50.64		
				REFUND-BUS LIC OVRPMT	50.64
	Vendor Total		**50.64**		
FYTD for MORROW MEADOWS CORPORATION			**50.64**		
MUNICIPAL EQUIPMENT MAINTENANCE ASSO					
	4/5/2010	201691	75.00		
				MEMBERSHIP RENEWAL	75.00
	Vendor Total		**75.00**		
FYTD for MUNICIPAL EQUIPMENT MAINTENANCE ASSO			**75.00**		

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MUZAK, LLC					
	4/19/2010	202021	63.03		
				REFUND-BUS LIC OVRPMT	63.03
	Vendor Total		**63.03**		
FYTD for MUZAK, LLC			**63.03**		
NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF					
	4/26/2010	202162	3,256.00		
				ADVERTISING SVCS-EDD	3,256.00
	Vendor Total		**3,256.00**		
FYTD for NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF			**6,512.00**		
NANCY'S TRUCKING, INC					
	4/5/2010	201692	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for NANCY'S TRUCKING, INC			**69.00**		
NATIONWIDE RETIREMENT SOLUTIONS					
	4/9/2010	2613	6,547.79		
				PST DEF COMP FOR FICA 04/09/10	6,547.79
	4/9/2010	2614	21,409.52		
				DEF COMP 457 & 401(A) 04/09/10	21,409.52
	4/23/2010	2621	8,627.31		
				PST DEF COMP FOR FICA 04/23/10	8,627.31
	Vendor Total		**36,584.62**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**744,535.11**		
NAVARRETTE, RALPH					
	4/5/2010	201693	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,274.92**		
NAVARRO, HERIBERTO					
	4/19/2010	202022	750.00		
				REFUND-RNTL DEP 3/30	750.00
	Vendor Total		**750.00**		
FYTD for NAVARRO, HERIBERTO			**1,050.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NAVCO SECURITY SYSTEMS					
	4/5/2010	880300	8,339.48		
				CAMERA & EQUIP-LOGISTICS AREA	4,148.19
				CAMERA & EQUIP-PSB FRONT LOBBY	4,191.29
	4/26/2010	880391	343.00		
				DVR REPAIR-POLICE DEPT	343.00
	Vendor Total		**8,682.48**		
FYTD for NAVCO SECURITY SYSTEMS			**9,880.00**		
NBS GOVERNMENT FINANCE GROUP					
	4/5/2010	880301	419.20		
				ANNUAL LICENSE FEE	419.20
	Vendor Total		**419.20**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**7,919.20**		
NELSON, ROBERT					
	4/5/2010	201694	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,436.81**		
NELSON, RUTH L.					
	4/5/2010	201813	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,187.30**		
NELSON, TIMOTHY IVAN					
	4/19/2010	202023	760.00		
				INSTRUCTION SVCS-20 DAYS	760.00
	Vendor Total		**760.00**		
FYTD for NELSON, TIMOTHY IVAN			**1,102.00**		
NELSON, VIVIAN					
	4/26/2010	202163	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for NELSON, VIVIAN			**20.00**		
NEUSTAEDTER, CRAIG S					
	4/5/2010	201695	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,187.30**		

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NEW HOPE CHRISTIAN CENTER, INC.					
	4/5/2010	201696	45.12		
				REFUND-BUS LIC OVRPMT	45.12
	Vendor Total		**45.12**		
FYTD for NEW HOPE CHRISTIAN CENTER, INC.			**45.12**		
NEW HORIZON MOBILE HOME PARK					
	4/12/2010	201887	8.64		
				REFUND-UT USER TAXES	8.64
	Vendor Total		**8.64**		
FYTD for NEW HORIZON MOBILE HOME PARK			**80.49**		
NIEBURGER, JUDITH A.					
	4/5/2010	201697	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,014.20**		
NINYO & MOORE GEOTECHNICAL					
	4/12/2010	201888	1,295.25		
				EMRGNCY OPS CTR PROJ SVCS	1,295.25
	Vendor Total		**1,295.25**		
FYTD for NINYO & MOORE GEOTECHNICAL			**67,903.12**		
NIP & CUT HAIR STUDIO					
	4/19/2010	202024	32.34		
				REFUND-BUS LIC OVRPMT	32.34
	Vendor Total		**32.34**		
FYTD for NIP & CUT HAIR STUDIO			**32.34**		
NOBEL SYSTEMS					
	4/26/2010	880392	18,929.44		
				PROF SVCS-TS	1,000.00
				PROF SVCS-TS	14,947.20
				PROF SVCS-TS	2,982.24
	Vendor Total		**18,929.44**		
FYTD for NOBEL SYSTEMS			**60,769.44**		
OCAMPO, JULIE					
	4/19/2010	202025	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for OCAMPO, JULIE			**75.00**		

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OLD COUNTRY BAKERY					
	4/5/2010	201698	37.10		
				REFUND-BUS LIC OVRPMT	37.10
	Vendor Total		**37.10**		
FYTD for OLD COUNTRY BAKERY			**37.10**		
OLIPHANT, SONJA D.					
	4/12/2010	201889	123.00		
				REFUND-PERMIT FEES	122.00
				REFUND-PERMIT FEES	0.90
				REFUND-PERMIT FEES	0.10
	Vendor Total		**123.00**		
FYTD for OLIPHANT, SONJA D.			**123.00**		
ONE BEAUTY SUPPLY & SALON (SUPPLY)					
	4/5/2010	201699	25.12		
				REFUND-BUS LIC OVRPMT	25.12
	Vendor Total		**25.12**		
FYTD for ONE BEAUTY SUPPLY & SALON (SUPPLY)			**25.12**		
OPERATION SAFEHOUSE, INC.					
	4/26/2010	202164	882.88		
				SHELTER PRGM-CDBG	491.97
				SHELTER PRGM-CDBG	390.91
	Vendor Total		**882.88**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,044.28**		
ORACLE AMERICA					
	4/5/2010	201700	22,459.82		
				SOFTWARE UPDATE/SUPPORT	22,459.82
	Vendor Total		**22,459.82**		
FYTD for ORACLE AMERICA			**89,578.72**		
OUTBACK PATIO & SUN ROOMS					
	4/5/2010	201701	42.51		
				REFUND-BUS LIC OVRPMT	42.51
	Vendor Total		**42.51**		
FYTD for OUTBACK PATIO & SUN ROOMS			**42.51**		

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OVERLAND PACIFIC & CUTLER, INC.				
4/19/2010	202026	12,100.00		
			SR-60/NASON ST INTRCHNG PROJ	12,100.00
4/26/2010	202165	6,720.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	6,720.00
	Vendor Total	**18,820.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**151,329.50**		
PACIFIC GREEN HORTICULTURAL SVC				
4/12/2010	201890	947.83		
			LANDSCAPE MAINT-E14	130.00
			LANDSCAPE MAINT-E3	235.54
			LANDSCAPE MAINT-E4	433.49
			LANDSCAPE MAINT-E1	108.51
			LANDSCAPE MAINT-E7	40.29
4/26/2010	202166	125.00		
			BEE CONTROL-DSG1E	125.00
	Vendor Total	**1,072.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**10,103.29**		
PACIFIC SAFETY COUNCIL				
4/5/2010	201702	2,613.70		
			SAFETY TRAINING-VIDEO	8.70
			SAFETY TRAINING-WORKSHOP	1,969.92
			SAFETY TRAINING-WORKSHOP	635.08
4/26/2010	202167	389.79		
			SAFETY TRAINING-VIDEO	9.79
			SAFETY TRAINING-MBRSHP RNWL	355.13
			SAFETY TRAINING-MBRSHP RNWL	24.87
	Vendor Total	**3,003.49**		
FYTD for PACIFIC SAFETY COUNCIL		**8,928.57**		
PACIFIC TELEMANAGEMENT SERVICES				
4/26/2010	202168	438.48		
			PAYPHONE SVCS-PD	62.64
			PAYPHONE SVCS-CITYWIDE	375.84
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**2,580.76**		
PACIFIC UTILITY INSTALLATION, INC				
4/19/2010	202027	46.65		
			REFUND-BUS LIC OVRPMT	46.65
	Vendor Total	**46.65**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**46.65**		

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PAM'S DONUTS					
	4/5/2010	201704	36.08		
				REFUND-BUS LIC OVRPMT	36.08
	Vendor Total		**36.08**		
FYTD for PAM'S DONUTS			**36.08**		
PANDA BOWL					
	4/5/2010	201705	29.41		
				REFUND-BUS LIC OVRPMT	29.41
	Vendor Total		**29.41**		
FYTD for PANDA BOWL			**29.41**		
PARSON, REGINA					
	4/5/2010	201706	61.00		
				REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total		**61.00**		
FYTD for PARSON, REGINA			**61.00**		
PARSONS TRANSPORTATION GROUP, INC.					
	4/26/2010	202169	17,464.08		
				SR-60/MOR BCH DR INTRCHNG PROJ	17,464.08
	Vendor Total		**17,464.08**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**1,001,522.33**		
PATTERSON, ALFREY					
	4/5/2010	201708	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY			**2,111.91**		
PAVER, JACQUELINE G.					
	4/12/2010	201892	825.00		
				PROF SVCS-WEBB	825.00
	Vendor Total		**825.00**		
FYTD for PAVER, JACQUELINE G.			**825.00**		
PBS & J					
	4/12/2010	880339	4,005.00		
				SHEILA ST NGHBRHOOD PARK PROJ	4,005.00
	Vendor Total		**4,005.00**		
FYTD for PBS & J			**36,312.82**		

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PECORARO, HEIDI					
	4/12/2010	201893	20.00		
				REFUND-RABIES DEP	20.00
	4/26/2010	202170	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for PECORARO, HEIDI			**95.00**		
PENIGAR TAX SERVICE					
	4/19/2010	202028	45.13		
				REFUND-BUS LIC OVRPMT	45.13
	Vendor Total		**45.13**		
FYTD for PENIGAR TAX SERVICE			**45.13**		
PENTON MEDIA, INC.					
	4/26/2010	202210	2,700.00		
				ADVERTISING SVCS-EDD	2,700.00
	Vendor Total		**2,700.00**		
FYTD for PENTON MEDIA, INC.			**8,100.00**		
PEREZ, JOSE					
	4/26/2010	202171	54.50		
				REFUND-CITATION OVRPMT	54.50
	Vendor Total		**54.50**		
FYTD for PEREZ, JOSE			**54.50**		
PERRY, NORMA					
	4/5/2010	201709	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,187.30**		
PERS LONG TERM CARE PROGRAM					
	4/12/2010	201894	433.87		
				LONG TERM CARE INSURANCE	433.87
	4/26/2010	202172	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,287.53**		
PERVO PAINT CO.					
	4/5/2010	201710	114.19		
				PAINT-TRAFFIC DIV	114.19
	Vendor Total		**114.19**		
FYTD for PERVO PAINT CO.			**39,410.52**		

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PETERSEN DEAN, INC.					
	4/5/2010	201711	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for PETERSEN DEAN, INC.			**100.00**		
PETERSON, CHRISTINE					
	4/19/2010	202029	253.50		
				TRAVEL EXP-BOOST CONFERENCE	47.00
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**253.50**		
FYTD for PETERSON, CHRISTINE			**349.55**		
PICECH-GARTINELLI, ANDREA					
	4/19/2010	202030	107.00		
				REFUND-CLASS REGIST	107.00
	Vendor Total		**107.00**		
FYTD for PICECH-GARTINELLI, ANDREA			**107.00**		
PIP PRINTING					
	4/26/2010	880394	988.00		
				PRINTING-FY10/11 CIP BINDERS	988.00
	Vendor Total		**988.00**		
FYTD for PIP PRINTING			**4,122.99**		
POIEMA LANDSCAPE, INC.					
	4/26/2010	880395	3,464.85		
				LANDSCAPE MAINT-ZN S	1,333.85
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**30,559.13**		
POLLARD, ROCHELLE					
	4/19/2010	202031	254.00		
				TRAVEL EXP-BOOST CONFERENCE	47.50
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**254.00**		
FYTD for POLLARD, ROCHELLE			**303.00**		
POOLE, LILLIE					
	4/5/2010	201712	52.00		
				REFUND-REGIS SKATEBRD CLASS	52.00
	Vendor Total		**52.00**		
FYTD for POOLE, LILLIE			**52.00**		

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POUK & STEINLE, INC.					
	4/5/2010	201713	1,458.00		
				COTTONWD/PATTILYNN DR TRAF SIG	1,458.00
	4/12/2010	201895	14,484.58		
				RETENTION RLS-CTTNWD/PATTILYNN	14,484.58
	Vendor Total		**15,942.58**		
FYTD for POUK & STEINLE, INC.			**350,854.88**		
PRICE, GEORGE E.					
	4/5/2010	201814	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,187.30**		
PRO-CRAFT PLUMBING COMPANY, INC					
	4/19/2010	202032	79.67		
				REFUND-BUS LIC OVRPMT	79.67
	Vendor Total		**79.67**		
FYTD for PRO-CRAFT PLUMBING COMPANY, INC			**79.67**		
PROTECT YOUR HOME					
	4/19/2010	202033	86.65		
				REFUND-BUS LIC OVRPMT	86.65
	Vendor Total		**86.65**		
FYTD for PROTECT YOUR HOME			**86.65**		
PROTECTION ONE, INC.					
	4/12/2010	201896	40.00		
				SECURITY SVCS-PRO SHOP	20.00
				SECURITY SVCS-MVTV	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**400.00**		
PSOMAS					
	4/12/2010	201897	8,003.50		
				LASSELLE ST WIDENING PROJ SVCS	8,003.50
	Vendor Total		**8,003.50**		
FYTD for PSOMAS			**178,701.26**		
PULLIAM, TRENT D.					
	4/5/2010	201714	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,187.30**		

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PW ENHANCEMENT CENTER					
	4/26/2010	880396	739.59		
				EMERG SVCS PROG-CDBG	739.59
	Vendor Total		**739.59**		
FYTD for PW ENHANCEMENT CENTER			**116,746.08**		
Q NAILS & SPA					
	4/19/2010	202034	55.07		
				REFUND-BUS LIC OVRPMT	55.07
	4/19/2010	202035	71.73		
				REFUND-BUS LIC OVRPMT	71.73
	Vendor Total		**126.80**		
FYTD for Q NAILS & SPA			**126.80**		
QAZI MEDICAL GROUP, INC					
	4/5/2010	201715	81.83		
				REFUND-BUS LIC OVRPMT	81.83
	Vendor Total		**81.83**		
FYTD for QAZI MEDICAL GROUP, INC			**81.83**		
R & S OVERHEAD DOORS, INC.					
	4/5/2010	880304	2,062.00		
				DOOR MAINT-FACILITIES	50.34
				DOOR MAINT-FACILITIES	50.33
				DOOR MAINT-FACILITIES	50.33
				DOOR MAINT-PSB	57.00
				DOOR MAINT-PSB	114.00
				DOOR MAINT-FS #6	201.00
				DOOR MAINT-SENIOR CTR	161.00
				DOOR MAINT-UT FLD OFFICE	121.00
				DOOR MAINT-FS #65	141.00
				DOOR MAINT-FS #91	201.00
				DOOR MAINT-FS #2	201.00
				DOOR MAINT-CITY YARD	241.00
				DOOR MAINT-FS #58	201.00
				DOOR MAINT-FS #48	141.00
				DOOR MAINT-ANML SHLTR	131.00
	4/26/2010	880397	302.50		
				DOOR MAINT-PSB	6.00
				DOOR MAINT-PSB	150.00
				DOOR MAINT-PSB	146.50
	Vendor Total		**2,364.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**26,744.50**		

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RALLY MANAGEMENT SERVICES, LLC					
	4/5/2010	201716	719.28		
				TEMP SVCS-HENDERSON W/E 3/7	719.28
	4/12/2010	201898	3,669.87		
				TEMP SVCS-HENDERSON W/E 2/28	719.28
				TEMP SVCS-HENDERSON W/E 3/14	719.28
				TEMP SVCS-HENDERSON W/E 3/21	719.28
				TEMP SVCS-MEDINA W/E 3/7	373.82
				TEMP SVCS-MEDINA W/E 3/14	418.93
				TEMP SVCS-HENDERSON W/E 3/28	719.28
	4/26/2010	202173	719.28		
				TEMP SVCS-HENDERSON W/E 4/4	719.28
	Vendor Total		**5,108.43**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**12,242.09**		
RAMIREZ, FERNANDO					
	4/19/2010	202036	31.00		
				REFUND-ANML LICENSE FEE	31.00
	Vendor Total		**31.00**		
FYTD for RAMIREZ, FERNANDO			**31.00**		
RAMIREZ, MANUEL S.					
	4/5/2010	201717	22.07		
				REFUND-BUS LIC OVRPMT	22.07
	Vendor Total		**22.07**		
FYTD for RAMIREZ, MANUEL S.			**22.07**		
RAYMOND, DENISE M.					
	4/5/2010	201718	318.50		
				PER DIEM-CHAMELEON CONF.	318.50
	Vendor Total		**318.50**		
FYTD for RAYMOND, DENISE M.			**318.50**		
RAYNE WATER CONDITIONING					
	4/5/2010	201719	22.50		
				REFUND-BUS LIC OVRPMT	22.50
	Vendor Total		**22.50**		
FYTD for RAYNE WATER CONDITIONING			**22.50**		
RE PLANET					
	4/5/2010	201720	22.52		
				REFUND-BUS LIC OVRPMT	22.52
	Vendor Total		**22.52**		
FYTD for RE PLANET			**22.52**		

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REGENTS UC / UNIVERSITY OF CALIFORNIA				
4/19/2010	202037	18.00		
			CUC MEETING	18.00
	Vendor Total	**18.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA		**40.00**		
RENTAL SERVICE CORP.				
4/5/2010	201721	57.01		
			REFUND-BUS LIC OVRPMT	57.01
	Vendor Total	**57.01**		
FYTD for RENTAL SERVICE CORP.		**57.01**		
REVENUE EXPERTS, INC.				
4/12/2010	201899	2,939.60		
			CITATION PRCSSNG-ANML SVCS	2,939.60
	Vendor Total	**2,939.60**		
FYTD for REVENUE EXPERTS, INC.		**35,992.05**		
RGC CONSTRUCTION				
4/19/2010	202038	43.07		
			REFUND-BUS LIC OVRPMT	43.07
	Vendor Total	**43.07**		
FYTD for RGC CONSTRUCTION		**43.07**		
RGIS, LLC				
4/5/2010	201722	95.64		
			REFUND-BUS LIC OVRPMT	95.64
	Vendor Total	**95.64**		
FYTD for RGIS, LLC		**95.64**		
RICE FIRE PROTECTION				
4/5/2010	201723	331.00		
			REFUND-BUS LIC OVRPMT	81.00
			REFUND-BUS LIC OVRPMT	250.00
	Vendor Total	**331.00**		
FYTD for RICE FIRE PROTECTION		**331.00**		
RICHARD LOPEZ CONSTRUCTION				
4/19/2010	202039	91.08		
			REFUND-BUS LIC OVRPMT	91.08
	Vendor Total	**91.08**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,074,059.47**		

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RINA'S BEAUTY DESIGN				
4/5/2010	201724	40.36		
			REFUND-BUS LIC OVRPMT	40.36
Vendor Total		**40.36**		
FYTD for RINA'S BEAUTY DESIGN		**40.36**		
RIQUIER, SARA				
4/5/2010	201725	75.00		
			REFUND-SPAY/NEUTER FEES	75.00
Vendor Total		**75.00**		
FYTD for RIQUIER, SARA		**75.00**		
RIVERSIDE AREA RAPE CRISIS CENTER				
4/26/2010	202174	432.99		
			CDBG FUNDED SVCS-PREV PRGM	432.99
Vendor Total		**432.99**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		**7,031.63**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
4/5/2010	201726	1,833.10		
			RADIO SVCS-PD	1,789.70
			VPN CONNECTION SVCS	43.40
4/26/2010	202175	43.40		
			VPN CONNECTION SVCS	43.40
Vendor Total		**1,876.50**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**20,848.63**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
4/12/2010	201901	395.95		
			GARNISHMENT	395.95
4/26/2010	202176	792.16		
			GARNISHMENT	792.16
Vendor Total		**1,188.11**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**9,295.93**		
RIVERSIDE COUNTY SHERIFF MV				
4/12/2010	201902	330.13		
			EXTRA DUTY-2/17 CK POINT	330.13
Vendor Total		**330.13**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**10,019.10**		

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RIVERSIDE RUBBER STAMP & ENGRAVING					
	4/12/2010	201903	16.51		
				APPROVAL STAMP-PURCHASING	13.01
				APPROVAL STAMP-PURCHASING	3.50
	Vendor Total		**16.51**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING			**16.51**		
RJ RAYMOND PET SERVICES					
	4/19/2010	202040	27.02		
				REFUND-BUS LIC OVRPMT	27.02
	Vendor Total		**27.02**		
FYTD for RJ RAYMOND PET SERVICES			**27.02**		
RLZ ENGINEERING					
	4/12/2010	880340	6,370.50		
				TEMP STAFFING SVCS-CAP PROJS	6,370.50
	Vendor Total		**6,370.50**		
FYTD for RLZ ENGINEERING			**130,599.75**		
ROBERTSON, ANTOINETTE Z.					
	4/12/2010	201904	25.00		
				REFUND-CITATION DISMISSED	25.00
	Vendor Total		**25.00**		
FYTD for ROBERTSON, ANTOINETTE Z.			**25.00**		
ROBINSON, ERIC					
	4/19/2010	202041	35.00		
				PER DIEM-MADD RECOGNITION EVNT	35.00
	Vendor Total		**35.00**		
FYTD for ROBINSON, ERIC			**35.00**		
ROBINSON-DAVIS, YAVONNE					
	4/5/2010	201727	50.00		
				REFUND-TRAP RENTAL DEP	50.00
	Vendor Total		**50.00**		
FYTD for ROBINSON-DAVIS, YAVONNE			**50.00**		
ROCHA, SARA L.					
	4/5/2010	201728	888.30		
				RETIREE MEDICAL BENEFIT	888.30
	Vendor Total		**888.30**		
FYTD for ROCHA, SARA L.			**2,664.90**		

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ROCKWELL, JACQUELINE					
	4/12/2010	201905	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ROCKWELL, JACQUELINE			**75.00**		
RODRIGUEZ, CARLOS					
	4/12/2010	201906	165.00		
				PER DIEM-ANNL FIRE PREV WRKSHP	165.00
	Vendor Total		**165.00**		
FYTD for RODRIGUEZ, CARLOS			**165.00**		
RODRIGUEZ, LAUREN					
	4/19/2010	202042	253.00		
				TRAVEL EXP-BOOST CONFERENCE	46.50
				TRAVEL EXP-BOOST CONFERENCE	206.50
	Vendor Total		**253.00**		
FYTD for RODRIGUEZ, LAUREN			**483.00**		
RODRIGUEZ, OMAR					
	4/15/2010	201932	325.00		
				PER DIEM-ECONOMIC CRIMES CLASS	325.00
	Vendor Total		**325.00**		
FYTD for RODRIGUEZ, OMAR			**453.00**		
ROGERS, EUGENE					
	4/5/2010	201815	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,549.85**		
ROJAS, STEVE					
	4/26/2010	202177	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for ROJAS, STEVE			**20.00**		
ROMAN, MIRIAM					
	4/5/2010	201729	20.00		
				REFUND-RABIES FEE DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ROMAN, MIRIAM			**20.00**		

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ROMEROS FOOD PRODUCTS					
	4/5/2010	201730	21.00		
				REFUND-BUS LIC OVRPMT	21.00
	Vendor Total		**21.00**		
FYTD for ROMEROS FOOD PRODUCTS			**21.00**		
ROSS, DAVID T.					
	4/5/2010	201816	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,187.30**		
ROSSON, LOUIS A.					
	4/5/2010	201817	289.86		
				RETIREE MEDICAL BENEFIT	96.50
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**289.86**		
FYTD for ROSSON, LOUIS A.			**2,759.57**		
RUSSELL, FRANK					
	4/26/2010	202178	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RUSSELL, FRANK			**20.00**		
RUSSO, JOHN					
	4/5/2010	201818	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,187.30**		
SA ASSOCIATES					
	4/26/2010	880398	12,600.00		
				TEMP STAFFING SVCS-CAP PROJS	12,600.00
	Vendor Total		**12,600.00**		
FYTD for SA ASSOCIATES			**111,112.50**		
SAM KHUMOORO CHIROPRACTIC PROF CORP					
	4/19/2010	202043	43.30		
				REFUND-BUS LIC OVRPMT	43.30
	Vendor Total		**43.30**		
FYTD for SAM KHUMOORO CHIROPRACTIC PROF CORP			**43.30**		

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SANO ATTORNEY SERVICE					
	4/12/2010	201907	110.00		
				LEGAL SVCS-ROCHA	110.00
	Vendor Total		**110.00**		
FYTD for SANO ATTORNEY SERVICE			**810.00**		
SAPIEN, RALPH G.					
	4/5/2010	201731	151.94		
				REFUND-ADMIN CITATION FEES	151.94
	Vendor Total		**151.94**		
FYTD for SAPIEN, RALPH G.			**151.94**		
SAVER CUT					
	4/5/2010	201733	20.48		
				REFUND-BUS LIC OVRPMT	20.48
	Vendor Total		**20.48**		
FYTD for SAVER CUT			**20.48**		
SAV-ON CARPET & TILE					
	4/5/2010	201732	64.19		
				REFUND-BUS LIC OVRPMT	64.19
	Vendor Total		**64.19**		
FYTD for SAV-ON CARPET & TILE			**64.19**		
SC SIGNS					
	4/19/2010	202044	1,260.00		
				PUBLIC HEARING SIGNS	945.00
				PUBLIC HEARING SIGNS	315.00
	Vendor Total		**1,260.00**		
FYTD for SC SIGNS			**5,355.00**		
SCMAF S. CA MUNI. ATHLETIC FEDERATION					
	4/19/2010	202045	175.00		
				2009 FLAG FOOTBALL ENTRY FEES	175.00
	4/19/2010	202046	525.00		
				YTH BASKETBALL ENTRY FEES	525.00
	Vendor Total		**700.00**		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION			**1,234.00**		
SCMAF-INLAND VALLEYS					
	4/19/2010	202047	50.00		
				A&I INSTALLATION EVENT	50.00
	Vendor Total		**50.00**		
FYTD for SCMAF-INLAND VALLEYS			**50.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SCREENVISION DIRECT					
	4/26/2010	202179	1,328.00		
				ADVERTISING SVCS-ERC	768.00
				ADVERTISING SVCS-ERC	560.00
	Vendor Total		**1,328.00**		
FYTD for SCREENVISION DIRECT			**7,540.00**		
SECURITY LOCK & KEY					
	4/5/2010	201734	73.25		
				LOCK SVC-DUP KEYS	73.25
	4/12/2010	201930	61.50		
				LOCK REPAIRS-PARKS	61.50
	4/26/2010	880399	49.50		
				LOCK REPAIRS-POLICE	49.50
	Vendor Total		**184.25**		
FYTD for SECURITY LOCK & KEY			**16,078.28**		
SELAH/SOUND THEOLOGY CHRISTIAN STORE					
	4/5/2010	201735	87.68		
				REFUND-BUS LIC OVRPMT	87.68
	Vendor Total		**87.68**		
FYTD for SELAH/SOUND THEOLOGY CHRISTIAN STORE			**87.68**		
SELECT BUILD					
	4/5/2010	201736	23.00		
				REFUND-BUS LIC OVRPMT	23.00
	Vendor Total		**23.00**		
FYTD for SELECT BUILD			**23.00**		
SEWELL'S RIVERSIDE DAIRY INC					
	4/19/2010	202048	71.51		
				REFUND-BUS LIC OVRPMT	71.51
	Vendor Total		**71.51**		
FYTD for SEWELL'S RIVERSIDE DAIRY INC			**71.51**		
SHAH, JAGDISH					
	4/19/2010	880367	20,520.00		
				TEMP STAFFING SVCS-CAP PROJS	20,520.00
	Vendor Total		**20,520.00**		
FYTD for SHAH, JAGDISH			**185,280.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SHARKEY, ROBIN					
	4/19/2010	202049	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SHARKEY, ROBIN			**75.00**		
SHARRETT, SHARON K.					
	4/5/2010	201737	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**1,848.40**		
SHELDON, STUART H.					
	4/5/2010	201738	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,187.30**		
SHELL OIL CO.					
	4/19/2010	202050	208.22		
				FUEL PURCHASES-ANIMAL SVCS	157.93
				FUEL PURCHASE-SPEC DISTRICTS	50.29
	4/26/2010	202180	1,524.60		
				FUEL PURCHASES-PD MOTORCYCLES	1,307.35
				FUEL PURCHASES-PD CRIME PREV	217.25
	Vendor Total		**1,732.82**		
FYTD for SHELL OIL CO.			**16,884.42**		
SHIPMAN, MICHAEL					
	4/19/2010	202051	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SHIPMAN, MICHAEL			**20.00**		
SHREINER, REBECCA					
	4/19/2010	202052	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SHREINER, REBECCA			**50.00**		
SHURTLEFF, JEANNETTE L.					
	4/19/2010	202053	798.00		
				INSTRUCTION SVCS-21 DAYS	798.00
	Vendor Total		**798.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,268.00**		

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SINGER & COFFIN, APC				
4/26/2010	880400	3,889.50		
			LEGAL SVCS-SR60/NASON ST PROJ	3,649.50
			LEGAL SVCS-SR60/NASON ST PROJ	240.00
Vendor Total		**3,889.50**		
FYTD for SINGER & COFFIN, APC		**69,051.65**		
SINGLETON-DECUIR, JANISHEIA				
4/19/2010	202092	354.00		
			MILEAGE REIMBURSEMENT	93.00
			TRAVEL EXP-BOOST CONFERENCE	54.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		**354.00**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**740.85**		
SKY PUBLISHING				
4/19/2010	202054	8,773.50		
			PRINTING SVCS-SUMMER10	8,773.50
Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING		**48,444.50**		
SKY TRAILS MOBILE VILLAGE				
4/12/2010	201909	26.19		
			REFUND-UT USER TAXES	26.19
Vendor Total		**26.19**		
FYTD for SKY TRAILS MOBILE VILLAGE		**228.60**		
SLAGERMAN, SUSAN A.				
4/5/2010	201819	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**3,749.76**		
SMITH, ERNEST FRANK				
4/5/2010	201739	637.46		
			RETIREE MEDICAL BENEFIT	637.46
Vendor Total		**637.46**		
FYTD for SMITH, ERNEST FRANK		**5,268.41**		
SMITH, LISA				
4/5/2010	201740	30.71		
			REFUND-BUS LIC OVRPMT	30.71
Vendor Total		**30.71**		
FYTD for SMITH, LISA		**30.71**		

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SMITH, MARIA A.					
	4/5/2010	201820	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,546.10**		
SMOKE PLUS					
	4/19/2010	202055	21.23		
				REFUND-BUS LIC OVRPMT	21.23
	Vendor Total		**21.23**		
FYTD for SMOKE PLUS			**21.23**		
SMOKE SHOP TOBACCO					
	4/19/2010	202056	33.33		
				REFUND-BUS LIC OVRPMT	33.33
	Vendor Total		**33.33**		
FYTD for SMOKE SHOP TOBACCO			**33.33**		
SO. CALIF SCHOOL OF MUSIC					
	4/26/2010	202181	1,100.25		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	297.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	209.25
				INSTRUCTOR SVCS-PIANO	216.00
	Vendor Total		**1,100.25**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**9,890.25**		
SOCO GROUP, INC					
	4/5/2010	201741	11,864.58		
				FUEL PURCHASE	5,893.95
				FUEL PURCHASE	5,970.63
	4/26/2010	202182	21,260.96		
				FUEL PURCHASE	5,544.41
				FUEL PURCHASE	4,537.51
				FUEL PURCHASE	5,746.92
				FUEL PURCHASE	5,432.12
	Vendor Total		**33,125.54**		
FYTD for SOCO GROUP, INC			**149,145.14**		
SODEN ENTERPRISES, INC. DBA EASY YOGA					
	4/26/2010	202183	154.80		
				INSTRUCTOR SVCS-YOGA	77.40
				INSTRUCTOR SVCS-YOGA	77.40
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**567.60**		

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SONG, HELEN					
	4/19/2010	202057	112.00		
				REFUND-CLASS REGIST	112.00
	Vendor Total		**112.00**		
FYTD for SONG, HELEN			**112.00**		
SOSA, JORGE					
	4/12/2010	201910	352.20		
				INSTRUCTOR SVCS-NINPO FOR KIDS	96.00
				INSTRUCTOR SVCS-KARATEDO	256.20
	Vendor Total		**352.20**		
FYTD for SOSA, JORGE			**3,604.20**		
SOUTH BAY MASONRY					
	4/19/2010	202058	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for SOUTH BAY MASONRY			**57.00**		
SOUTH COAST AIR QUALITY MGMT DISTRICT					
	4/12/2010	201911	109.00		
				EMISSIONS FEE-FS #58	109.00
	4/12/2010	201912	293.21		
				ANNL OPERATING FEES-FS #58	293.21
	Vendor Total		**402.21**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT			**3,615.17**		
SOUTH COAST AQMD					
	4/19/2010	202059	154.81		
				REG-EMPL TRANSP COORD TRNG	154.81
	Vendor Total		**154.81**		
FYTD for SOUTH COAST AQMD			**154.81**		

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SOUTHERN CALIFORNIA EDISON					
	4/5/2010	201743	5,481.67		
				ELECTRICITY	104.70
				ELECTRICITY	20.78
				ELECTRICITY	765.01
				ELECTRICITY	1,522.60
				ELECTRICITY	133.45
				ELECTRICITY	214.92
				ELECTRICITY	433.18
				ELECTRICITY	692.29
				ELECTRICITY	133.85
				ELECTRICITY	239.03
				ELECTRICITY	1,021.41
				ELECTRICITY	156.39
				ELECTRICITY	44.06
	4/12/2010	201913	6,410.52		
				ELECTRICITY	43.24
				ELECTRICITY	108.04
				ELECTRICITY	62.75
				ELECTRICITY	1,348.04
				ELECTRICITY	821.47
				ELECTRICITY	841.36
				ELECTRICITY	464.09
				ELECTRICITY	484.09
				ELECTRICITY	878.01
				ELECTRICITY	93.57
				ELECTRICITY	21.36
				ELECTRICITY	894.73
				ELECTRICITY	147.93
				ELECTRICITY	138.36
				ELECTRICITY	63.48
	4/12/2010	201914	14,146.73		
				IFA CHARGES-SUBSTATION	14,146.73
	4/19/2010	202061	345.71		
				ELECTRIC CHARGES	345.71
	4/26/2010	202184	18,786.90		
				ELECTRICITY	174.64
				ELECTRICITY	5,071.43
				ELECTRICITY	2,657.47
				ELECTRICITY	19.18
				ELECTRICITY	557.87
				ELECTRICITY	1,880.42
				ELECTRICITY	132.16
				ELECTRICITY	4,858.31
				ELECTRICITY	274.09
				ELECTRICITY	140.04
				ELECTRICITY	1,539.29
				ELECTRICITY	242.01
				ELECTRICITY	420.98
				ELECTRICITY	504.65
				ELECTRICITY	152.45
				ELECTRICITY	138.80
				ELECTRICITY	23.11

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	45,171.53		
FYTD for SOUTHERN CALIFORNIA EDISON		6,495,377.09		
SOUTHERN CALIFORNIA FIRE PROTECTION, INC				
4/5/2010	201744	75.00		
			REFUND-BUS LIC OVRPMT	75.00
	Vendor Total	75.00		
FYTD for SOUTHERN CALIFORNIA FIRE PROTECTION, INC		75.00		
SOUTHERN CALIFORNIA GAS CO.				
4/19/2010	202062	6,728.68		
			GAS CHARGES	32.88
			GAS CHARGES	865.62
			GAS CHARGES	2,555.87
			GAS CHARGES	21.33
			GAS CHARGES	105.63
			GAS CHARGES	760.22
			GAS CHARGES	169.37
			GAS CHARGES	111.61
			GAS CHARGES	842.53
			GAS CHARGES	213.50
			GAS CHARGES	247.20
			GAS CHARGES	170.35
			GAS CHARGES	138.41
			GAS CHARGES	252.90
			GAS CHARGES	241.26
	Vendor Total	6,728.68		
FYTD for SOUTHERN CALIFORNIA GAS CO.		261,387.79		
SOUTHWEST HEALTHCARE SYSTEM				
4/26/2010	202186	900.00		
			FORENSIC EXAM-POLICE	900.00
	Vendor Total	900.00		
FYTD for SOUTHWEST HEALTHCARE SYSTEM		1,800.00		
SPARKLETTS				
4/5/2010	201745	13.10		
			WATER SVCS-EMERG OPER	4.50
			WATER SVCS-CREEKSIDE ELEM	8.60
4/26/2010	202187	15.72		
			WATER SVCS-SNNYMD ELEM	15.03
			WATER SVCS-GOLF CRS	0.69
	Vendor Total	28.82		
FYTD for SPARKLETTS		394.99		

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SPECK, GARY B.					
	4/5/2010	201821	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,187.30**		
SPECTRUM CARE					
	4/5/2010	201746	74.00		
				REFUND-BUS LIC OVRPMT	74.00
	Vendor Total		**74.00**		
FYTD for SPECTRUM CARE			**98,740.64**		
SPENCER, MARTHA					
	4/5/2010	201822	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,220.76**		
SPORTS INNOVATORS					
	4/12/2010	201915	3,475.00		
				SPORTS OFFICIATING SVCS	75.00
				SPORTS OFFICIATING SVCS	3,400.00
	Vendor Total		**3,475.00**		
FYTD for SPORTS INNOVATORS			**25,895.00**		
SPRINT					
	4/5/2010	201747	20.00		
				SUBPOENA COMPLIANCE FEE	20.00
	Vendor Total		**20.00**		
FYTD for SPRINT			**110.00**		
SPRINT/NEXTEL					
	4/12/2010	880343	33.86		
				417544340-CELL PH CHRG GTF	33.86
	Vendor Total		**33.86**		
FYTD for SPRINT/NEXTEL			**696.18**		
STANDARD INSURANCE CO					
	4/5/2010	201748	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**326,752.74**		

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STANLEY CONVERGENT SECURITY SOLUTIONS, I				
4/19/2010	202063	196.99		
			REFUND-BUS LIC OVRPMT	196.99
Vendor Total		**196.99**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTIONS, I		**196.99**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
4/5/2010	880313	1,544.83		
			MONITORING SVCS-CRC	175.00
			MONITORING SVCS-CRC	492.00
			MONITORING SVCS-MFPCC	105.00
			MONITORING SVCS-TWNGTE	220.98
			MONITORING SVCS-TECH SVCS	105.00
			MONITORING SVCS-SPCL DIST	147.00
			MONITORING SVCS-PSB	194.85
			MONITORING SVCS-ANNX #1	105.00
4/12/2010	880344	0.00		
			MONITORING SVCS-TWNGTE	16.08
			MONITORING SVCS-TWNGTE	559.19
			MONITORING SVCS-TWNGTE	-16.08
			MONITORING SVCS-TWNGTE	-559.19
4/26/2010	880401	493.01		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-PARKS	166.85
			MONITORING SVCS-PARKS	227.16
Vendor Total		**2,037.84**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**26,108.46**		
STANTEC CONSULTING, INC.				
4/5/2010	201749	82.34		
			REFUND-BUS LIC OVRPMT	82.34
Vendor Total		**82.34**		
FYTD for STANTEC CONSULTING, INC.		**82.34**		
STAR CLEANERS				
4/5/2010	201750	26.50		
			REFUND-BUS LIC OVRPMT	26.50
Vendor Total		**26.50**		
FYTD for STAR CLEANERS		**26.50**		

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STATE BOARD OF EQUALIZATION				
4/19/2010	202064	800.00		
			ANNEXATION CERT FEE-60/DAY ST.	800.00
4/27/2010	33110	3,594.00		
			SALES & USE TAX	3,594.00
Vendor Total		**4,394.00**		
FYTD for STATE BOARD OF EQUALIZATION		**35,918.29**		
STATE CONTROLLER'S OFFICE				
4/26/2010	202188	2,312.86		
			ANNUAL STREET REPORT 08/09	2,312.86
Vendor Total		**2,312.86**		
FYTD for STATE CONTROLLER'S OFFICE		**4,812.86**		
STATE DISBURSEMENT UNIT				
4/1/2010	2603	1,499.52		
			CHILD SUPPORT W/H 04/01/10	1,499.52
4/15/2010	2612	1,123.52		
			CHILD SUPPORT W/H 04/15/10	1,123.52
4/29/2010	2620	1,123.52		
			CHILD SUPPORT W/H 04/29/10	1,123.52
Vendor Total		**3,746.56**		
FYTD for STATE DISBURSEMENT UNIT		**39,214.50**		
STATE NET				
4/19/2010	880369	1,350.00		
			CONTRACTED SVCS	1,350.00
Vendor Total		**1,350.00**		
FYTD for STATE NET		**1,350.00**		
STATE OF CALIF/DEPT OF INDUSTRIAL				
4/12/2010	201917	105.00		
			PERMIT FEE-CRC	105.00
Vendor Total		**105.00**		
FYTD for STATE OF CALIF/DEPT OF INDUSTRIAL		**210.00**		

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STATE OF CALIFORNIA DEPT. OF JUSTICE				
4/5/2010	201751	3,313.00		
			FINGERPRINTING SVCS-PD	3,313.00
4/19/2010	202065	1,394.00		
			FINGERPRINTING SVCS-HR	64.00
			BLOOD ALCHL ANLYS-PD	1,330.00
4/26/2010	202189	864.00		
			FINGERPRINTING SVCS-STARS	512.00
			FINGERPRINTING SVCS-TREASURY	288.00
			FINGERPRINTING SVCS-TS	64.00
	Vendor Total	**5,571.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**51,544.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
4/26/2010	202190	309.79		
			REFUND-MV UTILITY	103.11
			REFUND-MV UTILITY	22.30
			REFUND-MV UTILITY	33.18
			REFUND-MV UTILITY	151.20
	Vendor Total	**309.79**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,388.53**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
4/19/2010	202066	2,849.28		
			TRANSCRIPTION SVCS-PD	2,849.28
	Vendor Total	**2,849.28**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**32,329.28**		
STERICYCLE (BFI)				
4/26/2010	880402	517.86		
			WASTE HAULING SVCS-ANML SHLTR	517.86
	Vendor Total	**517.86**		
FYTD for STERICYCLE (BFI)		**4,498.16**		
STEVE'S LANDSCAPING & WEED ABATEMENT				
4/5/2010	201752	60.00		
			REFUND-BUS LIC OVRPMT	60.00
	Vendor Total	**60.00**		
FYTD for STEVE'S LANDSCAPING & WEED ABATEMENT		**46,636.75**		
STEVE'S VALLEY NURSERY				
4/5/2010	201753	87.37		
			REFUND-BUS LIC OVRPMT	87.37
	Vendor Total	**87.37**		
FYTD for STEVE'S VALLEY NURSERY		**204.82**		

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STEWART, CLIFFORD					
	4/5/2010	201823	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for STEWART, CLIFFORD			**1,996.81**		
STONERIDGE CENTER PARTNERS					
	4/5/2010	201754	120.00		
				REFUND-BUS LIC OVRPMT	120.00
	Vendor Total		**120.00**		
FYTD for STONERIDGE CENTER PARTNERS			**455,825.73**		
STRADLING, YOCCA, CARLSON & RAUTH					
	4/12/2010	201918	53.00		
				LEGAL SVCS-RISK MGT	53.00
	Vendor Total		**53.00**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**81,382.78**		
STREICH, TERRY L.					
	4/5/2010	201755	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**580.31**		
STRICKLER II, JOHN W.					
	4/5/2010	201756	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,549.85**		
SUMERFORD, CHRISTINA					
	4/26/2010	202191	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for SUMERFORD, CHRISTINA			**380.00**		

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SUNNYMEAD ACE HARDWARE				
4/5/2010	201757	13.56		
			MISC SUPPLIES-FIRE	5.43
			MISC SUPPLIES-FIRE	8.13
4/12/2010	201919	433.29		
			MISC SUPPLIES-POLICE	10.50
			MISC SUPPLIES-POLICE	9.33
			MISC SUPPLIES-POLICE	364.31
			MISC SUPPLIES-POLICE	1.70
			MISC SUPPLIES-POLICE	20.64
			MISC SUPPLIES-POLICE	21.64
			MISC SUPPLIES-POLICE	5.17
4/19/2010	202067	7.33		
			MISC SUPPLIES-FIRE	7.33
Vendor Total		**454.18**		
FYTD for SUNNYMEAD ACE HARDWARE		**3,516.02**		
SUNNYMEAD MONTESSORI SCHOOL				
4/19/2010	202068	64.32		
			REFUND-BUS LIC OVRPMT	64.32
Vendor Total		**64.32**		
FYTD for SUNNYMEAD MONTESSORI SCHOOL		**64.32**		
SUPERIOR FURNITURE				
4/5/2010	201758	47.36		
			REFUND-BUS LIC OVRPMT	47.36
Vendor Total		**47.36**		
FYTD for SUPERIOR FURNITURE		**47.36**		
SWEET FACTORY #489				
4/5/2010	201759	46.22		
			REFUND-BUS LIC OVRPMT	46.22
Vendor Total		**46.22**		
FYTD for SWEET FACTORY #489		**46.22**		
T M S ASSOCIATES				
4/19/2010	202069	48.21		
			REFUND-BUS LIC OVRPMT	48.21
Vendor Total		**48.21**		
FYTD for T M S ASSOCIATES		**48.21**		
T.Y. LIN INTERNATIONAL				
4/26/2010	202192	7,661.71		
			GRAHAM ST OVRCRSSNG/SR-60 PROJ	7,661.71
Vendor Total		**7,661.71**		
FYTD for T.Y. LIN INTERNATIONAL		**68,192.50**		

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TAQUERIA GUADALUPANA					
	4/19/2010	202071	37.90		
				REFUND-BUS LIC OVRPMT	37.90
	Vendor Total		**37.90**		
FYTD for TAQUERIA GUADALUPANA			**37.90**		
TECHNICARE COMPUTER SYSTEMS, INC					
	4/5/2010	201760	38.80		
				REFUND-BUS LIC OVRPMT	38.80
	Vendor Total		**38.80**		
FYTD for TECHNICARE COMPUTER SYSTEMS, INC			**38.80**		
THE BARBERS					
	4/19/2010	202072	34.53		
				REFUND-BUS LIC OVRPMT	34.53
	Vendor Total		**34.53**		
FYTD for THE BARBERS			**34.53**		
THERMAL-COOL INC.					
	4/5/2010	201761	302.00		
				AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
				AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
				AC UNIT SVC-EQUESTRIAN CTR	66.00
				AC UNIT SVC-EQUESTRIAN CTR	66.00
	Vendor Total		**302.00**		
FYTD for THERMAL-COOL INC.			**18,850.36**		
THOMCO CONSTRUCTION, INC.					
	4/5/2010	201762	13,741.45		
				ARTERIAL WALL REFURBISHMNT/E-4	12,367.31
				ARTERIAL WALL REFURBISHMNT/E-4	1,374.14
	Vendor Total		**13,741.45**		
FYTD for THOMCO CONSTRUCTION, INC.			**13,741.45**		
TIOS TACO NO 3					
	4/5/2010	201763	63.38		
				REFUND-BUS LIC OVRPMT	63.38
	Vendor Total		**63.38**		
FYTD for TIOS TACO NO 3			**63.38**		
T-MOBILE					
	4/19/2010	202070	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for T-MOBILE			**182.00**		

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TOMISELLI, ANGELO					
	4/12/2010	201920	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for TOMISELLI, ANGELO			**54.50**		
TORRES, ROBERT					
	4/12/2010	201921	43.50		
				REIMB-INFOPEOPLE WORKSHOP	43.50
	Vendor Total		**43.50**		
FYTD for TORRES, ROBERT			**43.50**		
TRAFFIC CONTROL SERVICE, INC.					
	4/26/2010	202193	5,174.50		
				TRAFFIC FLAGS, SIGNS & STANDS	4,758.16
				SALES TAX	416.34
	Vendor Total		**5,174.50**		
FYTD for TRAFFIC CONTROL SERVICE, INC.			**5,174.50**		
TRAN, NGUYET					
	4/19/2010	202073	52.00		
				REFUND-ANML LICENSE FEE	52.00
	Vendor Total		**52.00**		
FYTD for TRAN, NGUYET			**52.00**		
TREASURE BOX, INC.					
	4/5/2010	201764	21.13		
				REFUND-BUS LIC OVRPMT	21.13
	Vendor Total		**21.13**		
FYTD for TREASURE BOX, INC.			**21.13**		
TREE OF LIFE, INC.					
	4/5/2010	201765	23.21		
				REFUND-BUS LIC OVRPMT	23.21
	Vendor Total		**23.21**		
FYTD for TREE OF LIFE, INC.			**23.21**		

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TRICHE, TARA					
	4/26/2010	202195	1,931.40		
				INSTRUCTOR SVCS-BALLET	355.20
				INSTRUCTOR SVCS-BALLET/ACRO	88.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	310.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,931.40**		
FYTD for TRICHE, TARA			**19,291.80**		
TRI-CITY LINEN SUPPLY, INC.					
	4/26/2010	202194	47.50		
				LINEN RENTAL FOR CRC	22.50
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**47.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,640.70**		
TROPICAL PLAZA NURSERY, INC.					
	4/26/2010	202196	18,913.68		
				IRRIG REPAIRS-ZONE E-2	996.23
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
	Vendor Total		**18,913.68**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**183,251.75**		
TRUGREEN LANDCARE					
	4/26/2010	202197	21,957.40		
				IRRIG REPAIRS-ZONE DSG-2	13.11
				IRRIG REPAIRS-TRACT 31284	56.43
				IRRIG REPAIRS-TRACT 30027	9.99
				IRRIG REPAIRS-TRACT 20272	20.63
				IRRIG REPAIRS-TRACT 19208	64.70
				IRRIG REPAIRS-TRACT 19208	13.84
				LNDSCP WORK-TRACT 86	630.00
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG-1E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	3,511.29
				LNDSCP MAINT-ZONE DSG-2	4,909.14
	Vendor Total		**21,957.40**		
FYTD for TRUGREEN LANDCARE			**303,017.02**		

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TUNTLAND, JAMES					
	4/5/2010	201824	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**1,996.81**		
TURBOSCAPE, INC.					
	4/26/2010	880403	6,424.80		
				ANNL MULCHING IN ZONE E-4	6,424.80
	Vendor Total		**6,424.80**		
FYTD for TURBOSCAPE, INC.			**9,577.20**		
TWIN GRAPHICS					
	4/26/2010	880404	163.13		
				VEHICLE GRAPHICS FOR PD UNIT	163.13
	Vendor Total		**163.13**		
FYTD for TWIN GRAPHICS			**4,359.76**		
U.S. HEALTHWORKS MEDICAL GROUP					
	4/12/2010	201922	65.00		
				EMPLOYEE DOT/DMV EXAM	65.00
	4/19/2010	202074	5,151.00		
				NEW EMPLOYEE PHYSICALS	256.00
				NEW EMPLOYEE PHYSICALS	3,299.00
				NEW EMPLOYEE PHYSICALS	1,596.00
	Vendor Total		**5,216.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**15,136.00**		
UC REGENTS - GOVT'L & COMMUNITY RELATION					
	4/5/2010	201767	54.00		
				3/24, 4/28, 5/26-MTGS	54.00
	Vendor Total		**54.00**		
FYTD for UC REGENTS - GOVT'L & COMMUNITY RELATION			**198.00**		
U-HAUL CO OF CALIFORNIA					
	4/5/2010	201766	69.00		
				REFUND-BUS LIC OVRPMT	69.00
	Vendor Total		**69.00**		
FYTD for U-HAUL CO OF CALIFORNIA			**69.00**		
ULMER INDUSTRIES, INC.					
	4/19/2010	202075	8,614.31		
				RAILING FABRICATION FOR BRIDGE	8,614.31
	Vendor Total		**8,614.31**		
FYTD for ULMER INDUSTRIES, INC.			**8,614.31**		

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UNION BANK OF CALIFORNIA					
	4/5/2010	201768	336.00		
				INVESTMENT SAFEKEEPING SVCS	336.00
	4/19/2010	202076	170.00		
				MONTHLY LOC TRANSFER FEES	170.00
	Vendor Total		**506.00**		
FYTD for UNION BANK OF CALIFORNIA			**287,579.49**		
UNITED INSPECTION & TESTING INC					
	4/26/2010	202198	1,719.15		
				ANNL PAVEMNT RESURFACING PROJ	1,719.15
	Vendor Total		**1,719.15**		
FYTD for UNITED INSPECTION & TESTING INC			**20,568.40**		
UNITED POWER GENERATION, INC.					
	4/5/2010	201769	3,015.00		
				GENERATOR LOAD BANK TEST-FS#58	410.00
				GENERATOR LOAD BANK TEST-SHLTR	505.00
				GENERATOR LOAD BANK TEST-C.H.	640.00
				GENERATOR LOAD BANK TEST-PSB	640.00
				GENERATOR LOAD BANK TEST-FS#6	410.00
				GENERATOR LOAD BANK TEST-FS#48	410.00
	4/19/2010	202077	1,230.00		
				GENERATOR LOAD BANK TEST-FS#91	171.40
				GENERATOR LOAD BANK TEST-FS#91	238.60
				GENERATOR LOAD BANK TEST-FS#2	140.57
				GENERATOR LOAD BANK TEST-FS#2	269.43
				GENERATOR LOAD BANK TEST-FS#65	215.00
				GENERATOR LOAD BANK TEST-FS#65	195.00
	Vendor Total		**4,245.00**		
FYTD for UNITED POWER GENERATION, INC.			**21,990.66**		
UNITED SITE SERVICES OF CA, INC.					
	4/5/2010	201770	61.70		
				REFUND-BUS LIC OVRPMT	61.70
	4/5/2010	880316	97.55		
				PORTABLE TOILET SVC-M&O DIV.	97.55
	4/12/2010	880345	184.72		
				PORTABLE TOILET SVC-GOLF CTR	77.33
				FENCE RENTAL-ANIMAL SHELTER	107.39
	4/19/2010	880370	97.55		
				PORTABLE TOILET SVC-M&O DIV.	97.55
	Vendor Total		**441.52**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,451.65**		

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UNITED STATES TREASURY				
4/12/2010	201924	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
4/26/2010	202199	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY		**5,570.00**		
UNITED WAY OF INLAND VALLEYS				
4/12/2010	201925	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
4/26/2010	202200	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
Vendor Total		**1,254.36**		
FYTD for UNITED WAY OF INLAND VALLEYS		**18,163.90**		
UPTON, EMIKO				
4/19/2010	202078	66.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	16.00
Vendor Total		**66.00**		
FYTD for UPTON, EMIKO		**66.00**		
USA ALARM SYSTEMS, INC.				
4/19/2010	202079	30.00		
			REFUND-BUS LIC OVRPMT	30.00
Vendor Total		**30.00**		
FYTD for USA ALARM SYSTEMS, INC.		**30.00**		
USA MOBILITY/ARCH WIRELESS				
4/19/2010	880371	96.99		
			PAGER SVC-PARK RANGERS	2.03
			PAGER SVC-TRANSP DIV.	5.09
			PAGER SVC-CITZ PATROL VOLNTRS.	33.54
			PAGER SVC-ANIMAL SVCS	38.90
			PAGER SVC-SPARES & TAXES	17.43
Vendor Total		**96.99**		
FYTD for USA MOBILITY/ARCH WIRELESS		**826.67**		

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VACATE PEST ELIMINATION COMPANY					
	4/5/2010	880317	1,205.00		
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-TRANSP. TRLR	45.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-MARB HOBBY SHOP	45.00
				PEST CNTRL-STARS BLDG/MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
	4/26/2010	880406	590.00		
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				GOPHER CONTROL-ELECTR SUBST.	40.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
				PEST CONTROL-AQUEDUCT BIKEWAY	50.00
	Vendor Total		**1,795.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**15,275.00**		
VALI COOPER & ASSOCIATES, INC.					
	4/5/2010	880318	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**138,847.50**		

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VANDER HAWK CONSULTING, LLC				
4/19/2010	202080	2,200.00		
			PAVEMNT MGMT PRGM UPDATE SVCS	2,200.00
Vendor Total		**2,200.00**		
FYTD for VANDER HAWK CONSULTING, LLC		**47,593.00**		
VAS ASSOCIATES, INC.				
4/19/2010	880372	20,520.00		
			TEMP STAFFING SVCS-CAP PROJS	20,520.00
Vendor Total		**20,520.00**		
FYTD for VAS ASSOCIATES, INC.		**184,725.00**		
VERDIN CONCRETE, INC.				
4/5/2010	201771	60.00		
			REFUND-BUS LIC OVRPMT	60.00
Vendor Total		**60.00**		
FYTD for VERDIN CONCRETE, INC.		**60.00**		
VERIZON				
4/12/2010	201926	1,700.96		
			BACKBONE CHRGS	1,700.96
Vendor Total		**1,700.96**		
FYTD for VERIZON		**16,832.85**		

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VERIZON CALIFORNIA					
	4/12/2010	201927	10,625.51		
				TELEPHONE CHRGS	232.13
				TELEPHONE CHRGS	301.96
				TELEPHONE CHRGS	189.47
				TELEPHONE CHRGS	523.77
				TELEPHONE CHRGS	368.38
				TELEPHONE CHRGS	83.73
				TELEPHONE CHRGS	354.32
				TELEPHONE CHRGS	352.89
				TELEPHONE CHRGS	78.97
				TELEPHONE CHRGS	335.43
				TELEPHONE CHRGS	253.72
				TELEPHONE CHRGS	531.82
				TELEPHONE CHRGS	202.38
				TELEPHONE CHRGS	496.02
				TELEPHONE CHRGS	478.39
				TELEPHONE CHRGS	192.27
				TELEPHONE CHRGS	85.05
				TELEPHONE CHRGS	256.84
				TELEPHONE CHRGS	18.82
				TELEPHONE CHRGS	123.17
				TELEPHONE CHRGS	262.78
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	10.21
				TELEPHONE CHRGS	41.26
				TELEPHONE CHRGS	25.93
				TELEPHONE CHRGS	42.92
				TELEPHONE CHRGS	19.58
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	20.63
				TELEPHONE CHRGS	199.40
				TELEPHONE CHRGS	146.57
				TELEPHONE CHRGS	58.00
				TELEPHONE CHRGS	65.28
				TELEPHONE CHRGS	158.94
				TELEPHONE CHRGS	72.90
				TELEPHONE CHRGS	19.07
				TELEPHONE CHRGS	76.98
				TELEPHONE CHRGS	376.08
				TELEPHONE CHRGS	3,538.61
	4/26/2010	202201	618.25		
				TELEPHONE CHRGS-ERC	618.25
	Vendor Total		**11,243.76**		
FYTD for VERIZON CALIFORNIA			**100,300.09**		
VIDEO SHORES					
	4/19/2010	202081	27.07		
				REFUND-BUS LIC OVRPMT	27.07
	Vendor Total		**27.07**		
FYTD for VIDEO SHORES			**27.07**		

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VIGIL, ERNEST					
	4/5/2010	201825	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,187.30**		
VISION 4 DEZIGN					
	4/19/2010	202082	20.07		
				REFUND-BUS LIC OVRPMT	20.07
	Vendor Total		**20.07**		
FYTD for VISION 4 DEZIGN			**20.07**		
VISION SERVICE PLAN					
	4/5/2010	880320	4,321.25		
				EMPLOYEE VISION INSURANCE	4,321.25
	Vendor Total		**4,321.25**		
FYTD for VISION SERVICE PLAN			**44,201.21**		
VISTA PAINT CORPORATION					
	4/5/2010	201772	87.53		
				SUPPLIES FOR GRAFFITI RMVL	46.22
				SUPPLIES FOR GRAFFITI RMVL	41.31
	4/19/2010	202083	905.97		
				PAINT/SUPPLS FOR GRAFFITI RMVL	905.97
	Vendor Total		**993.50**		
FYTD for VISTA PAINT CORPORATION			**11,933.49**		
VISTERRA CREDIT UNION					
	4/26/2010	202202	750.00		
				REFUND-RNTL DEP 4/12	750.00
	Vendor Total		**750.00**		
FYTD for VISTERRA CREDIT UNION			**850.00**		
VOYAGER FLEET SYSTEM, INC.					
	4/5/2010	880321	1,920.25		
				CNG FUEL FOR STREET PRGM	1,668.33
				CNG FUEL FOR DRAIN MAINT PRGM	251.92
	Vendor Total		**1,920.25**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**17,644.64**		

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VULCAN MATERIALS CO, INC.					
	4/5/2010	201774	1,101.81		
				ASPHALTIC MATERIAL	213.15
				ASPHALTIC MATERIAL	177.10
				ASPHALTIC MATERIAL	283.84
				ASPHALTIC MATERIAL	213.86
				ASPHALTIC MATERIAL	213.86
	4/19/2010	202084	6,444.70		
				ASPHALTIC MATERIAL	2,120.68
				ASPHALTIC MATERIAL	1,901.55
				ASPHALTIC MATERIAL	284.54
				ASPHALTIC MATERIAL	211.03
				ASPHALTIC MATERIAL	177.80
				ASPHALTIC MATERIAL	177.10
				ASPHALTIC MATERIAL	228.16
				ASPHALTIC MATERIAL	141.76
				ASPHALTIC MATERIAL	283.14
				ASPHALTIC MATERIAL	230.11
				ASPHALTIC MATERIAL	164.86
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	262.09
	Vendor Total		**7,546.51**		
FYTD for VULCAN MATERIALS CO, INC.			**101,872.08**		
WAGGONER JR., GLENN C.					
	4/5/2010	201826	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,187.30**		
WAGNER, GARY D.					
	4/5/2010	201827	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,174.74**		
WAGY, CARYLON					
	4/5/2010	201775	637.46		
				RETIREE MEDICAL BENEFIT	637.46
	Vendor Total		**637.46**		
FYTD for WAGY, CARYLON			**3,187.30**		
WAHEED, MUNEER					
	4/19/2010	202085	200.00		
				REFUND-RNTL DEP 4/3	200.00
	Vendor Total		**200.00**		
FYTD for WAHEED, MUNEER			**200.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WASHINGTON INVENTORY SERVICE					
	4/5/2010	201776	67.86		
				REFUND-BUS LIC OVRPMT	67.86
	Vendor Total		**67.86**		
FYTD for WASHINGTON INVENTORY SERVICE			**67.86**		
WASHINGTON, ARTESIA					
	4/5/2010	201777	200.00		
				GEN LIAB SETTLEMENT	200.00
	Vendor Total		**200.00**		
FYTD for WASHINGTON, ARTESIA			**200.00**		
WASSON, KIRK					
	4/19/2010	880373	342.00		
				INSTRUCTION SVCS-9 DAYS	342.00
	Vendor Total		**342.00**		
FYTD for WASSON, KIRK			**1,900.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	4/26/2010	202203	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**13,339.71**		
WATKINS, ANNIE					
	4/5/2010	201778	80.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
	Vendor Total		**80.00**		
FYTD for WATKINS, ANNIE			**80.00**		
WEEMS, MEGAN E.					
	4/12/2010	201928	40.00		
				REFUND-CITATION OVRPMT	40.00
	Vendor Total		**40.00**		
FYTD for WEEMS, MEGAN E.			**40.00**		
WELLS FARGO BANK					
	4/26/2010	202204	2,000.00		
				ANNUAL ADMIN FEE	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,530.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WELLS FARGO CORPORATE TRUST					
	4/1/2010	1003231	1,225.88		
				INTEREST VARIABLE RATE BOND	1,225.88
	Vendor Total		**1,225.88**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,029,485.43**		
WEST GOVERNMENT SERVICES					
	4/26/2010	202205	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**4,500.00**		
WEST GROUP					
	4/19/2010	880374	664.12		
				ONLINE CHRGS-LEGAL INFO	184.12
				LEGAL PUBLICATIONS SUBSCRPTNS	480.00
	Vendor Total		**664.12**		
FYTD for WEST GROUP			**7,556.61**		
WESTERN MUNICIPAL WATER DISTRICT					
	4/26/2010	202206	771.75		
				WATER CHRGS-MARB BALLFIELDS	359.03
				WATER CHRGS-MFPCC LNDSCP	357.42
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**771.75**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**21,423.98**		
WHISHER, KYLE					
	4/19/2010	202086	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISHER, KYLE			**50.00**		
WHITE, C.L.					
	4/26/2010	202207	0.00		
				REFUND-CITATION OVRPMT	100.00
				REFUND-CITATION OVRPMT	-100.00
	4/29/2010	202212	100.00		
				REFUND-CITATION OVRPMT	100.00
	Vendor Total		**100.00**		
FYTD for WHITE, C.L.			**100.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WIELIN, RONALD A.					
	4/5/2010	201828	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,187.30**		
WILLDAN AND ASSOCIATES					
	4/5/2010	201779	21,235.03		
				MOR BEACH DR WIDENING PROJ	21,235.03
	4/12/2010	201929	23,755.42		
				MOR BEACH DR WIDENING PROJ	23,755.42
	4/19/2010	202087	540.00		
				EASTRIDGE EIR REVIEW SVCS	540.00
	Vendor Total		**45,530.45**		
FYTD for WILLDAN AND ASSOCIATES			**269,186.00**		
WILLDAN FINANCIAL SERVICES					
	4/26/2010	202208	2,000.00		
				FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
				FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
	Vendor Total		**2,000.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**10,125.77**		
WILLIAMS, JANE L.					
	4/5/2010	201780	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,221.62**		
WREDE, SHARON					
	4/5/2010	201782	100.00		
				REFUND-PD CITATION FEES	100.00
	Vendor Total		**100.00**		
FYTD for WREDE, SHARON			**100.00**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				
4/12/2010	880347	900.00		
			FEB-10 DAY PORTER SVCS	900.00
4/19/2010	880375	22,699.28		
			EXTRACT WATER/FAN-OFFICE @ PSB	50.00
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRLR	98.40
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.32
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			MAR-10 DAY PORTER SVCS	1,140.00
4/26/2010	880408	2,814.41		
			JANITORIAL SVCS-SENIOR CTR	260.00
			JANITORIAL SVCS-CONF & REC CTR	950.00
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-SUNNYMD ELEM.	184.10
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
	Vendor Total	**26,413.69**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**258,387.77**		
XEROX				
4/19/2010	202089	2,671.73		
			COPIER RNTL/MAINT-PD	33.51
			COPIER RNTL/MAINT-PD	54.00
			COPIER RNTL/MAINT/EXC PRNTS-PD	268.06
			COPIER RNTL/MAINT/EXC PRNTS-PD	148.78
			COPIER RNTL/MAINT/EXC PRNTS-PD	260.00
			COPIER RNTL/MAINT/EXC PRNTS-PD	1,509.59
			COPIER RNTL/MAINT-GRAPHICS DIV	397.79
4/26/2010	202209	4,000.22		
			COPIER RNTL/MAINT-PARKS	359.34
			COPIER RNTL/MAINT/PRINTS-PARKS	1,409.08
			COPIER RNTL/MAINT-STARS	107.00
			COPIER EXC PRINTS CHRG-STARS	2,124.80
	Vendor Total	**6,671.95**		
FYTD for XEROX		**59,862.99**		

City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.					
	4/5/2010	880326	5,592.37		
				SIGNS FOR TRANSP. DIV	411.08
				SIGNS FOR TRANSP. DIV	5,044.26
				SIGNS FOR PARKS	137.03
	4/12/2010	880348	306.24		
				SIGNS HARDWARE FOR PARKS	306.24
	4/26/2010	880409	685.13		
				SIGNS FOR PARKS	193.09
				SIGNS FOR PARKS	492.04
	Vendor Total		**6,583.74**		
FYTD for ZUMAR INDUSTRIES, INC.			**36,711.16**		

Subtotal **1,371,801.95**

GRAND TOTAL **12,644,433.01**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of $0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of $0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of $0.30 per month, per home.

Accordingly, with a decrease in the disposal component of $0.30 and an increase in the residential service component of $0.28 per month, the new monthly residential rate reflects a total change of a decrease of $0.02 and the new rate is $21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066157

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

	03/2009	03/2010	Change	% of Change	
CPI	221 36	225 48	4.11	1 855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	$21 11
Senior Citizen Discount Rate	$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1 5x approved rate
Container changes in excess of once per year	$9.96
Additional bulky item pickup (in excess of one item weekly)	$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	$3.56 /per month
Additional 64-gallon refuse container	$4.63 / per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	$6.17 / per month
Additional 96-gallon greenwaste container	$5.69 / per month
Additional 96-gallon recycling container	$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	$2.49
Curbside E-waste pickup (over 3 free)	$16.06
Temporary bin service (up to 7 days)	$124.47
Temporary bin service (30 days)	$274.72
Set up fee	$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

(CPI applied to service rate + 3X disposal rate) Pick-ups per Week

Size	QTY	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.66
2.0	One	120.41	222 72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1 065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	$ 124.46
Temporary Bin Service (30 days)	$ 274.72
Extra Empty - First Bin	$ 50.08
Extra Empty Additional Bins	$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	$ 14 43
36-50 Feet	$ 21.65
OVER 51 Feet	$ 28.87
Locking Container	$ 36.09
Restart Fee	$ 43.30
Special Bin/Container Lid	$ 14.24
Overage Fees	$ 50 10
Bin Exchange	$ 72.07
Bulky Item Collection	$ 16.06
Set Up Fee	$ 25.09
Redelivery Fee	$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week One	Two
All Sizes	One	$ 60.80	$ 121.60

(disposal component = 0)

EXHIBIT A

5/12/20102010 Moreno Valley CPI.xls

Item No. A.5

MV00066158

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	$	204.77	+ landfill fees
Compactor Hauling Fee	$	296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	$	204 77	
Monthly Minimum Pull Fee (compactor)	$	296 00	
Temporary Flat Fee (includes 4 tons)	$	364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	$	384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	$	392.14	+landfill fees
Delivery	$	71.36	
Extra Trip	$	71 36	
Relocation	$	71 36	
Set Up Fee	$	25.09	

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

RESIDENTIAL DISPOSAL COMPONENT

		TRASH	GREEN WASTE
Pounds per household per week		53.22	21.35
Pounds-to-tons factor	÷	2,000.00	2,000.00
Monthly factor	x	4.33	4.33
Riverside County landfill rate as of 7/1/09	x	34.37	$30.06
Franchise fee factor	÷	0.8787	0.8787
Monthly Disposal Component for One Residential Household		4.50	$1.58
Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)	
Total Combined Disposal Rate		6.05	

COMMERCIAL DISPOSAL COMPONENT

	2009	2010	Change
Tonnage	28,851.52	26,751.93	(2,099.59)
Disposal Gate Fee	$ 34.37	$ 34.37	
Franchise Fee Factor	87.87%	87.87%	
Total Cost	$ 1,128,516	$ 1,046,391	-7.28%

SCHEDULE CALCULATION:
DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY

Size	Qty	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE

Single Family Rate $15.057

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week: One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	$67.89	$120.14	$168.53	$215.08	$265.37	$313.78
2.0	One	$77.06	$136.02	$190.43	$242.75	$299.38	$353.81
3.0	One	$95.40	$167.62	$234.19	$298.16	$367.34	$433.88
4.0	One	$120.32	$211.21	$294.83	$375.21	$462.09	$545.72
6.0	One	$145.39	$255.27	$356.51	$453.82	$559.06	$660.28

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 Funds (Account 282.68628)..... $397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Henry - 08-28268628 - Patriot Park\CC Reports\Staff Report - NOC (CC 6-22-10).doc

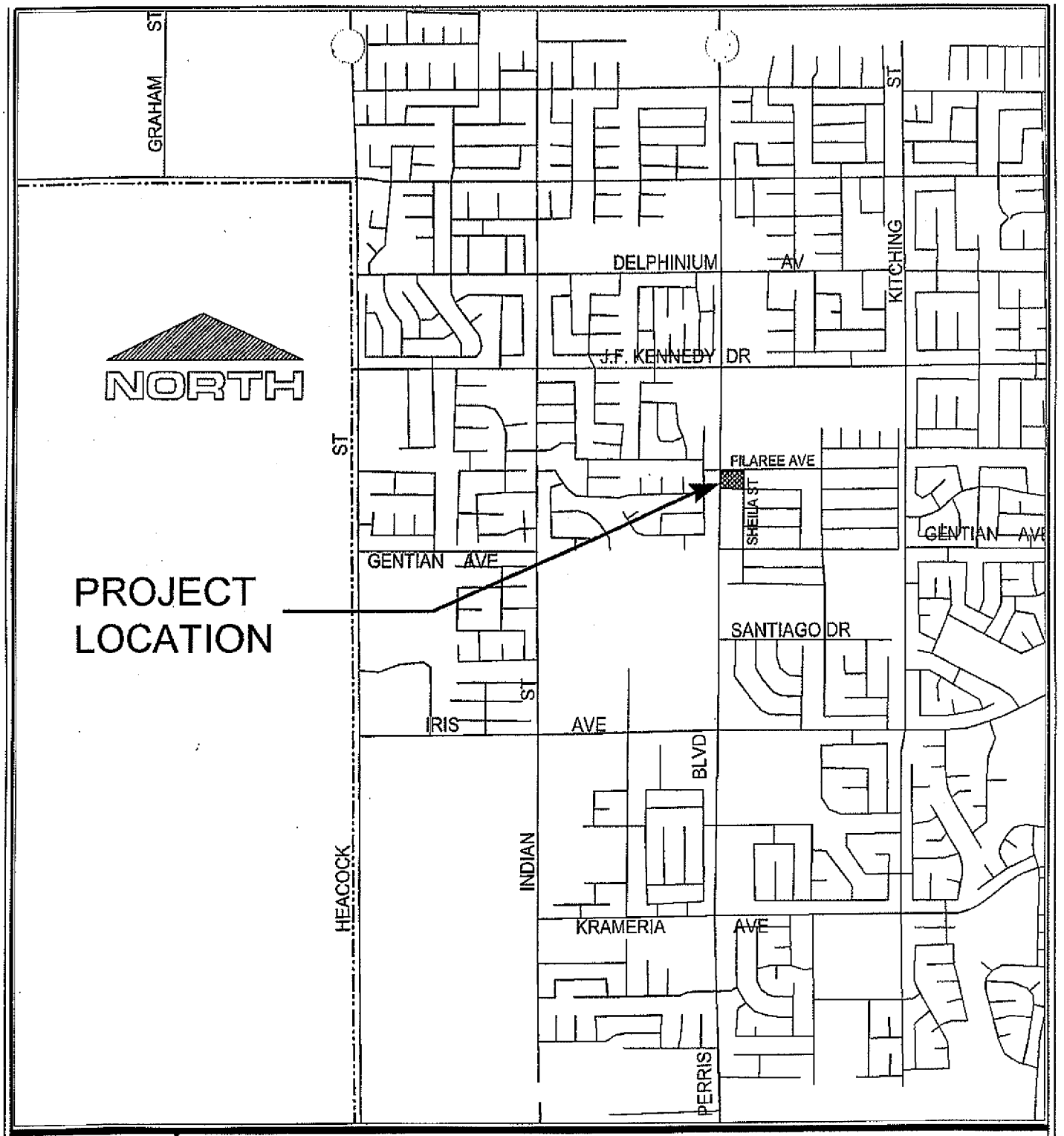

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

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MV00066167

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.

2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

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MV00066175

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed "Standards of Ethics" Policy (***Staff recommended action***).

2. Refer the matter back to Staff to explore other options to the proposed "Standards of Ethics" Policy.

3. Take no action. This alternative would be contrary to auditor's recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City's budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a "Standards of Ethics" Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit "A" – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official: Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I Organizations Affected:

A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II Responsibilities of City Office:

A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III **Policy Guidelines:**

A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.

B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.

C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.

D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.

E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.

F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.

G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.

H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

STANDARDS OF ETHICS

IV. Conflicts of Interests:

A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:

1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.

2. **Confidential or Privileged Information**. City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)

3. **Outside or Incompatible Employment**. City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.

4. **Use of Public Resources**. City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.

5. **Future Employment**. A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.

6. **Political Activity**. A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.

7. **Contracts with the City**. City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

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8. **Personal Investments**. It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.

9. **Representing the Interest of Others**. City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.

10. **Use of Public Resources**. Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.

11. **Cost Control**. To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V Procedures:

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.

    a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

    b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.

    c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

VI **Accountability:**

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

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MV00066183

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated $110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

ATTACHMENT A Resolution 2010-59

ATTACHMENT B Grant Application – Program Narrative

ATTACHMENT C Grant Application – Budget Review

ATTACHMENT D Grant Application – Program Review

ATTACHMENT E Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066187

RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE $110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that $110,266 was allocated to the City for preventing and controlling crime

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.

2. The City Council accepts the $110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.

3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Bonnie Flickinger, Mayor

ATTACHMENT A

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Edward Byrne Memorial Justice Assistance Grant
Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

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MV00066191

Edward Byrne Memorial Justice Assistance Grant
Budget Review

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

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MV00066193

OMB APPROVAL NO. 1121-0188
EXPIRES 5-98 (Rev. 1/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	$20,283.00

SUB-TOTAL $40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		

SUB-TOTAL $0.00

Total Personnel & Fringe Benefits $40,566.00

OJP FORM 7150/1 (5-95)

ATTACHMENT C

Item No. A.9

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				

TOTAL $0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		

TOTAL $0.00

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less that $5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	$300 per year per officer	$600.00

TOTAL $600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		

TOTAL $0.00

ATTACHMENT C

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal $0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal $0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	$61,200.00

Subtotal $61,200.00

TOTAL $61,200.00

ATTACHMENT C

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	$150 per officer per year	$300.00
Cell phones	$600 per officer per year	$1,200.00
Wireless air cards for tablet PC's	$600 per officer per year	$1,200.00
Vehicle maintenance	$600 per officer per year	$1,200.00
Fuel charges	$2,000 per officer per year	$4,000.00

TOTAL $7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL $0.00

ATTACHMENT C

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	$40,566.00
B. Fringe Benefits	$0.00
C. Travel	$0.00
D. Equipment	$0.00
E. Supplies	$600.00
F. Construction	$0.00
G. Consultants/Contracts	$61,200.00
H. Other	$7,900.00
Total Direct Costs	$110,266.00
I. Indirect Costs	$0.00
TOTAL PROJECT COSTS	$110,266.00

Federal Request _____

Non-Federal Amount _____

ATTACHMENT C

Edward Byrne Memorial Justice Assistance Grant
Review Narrative

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

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MV00066201

Edward Byrne Memorial Justice Assistance Grant
Abstract

Applicant's Name: City of Moreno Valley, CA

Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives, and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

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MV00066203

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769.00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:
Design Support Services..... $10,000
Contractor Construction Costs (includes 15% contingency)..... $813,000
Project Administration and City Inspection Costs* ..... $ 50,000
Construction Geotechnical Services..... $ 12,000

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... July 2010
Start Construction..... August 2010
Complete Construction..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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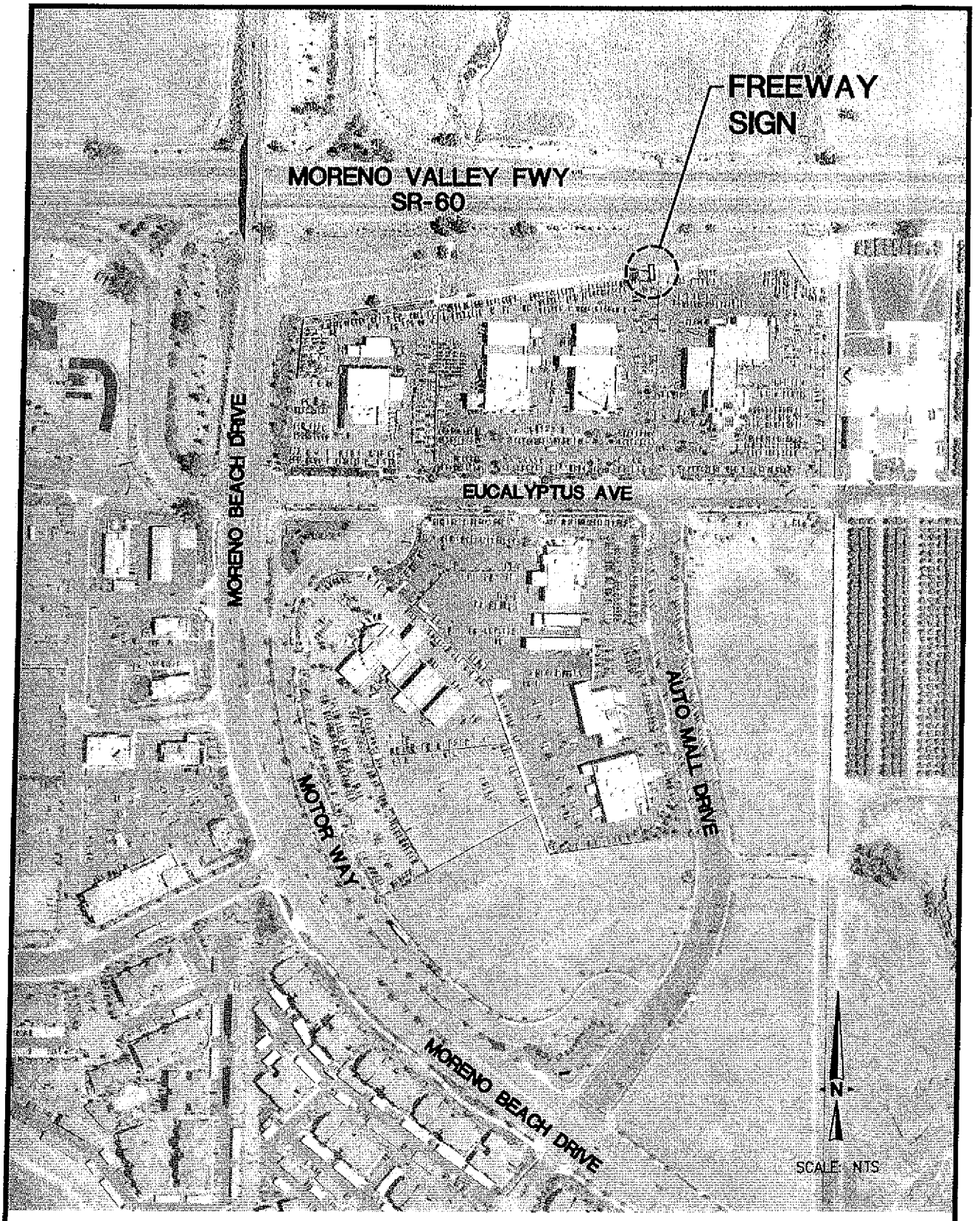

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: X:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH--SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbowman

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MV00066211

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. A.10

MV00066218

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00066221

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
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- Securely attach this document to the signed document.

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MV00066225

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

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MV00066227

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066233

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

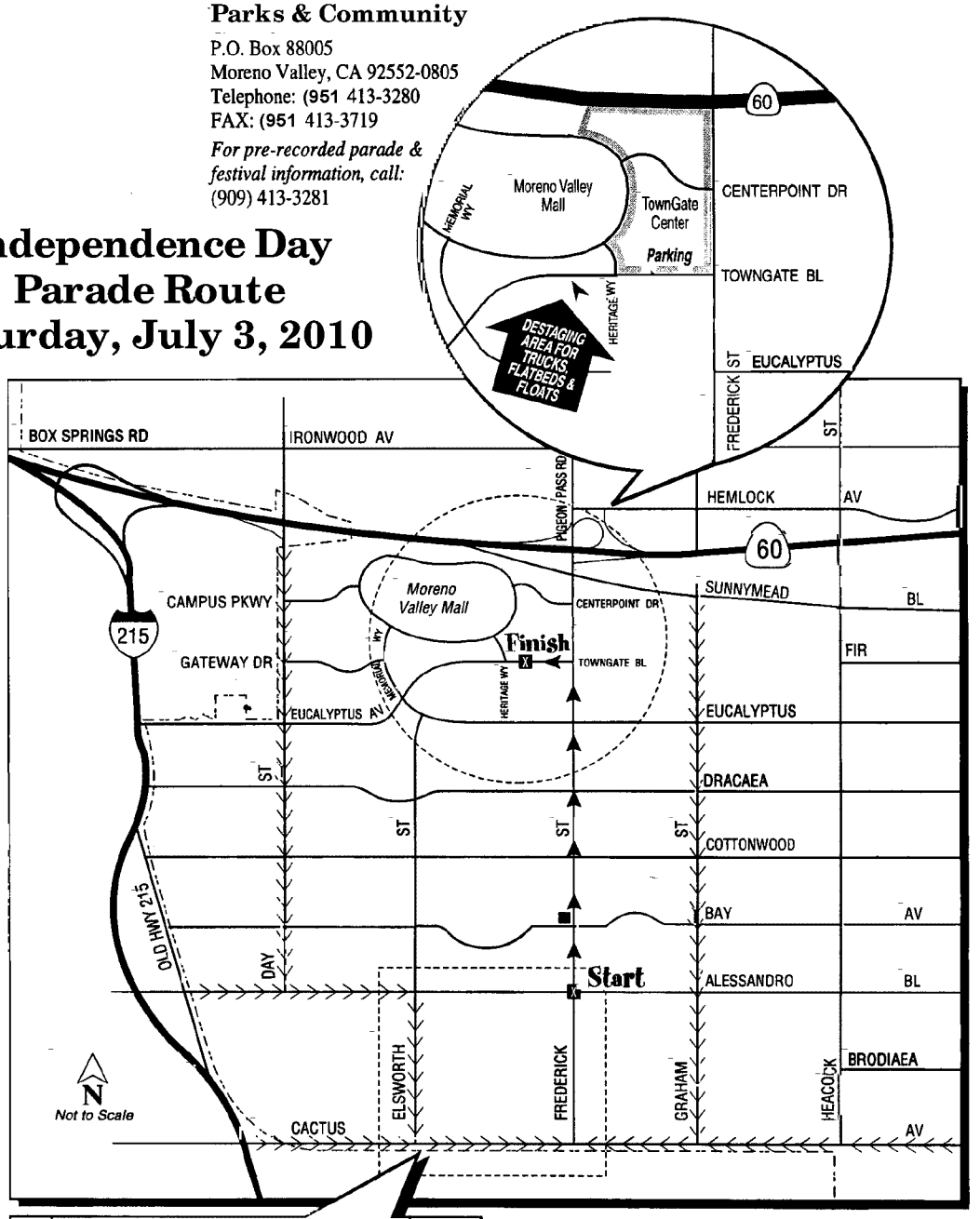

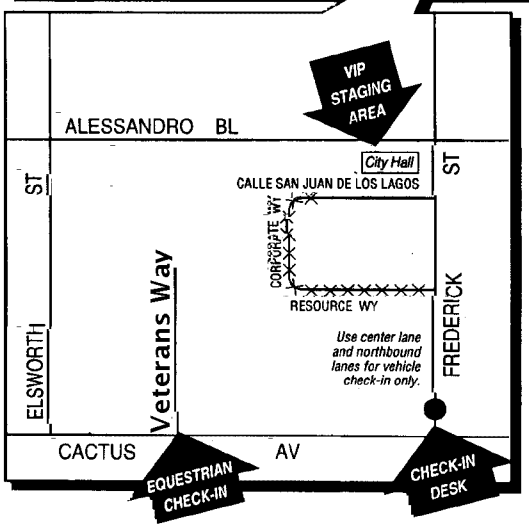

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

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MV00066235

July 4th Festival
Street Closures

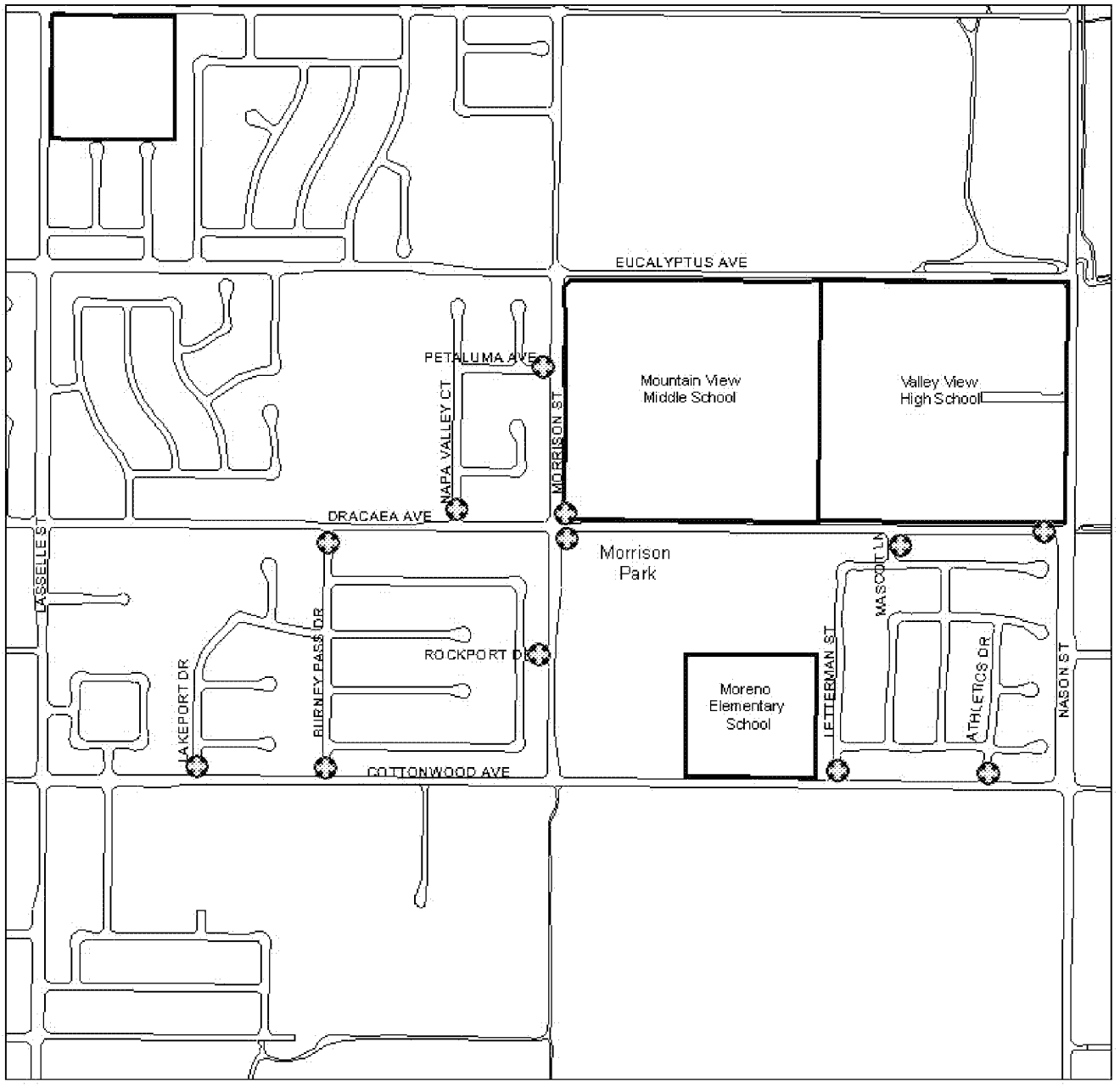

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

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MV00066237

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCD) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed $345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCD.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCD was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCD would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of $217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed $345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of $250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately $100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately $7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929)	$ 4,500,000
STPL Discretionary Funds (125.67029)	$ 1,770,000
Measure "A" Funds (125.89720)	$ 7,435,000
Total Available Funds	$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE)	$ 1,951,000
SAWA In-lieu Fee	$ 250,000
Right-of-Way Acquisition	$ 1,891,000
Total Estimated Costs	$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction	July 2010
Interchange Construction Start Date*	October 2010
Interchange Construction End Date	September 2011

**pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives and goals to appropriate external governments, agencies and corporations.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately $100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

"Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code."

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

"Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, "Posted Property" means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words "PRIVATE PROPERTY – NO TRESPASSING" or words of similar meaning or effect.

2. As used in this Section, "Owner" shall mean the owner of record, the owner's agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business."

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

"Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;

2. The date of the inspection;

3. The date of the violation(s);

4. The street address, assessor's parcel number or other definite description of the location where the violation(s) exist;

5. The code sections violated;

6. A description of the condition of the property creating the nuisance;

7. A list of necessary corrections to bring the property into compliance;

8. A reasonable time limit for correction based upon the nature of the nuisance;

9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;

10. An order prohibiting the continuation or repeated occurrence of the nuisance;

11. The name and signature of the enforcement officer; and,

12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint."

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

_____
Mayor

Ordinance No.___
Date Adopted: May , 2010

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this ordinance should follow this jurat.**]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE

Section:
12.14.010 Intent and purpose.
12.14.020 Definitions.
12.14.030 City business license and permits required.
12.14.040 Selection of towing services.
12.14.050 Rotation tow lists.
12.14.060 Official police department and city tow operator's permit.
12.14.070 Tow truck driver's permit.
12.14.080 Tow truck classifications.
12.14.090 Liability insurance.
12.14.100 Storage facility.
12.14.110 Standard rules of operation.

12.14.120 Additional services to be provided.
12.14.130 Response to calls.
12.14.140 Rates.
12.14.150 Suspension and revocation.
12.14.160 Summary suspension of permit pending opportunity for hearing.
12.14.170 Hearing and procedure.
12.14.180 Hearing officer.
12.14.190 Hearing officer—Power and duties.
12.14.200 Findings and determination by the hearing officer.
12.14.210 Notice and surrender.
12.14.220 Surrender of permit.
12.14.230 Appeal to city council.
12.14.240 Permits in effect at the time of adoption.

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

"Appeal" means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

"Area" means the corporate boundary of the City of Moreno Valley.

"Attendant" means individual responsible for staffing the storage yard facility.

"Base Services" means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

"City" means the City of Moreno Valley.

"Financial & Administrative Services Director" means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

"Driver" means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

"Driver's Permit" means the driver's Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

"Enrollment Period" means the period of time when a Tow Operator or Business may submit an application for inclusion on the City's rotation Tow list.

"Garage or Storage Facility" means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City's Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

"License Division" means the City Business license division of the Financial & Administrative Services Department.

"Load Salvage Operations" means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

"Notice" means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

"Official Police and City of Moreno Valley Tow Service" or "Operator" means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

"Permit" means the Operator's Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

"Personal Property" means items which are not permanently affixed to the vehicle.

"Rate" means the rate charged by the Tow Operator or Business to a vehicle's owner or his/her agent as approved by the City Council.

"Response Time" means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

"Rotational Tow Service Program" means the City's official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

"Suspension" means the removal of an Operator from the City's Tow rotation list for a specified period of time regardless of any contract period or time.

"Termination" means the permanent removal of a Tow Operator from the City's Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City's Rotation Tow Service Program.

"Tow Car" or "Tow Truck" is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

"Tow Operator" or "Business" means a company approved by the City to remove, impound and store vehicles in association with the City's Rotational Tow Service Program.

"Tow Service Agreement" means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

"Vehicle Recovery Operation" means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City's Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver's Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.

2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.

3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.

4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.

5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.

6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.

7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.

8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.

9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.

10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.

2. The applicant's race, color of eyes and hair.

3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.

4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.

5. A statement showing each address at which the applicant has resided during the preceding year.

6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.

7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall included mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breech of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a "police hold." The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;

2. Number of times dispatched by Police Department or City;

3. Number of these calls resulting in impounds;

4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;

5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;

6. Number of calls which required more than one hour's time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator's communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator's approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City's Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7 That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.

3. Third violation within a twelve (12) month period – 60 to 90-day suspension.

4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Not withstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator's Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City's Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

_____

Bonnie Flickinger, Mayor

ATTEST:

_____

Jane Halstead, City Clerk

APPROVED AS TO FORM:

_____

Robert Hansen, City Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.

2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of $20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employment Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

2.1.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Employment Agreement shall remain unchanged and in full force and effect.

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IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

By: _____
Bonnie Flickinger
Mayor

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

William L. Bopf

By: _____
William L. Bopf

Date: _____

MV00066281

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00066283

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighbored pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

WHEREAS, the CSD has determined it is in the public interest to proceed with the work hereinafter described as "Project"; and

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

WHEREAS, the CSD does not have available employees to perform the services for the Project; and

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. SOLICITATION. Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. JURISDICTION/VENUE. Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. COMPLIANCE WITH LAW. Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. RULES OF CONSTRUCTION. Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. AUTHORITY/MODIFICATION. The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. ACCEPTANCE OF FACSIMILE SIGNATURES. The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. CAPTIONS. The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. TIME IS OF ESSENCE. Time is of the essence for each and every provision of this Agreement.

41. FORCE MAJEURE. Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. STATEMENT OF EXPERIENCE. By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. PROTECTION OF RESIDENT WORKERS. The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/08/2009

PRODUCER Phone: (619) 592-4440 Fax: (619) 592-4449
BUSINESS & CONTRACTORS INSURANCE SERVICES, INC.
900 N. CUYAMACA STREET
SUITE 110
EL CAJON CA 92020

Agency Lic#: 0F82058

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Navigators Insurance Company A(x)CA	42307
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
DLS LANDSCAPE, INC.
C/O DANIEL SANCHEZ
PO BOX 67
REDLANDS CA 92373

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	YES	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	0410095450	09/12/09	09/12/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED. EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS-COMP/OP AGG.	$ 1,000,000
							$
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE-EA EMPLOYEE	$
						E.L. DISEASE-POLICY LIMIT	$
		OTHER:					

RISK MANAGEMENT
Approved
By M. Elorza Date 10-26-09

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
Cancellation: 10 days for non payment, 30 days all other
City of Moreno Valley, Moreno Valley Community Services District, & Redevlopment Agency of Moreno Valley are named Additional Insured,
endorsement to follow from carrier
Re: Various locations

CERTIFICATE HOLDER

City of Morena Valley
15670 Perris Blvd
Moreno Valley CA 92552
Attn: Parks Maintenance Dept

Attention: 951-243-1405 Liz

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Joshua K Schwartz

ACORD 25 (2001/08) Certificate # 2240 © ACORD CORPORATION 1988

CERTIFICATE OF INSURANCE

☒ ALLSTATE INSURANCE COMPANY ☐ ALLSTATE INDEMNITY COMPANY ☐ ALLSTATE TEXAS LLOYD'S

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS

COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date

Limit	Amount
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)	
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	
PERSONAL AND ADVERTISING INJURY LIMIT	
EACH OCCURRENCE LIMIT	ANY ONE LOSS
PHYSICAL DAMAGE LIMIT	ANY ONE PERSON
MEDICAL EXPENSE LIMIT	

WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date

Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		EACH ACCIDENT
	BODILY INJURY BY ACCIDENT		EACH EMPLOYEE
EMPLOYERS'	BODILY INJURY BE DISEASE		POLICY LIMIT
LIABILITY	BODILY INJURY BY DISEASE		

AUTOMOBILE LIABILITY	Policy Number	048668337	Effective Date	11/08/2009	Expiration Date 11/08/2010

Coverage Basis	Limits		
	Combined Single Limit of Liability		
☐ ANY AUTO ☒ OWNED AUTOS ☒ HIRED AUTOS	BODILY INJURY & PROPERTY DAMAGE	$1,000,000 ✓	EACH ACCIDENT
	Split Liability Limits		
☐ SPECIFIED AUTO ☒ NON-OWNED AUTOS	Bodily Injury	Property Damage	Each
			PERSON
☐ OWNED PRIVATE PASSENGER AUTOS			ACCIDENT
☐ OWNED AUTOS OTHER THAN PRIVATE PASSENGER			

UMBRELLA LIABILITY	Policy Number		Effective Date		Expiration Date

EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE

OTHER (Show type of Policy)	Policy Number	050001000	Effective Date	1/17/2008	Expiration Date 1/17/2009

RISK MANAGEMENT Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

By Date 12-9-09

CANCELLATION

Number of days notice 30 DOUG MOORE (909) 463-6716 December 8, 2009

Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives

U10523-2

CERTHOLDER COPY SJ

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

MR-5 (CA)

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

RISK MANAGEMENT
Approved

M. Alonzo 11-4-09
By Date

EMPLOYER

DLS LANDSCAPE INC SJ
PO BOX 67
REDLANDS CA 92373

M0408

PRINTED : 10-23-2009

Item No. B.3

MV00066319

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

    a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
    b. Frederick Street between Centerpointe Drive and Cactus Avenue;
    c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
    d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
    e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
    f. Atlantic Circle east of Frederick Street;
    g. Brabham Street between Frederick Street and Andretti Street;
    h. TownGate Boulevard between Frederick Street and Heritage Way;
    i. Bay Avenue between Kristina Court and Courage Street;
    j. Alessandro Boulevard between Chagall Court and Elsworth Street;
    k. Alessandro Boulevard between Joy Street and Cactus Avenue;
    l. Resource Way between Frederick Street and Corporate Way;
    m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
p. New Hope between Veterans Way and Elsworth; and
q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.

2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010,street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066325

Moreno Valley
Parks & Community
P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951 413-3280
FAX: (951 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

Independence Day Parade Route Saturday, July 3, 2010

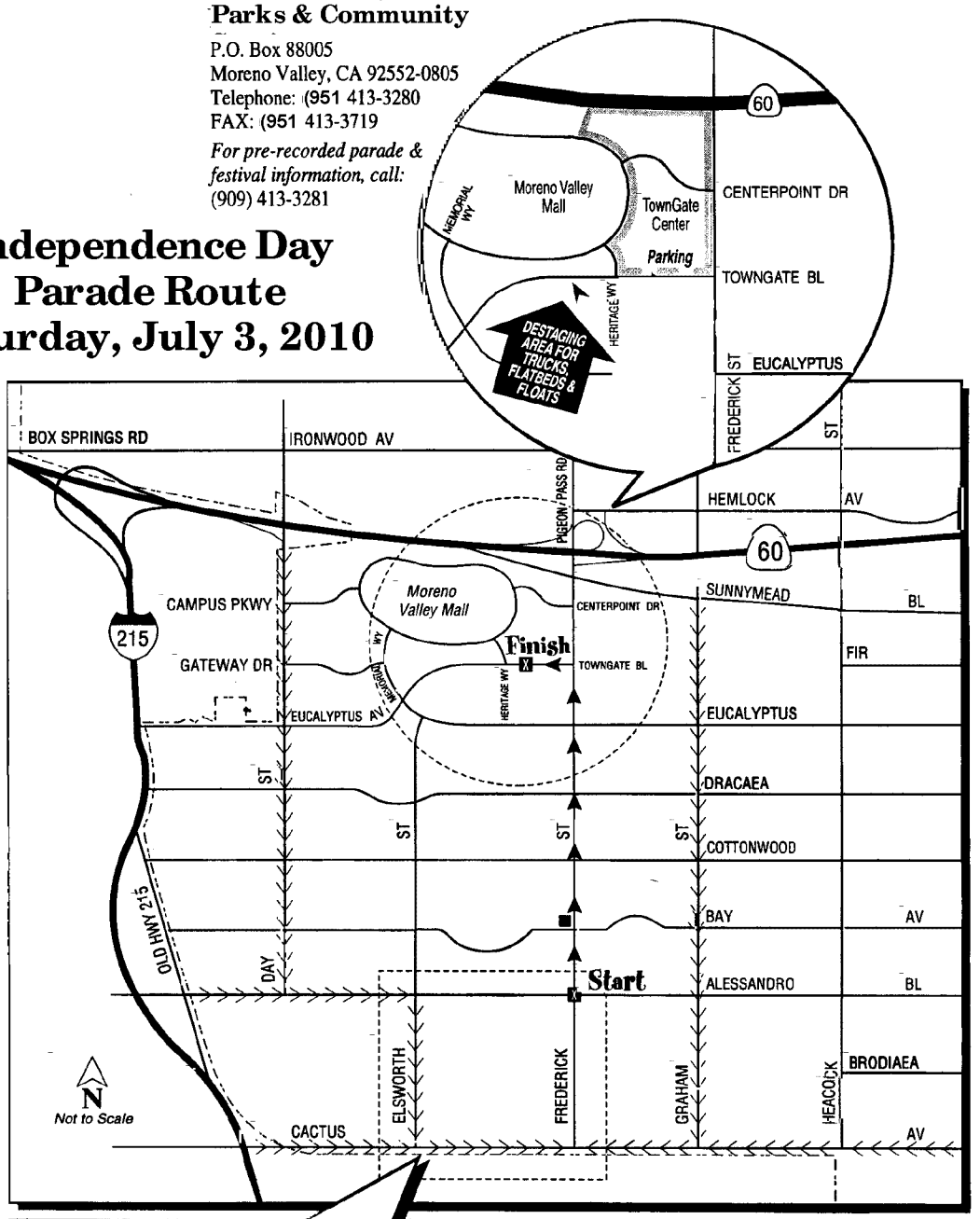

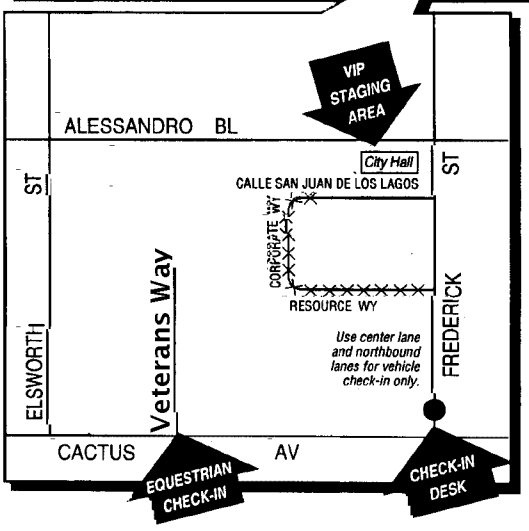

IMPORTANT— Please Read!

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:

Saturday, July 3, 2010

- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- ■ Judging Stand

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MV00066327

Attachment 2

July 4th Festival
Street Closures

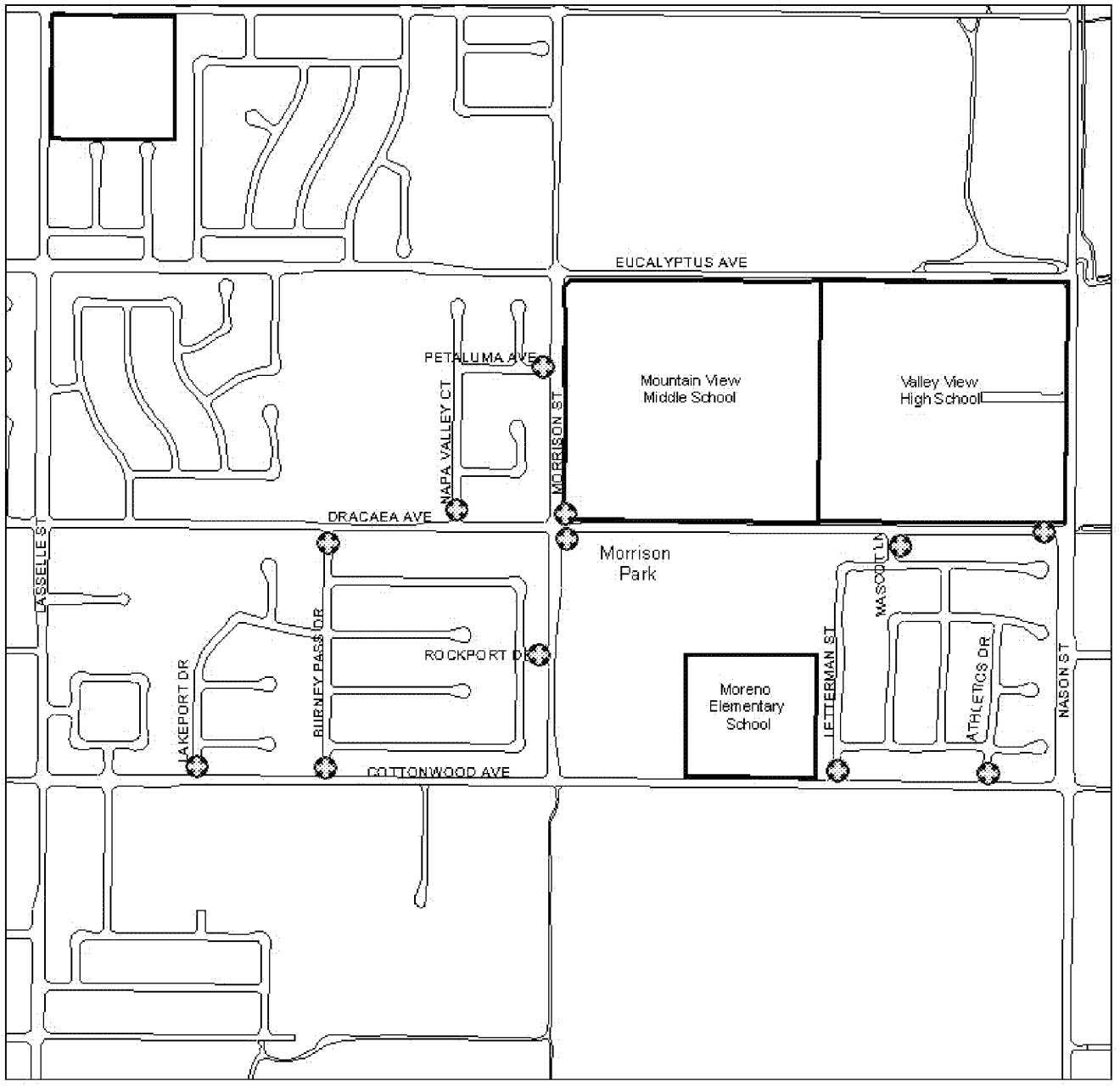

Traffic Control Notes

Barricade with "ROAD CLOSED" signs

N

Not To Scale

Item No. B.4

MV00066328

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MV00066329

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00066331

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

	CONTRACTORS	Bid Amount
1.	**San Pedro Sign Company**	**$706, 716.00**
2.	National Sign & Marketing Corp.	$719,814.00
3.	Sign Industries, Inc.	$756,898.65
4.	YESCO	$777,915.00
5.	Flouresco Lighting & Signs	$948,769.00
6.	Ad Art, Inc.	$1,146,180.00
	Engineer's Estimate	$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:
Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... $1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:
Design Support Services..... $10,000
Contractor Construction Costs (includes 15% contingency)..... $813,000
Project Administration and City Inspection Costs* ..... $ 50,000
Construction Geotechnical Services..... $ 12,000

Miscellaneous ..... $ 5,000
Total Estimated Construction Related Costs $890,000
** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:
Notice of Award..... July 2010
Start Construction..... August 2010
Complete Construction..... March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall's location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of $812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

Attachment "A" – Vicinity Map
Attachment "B" – Agreement with San Pedro Sign Company
Attachment "C" – Assignment Agreement

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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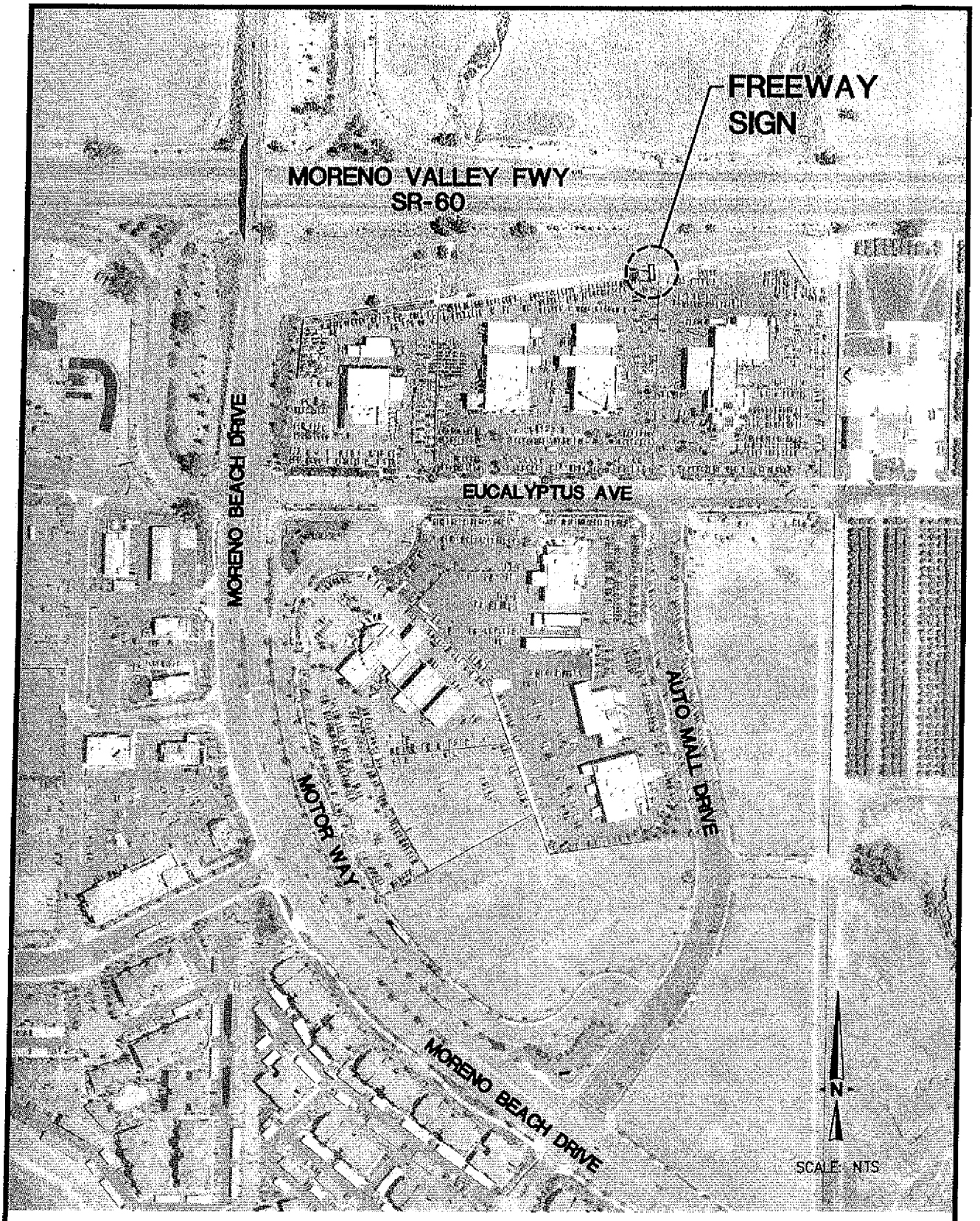

VA Consulting, Inc.
CONSULTING ENGINEERS · PLANNERS · SURVEYORS

EXHIBIT A
VICINITY MAP

Drawing Name: X:\Projects\1034_0601\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH--SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by dbowman

ATTACHMENT "A"

Item No. C.3

MV00066338

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MV00066339

Agreement No._____

AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **San Pedro Sign Company** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. **2** inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$706,716.00,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$2,000,000.00	$2,000,000.00
Property Damage	---	$2,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. ED-09-89791725

THE CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

DATE: _____

TBD CONTRACTOR

License No./ Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Economic Development Director / Date

_____
Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

Item No. C.3

MV00066346

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be property completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

MV00066349

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company,** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (Notary Seal)
Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE
(Title or description of attached document)

_____
(Title or description of attached document continued)

Number of Pages _____

Document Date _____

_____
Additional Information

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual(s)
- ☐ Corporate Officer

_____
(Title)

- ☐ Partner (s)
- ☐ Attorney-in-Fact
- ☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Print the name(s) of document signer(s) who personally appear at the time of notarization.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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MV00066353

ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

Company Name

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "C"

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MV00066355

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of $246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of $282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*

2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District's Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2009/2010 Funds (Account 282.68628)..... $397,297

CONSTRUCTION RELATED COSTS:

Construction	$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	$56,000
Construction Geotechnical Services	$6,000
Construction Survey Services	$16,000
Project Administration*	$70,000
Total Construction Related Costs	$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system.

ATTACHMENT

Attachment "A" – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval
Mike McCarty
Parks and Community Services Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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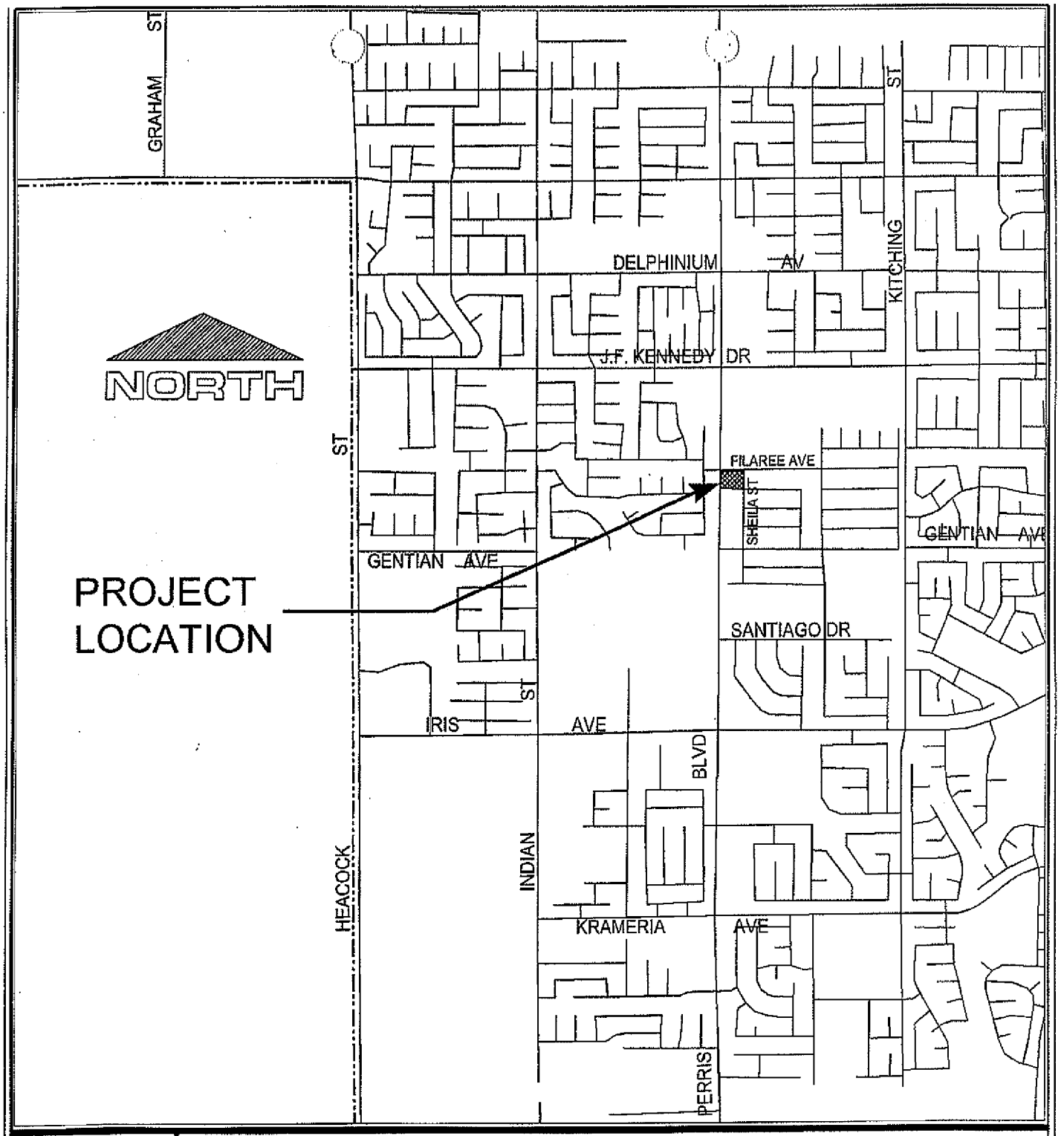

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park
PROJECT NUMBER 08-28268628

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MV00066361

MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00066363

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was $85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $84,193,306.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are $67,754,400. Of this amount, $50,777,288 is identified as coming from tax proceeds, while $16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $50,777,288. This amount is $33,416,018 below the City's legal appropriations limit of $84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at $84,193,306;

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be $84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-60
Exhibit A - Proceeds of Tax Calculation
Exhibit B - Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at $84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $50,777,288.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That $84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.

2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

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MV00066371

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
GENERAL FUND FY 10/11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Property (1)	$ 20,369,500		$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
Fees			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	$ 47,421,100	$ 15,854,800	$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	$ 50,777,288	$ 16,977,112	$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:
(1) Includes Property Tax In-Lieu of Vehicle License Fees
(2) Includes Property Tax In-Lieu of Sales Tax

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MV00066373

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
GENERAL FUND FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 67,754,400
Less: Non-Proceeds of Tax			16,977,112
A) Total Appropriations Subject to the Limit			$ 50,777,288
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			$ 85,198,650
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(1,005,344)
E) FY 2010-11 Appropriations Limit (B x C)			$ 84,193,306
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 33,416,018
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			39.69

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

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MV00066375

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
1985-86	3.74%	-	$8,299,200	$5,801,524	$2,497,676	$1,037,400	$366,257	$671,143
1986-87	2.30%	13.34%	$10,739,623	$7,182,998	$3,556,625	$1,730,616	$571,404	$1,159,212
1987-88	3.40%	21.27%	$13,419,869	$8,186,487	$5,233,382	$2,162,519	$514,685	$1,647,834
1988-89	3.93%	13.98%	$15,897,098	$9,117,625	$6,779,473	$2,561,707	$595,770	$1,965,937
1989-90	4.98%	11.53%	$18,612,989	$10,193,243	$8,419,746	$2,999,354	$973,431	$2,025,923
1990-91	4.21%	12.34%	$21,790,136	$12,168,319	$9,621,817	$3,511,329	$1,447,368	$2,063,961
1991-92	4.14%	9.53%	$25,184,125	$12,702,824	$12,481,301	$4,058,248	$1,068,016	$2,990,232
1992-93	-0.64%	4.74%	$26,209,119	$21,751,950	$4,457,169	$4,223,419	$1,127,115	$3,096,304
1993-94	2.72%	3.69%	$27,915,333	$22,167,783	$5,747,550	$4,498,364	$1,090,166	$3,408,198
1994-95	0.71%	2.56%	$28,833,747	$22,191,470	$6,642,277	$4,646,360	$839,650	$3,806,710
1995-96	4.72%	2.66%	$30,999,161	$21,770,020	$9,229,141	$4,995,302	$1,018,520	$3,976,782
1996-97	4.67%	1.91%	$33,066,805	$22,117,750	$10,949,055	$5,328,489	$952,480	$4,376,009
1997-98	4.67%	0.19%	$34,677,158	$22,635,500	$12,041,658	$5,587,986	$952,480	$4,635,506
1998-99	4.15%	4.44%	$37,718,345	$23,919,000	$13,799,345	$6,078,052	$1,000,500	$5,077,552
1999-00	4.53%	2.29%	$40,328,454	$26,298,904	$14,029,550	$6,498,653	$1,796,366	$4,702,287
2000-01	4.91%	3.36%	$43,728,143	$27,701,784	$16,026,359	$7,046,489	$1,831,589	$5,214,900
2001-02	7.82%	5.68%	$49,823,846	$30,910,955	$18,912,891	$8,028,770	$2,074,425	$5,954,345
2002-03	-1.27%	3.88%	$51,099,336	$34,456,312	$16,643,024	$8,234,307	$2,244,708	$5,989,599
2003-04	2.31%	3.72%	$54,226,615	$37,805,936	$16,420,679	$8,738,247	$2,465,590	$6,272,657
2004-05	3.28%	4.17%	$58,342,415	$42,094,636	$16,247,779	$9,401,480	$2,727,571	$6,673,909
2005-06	5.26%	6.59%	$65,460,190	$48,100,800	$17,359,390	$10,548,461	$3,016,336	$7,532,125
2006-07	3.96%	5.59%	$71,855,651	$59,592,475	$12,263,176	$11,579,046	$3,987,532	$7,591,514
2007-08	4.42%	3.38%	$77,568,175	$72,653,027	$4,915,148	$12,499,580	$4,615,504	$7,884,076
2008-09	4.29%	2.79%	$83,153,084	$68,506,576	$14,646,508	$13,399,550	$4,685,689	$8,713,861
2009-10	0.62%	1.83%	$85,198,650	$56,124,960	$29,073,690	$13,729,179	$4,108,012	$9,621,167
2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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MV00066377

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the "Gann Limit". Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.

- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.

- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIIIB of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.

- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.

- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds $100,000.

- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.

- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was $13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of $13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are $15,383,789. Of this amount, $3,059,579 is identified as coming from tax proceeds, while $12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of $3,059,579. This amount is $10,507,595 below the District's legal appropriations limit of $13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at $13,567,175.

2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District's appropriations limit is calculated to be $13,567,175. The District's Preliminary Base Operating Budget contains appropriations subject to the limit totaling $3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is $10,507,595 less than the District's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

Resolution No. CSD 2010-19
Exhibit A - Proceeds of Tax Calculation
Exhibit B – Appropriations (Gann) Limit Calculation
Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
Steve Hargis
Acting Treasury Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIIB of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at $13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be $3,059,579.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That $13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.

2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.

4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

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MV00066385

EXHIBIT A

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT
PROCEEDS OF TAX CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
Taxes			
Zone A - Parks & Recreation	$ 1,586,789		$ 1,586,789
Zone B - Residential Lights	116,100		116,100
Zone C - Arterial Lights	139,300		139,300
Zone L - Library Services	1,201,200		1,201,200
Fees			
Zone A - Parks & Recreation		5,934,500	5,934,500
Zone B - Residential Lights		930,600	930,600
Zone C - Arterial Lights		431,700	431,700
Zone D - Standard Landscaping		1,141,500	1,141,500
Zone E - Extensive Landscaping		2,406,000	2,406,000
Zone L - Library Services		89,500	89,500
Zone M - Median Fund		204,200	204,200
Zone S - Sunnymead Blvd Maintenance		52,400	52,400
Zone 4M - CFD 4M Maintenance		35,000	35,000
Miscellaneous			
Zone A - Parks & Recreation		186,500	186,500
Zone L - Library Services		2,000	2,000
Intergovernmental			
Zone L - Library Services		27,000	27,000
Transfers In			
Zone A - Parks & Recreation		289,800	289,800
Zone L - Library Services		424,900	424,900
Zone M - Median Fund		103,400	103,400
Total	$ 3,043,389	$ 12,259,000	$ 15,302,389
% of Total	19.89	80.11	100.00
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	$ 3,059,579	$ 12,324,210	$ 15,383,789

Interest consists of the following:
Zone A - $0
Zone B - $0
Zone C - $9,000
Zone D - $1,300
Zone E - $69,600
Zone L - $0
Zone M - $1,500
Zone S - $0
Zone 4M - $0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

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MV00066387

EXHIBIT B

CITY OF MORENO VALLEY
APPROPRIATIONS (GANN) LIMIT CALCULATION
COMMUNITY SERVICES DISTRICT FY 2010-11

APPROPRIATIONS SUBJECT TO THE LIMIT			
FY 2010-11 Total Revenue *			$ 15,383,789
Less: Non-Proceeds of Tax			12,324,210
A) Total Appropriations Subject to the Limit			$ 3,059,579
APPROPRIATIONS LIMIT			
B) FY 2009-10 Appropriations Limit			13,729,179
C) Change Factor **	% Increase	Factor	
Cost of Living Adjustment - CPI	-2.54	0.9746	
Population Adjustment - PA	1.40	1.0140	
Change Factor (CPI x PA)		0.9882	
D) Increase (decrease) in Appropriations Limit			(162,004)
E) FY 2010-11 Appropriations Limit (B x C)			$ 13,567,175
REMAINING APPROPRIATIONS CAPACITY			
(E - A)			$ 10,507,595
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit			77.45

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
Percent of Change in California Per Capita Income
Percent of Change in City of Moreno Valley Population

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MV00066389

EXHIBIT C

CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT

			GENERAL FUND			COMMUNITY SERVICES DISTRICT		
FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	$8,000,000	$1,489,525	$6,510,475	$1,000,000	$225,224	$774,776
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2010-11	-2.54%	1.40%	$84,193,306	$50,777,288	$33,416,018	$13,567,175	$3,059,579	$10,507,595

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MV00066391

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is $1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.

2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately $185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

source which would be approximately $185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

Revenue Diversification and Preservation - Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

EXHIBIT A

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.

Mayor

ATTEST:

Alice Reed
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey, and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

Resolution No. 2007-72
Adopted June 26, 2007

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MV00066399

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

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MV00066401

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working it's way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq.*) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Proposed Covenant to Hold Property as One
Exhibit "B" – Parcel Exhibit

Prepared By:
Rick C. Hartmann
Interim Assistant City Manager

Approved By:
William L. Bopf
Interim City Manager

Concurred by:
Kyle Kollar
Interim Community Development Director

Concurred by:
Robert L. Hansen
City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

IN WITNESS WHEREOF, Owner has executed this instrument as of the __ day of _____, 2010.

"OWNER"

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and
Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By_____
Its_____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33"11' EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

#262869 v5

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MV00066415

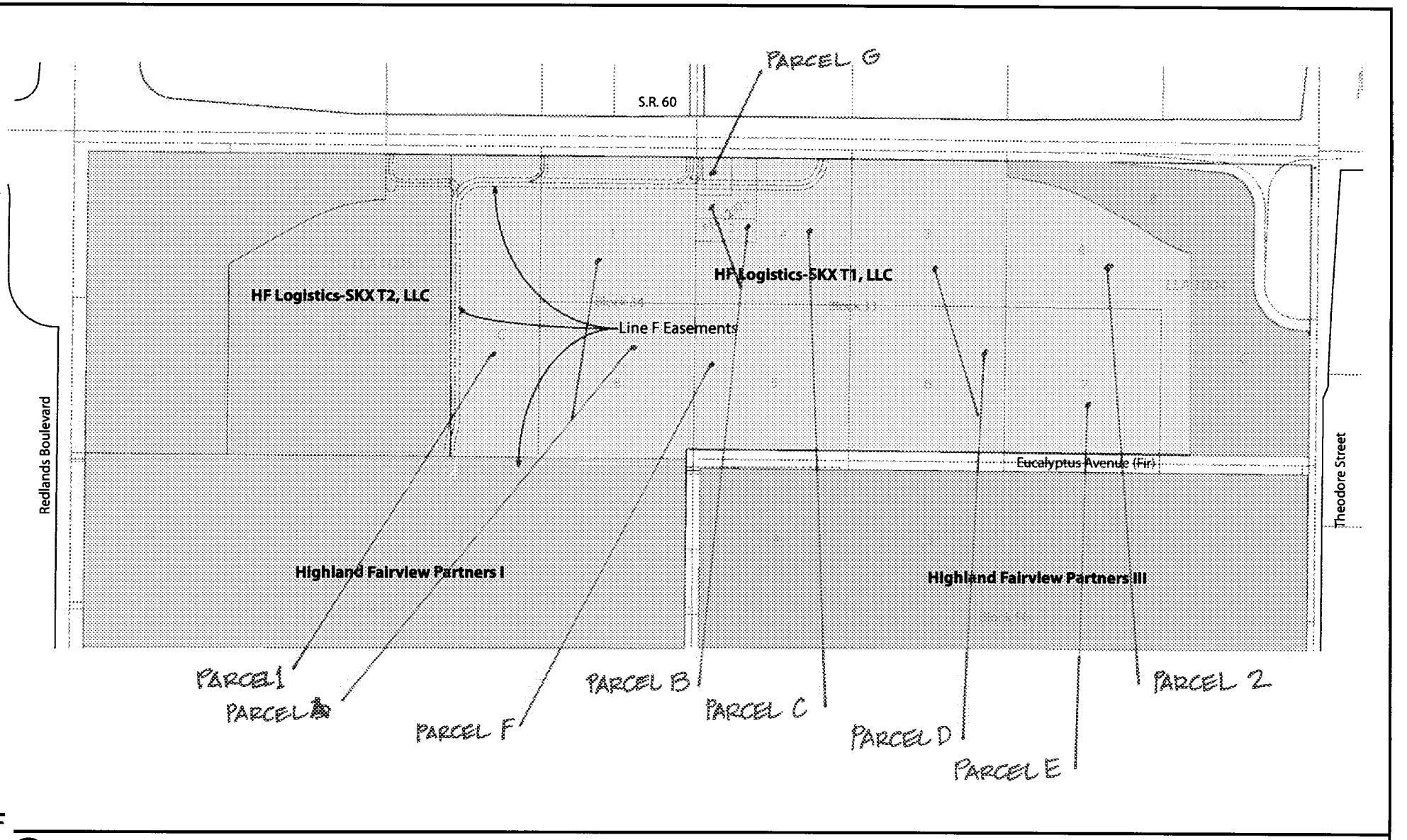

Not to scale
May 7, 2010

Highland Fairview Corporate Park - TPM 35629 Ownership Exhibit

Highland Fairview
Rancho Belago, Ca 92555

Highland Fairview Corporate Park\Design\HF Work\HFCP-Existing-LLA-Ownership

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MV00066417

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Marshall Eyerman
Special Districts Program Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\Stfrpt Zone D PM 06.22.10.doc

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\12773\Tract 12773 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

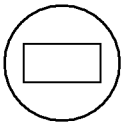

A circle around the box **<u>and/or</u>** associated clause; or

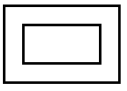

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

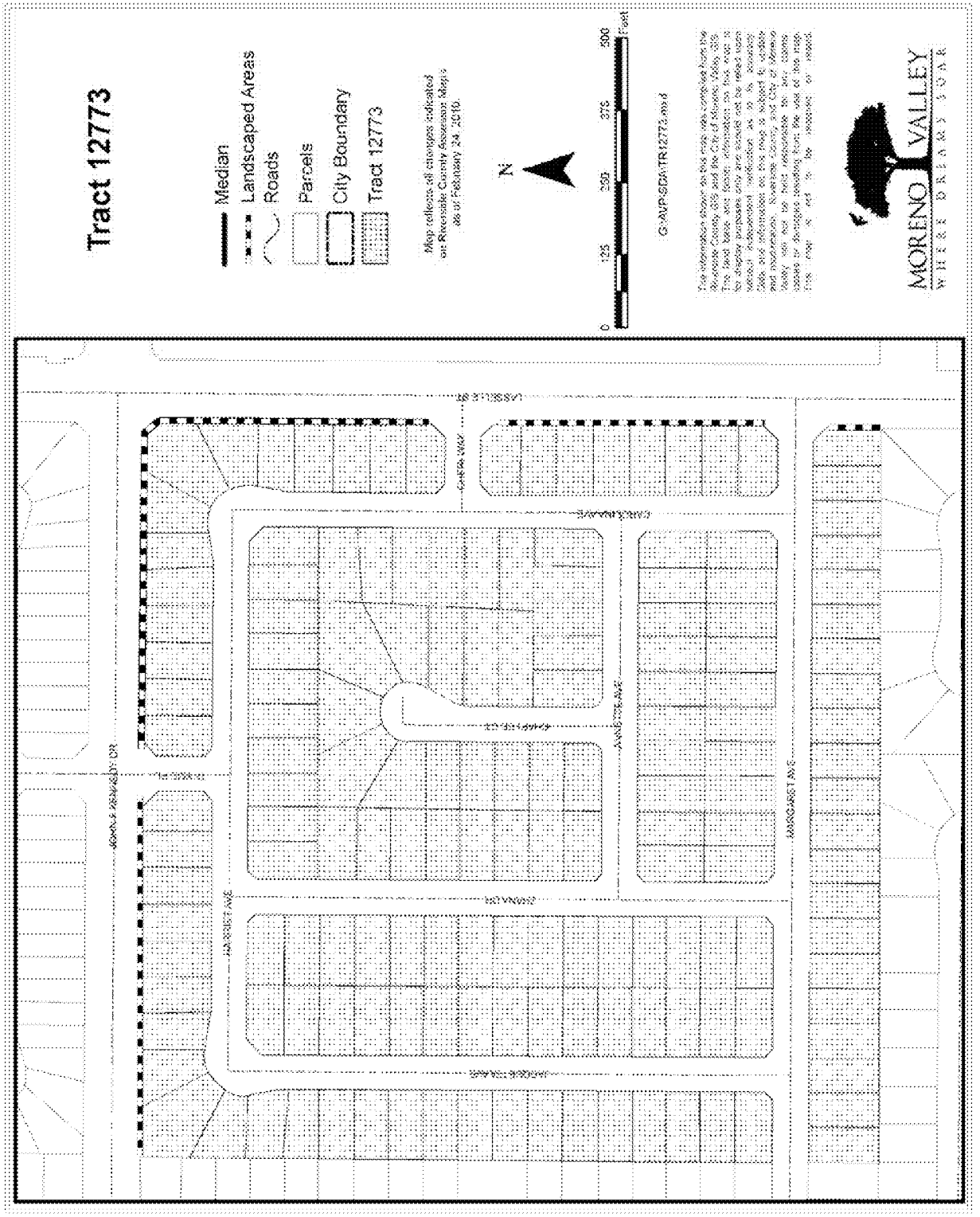
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR12773.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

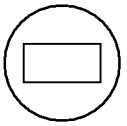

A circle around the box **and/or** associated clause; or

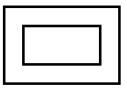

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

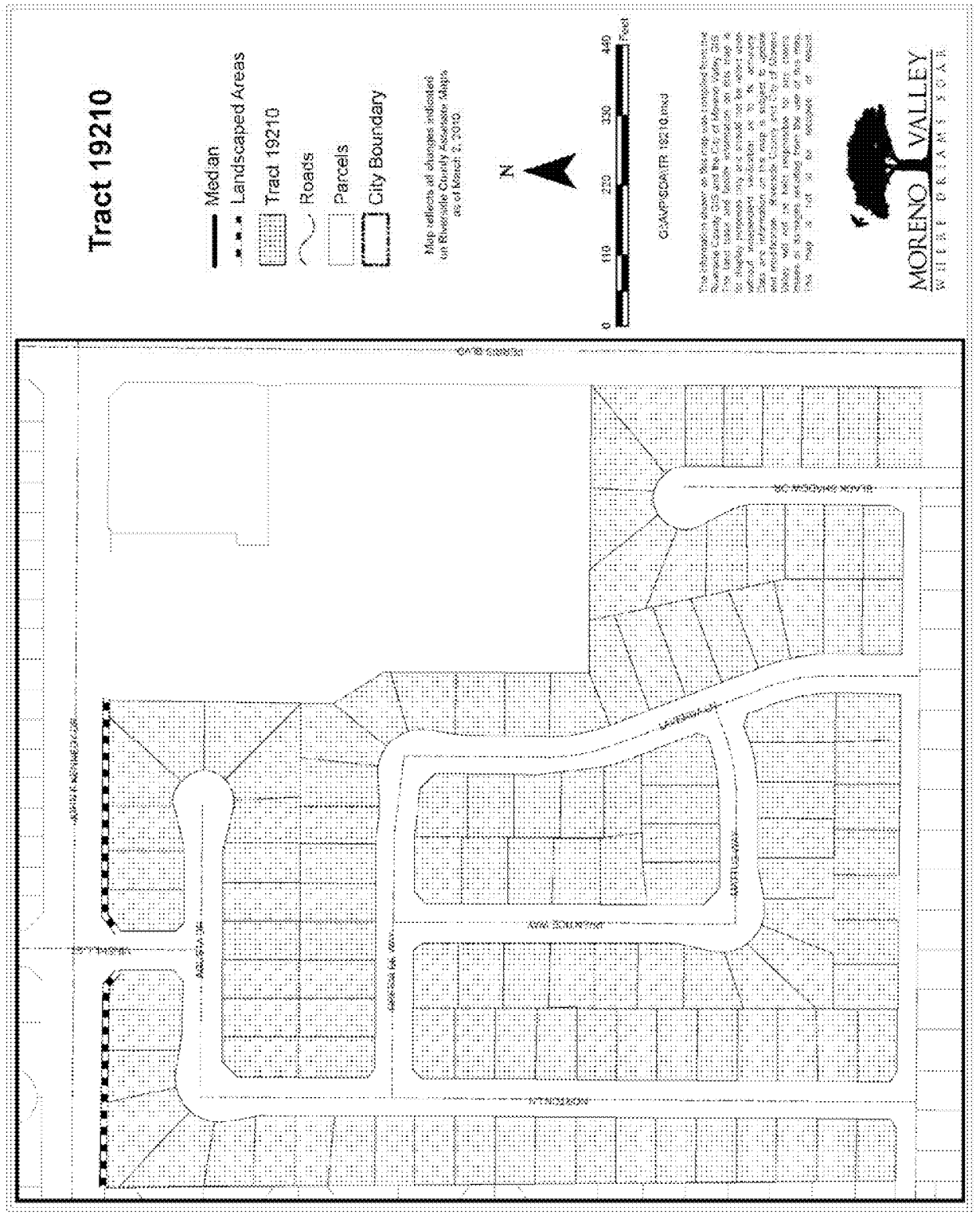
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010
N
0
110
220
330
440
Feet
G:\AVP\SCA\TR 19210.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3460
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

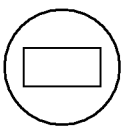

A circle around the box **and/or** associated clause; or

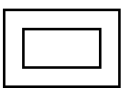

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

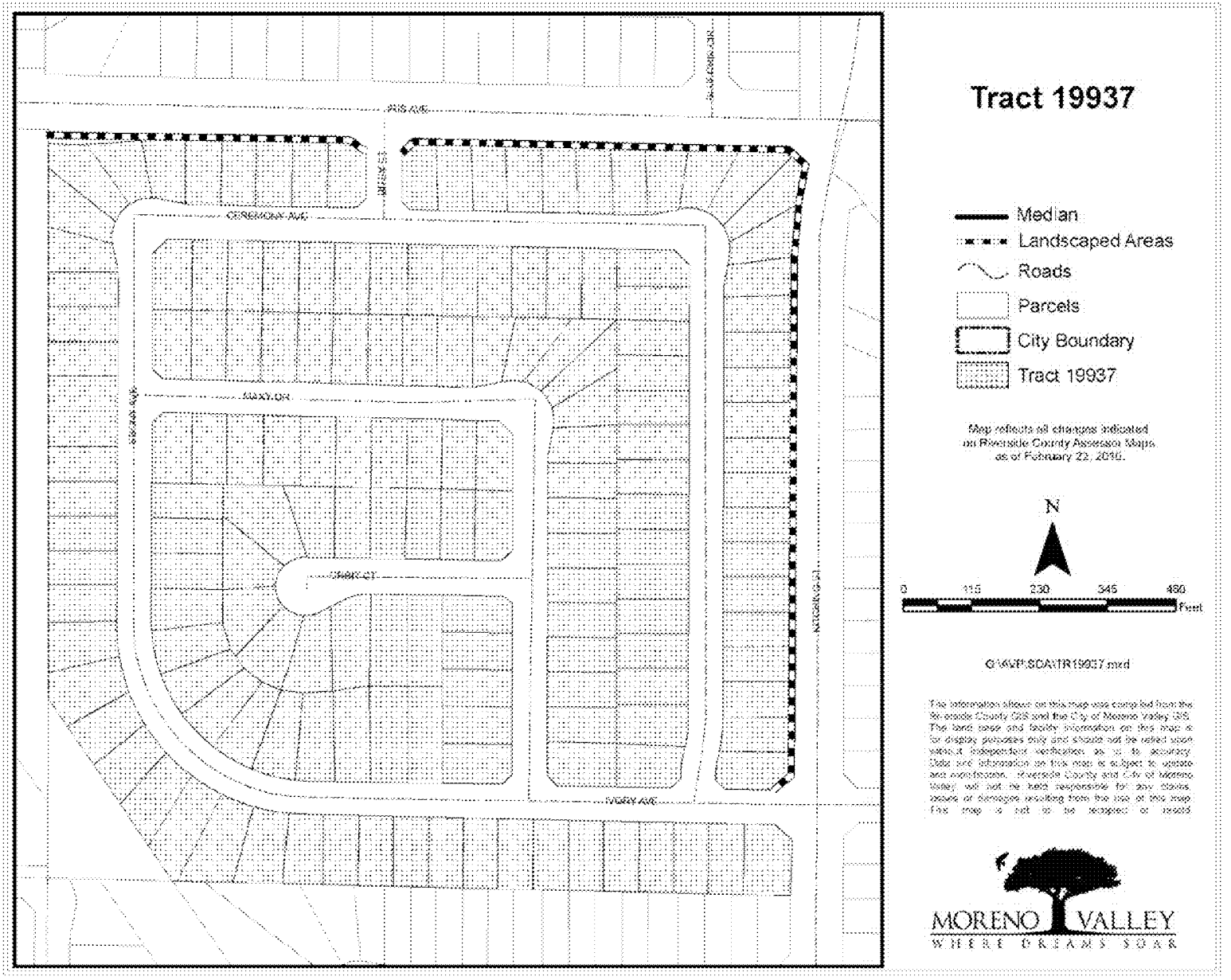
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
345
460
Feet
G:\MP\SCA\TR19937.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

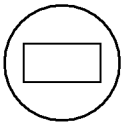

A circle around the box **<u>and/or</u>** associated clause; or

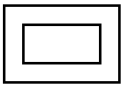

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

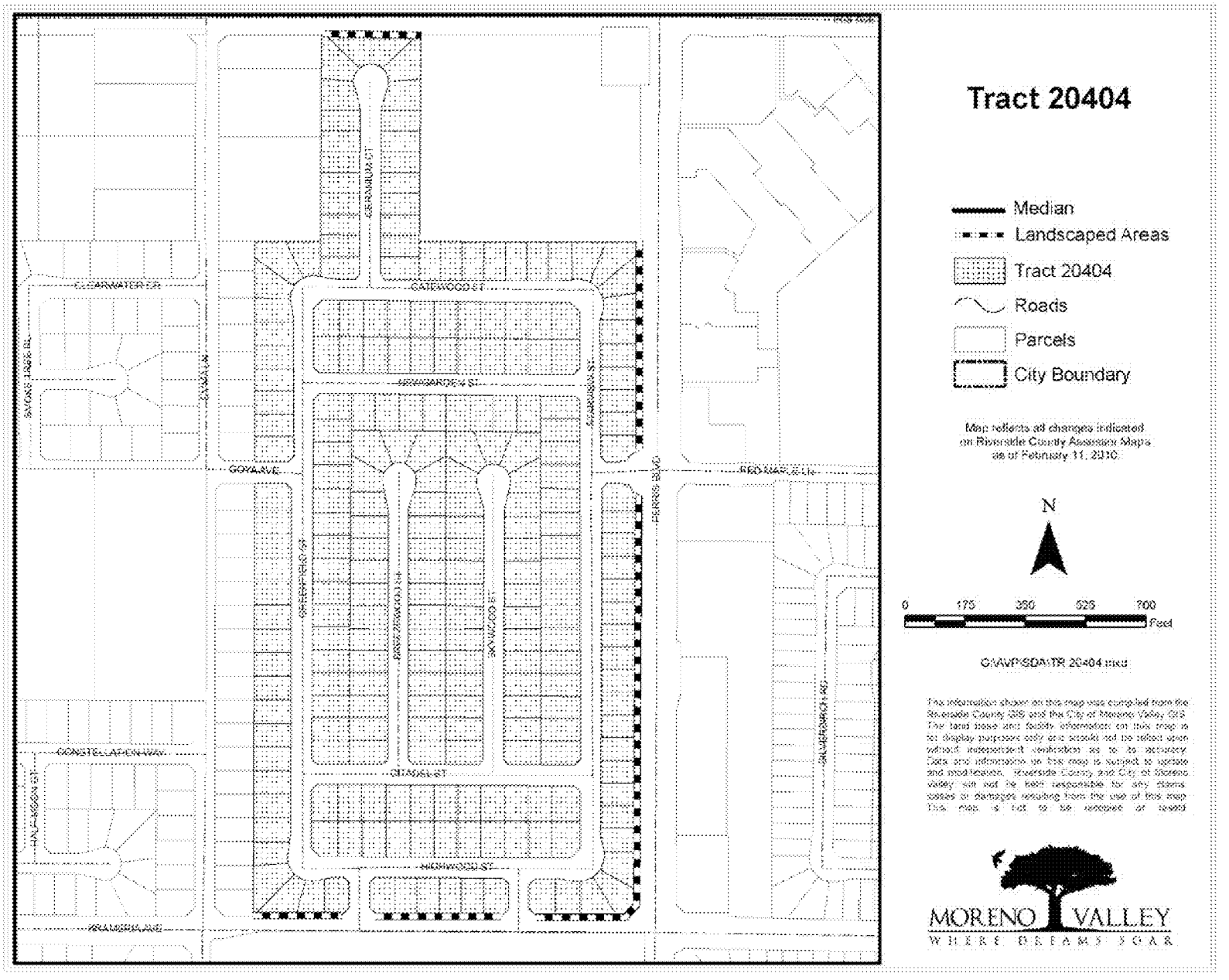
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 175 350 525 700
Feet
G:\AVP\SDA\TR 20404.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tract lines and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
GATEWOOD ST
SPRINGBROOK ST
GOYA AVE
RED MAPLE LN
PERRIS BLVD
GRANADA ST
HIGHWOOD ST
CONSTELLATION WAY
HALLOWEEN ST
FRANKLIN AVE

TEL: 951.413.3460
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

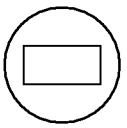

A circle around the box **<u>and/or</u>** associated clause; or

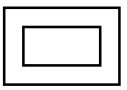

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

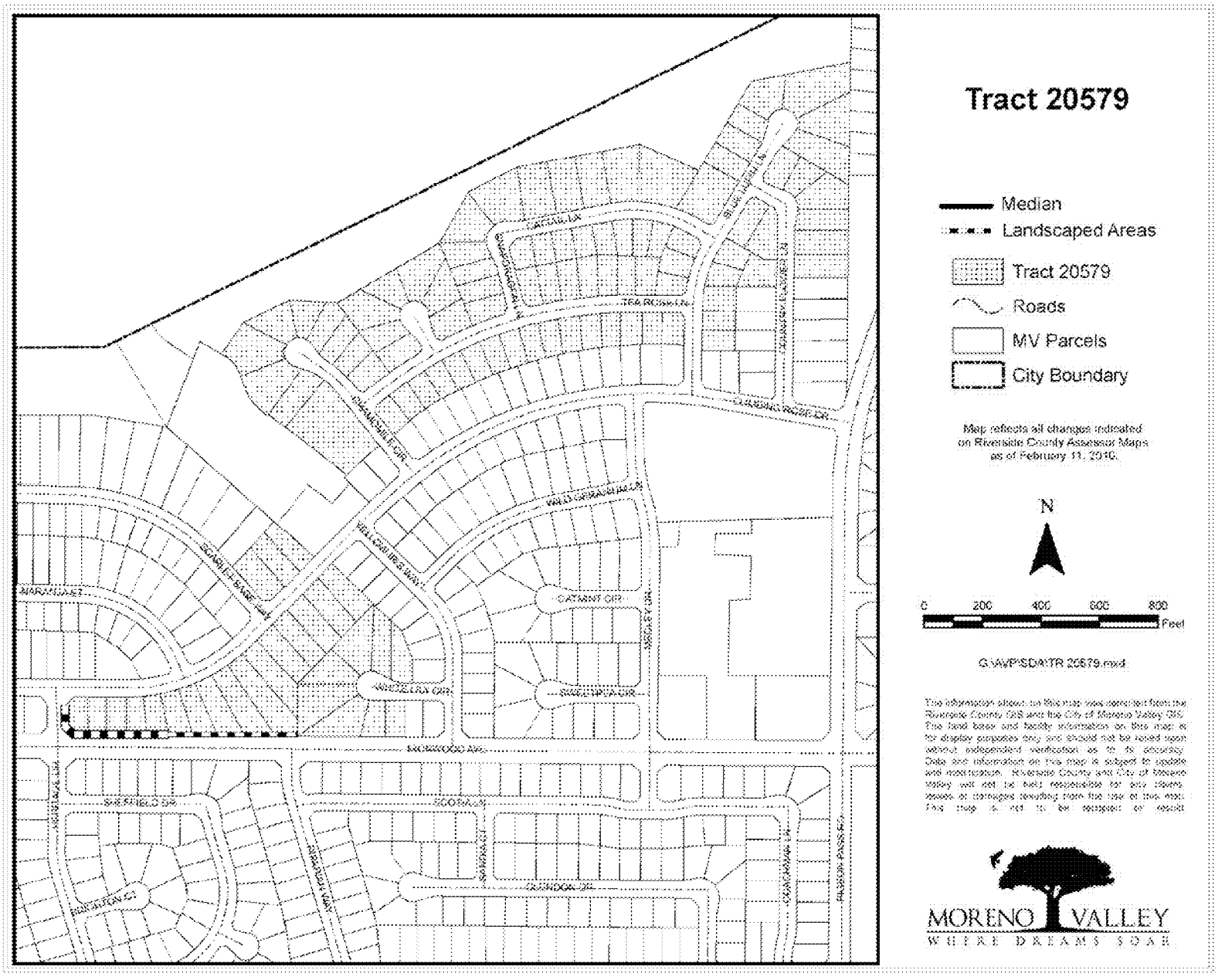
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
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0 200 400 600 800 Feet
G:\WP\SD\NTR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20579\Tract 20579b packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

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4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

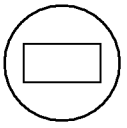

A circle around the box and/or associated clause; or

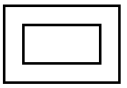

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

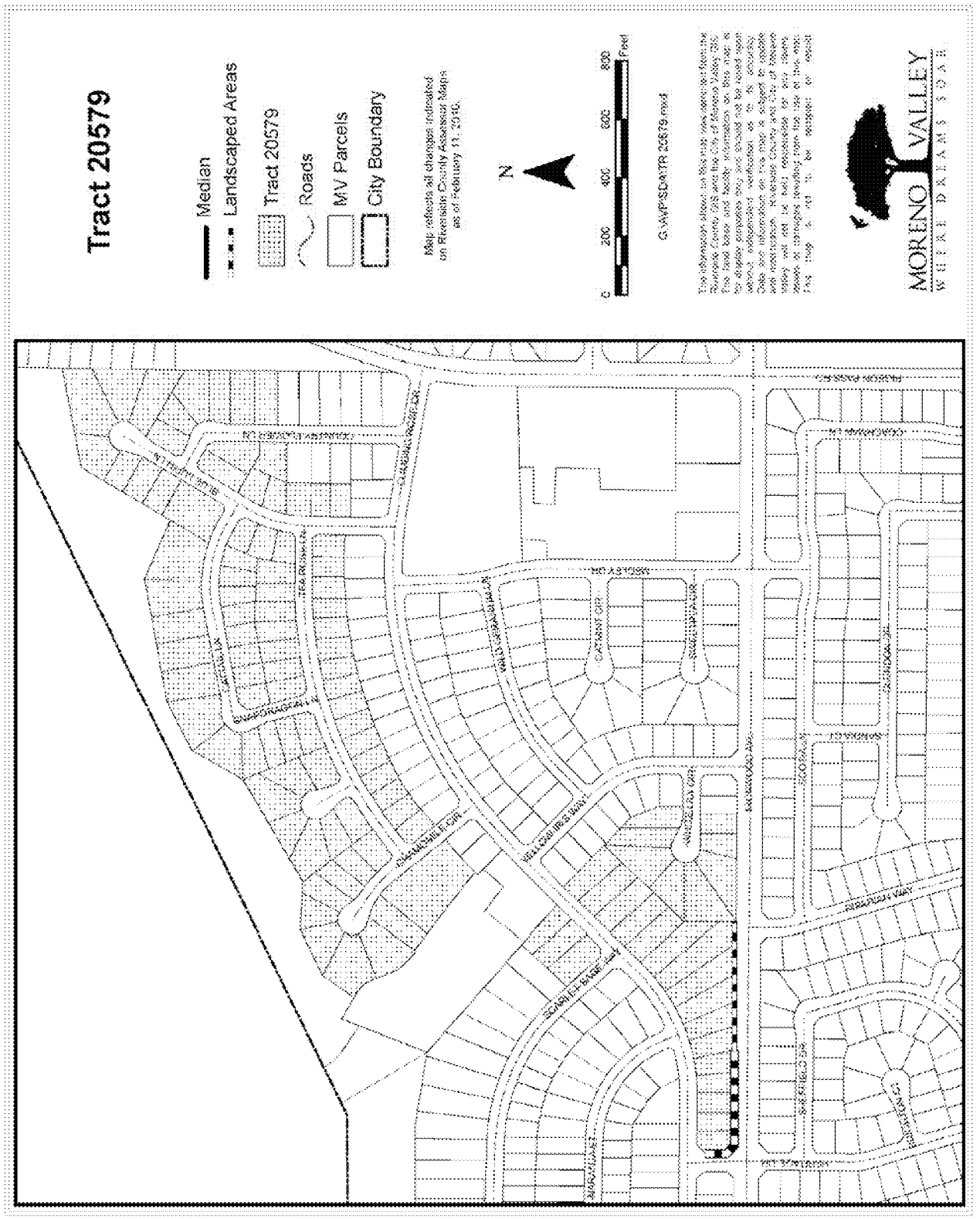
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información en Español.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

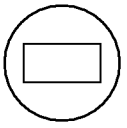

A circle around the box **<u>and/or</u>** associated clause; or

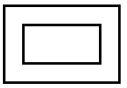

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$**	**7,179.10**
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

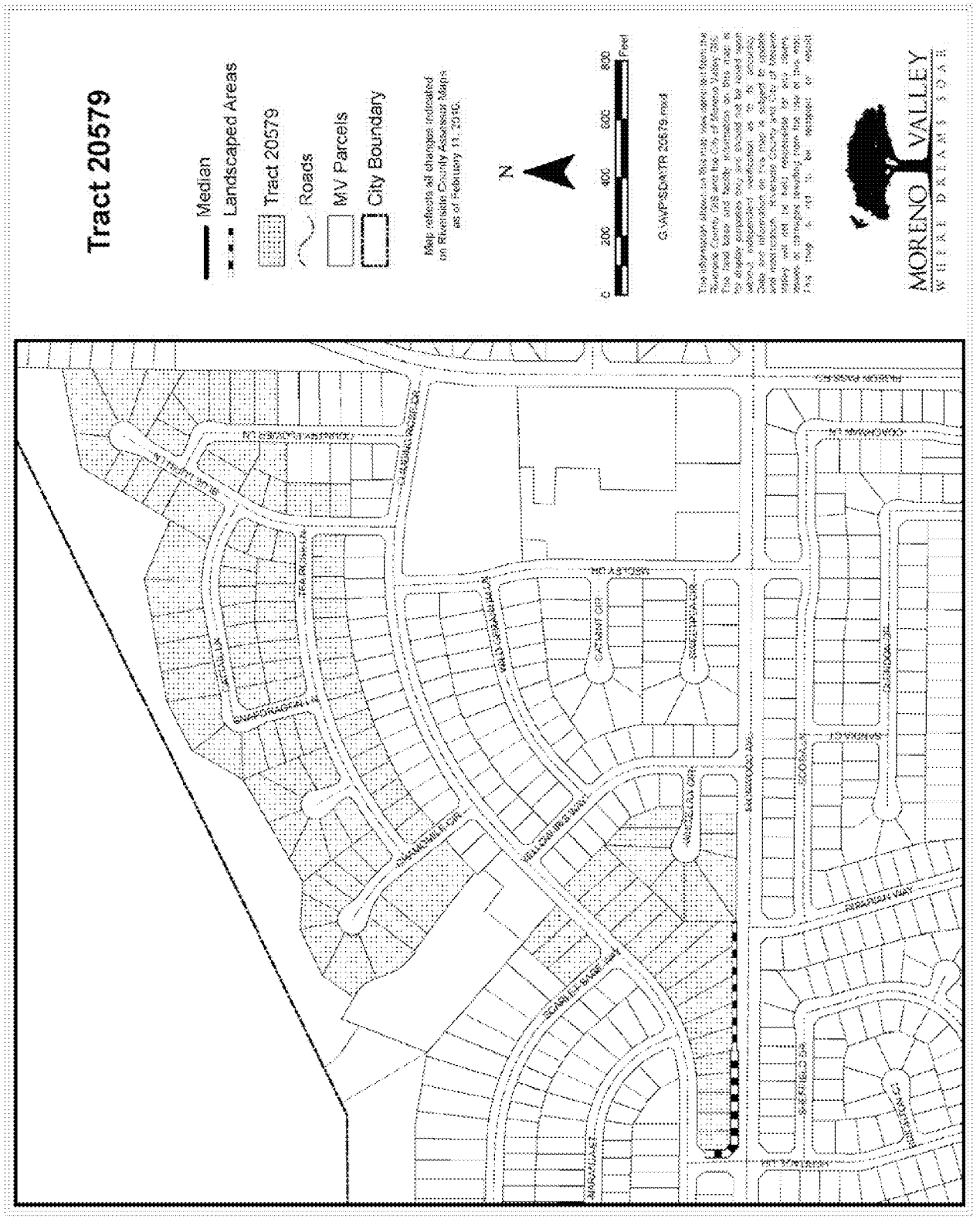
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City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
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14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

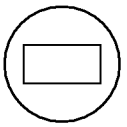

A circle around the box **<u>and/or</u>** associated clause; or

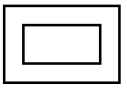

A square or rectangle around the box **<u>and/or</u>** associated clause**.**

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

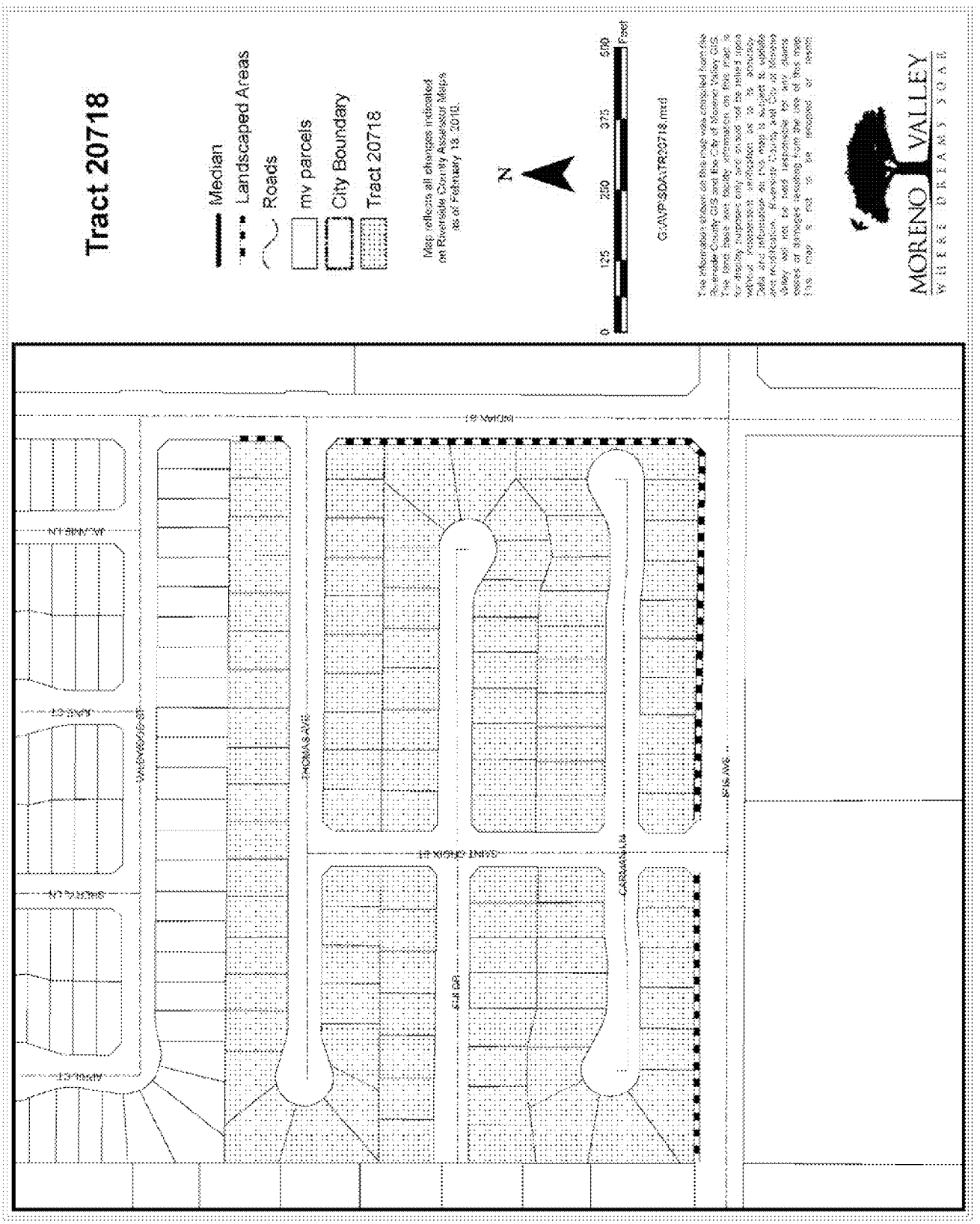
Tract 20718
Median
Landscaped Areas
Roads
my parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 13, 2010.
N
0
125
250
375
500
Feet
G:\AVP\SDA\TR20718.mxd
MORENO VALLEY
WHERE DREAMS SOAR
THOMAS AVE
CARMANITA
BIRCH AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\21113\Tract 21113 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

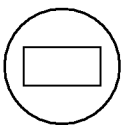

A circle around the box **and/or** associated clause; or

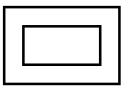

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

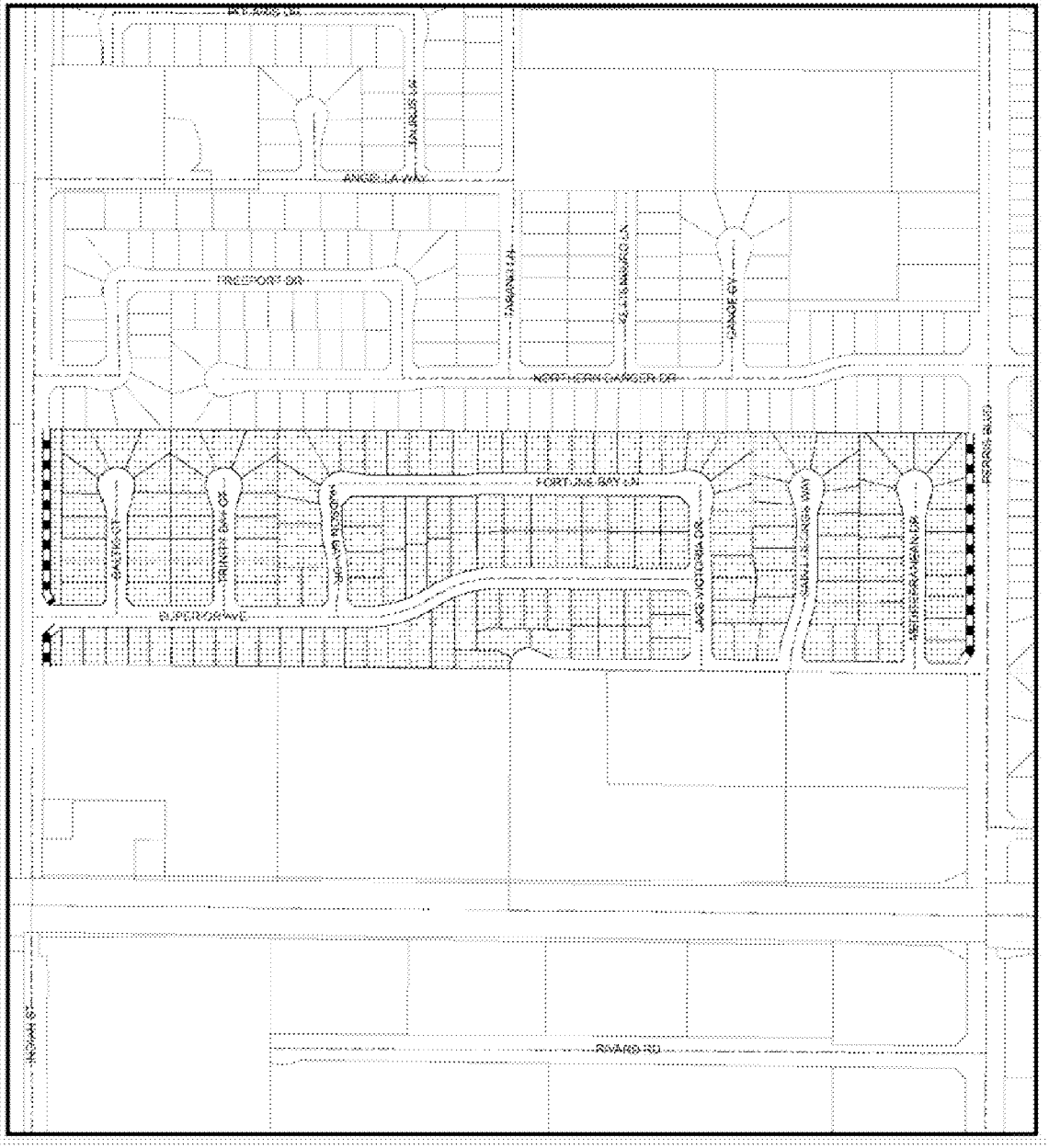

Tract 21113

Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

N

0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley, GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

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FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

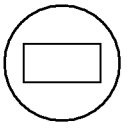

A circle around the box **<u>and/or</u>** associated clause; or

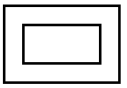

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

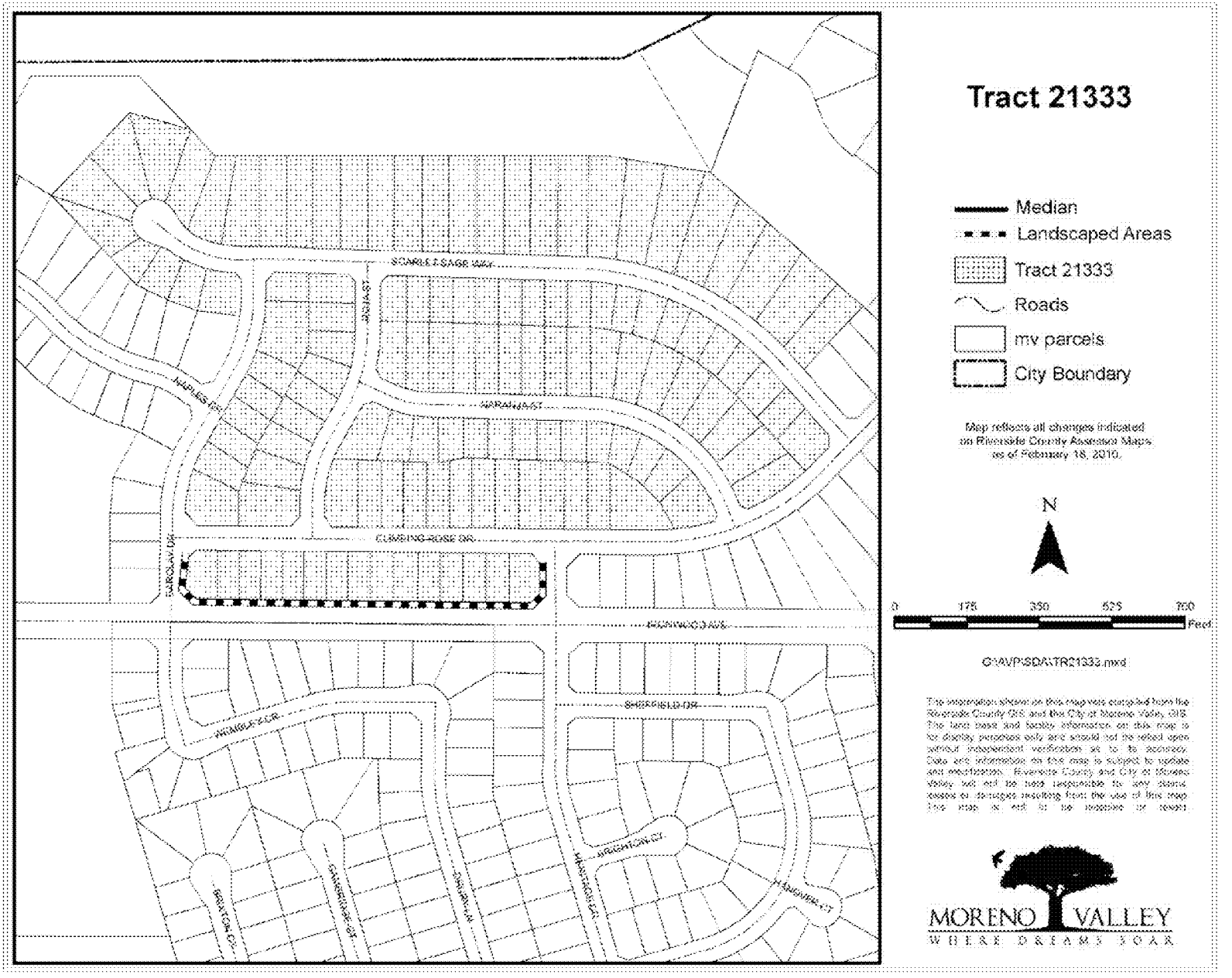
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
mv parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
175
350
525
700
Feet
G:\MVP\SDA\TR21333.mxd
MORENO VALLEY
WHERE DREAMS SOAR
SCARLET SAGE WAY
NAPLES DR
CLIMBING ROSE DR
SHEFFIELD DR
TRIANGLE CIR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

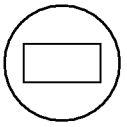

A circle around the box **and/or** associated clause; or

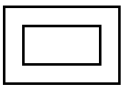

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

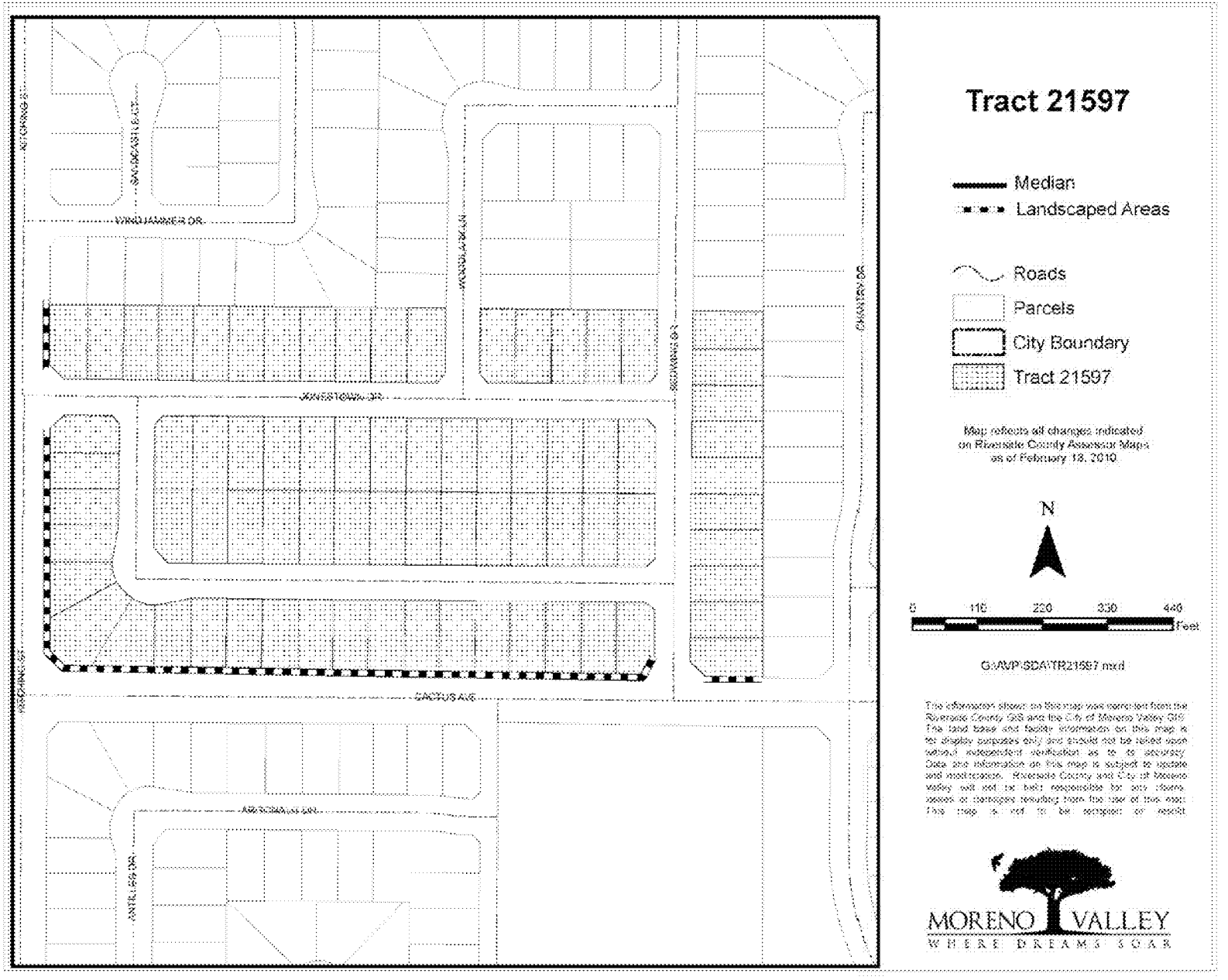
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0
110
220
330
440
Feet
G:\MP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

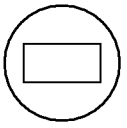

A circle around the box **<u>and/or</u>** associated clause; or

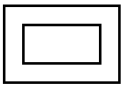

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

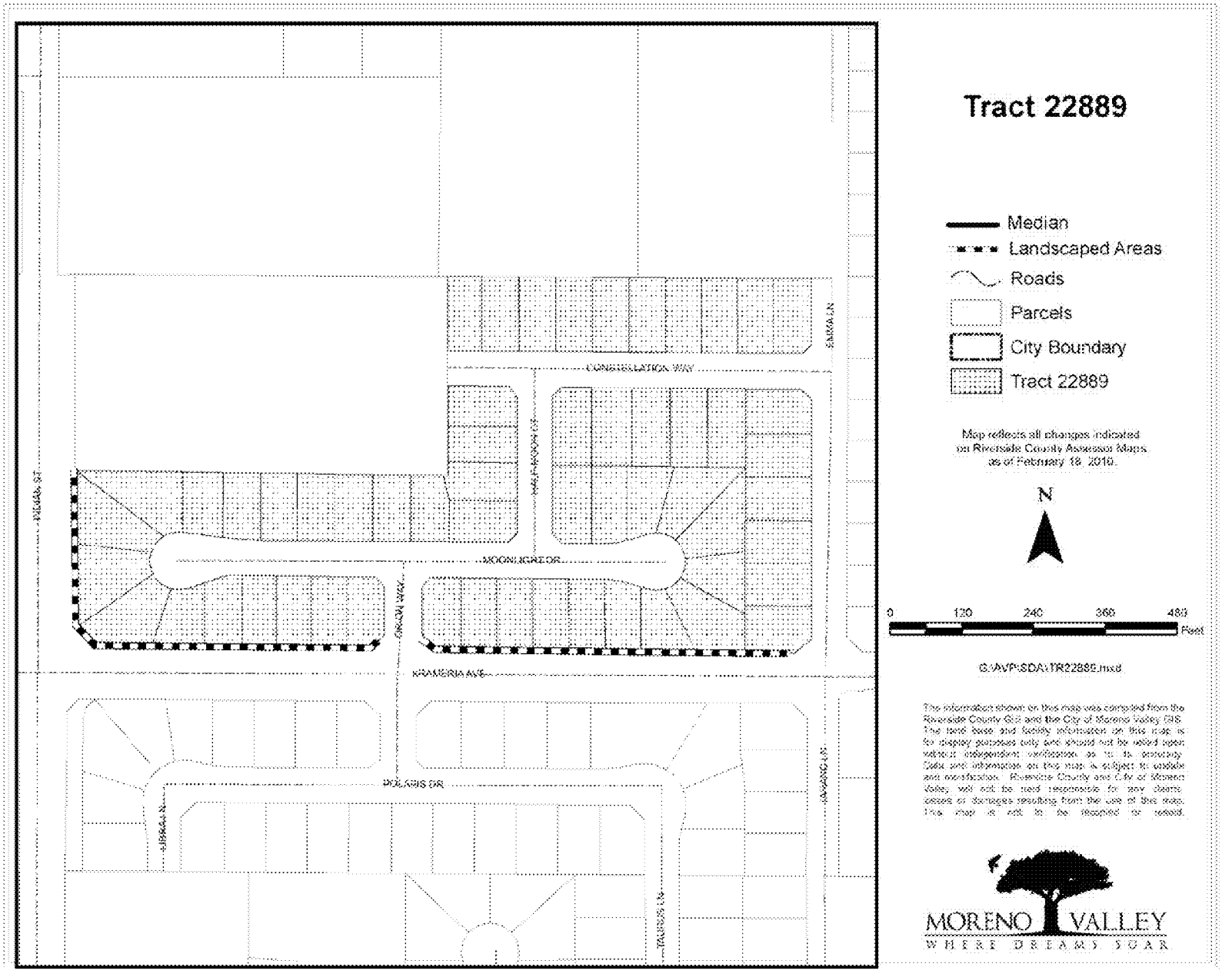
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR22889.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
CONSTELLATION WAY
MOONLIGHT DR
KRAMERIA AVE
POLARIS DR
PERRIS BLVD
LASSEN LN
TAURUS LN
NAVARRO LN
SARRA LN

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

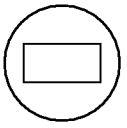

A circle around the box **<u>and/or</u>** associated clause; or

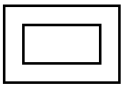

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

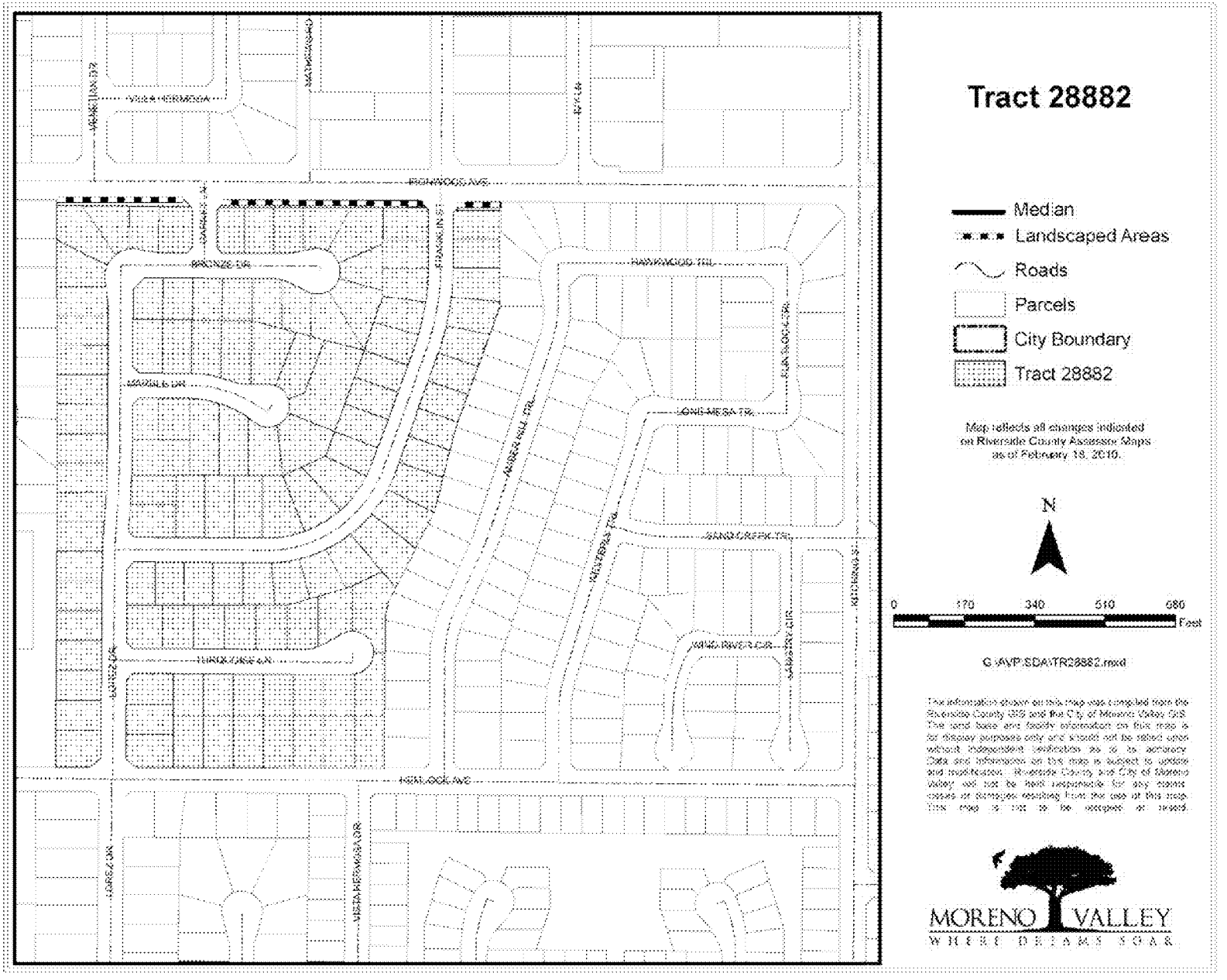
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
170
340
510
680
Feet
G:\AVP\SDA\TR28882.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\31257\Tract 31257 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

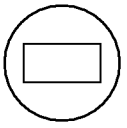

A circle around the box **<u>and/or</u>** associated clause; or

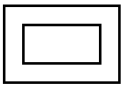

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

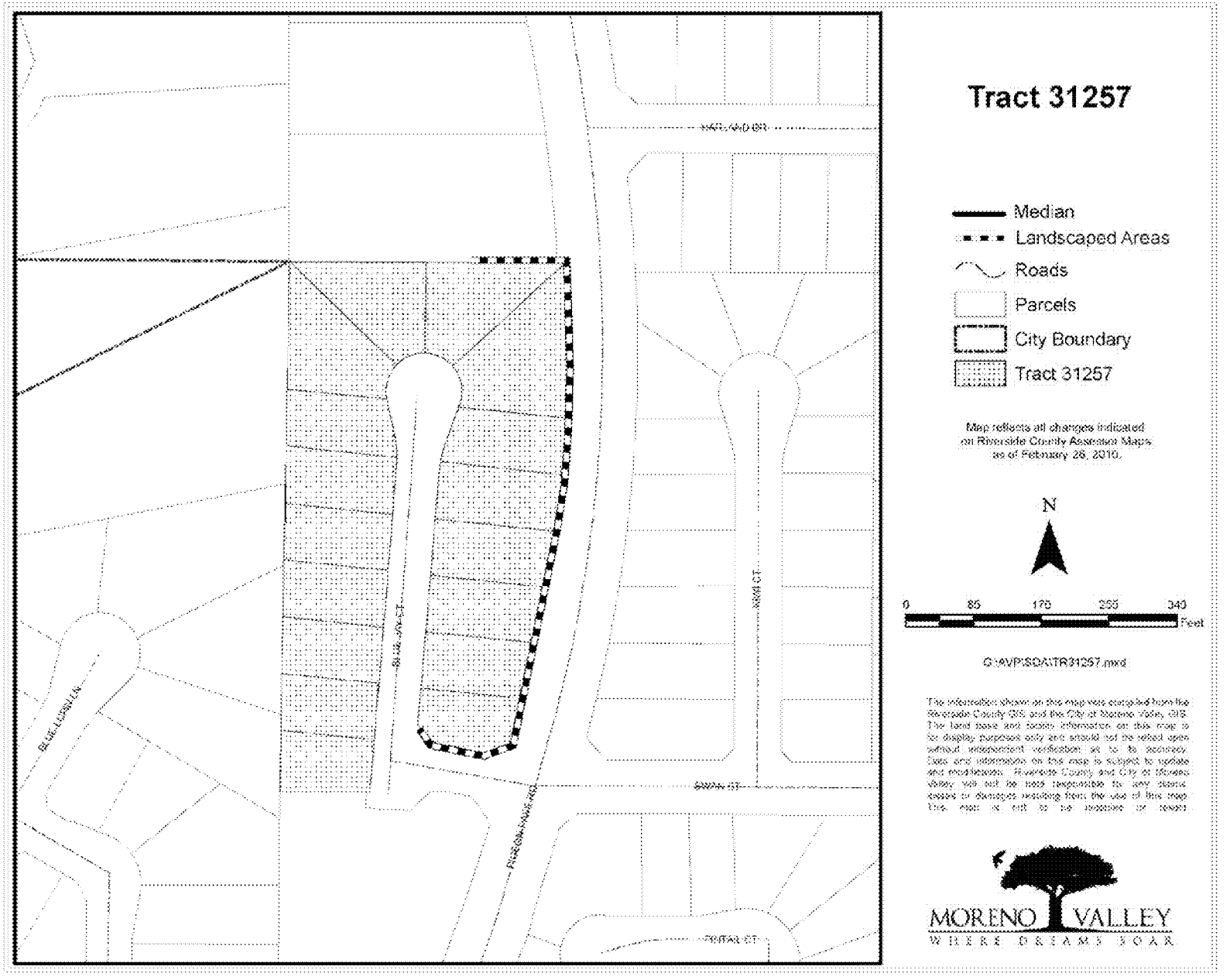
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
Map reflects all changes indicated on Riverside County Assessor Maps as of February 28, 2010.
N
0
85
170
255
340
Feet
G:\AVP\SDA\TR31257.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

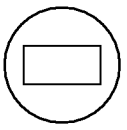

A circle around the box **and/or** associated clause; or

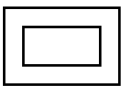

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

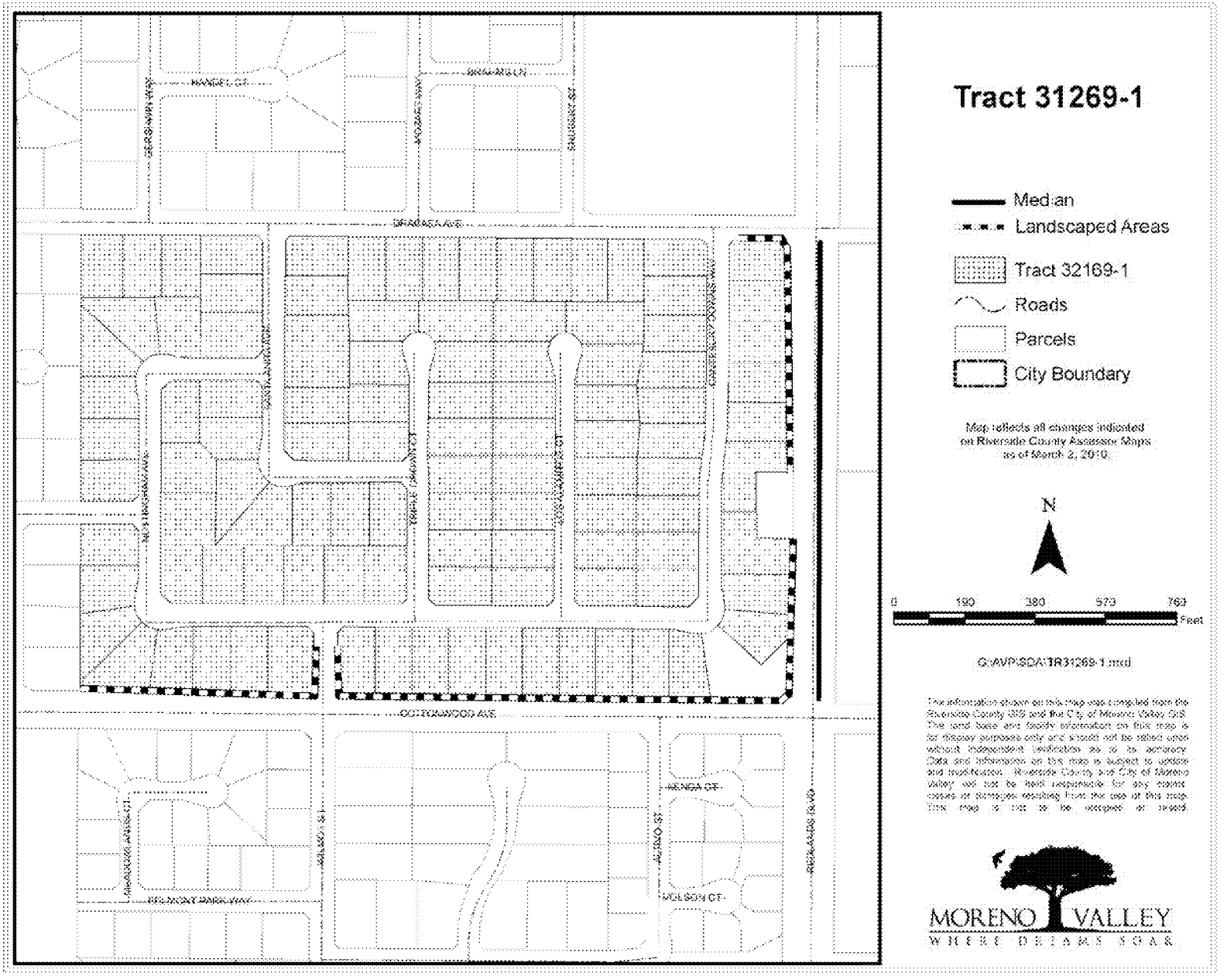
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
G:\AVP\SDA\TR31269-1.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be accepted as record.
MORENO VALLEY
WHERE DREAMS SOAR
GRAHAM LN
GRAHAM AVE
COTTONWOOD AVE
HENDA CT
WELSON CT
FRENCHMAN PARK WAY
RIVERSIDE BLVD

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

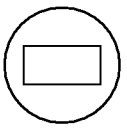

A circle around the box **<u>and/or</u>** associated clause; or

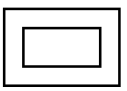

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

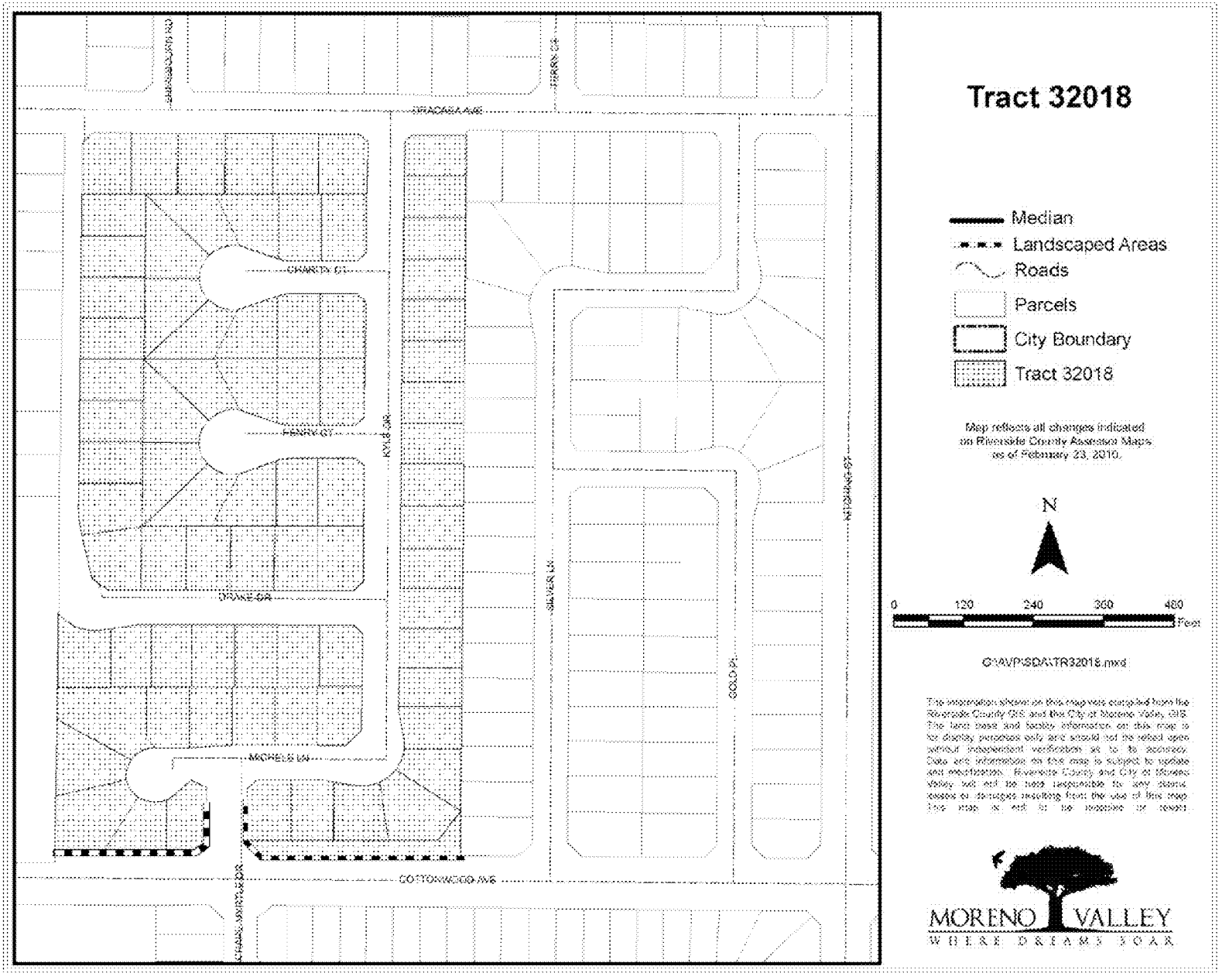
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.
N
0
120
240
360
480
Feet
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MORENO VALLEY
WHERE DREAMS SOAR
ACACIA AVE
CHARITY CT
FERRY CT
KYLE DR
DIANE DR
MICHELS LN
COTTONWOOD AVE
SILVER LN
GOLD PL
HEIDI AVE

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission and the Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie Hyte, an applicant to the Parks and Recreation Commission, and George W. Brummer, an applicant to the Parks and Recreation Commission and the Traffic Safety Commission, are planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION
One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION
Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION
Three (3) terms expiring June 30, 2013

James C. Baker II*

Juanita M. Barnes*
George W. Brummer**/***
Virgil Chancy*
Marie Hyta **

RECREATIONAL TRAILS BOARD
Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD
Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION
Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer **/***
Alvin C. Horn
Frank D. Pavlik*
Jacqueline Dawn Qualls

*Incumbent
** Is planning to attend a meeting in May
*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a "transient occupancy tax" or "hotel tax" and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley's Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City's declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City's TOT rate and enhance general fund revenues, while keeping pace with other nearby cities' TOT rates.

The City is projected to collect approximately $400,000 in TOT revenue in FY 2009-10. Please note this is down from the $593,000 collected in FY 2007-08, which was the City's highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by $150,000 to $250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley's hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City's TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	**8**

The City currently has 11 hotels/motels; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City's total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City's TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

> "Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?"

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

   Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by $150,000 to $250,000 per year—depending on the economy. The cost to place a measure on the ballot is $5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
Barry Foster
Economic Development Director

Concurred By:
Michelle Dawson
Assistant to the City Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066591

RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTIONS HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the aforementioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such pro ration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

Resolution No. 2010-61
ATTACHMENT 1 Date Adopted: June 8, 2010

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

ATTACHMENT 2

Resolution No. 2010-62
Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

Resolution No. 2010-62
ATTACHMENT 2 Date Adopted: June 8, 2010

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from $4.75 million to $6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	$1,829,606	10%
9% Tax Credit Equity	$9,242,933	49%
RDA Funds	$6,750,000	36%
Affordable Housing Fee Reductions- City	$991,608	5%
Affordable Housing Fee Reductions- County	$79,632	<1%
General Partner Equity	$99,029	<1%
Total	$18,992,808	100%

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, or which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*

2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate $6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of $6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

Fund	Business Unit	Amount
894	RDA Affordable Housing Fund	$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to $6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066607

RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to $6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the Community Redevelopment Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of Secretary of the Community Redevelopment Agency of the City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity of General Counsel of the Community Redevelopment Agency of the City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

SECRETARY

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

_____

Jane Halstead, CMC, Secretary

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over $17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	$67,754,400
• Projected General Fund Operating Expenditures	85,630,700
• Projected General Fund Operating Deficit	$17,876,300

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately $11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining $11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	6,000,000
• Total Potential Solutions:	$20,134,134

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling $5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of $15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11

Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			($17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(96,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(78,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225,192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			**$6,318**

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by $5 million;
- Provides a balance between General Fund expenditure reductions ($5 million) and use of reserves ($5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing $5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

ATTACHMENTS/EXHIBITS

A. Schedule of Budget Appropriations

B. Resolution No. 2010-64

C. Resolution No. CSD 2010-20

D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066617

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$59,683,200	$479,000		$1,020,800	$6,590,427	$5,000,000	$12,611,227	$13,090,227	$72,773,427
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,020,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF-CCAT GRT-PD-AB322	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/EDUC/GOVT ACCESS	550,000								550,000
134	EMPG-EMERGNCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	207,000								207,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORM WATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORM WATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					286,611	286,611	286,611	8,284,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					208,300	208,300	208,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD#1	1,006,105								1,006,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,218								183,218
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIAL STS DEV IMPACT FEE	104,700					1,308,975	1,308,975	1,308,975	1,413,675
202	TRAFFIC SIGS DEV IMPACT FEE	26,700								26,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,908	212,908	212,908	254,008
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	90,700								90,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
225	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
227	FHWA TRANSIMS	186,600								186,600
228	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
229	EECBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118								78,118
233	EMERGENCY SVCS AGENCY	14,000								14,000
262	JAG 2009 SB-59-2366 FUND	435,700								435,700
280	CDBG FY05/06 FUND	10,000								10,000
282	CDBG FY07/08 FUND	14,700								14,700
283	CDBG FY08/09 FUND	418,652								418,652
285	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16-06-1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REFNDG	1,158,700								1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,700								2,700
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,200								404,200
328	AUTOML REFIN-CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD#5 STONERIDGE DEBT SVC	362,200								362,200
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION - DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIAL STREETS	296,000								296,000

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,250								38,250
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP-ADMIN FUND	62,500								62,500
529	CFD#5 STONERIDGE CAP/ADM	54,000								54,000
530	CFD #4I - INFRA CAP/ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,306,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A - DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A - CAP PROJ	900,000								900,000
	GRAND TOTAL REVENUES	**194,237,600**	**(2,953,360)**	**119,100**	**1,454,800**	**6,590,427**	**17,355,526**	**25,400,753**	**22,566,493**	**216,804,093**
	Less Internal Service Funds [1]	13,320,900	(2,272,200)	0	150,000	0	2,300,225	2,450,225	178,025	13,498,925
	NET REVENUES	**$180,916,700**	**($681,160)**	**$119,100**	**$1,304,800**	**$6,590,427**	**$15,055,301**	**$22,950,528**	**$22,388,468**	**$203,305,168**

[1] *These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.*

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
010	GENERAL FUND	$64,159,061	($4,102,334)	$217,800	$15,000	($3,869,534)	$60,289,527
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	217,800	15,000	(4,792,362)	80,838,309
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252
125	MEASURE "A" FUND	437,900					437,900
130	SLESF-CCAT GRT-PD-AB322	100,000					100,000
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140
132	PUB/EDUC/GOVT ACCESS	447,200					447,200
134	EMPG-EMERGNCY MGMT PREP	94,200					94,200
136	OTS - POLICE FUND	117,000					117,000
137	AIR QUALITY MGT FUND	97,181					97,181
144	CDBG FY 01/02 FUND	30,000					30,000
149	SPCL DIST ADMIN FUND	1,230,200					1,230,200
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100
152	STORM WATER MANAGEMENT	861,360					861,360
153	BEVERAGE CONTAINER RECY	13,200					13,200
160	CHILD CARE GRANT FUND	942,800					942,800
161	ZONE "A" PARKS FUND	8,446,400	(162,200)			(162,200)	8,284,200
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000
172	ZONE "C" ART LGHT FUND	788,300					788,300
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000
182	ZONE "E" EXT LDSC FUND	2,837,200					2,837,200
183	ZONE "M" MEDIAN FUND	273,100					273,100
184	CFD#1	951,200					951,200
185	ZONE "S"	120,000					120,000
186	CFD #4M	35,000					35,000
198	HOMELESSNESS PREVENTION	183,218					183,218
199	CDBG RECOVERY ACT	137,192					137,192
201	ARTERIAL STS DEV IMPACT FEE	1,413,675					1,413,675
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000
227	FHWA TRANSIMS	30,000					30,000
229	EECBG FUND				1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118					78,118
285	CDBG FY10/11 FUND	1,679,900			261,700	261,700	1,941,600
293	UBG14 USED OIL RECYCLG	27,900					27,900
295	TRI16-06-1 TARGETED RUB	56,000					56,000
301	2005 LEASE REV BONDS	2,644,491					2,644,491
313	TWNGT IMPV SPCL TAX REF	393,550			450	450	394,000
315	TWNGT SPCL TAX REFNDG	1,158,150			550	550	1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,400			300	300	2,700
321	CH COP 97 DEBT SVC FUND	822,025					822,025
325	PUB SAFTY BOND DEBT SVC	404,200					404,200
328	AUTOML REFIN-CFD #3 DEBT SCV	2,416,800					2,416,800
329	CFD#5 STONERIDGE DEBT SVC	361,600					361,600
330	CFD #4I - INFRA DEBT SVC	11,493,200					11,493,200
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION - DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGT IMPV SPCL TAX CAP	38,200					38,200
515	2007 TWNGT SPCLTAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD#5 STONERIDGE CAP/ADM	53,700					53,700
530	CFD #4I - INFRA CAP/ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,200					318,200
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	**198,004,413**	**(8,102,122)**	**217,800**	**638,500**	**(7,245,822)**	**190,758,591**
	Less Internal Service Funds [1]	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	**$185,454,688**	**($6,797,322)**	**$217,800**	**$488,500**	**($6,091,022)**	**$179,363,666**

[1] *These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.*

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be $100 per meeting or for each day's service rendered as a Director, not to exceed six days or $600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.

3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be $30 per meeting of the Agency, not to exceed four meetings or $120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

BACKGROUND

The purpose of the Proposed CIP is to identify needed improvements and establish long-term funding priorities. The Proposed CIP contains the list of projects comprising the budget and expenditures that will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

DISCUSSION

The Proposed CIP identifies and projects the costs of constructing the following types of projects anticipated through build-out of the City:

- Street Improvements
- Buildings
- Electric Utility
- Parks
- Underground Utilities
- Bridges
- Drainage, Sewers, and Waterlines
- Landscaping
- Traffic Signals

City staff has completed a full review of all project needs through "build-out" of the City. The priorities, as proposed, are based on status and funding of existing projects, availability of matching federal, state, or regional grant funds, and anticipated development trends within the City.

During the Study Session on June 15, 2010, City Council directed staff to make revisions to various project forms in the FY 2010–11 Proposed CIP. Staff has also incorporated necessary revisions, resulting from error corrections, receiving updated information, and Deficit Reduction Option (DRO) impacts.

With regard to the DRO impact, on June 8, 2010, City Council approved the DRO that funds the City-Wide Traffic Signals and City-Wide Transportation Operations from the General Fund, thus making $1,037,000 in Measure "A" funds available for the Citywide Annual Pavement Resurfacing Program. Also, in March 2010, the Legislature passed, and the Governor signed into law, two assembly bills that effectively swapped Proposition 42 funds (Fund 225) for Gas Tax funds. As a result, the anticipated $1,830,944 increase in Gas Tax funds are appropriated for the Citywide Annual Pavement Resurfacing Program, while Proposition 42 funding is eliminated for FY 2010-2011. The State is purporting to delay the Gas Tax appropriation for approximately 9 months; therefore, the $1,830,944 is programmed for FY 2011-2012.

Both the City Council-directed revisions and the miscellaneous revisions are incorporated and documented in Attachment "A".

Capital Budget Adoption Actions

Revisions to the Proposed Capital Improvement Plan (Attachment "A") - This is a list of revisions to various project forms in the Proposed CIP that were incorporated as directed by City Council during the Study Session on June 15, 2010. Also incorporated are necessary revisions, resulting from error corrections and receiving updated information. The list includes proposed revisions to the Proposed CIP that would be, upon City Council approval, incorporated in the Adopted CIP. By incorporating Revisions to the Proposed CIP, the Adopted CIP, as the capital budget for the City of Moreno Valley for FY 2010-11, will be a more accurate, current, and superior document.

Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D") – As a long-standing best practice, each of the City's primary entities (the City, RDA, and CSD) will adopt separate resolutions to approve their respective budget.

ALTERNATIVES

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"). *This alternative will allow needed improvements.*

2. Do not adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, do not adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, do not adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"). *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

Projects have been identified as funded, partially funded, and unfunded for FY 2010-11 through FY 2014-15 and Beyond. The Capital Improvement Plan provides the funding and expenditure plan for FY 2010-11.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

Staff recommends that the City Council adopt the Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D"), approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley, Community Services District, and Community Redevelopment Agency for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

ATTACHMENT

Attachment "A" – Revisions to the Proposed Capital Improvement Plan
Attachment "B" – Proposed Resolution No. 2010-65
Attachment "C" – Proposed Resolution No. CSD 2010-21
Attachment "D" – Proposed Resolution No. RDA 2010-05

Prepared By:
Larry Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

Funded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount	Reason/Justification
106	Citywide Annual Pavement Resurfacing Program	3,932,869	4,969,969	Proposition 42 funding substituted with Gas Tax funds and Measure "A" funds reinstated per City Deficit Reduction Optio
120	Perris Blvd Southbound Ln to SR-60 Westbound On-Ramp	460,000	460,000	Project moved from Partially Funded to Funded
267	Renovation of City Hall Annex Building #1	2,239,765	0	Project on hold per City Deficit Reduction Options
273	Fire Station #65 (formerly Fire Station #65 Replacement)	570,000	520,000	Cost adjustment
274	Highland Fire Station	570,000	520,000	Cost adjustment
275	Industrial Fire Station	890,000	870,000	Cost adjustment
282	City Hall Roof Replacement	0	649,965	Project moved from Unfunded to Funded
352	Install Access Gate at March Middle School Field	5,000	0	Project completed in May 2010
355	Parks and Recreation Master Plan	0	19,679	Carryover funds as project will be completed in July 2010
Added	Bethune Park - Water Feature Retrofit	0	5,000	Added new project as directed during 6/15/10 Study Session

Unfunded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount	Reason/Justification
129	Alessandro Blvd / Old 215 Frontage Rd to Elsworth St	700,000	0	Project is now funded and part of Citywide Annual Pavement Resurfacing Program
308	Storm Drain Line "H1-A" Extension / Ironwood Avenue to North of Hubbard Street	1,159,000	0	Project deleted. Duplication of Project on Page 305
376	Aqueduct Bike Trail Security Lights and Landscaping	3,060,000	0	Project deleted, combined with project on page 377
377	Aqueduct Bike Trail Security Lights and Landscaping	1,103,000	4,163,000	Project combined with project on page 376
400	Markborough Property Master Plan and Development	20,000	75,000	Cost adjustment

Attachment "A"

CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

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RESOLUTION NO. 2010-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Proposed Capital Improvement Plan (CIP) for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the City Council per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Resolution No. 2010-___
Date adopted: June 22, 2010

Attachment "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION NO. CSD 2010-21

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the President and Board of Directors per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Resolution No. CSD 2010-___
Date adopted: June 22, 2010

Attachment "C"

_____
Mayor of the City of Moreno Valley
acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-05

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and contains expenditure requirements, and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Proposed CIP, as amended by the Chairperson and Agency Members per the Revisions to the Proposed Capital Improvement Plan (Attachment "A"), is hereby approved and adopted as the capital budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.

2. The projects are hereby appropriated as the capital budget for said fiscal year.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

Resolution No. RDA 2010-___
Date adopted: June 22, 2010

Attachment "D"

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

_____
Mayor of the City of Moreno Valley
acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 11, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Employee of the Quarter - Paul Early, Deputy City Attorney III

2. Officer of the Quarter - Officer Kevin Couch

3. Officer of the Year - Officer Kent Eckenrode

4. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 11, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Flickinger

INVOCATION - Council Richard Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial & Admin. Director
Robert Hansen	City Attorney
William Bopf	Interim City Manager
Rick Hartmann	Interim Assistant City Manager
Cheryl Evans	Lieutenant Admin.
Abdul Ahmad	Battalion Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
John Ruiz	Interim Human Resources Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Services Director

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JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

AGENDA ORDER

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Motion to Continue Item G4 to a date uncertain by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to waive the attorney-client privilege for the "Legal Advice Regarding Trademark Issues Pertaining to the Rancho Belago Sign Program," thus making it a public document (pertaining to Item G5) by Council Member Richard A. Stewart, s/ Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A10), and Deanna Reeder (Item A10; e-mails issue - Item D2).

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A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of April 21 - May 4, 2010.

A.4 TRACT MAP 32142 - CONDOMINIUM PROJECT - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF LASSELLE STREET AND AVENIDA DE CIRCO ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-28 authorizing the acceptance of the public improvements within Tract Map 32142 as complete and accepting the portions of Lasselle Street and Avenida de Circo associated with the project into the City's maintained street system; and

Resolution No. 2010-28

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32142 and Accepting the Portions of Lasselle Street and Avenida De Circo Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor

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Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.5 APPROVE AND ADOPT RESOLUTION NO. 2010-29 ELECTING TO HEAR FUTURE RESOLUTIONS OF NECESSITY FOR THE STATE ROUTE 60/NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (NASON BRIDGE PROJECT) AND DESIGNATION OF THE CITY'S SPECIAL EMINENT DOMAIN COUNSEL TO PROCESS RESOLUTION OF NECESSITY PACKAGES FOR THE PROJECT - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the proposed Resolution Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project; and

Resolution No. 2010-29

A Resolution of the City Council of the City of Moreno Valley Electing to Hear Future Resolutions of Necessity for the State Route 60/Nason Street Overcrossing Improvements Project and Designation of the City's Special Eminent Domain Counsel to Process Resolution of Necessity Packages for the Project

2. Authorize and direct the Public Works Director/City Engineer to deliver the resolution together with other required information and documents with respect to the City's Special Eminent Domain Counsel and to provide other related materials to Caltrans as required.

A.6 AUTHORIZE A CHANGE ORDER TO INCREASE PURCHASE ORDER WITH OVERLAND PACIFIC & CUTLER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Overland Pacific & Cutler (OPC) in the amount of $50,400 for additional right-of-way support services for SR-60/Nason Street Interchange Improvements project (Account No. 125.89720); and

2. Authorize the City Manager to execute an amendment to the Professional Consultant Services Agreement with OPC extending the agreement expiration date to May 30, 2012, subject to City Attorney review and approval.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF CITYWIDE BRIDGE MAINTENANCE PROGRAM - PROJECT NO. 09-22679828 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Citywide Bridge Maintenance Program, constructed by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase), 1792 Kaiser Avenue, Irvine, CA 92614-5706;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Peterson-Chase, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.9 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE STREET IMPROVEMENT PROGRAM FOR CONSTRUCTION OF PARTIDA DRIVE, CARILLO COURT, AND KIMBERLY AVENUE - PROJECT NO. 08-12585523 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Street Improvement Program (SIP) for construction of Partida Drive, Carillo Court, and Kimberly Avenue to C & C Grading & Paving, Inc., 28373 Felix Valdez, Suite A-1, Temecula, CA 92593, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with C & C Grading & Paving, Inc.;

3. Authorize the issuance of a Purchase Order to C & C Grading & Paving, Inc. for a total amount of $223,863.49 ($194,663.90 base bid amount plus 15% contingency) when the contract has

been signed by all parties; and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with C & C Grading & Paving, Inc., up to but not to exceed the Purchase Order's total contingency of $29,199.59, subject to the approval of the City Attorney.

A.10 ENCO UTILITY SERVICES MORENO VALLEY, LLC, VS. CITY OF MORENO VALLEY - APPROVAL OF SETTLEMENT AGREEMENT (PROVIDED UNDER SEPARATE COVER) (Report of: City Attorney)

Recommendation:
Approve as submitted.

Item continued to the next City Council meeting

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF APRIL 27, 2010 (Report of: City Clerk)

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Recommendation:
Approve as submitted.

Motion to continue Item A10 to the next City Council Meeting by Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Item A8 and Item A10 which were pulled for a separate vote, by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2010/11 (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program to provide the public with an opportunity to comment on the proposed 2010/11 Annual Action Plan; and

2. Approve the proposed 2010/11 Annual Action Plan.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E.2 A PUBLIC HEARING FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE

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EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES. (Report of: Community Development Department)

Recommendation: That the City Council:

1. RECOGNIZE that pursuant to California Environmental Quality Act (CEQA) Guidelines, the proposed modification of project conditions of approval are within the scope of the originally approved project Environmental Impact Report (EIR) as required within Section 15161, "Project EIR", and either the preparation of a subsequent EIR or addendum to the original environmental document would not be required subject to Sections 15162 or 15164 of the CEQA Guidelines;

2. APPROVE Resolution Nos. 2010-31 and 2010-32 for various modifications (PA09-0038 and PA09-0039) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) and PA07-0091 (Plot Plan) for placement of landscape within the future Highway 60/Caltrans right of way area, and changes related to the dedication and construction of public improvements, with findings included within the resolutions and modified conditions of approval attached as Exhibits A and B to the resolutions; and

Resolution No. 2010-31

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of Modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

Resolution No. 2010-32

A Resolution of the City Council of the City of Moreno Valley, California Approving Various Modification of project Conditions of Approval (P09-039) for PA07-0091 (Plot Plan) generally located North of future Eucalyptus Avenue (Fir Avenue) adjacent to and South of Highway 60 between Redlands Boulevard and Theodore Street

3. RECOMMEND that if the General Plan required and approved multi-use trail is modified in location, the item would be referred to the Planning Commission for review and consideration of a General Plan Amendment (PA09-0013) and possible modifications to the approved Environmental Impact Report (EIR).

The presentation was given by an applicant Iddo Benzeevi.

Mayor Flickinger opened the public testimony portion of the public hearing. Public testimony was received from Deanna Reeder (opposes DIF fee; supports modifying COA), Raul Wilson (against trails), Louise Palomarez (against trails), Nina Ramos Hiers (supports trails), Radene Ramos Hiers (supports trails), Kim Nelson (for denying request to modify the conditions; for trails), Marcelo Co (for jobs; against trails), Pete Bleckert (against horse trails), Daryl Terrell (for Fairview proposal), and Sam Martinez (for jobs).

Recess;
Reconvened

Motion to convert the existing landscaping to hydro seeding wildflowers by Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

Motion not to change the conditions for trails, leave them as it is, by Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Motion failed by a vote of 2-3, Council Member William H. Batey II, Council Member L. Molina and Council Member Richard A. Stewart opposed.

Council Member Richard A. Stewart made the following motion regarding building a trail, s/Mayor Bonnie Flickinger: accept the full irrevocable dedication; the construction shall be done by Mr. Benzeevi, but it will be deferred until the completion of the certificate of occupancy for Phase III;
Council Member Richard A. Stewart amended the motion adding that the developer be relieved from this condition (building a trail) if the trail is eliminated from the frontage of this project (relocate off his property)

Council Member Richard A. Stewart withdrew his previous motion.
Mayor Flickinger withdrew the second.

Council Member Richard A. Stewart made the following motion, s/Mayor Bonnie Flickinger:
That the final map will show an irrevocable offer of dedication for the

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trail along the entire frontage of the project, for all 3 phases, and that this condition, the construction, completion and dedication of the completed trail be deferred until occupancy of Phase III (that way the conditions remain worded the same; just construction and completion of the entire trail will be deferred until Phase III, but the final map will show the irrevocable offer of dedication of the right-of-way)
Approved by a vote of 5-0.

Mayor Bonnie Flickinger made a motion to agendize revising a DIF policy to create the open-ended time element.
Mayor Bonnie Flickinger amended the motion to leave the condition in place as is; Motion failed for lack of a second.

Motion to continue the decision on the DIF issue giving staff and Mr. Benzeevi opportunity to conduct research and analysis by Mayor Bonnie Flickinger, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Motion to bring back draft resolutions on motions made at the meeting for the City Council approval by Council Member Richard A. Steward, s/Mayor Pro Tem Hastings
Approved by a vote of 5-0.

Motion to continue the meeting past 11 p.m. by Council Member William H. Batey II, s/Mayor Pro Tem Hastings
Approve by a vote of 5-0.

Council's direction to staff: televise May 18, 2010 Study Session (because of budget)

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Raul Wilson
1) Spanish interpreter
2) Independent audit

Deanna Reeder
1) Encouraged voting

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Valerie Yowell
1) Standards for the rest of development of tract on Nason and Eucalyptus

Marcelo Co
1) Impressed with the decision regarding Item E2; Concerned with time in bringing businesses in
2) Attracting businesses and jobs to the City

Louise Palomarez
1) Public comments
2) Spending tax money

Librada Murillo
1) Priorities for allocating/spending money

Emil Dragovich Jr.
1) DUI checkpoints
2) Expressed appreciation for the City Council members

Tom Jerele Sr. (speaking on behalf of himself and Sundance Center)
1) Acknowledged persons involved in Sunnymead Blvd. improvements
2) Sign modification
3) Trails issue
4) Acknowledged residents contributing to the betterment of the community

Pete Bleckert
1) Proposition 16 & balloting electrical rates

Radene Ramos Hiers
1) Deviation from the General Plan
2) Developers coming to the community
3) Recreational trails
4) Invited residents to joint the rally on Day Street on June 19, 5-6 p.m. to encourage people to spend tax dollars in the City of Moreno Valley

Motion to continue all remaining items to the next Council Meeting by Council Member William H. Batey II, s/Mayor Pro Tem Hastings Approved by a 5-0 vote.

E.3 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM APRIL 27, 2010) (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the

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proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.8 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (Report of: Community Development Department)

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 FISCAL YEAR 2010-11 PRELIMINARY BASE OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

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Recommendation: That the City Council:
Receive the Fiscal Year 2010-11 Preliminary Base Operating Budget and Deficit Reduction Plan to begin the deliberation process that will lead to budget adoption.

G.3 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.5 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM APRIL 27, 2010) (Report of: Community Development Department)

Recommendation: That the City Council:

1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

G.6 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

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CLOSED SESSION - canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 11:27 p.m. by unanimous informal consent.

Submitted by:

_____
Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____
Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

3. Proclamation Recognizing Mental Health Month – May 2010

4. Recognition of Vista Heights Middle School – California State History Day Winners

5. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 25, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:47 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member William H. Batey II

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
Ernie Baker	Lieutenant
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

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JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Motion to Continue Agenda Item G7 by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a voice vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:
Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items

MV00066666

A13 and A15, which were pulled for separate discussion/action. Motion by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

AGENDA ORDER

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Council Member Richard A. Stewart stated due to a business relationship with his law office with other auto dealers, other than Moss Bros., he would abstain from participating, discussing or voting on Item G5, and he would be absent from the dais until completed.

Council Member Richard A. Stewart recused himself due to a business relationship.

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Moss, Deanna Reeder, and Pete Bleckert.

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Richard A. Stewart recused.

Council Member Richard A. Stewart returned to the Dias at 7:24 p.m.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

MV00066667

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to adopt Resolution No. 2010-23 approving the fee schedule for 2010-11 with the changes made tonight, which are 1) projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities; this program encompasses all Departments and all fees for projects in the program; 2) fees for non-residents to participate in Recreation Programs will be charged at full cost recovery, which is the Resident Fee plus 30%; 3) subject to confirmation that the Animal Services fee changes do not exceed actual cost recovery, the specific fee changes are for Animal Redemption – a) 1st impound from $20 to $25, 2nd impound from $40 to $50, 3rd Impound from $56 to $75; b) Boarding – Re-inspection Fee from $18 to $50; c) Licensing – Potentially Dangerous/Vicious from $77 to $99 by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

MV00066668

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

No action was taken.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, and Susan Gilchrist.

Recommendation:

1. Approve ~~revised~~ Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

Resolution No. 2010-35

MV00066669

A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

2. Approve ~~revised~~ Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

Resolution No. 2010-36

A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

Meeting reconvened after a brief break.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder

1. Vote for Paul Zellerbach and reject Rod Pacheco

Jose Chavez

MV00066670

1. Community Park

Charlene Weddington
1. Careers of members of Trail Seekers
2. Equestrian Park accomplishments

Daryl Terrell
1. Job loss and home foreclosures

Tom Jerele, Sr.
1. Trail Seekers
2. Development Impact Fees
3. June 10 - Free Concert

Pete Bleckert
1. Trail Seekers
2. Red Lights

AGENDA ORDER

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

Regarding AB 811 Senator Feinstein put in for $5M and applied to the California Energy Commission for $20M. Out of $110.3M available, only $4.6M came to Southern California, which is where two-thirds of the population is. The Administrative and Finance Committee took it to court, sued the state, and won. The Judge granted all relief requested including a Writ of Mandate ordering the Department of General Services to adjudicate WRCOG's protest, and a permanent injunction prohibiting the distribution of any funds until they have met WRCOG's concerns and answered their protest.

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

March Healthcare is moving ahead. It's a $3B project, and it will create 8,200 jobs, and most will be higher end jobs. There will be around 1,100 construction jobs. The demolition of some of the buildings is currently being coordinated. The Discovery Channel is looking at filming a sequential film on the demolition of the hospital. Mr. Russell came in from

MV00066671

Washington, D.C., and during lunch with him mutual concerns and issues were shared. A variety of general aviation plans are moving ahead. Several lawsuits were settled. The demur was sustained on the challenge by Ray Johnson to the expansion of the Fresh and Easy. Washington, D.C. is supporting the Free Trade Zone.

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

No action required.

AGENDA ORDER

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, Susan Gilchrist, Darryl Terrell, and Pete Bleckert.

Recommendation: That the City Council:
1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

MV00066672

Motion to adopt resolution 2010-33 and have the sign design change be brought back to Council for final approval at a future date, and that such sign design shall comply with the legal requirements as well as include the city seal or some other specific Moreno Valley identification, and the redesign will become the template for all communities in the city by m/Council Member Richard A. Stewart, s/Mayor Bonnie Flickinger Approved by a vote of 5-0.

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 3-2, Mayor Bonnie Flickinger and Mayor Pro Tem Robin N. Hastings voted no.

A brief recess was held at 9:58 p.m.

AGENDA ORDER

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Mayor Flickinger opened the agenda for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

No action required.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments, which were received by Deanna Reeder.

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

It was agreed the lawsuit settlement will be put against the deficit. The Council unanimously agreed on the BDO Recommendations as follows:

City Council/City Clerk

1. **Defund Assistant City Clerk Position**
2. **Defund Administrative Assistant Position from Council Office.**

City Attorney

1. **Defund Assistant City Attorney Position**

City Manager

1. **Reduce PR/Advertising Budget by 40% in Media and Communications**
2. **Reduce City Manager Contingency to $140,000**
3. **Defund vacant Executive Assistant to the City Manager Position**
4. **Defund Deputy City Manager Position and not Replace with a Sr. Management Analyst Position**

Community Development

1. **In Code/Building and Safety – Revenue Enhancement – Hire two Temp Parking Control Officers to work on Career Employee Furlough Days; Other Miscellaneous Revenue Increases and Reductions**

Economic Development

1. **.6235 – Public Relations: Reduce Advertising, Broker Events, Regional Event Sponsorships, Shop Moreno Valley Campaign**
2. **Consolidating Several Object Codes**
   .6252 – Dues and Subscriptions: Reduced IEEP Membership for City
   .6255 – Other Professional Services
   .6221 – Training and Travel
   .6215 – Communications
   .6231 – Advertising

.6256 – Legal Services
.6310 – Copier Charges
.6311 – Office Supplies
.6321 – Postage and Mail
.6391 – Other Materials

3. **Salaries/Benefits: Reimbursing ED Admin Salaries by 50% of Management Analyst's Salary, Which is Charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's Salary to HOME Funds to More Accurately Reflect Current Workload**

Financial and Administrative Services

1. **Facilities CIP – Defund City Hall Annex 1 Capital Improvement Project Since the Facility is Not Currently Needed for Staff Expansion**

Fire

1. **Fire Prevention – Suspend Funding for Permit Plus Changes**
2. **Fire Ops – Defund Paramedic Captain Position**
3. **Emergency Ops – Increase CPR Fees from $30 to $65 Per Class**

Human Resources

1. **Workers' Comp – Reduce Workers' Compensation Reserves (Original Fund Balance of $4.5M Less DRO of $1.3 Will Leave a New Balance of $3.2M, Which is Approximately 85% Confidence Level Per Actuarial Review)**
2. **General Liability – Reduce Liability Reserves (Original Fund Balance of $2.0M Less DRO of $80K Will Leave a New Balance of $1.9M, Which is Approximately 85% Confidence Level Per Actuarial Review)**

Public Works

1. **Street Sweeping – Eliminate Contract Sweeping and Create Additional Equipment Operator Position in Lieu of Existing Maintenance Worker II Position Via an Existing Eligibility List From a Recent Internal Recruitment to Replace Contract Sweeping Function**

Discussion will continue to the next Study Session.

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Item continued. Approved by a 5-0 vote.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Item continued. Approved by a 5-0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

No report given.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

No comments given.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:50 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; $21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 8, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

MV00066680

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

MV00066681

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

   Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

   Resolution No. 2010-40

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

   Resolution No. 2010-41

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

MV00066686

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

   Resolution No. 2010-48

   A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of $163,350.

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

MV00066688

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

MV00066689

Approve as submitted.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

MV00066690

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

MV00066691

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

MV00066692

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:
Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MV00066694

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over $3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

MV00066695

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

   Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

   Resolution No. 2010-51

   A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

   Resolution No. 2010-52

   A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

MV00066697

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

MV00066698

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve as amended by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

MV00066699

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: "storage space for a minimum of one-hundred fifty (150) vehicles of outside storage" and "Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits."

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Consider the Interim City Manager's proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

MV00066700

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Motion to Continue by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a vote of 5-0.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:
1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.
2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.
4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.
5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.
6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.
7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Sue Gilchrist
1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell
1) Budgeting approach and strategies

Pete Bleckert
1) Equestrian Center; supports target shooting at Equestrian Center
2) Stop lights
3) Chambers of Commerce

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Batey
1) Attended the Taste of the Valley; it was very successful.
2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings
1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart
1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
3) The Taste of the Valley was fantastic.
4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
5) Skechers' grading is underway.
6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina
1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
2) Thanked staff for working on the budget.

Mayor Flickinger
1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

MV00066703

take three years to complete.
2) The Employment Resource Center is helping residents to find jobs.
3) We are in the middle of the third round of Foreclosure Prevention Workshops.
4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.
5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.
6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.
7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

AGENDA

NOTICE AND CALL OF SPECIAL MEETING
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066707

Recommendation: That the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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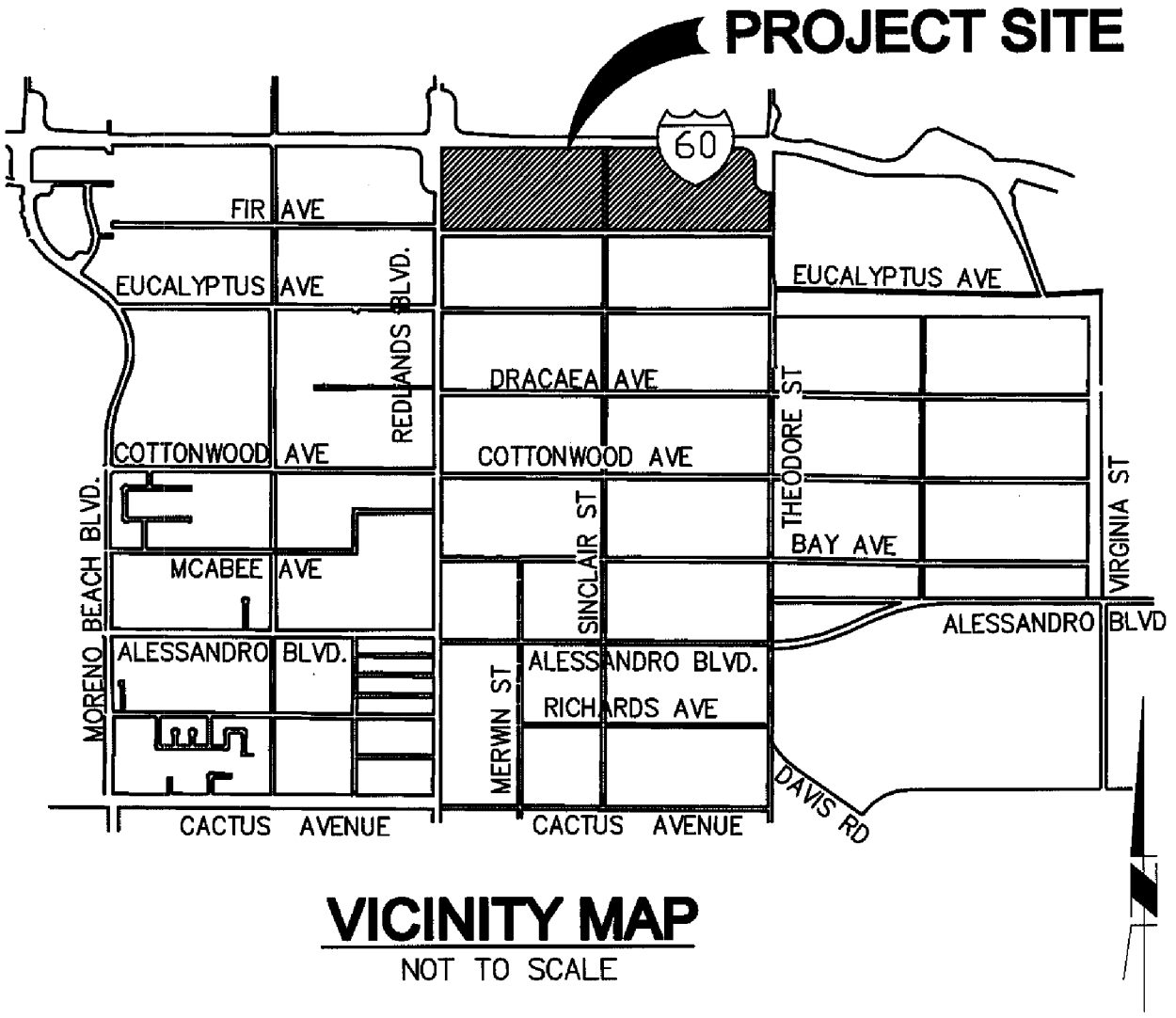

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

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MV00066715

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

NOTICE AND CALL OF SPECIAL MEETING
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066733

Recommendation: That the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Sewer Agree.doc

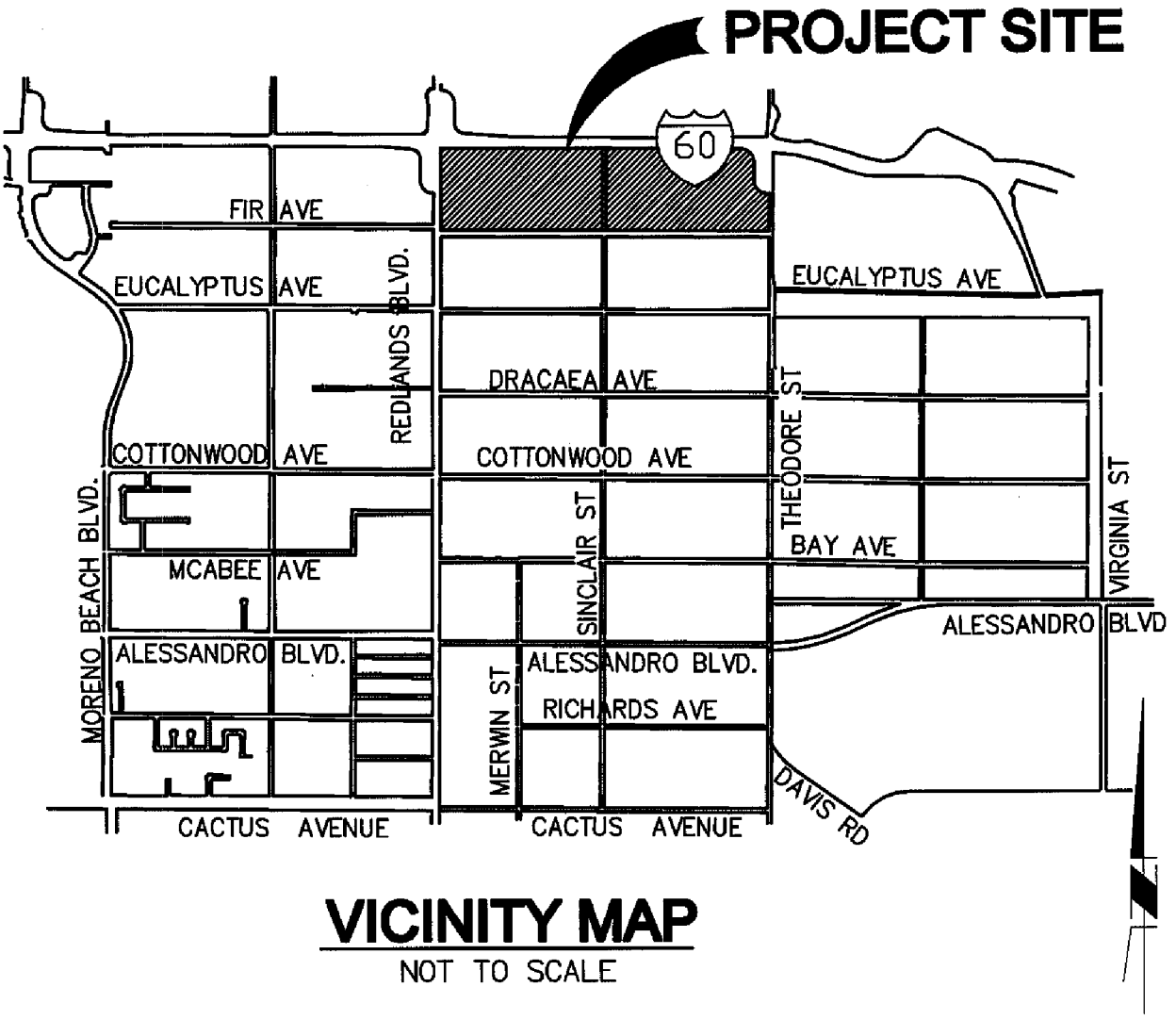

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00066741

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER: Top of thumb here	RIGHT THUMBPRINT OF SIGNER: Top of thumb here

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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Form 1610
(7/5/2006)

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

Item No. G.1

MV00066756

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

NOTICE AND CALL OF SPECIAL MEETING
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066759

Recommendation: That the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Sewer Agree.doc

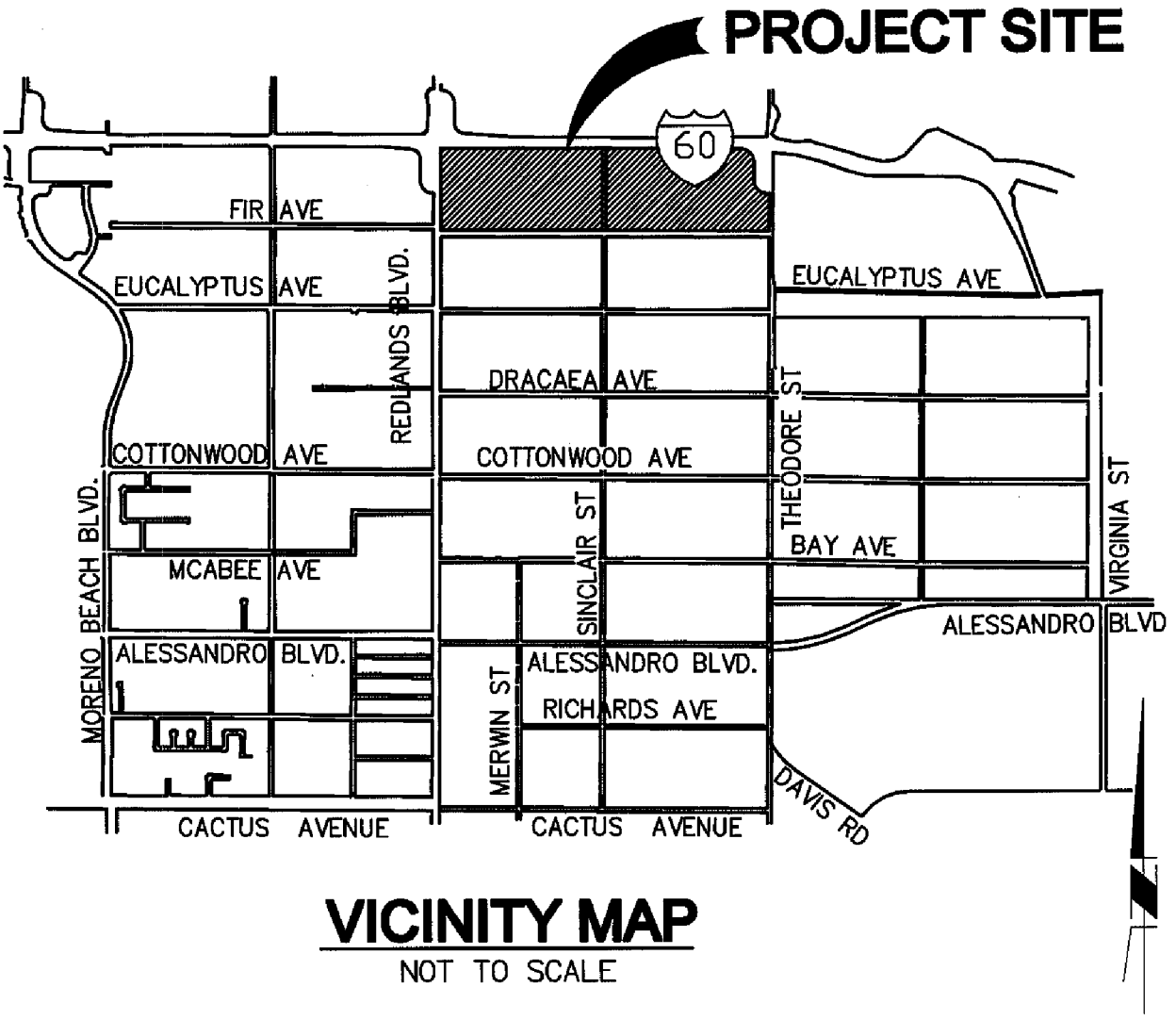

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00066767

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: City ID#3918 (Redlands SS)

DATE: 06/18/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

Form 1610
(7/5/2006)

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

Item No. G.1

MV00066782

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 6, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

Bonnie Flickinger, Mayor Pro Tem
Jesse L. Molina, Council Member
Robin N. Hastings, Council Member
William H. Batey II, Council Member

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:00 PM
JULY 6, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS and Theodore Street; Developer: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Security for the Redlands Sewer

MV00066785

Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said time frame.

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00066787

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Sewer Agree.doc

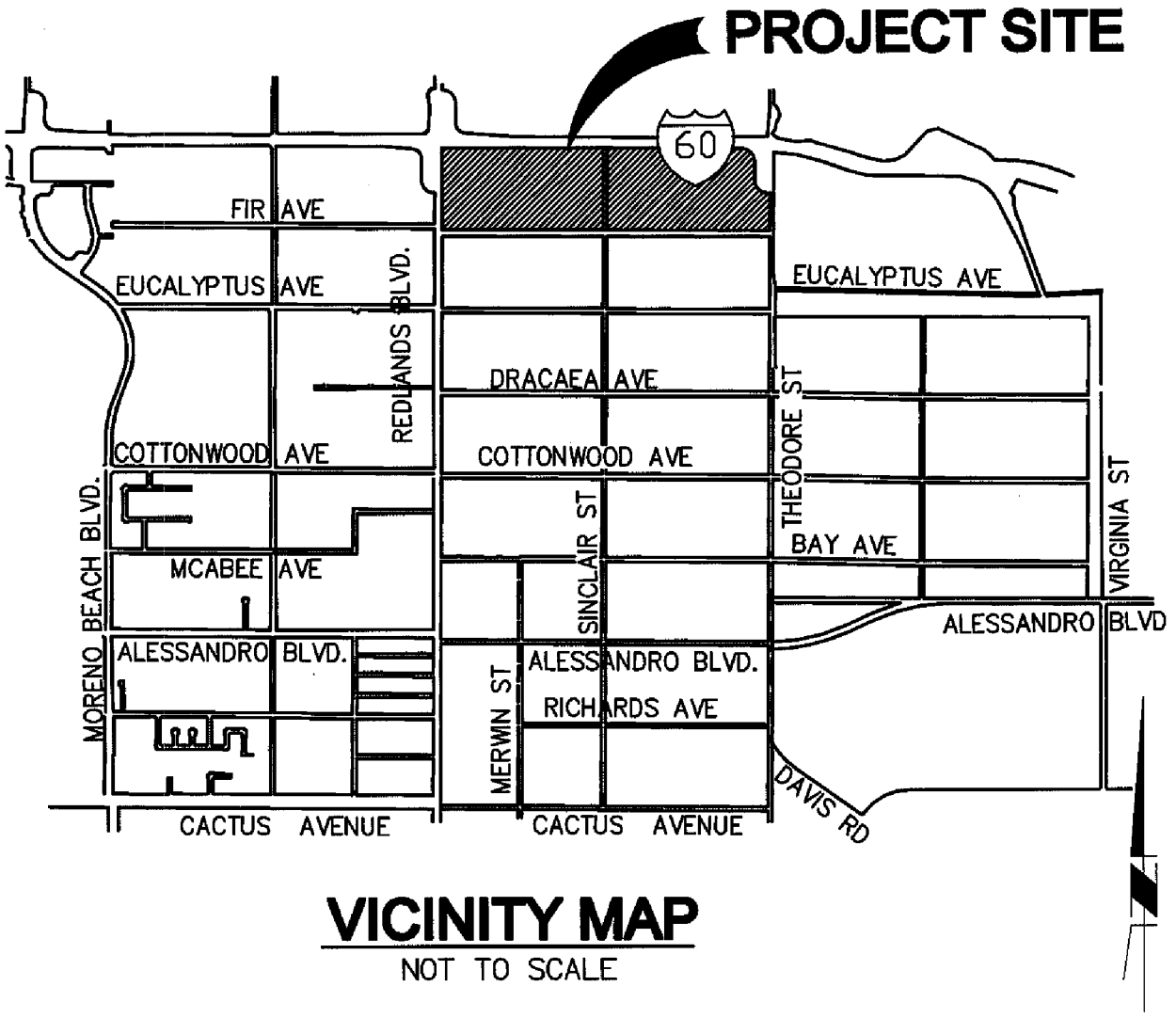

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00066793

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By: _____

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

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Form 1610
(7/5/2006)

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

Item No. G.1

MV00066808

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

NOTICE AND CALL OF SPECIAL MEETING
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066811

Recommendation: That the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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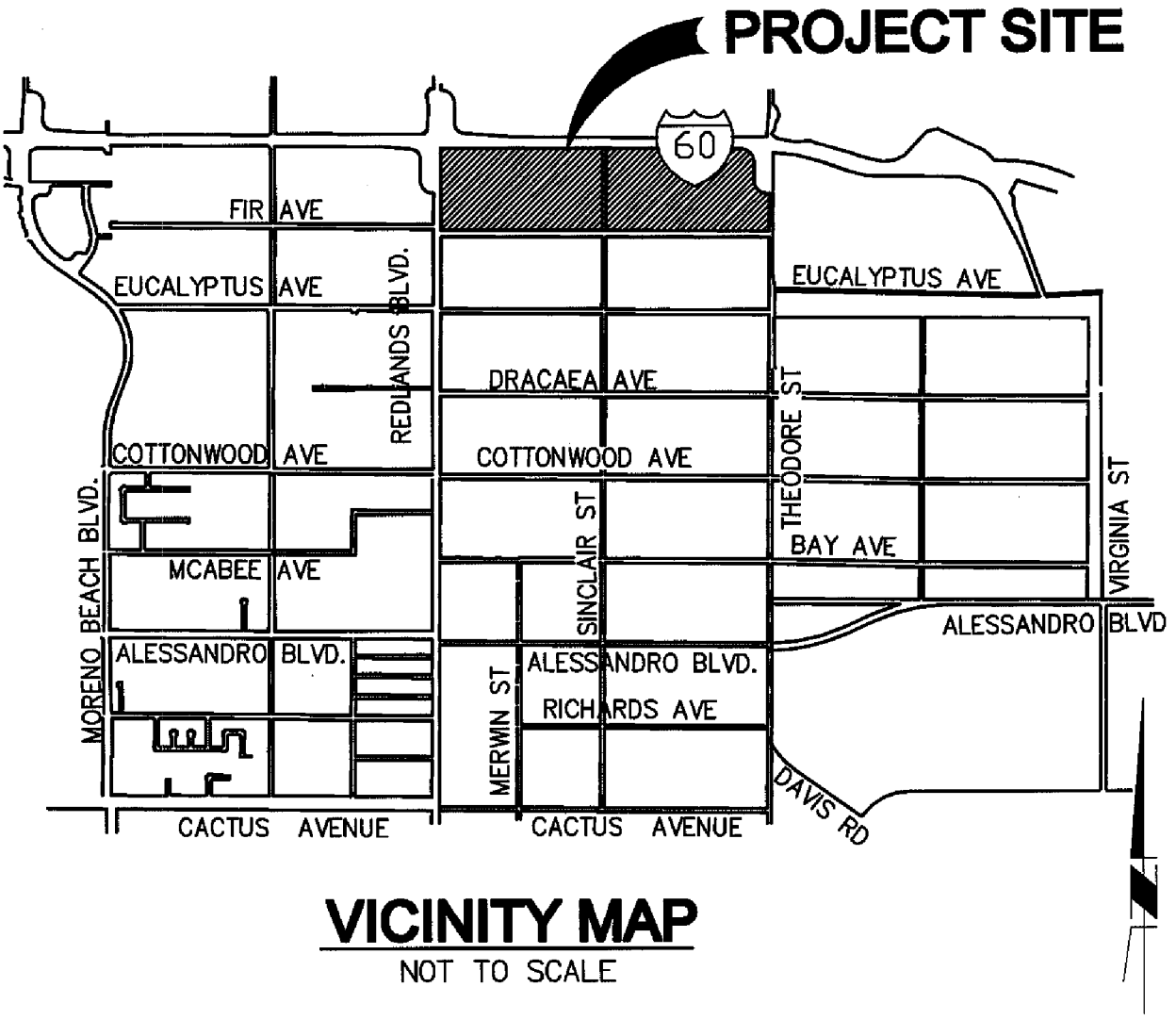

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

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MV00066819

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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MV00066823

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

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The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

NOTICE AND CALL OF SPECIAL MEETING
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066837

Recommendation: That the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00066838

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Sewer Agree.doc

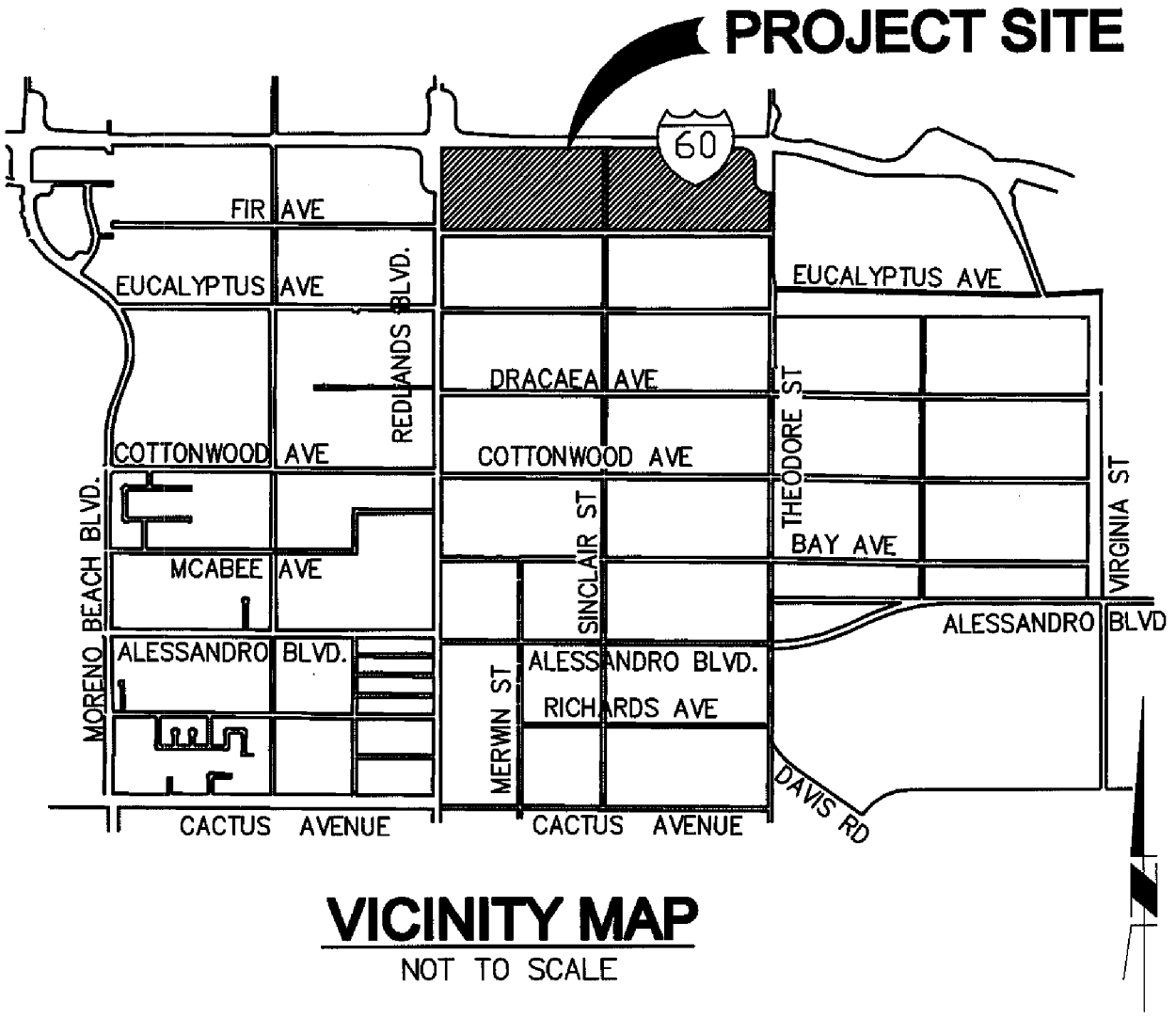

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00066845

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Form 1610
(7/5/2006)

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

Item No. G.1

MV00066860

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066863

Recommendation:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

MV00066864

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Sewer Agree.doc

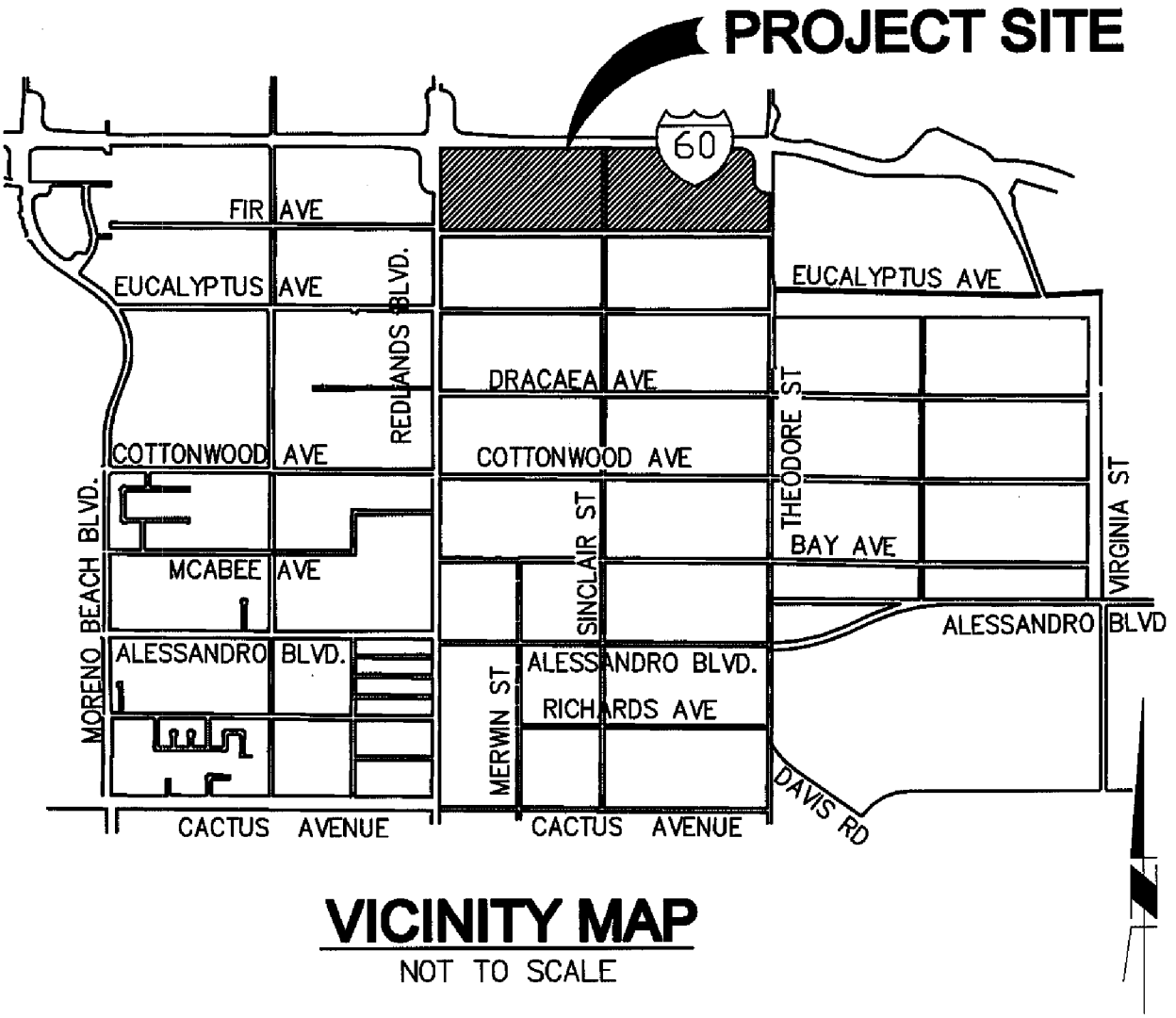

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Idolo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013
MSC1 MSC1

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: Idolo Benzeevi	Signer's Name:
☒ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing:	Signer Is Representing:
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: City ID#3918 (Redlands SS)

DATE: 06/18/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PROJECT: **City ID#3918 (Redlands SS)**
PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	**City ID#3918 (Redlands SS)**	DATE:	**06/18/10**
		PREPARED BY:	**Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62021
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By:

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information from Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

©2005 First American Title Insurance Company

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

July 6, 2010

SPECIAL MEETING – 6:00 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SPECIAL MEETING - 6:00 PM
JULY 6, 2010

NOTICE IS HEREBY GIVEN that a special meeting of the Moreno Valley City Council, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley will be held on July 6, 2010, commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

Those wishing to speak should submit a LAVENDER speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

G. REPORTS

G.1 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

MV00066887

Recommendation:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions contingent upon the cash security being placed into the escrow account;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADJOURNMENT to Regular City Council Closed Session

*Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Security for the Redlands Sewer Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement and the Escrow Instructions in the form attached hereto contingent upon the cash security being placed into the escrow account.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required sanitary sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and Security for the sewer improvements. The developer has provided City staff with the escrow instructions and agrees to perform and complete all of the required sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required sewer improvements are not completed within said timeframe. The sanitary sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of sanitary sewer main, manholes and associated pavement repairs.

Accompanying the agreement is a Faithful Performance cash security in the amount of $563,000 and a Material and Labor Performance cash security in the amount of $281,500 issued by First American Title Insurance Company. The cash securities shall be placed in escrow accounts that allow for disbursement of funds in accordance with the details in the Agreement for Redlands Sewer improvements. Given the present economy, the cash security and the use of an escrow account seem appropriate and are consistent with the conditions of approval for the project.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Redlands Sewer Improvements
Exhibit “C” - Escrow Instructions

Prepared By
Liz Plazola .
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Sewer Agree.doc

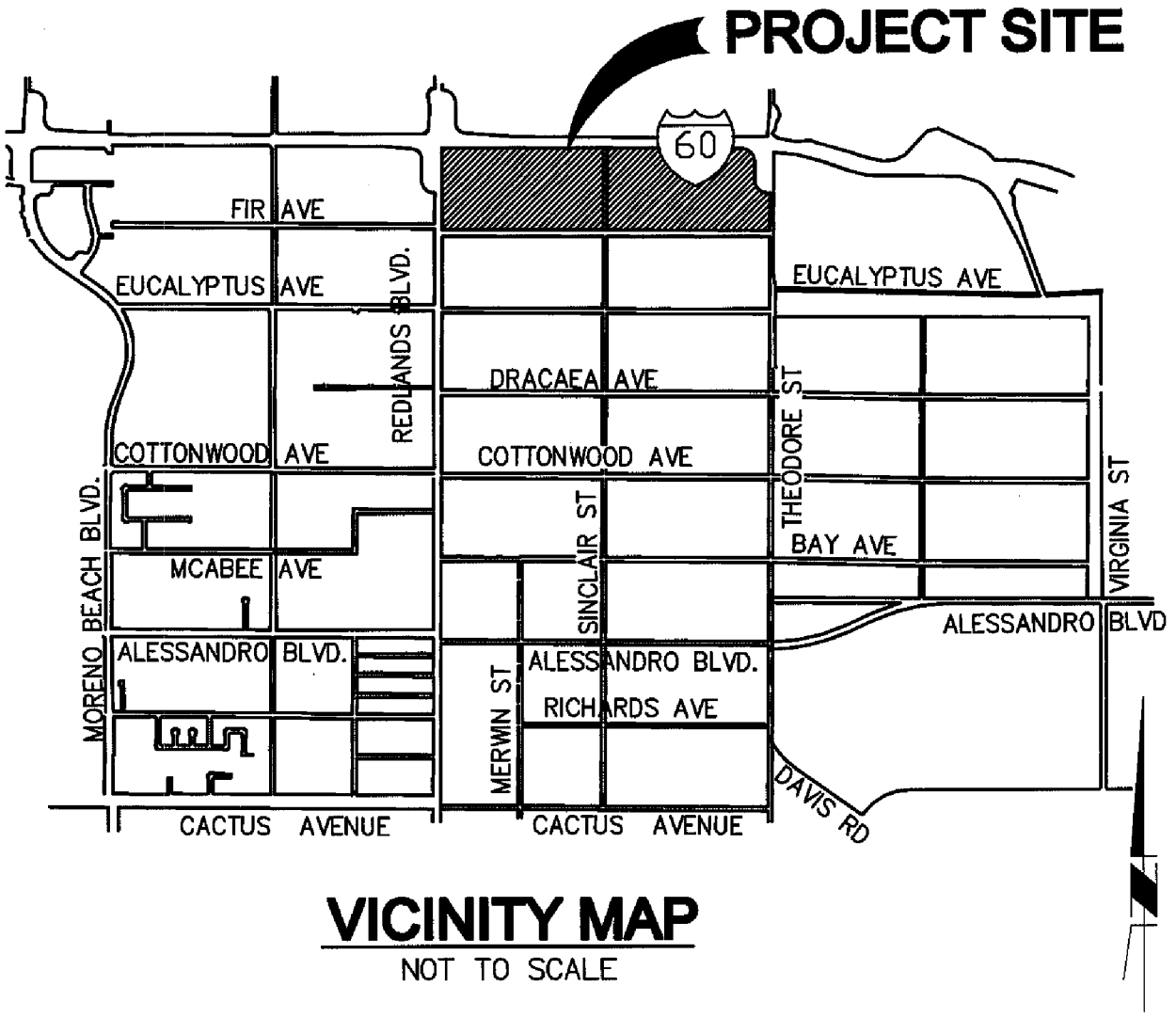

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00066895

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR REDLANDS SEWER IMPROVEMENTS AND ESCROW INSTRUCTIONS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this agreement by this reference, is the sum of **FIVE HUNDRED SIXTY THREE THOUSAND AND NO/100** Dollars (*****$563,000*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the security in escrow securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees prior to the date this Agreement is executed, to deposit into two separate escrow accounts United States currency for 1) the estimated cost of the work and improvements, totaling $563,000, for the faithful performance of the terms and conditions of this Agreement (First American Title Insurance Company Escrow Number: 445220), and 2) the estimated cost of labor and materials, in the amount of $281,500, for the payment of labor and materials (First American Title Insurance Company Escrow Number: 445221) as prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. The escrow accounts shall be established at First American Title Insurance Company, 4380 La Jolla Village Drive, Suite 200, San Diego, Ca 92122, Attn: Verna Gregory-Senior Commercial Escrow Officer. Developer agrees to maintain said escrow account(s) with good and sufficient funds or increase the amounts of said escrow account(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said escrow account(s). Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to the security ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the escrow officer shall be instructed by the City Engineer in writing to release an amount in the escrow account to Developer not to exceed twenty percent (20 %) increments of the original amount deposited into escrow, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the escrow account securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent of the original escrow deposit for the faithful performance shall be retained in the escrow account until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute any of the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. Whereupon, the City Engineer shall unilaterally have the ability to withdraw from escrow all funds necessary to correct the violation(s). The escrow officer shall be instructed in writing by the City Engineer to release the necessary funds without any consent from the Developer. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the escrow company securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

Escrow:
First American Title Insurance Company
4380 La Jolla Village Drive
Suite 200
San Diego, CA 92122

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President + CEO
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 6-30-10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PIA Redlands Sewer

Document Date: none Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Iddo Benzeevi	Signer's Name: _____
☒ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER: Top of thumb here	RIGHT THUMBPRINT OF SIGNER: Top of thumb here

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MV00066899

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: City ID#3918 (Redlands SS)

DATE: 06/18/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

Item No. G.1

MV00066900

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 06/18/10
PROJECT: City ID#3918 (Redlands SS) PREPARED BY: Patrick Revere

PUBLIC STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap/Overlay	0	Ton	65.00	0
Slurry Seal (Based on $150/Ton Type II)	0	S.Y.	2.25	0
Paving Fabric	0	S.Y.	1.15	0
Sawcut	0	L.F.	2.00	0
Utility Trench	0	L.F.	17.00	0
Trench Repaving	0	S.F.	12.00	0
Redwood Header	0	L.F.	6.00	0
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
Remove & Dispose Existing Pavement & Base	0	SF	28.00	0
Remove Existing Curb & Gutter	0	L.F.	12.00	0
Concrete				
P.C.C. Paving - 6"	0	S.F.	14.00	0
P.C.C. Paving - 8"	0	S.F.	16.00	0
Curb and Gutter - 6"	0	L.F.	25.00	0
Curb and Gutter - 8"	0	L.F.	30.00	0
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	30.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	30.00	0
Curb Only - 6"	0	L.F.	20.00	0
Curb Only - 8"	0	L.F.	25.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	25.00	0
A.C. Curb 6"	0	L.F.	12.00	0
A.C. Curb 8"	0	L.F.	15.00	0
Cross Gutter and Spandrel	0	S.F.	12.00	0
Sidewalk	0	S.F.	7.00	0
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Median Stamped Concrete	0	S.F.	14.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	0	S.F.	16.00	0
Wheelchair Ramp	0	EA.	2,400.00	0
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Bus Bay	0	EA.	20,000.00	0
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	0	EA.	30,000.00	0
Erosion Control	0	AC	5,000.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
				0
			SUBTOTAL	0
Traffic Improvements (Plan Checked by Trans. Eng'rg.staff/Inspected by LDD staff)				
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street -Perris Blvd)	1	L.S.	--	0
Street Name Sign	0	EA.	300.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street -Perris Blvd)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	0	EA.	100.00	0
Traffic Control	1	L.S.	10000	10,000
Traffic Control (DIF Street Name)	0	L.S.	10000	0
Traffic Signal PB-Adjust to Grade	0	EA.	250.00	0
Metal Guard Rail	0	L.F.	90.00	0
			SUBTOTAL:	10,000
Bondable Street Work Only (not plan checked)				
Undergrounding of Utilities	0	L.F.	196.00	0
Cluster Mail Boxes	0	EA.	4,500.00	0
Relocate Mailbox	0	EA.	350.00	0
Relocate Cluster Mailbox	0	EA.	1,200.00	0
Monuments	0	EA.	300.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Special Districts				
Landscaping - Medians	0	S.F.	6.00	0
Landscaping - Parkways	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	0	EA.	5,000.00	0
			SPECIAL DISTRICTS SUBTOTAL:	0
Moreno Valley Utilities				
Electrical Utility Infrastructure	0	L.S.	0.00	0
			MVU SUBTOTAL:	0
Water Quality Basin				
Landscaping	0	S.F.	6.00	0
Filtration Devices	0	EA	0	0
Access Ramp PCC	0	S.F.	0	0
Low-Flow Pipe System	0	L.F.	0	0
Headwalls	0	EA	0	0
Outlets	0	EA	0	0
Risers	0	EA	0	0
Forebay PCC	0	S.F.	0	0
Toe of slope protection PCC	0	S.F.	20.00	0
			WQB SUBTOTAL:	0
Transportation Engineering				
Traffic Signal New (Interconnect, Controller, Software, Initial Coordination,	0	EA.	272,000.00	0
Traffic Signal Modification	0	L.S.	0	0
Traffic Signal Interconnect (Existing Signals Only)	0	L.F.	30.00	0
			TRANSPORTATION SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	0	L.F.	160.00	0
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
	0		0.00	0
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	0	EA.	7500.00	0
Manhole No. 3	0	EA.	9000.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	0	EA.	5500.00	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6000.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	0	EA.	3000.00	0
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		0	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000	0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
		L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
				0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
				0
Services Connections				
1" Service	0	EA.	800.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
				0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
				0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
				0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
				0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
				0
			SUBTOTAL:	0

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: **City ID#3918 (Redlands SS)**

DATE: **06/18/10**
PREPARED BY: **Patrick Revere**

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	25.00	0
6" V.C. Pipe	0	L.F.	40.00	0
8" V.C. Pipe	179	L.F.	55.00	9,845
10" V.C. Pipe	0	L.F.	60.00	0
12" V.C. Pipe	0	L.F.	70.00	0
15" V.C. Pipe	4593	L.F.	80.00	367,440
18" V.C. Pipe	0	L.F.	160.00	0
21" V.C. Pipe	0	L.F.	180.00	0
24" V.C. Pipe	0	L.F.	195.00	0
27" V.C. Pipe	0	L.F.	215.00	0
30" V.C. Pipe	0	L.F.	235.00	0
33" V.C. Pipe	0	L.F.	280.00	0
36" V.C. Pipe	0	L.F.	300.00	0
4" SDR - 35	0	L.F.	25.00	0
6" SDR - 35	0	L.F.	30.00	0
8" SDR - 35	0	L.F.	35.00	0
10" SDR - 35	0	L.F.	45.00	0
12" SDR - 35	0	L.F.	54.00	0
15" SDR - 35	0	L.F.	90.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	5	EA.	3,140.00	15,700
Standard Manhole 48" Extra Depth	7	EA.	3,500.00	24,500
Standard Manhole 60"	1	EA.	4,500.00	4,500
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	460.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
Pave around MH	1422	SF	14.00	19,908
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	5720	S.F.	3.00	17,160
			SUBTOTAL:	459,053

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	**City ID#3918 (Redlands SS)**	DATE:	**06/18/10**
		PREPARED BY:	**Patrick Revere**

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
OFFSITE STREET WORK	:	$0
SPECIAL DISTRICTS	:	$0
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$0
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$459,053
TRAFFIC IMPROVEMENTS	:	$10,000
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$469,053
+20% CONTINGENCY:		$93,811
GRAND TOTAL:		$562,864

BOND AMOUNT: **$563,000**

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
NO. 62921
CIVIL
STATE OF CALIFORNIA

4380 La Jolla Village Drive, Suite 200
San Diego, CA 92122

First American
Title Insurance Company
NATIONAL COMMERCIAL SERVICES

SUPPLEMENTAL ESCROW INSTRUCTIONS

ESCROW NO.: NCS-445220-SD / NCS-445221-SD DATE: 06/21/2010

First American Title Insurance Company is hereby handed by the undersigned parties, that certain "original" document entitled Agreement for Redlands Sewer Improvement plans. Security Project No. PA07-0090 (Tentative Parcel Map 35629) dated June 8, 2010 executed by and between City of Moreno Valley, ("City") and HF Logistics –SKX-T1,LLC, ("Developer").

First American Title Insurance Company is hereby requested to accept the "Agreement for Redlands Sewer Plans" Security Project No. PA07-0090 (Tentative Parcel Map 35629)" as its escrow instructions and to act as escrow agent for the parties in accordance with the terms and conditions contained in said document.

Each of the parties to this escrow specifically acknowledges that the consummation of this escrow is contingent upon compliance with some or all of the executory terms and provisions of this "Agreement", and that the parties to this "Agreement" are and shall be the sole persons entitled to and authorized to determine whether all of said executory terms and provisions due to be performed prior to the close of escrow have been met or complied with prior to such close. Accordingly, the parties hereby agree that prior to the scheduled close of escrow they shall each deposit with Escrow Holder a **written** instruction or acknowledgement specifying that all the executory terms and provisions of this "Agreement", insofar as the same pertain to each said party respectively and any obligation of escrow holder relative thereto, have been fully met or complied with, or are waived.

Further, each said party shall specifically release Escrow Holder from all liability, if any, which it may have in connection with this escrow because of any party's failure to meet or comply with any such executory term or provision of this "Agreement", prior to close of escrow. Deposit of written instruction or acknowledgement with Escrow Holder shall constitute each said party's specific authorization to close this escrow.

General provisions of First American Title Insurance Company, attached hereto and made a part hereof, are hereby incorporated in said "Agreement". To the extent that the agreement contains any provisions inconsistent with or contrary to the provisions of the General Provisions attached hereto, such "Agreement" shall remain as the agreement of the parties thereto but First American Title Insurance shall be guided by the terms of their General Provisions.

City of Moreno Valley

By: _____

HF Logistics-SKX-T1, LLC, *a* California limited liability company

By: Iddo Benzeevi, President and CEO

Exhibit C

Escrow General Provisions

The parties understand and acknowledge:

1. Special Disclosures:

A. Deposit of Funds & Disbursements

Unless directed in writing to establish a separate, interest-bearing account together with all necessary taxpayer reporting information, all funds shall be deposited in general escrow accounts in a federally insured financial institution including those affiliated with Escrow Holder ("depositories"). All disbursements shall be made by Escrow Holder's check or by wire transfer unless otherwise instructed in writing. The Good Funds Law (California Insurance Code 12413.1) mandates that Escrow Holder may not disburse funds until the funds are, in fact, available in Escrow Holder's account. Wire transfers are immediately disbursable upon confirmation of receipt. Funds deposited by a cashier's or certified check are generally available on the next banking day following deposit. Funds deposited by a personal check and other types of instruments may not be available until confirmation from Escrow Holder's bank which can vary from 2 to 10 days.

B. Disclosure of Possible Benefits to Escrow Holder

As a result of Escrow Holder maintaining its general escrow accounts with the depositories, Escrow Holder may receive certain financial benefits such as an array of bank services, accommodations, loans or other business transactions from the depositories ("collateral benefits"). All collateral benefits shall accrue to the sole benefit of Escrow Holder and Escrow Holder shall have no obligation to account to the parties to this escrow for the value of any such collateral benefits.

C. Miscellaneous Fees

Escrow Holder may incur certain additional costs on behalf of the parties for services performed, or fees charged, by third parties. The fees charged by Escrow Holder for services including, but not limited to, wire transfers, overnight delivery/courier services, recording fees, notary fees, etc. may include a mark up over the direct cost of such services to reflect the averaging of direct, administrative and overhead charges of Escrow Holder for such services which shall, in no event, exceed $10 for each markup.

D. Method To Deliver Payoff To Lenders/Lienholders

To minimize the amount of interest due on any existing loan or lien, Escrow Holder will deliver the payoff funds to the lender/lienholder in an expeditious manner as demanded by the lender/lienholder using (a) personal delivery, (b) wire transfer, or (c) overnight delivery service, unless otherwise directed in writing by the affected party.

2. Prorations & Adjustments

The term "close of escrow" means the date on which documents are recorded. All prorations and/or adjustments shall be made to the close of escrow based on the number of actual days, unless otherwise instructed in writing.

3. Contingency Periods

Escrow Holder shall not be responsible for monitoring contingency time periods between the parties. The parties shall execute such documents as may be requested by Escrow Holder to confirm the status of any such periods.

4. Reports

As an accommodation, Escrow Holder may agree to transmit orders for inspection, termite, disclosure and other reports if requested, in writing or orally, by the parties or their agents. Escrow Holder shall deliver copies of any such reports as directed. Escrow Holder is not responsible for reviewing such reports or advising the parties of the content of same.

5. Information From Affiliated Companies

Escrow Holder may provide the parties' information to and from its affiliates in connection with the offering of products and services from these affiliates.

6. Recordation of Documents

Escrow Holder is authorized to record documents delivered through escrow which are necessary or proper for the issuance of the requested title insurance policy(ies). Buyer will provide a completed Preliminary Change of Ownership Report form ("PCOR"). If Buyer fails to provide the PCOR, Escrow Holder shall close escrow and charge Buyer any additional fee incurred for recording the documents without the PCOR. Escrow Holder is released from any liability in connection with same.

7. Personal Property Taxes

No examination, UCC search, insurance as to personal property and/or the payment of personal property taxes is required unless otherwise instructed in writing.

8. Real Property Taxes

Real property taxes are prorated based on the most current available tax statement from the tax collector's office. Supplemental taxes may be assessed as a result of a change in ownership or completion of construction. Adjustments due either party based on the actual new tax bill issued after close of escrow or a supplemental tax bill will be made by the parties outside of escrow and Escrow Holder is released of any liability in connection with such adjustments. The first installment of California real property taxes is due November 1st (delinquent December 10th) and the second installment is due February 1st (delinquent April 10th). If a tax bill is not received from the County at least 30 days prior to the due date, buyer should contact the County Tax Collector's office and request one. Escrow Holder is not responsible for same.

9. Cancellation of Escrow

(a) Any party desiring to cancel this escrow shall deliver written notice of cancellation to Escrow Holder. Within a reasonable time after receipt of such notice, Escrow Holder shall send by regular mail to the address on the escrow instructions, one copy of said notice to the other party(ies). Unless written objection to cancellation is delivered to Escrow Holder by a party within 10 days after date of mailing, Escrow Holder is authorized, at its option, to comply with the notice and terminate the escrow. If a written objection is received by Escrow Holder, Escrow Holder is authorized, at its option, to hold all funds and documents in escrow (subject to the funds held fee) and to take no other action until otherwise directed by either the parties' mutual written instructions or a final order of a court of competent jurisdiction. If no action is taken on this escrow within 6 months after the closing date specified in the escrow instructions, Escrow Holder's obligations shall, at its option, terminate. Upon termination of this escrow, the parties shall pay all fees, charges and reimbursements due to Escrow Holder and all documents and remaining funds held in escrow shall be returned to the parties depositing same.

(b) Notwithstanding the foregoing paragraph, Escrow Holder shall have the right to unilaterally terminate any escrow which is subject to the provisions of the Equity Purchaser Law (CA Civil Code Section 1695 et seq.) and may return all documents and funds without any consent by or notice to the buyer.

10. Conflicting Instructions & Disputes

If Escrow Holder becomes aware of any conflicting demands or claims concerning this escrow, Escrow Holder shall have the right to discontinue all further acts on Escrow Holder's part until the conflict is resolved to Escrow Holder's satisfaction. Escrow Holder has the right at its option to file an action in interpleader requiring the parties to litigate their claims/rights. If such an action is filed, the parties jointly and severally agree (a) to pay Escrow Holder's cancellation charges, costs (including the funds held fees) and reasonable attorneys' fees, and (b) that Escrow Holder is fully released and discharged from all further obligations under the escrow. If an action is brought involving this escrow and/or Escrow Holder, the party(ies) involved in the action agree to indemnify and hold the Escrow Holder harmless against liabilities, damages and costs incurred by Escrow Holder (including reasonable attorneys' fees and costs) except to the extent that such liabilities, damages and costs were caused by the negligence or willful misconduct of Escrow Holder.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Escrow General Provisions

11. Usury

Escrow Holder is not to be concerned with usury as to any loans or encumbrances in this escrow and is hereby released of any responsibility and/or liability therefore.

12. Amendments to Escrow Instructions

Any amendment to the escrow instructions must be in writing, executed by all parties and accepted by Escrow Holder. Escrow Holder may, at its sole option, elect to accept and act upon oral instructions from the parties. If requested by Escrow Holder the parties agree to confirm said instructions in writing as soon as practicable. The escrow instructions as amended shall constitute the entire escrow agreement between the Escrow Holder and the parties hereto with respect to the subject matter of the escrow.

13. Insurance Policies

In all matters relating to insurance, Escrow Holder may assume that each policy is in force and that the necessary premium has been paid. Escrow Holder is not responsible for obtaining fire, hazard or liability insurance, unless Escrow Holder has received specific written instructions to obtain such insurance prior to close of escrow from the parties or their respective lenders.

14. Copies of Documents; Authorization to Release

Escrow Holder is authorized to rely upon copies of documents, which include facsimile, electronic, NCR, or photocopies as if they were an originally executed document. If requested by Escrow Holder, the originals of such documents shall be delivered to Escrow Holder. Escrow Holder may withhold documents and/or funds due to the party until such originals are delivered. Documents to be recorded ***MUST*** contain original signatures. Escrow Holder may furnish copies of any and all documents to the lender(s), real estate broker(s), attorney(s) and/or accountant(s) involved in this transaction upon their request. Delivery of documents by escrow to a real estate broker or agent who is so designated in the purchase agreement shall be deemed delivery to the principal.

15. Execution in Counterpart

The escrow instructions and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute the same instruction.

16. Tax Reporting, Withholding & Disclosure

The parties are advised to seek independent advice concerning the tax consequences of this transaction, including but not limited to, their withholding, reporting and disclosure obligations. Escrow Holder does not provide tax or legal advice and the parties agree to hold Escrow Holder harmless from any loss or damage that the parties may incur as a result of their failure to comply with federal and/or state tax laws. ***WITHHOLDING OBLIGATIONS ARE THE EXCLUSIVE OBLIGATIONS OF THE PARTIES. ESCROW HOLDER IS NOT RESPONSIBLE TO PERFORM THESE OBLIGATIONS UNLESS ESCROW HOLDER AGREES IN WRITING.***

A. Taxpayer Identification Number Reporting

Federal law requires Escrow Holder to report seller's social security number or tax identification number (both numbers are hereafter referred to as the "TIN"), forwarding address, and the gross sales price to the Internal Revenue Service ("IRS"). To comply with the USA PATRIOT Act, certain taxpayer identification information (including, but not limited to, the TIN) may be required by Escrow Holder from certain persons or entities involved (directly or indirectly) in the transaction prior to closing. Escrow cannot be closed nor any documents recorded until the information is provided and certified as to its accuracy to Escrow Holder. The parties agree to promptly obtain and provide such information as requested by Escrow Holder.

B. State Withholding & Reporting

Under California law (Rev & Tax Code §18662), a buyer may be required to withhold and deliver to the Franchise Tax Board (FTB) an amount equal to 3.33% of the sales price in the case of disposition of California real property interest ("Real Property") by either: 1) a seller who is an individual, trust or estate or when the disbursement instructions authorize the proceeds to be sent to a financial intermediary of seller; OR 2) a corporate seller that has no permanent place of business in California immediately after the transfer of title to the Real Property. Buyer may be subject to a penalty (equal to the greater of 10% of the amount required to be withheld or $500) for failing to withhold and transmit the funds to FTB in the time required by law. Buyer is not required to withhold any amount and will not be subject to penalty for failure to withhold if: a) the sales price of the Real Property does not exceed $100,000; b) the seller executes a written certificate under penalty of perjury certifying that the seller is a corporation with a permanent place of business in California; OR c) the seller, who is an individual, trust, estate or a corporation without a permanent place of business in California, executes a written certificate under penalty of perjury certifying one of the following: (i) the Real Property was the seller's or decedent's principal residence (as defined in IRC §121); (ii) Real Property being conveyed was last used by the seller as sellers principal residence within the meaning of IRC §121 (even if the seller did not meet the two out of the last five years requirement or one of the special circumstances in IRC §121); (iii) the Real Property is or will be exchanged for property of like-kind (as defined in IRC §1031) and that the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1031; (iv) the Real Property has been compulsorily or involuntarily converted (as defined in IRC §1033) and the seller intends to acquire property similar or related in service or use so as to be eligible for nonrecognition of gain for California income tax purposes under IRC §1033; or (v) the Real Property sale will result in a loss (or net gain not required to be recognized) for California income tax purposes. Seller is subject to penalties for knowingly filing a fraudulent certificate for the purpose of avoiding the withholding laws.

Contact FTB: For additional information regarding California withholding, contact the Franchise Tax Board at (toll free) 888-792-4900), by e-mail nrws@ftb.ca.gov; or visit their website at www.ftb.ca.gov.

C. Federal Withholding & Reporting

Certain federal reporting and withholding requirements exist for real estate transactions where the seller (transferor) is a non-resident alien, a non-domestic corporation, partnership, or limited liability company; or a domestic corporation, partnership or limited liability company controlled by non-residents; or non-resident corporations, partnerships or limited liability companies.

D. Taxpayer Identification Disclosure

Federal and state laws require that certain forms include a party's TIN and that such forms or copies of the forms be provided to the other party and to the applicable governmental authorities. Parties to a real estate transaction involving seller-provided financing are required to furnish, disclose, and include the other party's TIN in their tax returns. Escrow Holder is authorized to release a party's TINs and copies of statutory forms to the other party and to the applicable governmental authorities in the foregoing circumstances. The parties agree to hold Escrow Holder harmless against any fees, costs, or judgments incurred and/or awarded because of the release of their TIN as authorized herein.

THIS COMPANY CONDUCTS ESCROW BUSINESS UNDER CERTIFICATE OF AUTHORITY ISSUED BY THE STATE OF CALIFORNIA DEPARTMENT OF INSURANCE.

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Form 1610
(7/5/2006)

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

Item No. G.1

MV00066910

The First American Corporation
First American Title Company

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Verna Gregory / vg / 04/06/2010 / NCS-431679-SD/ 1911

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 13, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street
Teleconference: 514 Madison St., Brandenburg, Kentucky 40108

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Family FunFest 2010 Moreno Valley Idol Competition Winners

2. Presentation of 4th of July Parade Awards

3. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JULY 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Gibson, Breakthrough Church of God in Christ

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 16 - July 6, 2010.

A.4 PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

Resolution No. 2010-66

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Loraine Terrace

A.5 RESOLUTION RESCINDING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AND AUTHORIZING THE SUBMITTAL OF APPLICATION FOR THE USED OIL PAYMENT PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) (Report of: Public Works Department)

Recommendation:

Adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources

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Recycling and Recovery (CalRecycle).

Resolution No. 2010-67

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California Authorizing Application for the Used Oil Grant Payment Program Funds Under the Department of Resources Recycling and Recovery (CalRecycle)

A.6 APPROVAL OF CHECK REGISTER FOR MAY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

Resolution No. 2010-68

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2010

A.7 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, and to subsequently assign said Agreement to the Community Redevelopment Agency.

A.8 SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660;

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.; and

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A.9 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221-2 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221); and

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company.

A.10 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to

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the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

A.11 AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division; and

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.12 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221 (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard;

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc.;

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

A.13 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

A.14 AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET, PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728 (Report of: Public Works Department)

Recommendation:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728);

2. Authorize the City Manager to execute the Change Orders for FS Construction;

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements;

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code; and

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

A.15 ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING - SEPTEMBER 15-17, 2010 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2010-69, Appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

Resolution No. 2010-69

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2010 Annual Conference

A.16 TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: ZAPER, CORP., RIVERSIDE, CA 92504 (Report of: Public Works Department)

Recommendation:

Authorize the Public Works Director/City Engineer to execute the

exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

A.17 PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET - DEVELOPER: VALLEY OAK, LP, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.18 APPROVAL OF RESOLUTION AND FIRST AMENDMENT TO THE IMPLEMENTATION AGREEMENT (THE AB 811 PROGRAM) WITH WESTERN RIVERSIDE COUNTY COUNCIL OF GOVERNMENTS (WRCOG) TO EXPAND THE PROGRAM TO PERMIT FUNDING FOR WATER CONSERVATION IMPROVEMENTS (Report of: Community Development Department)

Recommendation:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811; and

2. Adopt Resolution 2010-70, consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water

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efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

Resolution No. 2010-70

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment Modifying Its Consent to the Inclusion of Properties Within the City's Incorporated Area in the Western Riverside Council of Governments (WRCOG) Contractual Assessment Program to Consent to the Addition of Water Efficiency Improvements to the Improvements Authorized to Be Financed Through Such Program

A.19 PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF IRONWOOD AVENUE BETWEEN KITCHING STREET AND TUSCOLA STREET - DEVELOPER: BEAZER HOMES HOLDING CORP., BREA, CA 92821 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.20 RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO CONTINUE TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP" (Report of: Public Works Department)

Recommendation:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency

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Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

Resolution No. 2010–71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City to Participate in the "Community Energy Partnership", an Energy Efficiency Program Among Southern California Cities, with the Energy Coalition, a California Non-Profit Corporation, Southern California Edison and Southern California Gas Company

A.21 NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS - PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

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2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

A.23 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM C.7) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

A.24 FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS (Report of: Economic Development Department)

Recommendation:

1. Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive;

2. Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV; and

3. Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

A.25 PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE - DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE, CA 92270 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043; and

Resolution No. 2010-72

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Alessandro Boulevard, South Side of Alessandro Boulevard, West of Moreno Beach Drive

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA

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DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

Resolution No. CSD 2010-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2010/11

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM A.7) (Report of: Public Works Department)

Recommendation:

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City;

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2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

C.4 APPROVE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from

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Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

C.5 APPROVE THE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

C.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.22) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the

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Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

C.7 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM A.23) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing: direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

E.2 A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Negative Declaration for applications for PA06-0185

(General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

Resolution No 2010-73

A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA06-0185) to change the Land Use Designation from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

3. INTRODUCE Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A; and

Ordinance No. 813

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA06-0184 (Zone Change) to change the Land Use District for approximately 40 acres from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

4. APPROVE Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No 2010-74

A Resolution of the City Council of the City of Moreno Valley, California, approving Tentative Parcel Map 34748 (PA06-0183) and Variance (P09-102). The project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026)

E.3 PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

Recommendation: That the RDA:

1. Conduct a public hearing for the review of the 2010-2015 Implementation Plan; and

2. Approve the proposed 2010-2015 Implementation Plan.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation: That the RDA:

Approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

G.2 AMENDMENT TO CHAPTER 11.40 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, ORDINANCE NO. 741 AND ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center; and

Ordinance No. 814

An Ordinance of the City of Moreno Valley, California, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

Recommendation: That the CSD:

Introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

Ordinance No. CSD 54

An Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

G.3 PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC. (Report of: Economic Development Department)

Recommendation: That the City Council:
Approve a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

G.4 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management

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Division;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

G.5 PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division;

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

G.6 AMENDMENT TO THE JUNE 22, 2010, MOTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HIGHLAND FAIRVIEW FOR ISSUANCE OF A LIMITED PURPOSE BUILDING PERMIT (No written material on this item) (Report of: Council Members Stewart and Molina)

G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00066936

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00066937

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 22, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION – Council Member Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

Mayor Flickinger announced that the revised ordinance (Item A13) was distributed to the City Council and copies are available for the public, and that Item C4 (Notice of Completion) should be listed as Item B5.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM B.5) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:
Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of:

Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

   a. Petaluma Avenue between Napa Valley and Morrison Street;
   b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
   c. Lakeport Drive at Cottonwood Avenue;

d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for

CSD Zone A for twelve months, and;
b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00

a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works

Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

President Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Board Member Richard A. Stewart, s/Vice President Robin N. Hastings
Approved by a 5–0 vote.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported the following:
1. Moreno Valley Physicians Group (about 102 physicians practicing at the Moreno Valley Community Hospital) has joined March HealthCare and is partnering with other medical groups, including Riverside Medical Clinic and St. Bernardine Hospital - glad that Moreno Valley doctors will be close to their patients
2. Fresh & Easy Neighborhood Market grocery chain is buying both their supporting businesses, Wild Rocket Foods and 2 Sisters Food Group, providing fresh vegetables, produce and meat, to support expansion of its facility

Council Member Stewart announced that the Public Improvements Agreement and Security for the Highland Fairview Skechers off-side sewer improvements on Redlands Boulevard came to the attention of the Council after posting of the agenda, and there is a need to take action.

The item requires a two-thirds vote to be placed on the agenda.

Motion to add the item to the agenda by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Motion failed by a 3-2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Bonnie Flickinger opposed.

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

Mayor Flickinger opened the agenda item for public comments, which were received from Iddo Benzeevi, Susan Gilchrist, Kenneth Bley (representing Highland Fairview), Pete Bleckert and Deanna Reeder.

Motion to waive the attorney-client privilege to discuss the risks inherent to this decision (issues discussed with the City Attorney during Closed Session) by m/Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Motion to approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the conditions listed below by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a 3–2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Flickinger opposed.

Approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the following conditions:

1. The covenant is amended to state that it is for the issuance of a limited purpose building permit for commencement of construction of the foundation and slab and the poring of wall panels only, which

permit shall automatically expire on October 20, 2010, if the final parcel map is not recorded prior to that date;

2. That Highland Fairview agrees in writing in the covenant or other recordable agreement to the following terms and conditions prior to issuance of the limited purpose building permit:

   a. The parcels which are the subject matter of the covenant be owned by the same entity,

   b. Separate foundation, slab and wall panel building plans be submitted and approved,

   c. Compliance with all conditions of approval for the issuance of a building permit except recording of the final map,

   d. Compliance with all requirements for recording the final map except for actual final map approval and recordation, and Public Improvement Agreements and security for same for any public improvements not occurring in the public right-of-way or on public property,

   e. All Public Improvement Agreements for improvements that will be undertaken in the public right-of-way or on public property pursuant to the limited purpose building permit have been executed and the required security has been posted prior to the commencement of actual public improvement construction,

   f. The final lot configuration be shown on the map that is being processed,

   g. The covenant to hold property as one parcel be recorded,

   h. The holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements,

   i. Execution of an encroachment and removal agreement,

   j. The City is only issuing a limited purpose building permit for foundation, slab and the pouring of wall panels only. The erection of any walls is specifically prohibited under this limited permit.

   k. The final parcel map shall be recorded before 12:01 a.m. on October 21, 2010,

l. The limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

m. All construction pursuant to the limited purpose building permit shall cease at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

n. It (Highland Fairview) will be solely responsible for removal of any improvements and restoration of the site to its pre-construction condition if ordered by any court,

o. It and its partners waive any and all recourse against the City which may arise out of this action,

p. Neither the agreement, nor the time for recordation of the final parcel map will be extended beyond October 20, 2010,

q. It will defend and indemnify the City for all judgments, costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab, and pouring of walls, and

r. Any other terms and conditions the City Manager and City Attorney deem legally necessary to implement the agreement and the purposes of this action.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

President Flickinger opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to make the following appointments by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina Approved by a vote of 5-0.

Accessibility Appeals Board
Two (2) terms expiring June 30, 2013
Physically Challenged Representative
Lawrence Baird
Nina Hiers

Arts Commission
One (1) term expiring June 30, 2013
Eric von Mizener

Environmental and Historical Preservation Board
Two (2) terms expiring June 30, 2013
Jan Beyers
Naeem M. Qureshi

Library Commission
One *(1) term expiring June 30, 2013*
Sharon B. Clements

Parks and Recreation Commission
Three (3) terms expiring June 30, 2013
James C. Baker II
Juanita M. Barnes
Virgil Chancy

Recreational Trails Board
Two (2) terms expiring June 30, 2013

Jackie LeSan
Kim M. Nelson

Senior Citizens' Board
Three (3) terms expiring June 30, 2013
Sara W. Anderson
Vonzetta Fielding
Delanna Townsend

Traffic Safety Commission
Two (2) terms expiring June 30, 2013
Miguel Arciniega
Frank D. Pavlik

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed

Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

Chairperson Flickinger opened the agenda item for public comments;

there being none, public comments were closed.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
   Approved by a 5–0 vote.

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

   Approved by a 5–0 vote.

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal

Year 2010-11;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

Approved by a 5–0 vote.

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Ballot measure to prevent state's raid of local funds qualified for the November ballot - encouraged everybody to support it, as about $5 million was taken from the Moreno Valley Redevelopment Agency this year; a lot of improvements could have been done with this money
2) MVTV-3 won a first place award from the regional peer group, the California and Arizona chapter of the national organization. Bob Lorch won first place for "You Spray, You Pay" anti-graffiti removal program, and Rob Roseen won second and third place for "News Center." Commended staff for this successful program
3) Housing prices are up and unemployment for May was down - good news
4) Moreno Valley restaurants reported sales picking up in fall 2009 and remaining solid through 2010
5) The Neighborhood Preservation staff has obligated 84% of the $11.3 million grant funding as opposed to the national average of 52%. The City's partners have acquired $5.3 million worth of single-family homes - 28 homes are being rehabilitated. Moreno Valley may be eligible for additional NSP funding in the near future. Commended Barry Foster and staff for this successful project. It is one of the leaders in the country
6) Youth Opportunity Center - Arbor E&T has entered into a lease of a vacant building on 22275 Alessandro and Grant. When the Center opens in the fall, it will employ six people and serve 150 youth in the community
7) The library has initiated a summer reading program and added a database online entitled Career Transitions, which will serve as a resource for persons seeking employment
8) Schedules and sign ups for recreational activities are listed on the Moreno Valley Web site
11) Information about 4th of July celebration is posted on the Web site
12) Expressed his appreciation for Steve Elam, Interim Financial & Administrative Services Director, who came out of his retirement to help the City. This is his last council meeting

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Susan Gilchrist
1) Submitted a copy of her letter to Parks & Facilities Manager Steve Kupsak and a copy of Parks and Recreation Commission staff report regarding Equestrian Center; commented on the accuracy of information contained in the report

Deanna Reeder
1) Asked if any council member recused himself/herself from Closed Session Item #5, City Manager Recruitment, while in Closed Session

Pamela Lowell
1) Acknowledged Fire and Police Department staff for the fast response and help during her husband's illness; her husband, an Air Force disabled veteran, passed away this year; very grateful for support and comfort and proud of the City
2) Thanked military veterans for their service; thanks to them we can enjoy many freedoms, including freedom of speech

James Dudley
1) About 12,563 late mail-in primary ballots that may not be counted because of late delivery
2) Maintenance of medians
3) Condition of roads
4) Expressed he is proud of the City

Pete Bleckert
1) Thanked Council for voting for the Highland Fairview project to move forward
2) Equestrian Center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Molina
1) Condolences to Ms. Lowell for her loss
2) Would like to bring back issue of Cottonwood Park on Cottonwood and Indian
3) Thanked staff and residents for being patient with the progress of the project

Council Member Stewart
1) Reported on a lady claiming that her child was killed by a drunk driver in Moreno Valley and asking for money for burial; while he was checking with the Police Chief, the lady disappeared; it's sad that people will do that; warned residents about the fraud and advised to be aware and to question suspicious solicitations

2) Commended staff for the hard work assisting the developer of the Skechers project; the project is moving along; the City is not giving any financial support for it, but by speeding up the process, the City was able to give the proponents a financial advantage
3) Inquired about the requirement of lowering buildings along 60 Freeway by 25 feet
4) Inquired about changing zoning of the property to the south of the project from residential to business park to be a transition/buffer to light industrial along the freeway
5) Regarding budget - glad that we had reserve to reduce deficit and that the Fire, Police and other public safety units were pretty much preserved

Mayor Pro Tem Hastings
1) Attended annual Rally Round the Flag at March Field Air Museum with Council Member Stewart and Mayor Flickinger - it was a very nice event in commemoration of the Flag Day with an outstanding performance of Moreno Valley Master Chorale. Encouraged everyone to attend it next year; the event is open to the public
2) Responded to a speaker's comments regarding 12,000 mail-in ballots that were left at Moreno Valley distribution postal center after deadline and may not be counted - explained the process of routing the mail-in votes; Riverside County is still investigating this issue
3) League of California Cities' initiative to protect local money from the State's taking - asked residents to educate themselves on this and other initiatives
4) Addressed an incident of loose horses in traffic on Redlands Blvd. and horses hit by a car; this is tragic for everyone; asked residents to call Animal Control to report any animal loose or abandoned to prevent animals from being killed
5) Will participate in July 13 meeting from Kentucky via teleconference

Council Member Batey
1) Thanked Ms. Lowell for publicly acknowledging public safety employees who responded to her calls. It's important for the public to know that they have dedicated professionals to handle any situation that may arise. Her husband will be missed
2) Fresh & Easy will be open by the end of the year; a lot of good stuff is happening that will help our economy in the long run
3) Will not be able to attend 4th of July celebration because of work schedule
4) Thanked Mr. Dudley and Ms. Lowell for showing/expressing City pride; it's nice to hear positive
5) Wished everybody a safe 4th of July

Mayor Flickinger
1) Concurred with Mayor Pro Tem Hastings about effectiveness of the Rally Round the Flag event; very entertaining and informative
2) Thanked Steve Elam for the great job; he will be missed
3) Responded to speaker's question - all five Council Members are participating in the City Manager's recruitment
4) No meeting is scheduled for the next Tuesday (5th Tuesday of the month); the next televised Council meeting is scheduled for July 13, which will be the last

meeting before Council recess
5) July 3 & 4 celebration will include a parade in the morning on July 3 and the celebration at the Morrison Park in the afternoon on July 4 - another opportunity to wear red, white and blue

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:06 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*
Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:40 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: July 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 16 – July 6.

Reports on Reimbursable Activities June 16 – July 6		
Council Member	Date	Meeting
William H. Batey II	6/28/10	Bob Herrick's Retirement Luncheon
	6/30/10	Steve Elam's Retirement Luncheon
Bonnie Flickinger	6/16/10	UCR Citizens University Committee
	6/23/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	6/24/10	Western Riverside Council of Governments 19th Annual General Assembly
Robin N. Hastings	6/28/10	Bob Herrick's Retirement Luncheon
Jesse L. Molina	6/28/10	Bob Herrick's Retirement Luncheon
Richard A. Stewart	*6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
	6/28/10	Bob Herrick's Retirement Luncheon
	6/29/10	Undersheriff Valerie Hill's Retirement Dinner
	6/30/10	Steve Elam's Retirement Luncheon

*Reportable reimbursable activity prior to the period of June 16 – July 6.

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The residents along Loraine Terrace have no on-street parking available during the business hours of the adjacent auto repair shops who continually park their customer's vehicles along Loraine Terrace. A public hearing regarding this issue was conducted at the Traffic Safety Commission (TSC) meeting on May 5, 2010. There was no voiced opposition at the public hearing. The commissioners unanimously approved staff's recommendation to implement permit parking on Loraine Terrace.

BACKGROUND

The residents on Loraine Terrace submitted a petition to the Public Works Department requesting implementation of permit parking. The privileged parking will allow them to maintain curbside availability for guests and contractors/maintenance vehicles in front of their residences.

The required petition process demonstrated a super majority, in this case 100%, greatly exceeding the City's requirement of at least 60% of the residents in support of the permit parking.

A field review of the site indicated there is adequate on-site parking available for the commercial uses and on-street parking for customers and employees away from the neighboring residences.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

To help improve the parking situation along Loraine Terrace, staff recommends the installation of permit parking signs along four resident's frontage. This will allow the remaining parking spaces to be utilized by the public and the adjacent auto repair shops.

The frontage along Loraine Terrace is approximately 900 feet. This allows parking for approximately 30 vehicles. The frontage of the four existing residence's along Loraine Terrace is approximately 180 feet. Implementing the permit parking along the residents' frontage will reduce available parking spaces for the public by 5 vehicles (16%). However, this will allow the residents to have uninterrupted access to parking in front of their residents which is located in a unique and congested mixed residential/commercial zone.

Fees for this permit parking zone will be borne by the residents in accordance with City policy.

ALTERNATIVES

1. Approve and adopt proposed Resolution and direct staff to implement permit parking on Loraine Terrace. *This alternative is recommended to improve the condition for the residents.*

2. Do not adopt proposed resolution, thereby not implementing permit parking on Loraine Terrace.

3. Provide staff with further direction.

FISCAL IMPACT

There will be no fiscal impact for implementation of permit parking on Loraine Terrace. The cost of the required signage, parking permit placards, and the annual maintenance associated with the permit parking will be covered by the collected fees from the residents.

CITY COUNCIL GOALS

PUBLIC SAFETY: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Implementation of permit parking on Loraine Terrace will improve the condition for the existing residents, thereby allowing preferential parking privileges in a unique and congested mixed residential/commercial zone. Additionally, there will be sufficient parking spaces remaining to serve the general public and surrounding commercial uses.

NOTIFICATION

Publication of Agenda

ATTACHMENTS

Attachment A – Resolution
Attachment B - Location Map

Prepared By:
Alan Kashefi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00066971

RESOLUTION NO. 2010-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON LORAINE TERRACE

WHEREAS, the City Municipal code section 12.08.030 allows permit parking areas in residential and commercial zones, and only subject to a public hearing before the traffic safety commission.

WHEREAS, the residents on Loraine Terrace submitted an application and requested permit parking along the frontage of their residences.

WHEREAS, a public hearing was conducted on May 5, 2010 regarding this request.

WHEREAS, on May 5, 2010, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Loraine Terrace.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Loraine Terrace.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Location Map

Loraine Terrace

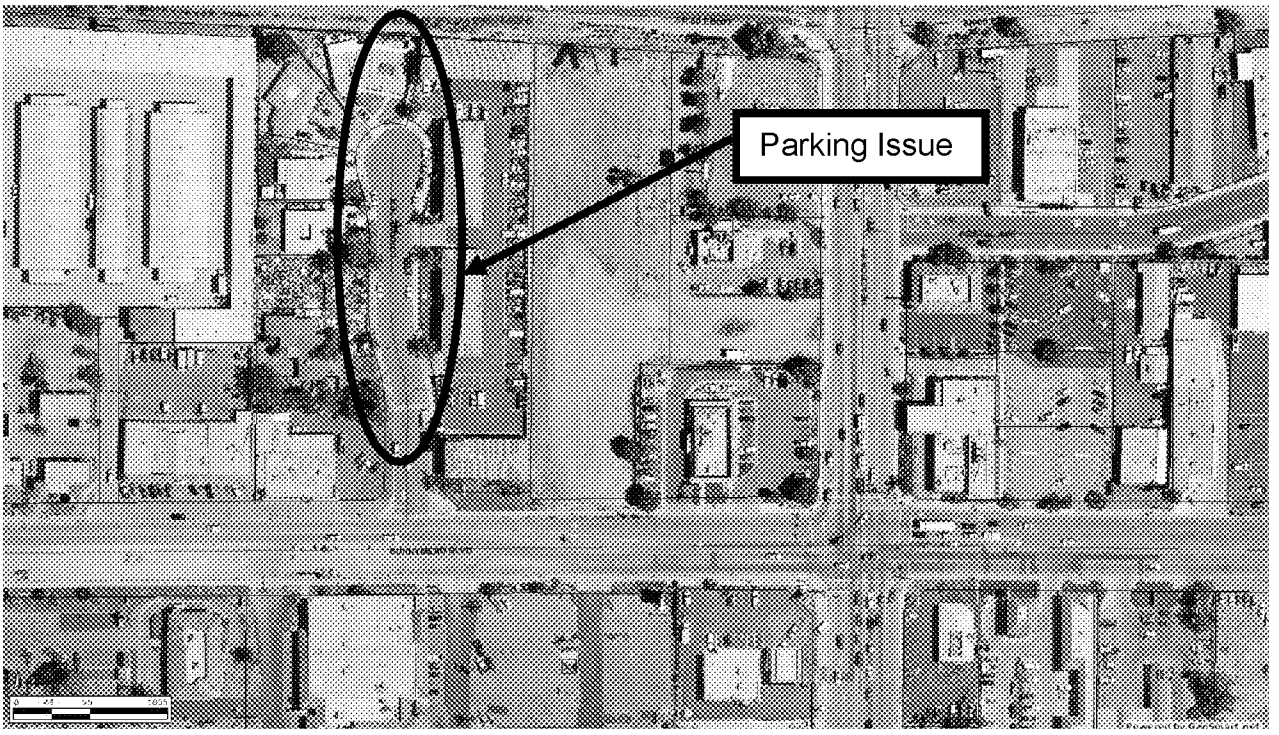

Attachment B

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MV00066975

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: Resolution Rescinding the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, and Authorizing the Submittal of Application for the Used Oil Payment Program Under the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDED ACTION

Staff recommends that the City Council adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources Recycling and Recovery (CalRecycle).

BACKGROUND

The California Public Resources Code (PRC) § 48601 et seq. describes the California Oil Recycling Enhancement Act), which, among other things, provides up to $11 million annually in payments to local governments for implementation of local used oil and filter collection programs. Several years ago, the City established a used oil campaign that was previously administered by the Western Riverside Council of Governments (WRCOG). In 2001, as a springboard to WRCOG's regional public awareness of used oil recycling, the City established a used oil program at a local level with used oil block grant funds. Since that time, the list of landfill banned materials has continually grown and the need for hazardous waste awareness has increased along with it. As a result, there has become a greater need to sustain all opportunities for available funding to promote these programs.

DISCUSSION

The new Used Oil Payment Program (OPP) authorized in SB 546 (Lowenthal, Chapter 353, Statutes of 2009) replaces the Used Oil Block Grant Program (UBG). While the purpose of the OPP is similar to the UBG, there are significant differences regarding application, administration, and reporting requirements. The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board (CIWMB), is responsible for administering the OPP. As part of the grant application program, the City must provide a resolution to establish procedures governing the administration of the Used Oil Payment Program. Participation in these programs also affords the City the opportunity to increase public awareness of recycling, which assists with the City's overall diversion efforts mandated by the California Integrated Waste Management Act of 1989 (AB 939).

City staff requests that City Council approve the adoption of the resolution in order to help secure funding for the administering and implementation of the used oil recycling program.

ALTERNATIVES

1. Adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989.

2. Do no adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989. This alternative would place the City in jeopardy of not receiving grant funds for the Used Oil Recycling Program.

FISCAL IMPACT

There would be a potential grant revenue reimbursement for public education, used oil recycling and hazardous waste program ranging from an estimated $20,000 to $50,000 per grant application fiscal year.

CITY COUNCIL GOALS

Positive Environment
Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The Department of Resources Recycling and Recovery (CalRecycle) administers the Used Oil Payment Program. A new resolution is needed to update the authority for submittal of grant application. As part of its program, CalRecycle issues grants to local

governments in order to establish or enhance permanent, sustainable used oil recycling programs. Adoption of the proposed resolution would allow staff to continue to properly pursue grant funds on behalf of the City in the future.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit A – Proposed Resolution
Exhibit B – Resolution No. 2007-55 (Proposed to be rescinded)

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-67

A RESOLUTION OF THE CITY COUNCIL O F THE CITY OF MORENO VALLEY, CALIFORNIA, RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AUTHORIZING APPLICATION FOR THE USED OIL GRANT PAYMENT PROGRAM FUNDS UNDER THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administrations of the Used Oil Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley authorizes the submittal of a Used Oil Payment Program application to CalRecycle; and

BE IT FURTHER RESOLVED that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the City Council of the City of Moreno Valley.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

_____
City Attorney

EXHIBIT "A"

Resolution No. 2010 - _____
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2007 - 55

RESCINDING THE PROVISIONS OF RESOLUTION 2006-49 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AND AUTHORIZING APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT

WHEREAS, Public Resources Code (PRC) Section 42872.5, authorizes the California Integrated Waste Management Board (CIWMB) to establish a grant program to fund city projects as they pertain to the CIWMB interests; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of these programs within the state, setting up necessary procedures governing application by local governments and their subdivisions under these programs; and

WHEREAS, it is in the best interest of the City to create an opportunity to facilitate the application process in order to apply for all grant funds offered by the CIWMB; and

WHEREAS, if awarded a grant, the City of Moreno Valley will enter into an agreement with the State of California for development of these projects;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESCIND Resolution 2006-49 and further resolves that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all necessary applications, contracts, payment requests, agreements and amendments between the CIWMB hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application for the period of May 22, 2007 to May 22, 2012.

APPROVED AND ADOPTED this 22th day of May, 2007

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "B"

Resolution No. 2007 – 55
Date Adopted: May 22, 2007

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, MARGARET AYARS, Assistant City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-55 was duly and regularly adopted as amended by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of May, 2007, by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Margaret Ayars
ASSISTANT CITY CLERK

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. 2007-55 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Moreno Valley, this 16th day of June, 2008.

Jane Halstead
Jane Halstead, CMC, City Clerk

(SEAL)

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MV00066985

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: July 13, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-68
Check Register for Month of May, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2010 through May 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2010 through May 31, 2010, in the total amount of $19,967,907.47 is approved.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

AVI-CON INC.				
5/10/2010	202502	57,803.49		
			PUB SFTY BLDG CONVERSION PROJ	57,803.49
5/24/2010	880526	35,833.59		
			PUB SFTY BLDG CONVERSION PROJ	35,833.59
	Vendor Total	**93,637.08**		
FYTD for AVI-CON INC.		**129,622.32**		
BEMUS LANDSCAPE, INC.				
5/3/2010	202225	27,219.84		
			LANDSCAPE MAINT-E4	24.09
			LANDSCAPE MAINT-E4	38.77
			LANDSCAPE MAINT-E4	19.85
			LANDSCAPE MAINT-E4	300.00
			LANDSCAPE MAINT-E4	151.43
			LANDSCAPE MAINT-E4	345.00
			LANDSCAPE MAINT-E4	50.78
			LANDSCAPE MAINT-E4	85.76
			LANDSCAPE MAINT-PSB	320.00
			LANDSCAPE MAINT-WQB	1,283.00
			LANDSCAPE MAINT-TR 33256	90.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-AQDCT	1,636.00
			LANDSCAPE MAINT-AQDCT	264.00
			LANDSCAPE MAINT-ANNX #1	300.00
			LANDSCAPE MAINT-FIRE STNS	3,150.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-CITY HALL	992.56
			LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total	**27,219.84**		
FYTD for BEMUS LANDSCAPE, INC.		**455,641.79**		
BURLINGTON COAT FACTORY				
5/24/2010	1005141	175,000.00		
			PARTICIPATION AGREEMNT FY09-10	175,000.00
	Vendor Total	**175,000.00**		
FYTD for BURLINGTON COAT FACTORY		**175,000.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE AUDITOR					
	5/17/2010	202527	39,625.17		
				PARKING CONTROL FEES	15,545.22
				PARKING CONTROL FEES	1,642.00
				PARKING CONTROL FEES	18,173.54
				PARKING CONTROL FEES	3,668.00
				PARKING CONTROL FEES	596.41
	Vendor Total		**39,625.17**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**135,430.12**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER					
	5/10/2010	1005021	5,258,237.00		
				SERAF PAYMENT FOR FY09-10	5,258,237.00
	Vendor Total		**5,258,237.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**5,258,237.00**		
COUNTY OF RIVERSIDE FIRE DEPT					
	5/13/2010	1005061	3,152,861.07		
				3RD QTR FIRE PROTECTION SVCS	3,152,861.07
	Vendor Total		**3,152,861.07**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,421,045.02**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				
5/17/2010	202531	38,007.94		
			RCLMD WATER-DRAIN MAINT PRGM	82.85
			RCLMD WATER-ST. SWEEPING PRGM	95.83
			RCLMD WATER-ST. SWEEPING PRGM	79.99
			RCLMD WATER-STREET MAINT PRGM	221.27
			WATER CHRGS FOR APRIL	63.45
			WATER CHRGS FOR APRIL	1,795.68
			WATER CHRGS FOR APRIL	36.00
			WATER CHRGS FOR APRIL	3,018.08
			WATER CHRGS FOR APRIL	123.16
			WATER CHRGS FOR APRIL	11,477.35
			WATER CHRGS FOR APRIL	2,968.73
			WATER CHRGS FOR APRIL	3,095.73
			WATER CHRGS FOR APRIL	5,115.16
			WATER CHRGS FOR APRIL	3,417.49
			WATER CHRGS FOR APRIL	1,408.73
			WATER CHRGS FOR APRIL	148.13
			WATER CHRGS FOR APRIL	1,436.12
			WATER CHRGS FOR APRIL	718.23
			WATER CHRGS FOR APRIL	201.43
			WATER CHRGS FOR APRIL	611.77
			WATER CHRGS FOR APRIL	382.99
			WATER CHRGS FOR APRIL	291.24
			WATER CHRGS FOR APRIL	300.98
			WATER CHRGS FOR APRIL	290.08
			WATER CHRGS FOR APRIL	627.47
5/24/2010	202634	44,260.57		
			WATER CHRGS FOR APRIL	83.22
			WATER CHRGS FOR APRIL	1,190.50
			WATER CHRGS FOR APRIL	809.44
			WATER CHRGS FOR APRIL	405.55
			WATER CHRGS FOR APRIL	889.74
			WATER CHRGS FOR APRIL	11,396.12
			WATER CHRGS FOR APRIL	4,501.26
			WATER CHRGS FOR APRIL	2,341.28
			WATER CHRGS FOR APRIL	4,331.01
			WATER CHRGS FOR APRIL	3,958.56
			WATER CHRGS FOR APRIL	6,585.97
			WATER CHRGS FOR APRIL	249.36
			WATER CHRGS FOR APRIL	46.30
			WATER CHRGS FOR APRIL	2,020.77
			WATER CHRGS FOR APRIL	2,361.85
			WATER CHRGS FOR APRIL	1,109.22
			WATER CHRGS FOR APRIL	440.95
			WATER CHRGS FOR APRIL	232.11
			WATER CHRGS FOR APRIL	444.71
			WATER CHRGS FOR APRIL	478.63
			WATER CHRGS FOR APRIL	384.02
	Vendor Total	**82,268.51**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,038,091.76**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
5/7/2010	2634	36,460.45		
			DEP STATE TAX W/H 05/07/10	36,460.45
5/21/2010	2642	35,246.72		
			STATE INCOME TAX W/H 05/21/10	35,246.72
	Vendor Total	**71,707.17**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,179,327.51**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
5/10/2010	202426	124,677.06		
			DISTRIBUTION CHARGES	123,729.55
			SPCL/TEMP CHARGES	6,055.00
			ONLINE UTILITY SVCS	264.00
			BAD DEBT-DEDUCTION	-5,371.49
5/17/2010	202532	40,388.70		
			PLAN CHECK SVCS-PM35629	221.03
			PLAN CHECK SVCS-PA080013	1,184.21
			PROF SVCS-IHERB.COM DIST	1,979.46
			PROF SVCS-IHERB.COM DIST	36.59
			PERRIS BL 12KV FEEDER IRIS-JFK	3,330.79
			PERRIS BL 12KV FEEDER IRIS-JFK	7,528.17
			CACTUS/LASSELLE 12KV CIRC TIE	5,721.68
			GOLDENCREST-ELSWORTH BACKBONE	2,030.68
			6TH CIRCUIT MOVAL SUBST. WORK	14,606.09
			CABINET LEASE-COTTONWOOD	41.34
			CABINET LEASE-COTTONWOOD	1,208.66
			CABINET LEASE-INDIAN/NANDINA	75.69
			CABINET LEASE-INDIAN/NANDINA	1,174.31
			CABINET LEASE-IRIS	92.50
			CABINET LEASE-IRIS	1,157.50
5/24/2010	202635	38,376.65		
			BAY ST BACKBONE W/O MOR BCH DR	1,283.93
			CACTUS/LASSELLE 12KV CIRC TIE	326.21
			CACTUS/LASSELLE 12KV CIRC TIE	2,770.25
			ELECT METER FEES	3,788.08
			GOLDENCREST-ELSWORTH BACKBONE	5,706.39
			6TH CIRC MOVAL SUBST. WORK	7,342.12
			ELECT METER FEES	838.00
			PROF SVCS-WASTE MGT FAC	291.80
			PROF SVCS-SKETCHERS	1,474.70
			PROF SVCS-SKETCHERS	11,754.51
			PROF SVCS-STREET LIGHTS	454.68
			PROF SVCS-FRAZEE PAINT	2,140.18
			PROF SVCS-IHERB.COM DIST	205.80
	Vendor Total	**203,442.41**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,550.46**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRIENDS OF THE SENIOR CENTER				
5/17/2010	202540	25,000.00		
			SENIOR VAN ASSIST PRGM-CDBG	15,000.00
			SENIOR VAN ASSIST PRGM-CDBG	10,000.00
	Vendor Total	**25,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FS CONSTRUCTION				
5/24/2010	202647	76,746.64		
			TEMCO ST SIDEWALK IMPRVMNTS	49,441.99
			VOUGHT ST SIDEWALK IMPRVMNTS	27,304.65
	Vendor Total	**76,746.64**		
FYTD for FS CONSTRUCTION		**76,746.64**		
HILLCREST CONTRACTING, INC				
5/17/2010	202596	109,549.80		
			KITCHING ST IMPRVMNTS PROJ	109,549.80
	Vendor Total	**109,549.80**		
FYTD for HILLCREST CONTRACTING, INC		**109,549.80**		
INTERNAL REVENUE SERVICE				
5/7/2010	2633	133,548.22		
			DEP FED TAX W/H 05/07/10	133,548.22
5/21/2010	2641	129,508.98		
			FED INCOME TAX W/H 05/21/10	129,508.98
	Vendor Total	**263,057.20**		
FYTD for INTERNAL REVENUE SERVICE		**3,447,406.19**		
MBIA MUNISERVICES COMPANY				
5/3/2010	202313	28,125.00		
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
	Vendor Total	**28,125.00**		
FYTD for MBIA MUNISERVICES COMPANY		**28,125.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	5/17/2010	202557	53,080.68		
				ELECTRICITY	140.43
				ELECTRICITY	1,123.17
				ELECTRICITY	230.25
				ELECTRICITY	1,802.77
				ELECTRICITY	10,556.76
				ELECTRICITY	9,982.60
				ELECTRICITY	2,890.58
				ELECTRICITY	4,799.41
				ELECTRICITY	799.37
				ELECTRICITY	1,366.98
				ELECTRICITY	11,870.60
				ELECTRICITY	6,670.38
				ELECTRICITY	218.50
				ELECTRICITY	134.68
				ELECTRICITY	86.28
				ELECTRICITY	64.97
				ELECTRICITY	64.95
				ELECTRICITY	170.22
				ELECTRICITY	107.78
	Vendor Total		**53,080.68**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MURRIETA DEVELOPMENT COMPANY INC.					
	5/10/2010	202503	130,155.16		
				TRAF SIG @ SR-60/REDLANDS BLVD	130,155.16
	Vendor Total		**130,155.16**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**526,211.19**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/21/2010	2638	25,717.07		
				DEF COMP 457 & 401(A) 05/21/10	25,717.07
	Vendor Total		**25,717.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVCO SECURITY SYSTEMS					
	5/24/2010	880543	47,899.78		
				SURVEILLANCE EQUIP-POLICE	43,399.03
				SURVEILLANCE EQUIP-POLICE	3,398.43
				SURVEILLANCE EQUIP-POLICE	1,102.32
	Vendor Total		**47,899.78**		
FYTD for NAVCO SECURITY SYSTEMS			**57,779.78**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ORANGE COAST TITLE COMPANY				
5/12/2010	1005031	69,199.75		
			ACQ & ESCRW-13715 MCDONNELL ST	69,199.75
5/24/2010	1005151	106,032.13		
			ACQ & ESCROW-13380 BAMBI CT	106,032.13
5/24/2010	1005161	77,444.01		
			ACQ & ESCROW-24105 ROTHBURY DR	77,444.01
	Vendor Total	**252,675.89**		
FYTD for ORANGE COAST TITLE COMPANY		**252,675.89**		
PB AMERICAS, INC.				
5/24/2010	202671	82,770.08		
			SR-60/NASON ST INTRCHNG PROJ	46,836.15
			SR-60/NASON ST INTRCHNG PROJ	35,933.93
	Vendor Total	**82,770.08**		
FYTD for PB AMERICAS, INC.		**171,605.59**		
PERS HEALTH INSURANCE				
5/12/2010	1004101	195,498.14		
			EMPL HEALTH INS 05/12/10	195,498.14
	Vendor Total	**195,498.14**		
FYTD for PERS HEALTH INSURANCE		**2,126,634.55**		
PERS RETIREMENT				
5/14/2010	2635	192,233.64		
			PERS RETIREMENT 05/14/10	192,233.64
5/28/2010	2643	191,718.32		
			PERS RETIREMENT 05/28/10	191,718.32
	Vendor Total	**383,951.96**		
FYTD for PERS RETIREMENT		**5,091,544.44**		
RBV MITIGATION CREDITS, LLC				
5/3/2010	202340	40,800.00		
			VERNAL POOL MITIGATION CREDITS	40,800.00
	Vendor Total	**40,800.00**		
FYTD for RBV MITIGATION CREDITS, LLC		**40,800.00**		
RICHARD LOPEZ CONSTRUCTION				
5/17/2010	202568	205,033.36		
			ELECTRIC UTILITY PROJECTS SVCS	205,033.36
	Vendor Total	**205,033.36**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,279,092.83**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF					
	5/13/2010	1005071	2,676,381.98		
				CONTRACT LAW ENF BILL #8	270.16
				CONTRACT LAW ENF BILL #8	558.38
				CONTRACT LAW ENF BILL #8	590.48
				CONTRACT LAW ENF BILL #8	1,338.76
				CONTRACT LAW ENF BILL #8	2,304.42
				CONTRACT LAW ENF BILL #8	5,147.78
				CONTRACT LAW ENF BILL #8	6,271.76
				CONTRACT LAW ENF BILL #8	6,601.76
				CONTRACT LAW ENF BILL #8	8,729.36
				CONTRACT LAW ENF BILL #8	19,553.01
				CONTRACT LAW ENF BILL #8	24,645.07
				CONTRACT LAW ENF BILL #8	33,932.05
				CONTRACT LAW ENF BILL #8	44,551.93
				CONTRACT LAW ENF BILL #8	61,515.39
				CONTRACT LAW ENF BILL #8	67,648.04
				CONTRACT LAW ENF BILL #8	70,622.67
				CONTRACT LAW ENF BILL #8	203,325.69
				CONTRACT LAW ENF BILL #8	257,518.30
				CONTRACT LAW ENF BILL #8	393,414.24
				CONTRACT LAW ENF BILL #8	1,467,842.73
	5/13/2010	1005101	2,729,341.01		
				CONTRACT LAW ENF BILL #9	242.00
				CONTRACT LAW ENF BILL #9	621.28
				CONTRACT LAW ENF BILL #9	732.37
				CONTRACT LAW ENF BILL #9	979.02
				CONTRACT LAW ENF BILL #9	1,345.44
				CONTRACT LAW ENF BILL #9	5,260.64
				CONTRACT LAW ENF BILL #9	5,725.72
				CONTRACT LAW ENF BILL #9	8,480.27
				CONTRACT LAW ENF BILL #9	12,557.91
				CONTRACT LAW ENF BILL #9	14,241.02
				CONTRACT LAW ENF BILL #9	18,963.84
				CONTRACT LAW ENF BILL #9	34,297.96
				CONTRACT LAW ENF BILL #9	44,310.63
				CONTRACT LAW ENF BILL #9	65,247.78
				CONTRACT LAW ENF BILL #9	70,575.36
				CONTRACT LAW ENF BILL #9	73,526.79
				CONTRACT LAW ENF BILL #9	169,411.94
				CONTRACT LAW ENF BILL #9	283,724.76
				CONTRACT LAW ENF BILL #9	375,130.94
				CONTRACT LAW ENF BILL #9	1,543,965.34
	5/13/2010	1005081	728,551.34		
				CNTRCT LAW ENF RATE ADJ FY0910	728,551.34
	5/13/2010	1005091	87,724.41		
				FACILITIES EXP BILLNG FY09/10	87,724.41
	Vendor Total		**6,221,998.74**		
FYTD for RIVERSIDE COUNTY SHERIFF			**33,101,772.67**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.				
5/17/2010	880514	251,502.00		
			ANNUAL RMS/CLETS FY 09/10	251,502.00
Vendor Total		**251,502.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**762,001.26**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC				
5/10/2010	880490	52,499.02		
			PUB SFTY BLDG CONVERSION PROJ	52,499.02
Vendor Total		**52,499.02**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC		**286,232.61**		
SEMPRA ENERGY SOLUTIONS				
5/24/2010	880548	76,116.08		
			POWER PURCHASE	76,116.08
Vendor Total		**76,116.08**		
FYTD for SEMPRA ENERGY SOLUTIONS		**5,425,821.99**		
SHELL ENERGY NORTH AMERICA (US) L.P.				
5/10/2010	202469	347,400.00		
			ELECT ENERGY PURCHASE	347,400.00
Vendor Total		**347,400.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**1,347,140.00**		
SOCO GROUP, INC				
5/17/2010	202574	28,532.52		
			FUEL PURCHASE	5,555.06
			FUEL PURCHASE	6,515.69
			FUEL PURCHASE	4,166.97
			FUEL PURCHASE	6,354.60
			FUEL PURCHASE	5,940.20
Vendor Total		**28,532.52**		
FYTD for SOCO GROUP, INC		**177,677.66**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202362	32,336.02		
				TRAFFIC CONTRLLR-IRONWOOD PROJ	4,277.85
				ST. LIGHT INSTALL-IRONWOOD AVE	13,228.69
				LINE EXTENSION-IRONWOOD AVE	14,829.48
	5/10/2010	202474	42,911.92		
				WDAT CHARGES-FREDERICK	2,000.25
				WDAT CHARGES-GLOBE	7,317.45
				WDAT CHARGES-GRAHAM	3,727.65
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-SUBSTATION	10,447.31
				WDAT CHARGES-IRIS	2,625.22
				IFA CHARGES-SUBSTATION	14,146.73
	5/17/2010	202576	142,157.95		
				ELECTRICITY	662.64
				ELECTRICITY	69.62
				ELECTRICITY	334.34
				ELECTRICITY	44.41
				ELECTRICITY	1,237.74
				ELECTRICITY	100.90
				ELECTRICITY	855.88
				ELECTRICITY	774.56
				ELECTRICITY	912.76
				ELECTRICITY	2,260.42
				ELECTRICITY	1,017.56
				ELECTRICITY	1,154.20
				ELECTRICITY	23.30
				ELECTRICITY	95,834.82
				ELECTRICITY	35,938.01
				ELECTRICITY	528.72
				ELECTRICITY	153.47
				ELECTRICITY	22.57
				ELECTRICITY	25.30
				ELECTRICITY	70.10
				ELECTRICITY	90.28
				ELECTRICITY	46.35
	5/24/2010	202684	27,410.22		
				ELECTRICITY	189.84
				ELECTRICITY	5,413.60
				ELECTRICITY	2,476.70
				ELECTRICITY	19.20
				ELECTRICITY	2,686.37
				ELECTRICITY	714.24
				ELECTRICITY	1,980.71
				ELECTRICITY	884.39
				ELECTRICITY	247.87
				ELECTRICITY	4,261.86
				ELECTRICITY	266.78
				ELECTRICITY	4,583.80
				ELECTRICITY	1,792.00
				ELECTRICITY	275.09
				ELECTRICITY	463.94
				ELECTRICITY	484.74

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	201.01
			ELECTRICITY	141.37
			ELECTRICITY	302.24
			ELECTRICITY	24.47
Vendor Total		**244,816.11**		
FYTD for SOUTHERN CALIFORNIA EDISON		**6,749,896.42**		
STANDARD INSURANCE CO				
5/10/2010	202477	30,743.99		
			LIFE & DISABILITY INSURANCE	12,727.14
			LIFE & DISABILITY INSURANCE	17,972.90
			LIFE & DISABILITY INSURANCE	43.95
Vendor Total		**30,743.99**		
FYTD for STANDARD INSURANCE CO		**359,149.29**		
STEWART TITLE OF CALIFORNIA				
5/24/2010	1005131	72,187.00		
			ESCROW & ACQ -11989 HUBBARD ST	72,187.00
Vendor Total		**72,187.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
U.S. BANK/CALCARDS				
5/13/2010	1005111	61,805.04		
			CALCARD PMT CYCLE END 05/07/10	61,805.04
Vendor Total		**61,805.04**		
FYTD for U.S. BANK/CALCARDS		**1,763,214.75**		
VERIZON CALIFORNIA, INC				
5/3/2010	202384	38,471.97		
			REMOVE/RELOCATE CABLES/CABINET	38,471.97
Vendor Total		**38,471.97**		
FYTD for VERIZON CALIFORNIA, INC		**38,471.97**		
WILLDAN AND ASSOCIATES				
5/3/2010	202389	125,696.30		
			MORENO BEACH DR WIDENING PROJ	48,237.50
			MORENO BEACH DR WIDENING PROJ	42,309.75
			MORENO BEACH DR WIDENING PROJ	35,149.05
Vendor Total		**125,696.30**		
FYTD for WILLDAN AND ASSOCIATES		**403,687.78**		

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WINZLER & KELLY CONSULTING ENGINEERS					
	5/10/2010	202500	50,083.59		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
				IRONWOOD AVE WIDENING PROJ	31,273.59
	Vendor Total		**50,083.59**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
	Subtotal		**18,625,911.37**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
COMMUNITY VETERINARY HOSPITAL, INC.				
5/17/2010	202505	183.00		
			VETERINARY SVC-MAX	183.00
Vendor Total		**183.00**		
FYTD for COMMUNITY VETERINARY HOSPITAL, INC.		**183.00**		
TRANSOFT SOLUTIONS, INC.				
5/17/2010	202506	710.00		
			AUTOTURN MAINT ASSURANCE PRGM	710.00
Vendor Total		**710.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,999.00**		
UNIVERSAL TRUCK BODY, INC.				
5/10/2010	202398	162.50		
			MISC REPAIR-M&O	162.50
Vendor Total		**162.50**		
FYTD for UNIVERSAL TRUCK BODY, INC.		**162.50**		
3 M M M				
5/3/2010	202213	27.99		
			REFUND-BUS LIC OVRPMT	27.99
Vendor Total		**27.99**		
FYTD for 3 M M M		**27.99**		
3M LIBRARY SYSTEMS, INC.				
5/10/2010	202399	1,735.00		
			ANNUAL MAINTENANCE	1,735.00
Vendor Total		**1,735.00**		
FYTD for 3M LIBRARY SYSTEMS, INC.		**1,735.00**		
A & I REPROGRAPHICS 2406362				
5/3/2010	202214	1,481.66		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	637.11
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	844.55
5/10/2010	202400	96.30		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	96.30
5/17/2010	202507	1,216.59		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	68.30
			RPRGRPHC SVCS-AUTO MALL PROJ	147.08
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	1,001.21
Vendor Total		**2,794.55**		
FYTD for A & I REPROGRAPHICS 2406362		**22,357.59**		

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A NEW DAWN CONSTRUCTION					
	5/17/2010	202508	543.75		
				MURAL FRAME-POLICE	543.75
	Vendor Total		**543.75**		
FYTD for A NEW DAWN CONSTRUCTION			**543.75**		
ACCOUNTEMPS					
	5/3/2010	202215	920.00		
				TEMP SVCS-APODACA W/E 4/16	920.00
	5/10/2010	202401	828.00		
				TEMP SVCS-APODACA W/E 4/23	828.00
	5/24/2010	202601	1,656.00		
				TEMP SVCS-APODACA W/E 4/30	828.00
				TEMP SVCS-APODACA W/E 5/7	828.00
	Vendor Total		**3,404.00**		
FYTD for ACCOUNTEMPS			**13,842.75**		
ADAMS, MARK L.					
	5/3/2010	880410	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.					
	5/17/2010	880497	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-LEX/MAX	283.34
	5/24/2010	880521	261.00		
				MUZZLE FOR K-9 LEX	261.00
	Vendor Total		**686.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**5,383.85**		
ADMINSURE					
	5/3/2010	202216	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
5/3/2010	880411	390.00		
			ICE MACHINE MAINT-FS #65	195.00
			ICE MACHINE MAINT-FS #6	195.00
5/10/2010	880473	975.00		
			ICE MACH MAINT-CONF & REC CTR	195.00
			ICE MACH MAINT-FS #58	195.00
			ICE MACH MAINT-FS #91	195.00
			ICE MACH MAINT-TOWNGATE CTR	195.00
			ICE MACH MAINT-FS #2	195.00
5/17/2010	880498	875.00		
			ICE MACH MAINT-EMERG OPS	195.00
			ICE MACH MAINT-FS #48	195.00
			ICE MACH MAINT-SENIOR CTR	195.00
			ICE MACH MAINT-CITY YARD	290.00
5/24/2010	880522	195.00		
			ICE MACH MAINT-PSB	195.00
Vendor Total		**2,435.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**7,962.96**		
ADVANCED ELECTRIC				
5/17/2010	202509	378.00		
			ELECT WORK-CONF & REC CTR	229.00
			ELECT WORK-CONF & REC CTR	19.00
			ELECT WORK-ANML SHLTR	130.00
Vendor Total		**378.00**		
FYTD for ADVANCED ELECTRIC		**78,902.00**		
AEI-CASC ENGINEERING				
5/24/2010	880523	1,631.75		
			PLAN CHECK SVCS	1,631.75
Vendor Total		**1,631.75**		
FYTD for AEI-CASC ENGINEERING		**317,771.84**		
AFL TELECOMMUNICATIONS				
5/3/2010	202217	740.53		
			SPLICER REPAIR-TECH SVCS	576.75
			SPLICER REPAIR-SHIPPING	152.69
			SPLICER REPAIR-SALES TAX	11.09
Vendor Total		**740.53**		
FYTD for AFL TELECOMMUNICATIONS		**740.53**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
5/10/2010	880474	900.00		
			DATABASE LEASING SVCS	900.00
Vendor Total		**900.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**2,550.00**		
ALBERTO'S MEXICAN FOOD				
5/10/2010	202402	49.47		
			REFUND-BUS LIC OVRPMT	49.47
Vendor Total		**49.47**		
FYTD for ALBERTO'S MEXICAN FOOD		**49.47**		
ALICEA, RICHARD				
5/17/2010	202510	80.50		
			MILEAGE REIMBURSEMENT	80.50
Vendor Total		**80.50**		
FYTD for ALICEA, RICHARD		**624.35**		
ALLIANZ LIFE INSURANCE CO				
5/10/2010	202403	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
5/3/2010	202218	1,948.34		
			CDBG FUNDED SVCS-DOM VIOL PRGM	1,948.34
Vendor Total		**1,948.34**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**8,256.70**		
AMERICAN FORENSIC NURSES				
5/3/2010	880412	982.70		
			BLOOD DRAWS	46.70
			BLOOD DRAWS	936.00
5/10/2010	880475	140.10		
			BLOOD DRAWS	140.10
5/24/2010	880524	1,842.00		
			BLOOD DRAWS	1,259.00
			BLOOD DRAWS	583.00
Vendor Total		**2,964.80**		
FYTD for AMERICAN FORENSIC NURSES		**24,715.10**		

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AMERICAN PROTECTION SERVICES					
	5/10/2010	202404	1,030.00		
				SURVEILLANCE SYS-MAINT/SVC	900.00
				SURVEILLANCE SYS-MONITOR MOVE	130.00
	Vendor Total		**1,030.00**		
FYTD for AMERICAN PROTECTION SERVICES			**10,900.85**		
AMERICAN QUICK PRINTING					
	5/10/2010	202501	770.49		
				PRINTING SVCS-PARKS	674.25
				PRINTING SVCS-LAND DEVLOPMENT	96.24
	Vendor Total		**770.49**		
FYTD for AMERICAN QUICK PRINTING			**4,765.32**		
AMERICAN ROTARY BROOM CO.					
	5/17/2010	202511	1,097.97		
				STREET SWEEPING BROOM KITS	493.09
				STREET SWEEPING BROOM KITS	111.79
				STREET SWEEPING BROOM KITS	493.09
	Vendor Total		**1,097.97**		
FYTD for AMERICAN ROTARY BROOM CO.			**31,019.58**		
AMTECH ELEVATOR SERVICES					
	5/17/2010	202512	118.37		
				ELEVATOR SVC-CITY HALL	118.37
	Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES			**1,818.78**		
ANCHETA, WARREN					
	5/10/2010	202405	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for ANCHETA, WARREN			**260.00**		
ANDRE LANDSCAPING SERVICE, INC.					
	5/3/2010	202219	21.68		
				REFUND-BUS LIC OVRPMT	21.68
	Vendor Total		**21.68**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.			**21.68**		
ANIMAL EMERGENCY CLINIC, INC.					
	5/24/2010	880525	145.00		
				EMERGENCY VET SVCS	70.00
				EMERGENCY VET SVCS	75.00
	Vendor Total		**145.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**4,679.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANIMAL PEST MANAGEMENT SERVICES, INC.				
5/24/2010	202602	1,790.00		
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MARCH FLD	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-GOLF CRS	180.00
			PEST CONTROL-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**21,790.00**		
APARTMENT HIGHLAND MEADOWS, LLLP				
5/24/2010	202603	30.00		
			REFUND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**30.00**		
ARCHER, GREG				
5/24/2010	202604	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for ARCHER, GREG		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
5/17/2010	202513	1,390.57		
			OFFSITE STORAGE-CITY CLERKS	1,390.57
	Vendor Total	**1,390.57**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**14,734.26**		
ARROWHEAD WATER				
5/17/2010	202514	200.00		
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SENIOR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-FAC ANNX	25.00
			WTR PURIF RNTL-CONF & REC CTR	25.00
			WTR PURIF RNTL-ASES	25.00
	Vendor Total	**200.00**		
FYTD for ARROWHEAD WATER		**5,763.57**		

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ASSOCIATED ENGINEERS, INC.					
	5/24/2010	202605	4,267.50		
				HEACOCK ST WIDENING PROJ SVCS	4,267.50
	Vendor Total		**4,267.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**61,141.61**		
ASUNCION, ANGELICA					
	5/10/2010	202406	169.40		
				REFUND-MV UTILITY	169.40
	Vendor Total		**169.40**		
FYTD for ASUNCION, ANGELICA			**169.40**		
AT&T/MCI					
	5/3/2010	202220	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**2,020.47**		
AVIAT NETWORKS INC.					
	5/10/2010	202407	16,014.00		
				RADIO SYSTEMS-MAINT/SUPPORT	16,014.00
	Vendor Total		**16,014.00**		
FYTD for AVIAT NETWORKS INC.			**16,014.00**		
AWE					
	5/24/2010	202606	730.63		
				ANNUAL SUBSCRIPTION-LIBRARY	700.00
				ANNUAL SUBSCRIPTION-LIBRARY	30.63
	Vendor Total		**730.63**		
FYTD for AWE			**730.63**		
AYARS, MARGARET E.					
	5/3/2010	202221	1,593.65		
				RETIREE MEDICAL BENEFIT	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**3,824.76**		
BACHER, GRACE					
	5/3/2010	202222	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,742.41**		

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BARNES, DARLENE					
	5/3/2010	880413	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,230.06**		
BARTEL ASSOCIATES, LLC					
	5/3/2010	202223	605.00		
				PROF SVCS-GASB 45	605.00
	Vendor Total		**605.00**		
FYTD for BARTEL ASSOCIATES, LLC			**605.00**		
BASIC BACKFLOW					
	5/24/2010	202607	60.00		
				BACKFLOW TESTING	60.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**1,384.65**		
BATES LEATHERS					
	5/24/2010	202608	935.25		
				JACKETS-POLICE	750.38
				VESTS-POLICE	184.87
	Vendor Total		**935.25**		
FYTD for BATES LEATHERS			**6,546.75**		
BELL, ORROCK & WATASE, INC					
	5/3/2010	202224	7,941.20		
				LEGAL SVCS	6,682.55
				LEGAL SVCS	1,258.65
	Vendor Total		**7,941.20**		
FYTD for BELL, ORROCK & WATASE, INC			**22,557.01**		

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BEMUS LANDSCAPE, INC.					
	5/10/2010	202408	120.00		
				LANDSCAPE MAINT-PARKS	120.00
	5/17/2010	202515	5,806.25		
				LANDSCAPE MAINT-FIRE STNS	3,506.25
				LANDSCAPE MAINT-FIRE STNS	2,300.00
	5/24/2010	202609	16,998.14		
				LANDSCAPE MAINT-AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-AQDCT A	850.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECTION	600.00
				LANDSCAPE MAINT-AQDCT	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS	300.00
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CONF & REC CTR	1,388.00
				LANDSCAPE MAINT-CONF & REC CTR	512.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total		**22,924.39**		
FYTD for BEMUS LANDSCAPE, INC.			**455,641.79**		
BENESYST					
	5/17/2010	880499	20.13		
				COBRA SUBSIDY-MAY2010 PREMS	14.43
				COBRA SUBSIDY-MAY2010 PREMS	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**60.39**		
BESAM U S, INC					
	5/3/2010	202226	87.43		
				REFUND-BUS LIC OVRPMT	87.43
	Vendor Total		**87.43**		
FYTD for BESAM U S, INC			**87.43**		
BEST IMPRESSIONS					
	5/10/2010	202409	44.89		
				REFUND-BUS LIC OVRPMT	44.89
	Vendor Total		**44.89**		
FYTD for BEST IMPRESSIONS			**44.89**		

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BEVEN - HERRON, INC					
	5/3/2010	202227	32.53		
				REFUND-BUS LIC OVRPMT	32.53
	Vendor Total		**32.53**		
FYTD for BEVEN - HERRON, INC			**32.53**		
BIMBO BAKERIES U S A, INC.					
	5/3/2010	202228	37.27		
				REFUND-BUS LIC OVRPMT	37.27
	Vendor Total		**37.27**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.27**		
BIO-TOX LABORATORIES					
	5/17/2010	202516	4,003.08		
				TOXICOLOGY TESTS	418.45
				TOXICOLOGY TESTS	1,387.73
				TOXICOLOGY TESTS	2,196.90
	Vendor Total		**4,003.08**		
FYTD for BIO-TOX LABORATORIES			**40,202.33**		
BLAIR, CHERYL					
	5/10/2010	202410	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,673.00**		
BLOSSOM SOFTWARE					
	5/10/2010	202411	636.00		
				SITE SEARCH SVCS-MEDIA	636.00
	Vendor Total		**636.00**		
FYTD for BLOSSOM SOFTWARE			**636.00**		
BLUE SHIELD OF CALIFORNIA					
	5/24/2010	202610	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,681.67**		
BOAFO, CLAUDIA					
	5/24/2010	202611	30.00		
				REFUND-CPR CLASS	30.00
	Vendor Total		**30.00**		
FYTD for BOAFO, CLAUDIA			**30.00**		

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For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BOB, FELIX					
	5/17/2010	202517	365.00		
				REFUND-RNTL DEP 5/1	165.00
				REFUND-RNTL DEP 5/1	200.00
	Vendor Total		**365.00**		
FYTD for BOB, FELIX			**365.00**		
BONDERER, ROBERT					
	5/3/2010	202229	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for BONDERER, ROBERT			**95.00**		
BOPF, WILLIAM					
	5/10/2010	202412	432.61		
				TRAVEL EXP-ICSC RECON CONF.	240.61
				TRAVEL EXP-ICSC RECON CONF.	192.00
	Vendor Total		**432.61**		
FYTD for BOPF, WILLIAM			**432.61**		
BORROMEO, ESTRELLA					
	5/3/2010	202230	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BORROMEO, ESTRELLA			**20.00**		
BOSSENMEYER, ANDREA					
	5/3/2010	202231	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOSSENMEYER, ANDREA			**20.00**		
BRADT, DON					
	5/24/2010	202612	61.60		
				REFUND-DOG TRAINING CLASS	61.60
	Vendor Total		**61.60**		
FYTD for BRADT, DON			**61.60**		
BREITKREUZ, THOMAS F.					
	5/3/2010	202232	464.10		
				RETIREE MEDICAL BENEFIT	464.10
	Vendor Total		**464.10**		
FYTD for BREITKREUZ, THOMAS F.			**2,198.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRIGGS, MARGARET					
	5/17/2010	202518	760.00		
				REFUND-RNTL DEP 4/24	360.00
				REFUND-RNTL DEP 4/24	400.00
	Vendor Total		**760.00**		
FYTD for BRIGGS, MARGARET			**760.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	5/10/2010	202415	15,510.04		
				ANNUAL SUBSCRIPTION-LIBRARY	4,220.37
				MISC BOOKS-LIBRARY	29.40
				MISC BOOKS-LIBRARY	41.97
				MISC BOOKS-LIBRARY	125.90
				MISC BOOKS-LIBRARY	232.09
				MISC BOOKS-LIBRARY	120.09
				MISC BOOKS-LIBRARY	437.27
				MISC BOOKS-LIBRARY	27.42
				MISC BOOKS-LIBRARY	56.82
				MISC BOOKS-LIBRARY	261.02
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	75.30
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	24.28
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	21.56
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	31.62
				MISC BOOKS-LIBRARY	132.52
				MISC BOOKS-LIBRARY	397.49
				MISC BOOKS-LIBRARY	114.81
				MISC BOOKS-LIBRARY	809.50
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	274.74
				MISC BOOKS-LIBRARY	236.36
				MISC BOOKS-LIBRARY	111.76
				MISC BOOKS-LIBRARY	185.26
				MISC BOOKS-LIBRARY	242.89
				MISC BOOKS-LIBRARY	18.31
				MISC BOOKS-LIBRARY	43.13
				MISC BOOKS-LIBRARY	15.96
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	66.38
				MISC BOOKS-LIBRARY	35.51
				MISC BOOKS-LIBRARY	981.03
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.73
				MISC BOOKS-LIBRARY	336.92
				MISC BOOKS-LIBRARY	82.57
				MISC BOOKS-LIBRARY	21.36
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	1,700.21
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	200.18
				MISC BOOKS-LIBRARY	28.60
				MISC BOOKS-LIBRARY	203.13
				MISC BOOKS-LIBRARY	19.58
				MISC BOOKS-LIBRARY	40.76
				MISC BOOKS-LIBRARY	61.32

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	631.51
			MISC BOOKS-LIBRARY	63.28
			MISC BOOKS-LIBRARY	1,308.23
			MISC BOOKS-LIBRARY	60.11
			MISC BOOKS-LIBRARY	191.83
			MISC BOOKS-LIBRARY	25.92
			MISC BOOKS-LIBRARY	491.08
			MISC BOOKS-LIBRARY	317.98
5/24/2010	202615	6,311.31		
			MISC BOOKS-LIBRARY	20.75
			MISC BOOKS-LIBRARY	111.78
			MISC BOOKS-LIBRARY	260.55
			MISC BOOKS-LIBRARY	80.70
			MISC BOOKS-LIBRARY	21.08
			MISC BOOKS-LIBRARY	58.00
			MISC BOOKS-LIBRARY	44.38
			MISC BOOKS-LIBRARY	16.56
			MISC BOOKS-LIBRARY	53.04
			MISC BOOKS-LIBRARY	110.80
			MISC BOOKS-LIBRARY	41.93
			MISC BOOKS-LIBRARY	91.70
			MISC BOOKS-LIBRARY	48.25
			MISC BOOKS-LIBRARY	60.58
			MISC BOOKS-LIBRARY	43.15
			MISC BOOKS-LIBRARY	180.82
			MISC BOOKS-LIBRARY	34.40
			MISC BOOKS-LIBRARY	22.59
			MISC BOOKS-LIBRARY	19.86
			MISC BOOKS-LIBRARY	127.49
			MISC BOOKS-LIBRARY	21.36
			MISC BOOKS-LIBRARY	271.36
			MISC BOOKS-LIBRARY	47.90
			MISC BOOKS-LIBRARY	41.32
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	167.47
			MISC BOOKS-LIBRARY	20.79
			MISC BOOKS-LIBRARY	170.43
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	58.60
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	40.74
			MISC BOOKS-LIBRARY	336.46
			MISC BOOKS-LIBRARY	27.42
			MISC BOOKS-LIBRARY	748.75
			MISC BOOKS-LIBRARY	69.34
			MISC BOOKS-LIBRARY	255.26
			MISC BOOKS-LIBRARY	31.27
			MISC BOOKS-LIBRARY	50.25
			MISC BOOKS-LIBRARY	10.33
			MISC BOOKS-LIBRARY	319.79
			MISC BOOKS-LIBRARY	52.48
			MISC BOOKS-LIBRARY	275.75
			MISC BOOKS-LIBRARY	216.98
			MISC BOOKS-LIBRARY	876.55

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	417.24
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	24.37
			MISC BOOKS-LIBRARY	141.22
			MISC BOOKS-LIBRARY	14.58
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	42.55
	Vendor Total	**21,821.35**		
FYTD for BRODART CO.		**48,039.90**		

BUCKINGHAM, STAN

5/3/2010	202233	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**1,593.65**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BWI - BOOK WHOLESALERS, INC.				
5/17/2010	202519	8,058.50		
			MISC BOOKS-LIBRARY	165.63
			MISC BOOKS-LIBRARY	1,033.33
			MISC BOOKS-LIBRARY	237.84
			MISC BOOKS-LIBRARY	61.12
			MISC BOOKS-LIBRARY	2,582.16
			MISC BOOKS-LIBRARY	68.77
			MISC BOOKS-LIBRARY	101.01
			MISC BOOKS-LIBRARY	155.63
			MISC BOOKS-LIBRARY	153.66
			MISC BOOKS-LIBRARY	29.25
			MISC BOOKS-LIBRARY	524.81
			MISC BOOKS-LIBRARY	1,573.17
			MISC BOOKS-LIBRARY	245.82
			MISC BOOKS-LIBRARY	9.68
			MISC BOOKS-LIBRARY	27.93
			MISC BOOKS-LIBRARY	335.37
			MISC BOOKS-LIBRARY	37.18
			MISC BOOKS-LIBRARY	40.28
			MISC BOOKS-LIBRARY	96.85
			MISC BOOKS-LIBRARY	53.62
			MISC BOOKS-LIBRARY	525.39
5/24/2010	202617	10,156.81		
			MISC BOOKS-LIBRARY	40.98
			MISC BOOKS-LIBRARY	178.70
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	225.06
			MISC BOOKS-LIBRARY	13.99
			MISC BOOKS-LIBRARY	49.38
			MISC BOOKS-LIBRARY	699.13
			MISC BOOKS-LIBRARY	1,324.15
			MISC BOOKS-LIBRARY	1,125.57
			MISC BOOKS-LIBRARY	686.72
			MISC BOOKS-LIBRARY	1,711.22
			MISC BOOKS-LIBRARY	383.91
			MISC BOOKS-LIBRARY	108.65
			MISC BOOKS-LIBRARY	14.63
			MISC BOOKS-LIBRARY	286.73
			MISC BOOKS-LIBRARY	27.70
			MISC BOOKS-LIBRARY	213.16
			MISC BOOKS-LIBRARY	277.10
			MISC BOOKS-LIBRARY	82.45
			MISC BOOKS-LIBRARY	1,827.81
			MISC BOOKS-LIBRARY	170.07
			MISC BOOKS-LIBRARY	238.87
			MISC BOOKS-LIBRARY	105.25
			MISC BOOKS-LIBRARY	16.91
			MISC BOOKS-LIBRARY	25.26
			MISC BOOKS-LIBRARY	167.91
			MISC BOOKS-LIBRARY	33.14
			MISC BOOKS-LIBRARY	10.39
			MISC BOOKS-LIBRARY	68.43
			MISC BOOKS-LIBRARY	9.68

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	14.12
Vendor Total		18,215.31		
FYTD for BWI - BOOK WHOLESALERS, INC.		**23,793.39**		
CABLECOM OF CALIFORNIA				
5/3/2010	202234	30.68		
			REFUND-BUS LIC OVRPMT	30.68
Vendor Total		30.68		
FYTD for CABLECOM OF CALIFORNIA		**30.68**		
CAIN, GREGORY				
5/3/2010	880414	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CAIN, GREGORY		**2,868.58**		
CALIFORNIA STATE CONTROLLER'S OFFICE				
5/17/2010	202520	2,670.18		
			INTEREST ASSESSMENT-YR 2007	2,670.18
Vendor Total		2,670.18		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,670.18**		
CALIFORNIA TRANSCRIPTION, LLC				
5/3/2010	880415	225.14		
			TRANSCRIPTION SVCS	225.14
Vendor Total		225.14		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,546.83**		
CANNON, ANA M.				
5/3/2010	202235	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CANNON, ANA M.		**1,593.65**		
CANON BUSINESS SOLUTIONS, INC.				
5/3/2010	880416	7,379.91		
			COPIER SERVICES	6,303.55
			COPIER SERVICES	482.57
			COPIER SERVICES	593.79
Vendor Total		7,379.91		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,523.10**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CANON FINANCIAL SERVICES, INC.					
	5/17/2010	202521	7,590.68		
				COPIER LEASE-CITYWIDE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**83,497.48**		
CARL'S JR					
	5/3/2010	202236	47.92		
				REFUND-BUS LIC OVRPMT	25.98
				REFUND-BUS LIC OVRPMT	21.94
	Vendor Total		**47.92**		
FYTD for CARL'S JR			**47.92**		
CATES, JOSHUA					
	5/24/2010	202618	86.00		
				REFUND-RABIES DEP	20.00
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**86.00**		
FYTD for CATES, JOSHUA			**86.00**		
CATHOLIC CHARITIES					
	5/3/2010	202237	22,820.45		
				CDBG FUNDED SVCS-RNTL ASSIST	5,591.16
				CDBG FUNDED SVCS-RNTL ARREARS	1,189.97
				CDBG FUNDED SVCS-RNTL ASSIST	9,400.32
				CDBG FUNDED SVCS-RNTL ARREARS	6,639.00
	Vendor Total		**22,820.45**		
FYTD for CATHOLIC CHARITIES			**22,820.45**		
CERTIFIED CREDIT REPORTING, INC					
	5/17/2010	202522	77.76		
				CREDIT PROFILE SVCS-EDD	77.76
	Vendor Total		**77.76**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**273.94**		
CHAMBERS, RICHARD J. SR.					
	5/24/2010	202619	233.28		
				REFUND-CITATION OVRPMT	233.28
	Vendor Total		**233.28**		
FYTD for CHAMBERS, RICHARD J. SR.			**233.28**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANCY, CHIZURU					
	5/10/2010	202416	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
	5/24/2010	202620	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	140.40
	Vendor Total		**304.20**		
FYTD for CHANCY, CHIZURU			**1,731.60**		
CHAPMAN, STEVE					
	5/3/2010	202238	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC					
	5/3/2010	202239	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHERRY VALLEY FEED					
	5/3/2010	202240	97.84		
				DOG FOOD-K9 LEX	97.84
	Vendor Total		**97.84**		
FYTD for CHERRY VALLEY FEED			**1,775.68**		
CHI, PHILLIP J.F.					
	5/3/2010	202241	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for CHI, PHILLIP J.F.			**97.60**		
CHICAGO PASTA HOUSE					
	5/3/2010	202242	46.54		
				REFUND-BUS LIC OVRPMT	46.54
	Vendor Total		**46.54**		
FYTD for CHICAGO PASTA HOUSE			**46.54**		
CHRISTIAN, OWEN					
	5/3/2010	880417	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,415.29**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	5/3/2010	202243	41.91		
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
	5/10/2010	202417	202.92		
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	5/17/2010	202524	472.05		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	16.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-FAC MAINT	16.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS CREW	5.85
5/24/2010	202621	111.57		
			UNIFORM RNTL SVC-SIGNAL MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS MAINT	53.01
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-GOLF CRS	5.85
Vendor Total		**828.45**		
FYTD for CINTAS CORPORATION		**7,419.15**		
CITY OF CANYON LAKE				
5/10/2010	202418	35.00		
			LCC-RIV CTY GENERAL MEETING	35.00
Vendor Total		**35.00**		
FYTD for CITY OF CANYON LAKE		**35.00**		
CITY OF CHULA VISTA				
5/3/2010	202244	20.00		
			REGISTRATION-HHW & USED OIL RE	20.00
Vendor Total		**20.00**		
FYTD for CITY OF CHULA VISTA		**20.00**		
CITY OF MORENO VALLEY VEBA TRUST				
5/10/2010	880478	4,100.00		
			EXEMPT VEBA	4,100.00
Vendor Total		**4,100.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**46,262.50**		
COLONIAL SUPPLEMENTAL INSURANCE				
5/24/2010	202622	7,137.63		
			SUPPLEMENTAL INSURANCE	7,137.63
Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**86,191.41**		
COMMERCE ENERGY, INC.				
5/3/2010	202245	43.70		
			REFUND-BUS LIC OVRPMT	43.70
Vendor Total		**43.70**		
FYTD for COMMERCE ENERGY, INC.		**43.70**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY ASSISTANCE PROGRAM - CAP				
5/3/2010	880418	19,887.75		
			CDBG FUNDED SVCS-FOOD DIST	2,490.60
			CDBG FUNDED SVCS-FOOD DIST	2,491.08
			CDBG FUNDED SVCS-FOOD DIST	2,650.01
			CDBG FUNDED SVCS-FOOD DIST	2,361.96
			CDBG FUNDED SVCS-FOOD DIST	2,150.00
			CDBG FUNDED SVCS-FOOD DIST	2,230.85
			CDBG FUNDED SVCS-FOOD DIST	2,233.50
			CDBG FUNDED SVCS-FOOD DIST	3,279.75
5/24/2010	880527	2,201.00		
			CDBG FUNDED SVCS-FOOD DIST	2,201.00
Vendor Total		**22,088.75**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**24,316.85**		
COMMUNITY HEALTH CHARITIES				
5/10/2010	202419	151.47		
			CHC CONTRIBUTIONS	151.47
5/24/2010	202623	151.47		
			CHC CONTRIBUTIONS	151.47
Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES		**8,321.37**		
CONNOLLY, DANAE & PAUL				
5/24/2010	202624	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for CONNOLLY, DANAE & PAUL		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION				
5/24/2010	202625	14,303.11		
			ASPHALTIC MATERIAL	2,982.84
			ASPHALTIC MATERIAL	3,707.35
			ASPHALTIC MATERIAL	4,623.72
			ASPHALTIC MATERIAL	2,989.20
Vendor Total		**14,303.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**14,303.11**		
CONTINUING EDUCATION OF THE BAR				
5/10/2010	202420	295.79		
			LEGAL SUBSCRIPTIONS	152.57
			LEGAL SUBSCRIPTIONS	143.22
5/17/2010	202525	128.10		
			LEGAL SUBSCRIPTIONS	128.10
Vendor Total		**423.89**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,209.76**		

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COSTCO					
	5/3/2010	202246	1,014.20		
				MISC SUPPLIES-SKATE PARK	576.40
				MISC SUPPLIES-STARS	77.06
				MISC SUPPLIES-STARS	49.55
				MISC SUPPLIES-STARS	311.19
	5/10/2010	202421	824.50		
				MISC SUPPLIES-STARS	311.88
				MISC SUPPLIES-STARS	131.77
				MISC SUPPLIES-STARS	93.62
				MISC SUPPLIES-STARS	287.23
	5/17/2010	202526	1,161.87		
				MISC SUPPLIES-CHILDS PLACE	1,161.87
	5/24/2010	202626	1,461.32		
				MISC SUPPLIES-STARS	177.24
				MISC SUPPLIES-STARS	192.29
				MISC SUPPLIES-STARS	67.96
				MISC SUPPLIES-STARS	169.17
				MISC SUPPLIES-STARS	725.23
				MISC SUPPLIES-SKATE PARK	129.43
	Vendor Total		**4,461.89**		
FYTD for COSTCO			**49,783.80**		
COUNTY OF RIVERSIDE-TLMA-GIS					
	5/24/2010	202627	2,090.31		
				INSPECTION SVCS-TRAFFIC SIGNAL	2,090.31
	Vendor Total		**2,090.31**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS			**5,954.87**		
CREATIVE COLOR PRINTING					
	5/3/2010	202247	3,715.99		
				FLYERS-EDD	3,568.00
				FLYERS-EDD	147.99
	Vendor Total		**3,715.99**		
FYTD for CREATIVE COLOR PRINTING			**3,715.99**		
CREATIVE PROMOTIONAL IDEAS					
	5/17/2010	202528	1,234.31		
				WRISTBANDS	1,141.88
				WRISTBANDS	92.43
	Vendor Total		**1,234.31**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**5,603.21**		

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CTAI PACIFIC GREENSCAPE					
	5/24/2010	880528	5,005.11		
				LANDSCAPE MAINT-DSG1W	4,897.13
				LANDSCAPE MAINT-DSG1W	107.98
	Vendor Total		**5,005.11**		
FYTD for CTAI PACIFIC GREENSCAPE			**57,016.18**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	5/3/2010	202248	342.00		
				PERMIT RENEWAL-CELEB PARK	342.00
	Vendor Total		**342.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**31,393.61**		
CURVES FOR WOMEN					
	5/3/2010	202249	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for CURVES FOR WOMEN			**57.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	5/24/2010	202628	745.00		
				DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**8,345.00**		
D S WATERS OF AMERICA, INC.					
	5/3/2010	202250	83.53		
				REFUND-BUS LIC OVRPMT	83.53
	Vendor Total		**83.53**		
FYTD for D S WATERS OF AMERICA, INC.			**83.53**		
DALE, KATHLEEN					
	5/3/2010	880419	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**3,474.13**		

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DATA TICKET, INC.					
	5/3/2010	880420	6,474.53		
				CITATION PRCSSNG-POLICE	4,054.10
				CITATION PRCSSNG-CODE	2,420.43
	5/17/2010	880500	21,703.61		
				CITATION PRCSSNG-CODE	9,209.16
				CITATION PRCSSNG-CODE	12,494.45
	5/24/2010	880529	841.18		
				CITATION PRCSSNG-BLDG & SAFETY	736.18
				CITATION APPLIC MAINT/SUPPORT	105.00
	Vendor Total		**29,019.32**		
FYTD for DATA TICKET, INC.			**184,193.84**		
DATAQUICK CORPORATE HEADQUARTERS					
	5/24/2010	202629	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,335.50**		
DAVLYN INVESTMENTS PROPERTY MANAGEMENT					
	5/24/2010	202630	78.21		
				REFUND-BUS LIC OVRPMT	78.21
	Vendor Total		**78.21**		
FYTD for DAVLYN INVESTMENTS PROPERTY MANAGEMENT			**78.21**		
DEARREADER.COM					
	5/3/2010	202251	600.00		
				SUBSCRIPTION RENEWAL-LIBRARY	600.00
	Vendor Total		**600.00**		
FYTD for DEARREADER.COM			**600.00**		
DEBINAIRE COMPANY					
	5/24/2010	202631	0.00		
				SWITCH RPLCMNT-ANML SVCS	549.19
				SWITCH RPLCMNT-ANML SVCS	-549.19
	Vendor Total		**0.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		
DELTA DENTAL					
	5/10/2010	202422	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**125,278.39**		

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DELTACARE USA					
	5/17/2010	202529	6,369.84		
				EMPLOYEE DENTAL INSURANCE	6,369.84
	Vendor Total		**6,369.84**		
FYTD for DELTACARE USA			**73,646.55**		
DENNIS GRUBB & ASSOCIATES, LLC					
	5/10/2010	880479	5,330.00		
				PLAN REVIEW SVCS-FIRE	5,330.00
	5/24/2010	880530	2,060.00		
				PLAN REVIEW SVCS-FIRE	2,060.00
	Vendor Total		**7,390.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**17,075.00**		
DHA CONSULTING					
	5/3/2010	202252	150.00		
				CONSULTING SVCS-EDD	150.00
	Vendor Total		**150.00**		
FYTD for DHA CONSULTING			**150.00**		
DIRECT CARPET AND FLOORING					
	5/3/2010	202253	30.11		
				REFUND-BUS LIC OVRPMT	30.11
	Vendor Total		**30.11**		
FYTD for DIRECT CARPET AND FLOORING			**30.11**		
DLS LANDSCAPE, INC					
	5/3/2010	202254	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	5/24/2010	202632	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**136,290.00**		
DONAHUE APPRAISAL ASSOCIATES					
	5/10/2010	880480	3,600.00		
				PERRIS BLVD WIDENING PROJ SVCS	3,600.00
	Vendor Total		**3,600.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**65,900.00**		

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DONALD H. MAYNOR					
	5/3/2010	202255	9,375.00		
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
	Vendor Total		**9,375.00**		
FYTD for DONALD H. MAYNOR			**9,375.00**		
DORY, ALLEEN F.					
	5/3/2010	202256	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for DORY, ALLEEN F.			**3,168.67**		
DOUBLE D PIPELINE, INC					
	5/3/2010	202257	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for DOUBLE D PIPELINE, INC			**50.00**		
DUNN, LAURA					
	5/10/2010	202423	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DUNN, LAURA			**716.00**		
DURAN, BLANCA					
	5/10/2010	202424	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	294.00
	Vendor Total		**294.00**		
FYTD for DURAN, BLANCA			**2,520.00**		
E.G. BRENNAN & CO, LLC					
	5/10/2010	880481	139.15		
				MAINT RENEWAL-FOLDING MACHINE	69.58
				MAINT RENEWAL-FOLDING MACHINE	69.57
	Vendor Total		**139.15**		
FYTD for E.G. BRENNAN & CO, LLC			**139.15**		

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E.R. BLOCK PLUMBING & HEATING, INC.					
	5/17/2010	202530	1,442.04		
				BACKFLOW TESTING-TR30319	36.40
				BACKFLOW TESTING-TR22277	532.82
				BACKFLOW TESTING-TR22277	170.00
				BACKFLOW TESTING-TR20941	532.82
				BACKFLOW TESTING-TR20941	170.00
	5/24/2010	202633	582.40		
				BACKFLOW TESTING	582.40
	Vendor Total		**2,024.44**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**31,130.83**		
EASTERN MUNICIPAL WATER DISTRICT					
	5/3/2010	202258	24,079.61		
				WATER CHRGS FOR MARCH	170.25
				WATER CHRGS FOR MARCH	596.48
				WATER CHRGS FOR APRIL	124.11
				WATER CHRGS FOR APRIL	285.38
				WATER CHRGS FOR APRIL	479.33
				WATER CHRGS FOR APRIL	6,177.71
				WATER CHRGS FOR APRIL	1,410.36
				WATER CHRGS FOR APRIL	240.28
				WATER CHRGS FOR APRIL	7,980.62
				WATER CHRGS FOR APRIL	3,003.72
				WATER CHRGS FOR APRIL	3,068.46
				WATER CHRGS FOR APRIL	28.32
				WATER CHRGS FOR APRIL	32.00
				WATER CHRGS FOR APRIL	385.62
				WATER CHRGS FOR APRIL	96.97
	5/10/2010	202425	78.46		
				WATER CHRGS FOR MARCH	78.46
	Vendor Total		**24,158.07**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,038,091.76**		
EASY MONEY EMG					
	5/3/2010	202259	72.50		
				REFUND-BUS LIC OVRPMT	72.50
	Vendor Total		**72.50**		
FYTD for EASY MONEY EMG			**72.50**		
EBSCO SUBSCRIPTION SERVICE					
	5/3/2010	202260	3,789.13		
				SUBSCRIPTIONS RENEWALS-LIBRARY	3,784.18
				SUBSCRIPTIONS RENEWALS-LIBRARY	4.95
	Vendor Total		**3,789.13**		
FYTD for EBSCO SUBSCRIPTION SERVICE			**3,789.13**		

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EDGELANE MOBILE PARK					
	5/24/2010	880531	10.00		
				REFUND-UT USER TAXES	10.00
	Vendor Total		**10.00**		
FYTD for EDGELANE MOBILE PARK			**109.17**		
EGGERSTEN, ANNE					
	5/3/2010	202261	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**3,143.83**		
ELITE COURT REPORTING					
	5/3/2010	202262	247.50		
				TRANSCRIPTION SVCS	247.50
	Vendor Total		**247.50**		
FYTD for ELITE COURT REPORTING			**909.80**		
EVANS ENGRAVING & AWARDS					
	5/10/2010	880482	16.32		
				ENGRAVING SVCS-PD	16.32
	5/17/2010	880501	97.88		
				ENGRAVING SVCS-POLICE	97.88
	Vendor Total		**114.20**		
FYTD for EVANS ENGRAVING & AWARDS			**1,854.26**		
EWING IRRIGATION PRODUCTS, INC.					
	5/10/2010	202427	363.82		
				IRRIGATION SUPPLIES	49.57
				IRRIGATION SUPPLIES	314.25
	5/17/2010	202533	290.92		
				IRRIGATION SUPPLIES	102.26
				IRRIGATION SUPPLIES	12.02
				IRRIGATION SUPPLIES	70.85
				IRRIGATION SUPPLIES	105.79
	5/24/2010	202636	1,516.86		
				IRRIGATION SUPPLIES	1,449.31
				IRRIGATION SUPPLIES	4.15
				IRRIGATION SUPPLIES	63.40
	Vendor Total		**2,171.60**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**15,584.55**		

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EXCEL LANDSCAPE, INC					
	5/17/2010	202534	2,666.81		
				LANDSCAPE MAINT-E7	2,666.81
	5/24/2010	202637	9,922.41		
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	3,889.00
	Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC			**217,737.60**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	5/3/2010	880421	5,772.34		
				CDBG FUNDED SVCS-MEDIATION PRG	5,772.34
	Vendor Total		**5,772.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**48,715.14**		
FANNING, JEFFREY DEAN					
	5/24/2010	202638	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FANNING, JEFFREY DEAN			**874.00**		
FASHION BLINDS USA					
	5/3/2010	202263	57.87		
				REFUND-BUS LIC OVRPMT	57.87
	Vendor Total		**57.87**		
FYTD for FASHION BLINDS USA			**57.87**		
FEDERAL EXPRESS					
	5/3/2010	202264	18.08		
				EXPRESS MAILING SVC-SR60/NASON	18.08
	Vendor Total		**18.08**		
FYTD for FEDERAL EXPRESS			**140.08**		
FEENSTRA, JOHN					
	5/3/2010	880422	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		

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FERNANDEZ, NOEMI					
	5/3/2010	202265	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for FERNANDEZ, NOEMI			**95.00**		
FINESSE PERSONNEL ASSOCIATES					
	5/3/2010	202266	1,390.77		
				TEMP SVCS-BECKNER W/E 4/24	1,390.77
	5/17/2010	202535	4,248.64		
				TEMP SVCS-NELSON W/E 4/10	631.80
				TEMP SVCS-NELSON W/E 4/24	874.80
				TEMP SVCS-BECKNER W/E 5/1	1,867.24
				TEMP SVCS-NELSON W/E 5/1	874.80
	5/24/2010	202639	3,850.37		
				TEMP SVCS-BECKNER W/E 5/8	1,957.38
				TEMP SVCS-BECKNER W/E 5/15	1,892.99
	Vendor Total		**9,489.78**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**25,878.64**		
FINNERTY, MICHAEL					
	5/3/2010	202267	119.98		
				REFUND-BUS LIC OVRPMT	119.98
	Vendor Total		**119.98**		
FYTD for FINNERTY, MICHAEL			**119.98**		
FIRST AMERICAN CORE LOGIC, INC.					
	5/24/2010	202640	730.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	475.00
				ONLINE PROP INFO-EDD	170.00
	Vendor Total		**730.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**5,210.00**		
FIRST CHOICE SERVICES					
	5/17/2010	880502	93.57		
				COFFEE SVCS-EMP PAID	93.57
	5/24/2010	880532	655.31		
				COFFEE SVCS-EMP PAID	230.43
				COFFEE SVCS-EMP PAID	64.28
				COFFEE SVCS-EMP PAID	181.74
				COFFEE SVCS-EMP PAID	116.95
				COFFEE SVCS-EMP PAID	61.91
	Vendor Total		**748.88**		
FYTD for FIRST CHOICE SERVICES			**8,946.20**		

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FITNESS 19 CA 155 11C				
5/24/2010	202641	281.00		
			GYM MEMBERSHIP DEDUCTIONS	281.00
Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C		**3,196.00**		
FLYTECH PEST CONTROL				
5/3/2010	202268	78.92		
			REFUND-BUS LIC OVRPMT	78.92
Vendor Total		**78.92**		
FYTD for FLYTECH PEST CONTROL		**78.92**		
FONSECA, CYNTHIA				
5/24/2010	202642	64.00		
			REFUND-PICNIC SHLTR FEE	64.00
Vendor Total		**64.00**		
FYTD for FONSECA, CYNTHIA		**64.00**		
FOREST WOOD FIBER, INC.				
5/10/2010	202428	4,100.90		
			PLAYGROUND FIBER-PARKS	2,594.20
			PLAYGROUND FIBER-PARKS	1,506.70
5/17/2010	202536	3,013.40		
			PLAYGROUND FIBER-PARKS	1,506.70
			PLAYGROUND FIBER-PARKS	1,392.40
			PLAYGROUND FIBER-PARKS	114.30
Vendor Total		**7,114.30**		
FYTD for FOREST WOOD FIBER, INC.		**7,114.30**		
FORTNEY, YVETTE				
5/17/2010	202537	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for FORTNEY, YVETTE		**75.00**		
FOSTER, JAMES BARRY				
5/10/2010	202429	192.00		
			PER DIEM-ICSC RECON CONF.	192.00
5/17/2010	202538	117.58		
			ICSC MONTEREY 3/16-3/17/10	117.58
Vendor Total		**309.58**		
FYTD for FOSTER, JAMES BARRY		**735.73**		

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FOSTER, NANCY A.					
	5/3/2010	202269	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,581.09**		
FOX, ALLAN					
	5/3/2010	202270	40.00		
				REFUND-RABIES DEP	20.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**40.00**		
FYTD for FOX, ALLAN			**115.00**		
FRANCHISE TAX BOARD					
	5/10/2010	202430	334.54		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	27.23
				GARNISHMENT	244.81
	5/24/2010	202643	100.00		
				REFUND-CITATION OVRPMT	100.00
	5/24/2010	202644	51.90		
				GARNISHMENT	51.90
	5/24/2010	202645	62.50		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
	Vendor Total		**548.94**		
FYTD for FRANCHISE TAX BOARD			**12,090.03**		
FRANKLIN, L. C.					
	5/10/2010	202431	187.00		
				MILEAGE REIMBURSEMENT	187.00
	5/17/2010	202539	65.94		
				REIMB FOR CHARGES PAID	65.94
	Vendor Total		**252.94**		
FYTD for FRANKLIN, L. C.			**1,701.64**		
FREEMAN, SHANIKQUA					
	5/10/2010	202432	384.00		
				PER DIEM-ICSC RECON CONF.	384.00
	Vendor Total		**384.00**		
FYTD for FREEMAN, SHANIKQUA			**1,300.07**		

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FRIENDS OF THE SENIOR CENTER					
	5/24/2010	202646	5,000.00		
				CDBG FUNDED SVCS-SR TRANSP	5,000.00
	Vendor Total		**5,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER			**40,000.00**		
FROST, JOAN CHENG					
	5/3/2010	202271	266.00		
				INSTRUCTION SVCS-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**1,444.00**		
FULBRIGHT & JAWORSKI, L.L.P.					
	5/17/2010	202541	7,324.36		
				LEGAL SVCS-UTILITIES	7,324.36
	Vendor Total		**7,324.36**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.			**219,824.44**		
G & G PLUMBING					
	5/3/2010	202272	56.50		
				REFUND-BUS LIC OVRPMT	56.50
	Vendor Total		**56.50**		
FYTD for G & G PLUMBING			**56.50**		
GARCIA, EFREN					
	5/10/2010	202433	20.00		
				REFUND-FIELD RNTL FEE	20.00
	Vendor Total		**20.00**		
FYTD for GARCIA, EFREN			**20.00**		
GASTON, RICHARD					
	5/3/2010	880423	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				
5/3/2010	880424	1,062.30		
			SECURITY SVCS-LIBRARY	586.76
			SECURITY SVCS-TOWNGATE	122.72
			SECURITY SVCS-TOWNGATE	76.70
			SECURITY SVCS-CONF & REC CTR	276.12
5/10/2010	880483	613.60		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/17/2010	880503	279.96		
			SECURITY SVCS-CONF & REC CTR	279.96
5/24/2010	880533	997.10		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-MV UTILITY ANNX	276.12
			SECURITY SVCS-RNTL 4/17 TOWNGT	107.38
	Vendor Total	**2,952.96**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,720.91**		
GENERAL UNDERGROUND FIRE PROTECTION, INC				
5/3/2010	202273	50.00		
			REFUND-BUS LIC OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for GENERAL UNDERGROUND FIRE PROTECTION, INC		**50.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
5/24/2010	880534	504.50		
			LEGAL SVCS	504.50
	Vendor Total	**504.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**145,105.59**		
GINA'S AUTO SERVICE				
5/3/2010	202274	115.01		
			REFUND-BUS LIC OVRPMT	115.01
	Vendor Total	**115.01**		
FYTD for GINA'S AUTO SERVICE		**115.01**		
GONG ENTERPRISES, INC.				
5/17/2010	202542	4,000.00		
			PLAN CHECK SVCS-PA090043	2,000.00
			PLAN CHECK SVCS-PM32215	1,000.00
			PLAN CHECK SVCS-PM35629	1,000.00
	Vendor Total	**4,000.00**		
FYTD for GONG ENTERPRISES, INC.		**12,614.50**		

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GOZDECKI, DAN					
	5/10/2010	880484	918.00		
				INSTRUCTOR SVCS-KUNG FU	486.00
				INSTRUCTOR SVCS-KUNG FU	432.00
	Vendor Total		**918.00**		
FYTD for GOZDECKI, DAN			**7,209.00**		
GRAFFITI TRACKER, INC.					
	5/24/2010	880535	8,000.00		
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	1,000.00
				GRAFFITI TRACK SVCS-CODE	3,000.00
	Vendor Total		**8,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**36,340.00**		
GRANICUS, INC.					
	5/24/2010	202648	1,525.22		
				MANAGED SVC-PODCASTING	130.00
				MANAGED SVC-VIDEO STREAMING	45.22
				MANAGED SVC-VIDEO STREAMING	1,350.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**15,867.42**		
GREATER ALARM CO.					
	5/3/2010	202275	46.40		
				REFUND-BUS LIC OVRPMT	46.40
	Vendor Total		**46.40**		
FYTD for GREATER ALARM CO.			**46.40**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	5/3/2010	202276	80.40		
				LEGAL SVCS-RISK MGT	80.40
	Vendor Total		**80.40**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,272.49**		
GRIFFIN, MARLENE C					
	5/3/2010	880425	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,742.41**		

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GUARD SYSTEMS, INC.					
	5/3/2010	202277	37.40		
				REFUND-BUS LIC OVRPMT	37.40
	Vendor Total		**37.40**		
FYTD for GUARD SYSTEMS, INC.			**37.40**		
GUILLAN, REBECCA S.					
	5/3/2010	202278	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,370.97**		
GUILLIS, LINDA B.					
	5/3/2010	202279	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,506.03**		
GULU, MARGARET & NICK					
	5/17/2010	202543	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for GULU, MARGARET & NICK			**95.00**		
GUTIERREZ, ROBERT					
	5/3/2010	202280	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**2,211.63**		
GUZMAN'S CART SERVICE					
	5/17/2010	880504	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
H P COMMUNICATIONS, INC					
	5/10/2010	202434	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for H P COMMUNICATIONS, INC			**25.00**		

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HAAKER EQUIPMENT COMPANY					
	5/10/2010	202435	45.43		
				MISC PARTS-ANML SVCS	45.43
	Vendor Total		**45.43**		
FYTD for HAAKER EQUIPMENT COMPANY			**329.86**		
HAIR SHACK					
	5/3/2010	202281	111.75		
				REFUND-BUS LIC OVRPMT	111.75
	Vendor Total		**111.75**		
FYTD for HAIR SHACK			**111.75**		
HALL, ANTHONY					
	5/10/2010	202436	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for HALL, ANTHONY			**95.00**		
HAMLIN, WILLIAM R.					
	5/3/2010	880426	0.00		
				RETIREE MEDICAL BENEFIT	315.59
				RETIREE MEDICAL BENEFIT	-315.59
	5/10/2010	202504	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,553.63**		
HANES, MARTIN D.					
	5/3/2010	880427	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HARDING, JOHN S.					
	5/3/2010	202282	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HATFIELD, CHARLES					
	5/3/2010	202284	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,868.58**		

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HATZL-PATTERSON, NINA MICHELE				
5/10/2010	202437	624.61		
			TRAVEL EXP-ICSC RECON CONF.	240.61
			TRAVEL EXP-ICSC RECON CONF.	384.00
	Vendor Total	**624.61**		
FYTD for HATZL-PATTERSON, NINA MICHELE		**876.61**		
HAUSER, ADRIANA				
5/24/2010	202649	532.00		
			INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total	**532.00**		
FYTD for HAUSER, ADRIANA		**3,838.00**		
HEERY INTERNATIONAL, INC.				
5/24/2010	880536	9,728.00		
			NEW MAIN LIBRARY PROJ SVCS	9,728.00
	Vendor Total	**9,728.00**		
FYTD for HEERY INTERNATIONAL, INC.		**224,780.75**		
HEFFLEY, ROSS W.				
5/3/2010	880428	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HEFFLEY, ROSS W.		**2,868.58**		
HEMPY, STEPHANIE				
5/17/2010	202544	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for HEMPY, STEPHANIE		**20.00**		
HERRICK, ROBERT D.				
5/3/2010	202285	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HERRICK, ROBERT D.		**3,506.03**		
HETHERMAN, ANTHONY CHRISTOPHER				
5/17/2010	202595	78.27		
			MILEAGE REIMB-IRRIG DESIGN TRN	78.27
	Vendor Total	**78.27**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER		**153.07**		

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HODGE, MICHAEL & KALEIGH				
5/10/2010	202438	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HODGE, MICHAEL & KALEIGH		**20.00**		
HOLTHAUS, ARIEALL				
5/17/2010	202545	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for HOLTHAUS, ARIEALL		**75.00**		
HOMESITE SERVICES, INC				
5/3/2010	202286	82.00		
			REFUND-BUS LIC OVRPMT	82.00
Vendor Total		**82.00**		
FYTD for HOMESITE SERVICES, INC		**82.00**		
HOUSER, EDITH E.				
5/3/2010	202287	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,506.03**		
HOWELL, LORRAINE				
5/17/2010	202546	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HOWELL, LORRAINE		**20.00**		
ICMA RETIREMENT CORP 457				
5/7/2010	2632	12,410.37		
			DEF COMP 457 05/07/10	12,410.37
5/21/2010	2640	12,410.37		
			DEF COMP 457 05/21/10	12,410.37
Vendor Total		**24,820.74**		
FYTD for ICMA RETIREMENT CORP 457		**336,405.55**		
IDEARC MEDIA SALES - WEST, INC.				
5/3/2010	202288	73.18		
			REFUND-BUS LIC OVRPMT	73.18
Vendor Total		**73.18**		
FYTD for IDEARC MEDIA SALES - WEST, INC.		**73.18**		

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IKON PROPERTIES & INVESTMENTS					
	5/3/2010	202289	69.71		
				REFUND-BUS LIC OVRPMT	69.71
	Vendor Total		**69.71**		
FYTD for IKON PROPERTIES & INVESTMENTS			**69.71**		
IL SORRENTO MOBILE PARK					
	5/10/2010	202439	130.36		
				REFUND-UT USER TAXES	130.36
	Vendor Total		**130.36**		
FYTD for IL SORRENTO MOBILE PARK			**1,806.67**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	5/10/2010	202440	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**5,225.00**		
INLAND EMPIRE COURT SERVICES					
	5/3/2010	202290	22.93		
				REFUND-BUS LIC OVRPMT	22.93
	Vendor Total		**22.93**		
FYTD for INLAND EMPIRE COURT SERVICES			**22.93**		
INLAND EMPIRE LANDSCAPE, INC					
	5/3/2010	202291	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for INLAND EMPIRE LANDSCAPE, INC			**81.00**		
INLAND EMPIRE PROPERTY SERVICE, INC					
	5/3/2010	880429	535.00		
				NUISANCE ABTMNT SVCS-DEBRA WAY	283.00
				NUISANCE ABTMNT SVCS-PETEDYE	252.00
	5/10/2010	880485	1,320.00		
				NUISANCE ABTMNT SVCS-CODE	283.00
				WEED ABTMNT SVCS-PARKS	1,037.00
	5/24/2010	880537	82.00		
				NUISANCE ABMNT SVC-260391002	82.00
	Vendor Total		**1,937.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC			**77,374.10**		

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INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
5/3/2010	202292	10,000.00		
			BUSINESS COUNSELING SVCS	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**40,000.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC				
5/17/2010	880507	2,271.15		
			FUEL TANK SVC-FS #2	718.42
			FUEL TANK SVC-FS #48	454.14
			FUEL TANK SVC-FS #65	658.59
			FUEL TANK SVC-FS #91	440.00
Vendor Total		**2,271.15**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**3,444.04**		
INLAND TAN				
5/3/2010	202293	83.53		
			REFUND-BUS LIC OVRPMT	83.53
Vendor Total		**83.53**		
FYTD for INLAND TAN		**83.53**		
INSIDE PLANTS, INC.				
5/24/2010	880538	316.00		
			PLANT MAINT-CONF & REC CTR	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,476.00**		
INTERNATIONAL AUTO CRAFTERS				
5/10/2010	202441	687.50		
			TOWING SERVICE	687.50
Vendor Total		**687.50**		
FYTD for INTERNATIONAL AUTO CRAFTERS		**687.50**		
ISG THERMAL SYSTEMS USA, INC				
5/10/2010	202442	1,471.26		
			THERMAL IMAGING RPR-PD	1,471.26
			THERMAL IMAGING RPR-SALES TAX	81.49
			THERMAL IMAGING RPR-SALES TAX	-81.49
Vendor Total		**1,471.26**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**2,436.15**		

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ISLAND WAVE PRODUCTION: DJ LETI					
	5/3/2010	202294	33.61		
				REFUND-BUS LIC OVRPMT	33.61
	Vendor Total		**33.61**		
FYTD for ISLAND WAVE PRODUCTION: DJ LETI			**33.61**		
ISS SWEEPING, INC.					
	5/17/2010	880508	2,265.70		
				STREET SWEEPING SVCS	1,545.70
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**25,816.10**		
J A M FIRE PROTECTION					
	5/3/2010	202295	21.00		
				REFUND-BUS LIC OVRPMT	21.00
	Vendor Total		**21.00**		
FYTD for J A M FIRE PROTECTION			**21.00**		
JAECH, JESSI					
	5/3/2010	202296	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JAECH, JESSI			**75.00**		
JDEDGE SOFTWARE, LLC					
	5/3/2010	880430	6,605.00		
				CONSULTING SVCS	6,605.00
	5/24/2010	880539	3,775.00		
				CONSULTING SVCS	3,775.00
	Vendor Total		**10,380.00**		
FYTD for JDEDGE SOFTWARE, LLC			**117,077.68**		
JOE A. GONSALVES & SON					
	5/17/2010	880509	3,150.00		
				REPRESENTATION SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**31,500.00**		
JOHNSON, DELIA					
	5/24/2010	202650	144.00		
				INSTRUCTOR SVCS-AEROBICS	144.00
	Vendor Total		**144.00**		
FYTD for JOHNSON, DELIA			**576.00**		

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JONES, SUSAN					
	5/3/2010	880431	0.00		
				RETIREE MEDICAL BENEFIT	318.73
				RETIREE MEDICAL BENEFIT	-318.73
	5/26/2010	880558	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, GARY					
	5/17/2010	202547	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for JORDAN, GARY			**50.00**		
JURY, KARRIE OR BRICE					
	5/24/2010	202651	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for JURY, KARRIE OR BRICE			**30.00**		
K HOVNANIAN'S PARKSIDE AT TOWNGATE					
	5/10/2010	202443	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for K HOVNANIAN'S PARKSIDE AT TOWNGATE			**57.00**		
KANOV, LORI					
	5/24/2010	202652	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for KANOV, LORI			**114.00**		
KELLEY'S UNDERGROUND CONSTRUCTION					
	5/3/2010	202297	31.24		
				REFUND-BUS LIC OVRPMT	31.24
	Vendor Total		**31.24**		
FYTD for KELLEY'S UNDERGROUND CONSTRUCTION			**31.24**		
KELLY, SHEILA					
	5/10/2010	202444	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KELLY, SHEILA			**50.00**		

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KEPLER, JANELLE					
	5/17/2010	202548	51.50		
				MILEAGE REIMBURSEMENT	19.00
				MILEAGE REIMBURSEMENT	32.50
	Vendor Total		**51.50**		
FYTD for KEPLER, JANELLE			**247.65**		
KHAN, SHAFIQUL					
	5/17/2010	202549	183.00		
				REFUND-CITATION FEE	183.00
	Vendor Total		**183.00**		
FYTD for KHAN, SHAFIQUL			**479.00**		
KING, PATRICIA A.					
	5/3/2010	202298	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,868.58**		
KOLB, CHARLES E.					
	5/3/2010	880432	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE					
	5/3/2010	202299	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,593.65**		
KYLE, GARY M.					
	5/3/2010	880433	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,868.58**		
LA FUENTE RESTAURANT #5					
	5/3/2010	202300	78.94		
				REFUND-BUS LIC OVRPMT	78.94
	Vendor Total		**78.94**		
FYTD for LA FUENTE RESTAURANT #5			**78.94**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LAFATA, JOSEPHINE					
	5/3/2010	880434	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,474.13**		
LAMB, LINDA					
	5/10/2010	202445	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for LAMB, LINDA			**30.00**		
LANG, TRACEY					
	5/3/2010	202301	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for LANG, TRACEY			**722.00**		
LANGENDORF, BENJAMIN					
	5/3/2010	202302	111.61		
				RETIREE MEDICAL BENEFIT	111.61
	Vendor Total		**111.61**		
FYTD for LANGENDORF, BENJAMIN			**2,980.18**		
LAW ENFORCEMENT APPRECIATION COMMITTEE					
	5/20/2010	202599	50.00		
				APPREC. DINNER/AWARDS CEREMONY	50.00
	Vendor Total		**50.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**50.00**		
LAWYERS TITLE INC					
	5/17/2010	202550	450.00		
				PRELIM RPT-MORRISON PK FIRE ST	450.00
	Vendor Total		**450.00**		
FYTD for LAWYERS TITLE INC			**212,300.50**		
LE FEVER MATTSON PROPERTY MGMT					
	5/3/2010	202303	23.30		
				REFUND-BUS LIC OVRPMT	23.30
	Vendor Total		**23.30**		
FYTD for LE FEVER MATTSON PROPERTY MGMT			**23.30**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LEADING EDGE LEARNING CENTER				
5/24/2010	202653	264.00		
			INSTRUCTOR SVCS-LEADERSHIP ACA	66.00
			INSTRUCTOR SVCS-ESL	198.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**264.00**		
LEIGHTON CONSULTING, INC.				
5/10/2010	880486	10,520.00		
			LASSELLE ST WIDENING PROJ SVCS	10,520.00
	Vendor Total	**10,520.00**		
FYTD for LEIGHTON CONSULTING, INC.		**83,366.64**		
LENNY'S AUTO REPAIR				
5/3/2010	202304	73.79		
			REFUND-BUS LIC OVRPMT	73.79
	Vendor Total	**73.79**		
FYTD for LENNY'S AUTO REPAIR		**73.79**		
LEWIS, CAROLYN S.				
5/3/2010	880435	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for LEWIS, CAROLYN S.		**3,470.89**		
LEWIS, DOROTHY				
5/3/2010	202305	16.00		
			REFUND-ANML LICENSE FEE	16.00
	Vendor Total	**16.00**		
FYTD for LEWIS, DOROTHY		**16.00**		
LEWIS-SCOTT, CLAUDETTE				
5/3/2010	202306	86.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for LEWIS-SCOTT, CLAUDETTE		**86.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LIEBERT, CASSIDY, WHITMORE					
	5/3/2010	202307	175.00		
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
	Vendor Total		**175.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,694.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	5/3/2010	202308	2,056.59		
				INDIAN BASIN IMPRVMNTS PROJ	2,056.59
	5/24/2010	202654	913.01		
				PERRIS BL WIDENING FROM RAM XP	913.01
	Vendor Total		**2,969.60**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**558,770.97**		
LINDO, HERMINA G.					
	5/3/2010	880436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LINDO, HERMINA G.			**3,060.17**		
LOGAN, CHARLES					
	5/3/2010	880437	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,727.34**		
LOR GEOTECHNICAL GROUP, INC.					
	5/24/2010	880540	950.00		
				VOUGHT ST SIDEWALK IMPRVMNTS	135.00
				TEMCO ST SIDEWALK IMPRVMNTS	815.00
	Vendor Total		**950.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**64,021.60**		
LUMLEY, ROBERT C.					
	5/3/2010	880438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	5/3/2010	880439	12,824.00		
				CDBG FUNDED SVCS-SECURITY DEPO	7,000.00
				CDBG FUNDED SVCS-SECURITY DEPO	324.00
				CDBG FUNDED SVCS-UTILITY ASSIS	5,000.00
				CDBG FUNDED SVCS-UTILITY ASSIS	500.00
	Vendor Total		**12,824.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**57,138.00**		
LYNCH. PATRICK					
	5/10/2010	202446	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for LYNCH. PATRICK			**260.00**		
MACHUCA, ALICIA					
	5/3/2010	202309	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MACHUCA, ALICIA			**75.00**		
MAGANA, OLGA					
	5/17/2010	202551	200.00		
				REFUND-RNTL DEP 4/17	200.00
	Vendor Total		**200.00**		
FYTD for MAGANA, OLGA			**200.00**		
MAGANA'S AUTO UPHOLSTERY & FURNITURE					
	5/3/2010	202310	35.74		
				REFUND-BUS LIC OVRPMT	35.74
	Vendor Total		**35.74**		
FYTD for MAGANA'S AUTO UPHOLSTERY & FURNITURE			**35.74**		
MANCILLA, MARIA					
	5/24/2010	202655	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MANCILLA, MARIA			**50.00**		
MARCH JOINT POWERS AUTHORITY					
	5/17/2010	202552	6.22		
				GAS CHARGES-MARCH FIELD	5.08
				GAS CHARGES-MARCH FIELD	1.14
	Vendor Total		**6.22**		
FYTD for MARCH JOINT POWERS AUTHORITY			**68.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MARK BEAMISH WATERPROOFING, INC.					
	5/3/2010	202311	126.74		
				REFUND-BUS LIC OVRPMT	126.74
	Vendor Total		**126.74**		
FYTD for MARK BEAMISH WATERPROOFING, INC.			**213.74**		
MARKETEKS 2410943					
	5/17/2010	202553	11,740.00		
				INFLATABLE LIGHT TOWERS-PD	11,400.00
				INFLATABLE LIGHT TOWERS-TAX	997.50
				INFLATABLE LIGHT TOWERS-SHIPPI	340.00
				INFLATABLE LIGHT TOWERS-USED T	-997.50
	Vendor Total		**11,740.00**		
FYTD for MARKETEKS 2410943			**27,475.00**		
MARTIAL ARTS INTERNATIONAL, USKO					
	5/10/2010	202447	168.00		
				INSTRUCTOR SVCS-KICKBOXING	112.00
				INSTRUCTOR SVCS-BOXING	56.00
	Vendor Total		**168.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**560.00**		
MASONITE CORPORATION					
	5/24/2010	202656	90.00		
				REFUND-FALSE ALARM FEE	90.00
	Vendor Total		**90.00**		
FYTD for MASONITE CORPORATION			**90.00**		
MATHIS, NOLAN					
	5/3/2010	202312	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**3,196.80**		
MATICH CORPORATION					
	5/24/2010	880541	21,227.37		
				ASPHALTIC MATERIAL	7,876.84
				ASPHALTIC MATERIAL	9,256.92
				ASPHALTIC MATERIAL	2,795.83
				ASPHALTIC MATERIAL	1,297.78
	Vendor Total		**21,227.37**		
FYTD for MATICH CORPORATION			**56,951.72**		

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MAXINOSKI, SUE A.					
	5/3/2010	880440	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.					
	5/24/2010	202657	13,560.00		
				AUDITING SVC-CITY	7,280.00
				AUDITING SVC-SINGLE	757.00
				AUDITING SVC-CITY	3,417.00
				AUDITING SVC-RDA	1,404.00
				AUDITING SVC-RDA	702.00
	Vendor Total		**13,560.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		
MCCULLUM, ADRIAN					
	5/24/2010	202658	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MCCULLUM, ADRIAN			**50.00**		
MCDONOUGH, HOLLAND & ALLEN					
	5/24/2010	202659	6.36		
				LEGAL SVCS	6.36
	Vendor Total		**6.36**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,993.56**		
MELAD & ASSOCIATES					
	5/3/2010	202314	2,751.46		
				PLAN CHECK SERVICES	2,751.46
	Vendor Total		**2,751.46**		
FYTD for MELAD & ASSOCIATES			**41,130.82**		
MENDOZA, BRUNO					
	5/17/2010	202554	41.00		
				REFUND-ANML LIC FEE	41.00
	Vendor Total		**41.00**		
FYTD for MENDOZA, BRUNO			**41.00**		
MENGISTU, YESHIALEM					
	5/17/2010	202555	123.00		
				MILEAGE REIMBURSEMENT	123.00
	Vendor Total		**123.00**		
FYTD for MENGISTU, YESHIALEM			**1,118.55**		

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MESSIN, LOUIS					
	5/3/2010	880441	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,868.58**		
MILES, ROBERT					
	5/3/2010	880442	0.00		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	-194.53
	5/12/2010	880496	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,415.29**		
MINARD, MARK E.					
	5/3/2010	880443	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**3,294.68**		
MIRACLE PLAYGROUND SALES					
	5/10/2010	880487	942.20		
				PLAYGROUND EQUIP PARTS	942.20
	Vendor Total		**942.20**		
FYTD for MIRACLE PLAYGROUND SALES			**33,148.29**		
MISSION PAVING AND SEALING, INC					
	5/3/2010	202315	42.21		
				REFUND-BUS LIC OVRPMT	42.21
	Vendor Total		**42.21**		
FYTD for MISSION PAVING AND SEALING, INC			**42.21**		
MOLLICA, MIKE					
	5/3/2010	880444	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,612.79**		
MORA, PATRICIA A.					
	5/3/2010	202395	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORALES, KAREN R.				
5/24/2010	202660	30.99		
			TRAVEL EXP-INFOPEOPLE WORKSHOP	23.50
			TRAVEL EXP-INFOPEOPLE WORKSHOP	7.49
Vendor Total		**30.99**		
FYTD for MORALES, KAREN R.		**30.99**		
MORENO JANITORIAL				
5/3/2010	202316	62.75		
			REFUND-BUS LIC OVRPMT	62.75
Vendor Total		**62.75**		
FYTD for MORENO JANITORIAL		**62.75**		
MORENO VALLEY CHAMBER OF COMMERCE				
5/10/2010	202448	25.00		
			STUDENT OF THE YEAR DINNER	25.00
5/17/2010	202556	105.00		
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
Vendor Total		**130.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,230.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
5/7/2010	2631	1,579.00		
			MVCEA DUES 05/07/10	1,579.00
5/21/2010	2639	1,579.00		
			MVCEA DUES 05/21/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**38,011.50**		
MORENO VALLEY CONSTRUCTION				
5/3/2010	202317	54.25		
			REFUND-BUS LIC OVRPMT	54.25
Vendor Total		**54.25**		
FYTD for MORENO VALLEY CONSTRUCTION		**54.25**		

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MORENO VALLEY GATEWAY, LLC					
	5/24/2010	880542	7,934.87		
				LEASE-FAC ANNEX BLDG	2,458.97
				LEASE-TECH SVCS ANNEX BLDG	5,475.90
	5/26/2010	880559	13,158.56		
				LEASE-SPCL DIST ANNEX BLDG	13,158.56
	Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC			**232,027.73**		
MORENO VALLEY HISPANIC CHAMBER					
	5/24/2010	202661	100.00		
				REFUND-RNTL DEP 5/8	100.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER			**343.50**		
MORENO VALLEY UTILITY					
	5/24/2010	202662	79.80		
				ELECTRIC SVC-UT FLD OFFICE	79.80
	Vendor Total		**79.80**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MORENO, DIANA					
	5/10/2010	202449	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for MORENO, DIANA			**260.00**		
MORGAN, LISA A.					
	5/3/2010	880446	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,506.03**		
MR. CLEAN, INC.					
	5/3/2010	202318	200.00		
				PRESSURE WASHING SERVICE	200.00
	Vendor Total		**200.00**		
FYTD for MR. CLEAN, INC.			**1,533.41**		
MYSTIK CARPET					
	5/3/2010	202319	48.99		
				REFUND-BUS LIC OVRPMT	48.99
	Vendor Total		**48.99**		
FYTD for MYSTIK CARPET			**48.99**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NADINE THOMAS					
	5/24/2010	202663	19,053.72		
				RENTAL ASSIST PMT-IRONWOOD PRJ	19,053.72
	5/24/2010	202664	1,650.00		
				RESIDENTIAL MOVING PMT	1,650.00
	Vendor Total		**20,703.72**		
FYTD for NADINE THOMAS			**20,703.72**		
NARA, LOWELON					
	5/10/2010	202450	82.00		
				MILEAGE REIMBURSEMENT	82.00
	Vendor Total		**82.00**		
FYTD for NARA, LOWELON			**437.05**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.					
	5/24/2010	202665	157.37		
				FORENSIC SUPPLIES-PD	146.81
				FORENSIC SUPPLIES-SHIPPING	22.37
				FORENSIC SUPPLIES-USED TAX	-11.81
	Vendor Total		**157.37**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**989.36**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/7/2010	2629	12,812.44		
				PST DEF COMP FOR FICA 05/07/10	12,812.44
	5/7/2010	2630	23,534.81		
				DEF COMP 457 & 401(A) 05/07/10	23,534.81
	5/21/2010	2637	12,792.15		
				PST DEF COMP FOR FICA 05/21/10	12,792.15
	Vendor Total		**49,139.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVARRETTE, RALPH					
	5/3/2010	202320	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,593.65**		
NELSON PAVING					
	5/3/2010	202321	6,381.79		
				INSTALL SPEED HUMP-SUPERIOR AV	6,381.79
	5/17/2010	202558	4,523.00		
				PARKING LOT RPRS-SENIOR CTR	4,523.00
	Vendor Total		**10,904.79**		
FYTD for NELSON PAVING			**21,068.39**		

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NELSON, CHRIS					
	5/24/2010	202666	25.00		
				REFUND-LOST BOOK FEE	25.00
	Vendor Total		**25.00**		
FYTD for NELSON, CHRIS			**25.00**		
NELSON, ROBERT					
	5/3/2010	202322	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,742.41**		
NELSON, RUTH L.					
	5/3/2010	880447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S					
	5/3/2010	202323	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW VISION CHILDREN'S SERVICES					
	5/3/2010	202324	200.00		
				REFUND-RNTL DEP 4/12	200.00
	Vendor Total		**200.00**		
FYTD for NEW VISION CHILDREN'S SERVICES			**200.00**		
NGUYEN, QUANG					
	5/17/2010	202597	68.00		
				MILEAGE REIMBURSEMENT	68.00
	Vendor Total		**68.00**		
FYTD for NGUYEN, QUANG			**332.55**		
NICKS, KRISTIN					
	5/10/2010	202451	52.00		
				REFUND-REGIST FEE	52.00
	Vendor Total		**52.00**		
FYTD for NICKS, KRISTIN			**52.00**		

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NIEBURGER, JUDITH A.					
	5/3/2010	202325	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIETO, ANTHONY					
	5/17/2010	202559	30.00		
				REFUND-ADOPTION FEE	30.00
	Vendor Total		**30.00**		
FYTD for NIETO, ANTHONY			**30.00**		
NUNEZ MOBILE REPAIR					
	5/3/2010	202326	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for NUNEZ MOBILE REPAIR			**57.00**		
NUTRITIONAL MERCHANDISE					
	5/3/2010	202327	84.15		
				REFUND-BUS LIC OVRPMT	84.15
	Vendor Total		**84.15**		
FYTD for NUTRITIONAL MERCHANDISE			**84.15**		
OAKRIDGE DATA MINING					
	5/3/2010	202328	32.15		
				REFUND-BUS LIC OVRPMT	32.15
	Vendor Total		**32.15**		
FYTD for OAKRIDGE DATA MINING			**32.15**		
OAKS, MARY ANN					
	5/17/2010	202560	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**225.00**		
OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO					
	5/17/2010	202561	40.00		
				5/27/10 GANG TRNG CONFERENCE	40.00
	Vendor Total		**40.00**		
FYTD for OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO			**40.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
OMNIS, INC.					
	5/10/2010	202452	2,640.00		
				TRAF SIG @ SR-60/REDLANDS BLVD	2,640.00
	Vendor Total		**2,640.00**		
FYTD for OMNIS, INC.			**11,163.04**		
OPERATION SAFEHOUSE, INC.					
	5/17/2010	202562	867.18		
				SHELTER PRGM-CDBG	867.18
	Vendor Total		**867.18**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,911.46**		
ORTIZ FIRE PROTECTION					
	5/24/2010	202667	516.00		
				REFUND-FIRE PERMIT FEES	270.00
				REFUND-FIRE PERMIT FEES	225.00
				REFUND-FIRE PERMIT FEES	21.00
	Vendor Total		**516.00**		
FYTD for ORTIZ FIRE PROTECTION			**516.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	5/17/2010	202563	7,560.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	7,560.00
	Vendor Total		**7,560.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**158,889.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	5/10/2010	202453	817.83		
				LANDSCAPE MAINT-E3	235.54
				LANDSCAPE MAINT-E4	433.49
				LANDSCAPE MAINT-E1	108.51
				LANDSCAPE MAINT-E7	40.29
	5/24/2010	202668	975.00		
				TREE PESTICIDE INJECTIONS	975.00
	Vendor Total		**1,792.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**11,896.12**		
PACIFIC TELEMANAGEMENT SERVICES					
	5/17/2010	202564	438.48		
				PAYPHONE CHRGS	375.84
				PAYPHONE CHRGS-POLICE	62.64
	Vendor Total		**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**3,019.24**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PACIFIC UTILITY INSTALLATION, INC				
5/24/2010	202669	850.00		
			PROF SVCS-MVU	850.00
Vendor Total		**850.00**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**896.65**		
PAINTING BY ZEB BODE				
5/10/2010	202454	300.00		
			GYMNASIUM TOUCH UP SVC	300.00
Vendor Total		**300.00**		
FYTD for PAINTING BY ZEB BODE		**6,250.00**		
PAMINIANO, VANESSA				
5/10/2010	202455	124.80		
			REFUND-SHELTER RNTL FEE	124.80
Vendor Total		**124.80**		
FYTD for PAMINIANO, VANESSA		**124.80**		
PARSONS TRANSPORTATION GROUP, INC.				
5/10/2010	202456	4,755.23		
			SR-60/NASON ST OVRCRSSNG PROJ	4,755.23
Vendor Total		**4,755.23**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,006,277.56**		
PATTERSON, ALFREY				
5/3/2010	202329	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY		**2,306.44**		
PATTERSON, PATRICK				
5/3/2010	202330	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for PATTERSON, PATRICK		**75.00**		
PATTON, LARRY				
5/24/2010	202670	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for PATTON, LARRY		**20.00**		

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PEDLEY SQUARE VETERINARY CLINIC					
	5/17/2010	202598	7,963.00		
				EMERG VET SVCS	7,963.00
	Vendor Total		**7,963.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**74,046.75**		
PELLAND, KENT					
	5/24/2010	202672	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for PELLAND, KENT			**50.00**		
PEP BOYS					
	5/3/2010	202331	1,715.52		
				REFUND-BUS LIC OVRPMT	1,715.52
	Vendor Total		**1,715.52**		
FYTD for PEP BOYS			**1,715.52**		
PERRY, NORMA					
	5/3/2010	202332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM					
	5/10/2010	202457	433.87		
				LONG TERM CARE INSURANCE	433.87
	5/24/2010	202673	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,155.27**		
PLUMMERS ELEVATOR SERVICE, INC					
	5/3/2010	202333	127.94		
				REFUND-BUS LIC OVRPMT	127.94
	Vendor Total		**127.94**		
FYTD for PLUMMERS ELEVATOR SERVICE, INC			**127.94**		
POIEMA LANDSCAPE, INC.					
	5/24/2010	880544	3,464.85		
				LANDSCAPE MAINT-ZN S	834.37
				LANDSCAPE MAINT-ZN S	499.48
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**34,023.98**		

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POSTMASTER					
	5/3/2010	202334	2,961.93		
				POSTAGE	592.41
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
	5/10/2010	202458	865.00		
				PERMIT RENEWAL	750.23
				PERMIT RENEWAL	84.24
				PERMIT RENEWAL	30.53
	Vendor Total		**3,826.93**		
FYTD for POSTMASTER			**18,679.21**		
PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE					
	5/17/2010	202565	4,350.15		
				LEGAL AD PLACEMENTS	1,291.50
				LEGAL AD PLACEMENTS	1,425.38
				LEGAL AD PLACEMENTS	1,633.27
	Vendor Total		**4,350.15**		
FYTD for PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE			**11,721.15**		
PRICE, GEORGE E.					
	5/3/2010	880448	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PROTECTION ONE, INC.					
	5/17/2010	202566	40.00		
				SECURITY MNTRNG SVC-PRO SHOP	20.00
				SECURITY MNTRNG SVC-GOLF CTR	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**440.00**		
PSOMAS					
	5/10/2010	202459	5,950.00		
				LASSELLE ST WIDENING PROJ SVCS	5,950.00
	5/10/2010	202460	10,991.44		
				LASSELLE ST WIDENING PROJ SVCS	10,991.44
	Vendor Total		**16,941.44**		
FYTD for PSOMAS			**195,642.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PULLIAM, TRENT D.					
	5/3/2010	202335	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PW ENHANCEMENT CENTER					
	5/3/2010	880449	7,208.99		
				PARTNERSHIP PRGM-EDD	7,208.99
	Vendor Total		**7,208.99**		
FYTD for PW ENHANCEMENT CENTER			**123,955.07**		
PYRO SPECTACULARS, INC.					
	5/10/2010	202461	16,500.00		
				FIREWORKS DISPLAY-7/4/10	16,500.00
	Vendor Total		**16,500.00**		
FYTD for PYRO SPECTACULARS, INC.			**16,500.00**		
QUINN AME CHURCH					
	5/3/2010	202336	200.00		
				REFUND-RNTL DEP 4/10	200.00
	Vendor Total		**200.00**		
FYTD for QUINN AME CHURCH			**400.00**		
QUIZNOS SUBS #11109					
	5/3/2010	202337	66.34		
				REFUND-BUS LIC OVRPMT	66.34
	Vendor Total		**66.34**		
FYTD for QUIZNOS SUBS #11109			**66.34**		
R & S OVERHEAD DOORS, INC.					
	5/17/2010	880512	2,247.50		
				LIFT MASTER-FS #2	2,247.50
	5/24/2010	880545	717.00		
				DOOR RAIL-FS #2	717.00
	Vendor Total		**2,964.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**29,709.00**		
RAIN FRESH CLEANERS					
	5/3/2010	202338	36.00		
				REFUND-BUS LIC OVRPMT	36.00
	Vendor Total		**36.00**		
FYTD for RAIN FRESH CLEANERS			**36.00**		

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RALLY MANAGEMENT SERVICES, LLC					
	5/3/2010	202339	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/7	719.28
				TEMP SVCS-HENDERSON W/E 4/11	719.28
	5/10/2010	202462	719.28		
				TEMP SVCS-HENDERSON W/E 4/18	719.28
	5/24/2010	202674	719.28		
				TEMP SVCS-HENDERSON W/E 4/25	719.28
	Vendor Total		**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**15,119.21**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	5/3/2010	202341	92.05		
				REFUND-BUS LIC OVRPMT	92.05
	Vendor Total		**92.05**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,872.05**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	5/17/2010	202567	54.00		
				CUC BREAKFAST MEETING	18.00
				CUC BREAKFAST MEETING	18.00
				CUC BREAKFAST MEETING	18.00
	Vendor Total		**54.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**94.00**		
REISH LUFTMAN REICHER & COHEN					
	5/3/2010	202342	5,715.00		
				LEGAL SVCS-HR	5,715.00
	Vendor Total		**5,715.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**45,425.50**		
RENTERIA, CARLOS					
	5/3/2010	202343	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RENTERIA, CARLOS			**20.00**		
RESCUE ROOTER					
	5/3/2010	202344	99.00		
				PLUMBING REPAIRS-PSB	99.00
	Vendor Total		**99.00**		
FYTD for RESCUE ROOTER			**6,585.50**		

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REVENUE EXPERTS, INC.					
	5/3/2010	202345	1,594.18		
				CITATION PRCSSNG-ANML SVCS	1,594.18
	Vendor Total		**1,594.18**		
FYTD for REVENUE EXPERTS, INC.			**37,586.23**		
REYNA, MARTIN					
	5/3/2010	202346	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for REYNA, MARTIN			**30.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	5/10/2010	202463	984.60		
				SHADOW MTN PARK LIGHTING PROJ	984.60
	Vendor Total		**984.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**7,432.58**		
RIVERSIDE COUNTY ASSESSOR					
	5/3/2010	202347	6.00		
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
	Vendor Total		**6.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**201.00**		
RIVERSIDE COUNTY AUDITOR-CONTROLLER					
	5/10/2010	202464	35.00		
				TAX RATE BOOK ANNL PUBLICATION	35.00
	Vendor Total		**35.00**		
FYTD for RIVERSIDE COUNTY AUDITOR-CONTROLLER			**35.00**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH					
	5/10/2010	202465	300.00		
				LICENSE TESTING	300.00
	Vendor Total		**300.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			**1,750.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
5/3/2010	202348	1,789.70		
			RADIO SERVICES-POLICE	1,789.70
5/10/2010	202466	231.01		
			RADIO LEASE/MAINT	187.15
			RADIO LEASE/MAINT	9.85
			RADIO LEASE/MAINT	34.01
	Vendor Total	**2,020.71**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**22,869.34**		
RIVERSIDE COUNTY SHERIFF				
5/3/2010	202396	10,587.84		
			BOOKING FEES-PD	10,587.84
5/17/2010	880513	11,362.56		
			BOOKING FEES-PD	11,362.56
	Vendor Total	**21,950.40**		
FYTD for RIVERSIDE COUNTY SHERIFF		**33,101,772.67**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
5/10/2010	202467	800.14		
			GARNISHMENT	800.14
5/24/2010	202675	816.88		
			GARNISHMENT	816.88
	Vendor Total	**1,617.02**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**10,912.95**		
RIVERSIDE COUNTY SHERIFF MV				
5/17/2010	202569	1,173.04		
			EXTRA DUTY SVC-POLICE	233.42
			EXTRA DUTY SVC-POLICE	584.09
			EXTRA DUTY SVC-POLICE	355.53
	Vendor Total	**1,173.04**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**11,192.14**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				
5/17/2010	202570	1,958.04		
			MVFBI-ICEP CHRGS	1,305.36
			MVFBI-ICEP CHRGS	652.68
	Vendor Total	**1,958.04**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**762,001.26**		

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RIVERSIDE RUBBER STAMP & ENGRAVING					
	5/17/2010	202571	60.56		
				DATE STAMP-M&O	54.56
				DATE STAMP-SHIPPING	6.00
	Vendor Total		**60.56**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING			**77.07**		
RIVERSTONE RESIDENTIAL CA, INC					
	5/3/2010	202349	52.93		
				REFUND-BUS LIC OVRPMT	52.93
	Vendor Total		**52.93**		
FYTD for RIVERSTONE RESIDENTIAL CA, INC			**52.93**		
RLZ ENGINEERING					
	5/10/2010	880489	5,254.50		
				TEMP STAFFING SVCS-CAP PROJS	5,254.50
	Vendor Total		**5,254.50**		
FYTD for RLZ ENGINEERING			**135,854.25**		
ROBINSON, JOAQUIN					
	5/3/2010	202350	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for ROBINSON, JOAQUIN			**304.00**		
ROGERS, EUGENE					
	5/3/2010	880451	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,868.58**		
ROSS, DAVID T.					
	5/3/2010	880452	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.					
	5/3/2010	880453	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for ROSSON, LOUIS A.			**2,952.93**		

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RUSSELL, MARGARET					
	5/24/2010	202676	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for RUSSELL, MARGARET			**190.00**		
RUSSO, JOHN					
	5/3/2010	880454	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,506.03**		
RUTAN & TUCKER, LLP					
	5/24/2010	202677	550.00		
				LEGAL SVCS	550.00
	Vendor Total		**550.00**		
FYTD for RUTAN & TUCKER, LLP			**550.00**		
RYMAX ELECTRIC, INC.					
	5/17/2010	202572	5,610.61		
				TREE LIGHT INSTALL-E7	3,850.00
				TREE LIGHT MAINT-E1	125.00
				TREE LIGHT MAINT-E2	125.00
				TREE LIGHT MAINT-E3	125.00
				TREE LIGHT MAINT-E7	125.00
				TREE LIGHT MAINT-ZN M	125.00
				TREE LIGHT RPRS-E1	385.00
				TREE LIGHT RPRS-E3	580.85
				TREE LIGHT RPRS-E7	169.76
	Vendor Total		**5,610.61**		
FYTD for RYMAX ELECTRIC, INC.			**20,033.41**		
SA ASSOCIATES					
	5/24/2010	880546	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for SA ASSOCIATES			**120,562.50**		
SANDOVAL, PATRICK					
	5/17/2010	202573	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for SANDOVAL, PATRICK			**95.00**		

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SCHINDLER ELEVATOR CORP				
5/3/2010	202351	36.12		
			REFUND-BUS LIC OVRPMT	36.12
Vendor Total		**36.12**		
FYTD for SCHINDLER ELEVATOR CORP		**36.12**		
SCHLECHTER, JOHN A.				
5/3/2010	202352	91.86		
			REFUND-BUS LIC OVRPMT	91.86
Vendor Total		**91.86**		
FYTD for SCHLECHTER, JOHN A.		**91.86**		
SCREENVISION DIRECT				
5/10/2010	202468	2,240.00		
			ADVERTISING SVCS-SPCL DIST	1,044.00
			ADVERTISING SVCS-SPCL DIST	596.00
			ADVERTISING SVCS-SPCL DIST	450.00
			ADVERTISING SVCS-SPCL DIST	150.00
5/24/2010	202678	1,328.00		
			ADVERTISING SVCS-EDD	768.00
			ADVERTISING SVCS-EDD	560.00
Vendor Total		**3,568.00**		
FYTD for SCREENVISION DIRECT		**11,108.00**		
SEAL ELECTRIC, INC				
5/3/2010	202353	23.29		
			REFUND-BUS LIC OVRPMT	23.29
Vendor Total		**23.29**		
FYTD for SEAL ELECTRIC, INC		**23.29**		
SECTRAN SECURITY, INC				
5/3/2010	202354	463.50		
			TRANSPORT SVCS-PARKS	154.50
			TRANSPORT SVCS-TREASURY	154.50
			TRANSPORT SVCS-SPCL DIST	154.50
Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC		**4,635.00**		

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SECURITY LOCK & KEY					
	5/3/2010	880455	144.08		
				DOOR LOCK SVCS-ANML SHLTR	144.08
	5/10/2010	880491	156.31		
				DOOR LOCK SVC-PARKS	156.31
	5/24/2010	880547	167.02		
				CABINET LOCK SVC-MAINT & OPS	105.52
				DOOR LOCK SVC-TOWNGATE PARK	61.50
	Vendor Total		**467.41**		
FYTD for SECURITY LOCK & KEY			**16,545.69**		
SHAH, JAGDISH					
	5/17/2010	880515	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	9,760.00
				TEMP STAFFING SVCS-CAP PROJS	8,600.00
	Vendor Total		**18,360.00**		
FYTD for SHAH, JAGDISH			**203,640.00**		
SHARRETT, SHARON K.					
	5/3/2010	202355	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**2,041.76**		
SHELDON, STUART H.					
	5/3/2010	202356	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.					
	5/10/2010	202470	70.00		
				FUEL PURCHASE-ANIMAL SVCS	70.00
	5/24/2010	202679	1,685.59		
				FUEL PURCHASE-PW TREE EQUIP.	16.25
				FUEL PURCHASES-PD MOTORCYCLES	1,669.34
	Vendor Total		**1,755.59**		
FYTD for SHELL OIL CO.			**18,640.01**		
SHURTLEFF, JEANNETTE L.					
	5/24/2010	202680	532.00		
				INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,800.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SIGMA ENGINEERNG, INC					
	5/10/2010	202471	12,005.00		
				ASBESTOS/LEAD SURVEY	4,400.00
				ASBESTOS/LEAD SURVEY	7,605.00
	Vendor Total		**12,005.00**		
FYTD for SIGMA ENGINEERNG, INC			**12,005.00**		
SIMPLEX GRINNELL, LP					
	5/3/2010	202357	20.66		
				REFUND-BUS LIC OVRPMT	20.66
	Vendor Total		**20.66**		
FYTD for SIMPLEX GRINNELL, LP			**20.66**		
SINGER & COFFIN, APC					
	5/24/2010	880549	7,906.97		
				LEGAL SVCS-SR60/NASON ST PROJ	1,443.75
				LEGAL SVCS-SR60/NASON ST PROJ	6,463.22
	Vendor Total		**7,906.97**		
FYTD for SINGER & COFFIN, APC			**76,958.62**		
SKONBERG, HEATHER ALLISON					
	5/24/2010	202681	1,000.00		
				CONSULTING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for SKONBERG, HEATHER ALLISON			**6,300.00**		
SKY PUBLISHING					
	5/3/2010	202358	8,773.50		
				RECREATION GUIDES	8,773.50
	Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING			**57,218.00**		
SKY TRAILS MOBILE VILLAGE					
	5/24/2010	202682	18.69		
				REFUND-UT USER TAXES	18.69
	Vendor Total		**18.69**		
FYTD for SKY TRAILS MOBILE VILLAGE			**247.29**		
SLAGERMAN, SUSAN A.					
	5/3/2010	880456	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**4,068.49**		

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SMITH, MARIA A.					
	5/3/2010	880457	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,861.69**		
SMUS, PAULA					
	5/24/2010	202683	61.70		
				MILEAGE REIMBURSEMENT	61.70
	Vendor Total		**61.70**		
FYTD for SMUS, PAULA			**166.42**		
SO - CAL STRUCTURAL STEEL FABRICATION, I					
	5/3/2010	202359	27.00		
				REFUND-BUS LIC OVRPMT	27.00
	Vendor Total		**27.00**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I			**27.00**		
SO. CALIF SCHOOL OF MUSIC					
	5/10/2010	202472	1,134.00		
				INSTRUCTOR SVCS-GUITAR	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	55.75
				INSTRUCTOR SVCS-PIANO	106.25
	Vendor Total		**1,134.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**11,024.25**		
SOLANO, ALEX					
	5/17/2010	202575	395.00		
				AUDIO VISUAL SVCS-CONF & REC C	395.00
	Vendor Total		**395.00**		
FYTD for SOLANO, ALEX			**1,101.00**		
SOLIS, WENDY					
	5/3/2010	202360	750.00		
				REFUND-RNTL DEP 4/17	750.00
	Vendor Total		**750.00**		
FYTD for SOLIS, WENDY			**750.00**		

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SOSA, JORGE					
	5/10/2010	202473	503.34		
				INSTRUCTOR SVCS-NINPO	96.00
				INSTRUCTOR SVCS-KARATEDO	407.34
	Vendor Total		**503.34**		
FYTD for SOSA, JORGE			**4,107.54**		
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202361	419.66		
				NEW METER/SVC-KITCHING ST. TS	419.66
	5/3/2010	202363	4,829.54		
				ELECTRICITY	42.22
				ELECTRICITY	678.06
				ELECTRICITY	1,306.54
				ELECTRICITY	113.12
				ELECTRICITY	226.67
				ELECTRICITY	498.82
				ELECTRICITY	661.92
				ELECTRICITY	136.98
				ELECTRICITY	842.94
				ELECTRICITY	161.05
				ELECTRICITY	70.87
				ELECTRICITY	46.23
				ELECTRICITY	44.12
	5/10/2010	202475	4,106.66		
				ELECTRICITY	65.58
				ELECTRICITY	89.64
				ELECTRICITY	20.38
				ELECTRICITY	893.78
				ELECTRICITY	899.94
				ELECTRICITY	443.18
				ELECTRICITY	449.06
				ELECTRICITY	318.32
				ELECTRICITY	21.50
				ELECTRICITY	649.18
				ELECTRICITY	45.19
				ELECTRICITY	149.62
				ELECTRICITY	61.29
	5/17/2010	202577	347.36		
				ELECTRICITY	347.36
	Vendor Total		**9,703.22**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,749,896.42**		

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SOUTHERN CALIFORNIA GAS CO.					
	5/24/2010	202685	5,977.22		
				GAS CHARGES	29.74
				GAS CHARGES	975.30
				GAS CHARGES	2,433.45
				GAS CHARGES	16.35
				GAS CHARGES	73.70
				GAS CHARGES	652.71
				GAS CHARGES	149.05
				GAS CHARGES	50.11
				GAS CHARGES	486.19
				GAS CHARGES	286.88
				GAS CHARGES	143.78
				GAS CHARGES	128.06
				GAS CHARGES	125.78
				GAS CHARGES	240.38
				GAS CHARGES	185.74
	Vendor Total		**5,977.22**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**267,365.01**		
SOUTHERN PET SUPPLIES					
	5/10/2010	880492	256.15		
				MISC SUPPLIES-ANML SVCS	256.15
	Vendor Total		**256.15**		
FYTD for SOUTHERN PET SUPPLIES			**1,773.10**		
SPARKLETTS					
	5/3/2010	202364	4.50		
				WATER SVCS-EMERG OPS	4.50
	5/24/2010	202686	30.70		
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-SUNNYMEAD ELEM	4.50
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-GOLF COURSE	4.50
				WATER SVCS-EMERG OPS	4.50
	Vendor Total		**35.20**		
FYTD for SPARKLETTS			**430.19**		
SPECK, GARY B.					
	5/3/2010	880458	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		

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SPECTRUM CARE					
	5/3/2010	880459	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	5/24/2010	880550	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**123,407.30**		
SPENCER, MARTHA					
	5/3/2010	880460	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,415.29**		
SPORTS INNOVATORS					
	5/10/2010	202476	1,995.00		
				SPORTS OFFICIATING SVCS	1,995.00
	Vendor Total		**1,995.00**		
FYTD for SPORTS INNOVATORS			**27,890.00**		
SPRINT/NEXTEL					
	5/17/2010	880516	33.11		
				CELL PH SVC-GTF	33.11
	Vendor Total		**33.11**		
FYTD for SPRINT/NEXTEL			**729.29**		
STANDARD INSURANCE CO					
	5/3/2010	202365	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**359,149.29**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC				
5/3/2010	880461	1,606.50		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-TECH SVCS	330.00
			MONITORING SVCS-ASES	354.00
			MONITORING SVCS-ANNX #1	207.00
			MONITORING SVCS-ASES	123.00
			MONITORING SVCS-CITY HALL	493.50
5/10/2010	880493	644.55		
			MONITORING SVCS-CONF & REC CTR	301.00
			MONITORING SVCS-CONF & REC CTR	14.00
			MONITORING SVCS-LIBRARY	156.35
			MONITORING SVCS-LIBRARY	173.20
	Vendor Total	**2,251.05**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**28,359.51**		
STATE BOARD OF EQUALIZATION				
5/21/2010	43010	3,930.00		
			SALES & USE TAX 4/1-4/30/10	3,930.00
	Vendor Total	**3,930.00**		
FYTD for STATE BOARD OF EQUALIZATION		**39,848.29**		
STATE DISBURSEMENT UNIT				
5/13/2010	2628	1,137.82		
			CHILD SUPPORT W/H 05/13/10	1,137.82
5/27/2010	2636	1,183.98		
			CHILD SUPPORT W/H 05/27/10	1,183.98
	Vendor Total	**2,321.80**		
FYTD for STATE DISBURSEMENT UNIT		**41,536.30**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF				
5/17/2010	202578	187.50		
			LICENSE RNWL-ERIC LEWIS	187.50
	Vendor Total	**187.50**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**937.50**		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
5/3/2010	202366	2,935.00		
			FINGERPRINTING SVCS-PD	2,920.00
			FINGERPRINTING SVCS-PD	15.00
5/10/2010	202478	980.00		
			BLOOD ALCHL ANLYS-PD	980.00
	Vendor Total	**3,915.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**55,459.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
5/24/2010	202687	167.29		
			REFUND-MV UTILITY	100.02
			REFUND-MV UTILITY	67.27
	Vendor Total	**167.29**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,555.82**		
STEEL SYSTEMS ERECTORS				
5/3/2010	202367	88.45		
			REFUND-BUS LIC OVRPMT	88.45
	Vendor Total	**88.45**		
FYTD for STEEL SYSTEMS ERECTORS		**88.45**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
5/24/2010	202688	2,313.12		
			TRANSCRIPTION SVCS-PD	2,313.12
	Vendor Total	**2,313.12**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**34,642.40**		
STEWART TITLE OF CALIFORNIA				
5/12/2010	1005041	14,112.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	14,112.00
5/12/2010	1005051	6,087.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	6,087.00
5/17/2010	1005121	9,597.00		
			ESCROW DEP/APN 475-300-018&019	9,597.00
	Vendor Total	**29,796.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
STEWART, CLIFFORD				
5/3/2010	880462	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for STEWART, CLIFFORD		**2,247.90**		
STEWART, JONATHAN L.				
5/17/2010	202579	1,007.00		
			REFUND-ANML SVC FEES	1,007.00
	Vendor Total	**1,007.00**		
FYTD for STEWART, JONATHAN L.		**1,007.00**		

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STEWART, LINDA					
	5/10/2010	202479	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for STEWART, LINDA			**75.00**		
STILES ANIMAL REMOVAL, INC.					
	5/3/2010	202368	450.00		
				ANIMAL REMOVAL SVCS	450.00
	Vendor Total		**450.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**610.00**		
STOP THE VIOLENCE INCREASE THE PEACE FOU					
	5/3/2010	202369	174.27		
				REFUND-BUS LIC OVRPMT	158.88
				REFUND-BUS LIC OVRPMT	1.14
				REFUND-BUS LIC OVRPMT	14.25
	Vendor Total		**174.27**		
FYTD for STOP THE VIOLENCE INCREASE THE PEACE FOU			**174.27**		
STRADLING, YOCCA, CARLSON & RAUTH					
	5/3/2010	202370	10,846.61		
				LEGAL SVCS-EDD	200.06
				LEGAL SVCS-EDD	200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	5,787.43
				LEGAL SVCS-EDD	3,689.79
				LEGAL SVCS-EDD	740.33
				LEGAL SVCS-SPCL DIST	104.00
	5/10/2010	202480	7,604.78		
				LEGAL SVCS-EDD	1,515.79
				LEGAL SVCS-EDD	1,301.08
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	100.00
				LEGAL SVCS-EDD	385.39
				LEGAL SVCS-EDD	2,977.52
	5/24/2010	202689	21,976.37		
				LEGAL SVCS-EDD	7,392.40
				LEGAL SVCS-EDD	6,309.47
				LEGAL SVCS-EDD	720.00
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	2,080.00
				LEGAL SVCS-EDD	1,776.00
				LEGAL SVCS-EDD	736.00
				LEGAL SVCS-EDD	1,762.50
	Vendor Total		**40,427.76**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**121,810.54**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STREICH, TERRY L.					
	5/3/2010	202371	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**610.64**		
STRICKLER ASSOCIATION, THE					
	5/17/2010	202580	7,345.00		
				CONSULTING SVCS-EDD	4,940.00
				CONSULTING SVCS-EDD	2,405.00
	Vendor Total		**7,345.00**		
FYTD for STRICKLER ASSOCIATION, THE			**38,220.00**		
STRICKLER II, JOHN W.					
	5/3/2010	202372	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,868.58**		
STUCKEY, HARRIETTE					
	5/17/2010	202581	84.00		
				INSTRUCTOR SVCS-LINE DANCING	67.20
				INSTRUCTOR SVCS-LINE DANCING	16.80
	Vendor Total		**84.00**		
FYTD for STUCKEY, HARRIETTE			**978.60**		
SUNGLASS HUT STORE #4536					
	5/3/2010	202373	57.67		
				REFUND-BUS LIC OVRPMT	57.67
	Vendor Total		**57.67**		
FYTD for SUNGLASS HUT STORE #4536			**57.67**		
SUNNYMEAD ACE HARDWARE					
	5/3/2010	202374	31.50		
				MISC SUPPLIES-PD	15.21
				MISC SUPPLIES-PD	16.29
	5/10/2010	202481	21.93		
				MISC SUPPLIES-POLICE	21.93
	5/17/2010	202582	142.53		
				MISC SUPPLIES-PD	110.69
				MISC SUPPLIES-PD	17.39
				MISC SUPPLIES-PD	14.45
	5/24/2010	202690	22.26		
				MISC SUPPLIES-PD	22.26
	Vendor Total		**218.22**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,734.24**		

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SUPER RX, INC.					
	5/3/2010	202375	0.00		
				REFUND-BUS LIC OVRPMT	83.80
				REFUND-BUS LIC OVRPMT	-83.80
	5/17/2010	202583	83.80		
				REFUND-BUS LIC OVRPMT	83.80
	Vendor Total		**83.80**		
FYTD for SUPER RX, INC.			**83.80**		
SWARTZ, DENNIS					
	5/10/2010	202482	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SWARTZ, DENNIS			**20.00**		
TARGET SPECIALTY PRODUCTS					
	5/17/2010	880517	11,498.92		
				LNDSCP HERBICIDES	247.82
				LNDSCP HERBICIDES	11,251.10
	Vendor Total		**11,498.92**		
FYTD for TARGET SPECIALTY PRODUCTS			**19,251.10**		
THERMAL-COOL INC.					
	5/10/2010	202483	249.30		
				SVC TO FREEZER @ ANIMAL SHLTR	249.30
	Vendor Total		**249.30**		
FYTD for THERMAL-COOL INC.			**19,099.66**		
THYSSENKRUPP ELEVATOR CORPORATION					
	5/3/2010	202377	45.43		
				REFUND-BUS LIC OVRPMT	45.43
	Vendor Total		**45.43**		
FYTD for THYSSENKRUPP ELEVATOR CORPORATION			**45.43**		
TIME WARNER CABLE					
	5/3/2010	202378	16,719.21		
				FAC. RELOCATION-DAY ST. PROJ	16,719.21
	Vendor Total		**16,719.21**		
FYTD for TIME WARNER CABLE			**16,719.21**		

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T-MOBILE					
	5/3/2010	202376	114.00		
				REFUND-BUS LIC OVRPMT	57.00
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**114.00**		
FYTD for T-MOBILE			**296.00**		
TORRES, REBECCA					
	5/10/2010	202484	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for TORRES, REBECCA			**580.00**		
TRACSYSTEMS, INC.					
	5/10/2010	202485	3,919.50		
				PHAROS SOFTWARE LIC/SUPPORT	3,919.50
	Vendor Total		**3,919.50**		
FYTD for TRACSYSTEMS, INC.			**3,919.50**		
TRICHE, TARA					
	5/24/2010	202692	1,642.80		
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	66.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	397.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	623.80
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,642.80**		
FYTD for TRICHE, TARA			**20,934.60**		
TRI-CITY LINEN SUPPLY, INC.					
	5/3/2010	202379	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/10/2010	202486	113.00		
				LINEN RENTAL	63.00
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/17/2010	202584	22.50		
				LINEN RENTAL	22.50
	5/24/2010	202691	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**235.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,876.20**		

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TROPICAL PLAZA NURSERY, INC.					
	5/10/2010	202487	360.00		
				LNDSCP WORK IN ZONE E-2	360.00
	5/17/2010	202585	18,673.63		
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
				IRRIG REPAIRS-ZONE E-2	756.18
	Vendor Total		**19,033.63**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**202,285.38**		
TRUGREEN LANDCARE					
	5/3/2010	202380	11,904.55		
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
				TRIM TREE-ZONE E-2	190.00
	5/17/2010	202586	3,670.00		
				RETAINING WALL-SUNNYMD BL PROJ	1,990.00
				INSTALL 21 TREES-TRACT #19912	1,680.00
	5/24/2010	202709	24,578.70		
				STUMP GRIND TREES-ZONE M	300.00
				STUMP GRIND TREES-TRACT 20120	300.00
				INSTALL 18-FT PALM ON KRAMERIA	2,450.00
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG1-E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				REMOVE Y-STRAINER FROM BACKFLW	380.00
	Vendor Total		**40,153.25**		
FYTD for TRUGREEN LANDCARE			**343,170.27**		
TUNTLAND, JAMES					
	5/3/2010	880463	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**2,247.90**		
TURBOSCAPE, INC.					
	5/3/2010	880464	13,385.00		
				ANNL MULCHING IN ZONE E-4	6,424.80
				ANNL MULCHING IN ZONE DSG-1E	2,409.30
				ANNL MULCHING IN ZONE DSG-2	2,677.00
				ANNL MULCHING IN ZONE E-1	1,338.50
				ANNL MULCHING IN ZONE E-1A	535.40
	5/24/2010	880552	9,904.90		
				ANNL MULCHING IN ZONE E-4	535.40
				ANNL MULCHING IN ZONE E-8	5,354.00
				ANNL MULCHING IN ZONE E-15	4,015.50
	Vendor Total		**23,289.90**		
FYTD for TURBOSCAPE, INC.			**32,867.10**		

City of Moreno Valley

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For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TWRITE, INC.					
	5/24/2010	202693	7,841.25		
				CITY WEBSITE MAINTENANCE	7,841.25
	Vendor Total		**7,841.25**		
FYTD for TWRITE, INC.			**19,578.75**		
U.S. HEALTHWORKS MEDICAL GROUP					
	5/24/2010	202694	1,190.00		
				PRE-EMPLOYMENT PHYSICALS	686.00
				PRE-EMPLOYMENT PHYSICALS	414.00
				PRE-EMPLOYMENT PHYSICALS	90.00
	Vendor Total		**1,190.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**16,326.00**		
UNION BANK OF CALIFORNIA					
	5/10/2010	202488	510.00		
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
	5/10/2010	202489	729.00		
				INVESTMNT SAFEKEEPING SVCS	729.00
	5/17/2010	202587	170.00		
				STANDBY LOC TRANSFER FEE	170.00
	Vendor Total		**1,409.00**		
FYTD for UNION BANK OF CALIFORNIA			**288,988.49**		
UNITED POWER GENERATION, INC.					
	5/10/2010	202490	233.00		
				EMERG GENERATOR REPAIRS-FS #91	11.40
				EMERG GENERATOR REPAIRS-FS #91	221.60
	5/24/2010	202695	209.00		
				EMERG GENERATOR REPAIRS-FS #2	10.57
				EMERG GENERATOR REPAIRS-FS #2	198.43
	Vendor Total		**442.00**		
FYTD for UNITED POWER GENERATION, INC.			**22,432.66**		
UNITED SITE SERVICES OF CA, INC.					
	5/10/2010	880494	77.33		
				PORTABLE TOILET SVC-GOLF CTR	77.33
	5/17/2010	880518	204.94		
				PORTABLE TOILET SVC-M&O DIV.	97.55
				FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total		**282.27**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,733.92**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED STATES TREASURY					
	5/10/2010	202491	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	5/24/2010	202696	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**5,670.00**		
UNITED WAY OF INLAND VALLEYS					
	5/10/2010	202492	667.18		
				UNITED WAY CONTRIBUTIONS	667.18
	5/24/2010	202697	667.18		
				UNITED WAY CONTRIBUTIONS	-2.31
				UNITED WAY CONTRIBUTIONS	2.31
				UNITED WAY CONTRIBUTIONS	667.18
	Vendor Total		**1,334.36**		
FYTD for UNITED WAY OF INLAND VALLEYS			**19,498.26**		
URBAN CROSSROADS, INC.					
	5/3/2010	202381	6,600.00		
				MV TRAFFIC MODEL UPDATE SVCS	1,327.50
				MV TRAFFIC MODEL UPDATE SVCS	5,272.50
	Vendor Total		**6,600.00**		
FYTD for URBAN CROSSROADS, INC.			**17,465.00**		
VA CONSULTING, INC.					
	5/10/2010	202493	17,527.24		
				AUTO MALL IMPRVMNTS PROJ SVCS	7,200.00
				AUTO MALL IMPRVMNTS PROJ SVCS	10,327.24
	5/24/2010	202698	2,255.40		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,255.40
	Vendor Total		**19,782.64**		
FYTD for VA CONSULTING, INC.			**291,846.35**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY				
5/3/2010	880465	2,440.00		
			TENT/FUMIGATE UTILITY FLD OFFC	2,440.00
5/10/2010	880495	1,205.00		
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
			PEST CNTRL-STARS BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			PEST CNTRL-TRANSP TRLR	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
Vendor Total		**3,645.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**18,920.00**		
VALADEZ, RICHARD				
5/3/2010	202382	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for VALADEZ, RICHARD		**20.00**		
VALLEY CITIES/ GONZALES FENCE INC				
5/10/2010	202494	2,680.00		
			INSTALL FENCE-PIGEON PASS RD	475.00
			INSTALL FENCE-PIGEON PASS RD	1,830.00
			FENCE-PIGEON PASS/SUNNYMD	375.00
Vendor Total		**2,680.00**		
FYTD for VALLEY CITIES/ GONZALES FENCE INC		**13,955.00**		
VALLEY PARTY RENTALS				
5/3/2010	202383	75.63		
			REFUND-BUS LIC OVRPMT	75.63
Vendor Total		**75.63**		
FYTD for VALLEY PARTY RENTALS		**75.63**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.					
	5/24/2010	880553	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	18,360.00
	Vendor Total		**18,360.00**		
FYTD for VAS ASSOCIATES, INC.			**203,085.00**		
VERIZON					
	5/17/2010	202588	1,718.78		
				BACKBONE CHRGS	1,718.78
	Vendor Total		**1,718.78**		
FYTD for VERIZON			**18,551.63**		
VERIZON CALIFORNIA					
	5/10/2010	202495	327.63		
				PHONE LISTING CHARGE	286.68
				PHONE LISTING CHARGE	40.95
	5/17/2010	202589	170.28		
				PHONE LISTING CHARGE	170.28
	Vendor Total		**497.91**		
FYTD for VERIZON CALIFORNIA			**100,798.00**		
VICTOR MEDICAL CO					
	5/10/2010	202496	973.31		
				ANIMAL MEDICAL SUPPLIES	973.31
	Vendor Total		**973.31**		
FYTD for VICTOR MEDICAL CO			**13,550.36**		
VIGIL, ERNEST					
	5/3/2010	880466	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLANUEVA, RUBEN & LISA					
	5/10/2010	202497	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VILLANUEVA, RUBEN & LISA			**20.00**		
VISION SERVICE PLAN					
	5/3/2010	880467	4,346.56		
				EMPLOYEE VISION INSURANCE	4,346.56
	Vendor Total		**4,346.56**		
FYTD for VISION SERVICE PLAN			**48,547.77**		

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VISTA PAINT CORPORATION				
5/17/2010	202590	186.83		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	66.58
			PAINT/SUPPL-GRAFFITI RMVL PRGM	8.25
			PAINT/SUPPL-GRAFFITI RMVL PRGM	112.00
5/24/2010	202699	158.50		
			PAINT FOR GRAFFITI RMVL	158.50
Vendor Total		**345.33**		
FYTD for VISTA PAINT CORPORATION		**12,278.82**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
5/10/2010	202498	818.69		
			RENTAL ASSIST SVCS-ADMIN FEES	718.69
			RENTAL ARREARS SVCS-ADMIN FEES	100.00
Vendor Total		**818.69**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**96,100.92**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				
5/24/2010	202700	750.00		
			REFUND-RNTL DEP 4/28	750.00
Vendor Total		**750.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY		**750.00**		
VOYAGER FLEET SYSTEM, INC.				
5/24/2010	880554	4,036.95		
			CNG FUEL FOR STREET PRGM	2,016.46
			CNG FUEL FOR DRAIN MAINT PRGM	75.02
			CNG FUEL FOR STREET PRGM	1,755.93
			CNG FUEL FOR DRAIN MAINT PRGM	189.54
Vendor Total		**4,036.95**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**21,681.59**		
VULCAN MATERIALS CO, INC.				
5/17/2010	202591	2,119.97		
			ASPHALTIC MATERIAL	2,119.97
5/24/2010	202701	1,473.00		
			ASPHALTIC MATERIAL	163.56
			ASPHALTIC MATERIAL	130.94
			ASPHALTIC MATERIAL	292.39
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	196.84
			ASPHALTIC MATERIAL	262.09
			ASPHALTIC MATERIAL	98.97
			ASPHALTIC MATERIAL	131.59
Vendor Total		**3,592.97**		
FYTD for VULCAN MATERIALS CO, INC.		**105,465.05**		

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WAGGONER JR., GLENN C.					
	5/3/2010	880468	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,506.03**		
WAGNER, GARY D.					
	5/3/2010	880469	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,490.33**		
WAGONER, ROBERT					
	5/3/2010	202397	360.40		
				RETIREE MEDICAL BENEFIT	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,085.20**		
WAGY, CARYLON					
	5/3/2010	202385	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, ANTHONY					
	5/3/2010	202386	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WALKER, ANTHONY			**50.00**		
WALKER, DONNA					
	5/3/2010	202387	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for WALKER, DONNA			**38.00**		
WASSON, KIRK					
	5/24/2010	880555	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,128.00**		

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WASTE MANAGEMENT OF THE INLAND EMPIRE					
	5/24/2010	202702	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**14,584.22**		
WELLS FARGO CORPORATE TRUST					
	5/3/2010	1005011	1,444.67		
				INTEREST ON VARIABLE RATE BOND	1,444.67
	Vendor Total		**1,444.67**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,030,930.10**		
WEST GOVERNMENT SERVICES					
	5/24/2010	202703	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**5,000.00**		
WEST GROUP					
	5/24/2010	880556	351.37		
				ONLINE CHRGS-LEGAL INFO	199.09
				LEGAL PUBLICATIONS SUBSCRPTNS	152.28
	Vendor Total		**351.37**		
FYTD for WEST GROUP			**7,907.98**		
WESTERN MUNICIPAL WATER DISTRICT					
	5/24/2010	202704	1,520.72		
				WATER CHRGS-MARB BALLFIELDS	708.72
				WATER CHRGS-MFPCC LNDSCP	756.70
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**1,520.72**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**22,944.70**		
WHITE'S BIKES					
	5/3/2010	202388	93.73		
				REFUND-BUS LIC OVRPMT	93.73
	Vendor Total		**93.73**		
FYTD for WHITE'S BIKES			**93.73**		
WIELIN, RONALD A.					
	5/3/2010	880471	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,506.03**		

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WILBURN, YOLANDA					
	5/10/2010	202499	149.98		
				REFUND-PERMIT FEE	149.98
	Vendor Total		**149.98**		
FYTD for WILBURN, YOLANDA			**149.98**		
WILLDAN AND ASSOCIATES					
	5/17/2010	202592	5,580.48		
				PLAN CHECK SVCS	5,580.48
	5/24/2010	202705	3,225.00		
				MORENO BEACH DR WIDENING PROJ	3,225.00
	Vendor Total		**8,805.48**		
FYTD for WILLDAN AND ASSOCIATES			**403,687.78**		
WILLIAMS, COURTNEY					
	5/3/2010	202390	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for WILLIAMS, COURTNEY			**646.00**		
WILLIAMS, JANE L.					
	5/3/2010	202391	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,344.00**		
WINZLER & KELLY CONSULTING ENGINEERS					
	5/24/2010	202706	18,810.00		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
	Vendor Total		**18,810.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
WOMEN'S HEALTH					
	5/3/2010	202392	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for WOMEN'S HEALTH			**57.00**		
WOW PARTY RENTAL, INC.					
	5/20/2010	202600	300.00		
				RENTALS-5/22/10 PUB SFTY FAIR	300.00
	Vendor Total		**300.00**		
FYTD for WOW PARTY RENTAL, INC.			**300.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
5/17/2010	202593	8,874.00		
			TUMF RESIDENTIAL FEES	8,874.00
Vendor Total		**8,874.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**1,124,341.42**		
WRIGHT SEPTIC TANK PUMPING				
5/24/2010	202707	450.00		
			SEPTIC TANK PUMPING-CITY YARD	100.00
			SEPTIC TANK PUMPING-CITY YARD	350.00
Vendor Total		**450.00**		
FYTD for WRIGHT SEPTIC TANK PUMPING		**1,350.00**		
WURM'S JANITORIAL SERVICES, INC.				
5/3/2010	880472	1,440.70		
			JANITORIAL SVCS-TOWNGATE	360.00
			CARPET CLEANING-SR CTR CLASSRM	125.00
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
5/17/2010	880519	22,233.49		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-SUNNYMD ELEM	184.10
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.82
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/24/2010	880557	3,965.70		
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-TOWNGATE	360.00
			JANITORIAL SVCS-CONF & REC CTR	1,630.00
			DAY PORTER SERVICES	1,020.00
Vendor Total		**27,639.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**286,027.66**		

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XEROX					
	5/3/2010	202393	1,115.93		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,115.93
	5/17/2010	202594	1,216.66		
				COPIER RNTL/MAINT/PRINTS-PARKS	1,216.66
	5/24/2010	202708	1,574.12		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT/PRNTS-GRPHCS	979.73
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	Vendor Total		**3,906.71**		
FYTD for XEROX			**63,769.70**		
ZEE MEDICAL INC					
	5/3/2010	202394	289.05		
				FIRST AID ITEMS FOR KITS	289.05
	Vendor Total		**289.05**		
FYTD for ZEE MEDICAL INC			**289.05**		
ZUMAR INDUSTRIES, INC.					
	5/17/2010	880520	940.03		
				SIGNS FOR TRANSP. DIV.	549.51
				SIGNS FOR TRANSP. DIV.	390.52
	Vendor Total		**940.03**		
FYTD for ZUMAR INDUSTRIES, INC.			**37,651.19**		

Subtotal **1,341,996.10**

GRAND TOTAL **19,967,907.47**

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MV00067093

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00067099

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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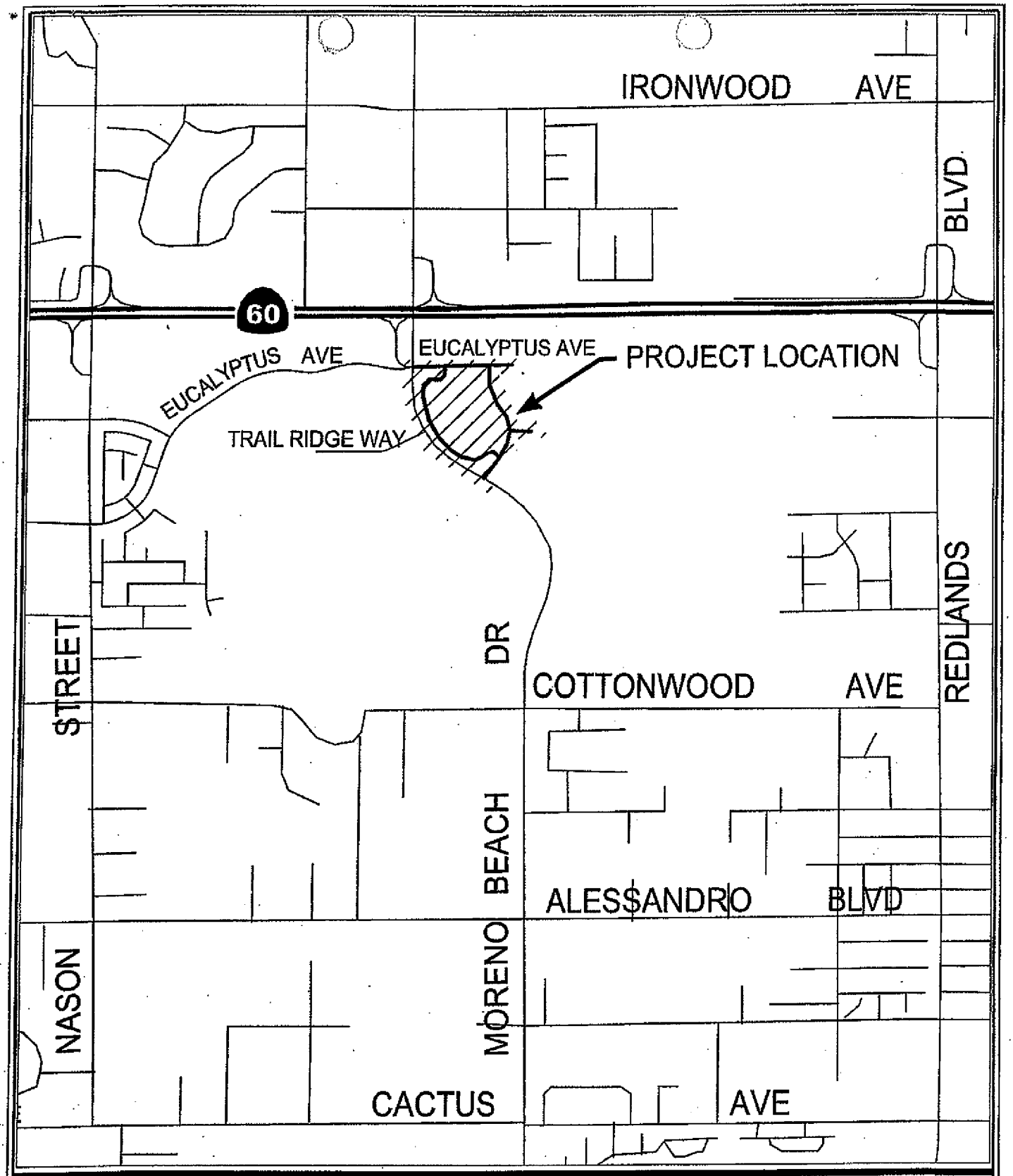

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

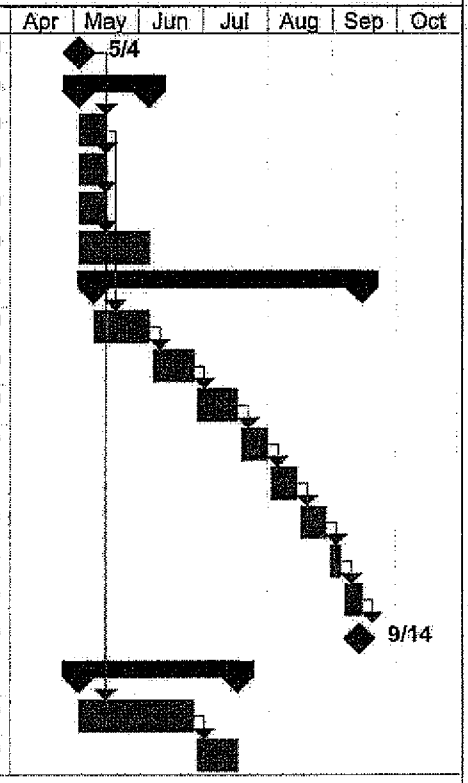

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

SCH01_AutomallFinalDesign.mpp

Page 1

Item No. A.7

MV00067124

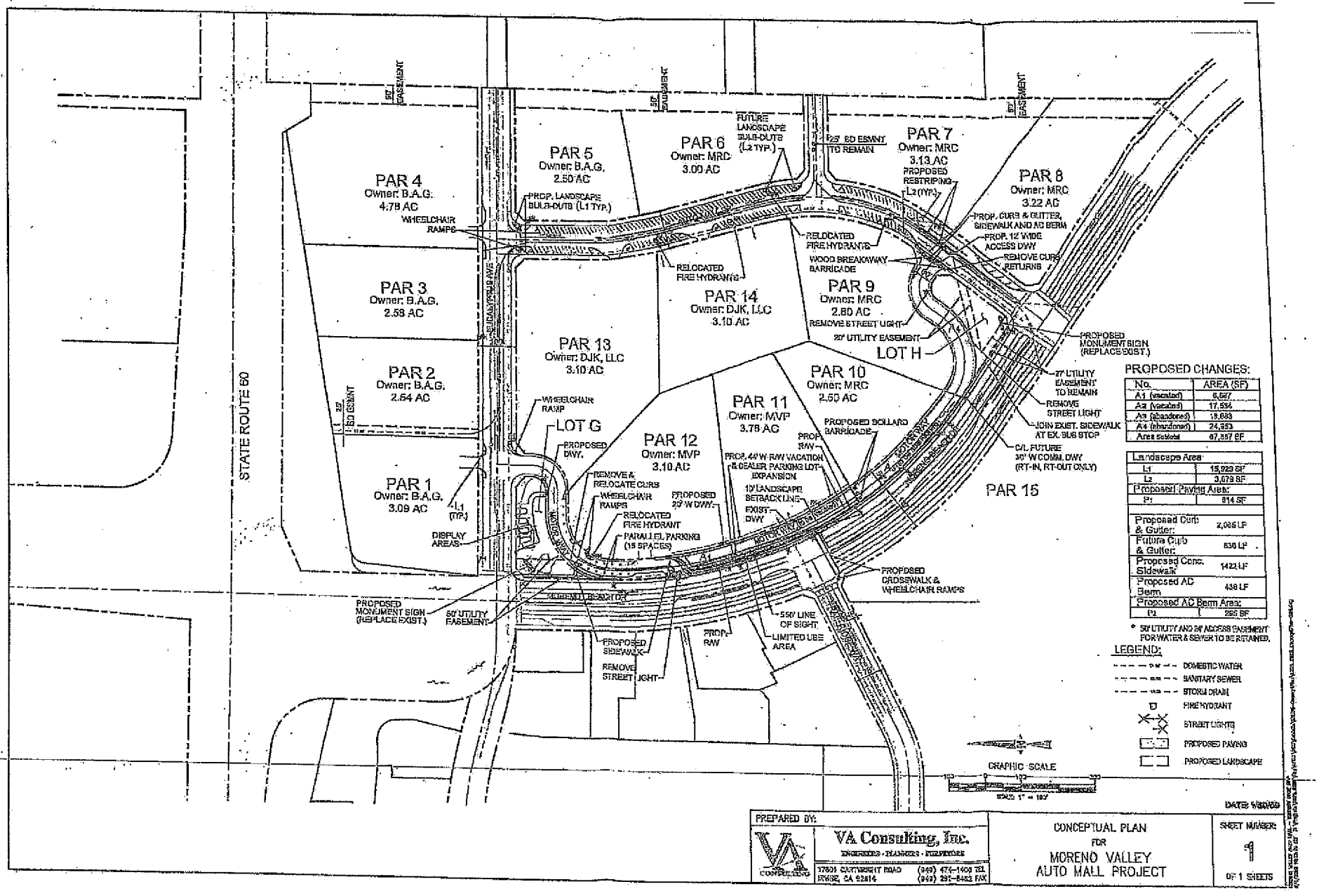
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROP. R/W
PROPOSED SIDEWALK
REMOVE STREET LIGHT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
50' UTILITY EASEMENT
DISPLAY AREAS
PROPOSED DWY.
REMOVE & RELOCATE CURB
PARALLEL PARKING (15 SPACES)
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
SCALE: 1" = 100'
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00067129

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

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MV00067131

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD
PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660.

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

BACKGROUND

On June 14, 2005, the City Council adopted Resolution No. 2005-49 and Resolution No. 2005-50 allowing the City to expedite design and construction funding for eight (8) important projects that would otherwise wait several years before adequate funding was available. One of those projects was Ironwood Avenue from Heacock Street to Perris Boulevard and was intended to construct missing street improvements, acquire right of way, and relocate major utilities and storm drains.

On August 22, 2006, the City Council approved the Prioritization of Four (4) 2005 Lease Revenue Bonds Street Improvement Projects, based on price escalation, commitments by the City, and refined cost estimates. The initial scope for the Ironwood Avenue project from Heacock Street to Perris Boulevard was reduced to a paved walkway with minor right of way acquisition and project planning to determine the cost of full widening improvements, from two (2) lanes to four (4) lanes.

On November 28, 2006, the City Council approved the Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation (LAN) for the planning of full widening improvements, and design for construction of a paved walkway along Ironwood Avenue from Heacock Street to Perris Boulevard.

On May 27, 2008, the City Council awarded the construction contract for the Ironwood Avenue Sidewalk/Walkway project to Grand Pacific Contractors, Inc. of Corona. This construction was completed and accepted by City Council on January 13, 2009.

On July 8, 2008, the City Council approved the Transportation Uniform Mitigation Fee (TUMF) Program Agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley. WRCOG had approved its Central Zone 5-Year Transportation Improvement Program (TIP) on May 5, 2007, which included the Ironwood Avenue Improvements project, which identified specific improvements on this project as eligible for reimbursement by WRCOG.

On July 8, 2008, the City Council approved the Agreement for Professional Consultant Services TUMF-Zonal with LAN for the design of the full widening improvements, environmental, right of way easement, appraisals, and negotiations, and construction support.

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard and the Indian Detention Basin Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties needed to widen Ironwood Avenue from Heacock Street to Perris Boulevard. There are twenty-six (26) parcels from which right of way (ROW) is required.

On May 24, 2010, the City Manager approved the Fourth Amendment to Agreement with LAN (the subsidiary) which transferred all services required under the Agreement to AECOM Technical Services, Inc. (AECOM) (the parent company).

A total of five amendments to the agreement for this project have been executed within the Purchase Order contingency amount due to the expanded Consultant's scope of work to include additional improvements to the project, time extensions, and reassignment of contract ownership.

DISCUSSION

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The construction will build missing improvements and add additional lanes. During the full improvement planning process, Transportation Uniform Mitigation Fee (TUMF) program funding became available through the Western Riverside Council of Governments (WRCOG), as well as Development Impact Fee (DIF) funds for the full design and construction of two (2) additional lanes on Ironwood Avenue from Heacock Street to Perris Boulevard.

Design is almost 100% complete and right of way acquisition is underway. Staff requests City Council to authorize the Sixth Amendment to Agreement for Professional Consultant Services with AECOM for additional design, right of way, and environmental services. The additional services will include design of a storm drain pipe extension, engineering support for Southern California Edison's power pole relocation, additional effort in right of way negotiation and closing escrows, and pre-construction environmental services.

ALTERNATIVES

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will facilitate the construction of needed improvements.*

2. Do not approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, do not authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and do not authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will delay the construction of needed improvements.*

FISCAL IMPACT

City Council approved a Purchase Order for LAN on July 8, 2008 in the amount of $637,000 ($579,300 plus 10% contingency) for design services. Due to the need for additional services, a Change Order to increase the Purchase Order by $99,975 is required as part of the Sixth Amendment to the Agreement. There are sufficient funds to increase the Purchase Order. The expiration date of June 31, 2012 will not change with the proposed Sixth Amendment.

The Ironwood Avenue Improvement project is being funded with TUMF (Fund 415), Development Impact Fee (Fund 416), and 2005 Lease Revenue Bonds (Fund 501) monies. The funding for this project is restricted to the Ironwood Avenue capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 - TUMF (Account No. 415.70227)	$3,106,000.00
Fiscal Year 2009/2010 - DIF (Account No. 416.78727)	$1,116,000.00
Fiscal Year 2009/2010 - 501 Lease Revenue Bonds (Account No. 501.82625)	$1,046,000.00
Total Available Funds	**$5,268,000.00**

ESTIMATED DESIGN COST:

Consultant Design Agreement (including 10% contingency)	$637,000.00
Consultant Design Sixth Amendment	**$100,000.00**
Project Administration*	$100,000.00
Total Estimated Design Cost	**$837,000.00**

ESTIMATED RIGHT OF WAY AND UTILITY CONSTRUCTION RELATED EXPENDITURES:

Southern California Edison (SCE) Transmission Pole Relocation	$1,578,000.00
Right of Way Acquisition	$622,000.00
Storm Drain Line H-1A Construction	$2,040,000.00
Total Estimated Project Related Expenditures	**$4,240,000.00**

*City staff will provide Project Administration

ANTICIPATED SCHEDULE:

Complete Right of Way Acquisition	August 2010
Complete Design	October 2010
Complete SCE Power Pole Relocation and Storm Drain Construction	June 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The Sixth Amendment to Agreement for Professional Consultant Services with AECOM will provide for additional design, right of way, and environmental services.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Sixth Amendment to Agreement for Professional Consultant Services with Exhibits
Attachment "C" – Change Order to the Purchase Order

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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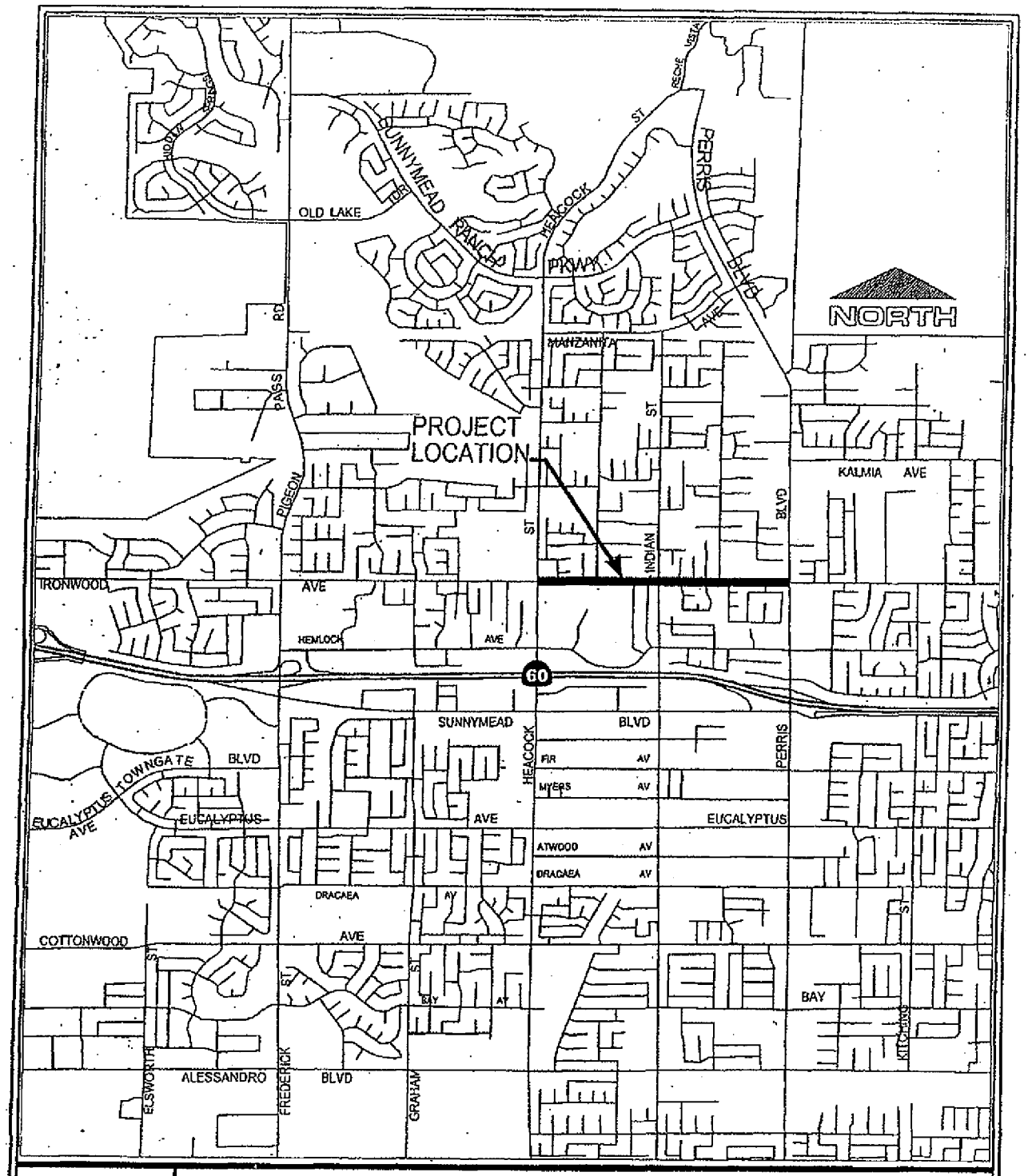

LOCATION MAP

Public Works Department Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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SIXTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

This Sixth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and AECOM Technical Services, Inc., a California corporation, hereinafter referred to as "Consultant." This Sixth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services Transportation Uniform Mitigation Fee (TUMF) - Zonal, Project No. 06-50182625-2" hereinafter referred to as "Agreement," dated July 15, 2008.

Whereas, the Consultant is providing consultant design services for Street Improvements on Ironwood Avenue from Heacock Street to Perris Boulevard.

Whereas, the Agreement was amended on November 3, 2008 to increase the scope of work for the professional consultant design services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on February 11, 2009 to increase the scope of work for the professional consultant design services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on August 20, 2009 to increase the scope of work for the professional consultant design services in the Third Amendment to Agreement for Professional Consultant Services.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

Whereas, the Agreement was amended on May 24, 2010 to transfer all services required under the Agreement from Lim and Nascimento Engineering Corporation to AECOM Technical Services, Inc. for the professional consultant design services in the Fourth Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on _____, 2010 to increase the scope of work for the professional consultant design services in the Fifth Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Sixth Amendment.

Whereas, the Consultant has submitted a Proposal dated May 25, 2010 (Revised June 11, 2010), for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Sixth Amendment" to the Sixth Amendment and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 31, 2012** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – Sixth Amendment," entitled "Change Order Request No. 5 – Additional Work and Change of Project Scope, Project No. 06-50182625, Street Improvements for Ironwood Avenue from Heacock Street to Perris Boulevard."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section described in "Exhibit B - Sixth Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $99,975, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in "Exhibit A - Sixth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $736,839.10 ($579,300.00 for the original Agreement, plus $7,679.10 for the First Amendment to Agreement, plus $2,475 for the Second Amendment to Agreement, plus $17,618 for the Third Amendment to Agreement, plus $0 for the Fourth Amendment to Agreement, plus $29,792 for the Fifth Amendment to Agreement, plus $99,975 for the Sixth Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

AECOM Technical Services, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Sixth Amendment"
"Exhibit B – Sixth Amendment"

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AECOM

May 25, 2010
(Revised June 11, 2010)

City of Moreno Valley
Public Works Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Attention: Mr. Henry Ngo, P.E.

Subject: Change Order Request No. 5 - Additional Work and Change of Project Scope
Project No. 06-50182625
Street Improvements for Ironwood Ave
From Heacock Street to Perris Blvd

Dear Mr. Ngo:

AECOM has been requested by the City of Moreno Valley to provide additional professional services for the Street Improvements for Ironwood Ave (from Heacock Street to Perris Blvd). The additional services are for the tasks requested by the City and which were not identified in the City's original request for proposal (RFP) nor were they included in the authorized scope of work.

These unanticipated efforts have caused us to exceed our available budget for the project. To assure that we will be able to complete the project, we need to request a change order. The additional services requested by the City include:

- Preparing storm drain pipe extension design to 820 feet east of Ironwood Ave/ Hubbard Street
- Additional Right of Way Services and Improvements for Various Buildings
- Environmental - Pre-Construction Nesting Bird Survey
- Additional Design Services for SCE's Power Pole Relocation

SCOPE OF SERVICES

The Scope of Services covered by this change order are as follows:

1. **Prepare Storm Drain Pipe Extension Design to 820 Feet East of Ironwood Ave/Hubbard St**
   AECOM will provide additional lateral pipe extension to 820 feet east of Ironwood Ave/ Hubbard St. The need for the additional storm drain is to eliminate a local drainage deficiency arising from an existing storm drain pipe that runs from Escondido Ct. and

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765
www.aecom.com
T 909-895-0520
F 909-860-1306

"Exhibit A – Sixth Amendment"

out-flows to Ironwood Ave. via an existing parkway drain. The existing parkway drain is not graded to drain completely and causes a flooding problem.

AECOM will also provide the undersidewalk box drain to replace the existing parkway drain outlet to the street as an alternative design solution.

2. **Additional Right of Way Services and Improvements at Various Buildings**
AECOM has been assisting OPC in the pre-planning and coordination of the full take of properties. Some of them subsequently changed to partial takes and we needed to revise the estimate for compensation costs. Other OPC services including Relocation Plan and Relocation Assistance, Property Negotiations, Project Management and Coordination also required AECOM's involvement in additional meetings, coordination and revised plans and estimates. OPC also needed to perform additional Escrow Coordination Services.

   Also, the noise study prepared by Wieland Acoustics through ECORP contained recommendations for noise mitigation options for the house behind the proposed house removal at 11987 Davis Street, for the existing house at 11990 Kilgore and for the existing house at11989 Hubbard Street. The noise mitigation options include construction of block walls and building upgrades. AECOM needed to coordinate with the City, sub-consultants and the owners to provide the final solution for the noise mitigation, including plan changes, additional meetings and cost estimates.

3. **Environmental - Pre-Construction Nesting Bird Survey**
In accordance with the project's Mitigation Measures, and the Migratory Bird Treaty Act (MBTA)/California Department of Fish & Game (CDFG) Game Code Section 3513, ECORP will conduct a pre-construction nesting bird survey within 30 days prior to any grading, tree or brush clearing or trimming, grubbing or other project related ground disturbances that is proposed to occur between February 1 through August 31.

   If no nesting birds are observed during the survey, site preparation and construction activities may begin. If an active bird nest is located, the nest site shall be fenced to a distance recommended by the monitoring biologist. Typically this is a minimum of 300 feet from the nest site in all directions (500 feet is typically recommended by CDFG for raptors), until the juveniles have fled and there has been no evidence of a second attempt at nesting.

4. **Additional Services for SCE's Power Pole Relocation**
AECOM will provide additional services for Southern California Edison's power pole relocation, per City's request.

FEE PROPOSAL

The proposed Not-to-Exceed fee for the above services is **$99,975**. Attached is a breakdown of the costs by the Change Order task.

Please review the proposed scope and fee estimates and process the Change Order No. 5 so that we may proceed with the tasks. Should you have any questions, please do not hesitate to call me at (909) 895-0520.

Very truly yours,

AECOM

Edward Ng, PE
Project Manager
en/td

cc:

Attachment: Fee Estimates

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765

www.aecom.com

T 909-895-0520
F 909-860-1306

COST PROPOSAL

	TOTALS
AECOM.	$39,861
ECORP	$1,204
OPC	$58,909
TOTALS	$99,975

6/13/2010 AECOM

"Exhibit B – Sixth Amendment"

COMPANY:	SCOPE OF WORK	DATE:	REV:
AECOM.	Project Design	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

	FUNCTION	HOURS		RATE	AMOUNT	
1. Storm Drain Design						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	12	@	$115.00	$1,380.00	
Robert Wong	Drainage Engineer	48	@	$115.00	$5,520.00	
Julian Yap	Asst. Engineer	12	@	$85.00	$1,020.00	
Phong Mai	Asst. Engineer	80	@	$85.00	$6,800.00	
					Subtotal	$16,080.00
2. Coordination for Additonal Right-of-Way						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	24	@	$115.00	$2,760.00	
Julian Yap	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$6,160.00
3. Additional Design Per SCE						
Edward Ng, PE	Project Manager	20	@	$170.00	$3,400.00	
Paul Lau, PE	Project Engineer	30	@	$115.00	$3,450.00	
Julian Yap	Asst. Engineer	32	@	$85.00	$2,720.00	
Phong Mai	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$11,610.00
	TOTAL HOURS	322			TOTAL DIRECT LABOR	$33,850.00

MULTIPLIERS

ESCALATION @	(Rate)	
OVERHEAD @	(of Total Direct Labor + Escalation)	
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)	
	TOTAL MULTIPLIERS	

OTHER DIRECT EXPENSES ••• Billed at Actual Cost •••

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
Printing			$1.00	
Mileage			$0.55	
			TOTAL OTHER DIRECT EXPENSES	

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
ECORP				$1,204.25
OPC				$58,909.00
KDMM				
			TOTAL OUTSIDE SERVICES	$60,113.25

FEES

OUTSIDE SERVICES ADMIN FI	10.00%	(of Total Outside Services & Outside Services Fees)	$60,113.25
AECOM. @		(of Total Direct Labor + Total Multipliers)	
OUTSIDE SERVICES @	10.00%	(of Total Labor + Total Multiplier for Outside Services	
		TOTAL FEES	$6,011.33
		TOTAL COST	**$39,861.33**

COMPANY:	SCOPE OF WORK	DATE:	REV:
ECORP	Environmental Survey & Permit Application	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS	RATE	AMOUNT
Scott Taylor	Biology Manager	1	$130.00	$130.00
Anthony Mann	Biologist	10	$80.00	$800.00

TOTAL HOURS 11 TOTAL DIRECT LABOR $930.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)

TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES ••• Billed at Actual Cost •••

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
digital camera	1	@	$3.50	$3.50
GIS	1	@	$20.00	$20.00
photographs/film	1	@	$3.00	$3.00
cell phone	1	@	$1.00	$1.00
GPS rental	1	@	$10.00	$10.00
Mileage	100	@	$0.51	$50.50
Rental Vehicle	1	@	$30.00	$30.00
aerial photos	1	@	$100.00	$100.00
photocopies b/w	175	@	$0.15	$26.25
photocopies color	30	@	$1.00	$30.00

TOTAL OTHER DIRECT EXPENSES $274.25

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL

TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees)
ECORP @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service

TOTAL FEES

TOTAL COST $1,204.25

COMPANY:	SCOPE OF WORK	DATE:	REV:
OPC		6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS		RATE	AMOUNT
	Principal/Director			$165.00	
	Senior Project Manager	25	@	$135.00	$3,375.00
	Project Manager	130	@	$125.00	$16,250.00
	Senior Acq/Relo Consultant			$115.00	
	Acq/Relo Consultant	233	@	$105.00	$24,465.00
	Project Support	203	@	$73.00	$14,819.00
	TOTAL HOURS	591		TOTAL DIRECT LABOR	$58,909.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)
	TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
			TOTAL OTHER DIRECT EXPENSES	

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
			TOTAL OUTSIDE SERVICES	

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees
OPC @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service
	TOTAL FEES
	TOTAL COST $58,909

COMPANY:	SCOPE OF WORK	DATE:	REVISION:
AECOM		6/13/2010	
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5		Project Summary	

AECOM. Summary

	$170.00	$115.00	$115.00	$85.00	$85.00				$170.00	$115.00	#REF!	$85.00			$170.00	$115.00			
Subtotal	36	66	48	68	104														322
Totals	36	66	48	68	104														322

ECORP Summary

	$130.00	$80.00																	
	1	10																	11

OPC Summary

	$165.00	$135.00	$125.00	$115.00	$105.00	$75.00													
		25	130		233	203													591

Summary

Summary

COMPANY: ECORP	SCOPE OF WORK: Environmental Survey & Permit Application	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	1	10																11
1. Ironwood Pre-construction Nesting Bird Survey	1	10																11

COMPANY: AECOM	SCOPE OF WORK: Project Design	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	36	66	48	68	104	322
1. Storm drain extension to 820' east of Hubbard St	8	12	48	12	80	160
2. Coordination for Add'l R/W Services & Imp'ts at Various Buildings	8	24		24		56
3. Additional Design Services for SCE	20	30		32	24	106

COMPANY: OPC	SCOPE OF WORK	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours		25	130		233	203												591
1. Pre-planning & Coordination		5	25		20	10												60
2. Relocation Plan & Assistence		5	25		50	10												90
3. Property Negotiations		5	30		116													151
4. Escrow Coordination Services			10		47	183												240
5. Project Management & Coord.		10	40															50

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MV00067155

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/14/10**	**VENDOR NAME:**	AECOM Technical Services, Inc. (formerly LAN)
		VENDOR NO.#	ORIGINAL PO NUMBER
		2064471	35827
	Project Number:	06-50182625-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35827 by $99,975 for additional design, right-of-way, and environmental services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625-2)	$99,975.00

Notes:		**Change Order Sub Total from Above:**	$99,975.00
		Original P.O. and Prior Change OrderAmount:	$637,230.00
		Revised Total Spend:	**$737,205.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by:	Henry Ngo & Lee Ann Florez	Date: 06/08/2010			
Divison Manager ($15k)		Date:	100.0%	415.70227.7200	$737,205.00
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$737,205.00

Attachment "C"

V 1.4

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-89280221-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221).

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto.

BACKGROUND

On November 25, 2008 the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract included construction of median beautification, a lighted median sign near Perris Boulevard, landscaping, a color Portland Cement Concrete (PCC) center turn lane, intersection enhancements.

DISCUSSION

Excel started the Stage 2 construction work in May 2009. Currently, Excel is working on the footings and underground electrical components for the median sign.

There were three (3) Contract Change Orders issued to Excel for the Stage 2 contract totaling approximately $202,002.98. These changes included removal, replacement, and repaving of the interface areas adjacent to the newly constructed color PCC walks for a smooth transition removing rutted and uneven surface areas on the side streets. Other changes included necessary traffic safety control measures, removal of buried asphalt materials, removal of buried signal pole footings and unsuitable subgrades, and dumping fees for contaminated materials. The contractual expenditures are still within the City Council authorized Purchase Order amount, however, there are some unresolved claims which may potentially exceed the project's Purchase Order amount. Therefore, staff is requesting City Council approve the $50,000 Change Order to increase Excel's Purchase Order as a contingency to ensure timely payment to the Contractor in accordance with the Public Contract Code in the event the claims are resolved in the Contractor's favor.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will allow for the completion of these needed improvements.*

2. Do not Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and do not authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will delay the needed improvements and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) by Excel was funded with Lease Revenue Bond funds (fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (fund 892) as budgeted in Fiscal Year 2009/2010. An increase of $50,000 is requested to increase the Purchase Order (No. 37049) for Excel from the project's unencumbered budget in 892.80221 to cover the cost of possible claims. The

funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)		$12,138,000
Total Estimated Design Related Costs		($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)		($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)		($3,549,000)
Breakdown of Stage 2 Related Work		
Contractor (includes contingency)	$2,703,000	
Requested increase in PO No. 37049 for Excel	**$50,000**	
Consultant Construction Management/Inspection Services (incl. contingency)	$595,000	
Geotechnical Services	$32,000	
Survey Services	$78,000	
Project Administration*	$91,000	
Total Amount for Stage 2 Construction	$3,549,000	
Remaining Project Balance		$379,000

*Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Excel has been constructing the beautification and enhancements improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 2). The improvements have included the median beautification, a lighted median sign near Perris Boulevard, landscaping, a color PCC center turn lane, and intersection enhancements. Due to some unresolved claims, staff is requesting City Council

approve the Change Order to increase Excel's Purchase Order by $50,000 from the unencumbered project budget.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Change Order Form

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-2 Median Intersection Improv\CC Reports\071310 Excel CO to PO.doc

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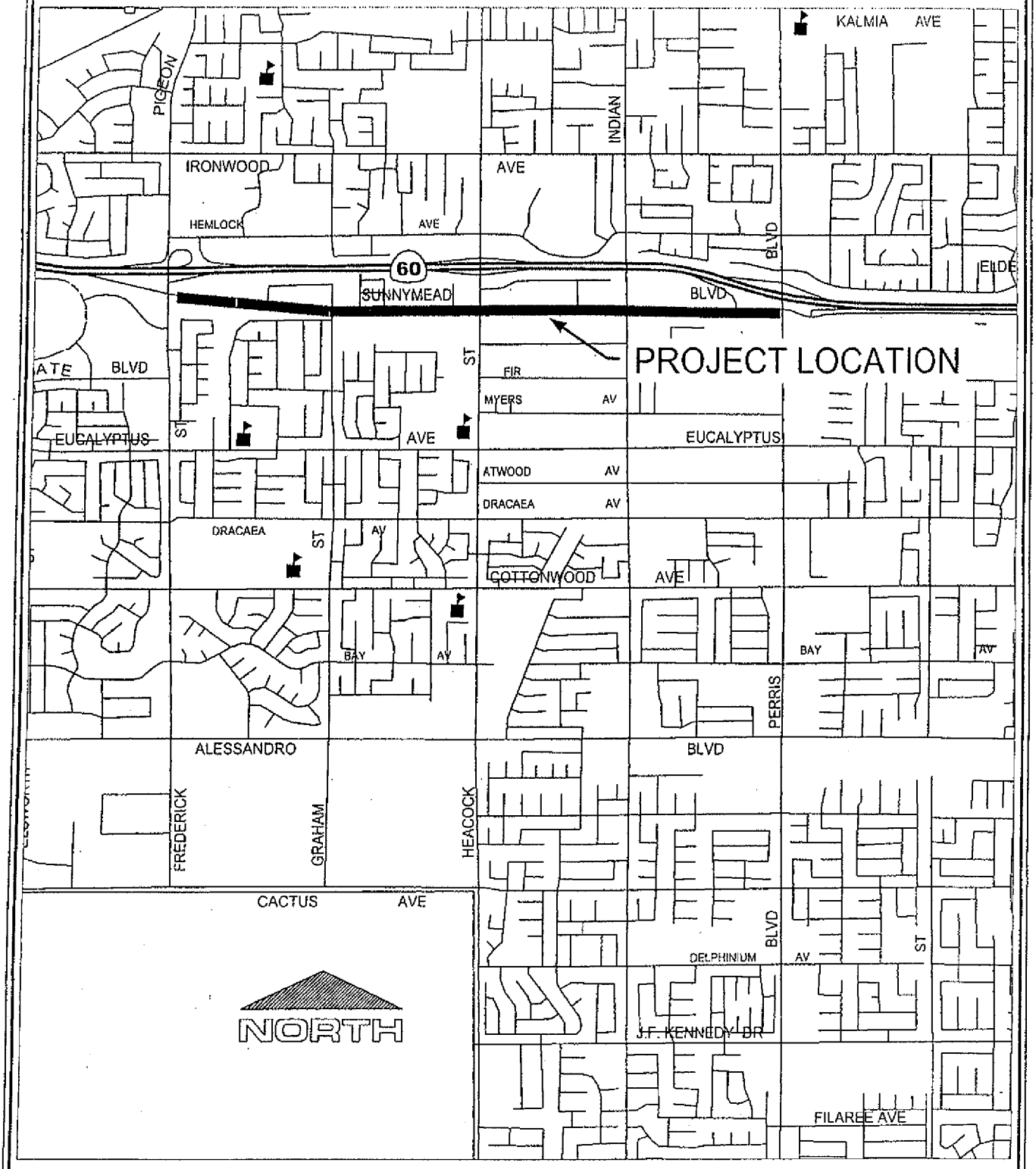

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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MV00067165

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/8/10**	**VENDOR NAME:**	PALP Inc. dba Excel Paving Company
		VENDOR NO.#	ORIGINAL PO NUMBER
		2381898	37049
Project Number:		04-89280221-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 37049 by $50,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-2).	$50,000.00

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$756,636.90
		Revised Total Spend:	**$806,636.90**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 06/07/2010			
Divison Manager ($15k)		Date:	100.0%	892.80221.7200	$806,636.90
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$806,636.90

Attachment "B"

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MV00067167

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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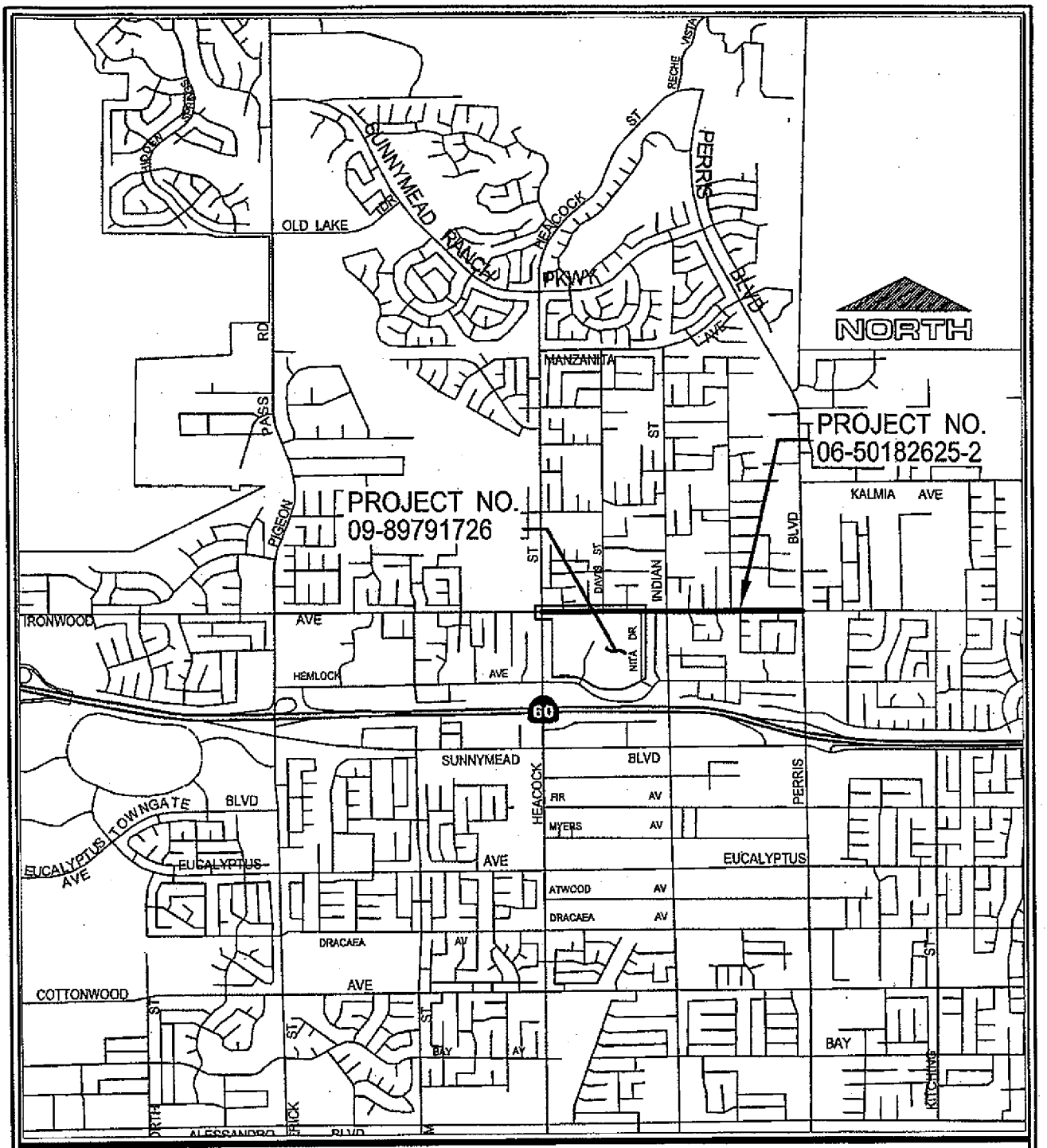

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00067177

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Utility\Sewer & Water - EMWD\Agreement\EMWD Reimb Agreement for IronwoodInd Basin - Draft 6-3-10.doc

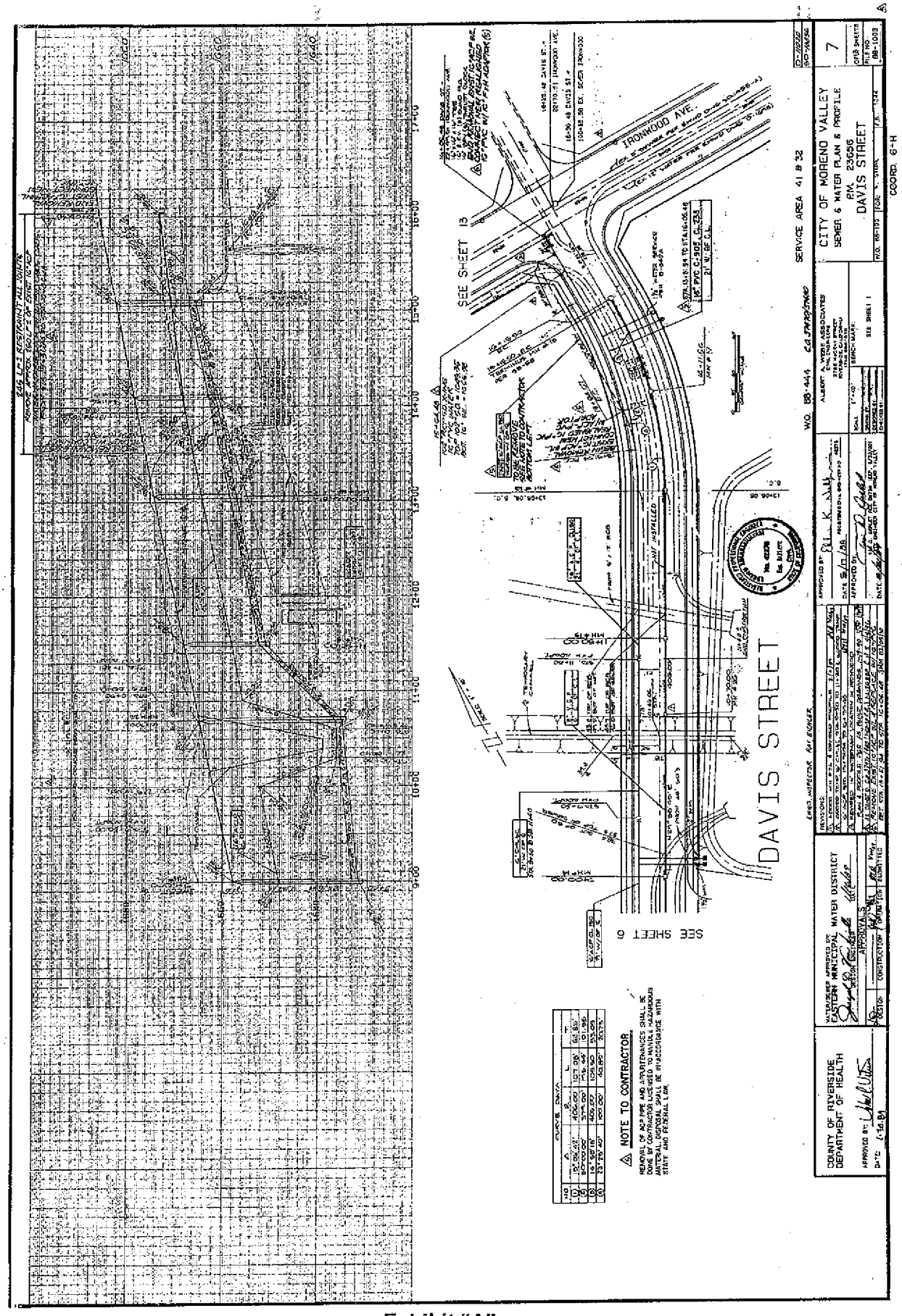
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23636
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

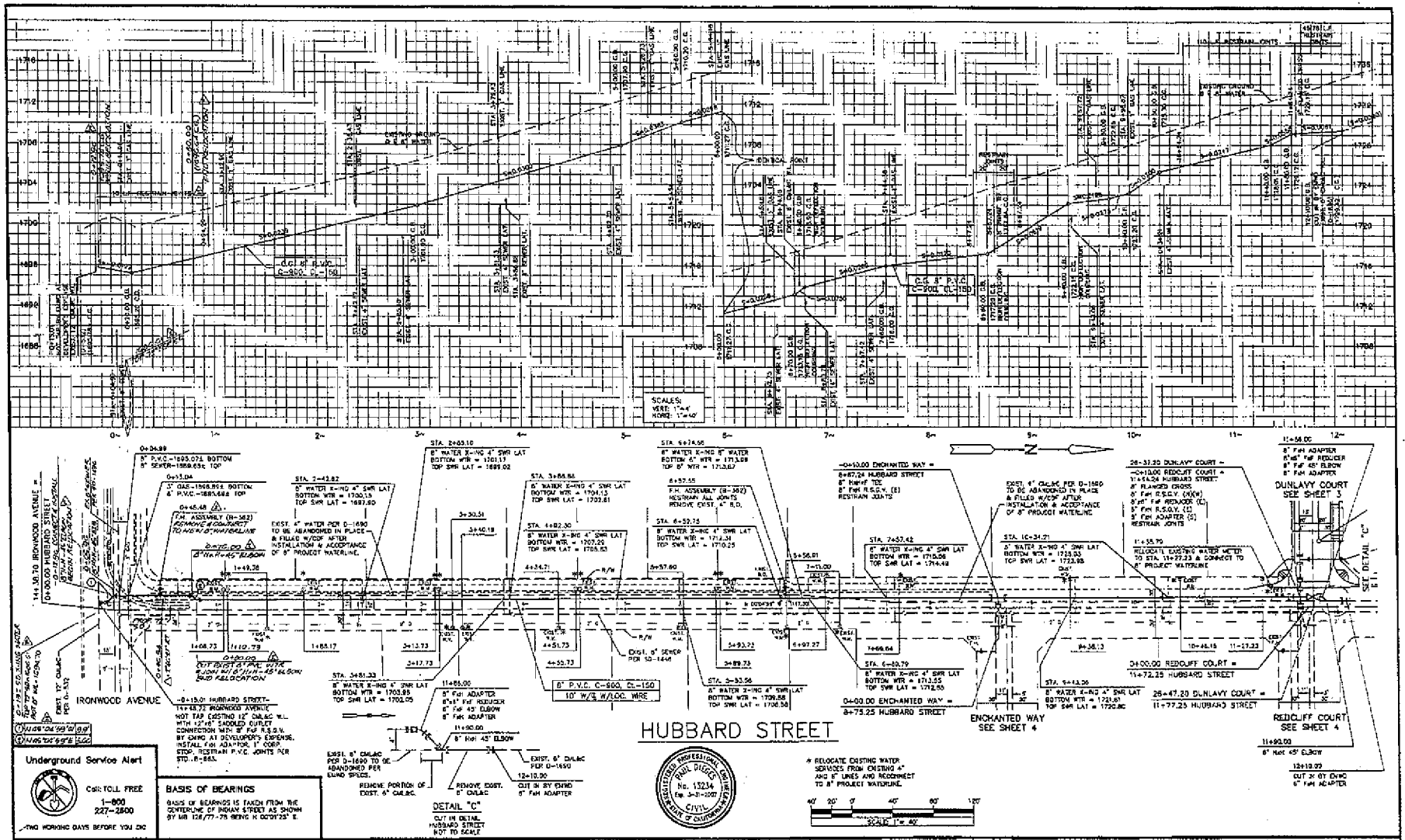
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY
SEE SHEET 4
DUNLAVY COURT
SEE SHEET 3
REDCLIFF COURT
SEE SHEET 4
SEE DETAIL "C"
DETAIL "C"
Underground Service Alert
Call TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 128/77-79 BEING N 00°01'25" E.
SCALE: 1" = 40'
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
1051 DAWOS ROAD
PERRIS, CA. 92571
(951) 657-2822
PAUL DIEGES R.C.E. 13234 EXP. 3-31-07
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
WATER
PLAN AND PROFILE
STA. +00+15.00 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-584, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EXCEPT GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. B-608.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

9. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
10. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE TYPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
11. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
12. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
13. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-861.
14. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
15. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-680, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VERIFY SIZES AND DRAWINGS WHEN APPROPRIATE). ADJOINING LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL REPORT AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR ENCHANED UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE LINES. PLANNED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN VALIDITY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL ENCROACHES FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL SEPARATE ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEMS	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	21	LF
8" 22½ 45° BEND	2	EA
8" 90° 45° BEND	1	EA
12" 22½ 45° BEND	2	EA
12" 45° BEND	3	EA
12" 90° BEND	1	EA
12" BLIND FLANGE	1	EA
12" BLIND FLANGE	1	EA
12" REDUCER	1	EA
12" BRANCH	1	EA
12" 90° TEE	2	EA
12" 90°	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	471	LF
CUT EXIST. 12" W/ & HOT TAP 12" DUCTILE W/	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.A. AIR VALVE	1	EA
8" PVC WATER C-900, CL-200 (TEMP. HIGH LINE)	65	LF

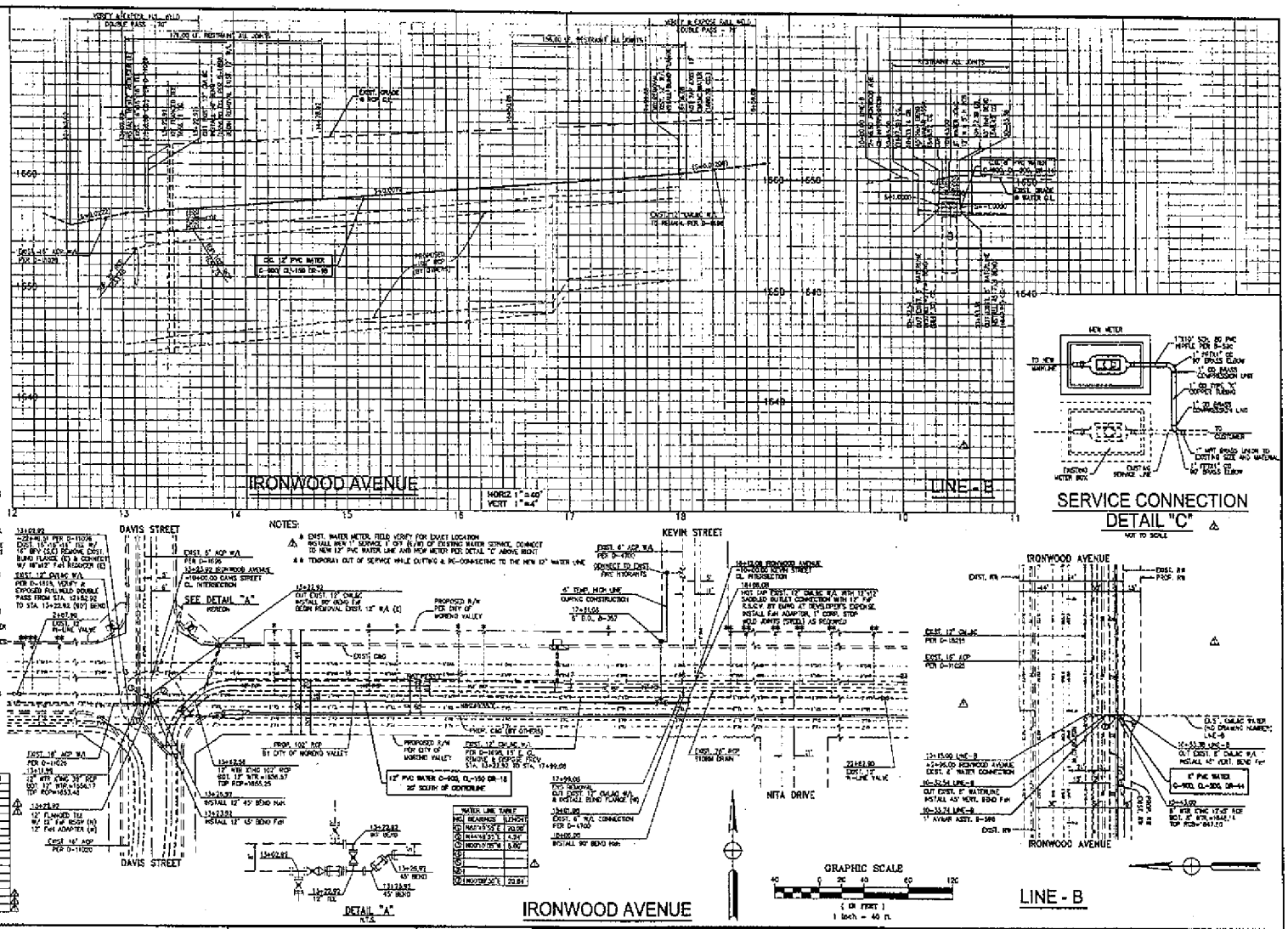

Underground Service Alert
CALL TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS					
NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/09	LAW	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/08	CHAN	01/13/2009
2	4/30/09	LAW	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/09	CHAN	04/30/2009

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-58 F)
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.3' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5 DIA.) STAMPED "M-58 RESET 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: CONSTRUCTION MANAGER — ACCEPTANCE; MAINTENANCE — ACCEPTANCE

SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA
12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

W.O.	3
W.A.	41
W.P.	12-747
CS	
COMM	
SHT.	1 OF 1
D-	41354

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

Page 4 of 4

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto.

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

BACKGROUND

On May 29, 2008, the City Manager executed an Agreement for Professional Consultant Services with OPC for On-Call Right of Way services. On December 5, 2008, a purchase order for $70,000 was issued to OPC after they were selected as the most responsive firm to propose for In-House Right of Way Consulting Services to assist the Capital Projects Division with capital improvement projects. City Council approved an increase of $99,000 to the purchase order at its meeting on April 14, 2009.

DISCUSSION

Due to the vacant City staff "Senior Real Property Agent" position, as well as an increase in project related right of way activities, additional resources are necessary.

As a temporary solution to assist in expediting the completion of projects, the Capital Projects Division seeks to extend their Agreement with OPC.

OPC staff has an excellent track record of providing right of way services for budgeted capital improvement projects including, but not limited to, Kitching Street Improvements, Day Street Improvements, Sunnymead Boulevard Rehabilitation, and Lasselle Street Widening Improvements. Over the next twelve months, OPC staff will continue to work on right of way for projects such as the Perris Boulevard from PVSD Lateral "B" to Cactus Avenue Improvements, Perris Boulevard from Ironwood Avenue to Manzanita Avenue, Ironwood Avenue Street Improvements, Heacock Street Bridge Improvements, and other budgeted capital projects as assigned.

OPC provides professional consultant right of way services under an on-call Agreement that expires May 15, 2011. Staff recommends issuing a new purchase order and executing a Project Agreement with OPC for the continuation of their services. The purchase order for $99,000 allows for approximately one (1) additional year of right of way services as provided by the in-house consultant staff. The new purchase order will increase the Agreement to a total not-to-exceed amount of $268,000 ($70,000 for the original purchase order, plus $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

ALTERNATIVES

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and do not authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The current purchase order encumbered to account number 897.91724 will be fully expended shortly. Staff recommends that the new purchase order for $99,000 be encumbered to the FY 10/11 Perris Boulevard from PVSD Lateral "B" to Cactus Avenue

Improvements project budget (Account No. 416.78526). As costs are incurred against this purchase order, the expenditures will be transferred to the capital projects for which services were performed. The anticipated associated costs for the purchase order increase will be funded through DIF Arterial Streets (Fund 416), TUMF Capital Projects (Fund 415), 2005 Lease Revenue Bonds (Fund 501), and Measure "A" (Fund 125):

Perris Boulevard from PVSD Lateral "B" to Cactus Avenue (416.78526)	$29,000
Perris Boulevard from Ironwood Avenue to Manzanita Avenue (415.78726)	$28,000
Ironwood Avenue Street Improvements (501.82625)	$18,000
Heacock Street Bridge Improvements (125.66825)	$24,000
Total	**$99,000**

These funds are restricted to Capital Improvement Projects and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

Due to the need for in-house right of way services on a variety of projects, a purchase order with OPC is necessary to continue the temporary professional staffing services for the Capital Projects Division. Staff recommends that the City Council authorize the execution of the Project Agreement and the issuance of a new purchase order to OPC in the amount of $99,000 for right of way services.

ATTACHMENTS

Attachment "A" – Project Agreement
Attachment "B" – Purchase Requisition

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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PROJECT AGREEMENT FOR ON-CALL
PROFESSIONAL CONSULTANT SERVICES
VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Overland, Pacific and Cutler, Inc., a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has Pre-Qualified Consultant for On-Call Consultant work in an Agreement ("On-Call Agreement") executed on May 29, 2008 for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-Call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-Call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Consultant Real Property and Right of Way Services for Various Projects of the Capital Projects Division (and other Divisions as needed) and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

3. The Consultant's scope of service is for Consultant Real Property and Right of Way

Services for Various Projects of the Capital Projects Division and is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D", attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Overland, Pacific and Cutler, Inc.

BY: _____

TITLE: PRESIDENT
(President or Vice President)

5/25/10
Date

BY: _____

TITLE: Vice President / Secretary
(Corporate Secretary)

5-25-10
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures:
Exhibit "A" – City Scope of Services
Exhibit "B" – Consultant Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY SCOPE OF SERVICES

Various Capital Improvement projects throughout the year will require Right of Way Services. The following list includes services that may be needed over the course of the contract. The list is not intended to be all-inclusive, as other services may be needed:

- prepare reports and coordinate the preparation of site surveys relating to real property that is required for public purposes
- prepare certificates of acceptance; record documentation at the county, negotiate for purchase, lease, or donation of real property
- prepare contracts, agreements, leases, deeds, re-conveyances, legals, plats, and other instruments used to acquire or vacate interests in real property
- prepare rights of entry
- prepare and acquire temporary construction easements
- estimate the market value of real property and prepare written reports
- analyze title reports, contracts, judgments, court records, and other documents to evaluate the legal status and effect upon title of various liens, restrictions, and encumbrances
- maintain records, databases, maps, deeds, and other documents
- coordinate the hiring of appraisers, including preparation of Request for Proposals, review and rate/rank Proposals, prepare Staff Reports, review appraisals, verify property surveys, plats and legal descriptions
- coordinate eminent domain actions' consult with the City Council and City departments regarding real property matters, and interact with public agencies
- negotiate and acquire temporary construction "rights of way"
- negotiate cellular tower leases
- meet with property owners to discuss and educate them on real property issues pertaining to acquisition and relocation
- assist project managers on real property issues as they relate to their respective capital improvement projects
- perform related duties as assigned
- and provide quality customer service

EXHIBIT "A"

OVERLAND PACIFIC & CUTLER, INC.
www.OPCservices.com
2280 Market Street, Suite 340, Riverside, CA 92501
phone: (951)683-2353, fax: (951)683-3901

April 23, 2010

Ms. Kimberly Jester
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

RE: In-House Right of Way Consulting Services 2010

Dear Ms. Jester:

In response to your request, Overland, Pacific & Cutler, Inc. (OPC) is pleased to present the City of Moreno Valley with this brief fee proposal for the continuation of in-house staffing services under our existing Professional On-Call Services Agreement.

OPC is proposing to continue with the existing arrangements and will assign Mr. Michael Green to the City on specified hours and days. Mr. Green will be working at a rate of $105 per hour, Tuesdays and Thursdays, 8:00 AM to 5:00 PM. At 16 hours per week for the year, we estimate the total annual cost to be $87,360. Should the actual hours increase or decrease over the coming year, the estimated cost will adjust accordingly.

Should you have any questions or would like to discuss further, please do not hesitate to call me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

Exhibit "B"

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $268,000 ($70,000 for the original purchase order, $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

2. Rates for personnel and services shall be as provided on Exhibit "B" – Consultant Proposal.

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

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MV00067205

TODAY'S DATE:	06/09/10
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Overland Pacific & Cutler, Inc.		
STREET ADDRESS >	100 West Broadway Suite 500		
STREET ADDRESS >			
CITY-STATE-ZIP >	Long Beach CA 90802		
CONTACT NAME >			
PHONE NUMBER >			
E-MAIL ADDRESS >			

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	Professional Consultant Right of Way Services for the Various Projects of the Capital Projects Division.	1	Lump Sum	$99,000.00	$99,000.00		
	Project No. 11-41570125						
	Per Project Agreement dated _____ by the City Manager.						
	The "On-call" Right of Way Services Agreement, First Amendment and Second Amendment with OPC are on file with the Purchasing Division.						

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$99,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Kim Jester / Prem Kumar	Date:			
Division Manager ($15k)	Date:	100.0%	416.78526.7200	$99,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$99,000.00

Purchase Requisition OPC

ATTACHMENT "B"

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MV00067207

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-89280221

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard.

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto.

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

BACKGROUND

On December 11, 2007, the City Council approved the Agreement for Professional Consultant Services with Harris & Associates, Inc. (Harris) for Construction Management and Inspection Services for Stage 1 (sidewalk and parkway improvements) and Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $660,000.

On November 25, 2008, the City Council approved the First Amendment to Agreement for Professional Consultant Services with Harris for additional Construction Management and Inspection Services for Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $265,000.

DISCUSSION

The Sunnymead Boulevard project from Frederick Street to Perris Boulevard has been constructed in two stages. Stage 1 was the Revitalization project for the color sidewalk, ramp and driveway improvements, which include a lighted gateway entry arch, bus shelters, sign monuments, parkway landscaping, Heacock Street intersection improvements, curb, and gutter. Stage 2 was the Beautification and Enhancement project for the street and median improvements, which include a lighted median sign near Perris Boulevard, median landscaping, a color Portland Cement Concrete (PCC) center turn lane, and intersection enhancements.

The Harris scope of services includes construction management for both the Stage 1 sidewalk and parkway improvements, and the Stage 2 median and intersection enhancements. Harris' responsibilities encompass construction management, which includes overseeing the daily construction operations of the contractors' work for compliance with approved plans and applicable City, State and Federal standards. In addition they are responsible for obtaining and reviewing all contractor submittals and contractor payment requests that are to be forwarded to the City for approval. However, the project is not complete and additional services are required. The work still pending includes punch list items pertaining to the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, an increase in Harris' construction management and inspection contract Purchase Order is needed through this Second Amendment to provide for the services necessary to complete the project. The expiration date of February 28, 2011 will not change with the proposed Second Amendment.

ALTERNATIVES

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick

Street to Perris Boulevard, authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative will allow for the completion of needed improvements.*

2. Do not approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard, do not authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, do not authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative may delay construction of needed improvements.*

FISCAL IMPACT

The project is funded with Lease Revenue Bond funds (Fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (Fund 892). The Harris contract was originally funded with Lease Revenue Bond funds, however, staff now requests that the City Council approve a new Purchase Requisition for $176,000 from unencumbered Redevelopment Agency project funds (Fund 892). The funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125) $12,138,000
Total Estimated Design Related Costs ..... ($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1) ..... ($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2) ..... ($3,549,000)

Breakdown of Professional Consultant Services with Harris & Associates

Original Agreement for Stage 1 & 2 Construction Management and Inspection Services (w/cont.) $660,000*
First Amendment for Stage 2 Construction Management and Inspection Services (w/cont.) $265,000*
Second Amendment for Stage 1 and 2 Construction Management and Inspection Services ..... $176,000 ..... ($176,000)
Total Construction Management and Inspection Services $1,101,000

Unencumbered Project Balance $203,000

* *Costs are already included in Stage 1 & 2 Construction items above*

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction ..... August 2010
Completion of Stage 2 Construction ..... October 2010

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:

Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

The Sunnymead Boulevard project is nearing completion. The longer than anticipated construction duration has resulted in the need to increase the contract amount with Harris & Associates, Inc. for construction management services. Therefore, staff is requesting City Council approve the increase to Harris' Purchase Order by $176,000 from the unencumbered project budget in Fund 892.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Second Amendment to Agreement for Professional Consultant Services, Project No. 04-89280221
Attachment "C" – Purchase Requisition

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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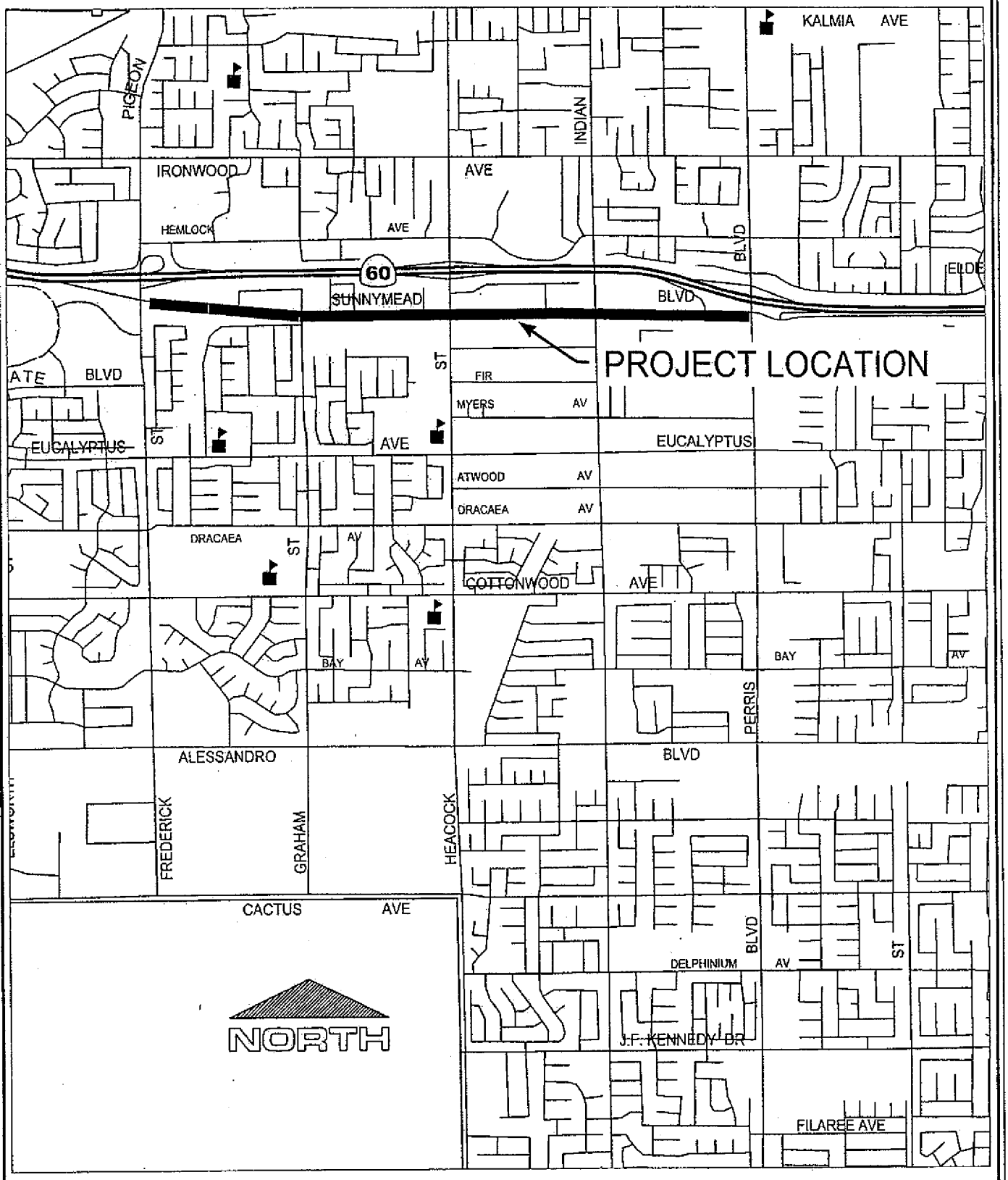

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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MV00067215

SECOND AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **Harris & Associates, Inc.**, a California corporation, hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated February 6, 2008.

Whereas, the Consultant is providing consultant management and construction inspection services for Sunnymead Boulevard Improvements Project from Frederick Street to Perris Boulevard, Project No. 04-89280221.

Whereas, the Agreement was amended on December 12, 2008 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Second Amendment.

Whereas, the Consultant has submitted a Proposal dated June 7, 2010, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Second Amendment" and is incorporated herein by this reference.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of February 28, 2011 is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Second Amendment," entitled "Request for Contract Amendment."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit B – Second Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive an additional "Not-to-Exceed" fee of $176,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work described in "Exhibit A – Second Amendment."

1.5 The total "Not to Exceed" fee for this contract is $1,016,900 ($600,000 for the original Agreement, plus $240,900 for the First Amendment to Agreement, plus $176,000 for the Second Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Harris & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Second Amendment"
"Exhibit B – Second Amendment"

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\Consultant\Inspection-CM\Agreement\7-13-10 2nd Amendment - Harris Associates 06 3 10.DOC

Harris & Associates

Shaping the future, One project at a time℠

June 7, 2010

City of Moreno Valley
Chris Wiberg, P.E. Senior Project Manager
Capital Project Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Contract Amendment

Mr. Wiberg,

The Sunnymead Boulevard project is pending completion of construction. It is now anticipated that completion of the construction on this project is not expected to occur until October of 2010. Some of the pending items include punch list items for the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, we are requesting that our current contract be amended to reflect the extended time frame. Please see attached Scope of Work and Cost Proposal for details.

The appropriate level of personnel required for this phase of service will be subject to mutual agreement and the contractor's schedule. Your acknowledgment and acceptance of this request is gratefully appreciated. Should you have any further questions or concerns, please do no hesitate to call.

Sincerely,
Harris & Associates

E. Joseph Shaw
Sr. Construction Manager

"Exhibit A – Second Amendment"

SCOPE OF SERVICES

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

Harris will continue to provide the following services as part of the Scope of Services on an as-requested, as-needed basis:

CONSTRUCTION MANAGEMENT & INSPECTION SERVICES

Construction Administration - Continue to implement procedures for reviewing and processing request for clarifications and interpretations of the Contract Documents; shop drawings, samples and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions and payment applications.

Reports - Prepare any reports that may be required during the construction phase.

Permits, Bonds and Insurance - Verify required permits, bonds and insurance, have been obtained.

Change Order Preparation - Coordinate contract change orders. Prepare independent cost estimate for contract change orders. Negotiate all contract change orders with the Contractor. Prepare contract change order document for execution by Contractor and City

Construction Schedule - Review each Contractor's Construction Schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule.

Progress Payments - Review payment applications submitted by each Contractor and determine whether the amount requested reflects the progress of the Contractor's work.

Photographs - Provide photographic documentation of project site during construction.

"As-Built" Drawings - Finalize one set of contract documents for each project with up-to-date information regarding all addendum, substitutions, clarifications and change orders.

Field Inspection - Provide field inspection, as requested, to verify compliance with the contract documents. Coordinate with City assigned inspection staff.

Surveying – Coordinate needed surveys to verify lines and grades with contract documents.

Traffic Control - Monitor traffic control and public safety plans for compliance with all safety laws and regulations. Review all detour, lane closures, temporary access, signing, delineation and traffic control plans.

Meetings - Coordinate meetings with City and Contractor related to project completion. Prepare meeting notices and prepare and distribute meeting minutes.

Final Inspection and Punchlist - Provide final inspection and prepare list of project construction deficiencies for resolution by Contractor.

Final Payment - Make recommendations regarding Contractor's final progress payment request. Prepare final progress payment report for submission.

Project Closeout - Prepare all documentation needed for project closeout. Deliver project documentation.

COST PROPOSAL

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

5 Month Projected Extension of Time	Cost
Construction Management Services	$81,000
Construction Inspection Services	$79,000
Additional Items of Work per City Request	$16,000
Total	**$176,000**

"Exhibit B – Second Amendment"

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\Consultant\Inspection-CM\Agreement\7-13-10 Revised CM Scope 06 03 10.DOC

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MV00067223

TODAY'S DATE:	06/11/10
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Harris & Associates, Inc.		
STREET ADDRESS >	9445 Fairway View Place, Suite 215		
STREET ADDRESS >			
CITY-STATE-ZIP >	Rancho Cucamonga, CA 91730		
CONTACT NAME >	Joe Shaw		
PHONE NUMBER >	909.237.2357		
E-MAIL ADDRESS >	eshaw@harris-assoc.com		

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF. MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	This Second Amendment with Harris & Associates, Inc.	1	Lump Sum	$176,000.00	$176,000.00		
	is providing construction management and inspection						
	services for the Sunnymead Boulevard						
	Improvements Project from Frederick Street to Perris						
	Boulevard, Project No. 04-89280221. The project is not						
	complete due to delays. A new Purchase Order is						
	requested to use unencumbered monies in fund 892.						
	The Second Amendment was signed by the City Manager						
	on _____. Also attached is the current insurance.						
	City Council approved the Purchase Requisition at its						
	meeting on 7/13/10.						

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$176,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Christopher L. Wiberg & Lee Ann Florez	Date: 06/11/2010			
Division Manager ($15k)	Date:	100.0%	892.80221.7200	$176,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$176,000.00

6-11-10 Purchase Req for Harris.xls

Attachment "C"

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MV00067225

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\CC Reports\071310 Ironwood Day to Barclay-EMWD Reimbursement Agreement.doc

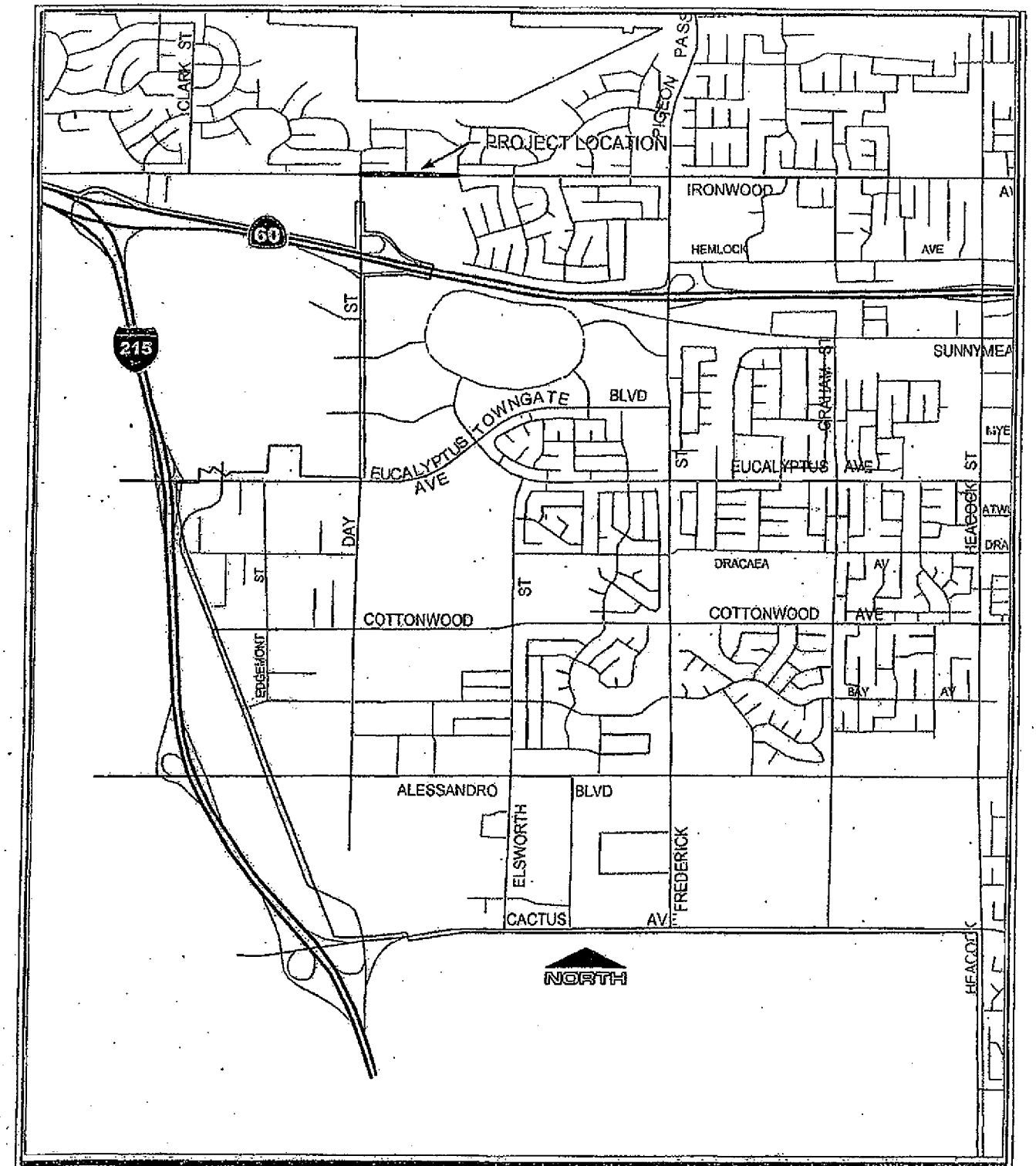

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

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MV00067233

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

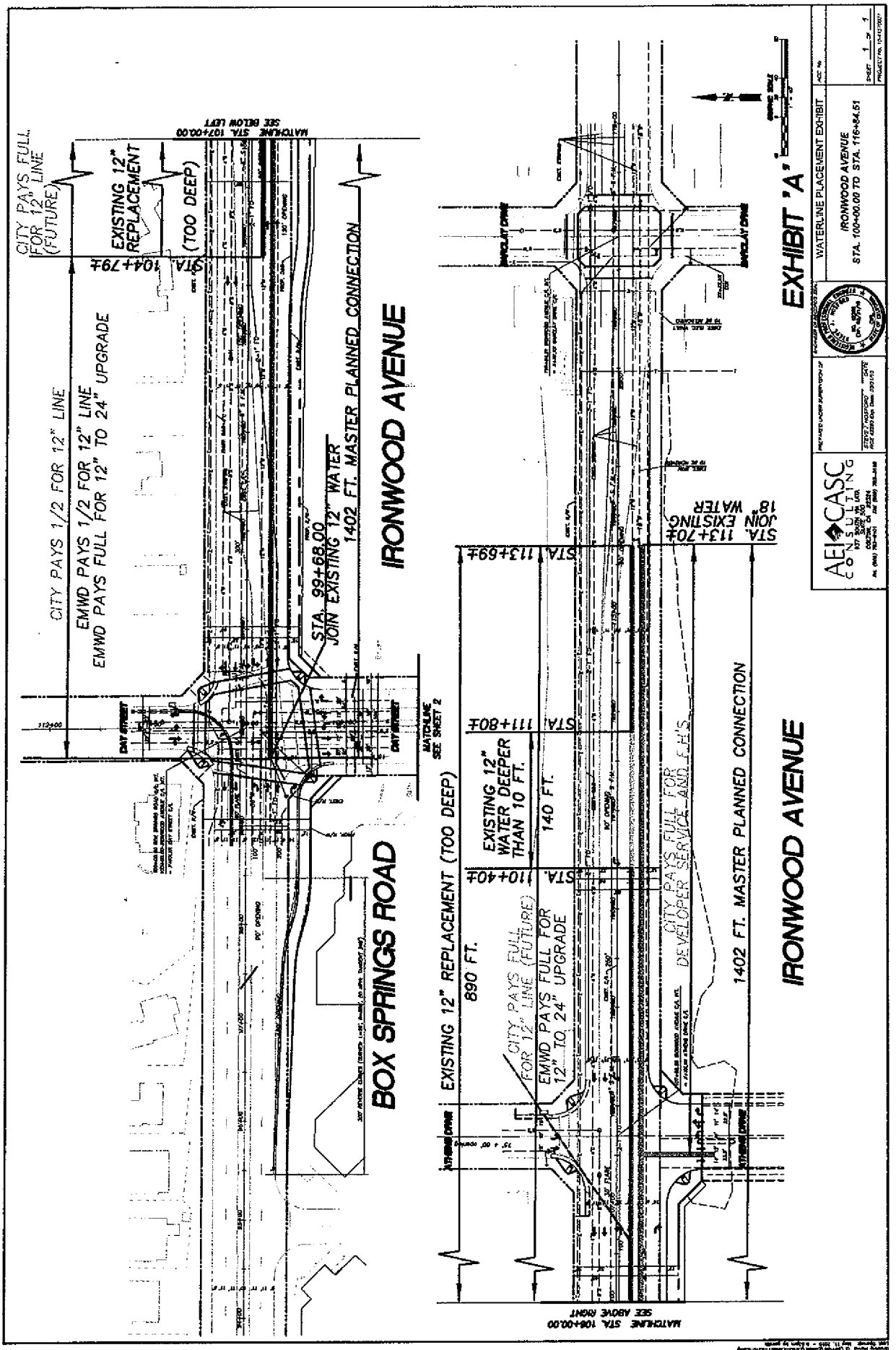
EXHIBIT 'A'
IRONWOOD AVENUE
BOX SPRINGS ROAD
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
CITY PAYS 1/2 FOR 12" LINE
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
STA. 99+68.00
JOIN EXISTING 12" WATER
1402 FT. MASTER PLANNED CONNECTION
MATCHLINE STA. 107+00.00
SEE BELOW LEFT
MATCHLINE
SEE SHEET 2
DAY STREET
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
CITY PAYS FULL FOR 12" LINE (FUTURE)
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
STA. 110+40±
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 111+80±
STA. 113+69±
STA. 113+70±
JOIN EXISTING 18" WATER
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
1402 FT. MASTER PLANNED CONNECTION
MATCHLINE STA. 108+00.00
SEE ABOVE RIGHT
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CASC CONSULTING

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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MV00067243

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728).

2. Authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto.

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements.

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

BACKGROUND

On December 8, 2009, the City Council awarded a construction contract and authorized the issuance of three (3) Purchase Orders in the total amount of $503,600.00 (the bid amount plus 25% contingency) to FS Construction. The FS Construction contract includes such street improvements as sidewalks, driveways, parkway drains, access ramps, block walls, fences, tree removals, cross gutter, mailboxes, and landscape restoration on both sides of Temco Street, Vought Street, Boeing Street, and McDonnel Street.

The City issued a Notice to Proceed to FS Construction to start the work on March 4, 2010. The length of the contract is one hundred twenty (120) working days. FS Construction anticipates completing the projects by end of June 2010 at the latest.

DISCUSSION

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. The increase in the FS Construction contract is attributed to the additional work and increased bid item work quantities mainly related to the reconstruction of the existing driveways and driveway approaches as part of the sidewalk improvements. During construction, the City worked closely with residents in relocating existing fences, trees, concrete walkways and other hardscape as well as modifying existing driveways and landscape necessary for the construction of new sidewalk and reconstruction of existing driveway approaches. The new sidewalk and driveway approaches, installed per current ADA requirements, resulted in steeper slopes on most of private driveways. As a result, additional work is required to remove and replace larger areas of private driveways to lower the driveway profiles and reduce the steepness of driveway slopes for functionality purposes. In addition, many driveways have deteriorated and required larger removal areas in order to establish a logical and stable concrete slab match line to existing driveway slabs. This has also increased the driveway installation bid item quantities as well as grading and drainage issues. There are also increases in other bid item quantities related to sidewalks, fence relocations, drainage structures, and curb and gutter replacements which contributed to the increase in construction cost.

The additional improvements were necessary for functionality of the driveways and new City improvements. Furthermore, the improvements have enhanced the aesthetic and appearance of the neighborhood as well as the pedestrian and vehicular safety. By utilizing in-house design to reduce design cost along with the favorable construction bid received, there is a net savings in the project's overall cost. Staff is requesting City Council approve the Change Orders to increase FS Construction's Purchase Orders to allow payment to the Contractor.

The construction of sidewalk improvements is to be completed at end of June 2010. Since the City Council will not meet on next two meetings after the July 13 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer

to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ALTERNATIVES

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), do not authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, do not authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and do not authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will delay payment to the Contractor, delay completion of the improvements, and incur extra cost to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and is financed by Community Development Block Grant (CDBG) funds (Fund 283). There is no impact to the General Fund.

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. An increase of $21,000 is requested to increase Purchase Order No. 38859

(Account No. 283.68428). An increase of $30,000 is requested to increase Purchase Order No. 38860 (Account No. 283.68528). And an increase of $29,000 is requested to increase Purchase Order No. 38861 (Account No. 283.68728). The new total amount for three (3) Purchase Orders for FS Construction is $583,600.

AVAILABLE FISCAL YEAR 2009/2010 CONSTRUCTION FUNDS:

Temco Street (Account No. 283.68428)	$259,831
Vought and Boeing Street (Account No. 283.68528)	$355,461
Boeing and McDonnel Street (Account No. 283.68728)	$544,360
Total Available Funds	**$1,159,652**

Breakdown of Construction Related Costs

Construction Contractor (FS Construction) PO's	$503,600
Requested increase in 3 PO's for FS Construction	**$80,000**
Geotechnical Services	$15,800
Survey Services	$47,700
Project Administration*	$120,000
Total Construction Cost	$767,100

Remaining Project Balance in Fund 283 ..... $392,552

* Public Works staff will provide Project Administration and Inspection.

ANTICIPATED PROJECT SCHEDULE:

Construction Started	March 2010
Completion of Construction	June 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

FS Construction has been constructing the sidewalk improvements on Temco Street, Vought Street, Boeing Street, and McDonnel Street and anticipates completing the projects by end of June 2010. The improvements enhance the aesthetic/appearance and pedestrian and vehicular safety for the neighborhood by providing sidewalks, new driveways, new mailboxes and landscape restoration. Due to the increases in bid quantities, staff is requesting City Council approve the Change Order to increase FS Construction's Purchase Orders by a total amount of $80,000 from the available project budget to allow payment to the Contractor. Staff is also requesting the City Council to

authorize the Public Works Director/City Engineer to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Change Order Forms

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Concurred By:
Michelle Patterson
Redevelopment and Neighborhood
Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Barry Foster.
Economic Development Director Programs

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Quang - 08-28368428 - Temco_Vought_Boeing_McDonnel Sidewalks\CC Reports\Increase PO's\07-13-10 Increase POs for FS Construction.doc

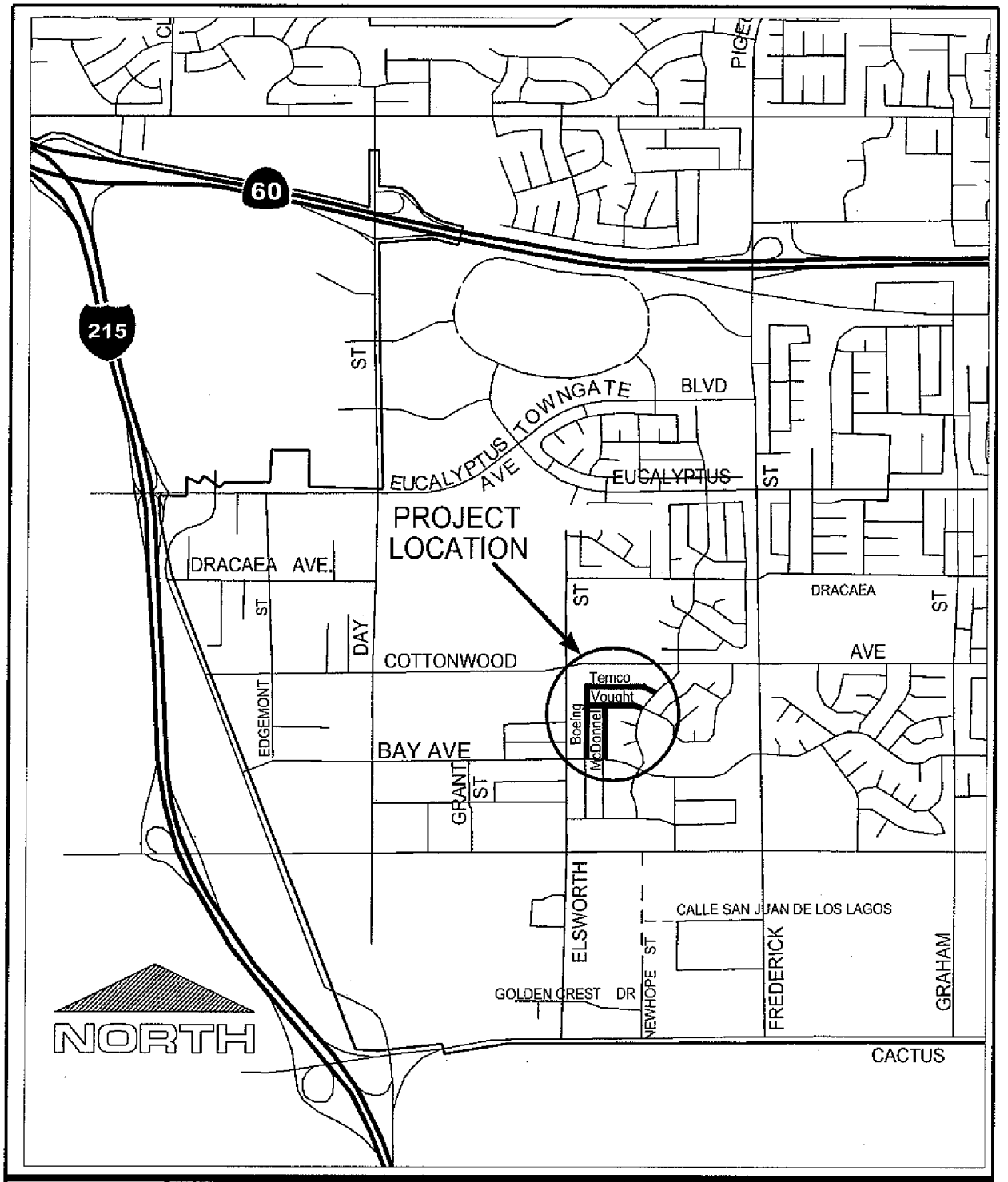

SIDEWALK IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

ATTACHMENT A

TEMCO ST., VOUGHT ST. BOEING ST. AND MCDONNEL ST.

LOCATION MAP

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38859
	Project Number:	08-28368428	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO # 38859 by $19,000.00 for additional work for the Sidewalk Improvements on Temco Street from Boeing Street to Pan Am Boulevard Project No. 08-28368428	$19,000.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$19,000.00
		Original P.O. and Prior Change OrderAmount:	$128,569.00
		Revised Total Spend:	**$147,569.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Sharon Duensing/Quang Nguyen	Date:			
Divison Manager ($15k)	Date:	100.0%	283.68428.7200	$147,569.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$147,569.00

V 1.4

Attachment "B"

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38860
	Project Number:	08-28368528	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38860 by $29,800.00 for additional work for the Sidewalk Improvements on Vought Street from Boeing Street to Pan Am Boulevard and Boeing Street from Vought Street to Temco Street Project No. 08-28368528	$29,800.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$29,800.00
		Original P.O. and Prior Change OrderAmount:	$179,269.00
		Revised Total Spend:	**$209,069.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Sharon Duensing/Quang Nguyen	Date:			
Divison Manager ($15k)	Date:	100.0%	283.68528.7200	$209.069.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$209,069.00

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38861
	Project Number:	08-28368728	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38861 by $26,200.00 for additional work for the Sidewalk Improvements on Boeing Street from Vought Street to Bay Avenue and McDonnel Street from Vought Street to Bay Avenue Project No. 08-28368728	$26,200.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$26,200.00
		Original P.O. and Prior Change OrderAmount:	$195,762.00
		Revised Total Spend:	**$221,962.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68728.7200	$221,962.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$221,962.00

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: July 13, 2010

TITLE: ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 15-17, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-69 appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 15-17, 2010 in San Diego. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Staff recommends that the City Council adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Recommended by staff)

2. Do not adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Attorney's Department 2010-11 Operating Budget account 010.22110.6221.

NOTIFICATION

Agenda Publication

ATTACHMENTS/EXHIBITS

Attachment A - Voting Delegate Proposed Resolution
Attachment B - Voting Delegate Form

Prepared By:
Jane Halstead, City Clerk, CMC

Department Head Approval:
Jane Halstead, City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2010 annual conference and by August 20, 2010, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Deputy City Attorney III Suzanne Bryant will be attending the business meeting on Friday, September 17, 2010 at the San Diego Convention Center in San Diego.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

That Deputy City Attorney III Suzanne Bryant is designated as the Voting Delegate for the City of Moreno Valley at the League of California Cities 2010 Annual Conference in San Diego on September 15-17, 2010.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 20, 2010.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY CLERK
MORENO VALLEY
RECEIVED
10 JUN 10 PM 2:30

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 20, 2010

June 4, 2010

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 15-17 – San Diego

The League's 2010 Annual Conference is scheduled for September 15-17 in San Diego. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 3:00 p.m., Friday, September 17, at the San Diego Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. Please take care when selecting your city's delegates, as travel and attendance could be an issue for those who observe Yom Kippur.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 20, 2010. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

ATTACHMENT B

-more-

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Jose Convention Center, will be open at the following times: Wednesday, September 15, 9:00 a.m.; Thursday, September 16, 7:30 a.m.; and September 17, 7:30 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 20th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2010 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2010 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes**. In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2010 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 20, 2010. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 20 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter10.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT

SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY

DEVELOPER – ZAPER, CORP.
7119 INDIANA AVE, SUITE 300
RIVERSIDE, CA 92504

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On August 12, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31414. The tentative tract map is a proposal to subdivide an approximately 9 acre parcel into 31 single family residential lots.

On October 24, 2006 the City Council for the City of Moreno Valley approved Zaper, Corp.'s agreement and bonds in the amounts of $1,115,000 for the Faithful Performance Bond and $557,500 for the Material and Labor Bond.

Pigeon Pass LLC has purchased Tract 31414 from Zaper Corp. and has provided substitute agreement and bonds. The substitute agreement and bonds were approved by Council on May 25, 2010.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Zaper, Corp.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

2. Do not authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - TR31414 - Exoneration of PIA Zaper.doc

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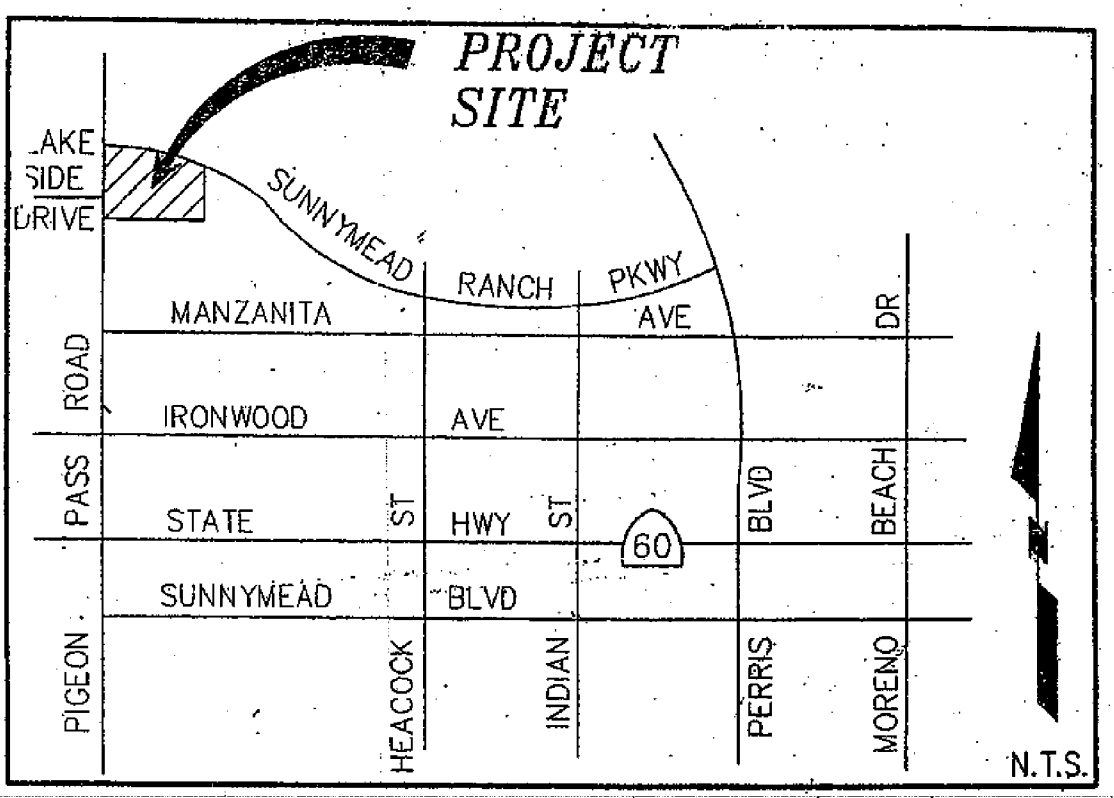

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**TR 31414** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - TR31414 -Exhibit A.doc

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MV00067269

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET

DEVELOPER - VALLEY OAK, LP
100 DOVE STREET, SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 22, 2005, the Planning Commission of the City of Moreno Valley approved this project. The tentative tract map is a proposal to subdivide 27.8 net acres in the R5 zone into 100 single family residential lots.

On December 12, 2006, the City Council for the City of Moreno Valley approved MVGH 2004, LLC agreement and bonds in the amounts of $3,636,000 for the Faithful Performance Bond and $1,818,000 for the Material and Labor Bond.

Valley Oak, LP has purchased project PA04-0125 from MVGH 2004, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

Valley Oak, LP has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $3,636,000 and a Material and Labor Bond in the amount of $1,818,000 issued by Western Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA04-0215 (TR 33256) - Substitution Agree & Bonds.doc

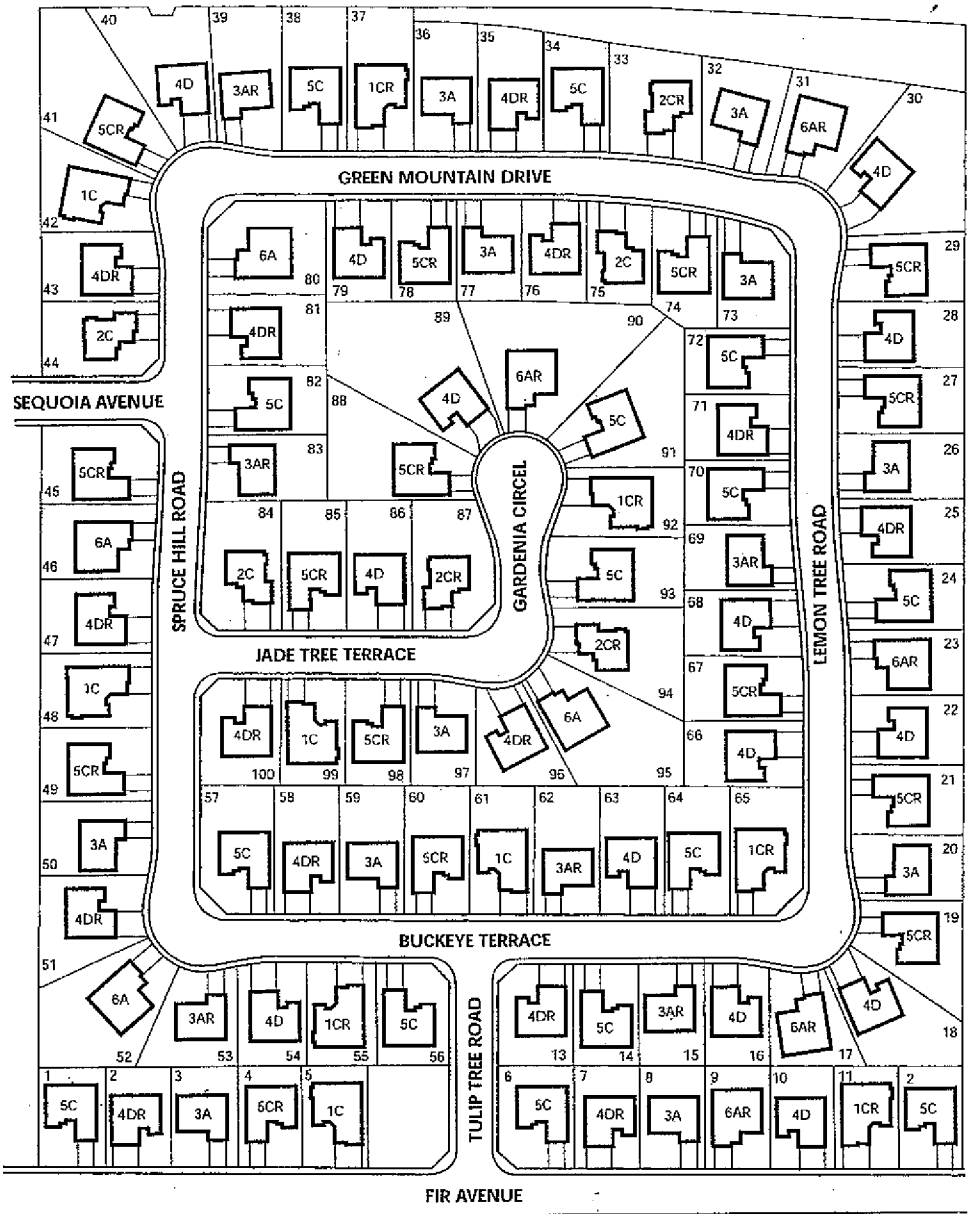

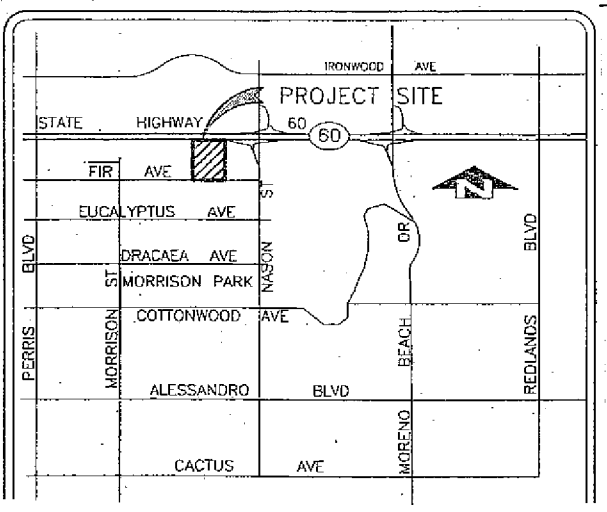

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

Tract 33256
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

Item No. A.17

MV00067274

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MV00067275

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0215 (TR. 33256)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Valley Oak, LP,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0215** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **THREE MILLION SIX HUNDRED THIRTY SIX THOUSAND AND NO/100** Dollars (*****$3,636,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Valley Oak, LP
1000 Dove Street, Suite 300
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

VALLEY OAK, LP:
Developer

BY: _____
Signature

NELSON CHUNG
Print/Type Name

MANAGER
Title

BY: _____
Signature

CHRISTINE CHUNG
Print/Type Name

CFO
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boiler - Agreement.doc

ACKNOWLEDGMENT

State of California
County of Orange)

On April 7, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG AND CHRISTINE CHUNG,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00067279

EXHIBIT "A"

ENGINEER'S ESTIMATE

DATE: 03/18/10

PROJECT: Tract 33256

PREPARED BY: Liz Plazola

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	151515	S.F.	5492	Ton	16.00	87,879
A.C.	0.3	Thickness (ft.)				
	151515	S.F.	3295	Ton	43.50	143,352
A.B. Class II	0.5	Thickness (ft.)				
	5781	S.F.	210	Ton	16.00	3,353
A.C.	0.35	Thickness (ft.)				
	5781	S.F.	147	Ton	43.50	6,381
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			139	Ton	43.50	6,047
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			8528	L.F.	12.00	102,336
Curb and Gutter - 8"			0	L.F.	13.00	0
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			819	S.F.	11.00	9,009
Sidewalk			45100	S.F.	4.00	180,400
Driveway Approach - 6"			14000	S.F.	5.50	77,000
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			642	S.Y.	1.10	706
Redwood Header			0	L.F.	4.00	0
Sawcut			995	L.F.	1.10	1,095
Trench Repaving			0	S.F.	5.00	0
Utility Trench			0	L.F.	5.00	0
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			9	EA.	425.00	3,825
Stop Sign			4	EA.	200.00	800
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			33	EA.	200.00	6,600
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			1	L.S.	–	4,625
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			4210	L.F.	45.00	189,450
Walls - Retaining: 6' Maximum			1814	L.F.	70.00	126,980
Landscaping			0	S.F.	5.00	0
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			27	EA.	3,000.00	81,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Erosion Control			28	Ac.	5,500.00	154,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure			99	EA.	1,750.00	173,250
Electrical Utility Line Extension			1	L.F.	110.00	
					SUBTOTAL:	1,373,287

Monuments: 115 X 65.00 EA. $7,475

Item No. A.17

MV00067280

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	67	L.F.	95.00	6,365
30" Reinforced Concrete Pipe	1036	L.F.	110.00	113,960
36" Reinforced Concrete Pipe	2244	L.F.	125.00	280,500
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	8	EA.	5000.00	40,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	3	EA.	6500.00	19,500
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	1	EA.	1600.00	1,600
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	4	EA.	1500.00	6,000
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	1	EA.	3500.00	3,500
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	1	EA.	5000.00	5,000
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
"V" Gutter	0	S.F.	4.00	0
Basin Gravel Pit	1	EA.	3000.00	3,000
			SUBTOTAL:	484,005

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	1768	L.F.	90.00	159,120
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	807	L.F.	60.00	48,420
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	3258	L.F.	50.00	162,900
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
18" Gate Valve	2	EA.	3,600.00	7,200
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	6	EA.	1,000.00	6,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	16	EA.	2,000.00	32,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	14	EA.	200.00	2,800
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	2	EA.	1,800.00	3,600
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	4	EA.	2,000.00	8,000
Air Vac & Release 1"	5	EA.	1,800.00	9,000
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	101	EA.	350.00	35,350
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	2	EA.	650.00	1,300
			SUBTOTAL:	475,690

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	4785	L.F.	32.00	153,120
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	3130	L.F.	24.00	75,120
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	17	EA.	2,000.00	34,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	1	EA.	1,000.00	1,000
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	1	EA.	400.00	400
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	100	EA.	600.00	60,000
Clean Out Lateral	0	EA.	90.00	0
Wyes	100	EA.	90.00	9,000
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	3435	L.F.	0.50	1,718
Trench Paving	0	S.F.	5.00	0
Backflow Preventors	52	EA.	350.00	18,200
			SUBTOTAL:	352,558

MW 3/18/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 33256**

DATE: **03/18/10**
PREPARED BY: **Liz Plazola**

IMPROVEMENT TYPE:

ROADWORK	:	$1,373,287
STORM DRAIN	:	$484,005
WATER SYSTEM	:	$475,690
SEWER SYSTEM	:	$352,558
SURVEY MONUMENTS	:	$7,475
TOTAL COST OF IMPROVEMENTS:		$2,693,015
35% CONTINGENCY		$942,555
GRAND TOTAL:		$3,635,570

BOND AMOUNT: **$3,636,000**

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MV00067285

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $ 3,636,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium $54,540.00

Surety WESTERN INSURANCE COMPANY A-(N) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to Tract # 33256 which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and WESTERN INSURANCE COMPANY, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of Three Million Six Hundred Thirty Six Thousand and NO/100********** Dollars (**$3,636,000.00** lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By:PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S): By

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT

Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORMS-FP-PUB.DOC (12/96)

RISK MANAGEMENT
Approved

By Date 6/7/10

Item No. A.17

MV00067287

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NNA1 REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014 NNA1

WITNESS my hand and official seal.

Signature _____ (Seal)

Item No. A.17

MV00067288

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00067289

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330919

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day in March, 2010.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded in Washoe County No: 05-104403-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Notary Public

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May, 2010.

Carol B. Ingalls
Secretary

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY A-(N) CA who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary *Shannon Mussetter, Notary Public*

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2011

(Affix seal in the above blank space)

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MV00067293

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $ 1,818,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium N/A

Surety WESTERN INSURANCE COMPANY A-(V) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership **(hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to** Tract # 33256 **, which agreement is hereby referred to and made a part hereof; and,**

WHEREAS, *under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient* payment bond with the City of Moreno Valley to *secure the claims* to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of One Million Eight Hundred Eighteen Thousand and NO/100******* **Dollars (****$1,818,000.00** **), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.**

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, *companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4* of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By: PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S):

By:

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V) CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alonz 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORM\B-ML-PUB.DOC (12/96)

MV00067295

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI, A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330920

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day of March, 2010.

PATRICIA A. LETSON
Notary Public - State of Nevada
Appointment Recorded In Washoe County
No: 06-104433-2 - Expires March 31, 2010

(Signed) _____
Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May 2010.

_____ Secretary

SEAL 1994

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2

Signature of Notary *Shannon Mussetter, Notary Public*

(Affix seal in the above blank space)

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MV00067301

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: Approval of Resolution and First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Governments (WRCOG) to expand the program to permit funding for water conservation improvements.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

BACKGROUND

On December 8, 2009 the Energy Efficiency and Water Conservation Program ("AB 811 Program") and Implementation Agreement was presented to the City Council by the Public Works Department and approved.

DISCUSSION

The AB 811 Program goal is to offer low interest loans to 13,500 residential and commercial properties in Western Riverside County to install energy efficient projects, such as solar panels, heating and air conditioning systems, lighting control systems, windows, and pool equipment. These loans would be paid back through voluntary contractual annual assessments between WRCOG and property owners within a specified amount of time. Participation in the AB 811 Program is voluntary.

After the City of Moreno Valley entered into the Implementation Agreement with WRCOG, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 of the AB 811 Program to include the ability to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable pavement.

As of July 2010, WRCOG has not received direct funding for the AB 811 Program. Funding for the program is proposed through bond sales and WRCOG expects that to occur in late fall 2010.

ALTERNATIVES

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and adopt Resolution 2010-70 consenting inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *This will allow the City to participate in the WRCOG administered program with minimal impact upon City operations.*

2. Do not authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and do not adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *If the City does not participate in the WRCOG program, there may be additional administrative oversight required to manage a similar program.*

RECOMMENDATION

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

FISCAL IMPACT

There is no fiscal impact to the City of Moreno Valley

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-70
2. First Amendment to the Implementation Agreement

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, *AICP*
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT MODIFYING ITS CONSENT TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) CONTRACTUAL ASSESSMENT PROGRAM TO CONSENT TO THE ADDITION OF WATER EFFICIENCY IMPROVEMENTS TO THE IMPROVEMENTS AUTHORIZED TO BE FINANCED THROUGH SUCH PROGRAM.

WHEREAS, this City Council of the City of Moreno Valley did, by the adoption of Resolution No. 2009-117 ("Resolution Granting Consent"), grant its consent to the inclusion of all properties in the incorporated area with the City in the Western Riverside Council of Governments ("WRCOG") contractual assessment program (the "Program") to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to their properties; and

WHEREAS, WRCOG is proposing to establish and implement the Program pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"); and

WHEREAS, subsequent to the adoption of the Resolution Granting Consent, AB 474 was enacted into law and amended the Act to add water efficiency improvements to the improvements authorized to be financed through a contractual assessment program; and

WHEREAS, WRCOG has proposed to add water efficiency improvements to the improvements authorized to be financed through the Program; and

WHEREAS, this City Council has determined that the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program would be in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council hereby finds and declares that property in the City's incorporated area will be benefited by the ability to finance the installation of water efficiency improvements to their properties and, therefore, this City Council hereby consents to the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

ATTACHMENT 1

2. Except as provided paragraph 1 above, all other provisions of the Resolution Granting Consent shall remain in full force and effect.

3. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the WRCOG Executive Committee.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Government (WRCOG) to expand the program to permit funding for water conservation improvements.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

FIRST AMENDMENT TO IMPLEMENTATION AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND THE CITY OF MORENO VALLEY TO IMPLEMENT AB 811

This First Amendment to Implementation Agreement ("First Amendment") is entered into as of July 13, 2010 between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG"), a joint powers authority formed under Government Code sections 6500 et seq., and City of Moreno Valley ("Member Agency"), a public agency formed under the laws of the State of California. WRCOG and the Member Agency are sometimes collectively referred to in this Agreement as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, WRCOG and Member Agency entered into that certain "Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to Implement AB 811" (the "Implementation Agreement"); and

WHEREAS, pursuant to the Implementation Agreement, the Parties agreed that WRCOG will undertake proceedings pursuant to the provisions of Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.12) ("Chapter 29") to establish the Program (as defined in the Implementation Agreement) to make contractual assessment financing available to eligible property owners within the jurisdictional boundary of Member Agency to finance installation of distributed generation renewable energy sources or energy efficiency improvements; and

WHEREAS, subsequent to the Parties entering into the Implementation Agreement, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 to authorize Chapter 29 to be used to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable payment; and

WHEREAS, the Parties desire to amend the Implementation Agreement as permitted pursuant to Section 11.9 thereof to enable WRCOG to finance the purchase and installation of such water efficiency improvements as a part of and pursuant to the Program; and

WHEREAS, the Executive Committee has authorized Member Agency to enter into this Agreement.

NOW, THEREFORE, the Parties hereby understand and agree as follows:

AGREEMENT

Section 1: **<u>Amendment to the Implementation Agreement.</u>**

Section 2 of the Implementation Agreement is amended to read as follows:

ATTACHMENT 2

"**Section 2:** **Establishing Eligible Improvements.**

WRCOG shall identify the kinds of public works, distributed generation renewable energy sources, or energy or water efficiency improvements that may be financed ("Eligible Improvements") under the Program."

Section 2: **Effect of this First Amendment on the Other Terms and Provisions of the Implementation Agreement.**

All terms and provisions of the Agreement shall remain in full force and legal effect except as expressly modified by the provisions of this First Amendment.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this First Amendment to be in effect as of the date last signed below.

By: _____ Date: _____
Executive Committee Chair
Western Riverside Council of Governments

By: _____ Date: _____
Mayor
City of Moreno Valley

By: _____ Date: _____
Legal Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH OF IRONWOOD AVENUE BETWEEN KITCHNG STREET AND TUSCOLA STREET

DEVELOPER - BEAZER HOMES HOLDINGS CORP.
1800 IMPERIAL HWY #200
BREA, CA 92821

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 25, 2003, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31089. The tentative tract map is a proposal to subdivide 15.994 acres into 55 single-family residences.

On April 11, 2006, the City Council for the City of Moreno Valley approved DH Moreno Valley I, LLC agreement and bonds in the amount of $2,413,000 for the Faithful Performance Bond and $1,206,500 for the Material and Labor Bond.

Beazer Homes Holdings Corp. has purchased project PA02-0133 from DH Moreno Valley I, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by approved DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

Beazer Homes Holdings Corp. has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to: asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,025,638 and a Material and Labor Bond in the amount of $512,819 issued by Bond Safeguard Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA02-0133 (TR 31089) - Substitution Agree & Bonds.doc

VICINITY MAP (NOT TO SCALE)

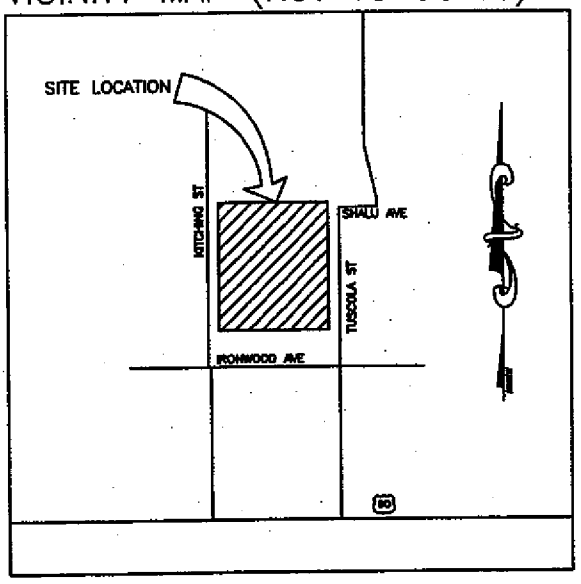

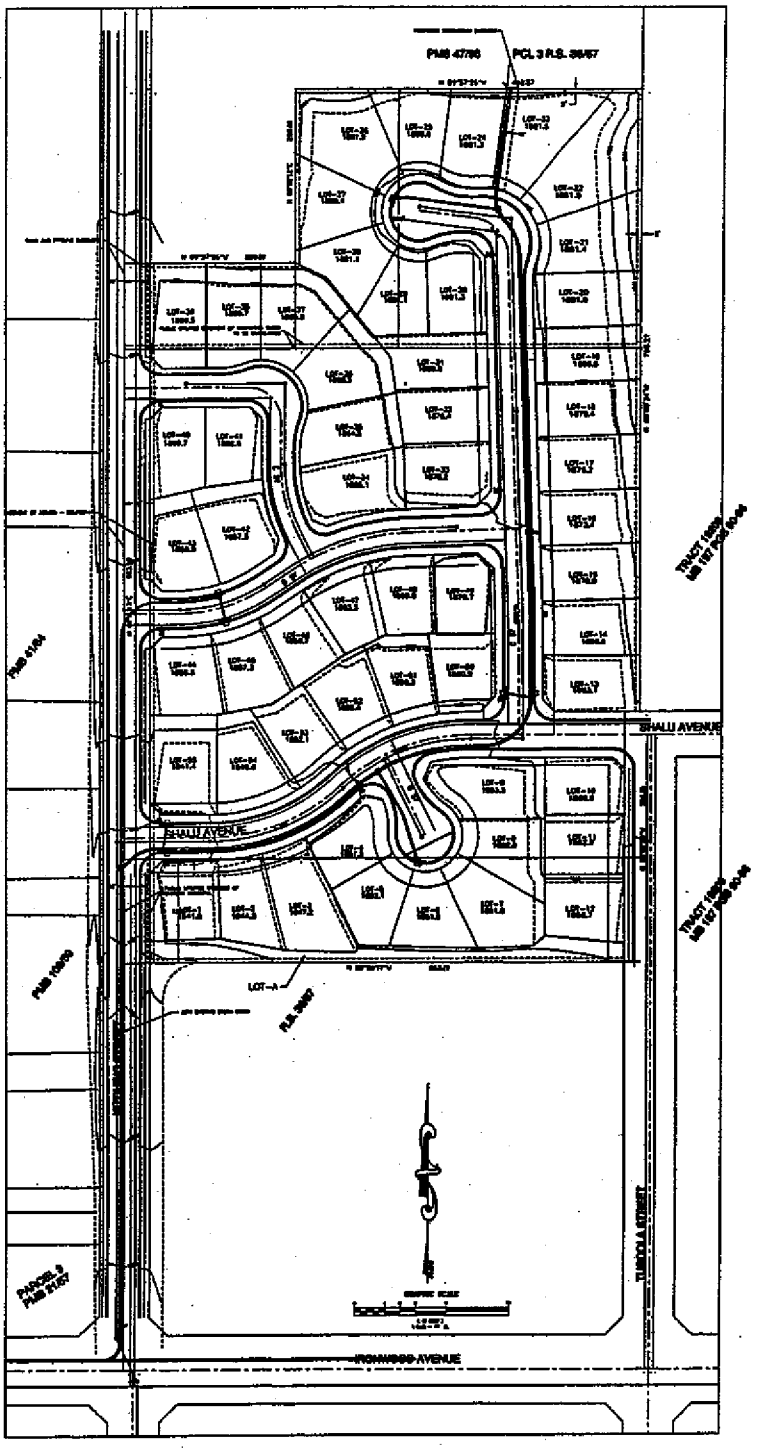

EXHIBIT "A"

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**TRACT 31089** **VICINITY MAP**

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MV00067315

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA02-0133 (TR 31089)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **BEAZER HOMES HOLDING CORP.,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA02-0133 (TR31089)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Beazer Homes Holding Corp.
1800 Imperial Hwy #200
Brea, CA 92821

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

BEAZER HOMES HOLDING CORP.:
Developer

BY: _____
Signature

Darius Fatakia, P.E.
Vice President-Development
Orange Division
Print/Type Name

_____
Title

BY: _____
Signature

Bryan Bergeron
Development Manager
Orange Division
Print/Type

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Agreement.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On May 6, 2010 (Date) before me, Triesha K. Villalta, Notary Public (Here Insert Name and Title of the Officer)
personally appeared Darius Fatakia and Bryan Bergeron, (Name(s) of Signer(s))

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same ~~in his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Triesha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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PA02-0133 (Tract 31089) Estimate of Remaining Improvements

A.C.- Street 1	$38,520
A.C.- Street 2	$113,476
Saw cut (100 LF x 1.50 unit price)	$150
Adjust M.H. to Grade (8 x 800 unit price)	$6,400
Curb and Gutter - 6" (100 LF x 22 unit price)	$2,200
Driveway Approach - 6" (3432 SF x 14.00 unit price)	$48,048
Landscaping (7400 SF x 6 unit price)	$44,400
Erosion Control	$87,450
1" Service Water Connections (27 x 500 unit price)	$13,500
Sub-total	$354,144
Hard Cost Contingency (20%)	$70,829
Soft Cost Contingency (45%)	$159,365
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$241,300
Total	**$1,025,638**
Original bond amount	$2,413,000

Note:
If you have any questions, please call Liz Plazola at 951.413.3110

4/28/10
Mark W. Sambito, P.E.
Engineering Division Manager

5/6/10
Beazer Homes Holding Corp. Representative

W:\LandDev\Liz\PIA\TR 31089 - ECE Worksheet.xls

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MV00067321

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $1,025,638

Project No. PA02-0133 (TR 31089)

Bond No. 5037572

Premium $30,769

Surety Bond Safeguard Insurance Company A-(V)CA

Principal Beazer Homes Holdings Corp.

Address 900 S. Frontage Road - Suite 250

Address 1800 Imperial Highway, Suite 200

City/Zip Woodridge, IL 60517

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Bond Safeguard Insurance Company A-(V)CA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By

Name — Darius Fatakia, P.E. — Vice President-Development Orange Division — Title

Name — Bryan Bergeron — Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(XV)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

RISK MANAGEMENT
Approved

By — Date 6-17-10

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darios Fatakia and Brijan Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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POWER OF ATTORNEY AO 30578

Bond Safeguard INSURANCE COMPANY A-(v) CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

Item No. A.19

MV00067325

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00067327

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $512,819.00

Bond No. 5037572

Surety Bond Safeguard Insurance Company A-(V)CA

Address 900 S. Frontage Road - Suite 250

City/Zip Woodridge, IL 60517

Project No. PA02-0133 (TR 31089)

Premium N/A

Principal Beazer Homes Holdings Corp.

Address 1800 Imperial Highway, Suite 200

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **FIVE HUNDRED TWELVE THOUSAND EIGHT HUNDRED NINETEEN AND NO/100** Dollars (*****$512,819.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Title: Darius Fatakia, P.E. Vice President-Development Orange Division

Name — Title: Bryan Bergeron Development Manager Orange Division

NAME OF SURETY: Bond Safeguard Insurance Company A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alon 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Material Labor Bond.DOC

MV00067329

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange }

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darius Fatakia and Brian Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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AO 30578

POWER OF ATTORNEY

Bond Safeguard INSURANCE COMPANY A-(V)CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

Item No. A.19

MV00067331

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00067333

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RJ
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP"

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

BACKGROUND

The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison and Southern California Gas Company under the auspices of the California Public Utilities Commission. The City of Moreno Valley has participated in the Partnership since 2002. During the most recent Program Cycle, from 2006-2008, the City achieved energy savings of over 710,000 kWh and over 11,000 therms. This amounts to an annual energy cost savings of $116,000 to the Moreno Valley community. Cost effective energy efficiency is the resource of first choice for meeting California's energy needs. Energy efficiency is the least cost, most reliable, and most environmentally sensitive resource, and minimizes our contribution to climate change according to the 2005 CPUC and CEC's Energy Action Plan.

DISCUSSION

The approval of this resolution will allow the City's continued participation in the 2010-2012 Program. Three core initiatives, common to all local government partnerships with SCE and SCG, support the 2010-2012 program as follows:

- Implementation of energy efficiency projects within municipal facilities
- Support activities and policies in alignment with long-term energy efficiency goals of California
- Utility program marketing, education and outreach to the community

The mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

For the past 18 years, The Energy Coalition has been building a model now known as the Community Energy Partnership. The project initially began in 1992 with one city. Later, the Coalition managed an extensive process of community organizing and has evolved into the Community Energy Partnership which consists of seven Southern California cities, the Cities of Corona, Irvine, Santa Monica, Moreno Valley, San Bernardino, Brea, and Santa Clarita.

The City's commitment to this project will be to provide minimal "in-kind" services, i.e., a staff liaison working with The Energy Coalition and facilitating introductions and meetings with key institutions such as community groups.

Staff continues to maintain a strong relationship with The Energy Coalition to identify potential projects where energy-efficiency programs and energy-efficient products are needed and where there are specific opportunities in the City.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The approval of the resolution will benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

2. Do not adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The City would not benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

FISCAL IMPACT

There is no direct fiscal impact. No membership fee or annual dues are required to enter into the Community Energy Partnership, and there are no required fees or dues associated with the Energy Coalition. The Community Energy Partnership's effort is funded through Public Goods Charges collected from customers of both the Southern California Edison Company and the Southern California Gas Company. The California Public Utilities Commission manages the collection of Public Goods Funds and awards the funding to organizations such as the Energy Coalition.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By: Department Head Approval:

Michelle Pierce
Electric Utility Project Coordinator

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010–71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP", AN ENERGY EFFICIENCY PROGRAM AMONG SOUTHERN CALIFORNIA CITIES, WITH THE ENERGY COALITION, A CALIFORNIA NON-PROFIT CORPORATION, SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA GAS COMPANY.

WHEREAS, The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison ("SCE") and Southern California Gas Company ("SCG") under the auspices of the California Public Utilities Commission (the "CPUC"); and

WHEREAS, on October 1, 2009, the CPUC in D.09-09-047 authorized certain energy efficiency programs and budgets which include SCE programs and SCG programs to be delivered to California utility customers for the years 2010 through 2012; including the 2010-2012 Community Energy Partnership Program (the "Program"); and

WHEREAS, the City of Moreno Valley (the "City") had previously participated in the 2006-08 Community Energy Partnership Program; and

WHEREAS, the City has entered into the Program, with The Energy Coalition and its implementing partners – SCE and SCG, and the Partner Cities of Brea, Corona, Irvine, Moreno Valley, San Bernardino, Santa Clarita and Santa Monica - having been nominated by the implementing partners to continue its participation in the Program; and

WHEREAS, the mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

WHEREAS, The Energy Coalition, SCE and SCG have demonstrated their ability to work with Southern California municipalities, and with the City since 2002, to successfully implement energy efficiency programs and achieve energy savings for the participating cities and their communities; and

WHEREAS, The Energy Coalition, as facilitating partner in the Community Energy Partnership, bears primary responsibility for project management, performance tracking and implementation of energy efficiency programs and services to populations of the City; and

Attachment 1

WHEREAS, All projects in the City will be coordinated through an appointed City staff liaison to ensure that proposed projects meet the City's intended energy efficiency goals and target City residents, schools and businesses; and

WHEREAS, the City enters into this Resolution with the sole obligations listed therein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City will participate in the Program with The Energy Coalition, SCE and SCG to implement the Program in the City for the 2010-12 program cycle.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00067341

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO. 06-50182725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On February 24, 2009, the City Council awarded a construction contract in the amount of $2,909,811.50 to Wheeler Paving, for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements. Two (2) Purchase Orders for a combined amount of $3,491,773.80, inclusive of a 20% contingency, were issued to the Contractor.

DISCUSSION

The Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard improved one-mile long roadway segment to its General Plan width of four (4) travel lanes and turning lanes at key intersections. The work included roadway and rock excavation, curb and gutter and AC pavement for the widened easterly half of the street and construction of a storm drain along Lasselle Street between Cactus Avenue and Alessandro Boulevard. Three traffic signals were upgraded at the John F. Kennedy Drive, Cactus Avenue and Alessandro Boulevard intersections with Lasselle Street, complete with signal interconnect system.

There were two (2) Contract Change Orders for this project. Contract Change Order No. 1 increased the contract total by $214,822.90. Contract Change Order 2 (FINAL) increased the contract total by $10,815.77. The final contract total cost was $3,135,450.26, which did not exceed the $3,491,773.80 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

The project is included in Fiscal Year 2009/2010 Capital Improvement Project Budget. The project construction is funded by $1,058,143 of 2005 Lease Revenue Bonds (Fund 501) and $2,757,886 of Transportation Uniform Mitigation Fee Program (Fund 415). The funding for this project is restricted for transportation projects and cannot be utilized for other activities. There is no impact to the General Fund.

AVAILABLE BUDGET:

Fiscal Year 2009/2010 Budget (Account No. 501.82725)	$1,058,143
Fiscal Year 2009/2010 Budget (Account No. 415.72927)	$2,757,886
Total Fiscal Year 2009/2010 Budget	$3,816,029

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	$3,136,000
Consultant Construction Design Support Services	$60,000
Consultant Construction Geo-technical Services	$105,000
Consultant Construction Survey Services	$80,000
City Inspection, Project Management and Misc. Administration Costs	$266,000
Total Final Construction Related Costs	$3,647,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Wheeler Paving has completed the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Wheeler Paving, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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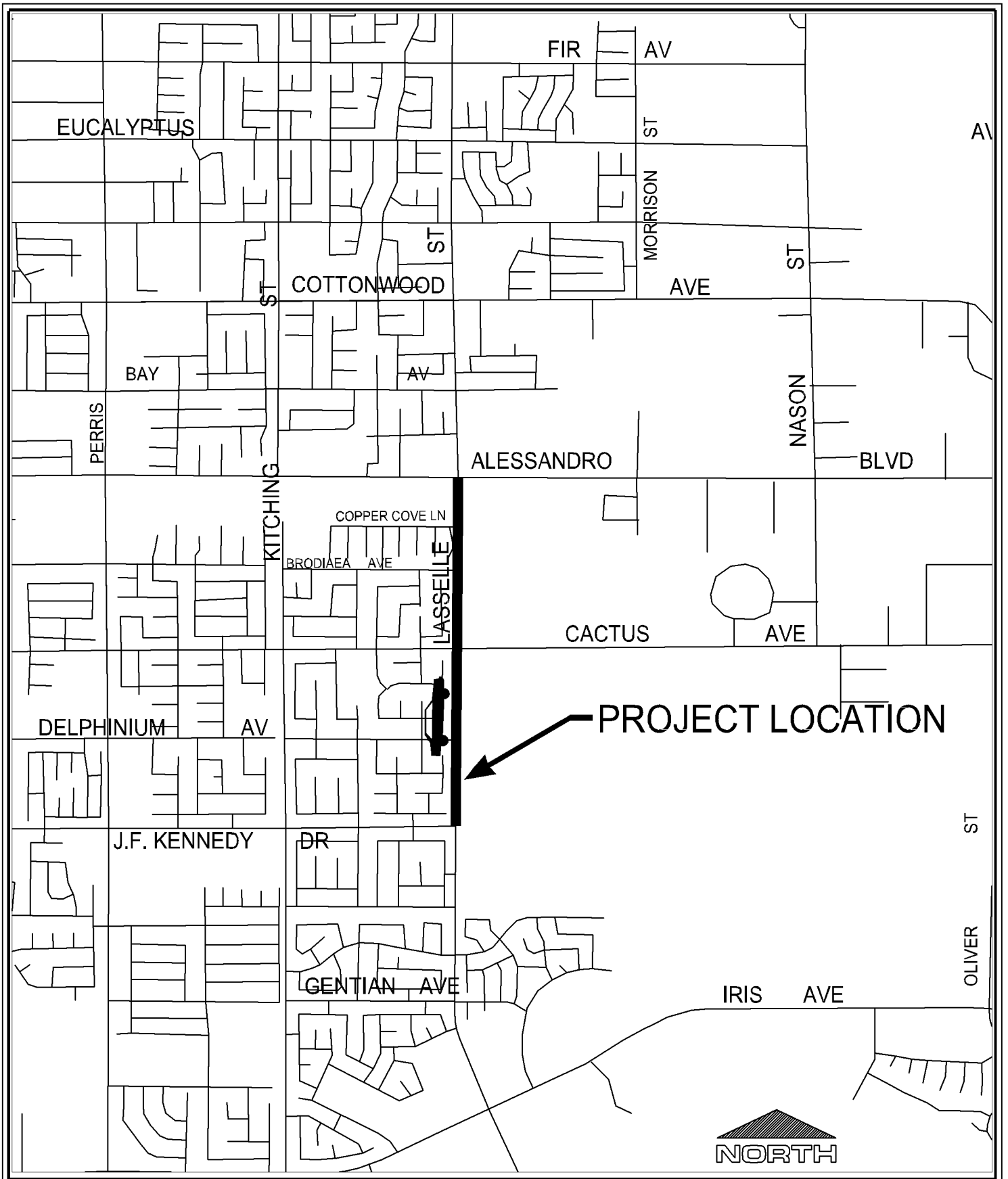

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

LASSELLE STREET WIDENING
FROM JFK DRIVE TO ALESSANDRO BOULEVARD
PROJECT NUMBER 06-50182725

Item No. A.21

MV00067346

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MV00067347

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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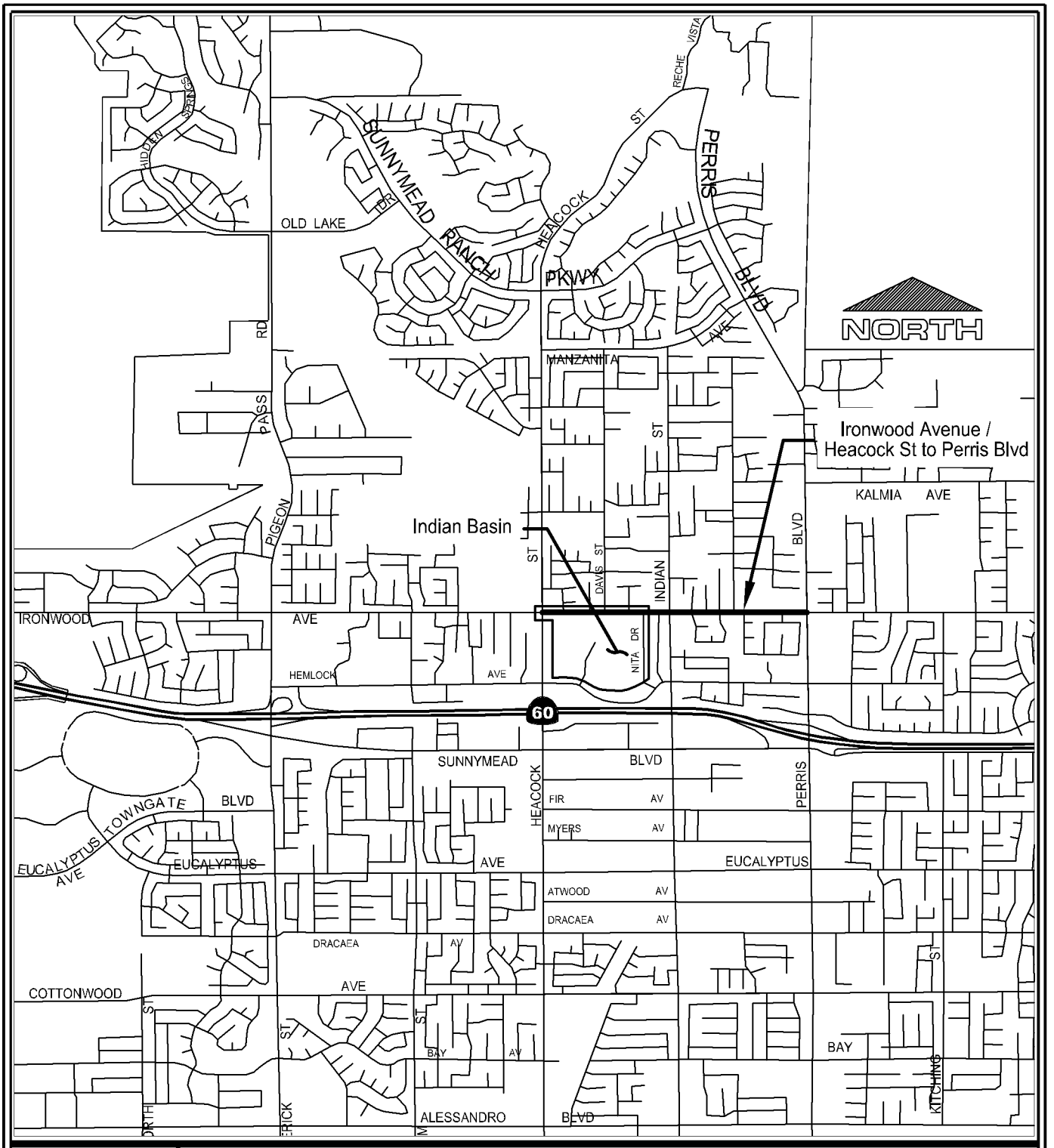

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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MV00067357

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Construction\Contractor\Agreement\Agreement - Indian Basin.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

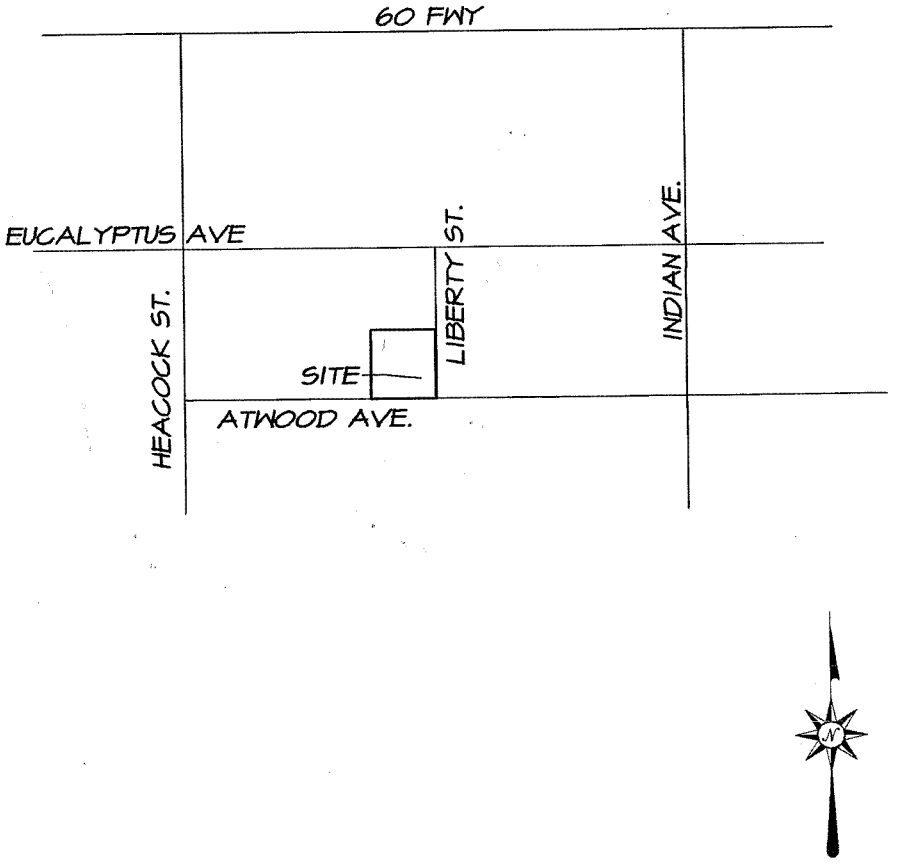

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00067373

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

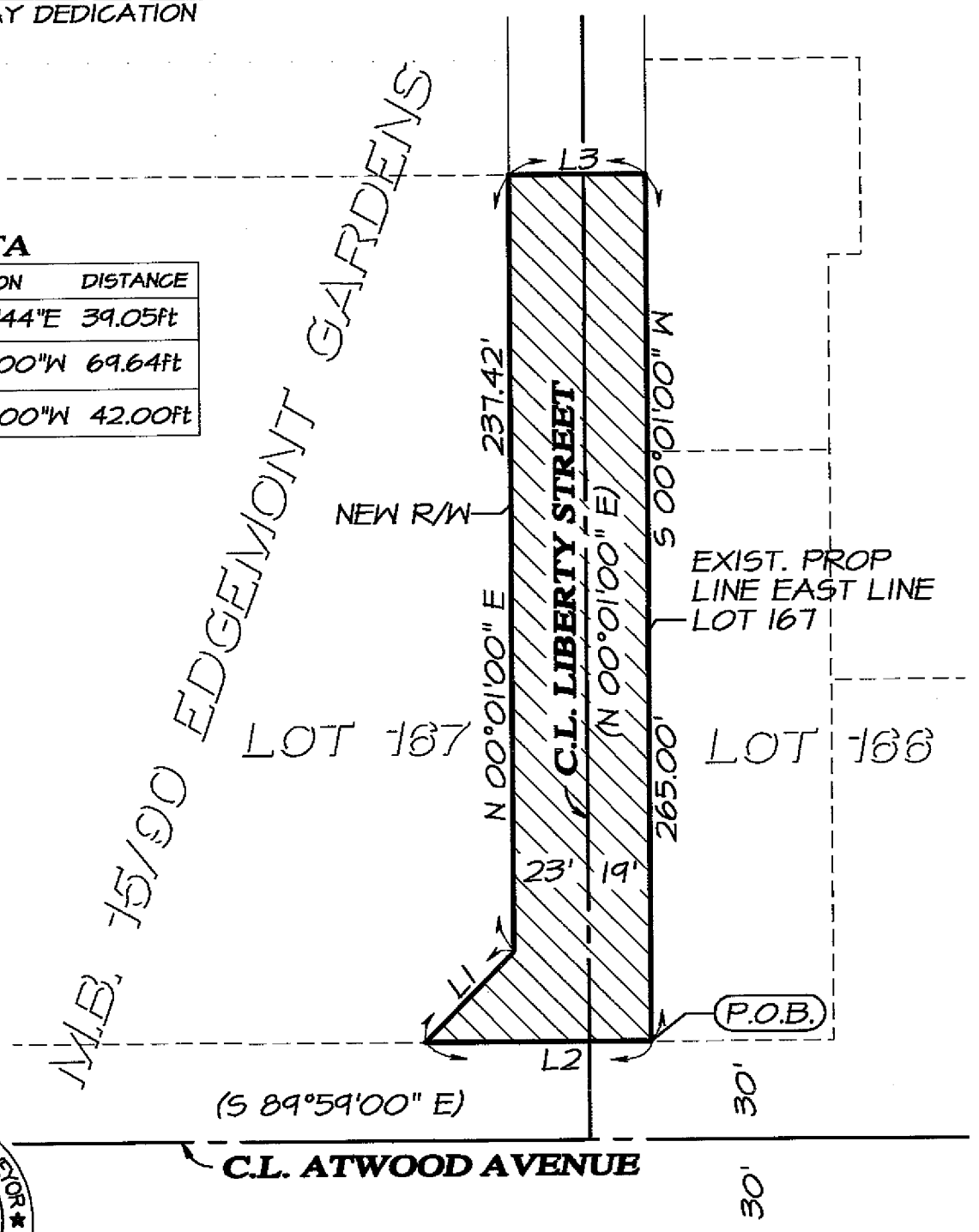

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 2/23/1

SHT. NO. 2 OF 2 SHEET

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MV00067377

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

Item No. A.23

MV00067378

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

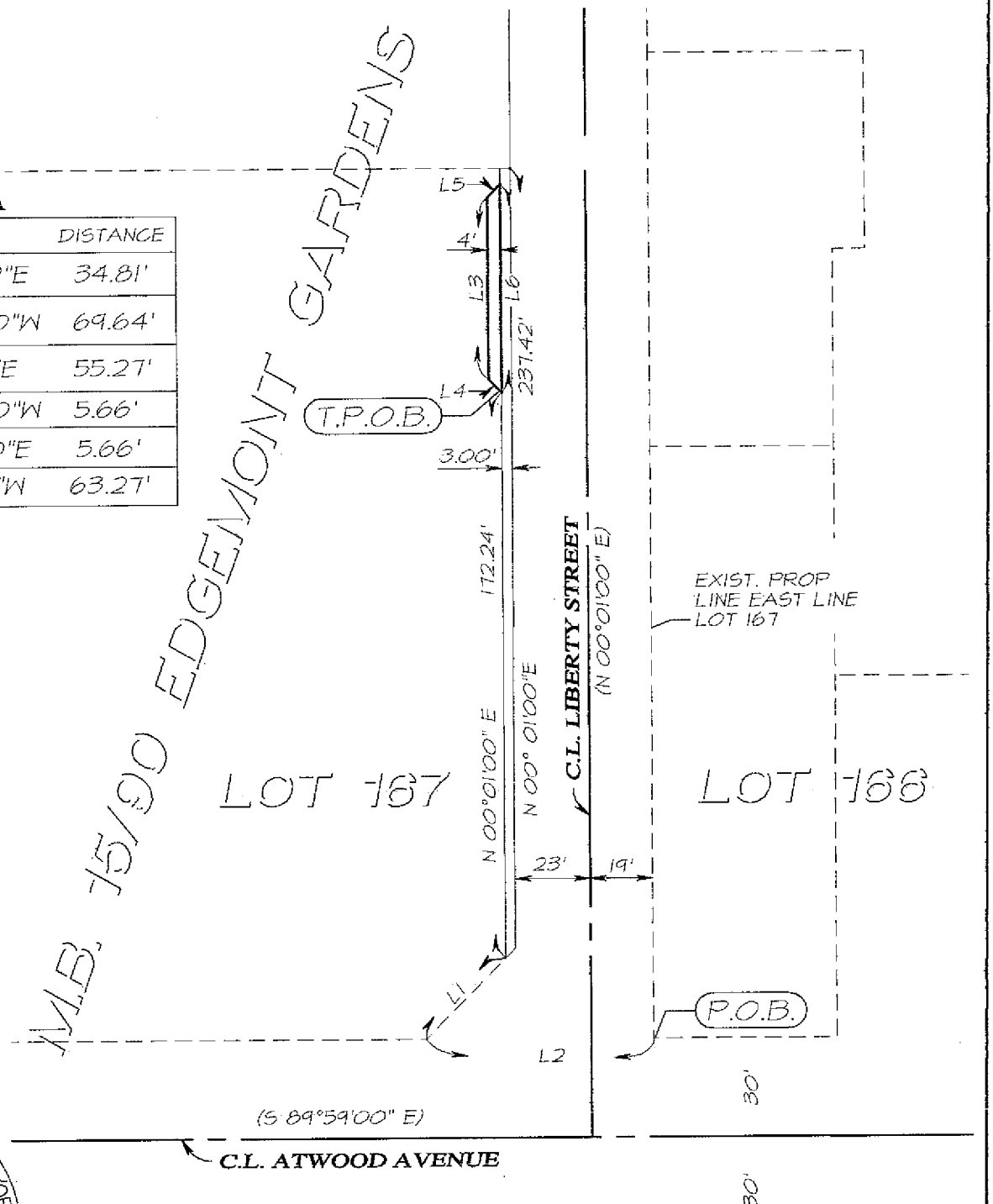

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2
OF 2 SHEET

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MV00067381

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

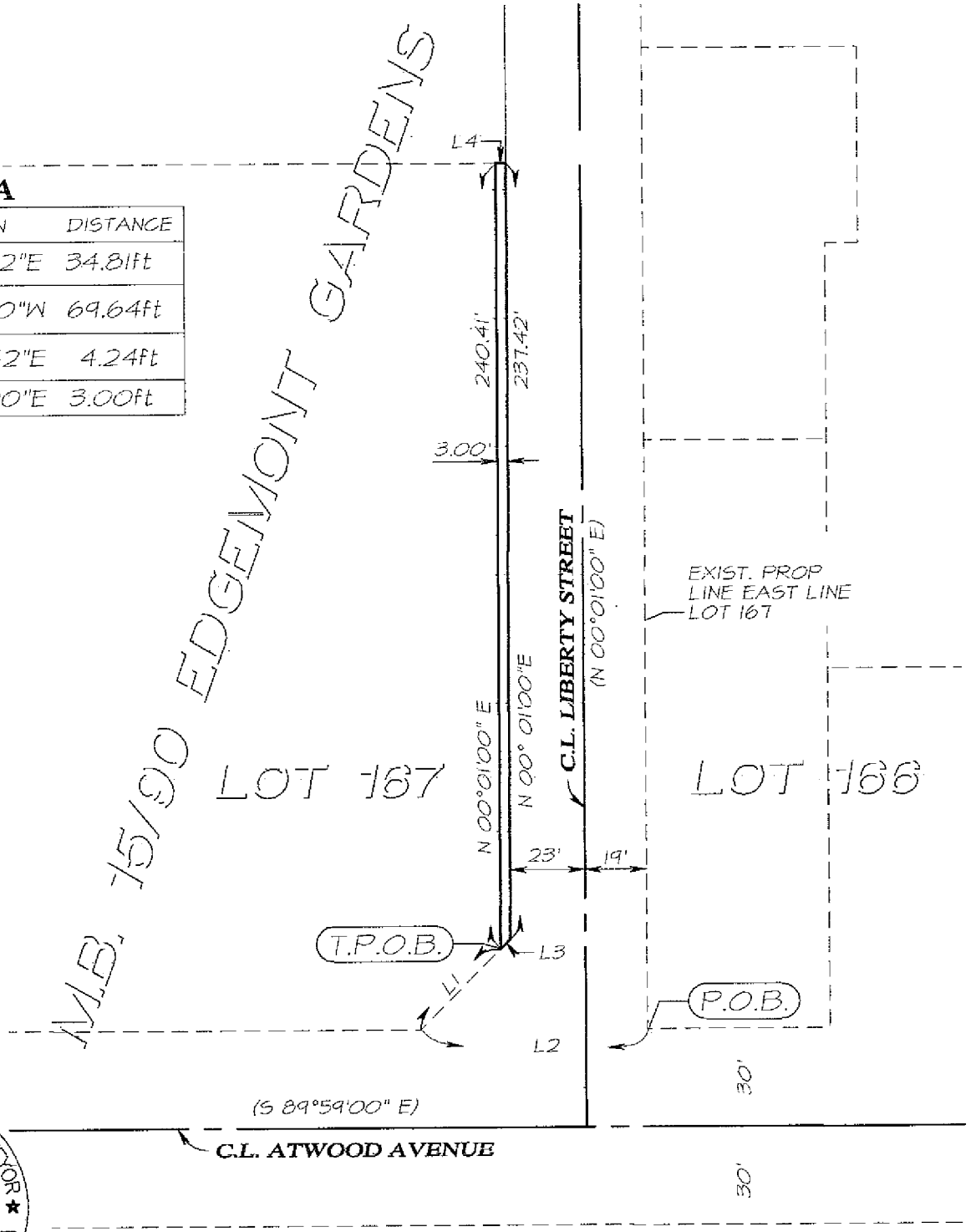

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

PAUL T. WELSH 6/3/10 DATE:

SCALE: 1"=50'

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2 OF 2 SHEET

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MV00067385

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council:

1) Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive,
2) Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV, and
3) Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

BACKGROUND

The City received a Community Development Block Grant - Recovery (CDBG-R) grant for $479,292 under the American Recovery and Reinvestment Act of 2009. The Neighborhood Preservation Division of the Economic Development Department has been tasked with administering the grant. The grant funds are allocated to four activities, plus administration, as follows:

- Employment Creation for Distribution and Manufacturing Business: This activity incentivized Frazee Industries to open a distribution facility in Moreno Valley, creating the required employment for low-to-moderate income persons. Frazee's employee recruitment is underway.

- Employment Creation for Vacant Restaurant Reuse: Incentivizes the attraction of a new restaurateur to a vacant Moreno Valley restaurant facility in exchange for creation of employment for low-to-moderate income persons. Economic Development is actively working with a qualified restaurateur for this funding allocation.
- Utility – Infrastructure Improvement Project: This activity funds the installation of new, environmentally conscious / energy effective utilities. The $107,841 CDBG-R grant activity funded installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center. This project was originally funded by the 2007 Lease Revenue Bonds. On December 8, 2009, the City Council awarded the contract for installing four utility line extensions, including the work on Elsworth Street, and construction has been completed.
- Economic Incentive for a Green Business: On November 23, 2009, the City Council approved a participation agreement and committed $107,000 to MVP EV, Inc. to defray the cost of installing on-site electricity connections so that the MVP EV facility can take electric service from Moreno Valley Utility in exchange for qualified employment creation.

The CDBG-R grant regulations require full expenditure by September 30, 2012. However, under the direction of the Office of the Vice President, the Department of Housing and Urban Development (HUD) is strongly encouraging grantee agencies to expend the funds much sooner than the expenditure deadline.

Unfortunately, unforeseen delays in the MVP EV project have prevented the initiation of this business opportunity along with the employment creation and hampered the expedited expenditure of CDBG-R funds for the project's utility connection work. $214,000 of the CDBG-R grant have not yet been spent.

DISCUSSION

At this time, the Economic Development Department seeks City Council approval of the following three funding allocations that will enable the expedited expenditure of CDBG-R funds as well as provide for the future on-site infrastructure connections for MVP EV:

- First, Economic Development proposes to fund the approved CDBG-R allocation for the off-site utility line extension on Elsworth Street immediately.
- Next, staff proposes the reallocation of the CDBG-R funds for the MVP EV Participation Agreement back to an undesignated status for future use consistent with CDBG-R program requirements.
- Finally, staff proposes the appropriation of $107,841 in 2007 Lease Revenue Bond funds originally designated for use on the Elsworth Street utility extension to fund the Participation Agreement with MVP EV at a future date when the facility is ready and the required employee recruitment is completed.

ALTERNATIVES

1. Authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff recommends this alternative.*** *This alternative will fund completed infrastructure, satisfy HUD's expedited expenditure expectations and fund the Participation Agreement with MVP EV.*

2. Decline to authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, decline to return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and decline to appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff does not recommend this alternative.*** *This alternative will extend and delay CDBG-R expenditures, potentially putting the grant funding at risk of recapture by HUD.*

FISCAL IMPACT

The proposed reallocations facilitate timely expenditure of available CDBG-R and 2007 Lease Revenue Bonds.

The extension of the electric line by Moreno Valley Utility provides energy effective utility service to the MVP EV site and to future development along Elsworth Street.

- The funding for the Utility Infrastructure Improvements will come from CDBG-R.

Fund	Business Unit Name	Amount
199	Utility Infrastructure Improvements 19910.6849.001	$107,841

Move $107,841 in total expenditures for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 to the CDBG-R Utility Infrastructure Improvement Project under Acct#199.19910.6849.001.

- The CDBG-R funding will be released from the MVP EV Participation Agreement and will be available to fund another CDBG-R eligible project.

Fund	Business Unit Name	Amount
199	Economic Incentive for Green & Technology Business CDBG-R 19910.6849.002	$107,841

Return the commitment of $ 107,000 for the MVP EV project to an undesignated status.

- The appropriation for the MVP EV Participation Agreement will come from the 2007 Lease Revenue Bonds.

Fund	Business Unit Name	Amount
602	2007 Lease Revenue Bonds 602.61833.7200	$107,841

Appropriate $ 107,841 in total funding for the MVP EV Facility Project under Acct#602.61840.7200.

Reduce the appropriation for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 by $ 107,841.

The proposed fund reallocations have NO impact on the City's General Fund. CDBG-R funding must be used for eligible activities. Funds from the 2007 Lease Revenue Bonds may be used to support on-site electrical utility installation.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

Use of CDBG-R and 2007 Lease Revenue Bond funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

Prepared By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Chris Vogt
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE

SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE

DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST
P.O. BOX 10
RANCHO MIRAGE, CA 92270

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

This segment of Alessandro Boulevard is currently classified as a Divided Arterial according to the Circulation Plan from the City's General Plan. The existing half-street right-of-way on this portion of Alessandro Boulevard is 60 feet (60'). The City's current Standard Plan for a Divided Arterial only requires a half-street right-of-way of 55 feet

(55'). As a condition of approval for project PA09-0043, a five foot (5') street right-of-way vacation is required, along the project frontage. The conditions of approval require 55 feet (55') of the existing 60 feet (60') of right-of-way on the south side of Alessandro Boulevard for public roadway and utility purposes. No public or utility improvements exist within the remaining southerly five (5') of right-of-way along this portion of Alessandro Boulevard. In accordance with the conditions of approval approved by the Planning Commission on March 11, 2010, the developer/owner, Frank & Maria Pozgaj Family Trust has requested a vacation of this portion of Alessandro Boulevard.

DISCUSSION

PA09-0043 is a Tentative Parcel Map 36262. The five foot (5') area to be vacated on the south side of Alessandro Boulevard is located outside of the tentative parcel map boundary and therefore, cannot be vacated on the final parcel map. The five foot (5') area to be vacated must be vacated by separate instrument. The approved project consists of Tentative Parcel Map 36262 (PA09-0043) and a Plot Plan (PA09-0025). The project is for a 4,000 square-foot convenience store, gas station, and car wash. The project property (APN 486-240-009), is located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. Land Development staff has reviewed the property owner's application along with the legal description and plat for the vacation of the aforementioned portion of Alessandro Boulevard. No public improvements exist and no public money was expended for maintenance of said portion of Alessandro Boulevard. This portion of Alessandro Boulevard is unnecessary for present or prospective public use. The local utility companies have been given written notice of the proposed street vacation. No objections have been received from the utility companies. The City Council's approval to vacate said portion of Alessandro Boulevard would abandon the City's right to said portion.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *The said portion of right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

2. Do not approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *This portion of Alessandro Boulevard would remain as right-of-way for public road and utility purposes; however, the right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

FISCAL IMPACT

The developer/owner, Frank & Maria Pozgaj Family Trust has paid the City costs associated with the summary vacation proceedings; therefore, there is no fiscal impact to the City.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the various local utility companies. The public has been notified by publication of agenda.

ATTACHMENTS/EXHIBITS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution
Attachment 3 - Legal Description
Attachment 4 - Plat

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0043 Summary Vacation.doc

RESOLUTION NO. 2010-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE.

WHEREAS, the City Council of the City of Moreno Valley, California, acquired an easement for road and public utility purposes located on the south side of Alessandro Boulevard, west of Moreno Beach Drive; and

WHEREAS, this easement is in excess of that right-of-way required for the existing General Plan classification and said excess is no longer, nor in the future will be, useful for road and public utility easement purposes; and

WHEREAS, no public improvements exist on said portion of right-of-way; and

WHEREAS, no public money was expended for maintenance of said portion of right-of-way,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described is summarily vacated and abandoned:

That portion of Alessandro Boulevard located in the city of Moreno Valley, described as the southernmost five feet (5') of right-of-way on Alessandro Boulevard, north of APN 486-240-009 and north of a portion of Lot 1 in Block 117 per Map No. 1 of Bear Valley and Alessandro Development Company, recorded in Book 11, of Map Books, Page 10, records of the County Recorder's office of San Bernardino County, California described in the attached legal description and illustrated on the plat attached hereto and made a part hereto and marked Exhibits "A" and "B", respectively.

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described portion of Alessandro Boulevard revert to the owner of the underlying fee thereof, free from use as an easement for road and public utility purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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MV00067397

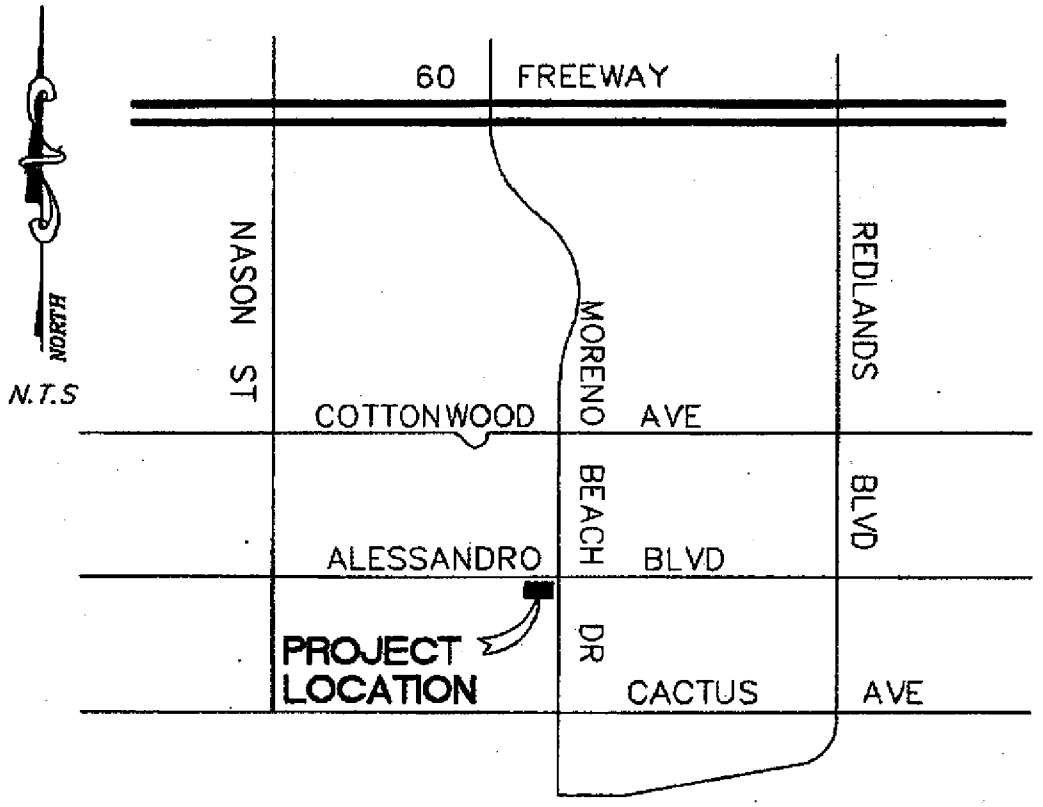

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 2	**PA09-0025/PA09-0043** **VICINITY MAP**

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MV00067399

EXHIBIT "A"
LEGAL DESCRIPTION

ROAD VACATION
ALESSANDRO BOULEVARD

THAT PORTION OF ALESSANDRO BOULEVARD LOCATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 15, T3S, R3W, S.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF LOT 1, IN BLOCK 117, PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY AS SHOWN IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ALESSANDRO BOULEVARD, HAVING A HALF WIDTH OF 60.00 FEET; THENCE NORTH 00°25'39" EAST, A DISTANCE OF 1.00 FEET TO A POINT ON A LINE 1.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 39.99 FEET; THENCE NORTH 45°26'13" EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 5.66 FEET TO A POINT ON A LINE 5.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 71.13 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 70.50 FEET, A RADIAL LINE FROM SAID POINT BEARS SOUTH 00°26'12" WEST; THENCE EASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 17.53 FEET, THROUGH A CENTRAL ANGLE OF 14°15'00" TO THE POINT OF TANGENCY, A RADIAL LINE F ROM SAID POINT BEARS SOUTH 14°41'12" WEST; THENCE SOUTH 75°18'48" EAST, A DIST ANCE OF 11.50 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89°33'48 " WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 143.63 FEET TO THE **POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 498 SQ. FT.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 3

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MV00067401

EXHIBIT "B"
ROAD VACATION

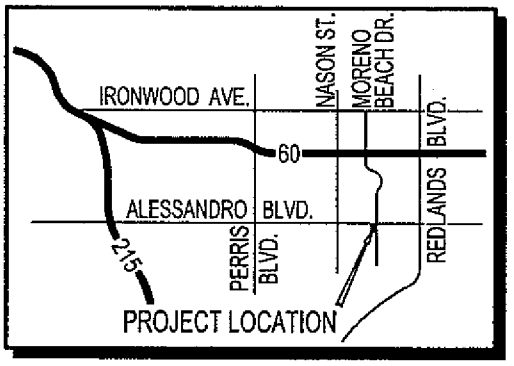

VICINITY MAP
N.T.S.

SCALE: 1"=40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°25'39"E	1.00'
L2	S89°33'48"E	39.99'
L3	N45°26'13"E	5.66'
L4	S89°33'48"E	71.13'

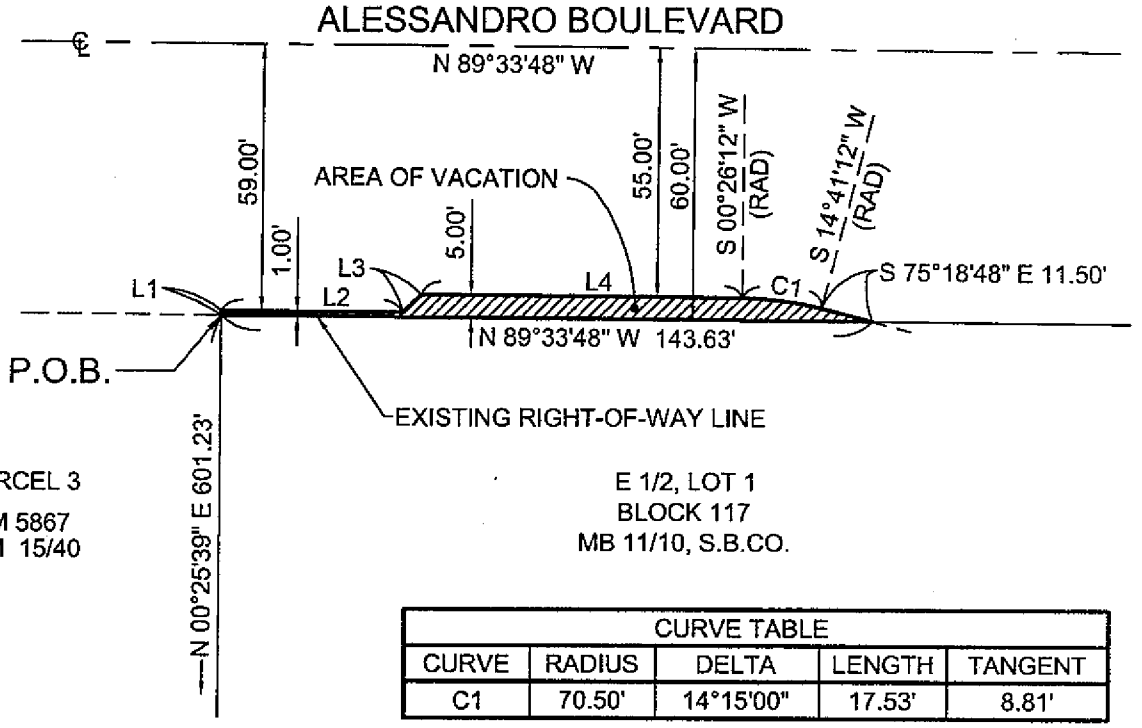

PARCEL 3
PM 5867
P/M 15/40

E 1/2, LOT 1
BLOCK 117
MB 11/10, S.B.CO.

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	70.50'	14°15'00"	17.53'	8.81'

INDICATES VACATION AREA
(± 498 SQ. FT.)

THIS PLAT WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 4

Item No. A.25

MV00067402

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MV00067403

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00067405

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Acceptance of Grant Monies from the California Department of Education, Child Development Services, for Child Care Services and Adoption of the Resolution to Certify the Approval of the Governing Board

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of

kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the “modified traditional” school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City’s policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $747,338 for FY 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds in the amount of $942,800 are in the FY2010-11 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

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MV00067409

RESOLUTION NO. CSD 2010-22

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2010/11.

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2010/11;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desires to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

William Bopf, Interim City Manager _____

Steve Hargis, Acting Director of Financial & Administrative Services

_____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $747,338 per fiscal year to provide child care services for FY 2010/2011;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-0203, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2010/11.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00067413

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00067419

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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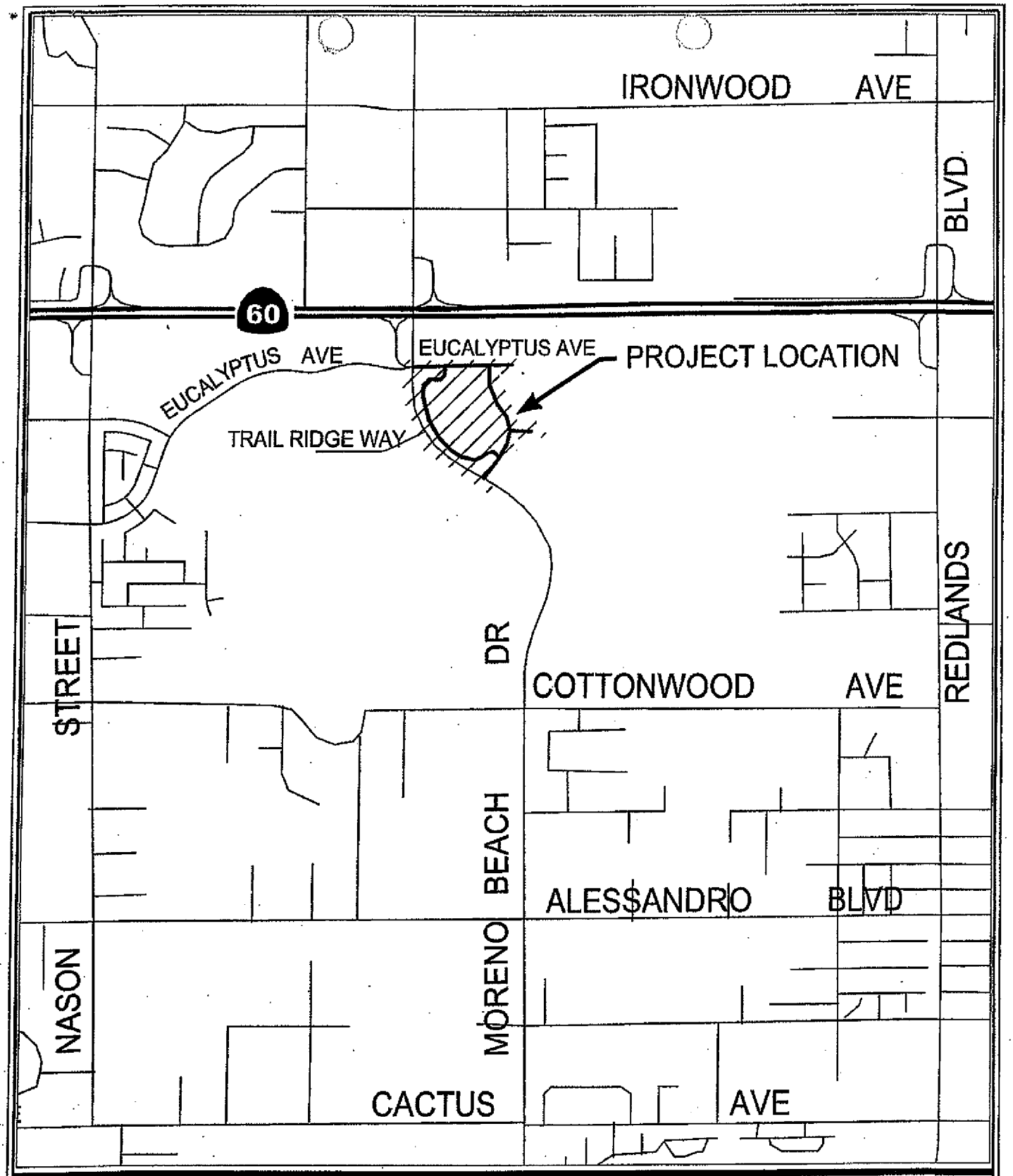

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. C.3

MV00067428

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

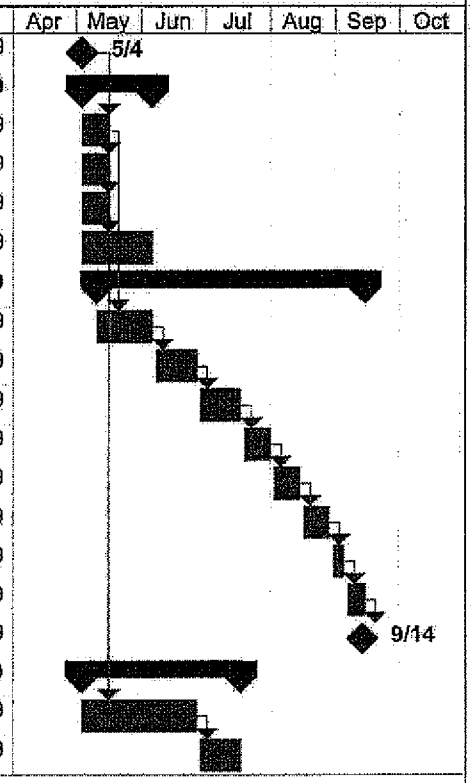

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

SCH01_AutomallFinalDesign.mpp

Page 1

Item No. C.3

MV00067444

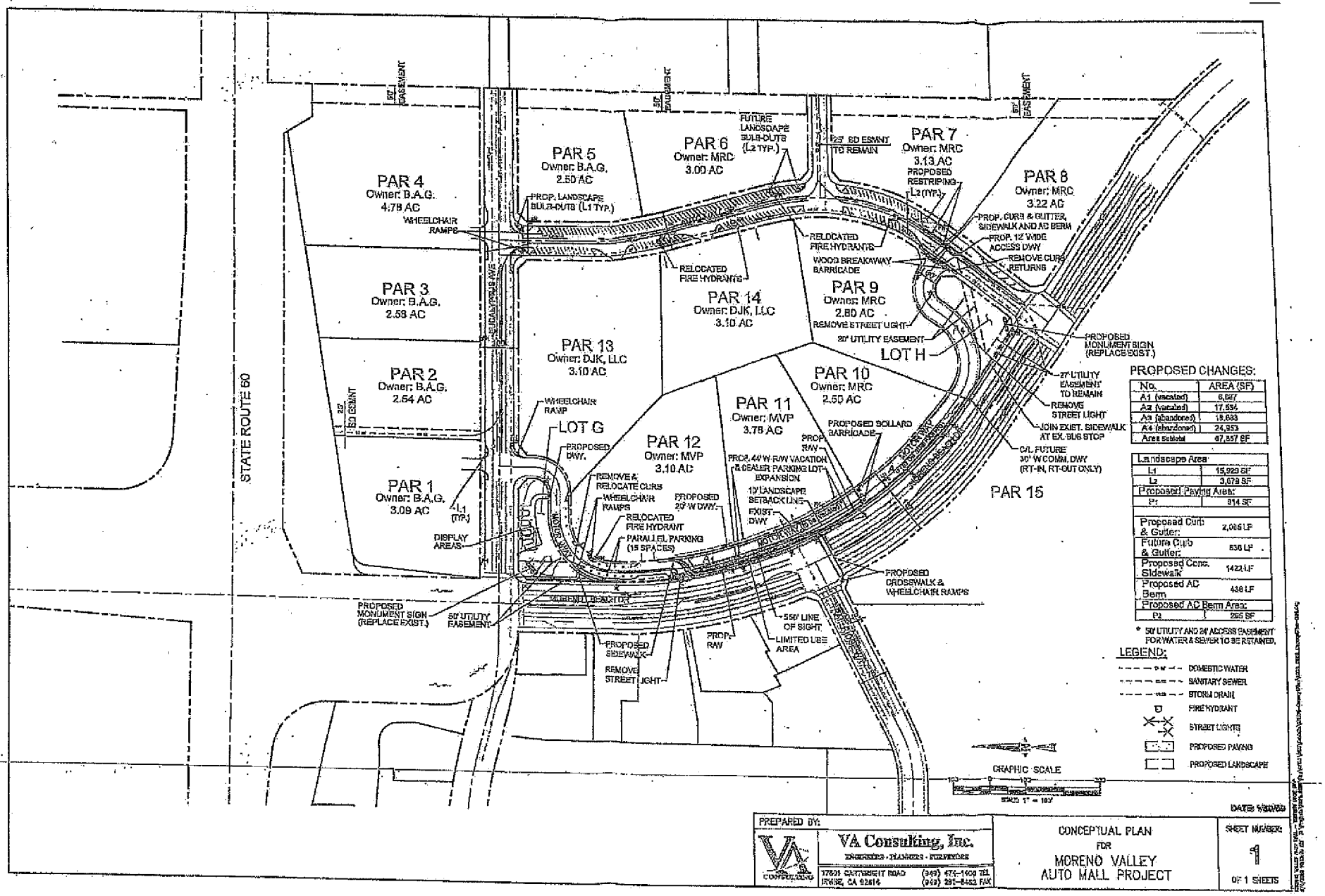
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PARALLEL PARKING (15 SPACES)
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROPOSED SIDEWALK
DISPLAY AREAS
50' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,683
A4 (abandoned) | 24,953
Area Subtotal | 67,817 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
SCALE: 1" = 100'
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00067449

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

MV00067450

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MV00067451

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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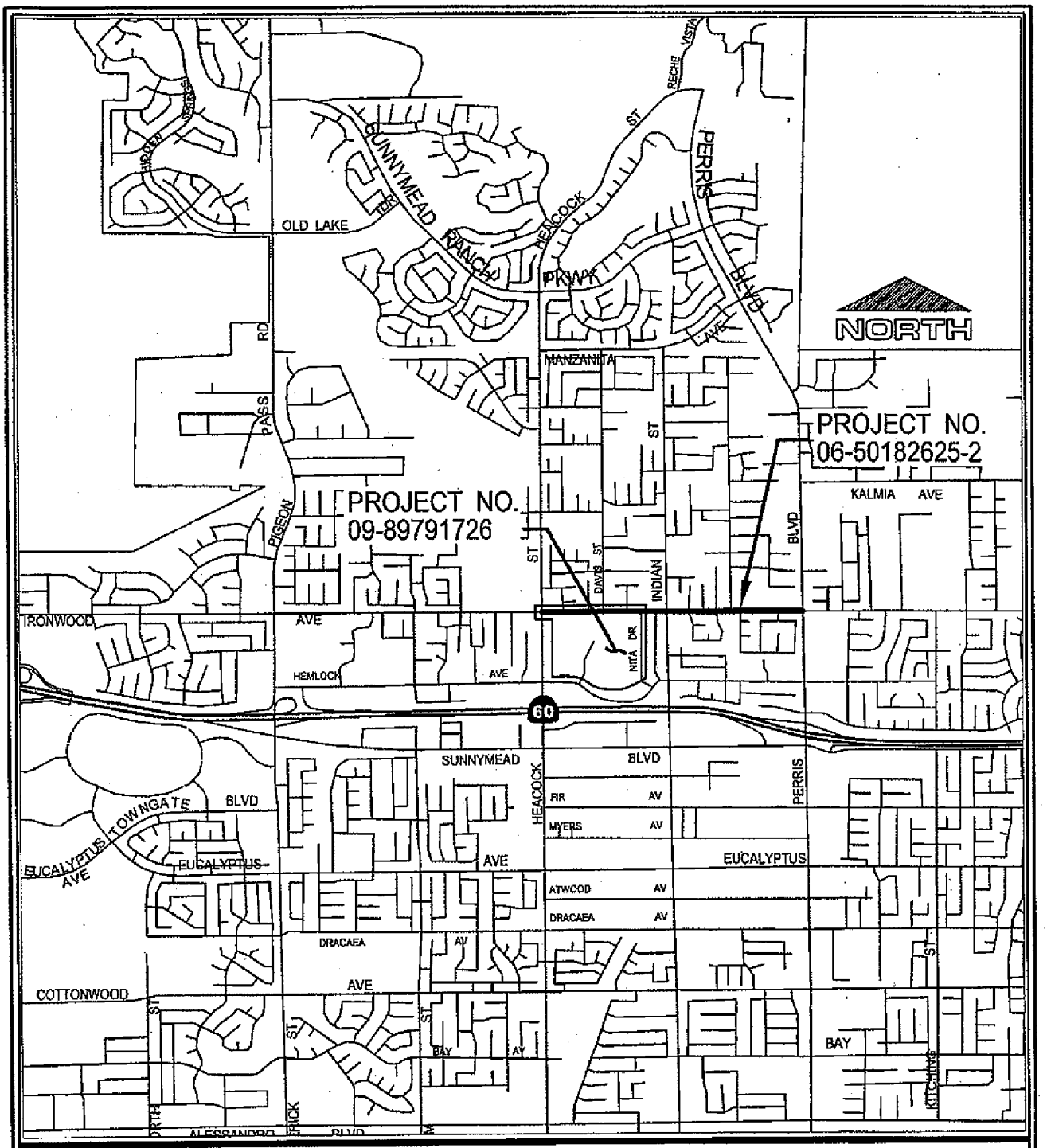

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00067461

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

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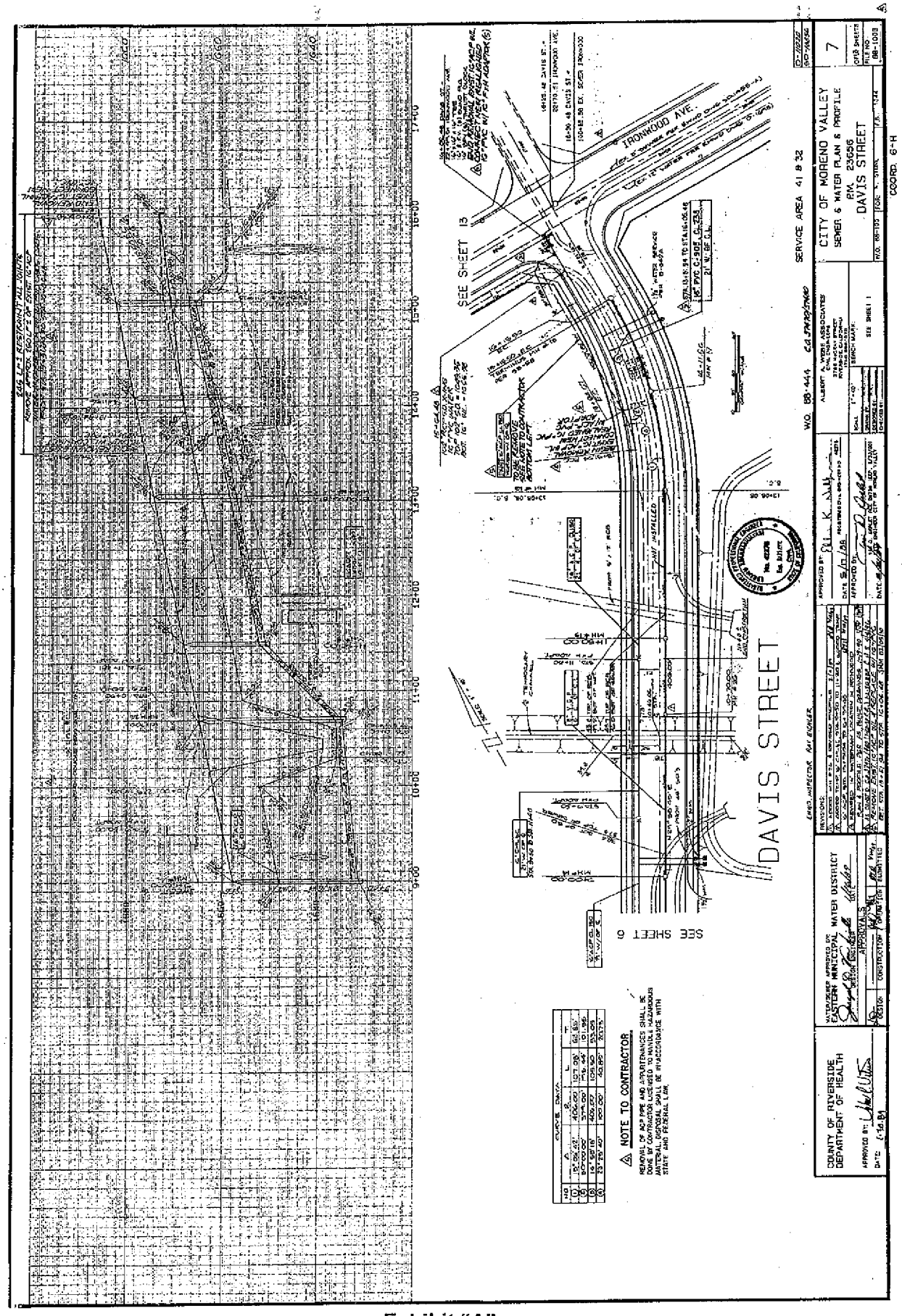
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23636
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
REMOVAL OF ACP PIPE AND APPURTENANCES SHALL BE DONE BY CONTRACTOR LICENSED TO HANDLE HAZARDOUS MATERIAL DISPOSAL SHALL BE IN ACCORDANCE WITH STATE AND FEDERAL LAW.
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

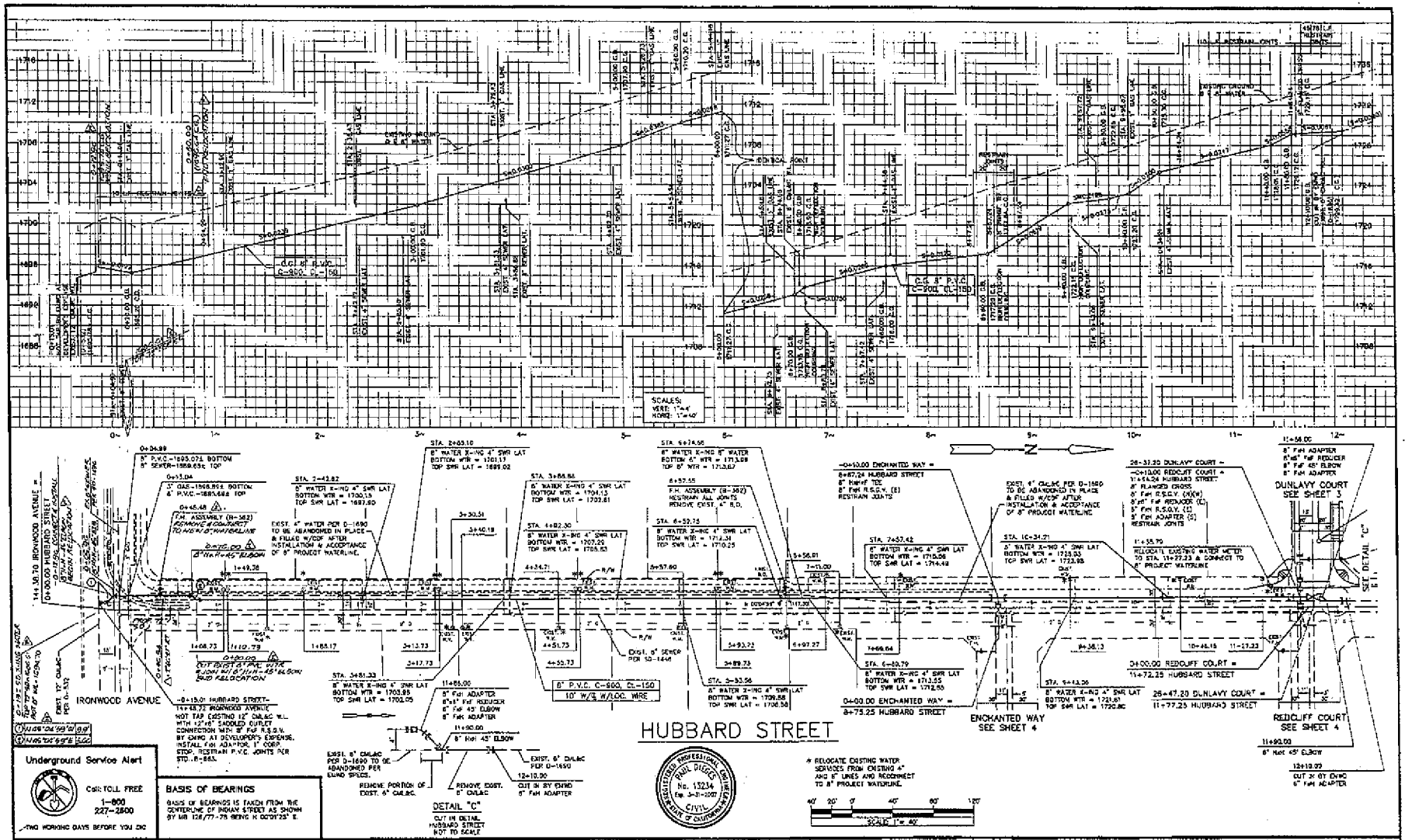

CITY OF MORENO VALLEY APPROVALS	BENCHMARK:	FIRE MARSHALL	PERRIS ENGINEERING
FRED KHAN, ASSISTANT CITY ENGINEER R.C.E. 25943 Exp. 12-31-06 — DATE	FD. BRASS CAP STAMPED M-34, S.E. COR. CL. INT. IRONWOOD AVE. AND PERRIS BLVD., N.E. COR. E.M.W.D. CONC. BOOSTER STA. SLAB.	APPROVED BY: — DATE	1051 DAWES ROAD PERRIS, CA. 92571 (951) 657-2822
CHRIS A. YOU, PUBLIC WORKS DIRECTOR/CITY ENGINEER R.C.E. 41650 Exp. 9-30-07 — DATE	ELEV = 1736.722		PAUL DIEGES R.C.E. 13234 EXP. 3-31-07 — DATE Paul Dieges 8-11-06

DATE	BY	MARK	DESCRIPTION
6/13/06	PD	A	SUPERSEDES APPROVED PLAN DATED 3/23/06
7/18/06	L.A.	B	RELOCATE 8" AVE. BET STA.0+40.00 TO STA.0+60.00

DESIGNED BY: CDT — DRAWN BY: AJP — CHECKED BY: PD — NO SCALE — CITY

WATER APPROVED BY: EASTERN MUNICIPAL WATER DISTRICT — CIVIL ENGINEER OF EMWD — 6/13/06 DATE

APPROVALS	NAME	DATE
PROJECT ENG.		
INSPECTION		
MTR. & SERVICES		
EMW OPERATIONS		

CITY OF MORENO VALLEY

TRACT 31319

WATER PLAN AND PROFILE

STA. 0+15.00 TO STA. 12+10.00

HUBBARD STREET

Δ	3°13'
L.A.	113.00'
R.C.	1782
C.L.	0+00.00/31
COORD.	428-31
8"	5 3" 5
0-31074	
WV 1610	

NO 03-02

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-594, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE TYPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
10. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-1661.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-690, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VERIFY GRADES AND DRIVEWAYS WHERE APPROPRIATE. ADJACENT LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL REPORT AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR ENCHANED UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE LINES. PLANNED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE THE ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DATUMS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL ENCROACHES FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL SEPARATE ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEMS	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	20	LF
8" 22½ 45° BEND	2	EA
8" 90° BEND	1	EA
12" 22½ 45° BEND	2	EA
12" 45° BEND	2	EA
12" 90° BEND	1	EA
12" FLANGE	1	EA
12" FLANGED TEE	1	EA
12" BLIND FLANGE	1	EA
12" REDUCER	1	EA
12" REDUCER	1	EA
12" 90° BEND	2	EA
12" 90° BEND	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	477	LF
CUT EXIST. 12" W.L. & HOT TAP 12" DUCTILE W/	1	EA
12" WATER SERVICE W/ METER	1	EA
12" W.L. & AIR VALVE	1	EA
8" PVC WATER C-900, CL-200 (REF. HIGH EMS)	55	LF

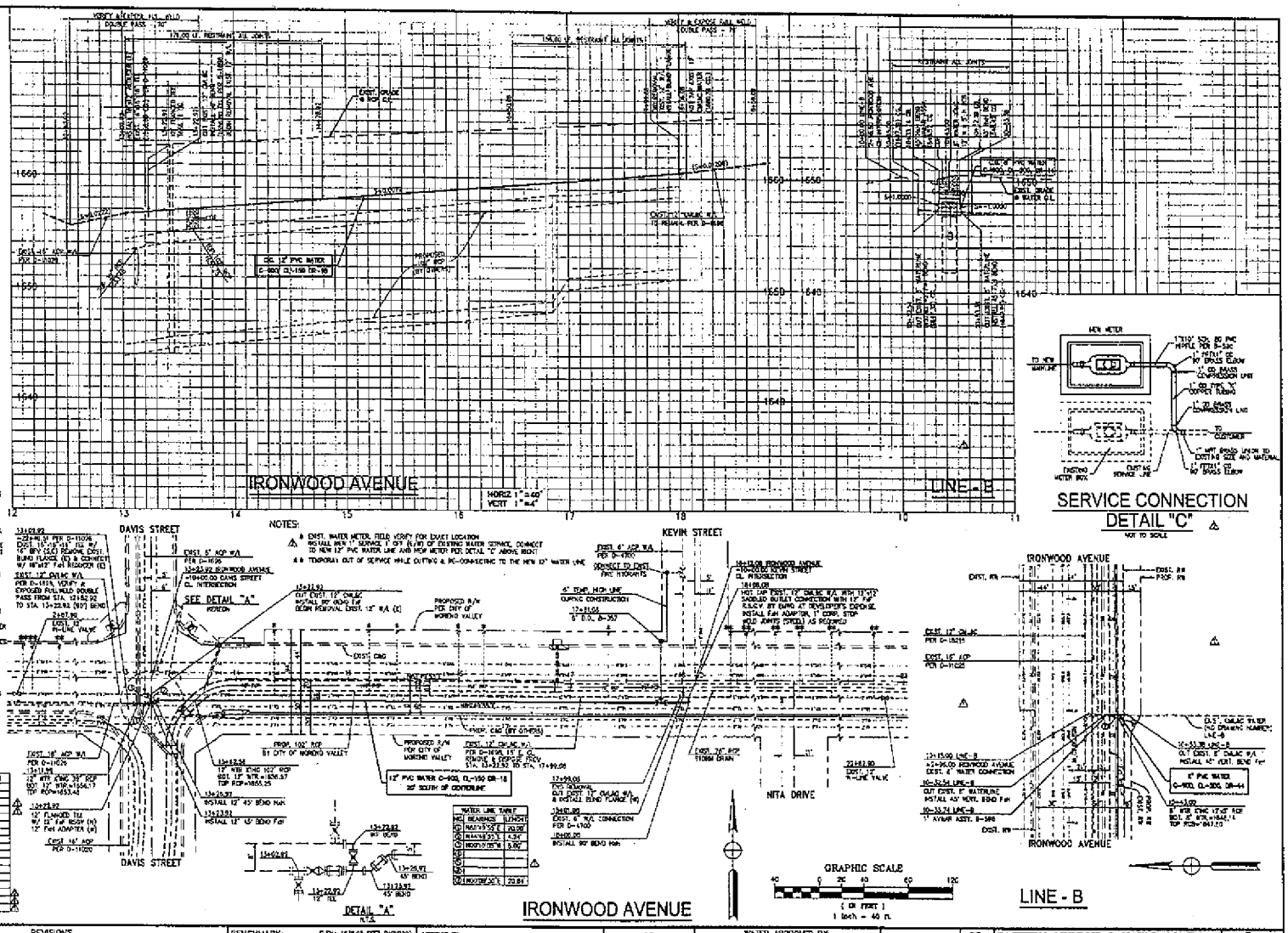

Underground Service Alert
CALL TOLL FREE 1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/09	LAM	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/08	CHAN	01/13/2009
2	4/30/09	LAM	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/09	CHAN	04/30/2009

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK BM-58 FD.
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.5' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5 DIA.) STAMPED "B-58 RESET 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: CONSTRUCTION MANAGER — ACCEPTANCE; MAINTENANCE — ACCEPTANCE

DESIGNED | DRAWN | TRACED | CHECKED | SUBMITTED | DATE
SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA
12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

W.O.	3
S.A.	41
W.P.	12-747
C.S.	
COVER	
SHT.	1 of 1
D-	41354

Item No. C.4

MV00067472

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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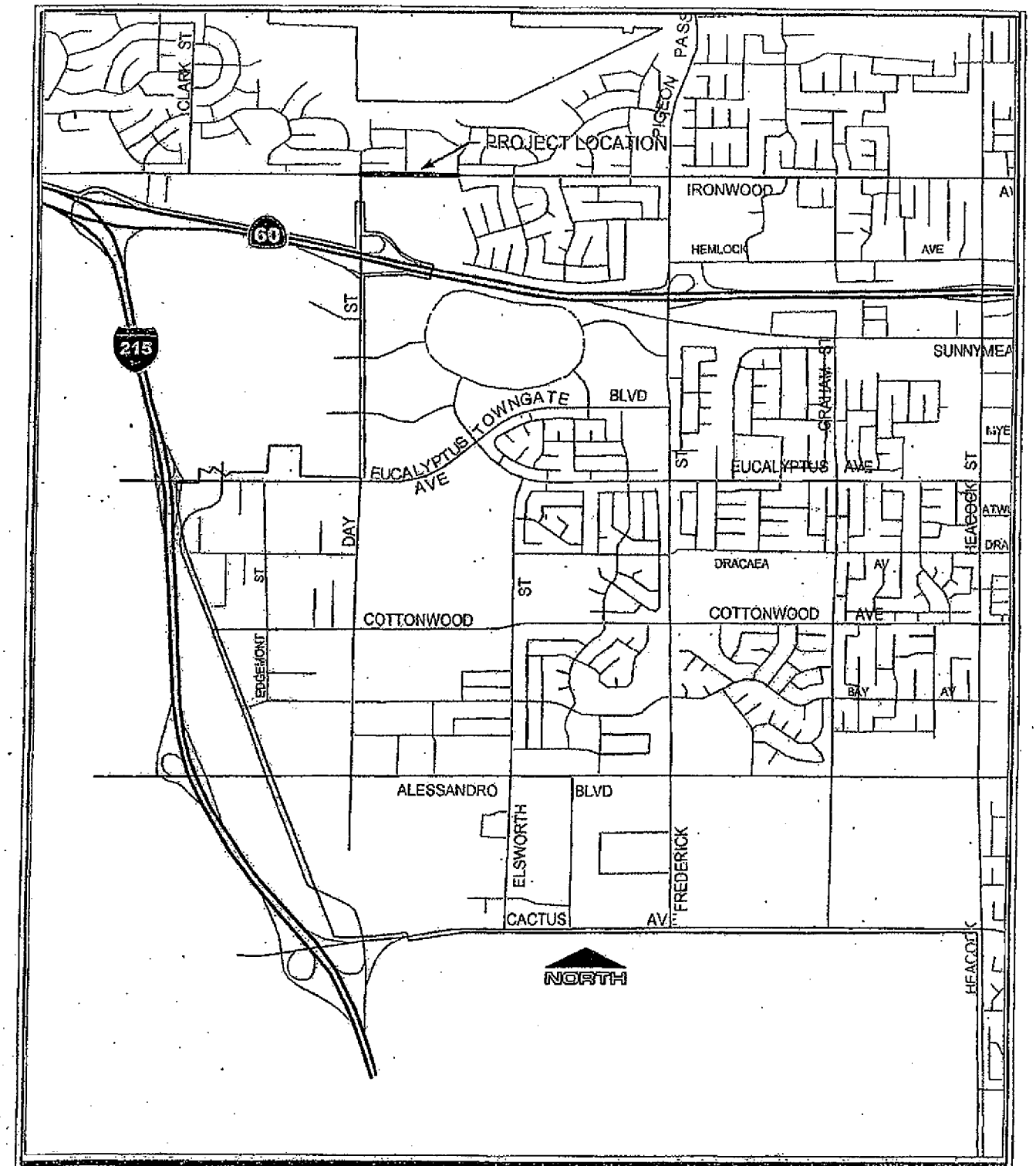

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

Item No. C.5

MV00067484

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MV00067485

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

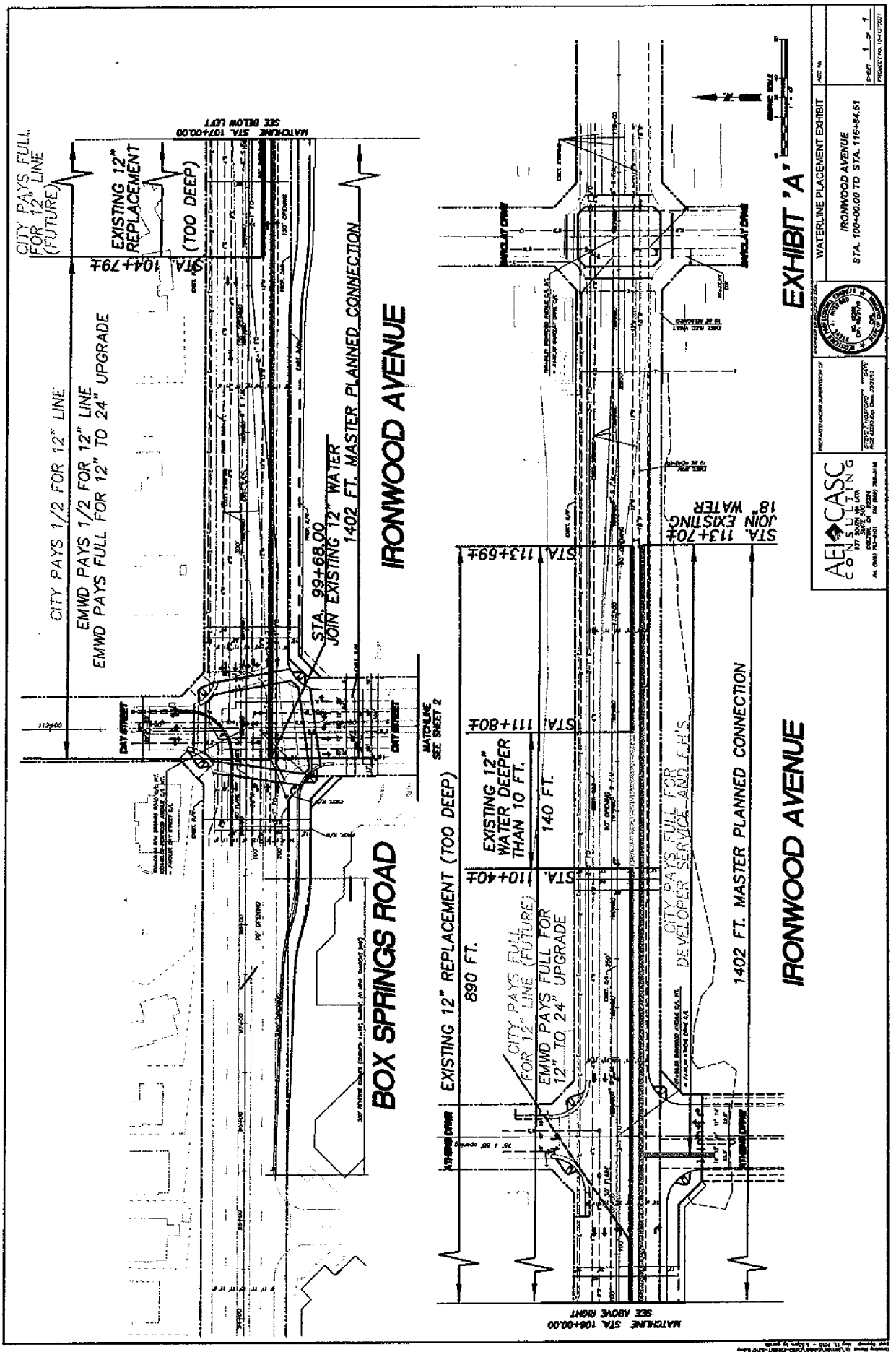
EXHIBIT 'A'
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CASC CONSULTING
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 110+40±
STA. 111+80±
STA. 113+69±
STA. 113+70± JOIN EXISTING 18" WATER
MATCHLINE STA. 106+00.00 SEE ABOVE RIGHT
BOX SPRINGS ROAD
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
STA. 99+68.00 JOIN EXISTING 12" WATER
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS 1/2 FOR 12" LINE
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
CITY PAYS FULL FOR 12" LINE (FUTURE)
MATCHLINE STA. 107+00.00 SEE BELOW LEFT
MATCHLINE SEE SHEET 2

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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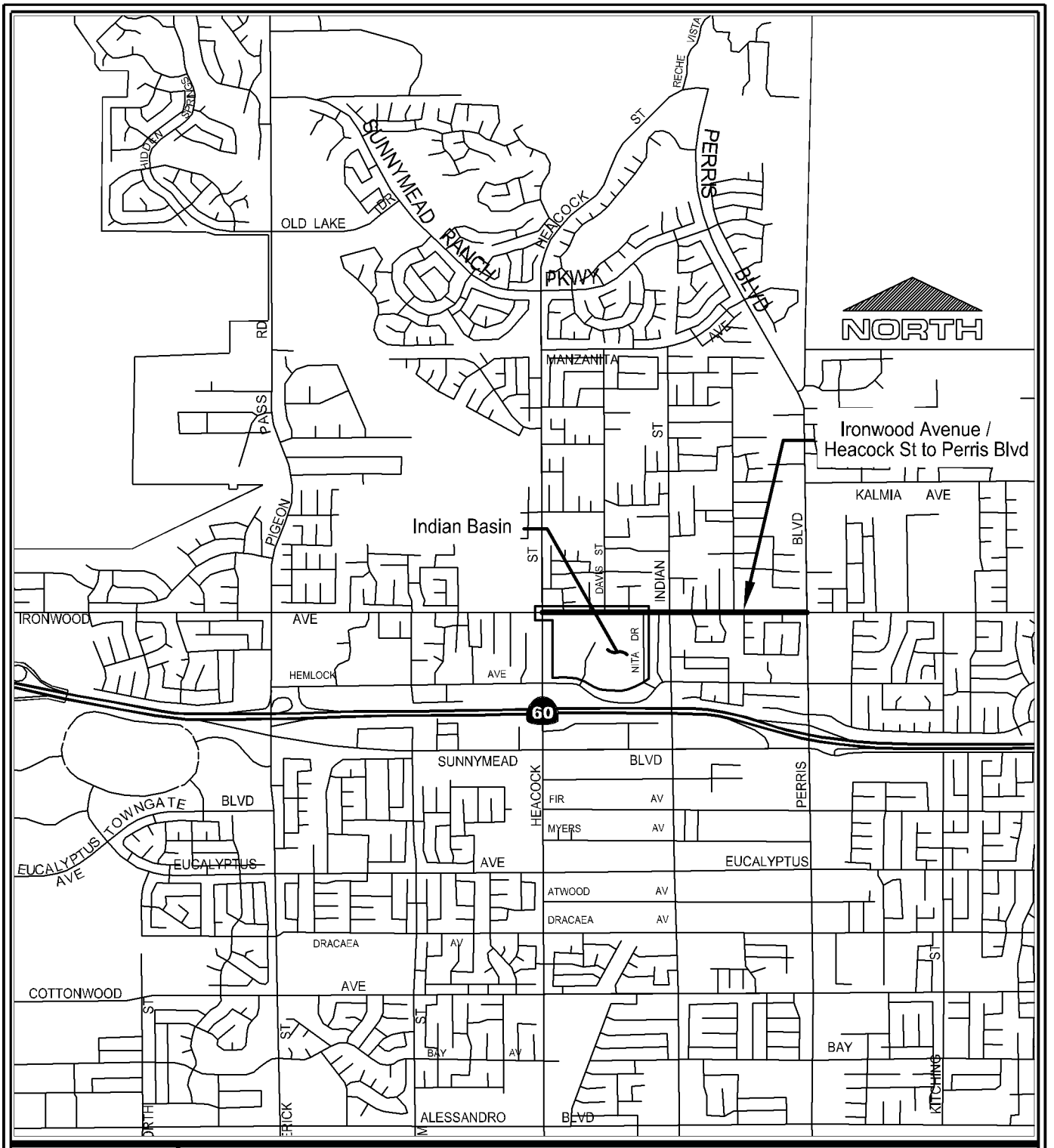

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00067505

Agreement No. _____

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

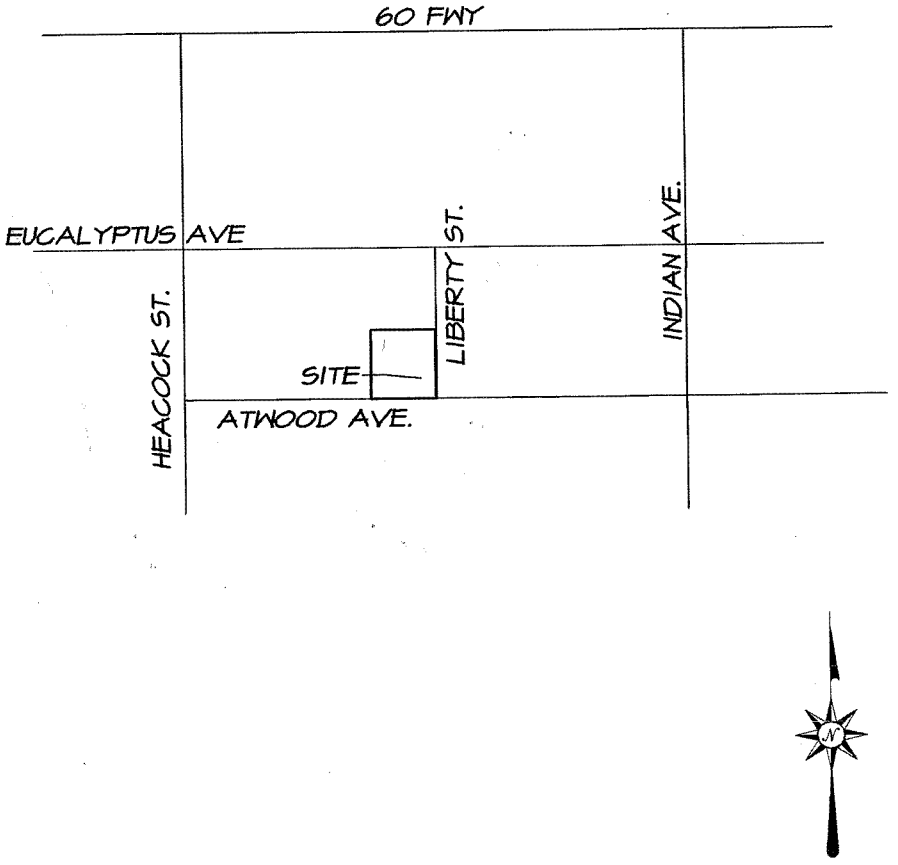

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

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MV00067521

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

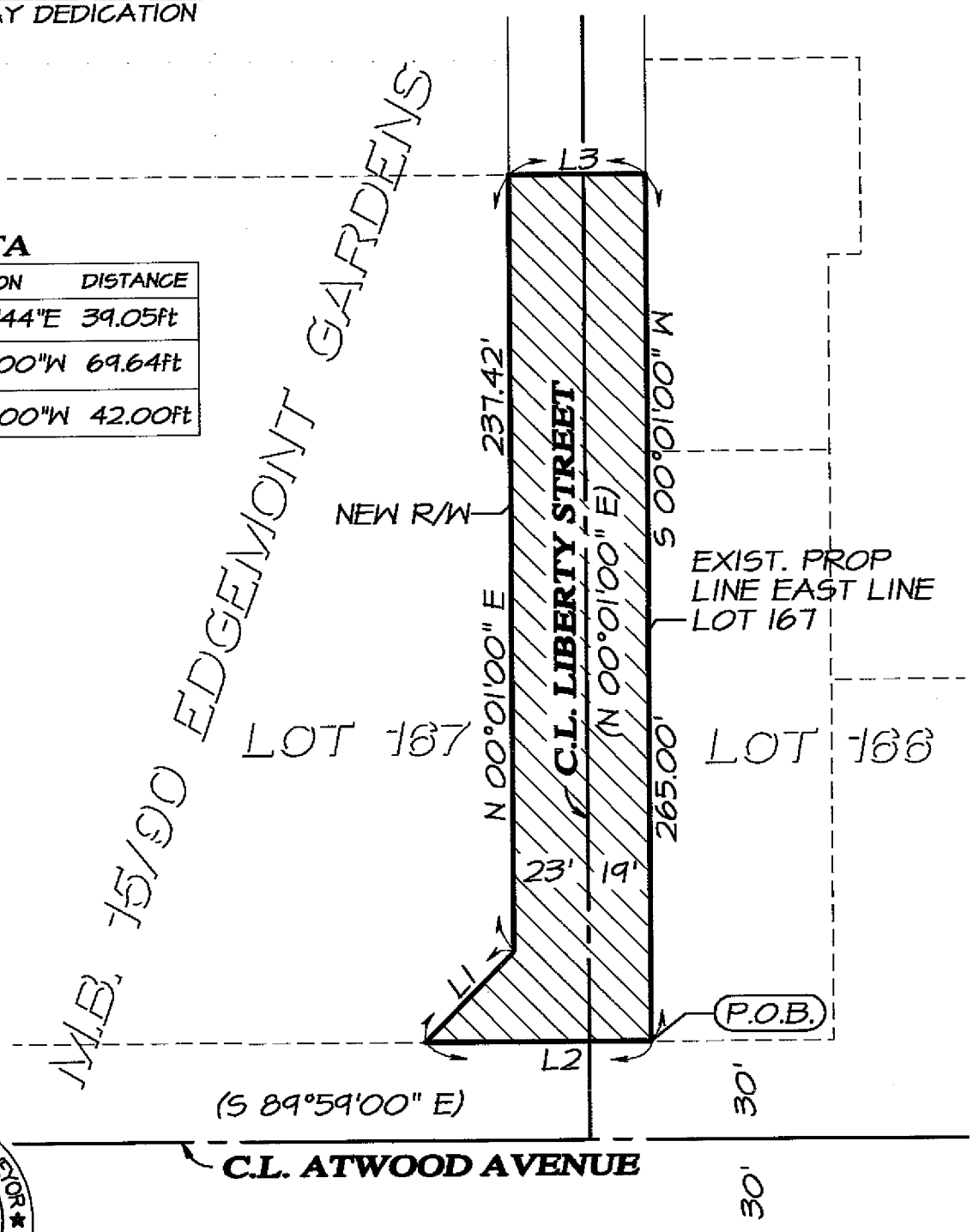

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY:	R.W.
CHECKED BY:	P.W.
DATE:	2/23/10

SHT. NO. 2
OF 2 SHEET

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MV00067525

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

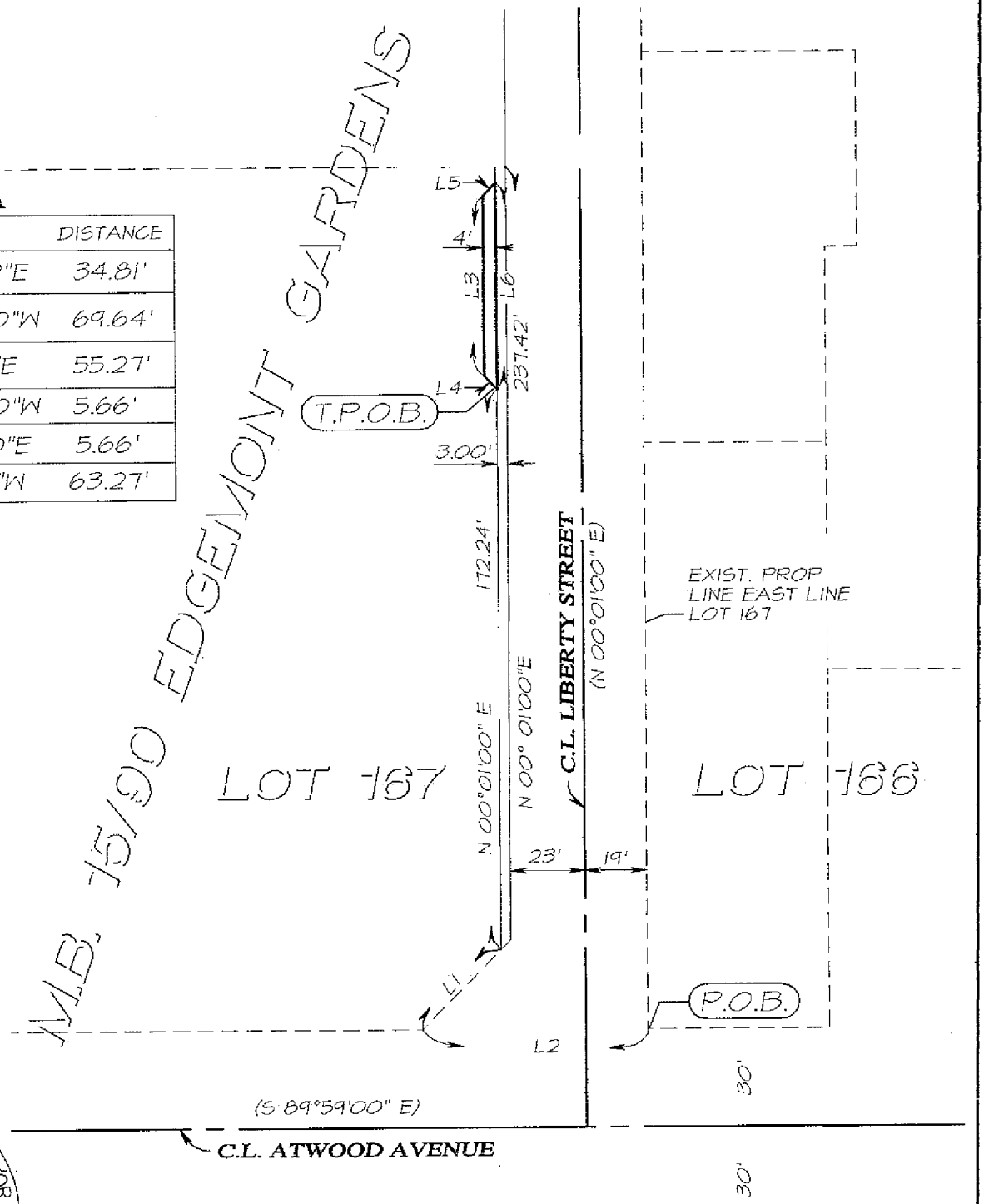

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2
OF 2 SHEET

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MV00067529

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

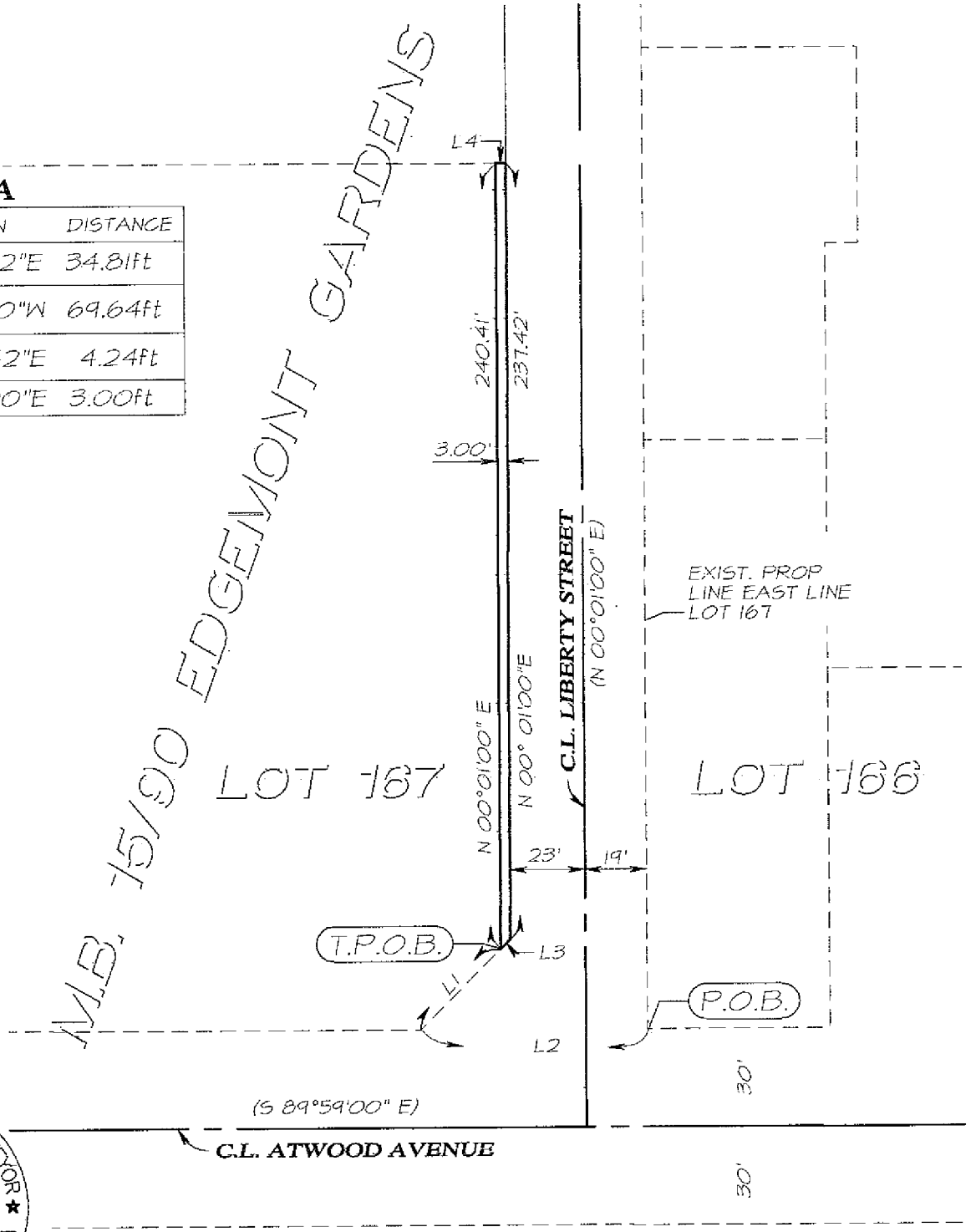

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/1

SHT. NO. 2
OF 2 SHEET

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MV00067533

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00067535

APPROVALS	
BUDGET OFFICER	Caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

BACKGROUND

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels

receiving the service. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	FY 2009/10 CSD Zone D Annual Charge*	Proposed 2010/11 CSD Zone D Annual Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the approved CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, or if there is a tie, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Conduct the Public Hearing**, tabulate the ballots, verify and accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing**, tabulate the ballots, verify or accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program**.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

Fourteen Zone D tracts are being balloted to seek approval for an increase in the CSD Zone D annual charge. The action before the CSD Board is to accept public comments and tabulate the returned ballots for the balloted tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\Stfrpt Zone D PH 07.13.10.doc

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MV00067541

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\12773\Tract 12773 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

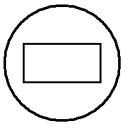

A circle around the box **<u>and/or</u>** associated clause; or

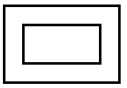

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

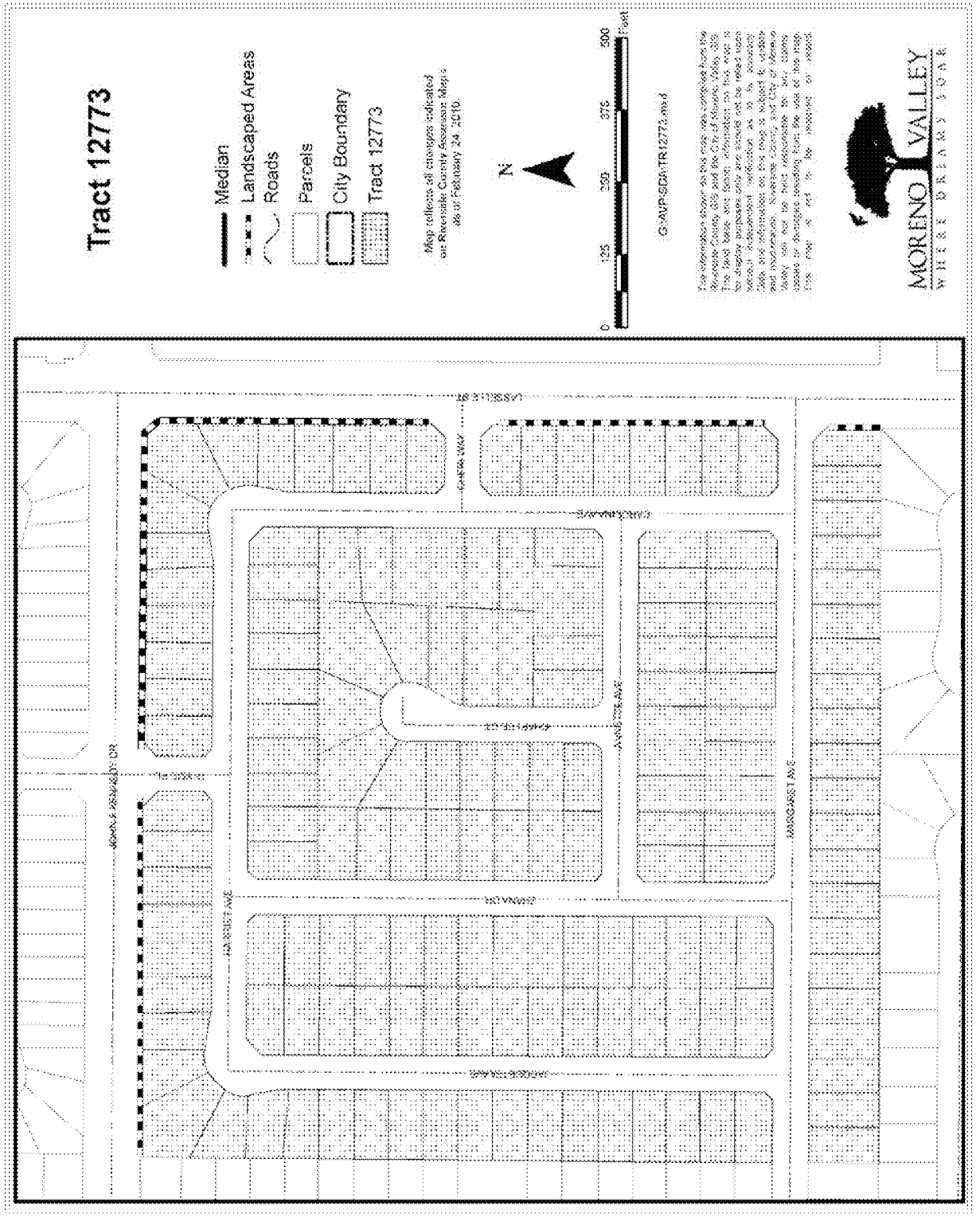
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR12773.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\19210\Tract 19210 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

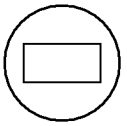

A circle around the box **and/or** associated clause; or

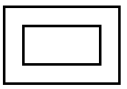

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

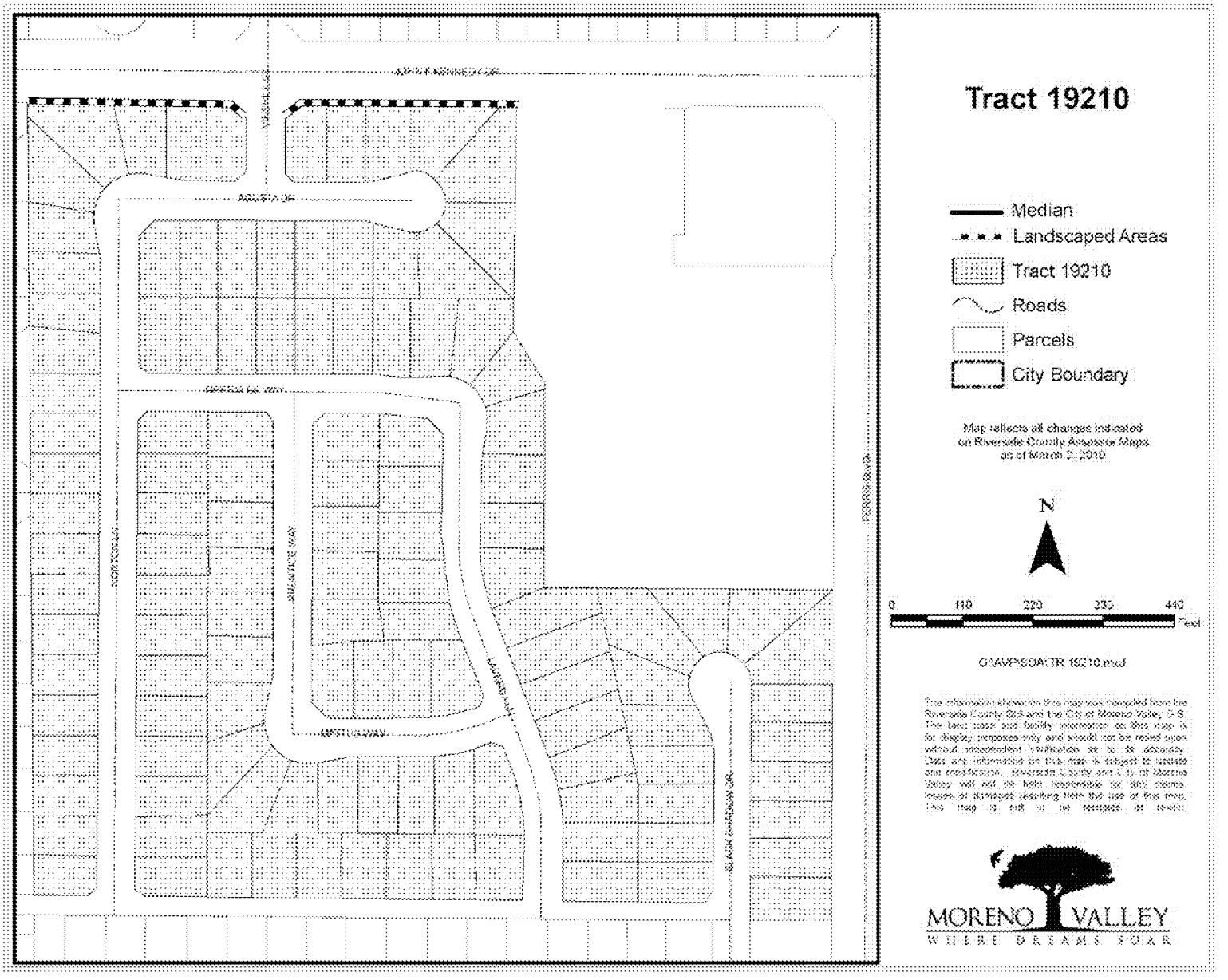
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010
N
0
110
220
330
440
Feet
G:\AVP\SDA\TR 19210.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3460
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

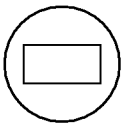

A circle around the box **and/or** associated clause; or

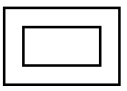

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

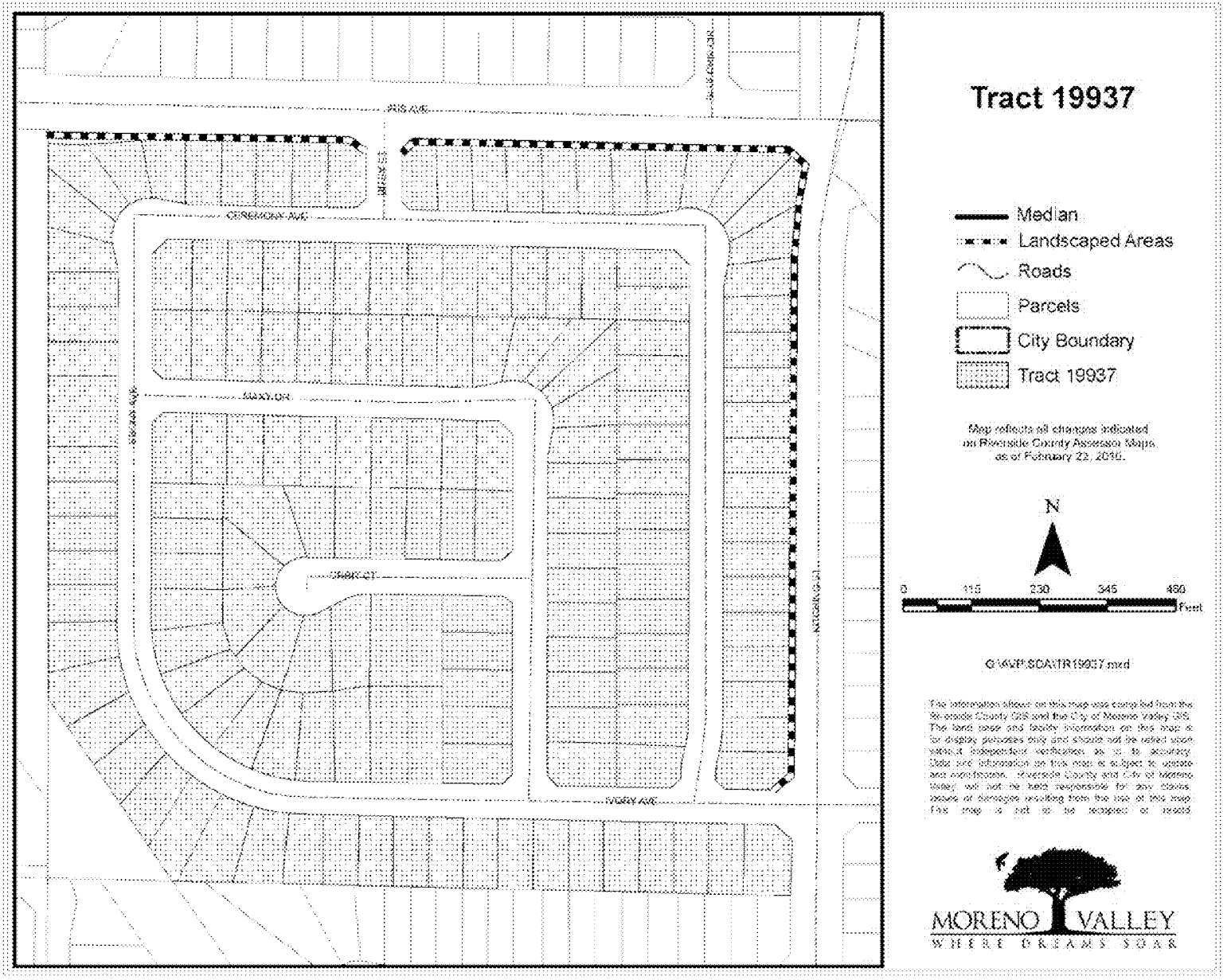
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
345
460
Feet
G:\AVP\SCA\TR19937.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

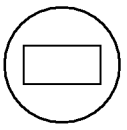

A circle around the box **<u>and/or</u>** associated clause; or

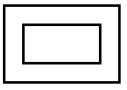

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

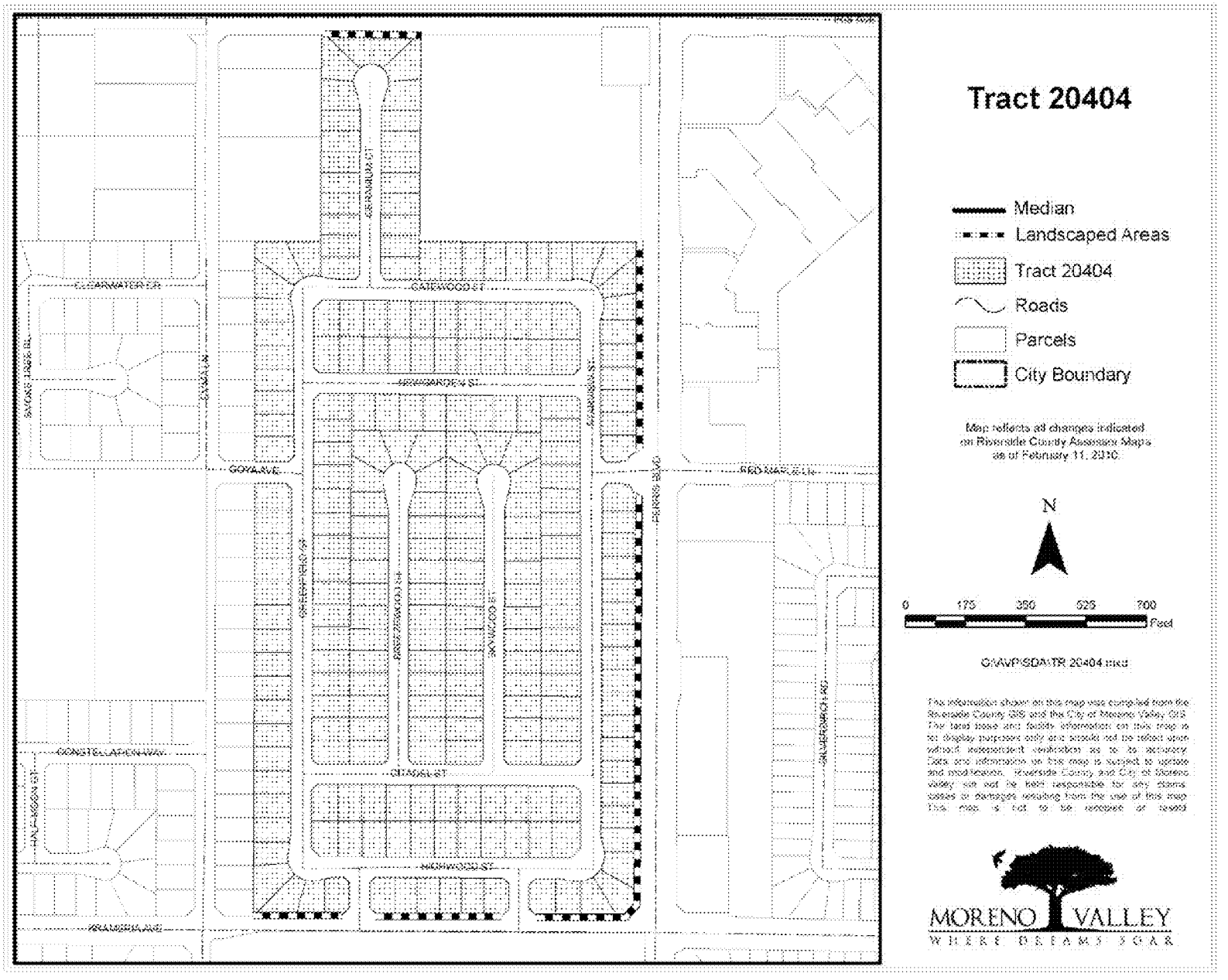
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 175 350 525 700
Feet
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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tax base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
GATEWOOD ST
SPRINGBROOK ST
GOYA AVE
RED MAPLE LN
PERRIS BLVD
SKYWOOD ST
CITADEL ST
HIGHWOOD ST
CONSTELLATION WAY
HALLOWEEN ST
FRANKLIN AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

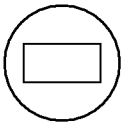

A circle around the box **<u>and/or</u>** associated clause; or

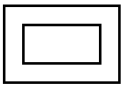

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

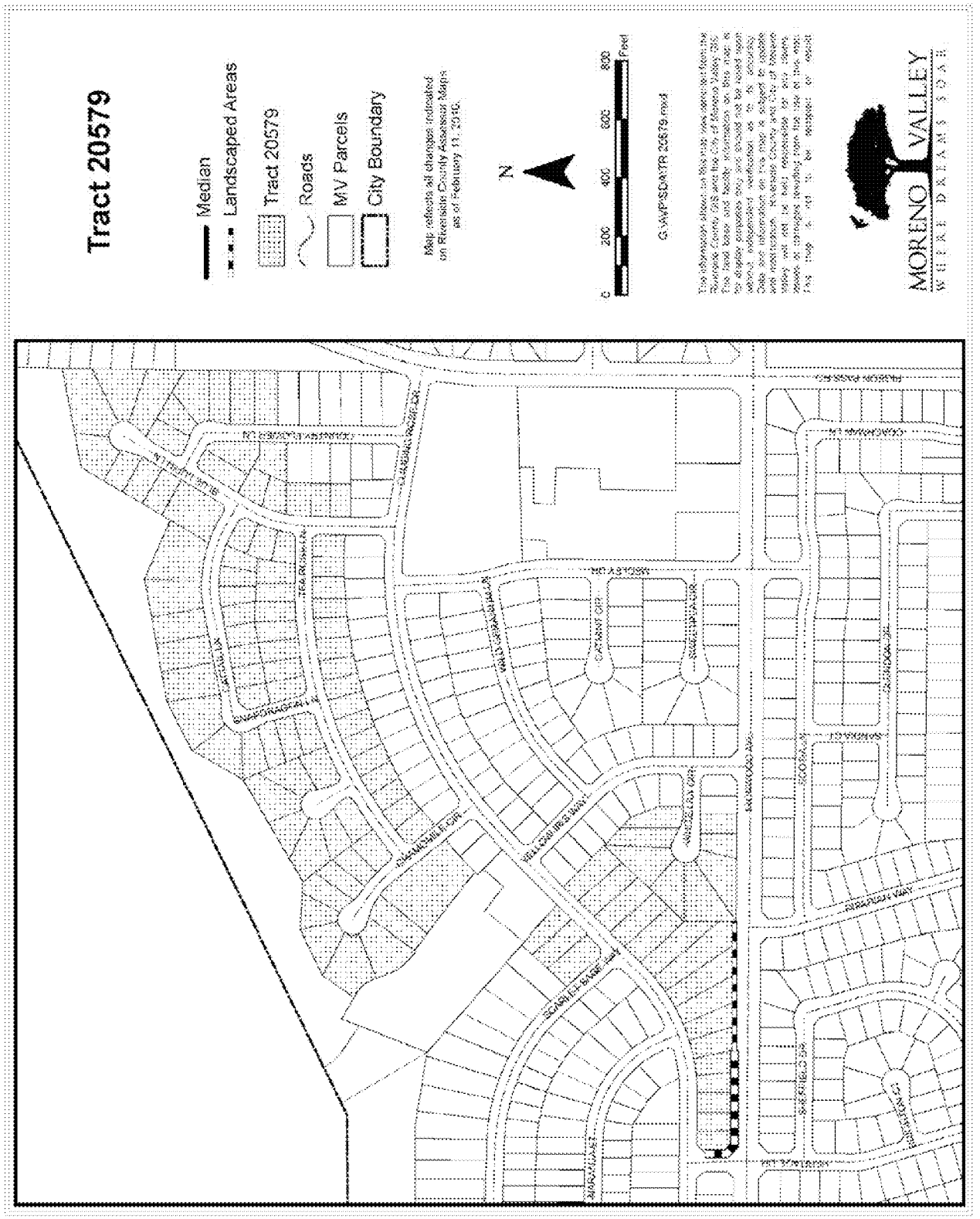
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SD\MTR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

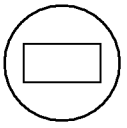

A circle around the box <u>and/or</u> associated clause; or

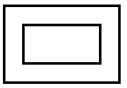

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

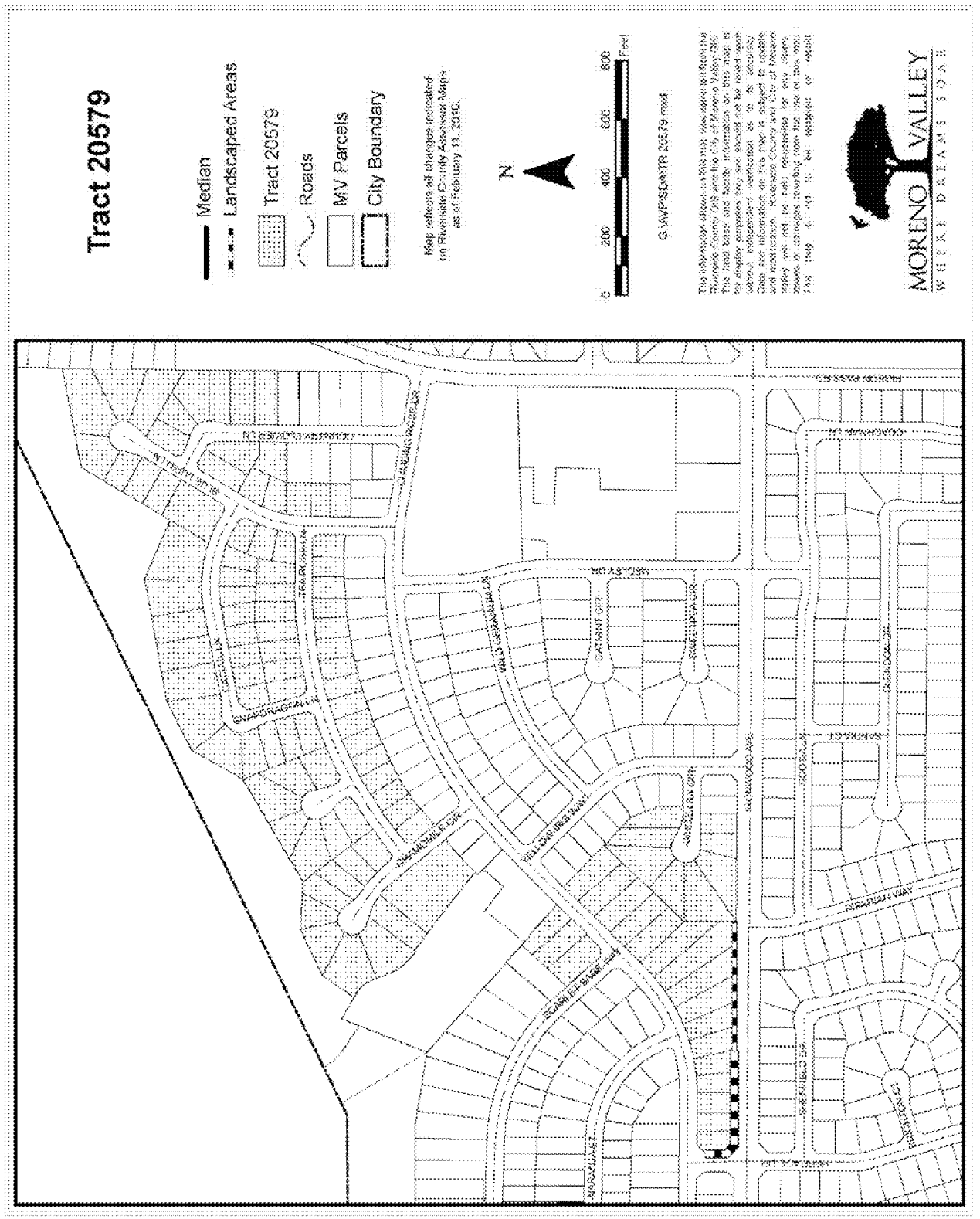
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20579\Tract 20579c packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información en Español.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

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   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

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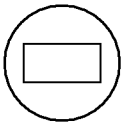

A circle around the box **<u>and/or</u>** associated clause; or

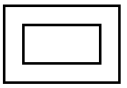

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
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Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

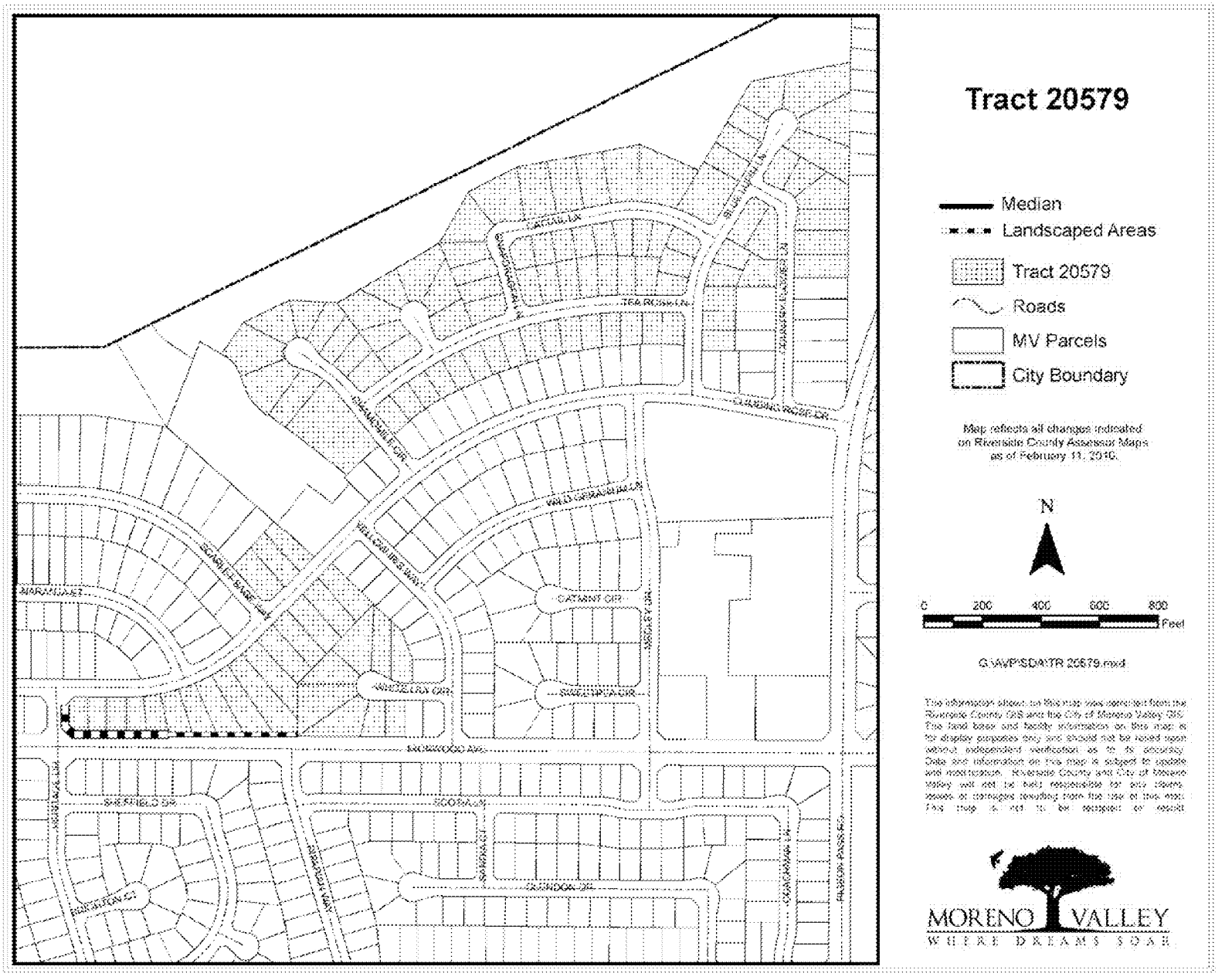
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 200 400 600 800 Feet
G:\WP\SD\NTR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

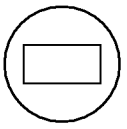

A circle around the box **and/or** associated clause; or

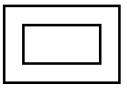

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

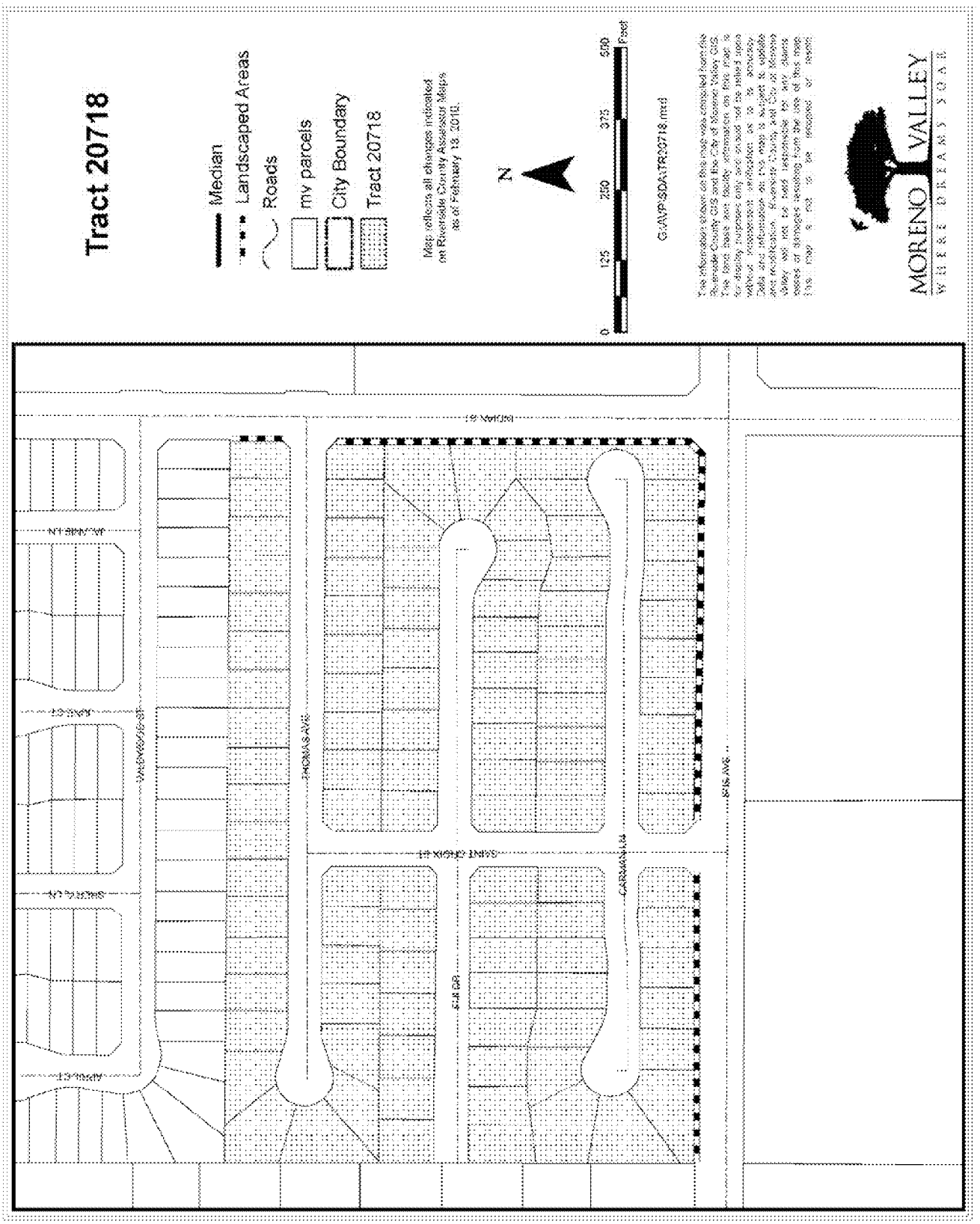
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MORENO VALLEY
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CARMANITA
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MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

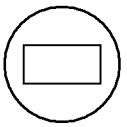

A circle around the box **and/or** associated clause; or

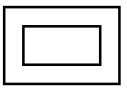

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

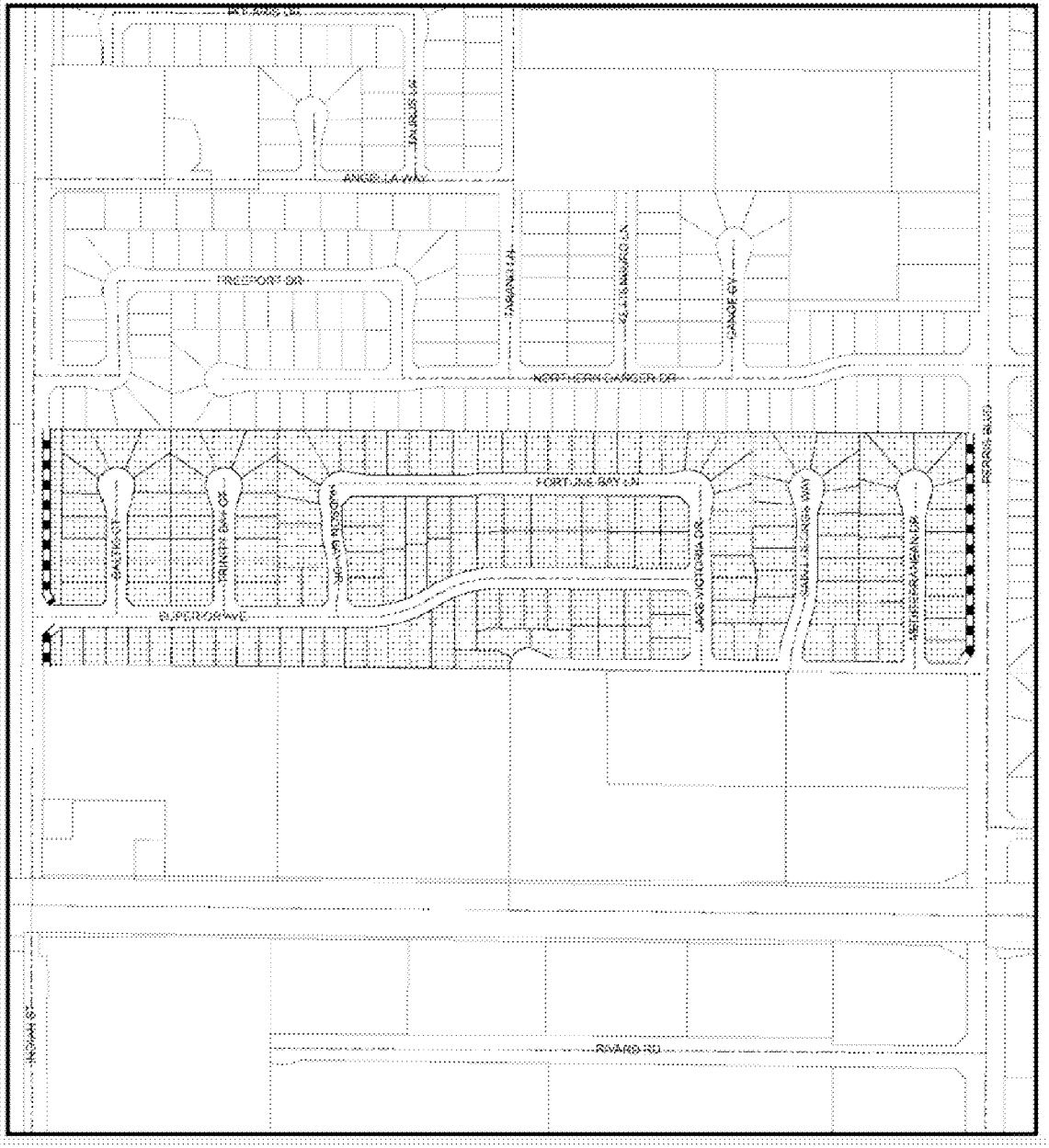

Tract 21113

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

N

0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley, GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

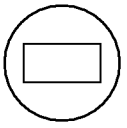

A circle around the box **<u>and/or</u>** associated clause; or

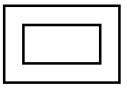

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

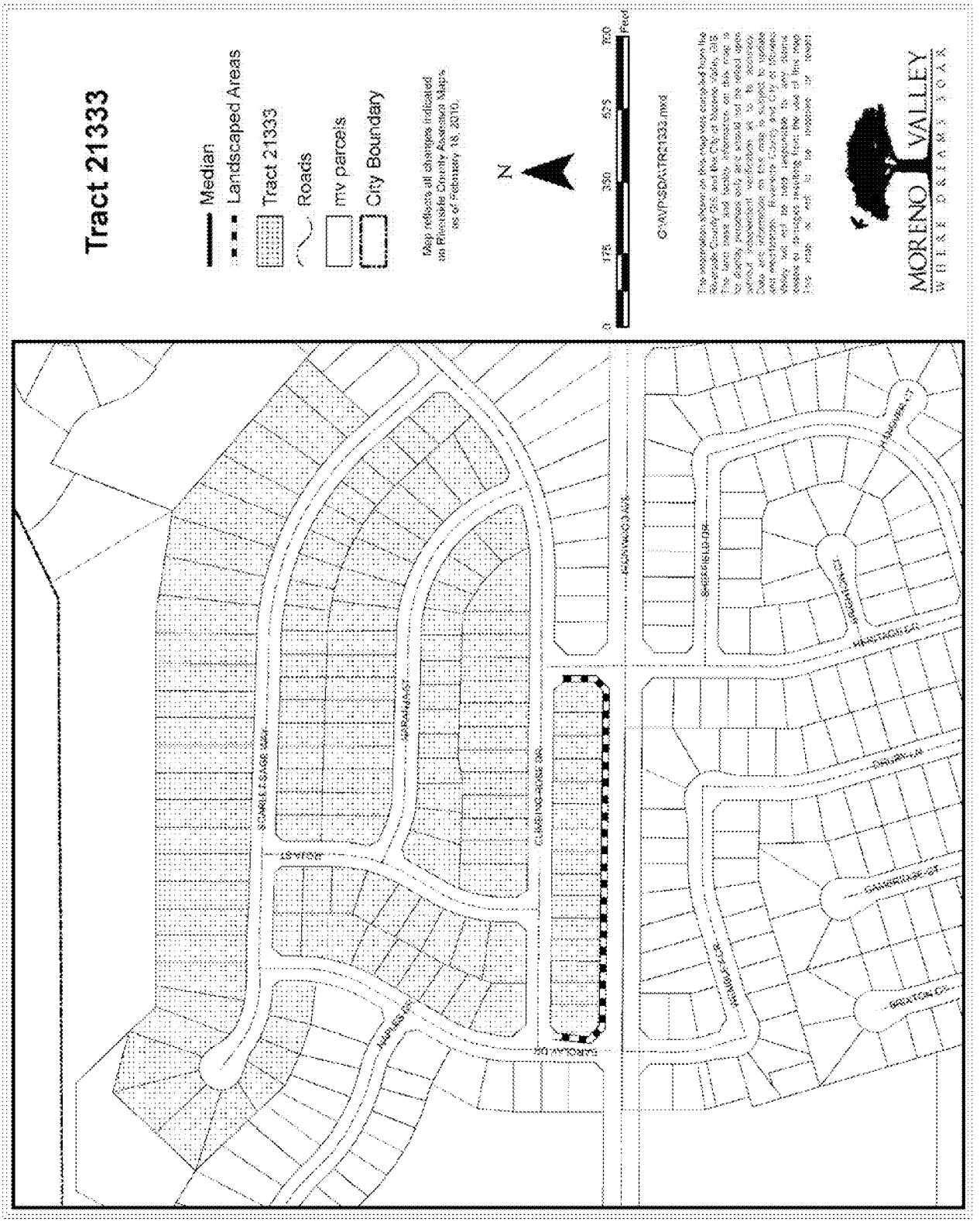
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
mv parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
175
350
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700
Feet
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MORENO VALLEY
WHERE DREAMS SOAR
SCARLETSTONE WAY
ASHFORD ST
NAPLES ST
CARROLLTON DR
CHRISTINE ROSE DR
HEACOCK AVE
SHEFFIELD DR
HAMPTON CT
HAMPTON CT
DRURY LN
CAMBRIDGE CT
BRATON CT
WINDSOR PLACE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

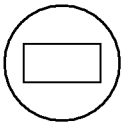

A circle around the box **<u>and/or</u>** associated clause; or

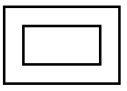

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

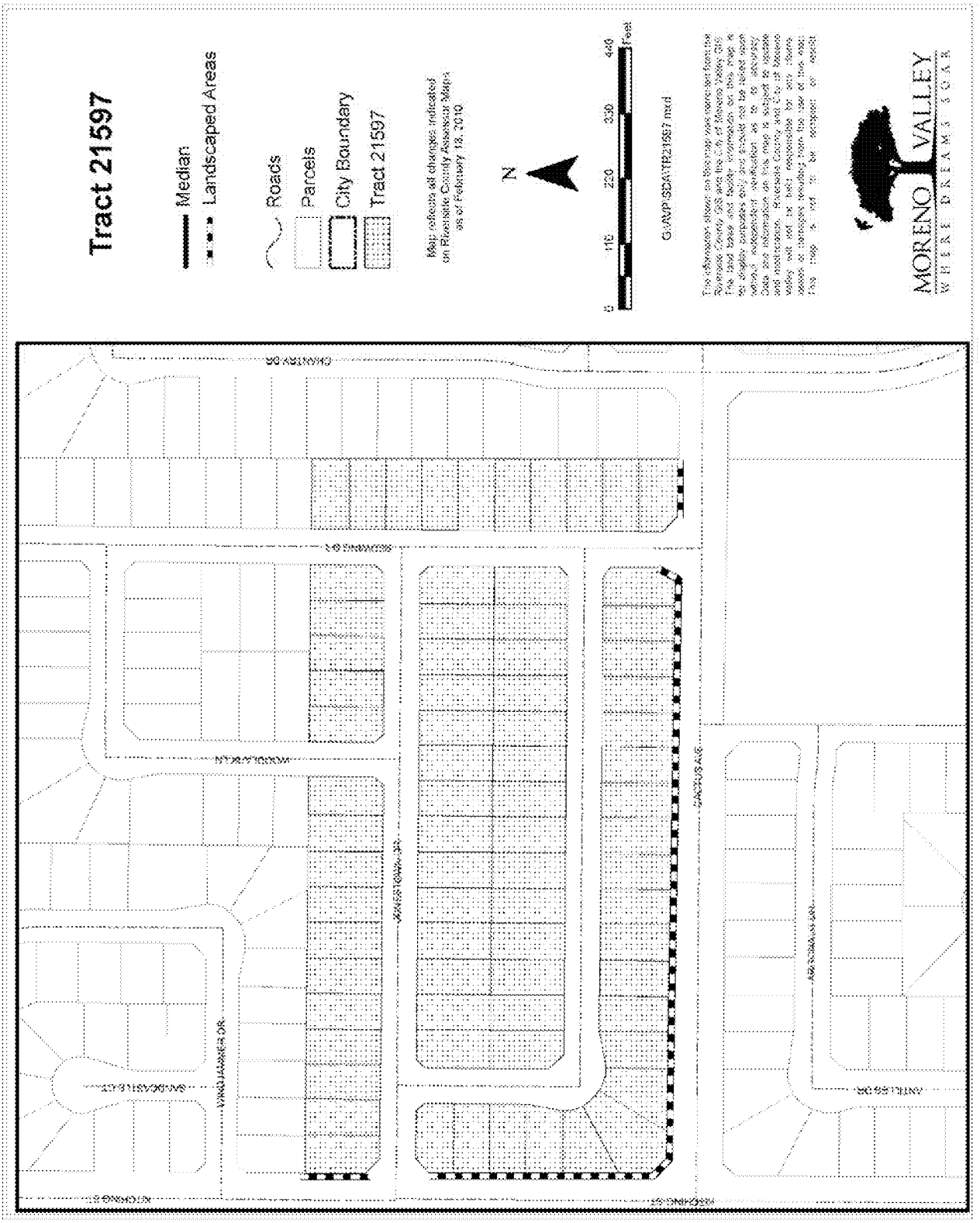
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0 110 220 330 440 Feet
G:\AP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\22889\Tract 22889 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

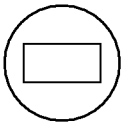

A circle around the box **<u>and/or</u>** associated clause; or

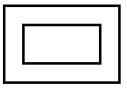

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

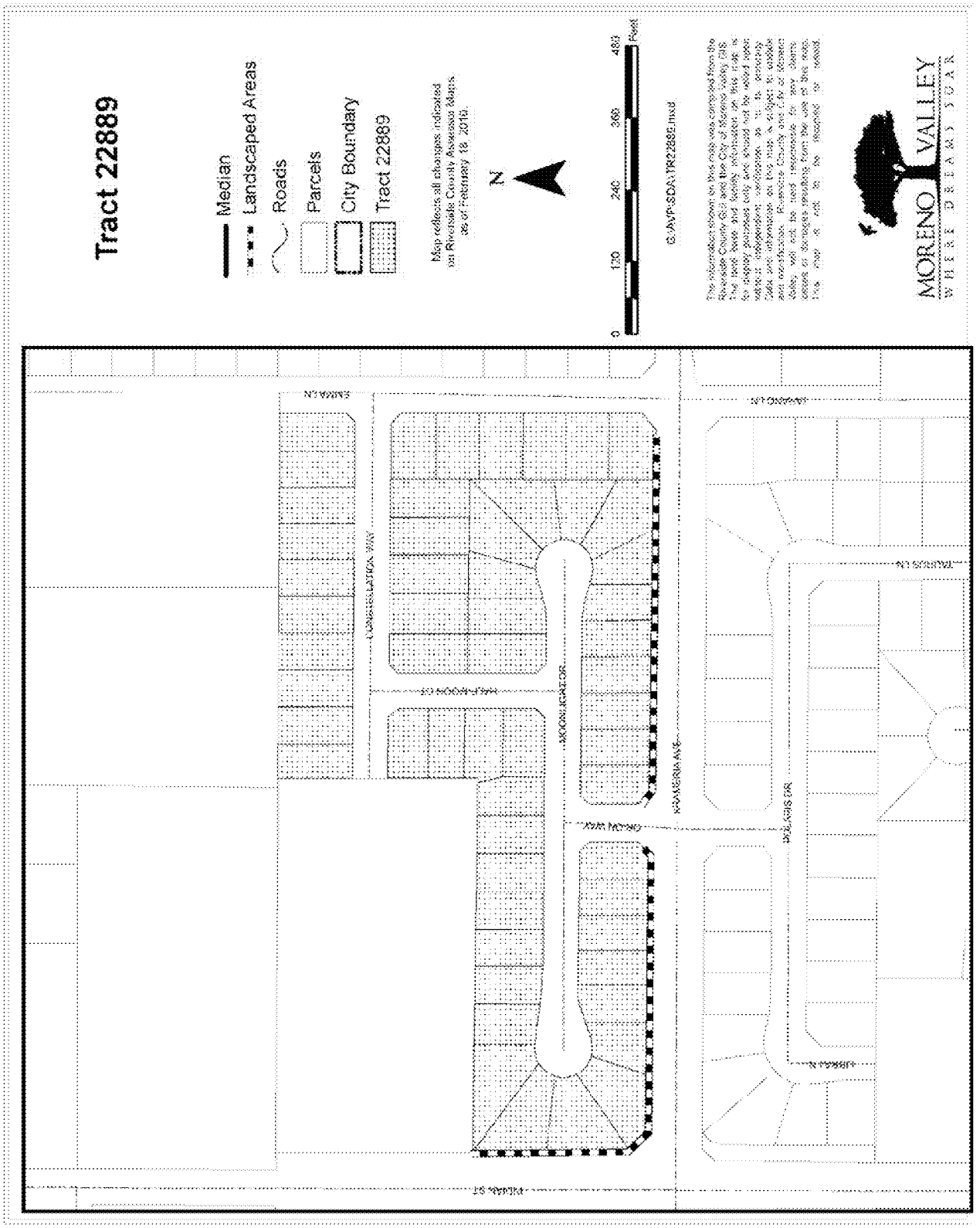
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2019.
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MORENO VALLEY
WHERE DREAMS SOAR
CONSTELLATION WAY
MOON ROCK DR
KITAMERIA AVE
DOLKIS DR
N PERRIS
PERRIS ST

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

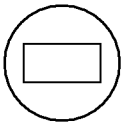

A circle around the box **<u>and/or</u>** associated clause; or

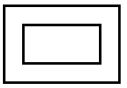

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

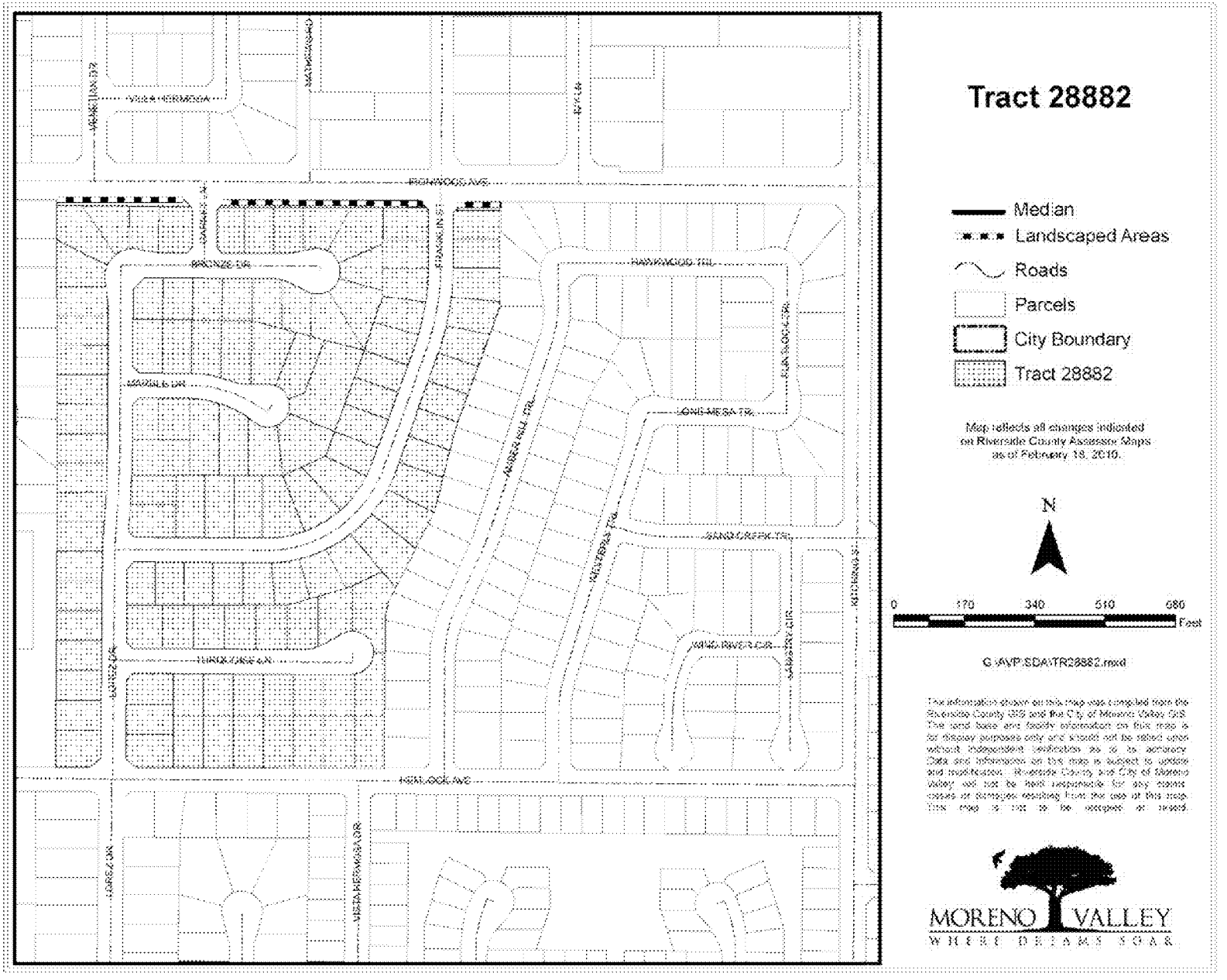
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

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4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

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   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

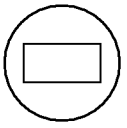

A circle around the box **<u>and/or</u>** associated clause; or

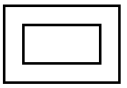

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

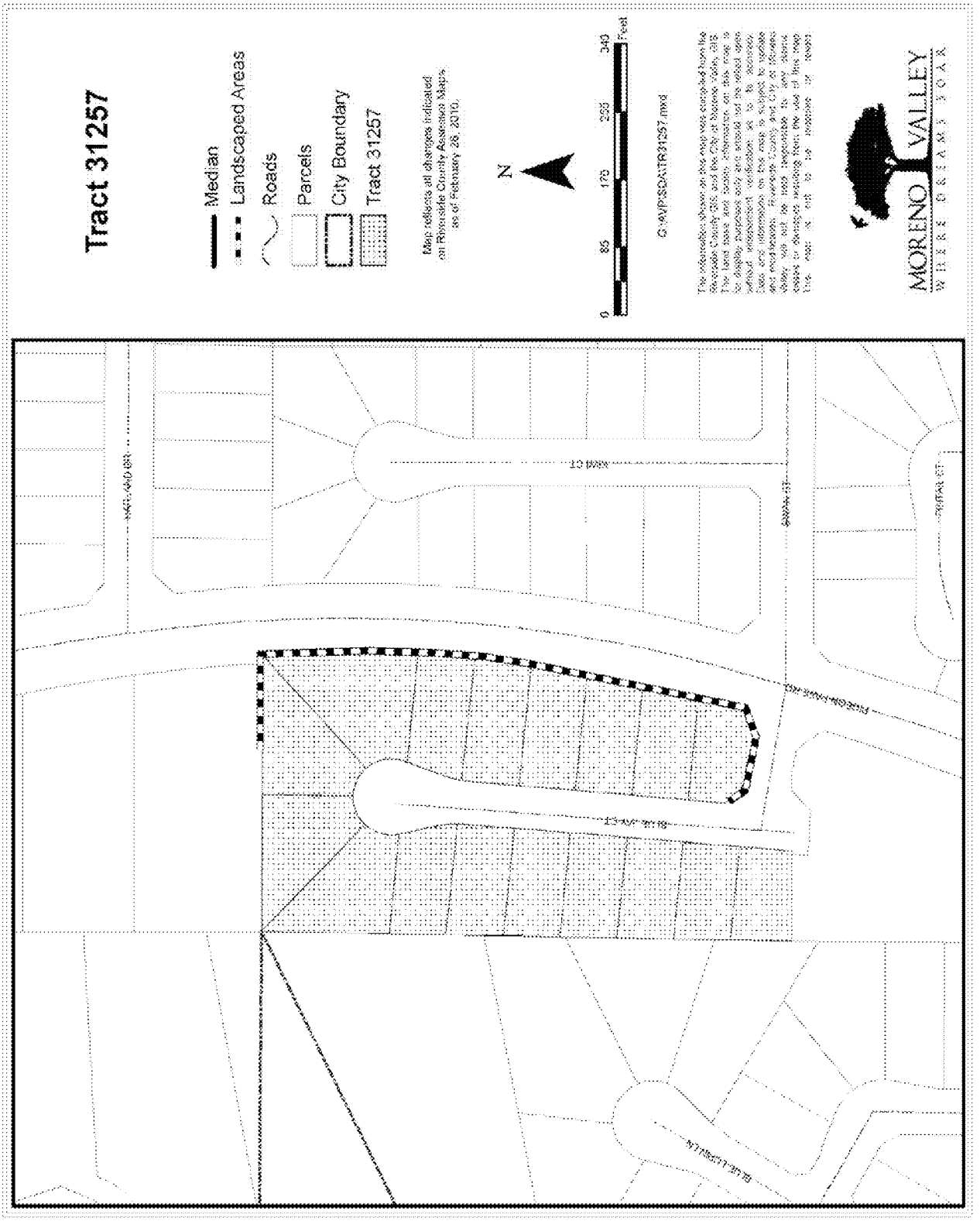
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
Map reflects all changes indicated on Riverside County Assessed Maps as of February 28, 2010.
N
0
85
170
255
340
Feet
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

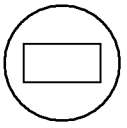

A circle around the box **<u>and/or</u>** associated clause; or

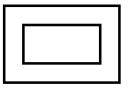

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

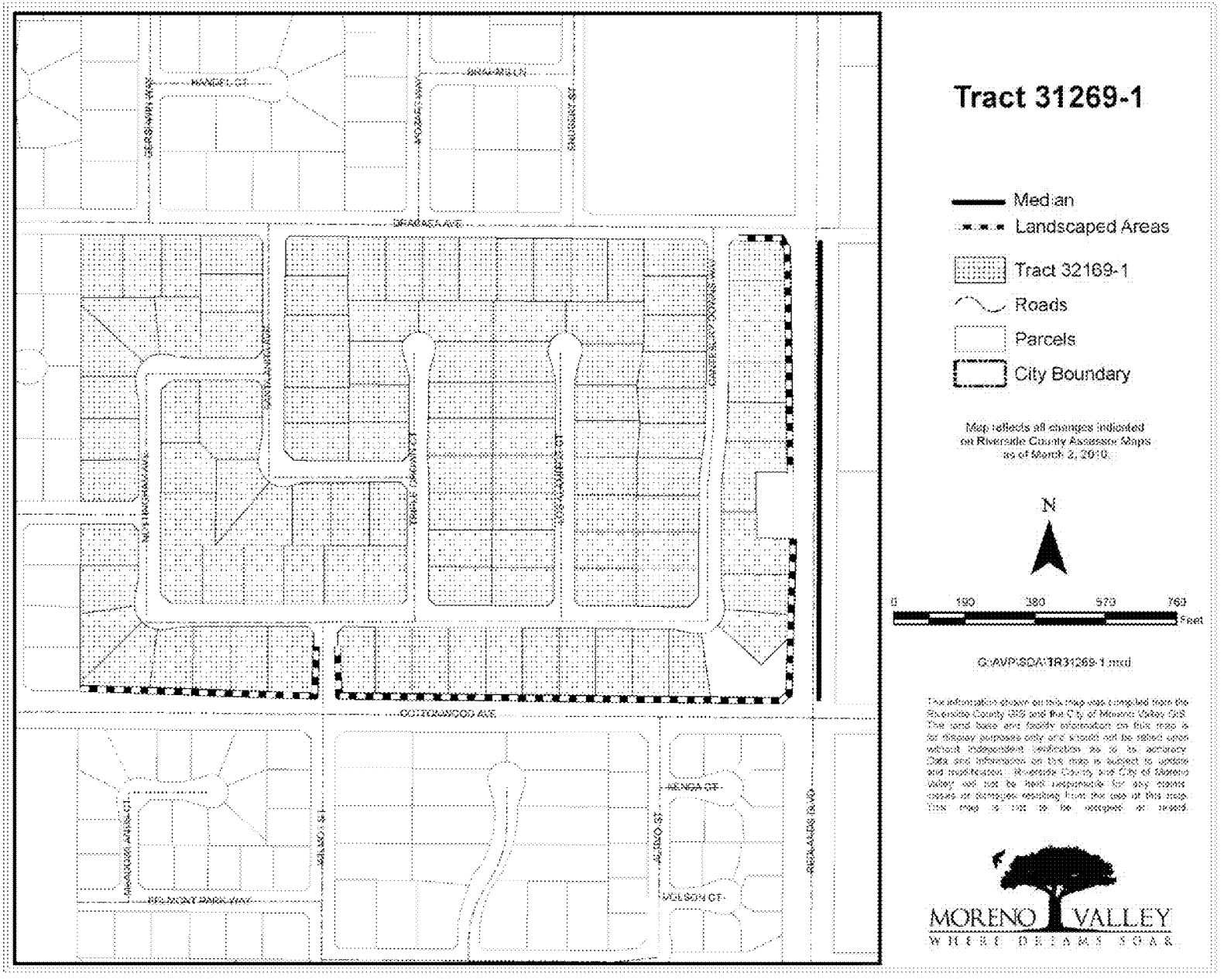
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

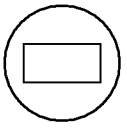

A circle around the box **<u>and/or</u>** associated clause; or

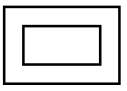

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

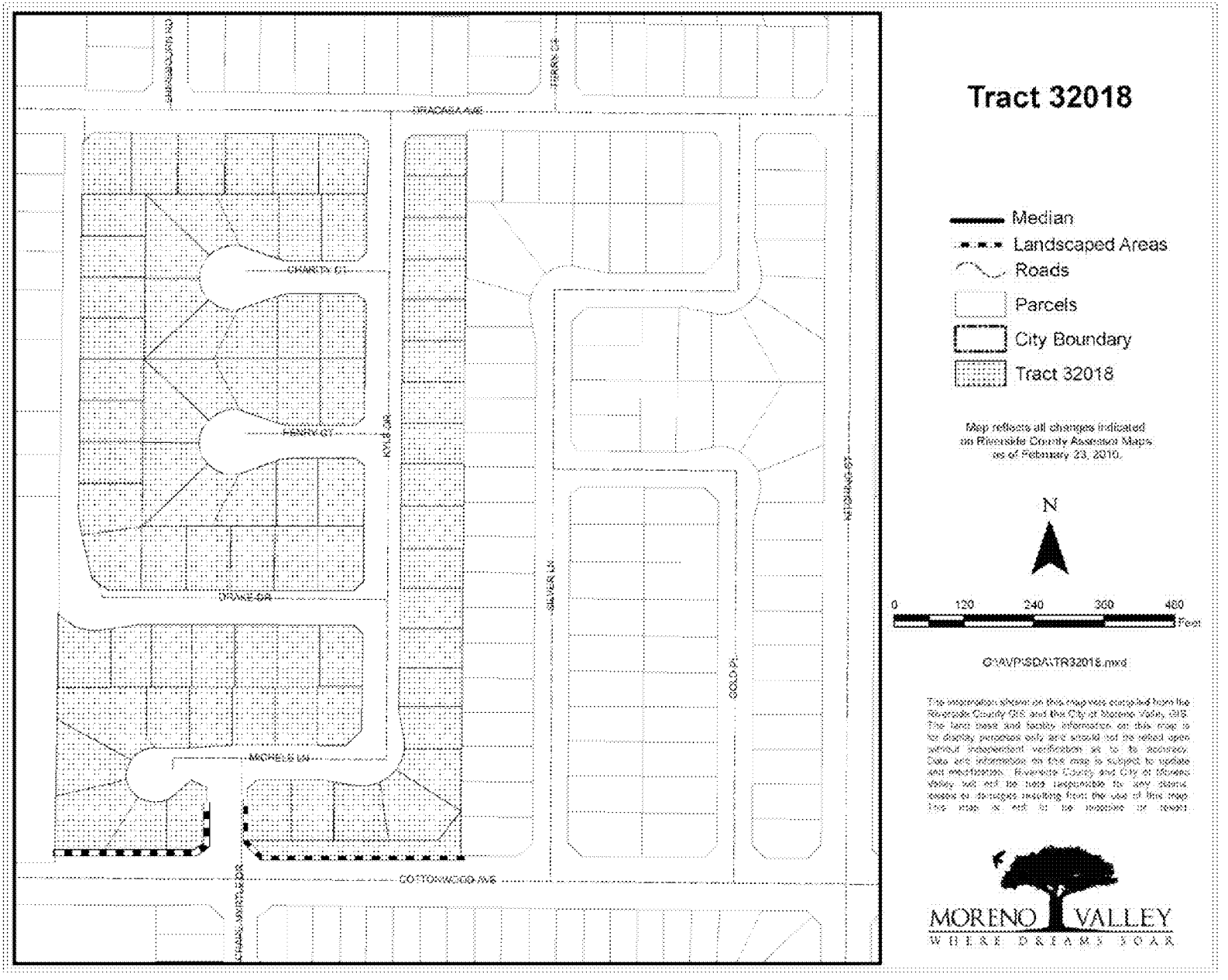
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR32018.mxd
MORENO VALLEY
WHERE DREAMS SOAR
ACACIA AVE
CHARITY CT
FERRY CT
KYLE DR
DRAKE DR
MICHELS LN
COTTONWOOD AVE
SILVER LN
GOLD PL
HEIDI AVE

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its May 13, 2010 meeting approved Planning Commission Resolution No. 2010-9, recommending by a 5-0-2 vote that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance); and approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

The Planning Commission referred back to the original review, thanked the applicant for addressing the concerns of the neighbors and noted the lack of a large public attendance. There were two speakers from the public at the meeting. One stated support for the project and second had some concerns with the past flooding on the project site. Land Development was able to address the questions related to drainage and flooding.

BACKGROUND

The project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on

September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

Land Use Change

Applications for a General Plan Amendment and Zone Change have been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the Residential Single-Family 10 (RS-10) and Residential 5 (R5) zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the Residential Single-Family 10 (RS-10) zone to the east and north. There is an existing Residential 5 (R5) tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family

residential use. The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

ALTERNATIVES

1. The City Council could deny one the projects. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

As stated previously, the General Plan Amendment applications associated with the three projects included in this report have been linked and combined into a single City Council resolution because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four

times during any calendar year. Each amendment, however, may include more than one change to the General Plan. The General Plan Amendment action proposed by this project is the second amendment to the General Plan Land Use Element for calendar year 2010.

NOTIFICATION

Notice of the City Council public hearing of the public notice, appeared in the *Press Enterprise* newspaper on June 22, 2010, posted on the affected property, and mailed to all surrounding property owners of record within 300 feet of the affected property.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ATTACHMENTS

1. Public Hearing Notice
2. Proposed Resolution for General Plan Amendment (PA06-0185)
3. Proposed Ordinance for Zone Change (PA06-0184)
4. Proposed Resolution for Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102) with Conditions of Approval attached as Exhibit A
5. Planning Commission Staff Report dated May 13, 2010 (excluding exhibits)
6. Planning Commission Minutes for May 13, 2010

7. Negative Declaration/Initial Study
8. Aerial Photograph
9. Reduced Copy of Tentative Tract Map 34748

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map No. 34748)
P09-102 (Variance)

APPLICANT: Rados Tenants in Common

OWNER: Rados Tenants in Common

REPRESENTATIVE: Albert A. Webb Associates

LOCATION: SEC of Heacock Street and Gentian Avenue

PROPOSAL: Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

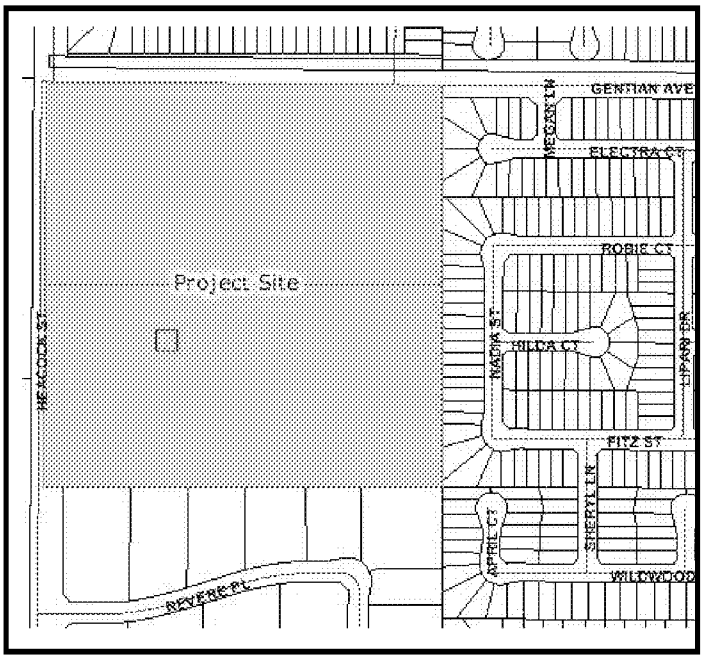

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 13, 2010 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

Item No. E.2

MV00067708

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MV00067709

RESOLUTION NO. 2010-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA06-0185) TO CHANGE THE LAND USE DESIGNATION FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE.

WHEREAS, the applicant, Rados Tenants in Common, has filed an application for approval of PA06-0185, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes about 40 acres of Business Park (BP) land use to Residential 5 (R5) land use as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA06-0185 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA06-0185). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA06-0185 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

ATTACHMENT 2

WHEREAS, all of the facts set forth in this Resolution are true and correct.

Section 3

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0185:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

   Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This subject property is not within the boundaries of the City of Moreno Valley Redevelopment Project Area.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0185, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00067713

GENERAL PLAN AMENDMENT

Application No. PA06-0185
RESOLUTION NO. 2010- xx

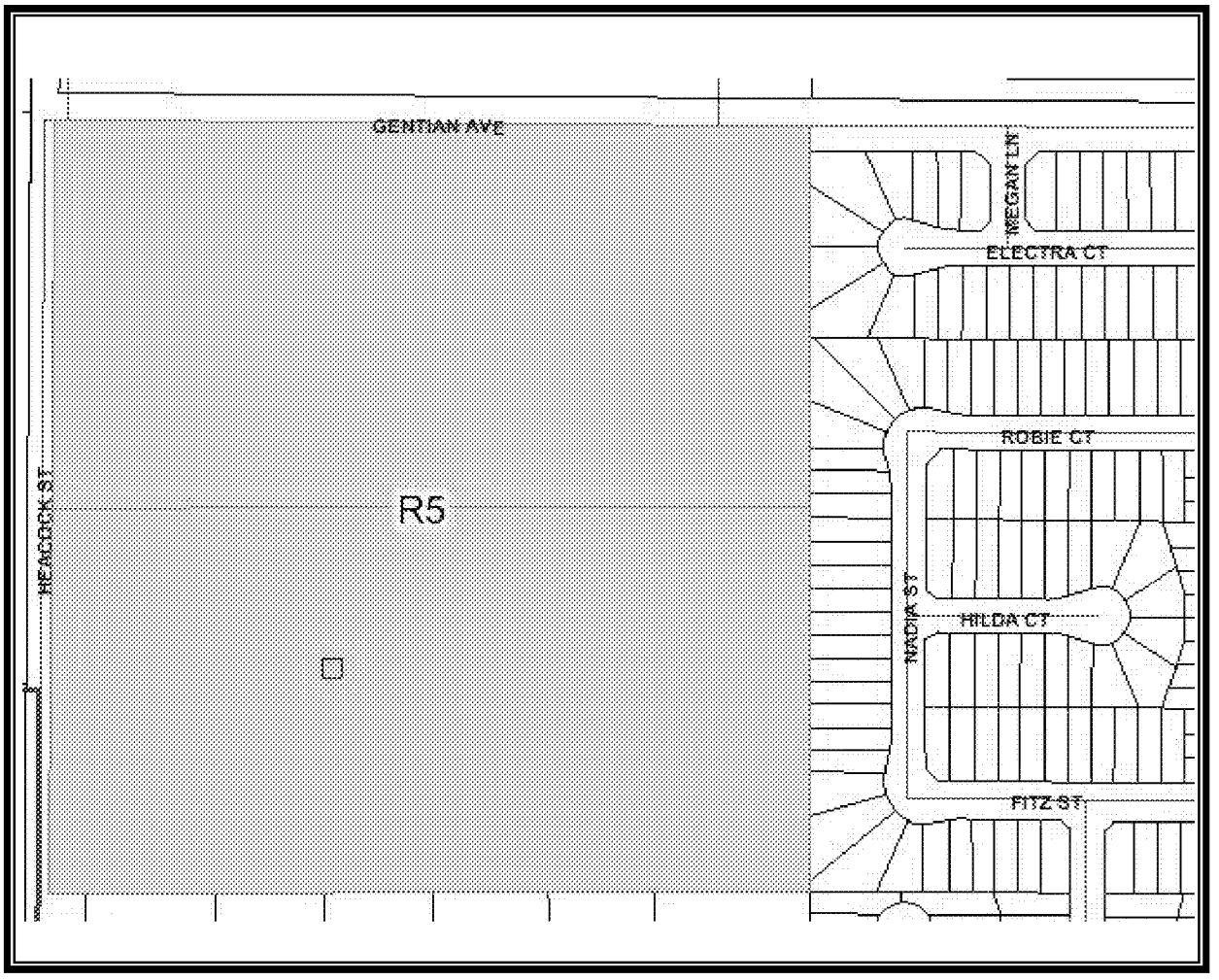

ADOPTED

EFFECTIVE_____

N

LEGEND

R5

R5

Exhibit A

Item No. E.2

MV00067714

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MV00067715

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA06-0184 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 40 ACRES FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 126 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA06-0184).

1.4. An Initial Study has been completed for PA06-0184 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 125 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on July 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

ATTACHMENT 3

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Business Park (BP) to Residential 5 (R5) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Business Park (BP) to Residential 5 (R5) for the approximately 40 acres located at the southeast corner of Heacock Street and Gentian Avenue, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00067719

CHANGE OF ZONE

Application No. PA06-0184
ADOPTED BY ORDINANCE NO. xx

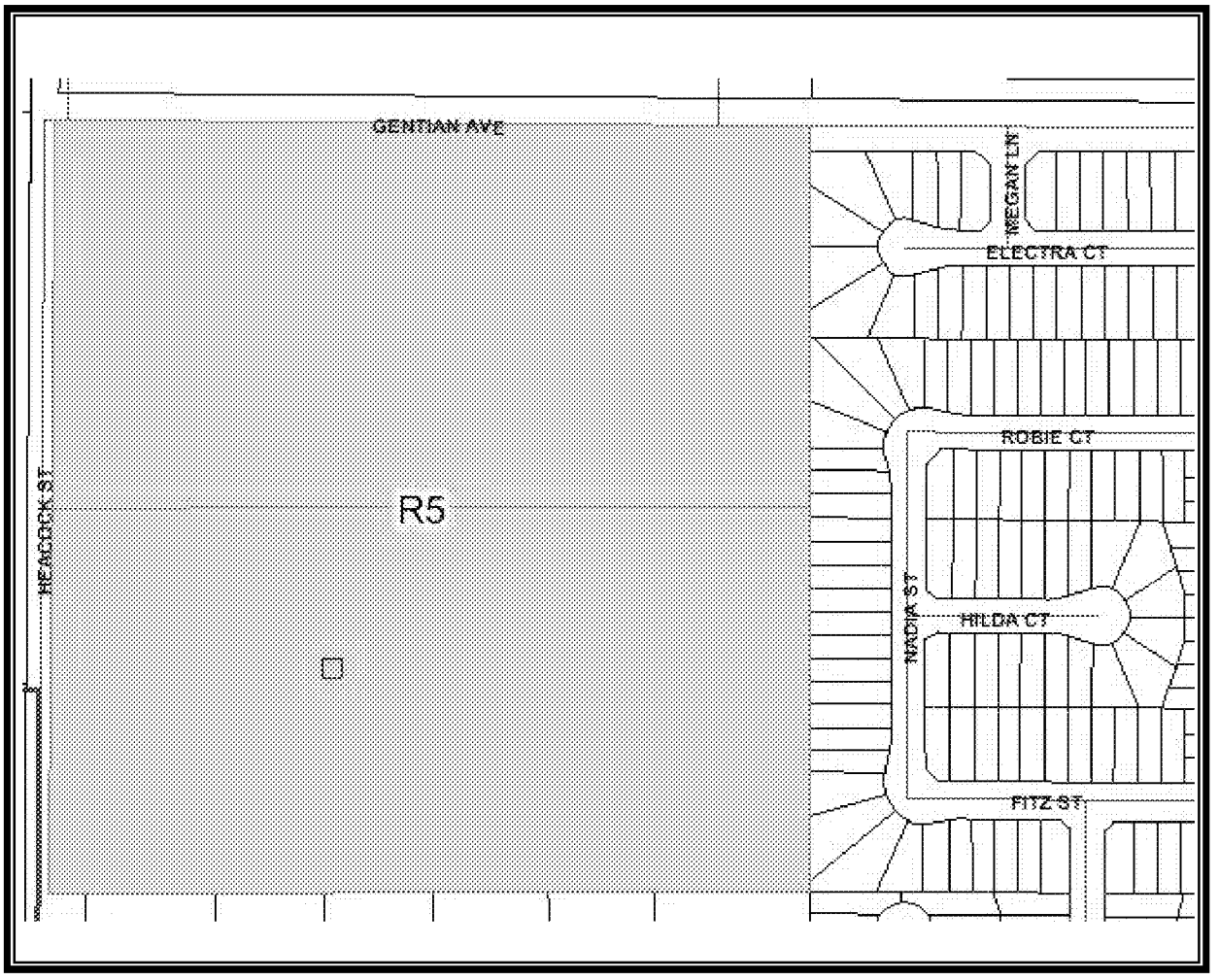

ADOPTED

EFFECTIVE_____

N

LEGEND
R5

R5

EXHIBIT A

Item No. E.2

MV00067720

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MV00067721

RESOLUTION NO. 2010-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34748 (PA06-0183) AND VARIANCE (P09-102). THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE (ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026).

Section 1:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

ATTACHMENT 4

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0183:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. That the proposed land division is consistent with applicable general and specific plans;

   FACT: This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   With approval of the General Plan Amendment, the proposed project is consistent with the General Plan designation of Residential 5 (R5). With approval of the Change of Zone, the project is consistent with the Residential 5 (R5) zoning district.

2. That the site of the proposed land division is physically suitable for the type of development;

   FACT: The project site current land use designation is Business Park (BP). This project proposes to change the General Plan and zoning designation from Business Park (BP) to Residential 5 (R5). The project is located is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land

uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

3. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

FACT: The proposed Tentative Tract Map 34748 will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. As conditioned, the proposed land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the parcels. There are no known hazardous conditions associated with the property, the design of the land division or type of improvements.

5. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

FACT: There are no existing easements on the subject site acquired by the public for access through or use of the property.

6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and

FACT: The size, configuration and orientation of the lots in this land division allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 2:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO P09-102:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

   FACT: The parcels does meets the minimum square footage requirement of the Residential 5 (R5) and are consistent with the General Plan, its goals, objectives, policies and programs.

   Approval of the variance is required in order to approve the proposed Tentative Tract Map. The variance request covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and located on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges.

2. There exist exceptional circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply generally to other properties in the vicinity and under the same zoning classification.

   FACT: The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10% and would not grant the applicant any special privileges.

3. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other owners in the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

4. Approval of this Variance does not constitute the granting of a special privilege inconsistent with the limitations on other properties within the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

5. Approval of the variance is not detrimental to the public health, safety or welfare and is not materially injurious to properties or improvements in the vicinity.

FACT: The proposed project (four applications) will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

6. The granting of a variance is consistent with the objectives and policies of the general plan and the intent of the title.

   FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and Uniform Building Code. The variance complies with all other provisions of the General Plan and applicable development standards outlined in the Municipal Code.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0183 and P09-102; subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00067729

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
PA06-0185 -TENTATIVE TRACT MAP 34748
AND P09-102 - VARIANCE
A.P.N.: 485-230-025 and 485-230-026

Approval Date: **July 13, 2010**
Expiration Date: **July 13, 2013**

The following conditions are attached for the following departments:

X Planning (P), including School District (S), Post Office (PO), Building (B)
X Police (PD)
X Fire Prevention Bureau (F)
X Public Works, Land Development (LD)
X Public Works, Special Districts (SD)
X Public Works – Transportation (TE)
X Moreno Valley Utilities

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. (BP) Enhanced architectural treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.

P8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

PRIOR TO GRADING

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P11. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with pilasters and a cap along the western side of Lot 49 and the southern property line of the water quality basin and extended detention basin. A six (6) foot high solid decorative tubular steel fencing with pilasters and a cap along all street frontages of the water quality basin and extended detention basin.**

P15. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

A. A solid decorative block wall with pilasters and a cap is required along the perimeter of the tract adjacent to any right of way or reverse frontage location and along any right of way within the interior of the tract (all corner lots).

P17. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO RECORDATION OF FINAL MAP

P18. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

PRIOR TO BUILDING PERMIT

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P20. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

P21. **(BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO CERTIFICATE OF OCCUPANCY

P22. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

P23. **(CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)**

P24. **(CO) For a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity.**

VARIANCE

P25. **(P09-102) Lot Numbers 37, 38, 39 and 40 have been approved to have retaining walls higher than the maximum three feet height allowed when on a property line. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.**

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B-2 Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B-3 All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B-4 (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be _1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 508.3 MVMC 8.36.050 and 8.36.100 Section E).

F3. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F18. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F19. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F20. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F21. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F22. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F23. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F24. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F25. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F26. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F27. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F28. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F29. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA06-0183 / TTM 34748 –135 Single Family Residential Homes
APNs 485-230-025 and 485-230-026

Note: **All Special Conditions are in** Bold **lettering and follow the standard conditions.**

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD10. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association. The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD13. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD14. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD15. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD16. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD17. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD18. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public

notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal.

LD22. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD23. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD24. (GPA) Prior to the approval of a grading plan, the developer shall comply with the rules and regulations of FEMA and City Ordinance 8.12.190 for development within a flood hazard area (defined as Zones A, AE, AH, A0 and A99).

a. For developments required to submit a CLOMR/LOMR, the City requires the following prepared by a licensed civil engineer or land surveyor:

   i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
   ii. Prior to issuance of a grading permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City.
   iii. Prior to issuance of individual building permits, an elevation certificate.
   iv. Prior to issuance of first building permit, submittal of Letter of Map Revision (LOMR) package with appropriate fees to FEMA unless otherwise approved by the City Engineer.
   v. Prior to issuance of individual certificate of occupancy, a final elevation certificate. Developer acknowledges and agrees to disclose that owners of lots in the flood plain may need to pay flood insurance until such time LOMR is approved.

vi. Prior to ninety percent reduction of public improvement securities, a LOMR approved by FEMA shall be submitted to the City.

b. For developments less required to submit a CLOMR-F/LOMR-F, the City requires the following prepared by a licensed civil engineer or land surveyor:

i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
ii. A CLOMR-F (residential structures) unless otherwise approved by the City Engineer.
iii. Determination of BFE. Machinery and equipment servicing the structures shall be designed to be located above the BFE. For habitable structures, the lowest floor must be certified to be a minimum of one foot above the BFE; non-residential structures must be additionally dry floodproofed; for qualified non-habitable structures, the lowest floor must be wet floodproofed to one foot minimum above BFE.
iv. Prior to issuance of individual building permits, an elevation certificate shall be approved by the City.
v. Prior to issuance of first building permit for residential structures, submittal of LOMR-F package with appropriate fees to FEMA, unless otherwise approved by the City Engineer.
vi. Prior to issuance of individual certificate of occupancy, a final elevation/floodproof certificate (dependent on type of structure(s)).
vii. Prior to ninety percent reduction of public improvement securities, a LOMR-F approved by FEMA shall be submitted to the City.

LD25. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD26. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD27. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD28. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD29. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD30. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD31. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD32. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.

LD33. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD34. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD35. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD36. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD37. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD38. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD39. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD40. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD41. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD42. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD43. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD44. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD45. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD46. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD47. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD48. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD49. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD50. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD51. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved

means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD52. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD53. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD54. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD55. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD56. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD57. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD58. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.

d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD60. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD61. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD62. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD63. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD64. (CO) Prior to issuance of a certificate of occupancy or building final for residential projects, the last 20% or last 5 units (whichever is greater, unless as otherwise determined by the City Engineer) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD65. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD66. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.

g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

Prior to Acceptance of Streets into the City Maintained Road System

LD67. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD68. Prior to final map approval, the map shall show the following:

a. A 69.5-foot street right-of-way dedication on the east side of Heacock Street along this project's west frontage to ensure a (construction) centerline to east right-of-way distance of 50 feet for a Modified Arterial, City Standard 104A.

b. A 44-foot street right-of-way dedication on the south side of Gentian Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 44 feet for a Minor Arterial, City Standard 105A.

c. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 66 feet for a Collector, City Standard 107, for Streets "A", "M" and "N", as shown on the Tentative Map.

d. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 60 feet for a General Local Street, City Standard 108A, for Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", as shown on the Tentative Map.

e. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 56 feet for a Short Local Street, City Standard 108B, for Streets "I" and "J", as shown on the Tentative Map.

f. The appropriate street right-of-way dedication for a cul-de-sac at the terminus of Street "I" and Street "J", per City Standard Plan 123.

g. The appropriate street right-of-way dedication for a knuckle at each knuckle location as shown on the Tentative Map, per City Standard Plan 122.

h. Corner cutback right-of-way dedications per City Standard 208.

i. Landscape easements along the Heacock Street and Gentian Avenue frontage, 10 feet and 6 feet in width, respectively, or as directed by the City's Planning and Special Districts Divisions.

LD69. Prior to final map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Heacock Street, Modified Arterial, City Standard 104A Modified (89.5-foot RW / 76-foot CC) shall be constructed to full width, along the entire project's west frontage. A 69.5-foot right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (east side only), drainage structures, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps, curb returns, metal beam guard rail behind the west curb as directed by the City's Transportation Division, relocation and/or adjustment of existing utility appurtenances, and dry and wet utilities. All Heacock Street improvements shall be consistent with the Heacock Street design per the City's Capital Improvement Project (CIP) for the Heacock Street Widening Project.

b. Gentian Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet north of the centerline, along the entire project's north frontage. A 44-foot right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps,

curb returns, relocation and/or adjustment of existing utility appurtances, and dry and wet utilities.

c. Streets "A", "M" and "N", Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

d. Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", General Local Street, City Standard 108A (60-foot RW / 40-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

e. Streets "I" and "J", Short Local Street, City Standard 108B (56-foot RW / 36-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements during design plan check. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

g. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. The developer shall install storm drain improvements per the Tentative Map, these conditions of approval, and

as approved by the City Engineer. Any required trenching shall be repaired per City Standard 602.

LD70. Prior to final map approval, Lots A and B shall be designated as a water quality basin and an extended detention basin, respectively, and retained by the developer. All basins shall be maintained by a homeowner's association.

LD71. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction, including easements. Drainage improvements may include, but not be limited to, an in-tract storm drain system including a detention basin and a downstream offsite storm drain connection conveying the tract's exiting runoff within Heacock Street south to existing Line B-18 at Revere Place. Final sizing and design details shall be approved during design plan check.

LD72. Prior to rough grading plan approval, the plans and the submitted drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies. The extended detention basin shown as Lot "B" of the Tentative Map, is an acceptable solution to mitigating the project's post-developed increased runoff, as long as the final drainage study demonstrates that the post development runoff does not exceed pre-developed runoff for any storm even. The adjacent existing Heacock Channel, Sunnymead ADP Line B, is already currently overcapacity which floods the surrounding streets and properties during large storm events. In no way shall this project's development contribute further to the existing problem.

LD73. Prior to rough grading plan approval, the grading plans shall clearly demonstrate, with detail, the proper function and design of the water quality basin (shown as Lot A on the tentative tract map). The design of the basin shall conform to City guidelines as found on the City's website. The water quality basin design, including inlet/outlet/overflow/maintenance access locations, shall be designed per the approval of the City engineer. (http://www.moreno-valley.ca.us/city_hall/forms.shtml#wqmp)

LD74. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins, both Lots "A" and "B", and an emergency escape at any sump catch basin location. This might include, but not be limited to, over-sizing the catch basin inlets, providing an approved emergency overflow path, or other method as approved by the City Engineer during the design/plan check stage. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD75. Prior to rough grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100-year floodzone (Zone A). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application Form MT-1, as well as all City Ordinance 8.12.190 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan approval. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for CLOMR-F / LOMR-F requirements. Website: http://www.fema.gov/ Ph: 1-877-336-2627 A copy of all items requested by FEMA shall also be submitted to the City as reference and for review, as required. The grading plans shall plot the flood limits after the proposed fill.

LD76. Prior to rough grading plan approval, the developer shall submit for review and approval a final soils report including site grading recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD75.

LD77. Prior to grading or improvement plan approval, as appropriate, the plans and final drainage study shall include detailed drainage improvement design, including sizing and location. Due to the possible shallow in-tract street grade(s) (See LD78), additional storm drain inlets shall be installed, as may be required by the City Engineer. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD78. Prior to improvement plan approval, the plans shall show the streets designed per City design standards and these conditions of approval. Per the Tentative Map, the streets are shown at a longitudinal slope of less than 1.0%. 1.0% is the minimum street slope, per City standards. If, during design plan check, the design engineer demonstrates that 1.0% minimum is not achievable, and as approved by the City Engineer, a street slope of less than

1.0% may be approved. If slopes of less than 1.0% are approved, the design engineer shall attempt a slope as close to 1.0% as possible, but never less than 0.65%.

LD79. The site design proposed for this project is acceptable given the current proposed treatment devices. However, if the treatment BMP devices change in future F-WQMP submittals, a re-review of the site design acceptability will apply.

LD80. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD81. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD82. The Applicant has proposed to incorporate the use of a water quality basin system. Final design details of the systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD83. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD84. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748-135 lots)
APNs: 485-230-025 and -026
02.18.10 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA06-0183**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the **Special Districts Division of the Public Works Department at 951.413.3480**. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone D**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone D**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space

maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-4 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-5 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Recordation of Final Map

SD-6 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the following options shall be selected:

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

SD-7 (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent

to record final map 90 days prior to City Council action authorizing recordation of the map. (California Government Code)

SD-8 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges and maintenance for residential street lighting. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone B** (Residential Street Lighting), and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the residential streetlights; or
c. Establish an endowment to cover future maintenance costs for the residential streetlights.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-9 (R) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Moreno Valley Community Services District extensive parkway/median landscape program maintenance for **Zone D**, and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-10 *Residential* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and

enhancements, remediation and/or replacement, the developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-11 (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-12 (R) Easements for reverse frontage parkway and slope landscape areas abutting **Heacock St.** shall be **10ft** or to top of parkway facing slope, whichever is greater and **Gentian Ave.** shall be **6ft** or to top of parkway facing slope, whichever is greater, as depicted on TTM dated **January 2010**. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD-13 (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD-14 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD-15 (BP) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Building Permit for the **101st dwelling** unit for this tract.

Prior to Certificate of Occupancy

SD-16 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-17 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map. Please forward to:

City of Moreno Valley
Special Districts
14325 Frederick Street, Suite 9
P.O. Box 88005
Moreno Valley, CA 92552-0805

SD-18 (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA06-0183/0184/0185

TTM 34748, Change of Zone, and GPA for 135 residential lots located on the southeast corner of Heacock Street and Gentian Avenue.

Note: All Special conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. Knuckles shall be designed and constructed per City Standard Plan No. 122.

TE4. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE5. Heacock Street is classified as a modified Arterial (100' RW/76' CC) per City Standard Plan No. 104A (modified as necessary). Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE6. Gentian Avenue is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Traffic Signal Interconnect shall be installed along Gentian Avenue per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE7. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE12 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. The driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 117.

TE9. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 and 126 at the time of preparation of final grading, landscape, and street improvements.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection at Heacock Street and Gentian Avenue to provide the following (including any Metal Beam Guard Railing per City Standard deemed necessary by the City Engineer):

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersection:

- **Heacock Street at Gentian Avenue**

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE14. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE15. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE16. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE12 per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748), PA06-0184 (CZ) and PA06-0185 (GPA)
APN: 485-230-025 and 485-230-026

PUBLIC WORKS DEPARTMENT

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for project(s) **PA06-0183, PA06-0184, PA06-0185, P09-102**; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from **Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department at 951.413.3487**. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the

approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PLANNING COMMISSION
STAFF REPORT

Case(s):	PA06-0185 (General Plan Amendment) PA06-0184 (Change of Zone) PA06-0183 (Tentative Tract Map No. 34748) P09-102 (Variance)
Date:	May 13, 2010
Applicant:	Rados Tenants in Common
Representative:	Albert A. Webb Associates
Location:	Southeast corner of Heacock Street and Gentian Avenue
Council District:	4
Recommendation:	Approval

SUMMARY

This item includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ATTACHMENT 5

Project Overview

This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4.

Background

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

General Plan Amendment

An application for a General Plan Amendment has been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

Zone Change

An application for a Zone Change has also been submitted in order to change the zoning designation from Business Park (BP) to Residential 5 (R5).

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family residential use. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

Site/Surrounding Area

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north. There is an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from

23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

Access/Parking

Primary access to the proposed tract will be from proposed Street "M" and "N" off of Heacock Street in the west and Street "A" off of Gentian Avenue in the north. Interior streets provide circulation throughout the tract.

Each lot, when developed, will be required to meet the parking standards for a single-family residence, which requires a minimum two (2) car garage to meet the off-street parking requirements of the Municipal Code. Additional permitted parking would be located within oversized garages, driveways and along public residential streets.

Design

The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Tentative Tract Map Number 34748, as proposed, will subdivide the 40 acres into 135 single-family residential lots. The lot sizes will range from 7,200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

There are two lettered lots within the project, located in the southwest corner of the proposed tract. Lot "A" is a required water quality detention basin (46,863 square feet). Lot "B" is an extended detention basin (26,539 square feet). A landscape easement, in addition to standard right-of-way, is required to provide enough room to screen the water quality detention basin along Heacock Street as well as proposed Street "K", "N" and "L".

This review and approval process only involves a tentative tract map application for the new subdivision. The future single-family homes for the tract will be reviewed under a separate administrative process. At that time, staff will ensure that the proposed residential units meet the City's design standards.

The walls and fences for this tract are conditioned to be consistent with the provisions for walls and fences within the City's Municipal Code. Decorative block walls are required in the street side yards of all corner lots. Wood fences are permitted for all interior side yards and rear yards not visible from the public right-of-way.

REVIEW PROCESS

The application for the project was submitted on December 21, 2006, and was initially reviewed by staff at the February 6th, 2007, Pre-Project Review Staff Committee (PRSC) meeting. Subsequently, staff has been working with the applicant's representative on a series of revisions to the plan.

ENVIRONMENTAL

The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site.

The majority of the property is covered by low-growing vegetation since the site has been previously disturbed in the past by various activities such as grading, weed abatement and development activities.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2010-9, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance) in that this project, as conditioned, will not result in significant environmental impacts; and

2. **RECOMMEND** that the City Council approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

Prepared by:	Approved by:
Claudia Manrique Associate Planner	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-9 with Conditions of Approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Land Use Map
6. Aerial Photograph
7. Tentative Tract Map 34748

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MV00067779

700 PUBLIC HEARING ITEMS

710

PA06-0185	**General Plan Amendment**
PA06-0184	**Change of Zone**
PA06-0183	**Tentative Tract Map No. 34748**
P09-102	**Variance**

CHAIR MARZOEKI – May I have the Staff Report please?

ASSOCIATE PLANNER MANRIQUE – Good evening I'm Claudia Manrique the Case Planner. The site of the proposed location of the project is the southeast corner of Heacock Street and Gentian Avenue.

For some quick background information; a larger scale project was presented to the Planning Commission by the same Applicant back in July of 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock, between Gentian down to Iris in the Business Park and Industrial Zoning Districts. The project was approved by the Planning Commission and later denied at Council. A settlement agreement was entered into by the Applicant and the City. The terms of the agreement allowed the Applicant to submit a revised version of the project. The Applicant submitted two separate projects; the single-family residential tract that is before you and a smaller industrial complex project PA07-0035 on the southern half which was approved earlier this year.

The General Plan Amendment has been submitted in order to change the land use designation from Business Park to Residential 5.

The Zone Change that has been submitted will do the same, from Business Park to Residential 5.

Tentative Tract Map No. 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan and Zone Change are required to allow this. Lot sizes of the tract will range from 7200 square foot to 12,576 square feet. The average lot size of the tract is around 8200 square feet. The density of this tract is 3.4 dwelling units per acre.

The Variance being proposed will cover the retaining walls on four lots; Lots Number 37, 38, 39 and 40, which have retaining walls over the three maximum allowed when located on the property line. The Variance is required to meet drainage provisions for the development due to elevation constraints at the connection point of an existing storm drain along Heacock Street.

The site is currently zoned Business Park and is located in an area located that includes a mix of industrial uses within the Moreno Valley Industrial Area Plan and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north and an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan.

The site is currently vacant and is in an area of the Riverside County Integrated Plan and has been identified for having a potential for Burrowing Owl Habitat. A Habitat Assessment was prepared in September of 2006. No owls were observed on site. The project has been conditioned to complete a pre-construction survey for owls prior to any disturbance of the site.

The Staff Report unfortunately had a minor error about the location of the flood plain. The current Federal Emergency Management Acts or FEMA indicates a small section of the site is in the flood plain along the western boundary. On the Tract Map it is the area highlighted in the darker gray. The project has been conditioned by Public Works to delineate the flood plain zones on the grading plans and to demonstrate on the plans that any building finished floor elevations shall be a one foot minimum above the 100 year flood plain and also meet other requirements of FEMA.

The Transportation Engineering Division staff have reviewed and approved the revised traffic impact analysis. It found that the Business Park Zone includes uses such as general light industrial, warehousing and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park to R5 would reduce the number of trips.

Based upon the Initial Study a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Public Notice was sent to all property owners within 300 feet of the project as well as posted on site and printed in the newspaper. As of today, I received two phone calls regarding the project. They both wanted to know what was going to be developed and if there was a builder already picked out for the tract, which to my knowledge there is not.
Staff recommends that the Planning Commission takes the following action:
Approve Resolution No. 2010-9 thereby recommending that the City Council adopt a Negative Declaration for PA06-0185, 0184 and 0183 and P09-102 in that this project as conditioned will not result in significant environmental impacts and recommend that City Council approves the project.

I would also like to note that there were two changes to the conditions from the Land Development Department. Thank you.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Good evening members of the Planning Commission and Chair Marzoeki. I'd like to make a further change to the green sheet, Condition of Approval LD69. The first reference to an 89 ½ foot right-of-way should remain at 89 ½. That is the number within the parenthesis. The 89 ½ basically designates the total right-of-way width for the street. It is in the third line where 89 ½ is referenced that should be changed to 69 ½. That statement is made with reference to the right-of-way dedication that the developer has to make. There is currently 20 feet of right-of-way on the west side of the street, so this developer only needs to dedicate 69 ½ feet. That's it; thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – The first one is just for basic information. We all know that Rados submitted this project as an industrial project several years ago and I'm just curious what prompted the change to residential. Is it the very fact that they got turned down?

PLANNING OFFICIAL TERELL – Well you can talk to the Applicant, but I don't know if it was because they got turned down but based on that process this looked like a more viable use at that time and actually I think based on the economics of the time when this was resubmitted, it looked more viable from that standpoint also; residential versus industrial use was financially feasible.

COMMISSIONER DE JONG – Well hopefully the Applicant will address that question. Also, how will the properties that bisect the flood plain be addressed; not the ones that are completed in the flood plain, but the ones that bisect them.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, Clement Jimenez from Land Development. The lots that are in the shaded gray area there are currently in flood zone. The developer is conditioned to submit to the City and also to FEMA a Clomar, based on fill and that's basically a conditional letter of map revision based on fill. What that will achieve is it will elevate the pad elevations and ultimately the finished floor elevations so that all of the pads in the shaded area will be located outside of the current flooding limits and this will have to be done prior to a grading permit. Now prior to issuance of a building permit or occupancy, the developer will have to submit a letter of map revisions based on fill and that's actually a letter from the Federal Emergency Management Agency stating that the Clomar (conditional letter of map revision) has been reviewed by them; has been approved by them and that the grading as-built plans reflect that the pads that are currently in the shaded area will be located outside of the flooding area because the pads will be elevated to a certain height.

COMMISSIONER DE JONG – So even some property that is half in and half out of that, it would still be forced to be raised?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Right, any portion of the property that is within the shaded area will have to be elevated.

COMMISSIONER DE JONG – Is the 100 year flood plain?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes it is

COMMISSIONER DE JONG – Thank you

CHAIR MARZOEKI – Are there any other questions of Staff? Seeing none, I will open up the Public Testimony Portion and call the Applicant forward. Please state your name and address for the record.

APPLICANT BROWN – Good evening, my name is Les Brown. My address is 2002 East McFadden, Suite 200, Santa Ana, California.

CHAIR MARZOEKI – Do you have something to say about the project?

APPLICANT BROWN – Very little actually. This is a fairly simple project... 135 residential lots, with the smallest being about 7200 square feet and the largest is about 12,500. It is the result quite literally, years of discussion with the City as to how to get through the various issues presented by this site for residential development. I think the summary by Staff more or less speaks for itself and if there are any questions from any of the Commissioners, I will be happy to try and address them.

CHAIR MARZOEKI – Okay, go ahead

COMMISSIONER GELLER – So you concur with all the Conditions of Approval including all the amendments as amended?

APPLICANT BROWN – Yes, we accept all the Conditions of Approval.

CHAIR MARZOEKI – And that's it, okay. Did you want ask about why the residential?

COMMISSIONER DE JONG – He sort of touched on that but okay. Can you clarify then sir why Rados chose to change the project from Industrial to Residential?

APPLICANT BROWN – After discussions with both citizens and both City Staff, it appeared that a residential development would be much more acceptable to both and frankly given the way the market is developing now, it appears now to be a fairly decent choice. I have great hopes for this project.

COMMISSIONER DE JONG – Okay, easy enough, thank you

CHAIR MARZOEKI – Are there any other questions for the Applicant? Okay I do have one Speaker Slip, so I can call you back up after that if we need to... Deanna Reader...

SPEAKER READER – My name is Deanna Reader and you'll notice that when I marked that, I didn't mark for or against, mainly because I had more questions than anything else and mainly my point is planning is important. You have all these residences and then you have a little street and then it is commercial, which is originally what he was going to do was put a building where a building was zoned to go, but my point is there shouldn't have been any houses west of Indian. You know that area there instead of being houses could have been Business Park and then he could have done the Industrial that would have made more sense and that's why planning is so important. I've read all the stuff and in fact I have read the entire case and the court over this, so I sympathize with Rados to a certain degree, the problem here is how do you fix stupid and I'm not saying on your part because you approved what was supposed to be there, however it was the before you. My point is on some of these things where we make variances that don't make sense, we shouldn't. Thank you.

CHAIR MARZOEKI – Thank you.

PLANNING OFFICIAL TERELL – As a point of clarification, all the surrounding development was actually approved under the County zoning that was in place when the City incorporated, so the early City Councils looked at creating employment in the City and that's why they zoned the areas further south for industrial and these areas actually were zoned Business Park by the County and the City carried those over because of the adjacency to the Air Base. Fortunately over the last 20 or so years the planes that fly or when the Air Force Reserve flying become quieter, that allowed this particular site to even be considered for residential because now the noise contours are even below the levels that... well they are below the levels which residential can occur.

CHAIR MARZOEKI – Okay, thank you for that clarification. Would you like to come back up and say anything else?

APPLICANT BROWN – No thank you

CHAIR MARZOEKI – Okay, well with that I don't have any more Speaker Slips so... Well bring it on up.... Terry Braem. Okay come on up.

SPEAKER BRAEM – My name is Terry Braem. I live at 15450 Tiffin Court just adjacent to that area that we are talking about in this project. To answer your question Mr. De Jong, you asked why this was changed from Light Industrial to Residential. I can tell you back in the day and I was very involved with the project that Rados wanted to do. All the residents were against that project. No one wanted a huge warehouse or Light Industrial in the first place. Everybody

lobbied to have it changed to a residential area because 50 percent of the area is residential and no one wanted any type of trucks moving in and out of that area. If you follow south of Iris down in that area, it is almost an area that is prime for Light Industrial use and I noticed on the planning between Iris and the other street that is still zoned for Light Industrial. I don't understand why that should be still industrial when the whole area should be residential. Now that is the first note when you asked to answer your question. The second one is a huge concern because I have lived in that area for over 20 years; that area floods bad. I don't know how... just these recent past storms, Heacock and Iris was completely closed off because there was so much water in that area, so I'm not sure how drainage would work. It would have to be very creative in draining that area. I've been in that area to the point where that whole field was a lake, so you would have to be very cautious when it rains in that area because it is very, very bad, so I would suggest that whole area that is going to be residential is going to have to be built up.

COMMISSIONER DE JONG – Thank you

SPEAKER BRAEM - Are there any questions?

CHAIR MARZOEKI – Thank you

COMMISSIONER DE JONG – I appreciate it

PLANNING OFFICIAL TERELL – Yeah just a point of clarification... The property to the south has an approved industrial project on it but it is a mixture. It has a row of small buildings under 50,000 square feet, kind of similar to the buildings across the street from the City Hall, so that's the buffer between the residential and the industrial and there is one relatively small by current standards, but large warehouse building that has been approved for the property that the Speaker was referencing, but there is a buffer. It doesn't go directly from Residential to Industrial; there is a row of multi-tenant buildings in between that provide an adequate transition to this project and to the existing residential to the east and then you get to the Industrial.

CHAIR MARZOEKI – Okay, thank you. We have one more Speaker Slip.

COMMISSIONER DE JONG – Can we have Clement comment on the drainage?

CHAIR MARZOEKI – Oh sure

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Hi, good evening again. With respect to the drainage/flooding problem at the intersection of Heacock and Iris, the City is aware that there is a flooding problem there; however the developer cannot be conditioned to fix an existing public flooding problem. They can be conditioned to not increase or add to the problem and

therefore the project has been conditioned to add a detention basin as you'll note on either Lot A or Lot B on the exhibit. One basin is for water quality and the other one is strictly for detaining the difference between pre-emptive post development flow, so the amount of the flow that runs out of the project site will be equal to or less the amount of flow that currently leaves the site and that is what we can condition the developer to do. Now I know that Riverside County Flood Control District is working with March JPA on a project and a study and I think it is still very preliminary in the planning stages to improve Heacock Channel which runs along to the west side of Heacock Street and only that improvement will ultimately solve the problem at the intersection of Heacock and Iris and it is a very big project and very expensive project, but it is something that is being planned for currently by other agencies.

COMMISSIONER DE JONG – So Clement in your opinion, the raised pads in the flood area and the retention basins is adequate enough to deal with this problem?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, the houses will not flood. The streets may flood a little bit especially on Heacock Street but depending on the elevations of the streets within the interior site of the tract, they probably will not flood and the engineer is here. He can speak to the flooding on the interior streets but the pads themselves will not flood because they will have to be elevated and FEMA will review the grading plan and the revised flood plain limits to ensure that no flooding will occur on the houses.

COMMISSIONER DE JONG – Is it FEMA's requirement to have one foot or 12 inches raised up?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It is both... It is actually a City Ordinance. Our City Municipal Code requires that residential units finished floor elevation to be raised one foot above the water surface elevation of a 100 year flood plain.

COMMISSIONER DE JONG – Where does this 12 inch come from? Is this just the City's standard or is it FEMA?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It's actually pretty common in other cities and it is a FEMA requirement as well. Other cities have that same one foot criterion.

COMMISSIONER DE JONG – Okay thank you

CHAIR MARZOEKI – Is that it?

COMMISSIONER DE JONG – That's it for now.

CHAIR MARZOEKI - I have one more Speaker Slip. I'm not sure if you are speaking on this item or not but Douglas Whitney. Okay, so this one is for Item 730. Okay, so I don't have any other Speaker Slips unless the Applicant wants to comes back up and address anything. No, okay, we will close the Public Testimony portion of this item and open it up to Commissioner Comments.

COMMISSIONER GELLER – I get the feeling I was the only one here during the original hearings. Were you here?

CHAIR MARZOEKI – No, I was here

COMMISSIONER GELLER – Like I say, I know this has dragged on for years and years and years and I'm glad they reached an accord with the City and I know the bottom line is though the City couldn't approve anything without going through the whole process. I certainly don't see anything wrong what is proposed to go here and clearly the surrounding residents seem to have less issue with this than they did with the other project. But so anyway, I think we should send it on its way so they can get started after all these years.

CHAIR MARZOEKI - Thank you

COMMISSIONER DE JONG – I agree one hundred percent. I'm glad to see this project is coming forward with an equitable solution to the site. I like the street layout. I like the big curved layout. We are not just talking about regular squares and rectangles, but a nice curved street I think is refreshing and I'm satisfied with how City Engineering is dealing with the flooding, so I will also vote to pass this along.

CHAIR MARZOEKI – Thank you. Any comments?

COMMISSIONER SALAS – I have no comments

CHAIR MARZOEKI – Okay

COMMISSIONER BAKER – I'm okay

CHAIR MARZOEKI – Okay. Does anybody want to make a motion?

COMMISSIONER DE JONG – I'll make a motion

CHAIR MARZOEKI – Okay

COMMISSIONER DE JONG – I move that the Planning Commission **APPROVE** Resolution No. 2010-9 and thereby:

1. **ADOPT** a Negative Declaration for PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance, in that this project as conditioned will not result in significant environmental impacts; and,
2. **APPROVE** PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance as modified.

COMMISSIONER GELLER – Second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor

Opposed – 0

Motion carries 5 – 0 – 2, with two absent (Vice Chair Riechers and Commissioner Dozier)

CHAIR MARZOEKI – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action.

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MV00067789

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map 34748) and P09-102 (Variance)
PROJECT APPLICANT: Rados Tenants in Common **TELEPHONE NUMBER:** (714) 835-4612
PROJECT LOCATION: Southeast corner of Heacock Street and Gentian Avenue
PROJECT DESCRIPTION: The project includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 7/13/2010

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____	BY: City Council

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map 34748)
P09-102 (Variance)

2. Lead Agency Name and Address: City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

3. Contact Person and Phone Number: Claudia Manrique, Associate Planner
(951) 413-3225

4. Project Location: Southeast corner of Heacock Street and Gentian Avenue

5. Project Sponsor's Name and Address: Rados Tenants in Common
2002 McFadden Avenue, Ste. #200
Santa Ana, CA 92705

6. General Plan Designation: Current: Business Park (BP)
Proposed: Residential 5 (R5)

7. Zoning: Current: Business Park (BP)
Proposed: Residential 5 (R5)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026). Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The site is undeveloped with no significant vegetation noted on the site. Approval of Tentative Tract Map 34748 is contingent upon City Council adoption of the change in land use from Business Park (BP) to Residential 5 (R5).

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

No blue line stream was noted on the Sunnymead, CA USGS Topographical Quadrangle Map, which pertains to this site. On-site drainage for this property appears to flow from northeast to southwest the across the surface of the site. A riparian area or a condensed vegetated area to support threatened or endangered species was not evident at the site. Therefore, it is not anticipated that the project will result in a potential for significant impacts to Fish and Wildlife resources.

Based on review of the Cultural Resources Inventory for the City of Moreno Valley, (October 1987), there are no known archaeological resources on the site. The tentative tract will also be conditioned to cease excavation or construction activities if archaeological, paleontological or historical resources are uncovered at the project site. Work in the affected area will cease immediately and the applicant shall consult with a qualified person with appropriate expertise regarding mitigation measures to preserve or record the find.

There are no historic buildings on the site. Therefore, based upon the design of the tentative tract map and the conditions of approval, there will be no impact to scenic resources by development of the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. To the southeast corner of the site is an existing R5 tract. Land uses to the south include vacant Industrial zoned land located within SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

An encroachment permit from the Riverside County Flood Control and Water Conservation District will be required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
The project site is not located in an area identified in the General Plan as an aesthetic resource or a significant visual resource. The project site is located at the northern limits of the Moreno Valley Industrial Area Plan (SP #208) in an area that is comprised of industrial land uses adjacent to residential land uses. The future residential structures will be designed and conditioned will assure a design standard that will not have a substantial adverse effect on the scenic vista of the area.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
There are no trees, rock outcroppings or historic buildings on the site. There are no state scenic highways in the vicinity of the site. The site has been disked over the years for weed abatement. As designed and conditioned, the project will not substantially damage scenic resources.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The project is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. This project is consistent with existing land uses and as designed (with General Plan Amendment and Change of Zone) will not substantially degrade the existing visual character or quality of the site and its surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
As the site is currently vacant, the proposed residential project may create additional light and glare. With regard to indirect impacts, the types of land uses allowed under the General Plan Amendment and zoning would be expected to generate similar or less of an impact on spillover lighting than the office uses under the current General Plan.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on the State Important Farmland Map.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There is no immediate surrounding agricultural land use designation, or any proposed according to the General Plan. The proposed warehouse facility will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed residential project will have less impact on air quality than the original land use designation of Business Park (BP) that has been in place for the last several iterations of the regional population projections and the AQMP.				

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a residential project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, southwest and east of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any residential development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of two individual parcels totaling 40 acres at the SEC corner of Heacock Street and Gentian Avenue. The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There is no stream on the site and no riparian habitat or other sensitive natural community on the site. The project site is located across the street from Line B, which is an open channel located on the west side of Heacock Street. The project also fronts along Line B-19, which is located within Iris Avenue. Improvements related to the project that would impact Line B-19, are limited to a point of connection into the existing underground storm line. Prior to completing such work, the developer is conditioned to work with the Riverside County Flood Control District to acquire any required permits. Therefore, this project will have a less than significant impact on riparian habitat or other sensitive natural communities.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The site is vacant and has been disturbed through routine disking for weed abatement. There are no federally protected wetland areas such as a marsh or vernal pool evident at the site. In addition, a riparian area and condensed vegetation to support threatened or endangered species was not evident at the site. Therefore, the development of this project will not have a substantial adverse effect on federally protected wetlands.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
This site is an urbanized area with existing development to the north, east and west (March Air Reserves Base). Burrowing owl, which was initially identified by Riverside County as having the potential of occurring on the site was not observed during site surveys, so it is unlikely that the proposed project will directly impact sensitive species. There are no known migratory fish or wildlife species or migratory wildlife corridors, on or near the project site.				

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
The proposed residential project would not have a direct impact on creating geologic concerns. The proposed plan does not increase the exposure of residences that might be exposed to groundshaking, since residences are not proposed as part of the plan. In addition, the site is not within an Alquist-Priolo zone, or other designated fault hazard zone. According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
The nearest fault is the San Jacinto fault system, which is located about 16 miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current development codes.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	
This site is not near or adjacent to the mountainside areas. The site is flat, and landslides will not be an issue. There is no potentially significant impact from landslides.				

(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
The geologic unit or soil is not known to be unstable based on current resources. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in December 2006 and the environmental review started in November 2009 before the greenhouse gas emissions section was added to the Initial Study Checklist, therefore the City has chosen to rely on a qualitative analysis. Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue. A Traffic Impact Analysis Final Review was completed for the project in October 2007. The report noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	

The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The project site is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is not within an airport land use plan. The project as designed and conditioned will not result in a safety hazard for people living in the project area.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed residential tract has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Site Design and Source Control best management practices (BMP) are used throughout the project. Treatment BMPs must be selected and implemented which are medium to highly effective in treating pollutants of concern. The applicant has proposed to incorporate the use of multiple filtration systems as the treatment BMP. The treatment control BMP is acceptable as the conceptual treatment subject to certain conditions including in-situ percolation/infiltration test results. Although this approach is acceptable in concept with the Preliminary WQMP, final sizing and specifications based on support calculations and design details will be provided in the Final WQMP at the post entitlement stage. Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
The Eastern Municipal Water District (EMWD) would provide the proposed project with water supplies as opposed to utilizing individual water wells. Water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (along the western boundary). The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that the site is in a flood zone. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

The site is within a 100-year flood plain as shown on the FEMA maps, but it is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. As designed and conditioned, this project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue. Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
There are no conflicts associated with any land use plans. The proposed project is consistent with the site's proposed zoning of Residential 5 (R5) and the City's General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The fee is currently $1938.00 per lot.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located across the street from the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered an industrial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site.				

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site. The project will not displace any residents.				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic study was required to review the proposed General Plan amendment and change of zone. The report completed in October 2007 noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. With the approval of the General Plan amendment and change of zone, the project will consistent with the existing general plan, circulation plan and land use designation of Residential 5 (R5) and the zoning district of R5, and would not conflict with any applicable plans, ordinances or policies.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

The project is consistent with the most current Riverside County Congestion Management Plan and the requirements included within the traffic study. The October 2007 traffic study found that the existing Business Park (BP) zoning would generate more trips than the proposed residential use.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that will result in substantial safety risks?			X	
The project is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and a tract map. The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

Aerial Photograph

PA06-0183, 0184, 0185 and P09-102

ty of Moreno Valley
-177 Frederick Street
oreno Valley, CA 92553

CLAIMER: The information shown on this map was compiled from the Riverside unty GIS and the City of Moreno Valley GIS. The land base and facility information on this o is for display purposes only and should not be relied upon without independent verification o its accuracy. Riverside County and City of Moreno Valley will not be held responsible any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY

ATTACHMENT 8

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MV00067807

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

TENTATIVE TRACT MAP NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

JANUARY 2010

OWNER/DEVELOPER:
THE RADOS COMPANIES
2002 E. MCFADDEN AVE.
SANTA ANA, CA 92705
PHONE (714) 835-4612

ENGINEER/REP.:
ALBERT A. WEBB ASSOCIATES
3788 MCCRAY STREET
RIVERSIDE, CA 92506
(951) 686-1070

STREET GRADE NOTE:
A PROPOSED LONGITUDINAL STREET SLOPE OF LESS THAN 1.0% MAY BE APPROVED ONLY WHEN ENGINEERING DESIGN SHOWS THAT LOCAL DRAINAGE PROVISIONS ARE ADEQUATE AND STEEPER GRADIENTS CANNOT BE OBTAINED, AS SUPPORTED BY A SUBMITTED ENGINEERED DESIGN AND APPROVED BY THE CITY ENGINEER. UNDER NO CIRCUMSTANCES SHALL THE STREET SLOPE BE FLATTER THAN 0.65%".

ASSESSOR'S PARCEL NO:
486-230-025, 026

ACREAGE:
GROSS: 40.27 ACRES
NET: 26.71 ACRES

ZONING DATA:
EXISTING GENERAL PLAN: B-P
EXISTING ZONE: BP (BUSINESS PARK)
PROPOSED GENERAL PLAN: R-5
PROPOSED ZONE: R-5 (7,200 SQ. FT. MINIMUM)

LAND USE:
EXISTING: VACANT (UNDEVELOPED)
PROPOSED: SINGLE FAMILY RESIDENTIAL
EXISTING SURROUNDING LAND USE: SINGLE FAMILY RESIDENTIAL/VACANT
PROPOSED MINIMUM LOT SIZES: 7,200 SQ. FT.

LEGAL DESCRIPTION:
LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

COMMUNITY SERVIES DIRSTRICT:
NOT WITHIN A COMMUNITY SERVICES DISTRICT

SCHOOL:
MORENO VALLEY UNIFIED SCHOOL DISTRICT
25634 ALESSANDRO BOULEVARD
MORENO VALLEY, CA 92553
PH (909) 485-5630

UTILITIES:

WATER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE:
VERIZON
(800) 483-4000

ELECTRIC:
MORENO VALLEY ELECTRIC UTILITY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3500

TV:
TIME WARNER
12125 DAY STREET #A 203
MORENO VALLEY, CA 92557
(951) 275-9022

GAS:
SOUTHERN CALIFORNIA GAS
1981 W. LUGONIA AVE
REDLANDS, CA 92374
(800) 427-2200

TRASH:
WASTE MANAGEMENT INLAND EMPIRE
800 SOUTH TEMESCAL
CORONA, CA 92879
(800) 423-9986

STORM DRAIN:
R.C.F.C.D. (AND CITY)
1995 MARKET STREET
RIVERSIDE, CA 92501
(951) 955-1200

SEWER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TOPOGRAPHY SOURCE:
RIVERSIDE COUNTY FLOOD CONTROL

GENERAL NOTES:
1. TOTAL NUMBER OF RESIDENTIAL LOTS: 135 AND 2 LETTERED LOTS
2. PROJECT DENSITY: 3.3 GROSS DU/AC 5.0 NET DU/AC.
3. THIS PROJECT IS NOT SUBJECT TO LIQUEFACTION.
4. APPLICANT REQUESTS THE RIGHT TO FILE MULTIPLE MAPS UNDER SECTION 66456-1 OF THE MAP ACT.
5. ALL SLOPES ARE 2:1 EXCEPT WHERE NOTED ON PLANS
6. THERE ARE NO KNOWN EXISTING WELLS ON THE PROPOERTY OR WITHIN 200' OF THE PROJECT.
7. THERE ARE NO KNOWN EXISTING DWELLINGS, BUILDINGS OR OTHER STRUCTURES ON THE PROPERTY.
8. FEMA FLOOD ZONE DESIGNATION - ZONE A. ALL LOTS SHALL BE LOCATED OUTSIDE OF FLOOD PLAIN.
9. CORNER CUTBACKS SHALL BE DESIGNED PER CITY STANDARD NO 208
10. KNUCKLES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO. 122
11. CUL-DE-SACS SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO 123/124

LEGEND

100 EXIST. CONTOUR	W B" WATER LINE
PROPERTY LINE	W EXIST. WATER LINE
2% STREET GRADE	S 8" SEWERLINE
STREET CENTERLINE	S EXIST. SEWER LINE
PROP. R/W	DRAINAGE LINE
EXIST. R/W	EXIST. FLOOD LIMIT
TOP OF SLOPE	EXISTING FLOOD ZONE
TOE OF SLOPE	PROP FLOOD LIMIT
DECORATIVE BLOCK /RETAINING WALL	DECORATIVE BLOCK WALL

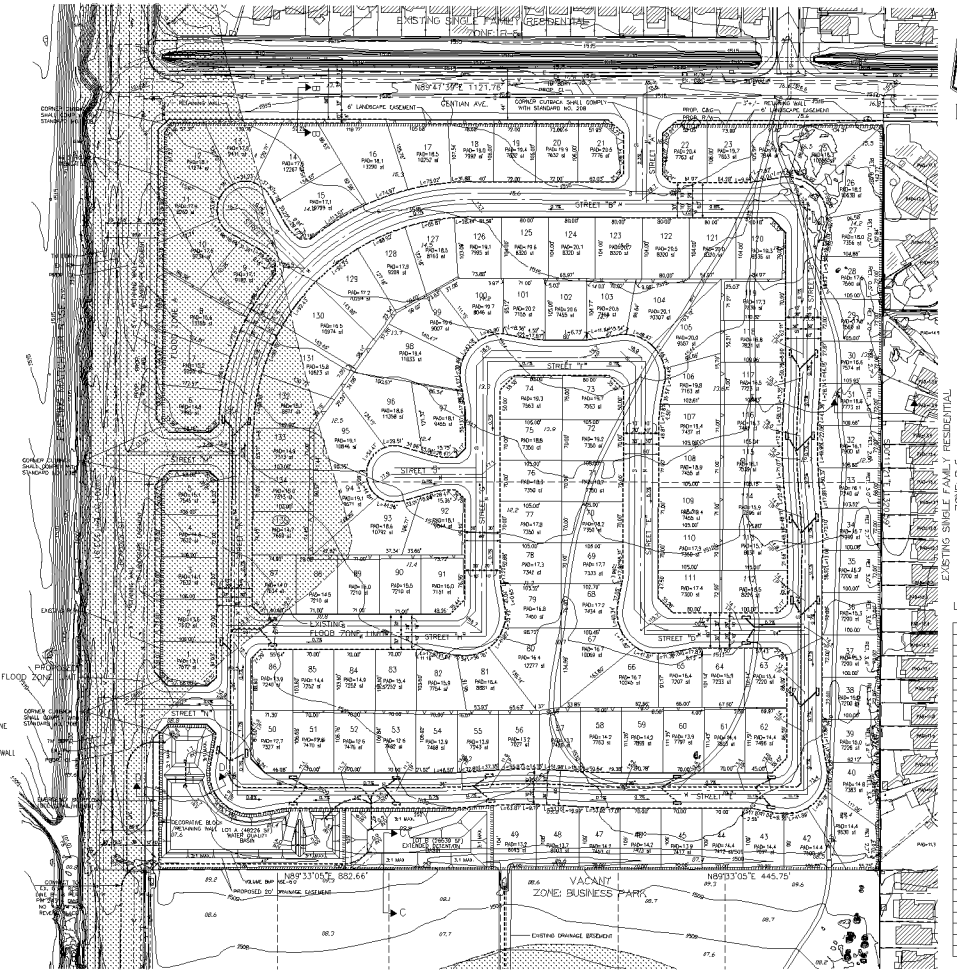

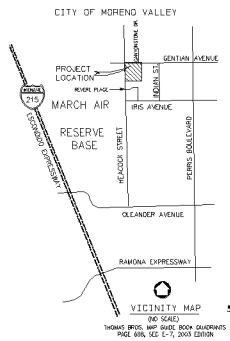

VICINITY MAP
(NO SCALE)
THOMAS BROS. MAP GUIDE 2003 COORDINATES PAGE 699, GRID E-7, 2003 EDITION

GRAPHIC SCALE 1" = 100'
0 100 200 300

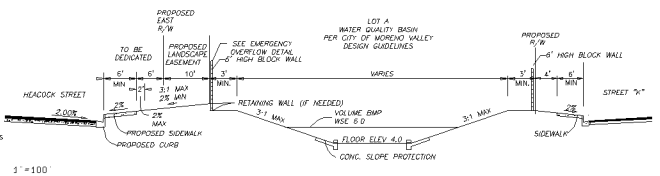

SECTION D
(NOT TO SCALE)

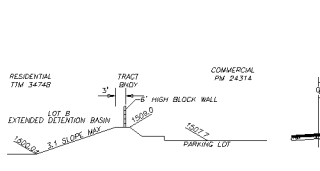

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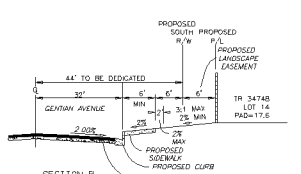

SECTION B
(NOT TO SCALE)

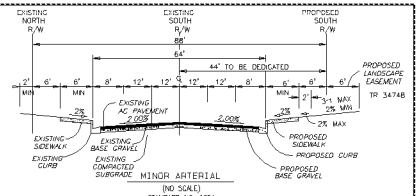

MINOR ARTERIAL
(NO SCALE)
STANDARD NO. 105A
(GENTIAN AVENUE)

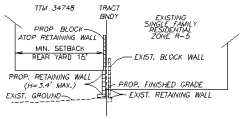

SECTION A
(NOT TO SCALE)

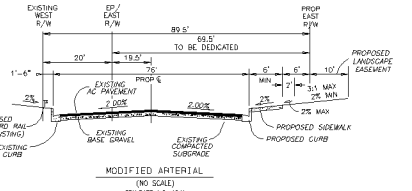

MODIFIED ARTERIAL
(NO SCALE)
STANDARD NO. 104A
(HEACOCK AVE)

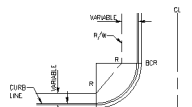

CORNER CUT-BACK
(NO SCALE)
SOUTHEAST CORNER OF HEACOCK ST. AND GENTIAN AVE.
STANDARD NO. 208

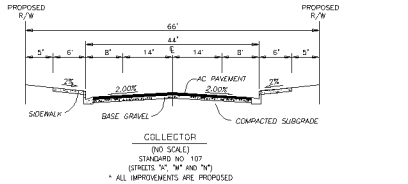

COLLECTOR
(NO SCALE)
STANDARD NO. 107
(STREETS "K", "M" AND "N")
* ALL IMPROVEMENTS ARE PROPOSED

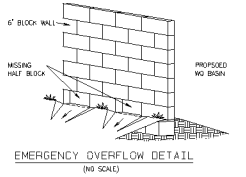

EMERGENCY OVERFLOW DETAIL
(NO SCALE)
SOUTHWEST CORNER OF TTM 34748
PARALLELL TO HEACOCK STREET

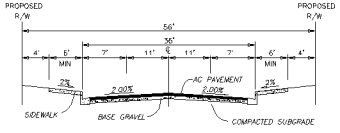

SHORT LOCAL STREET
(NO SCALE)
STANDARD NO. 108B
(STREETS "I" AND "J")
* ALL IMPROVEMENTS ARE PROPOSED

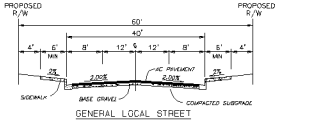

GENERAL LOCAL STREET
(NO SCALE)
STANDARD NO. 108A
(STREETS "B", "C", "D", "E", "F", "G", "H", "K" AND "L")
* ALL IMPROVEMENTS ARE PROPOSED

LOT SUMMARY TABLE

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
LOT 1	7572	LOT 30	7574	LOT 59	7899	LOT 88	7218	LOT 117	7723
LOT 2	7632	LOT 31	7773	LOT 60	7797	LOT 89	7218	LOT 118	7821
LOT 3	7632	LOT 32	7800	LOT 61	7805	LOT 90	7218	LOT 119	7835
LOT 4	7632	LOT 33	7240	LOT 62	7496	LOT 91	7151	LOT 120	8536
LOT 5	7545	LOT 34	7199	LOT 63	7220	LOT 92	9644	LOT 121	8320
LOT 6	7595	LOT 35	7200	LOT 64	7233	LOT 93	10792	LOT 122	8320
LOT 7	8256	LOT 36	7200	LOT 65	7207	LOT 94	9671	LOT 123	8320
LOT 8	13185	LOT 37	7200	LOT 66	10245	LOT 95	10846	LOT 124	8320
LOT 9	9182	LOT 38	7200	LOT 67	10069	LOT 96	11358	LOT 125	8320
LOT 10	8734	LOT 39	7226	LOT 68	7434	LOT 97	9455	LOT 126	7995
LOT 11	8262	LOT 40	7383	LOT 69	7333	LOT 98	11833	LOT 127	8163
LOT 12	11274	LOT 41	9630	LOT 70	7350	LOT 99	9007	LOT 128	9289
LOT 13	9411	LOT 42	7500	LOT 71	7350	LOT 100	8046	LOT 129	10294
LOT 14	12287	LOT 43	7097	LOT 72	7350	LOT 101	7158	LOT 130	10974
LOT 15	10799	LOT 44	7412	LOT 73	7583	LOT 102	7455	LOT 131	10623
LOT 16	13290	LOT 45	7417	LOT 74	7563	LOT 103	7468	LOT 132	8671
LOT 17	10252	LOT 46	7423	LOT 75	7350	LOT 104	10307	LOT 133	7313
LOT 18	7992	LOT 47	7453	LOT 76	7350	LOT 105	9557	LOT 134	7313
LOT 19	7632	LOT 48	8003	LOT 77	7350	LOT 106	7163	LOT 134	7313
LOT 20	7632	LOT 49	8093	LOT 78	7342	LOT 107	7437	LOT 135	7669
LOT 21	7776	LOT 50	7327	LOT 79	7450	LOT 108	7455	LOT A	48226
LOT 22	7763	LOT 51	7470	LOT 80	12277	LOT 109	7458	LOT B	28539
LOT 23	7653	LOT 52	7476	LOT 81	6881	LOT 110	7358		
LOT 24	7844	LOT 53	7482	LOT 82	7754	LOT 111	7300		
LOT 25	10355	LOT 54	7466	LOT 83	7252	LOT 112	8276		
LOT 26	10638	LOT 55	7243	LOT 84	7252	LOT 113	8631		
LOT 27	7356	LOT 56	7027	LOT 85	7252	LOT 114	7896		
LOT 28	7560	LOT 57	7426	LOT 86	7240	LOT 115	7539		
LOT 29	7560	LOT 58	7763	LOT 87	7534	LOT 116	7492		

REVISIONS	DATE	BY
REVISED PER CITY COMMENTS	06-12-06	STANTEC
REVISED PER CITY COMMENTS	02-06-07	STANTEC
REVISED PER CITY COMMENTS	08-06-07	STANTEC
REVISED STREET "N" ENTERANCE GRADING FOR BASIN G "C", "E" & "L" STREET	10-27-08	WEBB
REVISED PER CITY COMMENTS	11-25-08	WEBB
REVISED PER CITY COMMENTS	01-28-10	WEBB
REVISED PER CITY COMMENTS	03-02-10	WEBB
REVISED PER CITY COMMENTS	03-18-10	WEBB

PA06-0183

REGISTERED PROFESSIONAL ENGINEER JASON K. ABSHER NO. C71508 EXP. 12-31-11 CIVIL STATE OF CALIFORNIA

TENTATIVE MAP

TRACT NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

SCALE: 1" = 100'	ALBERT A. WEBB ASSOCIATES	CIVIL ENGINEERS 3788 MCCRAY ST. RIVERSIDE CA. 92506 (951) 686-1070	W.O. 09-0117
DATE: 3/2/10			SHEET 1
DESIGNED: SRK			OF 1 SHEETS
CHECKED: JKA			
RUN CK REF:	FILE: G:\2009\09-0117\DWG&PRO\Design\09-0117TM.pro		DWG. NO. 09-0117TM.PRO
P.B.:	PLOT DATE: 3/18/2010		

-871-

Item No. E.2

MV00067808

ATTACHMENT 9

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MV00067809

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency (RDA) of the City of Moreno Valley:

1) Conduct a public hearing for the review of the 2010-2015 Implementation Plan and
2) Approve the proposed 2010-2015 Implementation Plan.

BACKGROUND

Section 33490 (c) of the California Health and Safety Code mandates redevelopment agencies to adopt an Implementation Plan (Plan) that specifies planned and achieved goals and objectives for a five-year period, as well as discuss how each activity will address the blighted conditions in the Project Area as identified by the Redevelopment Plan. The Plan for the next five year period from 2010 though 2015 must now be considered for approval.

Prior to formal adoption of the Plan, the RDA is required to hold a public hearing to evaluate the progress in meeting the Plan's objectives and proposed activities. While the Plan is not intended to restrict the RDA's ability to embark on projects other than those specifically identified in the Plan, it provides a framework for undertaking redevelopment activities.

DISCUSSION

The Implementation Plan for the period July 1, 2010 to June 30, 2015 is intended to be a blueprint for the RDA's activities for the next five years. The document identifies projects and programs to be implemented, along with continuing agreements already in place that must be administered. As required by California Redevelopment law, an emphasis is placed on past and future RDA activities and expenditures related to the creation of affordable housing opportunities.

ALTERNATIVES

1. Conduct a public hearing and consider comments for the review and approval of the 2010-2015 Implementation Plan. **Staff recommends this alternative** *because it will satisfy State Redevelopment compliance requirements and help advance Redevelopment Agency efforts in Moreno Valley.*

2. Do not conduct a public hearing and do not approve the 2010-2015 Implementation Plan. **Staff does not recommend this alternative** *because it will result in noncompliance with State requirements and hinder Redevelopment Agency efforts in Moreno Valley.*

FISCAL IMPACT

The proposed Implementation Plan for the RDA provides for a specified program of activities during its five-year term. All specified projects and programs must be approved by separate annual budget action. The funds and expenditures discussed in the Plan strictly apply to the Redevelopment Agency budget and have no impact on the City's General Fund. The Redevelopment Agency's FY 09-10 Budget and accompanying 5-year projections are the basis for the financial assumptions identified in the proposed Implementation Plan.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION
Use of RDA funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY
Many of the proposed RDA projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT
A positive environment for the development of Moreno Valley's future will be created through a variety of community-based RDA programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
RDA programs will help to preserve, rehabilitate and improve existing neighborhoods.

NOTIFICATION

Notices of the public hearing were placed in the local paper and at four locations in the Redevelopment Project Area. The document was available for public review during regular business hours at the Economic Development Department.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – Implementation Plan for the Period July 2010-June 2015

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00067813

IMPLEMENTATION PLAN

For the period July 1, 2010 – June 30, 2015

Community Redevelopment Agency of the City of Moreno Valley

Adopted: July 13, 2010

Attachment A

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I. INTRODUCTION

In 1993, the State Legislature amended Redevelopment Law ("Law") to require all redevelopment agencies to prepare and adopt five year Implementation Plans (Section 33490 of the Health & Safety Code). Moreno Valley's Redevelopment Agency (RDA) must adopt an updated Implementation Plan (Plan) prior to June 30, 2010 after a public hearing has been held. The Plan outlines the RDA's debt service, economic development, affordable housing, and capital projects and programs for the FY 2010/11 through FY 2014/15 planning period. The five-year term of the updated Plan for the Moreno Valley Redevelopment Project Area begins on July 1, 2010, and ends on June 30, 2015.

The updated Plan reviews the goals, objectives, and general RDA activities that were approved when the Redevelopment Project Area (Project Area) was adopted in 1987. Previously adopted agreements, which may obligate a portion of the RDA's revenues during the five-year term of the Plan, are described in later sections of the document. The Plan outlines programs and projects proposed for the next five years, as well as describes how they are intended to address existing blighted conditions in the Project Area.

The amount of the housing set-aside, the allocation of resources to construct or substantially rehabilitate moderate, low and very low income housing units, and the inclusionary housing percentages (Sections 33334.2, 33334.4, 33334.6 and 33413) are also addressed by the Plan. These requirements form the basis for an annual housing program for the Plan.

The RDA shall conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing the Redevelopment Plan and Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012, and June 30, 2013.

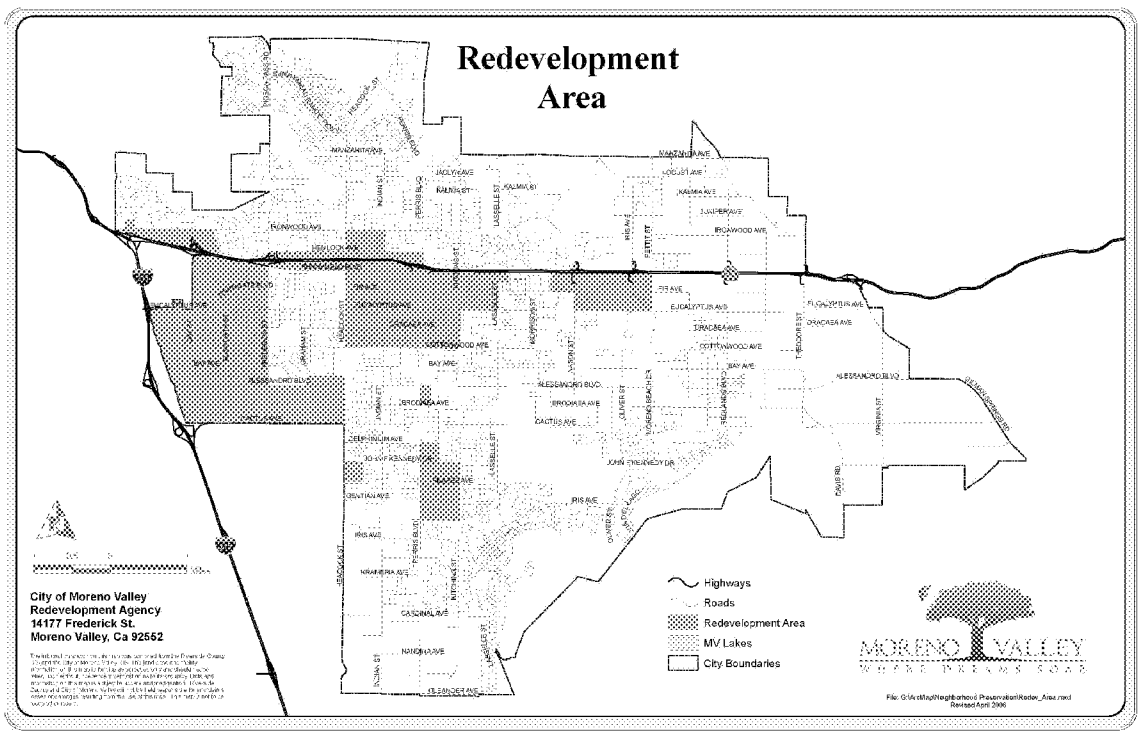

II. LEGAL REQUIREMENTS

The Community Redevelopment Agency of the City of Moreno Valley (RDA) issued the first Implementation Plan in 1999. This Plan is the RDA's third and covers the planning period of FY 2010/11 to FY 2014/15. The RDA is required to conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing its Redevelopment Plan, Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012 and June 30, 2013.

Notice of the public hearing on the Plan must be published pursuant to Section 6063 of the Government Code and also posted in at least four permanent places within the project area for a period of three weeks. Publication and posting must be completed not less than 10 days prior to the date set for hearing.

Notices of the public hearing regarding the adoption of this Plan have been posted at the following locations in the project area:

- Senior Community Center, 25075 Fir Avenue
- Moreno Valley Conference and Recreation Center, 14075 Frederick Street
- City Corporate Yard, 15670 Perris Boulevard
- City Hall, 14177 Frederick Street

(a) Assembly Bill 1290 Requirements

Assembly Bill 1290 (AB 1290) added Section 33490 to the Health and Safety Code. This section requires agencies to produce Plans every five years, beginning in 1994. Section 33490 has been amended numerous times since its original adoption. In accordance with this section, the Plan must contain the following, if applicable to the RDA:

<u>Redevelopment Requirements</u>

- Specific goals and objectives for each project area.
- Specific programs, including potential projects for each project area
- Explanation of how the goals and objectives, programs, and expenditures will eliminate blight within the project area.

<u>Housing Requirements</u>

An explanation of how the goals, objectives, and programs will achieve the required housing production as well as a description the Low and Moderate Housing Set-Aside Fund (Housing Funds) expenditures. This description must include a detailed annual Plan for each of the five years covered so that performance may be measured. Additionally, the following must be included:

- The amount of money available in the Housing Fund, the amount of money expected to be deposited during the next five years and how those annual deposits to the Housing Fund will be spent.
- The estimated number of units to be provided over the next five to ten years to meet the RDA's 15 percent inclusionary housing requirements, if applicable.
- The number of qualifying very low, low, and moderate-income units that have been produced in the project area, and the number of additional units that will be required to meet the inclusionary housing requirements.
- The number of units that will be developed by the RDA, if any, including the number of units that the RDA will make available for very low, low and moderate-income households.
- If a planned public improvement or development project will result in destruction of existing affordable housing, an identification of proposed locations for their replacement will be required (Health and Safety Code Section 334313)
- The affordable housing production plan (Health and Safety Code Section 33413(b)(4).

(b) Assembly Bill 637 Requirements

Assembly Bill 637 ("AB 637") created additional housing requirements on redevelopment agencies. It eliminated the sunset for most of the provisions in AB 1290 which had been in effect since January 1, 1994. AB 1290 contained a number of modifications to the inclusionary housing production requirements contained in Section 33413(b) of the Health and Safety Code. The issues addressed by AB 637 include:

- Targeting Housing Funds to the different income and age groups.
- Replacing 100 percent of removed or destroyed affordable units instead of 75 percent
- Maintaining a list of those persons displaced, who are to be given priority in the replacement housing plan.
- Regulating how and where Housing Funds may be used for onsite or offsite improvements.
- Increasing covenants from 10 to 45 years in the case of owner occupied units, and from 15 to 55 years in the case of rental housing.

The RDA is required to spend the Housing Fund in at least the proportion of the total housing need for the income groups as determined for the City pursuant to Section 65584 of the government Code (Regional Housing Needs Assessment). In addition, the RDA shall expend, over the duration of each Redevelopment Plan period, the Housing Fund to assist housing the low income population under 65 years of age in relation to the total low income population of the community as reported by the United States Census Bureau.

In accordance with Section 33490(a)(2)(A)(iii) of the Law, the first time period to implement the requirements for targeting of Housing Funds is on or before December 31, 2014, and each ten years thereafter.

(c) Senate Bill 701 Requirements

Senate Bill 701 clarifies how AB 637 is to be implemented. The RDA will have until 2014 to comply with the legal requirements outline in AB 637.

(d) Labor Code Section 1720, Prevailing Wages

The California Legislature amended Labor Code Section 1720 et seq. to require payment of prevailing wages for private improvements that are financially assisted by the RDA or the City whether for commercial, industrial, office, or housing uses. There is a very limited exception that applies to the construction or rehabilitation affordable housing assisted by redevelopment agencies using housing set-aside funds as the only source of public funding for the development. In order to qualify for the exception, there can be no other federal or state assistance or mortgage credit certificates or state or federal low income housing credits.

III. GENERAL BACKGROUND AND RDA HISTORY

The City of Moreno Valley spans 50 square miles and is located in the western portion of Riverside County. Moreno Valley is easily accessible by Highway 60 (the Moreno Valley Freeway) and Interstate 215. Surrounded by the cities of Riverside and Perris, scenic Lake Perris and March Air Reserve Base, Moreno Valley is the second largest city in Riverside County. The City lies in the heart of Southern California's Inland Empire, the two county area comprised of Riverside and San Bernardino counties.

The Moreno Valley RDA provides assistance to projects and activities within the 4,676-acre project area. RDA funding of eligible projects comes from area-wide property tax increment and Tax Allocation Bonds ("TABs"). The RDA uses these revenues to fund economic development activities, installation of general infrastructure to improve the project area, and in the preservation and expansion of affordable housing in the community.

The following table outlines, as required by Section 33490(a)(5) of the Law, the Project Area's main benchmarks and time limits.

Moreno Valley Redevelopment Project Area General Information and Time Limits	
Tax Increment Limit	$ 821.2 million
RDA Establishment Date	December 10, 1985
Plan Adoption Date	December 29, 1987
Deadline to Establish Indebtedness	December 29, 2007
Acreage	4,676 or 14.6% of the City
Land Use	Residential, Commercial & Industrial
Deadline to Receive Tax Increment / Pay Indebtedness	December 29, 2038

IV. RDA GOALS AND OBJECTIVES

The RDA adopted the Redevelopment Plan for the Moreno Valley Redevelopment Project ("Plan") on December 29, 1987. The Plan included the following goals and objectives:

(a) The elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal redevelopment laws.

(b) The promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity. An important objective will be the development of a regional mall within the Project Area and the creation of a regional public transportation center and facilities, auto center, and freeway frontage roads.

(c) The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles, appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from new conditions and restrictions shall be first reviewed by the Project Area Committee ("PAC") before final action can be taken.

(d) Consideration must be given to maximizing the tax base provided by the locational advantages of freeways. Interchanges should be added and upgraded to meet the new demands placed upon them by the new business corridors and surface streets.

(e) Consideration must be given to the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from the above stated conditions shall be first reviewed by the existing PAC before final action can be taken.

(f) The Redevelopment Plan shall make provisions for increased revenues to the City of Moreno Valley. These plans shall not negatively impact the fiscal solvency of the City.

(g) The Redevelopment Plan shall make provisions for the creation and development of local job opportunities and the preservation and expansion of the City's existing employment base.

(h) Consideration must be given to: the improvement of certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area.

(i) Consideration must be given to the improvement of the community's supply of housing (inside the Project Area), including opportunities for low and moderate-income households. One objective would be the development of housing for senior citizens, and a second objective would offer centers for child care of all ages. Useable and improved park land should be easily, and safely accessible to these residents.

(j) Consideration must be given to providing increased revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails.

(k) Consideration must be given to: the Redevelopment Plan shall not adopt land uses incompatible with the surrounding areas.

Redevelopment of the Project Area pursuant to this Plan and the above goals and objectives will attain the purposes of the California Redevelopment Law by:

(a) Eliminating areas suffering from economic dislocation and disuse.

(b) Replanning, redesign and/or redevelopment of areas that are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance.

(c) Protecting and promoting sound development and redevelopment of blighted areas and general welfare of the citizens of the city by remedying such injurious conditions through the employment of appropriate means.

(d) Installing new or replacing existing public improvements, facilities and utilities in areas that are currently inadequately served with regard to such improvements, facilities and utilities.

(e) Other means as determined appropriate by the RDA.

V. BLIGHT IN THE PROJECT AREA

The redevelopment tools contained in the Law are granted for use in a project area in order to eliminate and prevent the prevalence of blighting conditions. A blighted area is one that necessitates the creation of a redevelopment project area because the combination of conditions in an area constitute a burden on the community and cannot be alleviated by private enterprise, governmental action, or both. Section 33031 of the Law defines blight as follows:

Physical Conditions that Cause Blight

- Unsafe, unhealthy and/or deteriorated buildings - Structures in which it is unsafe or unhealthy for people to live or work. Deferred maintenance that results in serious dilapidation and deterioration, faulty or inadequate utilities, serious building code violations, and construction that is vulnerable to serious damage from seismic or geologic hazards.
- Physical conditions that substantially hinder the economic viability, use of lots and/or buildings – These conditions may be caused by buildings or substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
- Incompatible land uses – Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project Area.
- Lots of irregular shape, inadequate size and under multiple ownerships – The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and of developments that are held in multiple ownership.

Economic Conditions that Cause Blight:

- Depreciated, stagnant and/or impaired property values – Depreciated or stagnant property values or impaired investments, including, but not limited to, properties containing hazardous waste that requires the use of RDA authority as specified in Article 12.5 (commencing with Section 33459 of the Law).
- High business turnovers and vacancies, low lease rates, abandoned buildings and vacant lots – Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots.
- Lack of neighborhood commercial facilities – A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, banks and other lending institutions.
- Overcrowding – Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph “overcrowding” means exceeding the standard reference in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.
- Excess numbers of bars, liquor stores and/or adult businesses – An excess of these establishments can result in significant public health, safety, or welfare problems.

- High crime rates – A high crime rate that constitutes a serious threat to the public safety and welfare of Project Area residents.

(a) Blighting Conditions Present in the Project Area

Physical Blight Conditions Present in the Project Area

The RDA has been actively addressing the conditions of physical blight identified in the initial report to Council at Project Area adoption and when the Plan was amended. However, some physical blight remains. The remaining blighting conditions in the Project Area include deteriorated buildings that are considered unsafe and unhealthy for persons to live or work in due to serious building code violations, long-term neglect, or faulty or inadequate construction, parcels of irregular shape and / or inadequate size that hinder redevelopment, and inadequate public infrastructure (i.e. remaining need for flood control facilities and street improvements).

Economic Blight Conditions Present in the Project Area

Similarly, the RDA has been actively addressing conditions of economic blight initially identified at Project Area adoption and when the Plan was amended. Again, some economic blight remains. Conditions of economic blight that the RDA continues to address include depreciated or stagnant property values / low lease rates, high business turnover, excess numbers of liquor licenses, and pockets of crime.

VI. GENERAL RDA ACTIVITIES

The Redevelopment Plan proposed the following activities to assist in the elimination and prevention of the spread of blight and blighting influences, and to strengthen the economic base of the Project Area and the community:

(a) Promoting and encouraging participation in the redevelopment process by owners and occupants of properties located in the Project Area, consistent with this Plan and rules adopted by the RDA Board.

(b) Acquisition of real property subject to the limitations contained in Section 308 of the Redevelopment Plan.

(c) Management of property under the ownership and control of the RDA.

(d) Relocation assistance to displaced occupants of property acquired in the Project Area.

(e) Demolition or removal of buildings and improvements.

(f) Installation, construction, expansion, addition, extraordinary maintenance or re-construction of streets, utilities, and other public facilities and improvements.

(g) Disposition of property for uses in accordance with this Plan.

(h) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan.

(i) Rehabilitation of structures and improvements by present owners, their successors, and the RDA.

(j) Rehabilitation, development or construction of low and moderate income housing within the Project and / or the City.

(k) Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Plan.

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD

(a) Debt Service on Existing RDA Obligations

Since its inception in 1987, the RDA has entered into a number of agreements, which provide long term financial assistance based on the achievement of specific project milestones. The following section identifies the projects and continuing obligations related to these existing approved agreements.

- Conference and Recreation Center Financing: The agreement provides for the acquisition of the Conference and Recreation Center from the City by the RDA for $11,503,946, paid for through twenty annual debt service payments that gradually increase from $250,000 to $438,377 in year 2024.
- Cooperation Agreement with Riverside County: This Agreement provides for the RDA to share Project Area property tax increment with the County of Riverside. All of the property tax increment between $7 million and $12 million per year, up to a maximum of $75 million will be paid to the County to assist in the financing of the new Riverside County Regional Medical Center (RCRMC).
- Cooperation Agreement with the Riverside County Flood Control District: This Agreement provides for the RDA to share property tax increment with Riverside County Flood Control District (RCFCD) from the entire Project Area in excess of $12 million per year.
- Moreno Valley Auto Mall Owner Participation Agreement: This Agreement provided for the development of the Moreno Valley Auto Mall by subsidizing the annual infrastructure bond payments of several dealerships. All Auto Mall property and sales tax increment is pledged to defray bond payments.
- Moreno Valley Mall Owner Participation Agreement: This agreement provided for the construction of the Moreno Valley Mall, and specifically assisted in the development of three of the four department store anchors, for a total of $13 million. This investment was advanced by the project developer and is being repaid from excess property tax increment from the TownGate area (available after payments on the TownGate Agreement – discussed in #1 above) plus half of the sales tax increment from the Mall.
- Price Company (Costco) Owner Participation Agreement: This Agreement provided for the development of a Price Club/Costco warehouse store in the Project Area. Approximately $2.4 million in land write-down and development fee assistance is being repaid from a portion of the sales tax increment created by the project.
- Public Safety Building Lease Revenue Bonds: The City issued Lease Revenue Bonds in 1997 to construct the public safety building. The RDA makes annual payments of $150,000 toward the annual $405,000 debt service, until the total obligation of $3,450,000 is repaid in FY 2021/22.
- Sunnymead Blvd. Lease Revenue Bonds: The RDA issued Lease Revenue Bonds in 2005 in the amount of $9.1 million to construct improvements related to the Sunnymead Blvd. Beautification Project. The annual debt service of $600,000 to repays the bond debt.

- TownGate Specific Plan Owner Participation Agreement: This Agreement provided for the installation of infrastructure throughout the commercial portion of the TownGate Specific Plan, financed at a cost of approximately $21 million in Mello-Roos bonds. The RDA pledged the net tax increment revenues from the commercial and residential portions of the TownGate area towards the repayment of the bonds. The RDA continued to pay the debt service on the bonds during the previous planning period.

(b) 2007 Tax Allocation Bonds

In November 2007, the RDA issued $41.6 million in Series A- Bonds to fund a variety of important capital projects in Moreno Valley that will improve traffic circulation, upgrade important infrastructure, and enhance the overall quality of life in the community. Initially, projects identified for funding included:

▪ Library	$22.0 million
▪ Fire Station at Cottonwood/Indian	$6.5 million
▪ Park at Cottonwood/Indian	$5.0 million
▪ Day Street Improvements	$3.0 million
▪ Auto Mall Upgrades	$2.0 million
▪ Indian Basin Improvements	$3.1 million

In December 2008, in recognition of current economic challenges and the City's inability to fund operations at new facilities, the RDA Board approved reallocation of funds for the Library to the SR 60 overcrossing at Nason St. for $21.5 million and the street improvements on Ironwood and Barclay streets.

(c) Economic Development Activities

The staffing for the Economic Development Department (EDD) is partially funded by the Redevelopment Agency. EDD promotes the City of Moreno Valley as a place to do business to respond to economic conditions that cause blight. Specifically, Economic Development facilitates development of employment opportunities and dynamic retail centers to increase assessed valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community that offers its residents and businesses an unsurpassed quality of life. To accomplish these goals, Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection, ombudsman service, and business support services.

As a significant portion of the commercial, industrial and retail zoned land in Moreno Valley is located within the redevelopment project area, Economic Development staff spent a majority of their time working on projects that are eliminating blighting conditions within the project area

Marketing

Though many of the activities were funded by City General Fund, RDA supported EDD staff salaries as they performed the following marketing activities supporting business attraction and retention activities:

- Regional Cooperation: Participated in the Inland Empire Economic Partnership (IEEP). EDD participated in business attraction events and submitted responses to new business leads distributed by IEEP.
- Advertising: EDD placed advertisements in nationally-recognized and local publications in the real estate/retail/site selection industries with a business focus.
- Tradeshows / Event Sponsorships: EDD enhanced the City's regional and national visibility by participating in tradeshows.
- Website: EDD developed a site selection website that provides a tool for businesses or consultants to use when exploring Moreno Valley business locations, improving the rate of shared information between the City, site selectors, and real estate brokers.
- Brochures: EDD created marketing materials including the Community Profile, the Retail Opportunities Guide, the Office and Industrial Opportunities Guide, the New Development Map and monthly summary. These materials were distributed at various business attraction events, plus electronic files were made available on the City's website.
- Shop Moreno Valley: As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, EDD partnered with the Chambers of Commerce to create a SHOP MOVAL awareness campaign.
- Development Sign Program: EDD implemented a new public relations program that included the placement of eighteen attractively-designed, reusable development signs to announce the arrival of new businesses and development projects.

Business Attraction

Economic Development staff provided ombudsman support in the form of fast-tracking entitlement and plan check reviews and advocacy for projects located in the Project Area.

Commercial Projects in the Project Area:

- Moreno Valley Mall: Staff facilitated review and resolution of issues for the Mall expansion through the addition of a fifth anchor, Harkins Theatres, an upscale 16-stadium theater with approximately 3,500 seats, plus seven restaurant/retail pads. General Growth Properties completed more than 300,000 sq. ft. of renovations and the addition of many new retail stores.

- Moreno Valley Plaza: EDD assisted the shopping center owners with the attraction of Superior Super Warehouse to occupy a vacant grocery store anchor space.
- Cactus Commerce Center: Construction was completed on this 16,000 sq. ft. two-story retail and office use building near Cactus and Elsworth.
- Moreno Beach Plaza: EDD provided permitting assistance to this 350,000 sq. ft. center, which added the grocery component to the Wal-Mart Supercenter and completed construction of an 86,500 sq. ft. Phase II.
- Elsworth Plaza: EDD provided marketing assistance to this 30,000 sq. ft. project near the southwest corner of Alessandro Blvd. and Elsworth St.
- Fresh and Easy: Fresh and Easy Neighborhood Markets continued to expand in Moreno Valley. EDD provided continual assistance resolving development issues through the construction phase of four new stores. Three of the four stores are located in or across the street from the Project Area.
- Stoneridge Towne Centre: EDD provided comprehensive assistance resolving development issues for this 579,295 sq. ft. commercial center including anchors SuperTarget, Kohl's, Best Buy, and OfficeMax, and several popular restaurants: Chili's and Bob's Big Boy.
- TownGate Center / Plaza: EDD executed intergovernmental agency and lease agreements with the County of Riverside and the Fritz Duda Company, which completed tenant improvements for a new Employment Resource Center. Ombudsman assistance was new tenants to expedite Certificates of Occupancy process. Staff negotiated with Burlington Coat Factory on an incentivized participation agreement to bring the company to the vacant former Mervyn's space.
- TownGate Crossing: EDD assisted this 237,000 sq. ft. shopping center anchored by Lowe's with the opening of Sports Authority. EDD staff worked to attract 99 Cents Stores, which reoccupied the vacant former Circuit City building.
- TownGate Promenade: EDD provided ombudsman service to this 200,000 sq. ft. shopping center, serving as project advocate to resolve planning and permit processing issues related developing two hotels (Ayres Hotel and Hampton Inn), an expansion of Costco, and several new restaurants: Mimi's Café, Panda Express, and Applebees.
- TownGate Square: EDD assisted this mixed-use development by supporting negotiations between the commercial developer and landowner to acquire adjacent property for future expansion.
- TownGate Square: EDD assisted this 136,000 sq. ft. mixed-use development for opening of Winco Foods and Portillo's, a 7,500 sq. ft. restaurant, along with assisting in approval of an Owner Participation Agreement for the relocation of Robertson's Ready Mix' operation.

Office Projects in the Project Area:

- Jacobs Development: EDD provided ombudsman service to this 10 acre mixed use project.
- Moreno Valley Professional Village: EDD provided ombudsman services to developer Aardex in the design, permitting, and tenanting of the seven building, 130,000 sq. ft. project.
- Olivewood Plaza: Economic Development staff is working with the developer to attract tenant(s) to this 23,000 sq. ft. office project.

Industrial Projects in the Project Area:

- Centerpointe Business Park: EDD provided assistance for this 12 building, 2.6 million sq. ft. industrial park with new projects for Minka Lighting, the U.S. Postal Service, RedMed, and Frazee Paint.
- United Natural Foods Inc. EDD facilitated entitlement and plan check for this 613,000 sq. ft. manufacturing/distribution facility.
- Gateway Business Park: EDD provided ombudsman services for this 34 industrial condo project.
- Veteran's Way Business Park: Economic Development assisted this 10-building industrial project.
- BAS Recycling: EDD provided extensive interdepartmental and interagency support during the entitlement and construction phases of the 66,000 sq. ft. facility.
- Robertson's Ready Mix: EDD is assisting this long time Moreno Valley business in relocating and expanding to a new facility within the Project Area.

Hospitality Projects in the Project Area:

Economic Development facilitated review and resolution of development issues to the following proposed hotels in the Project Area:

- Ayres Suites: 127-guest room project began construction. EDD provided assistance with resolving development and permitting issues hotel opened in June 2010.
- Hampton Inn & Suites: 115-guest room hotel opened in April 2009. Provided assistance with resolving development and permitting issues.
- Holiday Inn Express: Renovation and upgrade of the 151 guest room hotel in 2009/10.
- La Quinta Inn & Suites: 58-guest room hotel opened in May 2010 when construction was completed.
- Sleep Inn Suites: Proposed three-story, 74-guest room hotel is undergoing the entitlement process.

Business Retention

In addition to attracting new businesses to the Project Area, EDD pursued several business retention efforts.

- Business Roundtable: EDD conducted regular meetings between Moreno Valley businesses, the Chambers of Commerce, the City's Executive Team, and the Mayor to encourage dialogue and build relationships.
- Business Visitation: EDD strengthened business retention efforts by holding one-on-one meetings with major employers and top sales tax producing businesses within the Project Area.
- Chambers of Commerce: EDD provided financial support to Moreno Valley's three chambers of commerce in exchange for their provision of services to the business community.

(d) Capital Projects

- Day Street Widening (Cottonwood to Alessandro): This project includes widening, sidewalk, curb, and gutter to reduce traffic congestion and improve vehicular and pedestrian safety. Project design was completed in FY 2009/10. Construction will commence in FY 2010/11.
- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for storm drain line improvements on the most westerly end of the Project Area. Project design has been completed. However, the project has not moved into the construction phase due to revenue shortfall because of the Supplemental Education Revenue Augmentation Funding shift to the State of California.
- Sunnymead Boulevard Street Improvements: This comprehensive street beautification project is currently nearing completion. Eastern Municipal Water District completed a major pipeline replacement project and the RDA funded enhancements including: landscaping, colored driveways/sidewalks, decorative intersection treatments, decorative signage, banners and 17 new bus shelters.
- Aqueduct Bikeway Landscaping Project: This project constructed a 1/2 mile of landscaped trails in aqueduct right-of-way, connecting neighborhoods to schools, parks, and employment/shopping centers.
- Conference and Recreation Center: The RDA financed the construction of a community gymnasium, conference and recreation facility. The center also provides child care facilities and includes a small park.
- Graham Street Improvement Project: This project provided sidewalks, curb, and gutters to a portion of Graham Street in the Project Area.
- Alessandro Boulevard Improvements (Grant St. to Elsworth St.): The project widened this major arterial and provided missing sidewalk, curb, gutter, etc. along the Centerpointe Industrial Area and the Civic Center complex, located in the Project Area.
- Pepper Street Improvements: The project relocated conflicting water meters and service lines, plus constructed ADA access ramps and full street improvements in the Project Area. Project design was completed using RDA

funds, while the construction was funded via Community Development Block Grant (CDBG).

(e) Affordable Housing Activities

Over the period of 2005-2010, the RDA expended Housing Set-aside dollars to fund affordable housing activities, allocated by income category as described below:

RDA Expenditures by Income Category* Previous Implementation Plan Period (2005-2010)	
Extremely Low Income	$450,553
Very Low Income	$2,338,961
Low Income	$4,468,513
Moderate Income	$3,856,212
Total Set-aside Expenditures	**$ 11,114,239**

*note: *Only dollars spend on projects that reached completion are included in this calculation. The list of projects described under the Multi-family Rental Program includes all developments that received assistance from 2005-2010, regardless of completion.*

- Homebuyer Assistance Program (HAP): The HAP program provided downpayment assistance to low- and moderate-income families for home purchases.
- Ownership Housing Development: The RDA provided $562,000 from the Housing Set-aside Fund for land acquisition and construction. Developed housing was targeted for low and very low income households.

  The RDA partnered with the City, which was awarded a Youthbuild grant from HUD of $400,000. RDA entered into an Affordable Housing Agreement with Moreno Valley Youthbuild, Inc. for the construction of two single family homes. Moreno Valley Youthbuild constructed houses while training high school and college aged youths in the construction trades.

- Multi-family Rental Program: The RDA negotiated partnerships with affordable housing developers to provide "gap" financing for the development of new multi-family rental housing. Assisted housing is made affordable to very low, low, and moderate-income families. Specific multi-family rental projects that received assistance from the RDA during the 2005 – 2010 Planning Period are listed on the next page. Some of the projects are already complete, while others are still under development.

PROJECT NAME	PROJECT ADDRESS	FUNDS CONTRIBUTED	COVENANT EFFECTIVE DATE	TOTAL UNITS	UNITS WITH COVENANTS	LENGTH OF AFFORDABILITY (IN YEARS)	UNITS TOWARD INCLUSIONARY HOUSING *	RDA AREA (Y/N)
Alessandro & Day	Alessandro & Day	$ 4,848,184	to be determined	224	222	to be determined	222	Y
Bay Family Apts	Bay Avenue	$ 755,000	07/11/2006	61	60	56	60	Y
Cottonwood Place, III	Cottonwood Ave.	$ 1,663,000	12/14/2006	58	57	55	28.5	N
RHDC-Adrienne IV	Adrienne Ave.	$ 1,299,832	03/27/2007	8	8	56	8	Y
Cottonwood Place, IV	Cottonwood Ave.	$ 750,000	05/07/2007	46	45	55	22.5	N
Oakwood Apts	Perris Blvd.	$ 3,000,000	under construction	241	240	55	240	Y
Rancho Dorado North	John F Kennedy Dr	$ 1,500,000	under construction	71	70	56	70	Y
Rancho Dorado South	John F Kennedy Dr	$ 3,500,000	RDA funds committed, pending tax credits	79	78	to be determined	78	Y
RHDC-Sheila I & II	Perris Blvd. / Sheila St.	$ 6,233,407	08/10/2007 / 02/07/2008	16	16	56	16	Y
Perris Isle-Senior Project	Perris Blvd.	$ 413,000	11/05/2009	189	148	56	148	Y
TOTALS- COMPLETED UNITS		**$ 23,962,423**		**769**	**722**		**671**	

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) which provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. California Redevelopment agencies are collectively mandated to shift $1.7 billion into the SERAF in fiscal year 2009-2010. Due to claims that this requirement violates the State Constitution, the California Redevelopment Agency (CRA) and local cities sued the State to maintain these funds within their agencies. Unfortunately, the CRA did not prevail in this law suit and in May 2010 the Moreno Valley RDA paid $5,258,237 for its FY 2009-2010 SERAF obligation. Further, for fiscal year 2010-2011, the RDA's share of SERAF take is another $1,081,579. Fortunately, the RDA had fund balance available to pay the SERAF. Many other California redevelopment agencies were required to borrow from other funding sources to make their SERAF payments. Unfortunately, Moreno Valley's payment of the SERAF significantly diminishes the RDA fund balance and severely restricts the programs and projects that the RDA will be able to implement during the next five year period.

CITY OF MORENO VALLEY REDEVELOPMENT AGENCY
2010 - 2015 REVENUE AND EXPENDITURES

		1	2	3	4	5	
GENERAL TAX INCREMENT FUNDS	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	TOTAL
BEGINNING CASH BALANCE	$ 10,645,115	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 10,645,115
REVENUES							
TAX INCREMENT REVENUE	$ 20,633,115	$ 18,345,902	$ 17,959,340	$ 17,959,340	$ 18,318,527	$ 18,868,083	$ 112,084,307
OTHER REVENUE	$ 1,924,100	$ 1,722,525	$ 1,746,950	$ 1,771,965	$ 1,797,584	$ 1,823,822	$ 10,786,946
TOTAL REVENUE	$ 22,557,215	$ 20,068,427	$ 19,706,290	$ 19,731,305	$ 20,116,111	$ 20,691,905	$ 122,871,253
TOTAL FUNDS AVAILABLE	$ 33,202,330	$ 23,816,542	$ 21,341,528	$ 20,831,407	$ 20,725,978	$ 20,948,180	$ 133,516,367
EXPENDITURES/FEES							
PASS THROUGHS	$ 10,705,203	$ 9,497,133	$ 9,299,737	$ 9,311,593	$ 9,517,825	$ 9,827,192	$ 58,158,683
HOUSING SETASIDE (20%)	$ 3,907,042	$ 3,436,699	$ 3,354,737	$ 3,349,994	$ 3,416,994	$ 3,521,971	$ 20,987,437
DEBT SERVICE	$ 6,610,323	$ 6,457,119	$ 6,525,217	$ 6,558,036	$ 6,585,475	$ 6,611,777	$ 39,347,947
COUNTY ADMIN FEES	$ 241,602	200,000	202,000	204,020	206,060	208,121	$ 1,262,803
ADMIN AND PROF SVS	$ 841,224	$ 586,552	$ 614,449	$ 632,882	$ 651,868	$ 671,425	$ 4,009,400
CAPITAL IMPRVMNTS	$ 1,888,584	$ 912,217	$ 245,286	$ 165,015	$ 91,480	$ 58,441	$ 3,341,023
SERAF	$ 5,258,237	$ 1,081,579					$ 6,339,816
TOTAL EXPENDITURES	$ 29,454,215	$ 22,181,304	$ 20,241,436	$ 20,221,540	$ 20,469,702	$ 20,878,927	$ 133,447,114
ENDING CASH BALANCE	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 69,253	$ 69,253

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD

Based on the funding projections for the five-year period described on the previous page, after allowing the obligations identified earlier, the RDA proposes to continue the general and housing programs and projects identified in the following discussion. Due to the differing regulations governing the use of RDA funds, the discussion is divided into programs and projects supported by the RDA's General Fund and the Housing Set-aside fund.

(a) Existing RDA Obligations

As described in Section VII "Activities Completed In The Previous Planning Period," the RDA has entered into a number of agreements to which provide long term financial assistance to certain projects. The following projects represent continuing obligations in the next Planning Period.

- *2007 Tax Allocation Bonds Debt Service*
- *County of Riverside Cooperation Agreement Passthrough*
- *Conference and Recreation Center Debt Service*
- *Moreno Valley Auto Mall Owner Participation Agreement*
- *Moreno Valley Mall Owner Participation Agreement*
- *Moreno Valley Unified School District Passthrough*
- *Price Company (Costco) Owner Participation Agreement*
- *Public Safety Financing Lease Revenue Bonds Debt Service*
- *Riverside County Flood Control and Water Conservation District Cooperation Agreement*
- *Sunnymead Blvd Lease Revenue Bonds Debt Service*
- *TownGate Specific Plan Owner Participation Agreement*

(b) Economic Development Activities

Supported by the RDA for a portion of staffing, the Economic Development Department will continue implementing the Business Attraction and Retention activities listed below (as previously described on pages 10-14):

Marketing

- Advertising
- Tradeshows/Event Sponsorships
- Website
- Shop Moreno Valley
- Development Sign Program

Business Attraction

Economic Development will continue to support the development of new business in the Project Area and throughout the City.

Business Retention

- Business Roundtable
- Business Visitation
- Chambers of Commerce

(c) Capital Projects

Unfortunately, due to the impact of making the Supplemental Educational Revenue Augmentation Fund payment to the State of California in FY 2009/10 and 2010/11, funding capital projects is extremely limited. However, progress will continue on the capital projects funded by the 2007 RDA Tax Allocation Bonds ("TABs" - for which RDA debt service payments will be made).

RDA Capital Projects – if revenues improve so that funds become available

- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for construction of storm drain line improvements along the Old 215 Rd. and Dracaea St., located on the most westerly end of the project area.

Projects Funded by the 2007 RDA Tax Allocation Bonds

- Fire Station 107 (Morrison Park): This new fire station will provide improved emergency response services to the new commercial and residential development in the Project Area. The estimated project cost is $6.3 million.
- Ironwood Street Improvements (Day to Barclay): This project will construct curb, gutter, sidewalk, traffic signals, and storm drain improvements on the south side of Ironwood Avenue from Day St. to Barclay Dr. and include traffic signal and inter-related improvements on Day St. at the Canyon Springs Plaza entrance and on Ironwood at Athens. Total project cost is estimated at $3 million.
- Day Street Improvements (Alessandro to Cottonwood): This project will widen the street and install sidewalk, curb, and gutter in the stretch of Day St. between Cottonwood Ave. and Alessandro Blvd. Total estimated project cost is $3 million.
- Auto Mall Street Upgrades: Since its completion in 1996, the Moreno Valley Auto Mall has seen no major improvements. In line with the RDA goal to prevent the loss of commercial sales activity in the Project Area, the project will complete roadway improvements and a new comprehensive signage program upgrade. The total estimated project cost is $2 million.
- Indian Basin Improvements: This project will upgrade a storm water detention basin on RDA property at the Festival Shopping Center. The basin is needed

to collect and slow flood waters thereby protecting the surrounding neighborhoods to the southeast. Improvements will include the installation of inlet and outlet storm drain facilities and some street improvements on the south side of Ironwood Avenue between Heacock St. and Nita Dr. The total estimated project cost is $3.1 million.

- Nason Bridge: The project will replace the existing SR-60/Nason St. two-lane bridge with a four-lane bridge, complete the Nason St. improvements, install a sound wall along Elder Ave., and construct associated work. The estimated RDA costs for the project is $18 million.
- Edgemont Water Phase I: If adequate savings are achieved in the construction of the projects listed above, this project will construct Phase I of the water system improvements in the Box Springs Mutual Water Company territory, including upgrading the water services, fire hydrants, and the inter-connection with Western Municipal Water District, plus approximately 11,300 linear feet of 12 inch and 16 inch main in the following segments:
  Cottonwood Ave.: from 400 feet westerly of Old 215 Frontage Rd. to Day St.;
  Old 215 Frontage Rd.: from Alessandro Blvd. to Dracaea Ave.;
  Dracaea Ave.: from Old 215 Frontage Rd. to Day St.;
  Easement from Dracaea Ave. to the existing reservoir; and
  Alessandro Blvd: from Old 215 Frontage Rd. to Day St.
  The total estimated project cost is $2.4 million.

(d) Affordable Housing

Housing Set-Aside Fund

State Redevelopment Law requires redevelopment agencies to dedicate 20% of tax increment revenues received annually to the development or retention of housing affordable to income-qualified residents. This allocation of funds is known as the Housing Set-aside program. No findings have been made to reduce or defer Moreno Valley's Housing Set-aside amount.

When providing affordable housing units, State law defines different levels of affordability based on a household's percentage of income in relation to the area median income for the region. For Moreno Valley, the region for which area median income is calculated includes Riverside and San Bernardino Counties. Below are definitions of the various affordability levels:

Definitions of Affordability Levels	
Extremely Low Income	30% and below of Area Median Income
Very Low Income	31%-50% of Area Median Income
Low Income	51%-80% of Area Median Income
Moderate Income	81%-120% of Area Median Income

The unaudited, estimated funding amount that will be available in the Housing Set-aside fund at the beginning of this plan on July 1, 2010 is $5,838,907. Over the five-year term of the Plan, an additional $17,441,125 in Housing Set-aside funds are projected to be allocated by the RDA General Fund. The RDA estimates the annual deposits to the fund as summarized below:

Estimated Amounts to be Deposited into the Housing Set-aside Fund 2010-2015	
Fiscal Year	Amount
FY 10/11	$3,495,778
FY 11/12	$3,412,639
FY 12/13	$3,425,121
FY 13/14	$3,498,023
FY 14/15	$3,609,564
Total Funds Available	$17,441,125

Source: FY 2009-2010 Redevelopment Agency Budget

- **Housing Set-aside Funds Distribution**

By Income Restrictions

Health and Safety Code Section 33334.4 requires the RDA to spend the monies in the Housing Set-aside fund to provide housing for persons of low and very low income in at least the same proportion as the total number of housing units needed for those income groups as indicated in the Regional Housing Needs Assessment for Moreno Valley.

According to the final Regional Housing Needs Assessment ("RHNA") allocation plan, the housing for very low and low income households represents 40.8% of the City's total housing need for the 2008-2014 RHNA planning period. The table on the following page shows the projected fair share allocation of RHNA units for the different income groups.

Income Category	Housing Need	Percentage of Total Housing Need	Percentage of Affordable Housing Need	Projected Expenditures by Income Category
Very Low Income	1,809	24%	41%	$7,150,861
Low Income	1,241	17%	28%	$4,883,515
Moderate Income	1,360	18%	31%	$5,406,749
Total Affordable Housing Need	**4,407**	**59%**	**100%**	**$ 17,441,125**
Above Moderate Income	3,064	41%		
Total Housing Need	**7,474**	**100%**		

As a result of the RHNA housing unit need distribution, the RDA is required to spend 41% of its Housing Set-aside funds on very low income households, plus 28% and 31% on low and moderate income households, respectively. The required RDA Housing Set-aside expenditures will occur through the promotion of existing programs, creation of new projects and investments in larger projects where several funding sources are required. The intent will be to assist very low, low, and moderate income families to attain affordable housing within the Project Area in accordance with the prescribed percent allocations, as described in the estimated Expenditure Projections below.

Projected Annual RDA Expenditures
By Income Category
Implementation Plan Period: 2010-2015

Income	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total
Very Low	$1,432,579	$1,398,508	$1,403,623	$1,433,499	$1,479,209	$7,147,418
Low	$982,816	$959,442	$962,951	$983,447	$1,014,806	$4,903,461
Moderate	$1,080,383	$1,054,689	$1,058,547	$1,081,077	$1,115,549	$5,390,246
Total	**$3,495,778**	**$3,412,639**	**$3,425,121**	**$3,498,023**	**$3,609,564**	**$17,441,125**

By Age Restrictions

The RDA will comply with the requirements under Health and Safety Code Section 33334.4(b) to further ensure equitable distribution of Housing Set-

aside monies among the community. The code section requires each RDA to expend over the duration of each Redevelopment Plan, the monies in the Housing Set-aside fund to assist housing that is available to all persons *regardless of age* in at least the same proportion as the population under age 65 years bears to the total population of the community (as reported in the most recent U.S. Census).

According to Census 2000, 94.51% of the City's population is under the age of 65. To exercise proper proportionality, the RDA must ensure that 94.51% of the Housing Set-aside fund is dedicated to providing affordable housing that is not age restricted.

- **RDA Affordability Requirements**

In compliance with AB 701, all redevelopment agencies are required to describe how requirements related to housing affordability covenants and allowable uses for set-aside funds will be fulfilled.

Effective in 2002, to fulfill requirements under 33413(a) and 33413(b), State law extended the required covenant period to 55 years for rental projects and 45 years for ownership projects. In the past, the RDA entered into agreements with developers and non-profits that included units containing to affordability periods that range from 20-55 years, based on the existing statutes at the time of agreement and the amount of RDA assistance. The RDA now mandates 55-year covenants and has established a disclosure policy. The new affordability covenants are explained thoroughly as a state mandated requirement associated with affordable housing projects. The covenant period is explained verbally during negotiation meetings, re-explained as part of all acceptance documents, and spelled out clearly within the affordable housing agreement, once one is negotiated.

- **Planned Affordable Housing Programs and Projects**

The RDA's Housing Set-aside Fund is the primary local financial resource available for the community's affordable housing stock.

The projected costs for housing activities have been derived from the extensive data and analysis provided in the Strategy. The specific schedule for the implementation of the various housing programs and projects is included in the Annual Housing Program at the end of this report.

The following list includes programs and projects to be funded from the RDA's Housing Set-aside funds (some of which have been detailed earlier in this document). The programs and projects are intended to assist in the implementation of the RDA's Affordable Housing Strategy.

Home Improvement Loan Program (HILP): This program offers income-qualified owner-occupied Moreno Valley homeowners a $40,000 maximum loan with a 3% annual interest rate. The program is intended to upgrade

existing deteriorated and dilapidated housing in the Project Area and surrounding community. Payments plus interest are deferred for twenty years or until the owner sells or ceases to occupy the property. In addition, the loans are deferred to ensure that the cost of property upgrades does not result in the displacement of existing owner-occupants. The loan is designed for homeowners who have equity in the property to provide collateral for the loan and have multiple repairs and improvements to make such as upgrading existing electrical and plumbing, paint, roof replacement and other interior and exterior repairs.

The loans are repaid, with interest, upon the sale or refinancing of the homes. Additional funding has been available from federal HOME grant monies.

Homeowner Assistance for Minor Repairs (HAMR): This program provides a $7,500 maximum loan with a 3% to 5% annual interest rate for income-qualified owner-occupied Moreno Valley homeowners. Loan payments are amortized over ten years. This program is designed for homeowners who need minor repairs and for those that have less equity in the property.

Homebuyer Assistance Program (HAP): The HAP provides financial assistance to low and moderate-income families to use in purchasing their first home. The objective of the HAP is to promote neighborhood stabilization and revitalization within the City limits. Assistance is in the form of a 30-year, zero-interest, deferred payment loan and may be used for down payments associated with a home purchase. The amount of assistance depends on the buyers income and the purchase price of the home. Homebuyers are eligible to receive up to 20% of the purchase price in assistance, depending on the amount needed to complete the purchase.

Mobilehome Grant Program (MHGP): This program provides grants of up to $10,000 for the rehabilitation of mobile homes owned and occupied by very low income households. Rehabilitation of health and safety code issues is prioritized. Limited general property improvements are also permitted. Additional funding for the program has been provided from federal HOME grant monies.

The program upgrade existing deteriorated and dilapidated manufactured housing in the Project Area and surrounding community. Rather than loans, grants are used due to the very low incomes of the households served and the difficulty in placing liens on mobilehomes.

Multi-family Rental Program: Through this program, the RDA partners with affordable housing developers to provide “gap” financing for the creation of new multi-family rental housing. Five specific multi-family rental projects (listed on page 32) are already anticipated for development and are scheduled for completion during the 2010 – 2015 Planning Period.

Ownership Housing Development: The project would continue the development of single family housing on one or more properties owned by the

RDA. Housing developed would be targeted for low and very low income households. The project is intended to increase the supply of affordable owner occupied housing available to under served segments of the community. Additional funding has been available from federal HOME grant monies.

Exterior Beautification Program – Marilyn Street Project: This project will address the exterior deferred maintenance of an entire neighborhood located in the Project Area, revitalizing the full neighborhood at once, eliminating blight and maximizing the visual impact gained by completing exterior improvements on several homes simultaneously. In 2007, Marilyn St. was selected as a suitable neighborhood. The project would repair such items as exterior paint, fencing, landscaping, irrigation systems, tree trimming and\or removal, etc.

- **Housing Replacement**

The RDA does not anticipate the removal or relocation of any low or moderate income housing units during the five-year Plan period in conjunction with redevelopment projects financially assisted or undertaken by the RDA. Should removal occur, within four years of the removal, the RDA will directly or through contractual means rehabilitate, develop, or construct an equal number of replacement housing units with the same or greater number of bedrooms as the removed units which shall be made available at an affordable housing cost, as defined in State law.

"Affordable housing cost" calculations are based on benchmark housing sizes. If the replacement housing is being leveraged strictly with RDA funding, the term adjusted for household size appropriate to the unit, is defined as one plus the number of bedrooms in the unit. Every effort will be made to ensure that the replacement housing units will be available at a cost affordable to the same income level as very low, low or moderate income households displaced from the removed units (Section 33413).

- **Inclusionary Housing Requirement**

State law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of all the housing developed and rehabilitated in the redevelopment area is available at an affordable housing cost to low and moderate income households. This requirement, also known as the redevelopment inclusionary requirement, applies to the total number of housing units developed and rehabilitated during the five-year Plan Period and not to each individual rehabilitation, development, or construction project. The inclusionary units must be available at an affordable housing cost for at least the remaining term of the redevelopment plan. The specific redevelopment inclusionary requirements are as follows:

(1) Units developed by the RDA: At least 30 percent of all new or rehabilitated dwelling units developed by the RDA must be available at affordable housing cost to persons of low and moderate income. Also,

not less than 50 percent of those units are to be available at affordable cost to persons of very low income.

(2) Units developed within the Project Area: For all new or rehabilitated dwelling units developed by public or private entities or persons other than the RDA within a 10-year period, at least 15 percent of those units are to be available at costs affordable to persons of very low, low or moderate income. Not less than 40 percent of those units are to be available to very low income households.

The inclusionary requirements must be met within each ten-year period of the Redevelopment Plan.

Current Production

Since the Project Area and Redevelopment Plan were first adopted in 1987, an estimated 3,797 residential units have been constructed or substantially rehabilitated in the Project Area. Based on the number of constructed and substantially rehabilitated units, the RDA's inclusionary housing obligation from plan adoption through the 2005-2010 Implementation Plan period is 570 units (3,797 x 15%) affordable to households earning very low, low, or moderate incomes. Of this amount, 228 units (570 x 40%) must be affordable for households earning at the very low income level.

The RDA has exceeded State requirements for inclusionary housing through the 2005-2010 Plan period. A total of 660 units with covenants that provide long-term affordability can be counted towards the RDA's production requirements. The table below summarizes the RDA's accomplishments in providing affordable housing.

Redevelopment Agency
Affordable Housing Production with Covenants
Through 2005-2010

	Units In the Project Area	Units Outside the Project Area*	Total Production for Inclusionary Housing Requirement*
Extremely Low	6	9	15
Very Low	332	95	427
Low	162	16.5	178.5
Moderate	12	27.5	39.5
Totals	**512**	**148**	**660**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Projected Production

The RDA anticipates the creation of an additional 751 privately-funded units over the next five years, which would generate inclusionary requirements for 46 very low income units and an additional 68 very-low, low, or moderate

income RDA-funded units. Combined, the privately-funded housing development will generate the inclusionary housing requirement of 114 affordable units.

Over the next five years in the Project Area, the housing projects and programs identified in this plan are estimated to exceed this requirement by providing 610 new, substantially rehabilitated, or price restricted housing units (see below). Note that negotiations are underway regarding the mix of affordability levels for one project of 222 units located in the Project Area. Of the additional 388 units with established affordability levels, 60 will be available to households earning extremely low incomes, 137 will be occupied by very low income families, and 191 by low income families during the five-year term of the plan. These units will be located in the project area.

Redevelopment Agency
Estimated Affordable Housing Construction with Covenants
2010-2015

Affordability Level of Units	Units In the Project Area	Units Outside the Project Area*	Total Estimated Production for Inclusionary Housing Requirement*
Extremely Low	60	0	60
Very Low	137	0	137
Low	191	0	191
Moderate	0	0	0
Subtotals	**388**	**0**	**388**
Additional Units w/Affordability Level to be determined	**222**	**0**	**222**
Totals	**610**	**0**	**610**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Over the next ten years (2010-2020), it is anticipated that approximately 1,919 housing units will be constructed or substantially rehabilitated in the Project Area. This will create an inclusionary housing production requirement of 288 units (i.e. 1,919 x 15%). The RDA will ensure that a minimum of 40% (i.e. 116) of these units are affordable to very low income households.

Over the life of the Redevelopment Plan, which concludes on December 31, 2028, it is anticipated that approximately 7,585 housing units will be constructed or substantially rehabilitated in the Project Area (see the table on the next page). As a result, the RDA's total inclusionary affordable housing production requirement would be 1,138 units (7585 x 15% = 1,138). The RDA will ensure that a minimum of 40% of these units (456) are affordable to very low income households. The RDA does not anticipate the purchase or direct ownership of any housing units during the life of the Redevelopment Plan.

Number of New or Substantially Rehabilitated Housing Units Produced and Expected in the Redevelopment Project Area 1987-2028	
YRS 1987-2005	1,349
YRS 2005-2010	2,448
YRS 2010-2015	751
YRS 2015-2020	1,168
YRS 2020-2028	1,869
TOTAL	**7,585**

- **Annual Housing Plan**

The specific schedule for the implementation of the various housing programs and projects are outlined (by fiscal year) below:

***Projected Schedule* of Assisted Housing Units, by Program or Project** *Implementation Plan Period: 2010-2015*						
PROGRAMS & PROJECTS	**FY 10-11 (Year One)**	**FY 11-12 (Year Two)**	**FY 12-13 (Year Three)**	**FY 13-14 (Year Four)**	**FY 14-15 (Year Five)**	***TOTALS***
Home Improvement Loan Program (HILP)	*4*	*4*	*4*	*4*	*4*	***20***
Homeowner Assistance for Minor Repairs (HAMR)	*1*	*1*	*1*	*1*	*1*	***5***
Homebuyer Assistance Program (HAP)	*3*	*3*	*3*	*3*	*3*	***15***
Mobilehome Rehabilitation Grant Program (MHGP)	*10*	*10*	*10*	*10*	*10*	***50***
Multi-family Housing Development						
Alessandro & Day			*56*	*56*	*55*	***167***
Oakwood Apts	*240*					***240***
Rancho Dorado North	*70*					***70***
Rancho Dorado South		*78*				***78***
FY TOTALS	***328***	***96***	***74***	***74***	***73***	***645***

X. IMPLEMENTATION PLAN ADMINISTRATION

This Implementation Plan covers the RDA activities in the Project Area from July 1, 2010 through June 30, 2015.

The RDA will be responsible for conducting the projects and programs described in this Implementation Plan. Administration of the Implementation Plan will be performed by the Neighborhood Preservation Division of the City's Economic Development Department.

(a) Implementation Plan Review

The RDA will conduct a public hearing and accept public comments from all interested parties regarding the adopted Redevelopment Plan and the five-year Implementation Plan. The public hearing will be conducted no sooner than two years and no later than three years from the adoption of this Implementation Plan. Notice of the public hearing to review the Redevelopment and Implementation Plans will be published pursuant to Section 6063 of the Government Code and posted in at least four permanent places within the Project Area for a period of at least three weeks. Publication and posting of the notice will be completed not less than 10 days prior to the date set for the hearing.

(b) Implementation Plan Amendment

This Implementation Plan may be amended from time to time after holding a public hearing on the proposed amendment.

(c) Financial Commitments are Subject to the Availability of Funds

The RDA and the City use a variety of funding sources for implementing each Redevelopment Plan. Although the sources of revenue to be utilized by the RDA are generally reliable from year to year, such funds are subject to legislative, program, or policy changes that could reduce the amount or availability of the funding sources upon which the RDA relies.

(d) Monitoring of Affordable Housing

The RDA is required to monitor any housing made affordable to individuals and families of low or moderate-income. As part of this monitoring, the RDA will requires owners or managers of affordable housing units to submit an annual report to the RDA. The annual reports will include the rental rate, the income, and the family size for each unit's tenants/owners.

Section 33418(b) of the Redevelopment Law requires information obtained by the RDA from owners and managers of affordable housing must be included in any reports required by law to be submitted to the California Housing and Community Development Department ("HCD") or the State Controller. In addition, Section 33418(c) required the RDA to adequately fund its monitoring activities as needed to ensure compliance with applicable laws and agreements related to affordable units.

(e) Redevelopment Plan / Conflicts

If there is a conflict between this Implementation Plan and any other City or RDA plan or policy, the Redevelopment Plan shall control.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project for the purposes of drafting the Disposition and Development Agreement (DDA).

DISCUSSION

PDDC and City staff have been engaged in ongoing negotiations in the efforts to draft a DDA for the proposed project. While the negotiations have been continual, it will be necessary to extend the current term of the Negotiation Agreement which expires August 11, 2010 and the new effective of the Negotiation Agreement date shall be August 12, 2010. The current economy, reduced tax credit availability, and an increased difficulty in securing tax credit financing for affordable housing projects, has prompted PDDC to re-evaluate the project. As a result of competitive tax credit environment, the project phasing shall be modified from a 225-unit, two phase project to a 225-unit, four phase project. Since changes are being proposed to the project, an extension is required to provide the additional time needed to finalize the drafting of the DDA.

Given PDDC's experience and expertise with securing tax credits, along with the current tax credit environment, PDDC suggests that a smaller number of units per phase will enhance the project's scoring and ability to secure a tax credit allocation in the extremely competitive tax credit market that currently exists.

The project changes as proposed by PDDC will require additional time for a new phasing plan and financial review. To properly assess the fiscal feasibility of the project, an analysis of the revised project pro forma reflecting the four phases will have to be obtained from an independent economist. The analysis will be used by staff to evaluate the overall viability of the development as a four phase project.

Upon completion of the pro forma analysis and further evaluation, the drafting of the DDA will be finalized. Staff recommends the extension of the Negotiation Agreement an additional sixty days through October 11 to provide the time for the additional work.

ALTERNATIVES

1. Approve the Third Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would not provide the time needed to finalize the DDA and would hinder the planning for the future affordable housing project.

FISCAL IMPACT

This action does not impose any fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Third Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Third Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00067851

THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of August 12, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement"), an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement") and a "Second Amended and Restated Negotiation Agreement, of the November Agreement, dated April 13, 2010, (herein, the "April Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

ATTACHMENT A

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Economic Development Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement, November Agreement and April Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CEO

EXHIBIT "A"

MAP

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council; and
Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Amendments to Chapter 11.40 of the City of Moreno Valley Municipal Code, Ordinance No. 741 and Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

RECOMMENDED ACTION

Staff recommends:

1. That the City Council introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley amending, Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, and

2. That the Board of Directors for the Moreno Valley Community Services District introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Parks and Recreation Commission took action to recommend amendment of Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, at their special meeting of June 3, 2010 (5 Ayes, 2 Noes, 0 Absent).

BACKGROUND

Chapter 11.40 of the Moreno Valley Municipal Code establishing rules for the use of parks and recreation facilities, was enacted by ordinance on March 15, 1988, and amended in July 1990, January 2004 and April, 2007. Similar ordinances were adopted simultaneously by the Moreno Valley Community Services District. Staff is proposing that these codes be further amended to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

At a special meeting on May 13, 2010, the Parks and Recreation Commissioners were presented the proposed amendment to the ordinance and were asked to consider a motion on the amendment. Upon review and discussion, a motion was made and recommended by the Commission to continue the item so additional revisions to the wording based upon the City Attorney's review and approval could be made. The revisions were completed and approved by the City Attorney and the item was placed on the agenda for a Parks and Recreation Commission special meeting on June 3, 2010.

At the special meeting on June 3, 2010, the Parks and Recreation Commissioners concurred with the proposed amendment, asking staff to accept their recommendation to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center. Staff has prepared the attached amendments to Ordinance Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

DISCUSSION

Although the Moreno Valley Equestrian Center (MVEC) is used daily by local equestrians and dog park patrons on a walk-in basis, reserved use including the receipt of reservation fees, needs to increase. In essence, the City simply cannot continue to subsidize facilities that, at a minimum, should be raising enough funds to maintain the facility. As such, staff has been encouraged to reach out to any organization that may wish to utilize the MVEC. One such organization is the Roy Rogers Rangers (RRR).

RRR was formed in 2001 to promote the sport of mounted shooting. Mounted shooting is one of the nation's fastest-growing equestrian sports. The sport combines the elements of exhibition shooting, barrel racing, pole bending, and reining; all done while using two .45 caliber single-action revolvers, loaded with 5 rounds each of specially prepared black powder blanks to shoot 10 balloon targets set in a random pattern called a "stage." Mounted shooters are timed through the stage determining raw time plus any penalties incurred. The contestant with the fastest overall time wins.

The following bullet points summarize the desired use of the MVEC by the RRR. The bullet points are from the attached information sheet of desired activities from the RRR:

- 20 events per year (schedule as follows)
- Set up: 8:00 a.m.
- Begin shooting: 9:00 a.m.
- End shooting: 5:00 p.m.
- Tear down: 5:00 p.m. to 7:00 p.m.
- 5 beginner practices held on Saturdays. 10-12 participants. 350 blanks per practice.
- 12 monthly practices held on Sundays. 25-40 participants. 1600 blanks per practice.
- 3 competition events held Fridays, Saturdays and Sundays. 25-60 participants each day. Fridays: 400 blanks per event. Saturdays: 2,400 blanks per event. Sundays: 2,400 blanks per event.

The proposed amendment incorporates regulations that are applicable to the City of Moreno Valley, specifically Section 11.40.050(D) of the City Municipal Code that allows the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. In addition, the type of use that will be allowed by the proposed amendment falls under City's Municipal Code in Chapter 11.80 Noise Regulation, Section E. Exemptions, Item No. 7: *"Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space or other publicly owned property."* The RRR event is an organized sporting event and therefore the event is exempt from the City's noise ordinance. Other non sporting event shooting would still be subject to the City's noise ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinances for adoption. The ordinances would take effect thirty one days after adoption.

2. Direct staff to make changes to ordinances and return to City Council on a later date with revised ordinances.

3. Take no action.

FISCAL IMPACT

The impact to expenditures will be minimal. The cost to change the park rules signage at the MVEC along with installation is anticipated to be under $300. The impact to revenue will be an increase of revenue for each reserved use. Per the adopted fee schedule, the fees for these types of events would be $125 per day with a $25 water

key deposit and a refundable $300 security deposit. Total annual revenue will vary depending on paid reservations received.

CITY COUNCIL GOALS

1. Revenue Diversification and Preservation
2. Positive Environment

SUMMARY

Reserved use including the receipt of reservation fees needs to increase at the Moreno Valley Equestrian Center. By encouraging reserved usage, staff believes City subsidy of this facility may be eliminated, the area will be utilized by many more people, and non-resident users will bring additional revenue to the City in other ways. The proposed amendment relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center should allow the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. The impact to revenue will be an increase of revenue for each reserved use. Total annual revenue will vary depending on paid reservations received.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

Attachment 1: Proposed City Council Ordinance
Attachment 2: Proposed CSD Ordinance
Attachment 3: Information Regarding the Roy Rogers Rangers Program

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY OF MORENO VALLEY AMENDING, SECTION 11.40.040 OF CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley ordains as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code is amended in its entirety to read as follows:

"**11.40.040 Regulations.** Unless specifically provided otherwise in this Chapter, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the City Council.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the City Council.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris

promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzine, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting

within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00067873

ORDINANCE NO. CSD 54

AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 5e OF ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley, acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, does ordain as follows:

1.1 AMENDMENT: Section 5. Regulations of CSD Ordinance No. CSD 52 is amended in its entirety to read as follows:

"SECTION 5. REGULATIONS:

Unless specifically provided otherwise in this Ordinance, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the Board of Directors.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the Board of Directors.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to

maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzene, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code

without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

2.1 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Board of Directors which addresses the same subject addressed herein.

3.1 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the Secretary of the District shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

4.1 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor of the City of Moreno Valley, acting in the capacity as the President of the Moreno Valley Community Services District

ATTEST:

_____
City Clerk of the City of Moreno Valley acting in the capacity as Secretary of the Moreno Valley Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity as General Counsel of the Moreno Valley Community Services District

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MV00067883

ROY ROGER RANGERS - PRACTICES, EVENTS, CLINICS
PROPOSED HOURS OF OPERATION FOR ALL EVENTS:

SET UP – 8AM
BEGIN SHOOTING – 9AM
END SHOOTING – 5PM
TEAR DOWN 5-7PM

NUMBER OF EVENTS:

5 BEGINNERS TRAINING CLINICS ANNUALLY (SATURDAY) –
10-12 IN ATTENDANCE – CLINIC IS USUALLY HELD ON SATURDAY –
FOLLOWED BY A MONTHLY PRACTICE THE NEXT DAY
Usually 350 rounds fired; total of 15 minutes of shooting accomplished randomly over the hours of operation

12 MONTHLY PRACTICES (SUNDAY) – 25-40 IN ATTENDANCE; 4 turns each

Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 40 riders = 3200 seconds or 54 minutes of shooting over the hours of operation.
A rider goes every 2 minutes and we take breaks.

If we have 40 riders shooting 40 rounds each = 1600 rounds
Total of 54 minutes total shooting done in 20 second increments during the eight hours of operation.

3 COMPETITION EVENTS (Friday, Saturday, Sunday) – 25-60 IN ATTENDANCE

Friday – warm up day – 20 riders shoot 10 rounds each 20 second turn X 2 turns = 40 seconds X 20 riders = 800 seconds or 14 minutes shooting over hours of operation.

20 riders shooting 20 rounds each = 400 rounds shot in 20 second increments during the hours of operation; total of 14 minutes of shooting

Saturday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Sunday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Attachment 3

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MV00067885

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC.

RECOMMENDED ACTION

Staff recommends approval of a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

BACKGROUND

The economy has been in a down cycle for the last few years and it has created challenges for shopping center owners with vacancies of anchor retail and key restaurant locations. The TownGate area is an important retail and restaurant business area for the City of Moreno Valley. City staff is committed to addressing vacancies and creating new employment opportunities in the TownGate shopping areas with available stimulus funding from the Federal government. The City's adopted CDBG-Recovery (CDBG-R) program has earmarked $107,841 in available funding for the start-up of a new restaurant operation in the TownGate area.

Buffalo Wild Wings Grill & Bar (BWW's) is a restaurant company, based in Minneapolis Minnesota that has proven successful with its popular restaurant concept that combines a full menu experience— including its famous buffalo chicken wings with 14 signature sauces, along with providing a relaxed entertainment environment through its popular sports bar theme. During the past 29 years, BWW"s has developed over 650 restaurant locations in 43 states. In California, BWW's is expanding through owner-operator Franchise Agreements. Presently, there are nearby Buffalo Wild Wings locations in Rancho Cucamonga, Murrieta, Eastvale-Mira Loma and a soon to open restaurant in Corona. Moreno Valley staff has pursued a BWW's location for the past few years and believe it will be a great addition to the local restaurant scene.

DISCUSSION

The Buffalo Wild Wings Franchisee for the Moreno Valley/Redlands/San Bernardino area is Pacific Wings Inc., which is a partnership of two individuals with restaurant experience in the Chicago area and now residing part-time in Southern California. Pacific Wings Inc. will develop a number of BWW's locations in the next few years, but have selected Moreno Valley as their first BWW's restaurant in Southern California.

Pacific Wings Inc. has chosen a location in Moreno Valley-- next to Sports Authority store in the TownGate Crossing center as their initial BWW's restaurant. BWW's Corporation has approved the location, along with conceptual plans for the Moreno Valley restaurant in TownGate Crossing. A Letter of Intent (LOI) has been executed between Pacific Wings Inc. and the Fritz Duda Co.—the owner of TownGate Crossing. With the LOI executed, the parties have negotiated and drafted a lease document with execution expected by mid July. An application and supporting documents have been submitted to the City's Planning staff for the processing of an Amended Plot Plan of the new BWW's restaurant operation. The new 5,126 S.F, BWW's restaurant will also include two patio spaces totaling 1,250 S.F., along with constructing new refrigeration cooler/storage space at the rear of the restaurant. The new BWW's restaurant will offer total seating for 280 in the restaurant, bar and patio areas. Everyone hopes for a late 2010 opening of the new BWW's restaurant in Moreno Valley.

A Participation Agreement has been drafted to spell out the contracturual requirements for the CDBG-R funding assistance. The major terms and conditions of the Participation Agreement include the following:

- Pacific Wings Inc. shall execute a binding lease and open a new Buffalo Wild Wings Grill & Bar in TownGate Crossing.
- Pacific Wings Inc. shall establish Moreno Valley as the point of sale per California Board of Equalization requirements for the operation of the new Buffalo Wild Wing's restaurant.
- Pacific Wings Inc. shall agree to create employment opportunities for low and moderate income persons consistent with CDBG requirements, including creating 4 new full-time (or part-time equivalent) jobs at the new restaurant operation.
- Pacific Wings Inc. shall agree to a one-year covenant period of operating the new restaurant in Moreno Valley.
- Upon satisfaction of the conditions stated above, the City shall provide Pacific Wings Inc. with a payment of $107,841 from the CDBG-R program.

ALTERNATIVES

1. Approve the Participation Agreement with Pacific Wings Inc, thereby supporting the City's assistance in the development of the new Buffalo Wild Wings restaurant.

2. Reject or pursue modification of the terms of the Participation Agreement. Supporting this alternative would hinder the timing or ability to open the new restaurant in TownGate.

FISCAL IMPACT

Funding for the Participation Agreement in the amount of $107,841 shall be from the City's CDBG-R program.

Fund	Business Unit Name	Amount
199	19910.6849.003 CDBG-R Economic Incentive for Restaurant Development	$107,841

Funding for the Participation Agreement will have NO impact on the City's General Fund. Sales tax for the City from the new Buffalo Wild Wings restaurant is estimated at $30,000 to $40,000 annually and the new restaurant operation is expected to employ 100 to 110 people.

SUMMARY

The City's CDBG-R program contains a funding allocation of $107,841 for the creation of new restaurants in the TownGate area. The new Buffalo Wild Wings (BWW's) restaurant, to be situated in TownGate Crossing qualifies for funding through the CDBG-R program. The new BWW's restaurant will not only create a new and popular restaurant concept for the area, but also help stimulate the local economy by filling a building vacancy, producing new sales tax revenue for the City, and most importantly creating new employment opportunities.

ATTACHMENTS/EXHIBITS

ATTACHMENT 1: Participation Agreement

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00067889

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Attachment No. 2 Annual Compliance Report
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Attachment No. 4 Summary of HUD Requirements for CDBG Economic Development Activities
Attachment No. 5 Operator Certificate
Attachment No. 6 Schedule of Performance

PARTICIPATION AGREEMENT

By and Between the

CITY OF MORENO VALLEY

and

PACIFIC WINGS, INC.
a California corporation

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of July 13, 2010, by and between the **CITY OF MORENO VALLEY**, a municipal corporation (the "City"), and **PACIFIC WINGS, INC.,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. In furtherance of the objectives of the Housing and Community Development Act of 1974, as amended (the "Act") as well as regulations promulgated thereunder, the Operator and the City desire that the Operator open a sports bar and restaurant facility within the TownGate Area (the "TownGate Area") operating under the trade name Buffalo Wild Wings Grill and Bar and that, as part of Operator's activities, a minimum number of full time (or composite full time) jobs, starting at not less than four (4) employees, be created within the City to be held by or made available to low- or moderate-income persons.

B. Operator through the operation of the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar within the TownGate Area will help stimulate the local economy and address the goals and obligations of the City's CDBG-Recovery Program as approved by the Department of Housing and Urban Development ("HUD").

C. Operator has determined a suitable location within the TownGate Area for a sports bar and restaurant facility to be operated under the trade name Buffalo Wild Wings Grill and Bar.

D. Operator has been provided with, has reviewed and agreed that its receipt of payments from the City under this Agreement is subject to the "Annual Compliance Report" (Attachment No. 2 to this Agreement), the "CDBG Regulations", as defined below and as amplified by the "Roles to Ensure Low and Moderate Income Benefit" (Attachment No. 3 to this Agreement) and "Summary of HUD Requirements for CDBG Economic Development Activities" (Attachment No. 4 to this Agreement), and the remainder of this Agreement.

E. The City is authorized to undertake activities and expend moneys pursuant to and in implementation of the CDBG Regulations.

F. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws.

NOW, THEREFORE, the City and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Site, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of

Operator or City, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the City and the Operator.

"Annual Compliance Report" means a report to be provided once a year by the Operator (as of March 1, commencing March 1, 2011, for the preceding calendar year or portion thereof) in the form of Attachment No. 2.

"*Annual Period*" means that three hundred sixty five (365) day period commencing as of the Opening and ending the day prior to the anniversary of the Opening, and each succeeding three hundred sixty five (365) day period (or for a leap year, a three hundred sixty six (366) day period).

"Authorizing Business Entity" means The Fritz Duda Company, a California corporation.

"*Best Knowledge*" is defined in Section 208.1 hereof.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"*City Manager*" means the City Manager of the City or his designee.

"City Payment" means the payment of the Payment Amount by the City in accordance with the terms of this Agreement.

"CDBG Regulations" means those regulations (concerning Community Development Block Grants) set forth at 24 CFR 570, including without limitation those regulations referenced therein.

"*Conditions Precedent to Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar.

"Conforming Facility" means a building consisting of not less than five thousand one hundred (5,100) square feet gross leasable area and adjacent parking spaces (or rights to use such spaces) as required by the City in connection with its customary planning process which includes improvements sufficient for the conduct of Conforming Activities, which improvements are to be located at the Designated Site in conformity with the Site Plan of the Buffalo Wild Wings Facility.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" means July 13, 2010.

"*Deadline*" means the ninetieth (90th) day following the Date of Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Site*" means a parcel of land within the TownGate Area to be designated by Operator as provided in Section 401 of this Agreement.

"Designated Trade Name" means "Buffalo Wild Wings Grill and Bar" or another trade name that is approved by the City in its discretion.

"*Fee Condition*" is defined in Section 401.2.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Designated Site is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Designated Site.

"Improvements" means all improvements present on the Designated Site as of the Date of Agreement or thereafter undertaken on the Designated Site.

"Municipal Code" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"Opening" means the opening for business of a sports bar and restaurant facility consisting of not less than five thousand one hundred (5,100) square feet gross leasable area operating under the Designated Trade Name.

"*Operating Covenant Period*" means a twelve (12) month period commencing with the later of (i) the Opening or (ii) the time set forth in the Schedule of Performance for the scheduled Opening.

"*Operator*" means Pacific Wings, Inc., a California corporation.

"Operator Certificate" means Attachment No. 5 to this Agreement.

"*Payment Amount*" or "*Maximum Payment Amount*" means the sum of One Hundred Seven Thousand Eight Hundred Forty One Dollars ($107,841.00).

"*Performance Conditions*" means all of the following: the Fee Condition; the Indemnification Condition; the Certificate Condition; the Continuous Operation Condition; and the Annual Report Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"Qualifying Employee(s)" is defined as follows: the number of persons constituting Qualifying Employees during any Annual Period shall equal the sum of (i) the number of "Full Time Employees" for such Annual Period plus (ii) the number of "Composite Full Time Employees" for such Annual Period, calculated in accordance with the following:

(a) In order to qualify as a Full Time Employee of Operator for the applicable Annual Period, a person must be a salaried or hourly employee who is employed at the Designated Site not less than forty (40) hours per week for not less than fifty (50) weeks, with such fifty two (52) week calculation to be inclusive of vacations, holidays, disability leaves required pursuant to state law, sick leave and similar benefits generally afforded employees generally deemed to be full time employees by prevailing community standards during the corresponding Annual Period. An employee who is terminated during any Annual Period, and the employee who replaces such terminated employee in such position, shall be aggregated for purposes of the foregoing calculation. The Operator shall provide substantiation to the City Manager (or his designee) as to replacement of terminated employees, and the City Manager (or his designee) shall in good faith review whether the employees involved are countable for purpose of the foregoing calculation.

(b) For purposes of this Agreement, one Composite Full Time Employee shall be deemed to exist for each two thousand (2,000) hours worked per Annual Period, not inclusive of vacations, holidays, disability leaves, sick leaves, or similar benefits, performed by part time employees (other than qualifying Full Time Employees), contract employees, independent contractors, or temporary personnel (collectively, "Part Time Employees") at the Designated Site.

Hours worked in one Annual Period shall be countable only with respect to that Annual Period and cannot be carried forward or carried back to be applied as to a different Annual Period.

"*Required Period*" means that period commencing as of the Date of Agreement and continuing until the first (1st) anniversary of the Opening.

"*Schedule of Performance*" means that Schedule setting forth the times by which each action must be completed pursuant to this Agreement, as set forth in Attachment No. 6, attached hereto and incorporated herein.

"Site Plan of the Buffalo Wild Wings Facility" means Attachment No. 1.

"*Special Fund*" means a fund or account that City will maintain and which will be funded only with moneys granted by the United States Government under the Act (and, particularly, under the CDBG program).

"Targeted Income Groups" means very low-, low- and moderate-income households (as defined under Health and Safety Code Sections 50105, 50079.5 and 50093) residing in the City. Data changes annually concerning the income limits for such households; figures will be available from the City within a reasonable time following receipt of request therefor from the Operator.

200. REPRESENTATIONS AND WARRANTIES.

201. **City Representations**. City represents and warrants to Operator as follows:

(a) **Authority**. City is a municipal corporation organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of the City Council. The City has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by City has been fully authorized by all requisite actions on the part of City. The parties who have executed this Agreement on behalf of City are authorized to bind City by their signatures hereto.

(b) **No Conflict**. To the best of City's knowledge, City's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which City is a party or by which it is bound.

(c) **No City Bankruptcy**. City is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to City as follows:

(a) **Authority**. Operator is a duly organized California corporation that is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase or lease and accept possession of property within the TownGate Area, including the Designated Site and undertake all obligations as provided herein and the execution, performance and delivery of this Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of or a leasehold interest as to the Designated Site or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of franchised restaurant facilities, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations pertaining to the operation of a Conforming Facility under this Agreement, as well as the Summary of HUD Basic Requirements for CDBG Economic Development Activities.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to City), indemnify and save and hold harmless City and its officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") to the extent arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or

employed by Operator with respect to the Designated Site; or (v) Operator's ownership, occupancy or use of the Designated Site; provided, however, that the indemnification obligations provided in this Section 301 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the City has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the City immediately upon written demand for all costs reasonably incurred by the City (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the City's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which the City is indemnified under this Agreement.

The Operator shall indemnify the City from any real estate commissions or brokerage fees which may arise from this Agreement or the Designated Site. The Operator agrees to hold the City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator and/or the Designated Site.

Operator agrees that no displacement of another person or business shall be effected in connection with the selection of a Designated Site by the Operator or Operator's siting of a store at the Designated Site. Operator agrees to and shall defend, indemnify and hold harmless City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Site occurring prior to and in connection with the selection of the Designated Site by the Operator.

302. **Compliance With Laws**. Operator shall carry out the design, construction and development of improvements, if any, and the conduct of uses on the Designated Site in conformity with all applicable laws, including without limitation the Act, City zoning and development standards, building, plumbing, mechanical and electrical codes, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq,* and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The City makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify City for any liability associated with the payment of prevailing wages for any work on the Designated Site.

The Operator does hereby and shall indemnify and hold City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by City to the extent arising out of Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720; provided, however, that the indemnification obligations provided in this

Section 302 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator.

Before commencement of construction of any improvement upon the Designated Site or otherwise within the corporate limits of the City, Operator shall, at its own expense, secure or cause to be secured any and all land use and other entitlements, permits, and approvals which may be required for such improvements by the City or any other governmental agency affected by or having jurisdiction over such construction or work. Operator shall, without limitation, apply for and secure, and pay when due all costs, charges and fees associated therewith, all permits and fees required by the City, County of Riverside, and other governmental agencies with jurisdiction over such improvements. Execution of this Agreement does not constitute the granting of or a commitment to obtain or to assist in obtaining any required land use entitlements, or approvals required by the City. Operator's obligations under this Agreement including without limitation acquisition (by purchase or lease) and, if applicable, the making of improvements at the Designated Site is expressly conditioned upon the issuance of each permit required by the City, County of Riverside or other governmental agencies and the grant of all approvals and entitlements required for development of the Designated Site as contemplated under this Agreement.

303. **Insurance**. Prior to the disbursement of any moneys by the City to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense (or, if Operator is leasing the Designated Site, the lessor may provide) the following policies of insurance in form and substance reasonably satisfactory to the City:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Site (to be in effect only while work is being performed on the Designated Site);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Site in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Designated Site is located (including loss by flood if the Designated Site is in an area designated as subject to the danger of flood);

(iii) public liability insurance in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to City. The policies required under subparagraph (b) shall designate City as an additional insured and loss payee. City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by City) and endorsements shall be delivered to City from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to City evidence of renewal or replacement of such policy reasonably satisfactory to the City Manager.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of the City. All policies shall be written by good and solvent insurers qualified to do business in California and shall have a policyholder's rating of A or better in the most recent edition of "Best's Key Rating Guide -- Property and Casualty." The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator (or policies or amendments, riders or endorsements by a lessor, if the Operator is leasing the Designated Site), and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against City (or any officer, employee, agent or representative of City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment; Efforts to Employ Persons of Targeted Income Groups**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry, national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

Operator shall recruit and use best efforts to maximize the hiring of personnel for its sports bar and restaurant facility to be established under this Agreement in the TownGate Area from members of the Targeted Income Groups.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay (or the Authorizing Business Entity or lessor shall pay) prior to delinquency all ad valorem real estate taxes and assessments on the Designated Site. Operator shall remove or shall have caused to be removed any levy or attachment made on the Designated Site or any part thereof which is owned or leased by Operator, or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless the City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties to the extent arising out of (a) activities undertaken by the Operator or (b) the Designated Site.

400. CONSIDERATION FOR AGREEMENT; CITY CONTINGENT PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the City to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Payment by the time established therefor in the Schedule of Performance, and to annually thereafter satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The

Operator further agrees to operate, maintain and use the Designated Site in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the City Manager, City will disburse to Operator from moneys in the Special Fund the Payment Amount.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities in a Conforming Facility commencing with the Opening and continuing throughout the Operating Covenant Period. In addition to the foregoing, Operator shall use diligent efforts to recruit and hire as employees members of the Targeted Income Groups, and shall cooperate with the City in connection therewith. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming Activities (the "Fee Condition"); (iii) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (iv) filing of the Annual Compliance Report for the corresponding calendar year by the time set forth therefor herein (the "Annual Report Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Required Period, and during such period shall provide such additional information with respect to any of such matters as the City Manager or his designee shall reasonably determine to be necessary or convenient in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **City Contingent Financial Participation**. Payment of the Payment Amount shall be subject to satisfaction of the Conditions Precedent to Payment and, to the extent applicable as of payment of the Payment Amount, the Performance Conditions have been and remain satisfied as of the time such payment is otherwise due and payable; the City shall disburse to the Operator the City Payment following the Opening within thirty (30) calendar days after the City Manager receives satisfactory substantiation that the Conditions Precedent to Payment (including, to the extent applicable as of the payment of the Payment Amount, the Payment Conditions) have been satisfied. The source of payments and the obligation to make payment shall be moneys in the Special Fund; provided that City may provide payment from any other City funding source deemed appropriate by City. Payment by the City is subject to the reasonable satisfaction of the City Manager that the Conditions Precedent to Payment were satisfied and that there are no uncured defaults which occur prior to the making of payment. Operator Certificates shall be submitted to the City to the attention of its City Manager at the address set forth in Section 701 hereof. No interest shall accumulate as to any amounts which are or may become payable to the Operator.

The City shall not provide any moneys pursuant to this Agreement other than those payments provided for in this Section 402. Further, no pledge is made or lien priority established by this Section 402.

403. **Conditions Precedent to Payment**. The City shall pay the Payment Amount to Operator within thirty (30) calendar days following the date on which all of the following conditions precedent have been and remain satisfied:

(a) the Operator provides to the City Manager evidence reasonably satisfactory to the City Manager that: (i) Operator has entered into a binding agreement with the franchisor of the trade name Buffalo Wild Wings Grill and Bar, and a lease agreement with the Authorizing Business Entity to operate a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar; (ii) Operator has acquired real property within the TownGate Area or has entered into a lease of existing, improved premises that constitutes a Conforming Facility for a term of not less than twelve (12) months; (iii) the Opening of a Conforming Facility has occurred within the TownGate Area with the approval of the Authorizing Business Entity operating under the Designated Trade Name; (iv) Operator has made diligent efforts to recruit and hire as its employees members of Targeted Income Groups; and (v) Operator employs at the Designated Site not less than four (4) Qualifying Employees;

(b) Operator delivers to the City Manager or his designee a certificate substantially in the form of the Operator Certificate, duly executed with the attachments prescribed pursuant to this Agreement;

(c) all property taxes, assessments and business license fees for or with respect to the Designated Site have been paid and are not delinquent;

(d) there exists no Default, as defined in Section 601 of this Agreement; and

(e) Operator has delivered to City all documents, instruments, policies, and forms of evidence or other materials required to be provided to City hereunder and as may be reasonably requested by City under the terms of this Agreement

(f) Operator provides evidence reasonably satisfactory to the City Manager demonstrating that the Conforming Facility is operating on the Designated Site in conformance with this Agreement using the Designated Trade Name;

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on the Designated Site during the Operating Covenant Period, or if this Agreement is terminated by the City based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the City pursuant to Section 402 of this Agreement.

404. **Brokers**. The City shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator will use the Conforming Facility as a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the Designated Trade Name. The Operator shall operate on the Designated Site only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote the Designated Site to the uses specified in this Section 501 of this Agreement; (ii) operate on the Designated Site a Business devoted to the operation of Conforming Activities under the Designated Trade Name and (iii) execute and deliver to the City an Operator Certificate prior to each payment by the City.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations. The Operator covenants to operate on the Designated Site only Conforming Activities for a period of not less than the Required Period; this covenant is made for the benefit of the City.

In addition, Operator covenants that there shall be no discrimination contrary to the Summary of HUD Federal Requirements for CDBG Economic Development Activities or the CDBG Regulations.

In addition, continuing throughout the remainder of the Required Period, all uses conducted on the Designated Site, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to the Designated Site or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain the Designated Site and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations.

(b) To maintain the improvements and landscaping on the Designated Site in conformity to all applicable laws and to keep the Designated Site free from any accumulation of debris and waste materials (or, if Operator leases the Designated Site, to provide such maintenance or require that the lessor provide such maintenance).

(c) To operate on the Designated Site only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of

Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the City shall be suspension or at City's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement, except as otherwise specified in this Section 603. Upon the City's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then, subject to the provisions of Section 602 above, this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the City. Operator shall also have the option to terminate this Agreement on or before September 1, 2010 (unless such date is extended by mutual consent of the parties), if on or before September 1, 2010 (or the date as extended by mutual consent of the parties): (i) Operator is unable to acquire title or a leasehold interest in the Designated Site; or (ii) the City fails to make one or more payments as provided under this Agreement. From the date of Notice of Termination of this Agreement by Operator to the City and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by City**. In the event that, prior to the time established in the Schedule of Performance for the satisfaction of the Conditions Precedent to Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to the Designated Site to any third party other than an Affiliate in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment in accordance with the Schedule of Performance and such failure is not caused by City; or

(c) On or before the Deadline, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of City, be terminated by City by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by City to the Operator

and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties, except that City may pursue any remedies it has hereunder.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the City, service of process on the City shall be made by personal service upon the City Clerk or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To City:	City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Pacific Wings, Inc. Attention: Anthony Prokos 28076 Paseo Hacienda San Juan Capistrano, California 92675

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party, or acts or failures to act of the City or any other public or governmental agency or entity. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of City and Operator. The City Manager shall have the authority to approve on behalf of City, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to open a Conforming Facility within the TownGate Area; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with City as to other properties.

703. **Transfers of Interest in Agreement or of Designated Site**. The qualifications and identity of the Operator are of particular concern to the City. It is because of those qualifications and identity that the City has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Site or the development thereon without prior written approval of City, except as expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the City, the sole remedy of the City shall be suspension or at City's election termination of payments otherwise required to be made by City pursuant to this Agreement. City shall not unreasonably withheld its consent to the assignment by Operator hereunder of its rights under this Agreement to any entity which controls, is controlled by, or is under common control with Operator ("Affiliate"); provided that in no event shall Operator be released of its obligations hereunder.

704. **Provision of Information; Inspection of Books and Records**. The City shall have the right at all reasonable times during the Required Period to inspect the books and records of the Operator as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the City as deemed reasonably necessary by the City, at least annually and additional upon request therefor by the City, to verify compliance with the terms of this Agreement.

705. **Non-Liability of Officials and Employees of City**. No member, official, officer or employee of the City shall be personally liable to the Operator, or any successor in interest, in the

event of any Default or breach by the City or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between City and Operator**. It is hereby acknowledged that the relationship between the City and the Operator is not that of a partnership or joint venture and that City and the Operator shall not be deemed or construed for any purpose to be the agent of the other (excepting that the Operator shall each be deemed to be the agent for the other). Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the City shall not have any rights, powers, duties or obligations with respect to the Designated Site.

707. **City Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the City, the City Manager is authorized to act on behalf of the City unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 6, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to

persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the City and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by City**. This Agreement, when executed by the Operator and delivered to City, must be authorized, executed and delivered by the City on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries**. Nothing herein is intended to create any third party beneficiaries to this Agreement, and no person or entity other than the City and the Operator, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

WITNESS WHEREOF, the City and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

CITY:

CITY OF MORENO VALLEY,
a municipal corporation

By:_____
William L. Bopf, Interim City Manager

ATTEST:

_____
Jane Halstead, City Clerk

Approved as to Form:

_____
Robert Hansen
City Attorney

OPERATOR

PACIFIC WINGS, INC.,
a California corporation

By:_____
Anthony Prokos

Its: _____

ATTACHMENT NO. 1

SITE PLAN OF THE BUFFALO WILD WINGS FACILITY

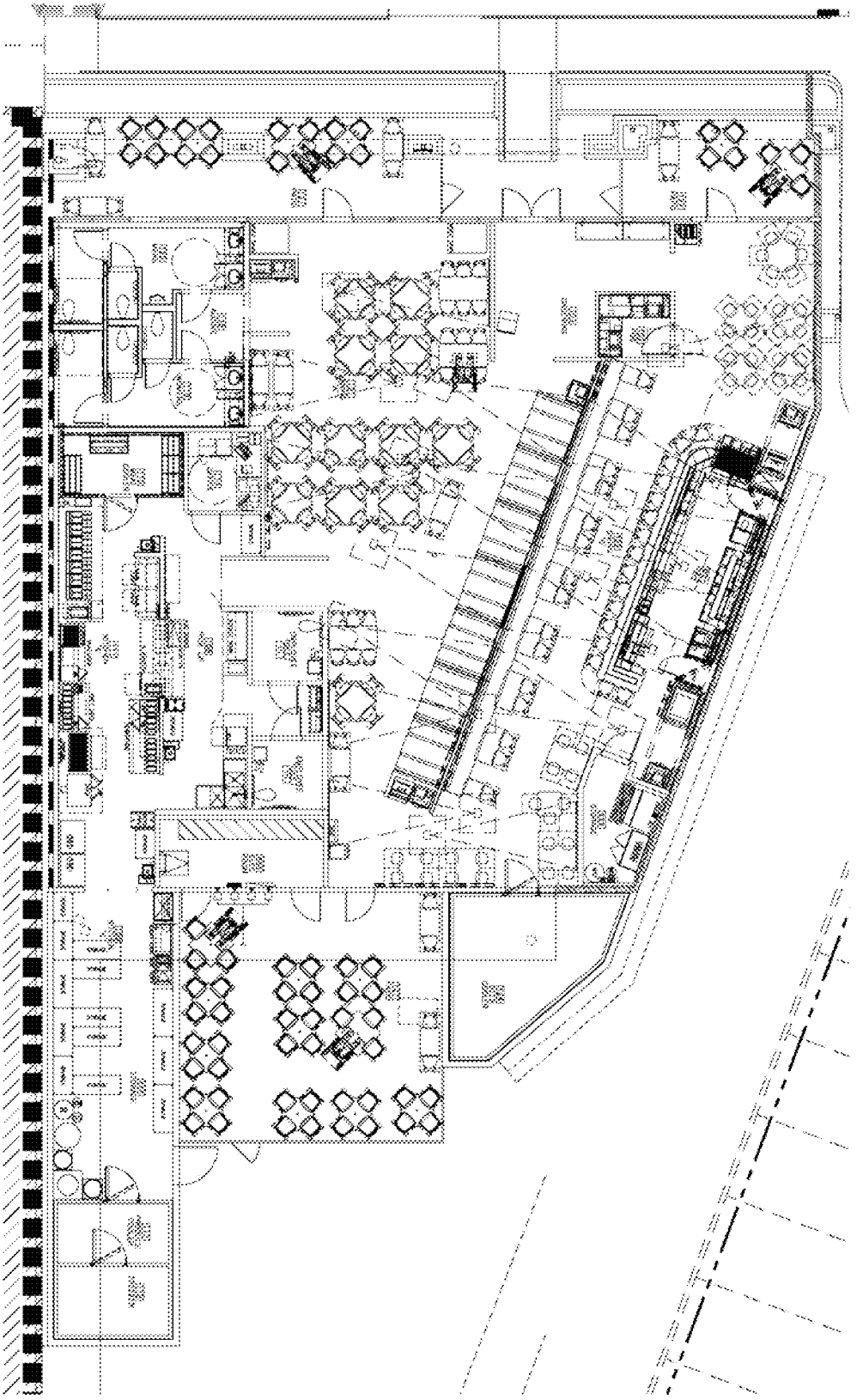

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ATTACHMENT NO. 2
ANNUAL COMPLIANCE REPORT
YEAR ENDING ____

Activity:	**Moreno Valley Business Incentive Program**
Per Agreement Between:	City of Moreno Valley and Pacific Wings, Inc.
Agreement Originating:	**2010 (CDBG-R Program Year 2010/11)**
Current Date (mo/day/yr):	
Contact Person Name:	**Title:**
Contact Mailing Address:	
	Contact E-mail:
Contact Telephone:	**Contact Fax:**
Funding Source(s):	☒ **CDBG** ☐ **HOME** ☐ **RDA** ☐ **HOME & RDA** ☒ **Other - CDBG-R**
Assistance Extended:	Year 1: $107,841 (CDBG-R)

Per Federal laws as agreed to in the Participation Agreement referenced above, the following data must be reported annually to the Dept. of Housing and Urban Development (HUD) via the City of Moreno Valley's Economic Development Department. Please complete and return to the City by requested date.

Required Reporting Data	
No. of jobs to created or retained **- Minimum 4 full time jobs or full time equivalents**	_____
Percentage of the jobs to be created or made available to Low-to-Moderate (L/M) persons	**100%**
No. of Low-to-Moderate (L/M) jobs actually created or retained over reporting period	_____

LOW / MODERATE INCOME: The income table below is intended for use by the Participating Business when qualifying an applicant / employee as low-to-moderate (L/M) income. For each applicant's / employee's family size, indicate if previous income was more than or less than the amount listed. Insert the word 'Less or 'More' as applicable in the Low/Moderate Income column below.

Annual Income Level	Number of Persons In Household/Family							
	1	2	3	4	5	6	7	8
2009 Low -to-Moderate Incomes	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350

(An updated table shall be provided annually as new income limits are issued each year by the Department of Housing and Urban Development (HUD)

	Employee Name (Last name, First Initial)	Job type FT or p/t (enter # hrs)	Job Category* Select category from below	Paid health Benefits (Y or N)	Low/Moderate Income Was previous income more or less than amount listed above?	Race / Ethnicity of employee**	Previously unemployed (Y or N)
EX	EXAMPLE EMPLOYEE: JOHN SMITH	FT	6 (Craft Workers)	Y	Less	1 (White)	N
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

***JOB CATEGORIES (Insert appropriate number in Job Category column)**:

1)	Officials and Managers	4)	Sales	7)	Operatives (semi-skilled)
2)	Professional	5)	Office and Clerical	8)	Laborers (unskilled)
3)	Technicians	6)	Craft Workers (skilled)	9)	Service Workers

****RACE CATEGORIES (Insert appropriate number in Race Category column)**:

ND) Not Disclosed	3) Asian	6) American Indian / Alaskan Native & White	9) American Indian / Alaskan Native & Black/African American
1) White	4) American Indian/ Alaskan Native	7) Asian & White	10) Other Multi-Racial – Category used for reporting individual responses that are not included in any of the categories listed above
2) Black / African American	5) Native Hawaiian / Other Pacific Islander	8) Black / African American & White	

ATTACHMENT NO. 3

ROLES TO ENSURE LOW-TO-MODERATE INCOME BENEFIT

This is a federally funded Economic Development project. As such, the Office of Housing and Urban Development (HUD) requires that each party to the Agreement agree to undertake certain roles to ensure that the jobs created/retained will benefit low-to-moderate (L/M) income persons.

Actions required by each party are:

The City of Moreno Valley:

- Shall provide a summary of HUD Federal Requirements for CDBG Economic Development activities for informational purposes and as a reference document.
- Shall be available to provide guidance and answer questions to ensure clarity and understanding of HUD's requirements.
- Will specify exactly what needs to be in the reported annually. See Attachment 2.
- Will collect the Compliance Report Form, review the form, and provide written feedback within 30 days of receipt. The City's written response may contain suggestions or list adjustments if necessary to meet the requirements as provided in the Agreement.
- Will identify L/M census tracts (census tracts where 70% of residents are low income) and Enterprise Zones where business may target (or market) their employee search. Maps will be provided.
- Shall define 'reasonable distance' as within 1.5 miles of an applicant's residence for the employer/business to use when determining if L/M applicant has adequate access to transportation to job site.
- Will provide an updated annual income table each year to be used by the business in determining if an individual seeking employment qualifies as low-to-moderate income.

The Business/Employer:

- Shall accept the HUD Federal Requirements for CDBG Economic Development activities and retain a copy for informational and reference purposes.
- Shall seek guidance from City and ask questions as needed in order to ensure clarity and understanding of HUD's requirements.
- Will submit a completed 'Annual Compliance Report Form' each year as required.
- Will implement suggestions and adjustments as recommended by the City via letter within 60 days of receipt of City response letter.
- Refer to map of L/M census tracts and Enterprise Zones when identifying where to conduct marketing of employment opportunities.
- Cooperate with the City of Moreno Valley Employment Resource Center to pre-screen for L/M income applicants. Completion of L/M verification shall be done through the Agency if possible (this includes having applicants complete any self-certification documents).
- Require use a notarized jurat along with L/M self-certification document.
- Provide copies of marketing materials, advertisements, want ads, etc. including publication dates, name of publisher to document job marketing efforts in areas pre-determined to be 'low-to-moderate income'.
- If an applicant falls into the "presumed L/M income" category, this will need to be documented by referencing the census block number or Enterprise Zone of where the applicant resides directly on the application and again within the required reports to the City.

ATTACHMENT NO. 4

SUMMARY OF HUD FEDERAL REQUIREMENTS FOR CDBG ECONOMIC DEVELOPMENT ACTIVITIES

Activity: Moreno Valley Business Incentive Program

Code of Federal Regulation References: 18A ED Technical Assistance. Section 570.203 Section 105 (c) (1) and Section 570.208 (a) (4)

Number of Jobs to be created: For individual economic development projects, CDBG-Department of Housing and Urban Development (HUD) and the City shall require creation of 1 full time equivalent permanent job per every $35,000 in CDBG assistance. In this case, four (4) jobs minimum AND 51% of the jobs the activity creates must be either held by or made available to Low-to-Moderate (L/M) income persons.

Term of Job: Jobs must be formally categorized as permanent. See definition of 'qualifying employee' on page 3 of Agreement. All newly created jobs are also subject to a 'turn over' stipulations.

The Low-to-Moderate (L/M) Income Standards: The following is required to meet the Low-to-Moderate (L/M) income standards.
Fifty-one percent or more of the jobs created must either:
(a) be 'held by' L/M income persons at the time CDBG assistance is provided and/or
(b) for jobs not held by L/M income persons, documentation must prove the job was 'made available' to L/M income person.
(c) for jobs not known to be held by L/M income persons will be turned over to low/moderate income persons within 2 years. This would involve the business to take action to ensure that such a job, upon turnover, will be either taken by or made available to a L/M income person in a manner similar to that pertaining to a newly created job.

The business must maintain sufficient documentation indicating that at least 51 % of the jobs will be 'held by' or 'made available' to L/M income persons.
A job is considered 'held by' the L/M income person if the hired employee is proven to earn a household income not to exceed 120% of the area median income for Riverside County adjusted for the person's family size. An income table providing area median incomes by household size is provided as an attachment to this Agreement.
A job is 'made available' to a L/M person when: (1) no special skills, experience, or education beyond high school is required to fill such a job or the business agrees to hire an unqualified person and provide training, and (2) the assisted business takes actions to ensure that low-to-moderate income persons received "first consideration "for filling the jobs.

Principals involved in 'First Consideration'
(1) The business must use a hiring practice that under usual circumstances would result in over 51% of L/M income persons interviewed for applicable jobs being hired,
(2) the business must seriously consider a sufficient number of low-to-moderate income job applicants to give reasonable opportunity to fill the position with such a person, and
(3) the distance from residence and availability of transportation to the job site must be reasonable before a particular low-to-moderate income person may be considered a serious applicant for the job.

Presumed L/M Income Status
A business may presume a person to be L/M income if the person resides within a census tract (or Block numbering area) that either has:
(a) at least 70% residents who are L/M income persons or
(b) meets the criteria related to enterprise zones.

Enterprise Zones
In order to qualify as an Enterprise Zone, the census tract or block numbering area must either: (a) be part of a federally designated Enterprise Zone or Enterprise Community or (b) meet 100% of the following:

- have a poverty rate of 20% as determined by the most recent decennial census information,
- not include any portion of a central business district, as the term is used in the most recent Census of Retail Trade, unless the tract/BNA has a poverty rate of at least 30% as determined by the most recent decennial census information,
- evidence pervasive poverty and general distress by meeting at least one of the following standards:
  All block groups in the census tracts have poverty rates of 20%; the specific activity being undertaken is located in a block group that has a poverty rate of at least 20% or upon the request of the business; HUD determines that the census tract/BNA exhibits other objectively determinable signs of general distress such as high incidence of crime, narcotics use, homelessness or substantial population decline.

Policies in Counting Jobs
It will be necessary to determining the percentage of jobs that benefit L/M income persons. When preparing to calculate this number, the following policies apply:
(a) Convert part time jobs to full time equivalents (i.e., a job that will require only working half time will count as half a job),
(b) Only permanent jobs may be counted, not temporary
(c) Seasonal jobs are considered to be permanent for CDBG purposes only if the season is long enough for the job to be considered as the employees principal occupation
(d) All permanent jobs created or retained in this project must be counted even if the project has multiple funding sources of funds; and
(e) Jobs indirectly created or retained by an assisted activity may not be counted.

Documenting Income
Documenting that a particular applicant/employee family income was L/M income may include any of the following:

- Evidence that the employee/applicant was a referral from a state, county, or local employment agency or other entity that has agreed to refer individuals whom they have determined to be L/M income based on HUD's Federal criteria. These entities must maintain records showing the basis upon which they determined that the person was L/M income, which they agree to make available for grantee or Federal inspection.

  A written certification signed and dated by the employee/applicant indicating his/her family size and total income as necessary to determine whether the person is a member of a L/M income family at the time the certification is made. The certification may either show the actual size and income of the family or contain a statement that the annualized family income is below the Section 8 low-income limit for the applicable family size. The form must include a statement that the person making the certification is aware that the information being provided is subject to verification by the local or Federal government.

- Evidence that the employee/applicant has qualified for assistance under another program with income qualification criteria at least as restrictive as those used by this program (e.g. referrals from Public Housing or welfare Agency). The Joint Training Partnership Act (JTPA) Program has income standards that are acceptable for this purpose, except for referrals under the JTPA Title III program for dislocated workers.

- Evidence that the person may be presumed to be L/M income. See definitions.

Record Maintenance
Program records will document jobs actually created and retained, whether the job was 'held by,' 'taken by,' or 'made available' to L/M income person, and the full-time equivalency status of each job.

Records in respect to jobs created and 'held by' must show:
A listing by job title of the specific job to be created, a listing by job title of the job filled, the name and income status of the person who filled each position, and the full time equivalency status of the jobs.

Where a job was not originally taken by a L/M income person but the business nevertheless wants credit based on the job being 'made available' to L/M income person, the record must show: The title and description of the job 'made available', and the full time equivalent status of the job at the time, the prerequisites for the job, special skills or education required for the job, if any, and the business commitment to provide needed training for such jobs (and the training that the business provided to the L/M income person hired) and how 'first consideration' was given to the L/M income person for the job such as the name of the person(s) interviewed for the job and the date of the interview and the income status of the person interviewed.

Records in respect to jobs retained and 'held by' must show:
A listing by job title of the permanent job retained, those jobs known to be held by L/M income persons at the time CDBG assistance was provided and the full time equivalency status of the jobs, and information on the family size and annual income of each such L/M person.

Records in respect to jobs retained and 'turned over' must show:
Identification of any of the retained jobs projected to become available to L/M income persons through turn over within two years of the time CDBG assistance is provided, the basis upon which the job was determined to be likely to turn over within two years following the CDBG assistance, the date the job actually turned over, the name and income status of the person who filled the vacancy, if the person who took the job was not L/M income but the claim is that the job was nevertheless made available to L/M income person, records equivalent to those described above to substantiate the 'available to' claim and information on the family size and annual income of each such L/M income person hired.

For more information or clarification regarding the requirements for a specific CDBG Economic Development Activity, contact the CDBG administrators in the Economic Development Department of the City of Moreno Valley.

Economic Development Dept.
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, Ca 92552-0805

Phone 951-413-3450
Fax: 951-413-3459

E-mail: np@moval.org
Website:www.moval.org

ATTACHMENT NO. 5

OPERATOR CERTIFICATE

(Operator Letterhead)
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: City Manager

With respect to that certain Participation Agreement (the "Agreement") by Pacific Wings, Inc., a California corporation (the "Operator") and the City of Moreno Valley, a municipal corporation (the "City") dated as of July 13, 2010, the undersigned, on behalf of the Operator, hereby certify to City that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the City, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Fee Condition; the Continuous Operation Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to the Designated Site, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation.

8. Operator remakes to City each and every representation and/or warranty made to City under the Agreement.

9. A report setting forth in detail the recruitment efforts of Operator and the numbers of jobs, both full time and part time, at the Designated Site by Operator are attached as Exhibit A and as provided in Attachment No. 2 to the Agreement hereto, including an enumeration of the jobs held by members of Targeted Income Groups.

10. As of the submittal of this Operator Certificate, the Operator has satisfied the Conditions Precedent to Payment.

Operator executes this Operator Certificate for the benefit and protection of the City with full knowledge that the City is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

PACIFIC WINGS, a California Corporation

Dated: _____

_____
Its: _____

Exhibit A to Attachment No. 5

Report for the Annual Period ending as of _____, 20__:

Total Full Time Employees employed at Designated Site: _____
Total number of Fulltime Employees from Targeted Income Groups: _____

Other employees at Designated Site: _____
Other employees that are from Targeted Income Groups: _____

Total Composite Full Time Employees: _____
Composite Full Time Employees from Targeted Income Groups: _____

Cumulative total, Qualifying Employees: _____
Qualifying Employees from Targeted Income Groups: _____

Supporting data: [to be attached and submitted with Operator Certificate]

ATTACHMENT NO. 6

SCHEDULE OF PERFORMANCE

For the purposes of this Schedule of Performance, the "Date of Agreement" is July 13, 2010. The City Manager may extend by not more than one hundred twenty (120) days the time under this Schedule of Performance by which any obligation of the Operator shall be performed.

1.	**Operator Establishes Location at the Designated Site.** The Operator acquires title to or enters into a lease with respect to the Designated Site, along with executed and binding agreement with the Authorizing Business Entity for operation of a Conforming Facility and provides proof thereof to the City.	On or before August 2, 2010.
2.	**Operator provides improvements and upgrade documentation.** The Operator provides City with satisfactory documentation of equipment, restaurant improvements and utility needs for facility improvements sufficient for the site to constitute a Conforming Facility (including approval by the Authorizing Business Entity).	On or before February 1, 2011.
3.	**Operator opens at Designated Site.** The Operator opens and provides proof thereof to the City.	On or before February 15, 2011.
4.	**The Operator Satisfies Conditions Precedent to Payment.** The Operator satisfies the Conditions Precedent to Payment and provides proof thereof to the City.	On or before March 17, 2011.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Electrical and rough grading associated with the installation of the Redlands sewer improvements improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required electrical and rough grading associated with the installation of the Redlands sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and bond securities for the electrical and rough grading associated with the Redlands sewer improvements. The developer has provided City staff with a separate bond for each of the two tasks noted within the agreement and agrees to perform and complete all of the required electrical installation and rough grading associated with the installation of the Redlands sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading associated with the Redlands sewer improvements are not completed within said timeframe. The backbone electrical and rough grading associated with the Redlands sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of electrical conduit, wires, transformers and/or other electrical system appurtenances as well as rough grading associated with the installation of the Redlands sewer main and manholes.

Accompanying the agreement is a Faithful Performance Bond in the amount of $515,000 and a Material & Labor Bond in the amount of $257,500 for the electrical and a Faithful Performance Bond in the amount of $273,000 and a Material & Labor Bond in the amount of $136,500 for the rough grading submitted by Safeco Insurance Company of America. Given the present economy as well as the size and uniqueness of the project, allowing the use of multiple partial reductions seems appropriate.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A-1" - Vicinity Map for Limits of Electrical Work
Exhibit "A-2" - Vicinity Map for Limits of Rough Grading Work
Exhibit "B" - Agreement for Redlands Electrical and Rough Grading associated with the installation of the Redlands Sewer Improvements
Exhibit "C" - Faithful Performance Bond for Electrical Work
Exhibit "D" - Material and Labor Bond for Electrical Work
Exhibit "E" - Faithful Performance Bond for Rough Grading Work
Exhibit "F" - Material and Labor Bond for Rough Grading Work

Prepared By
Mark W. Sambito, P.E. .
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Electrical PIA.doc

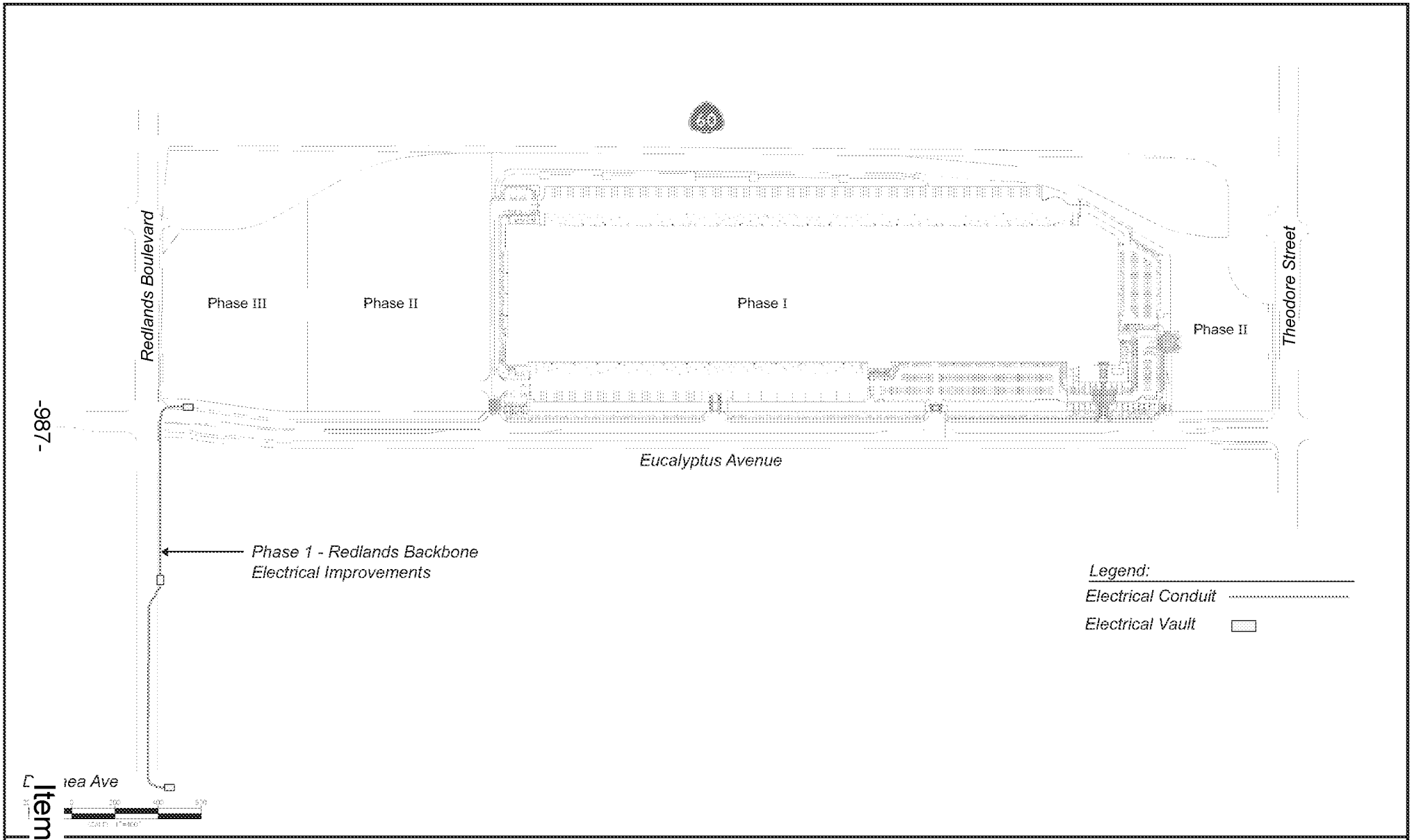

July 1, 2010

Redlands - Electrical Conduit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Hig irview Corporate Park\Legals\PIA Exhibits\Redlands-Electrical

Exhibit "A-1"

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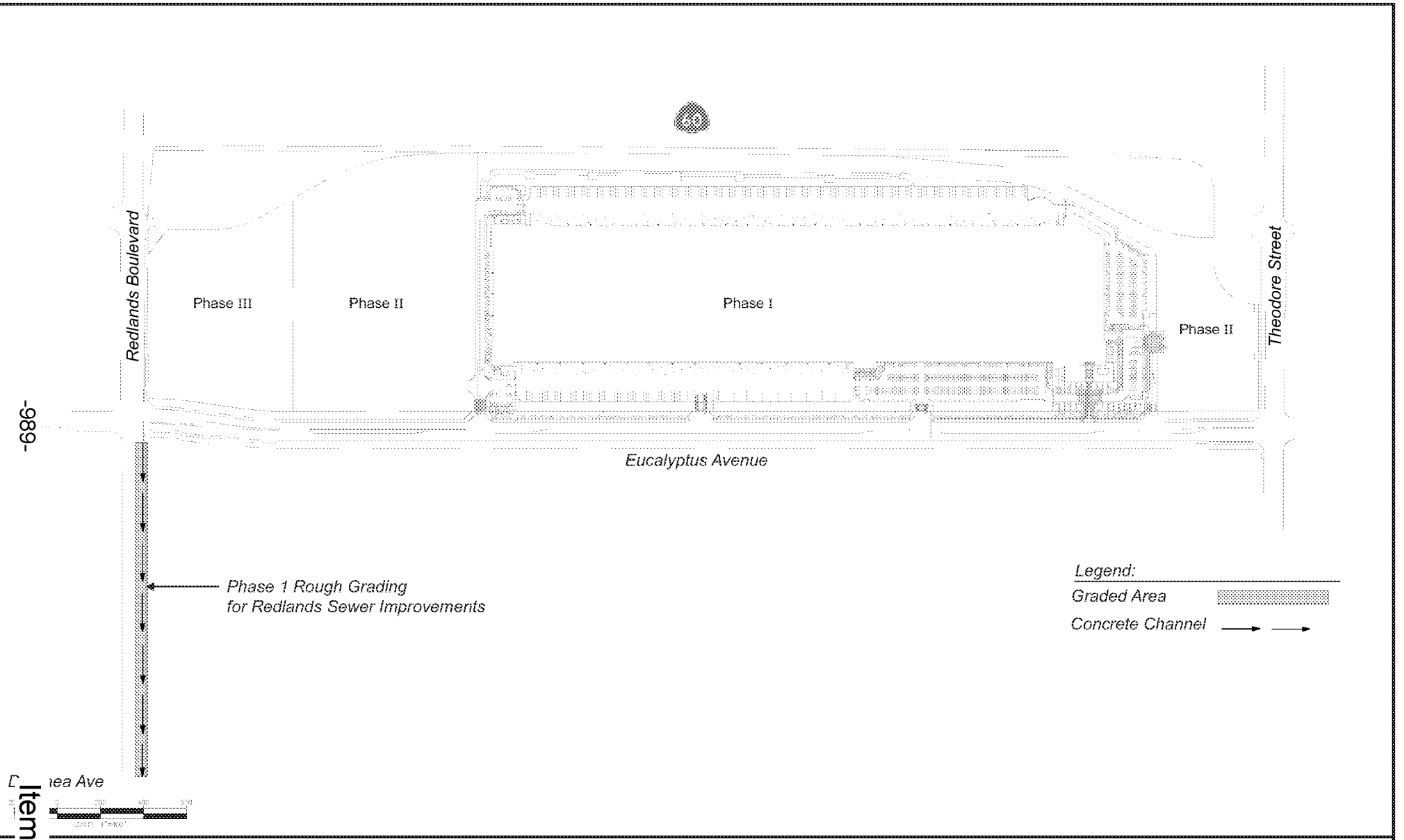

July 1, 2010

Redlands - Grading and Drainage

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

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Exhibit "A-2"

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MV00067927

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR A PORTION OF PHASE 1PUBLIC IMPROVEMENTS FOR REDLANDS BACKBONE ELECTRICAL IMPROVEMENTS AND ROUGH GRADING ASSOCIATED WITH REDLANDS SEWER PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code.

Redlands Boulevard – Phase I Backbone Electrical Improvement Plans (A-1)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-1 and location map labeled Exhibit B-1 attached hereto, is the sum of FIVE HUNDRED FIFTEEN THOUSAND AND NO/100 Dollars (*****$515,000.00 *****).

Redlands Boulevard – Phase I Rough Grading Associated with Installation of the Redlands Sewer Improvements (A-2)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-2 and location map labeled Exhibit B-2 attached hereto, is the sum of TWO HUNDRED SEVENTY-THREE THOUSAND AND NO/100 Dollars (*****$273,000.00 *****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performan

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A-1 and A-2) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President & Chief Executive Officer
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Redlands Electrical and Grading Improvements.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 7/6/10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/her~~/their~~ authorized capacity(~~ies~~), and that by his/her~~/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013
MSC1

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREEMENT PH. I. REDLANDS BACKBONE ELEC

Document Date: NONE AT THIS TIME Number of Pages: 14

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: IDDO BENZEEVI	Signer's Name: _____
☑ Corporate Officer — Title(s): PRES. & CEO	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

DATE: 06/22/10

PROJECT: Rough Grade for Installation of Sewer in Redlands
Rough Grading

PREPARED BY: Patrick Revere

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	5,000.00	5,000
Excavate Channel	290	CY	1.50	435
Export	0	CY	5.00	0
Import	4670	CY	5.00	23,350
			ROUGH GRADING SUBTOTAL:	28,785

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

ROUGH GRADING (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	0	Ton	60.00	0
Desilting Basin w/ Riser	0	E.A.	5,500.00	0
Fiber Roll	0	L.F.	2.20	0
Stabilized Construction Entrance	0	E.A.	3,000.00	0
Gravel Bags	1200	E.A.	1.90	2,280
Bonded Fiber Matrix Mulch	4	AC	2,000.00	7,400
			EROSION CONTROL SUBTOTAL:	9,680

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer In Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	9	L.F.	160.00	1,440
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	126	L.F.	190.00	23,940
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
2' X 4' Reinforced Concrete Box	33	L.F.	150.00	4,950
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	1	EA.	7200.00	7,200
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	3	EA.	5500.00	16,500

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	1	EA.	4000.00	4,000
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	12385	S.F.	10.00	123,850
"V" Ditch Transition	50	S.F.	10	500
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000.00	0
			SUBTOTAL:	188,360

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w 5/8" meter	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
Adjust Water Meter Box	0		235.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
	0		0.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
	0			0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	Rough Grade for Installation of Sewer in Redlands	DATE:	06/22/10
		PREPARED BY:	Patrick Revere

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
ROUGH GRADING	:	$28,785
EROSION CONTROL	:	$9,680
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$188,380
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$0
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$226,845
+20% CONTINGENCY:		$45,369
GRAND TOTAL:		$272,214

BOND AMOUNT: $273,000

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-12
CIVIL
STATE OF CALIFORNIA

Highland Fairview Corporate Park
Preliminary Dry Utility
Engineer's Estimate
Redlands Blvd

TRENCHING	QTY		UNIT COST	TOTAL
Provide and Install:				
Trench - Electric Only (Includes all saw cut, removals, shading, backfill, and surface restoration)	2,878	ft	$ 32.00	$ 92,096.00
Concrete Encasement (Full)	2,878	ft	$ 16.00	$ 46,048.00
TRENCHING SUB-TOTAL				$ 138,144.00

ELECTRIC CONDUIT & SUBSTRUCTURES	QTY		UNIT COST	TOTAL
Provide and Install:				
Transformer Pad RPM 48"x54"	1	ea	$ 1,600.00	$ 1,600.00
6'X7'X12' Vault (w 12" grade ring)	3	ea	$ 18,450.00	$ 55,350.00
5'X10'X7' PME	1	ea	$ 10,200.00	$ 10,200.00
Capacitor Pad 66" x 72"	1	ea	$ 1,600.00	$ 1,600.00
Grounding/Racking and Miscellaneous Materials	6	ea	$ 625.00	$ 3,750.00
1-5" Conduit DB100	12,192	ft	$ 3.50	$ 42,672.00
1-4" Conduit DB100	3,041	ft	$ 3.15	$ 9,579.15
1-3" Conduit DB100	474	ft	$ 2.80	$ 1,327.20
1-2" Conduit DB100	44	ft	$ 2.35	$ 103.40
1-1 1/2" Conduit DB100	134	ft	$ 1.95	$ 261.30
SUBTOTAL - ELECTRIC CONDUIT & SUBSTRUCTURES				$ 126,443.05

ELECTRIC CABLING (12KV DISTRIBUTION)	QTY		UNIT COST	TOTAL
Provide and Install:				
PME-10 Switch	1	ea	$ 19,000.00	$ 19,000.00
600AMP Dead End w/Test Point	9	ea	$ 430.00	$ 3,870.00
600AMP TEE'S (Elbow w/ 200AMP Tap)	9	ea	$ 690.00	$ 6,210.00
600A 2W Splice, 15KV w/200A Tap	6	ea	$ 690.00	$ 4,140.00
600A 2W Splice, 15KV	3	ea	$ 570.00	$ 1,710.00
3-1/C 1000 XLP-PEJ, 15KV, 220MIL	7,241	ft	$ 28.00	$ 202,748.00
SUBTOTAL - ELECTRIC CABLE (12KV DISTRIBUTION)				$ 237,678.00
Total Estimate				$ 502,265.05

The City of Moreno Valley and Highland Fairview have mutually agreed to use $515,000 as an estimate for bonding purposes.

REGISTERED PROFESSIONAL ENGINEER
PATRICE DALE NADEAU
No. 18997
Exp. 12-31-10
CIVIL
STATE OF CALIFORNIA

7/1/10
Butsko Utility Design, Inc.
EP

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MV00067941

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 515,000	Project No.	PA07-0090
Bond No.	6711630	Premium	$9,270
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 515,000 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** FIVE HUNDRED FIFTEEN THOUSAND & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:

DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 257,500

Bond No. 6711630

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$257,500.00***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** TWO HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By: CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 273,000	Project No.	PA07-0090
Bond No.	6711631	Premium	$4,914
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,

REDLANDS ROUGH GRADING

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 273,000 **.00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** TWO HUNDRED SEVENTY-THREE THOUSAND & NO/100 DOLLARS.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "E"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 136,500

Bond No. 6711631

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ROUGH GRADING

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$136,500.00 ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** ONE HUNDRED THIRTY-SIX THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "F"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds in the form attached hereto contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

On June 8, 2010, the City Council for the City of Moreno Valley approved HF Logistics – SKX T1, LLC agreement and cash security in the amounts of $6,813,595 for Faithful Performance and $3,406,797.50 for Material and Labor.

HF Logistics – SKX T1, LLC is exercising their right to substitute the type of security with the approval of the City Attorney and the City Engineer, and are providing substitute agreement and bonds for the Line 'F' storm drain improvements.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the cash security for Faithful Performance and Material and Labor previously submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

HF Logistics – SKX T1, LLC has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if

the required street improvements are not completed within said timeframe. The public storm drain improvements include but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD). Accompanying the agreement are a Faithful Performance Bond in the amount of $6,813,595 and a Material and Labor Bond in the amount of $3,406,797.50 issued by Western Insurance Company.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Mark W. Sambito, P.E..
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Security Substitution for Line F.doc

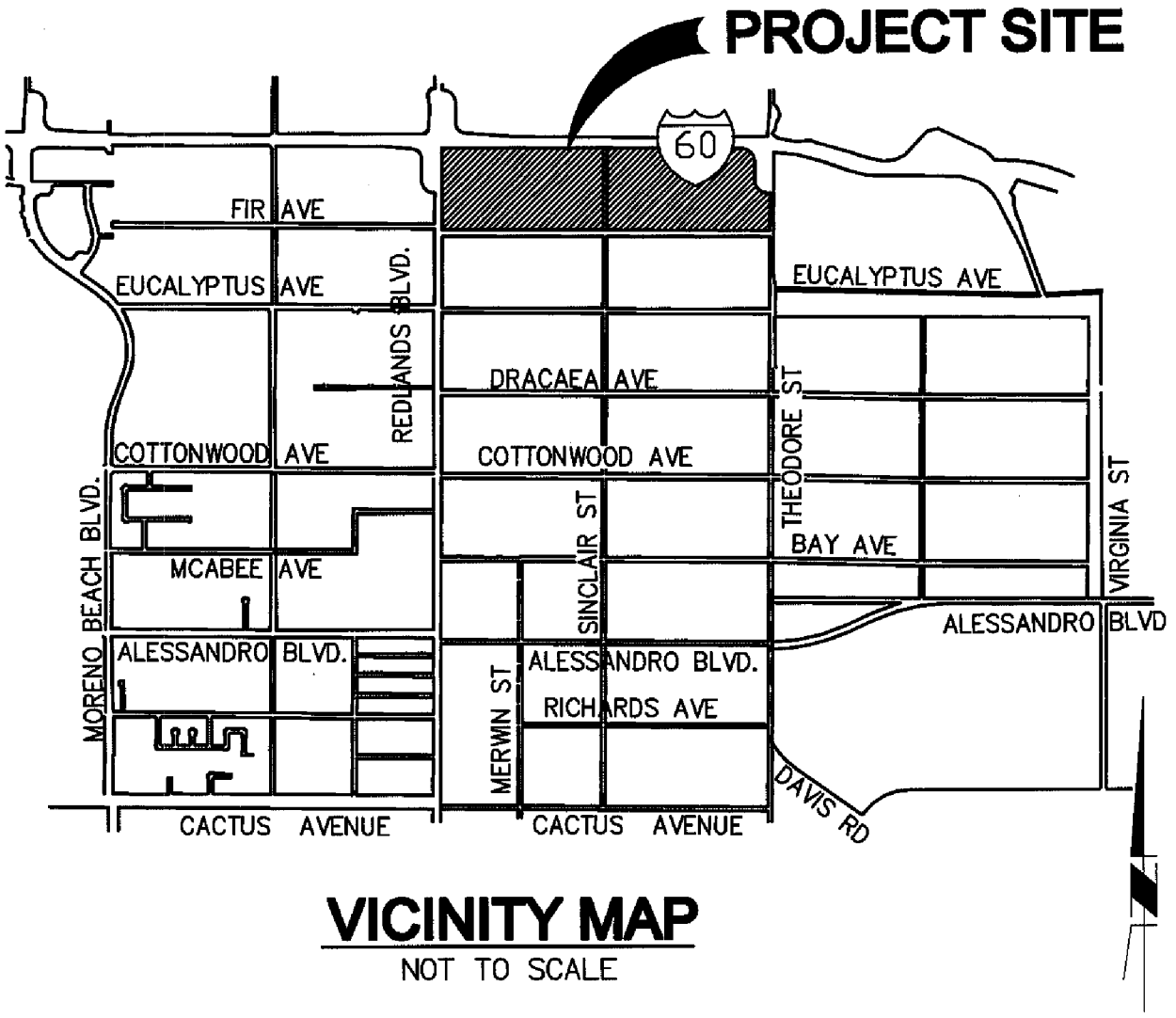

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00067955

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Line F Storm Drain Improvements HF071310.doc

WARREN D. WILLIAMS
General Manager-Chief Engineer

RECEIVED
MAY 11 2010
PW/LAND DEVELOPMENT

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
131064

RECEIVED
MAY 11 2010
PW/LAND DEVELOPMENT

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

May 3, 2010

Mr. Chris A. Vogt
Public Works Director/City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, CA 92552

Dear Mr. Vogt:

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

Please find below a detailed construction cost estimate of the drainage facilities associated with the above-referenced project for which the City and District assume inspection and maintenance responsibility.

The estimated cost of these facilities is $6,813,595.00 and shall be the basis upon which the District shall collect field inspection fees per the provisions of Section 17.1 of the County of Riverside Subdivision Ordinance 460 and Fee Ordinance 671.6. The developer/engineer shall pay the appropriate inspection fee to the District prior to scheduling a pre-construction meeting.

Bonding Estimate – Moreno MDP Line F, D, D-5 and D-6

MW 5/20/10

Item	Unit	City of Moreno Valley	Flood Control District Quantity	Unit Cost	City of Moreno Valley	Flood Control District Facilities
24-inch RCP	LF	2,611	0	$98	$255,878	$ 0
30-inch RCP	LF	200	0	$114	22,800	0
36-inch RCP	LF	1,890	0	$131	247,590	0
42-inch RCP	LF	0	1493	$204	0	304,572
48-inch RCP	LF	17	890	$235	3,995	209,150
72-inch RCP	LF	0	372	$376	0	139,872
Inlet type IX	EA	6	0	$500	3,000	0
Caltrans Type D93A Inlet	EA	4	0	$500	2,000	0
Local Depression	EA	8		$2,500	20,000	0
Catch Basin W=7'	EA	7		$3,000	21,000	0
Manhole No. 1	EA	11		$5,000	55,000	0
Manhole No. 2	EA	0	9	$5,600	0	50,400
Manhole No. 4	EA	0	8	$6,500	0	52,000
Manhole Safety Ledge	EA	0	8	$2,000	0	16,000
J.S. No. 1	EA	0	4	$6,500	0	26,000

Mr. Chris Vogt: -2- May 3, 2010

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

J.S. No. 2	EA	0	1	$6,500	0	6,500
J.S. No. 3	EA	2	0	$5,450	10,900	0
J. S. No. 4	EA	2	3	$5,000	10,000	15,000
M.H No. 1	EA	1		$4,350	4,350	0
Bulkhead	CY	8	0	$150	1,200	0
Pipe bulkhead	EA	0	0	$200	0	0
RCB	CY	0	3,765	$591	0	2,225,115
Wingwall	CY	0	55	$590	0	32,450
Compacted Fill	CY	0	60,105	$3	0	195,341
Riprap	CY	0	3,547	$100	0	354,700
Head/End/Wing Walls	EA	20		$409	8,180	0
RCB Excavation	CY	0	79,255	$16	0	1,283,931
Structural Backfill	CY	0	6,833	$10	0	71,063
Pipe Swing Gate	EA	0	1	$1,000	0	1,000
Class 2 Base 3" Thick	SF	0	38,175	$1	0	26,723
Fencing	LF	0	88	$16	0	1,408
Cutoff Wall	LF	0	65	$14	0	878
				Subtotal	$665,893	$5,012,102
				20% Contingencies	$133,179	$1,002,420
				Total Cost	$799,072	$6,014,523
				Inspection Fee = 3% of Bond Cost	$23,972	$180,436
				Total fees due	$23,972	$180,436

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

5/20/10

c: Highland Fairview
Attn: Brian Hixson
RBF Consulting
Attn: Patrick Revere
ec: Henry Olivo
Art Diaz
Sharon Johnson

MD:blj

REGISTERED PROFESSIONAL ENGINEER
MEKBIB DEGAGA
NO. 52203
Exp. 12-31-2010
CIVIL
STATE OF CALIFORNIA

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MV00067961

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements $ 6,813,595

Project No. PA07-0090

Bond No. 6711629

Premium $122,645

Surety SAFECO INSURANCE COMPANY OF AMERICA

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
LINE F STORM DRAIN IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 6,813,595 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY-FIVE & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 3,046,797.50

Project No. PA07-0090

Bond No. 6711629

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$ ** ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** THREE MILLION FOUR HUNDRED SIX THOUSAND SEVEN HUNDRED NINETY-SEVEN & 50/100 DOLLARS ($3,406,797.50)

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By:

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

MV00067965

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MV00067967

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 13, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street
Teleconference: 514 Madison St., Brandenburg, Kentucky 40108

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor
Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Family FunFest 2010 Moreno Valley Idol Competition Winners

2. Presentation of 4th of July Parade Awards

3. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JULY 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Gibson, Breakthrough Church of God in Christ

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 16 - July 6, 2010.

A.4 PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

Resolution No. 2010-66

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Loraine Terrace

A.5 RESOLUTION RESCINDING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AND AUTHORIZING THE SUBMITTAL OF APPLICATION FOR THE USED OIL PAYMENT PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) (Report of: Public Works Department)

Recommendation:

Adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources

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Recycling and Recovery (CalRecycle).

Resolution No. 2010-67

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California Authorizing Application for the Used Oil Grant Payment Program Funds Under the Department of Resources Recycling and Recovery (CalRecycle)

A.6 APPROVAL OF CHECK REGISTER FOR MAY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

Resolution No. 2010-68

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2010

A.7 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, and to subsequently assign said Agreement to the Community Redevelopment Agency.

A.8 SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660;

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.; and

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A.9 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221-2 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221); and

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company.

A.10 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to

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the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

A.11 AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division; and

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.12 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221 (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard;

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc.;

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

A.13 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

A.14 AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET, PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728 (Report of: Public Works Department)

Recommendation:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728);

2. Authorize the City Manager to execute the Change Orders for FS Construction;

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements;

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code; and

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

A.15 ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING - SEPTEMBER 15-17, 2010 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2010-69, Appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

Resolution No. 2010-69

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2010 Annual Conference

A.16 TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: ZAPER, CORP., RIVERSIDE, CA 92504 (Report of: Public Works Department)

Recommendation:

Authorize the Public Works Director/City Engineer to execute the

exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

A.17 PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET - DEVELOPER: VALLEY OAK, LP, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.18 APPROVAL OF RESOLUTION AND FIRST AMENDMENT TO THE IMPLEMENTATION AGREEMENT (THE AB 811 PROGRAM) WITH WESTERN RIVERSIDE COUNTY COUNCIL OF GOVERNMENTS (WRCOG) TO EXPAND THE PROGRAM TO PERMIT FUNDING FOR WATER CONSERVATION IMPROVEMENTS (Report of: Community Development Department)

Recommendation:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811; and

2. Adopt Resolution 2010-70, consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water

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efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

Resolution No. 2010-70

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment Modifying Its Consent to the Inclusion of Properties Within the City's Incorporated Area in the Western Riverside Council of Governments (WRCOG) Contractual Assessment Program to Consent to the Addition of Water Efficiency Improvements to the Improvements Authorized to Be Financed Through Such Program

A.19 PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF IRONWOOD AVENUE BETWEEN KITCHING STREET AND TUSCOLA STREET - DEVELOPER: BEAZER HOMES HOLDING CORP., BREA, CA 92821 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.20 RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO CONTINUE TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP" (Report of: Public Works Department)

Recommendation:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency

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Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

Resolution No. 2010–71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City to Participate in the "Community Energy Partnership", an Energy Efficiency Program Among Southern California Cities, with the Energy Coalition, a California Non-Profit Corporation, Southern California Edison and Southern California Gas Company

A.21 NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS - PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

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2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

A.23 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM C.7) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

A.24 FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS (Report of: Economic Development Department)

Recommendation:

1. Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive;

2. Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV; and

3. Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

A.25 PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE - DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE, CA 92270 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043; and

Resolution No. 2010-72

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Alessandro Boulevard, South Side of Alessandro Boulevard, West of Moreno Beach Drive

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA

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DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

Resolution No. CSD 2010-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2010/11

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM A.7) (Report of: Public Works Department)

Recommendation:

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City;

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2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

C.4 APPROVE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from

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Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

C.5 APPROVE THE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

C.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.22) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the

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Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

C.7 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM A.23) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing: direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

E.2 A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Negative Declaration for applications for PA06-0185

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(General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

Resolution No 2010-73

A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA06-0185) to change the Land Use Designation from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

3. INTRODUCE Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A; and

Ordinance No. 813

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA06-0184 (Zone Change) to change the Land Use District for approximately 40 acres from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

4. APPROVE Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No 2010-74

A Resolution of the City Council of the City of Moreno Valley, California, approving Tentative Parcel Map 34748 (PA06-0183) and Variance (P09-102). The project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026)

E.3 PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

Recommendation: That the RDA:

1. Conduct a public hearing for the review of the 2010-2015 Implementation Plan; and

2. Approve the proposed 2010-2015 Implementation Plan.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation: That the RDA:

Approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

G.2 AMENDMENT TO CHAPTER 11.40 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, ORDINANCE NO. 741 AND ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center; and

Ordinance No. 814

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An Ordinance of the City of Moreno Valley, California, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

Recommendation: That the CSD:

Introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

Ordinance No. CSD 54

An Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

G.3 PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC. (Report of: Economic Development Department)

Recommendation: That the City Council:
Approve a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

G.4 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management

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Division;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

G.5 PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division;

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

G.6 AMENDMENT TO THE JUNE 22, 2010, MOTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HIGHLAND FAIRVIEW FOR ISSUANCE OF A LIMITED PURPOSE BUILDING PERMIT (No written material on this item) (Report of: Council Members Stewart and Molina)

G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

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a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 22, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION – Council Member Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

Mayor Flickinger announced that the revised ordinance (Item A13) was distributed to the City Council and copies are available for the public, and that Item C4 (Notice of Completion) should be listed as Item B5.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM B.5) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:
Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of:

Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

   a. Petaluma Avenue between Napa Valley and Morrison Street;
   b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
   c. Lakeport Drive at Cottonwood Avenue;

d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for

CSD Zone A for twelve months, and;
b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00

a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works

Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

President Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Board Member Richard A. Stewart, s/Vice President Robin N. Hastings
Approved by a 5–0 vote.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported the following:
1. Moreno Valley Physicians Group (about 102 physicians practicing at the Moreno Valley Community Hospital) has joined March HealthCare and is partnering with other medical groups, including Riverside Medical Clinic and St. Bernardine Hospital - glad that Moreno Valley doctors will be close to their patients
2. Fresh & Easy Neighborhood Market grocery chain is buying both their supporting businesses, Wild Rocket Foods and 2 Sisters Food Group, providing fresh vegetables, produce and meat, to support expansion of its facility

Council Member Stewart announced that the Public Improvements Agreement and Security for the Highland Fairview Skechers off-side sewer improvements on Redlands Boulevard came to the attention of the Council after posting of the agenda, and there is a need to take action.

The item requires a two-thirds vote to be placed on the agenda.

Motion to add the item to the agenda by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Motion failed by a 3-2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Bonnie Flickinger opposed.

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

Mayor Flickinger opened the agenda item for public comments, which were received from Iddo Benzeevi, Susan Gilchrist, Kenneth Bley (representing Highland Fairview), Pete Bleckert and Deanna Reeder.

Motion to waive the attorney-client privilege to discuss the risks inherent to this decision (issues discussed with the City Attorney during Closed Session) by m/Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Motion to approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the conditions listed below by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a 3–2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Flickinger opposed.

Approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the following conditions:

1. The covenant is amended to state that it is for the issuance of a limited purpose building permit for commencement of construction of the foundation and slab and the poring of wall panels only, which

permit shall automatically expire on October 20, 2010, if the final parcel map is not recorded prior to that date;

2. That Highland Fairview agrees in writing in the covenant or other recordable agreement to the following terms and conditions prior to issuance of the limited purpose building permit:

   a. The parcels which are the subject matter of the covenant be owned by the same entity,

   b. Separate foundation, slab and wall panel building plans be submitted and approved,

   c. Compliance with all conditions of approval for the issuance of a building permit except recording of the final map,

   d. Compliance with all requirements for recording the final map except for actual final map approval and recordation, and Public Improvement Agreements and security for same for any public improvements not occurring in the public right-of-way or on public property,

   e. All Public Improvement Agreements for improvements that will be undertaken in the public right-of-way or on public property pursuant to the limited purpose building permit have been executed and the required security has been posted prior to the commencement of actual public improvement construction,

   f. The final lot configuration be shown on the map that is being processed,

   g. The covenant to hold property as one parcel be recorded,

   h. The holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements,

   i. Execution of an encroachment and removal agreement,

   j. The City is only issuing a limited purpose building permit for foundation, slab and the pouring of wall panels only. The erection of any walls is specifically prohibited under this limited permit.

   k. The final parcel map shall be recorded before 12:01 a.m. on October 21, 2010,

l. The limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

m. All construction pursuant to the limited purpose building permit shall cease at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

n. It (Highland Fairview) will be solely responsible for removal of any improvements and restoration of the site to its pre-construction condition if ordered by any court,

o. It and its partners waive any and all recourse against the City which may arise out of this action,

p. Neither the agreement, nor the time for recordation of the final parcel map will be extended beyond October 20, 2010,

q. It will defend and indemnify the City for all judgments, costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab, and pouring of walls, and

r. Any other terms and conditions the City Manager and City Attorney deem legally necessary to implement the agreement and the purposes of this action.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

President Flickinger opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to make the following appointments by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina Approved by a vote of 5-0.

Accessibility Appeals Board
Two (2) terms expiring June 30, 2013
Physically Challenged Representative
Lawrence Baird
Nina Hiers

Arts Commission
One (1) term expiring June 30, 2013
Eric von Mizener

Environmental and Historical Preservation Board
Two (2) terms expiring June 30, 2013
Jan Beyers
Naeem M. Qureshi

Library Commission
One *(1) term expiring June 30, 2013*
Sharon B. Clements

Parks and Recreation Commission
Three (3) terms expiring June 30, 2013
James C. Baker II
Juanita M. Barnes
Virgil Chancy

Recreational Trails Board
Two (2) terms expiring June 30, 2013

Jackie LeSan
Kim M. Nelson

Senior Citizens' Board
Three (3) terms expiring June 30, 2013
Sara W. Anderson
Vonzetta Fielding
Delanna Townsend

Traffic Safety Commission
Two (2) terms expiring June 30, 2013
Miguel Arciniega
Frank D. Pavlik

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed

Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

Chairperson Flickinger opened the agenda item for public comments;

there being none, public comments were closed.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
   Approved by a 5–0 vote.

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

   Approved by a 5–0 vote.

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal

Year 2010-11;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

Approved by a 5–0 vote.

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Ballot measure to prevent state's raid of local funds qualified for the November ballot - encouraged everybody to support it, as about $5 million was taken from the Moreno Valley Redevelopment Agency this year; a lot of improvements could have been done with this money
2) MVTV-3 won a first place award from the regional peer group, the California and Arizona chapter of the national organization. Bob Lorch won first place for "You Spray, You Pay" anti-graffiti removal program, and Rob Roseen won second and third place for "News Center." Commended staff for this successful program
3) Housing prices are up and unemployment for May was down - good news
4) Moreno Valley restaurants reported sales picking up in fall 2009 and remaining solid through 2010
5) The Neighborhood Preservation staff has obligated 84% of the $11.3 million grant funding as opposed to the national average of 52%. The City's partners have acquired $5.3 million worth of single-family homes - 28 homes are being rehabilitated. Moreno Valley may be eligible for additional NSP funding in the near future. Commended Barry Foster and staff for this successful project. It is one of the leaders in the country
6) Youth Opportunity Center - Arbor E&T has entered into a lease of a vacant building on 22275 Alessandro and Grant. When the Center opens in the fall, it will employ six people and serve 150 youth in the community
7) The library has initiated a summer reading program and added a database online entitled Career Transitions, which will serve as a resource for persons seeking employment
8) Schedules and sign ups for recreational activities are listed on the Moreno Valley Web site
11) Information about 4th of July celebration is posted on the Web site
12) Expressed his appreciation for Steve Elam, Interim Financial & Administrative Services Director, who came out of his retirement to help the City. This is his last council meeting

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Susan Gilchrist
1) Submitted a copy of her letter to Parks & Facilities Manager Steve Kupsak and a copy of Parks and Recreation Commission staff report regarding Equestrian Center; commented on the accuracy of information contained in the report

Deanna Reeder
1) Asked if any council member recused himself/herself from Closed Session Item #5, City Manager Recruitment, while in Closed Session

Pamela Lowell
1) Acknowledged Fire and Police Department staff for the fast response and help during her husband's illness; her husband, an Air Force disabled veteran, passed away this year; very grateful for support and comfort and proud of the City
2) Thanked military veterans for their service; thanks to them we can enjoy many freedoms, including freedom of speech

James Dudley
1) About 12,563 late mail-in primary ballots that may not be counted because of late delivery
2) Maintenance of medians
3) Condition of roads
4) Expressed he is proud of the City

Pete Bleckert
1) Thanked Council for voting for the Highland Fairview project to move forward
2) Equestrian Center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Molina
1) Condolences to Ms. Lowell for her loss
2) Would like to bring back issue of Cottonwood Park on Cottonwood and Indian
3) Thanked staff and residents for being patient with the progress of the project

Council Member Stewart
1) Reported on a lady claiming that her child was killed by a drunk driver in Moreno Valley and asking for money for burial; while he was checking with the Police Chief, the lady disappeared; it's sad that people will do that; warned residents about the fraud and advised to be aware and to question suspicious solicitations

2) Commended staff for the hard work assisting the developer of the Skechers project; the project is moving along; the City is not giving any financial support for it, but by speeding up the process, the City was able to give the proponents a financial advantage
3) Inquired about the requirement of lowering buildings along 60 Freeway by 25 feet
4) Inquired about changing zoning of the property to the south of the project from residential to business park to be a transition/buffer to light industrial along the freeway
5) Regarding budget - glad that we had reserve to reduce deficit and that the Fire, Police and other public safety units were pretty much preserved

Mayor Pro Tem Hastings
1) Attended annual Rally Round the Flag at March Field Air Museum with Council Member Stewart and Mayor Flickinger - it was a very nice event in commemoration of the Flag Day with an outstanding performance of Moreno Valley Master Chorale. Encouraged everyone to attend it next year; the event is open to the public
2) Responded to a speaker's comments regarding 12,000 mail-in ballots that were left at Moreno Valley distribution postal center after deadline and may not be counted - explained the process of routing the mail-in votes; Riverside County is still investigating this issue
3) League of California Cities' initiative to protect local money from the State's taking - asked residents to educate themselves on this and other initiatives
4) Addressed an incident of loose horses in traffic on Redlands Blvd. and horses hit by a car; this is tragic for everyone; asked residents to call Animal Control to report any animal loose or abandoned to prevent animals from being killed
5) Will participate in July 13 meeting from Kentucky via teleconference

Council Member Batey
1) Thanked Ms. Lowell for publicly acknowledging public safety employees who responded to her calls. It's important for the public to know that they have dedicated professionals to handle any situation that may arise. Her husband will be missed
2) Fresh & Easy will be open by the end of the year; a lot of good stuff is happening that will help our economy in the long run
3) Will not be able to attend 4th of July celebration because of work schedule
4) Thanked Mr. Dudley and Ms. Lowell for showing/expressing City pride; it's nice to hear positive
5) Wished everybody a safe 4th of July

Mayor Flickinger
1) Concurred with Mayor Pro Tem Hastings about effectiveness of the Rally Round the Flag event; very entertaining and informative
2) Thanked Steve Elam for the great job; he will be missed
3) Responded to speaker's question - all five Council Members are participating in the City Manager's recruitment
4) No meeting is scheduled for the next Tuesday (5th Tuesday of the month); the next televised Council meeting is scheduled for July 13, which will be the last

meeting before Council recess
5) July 3 & 4 celebration will include a parade in the morning on July 3 and the celebration at the Morrison Park in the afternoon on July 4 - another opportunity to wear red, white and blue

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:06 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*
Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:40 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: July 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 16 – July 6.

Reports on Reimbursable Activities June 16 – July 6		
Council Member	Date	Meeting
William H. Batey II	6/28/10	Bob Herrick's Retirement Luncheon
	6/30/10	Steve Elam's Retirement Luncheon
Bonnie Flickinger	6/16/10	UCR Citizens University Committee
	6/23/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	6/24/10	Western Riverside Council of Governments 19th Annual General Assembly
Robin N. Hastings	6/28/10	Bob Herrick's Retirement Luncheon
Jesse L. Molina	6/28/10	Bob Herrick's Retirement Luncheon
Richard A. Stewart	*6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
	6/28/10	Bob Herrick's Retirement Luncheon
	6/29/10	Undersheriff Valerie Hill's Retirement Dinner
	6/30/10	Steve Elam's Retirement Luncheon

*Reportable reimbursable activity prior to the period of June 16 – July 6.

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The residents along Loraine Terrace have no on-street parking available during the business hours of the adjacent auto repair shops who continually park their customer's vehicles along Loraine Terrace. A public hearing regarding this issue was conducted at the Traffic Safety Commission (TSC) meeting on May 5, 2010. There was no voiced opposition at the public hearing. The commissioners unanimously approved staff's recommendation to implement permit parking on Loraine Terrace.

BACKGROUND

The residents on Loraine Terrace submitted a petition to the Public Works Department requesting implementation of permit parking. The privileged parking will allow them to maintain curbside availability for guests and contractors/maintenance vehicles in front of their residences.

The required petition process demonstrated a super majority, in this case 100%, greatly exceeding the City's requirement of at least 60% of the residents in support of the permit parking.

A field review of the site indicated there is adequate on-site parking available for the commercial uses and on-street parking for customers and employees away from the neighboring residences.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

To help improve the parking situation along Loraine Terrace, staff recommends the installation of permit parking signs along four resident's frontage. This will allow the remaining parking spaces to be utilized by the public and the adjacent auto repair shops.

The frontage along Loraine Terrace is approximately 900 feet. This allows parking for approximately 30 vehicles. The frontage of the four existing residence's along Loraine Terrace is approximately 180 feet. Implementing the permit parking along the residents' frontage will reduce available parking spaces for the public by 5 vehicles (16%). However, this will allow the residents to have uninterrupted access to parking in front of their residents which is located in a unique and congested mixed residential/commercial zone.

Fees for this permit parking zone will be borne by the residents in accordance with City policy.

ALTERNATIVES

1. Approve and adopt proposed Resolution and direct staff to implement permit parking on Loraine Terrace. *This alternative is recommended to improve the condition for the residents.*

2. Do not adopt proposed resolution, thereby not implementing permit parking on Loraine Terrace.

3. Provide staff with further direction.

FISCAL IMPACT

There will be no fiscal impact for implementation of permit parking on Loraine Terrace. The cost of the required signage, parking permit placards, and the annual maintenance associated with the permit parking will be covered by the collected fees from the residents.

CITY COUNCIL GOALS

PUBLIC SAFETY: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Implementation of permit parking on Loraine Terrace will improve the condition for the existing residents, thereby allowing preferential parking privileges in a unique and congested mixed residential/commercial zone. Additionally, there will be sufficient parking spaces remaining to serve the general public and surrounding commercial uses.

NOTIFICATION

Publication of Agenda

ATTACHMENTS

Attachment A – Resolution
Attachment B - Location Map

Prepared By:
Alan Kashefi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\TrafficEng\alank\Permit parking\Staff Report\CityStaffReport-v2-Loraine Terrace.doc

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MV00068027

RESOLUTION NO. 2010-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON LORAINE TERRACE

WHEREAS, the City Municipal code section 12.08.030 allows permit parking areas in residential and commercial zones, and only subject to a public hearing before the traffic safety commission.

WHEREAS, the residents on Loraine Terrace submitted an application and requested permit parking along the frontage of their residences.

WHEREAS, a public hearing was conducted on May 5, 2010 regarding this request.

WHEREAS, on May 5, 2010, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Loraine Terrace.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Loraine Terrace.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Location Map

Loraine Terrace

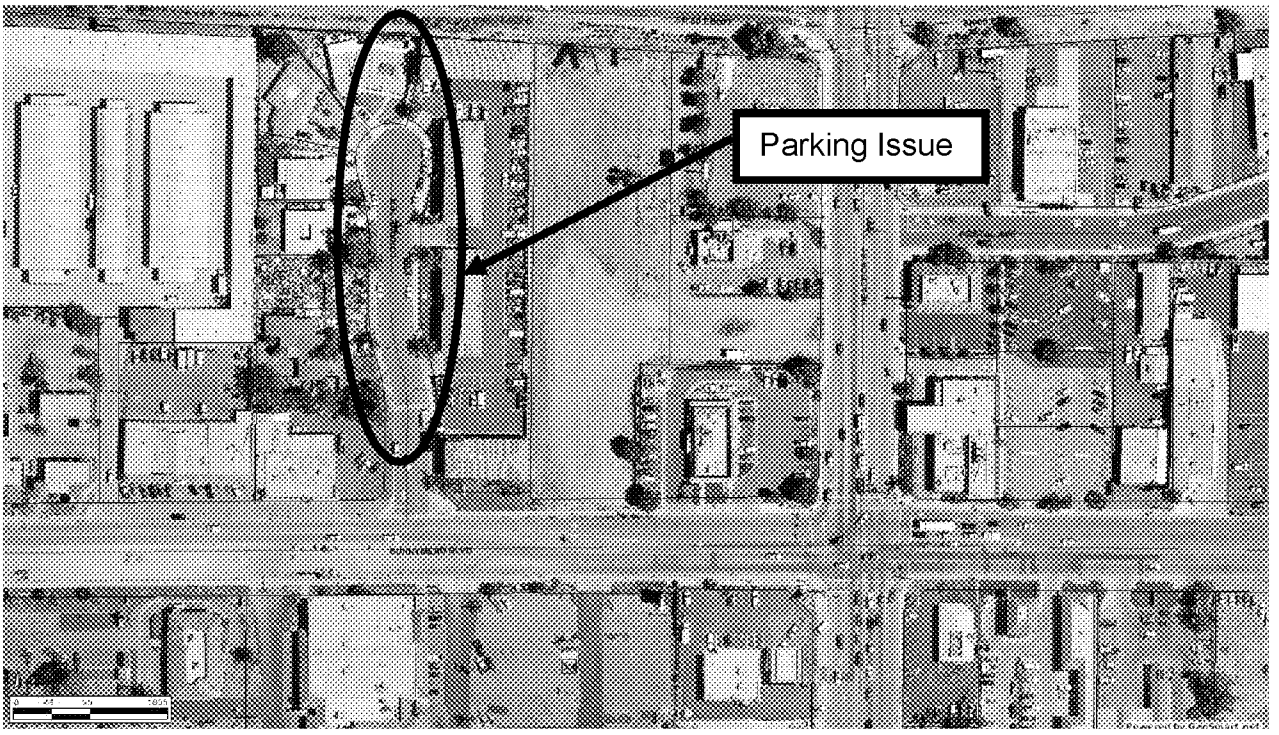

Attachment B

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MV00068031

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: Resolution Rescinding the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, and Authorizing the Submittal of Application for the Used Oil Payment Program Under the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDED ACTION

Staff recommends that the City Council adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources Recycling and Recovery (CalRecycle).

BACKGROUND

The California Public Resources Code (PRC) § 48601 et seq. describes the California Oil Recycling Enhancement Act), which, among other things, provides up to $11 million annually in payments to local governments for implementation of local used oil and filter collection programs. Several years ago, the City established a used oil campaign that was previously administered by the Western Riverside Council of Governments (WRCOG). In 2001, as a springboard to WRCOG's regional public awareness of used oil recycling, the City established a used oil program at a local level with used oil block grant funds. Since that time, the list of landfill banned materials has continually grown and the need for hazardous waste awareness has increased along with it. As a result, there has become a greater need to sustain all opportunities for available funding to promote these programs.

DISCUSSION

The new Used Oil Payment Program (OPP) authorized in SB 546 (Lowenthal, Chapter 353, Statutes of 2009) replaces the Used Oil Block Grant Program (UBG). While the purpose of the OPP is similar to the UBG, there are significant differences regarding application, administration, and reporting requirements. The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board (CIWMB), is responsible for administering the OPP. As part of the grant application program, the City must provide a resolution to establish procedures governing the administration of the Used Oil Payment Program. Participation in these programs also affords the City the opportunity to increase public awareness of recycling, which assists with the City's overall diversion efforts mandated by the California Integrated Waste Management Act of 1989 (AB 939).

City staff requests that City Council approve the adoption of the resolution in order to help secure funding for the administering and implementation of the used oil recycling program.

ALTERNATIVES

1. Adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989.

2. Do no adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989. This alternative would place the City in jeopardy of not receiving grant funds for the Used Oil Recycling Program.

FISCAL IMPACT

There would be a potential grant revenue reimbursement for public education, used oil recycling and hazardous waste program ranging from an estimated $20,000 to $50,000 per grant application fiscal year.

CITY COUNCIL GOALS

Positive Environment
Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The Department of Resources Recycling and Recovery (CalRecycle) administers the Used Oil Payment Program. A new resolution is needed to update the authority for submittal of grant application. As part of its program, CalRecycle issues grants to local

governments in order to establish or enhance permanent, sustainable used oil recycling programs. Adoption of the proposed resolution would allow staff to continue to properly pursue grant funds on behalf of the City in the future.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit A – Proposed Resolution
Exhibit B – Resolution No. 2007-55 (Proposed to be rescinded)

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-67

A RESOLUTION OF THE CITY COUNCIL O F THE CITY OF MORENO VALLEY, CALIFORNIA, RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AUTHORIZING APPLICATION FOR THE USED OIL GRANT PAYMENT PROGRAM FUNDS UNDER THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administrations of the Used Oil Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley authorizes the submittal of a Used Oil Payment Program application to CalRecycle; and

BE IT FURTHER RESOLVED that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the City Council of the City of Moreno Valley.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

_____
City Attorney

EXHIBIT "A"

Resolution No. 2010 - _____
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2007 - 55

RESCINDING THE PROVISIONS OF RESOLUTION 2006-49 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AND AUTHORIZING APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT

WHEREAS, Public Resources Code (PRC) Section 42872.5, authorizes the California Integrated Waste Management Board (CIWMB) to establish a grant program to fund city projects as they pertain to the CIWMB interests; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of these programs within the state, setting up necessary procedures governing application by local governments and their subdivisions under these programs; and

WHEREAS, it is in the best interest of the City to create an opportunity to facilitate the application process in order to apply for all grant funds offered by the CIWMB; and

WHEREAS, if awarded a grant, the City of Moreno Valley will enter into an agreement with the State of California for development of these projects;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESCIND Resolution 2006-49 and further resolves that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all necessary applications, contracts, payment requests, agreements and amendments between the CIWMB hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application for the period of May 22, 2007 to May 22, 2012.

APPROVED AND ADOPTED this 22th day of May, 2007

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "B"

Resolution No. 2007 – 55
Date Adopted: May 22, 2007

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, MARGARET AYARS, Assistant City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-55 was duly and regularly adopted as amended by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of May, 2007, by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Margaret Ayars
ASSISTANT CITY CLERK

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. 2007-55 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Moreno Valley, this 16th day of June, 2008.

Jane Halstead
Jane Halstead, CMC, City Clerk

(SEAL)

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MV00068041

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: July 13, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-68
Check Register for Month of May, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2010 through May 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2010 through May 31, 2010, in the total amount of $19,967,907.47 is approved.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

AVI-CON INC.				
5/10/2010	202502	57,803.49		
			PUB SFTY BLDG CONVERSION PROJ	57,803.49
5/24/2010	880526	35,833.59		
			PUB SFTY BLDG CONVERSION PROJ	35,833.59
	Vendor Total	**93,637.08**		
FYTD for AVI-CON INC.		**129,622.32**		
BEMUS LANDSCAPE, INC.				
5/3/2010	202225	27,219.84		
			LANDSCAPE MAINT-E4	24.09
			LANDSCAPE MAINT-E4	38.77
			LANDSCAPE MAINT-E4	19.85
			LANDSCAPE MAINT-E4	300.00
			LANDSCAPE MAINT-E4	151.43
			LANDSCAPE MAINT-E4	345.00
			LANDSCAPE MAINT-E4	50.78
			LANDSCAPE MAINT-E4	85.76
			LANDSCAPE MAINT-PSB	320.00
			LANDSCAPE MAINT-WQB	1,283.00
			LANDSCAPE MAINT-TR 33256	90.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-AQDCT	1,636.00
			LANDSCAPE MAINT-AQDCT	264.00
			LANDSCAPE MAINT-ANNX #1	300.00
			LANDSCAPE MAINT-FIRE STNS	3,150.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-CITY HALL	992.56
			LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total	**27,219.84**		
FYTD for BEMUS LANDSCAPE, INC.		**455,641.79**		
BURLINGTON COAT FACTORY				
5/24/2010	1005141	175,000.00		
			PARTICIPATION AGREEMNT FY09-10	175,000.00
	Vendor Total	**175,000.00**		
FYTD for BURLINGTON COAT FACTORY		**175,000.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE AUDITOR					
	5/17/2010	202527	39,625.17		
				PARKING CONTROL FEES	15,545.22
				PARKING CONTROL FEES	1,642.00
				PARKING CONTROL FEES	18,173.54
				PARKING CONTROL FEES	3,668.00
				PARKING CONTROL FEES	596.41
	Vendor Total		**39,625.17**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**135,430.12**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER					
	5/10/2010	1005021	5,258,237.00		
				SERAF PAYMENT FOR FY09-10	5,258,237.00
	Vendor Total		**5,258,237.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**5,258,237.00**		
COUNTY OF RIVERSIDE FIRE DEPT					
	5/13/2010	1005061	3,152,861.07		
				3RD QTR FIRE PROTECTION SVCS	3,152,861.07
	Vendor Total		**3,152,861.07**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,421,045.02**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				
5/17/2010	202531	38,007.94		
			RCLMD WATER-DRAIN MAINT PRGM	82.85
			RCLMD WATER-ST. SWEEPING PRGM	95.83
			RCLMD WATER-ST. SWEEPING PRGM	79.99
			RCLMD WATER-STREET MAINT PRGM	221.27
			WATER CHRGS FOR APRIL	63.45
			WATER CHRGS FOR APRIL	1,795.68
			WATER CHRGS FOR APRIL	36.00
			WATER CHRGS FOR APRIL	3,018.08
			WATER CHRGS FOR APRIL	123.16
			WATER CHRGS FOR APRIL	11,477.35
			WATER CHRGS FOR APRIL	2,968.73
			WATER CHRGS FOR APRIL	3,095.73
			WATER CHRGS FOR APRIL	5,115.16
			WATER CHRGS FOR APRIL	3,417.49
			WATER CHRGS FOR APRIL	1,408.73
			WATER CHRGS FOR APRIL	148.13
			WATER CHRGS FOR APRIL	1,436.12
			WATER CHRGS FOR APRIL	718.23
			WATER CHRGS FOR APRIL	201.43
			WATER CHRGS FOR APRIL	611.77
			WATER CHRGS FOR APRIL	382.99
			WATER CHRGS FOR APRIL	291.24
			WATER CHRGS FOR APRIL	300.98
			WATER CHRGS FOR APRIL	290.08
			WATER CHRGS FOR APRIL	627.47
5/24/2010	202634	44,260.57		
			WATER CHRGS FOR APRIL	83.22
			WATER CHRGS FOR APRIL	1,190.50
			WATER CHRGS FOR APRIL	809.44
			WATER CHRGS FOR APRIL	405.55
			WATER CHRGS FOR APRIL	889.74
			WATER CHRGS FOR APRIL	11,396.12
			WATER CHRGS FOR APRIL	4,501.26
			WATER CHRGS FOR APRIL	2,341.28
			WATER CHRGS FOR APRIL	4,331.01
			WATER CHRGS FOR APRIL	3,958.56
			WATER CHRGS FOR APRIL	6,585.97
			WATER CHRGS FOR APRIL	249.36
			WATER CHRGS FOR APRIL	46.30
			WATER CHRGS FOR APRIL	2,020.77
			WATER CHRGS FOR APRIL	2,361.85
			WATER CHRGS FOR APRIL	1,109.22
			WATER CHRGS FOR APRIL	440.95
			WATER CHRGS FOR APRIL	232.11
			WATER CHRGS FOR APRIL	444.71
			WATER CHRGS FOR APRIL	478.63
			WATER CHRGS FOR APRIL	384.02
	Vendor Total	**82,268.51**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,038,091.76**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
5/7/2010	2634	36,460.45		
			DEP STATE TAX W/H 05/07/10	36,460.45
5/21/2010	2642	35,246.72		
			STATE INCOME TAX W/H 05/21/10	35,246.72
	Vendor Total	**71,707.17**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,179,327.51**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
5/10/2010	202426	124,677.06		
			DISTRIBUTION CHARGES	123,729.55
			SPCL/TEMP CHARGES	6,055.00
			ONLINE UTILITY SVCS	264.00
			BAD DEBT-DEDUCTION	-5,371.49
5/17/2010	202532	40,388.70		
			PLAN CHECK SVCS-PM35629	221.03
			PLAN CHECK SVCS-PA080013	1,184.21
			PROF SVCS-IHERB.COM DIST	1,979.46
			PROF SVCS-IHERB.COM DIST	36.59
			PERRIS BL 12KV FEEDER IRIS-JFK	3,330.79
			PERRIS BL 12KV FEEDER IRIS-JFK	7,528.17
			CACTUS/LASSELLE 12KV CIRC TIE	5,721.68
			GOLDENCREST-ELSWORTH BACKBONE	2,030.68
			6TH CIRCUIT MOVAL SUBST. WORK	14,606.09
			CABINET LEASE-COTTONWOOD	41.34
			CABINET LEASE-COTTONWOOD	1,208.66
			CABINET LEASE-INDIAN/NANDINA	75.69
			CABINET LEASE-INDIAN/NANDINA	1,174.31
			CABINET LEASE-IRIS	92.50
			CABINET LEASE-IRIS	1,157.50
5/24/2010	202635	38,376.65		
			BAY ST BACKBONE W/O MOR BCH DR	1,283.93
			CACTUS/LASSELLE 12KV CIRC TIE	326.21
			CACTUS/LASSELLE 12KV CIRC TIE	2,770.25
			ELECT METER FEES	3,788.08
			GOLDENCREST-ELSWORTH BACKBONE	5,706.39
			6TH CIRC MOVAL SUBST. WORK	7,342.12
			ELECT METER FEES	838.00
			PROF SVCS-WASTE MGT FAC	291.80
			PROF SVCS-SKETCHERS	1,474.70
			PROF SVCS-SKETCHERS	11,754.51
			PROF SVCS-STREET LIGHTS	454.68
			PROF SVCS-FRAZEE PAINT	2,140.18
			PROF SVCS-IHERB.COM DIST	205.80
	Vendor Total	**203,442.41**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,550.46**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRIENDS OF THE SENIOR CENTER				
5/17/2010	202540	25,000.00		
			SENIOR VAN ASSIST PRGM-CDBG	15,000.00
			SENIOR VAN ASSIST PRGM-CDBG	10,000.00
	Vendor Total	**25,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FS CONSTRUCTION				
5/24/2010	202647	76,746.64		
			TEMCO ST SIDEWALK IMPRVMNTS	49,441.99
			VOUGHT ST SIDEWALK IMPRVMNTS	27,304.65
	Vendor Total	**76,746.64**		
FYTD for FS CONSTRUCTION		**76,746.64**		
HILLCREST CONTRACTING, INC				
5/17/2010	202596	109,549.80		
			KITCHING ST IMPRVMNTS PROJ	109,549.80
	Vendor Total	**109,549.80**		
FYTD for HILLCREST CONTRACTING, INC		**109,549.80**		
INTERNAL REVENUE SERVICE				
5/7/2010	2633	133,548.22		
			DEP FED TAX W/H 05/07/10	133,548.22
5/21/2010	2641	129,508.98		
			FED INCOME TAX W/H 05/21/10	129,508.98
	Vendor Total	**263,057.20**		
FYTD for INTERNAL REVENUE SERVICE		**3,447,406.19**		
MBIA MUNISERVICES COMPANY				
5/3/2010	202313	28,125.00		
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
	Vendor Total	**28,125.00**		
FYTD for MBIA MUNISERVICES COMPANY		**28,125.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	5/17/2010	202557	53,080.68		
				ELECTRICITY	140.43
				ELECTRICITY	1,123.17
				ELECTRICITY	230.25
				ELECTRICITY	1,802.77
				ELECTRICITY	10,556.76
				ELECTRICITY	9,982.60
				ELECTRICITY	2,890.58
				ELECTRICITY	4,799.41
				ELECTRICITY	799.37
				ELECTRICITY	1,366.98
				ELECTRICITY	11,870.60
				ELECTRICITY	6,670.38
				ELECTRICITY	218.50
				ELECTRICITY	134.68
				ELECTRICITY	86.28
				ELECTRICITY	64.97
				ELECTRICITY	64.95
				ELECTRICITY	170.22
				ELECTRICITY	107.78
	Vendor Total		**53,080.68**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MURRIETA DEVELOPMENT COMPANY INC.					
	5/10/2010	202503	130,155.16		
				TRAF SIG @ SR-60/REDLANDS BLVD	130,155.16
	Vendor Total		**130,155.16**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**526,211.19**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/21/2010	2638	25,717.07		
				DEF COMP 457 & 401(A) 05/21/10	25,717.07
	Vendor Total		**25,717.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVCO SECURITY SYSTEMS					
	5/24/2010	880543	47,899.78		
				SURVEILLANCE EQUIP-POLICE	43,399.03
				SURVEILLANCE EQUIP-POLICE	3,398.43
				SURVEILLANCE EQUIP-POLICE	1,102.32
	Vendor Total		**47,899.78**		
FYTD for NAVCO SECURITY SYSTEMS			**57,779.78**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ORANGE COAST TITLE COMPANY				
5/12/2010	1005031	69,199.75		
			ACQ & ESCRW-13715 MCDONNELL ST	69,199.75
5/24/2010	1005151	106,032.13		
			ACQ & ESCROW-13380 BAMBI CT	106,032.13
5/24/2010	1005161	77,444.01		
			ACQ & ESCROW-24105 ROTHBURY DR	77,444.01
	Vendor Total	**252,675.89**		
FYTD for ORANGE COAST TITLE COMPANY		**252,675.89**		
PB AMERICAS, INC.				
5/24/2010	202671	82,770.08		
			SR-60/NASON ST INTRCHNG PROJ	46,836.15
			SR-60/NASON ST INTRCHNG PROJ	35,933.93
	Vendor Total	**82,770.08**		
FYTD for PB AMERICAS, INC.		**171,605.59**		
PERS HEALTH INSURANCE				
5/12/2010	1004101	195,498.14		
			EMPL HEALTH INS 05/12/10	195,498.14
	Vendor Total	**195,498.14**		
FYTD for PERS HEALTH INSURANCE		**2,126,634.55**		
PERS RETIREMENT				
5/14/2010	2635	192,233.64		
			PERS RETIREMENT 05/14/10	192,233.64
5/28/2010	2643	191,718.32		
			PERS RETIREMENT 05/28/10	191,718.32
	Vendor Total	**383,951.96**		
FYTD for PERS RETIREMENT		**5,091,544.44**		
RBV MITIGATION CREDITS, LLC				
5/3/2010	202340	40,800.00		
			VERNAL POOL MITIGATION CREDITS	40,800.00
	Vendor Total	**40,800.00**		
FYTD for RBV MITIGATION CREDITS, LLC		**40,800.00**		
RICHARD LOPEZ CONSTRUCTION				
5/17/2010	202568	205,033.36		
			ELECTRIC UTILITY PROJECTS SVCS	205,033.36
	Vendor Total	**205,033.36**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,279,092.83**		

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RIVERSIDE COUNTY SHERIFF					
	5/13/2010	1005071	2,676,381.98		
				CONTRACT LAW ENF BILL #8	270.16
				CONTRACT LAW ENF BILL #8	558.38
				CONTRACT LAW ENF BILL #8	590.48
				CONTRACT LAW ENF BILL #8	1,338.76
				CONTRACT LAW ENF BILL #8	2,304.42
				CONTRACT LAW ENF BILL #8	5,147.78
				CONTRACT LAW ENF BILL #8	6,271.76
				CONTRACT LAW ENF BILL #8	6,601.76
				CONTRACT LAW ENF BILL #8	8,729.36
				CONTRACT LAW ENF BILL #8	19,553.01
				CONTRACT LAW ENF BILL #8	24,645.07
				CONTRACT LAW ENF BILL #8	33,932.05
				CONTRACT LAW ENF BILL #8	44,551.93
				CONTRACT LAW ENF BILL #8	61,515.39
				CONTRACT LAW ENF BILL #8	67,648.04
				CONTRACT LAW ENF BILL #8	70,622.67
				CONTRACT LAW ENF BILL #8	203,325.69
				CONTRACT LAW ENF BILL #8	257,518.30
				CONTRACT LAW ENF BILL #8	393,414.24
				CONTRACT LAW ENF BILL #8	1,467,842.73
	5/13/2010	1005101	2,729,341.01		
				CONTRACT LAW ENF BILL #9	242.00
				CONTRACT LAW ENF BILL #9	621.28
				CONTRACT LAW ENF BILL #9	732.37
				CONTRACT LAW ENF BILL #9	979.02
				CONTRACT LAW ENF BILL #9	1,345.44
				CONTRACT LAW ENF BILL #9	5,260.64
				CONTRACT LAW ENF BILL #9	5,725.72
				CONTRACT LAW ENF BILL #9	8,480.27
				CONTRACT LAW ENF BILL #9	12,557.91
				CONTRACT LAW ENF BILL #9	14,241.02
				CONTRACT LAW ENF BILL #9	18,963.84
				CONTRACT LAW ENF BILL #9	34,297.96
				CONTRACT LAW ENF BILL #9	44,310.63
				CONTRACT LAW ENF BILL #9	65,247.78
				CONTRACT LAW ENF BILL #9	70,575.36
				CONTRACT LAW ENF BILL #9	73,526.79
				CONTRACT LAW ENF BILL #9	169,411.94
				CONTRACT LAW ENF BILL #9	283,724.76
				CONTRACT LAW ENF BILL #9	375,130.94
				CONTRACT LAW ENF BILL #9	1,543,965.34
	5/13/2010	1005081	728,551.34		
				CNTRCT LAW ENF RATE ADJ FY0910	728,551.34
	5/13/2010	1005091	87,724.41		
				FACILITIES EXP BILLNG FY09/10	87,724.41
	Vendor Total		**6,221,998.74**		
FYTD for RIVERSIDE COUNTY SHERIFF			**33,101,772.67**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.					
	5/17/2010	880514	251,502.00		
				ANNUAL RMS/CLETS FY 09/10	251,502.00
	Vendor Total		**251,502.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**762,001.26**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	5/10/2010	880490	52,499.02		
				PUB SFTY BLDG CONVERSION PROJ	52,499.02
	Vendor Total		**52,499.02**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**286,232.61**		
SEMPRA ENERGY SOLUTIONS					
	5/24/2010	880548	76,116.08		
				POWER PURCHASE	76,116.08
	Vendor Total		**76,116.08**		
FYTD for SEMPRA ENERGY SOLUTIONS			**5,425,821.99**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	5/10/2010	202469	347,400.00		
				ELECT ENERGY PURCHASE	347,400.00
	Vendor Total		**347,400.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**1,347,140.00**		
SOCO GROUP, INC					
	5/17/2010	202574	28,532.52		
				FUEL PURCHASE	5,555.06
				FUEL PURCHASE	6,515.69
				FUEL PURCHASE	4,166.97
				FUEL PURCHASE	6,354.60
				FUEL PURCHASE	5,940.20
	Vendor Total		**28,532.52**		
FYTD for SOCO GROUP, INC			**177,677.66**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202362	32,336.02		
				TRAFFIC CONTRLLR-IRONWOOD PROJ	4,277.85
				ST. LIGHT INSTALL-IRONWOOD AVE	13,228.69
				LINE EXTENSION-IRONWOOD AVE	14,829.48
	5/10/2010	202474	42,911.92		
				WDAT CHARGES-FREDERICK	2,000.25
				WDAT CHARGES-GLOBE	7,317.45
				WDAT CHARGES-GRAHAM	3,727.65
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-SUBSTATION	10,447.31
				WDAT CHARGES-IRIS	2,625.22
				IFA CHARGES-SUBSTATION	14,146.73
	5/17/2010	202576	142,157.95		
				ELECTRICITY	662.64
				ELECTRICITY	69.62
				ELECTRICITY	334.34
				ELECTRICITY	44.41
				ELECTRICITY	1,237.74
				ELECTRICITY	100.90
				ELECTRICITY	855.88
				ELECTRICITY	774.56
				ELECTRICITY	912.76
				ELECTRICITY	2,260.42
				ELECTRICITY	1,017.56
				ELECTRICITY	1,154.20
				ELECTRICITY	23.30
				ELECTRICITY	95,834.82
				ELECTRICITY	35,938.01
				ELECTRICITY	528.72
				ELECTRICITY	153.47
				ELECTRICITY	22.57
				ELECTRICITY	25.30
				ELECTRICITY	70.10
				ELECTRICITY	90.28
				ELECTRICITY	46.35
	5/24/2010	202684	27,410.22		
				ELECTRICITY	189.84
				ELECTRICITY	5,413.60
				ELECTRICITY	2,476.70
				ELECTRICITY	19.20
				ELECTRICITY	2,686.37
				ELECTRICITY	714.24
				ELECTRICITY	1,980.71
				ELECTRICITY	884.39
				ELECTRICITY	247.87
				ELECTRICITY	4,261.86
				ELECTRICITY	266.78
				ELECTRICITY	4,583.80
				ELECTRICITY	1,792.00
				ELECTRICITY	275.09
				ELECTRICITY	463.94
				ELECTRICITY	484.74

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			ELECTRICITY	201.01
			ELECTRICITY	141.37
			ELECTRICITY	302.24
			ELECTRICITY	24.47
	Vendor Total	244,816.11		
FYTD for SOUTHERN CALIFORNIA EDISON		6,749,896.42		
STANDARD INSURANCE CO				
5/10/2010	202477	30,743.99		
			LIFE & DISABILITY INSURANCE	12,727.14
			LIFE & DISABILITY INSURANCE	17,972.90
			LIFE & DISABILITY INSURANCE	43.95
	Vendor Total	30,743.99		
FYTD for STANDARD INSURANCE CO		359,149.29		
STEWART TITLE OF CALIFORNIA				
5/24/2010	1005131	72,187.00		
			ESCROW & ACQ -11989 HUBBARD ST	72,187.00
	Vendor Total	72,187.00		
FYTD for STEWART TITLE OF CALIFORNIA		2,540,007.50		
U.S. BANK/CALCARDS				
5/13/2010	1005111	61,805.04		
			CALCARD PMT CYCLE END 05/07/10	61,805.04
	Vendor Total	61,805.04		
FYTD for U.S. BANK/CALCARDS		1,763,214.75		
VERIZON CALIFORNIA, INC				
5/3/2010	202384	38,471.97		
			REMOVE/RELOCATE CABLES/CABINET	38,471.97
	Vendor Total	38,471.97		
FYTD for VERIZON CALIFORNIA, INC		38,471.97		
WILLDAN AND ASSOCIATES				
5/3/2010	202389	125,696.30		
			MORENO BEACH DR WIDENING PROJ	48,237.50
			MORENO BEACH DR WIDENING PROJ	42,309.75
			MORENO BEACH DR WIDENING PROJ	35,149.05
	Vendor Total	125,696.30		
FYTD for WILLDAN AND ASSOCIATES		403,687.78		

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WINZLER & KELLY CONSULTING ENGINEERS					
	5/10/2010	202500	50,083.59		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
				IRONWOOD AVE WIDENING PROJ	31,273.59
	Vendor Total		**50,083.59**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
	Subtotal		**18,625,911.37**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
COMMUNITY VETERINARY HOSPITAL, INC.				
5/17/2010	202505	183.00		
			VETERINARY SVC-MAX	183.00
Vendor Total		**183.00**		
FYTD for COMMUNITY VETERINARY HOSPITAL, INC.		**183.00**		
TRANSOFT SOLUTIONS, INC.				
5/17/2010	202506	710.00		
			AUTOTURN MAINT ASSURANCE PRGM	710.00
Vendor Total		**710.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,999.00**		
UNIVERSAL TRUCK BODY, INC.				
5/10/2010	202398	162.50		
			MISC REPAIR-M&O	162.50
Vendor Total		**162.50**		
FYTD for UNIVERSAL TRUCK BODY, INC.		**162.50**		
3 M M M				
5/3/2010	202213	27.99		
			REFUND-BUS LIC OVRPMT	27.99
Vendor Total		**27.99**		
FYTD for 3 M M M		**27.99**		
3M LIBRARY SYSTEMS, INC.				
5/10/2010	202399	1,735.00		
			ANNUAL MAINTENANCE	1,735.00
Vendor Total		**1,735.00**		
FYTD for 3M LIBRARY SYSTEMS, INC.		**1,735.00**		
A & I REPROGRAPHICS 2406362				
5/3/2010	202214	1,481.66		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	637.11
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	844.55
5/10/2010	202400	96.30		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	96.30
5/17/2010	202507	1,216.59		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	68.30
			RPRGRPHC SVCS-AUTO MALL PROJ	147.08
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	1,001.21
Vendor Total		**2,794.55**		
FYTD for A & I REPROGRAPHICS 2406362		**22,357.59**		

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A NEW DAWN CONSTRUCTION					
	5/17/2010	202508	543.75		
				MURAL FRAME-POLICE	543.75
	Vendor Total		**543.75**		
FYTD for A NEW DAWN CONSTRUCTION			**543.75**		
ACCOUNTEMPS					
	5/3/2010	202215	920.00		
				TEMP SVCS-APODACA W/E 4/16	920.00
	5/10/2010	202401	828.00		
				TEMP SVCS-APODACA W/E 4/23	828.00
	5/24/2010	202601	1,656.00		
				TEMP SVCS-APODACA W/E 4/30	828.00
				TEMP SVCS-APODACA W/E 5/7	828.00
	Vendor Total		**3,404.00**		
FYTD for ACCOUNTEMPS			**13,842.75**		
ADAMS, MARK L.					
	5/3/2010	880410	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.					
	5/17/2010	880497	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-LEX/MAX	283.34
	5/24/2010	880521	261.00		
				MUZZLE FOR K-9 LEX	261.00
	Vendor Total		**686.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**5,383.85**		
ADMINSURE					
	5/3/2010	202216	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
5/3/2010	880411	390.00		
			ICE MACHINE MAINT-FS #65	195.00
			ICE MACHINE MAINT-FS #6	195.00
5/10/2010	880473	975.00		
			ICE MACH MAINT-CONF & REC CTR	195.00
			ICE MACH MAINT-FS #58	195.00
			ICE MACH MAINT-FS #91	195.00
			ICE MACH MAINT-TOWNGATE CTR	195.00
			ICE MACH MAINT-FS #2	195.00
5/17/2010	880498	875.00		
			ICE MACH MAINT-EMERG OPS	195.00
			ICE MACH MAINT-FS #48	195.00
			ICE MACH MAINT-SENIOR CTR	195.00
			ICE MACH MAINT-CITY YARD	290.00
5/24/2010	880522	195.00		
			ICE MACH MAINT-PSB	195.00
Vendor Total		**2,435.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**7,962.96**		
ADVANCED ELECTRIC				
5/17/2010	202509	378.00		
			ELECT WORK-CONF & REC CTR	229.00
			ELECT WORK-CONF & REC CTR	19.00
			ELECT WORK-ANML SHLTR	130.00
Vendor Total		**378.00**		
FYTD for ADVANCED ELECTRIC		**78,902.00**		
AEI-CASC ENGINEERING				
5/24/2010	880523	1,631.75		
			PLAN CHECK SVCS	1,631.75
Vendor Total		**1,631.75**		
FYTD for AEI-CASC ENGINEERING		**317,771.84**		
AFL TELECOMMUNICATIONS				
5/3/2010	202217	740.53		
			SPLICER REPAIR-TECH SVCS	576.75
			SPLICER REPAIR-SHIPPING	152.69
			SPLICER REPAIR-SALES TAX	11.09
Vendor Total		**740.53**		
FYTD for AFL TELECOMMUNICATIONS		**740.53**		

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AIR COMMERCIAL REAL ESTATE ASSOCIATION					
	5/10/2010	880474	900.00		
				DATABASE LEASING SVCS	900.00
	Vendor Total		**900.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION			**2,550.00**		
ALBERTO'S MEXICAN FOOD					
	5/10/2010	202402	49.47		
				REFUND-BUS LIC OVRPMT	49.47
	Vendor Total		**49.47**		
FYTD for ALBERTO'S MEXICAN FOOD			**49.47**		
ALICEA, RICHARD					
	5/17/2010	202510	80.50		
				MILEAGE REIMBURSEMENT	80.50
	Vendor Total		**80.50**		
FYTD for ALICEA, RICHARD			**624.35**		
ALLIANZ LIFE INSURANCE CO					
	5/10/2010	202403	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE					
	5/3/2010	202218	1,948.34		
				CDBG FUNDED SVCS-DOM VIOL PRGM	1,948.34
	Vendor Total		**1,948.34**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE			**8,256.70**		
AMERICAN FORENSIC NURSES					
	5/3/2010	880412	982.70		
				BLOOD DRAWS	46.70
				BLOOD DRAWS	936.00
	5/10/2010	880475	140.10		
				BLOOD DRAWS	140.10
	5/24/2010	880524	1,842.00		
				BLOOD DRAWS	1,259.00
				BLOOD DRAWS	583.00
	Vendor Total		**2,964.80**		
FYTD for AMERICAN FORENSIC NURSES			**24,715.10**		

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AMERICAN PROTECTION SERVICES				
5/10/2010	202404	1,030.00		
			SURVEILLANCE SYS-MAINT/SVC	900.00
			SURVEILLANCE SYS-MONITOR MOVE	130.00
	Vendor Total	**1,030.00**		
FYTD for AMERICAN PROTECTION SERVICES		**10,900.85**		
AMERICAN QUICK PRINTING				
5/10/2010	202501	770.49		
			PRINTING SVCS-PARKS	674.25
			PRINTING SVCS-LAND DEVLOPMENT	96.24
	Vendor Total	**770.49**		
FYTD for AMERICAN QUICK PRINTING		**4,765.32**		
AMERICAN ROTARY BROOM CO.				
5/17/2010	202511	1,097.97		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	111.79
			STREET SWEEPING BROOM KITS	493.09
	Vendor Total	**1,097.97**		
FYTD for AMERICAN ROTARY BROOM CO.		**31,019.58**		
AMTECH ELEVATOR SERVICES				
5/17/2010	202512	118.37		
			ELEVATOR SVC-CITY HALL	118.37
	Vendor Total	**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,818.78**		
ANCHETA, WARREN				
5/10/2010	202405	260.00		
			PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total	**260.00**		
FYTD for ANCHETA, WARREN		**260.00**		
ANDRE LANDSCAPING SERVICE, INC.				
5/3/2010	202219	21.68		
			REFUND-BUS LIC OVRPMT	21.68
	Vendor Total	**21.68**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.		**21.68**		
ANIMAL EMERGENCY CLINIC, INC.				
5/24/2010	880525	145.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
	Vendor Total	**145.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,679.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ANIMAL PEST MANAGEMENT SERVICES, INC.				
5/24/2010	202602	1,790.00		
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MARCH FLD	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-GOLF CRS	180.00
			PEST CONTROL-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**21,790.00**		
APARTMENT HIGHLAND MEADOWS, LLLP				
5/24/2010	202603	30.00		
			REFUND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**30.00**		
ARCHER, GREG				
5/24/2010	202604	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for ARCHER, GREG		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
5/17/2010	202513	1,390.57		
			OFFSITE STORAGE-CITY CLERKS	1,390.57
	Vendor Total	**1,390.57**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**14,734.26**		
ARROWHEAD WATER				
5/17/2010	202514	200.00		
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SENIOR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-FAC ANNX	25.00
			WTR PURIF RNTL-CONF & REC CTR	25.00
			WTR PURIF RNTL-ASES	25.00
	Vendor Total	**200.00**		
FYTD for ARROWHEAD WATER		**5,763.57**		

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ASSOCIATED ENGINEERS, INC.					
	5/24/2010	202605	4,267.50		
				HEACOCK ST WIDENING PROJ SVCS	4,267.50
	Vendor Total		**4,267.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**61,141.61**		
ASUNCION, ANGELICA					
	5/10/2010	202406	169.40		
				REFUND-MV UTILITY	169.40
	Vendor Total		**169.40**		
FYTD for ASUNCION, ANGELICA			**169.40**		
AT&T/MCI					
	5/3/2010	202220	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**2,020.47**		
AVIAT NETWORKS INC.					
	5/10/2010	202407	16,014.00		
				RADIO SYSTEMS-MAINT/SUPPORT	16,014.00
	Vendor Total		**16,014.00**		
FYTD for AVIAT NETWORKS INC.			**16,014.00**		
AWE					
	5/24/2010	202606	730.63		
				ANNUAL SUBSCRIPTION-LIBRARY	700.00
				ANNUAL SUBSCRIPTION-LIBRARY	30.63
	Vendor Total		**730.63**		
FYTD for AWE			**730.63**		
AYARS, MARGARET E.					
	5/3/2010	202221	1,593.65		
				RETIREE MEDICAL BENEFIT	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**3,824.76**		
BACHER, GRACE					
	5/3/2010	202222	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,742.41**		

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BARNES, DARLENE					
	5/3/2010	880413	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,230.06**		
BARTEL ASSOCIATES, LLC					
	5/3/2010	202223	605.00		
				PROF SVCS-GASB 45	605.00
	Vendor Total		**605.00**		
FYTD for BARTEL ASSOCIATES, LLC			**605.00**		
BASIC BACKFLOW					
	5/24/2010	202607	60.00		
				BACKFLOW TESTING	60.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**1,384.65**		
BATES LEATHERS					
	5/24/2010	202608	935.25		
				JACKETS-POLICE	750.38
				VESTS-POLICE	184.87
	Vendor Total		**935.25**		
FYTD for BATES LEATHERS			**6,546.75**		
BELL, ORROCK & WATASE, INC					
	5/3/2010	202224	7,941.20		
				LEGAL SVCS	6,682.55
				LEGAL SVCS	1,258.65
	Vendor Total		**7,941.20**		
FYTD for BELL, ORROCK & WATASE, INC			**22,557.01**		

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BEMUS LANDSCAPE, INC.					
	5/10/2010	202408	120.00		
				LANDSCAPE MAINT-PARKS	120.00
	5/17/2010	202515	5,806.25		
				LANDSCAPE MAINT-FIRE STNS	3,506.25
				LANDSCAPE MAINT-FIRE STNS	2,300.00
	5/24/2010	202609	16,998.14		
				LANDSCAPE MAINT-AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-AQDCT A	850.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECTION	600.00
				LANDSCAPE MAINT-AQDCT	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS	300.00
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CONF & REC CTR	1,388.00
				LANDSCAPE MAINT-CONF & REC CTR	512.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total		**22,924.39**		
FYTD for BEMUS LANDSCAPE, INC.			**455,641.79**		
BENESYST					
	5/17/2010	880499	20.13		
				COBRA SUBSIDY-MAY2010 PREMS	14.43
				COBRA SUBSIDY-MAY2010 PREMS	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**60.39**		
BESAM U S, INC					
	5/3/2010	202226	87.43		
				REFUND-BUS LIC OVRPMT	87.43
	Vendor Total		**87.43**		
FYTD for BESAM U S, INC			**87.43**		
BEST IMPRESSIONS					
	5/10/2010	202409	44.89		
				REFUND-BUS LIC OVRPMT	44.89
	Vendor Total		**44.89**		
FYTD for BEST IMPRESSIONS			**44.89**		

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BEVEN - HERRON, INC					
	5/3/2010	202227	32.53		
				REFUND-BUS LIC OVRPMT	32.53
	Vendor Total		**32.53**		
FYTD for BEVEN - HERRON, INC			**32.53**		
BIMBO BAKERIES U S A, INC.					
	5/3/2010	202228	37.27		
				REFUND-BUS LIC OVRPMT	37.27
	Vendor Total		**37.27**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.27**		
BIO-TOX LABORATORIES					
	5/17/2010	202516	4,003.08		
				TOXICOLOGY TESTS	418.45
				TOXICOLOGY TESTS	1,387.73
				TOXICOLOGY TESTS	2,196.90
	Vendor Total		**4,003.08**		
FYTD for BIO-TOX LABORATORIES			**40,202.33**		
BLAIR, CHERYL					
	5/10/2010	202410	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,673.00**		
BLOSSOM SOFTWARE					
	5/10/2010	202411	636.00		
				SITE SEARCH SVCS-MEDIA	636.00
	Vendor Total		**636.00**		
FYTD for BLOSSOM SOFTWARE			**636.00**		
BLUE SHIELD OF CALIFORNIA					
	5/24/2010	202610	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,681.67**		
BOAFO, CLAUDIA					
	5/24/2010	202611	30.00		
				REFUND-CPR CLASS	30.00
	Vendor Total		**30.00**		
FYTD for BOAFO, CLAUDIA			**30.00**		

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BOB, FELIX					
	5/17/2010	202517	365.00		
				REFUND-RNTL DEP 5/1	165.00
				REFUND-RNTL DEP 5/1	200.00
	Vendor Total		**365.00**		
FYTD for BOB, FELIX			**365.00**		
BONDERER, ROBERT					
	5/3/2010	202229	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for BONDERER, ROBERT			**95.00**		
BOPF, WILLIAM					
	5/10/2010	202412	432.61		
				TRAVEL EXP-ICSC RECON CONF.	240.61
				TRAVEL EXP-ICSC RECON CONF.	192.00
	Vendor Total		**432.61**		
FYTD for BOPF, WILLIAM			**432.61**		
BORROMEO, ESTRELLA					
	5/3/2010	202230	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BORROMEO, ESTRELLA			**20.00**		
BOSSENMEYER, ANDREA					
	5/3/2010	202231	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOSSENMEYER, ANDREA			**20.00**		
BRADT, DON					
	5/24/2010	202612	61.60		
				REFUND-DOG TRAINING CLASS	61.60
	Vendor Total		**61.60**		
FYTD for BRADT, DON			**61.60**		
BREITKREUZ, THOMAS F.					
	5/3/2010	202232	464.10		
				RETIREE MEDICAL BENEFIT	464.10
	Vendor Total		**464.10**		
FYTD for BREITKREUZ, THOMAS F.			**2,198.40**		

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BRIGGS, MARGARET					
	5/17/2010	202518	760.00		
				REFUND-RNTL DEP 4/24	360.00
				REFUND-RNTL DEP 4/24	400.00
	Vendor Total		**760.00**		
FYTD for BRIGGS, MARGARET			**760.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	5/10/2010	202415	15,510.04		
				ANNUAL SUBSCRIPTION-LIBRARY	4,220.37
				MISC BOOKS-LIBRARY	29.40
				MISC BOOKS-LIBRARY	41.97
				MISC BOOKS-LIBRARY	125.90
				MISC BOOKS-LIBRARY	232.09
				MISC BOOKS-LIBRARY	120.09
				MISC BOOKS-LIBRARY	437.27
				MISC BOOKS-LIBRARY	27.42
				MISC BOOKS-LIBRARY	56.82
				MISC BOOKS-LIBRARY	261.02
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	75.30
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	24.28
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	21.56
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	31.62
				MISC BOOKS-LIBRARY	132.52
				MISC BOOKS-LIBRARY	397.49
				MISC BOOKS-LIBRARY	114.81
				MISC BOOKS-LIBRARY	809.50
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	274.74
				MISC BOOKS-LIBRARY	236.36
				MISC BOOKS-LIBRARY	111.76
				MISC BOOKS-LIBRARY	185.26
				MISC BOOKS-LIBRARY	242.89
				MISC BOOKS-LIBRARY	18.31
				MISC BOOKS-LIBRARY	43.13
				MISC BOOKS-LIBRARY	15.96
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	66.38
				MISC BOOKS-LIBRARY	35.51
				MISC BOOKS-LIBRARY	981.03
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.73
				MISC BOOKS-LIBRARY	336.92
				MISC BOOKS-LIBRARY	82.57
				MISC BOOKS-LIBRARY	21.36
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	1,700.21
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	200.18
				MISC BOOKS-LIBRARY	28.60
				MISC BOOKS-LIBRARY	203.13
				MISC BOOKS-LIBRARY	19.58
				MISC BOOKS-LIBRARY	40.76
				MISC BOOKS-LIBRARY	61.32

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	631.51
			MISC BOOKS-LIBRARY	63.28
			MISC BOOKS-LIBRARY	1,308.23
			MISC BOOKS-LIBRARY	60.11
			MISC BOOKS-LIBRARY	191.83
			MISC BOOKS-LIBRARY	25.92
			MISC BOOKS-LIBRARY	491.08
			MISC BOOKS-LIBRARY	317.98
5/24/2010	202615	6,311.31		
			MISC BOOKS-LIBRARY	20.75
			MISC BOOKS-LIBRARY	111.78
			MISC BOOKS-LIBRARY	260.55
			MISC BOOKS-LIBRARY	80.70
			MISC BOOKS-LIBRARY	21.08
			MISC BOOKS-LIBRARY	58.00
			MISC BOOKS-LIBRARY	44.38
			MISC BOOKS-LIBRARY	16.56
			MISC BOOKS-LIBRARY	53.04
			MISC BOOKS-LIBRARY	110.80
			MISC BOOKS-LIBRARY	41.93
			MISC BOOKS-LIBRARY	91.70
			MISC BOOKS-LIBRARY	48.25
			MISC BOOKS-LIBRARY	60.58
			MISC BOOKS-LIBRARY	43.15
			MISC BOOKS-LIBRARY	180.82
			MISC BOOKS-LIBRARY	34.40
			MISC BOOKS-LIBRARY	22.59
			MISC BOOKS-LIBRARY	19.86
			MISC BOOKS-LIBRARY	127.49
			MISC BOOKS-LIBRARY	21.36
			MISC BOOKS-LIBRARY	271.36
			MISC BOOKS-LIBRARY	47.90
			MISC BOOKS-LIBRARY	41.32
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	167.47
			MISC BOOKS-LIBRARY	20.79
			MISC BOOKS-LIBRARY	170.43
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	58.60
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	40.74
			MISC BOOKS-LIBRARY	336.46
			MISC BOOKS-LIBRARY	27.42
			MISC BOOKS-LIBRARY	748.75
			MISC BOOKS-LIBRARY	69.34
			MISC BOOKS-LIBRARY	255.26
			MISC BOOKS-LIBRARY	31.27
			MISC BOOKS-LIBRARY	50.25
			MISC BOOKS-LIBRARY	10.33
			MISC BOOKS-LIBRARY	319.79
			MISC BOOKS-LIBRARY	52.48
			MISC BOOKS-LIBRARY	275.75
			MISC BOOKS-LIBRARY	216.98
			MISC BOOKS-LIBRARY	876.55

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	417.24
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	24.37
			MISC BOOKS-LIBRARY	141.22
			MISC BOOKS-LIBRARY	14.58
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	42.55
	Vendor Total	**21,821.35**		
FYTD for BRODART CO.		**48,039.90**		

BUCKINGHAM, STAN

5/3/2010	202233	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**1,593.65**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BWI - BOOK WHOLESALERS, INC.				
5/17/2010	202519	8,058.50		
			MISC BOOKS-LIBRARY	165.63
			MISC BOOKS-LIBRARY	1,033.33
			MISC BOOKS-LIBRARY	237.84
			MISC BOOKS-LIBRARY	61.12
			MISC BOOKS-LIBRARY	2,582.16
			MISC BOOKS-LIBRARY	68.77
			MISC BOOKS-LIBRARY	101.01
			MISC BOOKS-LIBRARY	155.63
			MISC BOOKS-LIBRARY	153.66
			MISC BOOKS-LIBRARY	29.25
			MISC BOOKS-LIBRARY	524.81
			MISC BOOKS-LIBRARY	1,573.17
			MISC BOOKS-LIBRARY	245.82
			MISC BOOKS-LIBRARY	9.68
			MISC BOOKS-LIBRARY	27.93
			MISC BOOKS-LIBRARY	335.37
			MISC BOOKS-LIBRARY	37.18
			MISC BOOKS-LIBRARY	40.28
			MISC BOOKS-LIBRARY	96.85
			MISC BOOKS-LIBRARY	53.62
			MISC BOOKS-LIBRARY	525.39
5/24/2010	202617	10,156.81		
			MISC BOOKS-LIBRARY	40.98
			MISC BOOKS-LIBRARY	178.70
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	225.06
			MISC BOOKS-LIBRARY	13.99
			MISC BOOKS-LIBRARY	49.38
			MISC BOOKS-LIBRARY	699.13
			MISC BOOKS-LIBRARY	1,324.15
			MISC BOOKS-LIBRARY	1,125.57
			MISC BOOKS-LIBRARY	686.72
			MISC BOOKS-LIBRARY	1,711.22
			MISC BOOKS-LIBRARY	383.91
			MISC BOOKS-LIBRARY	108.65
			MISC BOOKS-LIBRARY	14.63
			MISC BOOKS-LIBRARY	286.73
			MISC BOOKS-LIBRARY	27.70
			MISC BOOKS-LIBRARY	213.16
			MISC BOOKS-LIBRARY	277.10
			MISC BOOKS-LIBRARY	82.45
			MISC BOOKS-LIBRARY	1,827.81
			MISC BOOKS-LIBRARY	170.07
			MISC BOOKS-LIBRARY	238.87
			MISC BOOKS-LIBRARY	105.25
			MISC BOOKS-LIBRARY	16.91
			MISC BOOKS-LIBRARY	25.26
			MISC BOOKS-LIBRARY	167.91
			MISC BOOKS-LIBRARY	33.14
			MISC BOOKS-LIBRARY	10.39
			MISC BOOKS-LIBRARY	68.43
			MISC BOOKS-LIBRARY	9.68

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	14.12
Vendor Total		18,215.31		
FYTD for BWI - BOOK WHOLESALERS, INC.		**23,793.39**		
CABLECOM OF CALIFORNIA				
5/3/2010	202234	30.68		
			REFUND-BUS LIC OVRPMT	30.68
Vendor Total		30.68		
FYTD for CABLECOM OF CALIFORNIA		**30.68**		
CAIN, GREGORY				
5/3/2010	880414	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CAIN, GREGORY		**2,868.58**		
CALIFORNIA STATE CONTROLLER'S OFFICE				
5/17/2010	202520	2,670.18		
			INTEREST ASSESSMENT-YR 2007	2,670.18
Vendor Total		2,670.18		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,670.18**		
CALIFORNIA TRANSCRIPTION, LLC				
5/3/2010	880415	225.14		
			TRANSCRIPTION SVCS	225.14
Vendor Total		225.14		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,546.83**		
CANNON, ANA M.				
5/3/2010	202235	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CANNON, ANA M.		**1,593.65**		
CANON BUSINESS SOLUTIONS, INC.				
5/3/2010	880416	7,379.91		
			COPIER SERVICES	6,303.55
			COPIER SERVICES	482.57
			COPIER SERVICES	593.79
Vendor Total		7,379.91		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,523.10**		

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CANON FINANCIAL SERVICES, INC.					
	5/17/2010	202521	7,590.68		
				COPIER LEASE-CITYWIDE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**83,497.48**		
CARL'S JR					
	5/3/2010	202236	47.92		
				REFUND-BUS LIC OVRPMT	25.98
				REFUND-BUS LIC OVRPMT	21.94
	Vendor Total		**47.92**		
FYTD for CARL'S JR			**47.92**		
CATES, JOSHUA					
	5/24/2010	202618	86.00		
				REFUND-RABIES DEP	20.00
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**86.00**		
FYTD for CATES, JOSHUA			**86.00**		
CATHOLIC CHARITIES					
	5/3/2010	202237	22,820.45		
				CDBG FUNDED SVCS-RNTL ASSIST	5,591.16
				CDBG FUNDED SVCS-RNTL ARREARS	1,189.97
				CDBG FUNDED SVCS-RNTL ASSIST	9,400.32
				CDBG FUNDED SVCS-RNTL ARREARS	6,639.00
	Vendor Total		**22,820.45**		
FYTD for CATHOLIC CHARITIES			**22,820.45**		
CERTIFIED CREDIT REPORTING, INC					
	5/17/2010	202522	77.76		
				CREDIT PROFILE SVCS-EDD	77.76
	Vendor Total		**77.76**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**273.94**		
CHAMBERS, RICHARD J. SR.					
	5/24/2010	202619	233.28		
				REFUND-CITATION OVRPMT	233.28
	Vendor Total		**233.28**		
FYTD for CHAMBERS, RICHARD J. SR.			**233.28**		

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CHANCY, CHIZURU					
	5/10/2010	202416	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
	5/24/2010	202620	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	140.40
	Vendor Total		**304.20**		
FYTD for CHANCY, CHIZURU			**1,731.60**		
CHAPMAN, STEVE					
	5/3/2010	202238	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC					
	5/3/2010	202239	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHERRY VALLEY FEED					
	5/3/2010	202240	97.84		
				DOG FOOD-K9 LEX	97.84
	Vendor Total		**97.84**		
FYTD for CHERRY VALLEY FEED			**1,775.68**		
CHI, PHILLIP J.F.					
	5/3/2010	202241	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for CHI, PHILLIP J.F.			**97.60**		
CHICAGO PASTA HOUSE					
	5/3/2010	202242	46.54		
				REFUND-BUS LIC OVRPMT	46.54
	Vendor Total		**46.54**		
FYTD for CHICAGO PASTA HOUSE			**46.54**		
CHRISTIAN, OWEN					
	5/3/2010	880417	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,415.29**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	5/3/2010	202243	41.91		
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
	5/10/2010	202417	202.92		
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	5/17/2010	202524	472.05		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	16.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-FAC MAINT	16.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS CREW	5.85
5/24/2010	202621	111.57		
			UNIFORM RNTL SVC-SIGNAL MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS MAINT	53.01
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-GOLF CRS	5.85
Vendor Total		**828.45**		
FYTD for CINTAS CORPORATION		**7,419.15**		
CITY OF CANYON LAKE				
5/10/2010	202418	35.00		
			LCC-RIV CTY GENERAL MEETING	35.00
Vendor Total		**35.00**		
FYTD for CITY OF CANYON LAKE		**35.00**		
CITY OF CHULA VISTA				
5/3/2010	202244	20.00		
			REGISTRATION-HHW & USED OIL RE	20.00
Vendor Total		**20.00**		
FYTD for CITY OF CHULA VISTA		**20.00**		
CITY OF MORENO VALLEY VEBA TRUST				
5/10/2010	880478	4,100.00		
			EXEMPT VEBA	4,100.00
Vendor Total		**4,100.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**46,262.50**		
COLONIAL SUPPLEMENTAL INSURANCE				
5/24/2010	202622	7,137.63		
			SUPPLEMENTAL INSURANCE	7,137.63
Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**86,191.41**		
COMMERCE ENERGY, INC.				
5/3/2010	202245	43.70		
			REFUND-BUS LIC OVRPMT	43.70
Vendor Total		**43.70**		
FYTD for COMMERCE ENERGY, INC.		**43.70**		

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COMMUNITY ASSISTANCE PROGRAM - CAP				
5/3/2010	880418	19,887.75		
			CDBG FUNDED SVCS-FOOD DIST	2,490.60
			CDBG FUNDED SVCS-FOOD DIST	2,491.08
			CDBG FUNDED SVCS-FOOD DIST	2,650.01
			CDBG FUNDED SVCS-FOOD DIST	2,361.96
			CDBG FUNDED SVCS-FOOD DIST	2,150.00
			CDBG FUNDED SVCS-FOOD DIST	2,230.85
			CDBG FUNDED SVCS-FOOD DIST	2,233.50
			CDBG FUNDED SVCS-FOOD DIST	3,279.75
5/24/2010	880527	2,201.00		
			CDBG FUNDED SVCS-FOOD DIST	2,201.00
Vendor Total		**22,088.75**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**24,316.85**		
COMMUNITY HEALTH CHARITIES				
5/10/2010	202419	151.47		
			CHC CONTRIBUTIONS	151.47
5/24/2010	202623	151.47		
			CHC CONTRIBUTIONS	151.47
Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES		**8,321.37**		
CONNOLLY, DANAE & PAUL				
5/24/2010	202624	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for CONNOLLY, DANAE & PAUL		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION				
5/24/2010	202625	14,303.11		
			ASPHALTIC MATERIAL	2,982.84
			ASPHALTIC MATERIAL	3,707.35
			ASPHALTIC MATERIAL	4,623.72
			ASPHALTIC MATERIAL	2,989.20
Vendor Total		**14,303.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**14,303.11**		
CONTINUING EDUCATION OF THE BAR				
5/10/2010	202420	295.79		
			LEGAL SUBSCRIPTIONS	152.57
			LEGAL SUBSCRIPTIONS	143.22
5/17/2010	202525	128.10		
			LEGAL SUBSCRIPTIONS	128.10
Vendor Total		**423.89**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,209.76**		

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COSTCO					
	5/3/2010	202246	1,014.20		
				MISC SUPPLIES-SKATE PARK	576.40
				MISC SUPPLIES-STARS	77.06
				MISC SUPPLIES-STARS	49.55
				MISC SUPPLIES-STARS	311.19
	5/10/2010	202421	824.50		
				MISC SUPPLIES-STARS	311.88
				MISC SUPPLIES-STARS	131.77
				MISC SUPPLIES-STARS	93.62
				MISC SUPPLIES-STARS	287.23
	5/17/2010	202526	1,161.87		
				MISC SUPPLIES-CHILDS PLACE	1,161.87
	5/24/2010	202626	1,461.32		
				MISC SUPPLIES-STARS	177.24
				MISC SUPPLIES-STARS	192.29
				MISC SUPPLIES-STARS	67.96
				MISC SUPPLIES-STARS	169.17
				MISC SUPPLIES-STARS	725.23
				MISC SUPPLIES-SKATE PARK	129.43
	Vendor Total		**4,461.89**		
FYTD for COSTCO			**49,783.80**		
COUNTY OF RIVERSIDE-TLMA-GIS					
	5/24/2010	202627	2,090.31		
				INSPECTION SVCS-TRAFFIC SIGNAL	2,090.31
	Vendor Total		**2,090.31**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS			**5,954.87**		
CREATIVE COLOR PRINTING					
	5/3/2010	202247	3,715.99		
				FLYERS-EDD	3,568.00
				FLYERS-EDD	147.99
	Vendor Total		**3,715.99**		
FYTD for CREATIVE COLOR PRINTING			**3,715.99**		
CREATIVE PROMOTIONAL IDEAS					
	5/17/2010	202528	1,234.31		
				WRISTBANDS	1,141.88
				WRISTBANDS	92.43
	Vendor Total		**1,234.31**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**5,603.21**		

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CTAI PACIFIC GREENSCAPE				
5/24/2010	880528	5,005.11		
			LANDSCAPE MAINT-DSG1W	4,897.13
			LANDSCAPE MAINT-DSG1W	107.98
	Vendor Total	**5,005.11**		
FYTD for CTAI PACIFIC GREENSCAPE		**57,016.18**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
5/3/2010	202248	342.00		
			PERMIT RENEWAL-CELEB PARK	342.00
	Vendor Total	**342.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**31,393.61**		
CURVES FOR WOMEN				
5/3/2010	202249	57.00		
			REFUND-BUS LIC OVRPMT	57.00
	Vendor Total	**57.00**		
FYTD for CURVES FOR WOMEN		**57.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
5/24/2010	202628	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,345.00**		
D S WATERS OF AMERICA, INC.				
5/3/2010	202250	83.53		
			REFUND-BUS LIC OVRPMT	83.53
	Vendor Total	**83.53**		
FYTD for D S WATERS OF AMERICA, INC.		**83.53**		
DALE, KATHLEEN				
5/3/2010	880419	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for DALE, KATHLEEN		**3,474.13**		

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DATA TICKET, INC.					
	5/3/2010	880420	6,474.53		
				CITATION PRCSSNG-POLICE	4,054.10
				CITATION PRCSSNG-CODE	2,420.43
	5/17/2010	880500	21,703.61		
				CITATION PRCSSNG-CODE	9,209.16
				CITATION PRCSSNG-CODE	12,494.45
	5/24/2010	880529	841.18		
				CITATION PRCSSNG-BLDG & SAFETY	736.18
				CITATION APPLIC MAINT/SUPPORT	105.00
	Vendor Total		**29,019.32**		
FYTD for DATA TICKET, INC.			**184,193.84**		
DATAQUICK CORPORATE HEADQUARTERS					
	5/24/2010	202629	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,335.50**		
DAVLYN INVESTMENTS PROPERTY MANAGEMENT					
	5/24/2010	202630	78.21		
				REFUND-BUS LIC OVRPMT	78.21
	Vendor Total		**78.21**		
FYTD for DAVLYN INVESTMENTS PROPERTY MANAGEMENT			**78.21**		
DEARREADER.COM					
	5/3/2010	202251	600.00		
				SUBSCRIPTION RENEWAL-LIBRARY	600.00
	Vendor Total		**600.00**		
FYTD for DEARREADER.COM			**600.00**		
DEBINAIRE COMPANY					
	5/24/2010	202631	0.00		
				SWITCH RPLCMNT-ANML SVCS	549.19
				SWITCH RPLCMNT-ANML SVCS	-549.19
	Vendor Total		**0.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		
DELTA DENTAL					
	5/10/2010	202422	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**125,278.39**		

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DELTACARE USA					
	5/17/2010	202529	6,369.84		
				EMPLOYEE DENTAL INSURANCE	6,369.84
	Vendor Total		**6,369.84**		
FYTD for DELTACARE USA			**73,646.55**		
DENNIS GRUBB & ASSOCIATES, LLC					
	5/10/2010	880479	5,330.00		
				PLAN REVIEW SVCS-FIRE	5,330.00
	5/24/2010	880530	2,060.00		
				PLAN REVIEW SVCS-FIRE	2,060.00
	Vendor Total		**7,390.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**17,075.00**		
DHA CONSULTING					
	5/3/2010	202252	150.00		
				CONSULTING SVCS-EDD	150.00
	Vendor Total		**150.00**		
FYTD for DHA CONSULTING			**150.00**		
DIRECT CARPET AND FLOORING					
	5/3/2010	202253	30.11		
				REFUND-BUS LIC OVRPMT	30.11
	Vendor Total		**30.11**		
FYTD for DIRECT CARPET AND FLOORING			**30.11**		
DLS LANDSCAPE, INC					
	5/3/2010	202254	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	5/24/2010	202632	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**136,290.00**		
DONAHUE APPRAISAL ASSOCIATES					
	5/10/2010	880480	3,600.00		
				PERRIS BLVD WIDENING PROJ SVCS	3,600.00
	Vendor Total		**3,600.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**65,900.00**		

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DONALD H. MAYNOR					
	5/3/2010	202255	9,375.00		
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
	Vendor Total		**9,375.00**		
FYTD for DONALD H. MAYNOR			**9,375.00**		
DORY, ALLEEN F.					
	5/3/2010	202256	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for DORY, ALLEEN F.			**3,168.67**		
DOUBLE D PIPELINE, INC					
	5/3/2010	202257	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for DOUBLE D PIPELINE, INC			**50.00**		
DUNN, LAURA					
	5/10/2010	202423	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DUNN, LAURA			**716.00**		
DURAN, BLANCA					
	5/10/2010	202424	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	294.00
	Vendor Total		**294.00**		
FYTD for DURAN, BLANCA			**2,520.00**		
E.G. BRENNAN & CO, LLC					
	5/10/2010	880481	139.15		
				MAINT RENEWAL-FOLDING MACHINE	69.58
				MAINT RENEWAL-FOLDING MACHINE	69.57
	Vendor Total		**139.15**		
FYTD for E.G. BRENNAN & CO, LLC			**139.15**		

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E.R. BLOCK PLUMBING & HEATING, INC.				
5/17/2010	202530	1,442.04		
			BACKFLOW TESTING-TR30319	36.40
			BACKFLOW TESTING-TR22277	532.82
			BACKFLOW TESTING-TR22277	170.00
			BACKFLOW TESTING-TR20941	532.82
			BACKFLOW TESTING-TR20941	170.00
5/24/2010	202633	582.40		
			BACKFLOW TESTING	582.40
Vendor Total		**2,024.44**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**31,130.83**		
EASTERN MUNICIPAL WATER DISTRICT				
5/3/2010	202258	24,079.61		
			WATER CHRGS FOR MARCH	170.25
			WATER CHRGS FOR MARCH	596.48
			WATER CHRGS FOR APRIL	124.11
			WATER CHRGS FOR APRIL	285.38
			WATER CHRGS FOR APRIL	479.33
			WATER CHRGS FOR APRIL	6,177.71
			WATER CHRGS FOR APRIL	1,410.36
			WATER CHRGS FOR APRIL	240.28
			WATER CHRGS FOR APRIL	7,980.62
			WATER CHRGS FOR APRIL	3,003.72
			WATER CHRGS FOR APRIL	3,068.46
			WATER CHRGS FOR APRIL	28.32
			WATER CHRGS FOR APRIL	32.00
			WATER CHRGS FOR APRIL	385.62
			WATER CHRGS FOR APRIL	96.97
5/10/2010	202425	78.46		
			WATER CHRGS FOR MARCH	78.46
Vendor Total		**24,158.07**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,038,091.76**		
EASY MONEY EMG				
5/3/2010	202259	72.50		
			REFUND-BUS LIC OVRPMT	72.50
Vendor Total		**72.50**		
FYTD for EASY MONEY EMG		**72.50**		
EBSCO SUBSCRIPTION SERVICE				
5/3/2010	202260	3,789.13		
			SUBSCRIPTIONS RENEWALS-LIBRARY	3,784.18
			SUBSCRIPTIONS RENEWALS-LIBRARY	4.95
Vendor Total		**3,789.13**		
FYTD for EBSCO SUBSCRIPTION SERVICE		**3,789.13**		

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EDGELANE MOBILE PARK					
	5/24/2010	880531	10.00		
				REFUND-UT USER TAXES	10.00
	Vendor Total		**10.00**		
FYTD for EDGELANE MOBILE PARK			**109.17**		
EGGERSTEN, ANNE					
	5/3/2010	202261	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**3,143.83**		
ELITE COURT REPORTING					
	5/3/2010	202262	247.50		
				TRANSCRIPTION SVCS	247.50
	Vendor Total		**247.50**		
FYTD for ELITE COURT REPORTING			**909.80**		
EVANS ENGRAVING & AWARDS					
	5/10/2010	880482	16.32		
				ENGRAVING SVCS-PD	16.32
	5/17/2010	880501	97.88		
				ENGRAVING SVCS-POLICE	97.88
	Vendor Total		**114.20**		
FYTD for EVANS ENGRAVING & AWARDS			**1,854.26**		
EWING IRRIGATION PRODUCTS, INC.					
	5/10/2010	202427	363.82		
				IRRIGATION SUPPLIES	49.57
				IRRIGATION SUPPLIES	314.25
	5/17/2010	202533	290.92		
				IRRIGATION SUPPLIES	102.26
				IRRIGATION SUPPLIES	12.02
				IRRIGATION SUPPLIES	70.85
				IRRIGATION SUPPLIES	105.79
	5/24/2010	202636	1,516.86		
				IRRIGATION SUPPLIES	1,449.31
				IRRIGATION SUPPLIES	4.15
				IRRIGATION SUPPLIES	63.40
	Vendor Total		**2,171.60**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**15,584.55**		

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EXCEL LANDSCAPE, INC					
	5/17/2010	202534	2,666.81		
				LANDSCAPE MAINT-E7	2,666.81
	5/24/2010	202637	9,922.41		
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	3,889.00
	Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC			**217,737.60**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	5/3/2010	880421	5,772.34		
				CDBG FUNDED SVCS-MEDIATION PRG	5,772.34
	Vendor Total		**5,772.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**48,715.14**		
FANNING, JEFFREY DEAN					
	5/24/2010	202638	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FANNING, JEFFREY DEAN			**874.00**		
FASHION BLINDS USA					
	5/3/2010	202263	57.87		
				REFUND-BUS LIC OVRPMT	57.87
	Vendor Total		**57.87**		
FYTD for FASHION BLINDS USA			**57.87**		
FEDERAL EXPRESS					
	5/3/2010	202264	18.08		
				EXPRESS MAILING SVC-SR60/NASON	18.08
	Vendor Total		**18.08**		
FYTD for FEDERAL EXPRESS			**140.08**		
FEENSTRA, JOHN					
	5/3/2010	880422	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		

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FERNANDEZ, NOEMI					
	5/3/2010	202265	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for FERNANDEZ, NOEMI			**95.00**		
FINESSE PERSONNEL ASSOCIATES					
	5/3/2010	202266	1,390.77		
				TEMP SVCS-BECKNER W/E 4/24	1,390.77
	5/17/2010	202535	4,248.64		
				TEMP SVCS-NELSON W/E 4/10	631.80
				TEMP SVCS-NELSON W/E 4/24	874.80
				TEMP SVCS-BECKNER W/E 5/1	1,867.24
				TEMP SVCS-NELSON W/E 5/1	874.80
	5/24/2010	202639	3,850.37		
				TEMP SVCS-BECKNER W/E 5/8	1,957.38
				TEMP SVCS-BECKNER W/E 5/15	1,892.99
	Vendor Total		**9,489.78**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**25,878.64**		
FINNERTY, MICHAEL					
	5/3/2010	202267	119.98		
				REFUND-BUS LIC OVRPMT	119.98
	Vendor Total		**119.98**		
FYTD for FINNERTY, MICHAEL			**119.98**		
FIRST AMERICAN CORE LOGIC, INC.					
	5/24/2010	202640	730.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	475.00
				ONLINE PROP INFO-EDD	170.00
	Vendor Total		**730.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**5,210.00**		
FIRST CHOICE SERVICES					
	5/17/2010	880502	93.57		
				COFFEE SVCS-EMP PAID	93.57
	5/24/2010	880532	655.31		
				COFFEE SVCS-EMP PAID	230.43
				COFFEE SVCS-EMP PAID	64.28
				COFFEE SVCS-EMP PAID	181.74
				COFFEE SVCS-EMP PAID	116.95
				COFFEE SVCS-EMP PAID	61.91
	Vendor Total		**748.88**		
FYTD for FIRST CHOICE SERVICES			**8,946.20**		

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FITNESS 19 CA 155 11C				
5/24/2010	202641	281.00		
			GYM MEMBERSHIP DEDUCTIONS	281.00
Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C		**3,196.00**		
FLYTECH PEST CONTROL				
5/3/2010	202268	78.92		
			REFUND-BUS LIC OVRPMT	78.92
Vendor Total		**78.92**		
FYTD for FLYTECH PEST CONTROL		**78.92**		
FONSECA, CYNTHIA				
5/24/2010	202642	64.00		
			REFUND-PICNIC SHLTR FEE	64.00
Vendor Total		**64.00**		
FYTD for FONSECA, CYNTHIA		**64.00**		
FOREST WOOD FIBER, INC.				
5/10/2010	202428	4,100.90		
			PLAYGROUND FIBER-PARKS	2,594.20
			PLAYGROUND FIBER-PARKS	1,506.70
5/17/2010	202536	3,013.40		
			PLAYGROUND FIBER-PARKS	1,506.70
			PLAYGROUND FIBER-PARKS	1,392.40
			PLAYGROUND FIBER-PARKS	114.30
Vendor Total		**7,114.30**		
FYTD for FOREST WOOD FIBER, INC.		**7,114.30**		
FORTNEY, YVETTE				
5/17/2010	202537	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for FORTNEY, YVETTE		**75.00**		
FOSTER, JAMES BARRY				
5/10/2010	202429	192.00		
			PER DIEM-ICSC RECON CONF.	192.00
5/17/2010	202538	117.58		
			ICSC MONTEREY 3/16-3/17/10	117.58
Vendor Total		**309.58**		
FYTD for FOSTER, JAMES BARRY		**735.73**		

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FOSTER, NANCY A.					
	5/3/2010	202269	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,581.09**		
FOX, ALLAN					
	5/3/2010	202270	40.00		
				REFUND-RABIES DEP	20.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**40.00**		
FYTD for FOX, ALLAN			**115.00**		
FRANCHISE TAX BOARD					
	5/10/2010	202430	334.54		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	27.23
				GARNISHMENT	244.81
	5/24/2010	202643	100.00		
				REFUND-CITATION OVRPMT	100.00
	5/24/2010	202644	51.90		
				GARNISHMENT	51.90
	5/24/2010	202645	62.50		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
	Vendor Total		**548.94**		
FYTD for FRANCHISE TAX BOARD			**12,090.03**		
FRANKLIN, L. C.					
	5/10/2010	202431	187.00		
				MILEAGE REIMBURSEMENT	187.00
	5/17/2010	202539	65.94		
				REIMB FOR CHARGES PAID	65.94
	Vendor Total		**252.94**		
FYTD for FRANKLIN, L. C.			**1,701.64**		
FREEMAN, SHANIKQUA					
	5/10/2010	202432	384.00		
				PER DIEM-ICSC RECON CONF.	384.00
	Vendor Total		**384.00**		
FYTD for FREEMAN, SHANIKQUA			**1,300.07**		

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FRIENDS OF THE SENIOR CENTER				
5/24/2010	202646	5,000.00		
			CDBG FUNDED SVCS-SR TRANSP	5,000.00
Vendor Total		**5,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FROST, JOAN CHENG				
5/3/2010	202271	266.00		
			INSTRUCTION SVCS-7 DAYS	266.00
Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG		**1,444.00**		
FULBRIGHT & JAWORSKI, L.L.P.				
5/17/2010	202541	7,324.36		
			LEGAL SVCS-UTILITIES	7,324.36
Vendor Total		**7,324.36**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**219,824.44**		
G & G PLUMBING				
5/3/2010	202272	56.50		
			REFUND-BUS LIC OVRPMT	56.50
Vendor Total		**56.50**		
FYTD for G & G PLUMBING		**56.50**		
GARCIA, EFREN				
5/10/2010	202433	20.00		
			REFUND-FIELD RNTL FEE	20.00
Vendor Total		**20.00**		
FYTD for GARCIA, EFREN		**20.00**		
GASTON, RICHARD				
5/3/2010	880423	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for GASTON, RICHARD		**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				
5/3/2010	880424	1,062.30		
			SECURITY SVCS-LIBRARY	586.76
			SECURITY SVCS-TOWNGATE	122.72
			SECURITY SVCS-TOWNGATE	76.70
			SECURITY SVCS-CONF & REC CTR	276.12
5/10/2010	880483	613.60		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/17/2010	880503	279.96		
			SECURITY SVCS-CONF & REC CTR	279.96
5/24/2010	880533	997.10		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-MV UTILITY ANNX	276.12
			SECURITY SVCS-RNTL 4/17 TOWNGT	107.38
	Vendor Total	**2,952.96**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,720.91**		
GENERAL UNDERGROUND FIRE PROTECTION, INC				
5/3/2010	202273	50.00		
			REFUND-BUS LIC OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for GENERAL UNDERGROUND FIRE PROTECTION, INC		**50.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
5/24/2010	880534	504.50		
			LEGAL SVCS	504.50
	Vendor Total	**504.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**145,105.59**		
GINA'S AUTO SERVICE				
5/3/2010	202274	115.01		
			REFUND-BUS LIC OVRPMT	115.01
	Vendor Total	**115.01**		
FYTD for GINA'S AUTO SERVICE		**115.01**		
GONG ENTERPRISES, INC.				
5/17/2010	202542	4,000.00		
			PLAN CHECK SVCS-PA090043	2,000.00
			PLAN CHECK SVCS-PM32215	1,000.00
			PLAN CHECK SVCS-PM35629	1,000.00
	Vendor Total	**4,000.00**		
FYTD for GONG ENTERPRISES, INC.		**12,614.50**		

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GOZDECKI, DAN					
	5/10/2010	880484	918.00		
				INSTRUCTOR SVCS-KUNG FU	486.00
				INSTRUCTOR SVCS-KUNG FU	432.00
	Vendor Total		**918.00**		
FYTD for GOZDECKI, DAN			**7,209.00**		
GRAFFITI TRACKER, INC.					
	5/24/2010	880535	8,000.00		
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	1,000.00
				GRAFFITI TRACK SVCS-CODE	3,000.00
	Vendor Total		**8,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**36,340.00**		
GRANICUS, INC.					
	5/24/2010	202648	1,525.22		
				MANAGED SVC-PODCASTING	130.00
				MANAGED SVC-VIDEO STREAMING	45.22
				MANAGED SVC-VIDEO STREAMING	1,350.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**15,867.42**		
GREATER ALARM CO.					
	5/3/2010	202275	46.40		
				REFUND-BUS LIC OVRPMT	46.40
	Vendor Total		**46.40**		
FYTD for GREATER ALARM CO.			**46.40**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	5/3/2010	202276	80.40		
				LEGAL SVCS-RISK MGT	80.40
	Vendor Total		**80.40**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,272.49**		
GRIFFIN, MARLENE C					
	5/3/2010	880425	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,742.41**		

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GUARD SYSTEMS, INC.					
	5/3/2010	202277	37.40		
				REFUND-BUS LIC OVRPMT	37.40
	Vendor Total		**37.40**		
FYTD for GUARD SYSTEMS, INC.			**37.40**		
GUILLAN, REBECCA S.					
	5/3/2010	202278	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,370.97**		
GUILLIS, LINDA B.					
	5/3/2010	202279	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,506.03**		
GULU, MARGARET & NICK					
	5/17/2010	202543	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for GULU, MARGARET & NICK			**95.00**		
GUTIERREZ, ROBERT					
	5/3/2010	202280	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**2,211.63**		
GUZMAN'S CART SERVICE					
	5/17/2010	880504	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
H P COMMUNICATIONS, INC					
	5/10/2010	202434	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for H P COMMUNICATIONS, INC			**25.00**		

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HAAKER EQUIPMENT COMPANY					
	5/10/2010	202435	45.43		
				MISC PARTS-ANML SVCS	45.43
	Vendor Total		**45.43**		
FYTD for HAAKER EQUIPMENT COMPANY			**329.86**		
HAIR SHACK					
	5/3/2010	202281	111.75		
				REFUND-BUS LIC OVRPMT	111.75
	Vendor Total		**111.75**		
FYTD for HAIR SHACK			**111.75**		
HALL, ANTHONY					
	5/10/2010	202436	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for HALL, ANTHONY			**95.00**		
HAMLIN, WILLIAM R.					
	5/3/2010	880426	0.00		
				RETIREE MEDICAL BENEFIT	315.59
				RETIREE MEDICAL BENEFIT	-315.59
	5/10/2010	202504	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,553.63**		
HANES, MARTIN D.					
	5/3/2010	880427	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HARDING, JOHN S.					
	5/3/2010	202282	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HATFIELD, CHARLES					
	5/3/2010	202284	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,868.58**		

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HATZL-PATTERSON, NINA MICHELE				
5/10/2010	202437	624.61		
			TRAVEL EXP-ICSC RECON CONF.	240.61
			TRAVEL EXP-ICSC RECON CONF.	384.00
	Vendor Total	**624.61**		
FYTD for HATZL-PATTERSON, NINA MICHELE		**876.61**		
HAUSER, ADRIANA				
5/24/2010	202649	532.00		
			INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total	**532.00**		
FYTD for HAUSER, ADRIANA		**3,838.00**		
HEERY INTERNATIONAL, INC.				
5/24/2010	880536	9,728.00		
			NEW MAIN LIBRARY PROJ SVCS	9,728.00
	Vendor Total	**9,728.00**		
FYTD for HEERY INTERNATIONAL, INC.		**224,780.75**		
HEFFLEY, ROSS W.				
5/3/2010	880428	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HEFFLEY, ROSS W.		**2,868.58**		
HEMPY, STEPHANIE				
5/17/2010	202544	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for HEMPY, STEPHANIE		**20.00**		
HERRICK, ROBERT D.				
5/3/2010	202285	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HERRICK, ROBERT D.		**3,506.03**		
HETHERMAN, ANTHONY CHRISTOPHER				
5/17/2010	202595	78.27		
			MILEAGE REIMB-IRRIG DESIGN TRN	78.27
	Vendor Total	**78.27**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER		**153.07**		

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HODGE, MICHAEL & KALEIGH				
5/10/2010	202438	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HODGE, MICHAEL & KALEIGH		**20.00**		
HOLTHAUS, ARIEALL				
5/17/2010	202545	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for HOLTHAUS, ARIEALL		**75.00**		
HOMESITE SERVICES, INC				
5/3/2010	202286	82.00		
			REFUND-BUS LIC OVRPMT	82.00
Vendor Total		**82.00**		
FYTD for HOMESITE SERVICES, INC		**82.00**		
HOUSER, EDITH E.				
5/3/2010	202287	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,506.03**		
HOWELL, LORRAINE				
5/17/2010	202546	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HOWELL, LORRAINE		**20.00**		
ICMA RETIREMENT CORP 457				
5/7/2010	2632	12,410.37		
			DEF COMP 457 05/07/10	12,410.37
5/21/2010	2640	12,410.37		
			DEF COMP 457 05/21/10	12,410.37
Vendor Total		**24,820.74**		
FYTD for ICMA RETIREMENT CORP 457		**336,405.55**		
IDEARC MEDIA SALES - WEST, INC.				
5/3/2010	202288	73.18		
			REFUND-BUS LIC OVRPMT	73.18
Vendor Total		**73.18**		
FYTD for IDEARC MEDIA SALES - WEST, INC.		**73.18**		

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IKON PROPERTIES & INVESTMENTS					
	5/3/2010	202289	69.71		
				REFUND-BUS LIC OVRPMT	69.71
	Vendor Total		**69.71**		
FYTD for IKON PROPERTIES & INVESTMENTS			**69.71**		
IL SORRENTO MOBILE PARK					
	5/10/2010	202439	130.36		
				REFUND-UT USER TAXES	130.36
	Vendor Total		**130.36**		
FYTD for IL SORRENTO MOBILE PARK			**1,806.67**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	5/10/2010	202440	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**5,225.00**		
INLAND EMPIRE COURT SERVICES					
	5/3/2010	202290	22.93		
				REFUND-BUS LIC OVRPMT	22.93
	Vendor Total		**22.93**		
FYTD for INLAND EMPIRE COURT SERVICES			**22.93**		
INLAND EMPIRE LANDSCAPE, INC					
	5/3/2010	202291	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for INLAND EMPIRE LANDSCAPE, INC			**81.00**		
INLAND EMPIRE PROPERTY SERVICE, INC					
	5/3/2010	880429	535.00		
				NUISANCE ABTMNT SVCS-DEBRA WAY	283.00
				NUISANCE ABTMNT SVCS-PETEDYE	252.00
	5/10/2010	880485	1,320.00		
				NUISANCE ABTMNT SVCS-CODE	283.00
				WEED ABTMNT SVCS-PARKS	1,037.00
	5/24/2010	880537	82.00		
				NUISANCE ABMNT SVC-260391002	82.00
	Vendor Total		**1,937.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC			**77,374.10**		

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INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
5/3/2010	202292	10,000.00		
			BUSINESS COUNSELING SVCS	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**40,000.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC				
5/17/2010	880507	2,271.15		
			FUEL TANK SVC-FS #2	718.42
			FUEL TANK SVC-FS #48	454.14
			FUEL TANK SVC-FS #65	658.59
			FUEL TANK SVC-FS #91	440.00
Vendor Total		**2,271.15**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**3,444.04**		
INLAND TAN				
5/3/2010	202293	83.53		
			REFUND-BUS LIC OVRPMT	83.53
Vendor Total		**83.53**		
FYTD for INLAND TAN		**83.53**		
INSIDE PLANTS, INC.				
5/24/2010	880538	316.00		
			PLANT MAINT-CONF & REC CTR	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,476.00**		
INTERNATIONAL AUTO CRAFTERS				
5/10/2010	202441	687.50		
			TOWING SERVICE	687.50
Vendor Total		**687.50**		
FYTD for INTERNATIONAL AUTO CRAFTERS		**687.50**		
ISG THERMAL SYSTEMS USA, INC				
5/10/2010	202442	1,471.26		
			THERMAL IMAGING RPR-PD	1,471.26
			THERMAL IMAGING RPR-SALES TAX	81.49
			THERMAL IMAGING RPR-SALES TAX	-81.49
Vendor Total		**1,471.26**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**2,436.15**		

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ISLAND WAVE PRODUCTION: DJ LETI					
	5/3/2010	202294	33.61		
				REFUND-BUS LIC OVRPMT	33.61
	Vendor Total		**33.61**		
FYTD for ISLAND WAVE PRODUCTION: DJ LETI			**33.61**		
ISS SWEEPING, INC.					
	5/17/2010	880508	2,265.70		
				STREET SWEEPING SVCS	1,545.70
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**25,816.10**		
J A M FIRE PROTECTION					
	5/3/2010	202295	21.00		
				REFUND-BUS LIC OVRPMT	21.00
	Vendor Total		**21.00**		
FYTD for J A M FIRE PROTECTION			**21.00**		
JAECH, JESSI					
	5/3/2010	202296	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JAECH, JESSI			**75.00**		
JDEDGE SOFTWARE, LLC					
	5/3/2010	880430	6,605.00		
				CONSULTING SVCS	6,605.00
	5/24/2010	880539	3,775.00		
				CONSULTING SVCS	3,775.00
	Vendor Total		**10,380.00**		
FYTD for JDEDGE SOFTWARE, LLC			**117,077.68**		
JOE A. GONSALVES & SON					
	5/17/2010	880509	3,150.00		
				REPRESENTATION SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**31,500.00**		
JOHNSON, DELIA					
	5/24/2010	202650	144.00		
				INSTRUCTOR SVCS-AEROBICS	144.00
	Vendor Total		**144.00**		
FYTD for JOHNSON, DELIA			**576.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JONES, SUSAN					
	5/3/2010	880431	0.00		
				RETIREE MEDICAL BENEFIT	318.73
				RETIREE MEDICAL BENEFIT	-318.73
	5/26/2010	880558	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, GARY					
	5/17/2010	202547	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for JORDAN, GARY			**50.00**		
JURY, KARRIE OR BRICE					
	5/24/2010	202651	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for JURY, KARRIE OR BRICE			**30.00**		
K HOVNANIAN'S PARKSIDE AT TOWNGATE					
	5/10/2010	202443	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for K HOVNANIAN'S PARKSIDE AT TOWNGATE			**57.00**		
KANOV, LORI					
	5/24/2010	202652	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for KANOV, LORI			**114.00**		
KELLEY'S UNDERGROUND CONSTRUCTION					
	5/3/2010	202297	31.24		
				REFUND-BUS LIC OVRPMT	31.24
	Vendor Total		**31.24**		
FYTD for KELLEY'S UNDERGROUND CONSTRUCTION			**31.24**		
KELLY, SHEILA					
	5/10/2010	202444	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KELLY, SHEILA			**50.00**		

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KEPLER, JANELLE					
	5/17/2010	202548	51.50		
				MILEAGE REIMBURSEMENT	19.00
				MILEAGE REIMBURSEMENT	32.50
	Vendor Total		**51.50**		
FYTD for KEPLER, JANELLE			**247.65**		
KHAN, SHAFIQUL					
	5/17/2010	202549	183.00		
				REFUND-CITATION FEE	183.00
	Vendor Total		**183.00**		
FYTD for KHAN, SHAFIQUL			**479.00**		
KING, PATRICIA A.					
	5/3/2010	202298	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,868.58**		
KOLB, CHARLES E.					
	5/3/2010	880432	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE					
	5/3/2010	202299	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,593.65**		
KYLE, GARY M.					
	5/3/2010	880433	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,868.58**		
LA FUENTE RESTAURANT #5					
	5/3/2010	202300	78.94		
				REFUND-BUS LIC OVRPMT	78.94
	Vendor Total		**78.94**		
FYTD for LA FUENTE RESTAURANT #5			**78.94**		

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LAFATA, JOSEPHINE					
	5/3/2010	880434	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,474.13**		
LAMB, LINDA					
	5/10/2010	202445	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for LAMB, LINDA			**30.00**		
LANG, TRACEY					
	5/3/2010	202301	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for LANG, TRACEY			**722.00**		
LANGENDORF, BENJAMIN					
	5/3/2010	202302	111.61		
				RETIREE MEDICAL BENEFIT	111.61
	Vendor Total		**111.61**		
FYTD for LANGENDORF, BENJAMIN			**2,980.18**		
LAW ENFORCEMENT APPRECIATION COMMITTEE					
	5/20/2010	202599	50.00		
				APPREC. DINNER/AWARDS CEREMONY	50.00
	Vendor Total		**50.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**50.00**		
LAWYERS TITLE INC					
	5/17/2010	202550	450.00		
				PRELIM RPT-MORRISON PK FIRE ST	450.00
	Vendor Total		**450.00**		
FYTD for LAWYERS TITLE INC			**212,300.50**		
LE FEVER MATTSON PROPERTY MGMT					
	5/3/2010	202303	23.30		
				REFUND-BUS LIC OVRPMT	23.30
	Vendor Total		**23.30**		
FYTD for LE FEVER MATTSON PROPERTY MGMT			**23.30**		

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LEADING EDGE LEARNING CENTER				
5/24/2010	202653	264.00		
			INSTRUCTOR SVCS-LEADERSHIP ACA	66.00
			INSTRUCTOR SVCS-ESL	198.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**264.00**		
LEIGHTON CONSULTING, INC.				
5/10/2010	880486	10,520.00		
			LASSELLE ST WIDENING PROJ SVCS	10,520.00
	Vendor Total	**10,520.00**		
FYTD for LEIGHTON CONSULTING, INC.		**83,366.64**		
LENNY'S AUTO REPAIR				
5/3/2010	202304	73.79		
			REFUND-BUS LIC OVRPMT	73.79
	Vendor Total	**73.79**		
FYTD for LENNY'S AUTO REPAIR		**73.79**		
LEWIS, CAROLYN S.				
5/3/2010	880435	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for LEWIS, CAROLYN S.		**3,470.89**		
LEWIS, DOROTHY				
5/3/2010	202305	16.00		
			REFUND-ANML LICENSE FEE	16.00
	Vendor Total	**16.00**		
FYTD for LEWIS, DOROTHY		**16.00**		
LEWIS-SCOTT, CLAUDETTE				
5/3/2010	202306	86.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for LEWIS-SCOTT, CLAUDETTE		**86.00**		

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LIEBERT, CASSIDY, WHITMORE				
5/3/2010	202307	175.00		
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
	Vendor Total	**175.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,694.00**		
LIM & NASCIMENTO ENGINEERING CORP.				
5/3/2010	202308	2,056.59		
			INDIAN BASIN IMPRVMNTS PROJ	2,056.59
5/24/2010	202654	913.01		
			PERRIS BL WIDENING FROM RAM XP	913.01
	Vendor Total	**2,969.60**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**558,770.97**		
LINDO, HERMINA G.				
5/3/2010	880436	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for LINDO, HERMINA G.		**3,060.17**		
LOGAN, CHARLES				
5/3/2010	880437	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**2,727.34**		
LOR GEOTECHNICAL GROUP, INC.				
5/24/2010	880540	950.00		
			VOUGHT ST SIDEWALK IMPRVMNTS	135.00
			TEMCO ST SIDEWALK IMPRVMNTS	815.00
	Vendor Total	**950.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.		**64,021.60**		
LUMLEY, ROBERT C.				
5/3/2010	880438	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for LUMLEY, ROBERT C.		**3,506.03**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	5/3/2010	880439	12,824.00		
				CDBG FUNDED SVCS-SECURITY DEPO	7,000.00
				CDBG FUNDED SVCS-SECURITY DEPO	324.00
				CDBG FUNDED SVCS-UTILITY ASSIS	5,000.00
				CDBG FUNDED SVCS-UTILITY ASSIS	500.00
	Vendor Total		**12,824.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**57,138.00**		
LYNCH. PATRICK					
	5/10/2010	202446	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for LYNCH. PATRICK			**260.00**		
MACHUCA, ALICIA					
	5/3/2010	202309	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MACHUCA, ALICIA			**75.00**		
MAGANA, OLGA					
	5/17/2010	202551	200.00		
				REFUND-RNTL DEP 4/17	200.00
	Vendor Total		**200.00**		
FYTD for MAGANA, OLGA			**200.00**		
MAGANA'S AUTO UPHOLSTERY & FURNITURE					
	5/3/2010	202310	35.74		
				REFUND-BUS LIC OVRPMT	35.74
	Vendor Total		**35.74**		
FYTD for MAGANA'S AUTO UPHOLSTERY & FURNITURE			**35.74**		
MANCILLA, MARIA					
	5/24/2010	202655	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MANCILLA, MARIA			**50.00**		
MARCH JOINT POWERS AUTHORITY					
	5/17/2010	202552	6.22		
				GAS CHARGES-MARCH FIELD	5.08
				GAS CHARGES-MARCH FIELD	1.14
	Vendor Total		**6.22**		
FYTD for MARCH JOINT POWERS AUTHORITY			**68.42**		

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MARK BEAMISH WATERPROOFING, INC.					
	5/3/2010	202311	126.74		
				REFUND-BUS LIC OVRPMT	126.74
	Vendor Total		**126.74**		
FYTD for MARK BEAMISH WATERPROOFING, INC.			**213.74**		
MARKETEKS 2410943					
	5/17/2010	202553	11,740.00		
				INFLATABLE LIGHT TOWERS-PD	11,400.00
				INFLATABLE LIGHT TOWERS-TAX	997.50
				INFLATABLE LIGHT TOWERS-SHIPPI	340.00
				INFLATABLE LIGHT TOWERS-USED T	-997.50
	Vendor Total		**11,740.00**		
FYTD for MARKETEKS 2410943			**27,475.00**		
MARTIAL ARTS INTERNATIONAL, USKO					
	5/10/2010	202447	168.00		
				INSTRUCTOR SVCS-KICKBOXING	112.00
				INSTRUCTOR SVCS-BOXING	56.00
	Vendor Total		**168.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**560.00**		
MASONITE CORPORATION					
	5/24/2010	202656	90.00		
				REFUND-FALSE ALARM FEE	90.00
	Vendor Total		**90.00**		
FYTD for MASONITE CORPORATION			**90.00**		
MATHIS, NOLAN					
	5/3/2010	202312	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**3,196.80**		
MATICH CORPORATION					
	5/24/2010	880541	21,227.37		
				ASPHALTIC MATERIAL	7,876.84
				ASPHALTIC MATERIAL	9,256.92
				ASPHALTIC MATERIAL	2,795.83
				ASPHALTIC MATERIAL	1,297.78
	Vendor Total		**21,227.37**		
FYTD for MATICH CORPORATION			**56,951.72**		

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MAXINOSKI, SUE A.					
	5/3/2010	880440	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.					
	5/24/2010	202657	13,560.00		
				AUDITING SVC-CITY	7,280.00
				AUDITING SVC-SINGLE	757.00
				AUDITING SVC-CITY	3,417.00
				AUDITING SVC-RDA	1,404.00
				AUDITING SVC-RDA	702.00
	Vendor Total		**13,560.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		
MCCULLUM, ADRIAN					
	5/24/2010	202658	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MCCULLUM, ADRIAN			**50.00**		
MCDONOUGH, HOLLAND & ALLEN					
	5/24/2010	202659	6.36		
				LEGAL SVCS	6.36
	Vendor Total		**6.36**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,993.56**		
MELAD & ASSOCIATES					
	5/3/2010	202314	2,751.46		
				PLAN CHECK SERVICES	2,751.46
	Vendor Total		**2,751.46**		
FYTD for MELAD & ASSOCIATES			**41,130.82**		
MENDOZA, BRUNO					
	5/17/2010	202554	41.00		
				REFUND-ANML LIC FEE	41.00
	Vendor Total		**41.00**		
FYTD for MENDOZA, BRUNO			**41.00**		
MENGISTU, YESHIALEM					
	5/17/2010	202555	123.00		
				MILEAGE REIMBURSEMENT	123.00
	Vendor Total		**123.00**		
FYTD for MENGISTU, YESHIALEM			**1,118.55**		

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MESSIN, LOUIS					
	5/3/2010	880441	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,868.58**		
MILES, ROBERT					
	5/3/2010	880442	0.00		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	-194.53
	5/12/2010	880496	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,415.29**		
MINARD, MARK E.					
	5/3/2010	880443	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**3,294.68**		
MIRACLE PLAYGROUND SALES					
	5/10/2010	880487	942.20		
				PLAYGROUND EQUIP PARTS	942.20
	Vendor Total		**942.20**		
FYTD for MIRACLE PLAYGROUND SALES			**33,148.29**		
MISSION PAVING AND SEALING, INC					
	5/3/2010	202315	42.21		
				REFUND-BUS LIC OVRPMT	42.21
	Vendor Total		**42.21**		
FYTD for MISSION PAVING AND SEALING, INC			**42.21**		
MOLLICA, MIKE					
	5/3/2010	880444	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,612.79**		
MORA, PATRICIA A.					
	5/3/2010	202395	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		

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MORALES, KAREN R.				
5/24/2010	202660	30.99		
			TRAVEL EXP-INFOPEOPLE WORKSHOP	23.50
			TRAVEL EXP-INFOPEOPLE WORKSHOP	7.49
Vendor Total		**30.99**		
FYTD for MORALES, KAREN R.		**30.99**		
MORENO JANITORIAL				
5/3/2010	202316	62.75		
			REFUND-BUS LIC OVRPMT	62.75
Vendor Total		**62.75**		
FYTD for MORENO JANITORIAL		**62.75**		
MORENO VALLEY CHAMBER OF COMMERCE				
5/10/2010	202448	25.00		
			STUDENT OF THE YEAR DINNER	25.00
5/17/2010	202556	105.00		
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
Vendor Total		**130.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,230.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
5/7/2010	2631	1,579.00		
			MVCEA DUES 05/07/10	1,579.00
5/21/2010	2639	1,579.00		
			MVCEA DUES 05/21/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**38,011.50**		
MORENO VALLEY CONSTRUCTION				
5/3/2010	202317	54.25		
			REFUND-BUS LIC OVRPMT	54.25
Vendor Total		**54.25**		
FYTD for MORENO VALLEY CONSTRUCTION		**54.25**		

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MORENO VALLEY GATEWAY, LLC				
5/24/2010	880542	7,934.87		
			LEASE-FAC ANNEX BLDG	2,458.97
			LEASE-TECH SVCS ANNEX BLDG	5,475.90
5/26/2010	880559	13,158.56		
			LEASE-SPCL DIST ANNEX BLDG	13,158.56
	Vendor Total	**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC		**232,027.73**		
MORENO VALLEY HISPANIC CHAMBER				
5/24/2010	202661	100.00		
			REFUND-RNTL DEP 5/8	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**343.50**		
MORENO VALLEY UTILITY				
5/24/2010	202662	79.80		
			ELECTRIC SVC-UT FLD OFFICE	79.80
	Vendor Total	**79.80**		
FYTD for MORENO VALLEY UTILITY		**679,997.78**		
MORENO, DIANA				
5/10/2010	202449	260.00		
			PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total	**260.00**		
FYTD for MORENO, DIANA		**260.00**		
MORGAN, LISA A.				
5/3/2010	880446	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,506.03**		
MR. CLEAN, INC.				
5/3/2010	202318	200.00		
			PRESSURE WASHING SERVICE	200.00
	Vendor Total	**200.00**		
FYTD for MR. CLEAN, INC.		**1,533.41**		
MYSTIK CARPET				
5/3/2010	202319	48.99		
			REFUND-BUS LIC OVRPMT	48.99
	Vendor Total	**48.99**		
FYTD for MYSTIK CARPET		**48.99**		

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NADINE THOMAS					
	5/24/2010	202663	19,053.72		
				RENTAL ASSIST PMT-IRONWOOD PRJ	19,053.72
	5/24/2010	202664	1,650.00		
				RESIDENTIAL MOVING PMT	1,650.00
	Vendor Total		**20,703.72**		
FYTD for NADINE THOMAS			**20,703.72**		
NARA, LOWELON					
	5/10/2010	202450	82.00		
				MILEAGE REIMBURSEMENT	82.00
	Vendor Total		**82.00**		
FYTD for NARA, LOWELON			**437.05**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.					
	5/24/2010	202665	157.37		
				FORENSIC SUPPLIES-PD	146.81
				FORENSIC SUPPLIES-SHIPPING	22.37
				FORENSIC SUPPLIES-USED TAX	-11.81
	Vendor Total		**157.37**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**989.36**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/7/2010	2629	12,812.44		
				PST DEF COMP FOR FICA 05/07/10	12,812.44
	5/7/2010	2630	23,534.81		
				DEF COMP 457 & 401(A) 05/07/10	23,534.81
	5/21/2010	2637	12,792.15		
				PST DEF COMP FOR FICA 05/21/10	12,792.15
	Vendor Total		**49,139.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVARRETTE, RALPH					
	5/3/2010	202320	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,593.65**		
NELSON PAVING					
	5/3/2010	202321	6,381.79		
				INSTALL SPEED HUMP-SUPERIOR AV	6,381.79
	5/17/2010	202558	4,523.00		
				PARKING LOT RPRS-SENIOR CTR	4,523.00
	Vendor Total		**10,904.79**		
FYTD for NELSON PAVING			**21,068.39**		

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NELSON, CHRIS					
	5/24/2010	202666	25.00		
				REFUND-LOST BOOK FEE	25.00
	Vendor Total		**25.00**		
FYTD for NELSON, CHRIS			**25.00**		
NELSON, ROBERT					
	5/3/2010	202322	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,742.41**		
NELSON, RUTH L.					
	5/3/2010	880447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S					
	5/3/2010	202323	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW VISION CHILDREN'S SERVICES					
	5/3/2010	202324	200.00		
				REFUND-RNTL DEP 4/12	200.00
	Vendor Total		**200.00**		
FYTD for NEW VISION CHILDREN'S SERVICES			**200.00**		
NGUYEN, QUANG					
	5/17/2010	202597	68.00		
				MILEAGE REIMBURSEMENT	68.00
	Vendor Total		**68.00**		
FYTD for NGUYEN, QUANG			**332.55**		
NICKS, KRISTIN					
	5/10/2010	202451	52.00		
				REFUND-REGIST FEE	52.00
	Vendor Total		**52.00**		
FYTD for NICKS, KRISTIN			**52.00**		

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NIEBURGER, JUDITH A.					
	5/3/2010	202325	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIETO, ANTHONY					
	5/17/2010	202559	30.00		
				REFUND-ADOPTION FEE	30.00
	Vendor Total		**30.00**		
FYTD for NIETO, ANTHONY			**30.00**		
NUNEZ MOBILE REPAIR					
	5/3/2010	202326	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for NUNEZ MOBILE REPAIR			**57.00**		
NUTRITIONAL MERCHANDISE					
	5/3/2010	202327	84.15		
				REFUND-BUS LIC OVRPMT	84.15
	Vendor Total		**84.15**		
FYTD for NUTRITIONAL MERCHANDISE			**84.15**		
OAKRIDGE DATA MINING					
	5/3/2010	202328	32.15		
				REFUND-BUS LIC OVRPMT	32.15
	Vendor Total		**32.15**		
FYTD for OAKRIDGE DATA MINING			**32.15**		
OAKS, MARY ANN					
	5/17/2010	202560	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**225.00**		
OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO					
	5/17/2010	202561	40.00		
				5/27/10 GANG TRNG CONFERENCE	40.00
	Vendor Total		**40.00**		
FYTD for OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO			**40.00**		

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OMNIS, INC.					
	5/10/2010	202452	2,640.00		
				TRAF SIG @ SR-60/REDLANDS BLVD	2,640.00
	Vendor Total		**2,640.00**		
FYTD for OMNIS, INC.			**11,163.04**		
OPERATION SAFEHOUSE, INC.					
	5/17/2010	202562	867.18		
				SHELTER PRGM-CDBG	867.18
	Vendor Total		**867.18**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,911.46**		
ORTIZ FIRE PROTECTION					
	5/24/2010	202667	516.00		
				REFUND-FIRE PERMIT FEES	270.00
				REFUND-FIRE PERMIT FEES	225.00
				REFUND-FIRE PERMIT FEES	21.00
	Vendor Total		**516.00**		
FYTD for ORTIZ FIRE PROTECTION			**516.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	5/17/2010	202563	7,560.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	7,560.00
	Vendor Total		**7,560.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**158,889.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	5/10/2010	202453	817.83		
				LANDSCAPE MAINT-E3	235.54
				LANDSCAPE MAINT-E4	433.49
				LANDSCAPE MAINT-E1	108.51
				LANDSCAPE MAINT-E7	40.29
	5/24/2010	202668	975.00		
				TREE PESTICIDE INJECTIONS	975.00
	Vendor Total		**1,792.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**11,896.12**		
PACIFIC TELEMANAGEMENT SERVICES					
	5/17/2010	202564	438.48		
				PAYPHONE CHRGS	375.84
				PAYPHONE CHRGS-POLICE	62.64
	Vendor Total		**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**3,019.24**		

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PACIFIC UTILITY INSTALLATION, INC				
5/24/2010	202669	850.00		
			PROF SVCS-MVU	850.00
Vendor Total		**850.00**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**896.65**		
PAINTING BY ZEB BODE				
5/10/2010	202454	300.00		
			GYMNASIUM TOUCH UP SVC	300.00
Vendor Total		**300.00**		
FYTD for PAINTING BY ZEB BODE		**6,250.00**		
PAMINIANO, VANESSA				
5/10/2010	202455	124.80		
			REFUND-SHELTER RNTL FEE	124.80
Vendor Total		**124.80**		
FYTD for PAMINIANO, VANESSA		**124.80**		
PARSONS TRANSPORTATION GROUP, INC.				
5/10/2010	202456	4,755.23		
			SR-60/NASON ST OVRCRSSNG PROJ	4,755.23
Vendor Total		**4,755.23**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,006,277.56**		
PATTERSON, ALFREY				
5/3/2010	202329	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY		**2,306.44**		
PATTERSON, PATRICK				
5/3/2010	202330	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for PATTERSON, PATRICK		**75.00**		
PATTON, LARRY				
5/24/2010	202670	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for PATTON, LARRY		**20.00**		

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PEDLEY SQUARE VETERINARY CLINIC					
	5/17/2010	202598	7,963.00		
				EMERG VET SVCS	7,963.00
	Vendor Total		**7,963.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**74,046.75**		
PELLAND, KENT					
	5/24/2010	202672	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for PELLAND, KENT			**50.00**		
PEP BOYS					
	5/3/2010	202331	1,715.52		
				REFUND-BUS LIC OVRPMT	1,715.52
	Vendor Total		**1,715.52**		
FYTD for PEP BOYS			**1,715.52**		
PERRY, NORMA					
	5/3/2010	202332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM					
	5/10/2010	202457	433.87		
				LONG TERM CARE INSURANCE	433.87
	5/24/2010	202673	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,155.27**		
PLUMMERS ELEVATOR SERVICE, INC					
	5/3/2010	202333	127.94		
				REFUND-BUS LIC OVRPMT	127.94
	Vendor Total		**127.94**		
FYTD for PLUMMERS ELEVATOR SERVICE, INC			**127.94**		
POIEMA LANDSCAPE, INC.					
	5/24/2010	880544	3,464.85		
				LANDSCAPE MAINT-ZN S	834.37
				LANDSCAPE MAINT-ZN S	499.48
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**34,023.98**		

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POSTMASTER					
	5/3/2010	202334	2,961.93		
				POSTAGE	592.41
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
	5/10/2010	202458	865.00		
				PERMIT RENEWAL	750.23
				PERMIT RENEWAL	84.24
				PERMIT RENEWAL	30.53
	Vendor Total		**3,826.93**		
FYTD for POSTMASTER			**18,679.21**		
PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE					
	5/17/2010	202565	4,350.15		
				LEGAL AD PLACEMENTS	1,291.50
				LEGAL AD PLACEMENTS	1,425.38
				LEGAL AD PLACEMENTS	1,633.27
	Vendor Total		**4,350.15**		
FYTD for PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE			**11,721.15**		
PRICE, GEORGE E.					
	5/3/2010	880448	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PROTECTION ONE, INC.					
	5/17/2010	202566	40.00		
				SECURITY MNTRNG SVC-PRO SHOP	20.00
				SECURITY MNTRNG SVC-GOLF CTR	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**440.00**		
PSOMAS					
	5/10/2010	202459	5,950.00		
				LASSELLE ST WIDENING PROJ SVCS	5,950.00
	5/10/2010	202460	10,991.44		
				LASSELLE ST WIDENING PROJ SVCS	10,991.44
	Vendor Total		**16,941.44**		
FYTD for PSOMAS			**195,642.70**		

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PULLIAM, TRENT D.					
	5/3/2010	202335	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PW ENHANCEMENT CENTER					
	5/3/2010	880449	7,208.99		
				PARTNERSHIP PRGM-EDD	7,208.99
	Vendor Total		**7,208.99**		
FYTD for PW ENHANCEMENT CENTER			**123,955.07**		
PYRO SPECTACULARS, INC.					
	5/10/2010	202461	16,500.00		
				FIREWORKS DISPLAY-7/4/10	16,500.00
	Vendor Total		**16,500.00**		
FYTD for PYRO SPECTACULARS, INC.			**16,500.00**		
QUINN AME CHURCH					
	5/3/2010	202336	200.00		
				REFUND-RNTL DEP 4/10	200.00
	Vendor Total		**200.00**		
FYTD for QUINN AME CHURCH			**400.00**		
QUIZNOS SUBS #11109					
	5/3/2010	202337	66.34		
				REFUND-BUS LIC OVRPMT	66.34
	Vendor Total		**66.34**		
FYTD for QUIZNOS SUBS #11109			**66.34**		
R & S OVERHEAD DOORS, INC.					
	5/17/2010	880512	2,247.50		
				LIFT MASTER-FS #2	2,247.50
	5/24/2010	880545	717.00		
				DOOR RAIL-FS #2	717.00
	Vendor Total		**2,964.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**29,709.00**		
RAIN FRESH CLEANERS					
	5/3/2010	202338	36.00		
				REFUND-BUS LIC OVRPMT	36.00
	Vendor Total		**36.00**		
FYTD for RAIN FRESH CLEANERS			**36.00**		

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RALLY MANAGEMENT SERVICES, LLC					
	5/3/2010	202339	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/7	719.28
				TEMP SVCS-HENDERSON W/E 4/11	719.28
	5/10/2010	202462	719.28		
				TEMP SVCS-HENDERSON W/E 4/18	719.28
	5/24/2010	202674	719.28		
				TEMP SVCS-HENDERSON W/E 4/25	719.28
	Vendor Total		**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**15,119.21**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	5/3/2010	202341	92.05		
				REFUND-BUS LIC OVRPMT	92.05
	Vendor Total		**92.05**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,872.05**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	5/17/2010	202567	54.00		
				CUC BREAKFAST MEETING	18.00
				CUC BREAKFAST MEETING	18.00
				CUC BREAKFAST MEETING	18.00
	Vendor Total		**54.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**94.00**		
REISH LUFTMAN REICHER & COHEN					
	5/3/2010	202342	5,715.00		
				LEGAL SVCS-HR	5,715.00
	Vendor Total		**5,715.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**45,425.50**		
RENTERIA, CARLOS					
	5/3/2010	202343	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RENTERIA, CARLOS			**20.00**		
RESCUE ROOTER					
	5/3/2010	202344	99.00		
				PLUMBING REPAIRS-PSB	99.00
	Vendor Total		**99.00**		
FYTD for RESCUE ROOTER			**6,585.50**		

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REVENUE EXPERTS, INC.					
	5/3/2010	202345	1,594.18		
				CITATION PRCSSNG-ANML SVCS	1,594.18
	Vendor Total		**1,594.18**		
FYTD for REVENUE EXPERTS, INC.			**37,586.23**		
REYNA, MARTIN					
	5/3/2010	202346	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for REYNA, MARTIN			**30.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	5/10/2010	202463	984.60		
				SHADOW MTN PARK LIGHTING PROJ	984.60
	Vendor Total		**984.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**7,432.58**		
RIVERSIDE COUNTY ASSESSOR					
	5/3/2010	202347	6.00		
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
	Vendor Total		**6.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**201.00**		
RIVERSIDE COUNTY AUDITOR-CONTROLLER					
	5/10/2010	202464	35.00		
				TAX RATE BOOK ANNL PUBLICATION	35.00
	Vendor Total		**35.00**		
FYTD for RIVERSIDE COUNTY AUDITOR-CONTROLLER			**35.00**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH					
	5/10/2010	202465	300.00		
				LICENSE TESTING	300.00
	Vendor Total		**300.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			**1,750.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
5/3/2010	202348	1,789.70		
			RADIO SERVICES-POLICE	1,789.70
5/10/2010	202466	231.01		
			RADIO LEASE/MAINT	187.15
			RADIO LEASE/MAINT	9.85
			RADIO LEASE/MAINT	34.01
	Vendor Total	**2,020.71**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**22,869.34**		
RIVERSIDE COUNTY SHERIFF				
5/3/2010	202396	10,587.84		
			BOOKING FEES-PD	10,587.84
5/17/2010	880513	11,362.56		
			BOOKING FEES-PD	11,362.56
	Vendor Total	**21,950.40**		
FYTD for RIVERSIDE COUNTY SHERIFF		**33,101,772.67**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
5/10/2010	202467	800.14		
			GARNISHMENT	800.14
5/24/2010	202675	816.88		
			GARNISHMENT	816.88
	Vendor Total	**1,617.02**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**10,912.95**		
RIVERSIDE COUNTY SHERIFF MV				
5/17/2010	202569	1,173.04		
			EXTRA DUTY SVC-POLICE	233.42
			EXTRA DUTY SVC-POLICE	584.09
			EXTRA DUTY SVC-POLICE	355.53
	Vendor Total	**1,173.04**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**11,192.14**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				
5/17/2010	202570	1,958.04		
			MVFBI-ICEP CHRGS	1,305.36
			MVFBI-ICEP CHRGS	652.68
	Vendor Total	**1,958.04**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**762,001.26**		

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RIVERSIDE RUBBER STAMP & ENGRAVING					
	5/17/2010	202571	60.56		
				DATE STAMP-M&O	54.56
				DATE STAMP-SHIPPING	6.00
	Vendor Total		**60.56**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING			**77.07**		
RIVERSTONE RESIDENTIAL CA, INC					
	5/3/2010	202349	52.93		
				REFUND-BUS LIC OVRPMT	52.93
	Vendor Total		**52.93**		
FYTD for RIVERSTONE RESIDENTIAL CA, INC			**52.93**		
RLZ ENGINEERING					
	5/10/2010	880489	5,254.50		
				TEMP STAFFING SVCS-CAP PROJS	5,254.50
	Vendor Total		**5,254.50**		
FYTD for RLZ ENGINEERING			**135,854.25**		
ROBINSON, JOAQUIN					
	5/3/2010	202350	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for ROBINSON, JOAQUIN			**304.00**		
ROGERS, EUGENE					
	5/3/2010	880451	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,868.58**		
ROSS, DAVID T.					
	5/3/2010	880452	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.					
	5/3/2010	880453	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for ROSSON, LOUIS A.			**2,952.93**		

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RUSSELL, MARGARET					
	5/24/2010	202676	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for RUSSELL, MARGARET			**190.00**		
RUSSO, JOHN					
	5/3/2010	880454	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,506.03**		
RUTAN & TUCKER, LLP					
	5/24/2010	202677	550.00		
				LEGAL SVCS	550.00
	Vendor Total		**550.00**		
FYTD for RUTAN & TUCKER, LLP			**550.00**		
RYMAX ELECTRIC, INC.					
	5/17/2010	202572	5,610.61		
				TREE LIGHT INSTALL-E7	3,850.00
				TREE LIGHT MAINT-E1	125.00
				TREE LIGHT MAINT-E2	125.00
				TREE LIGHT MAINT-E3	125.00
				TREE LIGHT MAINT-E7	125.00
				TREE LIGHT MAINT-ZN M	125.00
				TREE LIGHT RPRS-E1	385.00
				TREE LIGHT RPRS-E3	580.85
				TREE LIGHT RPRS-E7	169.76
	Vendor Total		**5,610.61**		
FYTD for RYMAX ELECTRIC, INC.			**20,033.41**		
SA ASSOCIATES					
	5/24/2010	880546	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for SA ASSOCIATES			**120,562.50**		
SANDOVAL, PATRICK					
	5/17/2010	202573	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for SANDOVAL, PATRICK			**95.00**		

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SCHINDLER ELEVATOR CORP					
	5/3/2010	202351	36.12		
				REFUND-BUS LIC OVRPMT	36.12
	Vendor Total		**36.12**		
FYTD for SCHINDLER ELEVATOR CORP			**36.12**		
SCHLECHTER, JOHN A.					
	5/3/2010	202352	91.86		
				REFUND-BUS LIC OVRPMT	91.86
	Vendor Total		**91.86**		
FYTD for SCHLECHTER, JOHN A.			**91.86**		
SCREENVISION DIRECT					
	5/10/2010	202468	2,240.00		
				ADVERTISING SVCS-SPCL DIST	1,044.00
				ADVERTISING SVCS-SPCL DIST	596.00
				ADVERTISING SVCS-SPCL DIST	450.00
				ADVERTISING SVCS-SPCL DIST	150.00
	5/24/2010	202678	1,328.00		
				ADVERTISING SVCS-EDD	768.00
				ADVERTISING SVCS-EDD	560.00
	Vendor Total		**3,568.00**		
FYTD for SCREENVISION DIRECT			**11,108.00**		
SEAL ELECTRIC, INC					
	5/3/2010	202353	23.29		
				REFUND-BUS LIC OVRPMT	23.29
	Vendor Total		**23.29**		
FYTD for SEAL ELECTRIC, INC			**23.29**		
SECTRAN SECURITY, INC					
	5/3/2010	202354	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**4,635.00**		

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SECURITY LOCK & KEY					
	5/3/2010	880455	144.08		
				DOOR LOCK SVCS-ANML SHLTR	144.08
	5/10/2010	880491	156.31		
				DOOR LOCK SVC-PARKS	156.31
	5/24/2010	880547	167.02		
				CABINET LOCK SVC-MAINT & OPS	105.52
				DOOR LOCK SVC-TOWNGATE PARK	61.50
	Vendor Total		**467.41**		
FYTD for SECURITY LOCK & KEY			**16,545.69**		
SHAH, JAGDISH					
	5/17/2010	880515	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	9,760.00
				TEMP STAFFING SVCS-CAP PROJS	8,600.00
	Vendor Total		**18,360.00**		
FYTD for SHAH, JAGDISH			**203,640.00**		
SHARRETT, SHARON K.					
	5/3/2010	202355	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**2,041.76**		
SHELDON, STUART H.					
	5/3/2010	202356	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.					
	5/10/2010	202470	70.00		
				FUEL PURCHASE-ANIMAL SVCS	70.00
	5/24/2010	202679	1,685.59		
				FUEL PURCHASE-PW TREE EQUIP.	16.25
				FUEL PURCHASES-PD MOTORCYCLES	1,669.34
	Vendor Total		**1,755.59**		
FYTD for SHELL OIL CO.			**18,640.01**		
SHURTLEFF, JEANNETTE L.					
	5/24/2010	202680	532.00		
				INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,800.00**		

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SIGMA ENGINEERNG, INC				
5/10/2010	202471	12,005.00		
			ASBESTOS/LEAD SURVEY	4,400.00
			ASBESTOS/LEAD SURVEY	7,605.00
Vendor Total		**12,005.00**		
FYTD for SIGMA ENGINEERNG, INC		**12,005.00**		
SIMPLEX GRINNELL, LP				
5/3/2010	202357	20.66		
			REFUND-BUS LIC OVRPMT	20.66
Vendor Total		**20.66**		
FYTD for SIMPLEX GRINNELL, LP		**20.66**		
SINGER & COFFIN, APC				
5/24/2010	880549	7,906.97		
			LEGAL SVCS-SR60/NASON ST PROJ	1,443.75
			LEGAL SVCS-SR60/NASON ST PROJ	6,463.22
Vendor Total		**7,906.97**		
FYTD for SINGER & COFFIN, APC		**76,958.62**		
SKONBERG, HEATHER ALLISON				
5/24/2010	202681	1,000.00		
			CONSULTING SVCS	1,000.00
Vendor Total		**1,000.00**		
FYTD for SKONBERG, HEATHER ALLISON		**6,300.00**		
SKY PUBLISHING				
5/3/2010	202358	8,773.50		
			RECREATION GUIDES	8,773.50
Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING		**57,218.00**		
SKY TRAILS MOBILE VILLAGE				
5/24/2010	202682	18.69		
			REFUND-UT USER TAXES	18.69
Vendor Total		**18.69**		
FYTD for SKY TRAILS MOBILE VILLAGE		**247.29**		
SLAGERMAN, SUSAN A.				
5/3/2010	880456	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**4,068.49**		

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SMITH, MARIA A.					
	5/3/2010	880457	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,861.69**		
SMUS, PAULA					
	5/24/2010	202683	61.70		
				MILEAGE REIMBURSEMENT	61.70
	Vendor Total		**61.70**		
FYTD for SMUS, PAULA			**166.42**		
SO - CAL STRUCTURAL STEEL FABRICATION, I					
	5/3/2010	202359	27.00		
				REFUND-BUS LIC OVRPMT	27.00
	Vendor Total		**27.00**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I			**27.00**		
SO. CALIF SCHOOL OF MUSIC					
	5/10/2010	202472	1,134.00		
				INSTRUCTOR SVCS-GUITAR	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	55.75
				INSTRUCTOR SVCS-PIANO	106.25
	Vendor Total		**1,134.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**11,024.25**		
SOLANO, ALEX					
	5/17/2010	202575	395.00		
				AUDIO VISUAL SVCS-CONF & REC C	395.00
	Vendor Total		**395.00**		
FYTD for SOLANO, ALEX			**1,101.00**		
SOLIS, WENDY					
	5/3/2010	202360	750.00		
				REFUND-RNTL DEP 4/17	750.00
	Vendor Total		**750.00**		
FYTD for SOLIS, WENDY			**750.00**		

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SOSA, JORGE					
	5/10/2010	202473	503.34		
				INSTRUCTOR SVCS-NINPO	96.00
				INSTRUCTOR SVCS-KARATEDO	407.34
	Vendor Total		**503.34**		
FYTD for SOSA, JORGE			**4,107.54**		
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202361	419.66		
				NEW METER/SVC-KITCHING ST. TS	419.66
	5/3/2010	202363	4,829.54		
				ELECTRICITY	42.22
				ELECTRICITY	678.06
				ELECTRICITY	1,306.54
				ELECTRICITY	113.12
				ELECTRICITY	226.67
				ELECTRICITY	498.82
				ELECTRICITY	661.92
				ELECTRICITY	136.98
				ELECTRICITY	842.94
				ELECTRICITY	161.05
				ELECTRICITY	70.87
				ELECTRICITY	46.23
				ELECTRICITY	44.12
	5/10/2010	202475	4,106.66		
				ELECTRICITY	65.58
				ELECTRICITY	89.64
				ELECTRICITY	20.38
				ELECTRICITY	893.78
				ELECTRICITY	899.94
				ELECTRICITY	443.18
				ELECTRICITY	449.06
				ELECTRICITY	318.32
				ELECTRICITY	21.50
				ELECTRICITY	649.18
				ELECTRICITY	45.19
				ELECTRICITY	149.62
				ELECTRICITY	61.29
	5/17/2010	202577	347.36		
				ELECTRICITY	347.36
	Vendor Total		**9,703.22**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,749,896.42**		

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SOUTHERN CALIFORNIA GAS CO.					
	5/24/2010	202685	5,977.22		
				GAS CHARGES	29.74
				GAS CHARGES	975.30
				GAS CHARGES	2,433.45
				GAS CHARGES	16.35
				GAS CHARGES	73.70
				GAS CHARGES	652.71
				GAS CHARGES	149.05
				GAS CHARGES	50.11
				GAS CHARGES	486.19
				GAS CHARGES	286.88
				GAS CHARGES	143.78
				GAS CHARGES	128.06
				GAS CHARGES	125.78
				GAS CHARGES	240.38
				GAS CHARGES	185.74
	Vendor Total		**5,977.22**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**267,365.01**		
SOUTHERN PET SUPPLIES					
	5/10/2010	880492	256.15		
				MISC SUPPLIES-ANML SVCS	256.15
	Vendor Total		**256.15**		
FYTD for SOUTHERN PET SUPPLIES			**1,773.10**		
SPARKLETTS					
	5/3/2010	202364	4.50		
				WATER SVCS-EMERG OPS	4.50
	5/24/2010	202686	30.70		
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-SUNNYMEAD ELEM	4.50
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-GOLF COURSE	4.50
				WATER SVCS-EMERG OPS	4.50
	Vendor Total		**35.20**		
FYTD for SPARKLETTS			**430.19**		
SPECK, GARY B.					
	5/3/2010	880458	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		

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SPECTRUM CARE					
	5/3/2010	880459	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	5/24/2010	880550	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**123,407.30**		
SPENCER, MARTHA					
	5/3/2010	880460	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,415.29**		
SPORTS INNOVATORS					
	5/10/2010	202476	1,995.00		
				SPORTS OFFICIATING SVCS	1,995.00
	Vendor Total		**1,995.00**		
FYTD for SPORTS INNOVATORS			**27,890.00**		
SPRINT/NEXTEL					
	5/17/2010	880516	33.11		
				CELL PH SVC-GTF	33.11
	Vendor Total		**33.11**		
FYTD for SPRINT/NEXTEL			**729.29**		
STANDARD INSURANCE CO					
	5/3/2010	202365	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**359,149.29**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC				
5/3/2010	880461	1,606.50		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-TECH SVCS	330.00
			MONITORING SVCS-ASES	354.00
			MONITORING SVCS-ANNX #1	207.00
			MONITORING SVCS-ASES	123.00
			MONITORING SVCS-CITY HALL	493.50
5/10/2010	880493	644.55		
			MONITORING SVCS-CONF & REC CTR	301.00
			MONITORING SVCS-CONF & REC CTR	14.00
			MONITORING SVCS-LIBRARY	156.35
			MONITORING SVCS-LIBRARY	173.20
	Vendor Total	**2,251.05**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**28,359.51**		
STATE BOARD OF EQUALIZATION				
5/21/2010	43010	3,930.00		
			SALES & USE TAX 4/1-4/30/10	3,930.00
	Vendor Total	**3,930.00**		
FYTD for STATE BOARD OF EQUALIZATION		**39,848.29**		
STATE DISBURSEMENT UNIT				
5/13/2010	2628	1,137.82		
			CHILD SUPPORT W/H 05/13/10	1,137.82
5/27/2010	2636	1,183.98		
			CHILD SUPPORT W/H 05/27/10	1,183.98
	Vendor Total	**2,321.80**		
FYTD for STATE DISBURSEMENT UNIT		**41,536.30**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF				
5/17/2010	202578	187.50		
			LICENSE RNWL-ERIC LEWIS	187.50
	Vendor Total	**187.50**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**937.50**		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
5/3/2010	202366	2,935.00		
			FINGERPRINTING SVCS-PD	2,920.00
			FINGERPRINTING SVCS-PD	15.00
5/10/2010	202478	980.00		
			BLOOD ALCHL ANLYS-PD	980.00
	Vendor Total	**3,915.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**55,459.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
5/24/2010	202687	167.29		
			REFUND-MV UTILITY	100.02
			REFUND-MV UTILITY	67.27
	Vendor Total	**167.29**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,555.82**		
STEEL SYSTEMS ERECTORS				
5/3/2010	202367	88.45		
			REFUND-BUS LIC OVRPMT	88.45
	Vendor Total	**88.45**		
FYTD for STEEL SYSTEMS ERECTORS		**88.45**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
5/24/2010	202688	2,313.12		
			TRANSCRIPTION SVCS-PD	2,313.12
	Vendor Total	**2,313.12**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**34,642.40**		
STEWART TITLE OF CALIFORNIA				
5/12/2010	1005041	14,112.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	14,112.00
5/12/2010	1005051	6,087.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	6,087.00
5/17/2010	1005121	9,597.00		
			ESCROW DEP/APN 475-300-018&019	9,597.00
	Vendor Total	**29,796.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
STEWART, CLIFFORD				
5/3/2010	880462	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for STEWART, CLIFFORD		**2,247.90**		
STEWART, JONATHAN L.				
5/17/2010	202579	1,007.00		
			REFUND-ANML SVC FEES	1,007.00
	Vendor Total	**1,007.00**		
FYTD for STEWART, JONATHAN L.		**1,007.00**		

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STEWART, LINDA					
	5/10/2010	202479	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for STEWART, LINDA			**75.00**		
STILES ANIMAL REMOVAL, INC.					
	5/3/2010	202368	450.00		
				ANIMAL REMOVAL SVCS	450.00
	Vendor Total		**450.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**610.00**		
STOP THE VIOLENCE INCREASE THE PEACE FOU					
	5/3/2010	202369	174.27		
				REFUND-BUS LIC OVRPMT	158.88
				REFUND-BUS LIC OVRPMT	1.14
				REFUND-BUS LIC OVRPMT	14.25
	Vendor Total		**174.27**		
FYTD for STOP THE VIOLENCE INCREASE THE PEACE FOU			**174.27**		
STRADLING, YOCCA, CARLSON & RAUTH					
	5/3/2010	202370	10,846.61		
				LEGAL SVCS-EDD	200.06
				LEGAL SVCS-EDD	200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	5,787.43
				LEGAL SVCS-EDD	3,689.79
				LEGAL SVCS-EDD	740.33
				LEGAL SVCS-SPCL DIST	104.00
	5/10/2010	202480	7,604.78		
				LEGAL SVCS-EDD	1,515.79
				LEGAL SVCS-EDD	1,301.08
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	100.00
				LEGAL SVCS-EDD	385.39
				LEGAL SVCS-EDD	2,977.52
	5/24/2010	202689	21,976.37		
				LEGAL SVCS-EDD	7,392.40
				LEGAL SVCS-EDD	6,309.47
				LEGAL SVCS-EDD	720.00
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	2,080.00
				LEGAL SVCS-EDD	1,776.00
				LEGAL SVCS-EDD	736.00
				LEGAL SVCS-EDD	1,762.50
	Vendor Total		**40,427.76**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**121,810.54**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STREICH, TERRY L.					
	5/3/2010	202371	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**610.64**		
STRICKLER ASSOCIATION, THE					
	5/17/2010	202580	7,345.00		
				CONSULTING SVCS-EDD	4,940.00
				CONSULTING SVCS-EDD	2,405.00
	Vendor Total		**7,345.00**		
FYTD for STRICKLER ASSOCIATION, THE			**38,220.00**		
STRICKLER II, JOHN W.					
	5/3/2010	202372	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,868.58**		
STUCKEY, HARRIETTE					
	5/17/2010	202581	84.00		
				INSTRUCTOR SVCS-LINE DANCING	67.20
				INSTRUCTOR SVCS-LINE DANCING	16.80
	Vendor Total		**84.00**		
FYTD for STUCKEY, HARRIETTE			**978.60**		
SUNGLASS HUT STORE #4536					
	5/3/2010	202373	57.67		
				REFUND-BUS LIC OVRPMT	57.67
	Vendor Total		**57.67**		
FYTD for SUNGLASS HUT STORE #4536			**57.67**		
SUNNYMEAD ACE HARDWARE					
	5/3/2010	202374	31.50		
				MISC SUPPLIES-PD	15.21
				MISC SUPPLIES-PD	16.29
	5/10/2010	202481	21.93		
				MISC SUPPLIES-POLICE	21.93
	5/17/2010	202582	142.53		
				MISC SUPPLIES-PD	110.69
				MISC SUPPLIES-PD	17.39
				MISC SUPPLIES-PD	14.45
	5/24/2010	202690	22.26		
				MISC SUPPLIES-PD	22.26
	Vendor Total		**218.22**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,734.24**		

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SUPER RX, INC.					
	5/3/2010	202375	0.00		
				REFUND-BUS LIC OVRPMT	83.80
				REFUND-BUS LIC OVRPMT	-83.80
	5/17/2010	202583	83.80		
				REFUND-BUS LIC OVRPMT	83.80
	Vendor Total		**83.80**		
FYTD for SUPER RX, INC.			**83.80**		
SWARTZ, DENNIS					
	5/10/2010	202482	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SWARTZ, DENNIS			**20.00**		
TARGET SPECIALTY PRODUCTS					
	5/17/2010	880517	11,498.92		
				LNDSCP HERBICIDES	247.82
				LNDSCP HERBICIDES	11,251.10
	Vendor Total		**11,498.92**		
FYTD for TARGET SPECIALTY PRODUCTS			**19,251.10**		
THERMAL-COOL INC.					
	5/10/2010	202483	249.30		
				SVC TO FREEZER @ ANIMAL SHLTR	249.30
	Vendor Total		**249.30**		
FYTD for THERMAL-COOL INC.			**19,099.66**		
THYSSENKRUPP ELEVATOR CORPORATION					
	5/3/2010	202377	45.43		
				REFUND-BUS LIC OVRPMT	45.43
	Vendor Total		**45.43**		
FYTD for THYSSENKRUPP ELEVATOR CORPORATION			**45.43**		
TIME WARNER CABLE					
	5/3/2010	202378	16,719.21		
				FAC. RELOCATION-DAY ST. PROJ	16,719.21
	Vendor Total		**16,719.21**		
FYTD for TIME WARNER CABLE			**16,719.21**		

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T-MOBILE					
	5/3/2010	202376	114.00		
				REFUND-BUS LIC OVRPMT	57.00
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**114.00**		
FYTD for T-MOBILE			**296.00**		
TORRES, REBECCA					
	5/10/2010	202484	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for TORRES, REBECCA			**580.00**		
TRACSYSTEMS, INC.					
	5/10/2010	202485	3,919.50		
				PHAROS SOFTWARE LIC/SUPPORT	3,919.50
	Vendor Total		**3,919.50**		
FYTD for TRACSYSTEMS, INC.			**3,919.50**		
TRICHE, TARA					
	5/24/2010	202692	1,642.80		
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	66.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	397.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	623.80
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,642.80**		
FYTD for TRICHE, TARA			**20,934.60**		
TRI-CITY LINEN SUPPLY, INC.					
	5/3/2010	202379	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/10/2010	202486	113.00		
				LINEN RENTAL	63.00
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/17/2010	202584	22.50		
				LINEN RENTAL	22.50
	5/24/2010	202691	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**235.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,876.20**		

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TROPICAL PLAZA NURSERY, INC.					
	5/10/2010	202487	360.00		
				LNDSCP WORK IN ZONE E-2	360.00
	5/17/2010	202585	18,673.63		
				LNDSCP MAINT-ZONE E-2	15,700.00
				LNDSCP MAINT-ZONE E-16	2,217.45
				IRRIG REPAIRS-ZONE E-2	756.18
	Vendor Total		**19,033.63**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**202,285.38**		
TRUGREEN LANDCARE					
	5/3/2010	202380	11,904.55		
				LNDSCP MAINT-ZONE E-3	10,038.43
				LNDSCP MAINT-ZONE E-3A	1,676.12
				TRIM TREE-ZONE E-2	190.00
	5/17/2010	202586	3,670.00		
				RETAINING WALL-SUNNYMD BL PROJ	1,990.00
				INSTALL 21 TREES-TRACT #19912	1,680.00
	5/24/2010	202709	24,578.70		
				STUMP GRIND TREES-ZONE M	300.00
				STUMP GRIND TREES-TRACT 20120	300.00
				INSTALL 18-FT PALM ON KRAMERIA	2,450.00
				LNDSCP MAINT-ZONE M	5,324.89
				LNDSCP MAINT-ZONE DSG1-E	7,403.38
				LNDSCP MAINT-ZONE DSG-2	8,420.43
				REMOVE Y-STRAINER FROM BACKFLW	380.00
	Vendor Total		**40,153.25**		
FYTD for TRUGREEN LANDCARE			**343,170.27**		
TUNTLAND, JAMES					
	5/3/2010	880463	251.09		
				RETIREE MEDICAL BENEFIT	251.09
	Vendor Total		**251.09**		
FYTD for TUNTLAND, JAMES			**2,247.90**		
TURBOSCAPE, INC.					
	5/3/2010	880464	13,385.00		
				ANNL MULCHING IN ZONE E-4	6,424.80
				ANNL MULCHING IN ZONE DSG-1E	2,409.30
				ANNL MULCHING IN ZONE DSG-2	2,677.00
				ANNL MULCHING IN ZONE E-1	1,338.50
				ANNL MULCHING IN ZONE E-1A	535.40
	5/24/2010	880552	9,904.90		
				ANNL MULCHING IN ZONE E-4	535.40
				ANNL MULCHING IN ZONE E-8	5,354.00
				ANNL MULCHING IN ZONE E-15	4,015.50
	Vendor Total		**23,289.90**		
FYTD for TURBOSCAPE, INC.			**32,867.10**		

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TWRITE, INC.					
	5/24/2010	202693	7,841.25		
				CITY WEBSITE MAINTENANCE	7,841.25
	Vendor Total		**7,841.25**		
FYTD for TWRITE, INC.			**19,578.75**		
U.S. HEALTHWORKS MEDICAL GROUP					
	5/24/2010	202694	1,190.00		
				PRE-EMPLOYMENT PHYSICALS	686.00
				PRE-EMPLOYMENT PHYSICALS	414.00
				PRE-EMPLOYMENT PHYSICALS	90.00
	Vendor Total		**1,190.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**16,326.00**		
UNION BANK OF CALIFORNIA					
	5/10/2010	202488	510.00		
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
	5/10/2010	202489	729.00		
				INVESTMNT SAFEKEEPING SVCS	729.00
	5/17/2010	202587	170.00		
				STANDBY LOC TRANSFER FEE	170.00
	Vendor Total		**1,409.00**		
FYTD for UNION BANK OF CALIFORNIA			**288,988.49**		
UNITED POWER GENERATION, INC.					
	5/10/2010	202490	233.00		
				EMERG GENERATOR REPAIRS-FS #91	11.40
				EMERG GENERATOR REPAIRS-FS #91	221.60
	5/24/2010	202695	209.00		
				EMERG GENERATOR REPAIRS-FS #2	10.57
				EMERG GENERATOR REPAIRS-FS #2	198.43
	Vendor Total		**442.00**		
FYTD for UNITED POWER GENERATION, INC.			**22,432.66**		
UNITED SITE SERVICES OF CA, INC.					
	5/10/2010	880494	77.33		
				PORTABLE TOILET SVC-GOLF CTR	77.33
	5/17/2010	880518	204.94		
				PORTABLE TOILET SVC-M&O DIV.	97.55
				FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total		**282.27**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,733.92**		

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UNITED STATES TREASURY					
	5/10/2010	202491	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	5/24/2010	202696	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**5,670.00**		
UNITED WAY OF INLAND VALLEYS					
	5/10/2010	202492	667.18		
				UNITED WAY CONTRIBUTIONS	667.18
	5/24/2010	202697	667.18		
				UNITED WAY CONTRIBUTIONS	-2.31
				UNITED WAY CONTRIBUTIONS	2.31
				UNITED WAY CONTRIBUTIONS	667.18
	Vendor Total		**1,334.36**		
FYTD for UNITED WAY OF INLAND VALLEYS			**19,498.26**		
URBAN CROSSROADS, INC.					
	5/3/2010	202381	6,600.00		
				MV TRAFFIC MODEL UPDATE SVCS	1,327.50
				MV TRAFFIC MODEL UPDATE SVCS	5,272.50
	Vendor Total		**6,600.00**		
FYTD for URBAN CROSSROADS, INC.			**17,465.00**		
VA CONSULTING, INC.					
	5/10/2010	202493	17,527.24		
				AUTO MALL IMPRVMNTS PROJ SVCS	7,200.00
				AUTO MALL IMPRVMNTS PROJ SVCS	10,327.24
	5/24/2010	202698	2,255.40		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,255.40
	Vendor Total		**19,782.64**		
FYTD for VA CONSULTING, INC.			**291,846.35**		

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VACATE PEST ELIMINATION COMPANY				
5/3/2010	880465	2,440.00		
			TENT/FUMIGATE UTILITY FLD OFFC	2,440.00
5/10/2010	880495	1,205.00		
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
			PEST CNTRL-STARS BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			PEST CNTRL-TRANSP TRLR	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
Vendor Total		**3,645.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**18,920.00**		
VALADEZ, RICHARD				
5/3/2010	202382	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for VALADEZ, RICHARD		**20.00**		
VALLEY CITIES/ GONZALES FENCE INC				
5/10/2010	202494	2,680.00		
			INSTALL FENCE-PIGEON PASS RD	475.00
			INSTALL FENCE-PIGEON PASS RD	1,830.00
			FENCE-PIGEON PASS/SUNNYMD	375.00
Vendor Total		**2,680.00**		
FYTD for VALLEY CITIES/ GONZALES FENCE INC		**13,955.00**		
VALLEY PARTY RENTALS				
5/3/2010	202383	75.63		
			REFUND-BUS LIC OVRPMT	75.63
Vendor Total		**75.63**		
FYTD for VALLEY PARTY RENTALS		**75.63**		

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VAS ASSOCIATES, INC.					
	5/24/2010	880553	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	18,360.00
	Vendor Total		**18,360.00**		
FYTD for VAS ASSOCIATES, INC.			**203,085.00**		
VERIZON					
	5/17/2010	202588	1,718.78		
				BACKBONE CHRGS	1,718.78
	Vendor Total		**1,718.78**		
FYTD for VERIZON			**18,551.63**		
VERIZON CALIFORNIA					
	5/10/2010	202495	327.63		
				PHONE LISTING CHARGE	286.68
				PHONE LISTING CHARGE	40.95
	5/17/2010	202589	170.28		
				PHONE LISTING CHARGE	170.28
	Vendor Total		**497.91**		
FYTD for VERIZON CALIFORNIA			**100,798.00**		
VICTOR MEDICAL CO					
	5/10/2010	202496	973.31		
				ANIMAL MEDICAL SUPPLIES	973.31
	Vendor Total		**973.31**		
FYTD for VICTOR MEDICAL CO			**13,550.36**		
VIGIL, ERNEST					
	5/3/2010	880466	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLANUEVA, RUBEN & LISA					
	5/10/2010	202497	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VILLANUEVA, RUBEN & LISA			**20.00**		
VISION SERVICE PLAN					
	5/3/2010	880467	4,346.56		
				EMPLOYEE VISION INSURANCE	4,346.56
	Vendor Total		**4,346.56**		
FYTD for VISION SERVICE PLAN			**48,547.77**		

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VISTA PAINT CORPORATION					
	5/17/2010	202590	186.83		
				PAINT/SUPPL-GRAFFITI RMVL PRGM	66.58
				PAINT/SUPPL-GRAFFITI RMVL PRGM	8.25
				PAINT/SUPPL-GRAFFITI RMVL PRGM	112.00
	5/24/2010	202699	158.50		
				PAINT FOR GRAFFITI RMVL	158.50
	Vendor Total		**345.33**		
FYTD for VISTA PAINT CORPORATION			**12,278.82**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY					
	5/10/2010	202498	818.69		
				RENTAL ASSIST SVCS-ADMIN FEES	718.69
				RENTAL ARREARS SVCS-ADMIN FEES	100.00
	Vendor Total		**818.69**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY			**96,100.92**		
VOLUNTEER CENTER OF RIVERSIDE COUTY					
	5/24/2010	202700	750.00		
				REFUND-RNTL DEP 4/28	750.00
	Vendor Total		**750.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY			**750.00**		
VOYAGER FLEET SYSTEM, INC.					
	5/24/2010	880554	4,036.95		
				CNG FUEL FOR STREET PRGM	2,016.46
				CNG FUEL FOR DRAIN MAINT PRGM	75.02
				CNG FUEL FOR STREET PRGM	1,755.93
				CNG FUEL FOR DRAIN MAINT PRGM	189.54
	Vendor Total		**4,036.95**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**21,681.59**		
VULCAN MATERIALS CO, INC.					
	5/17/2010	202591	2,119.97		
				ASPHALTIC MATERIAL	2,119.97
	5/24/2010	202701	1,473.00		
				ASPHALTIC MATERIAL	163.56
				ASPHALTIC MATERIAL	130.94
				ASPHALTIC MATERIAL	292.39
				ASPHALTIC MATERIAL	98.31
				ASPHALTIC MATERIAL	98.31
				ASPHALTIC MATERIAL	196.84
				ASPHALTIC MATERIAL	262.09
				ASPHALTIC MATERIAL	98.97
				ASPHALTIC MATERIAL	131.59
	Vendor Total		**3,592.97**		
FYTD for VULCAN MATERIALS CO, INC.			**105,465.05**		

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WAGGONER JR., GLENN C.					
	5/3/2010	880468	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,506.03**		
WAGNER, GARY D.					
	5/3/2010	880469	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,490.33**		
WAGONER, ROBERT					
	5/3/2010	202397	360.40		
				RETIREE MEDICAL BENEFIT	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,085.20**		
WAGY, CARYLON					
	5/3/2010	202385	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, ANTHONY					
	5/3/2010	202386	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WALKER, ANTHONY			**50.00**		
WALKER, DONNA					
	5/3/2010	202387	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for WALKER, DONNA			**38.00**		
WASSON, KIRK					
	5/24/2010	880555	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,128.00**		

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WASTE MANAGEMENT OF THE INLAND EMPIRE					
	5/24/2010	202702	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**14,584.22**		
WELLS FARGO CORPORATE TRUST					
	5/3/2010	1005011	1,444.67		
				INTEREST ON VARIABLE RATE BOND	1,444.67
	Vendor Total		**1,444.67**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,030,930.10**		
WEST GOVERNMENT SERVICES					
	5/24/2010	202703	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**5,000.00**		
WEST GROUP					
	5/24/2010	880556	351.37		
				ONLINE CHRGS-LEGAL INFO	199.09
				LEGAL PUBLICATIONS SUBSCRPTNS	152.28
	Vendor Total		**351.37**		
FYTD for WEST GROUP			**7,907.98**		
WESTERN MUNICIPAL WATER DISTRICT					
	5/24/2010	202704	1,520.72		
				WATER CHRGS-MARB BALLFIELDS	708.72
				WATER CHRGS-MFPCC LNDSCP	756.70
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**1,520.72**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**22,944.70**		
WHITE'S BIKES					
	5/3/2010	202388	93.73		
				REFUND-BUS LIC OVRPMT	93.73
	Vendor Total		**93.73**		
FYTD for WHITE'S BIKES			**93.73**		
WIELIN, RONALD A.					
	5/3/2010	880471	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,506.03**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILBURN, YOLANDA					
	5/10/2010	202499	149.98		
				REFUND-PERMIT FEE	149.98
	Vendor Total		**149.98**		
FYTD for WILBURN, YOLANDA			**149.98**		
WILLDAN AND ASSOCIATES					
	5/17/2010	202592	5,580.48		
				PLAN CHECK SVCS	5,580.48
	5/24/2010	202705	3,225.00		
				MORENO BEACH DR WIDENING PROJ	3,225.00
	Vendor Total		**8,805.48**		
FYTD for WILLDAN AND ASSOCIATES			**403,687.78**		
WILLIAMS, COURTNEY					
	5/3/2010	202390	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for WILLIAMS, COURTNEY			**646.00**		
WILLIAMS, JANE L.					
	5/3/2010	202391	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,344.00**		
WINZLER & KELLY CONSULTING ENGINEERS					
	5/24/2010	202706	18,810.00		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
	Vendor Total		**18,810.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
WOMEN'S HEALTH					
	5/3/2010	202392	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for WOMEN'S HEALTH			**57.00**		
WOW PARTY RENTAL, INC.					
	5/20/2010	202600	300.00		
				RENTALS-5/22/10 PUB SFTY FAIR	300.00
	Vendor Total		**300.00**		
FYTD for WOW PARTY RENTAL, INC.			**300.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
5/17/2010	202593	8,874.00		
			TUMF RESIDENTIAL FEES	8,874.00
Vendor Total		**8,874.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**1,124,341.42**		
WRIGHT SEPTIC TANK PUMPING				
5/24/2010	202707	450.00		
			SEPTIC TANK PUMPING-CITY YARD	100.00
			SEPTIC TANK PUMPING-CITY YARD	350.00
Vendor Total		**450.00**		
FYTD for WRIGHT SEPTIC TANK PUMPING		**1,350.00**		
WURM'S JANITORIAL SERVICES, INC.				
5/3/2010	880472	1,440.70		
			JANITORIAL SVCS-TOWNGATE	360.00
			CARPET CLEANING-SR CTR CLASSRM	125.00
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
5/17/2010	880519	22,233.49		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-SUNNYMD ELEM	184.10
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.82
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/24/2010	880557	3,965.70		
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-TOWNGATE	360.00
			JANITORIAL SVCS-CONF & REC CTR	1,630.00
			DAY PORTER SERVICES	1,020.00
Vendor Total		**27,639.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**286,027.66**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	5/3/2010	202393	1,115.93		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,115.93
	5/17/2010	202594	1,216.66		
				COPIER RNTL/MAINT/PRINTS-PARKS	1,216.66
	5/24/2010	202708	1,574.12		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT/PRNTS-GRPHCS	979.73
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	Vendor Total		**3,906.71**		
FYTD for XEROX			**63,769.70**		
ZEE MEDICAL INC					
	5/3/2010	202394	289.05		
				FIRST AID ITEMS FOR KITS	289.05
	Vendor Total		**289.05**		
FYTD for ZEE MEDICAL INC			**289.05**		
ZUMAR INDUSTRIES, INC.					
	5/17/2010	880520	940.03		
				SIGNS FOR TRANSP. DIV.	549.51
				SIGNS FOR TRANSP. DIV.	390.52
	Vendor Total		**940.03**		
FYTD for ZUMAR INDUSTRIES, INC.			**37,651.19**		

Subtotal **1,341,996.10**

GRAND TOTAL **19,967,907.47**

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MV00068149

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00068155

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

W:\CapProj\CapProj\PROJECTS\Reza - 08-89791725 - Auto Mall Street Upgrades\RFP\REQUEST FOR PROPOSAL.doc

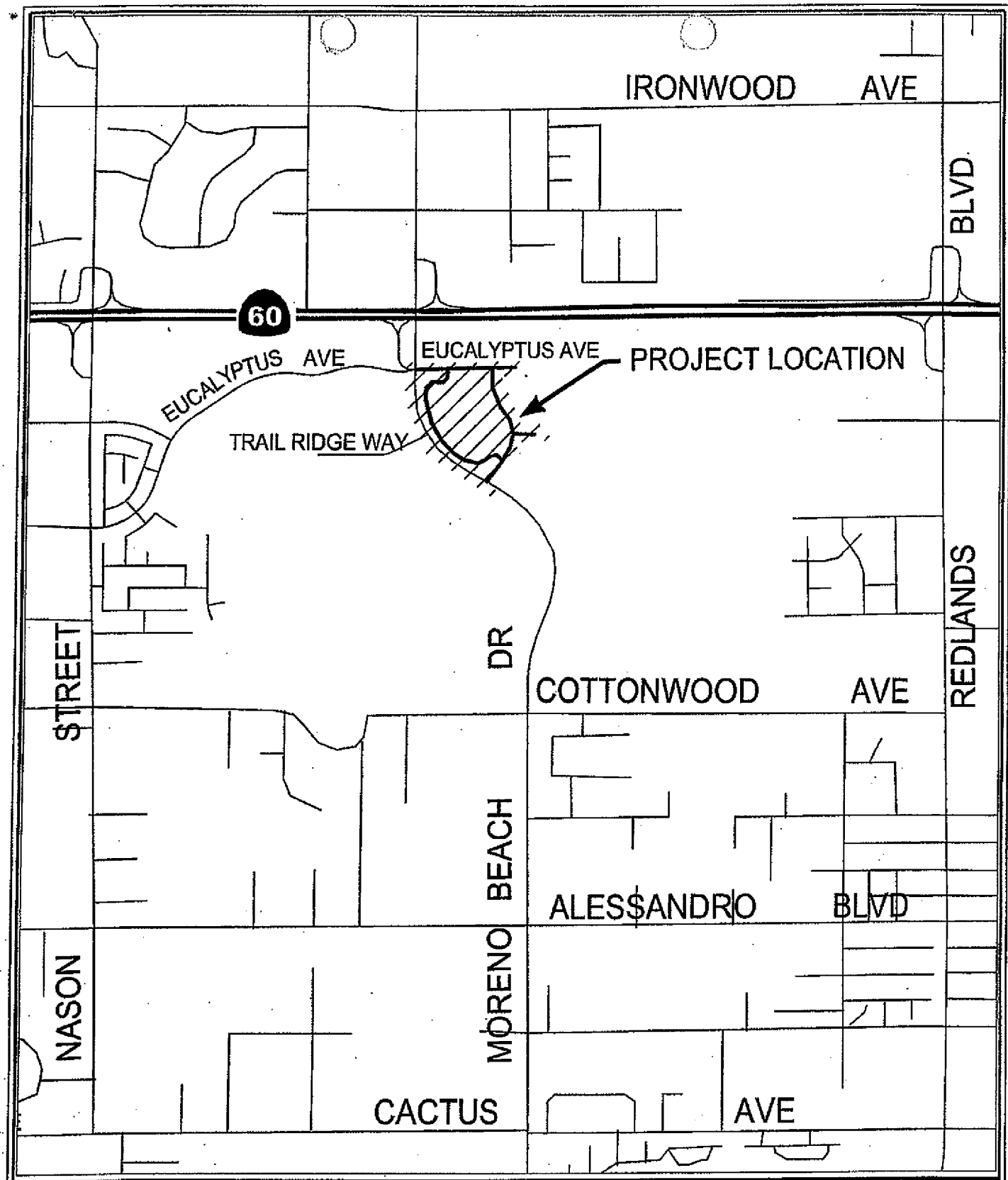

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

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Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

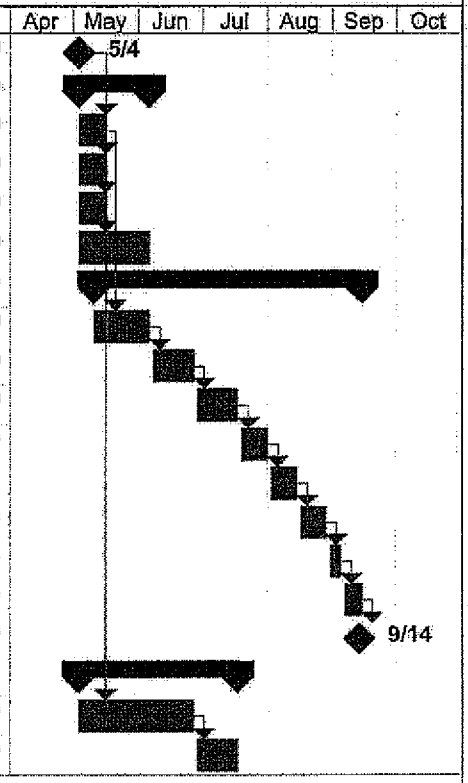

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

SCH01_AutomallFinalDesign.mpp

Page 1

Item No. A.7

MV00068180

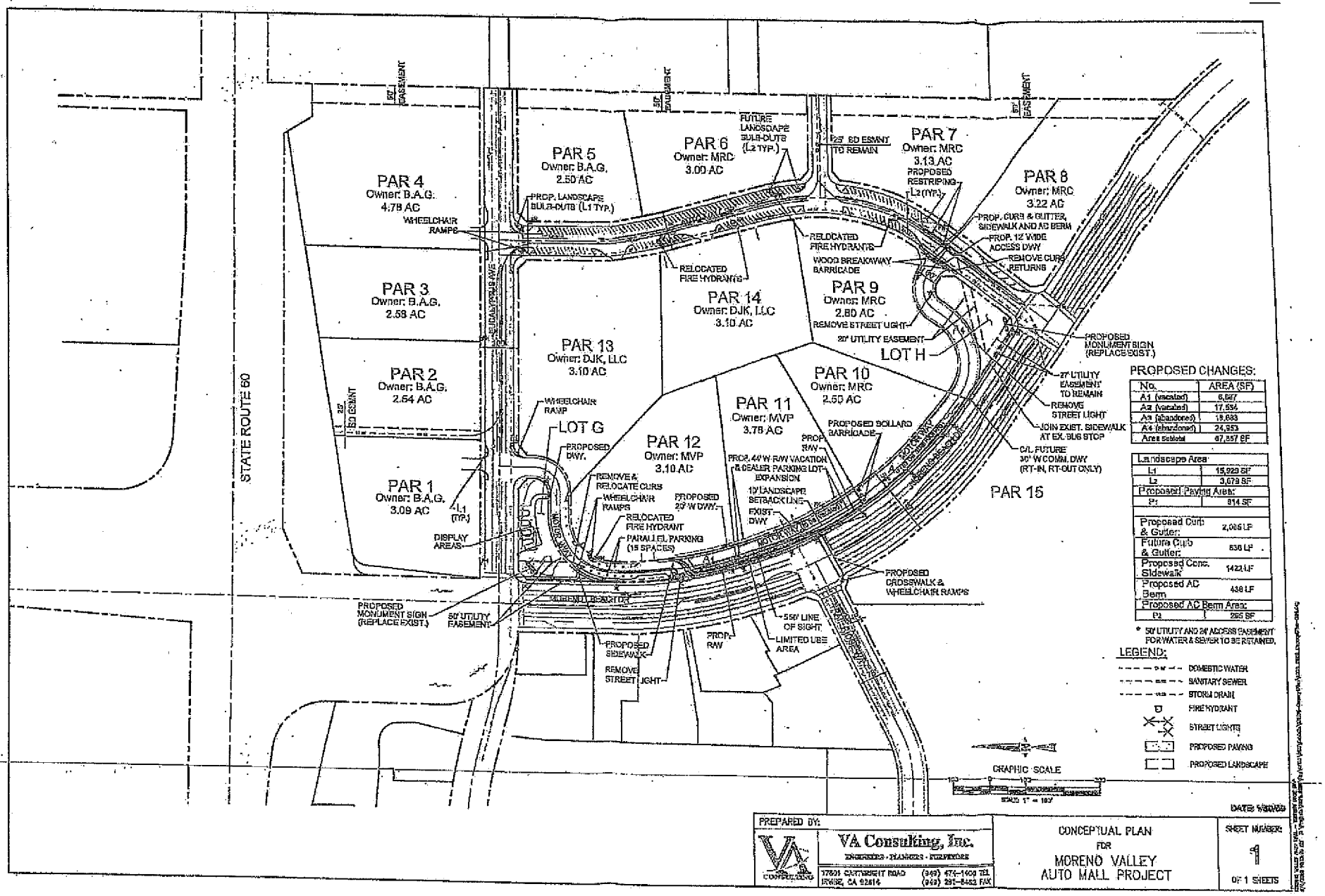
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUDAN DRIVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PARALLEL PARKING (15 SPACES)
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROPOSED SIDEWALK
DISPLAY AREAS
50' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
SCALE: 1" = 100'
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00068185

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

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MV00068187

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD
PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660.

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

BACKGROUND

On June 14, 2005, the City Council adopted Resolution No. 2005-49 and Resolution No. 2005-50 allowing the City to expedite design and construction funding for eight (8) important projects that would otherwise wait several years before adequate funding was available. One of those projects was Ironwood Avenue from Heacock Street to Perris Boulevard and was intended to construct missing street improvements, acquire right of way, and relocate major utilities and storm drains.

On August 22, 2006, the City Council approved the Prioritization of Four (4) 2005 Lease Revenue Bonds Street Improvement Projects, based on price escalation, commitments by the City, and refined cost estimates. The initial scope for the Ironwood Avenue project from Heacock Street to Perris Boulevard was reduced to a paved walkway with minor right of way acquisition and project planning to determine the cost of full widening improvements, from two (2) lanes to four (4) lanes.

On November 28, 2006, the City Council approved the Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation (LAN) for the planning of full widening improvements, and design for construction of a paved walkway along Ironwood Avenue from Heacock Street to Perris Boulevard.

On May 27, 2008, the City Council awarded the construction contract for the Ironwood Avenue Sidewalk/Walkway project to Grand Pacific Contractors, Inc. of Corona. This construction was completed and accepted by City Council on January 13, 2009.

On July 8, 2008, the City Council approved the Transportation Uniform Mitigation Fee (TUMF) Program Agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley. WRCOG had approved its Central Zone 5-Year Transportation Improvement Program (TIP) on May 5, 2007, which included the Ironwood Avenue Improvements project, which identified specific improvements on this project as eligible for reimbursement by WRCOG.

On July 8, 2008, the City Council approved the Agreement for Professional Consultant Services TUMF-Zonal with LAN for the design of the full widening improvements, environmental, right of way easement, appraisals, and negotiations, and construction support.

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard and the Indian Detention Basin Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties needed to widen Ironwood Avenue from Heacock Street to Perris Boulevard. There are twenty-six (26) parcels from which right of way (ROW) is required.

On May 24, 2010, the City Manager approved the Fourth Amendment to Agreement with LAN (the subsidiary) which transferred all services required under the Agreement to AECOM Technical Services, Inc. (AECOM) (the parent company).

A total of five amendments to the agreement for this project have been executed within the Purchase Order contingency amount due to the expanded Consultant's scope of work to include additional improvements to the project, time extensions, and reassignment of contract ownership.

DISCUSSION

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The construction will build missing improvements and add additional lanes. During the full improvement planning process, Transportation Uniform Mitigation Fee (TUMF) program funding became available through the Western Riverside Council of Governments (WRCOG), as well as Development Impact Fee (DIF) funds for the full design and construction of two (2) additional lanes on Ironwood Avenue from Heacock Street to Perris Boulevard.

Design is almost 100% complete and right of way acquisition is underway. Staff requests City Council to authorize the Sixth Amendment to Agreement for Professional Consultant Services with AECOM for additional design, right of way, and environmental services. The additional services will include design of a storm drain pipe extension, engineering support for Southern California Edison's power pole relocation, additional effort in right of way negotiation and closing escrows, and pre-construction environmental services.

ALTERNATIVES

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will facilitate the construction of needed improvements.*

2. Do not approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, do not authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and do not authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will delay the construction of needed improvements.*

FISCAL IMPACT

City Council approved a Purchase Order for LAN on July 8, 2008 in the amount of $637,000 ($579,300 plus 10% contingency) for design services. Due to the need for additional services, a Change Order to increase the Purchase Order by $99,975 is required as part of the Sixth Amendment to the Agreement. There are sufficient funds to increase the Purchase Order. The expiration date of June 31, 2012 will not change with the proposed Sixth Amendment.

The Ironwood Avenue Improvement project is being funded with TUMF (Fund 415), Development Impact Fee (Fund 416), and 2005 Lease Revenue Bonds (Fund 501) monies. The funding for this project is restricted to the Ironwood Avenue capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 - TUMF (Account No. 415.70227)	$3,106,000.00
Fiscal Year 2009/2010 - DIF (Account No. 416.78727)	$1,116,000.00
Fiscal Year 2009/2010 - 501 Lease Revenue Bonds (Account No. 501.82625)	$1,046,000.00
Total Available Funds	**$5,268,000.00**

ESTIMATED DESIGN COST:

Consultant Design Agreement (including 10% contingency)	$637,000.00
Consultant Design Sixth Amendment	**$100,000.00**
Project Administration*	$100,000.00
Total Estimated Design Cost	**$837,000.00**

ESTIMATED RIGHT OF WAY AND UTILITY CONSTRUCTION RELATED EXPENDITURES:

Southern California Edison (SCE) Transmission Pole Relocation	$1,578,000.00
Right of Way Acquisition	$622,000.00
Storm Drain Line H-1A Construction	$2,040,000.00
Total Estimated Project Related Expenditures	**$4,240,000.00**

*City staff will provide Project Administration

ANTICIPATED SCHEDULE:

Complete Right of Way Acquisition	August 2010
Complete Design	October 2010
Complete SCE Power Pole Relocation and Storm Drain Construction	June 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The Sixth Amendment to Agreement for Professional Consultant Services with AECOM will provide for additional design, right of way, and environmental services.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Sixth Amendment to Agreement for Professional Consultant Services with Exhibits
Attachment "C" – Change Order to the Purchase Order

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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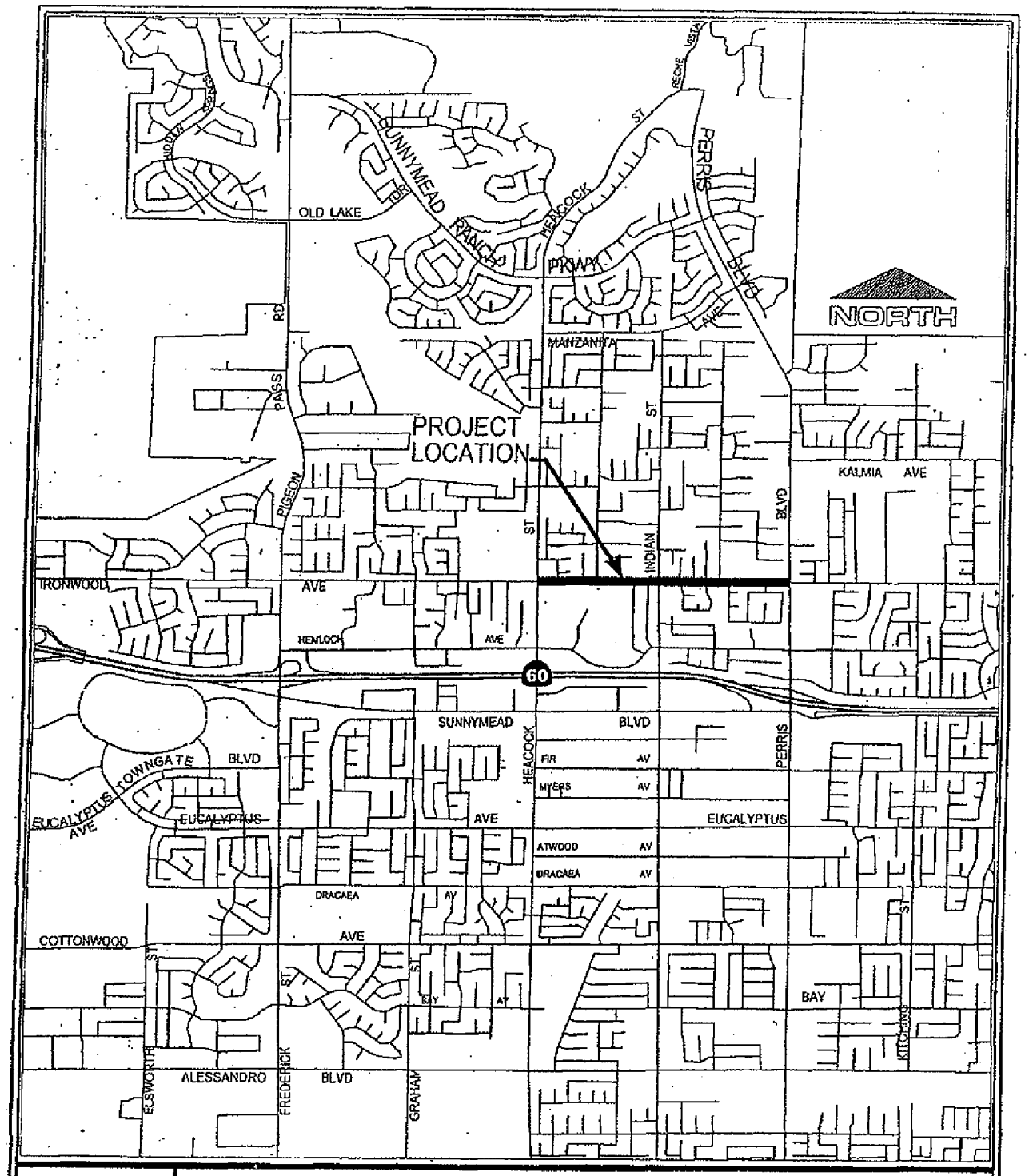

LOCATION MAP

Public Works Department Capital Projects Division	IRONWOOD AVENUE HEACOCK STREET TO PERRIS BOULEVARD
Scale: None	
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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MV00068195

SIXTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

This Sixth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and AECOM Technical Services, Inc., a California corporation, hereinafter referred to as "Consultant." This Sixth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services Transportation Uniform Mitigation Fee (TUMF) - Zonal, Project No. 06-50182625-2" hereinafter referred to as "Agreement," dated July 15, 2008.

Whereas, the Consultant is providing consultant design services for Street Improvements on Ironwood Avenue from Heacock Street to Perris Boulevard.

Whereas, the Agreement was amended on November 3, 2008 to increase the scope of work for the professional consultant design services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on February 11, 2009 to increase the scope of work for the professional consultant design services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on August 20, 2009 to increase the scope of work for the professional consultant design services in the Third Amendment to Agreement for Professional Consultant Services.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

Whereas, the Agreement was amended on May 24, 2010 to transfer all services required under the Agreement from Lim and Nascimento Engineering Corporation to AECOM Technical Services, Inc. for the professional consultant design services in the Fourth Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on _____, 2010 to increase the scope of work for the professional consultant design services in the Fifth Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Sixth Amendment.

Whereas, the Consultant has submitted a Proposal dated May 25, 2010 (Revised June 11, 2010), for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Sixth Amendment" to the Sixth Amendment and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 31, 2012** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – Sixth Amendment," entitled "Change Order Request No. 5 – Additional Work and Change of Project Scope, Project No. 06-50182625, Street Improvements for Ironwood Avenue from Heacock Street to Perris Boulevard."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section described in "Exhibit B - Sixth Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $99,975, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in "Exhibit A - Sixth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $736,839.10 ($579,300.00 for the original Agreement, plus $7,679.10 for the First Amendment to Agreement, plus $2,475 for the Second Amendment to Agreement, plus $17,618 for the Third Amendment to Agreement, plus $0 for the Fourth Amendment to Agreement, plus $29,792 for the Fifth Amendment to Agreement, plus $99,975 for the Sixth Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

AECOM Technical Services, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Sixth Amendment"
"Exhibit B – Sixth Amendment"

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AECOM

May 25, 2010
(Revised June 11, 2010)

City of Moreno Valley
Public Works Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Attention: Mr. Henry Ngo, P.E.

Subject: Change Order Request No. 5 - Additional Work and Change of Project Scope
Project No. 06-50182625
Street Improvements for Ironwood Ave
From Heacock Street to Perris Blvd

Dear Mr. Ngo:

AECOM has been requested by the City of Moreno Valley to provide additional professional services for the Street Improvements for Ironwood Ave (from Heacock Street to Perris Blvd). The additional services are for the tasks requested by the City and which were not identified in the City's original request for proposal (RFP) nor were they included in the authorized scope of work.

These unanticipated efforts have caused us to exceed our available budget for the project. To assure that we will be able to complete the project, we need to request a change order. The additional services requested by the City include:

- Preparing storm drain pipe extension design to 820 feet east of Ironwood Ave/ Hubbard Street
- Additional Right of Way Services and Improvements for Various Buildings
- Environmental - Pre-Construction Nesting Bird Survey
- Additional Design Services for SCE's Power Pole Relocation

SCOPE OF SERVICES

The Scope of Services covered by this change order are as follows:

1. **Prepare Storm Drain Pipe Extension Design to 820 Feet East of Ironwood Ave/Hubbard St**
   AECOM will provide additional lateral pipe extension to 820 feet east of Ironwood Ave/ Hubbard St. The need for the additional storm drain is to eliminate a local drainage deficiency arising from an existing storm drain pipe that runs from Escondido Ct. and

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765
www.aecom.com
T 909-895-0520
F 909-860-1306

"Exhibit A – Sixth Amendment"

out-flows to Ironwood Ave. via an existing parkway drain. The existing parkway drain is not graded to drain completely and causes a flooding problem.

AECOM will also provide the undersidewalk box drain to replace the existing parkway drain outlet to the street as an alternative design solution.

2. **Additional Right of Way Services and Improvements at Various Buildings**
AECOM has been assisting OPC in the pre-planning and coordination of the full take of properties. Some of them subsequently changed to partial takes and we needed to revise the estimate for compensation costs. Other OPC services including Relocation Plan and Relocation Assistance, Property Negotiations, Project Management and Coordination also required AECOM's involvement in additional meetings, coordination and revised plans and estimates. OPC also needed to perform additional Escrow Coordination Services.

   Also, the noise study prepared by Wieland Acoustics through ECORP contained recommendations for noise mitigation options for the house behind the proposed house removal at 11987 Davis Street, for the existing house at 11990 Kilgore and for the existing house at11989 Hubbard Street. The noise mitigation options include construction of block walls and building upgrades. AECOM needed to coordinate with the City, sub-consultants and the owners to provide the final solution for the noise mitigation, including plan changes, additional meetings and cost estimates.

3. **Environmental - Pre-Construction Nesting Bird Survey**
In accordance with the project's Mitigation Measures, and the Migratory Bird Treaty Act (MBTA)/California Department of Fish & Game (CDFG) Game Code Section 3513, ECORP will conduct a pre-construction nesting bird survey within 30 days prior to any grading, tree or brush clearing or trimming, grubbing or other project related ground disturbances that is proposed to occur between February 1 through August 31.

   If no nesting birds are observed during the survey, site preparation and construction activities may begin. If an active bird nest is located, the nest site shall be fenced to a distance recommended by the monitoring biologist. Typically this is a minimum of 300 feet from the nest site in all directions (500 feet is typically recommended by CDFG for raptors), until the juveniles have fled and there has been no evidence of a second attempt at nesting.

4. **Additional Services for SCE's Power Pole Relocation**
AECOM will provide additional services for Southern California Edison's power pole relocation, per City's request.

FEE PROPOSAL

The proposed Not-to-Exceed fee for the above services is **$99,975**. Attached is a breakdown of the costs by the Change Order task.

Please review the proposed scope and fee estimates and process the Change Order No. 5 so that we may proceed with the tasks. Should you have any questions, please do not hesitate to call me at (909) 895-0520.

Very truly yours,

AECOM

Edward Ng, PE
Project Manager
en/td

cc:

Attachment: Fee Estimates

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765

www.aecom.com

T 909-895-0520
F 909-860-1306

COST PROPOSAL

	TOTALS
AECOM.	$39,861
ECORP	$1,204
OPC	$58,909
TOTALS	$99,975

6/13/2010 AECOM

"Exhibit B – Sixth Amendment"

MV00068203

COMPANY:	SCOPE OF WORK	DATE:	REV:
AECOM.	Project Design	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

	FUNCTION	HOURS		RATE	AMOUNT	
1. Storm Drain Design						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	12	@	$115.00	$1,380.00	
Robert Wong	Drainage Engineer	48	@	$115.00	$5,520.00	
Julian Yap	Asst. Engineer	12	@	$85.00	$1,020.00	
Phong Mai	Asst. Engineer	80	@	$85.00	$6,800.00	
					Subtotal	$16,080.00
2. Coordination for Additonal Right-of-Way						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	24	@	$115.00	$2,760.00	
Julian Yap	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$6,160.00
3. Additional Design Per SCE						
Edward Ng, PE	Project Manager	20	@	$170.00	$3,400.00	
Paul Lau, PE	Project Engineer	30	@	$115.00	$3,450.00	
Julian Yap	Asst. Engineer	32	@	$85.00	$2,720.00	
Phong Mai	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$11,610.00
	TOTAL HOURS	322			TOTAL DIRECT LABOR	$33,850.00

MULTIPLIERS

ESCALATION @	(Rate)	
OVERHEAD @	(of Total Direct Labor + Escalation)	
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)	
	TOTAL MULTIPLIERS	

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
Printing			$1.00	
Mileage			$0.55	
			TOTAL OTHER DIRECT EXPENSES	

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
ECORP				$1,204.25
OPC				$58,909.00
KDMM				
			TOTAL OUTSIDE SERVICES	$60,113.25

FEES

OUTSIDE SERVICES ADMIN FI	10.00%	(of Total Outside Services & Outside Services Fees)	$60,113.25
AECOM. @		(of Total Direct Labor + Total Multipliers)	
OUTSIDE SERVICES @	10.00%	(of Total Labor + Total Multiplier for Outside Services	
		TOTAL FEES	$6,011.33
		TOTAL COST	**$39,861.33**

COMPANY:	SCOPE OF WORK	DATE:	REV:
ECORP	Environmental Survey & Permit Application	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS	RATE	AMOUNT
Scott Taylor	Biology Manager	1	$130.00	$130.00
Anthony Mann	Biologist	10	$80.00	$800.00

TOTAL HOURS 11 TOTAL DIRECT LABOR $930.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)

TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES ••• Billed at Actual Cost •••

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
digital camera	1	@	$3.50	$3.50
GIS	1	@	$20.00	$20.00
photographs/film	1	@	$3.00	$3.00
cell phone	1	@	$1.00	$1.00
GPS rental	1	@	$10.00	$10.00
Mileage	100	@	$0.51	$50.50
Rental Vehicle	1	@	$30.00	$30.00
aerial photos	1	@	$100.00	$100.00
photocopies b/w	175	@	$0.15	$26.25
photocopies color	30	@	$1.00	$30.00

TOTAL OTHER DIRECT EXPENSES $274.25

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL

TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees)
ECORP @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service

TOTAL FEES

TOTAL COST $1,204.25

COMPANY:	SCOPE OF WORK	DATE:	REV:
OPC		6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS		RATE	AMOUNT
	Principal/Director			$165.00	
	Senior Project Manager	25	@	$135.00	$3,375.00
	Project Manager	130	@	$125.00	$16,250.00
	Senior Acq/Relo Consultant			$115.00	
	Acq/Relo Consultant	233	@	$105.00	$24,465.00
	Project Support	203	@	$73.00	$14,819.00
	TOTAL HOURS	591		TOTAL DIRECT LABOR	$58,909.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)
	TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
				TOTAL OTHER DIRECT EXPENSES

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
				TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees
OPC @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service
	TOTAL FEES
	TOTAL COST $58,909

COMPANY:	SCOPE OF WORK	DATE:	REVISION:
AECOM		6/13/2010	
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5		Project Summary	

AECOM. Summary

	$170.00	$115.00	$115.00	$85.00	$85.00				$170.00	$115.00	#REF!	$85.00			$170.00	$115.00				
Subtotal	36	66	48	68	104															322
Totals	36	66	48	68	104															322

ECORP Summary

	$130.00	$80.00																	
	1	10																	11

OPC Summary

	$165.00	$135.00	$125.00	$115.00	$105.00	$75.00													
		25	130		233	203													591

Summary

Summary

COMPANY: ECORP	SCOPE OF WORK: Environmental Survey & Permit Application	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	1	10																11
1. Ironwood Pre-construction Nesting Bird Survey	1	10																11

COMPANY: AECOM	SCOPE OF WORK: Project Design	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	36	66	48	68	104	322
1. Storm drain extension to 820' east of Hubbard St	8	12	48	12	80	160
2. Coordination for Add'l R/W Services & Imp'ts at Various Buildings	8	24		24		56
3. Additional Design Services for SCE	20	30		32	24	106

COMPANY: OPC	SCOPE OF WORK	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours		25	130		233	203												591
1. Pre-planning & Coordination		5	25		20	10												60
2. Relocation Plan & Assistence		5	25		50	10												90
3. Property Negotiations		5	30		116													151
4. Escrow Coordination Services			10		47	183												240
5. Project Management & Coord.		10	40															50

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MV00068211

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/14/10**	**VENDOR NAME:**	AECOM Technical Services, Inc. (formerly LAN)
		VENDOR NO.#	ORIGINAL PO NUMBER
		2064471	35827
	Project Number:	06-50182625-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35827 by $99,975 for additional design, right-of-way, and environmental services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625-2)	$99,975.00

Notes:		**Change Order Sub Total from Above:**	$99,975.00
		Original P.O. and Prior Change OrderAmount:	$637,230.00
		Revised Total Spend:	**$737,205.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by: Henry Ngo & Lee Ann Florez	Date: 06/08/2010			
Divison Manager ($15k)	Date:	100.0%	415.70227.7200	$737,205.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$737,205.00

Attachment "C"

V 1.4

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MV00068213

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-89280221-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221).

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto.

BACKGROUND

On November 25, 2008 the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract included construction of median beautification, a lighted median sign near Perris Boulevard, landscaping, a color Portland Cement Concrete (PCC) center turn lane, intersection enhancements.

DISCUSSION

Excel started the Stage 2 construction work in May 2009. Currently, Excel is working on the footings and underground electrical components for the median sign.

There were three (3) Contract Change Orders issued to Excel for the Stage 2 contract totaling approximately $202,002.98. These changes included removal, replacement, and repaving of the interface areas adjacent to the newly constructed color PCC walks for a smooth transition removing rutted and uneven surface areas on the side streets. Other changes included necessary traffic safety control measures, removal of buried asphalt materials, removal of buried signal pole footings and unsuitable subgrades, and dumping fees for contaminated materials. The contractual expenditures are still within the City Council authorized Purchase Order amount, however, there are some unresolved claims which may potentially exceed the project's Purchase Order amount. Therefore, staff is requesting City Council approve the $50,000 Change Order to increase Excel's Purchase Order as a contingency to ensure timely payment to the Contractor in accordance with the Public Contract Code in the event the claims are resolved in the Contractor's favor.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will allow for the completion of these needed improvements.*

2. Do not Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and do not authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will delay the needed improvements and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) by Excel was funded with Lease Revenue Bond funds (fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (fund 892) as budgeted in Fiscal Year 2009/2010. An increase of $50,000 is requested to increase the Purchase Order (No. 37049) for Excel from the project's unencumbered budget in 892.80221 to cover the cost of possible claims. The

funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)	($3,549,000)

Breakdown of Stage 2 Related Work

Contractor (includes contingency)	$2,703,000
Requested increase in PO No. 37049 for Excel	**$50,000**
Consultant Construction Management/Inspection Services (incl. contingency)	$595,000
Geotechnical Services	$32,000
Survey Services	$78,000
Project Administration*	$91,000
Total Amount for Stage 2 Construction	$3,549,000

Remaining Project Balance $379,000

*Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Excel has been constructing the beautification and enhancements improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 2). The improvements have included the median beautification, a lighted median sign near Perris Boulevard, landscaping, a color PCC center turn lane, and intersection enhancements. Due to some unresolved claims, staff is requesting City Council

approve the Change Order to increase Excel's Purchase Order by $50,000 from the unencumbered project budget.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Change Order Form

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-2 Median Intersection Improv\CC Reports\071310 Excel CO to PO.doc

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MV00068219

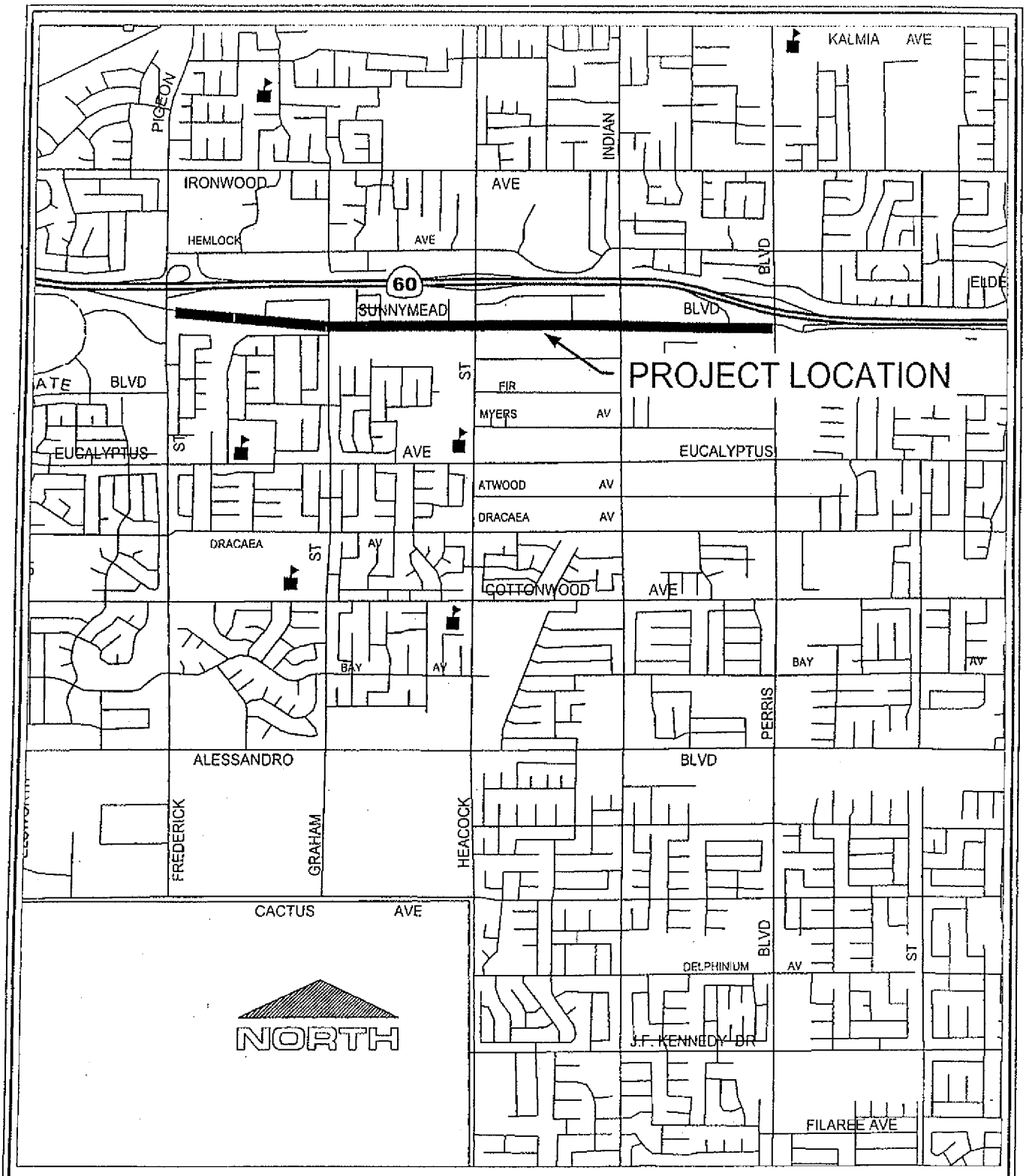

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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MV00068221

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/8/10**	**VENDOR NAME:**	PALP Inc. dba Excel Paving Company
		VENDOR NO.#	ORIGINAL PO NUMBER
		2381898	37049
Project Number:		04-89280221-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 37049 by $50,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-2).	$50,000.00

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$756,636.90
		Revised Total Spend:	**$806,636.90**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 06/07/2010			
Divison Manager ($15k)		Date:	100.0%	892.80221.7200	$806,636.90
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$806,636.90

Attachment "B"

V 1.4

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MV00068223

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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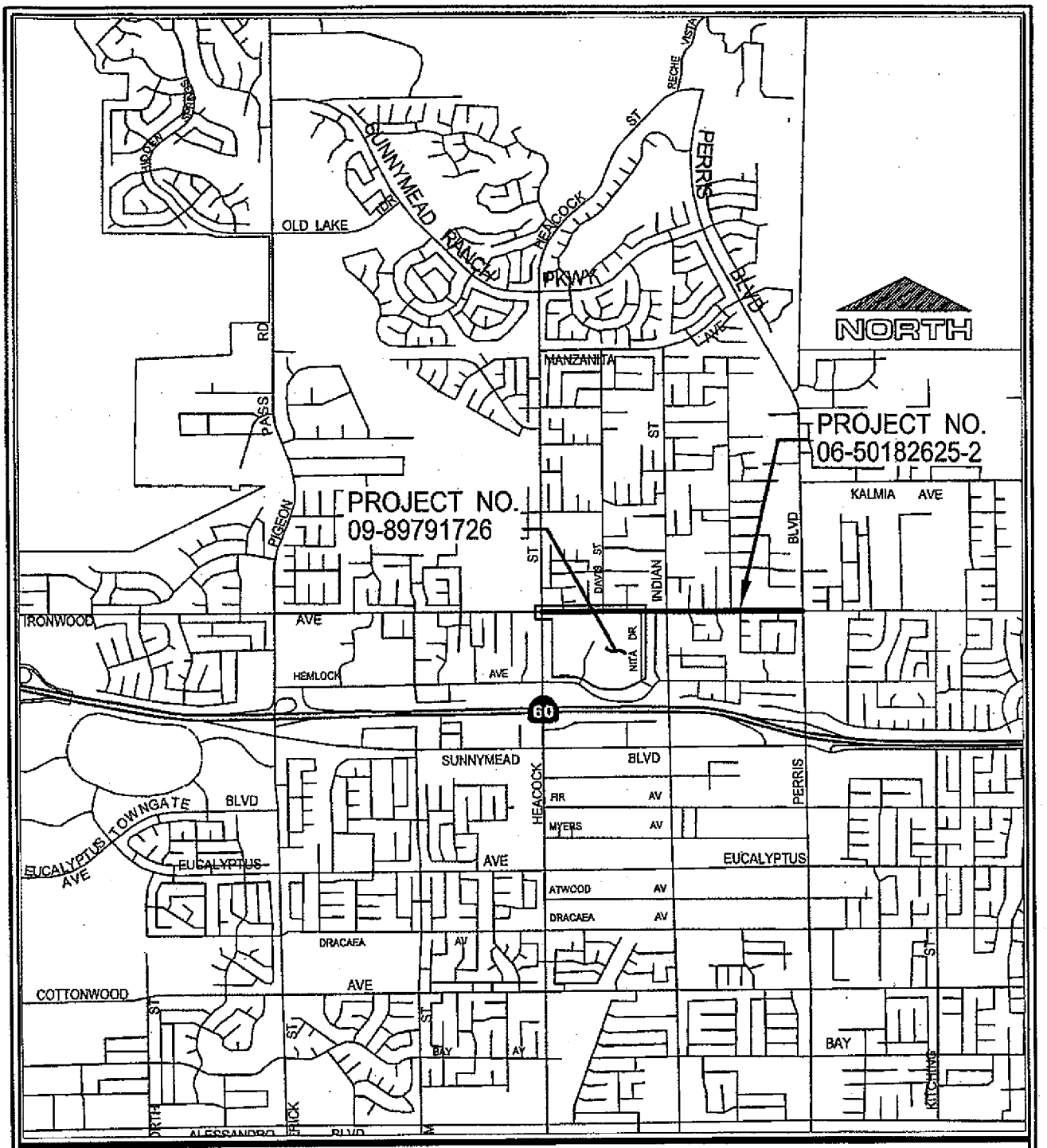

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00068233

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

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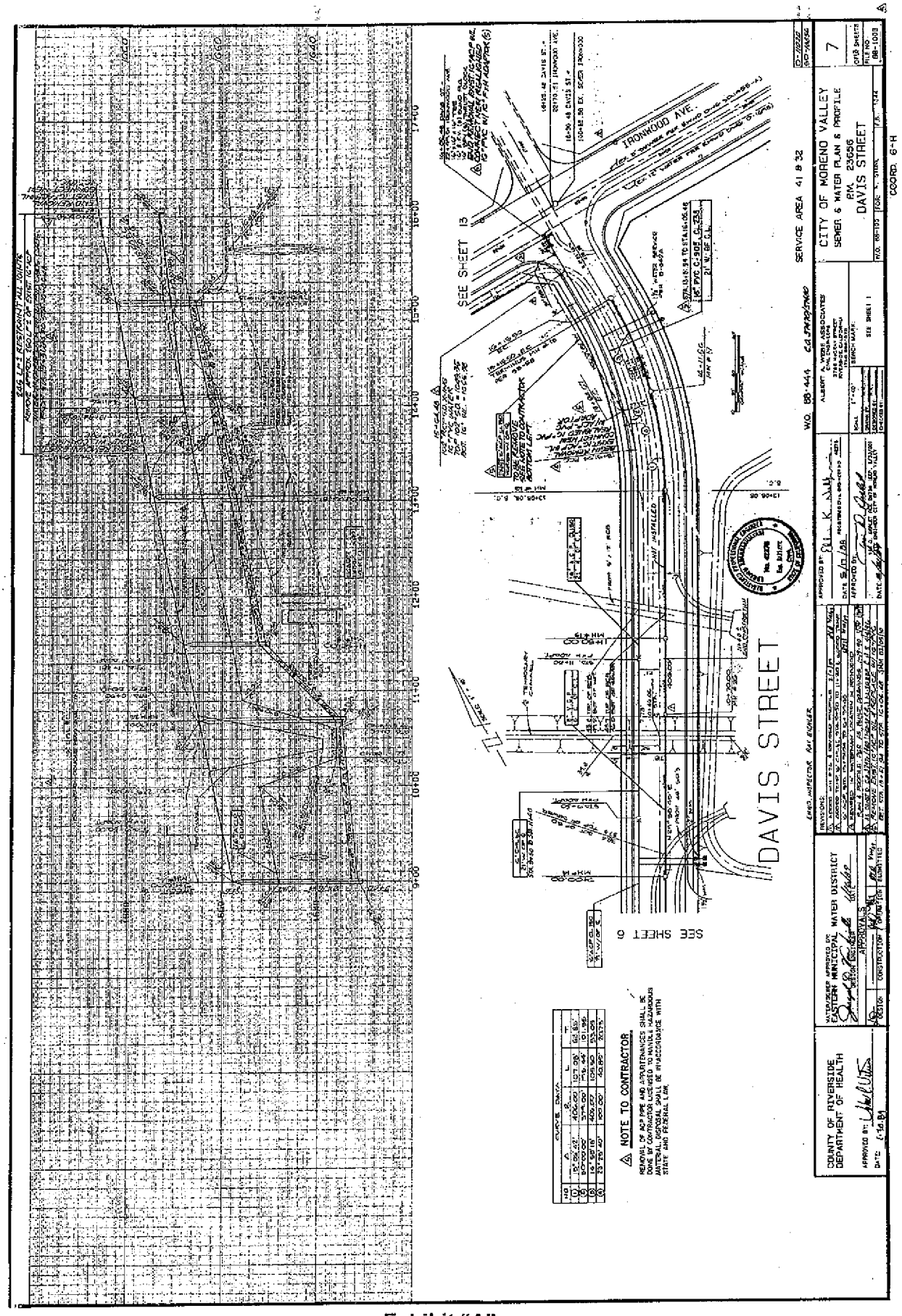
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23636
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
REMOVAL OF ACP PIPE AND APPURTENANCES SHALL BE DONE BY CONTRACTOR LICENSED TO HANDLE HAZARDOUS MATERIAL. DISPOSAL SHALL BE IN ACCORDANCE WITH STATE AND FEDERAL LAW.
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

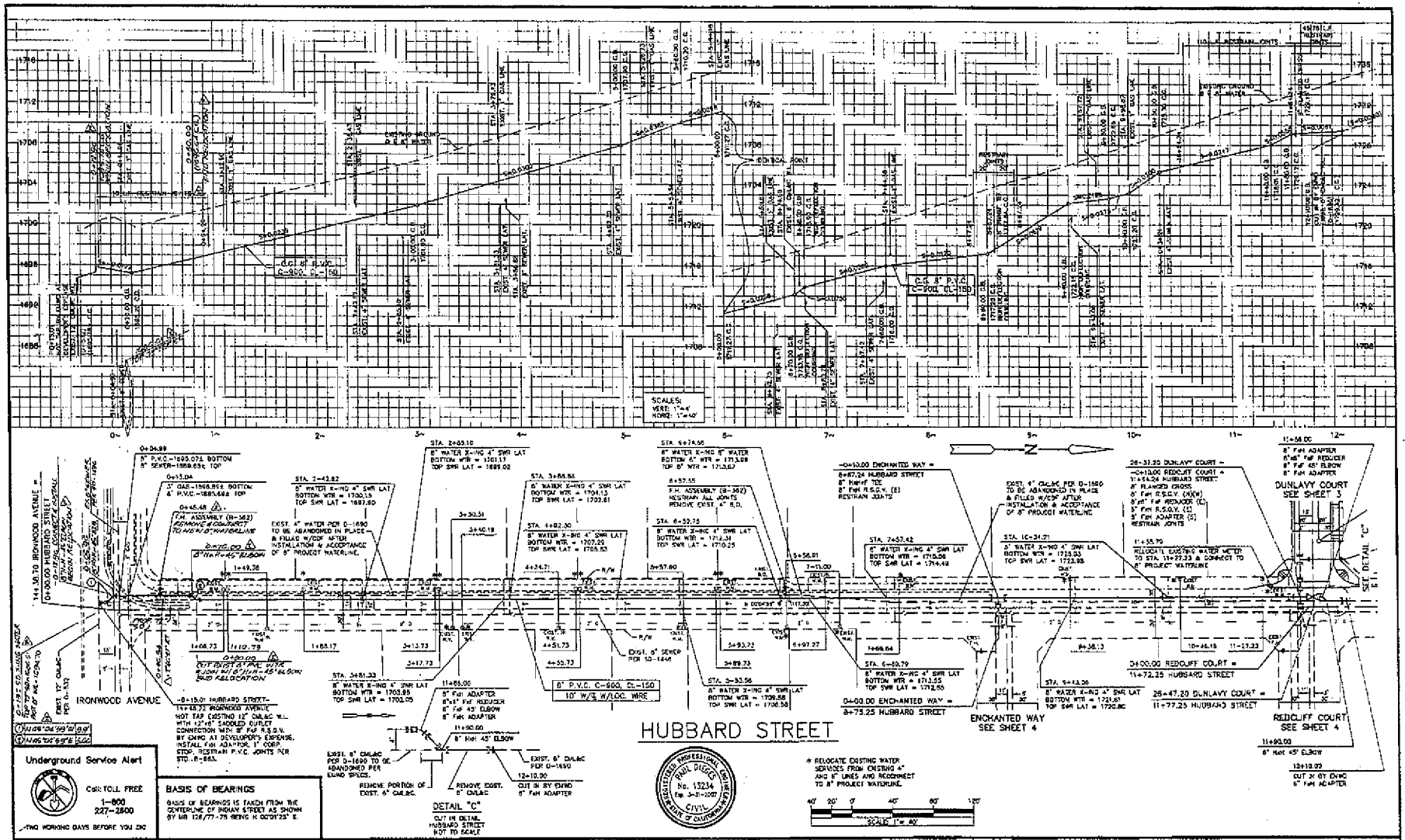
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY
SEE SHEET 4
DUNLAVY COURT
SEE SHEET 3
REDCLIFF COURT
SEE SHEET 4
SEE DETAIL "C"
DETAIL "C"
CUT IN DETAIL
HUBBARD STREET
NOT TO SCALE
SCALES:
VERT: 1"=4'
HORZ: 1"=40'
8" P.V.C. C-900, CL-150
10' W/G W/LOC. WIRE
Underground Service Alert
Call: TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 128/77-79 BEING N 00°01'25" E.
* RELOCATE EXISTING WATER SERVICES FROM EXISTING 4" AND 6" LINES AND RECONNECT TO 8" PROJECT WATERLINE.
SCALE: 1" = 40'
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
1051 DAWES ROAD
PERRIS, CA. 92571
(951) 657-2822
PAUL DIEGES R.C.E. 13234 EXP. 3-31-07
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
WATER
PLAN AND PROFILE
STA. +00+15.00 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-594, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EXCEPT GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE TYPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
10. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-861.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-690, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VERIFY GRADE SIZES AND DRAWINGS WHERE APPROPRIATE). ADJOINING LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL POWER AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR OVERHEAD UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE UNDER PLACED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WILL ENGINEERS FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL SURVEY ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEMS	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	21	LF
8" 22½ 45° BEND	2	EA
8" 90° 45° BEND	1	EA
12" 22½ 45° BEND	2	EA
12" 45° BEND	3	EA
12" 90° BEND	1	EA
12" FLANGED TEE	1	EA
12" FLANGED COUPLING	1	EA
12" FLANGED ADAPTER	1	EA
12" FLANGED VALVE	1	EA
12" FLANGED FITTINGS	1	EA
12" BLIND FLANGE	1	EA
12" BLIND	1	EA
12" 90° BEND	2	EA
12" 45° BEND	3	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	471	LF
CUT EXIST. 12" W/ & HOT TAP 12" DUCTILE W/	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.A. & ASSEMBLY	1	EA
8" PVC WATER C-900, CL-200 (TEMP. HIGH LINE)	65	LF

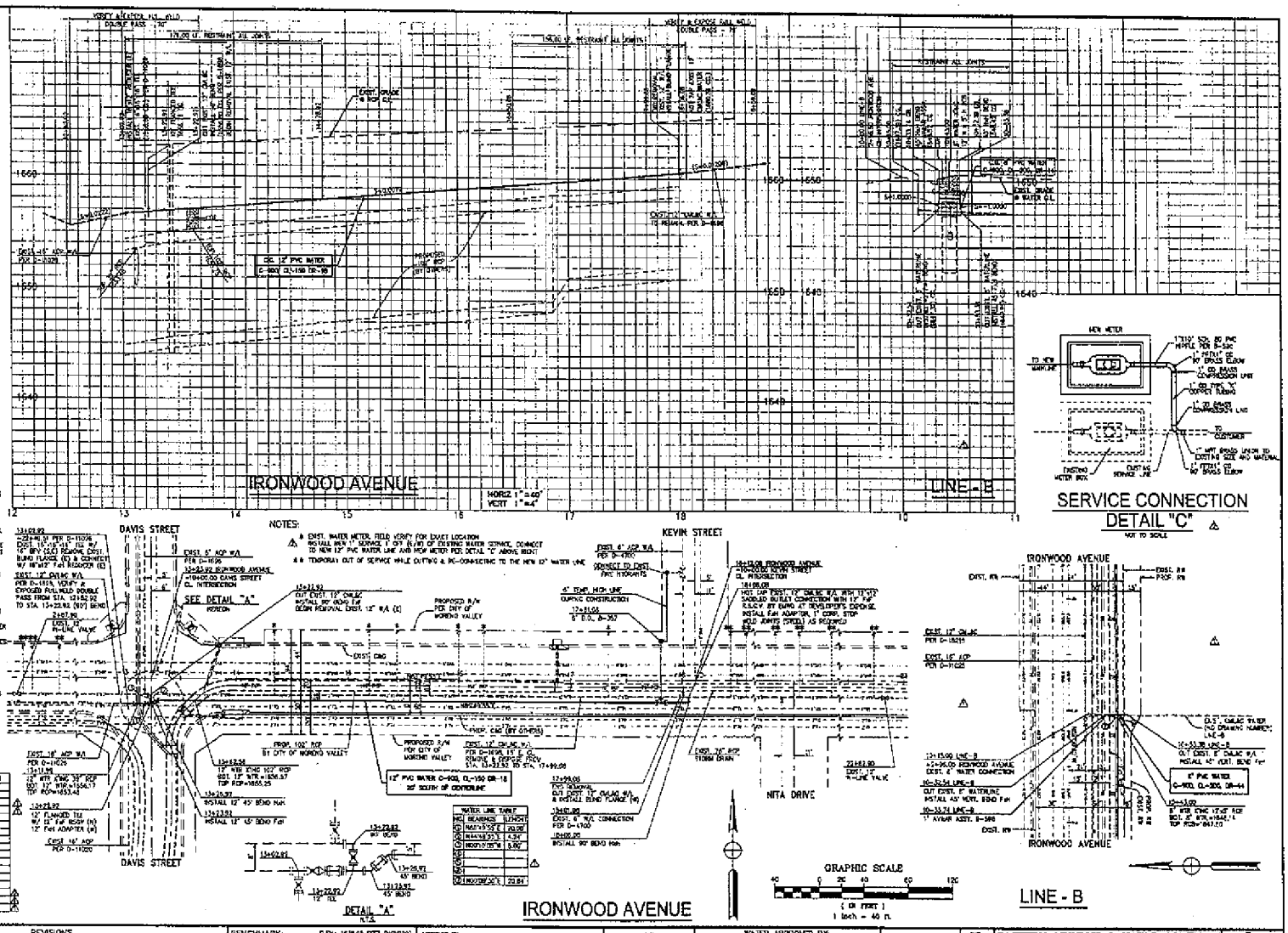

Underground Service Alert
CALL TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS					
NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/09	LAM	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/08	CHAN	01/13/2009
2	4/30/09	LAM	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/09	CHAN	04/30/2009

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-5) FD.
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.3' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5 DIA.) STAMPED "M-5A RESET 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: CONSTRUCTION MANAGER — DATE; WATER OPERATIONS MAINTENANCE — DATE

		DATE
DESIGNED		
DRAWN		
TRACED		
CHECKED		
SUBMITTED		

SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA
12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

W.O.	3
W.A.	41
W.P.	12-747
C.S.	
COMM.	
SHT.	1 OF 1
D-	41354

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

MV00068247

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

Page 4 of 4

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto.

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

BACKGROUND

On May 29, 2008, the City Manager executed an Agreement for Professional Consultant Services with OPC for On-Call Right of Way services. On December 5, 2008, a purchase order for $70,000 was issued to OPC after they were selected as the most responsive firm to propose for In-House Right of Way Consulting Services to assist the Capital Projects Division with capital improvement projects. City Council approved an increase of $99,000 to the purchase order at its meeting on April 14, 2009.

DISCUSSION

Due to the vacant City staff "Senior Real Property Agent" position, as well as an increase in project related right of way activities, additional resources are necessary.

As a temporary solution to assist in expediting the completion of projects, the Capital Projects Division seeks to extend their Agreement with OPC.

OPC staff has an excellent track record of providing right of way services for budgeted capital improvement projects including, but not limited to, Kitching Street Improvements, Day Street Improvements, Sunnymead Boulevard Rehabilitation, and Lasselle Street Widening Improvements. Over the next twelve months, OPC staff will continue to work on right of way for projects such as the Perris Boulevard from PVSD Lateral "B" to Cactus Avenue Improvements, Perris Boulevard from Ironwood Avenue to Manzanita Avenue, Ironwood Avenue Street Improvements, Heacock Street Bridge Improvements, and other budgeted capital projects as assigned.

OPC provides professional consultant right of way services under an on-call Agreement that expires May 15, 2011. Staff recommends issuing a new purchase order and executing a Project Agreement with OPC for the continuation of their services. The purchase order for $99,000 allows for approximately one (1) additional year of right of way services as provided by the in-house consultant staff. The new purchase order will increase the Agreement to a total not-to-exceed amount of $268,000 ($70,000 for the original purchase order, plus $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

ALTERNATIVES

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and do not authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The current purchase order encumbered to account number 897.91724 will be fully expended shortly. Staff recommends that the new purchase order for $99,000 be encumbered to the FY 10/11 Perris Boulevard from PVSD Lateral "B" to Cactus Avenue

Improvements project budget (Account No. 416.78526). As costs are incurred against this purchase order, the expenditures will be transferred to the capital projects for which services were performed. The anticipated associated costs for the purchase order increase will be funded through DIF Arterial Streets (Fund 416), TUMF Capital Projects (Fund 415), 2005 Lease Revenue Bonds (Fund 501), and Measure "A" (Fund 125):

Perris Boulevard from PVSD Lateral "B" to Cactus Avenue (416.78526)	$29,000
Perris Boulevard from Ironwood Avenue to Manzanita Avenue (415.78726)	$28,000
Ironwood Avenue Street Improvements (501.82625)	$18,000
Heacock Street Bridge Improvements (125.66825)	$24,000
Total	**$99,000**

These funds are restricted to Capital Improvement Projects and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

Due to the need for in-house right of way services on a variety of projects, a purchase order with OPC is necessary to continue the temporary professional staffing services for the Capital Projects Division. Staff recommends that the City Council authorize the execution of the Project Agreement and the issuance of a new purchase order to OPC in the amount of $99,000 for right of way services.

ATTACHMENTS

Attachment "A" – Project Agreement
Attachment "B" – Purchase Requisition

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\hirestaffconsultant\Right of way- OPC\New Project Agreement 4-2010\Staff Report New PO & Project Agreement - OPC 7-2010.doc

PROJECT AGREEMENT FOR ON-CALL
PROFESSIONAL CONSULTANT SERVICES
VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Overland, Pacific and Cutler, Inc., a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has Pre-Qualified Consultant for On-Call Consultant work in an Agreement ("On-Call Agreement") executed on May 29, 2008 for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-Call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-Call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Consultant Real Property and Right of Way Services for Various Projects of the Capital Projects Division (and other Divisions as needed) and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

3. The Consultant's scope of service is for Consultant Real Property and Right of Way

Services for Various Projects of the Capital Projects Division and is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D", attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Overland, Pacific and Cutler, Inc.

BY: _____

TITLE: PRESIDENT
(President or Vice President)

5/25/10
Date

BY: _____

TITLE: Vice President / Secretary
(Corporate Secretary)

5-25-10
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures:
Exhibit "A" – City Scope of Services
Exhibit "B" – Consultant Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY SCOPE OF SERVICES

Various Capital Improvement projects throughout the year will require Right of Way Services. The following list includes services that may be needed over the course of the contract. The list is not intended to be all-inclusive, as other services may be needed:

- prepare reports and coordinate the preparation of site surveys relating to real property that is required for public purposes
- prepare certificates of acceptance; record documentation at the county, negotiate for purchase, lease, or donation of real property
- prepare contracts, agreements, leases, deeds, re-conveyances, legals, plats, and other instruments used to acquire or vacate interests in real property
- prepare rights of entry
- prepare and acquire temporary construction easements
- estimate the market value of real property and prepare written reports
- analyze title reports, contracts, judgments, court records, and other documents to evaluate the legal status and effect upon title of various liens, restrictions, and encumbrances
- maintain records, databases, maps, deeds, and other documents
- coordinate the hiring of appraisers, including preparation of Request for Proposals, review and rate/rank Proposals, prepare Staff Reports, review appraisals, verify property surveys, plats and legal descriptions
- coordinate eminent domain actions' consult with the City Council and City departments regarding real property matters, and interact with public agencies
- negotiate and acquire temporary construction "rights of way"
- negotiate cellular tower leases
- meet with property owners to discuss and educate them on real property issues pertaining to acquisition and relocation
- assist project managers on real property issues as they relate to their respective capital improvement projects
- perform related duties as assigned
- and provide quality customer service

EXHIBIT "A"

OVERLAND PACIFIC & CUTLER, INC.

2280 Market Street, Suite 340, Riverside, CA 92501
phone: (951)683-2353, fax: (951)683-3901

April 23, 2010

Ms. Kimberly Jester
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

RE: In-House Right of Way Consulting Services 2010

Dear Ms. Jester:

In response to your request, Overland, Pacific & Cutler, Inc. (OPC) is pleased to present the City of Moreno Valley with this brief fee proposal for the continuation of in-house staffing services under our existing Professional On-Call Services Agreement.

OPC is proposing to continue with the existing arrangements and will assign Mr. Michael Green to the City on specified hours and days. Mr. Green will be working at a rate of $105 per hour, Tuesdays and Thursdays, 8:00 AM to 5:00 PM. At 16 hours per week for the year, we estimate the total annual cost to be $87,360. Should the actual hours increase or decrease over the coming year, the estimated cost will adjust accordingly.

Should you have any questions or would like to discuss further, please do not hesitate to call me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

Exhibit "B"

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $268,000 ($70,000 for the original purchase order, $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

2. Rates for personnel and services shall be as provided on Exhibit "B" – Consultant Proposal.

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

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MV00068261

TODAY'S DATE:	06/09/10
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Overland Pacific & Cutler, Inc.		
STREET ADDRESS >	100 West Broadway Suite 500		
STREET ADDRESS >			
CITY-STATE-ZIP >	Long Beach CA 90802		
CONTACT NAME >			
PHONE NUMBER >			
E-MAIL ADDRESS >			

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	Professional Consultant Right of Way Services for the Various Projects of the Capital Projects Division.	1	Lump Sum	$99,000.00	$99,000.00		
	Project No. 11-41570125						
	Per Project Agreement dated _____ by the City Manager.						
	The "On-call" Right of Way Services Agreement, First Amendment and Second Amendment with OPC are on file with the Purchasing Division.						

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$99,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Kim Jester / Prem Kumar	Date:			
Division Manager ($15k)	Date:	100.0%	416.78526.7200	$99,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$99,000.00

Purchase Requisition OPC

ATTACHMENT "B"

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MV00068263

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-89280221

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard.

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto.

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

BACKGROUND

On December 11, 2007, the City Council approved the Agreement for Professional Consultant Services with Harris & Associates, Inc. (Harris) for Construction Management and Inspection Services for Stage 1 (sidewalk and parkway improvements) and Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $660,000.

On November 25, 2008, the City Council approved the First Amendment to Agreement for Professional Consultant Services with Harris for additional Construction Management and Inspection Services for Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $265,000.

DISCUSSION

The Sunnymead Boulevard project from Frederick Street to Perris Boulevard has been constructed in two stages. Stage 1 was the Revitalization project for the color sidewalk, ramp and driveway improvements, which include a lighted gateway entry arch, bus shelters, sign monuments, parkway landscaping, Heacock Street intersection improvements, curb, and gutter. Stage 2 was the Beautification and Enhancement project for the street and median improvements, which include a lighted median sign near Perris Boulevard, median landscaping, a color Portland Cement Concrete (PCC) center turn lane, and intersection enhancements.

The Harris scope of services includes construction management for both the Stage 1 sidewalk and parkway improvements, and the Stage 2 median and intersection enhancements. Harris' responsibilities encompass construction management, which includes overseeing the daily construction operations of the contractors' work for compliance with approved plans and applicable City, State and Federal standards. In addition they are responsible for obtaining and reviewing all contractor submittals and contractor payment requests that are to be forwarded to the City for approval. However, the project is not complete and additional services are required. The work still pending includes punch list items pertaining to the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, an increase in Harris' construction management and inspection contract Purchase Order is needed through this Second Amendment to provide for the services necessary to complete the project. The expiration date of February 28, 2011 will not change with the proposed Second Amendment.

ALTERNATIVES

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick

Street to Perris Boulevard, authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative will allow for the completion of needed improvements.*

2. Do not approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard, do not authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, do not authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative may delay construction of needed improvements.*

FISCAL IMPACT

The project is funded with Lease Revenue Bond funds (Fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (Fund 892). The Harris contract was originally funded with Lease Revenue Bond funds, however, staff now requests that the City Council approve a new Purchase Requisition for $176,000 from unencumbered Redevelopment Agency project funds (Fund 892). The funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)	($3,549,000)

Breakdown of Professional Consultant Services with Harris & Associates

Original Agreement for Stage 1 & 2 Construction Management and Inspection Services (w/cont.)	$660,000*	
First Amendment for Stage 2 Construction Management and Inspection Services (w/cont.)	$265,000*	
Second Amendment for Stage 1 and 2 Construction Management and Inspection Services	**$176,000**	**($176,000)**
Total Construction Management and Inspection Services	$1,101,000	

Unencumbered Project Balance	$203,000

* *Costs are already included in Stage 1 & 2 Construction items above*

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

The Sunnymead Boulevard project is nearing completion. The longer than anticipated construction duration has resulted in the need to increase the contract amount with Harris & Associates, Inc. for construction management services. Therefore, staff is requesting City Council approve the increase to Harris' Purchase Order by $176,000 from the unencumbered project budget in Fund 892.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Second Amendment to Agreement for Professional Consultant Services, Project No. 04-89280221
Attachment "C" – Purchase Requisition

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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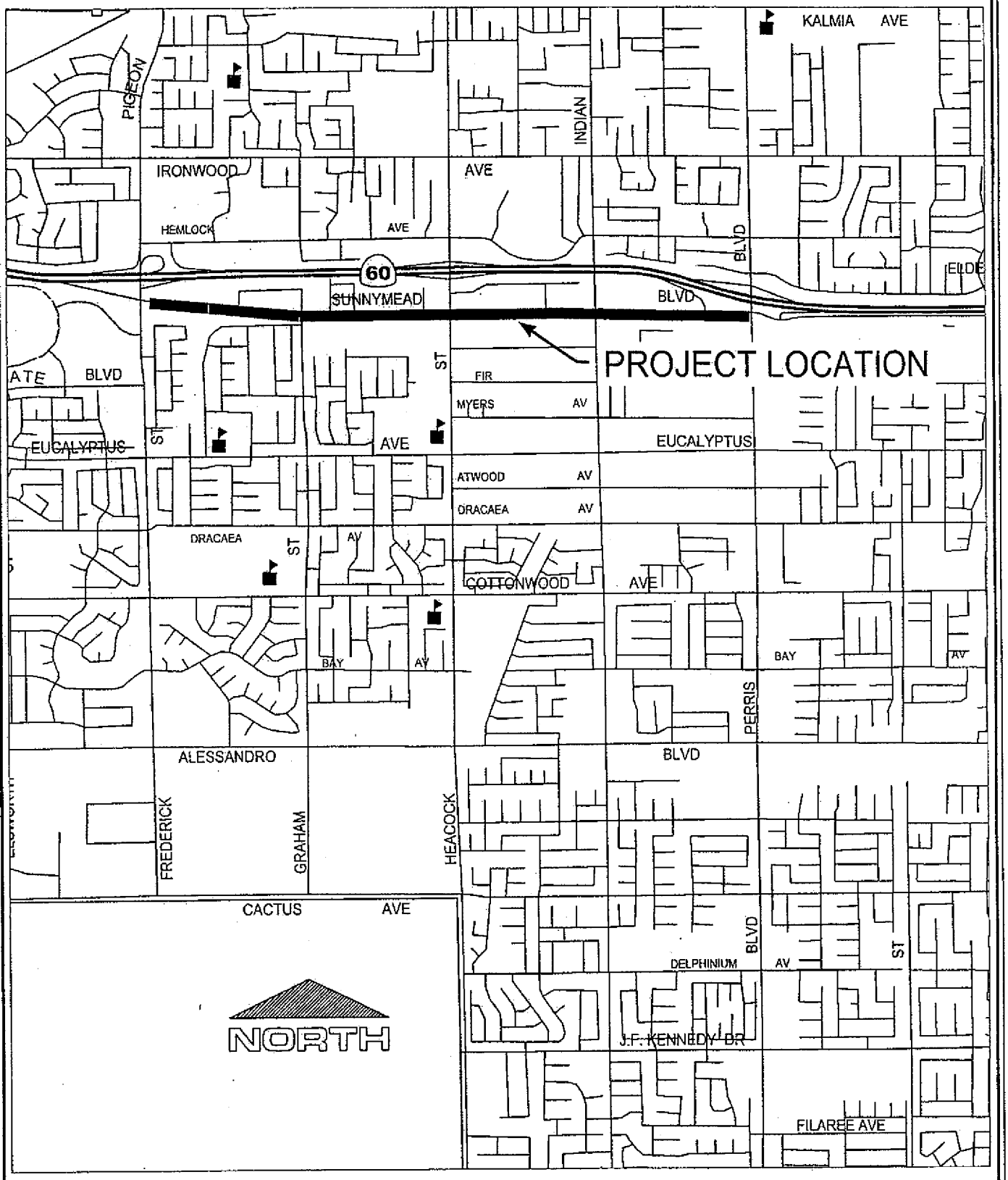

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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SECOND AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **Harris & Associates, Inc.**, a California corporation, hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated February 6, 2008.

Whereas, the Consultant is providing consultant management and construction inspection services for Sunnymead Boulevard Improvements Project from Frederick Street to Perris Boulevard, Project No. 04-89280221.

Whereas, the Agreement was amended on December 12, 2008 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Second Amendment.

Whereas, the Consultant has submitted a Proposal dated June 7, 2010, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Second Amendment" and is incorporated herein by this reference.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of February 28, 2011 is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Second Amendment," entitled "Request for Contract Amendment."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit B – Second Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive an additional "Not-to-Exceed" fee of $176,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work described in "Exhibit A – Second Amendment."

1.5 The total "Not to Exceed" fee for this contract is $1,016,900 ($600,000 for the original Agreement, plus $240,900 for the First Amendment to Agreement, plus $176,000 for the Second Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Harris & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Second Amendment"
"Exhibit B – Second Amendment"

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Harris & Associates

Shaping the future, One project at a time℠

June 7, 2010

City of Moreno Valley
Chris Wiberg, P.E. Senior Project Manager
Capital Project Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Contract Amendment

Mr. Wiberg,

The Sunnymead Boulevard project is pending completion of construction. It is now anticipated that completion of the construction on this project is not expected to occur until October of 2010. Some of the pending items include punch list items for the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, we are requesting that our current contract be amended to reflect the extended time frame. Please see attached Scope of Work and Cost Proposal for details.

The appropriate level of personnel required for this phase of service will be subject to mutual agreement and the contractor's schedule. Your acknowledgment and acceptance of this request is gratefully appreciated. Should you have any further questions or concerns, please do no hesitate to call.

Sincerely,
Harris & Associates

E. Joseph Shaw
Sr. Construction Manager

"Exhibit A – Second Amendment"

SCOPE OF SERVICES

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

Harris will continue to provide the following services as part of the Scope of Services on an as-requested, as-needed basis:

CONSTRUCTION MANAGEMENT & INSPECTION SERVICES

Construction Administration - Continue to implement procedures for reviewing and processing request for clarifications and interpretations of the Contract Documents; shop drawings, samples and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions and payment applications.

Reports - Prepare any reports that may be required during the construction phase.

Permits, Bonds and Insurance - Verify required permits, bonds and insurance, have been obtained.

Change Order Preparation - Coordinate contract change orders. Prepare independent cost estimate for contract change orders. Negotiate all contract change orders with the Contractor. Prepare contract change order document for execution by Contractor and City

Construction Schedule - Review each Contractor's Construction Schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule.

Progress Payments - Review payment applications submitted by each Contractor and determine whether the amount requested reflects the progress of the Contractor's work.

Photographs - Provide photographic documentation of project site during construction.

"As-Built" Drawings - Finalize one set of contract documents for each project with up-to-date information regarding all addendum, substitutions, clarifications and change orders.

Field Inspection - Provide field inspection, as requested, to verify compliance with the contract documents. Coordinate with City assigned inspection staff.

Surveying – Coordinate needed surveys to verify lines and grades with contract documents.

Traffic Control - Monitor traffic control and public safety plans for compliance with all safety laws and regulations. Review all detour, lane closures, temporary access, signing, delineation and traffic control plans.

Meetings - Coordinate meetings with City and Contractor related to project completion. Prepare meeting notices and prepare and distribute meeting minutes.

Final Inspection and Punchlist - Provide final inspection and prepare list of project construction deficiencies for resolution by Contractor.

Final Payment - Make recommendations regarding Contractor's final progress payment request. Prepare final progress payment report for submission.

Project Closeout - Prepare all documentation needed for project closeout. Deliver project documentation.

COST PROPOSAL

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

5 Month Projected Extension of Time	Cost
Construction Management Services	$81,000
Construction Inspection Services	$79,000
Additional Items of Work per City Request	$16,000
Total	**$176,000**

"Exhibit B – Second Amendment"

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MV00068279

TODAY'S DATE: 06/11/10	PURCHASE REQUISITION	Purchasing Use Only	
DELIVER TO: 15670 Perris Blvd Moreno Valley, CA 92551	**CITY OF MORENO VALLEY**	SELECTED VENDOR NO.#	REQUISITION NUMBER
DELIVER ON OR BEFORE:	Provide complete new vendor information or name-phone & e-mail for current vendors		

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Harris & Associates, Inc.		
STREET ADDRESS >	9445 Fairway View Place, Suite 215		
STREET ADDRESS >			
CITY-STATE-ZIP >	Rancho Cucamonga, CA 91730		
CONTACT NAME >	Joe Shaw		
PHONE NUMBER >	909.237.2357		
E-MAIL ADDRESS >	eshaw@harris-assoc.com		

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF. MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	This Second Amendment with Harris & Associates, Inc.	1	Lump Sum	$176,000.00	$176,000.00		
	is providing construction management and inspection						
	services for the Sunnymead Boulevard						
	Improvements Project from Frederick Street to Perris						
	Boulevard, Project No. 04-89280221. The project is not						
	complete due to delays. A new Purchase Order is						
	requested to use unencumbered monies in fund 892.						
	The Second Amendment was signed by the City Manager						
	on _____. Also attached is the current insurance.						
	City Council approved the Purchase Requisition at its						
	meeting on 7/13/10.						
Notes:				Est. Shipping:		Shipping:	
				Est. Tax:		Tax:	
				Est. Total:	$176,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. (Sign Below)		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Christopher L. Wiberg & Lee Ann Florez	Date: 06/11/2010			
Division Manager ($15k)	Date:	100.0%	892.80221.7200	$176,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$176,000.00

6-11-10 Purchase Req for Harris.xls

Attachment "C"

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MV00068281

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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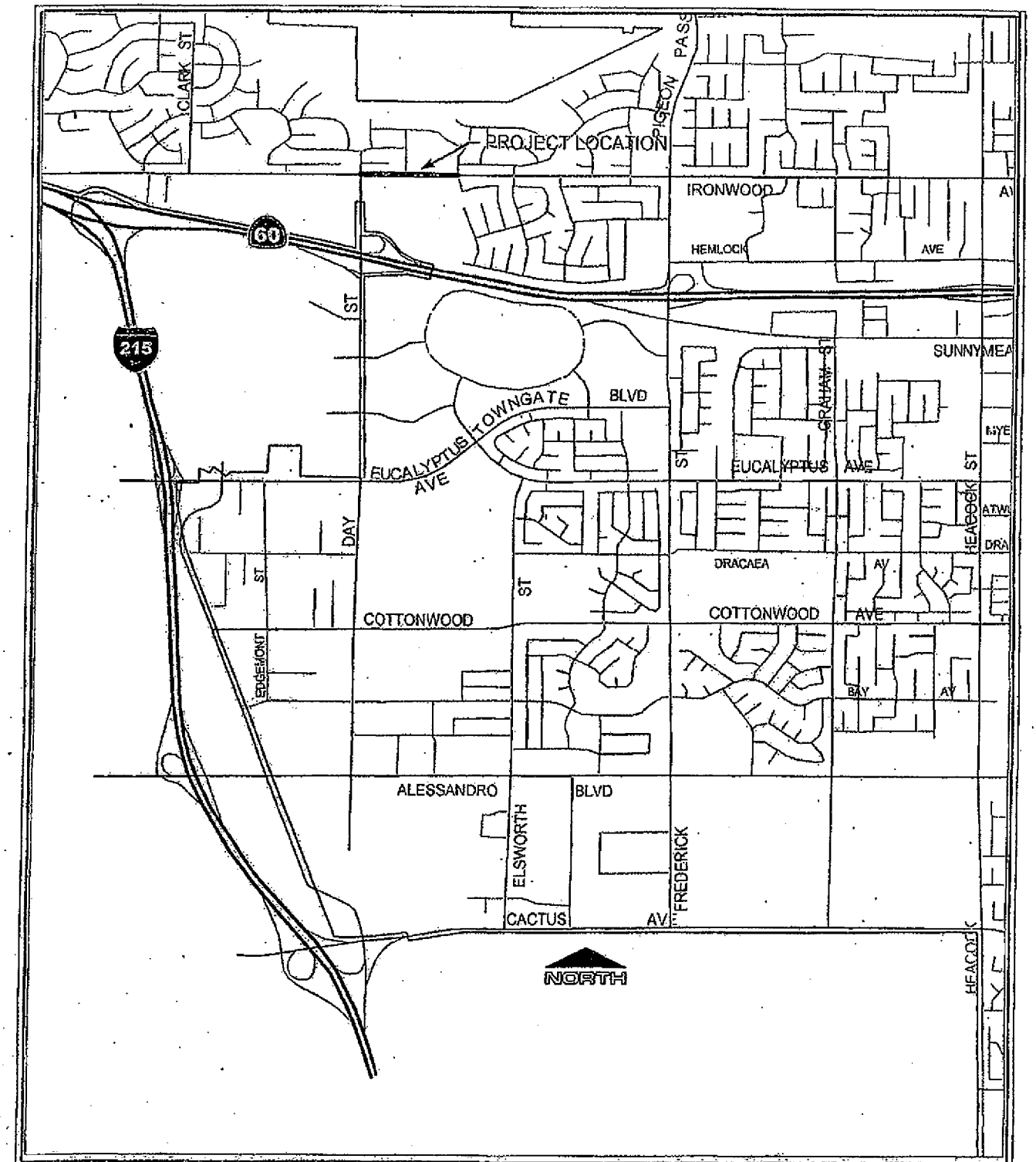

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

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MV00068289

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

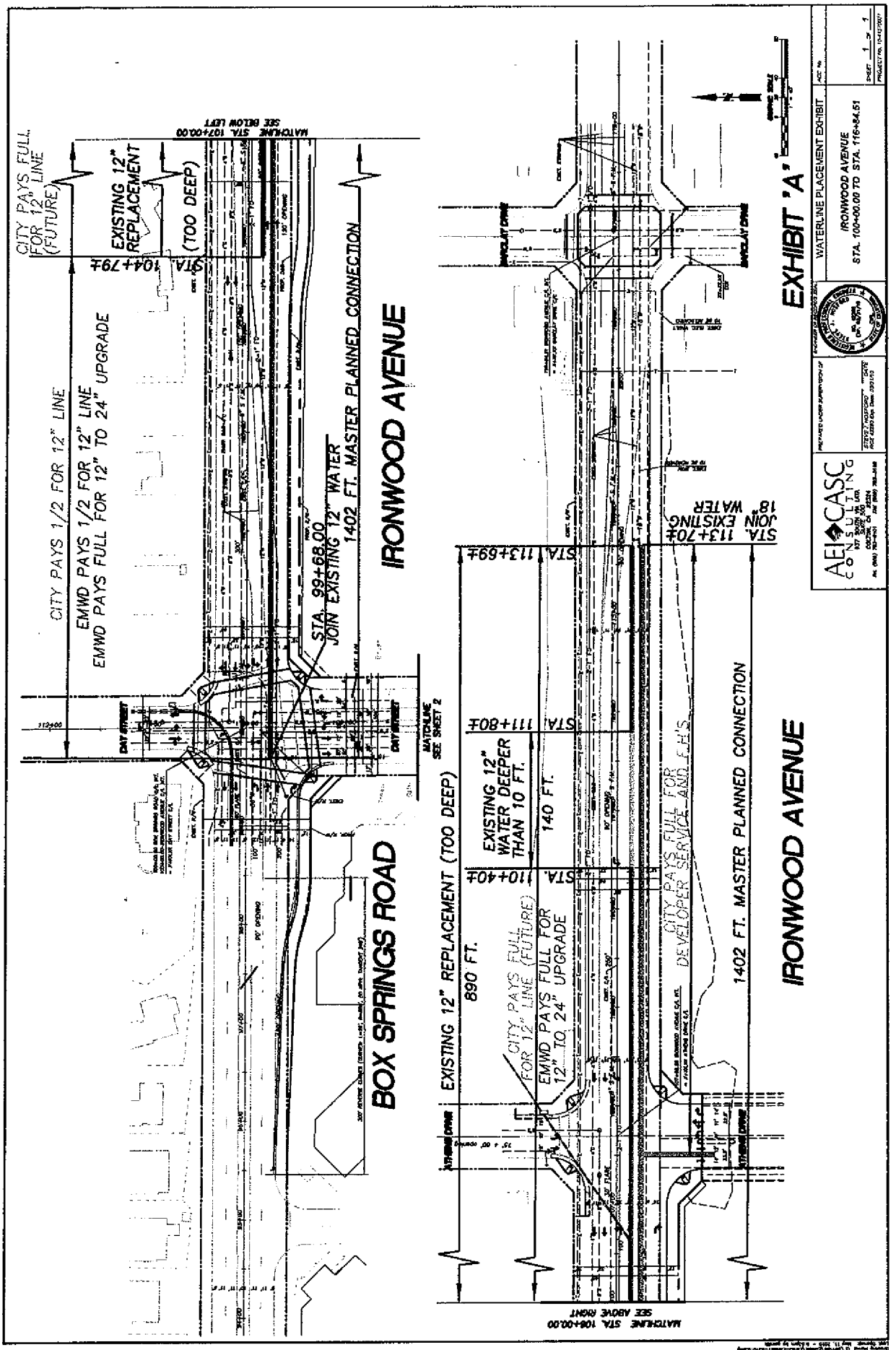
EXHIBIT 'A'
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CONSULTING
CASC
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 110+40±
STA. 111+80±
STA. 113+69±
STA. 113+70± JOIN EXISTING 18" WATER
MATCHLINE STA. 106+00.00 SEE ABOVE RIGHT
BOX SPRINGS ROAD
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
STA. 99+68.00 JOIN EXISTING 12" WATER
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS 1/2 FOR 12" LINE
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
CITY PAYS FULL FOR 12" LINE (FUTURE)
MATCHLINE STA. 107+00.00 SEE BELOW LEFT
MATCH-LINE SEE SHEET 2

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728).

2. Authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto.

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements.

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

BACKGROUND

On December 8, 2009, the City Council awarded a construction contract and authorized the issuance of three (3) Purchase Orders in the total amount of $503,600.00 (the bid amount plus 25% contingency) to FS Construction. The FS Construction contract includes such street improvements as sidewalks, driveways, parkway drains, access ramps, block walls, fences, tree removals, cross gutter, mailboxes, and landscape restoration on both sides of Temco Street, Vought Street, Boeing Street, and McDonnel Street.

The City issued a Notice to Proceed to FS Construction to start the work on March 4, 2010. The length of the contract is one hundred twenty (120) working days. FS Construction anticipates completing the projects by end of June 2010 at the latest.

DISCUSSION

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. The increase in the FS Construction contract is attributed to the additional work and increased bid item work quantities mainly related to the reconstruction of the existing driveways and driveway approaches as part of the sidewalk improvements. During construction, the City worked closely with residents in relocating existing fences, trees, concrete walkways and other hardscape as well as modifying existing driveways and landscape necessary for the construction of new sidewalk and reconstruction of existing driveway approaches. The new sidewalk and driveway approaches, installed per current ADA requirements, resulted in steeper slopes on most of private driveways. As a result, additional work is required to remove and replace larger areas of private driveways to lower the driveway profiles and reduce the steepness of driveway slopes for functionality purposes. In addition, many driveways have deteriorated and required larger removal areas in order to establish a logical and stable concrete slab match line to existing driveway slabs. This has also increased the driveway installation bid item quantities as well as grading and drainage issues. There are also increases in other bid item quantities related to sidewalks, fence relocations, drainage structures, and curb and gutter replacements which contributed to the increase in construction cost.

The additional improvements were necessary for functionality of the driveways and new City improvements. Furthermore, the improvements have enhanced the aesthetic and appearance of the neighborhood as well as the pedestrian and vehicular safety. By utilizing in-house design to reduce design cost along with the favorable construction bid received, there is a net savings in the project's overall cost. Staff is requesting City Council approve the Change Orders to increase FS Construction's Purchase Orders to allow payment to the Contractor.

The construction of sidewalk improvements is to be completed at end of June 2010. Since the City Council will not meet on next two meetings after the July 13 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer

to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ALTERNATIVES

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), do not authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, do not authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and do not authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will delay payment to the Contractor, delay completion of the improvements, and incur extra cost to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and is financed by Community Development Block Grant (CDBG) funds (Fund 283). There is no impact to the General Fund.

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. An increase of $21,000 is requested to increase Purchase Order No. 38859

(Account No. 283.68428). An increase of $30,000 is requested to increase Purchase Order No. 38860 (Account No. 283.68528). And an increase of $29,000 is requested to increase Purchase Order No. 38861 (Account No. 283.68728). The new total amount for three (3) Purchase Orders for FS Construction is $583,600.

AVAILABLE FISCAL YEAR 2009/2010 CONSTRUCTION FUNDS:

Temco Street (Account No. 283.68428)	$259,831
Vought and Boeing Street (Account No. 283.68528)	$355,461
Boeing and McDonnel Street (Account No. 283.68728)	$544,360
Total Available Funds	**$1,159,652**

Breakdown of Construction Related Costs

Construction Contractor (FS Construction) PO's	$503,600
Requested increase in 3 PO's for FS Construction	**$80,000**
Geotechnical Services	$15,800
Survey Services	$47,700
Project Administration*	$120,000
Total Construction Cost	$767,100

Remaining Project Balance in Fund 283 ..... $392,552

* Public Works staff will provide Project Administration and Inspection.

ANTICIPATED PROJECT SCHEDULE:

Construction Started	March 2010
Completion of Construction	June 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

FS Construction has been constructing the sidewalk improvements on Temco Street, Vought Street, Boeing Street, and McDonnel Street and anticipates completing the projects by end of June 2010. The improvements enhance the aesthetic/appearance and pedestrian and vehicular safety for the neighborhood by providing sidewalks, new driveways, new mailboxes and landscape restoration. Due to the increases in bid quantities, staff is requesting City Council approve the Change Order to increase FS Construction's Purchase Orders by a total amount of $80,000 from the available project budget to allow payment to the Contractor. Staff is also requesting the City Council to

authorize the Public Works Director/City Engineer to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Change Order Forms

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Concurred By:
Michelle Patterson
Redevelopment and Neighborhood
Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Barry Foster.
Economic Development Director Programs

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Quang - 08-28368428 - Temco_Vought_Boeing_McDonnel Sidewalks\CC Reports\Increase PO's\07-13-10 Increase POs for FS Construction.doc

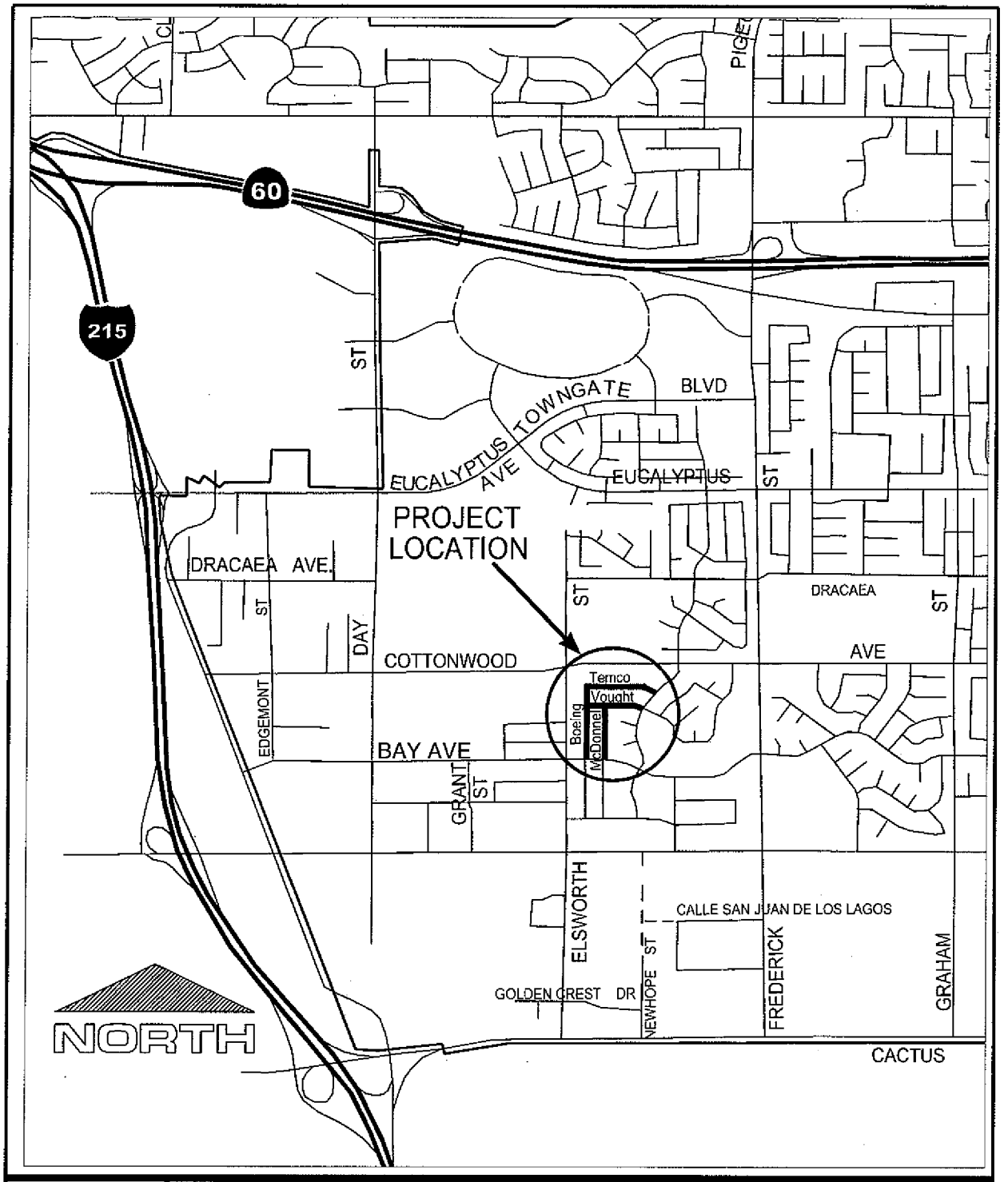

SIDEWALK IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

ATTACHMENT A

TEMCO ST., VOUGHT ST. BOEING ST. AND MCDONNEL ST.

LOCATION MAP

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38859
	Project Number:	08-28368428	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO # 38859 by $19,000.00 for additional work for the Sidewalk Improvements on Temco Street from Boeing Street to Pan Am Boulevard Project No. 08-28368428	$19,000.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$19,000.00
		Original P.O. and Prior Change OrderAmount:	$128,569.00
		Revised Total Spend:	**$147,569.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68428.7200	$147,569.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$147,569.00

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Attachment "B"

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38860
	Project Number:	08-28368528	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38860 by $29,800.00 for additional work for the Sidewalk Improvements on Vought Street from Boeing Street to Pan Am Boulevard and Boeing Street from Vought Street to Temco Street Project No. 08-28368528	$29,800.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$29,800.00
		Original P.O. and Prior Change OrderAmount:	$179,269.00
		Revised Total Spend:	**$209,069.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Sharon Duensing/Quang Nguyen	Date:			
Divison Manager ($15k)	Date:	100.0%	283.68528.7200	$209.069.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$209,069.00

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38861
	Project Number:	08-28368728	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38861 by $26,200.00 for additional work for the Sidewalk Improvements on Boeing Street from Vought Street to Bay Avenue and McDonnel Street from Vought Street to Bay Avenue Project No. 08-28368728	$26,200.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$26,200.00
		Original P.O. and Prior Change OrderAmount:	$195,762.00
		Revised Total Spend:	**$221,962.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68728.7200	$221,962.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$221,962.00

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: July 13, 2010

TITLE: ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 15-17, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-69 appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 15-17, 2010 in San Diego. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Staff recommends that the City Council adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Recommended by staff)

2. Do not adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Attorney's Department 2010-11 Operating Budget account 010.22110.6221.

NOTIFICATION

Agenda Publication

ATTACHMENTS/EXHIBITS

Attachment A - Voting Delegate Proposed Resolution
Attachment B - Voting Delegate Form

Prepared By:
Jane Halstead, City Clerk, CMC

Department Head Approval:
Jane Halstead, City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2010 annual conference and by August 20, 2010, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Deputy City Attorney III Suzanne Bryant will be attending the business meeting on Friday, September 17, 2010 at the San Diego Convention Center in San Diego.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

That Deputy City Attorney III Suzanne Bryant is designated as the Voting Delegate for the City of Moreno Valley at the League of California Cities 2010 Annual Conference in San Diego on September 15-17, 2010.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 20, 2010.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY CLERK
MORENO VALLEY
RECEIVED
10 JUN 10 PM 2:30

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 20, 2010

June 4, 2010

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 15-17 – San Diego

The League's 2010 Annual Conference is scheduled for September 15-17 in San Diego. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 3:00 p.m., Friday, September 17, at the San Diego Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. Please take care when selecting your city's delegates, as travel and attendance could be an issue for those who observe Yom Kippur.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 20, 2010. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

ATTACHMENT B

-more-

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Jose Convention Center, will be open at the following times: Wednesday, September 15, 9:00 a.m.; Thursday, September 16, 7:30 a.m.; and September 17, 7:30 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 20th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2010 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2010 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes**. In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2010 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 20, 2010. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 20 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter10.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT

SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY

DEVELOPER – ZAPER, CORP.
7119 INDIANA AVE, SUITE 300
RIVERSIDE, CA 92504

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On August 12, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31414. The tentative tract map is a proposal to subdivide an approximately 9 acre parcel into 31 single family residential lots.

On October 24, 2006 the City Council for the City of Moreno Valley approved Zaper, Corp.'s agreement and bonds in the amounts of $1,115,000 for the Faithful Performance Bond and $557,500 for the Material and Labor Bond.

Pigeon Pass LLC has purchased Tract 31414 from Zaper Corp. and has provided substitute agreement and bonds. The substitute agreement and bonds were approved by Council on May 25, 2010.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Zaper, Corp.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

2. Do not authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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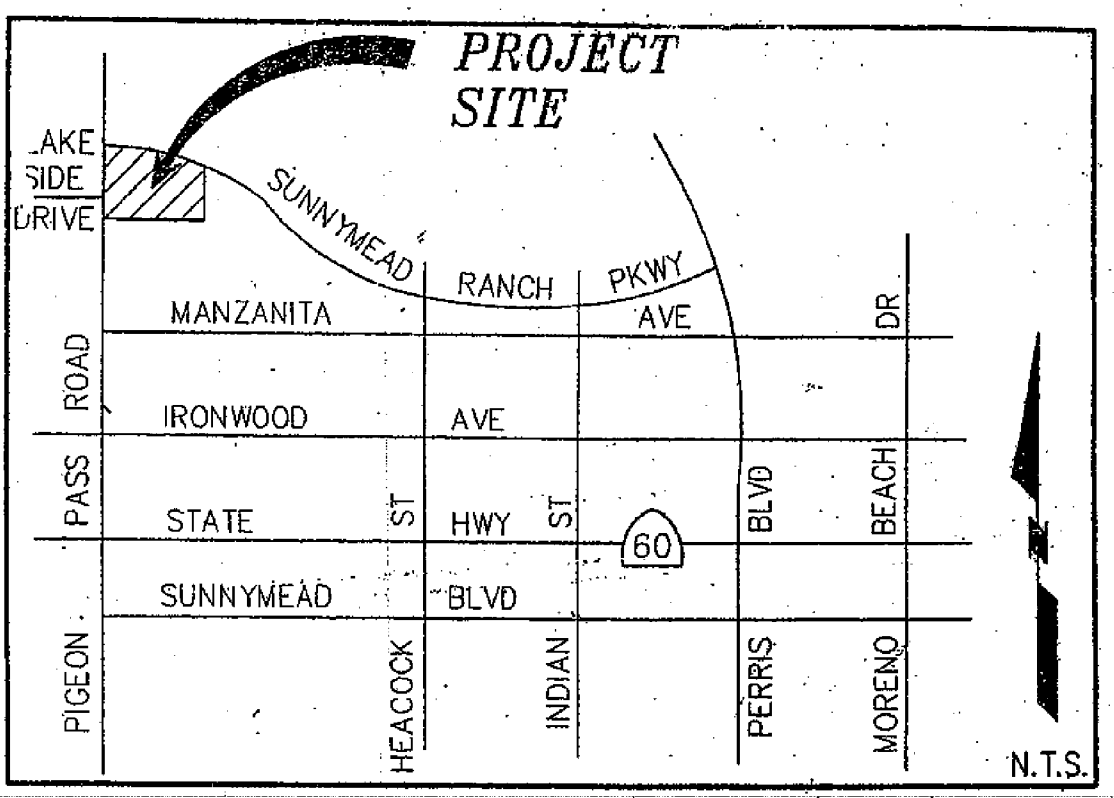

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**TR 31414** **LOCATION MAP**

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET

DEVELOPER - VALLEY OAK, LP
100 DOVE STREET, SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 22, 2005, the Planning Commission of the City of Moreno Valley approved this project. The tentative tract map is a proposal to subdivide 27.8 net acres in the R5 zone into 100 single family residential lots.

On December 12, 2006, the City Council for the City of Moreno Valley approved MVGH 2004, LLC agreement and bonds in the amounts of $3,636,000 for the Faithful Performance Bond and $1,818,000 for the Material and Labor Bond.

Valley Oak, LP has purchased project PA04-0125 from MVGH 2004, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

Valley Oak, LP has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $3,636,000 and a Material and Labor Bond in the amount of $1,818,000 issued by Western Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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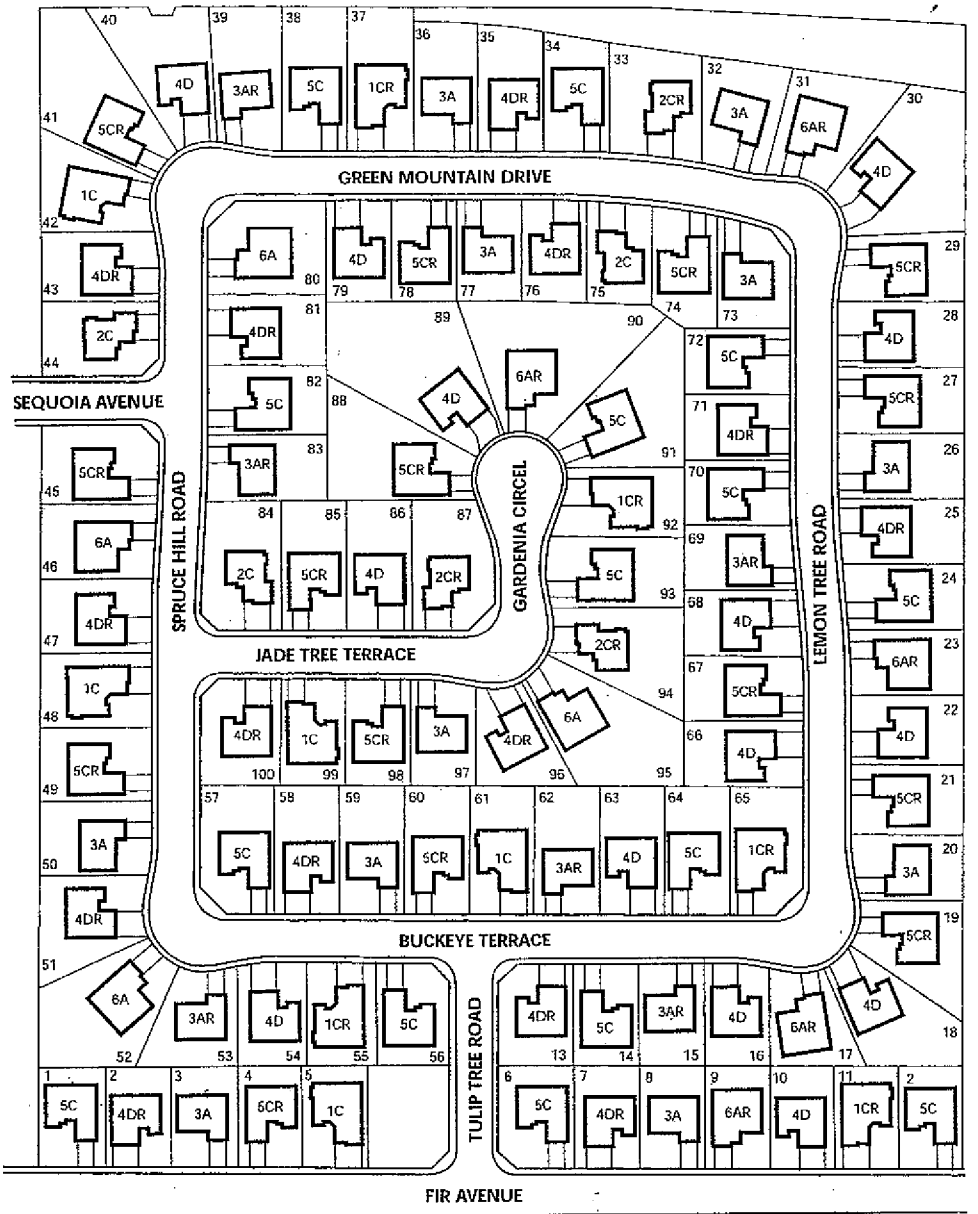

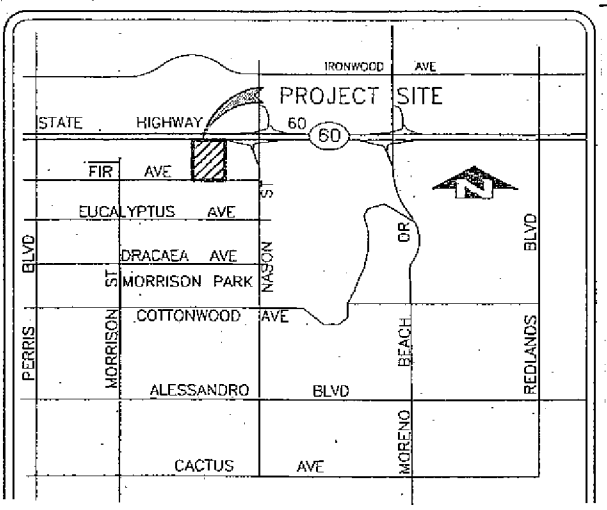

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

Tract 33256
VICINITY MAP

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Item No. A.17

MV00068330

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MV00068331

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0215 (TR. 33256)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Valley Oak, LP,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0215** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **THREE MILLION SIX HUNDRED THIRTY SIX THOUSAND AND NO/100** Dollars (*****$3,636,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Valley Oak, LP
1000 Dove Street, Suite 300
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

VALLEY OAK, LP:
Developer

BY: _____
Signature

NELSON CHUNG
Print/Type Name

MANAGER
Title

BY: _____
Signature

CHRISTINE CHUNG
Print/Type Name

CFO
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boiler - Agreement.doc

ACKNOWLEDGMENT

State of California
County of Orange)

On April 7, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG AND CHRISTINE CHUNG,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00068335

EXHIBIT "A"

ENGINEER'S ESTIMATE

DATE: 03/18/10

PROJECT: Tract 33256

PREPARED BY: Liz Plazola

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	151515	S.F.	5492	Ton	16.00	87,879
A.C.	0.3	Thickness (ft.)				
	151515	S.F.	3295	Ton	43.50	143,352
A.B. Class II	0.5	Thickness (ft.)				
	5781	S.F.	210	Ton	16.00	3,353
A.C.	0.35	Thickness (ft.)				
	5781	S.F.	147	Ton	43.50	6,381
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			139	Ton	43.50	6,047
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			8528	L.F.	12.00	102,336
Curb and Gutter - 8"			0	L.F.	13.00	0
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			819	S.F.	11.00	9,009
Sidewalk			45100	S.F.	4.00	180,400
Driveway Approach - 6"			14000	S.F.	5.50	77,000
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			642	S.Y.	1.10	706
Redwood Header			0	L.F.	4.00	0
Sawcut			995	L.F.	1.10	1,095
Trench Repaving			0	S.F.	5.00	0
Utility Trench			0	L.F.	5.00	0
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			9	EA.	425.00	3,825
Stop Sign			4	EA.	200.00	800
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			33	EA.	200.00	6,600
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			1	L.S.	–	4,625
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			4210	L.F.	45.00	189,450
Walls - Retaining: 6' Maximum			1814	L.F.	70.00	126,980
Landscaping			0	S.F.	5.00	0
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			27	EA.	3,000.00	81,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Erosion Control			28	Ac.	5,500.00	154,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure			99	EA.	1,750.00	173,250
Electrical Utility Line Extension			1	L.F.	110.00	
					SUBTOTAL:	1,373,287

Monuments: 115 X 65.00 EA. $7,475

Item No. A.17

MV00068336

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	67	L.F.	95.00	6,365
30" Reinforced Concrete Pipe	1036	L.F.	110.00	113,960
36" Reinforced Concrete Pipe	2244	L.F.	125.00	280,500
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	8	EA.	5000.00	40,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	3	EA.	6500.00	19,500
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	1	EA.	1600.00	1,600
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	4	EA.	1500.00	6,000
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	1	EA.	3500.00	3,500
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	1	EA.	5000.00	5,000
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
"V" Gutter	0	S.F.	4.00	0
Basin Gravel Pit	1	EA.	3000.00	3,000
			SUBTOTAL:	484,005

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	1768	L.F.	90.00	159,120
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	807	L.F.	60.00	48,420
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	3258	L.F.	50.00	162,900
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
18" Gate Valve	2	EA.	3,600.00	7,200
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	6	EA.	1,000.00	6,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	16	EA.	2,000.00	32,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	14	EA.	200.00	2,800
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	2	EA.	1,800.00	3,600
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	4	EA.	2,000.00	8,000
Air Vac & Release 1"	5	EA.	1,800.00	9,000
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	101	EA.	350.00	35,350
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	2	EA.	650.00	1,300
			SUBTOTAL:	475,690

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	4785	L.F.	32.00	153,120
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	3130	L.F.	24.00	75,120
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	17	EA.	2,000.00	34,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	1	EA.	1,000.00	1,000
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	1	EA.	400.00	400
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	100	EA.	600.00	60,000
Clean Out Lateral	0	EA.	90.00	0
Wyes	100	EA.	90.00	9,000
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	3435	L.F.	0.50	1,718
Trench Paving	0	S.F.	5.00	0
Backflow Preventors	52	EA.	350.00	18,200
			SUBTOTAL:	352,558

MW 3/18/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 33256**

DATE: **03/18/10**
PREPARED BY: **Liz Plazola**

IMPROVEMENT TYPE:

ROADWORK	:	$1,373,287
STORM DRAIN	:	$484,005
WATER SYSTEM	:	$475,690
SEWER SYSTEM	:	$352,558
SURVEY MONUMENTS	:	$7,475
TOTAL COST OF IMPROVEMENTS:		$2,693,015
35% CONTINGENCY		$942,555
GRAND TOTAL:		$3,635,570

BOND AMOUNT: **$3,636,000**

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MV00068341

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $ 3,636,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium $54,540.00

Surety WESTERN INSURANCE COMPANY A-(N) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to Tract # 33256 which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and WESTERN INSURANCE COMPANY, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of Three Million Six Hundred Thirty Six Thousand and NO/100********** Dollars (**$3,636,000.00** lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By:PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S): By

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT

Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORMS-FP-PUB.DOC (12/96)

RISK MANAGEMENT
Approved

By Date 6/7/10

Item No. A.17

MV00068343

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NNA1 REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014 NNA1

WITNESS my hand and official seal.

Signature _____ (Seal)

Item No. A.17

MV00068344

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00068345

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330919

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day in March, 2010.

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded in Washoe County No: 05-104403-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May, 2010.

Carol B. Ingalls
Secretary

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY A-(N) CA who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary *Shannon Mussetter, Notary Public*

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2011

(Affix seal in the above blank space)

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MV00068349

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $ 1,818,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium N/A

Surety WESTERN INSURANCE COMPANY A-(V) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership **(hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to** Tract # 33256 **, which agreement is hereby referred to and made a part hereof; and,**

WHEREAS, *under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient* payment bond with the City of Moreno Valley to *secure the claims* to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of One Million Eight Hundred Eighteen Thousand and NO/100******* **Dollars (****$1,818,000.00****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.**

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, *companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4* of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By: PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S):

By:

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V) CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alonzo 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORM\B-ML-PUB.DOC (12/96)

MV00068351

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI, A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330920

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day of March, 2010.

PATRICIA A. LETSON
Notary Public - State of Nevada
Appointment Recorded In Washoe County
No: 06-104433-2 - Expires March 31, 2010

(Signed) _____
Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May 2010.

_____ Secretary

SEAL 1994

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2

Signature of Notary *Shannon Mussetter, Notary Public*

(Affix seal in the above blank space)

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MV00068357

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: Approval of Resolution and First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Governments (WRCOG) to expand the program to permit funding for water conservation improvements.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

BACKGROUND

On December 8, 2009 the Energy Efficiency and Water Conservation Program ("AB 811 Program") and Implementation Agreement was presented to the City Council by the Public Works Department and approved.

DISCUSSION

The AB 811 Program goal is to offer low interest loans to 13,500 residential and commercial properties in Western Riverside County to install energy efficient projects, such as solar panels, heating and air conditioning systems, lighting control systems, windows, and pool equipment. These loans would be paid back through voluntary contractual annual assessments between WRCOG and property owners within a specified amount of time. Participation in the AB 811 Program is voluntary.

After the City of Moreno Valley entered into the Implementation Agreement with WRCOG, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 of the AB 811 Program to include the ability to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable pavement.

As of July 2010, WRCOG has not received direct funding for the AB 811 Program. Funding for the program is proposed through bond sales and WRCOG expects that to occur in late fall 2010.

ALTERNATIVES

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and adopt Resolution 2010-70 consenting inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *This will allow the City to participate in the WRCOG administered program with minimal impact upon City operations.*

2. Do not authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and do not adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *If the City does not participate in the WRCOG program, there may be additional administrative oversight required to manage a similar program.*

RECOMMENDATION

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

FISCAL IMPACT

There is no fiscal impact to the City of Moreno Valley

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-70
2. First Amendment to the Implementation Agreement

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, *AICP*
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT MODIFYING ITS CONSENT TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) CONTRACTUAL ASSESSMENT PROGRAM TO CONSENT TO THE ADDITION OF WATER EFFICIENCY IMPROVEMENTS TO THE IMPROVEMENTS AUTHORIZED TO BE FINANCED THROUGH SUCH PROGRAM.

WHEREAS, this City Council of the City of Moreno Valley did, by the adoption of Resolution No. 2009-117 ("Resolution Granting Consent"), grant its consent to the inclusion of all properties in the incorporated area with the City in the Western Riverside Council of Governments ("WRCOG") contractual assessment program (the "Program") to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to their properties; and

WHEREAS, WRCOG is proposing to establish and implement the Program pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"); and

WHEREAS, subsequent to the adoption of the Resolution Granting Consent, AB 474 was enacted into law and amended the Act to add water efficiency improvements to the improvements authorized to be financed through a contractual assessment program; and

WHEREAS, WRCOG has proposed to add water efficiency improvements to the improvements authorized to be financed through the Program; and

WHEREAS, this City Council has determined that the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program would be in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council hereby finds and declares that property in the City's incorporated area will be benefited by the ability to finance the installation of water efficiency improvements to their properties and, therefore, this City Council hereby consents to the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

ATTACHMENT 1

2. Except as provided paragraph 1 above, all other provisions of the Resolution Granting Consent shall remain in full force and effect.

3. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the WRCOG Executive Committee.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Government (WRCOG) to expand the program to permit funding for water conservation improvements.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

FIRST AMENDMENT TO IMPLEMENTATION AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND THE CITY OF MORENO VALLEY TO IMPLEMENT AB 811

This First Amendment to Implementation Agreement ("First Amendment") is entered into as of July 13, 2010 between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG"), a joint powers authority formed under Government Code sections 6500 et seq., and City of Moreno Valley ("Member Agency"), a public agency formed under the laws of the State of California. WRCOG and the Member Agency are sometimes collectively referred to in this Agreement as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, WRCOG and Member Agency entered into that certain "Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to Implement AB 811" (the "Implementation Agreement"); and

WHEREAS, pursuant to the Implementation Agreement, the Parties agreed that WRCOG will undertake proceedings pursuant to the provisions of Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.12) ("Chapter 29") to establish the Program (as defined in the Implementation Agreement) to make contractual assessment financing available to eligible property owners within the jurisdictional boundary of Member Agency to finance installation of distributed generation renewable energy sources or energy efficiency improvements; and

WHEREAS, subsequent to the Parties entering into the Implementation Agreement, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 to authorize Chapter 29 to be used to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable payment; and

WHEREAS, the Parties desire to amend the Implementation Agreement as permitted pursuant to Section 11.9 thereof to enable WRCOG to finance the purchase and installation of such water efficiency improvements as a part of and pursuant to the Program; and

WHEREAS, the Executive Committee has authorized Member Agency to enter into this Agreement.

NOW, THEREFORE, the Parties hereby understand and agree as follows:

AGREEMENT

Section 1: **<u>Amendment to the Implementation Agreement.</u>**

Section 2 of the Implementation Agreement is amended to read as follows:

ATTACHMENT 2

"**Section 2:** **Establishing Eligible Improvements.**

WRCOG shall identify the kinds of public works, distributed generation renewable energy sources, or energy or water efficiency improvements that may be financed ("Eligible Improvements") under the Program."

Section 2: **Effect of this First Amendment on the Other Terms and Provisions of the Implementation Agreement.**

All terms and provisions of the Agreement shall remain in full force and legal effect except as expressly modified by the provisions of this First Amendment.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this First Amendment to be in effect as of the date last signed below.

By: _____ Date: _____
Executive Committee Chair
Western Riverside Council of Governments

By: _____ Date: _____
Mayor
City of Moreno Valley

By: _____ Date: _____
Legal Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH OF IRONWOOD AVENUE BETWEEN KITCHNG STREET AND TUSCOLA STREET

DEVELOPER - BEAZER HOMES HOLDINGS CORP.
1800 IMPERIAL HWY #200
BREA, CA 92821

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 25, 2003, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31089. The tentative tract map is a proposal to subdivide 15.994 acres into 55 single-family residences.

On April 11, 2006, the City Council for the City of Moreno Valley approved DH Moreno Valley I, LLC agreement and bonds in the amount of $2,413,000 for the Faithful Performance Bond and $1,206,500 for the Material and Labor Bond.

Beazer Homes Holdings Corp. has purchased project PA02-0133 from DH Moreno Valley I, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by approved DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

Beazer Homes Holdings Corp. has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to: asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,025,638 and a Material and Labor Bond in the amount of $512,819 issued by Bond Safeguard Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA02-0133 (TR 31089) - Substitution Agree & Bonds.doc

VICINITY MAP (NOT TO SCALE)

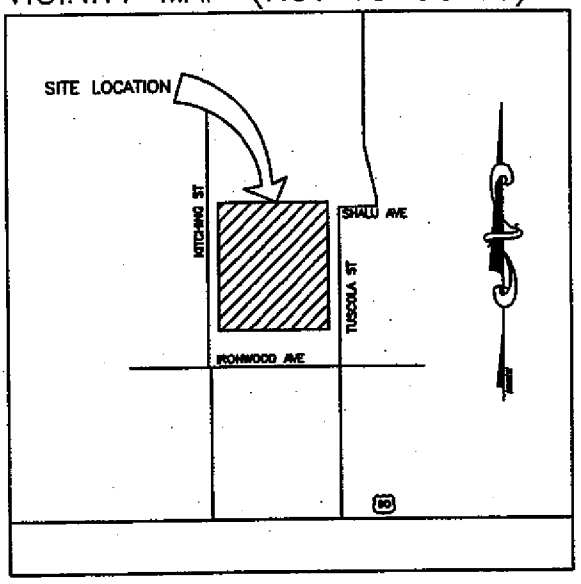

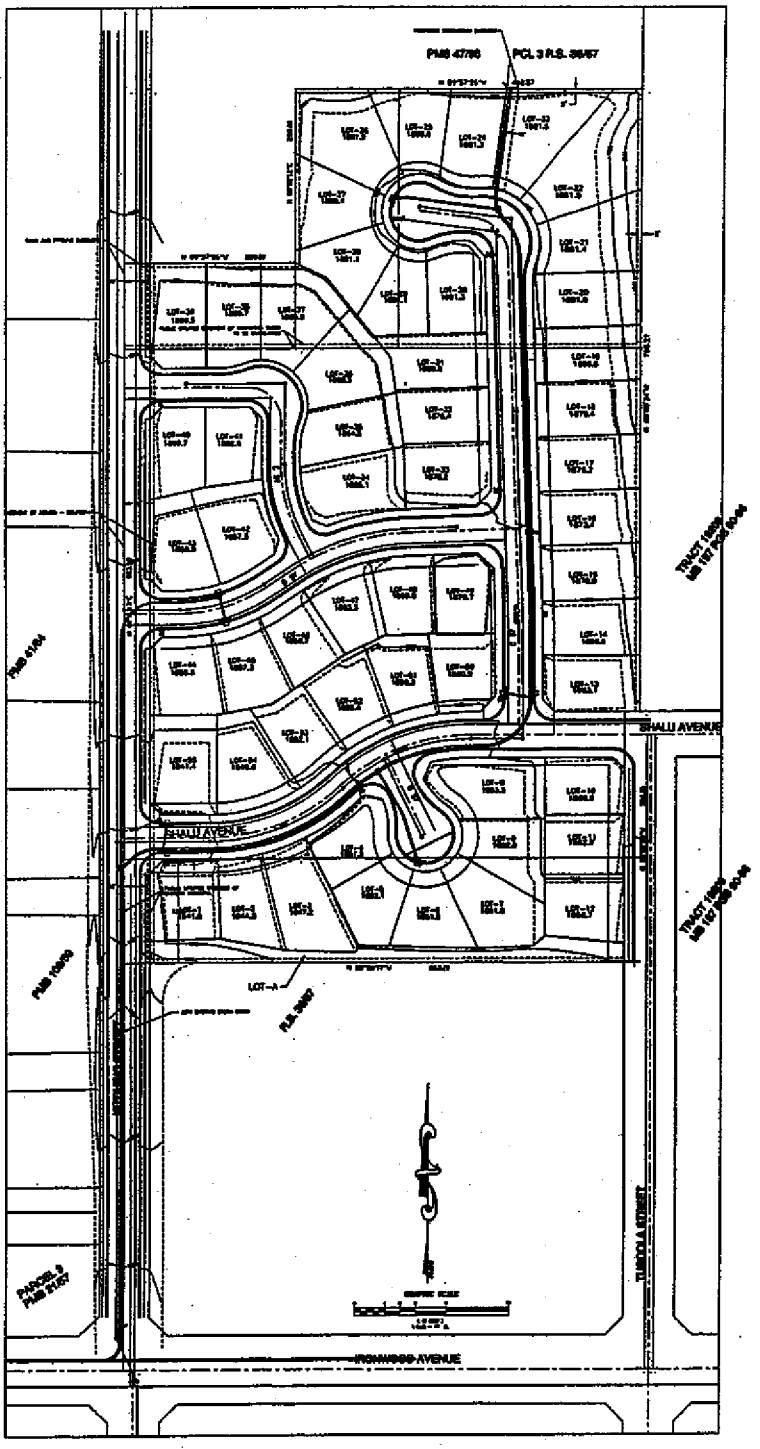

EXHIBIT "A"

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**TRACT 31089** **VICINITY MAP**

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MV00068371

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA02-0133 (TR 31089)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **BEAZER HOMES HOLDING CORP.,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA02-0133 (TR31089)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Beazer Homes Holding Corp.
1800 Imperial Hwy #200
Brea, CA 92821

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

BEAZER HOMES HOLDING CORP.:
Developer

BY: _____
Signature

Darius Fatakia, P.E.
Vice President-Development
Orange Division
Print/Type Name

_____
Title

BY: _____
Signature

Bryan Bergeron
Development Manager
Orange Division
Print/Type

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Agreement.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On May 6, 2010 (Date) before me, Triesha K. Villalta, Notary Public (Here Insert Name and Title of the Officer)
personally appeared Darius Fatakia and Bryan Bergeron, (Name(s) of Signer(s))

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same ~~in his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Triesha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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MV00068375

PA02-0133 (Tract 31089) Estimate of Remaining Improvements

A.C.- Street 1	$38,520
A.C.- Street 2	$113,476
Saw cut (100 LF x 1.50 unit price)	$150
Adjust M.H. to Grade (8 x 800 unit price)	$6,400
Curb and Gutter - 6" (100 LF x 22 unit price)	$2,200
Driveway Approach - 6" (3432 SF x 14.00 unit price)	$48,048
Landscaping (7400 SF x 6 unit price)	$44,400
Erosion Control	$87,450
1" Service Water Connections (27 x 500 unit price)	$13,500
Sub-total	$354,144
Hard Cost Contingency (20%)	$70,829
Soft Cost Contingency (45%)	$159,365
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$241,300
Total	**$1,025,638**
Original bond amount	$2,413,000

Note:
If you have any questions, please call Liz Plazola at 951.413.3110

4/28/10
Mark W. Sambito, P.E.
Engineering Division Manager

5/6/10
Beazer Homes Holding Corp. Representative

W:\LandDev\Liz\PIA\TR 31089 - ECE Worksheet.xls

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MV00068377

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $1,025,638

Project No. PA02-0133 (TR 31089)

Bond No. 5037572

Premium $30,769

Surety Bond Safeguard Insurance Company A-(V)CA

Principal Beazer Homes Holdings Corp.

Address 900 S. Frontage Road - Suite 250

Address 1800 Imperial Highway, Suite 200

City/Zip Woodridge, IL 60517

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Bond Safeguard Insurance Company A-(V)CA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By

Name — Darius Fatakia, P.E. — Vice President-Development Orange Division — Title

Name — Bryan Bergeron — Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(XV)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

RISK MANAGEMENT
Approved

By — Date 6-17-10

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange }

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darios Fatakia and Brijan Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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POWER OF ATTORNEY AO 30578

Bond Safeguard INSURANCE COMPANY A-(v) CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

Donald D. Buchanan
Secretary

Item No. A.19

MV00068381

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00068383

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $512,819.00

Bond No. 5037572

Surety Bond Safeguard Insurance Company A-(V)CA

Address 900 S. Frontage Road - Suite 250

City/Zip Woodridge, IL 60517

Project No. PA02-0133 (TR 31089)

Premium N/A

Principal Beazer Homes Holdings Corp.

Address 1800 Imperial Highway, Suite 200

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **FIVE HUNDRED TWELVE THOUSAND EIGHT HUNDRED NINETEEN AND NO/100** Dollars (*****$512,819.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Darius Fatakia, P.E. Vice President-Development Orange Division — Title

Name — Bryan Bergeron Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alon 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Material Labor Bond.DOC

MV00068385

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darius Fatakia and Brian Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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AO 30578

POWER OF ATTORNEY

Bond Safeguard INSURANCE COMPANY A-(V)CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

Item No. A.19

MV00068387

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00068389

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RJ
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP"

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

BACKGROUND

The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison and Southern California Gas Company under the auspices of the California Public Utilities Commission. The City of Moreno Valley has participated in the Partnership since 2002. During the most recent Program Cycle, from 2006-2008, the City achieved energy savings of over 710,000 kWh and over 11,000 therms. This amounts to an annual energy cost savings of $116,000 to the Moreno Valley community. Cost effective energy efficiency is the resource of first choice for meeting California's energy needs. Energy efficiency is the least cost, most reliable, and most environmentally sensitive resource, and minimizes our contribution to climate change according to the 2005 CPUC and CEC's Energy Action Plan.

DISCUSSION

The approval of this resolution will allow the City's continued participation in the 2010-2012 Program. Three core initiatives, common to all local government partnerships with SCE and SCG, support the 2010-2012 program as follows:

- Implementation of energy efficiency projects within municipal facilities
- Support activities and policies in alignment with long-term energy efficiency goals of California
- Utility program marketing, education and outreach to the community

The mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

For the past 18 years, The Energy Coalition has been building a model now known as the Community Energy Partnership. The project initially began in 1992 with one city. Later, the Coalition managed an extensive process of community organizing and has evolved into the Community Energy Partnership which consists of seven Southern California cities, the Cities of Corona, Irvine, Santa Monica, Moreno Valley, San Bernardino, Brea, and Santa Clarita.

The City's commitment to this project will be to provide minimal "in-kind" services, i.e., a staff liaison working with The Energy Coalition and facilitating introductions and meetings with key institutions such as community groups.

Staff continues to maintain a strong relationship with The Energy Coalition to identify potential projects where energy-efficiency programs and energy-efficient products are needed and where there are specific opportunities in the City.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The approval of the resolution will benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

2. Do not adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The City would not benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

FISCAL IMPACT

There is no direct fiscal impact. No membership fee or annual dues are required to enter into the Community Energy Partnership, and there are no required fees or dues associated with the Energy Coalition. The Community Energy Partnership's effort is funded through Public Goods Charges collected from customers of both the Southern California Edison Company and the Southern California Gas Company. The California Public Utilities Commission manages the collection of Public Goods Funds and awards the funding to organizations such as the Energy Coalition.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By: Department Head Approval:

Michelle Pierce
Electric Utility Project Coordinator

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010–71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP", AN ENERGY EFFICIENCY PROGRAM AMONG SOUTHERN CALIFORNIA CITIES, WITH THE ENERGY COALITION, A CALIFORNIA NON-PROFIT CORPORATION, SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA GAS COMPANY.

WHEREAS, The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison ("SCE") and Southern California Gas Company ("SCG") under the auspices of the California Public Utilities Commission (the "CPUC"); and

WHEREAS, on October 1, 2009, the CPUC in D.09-09-047 authorized certain energy efficiency programs and budgets which include SCE programs and SCG programs to be delivered to California utility customers for the years 2010 through 2012; including the 2010-2012 Community Energy Partnership Program (the "Program"); and

WHEREAS, the City of Moreno Valley (the "City") had previously participated in the 2006-08 Community Energy Partnership Program; and

WHEREAS, the City has entered into the Program, with The Energy Coalition and its implementing partners – SCE and SCG, and the Partner Cities of Brea, Corona, Irvine, Moreno Valley, San Bernardino, Santa Clarita and Santa Monica - having been nominated by the implementing partners to continue its participation in the Program; and

WHEREAS, the mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

WHEREAS, The Energy Coalition, SCE and SCG have demonstrated their ability to work with Southern California municipalities, and with the City since 2002, to successfully implement energy efficiency programs and achieve energy savings for the participating cities and their communities; and

WHEREAS, The Energy Coalition, as facilitating partner in the Community Energy Partnership, bears primary responsibility for project management, performance tracking and implementation of energy efficiency programs and services to populations of the City; and

Attachment 1

WHEREAS, All projects in the City will be coordinated through an appointed City staff liaison to ensure that proposed projects meet the City's intended energy efficiency goals and target City residents, schools and businesses; and

WHEREAS, the City enters into this Resolution with the sole obligations listed therein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City will participate in the Program with The Energy Coalition, SCE and SCG to implement the Program in the City for the 2010-12 program cycle.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00068397

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO. 06-50182725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On February 24, 2009, the City Council awarded a construction contract in the amount of $2,909,811.50 to Wheeler Paving, for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements. Two (2) Purchase Orders for a combined amount of $3,491,773.80, inclusive of a 20% contingency, were issued to the Contractor.

DISCUSSION

The Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard improved one-mile long roadway segment to its General Plan width of four (4) travel lanes and turning lanes at key intersections. The work included roadway and rock excavation, curb and gutter and AC pavement for the widened easterly half of the street and construction of a storm drain along Lasselle Street between Cactus Avenue and Alessandro Boulevard. Three traffic signals were upgraded at the John F. Kennedy Drive, Cactus Avenue and Alessandro Boulevard intersections with Lasselle Street, complete with signal interconnect system.

There were two (2) Contract Change Orders for this project. Contract Change Order No. 1 increased the contract total by $214,822.90. Contract Change Order 2 (FINAL) increased the contract total by $10,815.77. The final contract total cost was $3,135,450.26, which did not exceed the $3,491,773.80 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

The project is included in Fiscal Year 2009/2010 Capital Improvement Project Budget. The project construction is funded by $1,058,143 of 2005 Lease Revenue Bonds (Fund 501) and $2,757,886 of Transportation Uniform Mitigation Fee Program (Fund 415). The funding for this project is restricted for transportation projects and cannot be utilized for other activities. There is no impact to the General Fund.

AVAILABLE BUDGET:

Fiscal Year 2009/2010 Budget (Account No. 501.82725)	$1,058,143
Fiscal Year 2009/2010 Budget (Account No. 415.72927)	$2,757,886
Total Fiscal Year 2009/2010 Budget	$3,816,029

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	$3,136,000
Consultant Construction Design Support Services	$60,000
Consultant Construction Geo-technical Services	$105,000
Consultant Construction Survey Services	$80,000
City Inspection, Project Management and Misc. Administration Costs	$266,000
Total Final Construction Related Costs	$3,647,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Wheeler Paving has completed the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Wheeler Paving, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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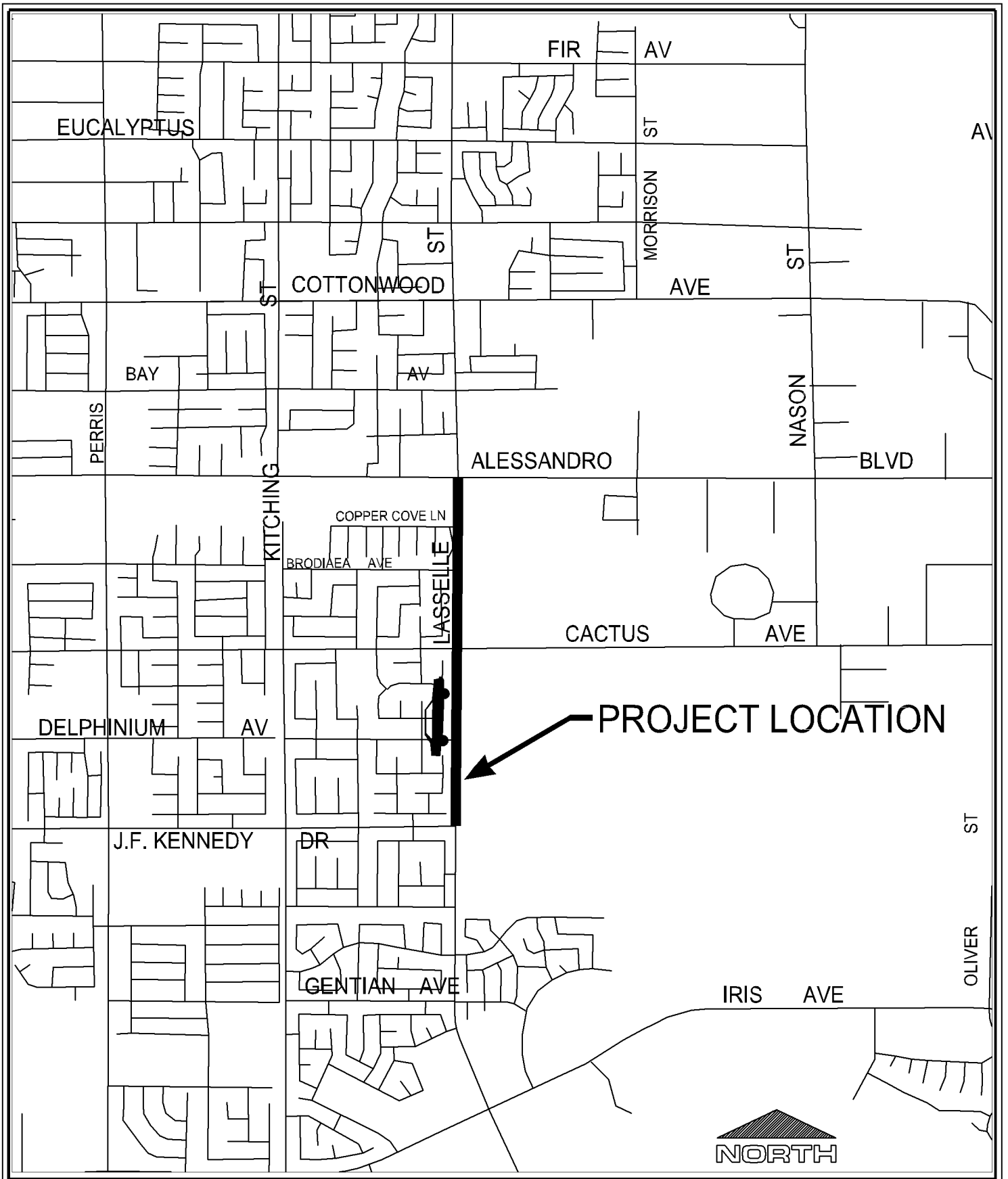

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

LASSELLE STREET WIDENING
FROM JFK DRIVE TO ALESSANDRO BOULEVARD
PROJECT NUMBER 06-50182725

Item No. A.21

MV00068402

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MV00068403

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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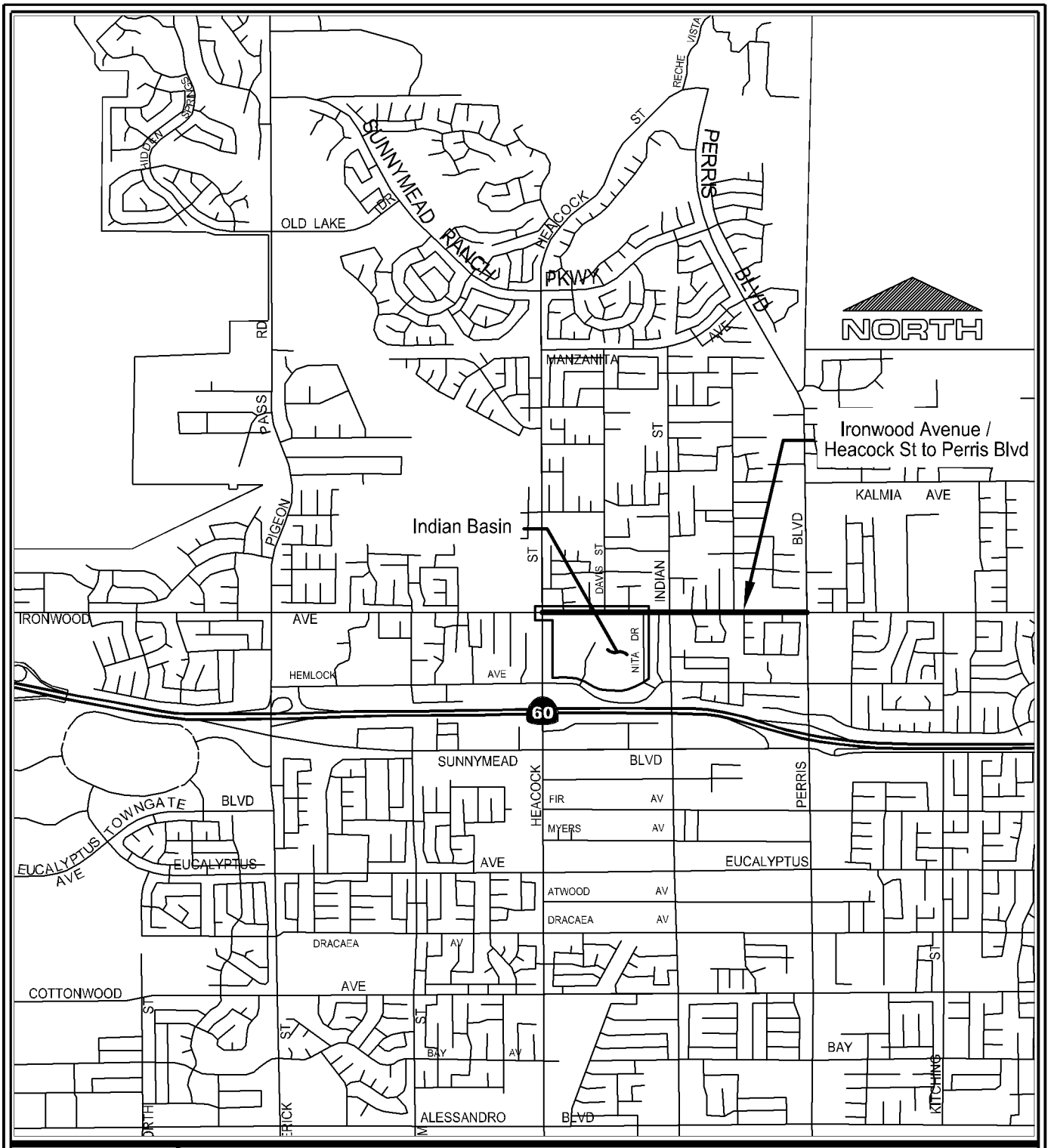

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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MV00068413

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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VICINITY MAP
N.T.S.

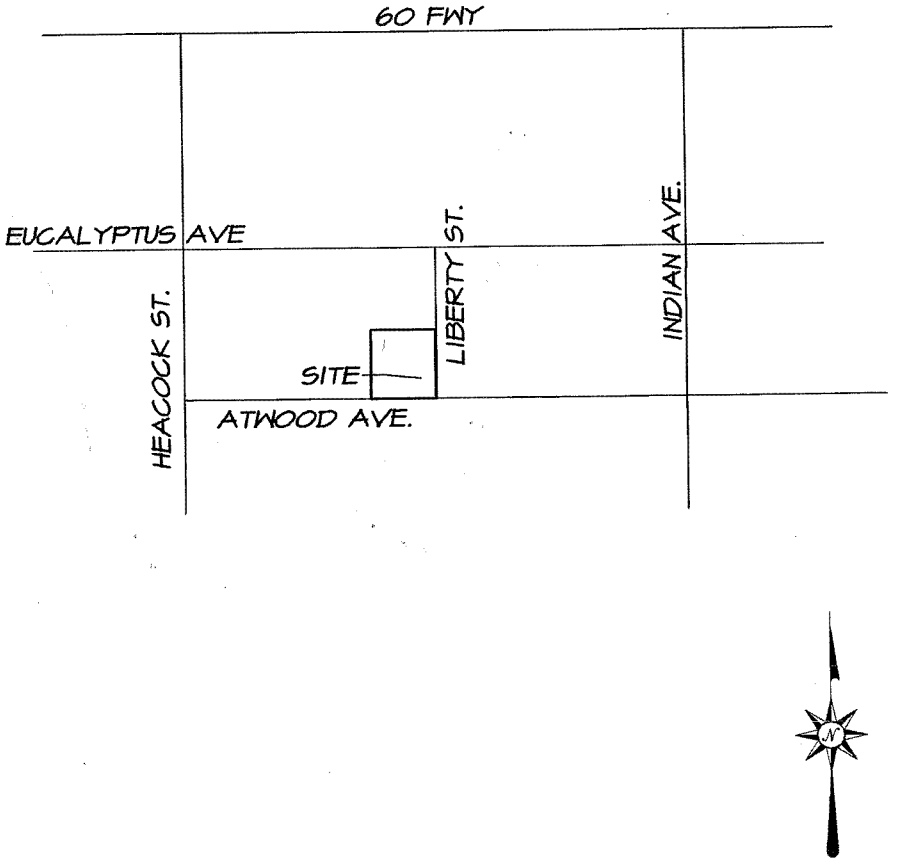

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

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MV00068429

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

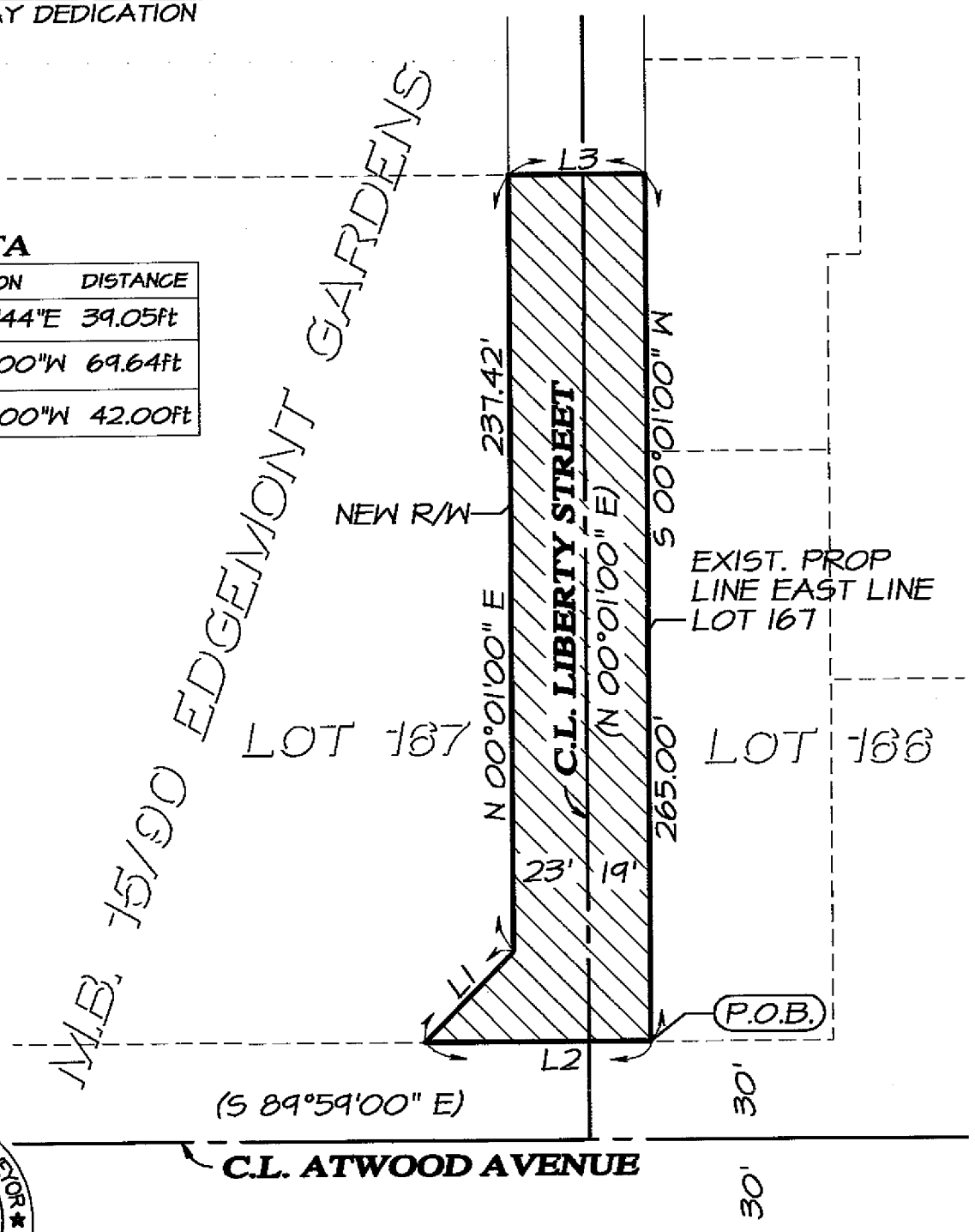

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY:	R.W.
CHECKED BY:	P.W.
DATE:	2/23/1

SHT. NO. 2
OF 2 SHEET

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MV00068433

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

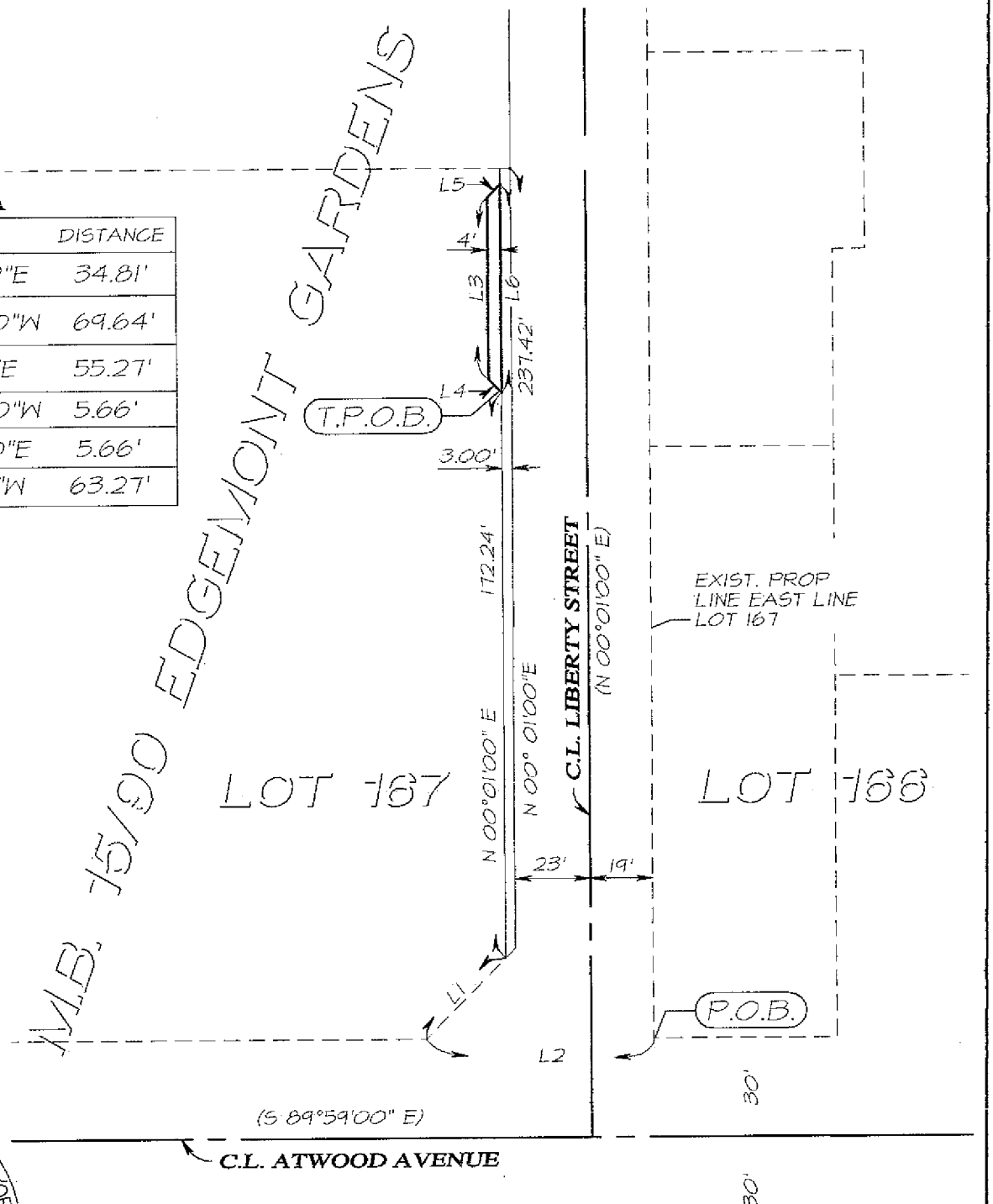

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2
OF 2 SHEET

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MV00068437

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

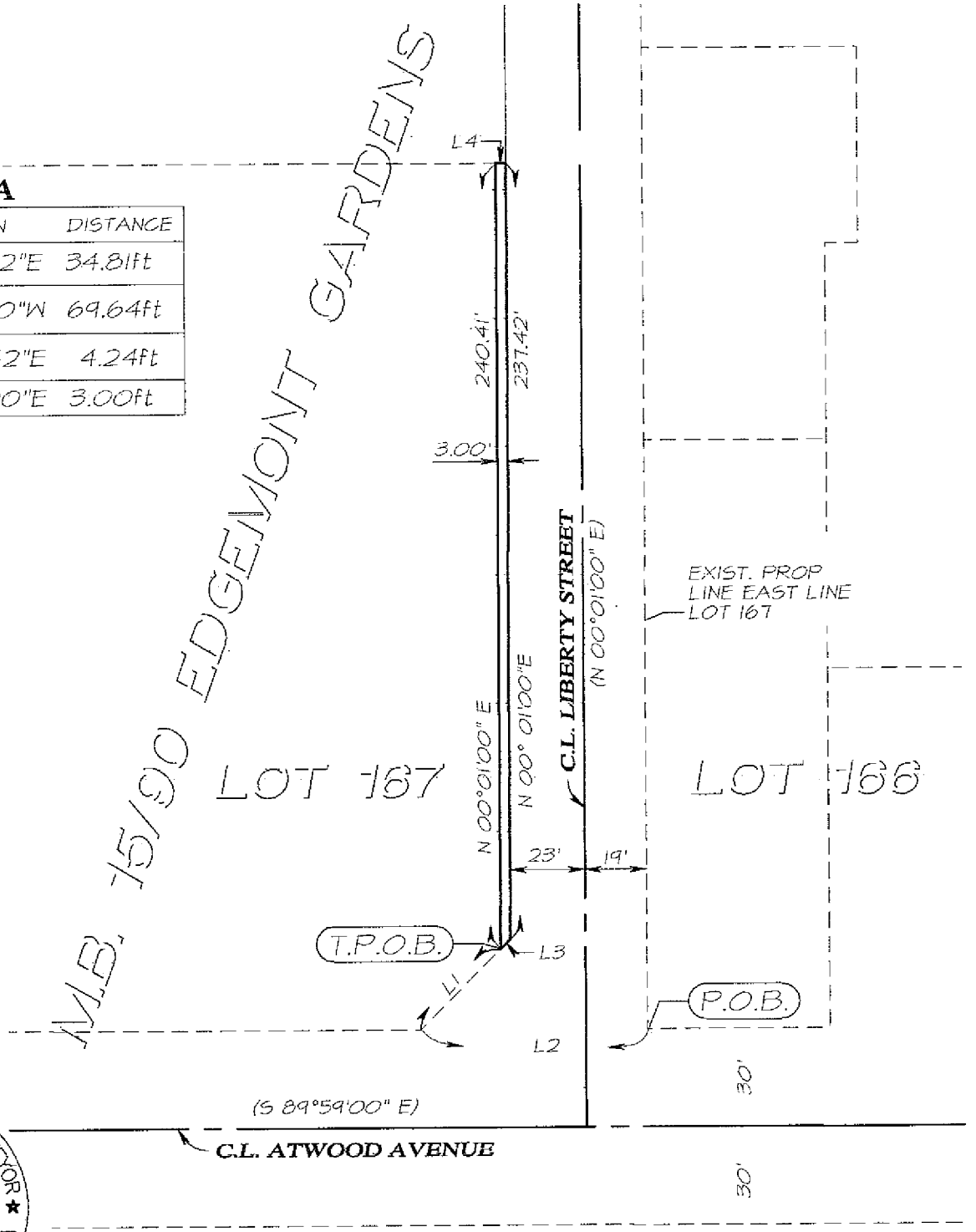

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2
OF 2 SHEET

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MV00068441

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council:

1) Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive,
2) Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV, and
3) Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

BACKGROUND

The City received a Community Development Block Grant - Recovery (CDBG-R) grant for $479,292 under the American Recovery and Reinvestment Act of 2009. The Neighborhood Preservation Division of the Economic Development Department has been tasked with administering the grant. The grant funds are allocated to four activities, plus administration, as follows:

- Employment Creation for Distribution and Manufacturing Business: This activity incentivized Frazee Industries to open a distribution facility in Moreno Valley, creating the required employment for low-to-moderate income persons. Frazee's employee recruitment is underway.

- Employment Creation for Vacant Restaurant Reuse: Incentivizes the attraction of a new restaurateur to a vacant Moreno Valley restaurant facility in exchange for creation of employment for low-to-moderate income persons. Economic Development is actively working with a qualified restaurateur for this funding allocation.
- Utility – Infrastructure Improvement Project: This activity funds the installation of new, environmentally conscious / energy effective utilities. The $107,841 CDBG-R grant activity funded installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center. This project was originally funded by the 2007 Lease Revenue Bonds. On December 8, 2009, the City Council awarded the contract for installing four utility line extensions, including the work on Elsworth Street, and construction has been completed.
- Economic Incentive for a Green Business: On November 23, 2009, the City Council approved a participation agreement and committed $107,000 to MVP EV, Inc. to defray the cost of installing on-site electricity connections so that the MVP EV facility can take electric service from Moreno Valley Utility in exchange for qualified employment creation.

The CDBG-R grant regulations require full expenditure by September 30, 2012. However, under the direction of the Office of the Vice President, the Department of Housing and Urban Development (HUD) is strongly encouraging grantee agencies to expend the funds much sooner than the expenditure deadline.

Unfortunately, unforeseen delays in the MVP EV project have prevented the initiation of this business opportunity along with the employment creation and hampered the expedited expenditure of CDBG-R funds for the project's utility connection work. $214,000 of the CDBG-R grant have not yet been spent.

DISCUSSION

At this time, the Economic Development Department seeks City Council approval of the following three funding allocations that will enable the expedited expenditure of CDBG-R funds as well as provide for the future on-site infrastructure connections for MVP EV:

- First, Economic Development proposes to fund the approved CDBG-R allocation for the off-site utility line extension on Elsworth Street immediately.
- Next, staff proposes the reallocation of the CDBG-R funds for the MVP EV Participation Agreement back to an undesignated status for future use consistent with CDBG-R program requirements.
- Finally, staff proposes the appropriation of $107,841 in 2007 Lease Revenue Bond funds originally designated for use on the Elsworth Street utility extension to fund the Participation Agreement with MVP EV at a future date when the facility is ready and the required employee recruitment is completed.

ALTERNATIVES

1. Authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff recommends this alternative.*** *This alternative will fund completed infrastructure, satisfy HUD's expedited expenditure expectations and fund the Participation Agreement with MVP EV.*

2. Decline to authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, decline to return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and decline to appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff does not recommend this alternative.*** *This alternative will extend and delay CDBG-R expenditures, potentially putting the grant funding at risk of recapture by HUD.*

FISCAL IMPACT

The proposed reallocations facilitate timely expenditure of available CDBG-R and 2007 Lease Revenue Bonds.

The extension of the electric line by Moreno Valley Utility provides energy effective utility service to the MVP EV site and to future development along Elsworth Street.

- The funding for the Utility Infrastructure Improvements will come from CDBG-R.

Fund	Business Unit Name	Amount
199	Utility Infrastructure Improvements 19910.6849.001	$107,841

Move $107,841 in total expenditures for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 to the CDBG-R Utility Infrastructure Improvement Project under Acct#199.19910.6849.001.

- The CDBG-R funding will be released from the MVP EV Participation Agreement and will be available to fund another CDBG-R eligible project.

Fund	Business Unit Name	Amount
199	Economic Incentive for Green & Technology Business CDBG-R 19910.6849.002	$107,841

Return the commitment of $ 107,000 for the MVP EV project to an undesignated status.

- The appropriation for the MVP EV Participation Agreement will come from the 2007 Lease Revenue Bonds.

Fund	Business Unit Name	Amount
602	2007 Lease Revenue Bonds 602.61833.7200	$107,841

Appropriate $ 107,841 in total funding for the MVP EV Facility Project under Acct#602.61840.7200.

Reduce the appropriation for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 by $ 107,841.

The proposed fund reallocations have NO impact on the City's General Fund. CDBG-R funding must be used for eligible activities. Funds from the 2007 Lease Revenue Bonds may be used to support on-site electrical utility installation.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

Use of CDBG-R and 2007 Lease Revenue Bond funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

Prepared By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Chris Vogt
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE

SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE

DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST
P.O. BOX 10
RANCHO MIRAGE, CA 92270

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

This segment of Alessandro Boulevard is currently classified as a Divided Arterial according to the Circulation Plan from the City's General Plan. The existing half-street right-of-way on this portion of Alessandro Boulevard is 60 feet (60'). The City's current Standard Plan for a Divided Arterial only requires a half-street right-of-way of 55 feet

(55'). As a condition of approval for project PA09-0043, a five foot (5') street right-of-way vacation is required, along the project frontage. The conditions of approval require 55 feet (55') of the existing 60 feet (60') of right-of-way on the south side of Alessandro Boulevard for public roadway and utility purposes. No public or utility improvements exist within the remaining southerly five (5') of right-of-way along this portion of Alessandro Boulevard. In accordance with the conditions of approval approved by the Planning Commission on March 11, 2010, the developer/owner, Frank & Maria Pozgaj Family Trust has requested a vacation of this portion of Alessandro Boulevard.

DISCUSSION

PA09-0043 is a Tentative Parcel Map 36262. The five foot (5') area to be vacated on the south side of Alessandro Boulevard is located outside of the tentative parcel map boundary and therefore, cannot be vacated on the final parcel map. The five foot (5') area to be vacated must be vacated by separate instrument. The approved project consists of Tentative Parcel Map 36262 (PA09-0043) and a Plot Plan (PA09-0025). The project is for a 4,000 square-foot convenience store, gas station, and car wash. The project property (APN 486-240-009), is located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. Land Development staff has reviewed the property owner's application along with the legal description and plat for the vacation of the aforementioned portion of Alessandro Boulevard. No public improvements exist and no public money was expended for maintenance of said portion of Alessandro Boulevard. This portion of Alessandro Boulevard is unnecessary for present or prospective public use. The local utility companies have been given written notice of the proposed street vacation. No objections have been received from the utility companies. The City Council's approval to vacate said portion of Alessandro Boulevard would abandon the City's right to said portion.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *The said portion of right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

2. Do not approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *This portion of Alessandro Boulevard would remain as right-of-way for public road and utility purposes; however, the right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

FISCAL IMPACT

The developer/owner, Frank & Maria Pozgaj Family Trust has paid the City costs associated with the summary vacation proceedings; therefore, there is no fiscal impact to the City.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the various local utility companies. The public has been notified by publication of agenda.

ATTACHMENTS/EXHIBITS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution
Attachment 3 - Legal Description
Attachment 4 - Plat

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0043 Summary Vacation.doc

RESOLUTION NO. 2010-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE.

WHEREAS, the City Council of the City of Moreno Valley, California, acquired an easement for road and public utility purposes located on the south side of Alessandro Boulevard, west of Moreno Beach Drive; and

WHEREAS, this easement is in excess of that right-of-way required for the existing General Plan classification and said excess is no longer, nor in the future will be, useful for road and public utility easement purposes; and

WHEREAS, no public improvements exist on said portion of right-of-way; and

WHEREAS, no public money was expended for maintenance of said portion of right-of-way,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described is summarily vacated and abandoned:

That portion of Alessandro Boulevard located in the city of Moreno Valley, described as the southernmost five feet (5') of right-of-way on Alessandro Boulevard, north of APN 486-240-009 and north of a portion of Lot 1 in Block 117 per Map No. 1 of Bear Valley and Alessandro Development Company, recorded in Book 11, of Map Books, Page 10, records of the County Recorder's office of San Bernardino County, California described in the attached legal description and illustrated on the plat attached hereto and made a part hereto and marked Exhibits "A" and "B", respectively.

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described portion of Alessandro Boulevard revert to the owner of the underlying fee thereof, free from use as an easement for road and public utility purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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MV00068453

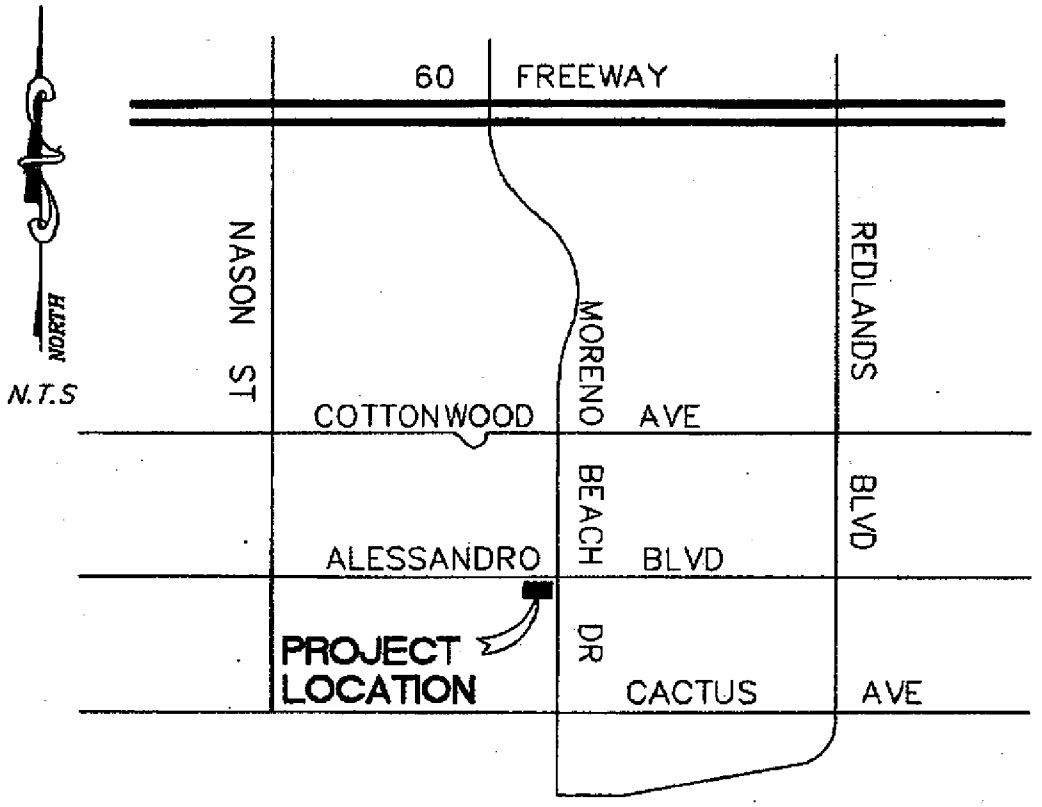

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 2	**PA09-0025/PA09-0043** **VICINITY MAP**

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MV00068455

EXHIBIT "A"
LEGAL DESCRIPTION

ROAD VACATION
ALESSANDRO BOULEVARD

THAT PORTION OF ALESSANDRO BOULEVARD LOCATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 15, T3S, R3W, S.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF LOT 1, IN BLOCK 117, PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY AS SHOWN IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ALESSANDRO BOULEVARD, HAVING A HALF WIDTH OF 60.00 FEET; THENCE NORTH 00°25'39" EAST, A DISTANCE OF 1.00 FEET TO A POINT ON A LINE 1.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 39.99 FEET; THENCE NORTH 45°26'13" EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 5.66 FEET TO A POINT ON A LINE 5.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 71.13 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 70.50 FEET, A RADIAL LINE FROM SAID POINT BEARS SOUTH 00°26'12" WEST; THENCE EASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 17.53 FEET, THROUGH A CENTRAL ANGLE OF 14°15'00" TO THE POINT OF TANGENCY, A RADIAL LINE F ROM SAID POINT BEARS SOUTH 14°41'12" WEST; THENCE SOUTH 75°18'48" EAST, A DIST ANCE OF 11.50 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89°33'48 " WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 143.63 FEET TO THE **POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 498 SQ. FT.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 3

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MV00068457

EXHIBIT "B"
ROAD VACATION

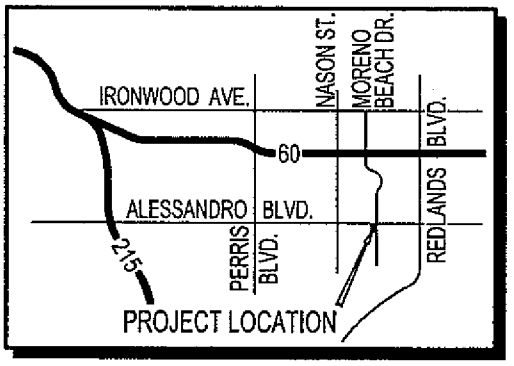

VICINITY MAP
N.T.S.

SCALE: 1"=40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°25'39"E	1.00'
L2	S89°33'48"E	39.99'
L3	N45°26'13"E	5.66'
L4	S89°33'48"E	71.13'

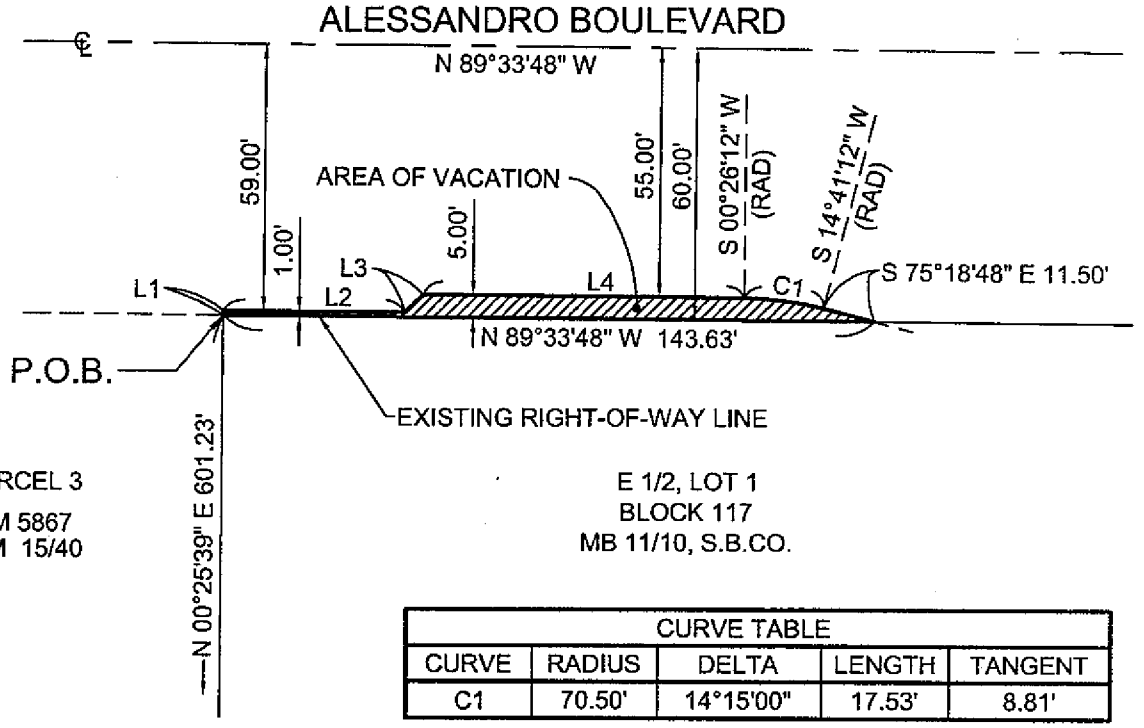

PARCEL 3
PM 5867
P/M 15/40

E 1/2, LOT 1
BLOCK 117
MB 11/10, S.B.CO.

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	70.50'	14°15'00"	17.53'	8.81'

INDICATES VACATION AREA
(± 498 SQ. FT.)

THIS PLAT WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 4

Item No. A.25

MV00068458

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MV00068459

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00068461

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Acceptance of Grant Monies from the California Department of Education, Child Development Services, for Child Care Services and Adoption of the Resolution to Certify the Approval of the Governing Board

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of

kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the “modified traditional” school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City’s policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $747,338 for FY 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds in the amount of $942,800 are in the FY2010-11 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

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MV00068465

RESOLUTION NO. CSD 2010-22

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2010/11.

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2010/11;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desires to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

William Bopf, Interim City Manager _____

Steve Hargis, Acting Director of Financial & Administrative Services

_____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $747,338 per fiscal year to provide child care services for FY 2010/2011;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-0203, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2010/11.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00068469

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\VA Consultant Award Aggreement CC\Increase PO - Design 7-2010.doc

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MV00068475

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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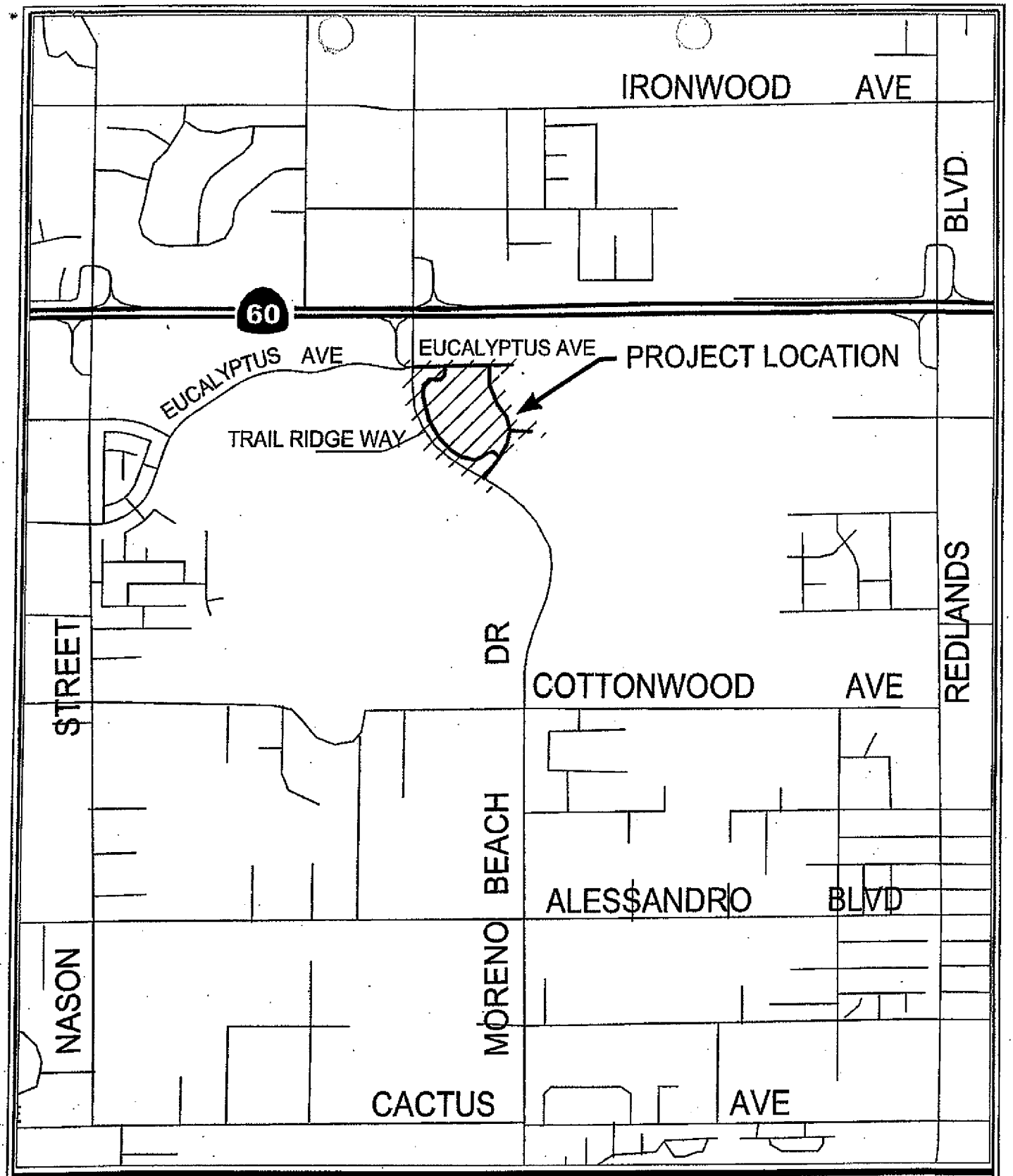

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. C.3

MV00068484

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

X:\Marketing\Proposals\P_2008\Public\Moreno Valley\Auto Mall Improvements\Final Engineering Proposal\PROP02-Final Eng-REV 040709.doc

CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

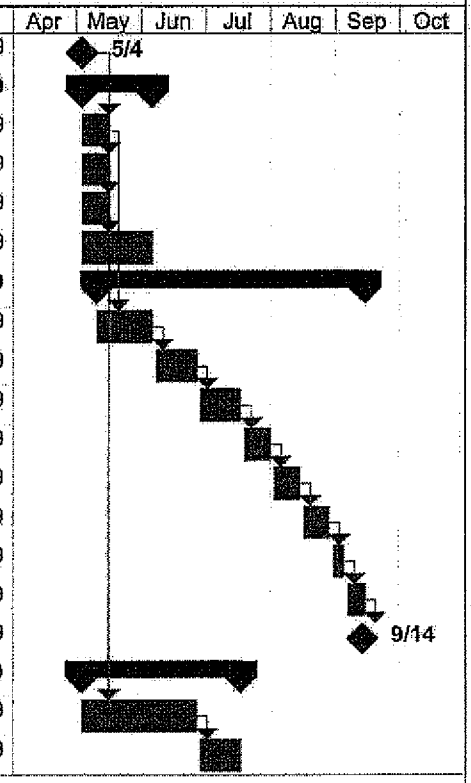

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

SCH01_AutomallFinalDesign.mpp

Page 1

Item No. C.3

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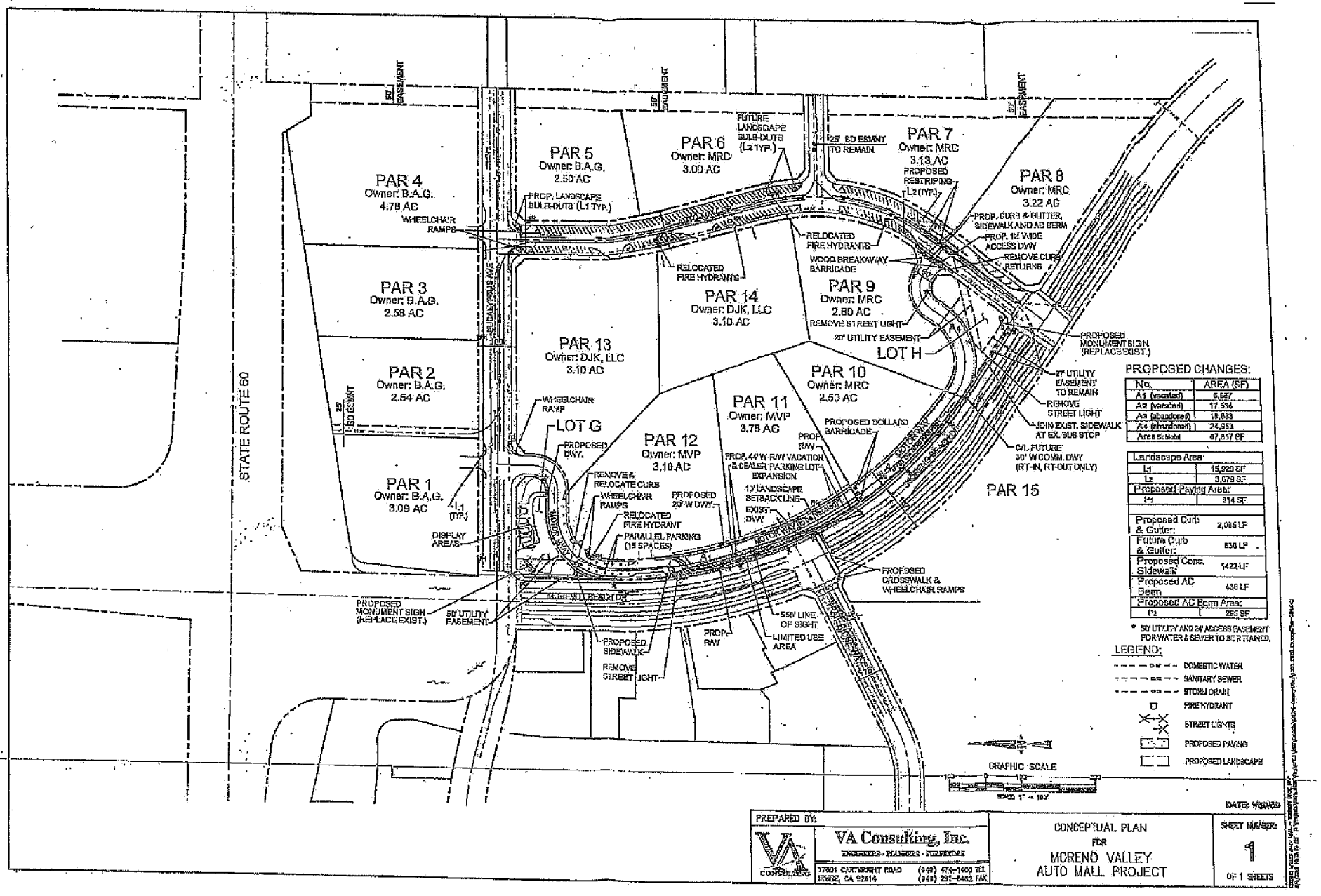
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00068505

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE: 6/2/10		37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

MV00068506

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MV00068507

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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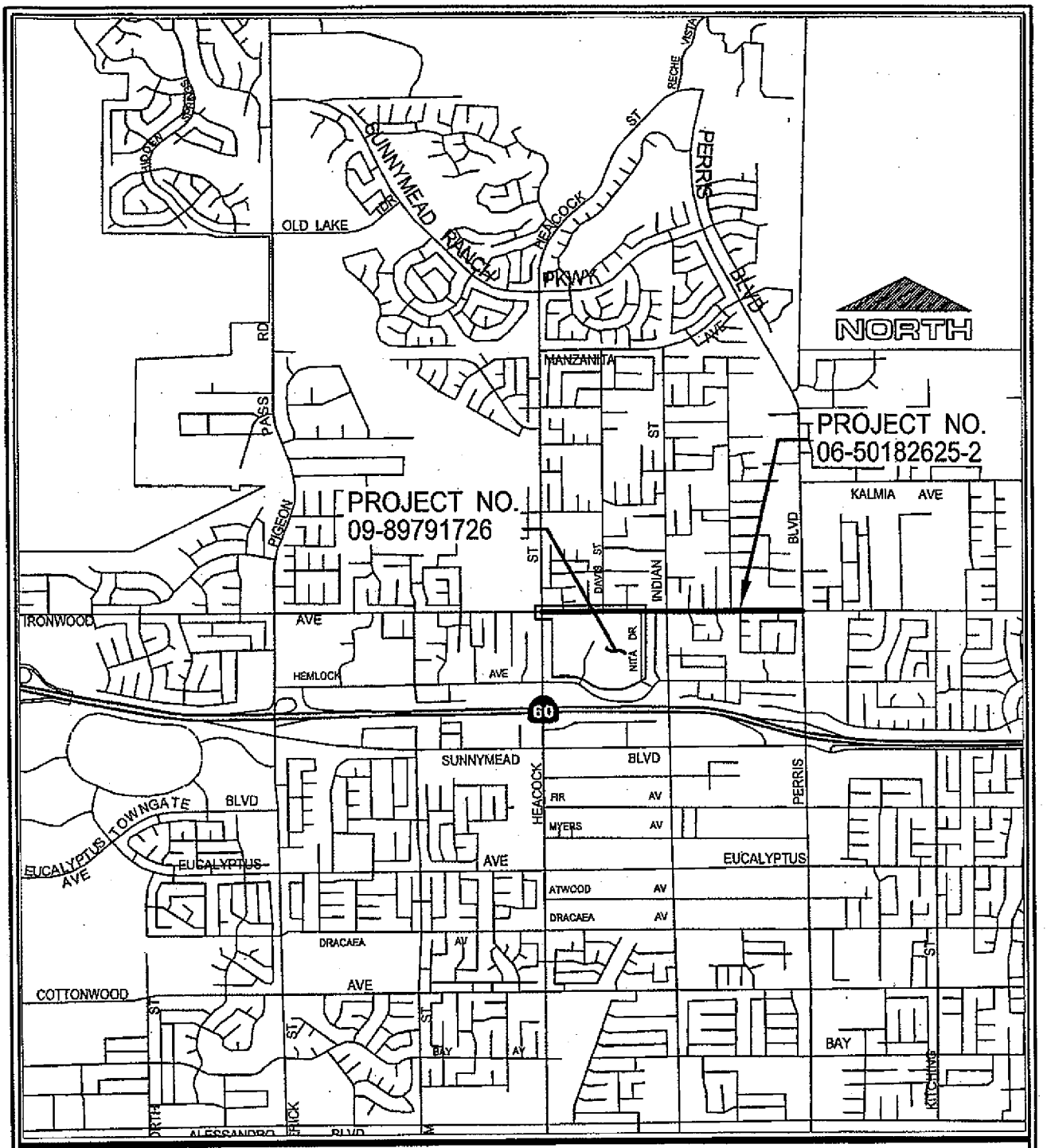

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00068517

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Utility\Sewer & Water - EMWD\Agreement\EMWD Reimb Agreement for IronwoodInd Basin - Draft 6-3-10.doc

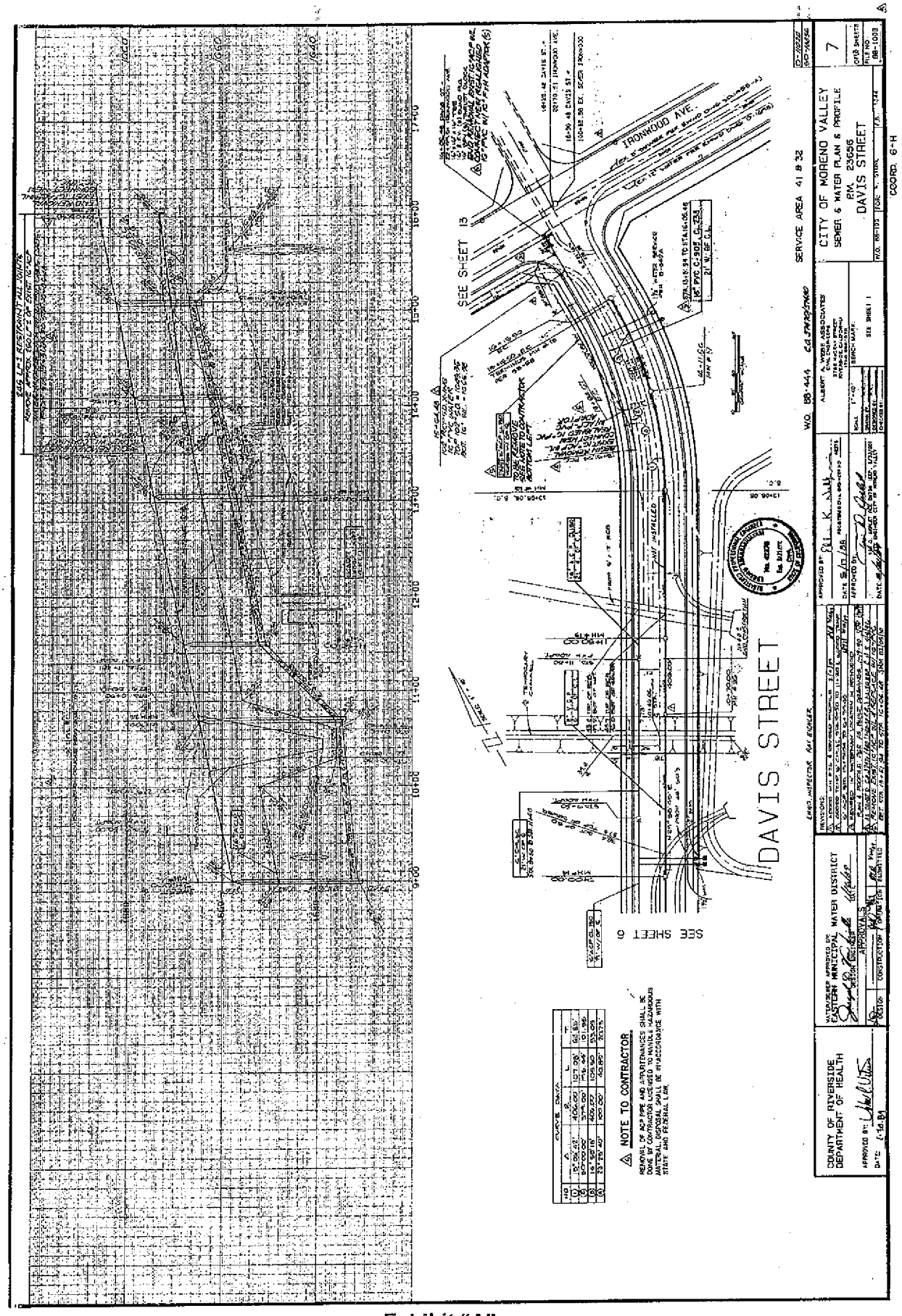
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23656
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
REMOVAL OF ACP PIPE AND APPURTENANCES SHALL BE DONE BY CONTRACTOR LICENSED TO HANDLE HAZARDOUS MATERIAL. DISPOSAL SHALL BE IN ACCORDANCE WITH STATE AND FEDERAL LAW.
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

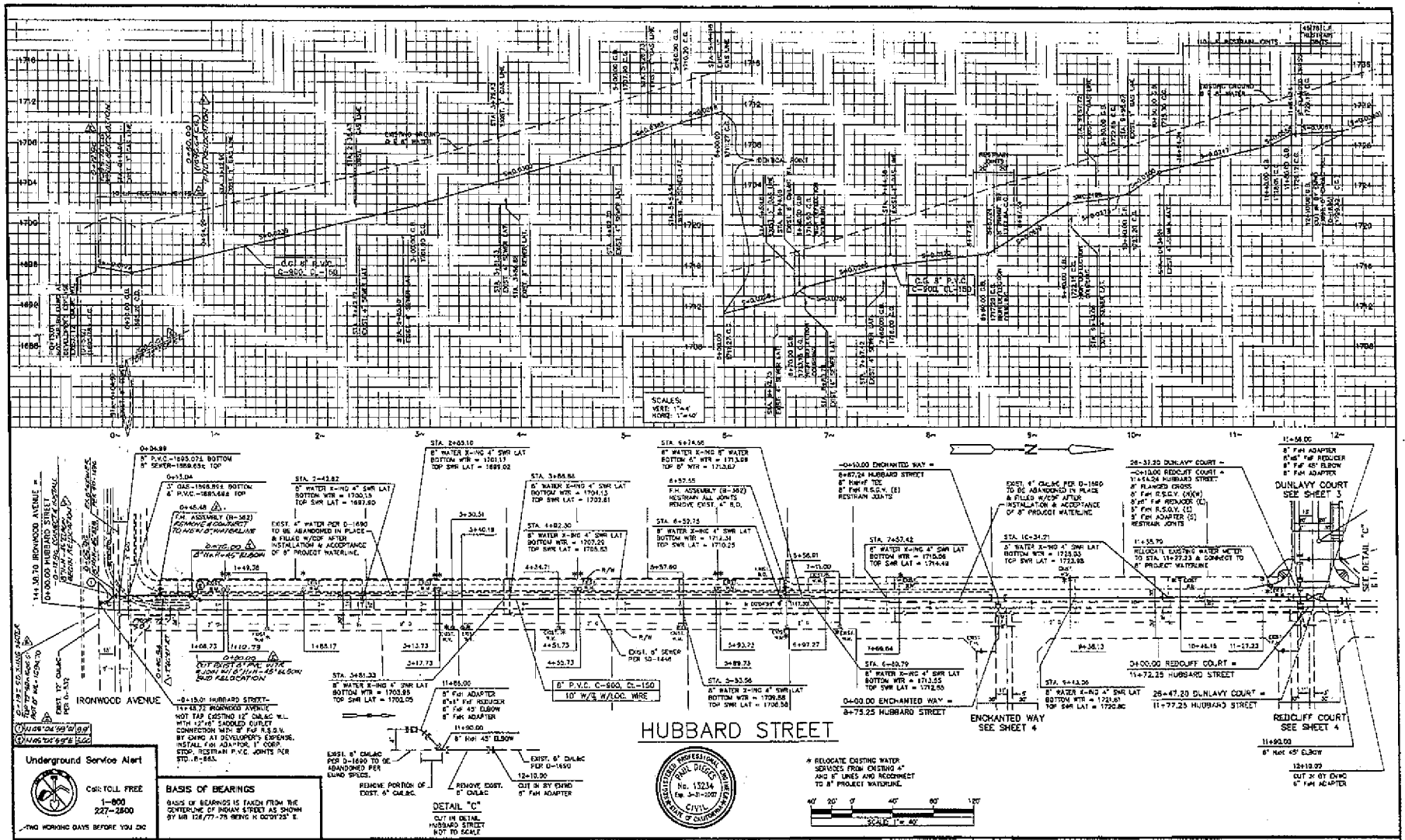
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY
SEE SHEET 4
DUNLAVY COURT
SEE SHEET 3
REDCLIFF COURT
SEE SHEET 4
SEE DETAIL "C"
DETAIL "C"
CUT IN DETAIL
HUBBARD STREET
NOT TO SCALE
8" P.V.C. C=900, CL=150
10" W/G W/LOC. WIRE
Underground Service Alert
Call: TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 128/77-79 BEING N 00°01'25" E.
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
1051 DAWES ROAD
PERRIS, CA. 92571
(951) 657-2822
PAUL DIEGES R.C.E. 13234 EXP. 3-31-07
DATE
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
WATER
PLAN AND PROFILE
STA. 10+15.01 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-584, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EXCEPT GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

9. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
10. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE PIPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
11. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
12. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
13. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-1661.
14. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
15. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-690, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VISIT OTHER SIZES AND DRAWINGS WHEN APPROPRIATE). ADJOINING LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL REPORT AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR OVERHEAD UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE UNDER GROUND UTILITY FACILITIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INDUSTRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WILL ENGINEERS FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL REVIEW ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEM	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	20	LF
8" 22½ 45° BEND	2	EA
8" 90° BEND	2	EA
12" 22½ 45° BEND	2	EA
12" 45° BEND	2	EA
12" 90° BEND	1	EA
12" BLIND FLANGE	1	EA
12" FLANGED TEE	1	EA
12" REDUCER	1	EA
12" VALVE	3	EA
12" 90° BEND	2	EA
12" 45° BEND	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	477	LF
CUT EXIST. 12" & 8" HOT TAP 12" DUCTILE W/A	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.L.A. ASSEMBLY	1	EA
8" PVC WATER C-900, CL-200 (TEMP. HIGH LINE)	65	LF

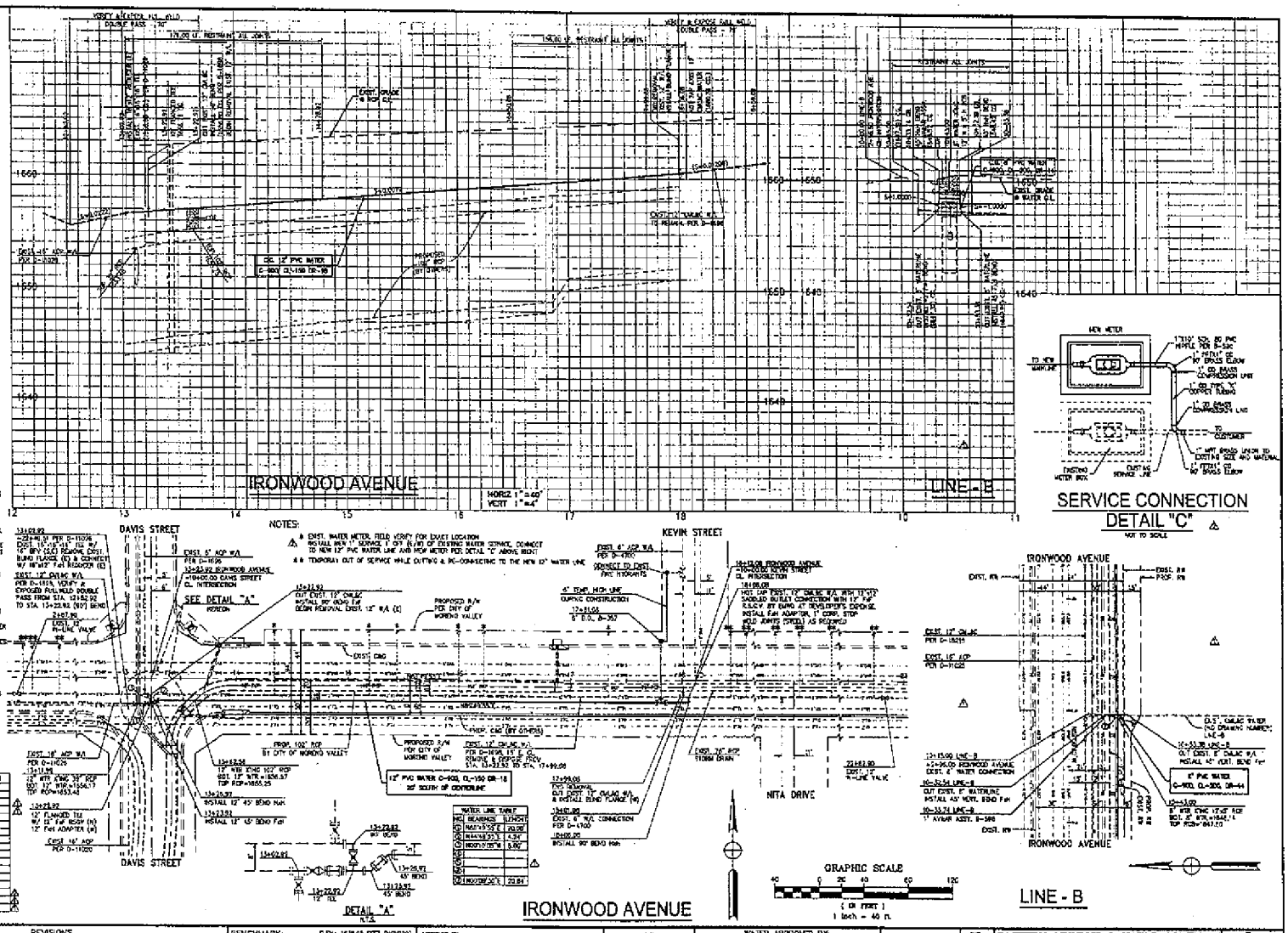

Underground Service Alert
CALL TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/10	LAW	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/09	CHAIR	01/13/2010
2	4/30/10	LAW	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/10	CHAIR	04/30/2010

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-5) FD.
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X3.5' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5' DIA.) STAMPED "M-5" RESET 1997.

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: PROJECT ENGINEER, CONSTRUCTION, WATER OPERATIONS, MAINTENANCE — ACTIVE — 4/30/2010

DESIGNED | DRAWN | CHECKED | SUBMITTED | DATE
SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA
12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

EL.	3
S.L.	41
S.A.	12-747
C.S.	
COUNTY	
SHT.	1 of 1
D-	41354

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

MV00068531

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					**$24,010**
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					**$26,411**

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	**$33,014.00**

EXHIBIT "B"

Page 4 of 4

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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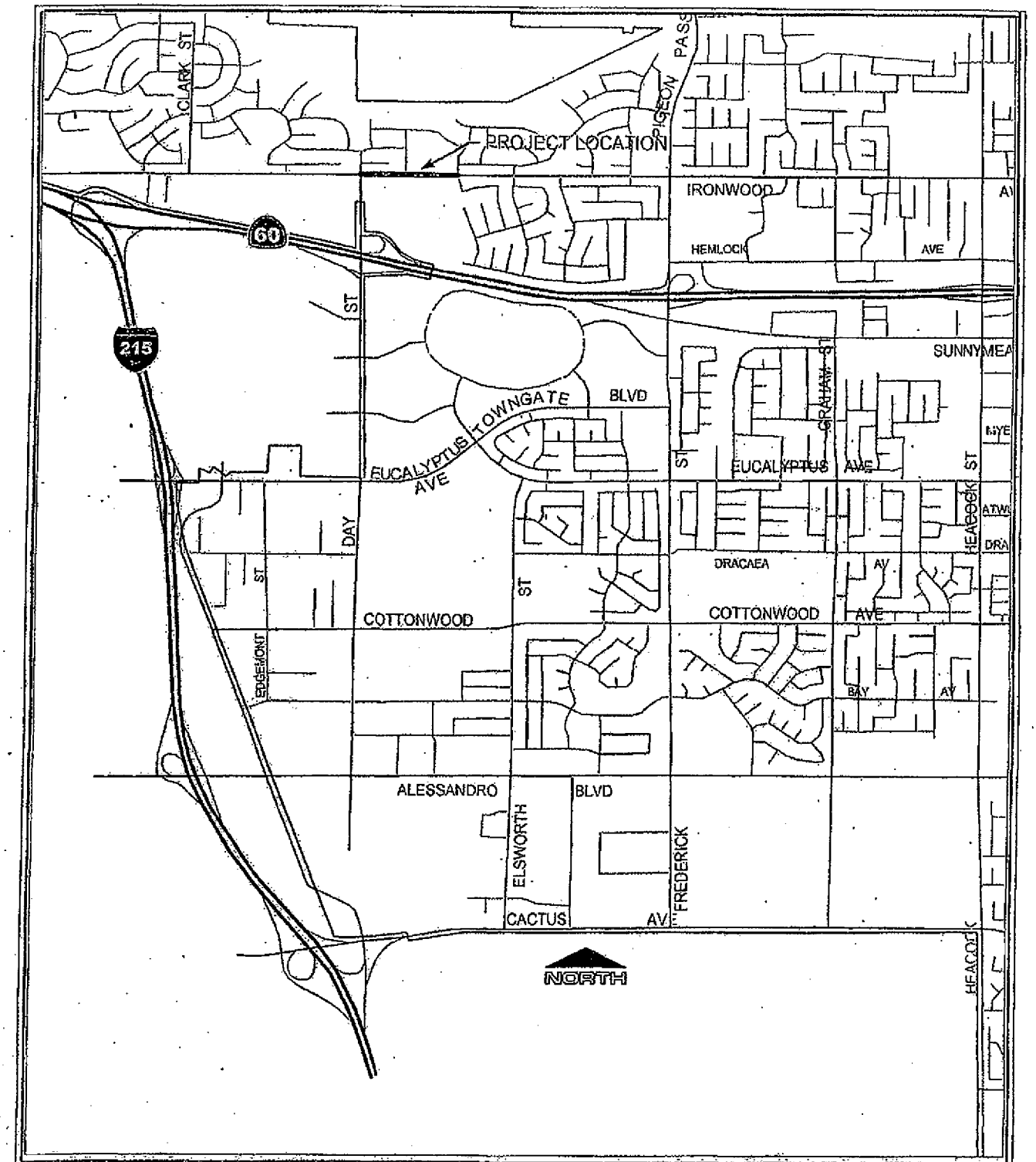

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

Item No. C.5

MV00068540

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MV00068541

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

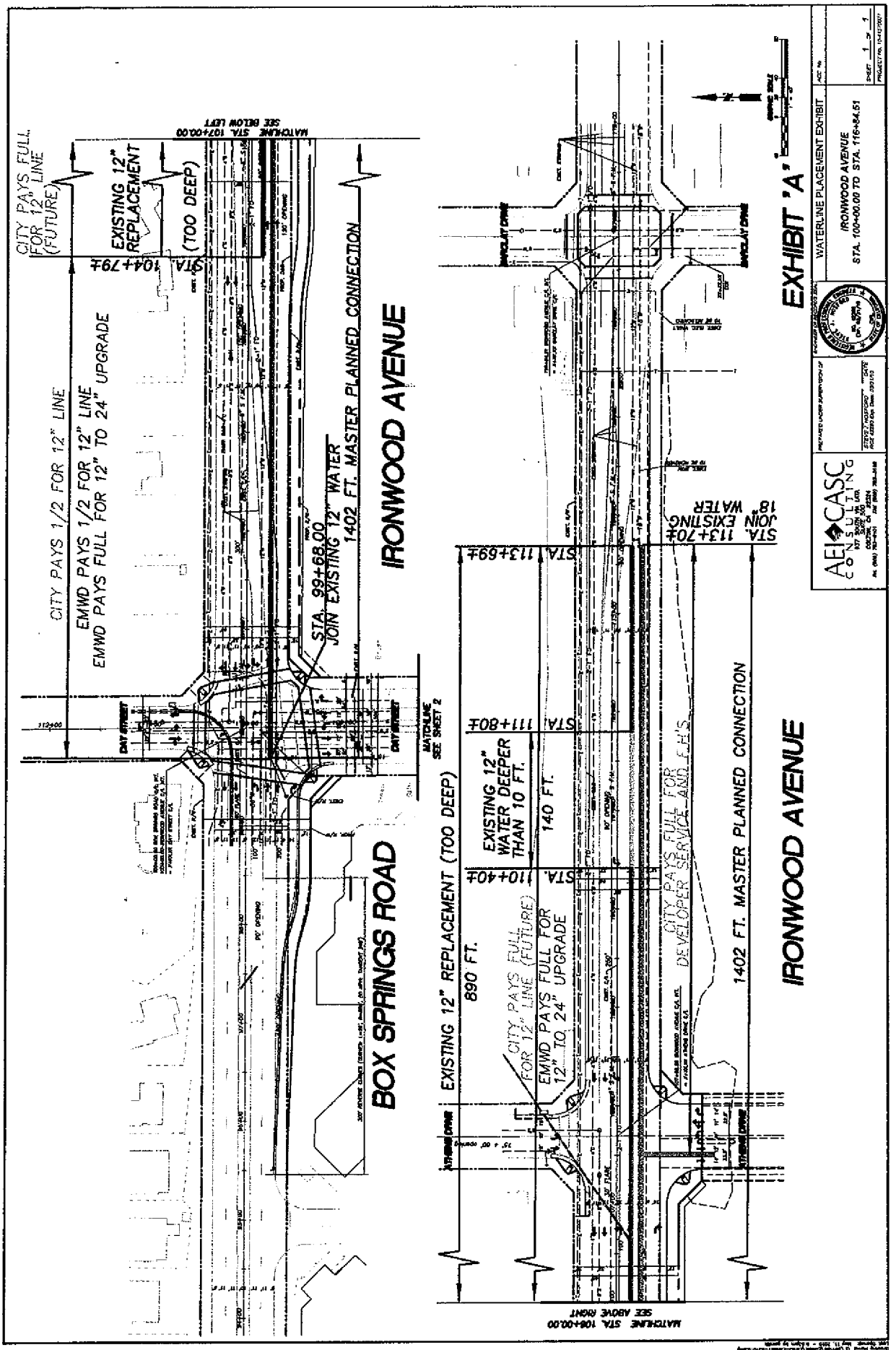
EXHIBIT 'A'
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CASC CONSULTING
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
140 FT.
EXISTING 12" WATER DEEPER THAN 10 FT.
STA. 110+40±
STA. 111+80±
STA. 113+69±
STA. 113+70± JOIN EXISTING 18" WATER
MATCHLINE STA. 106+00.00 SEE ABOVE RIGHT
BOX SPRINGS ROAD
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
STA. 99+68.00 JOIN EXISTING 12" WATER
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS 1/2 FOR 12" LINE
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT
(TOO DEEP)
STA. 104+79±
MATCHLINE STA. 107+00.00 SEE BELOW LEFT
MATCHLINE SEE SHEET 2

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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MV00068551

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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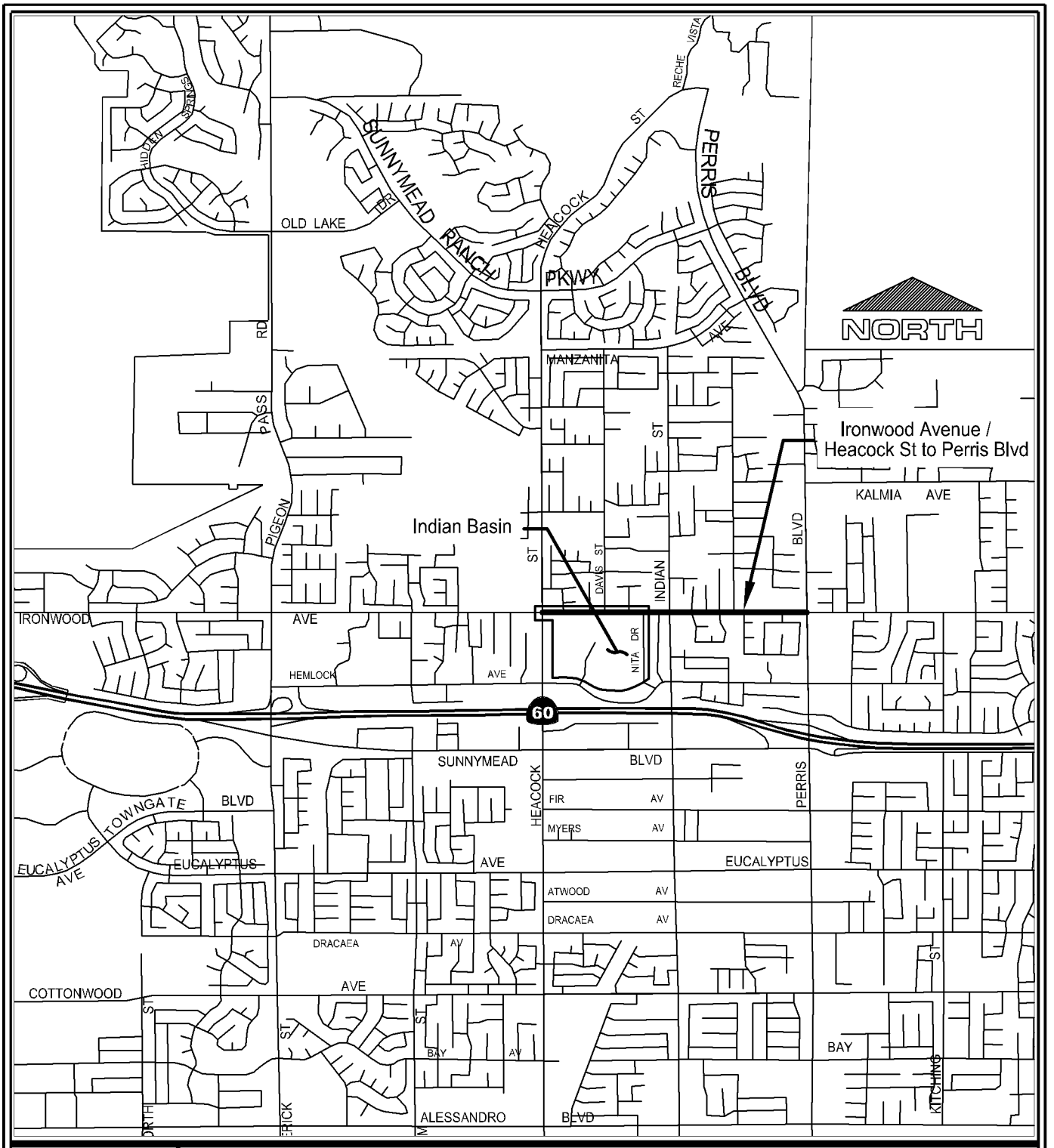

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00068561

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Construction\Contractor\Agreement\Agreement - Indian Basin.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

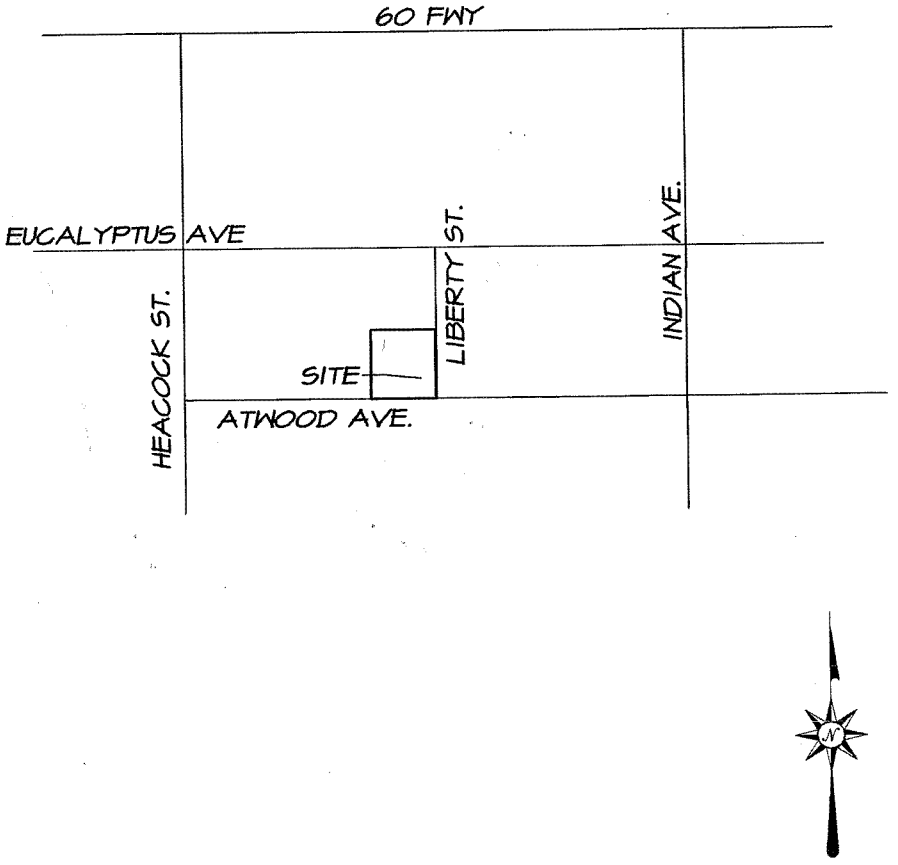

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00068577

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

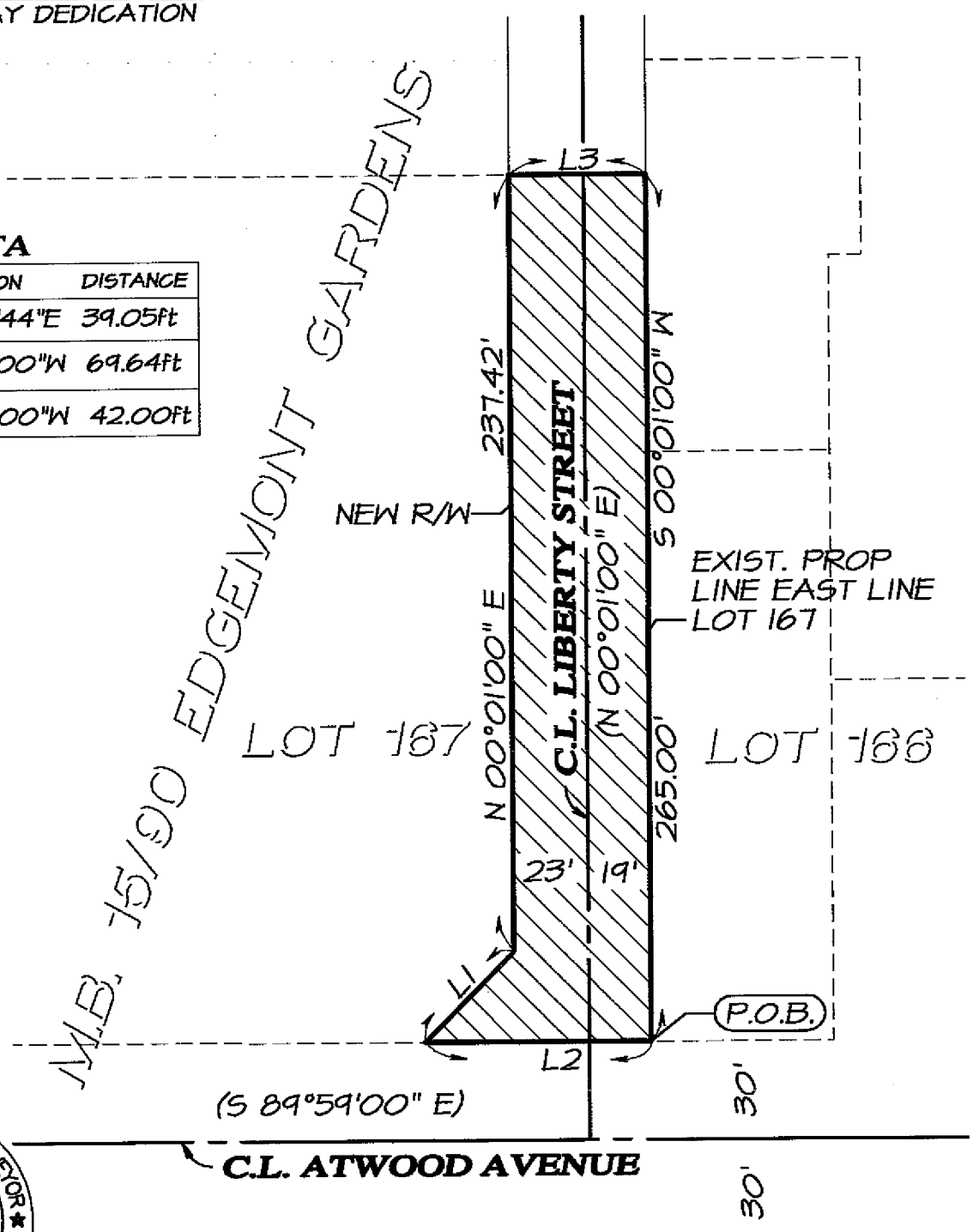

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY:	R.W.
CHECKED BY:	P.W.
DATE:	2/23/10

SHT. NO. 2
OF 2 SHEET

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MV00068581

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

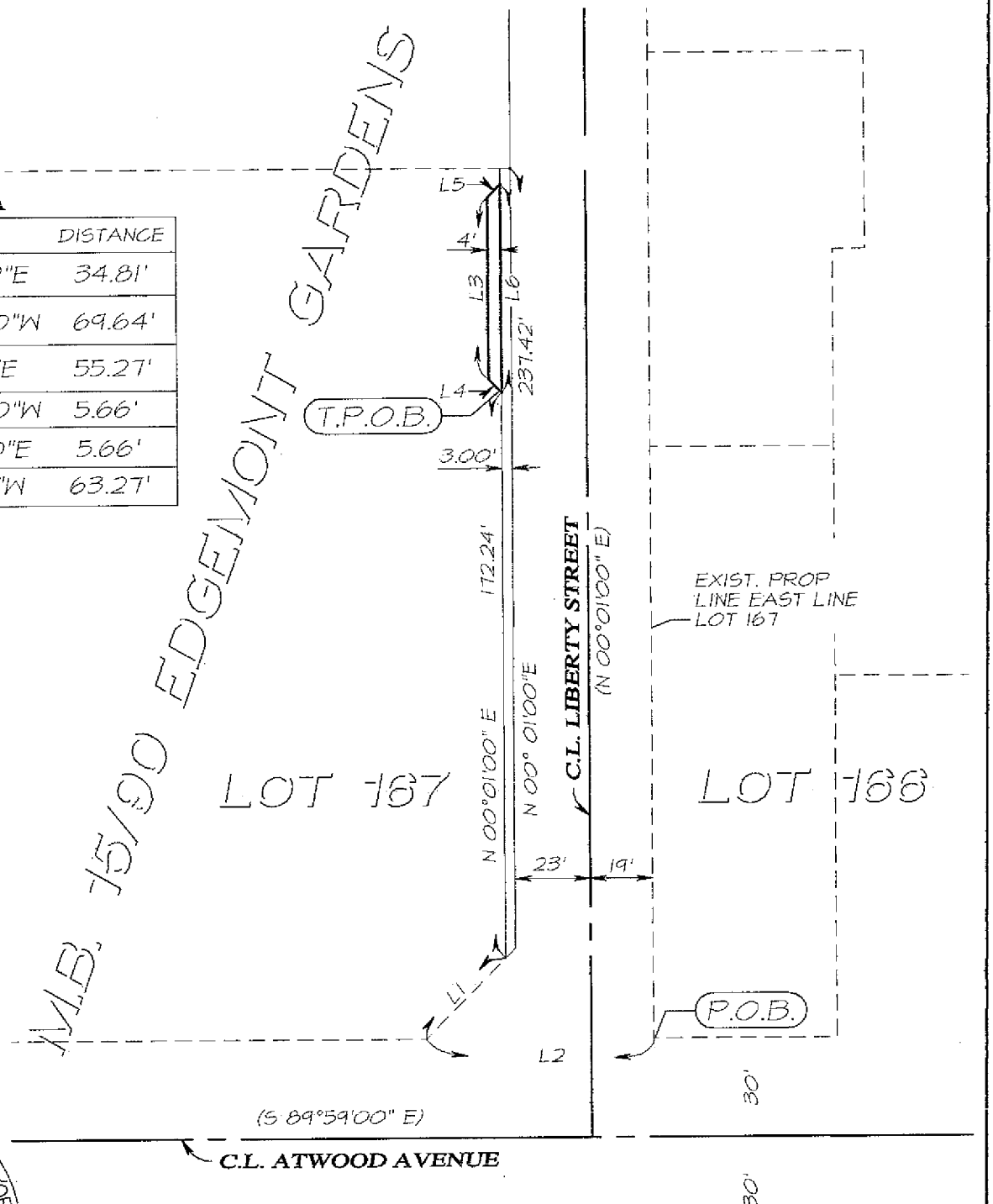

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2
OF 2 SHEET

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MV00068585

Recording requested by and when
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City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

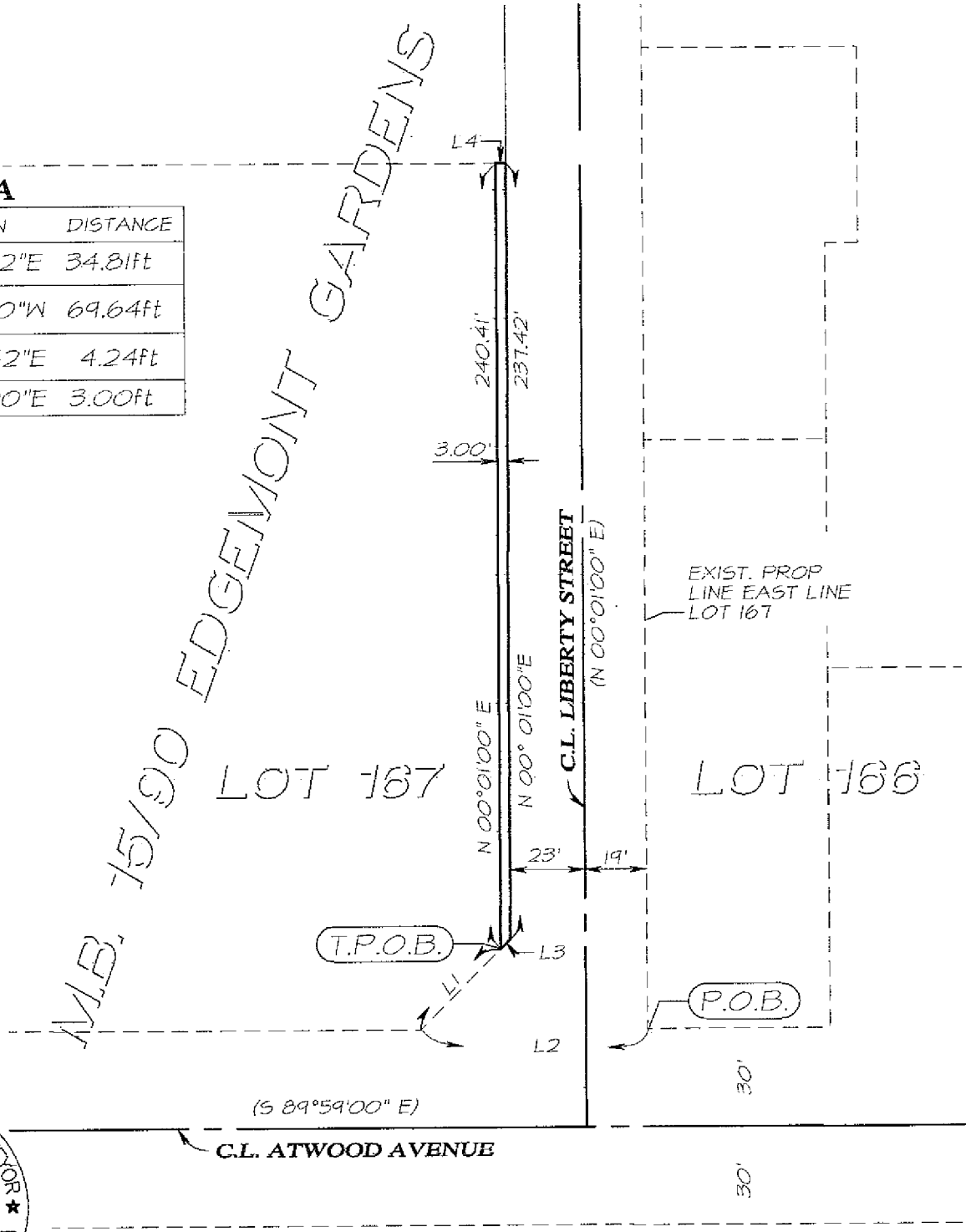

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/1

SHT. NO. 2
OF 2 SHEET

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MV00068589

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00068591

APPROVALS	
BUDGET OFFICER	Caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

BACKGROUND

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels

receiving the service. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	FY 2009/10 CSD Zone D Annual Charge*	Proposed 2010/11 CSD Zone D Annual Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the approved CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, or if there is a tie, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Conduct the Public Hearing**, tabulate the ballots, verify and accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing**, tabulate the ballots, verify or accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program**.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

Fourteen Zone D tracts are being balloted to seek approval for an increase in the CSD Zone D annual charge. The action before the CSD Board is to accept public comments and tabulate the returned ballots for the balloted tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00068597

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

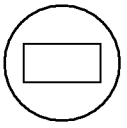

A circle around the box **<u>and/or</u>** associated clause; or

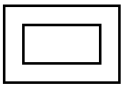

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

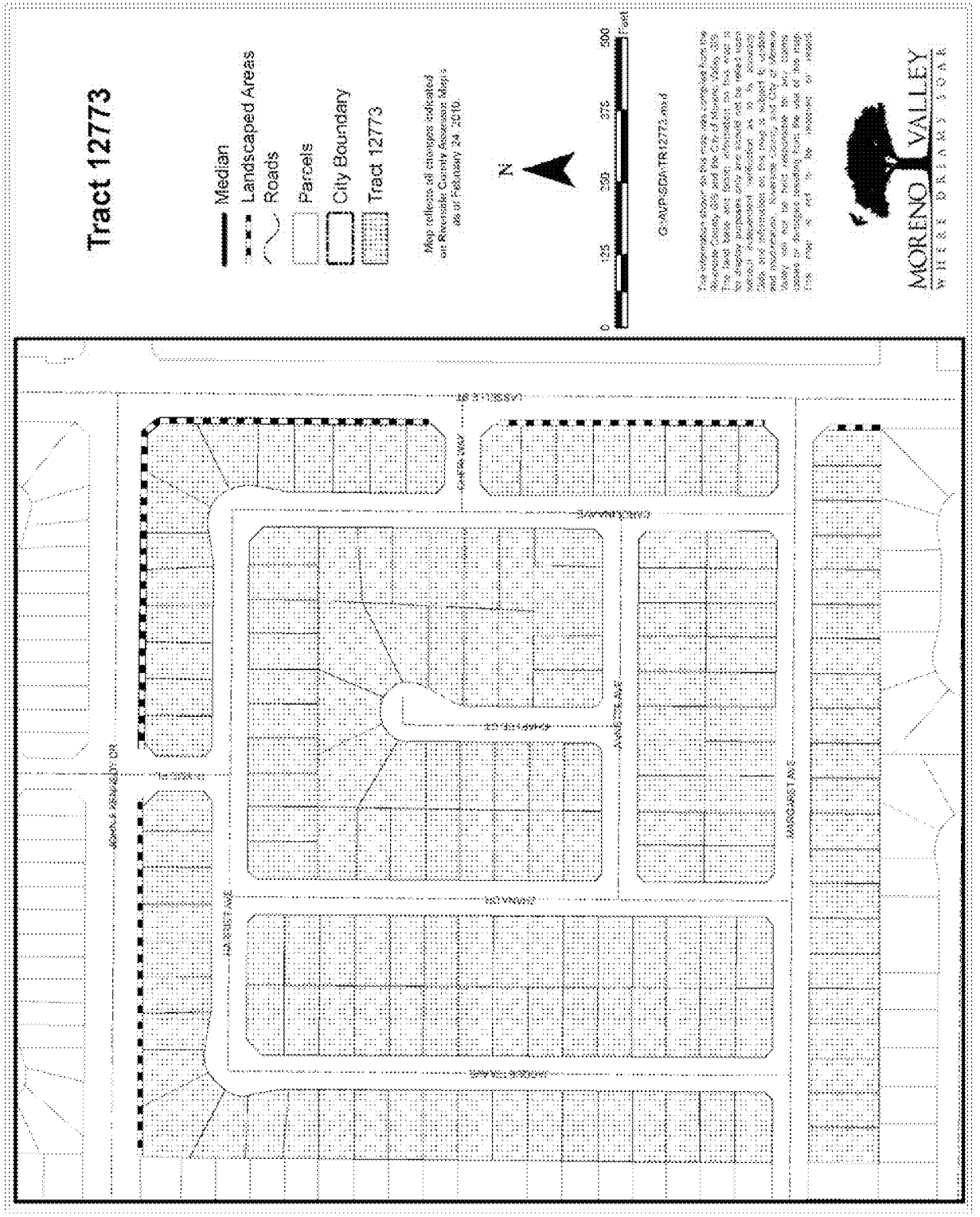
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR12773.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

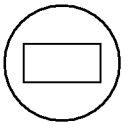

A circle around the box **and/or** associated clause; or

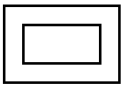

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

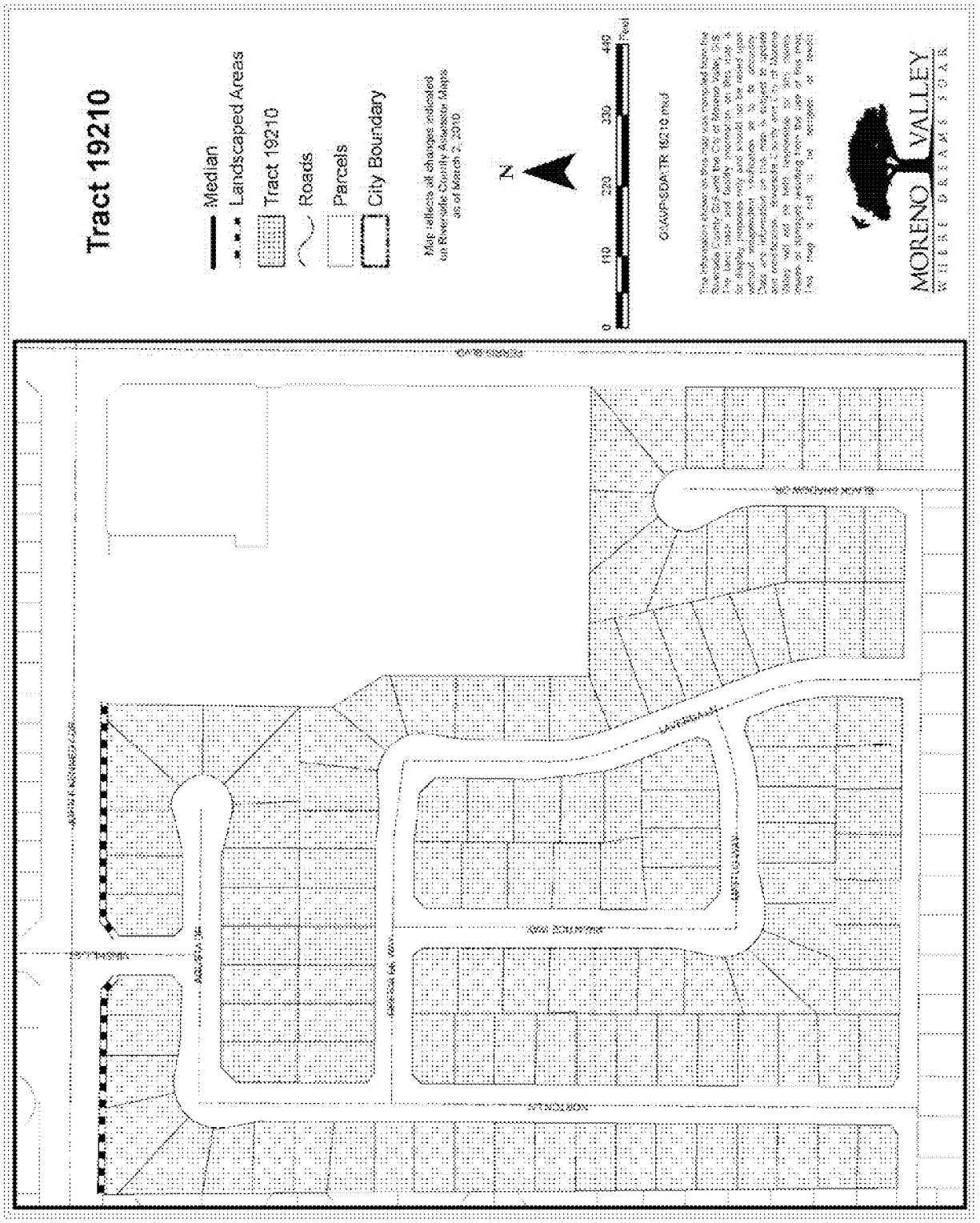
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010
N
0
110
220
330
440
Feet
GIS/APS/DATA/TR 19210.mxd
MORENO VALLEY

TEL: 951.413.3460
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\19937\Tract 19937 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

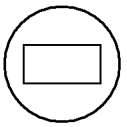

A circle around the box **and/or** associated clause; or

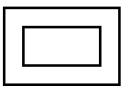

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

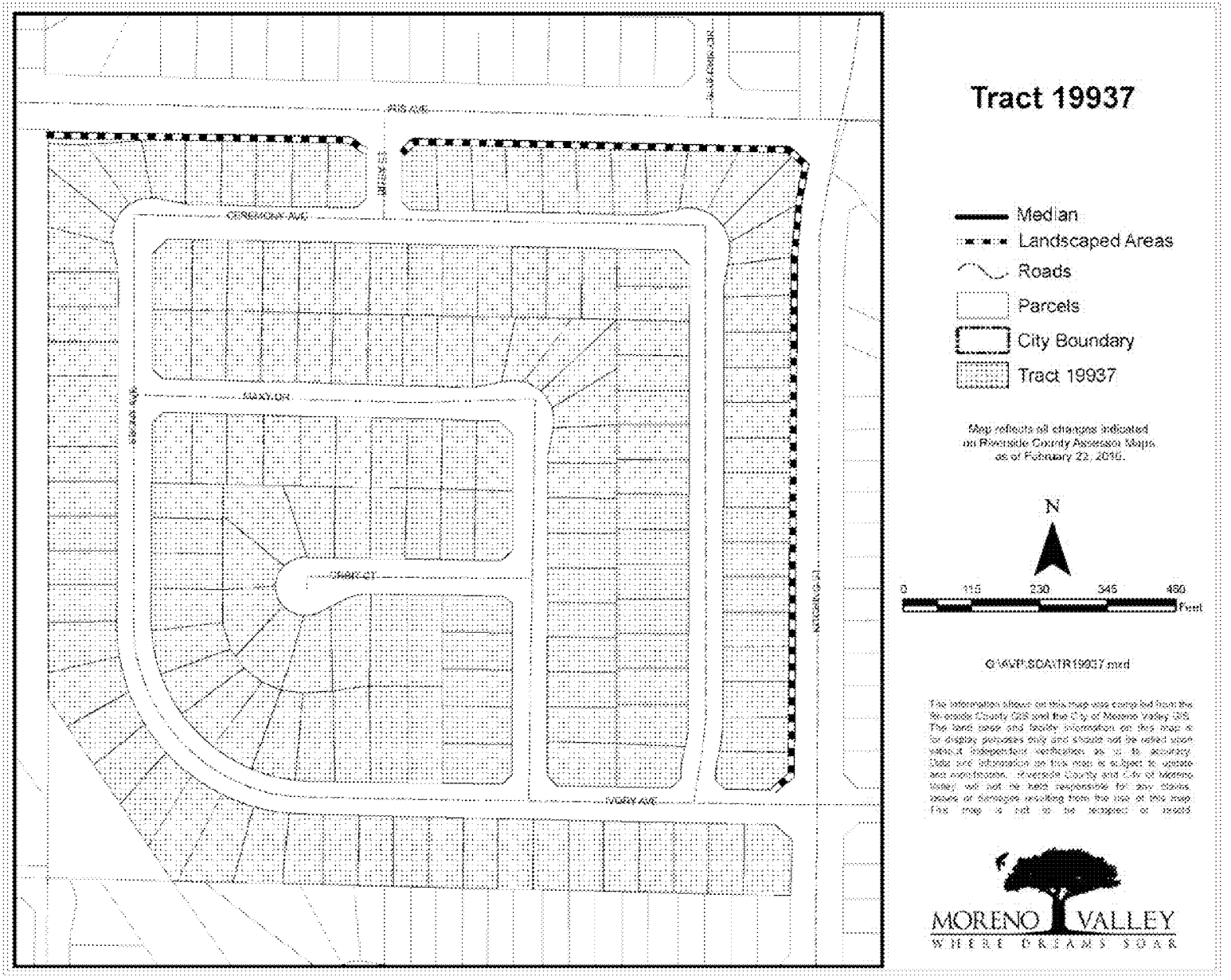
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
345
460
Feet
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

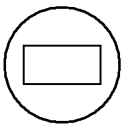

A circle around the box **<u>and/or</u>** associated clause; or

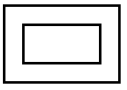

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

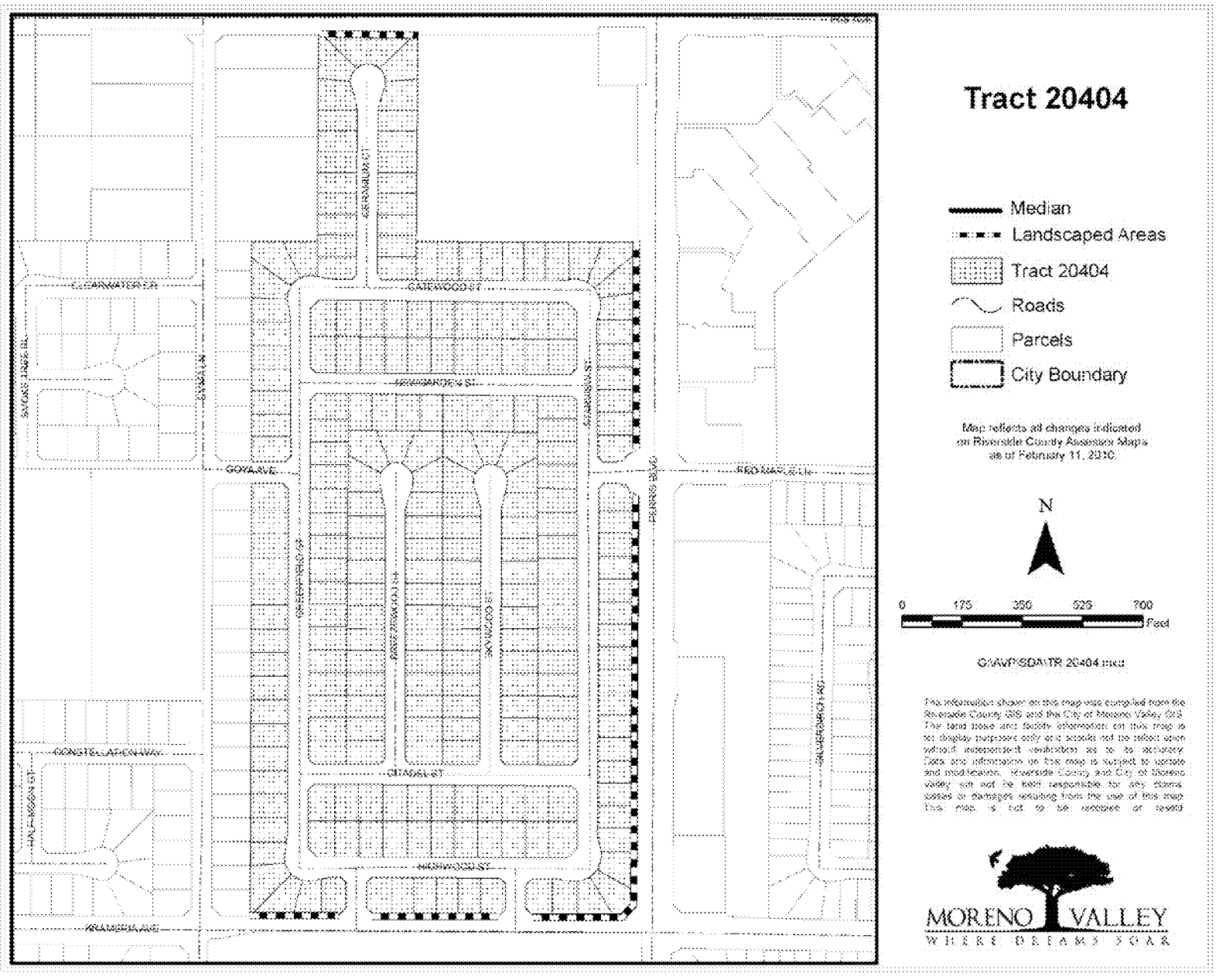
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
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G:\AVP\SDA\TR 20404.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tax base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
GATEWOOD ST
SPRINGBROOK ST
GOYA AVE
RED MAPLE LN
PERRIS BLVD
SKYWOOD ST
CITADEL ST
HIGHWOOD ST
CONSTELLATION WAY
FRANKLIN AVE

TEL: 951.413.3460
FAX: 951.413.3498
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

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   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

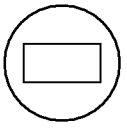

A circle around the box **<u>and/or</u>** associated clause; or

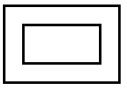

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

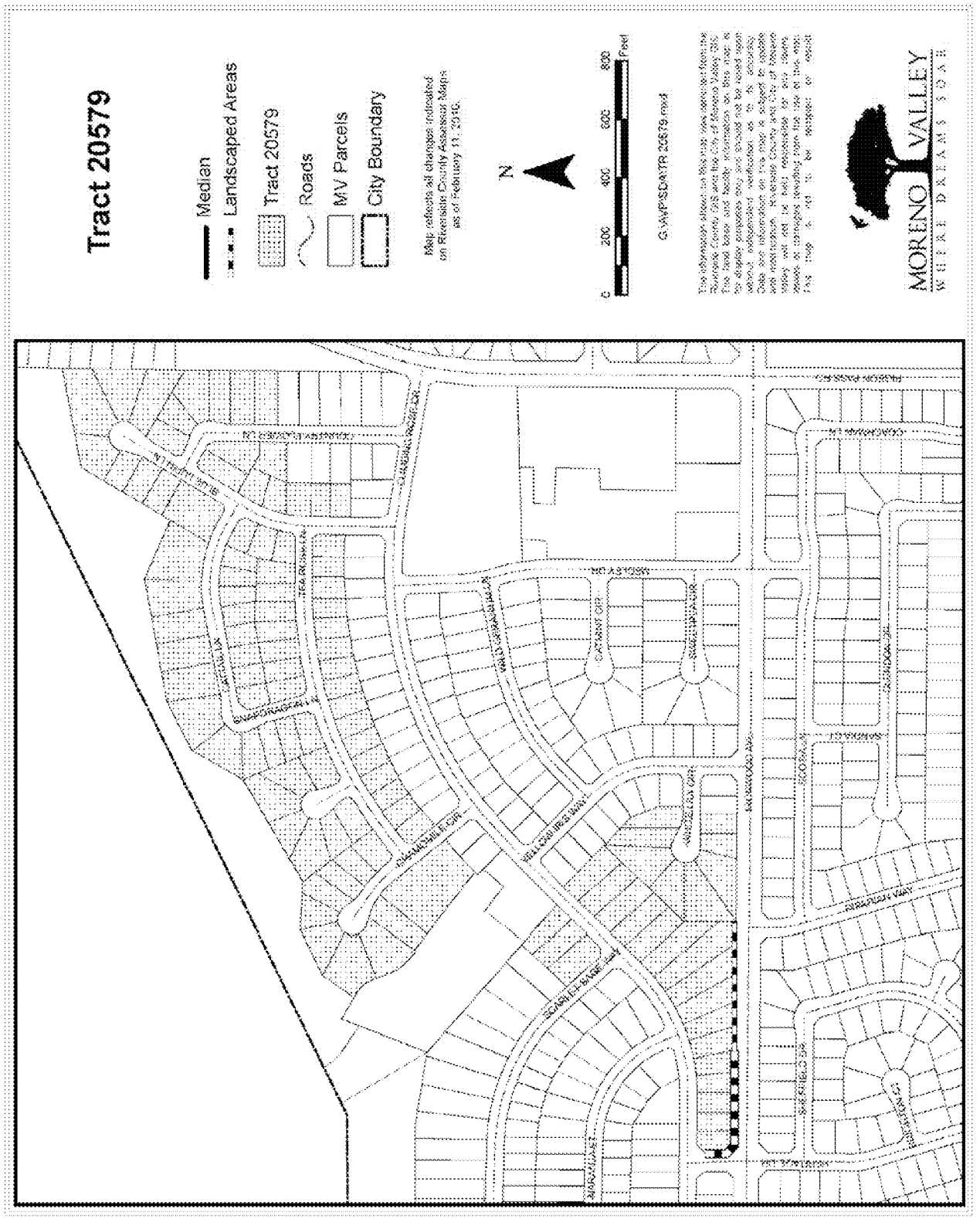
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

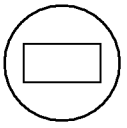

A circle around the box <u>and/or</u> associated clause; or

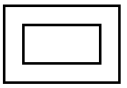

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

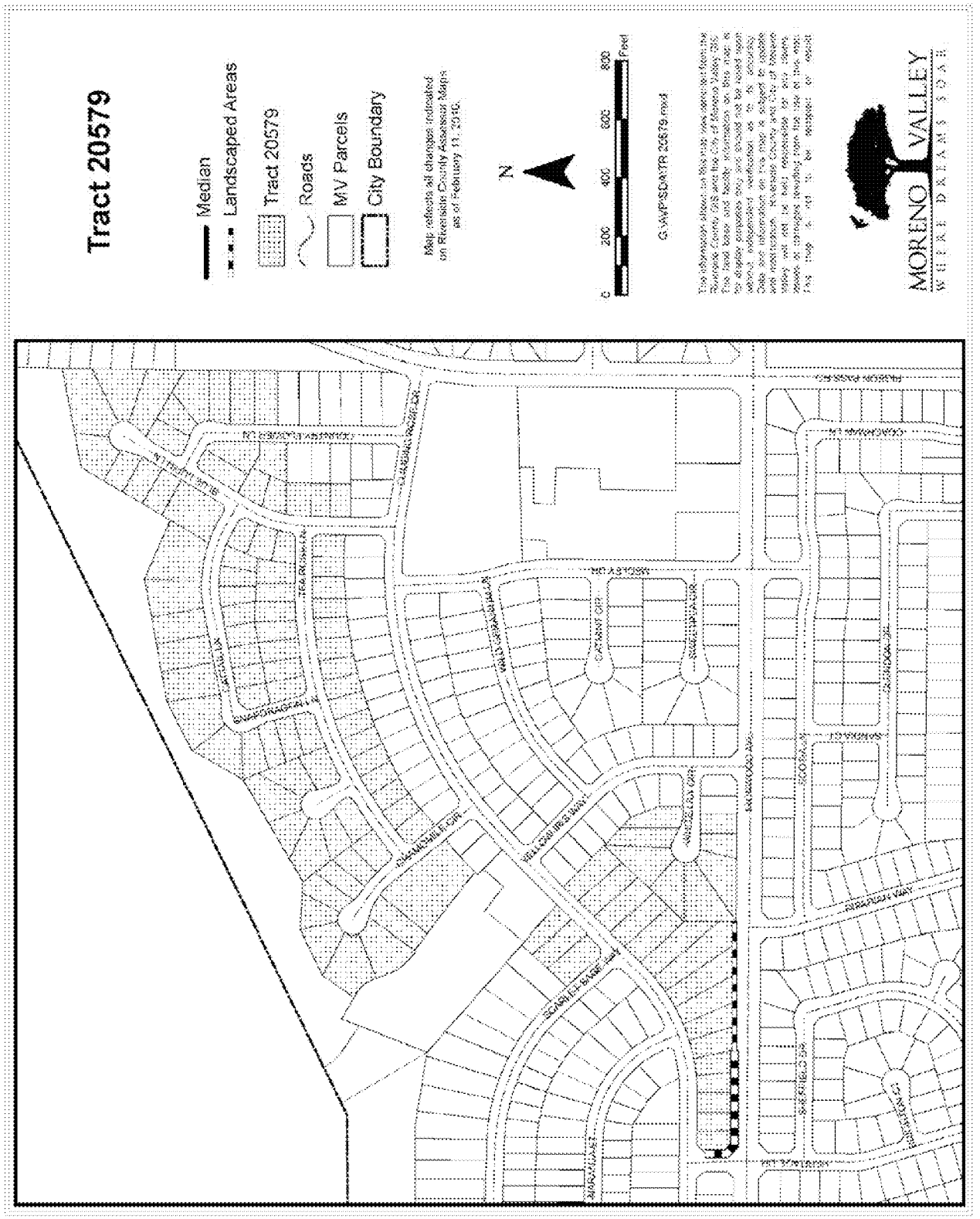
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información en Español.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

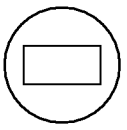

A circle around the box **and/or** associated clause; or

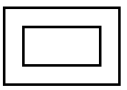

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$**	**7,179.10**
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

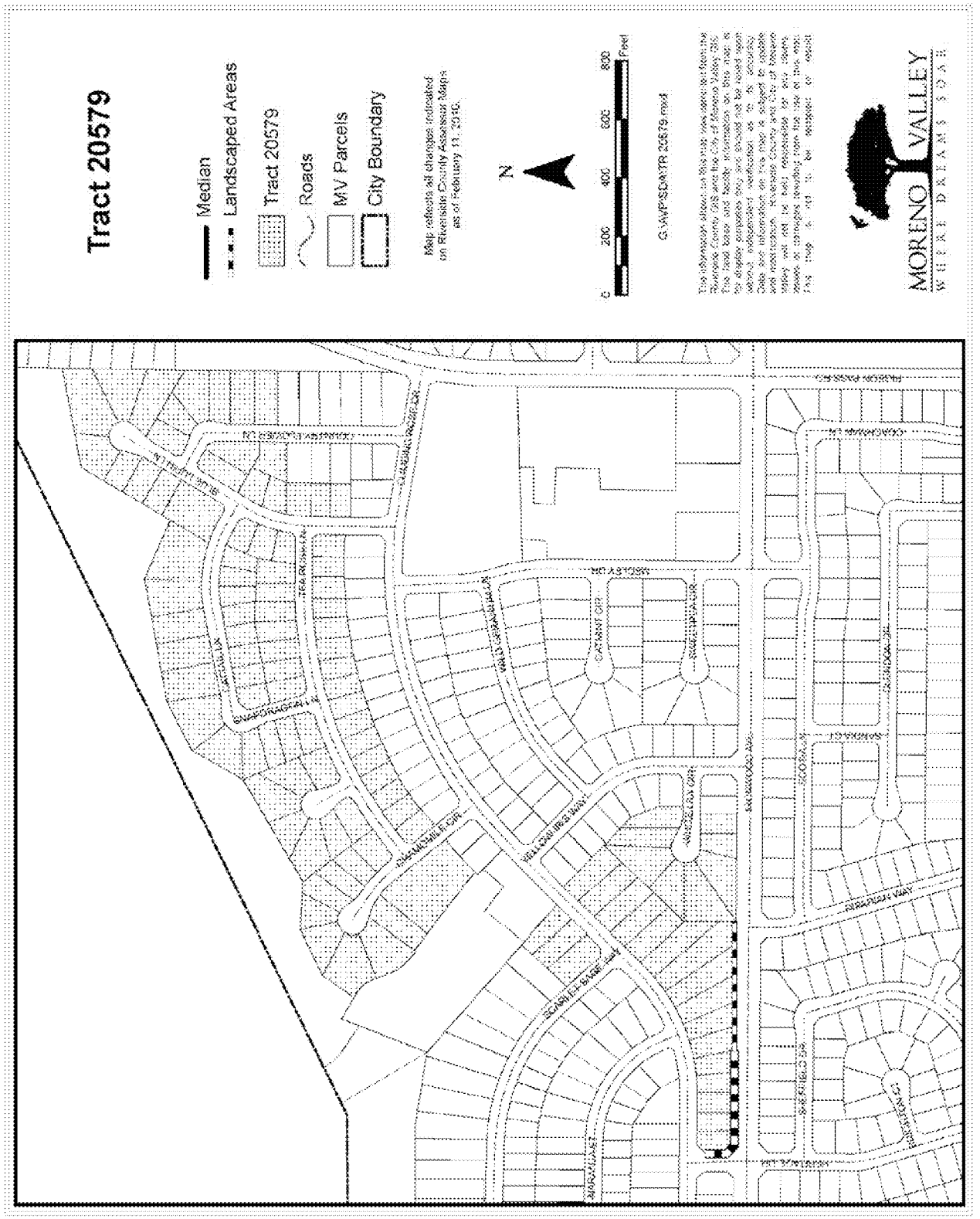
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20718\Tract 20718 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

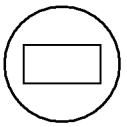

A circle around the box **and/or** associated clause; or

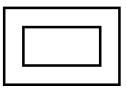

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

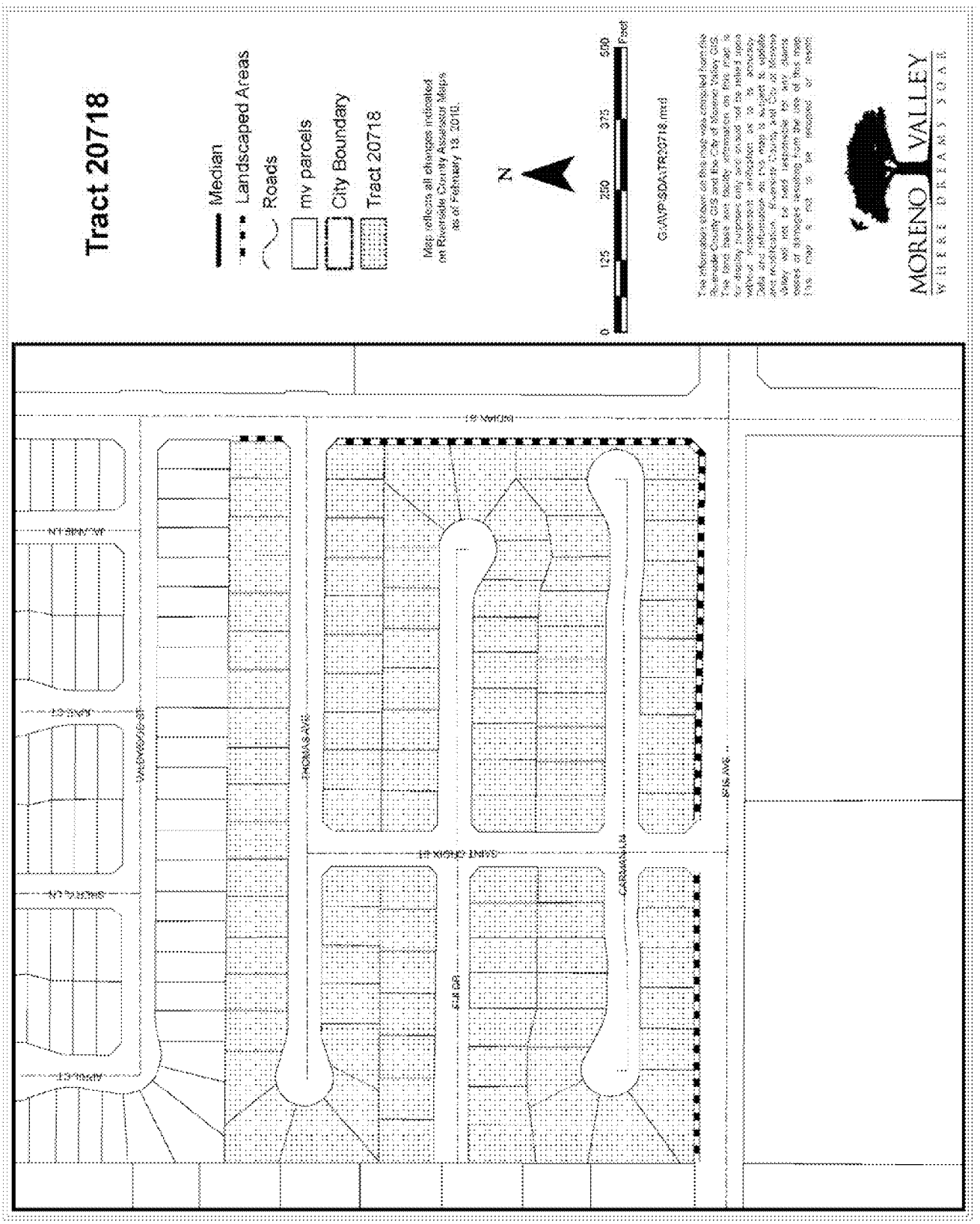
Tract 20718
Median
Landscaped Areas
Roads
my parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 13, 2010.
N
0
125
250
375
500
Feet
G:\AVP\SDA\TR20718.mxd
MORENO VALLEY
WHERE DREAMS SOAR
THOMAS AVE
CARMANITA
BIRCH AVE

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

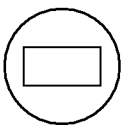

A circle around the box **and/or** associated clause; or

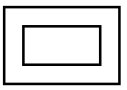

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

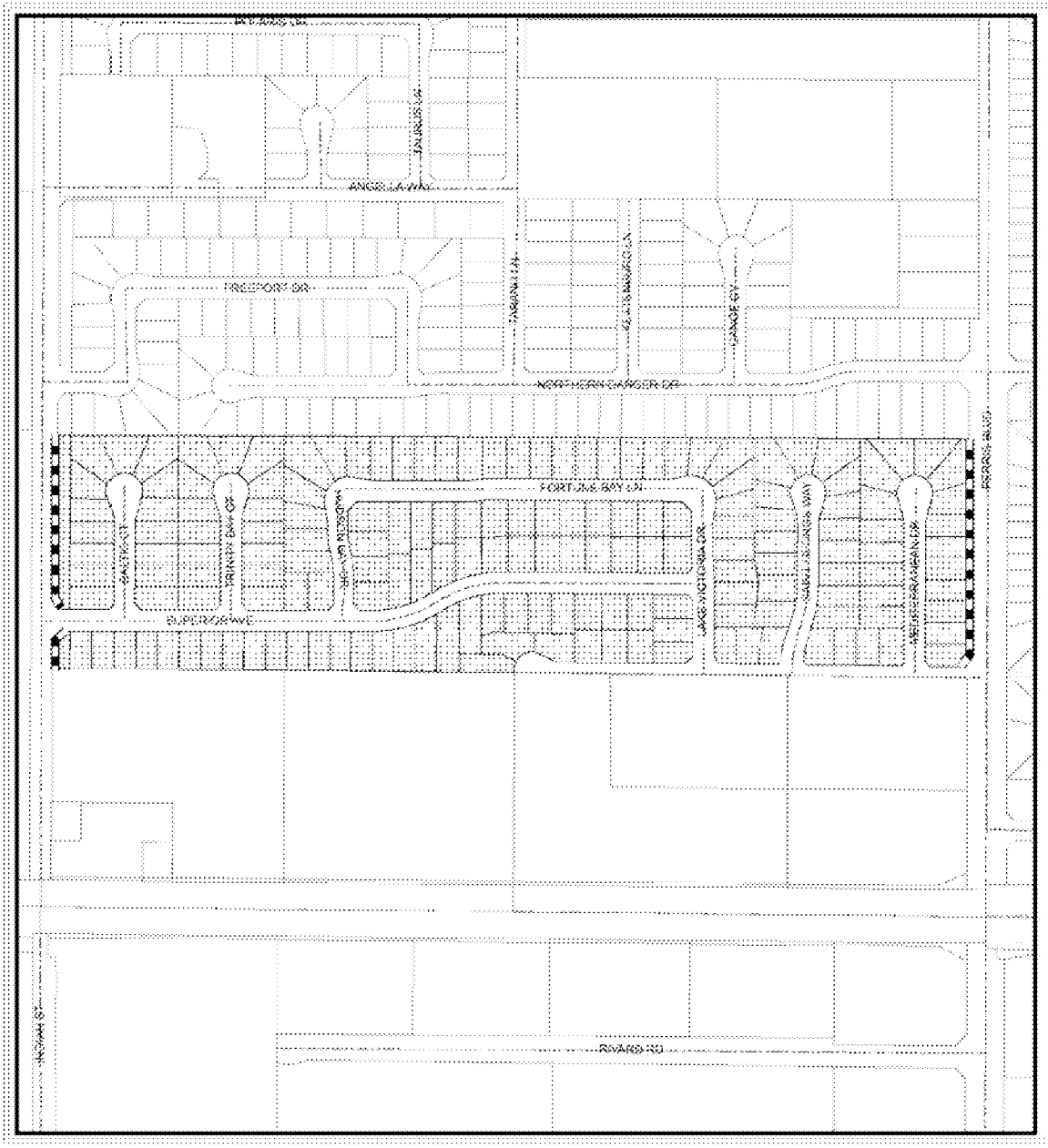

Tract 21113

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley, GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

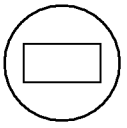

A circle around the box **<u>and/or</u>** associated clause; or

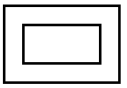

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

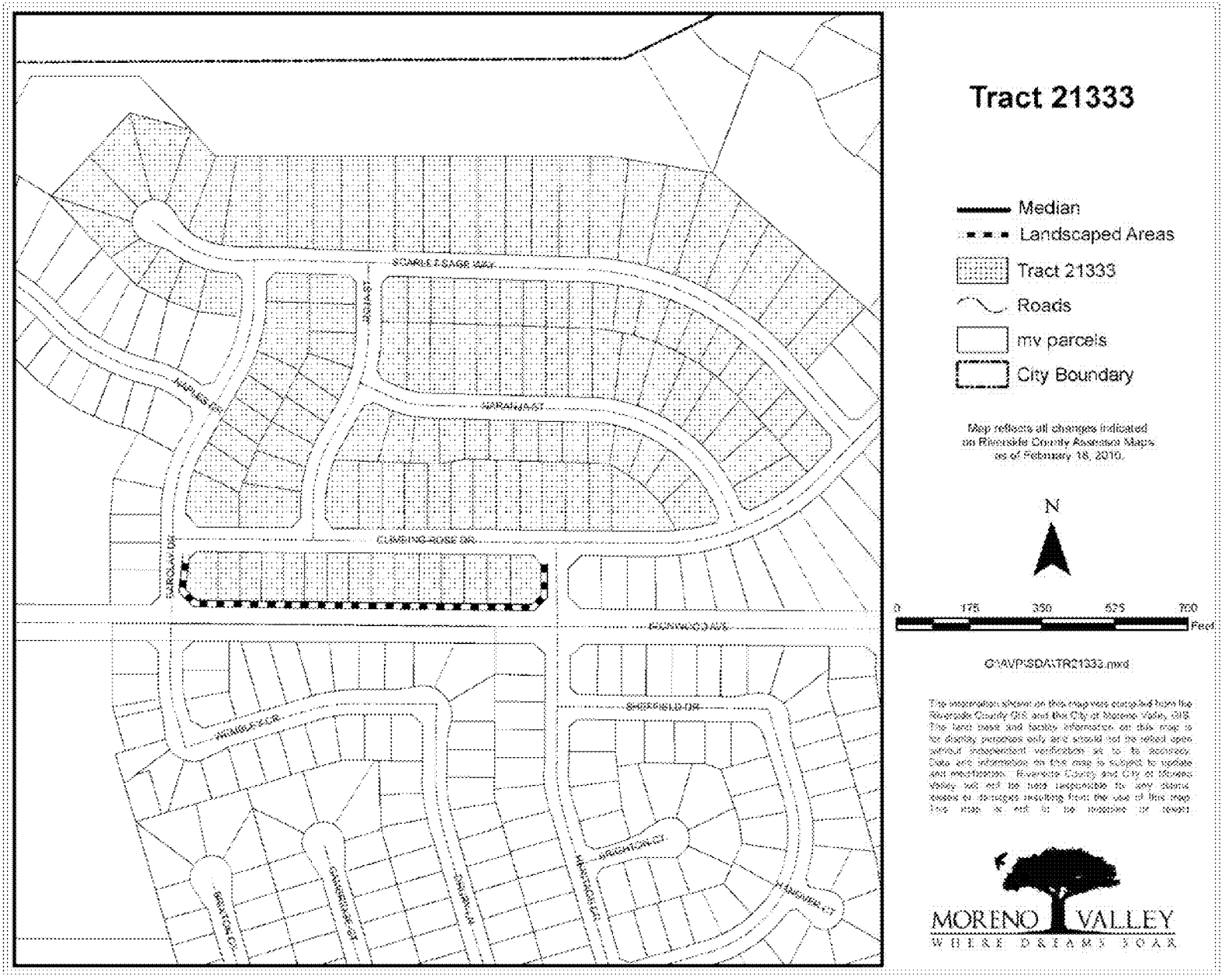
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
mv parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
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175
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525
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MORENO VALLEY
WHERE DREAMS SOAR
SCARLET SAGE WAY
NAPLES DR
CLIMBING ROSE DR
SHEFFIELD DR
TRIANGLE CIR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

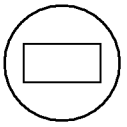

A circle around the box **and/or** associated clause; or

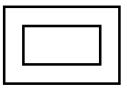

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

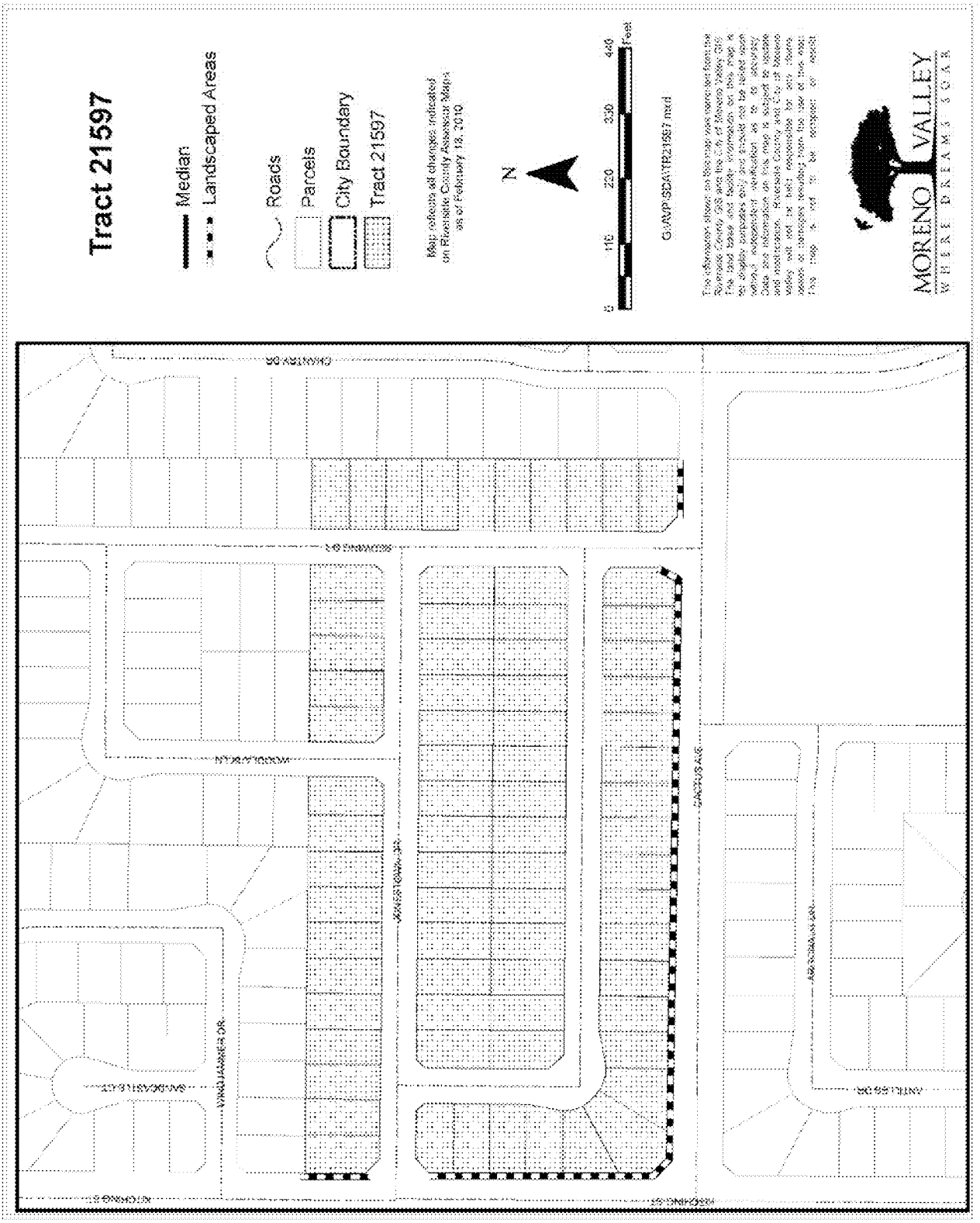
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0
110
220
330
440
Feet
G:\AP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

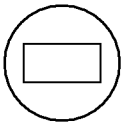

A circle around the box **<u>and/or</u>** associated clause; or

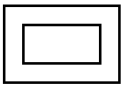

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

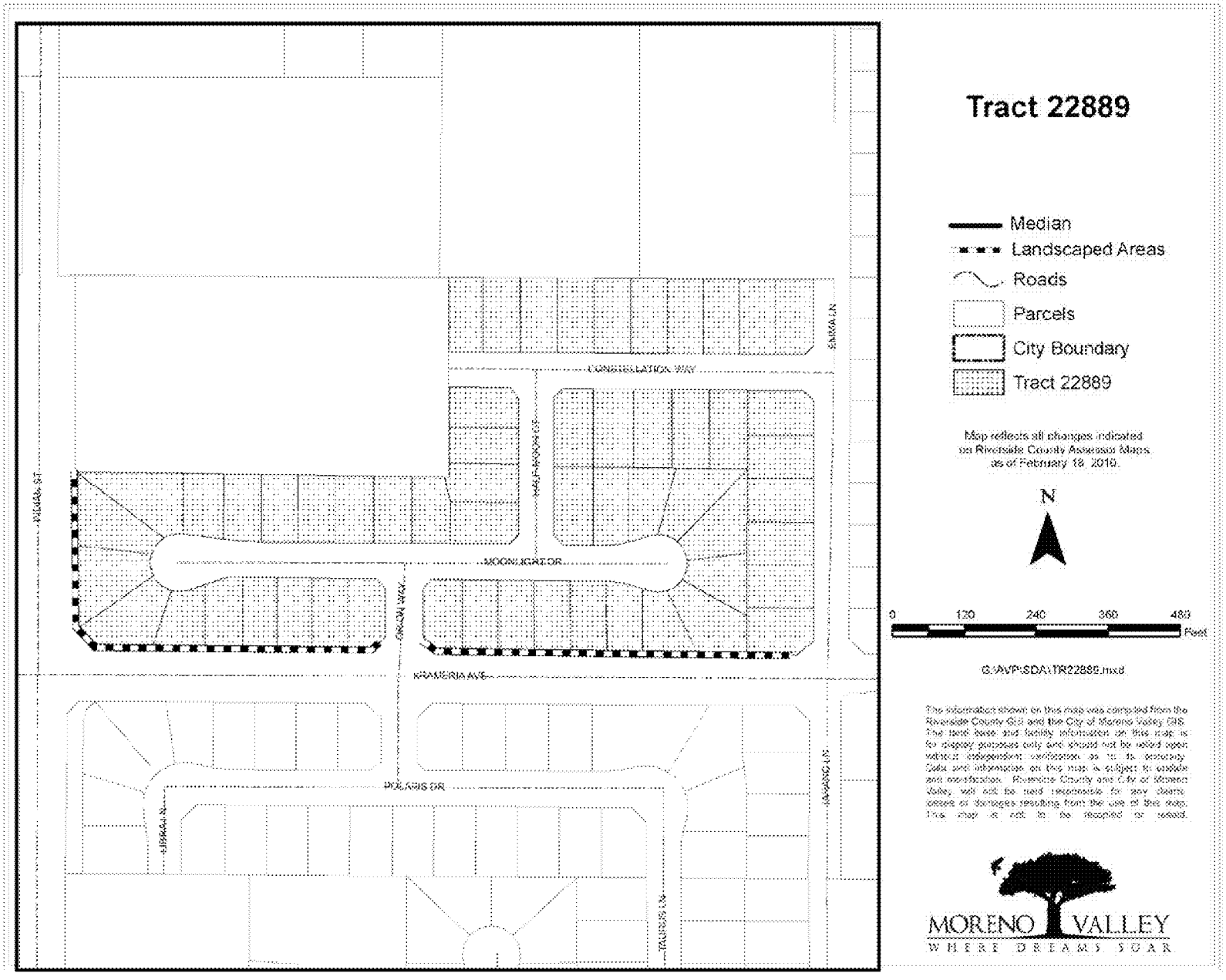
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR22889.mxd
The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
CONSTELLATION WAY
MOONLIGHT DR
KRAMERIA AVE
POLARIS DR
PERRIS BLVD
SANTA FE
LIBRA LN
TAURUS LN
SAGITTARIUS LN

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\28882\Tract 28882 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

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BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

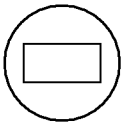

A circle around the box **<u>and/or</u>** associated clause; or

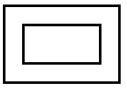

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

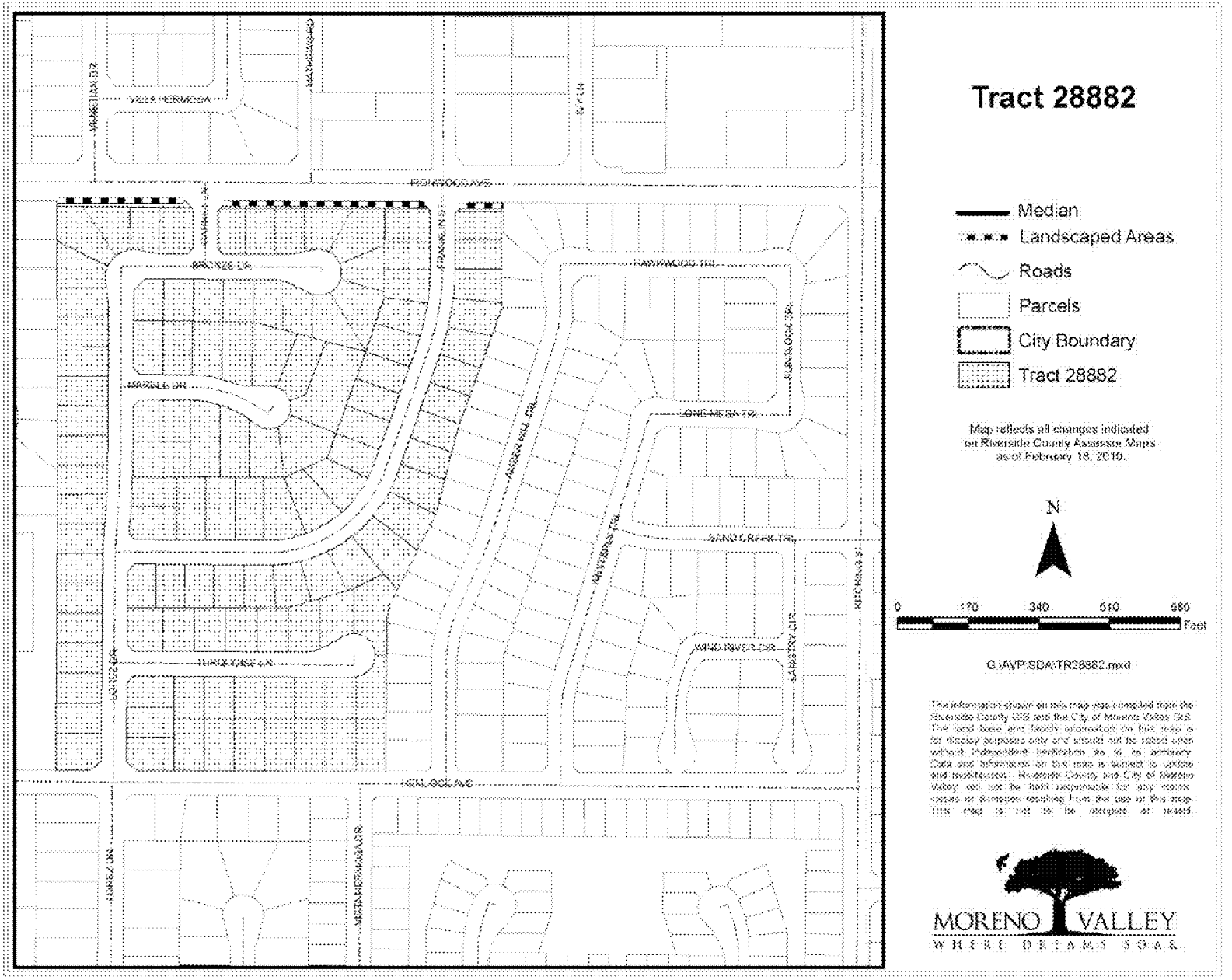
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

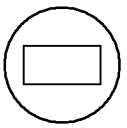

A circle around the box **<u>and/or</u>** associated clause; or

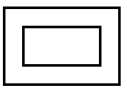

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

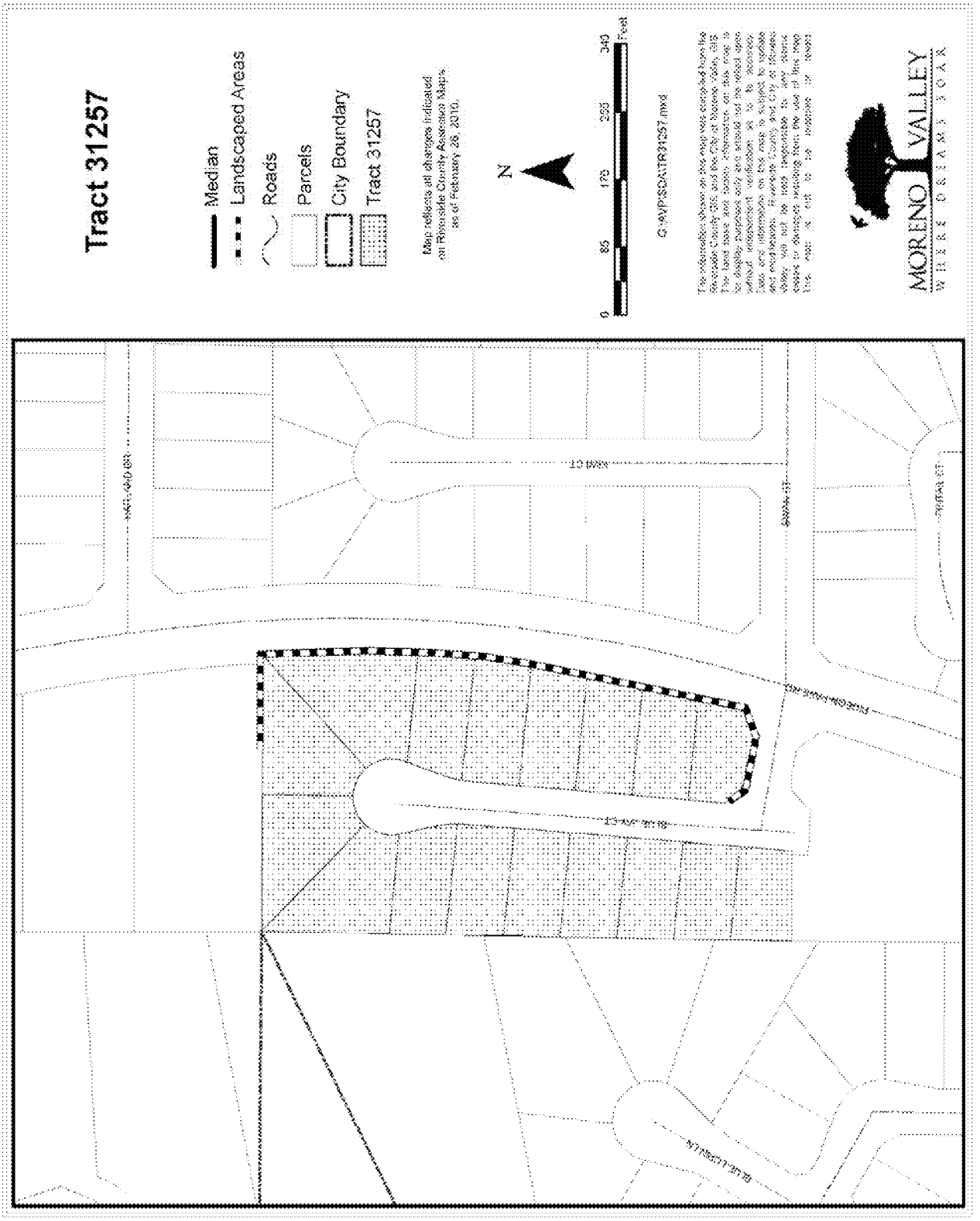
Tract 31257
Median
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City Boundary
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Map reflects all changes indicated on Riverside County Assessed Maps as of February 28, 2010.
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MORENO VALLEY
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TEL: 951.413.3480
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

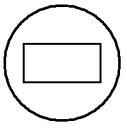

A circle around the box **<u>and/or</u>** associated clause; or

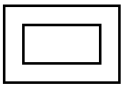

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

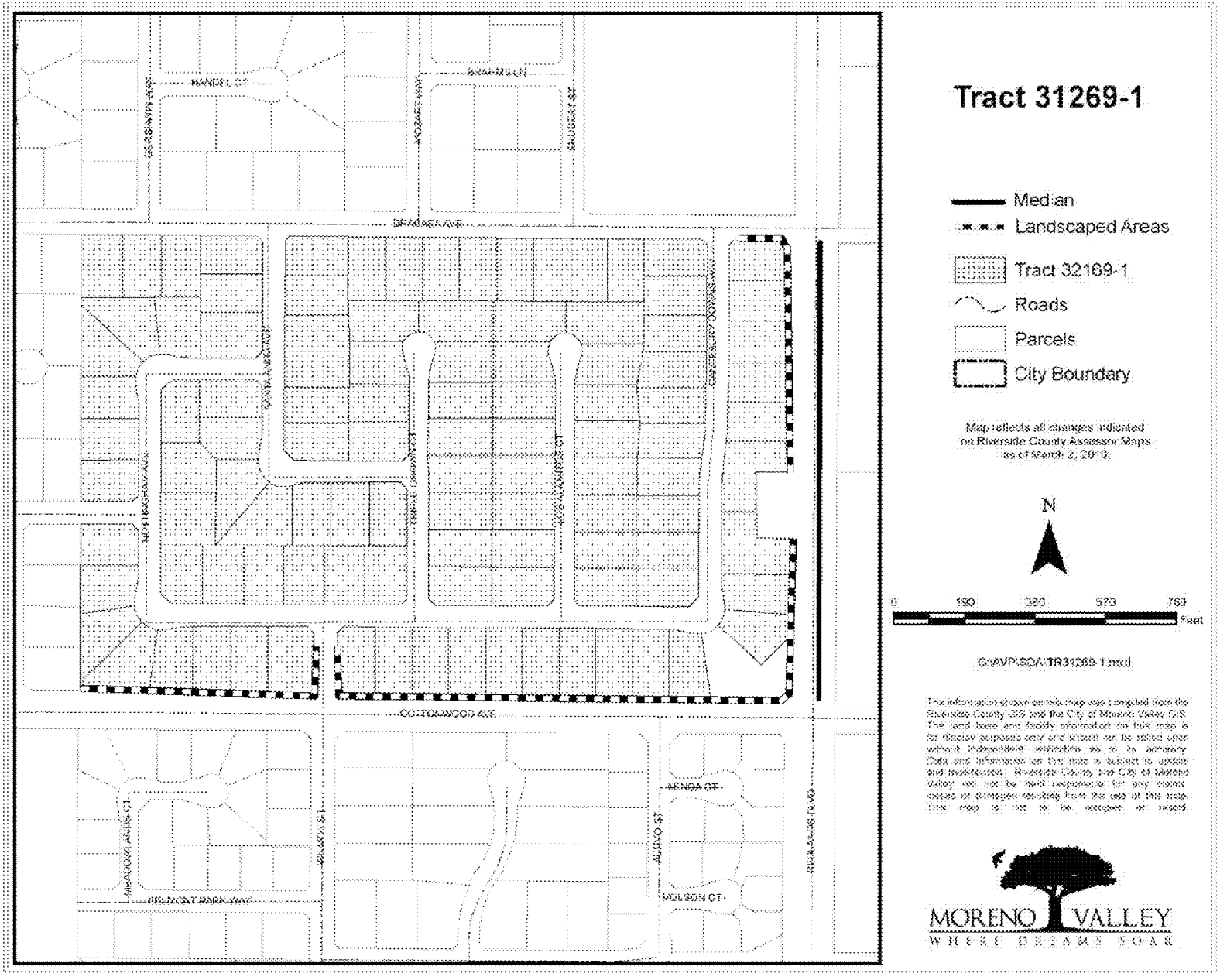
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
G:\AVP\SDA\TR31269-1.mxd
MORENO VALLEY
WHERE DREAMS SOAR
BRADLEY AVE
COTTONWOOD AVE
HENDA CT
WELSON CT
RIVERSIDE BLVD

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\32018\Tract 32018 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

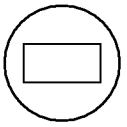

A circle around the box **<u>and/or</u>** associated clause; or

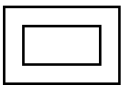

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

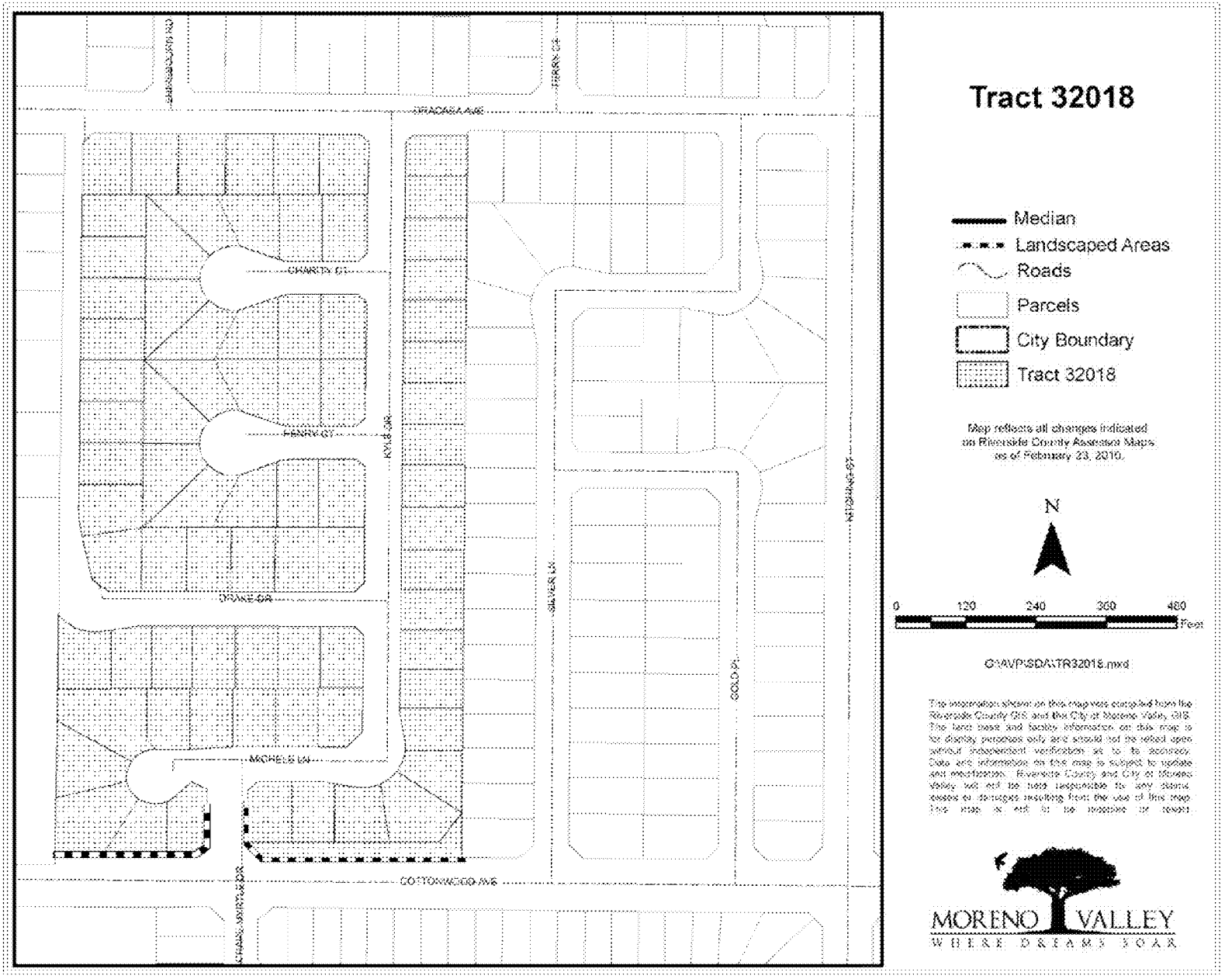
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.
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MORENO VALLEY
WHERE DREAMS SOAR
ACACIA AVE
CHARITY CT
FERRY CT
KYLE DR
DRAKE DR
MICHELS LN
COTTONWOOD AVE
SILVER LN
GOLD PL
HEADING DR

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its May 13, 2010 meeting approved Planning Commission Resolution No. 2010-9, recommending by a 5-0-2 vote that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance); and approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

The Planning Commission referred back to the original review, thanked the applicant for addressing the concerns of the neighbors and noted the lack of a large public attendance. There were two speakers from the public at the meeting. One stated support for the project and second had some concerns with the past flooding on the project site. Land Development was able to address the questions related to drainage and flooding.

BACKGROUND

The project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on

September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

Land Use Change

Applications for a General Plan Amendment and Zone Change have been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the Residential Single-Family 10 (RS-10) and Residential 5 (R5) zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the Residential Single-Family 10 (RS-10) zone to the east and north. There is an existing Residential 5 (R5) tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family

residential use. The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

ALTERNATIVES

1. The City Council could deny one the projects. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

As stated previously, the General Plan Amendment applications associated with the three projects included in this report have been linked and combined into a single City Council resolution because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four

times during any calendar year. Each amendment, however, may include more than one change to the General Plan. The General Plan Amendment action proposed by this project is the second amendment to the General Plan Land Use Element for calendar year 2010.

NOTIFICATION

Notice of the City Council public hearing of the public notice, appeared in the *Press Enterprise* newspaper on June 22, 2010, posted on the affected property, and mailed to all surrounding property owners of record within 300 feet of the affected property.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ATTACHMENTS

1. Public Hearing Notice
2. Proposed Resolution for General Plan Amendment (PA06-0185)
3. Proposed Ordinance for Zone Change (PA06-0184)
4. Proposed Resolution for Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102) with Conditions of Approval attached as Exhibit A
5. Planning Commission Staff Report dated May 13, 2010 (excluding exhibits)
6. Planning Commission Minutes for May 13, 2010

7. Negative Declaration/Initial Study
8. Aerial Photograph
9. Reduced Copy of Tentative Tract Map 34748

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map No. 34748)
P09-102 (Variance)

APPLICANT: Rados Tenants in Common

OWNER: Rados Tenants in Common

REPRESENTATIVE: Albert A. Webb Associates

LOCATION: SEC of Heacock Street and Gentian Avenue

PROPOSAL: Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

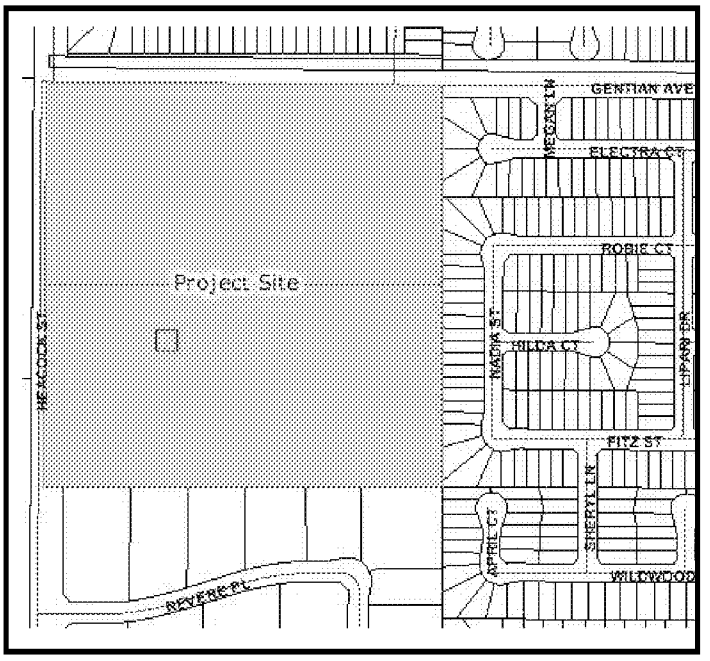

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 13, 2010 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

Item No. E.2

MV00068764

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MV00068765

RESOLUTION NO. 2010-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA06-0185) TO CHANGE THE LAND USE DESIGNATION FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE.

WHEREAS, the applicant, Rados Tenants in Common, has filed an application for approval of PA06-0185, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes about 40 acres of Business Park (BP) land use to Residential 5 (R5) land use as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA06-0185 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA06-0185). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA06-0185 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

Section 3

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0185:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

   Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This subject property is not within the boundaries of the City of Moreno Valley Redevelopment Project Area.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0185, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00068769

GENERAL PLAN AMENDMENT

Application No. PA06-0185
RESOLUTION NO. 2010- xx

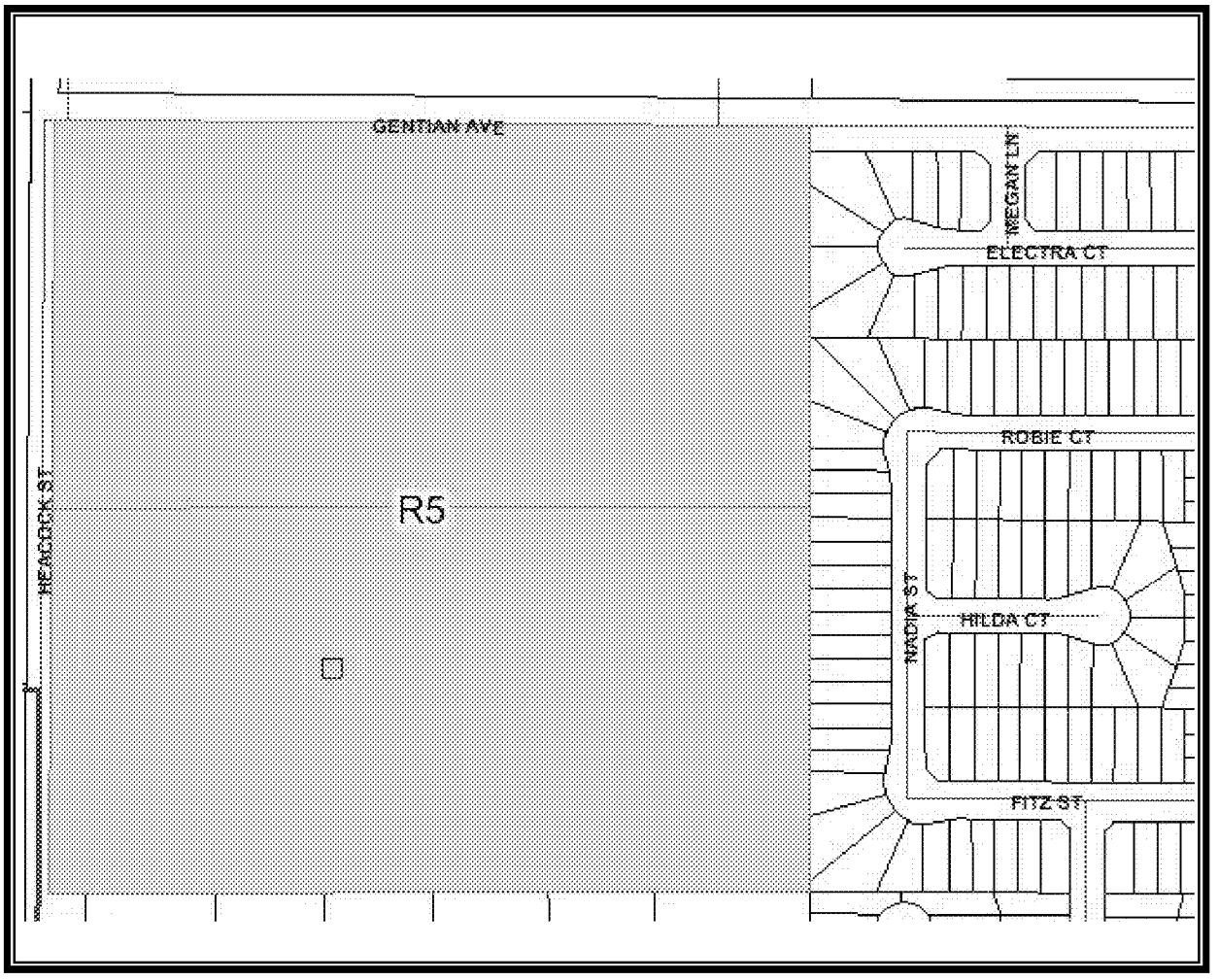

ADOPTED

EFFECTIVE_____

N

LEGEND

R5

R5

Exhibit A

Item No. E.2

MV00068770

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MV00068771

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA06-0184 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 40 ACRES FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 126 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA06-0184).

1.4. An Initial Study has been completed for PA06-0184 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 125 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on July 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

ATTACHMENT 3

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Business Park (BP) to Residential 5 (R5) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Business Park (BP) to Residential 5 (R5) for the approximately 40 acres located at the southeast corner of Heacock Street and Gentian Avenue, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00068775

CHANGE OF ZONE

Application No. PA06-0184
ADOPTED BY ORDINANCE NO. xx

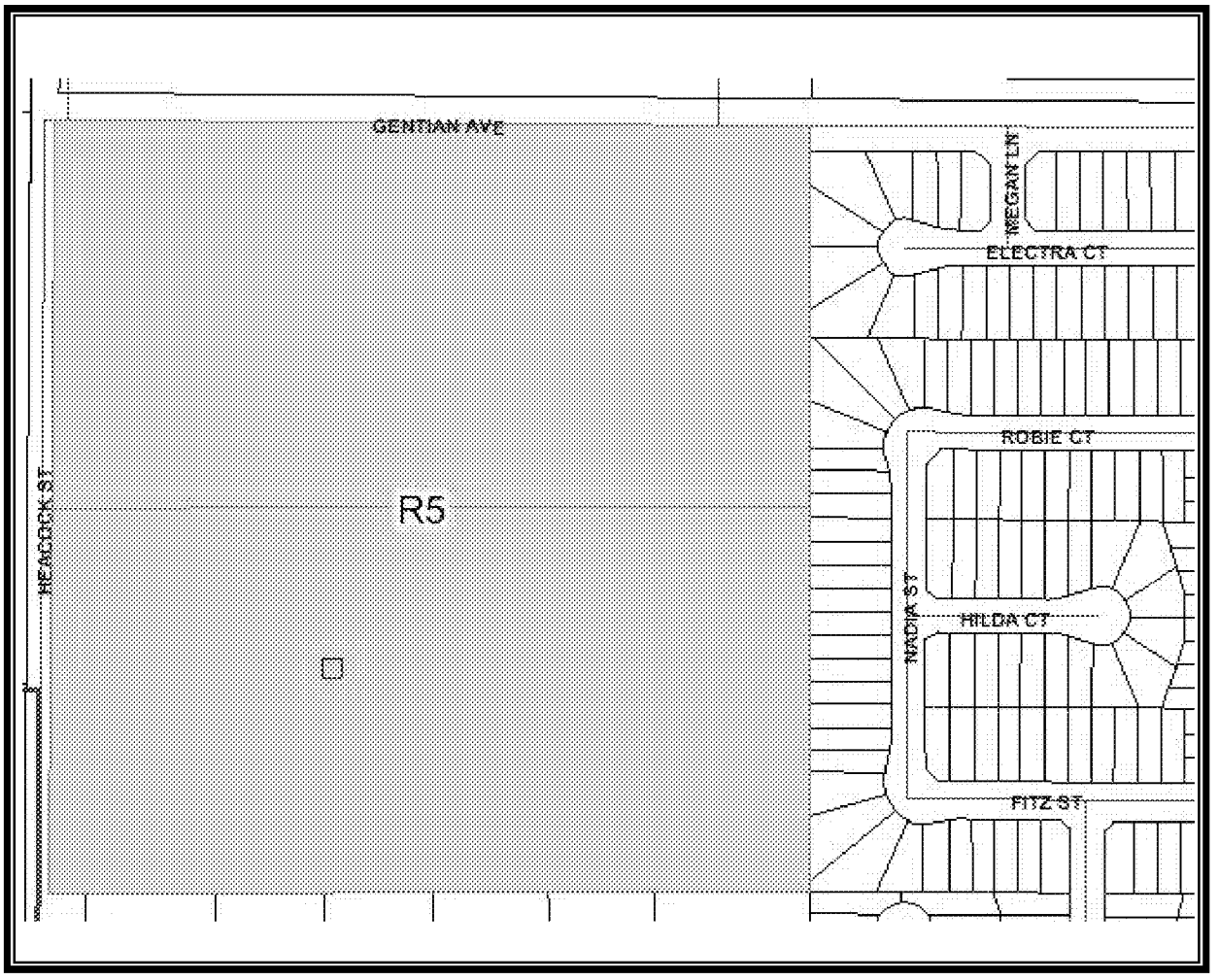

ADOPTED

EFFECTIVE_____

N

LEGEND
R5

R5

EXHIBIT A

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MV00068777

RESOLUTION NO. 2010-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34748 (PA06-0183) AND VARIANCE (P09-102). THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE (ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026).

Section 1:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

ATTACHMENT 4

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0183:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. That the proposed land division is consistent with applicable general and specific plans;

   FACT: This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   With approval of the General Plan Amendment, the proposed project is consistent with the General Plan designation of Residential 5 (R5). With approval of the Change of Zone, the project is consistent with the Residential 5 (R5) zoning district.

2. That the site of the proposed land division is physically suitable for the type of development;

   FACT: The project site current land use designation is Business Park (BP). This project proposes to change the General Plan and zoning designation from Business Park (BP) to Residential 5 (R5). The project is located is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land

uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

3. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

FACT: The proposed Tentative Tract Map 34748 will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. As conditioned, the proposed land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the parcels. There are no known hazardous conditions associated with the property, the design of the land division or type of improvements.

5. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

FACT: There are no existing easements on the subject site acquired by the public for access through or use of the property.

6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and

FACT: The size, configuration and orientation of the lots in this land division allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 2:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO P09-102:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

   FACT: The parcels does meets the minimum square footage requirement of the Residential 5 (R5) and are consistent with the General Plan, its goals, objectives, policies and programs.

   Approval of the variance is required in order to approve the proposed Tentative Tract Map. The variance request covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and located on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges.

2. There exist exceptional circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply generally to other properties in the vicinity and under the same zoning classification.

   FACT: The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10% and would not grant the applicant any special privileges.

3. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other owners in the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

4. Approval of this Variance does not constitute the granting of a special privilege inconsistent with the limitations on other properties within the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

5. Approval of the variance is not detrimental to the public health, safety or welfare and is not materially injurious to properties or improvements in the vicinity.

FACT: The proposed project (four applications) will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

6. The granting of a variance is consistent with the objectives and policies of the general plan and the intent of the title.

   FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and Uniform Building Code. The variance complies with all other provisions of the General Plan and applicable development standards outlined in the Municipal Code.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0183 and P09-102; subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00068785

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
PA06-0185 -TENTATIVE TRACT MAP 34748
AND P09-102 - VARIANCE
A.P.N.: 485-230-025 and 485-230-026

Approval Date: **July 13, 2010**
Expiration Date: **July 13, 2013**

The following conditions are attached for the following departments:

X Planning (P), including School District (S), Post Office (PO), Building (B)
X Police (PD)
X Fire Prevention Bureau (F)
X Public Works, Land Development (LD)
X Public Works, Special Districts (SD)
X Public Works – Transportation (TE)
X Moreno Valley Utilities

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. (BP) Enhanced architectural treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.

P8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

PRIOR TO GRADING

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P11. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with pilasters and a cap along the western side of Lot 49 and the southern property line of the water quality basin and extended detention basin. A six (6) foot high solid decorative tubular steel fencing with pilasters and a cap along all street frontages of the water quality basin and extended detention basin.**

P15. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

A. A solid decorative block wall with pilasters and a cap is required along the perimeter of the tract adjacent to any right of way or reverse frontage location and along any right of way within the interior of the tract (all corner lots).

P17. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO RECORDATION OF FINAL MAP

P18. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

PRIOR TO BUILDING PERMIT

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P20. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

P21. **(BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO CERTIFICATE OF OCCUPANCY

P22. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

P23. **(CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)**

P24. **(CO) For a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity.**

VARIANCE

P25. **(P09-102) Lot Numbers 37, 38, 39 and 40 have been approved to have retaining walls higher than the maximum three feet height allowed when on a property line. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.**

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B-2 Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B-3 All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B-4 (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be _1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 508.3 MVMC 8.36.050 and 8.36.100 Section E).

F3. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F18. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F19. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F20. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F21. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F22. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F23. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F24. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F25. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F26. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F27. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F28. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F29. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA06-0183 / TTM 34748 –135 Single Family Residential Homes
APNs 485-230-025 and 485-230-026

Note: **All Special Conditions are in** Bold **lettering and follow the standard conditions.**

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD10. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association. The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD13. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD14. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD15. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD16. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD17. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD18. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public

notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal.

LD22. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD23. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD24. (GPA) Prior to the approval of a grading plan, the developer shall comply with the rules and regulations of FEMA and City Ordinance 8.12.190 for development within a flood hazard area (defined as Zones A, AE, AH, A0 and A99).

a. For developments required to submit a CLOMR/LOMR, the City requires the following prepared by a licensed civil engineer or land surveyor:

   i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
   ii. Prior to issuance of a grading permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City.
   iii. Prior to issuance of individual building permits, an elevation certificate.
   iv. Prior to issuance of first building permit, submittal of Letter of Map Revision (LOMR) package with appropriate fees to FEMA unless otherwise approved by the City Engineer.
   v. Prior to issuance of individual certificate of occupancy, a final elevation certificate. Developer acknowledges and agrees to disclose that owners of lots in the flood plain may need to pay flood insurance until such time LOMR is approved.

vi. Prior to ninety percent reduction of public improvement securities, a LOMR approved by FEMA shall be submitted to the City.

b. For developments less required to submit a CLOMR-F/LOMR-F, the City requires the following prepared by a licensed civil engineer or land surveyor:

i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
ii. A CLOMR-F (residential structures) unless otherwise approved by the City Engineer.
iii. Determination of BFE. Machinery and equipment servicing the structures shall be designed to be located above the BFE. For habitable structures, the lowest floor must be certified to be a minimum of one foot above the BFE; non-residential structures must be additionally dry floodproofed; for qualified non-habitable structures, the lowest floor must be wet floodproofed to one foot minimum above BFE.
iv. Prior to issuance of individual building permits, an elevation certificate shall be approved by the City.
v. Prior to issuance of first building permit for residential structures, submittal of LOMR-F package with appropriate fees to FEMA, unless otherwise approved by the City Engineer.
vi. Prior to issuance of individual certificate of occupancy, a final elevation/floodproof certificate (dependent on type of structure(s)).
vii. Prior to ninety percent reduction of public improvement securities, a LOMR-F approved by FEMA shall be submitted to the City.

LD25. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD26. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD27. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD28. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD29. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD30. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD31. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD32. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.

LD33. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD34. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD35. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD36. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD37. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD38. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD39. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD40. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD41. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD42. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD43. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD44. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD45. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD46. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD47. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD48. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD49. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD50. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD51. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved

means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD52. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD53. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD54. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD55. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD56. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD57. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD58. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.

d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD60. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD61. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD62. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD63. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD64. (CO) Prior to issuance of a certificate of occupancy or building final for residential projects, the last 20% or last 5 units (whichever is greater, unless as otherwise determined by the City Engineer) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD65. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD66. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.

g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

Prior to Acceptance of Streets into the City Maintained Road System

LD67. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD68. Prior to final map approval, the map shall show the following:

a. A 69.5-foot street right-of-way dedication on the east side of Heacock Street along this project's west frontage to ensure a (construction) centerline to east right-of-way distance of 50 feet for a Modified Arterial, City Standard 104A.

b. A 44-foot street right-of-way dedication on the south side of Gentian Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 44 feet for a Minor Arterial, City Standard 105A.

c. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 66 feet for a Collector, City Standard 107, for Streets "A", "M" and "N", as shown on the Tentative Map.

d. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 60 feet for a General Local Street, City Standard 108A, for Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", as shown on the Tentative Map.

e. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 56 feet for a Short Local Street, City Standard 108B, for Streets "I" and "J", as shown on the Tentative Map.

f. The appropriate street right-of-way dedication for a cul-de-sac at the terminus of Street "I" and Street "J", per City Standard Plan 123.

g. The appropriate street right-of-way dedication for a knuckle at each knuckle location as shown on the Tentative Map, per City Standard Plan 122.

h. Corner cutback right-of-way dedications per City Standard 208.

i. Landscape easements along the Heacock Street and Gentian Avenue frontage, 10 feet and 6 feet in width, respectively, or as directed by the City's Planning and Special Districts Divisions.

LD69. Prior to final map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Heacock Street, Modified Arterial, City Standard 104A Modified (89.5-foot RW / 76-foot CC) shall be constructed to full width, along the entire project's west frontage. A 69.5-foot right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (east side only), drainage structures, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps, curb returns, metal beam guard rail behind the west curb as directed by the City's Transportation Division, relocation and/or adjustment of existing utility appurtenances, and dry and wet utilities. All Heacock Street improvements shall be consistent with the Heacock Street design per the City's Capital Improvement Project (CIP) for the Heacock Street Widening Project.

b. Gentian Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet north of the centerline, along the entire project's north frontage. A 44-foot right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps,

curb returns, relocation and/or adjustment of existing utility appurtances, and dry and wet utilities.

c. Streets "A", "M" and "N", Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

d. Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", General Local Street, City Standard 108A (60-foot RW / 40-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

e. Streets "I" and "J", Short Local Street, City Standard 108B (56-foot RW / 36-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements during design plan check. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

g. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. The developer shall install storm drain improvements per the Tentative Map, these conditions of approval, and

as approved by the City Engineer. Any required trenching shall be repaired per City Standard 602.

LD70. Prior to final map approval, Lots A and B shall be designated as a water quality basin and an extended detention basin, respectively, and retained by the developer. All basins shall be maintained by a homeowner's association.

LD71. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction, including easements. Drainage improvements may include, but not be limited to, an in-tract storm drain system including a detention basin and a downstream offsite storm drain connection conveying the tract's exiting runoff within Heacock Street south to existing Line B-18 at Revere Place. Final sizing and design details shall be approved during design plan check.

LD72. Prior to rough grading plan approval, the plans and the submitted drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies. The extended detention basin shown as Lot "B" of the Tentative Map, is an acceptable solution to mitigating the project's post-developed increased runoff, as long as the final drainage study demonstrates that the post development runoff does not exceed pre-developed runoff for any storm even. The adjacent existing Heacock Channel, Sunnymead ADP Line B, is already currently overcapacity which floods the surrounding streets and properties during large storm events. In no way shall this project's development contribute further to the existing problem.

LD73. Prior to rough grading plan approval, the grading plans shall clearly demonstrate, with detail, the proper function and design of the water quality basin (shown as Lot A on the tentative tract map). The design of the basin shall conform to City guidelines as found on the City's website. The water quality basin design, including inlet/outlet/overflow/maintenance access locations, shall be designed per the approval of the City engineer. (http://www.moreno-valley.ca.us/city_hall/forms.shtml#wqmp)

LD74. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins, both Lots "A" and "B", and an emergency escape at any sump catch basin location. This might include, but not be limited to, over-sizing the catch basin inlets, providing an approved emergency overflow path, or other method as approved by the City Engineer during the design/plan check stage. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD75. Prior to rough grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100-year floodzone (Zone A). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application Form MT-1, as well as all City Ordinance 8.12.190 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan approval. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for CLOMR-F / LOMR-F requirements. Website: http://www.fema.gov/ Ph: 1-877-336-2627 A copy of all items requested by FEMA shall also be submitted to the City as reference and for review, as required. The grading plans shall plot the flood limits after the proposed fill.

LD76. Prior to rough grading plan approval, the developer shall submit for review and approval a final soils report including site grading recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD75.

LD77. Prior to grading or improvement plan approval, as appropriate, the plans and final drainage study shall include detailed drainage improvement design, including sizing and location. Due to the possible shallow in-tract street grade(s) (See LD78), additional storm drain inlets shall be installed, as may be required by the City Engineer. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD78. Prior to improvement plan approval, the plans shall show the streets designed per City design standards and these conditions of approval. Per the Tentative Map, the streets are shown at a longitudinal slope of less than 1.0%. 1.0% is the minimum street slope, per City standards. If, during design plan check, the design engineer demonstrates that 1.0% minimum is not achievable, and as approved by the City Engineer, a street slope of less than

1.0% may be approved. If slopes of less than 1.0% are approved, the design engineer shall attempt a slope as close to 1.0% as possible, but never less than 0.65%.

LD79. The site design proposed for this project is acceptable given the current proposed treatment devices. However, if the treatment BMP devices change in future F-WQMP submittals, a re-review of the site design acceptability will apply.

LD80. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD81. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD82. The Applicant has proposed to incorporate the use of a water quality basin system. Final design details of the systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD83. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD84. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748-135 lots)
APNs: 485-230-025 and -026
02.18.10 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA06-0183**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the **Special Districts Division of the Public Works Department at 951.413.3480**. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone D**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone D**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space

maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-4 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-5 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Recordation of Final Map

SD-6 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the following options shall be selected:

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

SD-7 (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent

to record final map 90 days prior to City Council action authorizing recordation of the map. (California Government Code)

SD-8 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges and maintenance for residential street lighting. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone B** (Residential Street Lighting), and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the residential streetlights; or
c. Establish an endowment to cover future maintenance costs for the residential streetlights.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-9 (R) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Moreno Valley Community Services District extensive parkway/median landscape program maintenance for **Zone D**, and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-10 *Residential* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and

enhancements, remediation and/or replacement, the developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-11 (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-12 (R) Easements for reverse frontage parkway and slope landscape areas abutting **Heacock St.** shall be **10ft** or to top of parkway facing slope, whichever is greater and **Gentian Ave.** shall be **6ft** or to top of parkway facing slope, whichever is greater, as depicted on TTM dated **January 2010**. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD-13 (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

<u>Prior to Building Permit Issuance</u>

SD-14 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD-15 (BP) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Building Permit for the **101st dwelling** unit for this tract.

Prior to Certificate of Occupancy

SD-16 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-17 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map. Please forward to:

City of Moreno Valley
Special Districts
14325 Frederick Street, Suite 9
P.O. Box 88005
Moreno Valley, CA 92552-0805

SD-18 (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA06-0183/0184/0185

TTM 34748, Change of Zone, and GPA for 135 residential lots located on the southeast corner of Heacock Street and Gentian Avenue.

Note: All Special conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. Knuckles shall be designed and constructed per City Standard Plan No. 122.

TE4. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE5. Heacock Street is classified as a modified Arterial (100' RW/76' CC) per City Standard Plan No. 104A (modified as necessary). Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE6. Gentian Avenue is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Traffic Signal Interconnect shall be installed along Gentian Avenue per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE7. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE12 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. The driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 117.

TE9. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 and 126 at the time of preparation of final grading, landscape, and street improvements.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection at Heacock Street and Gentian Avenue to provide the following (including any Metal Beam Guard Railing per City Standard deemed necessary by the City Engineer):

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersection:

- **Heacock Street at Gentian Avenue**

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE14. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE15. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE16. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE12 per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748), PA06-0184 (CZ) and PA06-0185 (GPA)
APN: 485-230-025 and 485-230-026

PUBLIC WORKS DEPARTMENT

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for project(s) **PA06-0183, PA06-0184, PA06-0185, P09-102**; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from **Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department at 951.413.3487**. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the

approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PLANNING COMMISSION
STAFF REPORT

Case(s):	PA06-0185 (General Plan Amendment) PA06-0184 (Change of Zone) PA06-0183 (Tentative Tract Map No. 34748) P09-102 (Variance)
Date:	May 13, 2010
Applicant:	Rados Tenants in Common
Representative:	Albert A. Webb Associates
Location:	Southeast corner of Heacock Street and Gentian Avenue
Council District:	4
Recommendation:	Approval

SUMMARY

This item includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ATTACHMENT 5

Project Overview

This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4.

Background

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

General Plan Amendment

An application for a General Plan Amendment has been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

Zone Change

An application for a Zone Change has also been submitted in order to change the zoning designation from Business Park (BP) to Residential 5 (R5).

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family residential use. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

Site/Surrounding Area

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north. There is an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from

23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

Access/Parking

Primary access to the proposed tract will be from proposed Street "M" and "N" off of Heacock Street in the west and Street "A" off of Gentian Avenue in the north. Interior streets provide circulation throughout the tract.

Each lot, when developed, will be required to meet the parking standards for a single-family residence, which requires a minimum two (2) car garage to meet the off-street parking requirements of the Municipal Code. Additional permitted parking would be located within oversized garages, driveways and along public residential streets.

Design

The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Tentative Tract Map Number 34748, as proposed, will subdivide the 40 acres into 135 single-family residential lots. The lot sizes will range from 7,200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

There are two lettered lots within the project, located in the southwest corner of the proposed tract. Lot "A" is a required water quality detention basin (46,863 square feet). Lot "B" is an extended detention basin (26,539 square feet). A landscape easement, in addition to standard right-of-way, is required to provide enough room to screen the water quality detention basin along Heacock Street as well as proposed Street "K", "N" and "L".

This review and approval process only involves a tentative tract map application for the new subdivision. The future single-family homes for the tract will be reviewed under a separate administrative process. At that time, staff will ensure that the proposed residential units meet the City's design standards.

The walls and fences for this tract are conditioned to be consistent with the provisions for walls and fences within the City's Municipal Code. Decorative block walls are required in the street side yards of all corner lots. Wood fences are permitted for all interior side yards and rear yards not visible from the public right-of-way.

REVIEW PROCESS

The application for the project was submitted on December 21, 2006, and was initially reviewed by staff at the February 6th, 2007, Pre-Project Review Staff Committee (PRSC) meeting. Subsequently, staff has been working with the applicant's representative on a series of revisions to the plan.

ENVIRONMENTAL

The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site.

The majority of the property is covered by low-growing vegetation since the site has been previously disturbed in the past by various activities such as grading, weed abatement and development activities.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2010-9, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance) in that this project, as conditioned, will not result in significant environmental impacts; and

2. **RECOMMEND** that the City Council approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

Prepared by:	Approved by:
Claudia Manrique Associate Planner	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-9 with Conditions of Approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Land Use Map
6. Aerial Photograph
7. Tentative Tract Map 34748

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MV00068835

700 PUBLIC HEARING ITEMS

710

PA06-0185	**General Plan Amendment**
PA06-0184	**Change of Zone**
PA06-0183	**Tentative Tract Map No. 34748**
P09-102	**Variance**

CHAIR MARZOEKI – May I have the Staff Report please?

ASSOCIATE PLANNER MANRIQUE – Good evening I'm Claudia Manrique the Case Planner. The site of the proposed location of the project is the southeast corner of Heacock Street and Gentian Avenue.

For some quick background information; a larger scale project was presented to the Planning Commission by the same Applicant back in July of 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock, between Gentian down to Iris in the Business Park and Industrial Zoning Districts. The project was approved by the Planning Commission and later denied at Council. A settlement agreement was entered into by the Applicant and the City. The terms of the agreement allowed the Applicant to submit a revised version of the project. The Applicant submitted two separate projects; the single-family residential tract that is before you and a smaller industrial complex project PA07-0035 on the southern half which was approved earlier this year.

The General Plan Amendment has been submitted in order to change the land use designation from Business Park to Residential 5.

The Zone Change that has been submitted will do the same, from Business Park to Residential 5.

Tentative Tract Map No. 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan and Zone Change are required to allow this. Lot sizes of the tract will range from 7200 square foot to 12,576 square feet. The average lot size of the tract is around 8200 square feet. The density of this tract is 3.4 dwelling units per acre.

The Variance being proposed will cover the retaining walls on four lots; Lots Number 37, 38, 39 and 40, which have retaining walls over the three maximum allowed when located on the property line. The Variance is required to meet drainage provisions for the development due to elevation constraints at the connection point of an existing storm drain along Heacock Street.

The site is currently zoned Business Park and is located in an area located that includes a mix of industrial uses within the Moreno Valley Industrial Area Plan and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north and an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan.

The site is currently vacant and is in an area of the Riverside County Integrated Plan and has been identified for having a potential for Burrowing Owl Habitat. A Habitat Assessment was prepared in September of 2006. No owls were observed on site. The project has been conditioned to complete a pre-construction survey for owls prior to any disturbance of the site.

The Staff Report unfortunately had a minor error about the location of the flood plain. The current Federal Emergency Management Acts or FEMA indicates a small section of the site is in the flood plain along the western boundary. On the Tract Map it is the area highlighted in the darker gray. The project has been conditioned by Public Works to delineate the flood plain zones on the grading plans and to demonstrate on the plans that any building finished floor elevations shall be a one foot minimum above the 100 year flood plain and also meet other requirements of FEMA.

The Transportation Engineering Division staff have reviewed and approved the revised traffic impact analysis. It found that the Business Park Zone includes uses such as general light industrial, warehousing and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park to R5 would reduce the number of trips.

Based upon the Initial Study a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Public Notice was sent to all property owners within 300 feet of the project as well as posted on site and printed in the newspaper. As of today, I received two phone calls regarding the project. They both wanted to know what was going to be developed and if there was a builder already picked out for the tract, which to my knowledge there is not.
Staff recommends that the Planning Commission takes the following action:
Approve Resolution No. 2010-9 thereby recommending that the City Council adopt a Negative Declaration for PA06-0185, 0184 and 0183 and P09-102 in that this project as conditioned will not result in significant environmental impacts and recommend that City Council approves the project.

I would also like to note that there were two changes to the conditions from the Land Development Department. Thank you.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Good evening members of the Planning Commission and Chair Marzoeki. I'd like to make a further change to the green sheet, Condition of Approval LD69. The first reference to an 89 ½ foot right-of-way should remain at 89 ½. That is the number within the parenthesis. The 89 ½ basically designates the total right-of-way width for the street. It is in the third line where 89 ½ is referenced that should be changed to 69 ½. That statement is made with reference to the right-of-way dedication that the developer has to make. There is currently 20 feet of right-of-way on the west side of the street, so this developer only needs to dedicate 69 ½ feet. That's it; thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – The first one is just for basic information. We all know that Rados submitted this project as an industrial project several years ago and I'm just curious what prompted the change to residential. Is it the very fact that they got turned down?

PLANNING OFFICIAL TERELL – Well you can talk to the Applicant, but I don't know if it was because they got turned down but based on that process this looked like a more viable use at that time and actually I think based on the economics of the time when this was resubmitted, it looked more viable from that standpoint also; residential versus industrial use was financially feasible.

COMMISSIONER DE JONG – Well hopefully the Applicant will address that question. Also, how will the properties that bisect the flood plain be addressed; not the ones that are completed in the flood plain, but the ones that bisect them.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, Clement Jimenez from Land Development. The lots that are in the shaded gray area there are currently in flood zone. The developer is conditioned to submit to the City and also to FEMA a Clomar, based on fill and that's basically a conditional letter of map revision based on fill. What that will achieve is it will elevate the pad elevations and ultimately the finished floor elevations so that all of the pads in the shaded area will be located outside of the current flooding limits and this will have to be done prior to a grading permit. Now prior to issuance of a building permit or occupancy, the developer will have to submit a letter of map revisions based on fill and that's actually a letter from the Federal Emergency Management Agency stating that the Clomar (conditional letter of map revision) has been reviewed by them; has been approved by them and that the grading as-built plans reflect that the pads that are currently in the shaded area will be located outside of the flooding area because the pads will be elevated to a certain height.

COMMISSIONER DE JONG – So even some property that is half in and half out of that, it would still be forced to be raised?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Right, any portion of the property that is within the shaded area will have to be elevated.

COMMISSIONER DE JONG – Is the 100 year flood plain?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes it is

COMMISSIONER DE JONG – Thank you

CHAIR MARZOEKI – Are there any other questions of Staff? Seeing none, I will open up the Public Testimony Portion and call the Applicant forward. Please state your name and address for the record.

APPLICANT BROWN – Good evening, my name is Les Brown. My address is 2002 East McFadden, Suite 200, Santa Ana, California.

CHAIR MARZOEKI – Do you have something to say about the project?

APPLICANT BROWN – Very little actually. This is a fairly simple project... 135 residential lots, with the smallest being about 7200 square feet and the largest is about 12,500. It is the result quite literally, years of discussion with the City as to how to get through the various issues presented by this site for residential development. I think the summary by Staff more or less speaks for itself and if there are any questions from any of the Commissioners, I will be happy to try and address them.

CHAIR MARZOEKI – Okay, go ahead

COMMISSIONER GELLER – So you concur with all the Conditions of Approval including all the amendments as amended?

APPLICANT BROWN – Yes, we accept all the Conditions of Approval.

CHAIR MARZOEKI – And that's it, okay. Did you want ask about why the residential?

COMMISSIONER DE JONG – He sort of touched on that but okay. Can you clarify then sir why Rados chose to change the project from Industrial to Residential?

APPLICANT BROWN – After discussions with both citizens and both City Staff, it appeared that a residential development would be much more acceptable to both and frankly given the way the market is developing now, it appears now to be a fairly decent choice. I have great hopes for this project.

COMMISSIONER DE JONG – Okay, easy enough, thank you

CHAIR MARZOEKI – Are there any other questions for the Applicant? Okay I do have one Speaker Slip, so I can call you back up after that if we need to... Deanna Reader...

SPEAKER READER – My name is Deanna Reader and you'll notice that when I marked that, I didn't mark for or against, mainly because I had more questions than anything else and mainly my point is planning is important. You have all these residences and then you have a little street and then it is commercial, which is originally what he was going to do was put a building where a building was zoned to go, but my point is there shouldn't have been any houses west of Indian. You know that area there instead of being houses could have been Business Park and then he could have done the Industrial that would have made more sense and that's why planning is so important. I've read all the stuff and in fact I have read the entire case and the court over this, so I sympathize with Rados to a certain degree, the problem here is how do you fix stupid and I'm not saying on your part because you approved what was supposed to be there, however it was the before you. My point is on some of these things where we make variances that don't make sense, we shouldn't. Thank you.

CHAIR MARZOEKI – Thank you.

PLANNING OFFICIAL TERELL – As a point of clarification, all the surrounding development was actually approved under the County zoning that was in place when the City incorporated, so the early City Councils looked at creating employment in the City and that's why they zoned the areas further south for industrial and these areas actually were zoned Business Park by the County and the City carried those over because of the adjacency to the Air Base. Fortunately over the last 20 or so years the planes that fly or when the Air Force Reserve flying become quieter, that allowed this particular site to even be considered for residential because now the noise contours are even below the levels that... well they are below the levels which residential can occur.

CHAIR MARZOEKI – Okay, thank you for that clarification. Would you like to come back up and say anything else?

APPLICANT BROWN – No thank you

CHAIR MARZOEKI – Okay, well with that I don't have any more Speaker Slips so... Well bring it on up.... Terry Braem. Okay come on up.

SPEAKER BRAEM – My name is Terry Braem. I live at 15450 Tiffin Court just adjacent to that area that we are talking about in this project. To answer your question Mr. De Jong, you asked why this was changed from Light Industrial to Residential. I can tell you back in the day and I was very involved with the project that Rados wanted to do. All the residents were against that project. No one wanted a huge warehouse or Light Industrial in the first place. Everybody

lobbied to have it changed to a residential area because 50 percent of the area is residential and no one wanted any type of trucks moving in and out of that area. If you follow south of Iris down in that area, it is almost an area that is prime for Light Industrial use and I noticed on the planning between Iris and the other street that is still zoned for Light Industrial. I don't understand why that should be still industrial when the whole area should be residential. Now that is the first note when you asked to answer your question. The second one is a huge concern because I have lived in that area for over 20 years; that area floods bad. I don't know how... just these recent past storms, Heacock and Iris was completely closed off because there was so much water in that area, so I'm not sure how drainage would work. It would have to be very creative in draining that area. I've been in that area to the point where that whole field was a lake, so you would have to be very cautious when it rains in that area because it is very, very bad, so I would suggest that whole area that is going to be residential is going to have to be built up.

COMMISSIONER DE JONG – Thank you

SPEAKER BRAEM - Are there any questions?

CHAIR MARZOEKI – Thank you

COMMISSIONER DE JONG – I appreciate it

PLANNING OFFICIAL TERELL – Yeah just a point of clarification... The property to the south has an approved industrial project on it but it is a mixture. It has a row of small buildings under 50,000 square feet, kind of similar to the buildings across the street from the City Hall, so that's the buffer between the residential and the industrial and there is one relatively small by current standards, but large warehouse building that has been approved for the property that the Speaker was referencing, but there is a buffer. It doesn't go directly from Residential to Industrial; there is a row of multi-tenant buildings in between that provide an adequate transition to this project and to the existing residential to the east and then you get to the Industrial.

CHAIR MARZOEKI – Okay, thank you. We have one more Speaker Slip.

COMMISSIONER DE JONG – Can we have Clement comment on the drainage?

CHAIR MARZOEKI – Oh sure

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Hi, good evening again. With respect to the drainage/flooding problem at the intersection of Heacock and Iris, the City is aware that there is a flooding problem there; however the developer cannot be conditioned to fix an existing public flooding problem. They can be conditioned to not increase or add to the problem and

therefore the project has been conditioned to add a detention basin as you'll note on either Lot A or Lot B on the exhibit. One basin is for water quality and the other one is strictly for detaining the difference between pre-emptive post development flow, so the amount of the flow that runs out of the project site will be equal to or less the amount of flow that currently leaves the site and that is what we can condition the developer to do. Now I know that Riverside County Flood Control District is working with March JPA on a project and a study and I think it is still very preliminary in the planning stages to improve Heacock Channel which runs along to the west side of Heacock Street and only that improvement will ultimately solve the problem at the intersection of Heacock and Iris and it is a very big project and very expensive project, but it is something that is being planned for currently by other agencies.

COMMISSIONER DE JONG – So Clement in your opinion, the raised pads in the flood area and the retention basins is adequate enough to deal with this problem?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, the houses will not flood. The streets may flood a little bit especially on Heacock Street but depending on the elevations of the streets within the interior site of the tract, they probably will not flood and the engineer is here. He can speak to the flooding on the interior streets but the pads themselves will not flood because they will have to be elevated and FEMA will review the grading plan and the revised flood plain limits to ensure that no flooding will occur on the houses.

COMMISSIONER DE JONG – Is it FEMA's requirement to have one foot or 12 inches raised up?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It is both... It is actually a City Ordinance. Our City Municipal Code requires that residential units finished floor elevation to be raised one foot above the water surface elevation of a 100 year flood plain.

COMMISSIONER DE JONG – Where does this 12 inch come from? Is this just the City's standard or is it FEMA?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It's actually pretty common in other cities and it is a FEMA requirement as well. Other cities have that same one foot criterion.

COMMISSIONER DE JONG – Okay thank you

CHAIR MARZOEKI – Is that it?

COMMISSIONER DE JONG – That's it for now.

CHAIR MARZOEKI - I have one more Speaker Slip. I'm not sure if you are speaking on this item or not but Douglas Whitney. Okay, so this one is for Item 730. Okay, so I don't have any other Speaker Slips unless the Applicant wants to comes back up and address anything. No, okay, we will close the Public Testimony portion of this item and open it up to Commissioner Comments.

COMMISSIONER GELLER – I get the feeling I was the only one here during the original hearings. Were you here?

CHAIR MARZOEKI – No, I was here

COMMISSIONER GELLER – Like I say, I know this has dragged on for years and years and years and I'm glad they reached an accord with the City and I know the bottom line is though the City couldn't approve anything without going through the whole process. I certainly don't see anything wrong what is proposed to go here and clearly the surrounding residents seem to have less issue with this than they did with the other project. But so anyway, I think we should send it on its way so they can get started after all these years.

CHAIR MARZOEKI - Thank you

COMMISSIONER DE JONG – I agree one hundred percent. I'm glad to see this project is coming forward with an equitable solution to the site. I like the street layout. I like the big curved layout. We are not just talking about regular squares and rectangles, but a nice curved street I think is refreshing and I'm satisfied with how City Engineering is dealing with the flooding, so I will also vote to pass this along.

CHAIR MARZOEKI – Thank you. Any comments?

COMMISSIONER SALAS – I have no comments

CHAIR MARZOEKI – Okay

COMMISSIONER BAKER – I'm okay

CHAIR MARZOEKI – Okay. Does anybody want to make a motion?

COMMISSIONER DE JONG – I'll make a motion

CHAIR MARZOEKI – Okay

COMMISSIONER DE JONG – I move that the Planning Commission **APPROVE** Resolution No. 2010-9 and thereby:

1. **ADOPT** a Negative Declaration for PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance, in that this project as conditioned will not result in significant environmental impacts; and,
2. **APPROVE** PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance as modified.

COMMISSIONER GELLER – Second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor

Opposed – 0

Motion carries 5 – 0 – 2, with two absent (Vice Chair Riechers and Commissioner Dozier)

CHAIR MARZOEKI – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action.

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MV00068845

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map 34748) and P09-102 (Variance)
PROJECT APPLICANT: Rados Tenants in Common **TELEPHONE NUMBER:** (714) 835-4612
PROJECT LOCATION: Southeast corner of Heacock Street and Gentian Avenue
PROJECT DESCRIPTION: The project includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 7/13/2010

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____	BY: City Council

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map 34748)
P09-102 (Variance)

2. Lead Agency Name and Address: City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

3. Contact Person and Phone Number: Claudia Manrique, Associate Planner
(951) 413-3225

4. Project Location: Southeast corner of Heacock Street and Gentian Avenue

5. Project Sponsor's Name and Address: Rados Tenants in Common
2002 McFadden Avenue, Ste. #200
Santa Ana, CA 92705

6. General Plan Designation: Current: Business Park (BP)
Proposed: Residential 5 (R5)

7. Zoning: Current: Business Park (BP)
Proposed: Residential 5 (R5)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026). Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The site is undeveloped with no significant vegetation noted on the site. Approval of Tentative Tract Map 34748 is contingent upon City Council adoption of the change in land use from Business Park (BP) to Residential 5 (R5).

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

No blue line stream was noted on the Sunnymead, CA USGS Topographical Quadrangle Map, which pertains to this site. On-site drainage for this property appears to flow from northeast to southwest the across the surface of the site. A riparian area or a condensed vegetated area to support threatened or endangered species was not evident at the site. Therefore, it is not anticipated that the project will result in a potential for significant impacts to Fish and Wildlife resources.

Based on review of the Cultural Resources Inventory for the City of Moreno Valley, (October 1987), there are no known archaeological resources on the site. The tentative tract will also be conditioned to cease excavation or construction activities if archaeological, paleontological or historical resources are uncovered at the project site. Work in the affected area will cease immediately and the applicant shall consult with a qualified person with appropriate expertise regarding mitigation measures to preserve or record the find.

There are no historic buildings on the site. Therefore, based upon the design of the tentative tract map and the conditions of approval, there will be no impact to scenic resources by development of the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. To the southeast corner of the site is an existing R5 tract. Land uses to the south include vacant Industrial zoned land located within SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

An encroachment permit from the Riverside County Flood Control and Water Conservation District will be required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
The project site is not located in an area identified in the General Plan as an aesthetic resource or a significant visual resource. The project site is located at the northern limits of the Moreno Valley Industrial Area Plan (SP #208) in an area that is comprised of industrial land uses adjacent to residential land uses. The future residential structures will be designed and conditioned will assure a design standard that will not have a substantial adverse effect on the scenic vista of the area.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
There are no trees, rock outcroppings or historic buildings on the site. There are no state scenic highways in the vicinity of the site. The site has been disked over the years for weed abatement. As designed and conditioned, the project will not substantially damage scenic resources.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The project is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. This project is consistent with existing land uses and as designed (with General Plan Amendment and Change of Zone) will not substantially degrade the existing visual character or quality of the site and its surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
As the site is currently vacant, the proposed residential project may create additional light and glare. With regard to indirect impacts, the types of land uses allowed under the General Plan Amendment and zoning would be expected to generate similar or less of an impact on spillover lighting than the office uses under the current General Plan.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on the State Important Farmland Map.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There is no immediate surrounding agricultural land use designation, or any proposed according to the General Plan. The proposed warehouse facility will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed residential project will have less impact on air quality than the original land use designation of Business Park (BP) that has been in place for the last several iterations of the regional population projections and the AQMP.				

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a residential project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, southwest and east of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any residential development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of two individual parcels totaling 40 acres at the SEC corner of Heacock Street and Gentian Avenue. The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There is no stream on the site and no riparian habitat or other sensitive natural community on the site. The project site is located across the street from Line B, which is an open channel located on the west side of Heacock Street. The project also fronts along Line B-19, which is located within Iris Avenue. Improvements related to the project that would impact Line B-19, are limited to a point of connection into the existing underground storm line. Prior to completing such work, the developer is conditioned to work with the Riverside County Flood Control District to acquire any required permits. Therefore, this project will have a less than significant impact on riparian habitat or other sensitive natural communities.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The site is vacant and has been disturbed through routine disking for weed abatement. There are no federally protected wetland areas such as a marsh or vernal pool evident at the site. In addition, a riparian area and condensed vegetation to support threatened or endangered species was not evident at the site. Therefore, the development of this project will not have a substantial adverse effect on federally protected wetlands.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
This site is an urbanized area with existing development to the north, east and west (March Air Reserves Base). Burrowing owl, which was initially identified by Riverside County as having the potential of occurring on the site was not observed during site surveys, so it is unlikely that the proposed project will directly impact sensitive species. There are no known migratory fish or wildlife species or migratory wildlife corridors, on or near the project site.				

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
The proposed residential project would not have a direct impact on creating geologic concerns. The proposed plan does not increase the exposure of residences that might be exposed to groundshaking, since residences are not proposed as part of the plan. In addition, the site is not within an Alquist-Priolo zone, or other designated fault hazard zone. According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
The nearest fault is the San Jacinto fault system, which is located about 16 miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current development codes.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	
This site is not near or adjacent to the mountainside areas. The site is flat, and landslides will not be an issue. There is no potentially significant impact from landslides.				

(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
The geologic unit or soil is not known to be unstable based on current resources. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in December 2006 and the environmental review started in November 2009 before the greenhouse gas emissions section was added to the Initial Study Checklist, therefore the City has chosen to rely on a qualitative analysis. Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue. A Traffic Impact Analysis Final Review was completed for the project in October 2007. The report noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	

The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The project site is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is not within an airport land use plan. The project as designed and conditioned will not result in a safety hazard for people living in the project area.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed residential tract has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Site Design and Source Control best management practices (BMP) are used throughout the project. Treatment BMPs must be selected and implemented which are medium to highly effective in treating pollutants of concern. The applicant has proposed to incorporate the use of multiple filtration systems as the treatment BMP. The treatment control BMP is acceptable as the conceptual treatment subject to certain conditions including in-situ percolation/infiltration test results. Although this approach is acceptable in concept with the Preliminary WQMP, final sizing and specifications based on support calculations and design details will be provided in the Final WQMP at the post entitlement stage. Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
The Eastern Municipal Water District (EMWD) would provide the proposed project with water supplies as opposed to utilizing individual water wells. Water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (along the western boundary). The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that the site is in a flood zone. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

The site is within a 100-year flood plain as shown on the FEMA maps, but it is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. As designed and conditioned, this project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue. Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
There are no conflicts associated with any land use plans. The proposed project is consistent with the site's proposed zoning of Residential 5 (R5) and the City's General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The fee is currently $1938.00 per lot.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located across the street from the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered an industrial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site.				

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site. The project will not displace any residents.				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic study was required to review the proposed General Plan amendment and change of zone. The report completed in October 2007 noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. With the approval of the General Plan amendment and change of zone, the project will consistent with the existing general plan, circulation plan and land use designation of Residential 5 (R5) and the zoning district of R5, and would not conflict with any applicable plans, ordinances or policies.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

The project is consistent with the most current Riverside County Congestion Management Plan and the requirements included within the traffic study. The October 2007 traffic study found that the existing Business Park (BP) zoning would generate more trips than the proposed residential use.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that will result in substantial safety risks?			X	
The project is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and a tract map. The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

Aerial Photograph

PA06-0183, 0184, 0185 and P09-102

ty of Moreno Valley
-177 Frederick Street
oreno Valley, CA 92553

CLAIMER: The information shown on this map was compiled from the Riverside unty GIS and the City of Moreno Valley GIS. The land base and facility information on this o is for display purposes only and should not be relied upon without independent verification 'o its accuracy. Riverside County and City of Moreno Valley will not be held responsible any claims, losses, or damages resulting from the use of this map.

N

0 150 300 600ft

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Printed: 4/22/2010 2:01:21 PM

MORENO VALLEY

ATTACHMENT 8

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MV00068863

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

TENTATIVE TRACT MAP NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

JANUARY 2010

OWNER/DEVELOPER:
THE RADOS COMPANIES
2002 E. MCFADDEN AVE.
SANTA ANA, CA 92705
PHONE (714) 835-4612

ENGINEER/REP.:
ALBERT A. WEBB ASSOCIATES
3788 MCCRAY STREET
RIVERSIDE, CA 92506
(951) 686-1070

STREET GRADE NOTE:
A PROPOSED LONGITUDINAL STREET SLOPE OF LESS THAN 1.0% MAY BE APPROVED ONLY WHEN ENGINEERING DESIGN SHOWS THAT LOCAL DRAINAGE PROVISIONS ARE ADEQUATE AND STEEPER GRADIENTS CANNOT BE OBTAINED, AS SUPPORTED BY A SUBMITTED ENGINEERED DESIGN AND APPROVED BY THE CITY ENGINEER. UNDER NO CIRCUMSTANCES SHALL THE STREET SLOPE BE FLATTER THAN 0.65%.

ASSESSOR'S PARCEL NO:
486-230-025, 026

ACREAGE:
GROSS: 40.27 ACRES
NET: 26.71 ACRES

ZONING DATA:
EXISTING GENERAL PLAN: B-P
EXISTING ZONE: BP (BUSINESS PARK)
PROPOSED GENERAL PLAN: R-5
PROPOSED ZONE: R-5 (7,200 SQ. FT. MINIMUM)

LAND USE:
EXISTING: VACANT (UNDEVELOPED)
PROPOSED: SINGLE FAMILY RESIDENTIAL
EXISTING SURROUNDING LAND USE: SINGLE FAMILY RESIDENTIAL/VACANT
PROPOSED MINIMUM LOT SIZES: 7,200 SQ. FT.

LEGAL DESCRIPTION:
LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

COMMUNITY SERVIES DIRSTRICT:
NOT WITHIN A COMMUNITY SERVICES DISTRICT

SCHOOL:
MORENO VALLEY UNIFIED SCHOOL DISTRICT
25634 ALESSANDRO BOULEVARD
MORENO VALLEY, CA 92553
PH (909) 485-5600

UTILITIES:

WATER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE:
VERIZON
(800) 483-4000

ELECTRIC:
MORENO VALLEY ELECTRIC UTILITY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3500

TV:
TIME WARNER
12125 DAY STREET #A 203
MORENO VALLEY, CA 92557
(951) 275-9022

GAS:
SOUTHERN CALIFORNIA GAS
1981 W. LUGONIA AVE
REDLANDS, CA 92374
(800) 427-2200

TRASH:
WASTE MANAGEMENT INLAND EMPIRE
800 SOUTH TEMESCAL
CORONA, CA 92879
(800) 423-9986

STORM DRAIN:
R.C.F.C.D. (AND CITY)
1995 MARKET STREET
RIVERSIDE, CA 92501
(951) 955-1200

SEWER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TOPOGRAPHY SOURCE:
RIVERSIDE COUNTY FLOOD CONTROL

GENERAL NOTES:
1. TOTAL NUMBER OF RESIDENTIAL LOTS: 135 AND 2 LETTERED LOTS
2. PROJECT DENSITY: 3.3 GROSS DU/AC 5.0 NET DU/AC.
3. THIS PROJECT IS NOT SUBJECT TO LIQUEFACTION.
4. APPLICANT REQUESTS THE RIGHT TO FILE MULTIPLE MAPS UNDER SECTION 66456-1 OF THE MAP ACT.
5. ALL SLOPES ARE 2:1 EXCEPT WHERE NOTED ON PLANS
6. THERE ARE NO KNOWN EXISTING WELLS ON THE PROPOERTY OR WITHIN 200' OF THE PROJECT.
7. THERE ARE NO KNOWN EXISTING DWELLINGS, BUILDINGS OR OTHER STRUCTURES ON THE PROPERTY.
8. FEMA FLOOD ZONE DESIGNATION - ZONE A. ALL LOTS SHALL BE LOCATED OUTSIDE OF FLOOD PLAIN.
9. CORNER CUTBACKS SHALL BE DESIGNED PER CITY STANDARD NO 208
10. KNUCKLES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO. 122
11. CUL-DE-SACS SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO 123/124

LEGEND

100 EXIST. CONTOUR	W 8" WATER LINE
PROPERTY LINE	W EXIST. WATER LINE
2% STREET GRADE	S 8" SEWERLINE
STREET CENTERLINE	S EXIST. SEWER LINE
PROP. R/W	DRAINAGE LINE
EXIST. R/W	EXIST. FLOOD LIMIT
TOP OF SLOPE	EXISTING FLOOD ZONE
TOE OF SLOPE	PROP FLOOD LIMIT
DECORATIVE BLOCK /RETAINING WALL	DECORATIVE BLOCK WALL

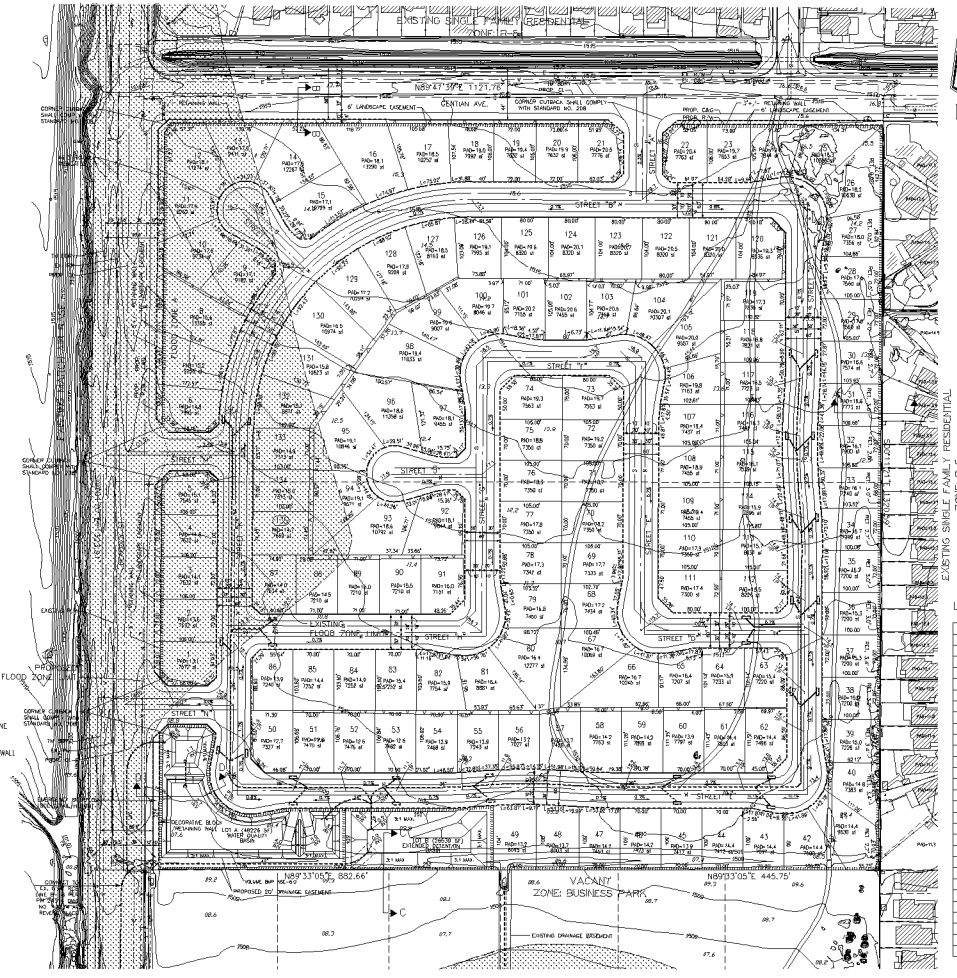

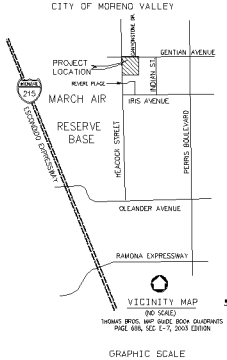

GRAPHIC SCALE 1" = 100'
0 100 200 300

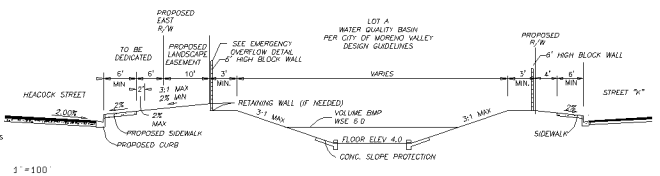

SECTION D
(NOT TO SCALE)

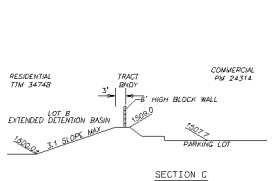

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(NOT TO SCALE)

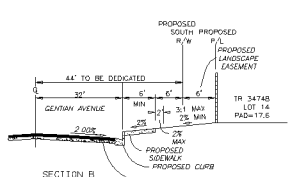

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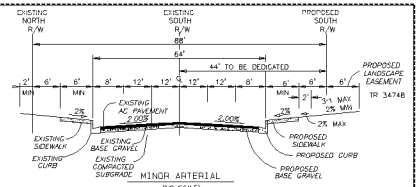

MINOR ARTERIAL
(NO SCALE)
STANDARD NO. 105A
(GENTIAN AVENUE)

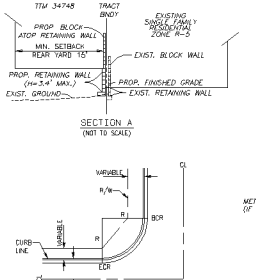

SECTION A
(NOT TO SCALE)

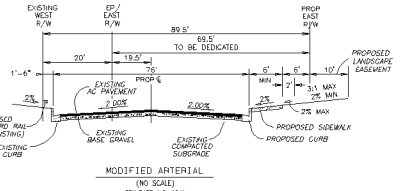

MODIFIED ARTERIAL
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STANDARD NO. 104A
(HEACOCK AVE)

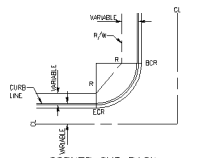

CORNER CUT-BACK
(NO SCALE)
SOUTHEAST CORNER OF HEACOCK ST. AND GENTIAN AVE.
STANDARD NO. 208

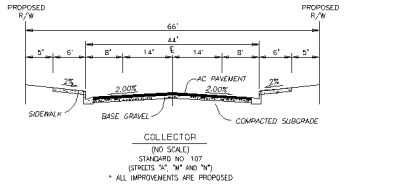

COLLECTOR
(NO SCALE)
STANDARD NO. 107
(STREETS "K", "M" AND "N")
* ALL IMPROVEMENTS ARE PROPOSED

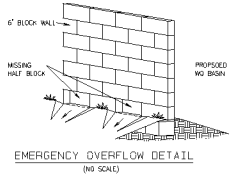

EMERGENCY OVERFLOW DETAIL
(NO SCALE)
SOUTHWEST CORNER OF TTM 34748
PARALLELL TO HEACOCK STREET

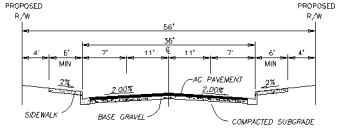

SHORT LOCAL STREET
(NO SCALE)
STANDARD NO. 108B
(STREETS "J" AND "J")
* ALL IMPROVEMENTS ARE PROPOSED

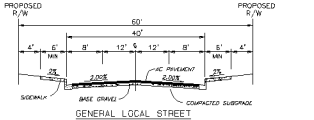

GENERAL LOCAL STREET
(NO SCALE)
STANDARD NO. 108A
(STREETS "B", "C", "D", "E", "F", "G", "H", "K" AND "L")
* ALL IMPROVEMENTS ARE PROPOSED

LOT SUMMARY TABLE

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
LOT 1	7572	LOT 30	7574	LOT 59	7899	LOT 88	7218	LOT 117	7723
LOT 2	7632	LOT 31	7773	LOT 60	7797	LOT 89	7218	LOT 118	7821
LOT 3	7632	LOT 32	7800	LOT 61	7805	LOT 90	7218	LOT 119	7835
LOT 4	7632	LOT 33	7240	LOT 62	7496	LOT 91	7151	LOT 120	8536
LOT 5	7545	LOT 34	7199	LOT 63	7220	LOT 92	9644	LOT 121	8320
LOT 6	7595	LOT 35	7200	LOT 64	7233	LOT 93	10792	LOT 122	8320
LOT 7	8256	LOT 36	7200	LOT 65	7207	LOT 94	9671	LOT 123	8320
LOT 8	13185	LOT 37	7200	LOT 66	10245	LOT 95	10846	LOT 124	8320
LOT 9	9182	LOT 38	7200	LOT 67	10069	LOT 96	11358	LOT 125	8320
LOT 10	8734	LOT 39	7226	LOT 68	7434	LOT 97	9455	LOT 126	7995
LOT 11	8262	LOT 40	7383	LOT 69	7333	LOT 98	11833	LOT 127	8163
LOT 12	11274	LOT 41	9630	LOT 70	7350	LOT 99	9007	LOT 128	9289
LOT 13	9411	LOT 42	7500	LOT 71	7350	LOT 100	8046	LOT 129	10294
LOT 14	12287	LOT 43	7097	LOT 72	7350	LOT 101	7158	LOT 130	10974
LOT 15	10799	LOT 44	7412	LOT 73	7583	LOT 102	7455	LOT 131	10623
LOT 16	13290	LOT 45	7417	LOT 74	7563	LOT 103	7468	LOT 132	8671
LOT 17	10252	LOT 46	7423	LOT 75	7350	LOT 104	10307	LOT 133	7313
LOT 18	7992	LOT 47	7453	LOT 76	7350	LOT 105	9557	LOT 134	7313
LOT 19	7632	LOT 48	8003	LOT 77	7350	LOT 106	7163	LOT 134	7313
LOT 20	7632	LOT 49	8093	LOT 78	7342	LOT 107	7437	LOT 135	7669
LOT 21	7776	LOT 50	7327	LOT 79	7450	LOT 108	7455	LOT A	48226
LOT 22	7763	LOT 51	7470	LOT 80	12277	LOT 109	7458	LOT B	28539
LOT 23	7653	LOT 52	7476	LOT 81	6881	LOT 110	7358		
LOT 24	7844	LOT 53	7482	LOT 82	7754	LOT 111	7300		
LOT 25	10355	LOT 54	7466	LOT 83	7252	LOT 112	8276		
LOT 26	10638	LOT 55	7243	LOT 84	7252	LOT 113	8631		
LOT 27	7356	LOT 56	7027	LOT 85	7252	LOT 114	7896		
LOT 28	7560	LOT 57	7426	LOT 86	7240	LOT 115	7539		
LOT 29	7560	LOT 58	7763	LOT 87	7534	LOT 116	7492		

REVISIONS	DATE	BY
REVISED PER CITY COMMENTS	06-12-06	STANTEC
REVISED PER CITY COMMENTS	02-06-07	STANTEC
REVISED PER CITY COMMENTS	08-06-07	STANTEC
REVISED STREET 'N' ENTERANCE GRADING FOR BASIN G 'C', 'E' & 'L' STREET	10-27-08	WEBB
REVISED PER CITY COMMENTS	11-25-08	WEBB
REVISED PER CITY COMMENTS	01-28-10	WEBB
REVISED PER CITY COMMENTS	03-02-10	WEBB
REVISED PER CITY COMMENTS	03-18-10	WEBB

PA06-0183

REGISTERED PROFESSIONAL ENGINEER JASON K. ABUSH NO. C71508 EXP. 12-31-11 CIVIL STATE OF CALIFORNIA

TENTATIVE MAP

TRACT NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

SCALE: 1" = 100'	ALBERT A. WEBB ASSOCIATES	CIVIL ENGINEERS 3788 MCCRAY ST. RIVERSIDE CA. 92506 (951) 686-1070	W.O. 09-0117
DATE: 3/2/10			SHEET 1
DESIGNED: SRK			OF 1 SHEETS
CHECKED: JKA			
RLN CK REF:	FILE: G:\2009\09-0117\DWG&PRO\Design\09-0117TM.pro		DWG. NO. 09-0117TM.PRO
F.B.:	PLOT DATE: 3/18/2010		

ATTACHMENT 9

-871-

Item No. E.2

MV00068864

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MV00068865

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency (RDA) of the City of Moreno Valley:

1) Conduct a public hearing for the review of the 2010-2015 Implementation Plan and
2) Approve the proposed 2010-2015 Implementation Plan.

BACKGROUND

Section 33490 (c) of the California Health and Safety Code mandates redevelopment agencies to adopt an Implementation Plan (Plan) that specifies planned and achieved goals and objectives for a five-year period, as well as discuss how each activity will address the blighted conditions in the Project Area as identified by the Redevelopment Plan. The Plan for the next five year period from 2010 though 2015 must now be considered for approval.

Prior to formal adoption of the Plan, the RDA is required to hold a public hearing to evaluate the progress in meeting the Plan's objectives and proposed activities. While the Plan is not intended to restrict the RDA's ability to embark on projects other than those specifically identified in the Plan, it provides a framework for undertaking redevelopment activities.

DISCUSSION

The Implementation Plan for the period July 1, 2010 to June 30, 2015 is intended to be a blueprint for the RDA's activities for the next five years. The document identifies projects and programs to be implemented, along with continuing agreements already in place that must be administered. As required by California Redevelopment law, an emphasis is placed on past and future RDA activities and expenditures related to the creation of affordable housing opportunities.

ALTERNATIVES

1. Conduct a public hearing and consider comments for the review and approval of the 2010-2015 Implementation Plan. **Staff recommends this alternative** *because it will satisfy State Redevelopment compliance requirements and help advance Redevelopment Agency efforts in Moreno Valley.*

2. Do not conduct a public hearing and do not approve the 2010-2015 Implementation Plan. **Staff does not recommend this alternative** *because it will result in noncompliance with State requirements and hinder Redevelopment Agency efforts in Moreno Valley.*

FISCAL IMPACT

The proposed Implementation Plan for the RDA provides for a specified program of activities during its five-year term. All specified projects and programs must be approved by separate annual budget action. The funds and expenditures discussed in the Plan strictly apply to the Redevelopment Agency budget and have no impact on the City's General Fund. The Redevelopment Agency's FY 09-10 Budget and accompanying 5-year projections are the basis for the financial assumptions identified in the proposed Implementation Plan.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION
Use of RDA funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY
Many of the proposed RDA projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT
A positive environment for the development of Moreno Valley's future will be created through a variety of community-based RDA programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
RDA programs will help to preserve, rehabilitate and improve existing neighborhoods.

NOTIFICATION

Notices of the public hearing were placed in the local paper and at four locations in the Redevelopment Project Area. The document was available for public review during regular business hours at the Economic Development Department.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – Implementation Plan for the Period July 2010-June 2015

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00068869

IMPLEMENTATION PLAN

For the period July 1, 2010 – June 30, 2015

Community Redevelopment Agency of the City of Moreno Valley

Adopted: July 13, 2010

Attachment A

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I. INTRODUCTION

In 1993, the State Legislature amended Redevelopment Law ("Law") to require all redevelopment agencies to prepare and adopt five year Implementation Plans (Section 33490 of the Health & Safety Code). Moreno Valley's Redevelopment Agency (RDA) must adopt an updated Implementation Plan (Plan) prior to June 30, 2010 after a public hearing has been held. The Plan outlines the RDA's debt service, economic development, affordable housing, and capital projects and programs for the FY 2010/11 through FY 2014/15 planning period. The five-year term of the updated Plan for the Moreno Valley Redevelopment Project Area begins on July 1, 2010, and ends on June 30, 2015.

The updated Plan reviews the goals, objectives, and general RDA activities that were approved when the Redevelopment Project Area (Project Area) was adopted in 1987. Previously adopted agreements, which may obligate a portion of the RDA's revenues during the five-year term of the Plan, are described in later sections of the document. The Plan outlines programs and projects proposed for the next five years, as well as describes how they are intended to address existing blighted conditions in the Project Area.

The amount of the housing set-aside, the allocation of resources to construct or substantially rehabilitate moderate, low and very low income housing units, and the inclusionary housing percentages (Sections 33334.2, 33334.4, 33334.6 and 33413) are also addressed by the Plan. These requirements form the basis for an annual housing program for the Plan.

The RDA shall conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing the Redevelopment Plan and Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012, and June 30, 2013.

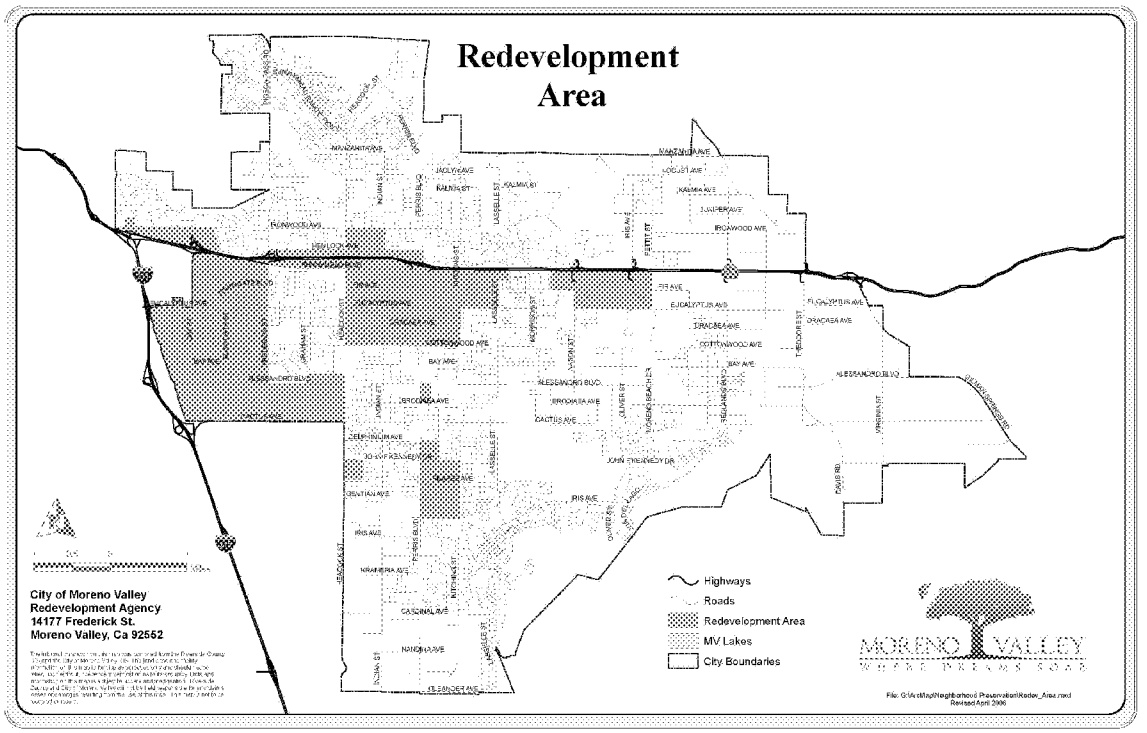

II. LEGAL REQUIREMENTS

The Community Redevelopment Agency of the City of Moreno Valley (RDA) issued the first Implementation Plan in 1999. This Plan is the RDA's third and covers the planning period of FY 2010/11 to FY 2014/15. The RDA is required to conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing its Redevelopment Plan, Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012 and June 30, 2013.

Notice of the public hearing on the Plan must be published pursuant to Section 6063 of the Government Code and also posted in at least four permanent places within the project area for a period of three weeks. Publication and posting must be completed not less than 10 days prior to the date set for hearing.

Notices of the public hearing regarding the adoption of this Plan have been posted at the following locations in the project area:

- Senior Community Center, 25075 Fir Avenue
- Moreno Valley Conference and Recreation Center, 14075 Frederick Street
- City Corporate Yard, 15670 Perris Boulevard
- City Hall, 14177 Frederick Street

(a) Assembly Bill 1290 Requirements

Assembly Bill 1290 (AB 1290) added Section 33490 to the Health and Safety Code. This section requires agencies to produce Plans every five years, beginning in 1994. Section 33490 has been amended numerous times since its original adoption. In accordance with this section, the Plan must contain the following, if applicable to the RDA:

<u>Redevelopment Requirements</u>

- Specific goals and objectives for each project area.
- Specific programs, including potential projects for each project area
- Explanation of how the goals and objectives, programs, and expenditures will eliminate blight within the project area.

<u>Housing Requirements</u>

An explanation of how the goals, objectives, and programs will achieve the required housing production as well as a description the Low and Moderate Housing Set-Aside Fund (Housing Funds) expenditures. This description must include a detailed annual Plan for each of the five years covered so that performance may be measured. Additionally, the following must be included:

- The amount of money available in the Housing Fund, the amount of money expected to be deposited during the next five years and how those annual deposits to the Housing Fund will be spent.
- The estimated number of units to be provided over the next five to ten years to meet the RDA's 15 percent inclusionary housing requirements, if applicable.
- The number of qualifying very low, low, and moderate-income units that have been produced in the project area, and the number of additional units that will be required to meet the inclusionary housing requirements.
- The number of units that will be developed by the RDA, if any, including the number of units that the RDA will make available for very low, low and moderate-income households.
- If a planned public improvement or development project will result in destruction of existing affordable housing, an identification of proposed locations for their replacement will be required (Health and Safety Code Section 334313)
- The affordable housing production plan (Health and Safety Code Section 33413(b)(4).

(b) Assembly Bill 637 Requirements

Assembly Bill 637 ("AB 637") created additional housing requirements on redevelopment agencies. It eliminated the sunset for most of the provisions in AB 1290 which had been in effect since January 1, 1994. AB 1290 contained a number of modifications to the inclusionary housing production requirements contained in Section 33413(b) of the Health and Safety Code. The issues addressed by AB 637 include:

- Targeting Housing Funds to the different income and age groups.
- Replacing 100 percent of removed or destroyed affordable units instead of 75 percent
- Maintaining a list of those persons displaced, who are to be given priority in the replacement housing plan.
- Regulating how and where Housing Funds may be used for onsite or offsite improvements.
- Increasing covenants from 10 to 45 years in the case of owner occupied units, and from 15 to 55 years in the case of rental housing.

The RDA is required to spend the Housing Fund in at least the proportion of the total housing need for the income groups as determined for the City pursuant to Section 65584 of the government Code (Regional Housing Needs Assessment). In addition, the RDA shall expend, over the duration of each Redevelopment Plan period, the Housing Fund to assist housing the low income population under 65 years of age in relation to the total low income population of the community as reported by the United States Census Bureau.

In accordance with Section 33490(a)(2)(A)(iii) of the Law, the first time period to implement the requirements for targeting of Housing Funds is on or before December 31, 2014, and each ten years thereafter.

(c) Senate Bill 701 Requirements

Senate Bill 701 clarifies how AB 637 is to be implemented. The RDA will have until 2014 to comply with the legal requirements outline in AB 637.

(d) Labor Code Section 1720, Prevailing Wages

The California Legislature amended Labor Code Section 1720 et seq. to require payment of prevailing wages for private improvements that are financially assisted by the RDA or the City whether for commercial, industrial, office, or housing uses. There is a very limited exception that applies to the construction or rehabilitation affordable housing assisted by redevelopment agencies using housing set-aside funds as the only source of public funding for the development. In order to qualify for the exception, there can be no other federal or state assistance or mortgage credit certificates or state or federal low income housing credits.

III. GENERAL BACKGROUND AND RDA HISTORY

The City of Moreno Valley spans 50 square miles and is located in the western portion of Riverside County. Moreno Valley is easily accessible by Highway 60 (the Moreno Valley Freeway) and Interstate 215. Surrounded by the cities of Riverside and Perris, scenic Lake Perris and March Air Reserve Base, Moreno Valley is the second largest city in Riverside County. The City lies in the heart of Southern California's Inland Empire, the two county area comprised of Riverside and San Bernardino counties.

The Moreno Valley RDA provides assistance to projects and activities within the 4,676-acre project area. RDA funding of eligible projects comes from area-wide property tax increment and Tax Allocation Bonds ("TABs"). The RDA uses these revenues to fund economic development activities, installation of general infrastructure to improve the project area, and in the preservation and expansion of affordable housing in the community.

The following table outlines, as required by Section 33490(a)(5) of the Law, the Project Area's main benchmarks and time limits.

Moreno Valley Redevelopment Project Area General Information and Time Limits	
Tax Increment Limit	$ 821.2 million
RDA Establishment Date	December 10, 1985
Plan Adoption Date	December 29, 1987
Deadline to Establish Indebtedness	December 29, 2007
Acreage	4,676 or 14.6% of the City
Land Use	Residential, Commercial & Industrial
Deadline to Receive Tax Increment / Pay Indebtedness	December 29, 2038

IV. RDA GOALS AND OBJECTIVES

The RDA adopted the Redevelopment Plan for the Moreno Valley Redevelopment Project ("Plan") on December 29, 1987. The Plan included the following goals and objectives:

(a) The elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal redevelopment laws.

(b) The promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity. An important objective will be the development of a regional mall within the Project Area and the creation of a regional public transportation center and facilities, auto center, and freeway frontage roads.

(c) The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles, appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from new conditions and restrictions shall be first reviewed by the Project Area Committee ("PAC") before final action can be taken.

(d) Consideration must be given to maximizing the tax base provided by the locational advantages of freeways. Interchanges should be added and upgraded to meet the new demands placed upon them by the new business corridors and surface streets.

(e) Consideration must be given to the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from the above stated conditions shall be first reviewed by the existing PAC before final action can be taken.

(f) The Redevelopment Plan shall make provisions for increased revenues to the City of Moreno Valley. These plans shall not negatively impact the fiscal solvency of the City.

(g) The Redevelopment Plan shall make provisions for the creation and development of local job opportunities and the preservation and expansion of the City's existing employment base.

(h) Consideration must be given to: the improvement of certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area.

(i) Consideration must be given to the improvement of the community's supply of housing (inside the Project Area), including opportunities for low and moderate-income households. One objective would be the development of housing for senior citizens, and a second objective would offer centers for child care of all ages. Useable and improved park land should be easily, and safely accessible to these residents.

(j) Consideration must be given to providing increased revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails.

(k) Consideration must be given to: the Redevelopment Plan shall not adopt land uses incompatible with the surrounding areas.

Redevelopment of the Project Area pursuant to this Plan and the above goals and objectives will attain the purposes of the California Redevelopment Law by:

(a) Eliminating areas suffering from economic dislocation and disuse.

(b) Replanning, redesign and/or redevelopment of areas that are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance.

(c) Protecting and promoting sound development and redevelopment of blighted areas and general welfare of the citizens of the city by remedying such injurious conditions through the employment of appropriate means.

(d) Installing new or replacing existing public improvements, facilities and utilities in areas that are currently inadequately served with regard to such improvements, facilities and utilities.

(e) Other means as determined appropriate by the RDA.

V. BLIGHT IN THE PROJECT AREA

The redevelopment tools contained in the Law are granted for use in a project area in order to eliminate and prevent the prevalence of blighting conditions. A blighted area is one that necessitates the creation of a redevelopment project area because the combination of conditions in an area constitute a burden on the community and cannot be alleviated by private enterprise, governmental action, or both. Section 33031 of the Law defines blight as follows:

Physical Conditions that Cause Blight

- Unsafe, unhealthy and/or deteriorated buildings - Structures in which it is unsafe or unhealthy for people to live or work. Deferred maintenance that results in serious dilapidation and deterioration, faulty or inadequate utilities, serious building code violations, and construction that is vulnerable to serious damage from seismic or geologic hazards.
- Physical conditions that substantially hinder the economic viability, use of lots and/or buildings – These conditions may be caused by buildings or substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
- Incompatible land uses – Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project Area.
- Lots of irregular shape, inadequate size and under multiple ownerships – The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and of developments that are held in multiple ownership.

Economic Conditions that Cause Blight:

- Depreciated, stagnant and/or impaired property values – Depreciated or stagnant property values or impaired investments, including, but not limited to, properties containing hazardous waste that requires the use of RDA authority as specified in Article 12.5 (commencing with Section 33459 of the Law).
- High business turnovers and vacancies, low lease rates, abandoned buildings and vacant lots – Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots.
- Lack of neighborhood commercial facilities – A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, banks and other lending institutions.
- Overcrowding – Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph “overcrowding” means exceeding the standard reference in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.
- Excess numbers of bars, liquor stores and/or adult businesses – An excess of these establishments can result in significant public health, safety, or welfare problems.

- High crime rates – A high crime rate that constitutes a serious threat to the public safety and welfare of Project Area residents.

(a) Blighting Conditions Present in the Project Area

Physical Blight Conditions Present in the Project Area

The RDA has been actively addressing the conditions of physical blight identified in the initial report to Council at Project Area adoption and when the Plan was amended. However, some physical blight remains. The remaining blighting conditions in the Project Area include deteriorated buildings that are considered unsafe and unhealthy for persons to live or work in due to serious building code violations, long-term neglect, or faulty or inadequate construction, parcels of irregular shape and / or inadequate size that hinder redevelopment, and inadequate public infrastructure (i.e. remaining need for flood control facilities and street improvements).

Economic Blight Conditions Present in the Project Area

Similarly, the RDA has been actively addressing conditions of economic blight initially identified at Project Area adoption and when the Plan was amended. Again, some economic blight remains. Conditions of economic blight that the RDA continues to address include depreciated or stagnant property values / low lease rates, high business turnover, excess numbers of liquor licenses, and pockets of crime.

VI. GENERAL RDA ACTIVITIES

The Redevelopment Plan proposed the following activities to assist in the elimination and prevention of the spread of blight and blighting influences, and to strengthen the economic base of the Project Area and the community:

(a) Promoting and encouraging participation in the redevelopment process by owners and occupants of properties located in the Project Area, consistent with this Plan and rules adopted by the RDA Board.

(b) Acquisition of real property subject to the limitations contained in Section 308 of the Redevelopment Plan.

(c) Management of property under the ownership and control of the RDA.

(d) Relocation assistance to displaced occupants of property acquired in the Project Area.

(e) Demolition or removal of buildings and improvements.

(f) Installation, construction, expansion, addition, extraordinary maintenance or re-construction of streets, utilities, and other public facilities and improvements.

(g) Disposition of property for uses in accordance with this Plan.

(h) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan.

(i) Rehabilitation of structures and improvements by present owners, their successors, and the RDA.

(j) Rehabilitation, development or construction of low and moderate income housing within the Project and / or the City.

(k) Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Plan.

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD

(a) Debt Service on Existing RDA Obligations

Since its inception in 1987, the RDA has entered into a number of agreements, which provide long term financial assistance based on the achievement of specific project milestones. The following section identifies the projects and continuing obligations related to these existing approved agreements.

- Conference and Recreation Center Financing: The agreement provides for the acquisition of the Conference and Recreation Center from the City by the RDA for $11,503,946, paid for through twenty annual debt service payments that gradually increase from $250,000 to $438,377 in year 2024.
- Cooperation Agreement with Riverside County: This Agreement provides for the RDA to share Project Area property tax increment with the County of Riverside. All of the property tax increment between $7 million and $12 million per year, up to a maximum of $75 million will be paid to the County to assist in the financing of the new Riverside County Regional Medical Center (RCRMC).
- Cooperation Agreement with the Riverside County Flood Control District: This Agreement provides for the RDA to share property tax increment with Riverside County Flood Control District (RCFCD) from the entire Project Area in excess of $12 million per year.
- Moreno Valley Auto Mall Owner Participation Agreement: This Agreement provided for the development of the Moreno Valley Auto Mall by subsidizing the annual infrastructure bond payments of several dealerships. All Auto Mall property and sales tax increment is pledged to defray bond payments.
- Moreno Valley Mall Owner Participation Agreement: This agreement provided for the construction of the Moreno Valley Mall, and specifically assisted in the development of three of the four department store anchors, for a total of $13 million. This investment was advanced by the project developer and is being repaid from excess property tax increment from the TownGate area (available after payments on the TownGate Agreement – discussed in #1 above) plus half of the sales tax increment from the Mall.
- Price Company (Costco) Owner Participation Agreement: This Agreement provided for the development of a Price Club/Costco warehouse store in the Project Area. Approximately $2.4 million in land write-down and development fee assistance is being repaid from a portion of the sales tax increment created by the project.
- Public Safety Building Lease Revenue Bonds: The City issued Lease Revenue Bonds in 1997 to construct the public safety building. The RDA makes annual payments of $150,000 toward the annual $405,000 debt service, until the total obligation of $3,450,000 is repaid in FY 2021/22.
- Sunnymead Blvd. Lease Revenue Bonds: The RDA issued Lease Revenue Bonds in 2005 in the amount of $9.1 million to construct improvements related to the Sunnymead Blvd. Beautification Project. The annual debt service of $600,000 to repays the bond debt.

- TownGate Specific Plan Owner Participation Agreement: This Agreement provided for the installation of infrastructure throughout the commercial portion of the TownGate Specific Plan, financed at a cost of approximately $21 million in Mello-Roos bonds. The RDA pledged the net tax increment revenues from the commercial and residential portions of the TownGate area towards the repayment of the bonds. The RDA continued to pay the debt service on the bonds during the previous planning period.

(b) 2007 Tax Allocation Bonds

In November 2007, the RDA issued $41.6 million in Series A- Bonds to fund a variety of important capital projects in Moreno Valley that will improve traffic circulation, upgrade important infrastructure, and enhance the overall quality of life in the community. Initially, projects identified for funding included:

▪ Library	$22.0 million
▪ Fire Station at Cottonwood/Indian	$6.5 million
▪ Park at Cottonwood/Indian	$5.0 million
▪ Day Street Improvements	$3.0 million
▪ Auto Mall Upgrades	$2.0 million
▪ Indian Basin Improvements	$3.1 million

In December 2008, in recognition of current economic challenges and the City's inability to fund operations at new facilities, the RDA Board approved reallocation of funds for the Library to the SR 60 overcrossing at Nason St. for $21.5 million and the street improvements on Ironwood and Barclay streets.

(c) Economic Development Activities

The staffing for the Economic Development Department (EDD) is partially funded by the Redevelopment Agency. EDD promotes the City of Moreno Valley as a place to do business to respond to economic conditions that cause blight. Specifically, Economic Development facilitates development of employment opportunities and dynamic retail centers to increase assessed valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community that offers its residents and businesses an unsurpassed quality of life. To accomplish these goals, Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection, ombudsman service, and business support services.

As a significant portion of the commercial, industrial and retail zoned land in Moreno Valley is located within the redevelopment project area, Economic Development staff spent a majority of their time working on projects that are eliminating blighting conditions within the project area

Marketing

Though many of the activities were funded by City General Fund, RDA supported EDD staff salaries as they performed the following marketing activities supporting business attraction and retention activities:

- Regional Cooperation: Participated in the Inland Empire Economic Partnership (IEEP). EDD participated in business attraction events and submitted responses to new business leads distributed by IEEP.
- Advertising: EDD placed advertisements in nationally-recognized and local publications in the real estate/retail/site selection industries with a business focus.
- Tradeshows / Event Sponsorships: EDD enhanced the City's regional and national visibility by participating in tradeshows.
- Website: EDD developed a site selection website that provides a tool for businesses or consultants to use when exploring Moreno Valley business locations, improving the rate of shared information between the City, site selectors, and real estate brokers.
- Brochures: EDD created marketing materials including the Community Profile, the Retail Opportunities Guide, the Office and Industrial Opportunities Guide, the New Development Map and monthly summary. These materials were distributed at various business attraction events, plus electronic files were made available on the City's website.
- Shop Moreno Valley: As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, EDD partnered with the Chambers of Commerce to create a SHOP MOVAL awareness campaign.
- Development Sign Program: EDD implemented a new public relations program that included the placement of eighteen attractively-designed, reusable development signs to announce the arrival of new businesses and development projects.

Business Attraction

Economic Development staff provided ombudsman support in the form of fast-tracking entitlement and plan check reviews and advocacy for projects located in the Project Area.

Commercial Projects in the Project Area:

- Moreno Valley Mall: Staff facilitated review and resolution of issues for the Mall expansion through the addition of a fifth anchor, Harkins Theatres, an upscale 16-stadium theater with approximately 3,500 seats, plus seven restaurant/retail pads. General Growth Properties completed more than 300,000 sq. ft. of renovations and the addition of many new retail stores.

- Moreno Valley Plaza: EDD assisted the shopping center owners with the attraction of Superior Super Warehouse to occupy a vacant grocery store anchor space.
- Cactus Commerce Center: Construction was completed on this 16,000 sq. ft. two-story retail and office use building near Cactus and Elsworth.
- Moreno Beach Plaza: EDD provided permitting assistance to this 350,000 sq. ft. center, which added the grocery component to the Wal-Mart Supercenter and completed construction of an 86,500 sq. ft. Phase II.
- Elsworth Plaza: EDD provided marketing assistance to this 30,000 sq. ft. project near the southwest corner of Alessandro Blvd. and Elsworth St.
- Fresh and Easy: Fresh and Easy Neighborhood Markets continued to expand in Moreno Valley. EDD provided continual assistance resolving development issues through the construction phase of four new stores. Three of the four stores are located in or across the street from the Project Area.
- Stoneridge Towne Centre: EDD provided comprehensive assistance resolving development issues for this 579,295 sq. ft. commercial center including anchors SuperTarget, Kohl's, Best Buy, and OfficeMax, and several popular restaurants: Chili's and Bob's Big Boy.
- TownGate Center / Plaza: EDD executed intergovernmental agency and lease agreements with the County of Riverside and the Fritz Duda Company, which completed tenant improvements for a new Employment Resource Center. Ombudsman assistance was new tenants to expedite Certificates of Occupancy process. Staff negotiated with Burlington Coat Factory on an incentivized participation agreement to bring the company to the vacant former Mervyn's space.
- TownGate Crossing: EDD assisted this 237,000 sq. ft. shopping center anchored by Lowe's with the opening of Sports Authority. EDD staff worked to attract 99 Cents Stores, which reoccupied the vacant former Circuit City building.
- TownGate Promenade: EDD provided ombudsman service to this 200,000 sq. ft. shopping center, serving as project advocate to resolve planning and permit processing issues related developing two hotels (Ayres Hotel and Hampton Inn), an expansion of Costco, and several new restaurants: Mimi's Café, Panda Express, and Applebees.
- TownGate Square: EDD assisted this mixed-use development by supporting negotiations between the commercial developer and landowner to acquire adjacent property for future expansion.
- TownGate Square: EDD assisted this 136,000 sq. ft. mixed-use development for opening of Winco Foods and Portillo's, a 7,500 sq. ft. restaurant, along with assisting in approval of an Owner Participation Agreement for the relocation of Robertson's Ready Mix' operation.

Office Projects in the Project Area:

- Jacobs Development: EDD provided ombudsman service to this 10 acre mixed use project.
- Moreno Valley Professional Village: EDD provided ombudsman services to developer Aardex in the design, permitting, and tenanting of the seven building, 130,000 sq. ft. project.
- Olivewood Plaza: Economic Development staff is working with the developer to attract tenant(s) to this 23,000 sq. ft. office project.

Industrial Projects in the Project Area:

- Centerpointe Business Park: EDD provided assistance for this 12 building, 2.6 million sq. ft. industrial park with new projects for Minka Lighting, the U.S. Postal Service, RedMed, and Frazee Paint.
- United Natural Foods Inc. EDD facilitated entitlement and plan check for this 613,000 sq. ft. manufacturing/distribution facility.
- Gateway Business Park: EDD provided ombudsman services for this 34 industrial condo project.
- Veteran's Way Business Park: Economic Development assisted this 10-building industrial project.
- BAS Recycling: EDD provided extensive interdepartmental and interagency support during the entitlement and construction phases of the 66,000 sq. ft. facility.
- Robertson's Ready Mix: EDD is assisting this long time Moreno Valley business in relocating and expanding to a new facility within the Project Area.

Hospitality Projects in the Project Area:

Economic Development facilitated review and resolution of development issues to the following proposed hotels in the Project Area:

- Ayres Suites: 127-guest room project began construction. EDD provided assistance with resolving development and permitting issues hotel opened in June 2010.
- Hampton Inn & Suites: 115-guest room hotel opened in April 2009. Provided assistance with resolving development and permitting issues.
- Holiday Inn Express: Renovation and upgrade of the 151 guest room hotel in 2009/10.
- La Quinta Inn & Suites: 58-guest room hotel opened in May 2010 when construction was completed.
- Sleep Inn Suites: Proposed three-story, 74-guest room hotel is undergoing the entitlement process.

Business Retention

In addition to attracting new businesses to the Project Area, EDD pursued several business retention efforts.

- Business Roundtable: EDD conducted regular meetings between Moreno Valley businesses, the Chambers of Commerce, the City's Executive Team, and the Mayor to encourage dialogue and build relationships.
- Business Visitation: EDD strengthened business retention efforts by holding one-on-one meetings with major employers and top sales tax producing businesses within the Project Area.
- Chambers of Commerce: EDD provided financial support to Moreno Valley's three chambers of commerce in exchange for their provision of services to the business community.

(d) Capital Projects

- Day Street Widening (Cottonwood to Alessandro): This project includes widening, sidewalk, curb, and gutter to reduce traffic congestion and improve vehicular and pedestrian safety. Project design was completed in FY 2009/10. Construction will commence in FY 2010/11.
- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for storm drain line improvements on the most westerly end of the Project Area. Project design has been completed. However, the project has not moved into the construction phase due to revenue shortfall because of the Supplemental Education Revenue Augmentation Funding shift to the State of California.
- Sunnymead Boulevard Street Improvements: This comprehensive street beautification project is currently nearing completion. Eastern Municipal Water District completed a major pipeline replacement project and the RDA funded enhancements including: landscaping, colored driveways/sidewalks, decorative intersection treatments, decorative signage, banners and 17 new bus shelters.
- Aqueduct Bikeway Landscaping Project: This project constructed a 1/2 mile of landscaped trails in aqueduct right-of-way, connecting neighborhoods to schools, parks, and employment/shopping centers.
- Conference and Recreation Center: The RDA financed the construction of a community gymnasium, conference and recreation facility. The center also provides child care facilities and includes a small park.
- Graham Street Improvement Project: This project provided sidewalks, curb, and gutters to a portion of Graham Street in the Project Area.
- Alessandro Boulevard Improvements (Grant St. to Elsworth St.): The project widened this major arterial and provided missing sidewalk, curb, gutter, etc. along the Centerpointe Industrial Area and the Civic Center complex, located in the Project Area.
- Pepper Street Improvements: The project relocated conflicting water meters and service lines, plus constructed ADA access ramps and full street improvements in the Project Area. Project design was completed using RDA

funds, while the construction was funded via Community Development Block Grant (CDBG).

(e) Affordable Housing Activities

Over the period of 2005-2010, the RDA expended Housing Set-aside dollars to fund affordable housing activities, allocated by income category as described below:

RDA Expenditures by Income Category* Previous Implementation Plan Period (2005-2010)	
Extremely Low Income	$450,553
Very Low Income	$2,338,961
Low Income	$4,468,513
Moderate Income	$3,856,212
Total Set-aside Expenditures	**$ 11,114,239**

*note: *Only dollars spend on projects that reached completion are included in this calculation. The list of projects described under the Multi-family Rental Program includes all developments that received assistance from 2005-2010, regardless of completion.*

- Homebuyer Assistance Program (HAP): The HAP program provided downpayment assistance to low- and moderate-income families for home purchases.
- Ownership Housing Development: The RDA provided $562,000 from the Housing Set-aside Fund for land acquisition and construction. Developed housing was targeted for low and very low income households.

  The RDA partnered with the City, which was awarded a Youthbuild grant from HUD of $400,000. RDA entered into an Affordable Housing Agreement with Moreno Valley Youthbuild, Inc. for the construction of two single family homes. Moreno Valley Youthbuild constructed houses while training high school and college aged youths in the construction trades.

- Multi-family Rental Program: The RDA negotiated partnerships with affordable housing developers to provide "gap" financing for the development of new multi-family rental housing. Assisted housing is made affordable to very low, low, and moderate-income families. Specific multi-family rental projects that received assistance from the RDA during the 2005 – 2010 Planning Period are listed on the next page. Some of the projects are already complete, while others are still under development.

PROJECT NAME	PROJECT ADDRESS	FUNDS CONTRIBUTED	COVENANT EFFECTIVE DATE	TOTAL UNITS	UNITS WITH COVENANTS	LENGTH OF AFFORDABILITY (IN YEARS)	UNITS TOWARD INCLUSIONARY HOUSING *	RDA AREA (Y/N)
Alessandro & Day	Alessandro & Day	$ 4,848,184	to be determined	224	222	to be determined	222	Y
Bay Family Apts	Bay Avenue	$ 755,000	07/11/2006	61	60	56	60	Y
Cottonwood Place, III	Cottonwood Ave.	$ 1,663,000	12/14/2006	58	57	55	28.5	N
RHDC-Adrienne IV	Adrienne Ave.	$ 1,299,832	03/27/2007	8	8	56	8	Y
Cottonwood Place, IV	Cottonwood Ave.	$ 750,000	05/07/2007	46	45	55	22.5	N
Oakwood Apts	Perris Blvd.	$ 3,000,000	under construction	241	240	55	240	Y
Rancho Dorado North	John F Kennedy Dr	$ 1,500,000	under construction	71	70	56	70	Y
Rancho Dorado South	John F Kennedy Dr	$ 3,500,000	RDA funds committed, pending tax credits	79	78	to be determined	78	Y
RHDC-Sheila I & II	Perris Blvd. / Sheila St.	$ 6,233,407	08/10/2007 / 02/07/2008	16	16	56	16	Y
Perris Isle-Senior Project	Perris Blvd.	$ 413,000	11/05/2009	189	148	56	148	Y
TOTALS- COMPLETED UNITS		**$ 23,962,423**		**769**	**722**		**671**	

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) which provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. California Redevelopment agencies are collectively mandated to shift $1.7 billion into the SERAF in fiscal year 2009-2010. Due to claims that this requirement violates the State Constitution, the California Redevelopment Agency (CRA) and local cities sued the State to maintain these funds within their agencies. Unfortunately, the CRA did not prevail in this law suit and in May 2010 the Moreno Valley RDA paid $5,258,237 for its FY 2009-2010 SERAF obligation. Further, for fiscal year 2010-2011, the RDA's share of SERAF take is another $1,081,579. Fortunately, the RDA had fund balance available to pay the SERAF. Many other California redevelopment agencies were required to borrow from other funding sources to make their SERAF payments. Unfortunately, Moreno Valley's payment of the SERAF significantly diminishes the RDA fund balance and severely restricts the programs and projects that the RDA will be able to implement during the next five year period.

CITY OF MORENO VALLEY REDEVELOPMENT AGENCY
2010 - 2015 REVENUE AND EXPENDITURES

		1	2	3	4	5	
GENERAL TAX INCREMENT FUNDS	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	TOTAL
BEGINNING CASH BALANCE	$ 10,645,115	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 10,645,115
REVENUES							
TAX INCREMENT REVENUE	$ 20,633,115	$ 18,345,902	$ 17,959,340	$ 17,959,340	$ 18,318,527	$ 18,868,083	$ 112,084,307
OTHER REVENUE	$ 1,924,100	$ 1,722,525	$ 1,746,950	$ 1,771,965	$ 1,797,584	$ 1,823,822	$ 10,786,946
TOTAL REVENUE	$ 22,557,215	$ 20,068,427	$ 19,706,290	$ 19,731,305	$ 20,116,111	$ 20,691,905	$ 122,871,253
TOTAL FUNDS AVAILABLE	$ 33,202,330	$ 23,816,542	$ 21,341,528	$ 20,831,407	$ 20,725,978	$ 20,948,180	$ 133,516,367
EXPENDITURES/FEES							
PASS THROUGHS	$ 10,705,203	$ 9,497,133	$ 9,299,737	$ 9,311,593	$ 9,517,825	$ 9,827,192	$ 58,158,683
HOUSING SETASIDE (20%)	$ 3,907,042	$ 3,436,699	$ 3,354,737	$ 3,349,994	$ 3,416,994	$ 3,521,971	$ 20,987,437
DEBT SERVICE	$ 6,610,323	$ 6,457,119	$ 6,525,217	$ 6,558,036	$ 6,585,475	$ 6,611,777	$ 39,347,947
COUNTY ADMIN FEES	$ 241,602	200,000	202,000	204,020	206,060	208,121	$ 1,262,803
ADMIN AND PROF SVS	$ 841,224	$ 586,552	$ 614,449	$ 632,882	$ 651,868	$ 671,425	$ 4,009,400
CAPITAL IMPRVMNTS	$ 1,888,584	$ 912,217	$ 245,286	$ 165,015	$ 91,488	$ 58,441	$ 3,341,023
SERAF	$ 5,258,237	$ 1,081,579					$ 6,339,816
TOTAL EXPENDITURES	$ 29,454,215	$ 22,181,304	$ 20,241,436	$ 20,221,540	$ 20,469,702	$ 20,878,927	$ 133,447,114
ENDING CASH BALANCE	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 69,253	$ 69,253

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD

Based on the funding projections for the five-year period described on the previous page, after allowing the obligations identified earlier, the RDA proposes to continue the general and housing programs and projects identified in the following discussion. Due to the differing regulations governing the use of RDA funds, the discussion is divided into programs and projects supported by the RDA's General Fund and the Housing Set-aside fund.

(a) Existing RDA Obligations

As described in Section VII "Activities Completed In The Previous Planning Period," the RDA has entered into a number of agreements to which provide long term financial assistance to certain projects. The following projects represent continuing obligations in the next Planning Period.

- *2007 Tax Allocation Bonds Debt Service*
- *County of Riverside Cooperation Agreement Passthrough*
- *Conference and Recreation Center Debt Service*
- *Moreno Valley Auto Mall Owner Participation Agreement*
- *Moreno Valley Mall Owner Participation Agreement*
- *Moreno Valley Unified School District Passthrough*
- *Price Company (Costco) Owner Participation Agreement*
- *Public Safety Financing Lease Revenue Bonds Debt Service*
- *Riverside County Flood Control and Water Conservation District Cooperation Agreement*
- *Sunnymead Blvd Lease Revenue Bonds Debt Service*
- *TownGate Specific Plan Owner Participation Agreement*

(b) Economic Development Activities

Supported by the RDA for a portion of staffing, the Economic Development Department will continue implementing the Business Attraction and Retention activities listed below (as previously described on pages 10-14):

Marketing

- Advertising
- Tradeshows/Event Sponsorships
- Website
- Shop Moreno Valley
- Development Sign Program

Business Attraction

Economic Development will continue to support the development of new business in the Project Area and throughout the City.

Business Retention

- Business Roundtable
- Business Visitation
- Chambers of Commerce

(c) Capital Projects

Unfortunately, due to the impact of making the Supplemental Educational Revenue Augmentation Fund payment to the State of California in FY 2009/10 and 2010/11, funding capital projects is extremely limited. However, progress will continue on the capital projects funded by the 2007 RDA Tax Allocation Bonds ("TABs" - for which RDA debt service payments will be made).

RDA Capital Projects – if revenues improve so that funds become available

- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for construction of storm drain line improvements along the Old 215 Rd. and Dracaea St., located on the most westerly end of the project area.

Projects Funded by the 2007 RDA Tax Allocation Bonds

- Fire Station 107 (Morrison Park): This new fire station will provide improved emergency response services to the new commercial and residential development in the Project Area. The estimated project cost is $6.3 million.
- Ironwood Street Improvements (Day to Barclay): This project will construct curb, gutter, sidewalk, traffic signals, and storm drain improvements on the south side of Ironwood Avenue from Day St. to Barclay Dr. and include traffic signal and inter-related improvements on Day St. at the Canyon Springs Plaza entrance and on Ironwood at Athens. Total project cost is estimated at $3 million.
- Day Street Improvements (Alessandro to Cottonwood): This project will widen the street and install sidewalk, curb, and gutter in the stretch of Day St. between Cottonwood Ave. and Alessandro Blvd. Total estimated project cost is $3 million.
- Auto Mall Street Upgrades: Since its completion in 1996, the Moreno Valley Auto Mall has seen no major improvements. In line with the RDA goal to prevent the loss of commercial sales activity in the Project Area, the project will complete roadway improvements and a new comprehensive signage program upgrade. The total estimated project cost is $2 million.
- Indian Basin Improvements: This project will upgrade a storm water detention basin on RDA property at the Festival Shopping Center. The basin is needed

to collect and slow flood waters thereby protecting the surrounding neighborhoods to the southeast. Improvements will include the installation of inlet and outlet storm drain facilities and some street improvements on the south side of Ironwood Avenue between Heacock St. and Nita Dr. The total estimated project cost is $3.1 million.

- Nason Bridge: The project will replace the existing SR-60/Nason St. two-lane bridge with a four-lane bridge, complete the Nason St. improvements, install a sound wall along Elder Ave., and construct associated work. The estimated RDA costs for the project is $18 million.
- Edgemont Water Phase I: If adequate savings are achieved in the construction of the projects listed above, this project will construct Phase I of the water system improvements in the Box Springs Mutual Water Company territory, including upgrading the water services, fire hydrants, and the inter-connection with Western Municipal Water District, plus approximately 11,300 linear feet of 12 inch and 16 inch main in the following segments:
  Cottonwood Ave.: from 400 feet westerly of Old 215 Frontage Rd. to Day St.;
  Old 215 Frontage Rd.: from Alessandro Blvd. to Dracaea Ave.;
  Dracaea Ave.: from Old 215 Frontage Rd. to Day St.;
  Easement from Dracaea Ave. to the existing reservoir; and
  Alessandro Blvd: from Old 215 Frontage Rd. to Day St.
  The total estimated project cost is $2.4 million.

(d) Affordable Housing

Housing Set-Aside Fund

State Redevelopment Law requires redevelopment agencies to dedicate 20% of tax increment revenues received annually to the development or retention of housing affordable to income-qualified residents. This allocation of funds is known as the Housing Set-aside program. No findings have been made to reduce or defer Moreno Valley's Housing Set-aside amount.

When providing affordable housing units, State law defines different levels of affordability based on a household's percentage of income in relation to the area median income for the region. For Moreno Valley, the region for which area median income is calculated includes Riverside and San Bernardino Counties. Below are definitions of the various affordability levels:

Definitions of Affordability Levels	
Extremely Low Income	30% and below of Area Median Income
Very Low Income	31%-50% of Area Median Income
Low Income	51%-80% of Area Median Income
Moderate Income	81%-120% of Area Median Income

The unaudited, estimated funding amount that will be available in the Housing Set-aside fund at the beginning of this plan on July 1, 2010 is $5,838,907. Over the five-year term of the Plan, an additional $17,441,125 in Housing Set-aside funds are projected to be allocated by the RDA General Fund. The RDA estimates the annual deposits to the fund as summarized below:

Estimated Amounts to be Deposited into the Housing Set-aside Fund 2010-2015	
Fiscal Year	Amount
FY 10/11	$3,495,778
FY 11/12	$3,412,639
FY 12/13	$3,425,121
FY 13/14	$3,498,023
FY 14/15	$3,609,564
Total Funds Available	$17,441,125

Source: FY 2009-2010 Redevelopment Agency Budget

- **Housing Set-aside Funds Distribution**

By Income Restrictions

Health and Safety Code Section 33334.4 requires the RDA to spend the monies in the Housing Set-aside fund to provide housing for persons of low and very low income in at least the same proportion as the total number of housing units needed for those income groups as indicated in the Regional Housing Needs Assessment for Moreno Valley.

According to the final Regional Housing Needs Assessment ("RHNA") allocation plan, the housing for very low and low income households represents 40.8% of the City's total housing need for the 2008-2014 RHNA planning period. The table on the following page shows the projected fair share allocation of RHNA units for the different income groups.

Income Category	Housing Need	Percentage of Total Housing Need	Percentage of Affordable Housing Need	Projected Expenditures by Income Category
Very Low Income	1,809	24%	41%	$7,150,861
Low Income	1,241	17%	28%	$4,883,515
Moderate Income	1,360	18%	31%	$5,406,749
Total Affordable Housing Need	**4,407**	**59%**	**100%**	**$ 17,441,125**
Above Moderate Income	3,064	41%		
Total Housing Need	**7,474**	**100%**		

As a result of the RHNA housing unit need distribution, the RDA is required to spend 41% of its Housing Set-aside funds on very low income households, plus 28% and 31% on low and moderate income households, respectively. The required RDA Housing Set-aside expenditures will occur through the promotion of existing programs, creation of new projects and investments in larger projects where several funding sources are required. The intent will be to assist very low, low, and moderate income families to attain affordable housing within the Project Area in accordance with the prescribed percent allocations, as described in the estimated Expenditure Projections below.

Projected Annual RDA Expenditures
By Income Category
Implementation Plan Period: 2010-2015

Income	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total
Very Low	$1,432,579	$1,398,508	$1,403,623	$1,433,499	$1,479,209	$7,147,418
Low	$982,816	$959,442	$962,951	$983,447	$1,014,806	$4,903,461
Moderate	$1,080,383	$1,054,689	$1,058,547	$1,081,077	$1,115,549	$5,390,246
Total	**$3,495,778**	**$3,412,639**	**$3,425,121**	**$3,498,023**	**$3,609,564**	**$17,441,125**

By Age Restrictions

The RDA will comply with the requirements under Health and Safety Code Section 33334.4(b) to further ensure equitable distribution of Housing Set-

aside monies among the community. The code section requires each RDA to expend over the duration of each Redevelopment Plan, the monies in the Housing Set-aside fund to assist housing that is available to all persons *regardless of age* in at least the same proportion as the population under age 65 years bears to the total population of the community (as reported in the most recent U.S. Census).

According to Census 2000, 94.51% of the City's population is under the age of 65. To exercise proper proportionality, the RDA must ensure that 94.51% of the Housing Set-aside fund is dedicated to providing affordable housing that is not age restricted.

- **RDA Affordability Requirements**

In compliance with AB 701, all redevelopment agencies are required to describe how requirements related to housing affordability covenants and allowable uses for set-aside funds will be fulfilled.

Effective in 2002, to fulfill requirements under 33413(a) and 33413(b), State law extended the required covenant period to 55 years for rental projects and 45 years for ownership projects. In the past, the RDA entered into agreements with developers and non-profits that included units containing to affordability periods that range from 20-55 years, based on the existing statutes at the time of agreement and the amount of RDA assistance. The RDA now mandates 55-year covenants and has established a disclosure policy. The new affordability covenants are explained thoroughly as a state mandated requirement associated with affordable housing projects. The covenant period is explained verbally during negotiation meetings, re-explained as part of all acceptance documents, and spelled out clearly within the affordable housing agreement, once one is negotiated.

- **Planned Affordable Housing Programs and Projects**

The RDA's Housing Set-aside Fund is the primary local financial resource available for the community's affordable housing stock.

The projected costs for housing activities have been derived from the extensive data and analysis provided in the Strategy. The specific schedule for the implementation of the various housing programs and projects is included in the Annual Housing Program at the end of this report.

The following list includes programs and projects to be funded from the RDA's Housing Set-aside funds (some of which have been detailed earlier in this document). The programs and projects are intended to assist in the implementation of the RDA's Affordable Housing Strategy.

Home Improvement Loan Program (HILP): This program offers income-qualified owner-occupied Moreno Valley homeowners a $40,000 maximum loan with a 3% annual interest rate. The program is intended to upgrade

existing deteriorated and dilapidated housing in the Project Area and surrounding community. Payments plus interest are deferred for twenty years or until the owner sells or ceases to occupy the property. In addition, the loans are deferred to ensure that the cost of property upgrades does not result in the displacement of existing owner-occupants. The loan is designed for homeowners who have equity in the property to provide collateral for the loan and have multiple repairs and improvements to make such as upgrading existing electrical and plumbing, paint, roof replacement and other interior and exterior repairs.

The loans are repaid, with interest, upon the sale or refinancing of the homes. Additional funding has been available from federal HOME grant monies.

Homeowner Assistance for Minor Repairs (HAMR): This program provides a $7,500 maximum loan with a 3% to 5% annual interest rate for income-qualified owner-occupied Moreno Valley homeowners. Loan payments are amortized over ten years. This program is designed for homeowners who need minor repairs and for those that have less equity in the property.

Homebuyer Assistance Program (HAP): The HAP provides financial assistance to low and moderate-income families to use in purchasing their first home. The objective of the HAP is to promote neighborhood stabilization and revitalization within the City limits. Assistance is in the form of a 30-year, zero-interest, deferred payment loan and may be used for down payments associated with a home purchase. The amount of assistance depends on the buyers income and the purchase price of the home. Homebuyers are eligible to receive up to 20% of the purchase price in assistance, depending on the amount needed to complete the purchase.

Mobilehome Grant Program (MHGP): This program provides grants of up to $10,000 for the rehabilitation of mobile homes owned and occupied by very low income households. Rehabilitation of health and safety code issues is prioritized. Limited general property improvements are also permitted. Additional funding for the program has been provided from federal HOME grant monies.

The program upgrade existing deteriorated and dilapidated manufactured housing in the Project Area and surrounding community. Rather than loans, grants are used due to the very low incomes of the households served and the difficulty in placing liens on mobilehomes.

Multi-family Rental Program: Through this program, the RDA partners with affordable housing developers to provide “gap” financing for the creation of new multi-family rental housing. Five specific multi-family rental projects (listed on page 32) are already anticipated for development and are scheduled for completion during the 2010 – 2015 Planning Period.

Ownership Housing Development: The project would continue the development of single family housing on one or more properties owned by the

RDA. Housing developed would be targeted for low and very low income households. The project is intended to increase the supply of affordable owner occupied housing available to under served segments of the community. Additional funding has been available from federal HOME grant monies.

Exterior Beautification Program – Marilyn Street Project: This project will address the exterior deferred maintenance of an entire neighborhood located in the Project Area, revitalizing the full neighborhood at once, eliminating blight and maximizing the visual impact gained by completing exterior improvements on several homes simultaneously. In 2007, Marilyn St. was selected as a suitable neighborhood. The project would repair such items as exterior paint, fencing, landscaping, irrigation systems, tree trimming and\or removal, etc.

- **Housing Replacement**

The RDA does not anticipate the removal or relocation of any low or moderate income housing units during the five-year Plan period in conjunction with redevelopment projects financially assisted or undertaken by the RDA. Should removal occur, within four years of the removal, the RDA will directly or through contractual means rehabilitate, develop, or construct an equal number of replacement housing units with the same or greater number of bedrooms as the removed units which shall be made available at an affordable housing cost, as defined in State law.

"Affordable housing cost" calculations are based on benchmark housing sizes. If the replacement housing is being leveraged strictly with RDA funding, the term adjusted for household size appropriate to the unit, is defined as one plus the number of bedrooms in the unit. Every effort will be made to ensure that the replacement housing units will be available at a cost affordable to the same income level as very low, low or moderate income households displaced from the removed units (Section 33413).

- **Inclusionary Housing Requirement**

State law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of all the housing developed and rehabilitated in the redevelopment area is available at an affordable housing cost to low and moderate income households. This requirement, also known as the redevelopment inclusionary requirement, applies to the total number of housing units developed and rehabilitated during the five-year Plan Period and not to each individual rehabilitation, development, or construction project. The inclusionary units must be available at an affordable housing cost for at least the remaining term of the redevelopment plan. The specific redevelopment inclusionary requirements are as follows:

(1) Units developed by the RDA: At least 30 percent of all new or rehabilitated dwelling units developed by the RDA must be available at affordable housing cost to persons of low and moderate income. Also,

not less than 50 percent of those units are to be available at affordable cost to persons of very low income.

(2) Units developed within the Project Area: For all new or rehabilitated dwelling units developed by public or private entities or persons other than the RDA within a 10-year period, at least 15 percent of those units are to be available at costs affordable to persons of very low, low or moderate income. Not less than 40 percent of those units are to be available to very low income households.

The inclusionary requirements must be met within each ten-year period of the Redevelopment Plan.

Current Production

Since the Project Area and Redevelopment Plan were first adopted in 1987, an estimated 3,797 residential units have been constructed or substantially rehabilitated in the Project Area. Based on the number of constructed and substantially rehabilitated units, the RDA's inclusionary housing obligation from plan adoption through the 2005-2010 Implementation Plan period is 570 units (3,797 x 15%) affordable to households earning very low, low, or moderate incomes. Of this amount, 228 units (570 x 40%) must be affordable for households earning at the very low income level.

The RDA has exceeded State requirements for inclusionary housing through the 2005-2010 Plan period. A total of 660 units with covenants that provide long-term affordability can be counted towards the RDA's production requirements. The table below summarizes the RDA's accomplishments in providing affordable housing.

Redevelopment Agency
Affordable Housing Production with Covenants
Through 2005-2010

	Units In the Project Area	Units Outside the Project Area*	Total Production for Inclusionary Housing Requirement*
Extremely Low	6	9	15
Very Low	332	95	427
Low	162	16.5	178.5
Moderate	12	27.5	39.5
Totals	**512**	**148**	**660**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Projected Production

The RDA anticipates the creation of an additional 751 privately-funded units over the next five years, which would generate inclusionary requirements for 46 very low income units and an additional 68 very-low, low, or moderate

income RDA-funded units. Combined, the privately-funded housing development will generate the inclusionary housing requirement of 114 affordable units.

Over the next five years in the Project Area, the housing projects and programs identified in this plan are estimated to exceed this requirement by providing 610 new, substantially rehabilitated, or price restricted housing units (see below). Note that negotiations are underway regarding the mix of affordability levels for one project of 222 units located in the Project Area. Of the additional 388 units with established affordability levels, 60 will be available to households earning extremely low incomes, 137 will be occupied by very low income families, and 191 by low income families during the five-year term of the plan. These units will be located in the project area.

Redevelopment Agency
Estimated Affordable Housing Construction with Covenants
2010-2015

Affordability Level of Units	Units In the Project Area	Units Outside the Project Area*	Total Estimated Production for Inclusionary Housing Requirement*
Extremely Low	60	0	60
Very Low	137	0	137
Low	191	0	191
Moderate	0	0	0
Subtotals	**388**	**0**	**388**
Additional Units w/Affordability Level to be determined	**222**	**0**	**222**
Totals	**610**	**0**	**610**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Over the next ten years (2010-2020), it is anticipated that approximately 1,919 housing units will be constructed or substantially rehabilitated in the Project Area. This will create an inclusionary housing production requirement of 288 units (i.e. 1,919 x 15%). The RDA will ensure that a minimum of 40% (i.e. 116) of these units are affordable to very low income households.

Over the life of the Redevelopment Plan, which concludes on December 31, 2028, it is anticipated that approximately 7,585 housing units will be constructed or substantially rehabilitated in the Project Area (see the table on the next page). As a result, the RDA's total inclusionary affordable housing production requirement would be 1,138 units (7585 x 15% = 1,138). The RDA will ensure that a minimum of 40% of these units (456) are affordable to very low income households. The RDA does not anticipate the purchase or direct ownership of any housing units during the life of the Redevelopment Plan.

Number of New or Substantially Rehabilitated Housing Units Produced and Expected in the Redevelopment Project Area 1987-2028	
YRS 1987-2005	1,349
YRS 2005-2010	2,448
YRS 2010-2015	751
YRS 2015-2020	1,168
YRS 2020-2028	1,869
TOTAL	**7,585**

- **Annual Housing Plan**

The specific schedule for the implementation of the various housing programs and projects are outlined (by fiscal year) below:

***Projected Schedule* of Assisted Housing Units, by Program or Project** *Implementation Plan Period: 2010-2015*						
PROGRAMS & PROJECTS	**FY 10-11 (Year One)**	**FY 11-12 (Year Two)**	**FY 12-13 (Year Three)**	**FY 13-14 (Year Four)**	**FY 14-15 (Year Five)**	***TOTALS***
Home Improvement Loan Program (HILP)	*4*	*4*	*4*	*4*	*4*	***20***
Homeowner Assistance for Minor Repairs (HAMR)	*1*	*1*	*1*	*1*	*1*	***5***
Homebuyer Assistance Program (HAP)	*3*	*3*	*3*	*3*	*3*	***15***
Mobilehome Rehabilitation Grant Program (MHGP)	*10*	*10*	*10*	*10*	*10*	***50***
Multi-family Housing Development						
Alessandro & Day			*56*	*56*	*55*	***167***
Oakwood Apts	*240*					***240***
Rancho Dorado North	*70*					***70***
Rancho Dorado South		*78*				***78***
FY TOTALS	***328***	***96***	***74***	***74***	***73***	***645***

X. IMPLEMENTATION PLAN ADMINISTRATION

This Implementation Plan covers the RDA activities in the Project Area from July 1, 2010 through June 30, 2015.

The RDA will be responsible for conducting the projects and programs described in this Implementation Plan. Administration of the Implementation Plan will be performed by the Neighborhood Preservation Division of the City's Economic Development Department.

(a) Implementation Plan Review

The RDA will conduct a public hearing and accept public comments from all interested parties regarding the adopted Redevelopment Plan and the five-year Implementation Plan. The public hearing will be conducted no sooner than two years and no later than three years from the adoption of this Implementation Plan. Notice of the public hearing to review the Redevelopment and Implementation Plans will be published pursuant to Section 6063 of the Government Code and posted in at least four permanent places within the Project Area for a period of at least three weeks. Publication and posting of the notice will be completed not less than 10 days prior to the date set for the hearing.

(b) Implementation Plan Amendment

This Implementation Plan may be amended from time to time after holding a public hearing on the proposed amendment.

(c) Financial Commitments are Subject to the Availability of Funds

The RDA and the City use a variety of funding sources for implementing each Redevelopment Plan. Although the sources of revenue to be utilized by the RDA are generally reliable from year to year, such funds are subject to legislative, program, or policy changes that could reduce the amount or availability of the funding sources upon which the RDA relies.

(d) Monitoring of Affordable Housing

The RDA is required to monitor any housing made affordable to individuals and families of low or moderate-income. As part of this monitoring, the RDA will requires owners or managers of affordable housing units to submit an annual report to the RDA. The annual reports will include the rental rate, the income, and the family size for each unit's tenants/owners.

Section 33418(b) of the Redevelopment Law requires information obtained by the RDA from owners and managers of affordable housing must be included in any reports required by law to be submitted to the California Housing and Community Development Department ("HCD") or the State Controller. In addition, Section 33418(c) required the RDA to adequately fund its monitoring activities as needed to ensure compliance with applicable laws and agreements related to affordable units.

(e) Redevelopment Plan / Conflicts

If there is a conflict between this Implementation Plan and any other City or RDA plan or policy, the Redevelopment Plan shall control.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project for the purposes of drafting the Disposition and Development Agreement (DDA).

DISCUSSION

PDDC and City staff have been engaged in ongoing negotiations in the efforts to draft a DDA for the proposed project. While the negotiations have been continual, it will be necessary to extend the current term of the Negotiation Agreement which expires August 11, 2010 and the new effective of the Negotiation Agreement date shall be August 12, 2010. The current economy, reduced tax credit availability, and an increased difficulty in securing tax credit financing for affordable housing projects, has prompted PDDC to re-evaluate the project. As a result of competitive tax credit environment, the project phasing shall be modified from a 225-unit, two phase project to a 225-unit, four phase project. Since changes are being proposed to the project, an extension is required to provide the additional time needed to finalize the drafting of the DDA.

Given PDDC's experience and expertise with securing tax credits, along with the current tax credit environment, PDDC suggests that a smaller number of units per phase will enhance the project's scoring and ability to secure a tax credit allocation in the extremely competitive tax credit market that currently exists.

The project changes as proposed by PDDC will require additional time for a new phasing plan and financial review. To properly assess the fiscal feasibility of the project, an analysis of the revised project pro forma reflecting the four phases will have to be obtained from an independent economist. The analysis will be used by staff to evaluate the overall viability of the development as a four phase project.

Upon completion of the pro forma analysis and further evaluation, the drafting of the DDA will be finalized. Staff recommends the extension of the Negotiation Agreement an additional sixty days through October 11 to provide the time for the additional work.

ALTERNATIVES

1. Approve the Third Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would not provide the time needed to finalize the DDA and would hinder the planning for the future affordable housing project.

FISCAL IMPACT

This action does not impose any fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Third Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Third Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00068907

THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of August 12, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement"), an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement") and a "Second Amended and Restated Negotiation Agreement, of the November Agreement, dated April 13, 2010, (herein, the "April Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

ATTACHMENT A

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Economic Development Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement, November Agreement and April Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CEO

EXHIBIT "A"

MAP

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council; and
Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Amendments to Chapter 11.40 of the City of Moreno Valley Municipal Code, Ordinance No. 741 and Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

RECOMMENDED ACTION

Staff recommends:

1. That the City Council introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley amending, Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, and

2. That the Board of Directors for the Moreno Valley Community Services District introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Parks and Recreation Commission took action to recommend amendment of Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, at their special meeting of June 3, 2010 (5 Ayes, 2 Noes, 0 Absent).

BACKGROUND

Chapter 11.40 of the Moreno Valley Municipal Code establishing rules for the use of parks and recreation facilities, was enacted by ordinance on March 15, 1988, and amended in July 1990, January 2004 and April, 2007. Similar ordinances were adopted simultaneously by the Moreno Valley Community Services District. Staff is proposing that these codes be further amended to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

At a special meeting on May 13, 2010, the Parks and Recreation Commissioners were presented the proposed amendment to the ordinance and were asked to consider a motion on the amendment. Upon review and discussion, a motion was made and recommended by the Commission to continue the item so additional revisions to the wording based upon the City Attorney's review and approval could be made. The revisions were completed and approved by the City Attorney and the item was placed on the agenda for a Parks and Recreation Commission special meeting on June 3, 2010.

At the special meeting on June 3, 2010, the Parks and Recreation Commissioners concurred with the proposed amendment, asking staff to accept their recommendation to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center. Staff has prepared the attached amendments to Ordinance Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

DISCUSSION

Although the Moreno Valley Equestrian Center (MVEC) is used daily by local equestrians and dog park patrons on a walk-in basis, reserved use including the receipt of reservation fees, needs to increase. In essence, the City simply cannot continue to subsidize facilities that, at a minimum, should be raising enough funds to maintain the facility. As such, staff has been encouraged to reach out to any organization that may wish to utilize the MVEC. One such organization is the Roy Rogers Rangers (RRR).

RRR was formed in 2001 to promote the sport of mounted shooting. Mounted shooting is one of the nation's fastest-growing equestrian sports. The sport combines the elements of exhibition shooting, barrel racing, pole bending, and reining; all done while using two .45 caliber single-action revolvers, loaded with 5 rounds each of specially prepared black powder blanks to shoot 10 balloon targets set in a random pattern called a "stage." Mounted shooters are timed through the stage determining raw time plus any penalties incurred. The contestant with the fastest overall time wins.

The following bullet points summarize the desired use of the MVEC by the RRR. The bullet points are from the attached information sheet of desired activities from the RRR:

- 20 events per year (schedule as follows)
- Set up: 8:00 a.m.
- Begin shooting: 9:00 a.m.
- End shooting: 5:00 p.m.
- Tear down: 5:00 p.m. to 7:00 p.m.
- 5 beginner practices held on Saturdays. 10-12 participants. 350 blanks per practice.
- 12 monthly practices held on Sundays. 25-40 participants. 1600 blanks per practice.
- 3 competition events held Fridays, Saturdays and Sundays. 25-60 participants each day. Fridays: 400 blanks per event. Saturdays: 2,400 blanks per event. Sundays: 2,400 blanks per event.

The proposed amendment incorporates regulations that are applicable to the City of Moreno Valley, specifically Section 11.40.050(D) of the City Municipal Code that allows the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. In addition, the type of use that will be allowed by the proposed amendment falls under City's Municipal Code in Chapter 11.80 Noise Regulation, Section E. Exemptions, Item No. 7: *"Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space or other publicly owned property."* The RRR event is an organized sporting event and therefore the event is exempt from the City's noise ordinance. Other non sporting event shooting would still be subject to the City's noise ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinances for adoption. The ordinances would take effect thirty one days after adoption.

2. Direct staff to make changes to ordinances and return to City Council on a later date with revised ordinances.

3. Take no action.

FISCAL IMPACT

The impact to expenditures will be minimal. The cost to change the park rules signage at the MVEC along with installation is anticipated to be under $300. The impact to revenue will be an increase of revenue for each reserved use. Per the adopted fee schedule, the fees for these types of events would be $125 per day with a $25 water

key deposit and a refundable $300 security deposit. Total annual revenue will vary depending on paid reservations received.

CITY COUNCIL GOALS

1. Revenue Diversification and Preservation
2. Positive Environment

SUMMARY

Reserved use including the receipt of reservation fees needs to increase at the Moreno Valley Equestrian Center. By encouraging reserved usage, staff believes City subsidy of this facility may be eliminated, the area will be utilized by many more people, and non-resident users will bring additional revenue to the City in other ways. The proposed amendment relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center should allow the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. The impact to revenue will be an increase of revenue for each reserved use. Total annual revenue will vary depending on paid reservations received.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

Attachment 1: Proposed City Council Ordinance
Attachment 2: Proposed CSD Ordinance
Attachment 3: Information Regarding the Roy Rogers Rangers Program

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY OF MORENO VALLEY AMENDING, SECTION 11.40.040 OF CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley ordains as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code is amended in its entirety to read as follows:

"**11.40.040 Regulations.** Unless specifically provided otherwise in this Chapter, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the City Council.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the City Council.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris

promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzine, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting

within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00068929

ORDINANCE NO. CSD 54

AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 5e OF ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley, acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, does ordain as follows:

1.1 AMENDMENT: Section 5. Regulations of CSD Ordinance No. CSD 52 is amended in its entirety to read as follows:

"SECTION 5. REGULATIONS:

Unless specifically provided otherwise in this Ordinance, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the Board of Directors.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the Board of Directors.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to

maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzene, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code

without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

2.1 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Board of Directors which addresses the same subject addressed herein.

3.1 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the Secretary of the District shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

4.1 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor of the City of Moreno Valley, acting in the capacity as the President of the Moreno Valley Community Services District

ATTEST:

_____
City Clerk of the City of Moreno Valley acting in the capacity as Secretary of the Moreno Valley Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity as General Counsel of the Moreno Valley Community Services District

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MV00068939

ROY ROGER RANGERS - PRACTICES, EVENTS, CLINICS
PROPOSED HOURS OF OPERATION FOR ALL EVENTS:

SET UP – 8AM
BEGIN SHOOTING – 9AM
END SHOOTING – 5PM
TEAR DOWN 5-7PM

NUMBER OF EVENTS:

5 BEGINNERS TRAINING CLINICS ANNUALLY (SATURDAY) –
10-12 IN ATTENDANCE – CLINIC IS USUALLY HELD ON SATURDAY –
FOLLOWED BY A MONTHLY PRACTICE THE NEXT DAY
Usually 350 rounds fired; total of 15 minutes of shooting accomplished randomly over the hours of operation

12 MONTHLY PRACTICES (SUNDAY) – 25-40 IN ATTENDANCE; 4 turns each

Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 40 riders = 3200 seconds or 54 minutes of shooting over the hours of operation.
A rider goes every 2 minutes and we take breaks.

If we have 40 riders shooting 40 rounds each = 1600 rounds
Total of 54 minutes total shooting done in 20 second increments during the eight hours of operation.

3 COMPETITION EVENTS (Friday, Saturday, Sunday) – 25-60 IN ATTENDANCE

Friday – warm up day – 20 riders shoot 10 rounds each 20 second turn X 2 turns = 40 seconds X 20 riders = 800 seconds or 14 minutes shooting over hours of operation.

20 riders shooting 20 rounds each = 400 rounds shot in 20 second increments during the hours of operation; total of 14 minutes of shooting

Saturday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Sunday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Attachment 3

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MV00068941

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC.

RECOMMENDED ACTION

Staff recommends approval of a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

BACKGROUND

The economy has been in a down cycle for the last few years and it has created challenges for shopping center owners with vacancies of anchor retail and key restaurant locations. The TownGate area is an important retail and restaurant business area for the City of Moreno Valley. City staff is committed to addressing vacancies and creating new employment opportunities in the TownGate shopping areas with available stimulus funding from the Federal government. The City's adopted CDBG-Recovery (CDBG-R) program has earmarked $107,841 in available funding for the start-up of a new restaurant operation in the TownGate area.

Buffalo Wild Wings Grill & Bar (BWW's) is a restaurant company, based in Minneapolis Minnesota that has proven successful with its popular restaurant concept that combines a full menu experience— including its famous buffalo chicken wings with 14 signature sauces, along with providing a relaxed entertainment environment through its popular sports bar theme. During the past 29 years, BWW"s has developed over 650 restaurant locations in 43 states. In California, BWW's is expanding through owner-operator Franchise Agreements. Presently, there are nearby Buffalo Wild Wings locations in Rancho Cucamonga, Murrieta, Eastvale-Mira Loma and a soon to open restaurant in Corona. Moreno Valley staff has pursued a BWW's location for the past few years and believe it will be a great addition to the local restaurant scene.

DISCUSSION

The Buffalo Wild Wings Franchisee for the Moreno Valley/Redlands/San Bernardino area is Pacific Wings Inc., which is a partnership of two individuals with restaurant experience in the Chicago area and now residing part-time in Southern California. Pacific Wings Inc. will develop a number of BWW's locations in the next few years, but have selected Moreno Valley as their first BWW's restaurant in Southern California.

Pacific Wings Inc. has chosen a location in Moreno Valley-- next to Sports Authority store in the TownGate Crossing center as their initial BWW's restaurant. BWW's Corporation has approved the location, along with conceptual plans for the Moreno Valley restaurant in TownGate Crossing. A Letter of Intent (LOI) has been executed between Pacific Wings Inc. and the Fritz Duda Co.—the owner of TownGate Crossing. With the LOI executed, the parties have negotiated and drafted a lease document with execution expected by mid July. An application and supporting documents have been submitted to the City's Planning staff for the processing of an Amended Plot Plan of the new BWW's restaurant operation. The new 5,126 S.F, BWW's restaurant will also include two patio spaces totaling 1,250 S.F., along with constructing new refrigeration cooler/storage space at the rear of the restaurant. The new BWW's restaurant will offer total seating for 280 in the restaurant, bar and patio areas. Everyone hopes for a late 2010 opening of the new BWW's restaurant in Moreno Valley.

A Participation Agreement has been drafted to spell out the contracturual requirements for the CDBG-R funding assistance. The major terms and conditions of the Participation Agreement include the following:

- Pacific Wings Inc. shall execute a binding lease and open a new Buffalo Wild Wings Grill & Bar in TownGate Crossing.
- Pacific Wings Inc. shall establish Moreno Valley as the point of sale per California Board of Equalization requirements for the operation of the new Buffalo Wild Wing's restaurant.
- Pacific Wings Inc. shall agree to create employment opportunities for low and moderate income persons consistent with CDBG requirements, including creating 4 new full-time (or part-time equivalent) jobs at the new restaurant operation.
- Pacific Wings Inc. shall agree to a one-year covenant period of operating the new restaurant in Moreno Valley.
- Upon satisfaction of the conditions stated above, the City shall provide Pacific Wings Inc. with a payment of $107,841 from the CDBG-R program.

ALTERNATIVES

1. Approve the Participation Agreement with Pacific Wings Inc, thereby supporting the City's assistance in the development of the new Buffalo Wild Wings restaurant.

2. Reject or pursue modification of the terms of the Participation Agreement. Supporting this alternative would hinder the timing or ability to open the new restaurant in TownGate.

FISCAL IMPACT

Funding for the Participation Agreement in the amount of $107,841 shall be from the City's CDBG-R program.

Fund	Business Unit Name	Amount
199	19910.6849.003 CDBG-R Economic Incentive for Restaurant Development	$107,841

Funding for the Participation Agreement will have NO impact on the City's General Fund. Sales tax for the City from the new Buffalo Wild Wings restaurant is estimated at $30,000 to $40,000 annually and the new restaurant operation is expected to employ 100 to 110 people.

SUMMARY

The City's CDBG-R program contains a funding allocation of $107,841 for the creation of new restaurants in the TownGate area. The new Buffalo Wild Wings (BWW's) restaurant, to be situated in TownGate Crossing qualifies for funding through the CDBG-R program. The new BWW's restaurant will not only create a new and popular restaurant concept for the area, but also help stimulate the local economy by filling a building vacancy, producing new sales tax revenue for the City, and most importantly creating new employment opportunities.

ATTACHMENTS/EXHIBITS

ATTACHMENT 1: Participation Agreement

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00068945

PARTICIPATION AGREEMENT

By and Between the

CITY OF MORENO VALLEY

and

PACIFIC WINGS, INC.
a California corporation

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Attachment No. 1 Site Plan of the Buffalo Wild Wings Facility
Attachment No. 2 Annual Compliance Report
Attachment No. 3 Roles to Ensure Low to Moderate Income Benefit
Attachment No. 4 Summary of HUD Requirements for CDBG Economic Development Activities
Attachment No. 5 Operator Certificate
Attachment No. 6 Schedule of Performance

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of July 13, 2010, by and between the **CITY OF MORENO VALLEY**, a municipal corporation (the "City"), and **PACIFIC WINGS, INC.,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. In furtherance of the objectives of the Housing and Community Development Act of 1974, as amended (the "Act") as well as regulations promulgated thereunder, the Operator and the City desire that the Operator open a sports bar and restaurant facility within the TownGate Area (the "TownGate Area") operating under the trade name Buffalo Wild Wings Grill and Bar and that, as part of Operator's activities, a minimum number of full time (or composite full time) jobs, starting at not less than four (4) employees, be created within the City to be held by or made available to low- or moderate-income persons.

B. Operator through the operation of the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar within the TownGate Area will help stimulate the local economy and address the goals and obligations of the City's CDBG-Recovery Program as approved by the Department of Housing and Urban Development ("HUD").

C. Operator has determined a suitable location within the TownGate Area for a sports bar and restaurant facility to be operated under the trade name Buffalo Wild Wings Grill and Bar.

D. Operator has been provided with, has reviewed and agreed that its receipt of payments from the City under this Agreement is subject to the "Annual Compliance Report" (Attachment No. 2 to this Agreement), the "CDBG Regulations", as defined below and as amplified by the "Roles to Ensure Low and Moderate Income Benefit" (Attachment No. 3 to this Agreement) and "Summary of HUD Requirements for CDBG Economic Development Activities" (Attachment No. 4 to this Agreement), and the remainder of this Agreement.

E. The City is authorized to undertake activities and expend moneys pursuant to and in implementation of the CDBG Regulations.

F. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws.

NOW, THEREFORE, the City and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Site, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of

Operator or City, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the City and the Operator.

"Annual Compliance Report" means a report to be provided once a year by the Operator (as of March 1, commencing March 1, 2011, for the preceding calendar year or portion thereof) in the form of Attachment No. 2.

"*Annual Period*" means that three hundred sixty five (365) day period commencing as of the Opening and ending the day prior to the anniversary of the Opening, and each succeeding three hundred sixty five (365) day period (or for a leap year, a three hundred sixty six (366) day period).

"Authorizing Business Entity" means The Fritz Duda Company, a California corporation.

"*Best Knowledge*" is defined in Section 208.1 hereof.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"*City Manager*" means the City Manager of the City or his designee.

"City Payment" means the payment of the Payment Amount by the City in accordance with the terms of this Agreement.

"CDBG Regulations" means those regulations (concerning Community Development Block Grants) set forth at 24 CFR 570, including without limitation those regulations referenced therein.

"*Conditions Precedent to Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar.

"Conforming Facility" means a building consisting of not less than five thousand one hundred (5,100) square feet gross leasable area and adjacent parking spaces (or rights to use such spaces) as required by the City in connection with its customary planning process which includes improvements sufficient for the conduct of Conforming Activities, which improvements are to be located at the Designated Site in conformity with the Site Plan of the Buffalo Wild Wings Facility.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" means July 13, 2010.

"*Deadline*" means the ninetieth (90th) day following the Date of Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Site*" means a parcel of land within the TownGate Area to be designated by Operator as provided in Section 401 of this Agreement.

"*Designated Trade Name*" means "Buffalo Wild Wings Grill and Bar" or another trade name that is approved by the City in its discretion.

"*Fee Condition*" is defined in Section 401.2.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Designated Site is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Designated Site.

"*Improvements*" means all improvements present on the Designated Site as of the Date of Agreement or thereafter undertaken on the Designated Site.

"*Municipal Code*" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"*Opening*" means the opening for business of a sports bar and restaurant facility consisting of not less than five thousand one hundred (5,100) square feet gross leasable area operating under the Designated Trade Name.

"*Operating Covenant Period*" means a twelve (12) month period commencing with the later of (i) the Opening or (ii) the time set forth in the Schedule of Performance for the scheduled Opening.

"*Operator*" means Pacific Wings, Inc., a California corporation.

"*Operator Certificate*" means Attachment No. 5 to this Agreement.

"*Payment Amount*" or "*Maximum Payment Amount*" means the sum of One Hundred Seven Thousand Eight Hundred Forty One Dollars ($107,841.00).

"*Performance Conditions*" means all of the following: the Fee Condition; the Indemnification Condition; the Certificate Condition; the Continuous Operation Condition; and the Annual Report Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"*Qualifying Employee(s)*" is defined as follows: the number of persons constituting Qualifying Employees during any Annual Period shall equal the sum of (i) the number of "Full Time Employees" for such Annual Period plus (ii) the number of "Composite Full Time Employees" for such Annual Period, calculated in accordance with the following:

(a) In order to qualify as a Full Time Employee of Operator for the applicable Annual Period, a person must be a salaried or hourly employee who is employed at the Designated Site not less than forty (40) hours per week for not less than fifty (50) weeks, with such fifty two (52) week calculation to be inclusive of vacations, holidays, disability leaves required pursuant to state law, sick leave and similar benefits generally afforded employees generally deemed to be full time employees by prevailing community standards during the corresponding Annual Period. An employee who is terminated during any Annual Period, and the employee who replaces such terminated employee in such position, shall be aggregated for purposes of the foregoing calculation. The Operator shall provide substantiation to the City Manager (or his designee) as to replacement of terminated employees, and the City Manager (or his designee) shall in good faith review whether the employees involved are countable for purpose of the foregoing calculation.

(b) For purposes of this Agreement, one Composite Full Time Employee shall be deemed to exist for each two thousand (2,000) hours worked per Annual Period, not inclusive of vacations, holidays, disability leaves, sick leaves, or similar benefits, performed by part time employees (other than qualifying Full Time Employees), contract employees, independent contractors, or temporary personnel (collectively, "Part Time Employees") at the Designated Site.

Hours worked in one Annual Period shall be countable only with respect to that Annual Period and cannot be carried forward or carried back to be applied as to a different Annual Period.

"*Required Period*" means that period commencing as of the Date of Agreement and continuing until the first (1st) anniversary of the Opening.

"*Schedule of Performance*" means that Schedule setting forth the times by which each action must be completed pursuant to this Agreement, as set forth in Attachment No. 6, attached hereto and incorporated herein.

"Site Plan of the Buffalo Wild Wings Facility" means Attachment No. 1.

"*Special Fund*" means a fund or account that City will maintain and which will be funded only with moneys granted by the United States Government under the Act (and, particularly, under the CDBG program).

"Targeted Income Groups" means very low-, low- and moderate-income households (as defined under Health and Safety Code Sections 50105, 50079.5 and 50093) residing in the City. Data changes annually concerning the income limits for such households; figures will be available from the City within a reasonable time following receipt of request therefor from the Operator.

200. REPRESENTATIONS AND WARRANTIES.

201. **City Representations**. City represents and warrants to Operator as follows:

(a) **Authority**. City is a municipal corporation organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of the City Council. The City has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by City has been fully authorized by all requisite actions on the part of City. The parties who have executed this Agreement on behalf of City are authorized to bind City by their signatures hereto.

(b) **No Conflict**. To the best of City's knowledge, City's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which City is a party or by which it is bound.

(c) **No City Bankruptcy**. City is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to City as follows:

(a) **Authority**. Operator is a duly organized California corporation that is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase or lease and accept possession of property within the TownGate Area, including the Designated Site and undertake all obligations as provided herein and the execution, performance and delivery of this Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of or a leasehold interest as to the Designated Site or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of franchised restaurant facilities, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations pertaining to the operation of a Conforming Facility under this Agreement, as well as the Summary of HUD Basic Requirements for CDBG Economic Development Activities.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to City), indemnify and save and hold harmless City and its officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") to the extent arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or

employed by Operator with respect to the Designated Site; or (v) Operator's ownership, occupancy or use of the Designated Site; provided, however, that the indemnification obligations provided in this Section 301 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the City has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the City immediately upon written demand for all costs reasonably incurred by the City (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the City's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which the City is indemnified under this Agreement.

The Operator shall indemnify the City from any real estate commissions or brokerage fees which may arise from this Agreement or the Designated Site. The Operator agrees to hold the City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator and/or the Designated Site.

Operator agrees that no displacement of another person or business shall be effected in connection with the selection of a Designated Site by the Operator or Operator's siting of a store at the Designated Site. Operator agrees to and shall defend, indemnify and hold harmless City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Site occurring prior to and in connection with the selection of the Designated Site by the Operator.

302. **Compliance With Laws**. Operator shall carry out the design, construction and development of improvements, if any, and the conduct of uses on the Designated Site in conformity with all applicable laws, including without limitation the Act, City zoning and development standards, building, plumbing, mechanical and electrical codes, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq,* and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The City makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify City for any liability associated with the payment of prevailing wages for any work on the Designated Site.

The Operator does hereby and shall indemnify and hold City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by City to the extent arising out of Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720; provided, however, that the indemnification obligations provided in this

Section 302 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator.

Before commencement of construction of any improvement upon the Designated Site or otherwise within the corporate limits of the City, Operator shall, at its own expense, secure or cause to be secured any and all land use and other entitlements, permits, and approvals which may be required for such improvements by the City or any other governmental agency affected by or having jurisdiction over such construction or work. Operator shall, without limitation, apply for and secure, and pay when due all costs, charges and fees associated therewith, all permits and fees required by the City, County of Riverside, and other governmental agencies with jurisdiction over such improvements. Execution of this Agreement does not constitute the granting of or a commitment to obtain or to assist in obtaining any required land use entitlements, or approvals required by the City. Operator's obligations under this Agreement including without limitation acquisition (by purchase or lease) and, if applicable, the making of improvements at the Designated Site is expressly conditioned upon the issuance of each permit required by the City, County of Riverside or other governmental agencies and the grant of all approvals and entitlements required for development of the Designated Site as contemplated under this Agreement.

303. **Insurance**. Prior to the disbursement of any moneys by the City to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense (or, if Operator is leasing the Designated Site, the lessor may provide) the following policies of insurance in form and substance reasonably satisfactory to the City:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Site (to be in effect only while work is being performed on the Designated Site);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Site in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Designated Site is located (including loss by flood if the Designated Site is in an area designated as subject to the danger of flood);

(iii) public liability insurance in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to City. The policies required under subparagraph (b) shall designate City as an additional insured and loss payee. City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by City) and endorsements shall be delivered to City from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to City evidence of renewal or replacement of such policy reasonably satisfactory to the City Manager.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of the City. All policies shall be written by good and solvent insurers qualified to do business in California and shall have a policyholder's rating of A or better in the most recent edition of "Best's Key Rating Guide -- Property and Casualty." The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator (or policies or amendments, riders or endorsements by a lessor, if the Operator is leasing the Designated Site), and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against City (or any officer, employee, agent or representative of City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment; Efforts to Employ Persons of Targeted Income Groups**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry, national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

Operator shall recruit and use best efforts to maximize the hiring of personnel for its sports bar and restaurant facility to be established under this Agreement in the TownGate Area from members of the Targeted Income Groups.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay (or the Authorizing Business Entity or lessor shall pay) prior to delinquency all ad valorem real estate taxes and assessments on the Designated Site. Operator shall remove or shall have caused to be removed any levy or attachment made on the Designated Site or any part thereof which is owned or leased by Operator, or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless the City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties to the extent arising out of (a) activities undertaken by the Operator or (b) the Designated Site.

400. CONSIDERATION FOR AGREEMENT; CITY CONTINGENT PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the City to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Payment by the time established therefor in the Schedule of Performance, and to annually thereafter satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The

Operator further agrees to operate, maintain and use the Designated Site in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the City Manager, City will disburse to Operator from moneys in the Special Fund the Payment Amount.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities in a Conforming Facility commencing with the Opening and continuing throughout the Operating Covenant Period. In addition to the foregoing, Operator shall use diligent efforts to recruit and hire as employees members of the Targeted Income Groups, and shall cooperate with the City in connection therewith. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming Activities (the "Fee Condition"); (iii) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (iv) filing of the Annual Compliance Report for the corresponding calendar year by the time set forth therefor herein (the "Annual Report Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Required Period, and during such period shall provide such additional information with respect to any of such matters as the City Manager or his designee shall reasonably determine to be necessary or convenient in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **City Contingent Financial Participation**. Payment of the Payment Amount shall be subject to satisfaction of the Conditions Precedent to Payment and, to the extent applicable as of payment of the Payment Amount, the Performance Conditions have been and remain satisfied as of the time such payment is otherwise due and payable; the City shall disburse to the Operator the City Payment following the Opening within thirty (30) calendar days after the City Manager receives satisfactory substantiation that the Conditions Precedent to Payment (including, to the extent applicable as of the payment of the Payment Amount, the Payment Conditions) have been satisfied. The source of payments and the obligation to make payment shall be moneys in the Special Fund; provided that City may provide payment from any other City funding source deemed appropriate by City. Payment by the City is subject to the reasonable satisfaction of the City Manager that the Conditions Precedent to Payment were satisfied and that there are no uncured defaults which occur prior to the making of payment. Operator Certificates shall be submitted to the City to the attention of its City Manager at the address set forth in Section 701 hereof. No interest shall accumulate as to any amounts which are or may become payable to the Operator.

The City shall not provide any moneys pursuant to this Agreement other than those payments provided for in this Section 402. Further, no pledge is made or lien priority established by this Section 402.

403. **Conditions Precedent to Payment**. The City shall pay the Payment Amount to Operator within thirty (30) calendar days following the date on which all of the following conditions precedent have been and remain satisfied:

(a) the Operator provides to the City Manager evidence reasonably satisfactory to the City Manager that: (i) Operator has entered into a binding agreement with the franchisor of the trade name Buffalo Wild Wings Grill and Bar, and a lease agreement with the Authorizing Business Entity to operate a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar; (ii) Operator has acquired real property within the TownGate Area or has entered into a lease of existing, improved premises that constitutes a Conforming Facility for a term of not less than twelve (12) months; (iii) the Opening of a Conforming Facility has occurred within the TownGate Area with the approval of the Authorizing Business Entity operating under the Designated Trade Name; (iv) Operator has made diligent efforts to recruit and hire as its employees members of Targeted Income Groups; and (v) Operator employs at the Designated Site not less than four (4) Qualifying Employees;

(b) Operator delivers to the City Manager or his designee a certificate substantially in the form of the Operator Certificate, duly executed with the attachments prescribed pursuant to this Agreement;

(c) all property taxes, assessments and business license fees for or with respect to the Designated Site have been paid and are not delinquent;

(d) there exists no Default, as defined in Section 601 of this Agreement; and

(e) Operator has delivered to City all documents, instruments, policies, and forms of evidence or other materials required to be provided to City hereunder and as may be reasonably requested by City under the terms of this Agreement

(f) Operator provides evidence reasonably satisfactory to the City Manager demonstrating that the Conforming Facility is operating on the Designated Site in conformance with this Agreement using the Designated Trade Name;

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on the Designated Site during the Operating Covenant Period, or if this Agreement is terminated by the City based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the City pursuant to Section 402 of this Agreement.

404. **Brokers**. The City shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator will use the Conforming Facility as a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the Designated Trade Name. The Operator shall operate on the Designated Site only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote the Designated Site to the uses specified in this Section 501 of this Agreement; (ii) operate on the Designated Site a Business devoted to the operation of Conforming Activities under the Designated Trade Name and (iii) execute and deliver to the City an Operator Certificate prior to each payment by the City.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations. The Operator covenants to operate on the Designated Site only Conforming Activities for a period of not less than the Required Period; this covenant is made for the benefit of the City.

In addition, Operator covenants that there shall be no discrimination contrary to the Summary of HUD Federal Requirements for CDBG Economic Development Activities or the CDBG Regulations.

In addition, continuing throughout the remainder of the Required Period, all uses conducted on the Designated Site, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to the Designated Site or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain the Designated Site and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations.

(b) To maintain the improvements and landscaping on the Designated Site in conformity to all applicable laws and to keep the Designated Site free from any accumulation of debris and waste materials (or, if Operator leases the Designated Site, to provide such maintenance or require that the lessor provide such maintenance).

(c) To operate on the Designated Site only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of

Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the City shall be suspension or at City's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement, except as otherwise specified in this Section 603. Upon the City's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then, subject to the provisions of Section 602 above, this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the City. Operator shall also have the option to terminate this Agreement on or before September 1, 2010 (unless such date is extended by mutual consent of the parties), if on or before September 1, 2010 (or the date as extended by mutual consent of the parties): (i) Operator is unable to acquire title or a leasehold interest in the Designated Site; or (ii) the City fails to make one or more payments as provided under this Agreement. From the date of Notice of Termination of this Agreement by Operator to the City and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by City**. In the event that, prior to the time established in the Schedule of Performance for the satisfaction of the Conditions Precedent to Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to the Designated Site to any third party other than an Affiliate in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment in accordance with the Schedule of Performance and such failure is not caused by City; or

(c) On or before the Deadline, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of City, be terminated by City by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by City to the Operator

and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties, except that City may pursue any remedies it has hereunder.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the City, service of process on the City shall be made by personal service upon the City Clerk or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To City:	City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Pacific Wings, Inc. Attention: Anthony Prokos 28076 Paseo Hacienda San Juan Capistrano, California 92675

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party, or acts or failures to act of the City or any other public or governmental agency or entity. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of City and Operator. The City Manager shall have the authority to approve on behalf of City, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to open a Conforming Facility within the TownGate Area; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with City as to other properties.

703. **Transfers of Interest in Agreement or of Designated Site**. The qualifications and identity of the Operator are of particular concern to the City. It is because of those qualifications and identity that the City has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Site or the development thereon without prior written approval of City, except as expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the City, the sole remedy of the City shall be suspension or at City's election termination of payments otherwise required to be made by City pursuant to this Agreement. City shall not unreasonably withheld its consent to the assignment by Operator hereunder of its rights under this Agreement to any entity which controls, is controlled by, or is under common control with Operator ("Affiliate"); provided that in no event shall Operator be released of its obligations hereunder.

704. **Provision of Information; Inspection of Books and Records**. The City shall have the right at all reasonable times during the Required Period to inspect the books and records of the Operator as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the City as deemed reasonably necessary by the City, at least annually and additional upon request therefor by the City, to verify compliance with the terms of this Agreement.

705. **Non-Liability of Officials and Employees of City**. No member, official, officer or employee of the City shall be personally liable to the Operator, or any successor in interest, in the

event of any Default or breach by the City or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between City and Operator**. It is hereby acknowledged that the relationship between the City and the Operator is not that of a partnership or joint venture and that City and the Operator shall not be deemed or construed for any purpose to be the agent of the other (excepting that the Operator shall each be deemed to be the agent for the other). Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the City shall not have any rights, powers, duties or obligations with respect to the Designated Site.

707. **City Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the City, the City Manager is authorized to act on behalf of the City unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 6, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to

persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the City and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by City**. This Agreement, when executed by the Operator and delivered to City, must be authorized, executed and delivered by the City on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries**. Nothing herein is intended to create any third party beneficiaries to this Agreement, and no person or entity other than the City and the Operator, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

WITNESS WHEREOF, the City and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

CITY:

CITY OF MORENO VALLEY,
a municipal corporation

By:_____
William L. Bopf, Interim City Manager

ATTEST:

_____
Jane Halstead, City Clerk

Approved as to Form:

_____
Robert Hansen
City Attorney

OPERATOR

PACIFIC WINGS, INC.,
a California corporation

By:_____
Anthony Prokos

Its: _____

ATTACHMENT NO. 1

SITE PLAN OF THE BUFFALO WILD WINGS FACILITY

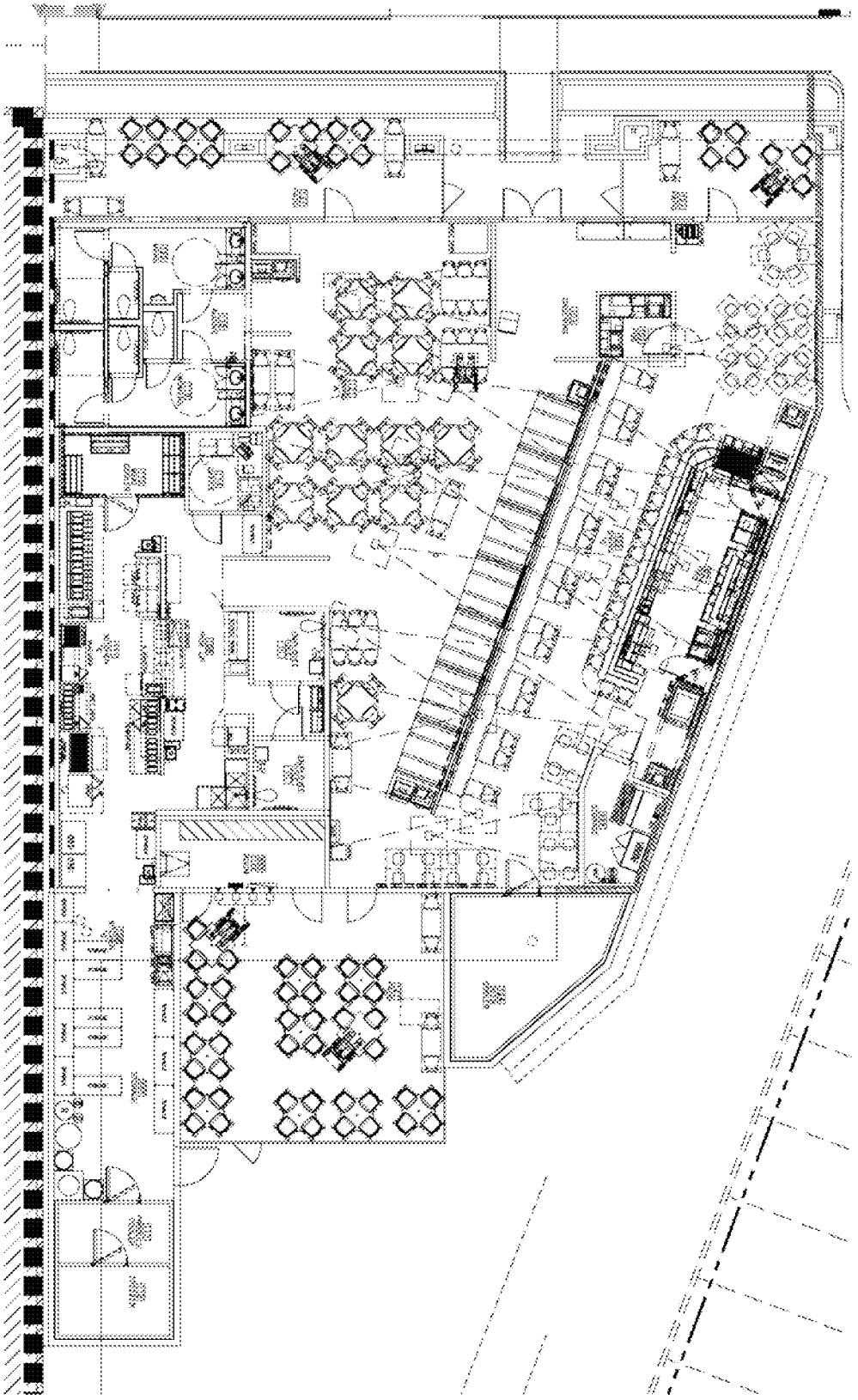

ATTACHMENT NO. 2
ANNUAL COMPLIANCE REPORT
YEAR ENDING ____

Activity:	**Moreno Valley Business Incentive Program**
Per Agreement Between:	City of Moreno Valley and Pacific Wings, Inc.
Agreement Originating:	**2010 (CDBG-R Program Year 2010/11)**
Current Date (mo/day/yr):	
Contact Person Name:	**Title:**
Contact Mailing Address:	
	Contact E-mail:
Contact Telephone:	**Contact Fax:**
Funding Source(s):	☒ **CDBG** ☐ **HOME** ☐ **RDA** ☐ **HOME & RDA** ☒ **Other - CDBG-R**
Assistance Extended:	Year 1: $107,841 (CDBG-R)

Per Federal laws as agreed to in the Participation Agreement referenced above, the following data must be reported annually to the Dept. of Housing and Urban Development (HUD) via the City of Moreno Valley's Economic Development Department. Please complete and return to the City by requested date.

Required Reporting Data	
No. of jobs to created or retained - **Minimum 4 full time jobs or full time equivalents**	_____
Percentage of the jobs to be created or made available to Low-to-Moderate (L/M) persons	**100%**
No. of Low-to-Moderate (L/M) jobs actually created or retained over reporting period	_____

LOW / MODERATE INCOME: The income table below is intended for use by the Participating Business when qualifying an applicant / employee as low-to-moderate (L/M) income. For each applicant's / employee's family size, indicate if previous income was more than or less than the amount listed. Insert the word 'Less or 'More' as applicable in the Low/Moderate Income column below.

Annual Income Level	**Number of Persons In Household/Family**							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
2009 Low -to-Moderate Incomes	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350

(An updated table shall be provided annually as new income limits are issued each year by the Department of Housing and Urban Development (HUD)

	Employee Name (Last name, First Initial)	**Job type Ft or p/t (enter # hrs)**	**Job Category* Select category from below**	**Paid health Benefits (Y or N)**	**Low/Moderate Income Was previous income more or less than amount listed above?**	**Race / Ethnicity of employee****	**Previously unemployed (Y or N)**
EX	EXAMPLE EMPLOYEE: JOHN SMITH	FT	6 (Craft Workers)	Y	Less	1 (White)	N
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

***JOB CATEGORIES (Insert appropriate number in Job Category column)**:

1)	Officials and Managers	4)	Sales	7)	Operatives (semi-skilled)
2)	Professional	5)	Office and Clerical	8)	Laborers (unskilled)
3)	Technicians	6)	Craft Workers (skilled)	9)	Service Workers

****RACE CATEGORIES (Insert appropriate number in Race Category column)**:

ND) Not Disclosed	3) Asian	6) American Indian / Alaskan Native & White	9) American Indian / Alaskan Native & Black/African American
1) White	4) American Indian/ Alaskan Native	7) Asian & White	10) Other Multi-Racial – Category used for reporting individual responses that are not included in any of the categories listed above
2) Black / African American	5) Native Hawaiian / Other Pacific Islander	8) Black / African American & White	

ATTACHMENT NO. 3

ROLES TO ENSURE LOW-TO-MODERATE INCOME BENEFIT

This is a federally funded Economic Development project. As such, the Office of Housing and Urban Development (HUD) requires that each party to the Agreement agree to undertake certain roles to ensure that the jobs created/retained will benefit low-to-moderate (L/M) income persons.

Actions required by each party are:

The City of Moreno Valley:

- Shall provide a summary of HUD Federal Requirements for CDBG Economic Development activities for informational purposes and as a reference document.
- Shall be available to provide guidance and answer questions to ensure clarity and understanding of HUD's requirements.
- Will specify exactly what needs to be in the reported annually. See Attachment 2.
- Will collect the Compliance Report Form, review the form, and provide written feedback within 30 days of receipt. The City's written response may contain suggestions or list adjustments if necessary to meet the requirements as provided in the Agreement.
- Will identify L/M census tracts (census tracts where 70% of residents are low income) and Enterprise Zones where business may target (or market) their employee search. Maps will be provided.
- Shall define 'reasonable distance' as within 1.5 miles of an applicant's residence for the employer/business to use when determining if L/M applicant has adequate access to transportation to job site.
- Will provide an updated annual income table each year to be used by the business in determining if an individual seeking employment qualifies as low-to-moderate income.

The Business/Employer:

- Shall accept the HUD Federal Requirements for CDBG Economic Development activities and retain a copy for informational and reference purposes.
- Shall seek guidance from City and ask questions as needed in order to ensure clarity and understanding of HUD's requirements.
- Will submit a completed 'Annual Compliance Report Form' each year as required.
- Will implement suggestions and adjustments as recommended by the City via letter within 60 days of receipt of City response letter.
- Refer to map of L/M census tracts and Enterprise Zones when identifying where to conduct marketing of employment opportunities.
- Cooperate with the City of Moreno Valley Employment Resource Center to pre-screen for L/M income applicants. Completion of L/M verification shall be done through the Agency if possible (this includes having applicants complete any self-certification documents).
- Require use a notarized jurat along with L/M self-certification document.
- Provide copies of marketing materials, advertisements, want ads, etc. including publication dates, name of publisher to document job marketing efforts in areas pre-determined to be 'low-to-moderate income'.
- If an applicant falls into the "presumed L/M income" category, this will need to be documented by referencing the census block number or Enterprise Zone of where the applicant resides directly on the application and again within the required reports to the City.

ATTACHMENT NO. 4

SUMMARY OF HUD FEDERAL REQUIREMENTS FOR CDBG ECONOMIC DEVELOPMENT ACTIVITIES

Activity: Moreno Valley Business Incentive Program

Code of Federal Regulation References: 18A ED Technical Assistance. Section 570.203 Section 105 (c) (1) and Section 570.208 (a) (4)

Number of Jobs to be created: For individual economic development projects, CDBG-Department of Housing and Urban Development (HUD) and the City shall require creation of 1 full time equivalent permanent job per every $35,000 in CDBG assistance. In this case, four (4) jobs minimum AND 51% of the jobs the activity creates must be either held by or made available to Low-to-Moderate (L/M) income persons.

Term of Job: Jobs must be formally categorized as permanent. See definition of 'qualifying employee' on page 3 of Agreement. All newly created jobs are also subject to a 'turn over' stipulations.

The Low-to-Moderate (L/M) Income Standards: The following is required to meet the Low-to-Moderate (L/M) income standards.
Fifty-one percent or more of the jobs created must either:
(a) be 'held by' L/M income persons at the time CDBG assistance is provided and/or
(b) for jobs not held by L/M income persons, documentation must prove the job was 'made available' to L/M income person.
(c) for jobs not known to be held by L/M income persons will be turned over to low/moderate income persons within 2 years. This would involve the business to take action to ensure that such a job, upon turnover, will be either taken by or made available to a L/M income person in a manner similar to that pertaining to a newly created job.

The business must maintain sufficient documentation indicating that at least 51 % of the jobs will be 'held by' or 'made available' to L/M income persons.
A job is considered 'held by' the L/M income person if the hired employee is proven to earn a household income not to exceed 120% of the area median income for Riverside County adjusted for the person's family size. An income table providing area median incomes by household size is provided as an attachment to this Agreement.
A job is 'made available' to a L/M person when: (1) no special skills, experience, or education beyond high school is required to fill such a job or the business agrees to hire an unqualified person and provide training, and (2) the assisted business takes actions to ensure that low-to-moderate income persons received "first consideration "for filling the jobs.

Principals involved in 'First Consideration'
(1) The business must use a hiring practice that under usual circumstances would result in over 51% of L/M income persons interviewed for applicable jobs being hired,
(2) the business must seriously consider a sufficient number of low-to-moderate income job applicants to give reasonable opportunity to fill the position with such a person, and
(3) the distance from residence and availability of transportation to the job site must be reasonable before a particular low-to-moderate income person may be considered a serious applicant for the job.

Presumed L/M Income Status
A business may presume a person to be L/M income if the person resides within a census tract (or Block numbering area) that either has:
(a) at least 70% residents who are L/M income persons or
(b) meets the criteria related to enterprise zones.

Enterprise Zones
In order to qualify as an Enterprise Zone, the census tract or block numbering area must either: (a) be part of a federally designated Enterprise Zone or Enterprise Community or (b) meet 100% of the following:

- have a poverty rate of 20% as determined by the most recent decennial census information,
- not include any portion of a central business district, as the term is used in the most recent Census of Retail Trade, unless the tract/BNA has a poverty rate of at least 30% as determined by the most recent decennial census information,
- evidence pervasive poverty and general distress by meeting at least one of the following standards:
  All block groups in the census tracts have poverty rates of 20%; the specific activity being undertaken is located in a block group that has a poverty rate of at least 20% or upon the request of the business; HUD determines that the census tract/BNA exhibits other objectively determinable signs of general distress such as high incidence of crime, narcotics use, homelessness or substantial population decline.

Policies in Counting Jobs
It will be necessary to determining the percentage of jobs that benefit L/M income persons. When preparing to calculate this number, the following policies apply:
(a) Convert part time jobs to full time equivalents (i.e., a job that will require only working half time will count as half a job),
(b) Only permanent jobs may be counted, not temporary
(c) Seasonal jobs are considered to be permanent for CDBG purposes only if the season is long enough for the job to be considered as the employees principal occupation
(d) All permanent jobs created or retained in this project must be counted even if the project has multiple funding sources of funds; and
(e) Jobs indirectly created or retained by an assisted activity may not be counted.

Documenting Income
Documenting that a particular applicant/employee family income was L/M income may include any of the following:

- Evidence that the employee/applicant was a referral from a state, county, or local employment agency or other entity that has agreed to refer individuals whom they have determined to be L/M income based on HUD's Federal criteria. These entities must maintain records showing the basis upon which they determined that the person was L/M income, which they agree to make available for grantee or Federal inspection.

  A written certification signed and dated by the employee/applicant indicating his/her family size and total income as necessary to determine whether the person is a member of a L/M income family at the time the certification is made. The certification may either show the actual size and income of the family or contain a statement that the annualized family income is below the Section 8 low-income limit for the applicable family size. The form must include a statement that the person making the certification is aware that the information being provided is subject to verification by the local or Federal government.

- Evidence that the employee/applicant has qualified for assistance under another program with income qualification criteria at least as restrictive as those used by this program (e.g. referrals from Public Housing or welfare Agency). The Joint Training Partnership Act (JTPA) Program has income standards that are acceptable for this purpose, except for referrals under the JTPA Title III program for dislocated workers.

- Evidence that the person may be presumed to be L/M income. See definitions.

Record Maintenance
Program records will document jobs actually created and retained, whether the job was 'held by,' 'taken by,' or 'made available' to L/M income person, and the full-time equivalency status of each job.

Records in respect to jobs created and 'held by' must show:
A listing by job title of the specific job to be created, a listing by job title of the job filled, the name and income status of the person who filled each position, and the full time equivalency status of the jobs.

Where a job was not originally taken by a L/M income person but the business nevertheless wants credit based on the job being 'made available' to L/M income person, the record must show: The title and description of the job 'made available', and the full time equivalent status of the job at the time, the prerequisites for the job, special skills or education required for the job, if any, and the business commitment to provide needed training for such jobs (and the training that the business provided to the L/M income person hired) and how 'first consideration' was given to the L/M income person for the job such as the name of the person(s) interviewed for the job and the date of the interview and the income status of the person interviewed.

Records in respect to jobs retained and 'held by' must show:
A listing by job title of the permanent job retained, those jobs known to be held by L/M income persons at the time CDBG assistance was provided and the full time equivalency status of the jobs, and information on the family size and annual income of each such L/M person.

Records in respect to jobs retained and 'turned over' must show:
Identification of any of the retained jobs projected to become available to L/M income persons through turn over within two years of the time CDBG assistance is provided, the basis upon which the job was determined to be likely to turn over within two years following the CDBG assistance, the date the job actually turned over, the name and income status of the person who filled the vacancy, if the person who took the job was not L/M income but the claim is that the job was nevertheless made available to L/M income person, records equivalent to those described above to substantiate the 'available to' claim and information on the family size and annual income of each such L/M income person hired.

For more information or clarification regarding the requirements for a specific CDBG Economic Development Activity, contact the CDBG administrators in the Economic Development Department of the City of Moreno Valley.

Economic Development Dept.
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, Ca 92552-0805

Phone 951-413-3450
Fax: 951-413-3459

E-mail: np@moval.org
Website:www.moval.org

ATTACHMENT NO. 5

OPERATOR CERTIFICATE

(Operator Letterhead)
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: City Manager

With respect to that certain Participation Agreement (the "Agreement") by Pacific Wings, Inc., a California corporation (the "Operator") and the City of Moreno Valley, a municipal corporation (the "City") dated as of July 13, 2010, the undersigned, on behalf of the Operator, hereby certify to City that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the City, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Fee Condition; the Continuous Operation Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to the Designated Site, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation.

8. Operator remakes to City each and every representation and/or warranty made to City under the Agreement.

9. A report setting forth in detail the recruitment efforts of Operator and the numbers of jobs, both full time and part time, at the Designated Site by Operator are attached as Exhibit A and as provided in Attachment No. 2 to the Agreement hereto, including an enumeration of the jobs held by members of Targeted Income Groups.

10. As of the submittal of this Operator Certificate, the Operator has satisfied the Conditions Precedent to Payment.

Operator executes this Operator Certificate for the benefit and protection of the City with full knowledge that the City is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

PACIFIC WINGS, a California Corporation

Dated: _____

_____
Its: _____

Exhibit A to Attachment No. 5

Report for the Annual Period ending as of _____, 20__:

Total Full Time Employees employed at Designated Site: _____
Total number of Fulltime Employees from Targeted Income Groups: _____

Other employees at Designated Site: _____
Other employees that are from Targeted Income Groups: _____

Total Composite Full Time Employees: _____
Composite Full Time Employees from Targeted Income Groups: _____

Cumulative total, Qualifying Employees: _____
Qualifying Employees from Targeted Income Groups: _____

Supporting data: [to be attached and submitted with Operator Certificate]

ATTACHMENT NO. 6

SCHEDULE OF PERFORMANCE

For the purposes of this Schedule of Performance, the "Date of Agreement" is July 13, 2010. The City Manager may extend by not more than one hundred twenty (120) days the time under this Schedule of Performance by which any obligation of the Operator shall be performed.

1.	**Operator Establishes Location at the Designated Site.** The Operator acquires title to or enters into a lease with respect to the Designated Site, along with executed and binding agreement with the Authorizing Business Entity for operation of a Conforming Facility and provides proof thereof to the City.	On or before August 2, 2010.
2.	**Operator provides improvements and upgrade documentation.** The Operator provides City with satisfactory documentation of equipment, restaurant improvements and utility needs for facility improvements sufficient for the site to constitute a Conforming Facility (including approval by the Authorizing Business Entity).	On or before February 1, 2011.
3.	**Operator opens at Designated Site.** The Operator opens and provides proof thereof to the City.	On or before February 15, 2011.
4.	**The Operator Satisfies Conditions Precedent to Payment.** The Operator satisfies the Conditions Precedent to Payment and provides proof thereof to the City.	On or before March 17, 2011.

APPROVALS	
BUDGET OFFICER	C.a.f.
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Electrical and rough grading associated with the installation of the Redlands sewer improvements improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required electrical and rough grading associated with the installation of the Redlands sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and bond securities for the electrical and rough grading associated with the Redlands sewer improvements. The developer has provided City staff with a separate bond for each of the two tasks noted within the agreement and agrees to perform and complete all of the required electrical installation and rough grading associated with the installation of the Redlands sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading associated with the Redlands sewer improvements are not completed within said timeframe. The backbone electrical and rough grading associated with the Redlands sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of electrical conduit, wires, transformers and/or other electrical system appurtenances as well as rough grading associated with the installation of the Redlands sewer main and manholes.

Accompanying the agreement is a Faithful Performance Bond in the amount of $515,000 and a Material & Labor Bond in the amount of $257,500 for the electrical and a Faithful Performance Bond in the amount of $273,000 and a Material & Labor Bond in the amount of $136,500 for the rough grading submitted by Safeco Insurance Company of America. Given the present economy as well as the size and uniqueness of the project, allowing the use of multiple partial reductions seems appropriate.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A-1" - Vicinity Map for Limits of Electrical Work
Exhibit "A-2" - Vicinity Map for Limits of Rough Grading Work
Exhibit "B" - Agreement for Redlands Electrical and Rough Grading associated with the installation of the Redlands Sewer Improvements
Exhibit "C" - Faithful Performance Bond for Electrical Work
Exhibit "D" - Material and Labor Bond for Electrical Work
Exhibit "E" - Faithful Performance Bond for Rough Grading Work
Exhibit "F" - Material and Labor Bond for Rough Grading Work

Prepared By
Mark W. Sambito, P.E. .
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Electrical PIA.doc

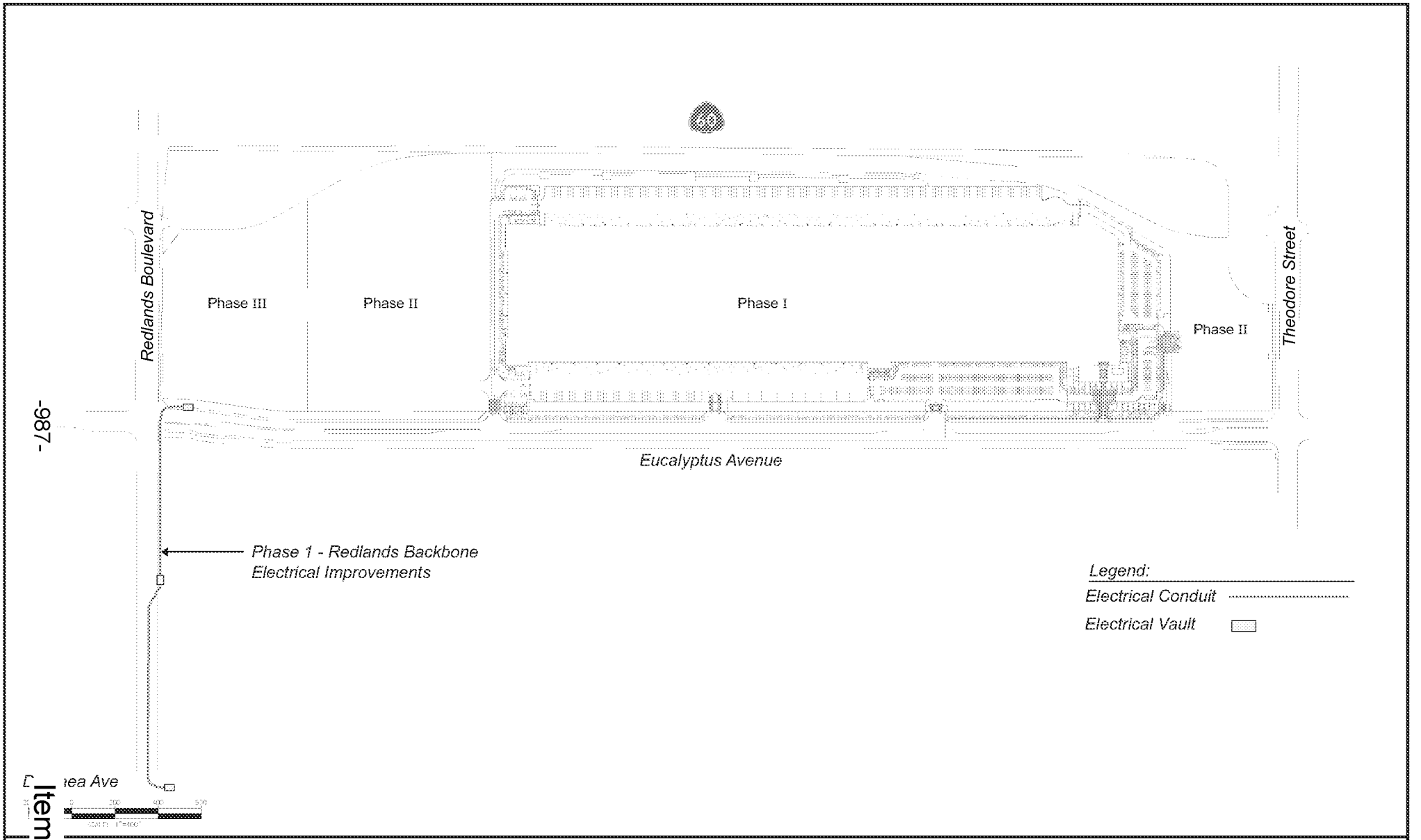

July 1, 2010

Redlands - Electrical Conduit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Hig irview Corporate Park\Legals\PIA Exhibits\Redlands-Electrical

Exhibit "A-1"

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MV00068981

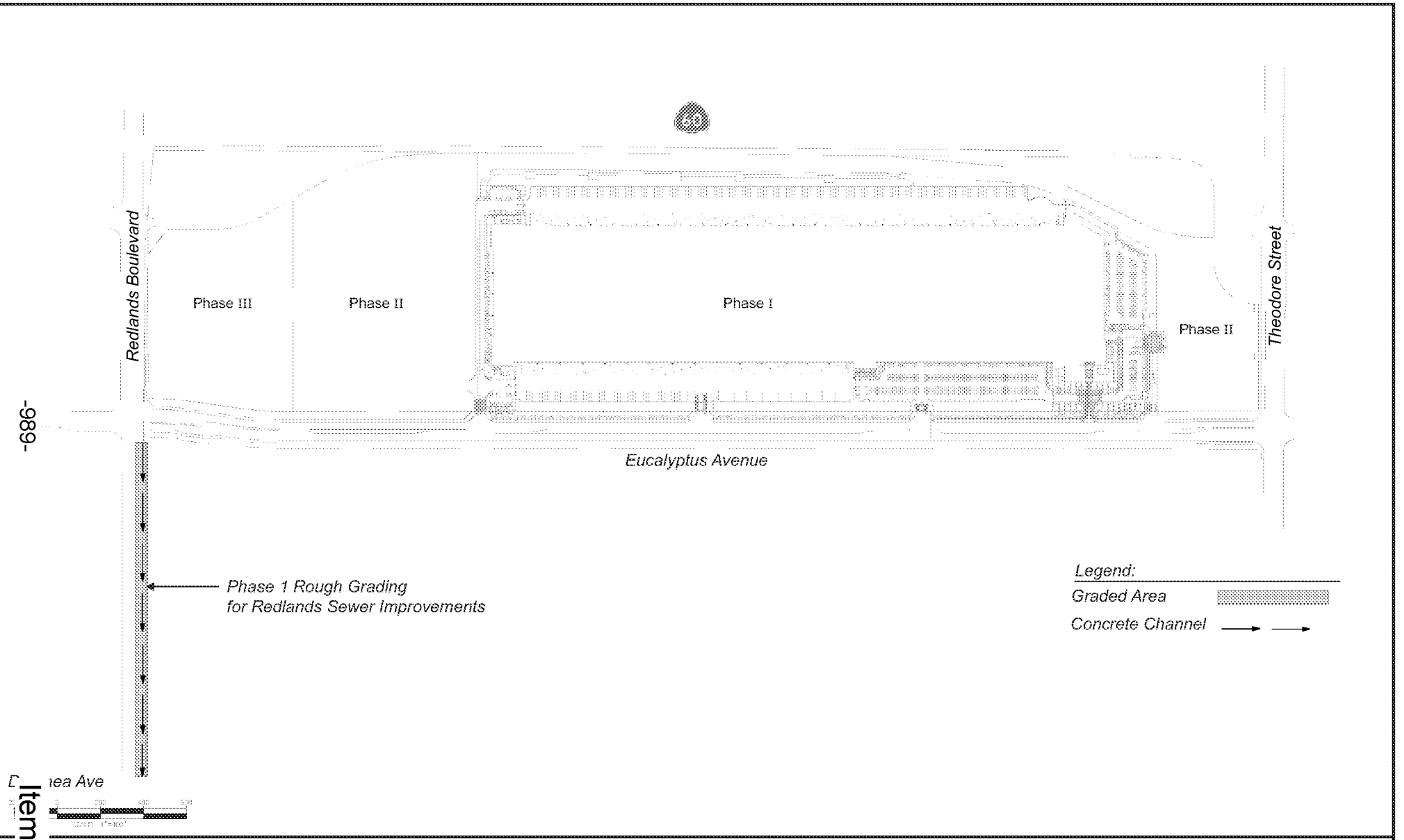

July 1, 2010

Redlands - Grading and Drainage

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Hig irview Corporate Park\Legals\PIA Exhibits\Redlands-Grading

Exhibit "A-2"

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MV00068983

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR A PORTION OF PHASE 1PUBLIC IMPROVEMENTS FOR REDLANDS BACKBONE ELECTRICAL IMPROVEMENTS AND ROUGH GRADING ASSOCIATED WITH REDLANDS SEWER PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code.

Redlands Boulevard – Phase I Backbone Electrical Improvement Plans (A-1)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-1 and location map labeled Exhibit B-1 attached hereto, is the sum of FIVE HUNDRED FIFTEEN THOUSAND AND NO/100 Dollars (*****$515,000.00 *****).

Redlands Boulevard – Phase I Rough Grading Associated with Installation of the Redlands Sewer Improvements (A-2)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-2 and location map labeled Exhibit B-2 attached hereto, is the sum of TWO HUNDRED SEVENTY-THREE THOUSAND AND NO/100 Dollars (*****$273,000.00 *****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performan

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A-1 and A-2) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: Iddo Benzeevi
Signature

Iddo Benzeevi
Print/Type Name

President & Chief Executive Officer
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Redlands Electrical and Grading Improvements.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 7/6/10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/her~~/their~~ authorized capacity(~~ies~~), and that by his/her~~/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013
MSC1

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREEMENT PH. I. REDLANDS BACKBONE ELEC

Document Date: NONE AT THIS TIME Number of Pages: 14

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: IDDO BENZEEVI	Signer's Name: _____
☑ Corporate Officer — Title(s): PRES. & CEO	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

DATE: 06/22/10

PROJECT: Rough Grade for Installation of Sewer in Redlands
Rough Grading

PREPARED BY: Patrick Revere

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	5,000.00	5,000
Excavate Channel	290	CY	1.50	435
Export	0	CY	5.00	0
Import	4670	CY	5.00	23,350
			ROUGH GRADING SUBTOTAL:	28,785

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

ROUGH GRADING (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	0	Ton	60.00	0
Desilting Basin w/ Riser	0	E.A.	5,500.00	0
Fiber Roll	0	L.F.	2.20	0
Stabilized Construction Entrance	0	E.A.	3,000.00	0
Gravel Bags	1200	E.A.	1.90	2,280
Bonded Fiber Matrix Mulch	4	AC	2,000.00	7,400
			EROSION CONTROL SUBTOTAL:	9,680

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer In Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	9	L.F.	160.00	1,440
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	126	L.F.	190.00	23,940
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
2' X 4' Reinforced Concrete Box	33	L.F.	150.00	4,950
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	1	EA.	7200.00	7,200
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	3	EA.	5500.00	16,500

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	1	EA.	4000.00	4,000
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	12385	S.F.	10.00	123,850
"V" Ditch Transition	50	S.F.	10	500
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000.00	0
			SUBTOTAL:	188,360

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w 5/8" meter	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
Adjust Water Meter Box	0		235.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
	0		0.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
	0			0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	Rough Grade for Installation of Sewer in Redlands	DATE:	06/22/10
		PREPARED BY:	Patrick Revere

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
ROUGH GRADING	:	$28,785
EROSION CONTROL	:	$9,680
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$188,380
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$0
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$226,845
+20% CONTINGENCY:		$45,369
GRAND TOTAL:		$272,214

BOND AMOUNT: $273,000

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-12
CIVIL
STATE OF CALIFORNIA

Highland Fairview Corporate Park
Preliminary Dry Utility
Engineer's Estimate
Redlands Blvd

TRENCHING	QTY		UNIT COST	TOTAL
Provide and Install:				
Trench - Electric Only (Includes all saw cut, removals, shading, backfill, and surface restoration)	2,878	ft	$ 32.00	$ 92,096.00
Concrete Encasement (Full)	2,878	ft	$ 16.00	$ 46,048.00
TRENCHING SUB-TOTAL				$ 138,144.00

ELECTRIC CONDUIT & SUBSTRUCTURES	QTY		UNIT COST	TOTAL
Provide and Install:				
Transformer Pad RPM 48"x54"	1	ea	$ 1,600.00	$ 1,600.00
6'X7'X12' Vault (w 12" grade ring)	3	ea	$ 18,450.00	$ 55,350.00
5'X10'X7' PME	1	ea	$ 10,200.00	$ 10,200.00
Capacitor Pad 66" x 72"	1	ea	$ 1,600.00	$ 1,600.00
Grounding/Racking and Miscellaneous Materials	6	ea	$ 625.00	$ 3,750.00
1-5" Conduit DB100	12,192	ft	$ 3.50	$ 42,672.00
1-4" Conduit DB100	3,041	ft	$ 3.15	$ 9,579.15
1-3" Conduit DB100	474	ft	$ 2.80	$ 1,327.20
1-2" Conduit DB100	44	ft	$ 2.35	$ 103.40
1-1 1/2" Conduit DB100	134	ft	$ 1.95	$ 261.30
SUBTOTAL - ELECTRIC CONDUIT & SUBSTRUCTURES				$ 126,443.05

ELECTRIC CABLING (12KV DISTRIBUTION)	QTY		UNIT COST	TOTAL
Provide and Install:				
PME-10 Switch	1	ea	$ 19,000.00	$ 19,000.00
600AMP Dead End w/Test Point	9	ea	$ 430.00	$ 3,870.00
600AMP TEE'S (Elbow w/ 200AMP Tap)	9	ea	$ 690.00	$ 6,210.00
600A 2W Splice, 15KV w/200A Tap	6	ea	$ 690.00	$ 4,140.00
600A 2W Splice, 15KV	3	ea	$ 570.00	$ 1,710.00
3-1/C 1000 XLP-PEJ, 15KV, 220MIL	7,241	ft	$ 28.00	$ 202,748.00
SUBTOTAL - ELECTRIC CABLE (12KV DISTRIBUTION)				$ 237,678.00
Total Estimate				$ 502,265.05

The City of Moreno Valley and Highland Fairview have mutually agreed to use $515,000 as an estimate for bonding purposes.

REGISTERED PROFESSIONAL ENGINEER
PATRICE DALE NADEAU
No. 18997
Exp. 12-31-10
CIVIL
STATE OF CALIFORNIA

7/1/10
Butsko Utility Design, Inc.
EP

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MV00068997

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 515,000	Project No.	PA07-0090
Bond No.	6711630	Premium	$9,270
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 515,000 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** FIVE HUNDRED FIFTEEN THOUSAND & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:

DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 257,500

Bond No. 6711630

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$257,500.00***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** TWO HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 273,000	Project No.	PA07-0090
Bond No.	6711631	Premium	$4,914
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,

REDLANDS ROUGH GRADING

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 273,000 **.00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** TWO HUNDRED SEVENTY-THREE THOUSAND & NO/100 DOLLARS.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "E"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 136,500

Bond No. 6711631

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ROUGH GRADING

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$136,500.00 ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** ONE HUNDRED THIRTY-SIX THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "F"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds in the form attached hereto contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

On June 8, 2010, the City Council for the City of Moreno Valley approved HF Logistics – SKX T1, LLC agreement and cash security in the amounts of $6,813,595 for Faithful Performance and $3,406,797.50 for Material and Labor.

HF Logistics – SKX T1, LLC is exercising their right to substitute the type of security with the approval of the City Attorney and the City Engineer, and are providing substitute agreement and bonds for the Line 'F' storm drain improvements.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the cash security for Faithful Performance and Material and Labor previously submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

HF Logistics – SKX T1, LLC has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if

the required street improvements are not completed within said timeframe. The public storm drain improvements include but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD). Accompanying the agreement are a Faithful Performance Bond in the amount of $6,813,595 and a Material and Labor Bond in the amount of $3,406,797.50 issued by Western Insurance Company.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Mark W. Sambito, P.E..
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Security Substitution for Line F.doc

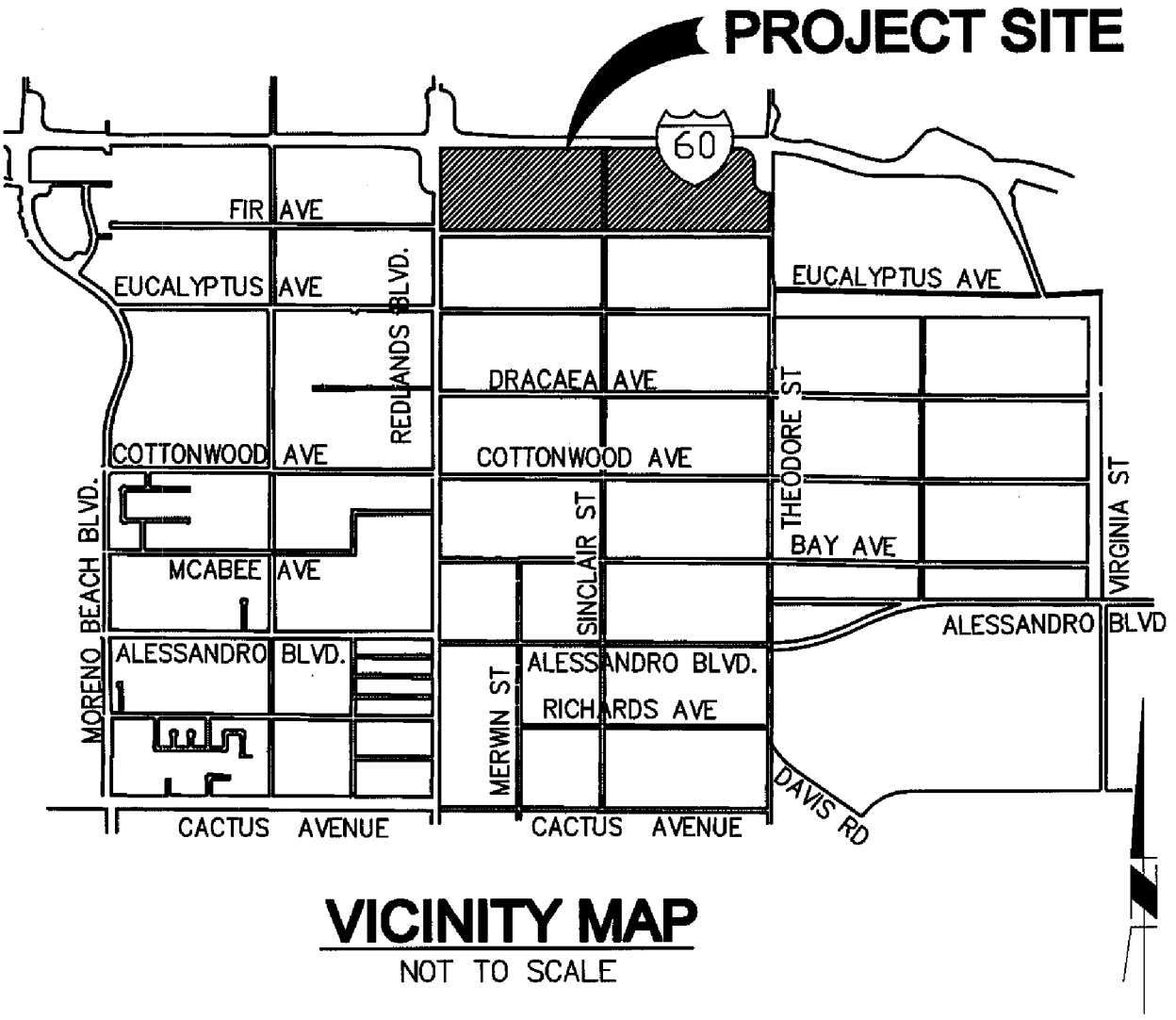

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00069011

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Line F Storm Drain Improvements HF071310.doc

WARREN D. WILLIAMS
General Manager-Chief Engineer

RECEIVED
MAY 11 2010
PW/LAND DEVELOPMENT

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
131064

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RECEIVED
MAY 11 2010
PW/LAND DEVELOPMENT

May 3, 2010

Mr. Chris A. Vogt
Public Works Director/City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, CA 92552

Dear Mr. Vogt:

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

Please find below a detailed construction cost estimate of the drainage facilities associated with the above-referenced project for which the City and District assume inspection and maintenance responsibility.

The estimated cost of these facilities is $6,813,595.00 and shall be the basis upon which the District shall collect field inspection fees per the provisions of Section 17.1 of the County of Riverside Subdivision Ordinance 460 and Fee Ordinance 671.6. The developer/engineer shall pay the appropriate inspection fee to the District prior to scheduling a pre-construction meeting.

Bonding Estimate – Moreno MDP Line F, D, D-5 and D-6

Item	Unit	City of Moreno Valley	Flood Control District Quantity	Unit Cost	City of Moreno Valley	Flood Control District Facilities
24-inch RCP	LF	2,611	0	$98	$255,878	$ 0
30-inch RCP	LF	200	0	$114	22,800	0
36-inch RCP	LF	1,890	0	$131	247,590	0
42-inch RCP	LF	0	1493	$204	0	304,572
48-inch RCP	LF	17	890	$235	3,995	209,150
72-inch RCP	LF	0	372	$376	0	139,872
Inlet type IX	EA	6	0	$500	3,000	0
Caltrans Type D93A Inlet	EA	4	0	$500	2,000	0
Local Depression	EA	8		$2,500	20,000	0
Catch Basin W=7'	EA	7		$3,000	21,000	0
Manhole No. 1	EA	11		$5,000	55,000	0
Manhole No. 2	EA	0	9	$5,600	0	50,400
Manhole No. 4	EA	0	8	$6,500	0	52,000
Manhole Safety Ledge	EA	0	8	$2,000	0	16,000
J.S. No. 1	EA	0	4	$6,500	0	26,000

Mr. Chris Vogt: -2- May 3, 2010

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

J.S. No. 2	EA	0	1	$6,500	0	6,500
J.S. No. 3	EA	2	0	$5,450	10,900	0
J. S. No. 4	EA	2	3	$5,000	10,000	15,000
M.H No. 1	EA	1		$4,350	4,350	0
Bulkhead	CY	8	0	$150	1,200	0
Pipe bulkhead	EA	0	0	$200	0	0
RCB	CY	0	3,765	$591	0	2,225,115
Wingwall	CY	0	55	$590	0	32,450
Compacted Fill	CY	0	60,105	$3	0	195,341
Riprap	CY	0	3,547	$100	0	354,700
Head/End/Wing Walls	EA	20		$409	8,180	0
RCB Excavation	CY	0	79,255	$16	0	1,283,931
Structural Backfill	CY	0	6,833	$10	0	71,063
Pipe Swing Gate	EA	0	1	$1,000	0	1,000
Class 2 Base 3" Thick	SF	0	38,175	$1	0	26,723
Fencing	LF	0	88	$16	0	1,408
Cutoff Wall	LF	0	65	$14	0	878
				Subtotal	$665,893	$5,012,102
				20% Contingencies	$133,179	$1,002,420
				Total Cost	$799,072	$6,014,523
				Inspection Fee = 3% of Bond Cost	$23,972	$180,436
				Total fees due	$23,972	$180,436

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

MDJ 5/6/10

REGISTERED PROFESSIONAL ENGINEER
MEKBIB DEGAGA
NO. 52203
Exp. 12-31-2010
CIVIL
STATE OF CALIFORNIA

c: Highland Fairview
Attn: Brian Hixson
RBF Consulting
Attn: Patrick Revere
cc: Henry Olivo
Art Diaz
Sharon Johnson

MD:blj

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MV00069017

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements $ 6,813,595

Project No. PA07-0090

Bond No. 6711629

Premium $122,645

Surety SAFECO INSURANCE COMPANY OF AMERICA

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
LINE F STORM DRAIN IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 6,813,595 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY-FIVE & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 3,046,797.50

Project No. PA07-0090

Bond No. 6711629

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$ ** ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** THREE MILLION FOUR HUNDRED SIX THOUSAND SEVEN HUNDRED NINETY-SEVEN & 50/100 DOLLARS ($3,406,797.50)

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By:

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

G.6 AMENDMENT TO THE JUNE 22, 2010, MOTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HIGHLAND FAIRVIEW FOR ISSUANCE OF A LIMITED PURPOSE BUILDING PERMIT (No written material on this item) (Report of: Council Members Stewart and Molina)

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CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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*AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 13, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street
Teleconference: 514 Madison St., Brandenburg, Kentucky 40108

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

***AGENDA**
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Family FunFest 2010 Moreno Valley Idol Competition Winners

2. Presentation of 4th of July Parade Awards

3. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JULY 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Gibson, Breakthrough Church of God in Christ

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 16 - July 6, 2010.

A.4 PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

Resolution No. 2010-66

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Loraine Terrace

A.5 RESOLUTION RESCINDING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AND AUTHORIZING THE SUBMITTAL OF APPLICATION FOR THE USED OIL PAYMENT PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) (Report of: Public Works Department)

Recommendation:

Adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources

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Recycling and Recovery (CalRecycle).

Resolution No. 2010-67

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California Authorizing Application for the Used Oil Grant Payment Program Funds Under the Department of Resources Recycling and Recovery (CalRecycle)

A.6 APPROVAL OF CHECK REGISTER FOR MAY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

Resolution No. 2010-68

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2010

A.7 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, and to subsequently assign said Agreement to the Community Redevelopment Agency.

A.8 SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660;

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.; and

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A.9 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221-2 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221); and

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company.

A.10 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to

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the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

A.11 AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division; and

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.12 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221 (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard;

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc.;

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

A.13 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

A.14 AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET, PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728 (Report of: Public Works Department)

Recommendation:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728);

2. Authorize the City Manager to execute the Change Orders for FS Construction;

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements;

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code; and

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

A.15 ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING - SEPTEMBER 15-17, 2010 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2010-69, Appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

Resolution No. 2010-69

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2010 Annual Conference

A.16 TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: ZAPER, CORP., RIVERSIDE, CA 92504 (Report of: Public Works Department)

Recommendation:

Authorize the Public Works Director/City Engineer to execute the

exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

A.17 PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET - DEVELOPER: VALLEY OAK, LP, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.18 APPROVAL OF RESOLUTION AND FIRST AMENDMENT TO THE IMPLEMENTATION AGREEMENT (THE AB 811 PROGRAM) WITH WESTERN RIVERSIDE COUNTY COUNCIL OF GOVERNMENTS (WRCOG) TO EXPAND THE PROGRAM TO PERMIT FUNDING FOR WATER CONSERVATION IMPROVEMENTS (Report of: Community Development Department)

Recommendation:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811; and

2. Adopt Resolution 2010-70, consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water

MV00069035

efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

Resolution No. 2010-70

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment Modifying Its Consent to the Inclusion of Properties Within the City's Incorporated Area in the Western Riverside Council of Governments (WRCOG) Contractual Assessment Program to Consent to the Addition of Water Efficiency Improvements to the Improvements Authorized to Be Financed Through Such Program

A.19 PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF IRONWOOD AVENUE BETWEEN KITCHING STREET AND TUSCOLA STREET - DEVELOPER: BEAZER HOMES HOLDING CORP., BREA, CA 92821 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.20 RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO CONTINUE TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP" (Report of: Public Works Department)

Recommendation:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency

MV00069036

Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

Resolution No. 2010–71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City to Participate in the "Community Energy Partnership", an Energy Efficiency Program Among Southern California Cities, with the Energy Coalition, a California Non-Profit Corporation, Southern California Edison and Southern California Gas Company

A.21 NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS - PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

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2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

A.23 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM C.7) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

A.24 FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS (Report of: Economic Development Department)

Recommendation:

1. Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive;

2. Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV; and

3. Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

A.25 PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE - DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE, CA 92270 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043; and

Resolution No. 2010-72

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Alessandro Boulevard, South Side of Alessandro Boulevard, West of Moreno Beach Drive

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA

DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

Resolution No. CSD 2010-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2010/11

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM A.7) (Report of: Public Works Department)

Recommendation:

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

C.4 APPROVE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from

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Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

C.5 APPROVE THE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

C.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.22) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the

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Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

C.7 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM A.23) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing: direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

E.2 A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Negative Declaration for applications for PA06-0185

(General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

Resolution No 2010-73

A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA06-0185) to change the Land Use Designation from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

3. INTRODUCE Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A; and

Ordinance No. 813

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA06-0184 (Zone Change) to change the Land Use District for approximately 40 acres from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

4. APPROVE Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No 2010-74

A Resolution of the City Council of the City of Moreno Valley, California, approving Tentative Parcel Map 34748 (PA06-0183) and Variance (P09-102). The project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026)

E.3 PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

Recommendation: That the RDA:

1. Conduct a public hearing for the review of the 2010-2015 Implementation Plan; and

2. Approve the proposed 2010-2015 Implementation Plan.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation: That the RDA:

Approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

G.2 AMENDMENT TO CHAPTER 11.40 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, ORDINANCE NO. 741 AND ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center; and

Ordinance No. 814

An Ordinance of the City of Moreno Valley, California, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

Recommendation: That the CSD:

Introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

Ordinance No. CSD 54

An Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

G.3 PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC. (Report of: Economic Development Department)

Recommendation: That the City Council:
Approve a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

G.4 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management

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Division;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

G.5 PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division;

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

*G.6 AMENDMENT TO THE JUNE 22, 2010, MOTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HIGHLAND FAIRVIEW FOR ISSUANCE OF A LIMITED PURPOSE BUILDING PERMIT (Report of: Council Members Stewart and Molina)

G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

***Revision to Agenda**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 22, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION – Council Member Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

Mayor Flickinger announced that the revised ordinance (Item A13) was distributed to the City Council and copies are available for the public, and that Item C4 (Notice of Completion) should be listed as Item B5.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM B.5) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:
Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of:

Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

   a. Petaluma Avenue between Napa Valley and Morrison Street;
   b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
   c. Lakeport Drive at Cottonwood Avenue;

d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for

CSD Zone A for twelve months, and;
b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00

a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works

Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

President Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Board Member Richard A. Stewart, s/Vice President Robin N. Hastings
Approved by a 5–0 vote.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported the following:
1. Moreno Valley Physicians Group (about 102 physicians practicing at the Moreno Valley Community Hospital) has joined March HealthCare and is partnering with other medical groups, including Riverside Medical Clinic and St. Bernardine Hospital - glad that Moreno Valley doctors will be close to their patients
2. Fresh & Easy Neighborhood Market grocery chain is buying both their supporting businesses, Wild Rocket Foods and 2 Sisters Food Group, providing fresh vegetables, produce and meat, to support expansion of its facility

Council Member Stewart announced that the Public Improvements Agreement and Security for the Highland Fairview Skechers off-side sewer improvements on Redlands Boulevard came to the attention of the Council after posting of the agenda, and there is a need to take action.

The item requires a two-thirds vote to be placed on the agenda.

Motion to add the item to the agenda by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Motion failed by a 3-2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Bonnie Flickinger opposed.

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

Mayor Flickinger opened the agenda item for public comments, which were received from Iddo Benzeevi, Susan Gilchrist, Kenneth Bley (representing Highland Fairview), Pete Bleckert and Deanna Reeder.

Motion to waive the attorney-client privilege to discuss the risks inherent to this decision (issues discussed with the City Attorney during Closed Session) by m/Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Motion to approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the conditions listed below by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a 3–2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Flickinger opposed.

Approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the following conditions:

1. The covenant is amended to state that it is for the issuance of a limited purpose building permit for commencement of construction of the foundation and slab and the poring of wall panels only, which

permit shall automatically expire on October 20, 2010, if the final parcel map is not recorded prior to that date;

2. That Highland Fairview agrees in writing in the covenant or other recordable agreement to the following terms and conditions prior to issuance of the limited purpose building permit:

   a. The parcels which are the subject matter of the covenant be owned by the same entity,

   b. Separate foundation, slab and wall panel building plans be submitted and approved,

   c. Compliance with all conditions of approval for the issuance of a building permit except recording of the final map,

   d. Compliance with all requirements for recording the final map except for actual final map approval and recordation, and Public Improvement Agreements and security for same for any public improvements not occurring in the public right-of-way or on public property,

   e. All Public Improvement Agreements for improvements that will be undertaken in the public right-of-way or on public property pursuant to the limited purpose building permit have been executed and the required security has been posted prior to the commencement of actual public improvement construction,

   f. The final lot configuration be shown on the map that is being processed,

   g. The covenant to hold property as one parcel be recorded,

   h. The holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements,

   i. Execution of an encroachment and removal agreement,

   j. The City is only issuing a limited purpose building permit for foundation, slab and the pouring of wall panels only. The erection of any walls is specifically prohibited under this limited permit.

   k. The final parcel map shall be recorded before 12:01 a.m. on October 21, 2010,

l. The limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

m. All construction pursuant to the limited purpose building permit shall cease at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

n. It (Highland Fairview) will be solely responsible for removal of any improvements and restoration of the site to its pre-construction condition if ordered by any court,

o. It and its partners waive any and all recourse against the City which may arise out of this action,

p. Neither the agreement, nor the time for recordation of the final parcel map will be extended beyond October 20, 2010,

q. It will defend and indemnify the City for all judgments, costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab, and pouring of walls, and

r. Any other terms and conditions the City Manager and City Attorney deem legally necessary to implement the agreement and the purposes of this action.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

President Flickinger opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to make the following appointments by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina Approved by a vote of 5-0.

Accessibility Appeals Board
Two (2) terms expiring June 30, 2013
Physically Challenged Representative
Lawrence Baird
Nina Hiers

Arts Commission
One (1) term expiring June 30, 2013
Eric von Mizener

Environmental and Historical Preservation Board
Two (2) terms expiring June 30, 2013
Jan Beyers
Naeem M. Qureshi

Library Commission
One *(1) term expiring June 30, 2013*
Sharon B. Clements

Parks and Recreation Commission
Three (3) terms expiring June 30, 2013
James C. Baker II
Juanita M. Barnes
Virgil Chancy

Recreational Trails Board
Two (2) terms expiring June 30, 2013

Jackie LeSan
Kim M. Nelson

Senior Citizens' Board
Three (3) terms expiring June 30, 2013
Sara W. Anderson
Vonzetta Fielding
Delanna Townsend

Traffic Safety Commission
Two (2) terms expiring June 30, 2013
Miguel Arciniega
Frank D. Pavlik

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed

Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

Chairperson Flickinger opened the agenda item for public comments;

there being none, public comments were closed.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
   Approved by a 5–0 vote.

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

   Approved by a 5–0 vote.

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal

Year 2010-11;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

Approved by a 5–0 vote.

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Ballot measure to prevent state's raid of local funds qualified for the November ballot - encouraged everybody to support it, as about $5 million was taken from the Moreno Valley Redevelopment Agency this year; a lot of improvements could have been done with this money
2) MVTV-3 won a first place award from the regional peer group, the California and Arizona chapter of the national organization. Bob Lorch won first place for "You Spray, You Pay" anti-graffiti removal program, and Rob Roseen won second and third place for "News Center." Commended staff for this successful program
3) Housing prices are up and unemployment for May was down - good news
4) Moreno Valley restaurants reported sales picking up in fall 2009 and remaining solid through 2010
5) The Neighborhood Preservation staff has obligated 84% of the $11.3 million grant funding as opposed to the national average of 52%. The City's partners have acquired $5.3 million worth of single-family homes - 28 homes are being rehabilitated. Moreno Valley may be eligible for additional NSP funding in the near future. Commended Barry Foster and staff for this successful project. It is one of the leaders in the country
6) Youth Opportunity Center - Arbor E&T has entered into a lease of a vacant building on 22275 Alessandro and Grant. When the Center opens in the fall, it will employ six people and serve 150 youth in the community
7) The library has initiated a summer reading program and added a database online entitled Career Transitions, which will serve as a resource for persons seeking employment
8) Schedules and sign ups for recreational activities are listed on the Moreno Valley Web site
11) Information about 4th of July celebration is posted on the Web site
12) Expressed his appreciation for Steve Elam, Interim Financial & Administrative Services Director, who came out of his retirement to help the City. This is his last council meeting

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Susan Gilchrist
1) Submitted a copy of her letter to Parks & Facilities Manager Steve Kupsak and a copy of Parks and Recreation Commission staff report regarding Equestrian Center; commented on the accuracy of information contained in the report

Deanna Reeder
1) Asked if any council member recused himself/herself from Closed Session Item #5, City Manager Recruitment, while in Closed Session

Pamela Lowell
1) Acknowledged Fire and Police Department staff for the fast response and help during her husband's illness; her husband, an Air Force disabled veteran, passed away this year; very grateful for support and comfort and proud of the City
2) Thanked military veterans for their service; thanks to them we can enjoy many freedoms, including freedom of speech

James Dudley
1) About 12,563 late mail-in primary ballots that may not be counted because of late delivery
2) Maintenance of medians
3) Condition of roads
4) Expressed he is proud of the City

Pete Bleckert
1) Thanked Council for voting for the Highland Fairview project to move forward
2) Equestrian Center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Molina
1) Condolences to Ms. Lowell for her loss
2) Would like to bring back issue of Cottonwood Park on Cottonwood and Indian
3) Thanked staff and residents for being patient with the progress of the project

Council Member Stewart
1) Reported on a lady claiming that her child was killed by a drunk driver in Moreno Valley and asking for money for burial; while he was checking with the Police Chief, the lady disappeared; it's sad that people will do that; warned residents about the fraud and advised to be aware and to question suspicious solicitations

2) Commended staff for the hard work assisting the developer of the Skechers project; the project is moving along; the City is not giving any financial support for it, but by speeding up the process, the City was able to give the proponents a financial advantage
3) Inquired about the requirement of lowering buildings along 60 Freeway by 25 feet
4) Inquired about changing zoning of the property to the south of the project from residential to business park to be a transition/buffer to light industrial along the freeway
5) Regarding budget - glad that we had reserve to reduce deficit and that the Fire, Police and other public safety units were pretty much preserved

Mayor Pro Tem Hastings
1) Attended annual Rally Round the Flag at March Field Air Museum with Council Member Stewart and Mayor Flickinger - it was a very nice event in commemoration of the Flag Day with an outstanding performance of Moreno Valley Master Chorale. Encouraged everyone to attend it next year; the event is open to the public
2) Responded to a speaker's comments regarding 12,000 mail-in ballots that were left at Moreno Valley distribution postal center after deadline and may not be counted - explained the process of routing the mail-in votes; Riverside County is still investigating this issue
3) League of California Cities' initiative to protect local money from the State's taking - asked residents to educate themselves on this and other initiatives
4) Addressed an incident of loose horses in traffic on Redlands Blvd. and horses hit by a car; this is tragic for everyone; asked residents to call Animal Control to report any animal loose or abandoned to prevent animals from being killed
5) Will participate in July 13 meeting from Kentucky via teleconference

Council Member Batey
1) Thanked Ms. Lowell for publicly acknowledging public safety employees who responded to her calls. It's important for the public to know that they have dedicated professionals to handle any situation that may arise. Her husband will be missed
2) Fresh & Easy will be open by the end of the year; a lot of good stuff is happening that will help our economy in the long run
3) Will not be able to attend 4th of July celebration because of work schedule
4) Thanked Mr. Dudley and Ms. Lowell for showing/expressing City pride; it's nice to hear positive
5) Wished everybody a safe 4th of July

Mayor Flickinger
1) Concurred with Mayor Pro Tem Hastings about effectiveness of the Rally Round the Flag event; very entertaining and informative
2) Thanked Steve Elam for the great job; he will be missed
3) Responded to speaker's question - all five Council Members are participating in the City Manager's recruitment
4) No meeting is scheduled for the next Tuesday (5th Tuesday of the month); the next televised Council meeting is scheduled for July 13, which will be the last

meeting before Council recess
5) July 3 & 4 celebration will include a parade in the morning on July 3 and the celebration at the Morrison Park in the afternoon on July 4 - another opportunity to wear red, white and blue

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:06 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*
Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:40 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: July 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 16 – July 6.

Reports on Reimbursable Activities June 16 – July 6		
Council Member	Date	Meeting
William H. Batey II	6/28/10	Bob Herrick's Retirement Luncheon
	6/30/10	Steve Elam's Retirement Luncheon
Bonnie Flickinger	6/16/10	UCR Citizens University Committee
	6/23/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	6/24/10	Western Riverside Council of Governments 19th Annual General Assembly
Robin N. Hastings	6/28/10	Bob Herrick's Retirement Luncheon
Jesse L. Molina	6/28/10	Bob Herrick's Retirement Luncheon
Richard A. Stewart	*6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
	6/28/10	Bob Herrick's Retirement Luncheon
	6/29/10	Undersheriff Valerie Hill's Retirement Dinner
	6/30/10	Steve Elam's Retirement Luncheon

*Reportable reimbursable activity prior to the period of June 16 – July 6.

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The residents along Loraine Terrace have no on-street parking available during the business hours of the adjacent auto repair shops who continually park their customer's vehicles along Loraine Terrace. A public hearing regarding this issue was conducted at the Traffic Safety Commission (TSC) meeting on May 5, 2010. There was no voiced opposition at the public hearing. The commissioners unanimously approved staff's recommendation to implement permit parking on Loraine Terrace.

BACKGROUND

The residents on Loraine Terrace submitted a petition to the Public Works Department requesting implementation of permit parking. The privileged parking will allow them to maintain curbside availability for guests and contractors/maintenance vehicles in front of their residences.

The required petition process demonstrated a super majority, in this case 100%, greatly exceeding the City's requirement of at least 60% of the residents in support of the permit parking.

A field review of the site indicated there is adequate on-site parking available for the commercial uses and on-street parking for customers and employees away from the neighboring residences.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

To help improve the parking situation along Loraine Terrace, staff recommends the installation of permit parking signs along four resident's frontage. This will allow the remaining parking spaces to be utilized by the public and the adjacent auto repair shops.

The frontage along Loraine Terrace is approximately 900 feet. This allows parking for approximately 30 vehicles. The frontage of the four existing residence's along Loraine Terrace is approximately 180 feet. Implementing the permit parking along the residents' frontage will reduce available parking spaces for the public by 5 vehicles (16%). However, this will allow the residents to have uninterrupted access to parking in front of their residents which is located in a unique and congested mixed residential/commercial zone.

Fees for this permit parking zone will be borne by the residents in accordance with City policy.

ALTERNATIVES

1. Approve and adopt proposed Resolution and direct staff to implement permit parking on Loraine Terrace. *This alternative is recommended to improve the condition for the residents.*

2. Do not adopt proposed resolution, thereby not implementing permit parking on Loraine Terrace.

3. Provide staff with further direction.

FISCAL IMPACT

There will be no fiscal impact for implementation of permit parking on Loraine Terrace. The cost of the required signage, parking permit placards, and the annual maintenance associated with the permit parking will be covered by the collected fees from the residents.

CITY COUNCIL GOALS

PUBLIC SAFETY: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Implementation of permit parking on Loraine Terrace will improve the condition for the existing residents, thereby allowing preferential parking privileges in a unique and congested mixed residential/commercial zone. Additionally, there will be sufficient parking spaces remaining to serve the general public and surrounding commercial uses.

NOTIFICATION

Publication of Agenda

ATTACHMENTS

Attachment A – Resolution
Attachment B - Location Map

Prepared By:
Alan Kashefi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\TrafficEng\alank\Permit parking\Staff Report\CityStaffReport-v2-Loraine Terrace.doc

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MV00069085

RESOLUTION NO. 2010-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON LORAINE TERRACE

WHEREAS, the City Municipal code section 12.08.030 allows permit parking areas in residential and commercial zones, and only subject to a public hearing before the traffic safety commission.

WHEREAS, the residents on Loraine Terrace submitted an application and requested permit parking along the frontage of their residences.

WHEREAS, a public hearing was conducted on May 5, 2010 regarding this request.

WHEREAS, on May 5, 2010, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Loraine Terrace.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Loraine Terrace.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Location Map

Loraine Terrace

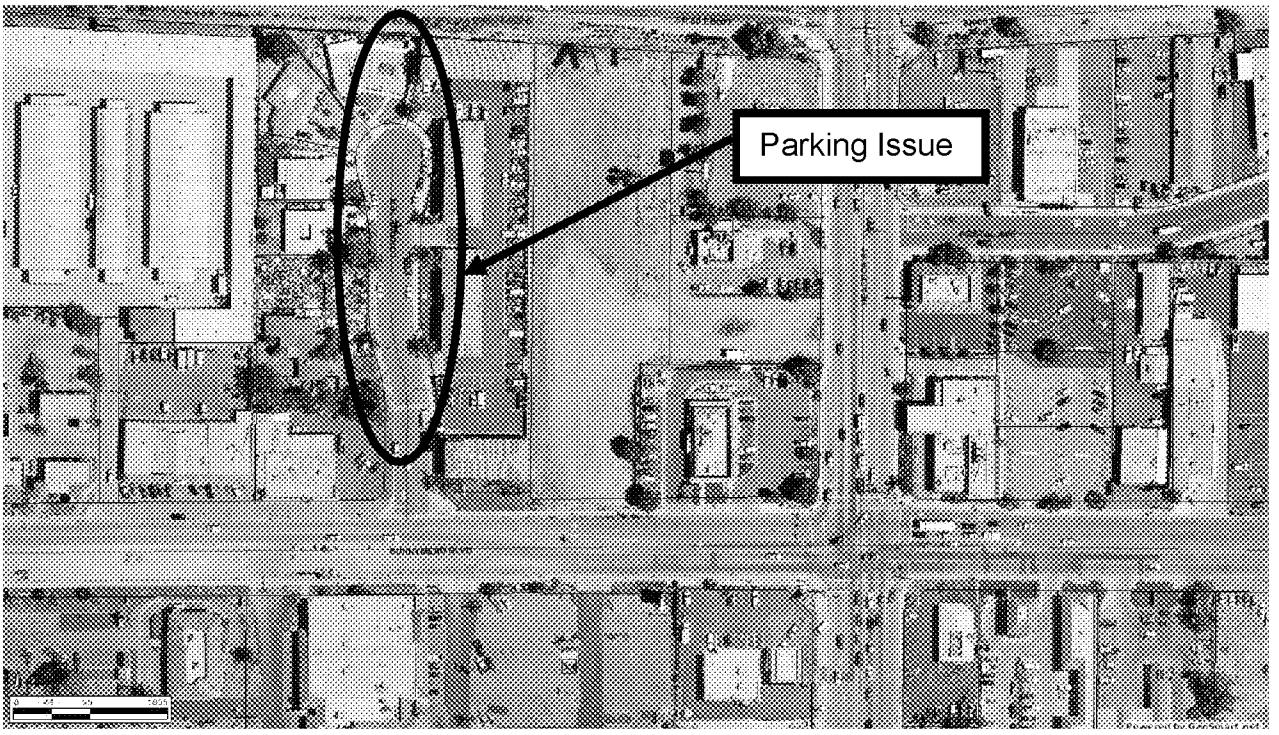

Attachment B

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MV00069089

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: Resolution Rescinding the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, and Authorizing the Submittal of Application for the Used Oil Payment Program Under the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDED ACTION

Staff recommends that the City Council adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources Recycling and Recovery (CalRecycle).

BACKGROUND

The California Public Resources Code (PRC) § 48601 et seq. describes the California Oil Recycling Enhancement Act), which, among other things, provides up to $11 million annually in payments to local governments for implementation of local used oil and filter collection programs. Several years ago, the City established a used oil campaign that was previously administered by the Western Riverside Council of Governments (WRCOG). In 2001, as a springboard to WRCOG's regional public awareness of used oil recycling, the City established a used oil program at a local level with used oil block grant funds. Since that time, the list of landfill banned materials has continually grown and the need for hazardous waste awareness has increased along with it. As a result, there has become a greater need to sustain all opportunities for available funding to promote these programs.

DISCUSSION

The new Used Oil Payment Program (OPP) authorized in SB 546 (Lowenthal, Chapter 353, Statutes of 2009) replaces the Used Oil Block Grant Program (UBG). While the purpose of the OPP is similar to the UBG, there are significant differences regarding application, administration, and reporting requirements. The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board (CIWMB), is responsible for administering the OPP. As part of the grant application program, the City must provide a resolution to establish procedures governing the administration of the Used Oil Payment Program. Participation in these programs also affords the City the opportunity to increase public awareness of recycling, which assists with the City's overall diversion efforts mandated by the California Integrated Waste Management Act of 1989 (AB 939).

City staff requests that City Council approve the adoption of the resolution in order to help secure funding for the administering and implementation of the used oil recycling program.

ALTERNATIVES

1. Adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989.

2. Do no adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989. This alternative would place the City in jeopardy of not receiving grant funds for the Used Oil Recycling Program.

FISCAL IMPACT

There would be a potential grant revenue reimbursement for public education, used oil recycling and hazardous waste program ranging from an estimated $20,000 to $50,000 per grant application fiscal year.

CITY COUNCIL GOALS

Positive Environment
Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The Department of Resources Recycling and Recovery (CalRecycle) administers the Used Oil Payment Program. A new resolution is needed to update the authority for submittal of grant application. As part of its program, CalRecycle issues grants to local

governments in order to establish or enhance permanent, sustainable used oil recycling programs. Adoption of the proposed resolution would allow staff to continue to properly pursue grant funds on behalf of the City in the future.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit A – Proposed Resolution
Exhibit B – Resolution No. 2007-55 (Proposed to be rescinded)

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-67

A RESOLUTION OF THE CITY COUNCIL O F THE CITY OF MORENO VALLEY, CALIFORNIA, RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AUTHORIZING APPLICATION FOR THE USED OIL GRANT PAYMENT PROGRAM FUNDS UNDER THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administrations of the Used Oil Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley authorizes the submittal of a Used Oil Payment Program application to CalRecycle; and

BE IT FURTHER RESOLVED that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the City Council of the City of Moreno Valley.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

_____
City Attorney

EXHIBIT "A"

Resolution No. 2010 - _____
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2007 - 55

RESCINDING THE PROVISIONS OF RESOLUTION 2006-49 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AND AUTHORIZING APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT

WHEREAS, Public Resources Code (PRC) Section 42872.5, authorizes the California Integrated Waste Management Board (CIWMB) to establish a grant program to fund city projects as they pertain to the CIWMB interests; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of these programs within the state, setting up necessary procedures governing application by local governments and their subdivisions under these programs; and

WHEREAS, it is in the best interest of the City to create an opportunity to facilitate the application process in order to apply for all grant funds offered by the CIWMB; and

WHEREAS, if awarded a grant, the City of Moreno Valley will enter into an agreement with the State of California for development of these projects;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESCIND Resolution 2006-49 and further resolves that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all necessary applications, contracts, payment requests, agreements and amendments between the CIWMB hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application for the period of May 22, 2007 to May 22, 2012.

APPROVED AND ADOPTED this 22th day of May, 2007

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "B"

Resolution No. 2007 – 55
Date Adopted: May 22, 2007

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, MARGARET AYARS, Assistant City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-55 was duly and regularly adopted as amended by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of May, 2007, by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Margaret Ayars
ASSISTANT CITY CLERK

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. 2007-55 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Moreno Valley, this 16th day of June, 2008.

Jane Halstead

Jane Halstead, CMC, City Clerk

(SEAL)

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MV00069099

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: July 13, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-68
Check Register for Month of May, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2010 through May 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2010 through May 31, 2010, in the total amount of $19,967,907.47 is approved.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

AVI-CON INC.				
5/10/2010	202502	57,803.49		
			PUB SFTY BLDG CONVERSION PROJ	57,803.49
5/24/2010	880526	35,833.59		
			PUB SFTY BLDG CONVERSION PROJ	35,833.59
	Vendor Total	**93,637.08**		
FYTD for AVI-CON INC.		**129,622.32**		
BEMUS LANDSCAPE, INC.				
5/3/2010	202225	27,219.84		
			LANDSCAPE MAINT-E4	24.09
			LANDSCAPE MAINT-E4	38.77
			LANDSCAPE MAINT-E4	19.85
			LANDSCAPE MAINT-E4	300.00
			LANDSCAPE MAINT-E4	151.43
			LANDSCAPE MAINT-E4	345.00
			LANDSCAPE MAINT-E4	50.78
			LANDSCAPE MAINT-E4	85.76
			LANDSCAPE MAINT-PSB	320.00
			LANDSCAPE MAINT-WQB	1,283.00
			LANDSCAPE MAINT-TR 33256	90.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-AQDCT	1,636.00
			LANDSCAPE MAINT-AQDCT	264.00
			LANDSCAPE MAINT-ANNX #1	300.00
			LANDSCAPE MAINT-FIRE STNS	3,150.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-CITY HALL	992.56
			LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total	**27,219.84**		
FYTD for BEMUS LANDSCAPE, INC.		**455,641.79**		
BURLINGTON COAT FACTORY				
5/24/2010	1005141	175,000.00		
			PARTICIPATION AGREEMNT FY09-10	175,000.00
	Vendor Total	**175,000.00**		
FYTD for BURLINGTON COAT FACTORY		**175,000.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE AUDITOR					
	5/17/2010	202527	39,625.17		
				PARKING CONTROL FEES	15,545.22
				PARKING CONTROL FEES	1,642.00
				PARKING CONTROL FEES	18,173.54
				PARKING CONTROL FEES	3,668.00
				PARKING CONTROL FEES	596.41
	Vendor Total		**39,625.17**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**135,430.12**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER					
	5/10/2010	1005021	5,258,237.00		
				SERAF PAYMENT FOR FY09-10	5,258,237.00
	Vendor Total		**5,258,237.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**5,258,237.00**		
COUNTY OF RIVERSIDE FIRE DEPT					
	5/13/2010	1005061	3,152,861.07		
				3RD QTR FIRE PROTECTION SVCS	3,152,861.07
	Vendor Total		**3,152,861.07**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,421,045.02**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT					
	5/17/2010	202531	38,007.94		
				RCLMD WATER-DRAIN MAINT PRGM	82.85
				RCLMD WATER-ST. SWEEPING PRGM	95.83
				RCLMD WATER-ST. SWEEPING PRGM	79.99
				RCLMD WATER-STREET MAINT PRGM	221.27
				WATER CHRGS FOR APRIL	63.45
				WATER CHRGS FOR APRIL	1,795.68
				WATER CHRGS FOR APRIL	36.00
				WATER CHRGS FOR APRIL	3,018.08
				WATER CHRGS FOR APRIL	123.16
				WATER CHRGS FOR APRIL	11,477.35
				WATER CHRGS FOR APRIL	2,968.73
				WATER CHRGS FOR APRIL	3,095.73
				WATER CHRGS FOR APRIL	5,115.16
				WATER CHRGS FOR APRIL	3,417.49
				WATER CHRGS FOR APRIL	1,408.73
				WATER CHRGS FOR APRIL	148.13
				WATER CHRGS FOR APRIL	1,436.12
				WATER CHRGS FOR APRIL	718.23
				WATER CHRGS FOR APRIL	201.43
				WATER CHRGS FOR APRIL	611.77
				WATER CHRGS FOR APRIL	382.99
				WATER CHRGS FOR APRIL	291.24
				WATER CHRGS FOR APRIL	300.98
				WATER CHRGS FOR APRIL	290.08
				WATER CHRGS FOR APRIL	627.47
	5/24/2010	202634	44,260.57		
				WATER CHRGS FOR APRIL	83.22
				WATER CHRGS FOR APRIL	1,190.50
				WATER CHRGS FOR APRIL	809.44
				WATER CHRGS FOR APRIL	405.55
				WATER CHRGS FOR APRIL	889.74
				WATER CHRGS FOR APRIL	11,396.12
				WATER CHRGS FOR APRIL	4,501.26
				WATER CHRGS FOR APRIL	2,341.28
				WATER CHRGS FOR APRIL	4,331.01
				WATER CHRGS FOR APRIL	3,958.56
				WATER CHRGS FOR APRIL	6,585.97
				WATER CHRGS FOR APRIL	249.36
				WATER CHRGS FOR APRIL	46.30
				WATER CHRGS FOR APRIL	2,020.77
				WATER CHRGS FOR APRIL	2,361.85
				WATER CHRGS FOR APRIL	1,109.22
				WATER CHRGS FOR APRIL	440.95
				WATER CHRGS FOR APRIL	232.11
				WATER CHRGS FOR APRIL	444.71
				WATER CHRGS FOR APRIL	478.63
				WATER CHRGS FOR APRIL	384.02
	Vendor Total		**82,268.51**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,038,091.76**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
5/7/2010	2634	36,460.45		
			DEP STATE TAX W/H 05/07/10	36,460.45
5/21/2010	2642	35,246.72		
			STATE INCOME TAX W/H 05/21/10	35,246.72
	Vendor Total	**71,707.17**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,179,327.51**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
5/10/2010	202426	124,677.06		
			DISTRIBUTION CHARGES	123,729.55
			SPCL/TEMP CHARGES	6,055.00
			ONLINE UTILITY SVCS	264.00
			BAD DEBT-DEDUCTION	-5,371.49
5/17/2010	202532	40,388.70		
			PLAN CHECK SVCS-PM35629	221.03
			PLAN CHECK SVCS-PA080013	1,184.21
			PROF SVCS-IHERB.COM DIST	1,979.46
			PROF SVCS-IHERB.COM DIST	36.59
			PERRIS BL 12KV FEEDER IRIS-JFK	3,330.79
			PERRIS BL 12KV FEEDER IRIS-JFK	7,528.17
			CACTUS/LASSELLE 12KV CIRC TIE	5,721.68
			GOLDENCREST-ELSWORTH BACKBONE	2,030.68
			6TH CIRCUIT MOVAL SUBST. WORK	14,606.09
			CABINET LEASE-COTTONWOOD	41.34
			CABINET LEASE-COTTONWOOD	1,208.66
			CABINET LEASE-INDIAN/NANDINA	75.69
			CABINET LEASE-INDIAN/NANDINA	1,174.31
			CABINET LEASE-IRIS	92.50
			CABINET LEASE-IRIS	1,157.50
5/24/2010	202635	38,376.65		
			BAY ST BACKBONE W/O MOR BCH DR	1,283.93
			CACTUS/LASSELLE 12KV CIRC TIE	326.21
			CACTUS/LASSELLE 12KV CIRC TIE	2,770.25
			ELECT METER FEES	3,788.08
			GOLDENCREST-ELSWORTH BACKBONE	5,706.39
			6TH CIRC MOVAL SUBST. WORK	7,342.12
			ELECT METER FEES	838.00
			PROF SVCS-WASTE MGT FAC	291.80
			PROF SVCS-SKETCHERS	1,474.70
			PROF SVCS-SKETCHERS	11,754.51
			PROF SVCS-STREET LIGHTS	454.68
			PROF SVCS-FRAZEE PAINT	2,140.18
			PROF SVCS-IHERB.COM DIST	205.80
	Vendor Total	**203,442.41**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,550.46**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRIENDS OF THE SENIOR CENTER				
5/17/2010	202540	25,000.00		
			SENIOR VAN ASSIST PRGM-CDBG	15,000.00
			SENIOR VAN ASSIST PRGM-CDBG	10,000.00
	Vendor Total	**25,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FS CONSTRUCTION				
5/24/2010	202647	76,746.64		
			TEMCO ST SIDEWALK IMPRVMNTS	49,441.99
			VOUGHT ST SIDEWALK IMPRVMNTS	27,304.65
	Vendor Total	**76,746.64**		
FYTD for FS CONSTRUCTION		**76,746.64**		
HILLCREST CONTRACTING, INC				
5/17/2010	202596	109,549.80		
			KITCHING ST IMPRVMNTS PROJ	109,549.80
	Vendor Total	**109,549.80**		
FYTD for HILLCREST CONTRACTING, INC		**109,549.80**		
INTERNAL REVENUE SERVICE				
5/7/2010	2633	133,548.22		
			DEP FED TAX W/H 05/07/10	133,548.22
5/21/2010	2641	129,508.98		
			FED INCOME TAX W/H 05/21/10	129,508.98
	Vendor Total	**263,057.20**		
FYTD for INTERNAL REVENUE SERVICE		**3,447,406.19**		
MBIA MUNISERVICES COMPANY				
5/3/2010	202313	28,125.00		
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
	Vendor Total	**28,125.00**		
FYTD for MBIA MUNISERVICES COMPANY		**28,125.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	5/17/2010	202557	53,080.68		
				ELECTRICITY	140.43
				ELECTRICITY	1,123.17
				ELECTRICITY	230.25
				ELECTRICITY	1,802.77
				ELECTRICITY	10,556.76
				ELECTRICITY	9,982.60
				ELECTRICITY	2,890.58
				ELECTRICITY	4,799.41
				ELECTRICITY	799.37
				ELECTRICITY	1,366.98
				ELECTRICITY	11,870.60
				ELECTRICITY	6,670.38
				ELECTRICITY	218.50
				ELECTRICITY	134.68
				ELECTRICITY	86.28
				ELECTRICITY	64.97
				ELECTRICITY	64.95
				ELECTRICITY	170.22
				ELECTRICITY	107.78
	Vendor Total		**53,080.68**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MURRIETA DEVELOPMENT COMPANY INC.					
	5/10/2010	202503	130,155.16		
				TRAF SIG @ SR-60/REDLANDS BLVD	130,155.16
	Vendor Total		**130,155.16**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**526,211.19**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/21/2010	2638	25,717.07		
				DEF COMP 457 & 401(A) 05/21/10	25,717.07
	Vendor Total		**25,717.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVCO SECURITY SYSTEMS					
	5/24/2010	880543	47,899.78		
				SURVEILLANCE EQUIP-POLICE	43,399.03
				SURVEILLANCE EQUIP-POLICE	3,398.43
				SURVEILLANCE EQUIP-POLICE	1,102.32
	Vendor Total		**47,899.78**		
FYTD for NAVCO SECURITY SYSTEMS			**57,779.78**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ORANGE COAST TITLE COMPANY				
5/12/2010	1005031	69,199.75		
			ACQ & ESCRW-13715 MCDONNELL ST	69,199.75
5/24/2010	1005151	106,032.13		
			ACQ & ESCROW-13380 BAMBI CT	106,032.13
5/24/2010	1005161	77,444.01		
			ACQ & ESCROW-24105 ROTHBURY DR	77,444.01
	Vendor Total	**252,675.89**		
FYTD for ORANGE COAST TITLE COMPANY		**252,675.89**		
PB AMERICAS, INC.				
5/24/2010	202671	82,770.08		
			SR-60/NASON ST INTRCHNG PROJ	46,836.15
			SR-60/NASON ST INTRCHNG PROJ	35,933.93
	Vendor Total	**82,770.08**		
FYTD for PB AMERICAS, INC.		**171,605.59**		
PERS HEALTH INSURANCE				
5/12/2010	1004101	195,498.14		
			EMPL HEALTH INS 05/12/10	195,498.14
	Vendor Total	**195,498.14**		
FYTD for PERS HEALTH INSURANCE		**2,126,634.55**		
PERS RETIREMENT				
5/14/2010	2635	192,233.64		
			PERS RETIREMENT 05/14/10	192,233.64
5/28/2010	2643	191,718.32		
			PERS RETIREMENT 05/28/10	191,718.32
	Vendor Total	**383,951.96**		
FYTD for PERS RETIREMENT		**5,091,544.44**		
RBV MITIGATION CREDITS, LLC				
5/3/2010	202340	40,800.00		
			VERNAL POOL MITIGATION CREDITS	40,800.00
	Vendor Total	**40,800.00**		
FYTD for RBV MITIGATION CREDITS, LLC		**40,800.00**		
RICHARD LOPEZ CONSTRUCTION				
5/17/2010	202568	205,033.36		
			ELECTRIC UTILITY PROJECTS SVCS	205,033.36
	Vendor Total	**205,033.36**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,279,092.83**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF					
	5/13/2010	1005071	2,676,381.98		
				CONTRACT LAW ENF BILL #8	270.16
				CONTRACT LAW ENF BILL #8	558.38
				CONTRACT LAW ENF BILL #8	590.48
				CONTRACT LAW ENF BILL #8	1,338.76
				CONTRACT LAW ENF BILL #8	2,304.42
				CONTRACT LAW ENF BILL #8	5,147.78
				CONTRACT LAW ENF BILL #8	6,271.76
				CONTRACT LAW ENF BILL #8	6,601.76
				CONTRACT LAW ENF BILL #8	8,729.36
				CONTRACT LAW ENF BILL #8	19,553.01
				CONTRACT LAW ENF BILL #8	24,645.07
				CONTRACT LAW ENF BILL #8	33,932.05
				CONTRACT LAW ENF BILL #8	44,551.93
				CONTRACT LAW ENF BILL #8	61,515.39
				CONTRACT LAW ENF BILL #8	67,648.04
				CONTRACT LAW ENF BILL #8	70,622.67
				CONTRACT LAW ENF BILL #8	203,325.69
				CONTRACT LAW ENF BILL #8	257,518.30
				CONTRACT LAW ENF BILL #8	393,414.24
				CONTRACT LAW ENF BILL #8	1,467,842.73
	5/13/2010	1005101	2,729,341.01		
				CONTRACT LAW ENF BILL #9	242.00
				CONTRACT LAW ENF BILL #9	621.28
				CONTRACT LAW ENF BILL #9	732.37
				CONTRACT LAW ENF BILL #9	979.02
				CONTRACT LAW ENF BILL #9	1,345.44
				CONTRACT LAW ENF BILL #9	5,260.64
				CONTRACT LAW ENF BILL #9	5,725.72
				CONTRACT LAW ENF BILL #9	8,480.27
				CONTRACT LAW ENF BILL #9	12,557.91
				CONTRACT LAW ENF BILL #9	14,241.02
				CONTRACT LAW ENF BILL #9	18,963.84
				CONTRACT LAW ENF BILL #9	34,297.96
				CONTRACT LAW ENF BILL #9	44,310.63
				CONTRACT LAW ENF BILL #9	65,247.78
				CONTRACT LAW ENF BILL #9	70,575.36
				CONTRACT LAW ENF BILL #9	73,526.79
				CONTRACT LAW ENF BILL #9	169,411.94
				CONTRACT LAW ENF BILL #9	283,724.76
				CONTRACT LAW ENF BILL #9	375,130.94
				CONTRACT LAW ENF BILL #9	1,543,965.34
	5/13/2010	1005081	728,551.34		
				CNTRCT LAW ENF RATE ADJ FY0910	728,551.34
	5/13/2010	1005091	87,724.41		
				FACILITIES EXP BILLNG FY09/10	87,724.41
	Vendor Total		**6,221,998.74**		
FYTD for RIVERSIDE COUNTY SHERIFF			**33,101,772.67**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.					
	5/17/2010	880514	251,502.00		
				ANNUAL RMS/CLETS FY 09/10	251,502.00
	Vendor Total		**251,502.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**762,001.26**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	5/10/2010	880490	52,499.02		
				PUB SFTY BLDG CONVERSION PROJ	52,499.02
	Vendor Total		**52,499.02**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**286,232.61**		
SEMPRA ENERGY SOLUTIONS					
	5/24/2010	880548	76,116.08		
				POWER PURCHASE	76,116.08
	Vendor Total		**76,116.08**		
FYTD for SEMPRA ENERGY SOLUTIONS			**5,425,821.99**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	5/10/2010	202469	347,400.00		
				ELECT ENERGY PURCHASE	347,400.00
	Vendor Total		**347,400.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**1,347,140.00**		
SOCO GROUP, INC					
	5/17/2010	202574	28,532.52		
				FUEL PURCHASE	5,555.06
				FUEL PURCHASE	6,515.69
				FUEL PURCHASE	4,166.97
				FUEL PURCHASE	6,354.60
				FUEL PURCHASE	5,940.20
	Vendor Total		**28,532.52**		
FYTD for SOCO GROUP, INC			**177,677.66**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202362	32,336.02		
				TRAFFIC CONTRLLR-IRONWOOD PROJ	4,277.85
				ST. LIGHT INSTALL-IRONWOOD AVE	13,228.69
				LINE EXTENSION-IRONWOOD AVE	14,829.48
	5/10/2010	202474	42,911.92		
				WDAT CHARGES-FREDERICK	2,000.25
				WDAT CHARGES-GLOBE	7,317.45
				WDAT CHARGES-GRAHAM	3,727.65
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-SUBSTATION	10,447.31
				WDAT CHARGES-IRIS	2,625.22
				IFA CHARGES-SUBSTATION	14,146.73
	5/17/2010	202576	142,157.95		
				ELECTRICITY	662.64
				ELECTRICITY	69.62
				ELECTRICITY	334.34
				ELECTRICITY	44.41
				ELECTRICITY	1,237.74
				ELECTRICITY	100.90
				ELECTRICITY	855.88
				ELECTRICITY	774.56
				ELECTRICITY	912.76
				ELECTRICITY	2,260.42
				ELECTRICITY	1,017.56
				ELECTRICITY	1,154.20
				ELECTRICITY	23.30
				ELECTRICITY	95,834.82
				ELECTRICITY	35,938.01
				ELECTRICITY	528.72
				ELECTRICITY	153.47
				ELECTRICITY	22.57
				ELECTRICITY	25.30
				ELECTRICITY	70.10
				ELECTRICITY	90.28
				ELECTRICITY	46.35
	5/24/2010	202684	27,410.22		
				ELECTRICITY	189.84
				ELECTRICITY	5,413.60
				ELECTRICITY	2,476.70
				ELECTRICITY	19.20
				ELECTRICITY	2,686.37
				ELECTRICITY	714.24
				ELECTRICITY	1,980.71
				ELECTRICITY	884.39
				ELECTRICITY	247.87
				ELECTRICITY	4,261.86
				ELECTRICITY	266.78
				ELECTRICITY	4,583.80
				ELECTRICITY	1,792.00
				ELECTRICITY	275.09
				ELECTRICITY	463.94
				ELECTRICITY	484.74

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	201.01
			ELECTRICITY	141.37
			ELECTRICITY	302.24
			ELECTRICITY	24.47
Vendor Total		**244,816.11**		
FYTD for SOUTHERN CALIFORNIA EDISON		**6,749,896.42**		
STANDARD INSURANCE CO				
5/10/2010	202477	30,743.99		
			LIFE & DISABILITY INSURANCE	12,727.14
			LIFE & DISABILITY INSURANCE	17,972.90
			LIFE & DISABILITY INSURANCE	43.95
Vendor Total		**30,743.99**		
FYTD for STANDARD INSURANCE CO		**359,149.29**		
STEWART TITLE OF CALIFORNIA				
5/24/2010	1005131	72,187.00		
			ESCROW & ACQ -11989 HUBBARD ST	72,187.00
Vendor Total		**72,187.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
U.S. BANK/CALCARDS				
5/13/2010	1005111	61,805.04		
			CALCARD PMT CYCLE END 05/07/10	61,805.04
Vendor Total		**61,805.04**		
FYTD for U.S. BANK/CALCARDS		**1,763,214.75**		
VERIZON CALIFORNIA, INC				
5/3/2010	202384	38,471.97		
			REMOVE/RELOCATE CABLES/CABINET	38,471.97
Vendor Total		**38,471.97**		
FYTD for VERIZON CALIFORNIA, INC		**38,471.97**		
WILLDAN AND ASSOCIATES				
5/3/2010	202389	125,696.30		
			MORENO BEACH DR WIDENING PROJ	48,237.50
			MORENO BEACH DR WIDENING PROJ	42,309.75
			MORENO BEACH DR WIDENING PROJ	35,149.05
Vendor Total		**125,696.30**		
FYTD for WILLDAN AND ASSOCIATES		**403,687.78**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WINZLER & KELLY CONSULTING ENGINEERS					
	5/10/2010	202500	50,083.59		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
				IRONWOOD AVE WIDENING PROJ	31,273.59
	Vendor Total		**50,083.59**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
	Subtotal		**18,625,911.37**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
COMMUNITY VETERINARY HOSPITAL, INC.				
5/17/2010	202505	183.00		
			VETERINARY SVC-MAX	183.00
Vendor Total		**183.00**		
FYTD for COMMUNITY VETERINARY HOSPITAL, INC.		**183.00**		
TRANSOFT SOLUTIONS, INC.				
5/17/2010	202506	710.00		
			AUTOTURN MAINT ASSURANCE PRGM	710.00
Vendor Total		**710.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,999.00**		
UNIVERSAL TRUCK BODY, INC.				
5/10/2010	202398	162.50		
			MISC REPAIR-M&O	162.50
Vendor Total		**162.50**		
FYTD for UNIVERSAL TRUCK BODY, INC.		**162.50**		
3 M M M				
5/3/2010	202213	27.99		
			REFUND-BUS LIC OVRPMT	27.99
Vendor Total		**27.99**		
FYTD for 3 M M M		**27.99**		
3M LIBRARY SYSTEMS, INC.				
5/10/2010	202399	1,735.00		
			ANNUAL MAINTENANCE	1,735.00
Vendor Total		**1,735.00**		
FYTD for 3M LIBRARY SYSTEMS, INC.		**1,735.00**		
A & I REPROGRAPHICS 2406362				
5/3/2010	202214	1,481.66		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	637.11
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	844.55
5/10/2010	202400	96.30		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	96.30
5/17/2010	202507	1,216.59		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	68.30
			RPRGRPHC SVCS-AUTO MALL PROJ	147.08
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	1,001.21
Vendor Total		**2,794.55**		
FYTD for A & I REPROGRAPHICS 2406362		**22,357.59**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
A NEW DAWN CONSTRUCTION					
	5/17/2010	202508	543.75		
				MURAL FRAME-POLICE	543.75
	Vendor Total		**543.75**		
FYTD for A NEW DAWN CONSTRUCTION			**543.75**		
ACCOUNTEMPS					
	5/3/2010	202215	920.00		
				TEMP SVCS-APODACA W/E 4/16	920.00
	5/10/2010	202401	828.00		
				TEMP SVCS-APODACA W/E 4/23	828.00
	5/24/2010	202601	1,656.00		
				TEMP SVCS-APODACA W/E 4/30	828.00
				TEMP SVCS-APODACA W/E 5/7	828.00
	Vendor Total		**3,404.00**		
FYTD for ACCOUNTEMPS			**13,842.75**		
ADAMS, MARK L.					
	5/3/2010	880410	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.					
	5/17/2010	880497	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-LEX/MAX	283.34
	5/24/2010	880521	261.00		
				MUZZLE FOR K-9 LEX	261.00
	Vendor Total		**686.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**5,383.85**		
ADMINSURE					
	5/3/2010	202216	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
5/3/2010	880411	390.00		
			ICE MACHINE MAINT-FS #65	195.00
			ICE MACHINE MAINT-FS #6	195.00
5/10/2010	880473	975.00		
			ICE MACH MAINT-CONF & REC CTR	195.00
			ICE MACH MAINT-FS #58	195.00
			ICE MACH MAINT-FS #91	195.00
			ICE MACH MAINT-TOWNGATE CTR	195.00
			ICE MACH MAINT-FS #2	195.00
5/17/2010	880498	875.00		
			ICE MACH MAINT-EMERG OPS	195.00
			ICE MACH MAINT-FS #48	195.00
			ICE MACH MAINT-SENIOR CTR	195.00
			ICE MACH MAINT-CITY YARD	290.00
5/24/2010	880522	195.00		
			ICE MACH MAINT-PSB	195.00
Vendor Total		**2,435.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**7,962.96**		
ADVANCED ELECTRIC				
5/17/2010	202509	378.00		
			ELECT WORK-CONF & REC CTR	229.00
			ELECT WORK-CONF & REC CTR	19.00
			ELECT WORK-ANML SHLTR	130.00
Vendor Total		**378.00**		
FYTD for ADVANCED ELECTRIC		**78,902.00**		
AEI-CASC ENGINEERING				
5/24/2010	880523	1,631.75		
			PLAN CHECK SVCS	1,631.75
Vendor Total		**1,631.75**		
FYTD for AEI-CASC ENGINEERING		**317,771.84**		
AFL TELECOMMUNICATIONS				
5/3/2010	202217	740.53		
			SPLICER REPAIR-TECH SVCS	576.75
			SPLICER REPAIR-SHIPPING	152.69
			SPLICER REPAIR-SALES TAX	11.09
Vendor Total		**740.53**		
FYTD for AFL TELECOMMUNICATIONS		**740.53**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
5/10/2010	880474	900.00		
			DATABASE LEASING SVCS	900.00
Vendor Total		**900.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**2,550.00**		
ALBERTO'S MEXICAN FOOD				
5/10/2010	202402	49.47		
			REFUND-BUS LIC OVRPMT	49.47
Vendor Total		**49.47**		
FYTD for ALBERTO'S MEXICAN FOOD		**49.47**		
ALICEA, RICHARD				
5/17/2010	202510	80.50		
			MILEAGE REIMBURSEMENT	80.50
Vendor Total		**80.50**		
FYTD for ALICEA, RICHARD		**624.35**		
ALLIANZ LIFE INSURANCE CO				
5/10/2010	202403	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
5/3/2010	202218	1,948.34		
			CDBG FUNDED SVCS-DOM VIOL PRGM	1,948.34
Vendor Total		**1,948.34**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**8,256.70**		
AMERICAN FORENSIC NURSES				
5/3/2010	880412	982.70		
			BLOOD DRAWS	46.70
			BLOOD DRAWS	936.00
5/10/2010	880475	140.10		
			BLOOD DRAWS	140.10
5/24/2010	880524	1,842.00		
			BLOOD DRAWS	1,259.00
			BLOOD DRAWS	583.00
Vendor Total		**2,964.80**		
FYTD for AMERICAN FORENSIC NURSES		**24,715.10**		

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AMERICAN PROTECTION SERVICES				
5/10/2010	202404	1,030.00		
			SURVEILLANCE SYS-MAINT/SVC	900.00
			SURVEILLANCE SYS-MONITOR MOVE	130.00
	Vendor Total	**1,030.00**		
FYTD for AMERICAN PROTECTION SERVICES		**10,900.85**		
AMERICAN QUICK PRINTING				
5/10/2010	202501	770.49		
			PRINTING SVCS-PARKS	674.25
			PRINTING SVCS-LAND DEVLOPMENT	96.24
	Vendor Total	**770.49**		
FYTD for AMERICAN QUICK PRINTING		**4,765.32**		
AMERICAN ROTARY BROOM CO.				
5/17/2010	202511	1,097.97		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	111.79
			STREET SWEEPING BROOM KITS	493.09
	Vendor Total	**1,097.97**		
FYTD for AMERICAN ROTARY BROOM CO.		**31,019.58**		
AMTECH ELEVATOR SERVICES				
5/17/2010	202512	118.37		
			ELEVATOR SVC-CITY HALL	118.37
	Vendor Total	**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,818.78**		
ANCHETA, WARREN				
5/10/2010	202405	260.00		
			PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total	**260.00**		
FYTD for ANCHETA, WARREN		**260.00**		
ANDRE LANDSCAPING SERVICE, INC.				
5/3/2010	202219	21.68		
			REFUND-BUS LIC OVRPMT	21.68
	Vendor Total	**21.68**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.		**21.68**		
ANIMAL EMERGENCY CLINIC, INC.				
5/24/2010	880525	145.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
	Vendor Total	**145.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,679.00**		

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ANIMAL PEST MANAGEMENT SERVICES, INC.				
5/24/2010	202602	1,790.00		
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MARCH FLD	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-GOLF CRS	180.00
			PEST CONTROL-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**21,790.00**		
APARTMENT HIGHLAND MEADOWS, LLLP				
5/24/2010	202603	30.00		
			REFUND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**30.00**		
ARCHER, GREG				
5/24/2010	202604	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for ARCHER, GREG		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
5/17/2010	202513	1,390.57		
			OFFSITE STORAGE-CITY CLERKS	1,390.57
	Vendor Total	**1,390.57**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**14,734.26**		
ARROWHEAD WATER				
5/17/2010	202514	200.00		
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SENIOR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-FAC ANNX	25.00
			WTR PURIF RNTL-CONF & REC CTR	25.00
			WTR PURIF RNTL-ASES	25.00
	Vendor Total	**200.00**		
FYTD for ARROWHEAD WATER		**5,763.57**		

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ASSOCIATED ENGINEERS, INC.					
	5/24/2010	202605	4,267.50		
				HEACOCK ST WIDENING PROJ SVCS	4,267.50
	Vendor Total		**4,267.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**61,141.61**		
ASUNCION, ANGELICA					
	5/10/2010	202406	169.40		
				REFUND-MV UTILITY	169.40
	Vendor Total		**169.40**		
FYTD for ASUNCION, ANGELICA			**169.40**		
AT&T/MCI					
	5/3/2010	202220	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**2,020.47**		
AVIAT NETWORKS INC.					
	5/10/2010	202407	16,014.00		
				RADIO SYSTEMS-MAINT/SUPPORT	16,014.00
	Vendor Total		**16,014.00**		
FYTD for AVIAT NETWORKS INC.			**16,014.00**		
AWE					
	5/24/2010	202606	730.63		
				ANNUAL SUBSCRIPTION-LIBRARY	700.00
				ANNUAL SUBSCRIPTION-LIBRARY	30.63
	Vendor Total		**730.63**		
FYTD for AWE			**730.63**		
AYARS, MARGARET E.					
	5/3/2010	202221	1,593.65		
				RETIREE MEDICAL BENEFIT	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**3,824.76**		
BACHER, GRACE					
	5/3/2010	202222	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,742.41**		

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BARNES, DARLENE					
	5/3/2010	880413	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,230.06**		
BARTEL ASSOCIATES, LLC					
	5/3/2010	202223	605.00		
				PROF SVCS-GASB 45	605.00
	Vendor Total		**605.00**		
FYTD for BARTEL ASSOCIATES, LLC			**605.00**		
BASIC BACKFLOW					
	5/24/2010	202607	60.00		
				BACKFLOW TESTING	60.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**1,384.65**		
BATES LEATHERS					
	5/24/2010	202608	935.25		
				JACKETS-POLICE	750.38
				VESTS-POLICE	184.87
	Vendor Total		**935.25**		
FYTD for BATES LEATHERS			**6,546.75**		
BELL, ORROCK & WATASE, INC					
	5/3/2010	202224	7,941.20		
				LEGAL SVCS	6,682.55
				LEGAL SVCS	1,258.65
	Vendor Total		**7,941.20**		
FYTD for BELL, ORROCK & WATASE, INC			**22,557.01**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	5/10/2010	202408	120.00		
				LANDSCAPE MAINT-PARKS	120.00
	5/17/2010	202515	5,806.25		
				LANDSCAPE MAINT-FIRE STNS	3,506.25
				LANDSCAPE MAINT-FIRE STNS	2,300.00
	5/24/2010	202609	16,998.14		
				LANDSCAPE MAINT-AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-AQDCT A	850.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECTION	600.00
				LANDSCAPE MAINT-AQDCT	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS	300.00
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CONF & REC CTR	1,388.00
				LANDSCAPE MAINT-CONF & REC CTR	512.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total		**22,924.39**		
FYTD for BEMUS LANDSCAPE, INC.			**455,641.79**		
BENESYST					
	5/17/2010	880499	20.13		
				COBRA SUBSIDY-MAY2010 PREMS	14.43
				COBRA SUBSIDY-MAY2010 PREMS	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**60.39**		
BESAM U S, INC					
	5/3/2010	202226	87.43		
				REFUND-BUS LIC OVRPMT	87.43
	Vendor Total		**87.43**		
FYTD for BESAM U S, INC			**87.43**		
BEST IMPRESSIONS					
	5/10/2010	202409	44.89		
				REFUND-BUS LIC OVRPMT	44.89
	Vendor Total		**44.89**		
FYTD for BEST IMPRESSIONS			**44.89**		

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BEVEN - HERRON, INC					
	5/3/2010	202227	32.53		
				REFUND-BUS LIC OVRPMT	32.53
	Vendor Total		**32.53**		
FYTD for BEVEN - HERRON, INC			**32.53**		
BIMBO BAKERIES U S A, INC.					
	5/3/2010	202228	37.27		
				REFUND-BUS LIC OVRPMT	37.27
	Vendor Total		**37.27**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.27**		
BIO-TOX LABORATORIES					
	5/17/2010	202516	4,003.08		
				TOXICOLOGY TESTS	418.45
				TOXICOLOGY TESTS	1,387.73
				TOXICOLOGY TESTS	2,196.90
	Vendor Total		**4,003.08**		
FYTD for BIO-TOX LABORATORIES			**40,202.33**		
BLAIR, CHERYL					
	5/10/2010	202410	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,673.00**		
BLOSSOM SOFTWARE					
	5/10/2010	202411	636.00		
				SITE SEARCH SVCS-MEDIA	636.00
	Vendor Total		**636.00**		
FYTD for BLOSSOM SOFTWARE			**636.00**		
BLUE SHIELD OF CALIFORNIA					
	5/24/2010	202610	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,681.67**		
BOAFO, CLAUDIA					
	5/24/2010	202611	30.00		
				REFUND-CPR CLASS	30.00
	Vendor Total		**30.00**		
FYTD for BOAFO, CLAUDIA			**30.00**		

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BOB, FELIX					
	5/17/2010	202517	365.00		
				REFUND-RNTL DEP 5/1	165.00
				REFUND-RNTL DEP 5/1	200.00
	Vendor Total		**365.00**		
FYTD for BOB, FELIX			**365.00**		
BONDERER, ROBERT					
	5/3/2010	202229	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for BONDERER, ROBERT			**95.00**		
BOPF, WILLIAM					
	5/10/2010	202412	432.61		
				TRAVEL EXP-ICSC RECON CONF.	240.61
				TRAVEL EXP-ICSC RECON CONF.	192.00
	Vendor Total		**432.61**		
FYTD for BOPF, WILLIAM			**432.61**		
BORROMEO, ESTRELLA					
	5/3/2010	202230	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BORROMEO, ESTRELLA			**20.00**		
BOSSENMEYER, ANDREA					
	5/3/2010	202231	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOSSENMEYER, ANDREA			**20.00**		
BRADT, DON					
	5/24/2010	202612	61.60		
				REFUND-DOG TRAINING CLASS	61.60
	Vendor Total		**61.60**		
FYTD for BRADT, DON			**61.60**		
BREITKREUZ, THOMAS F.					
	5/3/2010	202232	464.10		
				RETIREE MEDICAL BENEFIT	464.10
	Vendor Total		**464.10**		
FYTD for BREITKREUZ, THOMAS F.			**2,198.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRIGGS, MARGARET					
	5/17/2010	202518	760.00		
				REFUND-RNTL DEP 4/24	360.00
				REFUND-RNTL DEP 4/24	400.00
	Vendor Total		**760.00**		
FYTD for BRIGGS, MARGARET			**760.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	5/10/2010	202415	15,510.04		
				ANNUAL SUBSCRIPTION-LIBRARY	4,220.37
				MISC BOOKS-LIBRARY	29.40
				MISC BOOKS-LIBRARY	41.97
				MISC BOOKS-LIBRARY	125.90
				MISC BOOKS-LIBRARY	232.09
				MISC BOOKS-LIBRARY	120.09
				MISC BOOKS-LIBRARY	437.27
				MISC BOOKS-LIBRARY	27.42
				MISC BOOKS-LIBRARY	56.82
				MISC BOOKS-LIBRARY	261.02
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	75.30
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	24.28
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	21.56
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	31.62
				MISC BOOKS-LIBRARY	132.52
				MISC BOOKS-LIBRARY	397.49
				MISC BOOKS-LIBRARY	114.81
				MISC BOOKS-LIBRARY	809.50
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	274.74
				MISC BOOKS-LIBRARY	236.36
				MISC BOOKS-LIBRARY	111.76
				MISC BOOKS-LIBRARY	185.26
				MISC BOOKS-LIBRARY	242.89
				MISC BOOKS-LIBRARY	18.31
				MISC BOOKS-LIBRARY	43.13
				MISC BOOKS-LIBRARY	15.96
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	66.38
				MISC BOOKS-LIBRARY	35.51
				MISC BOOKS-LIBRARY	981.03
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.73
				MISC BOOKS-LIBRARY	336.92
				MISC BOOKS-LIBRARY	82.57
				MISC BOOKS-LIBRARY	21.36
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	1,700.21
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	200.18
				MISC BOOKS-LIBRARY	28.60
				MISC BOOKS-LIBRARY	203.13
				MISC BOOKS-LIBRARY	19.58
				MISC BOOKS-LIBRARY	40.76
				MISC BOOKS-LIBRARY	61.32

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	631.51
			MISC BOOKS-LIBRARY	63.28
			MISC BOOKS-LIBRARY	1,308.23
			MISC BOOKS-LIBRARY	60.11
			MISC BOOKS-LIBRARY	191.83
			MISC BOOKS-LIBRARY	25.92
			MISC BOOKS-LIBRARY	491.08
			MISC BOOKS-LIBRARY	317.98
5/24/2010	202615	6,311.31		
			MISC BOOKS-LIBRARY	20.75
			MISC BOOKS-LIBRARY	111.78
			MISC BOOKS-LIBRARY	260.55
			MISC BOOKS-LIBRARY	80.70
			MISC BOOKS-LIBRARY	21.08
			MISC BOOKS-LIBRARY	58.00
			MISC BOOKS-LIBRARY	44.38
			MISC BOOKS-LIBRARY	16.56
			MISC BOOKS-LIBRARY	53.04
			MISC BOOKS-LIBRARY	110.80
			MISC BOOKS-LIBRARY	41.93
			MISC BOOKS-LIBRARY	91.70
			MISC BOOKS-LIBRARY	48.25
			MISC BOOKS-LIBRARY	60.58
			MISC BOOKS-LIBRARY	43.15
			MISC BOOKS-LIBRARY	180.82
			MISC BOOKS-LIBRARY	34.40
			MISC BOOKS-LIBRARY	22.59
			MISC BOOKS-LIBRARY	19.86
			MISC BOOKS-LIBRARY	127.49
			MISC BOOKS-LIBRARY	21.36
			MISC BOOKS-LIBRARY	271.36
			MISC BOOKS-LIBRARY	47.90
			MISC BOOKS-LIBRARY	41.32
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	167.47
			MISC BOOKS-LIBRARY	20.79
			MISC BOOKS-LIBRARY	170.43
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	58.60
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	40.74
			MISC BOOKS-LIBRARY	336.46
			MISC BOOKS-LIBRARY	27.42
			MISC BOOKS-LIBRARY	748.75
			MISC BOOKS-LIBRARY	69.34
			MISC BOOKS-LIBRARY	255.26
			MISC BOOKS-LIBRARY	31.27
			MISC BOOKS-LIBRARY	50.25
			MISC BOOKS-LIBRARY	10.33
			MISC BOOKS-LIBRARY	319.79
			MISC BOOKS-LIBRARY	52.48
			MISC BOOKS-LIBRARY	275.75
			MISC BOOKS-LIBRARY	216.98
			MISC BOOKS-LIBRARY	876.55

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	417.24
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	24.37
			MISC BOOKS-LIBRARY	141.22
			MISC BOOKS-LIBRARY	14.58
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	42.55
	Vendor Total	**21,821.35**		
FYTD for BRODART CO.		**48,039.90**		
BUCKINGHAM, STAN				
5/3/2010	202233	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**1,593.65**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BWI - BOOK WHOLESALERS, INC.				
5/17/2010	202519	8,058.50		
			MISC BOOKS-LIBRARY	165.63
			MISC BOOKS-LIBRARY	1,033.33
			MISC BOOKS-LIBRARY	237.84
			MISC BOOKS-LIBRARY	61.12
			MISC BOOKS-LIBRARY	2,582.16
			MISC BOOKS-LIBRARY	68.77
			MISC BOOKS-LIBRARY	101.01
			MISC BOOKS-LIBRARY	155.63
			MISC BOOKS-LIBRARY	153.66
			MISC BOOKS-LIBRARY	29.25
			MISC BOOKS-LIBRARY	524.81
			MISC BOOKS-LIBRARY	1,573.17
			MISC BOOKS-LIBRARY	245.82
			MISC BOOKS-LIBRARY	9.68
			MISC BOOKS-LIBRARY	27.93
			MISC BOOKS-LIBRARY	335.37
			MISC BOOKS-LIBRARY	37.18
			MISC BOOKS-LIBRARY	40.28
			MISC BOOKS-LIBRARY	96.85
			MISC BOOKS-LIBRARY	53.62
			MISC BOOKS-LIBRARY	525.39
5/24/2010	202617	10,156.81		
			MISC BOOKS-LIBRARY	40.98
			MISC BOOKS-LIBRARY	178.70
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	225.06
			MISC BOOKS-LIBRARY	13.99
			MISC BOOKS-LIBRARY	49.38
			MISC BOOKS-LIBRARY	699.13
			MISC BOOKS-LIBRARY	1,324.15
			MISC BOOKS-LIBRARY	1,125.57
			MISC BOOKS-LIBRARY	686.72
			MISC BOOKS-LIBRARY	1,711.22
			MISC BOOKS-LIBRARY	383.91
			MISC BOOKS-LIBRARY	108.65
			MISC BOOKS-LIBRARY	14.63
			MISC BOOKS-LIBRARY	286.73
			MISC BOOKS-LIBRARY	27.70
			MISC BOOKS-LIBRARY	213.16
			MISC BOOKS-LIBRARY	277.10
			MISC BOOKS-LIBRARY	82.45
			MISC BOOKS-LIBRARY	1,827.81
			MISC BOOKS-LIBRARY	170.07
			MISC BOOKS-LIBRARY	238.87
			MISC BOOKS-LIBRARY	105.25
			MISC BOOKS-LIBRARY	16.91
			MISC BOOKS-LIBRARY	25.26
			MISC BOOKS-LIBRARY	167.91
			MISC BOOKS-LIBRARY	33.14
			MISC BOOKS-LIBRARY	10.39
			MISC BOOKS-LIBRARY	68.43
			MISC BOOKS-LIBRARY	9.68

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	14.12
Vendor Total		18,215.31		
FYTD for BWI - BOOK WHOLESALERS, INC.		**23,793.39**		
CABLECOM OF CALIFORNIA				
5/3/2010	202234	30.68		
			REFUND-BUS LIC OVRPMT	30.68
Vendor Total		30.68		
FYTD for CABLECOM OF CALIFORNIA		**30.68**		
CAIN, GREGORY				
5/3/2010	880414	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CAIN, GREGORY		**2,868.58**		
CALIFORNIA STATE CONTROLLER'S OFFICE				
5/17/2010	202520	2,670.18		
			INTEREST ASSESSMENT-YR 2007	2,670.18
Vendor Total		2,670.18		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,670.18**		
CALIFORNIA TRANSCRIPTION, LLC				
5/3/2010	880415	225.14		
			TRANSCRIPTION SVCS	225.14
Vendor Total		225.14		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,546.83**		
CANNON, ANA M.				
5/3/2010	202235	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CANNON, ANA M.		**1,593.65**		
CANON BUSINESS SOLUTIONS, INC.				
5/3/2010	880416	7,379.91		
			COPIER SERVICES	6,303.55
			COPIER SERVICES	482.57
			COPIER SERVICES	593.79
Vendor Total		7,379.91		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,523.10**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CANON FINANCIAL SERVICES, INC.					
	5/17/2010	202521	7,590.68		
				COPIER LEASE-CITYWIDE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**83,497.48**		
CARL'S JR					
	5/3/2010	202236	47.92		
				REFUND-BUS LIC OVRPMT	25.98
				REFUND-BUS LIC OVRPMT	21.94
	Vendor Total		**47.92**		
FYTD for CARL'S JR			**47.92**		
CATES, JOSHUA					
	5/24/2010	202618	86.00		
				REFUND-RABIES DEP	20.00
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
	Vendor Total		**86.00**		
FYTD for CATES, JOSHUA			**86.00**		
CATHOLIC CHARITIES					
	5/3/2010	202237	22,820.45		
				CDBG FUNDED SVCS-RNTL ASSIST	5,591.16
				CDBG FUNDED SVCS-RNTL ARREARS	1,189.97
				CDBG FUNDED SVCS-RNTL ASSIST	9,400.32
				CDBG FUNDED SVCS-RNTL ARREARS	6,639.00
	Vendor Total		**22,820.45**		
FYTD for CATHOLIC CHARITIES			**22,820.45**		
CERTIFIED CREDIT REPORTING, INC					
	5/17/2010	202522	77.76		
				CREDIT PROFILE SVCS-EDD	77.76
	Vendor Total		**77.76**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**273.94**		
CHAMBERS, RICHARD J. SR.					
	5/24/2010	202619	233.28		
				REFUND-CITATION OVRPMT	233.28
	Vendor Total		**233.28**		
FYTD for CHAMBERS, RICHARD J. SR.			**233.28**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANCY, CHIZURU					
	5/10/2010	202416	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
	5/24/2010	202620	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	140.40
	Vendor Total		**304.20**		
FYTD for CHANCY, CHIZURU			**1,731.60**		
CHAPMAN, STEVE					
	5/3/2010	202238	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC					
	5/3/2010	202239	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHERRY VALLEY FEED					
	5/3/2010	202240	97.84		
				DOG FOOD-K9 LEX	97.84
	Vendor Total		**97.84**		
FYTD for CHERRY VALLEY FEED			**1,775.68**		
CHI, PHILLIP J.F.					
	5/3/2010	202241	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for CHI, PHILLIP J.F.			**97.60**		
CHICAGO PASTA HOUSE					
	5/3/2010	202242	46.54		
				REFUND-BUS LIC OVRPMT	46.54
	Vendor Total		**46.54**		
FYTD for CHICAGO PASTA HOUSE			**46.54**		
CHRISTIAN, OWEN					
	5/3/2010	880417	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,415.29**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	5/3/2010	202243	41.91		
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
	5/10/2010	202417	202.92		
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	5/17/2010	202524	472.05		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	16.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-FAC MAINT	16.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS CREW	5.85
5/24/2010	202621	111.57		
			UNIFORM RNTL SVC-SIGNAL MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS MAINT	53.01
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-GOLF CRS	5.85
	Vendor Total	**828.45**		
FYTD for CINTAS CORPORATION		**7,419.15**		

CITY OF CANYON LAKE

5/10/2010	202418	35.00		
			LCC-RIV CTY GENERAL MEETING	35.00
	Vendor Total	**35.00**		
FYTD for CITY OF CANYON LAKE		**35.00**		

CITY OF CHULA VISTA

5/3/2010	202244	20.00		
			REGISTRATION-HHW & USED OIL RE	20.00
	Vendor Total	**20.00**		
FYTD for CITY OF CHULA VISTA		**20.00**		

CITY OF MORENO VALLEY VEBA TRUST

5/10/2010	880478	4,100.00		
			EXEMPT VEBA	4,100.00
	Vendor Total	**4,100.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**46,262.50**		

COLONIAL SUPPLEMENTAL INSURANCE

5/24/2010	202622	7,137.63		
			SUPPLEMENTAL INSURANCE	7,137.63
	Vendor Total	**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**86,191.41**		

COMMERCE ENERGY, INC.

5/3/2010	202245	43.70		
			REFUND-BUS LIC OVRPMT	43.70
	Vendor Total	**43.70**		
FYTD for COMMERCE ENERGY, INC.		**43.70**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY ASSISTANCE PROGRAM - CAP				
5/3/2010	880418	19,887.75		
			CDBG FUNDED SVCS-FOOD DIST	2,490.60
			CDBG FUNDED SVCS-FOOD DIST	2,491.08
			CDBG FUNDED SVCS-FOOD DIST	2,650.01
			CDBG FUNDED SVCS-FOOD DIST	2,361.96
			CDBG FUNDED SVCS-FOOD DIST	2,150.00
			CDBG FUNDED SVCS-FOOD DIST	2,230.85
			CDBG FUNDED SVCS-FOOD DIST	2,233.50
			CDBG FUNDED SVCS-FOOD DIST	3,279.75
5/24/2010	880527	2,201.00		
			CDBG FUNDED SVCS-FOOD DIST	2,201.00
Vendor Total		**22,088.75**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**24,316.85**		
COMMUNITY HEALTH CHARITIES				
5/10/2010	202419	151.47		
			CHC CONTRIBUTIONS	151.47
5/24/2010	202623	151.47		
			CHC CONTRIBUTIONS	151.47
Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES		**8,321.37**		
CONNOLLY, DANAE & PAUL				
5/24/2010	202624	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for CONNOLLY, DANAE & PAUL		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION				
5/24/2010	202625	14,303.11		
			ASPHALTIC MATERIAL	2,982.84
			ASPHALTIC MATERIAL	3,707.35
			ASPHALTIC MATERIAL	4,623.72
			ASPHALTIC MATERIAL	2,989.20
Vendor Total		**14,303.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**14,303.11**		
CONTINUING EDUCATION OF THE BAR				
5/10/2010	202420	295.79		
			LEGAL SUBSCRIPTIONS	152.57
			LEGAL SUBSCRIPTIONS	143.22
5/17/2010	202525	128.10		
			LEGAL SUBSCRIPTIONS	128.10
Vendor Total		**423.89**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,209.76**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COSTCO					
	5/3/2010	202246	1,014.20		
				MISC SUPPLIES-SKATE PARK	576.40
				MISC SUPPLIES-STARS	77.06
				MISC SUPPLIES-STARS	49.55
				MISC SUPPLIES-STARS	311.19
	5/10/2010	202421	824.50		
				MISC SUPPLIES-STARS	311.88
				MISC SUPPLIES-STARS	131.77
				MISC SUPPLIES-STARS	93.62
				MISC SUPPLIES-STARS	287.23
	5/17/2010	202526	1,161.87		
				MISC SUPPLIES-CHILDS PLACE	1,161.87
	5/24/2010	202626	1,461.32		
				MISC SUPPLIES-STARS	177.24
				MISC SUPPLIES-STARS	192.29
				MISC SUPPLIES-STARS	67.96
				MISC SUPPLIES-STARS	169.17
				MISC SUPPLIES-STARS	725.23
				MISC SUPPLIES-SKATE PARK	129.43
	Vendor Total		**4,461.89**		
FYTD for COSTCO			**49,783.80**		
COUNTY OF RIVERSIDE-TLMA-GIS					
	5/24/2010	202627	2,090.31		
				INSPECTION SVCS-TRAFFIC SIGNAL	2,090.31
	Vendor Total		**2,090.31**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS			**5,954.87**		
CREATIVE COLOR PRINTING					
	5/3/2010	202247	3,715.99		
				FLYERS-EDD	3,568.00
				FLYERS-EDD	147.99
	Vendor Total		**3,715.99**		
FYTD for CREATIVE COLOR PRINTING			**3,715.99**		
CREATIVE PROMOTIONAL IDEAS					
	5/17/2010	202528	1,234.31		
				WRISTBANDS	1,141.88
				WRISTBANDS	92.43
	Vendor Total		**1,234.31**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**5,603.21**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CTAI PACIFIC GREENSCAPE					
	5/24/2010	880528	5,005.11		
				LANDSCAPE MAINT-DSG1W	4,897.13
				LANDSCAPE MAINT-DSG1W	107.98
	Vendor Total		**5,005.11**		
FYTD for CTAI PACIFIC GREENSCAPE			**57,016.18**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	5/3/2010	202248	342.00		
				PERMIT RENEWAL-CELEB PARK	342.00
	Vendor Total		**342.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**31,393.61**		
CURVES FOR WOMEN					
	5/3/2010	202249	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for CURVES FOR WOMEN			**57.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	5/24/2010	202628	745.00		
				DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**8,345.00**		
D S WATERS OF AMERICA, INC.					
	5/3/2010	202250	83.53		
				REFUND-BUS LIC OVRPMT	83.53
	Vendor Total		**83.53**		
FYTD for D S WATERS OF AMERICA, INC.			**83.53**		
DALE, KATHLEEN					
	5/3/2010	880419	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**3,474.13**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DATA TICKET, INC.					
	5/3/2010	880420	6,474.53		
				CITATION PRCSSNG-POLICE	4,054.10
				CITATION PRCSSNG-CODE	2,420.43
	5/17/2010	880500	21,703.61		
				CITATION PRCSSNG-CODE	9,209.16
				CITATION PRCSSNG-CODE	12,494.45
	5/24/2010	880529	841.18		
				CITATION PRCSSNG-BLDG & SAFETY	736.18
				CITATION APPLIC MAINT/SUPPORT	105.00
	Vendor Total		**29,019.32**		
FYTD for DATA TICKET, INC.			**184,193.84**		
DATAQUICK CORPORATE HEADQUARTERS					
	5/24/2010	202629	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,335.50**		
DAVLYN INVESTMENTS PROPERTY MANAGEMENT					
	5/24/2010	202630	78.21		
				REFUND-BUS LIC OVRPMT	78.21
	Vendor Total		**78.21**		
FYTD for DAVLYN INVESTMENTS PROPERTY MANAGEMENT			**78.21**		
DEARREADER.COM					
	5/3/2010	202251	600.00		
				SUBSCRIPTION RENEWAL-LIBRARY	600.00
	Vendor Total		**600.00**		
FYTD for DEARREADER.COM			**600.00**		
DEBINAIRE COMPANY					
	5/24/2010	202631	0.00		
				SWITCH RPLCMNT-ANML SVCS	549.19
				SWITCH RPLCMNT-ANML SVCS	-549.19
	Vendor Total		**0.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		
DELTA DENTAL					
	5/10/2010	202422	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**125,278.39**		

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DELTACARE USA					
	5/17/2010	202529	6,369.84		
				EMPLOYEE DENTAL INSURANCE	6,369.84
	Vendor Total		**6,369.84**		
FYTD for DELTACARE USA			**73,646.55**		
DENNIS GRUBB & ASSOCIATES, LLC					
	5/10/2010	880479	5,330.00		
				PLAN REVIEW SVCS-FIRE	5,330.00
	5/24/2010	880530	2,060.00		
				PLAN REVIEW SVCS-FIRE	2,060.00
	Vendor Total		**7,390.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**17,075.00**		
DHA CONSULTING					
	5/3/2010	202252	150.00		
				CONSULTING SVCS-EDD	150.00
	Vendor Total		**150.00**		
FYTD for DHA CONSULTING			**150.00**		
DIRECT CARPET AND FLOORING					
	5/3/2010	202253	30.11		
				REFUND-BUS LIC OVRPMT	30.11
	Vendor Total		**30.11**		
FYTD for DIRECT CARPET AND FLOORING			**30.11**		
DLS LANDSCAPE, INC					
	5/3/2010	202254	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	5/24/2010	202632	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**136,290.00**		
DONAHUE APPRAISAL ASSOCIATES					
	5/10/2010	880480	3,600.00		
				PERRIS BLVD WIDENING PROJ SVCS	3,600.00
	Vendor Total		**3,600.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**65,900.00**		

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DONALD H. MAYNOR					
	5/3/2010	202255	9,375.00		
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
	Vendor Total		**9,375.00**		
FYTD for DONALD H. MAYNOR			**9,375.00**		
DORY, ALLEEN F.					
	5/3/2010	202256	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for DORY, ALLEEN F.			**3,168.67**		
DOUBLE D PIPELINE, INC					
	5/3/2010	202257	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for DOUBLE D PIPELINE, INC			**50.00**		
DUNN, LAURA					
	5/10/2010	202423	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DUNN, LAURA			**716.00**		
DURAN, BLANCA					
	5/10/2010	202424	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	294.00
	Vendor Total		**294.00**		
FYTD for DURAN, BLANCA			**2,520.00**		
E.G. BRENNAN & CO, LLC					
	5/10/2010	880481	139.15		
				MAINT RENEWAL-FOLDING MACHINE	69.58
				MAINT RENEWAL-FOLDING MACHINE	69.57
	Vendor Total		**139.15**		
FYTD for E.G. BRENNAN & CO, LLC			**139.15**		

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E.R. BLOCK PLUMBING & HEATING, INC.					
	5/17/2010	202530	1,442.04		
				BACKFLOW TESTING-TR30319	36.40
				BACKFLOW TESTING-TR22277	532.82
				BACKFLOW TESTING-TR22277	170.00
				BACKFLOW TESTING-TR20941	532.82
				BACKFLOW TESTING-TR20941	170.00
	5/24/2010	202633	582.40		
				BACKFLOW TESTING	582.40
	Vendor Total		**2,024.44**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**31,130.83**		
EASTERN MUNICIPAL WATER DISTRICT					
	5/3/2010	202258	24,079.61		
				WATER CHRGS FOR MARCH	170.25
				WATER CHRGS FOR MARCH	596.48
				WATER CHRGS FOR APRIL	124.11
				WATER CHRGS FOR APRIL	285.38
				WATER CHRGS FOR APRIL	479.33
				WATER CHRGS FOR APRIL	6,177.71
				WATER CHRGS FOR APRIL	1,410.36
				WATER CHRGS FOR APRIL	240.28
				WATER CHRGS FOR APRIL	7,980.62
				WATER CHRGS FOR APRIL	3,003.72
				WATER CHRGS FOR APRIL	3,068.46
				WATER CHRGS FOR APRIL	28.32
				WATER CHRGS FOR APRIL	32.00
				WATER CHRGS FOR APRIL	385.62
				WATER CHRGS FOR APRIL	96.97
	5/10/2010	202425	78.46		
				WATER CHRGS FOR MARCH	78.46
	Vendor Total		**24,158.07**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,038,091.76**		
EASY MONEY EMG					
	5/3/2010	202259	72.50		
				REFUND-BUS LIC OVRPMT	72.50
	Vendor Total		**72.50**		
FYTD for EASY MONEY EMG			**72.50**		
EBSCO SUBSCRIPTION SERVICE					
	5/3/2010	202260	3,789.13		
				SUBSCRIPTIONS RENEWALS-LIBRARY	3,784.18
				SUBSCRIPTIONS RENEWALS-LIBRARY	4.95
	Vendor Total		**3,789.13**		
FYTD for EBSCO SUBSCRIPTION SERVICE			**3,789.13**		

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EDGELANE MOBILE PARK					
	5/24/2010	880531	10.00		
				REFUND-UT USER TAXES	10.00
	Vendor Total		**10.00**		
FYTD for EDGELANE MOBILE PARK			**109.17**		
EGGERSTEN, ANNE					
	5/3/2010	202261	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**3,143.83**		
ELITE COURT REPORTING					
	5/3/2010	202262	247.50		
				TRANSCRIPTION SVCS	247.50
	Vendor Total		**247.50**		
FYTD for ELITE COURT REPORTING			**909.80**		
EVANS ENGRAVING & AWARDS					
	5/10/2010	880482	16.32		
				ENGRAVING SVCS-PD	16.32
	5/17/2010	880501	97.88		
				ENGRAVING SVCS-POLICE	97.88
	Vendor Total		**114.20**		
FYTD for EVANS ENGRAVING & AWARDS			**1,854.26**		
EWING IRRIGATION PRODUCTS, INC.					
	5/10/2010	202427	363.82		
				IRRIGATION SUPPLIES	49.57
				IRRIGATION SUPPLIES	314.25
	5/17/2010	202533	290.92		
				IRRIGATION SUPPLIES	102.26
				IRRIGATION SUPPLIES	12.02
				IRRIGATION SUPPLIES	70.85
				IRRIGATION SUPPLIES	105.79
	5/24/2010	202636	1,516.86		
				IRRIGATION SUPPLIES	1,449.31
				IRRIGATION SUPPLIES	4.15
				IRRIGATION SUPPLIES	63.40
	Vendor Total		**2,171.60**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**15,584.55**		

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EXCEL LANDSCAPE, INC					
	5/17/2010	202534	2,666.81		
				LANDSCAPE MAINT-E7	2,666.81
	5/24/2010	202637	9,922.41		
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	3,889.00
	Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC			**217,737.60**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	5/3/2010	880421	5,772.34		
				CDBG FUNDED SVCS-MEDIATION PRG	5,772.34
	Vendor Total		**5,772.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**48,715.14**		
FANNING, JEFFREY DEAN					
	5/24/2010	202638	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FANNING, JEFFREY DEAN			**874.00**		
FASHION BLINDS USA					
	5/3/2010	202263	57.87		
				REFUND-BUS LIC OVRPMT	57.87
	Vendor Total		**57.87**		
FYTD for FASHION BLINDS USA			**57.87**		
FEDERAL EXPRESS					
	5/3/2010	202264	18.08		
				EXPRESS MAILING SVC-SR60/NASON	18.08
	Vendor Total		**18.08**		
FYTD for FEDERAL EXPRESS			**140.08**		
FEENSTRA, JOHN					
	5/3/2010	880422	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		

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FERNANDEZ, NOEMI					
	5/3/2010	202265	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for FERNANDEZ, NOEMI			**95.00**		
FINESSE PERSONNEL ASSOCIATES					
	5/3/2010	202266	1,390.77		
				TEMP SVCS-BECKNER W/E 4/24	1,390.77
	5/17/2010	202535	4,248.64		
				TEMP SVCS-NELSON W/E 4/10	631.80
				TEMP SVCS-NELSON W/E 4/24	874.80
				TEMP SVCS-BECKNER W/E 5/1	1,867.24
				TEMP SVCS-NELSON W/E 5/1	874.80
	5/24/2010	202639	3,850.37		
				TEMP SVCS-BECKNER W/E 5/8	1,957.38
				TEMP SVCS-BECKNER W/E 5/15	1,892.99
	Vendor Total		**9,489.78**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**25,878.64**		
FINNERTY, MICHAEL					
	5/3/2010	202267	119.98		
				REFUND-BUS LIC OVRPMT	119.98
	Vendor Total		**119.98**		
FYTD for FINNERTY, MICHAEL			**119.98**		
FIRST AMERICAN CORE LOGIC, INC.					
	5/24/2010	202640	730.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	475.00
				ONLINE PROP INFO-EDD	170.00
	Vendor Total		**730.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**5,210.00**		
FIRST CHOICE SERVICES					
	5/17/2010	880502	93.57		
				COFFEE SVCS-EMP PAID	93.57
	5/24/2010	880532	655.31		
				COFFEE SVCS-EMP PAID	230.43
				COFFEE SVCS-EMP PAID	64.28
				COFFEE SVCS-EMP PAID	181.74
				COFFEE SVCS-EMP PAID	116.95
				COFFEE SVCS-EMP PAID	61.91
	Vendor Total		**748.88**		
FYTD for FIRST CHOICE SERVICES			**8,946.20**		

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FITNESS 19 CA 155 11C				
5/24/2010	202641	281.00		
			GYM MEMBERSHIP DEDUCTIONS	281.00
Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C		**3,196.00**		
FLYTECH PEST CONTROL				
5/3/2010	202268	78.92		
			REFUND-BUS LIC OVRPMT	78.92
Vendor Total		**78.92**		
FYTD for FLYTECH PEST CONTROL		**78.92**		
FONSECA, CYNTHIA				
5/24/2010	202642	64.00		
			REFUND-PICNIC SHLTR FEE	64.00
Vendor Total		**64.00**		
FYTD for FONSECA, CYNTHIA		**64.00**		
FOREST WOOD FIBER, INC.				
5/10/2010	202428	4,100.90		
			PLAYGROUND FIBER-PARKS	2,594.20
			PLAYGROUND FIBER-PARKS	1,506.70
5/17/2010	202536	3,013.40		
			PLAYGROUND FIBER-PARKS	1,506.70
			PLAYGROUND FIBER-PARKS	1,392.40
			PLAYGROUND FIBER-PARKS	114.30
Vendor Total		**7,114.30**		
FYTD for FOREST WOOD FIBER, INC.		**7,114.30**		
FORTNEY, YVETTE				
5/17/2010	202537	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for FORTNEY, YVETTE		**75.00**		
FOSTER, JAMES BARRY				
5/10/2010	202429	192.00		
			PER DIEM-ICSC RECON CONF.	192.00
5/17/2010	202538	117.58		
			ICSC MONTEREY 3/16-3/17/10	117.58
Vendor Total		**309.58**		
FYTD for FOSTER, JAMES BARRY		**735.73**		

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FOSTER, NANCY A.					
	5/3/2010	202269	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,581.09**		
FOX, ALLAN					
	5/3/2010	202270	40.00		
				REFUND-RABIES DEP	20.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**40.00**		
FYTD for FOX, ALLAN			**115.00**		
FRANCHISE TAX BOARD					
	5/10/2010	202430	334.54		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	27.23
				GARNISHMENT	244.81
	5/24/2010	202643	100.00		
				REFUND-CITATION OVRPMT	100.00
	5/24/2010	202644	51.90		
				GARNISHMENT	51.90
	5/24/2010	202645	62.50		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
	Vendor Total		**548.94**		
FYTD for FRANCHISE TAX BOARD			**12,090.03**		
FRANKLIN, L. C.					
	5/10/2010	202431	187.00		
				MILEAGE REIMBURSEMENT	187.00
	5/17/2010	202539	65.94		
				REIMB FOR CHARGES PAID	65.94
	Vendor Total		**252.94**		
FYTD for FRANKLIN, L. C.			**1,701.64**		
FREEMAN, SHANIKQUA					
	5/10/2010	202432	384.00		
				PER DIEM-ICSC RECON CONF.	384.00
	Vendor Total		**384.00**		
FYTD for FREEMAN, SHANIKQUA			**1,300.07**		

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FRIENDS OF THE SENIOR CENTER					
	5/24/2010	202646	5,000.00		
				CDBG FUNDED SVCS-SR TRANSP	5,000.00
	Vendor Total		**5,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER			**40,000.00**		
FROST, JOAN CHENG					
	5/3/2010	202271	266.00		
				INSTRUCTION SVCS-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**1,444.00**		
FULBRIGHT & JAWORSKI, L.L.P.					
	5/17/2010	202541	7,324.36		
				LEGAL SVCS-UTILITIES	7,324.36
	Vendor Total		**7,324.36**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.			**219,824.44**		
G & G PLUMBING					
	5/3/2010	202272	56.50		
				REFUND-BUS LIC OVRPMT	56.50
	Vendor Total		**56.50**		
FYTD for G & G PLUMBING			**56.50**		
GARCIA, EFREN					
	5/10/2010	202433	20.00		
				REFUND-FIELD RNTL FEE	20.00
	Vendor Total		**20.00**		
FYTD for GARCIA, EFREN			**20.00**		
GASTON, RICHARD					
	5/3/2010	880423	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				
5/3/2010	880424	1,062.30		
			SECURITY SVCS-LIBRARY	586.76
			SECURITY SVCS-TOWNGATE	122.72
			SECURITY SVCS-TOWNGATE	76.70
			SECURITY SVCS-CONF & REC CTR	276.12
5/10/2010	880483	613.60		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/17/2010	880503	279.96		
			SECURITY SVCS-CONF & REC CTR	279.96
5/24/2010	880533	997.10		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-MV UTILITY ANNX	276.12
			SECURITY SVCS-RNTL 4/17 TOWNGT	107.38
	Vendor Total	**2,952.96**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,720.91**		
GENERAL UNDERGROUND FIRE PROTECTION, INC				
5/3/2010	202273	50.00		
			REFUND-BUS LIC OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for GENERAL UNDERGROUND FIRE PROTECTION, INC		**50.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
5/24/2010	880534	504.50		
			LEGAL SVCS	504.50
	Vendor Total	**504.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**145,105.59**		
GINA'S AUTO SERVICE				
5/3/2010	202274	115.01		
			REFUND-BUS LIC OVRPMT	115.01
	Vendor Total	**115.01**		
FYTD for GINA'S AUTO SERVICE		**115.01**		
GONG ENTERPRISES, INC.				
5/17/2010	202542	4,000.00		
			PLAN CHECK SVCS-PA090043	2,000.00
			PLAN CHECK SVCS-PM32215	1,000.00
			PLAN CHECK SVCS-PM35629	1,000.00
	Vendor Total	**4,000.00**		
FYTD for GONG ENTERPRISES, INC.		**12,614.50**		

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GOZDECKI, DAN					
	5/10/2010	880484	918.00		
				INSTRUCTOR SVCS-KUNG FU	486.00
				INSTRUCTOR SVCS-KUNG FU	432.00
	Vendor Total		**918.00**		
FYTD for GOZDECKI, DAN			**7,209.00**		
GRAFFITI TRACKER, INC.					
	5/24/2010	880535	8,000.00		
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	1,000.00
				GRAFFITI TRACK SVCS-CODE	3,000.00
	Vendor Total		**8,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**36,340.00**		
GRANICUS, INC.					
	5/24/2010	202648	1,525.22		
				MANAGED SVC-PODCASTING	130.00
				MANAGED SVC-VIDEO STREAMING	45.22
				MANAGED SVC-VIDEO STREAMING	1,350.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**15,867.42**		
GREATER ALARM CO.					
	5/3/2010	202275	46.40		
				REFUND-BUS LIC OVRPMT	46.40
	Vendor Total		**46.40**		
FYTD for GREATER ALARM CO.			**46.40**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	5/3/2010	202276	80.40		
				LEGAL SVCS-RISK MGT	80.40
	Vendor Total		**80.40**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,272.49**		
GRIFFIN, MARLENE C					
	5/3/2010	880425	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,742.41**		

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GUARD SYSTEMS, INC.					
	5/3/2010	202277	37.40		
				REFUND-BUS LIC OVRPMT	37.40
	Vendor Total		**37.40**		
FYTD for GUARD SYSTEMS, INC.			**37.40**		
GUILLAN, REBECCA S.					
	5/3/2010	202278	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,370.97**		
GUILLIS, LINDA B.					
	5/3/2010	202279	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,506.03**		
GULU, MARGARET & NICK					
	5/17/2010	202543	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for GULU, MARGARET & NICK			**95.00**		
GUTIERREZ, ROBERT					
	5/3/2010	202280	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**2,211.63**		
GUZMAN'S CART SERVICE					
	5/17/2010	880504	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
H P COMMUNICATIONS, INC					
	5/10/2010	202434	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for H P COMMUNICATIONS, INC			**25.00**		

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HAAKER EQUIPMENT COMPANY					
	5/10/2010	202435	45.43		
				MISC PARTS-ANML SVCS	45.43
	Vendor Total		**45.43**		
FYTD for HAAKER EQUIPMENT COMPANY			**329.86**		
HAIR SHACK					
	5/3/2010	202281	111.75		
				REFUND-BUS LIC OVRPMT	111.75
	Vendor Total		**111.75**		
FYTD for HAIR SHACK			**111.75**		
HALL, ANTHONY					
	5/10/2010	202436	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for HALL, ANTHONY			**95.00**		
HAMLIN, WILLIAM R.					
	5/3/2010	880426	0.00		
				RETIREE MEDICAL BENEFIT	315.59
				RETIREE MEDICAL BENEFIT	-315.59
	5/10/2010	202504	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,553.63**		
HANES, MARTIN D.					
	5/3/2010	880427	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HARDING, JOHN S.					
	5/3/2010	202282	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HATFIELD, CHARLES					
	5/3/2010	202284	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,868.58**		

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HATZL-PATTERSON, NINA MICHELE				
5/10/2010	202437	624.61		
			TRAVEL EXP-ICSC RECON CONF.	240.61
			TRAVEL EXP-ICSC RECON CONF.	384.00
	Vendor Total	**624.61**		
FYTD for HATZL-PATTERSON, NINA MICHELE		**876.61**		
HAUSER, ADRIANA				
5/24/2010	202649	532.00		
			INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total	**532.00**		
FYTD for HAUSER, ADRIANA		**3,838.00**		
HEERY INTERNATIONAL, INC.				
5/24/2010	880536	9,728.00		
			NEW MAIN LIBRARY PROJ SVCS	9,728.00
	Vendor Total	**9,728.00**		
FYTD for HEERY INTERNATIONAL, INC.		**224,780.75**		
HEFFLEY, ROSS W.				
5/3/2010	880428	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HEFFLEY, ROSS W.		**2,868.58**		
HEMPY, STEPHANIE				
5/17/2010	202544	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for HEMPY, STEPHANIE		**20.00**		
HERRICK, ROBERT D.				
5/3/2010	202285	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HERRICK, ROBERT D.		**3,506.03**		
HETHERMAN, ANTHONY CHRISTOPHER				
5/17/2010	202595	78.27		
			MILEAGE REIMB-IRRIG DESIGN TRN	78.27
	Vendor Total	**78.27**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER		**153.07**		

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HODGE, MICHAEL & KALEIGH				
5/10/2010	202438	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HODGE, MICHAEL & KALEIGH		**20.00**		
HOLTHAUS, ARIEALL				
5/17/2010	202545	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for HOLTHAUS, ARIEALL		**75.00**		
HOMESITE SERVICES, INC				
5/3/2010	202286	82.00		
			REFUND-BUS LIC OVRPMT	82.00
Vendor Total		**82.00**		
FYTD for HOMESITE SERVICES, INC		**82.00**		
HOUSER, EDITH E.				
5/3/2010	202287	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,506.03**		
HOWELL, LORRAINE				
5/17/2010	202546	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HOWELL, LORRAINE		**20.00**		
ICMA RETIREMENT CORP 457				
5/7/2010	2632	12,410.37		
			DEF COMP 457 05/07/10	12,410.37
5/21/2010	2640	12,410.37		
			DEF COMP 457 05/21/10	12,410.37
Vendor Total		**24,820.74**		
FYTD for ICMA RETIREMENT CORP 457		**336,405.55**		
IDEARC MEDIA SALES - WEST, INC.				
5/3/2010	202288	73.18		
			REFUND-BUS LIC OVRPMT	73.18
Vendor Total		**73.18**		
FYTD for IDEARC MEDIA SALES - WEST, INC.		**73.18**		

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IKON PROPERTIES & INVESTMENTS					
	5/3/2010	202289	69.71		
				REFUND-BUS LIC OVRPMT	69.71
	Vendor Total		**69.71**		
FYTD for IKON PROPERTIES & INVESTMENTS			**69.71**		
IL SORRENTO MOBILE PARK					
	5/10/2010	202439	130.36		
				REFUND-UT USER TAXES	130.36
	Vendor Total		**130.36**		
FYTD for IL SORRENTO MOBILE PARK			**1,806.67**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	5/10/2010	202440	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**5,225.00**		
INLAND EMPIRE COURT SERVICES					
	5/3/2010	202290	22.93		
				REFUND-BUS LIC OVRPMT	22.93
	Vendor Total		**22.93**		
FYTD for INLAND EMPIRE COURT SERVICES			**22.93**		
INLAND EMPIRE LANDSCAPE, INC					
	5/3/2010	202291	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for INLAND EMPIRE LANDSCAPE, INC			**81.00**		
INLAND EMPIRE PROPERTY SERVICE, INC					
	5/3/2010	880429	535.00		
				NUISANCE ABTMNT SVCS-DEBRA WAY	283.00
				NUISANCE ABTMNT SVCS-PETEDYE	252.00
	5/10/2010	880485	1,320.00		
				NUISANCE ABTMNT SVCS-CODE	283.00
				WEED ABTMNT SVCS-PARKS	1,037.00
	5/24/2010	880537	82.00		
				NUISANCE ABMNT SVC-260391002	82.00
	Vendor Total		**1,937.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC			**77,374.10**		

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INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
5/3/2010	202292	10,000.00		
			BUSINESS COUNSELING SVCS	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**40,000.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC				
5/17/2010	880507	2,271.15		
			FUEL TANK SVC-FS #2	718.42
			FUEL TANK SVC-FS #48	454.14
			FUEL TANK SVC-FS #65	658.59
			FUEL TANK SVC-FS #91	440.00
Vendor Total		**2,271.15**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**3,444.04**		
INLAND TAN				
5/3/2010	202293	83.53		
			REFUND-BUS LIC OVRPMT	83.53
Vendor Total		**83.53**		
FYTD for INLAND TAN		**83.53**		
INSIDE PLANTS, INC.				
5/24/2010	880538	316.00		
			PLANT MAINT-CONF & REC CTR	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,476.00**		
INTERNATIONAL AUTO CRAFTERS				
5/10/2010	202441	687.50		
			TOWING SERVICE	687.50
Vendor Total		**687.50**		
FYTD for INTERNATIONAL AUTO CRAFTERS		**687.50**		
ISG THERMAL SYSTEMS USA, INC				
5/10/2010	202442	1,471.26		
			THERMAL IMAGING RPR-PD	1,471.26
			THERMAL IMAGING RPR-SALES TAX	81.49
			THERMAL IMAGING RPR-SALES TAX	-81.49
Vendor Total		**1,471.26**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**2,436.15**		

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ISLAND WAVE PRODUCTION: DJ LETI					
	5/3/2010	202294	33.61		
				REFUND-BUS LIC OVRPMT	33.61
	Vendor Total		**33.61**		
FYTD for ISLAND WAVE PRODUCTION: DJ LETI			**33.61**		
ISS SWEEPING, INC.					
	5/17/2010	880508	2,265.70		
				STREET SWEEPING SVCS	1,545.70
				STREET SWEEPING SVCS	720.00
	Vendor Total		**2,265.70**		
FYTD for ISS SWEEPING, INC.			**25,816.10**		
J A M FIRE PROTECTION					
	5/3/2010	202295	21.00		
				REFUND-BUS LIC OVRPMT	21.00
	Vendor Total		**21.00**		
FYTD for J A M FIRE PROTECTION			**21.00**		
JAECH, JESSI					
	5/3/2010	202296	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JAECH, JESSI			**75.00**		
JDEDGE SOFTWARE, LLC					
	5/3/2010	880430	6,605.00		
				CONSULTING SVCS	6,605.00
	5/24/2010	880539	3,775.00		
				CONSULTING SVCS	3,775.00
	Vendor Total		**10,380.00**		
FYTD for JDEDGE SOFTWARE, LLC			**117,077.68**		
JOE A. GONSALVES & SON					
	5/17/2010	880509	3,150.00		
				REPRESENTATION SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**31,500.00**		
JOHNSON, DELIA					
	5/24/2010	202650	144.00		
				INSTRUCTOR SVCS-AEROBICS	144.00
	Vendor Total		**144.00**		
FYTD for JOHNSON, DELIA			**576.00**		

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JONES, SUSAN					
	5/3/2010	880431	0.00		
				RETIREE MEDICAL BENEFIT	318.73
				RETIREE MEDICAL BENEFIT	-318.73
	5/26/2010	880558	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, GARY					
	5/17/2010	202547	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for JORDAN, GARY			**50.00**		
JURY, KARRIE OR BRICE					
	5/24/2010	202651	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for JURY, KARRIE OR BRICE			**30.00**		
K HOVNANIAN'S PARKSIDE AT TOWNGATE					
	5/10/2010	202443	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for K HOVNANIAN'S PARKSIDE AT TOWNGATE			**57.00**		
KANOV, LORI					
	5/24/2010	202652	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for KANOV, LORI			**114.00**		
KELLEY'S UNDERGROUND CONSTRUCTION					
	5/3/2010	202297	31.24		
				REFUND-BUS LIC OVRPMT	31.24
	Vendor Total		**31.24**		
FYTD for KELLEY'S UNDERGROUND CONSTRUCTION			**31.24**		
KELLY, SHEILA					
	5/10/2010	202444	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KELLY, SHEILA			**50.00**		

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KEPLER, JANELLE					
	5/17/2010	202548	51.50		
				MILEAGE REIMBURSEMENT	19.00
				MILEAGE REIMBURSEMENT	32.50
	Vendor Total		**51.50**		
FYTD for KEPLER, JANELLE			**247.65**		
KHAN, SHAFIQUL					
	5/17/2010	202549	183.00		
				REFUND-CITATION FEE	183.00
	Vendor Total		**183.00**		
FYTD for KHAN, SHAFIQUL			**479.00**		
KING, PATRICIA A.					
	5/3/2010	202298	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,868.58**		
KOLB, CHARLES E.					
	5/3/2010	880432	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE					
	5/3/2010	202299	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,593.65**		
KYLE, GARY M.					
	5/3/2010	880433	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,868.58**		
LA FUENTE RESTAURANT #5					
	5/3/2010	202300	78.94		
				REFUND-BUS LIC OVRPMT	78.94
	Vendor Total		**78.94**		
FYTD for LA FUENTE RESTAURANT #5			**78.94**		

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LAFATA, JOSEPHINE					
	5/3/2010	880434	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,474.13**		
LAMB, LINDA					
	5/10/2010	202445	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for LAMB, LINDA			**30.00**		
LANG, TRACEY					
	5/3/2010	202301	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for LANG, TRACEY			**722.00**		
LANGENDORF, BENJAMIN					
	5/3/2010	202302	111.61		
				RETIREE MEDICAL BENEFIT	111.61
	Vendor Total		**111.61**		
FYTD for LANGENDORF, BENJAMIN			**2,980.18**		
LAW ENFORCEMENT APPRECIATION COMMITTEE					
	5/20/2010	202599	50.00		
				APPREC. DINNER/AWARDS CEREMONY	50.00
	Vendor Total		**50.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**50.00**		
LAWYERS TITLE INC					
	5/17/2010	202550	450.00		
				PRELIM RPT-MORRISON PK FIRE ST	450.00
	Vendor Total		**450.00**		
FYTD for LAWYERS TITLE INC			**212,300.50**		
LE FEVER MATTSON PROPERTY MGMT					
	5/3/2010	202303	23.30		
				REFUND-BUS LIC OVRPMT	23.30
	Vendor Total		**23.30**		
FYTD for LE FEVER MATTSON PROPERTY MGMT			**23.30**		

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LEADING EDGE LEARNING CENTER				
5/24/2010	202653	264.00		
			INSTRUCTOR SVCS-LEADERSHIP ACA	66.00
			INSTRUCTOR SVCS-ESL	198.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**264.00**		
LEIGHTON CONSULTING, INC.				
5/10/2010	880486	10,520.00		
			LASSELLE ST WIDENING PROJ SVCS	10,520.00
	Vendor Total	**10,520.00**		
FYTD for LEIGHTON CONSULTING, INC.		**83,366.64**		
LENNY'S AUTO REPAIR				
5/3/2010	202304	73.79		
			REFUND-BUS LIC OVRPMT	73.79
	Vendor Total	**73.79**		
FYTD for LENNY'S AUTO REPAIR		**73.79**		
LEWIS, CAROLYN S.				
5/3/2010	880435	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for LEWIS, CAROLYN S.		**3,470.89**		
LEWIS, DOROTHY				
5/3/2010	202305	16.00		
			REFUND-ANML LICENSE FEE	16.00
	Vendor Total	**16.00**		
FYTD for LEWIS, DOROTHY		**16.00**		
LEWIS-SCOTT, CLAUDETTE				
5/3/2010	202306	86.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for LEWIS-SCOTT, CLAUDETTE		**86.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LIEBERT, CASSIDY, WHITMORE					
	5/3/2010	202307	175.00		
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
	Vendor Total		**175.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,694.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	5/3/2010	202308	2,056.59		
				INDIAN BASIN IMPRVMNTS PROJ	2,056.59
	5/24/2010	202654	913.01		
				PERRIS BL WIDENING FROM RAM XP	913.01
	Vendor Total		**2,969.60**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**558,770.97**		
LINDO, HERMINA G.					
	5/3/2010	880436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LINDO, HERMINA G.			**3,060.17**		
LOGAN, CHARLES					
	5/3/2010	880437	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,727.34**		
LOR GEOTECHNICAL GROUP, INC.					
	5/24/2010	880540	950.00		
				VOUGHT ST SIDEWALK IMPRVMNTS	135.00
				TEMCO ST SIDEWALK IMPRVMNTS	815.00
	Vendor Total		**950.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**64,021.60**		
LUMLEY, ROBERT C.					
	5/3/2010	880438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	5/3/2010	880439	12,824.00		
				CDBG FUNDED SVCS-SECURITY DEPO	7,000.00
				CDBG FUNDED SVCS-SECURITY DEPO	324.00
				CDBG FUNDED SVCS-UTILITY ASSIS	5,000.00
				CDBG FUNDED SVCS-UTILITY ASSIS	500.00
	Vendor Total		**12,824.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**57,138.00**		
LYNCH. PATRICK					
	5/10/2010	202446	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for LYNCH. PATRICK			**260.00**		
MACHUCA, ALICIA					
	5/3/2010	202309	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MACHUCA, ALICIA			**75.00**		
MAGANA, OLGA					
	5/17/2010	202551	200.00		
				REFUND-RNTL DEP 4/17	200.00
	Vendor Total		**200.00**		
FYTD for MAGANA, OLGA			**200.00**		
MAGANA'S AUTO UPHOLSTERY & FURNITURE					
	5/3/2010	202310	35.74		
				REFUND-BUS LIC OVRPMT	35.74
	Vendor Total		**35.74**		
FYTD for MAGANA'S AUTO UPHOLSTERY & FURNITURE			**35.74**		
MANCILLA, MARIA					
	5/24/2010	202655	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MANCILLA, MARIA			**50.00**		
MARCH JOINT POWERS AUTHORITY					
	5/17/2010	202552	6.22		
				GAS CHARGES-MARCH FIELD	5.08
				GAS CHARGES-MARCH FIELD	1.14
	Vendor Total		**6.22**		
FYTD for MARCH JOINT POWERS AUTHORITY			**68.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MARK BEAMISH WATERPROOFING, INC.					
	5/3/2010	202311	126.74		
				REFUND-BUS LIC OVRPMT	126.74
	Vendor Total		**126.74**		
FYTD for MARK BEAMISH WATERPROOFING, INC.			**213.74**		
MARKETEKS 2410943					
	5/17/2010	202553	11,740.00		
				INFLATABLE LIGHT TOWERS-PD	11,400.00
				INFLATABLE LIGHT TOWERS-TAX	997.50
				INFLATABLE LIGHT TOWERS-SHIPPI	340.00
				INFLATABLE LIGHT TOWERS-USED T	-997.50
	Vendor Total		**11,740.00**		
FYTD for MARKETEKS 2410943			**27,475.00**		
MARTIAL ARTS INTERNATIONAL, USKO					
	5/10/2010	202447	168.00		
				INSTRUCTOR SVCS-KICKBOXING	112.00
				INSTRUCTOR SVCS-BOXING	56.00
	Vendor Total		**168.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**560.00**		
MASONITE CORPORATION					
	5/24/2010	202656	90.00		
				REFUND-FALSE ALARM FEE	90.00
	Vendor Total		**90.00**		
FYTD for MASONITE CORPORATION			**90.00**		
MATHIS, NOLAN					
	5/3/2010	202312	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**3,196.80**		
MATICH CORPORATION					
	5/24/2010	880541	21,227.37		
				ASPHALTIC MATERIAL	7,876.84
				ASPHALTIC MATERIAL	9,256.92
				ASPHALTIC MATERIAL	2,795.83
				ASPHALTIC MATERIAL	1,297.78
	Vendor Total		**21,227.37**		
FYTD for MATICH CORPORATION			**56,951.72**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MAXINOSKI, SUE A.					
	5/3/2010	880440	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.					
	5/24/2010	202657	13,560.00		
				AUDITING SVC-CITY	7,280.00
				AUDITING SVC-SINGLE	757.00
				AUDITING SVC-CITY	3,417.00
				AUDITING SVC-RDA	1,404.00
				AUDITING SVC-RDA	702.00
	Vendor Total		**13,560.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		
MCCULLUM, ADRIAN					
	5/24/2010	202658	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MCCULLUM, ADRIAN			**50.00**		
MCDONOUGH, HOLLAND & ALLEN					
	5/24/2010	202659	6.36		
				LEGAL SVCS	6.36
	Vendor Total		**6.36**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,993.56**		
MELAD & ASSOCIATES					
	5/3/2010	202314	2,751.46		
				PLAN CHECK SERVICES	2,751.46
	Vendor Total		**2,751.46**		
FYTD for MELAD & ASSOCIATES			**41,130.82**		
MENDOZA, BRUNO					
	5/17/2010	202554	41.00		
				REFUND-ANML LIC FEE	41.00
	Vendor Total		**41.00**		
FYTD for MENDOZA, BRUNO			**41.00**		
MENGISTU, YESHIALEM					
	5/17/2010	202555	123.00		
				MILEAGE REIMBURSEMENT	123.00
	Vendor Total		**123.00**		
FYTD for MENGISTU, YESHIALEM			**1,118.55**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MESSIN, LOUIS					
	5/3/2010	880441	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,868.58**		
MILES, ROBERT					
	5/3/2010	880442	0.00		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	-194.53
	5/12/2010	880496	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,415.29**		
MINARD, MARK E.					
	5/3/2010	880443	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**3,294.68**		
MIRACLE PLAYGROUND SALES					
	5/10/2010	880487	942.20		
				PLAYGROUND EQUIP PARTS	942.20
	Vendor Total		**942.20**		
FYTD for MIRACLE PLAYGROUND SALES			**33,148.29**		
MISSION PAVING AND SEALING, INC					
	5/3/2010	202315	42.21		
				REFUND-BUS LIC OVRPMT	42.21
	Vendor Total		**42.21**		
FYTD for MISSION PAVING AND SEALING, INC			**42.21**		
MOLLICA, MIKE					
	5/3/2010	880444	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,612.79**		
MORA, PATRICIA A.					
	5/3/2010	202395	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORALES, KAREN R.				
5/24/2010	202660	30.99		
			TRAVEL EXP-INFOPEOPLE WORKSHOP	23.50
			TRAVEL EXP-INFOPEOPLE WORKSHOP	7.49
Vendor Total		**30.99**		
FYTD for MORALES, KAREN R.		**30.99**		
MORENO JANITORIAL				
5/3/2010	202316	62.75		
			REFUND-BUS LIC OVRPMT	62.75
Vendor Total		**62.75**		
FYTD for MORENO JANITORIAL		**62.75**		
MORENO VALLEY CHAMBER OF COMMERCE				
5/10/2010	202448	25.00		
			STUDENT OF THE YEAR DINNER	25.00
5/17/2010	202556	105.00		
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
Vendor Total		**130.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,230.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
5/7/2010	2631	1,579.00		
			MVCEA DUES 05/07/10	1,579.00
5/21/2010	2639	1,579.00		
			MVCEA DUES 05/21/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**38,011.50**		
MORENO VALLEY CONSTRUCTION				
5/3/2010	202317	54.25		
			REFUND-BUS LIC OVRPMT	54.25
Vendor Total		**54.25**		
FYTD for MORENO VALLEY CONSTRUCTION		**54.25**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY GATEWAY, LLC					
	5/24/2010	880542	7,934.87		
				LEASE-FAC ANNEX BLDG	2,458.97
				LEASE-TECH SVCS ANNEX BLDG	5,475.90
	5/26/2010	880559	13,158.56		
				LEASE-SPCL DIST ANNEX BLDG	13,158.56
	Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC			**232,027.73**		
MORENO VALLEY HISPANIC CHAMBER					
	5/24/2010	202661	100.00		
				REFUND-RNTL DEP 5/8	100.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER			**343.50**		
MORENO VALLEY UTILITY					
	5/24/2010	202662	79.80		
				ELECTRIC SVC-UT FLD OFFICE	79.80
	Vendor Total		**79.80**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MORENO, DIANA					
	5/10/2010	202449	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for MORENO, DIANA			**260.00**		
MORGAN, LISA A.					
	5/3/2010	880446	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,506.03**		
MR. CLEAN, INC.					
	5/3/2010	202318	200.00		
				PRESSURE WASHING SERVICE	200.00
	Vendor Total		**200.00**		
FYTD for MR. CLEAN, INC.			**1,533.41**		
MYSTIK CARPET					
	5/3/2010	202319	48.99		
				REFUND-BUS LIC OVRPMT	48.99
	Vendor Total		**48.99**		
FYTD for MYSTIK CARPET			**48.99**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NADINE THOMAS					
	5/24/2010	202663	19,053.72		
				RENTAL ASSIST PMT-IRONWOOD PRJ	19,053.72
	5/24/2010	202664	1,650.00		
				RESIDENTIAL MOVING PMT	1,650.00
	Vendor Total		**20,703.72**		
FYTD for NADINE THOMAS			**20,703.72**		
NARA, LOWELON					
	5/10/2010	202450	82.00		
				MILEAGE REIMBURSEMENT	82.00
	Vendor Total		**82.00**		
FYTD for NARA, LOWELON			**437.05**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.					
	5/24/2010	202665	157.37		
				FORENSIC SUPPLIES-PD	146.81
				FORENSIC SUPPLIES-SHIPPING	22.37
				FORENSIC SUPPLIES-USED TAX	-11.81
	Vendor Total		**157.37**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**989.36**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/7/2010	2629	12,812.44		
				PST DEF COMP FOR FICA 05/07/10	12,812.44
	5/7/2010	2630	23,534.81		
				DEF COMP 457 & 401(A) 05/07/10	23,534.81
	5/21/2010	2637	12,792.15		
				PST DEF COMP FOR FICA 05/21/10	12,792.15
	Vendor Total		**49,139.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVARRETTE, RALPH					
	5/3/2010	202320	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,593.65**		
NELSON PAVING					
	5/3/2010	202321	6,381.79		
				INSTALL SPEED HUMP-SUPERIOR AV	6,381.79
	5/17/2010	202558	4,523.00		
				PARKING LOT RPRS-SENIOR CTR	4,523.00
	Vendor Total		**10,904.79**		
FYTD for NELSON PAVING			**21,068.39**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NELSON, CHRIS					
	5/24/2010	202666	25.00		
				REFUND-LOST BOOK FEE	25.00
	Vendor Total		**25.00**		
FYTD for NELSON, CHRIS			**25.00**		
NELSON, ROBERT					
	5/3/2010	202322	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,742.41**		
NELSON, RUTH L.					
	5/3/2010	880447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S					
	5/3/2010	202323	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW VISION CHILDREN'S SERVICES					
	5/3/2010	202324	200.00		
				REFUND-RNTL DEP 4/12	200.00
	Vendor Total		**200.00**		
FYTD for NEW VISION CHILDREN'S SERVICES			**200.00**		
NGUYEN, QUANG					
	5/17/2010	202597	68.00		
				MILEAGE REIMBURSEMENT	68.00
	Vendor Total		**68.00**		
FYTD for NGUYEN, QUANG			**332.55**		
NICKS, KRISTIN					
	5/10/2010	202451	52.00		
				REFUND-REGIST FEE	52.00
	Vendor Total		**52.00**		
FYTD for NICKS, KRISTIN			**52.00**		

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NIEBURGER, JUDITH A.					
	5/3/2010	202325	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIETO, ANTHONY					
	5/17/2010	202559	30.00		
				REFUND-ADOPTION FEE	30.00
	Vendor Total		**30.00**		
FYTD for NIETO, ANTHONY			**30.00**		
NUNEZ MOBILE REPAIR					
	5/3/2010	202326	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for NUNEZ MOBILE REPAIR			**57.00**		
NUTRITIONAL MERCHANDISE					
	5/3/2010	202327	84.15		
				REFUND-BUS LIC OVRPMT	84.15
	Vendor Total		**84.15**		
FYTD for NUTRITIONAL MERCHANDISE			**84.15**		
OAKRIDGE DATA MINING					
	5/3/2010	202328	32.15		
				REFUND-BUS LIC OVRPMT	32.15
	Vendor Total		**32.15**		
FYTD for OAKRIDGE DATA MINING			**32.15**		
OAKS, MARY ANN					
	5/17/2010	202560	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**225.00**		
OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO					
	5/17/2010	202561	40.00		
				5/27/10 GANG TRNG CONFERENCE	40.00
	Vendor Total		**40.00**		
FYTD for OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO			**40.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
OMNIS, INC.					
	5/10/2010	202452	2,640.00		
				TRAF SIG @ SR-60/REDLANDS BLVD	2,640.00
	Vendor Total		**2,640.00**		
FYTD for OMNIS, INC.			**11,163.04**		
OPERATION SAFEHOUSE, INC.					
	5/17/2010	202562	867.18		
				SHELTER PRGM-CDBG	867.18
	Vendor Total		**867.18**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,911.46**		
ORTIZ FIRE PROTECTION					
	5/24/2010	202667	516.00		
				REFUND-FIRE PERMIT FEES	270.00
				REFUND-FIRE PERMIT FEES	225.00
				REFUND-FIRE PERMIT FEES	21.00
	Vendor Total		**516.00**		
FYTD for ORTIZ FIRE PROTECTION			**516.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	5/17/2010	202563	7,560.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	7,560.00
	Vendor Total		**7,560.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**158,889.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	5/10/2010	202453	817.83		
				LANDSCAPE MAINT-E3	235.54
				LANDSCAPE MAINT-E4	433.49
				LANDSCAPE MAINT-E1	108.51
				LANDSCAPE MAINT-E7	40.29
	5/24/2010	202668	975.00		
				TREE PESTICIDE INJECTIONS	975.00
	Vendor Total		**1,792.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**11,896.12**		
PACIFIC TELEMANAGEMENT SERVICES					
	5/17/2010	202564	438.48		
				PAYPHONE CHRGS	375.84
				PAYPHONE CHRGS-POLICE	62.64
	Vendor Total		**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**3,019.24**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PACIFIC UTILITY INSTALLATION, INC				
5/24/2010	202669	850.00		
			PROF SVCS-MVU	850.00
Vendor Total		**850.00**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**896.65**		
PAINTING BY ZEB BODE				
5/10/2010	202454	300.00		
			GYMNASIUM TOUCH UP SVC	300.00
Vendor Total		**300.00**		
FYTD for PAINTING BY ZEB BODE		**6,250.00**		
PAMINIANO, VANESSA				
5/10/2010	202455	124.80		
			REFUND-SHELTER RNTL FEE	124.80
Vendor Total		**124.80**		
FYTD for PAMINIANO, VANESSA		**124.80**		
PARSONS TRANSPORTATION GROUP, INC.				
5/10/2010	202456	4,755.23		
			SR-60/NASON ST OVRCRSSNG PROJ	4,755.23
Vendor Total		**4,755.23**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,006,277.56**		
PATTERSON, ALFREY				
5/3/2010	202329	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY		**2,306.44**		
PATTERSON, PATRICK				
5/3/2010	202330	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for PATTERSON, PATRICK		**75.00**		
PATTON, LARRY				
5/24/2010	202670	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for PATTON, LARRY		**20.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PEDLEY SQUARE VETERINARY CLINIC					
	5/17/2010	202598	7,963.00		
				EMERG VET SVCS	7,963.00
	Vendor Total		**7,963.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**74,046.75**		
PELLAND, KENT					
	5/24/2010	202672	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for PELLAND, KENT			**50.00**		
PEP BOYS					
	5/3/2010	202331	1,715.52		
				REFUND-BUS LIC OVRPMT	1,715.52
	Vendor Total		**1,715.52**		
FYTD for PEP BOYS			**1,715.52**		
PERRY, NORMA					
	5/3/2010	202332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM					
	5/10/2010	202457	433.87		
				LONG TERM CARE INSURANCE	433.87
	5/24/2010	202673	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,155.27**		
PLUMMERS ELEVATOR SERVICE, INC					
	5/3/2010	202333	127.94		
				REFUND-BUS LIC OVRPMT	127.94
	Vendor Total		**127.94**		
FYTD for PLUMMERS ELEVATOR SERVICE, INC			**127.94**		
POIEMA LANDSCAPE, INC.					
	5/24/2010	880544	3,464.85		
				LANDSCAPE MAINT-ZN S	834.37
				LANDSCAPE MAINT-ZN S	499.48
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**34,023.98**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
POSTMASTER					
	5/3/2010	202334	2,961.93		
				POSTAGE	592.41
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
	5/10/2010	202458	865.00		
				PERMIT RENEWAL	750.23
				PERMIT RENEWAL	84.24
				PERMIT RENEWAL	30.53
	Vendor Total		**3,826.93**		
FYTD for POSTMASTER			**18,679.21**		
PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE					
	5/17/2010	202565	4,350.15		
				LEGAL AD PLACEMENTS	1,291.50
				LEGAL AD PLACEMENTS	1,425.38
				LEGAL AD PLACEMENTS	1,633.27
	Vendor Total		**4,350.15**		
FYTD for PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE			**11,721.15**		
PRICE, GEORGE E.					
	5/3/2010	880448	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PROTECTION ONE, INC.					
	5/17/2010	202566	40.00		
				SECURITY MNTRNG SVC-PRO SHOP	20.00
				SECURITY MNTRNG SVC-GOLF CTR	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**440.00**		
PSOMAS					
	5/10/2010	202459	5,950.00		
				LASSELLE ST WIDENING PROJ SVCS	5,950.00
	5/10/2010	202460	10,991.44		
				LASSELLE ST WIDENING PROJ SVCS	10,991.44
	Vendor Total		**16,941.44**		
FYTD for PSOMAS			**195,642.70**		

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PULLIAM, TRENT D.					
	5/3/2010	202335	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PW ENHANCEMENT CENTER					
	5/3/2010	880449	7,208.99		
				PARTNERSHIP PRGM-EDD	7,208.99
	Vendor Total		**7,208.99**		
FYTD for PW ENHANCEMENT CENTER			**123,955.07**		
PYRO SPECTACULARS, INC.					
	5/10/2010	202461	16,500.00		
				FIREWORKS DISPLAY-7/4/10	16,500.00
	Vendor Total		**16,500.00**		
FYTD for PYRO SPECTACULARS, INC.			**16,500.00**		
QUINN AME CHURCH					
	5/3/2010	202336	200.00		
				REFUND-RNTL DEP 4/10	200.00
	Vendor Total		**200.00**		
FYTD for QUINN AME CHURCH			**400.00**		
QUIZNOS SUBS #11109					
	5/3/2010	202337	66.34		
				REFUND-BUS LIC OVRPMT	66.34
	Vendor Total		**66.34**		
FYTD for QUIZNOS SUBS #11109			**66.34**		
R & S OVERHEAD DOORS, INC.					
	5/17/2010	880512	2,247.50		
				LIFT MASTER-FS #2	2,247.50
	5/24/2010	880545	717.00		
				DOOR RAIL-FS #2	717.00
	Vendor Total		**2,964.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**29,709.00**		
RAIN FRESH CLEANERS					
	5/3/2010	202338	36.00		
				REFUND-BUS LIC OVRPMT	36.00
	Vendor Total		**36.00**		
FYTD for RAIN FRESH CLEANERS			**36.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RALLY MANAGEMENT SERVICES, LLC					
	5/3/2010	202339	1,438.56		
				TEMP SVCS-HENDERSON W/E 2/7	719.28
				TEMP SVCS-HENDERSON W/E 4/11	719.28
	5/10/2010	202462	719.28		
				TEMP SVCS-HENDERSON W/E 4/18	719.28
	5/24/2010	202674	719.28		
				TEMP SVCS-HENDERSON W/E 4/25	719.28
	Vendor Total		**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**15,119.21**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	5/3/2010	202341	92.05		
				REFUND-BUS LIC OVRPMT	92.05
	Vendor Total		**92.05**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**111,872.05**		
REGENTS UC / UNIVERSITY OF CALIFORNIA					
	5/17/2010	202567	54.00		
				CUC BREAKFAST MEETING	18.00
				CUC BREAKFAST MEETING	18.00
				CUC BREAKFAST MEETING	18.00
	Vendor Total		**54.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA			**94.00**		
REISH LUFTMAN REICHER & COHEN					
	5/3/2010	202342	5,715.00		
				LEGAL SVCS-HR	5,715.00
	Vendor Total		**5,715.00**		
FYTD for REISH LUFTMAN REICHER & COHEN			**45,425.50**		
RENTERIA, CARLOS					
	5/3/2010	202343	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for RENTERIA, CARLOS			**20.00**		
RESCUE ROOTER					
	5/3/2010	202344	99.00		
				PLUMBING REPAIRS-PSB	99.00
	Vendor Total		**99.00**		
FYTD for RESCUE ROOTER			**6,585.50**		

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REVENUE EXPERTS, INC.					
	5/3/2010	202345	1,594.18		
				CITATION PRCSSNG-ANML SVCS	1,594.18
	Vendor Total		**1,594.18**		
FYTD for REVENUE EXPERTS, INC.			**37,586.23**		
REYNA, MARTIN					
	5/3/2010	202346	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for REYNA, MARTIN			**30.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	5/10/2010	202463	984.60		
				SHADOW MTN PARK LIGHTING PROJ	984.60
	Vendor Total		**984.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**7,432.58**		
RIVERSIDE COUNTY ASSESSOR					
	5/3/2010	202347	6.00		
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
	Vendor Total		**6.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**201.00**		
RIVERSIDE COUNTY AUDITOR-CONTROLLER					
	5/10/2010	202464	35.00		
				TAX RATE BOOK ANNL PUBLICATION	35.00
	Vendor Total		**35.00**		
FYTD for RIVERSIDE COUNTY AUDITOR-CONTROLLER			**35.00**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH					
	5/10/2010	202465	300.00		
				LICENSE TESTING	300.00
	Vendor Total		**300.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			**1,750.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
5/3/2010	202348	1,789.70		
			RADIO SERVICES-POLICE	1,789.70
5/10/2010	202466	231.01		
			RADIO LEASE/MAINT	187.15
			RADIO LEASE/MAINT	9.85
			RADIO LEASE/MAINT	34.01
	Vendor Total	**2,020.71**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**22,869.34**		
RIVERSIDE COUNTY SHERIFF				
5/3/2010	202396	10,587.84		
			BOOKING FEES-PD	10,587.84
5/17/2010	880513	11,362.56		
			BOOKING FEES-PD	11,362.56
	Vendor Total	**21,950.40**		
FYTD for RIVERSIDE COUNTY SHERIFF		**33,101,772.67**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
5/10/2010	202467	800.14		
			GARNISHMENT	800.14
5/24/2010	202675	816.88		
			GARNISHMENT	816.88
	Vendor Total	**1,617.02**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**10,912.95**		
RIVERSIDE COUNTY SHERIFF MV				
5/17/2010	202569	1,173.04		
			EXTRA DUTY SVC-POLICE	233.42
			EXTRA DUTY SVC-POLICE	584.09
			EXTRA DUTY SVC-POLICE	355.53
	Vendor Total	**1,173.04**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**11,192.14**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				
5/17/2010	202570	1,958.04		
			MVFBI-ICEP CHRGS	1,305.36
			MVFBI-ICEP CHRGS	652.68
	Vendor Total	**1,958.04**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**762,001.26**		

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RIVERSIDE RUBBER STAMP & ENGRAVING					
	5/17/2010	202571	60.56		
				DATE STAMP-M&O	54.56
				DATE STAMP-SHIPPING	6.00
	Vendor Total		**60.56**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING			**77.07**		
RIVERSTONE RESIDENTIAL CA, INC					
	5/3/2010	202349	52.93		
				REFUND-BUS LIC OVRPMT	52.93
	Vendor Total		**52.93**		
FYTD for RIVERSTONE RESIDENTIAL CA, INC			**52.93**		
RLZ ENGINEERING					
	5/10/2010	880489	5,254.50		
				TEMP STAFFING SVCS-CAP PROJS	5,254.50
	Vendor Total		**5,254.50**		
FYTD for RLZ ENGINEERING			**135,854.25**		
ROBINSON, JOAQUIN					
	5/3/2010	202350	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for ROBINSON, JOAQUIN			**304.00**		
ROGERS, EUGENE					
	5/3/2010	880451	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,868.58**		
ROSS, DAVID T.					
	5/3/2010	880452	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.					
	5/3/2010	880453	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for ROSSON, LOUIS A.			**2,952.93**		

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RUSSELL, MARGARET					
	5/24/2010	202676	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for RUSSELL, MARGARET			**190.00**		
RUSSO, JOHN					
	5/3/2010	880454	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,506.03**		
RUTAN & TUCKER, LLP					
	5/24/2010	202677	550.00		
				LEGAL SVCS	550.00
	Vendor Total		**550.00**		
FYTD for RUTAN & TUCKER, LLP			**550.00**		
RYMAX ELECTRIC, INC.					
	5/17/2010	202572	5,610.61		
				TREE LIGHT INSTALL-E7	3,850.00
				TREE LIGHT MAINT-E1	125.00
				TREE LIGHT MAINT-E2	125.00
				TREE LIGHT MAINT-E3	125.00
				TREE LIGHT MAINT-E7	125.00
				TREE LIGHT MAINT-ZN M	125.00
				TREE LIGHT RPRS-E1	385.00
				TREE LIGHT RPRS-E3	580.85
				TREE LIGHT RPRS-E7	169.76
	Vendor Total		**5,610.61**		
FYTD for RYMAX ELECTRIC, INC.			**20,033.41**		
SA ASSOCIATES					
	5/24/2010	880546	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for SA ASSOCIATES			**120,562.50**		
SANDOVAL, PATRICK					
	5/17/2010	202573	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for SANDOVAL, PATRICK			**95.00**		

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SCHINDLER ELEVATOR CORP				
5/3/2010	202351	36.12		
			REFUND-BUS LIC OVRPMT	36.12
Vendor Total		**36.12**		
FYTD for SCHINDLER ELEVATOR CORP		**36.12**		
SCHLECHTER, JOHN A.				
5/3/2010	202352	91.86		
			REFUND-BUS LIC OVRPMT	91.86
Vendor Total		**91.86**		
FYTD for SCHLECHTER, JOHN A.		**91.86**		
SCREENVISION DIRECT				
5/10/2010	202468	2,240.00		
			ADVERTISING SVCS-SPCL DIST	1,044.00
			ADVERTISING SVCS-SPCL DIST	596.00
			ADVERTISING SVCS-SPCL DIST	450.00
			ADVERTISING SVCS-SPCL DIST	150.00
5/24/2010	202678	1,328.00		
			ADVERTISING SVCS-EDD	768.00
			ADVERTISING SVCS-EDD	560.00
Vendor Total		**3,568.00**		
FYTD for SCREENVISION DIRECT		**11,108.00**		
SEAL ELECTRIC, INC				
5/3/2010	202353	23.29		
			REFUND-BUS LIC OVRPMT	23.29
Vendor Total		**23.29**		
FYTD for SEAL ELECTRIC, INC		**23.29**		
SECTRAN SECURITY, INC				
5/3/2010	202354	463.50		
			TRANSPORT SVCS-PARKS	154.50
			TRANSPORT SVCS-TREASURY	154.50
			TRANSPORT SVCS-SPCL DIST	154.50
Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC		**4,635.00**		

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SECURITY LOCK & KEY					
	5/3/2010	880455	144.08		
				DOOR LOCK SVCS-ANML SHLTR	144.08
	5/10/2010	880491	156.31		
				DOOR LOCK SVC-PARKS	156.31
	5/24/2010	880547	167.02		
				CABINET LOCK SVC-MAINT & OPS	105.52
				DOOR LOCK SVC-TOWNGATE PARK	61.50
	Vendor Total		**467.41**		
FYTD for SECURITY LOCK & KEY			**16,545.69**		
SHAH, JAGDISH					
	5/17/2010	880515	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	9,760.00
				TEMP STAFFING SVCS-CAP PROJS	8,600.00
	Vendor Total		**18,360.00**		
FYTD for SHAH, JAGDISH			**203,640.00**		
SHARRETT, SHARON K.					
	5/3/2010	202355	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**2,041.76**		
SHELDON, STUART H.					
	5/3/2010	202356	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.					
	5/10/2010	202470	70.00		
				FUEL PURCHASE-ANIMAL SVCS	70.00
	5/24/2010	202679	1,685.59		
				FUEL PURCHASE-PW TREE EQUIP.	16.25
				FUEL PURCHASES-PD MOTORCYCLES	1,669.34
	Vendor Total		**1,755.59**		
FYTD for SHELL OIL CO.			**18,640.01**		
SHURTLEFF, JEANNETTE L.					
	5/24/2010	202680	532.00		
				INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,800.00**		

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SIGMA ENGINEERNG, INC				
5/10/2010	202471	12,005.00		
			ASBESTOS/LEAD SURVEY	4,400.00
			ASBESTOS/LEAD SURVEY	7,605.00
Vendor Total		**12,005.00**		
FYTD for SIGMA ENGINEERNG, INC		**12,005.00**		
SIMPLEX GRINNELL, LP				
5/3/2010	202357	20.66		
			REFUND-BUS LIC OVRPMT	20.66
Vendor Total		**20.66**		
FYTD for SIMPLEX GRINNELL, LP		**20.66**		
SINGER & COFFIN, APC				
5/24/2010	880549	7,906.97		
			LEGAL SVCS-SR60/NASON ST PROJ	1,443.75
			LEGAL SVCS-SR60/NASON ST PROJ	6,463.22
Vendor Total		**7,906.97**		
FYTD for SINGER & COFFIN, APC		**76,958.62**		
SKONBERG, HEATHER ALLISON				
5/24/2010	202681	1,000.00		
			CONSULTING SVCS	1,000.00
Vendor Total		**1,000.00**		
FYTD for SKONBERG, HEATHER ALLISON		**6,300.00**		
SKY PUBLISHING				
5/3/2010	202358	8,773.50		
			RECREATION GUIDES	8,773.50
Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING		**57,218.00**		
SKY TRAILS MOBILE VILLAGE				
5/24/2010	202682	18.69		
			REFUND-UT USER TAXES	18.69
Vendor Total		**18.69**		
FYTD for SKY TRAILS MOBILE VILLAGE		**247.29**		
SLAGERMAN, SUSAN A.				
5/3/2010	880456	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**4,068.49**		

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SMITH, MARIA A.					
	5/3/2010	880457	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,861.69**		
SMUS, PAULA					
	5/24/2010	202683	61.70		
				MILEAGE REIMBURSEMENT	61.70
	Vendor Total		**61.70**		
FYTD for SMUS, PAULA			**166.42**		
SO - CAL STRUCTURAL STEEL FABRICATION, I					
	5/3/2010	202359	27.00		
				REFUND-BUS LIC OVRPMT	27.00
	Vendor Total		**27.00**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I			**27.00**		
SO. CALIF SCHOOL OF MUSIC					
	5/10/2010	202472	1,134.00		
				INSTRUCTOR SVCS-GUITAR	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	55.75
				INSTRUCTOR SVCS-PIANO	106.25
	Vendor Total		**1,134.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**11,024.25**		
SOLANO, ALEX					
	5/17/2010	202575	395.00		
				AUDIO VISUAL SVCS-CONF & REC C	395.00
	Vendor Total		**395.00**		
FYTD for SOLANO, ALEX			**1,101.00**		
SOLIS, WENDY					
	5/3/2010	202360	750.00		
				REFUND-RNTL DEP 4/17	750.00
	Vendor Total		**750.00**		
FYTD for SOLIS, WENDY			**750.00**		

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SOSA, JORGE					
	5/10/2010	202473	503.34		
				INSTRUCTOR SVCS-NINPO	96.00
				INSTRUCTOR SVCS-KARATEDO	407.34
	Vendor Total		**503.34**		
FYTD for SOSA, JORGE			**4,107.54**		
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202361	419.66		
				NEW METER/SVC-KITCHING ST. TS	419.66
	5/3/2010	202363	4,829.54		
				ELECTRICITY	42.22
				ELECTRICITY	678.06
				ELECTRICITY	1,306.54
				ELECTRICITY	113.12
				ELECTRICITY	226.67
				ELECTRICITY	498.82
				ELECTRICITY	661.92
				ELECTRICITY	136.98
				ELECTRICITY	842.94
				ELECTRICITY	161.05
				ELECTRICITY	70.87
				ELECTRICITY	46.23
				ELECTRICITY	44.12
	5/10/2010	202475	4,106.66		
				ELECTRICITY	65.58
				ELECTRICITY	89.64
				ELECTRICITY	20.38
				ELECTRICITY	893.78
				ELECTRICITY	899.94
				ELECTRICITY	443.18
				ELECTRICITY	449.06
				ELECTRICITY	318.32
				ELECTRICITY	21.50
				ELECTRICITY	649.18
				ELECTRICITY	45.19
				ELECTRICITY	149.62
				ELECTRICITY	61.29
	5/17/2010	202577	347.36		
				ELECTRICITY	347.36
	Vendor Total		**9,703.22**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,749,896.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA GAS CO.					
	5/24/2010	202685	5,977.22		
				GAS CHARGES	29.74
				GAS CHARGES	975.30
				GAS CHARGES	2,433.45
				GAS CHARGES	16.35
				GAS CHARGES	73.70
				GAS CHARGES	652.71
				GAS CHARGES	149.05
				GAS CHARGES	50.11
				GAS CHARGES	486.19
				GAS CHARGES	286.88
				GAS CHARGES	143.78
				GAS CHARGES	128.06
				GAS CHARGES	125.78
				GAS CHARGES	240.38
				GAS CHARGES	185.74
	Vendor Total		**5,977.22**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**267,365.01**		
SOUTHERN PET SUPPLIES					
	5/10/2010	880492	256.15		
				MISC SUPPLIES-ANML SVCS	256.15
	Vendor Total		**256.15**		
FYTD for SOUTHERN PET SUPPLIES			**1,773.10**		
SPARKLETTS					
	5/3/2010	202364	4.50		
				WATER SVCS-EMERG OPS	4.50
	5/24/2010	202686	30.70		
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-SUNNYMEAD ELEM	4.50
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-GOLF COURSE	4.50
				WATER SVCS-EMERG OPS	4.50
	Vendor Total		**35.20**		
FYTD for SPARKLETTS			**430.19**		
SPECK, GARY B.					
	5/3/2010	880458	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		

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SPECTRUM CARE					
	5/3/2010	880459	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	5/24/2010	880550	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**123,407.30**		
SPENCER, MARTHA					
	5/3/2010	880460	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,415.29**		
SPORTS INNOVATORS					
	5/10/2010	202476	1,995.00		
				SPORTS OFFICIATING SVCS	1,995.00
	Vendor Total		**1,995.00**		
FYTD for SPORTS INNOVATORS			**27,890.00**		
SPRINT/NEXTEL					
	5/17/2010	880516	33.11		
				CELL PH SVC-GTF	33.11
	Vendor Total		**33.11**		
FYTD for SPRINT/NEXTEL			**729.29**		
STANDARD INSURANCE CO					
	5/3/2010	202365	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**359,149.29**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC				
5/3/2010	880461	1,606.50		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-TECH SVCS	330.00
			MONITORING SVCS-ASES	354.00
			MONITORING SVCS-ANNX #1	207.00
			MONITORING SVCS-ASES	123.00
			MONITORING SVCS-CITY HALL	493.50
5/10/2010	880493	644.55		
			MONITORING SVCS-CONF & REC CTR	301.00
			MONITORING SVCS-CONF & REC CTR	14.00
			MONITORING SVCS-LIBRARY	156.35
			MONITORING SVCS-LIBRARY	173.20
	Vendor Total	**2,251.05**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**28,359.51**		
STATE BOARD OF EQUALIZATION				
5/21/2010	43010	3,930.00		
			SALES & USE TAX 4/1-4/30/10	3,930.00
	Vendor Total	**3,930.00**		
FYTD for STATE BOARD OF EQUALIZATION		**39,848.29**		
STATE DISBURSEMENT UNIT				
5/13/2010	2628	1,137.82		
			CHILD SUPPORT W/H 05/13/10	1,137.82
5/27/2010	2636	1,183.98		
			CHILD SUPPORT W/H 05/27/10	1,183.98
	Vendor Total	**2,321.80**		
FYTD for STATE DISBURSEMENT UNIT		**41,536.30**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF				
5/17/2010	202578	187.50		
			LICENSE RNWL-ERIC LEWIS	187.50
	Vendor Total	**187.50**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**937.50**		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
5/3/2010	202366	2,935.00		
			FINGERPRINTING SVCS-PD	2,920.00
			FINGERPRINTING SVCS-PD	15.00
5/10/2010	202478	980.00		
			BLOOD ALCHL ANLYS-PD	980.00
	Vendor Total	**3,915.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**55,459.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
5/24/2010	202687	167.29		
			REFUND-MV UTILITY	100.02
			REFUND-MV UTILITY	67.27
	Vendor Total	**167.29**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,555.82**		
STEEL SYSTEMS ERECTORS				
5/3/2010	202367	88.45		
			REFUND-BUS LIC OVRPMT	88.45
	Vendor Total	**88.45**		
FYTD for STEEL SYSTEMS ERECTORS		**88.45**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
5/24/2010	202688	2,313.12		
			TRANSCRIPTION SVCS-PD	2,313.12
	Vendor Total	**2,313.12**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**34,642.40**		
STEWART TITLE OF CALIFORNIA				
5/12/2010	1005041	14,112.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	14,112.00
5/12/2010	1005051	6,087.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	6,087.00
5/17/2010	1005121	9,597.00		
			ESCROW DEP/APN 475-300-018&019	9,597.00
	Vendor Total	**29,796.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
STEWART, CLIFFORD				
5/3/2010	880462	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for STEWART, CLIFFORD		**2,247.90**		
STEWART, JONATHAN L.				
5/17/2010	202579	1,007.00		
			REFUND-ANML SVC FEES	1,007.00
	Vendor Total	**1,007.00**		
FYTD for STEWART, JONATHAN L.		**1,007.00**		

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STEWART, LINDA					
	5/10/2010	202479	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for STEWART, LINDA			**75.00**		
STILES ANIMAL REMOVAL, INC.					
	5/3/2010	202368	450.00		
				ANIMAL REMOVAL SVCS	450.00
	Vendor Total		**450.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**610.00**		
STOP THE VIOLENCE INCREASE THE PEACE FOU					
	5/3/2010	202369	174.27		
				REFUND-BUS LIC OVRPMT	158.88
				REFUND-BUS LIC OVRPMT	1.14
				REFUND-BUS LIC OVRPMT	14.25
	Vendor Total		**174.27**		
FYTD for STOP THE VIOLENCE INCREASE THE PEACE FOU			**174.27**		
STRADLING, YOCCA, CARLSON & RAUTH					
	5/3/2010	202370	10,846.61		
				LEGAL SVCS-EDD	200.06
				LEGAL SVCS-EDD	200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	5,787.43
				LEGAL SVCS-EDD	3,689.79
				LEGAL SVCS-EDD	740.33
				LEGAL SVCS-SPCL DIST	104.00
	5/10/2010	202480	7,604.78		
				LEGAL SVCS-EDD	1,515.79
				LEGAL SVCS-EDD	1,301.08
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	100.00
				LEGAL SVCS-EDD	385.39
				LEGAL SVCS-EDD	2,977.52
	5/24/2010	202689	21,976.37		
				LEGAL SVCS-EDD	7,392.40
				LEGAL SVCS-EDD	6,309.47
				LEGAL SVCS-EDD	720.00
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	2,080.00
				LEGAL SVCS-EDD	1,776.00
				LEGAL SVCS-EDD	736.00
				LEGAL SVCS-EDD	1,762.50
	Vendor Total		**40,427.76**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**121,810.54**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STREICH, TERRY L.					
	5/3/2010	202371	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**610.64**		
STRICKLER ASSOCIATION, THE					
	5/17/2010	202580	7,345.00		
				CONSULTING SVCS-EDD	4,940.00
				CONSULTING SVCS-EDD	2,405.00
	Vendor Total		**7,345.00**		
FYTD for STRICKLER ASSOCIATION, THE			**38,220.00**		
STRICKLER II, JOHN W.					
	5/3/2010	202372	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,868.58**		
STUCKEY, HARRIETTE					
	5/17/2010	202581	84.00		
				INSTRUCTOR SVCS-LINE DANCING	67.20
				INSTRUCTOR SVCS-LINE DANCING	16.80
	Vendor Total		**84.00**		
FYTD for STUCKEY, HARRIETTE			**978.60**		
SUNGLASS HUT STORE #4536					
	5/3/2010	202373	57.67		
				REFUND-BUS LIC OVRPMT	57.67
	Vendor Total		**57.67**		
FYTD for SUNGLASS HUT STORE #4536			**57.67**		
SUNNYMEAD ACE HARDWARE					
	5/3/2010	202374	31.50		
				MISC SUPPLIES-PD	15.21
				MISC SUPPLIES-PD	16.29
	5/10/2010	202481	21.93		
				MISC SUPPLIES-POLICE	21.93
	5/17/2010	202582	142.53		
				MISC SUPPLIES-PD	110.69
				MISC SUPPLIES-PD	17.39
				MISC SUPPLIES-PD	14.45
	5/24/2010	202690	22.26		
				MISC SUPPLIES-PD	22.26
	Vendor Total		**218.22**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,734.24**		

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SUPER RX, INC.					
	5/3/2010	202375	0.00		
				REFUND-BUS LIC OVRPMT	83.80
				REFUND-BUS LIC OVRPMT	-83.80
	5/17/2010	202583	83.80		
				REFUND-BUS LIC OVRPMT	83.80
	Vendor Total		**83.80**		
FYTD for SUPER RX, INC.			**83.80**		
SWARTZ, DENNIS					
	5/10/2010	202482	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SWARTZ, DENNIS			**20.00**		
TARGET SPECIALTY PRODUCTS					
	5/17/2010	880517	11,498.92		
				LNDSCP HERBICIDES	247.82
				LNDSCP HERBICIDES	11,251.10
	Vendor Total		**11,498.92**		
FYTD for TARGET SPECIALTY PRODUCTS			**19,251.10**		
THERMAL-COOL INC.					
	5/10/2010	202483	249.30		
				SVC TO FREEZER @ ANIMAL SHLTR	249.30
	Vendor Total		**249.30**		
FYTD for THERMAL-COOL INC.			**19,099.66**		
THYSSENKRUPP ELEVATOR CORPORATION					
	5/3/2010	202377	45.43		
				REFUND-BUS LIC OVRPMT	45.43
	Vendor Total		**45.43**		
FYTD for THYSSENKRUPP ELEVATOR CORPORATION			**45.43**		
TIME WARNER CABLE					
	5/3/2010	202378	16,719.21		
				FAC. RELOCATION-DAY ST. PROJ	16,719.21
	Vendor Total		**16,719.21**		
FYTD for TIME WARNER CABLE			**16,719.21**		

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T-MOBILE					
	5/3/2010	202376	114.00		
				REFUND-BUS LIC OVRPMT	57.00
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**114.00**		
FYTD for T-MOBILE			**296.00**		
TORRES, REBECCA					
	5/10/2010	202484	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for TORRES, REBECCA			**580.00**		
TRACSYSTEMS, INC.					
	5/10/2010	202485	3,919.50		
				PHAROS SOFTWARE LIC/SUPPORT	3,919.50
	Vendor Total		**3,919.50**		
FYTD for TRACSYSTEMS, INC.			**3,919.50**		
TRICHE, TARA					
	5/24/2010	202692	1,642.80		
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	66.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	397.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	623.80
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,642.80**		
FYTD for TRICHE, TARA			**20,934.60**		
TRI-CITY LINEN SUPPLY, INC.					
	5/3/2010	202379	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/10/2010	202486	113.00		
				LINEN RENTAL	63.00
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/17/2010	202584	22.50		
				LINEN RENTAL	22.50
	5/24/2010	202691	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**235.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,876.20**		

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TROPICAL PLAZA NURSERY, INC.				
5/10/2010	202487	360.00		
			LNDSCP WORK IN ZONE E-2	360.00
5/17/2010	202585	18,673.63		
			LNDSCP MAINT-ZONE E-2	15,700.00
			LNDSCP MAINT-ZONE E-16	2,217.45
			IRRIG REPAIRS-ZONE E-2	756.18
	Vendor Total	**19,033.63**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**202,285.38**		
TRUGREEN LANDCARE				
5/3/2010	202380	11,904.55		
			LNDSCP MAINT-ZONE E-3	10,038.43
			LNDSCP MAINT-ZONE E-3A	1,676.12
			TRIM TREE-ZONE E-2	190.00
5/17/2010	202586	3,670.00		
			RETAINING WALL-SUNNYMD BL PROJ	1,990.00
			INSTALL 21 TREES-TRACT #19912	1,680.00
5/24/2010	202709	24,578.70		
			STUMP GRIND TREES-ZONE M	300.00
			STUMP GRIND TREES-TRACT 20120	300.00
			INSTALL 18-FT PALM ON KRAMERIA	2,450.00
			LNDSCP MAINT-ZONE M	5,324.89
			LNDSCP MAINT-ZONE DSG1-E	7,403.38
			LNDSCP MAINT-ZONE DSG-2	8,420.43
			REMOVE Y-STRAINER FROM BACKFLW	380.00
	Vendor Total	**40,153.25**		
FYTD for TRUGREEN LANDCARE		**343,170.27**		
TUNTLAND, JAMES				
5/3/2010	880463	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for TUNTLAND, JAMES		**2,247.90**		
TURBOSCAPE, INC.				
5/3/2010	880464	13,385.00		
			ANNL MULCHING IN ZONE E-4	6,424.80
			ANNL MULCHING IN ZONE DSG-1E	2,409.30
			ANNL MULCHING IN ZONE DSG-2	2,677.00
			ANNL MULCHING IN ZONE E-1	1,338.50
			ANNL MULCHING IN ZONE E-1A	535.40
5/24/2010	880552	9,904.90		
			ANNL MULCHING IN ZONE E-4	535.40
			ANNL MULCHING IN ZONE E-8	5,354.00
			ANNL MULCHING IN ZONE E-15	4,015.50
	Vendor Total	**23,289.90**		
FYTD for TURBOSCAPE, INC.		**32,867.10**		

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TWRITE, INC.					
	5/24/2010	202693	7,841.25		
				CITY WEBSITE MAINTENANCE	7,841.25
	Vendor Total		**7,841.25**		
FYTD for TWRITE, INC.			**19,578.75**		
U.S. HEALTHWORKS MEDICAL GROUP					
	5/24/2010	202694	1,190.00		
				PRE-EMPLOYMENT PHYSICALS	686.00
				PRE-EMPLOYMENT PHYSICALS	414.00
				PRE-EMPLOYMENT PHYSICALS	90.00
	Vendor Total		**1,190.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**16,326.00**		
UNION BANK OF CALIFORNIA					
	5/10/2010	202488	510.00		
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
	5/10/2010	202489	729.00		
				INVESTMNT SAFEKEEPING SVCS	729.00
	5/17/2010	202587	170.00		
				STANDBY LOC TRANSFER FEE	170.00
	Vendor Total		**1,409.00**		
FYTD for UNION BANK OF CALIFORNIA			**288,988.49**		
UNITED POWER GENERATION, INC.					
	5/10/2010	202490	233.00		
				EMERG GENERATOR REPAIRS-FS #91	11.40
				EMERG GENERATOR REPAIRS-FS #91	221.60
	5/24/2010	202695	209.00		
				EMERG GENERATOR REPAIRS-FS #2	10.57
				EMERG GENERATOR REPAIRS-FS #2	198.43
	Vendor Total		**442.00**		
FYTD for UNITED POWER GENERATION, INC.			**22,432.66**		
UNITED SITE SERVICES OF CA, INC.					
	5/10/2010	880494	77.33		
				PORTABLE TOILET SVC-GOLF CTR	77.33
	5/17/2010	880518	204.94		
				PORTABLE TOILET SVC-M&O DIV.	97.55
				FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total		**282.27**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,733.92**		

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UNITED STATES TREASURY					
	5/10/2010	202491	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	5/24/2010	202696	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**5,670.00**		
UNITED WAY OF INLAND VALLEYS					
	5/10/2010	202492	667.18		
				UNITED WAY CONTRIBUTIONS	667.18
	5/24/2010	202697	667.18		
				UNITED WAY CONTRIBUTIONS	-2.31
				UNITED WAY CONTRIBUTIONS	2.31
				UNITED WAY CONTRIBUTIONS	667.18
	Vendor Total		**1,334.36**		
FYTD for UNITED WAY OF INLAND VALLEYS			**19,498.26**		
URBAN CROSSROADS, INC.					
	5/3/2010	202381	6,600.00		
				MV TRAFFIC MODEL UPDATE SVCS	1,327.50
				MV TRAFFIC MODEL UPDATE SVCS	5,272.50
	Vendor Total		**6,600.00**		
FYTD for URBAN CROSSROADS, INC.			**17,465.00**		
VA CONSULTING, INC.					
	5/10/2010	202493	17,527.24		
				AUTO MALL IMPRVMNTS PROJ SVCS	7,200.00
				AUTO MALL IMPRVMNTS PROJ SVCS	10,327.24
	5/24/2010	202698	2,255.40		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,255.40
	Vendor Total		**19,782.64**		
FYTD for VA CONSULTING, INC.			**291,846.35**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY					
	5/3/2010	880465	2,440.00		
				TENT/FUMIGATE UTILITY FLD OFFC	2,440.00
	5/10/2010	880495	1,205.00		
				PEST CNTRL-PUB SFTY BLDG	75.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
				PEST CNTRL-STARS BLDG AT MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP TRLR	45.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
	Vendor Total		**3,645.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**18,920.00**		
VALADEZ, RICHARD					
	5/3/2010	202382	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VALADEZ, RICHARD			**20.00**		
VALLEY CITIES/ GONZALES FENCE INC					
	5/10/2010	202494	2,680.00		
				INSTALL FENCE-PIGEON PASS RD	475.00
				INSTALL FENCE-PIGEON PASS RD	1,830.00
				FENCE-PIGEON PASS/SUNNYMD	375.00
	Vendor Total		**2,680.00**		
FYTD for VALLEY CITIES/ GONZALES FENCE INC			**13,955.00**		
VALLEY PARTY RENTALS					
	5/3/2010	202383	75.63		
				REFUND-BUS LIC OVRPMT	75.63
	Vendor Total		**75.63**		
FYTD for VALLEY PARTY RENTALS			**75.63**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.					
	5/24/2010	880553	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	18,360.00
	Vendor Total		**18,360.00**		
FYTD for VAS ASSOCIATES, INC.			**203,085.00**		
VERIZON					
	5/17/2010	202588	1,718.78		
				BACKBONE CHRGS	1,718.78
	Vendor Total		**1,718.78**		
FYTD for VERIZON			**18,551.63**		
VERIZON CALIFORNIA					
	5/10/2010	202495	327.63		
				PHONE LISTING CHARGE	286.68
				PHONE LISTING CHARGE	40.95
	5/17/2010	202589	170.28		
				PHONE LISTING CHARGE	170.28
	Vendor Total		**497.91**		
FYTD for VERIZON CALIFORNIA			**100,798.00**		
VICTOR MEDICAL CO					
	5/10/2010	202496	973.31		
				ANIMAL MEDICAL SUPPLIES	973.31
	Vendor Total		**973.31**		
FYTD for VICTOR MEDICAL CO			**13,550.36**		
VIGIL, ERNEST					
	5/3/2010	880466	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLANUEVA, RUBEN & LISA					
	5/10/2010	202497	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VILLANUEVA, RUBEN & LISA			**20.00**		
VISION SERVICE PLAN					
	5/3/2010	880467	4,346.56		
				EMPLOYEE VISION INSURANCE	4,346.56
	Vendor Total		**4,346.56**		
FYTD for VISION SERVICE PLAN			**48,547.77**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VISTA PAINT CORPORATION				
5/17/2010	202590	186.83		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	66.58
			PAINT/SUPPL-GRAFFITI RMVL PRGM	8.25
			PAINT/SUPPL-GRAFFITI RMVL PRGM	112.00
5/24/2010	202699	158.50		
			PAINT FOR GRAFFITI RMVL	158.50
Vendor Total		**345.33**		
FYTD for VISTA PAINT CORPORATION		**12,278.82**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
5/10/2010	202498	818.69		
			RENTAL ASSIST SVCS-ADMIN FEES	718.69
			RENTAL ARREARS SVCS-ADMIN FEES	100.00
Vendor Total		**818.69**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**96,100.92**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				
5/24/2010	202700	750.00		
			REFUND-RNTL DEP 4/28	750.00
Vendor Total		**750.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY		**750.00**		
VOYAGER FLEET SYSTEM, INC.				
5/24/2010	880554	4,036.95		
			CNG FUEL FOR STREET PRGM	2,016.46
			CNG FUEL FOR DRAIN MAINT PRGM	75.02
			CNG FUEL FOR STREET PRGM	1,755.93
			CNG FUEL FOR DRAIN MAINT PRGM	189.54
Vendor Total		**4,036.95**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**21,681.59**		
VULCAN MATERIALS CO, INC.				
5/17/2010	202591	2,119.97		
			ASPHALTIC MATERIAL	2,119.97
5/24/2010	202701	1,473.00		
			ASPHALTIC MATERIAL	163.56
			ASPHALTIC MATERIAL	130.94
			ASPHALTIC MATERIAL	292.39
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	196.84
			ASPHALTIC MATERIAL	262.09
			ASPHALTIC MATERIAL	98.97
			ASPHALTIC MATERIAL	131.59
Vendor Total		**3,592.97**		
FYTD for VULCAN MATERIALS CO, INC.		**105,465.05**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGGONER JR., GLENN C.					
	5/3/2010	880468	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,506.03**		
WAGNER, GARY D.					
	5/3/2010	880469	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,490.33**		
WAGONER, ROBERT					
	5/3/2010	202397	360.40		
				RETIREE MEDICAL BENEFIT	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,085.20**		
WAGY, CARYLON					
	5/3/2010	202385	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, ANTHONY					
	5/3/2010	202386	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WALKER, ANTHONY			**50.00**		
WALKER, DONNA					
	5/3/2010	202387	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for WALKER, DONNA			**38.00**		
WASSON, KIRK					
	5/24/2010	880555	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,128.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	5/24/2010	202702	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**14,584.22**		
WELLS FARGO CORPORATE TRUST					
	5/3/2010	1005011	1,444.67		
				INTEREST ON VARIABLE RATE BOND	1,444.67
	Vendor Total		**1,444.67**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,030,930.10**		
WEST GOVERNMENT SERVICES					
	5/24/2010	202703	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**5,000.00**		
WEST GROUP					
	5/24/2010	880556	351.37		
				ONLINE CHRGS-LEGAL INFO	199.09
				LEGAL PUBLICATIONS SUBSCRPTNS	152.28
	Vendor Total		**351.37**		
FYTD for WEST GROUP			**7,907.98**		
WESTERN MUNICIPAL WATER DISTRICT					
	5/24/2010	202704	1,520.72		
				WATER CHRGS-MARB BALLFIELDS	708.72
				WATER CHRGS-MFPCC LNDSCP	756.70
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**1,520.72**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**22,944.70**		
WHITE'S BIKES					
	5/3/2010	202388	93.73		
				REFUND-BUS LIC OVRPMT	93.73
	Vendor Total		**93.73**		
FYTD for WHITE'S BIKES			**93.73**		
WIELIN, RONALD A.					
	5/3/2010	880471	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILBURN, YOLANDA					
	5/10/2010	202499	149.98		
				REFUND-PERMIT FEE	149.98
	Vendor Total		**149.98**		
FYTD for WILBURN, YOLANDA			**149.98**		
WILLDAN AND ASSOCIATES					
	5/17/2010	202592	5,580.48		
				PLAN CHECK SVCS	5,580.48
	5/24/2010	202705	3,225.00		
				MORENO BEACH DR WIDENING PROJ	3,225.00
	Vendor Total		**8,805.48**		
FYTD for WILLDAN AND ASSOCIATES			**403,687.78**		
WILLIAMS, COURTNEY					
	5/3/2010	202390	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for WILLIAMS, COURTNEY			**646.00**		
WILLIAMS, JANE L.					
	5/3/2010	202391	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,344.00**		
WINZLER & KELLY CONSULTING ENGINEERS					
	5/24/2010	202706	18,810.00		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
	Vendor Total		**18,810.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
WOMEN'S HEALTH					
	5/3/2010	202392	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for WOMEN'S HEALTH			**57.00**		
WOW PARTY RENTAL, INC.					
	5/20/2010	202600	300.00		
				RENTALS-5/22/10 PUB SFTY FAIR	300.00
	Vendor Total		**300.00**		
FYTD for WOW PARTY RENTAL, INC.			**300.00**		

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For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
5/17/2010	202593	8,874.00		
			TUMF RESIDENTIAL FEES	8,874.00
Vendor Total		**8,874.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**1,124,341.42**		
WRIGHT SEPTIC TANK PUMPING				
5/24/2010	202707	450.00		
			SEPTIC TANK PUMPING-CITY YARD	100.00
			SEPTIC TANK PUMPING-CITY YARD	350.00
Vendor Total		**450.00**		
FYTD for WRIGHT SEPTIC TANK PUMPING		**1,350.00**		
WURM'S JANITORIAL SERVICES, INC.				
5/3/2010	880472	1,440.70		
			JANITORIAL SVCS-TOWNGATE	360.00
			CARPET CLEANING-SR CTR CLASSRM	125.00
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
5/17/2010	880519	22,233.49		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-SUNNYMD ELEM	184.10
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.82
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/24/2010	880557	3,965.70		
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-TOWNGATE	360.00
			JANITORIAL SVCS-CONF & REC CTR	1,630.00
			DAY PORTER SERVICES	1,020.00
Vendor Total		**27,639.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**286,027.66**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	5/3/2010	202393	1,115.93		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,115.93
	5/17/2010	202594	1,216.66		
				COPIER RNTL/MAINT/PRINTS-PARKS	1,216.66
	5/24/2010	202708	1,574.12		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT/PRNTS-GRPHCS	979.73
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	Vendor Total		**3,906.71**		
FYTD for XEROX			**63,769.70**		
ZEE MEDICAL INC					
	5/3/2010	202394	289.05		
				FIRST AID ITEMS FOR KITS	289.05
	Vendor Total		**289.05**		
FYTD for ZEE MEDICAL INC			**289.05**		
ZUMAR INDUSTRIES, INC.					
	5/17/2010	880520	940.03		
				SIGNS FOR TRANSP. DIV.	549.51
				SIGNS FOR TRANSP. DIV.	390.52
	Vendor Total		**940.03**		
FYTD for ZUMAR INDUSTRIES, INC.			**37,651.19**		

Subtotal **1,341,996.10**

GRAND TOTAL **19,967,907.47**

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MV00069207

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00069213

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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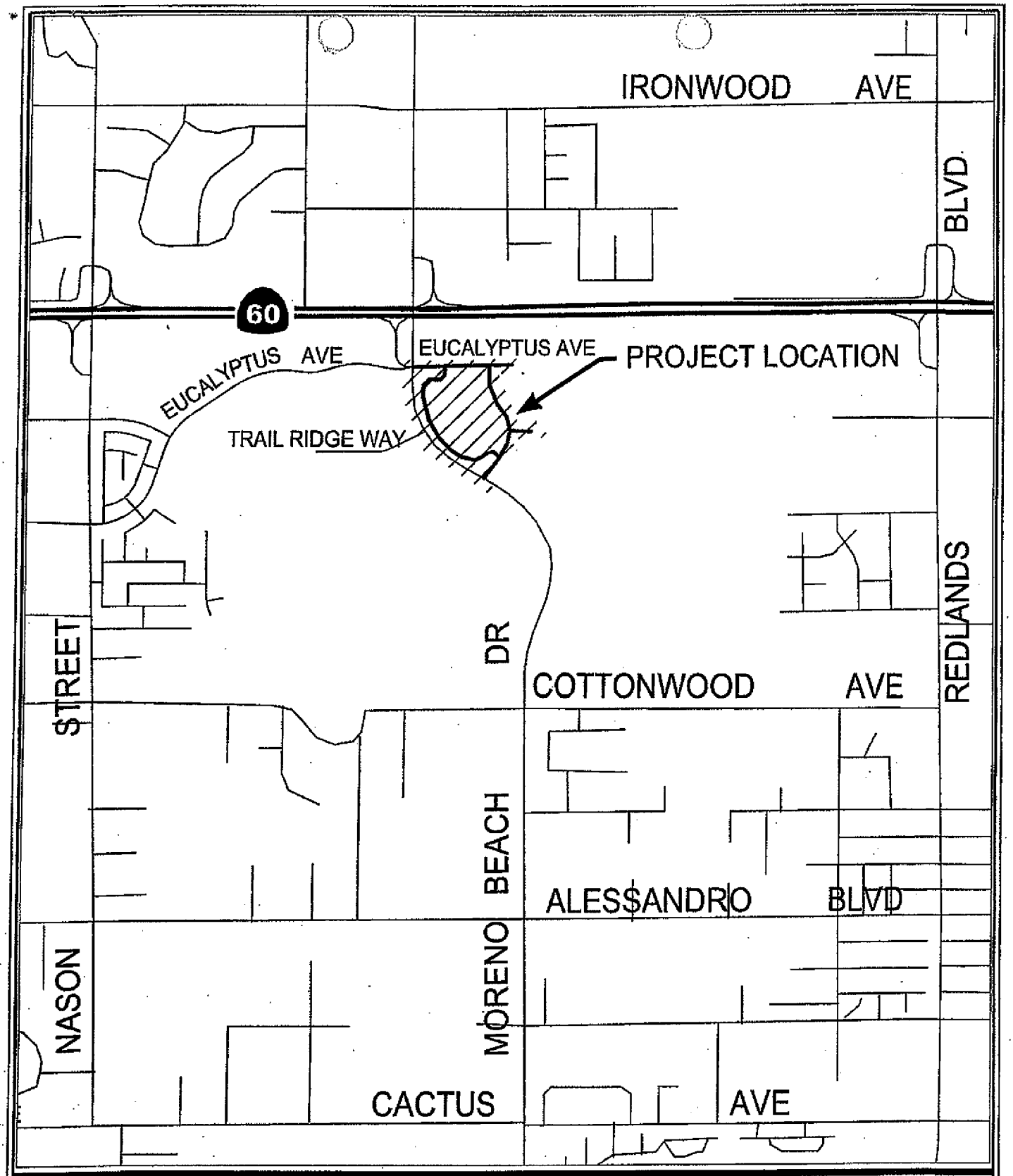

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

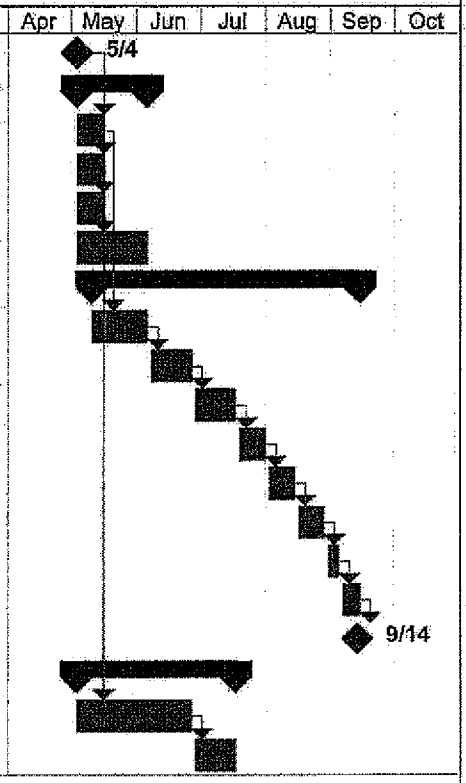

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

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Page 1

Item No. A.7

MV00069238

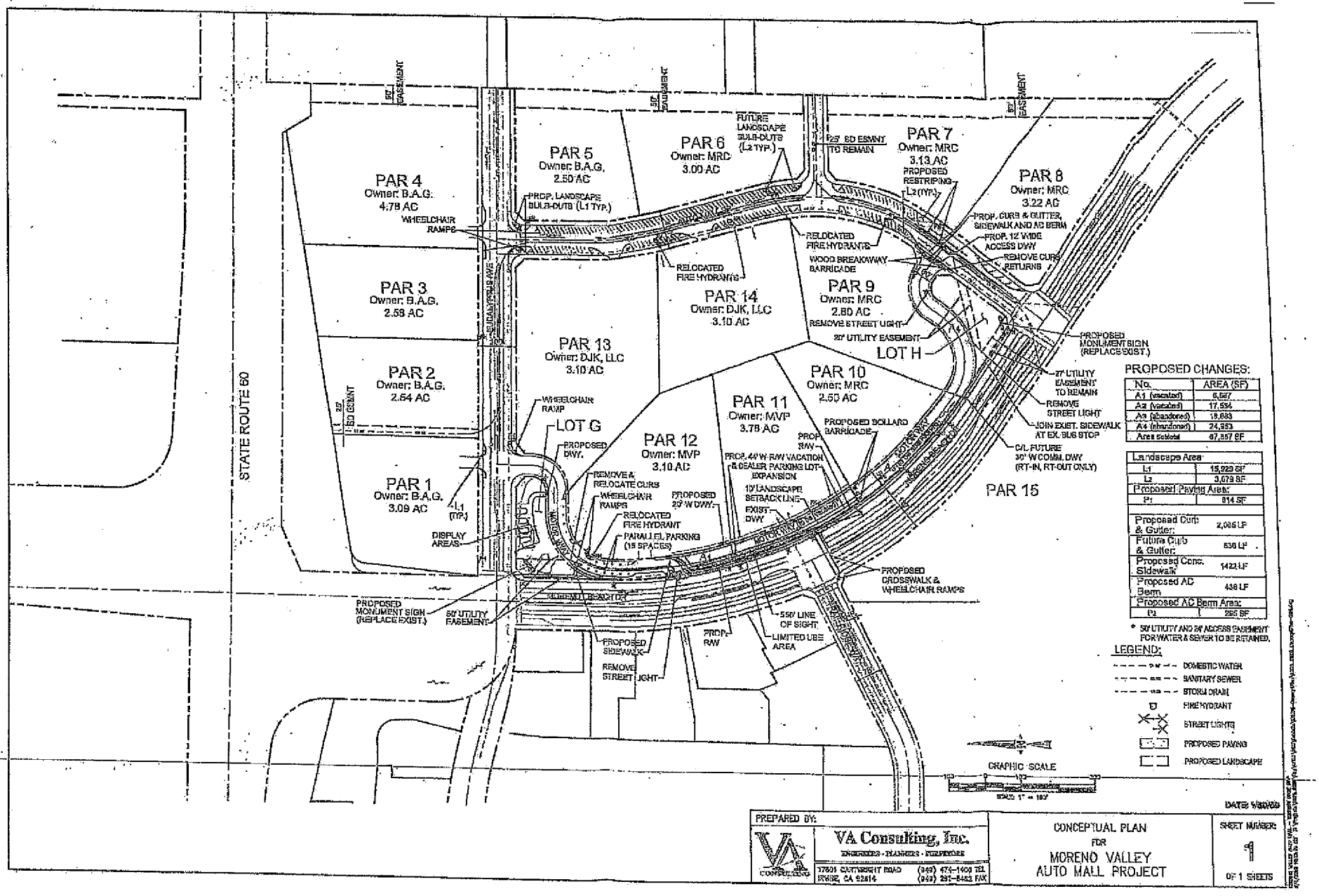
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROP. R/W
PROPOSED SIDEWALK
REMOVE STREET LIGHT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
50' UTILITY EASEMENT
DISPLAY AREAS
PROPOSED DWY.
REMOVE & RELOCATE CURB
PARALLEL PARKING (15 SPACES)
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 19,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
SCALE: 1" = 100'
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
9
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00069243

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

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MV00069245

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD
PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660.

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

BACKGROUND

On June 14, 2005, the City Council adopted Resolution No. 2005-49 and Resolution No. 2005-50 allowing the City to expedite design and construction funding for eight (8) important projects that would otherwise wait several years before adequate funding was available. One of those projects was Ironwood Avenue from Heacock Street to Perris Boulevard and was intended to construct missing street improvements, acquire right of way, and relocate major utilities and storm drains.

On August 22, 2006, the City Council approved the Prioritization of Four (4) 2005 Lease Revenue Bonds Street Improvement Projects, based on price escalation, commitments by the City, and refined cost estimates. The initial scope for the Ironwood Avenue project from Heacock Street to Perris Boulevard was reduced to a paved walkway with minor right of way acquisition and project planning to determine the cost of full widening improvements, from two (2) lanes to four (4) lanes.

On November 28, 2006, the City Council approved the Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation (LAN) for the planning of full widening improvements, and design for construction of a paved walkway along Ironwood Avenue from Heacock Street to Perris Boulevard.

On May 27, 2008, the City Council awarded the construction contract for the Ironwood Avenue Sidewalk/Walkway project to Grand Pacific Contractors, Inc. of Corona. This construction was completed and accepted by City Council on January 13, 2009.

On July 8, 2008, the City Council approved the Transportation Uniform Mitigation Fee (TUMF) Program Agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley. WRCOG had approved its Central Zone 5-Year Transportation Improvement Program (TIP) on May 5, 2007, which included the Ironwood Avenue Improvements project, which identified specific improvements on this project as eligible for reimbursement by WRCOG.

On July 8, 2008, the City Council approved the Agreement for Professional Consultant Services TUMF-Zonal with LAN for the design of the full widening improvements, environmental, right of way easement, appraisals, and negotiations, and construction support.

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard and the Indian Detention Basin Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties needed to widen Ironwood Avenue from Heacock Street to Perris Boulevard. There are twenty-six (26) parcels from which right of way (ROW) is required.

On May 24, 2010, the City Manager approved the Fourth Amendment to Agreement with LAN (the subsidiary) which transferred all services required under the Agreement to AECOM Technical Services, Inc. (AECOM) (the parent company).

A total of five amendments to the agreement for this project have been executed within the Purchase Order contingency amount due to the expanded Consultant's scope of work to include additional improvements to the project, time extensions, and reassignment of contract ownership.

DISCUSSION

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The construction will build missing improvements and add additional lanes. During the full improvement planning process, Transportation Uniform Mitigation Fee (TUMF) program funding became available through the Western Riverside Council of Governments (WRCOG), as well as Development Impact Fee (DIF) funds for the full design and construction of two (2) additional lanes on Ironwood Avenue from Heacock Street to Perris Boulevard.

Design is almost 100% complete and right of way acquisition is underway. Staff requests City Council to authorize the Sixth Amendment to Agreement for Professional Consultant Services with AECOM for additional design, right of way, and environmental services. The additional services will include design of a storm drain pipe extension, engineering support for Southern California Edison's power pole relocation, additional effort in right of way negotiation and closing escrows, and pre-construction environmental services.

ALTERNATIVES

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will facilitate the construction of needed improvements.*

2. Do not approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, do not authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and do not authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will delay the construction of needed improvements.*

FISCAL IMPACT

City Council approved a Purchase Order for LAN on July 8, 2008 in the amount of $637,000 ($579,300 plus 10% contingency) for design services. Due to the need for additional services, a Change Order to increase the Purchase Order by $99,975 is required as part of the Sixth Amendment to the Agreement. There are sufficient funds to increase the Purchase Order. The expiration date of June 31, 2012 will not change with the proposed Sixth Amendment.

The Ironwood Avenue Improvement project is being funded with TUMF (Fund 415), Development Impact Fee (Fund 416), and 2005 Lease Revenue Bonds (Fund 501) monies. The funding for this project is restricted to the Ironwood Avenue capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 - TUMF (Account No. 415.70227)	$3,106,000.00
Fiscal Year 2009/2010 - DIF (Account No. 416.78727)	$1,116,000.00
Fiscal Year 2009/2010 - 501 Lease Revenue Bonds (Account No. 501.82625)	$1,046,000.00
Total Available Funds	**$5,268,000.00**

ESTIMATED DESIGN COST:

Consultant Design Agreement (including 10% contingency)	$637,000.00
Consultant Design Sixth Amendment	**$100,000.00**
Project Administration*	$100,000.00
Total Estimated Design Cost	**$837,000.00**

ESTIMATED RIGHT OF WAY AND UTILITY CONSTRUCTION RELATED EXPENDITURES:

Southern California Edison (SCE) Transmission Pole Relocation	$1,578,000.00
Right of Way Acquisition	$622,000.00
Storm Drain Line H-1A Construction	$2,040,000.00
Total Estimated Project Related Expenditures	**$4,240,000.00**

*City staff will provide Project Administration

ANTICIPATED SCHEDULE:

Complete Right of Way Acquisition	August 2010
Complete Design	October 2010
Complete SCE Power Pole Relocation and Storm Drain Construction	June 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The Sixth Amendment to Agreement for Professional Consultant Services with AECOM will provide for additional design, right of way, and environmental services.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Sixth Amendment to Agreement for Professional Consultant Services with Exhibits
Attachment "C" – Change Order to the Purchase Order

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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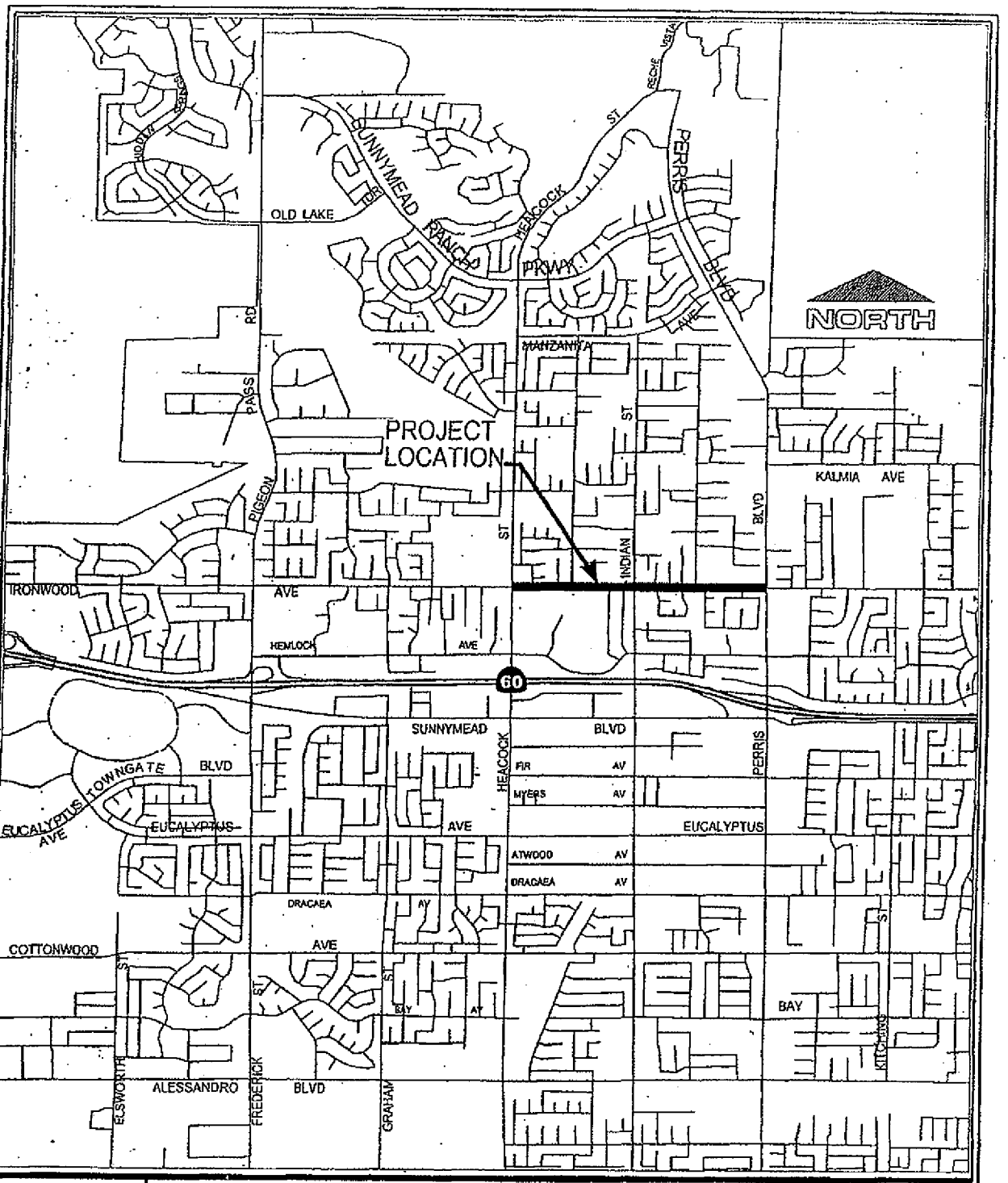

LOCATION MAP

Public Works Department Capital Projects Division	IRONWOOD AVENUE HEACOCK STREET TO PERRIS BOULEVARD
Scale: None	
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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MV00069253

SIXTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

This Sixth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and AECOM Technical Services, Inc., a California corporation, hereinafter referred to as "Consultant." This Sixth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services Transportation Uniform Mitigation Fee (TUMF) - Zonal, Project No. 06-50182625-2" hereinafter referred to as "Agreement," dated July 15, 2008.

Whereas, the Consultant is providing consultant design services for Street Improvements on Ironwood Avenue from Heacock Street to Perris Boulevard.

Whereas, the Agreement was amended on November 3, 2008 to increase the scope of work for the professional consultant design services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on February 11, 2009 to increase the scope of work for the professional consultant design services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on August 20, 2009 to increase the scope of work for the professional consultant design services in the Third Amendment to Agreement for Professional Consultant Services.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

Whereas, the Agreement was amended on May 24, 2010 to transfer all services required under the Agreement from Lim and Nascimento Engineering Corporation to AECOM Technical Services, Inc. for the professional consultant design services in the Fourth Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on _____, 2010 to increase the scope of work for the professional consultant design services in the Fifth Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Sixth Amendment.

Whereas, the Consultant has submitted a Proposal dated May 25, 2010 (Revised June 11, 2010), for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Sixth Amendment" to the Sixth Amendment and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 31, 2012** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – Sixth Amendment," entitled "Change Order Request No. 5 – Additional Work and Change of Project Scope, Project No. 06-50182625, Street Improvements for Ironwood Avenue from Heacock Street to Perris Boulevard."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section described in "Exhibit B - Sixth Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $99,975, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in "Exhibit A - Sixth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $736,839.10 ($579,300.00 for the original Agreement, plus $7,679.10 for the First Amendment to Agreement, plus $2,475 for the Second Amendment to Agreement, plus $17,618 for the Third Amendment to Agreement, plus $0 for the Fourth Amendment to Agreement, plus $29,792 for the Fifth Amendment to Agreement, plus $99,975 for the Sixth Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

AECOM Technical Services, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Sixth Amendment"
"Exhibit B – Sixth Amendment"

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AECOM

May 25, 2010
(Revised June 11, 2010)

City of Moreno Valley
Public Works Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Attention: Mr. Henry Ngo, P.E.

Subject: Change Order Request No. 5 - Additional Work and Change of Project Scope
Project No. 06-50182625
Street Improvements for Ironwood Ave
From Heacock Street to Perris Blvd

Dear Mr. Ngo:

AECOM has been requested by the City of Moreno Valley to provide additional professional services for the Street Improvements for Ironwood Ave (from Heacock Street to Perris Blvd). The additional services are for the tasks requested by the City and which were not identified in the City's original request for proposal (RFP) nor were they included in the authorized scope of work.

These unanticipated efforts have caused us to exceed our available budget for the project. To assure that we will be able to complete the project, we need to request a change order. The additional services requested by the City include:

- Preparing storm drain pipe extension design to 820 feet east of Ironwood Ave/ Hubbard Street
- Additional Right of Way Services and Improvements for Various Buildings
- Environmental - Pre-Construction Nesting Bird Survey
- Additional Design Services for SCE's Power Pole Relocation

SCOPE OF SERVICES

The Scope of Services covered by this change order are as follows:

1. **Prepare Storm Drain Pipe Extension Design to 820 Feet East of Ironwood Ave/Hubbard St**
   AECOM will provide additional lateral pipe extension to 820 feet east of Ironwood Ave/ Hubbard St. The need for the additional storm drain is to eliminate a local drainage deficiency arising from an existing storm drain pipe that runs from Escondido Ct. and

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765
www.aecom.com
T 909-895-0520
F 909-860-1306

"Exhibit A – Sixth Amendment"

out-flows to Ironwood Ave. via an existing parkway drain. The existing parkway drain is not graded to drain completely and causes a flooding problem.

AECOM will also provide the undersidewalk box drain to replace the existing parkway drain outlet to the street as an alternative design solution.

2. **Additional Right of Way Services and Improvements at Various Buildings**
AECOM has been assisting OPC in the pre-planning and coordination of the full take of properties. Some of them subsequently changed to partial takes and we needed to revise the estimate for compensation costs. Other OPC services including Relocation Plan and Relocation Assistance, Property Negotiations, Project Management and Coordination also required AECOM's involvement in additional meetings, coordination and revised plans and estimates. OPC also needed to perform additional Escrow Coordination Services.

   Also, the noise study prepared by Wieland Acoustics through ECORP contained recommendations for noise mitigation options for the house behind the proposed house removal at 11987 Davis Street, for the existing house at 11990 Kilgore and for the existing house at11989 Hubbard Street. The noise mitigation options include construction of block walls and building upgrades. AECOM needed to coordinate with the City, sub-consultants and the owners to provide the final solution for the noise mitigation, including plan changes, additional meetings and cost estimates.

3. **Environmental - Pre-Construction Nesting Bird Survey**
In accordance with the project's Mitigation Measures, and the Migratory Bird Treaty Act (MBTA)/California Department of Fish & Game (CDFG) Game Code Section 3513, ECORP will conduct a pre-construction nesting bird survey within 30 days prior to any grading, tree or brush clearing or trimming, grubbing or other project related ground disturbances that is proposed to occur between February 1 through August 31.

   If no nesting birds are observed during the survey, site preparation and construction activities may begin. If an active bird nest is located, the nest site shall be fenced to a distance recommended by the monitoring biologist. Typically this is a minimum of 300 feet from the nest site in all directions (500 feet is typically recommended by CDFG for raptors), until the juveniles have fled and there has been no evidence of a second attempt at nesting.

4. **Additional Services for SCE's Power Pole Relocation**
AECOM will provide additional services for Southern California Edison's power pole relocation, per City's request.

FEE PROPOSAL

The proposed Not-to-Exceed fee for the above services is **$99,975**. Attached is a breakdown of the costs by the Change Order task.

Please review the proposed scope and fee estimates and process the Change Order No. 5 so that we may proceed with the tasks. Should you have any questions, please do not hesitate to call me at (909) 895-0520.

Very truly yours,

AECOM

Edward Ng, PE
Project Manager
en/td

cc:

Attachment: Fee Estimates

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765

www.aecom.com

T 909-895-0520
F 909-860-1306

COST PROPOSAL

	TOTALS
AECOM.	$39,861
ECORP	$1,204
OPC	$58,909
TOTALS	$99,975

6/13/2010 AECOM

"Exhibit B – Sixth Amendment"

MV00069261

COMPANY:	SCOPE OF WORK	DATE:	REV:
AECOM.	Project Design	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

	FUNCTION	HOURS		RATE	AMOUNT	
1. Storm Drain Design						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	12	@	$115.00	$1,380.00	
Robert Wong	Drainage Engineer	48	@	$115.00	$5,520.00	
Julian Yap	Asst. Engineer	12	@	$85.00	$1,020.00	
Phong Mai	Asst. Engineer	80	@	$85.00	$6,800.00	
					Subtotal	$16,080.00
2. Coordination for Additonal Right-of-Way						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	24	@	$115.00	$2,760.00	
Julian Yap	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$6,160.00
3. Additional Design Per SCE						
Edward Ng, PE	Project Manager	20	@	$170.00	$3,400.00	
Paul Lau, PE	Project Engineer	30	@	$115.00	$3,450.00	
Julian Yap	Asst. Engineer	32	@	$85.00	$2,720.00	
Phong Mai	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$11,610.00
	TOTAL HOURS	322			TOTAL DIRECT LABOR	$33,850.00

MULTIPLIERS

ESCALATION @	(Rate)	
OVERHEAD @	(of Total Direct Labor + Escalation)	
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)	
	TOTAL MULTIPLIERS	

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
Printing			$1.00	
Mileage			$0.55	
			TOTAL OTHER DIRECT EXPENSES	

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
ECORP				$1,204.25
OPC				$58,909.00
KDMM				
			TOTAL OUTSIDE SERVICES	$60,113.25

FEES

OUTSIDE SERVICES ADMIN FI	10.00%	(of Total Outside Services & Outside Services Fees)	$60,113.25
AECOM. @		(of Total Direct Labor + Total Multipliers)	
OUTSIDE SERVICES @	10.00%	(of Total Labor + Total Multiplier for Outside Services	
		TOTAL FEES	$6,011.33
		TOTAL COST	**$39,861.33**

COMPANY:	SCOPE OF WORK	DATE:	REV:
ECORP	Environmental Survey & Permit Application	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS	RATE	AMOUNT
Scott Taylor	Biology Manager	1	$130.00	$130.00
Anthony Mann	Biologist	10	$80.00	$800.00

TOTAL HOURS 11 — TOTAL DIRECT LABOR $930.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)

TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES ••• Billed at Actual Cost •••

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
digital camera	1	@	$3.50	$3.50
GIS	1	@	$20.00	$20.00
photographs/film	1	@	$3.00	$3.00
cell phone	1	@	$1.00	$1.00
GPS rental	1	@	$10.00	$10.00
Mileage	100	@	$0.51	$50.50
Rental Vehicle	1	@	$30.00	$30.00
aerial photos	1	@	$100.00	$100.00
photocopies b/w	175	@	$0.15	$26.25
photocopies color	30	@	$1.00	$30.00

TOTAL OTHER DIRECT EXPENSES $274.25

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL

TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees)
ECORP @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service

TOTAL FEES

TOTAL COST $1,204.25

MV00069263

COMPANY:	SCOPE OF WORK	DATE:	REV:
OPC		6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS		RATE	AMOUNT
	Principal/Director			$165.00	
	Senior Project Manager	25	@	$135.00	$3,375.00
	Project Manager	130	@	$125.00	$16,250.00
	Senior Acq/Relo Consultant			$115.00	
	Acq/Relo Consultant	233	@	$105.00	$24,465.00
	Project Support	203	@	$73.00	$14,819.00
	TOTAL HOURS	591		TOTAL DIRECT LABOR	$58,909.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)
	TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
				TOTAL OTHER DIRECT EXPENSES

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
				TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees
OPC @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service
	TOTAL FEES
	TOTAL COST $58,909

COMPANY: AECOM	SCOPE OF WORK	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5		Project Summary	

AECOM. Summary

	$170.00	$115.00	$115.00	$85.00	$85.00				$170.00	$115.00	#REF!	$85.00			$170.00	$115.00				
Subtotal	36	66	48	68	104															322
Totals	36	66	48	68	104															322

ECORP Summary

	$130.00	$80.00																	
	1	10																	11

OPC Summary

	$165.00	$135.00	$125.00	$115.00	$105.00	$75.00													
		25	130		233	203													591

Summary

Summary

COMPANY: ECORP	SCOPE OF WORK: Environmental Survey & Permit Application	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	1	10																	11
1. Ironwood Pre-construction Nesting Bird Survey	1	10																	11

COMPANY: AECOM	SCOPE OF WORK: Project Design	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	36	66	48	68	104	322
1. Storm drain extension to 820' east of Hubbard St	8	12	48	12	80	160
2. Coordination for Add'l R/W Services & Imp'ts at Various Buildings	8	24		24		56
3. Additional Design Services for SCE	20	30		32	24	106

COMPANY: OPC	SCOPE OF WORK	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours		25	130		233	203												591
1. Pre-planning & Coordination		5	25		20	10												60
2. Relocation Plan & Assistence		5	25		50	10												90
3. Property Negotiations		5	30		116													151
4. Escrow Coordination Services			10		47	183												240
5. Project Management & Coord.		10	40															50

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MV00069269

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/14/10**	**VENDOR NAME:**	AECOM Technical Services, Inc. (formerly LAN)
		VENDOR NO.#	ORIGINAL PO NUMBER
		2064471	35827
	Project Number:	06-50182625-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35827 by $99,975 for additional design, right-of-way, and environmental services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625-2)	$99,975.00

Notes:		**Change Order Sub Total from Above:**	$99,975.00
		Original P.O. and Prior Change OrderAmount:	$637,230.00
		Revised Total Spend:	**$737,205.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by: Henry Ngo & Lee Ann Florez	Date: 06/08/2010			
Divison Manager ($15k)	Date:	100.0%	415.70227.7200	$737,205.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$737,205.00

Attachment "C"

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MV00069271

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-89280221-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221).

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto.

BACKGROUND

On November 25, 2008 the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract included construction of median beautification, a lighted median sign near Perris Boulevard, landscaping, a color Portland Cement Concrete (PCC) center turn lane, intersection enhancements.

DISCUSSION

Excel started the Stage 2 construction work in May 2009. Currently, Excel is working on the footings and underground electrical components for the median sign.

There were three (3) Contract Change Orders issued to Excel for the Stage 2 contract totaling approximately $202,002.98. These changes included removal, replacement, and repaving of the interface areas adjacent to the newly constructed color PCC walks for a smooth transition removing rutted and uneven surface areas on the side streets. Other changes included necessary traffic safety control measures, removal of buried asphalt materials, removal of buried signal pole footings and unsuitable subgrades, and dumping fees for contaminated materials. The contractual expenditures are still within the City Council authorized Purchase Order amount, however, there are some unresolved claims which may potentially exceed the project's Purchase Order amount. Therefore, staff is requesting City Council approve the $50,000 Change Order to increase Excel's Purchase Order as a contingency to ensure timely payment to the Contractor in accordance with the Public Contract Code in the event the claims are resolved in the Contractor's favor.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will allow for the completion of these needed improvements.*

2. Do not Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and do not authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will delay the needed improvements and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) by Excel was funded with Lease Revenue Bond funds (fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (fund 892) as budgeted in Fiscal Year 2009/2010. An increase of $50,000 is requested to increase the Purchase Order (No. 37049) for Excel from the project's unencumbered budget in 892.80221 to cover the cost of possible claims. The

funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)		$12,138,000
Total Estimated Design Related Costs		($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)		($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)		($3,549,000)
Breakdown of Stage 2 Related Work		
Contractor (includes contingency)	$2,703,000	
Requested increase in PO No. 37049 for Excel	**$50,000**	
Consultant Construction Management/Inspection Services (incl. contingency)	$595,000	
Geotechnical Services	$32,000	
Survey Services	$78,000	
Project Administration*	$91,000	
Total Amount for Stage 2 Construction	$3,549,000	
Remaining Project Balance		$379,000

*Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Excel has been constructing the beautification and enhancements improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 2). The improvements have included the median beautification, a lighted median sign near Perris Boulevard, landscaping, a color PCC center turn lane, and intersection enhancements. Due to some unresolved claims, staff is requesting City Council

approve the Change Order to increase Excel's Purchase Order by $50,000 from the unencumbered project budget.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Change Order Form

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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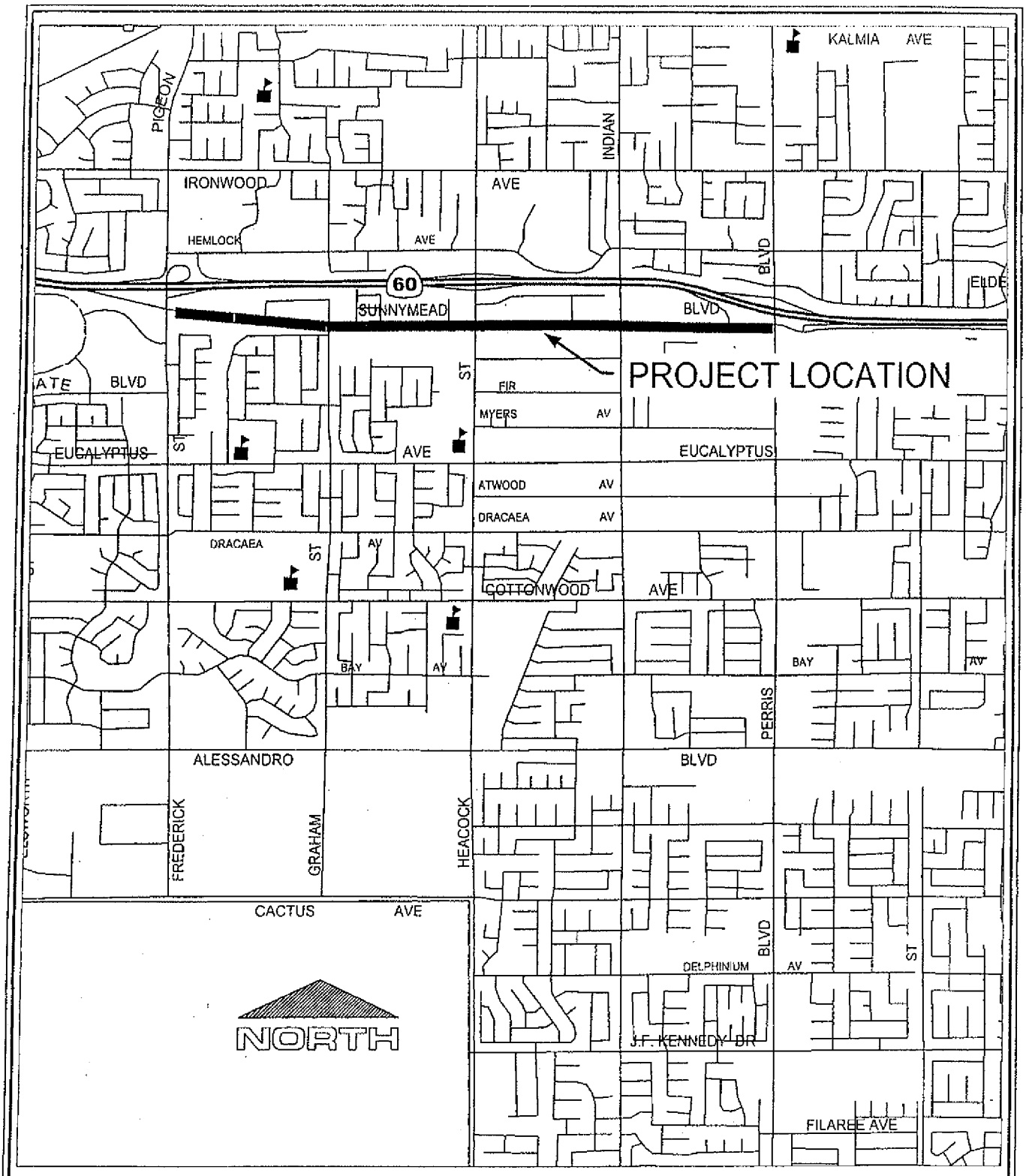

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/8/10**	**VENDOR NAME:**	PALP Inc. dba Excel Paving Company
		VENDOR NO.#	ORIGINAL PO NUMBER
		2381898	37049
Project Number:		04-89280221-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 37049 by $50,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-2).	$50,000.00

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$756,636.90
		Revised Total Spend:	**$806,636.90**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 06/07/2010			
Divison Manager ($15k)		Date:	100.0%	892.80221.7200	$806,636.90
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$806,636.90

Attachment "B"

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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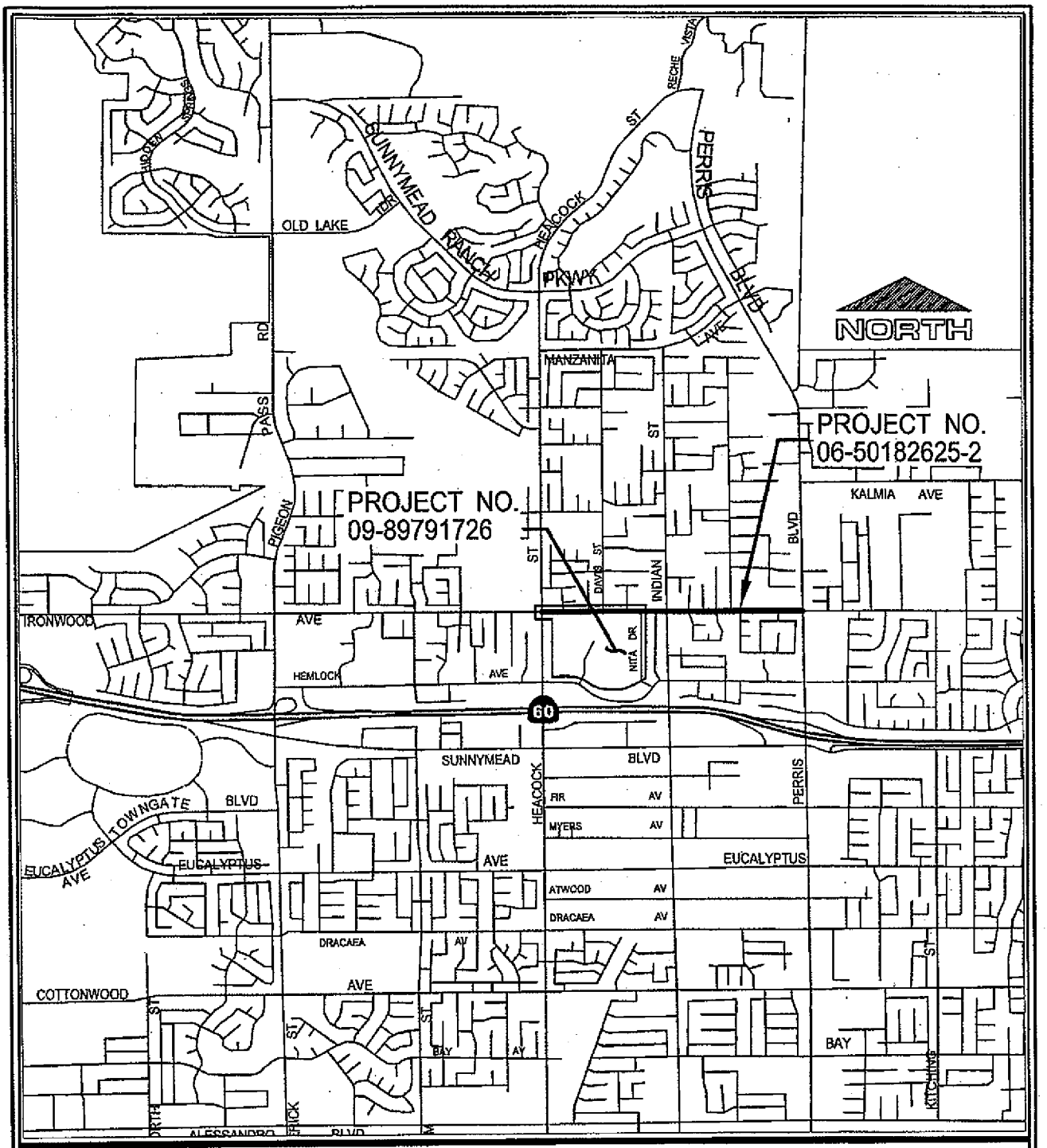

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00069291

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Utility\Sewer & Water - EMWD\Agreement\EMWD Reimb Agreement for IronwoodInd Basin - Draft 6-3-10.doc

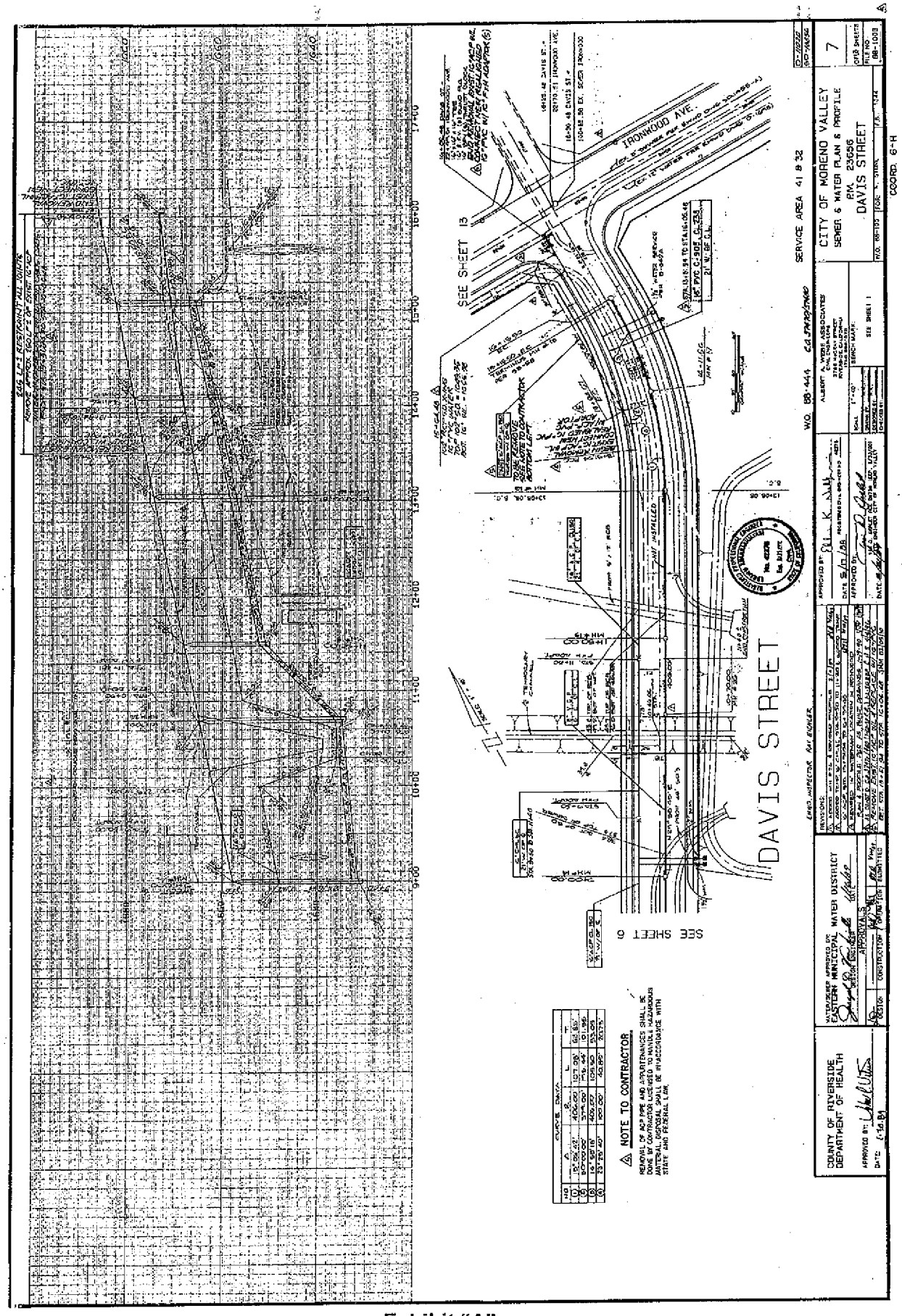
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23656
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
REMOVAL OF ACP PIPE AND APPURTENANCES SHALL BE DONE BY CONTRACTOR LICENSED TO HANDLE HAZARDOUS MATERIAL. DISPOSAL SHALL BE IN ACCORDANCE WITH STATE AND FEDERAL LAW.
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

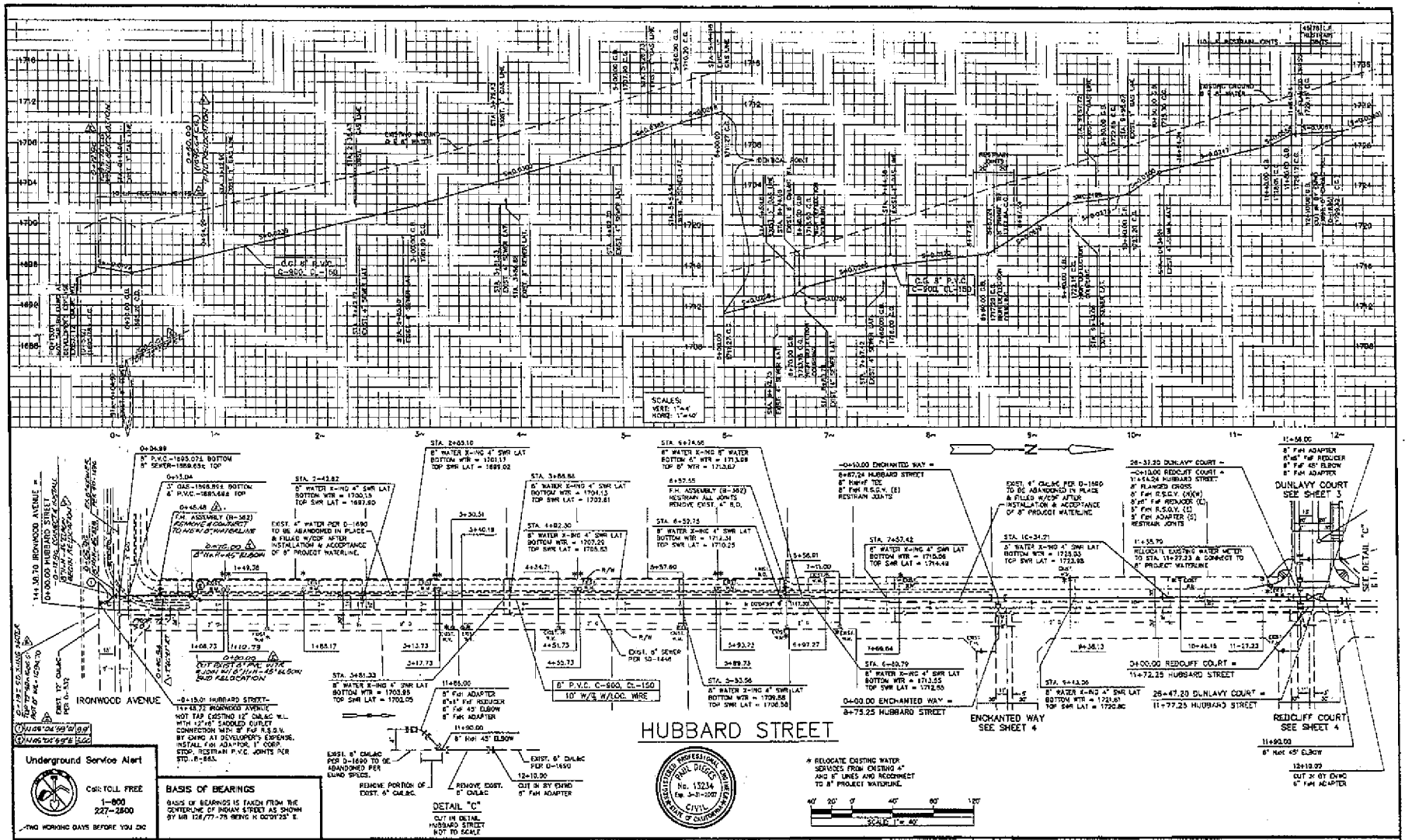
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY SEE SHEET 4
DUNLAVY COURT SEE SHEET 3
REDCLIFF COURT SEE SHEET 4
DETAIL "C"
SCALES:
VERT: 1"=4'
HORIZ: 1"=40'
Underground Service Alert
Call TOLL FREE
1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 128/77-79 BEING N 00°01'25" E.
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
1051 DAWES ROAD
PERRIS, CA. 92571
(951) 657-2822
PAUL DIEGES R.C.E. 13234 EXP. 3-31-07
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
WATER PLAN AND PROFILE
STA. 0+15.01 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-584, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EQUATION GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE PIPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
10. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-1661.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-690, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VISIT OTHER SIZES AND DRAWINGS WHEN APPROPRIATE). ADJOINING LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL POWER AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR OVERHEAD UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE LINES. PLANNED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL ENCROACHES FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL REVIEW ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEMS	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	20	LF
8" 22½ DEG. BEND	2	EA
8" 90DEG. 90° BEND	1	EA
12" 11½ DEG. BEND	2	EA
12" 45DEG. BEND	2	EA
8" FLANGE	1	EA
12" SLIP FLANGE	1	EA
12" FLANGED	1	EA
12" REDUCER	1	EA
12" BLIND	1	EA
12" TEE	2	EA
12" 90	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	477	LF
CUT EXIST. 12" W.L. & HOT TAP 12" DUCTILE W/	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.L. & AIR VALVE	1	EA
8" PVC WATER C-900, CL-200 (TEMP. HIGH LINE)	65	LF

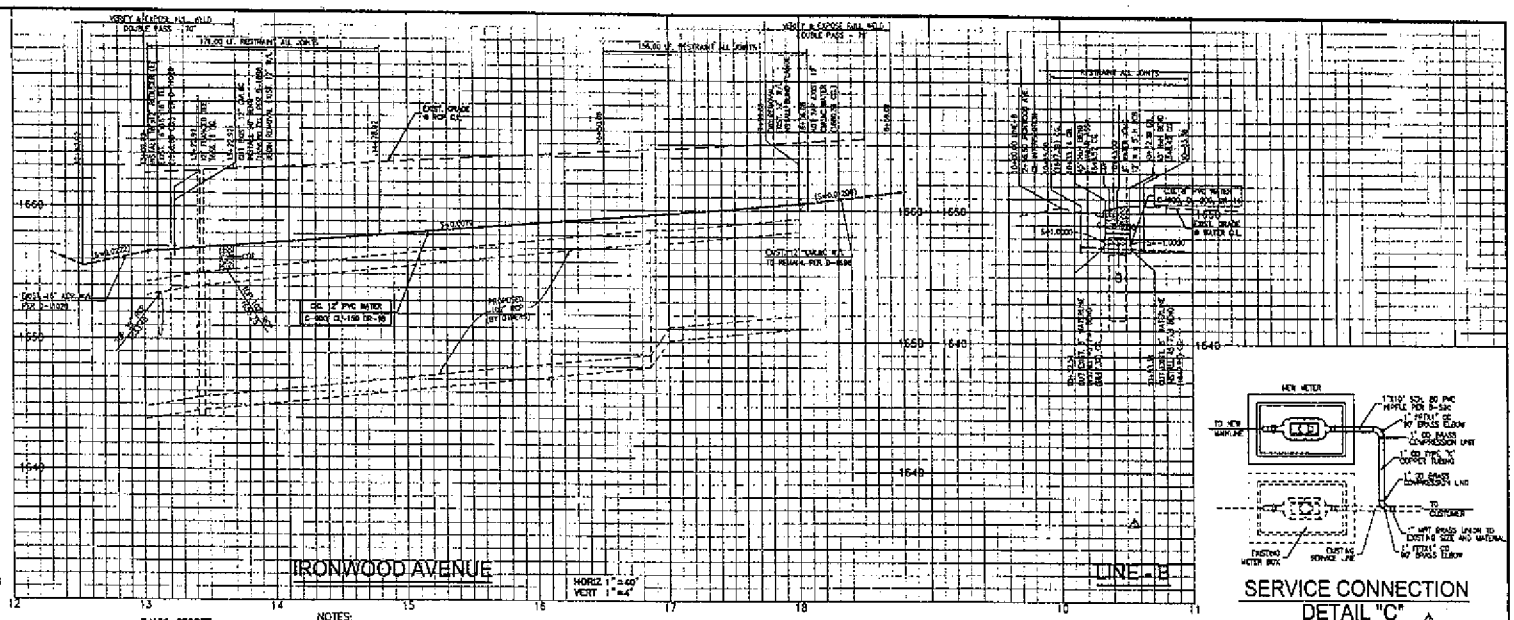

NOTES:

A. EXIST. WATER METER. FIELD VERIFY FOR EXACT LOCATION AND INSTALL NEW 1" SERVICE, 1" CPT (B.W.) OF EXISTING WATER SERVICE, CONNECT TO NEW 12" PVC WATER LINE AND NEW METER PER DETAIL "C" ABOVE RIGHT

A & B TEMPORARY OUT OF SERVICE WHILE CUTTING & RE-CONNECTING TO THE NEW 12" WATER LINE

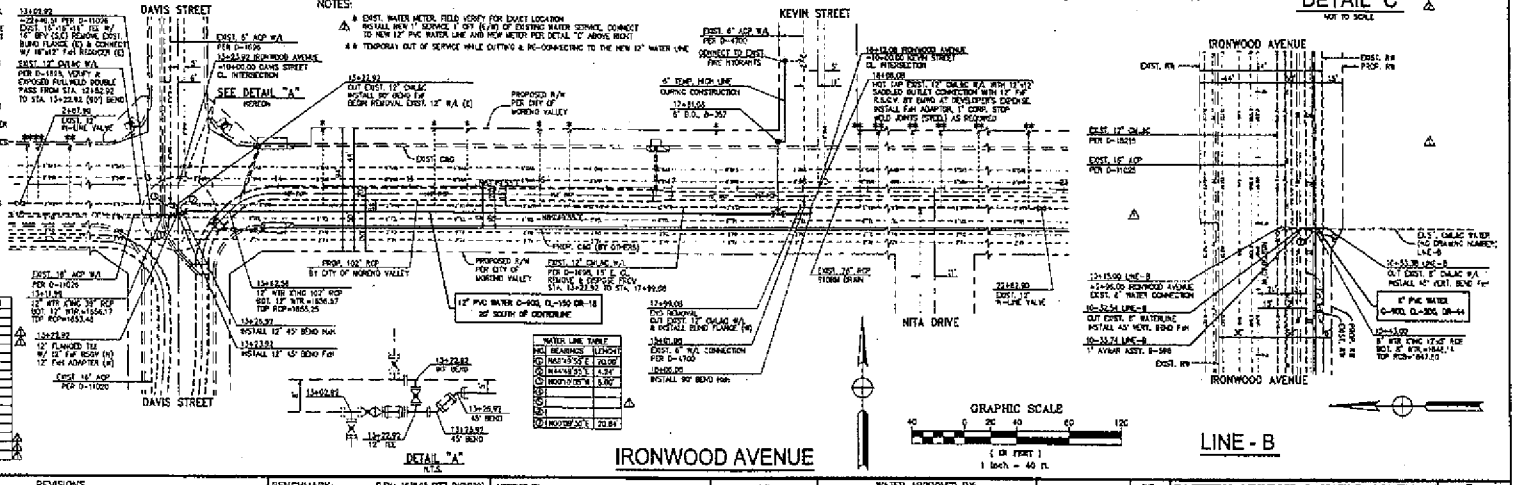

WATER LINE TABLE		
NO.	BEARINGS	LENGTH
1	N60°15'55"E	20.00'
2	N44°18'55"E	4.24'
3	N00°15'55"W	5.00'
4		
5		
6		
7		
8	N00°15'55"E	70.84'

Underground Service Alert
CALL TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/10	LAW	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/09	CHAN	01/13/2010
2	4/30/10	LAW	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/10	CHAN	04/30/2010

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-58 F)
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.3' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5 DIA.) STAMPED "M-58 RESET 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: CONSTRUCTION MANAGER — DATE; WATER OPERATIONS MAINTENANCE — DATE

		DATE
DESIGNED		
DRAWN		
TRACED		
CHECKED		
SUBMITTED		

SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA

12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

W.O.	3
W.A.	41
W.P.	12-747
C.S.	
COMM.	
SHT.	1 OF 1
D-	41354

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

MV00069305

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

Page 4 of 4

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto.

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

BACKGROUND

On May 29, 2008, the City Manager executed an Agreement for Professional Consultant Services with OPC for On-Call Right of Way services. On December 5, 2008, a purchase order for $70,000 was issued to OPC after they were selected as the most responsive firm to propose for In-House Right of Way Consulting Services to assist the Capital Projects Division with capital improvement projects. City Council approved an increase of $99,000 to the purchase order at its meeting on April 14, 2009.

DISCUSSION

Due to the vacant City staff "Senior Real Property Agent" position, as well as an increase in project related right of way activities, additional resources are necessary.

As a temporary solution to assist in expediting the completion of projects, the Capital Projects Division seeks to extend their Agreement with OPC.

OPC staff has an excellent track record of providing right of way services for budgeted capital improvement projects including, but not limited to, Kitching Street Improvements, Day Street Improvements, Sunnymead Boulevard Rehabilitation, and Lasselle Street Widening Improvements. Over the next twelve months, OPC staff will continue to work on right of way for projects such as the Perris Boulevard from PVSD Lateral "B" to Cactus Avenue Improvements, Perris Boulevard from Ironwood Avenue to Manzanita Avenue, Ironwood Avenue Street Improvements, Heacock Street Bridge Improvements, and other budgeted capital projects as assigned.

OPC provides professional consultant right of way services under an on-call Agreement that expires May 15, 2011. Staff recommends issuing a new purchase order and executing a Project Agreement with OPC for the continuation of their services. The purchase order for $99,000 allows for approximately one (1) additional year of right of way services as provided by the in-house consultant staff. The new purchase order will increase the Agreement to a total not-to-exceed amount of $268,000 ($70,000 for the original purchase order, plus $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

ALTERNATIVES

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and do not authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The current purchase order encumbered to account number 897.91724 will be fully expended shortly. Staff recommends that the new purchase order for $99,000 be encumbered to the FY 10/11 Perris Boulevard from PVSD Lateral "B" to Cactus Avenue

Improvements project budget (Account No. 416.78526). As costs are incurred against this purchase order, the expenditures will be transferred to the capital projects for which services were performed. The anticipated associated costs for the purchase order increase will be funded through DIF Arterial Streets (Fund 416), TUMF Capital Projects (Fund 415), 2005 Lease Revenue Bonds (Fund 501), and Measure "A" (Fund 125):

Perris Boulevard from PVSD Lateral "B" to Cactus Avenue (416.78526)	$29,000
Perris Boulevard from Ironwood Avenue to Manzanita Avenue (415.78726)	$28,000
Ironwood Avenue Street Improvements (501.82625)	$18,000
Heacock Street Bridge Improvements (125.66825)	$24,000
Total	**$99,000**

These funds are restricted to Capital Improvement Projects and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

Due to the need for in-house right of way services on a variety of projects, a purchase order with OPC is necessary to continue the temporary professional staffing services for the Capital Projects Division. Staff recommends that the City Council authorize the execution of the Project Agreement and the issuance of a new purchase order to OPC in the amount of $99,000 for right of way services.

ATTACHMENTS

Attachment "A" – Project Agreement
Attachment "B" – Purchase Requisition

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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PROJECT AGREEMENT FOR ON-CALL
PROFESSIONAL CONSULTANT SERVICES
VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Overland, Pacific and Cutler, Inc., a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has Pre-Qualified Consultant for On-Call Consultant work in an Agreement ("On-Call Agreement") executed on May 29, 2008 for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-Call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-Call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Consultant Real Property and Right of Way Services for Various Projects of the Capital Projects Division (and other Divisions as needed) and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

3. The Consultant's scope of service is for Consultant Real Property and Right of Way

Services for Various Projects of the Capital Projects Division and is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D", attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Overland, Pacific and Cutler, Inc.

BY: _____

TITLE: PRESIDENT
(President or Vice President)

5/25/10
Date

BY: _____

TITLE: Vice President / Secretary
(Corporate Secretary)

5-25-10
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures:
Exhibit "A" – City Scope of Services
Exhibit "B" – Consultant Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY SCOPE OF SERVICES

Various Capital Improvement projects throughout the year will require Right of Way Services. The following list includes services that may be needed over the course of the contract. The list is not intended to be all-inclusive, as other services may be needed:

- prepare reports and coordinate the preparation of site surveys relating to real property that is required for public purposes
- prepare certificates of acceptance; record documentation at the county, negotiate for purchase, lease, or donation of real property
- prepare contracts, agreements, leases, deeds, re-conveyances, legals, plats, and other instruments used to acquire or vacate interests in real property
- prepare rights of entry
- prepare and acquire temporary construction easements
- estimate the market value of real property and prepare written reports
- analyze title reports, contracts, judgments, court records, and other documents to evaluate the legal status and effect upon title of various liens, restrictions, and encumbrances
- maintain records, databases, maps, deeds, and other documents
- coordinate the hiring of appraisers, including preparation of Request for Proposals, review and rate/rank Proposals, prepare Staff Reports, review appraisals, verify property surveys, plats and legal descriptions
- coordinate eminent domain actions' consult with the City Council and City departments regarding real property matters, and interact with public agencies
- negotiate and acquire temporary construction "rights of way"
- negotiate cellular tower leases
- meet with property owners to discuss and educate them on real property issues pertaining to acquisition and relocation
- assist project managers on real property issues as they relate to their respective capital improvement projects
- perform related duties as assigned
- and provide quality customer service

EXHIBIT "A"

OVERLAND PACIFIC & CUTLER, INC.
2280 Market Street, Suite 340, Riverside, CA 92501
phone: (951)683-2353, fax: (951)683-3901

April 23, 2010

Ms. Kimberly Jester
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

RE: In-House Right of Way Consulting Services 2010

Dear Ms. Jester:

In response to your request, Overland, Pacific & Cutler, Inc. (OPC) is pleased to present the City of Moreno Valley with this brief fee proposal for the continuation of in-house staffing services under our existing Professional On-Call Services Agreement.

OPC is proposing to continue with the existing arrangements and will assign Mr. Michael Green to the City on specified hours and days. Mr. Green will be working at a rate of $105 per hour, Tuesdays and Thursdays, 8:00 AM to 5:00 PM. At 16 hours per week for the year, we estimate the total annual cost to be $87,360. Should the actual hours increase or decrease over the coming year, the estimated cost will adjust accordingly.

Should you have any questions or would like to discuss further, please do not hesitate to call me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

Exhibit "B"

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $268,000 ($70,000 for the original purchase order, $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

2. Rates for personnel and services shall be as provided on Exhibit "B" – Consultant Proposal.

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

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MV00069319

TODAY'S DATE:	06/09/10
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Overland Pacific & Cutler, Inc.		
STREET ADDRESS >	100 West Broadway Suite 500		
STREET ADDRESS >			
CITY-STATE-ZIP >	Long Beach CA 90802		
CONTACT NAME >			
PHONE NUMBER >			
E-MAIL ADDRESS >			

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	Professional Consultant Right of Way Services for the Various Projects of the Capital Projects Division.	1	Lump Sum	$99,000.00	$99,000.00		
	Project No. 11-41570125						
	Per Project Agreement dated _____ by the City Manager.						
	The "On-call" Right of Way Services Agreement, First Amendment and Second Amendment with OPC are on file with the Purchasing Division.						

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$99,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Kim Jester / Prem Kumar	Date:			
Division Manager ($15k)	Date:	100.0%	416.78526.7200	$99,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$99,000.00

Purchase Requisition OPC

ATTACHMENT "B"

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MV00069321

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-89280221

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard.

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto.

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

BACKGROUND

On December 11, 2007, the City Council approved the Agreement for Professional Consultant Services with Harris & Associates, Inc. (Harris) for Construction Management and Inspection Services for Stage 1 (sidewalk and parkway improvements) and Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $660,000.

On November 25, 2008, the City Council approved the First Amendment to Agreement for Professional Consultant Services with Harris for additional Construction Management and Inspection Services for Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $265,000.

DISCUSSION

The Sunnymead Boulevard project from Frederick Street to Perris Boulevard has been constructed in two stages. Stage 1 was the Revitalization project for the color sidewalk, ramp and driveway improvements, which include a lighted gateway entry arch, bus shelters, sign monuments, parkway landscaping, Heacock Street intersection improvements, curb, and gutter. Stage 2 was the Beautification and Enhancement project for the street and median improvements, which include a lighted median sign near Perris Boulevard, median landscaping, a color Portland Cement Concrete (PCC) center turn lane, and intersection enhancements.

The Harris scope of services includes construction management for both the Stage 1 sidewalk and parkway improvements, and the Stage 2 median and intersection enhancements. Harris' responsibilities encompass construction management, which includes overseeing the daily construction operations of the contractors' work for compliance with approved plans and applicable City, State and Federal standards. In addition they are responsible for obtaining and reviewing all contractor submittals and contractor payment requests that are to be forwarded to the City for approval. However, the project is not complete and additional services are required. The work still pending includes punch list items pertaining to the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, an increase in Harris' construction management and inspection contract Purchase Order is needed through this Second Amendment to provide for the services necessary to complete the project. The expiration date of February 28, 2011 will not change with the proposed Second Amendment.

ALTERNATIVES

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick

Street to Perris Boulevard, authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative will allow for the completion of needed improvements.*

2. Do not approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard, do not authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, do not authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative may delay construction of needed improvements.*

FISCAL IMPACT

The project is funded with Lease Revenue Bond funds (Fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (Fund 892). The Harris contract was originally funded with Lease Revenue Bond funds, however, staff now requests that the City Council approve a new Purchase Requisition for $176,000 from unencumbered Redevelopment Agency project funds (Fund 892). The funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)	($3,549,000)

Breakdown of Professional Consultant Services with Harris & Associates

Original Agreement for Stage 1 & 2 Construction Management and Inspection Services (w/cont.)	$660,000*	
First Amendment for Stage 2 Construction Management and Inspection Services (w/cont.)	$265,000*	
Second Amendment for Stage 1 and 2 Construction Management and Inspection Services	**$176,000**	**($176,000)**
Total Construction Management and Inspection Services	$1,101,000	

Unencumbered Project Balance	$203,000

* *Costs are already included in Stage 1 & 2 Construction items above*

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

The Sunnymead Boulevard project is nearing completion. The longer than anticipated construction duration has resulted in the need to increase the contract amount with Harris & Associates, Inc. for construction management services. Therefore, staff is requesting City Council approve the increase to Harris' Purchase Order by $176,000 from the unencumbered project budget in Fund 892.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Second Amendment to Agreement for Professional Consultant Services, Project No. 04-89280221
Attachment "C" – Purchase Requisition

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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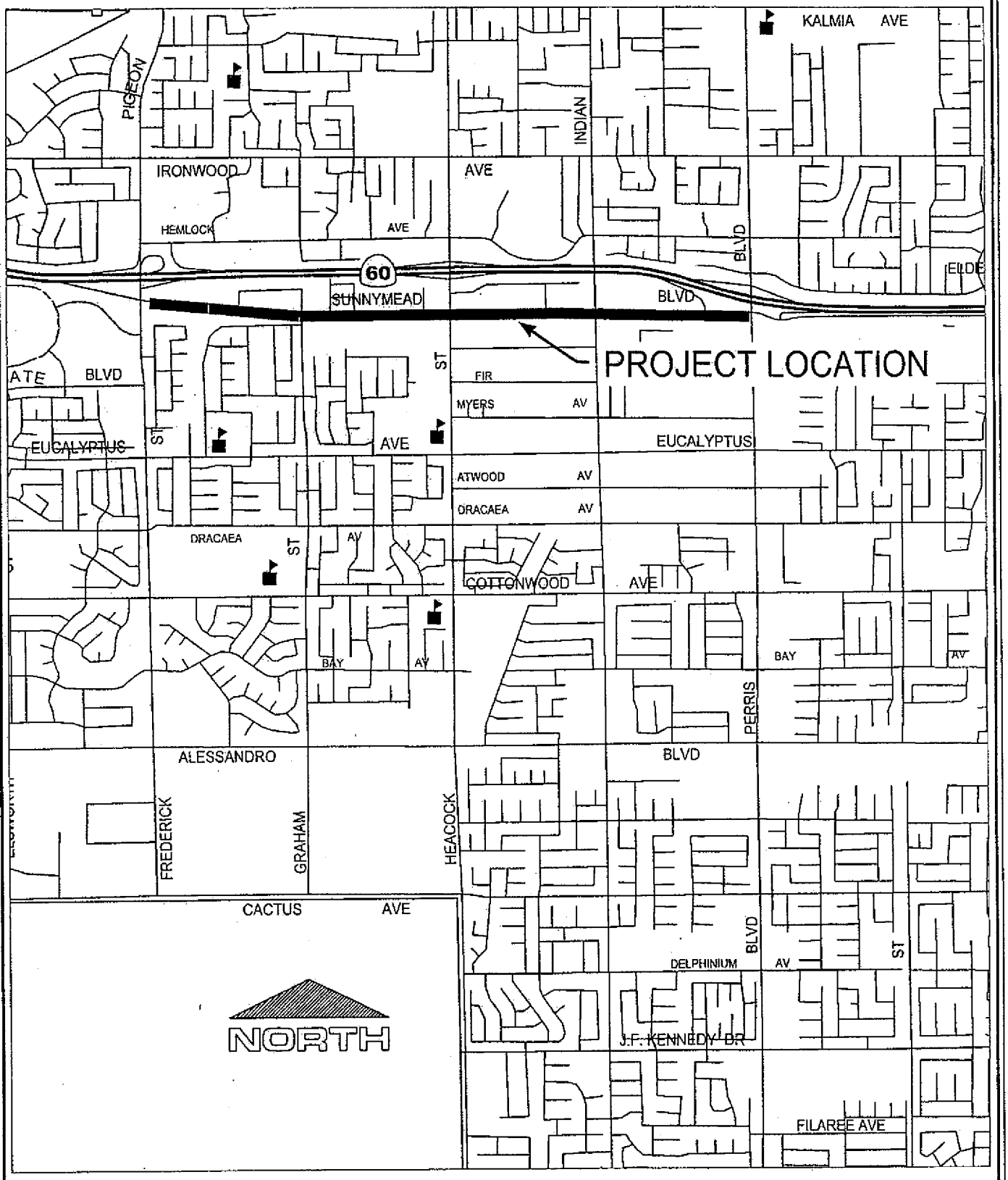

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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MV00069329

SECOND AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **Harris & Associates, Inc.**, a California corporation, hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated February 6, 2008.

Whereas, the Consultant is providing consultant management and construction inspection services for Sunnymead Boulevard Improvements Project from Frederick Street to Perris Boulevard, Project No. 04-89280221.

Whereas, the Agreement was amended on December 12, 2008 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Second Amendment.

Whereas, the Consultant has submitted a Proposal dated June 7, 2010, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Second Amendment" and is incorporated herein by this reference.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of February 28, 2011 is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Second Amendment," entitled "Request for Contract Amendment."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit B – Second Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive an additional "Not-to-Exceed" fee of $176,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work described in "Exhibit A – Second Amendment."

1.5 The total "Not to Exceed" fee for this contract is $1,016,900 ($600,000 for the original Agreement, plus $240,900 for the First Amendment to Agreement, plus $176,000 for the Second Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Harris & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Second Amendment"
"Exhibit B – Second Amendment"

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Harris & Associates

Shaping the future, One project at a time℠

June 7, 2010

City of Moreno Valley
Chris Wiberg, P.E. Senior Project Manager
Capital Project Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Contract Amendment

Mr. Wiberg,

The Sunnymead Boulevard project is pending completion of construction. It is now anticipated that completion of the construction on this project is not expected to occur until October of 2010. Some of the pending items include punch list items for the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, we are requesting that our current contract be amended to reflect the extended time frame. Please see attached Scope of Work and Cost Proposal for details.

The appropriate level of personnel required for this phase of service will be subject to mutual agreement and the contractor's schedule. Your acknowledgment and acceptance of this request is gratefully appreciated. Should you have any further questions or concerns, please do no hesitate to call.

Sincerely,
Harris & Associates

E. Joseph Shaw
Sr. Construction Manager

"Exhibit A – Second Amendment"

SCOPE OF SERVICES

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

Harris will continue to provide the following services as part of the Scope of Services on an as-requested, as-needed basis:

CONSTRUCTION MANAGEMENT & INSPECTION SERVICES

Construction Administration - Continue to implement procedures for reviewing and processing request for clarifications and interpretations of the Contract Documents; shop drawings, samples and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions and payment applications.

Reports - Prepare any reports that may be required during the construction phase.

Permits, Bonds and Insurance - Verify required permits, bonds and insurance, have been obtained.

Change Order Preparation - Coordinate contract change orders. Prepare independent cost estimate for contract change orders. Negotiate all contract change orders with the Contractor. Prepare contract change order document for execution by Contractor and City

Construction Schedule - Review each Contractor's Construction Schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule.

Progress Payments - Review payment applications submitted by each Contractor and determine whether the amount requested reflects the progress of the Contractor's work.

Photographs - Provide photographic documentation of project site during construction.

"As-Built" Drawings - Finalize one set of contract documents for each project with up-to-date information regarding all addendum, substitutions, clarifications and change orders.

Field Inspection - Provide field inspection, as requested, to verify compliance with the contract documents. Coordinate with City assigned inspection staff.

Surveying – Coordinate needed surveys to verify lines and grades with contract documents.

Traffic Control - Monitor traffic control and public safety plans for compliance with all safety laws and regulations. Review all detour, lane closures, temporary access, signing, delineation and traffic control plans.

Meetings - Coordinate meetings with City and Contractor related to project completion. Prepare meeting notices and prepare and distribute meeting minutes.

Final Inspection and Punchlist - Provide final inspection and prepare list of project construction deficiencies for resolution by Contractor.

Final Payment - Make recommendations regarding Contractor's final progress payment request. Prepare final progress payment report for submission.

Project Closeout - Prepare all documentation needed for project closeout. Deliver project documentation.

COST PROPOSAL

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

5 Month Projected Extension of Time	Cost
Construction Management Services	$81,000
Construction Inspection Services	$79,000
Additional Items of Work per City Request	$16,000
Total	**$176,000**

"Exhibit B – Second Amendment"

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MV00069337

TODAY'S DATE: 06/11/10	PURCHASE REQUISITION	Purchasing Use Only	
DELIVER TO: 15670 Perris Blvd Moreno Valley, CA 92551	**CITY OF MORENO VALLEY**	SELECTED VENDOR NO.#	REQUISITION NUMBER
DELIVER ON OR BEFORE:	Provide complete new vendor information or name-phone & e-mail for current vendors		

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Harris & Associates, Inc.		
STREET ADDRESS >	9445 Fairway View Place, Suite 215		
STREET ADDRESS >			
CITY-STATE-ZIP >	Rancho Cucamonga, CA 91730		
CONTACT NAME >	Joe Shaw		
PHONE NUMBER >	909.237.2357		
E-MAIL ADDRESS >	eshaw@harris-assoc.com		

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text* *(2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF. MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	This Second Amendment with Harris & Associates, Inc.	1	Lump Sum	$176,000.00	$176,000.00		
	is providing construction management and inspection						
	services for the Sunnymead Boulevard						
	Improvements Project from Frederick Street to Perris						
	Boulevard, Project No. 04-89280221. The project is not						
	complete due to delays. A new Purchase Order is						
	requested to use unencumbered monies in fund 892.						
	The Second Amendment was signed by the City Manager						
	on _____. Also attached is the current insurance.						
	City Council approved the Purchase Requisition at its						
	meeting on 7/13/10.						
Notes:				Est. Shipping:		Shipping:	
				Est. Tax:		Tax:	
				Est. Total:	$176,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. (Sign Below)

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Christopher L. Wiberg & Lee Ann Florez	Date: 06/11/2010			
Division Manager ($15k)	Date:	100.0%	892.80221.7200	$176,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$176,000.00

6-11-10 Purchase Req for Harris.xls

Attachment "C"

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MV00069339

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\CC Reports\071310 Ironwood Day to Barclay-EMWD Reimbursement Agreement.doc

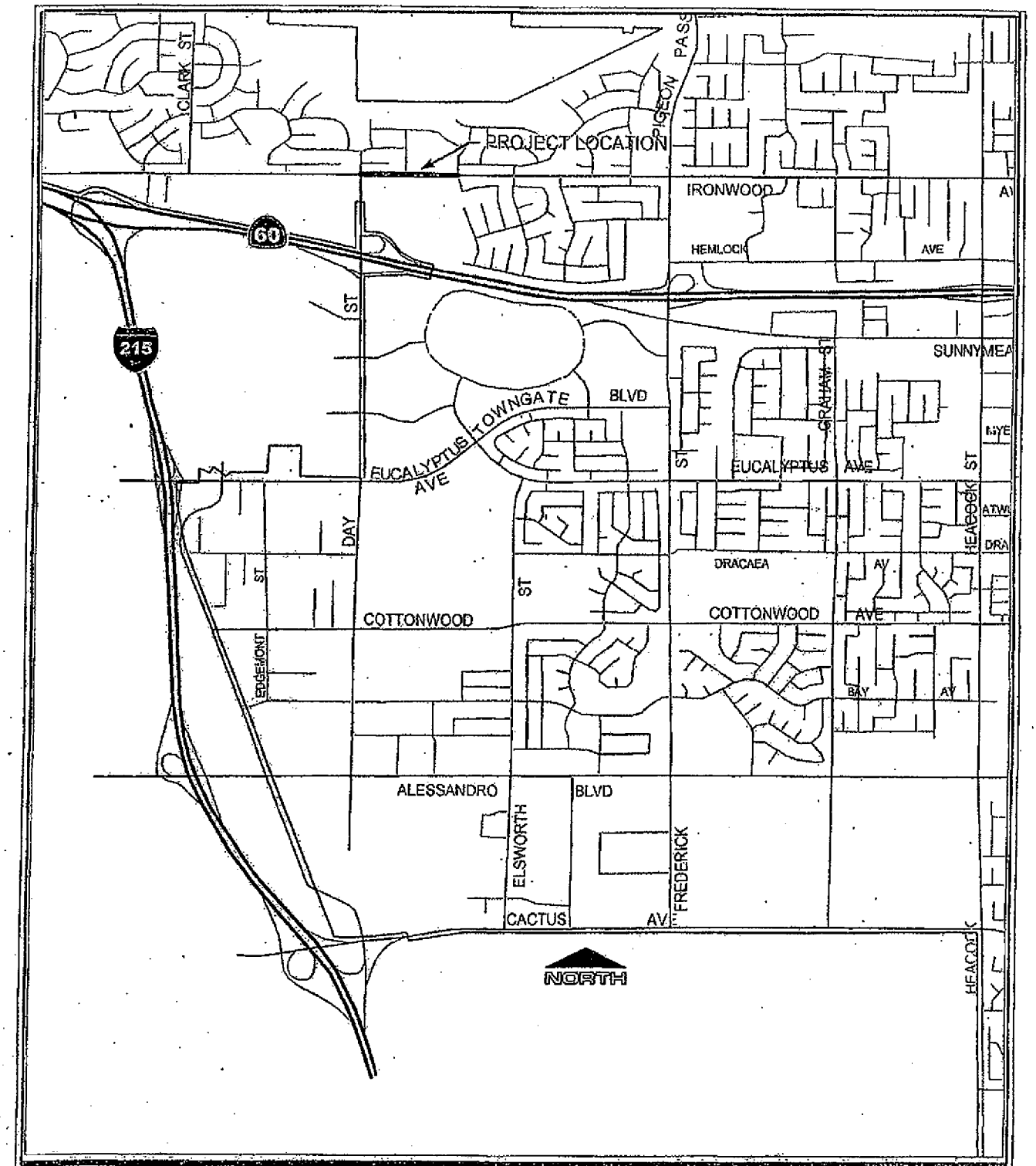

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

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MV00069347

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

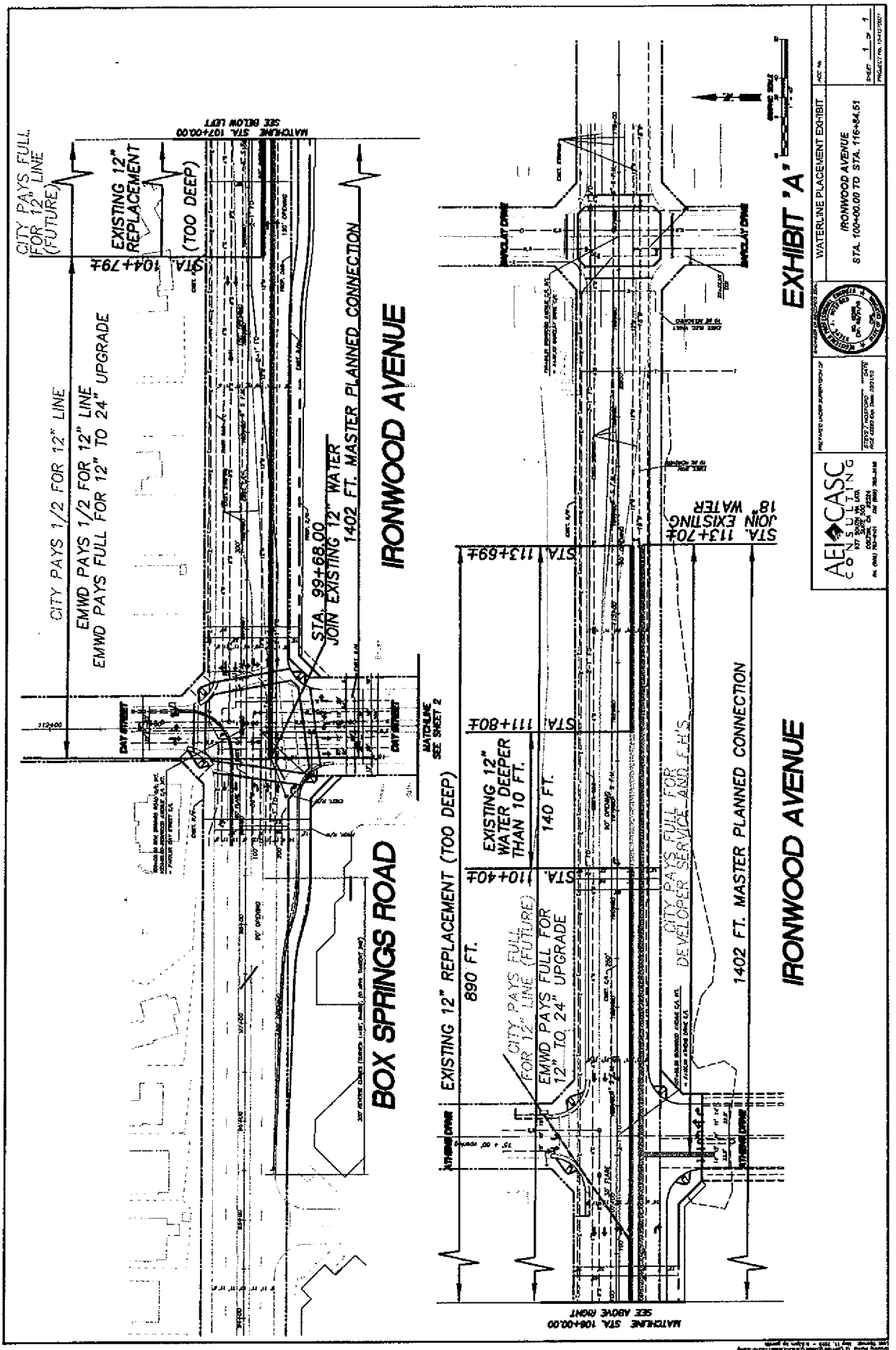
EXHIBIT 'A'
IRONWOOD AVENUE
BOX SPRINGS ROAD
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
CITY PAYS 1/2 FOR 12" LINE
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
STA. 99+68.00
JOIN EXISTING 12" WATER
1402 FT. MASTER PLANNED CONNECTION
MATCHLINE STA. 107+00.00
SEE BELOW LEFT
MATCHLINE
SEE SHEET 2
DAY STREET
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
STA. 110+40±
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 111+80±
STA. 113+69±
STA. 113+70±
JOIN EXISTING 18" WATER
CITY PAYS FULL FOR 12" LINE (FUTURE)
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
1402 FT. MASTER PLANNED CONNECTION
MATCHLINE STA. 108+00.00
SEE ABOVE RIGHT
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CASC CONSULTING

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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MV00069357

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728).

2. Authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto.

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements.

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

BACKGROUND

On December 8, 2009, the City Council awarded a construction contract and authorized the issuance of three (3) Purchase Orders in the total amount of $503,600.00 (the bid amount plus 25% contingency) to FS Construction. The FS Construction contract includes such street improvements as sidewalks, driveways, parkway drains, access ramps, block walls, fences, tree removals, cross gutter, mailboxes, and landscape restoration on both sides of Temco Street, Vought Street, Boeing Street, and McDonnel Street.

The City issued a Notice to Proceed to FS Construction to start the work on March 4, 2010. The length of the contract is one hundred twenty (120) working days. FS Construction anticipates completing the projects by end of June 2010 at the latest.

DISCUSSION

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. The increase in the FS Construction contract is attributed to the additional work and increased bid item work quantities mainly related to the reconstruction of the existing driveways and driveway approaches as part of the sidewalk improvements. During construction, the City worked closely with residents in relocating existing fences, trees, concrete walkways and other hardscape as well as modifying existing driveways and landscape necessary for the construction of new sidewalk and reconstruction of existing driveway approaches. The new sidewalk and driveway approaches, installed per current ADA requirements, resulted in steeper slopes on most of private driveways. As a result, additional work is required to remove and replace larger areas of private driveways to lower the driveway profiles and reduce the steepness of driveway slopes for functionality purposes. In addition, many driveways have deteriorated and required larger removal areas in order to establish a logical and stable concrete slab match line to existing driveway slabs. This has also increased the driveway installation bid item quantities as well as grading and drainage issues. There are also increases in other bid item quantities related to sidewalks, fence relocations, drainage structures, and curb and gutter replacements which contributed to the increase in construction cost.

The additional improvements were necessary for functionality of the driveways and new City improvements. Furthermore, the improvements have enhanced the aesthetic and appearance of the neighborhood as well as the pedestrian and vehicular safety. By utilizing in-house design to reduce design cost along with the favorable construction bid received, there is a net savings in the project's overall cost. Staff is requesting City Council approve the Change Orders to increase FS Construction's Purchase Orders to allow payment to the Contractor.

The construction of sidewalk improvements is to be completed at end of June 2010. Since the City Council will not meet on next two meetings after the July 13 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer

to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ALTERNATIVES

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), do not authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, do not authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and do not authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will delay payment to the Contractor, delay completion of the improvements, and incur extra cost to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and is financed by Community Development Block Grant (CDBG) funds (Fund 283). There is no impact to the General Fund.

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. An increase of $21,000 is requested to increase Purchase Order No. 38859

(Account No. 283.68428). An increase of $30,000 is requested to increase Purchase Order No. 38860 (Account No. 283.68528). And an increase of $29,000 is requested to increase Purchase Order No. 38861 (Account No. 283.68728). The new total amount for three (3) Purchase Orders for FS Construction is $583,600.

AVAILABLE FISCAL YEAR 2009/2010 CONSTRUCTION FUNDS:

Temco Street (Account No. 283.68428)	$259,831
Vought and Boeing Street (Account No. 283.68528)	$355,461
Boeing and McDonnel Street (Account No. 283.68728)	$544,360
Total Available Funds	**$1,159,652**

Breakdown of Construction Related Costs

Construction Contractor (FS Construction) PO's	$503,600
Requested increase in 3 PO's for FS Construction	**$80,000**
Geotechnical Services	$15,800
Survey Services	$47,700
Project Administration*	$120,000
Total Construction Cost	$767,100

Remaining Project Balance in Fund 283 ..... $392,552

* Public Works staff will provide Project Administration and Inspection.

ANTICIPATED PROJECT SCHEDULE:

Construction Started	March 2010
Completion of Construction	June 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

FS Construction has been constructing the sidewalk improvements on Temco Street, Vought Street, Boeing Street, and McDonnel Street and anticipates completing the projects by end of June 2010. The improvements enhance the aesthetic/appearance and pedestrian and vehicular safety for the neighborhood by providing sidewalks, new driveways, new mailboxes and landscape restoration. Due to the increases in bid quantities, staff is requesting City Council approve the Change Order to increase FS Construction's Purchase Orders by a total amount of $80,000 from the available project budget to allow payment to the Contractor. Staff is also requesting the City Council to

authorize the Public Works Director/City Engineer to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Change Order Forms

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Concurred By:
Michelle Patterson
Redevelopment and Neighborhood
Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Barry Foster.
Economic Development Director Programs

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Quang - 08-28368428 - Temco_Vought_Boeing_McDonnel Sidewalks\CC Reports\Increase PO's\07-13-10 Increase POs for FS Construction.doc

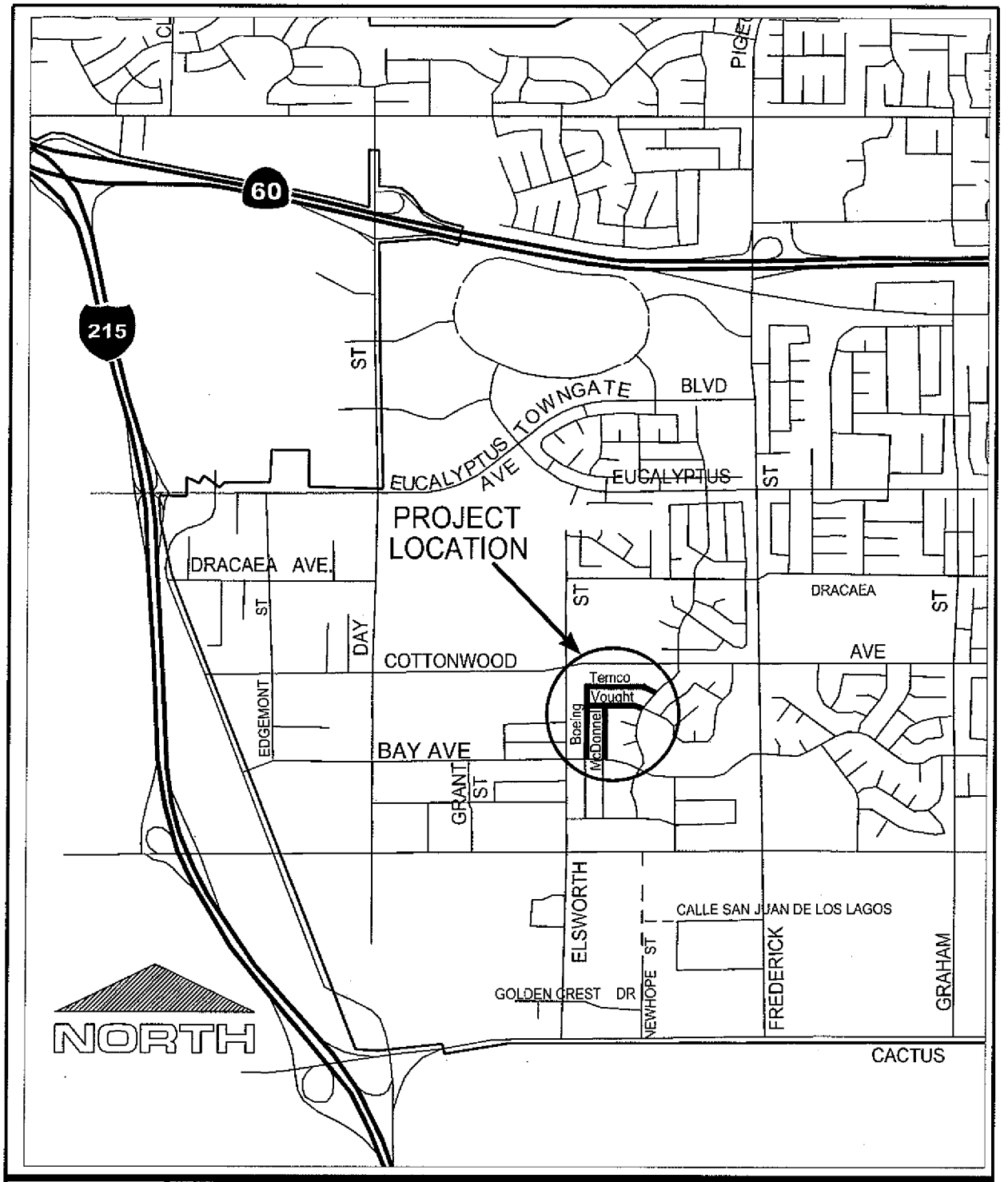

SIDEWALK IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

ATTACHMENT A

TEMCO ST., VOUGHT ST. BOEING ST. AND MCDONNEL ST.

LOCATION MAP

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MV00069365

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38859
	Project Number:	08-28368428	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO # 38859 by $19,000.00 for additional work for the Sidewalk Improvements on Temco Street from Boeing Street to Pan Am Boulevard Project No. 08-28368428	$19,000.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$19,000.00
		Original P.O. and Prior Change OrderAmount:	$128,569.00
		Revised Total Spend:	**$147,569.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68428.7200	$147,569.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$147,569.00

V 1.4

Attachment "B"

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38860
	Project Number:	08-28368528	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38860 by $29,800.00 for additional work for the Sidewalk Improvements on Vought Street from Boeing Street to Pan Am Boulevard and Boeing Street from Vought Street to Temco Street Project No. 08-28368528	$29,800.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$29,800.00
		Original P.O. and Prior Change OrderAmount:	$179,269.00
		Revised Total Spend:	**$209,069.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Sharon Duensing/Quang Nguyen	Date:			
Divison Manager ($15k)	Date:	100.0%	283.68528.7200	$209.069.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$209,069.00

V 1.4

MV00069367

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38861
	Project Number:	08-28368728	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38861 by $26,200.00 for additional work for the Sidewalk Improvements on Boeing Street from Vought Street to Bay Avenue and McDonnel Street from Vought Street to Bay Avenue Project No. 08-28368728	$26,200.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$26,200.00
		Original P.O. and Prior Change OrderAmount:	$195,762.00
		Revised Total Spend:	**$221,962.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68728.7200	$221,962.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$221,962.00

V 1.4

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MV00069369

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: July 13, 2010

TITLE: ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 15-17, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-69 appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 15-17, 2010 in San Diego. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Staff recommends that the City Council adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Recommended by staff)

2. Do not adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Attorney's Department 2010-11 Operating Budget account 010.22110.6221.

NOTIFICATION

Agenda Publication

ATTACHMENTS/EXHIBITS

Attachment A - Voting Delegate Proposed Resolution
Attachment B - Voting Delegate Form

Prepared By:
Jane Halstead, City Clerk, CMC

Department Head Approval:
Jane Halstead, City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2010 annual conference and by August 20, 2010, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Deputy City Attorney III Suzanne Bryant will be attending the business meeting on Friday, September 17, 2010 at the San Diego Convention Center in San Diego.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

That Deputy City Attorney III Suzanne Bryant is designated as the Voting Delegate for the City of Moreno Valley at the League of California Cities 2010 Annual Conference in San Diego on September 15-17, 2010.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 20, 2010.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY CLERK
MORENO VALLEY
RECEIVED
10 JUN 10 PM 2:30

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 20, 2010

June 4, 2010

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 15-17 – San Diego

The League's 2010 Annual Conference is scheduled for September 15-17 in San Diego. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 3:00 p.m., Friday, September 17, at the San Diego Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. Please take care when selecting your city's delegates, as travel and attendance could be an issue for those who observe Yom Kippur.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 20, 2010. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

ATTACHMENT B

-more-

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Jose Convention Center, will be open at the following times: Wednesday, September 15, 9:00 a.m.; Thursday, September 16, 7:30 a.m.; and September 17, 7:30 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 20th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2010 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2010 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes**. In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2010 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 20, 2010. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 20 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter10.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT

SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY

DEVELOPER – ZAPER, CORP.
7119 INDIANA AVE, SUITE 300
RIVERSIDE, CA 92504

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On August 12, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31414. The tentative tract map is a proposal to subdivide an approximately 9 acre parcel into 31 single family residential lots.

On October 24, 2006 the City Council for the City of Moreno Valley approved Zaper, Corp.'s agreement and bonds in the amounts of $1,115,000 for the Faithful Performance Bond and $557,500 for the Material and Labor Bond.

Pigeon Pass LLC has purchased Tract 31414 from Zaper Corp. and has provided substitute agreement and bonds. The substitute agreement and bonds were approved by Council on May 25, 2010.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Zaper, Corp.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

2. Do not authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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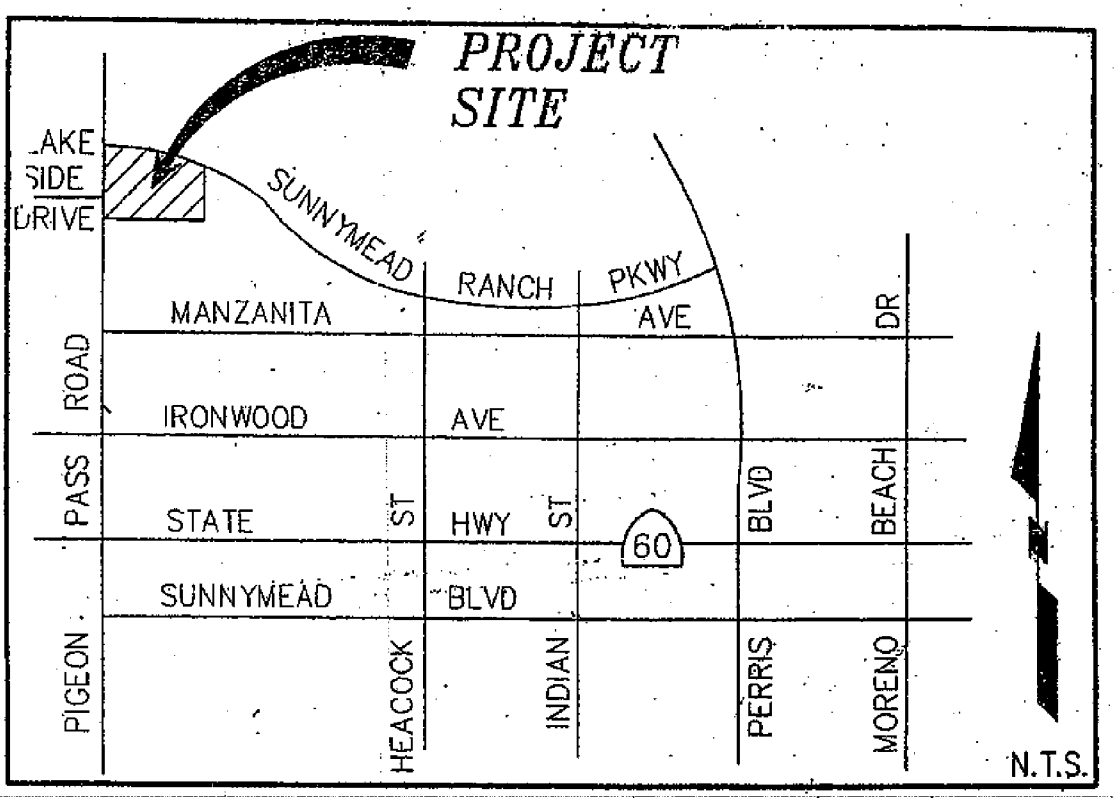

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**TR 31414** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - TR31414 -Exhibit A.doc

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MV00069383

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET

DEVELOPER - VALLEY OAK, LP
100 DOVE STREET, SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 22, 2005, the Planning Commission of the City of Moreno Valley approved this project. The tentative tract map is a proposal to subdivide 27.8 net acres in the R5 zone into 100 single family residential lots.

On December 12, 2006, the City Council for the City of Moreno Valley approved MVGH 2004, LLC agreement and bonds in the amounts of $3,636,000 for the Faithful Performance Bond and $1,818,000 for the Material and Labor Bond.

Valley Oak, LP has purchased project PA04-0125 from MVGH 2004, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

Valley Oak, LP has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $3,636,000 and a Material and Labor Bond in the amount of $1,818,000 issued by Western Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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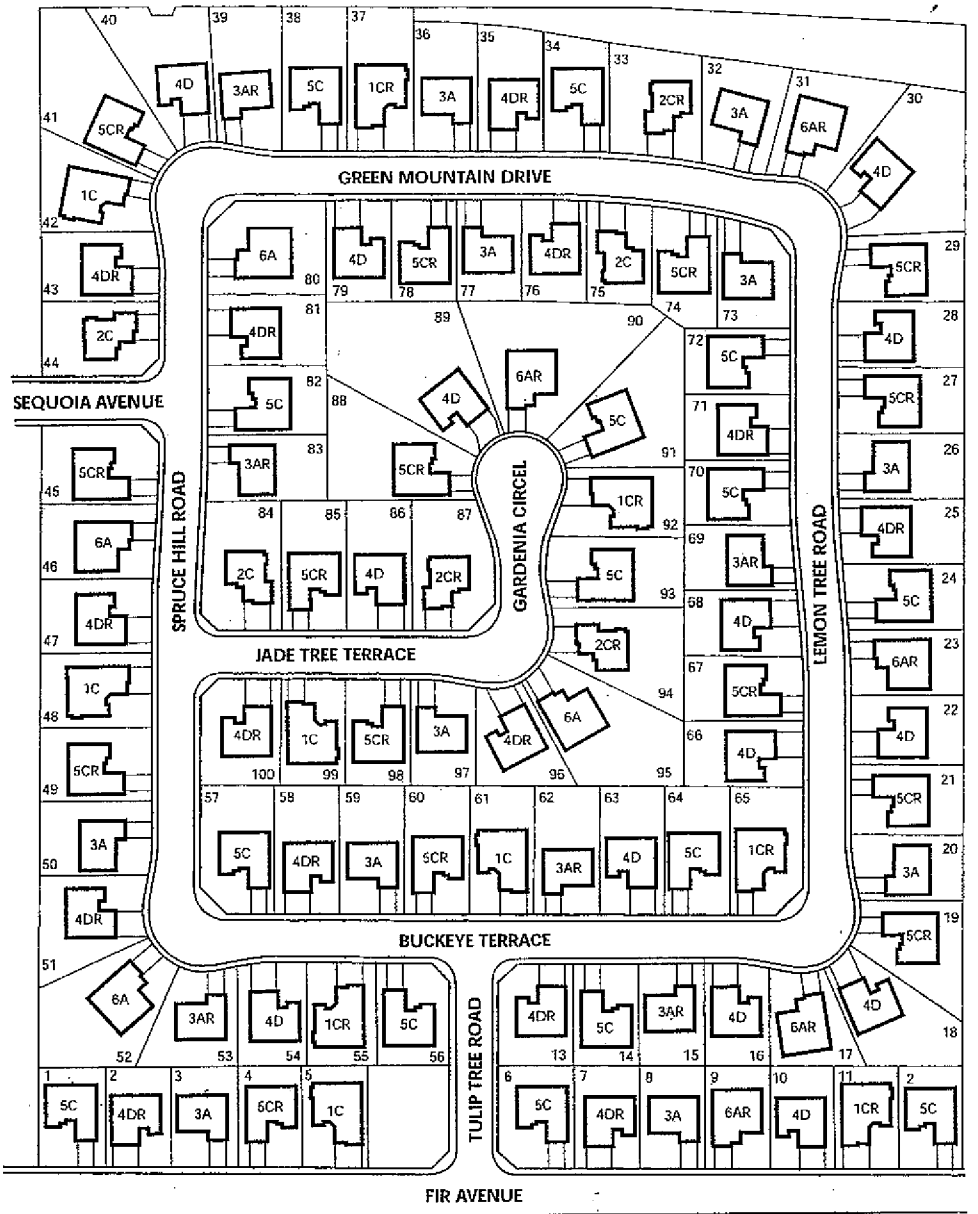

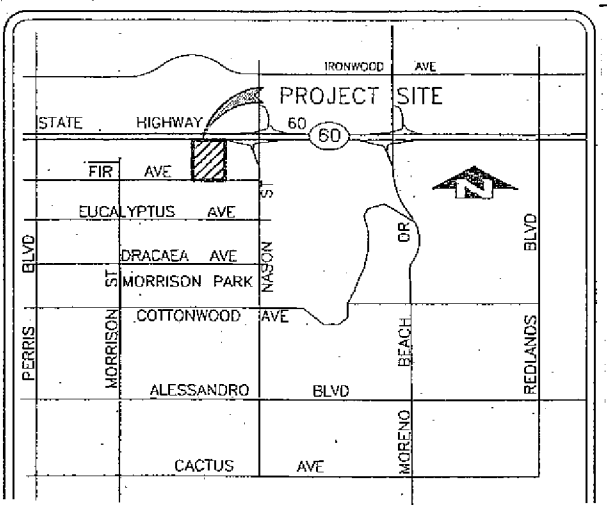

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

Tract 33256
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

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MV00069389

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0215 (TR. 33256)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Valley Oak, LP,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0215** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **THREE MILLION SIX HUNDRED THIRTY SIX THOUSAND AND NO/100** Dollars (*****$3,636,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Valley Oak, LP
1000 Dove Street, Suite 300
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

VALLEY OAK, LP:
Developer

BY: _____
Signature

NELSON CHUNG
Print/Type Name

MANAGER
Title

BY: _____
Signature

CHRISTINE CHUNG
Print/Type Name

CFO
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boiler - Agreement.doc

ACKNOWLEDGMENT

State of California
County of Orange)

On April 7, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG AND CHRISTINE CHUNG,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00069393

EXHIBIT "A"

ENGINEER'S ESTIMATE

DATE: 03/18/10

PROJECT: Tract 33256

PREPARED BY: Liz Plazola

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	151515	S.F.	5492	Ton	16.00	87,879
A.C.	0.3	Thickness (ft.)				
	151515	S.F.	3295	Ton	43.50	143,352
A.B. Class II	0.5	Thickness (ft.)				
	5781	S.F.	210	Ton	16.00	3,353
A.C.	0.35	Thickness (ft.)				
	5781	S.F.	147	Ton	43.50	6,381
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			139	Ton	43.50	6,047
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			8528	L.F.	12.00	102,336
Curb and Gutter - 8"			0	L.F.	13.00	0
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			819	S.F.	11.00	9,009
Sidewalk			45100	S.F.	4.00	180,400
Driveway Approach - 6"			14000	S.F.	5.50	77,000
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			642	S.Y.	1.10	706
Redwood Header			0	L.F.	4.00	0
Sawcut			995	L.F.	1.10	1,095
Trench Repaving			0	S.F.	5.00	0
Utility Trench			0	L.F.	5.00	0
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			9	EA.	425.00	3,825
Stop Sign			4	EA.	200.00	800
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			33	EA.	200.00	6,600
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			1	L.S.	–	4,625
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			4210	L.F.	45.00	189,450
Walls - Retaining: 6' Maximum			1814	L.F.	70.00	126,980
Landscaping			0	S.F.	5.00	0
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			27	EA.	3,000.00	81,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Erosion Control			28	Ac.	5,500.00	154,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure			99	EA.	1,750.00	173,250
Electrical Utility Line Extension			1	L.F.	110.00	
					SUBTOTAL:	1,373,287

Monuments: 115 X 65.00 EA. $7,475

Item No. A.17

MV00069394

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	67	L.F.	95.00	6,365
30" Reinforced Concrete Pipe	1036	L.F.	110.00	113,960
36" Reinforced Concrete Pipe	2244	L.F.	125.00	280,500
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	8	EA.	5000.00	40,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	3	EA.	6500.00	19,500
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	1	EA.	1600.00	1,600
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	4	EA.	1500.00	6,000
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	1	EA.	3500.00	3,500
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	1	EA.	5000.00	5,000
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
"V" Gutter	0	S.F.	4.00	0
Basin Gravel Pit	1	EA.	3000.00	3,000
			SUBTOTAL:	484,005

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	1768	L.F.	90.00	159,120
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	807	L.F.	60.00	48,420
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	3258	L.F.	50.00	162,900
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
18" Gate Valve	2	EA.	3,600.00	7,200
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	6	EA.	1,000.00	6,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	16	EA.	2,000.00	32,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	14	EA.	200.00	2,800
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	2	EA.	1,800.00	3,600
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	4	EA.	2,000.00	8,000
Air Vac & Release 1"	5	EA.	1,800.00	9,000
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	101	EA.	350.00	35,350
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	2	EA.	650.00	1,300
			SUBTOTAL:	475,690

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	4785	L.F.	32.00	153,120
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	3130	L.F.	24.00	75,120
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	17	EA.	2,000.00	34,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	1	EA.	1,000.00	1,000
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	1	EA.	400.00	400
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	100	EA.	600.00	60,000
Clean Out Lateral	0	EA.	90.00	0
Wyes	100	EA.	90.00	9,000
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	3435	L.F.	0.50	1,718
Trench Paving	0	S.F.	5.00	0
Backflow Preventors	52	EA.	350.00	18,200
			SUBTOTAL:	352,558

MW 3/18/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 33256**

DATE: **03/18/10**
PREPARED BY: **Liz Plazola**

IMPROVEMENT TYPE:

ROADWORK	:	$1,373,287
STORM DRAIN	:	$484,005
WATER SYSTEM	:	$475,690
SEWER SYSTEM	:	$352,558
SURVEY MONUMENTS	:	$7,475
TOTAL COST OF IMPROVEMENTS:		$2,693,015
35% CONTINGENCY		$942,555
GRAND TOTAL:		$3,635,570

BOND AMOUNT: **$3,636,000**

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MV00069399

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $ 3,636,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium $54,540.00

Surety WESTERN INSURANCE COMPANY A-(N) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to Tract # 33256 which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and WESTERN INSURANCE COMPANY, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of Three Million Six Hundred Thirty Six Thousand and NO/100********** Dollars (**$3,636,000.00** lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By:PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S): By

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(N)CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT

Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORMS-FP-PUB.DOC (12/96)

RISK MANAGEMENT
Approved

By Date 6/7/10

Item No. A.17

MV00069401

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NNA1 REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014 NNA1

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00069403

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330919

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day in March, 2010.

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded in Washoe County No: 05-104403-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May, 2010.

Carol B. Ingalls
Secretary

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY A-(N) CA who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary *Shannon Mussetter, Notary Public*

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2011

(Affix seal in the above blank space)

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MV00069407

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $ 1,818,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium N/A

Surety WESTERN INSURANCE COMPANY A-(V) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership **(hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to** Tract # 33256 **, which agreement is hereby referred to and made a part hereof; and,**

WHEREAS, *under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient* payment bond with the City of Moreno Valley to *secure the claims* to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of One Million Eight Hundred Eighteen Thousand and NO/100******* **Dollars (****$1,818,000.00** **), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.**

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, *companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4* of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By: PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S):

By:

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V) CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alonz 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORM\B-ML-PUB.DOC (12/96)

MV00069409

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI, A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330920

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

SEAL 1994

(Signed) By _____ President

(Signed) By _____ Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day of March, 2010.

PATRICIA A. LETSON
Notary Public - State of Nevada
Appointment Recorded In Washoe County
No: 06-104433-2 - Expires March 31, 2010

(Signed) _____
Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May 2010.

_____ Secretary

SEAL 1994

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2

Signature of Notary *Shannon Mussetter, Notary Public*

(Affix seal in the above blank space)

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MV00069415

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: Approval of Resolution and First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Governments (WRCOG) to expand the program to permit funding for water conservation improvements.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

BACKGROUND

On December 8, 2009 the Energy Efficiency and Water Conservation Program ("AB 811 Program") and Implementation Agreement was presented to the City Council by the Public Works Department and approved.

DISCUSSION

The AB 811 Program goal is to offer low interest loans to 13,500 residential and commercial properties in Western Riverside County to install energy efficient projects, such as solar panels, heating and air conditioning systems, lighting control systems, windows, and pool equipment. These loans would be paid back through voluntary contractual annual assessments between WRCOG and property owners within a specified amount of time. Participation in the AB 811 Program is voluntary.

After the City of Moreno Valley entered into the Implementation Agreement with WRCOG, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 of the AB 811 Program to include the ability to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable pavement.

As of July 2010, WRCOG has not received direct funding for the AB 811 Program. Funding for the program is proposed through bond sales and WRCOG expects that to occur in late fall 2010.

ALTERNATIVES

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and adopt Resolution 2010-70 consenting inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *This will allow the City to participate in the WRCOG administered program with minimal impact upon City operations.*

2. Do not authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and do not adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *If the City does not participate in the WRCOG program, there may be additional administrative oversight required to manage a similar program.*

RECOMMENDATION

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

FISCAL IMPACT

There is no fiscal impact to the City of Moreno Valley

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-70
2. First Amendment to the Implementation Agreement

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, *AICP*
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT MODIFYING ITS CONSENT TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) CONTRACTUAL ASSESSMENT PROGRAM TO CONSENT TO THE ADDITION OF WATER EFFICIENCY IMPROVEMENTS TO THE IMPROVEMENTS AUTHORIZED TO BE FINANCED THROUGH SUCH PROGRAM.

WHEREAS, this City Council of the City of Moreno Valley did, by the adoption of Resolution No. 2009-117 ("Resolution Granting Consent"), grant its consent to the inclusion of all properties in the incorporated area with the City in the Western Riverside Council of Governments ("WRCOG") contractual assessment program (the "Program") to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to their properties; and

WHEREAS, WRCOG is proposing to establish and implement the Program pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"); and

WHEREAS, subsequent to the adoption of the Resolution Granting Consent, AB 474 was enacted into law and amended the Act to add water efficiency improvements to the improvements authorized to be financed through a contractual assessment program; and

WHEREAS, WRCOG has proposed to add water efficiency improvements to the improvements authorized to be financed through the Program; and

WHEREAS, this City Council has determined that the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program would be in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council hereby finds and declares that property in the City's incorporated area will be benefited by the ability to finance the installation of water efficiency improvements to their properties and, therefore, this City Council hereby consents to the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

ATTACHMENT 1

2. Except as provided paragraph 1 above, all other provisions of the Resolution Granting Consent shall remain in full force and effect.

3. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the WRCOG Executive Committee.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Government (WRCOG) to expand the program to permit funding for water conservation improvements.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

FIRST AMENDMENT TO IMPLEMENTATION AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND THE CITY OF MORENO VALLEY TO IMPLEMENT AB 811

This First Amendment to Implementation Agreement ("First Amendment") is entered into as of July 13, 2010 between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG"), a joint powers authority formed under Government Code sections 6500 et seq., and City of Moreno Valley ("Member Agency"), a public agency formed under the laws of the State of California. WRCOG and the Member Agency are sometimes collectively referred to in this Agreement as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, WRCOG and Member Agency entered into that certain "Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to Implement AB 811" (the "Implementation Agreement"); and

WHEREAS, pursuant to the Implementation Agreement, the Parties agreed that WRCOG will undertake proceedings pursuant to the provisions of Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.12) ("Chapter 29") to establish the Program (as defined in the Implementation Agreement) to make contractual assessment financing available to eligible property owners within the jurisdictional boundary of Member Agency to finance installation of distributed generation renewable energy sources or energy efficiency improvements; and

WHEREAS, subsequent to the Parties entering into the Implementation Agreement, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 to authorize Chapter 29 to be used to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable payment; and

WHEREAS, the Parties desire to amend the Implementation Agreement as permitted pursuant to Section 11.9 thereof to enable WRCOG to finance the purchase and installation of such water efficiency improvements as a part of and pursuant to the Program; and

WHEREAS, the Executive Committee has authorized Member Agency to enter into this Agreement.

NOW, THEREFORE, the Parties hereby understand and agree as follows:

AGREEMENT

Section 1: **<u>Amendment to the Implementation Agreement.</u>**

Section 2 of the Implementation Agreement is amended to read as follows:

ATTACHMENT 2

"**Section 2:** **Establishing Eligible Improvements.**

WRCOG shall identify the kinds of public works, distributed generation renewable energy sources, or energy or water efficiency improvements that may be financed ("Eligible Improvements") under the Program."

Section 2: **Effect of this First Amendment on the Other Terms and Provisions of the Implementation Agreement.**

All terms and provisions of the Agreement shall remain in full force and legal effect except as expressly modified by the provisions of this First Amendment.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this First Amendment to be in effect as of the date last signed below.

By: _____ Date: _____
Executive Committee Chair
Western Riverside Council of Governments

By: _____ Date: _____
Mayor
City of Moreno Valley

By: _____ Date: _____
Legal Counsel

MV00069423

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH OF IRONWOOD AVENUE BETWEEN KITCHNG STREET AND TUSCOLA STREET

DEVELOPER - BEAZER HOMES HOLDINGS CORP.
1800 IMPERIAL HWY #200
BREA, CA 92821

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 25, 2003, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31089. The tentative tract map is a proposal to subdivide 15.994 acres into 55 single-family residences.

On April 11, 2006, the City Council for the City of Moreno Valley approved DH Moreno Valley I, LLC agreement and bonds in the amount of $2,413,000 for the Faithful Performance Bond and $1,206,500 for the Material and Labor Bond.

Beazer Homes Holdings Corp. has purchased project PA02-0133 from DH Moreno Valley I, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by approved DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

Beazer Homes Holdings Corp. has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to: asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,025,638 and a Material and Labor Bond in the amount of $512,819 issued by Bond Safeguard Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA02-0133 (TR 31089) - Substitution Agree & Bonds.doc

VICINITY MAP (NOT TO SCALE)

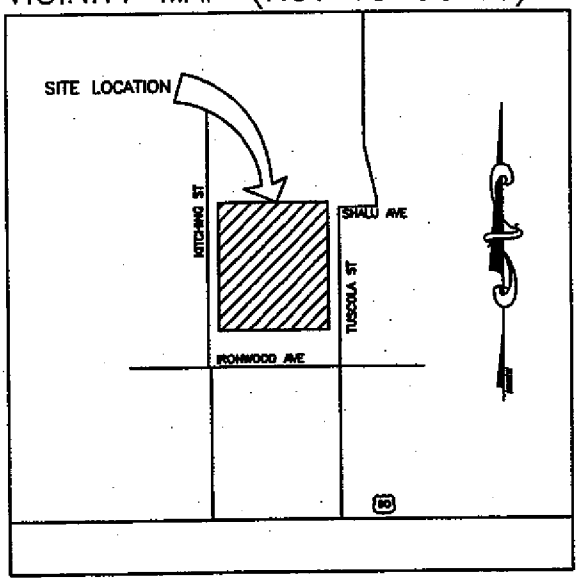

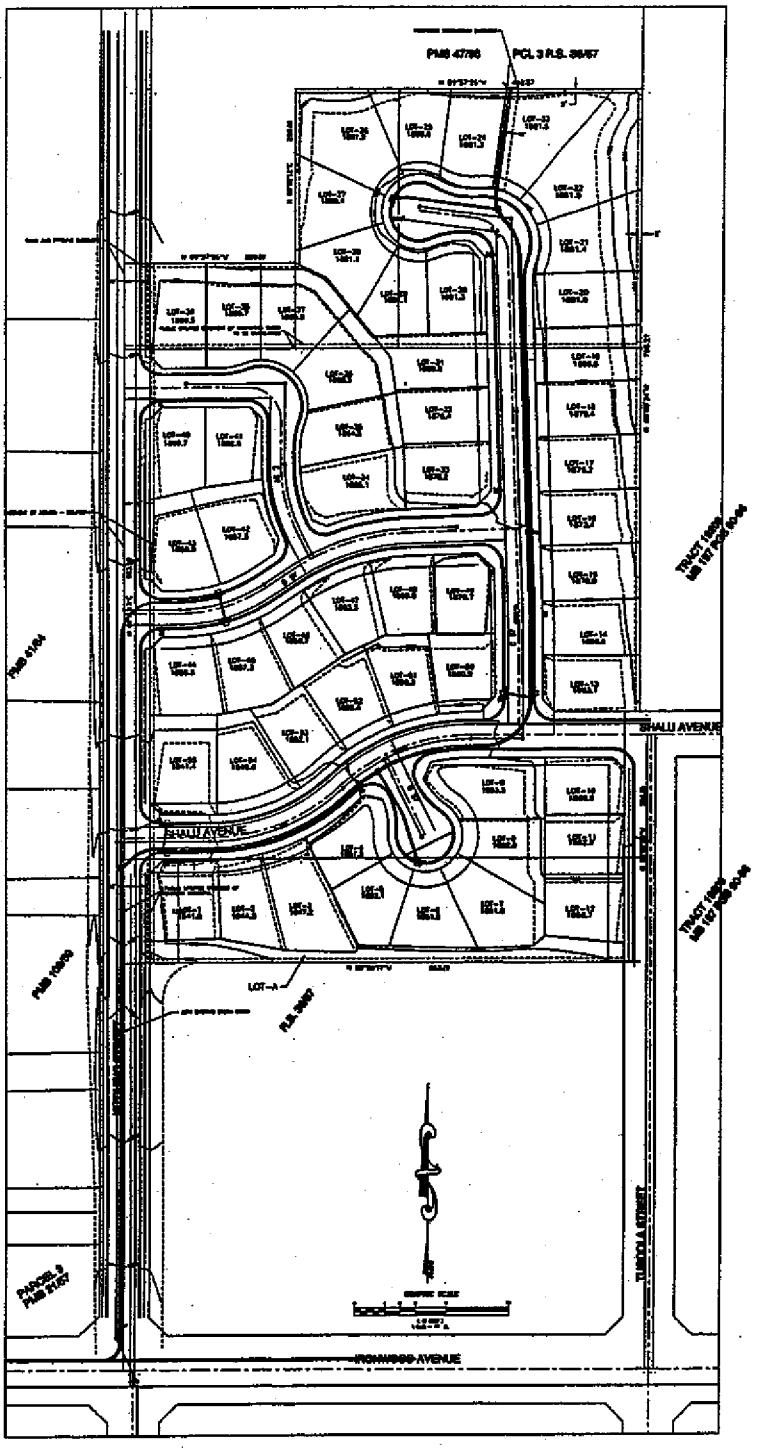

EXHIBIT "A"

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**TRACT 31089** **VICINITY MAP**

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MV00069429

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA02-0133 (TR 31089)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **BEAZER HOMES HOLDING CORP.,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA02-0133 (TR31089)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Beazer Homes Holding Corp.
1800 Imperial Hwy #200
Brea, CA 92821

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

BEAZER HOMES HOLDING CORP.:
Developer

BY: _____
Signature

Darius Fatakia, P.E.
Vice President-Development
Orange Division
Print/Type Name

_____
Title

BY: _____
Signature

Bryan Bergeron
Development Manager
Orange Division
Print/Type

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On May 6, 2010 (Date) before me, Triesha K. Villalta, Notary Public (Here Insert Name and Title of the Officer)
personally appeared Darius Fatakia and Bryan Bergeron, (Name(s) of Signer(s))

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same ~~in his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Triesha K Villalta
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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MV00069433

PA02-0133 (Tract 31089) Estimate of Remaining Improvements

A.C.- Street 1	$38,520
A.C.- Street 2	$113,476
Saw cut (100 LF x 1.50 unit price)	$150
Adjust M.H. to Grade (8 x 800 unit price)	$6,400
Curb and Gutter - 6" (100 LF x 22 unit price)	$2,200
Driveway Approach - 6" (3432 SF x 14.00 unit price)	$48,048
Landscaping (7400 SF x 6 unit price)	$44,400
Erosion Control	$87,450
1" Service Water Connections (27 x 500 unit price)	$13,500
Sub-total	$354,144
Hard Cost Contingency (20%)	$70,829
Soft Cost Contingency (45%)	$159,365
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$241,300
Total	**$1,025,638**
Original bond amount	$2,413,000

Note:
If you have any questions, please call Liz Plazola at 951.413.3110

4/28/10
Mark W. Sambito, P.E.
Engineering Division Manager

5/6/10
Beazer Homes Holding Corp. Representative

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MV00069435

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $1,025,638

Project No. PA02-0133 (TR 31089)

Bond No. 5037572

Premium $30,769

Surety Bond Safeguard Insurance Company A-(V)CA

Principal Beazer Homes Holdings Corp.

Address 900 S. Frontage Road - Suite 250

Address 1800 Imperial Highway, Suite 200

City/Zip Woodridge, IL 60517

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Bond Safeguard Insurance Company A-(V)CA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By

Name — Darius Fatakia, P.E. — Vice President-Development Orange Division — Title

Name — Bryan Bergeron — Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(XV)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

RISK MANAGEMENT
Approved

Date: _____

By — Date 6-17-10

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Darios Fatakia and Brijan Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K Villalta
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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POWER OF ATTORNEY AO 30578

Bond Safeguard INSURANCE COMPANY A-(v) CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

Donald D. Buchanan
Secretary

Item No. A.19

MV00069439

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00069441

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $512,819.00

Bond No. 5037572

Surety Bond Safeguard Insurance Company A-(V)CA

Address 900 S. Frontage Road - Suite 250

City/Zip Woodridge, IL 60517

Project No. PA02-0133 (TR 31089)

Premium N/A

Principal Beazer Homes Holdings Corp.

Address 1800 Imperial Highway, Suite 200

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **FIVE HUNDRED TWELVE THOUSAND EIGHT HUNDRED NINETEEN AND NO/100** Dollars (*****$512,819.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Darius Fatakia, P.E. Vice President-Development Orange Division — Title

Name — Bryan Bergeron Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alon 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Material Labor Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darius Fatakia and Brian Bergeron (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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AO 30578

POWER OF ATTORNEY

Bond Safeguard INSURANCE COMPANY A-(V)CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

Item No. A.19

MV00069445

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00069447

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RSA
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP"

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

BACKGROUND

The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison and Southern California Gas Company under the auspices of the California Public Utilities Commission. The City of Moreno Valley has participated in the Partnership since 2002. During the most recent Program Cycle, from 2006-2008, the City achieved energy savings of over 710,000 kWh and over 11,000 therms. This amounts to an annual energy cost savings of $116,000 to the Moreno Valley community. Cost effective energy efficiency is the resource of first choice for meeting California's energy needs. Energy efficiency is the least cost, most reliable, and most environmentally sensitive resource, and minimizes our contribution to climate change according to the 2005 CPUC and CEC's Energy Action Plan.

DISCUSSION

The approval of this resolution will allow the City's continued participation in the 2010-2012 Program. Three core initiatives, common to all local government partnerships with SCE and SCG, support the 2010-2012 program as follows:

- Implementation of energy efficiency projects within municipal facilities
- Support activities and policies in alignment with long-term energy efficiency goals of California
- Utility program marketing, education and outreach to the community

The mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

For the past 18 years, The Energy Coalition has been building a model now known as the Community Energy Partnership. The project initially began in 1992 with one city. Later, the Coalition managed an extensive process of community organizing and has evolved into the Community Energy Partnership which consists of seven Southern California cities, the Cities of Corona, Irvine, Santa Monica, Moreno Valley, San Bernardino, Brea, and Santa Clarita.

The City's commitment to this project will be to provide minimal "in-kind" services, i.e., a staff liaison working with The Energy Coalition and facilitating introductions and meetings with key institutions such as community groups.

Staff continues to maintain a strong relationship with The Energy Coalition to identify potential projects where energy-efficiency programs and energy-efficient products are needed and where there are specific opportunities in the City.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The approval of the resolution will benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

2. Do not adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The City would not benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

FISCAL IMPACT

There is no direct fiscal impact. No membership fee or annual dues are required to enter into the Community Energy Partnership, and there are no required fees or dues associated with the Energy Coalition. The Community Energy Partnership's effort is funded through Public Goods Charges collected from customers of both the Southern California Edison Company and the Southern California Gas Company. The California Public Utilities Commission manages the collection of Public Goods Funds and awards the funding to organizations such as the Energy Coalition.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By: Department Head Approval:

Michelle Pierce
Electric Utility Project Coordinator

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010–71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP", AN ENERGY EFFICIENCY PROGRAM AMONG SOUTHERN CALIFORNIA CITIES, WITH THE ENERGY COALITION, A CALIFORNIA NON-PROFIT CORPORATION, SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA GAS COMPANY.

WHEREAS, The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison ("SCE") and Southern California Gas Company ("SCG") under the auspices of the California Public Utilities Commission (the "CPUC"); and

WHEREAS, on October 1, 2009, the CPUC in D.09-09-047 authorized certain energy efficiency programs and budgets which include SCE programs and SCG programs to be delivered to California utility customers for the years 2010 through 2012; including the 2010-2012 Community Energy Partnership Program (the "Program"); and

WHEREAS, the City of Moreno Valley (the "City") had previously participated in the 2006-08 Community Energy Partnership Program; and

WHEREAS, the City has entered into the Program, with The Energy Coalition and its implementing partners – SCE and SCG, and the Partner Cities of Brea, Corona, Irvine, Moreno Valley, San Bernardino, Santa Clarita and Santa Monica - having been nominated by the implementing partners to continue its participation in the Program; and

WHEREAS, the mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

WHEREAS, The Energy Coalition, SCE and SCG have demonstrated their ability to work with Southern California municipalities, and with the City since 2002, to successfully implement energy efficiency programs and achieve energy savings for the participating cities and their communities; and

WHEREAS, The Energy Coalition, as facilitating partner in the Community Energy Partnership, bears primary responsibility for project management, performance tracking and implementation of energy efficiency programs and services to populations of the City; and

Attachment 1

WHEREAS, All projects in the City will be coordinated through an appointed City staff liaison to ensure that proposed projects meet the City's intended energy efficiency goals and target City residents, schools and businesses; and

WHEREAS, the City enters into this Resolution with the sole obligations listed therein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City will participate in the Program with The Energy Coalition, SCE and SCG to implement the Program in the City for the 2010-12 program cycle.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00069455

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO. 06-50182725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On February 24, 2009, the City Council awarded a construction contract in the amount of $2,909,811.50 to Wheeler Paving, for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements. Two (2) Purchase Orders for a combined amount of $3,491,773.80, inclusive of a 20% contingency, were issued to the Contractor.

DISCUSSION

The Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard improved one-mile long roadway segment to its General Plan width of four (4) travel lanes and turning lanes at key intersections. The work included roadway and rock excavation, curb and gutter and AC pavement for the widened easterly half of the street and construction of a storm drain along Lasselle Street between Cactus Avenue and Alessandro Boulevard. Three traffic signals were upgraded at the John F. Kennedy Drive, Cactus Avenue and Alessandro Boulevard intersections with Lasselle Street, complete with signal interconnect system.

There were two (2) Contract Change Orders for this project. Contract Change Order No. 1 increased the contract total by $214,822.90. Contract Change Order 2 (FINAL) increased the contract total by $10,815.77. The final contract total cost was $3,135,450.26, which did not exceed the $3,491,773.80 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

The project is included in Fiscal Year 2009/2010 Capital Improvement Project Budget. The project construction is funded by $1,058,143 of 2005 Lease Revenue Bonds (Fund 501) and $2,757,886 of Transportation Uniform Mitigation Fee Program (Fund 415). The funding for this project is restricted for transportation projects and cannot be utilized for other activities. There is no impact to the General Fund.

AVAILABLE BUDGET:

Fiscal Year 2009/2010 Budget (Account No. 501.82725)	$1,058,143
Fiscal Year 2009/2010 Budget (Account No. 415.72927)	$2,757,886
Total Fiscal Year 2009/2010 Budget	$3,816,029

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	$3,136,000
Consultant Construction Design Support Services	$60,000
Consultant Construction Geo-technical Services	$105,000
Consultant Construction Survey Services	$80,000
City Inspection, Project Management and Misc. Administration Costs	$266,000
Total Final Construction Related Costs	$3,647,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Wheeler Paving has completed the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Wheeler Paving, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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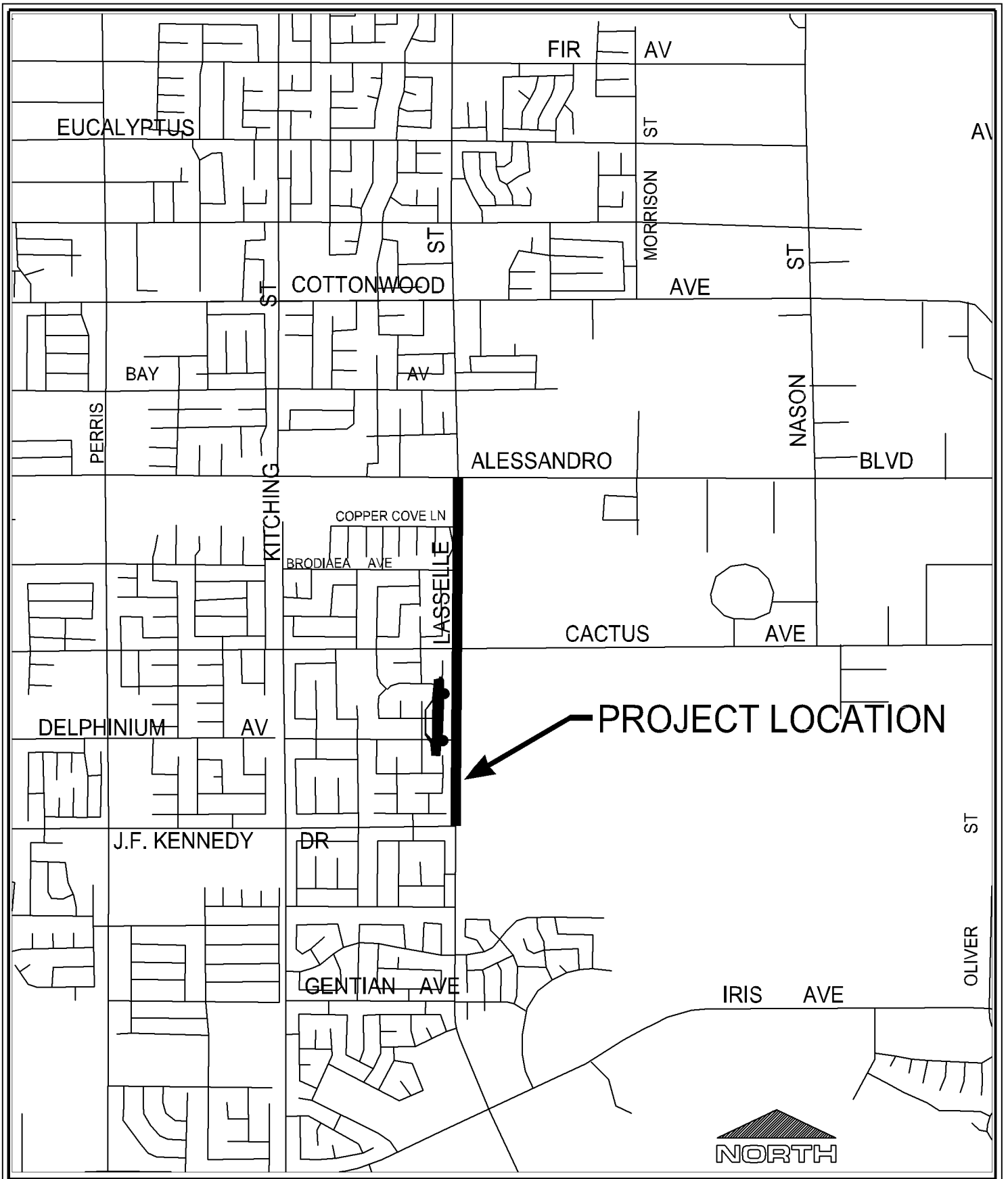

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

LASSELLE STREET WIDENING
FROM JFK DRIVE TO ALESSANDRO BOULEVARD
PROJECT NUMBER 06-50182725

Item No. A.21

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MV00069461

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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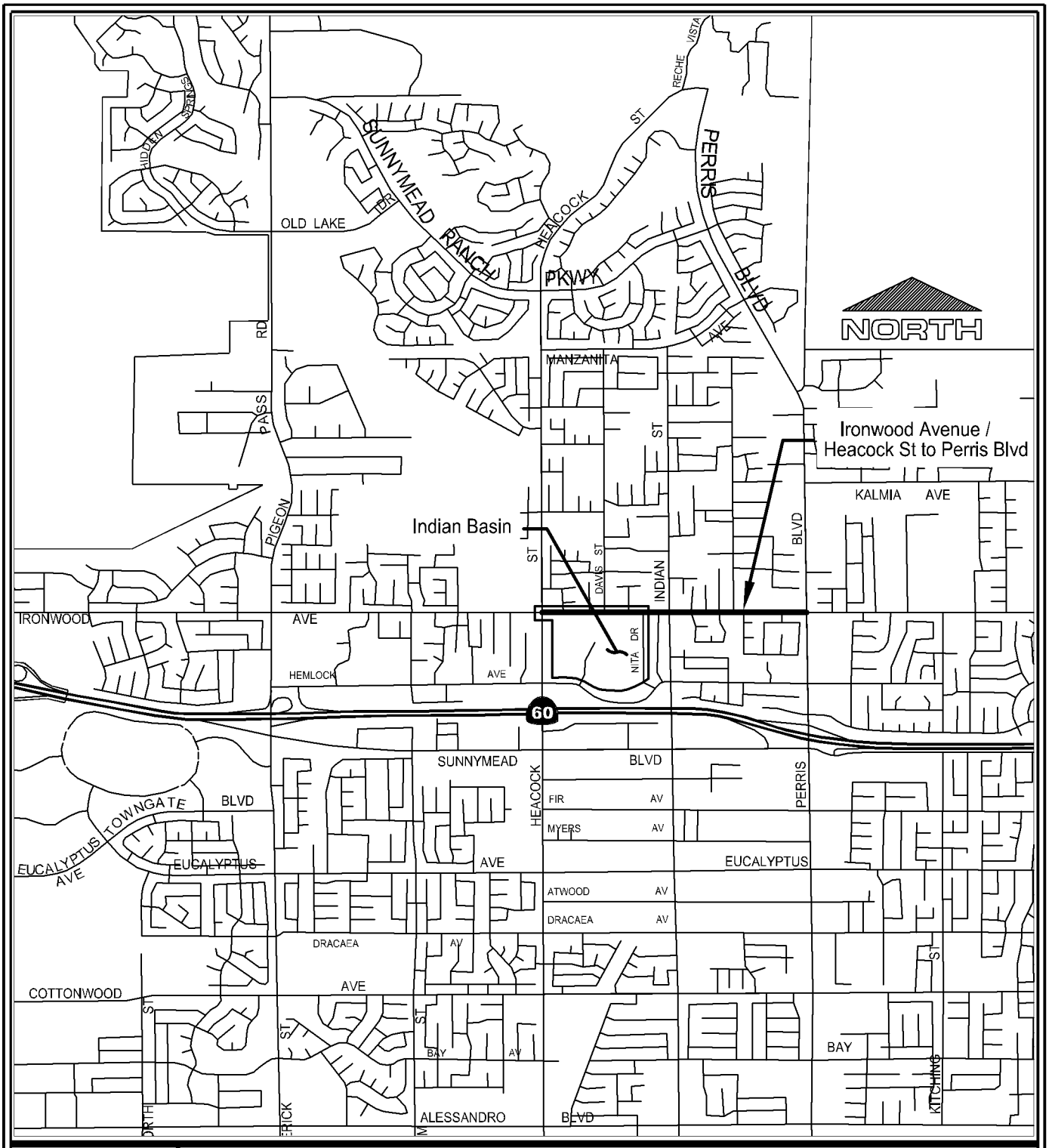

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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MV00069471

Agreement No. _____

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Construction\Contractor\Agreement\Agreement - Indian Basin.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

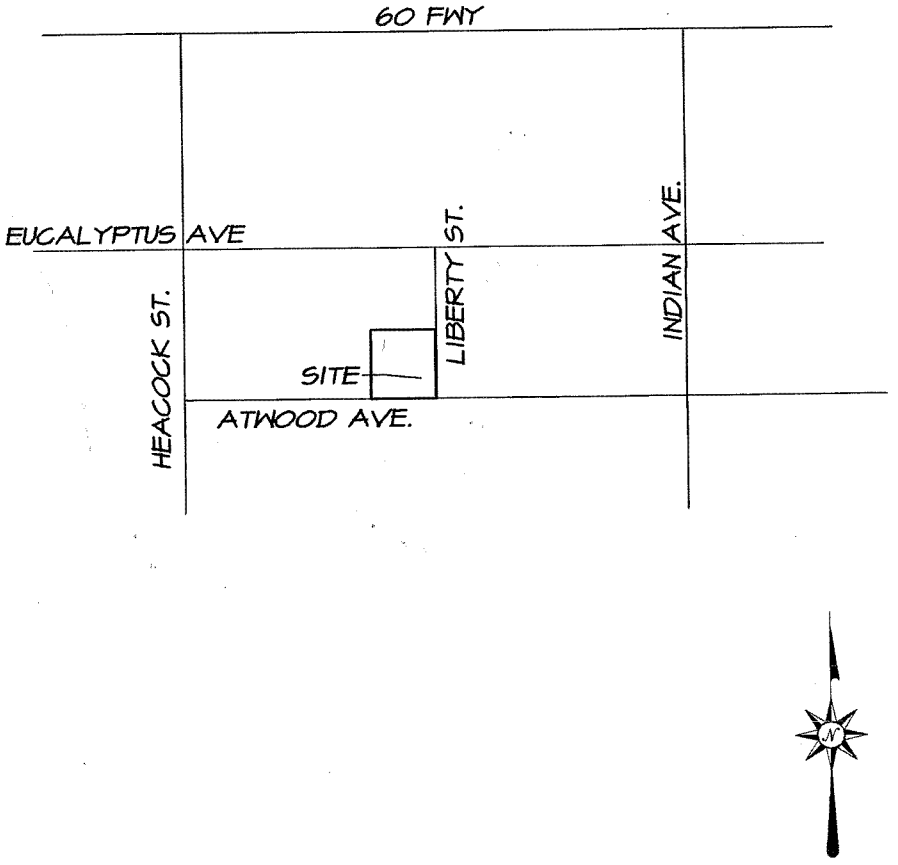

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00069487

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

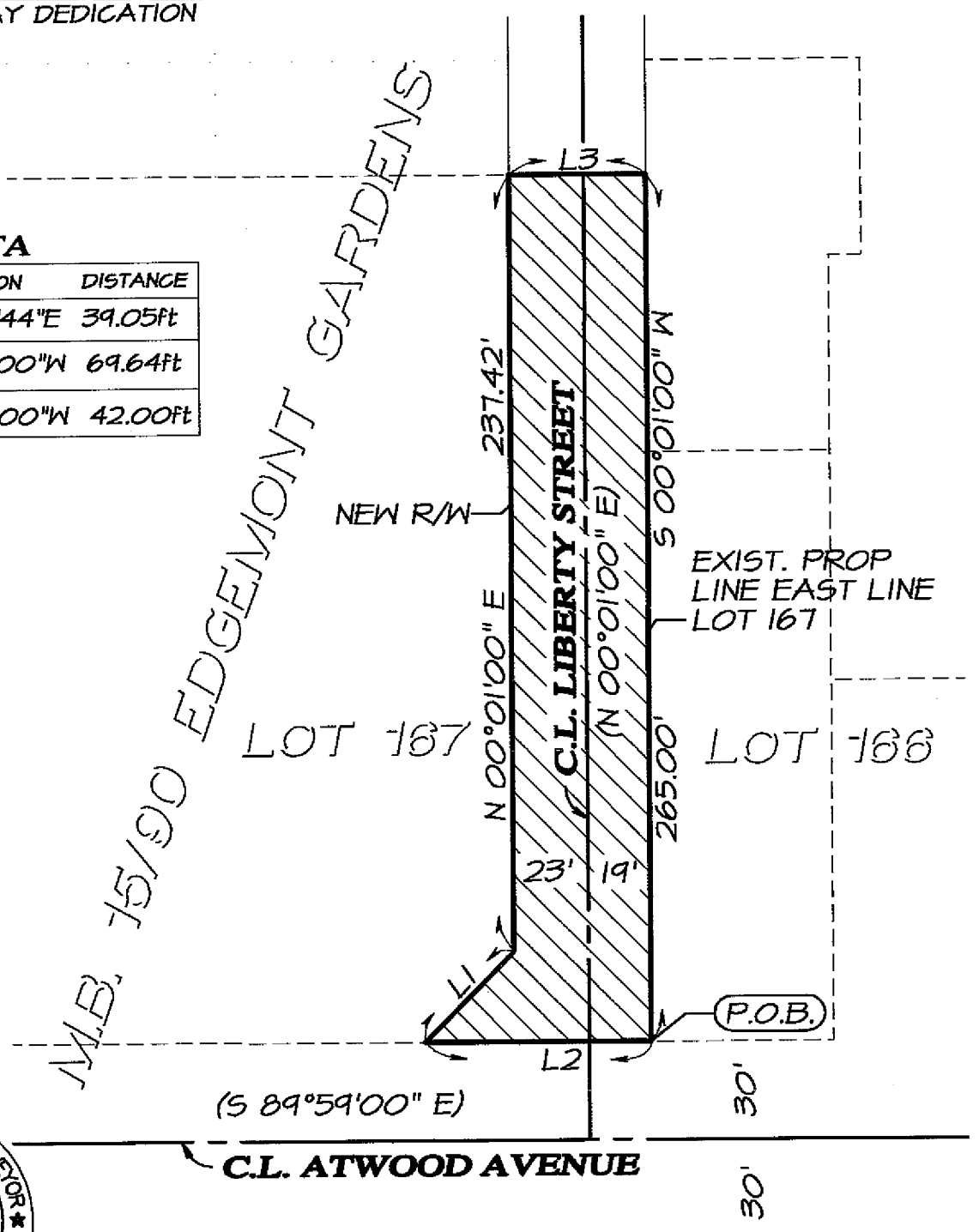

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 2/23/1

SHT. NO. 2 OF 2 SHEET

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MV00069491

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

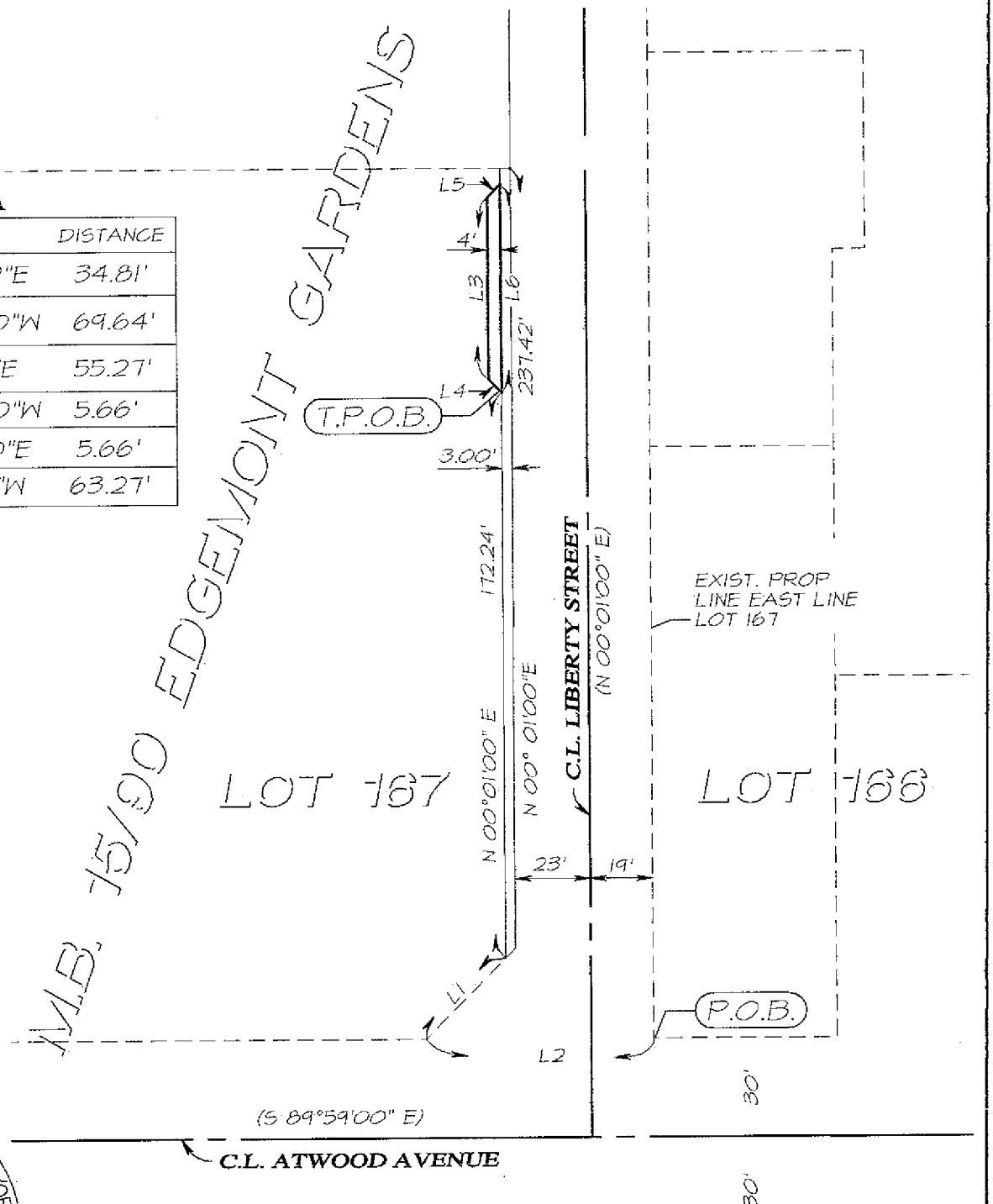

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2
OF 2 SHEET

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MV00069495

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City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

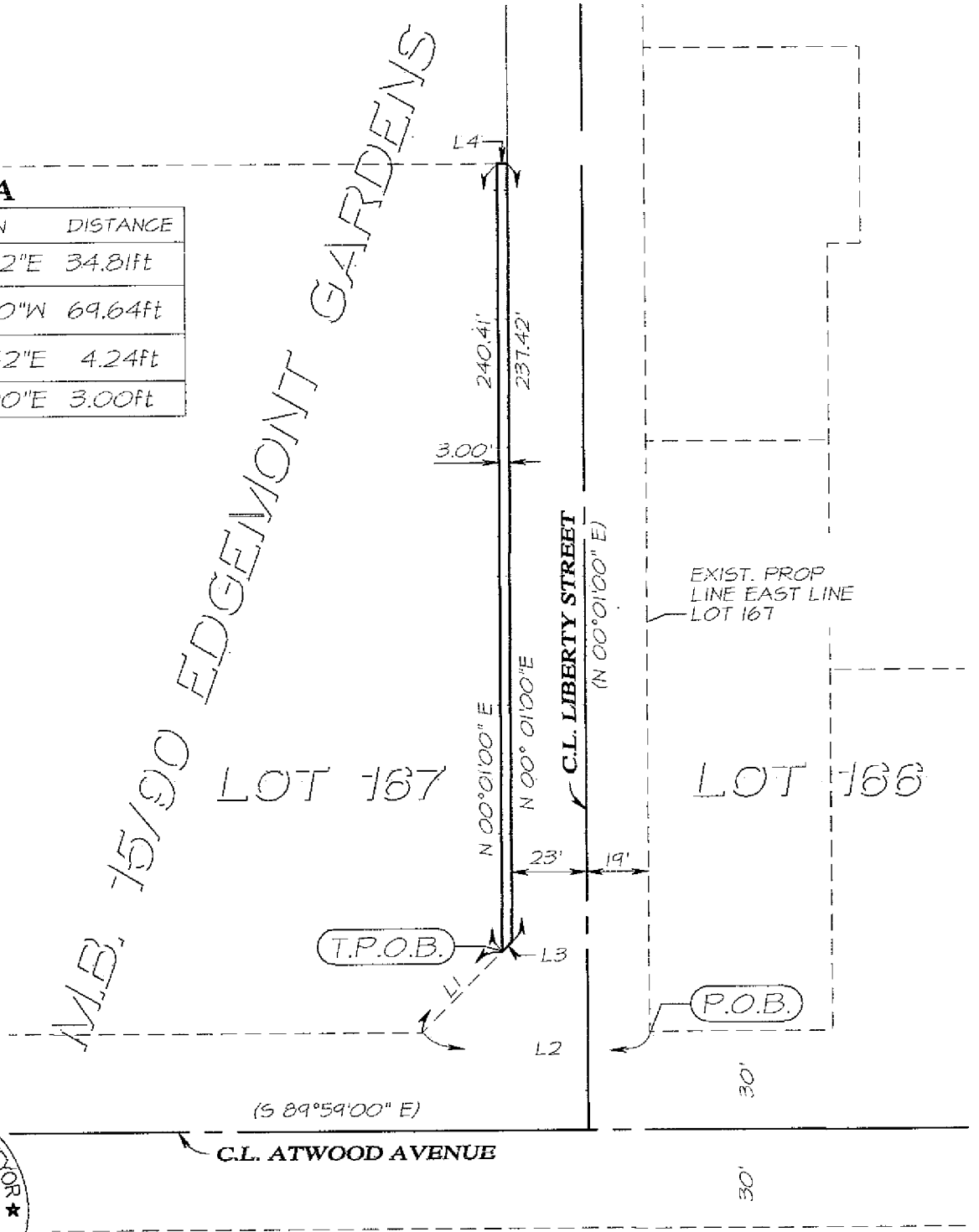

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2
OF 2 SHEET

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MV00069499

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council:

1) Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive,
2) Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV, and
3) Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

BACKGROUND

The City received a Community Development Block Grant - Recovery (CDBG-R) grant for $479,292 under the American Recovery and Reinvestment Act of 2009. The Neighborhood Preservation Division of the Economic Development Department has been tasked with administering the grant. The grant funds are allocated to four activities, plus administration, as follows:

- Employment Creation for Distribution and Manufacturing Business: This activity incentivized Frazee Industries to open a distribution facility in Moreno Valley, creating the required employment for low-to-moderate income persons. Frazee's employee recruitment is underway.

- Employment Creation for Vacant Restaurant Reuse: Incentivizes the attraction of a new restaurateur to a vacant Moreno Valley restaurant facility in exchange for creation of employment for low-to-moderate income persons. Economic Development is actively working with a qualified restaurateur for this funding allocation.
- Utility – Infrastructure Improvement Project: This activity funds the installation of new, environmentally conscious / energy effective utilities. The $107,841 CDBG-R grant activity funded installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center. This project was originally funded by the 2007 Lease Revenue Bonds. On December 8, 2009, the City Council awarded the contract for installing four utility line extensions, including the work on Elsworth Street, and construction has been completed.
- Economic Incentive for a Green Business: On November 23, 2009, the City Council approved a participation agreement and committed $107,000 to MVP EV, Inc. to defray the cost of installing on-site electricity connections so that the MVP EV facility can take electric service from Moreno Valley Utility in exchange for qualified employment creation.

The CDBG-R grant regulations require full expenditure by September 30, 2012. However, under the direction of the Office of the Vice President, the Department of Housing and Urban Development (HUD) is strongly encouraging grantee agencies to expend the funds much sooner than the expenditure deadline.

Unfortunately, unforeseen delays in the MVP EV project have prevented the initiation of this business opportunity along with the employment creation and hampered the expedited expenditure of CDBG-R funds for the project's utility connection work. $214,000 of the CDBG-R grant have not yet been spent.

DISCUSSION

At this time, the Economic Development Department seeks City Council approval of the following three funding allocations that will enable the expedited expenditure of CDBG-R funds as well as provide for the future on-site infrastructure connections for MVP EV:

- First, Economic Development proposes to fund the approved CDBG-R allocation for the off-site utility line extension on Elsworth Street immediately.
- Next, staff proposes the reallocation of the CDBG-R funds for the MVP EV Participation Agreement back to an undesignated status for future use consistent with CDBG-R program requirements.
- Finally, staff proposes the appropriation of $107,841 in 2007 Lease Revenue Bond funds originally designated for use on the Elsworth Street utility extension to fund the Participation Agreement with MVP EV at a future date when the facility is ready and the required employee recruitment is completed.

ALTERNATIVES

1. Authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff recommends this alternative.*** *This alternative will fund completed infrastructure, satisfy HUD's expedited expenditure expectations and fund the Participation Agreement with MVP EV.*

2. Decline to authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, decline to return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and decline to appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff does not recommend this alternative.*** *This alternative will extend and delay CDBG-R expenditures, potentially putting the grant funding at risk of recapture by HUD.*

FISCAL IMPACT

The proposed reallocations facilitate timely expenditure of available CDBG-R and 2007 Lease Revenue Bonds.

The extension of the electric line by Moreno Valley Utility provides energy effective utility service to the MVP EV site and to future development along Elsworth Street.

- The funding for the Utility Infrastructure Improvements will come from CDBG-R.

Fund	Business Unit Name	Amount
199	Utility Infrastructure Improvements 19910.6849.001	$107,841

Move $107,841 in total expenditures for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 to the CDBG-R Utility Infrastructure Improvement Project under Acct#199.19910.6849.001.

- The CDBG-R funding will be released from the MVP EV Participation Agreement and will be available to fund another CDBG-R eligible project.

Fund	Business Unit Name	Amount
199	Economic Incentive for Green & Technology Business CDBG-R 19910.6849.002	$107,841

Return the commitment of $ 107,000 for the MVP EV project to an undesignated status.

- The appropriation for the MVP EV Participation Agreement will come from the 2007 Lease Revenue Bonds.

Fund	Business Unit Name	Amount
602	2007 Lease Revenue Bonds 602.61833.7200	$107,841

Appropriate $ 107,841 in total funding for the MVP EV Facility Project under Acct#602.61840.7200.

Reduce the appropriation for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 by $ 107,841.

The proposed fund reallocations have NO impact on the City's General Fund. CDBG-R funding must be used for eligible activities. Funds from the 2007 Lease Revenue Bonds may be used to support on-site electrical utility installation.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

Use of CDBG-R and 2007 Lease Revenue Bond funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

Prepared By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Chris Vogt
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE

SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE

DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST
P.O. BOX 10
RANCHO MIRAGE, CA 92270

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

This segment of Alessandro Boulevard is currently classified as a Divided Arterial according to the Circulation Plan from the City's General Plan. The existing half-street right-of-way on this portion of Alessandro Boulevard is 60 feet (60'). The City's current Standard Plan for a Divided Arterial only requires a half-street right-of-way of 55 feet

(55'). As a condition of approval for project PA09-0043, a five foot (5') street right-of-way vacation is required, along the project frontage. The conditions of approval require 55 feet (55') of the existing 60 feet (60') of right-of-way on the south side of Alessandro Boulevard for public roadway and utility purposes. No public or utility improvements exist within the remaining southerly five (5') of right-of-way along this portion of Alessandro Boulevard. In accordance with the conditions of approval approved by the Planning Commission on March 11, 2010, the developer/owner, Frank & Maria Pozgaj Family Trust has requested a vacation of this portion of Alessandro Boulevard.

DISCUSSION

PA09-0043 is a Tentative Parcel Map 36262. The five foot (5') area to be vacated on the south side of Alessandro Boulevard is located outside of the tentative parcel map boundary and therefore, cannot be vacated on the final parcel map. The five foot (5') area to be vacated must be vacated by separate instrument. The approved project consists of Tentative Parcel Map 36262 (PA09-0043) and a Plot Plan (PA09-0025). The project is for a 4,000 square-foot convenience store, gas station, and car wash. The project property (APN 486-240-009), is located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. Land Development staff has reviewed the property owner's application along with the legal description and plat for the vacation of the aforementioned portion of Alessandro Boulevard. No public improvements exist and no public money was expended for maintenance of said portion of Alessandro Boulevard. This portion of Alessandro Boulevard is unnecessary for present or prospective public use. The local utility companies have been given written notice of the proposed street vacation. No objections have been received from the utility companies. The City Council's approval to vacate said portion of Alessandro Boulevard would abandon the City's right to said portion.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *The said portion of right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

2. Do not approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *This portion of Alessandro Boulevard would remain as right-of-way for public road and utility purposes; however, the right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

FISCAL IMPACT

The developer/owner, Frank & Maria Pozgaj Family Trust has paid the City costs associated with the summary vacation proceedings; therefore, there is no fiscal impact to the City.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the various local utility companies. The public has been notified by publication of agenda.

ATTACHMENTS/EXHIBITS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution
Attachment 3 - Legal Description
Attachment 4 - Plat

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0043 Summary Vacation.doc

RESOLUTION NO. 2010-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE.

WHEREAS, the City Council of the City of Moreno Valley, California, acquired an easement for road and public utility purposes located on the south side of Alessandro Boulevard, west of Moreno Beach Drive; and

WHEREAS, this easement is in excess of that right-of-way required for the existing General Plan classification and said excess is no longer, nor in the future will be, useful for road and public utility easement purposes; and

WHEREAS, no public improvements exist on said portion of right-of-way; and

WHEREAS, no public money was expended for maintenance of said portion of right-of-way,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described is summarily vacated and abandoned:

That portion of Alessandro Boulevard located in the city of Moreno Valley, described as the southernmost five feet (5') of right-of-way on Alessandro Boulevard, north of APN 486-240-009 and north of a portion of Lot 1 in Block 117 per Map No. 1 of Bear Valley and Alessandro Development Company, recorded in Book 11, of Map Books, Page 10, records of the County Recorder's office of San Bernardino County, California described in the attached legal description and illustrated on the plat attached hereto and made a part hereto and marked Exhibits "A" and "B", respectively.

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described portion of Alessandro Boulevard revert to the owner of the underlying fee thereof, free from use as an easement for road and public utility purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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MV00069511

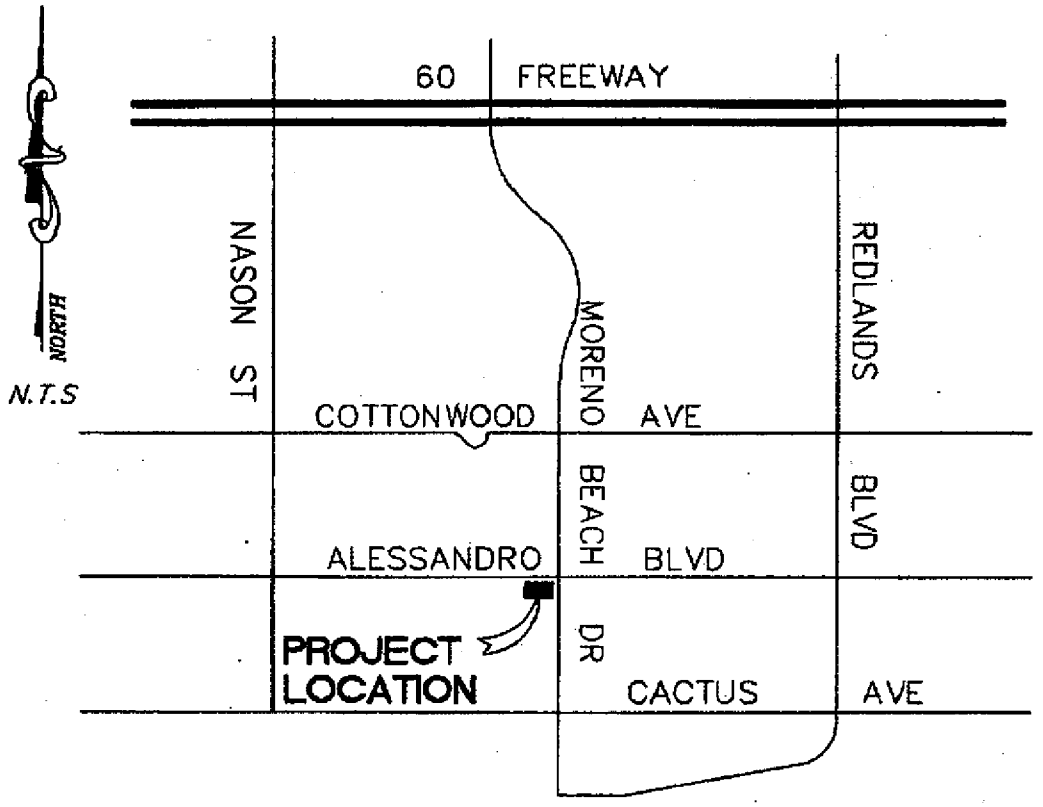

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 2	**PA09-0025/PA09-0043** **VICINITY MAP**

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MV00069513

EXHIBIT "A"
LEGAL DESCRIPTION

ROAD VACATION
ALESSANDRO BOULEVARD

THAT PORTION OF ALESSANDRO BOULEVARD LOCATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 15, T3S, R3W, S.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF LOT 1, IN BLOCK 117, PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY AS SHOWN IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ALESSANDRO BOULEVARD, HAVING A HALF WIDTH OF 60.00 FEET; THENCE NORTH 00°25'39" EAST, A DISTANCE OF 1.00 FEET TO A POINT ON A LINE 1.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 39.99 FEET; THENCE NORTH 45°26'13" EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 5.66 FEET TO A POINT ON A LINE 5.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 71.13 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 70.50 FEET, A RADIAL LINE FROM SAID POINT BEARS SOUTH 00°26'12" WEST; THENCE EASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 17.53 FEET, THROUGH A CENTRAL ANGLE OF 14°15'00" TO THE POINT OF TANGENCY, A RADIAL LINE F ROM SAID POINT BEARS SOUTH 14°41'12" WEST; THENCE SOUTH 75°18'48" EAST, A DIST ANCE OF 11.50 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89°33'48 " WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 143.63 FEET TO THE **POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 498 SQ. FT.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 3

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MV00069515

EXHIBIT "B"
ROAD VACATION

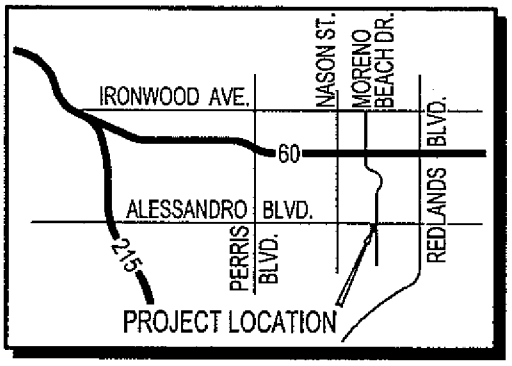

VICINITY MAP
N.T.S.

SCALE: 1"=40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°25'39"E	1.00'
L2	S89°33'48"E	39.99'
L3	N45°26'13"E	5.66'
L4	S89°33'48"E	71.13'

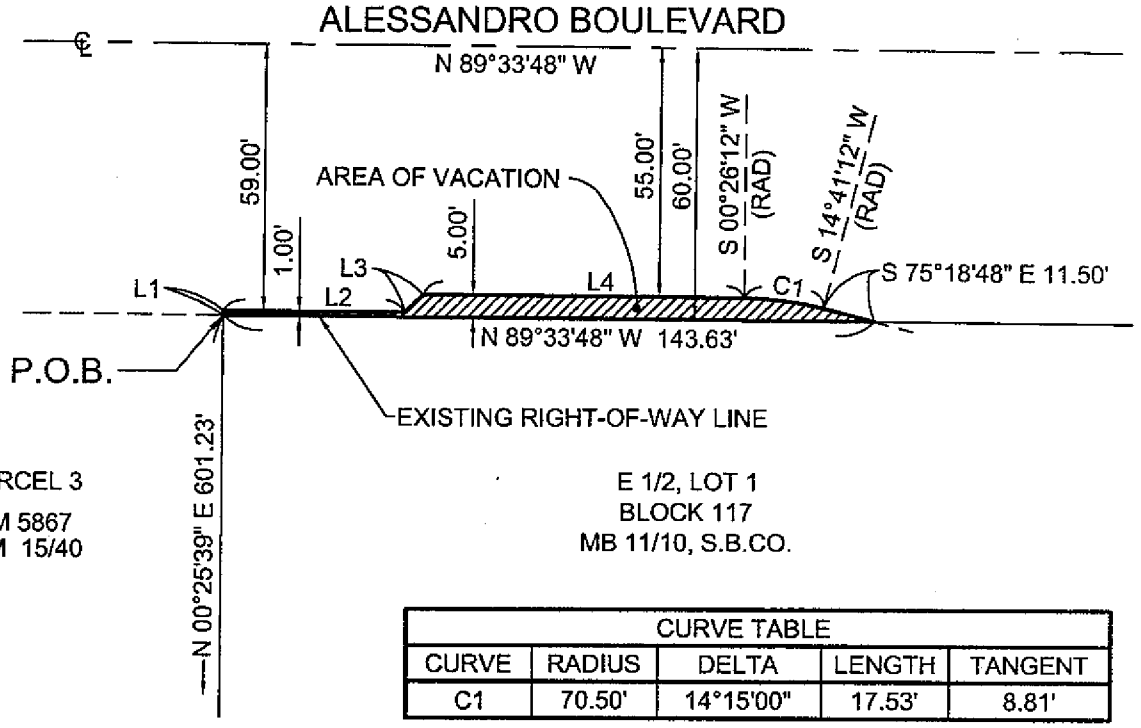

PARCEL 3
PM 5867
P/M 15/40

E 1/2, LOT 1
BLOCK 117
MB 11/10, S.B.CO.

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	70.50'	14°15'00"	17.53'	8.81'

INDICATES VACATION AREA
(± 498 SQ. FT.)

THIS PLAT WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 4

Item No. A.25

MV00069516

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MV00069517

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00069519

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Acceptance of Grant Monies from the California Department of Education, Child Development Services, for Child Care Services and Adoption of the Resolution to Certify the Approval of the Governing Board

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of

kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the “modified traditional” school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City’s policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $747,338 for FY 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds in the amount of $942,800 are in the FY2010-11 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

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MV00069523

RESOLUTION NO. CSD 2010-22

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2010/11.

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2010/11;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desires to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

William Bopf, Interim City Manager _____

Steve Hargis, Acting Director of Financial & Administrative Services

_____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $747,338 per fiscal year to provide child care services for FY 2010/2011;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-0203, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2010/11.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00069527

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00069533

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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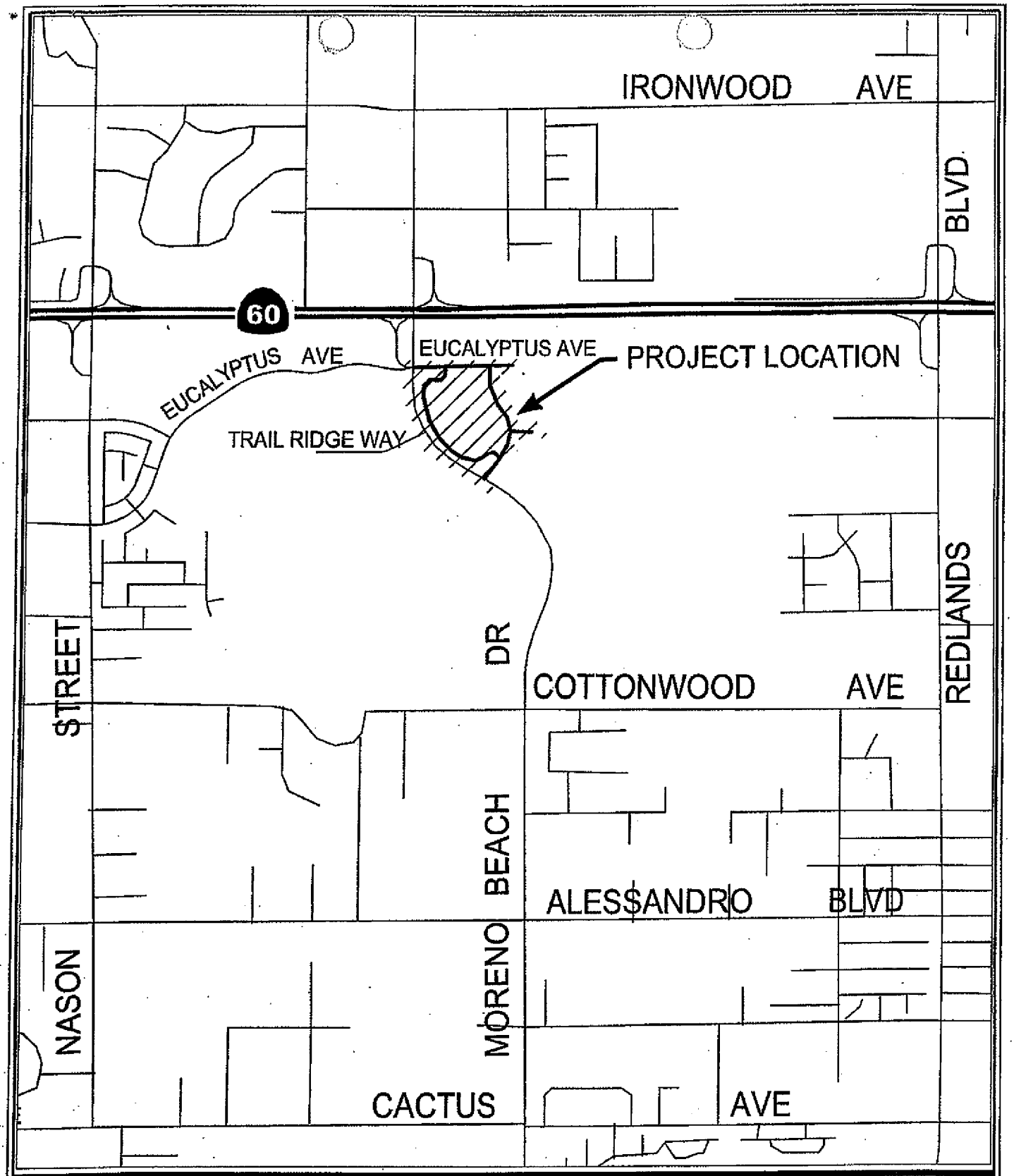

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. C.3

MV00069542

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

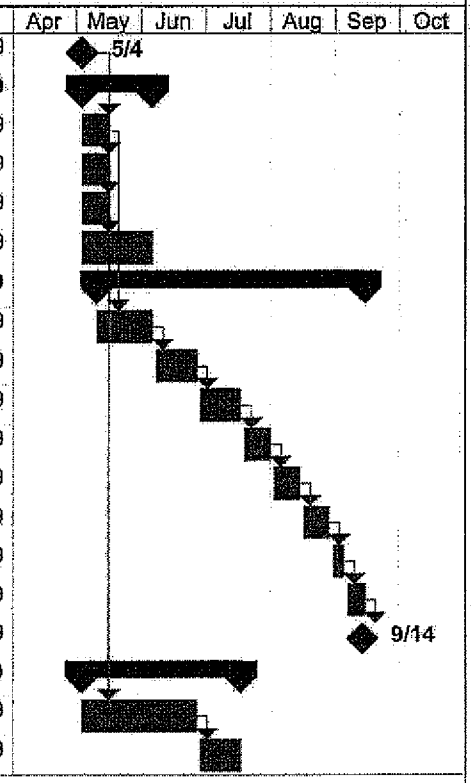

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

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Page 1

Item No. C.3

MV00069558

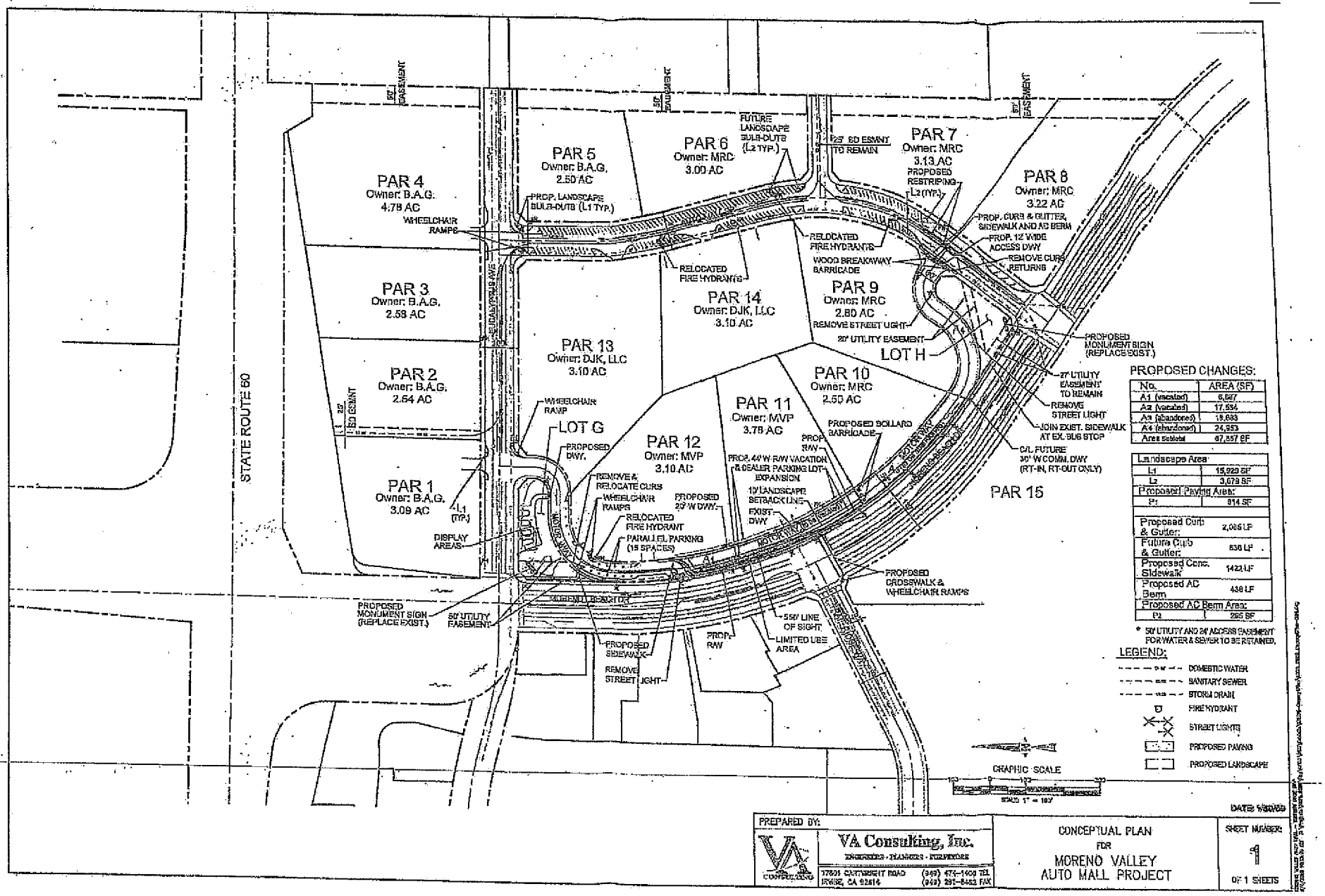
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROP. R/W
PROPOSED SIDEWALK
REMOVE STREET LIGHT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
50' UTILITY EASEMENT
DISPLAY AREAS
PROPOSED DWY.
REMOVE & RELOCATE CURB
PARALLEL PARKING (15 SPACES)
GRAPHIC SCALE
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00069563

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

MV00069564

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MV00069565

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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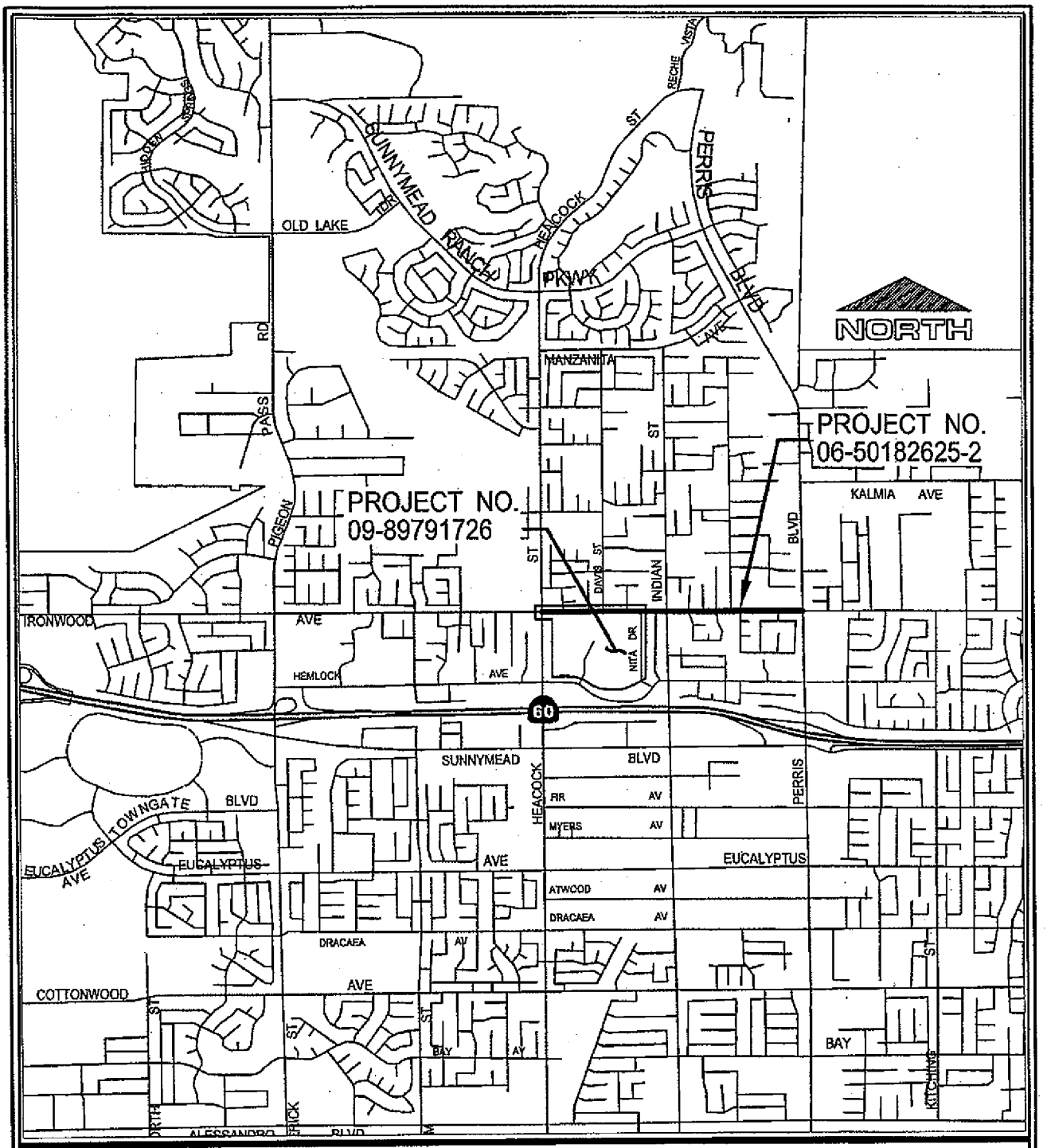

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00069575

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

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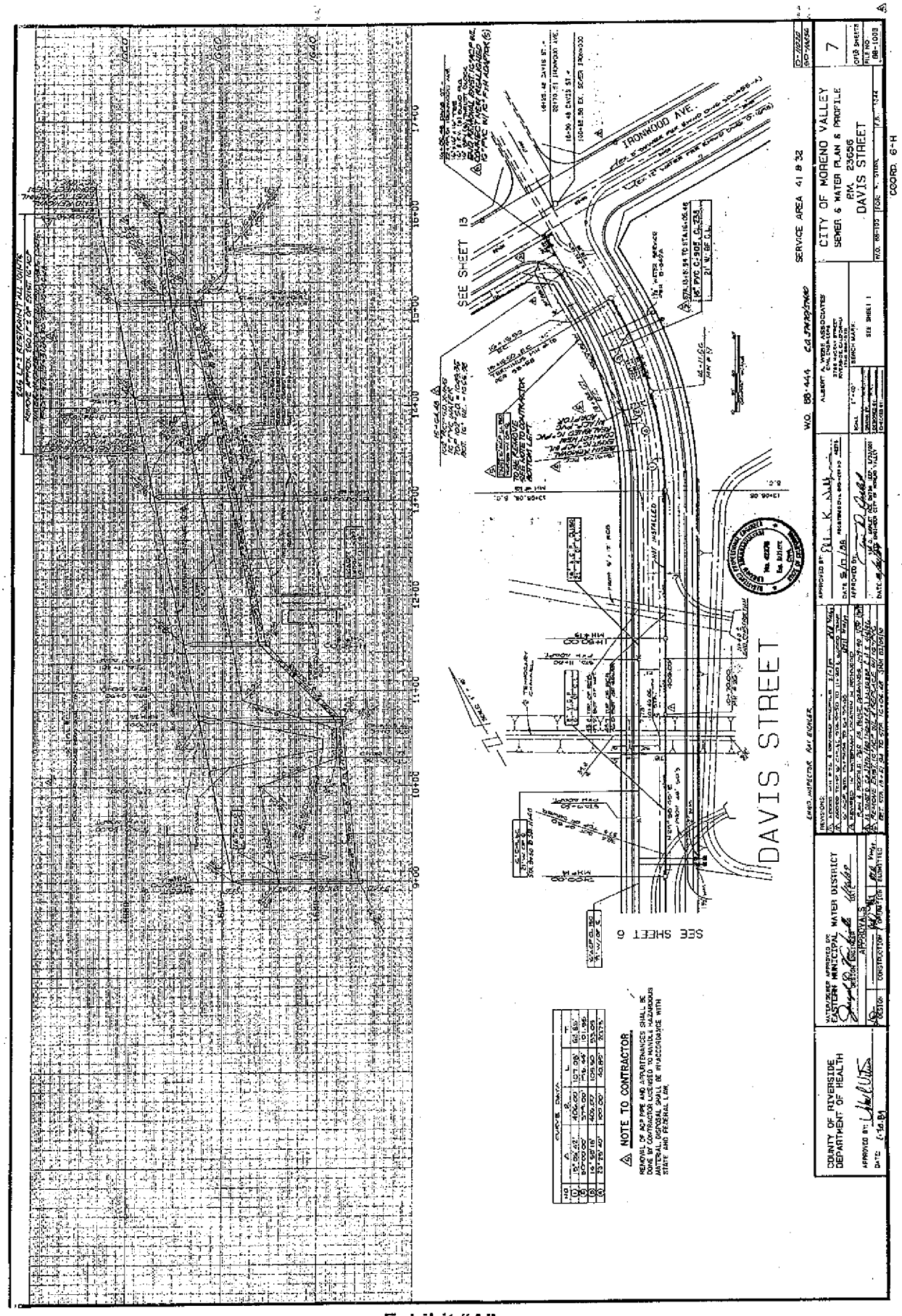
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23636
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
REMOVAL OF ACP PIPE AND APPURTENANCES SHALL BE DONE BY CONTRACTOR LICENSED TO HANDLE HAZARDOUS MATERIAL. DISPOSAL SHALL BE IN ACCORDANCE WITH STATE AND FEDERAL LAW.
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

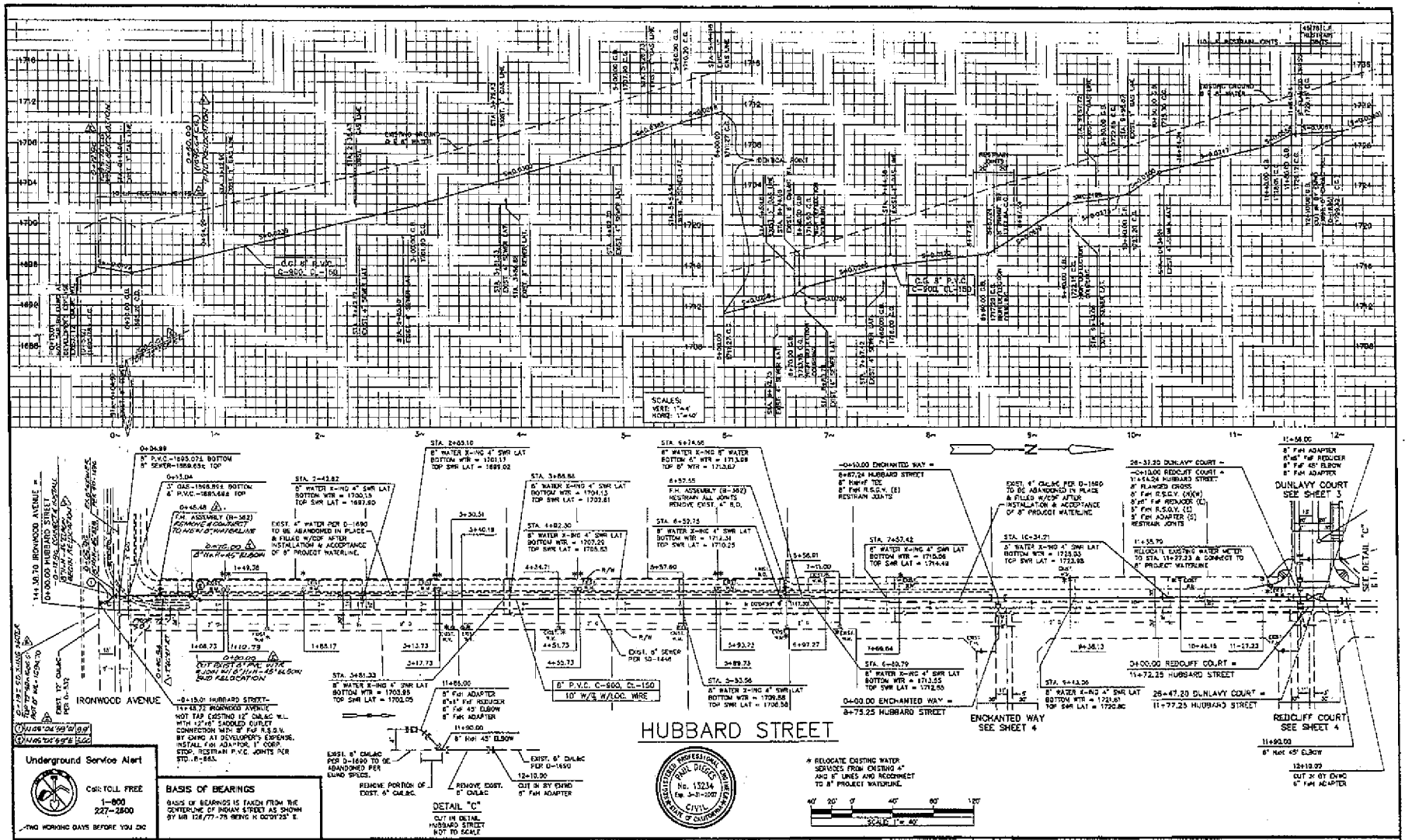
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY
SEE SHEET 4
DUNLAVY COURT
SEE SHEET 3
REDCLIFF COURT
SEE SHEET 4
SEE DETAIL "C"
DETAIL "C"
CUT IN DETAIL
HUBBARD STREET
NOT TO SCALE
SCALES:
VERT: 1"=4'
HORZ: 1"=40'
8" P.V.C. C-900, CL-150
10' W/G W/LOC. WIRE
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 126/77-79 BEING N 00°01'25" E.
Underground Service Alert
Call: TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG
* RELOCATE EXISTING WATER SERVICES FROM EXISTING 4" AND 6" LINES AND RECONNECT TO 8" PROJECT WATERLINE.
SCALE: 1" = 40'
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
1051 DAWES ROAD
PERRIS, CA. 92571
(951) 657-2822
PAUL DIEGES R.C.E. 13234 EXP. 3-31-07
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
WATER
PLAN AND PROFILE
STA. 10+15.01 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-584, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EXCEPT GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

9. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
10. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE PIPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
11. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
12. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
13. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-861.
14. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
15. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-690, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VERIFY GRADES AND DRIVEWAYS WHERE APPROPRIATE). ADJOINING LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL POWER AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR OVERHEAD UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE LINES. PLACED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WILL ENGINEERS FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL SEWER ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEM	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	20	LF
8" 22½ DEG. BEND	2	EA
8" 90DEG. 45" BEND	1	EA
12" 90DEG. 45" BEND	2	EA
12" 22½ DEG. BEND	2	EA
12" 11½ DEG. BEND	1	EA
12" 45" BEND	2	EA
12" TEE	1	EA
12" BLIND FLANGE	1	EA
12" FLANGE REDUCER	1	EA
12" VALVE	1	EA
12" 90" BEND	3	EA
12" TEE	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	477	LF
CUT, CAP, TAG & HOT TAP 12" DUCTILE W/A	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.A. & ASSEMBLY	1	EA
8" PVC WATER C-900, CL-200 (TEMP. HIGH LINE)	65	LF

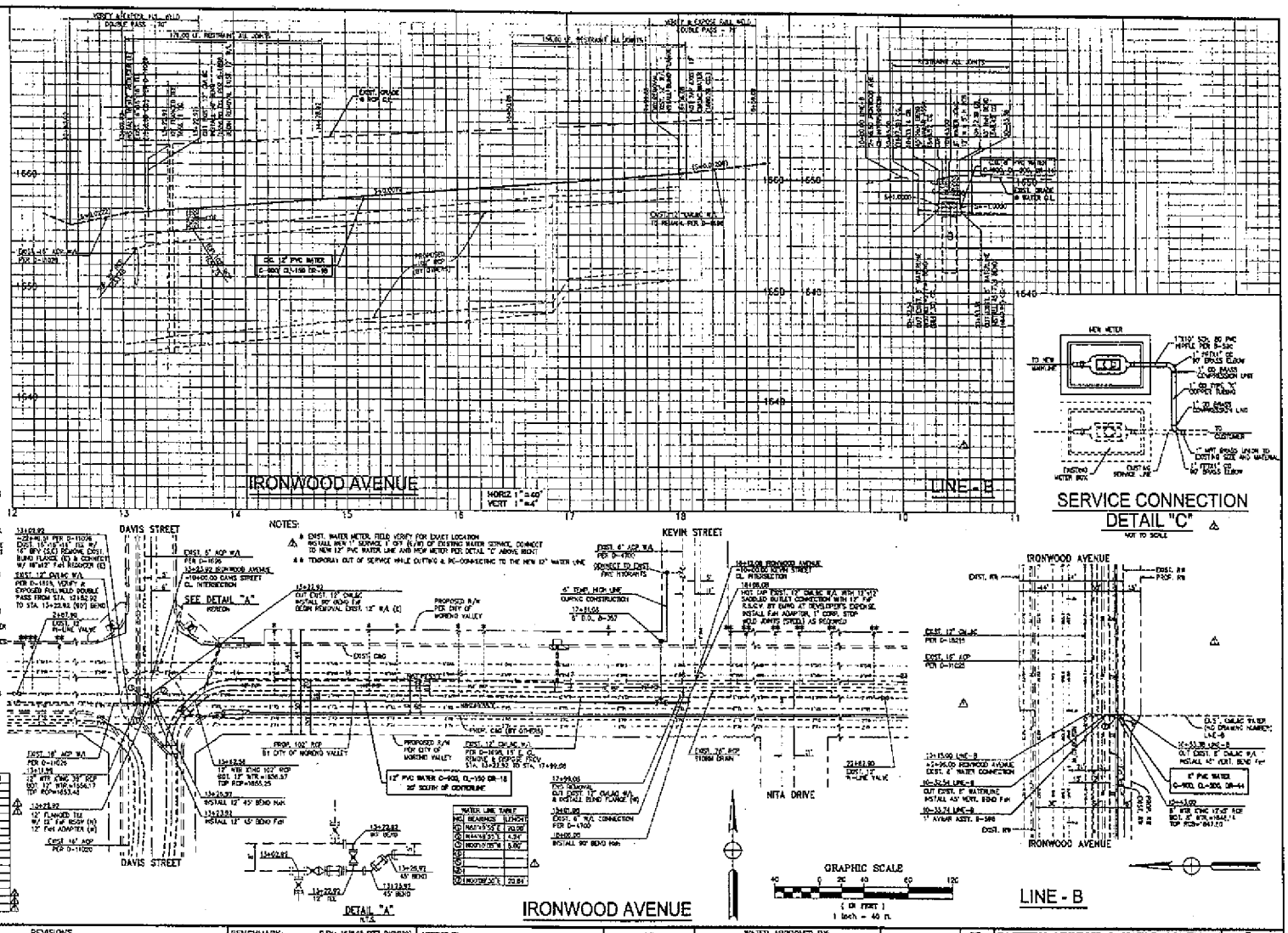

Underground Service Alert
CALL TOLL FREE 1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS					
NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/09	LAM	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/08	CWM	01/13/2009
2	4/30/09	LAM	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/09	CWM	04/30/2009

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-5) FD.
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.3' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5 DIA.) STAMPED "B-56 RESET 1985".

APPROVED BY: DIRECTOR OF NEW BUSINESS DEVELOPMENT 4/30/2009 DATE
REFERENCES

REGISTERED PROFESSIONAL ENGINEER

WATER APPROVED BY: EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER DATE
APPROVALS: CONSTRUCTION MANAGER 04/30/09; MAINTENANCE MANAGER 04/30/09

DESIGNED | DRAWN | CHECKED | SUBMITTED | DATE
SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA
12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

MA.	3
S.A.	41
W.A.	12-747
C.S.	
COMM.	
SHT.	1 OF 1
D-	41354

Item No. C.4

MV00069586

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

MV00069587

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\CC Reports\071310 Ironwood Day to Barclay-EMWD Reimbursement Agreement.doc

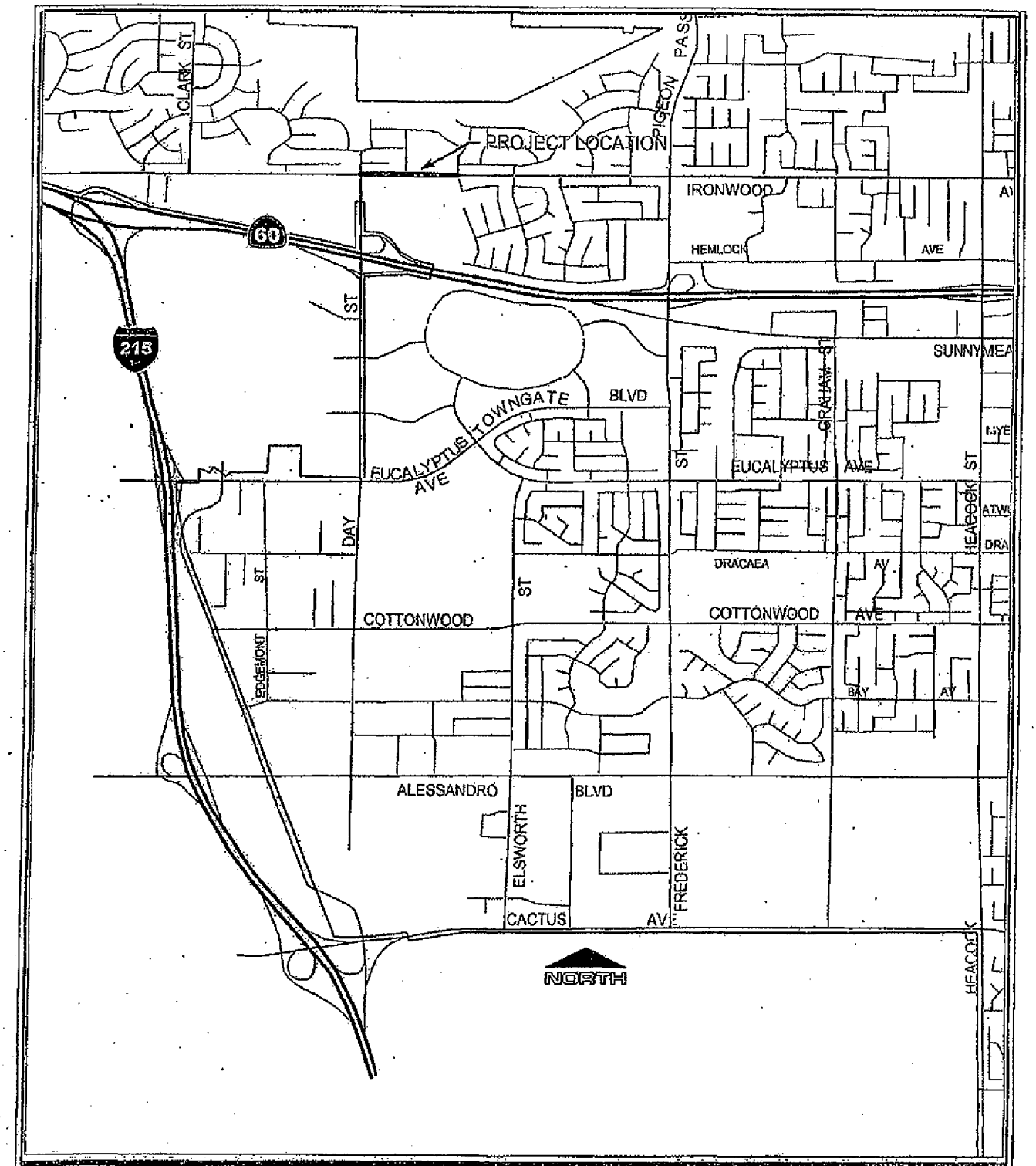

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

Item No. C.5

MV00069598

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MV00069599

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

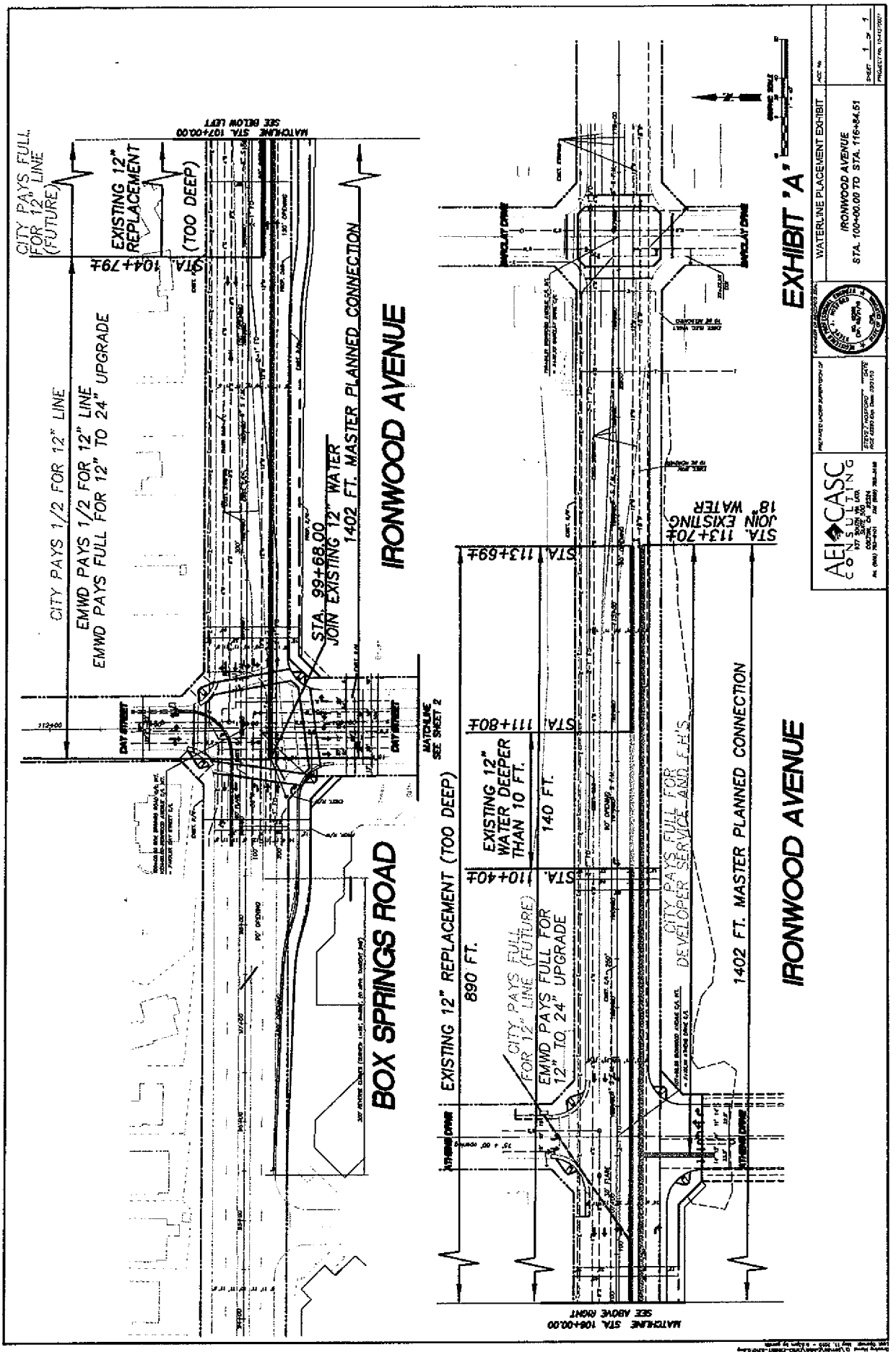
EXHIBIT 'A'
IRONWOOD AVENUE
BOX SPRINGS ROAD
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT
(TOO DEEP)
STA. 104+79±
CITY PAYS 1/2 FOR 12" LINE
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
STA. 99+68.00
JOIN EXISTING 12" WATER
1402 FT. MASTER PLANNED CONNECTION
MATCHLINE STA. 107+00.00
SEE BELOW LEFT
MATCHLINE
SEE SHEET 2
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
STA. 110+40±
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 111+80±
STA. 113+69±
STA. 113+70±
JOIN EXISTING 18" WATER
CITY PAYS FULL FOR 12" LINE (FUTURE)
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
1402 FT. MASTER PLANNED CONNECTION
MATCHLINE STA. 108+00.00
SEE ABOVE RIGHT
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CASC CONSULTING

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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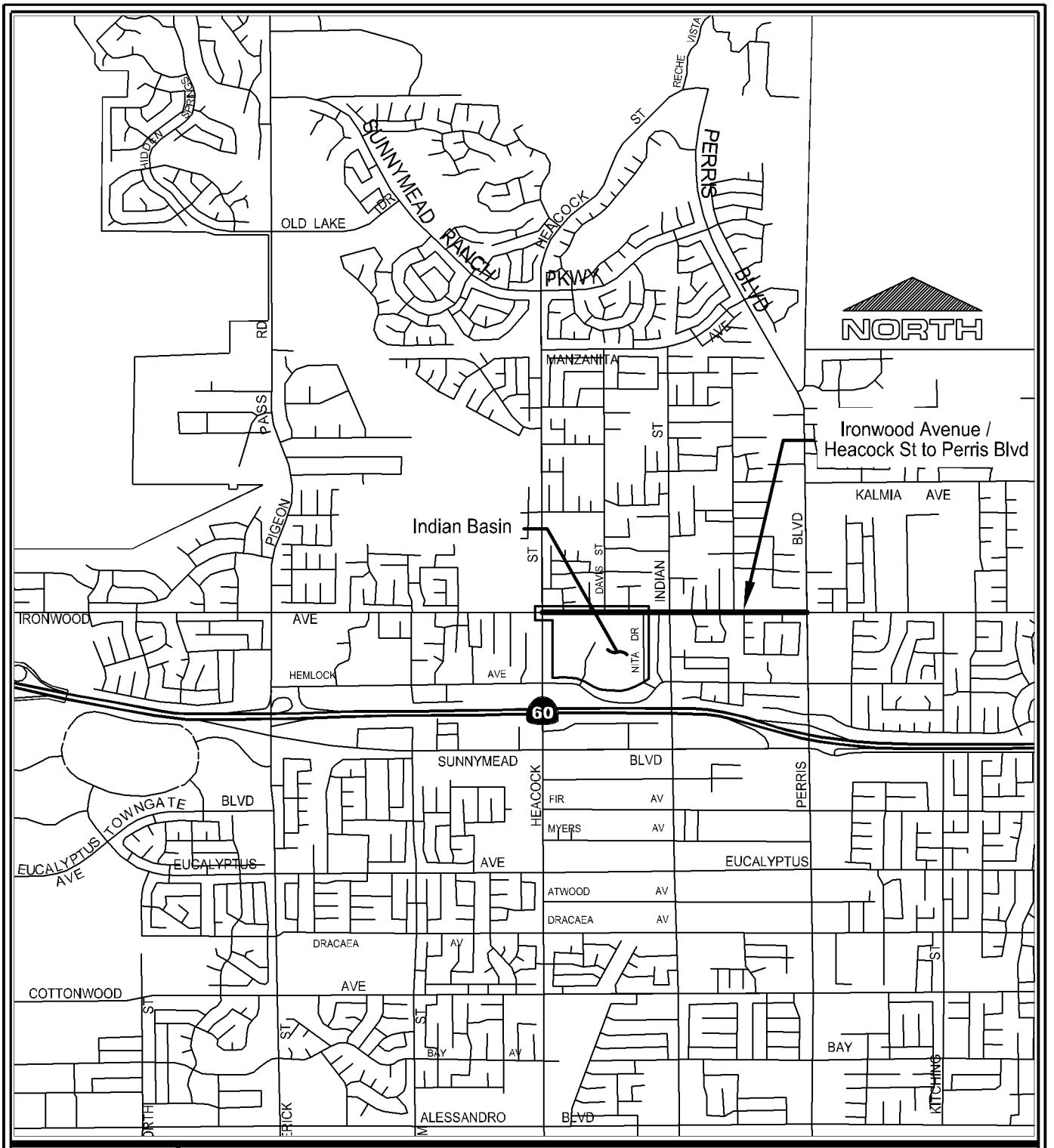

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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Agreement No. _____

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Construction\Contractor\Agreement\Agreement - Indian Basin.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

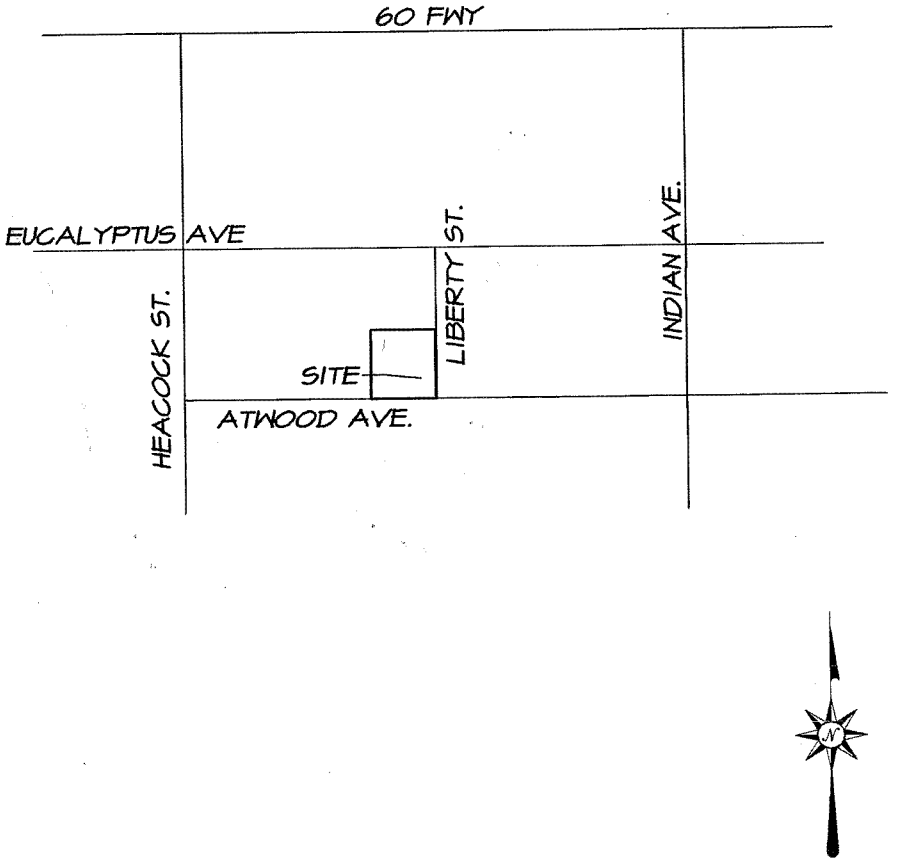

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00069635

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

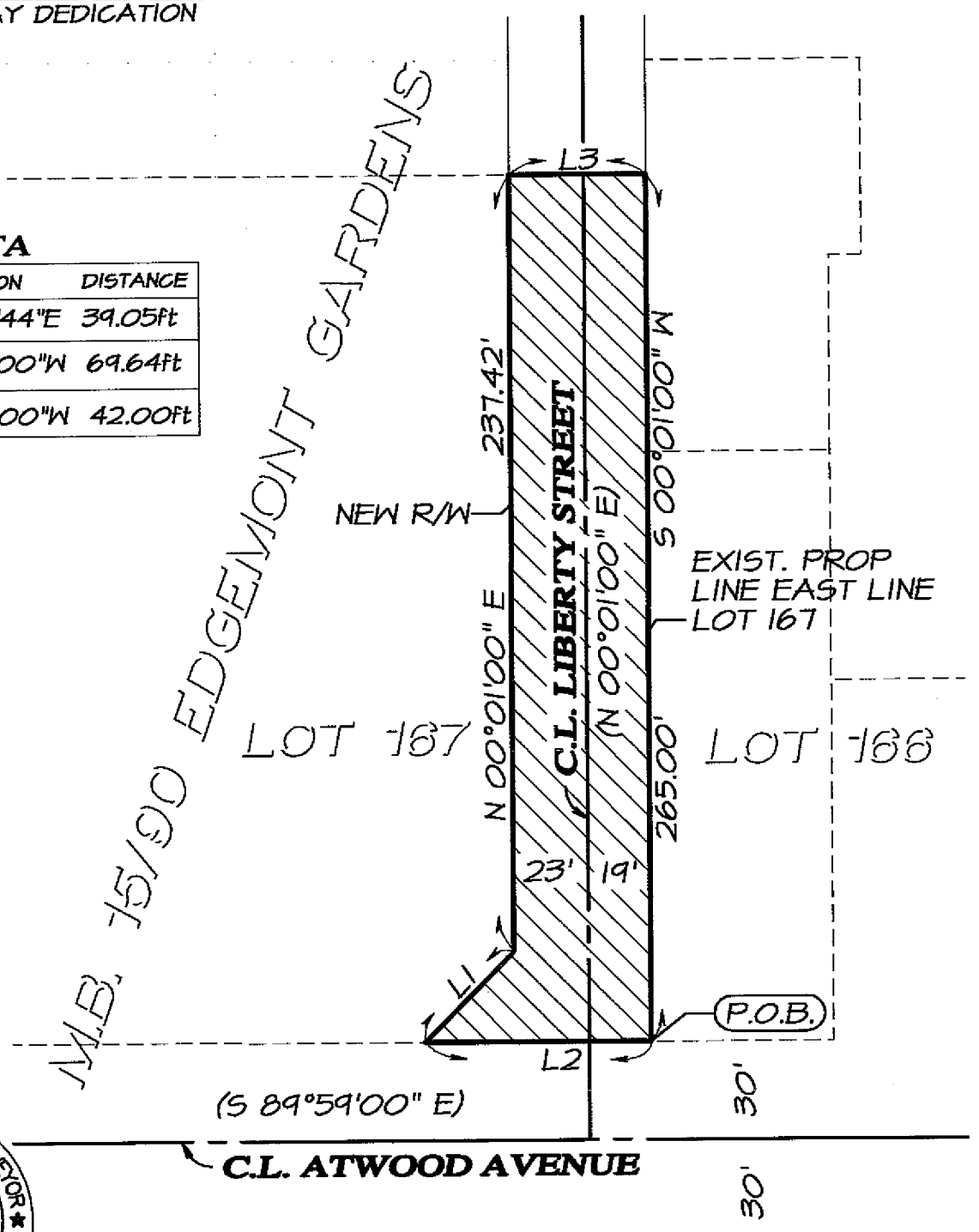

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY:	R.W.
CHECKED BY:	P.W.
DATE:	2/23/10

SHT. NO. 2
OF 2 SHEET

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MV00069639

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

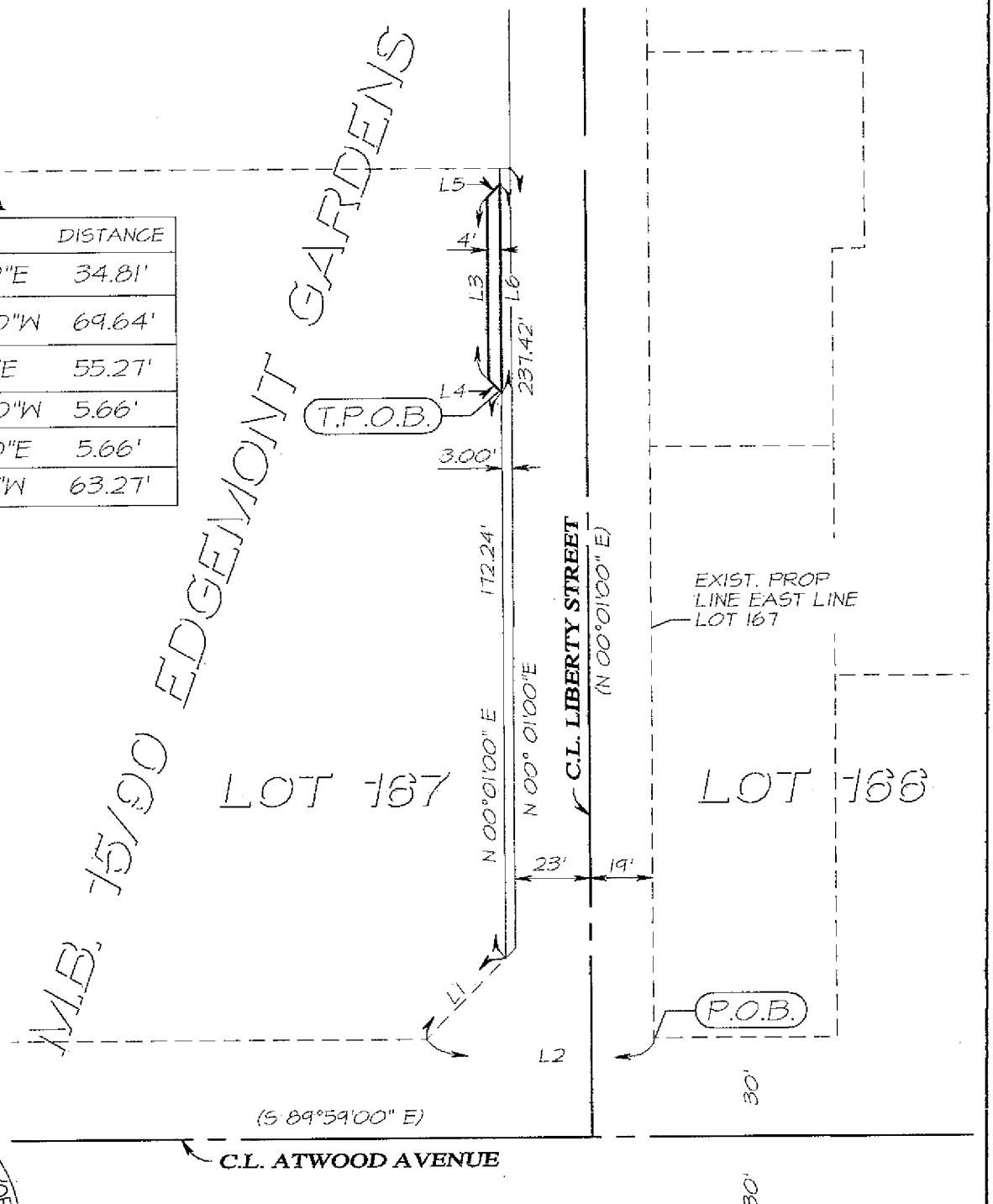

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2
OF 2 SHEET

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MV00069643

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

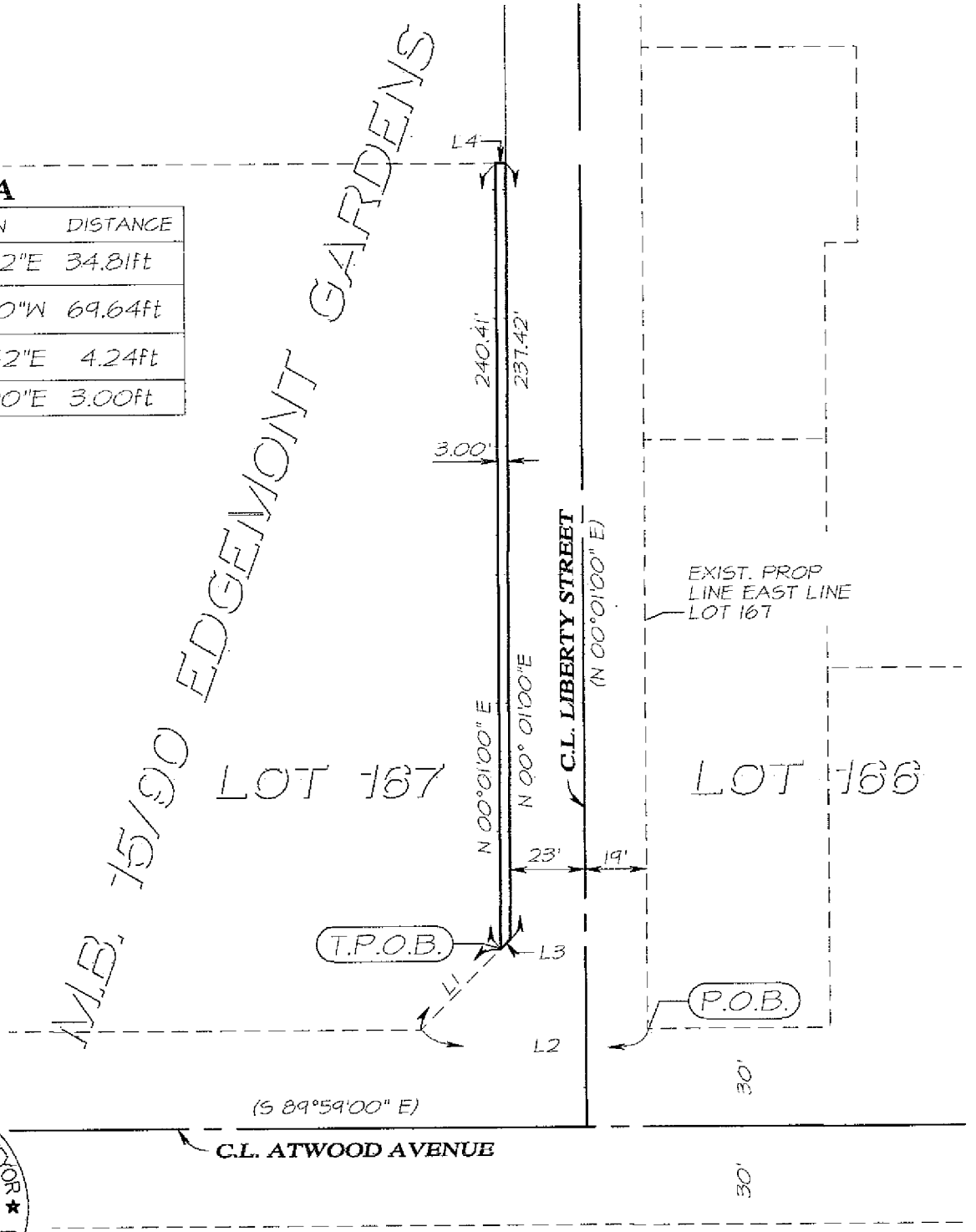

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/1

SHT. NO. 2
OF 2 SHEET

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MV00069647

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00069649

APPROVALS	
BUDGET OFFICER	Caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

BACKGROUND

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels

receiving the service. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	FY 2009/10 CSD Zone D Annual Charge*	Proposed 2010/11 CSD Zone D Annual Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the approved CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, or if there is a tie, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Conduct the Public Hearing**, tabulate the ballots, verify and accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing**, tabulate the ballots, verify or accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program**.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

Fourteen Zone D tracts are being balloted to seek approval for an increase in the CSD Zone D annual charge. The action before the CSD Board is to accept public comments and tabulate the returned ballots for the balloted tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\Stfrpt Zone D PH 07.13.10.doc

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MV00069655

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\12773\Tract 12773 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

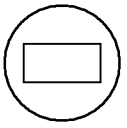

A circle around the box **<u>and/or</u>** associated clause; or

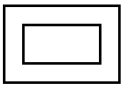

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

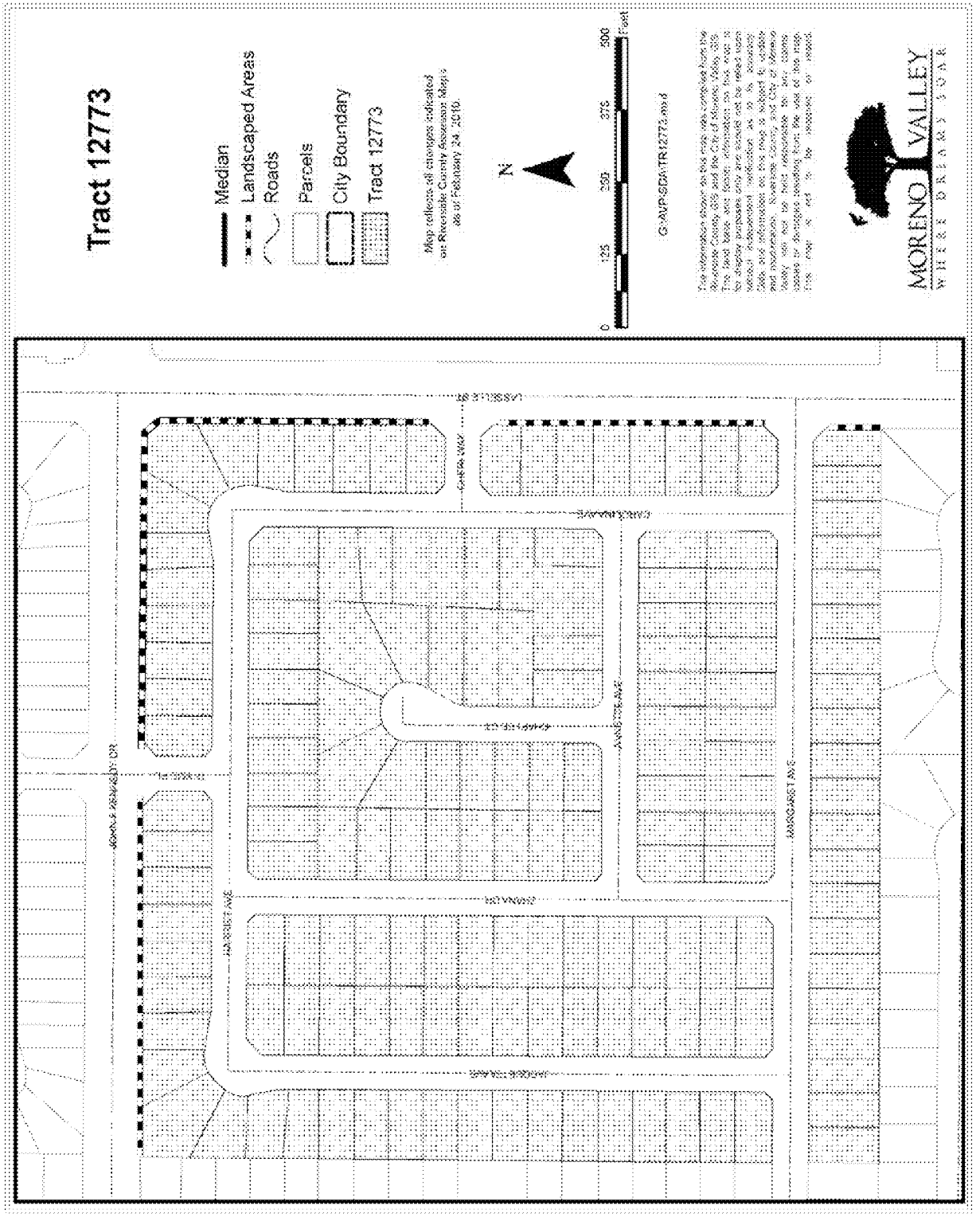
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR12773.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\19210\Tract 19210 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

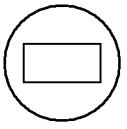

A circle around the box **and/or** associated clause; or

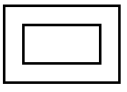

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

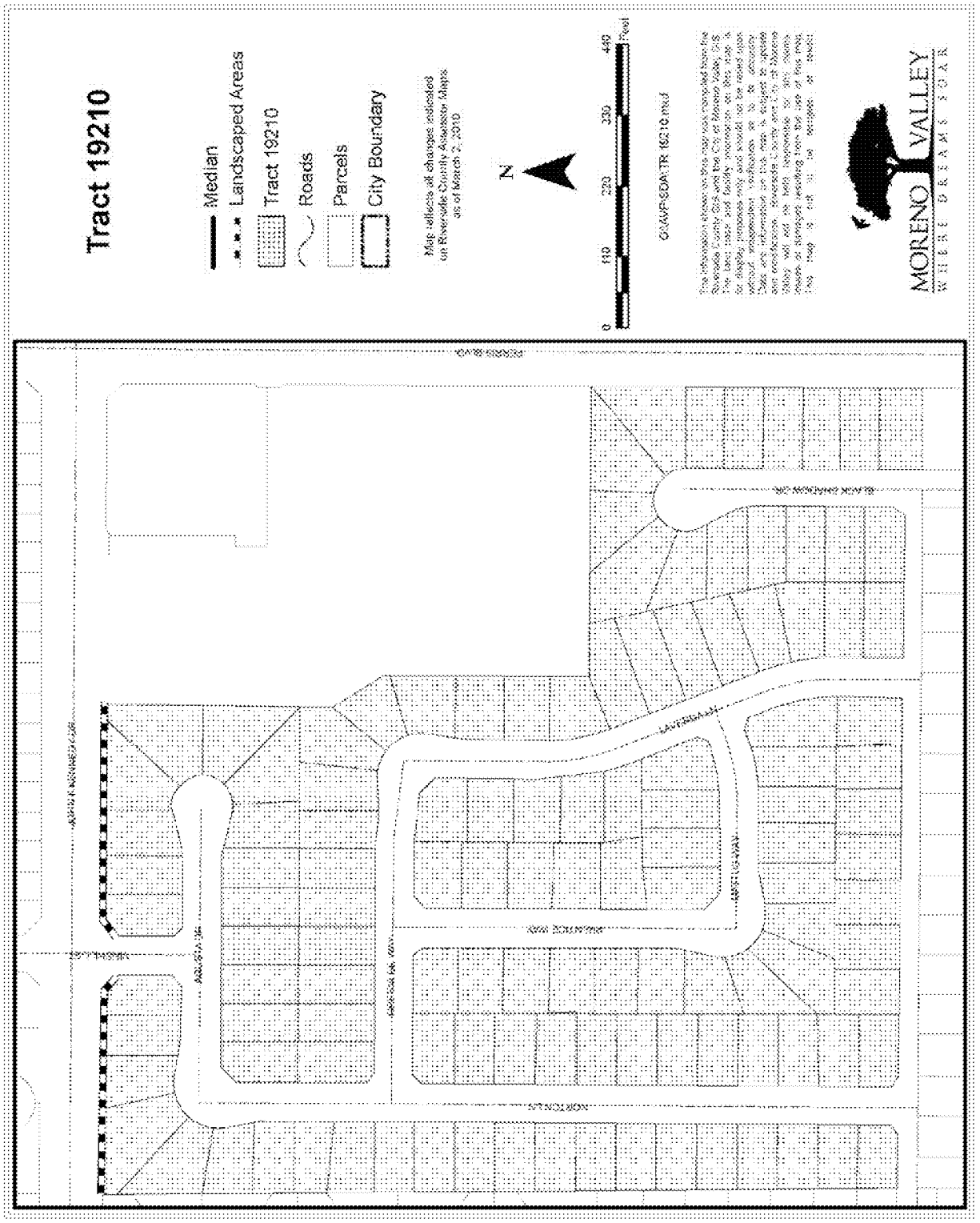
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010
N
0
110
220
330
440
Feet
GIS/APS/DATA/TR 19210.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

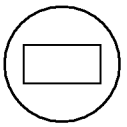

A circle around the box **and/or** associated clause; or

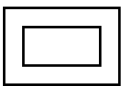

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

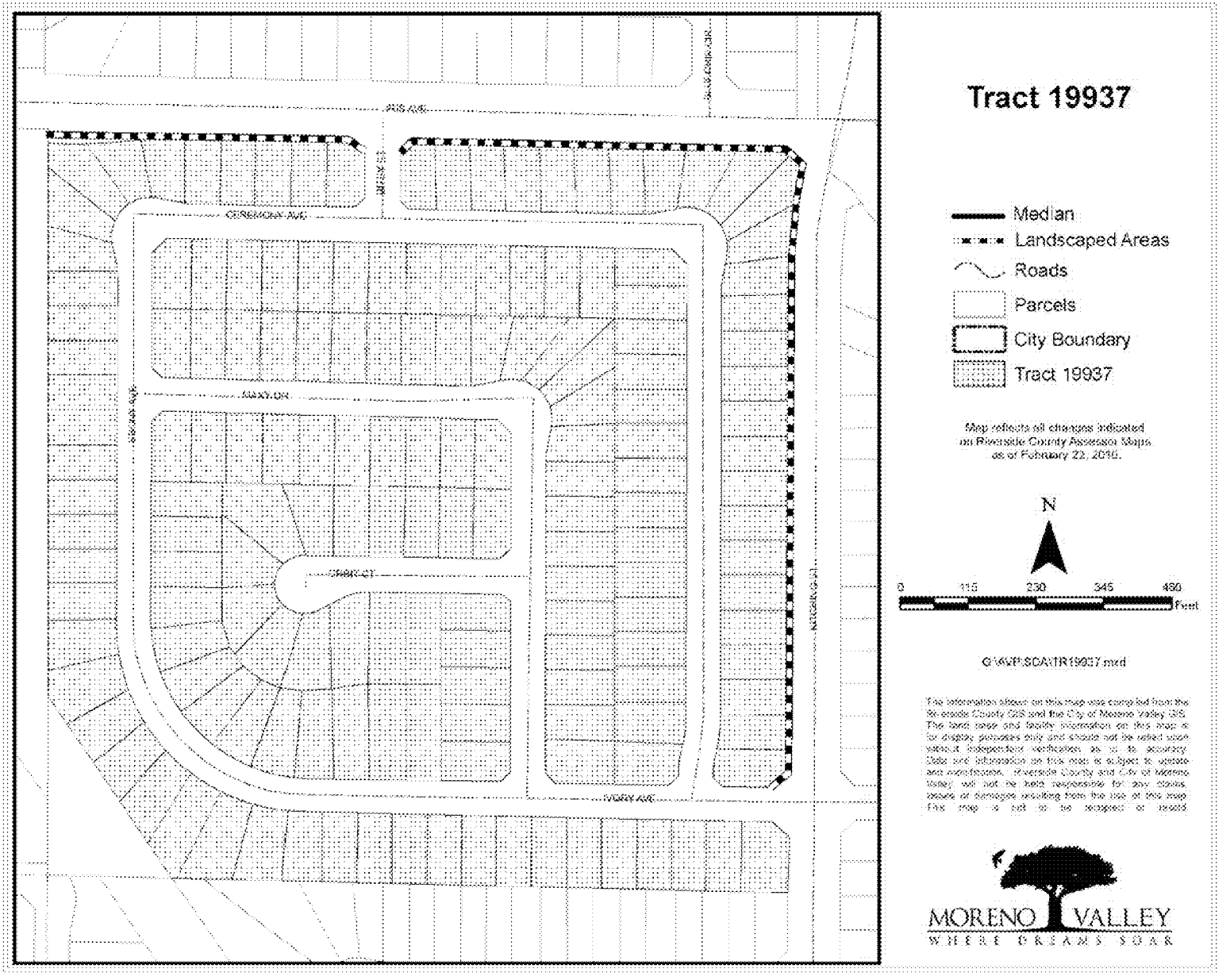
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
345
460
Feet
G:\MVP\SCA\TR19937.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

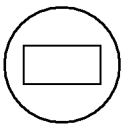

A circle around the box **<u>and/or</u>** associated clause; or

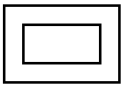

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

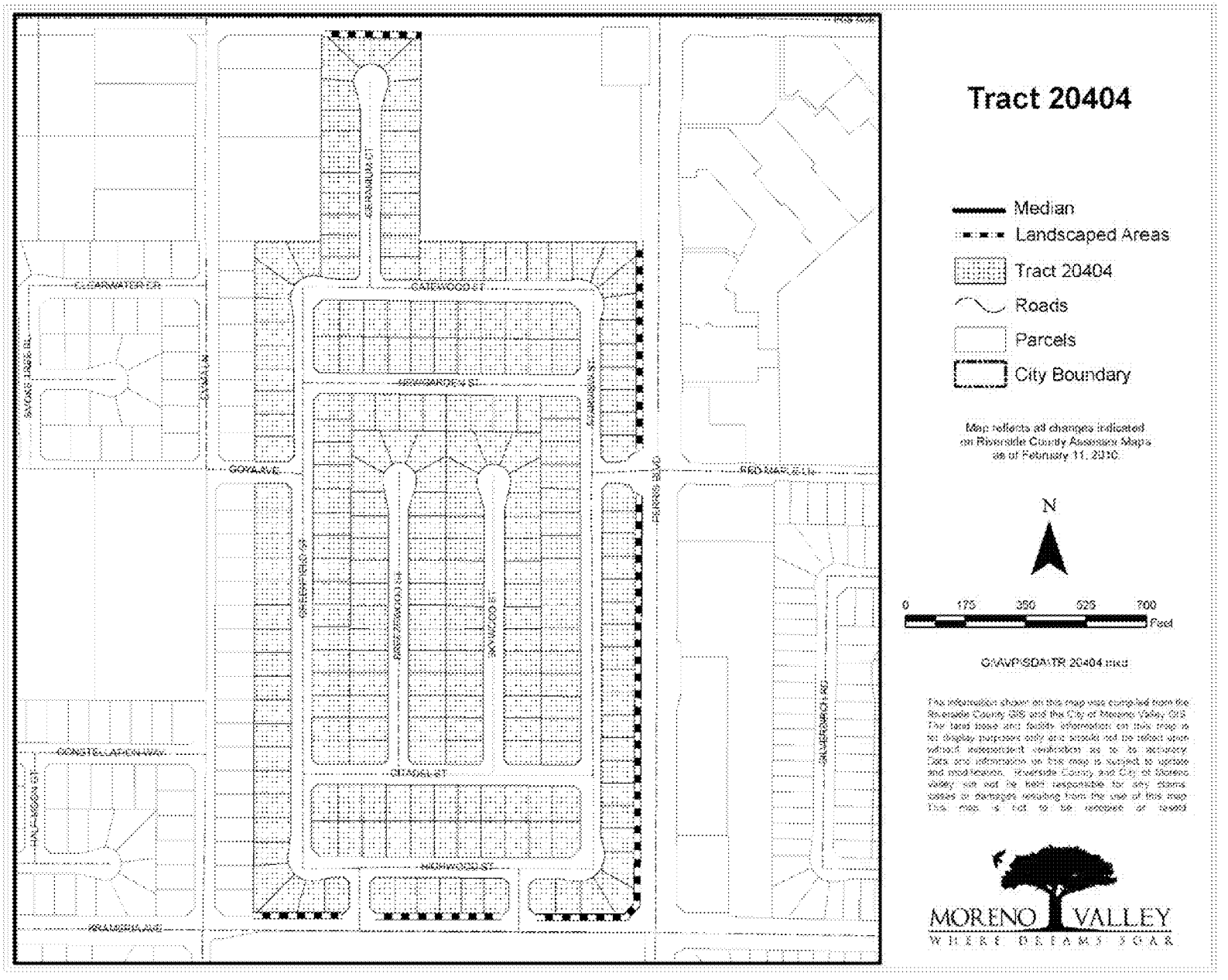
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 175 350 525 700
Feet
G:\AVP\SDA\TR 20404.mxd
MORENO VALLEY
WHERE DREAMS SOAR
GATEWOOD ST
SPRINGBROOK ST
GOYA AVE
RED MAPLE LN
PERRIS BLVD
SKYWOOD ST
CONSTELLATION WAY
HALLOWEEN ST
FRANKLIN AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

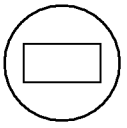

A circle around the box **<u>and/or</u>** associated clause; or

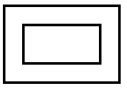

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
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IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

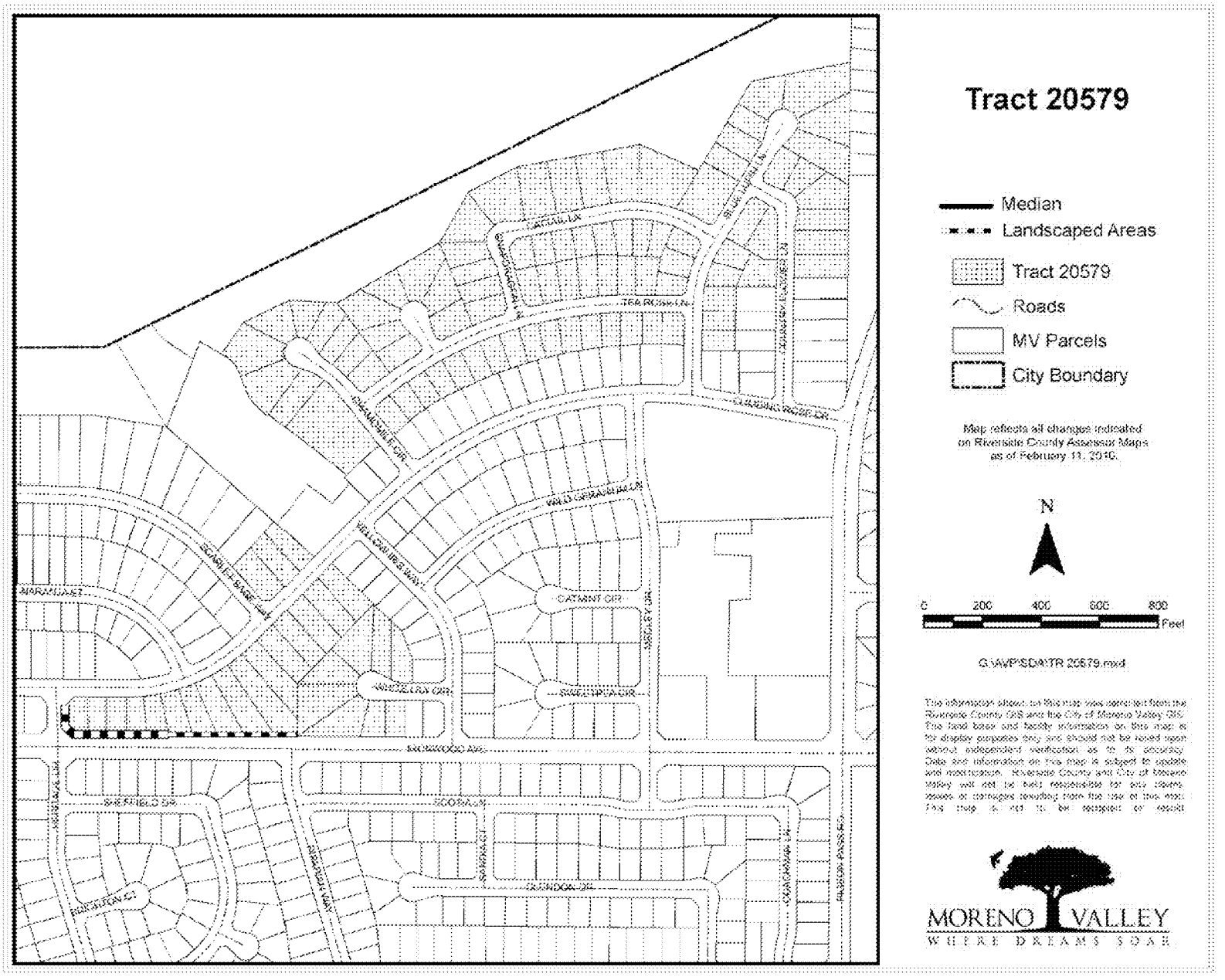
Tract 20579
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City Boundary
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N
0 200 400 600 800 Feet
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MORENO VALLEY
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14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

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The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

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3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

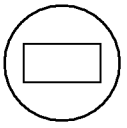

A circle around the box <u>and/or</u> associated clause; or

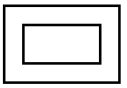

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

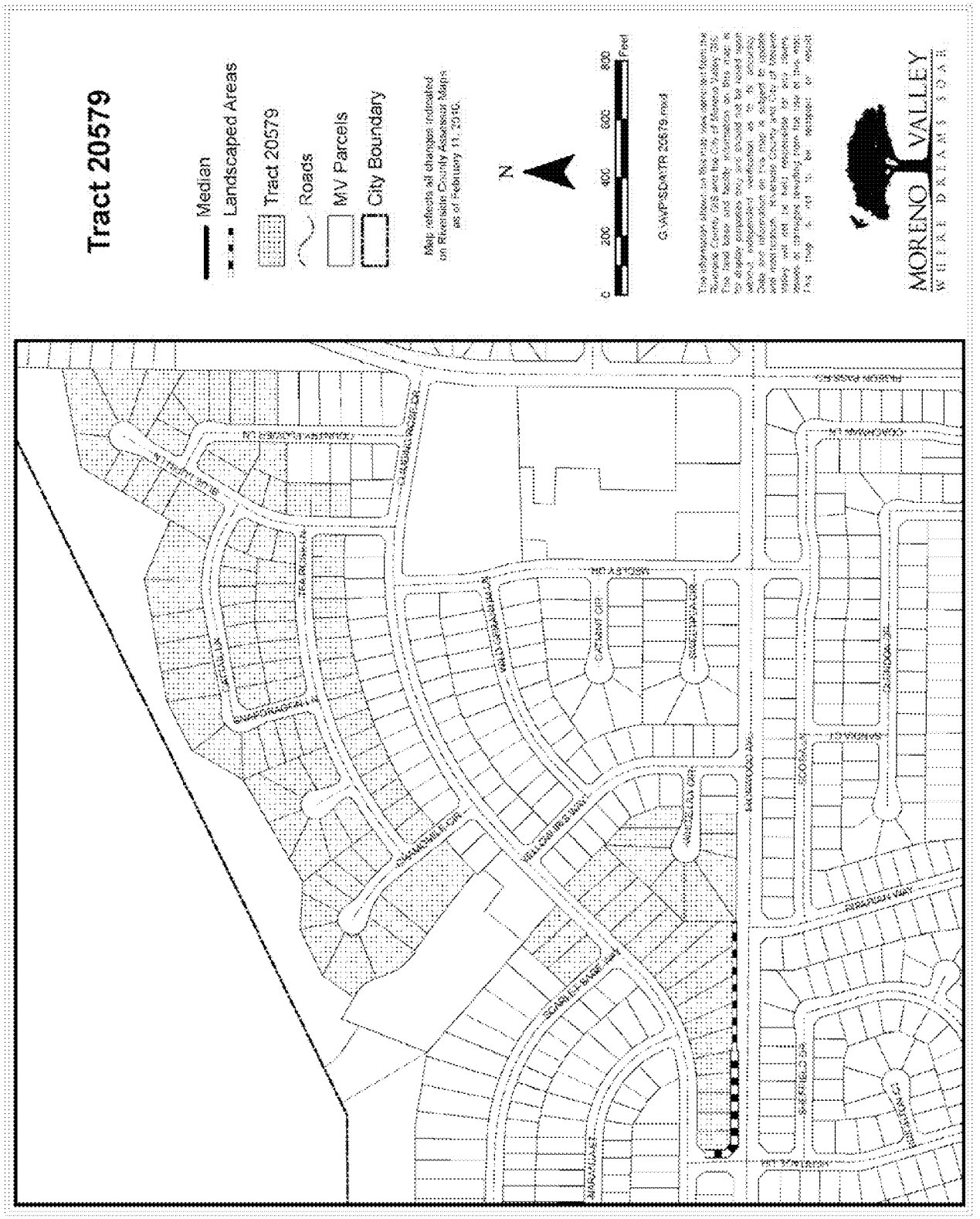
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20579\Tract 20579c packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información en Español.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

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   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

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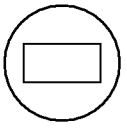

A circle around the box **<u>and/or</u>** associated clause; or

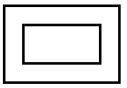

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Ballot Mark Revisions (Changes)

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
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Estimated Expenditures:				
Direct Costs:				
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Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

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Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

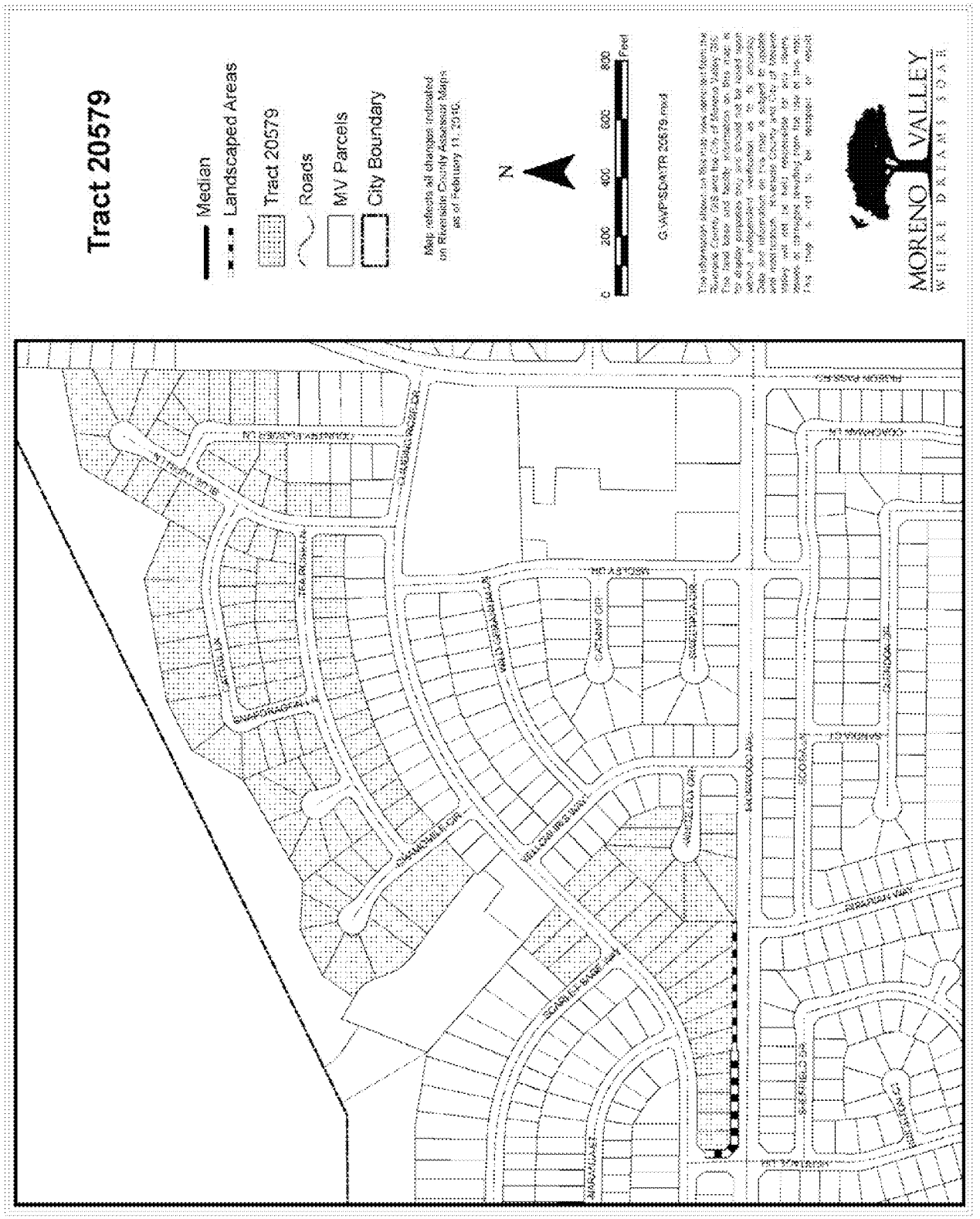
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MORENO VALLEY
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

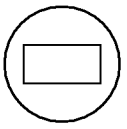

A circle around the box **and/or** associated clause; or

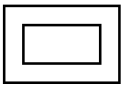

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

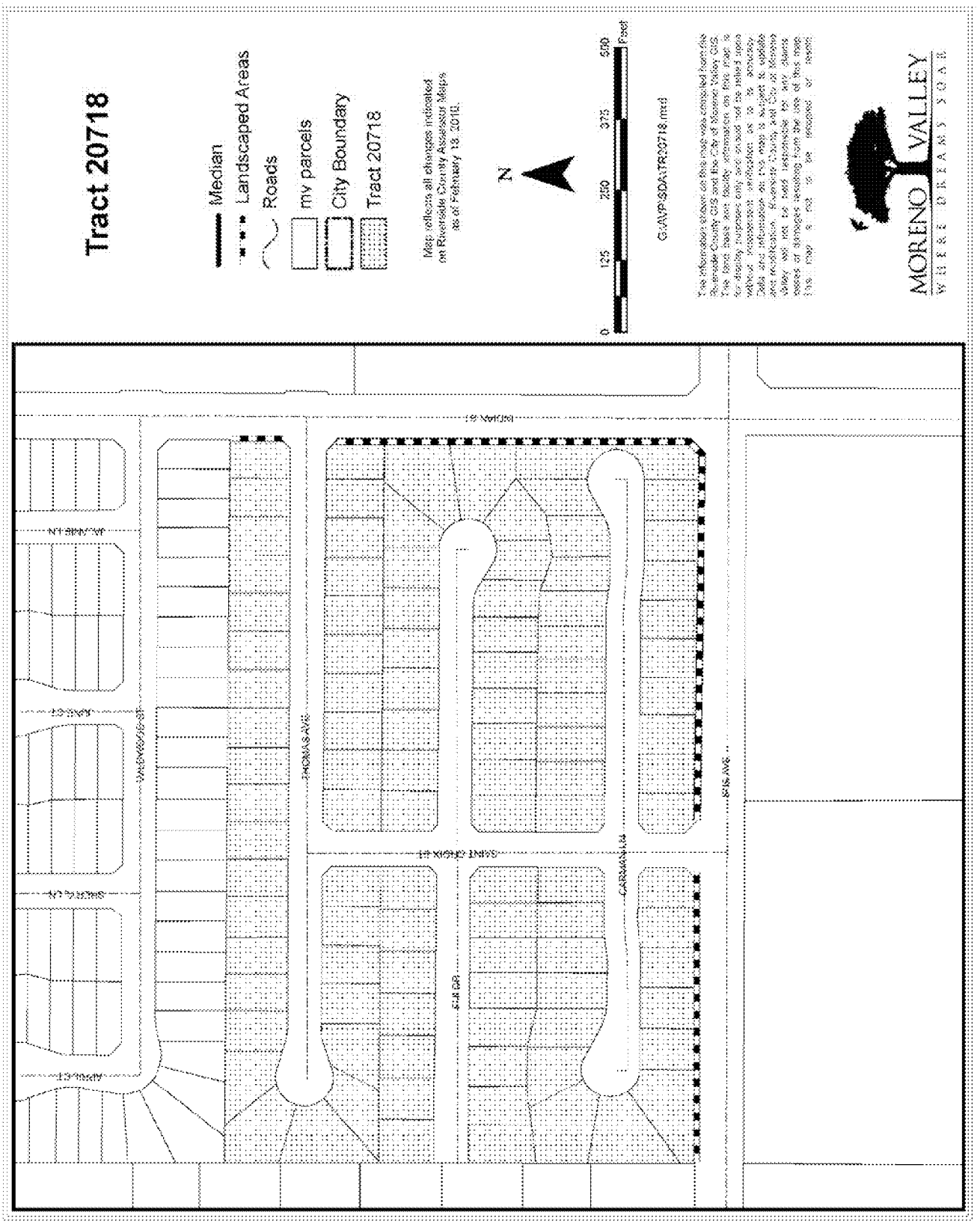
Tract 20718
Median
Landscaped Areas
Roads
mv parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 13, 2010.
N
0
125
250
375
500
Feet
G:\MVP\SDA\TR20718.mxd
MORENO VALLEY
WHERE DREAMS SOAR
THOMAS AVE
CARMANITA
BEAR DR
SAINT CROIX ST
ALESSANDRO BLVD

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

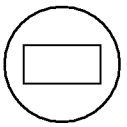

A circle around the box **and/or** associated clause; or

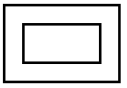

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

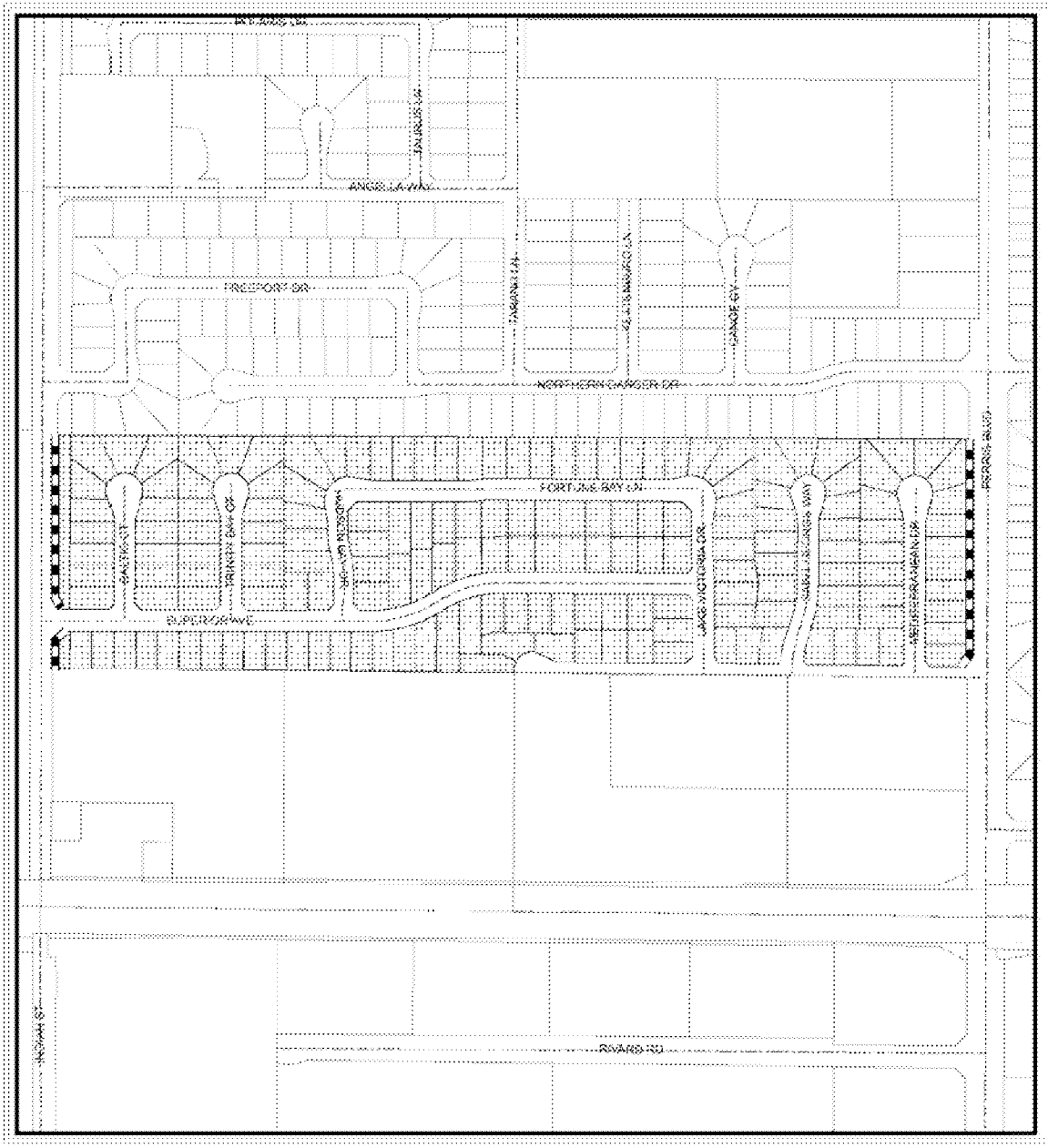

Tract 21113

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

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0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

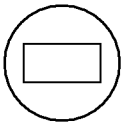

A circle around the box **<u>and/or</u>** associated clause; or

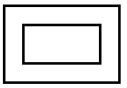

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

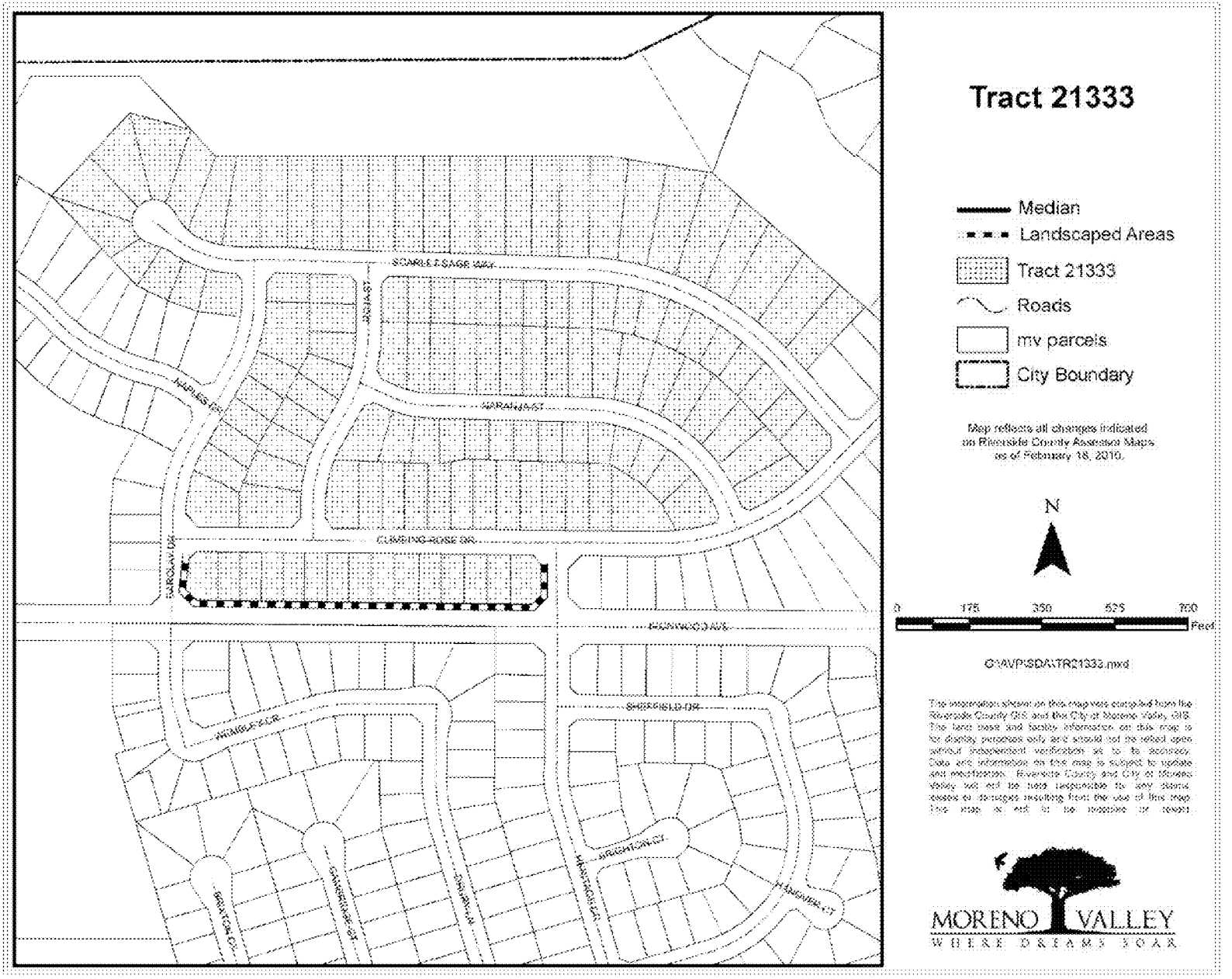
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
mv parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
175
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MORENO VALLEY
WHERE DREAMS SOAR
SCARLET SAGE WAY
NAPLES DR
CLIMBING ROSE DR
SHEFFIELD DR
ARGENT CT

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

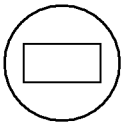

A circle around the box **<u>and/or</u>** associated clause; or

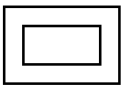

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

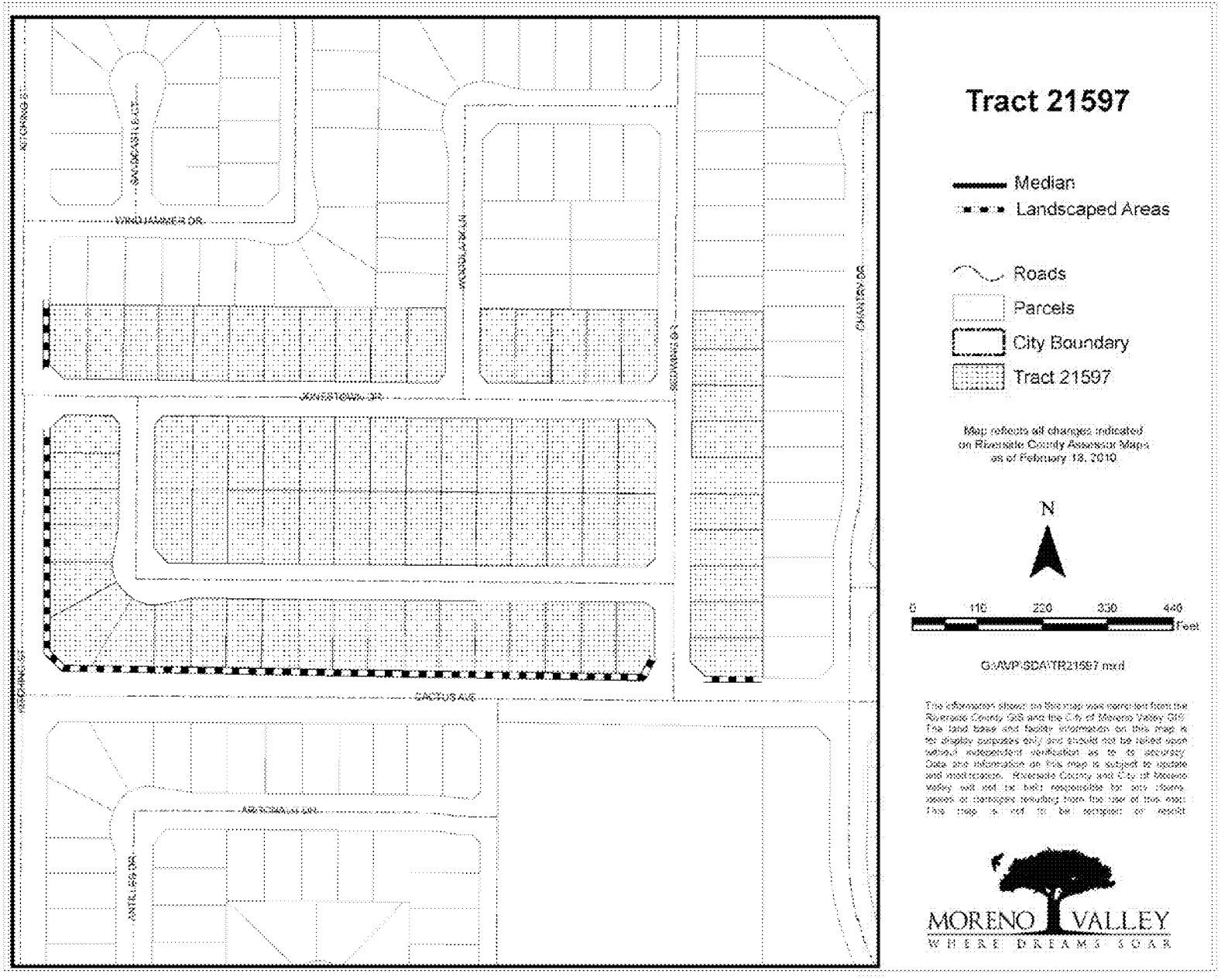
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0
110
220
330
440
Feet
G:\MP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\22889\Tract 22889 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

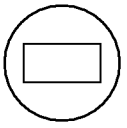

A circle around the box **and/or** associated clause; or

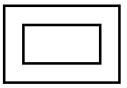

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

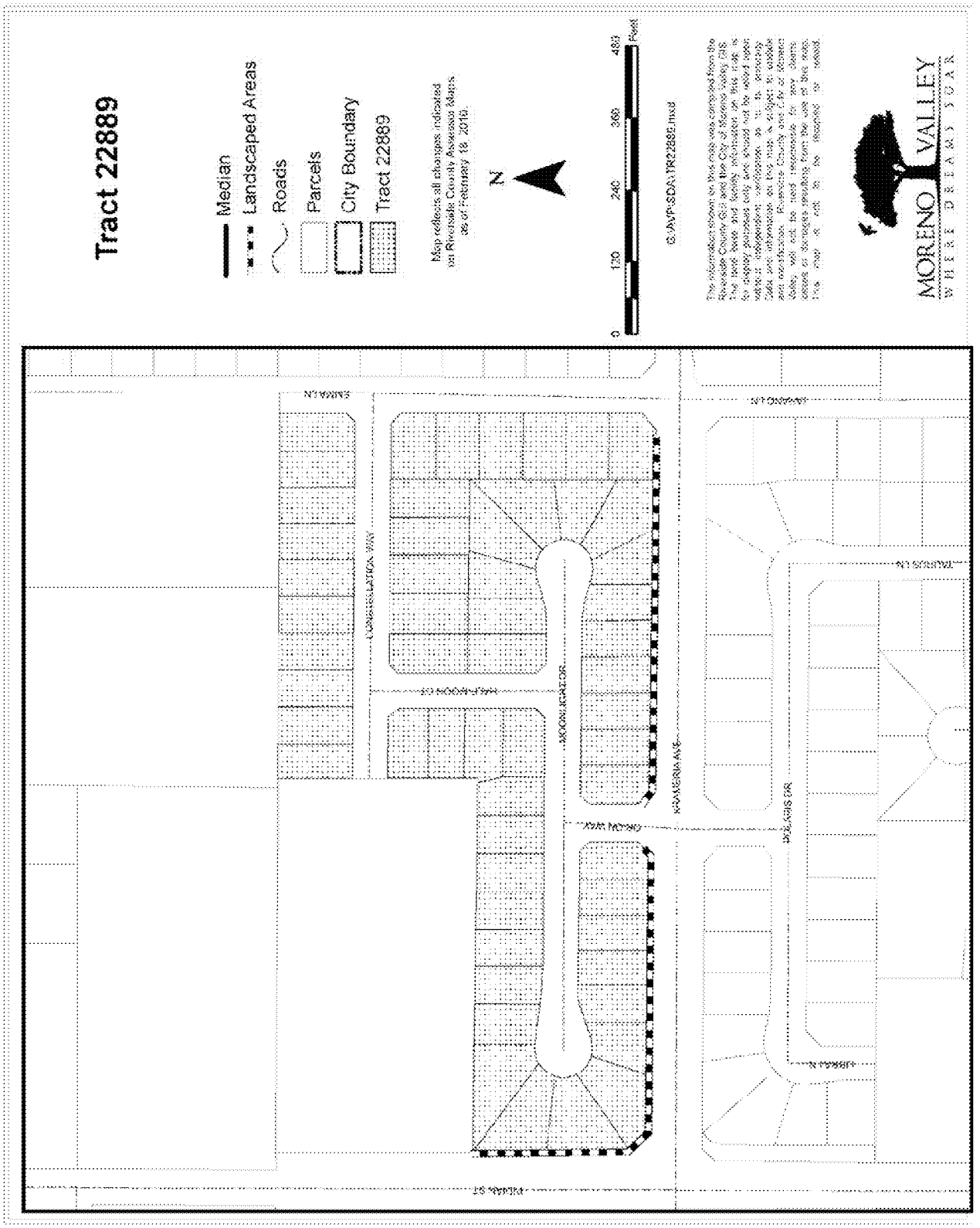
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2019.
N
0
120
240
360
480
Feet
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MORENO VALLEY
WHERE DREAMS SOAR
N WINDS
CONSTELLATION WAY
EL MORO AVE
MOORE ROAD DR
KITAMERIA AVE
N ONTARIO
N SPRING
DOUGLAS DR
N PERRIS
PERRIS ST

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\28882\Tract 28882 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

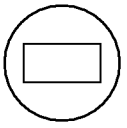

A circle around the box **and/or** associated clause; or

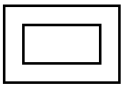

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

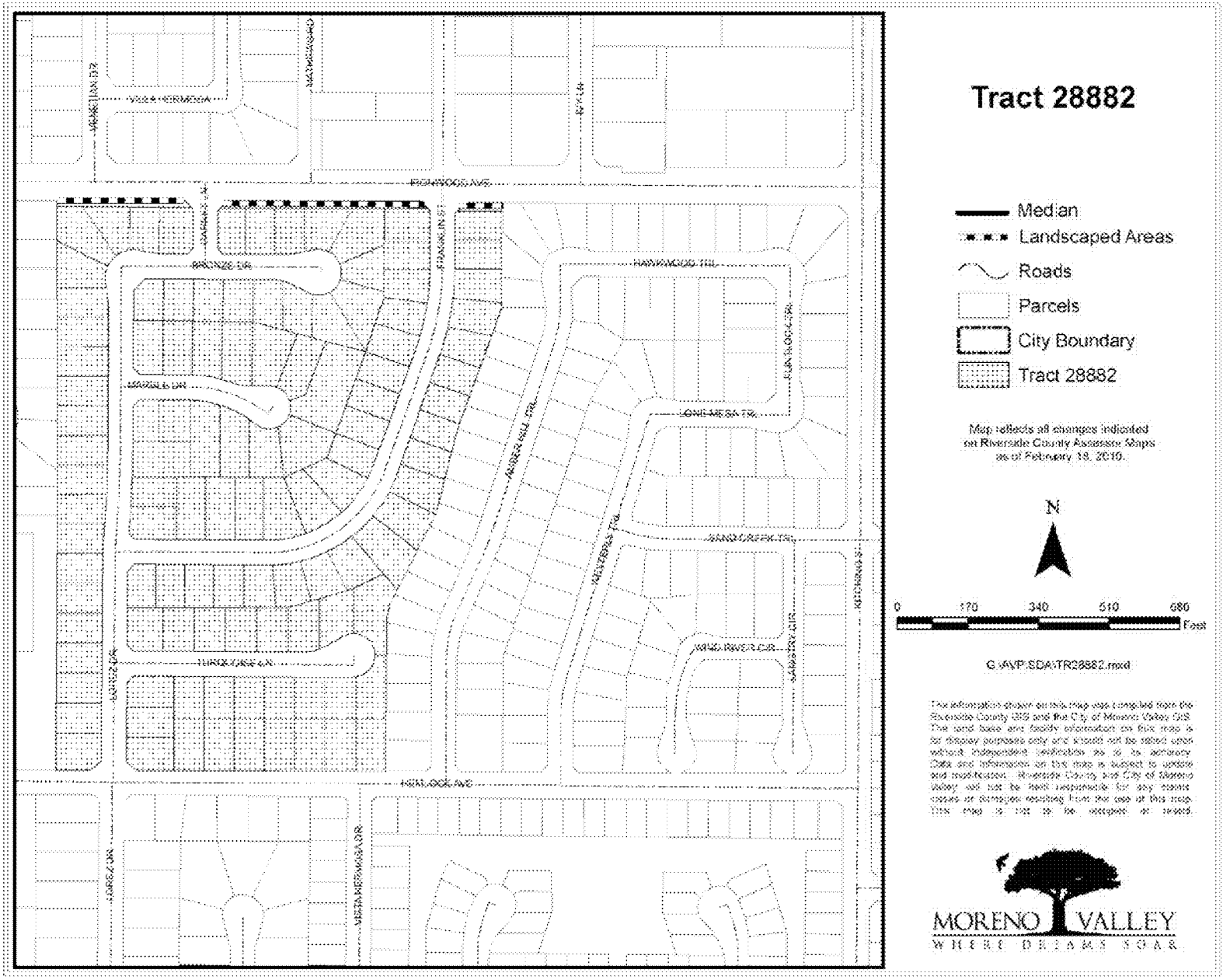
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
170
340
510
680
Feet
G:\AVP\SDA\TR28882.mxd
MORENO VALLEY
WHERE DREAMS SOAR

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\31257\Tract 31257 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

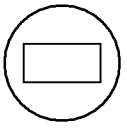

A circle around the box **<u>and/or</u>** associated clause; or

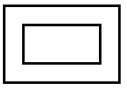

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

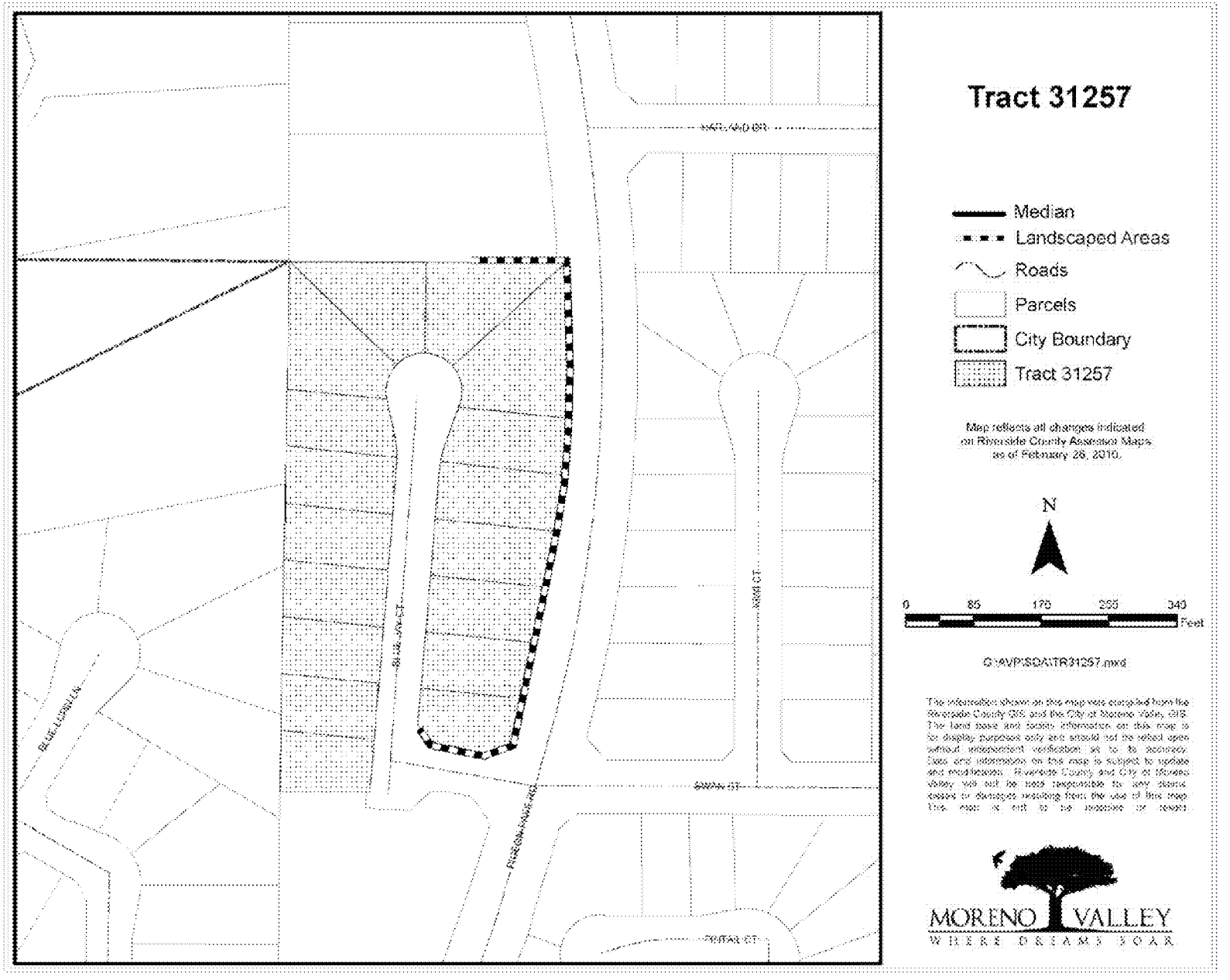
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
Map reflects all changes indicated on Riverside County Assessor Maps as of February 28, 2010.
N
0
85
170
255
340
Feet
G:\AVP\SDA\TR31257.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

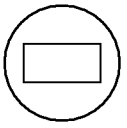

A circle around the box **and/or** associated clause; or

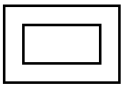

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

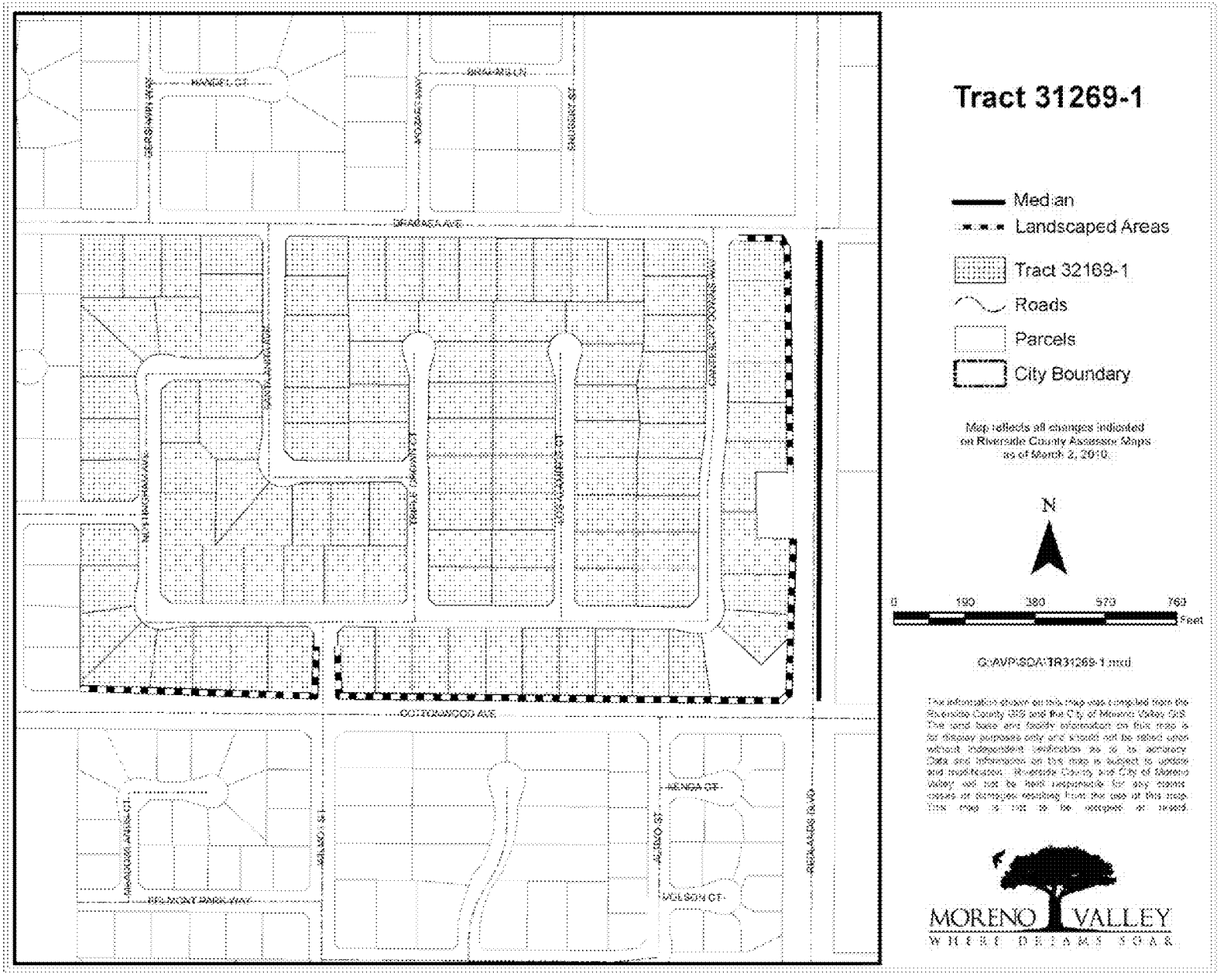
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
G:\AVP\SDA\TR31269-1.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

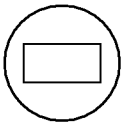

A circle around the box **and/or** associated clause; or

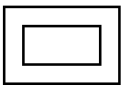

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

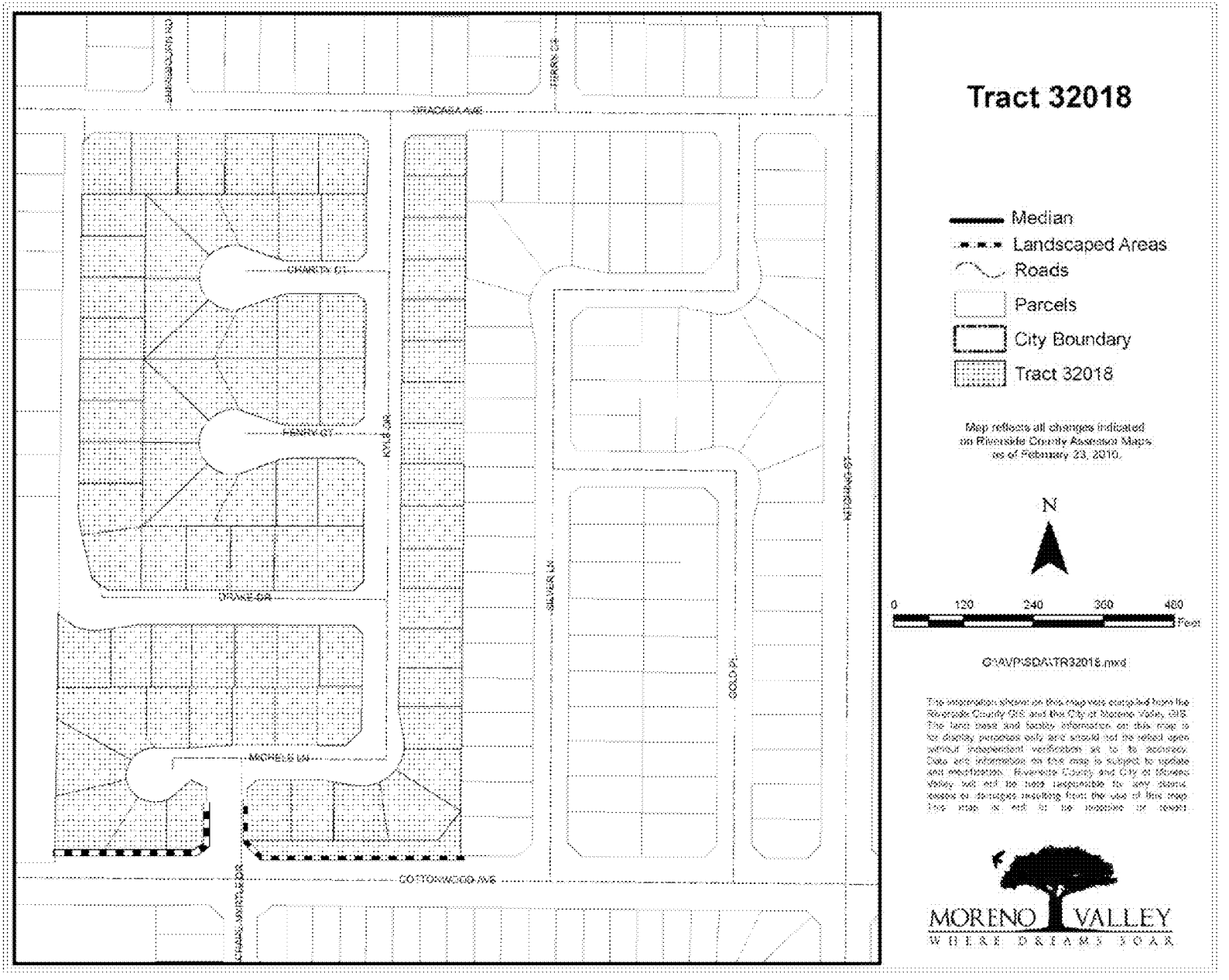
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR32018.mxd
MORENO VALLEY
WHERE DREAMS SOAR
ACACIA AVE
CHARITY CT
FERRY CT
KYLE DR
DIANE DR
MICHELS LN
COTTONWOOD AVE
SILVER LN
GOLD PL
HEIDI AVE

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its May 13, 2010 meeting approved Planning Commission Resolution No. 2010-9, recommending by a 5-0-2 vote that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance); and approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

The Planning Commission referred back to the original review, thanked the applicant for addressing the concerns of the neighbors and noted the lack of a large public attendance. There were two speakers from the public at the meeting. One stated support for the project and second had some concerns with the past flooding on the project site. Land Development was able to address the questions related to drainage and flooding.

BACKGROUND

The project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on

September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

Land Use Change

Applications for a General Plan Amendment and Zone Change have been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the Residential Single-Family 10 (RS-10) and Residential 5 (R5) zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the Residential Single-Family 10 (RS-10) zone to the east and north. There is an existing Residential 5 (R5) tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family

residential use. The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

ALTERNATIVES

1. The City Council could deny one the projects. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

As stated previously, the General Plan Amendment applications associated with the three projects included in this report have been linked and combined into a single City Council resolution because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four

times during any calendar year. Each amendment, however, may include more than one change to the General Plan. The General Plan Amendment action proposed by this project is the second amendment to the General Plan Land Use Element for calendar year 2010.

NOTIFICATION

Notice of the City Council public hearing of the public notice, appeared in the *Press Enterprise* newspaper on June 22, 2010, posted on the affected property, and mailed to all surrounding property owners of record within 300 feet of the affected property.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ATTACHMENTS

1. Public Hearing Notice
2. Proposed Resolution for General Plan Amendment (PA06-0185)
3. Proposed Ordinance for Zone Change (PA06-0184)
4. Proposed Resolution for Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102) with Conditions of Approval attached as Exhibit A
5. Planning Commission Staff Report dated May 13, 2010 (excluding exhibits)
6. Planning Commission Minutes for May 13, 2010

7. Negative Declaration/Initial Study
8. Aerial Photograph
9. Reduced Copy of Tentative Tract Map 34748

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map No. 34748)
P09-102 (Variance)

APPLICANT: Rados Tenants in Common

OWNER: Rados Tenants in Common

REPRESENTATIVE: Albert A. Webb Associates

LOCATION: SEC of Heacock Street and Gentian Avenue

PROPOSAL: Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

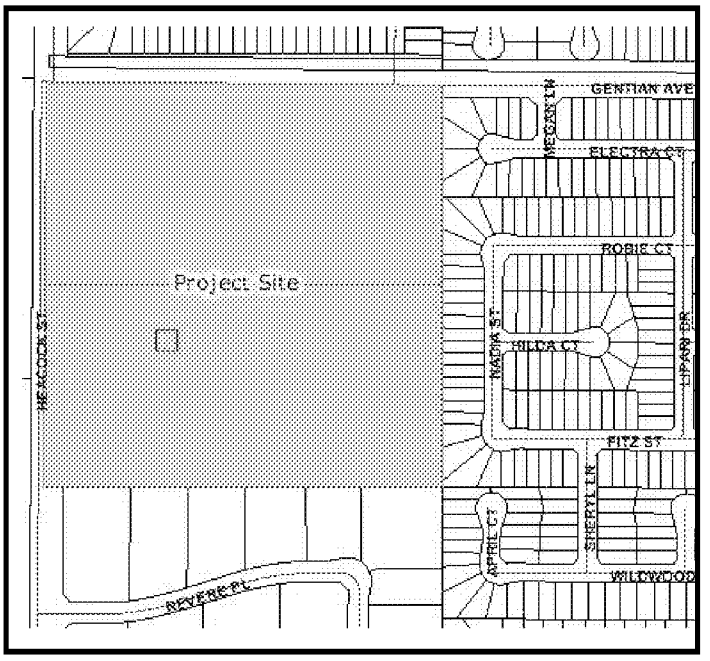

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 13, 2010 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

Item No. E.2

MV00069822

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MV00069823

RESOLUTION NO. 2010-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA06-0185) TO CHANGE THE LAND USE DESIGNATION FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE.

WHEREAS, the applicant, Rados Tenants in Common, has filed an application for approval of PA06-0185, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes about 40 acres of Business Park (BP) land use to Residential 5 (R5) land use as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA06-0185 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA06-0185). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA06-0185 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

Section 3

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0185:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

   Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This subject property is not within the boundaries of the City of Moreno Valley Redevelopment Project Area.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0185, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00069827

GENERAL PLAN AMENDMENT

Application No. PA06-0185
RESOLUTION NO. 2010- xx

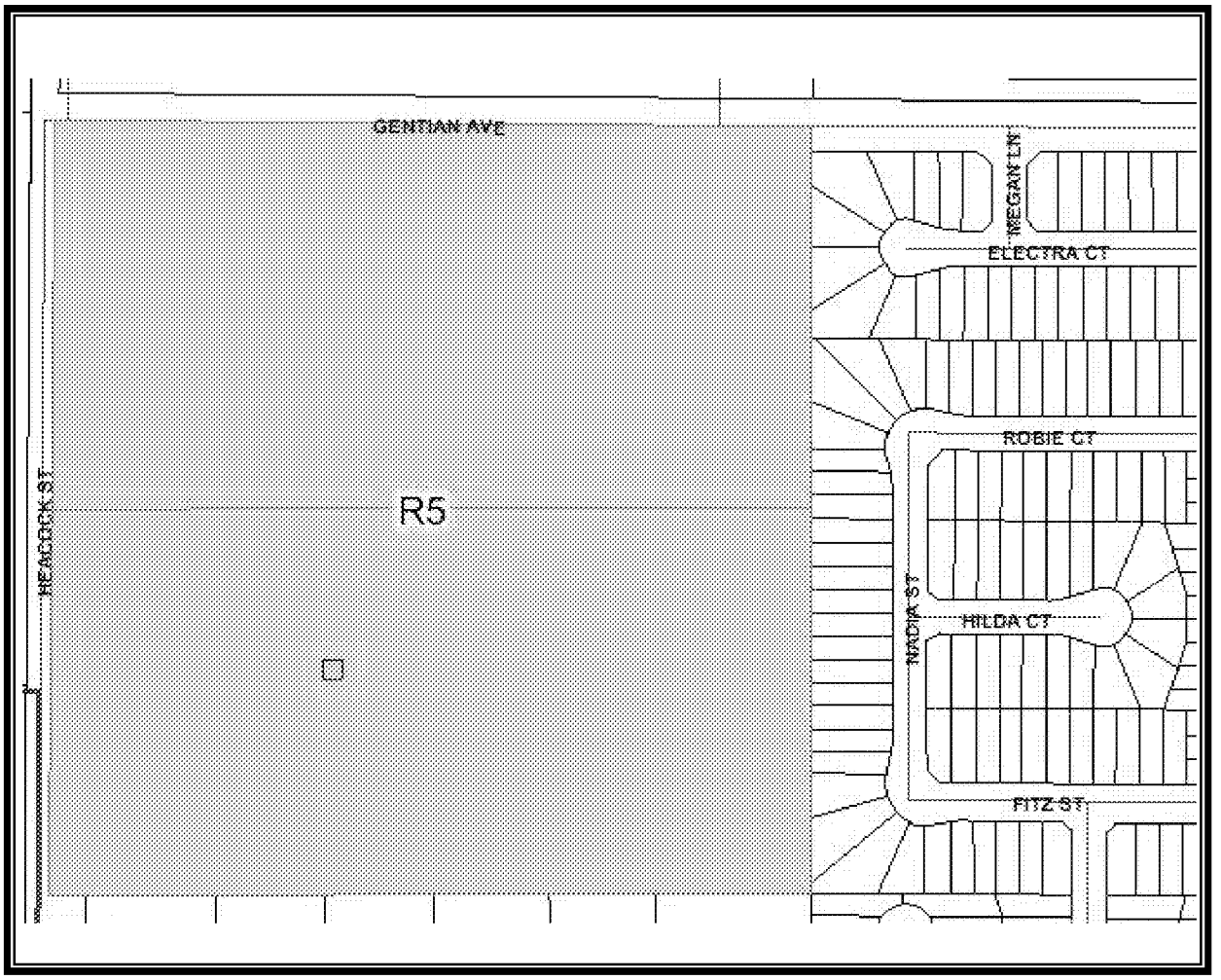

ADOPTED

EFFECTIVE_____

N

LEGEND

R5

R5

Exhibit A

Item No. E.2

MV00069828

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MV00069829

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA06-0184 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 40 ACRES FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 126 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA06-0184).

1.4. An Initial Study has been completed for PA06-0184 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 125 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on July 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

ATTACHMENT 3

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Business Park (BP) to Residential 5 (R5) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Business Park (BP) to Residential 5 (R5) for the approximately 40 acres located at the southeast corner of Heacock Street and Gentian Avenue, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00069833

CHANGE OF ZONE

Application No. PA06-0184
ADOPTED BY ORDINANCE NO. xx

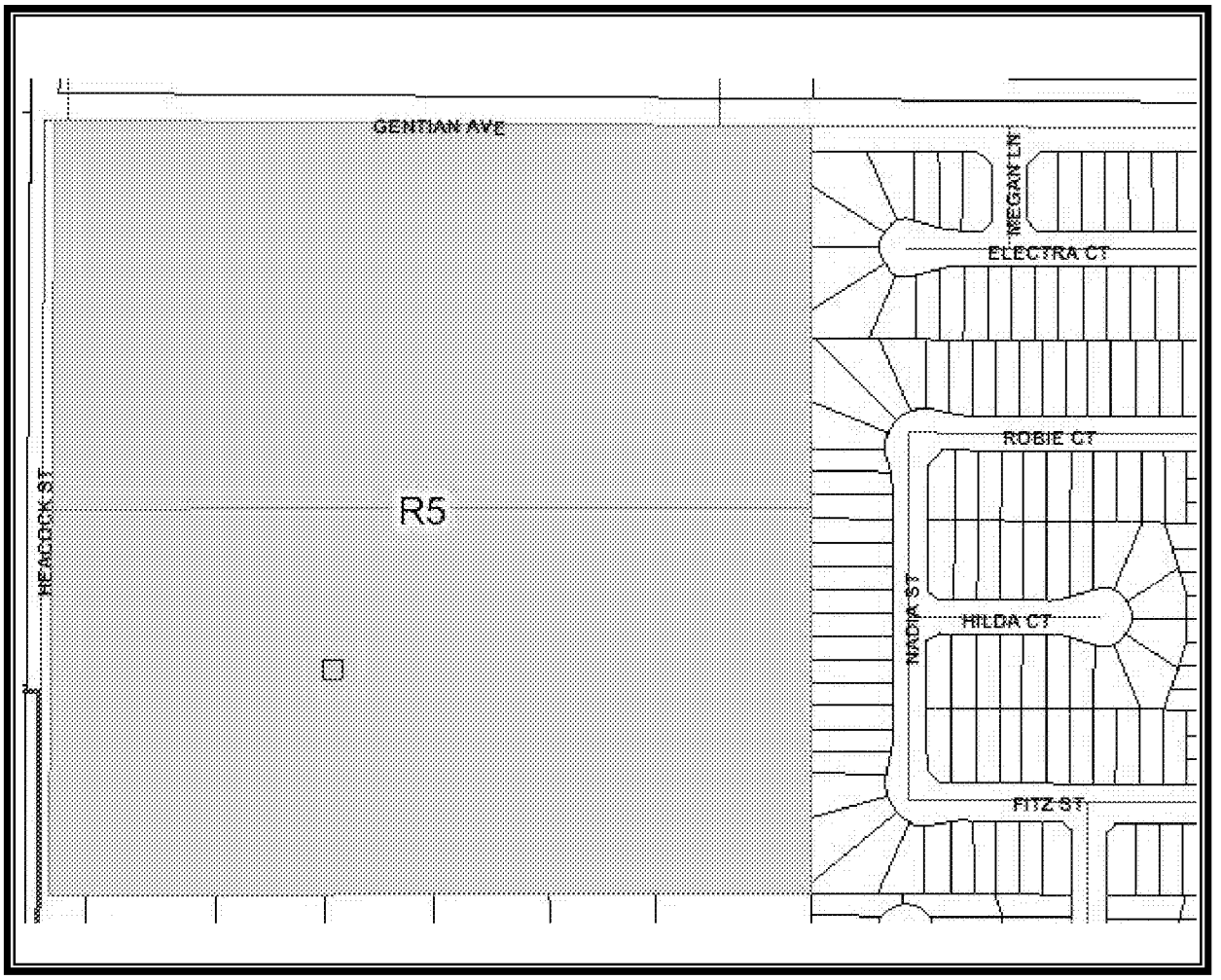

ADOPTED

EFFECTIVE_____

N

LEGEND
R5

R5

EXHIBIT A

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MV00069835

RESOLUTION NO. 2010-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34748 (PA06-0183) AND VARIANCE (P09-102). THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE (ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026).

Section 1:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

ATTACHMENT 4

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0183:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. That the proposed land division is consistent with applicable general and specific plans;

   FACT: This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   With approval of the General Plan Amendment, the proposed project is consistent with the General Plan designation of Residential 5 (R5). With approval of the Change of Zone, the project is consistent with the Residential 5 (R5) zoning district.

2. That the site of the proposed land division is physically suitable for the type of development;

   FACT: The project site current land use designation is Business Park (BP). This project proposes to change the General Plan and zoning designation from Business Park (BP) to Residential 5 (R5). The project is located is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land

uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

3. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

FACT: The proposed Tentative Tract Map 34748 will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. As conditioned, the proposed land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the parcels. There are no known hazardous conditions associated with the property, the design of the land division or type of improvements.

5. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

FACT: There are no existing easements on the subject site acquired by the public for access through or use of the property.

6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and

FACT: The size, configuration and orientation of the lots in this land division allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 2:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO P09-102:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

   FACT: The parcels does meets the minimum square footage requirement of the Residential 5 (R5) and are consistent with the General Plan, its goals, objectives, policies and programs.

   Approval of the variance is required in order to approve the proposed Tentative Tract Map. The variance request covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and located on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges.

2. There exist exceptional circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply generally to other properties in the vicinity and under the same zoning classification.

   FACT: The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10% and would not grant the applicant any special privileges.

3. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other owners in the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

4. Approval of this Variance does not constitute the granting of a special privilege inconsistent with the limitations on other properties within the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

5. Approval of the variance is not detrimental to the public health, safety or welfare and is not materially injurious to properties or improvements in the vicinity.

FACT: The proposed project (four applications) will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

6. The granting of a variance is consistent with the objectives and policies of the general plan and the intent of the title.

   FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and Uniform Building Code. The variance complies with all other provisions of the General Plan and applicable development standards outlined in the Municipal Code.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0183 and P09-102; subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00069843

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
PA06-0185 -TENTATIVE TRACT MAP 34748
AND P09-102 - VARIANCE
A.P.N.: 485-230-025 and 485-230-026

Approval Date: **July 13, 2010**
Expiration Date: **July 13, 2013**

The following conditions are attached for the following departments:

X **Planning (P), including School District (S), Post Office (PO), Building (B)**
X **Police (PD)**
X **Fire Prevention Bureau (F)**
X **Public Works, Land Development (LD)**
X **Public Works, Special Districts (SD)**
X **Public Works – Transportation (TE)**
X **Moreno Valley Utilities**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. (BP) Enhanced architectural treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.

P8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

PRIOR TO GRADING

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P11. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with pilasters and a cap along the western side of Lot 49 and the southern property line of the water quality basin and extended detention basin. A six (6) foot high solid decorative tubular steel fencing with pilasters and a cap along all street frontages of the water quality basin and extended detention basin.**

P15. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

A. A solid decorative block wall with pilasters and a cap is required along the perimeter of the tract adjacent to any right of way or reverse frontage location and along any right of way within the interior of the tract (all corner lots).

P17. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO RECORDATION OF FINAL MAP

P18. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

PRIOR TO BUILDING PERMIT

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P20. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

P21. **(BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO CERTIFICATE OF OCCUPANCY

P22. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

P23. **(CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)**

P24. **(CO) For a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity.**

VARIANCE

P25. **(P09-102) Lot Numbers 37, 38, 39 and 40 have been approved to have retaining walls higher than the maximum three feet height allowed when on a property line. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.**

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B-2 Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B-3 All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B-4 (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be _1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 508.3 MVMC 8.36.050 and 8.36.100 Section E).

F3. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F18. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F19. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F20. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F21. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F22. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F23. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F24. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F25. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F26. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F27. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F28. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F29. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA06-0183 / TTM 34748 –135 Single Family Residential Homes
APNs 485-230-025 and 485-230-026

Note: **All Special Conditions are in** Bold **lettering and follow the standard conditions.**

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD10. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association. The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD13. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD14. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD15. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD16. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD17. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD18. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public

notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal.

LD22. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD23. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD24. (GPA) Prior to the approval of a grading plan, the developer shall comply with the rules and regulations of FEMA and City Ordinance 8.12.190 for development within a flood hazard area (defined as Zones A, AE, AH, A0 and A99).

a. For developments required to submit a CLOMR/LOMR, the City requires the following prepared by a licensed civil engineer or land surveyor:

   i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
   ii. Prior to issuance of a grading permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City.
   iii. Prior to issuance of individual building permits, an elevation certificate.
   iv. Prior to issuance of first building permit, submittal of Letter of Map Revision (LOMR) package with appropriate fees to FEMA unless otherwise approved by the City Engineer.
   v. Prior to issuance of individual certificate of occupancy, a final elevation certificate. Developer acknowledges and agrees to disclose that owners of lots in the flood plain may need to pay flood insurance until such time LOMR is approved.

vi. Prior to ninety percent reduction of public improvement securities, a LOMR approved by FEMA shall be submitted to the City.

b. For developments less required to submit a CLOMR-F/LOMR-F, the City requires the following prepared by a licensed civil engineer or land surveyor:

i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
ii. A CLOMR-F (residential structures) unless otherwise approved by the City Engineer.
iii. Determination of BFE. Machinery and equipment servicing the structures shall be designed to be located above the BFE. For habitable structures, the lowest floor must be certified to be a minimum of one foot above the BFE; non-residential structures must be additionally dry floodproofed; for qualified non-habitable structures, the lowest floor must be wet floodproofed to one foot minimum above BFE.
iv. Prior to issuance of individual building permits, an elevation certificate shall be approved by the City.
v. Prior to issuance of first building permit for residential structures, submittal of LOMR-F package with appropriate fees to FEMA, unless otherwise approved by the City Engineer.
vi. Prior to issuance of individual certificate of occupancy, a final elevation/floodproof certificate (dependent on type of structure(s)).
vii. Prior to ninety percent reduction of public improvement securities, a LOMR-F approved by FEMA shall be submitted to the City.

LD25. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD26. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD27. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD28. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD29. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD30. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD31. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD32. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.

LD33. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD34. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD35. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD36. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD37. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD38. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD39. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD40. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD41. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD42. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD43. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD44. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD45. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD46. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD47. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD48. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD49. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD50. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD51. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved

means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD52. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD53. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD54. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD55. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD56. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD57. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD58. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.

d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD60. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD61. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD62. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD63. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD64. (CO) Prior to issuance of a certificate of occupancy or building final for residential projects, the last 20% or last 5 units (whichever is greater, unless as otherwise determined by the City Engineer) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD65. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD66. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.

g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

Prior to Acceptance of Streets into the City Maintained Road System

LD67. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD68. Prior to final map approval, the map shall show the following:

a. A 69.5-foot street right-of-way dedication on the east side of Heacock Street along this project's west frontage to ensure a (construction) centerline to east right-of-way distance of 50 feet for a Modified Arterial, City Standard 104A.

b. A 44-foot street right-of-way dedication on the south side of Gentian Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 44 feet for a Minor Arterial, City Standard 105A.

c. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 66 feet for a Collector, City Standard 107, for Streets "A", "M" and "N", as shown on the Tentative Map.

d. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 60 feet for a General Local Street, City Standard 108A, for Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", as shown on the Tentative Map.

e. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 56 feet for a Short Local Street, City Standard 108B, for Streets "I" and "J", as shown on the Tentative Map.

f. The appropriate street right-of-way dedication for a cul-de-sac at the terminus of Street "I" and Street "J", per City Standard Plan 123.

g. The appropriate street right-of-way dedication for a knuckle at each knuckle location as shown on the Tentative Map, per City Standard Plan 122.

h. Corner cutback right-of-way dedications per City Standard 208.

i. Landscape easements along the Heacock Street and Gentian Avenue frontage, 10 feet and 6 feet in width, respectively, or as directed by the City's Planning and Special Districts Divisions.

LD69. Prior to final map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Heacock Street, Modified Arterial, City Standard 104A Modified (89.5-foot RW / 76-foot CC) shall be constructed to full width, along the entire project's west frontage. A 69.5-foot right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (east side only), drainage structures, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps, curb returns, metal beam guard rail behind the west curb as directed by the City's Transportation Division, relocation and/or adjustment of existing utility appurtenances, and dry and wet utilities. All Heacock Street improvements shall be consistent with the Heacock Street design per the City's Capital Improvement Project (CIP) for the Heacock Street Widening Project.

b. Gentian Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet north of the centerline, along the entire project's north frontage. A 44-foot right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps,

curb returns, relocation and/or adjustment of existing utility appurtances, and dry and wet utilities.

c. Streets "A", "M" and "N", Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

d. Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", General Local Street, City Standard 108A (60-foot RW / 40-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

e. Streets "I" and "J", Short Local Street, City Standard 108B (56-foot RW / 36-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements during design plan check. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

g. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. The developer shall install storm drain improvements per the Tentative Map, these conditions of approval, and

as approved by the City Engineer. Any required trenching shall be repaired per City Standard 602.

LD70. Prior to final map approval, Lots A and B shall be designated as a water quality basin and an extended detention basin, respectively, and retained by the developer. All basins shall be maintained by a homeowner's association.

LD71. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction, including easements. Drainage improvements may include, but not be limited to, an in-tract storm drain system including a detention basin and a downstream offsite storm drain connection conveying the tract's exiting runoff within Heacock Street south to existing Line B-18 at Revere Place. Final sizing and design details shall be approved during design plan check.

LD72. Prior to rough grading plan approval, the plans and the submitted drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies. The extended detention basin shown as Lot "B" of the Tentative Map, is an acceptable solution to mitigating the project's post-developed increased runoff, as long as the final drainage study demonstrates that the post development runoff does not exceed pre-developed runoff for any storm even. The adjacent existing Heacock Channel, Sunnymead ADP Line B, is already currently overcapacity which floods the surrounding streets and properties during large storm events. In no way shall this project's development contribute further to the existing problem.

LD73. Prior to rough grading plan approval, the grading plans shall clearly demonstrate, with detail, the proper function and design of the water quality basin (shown as Lot A on the tentative tract map). The design of the basin shall conform to City guidelines as found on the City's website. The water quality basin design, including inlet/outlet/overflow/maintenance access locations, shall be designed per the approval of the City engineer. (http://www.moreno-valley.ca.us/city_hall/forms.shtml#wqmp)

LD74. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins, both Lots "A" and "B", and an emergency escape at any sump catch basin location. This might include, but not be limited to, over-sizing the catch basin inlets, providing an approved emergency overflow path, or other method as approved by the City Engineer during the design/plan check stage. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD75. Prior to rough grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100-year floodzone (Zone A). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application Form MT-1, as well as all City Ordinance 8.12.190 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan approval. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for CLOMR-F / LOMR-F requirements. Website: http://www.fema.gov/ Ph: 1-877-336-2627 A copy of all items requested by FEMA shall also be submitted to the City as reference and for review, as required. The grading plans shall plot the flood limits after the proposed fill.

LD76. Prior to rough grading plan approval, the developer shall submit for review and approval a final soils report including site grading recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD75.

LD77. Prior to grading or improvement plan approval, as appropriate, the plans and final drainage study shall include detailed drainage improvement design, including sizing and location. Due to the possible shallow in-tract street grade(s) (See LD78), additional storm drain inlets shall be installed, as may be required by the City Engineer. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD78. Prior to improvement plan approval, the plans shall show the streets designed per City design standards and these conditions of approval. Per the Tentative Map, the streets are shown at a longitudinal slope of less than 1.0%. 1.0% is the minimum street slope, per City standards. If, during design plan check, the design engineer demonstrates that 1.0% minimum is not achievable, and as approved by the City Engineer, a street slope of less than

1.0% may be approved. If slopes of less than 1.0% are approved, the design engineer shall attempt a slope as close to 1.0% as possible, but never less than 0.65%.

LD79. The site design proposed for this project is acceptable given the current proposed treatment devices. However, if the treatment BMP devices change in future F-WQMP submittals, a re-review of the site design acceptability will apply.

LD80. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD81. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD82. The Applicant has proposed to incorporate the use of a water quality basin system. Final design details of the systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD83. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD84. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748-135 lots)
APNs: 485-230-025 and -026
02.18.10 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA06-0183**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the **Special Districts Division of the Public Works Department at 951.413.3480**. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone D**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone D**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space

maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-4 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-5 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Recordation of Final Map

SD-6 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the following options shall be selected:

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

SD-7 (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent

to record final map 90 days prior to City Council action authorizing recordation of the map. (California Government Code)

SD-8 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges and maintenance for residential street lighting. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone B** (Residential Street Lighting), and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the residential streetlights; or
c. Establish an endowment to cover future maintenance costs for the residential streetlights.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-9 (R) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Moreno Valley Community Services District extensive parkway/median landscape program maintenance for **Zone D**, and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-10 *Residential* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and

enhancements, remediation and/or replacement, the developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-11 (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-12 (R) Easements for reverse frontage parkway and slope landscape areas abutting **Heacock St.** shall be **10ft** or to top of parkway facing slope, whichever is greater and **Gentian Ave.** shall be **6ft** or to top of parkway facing slope, whichever is greater, as depicted on TTM dated **January 2010**. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD-13 (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD-14 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD-15 (BP) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Building Permit for the **101st dwelling** unit for this tract.

Prior to Certificate of Occupancy

SD-16 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-17 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map. Please forward to:

City of Moreno Valley
Special Districts
14325 Frederick Street, Suite 9
P.O. Box 88005
Moreno Valley, CA 92552-0805

SD-18 (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA06-0183/0184/0185

TTM 34748, Change of Zone, and GPA for 135 residential lots located on the southeast corner of Heacock Street and Gentian Avenue.

Note: All Special conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. Knuckles shall be designed and constructed per City Standard Plan No. 122.

TE4. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE5. Heacock Street is classified as a modified Arterial (100' RW/76' CC) per City Standard Plan No. 104A (modified as necessary). Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE6. Gentian Avenue is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Traffic Signal Interconnect shall be installed along Gentian Avenue per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE7. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE12 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. The driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 117.

TE9. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 and 126 at the time of preparation of final grading, landscape, and street improvements.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection at Heacock Street and Gentian Avenue to provide the following (including any Metal Beam Guard Railing per City Standard deemed necessary by the City Engineer):

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersection:

- **Heacock Street at Gentian Avenue**

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE14. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE15. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE16. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE12 per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748), PA06-0184 (CZ) and PA06-0185 (GPA)
APN: 485-230-025 and 485-230-026

PUBLIC WORKS DEPARTMENT

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for project(s) **PA06-0183, PA06-0184, PA06-0185, P09-102**; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from **Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department at 951.413.3487**. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the

approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PLANNING COMMISSION STAFF REPORT

Case(s):	PA06-0185 (General Plan Amendment) PA06-0184 (Change of Zone) PA06-0183 (Tentative Tract Map No. 34748) P09-102 (Variance)
Date:	May 13, 2010
Applicant:	Rados Tenants in Common
Representative:	Albert A. Webb Associates
Location:	Southeast corner of Heacock Street and Gentian Avenue
Council District:	4
Recommendation:	Approval

SUMMARY

This item includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ATTACHMENT 5

Project Overview

This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4.

Background

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

General Plan Amendment

An application for a General Plan Amendment has been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

Zone Change

An application for a Zone Change has also been submitted in order to change the zoning designation from Business Park (BP) to Residential 5 (R5).

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family residential use. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

Site/Surrounding Area

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north. There is an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from

23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

Access/Parking

Primary access to the proposed tract will be from proposed Street "M" and "N" off of Heacock Street in the west and Street "A" off of Gentian Avenue in the north. Interior streets provide circulation throughout the tract.

Each lot, when developed, will be required to meet the parking standards for a single-family residence, which requires a minimum two (2) car garage to meet the off-street parking requirements of the Municipal Code. Additional permitted parking would be located within oversized garages, driveways and along public residential streets.

Design

The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Tentative Tract Map Number 34748, as proposed, will subdivide the 40 acres into 135 single-family residential lots. The lot sizes will range from 7,200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

There are two lettered lots within the project, located in the southwest corner of the proposed tract. Lot "A" is a required water quality detention basin (46,863 square feet). Lot "B" is an extended detention basin (26,539 square feet). A landscape easement, in addition to standard right-of-way, is required to provide enough room to screen the water quality detention basin along Heacock Street as well as proposed Street "K", "N" and "L".

This review and approval process only involves a tentative tract map application for the new subdivision. The future single-family homes for the tract will be reviewed under a separate administrative process. At that time, staff will ensure that the proposed residential units meet the City's design standards.

The walls and fences for this tract are conditioned to be consistent with the provisions for walls and fences within the City's Municipal Code. Decorative block walls are required in the street side yards of all corner lots. Wood fences are permitted for all interior side yards and rear yards not visible from the public right-of-way.

REVIEW PROCESS

The application for the project was submitted on December 21, 2006, and was initially reviewed by staff at the February 6th, 2007, Pre-Project Review Staff Committee (PRSC) meeting. Subsequently, staff has been working with the applicant's representative on a series of revisions to the plan.

ENVIRONMENTAL

The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site.

The majority of the property is covered by low-growing vegetation since the site has been previously disturbed in the past by various activities such as grading, weed abatement and development activities.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2010-9, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance) in that this project, as conditioned, will not result in significant environmental impacts; and

2. **RECOMMEND** that the City Council approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

Prepared by:	Approved by:
Claudia Manrique Associate Planner	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-9 with Conditions of Approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Land Use Map
6. Aerial Photograph
7. Tentative Tract Map 34748

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700 PUBLIC HEARING ITEMS

710

PA06-0185	**General Plan Amendment**
PA06-0184	**Change of Zone**
PA06-0183	**Tentative Tract Map No. 34748**
P09-102	**Variance**

CHAIR MARZOEKI – May I have the Staff Report please?

ASSOCIATE PLANNER MANRIQUE – Good evening I'm Claudia Manrique the Case Planner. The site of the proposed location of the project is the southeast corner of Heacock Street and Gentian Avenue.

For some quick background information; a larger scale project was presented to the Planning Commission by the same Applicant back in July of 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock, between Gentian down to Iris in the Business Park and Industrial Zoning Districts. The project was approved by the Planning Commission and later denied at Council. A settlement agreement was entered into by the Applicant and the City. The terms of the agreement allowed the Applicant to submit a revised version of the project. The Applicant submitted two separate projects; the single-family residential tract that is before you and a smaller industrial complex project PA07-0035 on the southern half which was approved earlier this year.

The General Plan Amendment has been submitted in order to change the land use designation from Business Park to Residential 5.

The Zone Change that has been submitted will do the same, from Business Park to Residential 5.

Tentative Tract Map No. 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan and Zone Change are required to allow this. Lot sizes of the tract will range from 7200 square foot to 12,576 square feet. The average lot size of the tract is around 8200 square feet. The density of this tract is 3.4 dwelling units per acre.

The Variance being proposed will cover the retaining walls on four lots; Lots Number 37, 38, 39 and 40, which have retaining walls over the three maximum allowed when located on the property line. The Variance is required to meet drainage provisions for the development due to elevation constraints at the connection point of an existing storm drain along Heacock Street.

The site is currently zoned Business Park and is located in an area located that includes a mix of industrial uses within the Moreno Valley Industrial Area Plan and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north and an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan.

The site is currently vacant and is in an area of the Riverside County Integrated Plan and has been identified for having a potential for Burrowing Owl Habitat. A Habitat Assessment was prepared in September of 2006. No owls were observed on site. The project has been conditioned to complete a pre-construction survey for owls prior to any disturbance of the site.

The Staff Report unfortunately had a minor error about the location of the flood plain. The current Federal Emergency Management Acts or FEMA indicates a small section of the site is in the flood plain along the western boundary. On the Tract Map it is the area highlighted in the darker gray. The project has been conditioned by Public Works to delineate the flood plain zones on the grading plans and to demonstrate on the plans that any building finished floor elevations shall be a one foot minimum above the 100 year flood plain and also meet other requirements of FEMA.

The Transportation Engineering Division staff have reviewed and approved the revised traffic impact analysis. It found that the Business Park Zone includes uses such as general light industrial, warehousing and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park to R5 would reduce the number of trips.

Based upon the Initial Study a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Public Notice was sent to all property owners within 300 feet of the project as well as posted on site and printed in the newspaper. As of today, I received two phone calls regarding the project. They both wanted to know what was going to be developed and if there was a builder already picked out for the tract, which to my knowledge there is not.
Staff recommends that the Planning Commission takes the following action:
Approve Resolution No. 2010-9 thereby recommending that the City Council adopt a Negative Declaration for PA06-0185, 0184 and 0183 and P09-102 in that this project as conditioned will not result in significant environmental impacts and recommend that City Council approves the project.

I would also like to note that there were two changes to the conditions from the Land Development Department. Thank you.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Good evening members of the Planning Commission and Chair Marzoeki. I'd like to make a further change to the green sheet, Condition of Approval LD69. The first reference to an 89 ½ foot right-of-way should remain at 89 ½. That is the number within the parenthesis. The 89 ½ basically designates the total right-of-way width for the street. It is in the third line where 89 ½ is referenced that should be changed to 69 ½. That statement is made with reference to the right-of-way dedication that the developer has to make. There is currently 20 feet of right-of-way on the west side of the street, so this developer only needs to dedicate 69 ½ feet. That's it; thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – The first one is just for basic information. We all know that Rados submitted this project as an industrial project several years ago and I'm just curious what prompted the change to residential. Is it the very fact that they got turned down?

PLANNING OFFICIAL TERELL – Well you can talk to the Applicant, but I don't know if it was because they got turned down but based on that process this looked like a more viable use at that time and actually I think based on the economics of the time when this was resubmitted, it looked more viable from that standpoint also; residential versus industrial use was financially feasible.

COMMISSIONER DE JONG – Well hopefully the Applicant will address that question. Also, how will the properties that bisect the flood plain be addressed; not the ones that are completed in the flood plain, but the ones that bisect them.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, Clement Jimenez from Land Development. The lots that are in the shaded gray area there are currently in flood zone. The developer is conditioned to submit to the City and also to FEMA a Clomar, based on fill and that's basically a conditional letter of map revision based on fill. What that will achieve is it will elevate the pad elevations and ultimately the finished floor elevations so that all of the pads in the shaded area will be located outside of the current flooding limits and this will have to be done prior to a grading permit. Now prior to issuance of a building permit or occupancy, the developer will have to submit a letter of map revisions based on fill and that's actually a letter from the Federal Emergency Management Agency stating that the Clomar (conditional letter of map revision) has been reviewed by them; has been approved by them and that the grading as-built plans reflect that the pads that are currently in the shaded area will be located outside of the flooding area because the pads will be elevated to a certain height.

COMMISSIONER DE JONG – So even some property that is half in and half out of that, it would still be forced to be raised?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Right, any portion of the property that is within the shaded area will have to be elevated.

COMMISSIONER DE JONG – Is the 100 year flood plain?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes it is

COMMISSIONER DE JONG – Thank you

CHAIR MARZOEKI – Are there any other questions of Staff? Seeing none, I will open up the Public Testimony Portion and call the Applicant forward. Please state your name and address for the record.

APPLICANT BROWN – Good evening, my name is Les Brown. My address is 2002 East McFadden, Suite 200, Santa Ana, California.

CHAIR MARZOEKI – Do you have something to say about the project?

APPLICANT BROWN – Very little actually. This is a fairly simple project... 135 residential lots, with the smallest being about 7200 square feet and the largest is about 12,500. It is the result quite literally, years of discussion with the City as to how to get through the various issues presented by this site for residential development. I think the summary by Staff more or less speaks for itself and if there are any questions from any of the Commissioners, I will be happy to try and address them.

CHAIR MARZOEKI – Okay, go ahead

COMMISSIONER GELLER – So you concur with all the Conditions of Approval including all the amendments as amended?

APPLICANT BROWN – Yes, we accept all the Conditions of Approval.

CHAIR MARZOEKI – And that's it, okay. Did you want ask about why the residential?

COMMISSIONER DE JONG – He sort of touched on that but okay. Can you clarify then sir why Rados chose to change the project from Industrial to Residential?

APPLICANT BROWN – After discussions with both citizens and both City Staff, it appeared that a residential development would be much more acceptable to both and frankly given the way the market is developing now, it appears now to be a fairly decent choice. I have great hopes for this project.

COMMISSIONER DE JONG – Okay, easy enough, thank you

CHAIR MARZOEKI – Are there any other questions for the Applicant? Okay I do have one Speaker Slip, so I can call you back up after that if we need to... Deanna Reader...

SPEAKER READER – My name is Deanna Reader and you'll notice that when I marked that, I didn't mark for or against, mainly because I had more questions than anything else and mainly my point is planning is important. You have all these residences and then you have a little street and then it is commercial, which is originally what he was going to do was put a building where a building was zoned to go, but my point is there shouldn't have been any houses west of Indian. You know that area there instead of being houses could have been Business Park and then he could have done the Industrial that would have made more sense and that's why planning is so important. I've read all the stuff and in fact I have read the entire case and the court over this, so I sympathize with Rados to a certain degree, the problem here is how do you fix stupid and I'm not saying on your part because you approved what was supposed to be there, however it was the before you. My point is on some of these things where we make variances that don't make sense, we shouldn't. Thank you.

CHAIR MARZOEKI – Thank you.

PLANNING OFFICIAL TERELL – As a point of clarification, all the surrounding development was actually approved under the County zoning that was in place when the City incorporated, so the early City Councils looked at creating employment in the City and that's why they zoned the areas further south for industrial and these areas actually were zoned Business Park by the County and the City carried those over because of the adjacency to the Air Base. Fortunately over the last 20 or so years the planes that fly or when the Air Force Reserve flying become quieter, that allowed this particular site to even be considered for residential because now the noise contours are even below the levels that... well they are below the levels which residential can occur.

CHAIR MARZOEKI – Okay, thank you for that clarification. Would you like to come back up and say anything else?

APPLICANT BROWN – No thank you

CHAIR MARZOEKI – Okay, well with that I don't have any more Speaker Slips so... Well bring it on up.... Terry Braem. Okay come on up.

SPEAKER BRAEM – My name is Terry Braem. I live at 15450 Tiffin Court just adjacent to that area that we are talking about in this project. To answer your question Mr. De Jong, you asked why this was changed from Light Industrial to Residential. I can tell you back in the day and I was very involved with the project that Rados wanted to do. All the residents were against that project. No one wanted a huge warehouse or Light Industrial in the first place. Everybody

lobbied to have it changed to a residential area because 50 percent of the area is residential and no one wanted any type of trucks moving in and out of that area. If you follow south of Iris down in that area, it is almost an area that is prime for Light Industrial use and I noticed on the planning between Iris and the other street that is still zoned for Light Industrial. I don't understand why that should be still industrial when the whole area should be residential. Now that is the first note when you asked to answer your question. The second one is a huge concern because I have lived in that area for over 20 years; that area floods bad. I don't know how... just these recent past storms, Heacock and Iris was completely closed off because there was so much water in that area, so I'm not sure how drainage would work. It would have to be very creative in draining that area. I've been in that area to the point where that whole field was a lake, so you would have to be very cautious when it rains in that area because it is very, very bad, so I would suggest that whole area that is going to be residential is going to have to be built up.

COMMISSIONER DE JONG – Thank you

SPEAKER BRAEM - Are there any questions?

CHAIR MARZOEKI – Thank you

COMMISSIONER DE JONG – I appreciate it

PLANNING OFFICIAL TERELL – Yeah just a point of clarification... The property to the south has an approved industrial project on it but it is a mixture. It has a row of small buildings under 50,000 square feet, kind of similar to the buildings across the street from the City Hall, so that's the buffer between the residential and the industrial and there is one relatively small by current standards, but large warehouse building that has been approved for the property that the Speaker was referencing, but there is a buffer. It doesn't go directly from Residential to Industrial; there is a row of multi-tenant buildings in between that provide an adequate transition to this project and to the existing residential to the east and then you get to the Industrial.

CHAIR MARZOEKI – Okay, thank you. We have one more Speaker Slip.

COMMISSIONER DE JONG – Can we have Clement comment on the drainage?

CHAIR MARZOEKI – Oh sure

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Hi, good evening again. With respect to the drainage/flooding problem at the intersection of Heacock and Iris, the City is aware that there is a flooding problem there; however the developer cannot be conditioned to fix an existing public flooding problem. They can be conditioned to not increase or add to the problem and

therefore the project has been conditioned to add a detention basin as you'll note on either Lot A or Lot B on the exhibit. One basin is for water quality and the other one is strictly for detaining the difference between pre-emptive post development flow, so the amount of the flow that runs out of the project site will be equal to or less the amount of flow that currently leaves the site and that is what we can condition the developer to do. Now I know that Riverside County Flood Control District is working with March JPA on a project and a study and I think it is still very preliminary in the planning stages to improve Heacock Channel which runs along to the west side of Heacock Street and only that improvement will ultimately solve the problem at the intersection of Heacock and Iris and it is a very big project and very expensive project, but it is something that is being planned for currently by other agencies.

COMMISSIONER DE JONG – So Clement in your opinion, the raised pads in the flood area and the retention basins is adequate enough to deal with this problem?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, the houses will not flood. The streets may flood a little bit especially on Heacock Street but depending on the elevations of the streets within the interior site of the tract, they probably will not flood and the engineer is here. He can speak to the flooding on the interior streets but the pads themselves will not flood because they will have to be elevated and FEMA will review the grading plan and the revised flood plain limits to ensure that no flooding will occur on the houses.

COMMISSIONER DE JONG – Is it FEMA's requirement to have one foot or 12 inches raised up?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It is both... It is actually a City Ordinance. Our City Municipal Code requires that residential units finished floor elevation to be raised one foot above the water surface elevation of a 100 year flood plain.

COMMISSIONER DE JONG – Where does this 12 inch come from? Is this just the City's standard or is it FEMA?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It's actually pretty common in other cities and it is a FEMA requirement as well. Other cities have that same one foot criterion.

COMMISSIONER DE JONG – Okay thank you

CHAIR MARZOEKI – Is that it?

COMMISSIONER DE JONG – That's it for now.

CHAIR MARZOEKI - I have one more Speaker Slip. I'm not sure if you are speaking on this item or not but Douglas Whitney. Okay, so this one is for Item 730. Okay, so I don't have any other Speaker Slips unless the Applicant wants to comes back up and address anything. No, okay, we will close the Public Testimony portion of this item and open it up to Commissioner Comments.

COMMISSIONER GELLER – I get the feeling I was the only one here during the original hearings. Were you here?

CHAIR MARZOEKI – No, I was here

COMMISSIONER GELLER – Like I say, I know this has dragged on for years and years and years and I'm glad they reached an accord with the City and I know the bottom line is though the City couldn't approve anything without going through the whole process. I certainly don't see anything wrong what is proposed to go here and clearly the surrounding residents seem to have less issue with this than they did with the other project. But so anyway, I think we should send it on its way so they can get started after all these years.

CHAIR MARZOEKI - Thank you

COMMISSIONER DE JONG – I agree one hundred percent. I'm glad to see this project is coming forward with an equitable solution to the site. I like the street layout. I like the big curved layout. We are not just talking about regular squares and rectangles, but a nice curved street I think is refreshing and I'm satisfied with how City Engineering is dealing with the flooding, so I will also vote to pass this along.

CHAIR MARZOEKI – Thank you. Any comments?

COMMISSIONER SALAS – I have no comments

CHAIR MARZOEKI – Okay

COMMISSIONER BAKER – I'm okay

CHAIR MARZOEKI – Okay. Does anybody want to make a motion?

COMMISSIONER DE JONG – I'll make a motion

CHAIR MARZOEKI – Okay

COMMISSIONER DE JONG – I move that the Planning Commission **APPROVE** Resolution No. 2010-9 and thereby:

1. **ADOPT** a Negative Declaration for PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance, in that this project as conditioned will not result in significant environmental impacts; and,
2. **APPROVE** PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance as modified.

COMMISSIONER GELLER – Second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor

Opposed – 0

Motion carries 5 – 0 – 2, with two absent (Vice Chair Riechers and Commissioner Dozier)

CHAIR MARZOEKI – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action.

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MV00069903

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map 34748) and P09-102 (Variance)
PROJECT APPLICANT: Rados Tenants in Common **TELEPHONE NUMBER:** (714) 835-4612
PROJECT LOCATION: Southeast corner of Heacock Street and Gentian Avenue
PROJECT DESCRIPTION: The project includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 7/13/2010

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____	BY: City Council

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map 34748)
P09-102 (Variance)

2. Lead Agency Name and Address: City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

3. Contact Person and Phone Number: Claudia Manrique, Associate Planner
(951) 413-3225

4. Project Location: Southeast corner of Heacock Street and Gentian Avenue

5. Project Sponsor's Name and Address: Rados Tenants in Common
2002 McFadden Avenue, Ste. #200
Santa Ana, CA 92705

6. General Plan Designation: Current: Business Park (BP)
Proposed: Residential 5 (R5)

7. Zoning: Current: Business Park (BP)
Proposed: Residential 5 (R5)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026). Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The site is undeveloped with no significant vegetation noted on the site. Approval of Tentative Tract Map 34748 is contingent upon City Council adoption of the change in land use from Business Park (BP) to Residential 5 (R5).

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

No blue line stream was noted on the Sunnymead, CA USGS Topographical Quadrangle Map, which pertains to this site. On-site drainage for this property appears to flow from northeast to southwest the across the surface of the site. A riparian area or a condensed vegetated area to support threatened or endangered species was not evident at the site. Therefore, it is not anticipated that the project will result in a potential for significant impacts to Fish and Wildlife resources.

Based on review of the Cultural Resources Inventory for the City of Moreno Valley, (October 1987), there are no known archaeological resources on the site. The tentative tract will also be conditioned to cease excavation or construction activities if archaeological, paleontological or historical resources are uncovered at the project site. Work in the affected area will cease immediately and the applicant shall consult with a qualified person with appropriate expertise regarding mitigation measures to preserve or record the find.

There are no historic buildings on the site. Therefore, based upon the design of the tentative tract map and the conditions of approval, there will be no impact to scenic resources by development of the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. To the southeast corner of the site is an existing R5 tract. Land uses to the south include vacant Industrial zoned land located within SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

An encroachment permit from the Riverside County Flood Control and Water Conservation District will be required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
The project site is not located in an area identified in the General Plan as an aesthetic resource or a significant visual resource. The project site is located at the northern limits of the Moreno Valley Industrial Area Plan (SP #208) in an area that is comprised of industrial land uses adjacent to residential land uses. The future residential structures will be designed and conditioned will assure a design standard that will not have a substantial adverse effect on the scenic vista of the area.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
There are no trees, rock outcroppings or historic buildings on the site. There are no state scenic highways in the vicinity of the site. The site has been disked over the years for weed abatement. As designed and conditioned, the project will not substantially damage scenic resources.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The project is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. This project is consistent with existing land uses and as designed (with General Plan Amendment and Change of Zone) will not substantially degrade the existing visual character or quality of the site and its surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
As the site is currently vacant, the proposed residential project may create additional light and glare. With regard to indirect impacts, the types of land uses allowed under the General Plan Amendment and zoning would be expected to generate similar or less of an impact on spillover lighting than the office uses under the current General Plan.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on the State Important Farmland Map.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There is no immediate surrounding agricultural land use designation, or any proposed according to the General Plan. The proposed warehouse facility will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed residential project will have less impact on air quality than the original land use designation of Business Park (BP) that has been in place for the last several iterations of the regional population projections and the AQMP.				

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a residential project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, southwest and east of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any residential development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of two individual parcels totaling 40 acres at the SEC corner of Heacock Street and Gentian Avenue. The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There is no stream on the site and no riparian habitat or other sensitive natural community on the site. The project site is located across the street from Line B, which is an open channel located on the west side of Heacock Street. The project also fronts along Line B-19, which is located within Iris Avenue. Improvements related to the project that would impact Line B-19, are limited to a point of connection into the existing underground storm line. Prior to completing such work, the developer is conditioned to work with the Riverside County Flood Control District to acquire any required permits. Therefore, this project will have a less than significant impact on riparian habitat or other sensitive natural communities.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The site is vacant and has been disturbed through routine disking for weed abatement. There are no federally protected wetland areas such as a marsh or vernal pool evident at the site. In addition, a riparian area and condensed vegetation to support threatened or endangered species was not evident at the site. Therefore, the development of this project will not have a substantial adverse effect on federally protected wetlands.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
This site is an urbanized area with existing development to the north, east and west (March Air Reserves Base). Burrowing owl, which was initially identified by Riverside County as having the potential of occurring on the site was not observed during site surveys, so it is unlikely that the proposed project will directly impact sensitive species. There are no known migratory fish or wildlife species or migratory wildlife corridors, on or near the project site.				

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
The proposed residential project would not have a direct impact on creating geologic concerns. The proposed plan does not increase the exposure of residences that might be exposed to groundshaking, since residences are not proposed as part of the plan. In addition, the site is not within an Alquist-Priolo zone, or other designated fault hazard zone. According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
The nearest fault is the San Jacinto fault system, which is located about 16 miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current development codes.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	
This site is not near or adjacent to the mountainside areas. The site is flat, and landslides will not be an issue. There is no potentially significant impact from landslides.				

(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
The geologic unit or soil is not known to be unstable based on current resources. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in December 2006 and the environmental review started in November 2009 before the greenhouse gas emissions section was added to the Initial Study Checklist, therefore the City has chosen to rely on a qualitative analysis. Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue. A Traffic Impact Analysis Final Review was completed for the project in October 2007. The report noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	

The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The project site is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is not within an airport land use plan. The project as designed and conditioned will not result in a safety hazard for people living in the project area.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed residential tract has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Site Design and Source Control best management practices (BMP) are used throughout the project. Treatment BMPs must be selected and implemented which are medium to highly effective in treating pollutants of concern. The applicant has proposed to incorporate the use of multiple filtration systems as the treatment BMP. The treatment control BMP is acceptable as the conceptual treatment subject to certain conditions including in-situ percolation/infiltration test results. Although this approach is acceptable in concept with the Preliminary WQMP, final sizing and specifications based on support calculations and design details will be provided in the Final WQMP at the post entitlement stage. Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
The Eastern Municipal Water District (EMWD) would provide the proposed project with water supplies as opposed to utilizing individual water wells. Water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (along the western boundary). The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that the site is in a flood zone. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

The site is within a 100-year flood plain as shown on the FEMA maps, but it is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. As designed and conditioned, this project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue. Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
There are no conflicts associated with any land use plans. The proposed project is consistent with the site's proposed zoning of Residential 5 (R5) and the City's General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The fee is currently $1938.00 per lot.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located across the street from the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered an industrial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site.				

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site. The project will not displace any residents.				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic study was required to review the proposed General Plan amendment and change of zone. The report completed in October 2007 noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. With the approval of the General Plan amendment and change of zone, the project will consistent with the existing general plan, circulation plan and land use designation of Residential 5 (R5) and the zoning district of R5, and would not conflict with any applicable plans, ordinances or policies.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

The project is consistent with the most current Riverside County Congestion Management Plan and the requirements included within the traffic study. The October 2007 traffic study found that the existing Business Park (BP) zoning would generate more trips than the proposed residential use.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that will result in substantial safety risks?			X	
The project is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and a tract map. The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

Aerial Photograph

PA06-0183, 0184, 0185 and P09-102

ty of Moreno Valley
-177 Frederick Street
oreno Valley, CA 92553

CLAIMER: The information shown on this map was compiled from the Riverside unty GIS and the City of Moreno Valley GIS. The land base and facility information on this o is for display purposes only and should not be relied upon without independent verification o its accuracy. Riverside County and City of Moreno Valley will not be held responsible any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY

ATTACHMENT 8

Item No. E.2

MV00069920

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MV00069921

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

TENTATIVE TRACT MAP NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

JANUARY 2010

OWNER/DEVELOPER:
THE RADOS COMPANIES
2002 E. MCFADDEN AVE.
SANTA ANA, CA 92705
PHONE (714) 835-4612

ENGINEER/REP.:
ALBERT A. WEBB ASSOCIATES
3788 MCCRAY STREET
RIVERSIDE, CA 92506
(951) 686-1070

ASSESSOR'S PARCEL NO:
486-230-025, 026

ACREAGE:
GROSS: 40.27 ACRES
NET: 26.71 ACRES

ZONING DATA:
EXISTING GENERAL PLAN: B-P
EXISTING ZONE: BP (BUSINESS PARK)
PROPOSED GENERAL PLAN: R-5
PROPOSED ZONE: R-5 (7,200 SQ. FT. MINIMUM)

LAND USE:
EXISTING: VACANT (UNDEVELOPED)
PROPOSED: SINGLE FAMILY RESIDENTIAL
EXISTING SURROUNDING LAND USE: SINGLE FAMILY RESIDENTIAL/VACANT
PROPOSED MINIMUM LOT SIZES: 7,200 SQ. FT.

LEGAL DESCRIPTION:
LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

COMMUNITY SERVIES DIRSTRICT:
NOT WITHIN A COMMUNITY SERVICES DISTRICT

SCHOOL:
MORENO VALLEY UNIFIED SCHOOL DISTRICT
25634 ALESSANDRO BOULEVARD
MORENO VALLEY, CA 92553
PH (909) 485-5600

UTILITIES:

WATER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE:
VERIZON
(800) 483-4000

ELECTRIC:
MORENO VALLEY ELECTRIC UTILITY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3500

TV:
TIME WARNER
12125 DAY STREET #A 203
MORENO VALLEY, CA 92557
(951) 275-9022

GAS:
SOUTHERN CALIFORNIA GAS
1981 W. LUGONIA AVE
REDLANDS, CA 92374
(800) 427-2200

TRASH:
WASTE MANAGEMENT INLAND EMPIRE
800 SOUTH TEMESCAL
CORONA, CA 92879
(800) 423-9986

STORM DRAIN:
R.C.F.C.D. (AND CITY)
1995 MARKET STREET
RIVERSIDE, CA 92501
(951) 955-1200

SEWER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TOPOGRAPHY SOURCE:
RIVERSIDE COUNTY FLOOD CONTROL

GENERAL NOTES:

1. TOTAL NUMBER OF RESIDENTIAL LOTS: 135 AND 2 LETTERED LOTS
2. PROJECT DENSITY: 3.3 GROSS 01/AC 5.0 NET DU/AC.
3. THIS PROJECT IS NOT SUBJECT TO LIQUEFACTION.
4. APPLICANT REQUESTS THE RIGHT TO FILE MULTIPLE MAPS UNDER SECTION 66456-1 OF THE MAP ACT.
5. ALL SLOPES ARE 2:1 EXCEPT WHERE NOTED ON PLANS
6. THERE ARE NO KNOWN EXISTING WELLS ON THE PROPOERTY OR WITHIN 200' OF THE PROJECT.
7. THERE ARE NO KNOWN EXISTING DWELLINGS, BUILDINGS OR OTHER STRUCTURES ON THE PROPERTY.
8. FEMA FLOOD ZONE DESIGNATION - ZONE A. ALL LOTS SHALL BE LOCATED OUTSIDE OF FLOOD PLAIN.
9. CORNER CUTBACKS SHALL BE DESIGNED PER CITY STANDARD NO 208
10. KNUCKLES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO. 122
11. CUL-DE-SACS SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO 123/124

STREET GRADE NOTE:
A PROPOSED LONGITUDINAL STREET SLOPE OF LESS THAN 1.0% MAY BE APPROVED ONLY WHEN ENGINEERING DESIGN SHOWS THAT LOCAL DRAINAGE PROVISIONS ARE ADEQUATE AND STEEPER GRADIENTS CANNOT BE OBTAINED, AS SUPPORTED BY A SUBMITTED ENGINEERED DESIGN AND APPROVED BY THE CITY ENGINEER. UNDER NO CIRCUMSTANCES SHALL THE STREET SLOPE BE FLATTER THAN 0.65%".

LEGEND

100 EXIST. CONTOUR	W B" WATER LINE
PROPERTY LINE	W EXIST. WATER LINE
2% STREET GRADE	S 8" SEWERLINE
STREET CENTERLINE	S EXIST. SEWER LINE
PROP. R/W	DRAINAGE LINE
EXIST. R/W	EXIST. FLOOD LIMIT
TOP OF SLOPE	EXISTING FLOOD ZONE
TOE OF SLOPE	PROP. FLOOD LIMIT
DECORATIVE BLOCK /RETAINING WALL	DECORATIVE BLOCK WALL

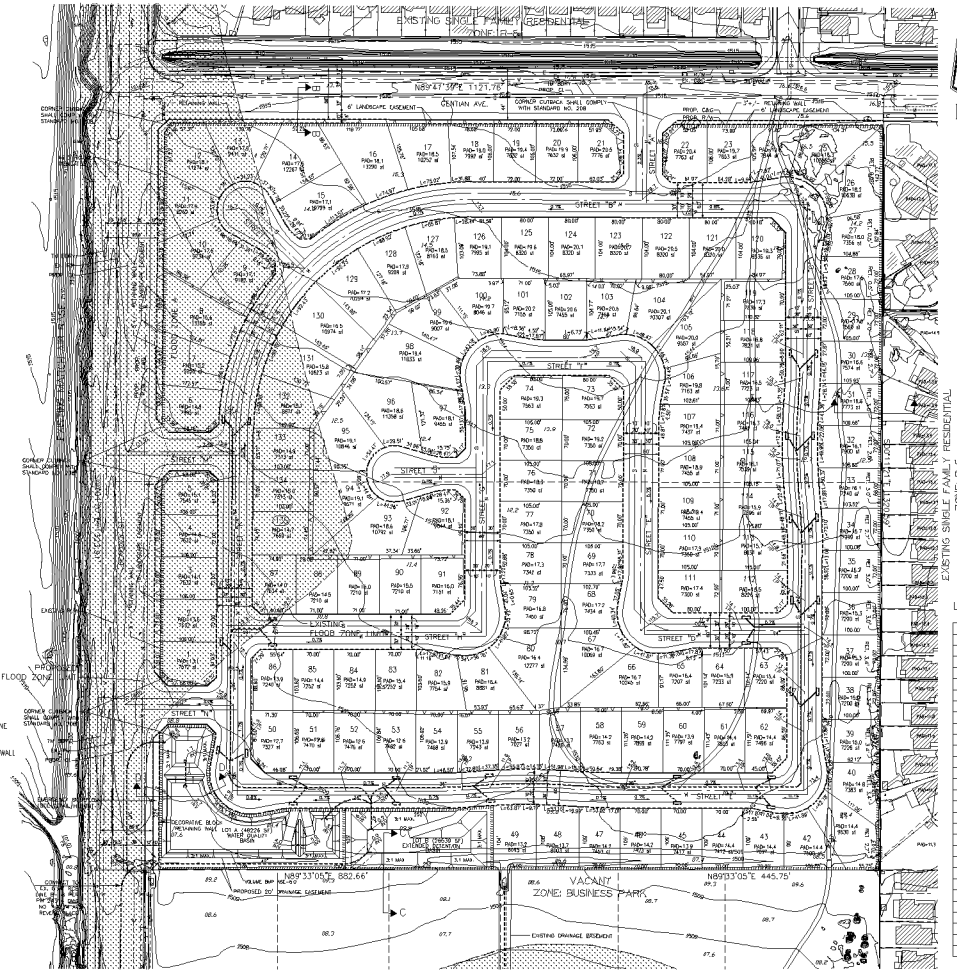

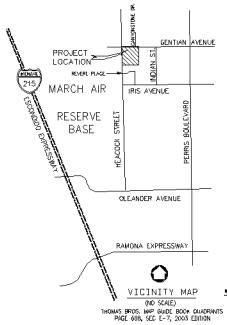

VICINITY MAP
(NO SCALE)
THOMAS BROS. MAP GUIDE 2004 COORDINATES PAGE 699, GRID E-7, 2003 EDITION

GRAPHIC SCALE 1" = 100'
0 100 200 300

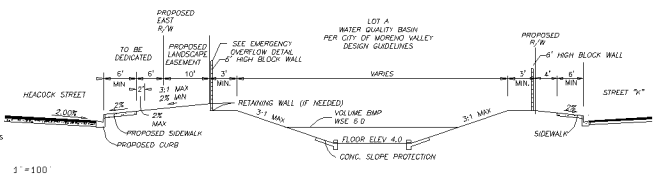

SECTION D
(NOT TO SCALE)

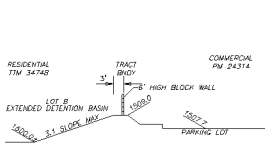

SECTION C
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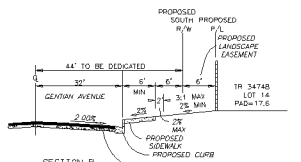

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(NOT TO SCALE)

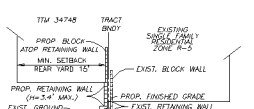

SECTION A
(NOT TO SCALE)

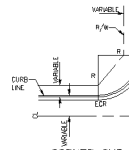

CORNER CUT-BACK
(NO SCALE)
SOUTHEAST CORNER OF HEACOCK ST. AND GENTIAN AVE.
STANDARD NO. 208

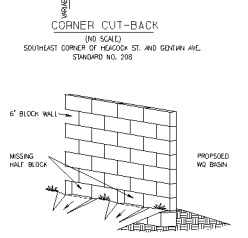

EMERGENCY OVERFLOW DETAIL
(NO SCALE)
SOUTHWEST CORNER OF TTM 34748
PARALLELL TO HEACOCK STREET

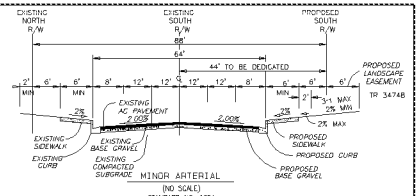

MINOR ARTERIAL
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STANDARD NO. 105A
(GENTIAN AVENUE)

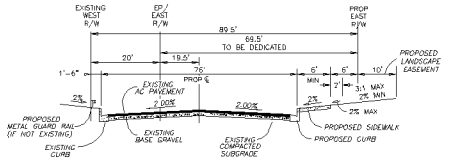

MODIFIED ARTERIAL
(NO SCALE)
STANDARD NO. 104A
(HEACOCK AVE)

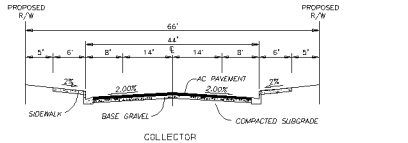

COLLECTOR
(NO SCALE)
STANDARD NO. 107
(STREETS "K", "M" AND "N")
* ALL IMPROVEMENTS ARE PROPOSED

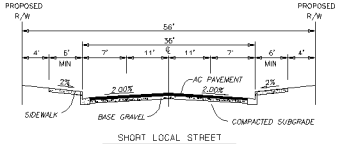

SHORT LOCAL STREET
(NO SCALE)
STANDARD NO. 108B
(STREETS "J" AND "J")
* ALL IMPROVEMENTS ARE PROPOSED

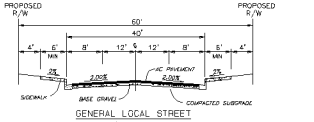

GENERAL LOCAL STREET
(NO SCALE)
STANDARD NO. 108A
(STREETS "B", "C", "D", "E", "F", "G", "H", "K" AND "L")
* ALL IMPROVEMENTS ARE PROPOSED

LOT SUMMARY TABLE

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
LOT 1	7572	LOT 30	7574	LOT 59	7899	LOT 88	7218	LOT 117	7723
LOT 2	7632	LOT 31	7773	LOT 60	7797	LOT 89	7218	LOT 118	7821
LOT 3	7632	LOT 32	7800	LOT 61	7805	LOT 90	7218	LOT 119	7835
LOT 4	7632	LOT 33	7240	LOT 62	7496	LOT 91	7151	LOT 120	8536
LOT 5	7545	LOT 34	7199	LOT 63	7220	LOT 92	9644	LOT 121	8320
LOT 6	7595	LOT 35	7200	LOT 64	7233	LOT 93	10792	LOT 122	8320
LOT 7	8256	LOT 36	7200	LOT 65	7207	LOT 94	9671	LOT 123	8320
LOT 8	13185	LOT 37	7200	LOT 66	10245	LOT 95	10846	LOT 124	8320
LOT 9	9182	LOT 38	7200	LOT 67	10069	LOT 96	11358	LOT 125	8320
LOT 10	8734	LOT 39	7226	LOT 68	7434	LOT 97	9455	LOT 126	7995
LOT 11	8262	LOT 40	7383	LOT 69	7333	LOT 98	11833	LOT 127	8163
LOT 12	11274	LOT 41	9630	LOT 70	7350	LOT 99	9007	LOT 128	9289
LOT 13	9411	LOT 42	7500	LOT 71	7350	LOT 100	8046	LOT 129	10294
LOT 14	12287	LOT 43	7097	LOT 72	7350	LOT 101	7158	LOT 130	10974
LOT 15	10799	LOT 44	7412	LOT 73	7583	LOT 102	7455	LOT 131	10623
LOT 16	13290	LOT 45	7417	LOT 74	7563	LOT 103	7468	LOT 132	8671
LOT 17	10252	LOT 46	7423	LOT 75	7350	LOT 104	10307	LOT 133	7313
LOT 18	7992	LOT 47	7453	LOT 76	7350	LOT 105	9557	LOT 134	7313
LOT 19	7632	LOT 48	8003	LOT 77	7350	LOT 106	7163	LOT 134	7313
LOT 20	7632	LOT 49	8093	LOT 78	7342	LOT 107	7437	LOT 135	7669
LOT 21	7776	LOT 50	7327	LOT 79	7450	LOT 108	7455	LOT A	48226
LOT 22	7763	LOT 51	7470	LOT 80	12277	LOT 109	7455	LOT B	28539
LOT 23	7653	LOT 52	7476	LOT 81	6881	LOT 110	7350		
LOT 24	7844	LOT 53	7482	LOT 82	7754	LOT 111	7300		
LOT 25	10355	LOT 54	7466	LOT 83	7250	LOT 112	8276		
LOT 26	10638	LOT 55	7243	LOT 84	7250	LOT 113	8631		
LOT 27	7356	LOT 56	7027	LOT 85	7250	LOT 114	7896		
LOT 28	7560	LOT 57	7426	LOT 86	7240	LOT 115	7539		
LOT 29	7560	LOT 58	7763	LOT 87	7534	LOT 116	7492		

REVISIONS	DATE	BY
REVISED PER CITY COMMENTS	06-12-06	STANTEC
REVISED PER CITY COMMENTS	02-06-07	STANTEC
REVISED PER CITY COMMENTS	08-06-07	STANTEC
REVISED STREET "N" ENTERANCE GRADING FOR BASIN G 'C', 'E' & 'L' STREET	10-27-08	WEBB
REVISED PER CITY COMMENTS	11-25-08	WEBB
REVISED PER CITY COMMENTS	01-28-10	WEBB
REVISED PER CITY COMMENTS	03-02-10	WEBB
REVISED PER CITY COMMENTS	03-18-10	WEBB

PA06-0183

REGISTERED PROFESSIONAL ENGINEER JASON K. ABUSH NO. C71508 EXP. 12-31-11 CIVIL STATE OF CALIFORNIA

TENTATIVE MAP

TRACT NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

SCALE: 1" = 100'	ALBERT A. WEBB ASSOCIATES	CIVIL ENGINEERS 3788 MCCRAY ST. RIVERSIDE CA. 92506 (951) 686-1070	W.O. 09-0117
DATE: 3/2/10			SHEET 1
DESIGNED: SRK			OF 1 SHEETS
CHECKED: JKA			
RLIN CK REF:	FILE: G:\2009\09-0117\DWG&PRO\Dev.prj\09-0117TM.pro		DWG. NO. 09-0117TM.PRO
P.B.:	PLOT DATE: 3/18/2010		

ATTACHMENT 9

-871-

Item No. E.2

MV00069922

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MV00069923

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency (RDA) of the City of Moreno Valley:

1) Conduct a public hearing for the review of the 2010-2015 Implementation Plan and
2) Approve the proposed 2010-2015 Implementation Plan.

BACKGROUND

Section 33490 (c) of the California Health and Safety Code mandates redevelopment agencies to adopt an Implementation Plan (Plan) that specifies planned and achieved goals and objectives for a five-year period, as well as discuss how each activity will address the blighted conditions in the Project Area as identified by the Redevelopment Plan. The Plan for the next five year period from 2010 though 2015 must now be considered for approval.

Prior to formal adoption of the Plan, the RDA is required to hold a public hearing to evaluate the progress in meeting the Plan's objectives and proposed activities. While the Plan is not intended to restrict the RDA's ability to embark on projects other than those specifically identified in the Plan, it provides a framework for undertaking redevelopment activities.

DISCUSSION

The Implementation Plan for the period July 1, 2010 to June 30, 2015 is intended to be a blueprint for the RDA's activities for the next five years. The document identifies projects and programs to be implemented, along with continuing agreements already in place that must be administered. As required by California Redevelopment law, an emphasis is placed on past and future RDA activities and expenditures related to the creation of affordable housing opportunities.

ALTERNATIVES

1. Conduct a public hearing and consider comments for the review and approval of the 2010-2015 Implementation Plan. **Staff recommends this alternative** *because it will satisfy State Redevelopment compliance requirements and help advance Redevelopment Agency efforts in Moreno Valley.*

2. Do not conduct a public hearing and do not approve the 2010-2015 Implementation Plan. **Staff does not recommend this alternative** *because it will result in noncompliance with State requirements and hinder Redevelopment Agency efforts in Moreno Valley.*

FISCAL IMPACT

The proposed Implementation Plan for the RDA provides for a specified program of activities during its five-year term. All specified projects and programs must be approved by separate annual budget action. The funds and expenditures discussed in the Plan strictly apply to the Redevelopment Agency budget and have no impact on the City's General Fund. The Redevelopment Agency's FY 09-10 Budget and accompanying 5-year projections are the basis for the financial assumptions identified in the proposed Implementation Plan.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION
Use of RDA funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY
Many of the proposed RDA projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT
A positive environment for the development of Moreno Valley's future will be created through a variety of community-based RDA programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
RDA programs will help to preserve, rehabilitate and improve existing neighborhoods.

NOTIFICATION

Notices of the public hearing were placed in the local paper and at four locations in the Redevelopment Project Area. The document was available for public review during regular business hours at the Economic Development Department.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – Implementation Plan for the Period July 2010-June 2015

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00069927

IMPLEMENTATION PLAN

For the period July 1, 2010 – June 30, 2015

Community Redevelopment Agency of the City of Moreno Valley

Adopted: July 13, 2010

Attachment A

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VI. GENERAL RDA ACTIVITIES ____ 12

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD ____ 13

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS ____ 21

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD ____ 22

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I. INTRODUCTION

In 1993, the State Legislature amended Redevelopment Law ("Law") to require all redevelopment agencies to prepare and adopt five year Implementation Plans (Section 33490 of the Health & Safety Code). Moreno Valley's Redevelopment Agency (RDA) must adopt an updated Implementation Plan (Plan) prior to June 30, 2010 after a public hearing has been held. The Plan outlines the RDA's debt service, economic development, affordable housing, and capital projects and programs for the FY 2010/11 through FY 2014/15 planning period. The five-year term of the updated Plan for the Moreno Valley Redevelopment Project Area begins on July 1, 2010, and ends on June 30, 2015.

The updated Plan reviews the goals, objectives, and general RDA activities that were approved when the Redevelopment Project Area (Project Area) was adopted in 1987. Previously adopted agreements, which may obligate a portion of the RDA's revenues during the five-year term of the Plan, are described in later sections of the document. The Plan outlines programs and projects proposed for the next five years, as well as describes how they are intended to address existing blighted conditions in the Project Area.

The amount of the housing set-aside, the allocation of resources to construct or substantially rehabilitate moderate, low and very low income housing units, and the inclusionary housing percentages (Sections 33334.2, 33334.4, 33334.6 and 33413) are also addressed by the Plan. These requirements form the basis for an annual housing program for the Plan.

The RDA shall conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing the Redevelopment Plan and Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012, and June 30, 2013.

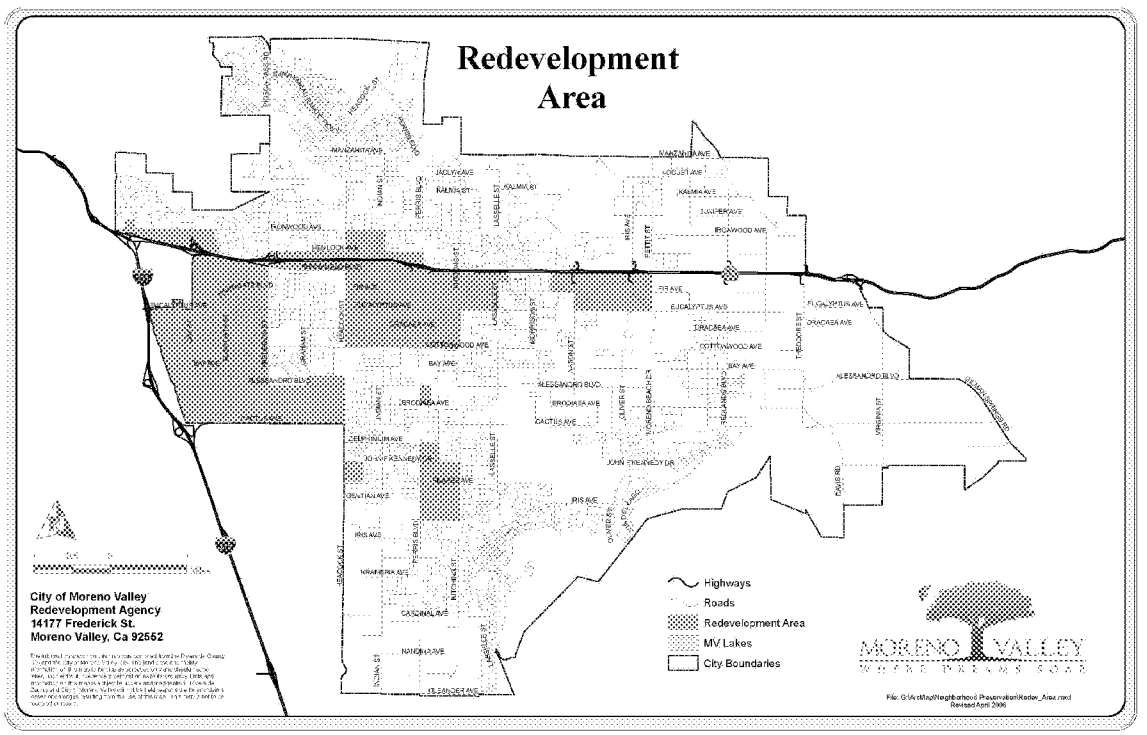

II. LEGAL REQUIREMENTS

The Community Redevelopment Agency of the City of Moreno Valley (RDA) issued the first Implementation Plan in 1999. This Plan is the RDA's third and covers the planning period of FY 2010/11 to FY 2014/15. The RDA is required to conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing its Redevelopment Plan, Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012 and June 30, 2013.

Notice of the public hearing on the Plan must be published pursuant to Section 6063 of the Government Code and also posted in at least four permanent places within the project area for a period of three weeks. Publication and posting must be completed not less than 10 days prior to the date set for hearing.

Notices of the public hearing regarding the adoption of this Plan have been posted at the following locations in the project area:

- Senior Community Center, 25075 Fir Avenue
- Moreno Valley Conference and Recreation Center, 14075 Frederick Street
- City Corporate Yard, 15670 Perris Boulevard
- City Hall, 14177 Frederick Street

(a) Assembly Bill 1290 Requirements

Assembly Bill 1290 (AB 1290) added Section 33490 to the Health and Safety Code. This section requires agencies to produce Plans every five years, beginning in 1994. Section 33490 has been amended numerous times since its original adoption. In accordance with this section, the Plan must contain the following, if applicable to the RDA:

<u>Redevelopment Requirements</u>

- Specific goals and objectives for each project area.
- Specific programs, including potential projects for each project area
- Explanation of how the goals and objectives, programs, and expenditures will eliminate blight within the project area.

<u>Housing Requirements</u>

An explanation of how the goals, objectives, and programs will achieve the required housing production as well as a description the Low and Moderate Housing Set-Aside Fund (Housing Funds) expenditures. This description must include a detailed annual Plan for each of the five years covered so that performance may be measured. Additionally, the following must be included:

- The amount of money available in the Housing Fund, the amount of money expected to be deposited during the next five years and how those annual deposits to the Housing Fund will be spent.
- The estimated number of units to be provided over the next five to ten years to meet the RDA's 15 percent inclusionary housing requirements, if applicable.
- The number of qualifying very low, low, and moderate-income units that have been produced in the project area, and the number of additional units that will be required to meet the inclusionary housing requirements.
- The number of units that will be developed by the RDA, if any, including the number of units that the RDA will make available for very low, low and moderate-income households.
- If a planned public improvement or development project will result in destruction of existing affordable housing, an identification of proposed locations for their replacement will be required (Health and Safety Code Section 334313)
- The affordable housing production plan (Health and Safety Code Section 33413(b)(4).

(b) Assembly Bill 637 Requirements

Assembly Bill 637 ("AB 637") created additional housing requirements on redevelopment agencies. It eliminated the sunset for most of the provisions in AB 1290 which had been in effect since January 1, 1994. AB 1290 contained a number of modifications to the inclusionary housing production requirements contained in Section 33413(b) of the Health and Safety Code. The issues addressed by AB 637 include:

- Targeting Housing Funds to the different income and age groups.
- Replacing 100 percent of removed or destroyed affordable units instead of 75 percent
- Maintaining a list of those persons displaced, who are to be given priority in the replacement housing plan.
- Regulating how and where Housing Funds may be used for onsite or offsite improvements.
- Increasing covenants from 10 to 45 years in the case of owner occupied units, and from 15 to 55 years in the case of rental housing.

The RDA is required to spend the Housing Fund in at least the proportion of the total housing need for the income groups as determined for the City pursuant to Section 65584 of the government Code (Regional Housing Needs Assessment). In addition, the RDA shall expend, over the duration of each Redevelopment Plan period, the Housing Fund to assist housing the low income population under 65 years of age in relation to the total low income population of the community as reported by the United States Census Bureau.

In accordance with Section 33490(a)(2)(A)(iii) of the Law, the first time period to implement the requirements for targeting of Housing Funds is on or before December 31, 2014, and each ten years thereafter.

(c) Senate Bill 701 Requirements

Senate Bill 701 clarifies how AB 637 is to be implemented. The RDA will have until 2014 to comply with the legal requirements outline in AB 637.

(d) Labor Code Section 1720, Prevailing Wages

The California Legislature amended Labor Code Section 1720 et seq. to require payment of prevailing wages for private improvements that are financially assisted by the RDA or the City whether for commercial, industrial, office, or housing uses. There is a very limited exception that applies to the construction or rehabilitation affordable housing assisted by redevelopment agencies using housing set-aside funds as the only source of public funding for the development. In order to qualify for the exception, there can be no other federal or state assistance or mortgage credit certificates or state or federal low income housing credits.

III. GENERAL BACKGROUND AND RDA HISTORY

The City of Moreno Valley spans 50 square miles and is located in the western portion of Riverside County. Moreno Valley is easily accessible by Highway 60 (the Moreno Valley Freeway) and Interstate 215. Surrounded by the cities of Riverside and Perris, scenic Lake Perris and March Air Reserve Base, Moreno Valley is the second largest city in Riverside County. The City lies in the heart of Southern California's Inland Empire, the two county area comprised of Riverside and San Bernardino counties.

The Moreno Valley RDA provides assistance to projects and activities within the 4,676-acre project area. RDA funding of eligible projects comes from area-wide property tax increment and Tax Allocation Bonds ("TABs"). The RDA uses these revenues to fund economic development activities, installation of general infrastructure to improve the project area, and in the preservation and expansion of affordable housing in the community.

The following table outlines, as required by Section 33490(a)(5) of the Law, the Project Area's main benchmarks and time limits.

Moreno Valley Redevelopment Project Area General Information and Time Limits	
Tax Increment Limit	$ 821.2 million
RDA Establishment Date	December 10, 1985
Plan Adoption Date	December 29, 1987
Deadline to Establish Indebtedness	December 29, 2007
Acreage	4,676 or 14.6% of the City
Land Use	Residential, Commercial & Industrial
Deadline to Receive Tax Increment / Pay Indebtedness	December 29, 2038

IV. RDA GOALS AND OBJECTIVES

The RDA adopted the Redevelopment Plan for the Moreno Valley Redevelopment Project ("Plan") on December 29, 1987. The Plan included the following goals and objectives:

(a) The elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal redevelopment laws.

(b) The promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity. An important objective will be the development of a regional mall within the Project Area and the creation of a regional public transportation center and facilities, auto center, and freeway frontage roads.

(c) The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles, appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from new conditions and restrictions shall be first reviewed by the Project Area Committee ("PAC") before final action can be taken.

(d) Consideration must be given to maximizing the tax base provided by the locational advantages of freeways. Interchanges should be added and upgraded to meet the new demands placed upon them by the new business corridors and surface streets.

(e) Consideration must be given to the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from the above stated conditions shall be first reviewed by the existing PAC before final action can be taken.

(f) The Redevelopment Plan shall make provisions for increased revenues to the City of Moreno Valley. These plans shall not negatively impact the fiscal solvency of the City.

(g) The Redevelopment Plan shall make provisions for the creation and development of local job opportunities and the preservation and expansion of the City's existing employment base.

(h) Consideration must be given to: the improvement of certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area.

(i) Consideration must be given to the improvement of the community's supply of housing (inside the Project Area), including opportunities for low and moderate-income households. One objective would be the development of housing for senior citizens, and a second objective would offer centers for child care of all ages. Useable and improved park land should be easily, and safely accessible to these residents.

(j) Consideration must be given to providing increased revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails.

(k) Consideration must be given to: the Redevelopment Plan shall not adopt land uses incompatible with the surrounding areas.

Redevelopment of the Project Area pursuant to this Plan and the above goals and objectives will attain the purposes of the California Redevelopment Law by:

(a) Eliminating areas suffering from economic dislocation and disuse.

(b) Replanning, redesign and/or redevelopment of areas that are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance.

(c) Protecting and promoting sound development and redevelopment of blighted areas and general welfare of the citizens of the city by remedying such injurious conditions through the employment of appropriate means.

(d) Installing new or replacing existing public improvements, facilities and utilities in areas that are currently inadequately served with regard to such improvements, facilities and utilities.

(e) Other means as determined appropriate by the RDA.

V. BLIGHT IN THE PROJECT AREA

The redevelopment tools contained in the Law are granted for use in a project area in order to eliminate and prevent the prevalence of blighting conditions. A blighted area is one that necessitates the creation of a redevelopment project area because the combination of conditions in an area constitute a burden on the community and cannot be alleviated by private enterprise, governmental action, or both. Section 33031 of the Law defines blight as follows:

Physical Conditions that Cause Blight

- Unsafe, unhealthy and/or deteriorated buildings - Structures in which it is unsafe or unhealthy for people to live or work. Deferred maintenance that results in serious dilapidation and deterioration, faulty or inadequate utilities, serious building code violations, and construction that is vulnerable to serious damage from seismic or geologic hazards.
- Physical conditions that substantially hinder the economic viability, use of lots and/or buildings – These conditions may be caused by buildings or substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
- Incompatible land uses – Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project Area.
- Lots of irregular shape, inadequate size and under multiple ownerships – The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and of developments that are held in multiple ownership.

Economic Conditions that Cause Blight:

- Depreciated, stagnant and/or impaired property values – Depreciated or stagnant property values or impaired investments, including, but not limited to, properties containing hazardous waste that requires the use of RDA authority as specified in Article 12.5 (commencing with Section 33459 of the Law).
- High business turnovers and vacancies, low lease rates, abandoned buildings and vacant lots – Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots.
- Lack of neighborhood commercial facilities – A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, banks and other lending institutions.
- Overcrowding – Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph “overcrowding” means exceeding the standard reference in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.
- Excess numbers of bars, liquor stores and/or adult businesses – An excess of these establishments can result in significant public health, safety, or welfare problems.

- High crime rates – A high crime rate that constitutes a serious threat to the public safety and welfare of Project Area residents.

(a) Blighting Conditions Present in the Project Area

Physical Blight Conditions Present in the Project Area

The RDA has been actively addressing the conditions of physical blight identified in the initial report to Council at Project Area adoption and when the Plan was amended. However, some physical blight remains. The remaining blighting conditions in the Project Area include deteriorated buildings that are considered unsafe and unhealthy for persons to live or work in due to serious building code violations, long-term neglect, or faulty or inadequate construction, parcels of irregular shape and / or inadequate size that hinder redevelopment, and inadequate public infrastructure (i.e. remaining need for flood control facilities and street improvements).

Economic Blight Conditions Present in the Project Area

Similarly, the RDA has been actively addressing conditions of economic blight initially identified at Project Area adoption and when the Plan was amended. Again, some economic blight remains. Conditions of economic blight that the RDA continues to address include depreciated or stagnant property values / low lease rates, high business turnover, excess numbers of liquor licenses, and pockets of crime.

VI. GENERAL RDA ACTIVITIES

The Redevelopment Plan proposed the following activities to assist in the elimination and prevention of the spread of blight and blighting influences, and to strengthen the economic base of the Project Area and the community:

(a) Promoting and encouraging participation in the redevelopment process by owners and occupants of properties located in the Project Area, consistent with this Plan and rules adopted by the RDA Board.

(b) Acquisition of real property subject to the limitations contained in Section 308 of the Redevelopment Plan.

(c) Management of property under the ownership and control of the RDA.

(d) Relocation assistance to displaced occupants of property acquired in the Project Area.

(e) Demolition or removal of buildings and improvements.

(f) Installation, construction, expansion, addition, extraordinary maintenance or re-construction of streets, utilities, and other public facilities and improvements.

(g) Disposition of property for uses in accordance with this Plan.

(h) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan.

(i) Rehabilitation of structures and improvements by present owners, their successors, and the RDA.

(j) Rehabilitation, development or construction of low and moderate income housing within the Project and / or the City.

(k) Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Plan.

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD

(a) Debt Service on Existing RDA Obligations

Since its inception in 1987, the RDA has entered into a number of agreements, which provide long term financial assistance based on the achievement of specific project milestones. The following section identifies the projects and continuing obligations related to these existing approved agreements.

- Conference and Recreation Center Financing: The agreement provides for the acquisition of the Conference and Recreation Center from the City by the RDA for $11,503,946, paid for through twenty annual debt service payments that gradually increase from $250,000 to $438,377 in year 2024.
- Cooperation Agreement with Riverside County: This Agreement provides for the RDA to share Project Area property tax increment with the County of Riverside. All of the property tax increment between $7 million and $12 million per year, up to a maximum of $75 million will be paid to the County to assist in the financing of the new Riverside County Regional Medical Center (RCRMC).
- Cooperation Agreement with the Riverside County Flood Control District: This Agreement provides for the RDA to share property tax increment with Riverside County Flood Control District (RCFCD) from the entire Project Area in excess of $12 million per year.
- Moreno Valley Auto Mall Owner Participation Agreement: This Agreement provided for the development of the Moreno Valley Auto Mall by subsidizing the annual infrastructure bond payments of several dealerships. All Auto Mall property and sales tax increment is pledged to defray bond payments.
- Moreno Valley Mall Owner Participation Agreement: This agreement provided for the construction of the Moreno Valley Mall, and specifically assisted in the development of three of the four department store anchors, for a total of $13 million. This investment was advanced by the project developer and is being repaid from excess property tax increment from the TownGate area (available after payments on the TownGate Agreement – discussed in #1 above) plus half of the sales tax increment from the Mall.
- Price Company (Costco) Owner Participation Agreement: This Agreement provided for the development of a Price Club/Costco warehouse store in the Project Area. Approximately $2.4 million in land write-down and development fee assistance is being repaid from a portion of the sales tax increment created by the project.
- Public Safety Building Lease Revenue Bonds: The City issued Lease Revenue Bonds in 1997 to construct the public safety building. The RDA makes annual payments of $150,000 toward the annual $405,000 debt service, until the total obligation of $3,450,000 is repaid in FY 2021/22.
- Sunnymead Blvd. Lease Revenue Bonds: The RDA issued Lease Revenue Bonds in 2005 in the amount of $9.1 million to construct improvements related to the Sunnymead Blvd. Beautification Project. The annual debt service of $600,000 to repays the bond debt.

- TownGate Specific Plan Owner Participation Agreement: This Agreement provided for the installation of infrastructure throughout the commercial portion of the TownGate Specific Plan, financed at a cost of approximately $21 million in Mello-Roos bonds. The RDA pledged the net tax increment revenues from the commercial and residential portions of the TownGate area towards the repayment of the bonds. The RDA continued to pay the debt service on the bonds during the previous planning period.

(b) 2007 Tax Allocation Bonds

In November 2007, the RDA issued $41.6 million in Series A- Bonds to fund a variety of important capital projects in Moreno Valley that will improve traffic circulation, upgrade important infrastructure, and enhance the overall quality of life in the community. Initially, projects identified for funding included:

▪ Library	$22.0 million
▪ Fire Station at Cottonwood/Indian	$6.5 million
▪ Park at Cottonwood/Indian	$5.0 million
▪ Day Street Improvements	$3.0 million
▪ Auto Mall Upgrades	$2.0 million
▪ Indian Basin Improvements	$3.1 million

In December 2008, in recognition of current economic challenges and the City's inability to fund operations at new facilities, the RDA Board approved reallocation of funds for the Library to the SR 60 overcrossing at Nason St. for $21.5 million and the street improvements on Ironwood and Barclay streets.

(c) Economic Development Activities

The staffing for the Economic Development Department (EDD) is partially funded by the Redevelopment Agency. EDD promotes the City of Moreno Valley as a place to do business to respond to economic conditions that cause blight. Specifically, Economic Development facilitates development of employment opportunities and dynamic retail centers to increase assessed valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community that offers its residents and businesses an unsurpassed quality of life. To accomplish these goals, Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection, ombudsman service, and business support services.

As a significant portion of the commercial, industrial and retail zoned land in Moreno Valley is located within the redevelopment project area, Economic Development staff spent a majority of their time working on projects that are eliminating blighting conditions within the project area

Marketing

Though many of the activities were funded by City General Fund, RDA supported EDD staff salaries as they performed the following marketing activities supporting business attraction and retention activities:

- Regional Cooperation: Participated in the Inland Empire Economic Partnership (IEEP). EDD participated in business attraction events and submitted responses to new business leads distributed by IEEP.
- Advertising: EDD placed advertisements in nationally-recognized and local publications in the real estate/retail/site selection industries with a business focus.
- Tradeshows / Event Sponsorships: EDD enhanced the City's regional and national visibility by participating in tradeshows.
- Website: EDD developed a site selection website that provides a tool for businesses or consultants to use when exploring Moreno Valley business locations, improving the rate of shared information between the City, site selectors, and real estate brokers.
- Brochures: EDD created marketing materials including the Community Profile, the Retail Opportunities Guide, the Office and Industrial Opportunities Guide, the New Development Map and monthly summary. These materials were distributed at various business attraction events, plus electronic files were made available on the City's website.
- Shop Moreno Valley: As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, EDD partnered with the Chambers of Commerce to create a SHOP MOVAL awareness campaign.
- Development Sign Program: EDD implemented a new public relations program that included the placement of eighteen attractively-designed, reusable development signs to announce the arrival of new businesses and development projects.

Business Attraction

Economic Development staff provided ombudsman support in the form of fast-tracking entitlement and plan check reviews and advocacy for projects located in the Project Area.

Commercial Projects in the Project Area:

- Moreno Valley Mall: Staff facilitated review and resolution of issues for the Mall expansion through the addition of a fifth anchor, Harkins Theatres, an upscale 16-stadium theater with approximately 3,500 seats, plus seven restaurant/retail pads. General Growth Properties completed more than 300,000 sq. ft. of renovations and the addition of many new retail stores.

- Moreno Valley Plaza: EDD assisted the shopping center owners with the attraction of Superior Super Warehouse to occupy a vacant grocery store anchor space.
- Cactus Commerce Center: Construction was completed on this 16,000 sq. ft. two-story retail and office use building near Cactus and Elsworth.
- Moreno Beach Plaza: EDD provided permitting assistance to this 350,000 sq. ft. center, which added the grocery component to the Wal-Mart Supercenter and completed construction of an 86,500 sq. ft. Phase II.
- Elsworth Plaza: EDD provided marketing assistance to this 30,000 sq. ft. project near the southwest corner of Alessandro Blvd. and Elsworth St.
- Fresh and Easy: Fresh and Easy Neighborhood Markets continued to expand in Moreno Valley. EDD provided continual assistance resolving development issues through the construction phase of four new stores. Three of the four stores are located in or across the street from the Project Area.
- Stoneridge Towne Centre: EDD provided comprehensive assistance resolving development issues for this 579,295 sq. ft. commercial center including anchors SuperTarget, Kohl's, Best Buy, and OfficeMax, and several popular restaurants: Chili's and Bob's Big Boy.
- TownGate Center / Plaza: EDD executed intergovernmental agency and lease agreements with the County of Riverside and the Fritz Duda Company, which completed tenant improvements for a new Employment Resource Center. Ombudsman assistance was new tenants to expedite Certificates of Occupancy process. Staff negotiated with Burlington Coat Factory on an incentivized participation agreement to bring the company to the vacant former Mervyn's space.
- TownGate Crossing: EDD assisted this 237,000 sq. ft. shopping center anchored by Lowe's with the opening of Sports Authority. EDD staff worked to attract 99 Cents Stores, which reoccupied the vacant former Circuit City building.
- TownGate Promenade: EDD provided ombudsman service to this 200,000 sq. ft. shopping center, serving as project advocate to resolve planning and permit processing issues related developing two hotels (Ayres Hotel and Hampton Inn), an expansion of Costco, and several new restaurants: Mimi's Café, Panda Express, and Applebees.
- TownGate Square: EDD assisted this mixed-use development by supporting negotiations between the commercial developer and landowner to acquire adjacent property for future expansion.
- TownGate Square: EDD assisted this 136,000 sq. ft. mixed-use development for opening of Winco Foods and Portillo's, a 7,500 sq. ft. restaurant, along with assisting in approval of an Owner Participation Agreement for the relocation of Robertson's Ready Mix' operation.

Office Projects in the Project Area:

- Jacobs Development: EDD provided ombudsman service to this 10 acre mixed use project.
- Moreno Valley Professional Village: EDD provided ombudsman services to developer Aardex in the design, permitting, and tenanting of the seven building, 130,000 sq. ft. project.
- Olivewood Plaza: Economic Development staff is working with the developer to attract tenant(s) to this 23,000 sq. ft. office project.

Industrial Projects in the Project Area:

- Centerpointe Business Park: EDD provided assistance for this 12 building, 2.6 million sq. ft. industrial park with new projects for Minka Lighting, the U.S. Postal Service, RedMed, and Frazee Paint.
- United Natural Foods Inc. EDD facilitated entitlement and plan check for this 613,000 sq. ft. manufacturing/distribution facility.
- Gateway Business Park: EDD provided ombudsman services for this 34 industrial condo project.
- Veteran's Way Business Park: Economic Development assisted this 10-building industrial project.
- BAS Recycling: EDD provided extensive interdepartmental and interagency support during the entitlement and construction phases of the 66,000 sq. ft. facility.
- Robertson's Ready Mix: EDD is assisting this long time Moreno Valley business in relocating and expanding to a new facility within the Project Area.

Hospitality Projects in the Project Area:

Economic Development facilitated review and resolution of development issues to the following proposed hotels in the Project Area:

- Ayres Suites: 127-guest room project began construction. EDD provided assistance with resolving development and permitting issues hotel opened in June 2010.
- Hampton Inn & Suites: 115-guest room hotel opened in April 2009. Provided assistance with resolving development and permitting issues.
- Holiday Inn Express: Renovation and upgrade of the 151 guest room hotel in 2009/10.
- La Quinta Inn & Suites: 58-guest room hotel opened in May 2010 when construction was completed.
- Sleep Inn Suites: Proposed three-story, 74-guest room hotel is undergoing the entitlement process.

Business Retention

In addition to attracting new businesses to the Project Area, EDD pursued several business retention efforts.

- Business Roundtable: EDD conducted regular meetings between Moreno Valley businesses, the Chambers of Commerce, the City's Executive Team, and the Mayor to encourage dialogue and build relationships.
- Business Visitation: EDD strengthened business retention efforts by holding one-on-one meetings with major employers and top sales tax producing businesses within the Project Area.
- Chambers of Commerce: EDD provided financial support to Moreno Valley's three chambers of commerce in exchange for their provision of services to the business community.

(d) Capital Projects

- Day Street Widening (Cottonwood to Alessandro): This project includes widening, sidewalk, curb, and gutter to reduce traffic congestion and improve vehicular and pedestrian safety. Project design was completed in FY 2009/10. Construction will commence in FY 2010/11.
- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for storm drain line improvements on the most westerly end of the Project Area. Project design has been completed. However, the project has not moved into the construction phase due to revenue shortfall because of the Supplemental Education Revenue Augmentation Funding shift to the State of California.
- Sunnymead Boulevard Street Improvements: This comprehensive street beautification project is currently nearing completion. Eastern Municipal Water District completed a major pipeline replacement project and the RDA funded enhancements including: landscaping, colored driveways/sidewalks, decorative intersection treatments, decorative signage, banners and 17 new bus shelters.
- Aqueduct Bikeway Landscaping Project: This project constructed a 1/2 mile of landscaped trails in aqueduct right-of-way, connecting neighborhoods to schools, parks, and employment/shopping centers.
- Conference and Recreation Center: The RDA financed the construction of a community gymnasium, conference and recreation facility. The center also provides child care facilities and includes a small park.
- Graham Street Improvement Project: This project provided sidewalks, curb, and gutters to a portion of Graham Street in the Project Area.
- Alessandro Boulevard Improvements (Grant St. to Elsworth St.): The project widened this major arterial and provided missing sidewalk, curb, gutter, etc. along the Centerpointe Industrial Area and the Civic Center complex, located in the Project Area.
- Pepper Street Improvements: The project relocated conflicting water meters and service lines, plus constructed ADA access ramps and full street improvements in the Project Area. Project design was completed using RDA

funds, while the construction was funded via Community Development Block Grant (CDBG).

(e) Affordable Housing Activities

Over the period of 2005-2010, the RDA expended Housing Set-aside dollars to fund affordable housing activities, allocated by income category as described below:

RDA Expenditures by Income Category* Previous Implementation Plan Period (2005-2010)	
Extremely Low Income	$450,553
Very Low Income	$2,338,961
Low Income	$4,468,513
Moderate Income	$3,856,212
Total Set-aside Expenditures	**$ 11,114,239**

*note: *Only dollars spend on projects that reached completion are included in this calculation. The list of projects described under the Multi-family Rental Program includes all developments that received assistance from 2005-2010, regardless of completion.*

- Homebuyer Assistance Program (HAP): The HAP program provided downpayment assistance to low- and moderate-income families for home purchases.
- Ownership Housing Development: The RDA provided $562,000 from the Housing Set-aside Fund for land acquisition and construction. Developed housing was targeted for low and very low income households.

  The RDA partnered with the City, which was awarded a Youthbuild grant from HUD of $400,000. RDA entered into an Affordable Housing Agreement with Moreno Valley Youthbuild, Inc. for the construction of two single family homes. Moreno Valley Youthbuild constructed houses while training high school and college aged youths in the construction trades.

- Multi-family Rental Program: The RDA negotiated partnerships with affordable housing developers to provide "gap" financing for the development of new multi-family rental housing. Assisted housing is made affordable to very low, low, and moderate-income families. Specific multi-family rental projects that received assistance from the RDA during the 2005 – 2010 Planning Period are listed on the next page. Some of the projects are already complete, while others are still under development.

PROJECT NAME	PROJECT ADDRESS	FUNDS CONTRIBUTED	COVENANT EFFECTIVE DATE	TOTAL UNITS	UNITS WITH COVENANTS	LENGTH OF AFFORDABILITY (IN YEARS)	UNITS TOWARD INCLUSIONARY HOUSING *	RDA AREA (Y/N)
Alessandro & Day	Alessandro & Day	$ 4,848,184	to be determined	224	222	to be determined	222	Y
Bay Family Apts	Bay Avenue	$ 755,000	07/11/2006	61	60	56	60	Y
Cottonwood Place, III	Cottonwood Ave.	$ 1,663,000	12/14/2006	58	57	55	28.5	N
RHDC-Adrienne IV	Adrienne Ave.	$ 1,299,832	03/27/2007	8	8	56	8	Y
Cottonwood Place, IV	Cottonwood Ave.	$ 750,000	05/07/2007	46	45	55	22.5	N
Oakwood Apts	Perris Blvd.	$ 3,000,000	under construction	241	240	55	240	Y
Rancho Dorado North	John F Kennedy Dr	$ 1,500,000	under construction	71	70	56	70	Y
Rancho Dorado South	John F Kennedy Dr	$ 3,500,000	RDA funds committed, pending tax credits	79	78	to be determined	78	Y
RHDC-Sheila I & II	Perris Blvd. / Sheila St.	$ 6,233,407	08/10/2007 / 02/07/2008	16	16	56	16	Y
Perris Isle-Senior Project	Perris Blvd.	$ 413,000	11/05/2009	189	148	56	148	Y
TOTALS- COMPLETED UNITS		**$ 23,962,423**		**769**	**722**		**671**	

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) which provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. California Redevelopment agencies are collectively mandated to shift $1.7 billion into the SERAF in fiscal year 2009-2010. Due to claims that this requirement violates the State Constitution, the California Redevelopment Agency (CRA) and local cities sued the State to maintain these funds within their agencies. Unfortunately, the CRA did not prevail in this law suit and in May 2010 the Moreno Valley RDA paid $5,258,237 for its FY 2009-2010 SERAF obligation. Further, for fiscal year 2010-2011, the RDA's share of SERAF take is another $1,081,579. Fortunately, the RDA had fund balance available to pay the SERAF. Many other California redevelopment agencies were required to borrow from other funding sources to make their SERAF payments. Unfortunately, Moreno Valley's payment of the SERAF significantly diminishes the RDA fund balance and severely restricts the programs and projects that the RDA will be able to implement during the next five year period.

CITY OF MORENO VALLEY REDEVELOPMENT AGENCY
2010 - 2015 REVENUE AND EXPENDITURES

		1	2	3	4	5	
GENERAL TAX INCREMENT FUNDS	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	TOTAL
BEGINNING CASH BALANCE	$ 10,645,115	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 10,645,115
REVENUES							
TAX INCREMENT REVENUE	$ 20,633,115	$ 18,345,902	$ 17,959,340	$ 17,959,340	$ 18,318,527	$ 18,868,083	$ 112,084,307
OTHER REVENUE	$ 1,924,100	$ 1,722,525	$ 1,746,950	$ 1,771,965	$ 1,797,584	$ 1,823,822	$ 10,786,946
TOTAL REVENUE	$ 22,557,215	$ 20,068,427	$ 19,706,290	$ 19,731,305	$ 20,116,111	$ 20,691,905	$ 122,871,253
TOTAL FUNDS AVAILABLE	$ 33,202,330	$ 23,816,542	$ 21,341,528	$ 20,831,407	$ 20,725,978	$ 20,948,180	$ 133,516,367
EXPENDITURES/FEES							
PASS THROUGHS	$ 10,705,203	$ 9,497,133	$ 9,299,737	$ 9,311,593	$ 9,517,825	$ 9,827,192	$ 58,158,683
HOUSING SETASIDE (20%)	$ 3,907,042	$ 3,436,699	$ 3,354,737	$ 3,349,994	$ 3,416,994	$ 3,521,971	$ 20,987,437
DEBT SERVICE	$ 6,610,323	$ 6,457,119	$ 6,525,217	$ 6,558,036	$ 6,585,475	$ 6,611,777	$ 39,347,947
COUNTY ADMIN FEES	$ 241,602	200,000	202,000	204,020	206,060	208,121	$ 1,262,803
ADMIN AND PROF SVS	$ 841,224	$ 586,552	$ 614,449	$ 632,882	$ 651,868	$ 671,425	$ 4,009,400
CAPITAL IMPRVMNTS	$ 1,888,584	$ 912,217	$ 245,286	$ 165,015	$ 91,480	$ 58,441	$ 3,341,023
SERAF	$ 5,258,237	$ 1,081,579					$ 6,339,816
TOTAL EXPENDITURES	$ 29,454,215	$ 22,181,304	$ 20,241,436	$ 20,221,540	$ 20,469,702	$ 20,878,927	$ 133,447,114
ENDING CASH BALANCE	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 69,253	$ 69,253

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD

Based on the funding projections for the five-year period described on the previous page, after allowing the obligations identified earlier, the RDA proposes to continue the general and housing programs and projects identified in the following discussion. Due to the differing regulations governing the use of RDA funds, the discussion is divided into programs and projects supported by the RDA's General Fund and the Housing Set-aside fund.

(a) Existing RDA Obligations

As described in Section VII "Activities Completed In The Previous Planning Period," the RDA has entered into a number of agreements to which provide long term financial assistance to certain projects. The following projects represent continuing obligations in the next Planning Period.

- *2007 Tax Allocation Bonds Debt Service*
- *County of Riverside Cooperation Agreement Passthrough*
- *Conference and Recreation Center Debt Service*
- *Moreno Valley Auto Mall Owner Participation Agreement*
- *Moreno Valley Mall Owner Participation Agreement*
- *Moreno Valley Unified School District Passthrough*
- *Price Company (Costco) Owner Participation Agreement*
- *Public Safety Financing Lease Revenue Bonds Debt Service*
- *Riverside County Flood Control and Water Conservation District Cooperation Agreement*
- *Sunnymead Blvd Lease Revenue Bonds Debt Service*
- *TownGate Specific Plan Owner Participation Agreement*

(b) Economic Development Activities

Supported by the RDA for a portion of staffing, the Economic Development Department will continue implementing the Business Attraction and Retention activities listed below (as previously described on pages 10-14):

Marketing

- Advertising
- Tradeshows/Event Sponsorships
- Website
- Shop Moreno Valley
- Development Sign Program

Business Attraction

Economic Development will continue to support the development of new business in the Project Area and throughout the City.

Business Retention

- Business Roundtable
- Business Visitation
- Chambers of Commerce

(c) Capital Projects

Unfortunately, due to the impact of making the Supplemental Educational Revenue Augmentation Fund payment to the State of California in FY 2009/10 and 2010/11, funding capital projects is extremely limited. However, progress will continue on the capital projects funded by the 2007 RDA Tax Allocation Bonds ("TABs" - for which RDA debt service payments will be made).

RDA Capital Projects – if revenues improve so that funds become available

- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for construction of storm drain line improvements along the Old 215 Rd. and Dracaea St., located on the most westerly end of the project area.

Projects Funded by the 2007 RDA Tax Allocation Bonds

- Fire Station 107 (Morrison Park): This new fire station will provide improved emergency response services to the new commercial and residential development in the Project Area. The estimated project cost is $6.3 million.
- Ironwood Street Improvements (Day to Barclay): This project will construct curb, gutter, sidewalk, traffic signals, and storm drain improvements on the south side of Ironwood Avenue from Day St. to Barclay Dr. and include traffic signal and inter-related improvements on Day St. at the Canyon Springs Plaza entrance and on Ironwood at Athens. Total project cost is estimated at $3 million.
- Day Street Improvements (Alessandro to Cottonwood): This project will widen the street and install sidewalk, curb, and gutter in the stretch of Day St. between Cottonwood Ave. and Alessandro Blvd. Total estimated project cost is $3 million.
- Auto Mall Street Upgrades: Since its completion in 1996, the Moreno Valley Auto Mall has seen no major improvements. In line with the RDA goal to prevent the loss of commercial sales activity in the Project Area, the project will complete roadway improvements and a new comprehensive signage program upgrade. The total estimated project cost is $2 million.
- Indian Basin Improvements: This project will upgrade a storm water detention basin on RDA property at the Festival Shopping Center. The basin is needed

to collect and slow flood waters thereby protecting the surrounding neighborhoods to the southeast. Improvements will include the installation of inlet and outlet storm drain facilities and some street improvements on the south side of Ironwood Avenue between Heacock St. and Nita Dr. The total estimated project cost is $3.1 million.

- Nason Bridge: The project will replace the existing SR-60/Nason St. two-lane bridge with a four-lane bridge, complete the Nason St. improvements, install a sound wall along Elder Ave., and construct associated work. The estimated RDA costs for the project is $18 million.
- Edgemont Water Phase I: If adequate savings are achieved in the construction of the projects listed above, this project will construct Phase I of the water system improvements in the Box Springs Mutual Water Company territory, including upgrading the water services, fire hydrants, and the inter-connection with Western Municipal Water District, plus approximately 11,300 linear feet of 12 inch and 16 inch main in the following segments:
  Cottonwood Ave.: from 400 feet westerly of Old 215 Frontage Rd. to Day St.;
  Old 215 Frontage Rd.: from Alessandro Blvd. to Dracaea Ave.;
  Dracaea Ave.: from Old 215 Frontage Rd. to Day St.;
  Easement from Dracaea Ave. to the existing reservoir; and
  Alessandro Blvd: from Old 215 Frontage Rd. to Day St.
  The total estimated project cost is $2.4 million.

(d) Affordable Housing

Housing Set-Aside Fund

State Redevelopment Law requires redevelopment agencies to dedicate 20% of tax increment revenues received annually to the development or retention of housing affordable to income-qualified residents. This allocation of funds is known as the Housing Set-aside program. No findings have been made to reduce or defer Moreno Valley's Housing Set-aside amount.

When providing affordable housing units, State law defines different levels of affordability based on a household's percentage of income in relation to the area median income for the region. For Moreno Valley, the region for which area median income is calculated includes Riverside and San Bernardino Counties. Below are definitions of the various affordability levels:

Definitions of Affordability Levels	
Extremely Low Income	30% and below of Area Median Income
Very Low Income	31%-50% of Area Median Income
Low Income	51%-80% of Area Median Income
Moderate Income	81%-120% of Area Median Income

The unaudited, estimated funding amount that will be available in the Housing Set-aside fund at the beginning of this plan on July 1, 2010 is $5,838,907. Over the five-year term of the Plan, an additional $17,441,125 in Housing Set-aside funds are projected to be allocated by the RDA General Fund. The RDA estimates the annual deposits to the fund as summarized below:

Estimated Amounts to be Deposited into the Housing Set-aside Fund 2010-2015	
Fiscal Year	Amount
FY 10/11	$3,495,778
FY 11/12	$3,412,639
FY 12/13	$3,425,121
FY 13/14	$3,498,023
FY 14/15	$3,609,564
Total Funds Available	$17,441,125

Source: FY 2009-2010 Redevelopment Agency Budget

- **Housing Set-aside Funds Distribution**

By Income Restrictions

Health and Safety Code Section 33334.4 requires the RDA to spend the monies in the Housing Set-aside fund to provide housing for persons of low and very low income in at least the same proportion as the total number of housing units needed for those income groups as indicated in the Regional Housing Needs Assessment for Moreno Valley.

According to the final Regional Housing Needs Assessment ("RHNA") allocation plan, the housing for very low and low income households represents 40.8% of the City's total housing need for the 2008-2014 RHNA planning period. The table on the following page shows the projected fair share allocation of RHNA units for the different income groups.

Income Category	Housing Need	Percentage of Total Housing Need	Percentage of Affordable Housing Need	Projected Expenditures by Income Category
Very Low Income	1,809	24%	41%	$7,150,861
Low Income	1,241	17%	28%	$4,883,515
Moderate Income	1,360	18%	31%	$5,406,749
Total Affordable Housing Need	**4,407**	**59%**	**100%**	**$ 17,441,125**
Above Moderate Income	3,064	41%		
Total Housing Need	**7,474**	**100%**		

As a result of the RHNA housing unit need distribution, the RDA is required to spend 41% of its Housing Set-aside funds on very low income households, plus 28% and 31% on low and moderate income households, respectively. The required RDA Housing Set-aside expenditures will occur through the promotion of existing programs, creation of new projects and investments in larger projects where several funding sources are required. The intent will be to assist very low, low, and moderate income families to attain affordable housing within the Project Area in accordance with the prescribed percent allocations, as described in the estimated Expenditure Projections below.

Projected Annual RDA Expenditures
By Income Category
Implementation Plan Period: 2010-2015

Income	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total
Very Low	$1,432,579	$1,398,508	$1,403,623	$1,433,499	$1,479,209	$7,147,418
Low	$982,816	$959,442	$962,951	$983,447	$1,014,806	$4,903,461
Moderate	$1,080,383	$1,054,689	$1,058,547	$1,081,077	$1,115,549	$5,390,246
Total	**$3,495,778**	**$3,412,639**	**$3,425,121**	**$3,498,023**	**$3,609,564**	**$17,441,125**

By Age Restrictions

The RDA will comply with the requirements under Health and Safety Code Section 33334.4(b) to further ensure equitable distribution of Housing Set-

aside monies among the community. The code section requires each RDA to expend over the duration of each Redevelopment Plan, the monies in the Housing Set-aside fund to assist housing that is available to all persons *regardless of age* in at least the same proportion as the population under age 65 years bears to the total population of the community (as reported in the most recent U.S. Census).

According to Census 2000, 94.51% of the City's population is under the age of 65. To exercise proper proportionality, the RDA must ensure that 94.51% of the Housing Set-aside fund is dedicated to providing affordable housing that is not age restricted.

- **RDA Affordability Requirements**

In compliance with AB 701, all redevelopment agencies are required to describe how requirements related to housing affordability covenants and allowable uses for set-aside funds will be fulfilled.

Effective in 2002, to fulfill requirements under 33413(a) and 33413(b), State law extended the required covenant period to 55 years for rental projects and 45 years for ownership projects. In the past, the RDA entered into agreements with developers and non-profits that included units containing to affordability periods that range from 20-55 years, based on the existing statutes at the time of agreement and the amount of RDA assistance. The RDA now mandates 55-year covenants and has established a disclosure policy. The new affordability covenants are explained thoroughly as a state mandated requirement associated with affordable housing projects. The covenant period is explained verbally during negotiation meetings, re-explained as part of all acceptance documents, and spelled out clearly within the affordable housing agreement, once one is negotiated.

- **Planned Affordable Housing Programs and Projects**

The RDA's Housing Set-aside Fund is the primary local financial resource available for the community's affordable housing stock.

The projected costs for housing activities have been derived from the extensive data and analysis provided in the Strategy. The specific schedule for the implementation of the various housing programs and projects is included in the Annual Housing Program at the end of this report.

The following list includes programs and projects to be funded from the RDA's Housing Set-aside funds (some of which have been detailed earlier in this document). The programs and projects are intended to assist in the implementation of the RDA's Affordable Housing Strategy.

Home Improvement Loan Program (HILP): This program offers income-qualified owner-occupied Moreno Valley homeowners a $40,000 maximum loan with a 3% annual interest rate. The program is intended to upgrade

existing deteriorated and dilapidated housing in the Project Area and surrounding community. Payments plus interest are deferred for twenty years or until the owner sells or ceases to occupy the property. In addition, the loans are deferred to ensure that the cost of property upgrades does not result in the displacement of existing owner-occupants. The loan is designed for homeowners who have equity in the property to provide collateral for the loan and have multiple repairs and improvements to make such as upgrading existing electrical and plumbing, paint, roof replacement and other interior and exterior repairs.

The loans are repaid, with interest, upon the sale or refinancing of the homes. Additional funding has been available from federal HOME grant monies.

Homeowner Assistance for Minor Repairs (HAMR): This program provides a $7,500 maximum loan with a 3% to 5% annual interest rate for income-qualified owner-occupied Moreno Valley homeowners. Loan payments are amortized over ten years. This program is designed for homeowners who need minor repairs and for those that have less equity in the property.

Homebuyer Assistance Program (HAP): The HAP provides financial assistance to low and moderate-income families to use in purchasing their first home. The objective of the HAP is to promote neighborhood stabilization and revitalization within the City limits. Assistance is in the form of a 30-year, zero-interest, deferred payment loan and may be used for down payments associated with a home purchase. The amount of assistance depends on the buyers income and the purchase price of the home. Homebuyers are eligible to receive up to 20% of the purchase price in assistance, depending on the amount needed to complete the purchase.

Mobilehome Grant Program (MHGP): This program provides grants of up to $10,000 for the rehabilitation of mobile homes owned and occupied by very low income households. Rehabilitation of health and safety code issues is prioritized. Limited general property improvements are also permitted. Additional funding for the program has been provided from federal HOME grant monies.

The program upgrade existing deteriorated and dilapidated manufactured housing in the Project Area and surrounding community. Rather than loans, grants are used due to the very low incomes of the households served and the difficulty in placing liens on mobilehomes.

Multi-family Rental Program: Through this program, the RDA partners with affordable housing developers to provide “gap” financing for the creation of new multi-family rental housing. Five specific multi-family rental projects (listed on page 32) are already anticipated for development and are scheduled for completion during the 2010 – 2015 Planning Period.

Ownership Housing Development: The project would continue the development of single family housing on one or more properties owned by the

RDA. Housing developed would be targeted for low and very low income households. The project is intended to increase the supply of affordable owner occupied housing available to under served segments of the community. Additional funding has been available from federal HOME grant monies.

Exterior Beautification Program – Marilyn Street Project: This project will address the exterior deferred maintenance of an entire neighborhood located in the Project Area, revitalizing the full neighborhood at once, eliminating blight and maximizing the visual impact gained by completing exterior improvements on several homes simultaneously. In 2007, Marilyn St. was selected as a suitable neighborhood. The project would repair such items as exterior paint, fencing, landscaping, irrigation systems, tree trimming and\or removal, etc.

- **Housing Replacement**

The RDA does not anticipate the removal or relocation of any low or moderate income housing units during the five-year Plan period in conjunction with redevelopment projects financially assisted or undertaken by the RDA. Should removal occur, within four years of the removal, the RDA will directly or through contractual means rehabilitate, develop, or construct an equal number of replacement housing units with the same or greater number of bedrooms as the removed units which shall be made available at an affordable housing cost, as defined in State law.

"Affordable housing cost" calculations are based on benchmark housing sizes. If the replacement housing is being leveraged strictly with RDA funding, the term adjusted for household size appropriate to the unit, is defined as one plus the number of bedrooms in the unit. Every effort will be made to ensure that the replacement housing units will be available at a cost affordable to the same income level as very low, low or moderate income households displaced from the removed units (Section 33413).

- **Inclusionary Housing Requirement**

State law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of all the housing developed and rehabilitated in the redevelopment area is available at an affordable housing cost to low and moderate income households. This requirement, also known as the redevelopment inclusionary requirement, applies to the total number of housing units developed and rehabilitated during the five-year Plan Period and not to each individual rehabilitation, development, or construction project. The inclusionary units must be available at an affordable housing cost for at least the remaining term of the redevelopment plan. The specific redevelopment inclusionary requirements are as follows:

(1) Units developed by the RDA: At least 30 percent of all new or rehabilitated dwelling units developed by the RDA must be available at affordable housing cost to persons of low and moderate income. Also,

not less than 50 percent of those units are to be available at affordable cost to persons of very low income.

(2) Units developed within the Project Area: For all new or rehabilitated dwelling units developed by public or private entities or persons other than the RDA within a 10-year period, at least 15 percent of those units are to be available at costs affordable to persons of very low, low or moderate income. Not less than 40 percent of those units are to be available to very low income households.

The inclusionary requirements must be met within each ten-year period of the Redevelopment Plan.

Current Production

Since the Project Area and Redevelopment Plan were first adopted in 1987, an estimated 3,797 residential units have been constructed or substantially rehabilitated in the Project Area. Based on the number of constructed and substantially rehabilitated units, the RDA's inclusionary housing obligation from plan adoption through the 2005-2010 Implementation Plan period is 570 units (3,797 x 15%) affordable to households earning very low, low, or moderate incomes. Of this amount, 228 units (570 x 40%) must be affordable for households earning at the very low income level.

The RDA has exceeded State requirements for inclusionary housing through the 2005-2010 Plan period. A total of 660 units with covenants that provide long-term affordability can be counted towards the RDA's production requirements. The table below summarizes the RDA's accomplishments in providing affordable housing.

Redevelopment Agency
Affordable Housing Production with Covenants
Through 2005-2010

	Units In the Project Area	Units Outside the Project Area*	Total Production for Inclusionary Housing Requirement*
Extremely Low	6	9	15
Very Low	332	95	427
Low	162	16.5	178.5
Moderate	12	27.5	39.5
Totals	**512**	**148**	**660**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Projected Production

The RDA anticipates the creation of an additional 751 privately-funded units over the next five years, which would generate inclusionary requirements for 46 very low income units and an additional 68 very-low, low, or moderate

income RDA-funded units. Combined, the privately-funded housing development will generate the inclusionary housing requirement of 114 affordable units.

Over the next five years in the Project Area, the housing projects and programs identified in this plan are estimated to exceed this requirement by providing 610 new, substantially rehabilitated, or price restricted housing units (see below). Note that negotiations are underway regarding the mix of affordability levels for one project of 222 units located in the Project Area. Of the additional 388 units with established affordability levels, 60 will be available to households earning extremely low incomes, 137 will be occupied by very low income families, and 191 by low income families during the five-year term of the plan. These units will be located in the project area.

Redevelopment Agency Estimated Affordable Housing Construction with Covenants 2010-2015			
Affordability Level of Units	Units In the Project Area	Units Outside the Project Area*	Total Estimated Production for Inclusionary Housing Requirement*
Extremely Low	60	0	60
Very Low	137	0	137
Low	191	0	191
Moderate	0	0	0
Subtotals	**388**	**0**	**388**
Additional Units w/Affordability Level to be determined	**222**	**0**	**222**
Totals	**610**	**0**	**610**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Over the next ten years (2010-2020), it is anticipated that approximately 1,919 housing units will be constructed or substantially rehabilitated in the Project Area. This will create an inclusionary housing production requirement of 288 units (i.e. 1,919 x 15%). The RDA will ensure that a minimum of 40% (i.e. 116) of these units are affordable to very low income households.

Over the life of the Redevelopment Plan, which concludes on December 31, 2028, it is anticipated that approximately 7,585 housing units will be constructed or substantially rehabilitated in the Project Area (see the table on the next page). As a result, the RDA's total inclusionary affordable housing production requirement would be 1,138 units (7585 x 15% = 1,138). The RDA will ensure that a minimum of 40% of these units (456) are affordable to very low income households. The RDA does not anticipate the purchase or direct ownership of any housing units during the life of the Redevelopment Plan.

Number of New or Substantially Rehabilitated Housing Units Produced and Expected in the Redevelopment Project Area 1987-2028	
YRS 1987-2005	1,349
YRS 2005-2010	2,448
YRS 2010-2015	751
YRS 2015-2020	1,168
YRS 2020-2028	1,869
TOTAL	**7,585**

- **Annual Housing Plan**

The specific schedule for the implementation of the various housing programs and projects are outlined (by fiscal year) below:

***Projected Schedule* of Assisted Housing Units, by Program or Project** *Implementation Plan Period: 2010-2015*						
PROGRAMS & PROJECTS	**FY 10-11 (Year One)**	**FY 11-12 (Year Two)**	**FY 12-13 (Year Three)**	**FY 13-14 (Year Four)**	**FY 14-15 (Year Five)**	***TOTALS***
Home Improvement Loan Program (HILP)	*4*	*4*	*4*	*4*	*4*	***20***
Homeowner Assistance for Minor Repairs (HAMR)	*1*	*1*	*1*	*1*	*1*	***5***
Homebuyer Assistance Program (HAP)	*3*	*3*	*3*	*3*	*3*	***15***
Mobilehome Rehabilitation Grant Program (MHGP)	*10*	*10*	*10*	*10*	*10*	***50***
Multi-family Housing Development						
Alessandro & Day			*56*	*56*	*55*	***167***
Oakwood Apts	*240*					***240***
Rancho Dorado North	*70*					***70***
Rancho Dorado South		*78*				***78***
FY TOTALS	***328***	***96***	***74***	***74***	***73***	***645***

X. IMPLEMENTATION PLAN ADMINISTRATION

This Implementation Plan covers the RDA activities in the Project Area from July 1, 2010 through June 30, 2015.

The RDA will be responsible for conducting the projects and programs described in this Implementation Plan. Administration of the Implementation Plan will be performed by the Neighborhood Preservation Division of the City's Economic Development Department.

(a) Implementation Plan Review

The RDA will conduct a public hearing and accept public comments from all interested parties regarding the adopted Redevelopment Plan and the five-year Implementation Plan. The public hearing will be conducted no sooner than two years and no later than three years from the adoption of this Implementation Plan. Notice of the public hearing to review the Redevelopment and Implementation Plans will be published pursuant to Section 6063 of the Government Code and posted in at least four permanent places within the Project Area for a period of at least three weeks. Publication and posting of the notice will be completed not less than 10 days prior to the date set for the hearing.

(b) Implementation Plan Amendment

This Implementation Plan may be amended from time to time after holding a public hearing on the proposed amendment.

(c) Financial Commitments are Subject to the Availability of Funds

The RDA and the City use a variety of funding sources for implementing each Redevelopment Plan. Although the sources of revenue to be utilized by the RDA are generally reliable from year to year, such funds are subject to legislative, program, or policy changes that could reduce the amount or availability of the funding sources upon which the RDA relies.

(d) Monitoring of Affordable Housing

The RDA is required to monitor any housing made affordable to individuals and families of low or moderate-income. As part of this monitoring, the RDA will requires owners or managers of affordable housing units to submit an annual report to the RDA. The annual reports will include the rental rate, the income, and the family size for each unit's tenants/owners.

Section 33418(b) of the Redevelopment Law requires information obtained by the RDA from owners and managers of affordable housing must be included in any reports required by law to be submitted to the California Housing and Community Development Department ("HCD") or the State Controller. In addition, Section 33418(c) required the RDA to adequately fund its monitoring activities as needed to ensure compliance with applicable laws and agreements related to affordable units.

(e) Redevelopment Plan / Conflicts

If there is a conflict between this Implementation Plan and any other City or RDA plan or policy, the Redevelopment Plan shall control.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project for the purposes of drafting the Disposition and Development Agreement (DDA).

DISCUSSION

PDDC and City staff have been engaged in ongoing negotiations in the efforts to draft a DDA for the proposed project. While the negotiations have been continual, it will be necessary to extend the current term of the Negotiation Agreement which expires August 11, 2010 and the new effective of the Negotiation Agreement date shall be August 12, 2010. The current economy, reduced tax credit availability, and an increased difficulty in securing tax credit financing for affordable housing projects, has prompted PDDC to re-evaluate the project. As a result of competitive tax credit environment, the project phasing shall be modified from a 225-unit, two phase project to a 225-unit, four phase project. Since changes are being proposed to the project, an extension is required to provide the additional time needed to finalize the drafting of the DDA.

Given PDDC's experience and expertise with securing tax credits, along with the current tax credit environment, PDDC suggests that a smaller number of units per phase will enhance the project's scoring and ability to secure a tax credit allocation in the extremely competitive tax credit market that currently exists.

The project changes as proposed by PDDC will require additional time for a new phasing plan and financial review. To properly assess the fiscal feasibility of the project, an analysis of the revised project pro forma reflecting the four phases will have to be obtained from an independent economist. The analysis will be used by staff to evaluate the overall viability of the development as a four phase project.

Upon completion of the pro forma analysis and further evaluation, the drafting of the DDA will be finalized. Staff recommends the extension of the Negotiation Agreement an additional sixty days through October 11 to provide the time for the additional work.

ALTERNATIVES

1. Approve the Third Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would not provide the time needed to finalize the DDA and would hinder the planning for the future affordable housing project.

FISCAL IMPACT

This action does not impose any fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Third Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Third Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00069965

THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of August 12, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement"), an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement") and a "Second Amended and Restated Negotiation Agreement, of the November Agreement, dated April 13, 2010, (herein, the "April Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

ATTACHMENT A

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Economic Development Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement, November Agreement and April Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CEO

EXHIBIT "A"

MAP

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council; and
Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Amendments to Chapter 11.40 of the City of Moreno Valley Municipal Code, Ordinance No. 741 and Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

RECOMMENDED ACTION

Staff recommends:

1. That the City Council introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley amending, Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, and

2. That the Board of Directors for the Moreno Valley Community Services District introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Parks and Recreation Commission took action to recommend amendment of Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, at their special meeting of June 3, 2010 (5 Ayes, 2 Noes, 0 Absent).

BACKGROUND

Chapter 11.40 of the Moreno Valley Municipal Code establishing rules for the use of parks and recreation facilities, was enacted by ordinance on March 15, 1988, and amended in July 1990, January 2004 and April, 2007. Similar ordinances were adopted simultaneously by the Moreno Valley Community Services District. Staff is proposing that these codes be further amended to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

At a special meeting on May 13, 2010, the Parks and Recreation Commissioners were presented the proposed amendment to the ordinance and were asked to consider a motion on the amendment. Upon review and discussion, a motion was made and recommended by the Commission to continue the item so additional revisions to the wording based upon the City Attorney's review and approval could be made. The revisions were completed and approved by the City Attorney and the item was placed on the agenda for a Parks and Recreation Commission special meeting on June 3, 2010.

At the special meeting on June 3, 2010, the Parks and Recreation Commissioners concurred with the proposed amendment, asking staff to accept their recommendation to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center. Staff has prepared the attached amendments to Ordinance Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

DISCUSSION

Although the Moreno Valley Equestrian Center (MVEC) is used daily by local equestrians and dog park patrons on a walk-in basis, reserved use including the receipt of reservation fees, needs to increase. In essence, the City simply cannot continue to subsidize facilities that, at a minimum, should be raising enough funds to maintain the facility. As such, staff has been encouraged to reach out to any organization that may wish to utilize the MVEC. One such organization is the Roy Rogers Rangers (RRR).

RRR was formed in 2001 to promote the sport of mounted shooting. Mounted shooting is one of the nation's fastest-growing equestrian sports. The sport combines the elements of exhibition shooting, barrel racing, pole bending, and reining; all done while using two .45 caliber single-action revolvers, loaded with 5 rounds each of specially prepared black powder blanks to shoot 10 balloon targets set in a random pattern called a "stage." Mounted shooters are timed through the stage determining raw time plus any penalties incurred. The contestant with the fastest overall time wins.

The following bullet points summarize the desired use of the MVEC by the RRR. The bullet points are from the attached information sheet of desired activities from the RRR:

- 20 events per year (schedule as follows)
- Set up: 8:00 a.m.
- Begin shooting: 9:00 a.m.
- End shooting: 5:00 p.m.
- Tear down: 5:00 p.m. to 7:00 p.m.
- 5 beginner practices held on Saturdays. 10-12 participants. 350 blanks per practice.
- 12 monthly practices held on Sundays. 25-40 participants. 1600 blanks per practice.
- 3 competition events held Fridays, Saturdays and Sundays. 25-60 participants each day. Fridays: 400 blanks per event. Saturdays: 2,400 blanks per event. Sundays: 2,400 blanks per event.

The proposed amendment incorporates regulations that are applicable to the City of Moreno Valley, specifically Section 11.40.050(D) of the City Municipal Code that allows the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. In addition, the type of use that will be allowed by the proposed amendment falls under City's Municipal Code in Chapter 11.80 Noise Regulation, Section E. Exemptions, Item No. 7: *"Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space or other publicly owned property."* The RRR event is an organized sporting event and therefore the event is exempt from the City's noise ordinance. Other non sporting event shooting would still be subject to the City's noise ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinances for adoption. The ordinances would take effect thirty one days after adoption.

2. Direct staff to make changes to ordinances and return to City Council on a later date with revised ordinances.

3. Take no action.

FISCAL IMPACT

The impact to expenditures will be minimal. The cost to change the park rules signage at the MVEC along with installation is anticipated to be under $300. The impact to revenue will be an increase of revenue for each reserved use. Per the adopted fee schedule, the fees for these types of events would be $125 per day with a $25 water

key deposit and a refundable $300 security deposit. Total annual revenue will vary depending on paid reservations received.

CITY COUNCIL GOALS

1. Revenue Diversification and Preservation
2. Positive Environment

SUMMARY

Reserved use including the receipt of reservation fees needs to increase at the Moreno Valley Equestrian Center. By encouraging reserved usage, staff believes City subsidy of this facility may be eliminated, the area will be utilized by many more people, and non-resident users will bring additional revenue to the City in other ways. The proposed amendment relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center should allow the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. The impact to revenue will be an increase of revenue for each reserved use. Total annual revenue will vary depending on paid reservations received.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

Attachment 1: Proposed City Council Ordinance
Attachment 2: Proposed CSD Ordinance
Attachment 3: Information Regarding the Roy Rogers Rangers Program

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY OF MORENO VALLEY AMENDING, SECTION 11.40.040 OF CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley ordains as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code is amended in its entirety to read as follows:

"**11.40.040 Regulations.** Unless specifically provided otherwise in this Chapter, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the City Council.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the City Council.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris

promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzine, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting

within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00069987

ORDINANCE NO. CSD 54

AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 5e OF ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley, acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, does ordain as follows:

1.1 AMENDMENT: Section 5. Regulations of CSD Ordinance No. CSD 52 is amended in its entirety to read as follows:

"SECTION 5. REGULATIONS:

Unless specifically provided otherwise in this Ordinance, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the Board of Directors.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the Board of Directors.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to

maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzene, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code

without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

2.1 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Board of Directors which addresses the same subject addressed herein.

3.1 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the Secretary of the District shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

4.1 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor of the City of Moreno Valley, acting in the capacity as the President of the Moreno Valley Community Services District

ATTEST:

_____
City Clerk of the City of Moreno Valley acting in the capacity as Secretary of the Moreno Valley Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity as General Counsel of the Moreno Valley Community Services District

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MV00069997

ROY ROGER RANGERS - PRACTICES, EVENTS, CLINICS
PROPOSED HOURS OF OPERATION FOR ALL EVENTS:

SET UP – 8AM
BEGIN SHOOTING – 9AM
END SHOOTING – 5PM
TEAR DOWN 5-7PM

NUMBER OF EVENTS:

5 BEGINNERS TRAINING CLINICS ANNUALLY (SATURDAY) –
10-12 IN ATTENDANCE – CLINIC IS USUALLY HELD ON SATURDAY –
FOLLOWED BY A MONTHLY PRACTICE THE NEXT DAY
Usually 350 rounds fired; total of 15 minutes of shooting accomplished randomly over the hours of operation

12 MONTHLY PRACTICES (SUNDAY) – 25-40 IN ATTENDANCE; 4 turns each

Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 40 riders = 3200 seconds or 54 minutes of shooting over the hours of operation.
A rider goes every 2 minutes and we take breaks.

If we have 40 riders shooting 40 rounds each = 1600 rounds
Total of 54 minutes total shooting done in 20 second increments during the eight hours of operation.

3 COMPETITION EVENTS (Friday, Saturday, Sunday) – 25-60 IN ATTENDANCE

Friday – warm up day – 20 riders shoot 10 rounds each 20 second turn X 2 turns = 40 seconds X 20 riders = 800 seconds or 14 minutes shooting over hours of operation.

20 riders shooting 20 rounds each = 400 rounds shot in 20 second increments during the hours of operation; total of 14 minutes of shooting

Saturday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Sunday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Attachment 3

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MV00069999

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC.

RECOMMENDED ACTION

Staff recommends approval of a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

BACKGROUND

The economy has been in a down cycle for the last few years and it has created challenges for shopping center owners with vacancies of anchor retail and key restaurant locations. The TownGate area is an important retail and restaurant business area for the City of Moreno Valley. City staff is committed to addressing vacancies and creating new employment opportunities in the TownGate shopping areas with available stimulus funding from the Federal government. The City's adopted CDBG-Recovery (CDBG-R) program has earmarked $107,841 in available funding for the start-up of a new restaurant operation in the TownGate area.

Buffalo Wild Wings Grill & Bar (BWW's) is a restaurant company, based in Minneapolis Minnesota that has proven successful with its popular restaurant concept that combines a full menu experience— including its famous buffalo chicken wings with 14 signature sauces, along with providing a relaxed entertainment environment through its popular sports bar theme. During the past 29 years, BWW"s has developed over 650 restaurant locations in 43 states. In California, BWW's is expanding through owner-operator Franchise Agreements. Presently, there are nearby Buffalo Wild Wings locations in Rancho Cucamonga, Murrieta, Eastvale-Mira Loma and a soon to open restaurant in Corona. Moreno Valley staff has pursued a BWW's location for the past few years and believe it will be a great addition to the local restaurant scene.

DISCUSSION

The Buffalo Wild Wings Franchisee for the Moreno Valley/Redlands/San Bernardino area is Pacific Wings Inc., which is a partnership of two individuals with restaurant experience in the Chicago area and now residing part-time in Southern California. Pacific Wings Inc. will develop a number of BWW's locations in the next few years, but have selected Moreno Valley as their first BWW's restaurant in Southern California.

Pacific Wings Inc. has chosen a location in Moreno Valley-- next to Sports Authority store in the TownGate Crossing center as their initial BWW's restaurant. BWW's Corporation has approved the location, along with conceptual plans for the Moreno Valley restaurant in TownGate Crossing. A Letter of Intent (LOI) has been executed between Pacific Wings Inc. and the Fritz Duda Co.—the owner of TownGate Crossing. With the LOI executed, the parties have negotiated and drafted a lease document with execution expected by mid July. An application and supporting documents have been submitted to the City's Planning staff for the processing of an Amended Plot Plan of the new BWW's restaurant operation. The new 5,126 S.F, BWW's restaurant will also include two patio spaces totaling 1,250 S.F., along with constructing new refrigeration cooler/storage space at the rear of the restaurant. The new BWW's restaurant will offer total seating for 280 in the restaurant, bar and patio areas. Everyone hopes for a late 2010 opening of the new BWW's restaurant in Moreno Valley.

A Participation Agreement has been drafted to spell out the contracturual requirements for the CDBG-R funding assistance. The major terms and conditions of the Participation Agreement include the following:

- Pacific Wings Inc. shall execute a binding lease and open a new Buffalo Wild Wings Grill & Bar in TownGate Crossing.
- Pacific Wings Inc. shall establish Moreno Valley as the point of sale per California Board of Equalization requirements for the operation of the new Buffalo Wild Wing's restaurant.
- Pacific Wings Inc. shall agree to create employment opportunities for low and moderate income persons consistent with CDBG requirements, including creating 4 new full-time (or part-time equivalent) jobs at the new restaurant operation.
- Pacific Wings Inc. shall agree to a one-year covenant period of operating the new restaurant in Moreno Valley.
- Upon satisfaction of the conditions stated above, the City shall provide Pacific Wings Inc. with a payment of $107,841 from the CDBG-R program.

ALTERNATIVES

1. Approve the Participation Agreement with Pacific Wings Inc, thereby supporting the City's assistance in the development of the new Buffalo Wild Wings restaurant.

2. Reject or pursue modification of the terms of the Participation Agreement. Supporting this alternative would hinder the timing or ability to open the new restaurant in TownGate.

FISCAL IMPACT

Funding for the Participation Agreement in the amount of $107,841 shall be from the City's CDBG-R program.

Fund	Business Unit Name	Amount
199	19910.6849.003 CDBG-R Economic Incentive for Restaurant Development	$107,841

Funding for the Participation Agreement will have NO impact on the City's General Fund. Sales tax for the City from the new Buffalo Wild Wings restaurant is estimated at $30,000 to $40,000 annually and the new restaurant operation is expected to employ 100 to 110 people.

SUMMARY

The City's CDBG-R program contains a funding allocation of $107,841 for the creation of new restaurants in the TownGate area. The new Buffalo Wild Wings (BWW's) restaurant, to be situated in TownGate Crossing qualifies for funding through the CDBG-R program. The new BWW's restaurant will not only create a new and popular restaurant concept for the area, but also help stimulate the local economy by filling a building vacancy, producing new sales tax revenue for the City, and most importantly creating new employment opportunities.

ATTACHMENTS/EXHIBITS

ATTACHMENT 1: Participation Agreement

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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PARTICIPATION AGREEMENT

By and Between the

CITY OF MORENO VALLEY

and

PACIFIC WINGS, INC.
a California corporation

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Attachment No. 2 Annual Compliance Report
Attachment No. 3 Roles to Ensure Low to Moderate Income Benefit
Attachment No. 4 Summary of HUD Requirements for CDBG Economic Development Activities
Attachment No. 5 Operator Certificate
Attachment No. 6 Schedule of Performance

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of July 13, 2010, by and between the **CITY OF MORENO VALLEY**, a municipal corporation (the "City"), and **PACIFIC WINGS, INC.,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. In furtherance of the objectives of the Housing and Community Development Act of 1974, as amended (the "Act") as well as regulations promulgated thereunder, the Operator and the City desire that the Operator open a sports bar and restaurant facility within the TownGate Area (the "TownGate Area") operating under the trade name Buffalo Wild Wings Grill and Bar and that, as part of Operator's activities, a minimum number of full time (or composite full time) jobs, starting at not less than four (4) employees, be created within the City to be held by or made available to low- or moderate-income persons.

B. Operator through the operation of the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar within the TownGate Area will help stimulate the local economy and address the goals and obligations of the City's CDBG-Recovery Program as approved by the Department of Housing and Urban Development ("HUD").

C. Operator has determined a suitable location within the TownGate Area for a sports bar and restaurant facility to be operated under the trade name Buffalo Wild Wings Grill and Bar.

D. Operator has been provided with, has reviewed and agreed that its receipt of payments from the City under this Agreement is subject to the "Annual Compliance Report" (Attachment No. 2 to this Agreement), the "CDBG Regulations", as defined below and as amplified by the "Roles to Ensure Low and Moderate Income Benefit" (Attachment No. 3 to this Agreement) and "Summary of HUD Requirements for CDBG Economic Development Activities" (Attachment No. 4 to this Agreement), and the remainder of this Agreement.

E. The City is authorized to undertake activities and expend moneys pursuant to and in implementation of the CDBG Regulations.

F. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws.

NOW, THEREFORE, the City and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Site, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of

Operator or City, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the City and the Operator.

"Annual Compliance Report" means a report to be provided once a year by the Operator (as of March 1, commencing March 1, 2011, for the preceding calendar year or portion thereof) in the form of Attachment No. 2.

"*Annual Period*" means that three hundred sixty five (365) day period commencing as of the Opening and ending the day prior to the anniversary of the Opening, and each succeeding three hundred sixty five (365) day period (or for a leap year, a three hundred sixty six (366) day period).

"Authorizing Business Entity" means The Fritz Duda Company, a California corporation.

"*Best Knowledge*" is defined in Section 208.1 hereof.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"*City Manager*" means the City Manager of the City or his designee.

"City Payment" means the payment of the Payment Amount by the City in accordance with the terms of this Agreement.

"CDBG Regulations" means those regulations (concerning Community Development Block Grants) set forth at 24 CFR 570, including without limitation those regulations referenced therein.

"*Conditions Precedent to Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar.

"Conforming Facility" means a building consisting of not less than five thousand one hundred (5,100) square feet gross leasable area and adjacent parking spaces (or rights to use such spaces) as required by the City in connection with its customary planning process which includes improvements sufficient for the conduct of Conforming Activities, which improvements are to be located at the Designated Site in conformity with the Site Plan of the Buffalo Wild Wings Facility.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" means July 13, 2010.

"*Deadline*" means the ninetieth (90th) day following the Date of Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Site*" means a parcel of land within the TownGate Area to be designated by Operator as provided in Section 401 of this Agreement.

"Designated Trade Name" means "Buffalo Wild Wings Grill and Bar" or another trade name that is approved by the City in its discretion.

"*Fee Condition*" is defined in Section 401.2.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Designated Site is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Designated Site.

"Improvements" means all improvements present on the Designated Site as of the Date of Agreement or thereafter undertaken on the Designated Site.

"Municipal Code" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"Opening" means the opening for business of a sports bar and restaurant facility consisting of not less than five thousand one hundred (5,100) square feet gross leasable area operating under the Designated Trade Name.

"*Operating Covenant Period*" means a twelve (12) month period commencing with the later of (i) the Opening or (ii) the time set forth in the Schedule of Performance for the scheduled Opening.

"*Operator*" means Pacific Wings, Inc., a California corporation.

"Operator Certificate" means Attachment No. 5 to this Agreement.

"*Payment Amount*" or "*Maximum Payment Amount*" means the sum of One Hundred Seven Thousand Eight Hundred Forty One Dollars ($107,841.00).

"*Performance Conditions*" means all of the following: the Fee Condition; the Indemnification Condition; the Certificate Condition; the Continuous Operation Condition; and the Annual Report Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"Qualifying Employee(s)" is defined as follows: the number of persons constituting Qualifying Employees during any Annual Period shall equal the sum of (i) the number of "Full Time Employees" for such Annual Period plus (ii) the number of "Composite Full Time Employees" for such Annual Period, calculated in accordance with the following:

(a) In order to qualify as a Full Time Employee of Operator for the applicable Annual Period, a person must be a salaried or hourly employee who is employed at the Designated Site not less than forty (40) hours per week for not less than fifty (50) weeks, with such fifty two (52) week calculation to be inclusive of vacations, holidays, disability leaves required pursuant to state law, sick leave and similar benefits generally afforded employees generally deemed to be full time employees by prevailing community standards during the corresponding Annual Period. An employee who is terminated during any Annual Period, and the employee who replaces such terminated employee in such position, shall be aggregated for purposes of the foregoing calculation. The Operator shall provide substantiation to the City Manager (or his designee) as to replacement of terminated employees, and the City Manager (or his designee) shall in good faith review whether the employees involved are countable for purpose of the foregoing calculation.

(b) For purposes of this Agreement, one Composite Full Time Employee shall be deemed to exist for each two thousand (2,000) hours worked per Annual Period, not inclusive of vacations, holidays, disability leaves, sick leaves, or similar benefits, performed by part time employees (other than qualifying Full Time Employees), contract employees, independent contractors, or temporary personnel (collectively, "Part Time Employees") at the Designated Site.

Hours worked in one Annual Period shall be countable only with respect to that Annual Period and cannot be carried forward or carried back to be applied as to a different Annual Period.

"*Required Period*" means that period commencing as of the Date of Agreement and continuing until the first (1st) anniversary of the Opening.

"*Schedule of Performance*" means that Schedule setting forth the times by which each action must be completed pursuant to this Agreement, as set forth in Attachment No. 6, attached hereto and incorporated herein.

"Site Plan of the Buffalo Wild Wings Facility" means Attachment No. 1.

"*Special Fund*" means a fund or account that City will maintain and which will be funded only with moneys granted by the United States Government under the Act (and, particularly, under the CDBG program).

"Targeted Income Groups" means very low-, low- and moderate-income households (as defined under Health and Safety Code Sections 50105, 50079.5 and 50093) residing in the City. Data changes annually concerning the income limits for such households; figures will be available from the City within a reasonable time following receipt of request therefor from the Operator.

200. REPRESENTATIONS AND WARRANTIES.

201. **City Representations**. City represents and warrants to Operator as follows:

(a) **Authority**. City is a municipal corporation organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of the City Council. The City has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by City has been fully authorized by all requisite actions on the part of City. The parties who have executed this Agreement on behalf of City are authorized to bind City by their signatures hereto.

(b) **No Conflict**. To the best of City's knowledge, City's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which City is a party or by which it is bound.

(c) **No City Bankruptcy**. City is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to City as follows:

(a) **Authority**. Operator is a duly organized California corporation that is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase or lease and accept possession of property within the TownGate Area, including the Designated Site and undertake all obligations as provided herein and the execution, performance and delivery of this Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of or a leasehold interest as to the Designated Site or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of franchised restaurant facilities, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations pertaining to the operation of a Conforming Facility under this Agreement, as well as the Summary of HUD Basic Requirements for CDBG Economic Development Activities.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to City), indemnify and save and hold harmless City and its officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") to the extent arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or

employed by Operator with respect to the Designated Site; or (v) Operator's ownership, occupancy or use of the Designated Site; provided, however, that the indemnification obligations provided in this Section 301 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the City has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the City immediately upon written demand for all costs reasonably incurred by the City (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the City's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which the City is indemnified under this Agreement.

The Operator shall indemnify the City from any real estate commissions or brokerage fees which may arise from this Agreement or the Designated Site. The Operator agrees to hold the City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator and/or the Designated Site.

Operator agrees that no displacement of another person or business shall be effected in connection with the selection of a Designated Site by the Operator or Operator's siting of a store at the Designated Site. Operator agrees to and shall defend, indemnify and hold harmless City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Site occurring prior to and in connection with the selection of the Designated Site by the Operator.

302. **Compliance With Laws**. Operator shall carry out the design, construction and development of improvements, if any, and the conduct of uses on the Designated Site in conformity with all applicable laws, including without limitation the Act, City zoning and development standards, building, plumbing, mechanical and electrical codes, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq,* and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The City makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify City for any liability associated with the payment of prevailing wages for any work on the Designated Site.

The Operator does hereby and shall indemnify and hold City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by City to the extent arising out of Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720; provided, however, that the indemnification obligations provided in this

Section 302 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator.

Before commencement of construction of any improvement upon the Designated Site or otherwise within the corporate limits of the City, Operator shall, at its own expense, secure or cause to be secured any and all land use and other entitlements, permits, and approvals which may be required for such improvements by the City or any other governmental agency affected by or having jurisdiction over such construction or work. Operator shall, without limitation, apply for and secure, and pay when due all costs, charges and fees associated therewith, all permits and fees required by the City, County of Riverside, and other governmental agencies with jurisdiction over such improvements. Execution of this Agreement does not constitute the granting of or a commitment to obtain or to assist in obtaining any required land use entitlements, or approvals required by the City. Operator's obligations under this Agreement including without limitation acquisition (by purchase or lease) and, if applicable, the making of improvements at the Designated Site is expressly conditioned upon the issuance of each permit required by the City, County of Riverside or other governmental agencies and the grant of all approvals and entitlements required for development of the Designated Site as contemplated under this Agreement.

303. **Insurance**. Prior to the disbursement of any moneys by the City to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense (or, if Operator is leasing the Designated Site, the lessor may provide) the following policies of insurance in form and substance reasonably satisfactory to the City:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Site (to be in effect only while work is being performed on the Designated Site);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Site in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Designated Site is located (including loss by flood if the Designated Site is in an area designated as subject to the danger of flood);

(iii) public liability insurance in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to City. The policies required under subparagraph (b) shall designate City as an additional insured and loss payee. City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by City) and endorsements shall be delivered to City from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to City evidence of renewal or replacement of such policy reasonably satisfactory to the City Manager.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of the City. All policies shall be written by good and solvent insurers qualified to do business in California and shall have a policyholder's rating of A or better in the most recent edition of "Best's Key Rating Guide -- Property and Casualty." The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator (or policies or amendments, riders or endorsements by a lessor, if the Operator is leasing the Designated Site), and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against City (or any officer, employee, agent or representative of City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment; Efforts to Employ Persons of Targeted Income Groups**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry, national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

Operator shall recruit and use best efforts to maximize the hiring of personnel for its sports bar and restaurant facility to be established under this Agreement in the TownGate Area from members of the Targeted Income Groups.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay (or the Authorizing Business Entity or lessor shall pay) prior to delinquency all ad valorem real estate taxes and assessments on the Designated Site. Operator shall remove or shall have caused to be removed any levy or attachment made on the Designated Site or any part thereof which is owned or leased by Operator, or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless the City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties to the extent arising out of (a) activities undertaken by the Operator or (b) the Designated Site.

400. CONSIDERATION FOR AGREEMENT; CITY CONTINGENT PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the City to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Payment by the time established therefor in the Schedule of Performance, and to annually thereafter satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The

Operator further agrees to operate, maintain and use the Designated Site in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the City Manager, City will disburse to Operator from moneys in the Special Fund the Payment Amount.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities in a Conforming Facility commencing with the Opening and continuing throughout the Operating Covenant Period. In addition to the foregoing, Operator shall use diligent efforts to recruit and hire as employees members of the Targeted Income Groups, and shall cooperate with the City in connection therewith. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming Activities (the "Fee Condition"); (iii) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (iv) filing of the Annual Compliance Report for the corresponding calendar year by the time set forth therefor herein (the "Annual Report Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Required Period, and during such period shall provide such additional information with respect to any of such matters as the City Manager or his designee shall reasonably determine to be necessary or convenient in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **City Contingent Financial Participation**. Payment of the Payment Amount shall be subject to satisfaction of the Conditions Precedent to Payment and, to the extent applicable as of payment of the Payment Amount, the Performance Conditions have been and remain satisfied as of the time such payment is otherwise due and payable; the City shall disburse to the Operator the City Payment following the Opening within thirty (30) calendar days after the City Manager receives satisfactory substantiation that the Conditions Precedent to Payment (including, to the extent applicable as of the payment of the Payment Amount, the Payment Conditions) have been satisfied. The source of payments and the obligation to make payment shall be moneys in the Special Fund; provided that City may provide payment from any other City funding source deemed appropriate by City. Payment by the City is subject to the reasonable satisfaction of the City Manager that the Conditions Precedent to Payment were satisfied and that there are no uncured defaults which occur prior to the making of payment. Operator Certificates shall be submitted to the City to the attention of its City Manager at the address set forth in Section 701 hereof. No interest shall accumulate as to any amounts which are or may become payable to the Operator.

The City shall not provide any moneys pursuant to this Agreement other than those payments provided for in this Section 402. Further, no pledge is made or lien priority established by this Section 402.

403. **Conditions Precedent to Payment**. The City shall pay the Payment Amount to Operator within thirty (30) calendar days following the date on which all of the following conditions precedent have been and remain satisfied:

(a) the Operator provides to the City Manager evidence reasonably satisfactory to the City Manager that: (i) Operator has entered into a binding agreement with the franchisor of the trade name Buffalo Wild Wings Grill and Bar, and a lease agreement with the Authorizing Business Entity to operate a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar; (ii) Operator has acquired real property within the TownGate Area or has entered into a lease of existing, improved premises that constitutes a Conforming Facility for a term of not less than twelve (12) months; (iii) the Opening of a Conforming Facility has occurred within the TownGate Area with the approval of the Authorizing Business Entity operating under the Designated Trade Name; (iv) Operator has made diligent efforts to recruit and hire as its employees members of Targeted Income Groups; and (v) Operator employs at the Designated Site not less than four (4) Qualifying Employees;

(b) Operator delivers to the City Manager or his designee a certificate substantially in the form of the Operator Certificate, duly executed with the attachments prescribed pursuant to this Agreement;

(c) all property taxes, assessments and business license fees for or with respect to the Designated Site have been paid and are not delinquent;

(d) there exists no Default, as defined in Section 601 of this Agreement; and

(e) Operator has delivered to City all documents, instruments, policies, and forms of evidence or other materials required to be provided to City hereunder and as may be reasonably requested by City under the terms of this Agreement

(f) Operator provides evidence reasonably satisfactory to the City Manager demonstrating that the Conforming Facility is operating on the Designated Site in conformance with this Agreement using the Designated Trade Name;

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on the Designated Site during the Operating Covenant Period, or if this Agreement is terminated by the City based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the City pursuant to Section 402 of this Agreement.

404. **Brokers**. The City shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator will use the Conforming Facility as a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the Designated Trade Name. The Operator shall operate on the Designated Site only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote the Designated Site to the uses specified in this Section 501 of this Agreement; (ii) operate on the Designated Site a Business devoted to the operation of Conforming Activities under the Designated Trade Name and (iii) execute and deliver to the City an Operator Certificate prior to each payment by the City.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations. The Operator covenants to operate on the Designated Site only Conforming Activities for a period of not less than the Required Period; this covenant is made for the benefit of the City.

In addition, Operator covenants that there shall be no discrimination contrary to the Summary of HUD Federal Requirements for CDBG Economic Development Activities or the CDBG Regulations.

In addition, continuing throughout the remainder of the Required Period, all uses conducted on the Designated Site, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to the Designated Site or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain the Designated Site and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations.

(b) To maintain the improvements and landscaping on the Designated Site in conformity to all applicable laws and to keep the Designated Site free from any accumulation of debris and waste materials (or, if Operator leases the Designated Site, to provide such maintenance or require that the lessor provide such maintenance).

(c) To operate on the Designated Site only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of

Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the City shall be suspension or at City's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement, except as otherwise specified in this Section 603. Upon the City's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then, subject to the provisions of Section 602 above, this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the City. Operator shall also have the option to terminate this Agreement on or before September 1, 2010 (unless such date is extended by mutual consent of the parties), if on or before September 1, 2010 (or the date as extended by mutual consent of the parties): (i) Operator is unable to acquire title or a leasehold interest in the Designated Site; or (ii) the City fails to make one or more payments as provided under this Agreement. From the date of Notice of Termination of this Agreement by Operator to the City and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by City**. In the event that, prior to the time established in the Schedule of Performance for the satisfaction of the Conditions Precedent to Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to the Designated Site to any third party other than an Affiliate in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment in accordance with the Schedule of Performance and such failure is not caused by City; or

(c) On or before the Deadline, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of City, be terminated by City by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by City to the Operator

and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties, except that City may pursue any remedies it has hereunder.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the City, service of process on the City shall be made by personal service upon the City Clerk or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To City:	City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Pacific Wings, Inc. Attention: Anthony Prokos 28076 Paseo Hacienda San Juan Capistrano, California 92675

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party, or acts or failures to act of the City or any other public or governmental agency or entity. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of City and Operator. The City Manager shall have the authority to approve on behalf of City, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to open a Conforming Facility within the TownGate Area; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with City as to other properties.

703. **Transfers of Interest in Agreement or of Designated Site**. The qualifications and identity of the Operator are of particular concern to the City. It is because of those qualifications and identity that the City has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Site or the development thereon without prior written approval of City, except as expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the City, the sole remedy of the City shall be suspension or at City's election termination of payments otherwise required to be made by City pursuant to this Agreement. City shall not unreasonably withheld its consent to the assignment by Operator hereunder of its rights under this Agreement to any entity which controls, is controlled by, or is under common control with Operator ("Affiliate"); provided that in no event shall Operator be released of its obligations hereunder.

704. **Provision of Information; Inspection of Books and Records**. The City shall have the right at all reasonable times during the Required Period to inspect the books and records of the Operator as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the City as deemed reasonably necessary by the City, at least annually and additional upon request therefor by the City, to verify compliance with the terms of this Agreement.

705. **Non-Liability of Officials and Employees of City**. No member, official, officer or employee of the City shall be personally liable to the Operator, or any successor in interest, in the

event of any Default or breach by the City or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between City and Operator**. It is hereby acknowledged that the relationship between the City and the Operator is not that of a partnership or joint venture and that City and the Operator shall not be deemed or construed for any purpose to be the agent of the other (excepting that the Operator shall each be deemed to be the agent for the other). Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the City shall not have any rights, powers, duties or obligations with respect to the Designated Site.

707. **City Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the City, the City Manager is authorized to act on behalf of the City unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 6, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to

persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the City and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by City**. This Agreement, when executed by the Operator and delivered to City, must be authorized, executed and delivered by the City on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries**. Nothing herein is intended to create any third party beneficiaries to this Agreement, and no person or entity other than the City and the Operator, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

WITNESS WHEREOF, the City and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

CITY:

CITY OF MORENO VALLEY,
a municipal corporation

By:_____
William L. Bopf, Interim City Manager

ATTEST:

_____
Jane Halstead, City Clerk

Approved as to Form:

_____
Robert Hansen
City Attorney

OPERATOR

PACIFIC WINGS, INC.,
a California corporation

By:_____
Anthony Prokos

Its: _____

ATTACHMENT NO. 1

SITE PLAN OF THE BUFFALO WILD WINGS FACILITY

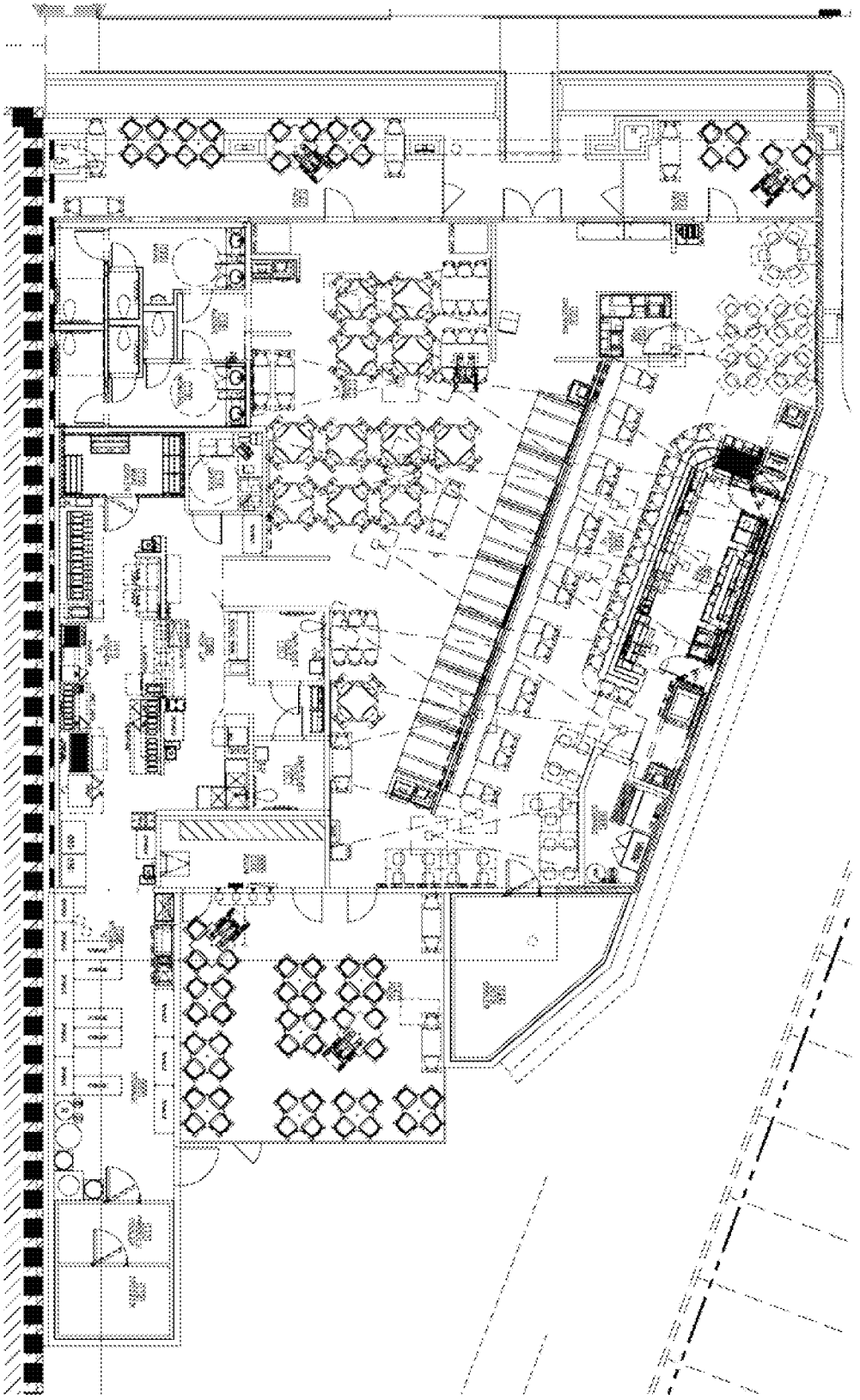

ATTACHMENT NO. 2
ANNUAL COMPLIANCE REPORT
YEAR ENDING ____

Activity:	**Moreno Valley Business Incentive Program**
Per Agreement Between:	City of Moreno Valley and Pacific Wings, Inc.
Agreement Originating:	**2010 (CDBG-R Program Year 2010/11)**
Current Date (mo/day/yr):	
Contact Person Name:	**Title:**
Contact Mailing Address:	
	Contact E-mail:
Contact Telephone:	**Contact Fax:**
Funding Source(s):	☒ **CDBG** ☐ **HOME** ☐ **RDA** ☐ **HOME & RDA** ☒ **Other - CDBG-R**
Assistance Extended:	Year 1: $107,841 (CDBG-R)

Per Federal laws as agreed to in the Participation Agreement referenced above, the following data must be reported annually to the Dept. of Housing and Urban Development (HUD) via the City of Moreno Valley's Economic Development Department. Please complete and return to the City by requested date.

Required Reporting Data	
No. of jobs to created or retained - **Minimum 4 full time jobs or full time equivalents**	_____
Percentage of the jobs to be created or made available to Low-to-Moderate (L/M) persons	**100%**
No. of Low-to-Moderate (L/M) jobs actually created or retained over reporting period	_____

LOW / MODERATE INCOME: The income table below is intended for use by the Participating Business when qualifying an applicant / employee as low-to-moderate (L/M) income. For each applicant's / employee's family size, indicate if previous income was more than or less than the amount listed. Insert the word 'Less or 'More' as applicable in the Low/Moderate Income column below.

Annual Income Level	**Number of Persons In Household/Family**							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
2009 Low -to-Moderate Incomes	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350

(An updated table shall be provided annually as new income limits are issued each year by the Department of Housing and Urban Development (HUD)

	Employee Name (Last name, First Initial)	**Job type Ft or p/t (enter # hrs)**	**Job Category* Select category from below**	**Paid health Benefits (Y or N)**	**Low/Moderate Income Was previous income more or less than amount listed above?**	**Race / Ethnicity of employee****	**Previously unemployed (Y or N)**
EX	EXAMPLE EMPLOYEE: JOHN SMITH	FT	6 (Craft Workers)	Y	Less	1 (White)	N
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

***JOB CATEGORIES (Insert appropriate number in Job Category column)**:

1)	Officials and Managers	4)	Sales	7)	Operatives (semi-skilled)
2)	Professional	5)	Office and Clerical	8)	Laborers (unskilled)
3)	Technicians	6)	Craft Workers (skilled)	9)	Service Workers

****RACE CATEGORIES (Insert appropriate number in Race Category column)**:

ND) Not Disclosed	3) Asian	6) American Indian / Alaskan Native & White	9) American Indian / Alaskan Native & Black/African American
1) White	4) American Indian/ Alaskan Native	7) Asian & White	10) Other Multi-Racial – Category used for reporting individual responses that are not included in any of the categories listed above
2) Black / African American	5) Native Hawaiian / Other Pacific Islander	8) Black / African American & White	

ATTACHMENT NO. 3

ROLES TO ENSURE LOW-TO-MODERATE INCOME BENEFIT

This is a federally funded Economic Development project. As such, the Office of Housing and Urban Development (HUD) requires that each party to the Agreement agree to undertake certain roles to ensure that the jobs created/retained will benefit low-to-moderate (L/M) income persons.

Actions required by each party are:

The City of Moreno Valley:

- Shall provide a summary of HUD Federal Requirements for CDBG Economic Development activities for informational purposes and as a reference document.
- Shall be available to provide guidance and answer questions to ensure clarity and understanding of HUD's requirements.
- Will specify exactly what needs to be in the reported annually. See Attachment 2.
- Will collect the Compliance Report Form, review the form, and provide written feedback within 30 days of receipt. The City's written response may contain suggestions or list adjustments if necessary to meet the requirements as provided in the Agreement.
- Will identify L/M census tracts (census tracts where 70% of residents are low income) and Enterprise Zones where business may target (or market) their employee search. Maps will be provided.
- Shall define 'reasonable distance' as within 1.5 miles of an applicant's residence for the employer/business to use when determining if L/M applicant has adequate access to transportation to job site.
- Will provide an updated annual income table each year to be used by the business in determining if an individual seeking employment qualifies as low-to-moderate income.

The Business/Employer:

- Shall accept the HUD Federal Requirements for CDBG Economic Development activities and retain a copy for informational and reference purposes.
- Shall seek guidance from City and ask questions as needed in order to ensure clarity and understanding of HUD's requirements.
- Will submit a completed 'Annual Compliance Report Form' each year as required.
- Will implement suggestions and adjustments as recommended by the City via letter within 60 days of receipt of City response letter.
- Refer to map of L/M census tracts and Enterprise Zones when identifying where to conduct marketing of employment opportunities.
- Cooperate with the City of Moreno Valley Employment Resource Center to pre-screen for L/M income applicants. Completion of L/M verification shall be done through the Agency if possible (this includes having applicants complete any self-certification documents).
- Require use a notarized jurat along with L/M self-certification document.
- Provide copies of marketing materials, advertisements, want ads, etc. including publication dates, name of publisher to document job marketing efforts in areas pre-determined to be 'low-to-moderate income'.
- If an applicant falls into the "presumed L/M income" category, this will need to be documented by referencing the census block number or Enterprise Zone of where the applicant resides directly on the application and again within the required reports to the City.

ATTACHMENT NO. 4

SUMMARY OF HUD FEDERAL REQUIREMENTS FOR CDBG ECONOMIC DEVELOPMENT ACTIVITIES

Activity: Moreno Valley Business Incentive Program

Code of Federal Regulation References: 18A ED Technical Assistance. Section 570.203 Section 105 (c) (1) and Section 570.208 (a) (4)

Number of Jobs to be created: For individual economic development projects, CDBG-Department of Housing and Urban Development (HUD) and the City shall require creation of 1 full time equivalent permanent job per every $35,000 in CDBG assistance. In this case, four (4) jobs minimum AND 51% of the jobs the activity creates must be either held by or made available to Low-to-Moderate (L/M) income persons.

Term of Job: Jobs must be formally categorized as permanent. See definition of 'qualifying employee' on page 3 of Agreement. All newly created jobs are also subject to a 'turn over' stipulations.

The Low-to-Moderate (L/M) Income Standards: The following is required to meet the Low-to-Moderate (L/M) income standards.
Fifty-one percent or more of the jobs created must either:
(a) be 'held by' L/M income persons at the time CDBG assistance is provided and/or
(b) for jobs not held by L/M income persons, documentation must prove the job was 'made available' to L/M income person.
(c) for jobs not known to be held by L/M income persons will be turned over to low/moderate income persons within 2 years. This would involve the business to take action to ensure that such a job, upon turnover, will be either taken by or made available to a L/M income person in a manner similar to that pertaining to a newly created job.

The business must maintain sufficient documentation indicating that at least 51 % of the jobs will be 'held by' or 'made available' to L/M income persons.
A job is considered 'held by' the L/M income person if the hired employee is proven to earn a household income not to exceed 120% of the area median income for Riverside County adjusted for the person's family size. An income table providing area median incomes by household size is provided as an attachment to this Agreement.
A job is 'made available' to a L/M person when: (1) no special skills, experience, or education beyond high school is required to fill such a job or the business agrees to hire an unqualified person and provide training, and (2) the assisted business takes actions to ensure that low-to-moderate income persons received "first consideration "for filling the jobs.

Principals involved in 'First Consideration'
(1) The business must use a hiring practice that under usual circumstances would result in over 51% of L/M income persons interviewed for applicable jobs being hired,
(2) the business must seriously consider a sufficient number of low-to-moderate income job applicants to give reasonable opportunity to fill the position with such a person, and
(3) the distance from residence and availability of transportation to the job site must be reasonable before a particular low-to-moderate income person may be considered a serious applicant for the job.

Presumed L/M Income Status
A business may presume a person to be L/M income if the person resides within a census tract (or Block numbering area) that either has:
(a) at least 70% residents who are L/M income persons or
(b) meets the criteria related to enterprise zones.

Enterprise Zones
In order to qualify as an Enterprise Zone, the census tract or block numbering area must either: (a) be part of a federally designated Enterprise Zone or Enterprise Community or (b) meet 100% of the following:

- have a poverty rate of 20% as determined by the most recent decennial census information,
- not include any portion of a central business district, as the term is used in the most recent Census of Retail Trade, unless the tract/BNA has a poverty rate of at least 30% as determined by the most recent decennial census information,
- evidence pervasive poverty and general distress by meeting at least one of the following standards:
  All block groups in the census tracts have poverty rates of 20%; the specific activity being undertaken is located in a block group that has a poverty rate of at least 20% or upon the request of the business; HUD determines that the census tract/BNA exhibits other objectively determinable signs of general distress such as high incidence of crime, narcotics use, homelessness or substantial population decline.

Policies in Counting Jobs
It will be necessary to determining the percentage of jobs that benefit L/M income persons. When preparing to calculate this number, the following policies apply:
(a) Convert part time jobs to full time equivalents (i.e., a job that will require only working half time will count as half a job),
(b) Only permanent jobs may be counted, not temporary
(c) Seasonal jobs are considered to be permanent for CDBG purposes only if the season is long enough for the job to be considered as the employees principal occupation
(d) All permanent jobs created or retained in this project must be counted even if the project has multiple funding sources of funds; and
(e) Jobs indirectly created or retained by an assisted activity may not be counted.

Documenting Income
Documenting that a particular applicant/employee family income was L/M income may include any of the following:

- Evidence that the employee/applicant was a referral from a state, county, or local employment agency or other entity that has agreed to refer individuals whom they have determined to be L/M income based on HUD's Federal criteria. These entities must maintain records showing the basis upon which they determined that the person was L/M income, which they agree to make available for grantee or Federal inspection.

  A written certification signed and dated by the employee/applicant indicating his/her family size and total income as necessary to determine whether the person is a member of a L/M income family at the time the certification is made. The certification may either show the actual size and income of the family or contain a statement that the annualized family income is below the Section 8 low-income limit for the applicable family size. The form must include a statement that the person making the certification is aware that the information being provided is subject to verification by the local or Federal government.

- Evidence that the employee/applicant has qualified for assistance under another program with income qualification criteria at least as restrictive as those used by this program (e.g. referrals from Public Housing or welfare Agency). The Joint Training Partnership Act (JTPA) Program has income standards that are acceptable for this purpose, except for referrals under the JTPA Title III program for dislocated workers.

- Evidence that the person may be presumed to be L/M income. See definitions.

Record Maintenance
Program records will document jobs actually created and retained, whether the job was 'held by,' 'taken by,' or 'made available' to L/M income person, and the full-time equivalency status of each job.

Records in respect to jobs created and 'held by' must show:
A listing by job title of the specific job to be created, a listing by job title of the job filled, the name and income status of the person who filled each position, and the full time equivalency status of the jobs.

Where a job was not originally taken by a L/M income person but the business nevertheless wants credit based on the job being 'made available' to L/M income person, the record must show: The title and description of the job 'made available', and the full time equivalent status of the job at the time, the prerequisites for the job, special skills or education required for the job, if any, and the business commitment to provide needed training for such jobs (and the training that the business provided to the L/M income person hired) and how 'first consideration' was given to the L/M income person for the job such as the name of the person(s) interviewed for the job and the date of the interview and the income status of the person interviewed.

Records in respect to jobs retained and 'held by' must show:
A listing by job title of the permanent job retained, those jobs known to be held by L/M income persons at the time CDBG assistance was provided and the full time equivalency status of the jobs, and information on the family size and annual income of each such L/M person.

Records in respect to jobs retained and 'turned over' must show:
Identification of any of the retained jobs projected to become available to L/M income persons through turn over within two years of the time CDBG assistance is provided, the basis upon which the job was determined to be likely to turn over within two years following the CDBG assistance, the date the job actually turned over, the name and income status of the person who filled the vacancy, if the person who took the job was not L/M income but the claim is that the job was nevertheless made available to L/M income person, records equivalent to those described above to substantiate the 'available to' claim and information on the family size and annual income of each such L/M income person hired.

For more information or clarification regarding the requirements for a specific CDBG Economic Development Activity, contact the CDBG administrators in the Economic Development Department of the City of Moreno Valley.

Economic Development Dept.
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, Ca 92552-0805

Phone 951-413-3450
Fax: 951-413-3459

E-mail: np@moval.org
Website:www.moval.org

ATTACHMENT NO. 5

OPERATOR CERTIFICATE

(Operator Letterhead)
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: City Manager

With respect to that certain Participation Agreement (the "Agreement") by Pacific Wings, Inc., a California corporation (the "Operator") and the City of Moreno Valley, a municipal corporation (the "City") dated as of July 13, 2010, the undersigned, on behalf of the Operator, hereby certify to City that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the City, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Fee Condition; the Continuous Operation Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to the Designated Site, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation.

8. Operator remakes to City each and every representation and/or warranty made to City under the Agreement.

9. A report setting forth in detail the recruitment efforts of Operator and the numbers of jobs, both full time and part time, at the Designated Site by Operator are attached as Exhibit A and as provided in Attachment No. 2 to the Agreement hereto, including an enumeration of the jobs held by members of Targeted Income Groups.

10. As of the submittal of this Operator Certificate, the Operator has satisfied the Conditions Precedent to Payment.

Operator executes this Operator Certificate for the benefit and protection of the City with full knowledge that the City is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

PACIFIC WINGS, a California Corporation

Dated: _____ _____

Its: _____

Exhibit A to Attachment No. 5

Report for the Annual Period ending as of _____, 20__:

Total Full Time Employees employed at Designated Site: _____
Total number of Fulltime Employees from Targeted Income Groups: _____

Other employees at Designated Site: _____
Other employees that are from Targeted Income Groups: _____

Total Composite Full Time Employees: _____
Composite Full Time Employees from Targeted Income Groups: _____

Cumulative total, Qualifying Employees: _____
Qualifying Employees from Targeted Income Groups: _____

Supporting data: [to be attached and submitted with Operator Certificate]

ATTACHMENT NO. 6

SCHEDULE OF PERFORMANCE

For the purposes of this Schedule of Performance, the "Date of Agreement" is July 13, 2010. The City Manager may extend by not more than one hundred twenty (120) days the time under this Schedule of Performance by which any obligation of the Operator shall be performed.

1.	**Operator Establishes Location at the Designated Site.** The Operator acquires title to or enters into a lease with respect to the Designated Site, along with executed and binding agreement with the Authorizing Business Entity for operation of a Conforming Facility and provides proof thereof to the City.	On or before August 2, 2010.
2.	**Operator provides improvements and upgrade documentation.** The Operator provides City with satisfactory documentation of equipment, restaurant improvements and utility needs for facility improvements sufficient for the site to constitute a Conforming Facility (including approval by the Authorizing Business Entity).	On or before February 1, 2011.
3.	**Operator opens at Designated Site.** The Operator opens and provides proof thereof to the City.	On or before February 15, 2011.
4.	**The Operator Satisfies Conditions Precedent to Payment.** The Operator satisfies the Conditions Precedent to Payment and provides proof thereof to the City.	On or before March 17, 2011.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Electrical and rough grading associated with the installation of the Redlands sewer improvements improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required electrical and rough grading associated with the installation of the Redlands sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and bond securities for the electrical and rough grading associated with the Redlands sewer improvements. The developer has provided City staff with a separate bond for each of the two tasks noted within the agreement and agrees to perform and complete all of the required electrical installation and rough grading associated with the installation of the Redlands sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading associated with the Redlands sewer improvements are not completed within said timeframe. The backbone electrical and rough grading associated with the Redlands sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of electrical conduit, wires, transformers and/or other electrical system appurtenances as well as rough grading associated with the installation of the Redlands sewer main and manholes.

Accompanying the agreement is a Faithful Performance Bond in the amount of $515,000 and a Material & Labor Bond in the amount of $257,500 for the electrical and a Faithful Performance Bond in the amount of $273,000 and a Material & Labor Bond in the amount of $136,500 for the rough grading submitted by Safeco Insurance Company of America. Given the present economy as well as the size and uniqueness of the project, allowing the use of multiple partial reductions seems appropriate.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A-1" - Vicinity Map for Limits of Electrical Work
Exhibit "A-2" - Vicinity Map for Limits of Rough Grading Work
Exhibit "B" - Agreement for Redlands Electrical and Rough Grading associated with the installation of the Redlands Sewer Improvements
Exhibit "C" - Faithful Performance Bond for Electrical Work
Exhibit "D" - Material and Labor Bond for Electrical Work
Exhibit "E" - Faithful Performance Bond for Rough Grading Work
Exhibit "F" - Material and Labor Bond for Rough Grading Work

Prepared By
Mark W. Sambito, P.E. .
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Electrical PIA.doc

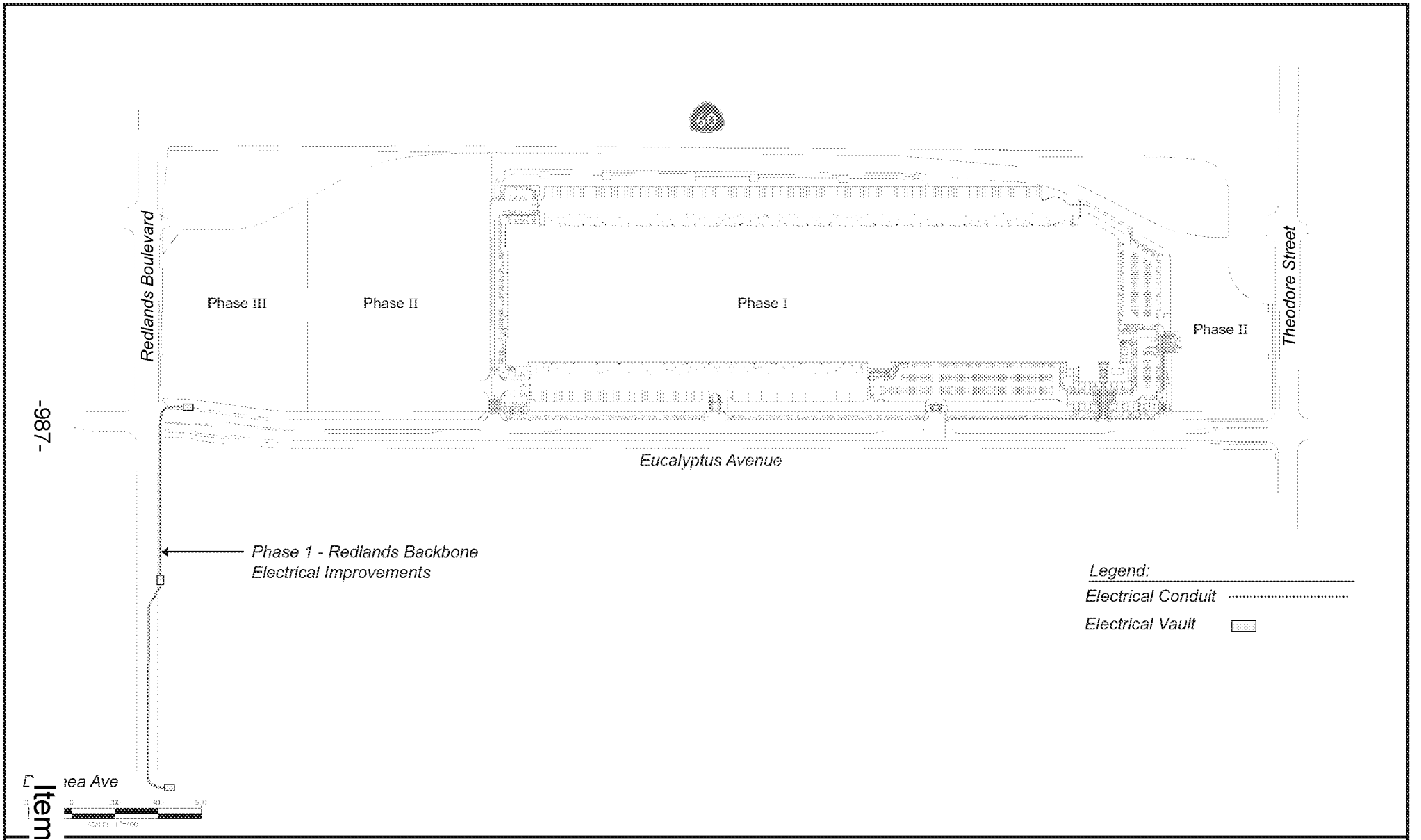

July 1, 2010

Redlands - Electrical Conduit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Hi irview Corporate Park\Legals\PIA Exhibits\Redlands-Electrical

Exhibit "A-1"

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MV00070039

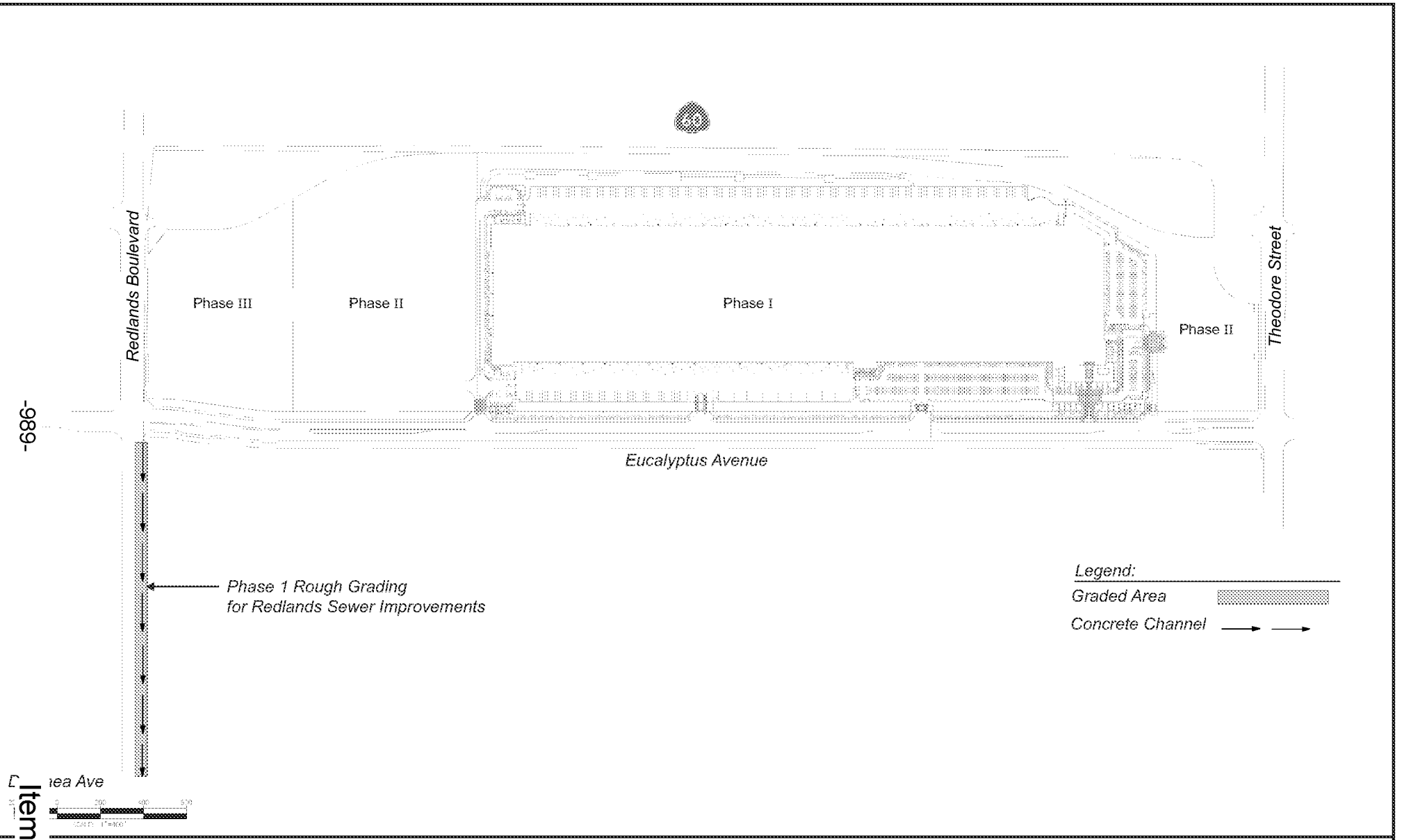

July 1, 2010

Redlands - Grading and Drainage

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

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Exhibit "A-2"

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MV00070041

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR A PORTION OF PHASE 1PUBLIC IMPROVEMENTS FOR REDLANDS BACKBONE ELECTRICAL IMPROVEMENTS AND ROUGH GRADING ASSOCIATED WITH REDLANDS SEWER PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code.

Redlands Boulevard – Phase I Backbone Electrical Improvement Plans (A-1)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-1 and location map labeled Exhibit B-1 attached hereto, is the sum of FIVE HUNDRED FIFTEEN THOUSAND AND NO/100 Dollars (*****$515,000.00 *****).

Redlands Boulevard – Phase I Rough Grading Associated with Installation of the Redlands Sewer Improvements (A-2)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-2 and location map labeled Exhibit B-2 attached hereto, is the sum of TWO HUNDRED SEVENTY-THREE THOUSAND AND NO/100 Dollars (*****$273,000.00 *****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performan

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A-1 and A-2) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: Iddo Benzeevi
Signature

Iddo Benzeevi
Print/Type Name

President & Chief Executive Officer
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Redlands Electrical and Grading Improvements.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 7/6/10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/he~~r/their~~ authorized capacity(~~ies~~), and that by his/he~~r/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013
MSC1

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREEMENT PH. I. REDLANDS BACKBONE ELEC

Document Date: NONE AT THIS TIME Number of Pages: 14

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: IDDO BENZEEVI	Signer's Name: _____
☑ Corporate Officer — Title(s): PRES. & CEO	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

DATE: 06/22/10

PROJECT: Rough Grade for Installation of Sewer in Redlands
Rough Grading

PREPARED BY: Patrick Revere

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	5,000.00	5,000
Excavate Channel	290	CY	1.50	435
Export	0	CY	5.00	0
Import	4670	CY	5.00	23,350
			ROUGH GRADING SUBTOTAL:	28,785

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

ROUGH GRADING (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	0	Ton	60.00	0
Desilting Basin w/ Riser	0	E.A.	5,500.00	0
Fiber Roll	0	L.F.	2.20	0
Stabilized Construction Entrance	0	E.A.	3,000.00	0
Gravel Bags	1200	E.A.	1.90	2,280
Bonded Fiber Matrix Mulch	4	AC	2,000.00	7,400
			EROSION CONTROL SUBTOTAL:	9,680

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer In Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	9	L.F.	160.00	1,440
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	126	L.F.	190.00	23,940
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
2' X 4' Reinforced Concrete Box	33	L.F.	150.00	4,950
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	1	EA.	7200.00	7,200
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	3	EA.	5500.00	16,500

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	1	EA.	4000.00	4,000
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	12385	S.F.	10.00	123,850
"V" Ditch Transition	50	S.F.	10	500
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000.00	0
			SUBTOTAL:	188,360

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w 5/8" meter	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
Adjust Water Meter Box	0		235.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
	0		0.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
	0			0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	Rough Grade for Installation of Sewer in Redlands	DATE:	06/22/10
		PREPARED BY:	Patrick Revere

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
ROUGH GRADING	:	$28,785
EROSION CONTROL	:	$9,680
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$188,380
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$0
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$226,845
+20% CONTINGENCY:		$45,369
GRAND TOTAL:		$272,214

BOND AMOUNT: $273,000

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-12
CIVIL
STATE OF CALIFORNIA

Highland Fairview Corporate Park
Preliminary Dry Utility
Engineer's Estimate
Redlands Blvd

TRENCHING	QTY		UNIT COST	TOTAL
Provide and Install:				
Trench - Electric Only (Includes all saw cut, removals, shading, backfill, and surface restoration)	2,878	ft	$ 32.00	$ 92,096.00
Concrete Encasement (Full)	2,878	ft	$ 16.00	$ 46,048.00
TRENCHING SUB-TOTAL				$ 138,144.00

ELECTRIC CONDUIT & SUBSTRUCTURES	QTY		UNIT COST	TOTAL
Provide and Install:				
Transformer Pad RPM 48"x54"	1	ea	$ 1,600.00	$ 1,600.00
6'X7'X12' Vault (w 12" grade ring)	3	ea	$ 18,450.00	$ 55,350.00
5'X10'X7' PME	1	ea	$ 10,200.00	$ 10,200.00
Capacitor Pad 66" x 72"	1	ea	$ 1,600.00	$ 1,600.00
Grounding/Racking and Miscellaneous Materials	6	ea	$ 625.00	$ 3,750.00
1-5" Conduit DB100	12,192	ft	$ 3.50	$ 42,672.00
1-4" Conduit DB100	3,041	ft	$ 3.15	$ 9,579.15
1-3" Conduit DB100	474	ft	$ 2.80	$ 1,327.20
1-2" Conduit DB100	44	ft	$ 2.35	$ 103.40
1-1 1/2" Conduit DB100	134	ft	$ 1.95	$ 261.30
SUBTOTAL - ELECTRIC CONDUIT & SUBSTRUCTURES				$ 126,443.05

ELECTRIC CABLING (12KV DISTRIBUTION)	QTY		UNIT COST	TOTAL
Provide and Install:				
PME-10 Switch	1	ea	$ 19,000.00	$ 19,000.00
600AMP Dead End w/Test Point	9	ea	$ 430.00	$ 3,870.00
600AMP TEE'S (Elbow w/ 200AMP Tap)	9	ea	$ 690.00	$ 6,210.00
600A 2W Splice, 15KV w/200A Tap	6	ea	$ 690.00	$ 4,140.00
600A 2W Splice, 15KV	3	ea	$ 570.00	$ 1,710.00
3-1/C 1000 XLP-PEJ, 15KV, 220MIL	7,241	ft	$ 28.00	$ 202,748.00
SUBTOTAL - ELECTRIC CABLE (12KV DISTRIBUTION)				$ 237,678.00
Total Estimate				$ 502,265.05

The City of Moreno Valley and Highland Fairview have mutually agreed to use $515,000 as an estimate for bonding purposes.

REGISTERED PROFESSIONAL ENGINEER
PATRICE DALE NAGAMI
No. 18997
Exp. 12-31-10
CIVIL
STATE OF CALIFORNIA

7/1/10
Butsko Utility Design, Inc.
EP

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MV00070055

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements $ 515,000

Project No. PA07-0090

Bond No. 6711630

Premium $9,270

Surety SAFECO INSURANCE COMPANY OF AMERICA

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 515,000 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** FIVE HUNDRED FIFTEEN THOUSAND & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:

DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 257,500

Bond No. 6711630

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$257,500.00***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** TWO HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 273,000	Project No.	PA07-0090
Bond No.	6711631	Premium	$4,914
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,

REDLANDS ROUGH GRADING

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 273,000 **.00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** TWO HUNDRED SEVENTY-THREE THOUSAND & NO/100 DOLLARS.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "E"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 136,500

Bond No. 6711631

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ROUGH GRADING

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$136,500.00 ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** ONE HUNDRED THIRTY-SIX THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "F"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds in the form attached hereto contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

On June 8, 2010, the City Council for the City of Moreno Valley approved HF Logistics – SKX T1, LLC agreement and cash security in the amounts of $6,813,595 for Faithful Performance and $3,406,797.50 for Material and Labor.

HF Logistics – SKX T1, LLC is exercising their right to substitute the type of security with the approval of the City Attorney and the City Engineer, and are providing substitute agreement and bonds for the Line 'F' storm drain improvements.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the cash security for Faithful Performance and Material and Labor previously submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

HF Logistics – SKX T1, LLC has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if

the required street improvements are not completed within said timeframe. The public storm drain improvements include but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD). Accompanying the agreement are a Faithful Performance Bond in the amount of $6,813,595 and a Material and Labor Bond in the amount of $3,406,797.50 issued by Western Insurance Company.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Mark W. Sambito, P.E..
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Security Substitution for Line F.doc

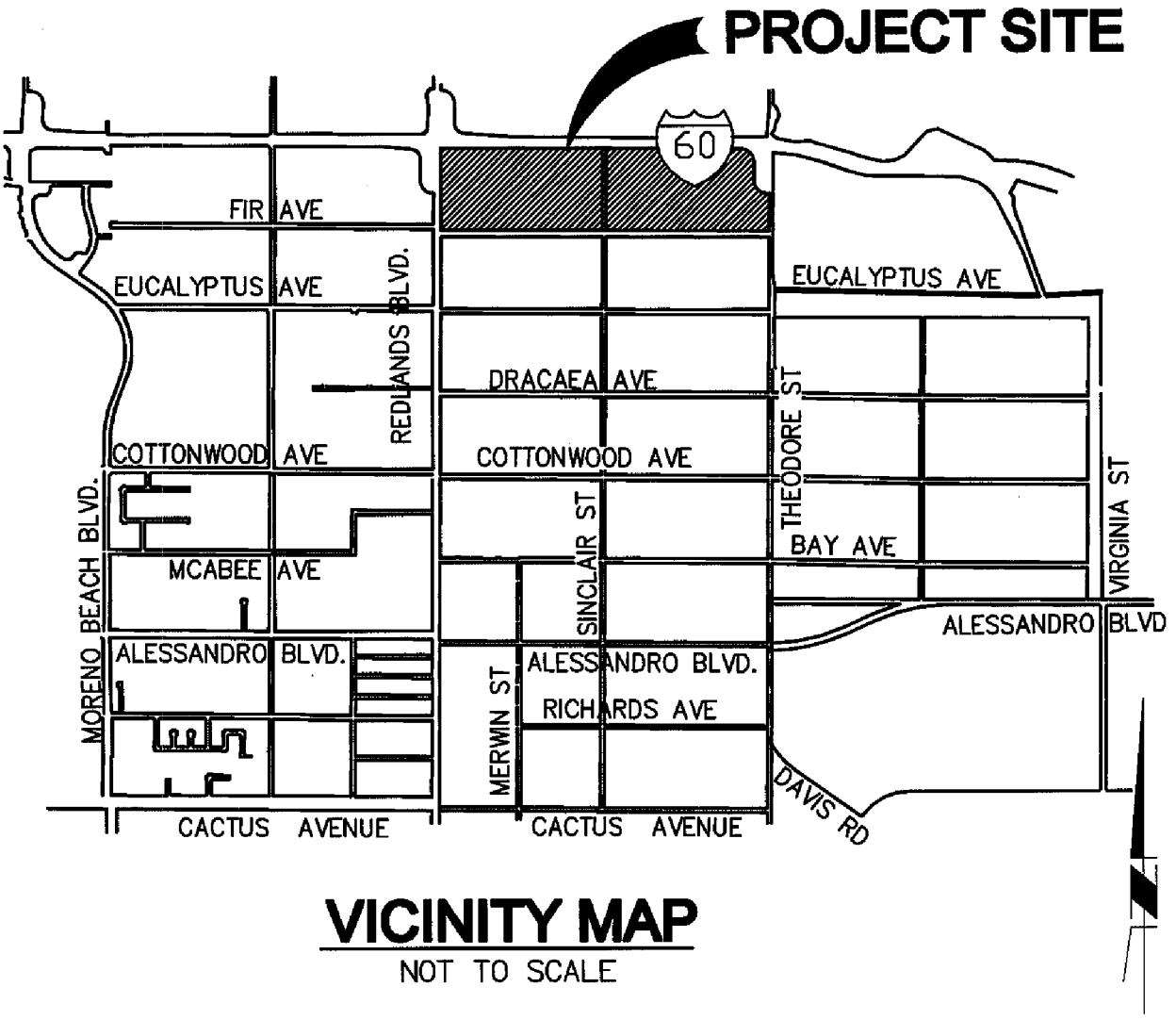

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00070069

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Line F Storm Drain Improvements HF071310.doc

WARREN D. WILLIAMS
General Manager-Chief Engineer

RECEIVED
MAY 1 1 2010
PW/LAND DEVELOPMENT

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
131064

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RECEIVED
MAY 1 1 2010
PW/LAND DEVELOPMENT

May 3, 2010

Mr. Chris A. Vogt
Public Works Director/City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, CA 92552

Dear Mr. Vogt:

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

Please find below a detailed construction cost estimate of the drainage facilities associated with the above-referenced project for which the City and District assume inspection and maintenance responsibility.

The estimated cost of these facilities is $6,813,595.00 and shall be the basis upon which the District shall collect field inspection fees per the provisions of Section 17.1 of the County of Riverside Subdivision Ordinance 460 and Fee Ordinance 671.6. The developer/engineer shall pay the appropriate inspection fee to the District prior to scheduling a pre-construction meeting.

Bonding Estimate – Moreno MDP Line F, D, D-5 and D-6

Item	Unit	City of Moreno Valley	Flood Control District Quantity	Unit Cost	City of Moreno Valley	Flood Control District Facilities
24-inch RCP	LF	2,611	0	$98	$255,878	$ 0
30-inch RCP	LF	200	0	$114	22,800	0
36-inch RCP	LF	1,890	0	$131	247,590	0
42-inch RCP	LF	0	1493	$204	0	304,572
48-inch RCP	LF	17	890	$235	3,995	209,150
72-inch RCP	LF	0	372	$376	0	139,872
Inlet type IX	EA	6	0	$500	3,000	0
Caltrans Type D93A Inlet	EA	4	0	$500	2,000	0
Local Depression	EA	8		$2,500	20,000	0
Catch Basin W=7'	EA	7		$3,000	21,000	0
Manhole No. 1	EA	11		$5,000	55,000	0
Manhole No. 2	EA	0	9	$5,600	0	50,400
Manhole No. 4	EA	0	8	$6,500	0	52,000
Manhole Safety Ledge	EA	0	8	$2,000	0	16,000
J.S. No. 1	EA	0	4	$6,500	0	26,000

Mr. Chris Vogt: -2- May 3, 2010

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

J.S. No. 2	EA	0	1	$6,500	0	6,500
J.S. No. 3	EA	2	0	$5,450	10,900	0
J. S. No. 4	EA	2	3	$5,000	10,000	15,000
M.H No. 1	EA	1		$4,350	4,350	0
Bulkhead	CY	8	0	$150	1,200	0
Pipe bulkhead	EA	0	0	$200	0	0
RCB	CY	0	3,765	$591	0	2,225,115
Wingwall	CY	0	55	$590	0	32,450
Compacted Fill	CY	0	60,105	$3	0	195,341
Riprap	CY	0	3,547	$100	0	354,700
Head/End/Wing Walls	EA	20		$409	8,180	0
RCB Excavation	CY	0	79,255	$16	0	1,283,931
Structural Backfill	CY	0	6,833	$10	0	71,063
Pipe Swing Gate	EA	0	1	$1,000	0	1,000
Class 2 Base 3" Thick	SF	0	38,175	$1	0	26,723
Fencing	LF	0	88	$16	0	1,408
Cutoff Wall	LF	0	65	$14	0	878
				Subtotal	$665,893	$5,012,102
				20% Contingencies	$133,179	$1,002,420
				Total Cost	$799,072	$6,014,523
				Inspection Fee = 3% of Bond Cost	$23,972	$180,436
				Total fees due	$23,972	$180,436

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

MDJ 5/6/10

REGISTERED PROFESSIONAL ENGINEER
MEKBIB DEGAGA
NO. 52203
Exp. 12-31-2010
CIVIL
STATE OF CALIFORNIA

c: Highland Fairview
Attn: Brian Hixson
RBF Consulting
Attn: Patrick Revere
cc: Henry Olivo
Art Diaz
Sharon Johnson

MD:blj

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MV00070075

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 6,813,595	Project No.	PA07-0090
Bond No.	6711629	Premium	$122,645
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
LINE F STORM DRAIN IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 6,813,595 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY-FIVE & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 3,046,797.50

Project No. PA07-0090

Bond No. 6711629

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$ ** ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** THREE MILLION FOUR HUNDRED SIX THOUSAND SEVEN HUNDRED NINETY-SEVEN & 50/100 DOLLARS ($3,406,797.50)

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By:

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

MORENO VALLEY
CITY MANAGER'S OFFICE

MEMORANDUM

To: Mayor Flickinger and Members of the City Council

From: William L. Bopf, Interim City Manager

Date: July 8, 2010

Subject: Council Agenda - July 13, 2010, Item G-6

Two Councilmembers have requested that the Limited Foundation Permit action taken at the June 22, 2010 Council meeting be considered for Amendment. As late as 4:00 p.m. Thursday, July 8, 2010, Staff was completing its review of conditions that might be required to be satisfied before the issuance of the Limited Foundation Permit. Since the review was completed after the posting of the agenda, Staff has not prepared the customary staff report.

However, Staff has extensively reviewed the Council action of June 22, 2010. As a result of that review Staff has determined that the items now listed on the attached Exhibit "C" do not have to be satisfied before the issuance of the Limited Foundation Permit. Except as noted with respect to the payment of school fees.

If the majority of the Council wishes to amend their previous action, the attached Agreement and Proposed Motion are submitted for your use.

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MV00070081

Proposed Motion:

Amend the action taken by the City Council on June 22, 2010, approving and accepting Highland Fairview's Covenant to Hold as One Parcel subject to certain conditions. The City Council hereby amends its action taken on June 22, 2010 as follows:

1. The terms and conditions are amended to provide that, prior to issuance of a limited purpose building permit for foundation, slab and pouring of wall panels only, Highland Fairview shall comply with all conditions of approval for issuance of a building permit except as follows, which excepted conditions shall be complied with as provided for in applicable City Council Resolutions, Approval and/or Recording of the final Parcel Map, or issuance of the general building permit, whichever is applicable. The excepted conditions are:

    a. Final approval and recording of the Parcel Map,

    b. Public Improvement Agreements and security for same for any public improvement occurring solely on private property owned or controlled by Highland Fairview,

    c. Payment of DIF and TUMF are deferred until issuance of any temporary, conditional or unconditional certificate of occupancy for the Skechers building as provided for in City Council Resolutions 2009-37 and 2009-38,

    d. Payment of MSHCP fees,

    e. Approval of Building Plans for vertical construction,

    f. Public Drainage easements,

    g. Slope easements,

    h. Reciprocal Access easements,

    i. Spreading Basin easement,

    j. Off-site easements,

    k. Median Landscape Plans approval,

    l. Final Trail Plan approval,

    m. Site Lighting Plan,

    n. Title 24 Plans,

o. Solar Panels for Phase 1 Office,

p. Payment of School fees, contingent upon Highland Fairview providing the City with written agreement from the Moreno Valley Unified School District for deferral of school fees until issuance of the general building permit, or

q. Fire Access Plan.

2. All other terms, conditions and actions pursuant to this matter taken by the City Council on June 22, 2010, shall remain unchanged and in full force and effect.

LIMITED PURPOSE BUILDING PERMIT ISSUANCE AGREEMENT

This limited purpose building permit issuance agreement (this "Agreement") is made at Moreno Valley, California, as of June 22, 2010, between the CITY OF MORENO VALLEY, a California general law city (the "City"), on the one hand, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company ("HF"), on the other hand, with the respect to the following facts:

A. HF is the sole owner of approximately 83 acres located in the City which currently consists of 11 legal lots (the "building site") and which is currently entitled to be improved with a single building containing approximately 1,820,000 sq. ft (the "building") which will be constructed over portions of nine of the existing lots. The building site is shown on Exhibit A.

B. The building site will become a single parcel, Parcel 1 of Parcel Map 35629 (the "Parcel Map"), upon final approval and recordation of the Parcel Map.

C. HF desires the City to issue a limited purpose building permit allowing HF to begin construction of the building's foundation and slab and to pour and construct, but not erect, walls only prior to the recordation of the Parcel Map and the consolidation of the 11 existing lots into a single legal parcel.

D. HF agrees to assume all risks associated with the issuance of the limited purpose building permit for the construction of the building's foundation and slab and the pouring and construction, but not the erection, of the building's walls (the "limited purpose building permit") and agrees to secure the City with additional commitments to further protect the City included hereinbelow.

E. On June 22, 2010, the City Council authorized the acceptance of the covenant and agreement to hold property as one parcel and to enter into an agreement providing for the issuance of the limited purpose building permit subject to certain terms and conditions included hereinbelow.

THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Prior to issuance of the limited purpose building permit, HF shall record a covenant and agreement to hold property as one single parcel in the form of Exhibit B.

2. Prior to issuance of the limited purpose building permit, HF shall provide the City with written documentation to the City's satisfaction that all parcels, which are the subject matter of the covenant, are owned by HF.

3. Prior to issuance of the limited purpose building permit, HF shall submit separate foundation, slab, and wall panel building plans to City for approval, which plans must be approved by City prior to issuance of the limited purpose building permit.

4. Prior to issuance of the limited purpose building permit, HF shall comply with all conditions of approval for issuance of a building permit except for the final approval and recording of the Parcel Map, Public Improvement Agreements and security for those improvements occurring solely on private property, and those conditions specifically deferred until issuance of the general building permit as set forth in Exhibit C. The City's Building

Official shall have the discretion to interpret any condition not listed on Exhibit C to determine whether it must be satisfied prior to issuance of the limited purpose building permit.

5. Prior to issuance of the limited purpose building permit, HF shall satisfy all conditions for final approval of the Parcel Map other than those relating to (a) the preparation, approval or recordation of the final Parcel Map, (b) Public Improvement Agreements and security for those improvements occurring solely on private property, and (c) those conditions specifically deferred until issuance of the general building permit as set forth in Exhibit C. HF hereby acknowledges that all such public improvement agreements and the required security for those improvements occurring solely on private property shall be executed and posted prior to final approval of the Parcel Map.

6. Prior to commencement of construction of, and the issuance of any required permits for, public improvements to be constructed in any public right-of-way or on public property, HF shall execute public improvement agreements and provide the required security for any such public improvement. HF hereby acknowledges that all such public improvement agreements and the required security shall be executed and posted prior to final approval of the Parcel Map if not accomplished sooner pursuant to this agreement.

7. Prior to issuance of the limited purpose building permit, HF shall execute an encroachment and removal agreement, in the form of Exhibit D, requiring HF, at its own expense, to remove any improvements constructed in public rights-of way or on public property if the limited purpose building permit expires and the City so requests.

8. Prior to issuance of the limited purpose building permit, HF shall have relocated or removed all easements encumbering the area under the building or have provided the City with written permission from easement holders authorizing HF to build over the easements.

9. HF agrees and acknowledges that the Parcel Map shall receive final approval by the City and be recorded in the Riverside County Recorder's Office before 12:01 a.m. on October 21, 2010.

10. HF agrees and acknowledges that the limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010 if the Parcel Map has not been recorded in the Riverside County Recorder's Office.

11. HF agrees and acknowledges that all construction shall immediately cease by 12:01 a.m. on October 21, 2010, upon expiration of the limited purpose building permit if the final Parcel Map has not been recorded.

12. If the limited purpose building permit expires as a result of the failure to record the final Parcel Map by 12:01 a.m. on October 21, 2010, HF shall be required to obtain a new building permit after the final Parcel Map has been recorded.

13. Neither this Agreement, the limited purpose building permit, nor the time in which to record the final Parcel Map in order to maintain the limited purpose building permit in effect, shall be extended beyond 12:01 a.m. on October 21, 2010.

14. HF shall remove all improvements and construction related materials from the project site, and shall restore the project site to its pre-construction condition, upon the expiration of the limited purpose building permit if ordered to do so by any court.

15. HF hereby expressly waives any claims of vested rights that it might otherwise have if the limited purpose building permit is suspended or terminated regardless of the extent of HF's reliance on its issuance and expressly acknowledges that the limited purpose building permit allows only the construction of the building's foundation and slab and the pouring and construction, but not the erection, of the building's walls.

16. HF hereby expressly waives any rights it might otherwise have for any recourse against the City in any way connected to the issuance of the limited purpose building permit.

17. HF shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul the issuance of the limited purpose building permit. In any claim, action or proceeding against the City arising out of this agreement, or for the issuance of the limited purpose building permit, the City shall be entitled to recover from HF the actual expenditures for its attorneys' fees and all costs including, but not limited to, expert witness fees, in addition to any other relief to which it may be entitled.

18. The parties to this Agreement shall act in good faith and shall take all further actions reasonably necessary to effectuate the letter and the spirit of this Agreement.

19. This Agreement and all rights and obligations arising out of it shall be construed in accordance with the laws of the State of California.

20. Any litigation arising out of this Agreement shall be conducted only in the Riverside County Superior Court.

21. This Agreement is entered into solely for the benefit of the parties hereto. Other than the parties hereto, no third party shall be entitled, directly or indirectly, to base any claim, or to have any right arising from, or related to, this Agreement.

22. This Agreement contains the entire agreement and understanding between the parties and supersedes and replaces all prior negotiations or proposed agreements, written or oral. Each of the parties hereto acknowledges that no other party, nor the agents nor the attorneys for any party, has made any promise, representation or warranty whatsoever, express or implied, not contained herein, to induce the execution of this Agreement and acknowledges that this Agreement has not been executed in reliance upon any promise, representation or warranty not contained herein.

23. This Agreement may not be amended except in a writing signed by all the parties hereto.

24. Each individual signing this Agreement represents and warrants that he or she has been authorized to do so by proper action of the party on whose behalf he or she has signed.

25. This Agreement may be signed in one or more counterparts and, when all parties have signed the original or a counterpart, such counterparts, whether originals, facsimiles or e-mail attachments, together shall constitute one original document.

July ___, 2010

THE CITY OF MORENO VALLEY (the "City")
a California general law city

By: _____
Bonnie Flickinger, Mayor

Attest:

_____
Jane Halstead, City Clerk

Approved as to form:

_____
Robert L. Hansen, City Attorney

July ___, 2010

HF LOGISTICS-SKX T1, LLC ("HF")
a Delaware limited liability company

By: HF Logistics-SKX, LLC
a Delaware limited liability company,
its sole member

By: HF Logistics I, LLC
a Delaware limited liability company,
its managing member

By:_____
Iddo Benzeevi, President and Chief
Executive Officer

EXHIBIT "C"

CONDITIONS OF APPROVAL WHICH NEED NOT BE SATISFIED PRIOR TO THE ISSUANCE OF THE LIMITED PURPOSE BUILDING PERMIT

(all Tentative Parcel Map and Plot Plan conditions are to be satisfied prior to approval and recordation of the Parcel Map and issuance of the building permit allowing vertical construction of the building)

TPM 35629	Plot Plan PA07-0091	Description
P-23, SD-9	P-19, SD-5	DIF[1], TUMF[2], MSHCP Fees
B-1	B-1	Building Plans for vert. construction
LD8	LD8	Public Drainage Easements
LD22		Slope Easement
LD69		Reciprocal Access Easements
LD75	LD64	Spreading Basin Easement
LD76	LD65	Off-Site Easements
SD-10	SD-10	Median Landscape Approval
Parks (h)	Parks(h)	Final Trail Plan Approval
	P18	Site Lighting Plan
	P87	Title 24 Plans
	P89	Solar Panels for Phase 1 Office
	S1	Payment of School Fees[3]
	F4, F6-F11, F23	Interim Fire Access Plan

[1] DIF has been deferred until issuance of the Certificate of Occupancy pursuant to City Council Resolution 2009-37.

[2] TUMF has been deferred until issuance of the Certificate of Occupancy pursuant to City Council Resolution 2009-38.

[3] Deferral contingent upon written agreement from the Moreno Valley Unified School District agreeing to this deferral.

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CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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*REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 13, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street
Teleconference: 514 Madison St., Brandenburg, Kentucky 40108

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

***REVISED AGENDA**
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Family FunFest 2010 Moreno Valley Idol Competition Winners

2. Presentation of 4th of July Parade Awards

3. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JULY 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Gibson, Breakthrough Church of God in Christ

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 16 - July 6, 2010.

A.4 PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

Resolution No. 2010-66

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Loraine Terrace

A.5 RESOLUTION RESCINDING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AND AUTHORIZING THE SUBMITTAL OF APPLICATION FOR THE USED OIL PAYMENT PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) (Report of: Public Works Department)

Recommendation:

Adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources

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Recycling and Recovery (CalRecycle).

Resolution No. 2010-67

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California Authorizing Application for the Used Oil Grant Payment Program Funds Under the Department of Resources Recycling and Recovery (CalRecycle)

A.6 APPROVAL OF CHECK REGISTER FOR MAY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

Resolution No. 2010-68

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2010

A.7 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, and to subsequently assign said Agreement to the Community Redevelopment Agency.

A.8 SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660;

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.; and

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A.9 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221-2 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221); and

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company.

A.10 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to

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the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

A.11 AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division; and

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.12 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221 (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard;

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc.;

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

A.13 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

A.14 AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET, PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728 (Report of: Public Works Department)

Recommendation:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728);

2. Authorize the City Manager to execute the Change Orders for FS Construction;

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements;

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code; and

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

A.15 ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING - SEPTEMBER 15-17, 2010 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2010-69, Appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

Resolution No. 2010-69

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2010 Annual Conference

A.16 TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: ZAPER, CORP., RIVERSIDE, CA 92504 (Report of: Public Works Department)

Recommendation:

Authorize the Public Works Director/City Engineer to execute the

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exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

A.17 PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET - DEVELOPER: VALLEY OAK, LP, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.18 APPROVAL OF RESOLUTION AND FIRST AMENDMENT TO THE IMPLEMENTATION AGREEMENT (THE AB 811 PROGRAM) WITH WESTERN RIVERSIDE COUNTY COUNCIL OF GOVERNMENTS (WRCOG) TO EXPAND THE PROGRAM TO PERMIT FUNDING FOR WATER CONSERVATION IMPROVEMENTS (Report of: Community Development Department)

Recommendation:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811; and

2. Adopt Resolution 2010-70, consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water

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efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

Resolution No. 2010-70

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment Modifying Its Consent to the Inclusion of Properties Within the City's Incorporated Area in the Western Riverside Council of Governments (WRCOG) Contractual Assessment Program to Consent to the Addition of Water Efficiency Improvements to the Improvements Authorized to Be Financed Through Such Program

A.19 PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF IRONWOOD AVENUE BETWEEN KITCHING STREET AND TUSCOLA STREET - DEVELOPER: BEAZER HOMES HOLDING CORP., BREA, CA 92821 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.20 RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO CONTINUE TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP" (Report of: Public Works Department)

Recommendation:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency

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Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

Resolution No. 2010–71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City to Participate in the "Community Energy Partnership", an Energy Efficiency Program Among Southern California Cities, with the Energy Coalition, a California Non-Profit Corporation, Southern California Edison and Southern California Gas Company

A.21 NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS - PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

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2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

A.23 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM C.7) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

A.24 FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS (Report of: Economic Development Department)

Recommendation:

1. Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive;

2. Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV; and

3. Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

A.25 PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE - DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE, CA 92270 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043; and

Resolution No. 2010-72

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Alessandro Boulevard, South Side of Alessandro Boulevard, West of Moreno Beach Drive

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA

DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

Resolution No. CSD 2010-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2010/11

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM A.7) (Report of: Public Works Department)

Recommendation:

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

C.4 APPROVE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from

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Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

C.5 APPROVE THE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

C.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.22) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the

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Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

C.7 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM A.23) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing: direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

E.2 A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Negative Declaration for applications for PA06-0185

(General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

Resolution No 2010-73

A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA06-0185) to change the Land Use Designation from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

3. INTRODUCE Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A; and

Ordinance No. 813

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA06-0184 (Zone Change) to change the Land Use District for approximately 40 acres from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

4. APPROVE Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No 2010-74

A Resolution of the City Council of the City of Moreno Valley, California, approving Tentative Parcel Map 34748 (PA06-0183) and Variance (P09-102). The project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026)

E.3 PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

Recommendation: That the RDA:

1. Conduct a public hearing for the review of the 2010-2015 Implementation Plan; and

2. Approve the proposed 2010-2015 Implementation Plan.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation: That the RDA:

Approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

G.2 AMENDMENT TO CHAPTER 11.40 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, ORDINANCE NO. 741 AND ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center; and

Ordinance No. 814

An Ordinance of the City of Moreno Valley, California, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

Recommendation: That the CSD:

Introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

Ordinance No. CSD 54

An Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

G.3 PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC. (Report of: Economic Development Department)

Recommendation: That the City Council:
Approve a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

G.4 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management

Division;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

G.5 PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division;

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

*G.6 AMENDMENT TO THE JUNE 22, 2010, MOTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HIGHLAND FAIRVIEW FOR ISSUANCE OF A LIMITED PURPOSE BUILDING PERMIT (Report of: Council Members Stewart and Molina)

G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

***Revision to Agenda**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 22, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION – Council Member Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

Mayor Flickinger announced that the revised ordinance (Item A13) was distributed to the City Council and copies are available for the public, and that Item C4 (Notice of Completion) should be listed as Item B5.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM B.5) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:
Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of:

Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

   a. Petaluma Avenue between Napa Valley and Morrison Street;
   b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
   c. Lakeport Drive at Cottonwood Avenue;

d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

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Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for

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CSD Zone A for twelve months, and;
b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00

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a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works

Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

President Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Board Member Richard A. Stewart, s/Vice President Robin N. Hastings
Approved by a 5–0 vote.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported the following:
1. Moreno Valley Physicians Group (about 102 physicians practicing at the Moreno Valley Community Hospital) has joined March HealthCare and is partnering with other medical groups, including Riverside Medical Clinic and St. Bernardine Hospital - glad that Moreno Valley doctors will be close to their patients
2. Fresh & Easy Neighborhood Market grocery chain is buying both their supporting businesses, Wild Rocket Foods and 2 Sisters Food Group, providing fresh vegetables, produce and meat, to support expansion of its facility

Council Member Stewart announced that the Public Improvements Agreement and Security for the Highland Fairview Skechers off-side sewer improvements on Redlands Boulevard came to the attention of the Council after posting of the agenda, and there is a need to take action.

The item requires a two-thirds vote to be placed on the agenda.

Motion to add the item to the agenda by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Motion failed by a 3-2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Bonnie Flickinger opposed.

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

Mayor Flickinger opened the agenda item for public comments, which were received from Iddo Benzeevi, Susan Gilchrist, Kenneth Bley (representing Highland Fairview), Pete Bleckert and Deanna Reeder.

Motion to waive the attorney-client privilege to discuss the risks inherent to this decision (issues discussed with the City Attorney during Closed Session) by m/Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Motion to approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the conditions listed below by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a 3–2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Flickinger opposed.

Approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the following conditions:

1. The covenant is amended to state that it is for the issuance of a limited purpose building permit for commencement of construction of the foundation and slab and the poring of wall panels only, which

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permit shall automatically expire on October 20, 2010, if the final parcel map is not recorded prior to that date;

2. That Highland Fairview agrees in writing in the covenant or other recordable agreement to the following terms and conditions prior to issuance of the limited purpose building permit:

   a. The parcels which are the subject matter of the covenant be owned by the same entity,

   b. Separate foundation, slab and wall panel building plans be submitted and approved,

   c. Compliance with all conditions of approval for the issuance of a building permit except recording of the final map,

   d. Compliance with all requirements for recording the final map except for actual final map approval and recordation, and Public Improvement Agreements and security for same for any public improvements not occurring in the public right-of-way or on public property,

   e. All Public Improvement Agreements for improvements that will be undertaken in the public right-of-way or on public property pursuant to the limited purpose building permit have been executed and the required security has been posted prior to the commencement of actual public improvement construction,

   f. The final lot configuration be shown on the map that is being processed,

   g. The covenant to hold property as one parcel be recorded,

   h. The holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements,

   i. Execution of an encroachment and removal agreement,

   j. The City is only issuing a limited purpose building permit for foundation, slab and the pouring of wall panels only. The erection of any walls is specifically prohibited under this limited permit.

   k. The final parcel map shall be recorded before 12:01 a.m. on October 21, 2010,

l. The limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

m. All construction pursuant to the limited purpose building permit shall cease at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

n. It (Highland Fairview) will be solely responsible for removal of any improvements and restoration of the site to its pre-construction condition if ordered by any court,

o. It and its partners waive any and all recourse against the City which may arise out of this action,

p. Neither the agreement, nor the time for recordation of the final parcel map will be extended beyond October 20, 2010,

q. It will defend and indemnify the City for all judgments, costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab, and pouring of walls, and

r. Any other terms and conditions the City Manager and City Attorney deem legally necessary to implement the agreement and the purposes of this action.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

President Flickinger opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to make the following appointments by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina Approved by a vote of 5-0.

Accessibility Appeals Board
Two (2) terms expiring June 30, 2013
Physically Challenged Representative
Lawrence Baird
Nina Hiers

Arts Commission
One (1) term expiring June 30, 2013
Eric von Mizener

Environmental and Historical Preservation Board
Two (2) terms expiring June 30, 2013
Jan Beyers
Naeem M. Qureshi

Library Commission
One *(1) term expiring June 30, 2013*
Sharon B. Clements

Parks and Recreation Commission
Three (3) terms expiring June 30, 2013
James C. Baker II
Juanita M. Barnes
Virgil Chancy

Recreational Trails Board
Two (2) terms expiring June 30, 2013

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Jackie LeSan
Kim M. Nelson

Senior Citizens' Board
Three (3) terms expiring June 30, 2013
Sara W. Anderson
Vonzetta Fielding
Delanna Townsend

Traffic Safety Commission
Two (2) terms expiring June 30, 2013
Miguel Arciniega
Frank D. Pavlik

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed

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Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

Chairperson Flickinger opened the agenda item for public comments;

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there being none, public comments were closed.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
   Approved by a 5–0 vote.

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

   Approved by a 5–0 vote.

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal

Year 2010-11;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

Approved by a 5–0 vote.

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Ballot measure to prevent state's raid of local funds qualified for the November ballot - encouraged everybody to support it, as about $5 million was taken from the Moreno Valley Redevelopment Agency this year; a lot of improvements could have been done with this money
2) MVTV-3 won a first place award from the regional peer group, the California and Arizona chapter of the national organization. Bob Lorch won first place for "You Spray, You Pay" anti-graffiti removal program, and Rob Roseen won second and third place for "News Center." Commended staff for this successful program
3) Housing prices are up and unemployment for May was down - good news
4) Moreno Valley restaurants reported sales picking up in fall 2009 and remaining solid through 2010
5) The Neighborhood Preservation staff has obligated 84% of the $11.3 million grant funding as opposed to the national average of 52%. The City's partners have acquired $5.3 million worth of single-family homes - 28 homes are being rehabilitated. Moreno Valley may be eligible for additional NSP funding in the near future. Commended Barry Foster and staff for this successful project. It is one of the leaders in the country
6) Youth Opportunity Center - Arbor E&T has entered into a lease of a vacant building on 22275 Alessandro and Grant. When the Center opens in the fall, it will employ six people and serve 150 youth in the community
7) The library has initiated a summer reading program and added a database online entitled Career Transitions, which will serve as a resource for persons seeking employment
8) Schedules and sign ups for recreational activities are listed on the Moreno Valley Web site
11) Information about 4th of July celebration is posted on the Web site
12) Expressed his appreciation for Steve Elam, Interim Financial & Administrative Services Director, who came out of his retirement to help the City. This is his last council meeting

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

MV00070141

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Susan Gilchrist
1) Submitted a copy of her letter to Parks & Facilities Manager Steve Kupsak and a copy of Parks and Recreation Commission staff report regarding Equestrian Center; commented on the accuracy of information contained in the report

Deanna Reeder
1) Asked if any council member recused himself/herself from Closed Session Item #5, City Manager Recruitment, while in Closed Session

Pamela Lowell
1) Acknowledged Fire and Police Department staff for the fast response and help during her husband's illness; her husband, an Air Force disabled veteran, passed away this year; very grateful for support and comfort and proud of the City
2) Thanked military veterans for their service; thanks to them we can enjoy many freedoms, including freedom of speech

James Dudley
1) About 12,563 late mail-in primary ballots that may not be counted because of late delivery
2) Maintenance of medians
3) Condition of roads
4) Expressed he is proud of the City

Pete Bleckert
1) Thanked Council for voting for the Highland Fairview project to move forward
2) Equestrian Center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Molina
1) Condolences to Ms. Lowell for her loss
2) Would like to bring back issue of Cottonwood Park on Cottonwood and Indian
3) Thanked staff and residents for being patient with the progress of the project

Council Member Stewart
1) Reported on a lady claiming that her child was killed by a drunk driver in Moreno Valley and asking for money for burial; while he was checking with the Police Chief, the lady disappeared; it's sad that people will do that; warned residents about the fraud and advised to be aware and to question suspicious solicitations

MV00070142

2) Commended staff for the hard work assisting the developer of the Skechers project; the project is moving along; the City is not giving any financial support for it, but by speeding up the process, the City was able to give the proponents a financial advantage
3) Inquired about the requirement of lowering buildings along 60 Freeway by 25 feet
4) Inquired about changing zoning of the property to the south of the project from residential to business park to be a transition/buffer to light industrial along the freeway
5) Regarding budget - glad that we had reserve to reduce deficit and that the Fire, Police and other public safety units were pretty much preserved

Mayor Pro Tem Hastings
1) Attended annual Rally Round the Flag at March Field Air Museum with Council Member Stewart and Mayor Flickinger - it was a very nice event in commemoration of the Flag Day with an outstanding performance of Moreno Valley Master Chorale. Encouraged everyone to attend it next year; the event is open to the public
2) Responded to a speaker's comments regarding 12,000 mail-in ballots that were left at Moreno Valley distribution postal center after deadline and may not be counted - explained the process of routing the mail-in votes; Riverside County is still investigating this issue
3) League of California Cities' initiative to protect local money from the State's taking - asked residents to educate themselves on this and other initiatives
4) Addressed an incident of loose horses in traffic on Redlands Blvd. and horses hit by a car; this is tragic for everyone; asked residents to call Animal Control to report any animal loose or abandoned to prevent animals from being killed
5) Will participate in July 13 meeting from Kentucky via teleconference

Council Member Batey
1) Thanked Ms. Lowell for publicly acknowledging public safety employees who responded to her calls. It's important for the public to know that they have dedicated professionals to handle any situation that may arise. Her husband will be missed
2) Fresh & Easy will be open by the end of the year; a lot of good stuff is happening that will help our economy in the long run
3) Will not be able to attend 4th of July celebration because of work schedule
4) Thanked Mr. Dudley and Ms. Lowell for showing/expressing City pride; it's nice to hear positive
5) Wished everybody a safe 4th of July

Mayor Flickinger
1) Concurred with Mayor Pro Tem Hastings about effectiveness of the Rally Round the Flag event; very entertaining and informative
2) Thanked Steve Elam for the great job; he will be missed
3) Responded to speaker's question - all five Council Members are participating in the City Manager's recruitment
4) No meeting is scheduled for the next Tuesday (5th Tuesday of the month); the next televised Council meeting is scheduled for July 13, which will be the last

MV00070143

meeting before Council recess
5) July 3 & 4 celebration will include a parade in the morning on July 3 and the celebration at the Morrison Park in the afternoon on July 4 - another opportunity to wear red, white and blue

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:06 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*
Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:40 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

MV00070145

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: July 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 16 – July 6.

Reports on Reimbursable Activities June 16 – July 6		
Council Member	Date	Meeting
William H. Batey II	6/28/10	Bob Herrick's Retirement Luncheon
	6/30/10	Steve Elam's Retirement Luncheon
Bonnie Flickinger	6/16/10	UCR Citizens University Committee
	6/23/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	6/24/10	Western Riverside Council of Governments 19th Annual General Assembly
Robin N. Hastings	6/28/10	Bob Herrick's Retirement Luncheon
Jesse L. Molina	6/28/10	Bob Herrick's Retirement Luncheon
Richard A. Stewart	*6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
	6/28/10	Bob Herrick's Retirement Luncheon
	6/29/10	Undersheriff Valerie Hill's Retirement Dinner
	6/30/10	Steve Elam's Retirement Luncheon

*Reportable reimbursable activity prior to the period of June 16 – July 6.

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The residents along Loraine Terrace have no on-street parking available during the business hours of the adjacent auto repair shops who continually park their customer's vehicles along Loraine Terrace. A public hearing regarding this issue was conducted at the Traffic Safety Commission (TSC) meeting on May 5, 2010. There was no voiced opposition at the public hearing. The commissioners unanimously approved staff's recommendation to implement permit parking on Loraine Terrace.

BACKGROUND

The residents on Loraine Terrace submitted a petition to the Public Works Department requesting implementation of permit parking. The privileged parking will allow them to maintain curbside availability for guests and contractors/maintenance vehicles in front of their residences.

The required petition process demonstrated a super majority, in this case 100%, greatly exceeding the City's requirement of at least 60% of the residents in support of the permit parking.

A field review of the site indicated there is adequate on-site parking available for the commercial uses and on-street parking for customers and employees away from the neighboring residences.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

To help improve the parking situation along Loraine Terrace, staff recommends the installation of permit parking signs along four resident's frontage. This will allow the remaining parking spaces to be utilized by the public and the adjacent auto repair shops.

The frontage along Loraine Terrace is approximately 900 feet. This allows parking for approximately 30 vehicles. The frontage of the four existing residence's along Loraine Terrace is approximately 180 feet. Implementing the permit parking along the residents' frontage will reduce available parking spaces for the public by 5 vehicles (16%). However, this will allow the residents to have uninterrupted access to parking in front of their residents which is located in a unique and congested mixed residential/commercial zone.

Fees for this permit parking zone will be borne by the residents in accordance with City policy.

ALTERNATIVES

1. Approve and adopt proposed Resolution and direct staff to implement permit parking on Loraine Terrace. *This alternative is recommended to improve the condition for the residents.*

2. Do not adopt proposed resolution, thereby not implementing permit parking on Loraine Terrace.

3. Provide staff with further direction.

FISCAL IMPACT

There will be no fiscal impact for implementation of permit parking on Loraine Terrace. The cost of the required signage, parking permit placards, and the annual maintenance associated with the permit parking will be covered by the collected fees from the residents.

CITY COUNCIL GOALS

PUBLIC SAFETY: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Implementation of permit parking on Loraine Terrace will improve the condition for the existing residents, thereby allowing preferential parking privileges in a unique and congested mixed residential/commercial zone. Additionally, there will be sufficient parking spaces remaining to serve the general public and surrounding commercial uses.

NOTIFICATION

Publication of Agenda

ATTACHMENTS

Attachment A – Resolution
Attachment B - Location Map

Prepared By:
Alan Kashefi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\TrafficEng\alank\Permit parking\Staff Report\CityStaffReport-v2-Loraine Terrace.doc

RESOLUTION NO. 2010-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON LORAINE TERRACE

WHEREAS, the City Municipal code section 12.08.030 allows permit parking areas in residential and commercial zones, and only subject to a public hearing before the traffic safety commission.

WHEREAS, the residents on Loraine Terrace submitted an application and requested permit parking along the frontage of their residences.

WHEREAS, a public hearing was conducted on May 5, 2010 regarding this request.

WHEREAS, on May 5, 2010, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Loraine Terrace.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Loraine Terrace.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2010-____
Date Adopted: July 13, 2010

Attachment A

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Location Map

Loraine Terrace

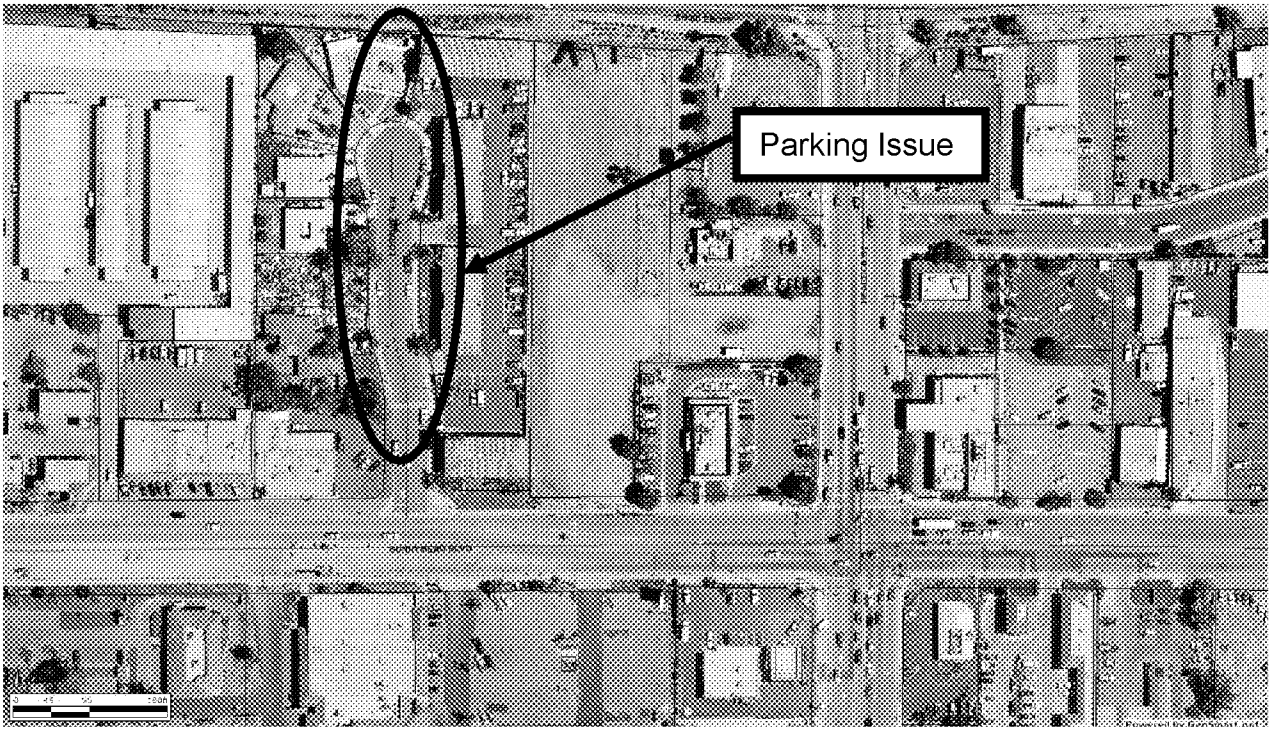

Attachment B

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: Resolution Rescinding the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, and Authorizing the Submittal of Application for the Used Oil Payment Program Under the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDED ACTION

Staff recommends that the City Council adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources Recycling and Recovery (CalRecycle).

BACKGROUND

The California Public Resources Code (PRC) § 48601 et seq. describes the California Oil Recycling Enhancement Act), which, among other things, provides up to $11 million annually in payments to local governments for implementation of local used oil and filter collection programs. Several years ago, the City established a used oil campaign that was previously administered by the Western Riverside Council of Governments (WRCOG). In 2001, as a springboard to WRCOG's regional public awareness of used oil recycling, the City established a used oil program at a local level with used oil block grant funds. Since that time, the list of landfill banned materials has continually grown and the need for hazardous waste awareness has increased along with it. As a result, there has become a greater need to sustain all opportunities for available funding to promote these programs.

DISCUSSION

The new Used Oil Payment Program (OPP) authorized in SB 546 (Lowenthal, Chapter 353, Statutes of 2009) replaces the Used Oil Block Grant Program (UBG). While the purpose of the OPP is similar to the UBG, there are significant differences regarding application, administration, and reporting requirements. The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board (CIWMB), is responsible for administering the OPP. As part of the grant application program, the City must provide a resolution to establish procedures governing the administration of the Used Oil Payment Program. Participation in these programs also affords the City the opportunity to increase public awareness of recycling, which assists with the City's overall diversion efforts mandated by the California Integrated Waste Management Act of 1989 (AB 939).

City staff requests that City Council approve the adoption of the resolution in order to help secure funding for the administering and implementation of the used oil recycling program.

ALTERNATIVES

1. Adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989.

2. Do no adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989. This alternative would place the City in jeopardy of not receiving grant funds for the Used Oil Recycling Program.

FISCAL IMPACT

There would be a potential grant revenue reimbursement for public education, used oil recycling and hazardous waste program ranging from an estimated $20,000 to $50,000 per grant application fiscal year.

CITY COUNCIL GOALS

Positive Environment
Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The Department of Resources Recycling and Recovery (CalRecycle) administers the Used Oil Payment Program. A new resolution is needed to update the authority for submittal of grant application. As part of its program, CalRecycle issues grants to local

governments in order to establish or enhance permanent, sustainable used oil recycling programs. Adoption of the proposed resolution would allow staff to continue to properly pursue grant funds on behalf of the City in the future.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit A – Proposed Resolution
Exhibit B – Resolution No. 2007-55 (Proposed to be rescinded)

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-67

A RESOLUTION OF THE CITY COUNCIL O F THE CITY OF MORENO VALLEY, CALIFORNIA, RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AUTHORIZING APPLICATION FOR THE USED OIL GRANT PAYMENT PROGRAM FUNDS UNDER THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administrations of the Used Oil Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley authorizes the submittal of a Used Oil Payment Program application to CalRecycle; and

BE IT FURTHER RESOLVED that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the City Council of the City of Moreno Valley.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

_____
City Attorney

EXHIBIT "A"

Resolution No. 2010 - _____
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Resolution No. 2010 - _____
Date Adopted: July 13, 2010

RESOLUTION NO. 2007 - 55

RESCINDING THE PROVISIONS OF RESOLUTION 2006-49 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AND AUTHORIZING APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT

WHEREAS, Public Resources Code (PRC) Section 42872.5, authorizes the California Integrated Waste Management Board (CIWMB) to establish a grant program to fund city projects as they pertain to the CIWMB interests; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of these programs within the state, setting up necessary procedures governing application by local governments and their subdivisions under these programs; and

WHEREAS, it is in the best interest of the City to create an opportunity to facilitate the application process in order to apply for all grant funds offered by the CIWMB; and

WHEREAS, if awarded a grant, the City of Moreno Valley will enter into an agreement with the State of California for development of these projects;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESCIND Resolution 2006-49 and further resolves that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all necessary applications, contracts, payment requests, agreements and amendments between the CIWMB hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application for the period of May 22, 2007 to May 22, 2012.

APPROVED AND ADOPTED this 22th day of May, 2007

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "B"

Resolution No. 2007 – 55
Date Adopted: May 22, 2007

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, MARGARET AYARS, Assistant City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-55 was duly and regularly adopted as amended by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of May, 2007, by the following vote:

AYES:	Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey and Mayor White
NOES:	None
ABSENT:	None
ABSTAIN:	None

ASSISTANT CITY CLERK

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. 2007-55 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Moreno Valley, this 16th day of June, 2008.

Jane Halstead

Jane Halstead, CMC, City Clerk

(SEAL)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: July 13, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-68
Check Register for Month of May, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2010 through May 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2010 through May 31, 2010, in the total amount of $19,967,907.47 is approved.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

AVI-CON INC.				
5/10/2010	202502	57,803.49		
			PUB SFTY BLDG CONVERSION PROJ	57,803.49
5/24/2010	880526	35,833.59		
			PUB SFTY BLDG CONVERSION PROJ	35,833.59
	Vendor Total	**93,637.08**		
FYTD for AVI-CON INC.		**129,622.32**		
BEMUS LANDSCAPE, INC.				
5/3/2010	202225	27,219.84		
			LANDSCAPE MAINT-E4	24.09
			LANDSCAPE MAINT-E4	38.77
			LANDSCAPE MAINT-E4	19.85
			LANDSCAPE MAINT-E4	300.00
			LANDSCAPE MAINT-E4	151.43
			LANDSCAPE MAINT-E4	345.00
			LANDSCAPE MAINT-E4	50.78
			LANDSCAPE MAINT-E4	85.76
			LANDSCAPE MAINT-PSB	320.00
			LANDSCAPE MAINT-WQB	1,283.00
			LANDSCAPE MAINT-TR 33256	90.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-AQDCT	1,636.00
			LANDSCAPE MAINT-AQDCT	264.00
			LANDSCAPE MAINT-ANNX #1	300.00
			LANDSCAPE MAINT-FIRE STNS	3,150.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-CITY HALL	992.56
			LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total	**27,219.84**		
FYTD for BEMUS LANDSCAPE, INC.		**455,641.79**		
BURLINGTON COAT FACTORY				
5/24/2010	1005141	175,000.00		
			PARTICIPATION AGREEMNT FY09-10	175,000.00
	Vendor Total	**175,000.00**		
FYTD for BURLINGTON COAT FACTORY		**175,000.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE AUDITOR				
5/17/2010	202527	39,625.17		
			PARKING CONTROL FEES	15,545.22
			PARKING CONTROL FEES	1,642.00
			PARKING CONTROL FEES	18,173.54
			PARKING CONTROL FEES	3,668.00
			PARKING CONTROL FEES	596.41
	Vendor Total	**39,625.17**		
FYTD for COUNTY OF RIVERSIDE AUDITOR		**135,430.12**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER				
5/10/2010	1005021	5,258,237.00		
			SERAF PAYMENT FOR FY09-10	5,258,237.00
	Vendor Total	**5,258,237.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER		**5,258,237.00**		
COUNTY OF RIVERSIDE FIRE DEPT				
5/13/2010	1005061	3,152,861.07		
			3RD QTR FIRE PROTECTION SVCS	3,152,861.07
	Vendor Total	**3,152,861.07**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT		**12,421,045.02**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				
5/17/2010	202531	38,007.94		
			RCLMD WATER-DRAIN MAINT PRGM	82.85
			RCLMD WATER-ST. SWEEPING PRGM	95.83
			RCLMD WATER-ST. SWEEPING PRGM	79.99
			RCLMD WATER-STREET MAINT PRGM	221.27
			WATER CHRGS FOR APRIL	63.45
			WATER CHRGS FOR APRIL	1,795.68
			WATER CHRGS FOR APRIL	36.00
			WATER CHRGS FOR APRIL	3,018.08
			WATER CHRGS FOR APRIL	123.16
			WATER CHRGS FOR APRIL	11,477.35
			WATER CHRGS FOR APRIL	2,968.73
			WATER CHRGS FOR APRIL	3,095.73
			WATER CHRGS FOR APRIL	5,115.16
			WATER CHRGS FOR APRIL	3,417.49
			WATER CHRGS FOR APRIL	1,408.73
			WATER CHRGS FOR APRIL	148.13
			WATER CHRGS FOR APRIL	1,436.12
			WATER CHRGS FOR APRIL	718.23
			WATER CHRGS FOR APRIL	201.43
			WATER CHRGS FOR APRIL	611.77
			WATER CHRGS FOR APRIL	382.99
			WATER CHRGS FOR APRIL	291.24
			WATER CHRGS FOR APRIL	300.98
			WATER CHRGS FOR APRIL	290.08
			WATER CHRGS FOR APRIL	627.47
5/24/2010	202634	44,260.57		
			WATER CHRGS FOR APRIL	83.22
			WATER CHRGS FOR APRIL	1,190.50
			WATER CHRGS FOR APRIL	809.44
			WATER CHRGS FOR APRIL	405.55
			WATER CHRGS FOR APRIL	889.74
			WATER CHRGS FOR APRIL	11,396.12
			WATER CHRGS FOR APRIL	4,501.26
			WATER CHRGS FOR APRIL	2,341.28
			WATER CHRGS FOR APRIL	4,331.01
			WATER CHRGS FOR APRIL	3,958.56
			WATER CHRGS FOR APRIL	6,585.97
			WATER CHRGS FOR APRIL	249.36
			WATER CHRGS FOR APRIL	46.30
			WATER CHRGS FOR APRIL	2,020.77
			WATER CHRGS FOR APRIL	2,361.85
			WATER CHRGS FOR APRIL	1,109.22
			WATER CHRGS FOR APRIL	440.95
			WATER CHRGS FOR APRIL	232.11
			WATER CHRGS FOR APRIL	444.71
			WATER CHRGS FOR APRIL	478.63
			WATER CHRGS FOR APRIL	384.02
	Vendor Total	**82,268.51**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,038,091.76**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
5/7/2010	2634	36,460.45		
			DEP STATE TAX W/H 05/07/10	36,460.45
5/21/2010	2642	35,246.72		
			STATE INCOME TAX W/H 05/21/10	35,246.72
	Vendor Total	**71,707.17**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,179,327.51**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
5/10/2010	202426	124,677.06		
			DISTRIBUTION CHARGES	123,729.55
			SPCL/TEMP CHARGES	6,055.00
			ONLINE UTILITY SVCS	264.00
			BAD DEBT-DEDUCTION	-5,371.49
5/17/2010	202532	40,388.70		
			PLAN CHECK SVCS-PM35629	221.03
			PLAN CHECK SVCS-PA080013	1,184.21
			PROF SVCS-IHERB.COM DIST	1,979.46
			PROF SVCS-IHERB.COM DIST	36.59
			PERRIS BL 12KV FEEDER IRIS-JFK	3,330.79
			PERRIS BL 12KV FEEDER IRIS-JFK	7,528.17
			CACTUS/LASSELLE 12KV CIRC TIE	5,721.68
			GOLDENCREST-ELSWORTH BACKBONE	2,030.68
			6TH CIRCUIT MOVAL SUBST. WORK	14,606.09
			CABINET LEASE-COTTONWOOD	41.34
			CABINET LEASE-COTTONWOOD	1,208.66
			CABINET LEASE-INDIAN/NANDINA	75.69
			CABINET LEASE-INDIAN/NANDINA	1,174.31
			CABINET LEASE-IRIS	92.50
			CABINET LEASE-IRIS	1,157.50
5/24/2010	202635	38,376.65		
			BAY ST BACKBONE W/O MOR BCH DR	1,283.93
			CACTUS/LASSELLE 12KV CIRC TIE	326.21
			CACTUS/LASSELLE 12KV CIRC TIE	2,770.25
			ELECT METER FEES	3,788.08
			GOLDENCREST-ELSWORTH BACKBONE	5,706.39
			6TH CIRC MOVAL SUBST. WORK	7,342.12
			ELECT METER FEES	838.00
			PROF SVCS-WASTE MGT FAC	291.80
			PROF SVCS-SKETCHERS	1,474.70
			PROF SVCS-SKETCHERS	11,754.51
			PROF SVCS-STREET LIGHTS	454.68
			PROF SVCS-FRAZEE PAINT	2,140.18
			PROF SVCS-IHERB.COM DIST	205.80
	Vendor Total	**203,442.41**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,550.46**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRIENDS OF THE SENIOR CENTER				
5/17/2010	202540	25,000.00		
			SENIOR VAN ASSIST PRGM-CDBG	15,000.00
			SENIOR VAN ASSIST PRGM-CDBG	10,000.00
	Vendor Total	**25,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FS CONSTRUCTION				
5/24/2010	202647	76,746.64		
			TEMCO ST SIDEWALK IMPRVMNTS	49,441.99
			VOUGHT ST SIDEWALK IMPRVMNTS	27,304.65
	Vendor Total	**76,746.64**		
FYTD for FS CONSTRUCTION		**76,746.64**		
HILLCREST CONTRACTING, INC				
5/17/2010	202596	109,549.80		
			KITCHING ST IMPRVMNTS PROJ	109,549.80
	Vendor Total	**109,549.80**		
FYTD for HILLCREST CONTRACTING, INC		**109,549.80**		
INTERNAL REVENUE SERVICE				
5/7/2010	2633	133,548.22		
			DEP FED TAX W/H 05/07/10	133,548.22
5/21/2010	2641	129,508.98		
			FED INCOME TAX W/H 05/21/10	129,508.98
	Vendor Total	**263,057.20**		
FYTD for INTERNAL REVENUE SERVICE		**3,447,406.19**		
MBIA MUNISERVICES COMPANY				
5/3/2010	202313	28,125.00		
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
	Vendor Total	**28,125.00**		
FYTD for MBIA MUNISERVICES COMPANY		**28,125.00**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY					
	5/17/2010	202557	53,080.68		
				ELECTRICITY	140.43
				ELECTRICITY	1,123.17
				ELECTRICITY	230.25
				ELECTRICITY	1,802.77
				ELECTRICITY	10,556.76
				ELECTRICITY	9,982.60
				ELECTRICITY	2,890.58
				ELECTRICITY	4,799.41
				ELECTRICITY	799.37
				ELECTRICITY	1,366.98
				ELECTRICITY	11,870.60
				ELECTRICITY	6,670.38
				ELECTRICITY	218.50
				ELECTRICITY	134.68
				ELECTRICITY	86.28
				ELECTRICITY	64.97
				ELECTRICITY	64.95
				ELECTRICITY	170.22
				ELECTRICITY	107.78
	Vendor Total		**53,080.68**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MURRIETA DEVELOPMENT COMPANY INC.					
	5/10/2010	202503	130,155.16		
				TRAF SIG @ SR-60/REDLANDS BLVD	130,155.16
	Vendor Total		**130,155.16**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**526,211.19**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/21/2010	2638	25,717.07		
				DEF COMP 457 & 401(A) 05/21/10	25,717.07
	Vendor Total		**25,717.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVCO SECURITY SYSTEMS					
	5/24/2010	880543	47,899.78		
				SURVEILLANCE EQUIP-POLICE	43,399.03
				SURVEILLANCE EQUIP-POLICE	3,398.43
				SURVEILLANCE EQUIP-POLICE	1,102.32
	Vendor Total		**47,899.78**		
FYTD for NAVCO SECURITY SYSTEMS			**57,779.78**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ORANGE COAST TITLE COMPANY				
5/12/2010	1005031	69,199.75		
			ACQ & ESCRW-13715 MCDONNELL ST	69,199.75
5/24/2010	1005151	106,032.13		
			ACQ & ESCROW-13380 BAMBI CT	106,032.13
5/24/2010	1005161	77,444.01		
			ACQ & ESCROW-24105 ROTHBURY DR	77,444.01
	Vendor Total	**252,675.89**		
FYTD for ORANGE COAST TITLE COMPANY		**252,675.89**		
PB AMERICAS, INC.				
5/24/2010	202671	82,770.08		
			SR-60/NASON ST INTRCHNG PROJ	46,836.15
			SR-60/NASON ST INTRCHNG PROJ	35,933.93
	Vendor Total	**82,770.08**		
FYTD for PB AMERICAS, INC.		**171,605.59**		
PERS HEALTH INSURANCE				
5/12/2010	1004101	195,498.14		
			EMPL HEALTH INS 05/12/10	195,498.14
	Vendor Total	**195,498.14**		
FYTD for PERS HEALTH INSURANCE		**2,126,634.55**		
PERS RETIREMENT				
5/14/2010	2635	192,233.64		
			PERS RETIREMENT 05/14/10	192,233.64
5/28/2010	2643	191,718.32		
			PERS RETIREMENT 05/28/10	191,718.32
	Vendor Total	**383,951.96**		
FYTD for PERS RETIREMENT		**5,091,544.44**		
RBV MITIGATION CREDITS, LLC				
5/3/2010	202340	40,800.00		
			VERNAL POOL MITIGATION CREDITS	40,800.00
	Vendor Total	**40,800.00**		
FYTD for RBV MITIGATION CREDITS, LLC		**40,800.00**		
RICHARD LOPEZ CONSTRUCTION				
5/17/2010	202568	205,033.36		
			ELECTRIC UTILITY PROJECTS SVCS	205,033.36
	Vendor Total	**205,033.36**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,279,092.83**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF					
	5/13/2010	1005071	2,676,381.98		
				CONTRACT LAW ENF BILL #8	270.16
				CONTRACT LAW ENF BILL #8	558.38
				CONTRACT LAW ENF BILL #8	590.48
				CONTRACT LAW ENF BILL #8	1,338.76
				CONTRACT LAW ENF BILL #8	2,304.42
				CONTRACT LAW ENF BILL #8	5,147.78
				CONTRACT LAW ENF BILL #8	6,271.76
				CONTRACT LAW ENF BILL #8	6,601.76
				CONTRACT LAW ENF BILL #8	8,729.36
				CONTRACT LAW ENF BILL #8	19,553.01
				CONTRACT LAW ENF BILL #8	24,645.07
				CONTRACT LAW ENF BILL #8	33,932.05
				CONTRACT LAW ENF BILL #8	44,551.93
				CONTRACT LAW ENF BILL #8	61,515.39
				CONTRACT LAW ENF BILL #8	67,648.04
				CONTRACT LAW ENF BILL #8	70,622.67
				CONTRACT LAW ENF BILL #8	203,325.69
				CONTRACT LAW ENF BILL #8	257,518.30
				CONTRACT LAW ENF BILL #8	393,414.24
				CONTRACT LAW ENF BILL #8	1,467,842.73
	5/13/2010	1005101	2,729,341.01		
				CONTRACT LAW ENF BILL #9	242.00
				CONTRACT LAW ENF BILL #9	621.28
				CONTRACT LAW ENF BILL #9	732.37
				CONTRACT LAW ENF BILL #9	979.02
				CONTRACT LAW ENF BILL #9	1,345.44
				CONTRACT LAW ENF BILL #9	5,260.64
				CONTRACT LAW ENF BILL #9	5,725.72
				CONTRACT LAW ENF BILL #9	8,480.27
				CONTRACT LAW ENF BILL #9	12,557.91
				CONTRACT LAW ENF BILL #9	14,241.02
				CONTRACT LAW ENF BILL #9	18,963.84
				CONTRACT LAW ENF BILL #9	34,297.96
				CONTRACT LAW ENF BILL #9	44,310.63
				CONTRACT LAW ENF BILL #9	65,247.78
				CONTRACT LAW ENF BILL #9	70,575.36
				CONTRACT LAW ENF BILL #9	73,526.79
				CONTRACT LAW ENF BILL #9	169,411.94
				CONTRACT LAW ENF BILL #9	283,724.76
				CONTRACT LAW ENF BILL #9	375,130.94
				CONTRACT LAW ENF BILL #9	1,543,965.34
	5/13/2010	1005081	728,551.34		
				CNTRCT LAW ENF RATE ADJ FY0910	728,551.34
	5/13/2010	1005091	87,724.41		
				FACILITIES EXP BILLNG FY09/10	87,724.41
	Vendor Total		**6,221,998.74**		
FYTD for RIVERSIDE COUNTY SHERIFF			**33,101,772.67**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.					
	5/17/2010	880514	251,502.00		
				ANNUAL RMS/CLETS FY 09/10	251,502.00
	Vendor Total		**251,502.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**762,001.26**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	5/10/2010	880490	52,499.02		
				PUB SFTY BLDG CONVERSION PROJ	52,499.02
	Vendor Total		**52,499.02**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**286,232.61**		
SEMPRA ENERGY SOLUTIONS					
	5/24/2010	880548	76,116.08		
				POWER PURCHASE	76,116.08
	Vendor Total		**76,116.08**		
FYTD for SEMPRA ENERGY SOLUTIONS			**5,425,821.99**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	5/10/2010	202469	347,400.00		
				ELECT ENERGY PURCHASE	347,400.00
	Vendor Total		**347,400.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**1,347,140.00**		
SOCO GROUP, INC					
	5/17/2010	202574	28,532.52		
				FUEL PURCHASE	5,555.06
				FUEL PURCHASE	6,515.69
				FUEL PURCHASE	4,166.97
				FUEL PURCHASE	6,354.60
				FUEL PURCHASE	5,940.20
	Vendor Total		**28,532.52**		
FYTD for SOCO GROUP, INC			**177,677.66**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202362	32,336.02		
				TRAFFIC CONTRLLR-IRONWOOD PROJ	4,277.85
				ST. LIGHT INSTALL-IRONWOOD AVE	13,228.69
				LINE EXTENSION-IRONWOOD AVE	14,829.48
	5/10/2010	202474	42,911.92		
				WDAT CHARGES-FREDERICK	2,000.25
				WDAT CHARGES-GLOBE	7,317.45
				WDAT CHARGES-GRAHAM	3,727.65
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-SUBSTATION	10,447.31
				WDAT CHARGES-IRIS	2,625.22
				IFA CHARGES-SUBSTATION	14,146.73
	5/17/2010	202576	142,157.95		
				ELECTRICITY	662.64
				ELECTRICITY	69.62
				ELECTRICITY	334.34
				ELECTRICITY	44.41
				ELECTRICITY	1,237.74
				ELECTRICITY	100.90
				ELECTRICITY	855.88
				ELECTRICITY	774.56
				ELECTRICITY	912.76
				ELECTRICITY	2,260.42
				ELECTRICITY	1,017.56
				ELECTRICITY	1,154.20
				ELECTRICITY	23.30
				ELECTRICITY	95,834.82
				ELECTRICITY	35,938.01
				ELECTRICITY	528.72
				ELECTRICITY	153.47
				ELECTRICITY	22.57
				ELECTRICITY	25.30
				ELECTRICITY	70.10
				ELECTRICITY	90.28
				ELECTRICITY	46.35
	5/24/2010	202684	27,410.22		
				ELECTRICITY	189.84
				ELECTRICITY	5,413.60
				ELECTRICITY	2,476.70
				ELECTRICITY	19.20
				ELECTRICITY	2,686.37
				ELECTRICITY	714.24
				ELECTRICITY	1,980.71
				ELECTRICITY	884.39
				ELECTRICITY	247.87
				ELECTRICITY	4,261.86
				ELECTRICITY	266.78
				ELECTRICITY	4,583.80
				ELECTRICITY	1,792.00
				ELECTRICITY	275.09
				ELECTRICITY	463.94
				ELECTRICITY	484.74

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	201.01
			ELECTRICITY	141.37
			ELECTRICITY	302.24
			ELECTRICITY	24.47
Vendor Total		**244,816.11**		
FYTD for SOUTHERN CALIFORNIA EDISON		**6,749,896.42**		
STANDARD INSURANCE CO				
5/10/2010	202477	30,743.99		
			LIFE & DISABILITY INSURANCE	12,727.14
			LIFE & DISABILITY INSURANCE	17,972.90
			LIFE & DISABILITY INSURANCE	43.95
Vendor Total		**30,743.99**		
FYTD for STANDARD INSURANCE CO		**359,149.29**		
STEWART TITLE OF CALIFORNIA				
5/24/2010	1005131	72,187.00		
			ESCROW & ACQ -11989 HUBBARD ST	72,187.00
Vendor Total		**72,187.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
U.S. BANK/CALCARDS				
5/13/2010	1005111	61,805.04		
			CALCARD PMT CYCLE END 05/07/10	61,805.04
Vendor Total		**61,805.04**		
FYTD for U.S. BANK/CALCARDS		**1,763,214.75**		
VERIZON CALIFORNIA, INC				
5/3/2010	202384	38,471.97		
			REMOVE/RELOCATE CABLES/CABINET	38,471.97
Vendor Total		**38,471.97**		
FYTD for VERIZON CALIFORNIA, INC		**38,471.97**		
WILLDAN AND ASSOCIATES				
5/3/2010	202389	125,696.30		
			MORENO BEACH DR WIDENING PROJ	48,237.50
			MORENO BEACH DR WIDENING PROJ	42,309.75
			MORENO BEACH DR WIDENING PROJ	35,149.05
Vendor Total		**125,696.30**		
FYTD for WILLDAN AND ASSOCIATES		**403,687.78**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WINZLER & KELLY CONSULTING ENGINEERS				
5/10/2010	202500	50,083.59		
			TEMP STAFFING SVCS-CAP PROJS	18,810.00
			IRONWOOD AVE WIDENING PROJ	31,273.59
	Vendor Total	**50,083.59**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS		**436,511.18**		
	Subtotal	**18,625,911.37**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
COMMUNITY VETERINARY HOSPITAL, INC.				
5/17/2010	202505	183.00		
			VETERINARY SVC-MAX	183.00
Vendor Total		**183.00**		
FYTD for COMMUNITY VETERINARY HOSPITAL, INC.		**183.00**		
TRANSOFT SOLUTIONS, INC.				
5/17/2010	202506	710.00		
			AUTOTURN MAINT ASSURANCE PRGM	710.00
Vendor Total		**710.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,999.00**		
UNIVERSAL TRUCK BODY, INC.				
5/10/2010	202398	162.50		
			MISC REPAIR-M&O	162.50
Vendor Total		**162.50**		
FYTD for UNIVERSAL TRUCK BODY, INC.		**162.50**		
3 M M M				
5/3/2010	202213	27.99		
			REFUND-BUS LIC OVRPMT	27.99
Vendor Total		**27.99**		
FYTD for 3 M M M		**27.99**		
3M LIBRARY SYSTEMS, INC.				
5/10/2010	202399	1,735.00		
			ANNUAL MAINTENANCE	1,735.00
Vendor Total		**1,735.00**		
FYTD for 3M LIBRARY SYSTEMS, INC.		**1,735.00**		
A & I REPROGRAPHICS 2406362				
5/3/2010	202214	1,481.66		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	637.11
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	844.55
5/10/2010	202400	96.30		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	96.30
5/17/2010	202507	1,216.59		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	68.30
			RPRGRPHC SVCS-AUTO MALL PROJ	147.08
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	1,001.21
Vendor Total		**2,794.55**		
FYTD for A & I REPROGRAPHICS 2406362		**22,357.59**		

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A NEW DAWN CONSTRUCTION					
	5/17/2010	202508	543.75		
				MURAL FRAME-POLICE	543.75
	Vendor Total		**543.75**		
FYTD for A NEW DAWN CONSTRUCTION			**543.75**		
ACCOUNTEMPS					
	5/3/2010	202215	920.00		
				TEMP SVCS-APODACA W/E 4/16	920.00
	5/10/2010	202401	828.00		
				TEMP SVCS-APODACA W/E 4/23	828.00
	5/24/2010	202601	1,656.00		
				TEMP SVCS-APODACA W/E 4/30	828.00
				TEMP SVCS-APODACA W/E 5/7	828.00
	Vendor Total		**3,404.00**		
FYTD for ACCOUNTEMPS			**13,842.75**		
ADAMS, MARK L.					
	5/3/2010	880410	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.					
	5/17/2010	880497	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-LEX/MAX	283.34
	5/24/2010	880521	261.00		
				MUZZLE FOR K-9 LEX	261.00
	Vendor Total		**686.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**5,383.85**		
ADMINSURE					
	5/3/2010	202216	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
5/3/2010	880411	390.00		
			ICE MACHINE MAINT-FS #65	195.00
			ICE MACHINE MAINT-FS #6	195.00
5/10/2010	880473	975.00		
			ICE MACH MAINT-CONF & REC CTR	195.00
			ICE MACH MAINT-FS #58	195.00
			ICE MACH MAINT-FS #91	195.00
			ICE MACH MAINT-TOWNGATE CTR	195.00
			ICE MACH MAINT-FS #2	195.00
5/17/2010	880498	875.00		
			ICE MACH MAINT-EMERG OPS	195.00
			ICE MACH MAINT-FS #48	195.00
			ICE MACH MAINT-SENIOR CTR	195.00
			ICE MACH MAINT-CITY YARD	290.00
5/24/2010	880522	195.00		
			ICE MACH MAINT-PSB	195.00
Vendor Total		**2,435.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**7,962.96**		
ADVANCED ELECTRIC				
5/17/2010	202509	378.00		
			ELECT WORK-CONF & REC CTR	229.00
			ELECT WORK-CONF & REC CTR	19.00
			ELECT WORK-ANML SHLTR	130.00
Vendor Total		**378.00**		
FYTD for ADVANCED ELECTRIC		**78,902.00**		
AEI-CASC ENGINEERING				
5/24/2010	880523	1,631.75		
			PLAN CHECK SVCS	1,631.75
Vendor Total		**1,631.75**		
FYTD for AEI-CASC ENGINEERING		**317,771.84**		
AFL TELECOMMUNICATIONS				
5/3/2010	202217	740.53		
			SPLICER REPAIR-TECH SVCS	576.75
			SPLICER REPAIR-SHIPPING	152.69
			SPLICER REPAIR-SALES TAX	11.09
Vendor Total		**740.53**		
FYTD for AFL TELECOMMUNICATIONS		**740.53**		

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AIR COMMERCIAL REAL ESTATE ASSOCIATION				
5/10/2010	880474	900.00		
			DATABASE LEASING SVCS	900.00
Vendor Total		**900.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**2,550.00**		
ALBERTO'S MEXICAN FOOD				
5/10/2010	202402	49.47		
			REFUND-BUS LIC OVRPMT	49.47
Vendor Total		**49.47**		
FYTD for ALBERTO'S MEXICAN FOOD		**49.47**		
ALICEA, RICHARD				
5/17/2010	202510	80.50		
			MILEAGE REIMBURSEMENT	80.50
Vendor Total		**80.50**		
FYTD for ALICEA, RICHARD		**624.35**		
ALLIANZ LIFE INSURANCE CO				
5/10/2010	202403	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
5/3/2010	202218	1,948.34		
			CDBG FUNDED SVCS-DOM VIOL PRGM	1,948.34
Vendor Total		**1,948.34**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**8,256.70**		
AMERICAN FORENSIC NURSES				
5/3/2010	880412	982.70		
			BLOOD DRAWS	46.70
			BLOOD DRAWS	936.00
5/10/2010	880475	140.10		
			BLOOD DRAWS	140.10
5/24/2010	880524	1,842.00		
			BLOOD DRAWS	1,259.00
			BLOOD DRAWS	583.00
Vendor Total		**2,964.80**		
FYTD for AMERICAN FORENSIC NURSES		**24,715.10**		

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AMERICAN PROTECTION SERVICES				
5/10/2010	202404	1,030.00		
			SURVEILLANCE SYS-MAINT/SVC	900.00
			SURVEILLANCE SYS-MONITOR MOVE	130.00
	Vendor Total	**1,030.00**		
FYTD for AMERICAN PROTECTION SERVICES		**10,900.85**		
AMERICAN QUICK PRINTING				
5/10/2010	202501	770.49		
			PRINTING SVCS-PARKS	674.25
			PRINTING SVCS-LAND DEVLOPMENT	96.24
	Vendor Total	**770.49**		
FYTD for AMERICAN QUICK PRINTING		**4,765.32**		
AMERICAN ROTARY BROOM CO.				
5/17/2010	202511	1,097.97		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	111.79
			STREET SWEEPING BROOM KITS	493.09
	Vendor Total	**1,097.97**		
FYTD for AMERICAN ROTARY BROOM CO.		**31,019.58**		
AMTECH ELEVATOR SERVICES				
5/17/2010	202512	118.37		
			ELEVATOR SVC-CITY HALL	118.37
	Vendor Total	**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,818.78**		
ANCHETA, WARREN				
5/10/2010	202405	260.00		
			PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total	**260.00**		
FYTD for ANCHETA, WARREN		**260.00**		
ANDRE LANDSCAPING SERVICE, INC.				
5/3/2010	202219	21.68		
			REFUND-BUS LIC OVRPMT	21.68
	Vendor Total	**21.68**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.		**21.68**		
ANIMAL EMERGENCY CLINIC, INC.				
5/24/2010	880525	145.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
	Vendor Total	**145.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,679.00**		

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ANIMAL PEST MANAGEMENT SERVICES, INC.				
5/24/2010	202602	1,790.00		
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MARCH FLD	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-GOLF CRS	180.00
			PEST CONTROL-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**21,790.00**		
APARTMENT HIGHLAND MEADOWS, LLLP				
5/24/2010	202603	30.00		
			REFUND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**30.00**		
ARCHER, GREG				
5/24/2010	202604	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for ARCHER, GREG		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
5/17/2010	202513	1,390.57		
			OFFSITE STORAGE-CITY CLERKS	1,390.57
	Vendor Total	**1,390.57**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**14,734.26**		
ARROWHEAD WATER				
5/17/2010	202514	200.00		
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SENIOR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-FAC ANNX	25.00
			WTR PURIF RNTL-CONF & REC CTR	25.00
			WTR PURIF RNTL-ASES	25.00
	Vendor Total	**200.00**		
FYTD for ARROWHEAD WATER		**5,763.57**		

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ASSOCIATED ENGINEERS, INC.					
	5/24/2010	202605	4,267.50		
				HEACOCK ST WIDENING PROJ SVCS	4,267.50
	Vendor Total		**4,267.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**61,141.61**		
ASUNCION, ANGELICA					
	5/10/2010	202406	169.40		
				REFUND-MV UTILITY	169.40
	Vendor Total		**169.40**		
FYTD for ASUNCION, ANGELICA			**169.40**		
AT&T/MCI					
	5/3/2010	202220	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**2,020.47**		
AVIAT NETWORKS INC.					
	5/10/2010	202407	16,014.00		
				RADIO SYSTEMS-MAINT/SUPPORT	16,014.00
	Vendor Total		**16,014.00**		
FYTD for AVIAT NETWORKS INC.			**16,014.00**		
AWE					
	5/24/2010	202606	730.63		
				ANNUAL SUBSCRIPTION-LIBRARY	700.00
				ANNUAL SUBSCRIPTION-LIBRARY	30.63
	Vendor Total		**730.63**		
FYTD for AWE			**730.63**		
AYARS, MARGARET E.					
	5/3/2010	202221	1,593.65		
				RETIREE MEDICAL BENEFIT	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**3,824.76**		
BACHER, GRACE					
	5/3/2010	202222	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,742.41**		

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BARNES, DARLENE					
	5/3/2010	880413	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,230.06**		
BARTEL ASSOCIATES, LLC					
	5/3/2010	202223	605.00		
				PROF SVCS-GASB 45	605.00
	Vendor Total		**605.00**		
FYTD for BARTEL ASSOCIATES, LLC			**605.00**		
BASIC BACKFLOW					
	5/24/2010	202607	60.00		
				BACKFLOW TESTING	60.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**1,384.65**		
BATES LEATHERS					
	5/24/2010	202608	935.25		
				JACKETS-POLICE	750.38
				VESTS-POLICE	184.87
	Vendor Total		**935.25**		
FYTD for BATES LEATHERS			**6,546.75**		
BELL, ORROCK & WATASE, INC					
	5/3/2010	202224	7,941.20		
				LEGAL SVCS	6,682.55
				LEGAL SVCS	1,258.65
	Vendor Total		**7,941.20**		
FYTD for BELL, ORROCK & WATASE, INC			**22,557.01**		

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BEMUS LANDSCAPE, INC.					
	5/10/2010	202408	120.00		
				LANDSCAPE MAINT-PARKS	120.00
	5/17/2010	202515	5,806.25		
				LANDSCAPE MAINT-FIRE STNS	3,506.25
				LANDSCAPE MAINT-FIRE STNS	2,300.00
	5/24/2010	202609	16,998.14		
				LANDSCAPE MAINT-AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-AQDCT A	850.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECTION	600.00
				LANDSCAPE MAINT-AQDCT	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS	300.00
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CONF & REC CTR	1,388.00
				LANDSCAPE MAINT-CONF & REC CTR	512.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total		**22,924.39**		
FYTD for BEMUS LANDSCAPE, INC.			**455,641.79**		
BENESYST					
	5/17/2010	880499	20.13		
				COBRA SUBSIDY-MAY2010 PREMS	14.43
				COBRA SUBSIDY-MAY2010 PREMS	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**60.39**		
BESAM U S, INC					
	5/3/2010	202226	87.43		
				REFUND-BUS LIC OVRPMT	87.43
	Vendor Total		**87.43**		
FYTD for BESAM U S, INC			**87.43**		
BEST IMPRESSIONS					
	5/10/2010	202409	44.89		
				REFUND-BUS LIC OVRPMT	44.89
	Vendor Total		**44.89**		
FYTD for BEST IMPRESSIONS			**44.89**		

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BEVEN - HERRON, INC					
	5/3/2010	202227	32.53		
				REFUND-BUS LIC OVRPMT	32.53
	Vendor Total		**32.53**		
FYTD for BEVEN - HERRON, INC			**32.53**		
BIMBO BAKERIES U S A, INC.					
	5/3/2010	202228	37.27		
				REFUND-BUS LIC OVRPMT	37.27
	Vendor Total		**37.27**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.27**		
BIO-TOX LABORATORIES					
	5/17/2010	202516	4,003.08		
				TOXICOLOGY TESTS	418.45
				TOXICOLOGY TESTS	1,387.73
				TOXICOLOGY TESTS	2,196.90
	Vendor Total		**4,003.08**		
FYTD for BIO-TOX LABORATORIES			**40,202.33**		
BLAIR, CHERYL					
	5/10/2010	202410	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,673.00**		
BLOSSOM SOFTWARE					
	5/10/2010	202411	636.00		
				SITE SEARCH SVCS-MEDIA	636.00
	Vendor Total		**636.00**		
FYTD for BLOSSOM SOFTWARE			**636.00**		
BLUE SHIELD OF CALIFORNIA					
	5/24/2010	202610	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,681.67**		
BOAFO, CLAUDIA					
	5/24/2010	202611	30.00		
				REFUND-CPR CLASS	30.00
	Vendor Total		**30.00**		
FYTD for BOAFO, CLAUDIA			**30.00**		

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BOB, FELIX					
	5/17/2010	202517	365.00		
				REFUND-RNTL DEP 5/1	165.00
				REFUND-RNTL DEP 5/1	200.00
	Vendor Total		**365.00**		
FYTD for BOB, FELIX			**365.00**		
BONDERER, ROBERT					
	5/3/2010	202229	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for BONDERER, ROBERT			**95.00**		
BOPF, WILLIAM					
	5/10/2010	202412	432.61		
				TRAVEL EXP-ICSC RECON CONF.	240.61
				TRAVEL EXP-ICSC RECON CONF.	192.00
	Vendor Total		**432.61**		
FYTD for BOPF, WILLIAM			**432.61**		
BORROMEO, ESTRELLA					
	5/3/2010	202230	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BORROMEO, ESTRELLA			**20.00**		
BOSSENMEYER, ANDREA					
	5/3/2010	202231	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOSSENMEYER, ANDREA			**20.00**		
BRADT, DON					
	5/24/2010	202612	61.60		
				REFUND-DOG TRAINING CLASS	61.60
	Vendor Total		**61.60**		
FYTD for BRADT, DON			**61.60**		
BREITKREUZ, THOMAS F.					
	5/3/2010	202232	464.10		
				RETIREE MEDICAL BENEFIT	464.10
	Vendor Total		**464.10**		
FYTD for BREITKREUZ, THOMAS F.			**2,198.40**		

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BRIGGS, MARGARET					
	5/17/2010	202518	760.00		
				REFUND-RNTL DEP 4/24	360.00
				REFUND-RNTL DEP 4/24	400.00
	Vendor Total		**760.00**		
FYTD for BRIGGS, MARGARET			**760.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	5/10/2010	202415	15,510.04		
				ANNUAL SUBSCRIPTION-LIBRARY	4,220.37
				MISC BOOKS-LIBRARY	29.40
				MISC BOOKS-LIBRARY	41.97
				MISC BOOKS-LIBRARY	125.90
				MISC BOOKS-LIBRARY	232.09
				MISC BOOKS-LIBRARY	120.09
				MISC BOOKS-LIBRARY	437.27
				MISC BOOKS-LIBRARY	27.42
				MISC BOOKS-LIBRARY	56.82
				MISC BOOKS-LIBRARY	261.02
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	75.30
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	24.28
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	21.56
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	31.62
				MISC BOOKS-LIBRARY	132.52
				MISC BOOKS-LIBRARY	397.49
				MISC BOOKS-LIBRARY	114.81
				MISC BOOKS-LIBRARY	809.50
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	274.74
				MISC BOOKS-LIBRARY	236.36
				MISC BOOKS-LIBRARY	111.76
				MISC BOOKS-LIBRARY	185.26
				MISC BOOKS-LIBRARY	242.89
				MISC BOOKS-LIBRARY	18.31
				MISC BOOKS-LIBRARY	43.13
				MISC BOOKS-LIBRARY	15.96
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	66.38
				MISC BOOKS-LIBRARY	35.51
				MISC BOOKS-LIBRARY	981.03
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.73
				MISC BOOKS-LIBRARY	336.92
				MISC BOOKS-LIBRARY	82.57
				MISC BOOKS-LIBRARY	21.36
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	1,700.21
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	200.18
				MISC BOOKS-LIBRARY	28.60
				MISC BOOKS-LIBRARY	203.13
				MISC BOOKS-LIBRARY	19.58
				MISC BOOKS-LIBRARY	40.76
				MISC BOOKS-LIBRARY	61.32

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	631.51
			MISC BOOKS-LIBRARY	63.28
			MISC BOOKS-LIBRARY	1,308.23
			MISC BOOKS-LIBRARY	60.11
			MISC BOOKS-LIBRARY	191.83
			MISC BOOKS-LIBRARY	25.92
			MISC BOOKS-LIBRARY	491.08
			MISC BOOKS-LIBRARY	317.98
5/24/2010	202615	6,311.31		
			MISC BOOKS-LIBRARY	20.75
			MISC BOOKS-LIBRARY	111.78
			MISC BOOKS-LIBRARY	260.55
			MISC BOOKS-LIBRARY	80.70
			MISC BOOKS-LIBRARY	21.08
			MISC BOOKS-LIBRARY	58.00
			MISC BOOKS-LIBRARY	44.38
			MISC BOOKS-LIBRARY	16.56
			MISC BOOKS-LIBRARY	53.04
			MISC BOOKS-LIBRARY	110.80
			MISC BOOKS-LIBRARY	41.93
			MISC BOOKS-LIBRARY	91.70
			MISC BOOKS-LIBRARY	48.25
			MISC BOOKS-LIBRARY	60.58
			MISC BOOKS-LIBRARY	43.15
			MISC BOOKS-LIBRARY	180.82
			MISC BOOKS-LIBRARY	34.40
			MISC BOOKS-LIBRARY	22.59
			MISC BOOKS-LIBRARY	19.86
			MISC BOOKS-LIBRARY	127.49
			MISC BOOKS-LIBRARY	21.36
			MISC BOOKS-LIBRARY	271.36
			MISC BOOKS-LIBRARY	47.90
			MISC BOOKS-LIBRARY	41.32
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	167.47
			MISC BOOKS-LIBRARY	20.79
			MISC BOOKS-LIBRARY	170.43
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	58.60
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	40.74
			MISC BOOKS-LIBRARY	336.46
			MISC BOOKS-LIBRARY	27.42
			MISC BOOKS-LIBRARY	748.75
			MISC BOOKS-LIBRARY	69.34
			MISC BOOKS-LIBRARY	255.26
			MISC BOOKS-LIBRARY	31.27
			MISC BOOKS-LIBRARY	50.25
			MISC BOOKS-LIBRARY	10.33
			MISC BOOKS-LIBRARY	319.79
			MISC BOOKS-LIBRARY	52.48
			MISC BOOKS-LIBRARY	275.75
			MISC BOOKS-LIBRARY	216.98
			MISC BOOKS-LIBRARY	876.55

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	417.24
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	24.37
			MISC BOOKS-LIBRARY	141.22
			MISC BOOKS-LIBRARY	14.58
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	42.55
	Vendor Total	**21,821.35**		
FYTD for BRODART CO.		**48,039.90**		

BUCKINGHAM, STAN

5/3/2010	202233	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**1,593.65**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BWI - BOOK WHOLESALERS, INC.					
	5/17/2010	202519	8,058.50		
				MISC BOOKS-LIBRARY	165.63
				MISC BOOKS-LIBRARY	1,033.33
				MISC BOOKS-LIBRARY	237.84
				MISC BOOKS-LIBRARY	61.12
				MISC BOOKS-LIBRARY	2,582.16
				MISC BOOKS-LIBRARY	68.77
				MISC BOOKS-LIBRARY	101.01
				MISC BOOKS-LIBRARY	155.63
				MISC BOOKS-LIBRARY	153.66
				MISC BOOKS-LIBRARY	29.25
				MISC BOOKS-LIBRARY	524.81
				MISC BOOKS-LIBRARY	1,573.17
				MISC BOOKS-LIBRARY	245.82
				MISC BOOKS-LIBRARY	9.68
				MISC BOOKS-LIBRARY	27.93
				MISC BOOKS-LIBRARY	335.37
				MISC BOOKS-LIBRARY	37.18
				MISC BOOKS-LIBRARY	40.28
				MISC BOOKS-LIBRARY	96.85
				MISC BOOKS-LIBRARY	53.62
				MISC BOOKS-LIBRARY	525.39
	5/24/2010	202617	10,156.81		
				MISC BOOKS-LIBRARY	40.98
				MISC BOOKS-LIBRARY	178.70
				MISC BOOKS-LIBRARY	19.74
				MISC BOOKS-LIBRARY	225.06
				MISC BOOKS-LIBRARY	13.99
				MISC BOOKS-LIBRARY	49.38
				MISC BOOKS-LIBRARY	699.13
				MISC BOOKS-LIBRARY	1,324.15
				MISC BOOKS-LIBRARY	1,125.57
				MISC BOOKS-LIBRARY	686.72
				MISC BOOKS-LIBRARY	1,711.22
				MISC BOOKS-LIBRARY	383.91
				MISC BOOKS-LIBRARY	108.65
				MISC BOOKS-LIBRARY	14.63
				MISC BOOKS-LIBRARY	286.73
				MISC BOOKS-LIBRARY	27.70
				MISC BOOKS-LIBRARY	213.16
				MISC BOOKS-LIBRARY	277.10
				MISC BOOKS-LIBRARY	82.45
				MISC BOOKS-LIBRARY	1,827.81
				MISC BOOKS-LIBRARY	170.07
				MISC BOOKS-LIBRARY	238.87
				MISC BOOKS-LIBRARY	105.25
				MISC BOOKS-LIBRARY	16.91
				MISC BOOKS-LIBRARY	25.26
				MISC BOOKS-LIBRARY	167.91
				MISC BOOKS-LIBRARY	33.14
				MISC BOOKS-LIBRARY	10.39
				MISC BOOKS-LIBRARY	68.43
				MISC BOOKS-LIBRARY	9.68

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	14.12
Vendor Total		18,215.31		
FYTD for BWI - BOOK WHOLESALERS, INC.		**23,793.39**		
CABLECOM OF CALIFORNIA				
5/3/2010	202234	30.68		
			REFUND-BUS LIC OVRPMT	30.68
Vendor Total		30.68		
FYTD for CABLECOM OF CALIFORNIA		**30.68**		
CAIN, GREGORY				
5/3/2010	880414	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CAIN, GREGORY		**2,868.58**		
CALIFORNIA STATE CONTROLLER'S OFFICE				
5/17/2010	202520	2,670.18		
			INTEREST ASSESSMENT-YR 2007	2,670.18
Vendor Total		2,670.18		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,670.18**		
CALIFORNIA TRANSCRIPTION, LLC				
5/3/2010	880415	225.14		
			TRANSCRIPTION SVCS	225.14
Vendor Total		225.14		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,546.83**		
CANNON, ANA M.				
5/3/2010	202235	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CANNON, ANA M.		**1,593.65**		
CANON BUSINESS SOLUTIONS, INC.				
5/3/2010	880416	7,379.91		
			COPIER SERVICES	6,303.55
			COPIER SERVICES	482.57
			COPIER SERVICES	593.79
Vendor Total		7,379.91		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,523.10**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CANON FINANCIAL SERVICES, INC.				
5/17/2010	202521	7,590.68		
			COPIER LEASE-CITYWIDE	7,059.29
			COPIER LEASE-SALES TAX	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CARL'S JR				
5/3/2010	202236	47.92		
			REFUND-BUS LIC OVRPMT	25.98
			REFUND-BUS LIC OVRPMT	21.94
	Vendor Total	**47.92**		
FYTD for CARL'S JR		**47.92**		
CATES, JOSHUA				
5/24/2010	202618	86.00		
			REFUND-RABIES DEP	20.00
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for CATES, JOSHUA		**86.00**		
CATHOLIC CHARITIES				
5/3/2010	202237	22,820.45		
			CDBG FUNDED SVCS-RNTL ASSIST	5,591.16
			CDBG FUNDED SVCS-RNTL ARREARS	1,189.97
			CDBG FUNDED SVCS-RNTL ASSIST	9,400.32
			CDBG FUNDED SVCS-RNTL ARREARS	6,639.00
	Vendor Total	**22,820.45**		
FYTD for CATHOLIC CHARITIES		**22,820.45**		
CERTIFIED CREDIT REPORTING, INC				
5/17/2010	202522	77.76		
			CREDIT PROFILE SVCS-EDD	77.76
	Vendor Total	**77.76**		
FYTD for CERTIFIED CREDIT REPORTING, INC		**273.94**		
CHAMBERS, RICHARD J. SR.				
5/24/2010	202619	233.28		
			REFUND-CITATION OVRPMT	233.28
	Vendor Total	**233.28**		
FYTD for CHAMBERS, RICHARD J. SR.		**233.28**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANCY, CHIZURU					
	5/10/2010	202416	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
	5/24/2010	202620	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	140.40
	Vendor Total		**304.20**		
FYTD for CHANCY, CHIZURU			**1,731.60**		
CHAPMAN, STEVE					
	5/3/2010	202238	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC					
	5/3/2010	202239	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHERRY VALLEY FEED					
	5/3/2010	202240	97.84		
				DOG FOOD-K9 LEX	97.84
	Vendor Total		**97.84**		
FYTD for CHERRY VALLEY FEED			**1,775.68**		
CHI, PHILLIP J.F.					
	5/3/2010	202241	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for CHI, PHILLIP J.F.			**97.60**		
CHICAGO PASTA HOUSE					
	5/3/2010	202242	46.54		
				REFUND-BUS LIC OVRPMT	46.54
	Vendor Total		**46.54**		
FYTD for CHICAGO PASTA HOUSE			**46.54**		
CHRISTIAN, OWEN					
	5/3/2010	880417	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,415.29**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	5/3/2010	202243	41.91		
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
	5/10/2010	202417	202.92		
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	5/17/2010	202524	472.05		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	16.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-FAC MAINT	16.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS CREW	5.85
5/24/2010	202621	111.57		
			UNIFORM RNTL SVC-SIGNAL MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS MAINT	53.01
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-GOLF CRS	5.85
Vendor Total		**828.45**		
FYTD for CINTAS CORPORATION		**7,419.15**		

CITY OF CANYON LAKE

5/10/2010	202418	35.00		
			LCC-RIV CTY GENERAL MEETING	35.00
Vendor Total		**35.00**		
FYTD for CITY OF CANYON LAKE		**35.00**		

CITY OF CHULA VISTA

5/3/2010	202244	20.00		
			REGISTRATION-HHW & USED OIL RE	20.00
Vendor Total		**20.00**		
FYTD for CITY OF CHULA VISTA		**20.00**		

CITY OF MORENO VALLEY VEBA TRUST

5/10/2010	880478	4,100.00		
			EXEMPT VEBA	4,100.00
Vendor Total		**4,100.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**46,262.50**		

COLONIAL SUPPLEMENTAL INSURANCE

5/24/2010	202622	7,137.63		
			SUPPLEMENTAL INSURANCE	7,137.63
Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**86,191.41**		

COMMERCE ENERGY, INC.

5/3/2010	202245	43.70		
			REFUND-BUS LIC OVRPMT	43.70
Vendor Total		**43.70**		
FYTD for COMMERCE ENERGY, INC.		**43.70**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY ASSISTANCE PROGRAM - CAP				
5/3/2010	880418	19,887.75		
			CDBG FUNDED SVCS-FOOD DIST	2,490.60
			CDBG FUNDED SVCS-FOOD DIST	2,491.08
			CDBG FUNDED SVCS-FOOD DIST	2,650.01
			CDBG FUNDED SVCS-FOOD DIST	2,361.96
			CDBG FUNDED SVCS-FOOD DIST	2,150.00
			CDBG FUNDED SVCS-FOOD DIST	2,230.85
			CDBG FUNDED SVCS-FOOD DIST	2,233.50
			CDBG FUNDED SVCS-FOOD DIST	3,279.75
5/24/2010	880527	2,201.00		
			CDBG FUNDED SVCS-FOOD DIST	2,201.00
Vendor Total		**22,088.75**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**24,316.85**		
COMMUNITY HEALTH CHARITIES				
5/10/2010	202419	151.47		
			CHC CONTRIBUTIONS	151.47
5/24/2010	202623	151.47		
			CHC CONTRIBUTIONS	151.47
Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES		**8,321.37**		
CONNOLLY, DANAE & PAUL				
5/24/2010	202624	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for CONNOLLY, DANAE & PAUL		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION				
5/24/2010	202625	14,303.11		
			ASPHALTIC MATERIAL	2,982.84
			ASPHALTIC MATERIAL	3,707.35
			ASPHALTIC MATERIAL	4,623.72
			ASPHALTIC MATERIAL	2,989.20
Vendor Total		**14,303.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**14,303.11**		
CONTINUING EDUCATION OF THE BAR				
5/10/2010	202420	295.79		
			LEGAL SUBSCRIPTIONS	152.57
			LEGAL SUBSCRIPTIONS	143.22
5/17/2010	202525	128.10		
			LEGAL SUBSCRIPTIONS	128.10
Vendor Total		**423.89**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,209.76**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COSTCO					
	5/3/2010	202246	1,014.20		
				MISC SUPPLIES-SKATE PARK	576.40
				MISC SUPPLIES-STARS	77.06
				MISC SUPPLIES-STARS	49.55
				MISC SUPPLIES-STARS	311.19
	5/10/2010	202421	824.50		
				MISC SUPPLIES-STARS	311.88
				MISC SUPPLIES-STARS	131.77
				MISC SUPPLIES-STARS	93.62
				MISC SUPPLIES-STARS	287.23
	5/17/2010	202526	1,161.87		
				MISC SUPPLIES-CHILDS PLACE	1,161.87
	5/24/2010	202626	1,461.32		
				MISC SUPPLIES-STARS	177.24
				MISC SUPPLIES-STARS	192.29
				MISC SUPPLIES-STARS	67.96
				MISC SUPPLIES-STARS	169.17
				MISC SUPPLIES-STARS	725.23
				MISC SUPPLIES-SKATE PARK	129.43
	Vendor Total		**4,461.89**		
FYTD for COSTCO			**49,783.80**		
COUNTY OF RIVERSIDE-TLMA-GIS					
	5/24/2010	202627	2,090.31		
				INSPECTION SVCS-TRAFFIC SIGNAL	2,090.31
	Vendor Total		**2,090.31**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS			**5,954.87**		
CREATIVE COLOR PRINTING					
	5/3/2010	202247	3,715.99		
				FLYERS-EDD	3,568.00
				FLYERS-EDD	147.99
	Vendor Total		**3,715.99**		
FYTD for CREATIVE COLOR PRINTING			**3,715.99**		
CREATIVE PROMOTIONAL IDEAS					
	5/17/2010	202528	1,234.31		
				WRISTBANDS	1,141.88
				WRISTBANDS	92.43
	Vendor Total		**1,234.31**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**5,603.21**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CTAI PACIFIC GREENSCAPE				
5/24/2010	880528	5,005.11		
			LANDSCAPE MAINT-DSG1W	4,897.13
			LANDSCAPE MAINT-DSG1W	107.98
	Vendor Total	**5,005.11**		
FYTD for CTAI PACIFIC GREENSCAPE		**57,016.18**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
5/3/2010	202248	342.00		
			PERMIT RENEWAL-CELEB PARK	342.00
	Vendor Total	**342.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**31,393.61**		
CURVES FOR WOMEN				
5/3/2010	202249	57.00		
			REFUND-BUS LIC OVRPMT	57.00
	Vendor Total	**57.00**		
FYTD for CURVES FOR WOMEN		**57.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.				
5/24/2010	202628	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,345.00**		
D S WATERS OF AMERICA, INC.				
5/3/2010	202250	83.53		
			REFUND-BUS LIC OVRPMT	83.53
	Vendor Total	**83.53**		
FYTD for D S WATERS OF AMERICA, INC.		**83.53**		
DALE, KATHLEEN				
5/3/2010	880419	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for DALE, KATHLEEN		**3,474.13**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DATA TICKET, INC.					
	5/3/2010	880420	6,474.53		
				CITATION PRCSSNG-POLICE	4,054.10
				CITATION PRCSSNG-CODE	2,420.43
	5/17/2010	880500	21,703.61		
				CITATION PRCSSNG-CODE	9,209.16
				CITATION PRCSSNG-CODE	12,494.45
	5/24/2010	880529	841.18		
				CITATION PRCSSNG-BLDG & SAFETY	736.18
				CITATION APPLIC MAINT/SUPPORT	105.00
	Vendor Total		**29,019.32**		
FYTD for DATA TICKET, INC.			**184,193.84**		
DATAQUICK CORPORATE HEADQUARTERS					
	5/24/2010	202629	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,335.50**		
DAVLYN INVESTMENTS PROPERTY MANAGEMENT					
	5/24/2010	202630	78.21		
				REFUND-BUS LIC OVRPMT	78.21
	Vendor Total		**78.21**		
FYTD for DAVLYN INVESTMENTS PROPERTY MANAGEMENT			**78.21**		
DEARREADER.COM					
	5/3/2010	202251	600.00		
				SUBSCRIPTION RENEWAL-LIBRARY	600.00
	Vendor Total		**600.00**		
FYTD for DEARREADER.COM			**600.00**		
DEBINAIRE COMPANY					
	5/24/2010	202631	0.00		
				SWITCH RPLCMNT-ANML SVCS	549.19
				SWITCH RPLCMNT-ANML SVCS	-549.19
	Vendor Total		**0.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		
DELTA DENTAL					
	5/10/2010	202422	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**125,278.39**		

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DELTACARE USA					
	5/17/2010	202529	6,369.84		
				EMPLOYEE DENTAL INSURANCE	6,369.84
	Vendor Total		**6,369.84**		
FYTD for DELTACARE USA			**73,646.55**		
DENNIS GRUBB & ASSOCIATES, LLC					
	5/10/2010	880479	5,330.00		
				PLAN REVIEW SVCS-FIRE	5,330.00
	5/24/2010	880530	2,060.00		
				PLAN REVIEW SVCS-FIRE	2,060.00
	Vendor Total		**7,390.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**17,075.00**		
DHA CONSULTING					
	5/3/2010	202252	150.00		
				CONSULTING SVCS-EDD	150.00
	Vendor Total		**150.00**		
FYTD for DHA CONSULTING			**150.00**		
DIRECT CARPET AND FLOORING					
	5/3/2010	202253	30.11		
				REFUND-BUS LIC OVRPMT	30.11
	Vendor Total		**30.11**		
FYTD for DIRECT CARPET AND FLOORING			**30.11**		
DLS LANDSCAPE, INC					
	5/3/2010	202254	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	5/24/2010	202632	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**136,290.00**		
DONAHUE APPRAISAL ASSOCIATES					
	5/10/2010	880480	3,600.00		
				PERRIS BLVD WIDENING PROJ SVCS	3,600.00
	Vendor Total		**3,600.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**65,900.00**		

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DONALD H. MAYNOR					
	5/3/2010	202255	9,375.00		
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
	Vendor Total		**9,375.00**		
FYTD for DONALD H. MAYNOR			**9,375.00**		
DORY, ALLEEN F.					
	5/3/2010	202256	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for DORY, ALLEEN F.			**3,168.67**		
DOUBLE D PIPELINE, INC					
	5/3/2010	202257	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for DOUBLE D PIPELINE, INC			**50.00**		
DUNN, LAURA					
	5/10/2010	202423	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DUNN, LAURA			**716.00**		
DURAN, BLANCA					
	5/10/2010	202424	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	294.00
	Vendor Total		**294.00**		
FYTD for DURAN, BLANCA			**2,520.00**		
E.G. BRENNAN & CO, LLC					
	5/10/2010	880481	139.15		
				MAINT RENEWAL-FOLDING MACHINE	69.58
				MAINT RENEWAL-FOLDING MACHINE	69.57
	Vendor Total		**139.15**		
FYTD for E.G. BRENNAN & CO, LLC			**139.15**		

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E.R. BLOCK PLUMBING & HEATING, INC.				
5/17/2010	202530	1,442.04		
			BACKFLOW TESTING-TR30319	36.40
			BACKFLOW TESTING-TR22277	532.82
			BACKFLOW TESTING-TR22277	170.00
			BACKFLOW TESTING-TR20941	532.82
			BACKFLOW TESTING-TR20941	170.00
5/24/2010	202633	582.40		
			BACKFLOW TESTING	582.40
Vendor Total		**2,024.44**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**31,130.83**		
EASTERN MUNICIPAL WATER DISTRICT				
5/3/2010	202258	24,079.61		
			WATER CHRGS FOR MARCH	170.25
			WATER CHRGS FOR MARCH	596.48
			WATER CHRGS FOR APRIL	124.11
			WATER CHRGS FOR APRIL	285.38
			WATER CHRGS FOR APRIL	479.33
			WATER CHRGS FOR APRIL	6,177.71
			WATER CHRGS FOR APRIL	1,410.36
			WATER CHRGS FOR APRIL	240.28
			WATER CHRGS FOR APRIL	7,980.62
			WATER CHRGS FOR APRIL	3,003.72
			WATER CHRGS FOR APRIL	3,068.46
			WATER CHRGS FOR APRIL	28.32
			WATER CHRGS FOR APRIL	32.00
			WATER CHRGS FOR APRIL	385.62
			WATER CHRGS FOR APRIL	96.97
5/10/2010	202425	78.46		
			WATER CHRGS FOR MARCH	78.46
Vendor Total		**24,158.07**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,038,091.76**		
EASY MONEY EMG				
5/3/2010	202259	72.50		
			REFUND-BUS LIC OVRPMT	72.50
Vendor Total		**72.50**		
FYTD for EASY MONEY EMG		**72.50**		
EBSCO SUBSCRIPTION SERVICE				
5/3/2010	202260	3,789.13		
			SUBSCRIPTIONS RENEWALS-LIBRARY	3,784.18
			SUBSCRIPTIONS RENEWALS-LIBRARY	4.95
Vendor Total		**3,789.13**		
FYTD for EBSCO SUBSCRIPTION SERVICE		**3,789.13**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EDGELANE MOBILE PARK					
	5/24/2010	880531	10.00		
				REFUND-UT USER TAXES	10.00
	Vendor Total		**10.00**		
FYTD for EDGELANE MOBILE PARK			**109.17**		
EGGERSTEN, ANNE					
	5/3/2010	202261	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**3,143.83**		
ELITE COURT REPORTING					
	5/3/2010	202262	247.50		
				TRANSCRIPTION SVCS	247.50
	Vendor Total		**247.50**		
FYTD for ELITE COURT REPORTING			**909.80**		
EVANS ENGRAVING & AWARDS					
	5/10/2010	880482	16.32		
				ENGRAVING SVCS-PD	16.32
	5/17/2010	880501	97.88		
				ENGRAVING SVCS-POLICE	97.88
	Vendor Total		**114.20**		
FYTD for EVANS ENGRAVING & AWARDS			**1,854.26**		
EWING IRRIGATION PRODUCTS, INC.					
	5/10/2010	202427	363.82		
				IRRIGATION SUPPLIES	49.57
				IRRIGATION SUPPLIES	314.25
	5/17/2010	202533	290.92		
				IRRIGATION SUPPLIES	102.26
				IRRIGATION SUPPLIES	12.02
				IRRIGATION SUPPLIES	70.85
				IRRIGATION SUPPLIES	105.79
	5/24/2010	202636	1,516.86		
				IRRIGATION SUPPLIES	1,449.31
				IRRIGATION SUPPLIES	4.15
				IRRIGATION SUPPLIES	63.40
	Vendor Total		**2,171.60**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**15,584.55**		

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EXCEL LANDSCAPE, INC					
	5/17/2010	202534	2,666.81		
				LANDSCAPE MAINT-E7	2,666.81
	5/24/2010	202637	9,922.41		
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	3,889.00
	Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC			**217,737.60**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	5/3/2010	880421	5,772.34		
				CDBG FUNDED SVCS-MEDIATION PRG	5,772.34
	Vendor Total		**5,772.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**48,715.14**		
FANNING, JEFFREY DEAN					
	5/24/2010	202638	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FANNING, JEFFREY DEAN			**874.00**		
FASHION BLINDS USA					
	5/3/2010	202263	57.87		
				REFUND-BUS LIC OVRPMT	57.87
	Vendor Total		**57.87**		
FYTD for FASHION BLINDS USA			**57.87**		
FEDERAL EXPRESS					
	5/3/2010	202264	18.08		
				EXPRESS MAILING SVC-SR60/NASON	18.08
	Vendor Total		**18.08**		
FYTD for FEDERAL EXPRESS			**140.08**		
FEENSTRA, JOHN					
	5/3/2010	880422	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		

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FERNANDEZ, NOEMI					
	5/3/2010	202265	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for FERNANDEZ, NOEMI			**95.00**		
FINESSE PERSONNEL ASSOCIATES					
	5/3/2010	202266	1,390.77		
				TEMP SVCS-BECKNER W/E 4/24	1,390.77
	5/17/2010	202535	4,248.64		
				TEMP SVCS-NELSON W/E 4/10	631.80
				TEMP SVCS-NELSON W/E 4/24	874.80
				TEMP SVCS-BECKNER W/E 5/1	1,867.24
				TEMP SVCS-NELSON W/E 5/1	874.80
	5/24/2010	202639	3,850.37		
				TEMP SVCS-BECKNER W/E 5/8	1,957.38
				TEMP SVCS-BECKNER W/E 5/15	1,892.99
	Vendor Total		**9,489.78**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**25,878.64**		
FINNERTY, MICHAEL					
	5/3/2010	202267	119.98		
				REFUND-BUS LIC OVRPMT	119.98
	Vendor Total		**119.98**		
FYTD for FINNERTY, MICHAEL			**119.98**		
FIRST AMERICAN CORE LOGIC, INC.					
	5/24/2010	202640	730.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	475.00
				ONLINE PROP INFO-EDD	170.00
	Vendor Total		**730.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**5,210.00**		
FIRST CHOICE SERVICES					
	5/17/2010	880502	93.57		
				COFFEE SVCS-EMP PAID	93.57
	5/24/2010	880532	655.31		
				COFFEE SVCS-EMP PAID	230.43
				COFFEE SVCS-EMP PAID	64.28
				COFFEE SVCS-EMP PAID	181.74
				COFFEE SVCS-EMP PAID	116.95
				COFFEE SVCS-EMP PAID	61.91
	Vendor Total		**748.88**		
FYTD for FIRST CHOICE SERVICES			**8,946.20**		

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FITNESS 19 CA 155 11C					
	5/24/2010	202641	281.00		
				GYM MEMBERSHIP DEDUCTIONS	281.00
	Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C			**3,196.00**		
FLYTECH PEST CONTROL					
	5/3/2010	202268	78.92		
				REFUND-BUS LIC OVRPMT	78.92
	Vendor Total		**78.92**		
FYTD for FLYTECH PEST CONTROL			**78.92**		
FONSECA, CYNTHIA					
	5/24/2010	202642	64.00		
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**64.00**		
FYTD for FONSECA, CYNTHIA			**64.00**		
FOREST WOOD FIBER, INC.					
	5/10/2010	202428	4,100.90		
				PLAYGROUND FIBER-PARKS	2,594.20
				PLAYGROUND FIBER-PARKS	1,506.70
	5/17/2010	202536	3,013.40		
				PLAYGROUND FIBER-PARKS	1,506.70
				PLAYGROUND FIBER-PARKS	1,392.40
				PLAYGROUND FIBER-PARKS	114.30
	Vendor Total		**7,114.30**		
FYTD for FOREST WOOD FIBER, INC.			**7,114.30**		
FORTNEY, YVETTE					
	5/17/2010	202537	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORTNEY, YVETTE			**75.00**		
FOSTER, JAMES BARRY					
	5/10/2010	202429	192.00		
				PER DIEM-ICSC RECON CONF.	192.00
	5/17/2010	202538	117.58		
				ICSC MONTEREY 3/16-3/17/10	117.58
	Vendor Total		**309.58**		
FYTD for FOSTER, JAMES BARRY			**735.73**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FOSTER, NANCY A.					
	5/3/2010	202269	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,581.09**		
FOX, ALLAN					
	5/3/2010	202270	40.00		
				REFUND-RABIES DEP	20.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**40.00**		
FYTD for FOX, ALLAN			**115.00**		
FRANCHISE TAX BOARD					
	5/10/2010	202430	334.54		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	27.23
				GARNISHMENT	244.81
	5/24/2010	202643	100.00		
				REFUND-CITATION OVRPMT	100.00
	5/24/2010	202644	51.90		
				GARNISHMENT	51.90
	5/24/2010	202645	62.50		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
	Vendor Total		**548.94**		
FYTD for FRANCHISE TAX BOARD			**12,090.03**		
FRANKLIN, L. C.					
	5/10/2010	202431	187.00		
				MILEAGE REIMBURSEMENT	187.00
	5/17/2010	202539	65.94		
				REIMB FOR CHARGES PAID	65.94
	Vendor Total		**252.94**		
FYTD for FRANKLIN, L. C.			**1,701.64**		
FREEMAN, SHANIKQUA					
	5/10/2010	202432	384.00		
				PER DIEM-ICSC RECON CONF.	384.00
	Vendor Total		**384.00**		
FYTD for FREEMAN, SHANIKQUA			**1,300.07**		

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FRIENDS OF THE SENIOR CENTER					
	5/24/2010	202646	5,000.00		
				CDBG FUNDED SVCS-SR TRANSP	5,000.00
	Vendor Total		**5,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER			**40,000.00**		
FROST, JOAN CHENG					
	5/3/2010	202271	266.00		
				INSTRUCTION SVCS-7 DAYS	266.00
	Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG			**1,444.00**		
FULBRIGHT & JAWORSKI, L.L.P.					
	5/17/2010	202541	7,324.36		
				LEGAL SVCS-UTILITIES	7,324.36
	Vendor Total		**7,324.36**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.			**219,824.44**		
G & G PLUMBING					
	5/3/2010	202272	56.50		
				REFUND-BUS LIC OVRPMT	56.50
	Vendor Total		**56.50**		
FYTD for G & G PLUMBING			**56.50**		
GARCIA, EFREN					
	5/10/2010	202433	20.00		
				REFUND-FIELD RNTL FEE	20.00
	Vendor Total		**20.00**		
FYTD for GARCIA, EFREN			**20.00**		
GASTON, RICHARD					
	5/3/2010	880423	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GENERAL SECURITY SERVICES, INC.				
5/3/2010	880424	1,062.30		
			SECURITY SVCS-LIBRARY	586.76
			SECURITY SVCS-TOWNGATE	122.72
			SECURITY SVCS-TOWNGATE	76.70
			SECURITY SVCS-CONF & REC CTR	276.12
5/10/2010	880483	613.60		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/17/2010	880503	279.96		
			SECURITY SVCS-CONF & REC CTR	279.96
5/24/2010	880533	997.10		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-MV UTILITY ANNX	276.12
			SECURITY SVCS-RNTL 4/17 TOWNGT	107.38
	Vendor Total	**2,952.96**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,720.91**		
GENERAL UNDERGROUND FIRE PROTECTION, INC				
5/3/2010	202273	50.00		
			REFUND-BUS LIC OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for GENERAL UNDERGROUND FIRE PROTECTION, INC		**50.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
5/24/2010	880534	504.50		
			LEGAL SVCS	504.50
	Vendor Total	**504.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**145,105.59**		
GINA'S AUTO SERVICE				
5/3/2010	202274	115.01		
			REFUND-BUS LIC OVRPMT	115.01
	Vendor Total	**115.01**		
FYTD for GINA'S AUTO SERVICE		**115.01**		
GONG ENTERPRISES, INC.				
5/17/2010	202542	4,000.00		
			PLAN CHECK SVCS-PA090043	2,000.00
			PLAN CHECK SVCS-PM32215	1,000.00
			PLAN CHECK SVCS-PM35629	1,000.00
	Vendor Total	**4,000.00**		
FYTD for GONG ENTERPRISES, INC.		**12,614.50**		

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GOZDECKI, DAN					
	5/10/2010	880484	918.00		
				INSTRUCTOR SVCS-KUNG FU	486.00
				INSTRUCTOR SVCS-KUNG FU	432.00
	Vendor Total		**918.00**		
FYTD for GOZDECKI, DAN			**7,209.00**		
GRAFFITI TRACKER, INC.					
	5/24/2010	880535	8,000.00		
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	1,000.00
				GRAFFITI TRACK SVCS-CODE	3,000.00
	Vendor Total		**8,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**36,340.00**		
GRANICUS, INC.					
	5/24/2010	202648	1,525.22		
				MANAGED SVC-PODCASTING	130.00
				MANAGED SVC-VIDEO STREAMING	45.22
				MANAGED SVC-VIDEO STREAMING	1,350.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**15,867.42**		
GREATER ALARM CO.					
	5/3/2010	202275	46.40		
				REFUND-BUS LIC OVRPMT	46.40
	Vendor Total		**46.40**		
FYTD for GREATER ALARM CO.			**46.40**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	5/3/2010	202276	80.40		
				LEGAL SVCS-RISK MGT	80.40
	Vendor Total		**80.40**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,272.49**		
GRIFFIN, MARLENE C					
	5/3/2010	880425	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,742.41**		

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GUARD SYSTEMS, INC.					
	5/3/2010	202277	37.40		
				REFUND-BUS LIC OVRPMT	37.40
	Vendor Total		**37.40**		
FYTD for GUARD SYSTEMS, INC.			**37.40**		
GUILLAN, REBECCA S.					
	5/3/2010	202278	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,370.97**		
GUILLIS, LINDA B.					
	5/3/2010	202279	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,506.03**		
GULU, MARGARET & NICK					
	5/17/2010	202543	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for GULU, MARGARET & NICK			**95.00**		
GUTIERREZ, ROBERT					
	5/3/2010	202280	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**2,211.63**		
GUZMAN'S CART SERVICE					
	5/17/2010	880504	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
H P COMMUNICATIONS, INC					
	5/10/2010	202434	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for H P COMMUNICATIONS, INC			**25.00**		

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HAAKER EQUIPMENT COMPANY					
	5/10/2010	202435	45.43		
				MISC PARTS-ANML SVCS	45.43
	Vendor Total		**45.43**		
FYTD for HAAKER EQUIPMENT COMPANY			**329.86**		
HAIR SHACK					
	5/3/2010	202281	111.75		
				REFUND-BUS LIC OVRPMT	111.75
	Vendor Total		**111.75**		
FYTD for HAIR SHACK			**111.75**		
HALL, ANTHONY					
	5/10/2010	202436	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for HALL, ANTHONY			**95.00**		
HAMLIN, WILLIAM R.					
	5/3/2010	880426	0.00		
				RETIREE MEDICAL BENEFIT	315.59
				RETIREE MEDICAL BENEFIT	-315.59
	5/10/2010	202504	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,553.63**		
HANES, MARTIN D.					
	5/3/2010	880427	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HARDING, JOHN S.					
	5/3/2010	202282	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HATFIELD, CHARLES					
	5/3/2010	202284	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,868.58**		

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HATZL-PATTERSON, NINA MICHELE				
5/10/2010	202437	624.61		
			TRAVEL EXP-ICSC RECON CONF.	240.61
			TRAVEL EXP-ICSC RECON CONF.	384.00
	Vendor Total	**624.61**		
FYTD for HATZL-PATTERSON, NINA MICHELE		**876.61**		
HAUSER, ADRIANA				
5/24/2010	202649	532.00		
			INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total	**532.00**		
FYTD for HAUSER, ADRIANA		**3,838.00**		
HEERY INTERNATIONAL, INC.				
5/24/2010	880536	9,728.00		
			NEW MAIN LIBRARY PROJ SVCS	9,728.00
	Vendor Total	**9,728.00**		
FYTD for HEERY INTERNATIONAL, INC.		**224,780.75**		
HEFFLEY, ROSS W.				
5/3/2010	880428	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HEFFLEY, ROSS W.		**2,868.58**		
HEMPY, STEPHANIE				
5/17/2010	202544	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for HEMPY, STEPHANIE		**20.00**		
HERRICK, ROBERT D.				
5/3/2010	202285	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for HERRICK, ROBERT D.		**3,506.03**		
HETHERMAN, ANTHONY CHRISTOPHER				
5/17/2010	202595	78.27		
			MILEAGE REIMB-IRRIG DESIGN TRN	78.27
	Vendor Total	**78.27**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER		**153.07**		

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HODGE, MICHAEL & KALEIGH				
5/10/2010	202438	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HODGE, MICHAEL & KALEIGH		**20.00**		
HOLTHAUS, ARIEALL				
5/17/2010	202545	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for HOLTHAUS, ARIEALL		**75.00**		
HOMESITE SERVICES, INC				
5/3/2010	202286	82.00		
			REFUND-BUS LIC OVRPMT	82.00
Vendor Total		**82.00**		
FYTD for HOMESITE SERVICES, INC		**82.00**		
HOUSER, EDITH E.				
5/3/2010	202287	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,506.03**		
HOWELL, LORRAINE				
5/17/2010	202546	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HOWELL, LORRAINE		**20.00**		
ICMA RETIREMENT CORP 457				
5/7/2010	2632	12,410.37		
			DEF COMP 457 05/07/10	12,410.37
5/21/2010	2640	12,410.37		
			DEF COMP 457 05/21/10	12,410.37
Vendor Total		**24,820.74**		
FYTD for ICMA RETIREMENT CORP 457		**336,405.55**		
IDEARC MEDIA SALES - WEST, INC.				
5/3/2010	202288	73.18		
			REFUND-BUS LIC OVRPMT	73.18
Vendor Total		**73.18**		
FYTD for IDEARC MEDIA SALES - WEST, INC.		**73.18**		

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IKON PROPERTIES & INVESTMENTS				
5/3/2010	202289	69.71		
			REFUND-BUS LIC OVRPMT	69.71
Vendor Total		**69.71**		
FYTD for IKON PROPERTIES & INVESTMENTS		**69.71**		
IL SORRENTO MOBILE PARK				
5/10/2010	202439	130.36		
			REFUND-UT USER TAXES	130.36
Vendor Total		**130.36**		
FYTD for IL SORRENTO MOBILE PARK		**1,806.67**		
ING USA ANNUITY & LIFE INSURANCE CO.				
5/10/2010	202440	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,225.00**		
INLAND EMPIRE COURT SERVICES				
5/3/2010	202290	22.93		
			REFUND-BUS LIC OVRPMT	22.93
Vendor Total		**22.93**		
FYTD for INLAND EMPIRE COURT SERVICES		**22.93**		
INLAND EMPIRE LANDSCAPE, INC				
5/3/2010	202291	81.00		
			REFUND-BUS LIC OVRPMT	81.00
Vendor Total		**81.00**		
FYTD for INLAND EMPIRE LANDSCAPE, INC		**81.00**		
INLAND EMPIRE PROPERTY SERVICE, INC				
5/3/2010	880429	535.00		
			NUISANCE ABTMNT SVCS-DEBRA WAY	283.00
			NUISANCE ABTMNT SVCS-PETEDYE	252.00
5/10/2010	880485	1,320.00		
			NUISANCE ABTMNT SVCS-CODE	283.00
			WEED ABTMNT SVCS-PARKS	1,037.00
5/24/2010	880537	82.00		
			NUISANCE ABMNT SVC-260391002	82.00
Vendor Total		**1,937.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**77,374.10**		

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INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
5/3/2010	202292	10,000.00		
			BUSINESS COUNSELING SVCS	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**40,000.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC				
5/17/2010	880507	2,271.15		
			FUEL TANK SVC-FS #2	718.42
			FUEL TANK SVC-FS #48	454.14
			FUEL TANK SVC-FS #65	658.59
			FUEL TANK SVC-FS #91	440.00
Vendor Total		**2,271.15**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**3,444.04**		
INLAND TAN				
5/3/2010	202293	83.53		
			REFUND-BUS LIC OVRPMT	83.53
Vendor Total		**83.53**		
FYTD for INLAND TAN		**83.53**		
INSIDE PLANTS, INC.				
5/24/2010	880538	316.00		
			PLANT MAINT-CONF & REC CTR	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,476.00**		
INTERNATIONAL AUTO CRAFTERS				
5/10/2010	202441	687.50		
			TOWING SERVICE	687.50
Vendor Total		**687.50**		
FYTD for INTERNATIONAL AUTO CRAFTERS		**687.50**		
ISG THERMAL SYSTEMS USA, INC				
5/10/2010	202442	1,471.26		
			THERMAL IMAGING RPR-PD	1,471.26
			THERMAL IMAGING RPR-SALES TAX	81.49
			THERMAL IMAGING RPR-SALES TAX	-81.49
Vendor Total		**1,471.26**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**2,436.15**		

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ISLAND WAVE PRODUCTION: DJ LETI				
5/3/2010	202294	33.61		
			REFUND-BUS LIC OVRPMT	33.61
	Vendor Total	**33.61**		
FYTD for ISLAND WAVE PRODUCTION: DJ LETI		**33.61**		
ISS SWEEPING, INC.				
5/17/2010	880508	2,265.70		
			STREET SWEEPING SVCS	1,545.70
			STREET SWEEPING SVCS	720.00
	Vendor Total	**2,265.70**		
FYTD for ISS SWEEPING, INC.		**25,816.10**		
J A M FIRE PROTECTION				
5/3/2010	202295	21.00		
			REFUND-BUS LIC OVRPMT	21.00
	Vendor Total	**21.00**		
FYTD for J A M FIRE PROTECTION		**21.00**		
JAECH, JESSI				
5/3/2010	202296	75.00		
			REFUND-S/N DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for JAECH, JESSI		**75.00**		
JDEDGE SOFTWARE, LLC				
5/3/2010	880430	6,605.00		
			CONSULTING SVCS	6,605.00
5/24/2010	880539	3,775.00		
			CONSULTING SVCS	3,775.00
	Vendor Total	**10,380.00**		
FYTD for JDEDGE SOFTWARE, LLC		**117,077.68**		
JOE A. GONSALVES & SON				
5/17/2010	880509	3,150.00		
			REPRESENTATION SVCS	3,150.00
	Vendor Total	**3,150.00**		
FYTD for JOE A. GONSALVES & SON		**31,500.00**		
JOHNSON, DELIA				
5/24/2010	202650	144.00		
			INSTRUCTOR SVCS-AEROBICS	144.00
	Vendor Total	**144.00**		
FYTD for JOHNSON, DELIA		**576.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JONES, SUSAN					
	5/3/2010	880431	0.00		
				RETIREE MEDICAL BENEFIT	318.73
				RETIREE MEDICAL BENEFIT	-318.73
	5/26/2010	880558	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, GARY					
	5/17/2010	202547	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for JORDAN, GARY			**50.00**		
JURY, KARRIE OR BRICE					
	5/24/2010	202651	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for JURY, KARRIE OR BRICE			**30.00**		
K HOVNANIAN'S PARKSIDE AT TOWNGATE					
	5/10/2010	202443	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for K HOVNANIAN'S PARKSIDE AT TOWNGATE			**57.00**		
KANOV, LORI					
	5/24/2010	202652	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for KANOV, LORI			**114.00**		
KELLEY'S UNDERGROUND CONSTRUCTION					
	5/3/2010	202297	31.24		
				REFUND-BUS LIC OVRPMT	31.24
	Vendor Total		**31.24**		
FYTD for KELLEY'S UNDERGROUND CONSTRUCTION			**31.24**		
KELLY, SHEILA					
	5/10/2010	202444	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KELLY, SHEILA			**50.00**		

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KEPLER, JANELLE					
	5/17/2010	202548	51.50		
				MILEAGE REIMBURSEMENT	19.00
				MILEAGE REIMBURSEMENT	32.50
	Vendor Total		**51.50**		
FYTD for KEPLER, JANELLE			**247.65**		
KHAN, SHAFIQUL					
	5/17/2010	202549	183.00		
				REFUND-CITATION FEE	183.00
	Vendor Total		**183.00**		
FYTD for KHAN, SHAFIQUL			**479.00**		
KING, PATRICIA A.					
	5/3/2010	202298	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,868.58**		
KOLB, CHARLES E.					
	5/3/2010	880432	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE					
	5/3/2010	202299	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,593.65**		
KYLE, GARY M.					
	5/3/2010	880433	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,868.58**		
LA FUENTE RESTAURANT #5					
	5/3/2010	202300	78.94		
				REFUND-BUS LIC OVRPMT	78.94
	Vendor Total		**78.94**		
FYTD for LA FUENTE RESTAURANT #5			**78.94**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LAFATA, JOSEPHINE					
	5/3/2010	880434	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,474.13**		
LAMB, LINDA					
	5/10/2010	202445	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for LAMB, LINDA			**30.00**		
LANG, TRACEY					
	5/3/2010	202301	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for LANG, TRACEY			**722.00**		
LANGENDORF, BENJAMIN					
	5/3/2010	202302	111.61		
				RETIREE MEDICAL BENEFIT	111.61
	Vendor Total		**111.61**		
FYTD for LANGENDORF, BENJAMIN			**2,980.18**		
LAW ENFORCEMENT APPRECIATION COMMITTEE					
	5/20/2010	202599	50.00		
				APPREC. DINNER/AWARDS CEREMONY	50.00
	Vendor Total		**50.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**50.00**		
LAWYERS TITLE INC					
	5/17/2010	202550	450.00		
				PRELIM RPT-MORRISON PK FIRE ST	450.00
	Vendor Total		**450.00**		
FYTD for LAWYERS TITLE INC			**212,300.50**		
LE FEVER MATTSON PROPERTY MGMT					
	5/3/2010	202303	23.30		
				REFUND-BUS LIC OVRPMT	23.30
	Vendor Total		**23.30**		
FYTD for LE FEVER MATTSON PROPERTY MGMT			**23.30**		

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LEADING EDGE LEARNING CENTER				
5/24/2010	202653	264.00		
			INSTRUCTOR SVCS-LEADERSHIP ACA	66.00
			INSTRUCTOR SVCS-ESL	198.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**264.00**		
LEIGHTON CONSULTING, INC.				
5/10/2010	880486	10,520.00		
			LASSELLE ST WIDENING PROJ SVCS	10,520.00
	Vendor Total	**10,520.00**		
FYTD for LEIGHTON CONSULTING, INC.		**83,366.64**		
LENNY'S AUTO REPAIR				
5/3/2010	202304	73.79		
			REFUND-BUS LIC OVRPMT	73.79
	Vendor Total	**73.79**		
FYTD for LENNY'S AUTO REPAIR		**73.79**		
LEWIS, CAROLYN S.				
5/3/2010	880435	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for LEWIS, CAROLYN S.		**3,470.89**		
LEWIS, DOROTHY				
5/3/2010	202305	16.00		
			REFUND-ANML LICENSE FEE	16.00
	Vendor Total	**16.00**		
FYTD for LEWIS, DOROTHY		**16.00**		
LEWIS-SCOTT, CLAUDETTE				
5/3/2010	202306	86.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for LEWIS-SCOTT, CLAUDETTE		**86.00**		

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LIEBERT, CASSIDY, WHITMORE					
	5/3/2010	202307	175.00		
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
				EMPLOYEE RELATIONS CONSORTIUM	35.00
	Vendor Total		**175.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,694.00**		
LIM & NASCIMENTO ENGINEERING CORP.					
	5/3/2010	202308	2,056.59		
				INDIAN BASIN IMPRVMNTS PROJ	2,056.59
	5/24/2010	202654	913.01		
				PERRIS BL WIDENING FROM RAM XP	913.01
	Vendor Total		**2,969.60**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**558,770.97**		
LINDO, HERMINA G.					
	5/3/2010	880436	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LINDO, HERMINA G.			**3,060.17**		
LOGAN, CHARLES					
	5/3/2010	880437	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**2,727.34**		
LOR GEOTECHNICAL GROUP, INC.					
	5/24/2010	880540	950.00		
				VOUGHT ST SIDEWALK IMPRVMNTS	135.00
				TEMCO ST SIDEWALK IMPRVMNTS	815.00
	Vendor Total		**950.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**64,021.60**		
LUMLEY, ROBERT C.					
	5/3/2010	880438	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	5/3/2010	880439	12,824.00		
				CDBG FUNDED SVCS-SECURITY DEPO	7,000.00
				CDBG FUNDED SVCS-SECURITY DEPO	324.00
				CDBG FUNDED SVCS-UTILITY ASSIS	5,000.00
				CDBG FUNDED SVCS-UTILITY ASSIS	500.00
	Vendor Total		**12,824.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**57,138.00**		
LYNCH. PATRICK					
	5/10/2010	202446	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for LYNCH. PATRICK			**260.00**		
MACHUCA, ALICIA					
	5/3/2010	202309	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MACHUCA, ALICIA			**75.00**		
MAGANA, OLGA					
	5/17/2010	202551	200.00		
				REFUND-RNTL DEP 4/17	200.00
	Vendor Total		**200.00**		
FYTD for MAGANA, OLGA			**200.00**		
MAGANA'S AUTO UPHOLSTERY & FURNITURE					
	5/3/2010	202310	35.74		
				REFUND-BUS LIC OVRPMT	35.74
	Vendor Total		**35.74**		
FYTD for MAGANA'S AUTO UPHOLSTERY & FURNITURE			**35.74**		
MANCILLA, MARIA					
	5/24/2010	202655	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MANCILLA, MARIA			**50.00**		
MARCH JOINT POWERS AUTHORITY					
	5/17/2010	202552	6.22		
				GAS CHARGES-MARCH FIELD	5.08
				GAS CHARGES-MARCH FIELD	1.14
	Vendor Total		**6.22**		
FYTD for MARCH JOINT POWERS AUTHORITY			**68.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MARK BEAMISH WATERPROOFING, INC.					
	5/3/2010	202311	126.74		
				REFUND-BUS LIC OVRPMT	126.74
	Vendor Total		**126.74**		
FYTD for MARK BEAMISH WATERPROOFING, INC.			**213.74**		
MARKETEKS 2410943					
	5/17/2010	202553	11,740.00		
				INFLATABLE LIGHT TOWERS-PD	11,400.00
				INFLATABLE LIGHT TOWERS-TAX	997.50
				INFLATABLE LIGHT TOWERS-SHIPPI	340.00
				INFLATABLE LIGHT TOWERS-USED T	-997.50
	Vendor Total		**11,740.00**		
FYTD for MARKETEKS 2410943			**27,475.00**		
MARTIAL ARTS INTERNATIONAL, USKO					
	5/10/2010	202447	168.00		
				INSTRUCTOR SVCS-KICKBOXING	112.00
				INSTRUCTOR SVCS-BOXING	56.00
	Vendor Total		**168.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**560.00**		
MASONITE CORPORATION					
	5/24/2010	202656	90.00		
				REFUND-FALSE ALARM FEE	90.00
	Vendor Total		**90.00**		
FYTD for MASONITE CORPORATION			**90.00**		
MATHIS, NOLAN					
	5/3/2010	202312	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**3,196.80**		
MATICH CORPORATION					
	5/24/2010	880541	21,227.37		
				ASPHALTIC MATERIAL	7,876.84
				ASPHALTIC MATERIAL	9,256.92
				ASPHALTIC MATERIAL	2,795.83
				ASPHALTIC MATERIAL	1,297.78
	Vendor Total		**21,227.37**		
FYTD for MATICH CORPORATION			**56,951.72**		

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MAXINOSKI, SUE A.					
	5/3/2010	880440	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.					
	5/24/2010	202657	13,560.00		
				AUDITING SVC-CITY	7,280.00
				AUDITING SVC-SINGLE	757.00
				AUDITING SVC-CITY	3,417.00
				AUDITING SVC-RDA	1,404.00
				AUDITING SVC-RDA	702.00
	Vendor Total		**13,560.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		
MCCULLUM, ADRIAN					
	5/24/2010	202658	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MCCULLUM, ADRIAN			**50.00**		
MCDONOUGH, HOLLAND & ALLEN					
	5/24/2010	202659	6.36		
				LEGAL SVCS	6.36
	Vendor Total		**6.36**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,993.56**		
MELAD & ASSOCIATES					
	5/3/2010	202314	2,751.46		
				PLAN CHECK SERVICES	2,751.46
	Vendor Total		**2,751.46**		
FYTD for MELAD & ASSOCIATES			**41,130.82**		
MENDOZA, BRUNO					
	5/17/2010	202554	41.00		
				REFUND-ANML LIC FEE	41.00
	Vendor Total		**41.00**		
FYTD for MENDOZA, BRUNO			**41.00**		
MENGISTU, YESHIALEM					
	5/17/2010	202555	123.00		
				MILEAGE REIMBURSEMENT	123.00
	Vendor Total		**123.00**		
FYTD for MENGISTU, YESHIALEM			**1,118.55**		

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MESSIN, LOUIS					
	5/3/2010	880441	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,868.58**		
MILES, ROBERT					
	5/3/2010	880442	0.00		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	-194.53
	5/12/2010	880496	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,415.29**		
MINARD, MARK E.					
	5/3/2010	880443	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**3,294.68**		
MIRACLE PLAYGROUND SALES					
	5/10/2010	880487	942.20		
				PLAYGROUND EQUIP PARTS	942.20
	Vendor Total		**942.20**		
FYTD for MIRACLE PLAYGROUND SALES			**33,148.29**		
MISSION PAVING AND SEALING, INC					
	5/3/2010	202315	42.21		
				REFUND-BUS LIC OVRPMT	42.21
	Vendor Total		**42.21**		
FYTD for MISSION PAVING AND SEALING, INC			**42.21**		
MOLLICA, MIKE					
	5/3/2010	880444	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,612.79**		
MORA, PATRICIA A.					
	5/3/2010	202395	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORALES, KAREN R.				
5/24/2010	202660	30.99		
			TRAVEL EXP-INFOPEOPLE WORKSHOP	23.50
			TRAVEL EXP-INFOPEOPLE WORKSHOP	7.49
Vendor Total		**30.99**		
FYTD for MORALES, KAREN R.		**30.99**		
MORENO JANITORIAL				
5/3/2010	202316	62.75		
			REFUND-BUS LIC OVRPMT	62.75
Vendor Total		**62.75**		
FYTD for MORENO JANITORIAL		**62.75**		
MORENO VALLEY CHAMBER OF COMMERCE				
5/10/2010	202448	25.00		
			STUDENT OF THE YEAR DINNER	25.00
5/17/2010	202556	105.00		
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
Vendor Total		**130.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,230.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
5/7/2010	2631	1,579.00		
			MVCEA DUES 05/07/10	1,579.00
5/21/2010	2639	1,579.00		
			MVCEA DUES 05/21/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**38,011.50**		
MORENO VALLEY CONSTRUCTION				
5/3/2010	202317	54.25		
			REFUND-BUS LIC OVRPMT	54.25
Vendor Total		**54.25**		
FYTD for MORENO VALLEY CONSTRUCTION		**54.25**		

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MORENO VALLEY GATEWAY, LLC					
	5/24/2010	880542	7,934.87		
				LEASE-FAC ANNEX BLDG	2,458.97
				LEASE-TECH SVCS ANNEX BLDG	5,475.90
	5/26/2010	880559	13,158.56		
				LEASE-SPCL DIST ANNEX BLDG	13,158.56
	Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC			**232,027.73**		
MORENO VALLEY HISPANIC CHAMBER					
	5/24/2010	202661	100.00		
				REFUND-RNTL DEP 5/8	100.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER			**343.50**		
MORENO VALLEY UTILITY					
	5/24/2010	202662	79.80		
				ELECTRIC SVC-UT FLD OFFICE	79.80
	Vendor Total		**79.80**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MORENO, DIANA					
	5/10/2010	202449	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for MORENO, DIANA			**260.00**		
MORGAN, LISA A.					
	5/3/2010	880446	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,506.03**		
MR. CLEAN, INC.					
	5/3/2010	202318	200.00		
				PRESSURE WASHING SERVICE	200.00
	Vendor Total		**200.00**		
FYTD for MR. CLEAN, INC.			**1,533.41**		
MYSTIK CARPET					
	5/3/2010	202319	48.99		
				REFUND-BUS LIC OVRPMT	48.99
	Vendor Total		**48.99**		
FYTD for MYSTIK CARPET			**48.99**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NADINE THOMAS					
	5/24/2010	202663	19,053.72		
				RENTAL ASSIST PMT-IRONWOOD PRJ	19,053.72
	5/24/2010	202664	1,650.00		
				RESIDENTIAL MOVING PMT	1,650.00
	Vendor Total		**20,703.72**		
FYTD for NADINE THOMAS			**20,703.72**		
NARA, LOWELON					
	5/10/2010	202450	82.00		
				MILEAGE REIMBURSEMENT	82.00
	Vendor Total		**82.00**		
FYTD for NARA, LOWELON			**437.05**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.					
	5/24/2010	202665	157.37		
				FORENSIC SUPPLIES-PD	146.81
				FORENSIC SUPPLIES-SHIPPING	22.37
				FORENSIC SUPPLIES-USED TAX	-11.81
	Vendor Total		**157.37**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**989.36**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/7/2010	2629	12,812.44		
				PST DEF COMP FOR FICA 05/07/10	12,812.44
	5/7/2010	2630	23,534.81		
				DEF COMP 457 & 401(A) 05/07/10	23,534.81
	5/21/2010	2637	12,792.15		
				PST DEF COMP FOR FICA 05/21/10	12,792.15
	Vendor Total		**49,139.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVARRETTE, RALPH					
	5/3/2010	202320	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,593.65**		
NELSON PAVING					
	5/3/2010	202321	6,381.79		
				INSTALL SPEED HUMP-SUPERIOR AV	6,381.79
	5/17/2010	202558	4,523.00		
				PARKING LOT RPRS-SENIOR CTR	4,523.00
	Vendor Total		**10,904.79**		
FYTD for NELSON PAVING			**21,068.39**		

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NELSON, CHRIS					
	5/24/2010	202666	25.00		
				REFUND-LOST BOOK FEE	25.00
	Vendor Total		**25.00**		
FYTD for NELSON, CHRIS			**25.00**		
NELSON, ROBERT					
	5/3/2010	202322	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,742.41**		
NELSON, RUTH L.					
	5/3/2010	880447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S					
	5/3/2010	202323	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW VISION CHILDREN'S SERVICES					
	5/3/2010	202324	200.00		
				REFUND-RNTL DEP 4/12	200.00
	Vendor Total		**200.00**		
FYTD for NEW VISION CHILDREN'S SERVICES			**200.00**		
NGUYEN, QUANG					
	5/17/2010	202597	68.00		
				MILEAGE REIMBURSEMENT	68.00
	Vendor Total		**68.00**		
FYTD for NGUYEN, QUANG			**332.55**		
NICKS, KRISTIN					
	5/10/2010	202451	52.00		
				REFUND-REGIST FEE	52.00
	Vendor Total		**52.00**		
FYTD for NICKS, KRISTIN			**52.00**		

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NIEBURGER, JUDITH A.					
	5/3/2010	202325	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIETO, ANTHONY					
	5/17/2010	202559	30.00		
				REFUND-ADOPTION FEE	30.00
	Vendor Total		**30.00**		
FYTD for NIETO, ANTHONY			**30.00**		
NUNEZ MOBILE REPAIR					
	5/3/2010	202326	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for NUNEZ MOBILE REPAIR			**57.00**		
NUTRITIONAL MERCHANDISE					
	5/3/2010	202327	84.15		
				REFUND-BUS LIC OVRPMT	84.15
	Vendor Total		**84.15**		
FYTD for NUTRITIONAL MERCHANDISE			**84.15**		
OAKRIDGE DATA MINING					
	5/3/2010	202328	32.15		
				REFUND-BUS LIC OVRPMT	32.15
	Vendor Total		**32.15**		
FYTD for OAKRIDGE DATA MINING			**32.15**		
OAKS, MARY ANN					
	5/17/2010	202560	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**225.00**		
OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO					
	5/17/2010	202561	40.00		
				5/27/10 GANG TRNG CONFERENCE	40.00
	Vendor Total		**40.00**		
FYTD for OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO			**40.00**		

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OMNIS, INC.					
	5/10/2010	202452	2,640.00		
				TRAF SIG @ SR-60/REDLANDS BLVD	2,640.00
	Vendor Total		**2,640.00**		
FYTD for OMNIS, INC.			**11,163.04**		
OPERATION SAFEHOUSE, INC.					
	5/17/2010	202562	867.18		
				SHELTER PRGM-CDBG	867.18
	Vendor Total		**867.18**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,911.46**		
ORTIZ FIRE PROTECTION					
	5/24/2010	202667	516.00		
				REFUND-FIRE PERMIT FEES	270.00
				REFUND-FIRE PERMIT FEES	225.00
				REFUND-FIRE PERMIT FEES	21.00
	Vendor Total		**516.00**		
FYTD for ORTIZ FIRE PROTECTION			**516.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	5/17/2010	202563	7,560.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	7,560.00
	Vendor Total		**7,560.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**158,889.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	5/10/2010	202453	817.83		
				LANDSCAPE MAINT-E3	235.54
				LANDSCAPE MAINT-E4	433.49
				LANDSCAPE MAINT-E1	108.51
				LANDSCAPE MAINT-E7	40.29
	5/24/2010	202668	975.00		
				TREE PESTICIDE INJECTIONS	975.00
	Vendor Total		**1,792.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**11,896.12**		
PACIFIC TELEMANAGEMENT SERVICES					
	5/17/2010	202564	438.48		
				PAYPHONE CHRGS	375.84
				PAYPHONE CHRGS-POLICE	62.64
	Vendor Total		**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**3,019.24**		

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PACIFIC UTILITY INSTALLATION, INC				
5/24/2010	202669	850.00		
			PROF SVCS-MVU	850.00
Vendor Total		**850.00**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**896.65**		
PAINTING BY ZEB BODE				
5/10/2010	202454	300.00		
			GYMNASIUM TOUCH UP SVC	300.00
Vendor Total		**300.00**		
FYTD for PAINTING BY ZEB BODE		**6,250.00**		
PAMINIANO, VANESSA				
5/10/2010	202455	124.80		
			REFUND-SHELTER RNTL FEE	124.80
Vendor Total		**124.80**		
FYTD for PAMINIANO, VANESSA		**124.80**		
PARSONS TRANSPORTATION GROUP, INC.				
5/10/2010	202456	4,755.23		
			SR-60/NASON ST OVRCRSSNG PROJ	4,755.23
Vendor Total		**4,755.23**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,006,277.56**		
PATTERSON, ALFREY				
5/3/2010	202329	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY		**2,306.44**		
PATTERSON, PATRICK				
5/3/2010	202330	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for PATTERSON, PATRICK		**75.00**		
PATTON, LARRY				
5/24/2010	202670	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for PATTON, LARRY		**20.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PEDLEY SQUARE VETERINARY CLINIC					
	5/17/2010	202598	7,963.00		
				EMERG VET SVCS	7,963.00
	Vendor Total		**7,963.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**74,046.75**		
PELLAND, KENT					
	5/24/2010	202672	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for PELLAND, KENT			**50.00**		
PEP BOYS					
	5/3/2010	202331	1,715.52		
				REFUND-BUS LIC OVRPMT	1,715.52
	Vendor Total		**1,715.52**		
FYTD for PEP BOYS			**1,715.52**		
PERRY, NORMA					
	5/3/2010	202332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM					
	5/10/2010	202457	433.87		
				LONG TERM CARE INSURANCE	433.87
	5/24/2010	202673	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,155.27**		
PLUMMERS ELEVATOR SERVICE, INC					
	5/3/2010	202333	127.94		
				REFUND-BUS LIC OVRPMT	127.94
	Vendor Total		**127.94**		
FYTD for PLUMMERS ELEVATOR SERVICE, INC			**127.94**		
POIEMA LANDSCAPE, INC.					
	5/24/2010	880544	3,464.85		
				LANDSCAPE MAINT-ZN S	834.37
				LANDSCAPE MAINT-ZN S	499.48
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**34,023.98**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
POSTMASTER					
	5/3/2010	202334	2,961.93		
				POSTAGE	592.41
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
	5/10/2010	202458	865.00		
				PERMIT RENEWAL	750.23
				PERMIT RENEWAL	84.24
				PERMIT RENEWAL	30.53
	Vendor Total		**3,826.93**		
FYTD for POSTMASTER			**18,679.21**		
PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE					
	5/17/2010	202565	4,350.15		
				LEGAL AD PLACEMENTS	1,291.50
				LEGAL AD PLACEMENTS	1,425.38
				LEGAL AD PLACEMENTS	1,633.27
	Vendor Total		**4,350.15**		
FYTD for PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE			**11,721.15**		
PRICE, GEORGE E.					
	5/3/2010	880448	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PROTECTION ONE, INC.					
	5/17/2010	202566	40.00		
				SECURITY MNTRNG SVC-PRO SHOP	20.00
				SECURITY MNTRNG SVC-GOLF CTR	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**440.00**		
PSOMAS					
	5/10/2010	202459	5,950.00		
				LASSELLE ST WIDENING PROJ SVCS	5,950.00
	5/10/2010	202460	10,991.44		
				LASSELLE ST WIDENING PROJ SVCS	10,991.44
	Vendor Total		**16,941.44**		
FYTD for PSOMAS			**195,642.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PULLIAM, TRENT D.					
	5/3/2010	202335	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PW ENHANCEMENT CENTER					
	5/3/2010	880449	7,208.99		
				PARTNERSHIP PRGM-EDD	7,208.99
	Vendor Total		**7,208.99**		
FYTD for PW ENHANCEMENT CENTER			**123,955.07**		
PYRO SPECTACULARS, INC.					
	5/10/2010	202461	16,500.00		
				FIREWORKS DISPLAY-7/4/10	16,500.00
	Vendor Total		**16,500.00**		
FYTD for PYRO SPECTACULARS, INC.			**16,500.00**		
QUINN AME CHURCH					
	5/3/2010	202336	200.00		
				REFUND-RNTL DEP 4/10	200.00
	Vendor Total		**200.00**		
FYTD for QUINN AME CHURCH			**400.00**		
QUIZNOS SUBS #11109					
	5/3/2010	202337	66.34		
				REFUND-BUS LIC OVRPMT	66.34
	Vendor Total		**66.34**		
FYTD for QUIZNOS SUBS #11109			**66.34**		
R & S OVERHEAD DOORS, INC.					
	5/17/2010	880512	2,247.50		
				LIFT MASTER-FS #2	2,247.50
	5/24/2010	880545	717.00		
				DOOR RAIL-FS #2	717.00
	Vendor Total		**2,964.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**29,709.00**		
RAIN FRESH CLEANERS					
	5/3/2010	202338	36.00		
				REFUND-BUS LIC OVRPMT	36.00
	Vendor Total		**36.00**		
FYTD for RAIN FRESH CLEANERS			**36.00**		

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RALLY MANAGEMENT SERVICES, LLC				
5/3/2010	202339	1,438.56		
			TEMP SVCS-HENDERSON W/E 2/7	719.28
			TEMP SVCS-HENDERSON W/E 4/11	719.28
5/10/2010	202462	719.28		
			TEMP SVCS-HENDERSON W/E 4/18	719.28
5/24/2010	202674	719.28		
			TEMP SVCS-HENDERSON W/E 4/25	719.28
	Vendor Total	**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC		**15,119.21**		
REDFLEX TRAFFIC SYSTEMS, INC.				
5/3/2010	202341	92.05		
			REFUND-BUS LIC OVRPMT	92.05
	Vendor Total	**92.05**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.		**111,872.05**		
REGENTS UC / UNIVERSITY OF CALIFORNIA				
5/17/2010	202567	54.00		
			CUC BREAKFAST MEETING	18.00
			CUC BREAKFAST MEETING	18.00
			CUC BREAKFAST MEETING	18.00
	Vendor Total	**54.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA		**94.00**		
REISH LUFTMAN REICHER & COHEN				
5/3/2010	202342	5,715.00		
			LEGAL SVCS-HR	5,715.00
	Vendor Total	**5,715.00**		
FYTD for REISH LUFTMAN REICHER & COHEN		**45,425.50**		
RENTERIA, CARLOS				
5/3/2010	202343	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for RENTERIA, CARLOS		**20.00**		
RESCUE ROOTER				
5/3/2010	202344	99.00		
			PLUMBING REPAIRS-PSB	99.00
	Vendor Total	**99.00**		
FYTD for RESCUE ROOTER		**6,585.50**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
REVENUE EXPERTS, INC.					
	5/3/2010	202345	1,594.18		
				CITATION PRCSSNG-ANML SVCS	1,594.18
	Vendor Total		**1,594.18**		
FYTD for REVENUE EXPERTS, INC.			**37,586.23**		
REYNA, MARTIN					
	5/3/2010	202346	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for REYNA, MARTIN			**30.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	5/10/2010	202463	984.60		
				SHADOW MTN PARK LIGHTING PROJ	984.60
	Vendor Total		**984.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**7,432.58**		
RIVERSIDE COUNTY ASSESSOR					
	5/3/2010	202347	6.00		
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
	Vendor Total		**6.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**201.00**		
RIVERSIDE COUNTY AUDITOR-CONTROLLER					
	5/10/2010	202464	35.00		
				TAX RATE BOOK ANNL PUBLICATION	35.00
	Vendor Total		**35.00**		
FYTD for RIVERSIDE COUNTY AUDITOR-CONTROLLER			**35.00**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH					
	5/10/2010	202465	300.00		
				LICENSE TESTING	300.00
	Vendor Total		**300.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			**1,750.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
5/3/2010	202348	1,789.70		
			RADIO SERVICES-POLICE	1,789.70
5/10/2010	202466	231.01		
			RADIO LEASE/MAINT	187.15
			RADIO LEASE/MAINT	9.85
			RADIO LEASE/MAINT	34.01
	Vendor Total	**2,020.71**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**22,869.34**		
RIVERSIDE COUNTY SHERIFF				
5/3/2010	202396	10,587.84		
			BOOKING FEES-PD	10,587.84
5/17/2010	880513	11,362.56		
			BOOKING FEES-PD	11,362.56
	Vendor Total	**21,950.40**		
FYTD for RIVERSIDE COUNTY SHERIFF		**33,101,772.67**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
5/10/2010	202467	800.14		
			GARNISHMENT	800.14
5/24/2010	202675	816.88		
			GARNISHMENT	816.88
	Vendor Total	**1,617.02**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**10,912.95**		
RIVERSIDE COUNTY SHERIFF MV				
5/17/2010	202569	1,173.04		
			EXTRA DUTY SVC-POLICE	233.42
			EXTRA DUTY SVC-POLICE	584.09
			EXTRA DUTY SVC-POLICE	355.53
	Vendor Total	**1,173.04**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**11,192.14**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				
5/17/2010	202570	1,958.04		
			MVFBI-ICEP CHRGS	1,305.36
			MVFBI-ICEP CHRGS	652.68
	Vendor Total	**1,958.04**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**762,001.26**		

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RIVERSIDE RUBBER STAMP & ENGRAVING				
5/17/2010	202571	60.56		
			DATE STAMP-M&O	54.56
			DATE STAMP-SHIPPING	6.00
Vendor Total		**60.56**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**77.07**		
RIVERSTONE RESIDENTIAL CA, INC				
5/3/2010	202349	52.93		
			REFUND-BUS LIC OVRPMT	52.93
Vendor Total		**52.93**		
FYTD for RIVERSTONE RESIDENTIAL CA, INC		**52.93**		
RLZ ENGINEERING				
5/10/2010	880489	5,254.50		
			TEMP STAFFING SVCS-CAP PROJS	5,254.50
Vendor Total		**5,254.50**		
FYTD for RLZ ENGINEERING		**135,854.25**		
ROBINSON, JOAQUIN				
5/3/2010	202350	304.00		
			INSTRUCTION SVCS-8 DAYS	304.00
Vendor Total		**304.00**		
FYTD for ROBINSON, JOAQUIN		**304.00**		
ROGERS, EUGENE				
5/3/2010	880451	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE		**2,868.58**		
ROSS, DAVID T.				
5/3/2010	880452	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.		**3,506.03**		
ROSSON, LOUIS A.				
5/3/2010	880453	193.36		
			RETIREE MEDICAL BENEFIT	193.36
Vendor Total		**193.36**		
FYTD for ROSSON, LOUIS A.		**2,952.93**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RUSSELL, MARGARET					
	5/24/2010	202676	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for RUSSELL, MARGARET			**190.00**		
RUSSO, JOHN					
	5/3/2010	880454	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,506.03**		
RUTAN & TUCKER, LLP					
	5/24/2010	202677	550.00		
				LEGAL SVCS	550.00
	Vendor Total		**550.00**		
FYTD for RUTAN & TUCKER, LLP			**550.00**		
RYMAX ELECTRIC, INC.					
	5/17/2010	202572	5,610.61		
				TREE LIGHT INSTALL-E7	3,850.00
				TREE LIGHT MAINT-E1	125.00
				TREE LIGHT MAINT-E2	125.00
				TREE LIGHT MAINT-E3	125.00
				TREE LIGHT MAINT-E7	125.00
				TREE LIGHT MAINT-ZN M	125.00
				TREE LIGHT RPRS-E1	385.00
				TREE LIGHT RPRS-E3	580.85
				TREE LIGHT RPRS-E7	169.76
	Vendor Total		**5,610.61**		
FYTD for RYMAX ELECTRIC, INC.			**20,033.41**		
SA ASSOCIATES					
	5/24/2010	880546	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for SA ASSOCIATES			**120,562.50**		
SANDOVAL, PATRICK					
	5/17/2010	202573	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for SANDOVAL, PATRICK			**95.00**		

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SCHINDLER ELEVATOR CORP					
	5/3/2010	202351	36.12		
				REFUND-BUS LIC OVRPMT	36.12
	Vendor Total		**36.12**		
FYTD for SCHINDLER ELEVATOR CORP			**36.12**		
SCHLECHTER, JOHN A.					
	5/3/2010	202352	91.86		
				REFUND-BUS LIC OVRPMT	91.86
	Vendor Total		**91.86**		
FYTD for SCHLECHTER, JOHN A.			**91.86**		
SCREENVISION DIRECT					
	5/10/2010	202468	2,240.00		
				ADVERTISING SVCS-SPCL DIST	1,044.00
				ADVERTISING SVCS-SPCL DIST	596.00
				ADVERTISING SVCS-SPCL DIST	450.00
				ADVERTISING SVCS-SPCL DIST	150.00
	5/24/2010	202678	1,328.00		
				ADVERTISING SVCS-EDD	768.00
				ADVERTISING SVCS-EDD	560.00
	Vendor Total		**3,568.00**		
FYTD for SCREENVISION DIRECT			**11,108.00**		
SEAL ELECTRIC, INC					
	5/3/2010	202353	23.29		
				REFUND-BUS LIC OVRPMT	23.29
	Vendor Total		**23.29**		
FYTD for SEAL ELECTRIC, INC			**23.29**		
SECTRAN SECURITY, INC					
	5/3/2010	202354	463.50		
				TRANSPORT SVCS-PARKS	154.50
				TRANSPORT SVCS-TREASURY	154.50
				TRANSPORT SVCS-SPCL DIST	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**4,635.00**		

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SECURITY LOCK & KEY					
	5/3/2010	880455	144.08		
				DOOR LOCK SVCS-ANML SHLTR	144.08
	5/10/2010	880491	156.31		
				DOOR LOCK SVC-PARKS	156.31
	5/24/2010	880547	167.02		
				CABINET LOCK SVC-MAINT & OPS	105.52
				DOOR LOCK SVC-TOWNGATE PARK	61.50
	Vendor Total		**467.41**		
FYTD for SECURITY LOCK & KEY			**16,545.69**		
SHAH, JAGDISH					
	5/17/2010	880515	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	9,760.00
				TEMP STAFFING SVCS-CAP PROJS	8,600.00
	Vendor Total		**18,360.00**		
FYTD for SHAH, JAGDISH			**203,640.00**		
SHARRETT, SHARON K.					
	5/3/2010	202355	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**2,041.76**		
SHELDON, STUART H.					
	5/3/2010	202356	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.					
	5/10/2010	202470	70.00		
				FUEL PURCHASE-ANIMAL SVCS	70.00
	5/24/2010	202679	1,685.59		
				FUEL PURCHASE-PW TREE EQUIP.	16.25
				FUEL PURCHASES-PD MOTORCYCLES	1,669.34
	Vendor Total		**1,755.59**		
FYTD for SHELL OIL CO.			**18,640.01**		
SHURTLEFF, JEANNETTE L.					
	5/24/2010	202680	532.00		
				INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,800.00**		

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SIGMA ENGINEERNG, INC				
5/10/2010	202471	12,005.00		
			ASBESTOS/LEAD SURVEY	4,400.00
			ASBESTOS/LEAD SURVEY	7,605.00
Vendor Total		**12,005.00**		
FYTD for SIGMA ENGINEERNG, INC		**12,005.00**		
SIMPLEX GRINNELL, LP				
5/3/2010	202357	20.66		
			REFUND-BUS LIC OVRPMT	20.66
Vendor Total		**20.66**		
FYTD for SIMPLEX GRINNELL, LP		**20.66**		
SINGER & COFFIN, APC				
5/24/2010	880549	7,906.97		
			LEGAL SVCS-SR60/NASON ST PROJ	1,443.75
			LEGAL SVCS-SR60/NASON ST PROJ	6,463.22
Vendor Total		**7,906.97**		
FYTD for SINGER & COFFIN, APC		**76,958.62**		
SKONBERG, HEATHER ALLISON				
5/24/2010	202681	1,000.00		
			CONSULTING SVCS	1,000.00
Vendor Total		**1,000.00**		
FYTD for SKONBERG, HEATHER ALLISON		**6,300.00**		
SKY PUBLISHING				
5/3/2010	202358	8,773.50		
			RECREATION GUIDES	8,773.50
Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING		**57,218.00**		
SKY TRAILS MOBILE VILLAGE				
5/24/2010	202682	18.69		
			REFUND-UT USER TAXES	18.69
Vendor Total		**18.69**		
FYTD for SKY TRAILS MOBILE VILLAGE		**247.29**		
SLAGERMAN, SUSAN A.				
5/3/2010	880456	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.		**4,068.49**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SMITH, MARIA A.					
	5/3/2010	880457	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,861.69**		
SMUS, PAULA					
	5/24/2010	202683	61.70		
				MILEAGE REIMBURSEMENT	61.70
	Vendor Total		**61.70**		
FYTD for SMUS, PAULA			**166.42**		
SO - CAL STRUCTURAL STEEL FABRICATION, I					
	5/3/2010	202359	27.00		
				REFUND-BUS LIC OVRPMT	27.00
	Vendor Total		**27.00**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I			**27.00**		
SO. CALIF SCHOOL OF MUSIC					
	5/10/2010	202472	1,134.00		
				INSTRUCTOR SVCS-GUITAR	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	55.75
				INSTRUCTOR SVCS-PIANO	106.25
	Vendor Total		**1,134.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**11,024.25**		
SOLANO, ALEX					
	5/17/2010	202575	395.00		
				AUDIO VISUAL SVCS-CONF & REC C	395.00
	Vendor Total		**395.00**		
FYTD for SOLANO, ALEX			**1,101.00**		
SOLIS, WENDY					
	5/3/2010	202360	750.00		
				REFUND-RNTL DEP 4/17	750.00
	Vendor Total		**750.00**		
FYTD for SOLIS, WENDY			**750.00**		

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SOSA, JORGE					
	5/10/2010	202473	503.34		
				INSTRUCTOR SVCS-NINPO	96.00
				INSTRUCTOR SVCS-KARATEDO	407.34
	Vendor Total		**503.34**		
FYTD for SOSA, JORGE			**4,107.54**		
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202361	419.66		
				NEW METER/SVC-KITCHING ST. TS	419.66
	5/3/2010	202363	4,829.54		
				ELECTRICITY	42.22
				ELECTRICITY	678.06
				ELECTRICITY	1,306.54
				ELECTRICITY	113.12
				ELECTRICITY	226.67
				ELECTRICITY	498.82
				ELECTRICITY	661.92
				ELECTRICITY	136.98
				ELECTRICITY	842.94
				ELECTRICITY	161.05
				ELECTRICITY	70.87
				ELECTRICITY	46.23
				ELECTRICITY	44.12
	5/10/2010	202475	4,106.66		
				ELECTRICITY	65.58
				ELECTRICITY	89.64
				ELECTRICITY	20.38
				ELECTRICITY	893.78
				ELECTRICITY	899.94
				ELECTRICITY	443.18
				ELECTRICITY	449.06
				ELECTRICITY	318.32
				ELECTRICITY	21.50
				ELECTRICITY	649.18
				ELECTRICITY	45.19
				ELECTRICITY	149.62
				ELECTRICITY	61.29
	5/17/2010	202577	347.36		
				ELECTRICITY	347.36
	Vendor Total		**9,703.22**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,749,896.42**		

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SOUTHERN CALIFORNIA GAS CO.					
	5/24/2010	202685	5,977.22		
				GAS CHARGES	29.74
				GAS CHARGES	975.30
				GAS CHARGES	2,433.45
				GAS CHARGES	16.35
				GAS CHARGES	73.70
				GAS CHARGES	652.71
				GAS CHARGES	149.05
				GAS CHARGES	50.11
				GAS CHARGES	486.19
				GAS CHARGES	286.88
				GAS CHARGES	143.78
				GAS CHARGES	128.06
				GAS CHARGES	125.78
				GAS CHARGES	240.38
				GAS CHARGES	185.74
	Vendor Total		**5,977.22**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**267,365.01**		
SOUTHERN PET SUPPLIES					
	5/10/2010	880492	256.15		
				MISC SUPPLIES-ANML SVCS	256.15
	Vendor Total		**256.15**		
FYTD for SOUTHERN PET SUPPLIES			**1,773.10**		
SPARKLETTS					
	5/3/2010	202364	4.50		
				WATER SVCS-EMERG OPS	4.50
	5/24/2010	202686	30.70		
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-SUNNYMEAD ELEM	4.50
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-GOLF COURSE	4.50
				WATER SVCS-EMERG OPS	4.50
	Vendor Total		**35.20**		
FYTD for SPARKLETTS			**430.19**		
SPECK, GARY B.					
	5/3/2010	880458	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		

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SPECTRUM CARE					
	5/3/2010	880459	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	5/24/2010	880550	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**123,407.30**		
SPENCER, MARTHA					
	5/3/2010	880460	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,415.29**		
SPORTS INNOVATORS					
	5/10/2010	202476	1,995.00		
				SPORTS OFFICIATING SVCS	1,995.00
	Vendor Total		**1,995.00**		
FYTD for SPORTS INNOVATORS			**27,890.00**		
SPRINT/NEXTEL					
	5/17/2010	880516	33.11		
				CELL PH SVC-GTF	33.11
	Vendor Total		**33.11**		
FYTD for SPRINT/NEXTEL			**729.29**		
STANDARD INSURANCE CO					
	5/3/2010	202365	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**359,149.29**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC				
5/3/2010	880461	1,606.50		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-TECH SVCS	330.00
			MONITORING SVCS-ASES	354.00
			MONITORING SVCS-ANNX #1	207.00
			MONITORING SVCS-ASES	123.00
			MONITORING SVCS-CITY HALL	493.50
5/10/2010	880493	644.55		
			MONITORING SVCS-CONF & REC CTR	301.00
			MONITORING SVCS-CONF & REC CTR	14.00
			MONITORING SVCS-LIBRARY	156.35
			MONITORING SVCS-LIBRARY	173.20
	Vendor Total	**2,251.05**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**28,359.51**		
STATE BOARD OF EQUALIZATION				
5/21/2010	43010	3,930.00		
			SALES & USE TAX 4/1-4/30/10	3,930.00
	Vendor Total	**3,930.00**		
FYTD for STATE BOARD OF EQUALIZATION		**39,848.29**		
STATE DISBURSEMENT UNIT				
5/13/2010	2628	1,137.82		
			CHILD SUPPORT W/H 05/13/10	1,137.82
5/27/2010	2636	1,183.98		
			CHILD SUPPORT W/H 05/27/10	1,183.98
	Vendor Total	**2,321.80**		
FYTD for STATE DISBURSEMENT UNIT		**41,536.30**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF				
5/17/2010	202578	187.50		
			LICENSE RNWL-ERIC LEWIS	187.50
	Vendor Total	**187.50**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**937.50**		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
5/3/2010	202366	2,935.00		
			FINGERPRINTING SVCS-PD	2,920.00
			FINGERPRINTING SVCS-PD	15.00
5/10/2010	202478	980.00		
			BLOOD ALCHL ANLYS-PD	980.00
	Vendor Total	**3,915.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**55,459.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
5/24/2010	202687	167.29		
			REFUND-MV UTILITY	100.02
			REFUND-MV UTILITY	67.27
	Vendor Total	**167.29**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,555.82**		
STEEL SYSTEMS ERECTORS				
5/3/2010	202367	88.45		
			REFUND-BUS LIC OVRPMT	88.45
	Vendor Total	**88.45**		
FYTD for STEEL SYSTEMS ERECTORS		**88.45**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
5/24/2010	202688	2,313.12		
			TRANSCRIPTION SVCS-PD	2,313.12
	Vendor Total	**2,313.12**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**34,642.40**		
STEWART TITLE OF CALIFORNIA				
5/12/2010	1005041	14,112.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	14,112.00
5/12/2010	1005051	6,087.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	6,087.00
5/17/2010	1005121	9,597.00		
			ESCROW DEP/APN 475-300-018&019	9,597.00
	Vendor Total	**29,796.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
STEWART, CLIFFORD				
5/3/2010	880462	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for STEWART, CLIFFORD		**2,247.90**		
STEWART, JONATHAN L.				
5/17/2010	202579	1,007.00		
			REFUND-ANML SVC FEES	1,007.00
	Vendor Total	**1,007.00**		
FYTD for STEWART, JONATHAN L.		**1,007.00**		

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STEWART, LINDA					
	5/10/2010	202479	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for STEWART, LINDA			**75.00**		
STILES ANIMAL REMOVAL, INC.					
	5/3/2010	202368	450.00		
				ANIMAL REMOVAL SVCS	450.00
	Vendor Total		**450.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**610.00**		
STOP THE VIOLENCE INCREASE THE PEACE FOU					
	5/3/2010	202369	174.27		
				REFUND-BUS LIC OVRPMT	158.88
				REFUND-BUS LIC OVRPMT	1.14
				REFUND-BUS LIC OVRPMT	14.25
	Vendor Total		**174.27**		
FYTD for STOP THE VIOLENCE INCREASE THE PEACE FOU			**174.27**		
STRADLING, YOCCA, CARLSON & RAUTH					
	5/3/2010	202370	10,846.61		
				LEGAL SVCS-EDD	200.06
				LEGAL SVCS-EDD	200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	5,787.43
				LEGAL SVCS-EDD	3,689.79
				LEGAL SVCS-EDD	740.33
				LEGAL SVCS-SPCL DIST	104.00
	5/10/2010	202480	7,604.78		
				LEGAL SVCS-EDD	1,515.79
				LEGAL SVCS-EDD	1,301.08
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	100.00
				LEGAL SVCS-EDD	385.39
				LEGAL SVCS-EDD	2,977.52
	5/24/2010	202689	21,976.37		
				LEGAL SVCS-EDD	7,392.40
				LEGAL SVCS-EDD	6,309.47
				LEGAL SVCS-EDD	720.00
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	2,080.00
				LEGAL SVCS-EDD	1,776.00
				LEGAL SVCS-EDD	736.00
				LEGAL SVCS-EDD	1,762.50
	Vendor Total		**40,427.76**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**121,810.54**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STREICH, TERRY L.					
	5/3/2010	202371	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**610.64**		
STRICKLER ASSOCIATION, THE					
	5/17/2010	202580	7,345.00		
				CONSULTING SVCS-EDD	4,940.00
				CONSULTING SVCS-EDD	2,405.00
	Vendor Total		**7,345.00**		
FYTD for STRICKLER ASSOCIATION, THE			**38,220.00**		
STRICKLER II, JOHN W.					
	5/3/2010	202372	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,868.58**		
STUCKEY, HARRIETTE					
	5/17/2010	202581	84.00		
				INSTRUCTOR SVCS-LINE DANCING	67.20
				INSTRUCTOR SVCS-LINE DANCING	16.80
	Vendor Total		**84.00**		
FYTD for STUCKEY, HARRIETTE			**978.60**		
SUNGLASS HUT STORE #4536					
	5/3/2010	202373	57.67		
				REFUND-BUS LIC OVRPMT	57.67
	Vendor Total		**57.67**		
FYTD for SUNGLASS HUT STORE #4536			**57.67**		
SUNNYMEAD ACE HARDWARE					
	5/3/2010	202374	31.50		
				MISC SUPPLIES-PD	15.21
				MISC SUPPLIES-PD	16.29
	5/10/2010	202481	21.93		
				MISC SUPPLIES-POLICE	21.93
	5/17/2010	202582	142.53		
				MISC SUPPLIES-PD	110.69
				MISC SUPPLIES-PD	17.39
				MISC SUPPLIES-PD	14.45
	5/24/2010	202690	22.26		
				MISC SUPPLIES-PD	22.26
	Vendor Total		**218.22**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,734.24**		

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SUPER RX, INC.					
	5/3/2010	202375	0.00		
				REFUND-BUS LIC OVRPMT	83.80
				REFUND-BUS LIC OVRPMT	-83.80
	5/17/2010	202583	83.80		
				REFUND-BUS LIC OVRPMT	83.80
	Vendor Total		**83.80**		
FYTD for SUPER RX, INC.			**83.80**		
SWARTZ, DENNIS					
	5/10/2010	202482	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SWARTZ, DENNIS			**20.00**		
TARGET SPECIALTY PRODUCTS					
	5/17/2010	880517	11,498.92		
				LNDSCP HERBICIDES	247.82
				LNDSCP HERBICIDES	11,251.10
	Vendor Total		**11,498.92**		
FYTD for TARGET SPECIALTY PRODUCTS			**19,251.10**		
THERMAL-COOL INC.					
	5/10/2010	202483	249.30		
				SVC TO FREEZER @ ANIMAL SHLTR	249.30
	Vendor Total		**249.30**		
FYTD for THERMAL-COOL INC.			**19,099.66**		
THYSSENKRUPP ELEVATOR CORPORATION					
	5/3/2010	202377	45.43		
				REFUND-BUS LIC OVRPMT	45.43
	Vendor Total		**45.43**		
FYTD for THYSSENKRUPP ELEVATOR CORPORATION			**45.43**		
TIME WARNER CABLE					
	5/3/2010	202378	16,719.21		
				FAC. RELOCATION-DAY ST. PROJ	16,719.21
	Vendor Total		**16,719.21**		
FYTD for TIME WARNER CABLE			**16,719.21**		

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T-MOBILE					
	5/3/2010	202376	114.00		
				REFUND-BUS LIC OVRPMT	57.00
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**114.00**		
FYTD for T-MOBILE			**296.00**		
TORRES, REBECCA					
	5/10/2010	202484	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for TORRES, REBECCA			**580.00**		
TRACSYSTEMS, INC.					
	5/10/2010	202485	3,919.50		
				PHAROS SOFTWARE LIC/SUPPORT	3,919.50
	Vendor Total		**3,919.50**		
FYTD for TRACSYSTEMS, INC.			**3,919.50**		
TRICHE, TARA					
	5/24/2010	202692	1,642.80		
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	66.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	397.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	623.80
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,642.80**		
FYTD for TRICHE, TARA			**20,934.60**		
TRI-CITY LINEN SUPPLY, INC.					
	5/3/2010	202379	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/10/2010	202486	113.00		
				LINEN RENTAL	63.00
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/17/2010	202584	22.50		
				LINEN RENTAL	22.50
	5/24/2010	202691	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**235.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,876.20**		

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TROPICAL PLAZA NURSERY, INC.				
5/10/2010	202487	360.00		
			LNDSCP WORK IN ZONE E-2	360.00
5/17/2010	202585	18,673.63		
			LNDSCP MAINT-ZONE E-2	15,700.00
			LNDSCP MAINT-ZONE E-16	2,217.45
			IRRIG REPAIRS-ZONE E-2	756.18
	Vendor Total	**19,033.63**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**202,285.38**		
TRUGREEN LANDCARE				
5/3/2010	202380	11,904.55		
			LNDSCP MAINT-ZONE E-3	10,038.43
			LNDSCP MAINT-ZONE E-3A	1,676.12
			TRIM TREE-ZONE E-2	190.00
5/17/2010	202586	3,670.00		
			RETAINING WALL-SUNNYMD BL PROJ	1,990.00
			INSTALL 21 TREES-TRACT #19912	1,680.00
5/24/2010	202709	24,578.70		
			STUMP GRIND TREES-ZONE M	300.00
			STUMP GRIND TREES-TRACT 20120	300.00
			INSTALL 18-FT PALM ON KRAMERIA	2,450.00
			LNDSCP MAINT-ZONE M	5,324.89
			LNDSCP MAINT-ZONE DSG1-E	7,403.38
			LNDSCP MAINT-ZONE DSG-2	8,420.43
			REMOVE Y-STRAINER FROM BACKFLW	380.00
	Vendor Total	**40,153.25**		
FYTD for TRUGREEN LANDCARE		**343,170.27**		
TUNTLAND, JAMES				
5/3/2010	880463	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for TUNTLAND, JAMES		**2,247.90**		
TURBOSCAPE, INC.				
5/3/2010	880464	13,385.00		
			ANNL MULCHING IN ZONE E-4	6,424.80
			ANNL MULCHING IN ZONE DSG-1E	2,409.30
			ANNL MULCHING IN ZONE DSG-2	2,677.00
			ANNL MULCHING IN ZONE E-1	1,338.50
			ANNL MULCHING IN ZONE E-1A	535.40
5/24/2010	880552	9,904.90		
			ANNL MULCHING IN ZONE E-4	535.40
			ANNL MULCHING IN ZONE E-8	5,354.00
			ANNL MULCHING IN ZONE E-15	4,015.50
	Vendor Total	**23,289.90**		
FYTD for TURBOSCAPE, INC.		**32,867.10**		

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TWRITE, INC.					
	5/24/2010	202693	7,841.25		
				CITY WEBSITE MAINTENANCE	7,841.25
	Vendor Total		**7,841.25**		
FYTD for TWRITE, INC.			**19,578.75**		
U.S. HEALTHWORKS MEDICAL GROUP					
	5/24/2010	202694	1,190.00		
				PRE-EMPLOYMENT PHYSICALS	686.00
				PRE-EMPLOYMENT PHYSICALS	414.00
				PRE-EMPLOYMENT PHYSICALS	90.00
	Vendor Total		**1,190.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**16,326.00**		
UNION BANK OF CALIFORNIA					
	5/10/2010	202488	510.00		
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
	5/10/2010	202489	729.00		
				INVESTMNT SAFEKEEPING SVCS	729.00
	5/17/2010	202587	170.00		
				STANDBY LOC TRANSFER FEE	170.00
	Vendor Total		**1,409.00**		
FYTD for UNION BANK OF CALIFORNIA			**288,988.49**		
UNITED POWER GENERATION, INC.					
	5/10/2010	202490	233.00		
				EMERG GENERATOR REPAIRS-FS #91	11.40
				EMERG GENERATOR REPAIRS-FS #91	221.60
	5/24/2010	202695	209.00		
				EMERG GENERATOR REPAIRS-FS #2	10.57
				EMERG GENERATOR REPAIRS-FS #2	198.43
	Vendor Total		**442.00**		
FYTD for UNITED POWER GENERATION, INC.			**22,432.66**		
UNITED SITE SERVICES OF CA, INC.					
	5/10/2010	880494	77.33		
				PORTABLE TOILET SVC-GOLF CTR	77.33
	5/17/2010	880518	204.94		
				PORTABLE TOILET SVC-M&O DIV.	97.55
				FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total		**282.27**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,733.92**		

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UNITED STATES TREASURY					
	5/10/2010	202491	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	5/24/2010	202696	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**5,670.00**		
UNITED WAY OF INLAND VALLEYS					
	5/10/2010	202492	667.18		
				UNITED WAY CONTRIBUTIONS	667.18
	5/24/2010	202697	667.18		
				UNITED WAY CONTRIBUTIONS	-2.31
				UNITED WAY CONTRIBUTIONS	2.31
				UNITED WAY CONTRIBUTIONS	667.18
	Vendor Total		**1,334.36**		
FYTD for UNITED WAY OF INLAND VALLEYS			**19,498.26**		
URBAN CROSSROADS, INC.					
	5/3/2010	202381	6,600.00		
				MV TRAFFIC MODEL UPDATE SVCS	1,327.50
				MV TRAFFIC MODEL UPDATE SVCS	5,272.50
	Vendor Total		**6,600.00**		
FYTD for URBAN CROSSROADS, INC.			**17,465.00**		
VA CONSULTING, INC.					
	5/10/2010	202493	17,527.24		
				AUTO MALL IMPRVMNTS PROJ SVCS	7,200.00
				AUTO MALL IMPRVMNTS PROJ SVCS	10,327.24
	5/24/2010	202698	2,255.40		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,255.40
	Vendor Total		**19,782.64**		
FYTD for VA CONSULTING, INC.			**291,846.35**		

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY				
5/3/2010	880465	2,440.00		
			TENT/FUMIGATE UTILITY FLD OFFC	2,440.00
5/10/2010	880495	1,205.00		
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
			PEST CNTRL-STARS BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			PEST CNTRL-TRANSP TRLR	45.00
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
Vendor Total		**3,645.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**18,920.00**		
VALADEZ, RICHARD				
5/3/2010	202382	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for VALADEZ, RICHARD		**20.00**		
VALLEY CITIES/ GONZALES FENCE INC				
5/10/2010	202494	2,680.00		
			INSTALL FENCE-PIGEON PASS RD	475.00
			INSTALL FENCE-PIGEON PASS RD	1,830.00
			FENCE-PIGEON PASS/SUNNYMD	375.00
Vendor Total		**2,680.00**		
FYTD for VALLEY CITIES/ GONZALES FENCE INC		**13,955.00**		
VALLEY PARTY RENTALS				
5/3/2010	202383	75.63		
			REFUND-BUS LIC OVRPMT	75.63
Vendor Total		**75.63**		
FYTD for VALLEY PARTY RENTALS		**75.63**		

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For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.					
	5/24/2010	880553	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	18,360.00
	Vendor Total		**18,360.00**		
FYTD for VAS ASSOCIATES, INC.			**203,085.00**		
VERIZON					
	5/17/2010	202588	1,718.78		
				BACKBONE CHRGS	1,718.78
	Vendor Total		**1,718.78**		
FYTD for VERIZON			**18,551.63**		
VERIZON CALIFORNIA					
	5/10/2010	202495	327.63		
				PHONE LISTING CHARGE	286.68
				PHONE LISTING CHARGE	40.95
	5/17/2010	202589	170.28		
				PHONE LISTING CHARGE	170.28
	Vendor Total		**497.91**		
FYTD for VERIZON CALIFORNIA			**100,798.00**		
VICTOR MEDICAL CO					
	5/10/2010	202496	973.31		
				ANIMAL MEDICAL SUPPLIES	973.31
	Vendor Total		**973.31**		
FYTD for VICTOR MEDICAL CO			**13,550.36**		
VIGIL, ERNEST					
	5/3/2010	880466	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLANUEVA, RUBEN & LISA					
	5/10/2010	202497	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VILLANUEVA, RUBEN & LISA			**20.00**		
VISION SERVICE PLAN					
	5/3/2010	880467	4,346.56		
				EMPLOYEE VISION INSURANCE	4,346.56
	Vendor Total		**4,346.56**		
FYTD for VISION SERVICE PLAN			**48,547.77**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VISTA PAINT CORPORATION				
5/17/2010	202590	186.83		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	66.58
			PAINT/SUPPL-GRAFFITI RMVL PRGM	8.25
			PAINT/SUPPL-GRAFFITI RMVL PRGM	112.00
5/24/2010	202699	158.50		
			PAINT FOR GRAFFITI RMVL	158.50
Vendor Total		**345.33**		
FYTD for VISTA PAINT CORPORATION		**12,278.82**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
5/10/2010	202498	818.69		
			RENTAL ASSIST SVCS-ADMIN FEES	718.69
			RENTAL ARREARS SVCS-ADMIN FEES	100.00
Vendor Total		**818.69**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**96,100.92**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				
5/24/2010	202700	750.00		
			REFUND-RNTL DEP 4/28	750.00
Vendor Total		**750.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY		**750.00**		
VOYAGER FLEET SYSTEM, INC.				
5/24/2010	880554	4,036.95		
			CNG FUEL FOR STREET PRGM	2,016.46
			CNG FUEL FOR DRAIN MAINT PRGM	75.02
			CNG FUEL FOR STREET PRGM	1,755.93
			CNG FUEL FOR DRAIN MAINT PRGM	189.54
Vendor Total		**4,036.95**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**21,681.59**		
VULCAN MATERIALS CO, INC.				
5/17/2010	202591	2,119.97		
			ASPHALTIC MATERIAL	2,119.97
5/24/2010	202701	1,473.00		
			ASPHALTIC MATERIAL	163.56
			ASPHALTIC MATERIAL	130.94
			ASPHALTIC MATERIAL	292.39
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	196.84
			ASPHALTIC MATERIAL	262.09
			ASPHALTIC MATERIAL	98.97
			ASPHALTIC MATERIAL	131.59
Vendor Total		**3,592.97**		
FYTD for VULCAN MATERIALS CO, INC.		**105,465.05**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGGONER JR., GLENN C.					
	5/3/2010	880468	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,506.03**		
WAGNER, GARY D.					
	5/3/2010	880469	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,490.33**		
WAGONER, ROBERT					
	5/3/2010	202397	360.40		
				RETIREE MEDICAL BENEFIT	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,085.20**		
WAGY, CARYLON					
	5/3/2010	202385	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, ANTHONY					
	5/3/2010	202386	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WALKER, ANTHONY			**50.00**		
WALKER, DONNA					
	5/3/2010	202387	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for WALKER, DONNA			**38.00**		
WASSON, KIRK					
	5/24/2010	880555	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,128.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	5/24/2010	202702	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**14,584.22**		
WELLS FARGO CORPORATE TRUST					
	5/3/2010	1005011	1,444.67		
				INTEREST ON VARIABLE RATE BOND	1,444.67
	Vendor Total		**1,444.67**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,030,930.10**		
WEST GOVERNMENT SERVICES					
	5/24/2010	202703	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**5,000.00**		
WEST GROUP					
	5/24/2010	880556	351.37		
				ONLINE CHRGS-LEGAL INFO	199.09
				LEGAL PUBLICATIONS SUBSCRPTNS	152.28
	Vendor Total		**351.37**		
FYTD for WEST GROUP			**7,907.98**		
WESTERN MUNICIPAL WATER DISTRICT					
	5/24/2010	202704	1,520.72		
				WATER CHRGS-MARB BALLFIELDS	708.72
				WATER CHRGS-MFPCC LNDSCP	756.70
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**1,520.72**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**22,944.70**		
WHITE'S BIKES					
	5/3/2010	202388	93.73		
				REFUND-BUS LIC OVRPMT	93.73
	Vendor Total		**93.73**		
FYTD for WHITE'S BIKES			**93.73**		
WIELIN, RONALD A.					
	5/3/2010	880471	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILBURN, YOLANDA					
	5/10/2010	202499	149.98		
				REFUND-PERMIT FEE	149.98
	Vendor Total		**149.98**		
FYTD for WILBURN, YOLANDA			**149.98**		
WILLDAN AND ASSOCIATES					
	5/17/2010	202592	5,580.48		
				PLAN CHECK SVCS	5,580.48
	5/24/2010	202705	3,225.00		
				MORENO BEACH DR WIDENING PROJ	3,225.00
	Vendor Total		**8,805.48**		
FYTD for WILLDAN AND ASSOCIATES			**403,687.78**		
WILLIAMS, COURTNEY					
	5/3/2010	202390	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for WILLIAMS, COURTNEY			**646.00**		
WILLIAMS, JANE L.					
	5/3/2010	202391	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,344.00**		
WINZLER & KELLY CONSULTING ENGINEERS					
	5/24/2010	202706	18,810.00		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
	Vendor Total		**18,810.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
WOMEN'S HEALTH					
	5/3/2010	202392	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for WOMEN'S HEALTH			**57.00**		
WOW PARTY RENTAL, INC.					
	5/20/2010	202600	300.00		
				RENTALS-5/22/10 PUB SFTY FAIR	300.00
	Vendor Total		**300.00**		
FYTD for WOW PARTY RENTAL, INC.			**300.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
5/17/2010	202593	8,874.00		
			TUMF RESIDENTIAL FEES	8,874.00
Vendor Total		**8,874.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**1,124,341.42**		
WRIGHT SEPTIC TANK PUMPING				
5/24/2010	202707	450.00		
			SEPTIC TANK PUMPING-CITY YARD	100.00
			SEPTIC TANK PUMPING-CITY YARD	350.00
Vendor Total		**450.00**		
FYTD for WRIGHT SEPTIC TANK PUMPING		**1,350.00**		
WURM'S JANITORIAL SERVICES, INC.				
5/3/2010	880472	1,440.70		
			JANITORIAL SVCS-TOWNGATE	360.00
			CARPET CLEANING-SR CTR CLASSRM	125.00
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
5/17/2010	880519	22,233.49		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-SUNNYMD ELEM	184.10
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.82
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/24/2010	880557	3,965.70		
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-TOWNGATE	360.00
			JANITORIAL SVCS-CONF & REC CTR	1,630.00
			DAY PORTER SERVICES	1,020.00
Vendor Total		**27,639.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**286,027.66**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	5/3/2010	202393	1,115.93		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,115.93
	5/17/2010	202594	1,216.66		
				COPIER RNTL/MAINT/PRINTS-PARKS	1,216.66
	5/24/2010	202708	1,574.12		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT/PRNTS-GRPHCS	979.73
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	Vendor Total		**3,906.71**		
FYTD for XEROX			**63,769.70**		
ZEE MEDICAL INC					
	5/3/2010	202394	289.05		
				FIRST AID ITEMS FOR KITS	289.05
	Vendor Total		**289.05**		
FYTD for ZEE MEDICAL INC			**289.05**		
ZUMAR INDUSTRIES, INC.					
	5/17/2010	880520	940.03		
				SIGNS FOR TRANSP. DIV.	549.51
				SIGNS FOR TRANSP. DIV.	390.52
	Vendor Total		**940.03**		
FYTD for ZUMAR INDUSTRIES, INC.			**37,651.19**		

Subtotal **1,341,996.10**

GRAND TOTAL **19,967,907.47**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\VA Consultant Award Aggreement CC\Increase PO - Design 7-2010.doc

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

PROJECT AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

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AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name: _____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

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MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document.....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

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10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

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The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

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j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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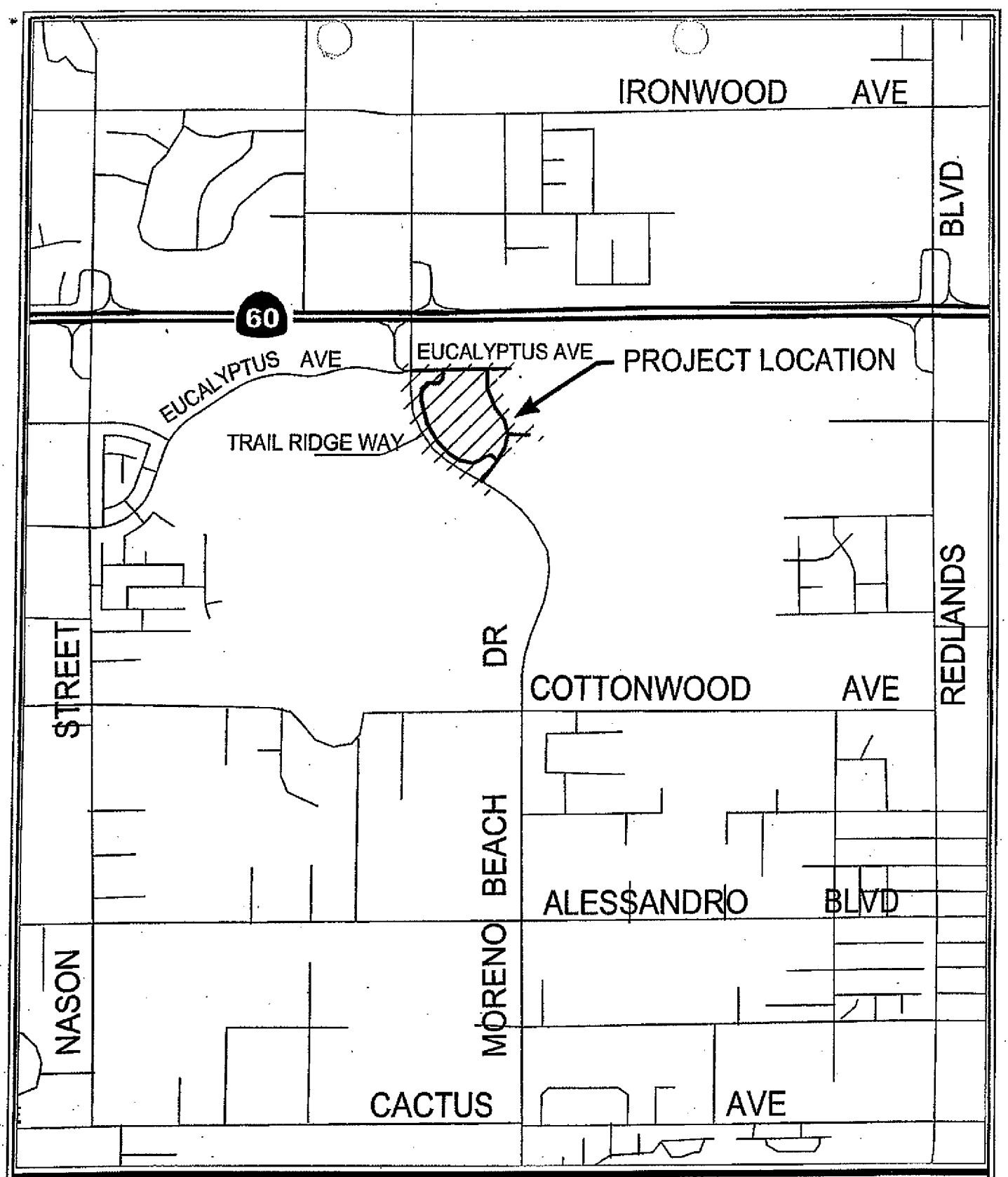

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

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- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

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D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

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10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

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- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

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12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

X:\Marketing\Proposals\P_2008\Public\Moreno Valley\Auto Mall Improvements\Final Engineering Proposal\Budget Est-REV 03.17.09.xls

4/7/2009

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EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services

Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services

Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft, Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID		Task Name	Duration	Start	Finish
1		Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2		**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3		Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4		Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5		Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6		Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7		**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8		Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9		City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10		Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11		City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12		Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13		City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14		Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15		City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16		Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17		**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18		Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19		Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

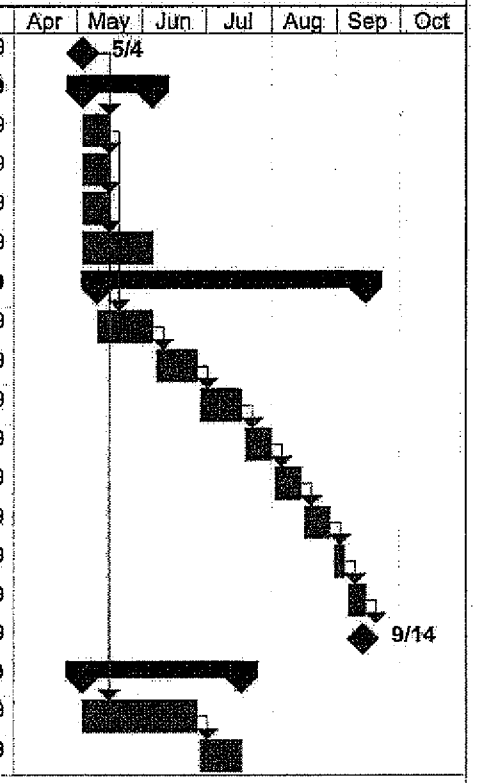

VA Consulting, Inc.
March 9, 2009

Task		Milestone		External Tasks	
Split		Summary		External Milestone	
Progress		Project Summary		Deadline	

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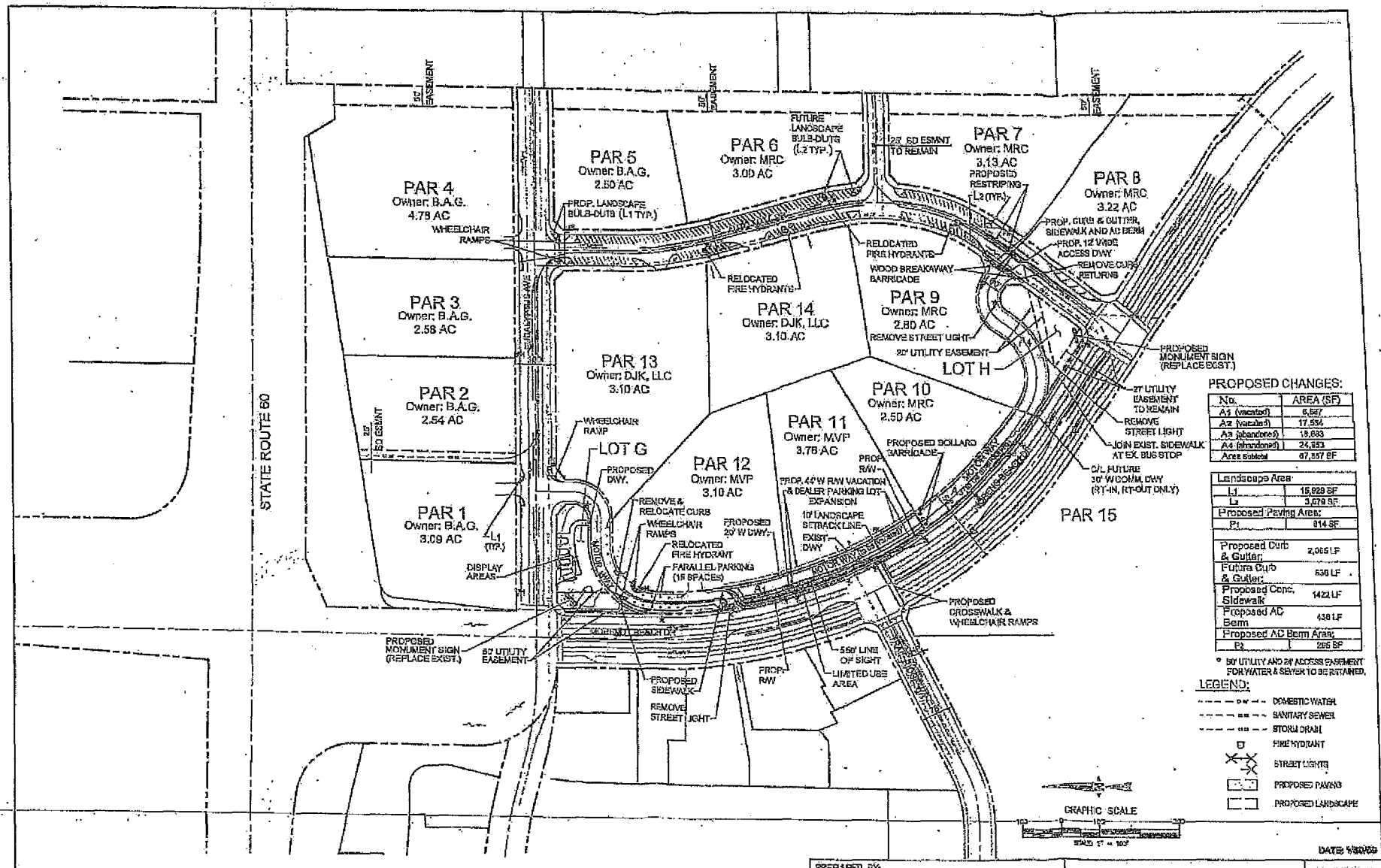
STATE ROUTE 60
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
EVANS AVE
MORENO BEACH DR
MOTOR WAY
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
WHEELCHAIR RAMPS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
92' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. RW
PROP. 49' W RW VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY.
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROPOSED SIDEWALK
REMOVE STREET LIGHT
DISPLAY AREAS
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
87' UTILITY EASEMENT
GRAPHIC SCALE
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,667
A2 (vacated) | 17,534
A3 (abandoned) | 18,683
A4 (abandoned) | 24,953
Area Subtotal | 67,837 SF
Landscape Area:
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,065 LF
Future Curb & Gutter: | 536 LF
Proposed Conc. Sidewalk | 1421 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 295 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
PREPARED BY:
VA Consulting, Inc.
ENGINEERS • PLANNERS • SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1100 TEL
(949) 261-8485 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER
1
OF 1 SHEETS

MV00070300

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.	
VENDOR NO.#		ORIGINAL PO NUMBER
TODAY'S DATE: 6/2/10		37386
Project Number:		

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD
PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660.

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

BACKGROUND

On June 14, 2005, the City Council adopted Resolution No. 2005-49 and Resolution No. 2005-50 allowing the City to expedite design and construction funding for eight (8) important projects that would otherwise wait several years before adequate funding was available. One of those projects was Ironwood Avenue from Heacock Street to Perris Boulevard and was intended to construct missing street improvements, acquire right of way, and relocate major utilities and storm drains.

On August 22, 2006, the City Council approved the Prioritization of Four (4) 2005 Lease Revenue Bonds Street Improvement Projects, based on price escalation, commitments by the City, and refined cost estimates. The initial scope for the Ironwood Avenue project from Heacock Street to Perris Boulevard was reduced to a paved walkway with minor right of way acquisition and project planning to determine the cost of full widening improvements, from two (2) lanes to four (4) lanes.

On November 28, 2006, the City Council approved the Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation (LAN) for the planning of full widening improvements, and design for construction of a paved walkway along Ironwood Avenue from Heacock Street to Perris Boulevard.

On May 27, 2008, the City Council awarded the construction contract for the Ironwood Avenue Sidewalk/Walkway project to Grand Pacific Contractors, Inc. of Corona. This construction was completed and accepted by City Council on January 13, 2009.

On July 8, 2008, the City Council approved the Transportation Uniform Mitigation Fee (TUMF) Program Agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley. WRCOG had approved its Central Zone 5-Year Transportation Improvement Program (TIP) on May 5, 2007, which included the Ironwood Avenue Improvements project, which identified specific improvements on this project as eligible for reimbursement by WRCOG.

On July 8, 2008, the City Council approved the Agreement for Professional Consultant Services TUMF-Zonal with LAN for the design of the full widening improvements, environmental, right of way easement, appraisals, and negotiations, and construction support.

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard and the Indian Detention Basin Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties needed to widen Ironwood Avenue from Heacock Street to Perris Boulevard. There are twenty-six (26) parcels from which right of way (ROW) is required.

On May 24, 2010, the City Manager approved the Fourth Amendment to Agreement with LAN (the subsidiary) which transferred all services required under the Agreement to AECOM Technical Services, Inc. (AECOM) (the parent company).

A total of five amendments to the agreement for this project have been executed within the Purchase Order contingency amount due to the expanded Consultant's scope of work to include additional improvements to the project, time extensions, and reassignment of contract ownership.

DISCUSSION

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The construction will build missing improvements and add additional lanes. During the full improvement planning process, Transportation Uniform Mitigation Fee (TUMF) program funding became available through the Western Riverside Council of Governments (WRCOG), as well as Development Impact Fee (DIF) funds for the full design and construction of two (2) additional lanes on Ironwood Avenue from Heacock Street to Perris Boulevard.

Design is almost 100% complete and right of way acquisition is underway. Staff requests City Council to authorize the Sixth Amendment to Agreement for Professional Consultant Services with AECOM for additional design, right of way, and environmental services. The additional services will include design of a storm drain pipe extension, engineering support for Southern California Edison's power pole relocation, additional effort in right of way negotiation and closing escrows, and pre-construction environmental services.

ALTERNATIVES

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will facilitate the construction of needed improvements.*

2. Do not approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, do not authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and do not authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will delay the construction of needed improvements.*

FISCAL IMPACT

City Council approved a Purchase Order for LAN on July 8, 2008 in the amount of $637,000 ($579,300 plus 10% contingency) for design services. Due to the need for additional services, a Change Order to increase the Purchase Order by $99,975 is required as part of the Sixth Amendment to the Agreement. There are sufficient funds to increase the Purchase Order. The expiration date of June 31, 2012 will not change with the proposed Sixth Amendment.

The Ironwood Avenue Improvement project is being funded with TUMF (Fund 415), Development Impact Fee (Fund 416), and 2005 Lease Revenue Bonds (Fund 501) monies. The funding for this project is restricted to the Ironwood Avenue capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 - TUMF (Account No. 415.70227)	$3,106,000.00
Fiscal Year 2009/2010 - DIF (Account No. 416.78727)	$1,116,000.00
Fiscal Year 2009/2010 - 501 Lease Revenue Bonds (Account No. 501.82625)	$1,046,000.00
Total Available Funds	**$5,268,000.00**

ESTIMATED DESIGN COST:

Consultant Design Agreement (including 10% contingency)	$637,000.00
Consultant Design Sixth Amendment	**$100,000.00**
Project Administration*	$100,000.00
Total Estimated Design Cost	**$837,000.00**

ESTIMATED RIGHT OF WAY AND UTILITY CONSTRUCTION RELATED EXPENDITURES:

Southern California Edison (SCE) Transmission Pole Relocation	$1,578,000.00
Right of Way Acquisition	$622,000.00
Storm Drain Line H-1A Construction	$2,040,000.00
Total Estimated Project Related Expenditures	**$4,240,000.00**

*City staff will provide Project Administration

ANTICIPATED SCHEDULE:

Complete Right of Way Acquisition	August 2010
Complete Design	October 2010
Complete SCE Power Pole Relocation and Storm Drain Construction	June 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The Sixth Amendment to Agreement for Professional Consultant Services with AECOM will provide for additional design, right of way, and environmental services.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Sixth Amendment to Agreement for Professional Consultant Services with Exhibits
Attachment "C" – Change Order to the Purchase Order

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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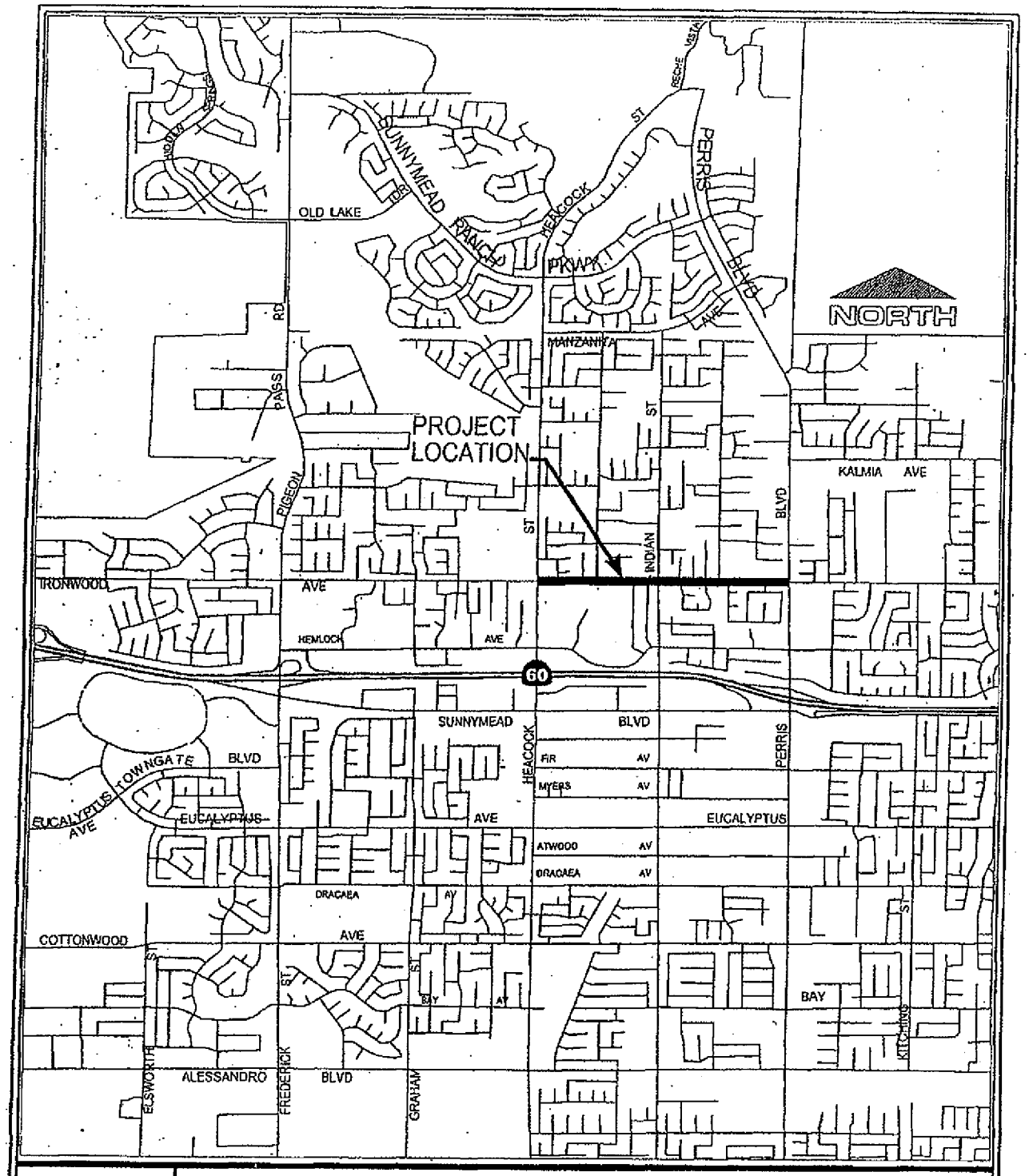

LOCATION MAP

Public Works Department Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

SIXTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

This Sixth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and AECOM Technical Services, Inc., a California corporation, hereinafter referred to as "Consultant." This Sixth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services Transportation Uniform Mitigation Fee (TUMF) - Zonal, Project No. 06-50182625-2" hereinafter referred to as "Agreement," dated July 15, 2008.

Whereas, the Consultant is providing consultant design services for Street Improvements on Ironwood Avenue from Heacock Street to Perris Boulevard.

Whereas, the Agreement was amended on November 3, 2008 to increase the scope of work for the professional consultant design services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on February 11, 2009 to increase the scope of work for the professional consultant design services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on August 20, 2009 to increase the scope of work for the professional consultant design services in the Third Amendment to Agreement for Professional Consultant Services.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

Whereas, the Agreement was amended on May 24, 2010 to transfer all services required under the Agreement from Lim and Nascimento Engineering Corporation to AECOM Technical Services, Inc. for the professional consultant design services in the Fourth Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on _____, 2010 to increase the scope of work for the professional consultant design services in the Fifth Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Sixth Amendment.

Whereas, the Consultant has submitted a Proposal dated May 25, 2010 (Revised June 11, 2010), for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Sixth Amendment" to the Sixth Amendment and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 31, 2012** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – Sixth Amendment," entitled "Change Order Request No. 5 – Additional Work and Change of Project Scope, Project No. 06-50182625, Street Improvements for Ironwood Avenue from Heacock Street to Perris Boulevard."

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section described in "Exhibit B - Sixth Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $99,975, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in "Exhibit A - Sixth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $736,839.10 ($579,300.00 for the original Agreement, plus $7,679.10 for the First Amendment to Agreement, plus $2,475 for the Second Amendment to Agreement, plus $17,618 for the Third Amendment to Agreement, plus $0 for the Fourth Amendment to Agreement, plus $29,792 for the Fifth Amendment to Agreement, plus $99,975 for the Sixth Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

AECOM Technical Services, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Sixth Amendment"
"Exhibit B – Sixth Amendment"

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AECOM

May 25, 2010
(Revised June 11, 2010)

City of Moreno Valley
Public Works Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Attention: Mr. Henry Ngo, P.E.

Subject: Change Order Request No. 5 - Additional Work and Change of Project Scope
Project No. 06-50182625
Street Improvements for Ironwood Ave
From Heacock Street to Perris Blvd

Dear Mr. Ngo:

AECOM has been requested by the City of Moreno Valley to provide additional professional services for the Street Improvements for Ironwood Ave (from Heacock Street to Perris Blvd). The additional services are for the tasks requested by the City and which were not identified in the City's original request for proposal (RFP) nor were they included in the authorized scope of work.

These unanticipated efforts have caused us to exceed our available budget for the project. To assure that we will be able to complete the project, we need to request a change order. The additional services requested by the City include:

- Preparing storm drain pipe extension design to 820 feet east of Ironwood Ave/ Hubbard Street
- Additional Right of Way Services and Improvements for Various Buildings
- Environmental - Pre-Construction Nesting Bird Survey
- Additional Design Services for SCE's Power Pole Relocation

SCOPE OF SERVICES

The Scope of Services covered by this change order are as follows:

1. **Prepare Storm Drain Pipe Extension Design to 820 Feet East of Ironwood Ave/Hubbard St**
   AECOM will provide additional lateral pipe extension to 820 feet east of Ironwood Ave/ Hubbard St. The need for the additional storm drain is to eliminate a local drainage deficiency arising from an existing storm drain pipe that runs from Escondido Ct. and

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765
www.aecom.com
T 909-895-0520
F 909-860-1306

"Exhibit A – Sixth Amendment"

out-flows to Ironwood Ave. via an existing parkway drain. The existing parkway drain is not graded to drain completely and causes a flooding problem.

AECOM will also provide the undersidewalk box drain to replace the existing parkway drain outlet to the street as an alternative design solution.

2. **Additional Right of Way Services and Improvements at Various Buildings**
AECOM has been assisting OPC in the pre-planning and coordination of the full take of properties. Some of them subsequently changed to partial takes and we needed to revise the estimate for compensation costs. Other OPC services including Relocation Plan and Relocation Assistance, Property Negotiations, Project Management and Coordination also required AECOM's involvement in additional meetings, coordination and revised plans and estimates. OPC also needed to perform additional Escrow Coordination Services.

   Also, the noise study prepared by Wieland Acoustics through ECORP contained recommendations for noise mitigation options for the house behind the proposed house removal at 11987 Davis Street, for the existing house at 11990 Kilgore and for the existing house at11989 Hubbard Street. The noise mitigation options include construction of block walls and building upgrades. AECOM needed to coordinate with the City, sub-consultants and the owners to provide the final solution for the noise mitigation, including plan changes, additional meetings and cost estimates.

3. **Environmental - Pre-Construction Nesting Bird Survey**
In accordance with the project's Mitigation Measures, and the Migratory Bird Treaty Act (MBTA)/California Department of Fish & Game (CDFG) Game Code Section 3513, ECORP will conduct a pre-construction nesting bird survey within 30 days prior to any grading, tree or brush clearing or trimming, grubbing or other project related ground disturbances that is proposed to occur between February 1 through August 31.

   If no nesting birds are observed during the survey, site preparation and construction activities may begin. If an active bird nest is located, the nest site shall be fenced to a distance recommended by the monitoring biologist. Typically this is a minimum of 300 feet from the nest site in all directions (500 feet is typically recommended by CDFG for raptors), until the juveniles have fled and there has been no evidence of a second attempt at nesting.

4. **Additional Services for SCE's Power Pole Relocation**
AECOM will provide additional services for Southern California Edison's power pole relocation, per City's request.

FEE PROPOSAL

The proposed Not-to-Exceed fee for the above services is **$99,975**. Attached is a breakdown of the costs by the Change Order task.

Please review the proposed scope and fee estimates and process the Change Order No. 5 so that we may proceed with the tasks. Should you have any questions, please do not hesitate to call me at (909) 895-0520.

Very truly yours,

AECOM

Edward Ng, PE
Project Manager
en/td

cc:

Attachment: Fee Estimates

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765

www.aecom.com

T 909-895-0520
F 909-860-1306

COST PROPOSAL

	TOTALS
AECOM.	$39,861
ECORP	$1,204
OPC	$58,909
TOTALS	$99,975

6/13/2010 AECOM

"Exhibit B – Sixth Amendment"

COMPANY:	SCOPE OF WORK	DATE:	REV:
AECOM.	Project Design	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

	FUNCTION	HOURS		RATE	AMOUNT	
1. Storm Drain Design						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	12	@	$115.00	$1,380.00	
Robert Wong	Drainage Engineer	48	@	$115.00	$5,520.00	
Julian Yap	Asst. Engineer	12	@	$85.00	$1,020.00	
Phong Mai	Asst. Engineer	80	@	$85.00	$6,800.00	
					Subtotal	$16,080.00
2. Coordination for Additonal Right-of-Way						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	24	@	$115.00	$2,760.00	
Julian Yap	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$6,160.00
3. Additional Design Per SCE						
Edward Ng, PE	Project Manager	20	@	$170.00	$3,400.00	
Paul Lau, PE	Project Engineer	30	@	$115.00	$3,450.00	
Julian Yap	Asst. Engineer	32	@	$85.00	$2,720.00	
Phong Mai	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$11,610.00
	TOTAL HOURS	322			TOTAL DIRECT LABOR	$33,850.00

MULTIPLIERS

ESCALATION @	(Rate)	
OVERHEAD @	(of Total Direct Labor + Escalation)	
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)	
	TOTAL MULTIPLIERS	

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
Printing			$1.00	
Mileage			$0.55	
			TOTAL OTHER DIRECT EXPENSES	

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
ECORP				$1,204.25
OPC				$58,909.00
KDMM				
			TOTAL OUTSIDE SERVICES	$60,113.25

FEES

OUTSIDE SERVICES ADMIN FE	10.00%	(of Total Outside Services & Outside Services Fees)	$60,113.25
AECOM. @		(of Total Direct Labor + Total Multipliers)	
OUTSIDE SERVICES @	10.00%	(of Total Labor + Total Multiplier for Outside Services	
		TOTAL FEES	$6,011.33
		TOTAL COST	**$39,861.33**

COMPANY:	SCOPE OF WORK	DATE:	REV:
ECORP	Environmental Survey & Permit Application	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS	RATE	AMOUNT
Scott Taylor	Biology Manager	1	$130.00	$130.00
Anthony Mann	Biologist	10	$80.00	$800.00

TOTAL HOURS 11 TOTAL DIRECT LABOR $930.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)

TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES ••• Billed at Actual Cost •••

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
digital camera	1	@	$3.50	$3.50
GIS	1	@	$20.00	$20.00
photographs/film	1	@	$3.00	$3.00
cell phone	1	@	$1.00	$1.00
GPS rental	1	@	$10.00	$10.00
Mileage	100	@	$0.51	$50.50
Rental Vehicle	1	@	$30.00	$30.00
aerial photos	1	@	$100.00	$100.00
photocopies b/w	175	@	$0.15	$26.25
photocopies color	30	@	$1.00	$30.00

TOTAL OTHER DIRECT EXPENSES $274.25

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL

TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees)
ECORP @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service

TOTAL FEES

TOTAL COST $1,204.25

COMPANY:	SCOPE OF WORK	DATE:	REV:
OPC		6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS		RATE	AMOUNT
	Principal/Director			$165.00	
	Senior Project Manager	25	@	$135.00	$3,375.00
	Project Manager	130	@	$125.00	$16,250.00
	Senior Acq/Relo Consultant			$115.00	
	Acq/Relo Consultant	233	@	$105.00	$24,465.00
	Project Support	203	@	$73.00	$14,819.00
	TOTAL HOURS	591		TOTAL DIRECT LABOR	$58,909.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)
	TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
				TOTAL OTHER DIRECT EXPENSES

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
				TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees
OPC @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service
	TOTAL FEES

TOTAL COST $58,909

COMPANY:	SCOPE OF WORK	DATE:	REVISION:
AECOM.		6/13/2010	
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5		Project Summary	

AECOM. Summary

	$170.00	$115.00	$115.00	$85.00	$85.00				$170.00	$115.00	#REF!	$85.00			$170.00	$115.00				
Subtotal	36	66	48	68	104															322
Totals	36	66	48	68	104															322

ECORP Summary

	$130.00	$80.00																	
	1	10																	11

OPC Summary

	$165.00	$135.00	$125.00	$115.00	$105.00	$75.00													
		25	130		233	203													591

Summary

Summary

COMPANY:	SCOPE OF WORK	DATE:	REVISION:
ECORP	Environmental Survey & Permit Application	6/13/2010	
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	1	10																11
1. Ironwood Pre-construction Nesting Bird Survey	1	10																11

COMPANY:	SCOPE OF WORK	DATE:	REVISION:
AECOM.	Project Design	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

Total Manhours	36	66	48	68	104	322
1. Storm drain extension to 520' east of Hubbard St	8	12	48	12	80	160
2. Coordination for Add'l R/W Services & Imp'ts at Various Buildings	8	24		24		56
3. Additional Design Services for SCE	20	30		32	24	106

COMPANY: OPC	SCOPE OF WORK	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours		25	130		233	203												591
1. Pre-planning & Coordination		5	25		20	10												60
2. Relocation Plan & Assistance		5	25		50	10												90
3. Property Negotiations		5	30		116													151
4. Escrow Coordination Services			10		47	183												240
5. Project Management & Coord.		10	40															50

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/14/10**	**VENDOR NAME:**	AECOM Technical Services, Inc. (formerly LAN)
		VENDOR NO.#	ORIGINAL PO NUMBER
		2064471	35827
	Project Number:	06-50182625-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	COST (use negative sign to reduce amount)
Increase PO # 35827 by $99,975 for additional design, right-of-way, and environmental services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625-2)	$99,975.00

Notes:		**Change Order Sub Total from Above:**	$99,975.00
		Original P.O. and Prior Change OrderAmount:	$637,230.00
		Revised Total Spend:	**$737,205.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by:	Henry Ngo & Lee Ann Florez HN	Date: 06/08/2010			
Divison Manager ($15k)		Date:	100.0%	415.70227.7200	$737,205.00
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$737,205.00

Attachment "C"

V 1.4

MV00070327

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-89280221-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221).

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto.

BACKGROUND

On November 25, 2008 the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract included construction of median beautification, a lighted median sign near Perris Boulevard, landscaping, a color Portland Cement Concrete (PCC) center turn lane, intersection enhancements.

DISCUSSION

Excel started the Stage 2 construction work in May 2009. Currently, Excel is working on the footings and underground electrical components for the median sign.

There were three (3) Contract Change Orders issued to Excel for the Stage 2 contract totaling approximately $202,002.98. These changes included removal, replacement, and repaving of the interface areas adjacent to the newly constructed color PCC walks for a smooth transition removing rutted and uneven surface areas on the side streets. Other changes included necessary traffic safety control measures, removal of buried asphalt materials, removal of buried signal pole footings and unsuitable subgrades, and dumping fees for contaminated materials. The contractual expenditures are still within the City Council authorized Purchase Order amount, however, there are some unresolved claims which may potentially exceed the project's Purchase Order amount. Therefore, staff is requesting City Council approve the $50,000 Change Order to increase Excel's Purchase Order as a contingency to ensure timely payment to the Contractor in accordance with the Public Contract Code in the event the claims are resolved in the Contractor's favor.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will allow for the completion of these needed improvements.*

2. Do not Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and do not authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will delay the needed improvements and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) by Excel was funded with Lease Revenue Bond funds (fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (fund 892) as budgeted in Fiscal Year 2009/2010. An increase of $50,000 is requested to increase the Purchase Order (No. 37049) for Excel from the project's unencumbered budget in 892.80221 to cover the cost of possible claims. The

funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)	($3,549,000)

Breakdown of Stage 2 Related Work

Contractor (includes contingency)	$2,703,000
Requested increase in PO No. 37049 for Excel	**$50,000**
Consultant Construction Management/Inspection Services (incl. contingency)	$595,000
Geotechnical Services	$32,000
Survey Services	$78,000
Project Administration*	$91,000
Total Amount for Stage 2 Construction	$3,549,000

Remaining Project Balance $379,000

*Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Excel has been constructing the beautification and enhancements improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 2). The improvements have included the median beautification, a lighted median sign near Perris Boulevard, landscaping, a color PCC center turn lane, and intersection enhancements. Due to some unresolved claims, staff is requesting City Council

approve the Change Order to increase Excel's Purchase Order by $50,000 from the unencumbered project budget.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Change Order Form

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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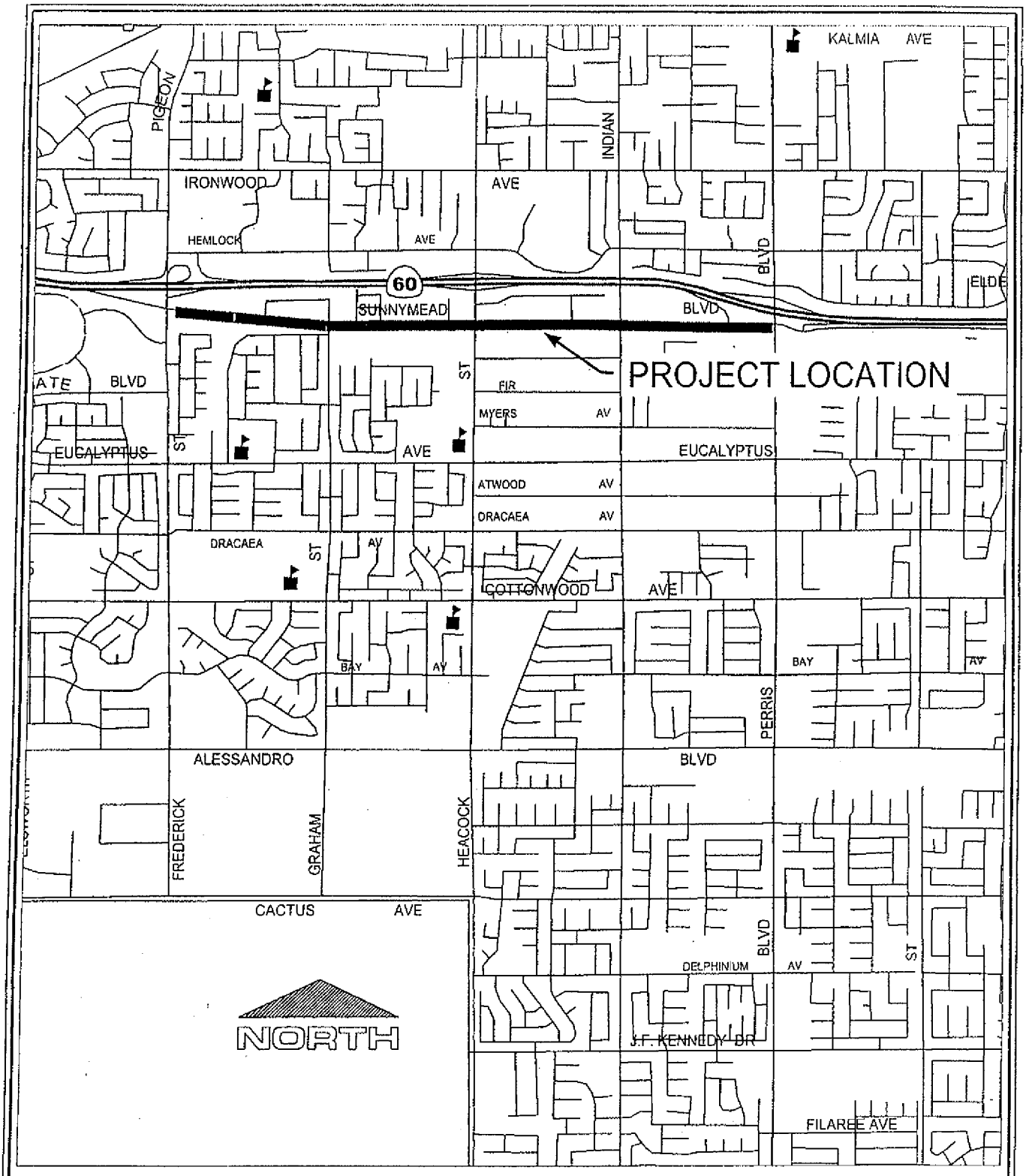

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/8/10**	**VENDOR NAME:**	PALP Inc. dba Excel Paving Company
		VENDOR NO.#	ORIGINAL PO NUMBER
		2381898	37049
	Project Number:	04-89280221-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 37049 by $50,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-2).	$50,000.00

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$756,636.90
		Revised Total Spend:	**$806,636.90**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 06/07/2010			
Divison Manager ($15k)		Date:	100.0%	892.80221.7200	$806,636.90
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$806,636.90

Attachment "B"

V 1.4

MV00070334

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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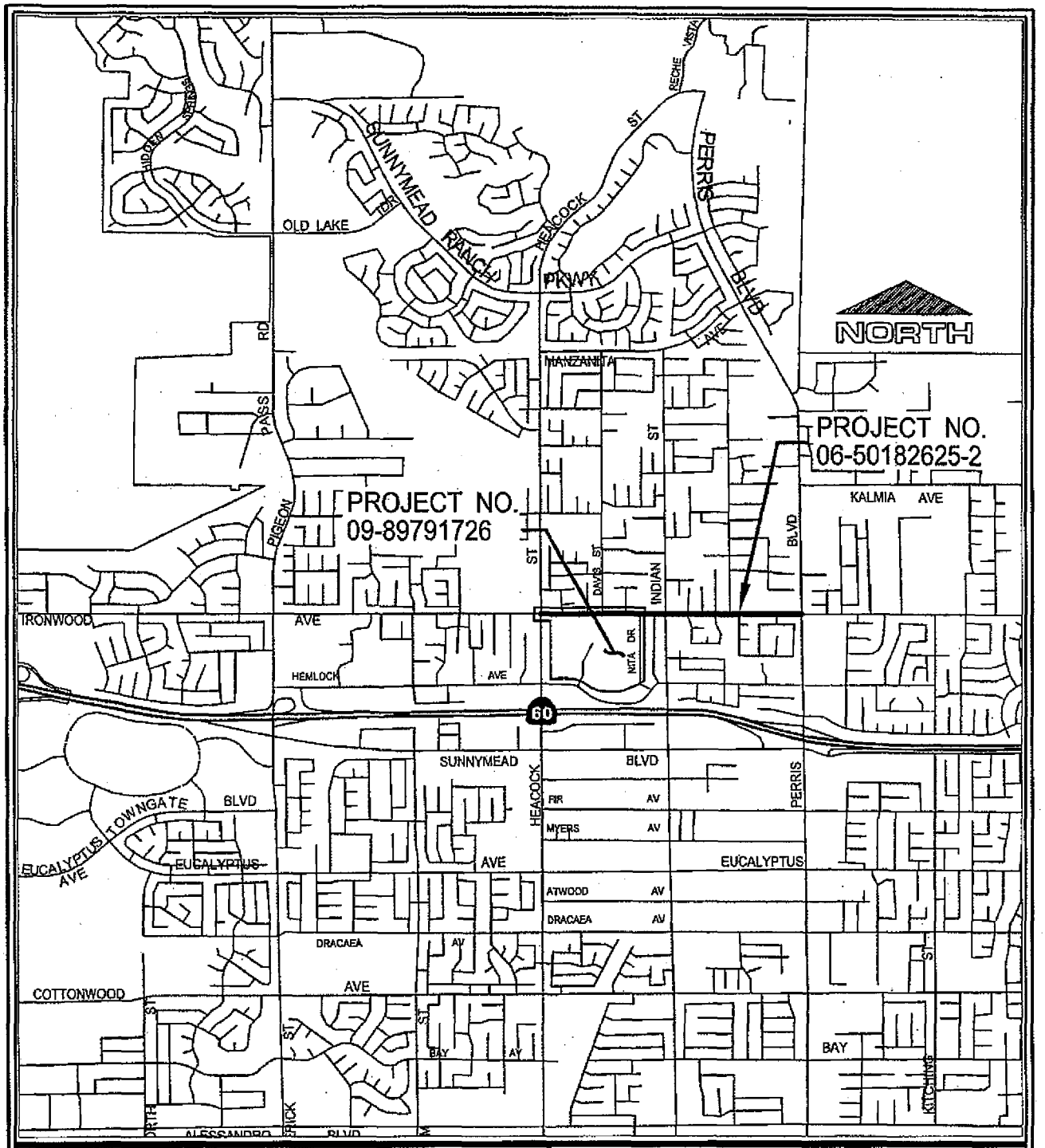

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

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Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

MV00070346

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

MV00070347

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

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Exhibit "A"

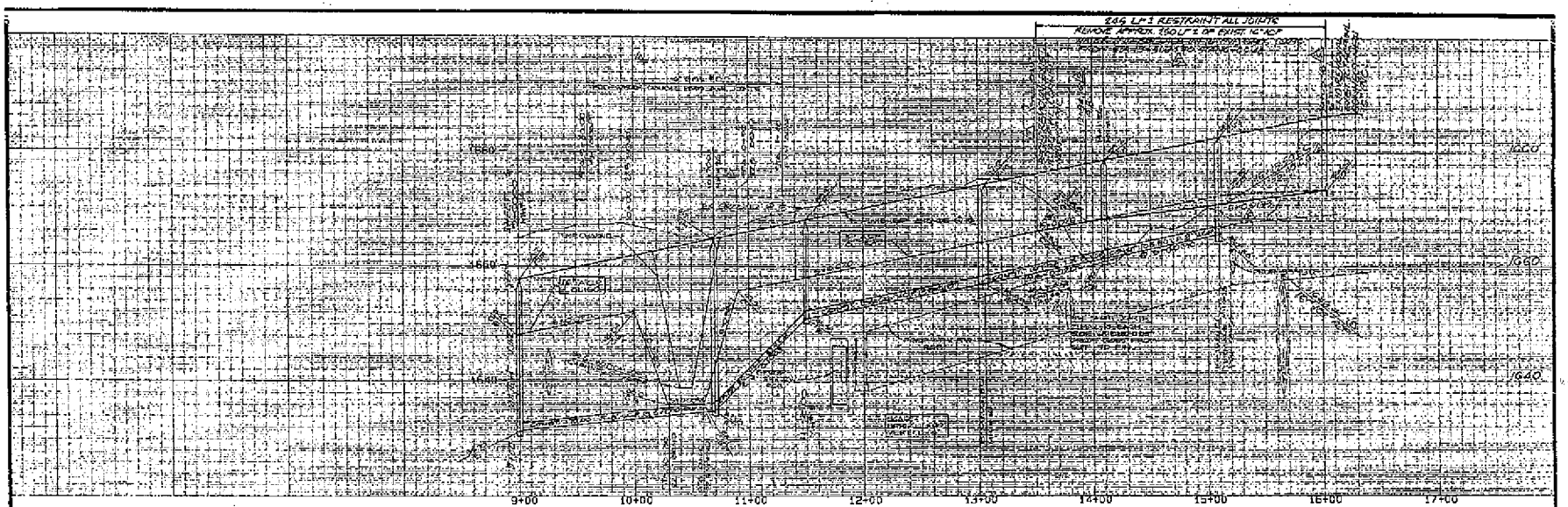

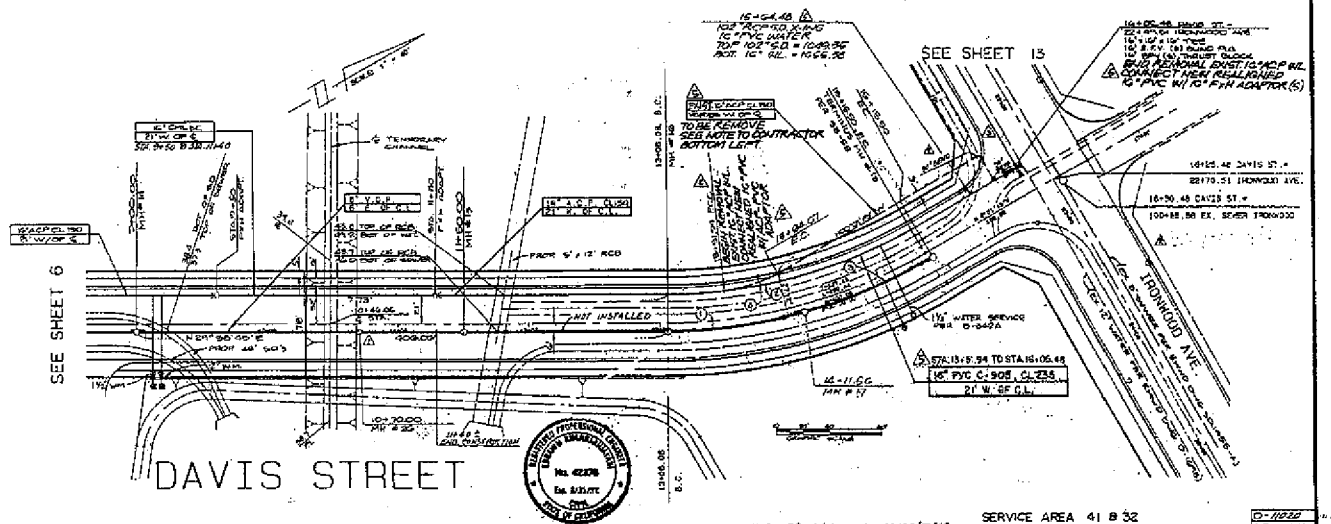

CURVE DATA				
NO	Δ	R	L	T
1	15°06'42"	406.00	107.08'	53.85'
2	80°00'00"	375.00'	523.59'	301.95'
3	14°58'18"	409.00	106.90	53.70
4	73°29'40"	100.00'	128.29'	75.75'

⚠ NOTE TO CONTRACTOR

REMOVAL OF ACP PIPE AND APPURTENANCES SHALL BE DONE BY CONTRACTOR LICENSED TO HANDLE HAZARDOUS MATERIAL. DISPOSAL SHALL BE IN ACCORDANCE WITH STATE AND FEDERAL LAW.

COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
APPROVED BY: [signature]
DATE: 1-30-89

WATER/SEWER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
DESIGN ENGINEER — DATE
APPROVALS
DESIGN | CONSTRUCTION | OPERATION | SUBMITTED

REVISIONS:
⚠ 10/20/88 — PER B.S. & REVISED PROFILE
⚠ 10/20/88 — TEMP 16" CH-SC STA 10+50 TO 11+80 & ADDED TEMPT
⚠ 10/20/88 — STA 15+50 TO 16+45
⚠ 10/20/88 — REVISED 16" WATERMAIN LOCATION IN IRONWOOD
PLAN & PROFILE PER AS BUILT DRAWINGS 1-7-90
⚠ 3/1/90 — PLAN & PROFILE PER AS BUILT DRAWINGS 1-7-90
⚠ 4/9/91 — PLAN & PROFILE PER AS BUILT DRAWINGS 1-7-90
⚠ 4/9/91 — REMOVE EXIST 10" ACP & REPLACE PER 10" PVC
REF. STA. 13+81 DM TO STA. 16+06.48 SMM 07/05/91

APPROVED BY: [signature]
DATE: 5/17/88
REGISTERED CIVIL ENGINEER
APPROVED BY: [signature]
DATE: [illegible] ENGINEER CITY OF MORENO VALLEY

ALBERT A. WEBB ASSOCIATES
CIVIL ENGINEERS
3788 McCRAY STREET
RIVERSIDE, CALIFORNIA
(714) 686-0231
SCALE: 1"=40'
DRAWN BY: [illegible]
DESIGNED BY: [illegible]
CHECKED BY: [illegible]
BENCH MARK: SEE SHEET 1

CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
PM 23656
DAVIS STREET

W.O. 88-100 | FOR: K. STEIN | J.O. 1344

7
OF 13 SHEETS
FILE NO: 88-100B

EMWD INSPECTOR RAY BIGNLER
W.O. 88-444 C.A. 3743/3743D
SERVICE AREA 41 & 32
D-11020
SD-14656

COORD. 6-H

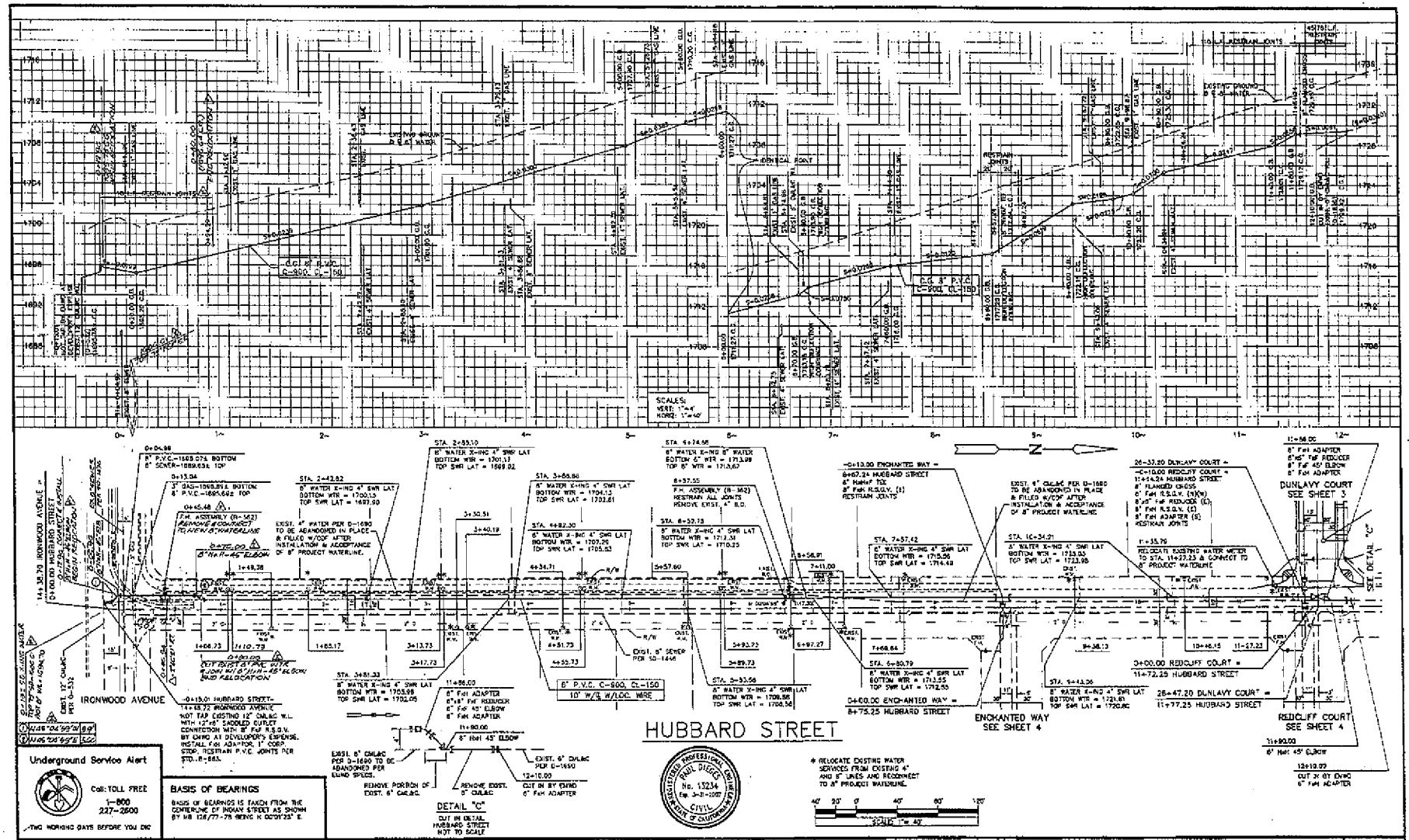
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY
SEE SHEET 4
DUNLAVY COURT
SEE SHEET 3
REDCLIFF COURT
SEE SHEET 4
SEE DETAIL "C"
DETAIL "C"
CUT IN DETAIL HUBBARD STREET NOT TO SCALE
SCALE: 1" = 40'
Underground Service Alert
Call: TOLL FREE 1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 126/77-78 BEING N 00°01'25" E.
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
PLAN AND PROFILE
STA. -0+15.01 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

MV00070352

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING OVERVIEW AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-346, TYPE "B"
4. WATER STATION PROFILE ELEVATIONS ARE TO BE CENTERLINE (CENTER GRADE) OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. B-936
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARDS & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD (DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-357
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE TYPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO EMWD SPECIFICATIONS.
10. FITTINGS FOR P.V.C PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SCAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-843.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES x 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-290, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). (ENGINEER SHALL VISIT OTHER SITES AND DRAWINGS WHICH APPROPRIATE). ADJACENT LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION.

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4630
2. ALL PERMIT AGENCIES
3. A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3100
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND OR OVERHEAD UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE OWNER/ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THOSE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THOSE LINES. PHASED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (U.S.A.) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING, AND CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES BEFORE SUBMITTING A BID. ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES, SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL THICKNESS FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLED CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPE, USE, AND SPECIFICATIONS. CONTRACTOR SHALL REVIEW ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO INSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION REQUIREMENTS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS

WATER QUANTITY ESTIMATE

ITEM	QUANTITY	UNIT
12" PVC WATER C-900, DL-150, DR-18	904	LF
8" PVC WATER C-900, DL-200, DR-14	21	LF
12x12 45° BEND	2	EA
8" FORT 45° BEND	1	EA
12" GATE VALVE	2	EA
12" FORT 45° BEND	2	EA
6" FLOW-OFF	1	EA
12" FLANGE	4	EA
12x12 TEE/WYE	1	EA
12" SPOOL	1	EA
12" 90° BEND	2	EA
12" TEE	2	EA
REMOVE & SALVAGE 12" DUCTILE WATER LINE	497	LF
1" DISC. 12x12 & 90° 12" 12" DUCTILE W/A	1	EA
1" WATER SERVICE W/ METER	1	EA
1" FORT AIR VALVE ASSY	1	EA
8" PVC WATER C-900, DL-200 (TEMP. JOSH END)	63	LF

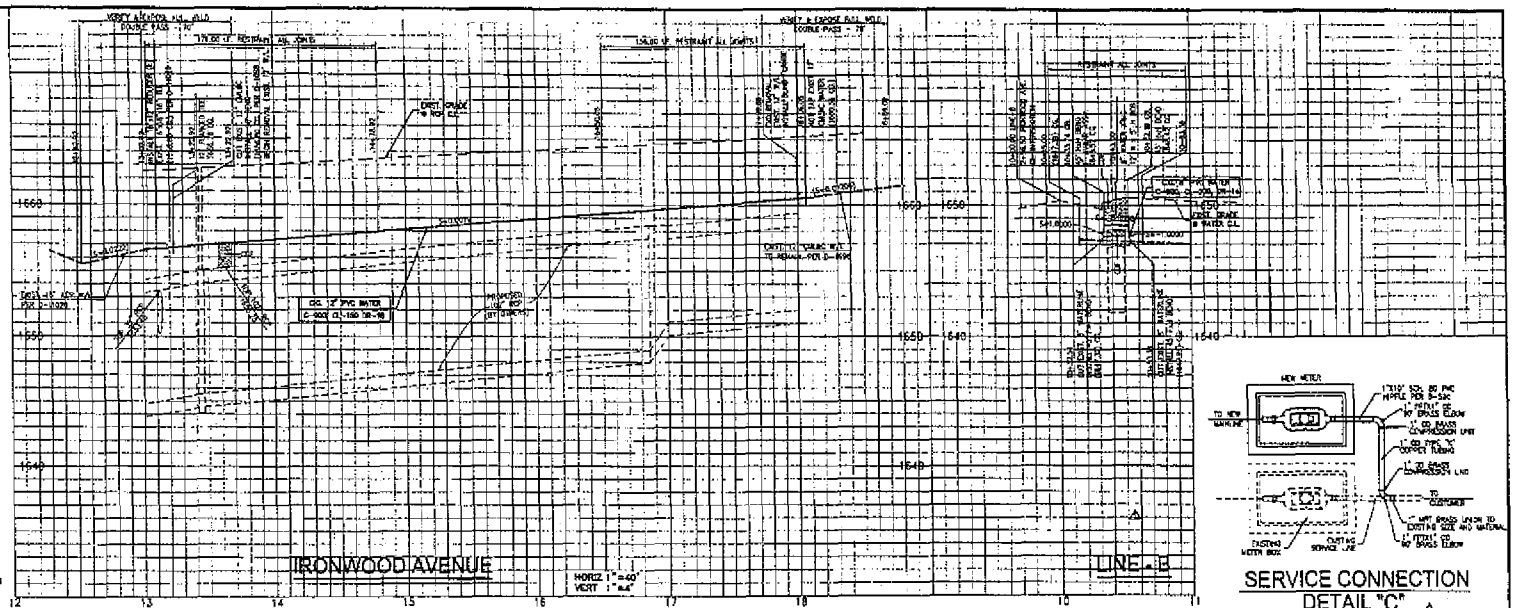

SERVICE CONNECTION DETAIL "C"

NOT TO SCALE

NOTES:

4. EXIST. WATER METER, FIELD VERIFY FOR EXACT LOCATION INSTALL NEW 1" SERVICE 1 OFF (R/W) OF EXISTING WATER SERVICE, CONNECT TO NEW 12" PVC WATER LINE AND NEW METER PER DETAIL "C" ABOVE RIGHT
5. TEMPORARY OUT OF SERVICE VALVE CUTTING & RE-CONNECTING TO THE NEW 12" WATER LINE

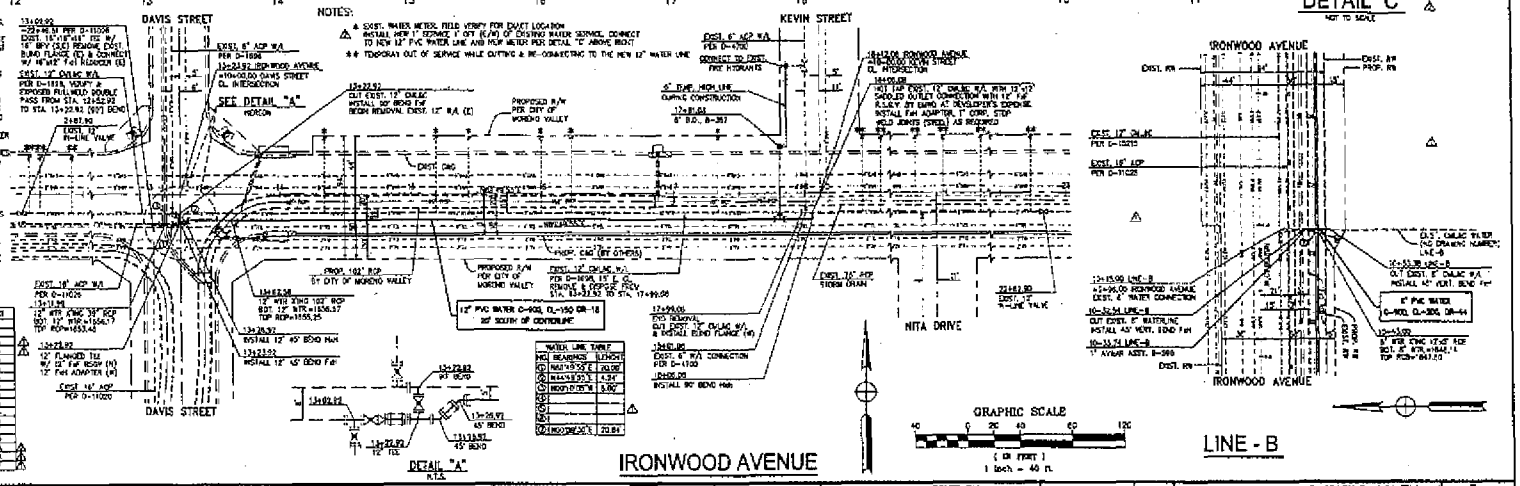

DETAIL "A"

N.T.S.

IRONWOOD AVENUE

Underground Service Alert

Call TOLL FREE 1-800 227-2600

TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/3/08	LAM	REVISED LINE-A, SUPERCEDED APPROVED PLAN DATED 11/25/04	SMHM	04/01/2008
2	4/30/08	LAM	ADDED DETAIL "C", SUPERCEDED APPROVED PLAN DATED 4/21/08	SMHM	04/30/2008

DESIGNED: DRAWN: CHECKED:

BENCHMARK: ELEV: 1636.93 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK 66-58 FT.
BRASS TAPE ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST. 225' NORTHERLY FROM THE PRESCRIPTION OF HEACOCK ST. & SOUTHBOUND BLVD., 295' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 2' EASTERLY OF A 3.5'X3' CONC. VALVE BOX (UNDERGROUND), 3.4'X1.5' SOUTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER BOX IN A 12" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5" DIA.) STAMPED "B-58 RESET 1968".

APPROVED BY: DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE

RECOMMENDED

WATER APPROVED BY: EASTERN MUNICIPAL WATER DISTRICT — 04/30/2008

PROJECT MANAGER — DATE

APPROVALS: PROJECT ENGINEER, WATER, WASTEWATER, MAINTENANCE

LICENSING, DRAWN, TRACED, CHECKED, SUBMITTED — DATE

SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA

12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

LO. 3
LO. 41
W.O. 12-747
CO.
COORD.
SHT. 1 OF 1
D- 41354

MV00070353

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & Install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

MV00070354

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

MV00070355

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

MV00070356

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & Install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

MV00070357

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

MV00070358

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto.

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

BACKGROUND

On May 29, 2008, the City Manager executed an Agreement for Professional Consultant Services with OPC for On-Call Right of Way services. On December 5, 2008, a purchase order for $70,000 was issued to OPC after they were selected as the most responsive firm to propose for In-House Right of Way Consulting Services to assist the Capital Projects Division with capital improvement projects. City Council approved an increase of $99,000 to the purchase order at its meeting on April 14, 2009.

DISCUSSION

Due to the vacant City staff "Senior Real Property Agent" position, as well as an increase in project related right of way activities, additional resources are necessary.

As a temporary solution to assist in expediting the completion of projects, the Capital Projects Division seeks to extend their Agreement with OPC.

OPC staff has an excellent track record of providing right of way services for budgeted capital improvement projects including, but not limited to, Kitching Street Improvements, Day Street Improvements, Sunnymead Boulevard Rehabilitation, and Lasselle Street Widening Improvements. Over the next twelve months, OPC staff will continue to work on right of way for projects such as the Perris Boulevard from PVSD Lateral "B" to Cactus Avenue Improvements, Perris Boulevard from Ironwood Avenue to Manzanita Avenue, Ironwood Avenue Street Improvements, Heacock Street Bridge Improvements, and other budgeted capital projects as assigned.

OPC provides professional consultant right of way services under an on-call Agreement that expires May 15, 2011. Staff recommends issuing a new purchase order and executing a Project Agreement with OPC for the continuation of their services. The purchase order for $99,000 allows for approximately one (1) additional year of right of way services as provided by the in-house consultant staff. The new purchase order will increase the Agreement to a total not-to-exceed amount of $268,000 ($70,000 for the original purchase order, plus $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

ALTERNATIVES

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and do not authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The current purchase order encumbered to account number 897.91724 will be fully expended shortly. Staff recommends that the new purchase order for $99,000 be encumbered to the FY 10/11 Perris Boulevard from PVSD Lateral "B" to Cactus Avenue

Improvements project budget (Account No. 416.78526). As costs are incurred against this purchase order, the expenditures will be transferred to the capital projects for which services were performed. The anticipated associated costs for the purchase order increase will be funded through DIF Arterial Streets (Fund 416), TUMF Capital Projects (Fund 415), 2005 Lease Revenue Bonds (Fund 501), and Measure "A" (Fund 125):

Perris Boulevard from PVSD Lateral "B" to Cactus Avenue (416.78526)	$29,000
Perris Boulevard from Ironwood Avenue to Manzanita Avenue (415.78726)	$28,000
Ironwood Avenue Street Improvements (501.82625)	$18,000
Heacock Street Bridge Improvements (125.66825)	$24,000
Total	**$99,000**

These funds are restricted to Capital Improvement Projects and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

Due to the need for in-house right of way services on a variety of projects, a purchase order with OPC is necessary to continue the temporary professional staffing services for the Capital Projects Division. Staff recommends that the City Council authorize the execution of the Project Agreement and the issuance of a new purchase order to OPC in the amount of $99,000 for right of way services.

ATTACHMENTS

Attachment "A" – Project Agreement
Attachment "B" – Purchase Requisition

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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PROJECT AGREEMENT FOR ON-CALL
PROFESSIONAL CONSULTANT SERVICES
VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Overland, Pacific and Cutler, Inc., a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has Pre-Qualified Consultant for On-Call Consultant work in an Agreement ("On-Call Agreement") executed on May 29, 2008 for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-Call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-Call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Consultant Real Property and Right of Way Services for Various Projects of the Capital Projects Division (and other Divisions as needed) and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

3. The Consultant's scope of service is for Consultant Real Property and Right of Way

Services for Various Projects of the Capital Projects Division and is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D", attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

MV00070364

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Overland, Pacific and Cutler, Inc.

BY: _____

TITLE: PRESIDENT
(President or Vice President)

5/25/10
Date

BY: _____

TITLE: Vice President / Secretary
(Corporate Secretary)

5-25-10
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures:
Exhibit "A" – City Scope of Services
Exhibit "B" – Consultant Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MV00070365

CITY SCOPE OF SERVICES

Various Capital Improvement projects throughout the year will require Right of Way Services. The following list includes services that may be needed over the course of the contract. The list is not intended to be all-inclusive, as other services may be needed:

- prepare reports and coordinate the preparation of site surveys relating to real property that is required for public purposes
- prepare certificates of acceptance; record documentation at the county, negotiate for purchase, lease, or donation of real property
- prepare contracts, agreements, leases, deeds, re-conveyances, legals, plats, and other instruments used to acquire or vacate interests in real property
- prepare rights of entry
- prepare and acquire temporary construction easements
- estimate the market value of real property and prepare written reports
- analyze title reports, contracts, judgments, court records, and other documents to evaluate the legal status and effect upon title of various liens, restrictions, and encumbrances
- maintain records, databases, maps, deeds, and other documents
- coordinate the hiring of appraisers, including preparation of Request for Proposals, review and rate/rank Proposals, prepare Staff Reports, review appraisals, verify property surveys, plats and legal descriptions
- coordinate eminent domain actions' consult with the City Council and City departments regarding real property matters, and interact with public agencies
- negotiate and acquire temporary construction "rights of way"
- negotiate cellular tower leases
- meet with property owners to discuss and educate them on real property issues pertaining to acquisition and relocation
- assist project managers on real property issues as they relate to their respective capital improvement projects
- perform related duties as assigned
- and provide quality customer service

EXHIBIT "A"

OVERLAND PACIFIC & CUTLER, INC.

2280 Market Street, Suite 340, Riverside, CA 92501
phone: (951)683-2353, fax: (951)683-3901

April 23, 2010

Ms. Kimberly Jester
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

RE: In-House Right of Way Consulting Services 2010

Dear Ms. Jester:

In response to your request, Overland, Pacific & Cutler, Inc. (OPC) is pleased to present the City of Moreno Valley with this brief fee proposal for the continuation of in-house staffing services under our existing Professional On-Call Services Agreement.

OPC is proposing to continue with the existing arrangements and will assign Mr. Michael Green to the City on specified hours and days. Mr. Green will be working at a rate of $105 per hour, Tuesdays and Thursdays, 8:00 AM to 5:00 PM. At 16 hours per week for the year, we estimate the total annual cost to be $87,360. Should the actual hours increase or decrease over the coming year, the estimated cost will adjust accordingly.

Should you have any questions or would like to discuss further, please do not hesitate to call me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

Exhibit "B"

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $268,000 ($70,000 for the original purchase order, $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

2. Rates for personnel and services shall be as provided on Exhibit "B" – Consultant Proposal.

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

TODAY'S DATE: 06/09/10	**PURCHASE REQUISITION**	Purchasing Use Only	
DELIVER TO: 15670 Perris Blvd Moreno Valley, CA 92551	**CITY OF MORENO VALLEY**	SELECTED VENDOR NO.#	REQUISITION NUMBER
DELIVER ON OR BEFORE:	**Provide complete new vendor information or name-phone & e-mail for current vendors**		

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Overland Pacific & Cutler, Inc.		
STREET ADDRESS >	100 West Broadway Suite 500		
STREET ADDRESS >			
CITY-STATE-ZIP >	Long Beach CA 90802		
CONTACT NAME >			
PHONE NUMBER >			
E-MAIL ADDRESS >			

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	Professional Consultant Right of Way Services for the Various Projects of the Capital Projects Division.	1	Lump Sum	$99,000.00	$99,000.00		
	Project No. 11-41570125						
	Per Project Agreement dated _____ by the City Manager.						
	The "On-call" Right of Way Services Agreement, First Amendment and Second Amendment with OPC are on file with the Purchasing Division.						
Notes:				Est. Shipping:		Shipping:	
				Est. Tax:		Tax:	
				Est. Total:	$99,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Kim Jester / Prem Kumar	Date:			
Division Manager ($15k)	Date:	100.0%	416.78526.7200	$99,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$99,000.00

ATTACHMENT "B"

MV00070370

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-89280221

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard.

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto.

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

BACKGROUND

On December 11, 2007, the City Council approved the Agreement for Professional Consultant Services with Harris & Associates, Inc. (Harris) for Construction Management and Inspection Services for Stage 1 (sidewalk and parkway improvements) and Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $660,000.

On November 25, 2008, the City Council approved the First Amendment to Agreement for Professional Consultant Services with Harris for additional Construction Management and Inspection Services for Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $265,000.

DISCUSSION

The Sunnymead Boulevard project from Frederick Street to Perris Boulevard has been constructed in two stages. Stage 1 was the Revitalization project for the color sidewalk, ramp and driveway improvements, which include a lighted gateway entry arch, bus shelters, sign monuments, parkway landscaping, Heacock Street intersection improvements, curb, and gutter. Stage 2 was the Beautification and Enhancement project for the street and median improvements, which include a lighted median sign near Perris Boulevard, median landscaping, a color Portland Cement Concrete (PCC) center turn lane, and intersection enhancements.

The Harris scope of services includes construction management for both the Stage 1 sidewalk and parkway improvements, and the Stage 2 median and intersection enhancements. Harris' responsibilities encompass construction management, which includes overseeing the daily construction operations of the contractors' work for compliance with approved plans and applicable City, State and Federal standards. In addition they are responsible for obtaining and reviewing all contractor submittals and contractor payment requests that are to be forwarded to the City for approval. However, the project is not complete and additional services are required. The work still pending includes punch list items pertaining to the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, an increase in Harris' construction management and inspection contract Purchase Order is needed through this Second Amendment to provide for the services necessary to complete the project. The expiration date of February 28, 2011 will not change with the proposed Second Amendment.

ALTERNATIVES

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick

Street to Perris Boulevard, authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative will allow for the completion of needed improvements.*

2. Do not approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard, do not authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, do not authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative may delay construction of needed improvements.*

FISCAL IMPACT

The project is funded with Lease Revenue Bond funds (Fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (Fund 892). The Harris contract was originally funded with Lease Revenue Bond funds, however, staff now requests that the City Council approve a new Purchase Requisition for $176,000 from unencumbered Redevelopment Agency project funds (Fund 892). The funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125) $12,138,000
Total Estimated Design Related Costs ..... ($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1) ..... ($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2) ..... ($3,549,000)

Breakdown of Professional Consultant Services with Harris & Associates

Original Agreement for Stage 1 & 2 Construction Management and Inspection Services (w/cont.) $660,000*
First Amendment for Stage 2 Construction Management and Inspection Services (w/cont.) $265,000*
Second Amendment for Stage 1 and 2 Construction Management and Inspection Services ..... $176,000 ..... ($176,000)
Total Construction Management and Inspection Services $1,101,000

Unencumbered Project Balance $203,000

* *Costs are already included in Stage 1 & 2 Construction items above*

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction ..... August 2010
Completion of Stage 2 Construction ..... October 2010

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:

Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

The Sunnymead Boulevard project is nearing completion. The longer than anticipated construction duration has resulted in the need to increase the contract amount with Harris & Associates, Inc. for construction management services. Therefore, staff is requesting City Council approve the increase to Harris' Purchase Order by $176,000 from the unencumbered project budget in Fund 892.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Second Amendment to Agreement for Professional Consultant Services, Project No. 04-89280221
Attachment "C" – Purchase Requisition

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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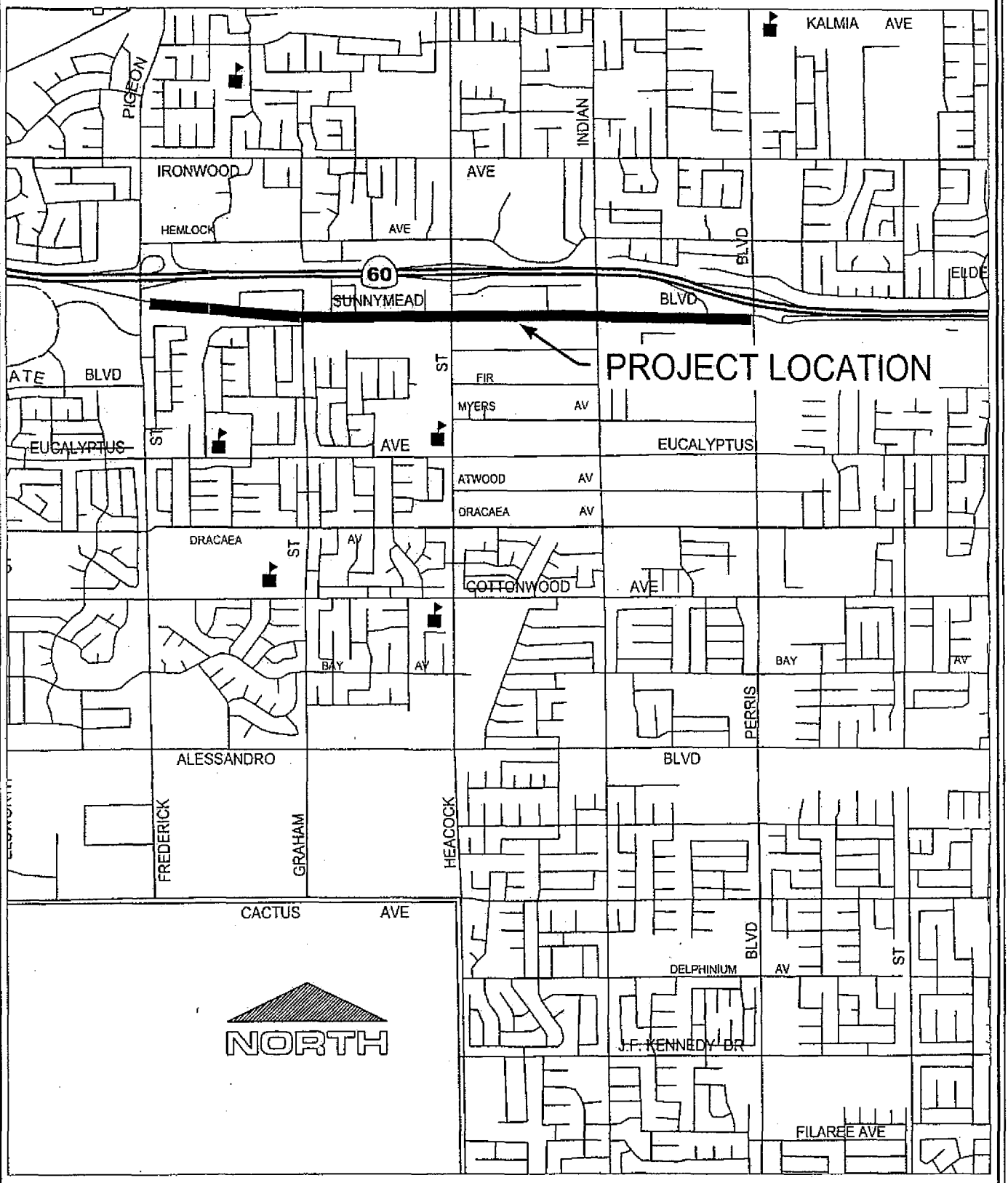

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 04-89280221

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **Harris & Associates, Inc.**, a California corporation, hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated February 6, 2008.

Whereas, the Consultant is providing consultant management and construction inspection services for Sunnymead Boulevard Improvements Project from Frederick Street to Perris Boulevard, Project No. 04-89280221.

Whereas, the Agreement was amended on December 12, 2008 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Second Amendment.

Whereas, the Consultant has submitted a Proposal dated June 7, 2010, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Second Amendment" and is incorporated herein by this reference.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of February 28, 2011 is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Second Amendment," entitled "Request for Contract Amendment."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit B – Second Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive an additional "Not-to-Exceed" fee of $176,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work described in "Exhibit A – Second Amendment."

1.5 The total "Not to Exceed" fee for this contract is $1,016,900 ($600,000 for the original Agreement, plus $240,900 for the First Amendment to Agreement, plus $176,000 for the Second Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 04-89280221

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Harris & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Second Amendment"
"Exhibit B – Second Amendment"

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Harris & Associates.

Shaping the future, One project at a time℠

June 7, 2010

City of Moreno Valley
Chris Wiberg, P.E. Senior Project Manager
Capital Project Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Contract Amendment

Mr. Wiberg,

The Sunnymead Boulevard project is pending completion of construction. It is now anticipated that completion of the construction on this project is not expected to occur until October of 2010. Some of the pending items include punch list items for the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, we are requesting that our current contract be amended to reflect the extended time frame. Please see attached Scope of Work and Cost Proposal for details.

The appropriate level of personnel required for this phase of service will be subject to mutual agreement and the contractor's schedule. Your acknowledgment and acceptance of this request is gratefully appreciated. Should you have any further questions or concerns, please do no hesitate to call.

Sincerely,
Harris & Associates

E. Joseph Shaw
Sr. Construction Manager

"Exhibit A – Second Amendment"

SCOPE OF SERVICES

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

Harris will continue to provide the following services as part of the Scope of Services on an as-requested, as-needed basis:

CONSTRUCTION MANAGEMENT & INSPECTION SERVICES

Construction Administration - Continue to implement procedures for reviewing and processing request for clarifications and interpretations of the Contract Documents; shop drawings, samples and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions and payment applications.

Reports - Prepare any reports that may be required during the construction phase.

Permits, Bonds and Insurance - Verify required permits, bonds and insurance, have been obtained.

Change Order Preparation - Coordinate contract change orders. Prepare independent cost estimate for contract change orders. Negotiate all contract change orders with the Contractor. Prepare contract change order document for execution by Contractor and City

Construction Schedule - Review each Contractor's Construction Schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule.

Progress Payments - Review payment applications submitted by each Contractor and determine whether the amount requested reflects the progress of the Contractor's work.

Photographs - Provide photographic documentation of project site during construction.

"As-Built" Drawings - Finalize one set of contract documents for each project with up-to-date information regarding all addendum, substitutions, clarifications and change orders.

Field Inspection - Provide field inspection, as requested, to verify compliance with the contract documents. Coordinate with City assigned inspection staff.

MV00070382

Surveying – Coordinate needed surveys to verify lines and grades with contract documents.

Traffic Control - Monitor traffic control and public safety plans for compliance with all safety laws and regulations. Review all detour, lane closures, temporary access, signing, delineation and traffic control plans.

Meetings - Coordinate meetings with City and Contractor related to project completion. Prepare meeting notices and prepare and distribute meeting minutes.

Final Inspection and Punchlist - Provide final inspection and prepare list of project construction deficiencies for resolution by Contractor.

Final Payment - Make recommendations regarding Contractor's final progress payment request. Prepare final progress payment report for submission.

Project Closeout - Prepare all documentation needed for project closeout. Deliver project documentation.

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COST PROPOSAL

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

5 Month Projected Extension of Time	Cost
Construction Management Services	$81,000
Construction Inspection Services	$79,000
Additional Items of Work per City Request	$16,000
Total	**$176,000**

"Exhibit B – Second Amendment"

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MV00070384

TODAY'S DATE: 06/11/10	**PURCHASE REQUISITION**	Purchasing Use Only	
DELIVER TO: 15670 Perris Blvd Moreno Valley, CA 92551	**CITY OF MORENO VALLEY**	SELECTED VENDOR NO.#	REQUISITION NUMBER
DELIVER ON OR BEFORE:	**Provide complete new vendor information or name-phone & e-mail for current vendors**		

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Harris & Associates, Inc.		
STREET ADDRESS >	9445 Fairway View Place, Suite 215		
STREET ADDRESS >			
CITY-STATE-ZIP >	Rancho Cucamonga, CA 91730		
CONTACT NAME >	Joe Shaw		
PHONE NUMBER >	909.237.2357		
E-MAIL ADDRESS >	eshaw@harris-assoc.com		

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF. MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	This Second Amendment with Harris & Associates, Inc.	1	Lump Sum	$176,000.00	$176,000.00		
	is providing construction management and inspection						
	services for the Sunnymead Boulevard						
	Improvements Project from Frederick Street to Perris						
	Boulevard, Project No. 04-89280221. The project is not						
	complete due to delays. A new Purchase Order is						
	requested to use unencumbered monies in fund 892.						
	The Second Amendment was signed by the City Manager						
	on _____. Also attached is the current insurance.						
	City Council approved the Purchase Requisition at its						
	meeting on 7/13/10.						

Notes:			
	Est. Shipping:		Shipping:
	Est. Tax:		Tax:
	Est. Total:	$176,000.00	Total Spend:

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. (Sign Below)		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Christopher L. Wiberg & Lee Ann Florez	Date: 06/11/2010			
Division Manager ($15k)	Date:	100.0%	892.80221.7200	$176,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$176,000.00

6-11-10 Purchase Req for Harris.xls

Attachment "C"

MV00070385

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\CC Reports\071310 Ironwood Day to Barclay-EMWD Reimbursement Agreement.doc

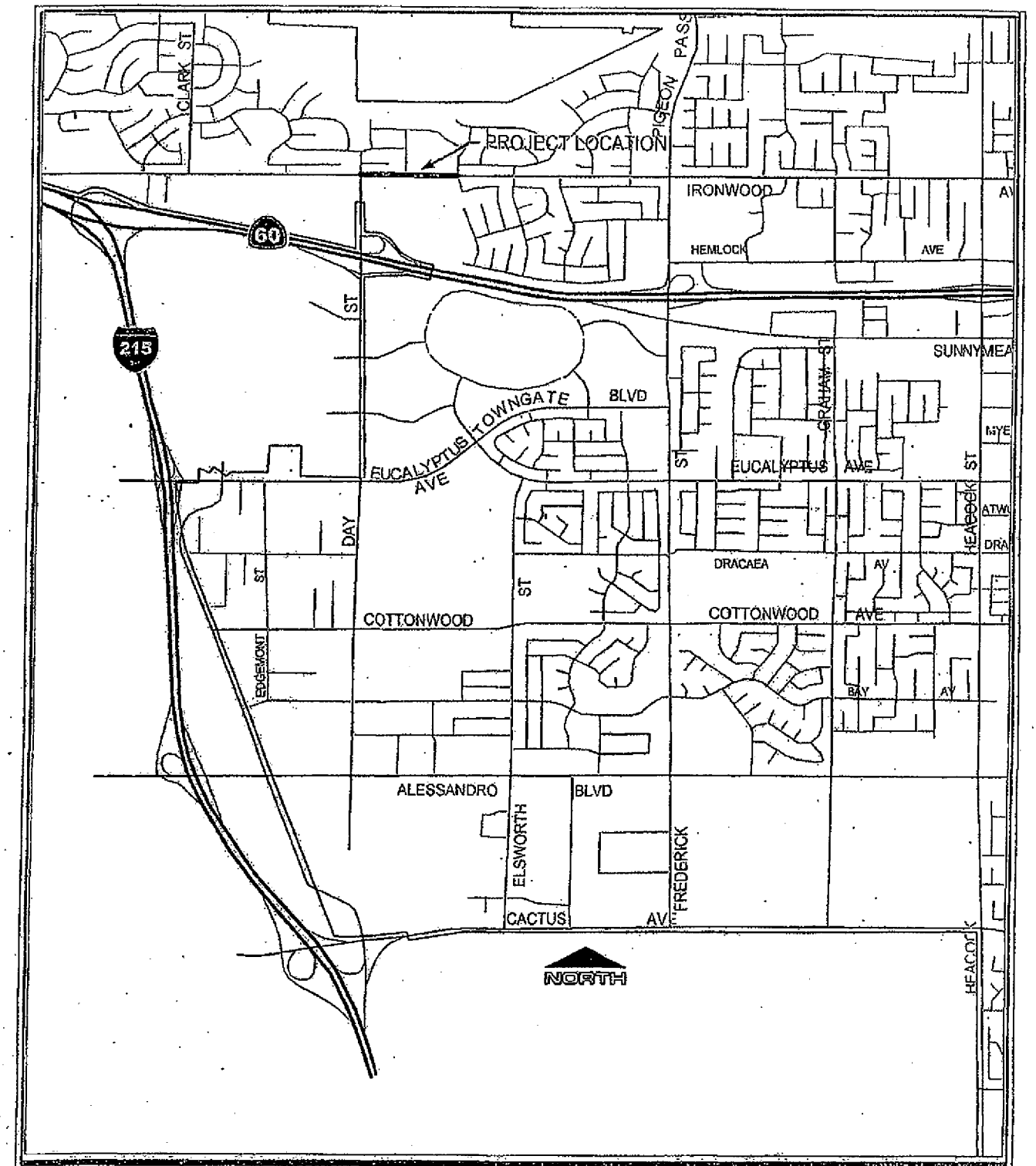

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

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6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

MV00070395

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

MV00070398

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

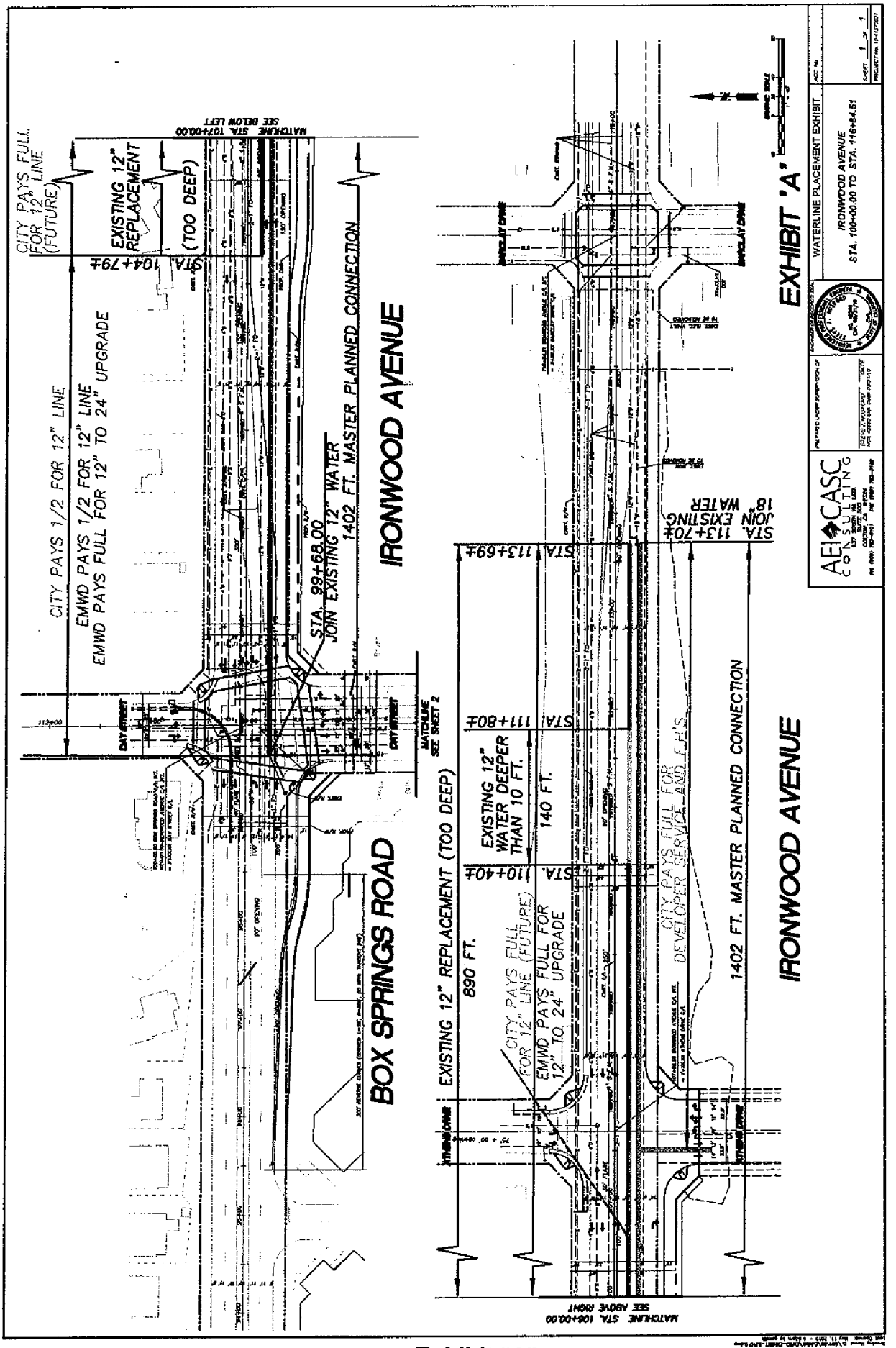
EXHIBIT 'A'
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CONSULTING
CASC
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
CITY PAYS 1/2 FOR 12" LINE
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
IRONWOOD AVENUE
STA. 99+68.00
JOIN EXISTING 12" WATER
1402 FT. MASTER PLANNED CONNECTION
BOX SPRINGS ROAD
MATCHLINE SEE SHEET 2
MATCHLINE STA. 107+00.00
SEE BELOW LEFT
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
STA. 110+40±
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 111+80±
STA. 113+69±
STA. 113+70±
JOIN EXISTING 18" WATER
CITY PAYS FULL FOR 12" LINE (FUTURE)
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
1402 FT. MASTER PLANNED CONNECTION
IRONWOOD AVENUE
MATCHLINE STA. 108+00.00
SEE ABOVE RIGHT

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728).

2. Authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto.

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements.

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

BACKGROUND

On December 8, 2009, the City Council awarded a construction contract and authorized the issuance of three (3) Purchase Orders in the total amount of $503,600.00 (the bid amount plus 25% contingency) to FS Construction. The FS Construction contract includes such street improvements as sidewalks, driveways, parkway drains, access ramps, block walls, fences, tree removals, cross gutter, mailboxes, and landscape restoration on both sides of Temco Street, Vought Street, Boeing Street, and McDonnel Street.

The City issued a Notice to Proceed to FS Construction to start the work on March 4, 2010. The length of the contract is one hundred twenty (120) working days. FS Construction anticipates completing the projects by end of June 2010 at the latest.

DISCUSSION

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. The increase in the FS Construction contract is attributed to the additional work and increased bid item work quantities mainly related to the reconstruction of the existing driveways and driveway approaches as part of the sidewalk improvements. During construction, the City worked closely with residents in relocating existing fences, trees, concrete walkways and other hardscape as well as modifying existing driveways and landscape necessary for the construction of new sidewalk and reconstruction of existing driveway approaches. The new sidewalk and driveway approaches, installed per current ADA requirements, resulted in steeper slopes on most of private driveways. As a result, additional work is required to remove and replace larger areas of private driveways to lower the driveway profiles and reduce the steepness of driveway slopes for functionality purposes. In addition, many driveways have deteriorated and required larger removal areas in order to establish a logical and stable concrete slab match line to existing driveway slabs. This has also increased the driveway installation bid item quantities as well as grading and drainage issues. There are also increases in other bid item quantities related to sidewalks, fence relocations, drainage structures, and curb and gutter replacements which contributed to the increase in construction cost.

The additional improvements were necessary for functionality of the driveways and new City improvements. Furthermore, the improvements have enhanced the aesthetic and appearance of the neighborhood as well as the pedestrian and vehicular safety. By utilizing in-house design to reduce design cost along with the favorable construction bid received, there is a net savings in the project's overall cost. Staff is requesting City Council approve the Change Orders to increase FS Construction's Purchase Orders to allow payment to the Contractor.

The construction of sidewalk improvements is to be completed at end of June 2010. Since the City Council will not meet on next two meetings after the July 13 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer

to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ALTERNATIVES

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), do not authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, do not authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and do not authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will delay payment to the Contractor, delay completion of the improvements, and incur extra cost to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and is financed by Community Development Block Grant (CDBG) funds (Fund 283). There is no impact to the General Fund.

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. An increase of $21,000 is requested to increase Purchase Order No. 38859

(Account No. 283.68428). An increase of $30,000 is requested to increase Purchase Order No. 38860 (Account No. 283.68528). And an increase of $29,000 is requested to increase Purchase Order No. 38861 (Account No. 283.68728). The new total amount for three (3) Purchase Orders for FS Construction is $583,600.

AVAILABLE FISCAL YEAR 2009/2010 CONSTRUCTION FUNDS:

Temco Street (Account No. 283.68428)	$259,831
Vought and Boeing Street (Account No. 283.68528)	$355,461
Boeing and McDonnel Street (Account No. 283.68728)	$544,360
Total Available Funds	**$1,159,652**

Breakdown of Construction Related Costs

Construction Contractor (FS Construction) PO's	$503,600
Requested increase in 3 PO's for FS Construction	**$80,000**
Geotechnical Services	$15,800
Survey Services	$47,700
Project Administration*	$120,000
Total Construction Cost	$767,100

Remaining Project Balance in Fund 283 ..... $392,552

* Public Works staff will provide Project Administration and Inspection.

ANTICIPATED PROJECT SCHEDULE:

Construction Started	March 2010
Completion of Construction	June 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

FS Construction has been constructing the sidewalk improvements on Temco Street, Vought Street, Boeing Street, and McDonnel Street and anticipates completing the projects by end of June 2010. The improvements enhance the aesthetic/appearance and pedestrian and vehicular safety for the neighborhood by providing sidewalks, new driveways, new mailboxes and landscape restoration. Due to the increases in bid quantities, staff is requesting City Council approve the Change Order to increase FS Construction's Purchase Orders by a total amount of $80,000 from the available project budget to allow payment to the Contractor. Staff is also requesting the City Council to

authorize the Public Works Director/City Engineer to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Change Order Forms

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Concurred By:
Michelle Patterson
Redevelopment and Neighborhood
Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Barry Foster.
Economic Development Director Programs

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Quang - 08-28368428 - Temco_Vought_Boeing_McDonnel Sidewalks\CC Reports\Increase PO's\07-13-10 Increase POs for FS Construction.doc

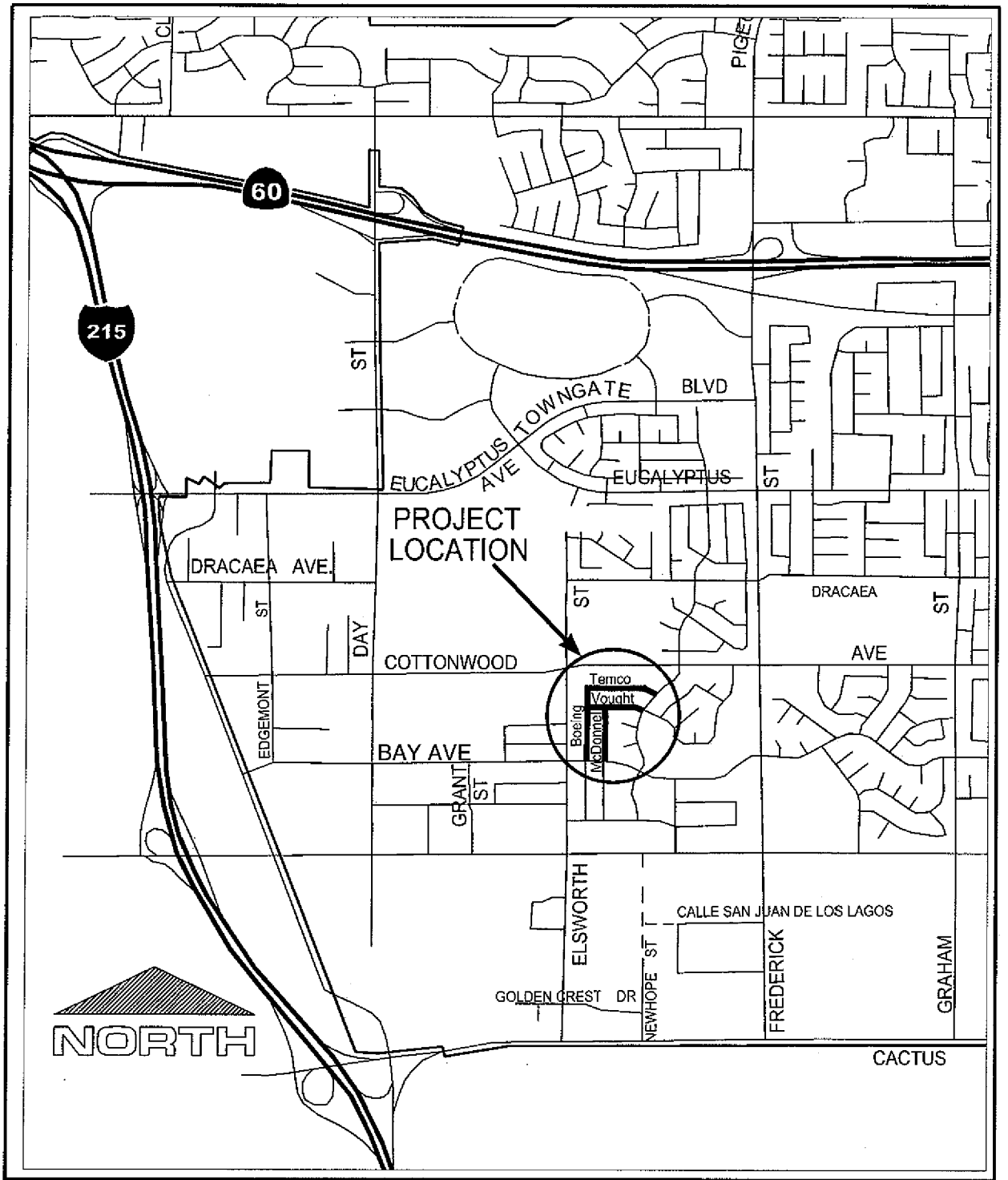

SIDEWALK IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

ATTACHMENT A

TEMCO ST., VOUGHT ST. BOEING ST. AND MCDONNEL ST.

LOCATION MAP

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38859
	Project Number:	08-28368428	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO # 38859 by $19,000.00 for additional work for the Sidewalk Improvements on Temco Street from Boeing Street to Pan Am Boulevard Project No. 08-28368428	$19,000.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$19,000.00
		Original P.O. and Prior Change OrderAmount:	$128,569.00
		Revised Total Spend:	**$147,569.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68428.7200	$147,569.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$147,569.00

Attachment "B"

V 1.4

MV00070409

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38860
	Project Number:	08-28368528	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38860 by $29,800.00 for additional work for the Sidewalk Improvements on Vought Street from Boeing Street to Pan Am Boulevard and Boeing Street from Vought Street to Temco Street Project No. 08-28368528	$29,800.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$29,800.00
		Original P.O. and Prior Change OrderAmount:	$179,269.00
		Revised Total Spend:	**$209,069.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68528.7200	$209,069.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$209,069.00

V 1.4

MV00070410

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38861
	Project Number:	08-28368728	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38861 by $26,200.00 for additional work for the Sidewalk Improvements on Boeing Street from Vought Street to Bay Avenue and McDonnel Street from Vought Street to Bay Avenue Project No. 08-28368728	$26,200.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$26,200.00
		Original P.O. and Prior Change OrderAmount:	$195,762.00
		Revised Total Spend:	**$221,962.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68728.7200	$221,962.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$221,962.00

V 1.4

MV00070411

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: July 13, 2010

TITLE: ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 15-17, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-69 appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 15-17, 2010 in San Diego. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Staff recommends that the City Council adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Recommended by staff)

2. Do not adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Attorney's Department 2010-11 Operating Budget account 010.22110.6221.

NOTIFICATION

Agenda Publication

ATTACHMENTS/EXHIBITS

Attachment A - Voting Delegate Proposed Resolution
Attachment B - Voting Delegate Form

Prepared By:
Jane Halstead, City Clerk, CMC

Department Head Approval:
Jane Halstead, City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2010 annual conference and by August 20, 2010, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Deputy City Attorney III Suzanne Bryant will be attending the business meeting on Friday, September 17, 2010 at the San Diego Convention Center in San Diego.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

That Deputy City Attorney III Suzanne Bryant is designated as the Voting Delegate for the City of Moreno Valley at the League of California Cities 2010 Annual Conference in San Diego on September 15-17, 2010.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 20, 2010.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2010-____
Date Adopted:

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Resolution No. 2010-____
Date Adopted:

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY CLERK
MORENO VALLEY
RECEIVED
10 JUN 10 PM 2:30

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 20, 2010

June 4, 2010

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 15-17 – San Diego

The League's 2010 Annual Conference is scheduled for September 15-17 in San Diego. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 3:00 p.m., Friday, September 17, at the San Diego Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. Please take care when selecting your city's delegates, as travel and attendance could be an issue for those who observe Yom Kippur.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 20, 2010. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

ATTACHMENT B

-more-

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Jose Convention Center, will be open at the following times: Wednesday, September 15, 9:00 a.m.; Thursday, September 16, 7:30 a.m.; and September 17, 7:30 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 20th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2010 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2010 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2010 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 20, 2010. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 20 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter10.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT

SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY

DEVELOPER – ZAPER, CORP.
7119 INDIANA AVE, SUITE 300
RIVERSIDE, CA 92504

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On August 12, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31414. The tentative tract map is a proposal to subdivide an approximately 9 acre parcel into 31 single family residential lots.

On October 24, 2006 the City Council for the City of Moreno Valley approved Zaper, Corp.'s agreement and bonds in the amounts of $1,115,000 for the Faithful Performance Bond and $557,500 for the Material and Labor Bond.

Pigeon Pass LLC has purchased Tract 31414 from Zaper Corp. and has provided substitute agreement and bonds. The substitute agreement and bonds were approved by Council on May 25, 2010.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Zaper, Corp.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

2. Do not authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - TR31414 - Exoneration of PIA Zaper.doc

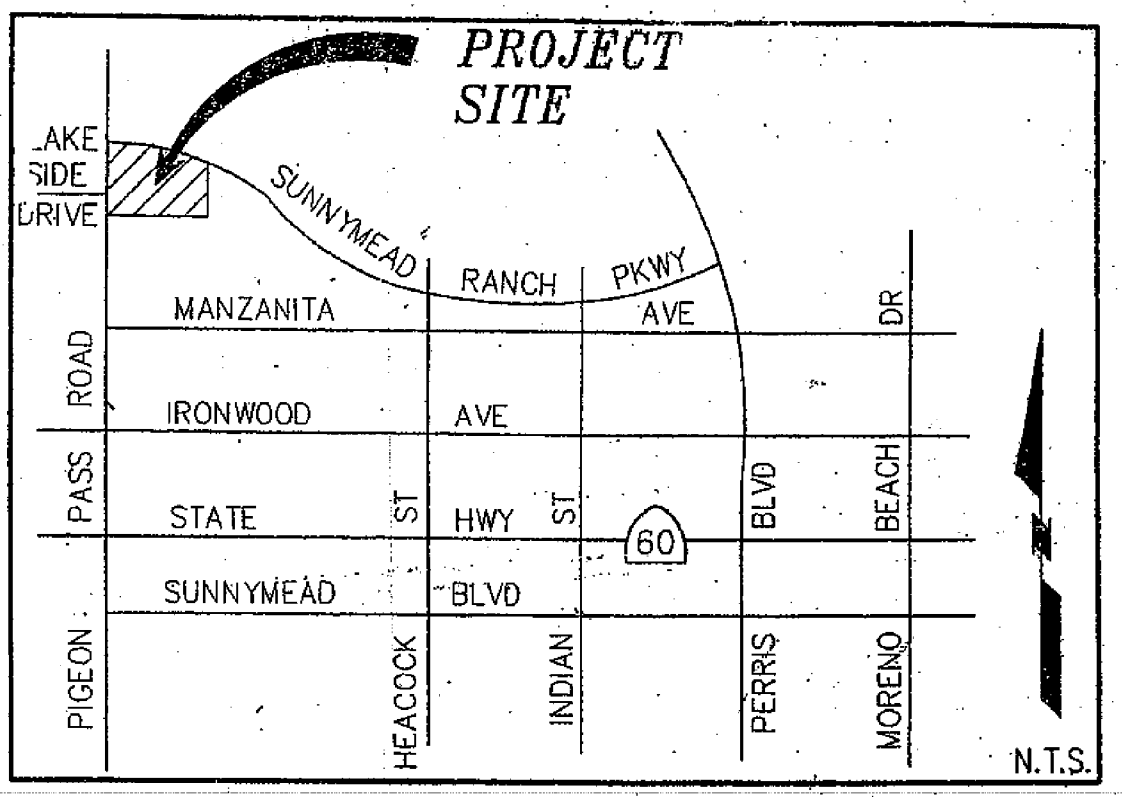

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**TR 31414** **LOCATION MAP**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET

DEVELOPER - VALLEY OAK, LP
100 DOVE STREET, SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 22, 2005, the Planning Commission of the City of Moreno Valley approved this project. The tentative tract map is a proposal to subdivide 27.8 net acres in the R5 zone into 100 single family residential lots.

On December 12, 2006, the City Council for the City of Moreno Valley approved MVGH 2004, LLC agreement and bonds in the amounts of $3,636,000 for the Faithful Performance Bond and $1,818,000 for the Material and Labor Bond.

Valley Oak, LP has purchased project PA04-0125 from MVGH 2004, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

Valley Oak, LP has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $3,636,000 and a Material and Labor Bond in the amount of $1,818,000 issued by Western Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA04-0215 (TR 33256) - Substitution Agree & Bonds.doc

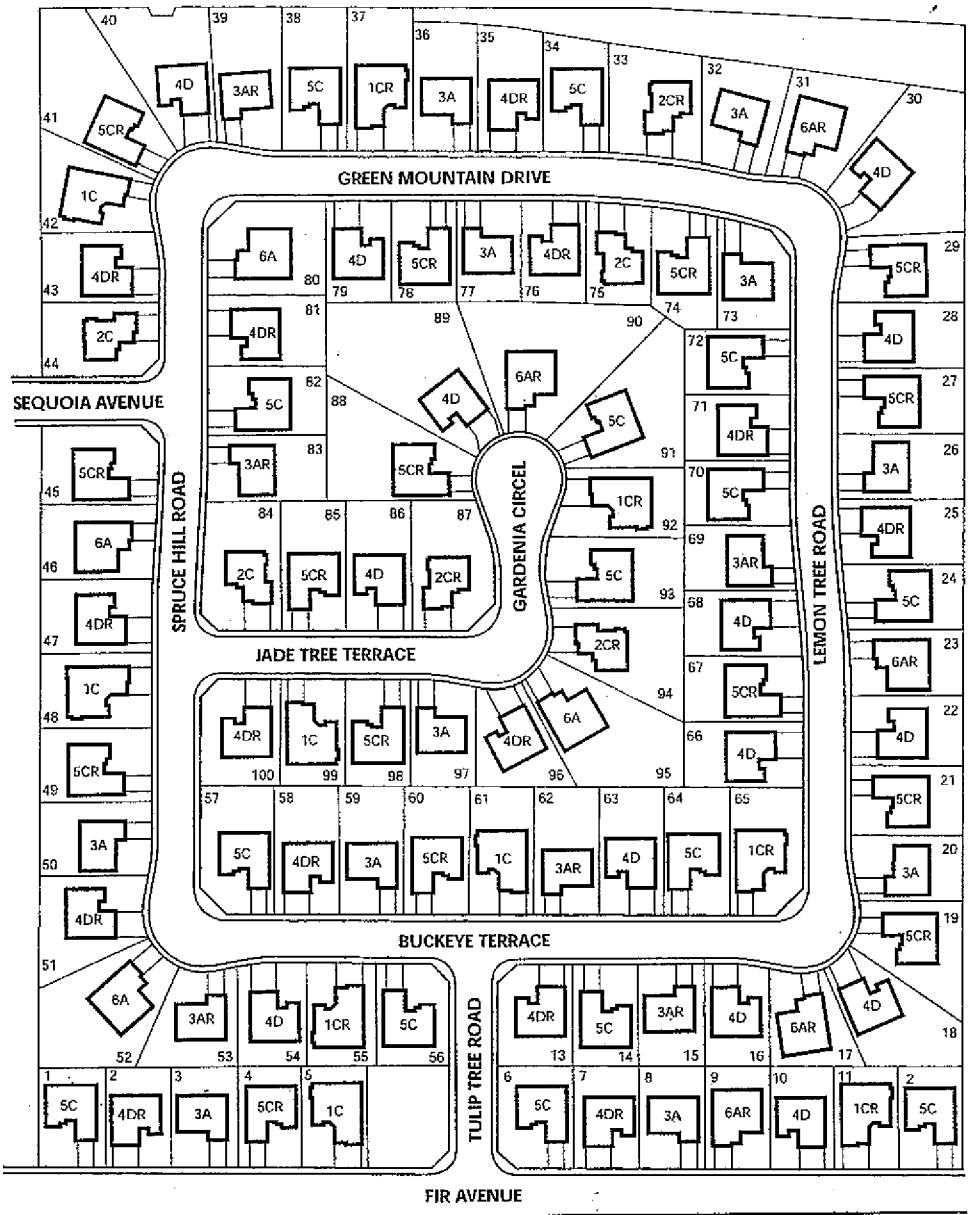

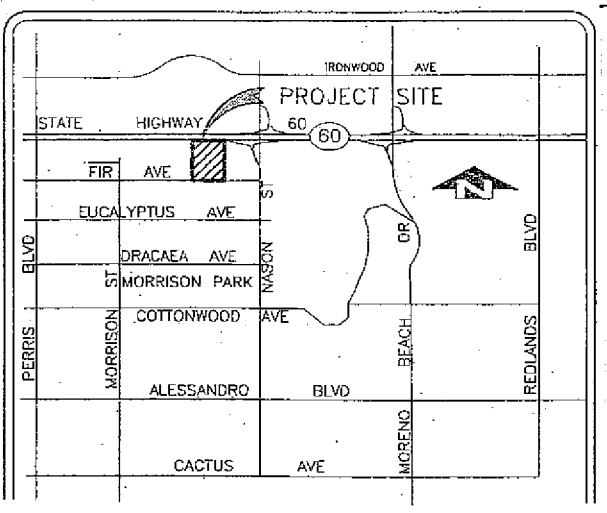

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

Tract 33256
VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0215 (TR. 33256)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Valley Oak, LP,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0215** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **THREE MILLION SIX HUNDRED THIRTY SIX THOUSAND AND NO/100** Dollars (*****$3,636,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Valley Oak, LP
1000 Dove Street, Suite 300
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

VALLEY OAK, LP:
Developer

BY: _____
Signature

NELSON CHUNG
Print/Type Name

MANAGER
Title

BY: _____
Signature

CHRISTINE CHUNG
Print/Type Name

CFO
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

ACKNOWLEDGMENT

State of California
County of Orange)

On April 7, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG AND CHRISTINE CHUNG,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 03/18/10

PROJECT: **Tract 33256**

PREPARED BY: **Liz Plazola**

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	151515	S.F.	5492	Ton	16.00	87,879
A.C.	0.3	Thickness (ft.)				
	151515	S.F.	3295	Ton	43.50	143,352
A.B. Class II	0.5	Thickness (ft.)				
	5781	S.F.	210	Ton	16.00	3,353
A.C.	0.35	Thickness (ft.)				
	5781	S.F.	147	Ton	43.50	6,381
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			139	Ton	43.50	6,047
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			8528	L.F.	12.00	102,336
Curb and Gutter - 8"			0	L.F.	13.00	0
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			819	S.F.	11.00	9,009
Sidewalk			45100	S.F.	4.00	180,400
Driveway Approach - 6"			14000	S.F.	5.50	77,000
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			642	S.Y.	1.10	706
Redwood Header			0	L.F.	4.00	0
Sawcut			995	L.F.	1.10	1,095
Trench Repaving			0	S.F.	5.00	0
Utility Trench			0	L.F.	5.00	0
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			9	EA.	425.00	3,825
Stop Sign			4	EA.	200.00	800
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			33	EA.	200.00	6,600
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			1	L.S.	--	4,625
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			4210	L.F.	45.00	189,450
Walls - Retaining: 6' Maximum			1814	L.F.	70.00	126,980
Landscaping			0	S.F.	5.00	0
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			27	EA.	3,000.00	81,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Erosion Control			28	Ac.	5,500.00	154,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure			99	EA.	1,750.00	173,250
Electrical Utility Line Extension			1	L.F.	110.00	
					SUBTOTAL:	1,373,287

Monuments: 115 X 65.00 EA. $7,475

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	67	L.F.	95.00	6,365
30" Reinforced Concrete Pipe	1036	L.F.	110.00	113,960
36" Reinforced Concrete Pipe	2244	L.F.	125.00	280,500
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	8	EA.	5000.00	40,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	3	EA.	6500.00	19,500
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	1	EA.	1600.00	1,600
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	4	EA.	1500.00	6,000
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	1	EA.	3500.00	3,500
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	1	EA.	5000.00	5,000
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
"V" Gutter	0	S.F.	4.00	0
Basin Gravel Pit	1	EA.	3000.00	3,000
			SUBTOTAL:	484,005

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	1768	L.F.	90.00	159,120
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	807	L.F.	60.00	48,420
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	3258	L.F.	50.00	162,900
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
18" Gate Valve	2	EA.	3,600.00	7,200
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	6	EA.	1,000.00	6,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	16	EA.	2,000.00	32,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	14	EA.	200.00	2,800
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	2	EA.	1,800.00	3,600
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	4	EA.	2,000.00	8,000
Air Vac & Release 1"	5	EA.	1,800.00	9,000
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	101	EA.	350.00	35,350
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	2	EA.	650.00	1,300
			SUBTOTAL:	475,690

EXHIBIT "A"

PROJECT: **Tract 33256**

DATE: **03/18/10**
PREPARED BY: **Liz Plazola**

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	4785	L.F.	32.00	153,120
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	3130	L.F.	24.00	75,120
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	17	EA.	2,000.00	34,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	1	EA.	1,000.00	1,000
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	1	EA.	400.00	400
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	100	EA.	600.00	60,000
Clean Out Lateral	0	EA.	90.00	0
Wyes	100	EA.	90.00	9,000
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	3435	L.F.	0.50	1,718
Trench Paving	0	S.F.	5.00	0
Backflow Preventors	52	EA.	350.00	18,200
			SUBTOTAL:	352,558

3/18/10

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 33256**

DATE: **03/18/10**
PREPARED BY: **Liz Plazola**

IMPROVEMENT TYPE:

ROADWORK	:	$1,373,287
STORM DRAIN	:	$484,005
WATER SYSTEM	:	$475,690
SEWER SYSTEM	:	$352,558
SURVEY MONUMENTS	:	$7,475
TOTAL COST OF IMPROVEMENTS:		$2,693,015
35% CONTINGENCY		$942,555
GRAND TOTAL:		$3,635,570

BOND AMOUNT: **$3,636,000**

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $ 3,636,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium $54,540.00

Surety WESTERN INSURANCE COMPANY A-(N) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to Tract # 33256 which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and WESTERN INSURANCE COMPANY, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of Three Million Six Hundred Thirty Six Thousand and NO/100**********Dollars (**$3,636,000.00** lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By:PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S): By

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT

Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BOND\FORMS-FP-PUB.DOC (12/96)

RISK MANAGEMENT
Approved

By Date 6/7/10

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330919

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day of March, 2010.

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded in Washoe County No: 06-104433-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May, 2010.

Carol B. Ingalls Secretary

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY A-(N) CA who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary *Shannon Mussetter, Notary Public*

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, [illegible]

(Affix seal in the above blank space)

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $ 1,818,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium N/A

Surety WESTERN INSURANCE COMPANY A-(V) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership **(hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to** Tract # 33256 **, which agreement is hereby referred to and made a part hereof; and,**

WHEREAS, *under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient* payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of One Million Eight Hundred Eighteen Thousand and NO/100******* **Dollars (****$1,818,000.00** **), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.**

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, *companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4* of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By: PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S):

By: Corinna Ocampo
Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V) CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alonz 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORM\B-ML-PUB.DOC (12/96)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI, A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ **(Seal)**

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330920

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

SEAL 1994 WESTERN INSURANCE COMPANY INCORPORATED STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day of March, 2010.

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded In Washoe County No: 06-104433-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May, 2010.

Carol B. Ingalls Secretary

SEAL 1994 WESTERN INSURANCE COMPANY INCORPORATED STATE OF NEVADA

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2

Signature of Notary *Shannon Mussetter, Notary Public*

(Affix seal in the above blank space)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: Approval of Resolution and First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Governments (WRCOG) to expand the program to permit funding for water conservation improvements.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

BACKGROUND

On December 8, 2009 the Energy Efficiency and Water Conservation Program ("AB 811 Program") and Implementation Agreement was presented to the City Council by the Public Works Department and approved.

DISCUSSION

The AB 811 Program goal is to offer low interest loans to 13,500 residential and commercial properties in Western Riverside County to install energy efficient projects, such as solar panels, heating and air conditioning systems, lighting control systems, windows, and pool equipment. These loans would be paid back through voluntary contractual annual assessments between WRCOG and property owners within a specified amount of time. Participation in the AB 811 Program is voluntary.

After the City of Moreno Valley entered into the Implementation Agreement with WRCOG, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 of the AB 811 Program to include the ability to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable pavement.

As of July 2010, WRCOG has not received direct funding for the AB 811 Program. Funding for the program is proposed through bond sales and WRCOG expects that to occur in late fall 2010.

ALTERNATIVES

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and adopt Resolution 2010-70 consenting inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *This will allow the City to participate in the WRCOG administered program with minimal impact upon City operations.*

2. Do not authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and do not adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *If the City does not participate in the WRCOG program, there may be additional administrative oversight required to manage a similar program.*

RECOMMENDATION

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

FISCAL IMPACT

There is no fiscal impact to the City of Moreno Valley

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-70
2. First Amendment to the Implementation Agreement

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, *AICP*
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT MODIFYING ITS CONSENT TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) CONTRACTUAL ASSESSMENT PROGRAM TO CONSENT TO THE ADDITION OF WATER EFFICIENCY IMPROVEMENTS TO THE IMPROVEMENTS AUTHORIZED TO BE FINANCED THROUGH SUCH PROGRAM.

WHEREAS, this City Council of the City of Moreno Valley did, by the adoption of Resolution No. 2009-117 ("Resolution Granting Consent"), grant its consent to the inclusion of all properties in the incorporated area with the City in the Western Riverside Council of Governments ("WRCOG") contractual assessment program (the "Program") to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to their properties; and

WHEREAS, WRCOG is proposing to establish and implement the Program pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"); and

WHEREAS, subsequent to the adoption of the Resolution Granting Consent, AB 474 was enacted into law and amended the Act to add water efficiency improvements to the improvements authorized to be financed through a contractual assessment program; and

WHEREAS, WRCOG has proposed to add water efficiency improvements to the improvements authorized to be financed through the Program; and

WHEREAS, this City Council has determined that the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program would be in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council hereby finds and declares that property in the City's incorporated area will be benefited by the ability to finance the installation of water efficiency improvements to their properties and, therefore, this City Council hereby consents to the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

ATTACHMENT 1

MV00070456

2. Except as provided paragraph 1 above, all other provisions of the Resolution Granting Consent shall remain in full force and effect.

3. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the WRCOG Executive Committee.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Government (WRCOG) to expand the program to permit funding for water conservation improvements.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00070457

FIRST AMENDMENT TO IMPLEMENTATION AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND THE CITY OF MORENO VALLEY TO IMPLEMENT AB 811

This First Amendment to Implementation Agreement ("First Amendment") is entered into as of July 13, 2010 between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG"), a joint powers authority formed under Government Code sections 6500 et seq., and City of Moreno Valley ("Member Agency"), a public agency formed under the laws of the State of California. WRCOG and the Member Agency are sometimes collectively referred to in this Agreement as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, WRCOG and Member Agency entered into that certain "Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to Implement AB 811" (the "Implementation Agreement"); and

WHEREAS, pursuant to the Implementation Agreement, the Parties agreed that WRCOG will undertake proceedings pursuant to the provisions of Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.12) ("Chapter 29") to establish the Program (as defined in the Implementation Agreement) to make contractual assessment financing available to eligible property owners within the jurisdictional boundary of Member Agency to finance installation of distributed generation renewable energy sources or energy efficiency improvements; and

WHEREAS, subsequent to the Parties entering into the Implementation Agreement, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 to authorize Chapter 29 to be used to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable payment; and

WHEREAS, the Parties desire to amend the Implementation Agreement as permitted pursuant to Section 11.9 thereof to enable WRCOG to finance the purchase and installation of such water efficiency improvements as a part of and pursuant to the Program; and

WHEREAS, the Executive Committee has authorized Member Agency to enter into this Agreement.

NOW, THEREFORE, the Parties hereby understand and agree as follows:

AGREEMENT

Section 1: **<u>Amendment to the Implementation Agreement.</u>**

Section 2 of the Implementation Agreement is amended to read as follows:

ATTACHMENT 2

"**Section 2:** **Establishing Eligible Improvements.**

WRCOG shall identify the kinds of public works, distributed generation renewable energy sources, or energy or water efficiency improvements that may be financed ("Eligible Improvements") under the Program."

Section 2: **Effect of this First Amendment on the Other Terms and Provisions of the Implementation Agreement.**

All terms and provisions of the Agreement shall remain in full force and legal effect except as expressly modified by the provisions of this First Amendment.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this First Amendment to be in effect as of the date last signed below.

By: _____ Date: _____
Executive Committee Chair
Western Riverside Council of Governments

By: _____ Date: _____
Mayor
City of Moreno Valley

By: _____ Date: _____
Legal Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH OF IRONWOOD AVENUE BETWEEN KITCHNG STREET AND TUSCOLA STREET

DEVELOPER - BEAZER HOMES HOLDINGS CORP.
1800 IMPERIAL HWY #200
BREA, CA 92821

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 25, 2003, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31089. The tentative tract map is a proposal to subdivide 15.994 acres into 55 single-family residences.

On April 11, 2006, the City Council for the City of Moreno Valley approved DH Moreno Valley I, LLC agreement and bonds in the amount of $2,413,000 for the Faithful Performance Bond and $1,206,500 for the Material and Labor Bond.

Beazer Homes Holdings Corp. has purchased project PA02-0133 from DH Moreno Valley I, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by approved DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

Beazer Homes Holdings Corp. has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to: asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,025,638 and a Material and Labor Bond in the amount of $512,819 issued by Bond Safeguard Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA02-0133 (TR 31089) - Substitution Agree & Bonds.doc

VICINITY MAP (NOT TO SCALE)

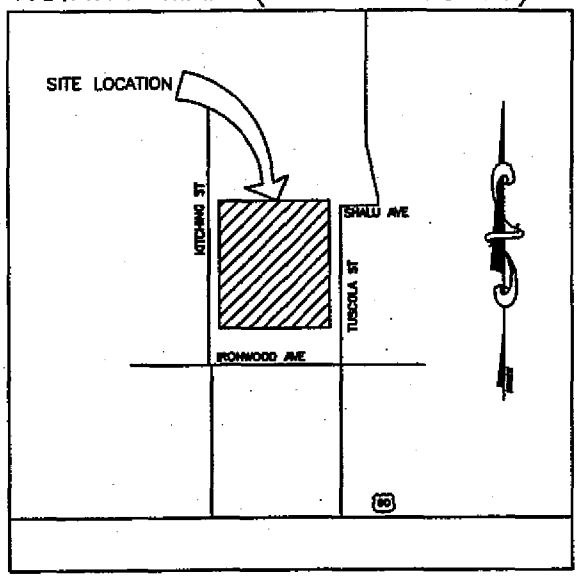

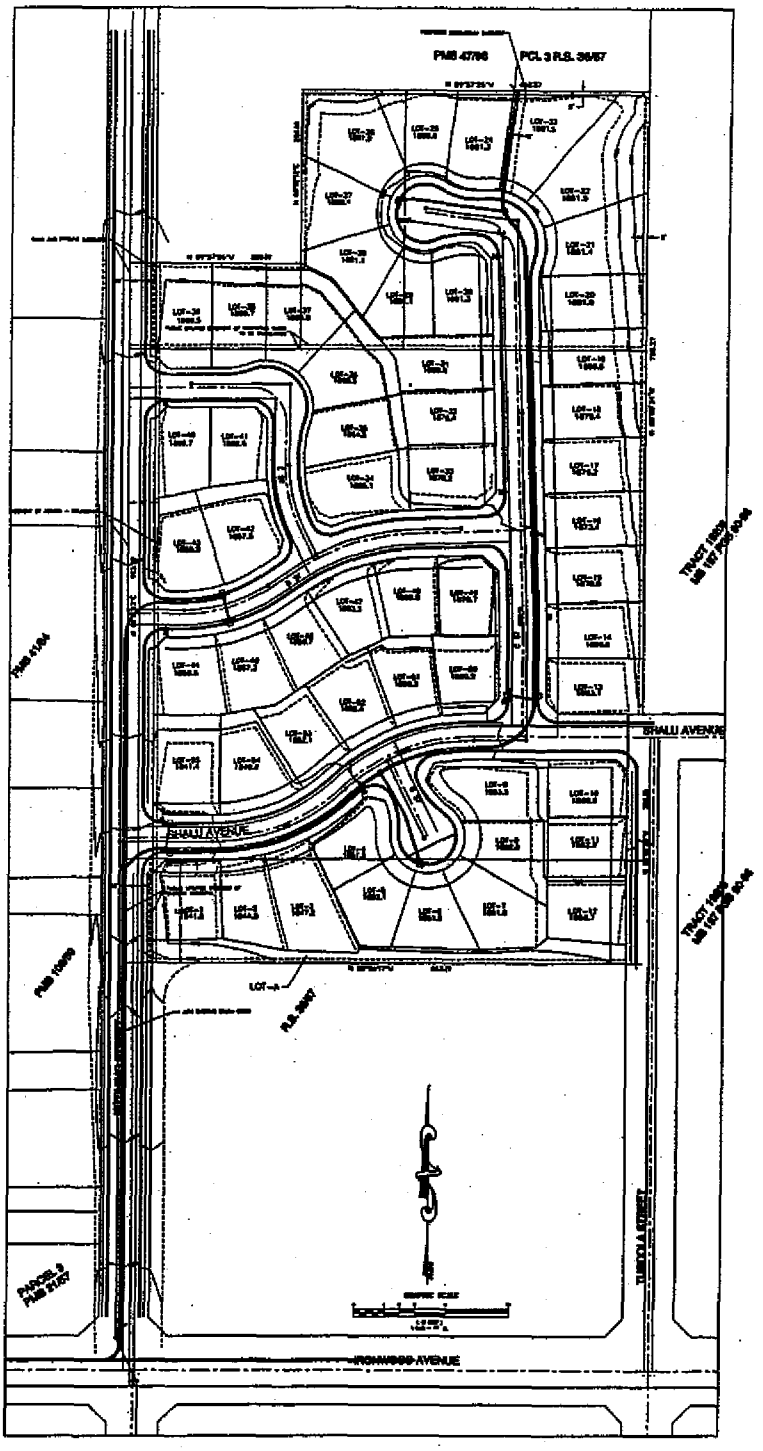

EXHIBIT "A"

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**TRACT 31089** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA02-0133 (TR 31089)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **BEAZER HOMES HOLDING CORP.**, herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA02-0133 (TR31089)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Beazer Homes Holding Corp.
1800 Imperial Hwy #200
Brea, CA 92821

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

BEAZER HOMES HOLDING CORP.:
Developer

BY: _____
Signature

Darius Fatakia, P.E.
Vice President-Development
Print/Type Name Orange Division

_____
Title

BY: _____
Signature

Bryan Bergeron
Development Manager
Print/Type Orange Division

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On May 6, 2010 (Date) before me, Triesha K. Villalta, Notary Public (Here Insert Name and Title of the Officer)
personally appeared Darius Fatakia and Bryan Bergeron, (Name(s) of Signer(s))

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same ~~in his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Triesha K Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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PA02-0133 (Tract 31089) Estimate of Remaining Improvements

A.C.- Street 1	$38,520
A.C.- Street 2	$113,476
Saw cut (100 LF x 1.50 unit price)	$150
Adjust M.H. to Grade (8 x 800 unit price)	$6,400
Curb and Gutter - 6" (100 LF x 22 unit price)	$2,200
Driveway Approach - 6" (3432 SF x 14.00 unit price)	$48,048
Landscaping (7400 SF x 6 unit price)	$44,400
Erosion Control	$87,450
1" Service Water Connections (27 x 500 unit price)	$13,500
Sub-total	$354,144
Hard Cost Contingency (20%)	$70,829
Soft Cost Contingency (45%)	$159,365
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$241,300
Total	**$1,025,638**
Original bond amount	$2,413,000

Note:
If you have any questions, please call Liz Plazola at 951.413.3110

4/28/10

Mark W. Sambito, P.E.
Engineering Division Manager

5/6/10

Beazer Homes Holding Corp. Representative

W:\LandDev\Liz\PIA\TR 31089 - ECE Worksheet.xls

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $1,025,638

Project No. PA02-0133 (TR 31089)

Bond No. 5037572

Premium $30,769

Surety Bond Safeguard Insurance Company A-(V)CA

Principal Beazer Homes Holdings Corp.

Address 900 S. Frontage Road - Suite 250

Address 1800 Imperial Highway, Suite 200

City/Zip Woodridge, IL 60517

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Bond Safeguard Insurance Company A-(V)CA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By

Name: Darius Fatakia, P.E. — Title: Vice President-Development Orange Division

Name: Bryan Bergeron — Title: Development Manager Orange Division

NAME OF SURETY: Bond Safeguard Insurance Company A-(XV)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

By: M. Elroy Date: 6-17-10

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darios Fatakia and Brian Bergeron (Name(s) of Signer(s))

,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K Villalta
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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POWER OF ATTORNEY AO 30578

Bond Safeguard INSURANCE COMPANY A-(v) CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY — AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY — AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

MV00070473

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $512,819.00

Project No. PA02-0133 (TR 31089)

Bond No. 5037572

Premium N/A

Surety Bond Safeguard Insurance Company A-(V)CA

Principal Beazer Homes Holdings Corp.

Address 900 S. Frontage Road - Suite 250

Address 1800 Imperial Highway, Suite 200

City/Zip Woodridge, IL 60517

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **FIVE HUNDRED TWELVE THOUSAND EIGHT HUNDRED NINETEEN AND NO/100** Dollars (*****$512,819.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Darius Fataki, P.E. Vice President-Development Orange Division — Title

Name — Bryan Bergeron Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Olson 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Material Labor Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darius Fatakia and Brian Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K. Villalta
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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AO 30578

POWER OF ATTORNEY

Bond Safeguard INSURANCE COMPANY A-(V)CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY
AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY
AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP"

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

BACKGROUND

The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison and Southern California Gas Company under the auspices of the California Public Utilities Commission. The City of Moreno Valley has participated in the Partnership since 2002. During the most recent Program Cycle, from 2006-2008, the City achieved energy savings of over 710,000 kWh and over 11,000 therms. This amounts to an annual energy cost savings of $116,000 to the Moreno Valley community. Cost effective energy efficiency is the resource of first choice for meeting California's energy needs. Energy efficiency is the least cost, most reliable, and most environmentally sensitive resource, and minimizes our contribution to climate change according to the 2005 CPUC and CEC's Energy Action Plan.

DISCUSSION

The approval of this resolution will allow the City's continued participation in the 2010-2012 Program. Three core initiatives, common to all local government partnerships with SCE and SCG, support the 2010-2012 program as follows:

- Implementation of energy efficiency projects within municipal facilities
- Support activities and policies in alignment with long-term energy efficiency goals of California
- Utility program marketing, education and outreach to the community

The mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

For the past 18 years, The Energy Coalition has been building a model now known as the Community Energy Partnership. The project initially began in 1992 with one city. Later, the Coalition managed an extensive process of community organizing and has evolved into the Community Energy Partnership which consists of seven Southern California cities, the Cities of Corona, Irvine, Santa Monica, Moreno Valley, San Bernardino, Brea, and Santa Clarita.

The City's commitment to this project will be to provide minimal "in-kind" services, i.e., a staff liaison working with The Energy Coalition and facilitating introductions and meetings with key institutions such as community groups.

Staff continues to maintain a strong relationship with The Energy Coalition to identify potential projects where energy-efficiency programs and energy-efficient products are needed and where there are specific opportunities in the City.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The approval of the resolution will benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

2. Do not adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The City would not benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

FISCAL IMPACT

There is no direct fiscal impact. No membership fee or annual dues are required to enter into the Community Energy Partnership, and there are no required fees or dues associated with the Energy Coalition. The Community Energy Partnership's effort is funded through Public Goods Charges collected from customers of both the Southern California Edison Company and the Southern California Gas Company. The California Public Utilities Commission manages the collection of Public Goods Funds and awards the funding to organizations such as the Energy Coalition.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By: Department Head Approval:

Michelle Pierce
Electric Utility Project Coordinator

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010–71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP", AN ENERGY EFFICIENCY PROGRAM AMONG SOUTHERN CALIFORNIA CITIES, WITH THE ENERGY COALITION, A CALIFORNIA NON-PROFIT CORPORATION, SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA GAS COMPANY.

WHEREAS, The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison ("SCE") and Southern California Gas Company ("SCG") under the auspices of the California Public Utilities Commission (the "CPUC"); and

WHEREAS, on October 1, 2009, the CPUC in D.09-09-047 authorized certain energy efficiency programs and budgets which include SCE programs and SCG programs to be delivered to California utility customers for the years 2010 through 2012; including the 2010-2012 Community Energy Partnership Program (the "Program"); and

WHEREAS, the City of Moreno Valley (the "City") had previously participated in the 2006-08 Community Energy Partnership Program; and

WHEREAS, the City has entered into the Program, with The Energy Coalition and its implementing partners – SCE and SCG, and the Partner Cities of Brea, Corona, Irvine, Moreno Valley, San Bernardino, Santa Clarita and Santa Monica - having been nominated by the implementing partners to continue its participation in the Program; and

WHEREAS, the mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

WHEREAS, The Energy Coalition, SCE and SCG have demonstrated their ability to work with Southern California municipalities, and with the City since 2002, to successfully implement energy efficiency programs and achieve energy savings for the participating cities and their communities; and

WHEREAS, The Energy Coalition, as facilitating partner in the Community Energy Partnership, bears primary responsibility for project management, performance tracking and implementation of energy efficiency programs and services to populations of the City; and

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

WHEREAS, All projects in the City will be coordinated through an appointed City staff liaison to ensure that proposed projects meet the City's intended energy efficiency goals and target City residents, schools and businesses; and

WHEREAS, the City enters into this Resolution with the sole obligations listed therein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City will participate in the Program with The Energy Coalition, SCE and SCG to implement the Program in the City for the 2010-12 program cycle.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO. 06-50182725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On February 24, 2009, the City Council awarded a construction contract in the amount of $2,909,811.50 to Wheeler Paving, for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements. Two (2) Purchase Orders for a combined amount of $3,491,773.80, inclusive of a 20% contingency, were issued to the Contractor.

DISCUSSION

The Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard improved one-mile long roadway segment to its General Plan width of four (4) travel lanes and turning lanes at key intersections. The work included roadway and rock excavation, curb and gutter and AC pavement for the widened easterly half of the street and construction of a storm drain along Lasselle Street between Cactus Avenue and Alessandro Boulevard. Three traffic signals were upgraded at the John F. Kennedy Drive, Cactus Avenue and Alessandro Boulevard intersections with Lasselle Street, complete with signal interconnect system.

There were two (2) Contract Change Orders for this project. Contract Change Order No. 1 increased the contract total by $214,822.90. Contract Change Order 2 (FINAL) increased the contract total by $10,815.77. The final contract total cost was $3,135,450.26, which did not exceed the $3,491,773.80 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

The project is included in Fiscal Year 2009/2010 Capital Improvement Project Budget. The project construction is funded by $1,058,143 of 2005 Lease Revenue Bonds (Fund 501) and $2,757,886 of Transportation Uniform Mitigation Fee Program (Fund 415). The funding for this project is restricted for transportation projects and cannot be utilized for other activities. There is no impact to the General Fund.

AVAILABLE BUDGET:

Fiscal Year 2009/2010 Budget (Account No. 501.82725)	$1,058,143
Fiscal Year 2009/2010 Budget (Account No. 415.72927)	$2,757,886
Total Fiscal Year 2009/2010 Budget	$3,816,029

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	$3,136,000
Consultant Construction Design Support Services	$60,000
Consultant Construction Geo-technical Services	$105,000
Consultant Construction Survey Services	$80,000
City Inspection, Project Management and Misc. Administration Costs	$266,000
Total Final Construction Related Costs	$3,647,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Wheeler Paving has completed the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Wheeler Paving, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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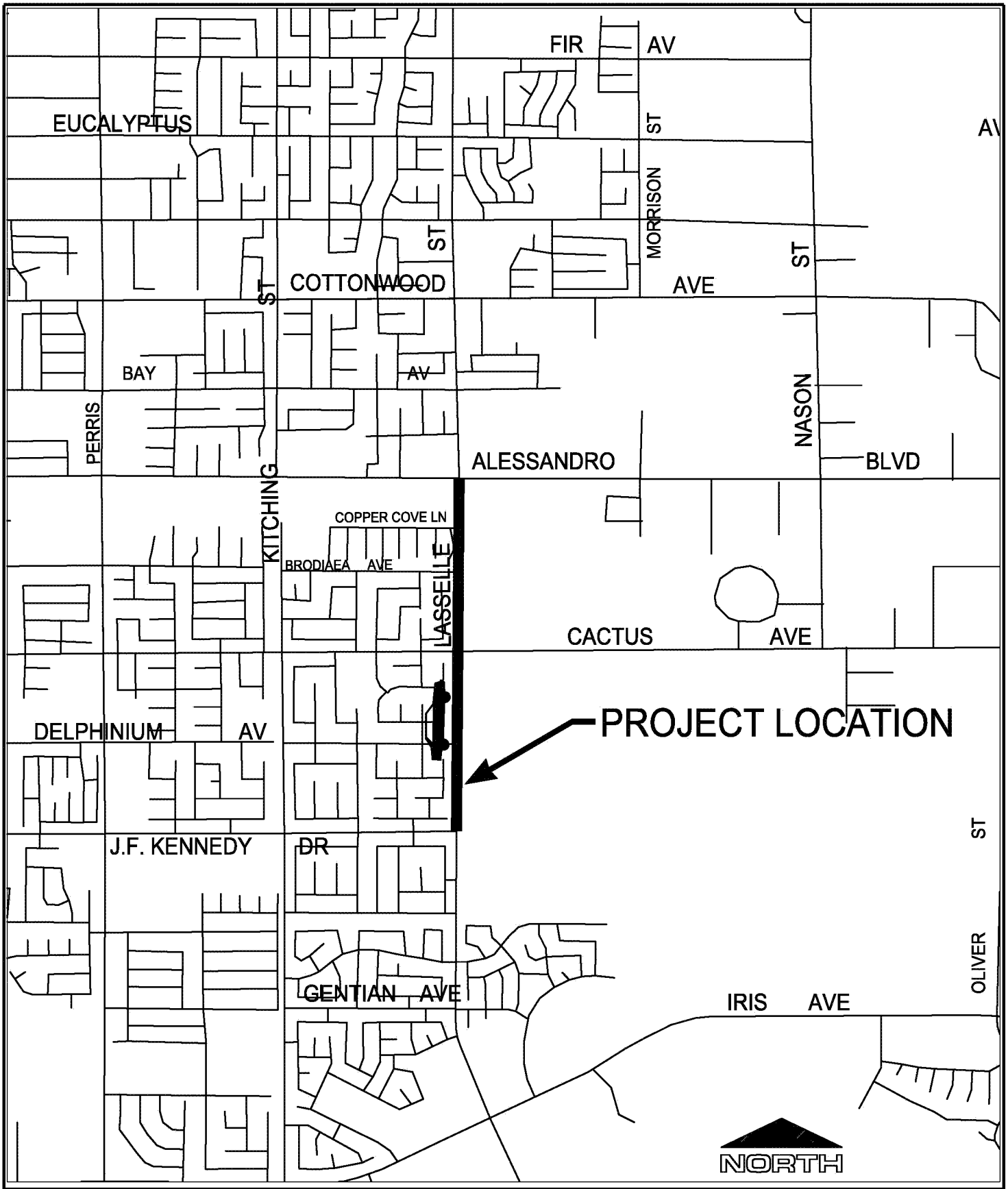

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

LASSELLE STREET WIDENING
FROM JFK DRIVE TO ALESSANDRO BOULEVARD
PROJECT NUMBER 06-50182725

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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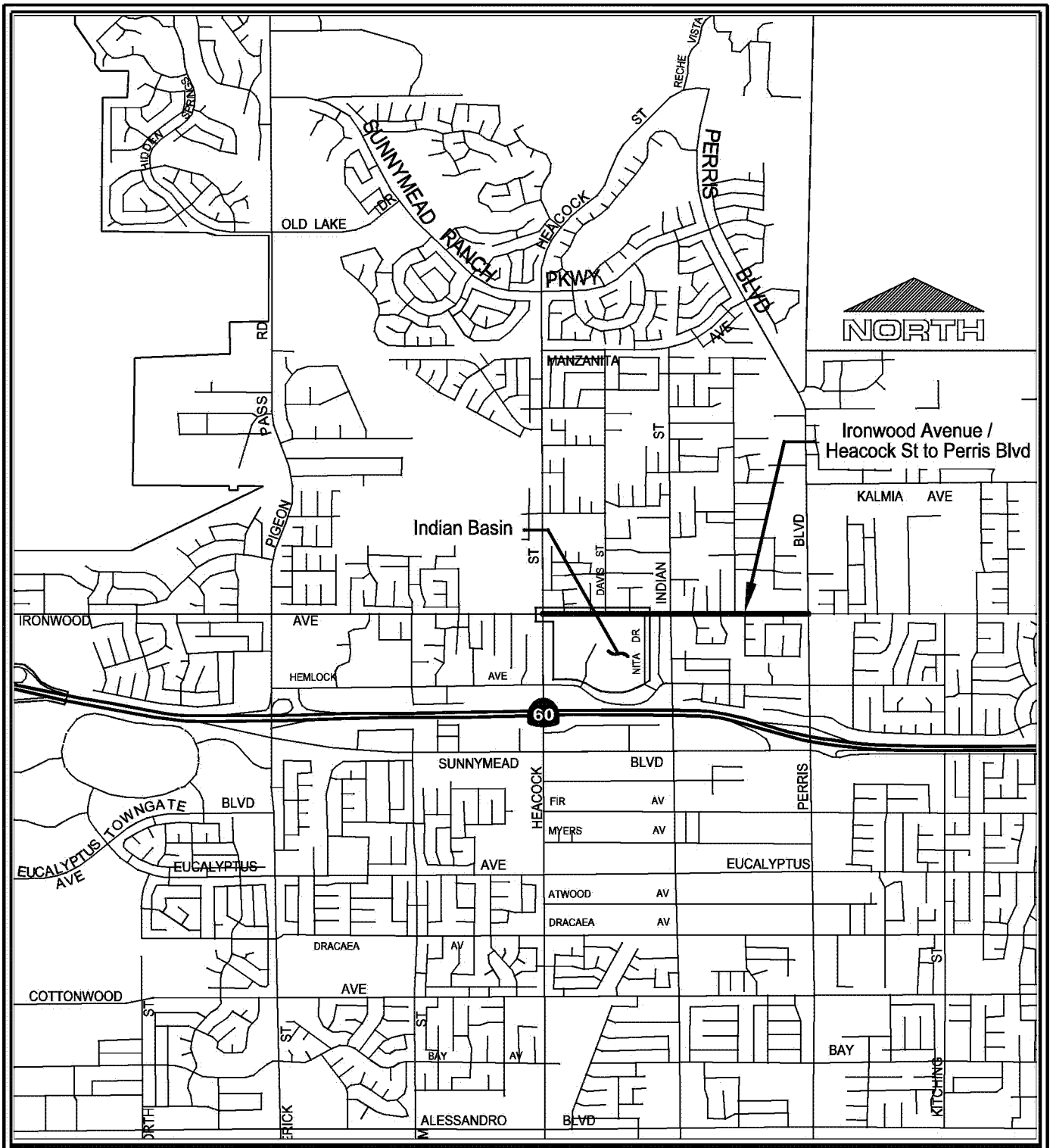

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Agreement No. _____

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the

same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

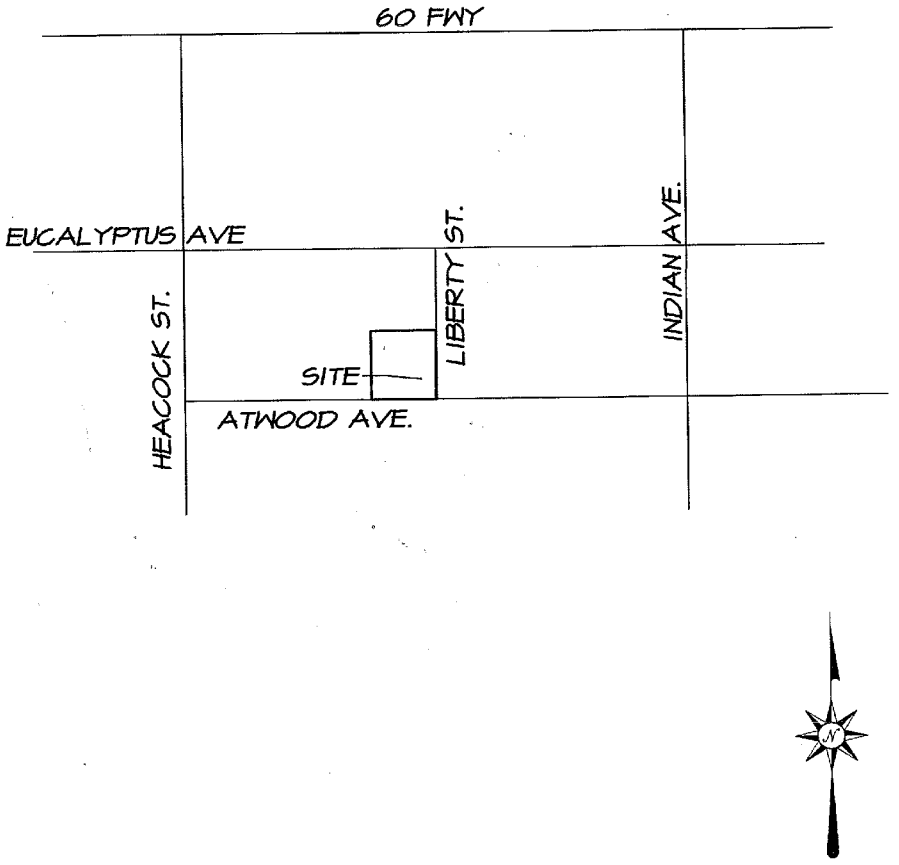

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

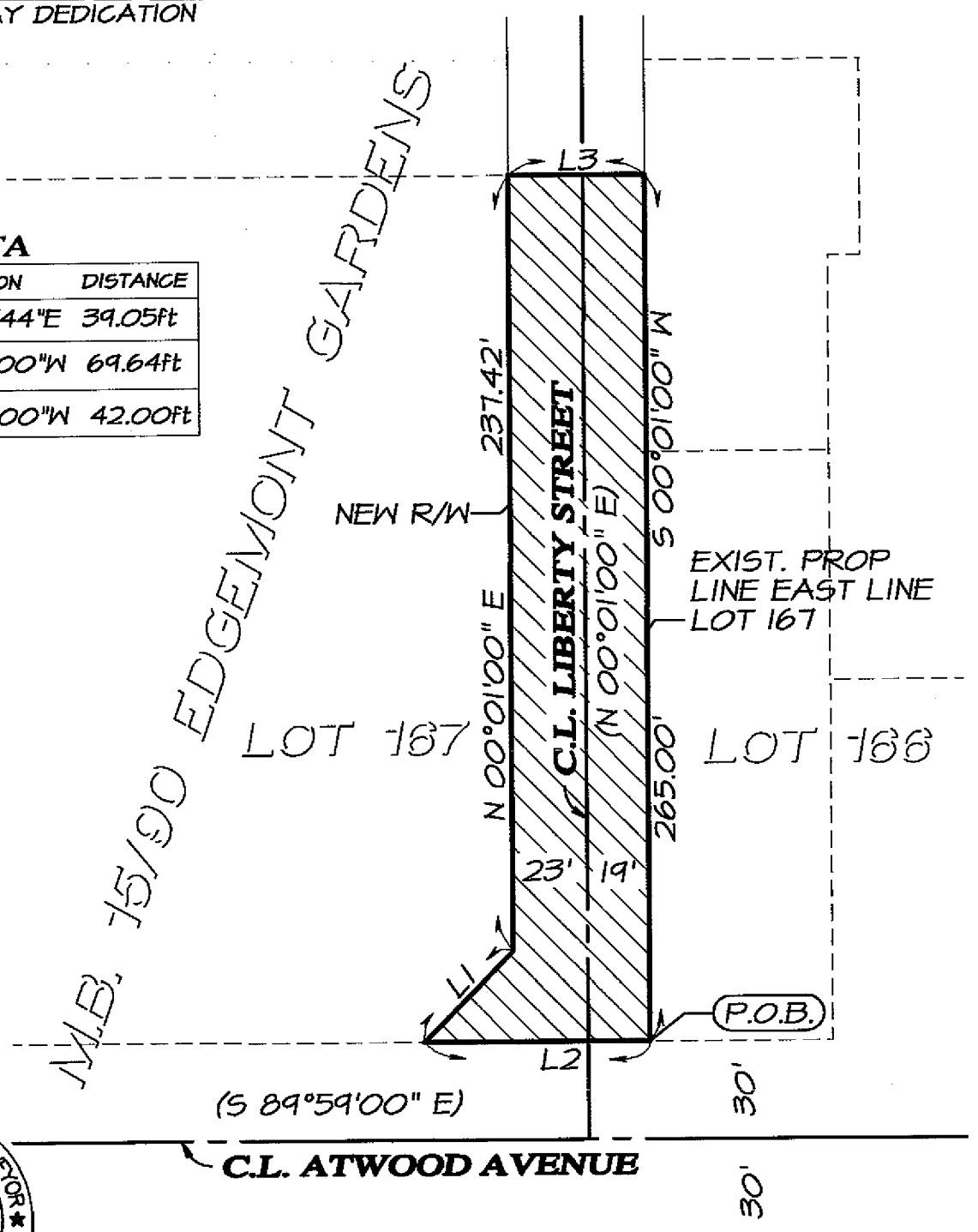

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY:	R.W.
CHECKED BY:	P.W.
DATE:	2/23/10

SHT. NO. 2 OF 2 SHEET

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

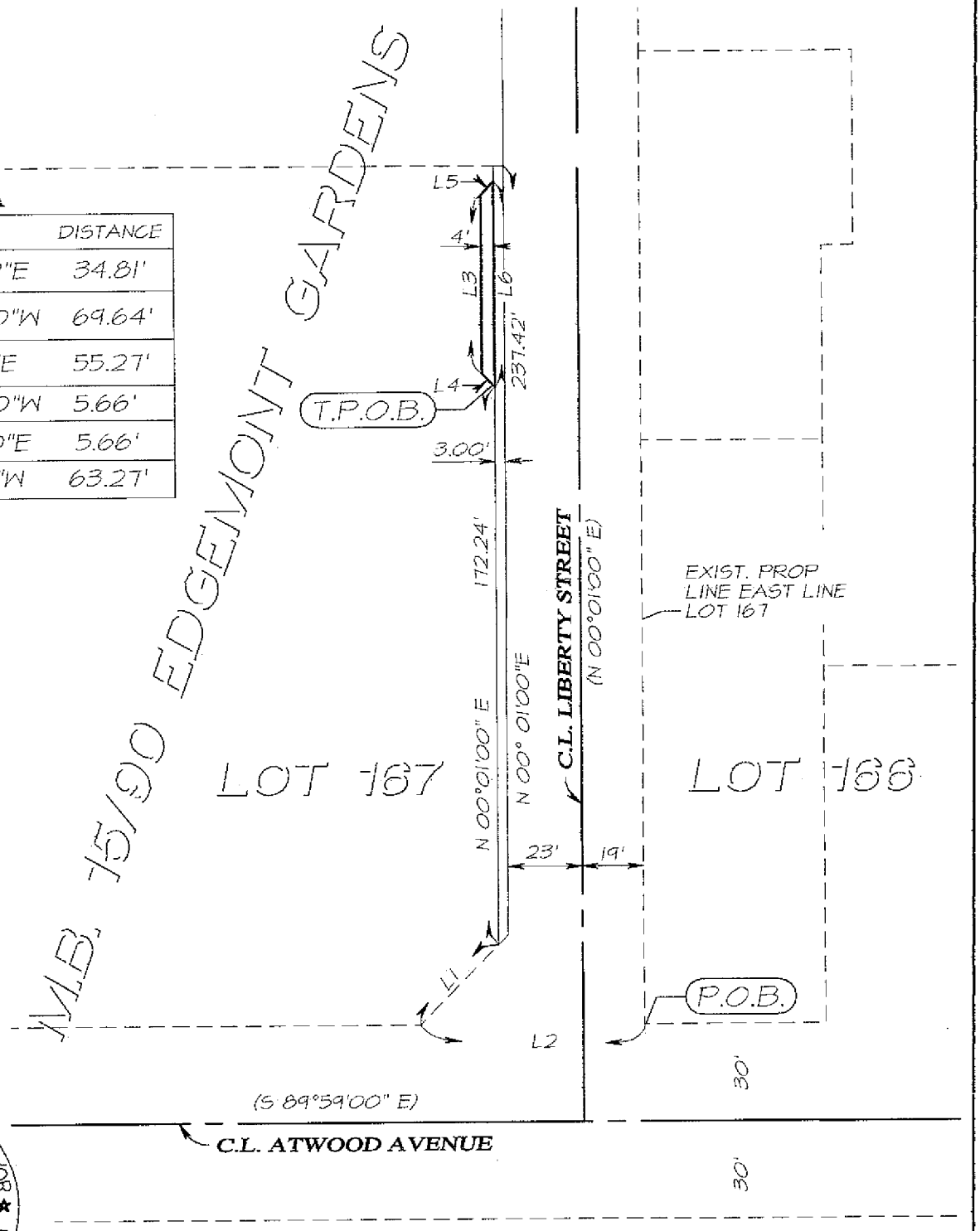

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2 OF 2 SHEET

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

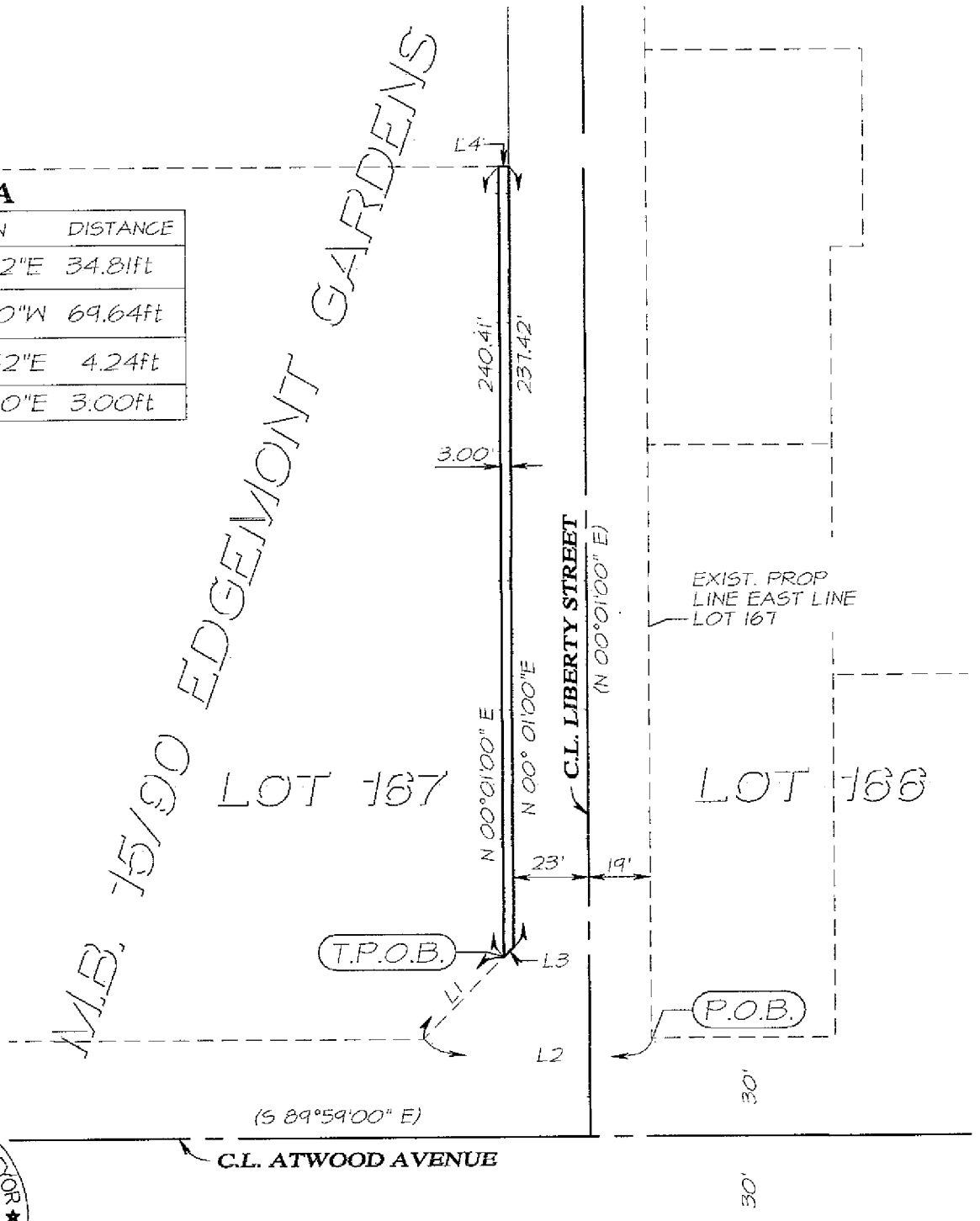

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2 OF 2 SHEET

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council:

1) Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive,
2) Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV, and
3) Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

BACKGROUND

The City received a Community Development Block Grant - Recovery (CDBG-R) grant for $479,292 under the American Recovery and Reinvestment Act of 2009. The Neighborhood Preservation Division of the Economic Development Department has been tasked with administering the grant. The grant funds are allocated to four activities, plus administration, as follows:

- Employment Creation for Distribution and Manufacturing Business: This activity incentivized Frazee Industries to open a distribution facility in Moreno Valley, creating the required employment for low-to-moderate income persons. Frazee's employee recruitment is underway.

- Employment Creation for Vacant Restaurant Reuse: Incentivizes the attraction of a new restaurateur to a vacant Moreno Valley restaurant facility in exchange for creation of employment for low-to-moderate income persons. Economic Development is actively working with a qualified restaurateur for this funding allocation.
- Utility – Infrastructure Improvement Project: This activity funds the installation of new, environmentally conscious / energy effective utilities. The $107,841 CDBG-R grant activity funded installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center. This project was originally funded by the 2007 Lease Revenue Bonds. On December 8, 2009, the City Council awarded the contract for installing four utility line extensions, including the work on Elsworth Street, and construction has been completed.
- Economic Incentive for a Green Business: On November 23, 2009, the City Council approved a participation agreement and committed $107,000 to MVP EV, Inc. to defray the cost of installing on-site electricity connections so that the MVP EV facility can take electric service from Moreno Valley Utility in exchange for qualified employment creation.

The CDBG-R grant regulations require full expenditure by September 30, 2012. However, under the direction of the Office of the Vice President, the Department of Housing and Urban Development (HUD) is strongly encouraging grantee agencies to expend the funds much sooner than the expenditure deadline.

Unfortunately, unforeseen delays in the MVP EV project have prevented the initiation of this business opportunity along with the employment creation and hampered the expedited expenditure of CDBG-R funds for the project's utility connection work. $214,000 of the CDBG-R grant have not yet been spent.

DISCUSSION

At this time, the Economic Development Department seeks City Council approval of the following three funding allocations that will enable the expedited expenditure of CDBG-R funds as well as provide for the future on-site infrastructure connections for MVP EV:

- First, Economic Development proposes to fund the approved CDBG-R allocation for the off-site utility line extension on Elsworth Street immediately.
- Next, staff proposes the reallocation of the CDBG-R funds for the MVP EV Participation Agreement back to an undesignated status for future use consistent with CDBG-R program requirements.
- Finally, staff proposes the appropriation of $107,841 in 2007 Lease Revenue Bond funds originally designated for use on the Elsworth Street utility extension to fund the Participation Agreement with MVP EV at a future date when the facility is ready and the required employee recruitment is completed.

ALTERNATIVES

1. Authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff recommends this alternative.*** *This alternative will fund completed infrastructure, satisfy HUD's expedited expenditure expectations and fund the Participation Agreement with MVP EV.*

2. Decline to authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, decline to return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and decline to appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff does not recommend this alternative.*** *This alternative will extend and delay CDBG-R expenditures, potentially putting the grant funding at risk of recapture by HUD.*

FISCAL IMPACT

The proposed reallocations facilitate timely expenditure of available CDBG-R and 2007 Lease Revenue Bonds.

The extension of the electric line by Moreno Valley Utility provides energy effective utility service to the MVP EV site and to future development along Elsworth Street.

- The funding for the Utility Infrastructure Improvements will come from CDBG-R.

Fund	Business Unit Name	Amount
199	Utility Infrastructure Improvements 19910.6849.001	$107,841

Move $107,841 in total expenditures for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 to the CDBG-R Utility Infrastructure Improvement Project under Acct#199.19910.6849.001.

- The CDBG-R funding will be released from the MVP EV Participation Agreement and will be available to fund another CDBG-R eligible project.

Fund	Business Unit Name	Amount
199	Economic Incentive for Green & Technology Business CDBG-R 19910.6849.002	$107,841

Return the commitment of $ 107,000 for the MVP EV project to an undesignated status.

- The appropriation for the MVP EV Participation Agreement will come from the 2007 Lease Revenue Bonds.

Fund	Business Unit Name	Amount
602	2007 Lease Revenue Bonds 602.61833.7200	$107,841

Appropriate $ 107,841 in total funding for the MVP EV Facility Project under Acct#602.61840.7200.

Reduce the appropriation for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 by $ 107,841.

The proposed fund reallocations have NO impact on the City's General Fund. CDBG-R funding must be used for eligible activities. Funds from the 2007 Lease Revenue Bonds may be used to support on-site electrical utility installation.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

Use of CDBG-R and 2007 Lease Revenue Bond funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

Prepared By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Chris Vogt
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE

SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE

DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST
P.O. BOX 10
RANCHO MIRAGE, CA 92270

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

This segment of Alessandro Boulevard is currently classified as a Divided Arterial according to the Circulation Plan from the City's General Plan. The existing half-street right-of-way on this portion of Alessandro Boulevard is 60 feet (60'). The City's current Standard Plan for a Divided Arterial only requires a half-street right-of-way of 55 feet

(55'). As a condition of approval for project PA09-0043, a five foot (5') street right-of-way vacation is required, along the project frontage. The conditions of approval require 55 feet (55') of the existing 60 feet (60') of right-of-way on the south side of Alessandro Boulevard for public roadway and utility purposes. No public or utility improvements exist within the remaining southerly five (5') of right-of-way along this portion of Alessandro Boulevard. In accordance with the conditions of approval approved by the Planning Commission on March 11, 2010, the developer/owner, Frank & Maria Pozgaj Family Trust has requested a vacation of this portion of Alessandro Boulevard.

DISCUSSION

PA09-0043 is a Tentative Parcel Map 36262. The five foot (5') area to be vacated on the south side of Alessandro Boulevard is located outside of the tentative parcel map boundary and therefore, cannot be vacated on the final parcel map. The five foot (5') area to be vacated must be vacated by separate instrument. The approved project consists of Tentative Parcel Map 36262 (PA09-0043) and a Plot Plan (PA09-0025). The project is for a 4,000 square-foot convenience store, gas station, and car wash. The project property (APN 486-240-009), is located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. Land Development staff has reviewed the property owner's application along with the legal description and plat for the vacation of the aforementioned portion of Alessandro Boulevard. No public improvements exist and no public money was expended for maintenance of said portion of Alessandro Boulevard. This portion of Alessandro Boulevard is unnecessary for present or prospective public use. The local utility companies have been given written notice of the proposed street vacation. No objections have been received from the utility companies. The City Council's approval to vacate said portion of Alessandro Boulevard would abandon the City's right to said portion.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *The said portion of right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

2. Do not approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *This portion of Alessandro Boulevard would remain as right-of-way for public road and utility purposes; however, the right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

FISCAL IMPACT

The developer/owner, Frank & Maria Pozgaj Family Trust has paid the City costs associated with the summary vacation proceedings; therefore, there is no fiscal impact to the City.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the various local utility companies. The public has been notified by publication of agenda.

ATTACHMENTS/EXHIBITS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution
Attachment 3 - Legal Description
Attachment 4 - Plat

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0043 Summary Vacation.doc

RESOLUTION NO. 2010-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE.

WHEREAS, the City Council of the City of Moreno Valley, California, acquired an easement for road and public utility purposes located on the south side of Alessandro Boulevard, west of Moreno Beach Drive; and

WHEREAS, this easement is in excess of that right-of-way required for the existing General Plan classification and said excess is no longer, nor in the future will be, useful for road and public utility easement purposes; and

WHEREAS, no public improvements exist on said portion of right-of-way; and

WHEREAS, no public money was expended for maintenance of said portion of right-of-way,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described is summarily vacated and abandoned:

That portion of Alessandro Boulevard located in the city of Moreno Valley, described as the southernmost five feet (5') of right-of-way on Alessandro Boulevard, north of APN 486-240-009 and north of a portion of Lot 1 in Block 117 per Map No. 1 of Bear Valley and Alessandro Development Company, recorded in Book 11, of Map Books, Page 10, records of the County Recorder's office of San Bernardino County, California described in the attached legal description and illustrated on the plat attached hereto and made a part hereto and marked Exhibits "A" and "B", respectively.

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described portion of Alessandro Boulevard revert to the owner of the underlying fee thereof, free from use as an easement for road and public utility purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

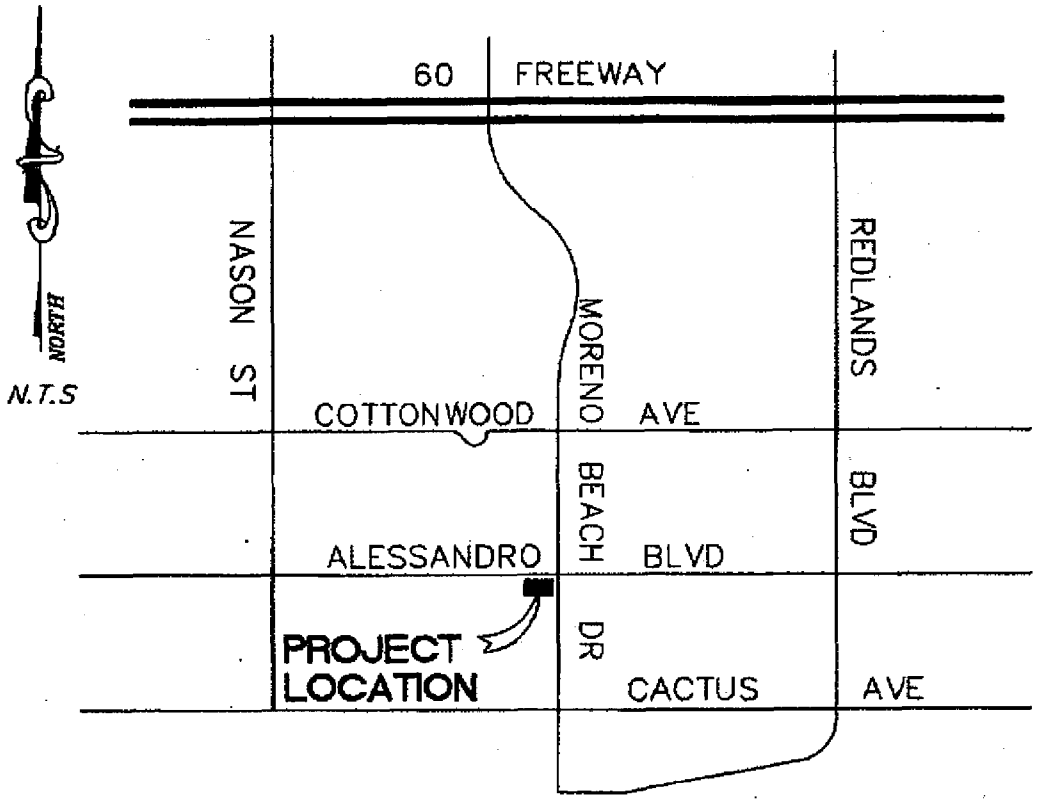

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 2	**PA09-0025/PA09-0043** **VICINITY MAP**

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EXHIBIT "A"
LEGAL DESCRIPTION

ROAD VACATION
ALESSANDRO BOULEVARD

THAT PORTION OF ALESSANDRO BOULEVARD LOCATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 15, T3S, R3W, S.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF LOT 1, IN BLOCK 117, PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY AS SHOWN IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ALESSANDRO BOULEVARD, HAVING A HALF WIDTH OF 60.00 FEET; THENCE NORTH 00°25'39" EAST, A DISTANCE OF 1.00 FEET TO A POINT ON A LINE 1.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 39.99 FEET; THENCE NORTH 45°26'13" EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 5.66 FEET TO A POINT ON A LINE 5.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 71.13 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 70.50 FEET, A RADIAL LINE FROM SAID POINT BEARS SOUTH 00°26'12" WEST; THENCE EASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 17.53 FEET, THROUGH A CENTRAL ANGLE OF 14°15'00" TO THE POINT OF TANGENCY, A RADIAL LINE FROM SAID POINT BEARS SOUTH 14°41'12" WEST; THENCE SOUTH 75°18'48" EAST, A DISTANCE OF 11.50 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89°33'48" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 143.63 FEET TO THE **POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 498 SQ. FT.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 3

EXHIBIT "B"
ROAD VACATION

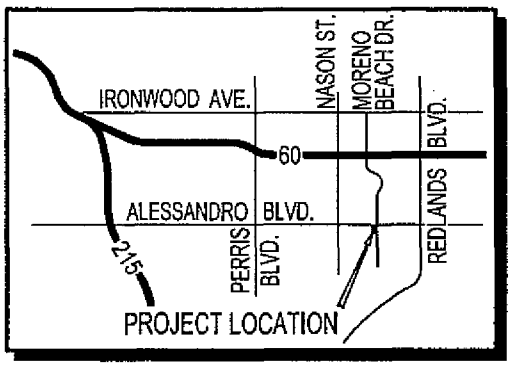

VICINITY MAP
N.T.S.

SCALE: 1"=40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°25'39"E	1.00'
L2	S89°33'48"E	39.99'
L3	N45°26'13"E	5.66'
L4	S89°33'48"E	71.13'

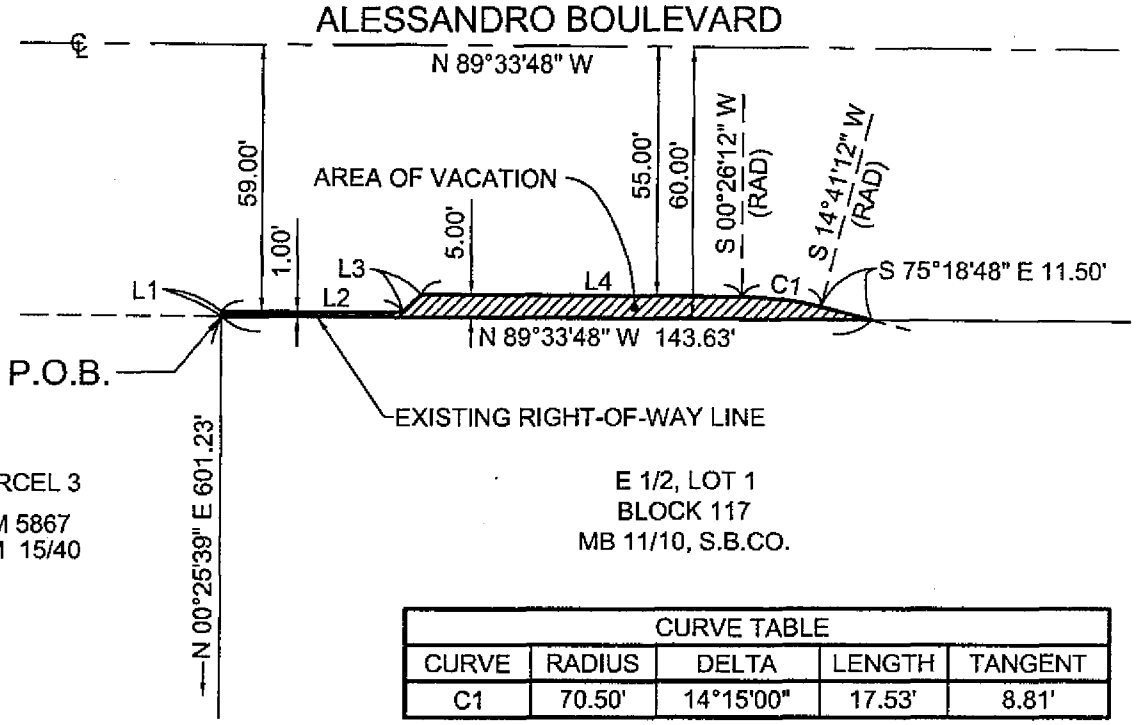

PARCEL 3
PM 5867
P/M 15/40

E 1/2, LOT 1
BLOCK 117
MB 11/10, S.B.CO.

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	70.50'	14°15'00"	17.53'	8.81'

INDICATES VACATION AREA
(± 498 SQ. FT.)

THIS PLAT WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 4

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Acceptance of Grant Monies from the California Department of Education, Child Development Services, for Child Care Services and Adoption of the Resolution to Certify the Approval of the Governing Board

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of

kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the “modified traditional” school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City’s policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $747,338 for FY 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds in the amount of $942,800 are in the FY2010-11 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

RESOLUTION NO. CSD 2010-22

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2010/11.

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2010/11;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desires to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

William Bopf, Interim City Manager _____

Steve Hargis, Acting Director of Financial & Administrative Services

_____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $747,338 per fiscal year to provide child care services for FY 2010/2011;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-0203, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2010/11.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

MV00070552

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name: _____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document.....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

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10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

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The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

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j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

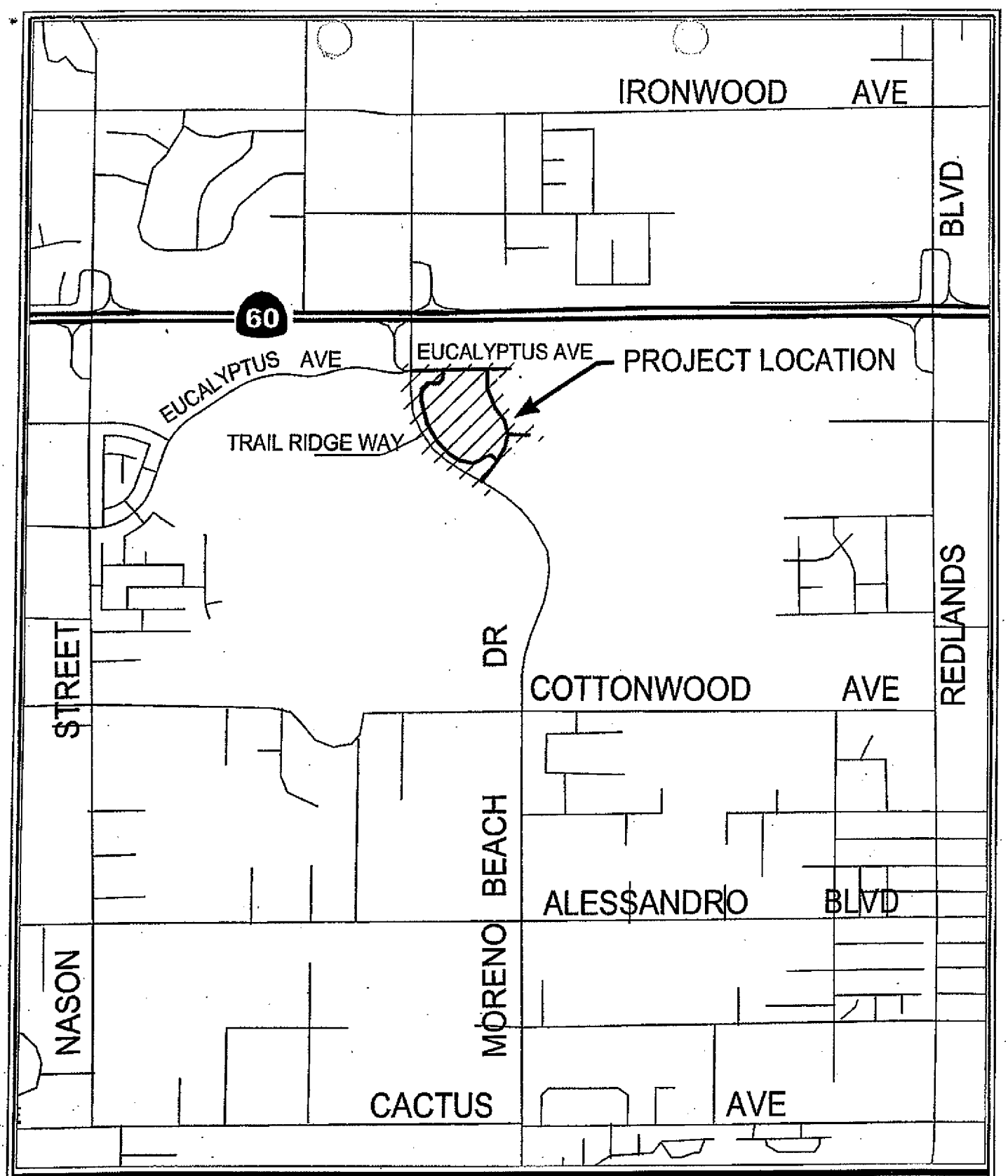

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

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- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

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D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

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improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

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10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

MV00070571

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										$155,889		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

X:\Marketing\Proposals\P_2008\Public\Moreno Valley\Auto Mall Improvements\Final Engineering Proposal\Budget Est-REV 03.17.09.xls

4/7/2009

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EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services

Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services

Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft, Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID		Task Name	Duration	Start	Finish
1		Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2		**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3		Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4		Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5		Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6		Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7		**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8		Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9		City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10		Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11		City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12		Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13		City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14		Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15		City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16		Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17		**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18		Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19		Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

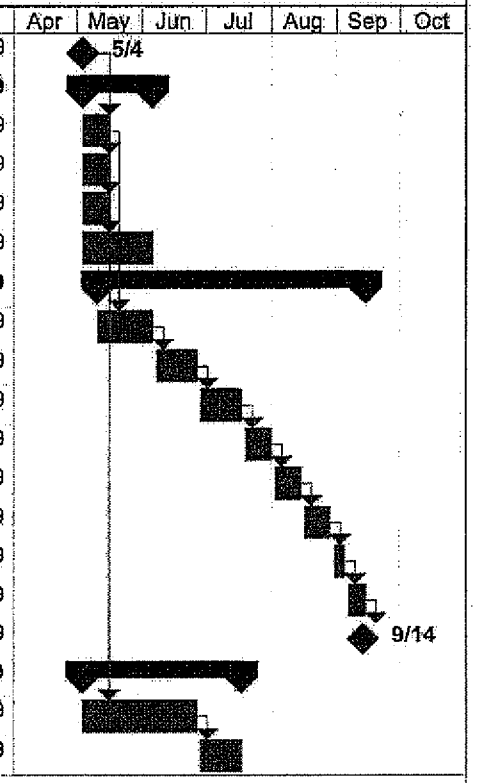

VA Consulting, Inc.
March 9, 2009

Task		Milestone		External Tasks	
Split		Summary		External Milestone	
Progress		Project Summary		Deadline	

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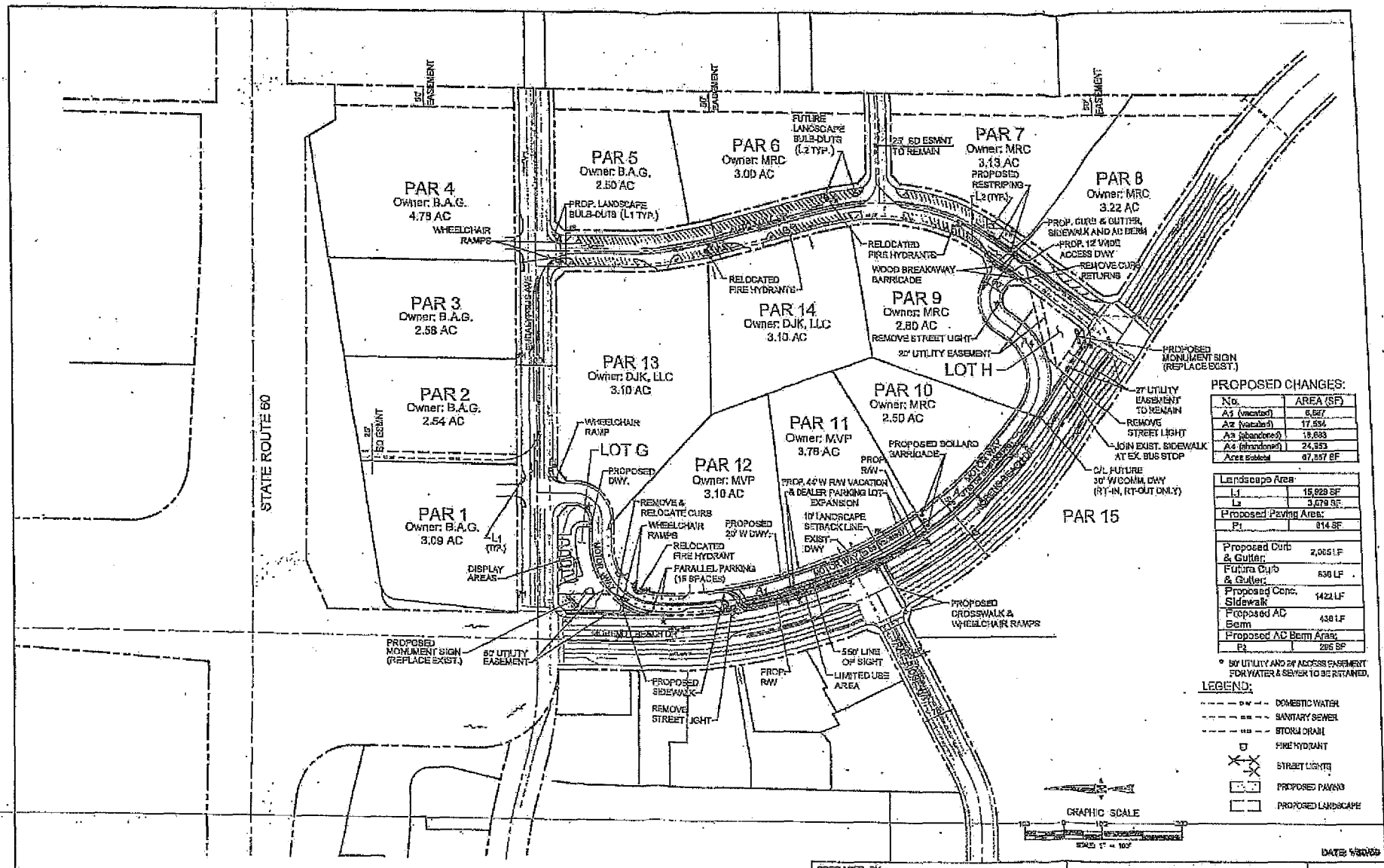
STATE ROUTE 60
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
EVENTURA AVE
MORENO BEACH DR
MOTOR WAY
50' EASEMENT
25' SD EASMNT
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
L2 (TYP.)
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
WHEELCHAIR RAMPS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
REMOVE STREET LIGHT
92' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. R/W
PROP. 49' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY.
PROPOSED DRIVE
REMOVE & RELOCATE CURB
WHEELCHAIR RAMPS
RELOCATED FIRE HYDRANT
PARALLEL PARKING (15 SPACES)
DISPLAY AREAS
L1 (TYP.)
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROPOSED SIDEWALK
REMOVE STREET LIGHT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
50' UTILITY EASEMENT
GRAPHIC SCALE
SCALE: 1" = 100'
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,667
A2 (vacated) | 17,534
A3 (abandoned) | 18,683
A4 (abandoned) | 24,953
Area Subtotal | 67,837 SF
Landscape Area:
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,065 LF
Future Curb & Gutter: | 536 LF
Proposed Conc. Sidewalk | 1421 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 295 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1100 TEL
(949) 261-8485 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER
1
OF 1 SHEETS

MV00070576

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.	
VENDOR NO.#		ORIGINAL PO NUMBER
TODAY'S DATE: 6/2/10		37386
Project Number:		

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

MV00070580

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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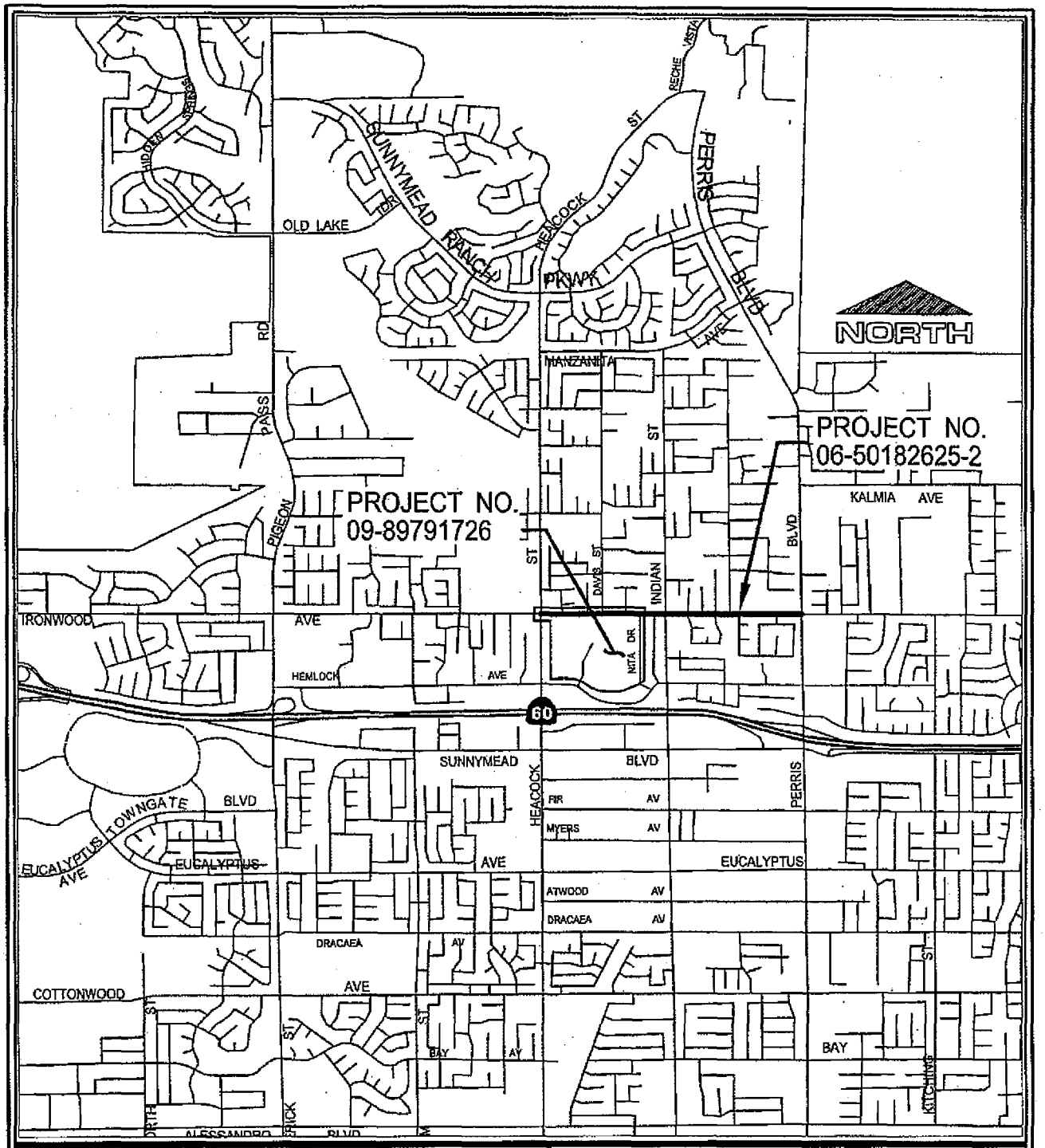

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

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Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

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5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

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The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

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provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

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Exhibit "A"

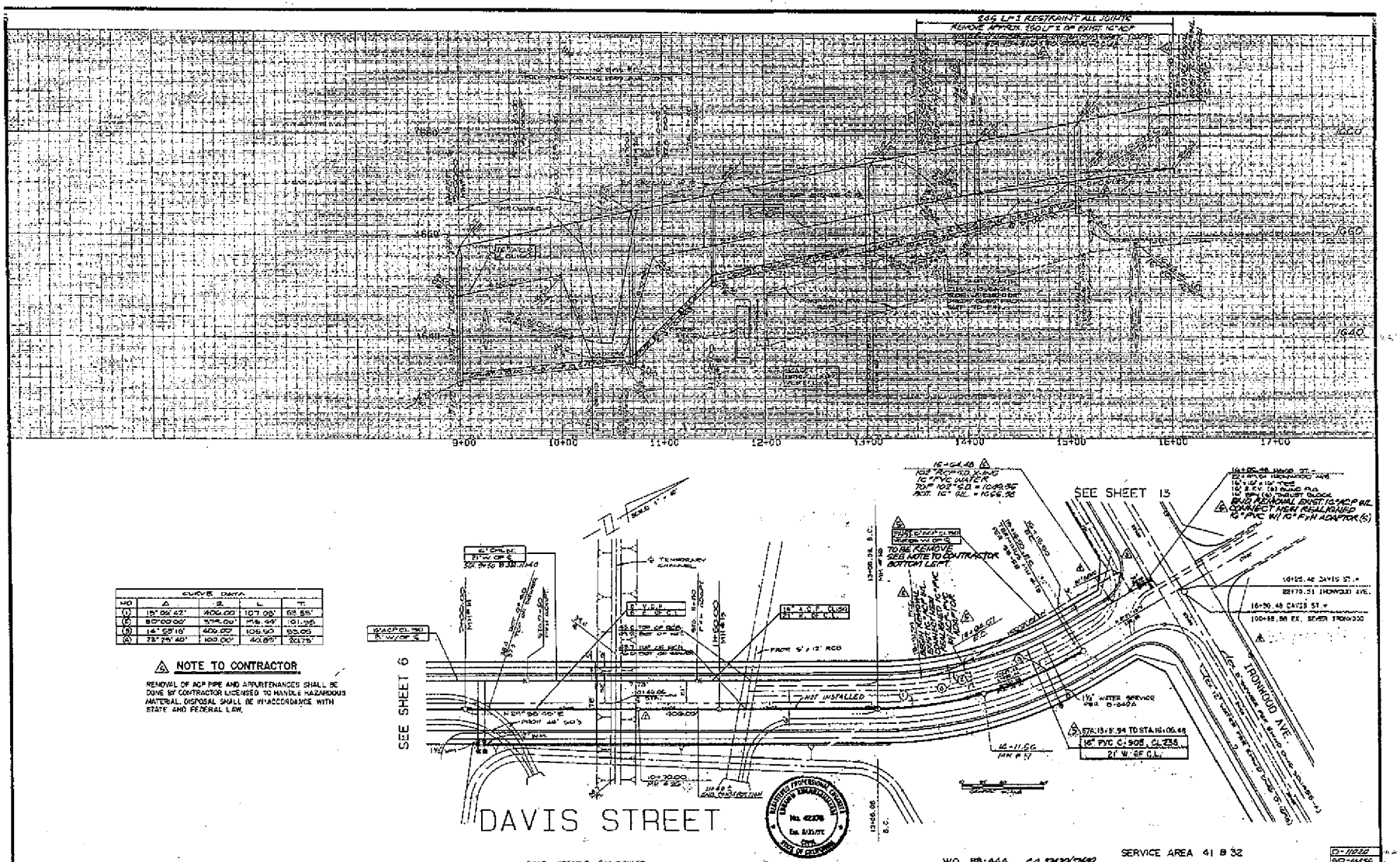

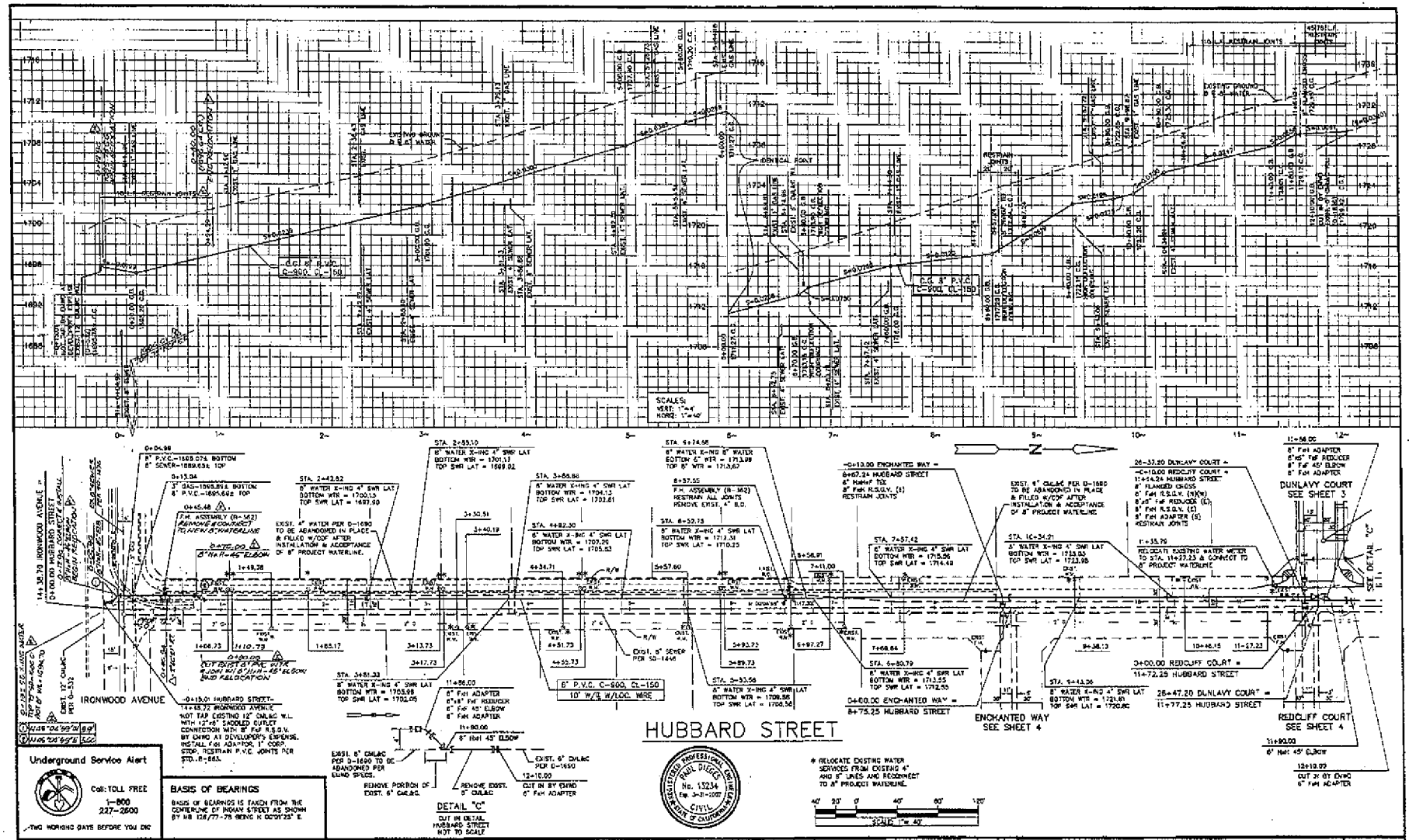
HUBBARD STREET
IRONWOOD AVENUE
ENCHANTED WAY
SEE SHEET 4
DUNLAVY COURT
SEE SHEET 3
REDCLIFF COURT
SEE SHEET 4
SEE DETAIL "C"
DETAIL "C"
CUT IN DETAIL HUBBARD STREET NOT TO SCALE
SCALE: 1" = 40'
Underground Service Alert
Call: TOLL FREE 1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG
BASIS OF BEARINGS
BASIS OF BEARINGS IS TAKEN FROM THE CENTERLINE OF INDIAN STREET AS SHOWN BY MB 126/77-78 BEING N 00°01'25" E.
CITY OF MORENO VALLEY APPROVALS
BENCHMARK:
FIRE MARSHALL
PERRIS ENGINEERING
EASTERN MUNICIPAL WATER DISTRICT
APPROVALS
CITY OF MORENO VALLEY
TRACT 31319
PLAN AND PROFILE
STA. -0+15.01 TO STA. 12+10.00
HUBBARD STREET
0-31074
MV 1610

MV00070598

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING OVERVIEW AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-346, TYPE "B"
4. WATER STATION PROFILE ELEVATIONS ARE TO BE CENTERLINE (CENTER GRADE) OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. E-956
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARDS & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD (DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-357
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE TYPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO EMWD SPECIFICATIONS.
10. FITTINGS FOR P.V.C PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SCAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-843.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES x 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-290, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). (ENGINEER SHALL VISIT OTHER SITES AND DRAWINGS WHICH APPROPRIATE). ADJACENT LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION.

1. CONTRACTOR SHALL NOTIFY E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4630
2. ALL PERMIT AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3100
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND OR OVERHEAD UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE OWNER/ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THOSE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THOSE LINES. PHASED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (U.S.A.) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING, AND CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES BEFORE SUBMITTING A BID. ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES, SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL THICKNESS FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLAND CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPE, SIZE, AND SPECIFICATIONS. CONTRACTOR SHALL REVIEW ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO INSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION REQUIREMENTS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS

WATER QUANTITY ESTIMATE

ITEM	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-200, DR-14	21	LF
12x12 WYE	1	EA
8" FIRE HYDRANT	2	EA
12" GATE VALVE	2	EA
12" MJ 45° BEND	2	EA
12" PLUG-OFF	1	EA
12" FLANGE	1	EA
12x12 TEE	1	EA
12" 90° BEND	2	EA
12" 45° BEND	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	497	LF
12" CONC. 12 X 12 X 12 TEE W/ 12" DUCTILE W/A	1	EA
1" WATER SERVICE W/ METER	1	EA
1" MALE AIR VACUUM	1	EA
8" PVC WATER C-900, CL-200 (TEMP. DISH END)	63	LF

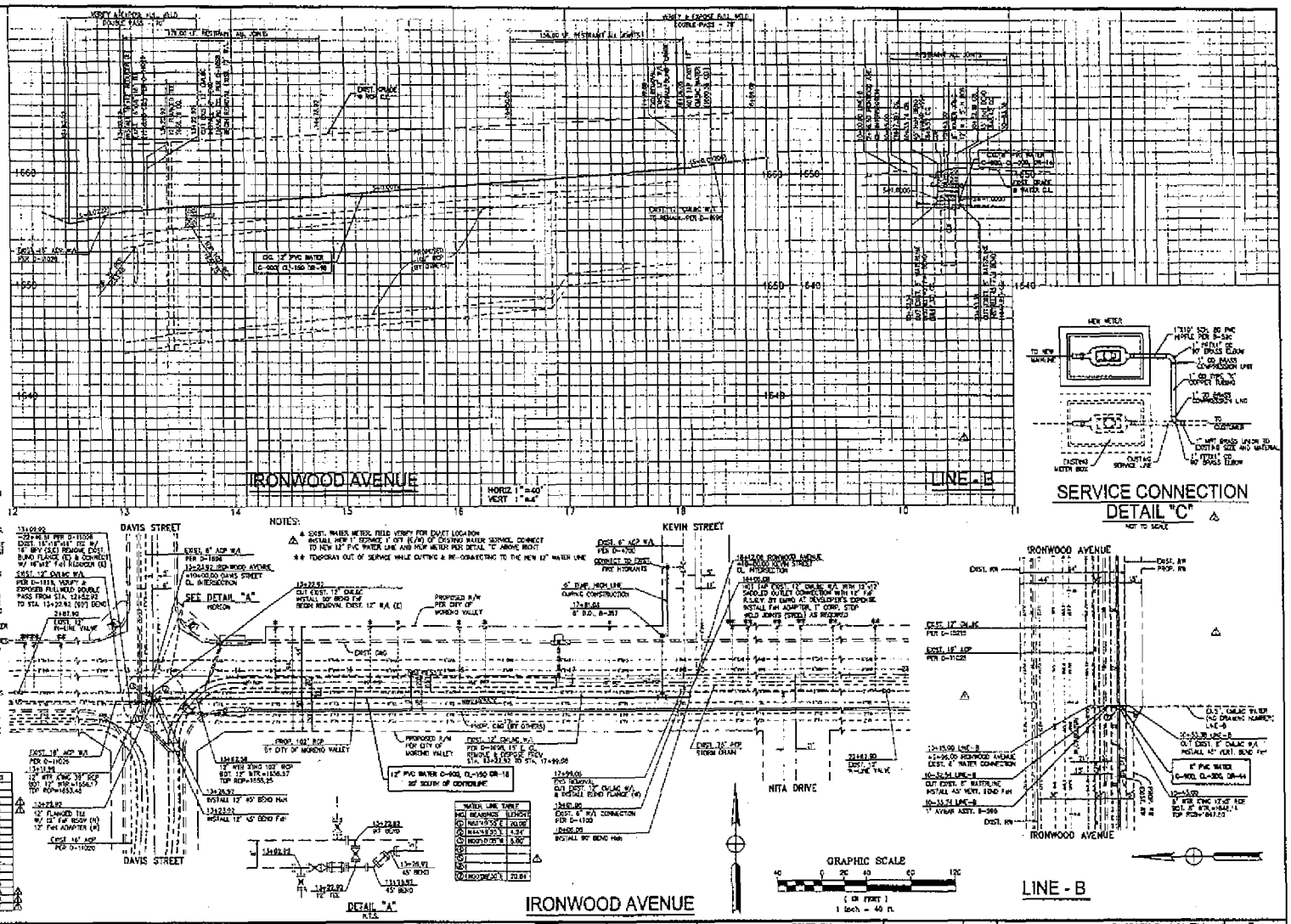

NOTES:

4. SINGLE WATER METER, FIELD VERIFY FOR EXACT LOCATION INSTALL NEW 1" SERVICE 1' OFF R/W OF EXISTING WATER SERVICE, CONNECT TO NEW 12" PVC WATER LINE AND NEW METER PER DETAIL "C" ABOVE RIGHT
5. 6. TEMPORARY OUT OF SERVICE VALVE CUTTING & RE-CONNECTING TO THE NEW 12" WATER LINE

WATER LINE TABLE		
NO.	BEARINGS	ELEVATION
1	N41°19'55"E	20.00'
2	N44°48'55"E	4.34'
3	N00°01'05"W	5.00'
4		
5		
6		
7		
8	N90°00'00"E	20.84'

Underground Service Alert
Call TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/9/08	LAM	REVISED LINE-A, SUPERCEDED APPROVED PLAN DATED 11/25/04	SMHM	04/01/2004
2	4/30/08	LAM	ADDED DETAIL "C", SUPERCEDED APPROVED PLAN DATED 4/21/08	SMHM	04/30/2008

DESIGNED: DRAWN: CHECKED:

BENCHMARK: ELEV: 1636.93 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK 86-58 FT.
BRASS TAPE ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST. 225' NORTHERLY FROM THE PROJECTED NORTH 67' HEACOCK ST. & SOUTHBOUND BLVD. 295' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 2' EASTERLY OF A 3.5'x3.5' CONC. VALVE BOX (UNDERGROUND) TABLE BOX, 2.5' WESTERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A NATIVE METER BOX IN A 12" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5" DIA.) STAMPED "86-58 REST. 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE 09/20/2008

APPROVALS

	NAME	DATE
PROJECT ENGINEER		
INSPECTOR		
WORK INSPECTOR		
MAINTENANCE		

LICENSED ENGINEER
DRAWN
TRACED
CHECKED
SUBMITTED
SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA

12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

LD. 3
LD. 41
W.O. 12-747
CO.
COORD.
SHT. 1 OF 1
D- 41354

MV000070599

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & Install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

MV00070600

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

MV00070601

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin						
Note: Additive Bid #10 shall be bidded together with Base Bid "B"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

MV00070602

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & Install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

MV00070603

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

MV00070604

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\CC Reports\071310 Ironwood Day to Barclay-EMWD Reimbursement Agreement.doc

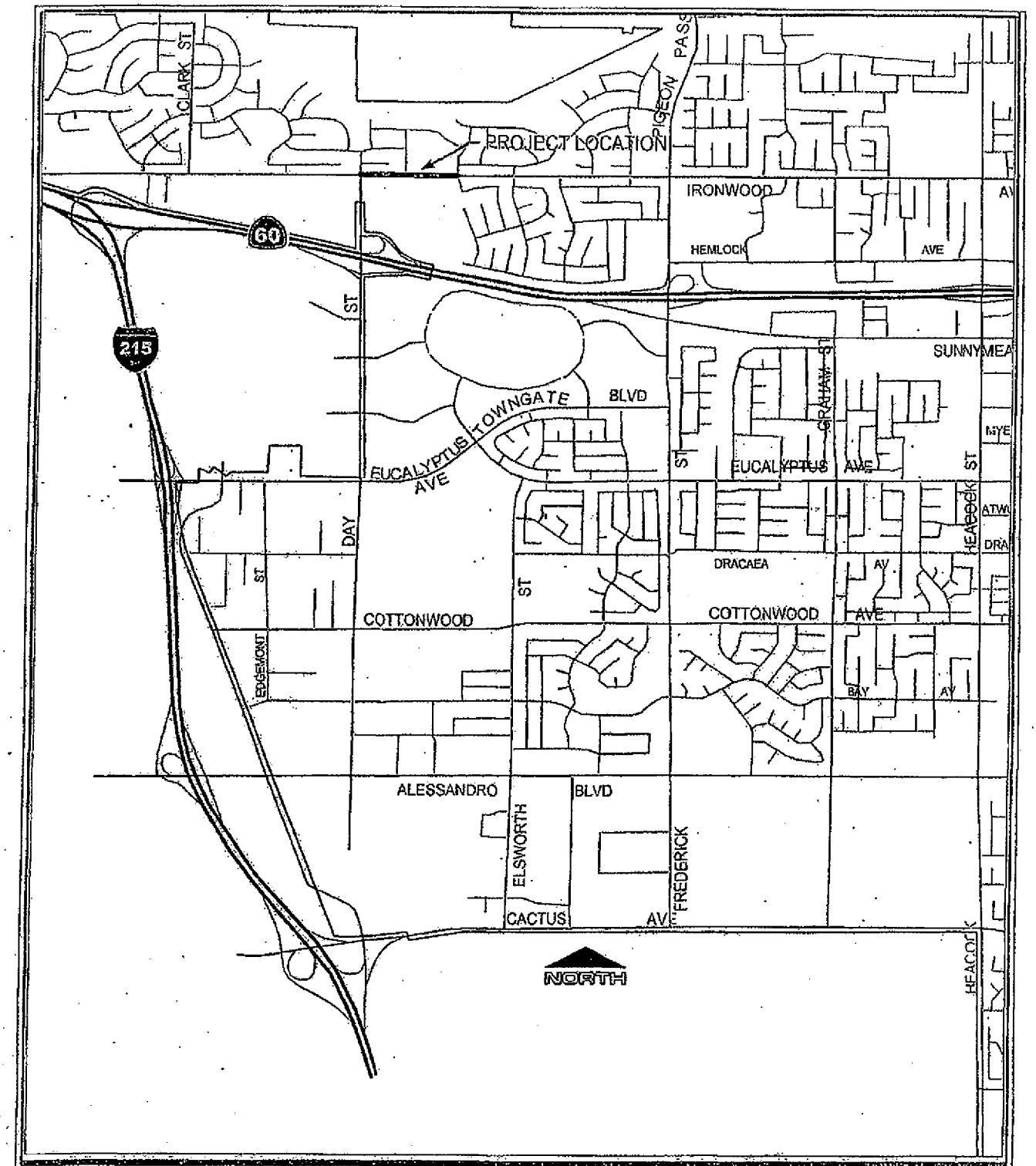

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

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6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

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the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

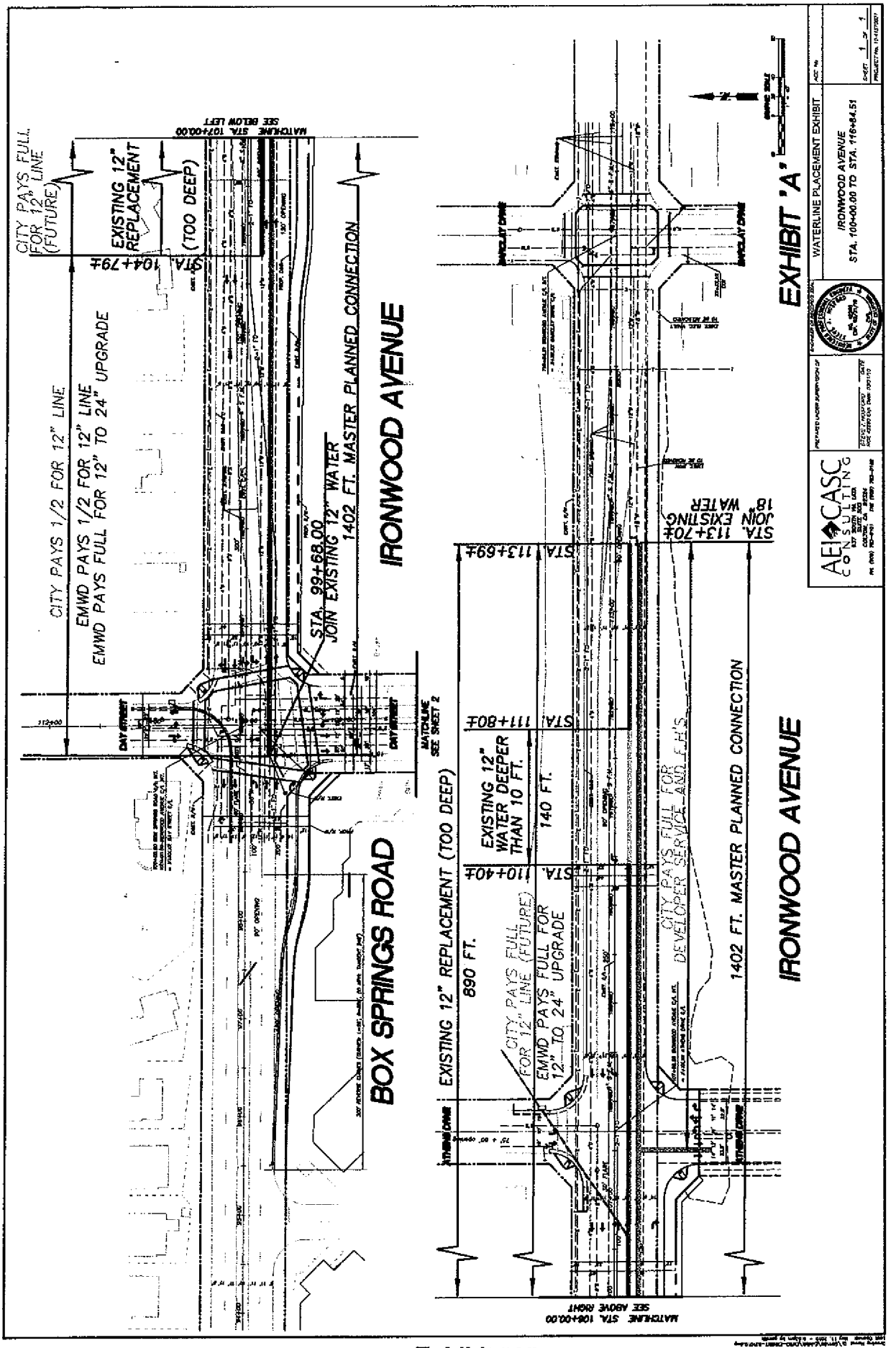
EXHIBIT 'A'
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
WATERLINE PLACEMENT EXHIBIT
AEI CASC CONSULTING
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
CITY PAYS 1/2 FOR 12" LINE
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
STA. 99+68.00
JOIN EXISTING 12" WATER
1402 FT. MASTER PLANNED CONNECTION
IRONWOOD AVENUE
BOX SPRINGS ROAD
MATCHLINE STA. 107+00.00
SEE BELOW LEFT
MATCHLINE
SEE SHEET 2
DAY STREET
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
STA. 110+40±
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 111+80±
STA. 113+69±
STA. 113+70±
JOIN EXISTING 18" WATER
CITY PAYS FULL FOR 12" LINE (FUTURE)
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
1402 FT. MASTER PLANNED CONNECTION
IRONWOOD AVENUE
MATCHLINE STA. 108+00.00
SEE ABOVE RIGHT

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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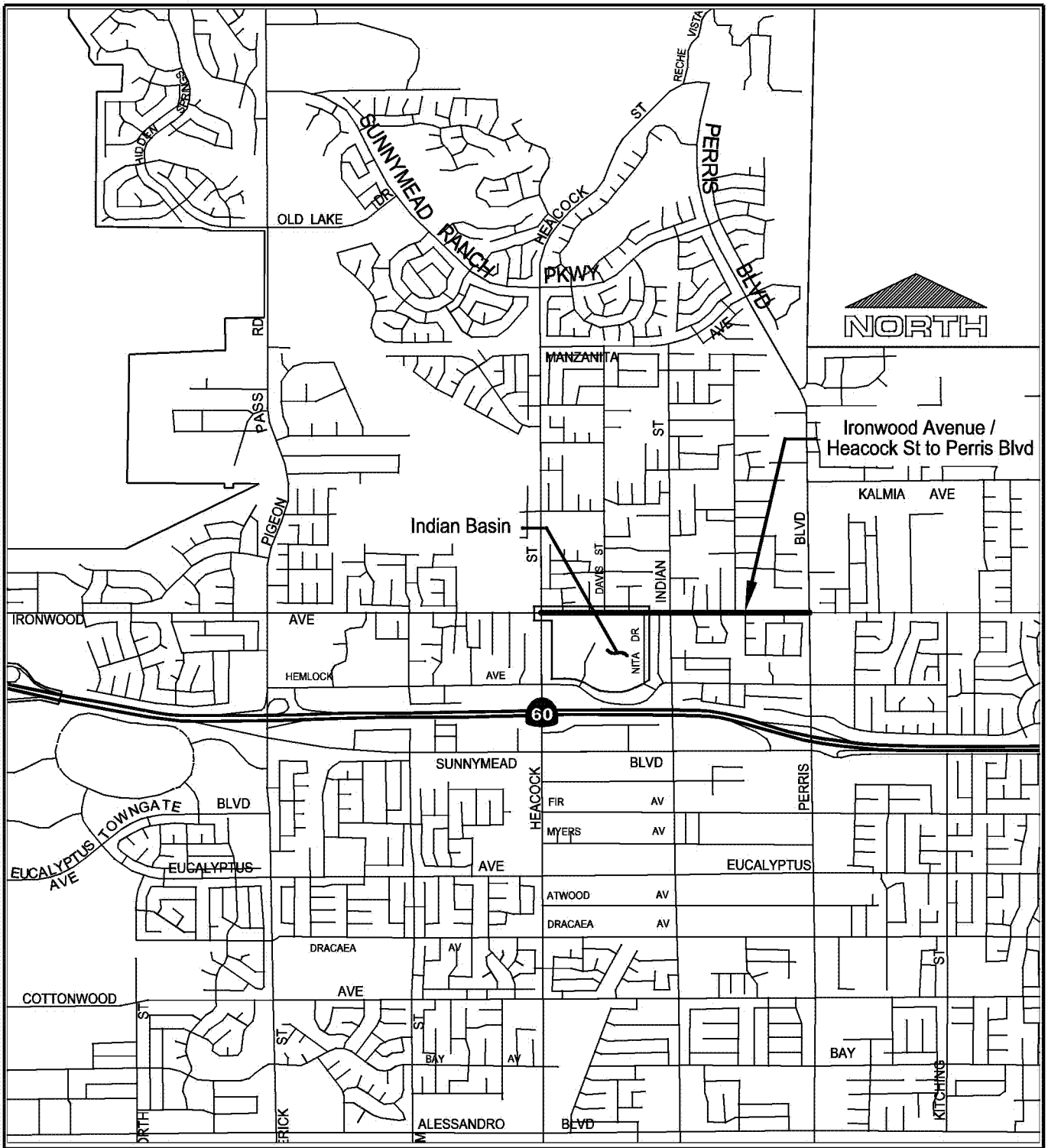

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD
PROJECT NUMBER 06-50182625-2

INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE)
PROJECT NUMBER 09-89791726

Agreement No. _____

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	**Each Occurrence**	**Aggregate**
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the

same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO. _____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

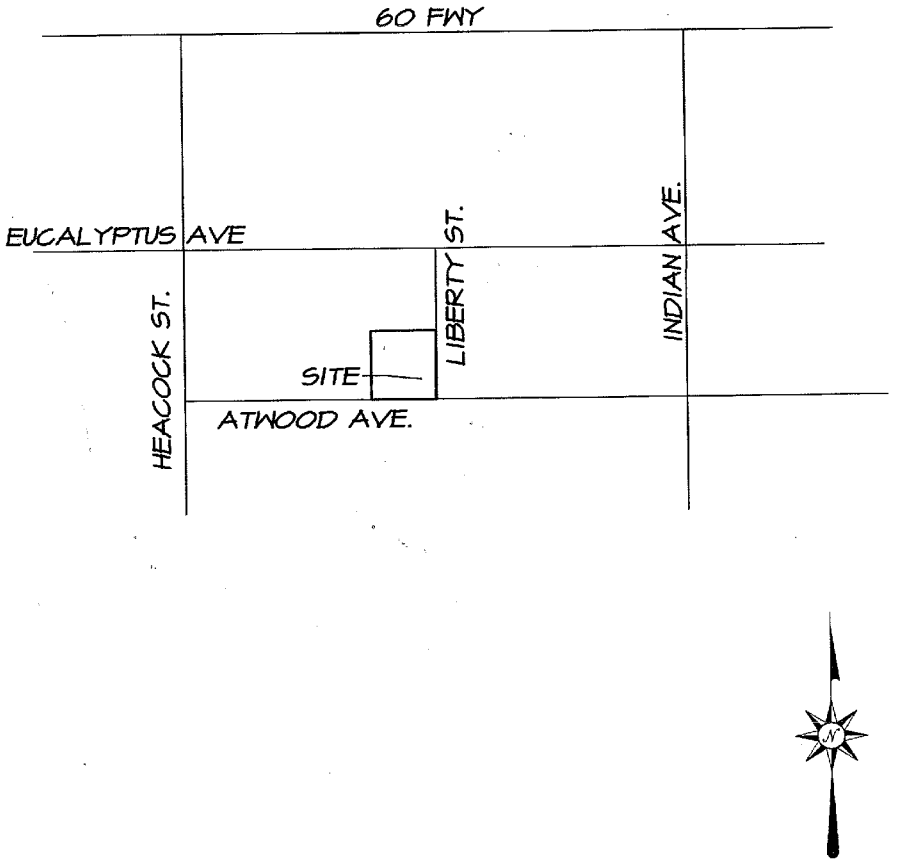

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

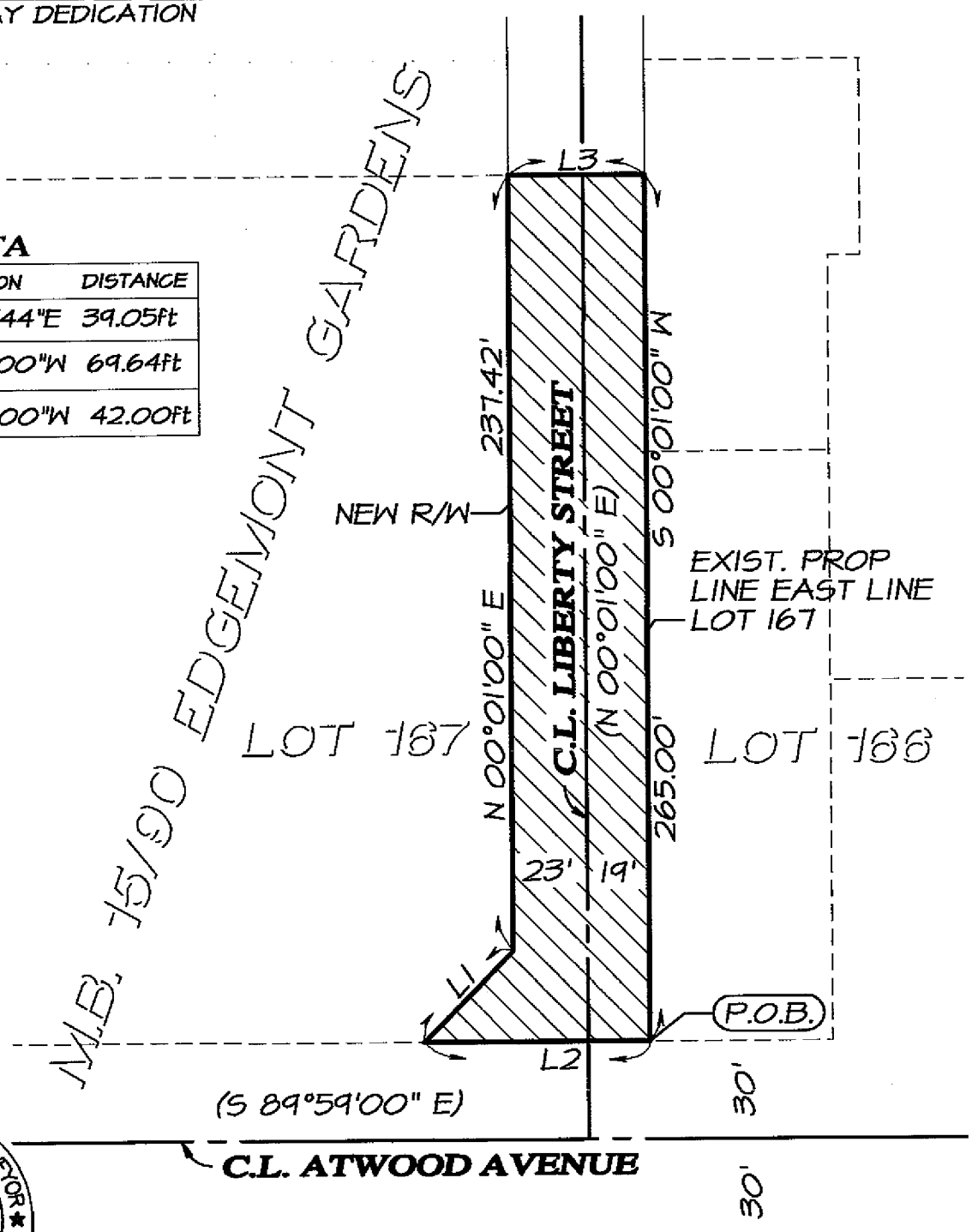

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 2/23/10

SHT. NO. 2 OF 2 SHEET

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

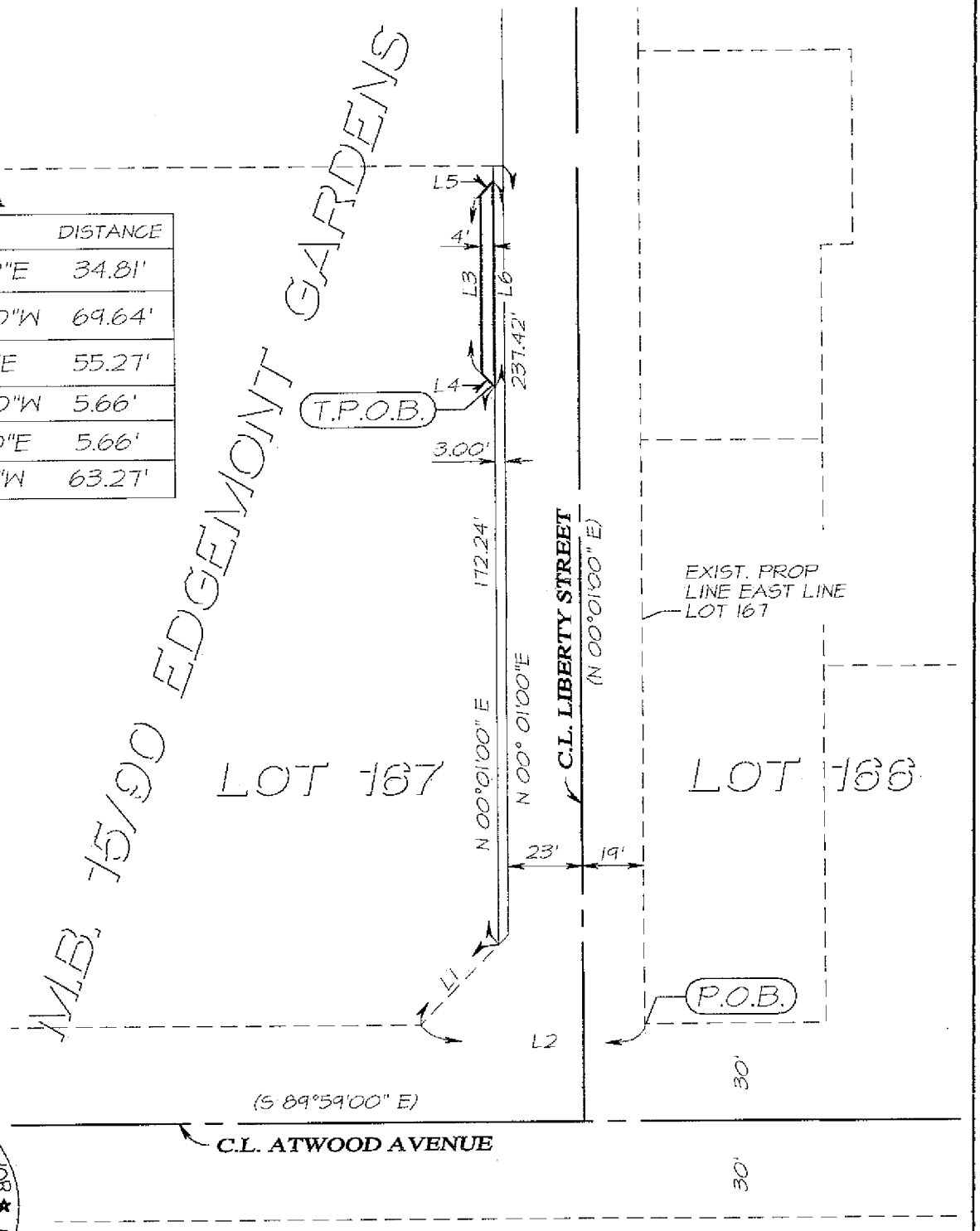

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2
OF 2 SHEET

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

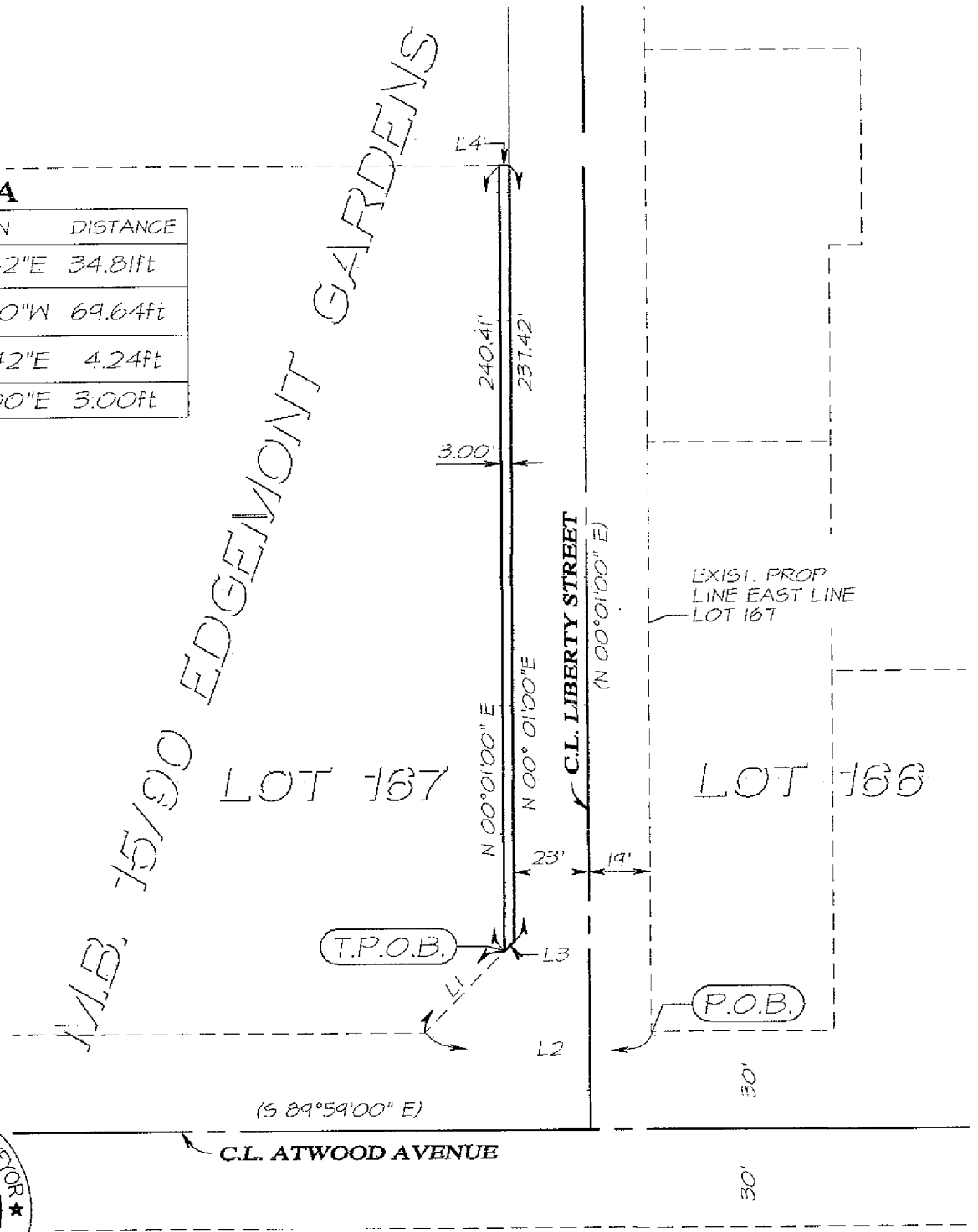

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
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OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2 OF 2 SHEET

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	Caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

BACKGROUND

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels

receiving the service. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	FY 2009/10 CSD Zone D Annual Charge*	Proposed 2010/11 CSD Zone D Annual Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the approved CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, or if there is a tie, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Conduct the Public Hearing**, tabulate the ballots, verify and accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing**, tabulate the ballots, verify or accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program**.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

Fourteen Zone D tracts are being balloted to seek approval for an increase in the CSD Zone D annual charge. The action before the CSD Board is to accept public comments and tabulate the returned ballots for the balloted tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\Stfrpt Zone D PH 07.13.10.doc

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\12773\Tract 12773 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

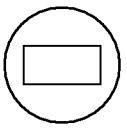

A circle around the box **<u>and/or</u>** associated clause; or

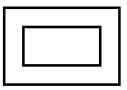

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

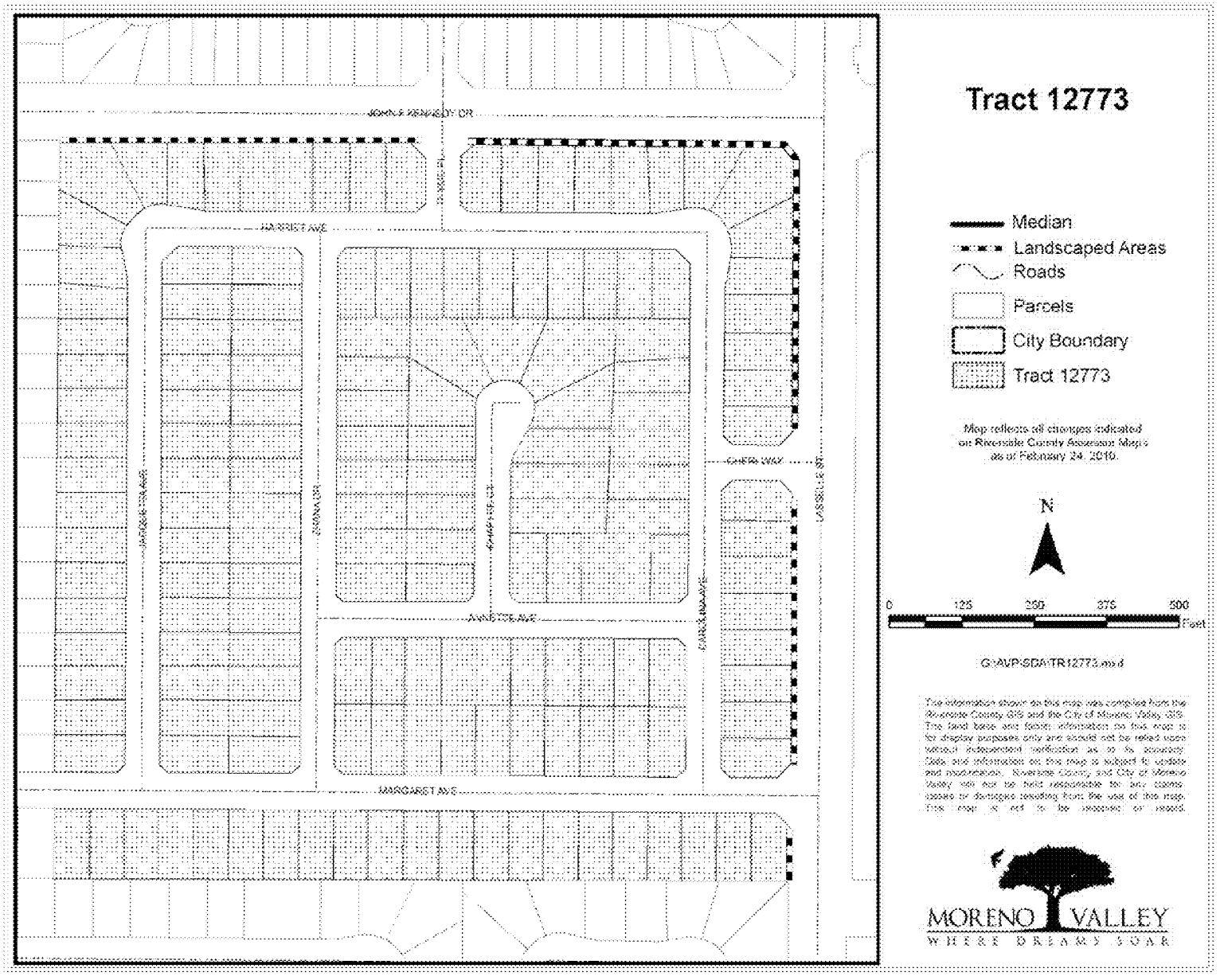
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
JOHN F KENNEDY DR
HARRIET AVE
CARTER WAY
LASSELLE ST
ANNETTE AVE
MARGARET AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

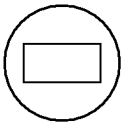

A circle around the box **and/or** associated clause; or

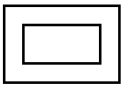

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

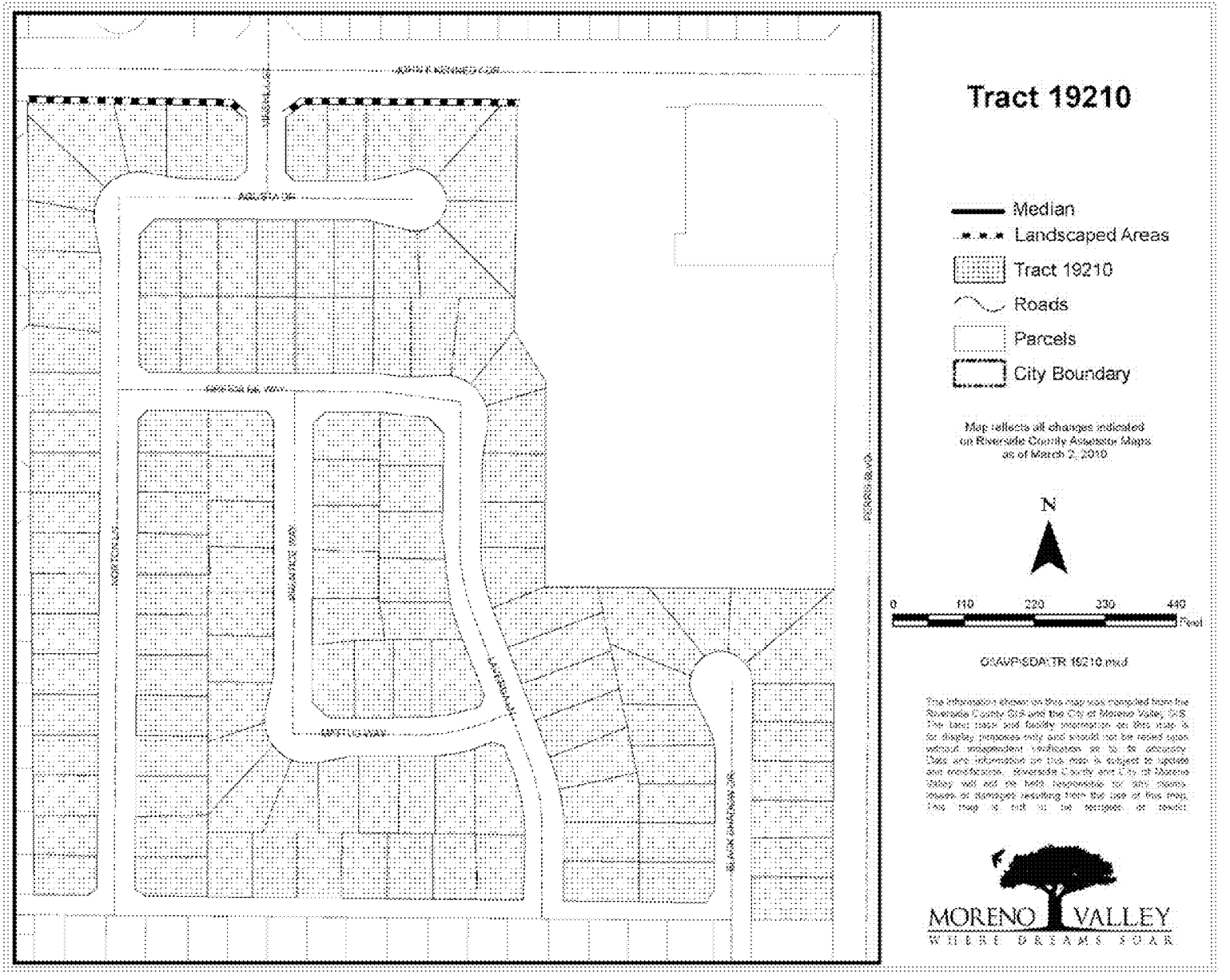

MV000070679

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

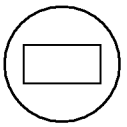

A circle around the box **and/or** associated clause; or

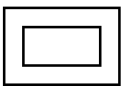

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

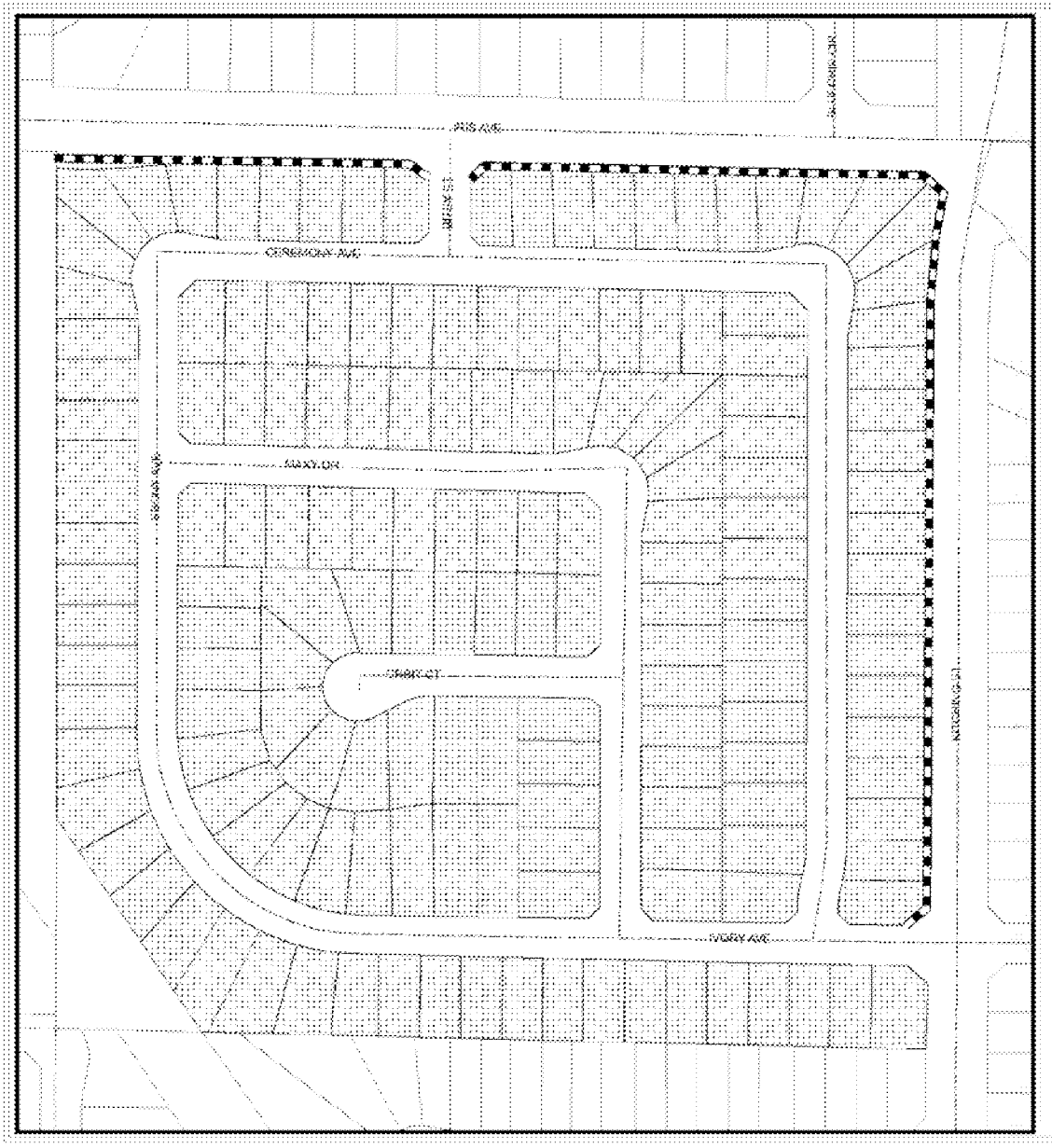

Tract 19937

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 19937

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.

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0 115 230 345 460 Feet

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This information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be accepted as legal

MORENO VALLEY
WHERE DREAMS SOAR

MV00070689

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

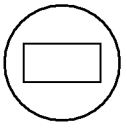

A circle around the box **<u>and/or</u>** associated clause; or

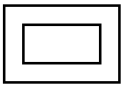

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

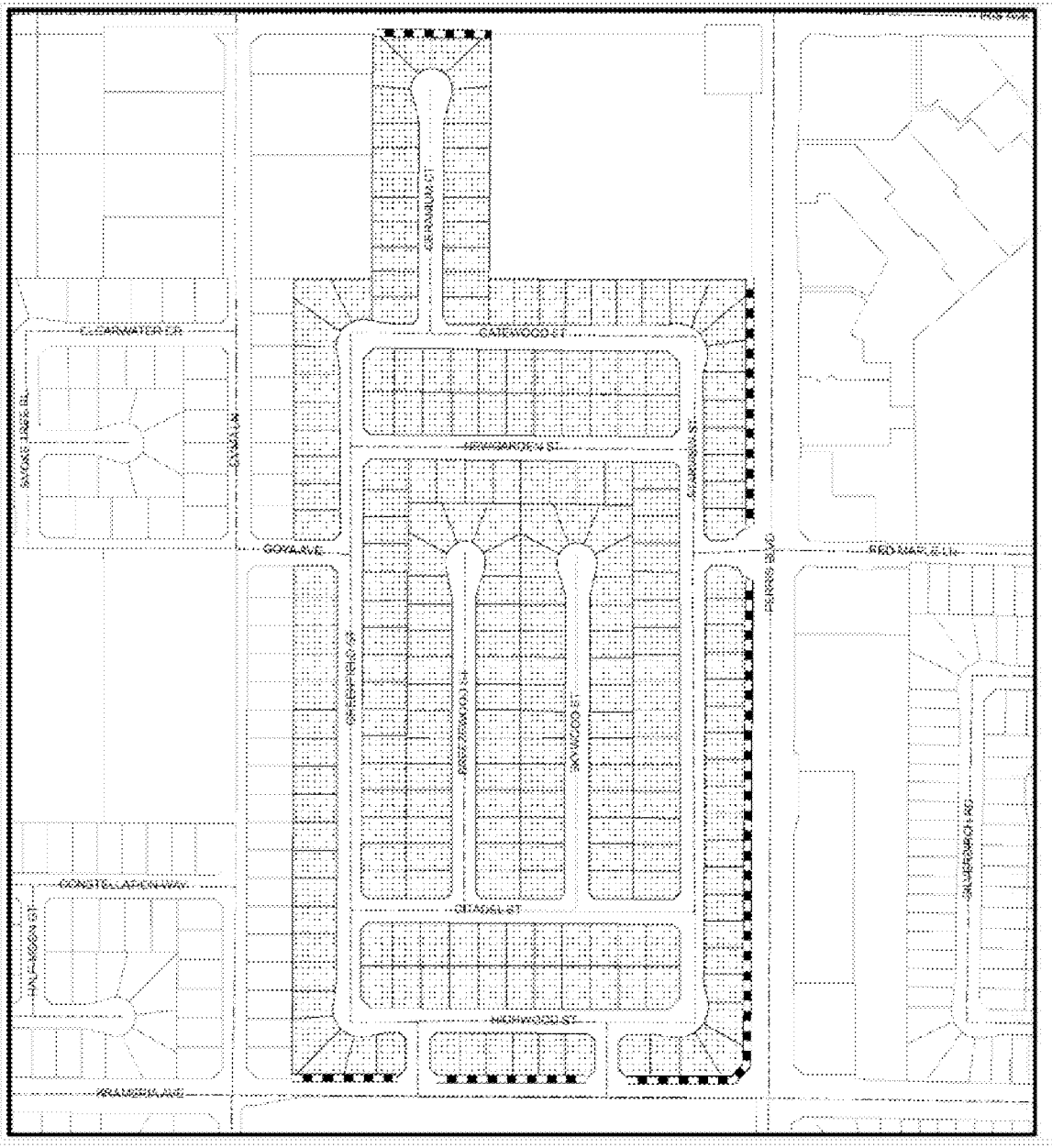

Tract 20404

- Median
- Landscaped Areas
- Tract 20404
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

N

0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tax base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00070699

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

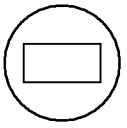

A circle around the box **<u>and/or</u>** associated clause; or

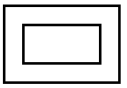

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

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0 200 400 600 800 Feet

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

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4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

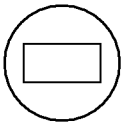

A circle around the box <u>and/or</u> associated clause; or

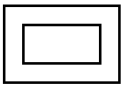

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

N

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MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20579\Tract 20579c packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

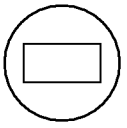

A circle around the box **<u>and/or</u>** associated clause; or

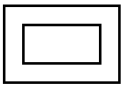

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
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Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

N

0 200 400 600 800 Feet

G:\WP\SD\NTR 20579.mxd

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

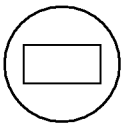

A circle around the box **and/or** associated clause; or

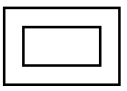

A square or rectangle around the box **and/or** associated clause**.**

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

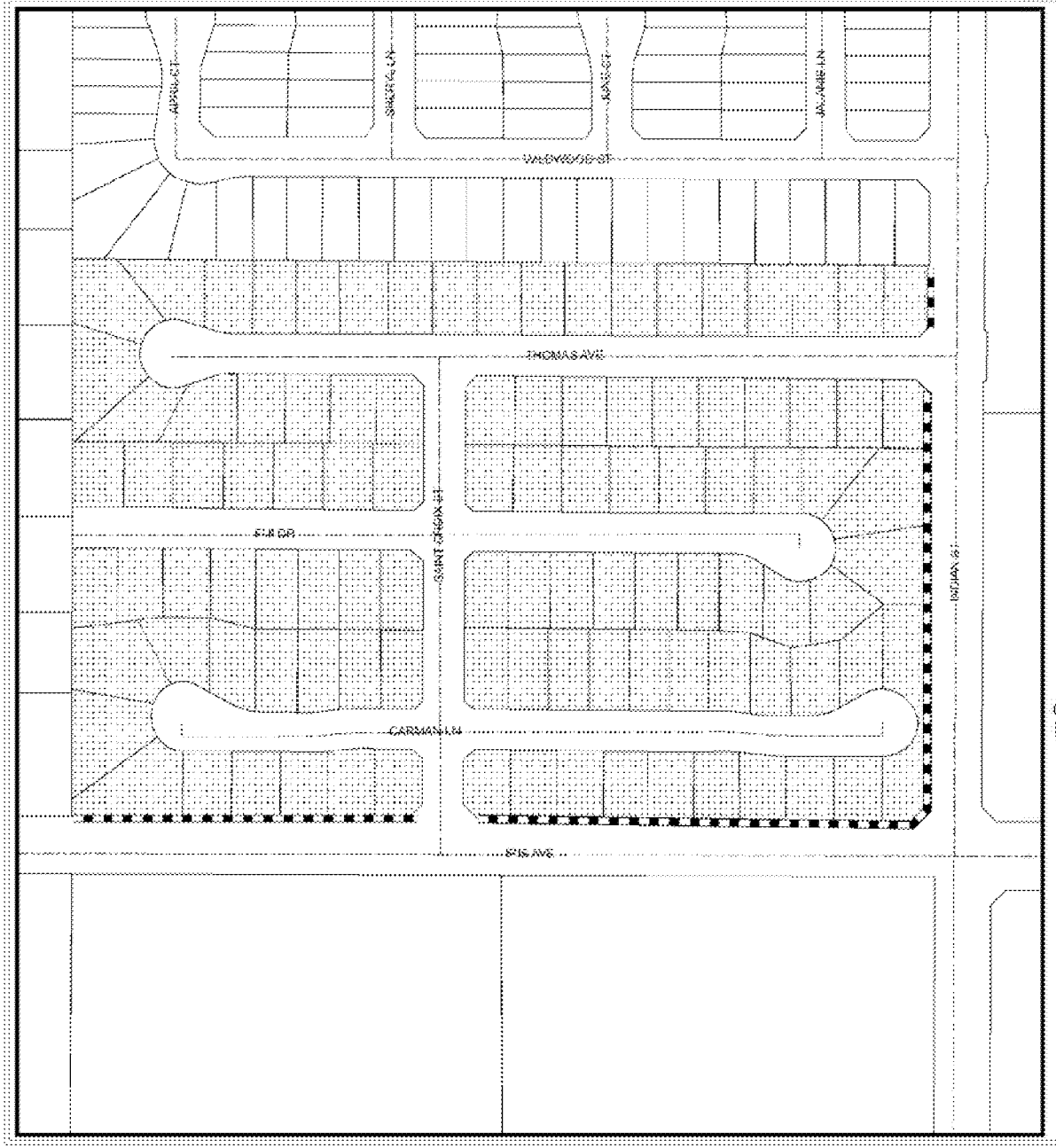

Tract 20718

- Median
- Landscaped Areas
- Roads
- mv parcels
- City Boundary
- Tract 20718

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

N

0 125 250 375 500 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00070739

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

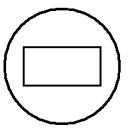

A circle around the box **and/or** associated clause; or

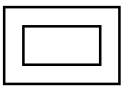

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

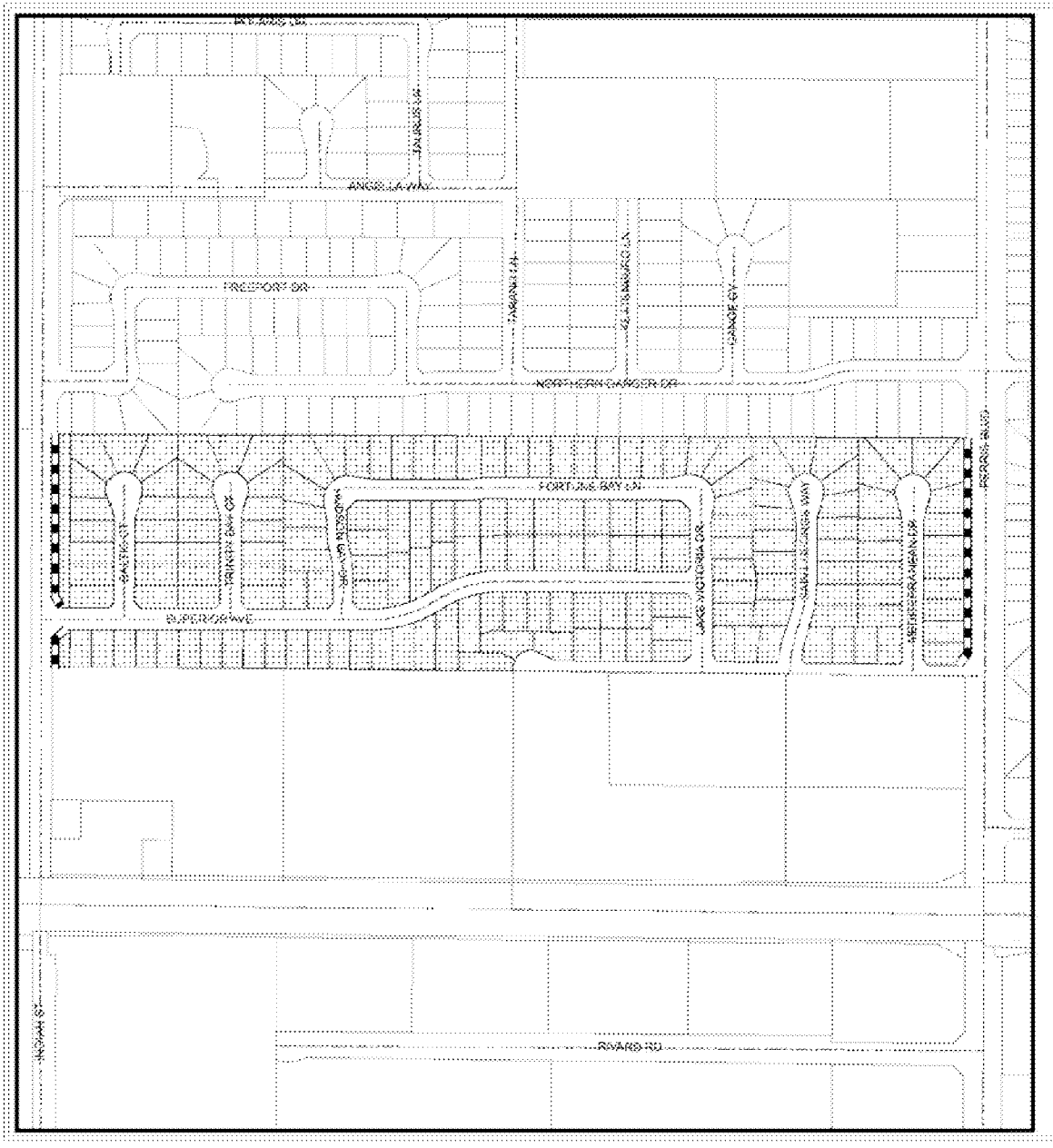

Tract 21113

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

N

0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00070749

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

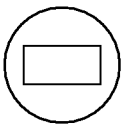

A circle around the box **<u>and/or</u>** associated clause; or

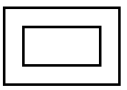

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

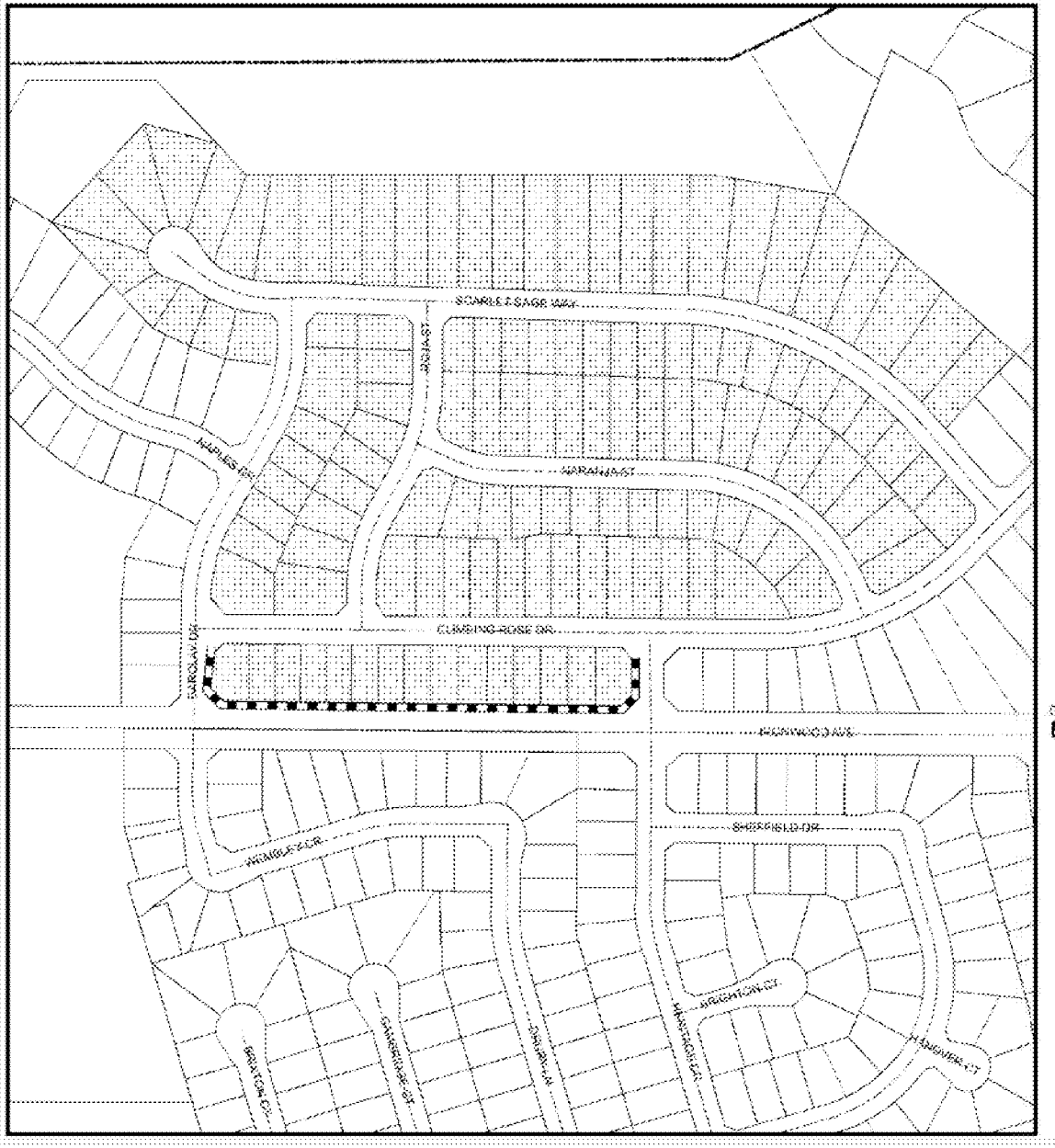

Tract 21333

- Median
- Landscaped Areas
- Tract 21333
- Roads
- mv parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

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0 175 350 525 700 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

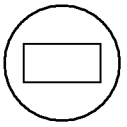

A circle around the box **and/or** associated clause; or

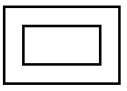

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

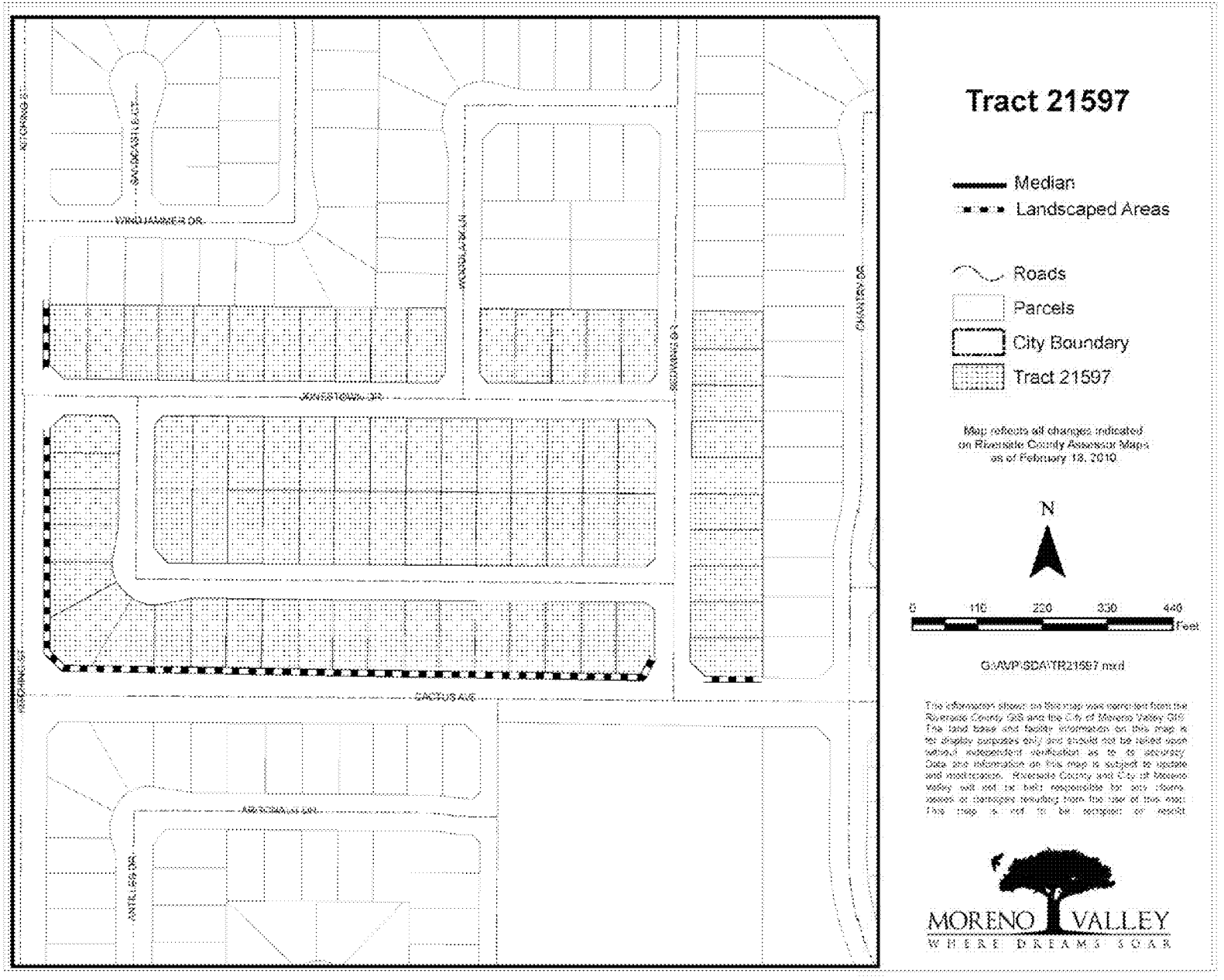
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0
110
220
330
440
Feet
G:\MP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

MV00070769

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\22889\Tract 22889 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

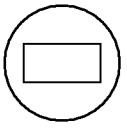

A circle around the box **<u>and/or</u>** associated clause; or

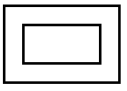

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

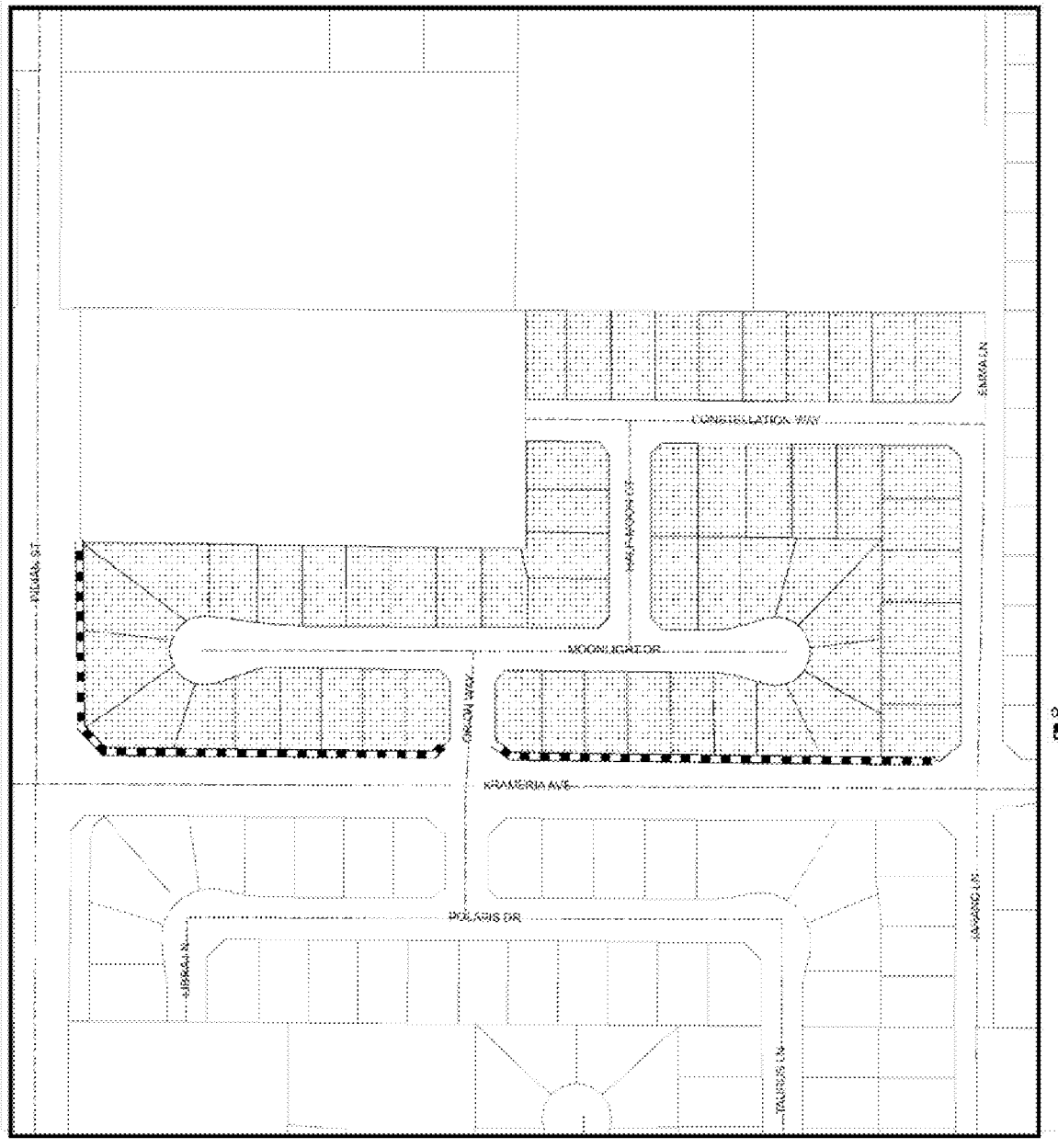

Tract 22889

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 22889

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

N

0 120 240 360 480 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00070779

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

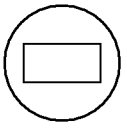

A circle around the box **<u>and/or</u>** associated clause; or

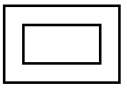

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

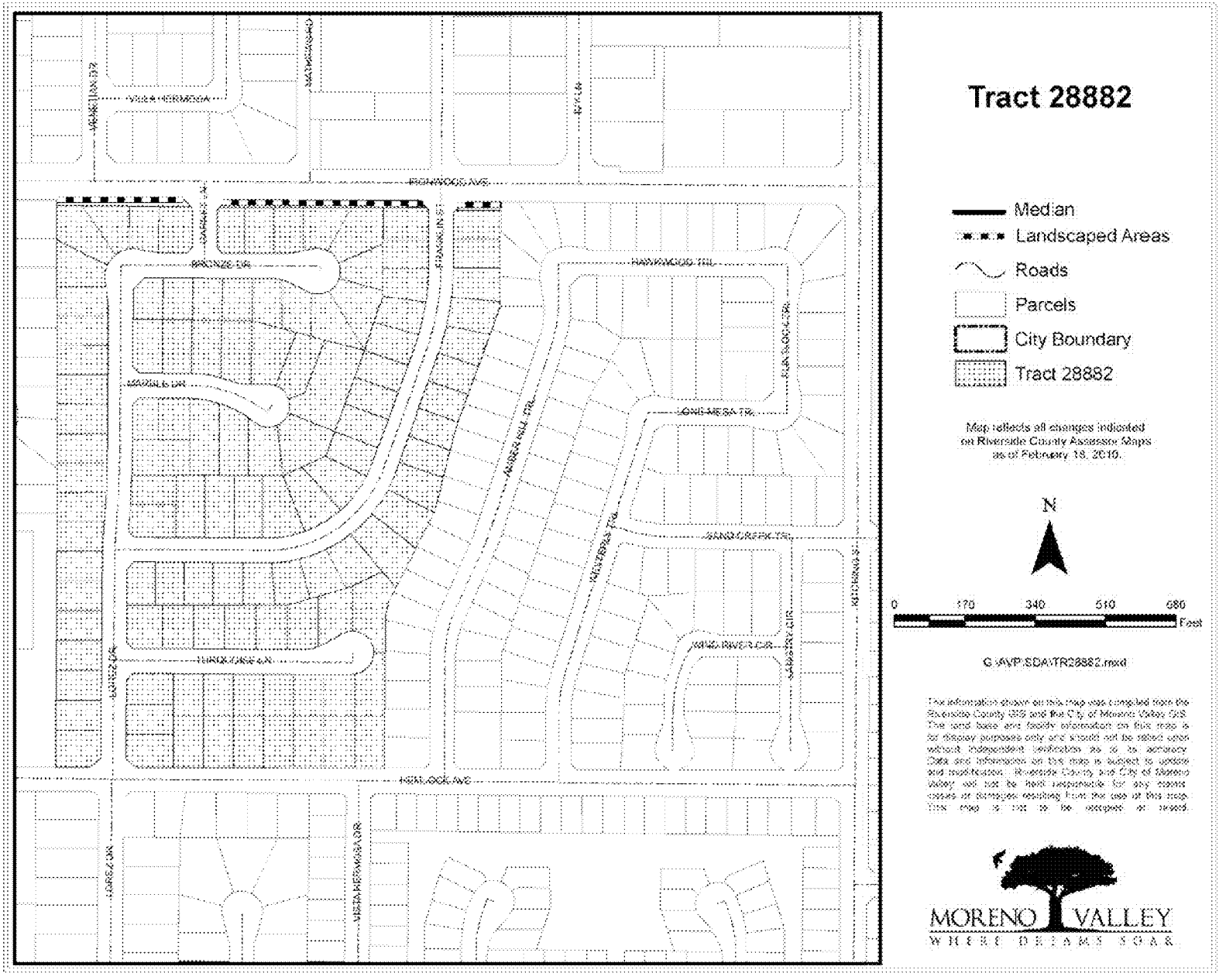
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
170
340
510
680
Feet
G:\AVP\SDA\TR28882.mxd
MORENO VALLEY
WHERE DREAMS SOAR

MV00070789

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

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2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

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4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

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   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $1,050 to $1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

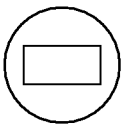

A circle around the box **<u>and/or</u>** associated clause; or

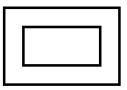

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

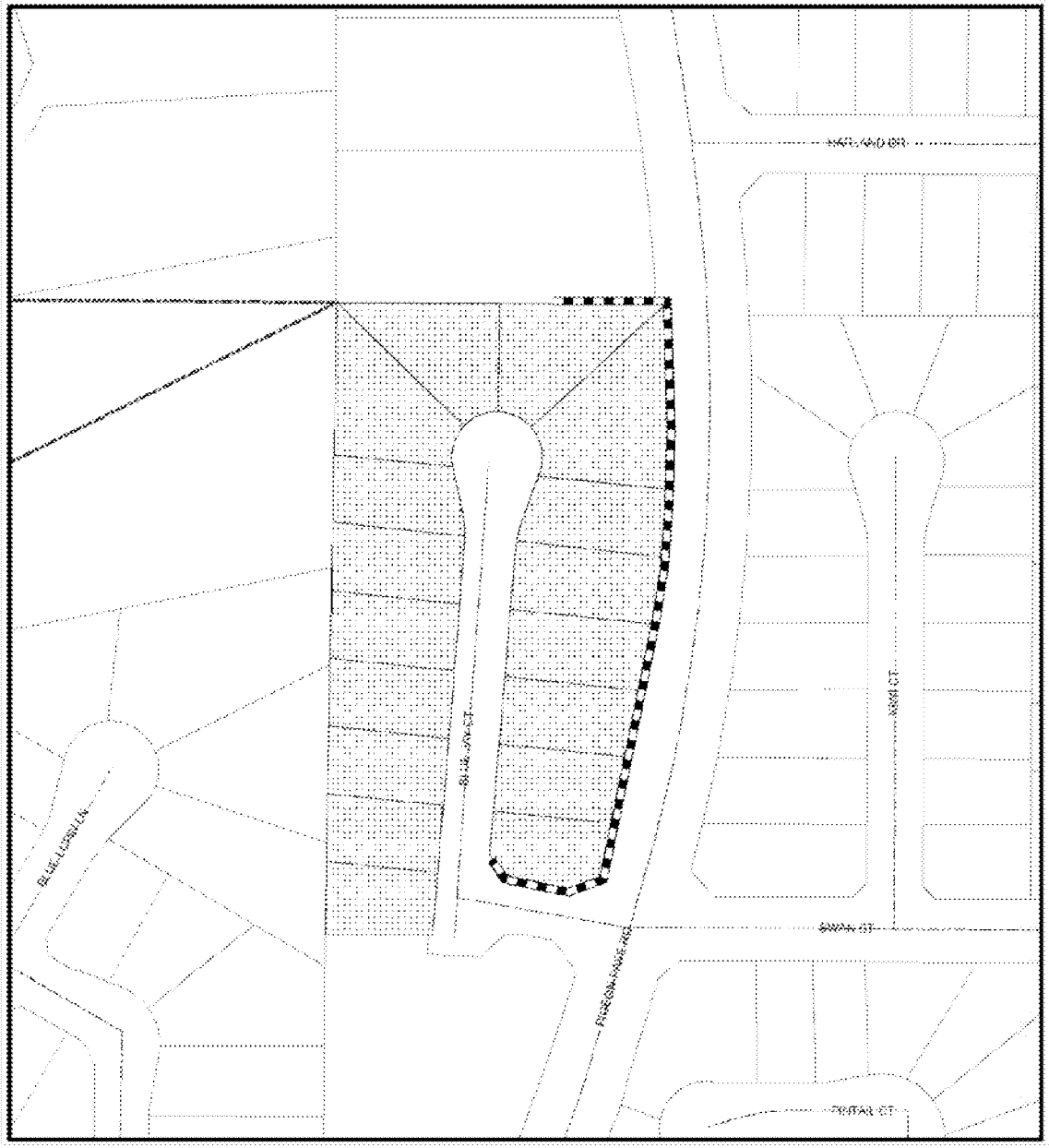

Tract 31257

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 31257

Map reflects all changes indicated on Riverside County Assessor Maps as of February 28, 2010.

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0 85 170 255 340 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00070799

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

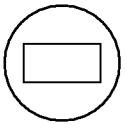

A circle around the box **<u>and/or</u>** associated clause; or

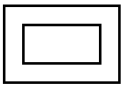

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

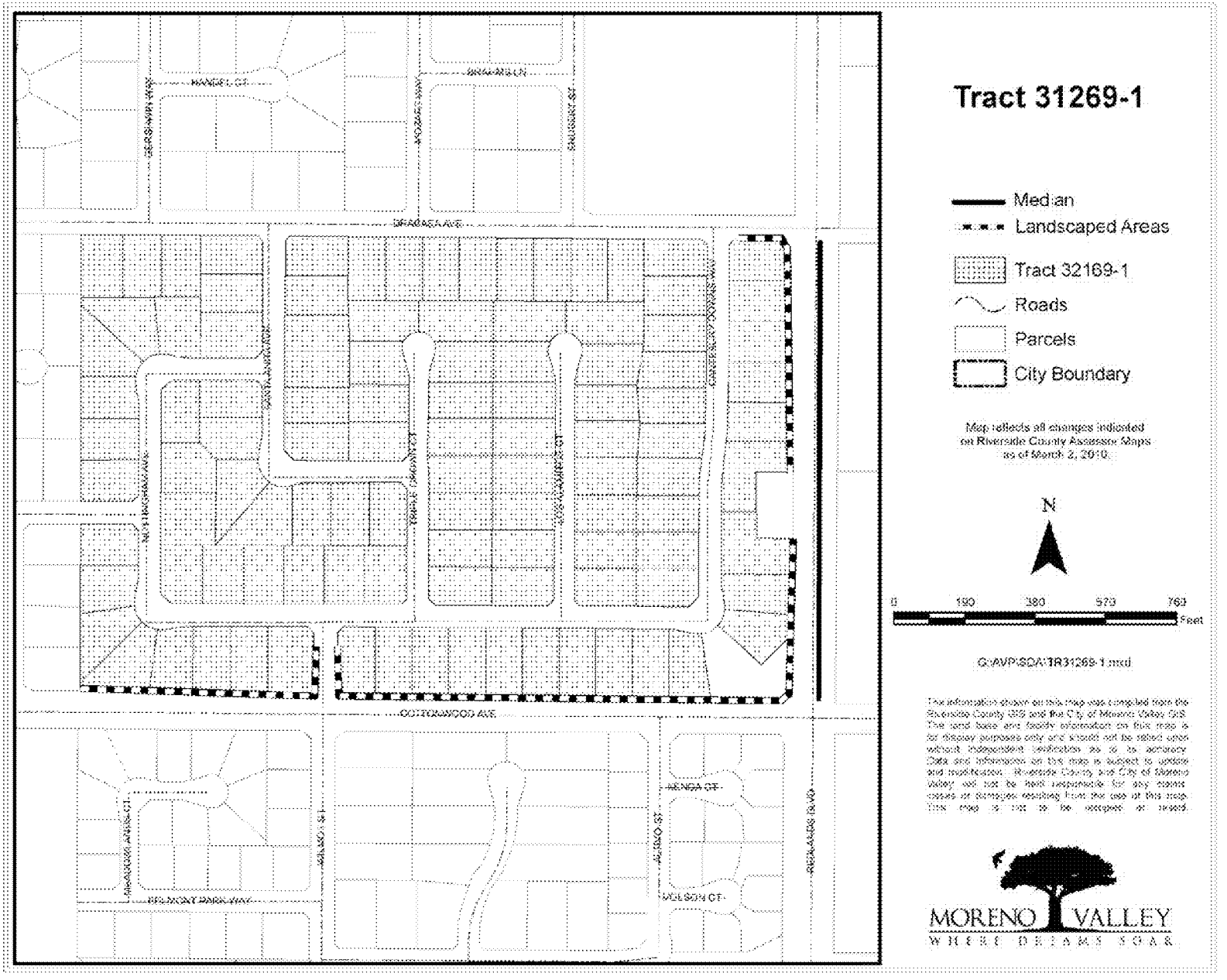
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be accepted as record.
MORENO VALLEY
WHERE DREAMS SOAR
BRADLEY AVE
COTTONWOOD AVE
HENDA CT
WILSON CT
PERIMETER PARKWAY
RIVERSIDE BLVD

MV00070809

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

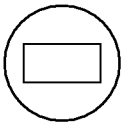

A circle around the box **and/or** associated clause; or

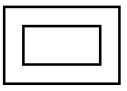

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

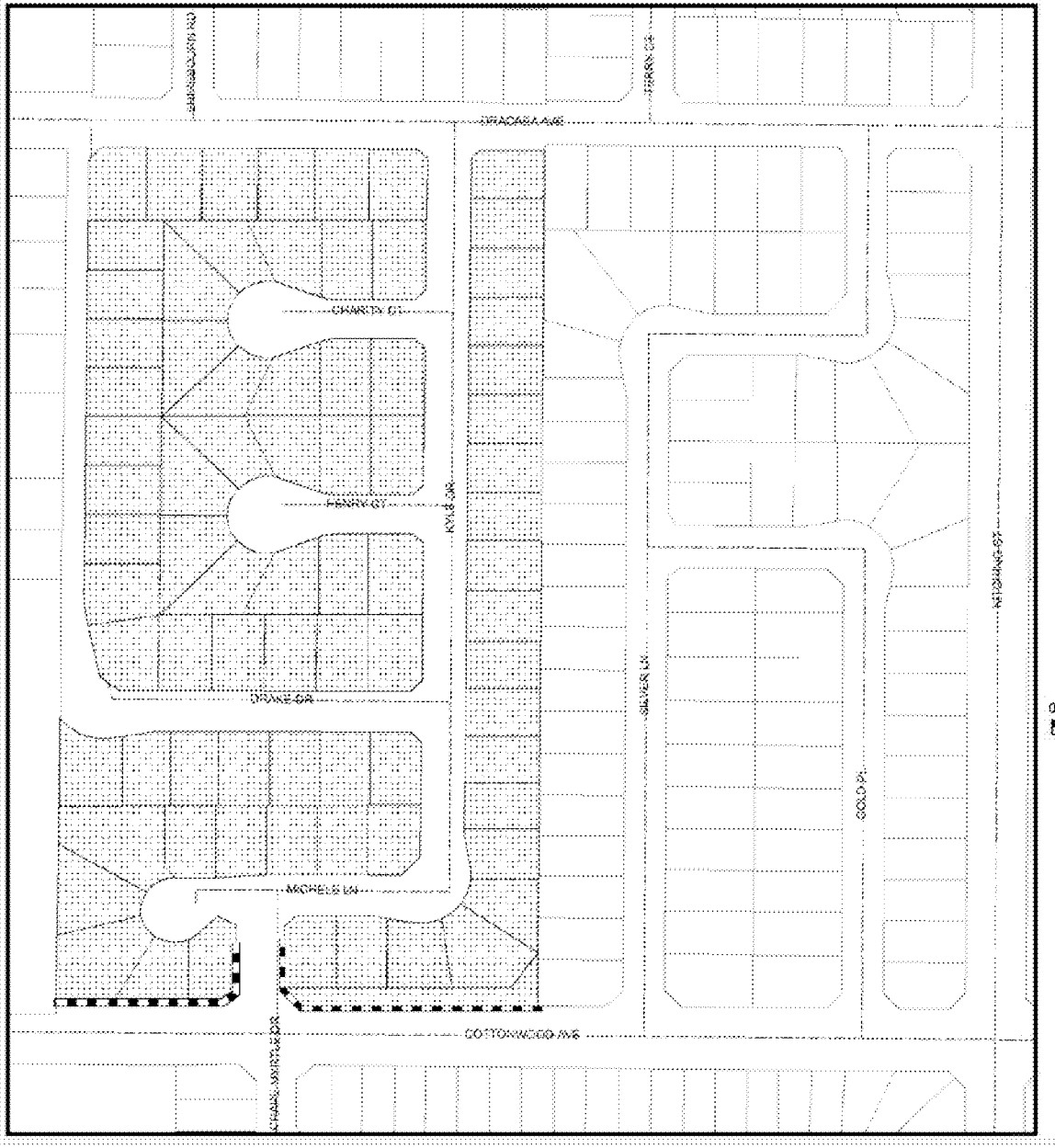

Tract 32018

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 32018

Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.

N

0 120 240 360 480 Feet

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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.

MORENO VALLEY
WHERE DREAMS SOAR

MV00070819

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its May 13, 2010 meeting approved Planning Commission Resolution No. 2010-9, recommending by a 5-0-2 vote that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance); and approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

The Planning Commission referred back to the original review, thanked the applicant for addressing the concerns of the neighbors and noted the lack of a large public attendance. There were two speakers from the public at the meeting. One stated support for the project and second had some concerns with the past flooding on the project site. Land Development was able to address the questions related to drainage and flooding.

BACKGROUND

The project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on

September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

Land Use Change

Applications for a General Plan Amendment and Zone Change have been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the Residential Single-Family 10 (RS-10) and Residential 5 (R5) zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the Residential Single-Family 10 (RS-10) zone to the east and north. There is an existing Residential 5 (R5) tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family

residential use. The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

ALTERNATIVES

1. The City Council could deny one the projects. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

As stated previously, the General Plan Amendment applications associated with the three projects included in this report have been linked and combined into a single City Council resolution because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four

times during any calendar year. Each amendment, however, may include more than one change to the General Plan. The General Plan Amendment action proposed by this project is the second amendment to the General Plan Land Use Element for calendar year 2010.

NOTIFICATION

Notice of the City Council public hearing of the public notice, appeared in the *Press Enterprise* newspaper on June 22, 2010, posted on the affected property, and mailed to all surrounding property owners of record within 300 feet of the affected property.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ATTACHMENTS

1. Public Hearing Notice
2. Proposed Resolution for General Plan Amendment (PA06-0185)
3. Proposed Ordinance for Zone Change (PA06-0184)
4. Proposed Resolution for Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102) with Conditions of Approval attached as Exhibit A
5. Planning Commission Staff Report dated May 13, 2010 (excluding exhibits)
6. Planning Commission Minutes for May 13, 2010

7. Negative Declaration/Initial Study
8. Aerial Photograph
9. Reduced Copy of Tentative Tract Map 34748

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map No. 34748)
P09-102 (Variance)

APPLICANT: Rados Tenants in Common

OWNER: Rados Tenants in Common

REPRESENTATIVE: Albert A. Webb Associates

LOCATION: SEC of Heacock Street and Gentian Avenue

PROPOSAL: Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

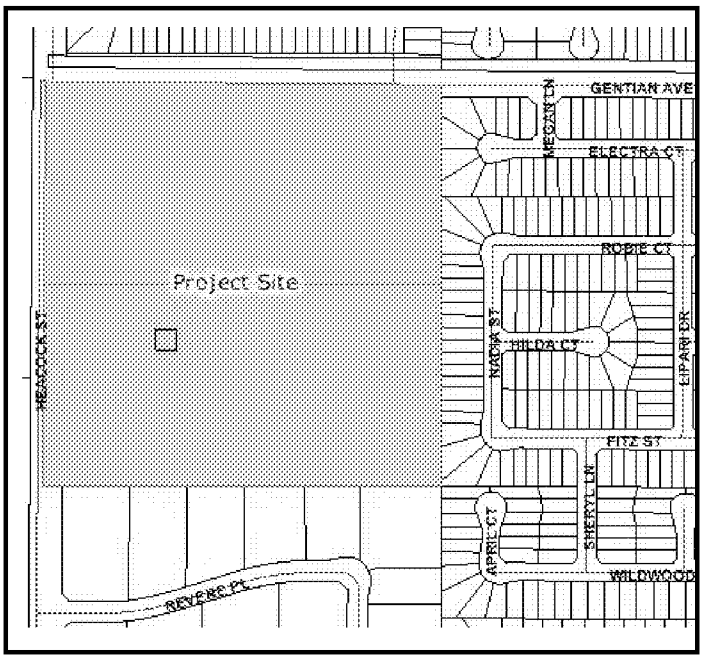

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 13, 2010 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

RESOLUTION NO. 2010-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA06-0185) TO CHANGE THE LAND USE DESIGNATION FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE.

WHEREAS, the applicant, Rados Tenants in Common, has filed an application for approval of PA06-0185, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes about 40 acres of Business Park (BP) land use to Residential 5 (R5) land use as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA06-0185 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA06-0185). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA06-0185 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

ATTACHMENT 2

MV00070828

WHEREAS, all of the facts set forth in this Resolution are true and correct.

Section 3

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0185:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

   Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

MV00070829

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This subject property is not within the boundaries of the City of Moreno Valley Redevelopment Project Area.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0185, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

GENERAL PLAN AMENDMENT

Application No. PA06-0185
RESOLUTION NO. 2010- xx

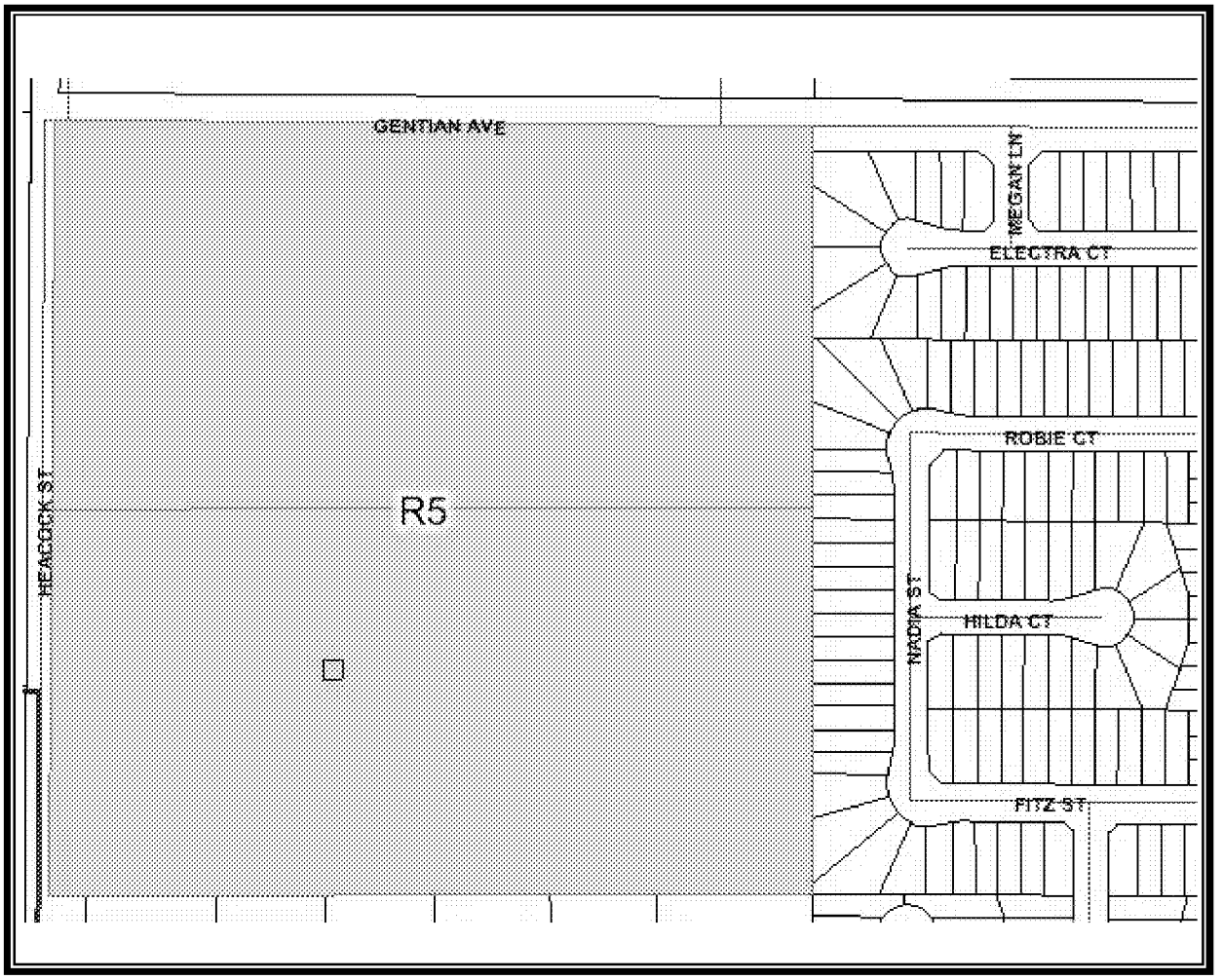

ADOPTED

EFFECTIVE_____

N

LEGEND

R5

R5

Exhibit A

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA06-0184 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 40 ACRES FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 126 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA06-0184).

1.4. An Initial Study has been completed for PA06-0184 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 125 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on July 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

ATTACHMENT 3

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Business Park (BP) to Residential 5 (R5) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Business Park (BP) to Residential 5 (R5) for the approximately 40 acres located at the southeast corner of Heacock Street and Gentian Avenue, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

CHANGE OF ZONE

Application No. PA06-0184
ADOPTED BY ORDINANCE NO. xx

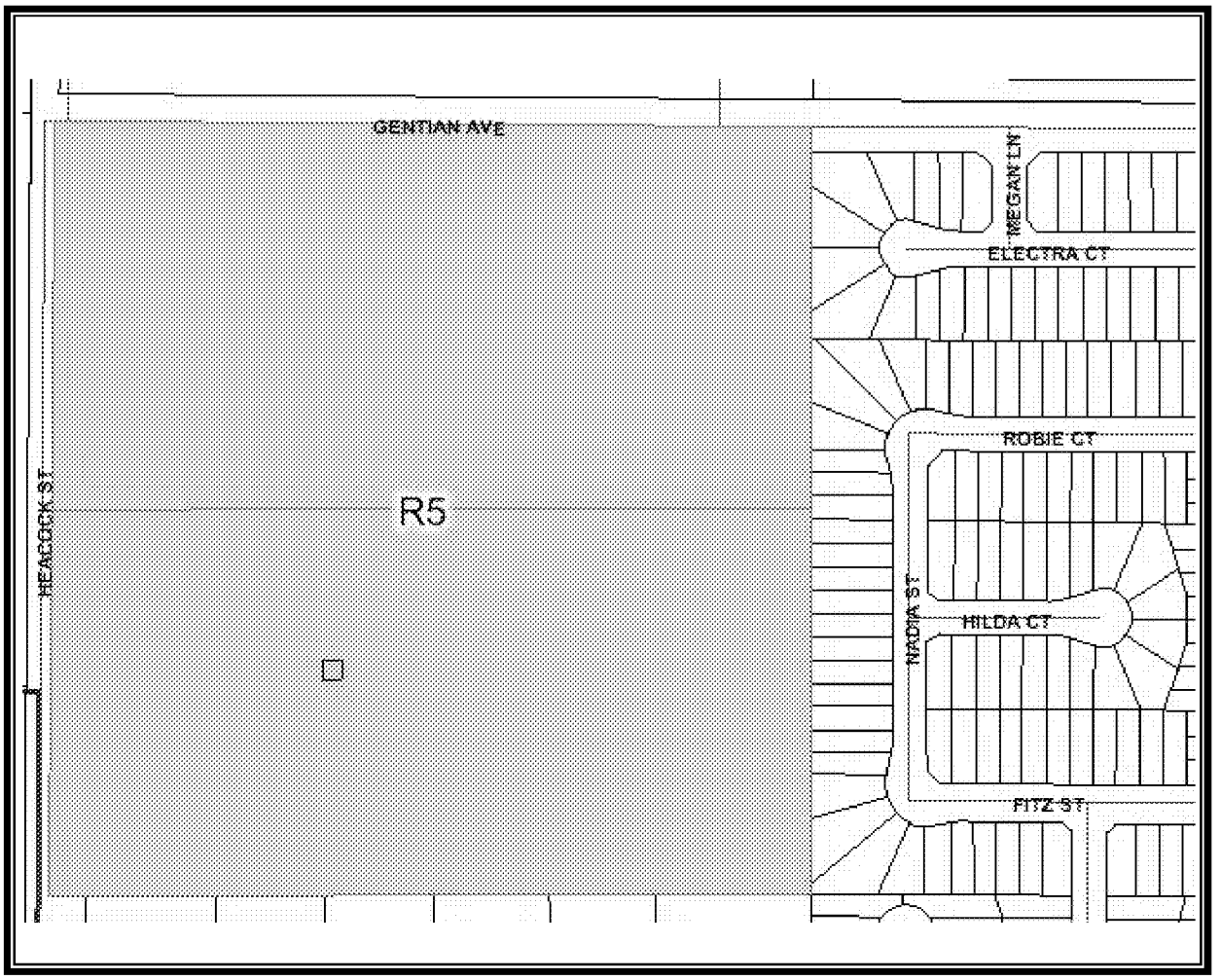

ADOPTED

EFFECTIVE_____

N

LEGEND
R5

R5

EXHIBIT A

RESOLUTION NO. 2010-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34748 (PA06-0183) AND VARIANCE (P09-102). THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE (ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026).

Section 1:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

ATTACHMENT 4

MV00070836

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0183:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. That the proposed land division is consistent with applicable general and specific plans;

   FACT: This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   With approval of the General Plan Amendment, the proposed project is consistent with the General Plan designation of Residential 5 (R5). With approval of the Change of Zone, the project is consistent with the Residential 5 (R5) zoning district.

2. That the site of the proposed land division is physically suitable for the type of development;

   FACT: The project site current land use designation is Business Park (BP). This project proposes to change the General Plan and zoning designation from Business Park (BP) to Residential 5 (R5). The project is located is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land

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uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

3. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

   FACT: The proposed Tentative Tract Map 34748 will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

   FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. As conditioned, the proposed land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the parcels. There are no known hazardous conditions associated with the property, the design of the land division or type of improvements.

5. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

   FACT: There are no existing easements on the subject site acquired by the public for access through or use of the property.

6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and

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FACT: The size, configuration and orientation of the lots in this land division allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 2:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO P09-102:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

   FACT: The parcels does meets the minimum square footage requirement of the Residential 5 (R5) and are consistent with the General Plan, its goals, objectives, policies and programs.

   Approval of the variance is required in order to approve the proposed Tentative Tract Map. The variance request covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and located on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

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This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges.

2. There exist exceptional circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply generally to other properties in the vicinity and under the same zoning classification.

   FACT: The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10% and would not grant the applicant any special privileges.

3. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other owners in the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

4. Approval of this Variance does not constitute the granting of a special privilege inconsistent with the limitations on other properties within the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

5. Approval of the variance is not detrimental to the public health, safety or welfare and is not materially injurious to properties or improvements in the vicinity.

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FACT: The proposed project (four applications) will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

6. The granting of a variance is consistent with the objectives and policies of the general plan and the intent of the title.

   FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and Uniform Building Code. The variance complies with all other provisions of the General Plan and applicable development standards outlined in the Municipal Code.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0183 and P09-102; subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00070842

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
PA06-0185 -TENTATIVE TRACT MAP 34748
AND P09-102 - VARIANCE
A.P.N.: 485-230-025 and 485-230-026

Approval Date: **July 13, 2010**
Expiration Date: **July 13, 2013**

The following conditions are attached for the following departments:

X **Planning (P), including School District (S), Post Office (PO), Building (B)**
X **Police (PD)**
X **Fire Prevention Bureau (F)**
X **Public Works, Land Development (LD)**
X **Public Works, Special Districts (SD)**
X **Public Works – Transportation (TE)**
X **Moreno Valley Utilities**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

EXHIBIT A

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. (BP) Enhanced architectural treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.

P8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

PRIOR TO GRADING

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

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P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

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P11. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

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P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

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P14. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with pilasters and a cap along the western side of Lot 49 and the southern property line of the water quality basin and extended detention basin. A six (6) foot high solid decorative tubular steel fencing with pilasters and a cap along all street frontages of the water quality basin and extended detention basin.**

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P15. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

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A. A solid decorative block wall with pilasters and a cap is required along the perimeter of the tract adjacent to any right of way or reverse frontage location and along any right of way within the interior of the tract (all corner lots).

P17. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

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PRIOR TO RECORDATION OF FINAL MAP

P18. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

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PRIOR TO BUILDING PERMIT

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

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P20. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

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P21. **(BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

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PRIOR TO CERTIFICATE OF OCCUPANCY

P22. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

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P23. **(CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)**

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P24. **(CO) For a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity.**

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VARIANCE

P25. **(P09-102) Lot Numbers 37, 38, 39 and 40 have been approved to have retaining walls higher than the maximum three feet height allowed when on a property line. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.**

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B-2 Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B-3 All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B-4 (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be _1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 508.3 MVMC 8.36.050 and 8.36.100 Section E).

F3. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed

vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F18. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F19. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F20. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F21. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation.

Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F22. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F23. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F24. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F25. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F26. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F27. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F28. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F29. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA06-0183 / TTM 34748 –135 Single Family Residential Homes
APNs 485-230-025 and 485-230-026

Note: **All Special Conditions are in** Bold **lettering and follow the standard conditions.**

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map

or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these

conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD10. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association. The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will

be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD13. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD14. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD15. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD16. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD17. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD18. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal.

LD22. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD23. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD24. (GPA) Prior to the approval of a grading plan, the developer shall comply with the rules and regulations of FEMA and City Ordinance 8.12.190 for development within a flood hazard area (defined as Zones A, AE, AH, A0 and A99).

a. For developments required to submit a CLOMR/LOMR, the City requires the following prepared by a licensed civil engineer or land surveyor:

   i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
   ii. Prior to issuance of a grading permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City.
   iii. Prior to issuance of individual building permits, an elevation certificate.

iv. Prior to issuance of first building permit, submittal of Letter of Map Revision (LOMR) package with appropriate fees to FEMA unless otherwise approved by the City Engineer.
v. Prior to issuance of individual certificate of occupancy, a final elevation certificate. Developer acknowledges and agrees to disclose that owners of lots in the flood plain may need to pay flood insurance until such time LOMR is approved.
vi. Prior to ninety percent reduction of public improvement securities, a LOMR approved by FEMA shall be submitted to the City.

b. For developments less required to submit a CLOMR-F/LOMR-F, the City requires the following prepared by a licensed civil engineer or land surveyor:

i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
ii. A CLOMR-F (residential structures) unless otherwise approved by the City Engineer.
iii. Determination of BFE. Machinery and equipment servicing the structures shall be designed to be located above the BFE. For habitable structures, the lowest floor must be certified to be a minimum of one foot above the BFE; non-residential structures must be additionally dry floodproofed; for qualified non-habitable structures, the lowest floor must be wet floodproofed to one foot minimum above BFE.
iv. Prior to issuance of individual building permits, an elevation certificate shall be approved by the City.
v. Prior to issuance of first building permit for residential structures, submittal of LOMR-F package with appropriate fees to FEMA, unless otherwise approved by the City Engineer.
vi. Prior to issuance of individual certificate of occupancy, a final elevation/floodproof certificate (dependent on type of structure(s)).
vii. Prior to ninety percent reduction of public improvement securities, a LOMR-F approved by FEMA shall be submitted to the City.

LD25. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD26. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD27. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm

Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD28. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD29. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD30. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD31. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD32. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.

LD33. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD34. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD35. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD36. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD37. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD38. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The

developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD39. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD40. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD41. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD42. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD43. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD44. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD45. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD46. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD47. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD48. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD49. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD50. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and

improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD51. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD52. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD53. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD54. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD55. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD56. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD57. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of “Blue-top” markers installed by a registered land surveyor or licensed engineer.

LD58. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste

tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD60. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD61. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD62. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD63. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD64. (CO) Prior to issuance of a certificate of occupancy or building final for residential projects, the last 20% or last 5 units (whichever is greater, unless as otherwise determined by the City Engineer) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD65. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD66. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.
g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

Prior to Acceptance of Streets into the City Maintained Road System

LD67. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD68. Prior to final map approval, the map shall show the following:

a. A 69.5-foot street right-of-way dedication on the east side of Heacock Street along this project's west frontage to ensure a (construction) centerline to east right-of-way distance of 50 feet for a Modified Arterial, City Standard 104A.

b. A 44-foot street right-of-way dedication on the south side of Gentian Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 44 feet for a Minor Arterial, City Standard 105A.

c. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 66 feet for a Collector, City Standard 107, for Streets "A", "M" and "N", as shown on the Tentative Map.

d. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 60 feet for a General Local Street, City Standard 108A, for Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", as shown on the Tentative Map.

e. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 56 feet for a Short Local Street, City Standard 108B, for Streets "I" and "J", as shown on the Tentative Map.

f. The appropriate street right-of-way dedication for a cul-de-sac at the terminus of Street "I" and Street "J", per City Standard Plan 123.

g. The appropriate street right-of-way dedication for a knuckle at each knuckle location as shown on the Tentative Map, per City Standard Plan 122.

h. Corner cutback right-of-way dedications per City Standard 208.

i. Landscape easements along the Heacock Street and Gentian Avenue frontage, 10 feet and 6 feet in width, respectively, or as directed by the City's Planning and Special Districts Divisions.

LD69. Prior to final map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Heacock Street, Modified Arterial, City Standard 104A Modified (89.5-foot RW / 76-foot CC) shall be constructed to full width, along the entire project's west frontage. A 69.5-foot right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the final map. Improvements shall consist of, but not be limited to,

pavement, base, curb, gutter, sidewalk (east side only), drainage structures, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps, curb returns, metal beam guard rail behind the west curb as directed by the City's Transportation Division, relocation and/or adjustment of existing utility appurtenances, and dry and wet utilities. All Heacock Street improvements shall be consistent with the Heacock Street design per the City's Capital Improvement Project (CIP) for the Heacock Street Widening Project.

b. Gentian Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet north of the centerline, along the entire project's north frontage. A 44-foot right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps, curb returns, relocation and/or adjustment of existing utility appurtances, and dry and wet utilities.

c. Streets "A", "M" and "N", Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

d. Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", General Local Street, City Standard 108A (60-foot RW / 40-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

e. Streets "I" and "J", Short Local Street, City Standard 108B (56-foot RW / 36-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk,

driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements during design plan check. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

g. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. The developer shall install storm drain improvements per the Tentative Map, these conditions of approval, and as approved by the City Engineer. Any required trenching shall be repaired per City Standard 602.

LD70. Prior to final map approval, Lots A and B shall be designated as a water quality basin and an extended detention basin, respectively, and retained by the developer. All basins shall be maintained by a homeowner's association.

LD71. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction, including easements. Drainage improvements may include, but not be limited to, an in-tract storm drain system including a detention basin and a downstream offsite storm drain connection conveying the tract's exiting runoff within Heacock Street south to existing Line B-18 at Revere Place. Final sizing and design details shall be approved during design plan check.

LD72. Prior to rough grading plan approval, the plans and the submitted drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event.

The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies. The extended detention basin shown as Lot "B" of the Tentative Map, is an acceptable solution to mitigating the project's post-developed increased runoff, as long as the final drainage study demonstrates that the post development runoff does not exceed pre-developed runoff for any storm even. The adjacent existing Heacock Channel, Sunnymead ADP Line B, is already currently overcapacity which floods the surrounding streets and properties during large storm events. In no way shall this project's development contribute further to the existing problem.

LD73. Prior to rough grading plan approval, the grading plans shall clearly demonstrate, with detail, the proper function and design of the water quality basin (shown as Lot A on the tentative tract map). The design of the basin shall conform to City guidelines as found on the City's website. The water quality basin design, including inlet/outlet/overflow/maintenance access locations, shall be designed per the approval of the City engineer. (http://www.moreno-valley.ca.us/city_hall/forms.shtml#wqmp)

LD74. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins, both Lots "A" and "B", and an emergency escape at any sump catch basin location. This might include, but not be limited to, over-sizing the catch basin inlets, providing an approved emergency overflow path, or other method as approved by the City Engineer during the design/plan check stage. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD75. Prior to rough grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100-year floodzone (Zone A). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application Form MT-1, as well as all City Ordinance 8.12.190 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan approval. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for CLOMR-F / LOMR-F requirements. Website: http://www.fema.gov/ Ph: 1-877-336-2627 A copy of all items requested by FEMA shall also be submitted to the City as reference and for review, as required. The grading plans shall plot the flood limits after the proposed fill.

LD76. Prior to rough grading plan approval, the developer shall submit for review and approval a final soils report including site grading recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD75.

LD77. Prior to grading or improvement plan approval, as appropriate, the plans and final drainage study shall include detailed drainage improvement design, including sizing and location. Due to the possible shallow in-tract street grade(s) (See LD78), additional storm drain inlets shall be installed, as may be required by the City Engineer. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD78. Prior to improvement plan approval, the plans shall show the streets designed per City design standards and these conditions of approval. Per the Tentative Map, the streets are shown at a longitudinal slope of less than 1.0%. 1.0% is the minimum street slope, per City standards. If, during design plan check, the design engineer demonstrates that 1.0% minimum is not achievable, and as approved by the City Engineer, a street slope of less than 1.0% may be approved. If slopes of less than 1.0% are approved, the design engineer shall attempt a slope as close to 1.0% as possible, but never less than 0.65%.

LD79. The site design proposed for this project is acceptable given the current proposed treatment devices. However, if the treatment BMP devices change in future F-WQMP submittals, a re-review of the site design acceptability will apply.

LD80. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD81. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.**

LD82. The Applicant has proposed to incorporate the use of a water quality basin system. Final design details of the systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD83. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD84. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. **That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;**

b. **That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;**

c. **That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions; and**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748-135 lots)
APNs: 485-230-025 and -026
02.18.10 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA06-0183**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the **Special Districts Division of the Public Works Department at 951.413.3480**. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone D**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and

utility charges (**Zone D**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-4 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-5 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Recordation of Final Map

SD-6 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the following options shall be selected:

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

SD-7 (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special

election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map. (California Government Code)

SD-8 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges and maintenance for residential street lighting. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone B** (Residential Street Lighting), and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the residential streetlights; or
c. Establish an endowment to cover future maintenance costs for the residential streetlights.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-9 (R) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Moreno Valley Community Services District extensive parkway/median landscape program maintenance for **Zone D**, and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-10 *Residential* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement, the developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-11 (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-12 (R) Easements for reverse frontage parkway and slope landscape areas abutting **Heacock St.** shall be **10ft** or to top of parkway facing slope, whichever is greater and **Gentian Ave.** shall be **6ft** or to top of parkway facing slope, whichever is greater, as depicted on TTM dated **January 2010**. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD-13 (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD-14 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning

Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD-15 (BP) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Building Permit for the **101st dwelling** unit for this tract.

Prior to Certificate of Occupancy

SD-16 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-17 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map. Please forward to:

City of Moreno Valley
Special Districts
14325 Frederick Street, Suite 9
P.O. Box 88005
Moreno Valley, CA 92552-0805

SD-18 (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA06-0183/0184/0185

TTM 34748, Change of Zone, and GPA for 135 residential lots located on the southeast corner of Heacock Street and Gentian Avenue.

Note: All Special conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. Knuckles shall be designed and constructed per City Standard Plan No. 122.

TE4. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE5. Heacock Street is classified as a modified Arterial (100' RW/76' CC) per City Standard Plan No. 104A (modified as necessary). Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE6. Gentian Avenue is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Traffic Signal Interconnect shall be installed along Gentian Avenue per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE7. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE12 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. The driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 117.

TE9. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 and 126 at the time of preparation of final grading, landscape, and street improvements.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection at Heacock Street and Gentian Avenue to provide the following (including any Metal Beam Guard Railing per City Standard deemed necessary by the City Engineer):

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersection:

- **Heacock Street at Gentian Avenue**

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE14. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE15. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE16. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE12 per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748), PA06-0184 (CZ) and PA06-0185 (GPA)
APN: 485-230-025 and 485-230-026

PUBLIC WORKS DEPARTMENT

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for project(s) **PA06-0183, PA06-0184, PA06-0185, P09-102**; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from **Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department at 951.413.3487**. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the

utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project.

The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PLANNING COMMISSION STAFF REPORT

Case(s):	PA06-0185 (General Plan Amendment) PA06-0184 (Change of Zone) PA06-0183 (Tentative Tract Map No. 34748) P09-102 (Variance)
Date:	May 13, 2010
Applicant:	Rados Tenants in Common
Representative:	Albert A. Webb Associates
Location:	Southeast corner of Heacock Street and Gentian Avenue
Council District:	4
Recommendation:	Approval

SUMMARY

This item includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ATTACHMENT 5

Project Overview

This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4.

Background

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

General Plan Amendment

An application for a General Plan Amendment has been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

Zone Change

An application for a Zone Change has also been submitted in order to change the zoning designation from Business Park (BP) to Residential 5 (R5).

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family residential use. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

Site/Surrounding Area

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north. There is an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from

23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

Access/Parking

Primary access to the proposed tract will be from proposed Street "M" and "N" off of Heacock Street in the west and Street "A" off of Gentian Avenue in the north. Interior streets provide circulation throughout the tract.

Each lot, when developed, will be required to meet the parking standards for a single-family residence, which requires a minimum two (2) car garage to meet the off-street parking requirements of the Municipal Code. Additional permitted parking would be located within oversized garages, driveways and along public residential streets.

Design

The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Tentative Tract Map Number 34748, as proposed, will subdivide the 40 acres into 135 single-family residential lots. The lot sizes will range from 7,200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

There are two lettered lots within the project, located in the southwest corner of the proposed tract. Lot "A" is a required water quality detention basin (46,863 square feet). Lot "B" is an extended detention basin (26,539 square feet). A landscape easement, in addition to standard right-of-way, is required to provide enough room to screen the

water quality detention basin along Heacock Street as well as proposed Street "K", "N" and "L".

This review and approval process only involves a tentative tract map application for the new subdivision. The future single-family homes for the tract will be reviewed under a separate administrative process. At that time, staff will ensure that the proposed residential units meet the City's design standards.

The walls and fences for this tract are conditioned to be consistent with the provisions for walls and fences within the City's Municipal Code. Decorative block walls are required in the street side yards of all corner lots. Wood fences are permitted for all interior side yards and rear yards not visible from the public right-of-way.

REVIEW PROCESS

The application for the project was submitted on December 21, 2006, and was initially reviewed by staff at the February 6th, 2007, Pre-Project Review Staff Committee (PRSC) meeting. Subsequently, staff has been working with the applicant's representative on a series of revisions to the plan.

ENVIRONMENTAL

The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site.

The majority of the property is covered by low-growing vegetation since the site has been previously disturbed in the past by various activities such as grading, weed abatement and development activities.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2010-9, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance) in that this project, as conditioned, will not result in significant environmental impacts; and

2. **RECOMMEND** that the City Council approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

Prepared by:

Claudia Manrique
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-9 with Conditions of Approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Land Use Map
6. Aerial Photograph
7. Tentative Tract Map 34748

700 PUBLIC HEARING ITEMS

710

PA06-0185	**General Plan Amendment**
PA06-0184	**Change of Zone**
PA06-0183	**Tentative Tract Map No. 34748**
P09-102	**Variance**

CHAIR MARZOEKI – May I have the Staff Report please?

ASSOCIATE PLANNER MANRIQUE – Good evening I'm Claudia Manrique the Case Planner. The site of the proposed location of the project is the southeast corner of Heacock Street and Gentian Avenue.

For some quick background information; a larger scale project was presented to the Planning Commission by the same Applicant back in July of 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock, between Gentian down to Iris in the Business Park and Industrial Zoning Districts. The project was approved by the Planning Commission and later denied at Council. A settlement agreement was entered into by the Applicant and the City. The terms of the agreement allowed the Applicant to submit a revised version of the project. The Applicant submitted two separate projects; the single-family residential tract that is before you and a smaller industrial complex project PA07-0035 on the southern half which was approved earlier this year.

The General Plan Amendment has been submitted in order to change the land use designation from Business Park to Residential 5.

The Zone Change that has been submitted will do the same, from Business Park to Residential 5.

Tentative Tract Map No. 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan and Zone Change are required to allow this. Lot sizes of the tract will range from 7200 square foot to 12,576 square feet. The average lot size of the tract is around 8200 square feet. The density of this tract is 3.4 dwelling units per acre.

The Variance being proposed will cover the retaining walls on four lots; Lots Number 37, 38, 39 and 40, which have retaining walls over the three maximum allowed when located on the property line. The Variance is required to meet drainage provisions for the development due to elevation constraints at the connection point of an existing storm drain along Heacock Street.

The site is currently zoned Business Park and is located in an area located that includes a mix of industrial uses within the Moreno Valley Industrial Area Plan and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north and an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan.

The site is currently vacant and is in an area of the Riverside County Integrated Plan and has been identified for having a potential for Burrowing Owl Habitat. A Habitat Assessment was prepared in September of 2006. No owls were observed on site. The project has been conditioned to complete a pre-construction survey for owls prior to any disturbance of the site.

The Staff Report unfortunately had a minor error about the location of the flood plain. The current Federal Emergency Management Acts or FEMA indicates a small section of the site is in the flood plain along the western boundary. On the Tract Map it is the area highlighted in the darker gray. The project has been conditioned by Public Works to delineate the flood plain zones on the grading plans and to demonstrate on the plans that any building finished floor elevations shall be a one foot minimum above the 100 year flood plain and also meet other requirements of FEMA.

The Transportation Engineering Division staff have reviewed and approved the revised traffic impact analysis. It found that the Business Park Zone includes uses such as general light industrial, warehousing and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park to R5 would reduce the number of trips.

Based upon the Initial Study a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Public Notice was sent to all property owners within 300 feet of the project as well as posted on site and printed in the newspaper. As of today, I received two phone calls regarding the project. They both wanted to know what was going to be developed and if there was a builder already picked out for the tract, which to my knowledge there is not.
Staff recommends that the Planning Commission takes the following action:
Approve Resolution No. 2010-9 thereby recommending that the City Council adopt a Negative Declaration for PA06-0185, 0184 and 0183 and P09-102 in that this project as conditioned will not result in significant environmental impacts and recommend that City Council approves the project.

I would also like to note that there were two changes to the conditions from the Land Development Department. Thank you.

MV00070894

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Good evening members of the Planning Commission and Chair Marzoeki. I'd like to make a further change to the green sheet, Condition of Approval LD69. The first reference to an 89 ½ foot right-of-way should remain at 89 ½. That is the number within the parenthesis. The 89 ½ basically designates the total right-of-way width for the street. It is in the third line where 89 ½ is referenced that should be changed to 69 ½. That statement is made with reference to the right-of-way dedication that the developer has to make. There is currently 20 feet of right-of-way on the west side of the street, so this developer only needs to dedicate 69 ½ feet. That's it; thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – The first one is just for basic information. We all know that Rados submitted this project as an industrial project several years ago and I'm just curious what prompted the change to residential. Is it the very fact that they got turned down?

PLANNING OFFICIAL TERELL – Well you can talk to the Applicant, but I don't know if it was because they got turned down but based on that process this looked like a more viable use at that time and actually I think based on the economics of the time when this was resubmitted, it looked more viable from that standpoint also; residential versus industrial use was financially feasible.

COMMISSIONER DE JONG – Well hopefully the Applicant will address that question. Also, how will the properties that bisect the flood plain be addressed; not the ones that are completed in the flood plain, but the ones that bisect them.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, Clement Jimenez from Land Development. The lots that are in the shaded gray area there are currently in flood zone. The developer is conditioned to submit to the City and also to FEMA a Clomar, based on fill and that's basically a conditional letter of map revision based on fill. What that will achieve is it will elevate the pad elevations and ultimately the finished floor elevations so that all of the pads in the shaded area will be located outside of the current flooding limits and this will have to be done prior to a grading permit. Now prior to issuance of a building permit or occupancy, the developer will have to submit a letter of map revisions based on fill and that's actually a letter from the Federal Emergency Management Agency stating that the Clomar (conditional letter of map revision) has been reviewed by them; has been approved by them and that the grading as-built plans reflect that the pads that are currently in the shaded area will be located outside of the flooding area because the pads will be elevated to a certain height.

COMMISSIONER DE JONG – So even some property that is half in and half out of that, it would still be forced to be raised?

MV00070895

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Right, any portion of the property that is within the shaded area will have to be elevated.

COMMISSIONER DE JONG – Is the 100 year flood plain?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes it is

COMMISSIONER DE JONG – Thank you

CHAIR MARZOEKI – Are there any other questions of Staff? Seeing none, I will open up the Public Testimony Portion and call the Applicant forward. Please state your name and address for the record.

APPLICANT BROWN – Good evening, my name is Les Brown. My address is 2002 East McFadden, Suite 200, Santa Ana, California.

CHAIR MARZOEKI – Do you have something to say about the project?

APPLICANT BROWN – Very little actually. This is a fairly simple project... 135 residential lots, with the smallest being about 7200 square feet and the largest is about 12,500. It is the result quite literally, years of discussion with the City as to how to get through the various issues presented by this site for residential development. I think the summary by Staff more or less speaks for itself and if there are any questions from any of the Commissioners, I will be happy to try and address them.

CHAIR MARZOEKI – Okay, go ahead

COMMISSIONER GELLER – So you concur with all the Conditions of Approval including all the amendments as amended?

APPLICANT BROWN – Yes, we accept all the Conditions of Approval.

CHAIR MARZOEKI – And that's it, okay. Did you want ask about why the residential?

COMMISSIONER DE JONG – He sort of touched on that but okay. Can you clarify then sir why Rados chose to change the project from Industrial to Residential?

APPLICANT BROWN – After discussions with both citizens and both City Staff, it appeared that a residential development would be much more acceptable to both and frankly given the way the market is developing now, it appears now to be a fairly decent choice. I have great hopes for this project.

COMMISSIONER DE JONG – Okay, easy enough, thank you

MV00070896

CHAIR MARZOEKI – Are there any other questions for the Applicant? Okay I do have one Speaker Slip, so I can call you back up after that if we need to... Deanna Reader...

SPEAKER READER – My name is Deanna Reader and you'll notice that when I marked that, I didn't mark for or against, mainly because I had more questions than anything else and mainly my point is planning is important. You have all these residences and then you have a little street and then it is commercial, which is originally what he was going to do was put a building where a building was zoned to go, but my point is there shouldn't have been any houses west of Indian. You know that area there instead of being houses could have been Business Park and then he could have done the Industrial that would have made more sense and that's why planning is so important. I've read all the stuff and in fact I have read the entire case and the court over this, so I sympathize with Rados to a certain degree, the problem here is how do you fix stupid and I'm not saying on your part because you approved what was supposed to be there, however it was the before you. My point is on some of these things where we make variances that don't make sense, we shouldn't. Thank you.

CHAIR MARZOEKI – Thank you.

PLANNING OFFICIAL TERELL – As a point of clarification, all the surrounding development was actually approved under the County zoning that was in place when the City incorporated, so the early City Councils looked at creating employment in the City and that's why they zoned the areas further south for industrial and these areas actually were zoned Business Park by the County and the City carried those over because of the adjacency to the Air Base. Fortunately over the last 20 or so years the planes that fly or when the Air Force Reserve flying become quieter, that allowed this particular site to even be considered for residential because now the noise contours are even below the levels that... well they are below the levels which residential can occur.

CHAIR MARZOEKI – Okay, thank you for that clarification. Would you like to come back up and say anything else?

APPLICANT BROWN – No thank you

CHAIR MARZOEKI – Okay, well with that I don't have any more Speaker Slips so... Well bring it on up.... Terry Braem. Okay come on up.

SPEAKER BRAEM – My name is Terry Braem. I live at 15450 Tiffin Court just adjacent to that area that we are talking about in this project. To answer your question Mr. De Jong, you asked why this was changed from Light Industrial to Residential. I can tell you back in the day and I was very involved with the project that Rados wanted to do. All the residents were against that project. No one wanted a huge warehouse or Light Industrial in the first place. Everybody

MV00070897

lobbied to have it changed to a residential area because 50 percent of the area is residential and no one wanted any type of trucks moving in and out of that area. If you follow south of Iris down in that area, it is almost an area that is prime for Light Industrial use and I noticed on the planning between Iris and the other street that is still zoned for Light Industrial. I don't understand why that should be still industrial when the whole area should be residential. Now that is the first note when you asked to answer your question. The second one is a huge concern because I have lived in that area for over 20 years; that area floods bad. I don't know how... just these recent past storms, Heacock and Iris was completely closed off because there was so much water in that area, so I'm not sure how drainage would work. It would have to be very creative in draining that area. I've been in that area to the point where that whole field was a lake, so you would have to be very cautious when it rains in that area because it is very, very bad, so I would suggest that whole area that is going to be residential is going to have to be built up.

COMMISSIONER DE JONG – Thank you

SPEAKER BRAEM - Are there any questions?

CHAIR MARZOEKI – Thank you

COMMISSIONER DE JONG – I appreciate it

PLANNING OFFICIAL TERELL – Yeah just a point of clarification... The property to the south has an approved industrial project on it but it is a mixture. It has a row of small buildings under 50,000 square feet, kind of similar to the buildings across the street from the City Hall, so that's the buffer between the residential and the industrial and there is one relatively small by current standards, but large warehouse building that has been approved for the property that the Speaker was referencing, but there is a buffer. It doesn't go directly from Residential to Industrial; there is a row of multi-tenant buildings in between that provide an adequate transition to this project and to the existing residential to the east and then you get to the Industrial.

CHAIR MARZOEKI – Okay, thank you. We have one more Speaker Slip.

COMMISSIONER DE JONG – Can we have Clement comment on the drainage?

CHAIR MARZOEKI – Oh sure

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Hi, good evening again. With respect to the drainage/flooding problem at the intersection of Heacock and Iris, the City is aware that there is a flooding problem there; however the developer cannot be conditioned to fix an existing public flooding problem. They can be conditioned to not increase or add to the problem and

MV00070898

therefore the project has been conditioned to add a detention basin as you'll note on either Lot A or Lot B on the exhibit. One basin is for water quality and the other one is strictly for detaining the difference between pre-emptive post development flow, so the amount of the flow that runs out of the project site will be equal to or less the amount of flow that currently leaves the site and that is what we can condition the developer to do. Now I know that Riverside County Flood Control District is working with March JPA on a project and a study and I think it is still very preliminary in the planning stages to improve Heacock Channel which runs along to the west side of Heacock Street and only that improvement will ultimately solve the problem at the intersection of Heacock and Iris and it is a very big project and very expensive project, but it is something that is being planned for currently by other agencies.

COMMISSIONER DE JONG – So Clement in your opinion, the raised pads in the flood area and the retention basins is adequate enough to deal with this problem?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, the houses will not flood. The streets may flood a little bit especially on Heacock Street but depending on the elevations of the streets within the interior site of the tract, they probably will not flood and the engineer is here. He can speak to the flooding on the interior streets but the pads themselves will not flood because they will have to be elevated and FEMA will review the grading plan and the revised flood plain limits to ensure that no flooding will occur on the houses.

COMMISSIONER DE JONG – Is it FEMA's requirement to have one foot or 12 inches raised up?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It is both... It is actually a City Ordinance. Our City Municipal Code requires that residential units finished floor elevation to be raised one foot above the water surface elevation of a 100 year flood plain.

COMMISSIONER DE JONG – Where does this 12 inch come from? Is this just the City's standard or is it FEMA?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It's actually pretty common in other cities and it is a FEMA requirement as well. Other cities have that same one foot criterion.

COMMISSIONER DE JONG – Okay thank you

CHAIR MARZOEKI – Is that it?

COMMISSIONER DE JONG – That's it for now.

MV00070899

CHAIR MARZOEKI - I have one more Speaker Slip. I'm not sure if you are speaking on this item or not but Douglas Whitney. Okay, so this one is for Item 730. Okay, so I don't have any other Speaker Slips unless the Applicant wants to comes back up and address anything. No, okay, we will close the Public Testimony portion of this item and open it up to Commissioner Comments.

COMMISSIONER GELLER – I get the feeling I was the only one here during the original hearings. Were you here?

CHAIR MARZOEKI – No, I was here

COMMISSIONER GELLER – Like I say, I know this has dragged on for years and years and years and I'm glad they reached an accord with the City and I know the bottom line is though the City couldn't approve anything without going through the whole process. I certainly don't see anything wrong what is proposed to go here and clearly the surrounding residents seem to have less issue with this than they did with the other project. But so anyway, I think we should send it on its way so they can get started after all these years.

CHAIR MARZOEKI - Thank you

COMMISSIONER DE JONG – I agree one hundred percent. I'm glad to see this project is coming forward with an equitable solution to the site. I like the street layout. I like the big curved layout. We are not just talking about regular squares and rectangles, but a nice curved street I think is refreshing and I'm satisfied with how City Engineering is dealing with the flooding, so I will also vote to pass this along.

CHAIR MARZOEKI – Thank you. Any comments?

COMMISSIONER SALAS – I have no comments

CHAIR MARZOEKI – Okay

COMMISSIONER BAKER – I'm okay

CHAIR MARZOEKI – Okay. Does anybody want to make a motion?

COMMISSIONER DE JONG – I'll make a motion

CHAIR MARZOEKI – Okay

COMMISSIONER DE JONG – I move that the Planning Commission **APPROVE** Resolution No. 2010-9 and thereby:

MV00070900

1. **ADOPT** a Negative Declaration for PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance, in that this project as conditioned will not result in significant environmental impacts; and,
2. **APPROVE** PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance as modified.

COMMISSIONER GELLER – Second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor

Opposed – 0

Motion carries 5 – 0 – 2, with two absent (Vice Chair Riechers and Commissioner Dozier)

CHAIR MARZOEKI – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action.

MV00070901

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map 34748) and P09-102 (Variance)
PROJECT APPLICANT: Rados Tenants in Common **TELEPHONE NUMBER:** (714) 835-4612
PROJECT LOCATION: Southeast corner of Heacock Street and Gentian Avenue
PROJECT DESCRIPTION: The project includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 7/13/2010

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____	BY: City Council

MV00070902

ATTACHMENT 7

INITIAL STUDY/ ENVIRONMENTAL CHECKLIST FORM CITY OF MORENO VALLEY

1. Project Title: PA06-0185 (General Plan Amendment)
   PA06-0184 (Change of Zone)
   PA06-0183 (Tentative Tract Map 34748)
   P09-102 (Variance)

2. Lead Agency Name and Address: City of Moreno Valley
   14177 Frederick Street
   Moreno Valley, CA 92553

3. Contact Person and Phone Number: Claudia Manrique, Associate Planner
   (951) 413-3225

4. Project Location: Southeast corner of Heacock Street and Gentian Avenue

5. Project Sponsor's Name and Address: Rados Tenants in Common
   2002 McFadden Avenue, Ste. #200
   Santa Ana, CA 92705

6. General Plan Designation: Current: Business Park (BP)
   Proposed: Residential 5 (R5)

7. Zoning: Current: Business Park (BP)
   Proposed: Residential 5 (R5)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

   Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026). Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The site is undeveloped with no significant vegetation noted on the site. Approval of Tentative Tract Map 34748 is contingent upon City Council adoption of the change in land use from Business Park (BP) to Residential 5 (R5).

   The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary

between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

No blue line stream was noted on the Sunnymead, CA USGS Topographical Quadrangle Map, which pertains to this site. On-site drainage for this property appears to flow from northeast to southwest the across the surface of the site. A riparian area or a condensed vegetated area to support threatened or endangered species was not evident at the site. Therefore, it is not anticipated that the project will result in a potential for significant impacts to Fish and Wildlife resources.

Based on review of the Cultural Resources Inventory for the City of Moreno Valley, (October 1987), there are no known archaeological resources on the site. The tentative tract will also be conditioned to cease excavation or construction activities if archaeological, paleontological or historical resources are uncovered at the project site. Work in the affected area will cease immediately and the applicant shall consult with a qualified person with appropriate expertise regarding mitigation measures to preserve or record the find.

There are no historic buildings on the site. Therefore, based upon the design of the tentative tract map and the conditions of approval, there will be no impact to scenic resources by development of the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. To the southeast corner of the site is an existing R5 tract. Land uses to the south include vacant Industrial zoned land located within SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

An encroachment permit from the Riverside County Flood Control and Water Conservation District will be required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

MV00070905

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

MV00070906

I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
The project site is not located in an area identified in the General Plan as an aesthetic resource or a significant visual resource. The project site is located at the northern limits of the Moreno Valley Industrial Area Plan (SP #208) in an area that is comprised of industrial land uses adjacent to residential land uses. The future residential structures will be designed and conditioned will assure a design standard that will not have a substantial adverse effect on the scenic vista of the area.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
There are no trees, rock outcroppings or historic buildings on the site. There are no state scenic highways in the vicinity of the site. The site has been disked over the years for weed abatement. As designed and conditioned, the project will not substantially damage scenic resources.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The project is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. This project is consistent with existing land uses and as designed (with General Plan Amendment and Change of Zone) will not substantially degrade the existing visual character or quality of the site and its surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
As the site is currently vacant, the proposed residential project may create additional light and glare. With regard to indirect impacts, the types of land uses allowed under the General Plan Amendment and zoning would be expected to generate similar or less of an impact on spillover lighting than the office uses under the current General Plan.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on the State Important Farmland Map.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There is no immediate surrounding agricultural land use designation, or any proposed according to the General Plan. The proposed warehouse facility will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed residential project will have less impact on air quality than the original land use designation of Business Park (BP) that has been in place for the last several iterations of the regional population projections and the AQMP.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a residential project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, southwest and east of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any residential development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of two individual parcels totaling 40 acres at the SEC corner of Heacock Street and Gentian Avenue. The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There is no stream on the site and no riparian habitat or other sensitive natural community on the site. The project site is located across the street from Line B, which is an open channel located on the west side of Heacock Street. The project also fronts along Line B-19, which is located within Iris Avenue. Improvements related to the project that would impact Line B-19, are limited to a point of connection into the existing underground storm line. Prior to completing such work, the developer is conditioned to work with the Riverside County Flood Control District to acquire any required permits. Therefore, this project will have a less than significant impact on riparian habitat or other sensitive natural communities.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The site is vacant and has been disturbed through routine disking for weed abatement. There are no federally protected wetland areas such as a marsh or vernal pool evident at the site. In addition, a riparian area and condensed vegetation to support threatened or endangered species was not evident at the site. Therefore, the development of this project will not have a substantial adverse effect on federally protected wetlands.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
This site is an urbanized area with existing development to the north, east and west (March Air Reserves Base). Burrowing owl, which was initially identified by Riverside County as having the potential of occurring on the site was not observed during site surveys, so it is unlikely that the proposed project will directly impact sensitive species. There are no known migratory fish or wildlife species or migratory wildlife corridors, on or near the project site.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	

MV00070908

The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
The proposed residential project would not have a direct impact on creating geologic concerns. The proposed plan does not increase the exposure of residences that might be exposed to groundshaking, since residences are not proposed as part of the plan. In addition, the site is not within an Alquist-Priolo zone, or other designated fault hazard zone. According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
The nearest fault is the San Jacinto fault system, which is located about 16 miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current development codes.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	
This site is not near or adjacent to the mountainside areas. The site is flat, and landslides will not be an issue. There is no potentially significant impact from landslides.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

The geologic unit or soil is not known to be unstable based on current resources. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in December 2006 and the environmental review started in November 2009 before the greenhouse gas emissions section was added to the Initial Study Checklist, therefore the City has chosen to rely on a qualitative analysis. Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue. A Traffic Impact Analysis Final Review was completed for the project in October 2007. The report noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	

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The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The project site is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is not within an airport land use plan. The project as designed and conditioned will not result in a safety hazard for people living in the project area.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed residential tract has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Site Design and Source Control best management practices (BMP) are used throughout the project. Treatment BMPs must be selected and implemented which are medium to highly effective in treating pollutants of concern. The applicant has proposed to incorporate the use of multiple filtration systems as the treatment BMP. The treatment control BMP is acceptable as the conceptual treatment subject to certain conditions including in-situ percolation/infiltration test results. Although this approach is acceptable in concept with the Preliminary WQMP, final sizing and specifications based on support calculations and design details will be provided in the Final WQMP at the post entitlement stage. Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
The Eastern Municipal Water District (EMWD) would provide the proposed project with water supplies as opposed to utilizing individual water wells. Water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (along the western boundary). The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that the site is in a flood zone. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
The site is within a 100-year flood plain as shown on the FEMA maps, but it is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. As designed and conditioned, this project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue. Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
There are no conflicts associated with any land use plans. The proposed project is consistent with the site's proposed zoning of Residential 5 (R5) and the City's General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The fee is currently $1938.00 per lot.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located across the street from the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered an industrial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site.				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site. The project will not displace any residents.				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				

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c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic study was required to review the proposed General Plan amendment and change of zone. The report completed in October 2007 noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. With the approval of the General Plan amendment and change of zone, the project will consistent with the existing general plan, circulation plan and land use designation of Residential 5 (R5) and the zoning district of R5, and would not conflict with any applicable plans, ordinances or policies.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
The project is consistent with the most current Riverside County Congestion Management Plan and the requirements included within the traffic study. The October 2007 traffic study found that the existing Business Park (BP) zoning would generate more trips than the proposed residential use.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that will result in substantial safety risks?			X	
The project is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				

XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and a tract map. The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

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Aerial Photograph

PA06-0183, 0184, 0185 and P09-102

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY

ATTACHMENT 8

MV00070917

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

TENTATIVE TRACT MAP NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

JANUARY 2010

OWNER/DEVELOPER:
THE RADOS COMPANIES
2002 E. MCFADDEN AVE.
SANTA ANA, CA 92705
PHONE (714) 835-4612

ENGINEER/REP.:
ALBERT A. WEBB ASSOCIATES
3788 MCCRAY STREET
RIVERSIDE, CA 92506
(951) 686-1070

STREET GRADE NOTE:
A PROPOSED LONGITUDINAL STREET SLOPE OF LESS THAN 1.0% MAY BE APPROVED ONLY WHEN ENGINEERING DESIGN SHOWS THAT LOCAL DRAINAGE PROVISIONS ARE ADEQUATE AND STEEPER GRADIENTS CANNOT BE OBTAINED, AS SUPPORTED BY A SUBMITTED ENGINEERED DESIGN AND APPROVED BY THE CITY ENGINEER. UNDER NO CIRCUMSTANCES SHALL THE STREET SLOPE BE FLATTER THAN 0.65%".

ASSESSOR'S PARCEL NO:
486-230-025, 026

ACREAGE:
GROSS: 40.27 ACRES
NET: 26.71 ACRES

ZONING DATA:
EXISTING GENERAL PLAN: B-P
EXISTING ZONE: BP (BUSINESS PARK)
PROPOSED GENERAL PLAN: R-5
PROPOSED ZONE: R-5 (7,200 SQ. FT. MINIMUM)

LAND USE:
EXISTING: VACANT (UNDEVELOPED)
PROPOSED: SINGLE FAMILY RESIDENTIAL
EXISTING SURROUNDING LAND USE: SINGLE FAMILY RESIDENTIAL/VACANT
PROPOSED MINIMUM LOT SIZES: 7,200 SQ. FT.

LEGAL DESCRIPTION:
LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

COMMUNITY SERVIES DIRSTRICT:
NOT WITHIN A COMMUNITY SERVICES DISTRICT

SCHOOL:
MORENO VALLEY UNIFIED SCHOOL DISTRICT
25634 ALESSANDRO BOULEVARD
MORENO VALLEY, CA 92553
PH (909) 485-5600

UTILITIES:

WATER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE:
VERIZON
(800) 483-4000

ELECTRIC:
MORENO VALLEY ELECTRIC UTILITY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3500

TV:
TIME WARNER
12125 DAY STREET #A 203
MORENO VALLEY, CA 92557
(951) 275-9022

GAS:
SOUTHERN CALIFORNIA GAS
1981 W. LUGONIA AVE
REDLANDS, CA 92374
(800) 427-2200

TRASH:
WASTE MANAGEMENT INLAND EMPIRE
800 SOUTH TEMESCAL
CORONA, CA 92879
(800) 423-9986

STORM DRAIN:
R.C.F.C.D. (AND CITY)
1995 MARKET STREET
RIVERSIDE, CA 92501
(951) 955-1200

SEWER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TOPOGRAPHY SOURCE:
RIVERSIDE COUNTY FLOOD CONTROL

GENERAL NOTES:

1. TOTAL NUMBER OF RESIDENTIAL LOTS: 135 AND 2 LETTERED LOTS
2. PROJECT DENSITY: 3.3 GROSS DU/AC 5.0 NET DU/AC.
3. THIS PROJECT IS NOT SUBJECT TO LIQUEFACTION.
4. APPLICANT REQUESTS THE RIGHT TO FILE MULTIPLE MAPS UNDER SECTION 66456-1 OF THE MAP ACT.
5. ALL SLOPES ARE 2:1 EXCEPT WHERE NOTED ON PLANS
6. THERE ARE NO KNOWN EXISTING WELLS ON THE PROPERTY OR WITHIN 200' OF THE PROJECT.
7. THERE ARE NO KNOWN EXISTING DWELLINGS, BUILDINGS OR OTHER STRUCTURES ON THE PROPERTY.
8. FEMA FLOOD ZONE DESIGNATION - ZONE A. ALL LOTS SHALL BE LOCATED OUTSIDE OF FLOOD PLAIN.
9. CORNER CUTBACKS SHALL BE DESIGNED PER CITY STANDARD NO 208
10. KNUCKLES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO. 122
11. CUL-DE-SACS SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO 123/124

LEGEND

100 EXIST. CONTOUR	W 8" WATER LINE
PROPERTY LINE	W EXIST. WATER LINE
2% STREET GRADE	S 8" SEWERLINE
STREET CENTERLINE	S EXIST. SEWER LINE
PROP. R/W	DRAINAGE LINE
EXIST. R/W	EXIST. FLOOD LIMIT
TOP OF SLOPE	EXISTING FLOOD ZONE
TOE OF SLOPE	PROP FLOOD LIMIT
DECORATIVE BLOCK /RETAINING WALL	DECORATIVE BLOCK WALL

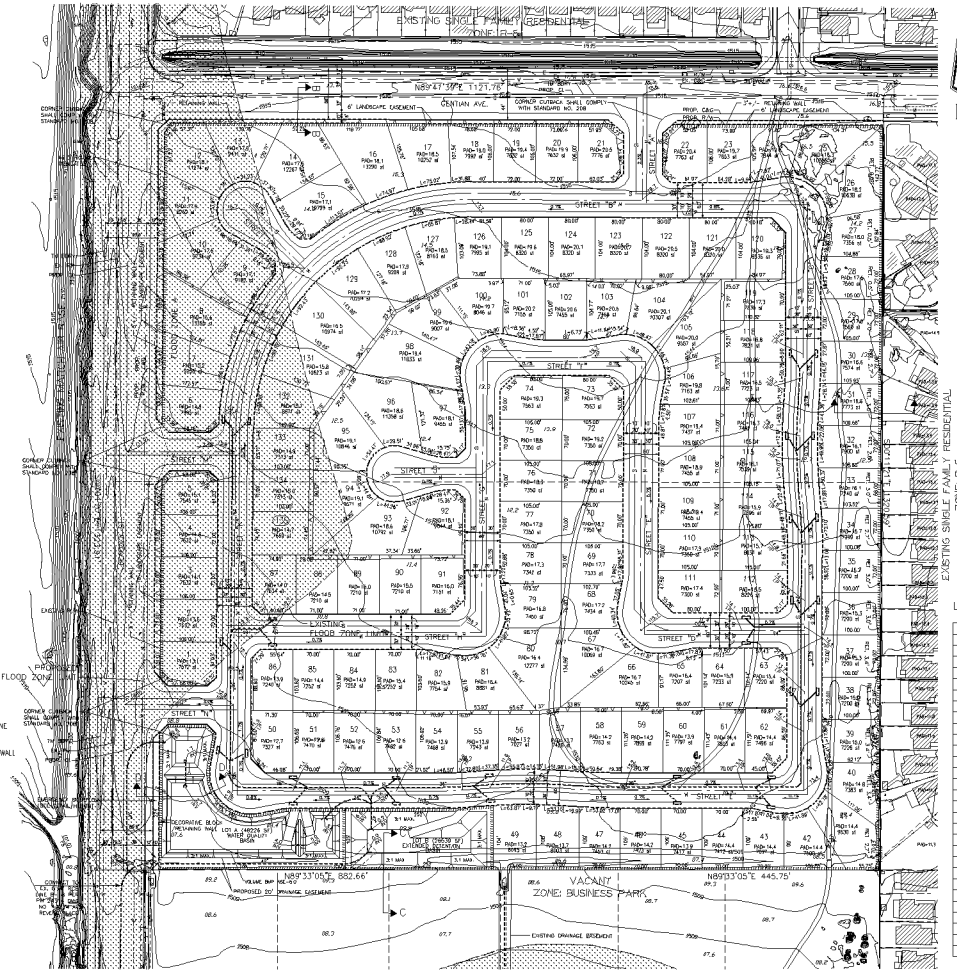

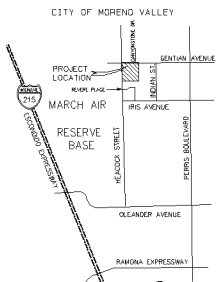

VICINITY MAP
(NO SCALE)
THOMAS BROS. MAP GUIDE 2003 COORDINATES PAGE 699, GRID E-7, 2003 EDITION

GRAPHIC SCALE 1" = 100'
0 100 200 300

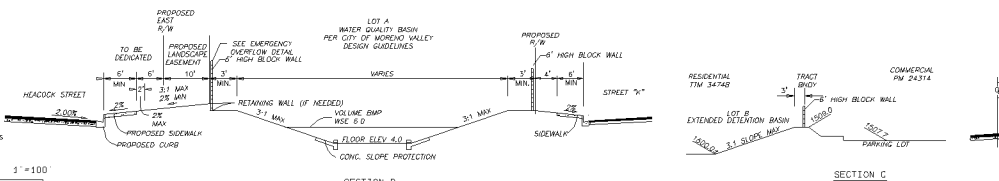

SECTION D
(NOT TO SCALE)

SECTION C
(NOT TO SCALE)

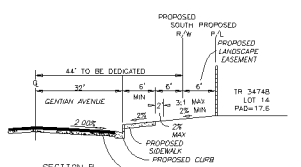

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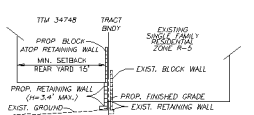

SECTION A
(NOT TO SCALE)

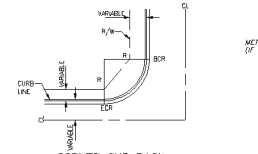

CORNER CUT-BACK
(NO SCALE)
SOUTHEAST CORNER OF HEACOCK ST. AND GENTIAN AVE.
STANDARD NO. 208

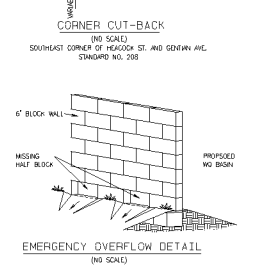

EMERGENCY OVERFLOW DETAIL
(NO SCALE)
SOUTHWEST CORNER OF TTM 34748
PARALLELL TO HEACOCK STREET

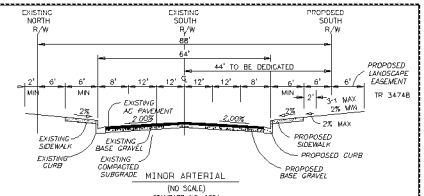

MINOR ARTERIAL
(NO SCALE)
STANDARD NO. 105A
(GENTIAN AVENUE)

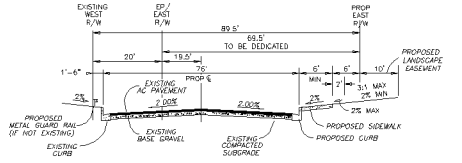

MODIFIED ARTERIAL
(NO SCALE)
STANDARD NO. 104A
(HEACOCK AVE)

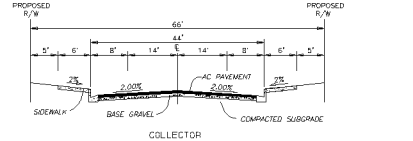

COLLECTOR
(NO SCALE)
STANDARD NO. 107
(STREETS "K", "M" AND "N")
* ALL IMPROVEMENTS ARE PROPOSED

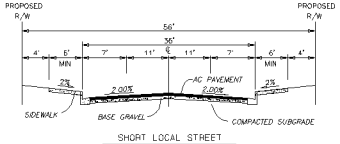

SHORT LOCAL STREET
(NO SCALE)
STANDARD NO. 108B
(STREETS "J" AND "J")
* ALL IMPROVEMENTS ARE PROPOSED

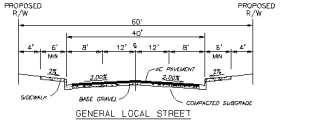

GENERAL LOCAL STREET
(NO SCALE)
STANDARD NO. 108A
(STREETS "B", "C", "D", "E", "F", "G", "H", "K" AND "L")
* ALL IMPROVEMENTS ARE PROPOSED

LOT SUMMARY TABLE

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
LOT 1	7572	LOT 30	7574	LOT 59	7899	LOT 88	7218	LOT 117	7723
LOT 2	7632	LOT 31	7773	LOT 60	7797	LOT 89	7218	LOT 118	7821
LOT 3	7632	LOT 32	7800	LOT 61	7803	LOT 90	7218	LOT 119	7835
LOT 4	7632	LOT 33	7240	LOT 62	7496	LOT 91	7151	LOT 120	8536
LOT 5	7545	LOT 34	7199	LOT 63	7220	LOT 92	9644	LOT 121	8320
LOT 6	7595	LOT 35	7200	LOT 64	7233	LOT 93	10792	LOT 122	8320
LOT 7	8256	LOT 36	7200	LOT 65	7207	LOT 94	9671	LOT 123	8320
LOT 8	13185	LOT 37	7200	LOT 66	10245	LOT 95	10846	LOT 124	8320
LOT 9	9182	LOT 38	7200	LOT 67	10069	LOT 96	11358	LOT 125	8320
LOT 10	8734	LOT 39	7226	LOT 68	7434	LOT 97	9455	LOT 126	7995
LOT 11	8262	LOT 40	7383	LOT 69	7333	LOT 98	11833	LOT 127	8163
LOT 12	11274	LOT 41	9630	LOT 70	7350	LOT 99	9007	LOT 128	9289
LOT 13	9411	LOT 42	7500	LOT 71	7350	LOT 100	8046	LOT 129	10294
LOT 14	12287	LOT 43	7097	LOT 72	7350	LOT 101	7158	LOT 130	10974
LOT 15	10799	LOT 44	7412	LOT 73	7583	LOT 102	7455	LOT 131	10623
LOT 16	13290	LOT 45	7417	LOT 74	7563	LOT 103	7468	LOT 132	8671
LOT 17	10252	LOT 46	7423	LOT 75	7350	LOT 104	10307	LOT 133	7313
LOT 18	7992	LOT 47	7453	LOT 76	7350	LOT 105	9557	LOT 134	7313
LOT 19	7632	LOT 48	8003	LOT 77	7350	LOT 106	7163	LOT 134	7313
LOT 20	7632	LOT 49	8093	LOT 78	7342	LOT 107	7437	LOT 135	7669
LOT 21	7776	LOT 50	7327	LOT 79	7450	LOT 108	7455	LOT A	48226
LOT 22	7763	LOT 51	7470	LOT 80	12277	LOT 109	7458	LOT B	28539
LOT 23	7653	LOT 52	7476	LOT 81	6881	LOT 110	7358		
LOT 24	7844	LOT 53	7482	LOT 82	7754	LOT 111	7300		
LOT 25	10355	LOT 54	7466	LOT 83	7252	LOT 112	8276		
LOT 26	10638	LOT 55	7243	LOT 84	7252	LOT 113	8631		
LOT 27	7356	LOT 56	7027	LOT 85	7252	LOT 114	7896		
LOT 28	7560	LOT 57	7426	LOT 86	7240	LOT 115	7539		
LOT 29	7560	LOT 58	7763	LOT 87	7534	LOT 116	7492		

REVISIONS	DATE	BY
REVISED PER CITY COMMENTS	06-12-06	STANTEC
REVISED PER CITY COMMENTS	02-06-07	STANTEC
REVISED PER CITY COMMENTS	08-06-07	STANTEC
REVISED STREET 'N' ENTERANCE GRADING FOR BASIN G 'C', 'E' & 'L' STREET	10-27-08	WEBB
REVISED PER CITY COMMENTS	11-25-08	WEBB
REVISED PER CITY COMMENTS	01-28-10	WEBB
REVISED PER CITY COMMENTS	03-02-10	WEBB
REVISED PER CITY COMMENTS	03-18-10	WEBB

PA06-0183

REGISTERED PROFESSIONAL ENGINEER JASON K. ABUSH ND. C71508 EXP. 12-31-11 CIVIL STATE OF CALIFORNIA

TENTATIVE MAP

TRACT NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

SCALE: 1" = 100'	ALBERT A. WEBB ASSOCIATES	CIVIL ENGINEERS 3788 MCCRAY ST. RIVERSIDE CA. 92506 (951) 686-1070	W.O. 09-0117
DATE: 3/2/10			SHEET 1
DESIGNED: SRK			OF 1 SHEETS
CHECKED: JKA			
RLIN CK REF:	FILE: G:\2009\09-0117\DWG&PRO\Dez\prj\09-0117TM.prj		DWG. NO. 09-0117TM.PRO
P.B.:	PLOT DATE: 3/18/2010		

ATTACHMENT 9

MV00070918

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency (RDA) of the City of Moreno Valley:

1) Conduct a public hearing for the review of the 2010-2015 Implementation Plan and
2) Approve the proposed 2010-2015 Implementation Plan.

BACKGROUND

Section 33490 (c) of the California Health and Safety Code mandates redevelopment agencies to adopt an Implementation Plan (Plan) that specifies planned and achieved goals and objectives for a five-year period, as well as discuss how each activity will address the blighted conditions in the Project Area as identified by the Redevelopment Plan. The Plan for the next five year period from 2010 though 2015 must now be considered for approval.

Prior to formal adoption of the Plan, the RDA is required to hold a public hearing to evaluate the progress in meeting the Plan's objectives and proposed activities. While the Plan is not intended to restrict the RDA's ability to embark on projects other than those specifically identified in the Plan, it provides a framework for undertaking redevelopment activities.

DISCUSSION

The Implementation Plan for the period July 1, 2010 to June 30, 2015 is intended to be a blueprint for the RDA's activities for the next five years. The document identifies projects and programs to be implemented, along with continuing agreements already in place that must be administered. As required by California Redevelopment law, an emphasis is placed on past and future RDA activities and expenditures related to the creation of affordable housing opportunities.

ALTERNATIVES

1. Conduct a public hearing and consider comments for the review and approval of the 2010-2015 Implementation Plan. **Staff recommends this alternative** *because it will satisfy State Redevelopment compliance requirements and help advance Redevelopment Agency efforts in Moreno Valley.*

2. Do not conduct a public hearing and do not approve the 2010-2015 Implementation Plan. **Staff does not recommend this alternative** *because it will result in noncompliance with State requirements and hinder Redevelopment Agency efforts in Moreno Valley.*

FISCAL IMPACT

The proposed Implementation Plan for the RDA provides for a specified program of activities during its five-year term. All specified projects and programs must be approved by separate annual budget action. The funds and expenditures discussed in the Plan strictly apply to the Redevelopment Agency budget and have no impact on the City's General Fund. The Redevelopment Agency's FY 09-10 Budget and accompanying 5-year projections are the basis for the financial assumptions identified in the proposed Implementation Plan.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION
Use of RDA funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY
Many of the proposed RDA projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT

A positive environment for the development of Moreno Valley's future will be created through a variety of community-based RDA programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS

RDA programs will help to preserve, rehabilitate and improve existing neighborhoods.

NOTIFICATION

Notices of the public hearing were placed in the local paper and at four locations in the Redevelopment Project Area. The document was available for public review during regular business hours at the Economic Development Department.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – Implementation Plan for the Period July 2010-June 2015

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

IMPLEMENTATION PLAN

For the period July 1, 2010 – June 30, 2015

Community Redevelopment Agency of the City of Moreno Valley

MORENO VALLEY
ECONOMIC DEVELOPMENT

Adopted: July 13, 2010

Attachment A

TABLE OF CONTENTS

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IV. RDA GOALS AND OBJECTIVES ____ *8*

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VI. GENERAL RDA ACTIVITIES ____ *12*

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD ____ *13*

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS ____ *21*

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD ____ *22*

X. IMPLEMENTATION PLAN ADMINISTRATION ____ *33*

MV00070923

I. INTRODUCTION

In 1993, the State Legislature amended Redevelopment Law ("Law") to require all redevelopment agencies to prepare and adopt five year Implementation Plans (Section 33490 of the Health & Safety Code). Moreno Valley's Redevelopment Agency (RDA) must adopt an updated Implementation Plan (Plan) prior to June 30, 2010 after a public hearing has been held. The Plan outlines the RDA's debt service, economic development, affordable housing, and capital projects and programs for the FY 2010/11 through FY 2014/15 planning period. The five-year term of the updated Plan for the Moreno Valley Redevelopment Project Area begins on July 1, 2010, and ends on June 30, 2015.

The updated Plan reviews the goals, objectives, and general RDA activities that were approved when the Redevelopment Project Area (Project Area) was adopted in 1987. Previously adopted agreements, which may obligate a portion of the RDA's revenues during the five-year term of the Plan, are described in later sections of the document. The Plan outlines programs and projects proposed for the next five years, as well as describes how they are intended to address existing blighted conditions in the Project Area.

The amount of the housing set-aside, the allocation of resources to construct or substantially rehabilitate moderate, low and very low income housing units, and the inclusionary housing percentages (Sections 33334.2, 33334.4, 33334.6 and 33413) are also addressed by the Plan. These requirements form the basis for an annual housing program for the Plan.

The RDA shall conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing the Redevelopment Plan and Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012, and June 30, 2013.

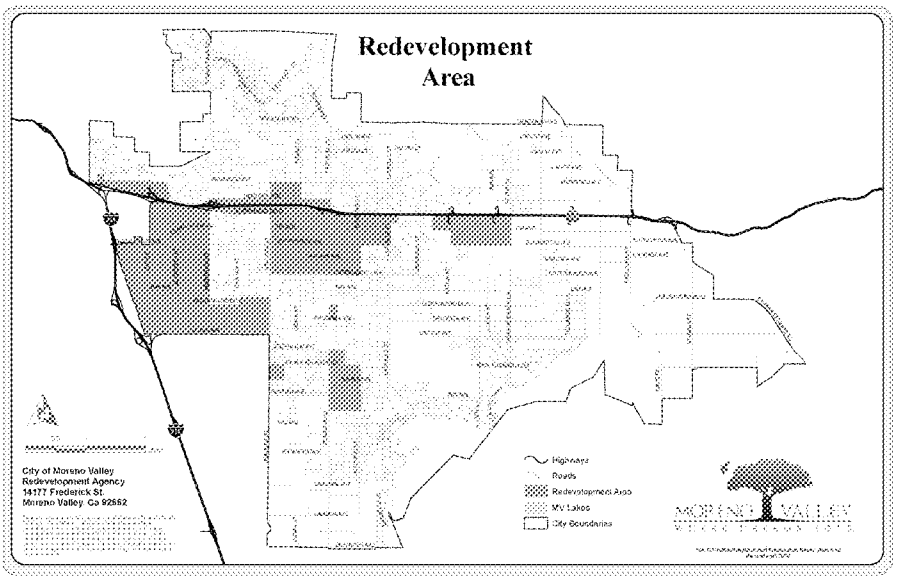

MV00070924

II. LEGAL REQUIREMENTS

The Community Redevelopment Agency of the City of Moreno Valley (RDA) issued the first Implementation Plan in 1999. This Plan is the RDA's third and covers the planning period of FY 2010/11 to FY 2014/15. The RDA is required to conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing its Redevelopment Plan, Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012 and June 30, 2013.

Notice of the public hearing on the Plan must be published pursuant to Section 6063 of the Government Code and also posted in at least four permanent places within the project area for a period of three weeks. Publication and posting must be completed not less than 10 days prior to the date set for hearing.

Notices of the public hearing regarding the adoption of this Plan have been posted at the following locations in the project area:

- Senior Community Center, 25075 Fir Avenue
- Moreno Valley Conference and Recreation Center, 14075 Frederick Street
- City Corporate Yard, 15670 Perris Boulevard
- City Hall, 14177 Frederick Street

(a) Assembly Bill 1290 Requirements

Assembly Bill 1290 (AB 1290) added Section 33490 to the Health and Safety Code. This section requires agencies to produce Plans every five years, beginning in 1994. Section 33490 has been amended numerous times since its original adoption. In accordance with this section, the Plan must contain the following, if applicable to the RDA:

Redevelopment Requirements

- Specific goals and objectives for each project area.
- Specific programs, including potential projects for each project area
- Explanation of how the goals and objectives, programs, and expenditures will eliminate blight within the project area.

Housing Requirements

An explanation of how the goals, objectives, and programs will achieve the required housing production as well as a description the Low and Moderate Housing Set-Aside Fund (Housing Funds) expenditures. This description must include a detailed annual Plan for each of the five years covered so that performance may be measured. Additionally, the following must be included:

MV00070925

- The amount of money available in the Housing Fund, the amount of money expected to be deposited during the next five years and how those annual deposits to the Housing Fund will be spent.
- The estimated number of units to be provided over the next five to ten years to meet the RDA's 15 percent inclusionary housing requirements, if applicable.
- The number of qualifying very low, low, and moderate-income units that have been produced in the project area, and the number of additional units that will be required to meet the inclusionary housing requirements.
- The number of units that will be developed by the RDA, if any, including the number of units that the RDA will make available for very low, low and moderate-income households.
- If a planned public improvement or development project will result in destruction of existing affordable housing, an identification of proposed locations for their replacement will be required (Health and Safety Code Section 334313)
- The affordable housing production plan (Health and Safety Code Section 33413(b)(4).

(b) Assembly Bill 637 Requirements

Assembly Bill 637 ("AB 637") created additional housing requirements on redevelopment agencies. It eliminated the sunset for most of the provisions in AB 1290 which had been in effect since January 1, 1994. AB 1290 contained a number of modifications to the inclusionary housing production requirements contained in Section 33413(b) of the Health and Safety Code. The issues addressed by AB 637 include:

- Targeting Housing Funds to the different income and age groups.
- Replacing 100 percent of removed or destroyed affordable units instead of 75 percent
- Maintaining a list of those persons displaced, who are to be given priority in the replacement housing plan.
- Regulating how and where Housing Funds may be used for onsite or offsite improvements.
- Increasing covenants from 10 to 45 years in the case of owner occupied units, and from 15 to 55 years in the case of rental housing.

The RDA is required to spend the Housing Fund in at least the proportion of the total housing need for the income groups as determined for the City pursuant to Section 65584 of the government Code (Regional Housing Needs Assessment). In addition, the RDA shall expend, over the duration of each Redevelopment Plan period, the Housing Fund to assist housing the low income population under 65 years of age in relation to the total low income population of the community as reported by the United States Census Bureau.

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In accordance with Section 33490(a)(2)(A)(iii) of the Law, the first time period to implement the requirements for targeting of Housing Funds is on or before December 31, 2014, and each ten years thereafter.

(c) Senate Bill 701 Requirements

Senate Bill 701 clarifies how AB 637 is to be implemented. The RDA will have until 2014 to comply with the legal requirements outline in AB 637.

(d) Labor Code Section 1720, Prevailing Wages

The California Legislature amended Labor Code Section 1720 et seq. to require payment of prevailing wages for private improvements that are financially assisted by the RDA or the City whether for commercial, industrial, office, or housing uses. There is a very limited exception that applies to the construction or rehabilitation affordable housing assisted by redevelopment agencies using housing set-aside funds as the only source of public funding for the development. In order to qualify for the exception, there can be no other federal or state assistance or mortgage credit certificates or state or federal low income housing credits.

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III. GENERAL BACKGROUND AND RDA HISTORY

The City of Moreno Valley spans 50 square miles and is located in the western portion of Riverside County. Moreno Valley is easily accessible by Highway 60 (the Moreno Valley Freeway) and Interstate 215. Surrounded by the cities of Riverside and Perris, scenic Lake Perris and March Air Reserve Base, Moreno Valley is the second largest city in Riverside County. The City lies in the heart of Southern California's Inland Empire, the two county area comprised of Riverside and San Bernardino counties.

The Moreno Valley RDA provides assistance to projects and activities within the 4,676-acre project area. RDA funding of eligible projects comes from area-wide property tax increment and Tax Allocation Bonds ("TABs"). The RDA uses these revenues to fund economic development activities, installation of general infrastructure to improve the project area, and in the preservation and expansion of affordable housing in the community.

The following table outlines, as required by Section 33490(a)(5) of the Law, the Project Area's main benchmarks and time limits.

Tax Increment Limit	$ 821.2 million
RDA Establishment Date	December 10, 1985
Plan Adoption Date	December 29, 1987
Deadline to Establish Indebtedness	December 29, 2007
Acreage	4,676 or 14.6% of the City
Land Use	Residential, Commercial & Industrial
Deadline to Receive Tax Increment / Pay Indebtedness	December 29, 2038

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IV. RDA GOALS AND OBJECTIVES

The RDA adopted the Redevelopment Plan for the Moreno Valley Redevelopment Project ("Plan") on December 29, 1987. The Plan included the following goals and objectives:

(a) The elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal redevelopment laws.

(b) The promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity. An important objective will be the development of a regional mall within the Project Area and the creation of a regional public transportation center and facilities, auto center, and freeway frontage roads.

(c) The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles, appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from new conditions and restrictions shall be first reviewed by the Project Area Committee ("PAC") before final action can be taken.

(d) Consideration must be given to maximizing the tax base provided by the locational advantages of freeways. Interchanges should be added and upgraded to meet the new demands placed upon them by the new business corridors and surface streets.

(e) Consideration must be given to the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from the above stated conditions shall be first reviewed by the existing PAC before final action can be taken.

(f) The Redevelopment Plan shall make provisions for increased revenues to the City of Moreno Valley. These plans shall not negatively impact the fiscal solvency of the City.

(g) The Redevelopment Plan shall make provisions for the creation and development of local job opportunities and the preservation and expansion of the City's existing employment base.

(h) Consideration must be given to: the improvement of certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area.

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(i) Consideration must be given to the improvement of the community's supply of housing (inside the Project Area), including opportunities for low and moderate-income households. One objective would be the development of housing for senior citizens, and a second objective would offer centers for child care of all ages. Useable and improved park land should be easily, and safely accessible to these residents.

(j) Consideration must be given to providing increased revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails.

(k) Consideration must be given to: the Redevelopment Plan shall not adopt land uses incompatible with the surrounding areas.

Redevelopment of the Project Area pursuant to this Plan and the above goals and objectives will attain the purposes of the California Redevelopment Law by:

(a) Eliminating areas suffering from economic dislocation and disuse.

(b) Replanning, redesign and/or redevelopment of areas that are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance.

(c) Protecting and promoting sound development and redevelopment of blighted areas and general welfare of the citizens of the city by remedying such injurious conditions through the employment of appropriate means.

(d) Installing new or replacing existing public improvements, facilities and utilities in areas that are currently inadequately served with regard to such improvements, facilities and utilities.

(e) Other means as determined appropriate by the RDA.

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V. BLIGHT IN THE PROJECT AREA

The redevelopment tools contained in the Law are granted for use in a project area in order to eliminate and prevent the prevalence of blighting conditions. A blighted area is one that necessitates the creation of a redevelopment project area because the combination of conditions in an area constitute a burden on the community and cannot be alleviated by private enterprise, governmental action, or both. Section 33031 of the Law defines blight as follows:

Physical Conditions that Cause Blight

- Unsafe, unhealthy and/or deteriorated buildings - Structures in which it is unsafe or unhealthy for people to live or work. Deferred maintenance that results in serious dilapidation and deterioration, faulty or inadequate utilities, serious building code violations, and construction that is vulnerable to serious damage from seismic or geologic hazards.
- Physical conditions that substantially hinder the economic viability, use of lots and/or buildings – These conditions may be caused by buildings or substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
- Incompatible land uses – Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project Area.
- Lots of irregular shape, inadequate size and under multiple ownerships – The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and of developments that are held in multiple ownership.

Economic Conditions that Cause Blight:

- Depreciated, stagnant and/or impaired property values – Depreciated or stagnant property values or impaired investments, including, but not limited to, properties containing hazardous waste that requires the use of RDA authority as specified in Article 12.5 (commencing with Section 33459 of the Law).
- High business turnovers and vacancies, low lease rates, abandoned buildings and vacant lots – Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots.
- Lack of neighborhood commercial facilities – A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, banks and other lending institutions.
- Overcrowding – Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph “overcrowding” means exceeding the standard reference in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.
- Excess numbers of bars, liquor stores and/or adult businesses – An excess of these establishments can result in significant public health, safety, or welfare problems.

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- High crime rates – A high crime rate that constitutes a serious threat to the public safety and welfare of Project Area residents.

(a) Blighting Conditions Present in the Project Area

Physical Blight Conditions Present in the Project Area

The RDA has been actively addressing the conditions of physical blight identified in the initial report to Council at Project Area adoption and when the Plan was amended. However, some physical blight remains. The remaining blighting conditions in the Project Area include deteriorated buildings that are considered unsafe and unhealthy for persons to live or work in due to serious building code violations, long-term neglect, or faulty or inadequate construction, parcels of irregular shape and / or inadequate size that hinder redevelopment, and inadequate public infrastructure (i.e. remaining need for flood control facilities and street improvements).

Economic Blight Conditions Present in the Project Area

Similarly, the RDA has been actively addressing conditions of economic blight initially identified at Project Area adoption and when the Plan was amended. Again, some economic blight remains. Conditions of economic blight that the RDA continues to address include depreciated or stagnant property values / low lease rates, high business turnover, excess numbers of liquor licenses, and pockets of crime.

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VI. GENERAL RDA ACTIVITIES

The Redevelopment Plan proposed the following activities to assist in the elimination and prevention of the spread of blight and blighting influences, and to strengthen the economic base of the Project Area and the community:

(a) Promoting and encouraging participation in the redevelopment process by owners and occupants of properties located in the Project Area, consistent with this Plan and rules adopted by the RDA Board.

(b) Acquisition of real property subject to the limitations contained in Section 308 of the Redevelopment Plan.

(c) Management of property under the ownership and control of the RDA.

(d) Relocation assistance to displaced occupants of property acquired in the Project Area.

(e) Demolition or removal of buildings and improvements.

(f) Installation, construction, expansion, addition, extraordinary maintenance or re-construction of streets, utilities, and other public facilities and improvements.

(g) Disposition of property for uses in accordance with this Plan.

(h) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan.

(i) Rehabilitation of structures and improvements by present owners, their successors, and the RDA.

(j) Rehabilitation, development or construction of low and moderate income housing within the Project and / or the City.

(k) Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Plan.

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VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD

(a) Debt Service on Existing RDA Obligations

Since its inception in 1987, the RDA has entered into a number of agreements, which provide long term financial assistance based on the achievement of specific project milestones. The following section identifies the projects and continuing obligations related to these existing approved agreements.

- Conference and Recreation Center Financing: The agreement provides for the acquisition of the Conference and Recreation Center from the City by the RDA for $11,503,946, paid for through twenty annual debt service payments that gradually increase from $250,000 to $438,377 in year 2024.
- Cooperation Agreement with Riverside County: This Agreement provides for the RDA to share Project Area property tax increment with the County of Riverside. All of the property tax increment between $7 million and $12 million per year, up to a maximum of $75 million will be paid to the County to assist in the financing of the new Riverside County Regional Medical Center (RCRMC).
- Cooperation Agreement with the Riverside County Flood Control District: This Agreement provides for the RDA to share property tax increment with Riverside County Flood Control District (RCFCD) from the entire Project Area in excess of $12 million per year.
- Moreno Valley Auto Mall Owner Participation Agreement: This Agreement provided for the development of the Moreno Valley Auto Mall by subsidizing the annual infrastructure bond payments of several dealerships. All Auto Mall property and sales tax increment is pledged to defray bond payments.
- Moreno Valley Mall Owner Participation Agreement: This agreement provided for the construction of the Moreno Valley Mall, and specifically assisted in the development of three of the four department store anchors, for a total of $13 million. This investment was advanced by the project developer and is being repaid from excess property tax increment from the TownGate area (available after payments on the TownGate Agreement – discussed in #1 above) plus half of the sales tax increment from the Mall.
- Price Company (Costco) Owner Participation Agreement: This Agreement provided for the development of a Price Club/Costco warehouse store in the Project Area. Approximately $2.4 million in land write-down and development fee assistance is being repaid from a portion of the sales tax increment created by the project.
- Public Safety Building Lease Revenue Bonds: The City issued Lease Revenue Bonds in 1997 to construct the public safety building. The RDA makes annual payments of $150,000 toward the annual $405,000 debt service, until the total obligation of $3,450,000 is repaid in FY 2021/22.
- Sunnymead Blvd. Lease Revenue Bonds: The RDA issued Lease Revenue Bonds in 2005 in the amount of $9.1 million to construct improvements related to the Sunnymead Blvd. Beautification Project. The annual debt service of $600,000 to repays the bond debt.

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- TownGate Specific Plan Owner Participation Agreement: This Agreement provided for the installation of infrastructure throughout the commercial portion of the TownGate Specific Plan, financed at a cost of approximately $21 million in Mello-Roos bonds. The RDA pledged the net tax increment revenues from the commercial and residential portions of the TownGate area towards the repayment of the bonds. The RDA continued to pay the debt service on the bonds during the previous planning period.

(b) 2007 Tax Allocation Bonds

In November 2007, the RDA issued $41.6 million in Series A- Bonds to fund a variety of important capital projects in Moreno Valley that will improve traffic circulation, upgrade important infrastructure, and enhance the overall quality of life in the community. Initially, projects identified for funding included:

- Library $22.0 million
- Fire Station at Cottonwood/Indian $6.5 million
- Park at Cottonwood/Indian $5.0 million
- Day Street Improvements $3.0 million
- Auto Mall Upgrades $2.0 million
- Indian Basin Improvements $3.1 million

In December 2008, in recognition of current economic challenges and the City's inability to fund operations at new facilities, the RDA Board approved reallocation of funds for the Library to the SR 60 overcrossing at Nason St. for $21.5 million and the street improvements on Ironwood and Barclay streets.

(c) Economic Development Activities

The staffing for the Economic Development Department (EDD) is partially funded by the Redevelopment Agency. EDD promotes the City of Moreno Valley as a place to do business to respond to economic conditions that cause blight. Specifically, Economic Development facilitates development of employment opportunities and dynamic retail centers to increase assessed valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community that offers its residents and businesses an unsurpassed quality of life. To accomplish these goals, Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection, ombudsman service, and business support services.

As a significant portion of the commercial, industrial and retail zoned land in Moreno Valley is located within the redevelopment project area, Economic Development staff spent a majority of their time working on projects that are eliminating blighting conditions within the project area

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Marketing

Though many of the activities were funded by City General Fund, RDA supported EDD staff salaries as they performed the following marketing activities supporting business attraction and retention activities:

- Regional Cooperation: Participated in the Inland Empire Economic Partnership (IEEP). EDD participated in business attraction events and submitted responses to new business leads distributed by IEEP.
- Advertising: EDD placed advertisements in nationally-recognized and local publications in the real estate/retail/site selection industries with a business focus.
- Tradeshows / Event Sponsorships: EDD enhanced the City's regional and national visibility by participating in tradeshows.
- Website: EDD developed a site selection website that provides a tool for businesses or consultants to use when exploring Moreno Valley business locations, improving the rate of shared information between the City, site selectors, and real estate brokers.
- Brochures: EDD created marketing materials including the Community Profile, the Retail Opportunities Guide, the Office and Industrial Opportunities Guide, the New Development Map and monthly summary. These materials were distributed at various business attraction events, plus electronic files were made available on the City's website.
- Shop Moreno Valley: As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, EDD partnered with the Chambers of Commerce to create a SHOP MOVAL awareness campaign.
- Development Sign Program: EDD implemented a new public relations program that included the placement of eighteen attractively-designed, reusable development signs to announce the arrival of new businesses and development projects.

Business Attraction

Economic Development staff provided ombudsman support in the form of fast-tracking entitlement and plan check reviews and advocacy for projects located in the Project Area.

Commercial Projects in the Project Area:

- Moreno Valley Mall: Staff facilitated review and resolution of issues for the Mall expansion through the addition of a fifth anchor, Harkins Theatres, an upscale 16-stadium theater with approximately 3,500 seats, plus seven restaurant/retail pads. General Growth Properties completed more than 300,000 sq. ft. of renovations and the addition of many new retail stores.

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- Moreno Valley Plaza: EDD assisted the shopping center owners with the attraction of Superior Super Warehouse to occupy a vacant grocery store anchor space.
- Cactus Commerce Center: Construction was completed on this 16,000 sq. ft. two-story retail and office use building near Cactus and Elsworth.
- Moreno Beach Plaza: EDD provided permitting assistance to this 350,000 sq. ft. center, which added the grocery component to the Wal-Mart Supercenter and completed construction of an 86,500 sq. ft. Phase II.
- Elsworth Plaza: EDD provided marketing assistance to this 30,000 sq. ft. project near the southwest corner of Alessandro Blvd. and Elsworth St.
- Fresh and Easy: Fresh and Easy Neighborhood Markets continued to expand in Moreno Valley. EDD provided continual assistance resolving development issues through the construction phase of four new stores. Three of the four stores are located in or across the street from the Project Area.
- Stoneridge Towne Centre: EDD provided comprehensive assistance resolving development issues for this 579,295 sq. ft. commercial center including anchors SuperTarget, Kohl's, Best Buy, and OfficeMax, and several popular restaurants: Chili's and Bob's Big Boy.
- TownGate Center / Plaza: EDD executed intergovernmental agency and lease agreements with the County of Riverside and the Fritz Duda Company, which completed tenant improvements for a new Employment Resource Center. Ombudsman assistance was new tenants to expedite Certificates of Occupancy process. Staff negotiated with Burlington Coat Factory on an incentivized participation agreement to bring the company to the vacant former Mervyn's space.
- TownGate Crossing: EDD assisted this 237,000 sq. ft. shopping center anchored by Lowe's with the opening of Sports Authority. EDD staff worked to attract 99 Cents Stores, which reoccupied the vacant former Circuit City building.
- TownGate Promenade: EDD provided ombudsman service to this 200,000 sq. ft. shopping center, serving as project advocate to resolve planning and permit processing issues related developing two hotels (Ayres Hotel and Hampton Inn), an expansion of Costco, and several new restaurants: Mimi's Café, Panda Express, and Applebees.
- TownGate Square: EDD assisted this mixed-use development by supporting negotiations between the commercial developer and landowner to acquire adjacent property for future expansion.
- TownGate Square: EDD assisted this 136,000 sq. ft. mixed-use development for opening of Winco Foods and Portillo's, a 7,500 sq. ft. restaurant, along with assisting in approval of an Owner Participation Agreement for the relocation of Robertson's Ready Mix' operation.

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Office Projects in the Project Area:

- Jacobs Development: EDD provided ombudsman service to this 10 acre mixed use project.
- Moreno Valley Professional Village: EDD provided ombudsman services to developer Aardex in the design, permitting, and tenanting of the seven building, 130,000 sq. ft. project.
- Olivewood Plaza: Economic Development staff is working with the developer to attract tenant(s) to this 23,000 sq. ft. office project.

Industrial Projects in the Project Area:

- Centerpointe Business Park: EDD provided assistance for this 12 building, 2.6 million sq. ft. industrial park with new projects for Minka Lighting, the U.S. Postal Service, RedMed, and Frazee Paint.
- United Natural Foods Inc. EDD facilitated entitlement and plan check for this 613,000 sq. ft. manufacturing/distribution facility.
- Gateway Business Park: EDD provided ombudsman services for this 34 industrial condo project.
- Veteran's Way Business Park: Economic Development assisted this 10-building industrial project.
- BAS Recycling: EDD provided extensive interdepartmental and interagency support during the entitlement and construction phases of the 66,000 sq. ft. facility.
- Robertson's Ready Mix: EDD is assisting this long time Moreno Valley business in relocating and expanding to a new facility within the Project Area.

Hospitality Projects in the Project Area:

Economic Development facilitated review and resolution of development issues to the following proposed hotels in the Project Area:

- Ayres Suites: 127-guest room project began construction. EDD provided assistance with resolving development and permitting issues hotel opened in June 2010.
- Hampton Inn & Suites: 115-guest room hotel opened in April 2009. Provided assistance with resolving development and permitting issues.
- Holiday Inn Express: Renovation and upgrade of the 151 guest room hotel in 2009/10.
- La Quinta Inn & Suites: 58-guest room hotel opened in May 2010 when construction was completed.
- Sleep Inn Suites: Proposed three-story, 74-guest room hotel is undergoing the entitlement process.

Business Retention

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In addition to attracting new businesses to the Project Area, EDD pursued several business retention efforts.

- Business Roundtable: EDD conducted regular meetings between Moreno Valley businesses, the Chambers of Commerce, the City's Executive Team, and the Mayor to encourage dialogue and build relationships.
- Business Visitation: EDD strengthened business retention efforts by holding one-on-one meetings with major employers and top sales tax producing businesses within the Project Area.
- Chambers of Commerce: EDD provided financial support to Moreno Valley's three chambers of commerce in exchange for their provision of services to the business community.

(d) Capital Projects

- Day Street Widening (Cottonwood to Alessandro): This project includes widening, sidewalk, curb, and gutter to reduce traffic congestion and improve vehicular and pedestrian safety. Project design was completed in FY 2009/10. Construction will commence in FY 2010/11.
- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for storm drain line improvements on the most westerly end of the Project Area. Project design has been completed. However, the project has not moved into the construction phase due to revenue shortfall because of the Supplemental Education Revenue Augmentation Funding shift to the State of California.
- Sunnymead Boulevard Street Improvements: This comprehensive street beautification project is currently nearing completion. Eastern Municipal Water District completed a major pipeline replacement project and the RDA funded enhancements including: landscaping, colored driveways/sidewalks, decorative intersection treatments, decorative signage, banners and 17 new bus shelters.
- Aqueduct Bikeway Landscaping Project: This project constructed a 1/2 mile of landscaped trails in aqueduct right-of-way, connecting neighborhoods to schools, parks, and employment/shopping centers.
- Conference and Recreation Center: The RDA financed the construction of a community gymnasium, conference and recreation facility. The center also provides child care facilities and includes a small park.
- Graham Street Improvement Project: This project provided sidewalks, curb, and gutters to a portion of Graham Street in the Project Area.
- Alessandro Boulevard Improvements (Grant St. to Elsworth St.): The project widened this major arterial and provided missing sidewalk, curb, gutter, etc. along the Centerpointe Industrial Area and the Civic Center complex, located in the Project Area.
- Pepper Street Improvements: The project relocated conflicting water meters and service lines, plus constructed ADA access ramps and full street improvements in the Project Area. Project design was completed using RDA

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funds, while the construction was funded via Community Development Block Grant (CDBG).

(e) Affordable Housing Activities

Over the period of 2005-2010, the RDA expended Housing Set-aside dollars to fund affordable housing activities, allocated by income category as described below:

Extremely Low Income	$450,553
Very Low Income	$2,338,961
Low Income	$4,468,513
Moderate Income	$3,856,212

*note: *Only dollars spend on projects that reached completion are included in this calculation. The list of projects described under the Multi-family Rental Program includes all developments that received assistance from 2005-2010, regardless of completion.*

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- Homebuyer Assistance Program (HAP): The HAP program provided downpayment assistance to low- and moderate-income families for home purchases.
- Ownership Housing Development: The RDA provided $562,000 from the Housing Set-aside Fund for land acquisition and construction. Developed housing was targeted for low and very low income households.

  The RDA partnered with the City, which was awarded a Youthbuild grant from HUD of $400,000. RDA entered into an Affordable Housing Agreement with Moreno Valley Youthbuild, Inc. for the construction of two single family homes. Moreno Valley Youthbuild constructed houses while training high school and college aged youths in the construction trades.

- Multi-family Rental Program: The RDA negotiated partnerships with affordable housing developers to provide "gap" financing for the development of new multi-family rental housing. Assisted housing is made affordable to very low, low, and moderate-income families. Specific multi-family rental projects that received assistance from the RDA during the 2005 – 2010 Planning Period are listed on the next page. Some of the projects are already complete, while others are still under development.

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Alessandro & Day	Alessandro & Day	$ 4,848,184	to be determined	224	222	to be determined	222	Y
Bay Family Apts	Bay Avenue	$ 755,000	07/11/2006	61	60	56	60	Y
Cottonwood Place, III	Cottonwood Ave.	$ 1,663,000	12/14/2006	58	57	55	28.5	N
RHDC-Adrienne IV	Adrienne Ave.	$ 1,299,832	03/27/2007	8	8	56	8	Y
Cottonwood Place, IV	Cottonwood Ave.	$ 750,000	05/07/2007	46	45	55	22.5	N
Oakwood Apts	Perris Blvd.	$ 3,000,000	under construction	241	240	55	240	Y
Rancho Dorado North	John F Kennedy Dr	$ 1,500,000	under construction	71	70	56	70	Y
Rancho Dorado South	John F Kennedy Dr	$ 3,500,000	RDA funds committed, pending tax credits	79	78	to be determined	78	Y
RHDC-Sheila I & II	Perris Blvd. / Sheila St.	$ 6,233,407	08/10/2007 / 02/07/2008	16	16	56	16	Y
Perris Isle-Senior Project	Perris Blvd.	$ 413,000	11/05/2009	189	148	56	148	Y

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VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) which provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. California Redevelopment agencies are collectively mandated to shift $1.7 billion into the SERAF in fiscal year 2009-2010. Due to claims that this requirement violates the State Constitution, the California Redevelopment Agency (CRA) and local cities sued the State to maintain these funds within their agencies. Unfortunately, the CRA did not prevail in this law suit and in May 2010 the Moreno Valley RDA paid $5,258,237 for its FY 2009-2010 SERAF obligation. Further, for fiscal year 2010-2011, the RDA's share of SERAF take is another $1,081,579. Fortunately, the RDA had fund balance available to pay the SERAF. Many other California redevelopment agencies were required to borrow from other funding sources to make their SERAF payments. Unfortunately, Moreno Valley's payment of the SERAF significantly diminishes the RDA fund balance and severely restricts the programs and projects that the RDA will be able to implement during the next five year period.

CITY OF MORENO VALLEY REDEVELOPMENT AGENCY
2010 - 2015 REVENUE AND EXPENDITURES

GENERAL TAX INCREMENT FUNDS	FY 2009-10	1 FY 2010-11	2 FY 2011-12	3 FY 2012-13	4 FY 2013-14	5 FY 2014-15	TOTAL
BEGINNING CASH BALANCE	$ 10,645,115	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 10,645,115
REVENUES							
TAX INCREMENT REVENUE	$ 20,633,115	$ 18,345,902	$ 17,959,340	$ 17,959,340	$ 18,318,527	$ 18,868,083	$ 112,084,307
OTHER REVENUE	$ 1,924,100	$ 1,722,525	$ 1,746,950	$ 1,771,965	$ 1,797,584	$ 1,823,822	$ 10,786,946
TOTAL REVENUE	$ 22,557,215	$ 20,068,427	$ 19,706,290	$ 19,731,305	$ 20,116,111	$ 20,691,905	$ 122,871,253
TOTAL FUNDS AVAILABLE	$ 33,202,330	$ 23,816,542	$ 21,341,528	$ 20,831,407	$ 20,725,978	$ 20,948,180	$ 133,516,367
EXPENDITURES/FEES							
PASS THROUGHS	$ 10,705,203	$ 9,497,138	$ 9,299,737	$ 9,311,593	$ 9,517,825	$ 9,827,192	$ 58,158,688
HOUSING SETASIDE (20%)	$ 3,907,642	$ 3,436,899	$ 3,354,787	$ 3,348,994	$ 3,416,594	$ 3,521,971	$ 20,987,437
DEBT SERVICE	$ 6,619,323	$ 6,457,119	$ 6,515,217	$ 6,558,036	$ 6,585,475	$ 6,611,777	$ 39,347,947
COUNTY ADMIN FEES	$ 242,602	200,000	202,000	204,020	206,060	208,121	$ 1,262,803
ADMIN AND PROF SVS	$ 842,224	$ 586,552	$ 634,449	$ 632,832	$ 651,868	$ 672,425	$ 4,009,400
CAPITAL IMPRVMNTS	$ 1,888,584	$ 912,217	$ 245,286	$ 185,015	$ 91,480	$ 38,441	$ 3,341,023
SERAF	$ 5,258,237	$ 1,081,579					$ 6,339,816
TOTAL EXPENDITURES	$ 29,454,215	$ 22,181,304	$ 20,241,426	$ 20,221,540	$ 20,469,702	$ 20,878,927	$ 133,847,114
ENDING CASH BALANCE	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 69,253	$ 69,253

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IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD

Based on the funding projections for the five-year period described on the previous page, after allowing the obligations identified earlier, the RDA proposes to continue the general and housing programs and projects identified in the following discussion. Due to the differing regulations governing the use of RDA funds, the discussion is divided into programs and projects supported by the RDA's General Fund and the Housing Set-aside fund.

(a) Existing RDA Obligations

As described in Section VII "Activities Completed In The Previous Planning Period," the RDA has entered into a number of agreements to which provide long term financial assistance to certain projects. The following projects represent continuing obligations in the next Planning Period.

- *2007 Tax Allocation Bonds Debt Service*
- *County of Riverside Cooperation Agreement Passthrough*
- *Conference and Recreation Center Debt Service*
- *Moreno Valley Auto Mall Owner Participation Agreement*
- *Moreno Valley Mall Owner Participation Agreement*
- *Moreno Valley Unified School District Passthrough*
- *Price Company (Costco) Owner Participation Agreement*
- *Public Safety Financing Lease Revenue Bonds Debt Service*
- *Riverside County Flood Control and Water Conservation District Cooperation Agreement*
- *Sunnymead Blvd Lease Revenue Bonds Debt Service*
- *TownGate Specific Plan Owner Participation Agreement*

(b) Economic Development Activities

Supported by the RDA for a portion of staffing, the Economic Development Department will continue implementing the Business Attraction and Retention activities listed below (as previously described on pages 10-14):

Marketing

- Advertising
- Tradeshows/Event Sponsorships
- Website
- Shop Moreno Valley
- Development Sign Program

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Business Attraction

Economic Development will continue to support the development of new business in the Project Area and throughout the City.

Business Retention

- Business Roundtable
- Business Visitation
- Chambers of Commerce

(c) Capital Projects

Unfortunately, due to the impact of making the Supplemental Educational Revenue Augmentation Fund payment to the State of California in FY 2009/10 and 2010/11, funding capital projects is extremely limited. However, progress will continue on the capital projects funded by the 2007 RDA Tax Allocation Bonds ("TABs" - for which RDA debt service payments will be made).

RDA Capital Projects – if revenues improve so that funds become available

- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for construction of storm drain line improvements along the Old 215 Rd. and Dracaea St., located on the most westerly end of the project area.

Projects Funded by the 2007 RDA Tax Allocation Bonds

- Fire Station 107 (Morrison Park): This new fire station will provide improved emergency response services to the new commercial and residential development in the Project Area. The estimated project cost is $6.3 million.
- Ironwood Street Improvements (Day to Barclay): This project will construct curb, gutter, sidewalk, traffic signals, and storm drain improvements on the south side of Ironwood Avenue from Day St. to Barclay Dr. and include traffic signal and inter-related improvements on Day St. at the Canyon Springs Plaza entrance and on Ironwood at Athens. Total project cost is estimated at $3 million.
- Day Street Improvements (Alessandro to Cottonwood): This project will widen the street and install sidewalk, curb, and gutter in the stretch of Day St. between Cottonwood Ave. and Alessandro Blvd. Total estimated project cost is $3 million.
- Auto Mall Street Upgrades: Since its completion in 1996, the Moreno Valley Auto Mall has seen no major improvements. In line with the RDA goal to prevent the loss of commercial sales activity in the Project Area, the project will complete roadway improvements and a new comprehensive signage program upgrade. The total estimated project cost is $2 million.
- Indian Basin Improvements: This project will upgrade a storm water detention basin on RDA property at the Festival Shopping Center. The basin is needed

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to collect and slow flood waters thereby protecting the surrounding neighborhoods to the southeast. Improvements will include the installation of inlet and outlet storm drain facilities and some street improvements on the south side of Ironwood Avenue between Heacock St. and Nita Dr. The total estimated project cost is $3.1 million.

- Nason Bridge: The project will replace the existing SR-60/Nason St. two-lane bridge with a four-lane bridge, complete the Nason St. improvements, install a sound wall along Elder Ave., and construct associated work. The estimated RDA costs for the project is $18 million.
- Edgemont Water Phase I: If adequate savings are achieved in the construction of the projects listed above, this project will construct Phase I of the water system improvements in the Box Springs Mutual Water Company territory, including upgrading the water services, fire hydrants, and the inter-connection with Western Municipal Water District, plus approximately 11,300 linear feet of 12 inch and 16 inch main in the following segments:
  Cottonwood Ave.: from 400 feet westerly of Old 215 Frontage Rd. to Day St.;
  Old 215 Frontage Rd.: from Alessandro Blvd. to Dracaea Ave.;
  Dracaea Ave.: from Old 215 Frontage Rd. to Day St.;
  Easement from Dracaea Ave. to the existing reservoir; and
  Alessandro Blvd: from Old 215 Frontage Rd. to Day St.
  The total estimated project cost is $2.4 million.

(d) Affordable Housing

Housing Set-Aside Fund

State Redevelopment Law requires redevelopment agencies to dedicate 20% of tax increment revenues received annually to the development or retention of housing affordable to income-qualified residents. This allocation of funds is known as the Housing Set-aside program. No findings have been made to reduce or defer Moreno Valley's Housing Set-aside amount.

When providing affordable housing units, State law defines different levels of affordability based on a household's percentage of income in relation to the area median income for the region. For Moreno Valley, the region for which area median income is calculated includes Riverside and San Bernardino Counties. Below are definitions of the various affordability levels:

Extremely Low Income	30% and below of Area Median Income
Very Low Income	31%-50% of Area Median Income
Low Income	51%-80% of Area Median Income
Moderate Income	81%-120% of Area Median Income

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The unaudited, estimated funding amount that will be available in the Housing Set-aside fund at the beginning of this plan on July 1, 2010 is $5,838,907. Over the five-year term of the Plan, an additional $17,441,125 in Housing Set-aside funds are projected to be allocated by the RDA General Fund. The RDA estimates the annual deposits to the fund as summarized below:

Fiscal Year	Amount
FY 10/11	$3,495,778
FY 11/12	$3,412,639
FY 12/13	$3,425,121
FY 13/14	$3,498,023
FY 14/15	$3,609,564
	$17,441,125

Source: FY 2009-2010 Redevelopment Agency Budget

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- **Housing Set-aside Funds Distribution**

By Income Restrictions

Health and Safety Code Section 33334.4 requires the RDA to spend the monies in the Housing Set-aside fund to provide housing for persons of low and very low income in at least the same proportion as the total number of housing units needed for those income groups as indicated in the Regional Housing Needs Assessment for Moreno Valley.

According to the final Regional Housing Needs Assessment ("RHNA") allocation plan, the housing for very low and low income households represents 40.8% of the City's total housing need for the 2008-2014 RHNA planning period. The table on the following page shows the projected fair share allocation of RHNA units for the different income groups.

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Very Low Income	1,809	24%	41%	$7,150,861
Low Income	1,241	17%	28%	$4,883,515
Moderate Income	1,360	18%	31%	$5,406,749
Above Moderate Income	3,064	41%		

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As a result of the RHNA housing unit need distribution, the RDA is required to spend 41% of its Housing Set-aside funds on very low income households, plus 28% and 31% on low and moderate income households, respectively. The required RDA Housing Set-aside expenditures will occur through the promotion of existing programs, creation of new projects and investments in larger projects where several funding sources are required. The intent will be to assist very low, low, and moderate income families to attain affordable housing within the Project Area in accordance with the prescribed percent allocations, as described in the estimated Expenditure Projections below.

Projected Annual RDA Expenditures
By Income Category
Implementation Plan Period: 2010-2015

Income	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total
Very Low	$1,432,579	$1,398,506	$1,403,623	$1,433,499	$1,479,209	$7,147,418
Low	$982,836	$959,442	$962,951	$983,447	$1,014,806	$4,903,461
Moderate	$1,080,383	$1,054,689	$1,058,547	$1,081,077	$1,115,549	$5,390,246
Total	**$3,495,778**	**$3,412,639**	**$3,425,121**	**$3,498,023**	**$3,609,564**	**$17,441,125**

By Age Restrictions

The RDA will comply with the requirements under Health and Safety Code Section 33334.4(b) to further ensure equitable distribution of Housing Set-

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aside monies among the community. The code section requires each RDA to expend over the duration of each Redevelopment Plan, the monies in the Housing Set-aside fund to assist housing that is available to all persons *regardless of age* in at least the same proportion as the population under age 65 years bears to the total population of the community (as reported in the most recent U.S. Census).

According to Census 2000, 94.51% of the City's population is under the age of 65. To exercise proper proportionality, the RDA must ensure that 94.51% of the Housing Set-aside fund is dedicated to providing affordable housing that is not age restricted.

- **RDA Affordability Requirements**

In compliance with AB 701, all redevelopment agencies are required to describe how requirements related to housing affordability covenants and allowable uses for set-aside funds will be fulfilled.

Effective in 2002, to fulfill requirements under 33413(a) and 33413(b), State law extended the required covenant period to 55 years for rental projects and 45 years for ownership projects. In the past, the RDA entered into agreements with developers and non-profits that included units containing to affordability periods that range from 20-55 years, based on the existing statutes at the time of agreement and the amount of RDA assistance. The RDA now mandates 55-year covenants and has established a disclosure policy. The new affordability covenants are explained thoroughly as a state mandated requirement associated with affordable housing projects. The covenant period is explained verbally during negotiation meetings, re-explained as part of all acceptance documents, and spelled out clearly within the affordable housing agreement, once one is negotiated.

- **Planned Affordable Housing Programs and Projects**

The RDA's Housing Set-aside Fund is the primary local financial resource available for the community's affordable housing stock.

The projected costs for housing activities have been derived from the extensive data and analysis provided in the Strategy. The specific schedule for the implementation of the various housing programs and projects is included in the Annual Housing Program at the end of this report.

The following list includes programs and projects to be funded from the RDA's Housing Set-aside funds (some of which have been detailed earlier in this document). The programs and projects are intended to assist in the implementation of the RDA's Affordable Housing Strategy.

Home Improvement Loan Program (HILP): This program offers income-qualified owner-occupied Moreno Valley homeowners a $40,000 maximum loan with a 3% annual interest rate. The program is intended to upgrade

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existing deteriorated and dilapidated housing in the Project Area and surrounding community. Payments plus interest are deferred for twenty years or until the owner sells or ceases to occupy the property. In addition, the loans are deferred to ensure that the cost of property upgrades does not result in the displacement of existing owner-occupants. The loan is designed for homeowners who have equity in the property to provide collateral for the loan and have multiple repairs and improvements to make such as upgrading existing electrical and plumbing, paint, roof replacement and other interior and exterior repairs.

The loans are repaid, with interest, upon the sale or refinancing of the homes. Additional funding has been available from federal HOME grant monies.

Homeowner Assistance for Minor Repairs (HAMR): This program provides a $7,500 maximum loan with a 3% to 5% annual interest rate for income-qualified owner-occupied Moreno Valley homeowners. Loan payments are amortized over ten years. This program is designed for homeowners who need minor repairs and for those that have less equity in the property.

Homebuyer Assistance Program (HAP): The HAP provides financial assistance to low and moderate-income families to use in purchasing their first home. The objective of the HAP is to promote neighborhood stabilization and revitalization within the City limits. Assistance is in the form of a 30-year, zero-interest, deferred payment loan and may be used for down payments associated with a home purchase. The amount of assistance depends on the buyers income and the purchase price of the home. Homebuyers are eligible to receive up to 20% of the purchase price in assistance, depending on the amount needed to complete the purchase.

Mobilehome Grant Program (MHGP): This program provides grants of up to $10,000 for the rehabilitation of mobile homes owned and occupied by very low income households. Rehabilitation of health and safety code issues is prioritized. Limited general property improvements are also permitted. Additional funding for the program has been provided from federal HOME grant monies.

The program upgrade existing deteriorated and dilapidated manufactured housing in the Project Area and surrounding community. Rather than loans, grants are used due to the very low incomes of the households served and the difficulty in placing liens on mobilehomes.

Multi-family Rental Program: Through this program, the RDA partners with affordable housing developers to provide “gap” financing for the creation of new multi-family rental housing. Five specific multi-family rental projects (listed on page 32) are already anticipated for development and are scheduled for completion during the 2010 – 2015 Planning Period.

Ownership Housing Development: The project would continue the development of single family housing on one or more properties owned by the

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RDA. Housing developed would be targeted for low and very low income households. The project is intended to increase the supply of affordable owner occupied housing available to under served segments of the community. Additional funding has been available from federal HOME grant monies.

Exterior Beautification Program – Marilyn Street Project: This project will address the exterior deferred maintenance of an entire neighborhood located in the Project Area, revitalizing the full neighborhood at once, eliminating blight and maximizing the visual impact gained by completing exterior improvements on several homes simultaneously. In 2007, Marilyn St. was selected as a suitable neighborhood. The project would repair such items as exterior paint, fencing, landscaping, irrigation systems, tree trimming and\or removal, etc.

- **Housing Replacement**

The RDA does not anticipate the removal or relocation of any low or moderate income housing units during the five-year Plan period in conjunction with redevelopment projects financially assisted or undertaken by the RDA. Should removal occur, within four years of the removal, the RDA will directly or through contractual means rehabilitate, develop, or construct an equal number of replacement housing units with the same or greater number of bedrooms as the removed units which shall be made available at an affordable housing cost, as defined in State law.

"Affordable housing cost" calculations are based on benchmark housing sizes. If the replacement housing is being leveraged strictly with RDA funding, the term adjusted for household size appropriate to the unit, is defined as one plus the number of bedrooms in the unit. Every effort will be made to ensure that the replacement housing units will be available at a cost affordable to the same income level as very low, low or moderate income households displaced from the removed units (Section 33413).

- **Inclusionary Housing Requirement**

State law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of all the housing developed and rehabilitated in the redevelopment area is available at an affordable housing cost to low and moderate income households. This requirement, also known as the redevelopment inclusionary requirement, applies to the total number of housing units developed and rehabilitated during the five-year Plan Period and not to each individual rehabilitation, development, or construction project. The inclusionary units must be available at an affordable housing cost for at least the remaining term of the redevelopment plan. The specific redevelopment inclusionary requirements are as follows:

(1) Units developed by the RDA: At least 30 percent of all new or rehabilitated dwelling units developed by the RDA must be available at affordable housing cost to persons of low and moderate income. Also,

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not less than 50 percent of those units are to be available at affordable cost to persons of very low income.

(2) Units developed within the Project Area: For all new or rehabilitated dwelling units developed by public or private entities or persons other than the RDA within a 10-year period, at least 15 percent of those units are to be available at costs affordable to persons of very low, low or moderate income. Not less than 40 percent of those units are to be available to very low income households.

The inclusionary requirements must be met within each ten-year period of the Redevelopment Plan.

Current Production

Since the Project Area and Redevelopment Plan were first adopted in 1987, an estimated 3,797 residential units have been constructed or substantially rehabilitated in the Project Area. Based on the number of constructed and substantially rehabilitated units, the RDA's inclusionary housing obligation from plan adoption through the 2005-2010 Implementation Plan period is 570 units (3,797 x 15%) affordable to households earning very low, low, or moderate incomes. Of this amount, 228 units (570 x 40%) must be affordable for households earning at the very low income level.

The RDA has exceeded State requirements for inclusionary housing through the 2005-2010 Plan period. A total of 660 units with covenants that provide long-term affordability can be counted towards the RDA's production requirements. The table below summarizes the RDA's accomplishments in providing affordable housing.

	Units In the Project Area	Units Outside the Project Area*	Total Production for Inclusionary Housing Requirement*
Extremely Low	6	9	15
Very Low	332	95	427
Low	162	16.5	178.5
Moderate	12	27.5	39.5

* Units outside the project area are counted as one half towards the inclusionary housing requirement

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Projected Production

The RDA anticipates the creation of an additional 751 privately-funded units over the next five years, which would generate inclusionary requirements for 46 very low income units and an additional 68 very-low, low, or moderate

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income RDA-funded units. Combined, the privately-funded housing development will generate the inclusionary housing requirement of 114 affordable units.

Over the next five years in the Project Area, the housing projects and programs identified in this plan are estimated to exceed this requirement by providing 610 new, substantially rehabilitated, or price restricted housing units (see below). Note that negotiations are underway regarding the mix of affordability levels for one project of 222 units located in the Project Area. Of the additional 388 units with established affordability levels, 60 will be available to households earning extremely low incomes, 137 will be occupied by very low income families, and 191 by low income families during the five-year term of the plan. These units will be located in the project area.

Affordability Level of Units	Units In the Project Area	Units Outside the Project Area*	Total Estimated Production for Inclusionary Housing Requirement*
Extremely Low	60	0	60
Very Low	137	0	137
Low	191	0	191
Moderate	0	0	0
Additional Units w/Affordability Level to be determined	**222**	**0**	**222**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

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Over the next ten years (2010-2020), it is anticipated that approximately 1,919 housing units will be constructed or substantially rehabilitated in the Project Area. This will create an inclusionary housing production requirement of 288 units (i.e. 1,919 x 15%). The RDA will ensure that a minimum of 40% (i.e. 116) of these units are affordable to very low income households.

Over the life of the Redevelopment Plan, which concludes on December 31, 2028, it is anticipated that approximately 7,585 housing units will be constructed or substantially rehabilitated in the Project Area (see the table on the next page). As a result, the RDA's total inclusionary affordable housing production requirement would be 1,138 units (7585 x 15% = 1,138). The RDA will ensure that a minimum of 40% of these units (456) are affordable to very low income households. The RDA does not anticipate the purchase or direct ownership of any housing units during the life of the Redevelopment Plan.

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YRS 1987-2005	1,349
YRS 2005-2010	2,448
YRS 2010-2015	751
YRS 2015-2020	1,168
YRS 2020-2028	1,869

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- **Annual Housing Plan**

The specific schedule for the implementation of the various housing programs and projects are outlined (by fiscal year) below:

PROGRAMS & PROJECTS	FY 10-11 (Year One)	FY 11-12 (Year Two)	FY 12-13 (Year Three)	FY 13-14 (Year Four)	FY 14-15 (Year Five)	*TOTALS*
Home Improvement Loan Program (HILP)	*4*	*4*	*4*	*4*	*4*	***20***
Homeowner Assistance for Minor Repairs (HAMR)	*1*	*1*	*1*	*1*	*1*	***5***
Homebuyer Assistance Program (HAP)	*3*	*3*	*3*	*3*	*3*	***15***
Mobilehome Rehabilitation Grant Program (MHGP)	*10*	*10*	*10*	*10*	*10*	***50***
Multi-family Housing Development						
Alessandro & Day			*56*	*56*	*55*	***167***
Oakwood Apts	*240*					***240***
Rancho Dorado North	*70*					***70***
Rancho Dorado South		*78*				***78***

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X. IMPLEMENTATION PLAN ADMINISTRATION

This Implementation Plan covers the RDA activities in the Project Area from July 1, 2010 through June 30, 2015.

The RDA will be responsible for conducting the projects and programs described in this Implementation Plan. Administration of the Implementation Plan will be performed by the Neighborhood Preservation Division of the City's Economic Development Department.

(a) Implementation Plan Review

The RDA will conduct a public hearing and accept public comments from all interested parties regarding the adopted Redevelopment Plan and the five-year Implementation Plan. The public hearing will be conducted no sooner than two years and no later than three years from the adoption of this Implementation Plan. Notice of the public hearing to review the Redevelopment and Implementation Plans will be published pursuant to Section 6063 of the Government Code and posted in at least four permanent places within the Project Area for a period of at least three weeks. Publication and posting of the notice will be completed not less than 10 days prior to the date set for the hearing.

(b) Implementation Plan Amendment

This Implementation Plan may be amended from time to time after holding a public hearing on the proposed amendment.

(c) Financial Commitments are Subject to the Availability of Funds

The RDA and the City use a variety of funding sources for implementing each Redevelopment Plan. Although the sources of revenue to be utilized by the RDA are generally reliable from year to year, such funds are subject to legislative, program, or policy changes that could reduce the amount or availability of the funding sources upon which the RDA relies.

(d) Monitoring of Affordable Housing

The RDA is required to monitor any housing made affordable to individuals and families of low or moderate-income. As part of this monitoring, the RDA will requires owners or managers of affordable housing units to submit an annual report to the RDA. The annual reports will include the rental rate, the income, and the family size for each unit's tenants/owners.

Section 33418(b) of the Redevelopment Law requires information obtained by the RDA from owners and managers of affordable housing must be included in any reports required by law to be submitted to the California Housing and Community Development Department ("HCD") or the State Controller. In addition, Section 33418(c) required the RDA to adequately fund its monitoring activities as needed to ensure compliance with applicable laws and agreements related to affordable units.

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(e) Redevelopment Plan / Conflicts

If there is a conflict between this Implementation Plan and any other City or RDA plan or policy, the Redevelopment Plan shall control.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project for the purposes of drafting the Disposition and Development Agreement (DDA).

DISCUSSION

PDDC and City staff have been engaged in ongoing negotiations in the efforts to draft a DDA for the proposed project. While the negotiations have been continual, it will be necessary to extend the current term of the Negotiation Agreement which expires August 11, 2010 and the new effective of the Negotiation Agreement date shall be August 12, 2010. The current economy, reduced tax credit availability, and an increased difficulty in securing tax credit financing for affordable housing projects, has prompted PDDC to re-evaluate the project. As a result of competitive tax credit environment, the project phasing shall be modified from a 225-unit, two phase project to a 225-unit, four phase project. Since changes are being proposed to the project, an extension is required to provide the additional time needed to finalize the drafting of the DDA.

Given PDDC's experience and expertise with securing tax credits, along with the current tax credit environment, PDDC suggests that a smaller number of units per phase will enhance the project's scoring and ability to secure a tax credit allocation in the extremely competitive tax credit market that currently exists.

The project changes as proposed by PDDC will require additional time for a new phasing plan and financial review. To properly assess the fiscal feasibility of the project, an analysis of the revised project pro forma reflecting the four phases will have to be obtained from an independent economist. The analysis will be used by staff to evaluate the overall viability of the development as a four phase project.

Upon completion of the pro forma analysis and further evaluation, the drafting of the DDA will be finalized. Staff recommends the extension of the Negotiation Agreement an additional sixty days through October 11 to provide the time for the additional work.

ALTERNATIVES

1. Approve the Third Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would not provide the time needed to finalize the DDA and would hinder the planning for the future affordable housing project.

FISCAL IMPACT

This action does not impose any fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Third Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Third Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of August 12, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement"), an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement") and a "Second Amended and Restated Negotiation Agreement, of the November Agreement, dated April 13, 2010, (herein, the "April Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

ATTACHMENT A

1. Agreement to Negotiate.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

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(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

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Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Economic Development Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

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9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

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predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement, November Agreement and April Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

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NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CEO

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EXHIBIT "A"

MAP

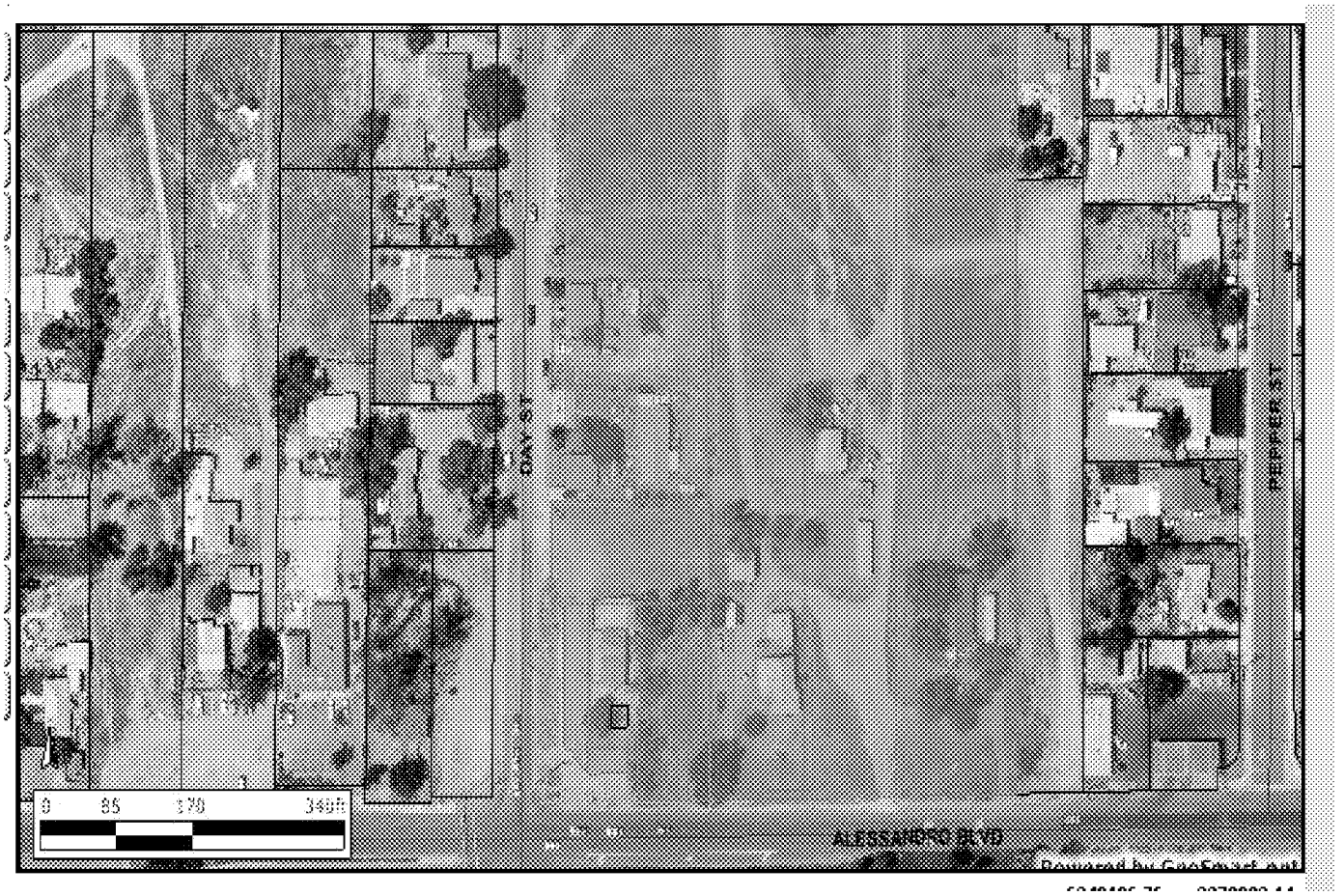

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council; and
Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Amendments to Chapter 11.40 of the City of Moreno Valley Municipal Code, Ordinance No. 741 and Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

RECOMMENDED ACTION

Staff recommends:

1. That the City Council introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley amending, Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, and

2. That the Board of Directors for the Moreno Valley Community Services District introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Parks and Recreation Commission took action to recommend amendment of Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, at their special meeting of June 3, 2010 (5 Ayes, 2 Noes, 0 Absent).

BACKGROUND

Chapter 11.40 of the Moreno Valley Municipal Code establishing rules for the use of parks and recreation facilities, was enacted by ordinance on March 15, 1988, and amended in July 1990, January 2004 and April, 2007. Similar ordinances were adopted simultaneously by the Moreno Valley Community Services District. Staff is proposing that these codes be further amended to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

At a special meeting on May 13, 2010, the Parks and Recreation Commissioners were presented the proposed amendment to the ordinance and were asked to consider a motion on the amendment. Upon review and discussion, a motion was made and recommended by the Commission to continue the item so additional revisions to the wording based upon the City Attorney's review and approval could be made. The revisions were completed and approved by the City Attorney and the item was placed on the agenda for a Parks and Recreation Commission special meeting on June 3, 2010.

At the special meeting on June 3, 2010, the Parks and Recreation Commissioners concurred with the proposed amendment, asking staff to accept their recommendation to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center. Staff has prepared the attached amendments to Ordinance Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

DISCUSSION

Although the Moreno Valley Equestrian Center (MVEC) is used daily by local equestrians and dog park patrons on a walk-in basis, reserved use including the receipt of reservation fees, needs to increase. In essence, the City simply cannot continue to subsidize facilities that, at a minimum, should be raising enough funds to maintain the facility. As such, staff has been encouraged to reach out to any organization that may wish to utilize the MVEC. One such organization is the Roy Rogers Rangers (RRR).

RRR was formed in 2001 to promote the sport of mounted shooting. Mounted shooting is one of the nation's fastest-growing equestrian sports. The sport combines the elements of exhibition shooting, barrel racing, pole bending, and reining; all done while using two .45 caliber single-action revolvers, loaded with 5 rounds each of specially prepared black powder blanks to shoot 10 balloon targets set in a random pattern called a "stage." Mounted shooters are timed through the stage determining raw time plus any penalties incurred. The contestant with the fastest overall time wins.

The following bullet points summarize the desired use of the MVEC by the RRR. The bullet points are from the attached information sheet of desired activities from the RRR:

- 20 events per year (schedule as follows)
- Set up: 8:00 a.m.
- Begin shooting: 9:00 a.m.
- End shooting: 5:00 p.m.
- Tear down: 5:00 p.m. to 7:00 p.m.
- 5 beginner practices held on Saturdays. 10-12 participants. 350 blanks per practice.
- 12 monthly practices held on Sundays. 25-40 participants. 1600 blanks per practice.
- 3 competition events held Fridays, Saturdays and Sundays. 25-60 participants each day. Fridays: 400 blanks per event. Saturdays: 2,400 blanks per event. Sundays: 2,400 blanks per event.

The proposed amendment incorporates regulations that are applicable to the City of Moreno Valley, specifically Section 11.40.050(D) of the City Municipal Code that allows the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. In addition, the type of use that will be allowed by the proposed amendment falls under City's Municipal Code in Chapter 11.80 Noise Regulation, Section E. Exemptions, Item No. 7: *"Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space or other publicly owned property."* The RRR event is an organized sporting event and therefore the event is exempt from the City's noise ordinance. Other non sporting event shooting would still be subject to the City's noise ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinances for adoption. The ordinances would take effect thirty one days after adoption.

2. Direct staff to make changes to ordinances and return to City Council on a later date with revised ordinances.

3. Take no action.

FISCAL IMPACT

The impact to expenditures will be minimal. The cost to change the park rules signage at the MVEC along with installation is anticipated to be under $300. The impact to revenue will be an increase of revenue for each reserved use. Per the adopted fee schedule, the fees for these types of events would be $125 per day with a $25 water

key deposit and a refundable $300 security deposit. Total annual revenue will vary depending on paid reservations received.

CITY COUNCIL GOALS

1. Revenue Diversification and Preservation
2. Positive Environment

SUMMARY

Reserved use including the receipt of reservation fees needs to increase at the Moreno Valley Equestrian Center. By encouraging reserved usage, staff believes City subsidy of this facility may be eliminated, the area will be utilized by many more people, and non-resident users will bring additional revenue to the City in other ways. The proposed amendment relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center should allow the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. The impact to revenue will be an increase of revenue for each reserved use. Total annual revenue will vary depending on paid reservations received.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

Attachment 1: Proposed City Council Ordinance
Attachment 2: Proposed CSD Ordinance
Attachment 3: Information Regarding the Roy Rogers Rangers Program

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY OF MORENO VALLEY AMENDING, SECTION 11.40.040 OF CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley ordains as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code is amended in its entirety to read as follows:

"**11.40.040 Regulations.** Unless specifically provided otherwise in this Chapter, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the City Council.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the City Council.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris

promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzine, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting

within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE NO. CSD 54

AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 5e OF ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley, acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, does ordain as follows:

1.1 AMENDMENT: Section 5. Regulations of CSD Ordinance No. CSD 52 is amended in its entirety to read as follows:

"SECTION 5. REGULATIONS:

Unless specifically provided otherwise in this Ordinance, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the Board of Directors.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

Attachment 2

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the Board of Directors.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted “leash optional” area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to

maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzene, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code

without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

2.1 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Board of Directors which addresses the same subject addressed herein.

3.1 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the Secretary of the District shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

4.1 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this ____ day of _____, 2010.

_____
Mayor of the City of Moreno Valley, acting in the capacity as the President of the Moreno Valley Community Services District

ATTEST:

_____
City Clerk of the City of Moreno Valley acting in the capacity as Secretary of the Moreno Valley Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity as General Counsel of the Moreno Valley Community Services District

ROY ROGER RANGERS - PRACTICES, EVENTS, CLINICS
PROPOSED HOURS OF OPERATION FOR ALL EVENTS:

SET UP – 8AM
BEGIN SHOOTING – 9AM
END SHOOTING – 5PM
TEAR DOWN 5-7PM

NUMBER OF EVENTS:

5 BEGINNERS TRAINING CLINICS ANNUALLY (SATURDAY) –
10-12 IN ATTENDANCE – CLINIC IS USUALLY HELD ON SATURDAY –
FOLLOWED BY A MONTHLY PRACTICE THE NEXT DAY
Usually 350 rounds fired; total of 15 minutes of shooting accomplished randomly over the hours of operation

12 MONTHLY PRACTICES (SUNDAY) – 25-40 IN ATTENDANCE; 4 turns each

Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 40 riders = 3200 seconds or 54 minutes of shooting over the hours of operation.
A rider goes every 2 minutes and we take breaks.

If we have 40 riders shooting 40 rounds each = 1600 rounds
Total of 54 minutes total shooting done in 20 second increments during the eight hours of operation.

3 COMPETITION EVENTS (Friday, Saturday, Sunday) – 25-60 IN ATTENDANCE

Friday – warm up day – 20 riders shoot 10 rounds each 20 second turn X 2 turns = 40 seconds X 20 riders = 800 seconds or 14 minutes shooting over hours of operation.

20 riders shooting 20 rounds each = 400 rounds shot in 20 second increments during the hours of operation; total of 14 minutes of shooting

Saturday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Sunday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Attachment 3

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC.

RECOMMENDED ACTION

Staff recommends approval of a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

BACKGROUND

The economy has been in a down cycle for the last few years and it has created challenges for shopping center owners with vacancies of anchor retail and key restaurant locations. The TownGate area is an important retail and restaurant business area for the City of Moreno Valley. City staff is committed to addressing vacancies and creating new employment opportunities in the TownGate shopping areas with available stimulus funding from the Federal government. The City's adopted CDBG-Recovery (CDBG-R) program has earmarked $107,841 in available funding for the start-up of a new restaurant operation in the TownGate area.

Buffalo Wild Wings Grill & Bar (BWW's) is a restaurant company, based in Minneapolis Minnesota that has proven successful with its popular restaurant concept that combines a full menu experience— including its famous buffalo chicken wings with 14 signature sauces, along with providing a relaxed entertainment environment through its popular sports bar theme. During the past 29 years, BWW"s has developed over 650 restaurant locations in 43 states. In California, BWW's is expanding through owner-operator Franchise Agreements. Presently, there are nearby Buffalo Wild Wings locations in Rancho Cucamonga, Murrieta, Eastvale-Mira Loma and a soon to open restaurant in Corona. Moreno Valley staff has pursued a BWW's location for the past few years and believe it will be a great addition to the local restaurant scene.

DISCUSSION

The Buffalo Wild Wings Franchisee for the Moreno Valley/Redlands/San Bernardino area is Pacific Wings Inc., which is a partnership of two individuals with restaurant experience in the Chicago area and now residing part-time in Southern California. Pacific Wings Inc. will develop a number of BWW's locations in the next few years, but have selected Moreno Valley as their first BWW's restaurant in Southern California.

Pacific Wings Inc. has chosen a location in Moreno Valley-- next to Sports Authority store in the TownGate Crossing center as their initial BWW's restaurant. BWW's Corporation has approved the location, along with conceptual plans for the Moreno Valley restaurant in TownGate Crossing. A Letter of Intent (LOI) has been executed between Pacific Wings Inc. and the Fritz Duda Co.—the owner of TownGate Crossing. With the LOI executed, the parties have negotiated and drafted a lease document with execution expected by mid July. An application and supporting documents have been submitted to the City's Planning staff for the processing of an Amended Plot Plan of the new BWW's restaurant operation. The new 5,126 S.F, BWW's restaurant will also include two patio spaces totaling 1,250 S.F., along with constructing new refrigeration cooler/storage space at the rear of the restaurant. The new BWW's restaurant will offer total seating for 280 in the restaurant, bar and patio areas. Everyone hopes for a late 2010 opening of the new BWW's restaurant in Moreno Valley.

A Participation Agreement has been drafted to spell out the contracturual requirements for the CDBG-R funding assistance. The major terms and conditions of the Participation Agreement include the following:

- Pacific Wings Inc. shall execute a binding lease and open a new Buffalo Wild Wings Grill & Bar in TownGate Crossing.
- Pacific Wings Inc. shall establish Moreno Valley as the point of sale per California Board of Equalization requirements for the operation of the new Buffalo Wild Wing's restaurant.
- Pacific Wings Inc. shall agree to create employment opportunities for low and moderate income persons consistent with CDBG requirements, including creating 4 new full-time (or part-time equivalent) jobs at the new restaurant operation.
- Pacific Wings Inc. shall agree to a one-year covenant period of operating the new restaurant in Moreno Valley.
- Upon satisfaction of the conditions stated above, the City shall provide Pacific Wings Inc. with a payment of $107,841 from the CDBG-R program.

ALTERNATIVES

1. Approve the Participation Agreement with Pacific Wings Inc, thereby supporting the City's assistance in the development of the new Buffalo Wild Wings restaurant.

2. Reject or pursue modification of the terms of the Participation Agreement. Supporting this alternative would hinder the timing or ability to open the new restaurant in TownGate.

FISCAL IMPACT

Funding for the Participation Agreement in the amount of $107,841 shall be from the City's CDBG-R program.

Fund	Business Unit Name	Amount
199	19910.6849.003 CDBG-R Economic Incentive for Restaurant Development	$107,841

Funding for the Participation Agreement will have NO impact on the City's General Fund. Sales tax for the City from the new Buffalo Wild Wings restaurant is estimated at $30,000 to $40,000 annually and the new restaurant operation is expected to employ 100 to 110 people.

SUMMARY

The City's CDBG-R program contains a funding allocation of $107,841 for the creation of new restaurants in the TownGate area. The new Buffalo Wild Wings (BWW's) restaurant, to be situated in TownGate Crossing qualifies for funding through the CDBG-R program. The new BWW's restaurant will not only create a new and popular restaurant concept for the area, but also help stimulate the local economy by filling a building vacancy, producing new sales tax revenue for the City, and most importantly creating new employment opportunities.

ATTACHMENTS/EXHIBITS

ATTACHMENT 1: Participation Agreement

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

PARTICIPATION AGREEMENT

By and Between the

CITY OF MORENO VALLEY

and

PACIFIC WINGS, INC.
a California corporation

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Attachment No. 2 Annual Compliance Report
Attachment No. 3 Roles to Ensure Low to Moderate Income Benefit
Attachment No. 4 Summary of HUD Requirements for CDBG Economic Development Activities
Attachment No. 5 Operator Certificate
Attachment No. 6 Schedule of Performance

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of July 13, 2010, by and between the **CITY OF MORENO VALLEY**, a municipal corporation (the "City"), and **PACIFIC WINGS, INC.,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. In furtherance of the objectives of the Housing and Community Development Act of 1974, as amended (the "Act") as well as regulations promulgated thereunder, the Operator and the City desire that the Operator open a sports bar and restaurant facility within the TownGate Area (the "TownGate Area") operating under the trade name Buffalo Wild Wings Grill and Bar and that, as part of Operator's activities, a minimum number of full time (or composite full time) jobs, starting at not less than four (4) employees, be created within the City to be held by or made available to low- or moderate-income persons.

B. Operator through the operation of the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar within the TownGate Area will help stimulate the local economy and address the goals and obligations of the City's CDBG-Recovery Program as approved by the Department of Housing and Urban Development ("HUD").

C. Operator has determined a suitable location within the TownGate Area for a sports bar and restaurant facility to be operated under the trade name Buffalo Wild Wings Grill and Bar.

D. Operator has been provided with, has reviewed and agreed that its receipt of payments from the City under this Agreement is subject to the "Annual Compliance Report" (Attachment No. 2 to this Agreement), the "CDBG Regulations", as defined below and as amplified by the "Roles to Ensure Low and Moderate Income Benefit" (Attachment No. 3 to this Agreement) and "Summary of HUD Requirements for CDBG Economic Development Activities" (Attachment No. 4 to this Agreement), and the remainder of this Agreement.

E. The City is authorized to undertake activities and expend moneys pursuant to and in implementation of the CDBG Regulations.

F. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws.

NOW, THEREFORE, the City and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Site, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of

Operator or City, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the City and the Operator.

"Annual Compliance Report" means a report to be provided once a year by the Operator (as of March 1, commencing March 1, 2011, for the preceding calendar year or portion thereof) in the form of Attachment No. 2.

"*Annual Period*" means that three hundred sixty five (365) day period commencing as of the Opening and ending the day prior to the anniversary of the Opening, and each succeeding three hundred sixty five (365) day period (or for a leap year, a three hundred sixty six (366) day period).

"Authorizing Business Entity" means The Fritz Duda Company, a California corporation.

"*Best Knowledge*" is defined in Section 208.1 hereof.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"*City Manager*" means the City Manager of the City or his designee.

"City Payment" means the payment of the Payment Amount by the City in accordance with the terms of this Agreement.

"CDBG Regulations" means those regulations (concerning Community Development Block Grants) set forth at 24 CFR 570, including without limitation those regulations referenced therein.

"*Conditions Precedent to Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar.

"Conforming Facility" means a building consisting of not less than five thousand one hundred (5,100) square feet gross leasable area and adjacent parking spaces (or rights to use such spaces) as required by the City in connection with its customary planning process which includes improvements sufficient for the conduct of Conforming Activities, which improvements are to be located at the Designated Site in conformity with the Site Plan of the Buffalo Wild Wings Facility.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" means July 13, 2010.

"*Deadline*" means the ninetieth (90th) day following the Date of Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Site*" means a parcel of land within the TownGate Area to be designated by Operator as provided in Section 401 of this Agreement.

"Designated Trade Name" means "Buffalo Wild Wings Grill and Bar" or another trade name that is approved by the City in its discretion.

"*Fee Condition*" is defined in Section 401.2.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Designated Site is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Designated Site.

"Improvements" means all improvements present on the Designated Site as of the Date of Agreement or thereafter undertaken on the Designated Site.

"Municipal Code" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"Opening" means the opening for business of a sports bar and restaurant facility consisting of not less than five thousand one hundred (5,100) square feet gross leasable area operating under the Designated Trade Name.

"*Operating Covenant Period*" means a twelve (12) month period commencing with the later of (i) the Opening or (ii) the time set forth in the Schedule of Performance for the scheduled Opening.

"*Operator*" means Pacific Wings, Inc., a California corporation.

"Operator Certificate" means Attachment No. 5 to this Agreement.

"*Payment Amount*" or "*Maximum Payment Amount*" means the sum of One Hundred Seven Thousand Eight Hundred Forty One Dollars ($107,841.00).

"*Performance Conditions*" means all of the following: the Fee Condition; the Indemnification Condition; the Certificate Condition; the Continuous Operation Condition; and the Annual Report Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"Qualifying Employee(s)" is defined as follows: the number of persons constituting Qualifying Employees during any Annual Period shall equal the sum of (i) the number of "Full Time Employees" for such Annual Period plus (ii) the number of "Composite Full Time Employees" for such Annual Period, calculated in accordance with the following:

(a) In order to qualify as a Full Time Employee of Operator for the applicable Annual Period, a person must be a salaried or hourly employee who is employed at the Designated Site not less than forty (40) hours per week for not less than fifty (50) weeks, with such fifty two (52) week calculation to be inclusive of vacations, holidays, disability leaves required pursuant to state law, sick leave and similar benefits generally afforded employees generally deemed to be full time employees by prevailing community standards during the corresponding Annual Period. An employee who is terminated during any Annual Period, and the employee who replaces such terminated employee in such position, shall be aggregated for purposes of the foregoing calculation. The Operator shall provide substantiation to the City Manager (or his designee) as to replacement of terminated employees, and the City Manager (or his designee) shall in good faith review whether the employees involved are countable for purpose of the foregoing calculation.

(b) For purposes of this Agreement, one Composite Full Time Employee shall be deemed to exist for each two thousand (2,000) hours worked per Annual Period, not inclusive of vacations, holidays, disability leaves, sick leaves, or similar benefits, performed by part time employees (other than qualifying Full Time Employees), contract employees, independent contractors, or temporary personnel (collectively, "Part Time Employees") at the Designated Site.

Hours worked in one Annual Period shall be countable only with respect to that Annual Period and cannot be carried forward or carried back to be applied as to a different Annual Period.

"*Required Period*" means that period commencing as of the Date of Agreement and continuing until the first (1st) anniversary of the Opening.

"*Schedule of Performance*" means that Schedule setting forth the times by which each action must be completed pursuant to this Agreement, as set forth in Attachment No. 6, attached hereto and incorporated herein.

"Site Plan of the Buffalo Wild Wings Facility" means Attachment No. 1.

"*Special Fund*" means a fund or account that City will maintain and which will be funded only with moneys granted by the United States Government under the Act (and, particularly, under the CDBG program).

"Targeted Income Groups" means very low-, low- and moderate-income households (as defined under Health and Safety Code Sections 50105, 50079.5 and 50093) residing in the City. Data changes annually concerning the income limits for such households; figures will be available from the City within a reasonable time following receipt of request therefor from the Operator.

200. REPRESENTATIONS AND WARRANTIES.

201. **City Representations**. City represents and warrants to Operator as follows:

(a) **Authority**. City is a municipal corporation organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of the City Council. The City has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by City has been fully authorized by all requisite actions on the part of City. The parties who have executed this Agreement on behalf of City are authorized to bind City by their signatures hereto.

(b) **No Conflict**. To the best of City's knowledge, City's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which City is a party or by which it is bound.

(c) **No City Bankruptcy**. City is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to City as follows:

(a) **Authority**. Operator is a duly organized California corporation that is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase or lease and accept possession of property within the TownGate Area, including the Designated Site and undertake all obligations as provided herein and the execution, performance and delivery of this Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of or a leasehold interest as to the Designated Site or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of franchised restaurant facilities, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations pertaining to the operation of a Conforming Facility under this Agreement, as well as the Summary of HUD Basic Requirements for CDBG Economic Development Activities.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to City), indemnify and save and hold harmless City and its officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") to the extent arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or

employed by Operator with respect to the Designated Site; or (v) Operator's ownership, occupancy or use of the Designated Site; provided, however, that the indemnification obligations provided in this Section 301 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the City has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the City immediately upon written demand for all costs reasonably incurred by the City (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the City's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which the City is indemnified under this Agreement.

The Operator shall indemnify the City from any real estate commissions or brokerage fees which may arise from this Agreement or the Designated Site. The Operator agrees to hold the City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator and/or the Designated Site.

Operator agrees that no displacement of another person or business shall be effected in connection with the selection of a Designated Site by the Operator or Operator's siting of a store at the Designated Site. Operator agrees to and shall defend, indemnify and hold harmless City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Site occurring prior to and in connection with the selection of the Designated Site by the Operator.

302. **Compliance With Laws**. Operator shall carry out the design, construction and development of improvements, if any, and the conduct of uses on the Designated Site in conformity with all applicable laws, including without limitation the Act, City zoning and development standards, building, plumbing, mechanical and electrical codes, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq,* and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The City makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify City for any liability associated with the payment of prevailing wages for any work on the Designated Site.

The Operator does hereby and shall indemnify and hold City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by City to the extent arising out of Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720; provided, however, that the indemnification obligations provided in this

Section 302 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator.

Before commencement of construction of any improvement upon the Designated Site or otherwise within the corporate limits of the City, Operator shall, at its own expense, secure or cause to be secured any and all land use and other entitlements, permits, and approvals which may be required for such improvements by the City or any other governmental agency affected by or having jurisdiction over such construction or work. Operator shall, without limitation, apply for and secure, and pay when due all costs, charges and fees associated therewith, all permits and fees required by the City, County of Riverside, and other governmental agencies with jurisdiction over such improvements. Execution of this Agreement does not constitute the granting of or a commitment to obtain or to assist in obtaining any required land use entitlements, or approvals required by the City. Operator's obligations under this Agreement including without limitation acquisition (by purchase or lease) and, if applicable, the making of improvements at the Designated Site is expressly conditioned upon the issuance of each permit required by the City, County of Riverside or other governmental agencies and the grant of all approvals and entitlements required for development of the Designated Site as contemplated under this Agreement.

303. **Insurance**. Prior to the disbursement of any moneys by the City to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense (or, if Operator is leasing the Designated Site, the lessor may provide) the following policies of insurance in form and substance reasonably satisfactory to the City:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Site (to be in effect only while work is being performed on the Designated Site);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Site in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Designated Site is located (including loss by flood if the Designated Site is in an area designated as subject to the danger of flood);

(iii) public liability insurance in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to City. The policies required under subparagraph (b) shall designate City as an additional insured and loss payee. City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by City) and endorsements shall be delivered to City from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to City evidence of renewal or replacement of such policy reasonably satisfactory to the City Manager.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of the City. All policies shall be written by good and solvent insurers qualified to do business in California and shall have a policyholder's rating of A or better in the most recent edition of "Best's Key Rating Guide -- Property and Casualty." The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator (or policies or amendments, riders or endorsements by a lessor, if the Operator is leasing the Designated Site), and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against City (or any officer, employee, agent or representative of City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment; Efforts to Employ Persons of Targeted Income Groups**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry, national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

Operator shall recruit and use best efforts to maximize the hiring of personnel for its sports bar and restaurant facility to be established under this Agreement in the TownGate Area from members of the Targeted Income Groups.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay (or the Authorizing Business Entity or lessor shall pay) prior to delinquency all ad valorem real estate taxes and assessments on the Designated Site. Operator shall remove or shall have caused to be removed any levy or attachment made on the Designated Site or any part thereof which is owned or leased by Operator, or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless the City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties to the extent arising out of (a) activities undertaken by the Operator or (b) the Designated Site.

400. CONSIDERATION FOR AGREEMENT; CITY CONTINGENT PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the City to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Payment by the time established therefor in the Schedule of Performance, and to annually thereafter satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The

Operator further agrees to operate, maintain and use the Designated Site in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the City Manager, City will disburse to Operator from moneys in the Special Fund the Payment Amount.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities in a Conforming Facility commencing with the Opening and continuing throughout the Operating Covenant Period. In addition to the foregoing, Operator shall use diligent efforts to recruit and hire as employees members of the Targeted Income Groups, and shall cooperate with the City in connection therewith. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming Activities (the "Fee Condition"); (iii) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (iv) filing of the Annual Compliance Report for the corresponding calendar year by the time set forth therefor herein (the "Annual Report Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Required Period, and during such period shall provide such additional information with respect to any of such matters as the City Manager or his designee shall reasonably determine to be necessary or convenient in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **City Contingent Financial Participation**. Payment of the Payment Amount shall be subject to satisfaction of the Conditions Precedent to Payment and, to the extent applicable as of payment of the Payment Amount, the Performance Conditions have been and remain satisfied as of the time such payment is otherwise due and payable; the City shall disburse to the Operator the City Payment following the Opening within thirty (30) calendar days after the City Manager receives satisfactory substantiation that the Conditions Precedent to Payment (including, to the extent applicable as of the payment of the Payment Amount, the Payment Conditions) have been satisfied. The source of payments and the obligation to make payment shall be moneys in the Special Fund; provided that City may provide payment from any other City funding source deemed appropriate by City. Payment by the City is subject to the reasonable satisfaction of the City Manager that the Conditions Precedent to Payment were satisfied and that there are no uncured defaults which occur prior to the making of payment. Operator Certificates shall be submitted to the City to the attention of its City Manager at the address set forth in Section 701 hereof. No interest shall accumulate as to any amounts which are or may become payable to the Operator.

The City shall not provide any moneys pursuant to this Agreement other than those payments provided for in this Section 402. Further, no pledge is made or lien priority established by this Section 402.

403. **Conditions Precedent to Payment**. The City shall pay the Payment Amount to Operator within thirty (30) calendar days following the date on which all of the following conditions precedent have been and remain satisfied:

(a) the Operator provides to the City Manager evidence reasonably satisfactory to the City Manager that: (i) Operator has entered into a binding agreement with the franchisor of the trade name Buffalo Wild Wings Grill and Bar, and a lease agreement with the Authorizing Business Entity to operate a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar; (ii) Operator has acquired real property within the TownGate Area or has entered into a lease of existing, improved premises that constitutes a Conforming Facility for a term of not less than twelve (12) months; (iii) the Opening of a Conforming Facility has occurred within the TownGate Area with the approval of the Authorizing Business Entity operating under the Designated Trade Name; (iv) Operator has made diligent efforts to recruit and hire as its employees members of Targeted Income Groups; and (v) Operator employs at the Designated Site not less than four (4) Qualifying Employees;

(b) Operator delivers to the City Manager or his designee a certificate substantially in the form of the Operator Certificate, duly executed with the attachments prescribed pursuant to this Agreement;

(c) all property taxes, assessments and business license fees for or with respect to the Designated Site have been paid and are not delinquent;

(d) there exists no Default, as defined in Section 601 of this Agreement; and

(e) Operator has delivered to City all documents, instruments, policies, and forms of evidence or other materials required to be provided to City hereunder and as may be reasonably requested by City under the terms of this Agreement

(f) Operator provides evidence reasonably satisfactory to the City Manager demonstrating that the Conforming Facility is operating on the Designated Site in conformance with this Agreement using the Designated Trade Name;

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on the Designated Site during the Operating Covenant Period, or if this Agreement is terminated by the City based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the City pursuant to Section 402 of this Agreement.

404. **Brokers**. The City shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator will use the Conforming Facility as a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the Designated Trade Name. The Operator shall operate on the Designated Site only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote the Designated Site to the uses specified in this Section 501 of this Agreement; (ii) operate on the Designated Site a Business devoted to the operation of Conforming Activities under the Designated Trade Name and (iii) execute and deliver to the City an Operator Certificate prior to each payment by the City.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations. The Operator covenants to operate on the Designated Site only Conforming Activities for a period of not less than the Required Period; this covenant is made for the benefit of the City.

In addition, Operator covenants that there shall be no discrimination contrary to the Summary of HUD Federal Requirements for CDBG Economic Development Activities or the CDBG Regulations.

In addition, continuing throughout the remainder of the Required Period, all uses conducted on the Designated Site, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to the Designated Site or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain the Designated Site and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations.

(b) To maintain the improvements and landscaping on the Designated Site in conformity to all applicable laws and to keep the Designated Site free from any accumulation of debris and waste materials (or, if Operator leases the Designated Site, to provide such maintenance or require that the lessor provide such maintenance).

(c) To operate on the Designated Site only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of

Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the City shall be suspension or at City's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement, except as otherwise specified in this Section 603. Upon the City's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then, subject to the provisions of Section 602 above, this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the City. Operator shall also have the option to terminate this Agreement on or before September 1, 2010 (unless such date is extended by mutual consent of the parties), if on or before September 1, 2010 (or the date as extended by mutual consent of the parties): (i) Operator is unable to acquire title or a leasehold interest in the Designated Site; or (ii) the City fails to make one or more payments as provided under this Agreement. From the date of Notice of Termination of this Agreement by Operator to the City and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by City**. In the event that, prior to the time established in the Schedule of Performance for the satisfaction of the Conditions Precedent to Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to the Designated Site to any third party other than an Affiliate in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment in accordance with the Schedule of Performance and such failure is not caused by City; or

(c) On or before the Deadline, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of City, be terminated by City by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by City to the Operator

and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties, except that City may pursue any remedies it has hereunder.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the City, service of process on the City shall be made by personal service upon the City Clerk or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To City:	City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Pacific Wings, Inc. Attention: Anthony Prokos 28076 Paseo Hacienda San Juan Capistrano, California 92675

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party, or acts or failures to act of the City or any other public or governmental agency or entity. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of City and Operator. The City Manager shall have the authority to approve on behalf of City, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to open a Conforming Facility within the TownGate Area; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with City as to other properties.

703. **Transfers of Interest in Agreement or of Designated Site**. The qualifications and identity of the Operator are of particular concern to the City. It is because of those qualifications and identity that the City has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Site or the development thereon without prior written approval of City, except as expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the City, the sole remedy of the City shall be suspension or at City's election termination of payments otherwise required to be made by City pursuant to this Agreement. City shall not unreasonably withheld its consent to the assignment by Operator hereunder of its rights under this Agreement to any entity which controls, is controlled by, or is under common control with Operator ("Affiliate"); provided that in no event shall Operator be released of its obligations hereunder.

704. **Provision of Information; Inspection of Books and Records**. The City shall have the right at all reasonable times during the Required Period to inspect the books and records of the Operator as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the City as deemed reasonably necessary by the City, at least annually and additional upon request therefor by the City, to verify compliance with the terms of this Agreement.

705. **Non-Liability of Officials and Employees of City**. No member, official, officer or employee of the City shall be personally liable to the Operator, or any successor in interest, in the

event of any Default or breach by the City or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between City and Operator**. It is hereby acknowledged that the relationship between the City and the Operator is not that of a partnership or joint venture and that City and the Operator shall not be deemed or construed for any purpose to be the agent of the other (excepting that the Operator shall each be deemed to be the agent for the other). Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the City shall not have any rights, powers, duties or obligations with respect to the Designated Site.

707. **City Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the City, the City Manager is authorized to act on behalf of the City unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 6, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to

persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the City and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by City**. This Agreement, when executed by the Operator and delivered to City, must be authorized, executed and delivered by the City on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries**. Nothing herein is intended to create any third party beneficiaries to this Agreement, and no person or entity other than the City and the Operator, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

WITNESS WHEREOF, the City and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

CITY:

CITY OF MORENO VALLEY,
a municipal corporation

By:_____
William L. Bopf, Interim City Manager

ATTEST:

_____
Jane Halstead, City Clerk

Approved as to Form:

_____
Robert Hansen
City Attorney

OPERATOR

PACIFIC WINGS, INC.,
a California corporation

By:_____
Anthony Prokos

Its: _____

ATTACHMENT NO. 1

SITE PLAN OF THE BUFFALO WILD WINGS FACILITY

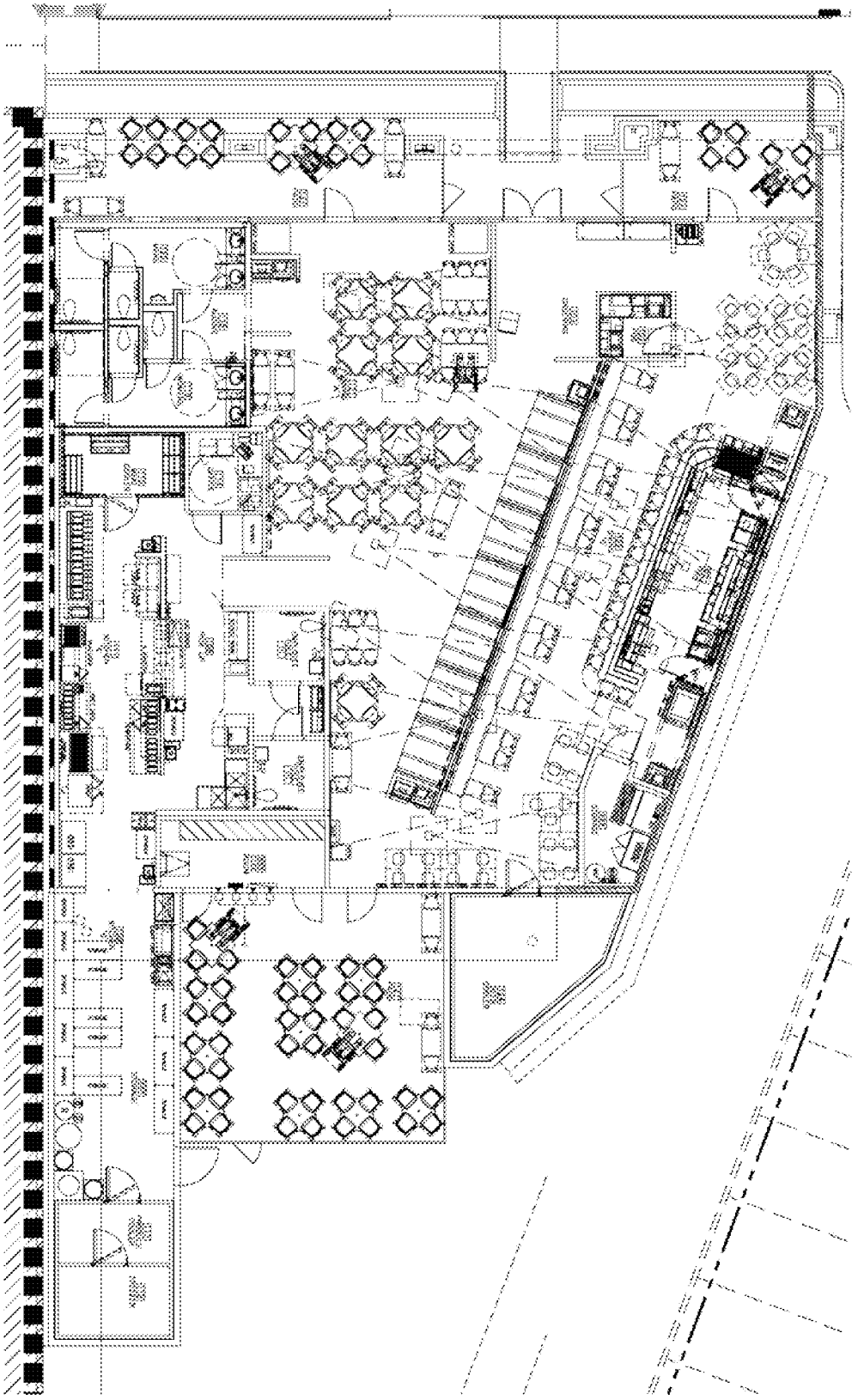

ATTACHMENT NO. 2
ANNUAL COMPLIANCE REPORT
YEAR ENDING ____

Activity:	**Moreno Valley Business Incentive Program**
Per Agreement Between:	City of Moreno Valley and Pacific Wings, Inc.
Agreement Originating:	**2010 (CDBG-R Program Year 2010/11)**
Current Date (mo/day/yr):	
Contact Person Name:	**Title:**
Contact Mailing Address:	
	Contact E-mail:
Contact Telephone:	**Contact Fax:**
Funding Source(s):	☒ **CDBG** ☐ **HOME** ☐ **RDA** ☐ **HOME & RDA** ☒ **Other - CDBG-R**
Assistance Extended:	Year 1: $107,841 (CDBG-R)

Per Federal laws as agreed to in the Participation Agreement referenced above, the following data must be reported annually to the Dept. of Housing and Urban Development (HUD) via the City of Moreno Valley's Economic Development Department. Please complete and return to the City by requested date.

Required Reporting Data	
No. of jobs to created or retained - **Minimum 4 full time jobs or full time equivalents**	_____
Percentage of the jobs to be created or made available to Low-to-Moderate (L/M) persons	**100%**
No. of Low-to-Moderate (L/M) jobs actually created or retained over reporting period	_____

LOW / MODERATE INCOME: The income table below is intended for use by the Participating Business when qualifying an applicant / employee as low-to-moderate (L/M) income. For each applicant's / employee's family size, indicate if previous income was more than or less than the amount listed. Insert the word 'Less or 'More' as applicable in the Low/Moderate Income column below.

Annual Income Level	**Number of Persons In Household/Family**							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
2009 Low -to-Moderate Incomes	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350

(An updated table shall be provided annually as new income limits are issued each year by the Department of Housing and Urban Development (HUD)

	Employee Name (Last name, First Initial)	**Job type FT or p/t (enter # hrs)**	**Job Category* Select category from below**	**Paid health Benefits (Y or N)**	**Low/Moderate Income Was previous income more or less than amount listed above?**	**Race / Ethnicity of employee****	**Previously unemployed (Y or N)**
EX	EXAMPLE EMPLOYEE: JOHN SMITH	FT	6 (Craft Workers)	Y	Less	1 (White)	N
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

***JOB CATEGORIES (Insert appropriate number in Job Category column)**:

1)	Officials and Managers	4)	Sales	7)	Operatives (semi-skilled)
2)	Professional	5)	Office and Clerical	8)	Laborers (unskilled)
3)	Technicians	6)	Craft Workers (skilled)	9)	Service Workers

****RACE CATEGORIES (Insert appropriate number in Race Category column)**:

ND) Not Disclosed	3) Asian	6) American Indian / Alaskan Native & White	9) American Indian / Alaskan Native & Black/African American
1) White	4) American Indian/ Alaskan Native	7) Asian & White	10) Other Multi-Racial – Category used for reporting individual responses that are not included in any of the categories listed above
2) Black / African American	5) Native Hawaiian / Other Pacific Islander	8) Black / African American & White	

ATTACHMENT NO. 3

ROLES TO ENSURE LOW-TO-MODERATE INCOME BENEFIT

This is a federally funded Economic Development project. As such, the Office of Housing and Urban Development (HUD) requires that each party to the Agreement agree to undertake certain roles to ensure that the jobs created/retained will benefit low-to-moderate (L/M) income persons.

Actions required by each party are:

The City of Moreno Valley:

- Shall provide a summary of HUD Federal Requirements for CDBG Economic Development activities for informational purposes and as a reference document.
- Shall be available to provide guidance and answer questions to ensure clarity and understanding of HUD's requirements.
- Will specify exactly what needs to be in the reported annually. See Attachment 2.
- Will collect the Compliance Report Form, review the form, and provide written feedback within 30 days of receipt. The City's written response may contain suggestions or list adjustments if necessary to meet the requirements as provided in the Agreement.
- Will identify L/M census tracts (census tracts where 70% of residents are low income) and Enterprise Zones where business may target (or market) their employee search. Maps will be provided.
- Shall define 'reasonable distance' as within 1.5 miles of an applicant's residence for the employer/business to use when determining if L/M applicant has adequate access to transportation to job site.
- Will provide an updated annual income table each year to be used by the business in determining if an individual seeking employment qualifies as low-to-moderate income.

The Business/Employer:

- Shall accept the HUD Federal Requirements for CDBG Economic Development activities and retain a copy for informational and reference purposes.
- Shall seek guidance from City and ask questions as needed in order to ensure clarity and understanding of HUD's requirements.
- Will submit a completed 'Annual Compliance Report Form' each year as required.
- Will implement suggestions and adjustments as recommended by the City via letter within 60 days of receipt of City response letter.
- Refer to map of L/M census tracts and Enterprise Zones when identifying where to conduct marketing of employment opportunities.
- Cooperate with the City of Moreno Valley Employment Resource Center to pre-screen for L/M income applicants. Completion of L/M verification shall be done through the Agency if possible (this includes having applicants complete any self-certification documents).
- Require use a notarized jurat along with L/M self-certification document.
- Provide copies of marketing materials, advertisements, want ads, etc. including publication dates, name of publisher to document job marketing efforts in areas pre-determined to be 'low-to-moderate income'.
- If an applicant falls into the "presumed L/M income" category, this will need to be documented by referencing the census block number or Enterprise Zone of where the applicant resides directly on the application and again within the required reports to the City.

ATTACHMENT NO. 4

SUMMARY OF HUD FEDERAL REQUIREMENTS FOR CDBG ECONOMIC DEVELOPMENT ACTIVITIES

Activity: Moreno Valley Business Incentive Program

Code of Federal Regulation References: 18A ED Technical Assistance. Section 570.203 Section 105 (c) (1) and Section 570.208 (a) (4)

Number of Jobs to be created: For individual economic development projects, CDBG-Department of Housing and Urban Development (HUD) and the City shall require creation of 1 full time equivalent permanent job per every $35,000 in CDBG assistance. In this case, four (4) jobs minimum AND 51% of the jobs the activity creates must be either held by or made available to Low-to-Moderate (L/M) income persons.

Term of Job: Jobs must be formally categorized as permanent. See definition of 'qualifying employee' on page 3 of Agreement. All newly created jobs are also subject to a 'turn over' stipulations.

The Low-to-Moderate (L/M) Income Standards: The following is required to meet the Low-to-Moderate (L/M) income standards.
Fifty-one percent or more of the jobs created must either:
(a) be 'held by' L/M income persons at the time CDBG assistance is provided and/or
(b) for jobs not held by L/M income persons, documentation must prove the job was 'made available' to L/M income person.
(c) for jobs not known to be held by L/M income persons will be turned over to low/moderate income persons within 2 years. This would involve the business to take action to ensure that such a job, upon turnover, will be either taken by or made available to a L/M income person in a manner similar to that pertaining to a newly created job.

The business must maintain sufficient documentation indicating that at least 51 % of the jobs will be 'held by' or 'made available' to L/M income persons.
A job is considered 'held by' the L/M income person if the hired employee is proven to earn a household income not to exceed 120% of the area median income for Riverside County adjusted for the person's family size. An income table providing area median incomes by household size is provided as an attachment to this Agreement.
A job is 'made available' to a L/M person when: (1) no special skills, experience, or education beyond high school is required to fill such a job or the business agrees to hire an unqualified person and provide training, and (2) the assisted business takes actions to ensure that low-to-moderate income persons received "first consideration "for filling the jobs.

Principals involved in 'First Consideration'
(1) The business must use a hiring practice that under usual circumstances would result in over 51% of L/M income persons interviewed for applicable jobs being hired,
(2) the business must seriously consider a sufficient number of low-to-moderate income job applicants to give reasonable opportunity to fill the position with such a person, and
(3) the distance from residence and availability of transportation to the job site must be reasonable before a particular low-to-moderate income person may be considered a serious applicant for the job.

Presumed L/M Income Status
A business may presume a person to be L/M income if the person resides within a census tract (or Block numbering area) that either has:
(a) at least 70% residents who are L/M income persons or
(b) meets the criteria related to enterprise zones.

Enterprise Zones
In order to qualify as an Enterprise Zone, the census tract or block numbering area must either: (a) be part of a federally designated Enterprise Zone or Enterprise Community or (b) meet 100% of the following:

- have a poverty rate of 20% as determined by the most recent decennial census information,
- not include any portion of a central business district, as the term is used in the most recent Census of Retail Trade, unless the tract/BNA has a poverty rate of at least 30% as determined by the most recent decennial census information,
- evidence pervasive poverty and general distress by meeting at least one of the following standards:
  All block groups in the census tracts have poverty rates of 20%; the specific activity being undertaken is located in a block group that has a poverty rate of at least 20% or upon the request of the business; HUD determines that the census tract/BNA exhibits other objectively determinable signs of general distress such as high incidence of crime, narcotics use, homelessness or substantial population decline.

Policies in Counting Jobs
It will be necessary to determining the percentage of jobs that benefit L/M income persons. When preparing to calculate this number, the following policies apply:
(a) Convert part time jobs to full time equivalents (i.e., a job that will require only working half time will count as half a job),
(b) Only permanent jobs may be counted, not temporary
(c) Seasonal jobs are considered to be permanent for CDBG purposes only if the season is long enough for the job to be considered as the employees principal occupation
(d) All permanent jobs created or retained in this project must be counted even if the project has multiple funding sources of funds; and
(e) Jobs indirectly created or retained by an assisted activity may not be counted.

Documenting Income
Documenting that a particular applicant/employee family income was L/M income may include any of the following:

- Evidence that the employee/applicant was a referral from a state, county, or local employment agency or other entity that has agreed to refer individuals whom they have determined to be L/M income based on HUD's Federal criteria. These entities must maintain records showing the basis upon which they determined that the person was L/M income, which they agree to make available for grantee or Federal inspection.

  A written certification signed and dated by the employee/applicant indicating his/her family size and total income as necessary to determine whether the person is a member of a L/M income family at the time the certification is made. The certification may either show the actual size and income of the family or contain a statement that the annualized family income is below the Section 8 low-income limit for the applicable family size. The form must include a statement that the person making the certification is aware that the information being provided is subject to verification by the local or Federal government.

- Evidence that the employee/applicant has qualified for assistance under another program with income qualification criteria at least as restrictive as those used by this program (e.g. referrals from Public Housing or welfare Agency). The Joint Training Partnership Act (JTPA) Program has income standards that are acceptable for this purpose, except for referrals under the JTPA Title III program for dislocated workers.

- Evidence that the person may be presumed to be L/M income. See definitions.

Record Maintenance
Program records will document jobs actually created and retained, whether the job was 'held by,' 'taken by,' or 'made available' to L/M income person, and the full-time equivalency status of each job.

Records in respect to jobs created and 'held by' must show:
A listing by job title of the specific job to be created, a listing by job title of the job filled, the name and income status of the person who filled each position, and the full time equivalency status of the jobs.

Where a job was not originally taken by a L/M income person but the business nevertheless wants credit based on the job being 'made available' to L/M income person, the record must show: The title and description of the job 'made available', and the full time equivalent status of the job at the time, the prerequisites for the job, special skills or education required for the job, if any, and the business commitment to provide needed training for such jobs (and the training that the business provided to the L/M income person hired) and how 'first consideration' was given to the L/M income person for the job such as the name of the person(s) interviewed for the job and the date of the interview and the income status of the person interviewed.

Records in respect to jobs retained and 'held by' must show:
A listing by job title of the permanent job retained, those jobs known to be held by L/M income persons at the time CDBG assistance was provided and the full time equivalency status of the jobs, and information on the family size and annual income of each such L/M person.

Records in respect to jobs retained and 'turned over' must show:
Identification of any of the retained jobs projected to become available to L/M income persons through turn over within two years of the time CDBG assistance is provided, the basis upon which the job was determined to be likely to turn over within two years following the CDBG assistance, the date the job actually turned over, the name and income status of the person who filled the vacancy, if the person who took the job was not L/M income but the claim is that the job was nevertheless made available to L/M income person, records equivalent to those described above to substantiate the 'available to' claim and information on the family size and annual income of each such L/M income person hired.

For more information or clarification regarding the requirements for a specific CDBG Economic Development Activity, contact the CDBG administrators in the Economic Development Department of the City of Moreno Valley.

Economic Development Dept.
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, Ca 92552-0805

Phone 951-413-3450
Fax: 951-413-3459

E-mail: np@moval.org
Website:www.moval.org

ATTACHMENT NO. 5

OPERATOR CERTIFICATE

(Operator Letterhead)
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: City Manager

With respect to that certain Participation Agreement (the "Agreement") by Pacific Wings, Inc., a California corporation (the "Operator") and the City of Moreno Valley, a municipal corporation (the "City") dated as of July 13, 2010, the undersigned, on behalf of the Operator, hereby certify to City that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the City, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Fee Condition; the Continuous Operation Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to the Designated Site, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation.

8. Operator remakes to City each and every representation and/or warranty made to City under the Agreement.

9. A report setting forth in detail the recruitment efforts of Operator and the numbers of jobs, both full time and part time, at the Designated Site by Operator are attached as Exhibit A and as provided in Attachment No. 2 to the Agreement hereto, including an enumeration of the jobs held by members of Targeted Income Groups.

10. As of the submittal of this Operator Certificate, the Operator has satisfied the Conditions Precedent to Payment.

Operator executes this Operator Certificate for the benefit and protection of the City with full knowledge that the City is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

PACIFIC WINGS, a California Corporation

Dated: _____ _____

Its: _____

Exhibit A to Attachment No. 5

Report for the Annual Period ending as of _____, 20__:

Total Full Time Employees employed at Designated Site: _____
Total number of Fulltime Employees from Targeted Income Groups: _____

Other employees at Designated Site: _____
Other employees that are from Targeted Income Groups: _____

Total Composite Full Time Employees: _____
Composite Full Time Employees from Targeted Income Groups: _____

Cumulative total, Qualifying Employees: _____
Qualifying Employees from Targeted Income Groups: _____

Supporting data: [to be attached and submitted with Operator Certificate]

ATTACHMENT NO. 6

SCHEDULE OF PERFORMANCE

For the purposes of this Schedule of Performance, the "Date of Agreement" is July 13, 2010. The City Manager may extend by not more than one hundred twenty (120) days the time under this Schedule of Performance by which any obligation of the Operator shall be performed.

1.	**Operator Establishes Location at the Designated Site.** The Operator acquires title to or enters into a lease with respect to the Designated Site, along with executed and binding agreement with the Authorizing Business Entity for operation of a Conforming Facility and provides proof thereof to the City.	On or before August 2, 2010.
2.	**Operator provides improvements and upgrade documentation.** The Operator provides City with satisfactory documentation of equipment, restaurant improvements and utility needs for facility improvements sufficient for the site to constitute a Conforming Facility (including approval by the Authorizing Business Entity).	On or before February 1, 2011.
3.	**Operator opens at Designated Site.** The Operator opens and provides proof thereof to the City.	On or before February 15, 2011.
4.	**The Operator Satisfies Conditions Precedent to Payment.** The Operator satisfies the Conditions Precedent to Payment and provides proof thereof to the City.	On or before March 17, 2011.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Electrical and rough grading associated with the installation of the Redlands sewer improvements improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required electrical and rough grading associated with the installation of the Redlands sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and bond securities for the electrical and rough grading associated with the Redlands sewer improvements. The developer has provided City staff with a separate bond for each of the two tasks noted within the agreement and agrees to perform and complete all of the required electrical installation and rough grading associated with the installation of the Redlands sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading associated with the Redlands sewer improvements are not completed within said timeframe. The backbone electrical and rough grading associated with the Redlands sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of electrical conduit, wires, transformers and/or other electrical system appurtenances as well as rough grading associated with the installation of the Redlands sewer main and manholes.

Accompanying the agreement is a Faithful Performance Bond in the amount of $515,000 and a Material & Labor Bond in the amount of $257,500 for the electrical and a Faithful Performance Bond in the amount of $273,000 and a Material & Labor Bond in the amount of $136,500 for the rough grading submitted by Safeco Insurance Company of America. Given the present economy as well as the size and uniqueness of the project, allowing the use of multiple partial reductions seems appropriate.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A-1" - Vicinity Map for Limits of Electrical Work
Exhibit "A-2" - Vicinity Map for Limits of Rough Grading Work
Exhibit "B" - Agreement for Redlands Electrical and Rough Grading associated with the installation of the Redlands Sewer Improvements
Exhibit "C" - Faithful Performance Bond for Electrical Work
Exhibit "D" - Material and Labor Bond for Electrical Work
Exhibit "E" - Faithful Performance Bond for Rough Grading Work
Exhibit "F" - Material and Labor Bond for Rough Grading Work

Prepared By
Mark W. Sambito, P.E. .
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Electrical PIA.doc

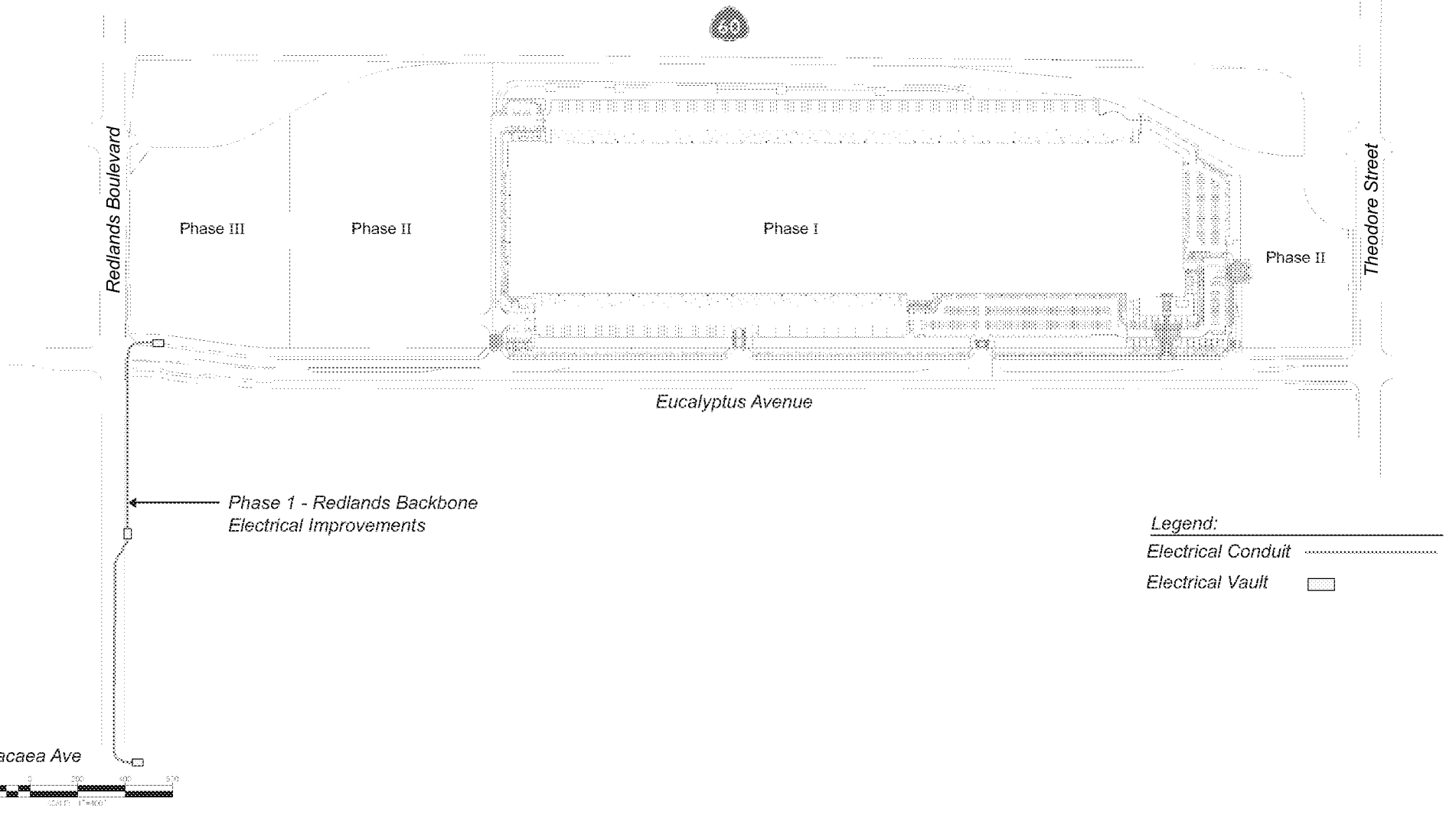

July 1, 2010

Redlands - Electrical Conduit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Highland Fairview Corporate Park\Legals\PIA Exhibits\Redlands-Electrical

Exhibit "A-1"

MV00071027

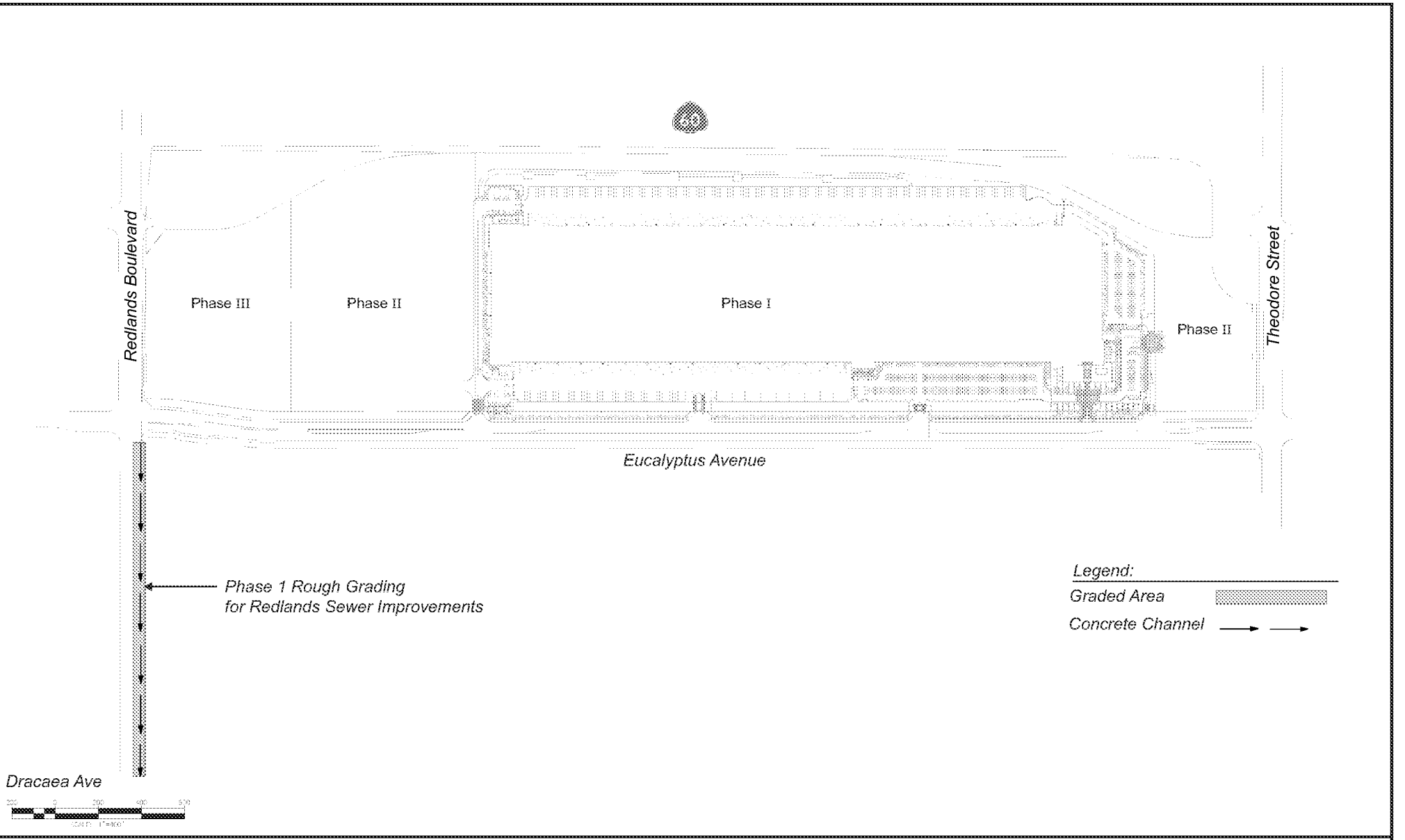

July 1, 2010

Redlands - Grading and Drainage

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Highland Fairview Corporate Park\Legals\PIA Exhibits\Redlands-Grading

Exhibit "A-2"

MV00071028

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR A PORTION OF PHASE 1PUBLIC IMPROVEMENTS FOR REDLANDS BACKBONE ELECTRICAL IMPROVEMENTS AND ROUGH GRADING ASSOCIATED WITH REDLANDS SEWER PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code.

Redlands Boulevard – Phase I Backbone Electrical Improvement Plans (A-1)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-1 and location map labeled Exhibit B-1 attached hereto, is the sum of FIVE HUNDRED FIFTEEN THOUSAND AND NO/100 Dollars (*****$515,000.00 *****).

Redlands Boulevard – Phase I Rough Grading Associated with Installation of the Redlands Sewer Improvements (A-2)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-2 and location map labeled Exhibit B-2 attached hereto, is the sum of TWO HUNDRED SEVENTY-THREE THOUSAND AND NO/100 Dollars (*****$273,000.00 *****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A-1 and A-2) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

Iddo Benzeevi
Print/Type Name

President & Chief Executive Officer
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Redlands Electrical and Grading Improvements.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 7/6/10 (Date) before me, Lorinne J. Phillips Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013
MSC1

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREEMENT PH. I. REDLANDS BACKBONE DEC

Document Date: NONE AT THIS TIME Number of Pages: 14

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: IDDO BENZEEVI	Signer's Name: _____
☑ Corporate Officer — Title(s): PRES. & CEO	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands
Rough Grading

DATE: 06/22/10
PREPARED BY: Patrick Revere

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	5,000.00	5,000
Excavate Channel	290	CY	1.50	435
Export	0	CY	5.00	0
Import	4670	CY	5.00	23,350
			ROUGH GRADING SUBTOTAL:	28,785

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

ROUGH GRADING (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	0	Ton	60.00	0
Desilting Basin w/ Riser	0	E.A.	5,500.00	0
Fiber Roll	0	L.F.	2.20	0
Stabilized Construction Entrance	0	E.A.	3,000.00	0
Gravel Bags	1200	E.A.	1.90	2,280
Bonded Fiber Matrix Mulch	4	AC	2,000.00	7,400
			EROSION CONTROL SUBTOTAL:	9,680

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer In Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	9	L.F.	160.00	1,440
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	126	L.F.	190.00	23,940
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
2' X 4' Reinforced Concrete Box	33	L.F.	150.00	4,950
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	1	EA.	7200.00	7,200
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	3	EA.	5500.00	16,500

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	1	EA.	4000.00	4,000
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	12385	S.F.	10.00	123,850
"V" Ditch Transition	50	S.F.	10	500
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000.00	0
			SUBTOTAL:	186,380

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w 5/8" meter	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
Adjust Water Meter Box	0		235.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
	0		0.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
	0			0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	Rough Grade for Installation of Sewer in Redlands	DATE:	06/22/10
		PREPARED BY:	Patrick Revere

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
ROUGH GRADING	:	$28,785
EROSION CONTROL	:	$9,680
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$188,380
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$0
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$226,845
+20% CONTINGENCY:		$45,369
GRAND TOTAL:		$272,214

BOND AMOUNT: $273,000

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-12
CIVIL
STATE OF CALIFORNIA

Highland Fairview Corporate Park
Preliminary Dry Utility
Engineer's Estimate
Redlands Blvd

TRENCHING	QTY		UNIT COST	TOTAL
Provide and Install:				
Trench - Electric Only (includes all saw cut, removals, shoding, backfill, and surface restoration)	2,878	ft	$ 32.00	$ 92,096.00
Concrete Encasement (Full)	2,878	ft	$ 16.00	$ 46,048.00
TRENCHING SUB-TOTAL				$ 138,144.00

ELECTRIC CONDUIT & SUBSTRUCTURES	QTY		UNIT COST	TOTAL
Provide and Install:				
Transformer Pad RPM 48"x54"	1	ea	$ 1,600.00	$ 1,600.00
6'X7'X12' Vault (w 12" grade ring)	3	ea	$ 18,450.00	$ 55,350.00
5'X10'X7' PME	1	ea	$ 10,200.00	$ 10,200.00
Capacitor Pad 66" x 72"	1	ea	$ 1,600.00	$ 1,600.00
Grounding/Racking and Miscellaneous Materials	6	ea	$ 625.00	$ 3,750.00
1-5" Conduit DB100	12,192	ft	$ 3.50	$ 42,672.00
1-4" Conduit DB100	3,041	ft	$ 3.15	$ 9,579.15
1-3" Conduit DB100	474	ft	$ 2.80	$ 1,327.20
1-2" Conduit DB100	44	ft	$ 2.35	$ 103.40
1-1 1/2" Conduit DB100	134	ft	$ 1.95	$ 261.30
SUBTOTAL - ELECTRIC CONDUIT & SUBSTRUCTURES				$ 126,443.05

ELECTRIC CABLING (12KV DISTRIBUTION)	QTY		UNIT COST	TOTAL
Provide and Install:				
PME-10 Switch	1	ea	$ 19,000.00	$ 19,000.00
600AMP Dead End w/Test Point	9	ea	$ 430.00	$ 3,870.00
600AMP TEE'S (Elbow w/ 200AMP Tap)	9	ea	$ 690.00	$ 6,210.00
600A 2W Splice, 15KV w/200A Tap	6	ea	$ 690.00	$ 4,140.00
600A 2W Splice, 15KV	3	ea	$ 570.00	$ 1,710.00
3-1/C 1000 XLP-PEJ, 15KV, 220MIL	7,241	ft	$ 28.00	$ 202,746.00
SUBTOTAL - ELECTRIC CABLE (12KV DISTRIBUTION)				$ 237,678.00
Total Estimate				$ 502,265.05

The City of Moreno Valley and Highland Fairview have mutually agreed to use $515,000 as an estimate for bonding purposes.

REGISTERED PROFESSIONAL ENGINEER
PATRICE DALE NADEAU
No. 49997
Exp. 12-31-10
CIVIL
STATE OF CALIFORNIA

7/1/10
Butsko Utility Design, Inc.
EP

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements $ 515,000

Project No. PA07-0090

Bond No. 6711630

Premium $9,270

Surety SAFECO INSURANCE COMPANY OF AMERICA

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 515,000 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** FIVE HUNDRED FIFTEEN THOUSAND & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:

DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 257,500

Project No. PA07-0090

Bond No. 6711630

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$257,500.00**), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** TWO HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED & NO/100 DOLLARS

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 273,000	Project No.	PA07-0090
Bond No.	6711631	Premium	$4,914
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,

REDLANDS ROUGH GRADING

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (*****$ 273,000 .00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** TWO HUNDRED SEVENTY-THREE THOUSAND & NO/100 DOLLARS.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 136,500

Project No. PA07-0090

Bond No. 6711631

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ROUGH GRADING

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$136,500.00 ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** ONE HUNDRED THIRTY-SIX THOUSAND FIVE HUNDRED & NO/100 DOLLARS

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds in the form attached hereto contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

On June 8, 2010, the City Council for the City of Moreno Valley approved HF Logistics – SKX T1, LLC agreement and cash security in the amounts of $6,813,595 for Faithful Performance and $3,406,797.50 for Material and Labor.

HF Logistics – SKX T1, LLC is exercising their right to substitute the type of security with the approval of the City Attorney and the City Engineer, and are providing substitute agreement and bonds for the Line 'F' storm drain improvements.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the cash security for Faithful Performance and Material and Labor previously submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

HF Logistics – SKX T1, LLC has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if

the required street improvements are not completed within said timeframe. The public storm drain improvements include but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD). Accompanying the agreement are a Faithful Performance Bond in the amount of $6,813,595 and a Material and Labor Bond in the amount of $3,406,797.50 issued by Western Insurance Company.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Mark W. Sambito, P.E..
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Security Substitution for Line F.doc

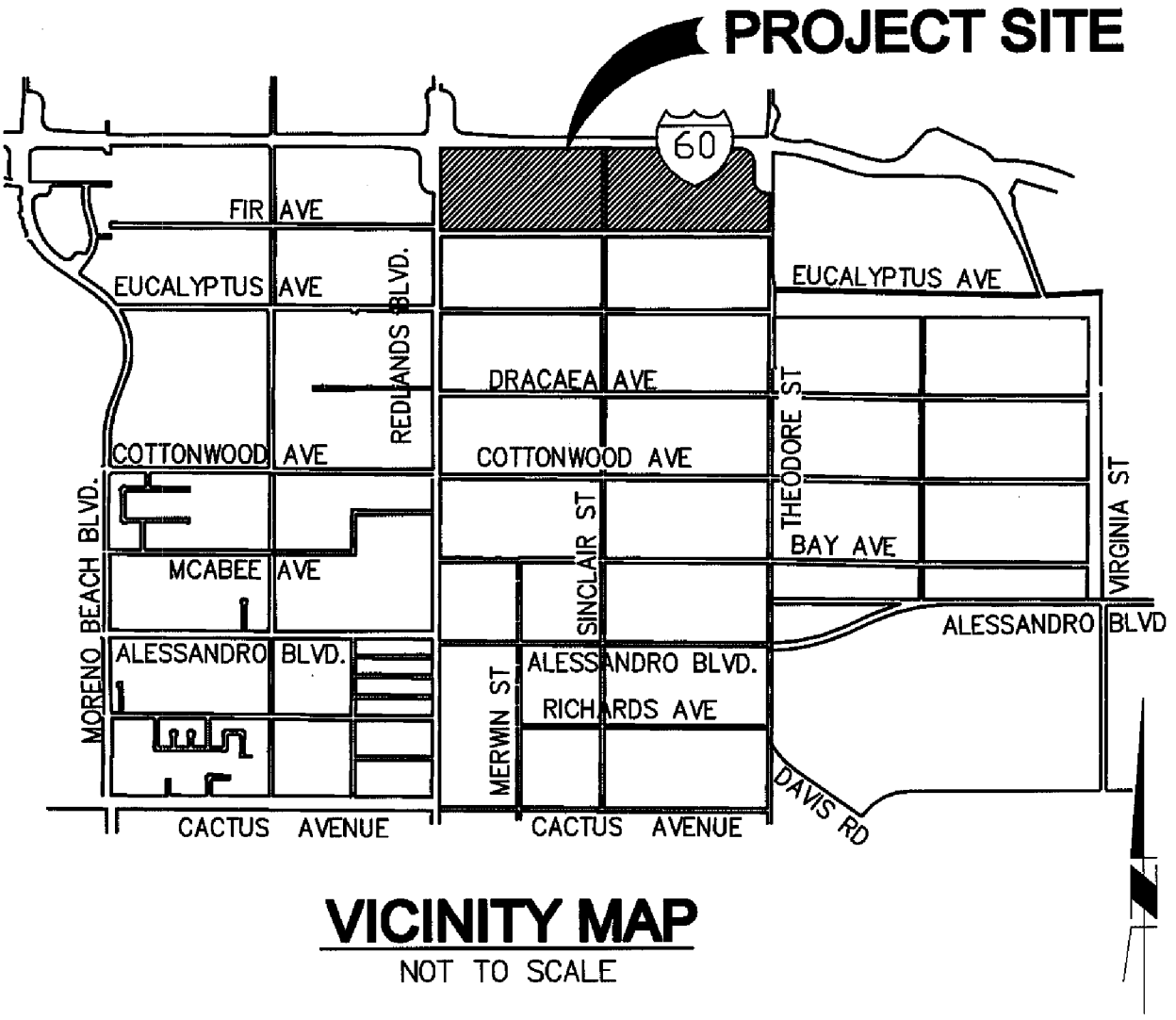

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Line F Storm Drain Improvements HF071310.doc

WARREN D. WILLIAMS
General Manager-Chief Engineer

RECEIVED
MAY 11 2010
PW/LAND DEVELOPMENT

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
131064

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RECEIVED
MAY 11 2010
PW/LAND DEVELOPMENT

May 3, 2010

Mr. Chris A. Vogt
Public Works Director/City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, CA 92552

Dear Mr. Vogt:

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

Please find below a detailed construction cost estimate of the drainage facilities associated with the above-referenced project for which the City and District assume inspection and maintenance responsibility.

The estimated cost of these facilities is $6,813,595.00 and shall be the basis upon which the District shall collect field inspection fees per the provisions of Section 17.1 of the County of Riverside Subdivision Ordinance 460 and Fee Ordinance 671.6. The developer/engineer shall pay the appropriate inspection fee to the District prior to scheduling a pre-construction meeting.

Bonding Estimate – Moreno MDP Line F, D, D-5 and D-6

Item	Unit	City of Moreno Valley	Flood Control District Quantity	Unit Cost	City of Moreno Valley	Flood Control District Facilities
24-inch RCP	LF	2,611	0	$98	$255,878	$ 0
30-inch RCP	LF	200	0	$114	22,800	0
36-inch RCP	LF	1,890	0	$131	247,590	0
42-inch RCP	LF	0	1493	$204	0	304,572
48-inch RCP	LF	17	890	$235	3,995	209,150
72-inch RCP	LF	0	372	$376	0	139,872
Inlet type IX	EA	6	0	$500	3,000	0
Caltrans Type D93A Inlet	EA	4	0	$500	2,000	0
Local Depression	EA	8		$2,500	20,000	0
Catch Basin W=7'	EA	7		$3,000	21,000	0
Manhole No. 1	EA	11		$5,000	55,000	0
Manhole No. 2	EA	0	9	$5,600	0	50,400
Manhole No. 4	EA	0	8	$6,500	0	52,000
Manhole Safety Ledge	EA	0	8	$2,000	0	16,000
J.S. No. 1	EA	0	4	$6,500	0	26,000

Mr. Chris Vogt: -2- May 3, 2010

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

J.S. No. 2	EA	0	1	$6,500	0	6,500
J.S. No. 3	EA	2	0	$5,450	10,900	0
J. S. No. 4	EA	2	3	$5,000	10,000	15,000
M.H No. 1	EA	1		$4,350	4,350	0
Bulkhead	CY	8	0	$150	1,200	0
Pipe bulkhead	EA	0	0	$200	0	0
RCB	CY	0	3,765	$591	0	2,225,115
Wingwall	CY	0	55	$590	0	32,450
Compacted Fill	CY	0	60,105	$3	0	195,341
Riprap	CY	0	3,547	$100	0	354,700
Head/End/Wing Walls	EA	20		$409	8,180	0
RCB Excavation	CY	0	79,255	$16	0	1,283,931
Structural Backfill	CY	0	6,833	$10	0	71,063
Pipe Swing Gate	EA	0	1	$1,000	0	1,000
Class 2 Base 3" Thick	SF	0	38,175	$1	0	26,723
Fencing	LF	0	88	$16	0	1,408
Cutoff Wall	LF	0	65	$14	0	878
				Subtotal	$665,893	$5,012,102
				20% Contingencies	$133,179	$1,002,420
				Total Cost	$799,072	$6,014,523
				Inspection Fee = 3% of Bond Cost	$23,972	$180,436
				Total fees due	$23,972	$180,436

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

MDJ 5/6/10

REGISTERED PROFESSIONAL ENGINEER
MEKBIB DEGAGA
NO. 52203
Exp. 12-31-2010
CIVIL
STATE OF CALIFORNIA

c: Highland Fairview
Attn: Brian Hixson
RBF Consulting
Attn: Patrick Revere
cc: Henry Olivo
Art Diaz
Sharon Johnson

MD:blj

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements $ 6,813,595

Project No. PA07-0090

Bond No. 6711629

Premium $122,645

Surety SAFECO INSURANCE COMPANY OF AMERICA

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
LINE F STORM DRAIN IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 6,813,595 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY-FIVE & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 3,046,797.50

Project No. PA07-0090

Bond No. 6711629

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$ ** ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** THREE MILLION FOUR HUNDRED SIX THOUSAND SEVEN HUNDRED NINETY-SEVEN & 50/100 DOLLARS ($3,406,797.50)

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By:

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

City Manager's Office

MORENO VALLEY
CITY MANAGER'S OFFICE

MEMORANDUM

To: Mayor Flickinger and Members of the City Council

From: William L. Bopf, Interim City Manager

Date: July 8, 2010

Subject: Council Agenda - July 13, 2010, Item G-6

Two Councilmembers have requested that the Limited Foundation Permit action taken at the June 22, 2010 Council meeting be considered for Amendment. As late as 4:00 p.m. Thursday, July 8, 2010, Staff was completing its review of conditions that might be required to be satisfied before the issuance of the Limited Foundation Permit. Since the review was completed after the posting of the agenda, Staff has not prepared the customary staff report.

However, Staff has extensively reviewed the Council action of June 22, 2010. As a result of that review Staff has determined that the items now listed on the attached Exhibit "C" do not have to be satisfied before the issuance of the Limited Foundation Permit. Except as noted with respect to the payment of school fees.

If the majority of the Council wishes to amend their previous action, the attached Agreement and Proposed Motion are submitted for your use.

Proposed Motion:

Amend the action taken by the City Council on June 22, 2010, approving and accepting Highland Fairview's Covenant to Hold as One Parcel subject to certain conditions. The City Council hereby amends its action taken on June 22, 2010 as follows:

1. The terms and conditions are amended to provide that, prior to issuance of a limited purpose building permit for foundation, slab and pouring of wall panels only, Highland Fairview shall comply with all conditions of approval for issuance of a building permit except as follows, which excepted conditions shall be complied with as provided for in applicable City Council Resolutions, Approval and/or Recording of the final Parcel Map, or issuance of the general building permit, whichever is applicable. The excepted conditions are:

    a. Final approval and recording of the Parcel Map,

    b. Public Improvement Agreements and security for same for any public improvement occurring solely on private property owned or controlled by Highland Fairview,

    c. Payment of DIF and TUMF are deferred until issuance of any temporary, conditional or unconditional certificate of occupancy for the Skechers building as provided for in City Council Resolutions 2009-37 and 2009-38,

    d. Payment of MSHCP fees,

    e. Approval of Building Plans for vertical construction,

    f. Public Drainage easements,

    g. Slope easements,

    h. Reciprocal Access easements,

    i. Spreading Basin easement,

    j. Off-site easements,

    k. Median Landscape Plans approval,

    l. Final Trail Plan approval,

    m. Site Lighting Plan,

    n. Title 24 Plans,

o. Solar Panels for Phase 1 Office,

p. Payment of School fees, contingent upon Highland Fairview providing the City with written agreement from the Moreno Valley Unified School District for deferral of school fees until issuance of the general building permit, or

q. Fire Access Plan.

2. All other terms, conditions and actions pursuant to this matter taken by the City Council on June 22, 2010, shall remain unchanged and in full force and effect.

LIMITED PURPOSE BUILDING PERMIT ISSUANCE AGREEMENT

This limited purpose building permit issuance agreement (this "Agreement") is made at Moreno Valley, California, as of June 22, 2010, between the CITY OF MORENO VALLEY, a California general law city (the "City"), on the one hand, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company ("HF"), on the other hand, with the respect to the following facts:

A. HF is the sole owner of approximately 83 acres located in the City which currently consists of 11 legal lots (the "building site") and which is currently entitled to be improved with a single building containing approximately 1,820,000 sq. ft (the "building") which will be constructed over portions of nine of the existing lots. The building site is shown on Exhibit A.

B. The building site will become a single parcel, Parcel 1 of Parcel Map 35629 (the "Parcel Map"), upon final approval and recordation of the Parcel Map.

C. HF desires the City to issue a limited purpose building permit allowing HF to begin construction of the building's foundation and slab and to pour and construct, but not erect, walls only prior to the recordation of the Parcel Map and the consolidation of the 11 existing lots into a single legal parcel.

D. HF agrees to assume all risks associated with the issuance of the limited purpose building permit for the construction of the building's foundation and slab and the pouring and construction, but not the erection, of the building's walls (the "limited purpose building permit") and agrees to secure the City with additional commitments to further protect the City included hereinbelow.

E. On June 22, 2010, the City Council authorized the acceptance of the covenant and agreement to hold property as one parcel and to enter into an agreement providing for the issuance of the limited purpose building permit subject to certain terms and conditions included hereinbelow.

THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Prior to issuance of the limited purpose building permit, HF shall record a covenant and agreement to hold property as one single parcel in the form of Exhibit B.

2. Prior to issuance of the limited purpose building permit, HF shall provide the City with written documentation to the City's satisfaction that all parcels, which are the subject matter of the covenant, are owned by HF.

3. Prior to issuance of the limited purpose building permit, HF shall submit separate foundation, slab, and wall panel building plans to City for approval, which plans must be approved by City prior to issuance of the limited purpose building permit.

4. Prior to issuance of the limited purpose building permit, HF shall comply with all conditions of approval for issuance of a building permit except for the final approval and recording of the Parcel Map, Public Improvement Agreements and security for those improvements occurring solely on private property, and those conditions specifically deferred until issuance of the general building permit as set forth in Exhibit C. The City's Building

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Official shall have the discretion to interpret any condition not listed on Exhibit C to determine whether it must be satisfied prior to issuance of the limited purpose building permit.

5. Prior to issuance of the limited purpose building permit, HF shall satisfy all conditions for final approval of the Parcel Map other than those relating to (a) the preparation, approval or recordation of the final Parcel Map, (b) Public Improvement Agreements and security for those improvements occurring solely on private property, and (c) those conditions specifically deferred until issuance of the general building permit as set forth in Exhibit C. HF hereby acknowledges that all such public improvement agreements and the required security for those improvements occurring solely on private property shall be executed and posted prior to final approval of the Parcel Map.

6. Prior to commencement of construction of, and the issuance of any required permits for, public improvements to be constructed in any public right-of-way or on public property, HF shall execute public improvement agreements and provide the required security for any such public improvement. HF hereby acknowledges that all such public improvement agreements and the required security shall be executed and posted prior to final approval of the Parcel Map if not accomplished sooner pursuant to this agreement.

7. Prior to issuance of the limited purpose building permit, HF shall execute an encroachment and removal agreement, in the form of Exhibit D, requiring HF, at its own expense, to remove any improvements constructed in public rights-of way or on public property if the limited purpose building permit expires and the City so requests.

8. Prior to issuance of the limited purpose building permit, HF shall have relocated or removed all easements encumbering the area under the building or have provided the City with written permission from easement holders authorizing HF to build over the easements.

9. HF agrees and acknowledges that the Parcel Map shall receive final approval by the City and be recorded in the Riverside County Recorder's Office before 12:01 a.m. on October 21, 2010.

10. HF agrees and acknowledges that the limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010 if the Parcel Map has not been recorded in the Riverside County Recorder's Office.

11. HF agrees and acknowledges that all construction shall immediately cease by 12:01 a.m. on October 21, 2010, upon expiration of the limited purpose building permit if the final Parcel Map has not been recorded.

12. If the limited purpose building permit expires as a result of the failure to record the final Parcel Map by 12:01 a.m. on October 21, 2010, HF shall be required to obtain a new building permit after the final Parcel Map has been recorded.

13. Neither this Agreement, the limited purpose building permit, nor the time in which to record the final Parcel Map in order to maintain the limited purpose building permit in effect, shall be extended beyond 12:01 a.m. on October 21, 2010.

14. HF shall remove all improvements and construction related materials from the project site, and shall restore the project site to its pre-construction condition, upon the expiration of the limited purpose building permit if ordered to do so by any court.

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15. HF hereby expressly waives any claims of vested rights that it might otherwise have if the limited purpose building permit is suspended or terminated regardless of the extent of HF's reliance on its issuance and expressly acknowledges that the limited purpose building permit allows only the construction of the building's foundation and slab and the pouring and construction, but not the erection, of the building's walls.

16. HF hereby expressly waives any rights it might otherwise have for any recourse against the City in any way connected to the issuance of the limited purpose building permit.

17. HF shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul the issuance of the limited purpose building permit. In any claim, action or proceeding against the City arising out of this agreement, or for the issuance of the limited purpose building permit, the City shall be entitled to recover from HF the actual expenditures for its attorneys' fees and all costs including, but not limited to, expert witness fees, in addition to any other relief to which it may be entitled.

18. The parties to this Agreement shall act in good faith and shall take all further actions reasonably necessary to effectuate the letter and the spirit of this Agreement.

19. This Agreement and all rights and obligations arising out of it shall be construed in accordance with the laws of the State of California.

20. Any litigation arising out of this Agreement shall be conducted only in the Riverside County Superior Court.

21. This Agreement is entered into solely for the benefit of the parties hereto. Other than the parties hereto, no third party shall be entitled, directly or indirectly, to base any claim, or to have any right arising from, or related to, this Agreement.

22. This Agreement contains the entire agreement and understanding between the parties and supersedes and replaces all prior negotiations or proposed agreements, written or oral. Each of the parties hereto acknowledges that no other party, nor the agents nor the attorneys for any party, has made any promise, representation or warranty whatsoever, express or implied, not contained herein, to induce the execution of this Agreement and acknowledges that this Agreement has not been executed in reliance upon any promise, representation or warranty not contained herein.

23. This Agreement may not be amended except in a writing signed by all the parties hereto.

24. Each individual signing this Agreement represents and warrants that he or she has been authorized to do so by proper action of the party on whose behalf he or she has signed.

25. This Agreement may be signed in one or more counterparts and, when all parties have signed the original or a counterpart, such counterparts, whether originals, facsimiles or e-mail attachments, together shall constitute one original document.

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July ___, 2010

THE CITY OF MORENO VALLEY (the "City")
a California general law city

By: _____
Bonnie Flickinger, Mayor

Attest:

_____
Jane Halstead, City Clerk

Approved as to form:

_____
Robert L. Hansen, City Attorney

July ___, 2010

HF LOGISTICS-SKX T1, LLC ("HF")
a Delaware limited liability company

By: HF Logistics-SKX, LLC
a Delaware limited liability company,
its sole member

By: HF Logistics I, LLC
a Delaware limited liability company,
its managing member

By:_____
Iddo Benzeevi, President and Chief
Executive Officer

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EXHIBIT "C"

CONDITIONS OF APPROVAL WHICH NEED NOT BE SATISFIED PRIOR TO THE ISSUANCE OF THE LIMITED PURPOSE BUILDING PERMIT

(all Tentative Parcel Map and Plot Plan conditions are to be satisfied prior to approval and recordation of the Parcel Map and issuance of the building permit allowing vertical construction of the building)

TPM 35629	Plot Plan PA07-0091	Description
P-23, SD-9	P-19, SD-5	DIF[1], TUMF[2], MSHCP Fees
B-1	B-1	Building Plans for vert. construction
LD8	LD8	Public Drainage Easements
LD22		Slope Easement
LD69		Reciprocal Access Easements
LD75	LD64	Spreading Basin Easement
LD76	LD65	Off-Site Easements
SD-10	SD-10	Median Landscape Approval
Parks (h)	Parks(h)	Final Trail Plan Approval
	P18	Site Lighting Plan
	P87	Title 24 Plans
	P89	Solar Panels for Phase 1 Office
	S1	Payment of School Fees[3]
	F4, F6-F11, F23	Interim Fire Access Plan

[1] DIF has been deferred until issuance of the Certificate of Occupancy pursuant to City Council Resolution 2009-37.

[2] TUMF has been deferred until issuance of the Certificate of Occupancy pursuant to City Council Resolution 2009-38.

[3] Deferral contingent upon written agreement from the Moreno Valley Unified School District agreeing to this deferral.

CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

*REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

July 13, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street
Teleconference: 514 Madison St., Brandenburg, Kentucky 40108

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

***REVISED AGENDA**
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 13, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Family FunFest 2010 Moreno Valley Idol Competition Winners

2. Presentation of 4th of July Parade Awards

3. "Spotlight on Moreno Valley Business"

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AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JULY 13, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Charles Gibson, Breakthrough Church of God in Christ

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 16 - July 6, 2010.

A.4 PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

Resolution No. 2010-66

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Loraine Terrace

A.5 RESOLUTION RESCINDING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AND AUTHORIZING THE SUBMITTAL OF APPLICATION FOR THE USED OIL PAYMENT PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) (Report of: Public Works Department)

Recommendation:

Adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources

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Recycling and Recovery (CalRecycle).

Resolution No. 2010-67

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California Authorizing Application for the Used Oil Grant Payment Program Funds Under the Department of Resources Recycling and Recovery (CalRecycle)

A.6 APPROVAL OF CHECK REGISTER FOR MAY, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

Resolution No. 2010-68

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2010

A.7 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM C.3) (Report of: Public Works Department)

Recommendation:

Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, and to subsequently assign said Agreement to the Community Redevelopment Agency.

A.8 SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660;

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc.; and

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

A.9 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD - PROJECT NO. 04-89280221-2 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221); and

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company.

A.10 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to

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the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

A.11 AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division; and

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

A.12 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD, PROJECT NO. 04-89280221 (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard;

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc.;

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

A.13 APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM C.5) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

A.14 AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET, PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728 (Report of: Public Works Department)

Recommendation:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728);

2. Authorize the City Manager to execute the Change Orders for FS Construction;

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements;

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code; and

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

A.15 ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING - SEPTEMBER 15-17, 2010 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2010-69, Appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

Resolution No. 2010-69

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2010 Annual Conference

A.16 TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: ZAPER, CORP., RIVERSIDE, CA 92504 (Report of: Public Works Department)

Recommendation:

Authorize the Public Works Director/City Engineer to execute the

exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

A.17 PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET - DEVELOPER: VALLEY OAK, LP, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.18 APPROVAL OF RESOLUTION AND FIRST AMENDMENT TO THE IMPLEMENTATION AGREEMENT (THE AB 811 PROGRAM) WITH WESTERN RIVERSIDE COUNTY COUNCIL OF GOVERNMENTS (WRCOG) TO EXPAND THE PROGRAM TO PERMIT FUNDING FOR WATER CONSERVATION IMPROVEMENTS (Report of: Community Development Department)

Recommendation:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811; and

2. Adopt Resolution 2010-70, consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water

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efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

Resolution No. 2010-70

A Resolution of the City Council of the City of Moreno Valley, California, Approving an Amendment Modifying Its Consent to the Inclusion of Properties Within the City's Incorporated Area in the Western Riverside Council of Governments (WRCOG) Contractual Assessment Program to Consent to the Addition of Water Efficiency Improvements to the Improvements Authorized to Be Financed Through Such Program

A.19 PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, NORTH OF IRONWOOD AVENUE BETWEEN KITCHING STREET AND TUSCOLA STREET - DEVELOPER: BEAZER HOMES HOLDING CORP., BREA, CA 92821 (Report of: Public Works Department)

Recommendation:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A.20 RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO CONTINUE TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP" (Report of: Public Works Department)

Recommendation:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency

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Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

Resolution No. 2010–71

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City to Participate in the "Community Energy Partnership", an Energy Efficiency Program Among Southern California Cities, with the Energy Coalition, a California Non-Profit Corporation, Southern California Edison and Southern California Gas Company

A.21 NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS - PROJECT NO. 06-50182725 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.22 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM C.6) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

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2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

A.23 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM C.7) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

A.24 FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS (Report of: Economic Development Department)

Recommendation:

1. Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive;

2. Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV; and

3. Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

A.25 PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE - DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST, RANCHO MIRAGE, CA 92270 (Report of: Public Works Department)

Recommendation:

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043; and

Resolution No. 2010-72

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of Alessandro Boulevard, South Side of Alessandro Boulevard, West of Moreno Beach Drive

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA

DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

Resolution No. CSD 2010-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter Into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2010/11

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER TO VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS AGENDA ITEM A.7) (Report of: Public Works Department)

Recommendation:

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

C.4 APPROVE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney;

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX); and

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from

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Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

C.5 APPROVE THE REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS, FROM DAY STREET TO BARCLAY DRIVE, PROJECT NO. 10-41570027 (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney; and

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

C.6 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (ALSO LISTED AS AGENDA ITEM A.22) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder;

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc., on behalf of the City and the

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Community Redevelopment Agency;

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties;

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney;

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin); and

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

C.7 PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE - DEVELOPER: COMMUNITY HOMES INC., LOMA LINDA, CA 92354 (ALSO LISTED AS AGENDA ITEM A.23) (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue; and

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

1. Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing: direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

E.2 A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Negative Declaration for applications for PA06-0185

(General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

Resolution No 2010-73

A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Land Use Element (PA06-0185) to change the Land Use Designation from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

3. INTRODUCE Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A; and

Ordinance No. 813

An Ordinance of the City Council of the City of Moreno Valley, California, approving PA06-0184 (Zone Change) to change the Land Use District for approximately 40 acres from Business Park to Residential 5 (R5) for the approximately 40 acres located within Assessor's Parcel Numbers 485-230-025 and 485-230-026, located at the southeast corner of Heacock Street and Gentian Avenue

4. APPROVE Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No 2010-74

A Resolution of the City Council of the City of Moreno Valley, California, approving Tentative Parcel Map 34748 (PA06-0183) and Variance (P09-102). The project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026)

E.3 PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY (Report of: Economic Development Department)

Recommendation: That the RDA:

1. Conduct a public hearing for the review of the 2010-2015 Implementation Plan; and

2. Approve the proposed 2010-2015 Implementation Plan.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET (Report of: Economic Development Department)

Recommendation: That the RDA:

Approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

G.2 AMENDMENT TO CHAPTER 11.40 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, ORDINANCE NO. 741 AND ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER (Report of: Parks and Community Services Department)

Recommendation: That the City Council:

Introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center; and

Ordinance No. 814

An Ordinance of the City of Moreno Valley, California, amending Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

Recommendation: That the CSD:

Introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

Ordinance No. CSD 54

An Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

G.3 PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC. (Report of: Economic Development Department)

Recommendation: That the City Council:
Approve a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

G.4 PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Agreement contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management

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Division;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

G.5 PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park;

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division;

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation;

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds; and

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

*G.6 AMENDMENT TO THE JUNE 22, 2010, MOTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HIGHLAND FAIRVIEW FOR ISSUANCE OF A LIMITED PURPOSE BUILDING PERMIT (Report of: Council Members Stewart and Molina)

G.7 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

***Revision to Agenda**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 22, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION – Council Member Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

Mayor Flickinger announced that the revised ordinance (Item A13) was distributed to the City Council and copies are available for the public, and that Item C4 (Notice of Completion) should be listed as Item B5.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM B.5) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:
Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of:

Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

   a. Petaluma Avenue between Napa Valley and Morrison Street;
   b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
   c. Lakeport Drive at Cottonwood Avenue;

d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for

CSD Zone A for twelve months, and;
b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00

a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works

Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

President Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Board Member Richard A. Stewart, s/Vice President Robin N. Hastings
Approved by a 5–0 vote.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported the following:
1. Moreno Valley Physicians Group (about 102 physicians practicing at the Moreno Valley Community Hospital) has joined March HealthCare and is partnering with other medical groups, including Riverside Medical Clinic and St. Bernardine Hospital - glad that Moreno Valley doctors will be close to their patients
2. Fresh & Easy Neighborhood Market grocery chain is buying both their supporting businesses, Wild Rocket Foods and 2 Sisters Food Group, providing fresh vegetables, produce and meat, to support expansion of its facility

Council Member Stewart announced that the Public Improvements Agreement and Security for the Highland Fairview Skechers off-side sewer improvements on Redlands Boulevard came to the attention of the Council after posting of the agenda, and there is a need to take action.

The item requires a two-thirds vote to be placed on the agenda.

Motion to add the item to the agenda by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Motion failed by a 3-2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Bonnie Flickinger opposed.

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

Mayor Flickinger opened the agenda item for public comments, which were received from Iddo Benzeevi, Susan Gilchrist, Kenneth Bley (representing Highland Fairview), Pete Bleckert and Deanna Reeder.

Motion to waive the attorney-client privilege to discuss the risks inherent to this decision (issues discussed with the City Attorney during Closed Session) by m/Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Motion to approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the conditions listed below by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a 3–2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Flickinger opposed.

Approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the following conditions:

1. The covenant is amended to state that it is for the issuance of a limited purpose building permit for commencement of construction of the foundation and slab and the poring of wall panels only, which

permit shall automatically expire on October 20, 2010, if the final parcel map is not recorded prior to that date;

2. That Highland Fairview agrees in writing in the covenant or other recordable agreement to the following terms and conditions prior to issuance of the limited purpose building permit:

   a. The parcels which are the subject matter of the covenant be owned by the same entity,

   b. Separate foundation, slab and wall panel building plans be submitted and approved,

   c. Compliance with all conditions of approval for the issuance of a building permit except recording of the final map,

   d. Compliance with all requirements for recording the final map except for actual final map approval and recordation, and Public Improvement Agreements and security for same for any public improvements not occurring in the public right-of-way or on public property,

   e. All Public Improvement Agreements for improvements that will be undertaken in the public right-of-way or on public property pursuant to the limited purpose building permit have been executed and the required security has been posted prior to the commencement of actual public improvement construction,

   f. The final lot configuration be shown on the map that is being processed,

   g. The covenant to hold property as one parcel be recorded,

   h. The holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements,

   i. Execution of an encroachment and removal agreement,

   j. The City is only issuing a limited purpose building permit for foundation, slab and the pouring of wall panels only. The erection of any walls is specifically prohibited under this limited permit.

   k. The final parcel map shall be recorded before 12:01 a.m. on October 21, 2010,

l. The limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

m. All construction pursuant to the limited purpose building permit shall cease at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

n. It (Highland Fairview) will be solely responsible for removal of any improvements and restoration of the site to its pre-construction condition if ordered by any court,

o. It and its partners waive any and all recourse against the City which may arise out of this action,

p. Neither the agreement, nor the time for recordation of the final parcel map will be extended beyond October 20, 2010,

q. It will defend and indemnify the City for all judgments, costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab, and pouring of walls, and

r. Any other terms and conditions the City Manager and City Attorney deem legally necessary to implement the agreement and the purposes of this action.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

President Flickinger opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to make the following appointments by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina Approved by a vote of 5-0.

Accessibility Appeals Board
Two (2) terms expiring June 30, 2013
Physically Challenged Representative
Lawrence Baird
Nina Hiers

Arts Commission
One (1) term expiring June 30, 2013
Eric von Mizener

Environmental and Historical Preservation Board
Two (2) terms expiring June 30, 2013
Jan Beyers
Naeem M. Qureshi

Library Commission
One *(1) term expiring June 30, 2013*
Sharon B. Clements

Parks and Recreation Commission
Three (3) terms expiring June 30, 2013
James C. Baker II
Juanita M. Barnes
Virgil Chancy

Recreational Trails Board
Two (2) terms expiring June 30, 2013

Jackie LeSan
Kim M. Nelson

Senior Citizens' Board
Three (3) terms expiring June 30, 2013
Sara W. Anderson
Vonzetta Fielding
Delanna Townsend

Traffic Safety Commission
Two (2) terms expiring June 30, 2013
Miguel Arciniega
Frank D. Pavlik

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed

Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

Chairperson Flickinger opened the agenda item for public comments;

there being none, public comments were closed.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
   Approved by a 5–0 vote.

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

   Approved by a 5–0 vote.

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal

Year 2010-11;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

Approved by a 5–0 vote.

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Ballot measure to prevent state's raid of local funds qualified for the November ballot - encouraged everybody to support it, as about $5 million was taken from the Moreno Valley Redevelopment Agency this year; a lot of improvements could have been done with this money
2) MVTV-3 won a first place award from the regional peer group, the California and Arizona chapter of the national organization. Bob Lorch won first place for "You Spray, You Pay" anti-graffiti removal program, and Rob Roseen won second and third place for "News Center." Commended staff for this successful program
3) Housing prices are up and unemployment for May was down - good news
4) Moreno Valley restaurants reported sales picking up in fall 2009 and remaining solid through 2010
5) The Neighborhood Preservation staff has obligated 84% of the $11.3 million grant funding as opposed to the national average of 52%. The City's partners have acquired $5.3 million worth of single-family homes - 28 homes are being rehabilitated. Moreno Valley may be eligible for additional NSP funding in the near future. Commended Barry Foster and staff for this successful project. It is one of the leaders in the country
6) Youth Opportunity Center - Arbor E&T has entered into a lease of a vacant building on 22275 Alessandro and Grant. When the Center opens in the fall, it will employ six people and serve 150 youth in the community
7) The library has initiated a summer reading program and added a database online entitled Career Transitions, which will serve as a resource for persons seeking employment
8) Schedules and sign ups for recreational activities are listed on the Moreno Valley Web site
11) Information about 4th of July celebration is posted on the Web site
12) Expressed his appreciation for Steve Elam, Interim Financial & Administrative Services Director, who came out of his retirement to help the City. This is his last council meeting

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Susan Gilchrist
1) Submitted a copy of her letter to Parks & Facilities Manager Steve Kupsak and a copy of Parks and Recreation Commission staff report regarding Equestrian Center; commented on the accuracy of information contained in the report

Deanna Reeder
1) Asked if any council member recused himself/herself from Closed Session Item #5, City Manager Recruitment, while in Closed Session

Pamela Lowell
1) Acknowledged Fire and Police Department staff for the fast response and help during her husband's illness; her husband, an Air Force disabled veteran, passed away this year; very grateful for support and comfort and proud of the City
2) Thanked military veterans for their service; thanks to them we can enjoy many freedoms, including freedom of speech

James Dudley
1) About 12,563 late mail-in primary ballots that may not be counted because of late delivery
2) Maintenance of medians
3) Condition of roads
4) Expressed he is proud of the City

Pete Bleckert
1) Thanked Council for voting for the Highland Fairview project to move forward
2) Equestrian Center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Molina
1) Condolences to Ms. Lowell for her loss
2) Would like to bring back issue of Cottonwood Park on Cottonwood and Indian
3) Thanked staff and residents for being patient with the progress of the project

Council Member Stewart
1) Reported on a lady claiming that her child was killed by a drunk driver in Moreno Valley and asking for money for burial; while he was checking with the Police Chief, the lady disappeared; it's sad that people will do that; warned residents about the fraud and advised to be aware and to question suspicious solicitations

2) Commended staff for the hard work assisting the developer of the Skechers project; the project is moving along; the City is not giving any financial support for it, but by speeding up the process, the City was able to give the proponents a financial advantage
3) Inquired about the requirement of lowering buildings along 60 Freeway by 25 feet
4) Inquired about changing zoning of the property to the south of the project from residential to business park to be a transition/buffer to light industrial along the freeway
5) Regarding budget - glad that we had reserve to reduce deficit and that the Fire, Police and other public safety units were pretty much preserved

Mayor Pro Tem Hastings
1) Attended annual Rally Round the Flag at March Field Air Museum with Council Member Stewart and Mayor Flickinger - it was a very nice event in commemoration of the Flag Day with an outstanding performance of Moreno Valley Master Chorale. Encouraged everyone to attend it next year; the event is open to the public
2) Responded to a speaker's comments regarding 12,000 mail-in ballots that were left at Moreno Valley distribution postal center after deadline and may not be counted - explained the process of routing the mail-in votes; Riverside County is still investigating this issue
3) League of California Cities' initiative to protect local money from the State's taking - asked residents to educate themselves on this and other initiatives
4) Addressed an incident of loose horses in traffic on Redlands Blvd. and horses hit by a car; this is tragic for everyone; asked residents to call Animal Control to report any animal loose or abandoned to prevent animals from being killed
5) Will participate in July 13 meeting from Kentucky via teleconference

Council Member Batey
1) Thanked Ms. Lowell for publicly acknowledging public safety employees who responded to her calls. It's important for the public to know that they have dedicated professionals to handle any situation that may arise. Her husband will be missed
2) Fresh & Easy will be open by the end of the year; a lot of good stuff is happening that will help our economy in the long run
3) Will not be able to attend 4th of July celebration because of work schedule
4) Thanked Mr. Dudley and Ms. Lowell for showing/expressing City pride; it's nice to hear positive
5) Wished everybody a safe 4th of July

Mayor Flickinger
1) Concurred with Mayor Pro Tem Hastings about effectiveness of the Rally Round the Flag event; very entertaining and informative
2) Thanked Steve Elam for the great job; he will be missed
3) Responded to speaker's question - all five Council Members are participating in the City Manager's recruitment
4) No meeting is scheduled for the next Tuesday (5th Tuesday of the month); the next televised Council meeting is scheduled for July 13, which will be the last

meeting before Council recess
5) July 3 & 4 celebration will include a parade in the morning on July 3 and the celebration at the Morrison Park in the afternoon on July 4 - another opportunity to wear red, white and blue

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:06 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*
Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:40 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

enl

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: July 13, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 16 – July 6.

Reports on Reimbursable Activities June 16 – July 6		
Council Member	Date	Meeting
William H. Batey II	6/28/10	Bob Herrick's Retirement Luncheon
	6/30/10	Steve Elam's Retirement Luncheon
Bonnie Flickinger	6/16/10	UCR Citizens University Committee
	6/23/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	6/24/10	Western Riverside Council of Governments 19th Annual General Assembly
Robin N. Hastings	6/28/10	Bob Herrick's Retirement Luncheon
Jesse L. Molina	6/28/10	Bob Herrick's Retirement Luncheon
Richard A. Stewart	*6/14/10	Moreno Valley Chamber of Commerce 9th Annual Rally Round the Flag
	6/28/10	Bob Herrick's Retirement Luncheon
	6/29/10	Undersheriff Valerie Hill's Retirement Dinner
	6/30/10	Steve Elam's Retirement Luncheon

*Reportable reimbursable activity prior to the period of June 16 – July 6.

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PERMIT PARKING FOR THE RESIDENTS ON LORAINE TERRACE

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve and adopt proposed Resolution No. 2010-66 and direct staff to implement permit parking on Loraine Terrace.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The residents along Loraine Terrace have no on-street parking available during the business hours of the adjacent auto repair shops who continually park their customer's vehicles along Loraine Terrace. A public hearing regarding this issue was conducted at the Traffic Safety Commission (TSC) meeting on May 5, 2010. There was no voiced opposition at the public hearing. The commissioners unanimously approved staff's recommendation to implement permit parking on Loraine Terrace.

BACKGROUND

The residents on Loraine Terrace submitted a petition to the Public Works Department requesting implementation of permit parking. The privileged parking will allow them to maintain curbside availability for guests and contractors/maintenance vehicles in front of their residences.

The required petition process demonstrated a super majority, in this case 100%, greatly exceeding the City's requirement of at least 60% of the residents in support of the permit parking.

A field review of the site indicated there is adequate on-site parking available for the commercial uses and on-street parking for customers and employees away from the neighboring residences.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

To help improve the parking situation along Loraine Terrace, staff recommends the installation of permit parking signs along four resident's frontage. This will allow the remaining parking spaces to be utilized by the public and the adjacent auto repair shops.

The frontage along Loraine Terrace is approximately 900 feet. This allows parking for approximately 30 vehicles. The frontage of the four existing residence's along Loraine Terrace is approximately 180 feet. Implementing the permit parking along the residents' frontage will reduce available parking spaces for the public by 5 vehicles (16%). However, this will allow the residents to have uninterrupted access to parking in front of their residents which is located in a unique and congested mixed residential/commercial zone.

Fees for this permit parking zone will be borne by the residents in accordance with City policy.

ALTERNATIVES

1. Approve and adopt proposed Resolution and direct staff to implement permit parking on Loraine Terrace. *This alternative is recommended to improve the condition for the residents.*

2. Do not adopt proposed resolution, thereby not implementing permit parking on Loraine Terrace.

3. Provide staff with further direction.

FISCAL IMPACT

There will be no fiscal impact for implementation of permit parking on Loraine Terrace. The cost of the required signage, parking permit placards, and the annual maintenance associated with the permit parking will be covered by the collected fees from the residents.

CITY COUNCIL GOALS

PUBLIC SAFETY: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

POSITIVE ENVIRONMENT: Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Implementation of permit parking on Loraine Terrace will improve the condition for the existing residents, thereby allowing preferential parking privileges in a unique and congested mixed residential/commercial zone. Additionally, there will be sufficient parking spaces remaining to serve the general public and surrounding commercial uses.

NOTIFICATION

Publication of Agenda

ATTACHMENTS

Attachment A – Resolution
Attachment B - Location Map

Prepared By:
Alan Kashefi
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\TrafficEng\alank\Permit parking\Staff Report\CityStaffReport-v2-Loraine Terrace.doc

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MV00071132

RESOLUTION NO. 2010-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON LORAINE TERRACE

WHEREAS, the City Municipal code section 12.08.030 allows permit parking areas in residential and commercial zones, and only subject to a public hearing before the traffic safety commission.

WHEREAS, the residents on Loraine Terrace submitted an application and requested permit parking along the frontage of their residences.

WHEREAS, a public hearing was conducted on May 5, 2010 regarding this request.

WHEREAS, on May 5, 2010, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Loraine Terrace.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Loraine Terrace.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Location Map

Loraine Terrace

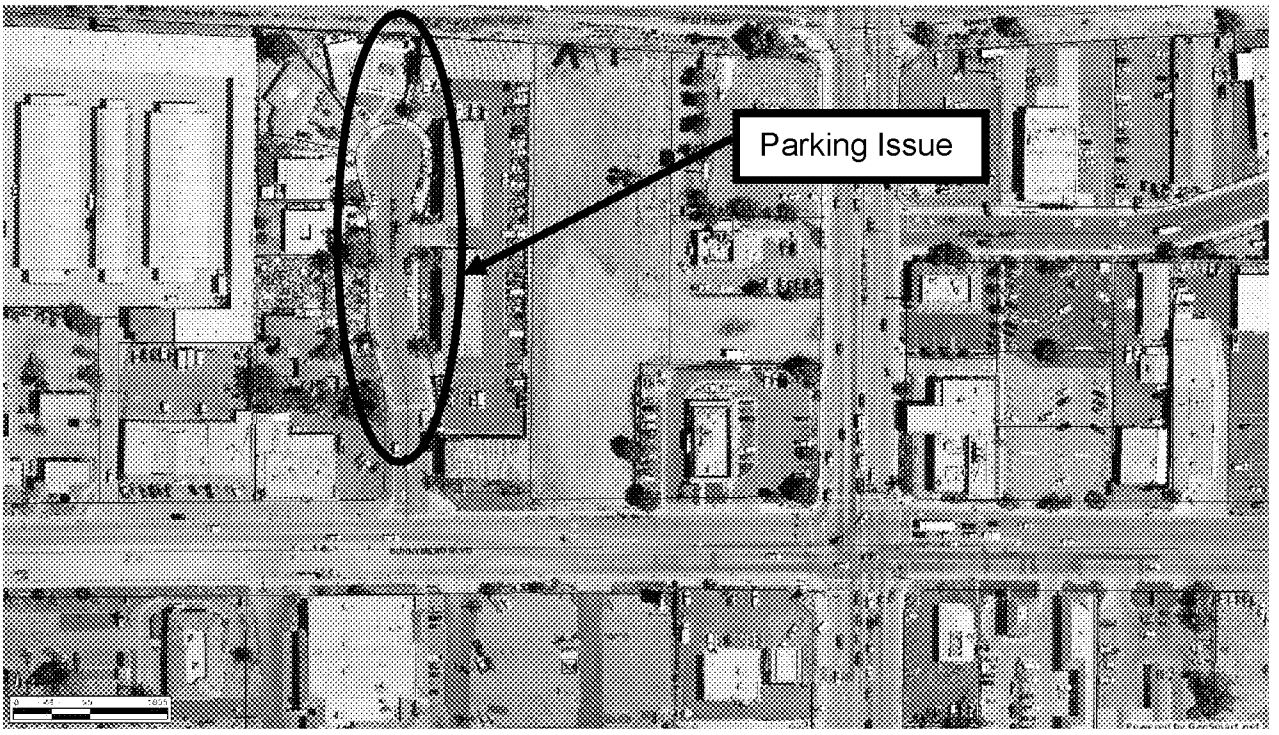

Attachment B

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MV00071136

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: Resolution Rescinding the Provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, and Authorizing the Submittal of Application for the Used Oil Payment Program Under the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDED ACTION

Staff recommends that the City Council adopt the proposed resolution (Resolution No. 2010-67) rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for the Used Oil Payment Program grant under the California Department of Resources Recycling and Recovery (CalRecycle).

BACKGROUND

The California Public Resources Code (PRC) § 48601 et seq. describes the California Oil Recycling Enhancement Act), which, among other things, provides up to $11 million annually in payments to local governments for implementation of local used oil and filter collection programs. Several years ago, the City established a used oil campaign that was previously administered by the Western Riverside Council of Governments (WRCOG). In 2001, as a springboard to WRCOG's regional public awareness of used oil recycling, the City established a used oil program at a local level with used oil block grant funds. Since that time, the list of landfill banned materials has continually grown and the need for hazardous waste awareness has increased along with it. As a result, there has become a greater need to sustain all opportunities for available funding to promote these programs.

DISCUSSION

The new Used Oil Payment Program (OPP) authorized in SB 546 (Lowenthal, Chapter 353, Statutes of 2009) replaces the Used Oil Block Grant Program (UBG). While the purpose of the OPP is similar to the UBG, there are significant differences regarding application, administration, and reporting requirements. The Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board (CIWMB), is responsible for administering the OPP. As part of the grant application program, the City must provide a resolution to establish procedures governing the administration of the Used Oil Payment Program. Participation in these programs also affords the City the opportunity to increase public awareness of recycling, which assists with the City's overall diversion efforts mandated by the California Integrated Waste Management Act of 1989 (AB 939).

City staff requests that City Council approve the adoption of the resolution in order to help secure funding for the administering and implementation of the used oil recycling program.

ALTERNATIVES

1. Adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989.

2. Do no adopt the proposed resolution rescinding and restating the provisions of Resolution 2007-55 of the City Council of the City of Moreno Valley, California, authorizing application for all available grants under the California Integrated Waste Management Board Act of 1989. This alternative would place the City in jeopardy of not receiving grant funds for the Used Oil Recycling Program.

FISCAL IMPACT

There would be a potential grant revenue reimbursement for public education, used oil recycling and hazardous waste program ranging from an estimated $20,000 to $50,000 per grant application fiscal year.

CITY COUNCIL GOALS

Positive Environment
Create a positive environment for the development of Moreno Valley's future.

Community Image, Neighborhood Pride and Cleanliness - Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The Department of Resources Recycling and Recovery (CalRecycle) administers the Used Oil Payment Program. A new resolution is needed to update the authority for submittal of grant application. As part of its program, CalRecycle issues grants to local

governments in order to establish or enhance permanent, sustainable used oil recycling programs. Adoption of the proposed resolution would allow staff to continue to properly pursue grant funds on behalf of the City in the future.

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit A – Proposed Resolution
Exhibit B – Resolution No. 2007-55 (Proposed to be rescinded)

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-67

A RESOLUTION OF THE CITY COUNCIL O F THE CITY OF MORENO VALLEY, CALIFORNIA, RESCINDING AND RESTATING THE PROVISIONS OF RESOLUTION 2007-55 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AUTHORIZING APPLICATION FOR THE USED OIL GRANT PAYMENT PROGRAM FUNDS UNDER THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

WHEREAS, pursuant to Public Resources Code § 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administrations of the Used Oil Payment Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley authorizes the submittal of a Used Oil Payment Program application to CalRecycle; and

BE IT FURTHER RESOLVED that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the City Council of the City of Moreno Valley.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

_____
City Attorney

EXHIBIT "A"

Resolution No. 2010 - _____
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2007 - 55

RESCINDING THE PROVISIONS OF RESOLUTION 2006-49 OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AND AUTHORIZING APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD ACT

WHEREAS, Public Resources Code (PRC) Section 42872.5, authorizes the California Integrated Waste Management Board (CIWMB) to establish a grant program to fund city projects as they pertain to the CIWMB interests; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of these programs within the state, setting up necessary procedures governing application by local governments and their subdivisions under these programs; and

WHEREAS, it is in the best interest of the City to create an opportunity to facilitate the application process in order to apply for all grant funds offered by the CIWMB; and

WHEREAS, if awarded a grant, the City of Moreno Valley will enter into an agreement with the State of California for development of these projects;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESCIND Resolution 2006-49 and further resolves that the City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all necessary applications, contracts, payment requests, agreements and amendments between the CIWMB hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application for the period of May 22, 2007 to May 22, 2012.

APPROVED AND ADOPTED this 22th day of May, 2007

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "B"

Resolution No. 2007 – 55
Date Adopted: May 22, 2007

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, MARGARET AYARS, Assistant City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-55 was duly and regularly adopted as amended by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of May, 2007, by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Margaret Ayars
ASSISTANT CITY CLERK

(SEAL)

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, JANE HALSTEAD, City Clerk of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. 2007-55 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Moreno Valley, this 16th day of June, 2008.

Jane Halstead
Jane Halstead, CMC, City Clerk

(SEAL)

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MV00071146

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: July 13, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-68, approving the Check Register for the month of May, 2010 in the amount of $19,967,907.47.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-68
Check Register for Month of May, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2010 through May 31, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period May 1, 2010 through May 31, 2010, in the total amount of $19,967,907.47 is approved.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

City of Moreno Valley

Check Register

For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

AVI-CON INC.				
5/10/2010	202502	57,803.49		
			PUB SFTY BLDG CONVERSION PROJ	57,803.49
5/24/2010	880526	35,833.59		
			PUB SFTY BLDG CONVERSION PROJ	35,833.59
	Vendor Total	**93,637.08**		
FYTD for AVI-CON INC.		**129,622.32**		
BEMUS LANDSCAPE, INC.				
5/3/2010	202225	27,219.84		
			LANDSCAPE MAINT-E4	24.09
			LANDSCAPE MAINT-E4	38.77
			LANDSCAPE MAINT-E4	19.85
			LANDSCAPE MAINT-E4	300.00
			LANDSCAPE MAINT-E4	151.43
			LANDSCAPE MAINT-E4	345.00
			LANDSCAPE MAINT-E4	50.78
			LANDSCAPE MAINT-E4	85.76
			LANDSCAPE MAINT-PSB	320.00
			LANDSCAPE MAINT-WQB	1,283.00
			LANDSCAPE MAINT-TR 33256	90.00
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-AQDCT	1,636.00
			LANDSCAPE MAINT-AQDCT	264.00
			LANDSCAPE MAINT-ANNX #1	300.00
			LANDSCAPE MAINT-FIRE STNS	3,150.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-CITY HALL	992.56
			LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total	**27,219.84**		
FYTD for BEMUS LANDSCAPE, INC.		**455,641.79**		
BURLINGTON COAT FACTORY				
5/24/2010	1005141	175,000.00		
			PARTICIPATION AGREEMNT FY09-10	175,000.00
	Vendor Total	**175,000.00**		
FYTD for BURLINGTON COAT FACTORY		**175,000.00**		

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COUNTY OF RIVERSIDE AUDITOR					
	5/17/2010	202527	39,625.17		
				PARKING CONTROL FEES	15,545.22
				PARKING CONTROL FEES	1,642.00
				PARKING CONTROL FEES	18,173.54
				PARKING CONTROL FEES	3,668.00
				PARKING CONTROL FEES	596.41
	Vendor Total		**39,625.17**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**135,430.12**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER					
	5/10/2010	1005021	5,258,237.00		
				SERAF PAYMENT FOR FY09-10	5,258,237.00
	Vendor Total		**5,258,237.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**5,258,237.00**		
COUNTY OF RIVERSIDE FIRE DEPT					
	5/13/2010	1005061	3,152,861.07		
				3RD QTR FIRE PROTECTION SVCS	3,152,861.07
	Vendor Total		**3,152,861.07**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,421,045.02**		

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EASTERN MUNICIPAL WATER DISTRICT					
	5/17/2010	202531	38,007.94		
				RCLMD WATER-DRAIN MAINT PRGM	82.85
				RCLMD WATER-ST. SWEEPING PRGM	95.83
				RCLMD WATER-ST. SWEEPING PRGM	79.99
				RCLMD WATER-STREET MAINT PRGM	221.27
				WATER CHRGS FOR APRIL	63.45
				WATER CHRGS FOR APRIL	1,795.68
				WATER CHRGS FOR APRIL	36.00
				WATER CHRGS FOR APRIL	3,018.08
				WATER CHRGS FOR APRIL	123.16
				WATER CHRGS FOR APRIL	11,477.35
				WATER CHRGS FOR APRIL	2,968.73
				WATER CHRGS FOR APRIL	3,095.73
				WATER CHRGS FOR APRIL	5,115.16
				WATER CHRGS FOR APRIL	3,417.49
				WATER CHRGS FOR APRIL	1,408.73
				WATER CHRGS FOR APRIL	148.13
				WATER CHRGS FOR APRIL	1,436.12
				WATER CHRGS FOR APRIL	718.23
				WATER CHRGS FOR APRIL	201.43
				WATER CHRGS FOR APRIL	611.77
				WATER CHRGS FOR APRIL	382.99
				WATER CHRGS FOR APRIL	291.24
				WATER CHRGS FOR APRIL	300.98
				WATER CHRGS FOR APRIL	290.08
				WATER CHRGS FOR APRIL	627.47
	5/24/2010	202634	44,260.57		
				WATER CHRGS FOR APRIL	83.22
				WATER CHRGS FOR APRIL	1,190.50
				WATER CHRGS FOR APRIL	809.44
				WATER CHRGS FOR APRIL	405.55
				WATER CHRGS FOR APRIL	889.74
				WATER CHRGS FOR APRIL	11,396.12
				WATER CHRGS FOR APRIL	4,501.26
				WATER CHRGS FOR APRIL	2,341.28
				WATER CHRGS FOR APRIL	4,331.01
				WATER CHRGS FOR APRIL	3,958.56
				WATER CHRGS FOR APRIL	6,585.97
				WATER CHRGS FOR APRIL	249.36
				WATER CHRGS FOR APRIL	46.30
				WATER CHRGS FOR APRIL	2,020.77
				WATER CHRGS FOR APRIL	2,361.85
				WATER CHRGS FOR APRIL	1,109.22
				WATER CHRGS FOR APRIL	440.95
				WATER CHRGS FOR APRIL	232.11
				WATER CHRGS FOR APRIL	444.71
				WATER CHRGS FOR APRIL	478.63
				WATER CHRGS FOR APRIL	384.02
	Vendor Total		**82,268.51**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,038,091.76**		

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EMPLOYMENT DEVELOPMENT DEPARTMENT				
5/7/2010	2634	36,460.45		
			DEP STATE TAX W/H 05/07/10	36,460.45
5/21/2010	2642	35,246.72		
			STATE INCOME TAX W/H 05/21/10	35,246.72
	Vendor Total	**71,707.17**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,179,327.51**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
5/10/2010	202426	124,677.06		
			DISTRIBUTION CHARGES	123,729.55
			SPCL/TEMP CHARGES	6,055.00
			ONLINE UTILITY SVCS	264.00
			BAD DEBT-DEDUCTION	-5,371.49
5/17/2010	202532	40,388.70		
			PLAN CHECK SVCS-PM35629	221.03
			PLAN CHECK SVCS-PA080013	1,184.21
			PROF SVCS-IHERB.COM DIST	1,979.46
			PROF SVCS-IHERB.COM DIST	36.59
			PERRIS BL 12KV FEEDER IRIS-JFK	3,330.79
			PERRIS BL 12KV FEEDER IRIS-JFK	7,528.17
			CACTUS/LASSELLE 12KV CIRC TIE	5,721.68
			GOLDENCREST-ELSWORTH BACKBONE	2,030.68
			6TH CIRCUIT MOVAL SUBST. WORK	14,606.09
			CABINET LEASE-COTTONWOOD	41.34
			CABINET LEASE-COTTONWOOD	1,208.66
			CABINET LEASE-INDIAN/NANDINA	75.69
			CABINET LEASE-INDIAN/NANDINA	1,174.31
			CABINET LEASE-IRIS	92.50
			CABINET LEASE-IRIS	1,157.50
5/24/2010	202635	38,376.65		
			BAY ST BACKBONE W/O MOR BCH DR	1,283.93
			CACTUS/LASSELLE 12KV CIRC TIE	326.21
			CACTUS/LASSELLE 12KV CIRC TIE	2,770.25
			ELECT METER FEES	3,788.08
			GOLDENCREST-ELSWORTH BACKBONE	5,706.39
			6TH CIRC MOVAL SUBST. WORK	7,342.12
			ELECT METER FEES	838.00
			PROF SVCS-WASTE MGT FAC	291.80
			PROF SVCS-SKETCHERS	1,474.70
			PROF SVCS-SKETCHERS	11,754.51
			PROF SVCS-STREET LIGHTS	454.68
			PROF SVCS-FRAZEE PAINT	2,140.18
			PROF SVCS-IHERB.COM DIST	205.80
	Vendor Total	**203,442.41**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,550.46**		

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FRIENDS OF THE SENIOR CENTER				
5/17/2010	202540	25,000.00		
			SENIOR VAN ASSIST PRGM-CDBG	15,000.00
			SENIOR VAN ASSIST PRGM-CDBG	10,000.00
	Vendor Total	**25,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FS CONSTRUCTION				
5/24/2010	202647	76,746.64		
			TEMCO ST SIDEWALK IMPRVMNTS	49,441.99
			VOUGHT ST SIDEWALK IMPRVMNTS	27,304.65
	Vendor Total	**76,746.64**		
FYTD for FS CONSTRUCTION		**76,746.64**		
HILLCREST CONTRACTING, INC				
5/17/2010	202596	109,549.80		
			KITCHING ST IMPRVMNTS PROJ	109,549.80
	Vendor Total	**109,549.80**		
FYTD for HILLCREST CONTRACTING, INC		**109,549.80**		
INTERNAL REVENUE SERVICE				
5/7/2010	2633	133,548.22		
			DEP FED TAX W/H 05/07/10	133,548.22
5/21/2010	2641	129,508.98		
			FED INCOME TAX W/H 05/21/10	129,508.98
	Vendor Total	**263,057.20**		
FYTD for INTERNAL REVENUE SERVICE		**3,447,406.19**		
MBIA MUNISERVICES COMPANY				
5/3/2010	202313	28,125.00		
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
			PROF SVCS-UT USERS TAX	9,375.00
	Vendor Total	**28,125.00**		
FYTD for MBIA MUNISERVICES COMPANY		**28,125.00**		

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MORENO VALLEY UTILITY					
	5/17/2010	202557	53,080.68		
				ELECTRICITY	140.43
				ELECTRICITY	1,123.17
				ELECTRICITY	230.25
				ELECTRICITY	1,802.77
				ELECTRICITY	10,556.76
				ELECTRICITY	9,982.60
				ELECTRICITY	2,890.58
				ELECTRICITY	4,799.41
				ELECTRICITY	799.37
				ELECTRICITY	1,366.98
				ELECTRICITY	11,870.60
				ELECTRICITY	6,670.38
				ELECTRICITY	218.50
				ELECTRICITY	134.68
				ELECTRICITY	86.28
				ELECTRICITY	64.97
				ELECTRICITY	64.95
				ELECTRICITY	170.22
				ELECTRICITY	107.78
	Vendor Total		**53,080.68**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MURRIETA DEVELOPMENT COMPANY INC.					
	5/10/2010	202503	130,155.16		
				TRAF SIG @ SR-60/REDLANDS BLVD	130,155.16
	Vendor Total		**130,155.16**		
FYTD for MURRIETA DEVELOPMENT COMPANY INC.			**526,211.19**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/21/2010	2638	25,717.07		
				DEF COMP 457 & 401(A) 05/21/10	25,717.07
	Vendor Total		**25,717.07**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVCO SECURITY SYSTEMS					
	5/24/2010	880543	47,899.78		
				SURVEILLANCE EQUIP-POLICE	43,399.03
				SURVEILLANCE EQUIP-POLICE	3,398.43
				SURVEILLANCE EQUIP-POLICE	1,102.32
	Vendor Total		**47,899.78**		
FYTD for NAVCO SECURITY SYSTEMS			**57,779.78**		

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ORANGE COAST TITLE COMPANY				
5/12/2010	1005031	69,199.75		
			ACQ & ESCRW-13715 MCDONNELL ST	69,199.75
5/24/2010	1005151	106,032.13		
			ACQ & ESCROW-13380 BAMBI CT	106,032.13
5/24/2010	1005161	77,444.01		
			ACQ & ESCROW-24105 ROTHBURY DR	77,444.01
	Vendor Total	**252,675.89**		
FYTD for ORANGE COAST TITLE COMPANY		**252,675.89**		
PB AMERICAS, INC.				
5/24/2010	202671	82,770.08		
			SR-60/NASON ST INTRCHNG PROJ	46,836.15
			SR-60/NASON ST INTRCHNG PROJ	35,933.93
	Vendor Total	**82,770.08**		
FYTD for PB AMERICAS, INC.		**171,605.59**		
PERS HEALTH INSURANCE				
5/12/2010	1004101	195,498.14		
			EMPL HEALTH INS 05/12/10	195,498.14
	Vendor Total	**195,498.14**		
FYTD for PERS HEALTH INSURANCE		**2,126,634.55**		
PERS RETIREMENT				
5/14/2010	2635	192,233.64		
			PERS RETIREMENT 05/14/10	192,233.64
5/28/2010	2643	191,718.32		
			PERS RETIREMENT 05/28/10	191,718.32
	Vendor Total	**383,951.96**		
FYTD for PERS RETIREMENT		**5,091,544.44**		
RBV MITIGATION CREDITS, LLC				
5/3/2010	202340	40,800.00		
			VERNAL POOL MITIGATION CREDITS	40,800.00
	Vendor Total	**40,800.00**		
FYTD for RBV MITIGATION CREDITS, LLC		**40,800.00**		
RICHARD LOPEZ CONSTRUCTION				
5/17/2010	202568	205,033.36		
			ELECTRIC UTILITY PROJECTS SVCS	205,033.36
	Vendor Total	**205,033.36**		
FYTD for RICHARD LOPEZ CONSTRUCTION		**1,279,092.83**		

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RIVERSIDE COUNTY SHERIFF					
	5/13/2010	1005071	2,676,381.98		
				CONTRACT LAW ENF BILL #8	270.16
				CONTRACT LAW ENF BILL #8	558.38
				CONTRACT LAW ENF BILL #8	590.48
				CONTRACT LAW ENF BILL #8	1,338.76
				CONTRACT LAW ENF BILL #8	2,304.42
				CONTRACT LAW ENF BILL #8	5,147.78
				CONTRACT LAW ENF BILL #8	6,271.76
				CONTRACT LAW ENF BILL #8	6,601.76
				CONTRACT LAW ENF BILL #8	8,729.36
				CONTRACT LAW ENF BILL #8	19,553.01
				CONTRACT LAW ENF BILL #8	24,645.07
				CONTRACT LAW ENF BILL #8	33,932.05
				CONTRACT LAW ENF BILL #8	44,551.93
				CONTRACT LAW ENF BILL #8	61,515.39
				CONTRACT LAW ENF BILL #8	67,648.04
				CONTRACT LAW ENF BILL #8	70,622.67
				CONTRACT LAW ENF BILL #8	203,325.69
				CONTRACT LAW ENF BILL #8	257,518.30
				CONTRACT LAW ENF BILL #8	393,414.24
				CONTRACT LAW ENF BILL #8	1,467,842.73
	5/13/2010	1005101	2,729,341.01		
				CONTRACT LAW ENF BILL #9	242.00
				CONTRACT LAW ENF BILL #9	621.28
				CONTRACT LAW ENF BILL #9	732.37
				CONTRACT LAW ENF BILL #9	979.02
				CONTRACT LAW ENF BILL #9	1,345.44
				CONTRACT LAW ENF BILL #9	5,260.64
				CONTRACT LAW ENF BILL #9	5,725.72
				CONTRACT LAW ENF BILL #9	8,480.27
				CONTRACT LAW ENF BILL #9	12,557.91
				CONTRACT LAW ENF BILL #9	14,241.02
				CONTRACT LAW ENF BILL #9	18,963.84
				CONTRACT LAW ENF BILL #9	34,297.96
				CONTRACT LAW ENF BILL #9	44,310.63
				CONTRACT LAW ENF BILL #9	65,247.78
				CONTRACT LAW ENF BILL #9	70,575.36
				CONTRACT LAW ENF BILL #9	73,526.79
				CONTRACT LAW ENF BILL #9	169,411.94
				CONTRACT LAW ENF BILL #9	283,724.76
				CONTRACT LAW ENF BILL #9	375,130.94
				CONTRACT LAW ENF BILL #9	1,543,965.34
	5/13/2010	1005081	728,551.34		
				CNTRCT LAW ENF RATE ADJ FY0910	728,551.34
	5/13/2010	1005091	87,724.41		
				FACILITIES EXP BILLNG FY09/10	87,724.41
	Vendor Total		**6,221,998.74**		
FYTD for RIVERSIDE COUNTY SHERIFF			**33,101,772.67**		

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RIVERSIDE COUNTY SHERIFF'S DEPT.					
	5/17/2010	880514	251,502.00		
				ANNUAL RMS/CLETS FY 09/10	251,502.00
	Vendor Total		**251,502.00**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.			**762,001.26**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	5/10/2010	880490	52,499.02		
				PUB SFTY BLDG CONVERSION PROJ	52,499.02
	Vendor Total		**52,499.02**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**286,232.61**		
SEMPRA ENERGY SOLUTIONS					
	5/24/2010	880548	76,116.08		
				POWER PURCHASE	76,116.08
	Vendor Total		**76,116.08**		
FYTD for SEMPRA ENERGY SOLUTIONS			**5,425,821.99**		
SHELL ENERGY NORTH AMERICA (US) L.P.					
	5/10/2010	202469	347,400.00		
				ELECT ENERGY PURCHASE	347,400.00
	Vendor Total		**347,400.00**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.			**1,347,140.00**		
SOCO GROUP, INC					
	5/17/2010	202574	28,532.52		
				FUEL PURCHASE	5,555.06
				FUEL PURCHASE	6,515.69
				FUEL PURCHASE	4,166.97
				FUEL PURCHASE	6,354.60
				FUEL PURCHASE	5,940.20
	Vendor Total		**28,532.52**		
FYTD for SOCO GROUP, INC			**177,677.66**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202362	32,336.02		
				TRAFFIC CONTRLLR-IRONWOOD PROJ	4,277.85
				ST. LIGHT INSTALL-IRONWOOD AVE	13,228.69
				LINE EXTENSION-IRONWOOD AVE	14,829.48
	5/10/2010	202474	42,911.92		
				WDAT CHARGES-FREDERICK	2,000.25
				WDAT CHARGES-GLOBE	7,317.45
				WDAT CHARGES-GRAHAM	3,727.65
				WDAT CHARGES-NANDINA	2,647.31
				WDAT CHARGES-SUBSTATION	10,447.31
				WDAT CHARGES-IRIS	2,625.22
				IFA CHARGES-SUBSTATION	14,146.73
	5/17/2010	202576	142,157.95		
				ELECTRICITY	662.64
				ELECTRICITY	69.62
				ELECTRICITY	334.34
				ELECTRICITY	44.41
				ELECTRICITY	1,237.74
				ELECTRICITY	100.90
				ELECTRICITY	855.88
				ELECTRICITY	774.56
				ELECTRICITY	912.76
				ELECTRICITY	2,260.42
				ELECTRICITY	1,017.56
				ELECTRICITY	1,154.20
				ELECTRICITY	23.30
				ELECTRICITY	95,834.82
				ELECTRICITY	35,938.01
				ELECTRICITY	528.72
				ELECTRICITY	153.47
				ELECTRICITY	22.57
				ELECTRICITY	25.30
				ELECTRICITY	70.10
				ELECTRICITY	90.28
				ELECTRICITY	46.35
	5/24/2010	202684	27,410.22		
				ELECTRICITY	189.84
				ELECTRICITY	5,413.60
				ELECTRICITY	2,476.70
				ELECTRICITY	19.20
				ELECTRICITY	2,686.37
				ELECTRICITY	714.24
				ELECTRICITY	1,980.71
				ELECTRICITY	884.39
				ELECTRICITY	247.87
				ELECTRICITY	4,261.86
				ELECTRICITY	266.78
				ELECTRICITY	4,583.80
				ELECTRICITY	1,792.00
				ELECTRICITY	275.09
				ELECTRICITY	463.94
				ELECTRICITY	484.74

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			ELECTRICITY	201.01
			ELECTRICITY	141.37
			ELECTRICITY	302.24
			ELECTRICITY	24.47
Vendor Total		**244,816.11**		
FYTD for SOUTHERN CALIFORNIA EDISON		**6,749,896.42**		
STANDARD INSURANCE CO				
5/10/2010	202477	30,743.99		
			LIFE & DISABILITY INSURANCE	12,727.14
			LIFE & DISABILITY INSURANCE	17,972.90
			LIFE & DISABILITY INSURANCE	43.95
Vendor Total		**30,743.99**		
FYTD for STANDARD INSURANCE CO		**359,149.29**		
STEWART TITLE OF CALIFORNIA				
5/24/2010	1005131	72,187.00		
			ESCROW & ACQ -11989 HUBBARD ST	72,187.00
Vendor Total		**72,187.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
U.S. BANK/CALCARDS				
5/13/2010	1005111	61,805.04		
			CALCARD PMT CYCLE END 05/07/10	61,805.04
Vendor Total		**61,805.04**		
FYTD for U.S. BANK/CALCARDS		**1,763,214.75**		
VERIZON CALIFORNIA, INC				
5/3/2010	202384	38,471.97		
			REMOVE/RELOCATE CABLES/CABINET	38,471.97
Vendor Total		**38,471.97**		
FYTD for VERIZON CALIFORNIA, INC		**38,471.97**		
WILLDAN AND ASSOCIATES				
5/3/2010	202389	125,696.30		
			MORENO BEACH DR WIDENING PROJ	48,237.50
			MORENO BEACH DR WIDENING PROJ	42,309.75
			MORENO BEACH DR WIDENING PROJ	35,149.05
Vendor Total		**125,696.30**		
FYTD for WILLDAN AND ASSOCIATES		**403,687.78**		

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WINZLER & KELLY CONSULTING ENGINEERS					
	5/10/2010	202500	50,083.59		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
				IRONWOOD AVE WIDENING PROJ	31,273.59
	Vendor Total		**50,083.59**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
	Subtotal		**18,625,911.37**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
COMMUNITY VETERINARY HOSPITAL, INC.				
5/17/2010	202505	183.00		
			VETERINARY SVC-MAX	183.00
Vendor Total		**183.00**		
FYTD for COMMUNITY VETERINARY HOSPITAL, INC.		**183.00**		
TRANSOFT SOLUTIONS, INC.				
5/17/2010	202506	710.00		
			AUTOTURN MAINT ASSURANCE PRGM	710.00
Vendor Total		**710.00**		
FYTD for TRANSOFT SOLUTIONS, INC.		**1,999.00**		
UNIVERSAL TRUCK BODY, INC.				
5/10/2010	202398	162.50		
			MISC REPAIR-M&O	162.50
Vendor Total		**162.50**		
FYTD for UNIVERSAL TRUCK BODY, INC.		**162.50**		
3 M M M				
5/3/2010	202213	27.99		
			REFUND-BUS LIC OVRPMT	27.99
Vendor Total		**27.99**		
FYTD for 3 M M M		**27.99**		
3M LIBRARY SYSTEMS, INC.				
5/10/2010	202399	1,735.00		
			ANNUAL MAINTENANCE	1,735.00
Vendor Total		**1,735.00**		
FYTD for 3M LIBRARY SYSTEMS, INC.		**1,735.00**		
A & I REPROGRAPHICS 2406362				
5/3/2010	202214	1,481.66		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	637.11
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	844.55
5/10/2010	202400	96.30		
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	96.30
5/17/2010	202507	1,216.59		
			RPRGRPHC SVCS-ST IMPRVMNT PRGM	68.30
			RPRGRPHC SVCS-AUTO MALL PROJ	147.08
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	1,001.21
Vendor Total		**2,794.55**		
FYTD for A & I REPROGRAPHICS 2406362		**22,357.59**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
A NEW DAWN CONSTRUCTION					
	5/17/2010	202508	543.75		
				MURAL FRAME-POLICE	543.75
	Vendor Total		**543.75**		
FYTD for A NEW DAWN CONSTRUCTION			**543.75**		
ACCOUNTEMPS					
	5/3/2010	202215	920.00		
				TEMP SVCS-APODACA W/E 4/16	920.00
	5/10/2010	202401	828.00		
				TEMP SVCS-APODACA W/E 4/23	828.00
	5/24/2010	202601	1,656.00		
				TEMP SVCS-APODACA W/E 4/30	828.00
				TEMP SVCS-APODACA W/E 5/7	828.00
	Vendor Total		**3,404.00**		
FYTD for ACCOUNTEMPS			**13,842.75**		
ADAMS, MARK L.					
	5/3/2010	880410	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ADAMS, MARK L.			**3,506.03**		
ADLERHORST INTERNATIONAL INC.					
	5/17/2010	880497	425.01		
				CANINE TRAINING-BLUE	141.67
				CANINE TRAINING-LEX/MAX	283.34
	5/24/2010	880521	261.00		
				MUZZLE FOR K-9 LEX	261.00
	Vendor Total		**686.01**		
FYTD for ADLERHORST INTERNATIONAL INC.			**5,383.85**		
ADMINSURE					
	5/3/2010	202216	2,600.00		
				WRKMNS COMP ADMN SVCS	2,600.00
	Vendor Total		**2,600.00**		
FYTD for ADMINSURE			**28,600.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
5/3/2010	880411	390.00		
			ICE MACHINE MAINT-FS #65	195.00
			ICE MACHINE MAINT-FS #6	195.00
5/10/2010	880473	975.00		
			ICE MACH MAINT-CONF & REC CTR	195.00
			ICE MACH MAINT-FS #58	195.00
			ICE MACH MAINT-FS #91	195.00
			ICE MACH MAINT-TOWNGATE CTR	195.00
			ICE MACH MAINT-FS #2	195.00
5/17/2010	880498	875.00		
			ICE MACH MAINT-EMERG OPS	195.00
			ICE MACH MAINT-FS #48	195.00
			ICE MACH MAINT-SENIOR CTR	195.00
			ICE MACH MAINT-CITY YARD	290.00
5/24/2010	880522	195.00		
			ICE MACH MAINT-PSB	195.00
Vendor Total		**2,435.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**7,962.96**		
ADVANCED ELECTRIC				
5/17/2010	202509	378.00		
			ELECT WORK-CONF & REC CTR	229.00
			ELECT WORK-CONF & REC CTR	19.00
			ELECT WORK-ANML SHLTR	130.00
Vendor Total		**378.00**		
FYTD for ADVANCED ELECTRIC		**78,902.00**		
AEI-CASC ENGINEERING				
5/24/2010	880523	1,631.75		
			PLAN CHECK SVCS	1,631.75
Vendor Total		**1,631.75**		
FYTD for AEI-CASC ENGINEERING		**317,771.84**		
AFL TELECOMMUNICATIONS				
5/3/2010	202217	740.53		
			SPLICER REPAIR-TECH SVCS	576.75
			SPLICER REPAIR-SHIPPING	152.69
			SPLICER REPAIR-SALES TAX	11.09
Vendor Total		**740.53**		
FYTD for AFL TELECOMMUNICATIONS		**740.53**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AIR COMMERCIAL REAL ESTATE ASSOCIATION				
5/10/2010	880474	900.00		
			DATABASE LEASING SVCS	900.00
Vendor Total		**900.00**		
FYTD for AIR COMMERCIAL REAL ESTATE ASSOCIATION		**2,550.00**		
ALBERTO'S MEXICAN FOOD				
5/10/2010	202402	49.47		
			REFUND-BUS LIC OVRPMT	49.47
Vendor Total		**49.47**		
FYTD for ALBERTO'S MEXICAN FOOD		**49.47**		
ALICEA, RICHARD				
5/17/2010	202510	80.50		
			MILEAGE REIMBURSEMENT	80.50
Vendor Total		**80.50**		
FYTD for ALICEA, RICHARD		**624.35**		
ALLIANZ LIFE INSURANCE CO				
5/10/2010	202403	75.00		
			NON-EXEMPT ANNUITY	75.00
Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO		**825.00**		
ALTERNATIVES TO DOMESTIC VIOLENCE				
5/3/2010	202218	1,948.34		
			CDBG FUNDED SVCS-DOM VIOL PRGM	1,948.34
Vendor Total		**1,948.34**		
FYTD for ALTERNATIVES TO DOMESTIC VIOLENCE		**8,256.70**		
AMERICAN FORENSIC NURSES				
5/3/2010	880412	982.70		
			BLOOD DRAWS	46.70
			BLOOD DRAWS	936.00
5/10/2010	880475	140.10		
			BLOOD DRAWS	140.10
5/24/2010	880524	1,842.00		
			BLOOD DRAWS	1,259.00
			BLOOD DRAWS	583.00
Vendor Total		**2,964.80**		
FYTD for AMERICAN FORENSIC NURSES		**24,715.10**		

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AMERICAN PROTECTION SERVICES				
5/10/2010	202404	1,030.00		
			SURVEILLANCE SYS-MAINT/SVC	900.00
			SURVEILLANCE SYS-MONITOR MOVE	130.00
	Vendor Total	**1,030.00**		
FYTD for AMERICAN PROTECTION SERVICES		**10,900.85**		
AMERICAN QUICK PRINTING				
5/10/2010	202501	770.49		
			PRINTING SVCS-PARKS	674.25
			PRINTING SVCS-LAND DEVLOPMENT	96.24
	Vendor Total	**770.49**		
FYTD for AMERICAN QUICK PRINTING		**4,765.32**		
AMERICAN ROTARY BROOM CO.				
5/17/2010	202511	1,097.97		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	111.79
			STREET SWEEPING BROOM KITS	493.09
	Vendor Total	**1,097.97**		
FYTD for AMERICAN ROTARY BROOM CO.		**31,019.58**		
AMTECH ELEVATOR SERVICES				
5/17/2010	202512	118.37		
			ELEVATOR SVC-CITY HALL	118.37
	Vendor Total	**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,818.78**		
ANCHETA, WARREN				
5/10/2010	202405	260.00		
			PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total	**260.00**		
FYTD for ANCHETA, WARREN		**260.00**		
ANDRE LANDSCAPING SERVICE, INC.				
5/3/2010	202219	21.68		
			REFUND-BUS LIC OVRPMT	21.68
	Vendor Total	**21.68**		
FYTD for ANDRE LANDSCAPING SERVICE, INC.		**21.68**		
ANIMAL EMERGENCY CLINIC, INC.				
5/24/2010	880525	145.00		
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
	Vendor Total	**145.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,679.00**		

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ANIMAL PEST MANAGEMENT SERVICES, INC.				
5/24/2010	202602	1,790.00		
			PEST CONTROL-PARKS	665.00
			PEST CONTROL-PARKS	255.00
			PEST CONTROL-MARCH FLD	330.00
			PEST CONTROL-PAL	100.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-CFD #1	80.00
			PEST CONTROL-GOLF CRS	180.00
			PEST CONTROL-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**21,790.00**		
APARTMENT HIGHLAND MEADOWS, LLLP				
5/24/2010	202603	30.00		
			REFUND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for APARTMENT HIGHLAND MEADOWS, LLLP		**30.00**		
ARCHER, GREG				
5/24/2010	202604	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for ARCHER, GREG		**50.00**		
ARCHIVE MANAGEMENT SERVICE				
5/17/2010	202513	1,390.57		
			OFFSITE STORAGE-CITY CLERKS	1,390.57
	Vendor Total	**1,390.57**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**14,734.26**		
ARROWHEAD WATER				
5/17/2010	202514	200.00		
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SENIOR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-FAC ANNX	25.00
			WTR PURIF RNTL-CONF & REC CTR	25.00
			WTR PURIF RNTL-ASES	25.00
	Vendor Total	**200.00**		
FYTD for ARROWHEAD WATER		**5,763.57**		

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ASSOCIATED ENGINEERS, INC.					
	5/24/2010	202605	4,267.50		
				HEACOCK ST WIDENING PROJ SVCS	4,267.50
	Vendor Total		**4,267.50**		
FYTD for ASSOCIATED ENGINEERS, INC.			**61,141.61**		
ASUNCION, ANGELICA					
	5/10/2010	202406	169.40		
				REFUND-MV UTILITY	169.40
	Vendor Total		**169.40**		
FYTD for ASUNCION, ANGELICA			**169.40**		
AT&T/MCI					
	5/3/2010	202220	183.59		
				COMMUNICATION SVCS-GTF	183.59
	Vendor Total		**183.59**		
FYTD for AT&T/MCI			**2,020.47**		
AVIAT NETWORKS INC.					
	5/10/2010	202407	16,014.00		
				RADIO SYSTEMS-MAINT/SUPPORT	16,014.00
	Vendor Total		**16,014.00**		
FYTD for AVIAT NETWORKS INC.			**16,014.00**		
AWE					
	5/24/2010	202606	730.63		
				ANNUAL SUBSCRIPTION-LIBRARY	700.00
				ANNUAL SUBSCRIPTION-LIBRARY	30.63
	Vendor Total		**730.63**		
FYTD for AWE			**730.63**		
AYARS, MARGARET E.					
	5/3/2010	202221	1,593.65		
				RETIREE MEDICAL BENEFIT	1,593.65
	Vendor Total		**1,593.65**		
FYTD for AYARS, MARGARET E.			**3,824.76**		
BACHER, GRACE					
	5/3/2010	202222	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for BACHER, GRACE			**2,742.41**		

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BARNES, DARLENE					
	5/3/2010	880413	114.50		
				RETIREE MEDICAL BENEFIT	114.50
	Vendor Total		**114.50**		
FYTD for BARNES, DARLENE			**1,230.06**		
BARTEL ASSOCIATES, LLC					
	5/3/2010	202223	605.00		
				PROF SVCS-GASB 45	605.00
	Vendor Total		**605.00**		
FYTD for BARTEL ASSOCIATES, LLC			**605.00**		
BASIC BACKFLOW					
	5/24/2010	202607	60.00		
				BACKFLOW TESTING	60.00
	Vendor Total		**60.00**		
FYTD for BASIC BACKFLOW			**1,384.65**		
BATES LEATHERS					
	5/24/2010	202608	935.25		
				JACKETS-POLICE	750.38
				VESTS-POLICE	184.87
	Vendor Total		**935.25**		
FYTD for BATES LEATHERS			**6,546.75**		
BELL, ORROCK & WATASE, INC					
	5/3/2010	202224	7,941.20		
				LEGAL SVCS	6,682.55
				LEGAL SVCS	1,258.65
	Vendor Total		**7,941.20**		
FYTD for BELL, ORROCK & WATASE, INC			**22,557.01**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.					
	5/10/2010	202408	120.00		
				LANDSCAPE MAINT-PARKS	120.00
	5/17/2010	202515	5,806.25		
				LANDSCAPE MAINT-FIRE STNS	3,506.25
				LANDSCAPE MAINT-FIRE STNS	2,300.00
	5/24/2010	202609	16,998.14		
				LANDSCAPE MAINT-AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-AQDCT A	850.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECTION	600.00
				LANDSCAPE MAINT-AQDCT	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-STARS	300.00
				LANDSCAPE MAINT-ANNX #1	300.00
				LANDSCAPE MAINT-CONF & REC CTR	1,388.00
				LANDSCAPE MAINT-CONF & REC CTR	512.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-SUBSTATION	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-VTRNS MEM	250.00
	Vendor Total		**22,924.39**		
FYTD for BEMUS LANDSCAPE, INC.			**455,641.79**		
BENESYST					
	5/17/2010	880499	20.13		
				COBRA SUBSIDY-MAY2010 PREMS	14.43
				COBRA SUBSIDY-MAY2010 PREMS	5.70
	Vendor Total		**20.13**		
FYTD for BENESYST			**60.39**		
BESAM U S, INC					
	5/3/2010	202226	87.43		
				REFUND-BUS LIC OVRPMT	87.43
	Vendor Total		**87.43**		
FYTD for BESAM U S, INC			**87.43**		
BEST IMPRESSIONS					
	5/10/2010	202409	44.89		
				REFUND-BUS LIC OVRPMT	44.89
	Vendor Total		**44.89**		
FYTD for BEST IMPRESSIONS			**44.89**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEVEN - HERRON, INC					
	5/3/2010	202227	32.53		
				REFUND-BUS LIC OVRPMT	32.53
	Vendor Total		**32.53**		
FYTD for BEVEN - HERRON, INC			**32.53**		
BIMBO BAKERIES U S A, INC.					
	5/3/2010	202228	37.27		
				REFUND-BUS LIC OVRPMT	37.27
	Vendor Total		**37.27**		
FYTD for BIMBO BAKERIES U S A, INC.			**37.27**		
BIO-TOX LABORATORIES					
	5/17/2010	202516	4,003.08		
				TOXICOLOGY TESTS	418.45
				TOXICOLOGY TESTS	1,387.73
				TOXICOLOGY TESTS	2,196.90
	Vendor Total		**4,003.08**		
FYTD for BIO-TOX LABORATORIES			**40,202.33**		
BLAIR, CHERYL					
	5/10/2010	202410	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**2,673.00**		
BLOSSOM SOFTWARE					
	5/10/2010	202411	636.00		
				SITE SEARCH SVCS-MEDIA	636.00
	Vendor Total		**636.00**		
FYTD for BLOSSOM SOFTWARE			**636.00**		
BLUE SHIELD OF CALIFORNIA					
	5/24/2010	202610	522.87		
				HEALTH INS PREMIUMS	278.85
				HEALTH INS PREMIUMS	244.02
	Vendor Total		**522.87**		
FYTD for BLUE SHIELD OF CALIFORNIA			**9,681.67**		
BOAFO, CLAUDIA					
	5/24/2010	202611	30.00		
				REFUND-CPR CLASS	30.00
	Vendor Total		**30.00**		
FYTD for BOAFO, CLAUDIA			**30.00**		

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BOB, FELIX					
	5/17/2010	202517	365.00		
				REFUND-RNTL DEP 5/1	165.00
				REFUND-RNTL DEP 5/1	200.00
	Vendor Total		**365.00**		
FYTD for BOB, FELIX			**365.00**		
BONDERER, ROBERT					
	5/3/2010	202229	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for BONDERER, ROBERT			**95.00**		
BOPF, WILLIAM					
	5/10/2010	202412	432.61		
				TRAVEL EXP-ICSC RECON CONF.	240.61
				TRAVEL EXP-ICSC RECON CONF.	192.00
	Vendor Total		**432.61**		
FYTD for BOPF, WILLIAM			**432.61**		
BORROMEO, ESTRELLA					
	5/3/2010	202230	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BORROMEO, ESTRELLA			**20.00**		
BOSSENMEYER, ANDREA					
	5/3/2010	202231	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for BOSSENMEYER, ANDREA			**20.00**		
BRADT, DON					
	5/24/2010	202612	61.60		
				REFUND-DOG TRAINING CLASS	61.60
	Vendor Total		**61.60**		
FYTD for BRADT, DON			**61.60**		
BREITKREUZ, THOMAS F.					
	5/3/2010	202232	464.10		
				RETIREE MEDICAL BENEFIT	464.10
	Vendor Total		**464.10**		
FYTD for BREITKREUZ, THOMAS F.			**2,198.40**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRIGGS, MARGARET					
	5/17/2010	202518	760.00		
				REFUND-RNTL DEP 4/24	360.00
				REFUND-RNTL DEP 4/24	400.00
	Vendor Total		**760.00**		
FYTD for BRIGGS, MARGARET			**760.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.					
	5/10/2010	202415	15,510.04		
				ANNUAL SUBSCRIPTION-LIBRARY	4,220.37
				MISC BOOKS-LIBRARY	29.40
				MISC BOOKS-LIBRARY	41.97
				MISC BOOKS-LIBRARY	125.90
				MISC BOOKS-LIBRARY	232.09
				MISC BOOKS-LIBRARY	120.09
				MISC BOOKS-LIBRARY	437.27
				MISC BOOKS-LIBRARY	27.42
				MISC BOOKS-LIBRARY	56.82
				MISC BOOKS-LIBRARY	261.02
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	75.30
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	24.28
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	21.56
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	31.62
				MISC BOOKS-LIBRARY	132.52
				MISC BOOKS-LIBRARY	397.49
				MISC BOOKS-LIBRARY	114.81
				MISC BOOKS-LIBRARY	809.50
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	274.74
				MISC BOOKS-LIBRARY	236.36
				MISC BOOKS-LIBRARY	111.76
				MISC BOOKS-LIBRARY	185.26
				MISC BOOKS-LIBRARY	242.89
				MISC BOOKS-LIBRARY	18.31
				MISC BOOKS-LIBRARY	43.13
				MISC BOOKS-LIBRARY	15.96
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	18.36
				MISC BOOKS-LIBRARY	66.38
				MISC BOOKS-LIBRARY	35.51
				MISC BOOKS-LIBRARY	981.03
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	60.73
				MISC BOOKS-LIBRARY	336.92
				MISC BOOKS-LIBRARY	82.57
				MISC BOOKS-LIBRARY	21.36
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	21.98
				MISC BOOKS-LIBRARY	1,700.21
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	200.18
				MISC BOOKS-LIBRARY	28.60
				MISC BOOKS-LIBRARY	203.13
				MISC BOOKS-LIBRARY	19.58
				MISC BOOKS-LIBRARY	40.76
				MISC BOOKS-LIBRARY	61.32

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	631.51
			MISC BOOKS-LIBRARY	63.28
			MISC BOOKS-LIBRARY	1,308.23
			MISC BOOKS-LIBRARY	60.11
			MISC BOOKS-LIBRARY	191.83
			MISC BOOKS-LIBRARY	25.92
			MISC BOOKS-LIBRARY	491.08
			MISC BOOKS-LIBRARY	317.98
5/24/2010	202615	6,311.31		
			MISC BOOKS-LIBRARY	20.75
			MISC BOOKS-LIBRARY	111.78
			MISC BOOKS-LIBRARY	260.55
			MISC BOOKS-LIBRARY	80.70
			MISC BOOKS-LIBRARY	21.08
			MISC BOOKS-LIBRARY	58.00
			MISC BOOKS-LIBRARY	44.38
			MISC BOOKS-LIBRARY	16.56
			MISC BOOKS-LIBRARY	53.04
			MISC BOOKS-LIBRARY	110.80
			MISC BOOKS-LIBRARY	41.93
			MISC BOOKS-LIBRARY	91.70
			MISC BOOKS-LIBRARY	48.25
			MISC BOOKS-LIBRARY	60.58
			MISC BOOKS-LIBRARY	43.15
			MISC BOOKS-LIBRARY	180.82
			MISC BOOKS-LIBRARY	34.40
			MISC BOOKS-LIBRARY	22.59
			MISC BOOKS-LIBRARY	19.86
			MISC BOOKS-LIBRARY	127.49
			MISC BOOKS-LIBRARY	21.36
			MISC BOOKS-LIBRARY	271.36
			MISC BOOKS-LIBRARY	47.90
			MISC BOOKS-LIBRARY	41.32
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	167.47
			MISC BOOKS-LIBRARY	20.79
			MISC BOOKS-LIBRARY	170.43
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	58.60
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	40.74
			MISC BOOKS-LIBRARY	336.46
			MISC BOOKS-LIBRARY	27.42
			MISC BOOKS-LIBRARY	748.75
			MISC BOOKS-LIBRARY	69.34
			MISC BOOKS-LIBRARY	255.26
			MISC BOOKS-LIBRARY	31.27
			MISC BOOKS-LIBRARY	50.25
			MISC BOOKS-LIBRARY	10.33
			MISC BOOKS-LIBRARY	319.79
			MISC BOOKS-LIBRARY	52.48
			MISC BOOKS-LIBRARY	275.75
			MISC BOOKS-LIBRARY	216.98
			MISC BOOKS-LIBRARY	876.55

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	417.24
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	24.37
			MISC BOOKS-LIBRARY	141.22
			MISC BOOKS-LIBRARY	14.58
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	42.55
	Vendor Total	**21,821.35**		
FYTD for BRODART CO.		**48,039.90**		

BUCKINGHAM, STAN

5/3/2010	202233	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**1,593.65**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BWI - BOOK WHOLESALERS, INC.				
5/17/2010	202519	8,058.50		
			MISC BOOKS-LIBRARY	165.63
			MISC BOOKS-LIBRARY	1,033.33
			MISC BOOKS-LIBRARY	237.84
			MISC BOOKS-LIBRARY	61.12
			MISC BOOKS-LIBRARY	2,582.16
			MISC BOOKS-LIBRARY	68.77
			MISC BOOKS-LIBRARY	101.01
			MISC BOOKS-LIBRARY	155.63
			MISC BOOKS-LIBRARY	153.66
			MISC BOOKS-LIBRARY	29.25
			MISC BOOKS-LIBRARY	524.81
			MISC BOOKS-LIBRARY	1,573.17
			MISC BOOKS-LIBRARY	245.82
			MISC BOOKS-LIBRARY	9.68
			MISC BOOKS-LIBRARY	27.93
			MISC BOOKS-LIBRARY	335.37
			MISC BOOKS-LIBRARY	37.18
			MISC BOOKS-LIBRARY	40.28
			MISC BOOKS-LIBRARY	96.85
			MISC BOOKS-LIBRARY	53.62
			MISC BOOKS-LIBRARY	525.39
5/24/2010	202617	10,156.81		
			MISC BOOKS-LIBRARY	40.98
			MISC BOOKS-LIBRARY	178.70
			MISC BOOKS-LIBRARY	19.74
			MISC BOOKS-LIBRARY	225.06
			MISC BOOKS-LIBRARY	13.99
			MISC BOOKS-LIBRARY	49.38
			MISC BOOKS-LIBRARY	699.13
			MISC BOOKS-LIBRARY	1,324.15
			MISC BOOKS-LIBRARY	1,125.57
			MISC BOOKS-LIBRARY	686.72
			MISC BOOKS-LIBRARY	1,711.22
			MISC BOOKS-LIBRARY	383.91
			MISC BOOKS-LIBRARY	108.65
			MISC BOOKS-LIBRARY	14.63
			MISC BOOKS-LIBRARY	286.73
			MISC BOOKS-LIBRARY	27.70
			MISC BOOKS-LIBRARY	213.16
			MISC BOOKS-LIBRARY	277.10
			MISC BOOKS-LIBRARY	82.45
			MISC BOOKS-LIBRARY	1,827.81
			MISC BOOKS-LIBRARY	170.07
			MISC BOOKS-LIBRARY	238.87
			MISC BOOKS-LIBRARY	105.25
			MISC BOOKS-LIBRARY	16.91
			MISC BOOKS-LIBRARY	25.26
			MISC BOOKS-LIBRARY	167.91
			MISC BOOKS-LIBRARY	33.14
			MISC BOOKS-LIBRARY	10.39
			MISC BOOKS-LIBRARY	68.43
			MISC BOOKS-LIBRARY	9.68

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	14.12
Vendor Total		18,215.31		
FYTD for BWI - BOOK WHOLESALERS, INC.		**23,793.39**		
CABLECOM OF CALIFORNIA				
5/3/2010	202234	30.68		
			REFUND-BUS LIC OVRPMT	30.68
Vendor Total		30.68		
FYTD for CABLECOM OF CALIFORNIA		**30.68**		
CAIN, GREGORY				
5/3/2010	880414	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CAIN, GREGORY		**2,868.58**		
CALIFORNIA STATE CONTROLLER'S OFFICE				
5/17/2010	202520	2,670.18		
			INTEREST ASSESSMENT-YR 2007	2,670.18
Vendor Total		2,670.18		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,670.18**		
CALIFORNIA TRANSCRIPTION, LLC				
5/3/2010	880415	225.14		
			TRANSCRIPTION SVCS	225.14
Vendor Total		225.14		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**1,546.83**		
CANNON, ANA M.				
5/3/2010	202235	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CANNON, ANA M.		**1,593.65**		
CANON BUSINESS SOLUTIONS, INC.				
5/3/2010	880416	7,379.91		
			COPIER SERVICES	6,303.55
			COPIER SERVICES	482.57
			COPIER SERVICES	593.79
Vendor Total		7,379.91		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,523.10**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CANON FINANCIAL SERVICES, INC.				
5/17/2010	202521	7,590.68		
			COPIER LEASE-CITYWIDE	7,059.29
			COPIER LEASE-SALES TAX	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CARL'S JR				
5/3/2010	202236	47.92		
			REFUND-BUS LIC OVRPMT	25.98
			REFUND-BUS LIC OVRPMT	21.94
	Vendor Total	**47.92**		
FYTD for CARL'S JR		**47.92**		
CATES, JOSHUA				
5/24/2010	202618	86.00		
			REFUND-RABIES DEP	20.00
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for CATES, JOSHUA		**86.00**		
CATHOLIC CHARITIES				
5/3/2010	202237	22,820.45		
			CDBG FUNDED SVCS-RNTL ASSIST	5,591.16
			CDBG FUNDED SVCS-RNTL ARREARS	1,189.97
			CDBG FUNDED SVCS-RNTL ASSIST	9,400.32
			CDBG FUNDED SVCS-RNTL ARREARS	6,639.00
	Vendor Total	**22,820.45**		
FYTD for CATHOLIC CHARITIES		**22,820.45**		
CERTIFIED CREDIT REPORTING, INC				
5/17/2010	202522	77.76		
			CREDIT PROFILE SVCS-EDD	77.76
	Vendor Total	**77.76**		
FYTD for CERTIFIED CREDIT REPORTING, INC		**273.94**		
CHAMBERS, RICHARD J. SR.				
5/24/2010	202619	233.28		
			REFUND-CITATION OVRPMT	233.28
	Vendor Total	**233.28**		
FYTD for CHAMBERS, RICHARD J. SR.		**233.28**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHANCY, CHIZURU					
	5/10/2010	202416	163.80		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
				INSTRUCTOR SVCS-HAWAIIAN DANCE	70.20
	5/24/2010	202620	140.40		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	140.40
	Vendor Total		**304.20**		
FYTD for CHANCY, CHIZURU			**1,731.60**		
CHAPMAN, STEVE					
	5/3/2010	202238	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC					
	5/3/2010	202239	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHERRY VALLEY FEED					
	5/3/2010	202240	97.84		
				DOG FOOD-K9 LEX	97.84
	Vendor Total		**97.84**		
FYTD for CHERRY VALLEY FEED			**1,775.68**		
CHI, PHILLIP J.F.					
	5/3/2010	202241	97.60		
				REFUND-PERMIT FEE	97.60
	Vendor Total		**97.60**		
FYTD for CHI, PHILLIP J.F.			**97.60**		
CHICAGO PASTA HOUSE					
	5/3/2010	202242	46.54		
				REFUND-BUS LIC OVRPMT	46.54
	Vendor Total		**46.54**		
FYTD for CHICAGO PASTA HOUSE			**46.54**		
CHRISTIAN, OWEN					
	5/3/2010	880417	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for CHRISTIAN, OWEN			**2,415.29**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION					
	5/3/2010	202243	41.91		
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
	5/10/2010	202417	202.92		
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-GOLF CRS CREW	5.85
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PURCHASING	3.96
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-PARKS	53.01
				UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-FACILITY MAIN	16.65
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
	5/17/2010	202524	472.05		
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	16.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-TRFFC MAINT	11.23
				UNIFORM RNTL SVC-SIGNING CREW	13.85
				UNIFORM RNTL SVC-PARKS MAINT	53.01
				UNIFORM RNTL SVC-GRAFFITI CREW	8.37
				UNIFORM RNTL SVC-EQUIP MAINT	21.40
				UNIFORM RNTL SVC-TREE MAINT	8.37
				UNIFORM RNTL SVC-CFD #1 STAFF	10.98
				UNIFORM RNTL SVC-ST SWEEPING	5.58
				UNIFORM RNTL SVC-STRM DRN MAIN	2.79
				UNIFORM RNTL SVC-STREET MAINT	41.49
				UNIFORM RNTL SVC-CONCRETE MAIN	8.37
				UNIFORM RNTL SVC-FAC MAINT	16.65

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-GOLF CRS CREW	5.85
5/24/2010	202621	111.57		
			UNIFORM RNTL SVC-SIGNAL MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS MAINT	53.01
			UNIFORM RNTL SVC-CFD #1 STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-GOLF CRS	5.85
Vendor Total		**828.45**		
FYTD for CINTAS CORPORATION		**7,419.15**		
CITY OF CANYON LAKE				
5/10/2010	202418	35.00		
			LCC-RIV CTY GENERAL MEETING	35.00
Vendor Total		**35.00**		
FYTD for CITY OF CANYON LAKE		**35.00**		
CITY OF CHULA VISTA				
5/3/2010	202244	20.00		
			REGISTRATION-HHW & USED OIL RE	20.00
Vendor Total		**20.00**		
FYTD for CITY OF CHULA VISTA		**20.00**		
CITY OF MORENO VALLEY VEBA TRUST				
5/10/2010	880478	4,100.00		
			EXEMPT VEBA	4,100.00
Vendor Total		**4,100.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**46,262.50**		
COLONIAL SUPPLEMENTAL INSURANCE				
5/24/2010	202622	7,137.63		
			SUPPLEMENTAL INSURANCE	7,137.63
Vendor Total		**7,137.63**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**86,191.41**		
COMMERCE ENERGY, INC.				
5/3/2010	202245	43.70		
			REFUND-BUS LIC OVRPMT	43.70
Vendor Total		**43.70**		
FYTD for COMMERCE ENERGY, INC.		**43.70**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COMMUNITY ASSISTANCE PROGRAM - CAP				
5/3/2010	880418	19,887.75		
			CDBG FUNDED SVCS-FOOD DIST	2,490.60
			CDBG FUNDED SVCS-FOOD DIST	2,491.08
			CDBG FUNDED SVCS-FOOD DIST	2,650.01
			CDBG FUNDED SVCS-FOOD DIST	2,361.96
			CDBG FUNDED SVCS-FOOD DIST	2,150.00
			CDBG FUNDED SVCS-FOOD DIST	2,230.85
			CDBG FUNDED SVCS-FOOD DIST	2,233.50
			CDBG FUNDED SVCS-FOOD DIST	3,279.75
5/24/2010	880527	2,201.00		
			CDBG FUNDED SVCS-FOOD DIST	2,201.00
Vendor Total		**22,088.75**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP		**24,316.85**		
COMMUNITY HEALTH CHARITIES				
5/10/2010	202419	151.47		
			CHC CONTRIBUTIONS	151.47
5/24/2010	202623	151.47		
			CHC CONTRIBUTIONS	151.47
Vendor Total		**302.94**		
FYTD for COMMUNITY HEALTH CHARITIES		**8,321.37**		
CONNOLLY, DANAE & PAUL				
5/24/2010	202624	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for CONNOLLY, DANAE & PAUL		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION				
5/24/2010	202625	14,303.11		
			ASPHALTIC MATERIAL	2,982.84
			ASPHALTIC MATERIAL	3,707.35
			ASPHALTIC MATERIAL	4,623.72
			ASPHALTIC MATERIAL	2,989.20
Vendor Total		**14,303.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**14,303.11**		
CONTINUING EDUCATION OF THE BAR				
5/10/2010	202420	295.79		
			LEGAL SUBSCRIPTIONS	152.57
			LEGAL SUBSCRIPTIONS	143.22
5/17/2010	202525	128.10		
			LEGAL SUBSCRIPTIONS	128.10
Vendor Total		**423.89**		
FYTD for CONTINUING EDUCATION OF THE BAR		**1,209.76**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COSTCO					
	5/3/2010	202246	1,014.20		
				MISC SUPPLIES-SKATE PARK	576.40
				MISC SUPPLIES-STARS	77.06
				MISC SUPPLIES-STARS	49.55
				MISC SUPPLIES-STARS	311.19
	5/10/2010	202421	824.50		
				MISC SUPPLIES-STARS	311.88
				MISC SUPPLIES-STARS	131.77
				MISC SUPPLIES-STARS	93.62
				MISC SUPPLIES-STARS	287.23
	5/17/2010	202526	1,161.87		
				MISC SUPPLIES-CHILDS PLACE	1,161.87
	5/24/2010	202626	1,461.32		
				MISC SUPPLIES-STARS	177.24
				MISC SUPPLIES-STARS	192.29
				MISC SUPPLIES-STARS	67.96
				MISC SUPPLIES-STARS	169.17
				MISC SUPPLIES-STARS	725.23
				MISC SUPPLIES-SKATE PARK	129.43
	Vendor Total		**4,461.89**		
FYTD for COSTCO			**49,783.80**		
COUNTY OF RIVERSIDE-TLMA-GIS					
	5/24/2010	202627	2,090.31		
				INSPECTION SVCS-TRAFFIC SIGNAL	2,090.31
	Vendor Total		**2,090.31**		
FYTD for COUNTY OF RIVERSIDE-TLMA-GIS			**5,954.87**		
CREATIVE COLOR PRINTING					
	5/3/2010	202247	3,715.99		
				FLYERS-EDD	3,568.00
				FLYERS-EDD	147.99
	Vendor Total		**3,715.99**		
FYTD for CREATIVE COLOR PRINTING			**3,715.99**		
CREATIVE PROMOTIONAL IDEAS					
	5/17/2010	202528	1,234.31		
				WRISTBANDS	1,141.88
				WRISTBANDS	92.43
	Vendor Total		**1,234.31**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**5,603.21**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CTAI PACIFIC GREENSCAPE					
	5/24/2010	880528	5,005.11		
				LANDSCAPE MAINT-DSG1W	4,897.13
				LANDSCAPE MAINT-DSG1W	107.98
	Vendor Total		**5,005.11**		
FYTD for CTAI PACIFIC GREENSCAPE			**57,016.18**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH					
	5/3/2010	202248	342.00		
				PERMIT RENEWAL-CELEB PARK	342.00
	Vendor Total		**342.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			**31,393.61**		
CURVES FOR WOMEN					
	5/3/2010	202249	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for CURVES FOR WOMEN			**57.00**		
D & D SERVICES DBA D & D DISPOSAL, INC.					
	5/24/2010	202628	745.00		
				DISPOSAL SVCS-ANML SHLTR	745.00
	Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.			**8,345.00**		
D S WATERS OF AMERICA, INC.					
	5/3/2010	202250	83.53		
				REFUND-BUS LIC OVRPMT	83.53
	Vendor Total		**83.53**		
FYTD for D S WATERS OF AMERICA, INC.			**83.53**		
DALE, KATHLEEN					
	5/3/2010	880419	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for DALE, KATHLEEN			**3,474.13**		

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DATA TICKET, INC.					
	5/3/2010	880420	6,474.53		
				CITATION PRCSSNG-POLICE	4,054.10
				CITATION PRCSSNG-CODE	2,420.43
	5/17/2010	880500	21,703.61		
				CITATION PRCSSNG-CODE	9,209.16
				CITATION PRCSSNG-CODE	12,494.45
	5/24/2010	880529	841.18		
				CITATION PRCSSNG-BLDG & SAFETY	736.18
				CITATION APPLIC MAINT/SUPPORT	105.00
	Vendor Total		**29,019.32**		
FYTD for DATA TICKET, INC.			**184,193.84**		
DATAQUICK CORPORATE HEADQUARTERS					
	5/24/2010	202629	130.50		
				ONLINE SVCS-POLICE	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**2,335.50**		
DAVLYN INVESTMENTS PROPERTY MANAGEMENT					
	5/24/2010	202630	78.21		
				REFUND-BUS LIC OVRPMT	78.21
	Vendor Total		**78.21**		
FYTD for DAVLYN INVESTMENTS PROPERTY MANAGEMENT			**78.21**		
DEARREADER.COM					
	5/3/2010	202251	600.00		
				SUBSCRIPTION RENEWAL-LIBRARY	600.00
	Vendor Total		**600.00**		
FYTD for DEARREADER.COM			**600.00**		
DEBINAIRE COMPANY					
	5/24/2010	202631	0.00		
				SWITCH RPLCMNT-ANML SVCS	549.19
				SWITCH RPLCMNT-ANML SVCS	-549.19
	Vendor Total		**0.00**		
FYTD for DEBINAIRE COMPANY			**1,780.65**		
DELTA DENTAL					
	5/10/2010	202422	11,054.59		
				EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total		**11,054.59**		
FYTD for DELTA DENTAL			**125,278.39**		

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DELTACARE USA					
	5/17/2010	202529	6,369.84		
				EMPLOYEE DENTAL INSURANCE	6,369.84
	Vendor Total		**6,369.84**		
FYTD for DELTACARE USA			**73,646.55**		
DENNIS GRUBB & ASSOCIATES, LLC					
	5/10/2010	880479	5,330.00		
				PLAN REVIEW SVCS-FIRE	5,330.00
	5/24/2010	880530	2,060.00		
				PLAN REVIEW SVCS-FIRE	2,060.00
	Vendor Total		**7,390.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**17,075.00**		
DHA CONSULTING					
	5/3/2010	202252	150.00		
				CONSULTING SVCS-EDD	150.00
	Vendor Total		**150.00**		
FYTD for DHA CONSULTING			**150.00**		
DIRECT CARPET AND FLOORING					
	5/3/2010	202253	30.11		
				REFUND-BUS LIC OVRPMT	30.11
	Vendor Total		**30.11**		
FYTD for DIRECT CARPET AND FLOORING			**30.11**		
DLS LANDSCAPE, INC					
	5/3/2010	202254	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	5/24/2010	202632	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**24,780.00**		
FYTD for DLS LANDSCAPE, INC			**136,290.00**		
DONAHUE APPRAISAL ASSOCIATES					
	5/10/2010	880480	3,600.00		
				PERRIS BLVD WIDENING PROJ SVCS	3,600.00
	Vendor Total		**3,600.00**		
FYTD for DONAHUE APPRAISAL ASSOCIATES			**65,900.00**		

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DONALD H. MAYNOR					
	5/3/2010	202255	9,375.00		
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
				LEGAL SVCS-UT USERS TAX	3,125.00
	Vendor Total		**9,375.00**		
FYTD for DONALD H. MAYNOR			**9,375.00**		
DORY, ALLEEN F.					
	5/3/2010	202256	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for DORY, ALLEEN F.			**3,168.67**		
DOUBLE D PIPELINE, INC					
	5/3/2010	202257	50.00		
				REFUND-BUS LIC OVRPMT	50.00
	Vendor Total		**50.00**		
FYTD for DOUBLE D PIPELINE, INC			**50.00**		
DUNN, LAURA					
	5/10/2010	202423	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DUNN, LAURA			**716.00**		
DURAN, BLANCA					
	5/10/2010	202424	294.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	294.00
	Vendor Total		**294.00**		
FYTD for DURAN, BLANCA			**2,520.00**		
E.G. BRENNAN & CO, LLC					
	5/10/2010	880481	139.15		
				MAINT RENEWAL-FOLDING MACHINE	69.58
				MAINT RENEWAL-FOLDING MACHINE	69.57
	Vendor Total		**139.15**		
FYTD for E.G. BRENNAN & CO, LLC			**139.15**		

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E.R. BLOCK PLUMBING & HEATING, INC.				
5/17/2010	202530	1,442.04		
			BACKFLOW TESTING-TR30319	36.40
			BACKFLOW TESTING-TR22277	532.82
			BACKFLOW TESTING-TR22277	170.00
			BACKFLOW TESTING-TR20941	532.82
			BACKFLOW TESTING-TR20941	170.00
5/24/2010	202633	582.40		
			BACKFLOW TESTING	582.40
Vendor Total		**2,024.44**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		**31,130.83**		
EASTERN MUNICIPAL WATER DISTRICT				
5/3/2010	202258	24,079.61		
			WATER CHRGS FOR MARCH	170.25
			WATER CHRGS FOR MARCH	596.48
			WATER CHRGS FOR APRIL	124.11
			WATER CHRGS FOR APRIL	285.38
			WATER CHRGS FOR APRIL	479.33
			WATER CHRGS FOR APRIL	6,177.71
			WATER CHRGS FOR APRIL	1,410.36
			WATER CHRGS FOR APRIL	240.28
			WATER CHRGS FOR APRIL	7,980.62
			WATER CHRGS FOR APRIL	3,003.72
			WATER CHRGS FOR APRIL	3,068.46
			WATER CHRGS FOR APRIL	28.32
			WATER CHRGS FOR APRIL	32.00
			WATER CHRGS FOR APRIL	385.62
			WATER CHRGS FOR APRIL	96.97
5/10/2010	202425	78.46		
			WATER CHRGS FOR MARCH	78.46
Vendor Total		**24,158.07**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,038,091.76**		
EASY MONEY EMG				
5/3/2010	202259	72.50		
			REFUND-BUS LIC OVRPMT	72.50
Vendor Total		**72.50**		
FYTD for EASY MONEY EMG		**72.50**		
EBSCO SUBSCRIPTION SERVICE				
5/3/2010	202260	3,789.13		
			SUBSCRIPTIONS RENEWALS-LIBRARY	3,784.18
			SUBSCRIPTIONS RENEWALS-LIBRARY	4.95
Vendor Total		**3,789.13**		
FYTD for EBSCO SUBSCRIPTION SERVICE		**3,789.13**		

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EDGELANE MOBILE PARK					
	5/24/2010	880531	10.00		
				REFUND-UT USER TAXES	10.00
	Vendor Total		**10.00**		
FYTD for EDGELANE MOBILE PARK			**109.17**		
EGGERSTEN, ANNE					
	5/3/2010	202261	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for EGGERSTEN, ANNE			**3,143.83**		
ELITE COURT REPORTING					
	5/3/2010	202262	247.50		
				TRANSCRIPTION SVCS	247.50
	Vendor Total		**247.50**		
FYTD for ELITE COURT REPORTING			**909.80**		
EVANS ENGRAVING & AWARDS					
	5/10/2010	880482	16.32		
				ENGRAVING SVCS-PD	16.32
	5/17/2010	880501	97.88		
				ENGRAVING SVCS-POLICE	97.88
	Vendor Total		**114.20**		
FYTD for EVANS ENGRAVING & AWARDS			**1,854.26**		
EWING IRRIGATION PRODUCTS, INC.					
	5/10/2010	202427	363.82		
				IRRIGATION SUPPLIES	49.57
				IRRIGATION SUPPLIES	314.25
	5/17/2010	202533	290.92		
				IRRIGATION SUPPLIES	102.26
				IRRIGATION SUPPLIES	12.02
				IRRIGATION SUPPLIES	70.85
				IRRIGATION SUPPLIES	105.79
	5/24/2010	202636	1,516.86		
				IRRIGATION SUPPLIES	1,449.31
				IRRIGATION SUPPLIES	4.15
				IRRIGATION SUPPLIES	63.40
	Vendor Total		**2,171.60**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**15,584.55**		

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EXCEL LANDSCAPE, INC					
	5/17/2010	202534	2,666.81		
				LANDSCAPE MAINT-E7	2,666.81
	5/24/2010	202637	9,922.41		
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	3,889.00
	Vendor Total		**12,589.22**		
FYTD for EXCEL LANDSCAPE, INC			**217,737.60**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	5/3/2010	880421	5,772.34		
				CDBG FUNDED SVCS-MEDIATION PRG	5,772.34
	Vendor Total		**5,772.34**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**48,715.14**		
FANNING, JEFFREY DEAN					
	5/24/2010	202638	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FANNING, JEFFREY DEAN			**874.00**		
FASHION BLINDS USA					
	5/3/2010	202263	57.87		
				REFUND-BUS LIC OVRPMT	57.87
	Vendor Total		**57.87**		
FYTD for FASHION BLINDS USA			**57.87**		
FEDERAL EXPRESS					
	5/3/2010	202264	18.08		
				EXPRESS MAILING SVC-SR60/NASON	18.08
	Vendor Total		**18.08**		
FYTD for FEDERAL EXPRESS			**140.08**		
FEENSTRA, JOHN					
	5/3/2010	880422	361.25		
				RETIREE MEDICAL BENEFIT	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		

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FERNANDEZ, NOEMI					
	5/3/2010	202265	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for FERNANDEZ, NOEMI			**95.00**		
FINESSE PERSONNEL ASSOCIATES					
	5/3/2010	202266	1,390.77		
				TEMP SVCS-BECKNER W/E 4/24	1,390.77
	5/17/2010	202535	4,248.64		
				TEMP SVCS-NELSON W/E 4/10	631.80
				TEMP SVCS-NELSON W/E 4/24	874.80
				TEMP SVCS-BECKNER W/E 5/1	1,867.24
				TEMP SVCS-NELSON W/E 5/1	874.80
	5/24/2010	202639	3,850.37		
				TEMP SVCS-BECKNER W/E 5/8	1,957.38
				TEMP SVCS-BECKNER W/E 5/15	1,892.99
	Vendor Total		**9,489.78**		
FYTD for FINESSE PERSONNEL ASSOCIATES			**25,878.64**		
FINNERTY, MICHAEL					
	5/3/2010	202267	119.98		
				REFUND-BUS LIC OVRPMT	119.98
	Vendor Total		**119.98**		
FYTD for FINNERTY, MICHAEL			**119.98**		
FIRST AMERICAN CORE LOGIC, INC.					
	5/24/2010	202640	730.00		
				ONLINE PROP INFO-CODE	85.00
				ONLINE PROP INFO-CDD	475.00
				ONLINE PROP INFO-EDD	170.00
	Vendor Total		**730.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.			**5,210.00**		
FIRST CHOICE SERVICES					
	5/17/2010	880502	93.57		
				COFFEE SVCS-EMP PAID	93.57
	5/24/2010	880532	655.31		
				COFFEE SVCS-EMP PAID	230.43
				COFFEE SVCS-EMP PAID	64.28
				COFFEE SVCS-EMP PAID	181.74
				COFFEE SVCS-EMP PAID	116.95
				COFFEE SVCS-EMP PAID	61.91
	Vendor Total		**748.88**		
FYTD for FIRST CHOICE SERVICES			**8,946.20**		

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FITNESS 19 CA 155 11C				
5/24/2010	202641	281.00		
			GYM MEMBERSHIP DEDUCTIONS	281.00
Vendor Total		**281.00**		
FYTD for FITNESS 19 CA 155 11C		**3,196.00**		
FLYTECH PEST CONTROL				
5/3/2010	202268	78.92		
			REFUND-BUS LIC OVRPMT	78.92
Vendor Total		**78.92**		
FYTD for FLYTECH PEST CONTROL		**78.92**		
FONSECA, CYNTHIA				
5/24/2010	202642	64.00		
			REFUND-PICNIC SHLTR FEE	64.00
Vendor Total		**64.00**		
FYTD for FONSECA, CYNTHIA		**64.00**		
FOREST WOOD FIBER, INC.				
5/10/2010	202428	4,100.90		
			PLAYGROUND FIBER-PARKS	2,594.20
			PLAYGROUND FIBER-PARKS	1,506.70
5/17/2010	202536	3,013.40		
			PLAYGROUND FIBER-PARKS	1,506.70
			PLAYGROUND FIBER-PARKS	1,392.40
			PLAYGROUND FIBER-PARKS	114.30
Vendor Total		**7,114.30**		
FYTD for FOREST WOOD FIBER, INC.		**7,114.30**		
FORTNEY, YVETTE				
5/17/2010	202537	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for FORTNEY, YVETTE		**75.00**		
FOSTER, JAMES BARRY				
5/10/2010	202429	192.00		
			PER DIEM-ICSC RECON CONF.	192.00
5/17/2010	202538	117.58		
			ICSC MONTEREY 3/16-3/17/10	117.58
Vendor Total		**309.58**		
FYTD for FOSTER, JAMES BARRY		**735.73**		

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FOSTER, NANCY A.					
	5/3/2010	202269	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for FOSTER, NANCY A.			**1,581.09**		
FOX, ALLAN					
	5/3/2010	202270	40.00		
				REFUND-RABIES DEP	20.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**40.00**		
FYTD for FOX, ALLAN			**115.00**		
FRANCHISE TAX BOARD					
	5/10/2010	202430	334.54		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
				GARNISHMENT	27.23
				GARNISHMENT	244.81
	5/24/2010	202643	100.00		
				REFUND-CITATION OVRPMT	100.00
	5/24/2010	202644	51.90		
				GARNISHMENT	51.90
	5/24/2010	202645	62.50		
				GARNISHMENT	12.50
				GARNISHMENT	50.00
	Vendor Total		**548.94**		
FYTD for FRANCHISE TAX BOARD			**12,090.03**		
FRANKLIN, L. C.					
	5/10/2010	202431	187.00		
				MILEAGE REIMBURSEMENT	187.00
	5/17/2010	202539	65.94		
				REIMB FOR CHARGES PAID	65.94
	Vendor Total		**252.94**		
FYTD for FRANKLIN, L. C.			**1,701.64**		
FREEMAN, SHANIKQUA					
	5/10/2010	202432	384.00		
				PER DIEM-ICSC RECON CONF.	384.00
	Vendor Total		**384.00**		
FYTD for FREEMAN, SHANIKQUA			**1,300.07**		

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FRIENDS OF THE SENIOR CENTER				
5/24/2010	202646	5,000.00		
			CDBG FUNDED SVCS-SR TRANSP	5,000.00
Vendor Total		**5,000.00**		
FYTD for FRIENDS OF THE SENIOR CENTER		**40,000.00**		
FROST, JOAN CHENG				
5/3/2010	202271	266.00		
			INSTRUCTION SVCS-7 DAYS	266.00
Vendor Total		**266.00**		
FYTD for FROST, JOAN CHENG		**1,444.00**		
FULBRIGHT & JAWORSKI, L.L.P.				
5/17/2010	202541	7,324.36		
			LEGAL SVCS-UTILITIES	7,324.36
Vendor Total		**7,324.36**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**219,824.44**		
G & G PLUMBING				
5/3/2010	202272	56.50		
			REFUND-BUS LIC OVRPMT	56.50
Vendor Total		**56.50**		
FYTD for G & G PLUMBING		**56.50**		
GARCIA, EFREN				
5/10/2010	202433	20.00		
			REFUND-FIELD RNTL FEE	20.00
Vendor Total		**20.00**		
FYTD for GARCIA, EFREN		**20.00**		
GASTON, RICHARD				
5/3/2010	880423	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for GASTON, RICHARD		**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				
5/3/2010	880424	1,062.30		
			SECURITY SVCS-LIBRARY	586.76
			SECURITY SVCS-TOWNGATE	122.72
			SECURITY SVCS-TOWNGATE	76.70
			SECURITY SVCS-CONF & REC CTR	276.12
5/10/2010	880483	613.60		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
5/17/2010	880503	279.96		
			SECURITY SVCS-CONF & REC CTR	279.96
5/24/2010	880533	997.10		
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-MV UTILITY ANNX	276.12
			SECURITY SVCS-RNTL 4/17 TOWNGT	107.38
	Vendor Total	**2,952.96**		
FYTD for GENERAL SECURITY SERVICES, INC.		**49,720.91**		
GENERAL UNDERGROUND FIRE PROTECTION, INC				
5/3/2010	202273	50.00		
			REFUND-BUS LIC OVRPMT	50.00
	Vendor Total	**50.00**		
FYTD for GENERAL UNDERGROUND FIRE PROTECTION, INC		**50.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
5/24/2010	880534	504.50		
			LEGAL SVCS	504.50
	Vendor Total	**504.50**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**145,105.59**		
GINA'S AUTO SERVICE				
5/3/2010	202274	115.01		
			REFUND-BUS LIC OVRPMT	115.01
	Vendor Total	**115.01**		
FYTD for GINA'S AUTO SERVICE		**115.01**		
GONG ENTERPRISES, INC.				
5/17/2010	202542	4,000.00		
			PLAN CHECK SVCS-PA090043	2,000.00
			PLAN CHECK SVCS-PM32215	1,000.00
			PLAN CHECK SVCS-PM35629	1,000.00
	Vendor Total	**4,000.00**		
FYTD for GONG ENTERPRISES, INC.		**12,614.50**		

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GOZDECKI, DAN					
	5/10/2010	880484	918.00		
				INSTRUCTOR SVCS-KUNG FU	486.00
				INSTRUCTOR SVCS-KUNG FU	432.00
	Vendor Total		**918.00**		
FYTD for GOZDECKI, DAN			**7,209.00**		
GRAFFITI TRACKER, INC.					
	5/24/2010	880535	8,000.00		
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	2,000.00
				GRAFFITI TRACK SVCS-CODE	1,000.00
				GRAFFITI TRACK SVCS-CODE	3,000.00
	Vendor Total		**8,000.00**		
FYTD for GRAFFITI TRACKER, INC.			**36,340.00**		
GRANICUS, INC.					
	5/24/2010	202648	1,525.22		
				MANAGED SVC-PODCASTING	130.00
				MANAGED SVC-VIDEO STREAMING	45.22
				MANAGED SVC-VIDEO STREAMING	1,350.00
	Vendor Total		**1,525.22**		
FYTD for GRANICUS, INC.			**15,867.42**		
GREATER ALARM CO.					
	5/3/2010	202275	46.40		
				REFUND-BUS LIC OVRPMT	46.40
	Vendor Total		**46.40**		
FYTD for GREATER ALARM CO.			**46.40**		
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	5/3/2010	202276	80.40		
				LEGAL SVCS-RISK MGT	80.40
	Vendor Total		**80.40**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**33,272.49**		
GRIFFIN, MARLENE C					
	5/3/2010	880425	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for GRIFFIN, MARLENE C			**2,742.41**		

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GUARD SYSTEMS, INC.					
	5/3/2010	202277	37.40		
				REFUND-BUS LIC OVRPMT	37.40
	Vendor Total		**37.40**		
FYTD for GUARD SYSTEMS, INC.			**37.40**		
GUILLAN, REBECCA S.					
	5/3/2010	202278	263.06		
				RETIREE MEDICAL BENEFIT	263.06
	Vendor Total		**263.06**		
FYTD for GUILLAN, REBECCA S.			**1,370.97**		
GUILLIS, LINDA B.					
	5/3/2010	202279	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUILLIS, LINDA B.			**3,506.03**		
GULU, MARGARET & NICK					
	5/17/2010	202543	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for GULU, MARGARET & NICK			**95.00**		
GUTIERREZ, ROBERT					
	5/3/2010	202280	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**2,211.63**		
GUZMAN'S CART SERVICE					
	5/17/2010	880504	4,049.00		
				CART RTRVL SVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
H P COMMUNICATIONS, INC					
	5/10/2010	202434	25.00		
				REFUND-BUS LIC OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for H P COMMUNICATIONS, INC			**25.00**		

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HAAKER EQUIPMENT COMPANY					
	5/10/2010	202435	45.43		
				MISC PARTS-ANML SVCS	45.43
	Vendor Total		**45.43**		
FYTD for HAAKER EQUIPMENT COMPANY			**329.86**		
HAIR SHACK					
	5/3/2010	202281	111.75		
				REFUND-BUS LIC OVRPMT	111.75
	Vendor Total		**111.75**		
FYTD for HAIR SHACK			**111.75**		
HALL, ANTHONY					
	5/10/2010	202436	95.00		
				REFUND-S/N DEPOSIT	75.00
				REFUND-RABIES DEP	20.00
	Vendor Total		**95.00**		
FYTD for HALL, ANTHONY			**95.00**		
HAMLIN, WILLIAM R.					
	5/3/2010	880426	0.00		
				RETIREE MEDICAL BENEFIT	315.59
				RETIREE MEDICAL BENEFIT	-315.59
	5/10/2010	202504	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for HAMLIN, WILLIAM R.			**3,553.63**		
HANES, MARTIN D.					
	5/3/2010	880427	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HARDING, JOHN S.					
	5/3/2010	202282	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HATFIELD, CHARLES					
	5/3/2010	202284	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**2,868.58**		

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HATZL-PATTERSON, NINA MICHELE				
5/10/2010	202437	624.61		
			TRAVEL EXP-ICSC RECON CONF.	240.61
			TRAVEL EXP-ICSC RECON CONF.	384.00
Vendor Total		**624.61**		
FYTD for HATZL-PATTERSON, NINA MICHELE		**876.61**		
HAUSER, ADRIANA				
5/24/2010	202649	532.00		
			INSTRUCTION SVCS-14 DAYS	532.00
Vendor Total		**532.00**		
FYTD for HAUSER, ADRIANA		**3,838.00**		
HEERY INTERNATIONAL, INC.				
5/24/2010	880536	9,728.00		
			NEW MAIN LIBRARY PROJ SVCS	9,728.00
Vendor Total		**9,728.00**		
FYTD for HEERY INTERNATIONAL, INC.		**224,780.75**		
HEFFLEY, ROSS W.				
5/3/2010	880428	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.		**2,868.58**		
HEMPY, STEPHANIE				
5/17/2010	202544	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HEMPY, STEPHANIE		**20.00**		
HERRICK, ROBERT D.				
5/3/2010	202285	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.		**3,506.03**		
HETHERMAN, ANTHONY CHRISTOPHER				
5/17/2010	202595	78.27		
			MILEAGE REIMB-IRRIG DESIGN TRN	78.27
Vendor Total		**78.27**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER		**153.07**		

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HODGE, MICHAEL & KALEIGH				
5/10/2010	202438	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HODGE, MICHAEL & KALEIGH		**20.00**		
HOLTHAUS, ARIEALL				
5/17/2010	202545	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for HOLTHAUS, ARIEALL		**75.00**		
HOMESITE SERVICES, INC				
5/3/2010	202286	82.00		
			REFUND-BUS LIC OVRPMT	82.00
Vendor Total		**82.00**		
FYTD for HOMESITE SERVICES, INC		**82.00**		
HOUSER, EDITH E.				
5/3/2010	202287	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,506.03**		
HOWELL, LORRAINE				
5/17/2010	202546	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for HOWELL, LORRAINE		**20.00**		
ICMA RETIREMENT CORP 457				
5/7/2010	2632	12,410.37		
			DEF COMP 457 05/07/10	12,410.37
5/21/2010	2640	12,410.37		
			DEF COMP 457 05/21/10	12,410.37
Vendor Total		**24,820.74**		
FYTD for ICMA RETIREMENT CORP 457		**336,405.55**		
IDEARC MEDIA SALES - WEST, INC.				
5/3/2010	202288	73.18		
			REFUND-BUS LIC OVRPMT	73.18
Vendor Total		**73.18**		
FYTD for IDEARC MEDIA SALES - WEST, INC.		**73.18**		

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IKON PROPERTIES & INVESTMENTS					
	5/3/2010	202289	69.71		
				REFUND-BUS LIC OVRPMT	69.71
	Vendor Total		**69.71**		
FYTD for IKON PROPERTIES & INVESTMENTS			**69.71**		
IL SORRENTO MOBILE PARK					
	5/10/2010	202439	130.36		
				REFUND-UT USER TAXES	130.36
	Vendor Total		**130.36**		
FYTD for IL SORRENTO MOBILE PARK			**1,806.67**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	5/10/2010	202440	475.00		
				NON-EXEMPT ANNUITY	475.00
	Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**5,225.00**		
INLAND EMPIRE COURT SERVICES					
	5/3/2010	202290	22.93		
				REFUND-BUS LIC OVRPMT	22.93
	Vendor Total		**22.93**		
FYTD for INLAND EMPIRE COURT SERVICES			**22.93**		
INLAND EMPIRE LANDSCAPE, INC					
	5/3/2010	202291	81.00		
				REFUND-BUS LIC OVRPMT	81.00
	Vendor Total		**81.00**		
FYTD for INLAND EMPIRE LANDSCAPE, INC			**81.00**		
INLAND EMPIRE PROPERTY SERVICE, INC					
	5/3/2010	880429	535.00		
				NUISANCE ABTMNT SVCS-DEBRA WAY	283.00
				NUISANCE ABTMNT SVCS-PETEDYE	252.00
	5/10/2010	880485	1,320.00		
				NUISANCE ABTMNT SVCS-CODE	283.00
				WEED ABTMNT SVCS-PARKS	1,037.00
	5/24/2010	880537	82.00		
				NUISANCE ABMNT SVC-260391002	82.00
	Vendor Total		**1,937.00**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC			**77,374.10**		

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INLAND EMPIRE SMALL BUSINESS DEV.CENTER				
5/3/2010	202292	10,000.00		
			BUSINESS COUNSELING SVCS	10,000.00
Vendor Total		**10,000.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**40,000.00**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC				
5/17/2010	880507	2,271.15		
			FUEL TANK SVC-FS #2	718.42
			FUEL TANK SVC-FS #48	454.14
			FUEL TANK SVC-FS #65	658.59
			FUEL TANK SVC-FS #91	440.00
Vendor Total		**2,271.15**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC		**3,444.04**		
INLAND TAN				
5/3/2010	202293	83.53		
			REFUND-BUS LIC OVRPMT	83.53
Vendor Total		**83.53**		
FYTD for INLAND TAN		**83.53**		
INSIDE PLANTS, INC.				
5/24/2010	880538	316.00		
			PLANT MAINT-CONF & REC CTR	316.00
Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.		**3,476.00**		
INTERNATIONAL AUTO CRAFTERS				
5/10/2010	202441	687.50		
			TOWING SERVICE	687.50
Vendor Total		**687.50**		
FYTD for INTERNATIONAL AUTO CRAFTERS		**687.50**		
ISG THERMAL SYSTEMS USA, INC				
5/10/2010	202442	1,471.26		
			THERMAL IMAGING RPR-PD	1,471.26
			THERMAL IMAGING RPR-SALES TAX	81.49
			THERMAL IMAGING RPR-SALES TAX	-81.49
Vendor Total		**1,471.26**		
FYTD for ISG THERMAL SYSTEMS USA, INC		**2,436.15**		

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ISLAND WAVE PRODUCTION: DJ LETI				
5/3/2010	202294	33.61		
			REFUND-BUS LIC OVRPMT	33.61
	Vendor Total	**33.61**		
FYTD for ISLAND WAVE PRODUCTION: DJ LETI		**33.61**		
ISS SWEEPING, INC.				
5/17/2010	880508	2,265.70		
			STREET SWEEPING SVCS	1,545.70
			STREET SWEEPING SVCS	720.00
	Vendor Total	**2,265.70**		
FYTD for ISS SWEEPING, INC.		**25,816.10**		
J A M FIRE PROTECTION				
5/3/2010	202295	21.00		
			REFUND-BUS LIC OVRPMT	21.00
	Vendor Total	**21.00**		
FYTD for J A M FIRE PROTECTION		**21.00**		
JAECH, JESSI				
5/3/2010	202296	75.00		
			REFUND-S/N DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for JAECH, JESSI		**75.00**		
JDEDGE SOFTWARE, LLC				
5/3/2010	880430	6,605.00		
			CONSULTING SVCS	6,605.00
5/24/2010	880539	3,775.00		
			CONSULTING SVCS	3,775.00
	Vendor Total	**10,380.00**		
FYTD for JDEDGE SOFTWARE, LLC		**117,077.68**		
JOE A. GONSALVES & SON				
5/17/2010	880509	3,150.00		
			REPRESENTATION SVCS	3,150.00
	Vendor Total	**3,150.00**		
FYTD for JOE A. GONSALVES & SON		**31,500.00**		
JOHNSON, DELIA				
5/24/2010	202650	144.00		
			INSTRUCTOR SVCS-AEROBICS	144.00
	Vendor Total	**144.00**		
FYTD for JOHNSON, DELIA		**576.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JONES, SUSAN					
	5/3/2010	880431	0.00		
				RETIREE MEDICAL BENEFIT	318.73
				RETIREE MEDICAL BENEFIT	-318.73
	5/26/2010	880558	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, GARY					
	5/17/2010	202547	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for JORDAN, GARY			**50.00**		
JURY, KARRIE OR BRICE					
	5/24/2010	202651	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for JURY, KARRIE OR BRICE			**30.00**		
K HOVNANIAN'S PARKSIDE AT TOWNGATE					
	5/10/2010	202443	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for K HOVNANIAN'S PARKSIDE AT TOWNGATE			**57.00**		
KANOV, LORI					
	5/24/2010	202652	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for KANOV, LORI			**114.00**		
KELLEY'S UNDERGROUND CONSTRUCTION					
	5/3/2010	202297	31.24		
				REFUND-BUS LIC OVRPMT	31.24
	Vendor Total		**31.24**		
FYTD for KELLEY'S UNDERGROUND CONSTRUCTION			**31.24**		
KELLY, SHEILA					
	5/10/2010	202444	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KELLY, SHEILA			**50.00**		

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KEPLER, JANELLE					
	5/17/2010	202548	51.50		
				MILEAGE REIMBURSEMENT	19.00
				MILEAGE REIMBURSEMENT	32.50
	Vendor Total		**51.50**		
FYTD for KEPLER, JANELLE			**247.65**		
KHAN, SHAFIQUL					
	5/17/2010	202549	183.00		
				REFUND-CITATION FEE	183.00
	Vendor Total		**183.00**		
FYTD for KHAN, SHAFIQUL			**479.00**		
KING, PATRICIA A.					
	5/3/2010	202298	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KING, PATRICIA A.			**2,868.58**		
KOLB, CHARLES E.					
	5/3/2010	880432	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE					
	5/3/2010	202299	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**1,593.65**		
KYLE, GARY M.					
	5/3/2010	880433	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**2,868.58**		
LA FUENTE RESTAURANT #5					
	5/3/2010	202300	78.94		
				REFUND-BUS LIC OVRPMT	78.94
	Vendor Total		**78.94**		
FYTD for LA FUENTE RESTAURANT #5			**78.94**		

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LAFATA, JOSEPHINE					
	5/3/2010	880434	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for LAFATA, JOSEPHINE			**3,474.13**		
LAMB, LINDA					
	5/10/2010	202445	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for LAMB, LINDA			**30.00**		
LANG, TRACEY					
	5/3/2010	202301	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for LANG, TRACEY			**722.00**		
LANGENDORF, BENJAMIN					
	5/3/2010	202302	111.61		
				RETIREE MEDICAL BENEFIT	111.61
	Vendor Total		**111.61**		
FYTD for LANGENDORF, BENJAMIN			**2,980.18**		
LAW ENFORCEMENT APPRECIATION COMMITTEE					
	5/20/2010	202599	50.00		
				APPREC. DINNER/AWARDS CEREMONY	50.00
	Vendor Total		**50.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE			**50.00**		
LAWYERS TITLE INC					
	5/17/2010	202550	450.00		
				PRELIM RPT-MORRISON PK FIRE ST	450.00
	Vendor Total		**450.00**		
FYTD for LAWYERS TITLE INC			**212,300.50**		
LE FEVER MATTSON PROPERTY MGMT					
	5/3/2010	202303	23.30		
				REFUND-BUS LIC OVRPMT	23.30
	Vendor Total		**23.30**		
FYTD for LE FEVER MATTSON PROPERTY MGMT			**23.30**		

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LEADING EDGE LEARNING CENTER				
5/24/2010	202653	264.00		
			INSTRUCTOR SVCS-LEADERSHIP ACA	66.00
			INSTRUCTOR SVCS-ESL	198.00
	Vendor Total	**264.00**		
FYTD for LEADING EDGE LEARNING CENTER		**264.00**		
LEIGHTON CONSULTING, INC.				
5/10/2010	880486	10,520.00		
			LASSELLE ST WIDENING PROJ SVCS	10,520.00
	Vendor Total	**10,520.00**		
FYTD for LEIGHTON CONSULTING, INC.		**83,366.64**		
LENNY'S AUTO REPAIR				
5/3/2010	202304	73.79		
			REFUND-BUS LIC OVRPMT	73.79
	Vendor Total	**73.79**		
FYTD for LENNY'S AUTO REPAIR		**73.79**		
LEWIS, CAROLYN S.				
5/3/2010	880435	315.59		
			RETIREE MEDICAL BENEFIT	315.59
	Vendor Total	**315.59**		
FYTD for LEWIS, CAROLYN S.		**3,470.89**		
LEWIS, DOROTHY				
5/3/2010	202305	16.00		
			REFUND-ANML LICENSE FEE	16.00
	Vendor Total	**16.00**		
FYTD for LEWIS, DOROTHY		**16.00**		
LEWIS-SCOTT, CLAUDETTE				
5/3/2010	202306	86.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	16.00
			REFUND-ANML SVC FEES	10.00
	Vendor Total	**86.00**		
FYTD for LEWIS-SCOTT, CLAUDETTE		**86.00**		

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LIEBERT, CASSIDY, WHITMORE				
5/3/2010	202307	175.00		
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
			EMPLOYEE RELATIONS CONSORTIUM	35.00
	Vendor Total	**175.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,694.00**		
LIM & NASCIMENTO ENGINEERING CORP.				
5/3/2010	202308	2,056.59		
			INDIAN BASIN IMPRVMNTS PROJ	2,056.59
5/24/2010	202654	913.01		
			PERRIS BL WIDENING FROM RAM XP	913.01
	Vendor Total	**2,969.60**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**558,770.97**		
LINDO, HERMINA G.				
5/3/2010	880436	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for LINDO, HERMINA G.		**3,060.17**		
LOGAN, CHARLES				
5/3/2010	880437	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**2,727.34**		
LOR GEOTECHNICAL GROUP, INC.				
5/24/2010	880540	950.00		
			VOUGHT ST SIDEWALK IMPRVMNTS	135.00
			TEMCO ST SIDEWALK IMPRVMNTS	815.00
	Vendor Total	**950.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.		**64,021.60**		
LUMLEY, ROBERT C.				
5/3/2010	880438	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	**318.73**		
FYTD for LUMLEY, ROBERT C.		**3,506.03**		

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LUTHERAN SOCIAL SERVICES OF SO. CALI F.					
	5/3/2010	880439	12,824.00		
				CDBG FUNDED SVCS-SECURITY DEPO	7,000.00
				CDBG FUNDED SVCS-SECURITY DEPO	324.00
				CDBG FUNDED SVCS-UTILITY ASSIS	5,000.00
				CDBG FUNDED SVCS-UTILITY ASSIS	500.00
	Vendor Total		**12,824.00**		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.			**57,138.00**		
LYNCH. PATRICK					
	5/10/2010	202446	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for LYNCH. PATRICK			**260.00**		
MACHUCA, ALICIA					
	5/3/2010	202309	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MACHUCA, ALICIA			**75.00**		
MAGANA, OLGA					
	5/17/2010	202551	200.00		
				REFUND-RNTL DEP 4/17	200.00
	Vendor Total		**200.00**		
FYTD for MAGANA, OLGA			**200.00**		
MAGANA'S AUTO UPHOLSTERY & FURNITURE					
	5/3/2010	202310	35.74		
				REFUND-BUS LIC OVRPMT	35.74
	Vendor Total		**35.74**		
FYTD for MAGANA'S AUTO UPHOLSTERY & FURNITURE			**35.74**		
MANCILLA, MARIA					
	5/24/2010	202655	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MANCILLA, MARIA			**50.00**		
MARCH JOINT POWERS AUTHORITY					
	5/17/2010	202552	6.22		
				GAS CHARGES-MARCH FIELD	5.08
				GAS CHARGES-MARCH FIELD	1.14
	Vendor Total		**6.22**		
FYTD for MARCH JOINT POWERS AUTHORITY			**68.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MARK BEAMISH WATERPROOFING, INC.					
	5/3/2010	202311	126.74		
				REFUND-BUS LIC OVRPMT	126.74
	Vendor Total		**126.74**		
FYTD for MARK BEAMISH WATERPROOFING, INC.			**213.74**		
MARKETEKS 2410943					
	5/17/2010	202553	11,740.00		
				INFLATABLE LIGHT TOWERS-PD	11,400.00
				INFLATABLE LIGHT TOWERS-TAX	997.50
				INFLATABLE LIGHT TOWERS-SHIPPI	340.00
				INFLATABLE LIGHT TOWERS-USED T	-997.50
	Vendor Total		**11,740.00**		
FYTD for MARKETEKS 2410943			**27,475.00**		
MARTIAL ARTS INTERNATIONAL, USKO					
	5/10/2010	202447	168.00		
				INSTRUCTOR SVCS-KICKBOXING	112.00
				INSTRUCTOR SVCS-BOXING	56.00
	Vendor Total		**168.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO			**560.00**		
MASONITE CORPORATION					
	5/24/2010	202656	90.00		
				REFUND-FALSE ALARM FEE	90.00
	Vendor Total		**90.00**		
FYTD for MASONITE CORPORATION			**90.00**		
MATHIS, NOLAN					
	5/3/2010	202312	296.00		
				RETIREE MEDICAL BENEFIT	296.00
	Vendor Total		**296.00**		
FYTD for MATHIS, NOLAN			**3,196.80**		
MATICH CORPORATION					
	5/24/2010	880541	21,227.37		
				ASPHALTIC MATERIAL	7,876.84
				ASPHALTIC MATERIAL	9,256.92
				ASPHALTIC MATERIAL	2,795.83
				ASPHALTIC MATERIAL	1,297.78
	Vendor Total		**21,227.37**		
FYTD for MATICH CORPORATION			**56,951.72**		

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MAXINOSKI, SUE A.					
	5/3/2010	880440	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.					
	5/24/2010	202657	13,560.00		
				AUDITING SVC-CITY	7,280.00
				AUDITING SVC-SINGLE	757.00
				AUDITING SVC-CITY	3,417.00
				AUDITING SVC-RDA	1,404.00
				AUDITING SVC-RDA	702.00
	Vendor Total		**13,560.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		
MCCULLUM, ADRIAN					
	5/24/2010	202658	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MCCULLUM, ADRIAN			**50.00**		
MCDONOUGH, HOLLAND & ALLEN					
	5/24/2010	202659	6.36		
				LEGAL SVCS	6.36
	Vendor Total		**6.36**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**69,993.56**		
MELAD & ASSOCIATES					
	5/3/2010	202314	2,751.46		
				PLAN CHECK SERVICES	2,751.46
	Vendor Total		**2,751.46**		
FYTD for MELAD & ASSOCIATES			**41,130.82**		
MENDOZA, BRUNO					
	5/17/2010	202554	41.00		
				REFUND-ANML LIC FEE	41.00
	Vendor Total		**41.00**		
FYTD for MENDOZA, BRUNO			**41.00**		
MENGISTU, YESHIALEM					
	5/17/2010	202555	123.00		
				MILEAGE REIMBURSEMENT	123.00
	Vendor Total		**123.00**		
FYTD for MENGISTU, YESHIALEM			**1,118.55**		

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MESSIN, LOUIS					
	5/3/2010	880441	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**2,868.58**		
MILES, ROBERT					
	5/3/2010	880442	0.00		
				RETIREE MEDICAL BENEFIT	194.53
				RETIREE MEDICAL BENEFIT	-194.53
	5/12/2010	880496	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for MILES, ROBERT			**2,415.29**		
MINARD, MARK E.					
	5/3/2010	880443	308.17		
				RETIREE MEDICAL BENEFIT	308.17
	Vendor Total		**308.17**		
FYTD for MINARD, MARK E.			**3,294.68**		
MIRACLE PLAYGROUND SALES					
	5/10/2010	880487	942.20		
				PLAYGROUND EQUIP PARTS	942.20
	Vendor Total		**942.20**		
FYTD for MIRACLE PLAYGROUND SALES			**33,148.29**		
MISSION PAVING AND SEALING, INC					
	5/3/2010	202315	42.21		
				REFUND-BUS LIC OVRPMT	42.21
	Vendor Total		**42.21**		
FYTD for MISSION PAVING AND SEALING, INC			**42.21**		
MOLLICA, MIKE					
	5/3/2010	880444	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**3,612.79**		
MORA, PATRICIA A.					
	5/3/2010	202395	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,506.03**		

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MORALES, KAREN R.				
5/24/2010	202660	30.99		
			TRAVEL EXP-INFOPEOPLE WORKSHOP	23.50
			TRAVEL EXP-INFOPEOPLE WORKSHOP	7.49
Vendor Total		**30.99**		
FYTD for MORALES, KAREN R.		**30.99**		
MORENO JANITORIAL				
5/3/2010	202316	62.75		
			REFUND-BUS LIC OVRPMT	62.75
Vendor Total		**62.75**		
FYTD for MORENO JANITORIAL		**62.75**		
MORENO VALLEY CHAMBER OF COMMERCE				
5/10/2010	202448	25.00		
			STUDENT OF THE YEAR DINNER	25.00
5/17/2010	202556	105.00		
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
			WAKE UP MEETING-4/28/10	15.00
Vendor Total		**130.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,230.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.				
5/7/2010	2631	1,579.00		
			MVCEA DUES 05/07/10	1,579.00
5/21/2010	2639	1,579.00		
			MVCEA DUES 05/21/10	1,579.00
Vendor Total		**3,158.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**38,011.50**		
MORENO VALLEY CONSTRUCTION				
5/3/2010	202317	54.25		
			REFUND-BUS LIC OVRPMT	54.25
Vendor Total		**54.25**		
FYTD for MORENO VALLEY CONSTRUCTION		**54.25**		

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MORENO VALLEY GATEWAY, LLC					
	5/24/2010	880542	7,934.87		
				LEASE-FAC ANNEX BLDG	2,458.97
				LEASE-TECH SVCS ANNEX BLDG	5,475.90
	5/26/2010	880559	13,158.56		
				LEASE-SPCL DIST ANNEX BLDG	13,158.56
	Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC			**232,027.73**		
MORENO VALLEY HISPANIC CHAMBER					
	5/24/2010	202661	100.00		
				REFUND-RNTL DEP 5/8	100.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER			**343.50**		
MORENO VALLEY UTILITY					
	5/24/2010	202662	79.80		
				ELECTRIC SVC-UT FLD OFFICE	79.80
	Vendor Total		**79.80**		
FYTD for MORENO VALLEY UTILITY			**679,997.78**		
MORENO, DIANA					
	5/10/2010	202449	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for MORENO, DIANA			**260.00**		
MORGAN, LISA A.					
	5/3/2010	880446	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for MORGAN, LISA A.			**3,506.03**		
MR. CLEAN, INC.					
	5/3/2010	202318	200.00		
				PRESSURE WASHING SERVICE	200.00
	Vendor Total		**200.00**		
FYTD for MR. CLEAN, INC.			**1,533.41**		
MYSTIK CARPET					
	5/3/2010	202319	48.99		
				REFUND-BUS LIC OVRPMT	48.99
	Vendor Total		**48.99**		
FYTD for MYSTIK CARPET			**48.99**		

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NADINE THOMAS					
	5/24/2010	202663	19,053.72		
				RENTAL ASSIST PMT-IRONWOOD PRJ	19,053.72
	5/24/2010	202664	1,650.00		
				RESIDENTIAL MOVING PMT	1,650.00
	Vendor Total		**20,703.72**		
FYTD for NADINE THOMAS			**20,703.72**		
NARA, LOWELON					
	5/10/2010	202450	82.00		
				MILEAGE REIMBURSEMENT	82.00
	Vendor Total		**82.00**		
FYTD for NARA, LOWELON			**437.05**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.					
	5/24/2010	202665	157.37		
				FORENSIC SUPPLIES-PD	146.81
				FORENSIC SUPPLIES-SHIPPING	22.37
				FORENSIC SUPPLIES-USED TAX	-11.81
	Vendor Total		**157.37**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.			**989.36**		
NATIONWIDE RETIREMENT SOLUTIONS					
	5/7/2010	2629	12,812.44		
				PST DEF COMP FOR FICA 05/07/10	12,812.44
	5/7/2010	2630	23,534.81		
				DEF COMP 457 & 401(A) 05/07/10	23,534.81
	5/21/2010	2637	12,792.15		
				PST DEF COMP FOR FICA 05/21/10	12,792.15
	Vendor Total		**49,139.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**819,391.58**		
NAVARRETTE, RALPH					
	5/3/2010	202320	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NAVARRETTE, RALPH			**1,593.65**		
NELSON PAVING					
	5/3/2010	202321	6,381.79		
				INSTALL SPEED HUMP-SUPERIOR AV	6,381.79
	5/17/2010	202558	4,523.00		
				PARKING LOT RPRS-SENIOR CTR	4,523.00
	Vendor Total		**10,904.79**		
FYTD for NELSON PAVING			**21,068.39**		

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NELSON, CHRIS					
	5/24/2010	202666	25.00		
				REFUND-LOST BOOK FEE	25.00
	Vendor Total		**25.00**		
FYTD for NELSON, CHRIS			**25.00**		
NELSON, ROBERT					
	5/3/2010	202322	305.60		
				RETIREE MEDICAL BENEFIT	305.60
	Vendor Total		**305.60**		
FYTD for NELSON, ROBERT			**2,742.41**		
NELSON, RUTH L.					
	5/3/2010	880447	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NEUSTAEDTER, CRAIG S					
	5/3/2010	202323	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW VISION CHILDREN'S SERVICES					
	5/3/2010	202324	200.00		
				REFUND-RNTL DEP 4/12	200.00
	Vendor Total		**200.00**		
FYTD for NEW VISION CHILDREN'S SERVICES			**200.00**		
NGUYEN, QUANG					
	5/17/2010	202597	68.00		
				MILEAGE REIMBURSEMENT	68.00
	Vendor Total		**68.00**		
FYTD for NGUYEN, QUANG			**332.55**		
NICKS, KRISTIN					
	5/10/2010	202451	52.00		
				REFUND-REGIST FEE	52.00
	Vendor Total		**52.00**		
FYTD for NICKS, KRISTIN			**52.00**		

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NIEBURGER, JUDITH A.					
	5/3/2010	202325	401.42		
				RETIREE MEDICAL BENEFIT	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIETO, ANTHONY					
	5/17/2010	202559	30.00		
				REFUND-ADOPTION FEE	30.00
	Vendor Total		**30.00**		
FYTD for NIETO, ANTHONY			**30.00**		
NUNEZ MOBILE REPAIR					
	5/3/2010	202326	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for NUNEZ MOBILE REPAIR			**57.00**		
NUTRITIONAL MERCHANDISE					
	5/3/2010	202327	84.15		
				REFUND-BUS LIC OVRPMT	84.15
	Vendor Total		**84.15**		
FYTD for NUTRITIONAL MERCHANDISE			**84.15**		
OAKRIDGE DATA MINING					
	5/3/2010	202328	32.15		
				REFUND-BUS LIC OVRPMT	32.15
	Vendor Total		**32.15**		
FYTD for OAKRIDGE DATA MINING			**32.15**		
OAKS, MARY ANN					
	5/17/2010	202560	75.00		
				INSTRUCTOR SVCS-CPR	75.00
	Vendor Total		**75.00**		
FYTD for OAKS, MARY ANN			**225.00**		
OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO					
	5/17/2010	202561	40.00		
				5/27/10 GANG TRNG CONFERENCE	40.00
	Vendor Total		**40.00**		
FYTD for OCGIA-ORANGE CTY GANG INVESTIGATORS ASSO			**40.00**		

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OMNIS, INC.					
	5/10/2010	202452	2,640.00		
				TRAF SIG @ SR-60/REDLANDS BLVD	2,640.00
	Vendor Total		**2,640.00**		
FYTD for OMNIS, INC.			**11,163.04**		
OPERATION SAFEHOUSE, INC.					
	5/17/2010	202562	867.18		
				SHELTER PRGM-CDBG	867.18
	Vendor Total		**867.18**		
FYTD for OPERATION SAFEHOUSE, INC.			**6,911.46**		
ORTIZ FIRE PROTECTION					
	5/24/2010	202667	516.00		
				REFUND-FIRE PERMIT FEES	270.00
				REFUND-FIRE PERMIT FEES	225.00
				REFUND-FIRE PERMIT FEES	21.00
	Vendor Total		**516.00**		
FYTD for ORTIZ FIRE PROTECTION			**516.00**		
OVERLAND PACIFIC & CUTLER, INC.					
	5/17/2010	202563	7,560.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	7,560.00
	Vendor Total		**7,560.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**158,889.50**		
PACIFIC GREEN HORTICULTURAL SVC					
	5/10/2010	202453	817.83		
				LANDSCAPE MAINT-E3	235.54
				LANDSCAPE MAINT-E4	433.49
				LANDSCAPE MAINT-E1	108.51
				LANDSCAPE MAINT-E7	40.29
	5/24/2010	202668	975.00		
				TREE PESTICIDE INJECTIONS	975.00
	Vendor Total		**1,792.83**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC			**11,896.12**		
PACIFIC TELEMANAGEMENT SERVICES					
	5/17/2010	202564	438.48		
				PAYPHONE CHRGS	375.84
				PAYPHONE CHRGS-POLICE	62.64
	Vendor Total		**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES			**3,019.24**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PACIFIC UTILITY INSTALLATION, INC				
5/24/2010	202669	850.00		
			PROF SVCS-MVU	850.00
Vendor Total		**850.00**		
FYTD for PACIFIC UTILITY INSTALLATION, INC		**896.65**		
PAINTING BY ZEB BODE				
5/10/2010	202454	300.00		
			GYMNASIUM TOUCH UP SVC	300.00
Vendor Total		**300.00**		
FYTD for PAINTING BY ZEB BODE		**6,250.00**		
PAMINIANO, VANESSA				
5/10/2010	202455	124.80		
			REFUND-SHELTER RNTL FEE	124.80
Vendor Total		**124.80**		
FYTD for PAMINIANO, VANESSA		**124.80**		
PARSONS TRANSPORTATION GROUP, INC.				
5/10/2010	202456	4,755.23		
			SR-60/NASON ST OVRCRSSNG PROJ	4,755.23
Vendor Total		**4,755.23**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**1,006,277.56**		
PATTERSON, ALFREY				
5/3/2010	202329	194.53		
			RETIREE MEDICAL BENEFIT	194.53
Vendor Total		**194.53**		
FYTD for PATTERSON, ALFREY		**2,306.44**		
PATTERSON, PATRICK				
5/3/2010	202330	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for PATTERSON, PATRICK		**75.00**		
PATTON, LARRY				
5/24/2010	202670	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		**20.00**		
FYTD for PATTON, LARRY		**20.00**		

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PEDLEY SQUARE VETERINARY CLINIC					
	5/17/2010	202598	7,963.00		
				EMERG VET SVCS	7,963.00
	Vendor Total		**7,963.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**74,046.75**		
PELLAND, KENT					
	5/24/2010	202672	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for PELLAND, KENT			**50.00**		
PEP BOYS					
	5/3/2010	202331	1,715.52		
				REFUND-BUS LIC OVRPMT	1,715.52
	Vendor Total		**1,715.52**		
FYTD for PEP BOYS			**1,715.52**		
PERRY, NORMA					
	5/3/2010	202332	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM					
	5/10/2010	202457	433.87		
				LONG TERM CARE INSURANCE	433.87
	5/24/2010	202673	433.87		
				LONG TERM CARE INSURANCE	433.87
	Vendor Total		**867.74**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,155.27**		
PLUMMERS ELEVATOR SERVICE, INC					
	5/3/2010	202333	127.94		
				REFUND-BUS LIC OVRPMT	127.94
	Vendor Total		**127.94**		
FYTD for PLUMMERS ELEVATOR SERVICE, INC			**127.94**		
POIEMA LANDSCAPE, INC.					
	5/24/2010	880544	3,464.85		
				LANDSCAPE MAINT-ZN S	834.37
				LANDSCAPE MAINT-ZN S	499.48
				LANDSCAPE MAINT-E12	2,131.00
	Vendor Total		**3,464.85**		
FYTD for POIEMA LANDSCAPE, INC.			**34,023.98**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
POSTMASTER					
	5/3/2010	202334	2,961.93		
				POSTAGE	592.41
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
				POSTAGE	592.38
	5/10/2010	202458	865.00		
				PERMIT RENEWAL	750.23
				PERMIT RENEWAL	84.24
				PERMIT RENEWAL	30.53
	Vendor Total		**3,826.93**		
FYTD for POSTMASTER			**18,679.21**		
PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE					
	5/17/2010	202565	4,350.15		
				LEGAL AD PLACEMENTS	1,291.50
				LEGAL AD PLACEMENTS	1,425.38
				LEGAL AD PLACEMENTS	1,633.27
	Vendor Total		**4,350.15**		
FYTD for PRESS ENTERPRISE LEGAL & CLASSIFIED ADVE			**11,721.15**		
PRICE, GEORGE E.					
	5/3/2010	880448	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PROTECTION ONE, INC.					
	5/17/2010	202566	40.00		
				SECURITY MNTRNG SVC-PRO SHOP	20.00
				SECURITY MNTRNG SVC-GOLF CTR	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**440.00**		
PSOMAS					
	5/10/2010	202459	5,950.00		
				LASSELLE ST WIDENING PROJ SVCS	5,950.00
	5/10/2010	202460	10,991.44		
				LASSELLE ST WIDENING PROJ SVCS	10,991.44
	Vendor Total		**16,941.44**		
FYTD for PSOMAS			**195,642.70**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PULLIAM, TRENT D.					
	5/3/2010	202335	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PW ENHANCEMENT CENTER					
	5/3/2010	880449	7,208.99		
				PARTNERSHIP PRGM-EDD	7,208.99
	Vendor Total		**7,208.99**		
FYTD for PW ENHANCEMENT CENTER			**123,955.07**		
PYRO SPECTACULARS, INC.					
	5/10/2010	202461	16,500.00		
				FIREWORKS DISPLAY-7/4/10	16,500.00
	Vendor Total		**16,500.00**		
FYTD for PYRO SPECTACULARS, INC.			**16,500.00**		
QUINN AME CHURCH					
	5/3/2010	202336	200.00		
				REFUND-RNTL DEP 4/10	200.00
	Vendor Total		**200.00**		
FYTD for QUINN AME CHURCH			**400.00**		
QUIZNOS SUBS #11109					
	5/3/2010	202337	66.34		
				REFUND-BUS LIC OVRPMT	66.34
	Vendor Total		**66.34**		
FYTD for QUIZNOS SUBS #11109			**66.34**		
R & S OVERHEAD DOORS, INC.					
	5/17/2010	880512	2,247.50		
				LIFT MASTER-FS #2	2,247.50
	5/24/2010	880545	717.00		
				DOOR RAIL-FS #2	717.00
	Vendor Total		**2,964.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**29,709.00**		
RAIN FRESH CLEANERS					
	5/3/2010	202338	36.00		
				REFUND-BUS LIC OVRPMT	36.00
	Vendor Total		**36.00**		
FYTD for RAIN FRESH CLEANERS			**36.00**		

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RALLY MANAGEMENT SERVICES, LLC				
5/3/2010	202339	1,438.56		
			TEMP SVCS-HENDERSON W/E 2/7	719.28
			TEMP SVCS-HENDERSON W/E 4/11	719.28
5/10/2010	202462	719.28		
			TEMP SVCS-HENDERSON W/E 4/18	719.28
5/24/2010	202674	719.28		
			TEMP SVCS-HENDERSON W/E 4/25	719.28
	Vendor Total	**2,877.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC		**15,119.21**		
REDFLEX TRAFFIC SYSTEMS, INC.				
5/3/2010	202341	92.05		
			REFUND-BUS LIC OVRPMT	92.05
	Vendor Total	**92.05**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.		**111,872.05**		
REGENTS UC / UNIVERSITY OF CALIFORNIA				
5/17/2010	202567	54.00		
			CUC BREAKFAST MEETING	18.00
			CUC BREAKFAST MEETING	18.00
			CUC BREAKFAST MEETING	18.00
	Vendor Total	**54.00**		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA		**94.00**		
REISH LUFTMAN REICHER & COHEN				
5/3/2010	202342	5,715.00		
			LEGAL SVCS-HR	5,715.00
	Vendor Total	**5,715.00**		
FYTD for REISH LUFTMAN REICHER & COHEN		**45,425.50**		
RENTERIA, CARLOS				
5/3/2010	202343	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	**20.00**		
FYTD for RENTERIA, CARLOS		**20.00**		
RESCUE ROOTER				
5/3/2010	202344	99.00		
			PLUMBING REPAIRS-PSB	99.00
	Vendor Total	**99.00**		
FYTD for RESCUE ROOTER		**6,585.50**		

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REVENUE EXPERTS, INC.					
	5/3/2010	202345	1,594.18		
				CITATION PRCSSNG-ANML SVCS	1,594.18
	Vendor Total		**1,594.18**		
FYTD for REVENUE EXPERTS, INC.			**37,586.23**		
REYNA, MARTIN					
	5/3/2010	202346	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for REYNA, MARTIN			**30.00**		
RHA LANDSCAPE ARCHITECTS-PLANNERS					
	5/10/2010	202463	984.60		
				SHADOW MTN PARK LIGHTING PROJ	984.60
	Vendor Total		**984.60**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS			**7,432.58**		
RIVERSIDE COUNTY ASSESSOR					
	5/3/2010	202347	6.00		
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
				PARCEL MAP COPY SVC	1.50
	Vendor Total		**6.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**201.00**		
RIVERSIDE COUNTY AUDITOR-CONTROLLER					
	5/10/2010	202464	35.00		
				TAX RATE BOOK ANNL PUBLICATION	35.00
	Vendor Total		**35.00**		
FYTD for RIVERSIDE COUNTY AUDITOR-CONTROLLER			**35.00**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH					
	5/10/2010	202465	300.00		
				LICENSE TESTING	300.00
	Vendor Total		**300.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			**1,750.00**		

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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
5/3/2010	202348	1,789.70		
			RADIO SERVICES-POLICE	1,789.70
5/10/2010	202466	231.01		
			RADIO LEASE/MAINT	187.15
			RADIO LEASE/MAINT	9.85
			RADIO LEASE/MAINT	34.01
	Vendor Total	**2,020.71**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**22,869.34**		
RIVERSIDE COUNTY SHERIFF				
5/3/2010	202396	10,587.84		
			BOOKING FEES-PD	10,587.84
5/17/2010	880513	11,362.56		
			BOOKING FEES-PD	11,362.56
	Vendor Total	**21,950.40**		
FYTD for RIVERSIDE COUNTY SHERIFF		**33,101,772.67**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
5/10/2010	202467	800.14		
			GARNISHMENT	800.14
5/24/2010	202675	816.88		
			GARNISHMENT	816.88
	Vendor Total	**1,617.02**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**10,912.95**		
RIVERSIDE COUNTY SHERIFF MV				
5/17/2010	202569	1,173.04		
			EXTRA DUTY SVC-POLICE	233.42
			EXTRA DUTY SVC-POLICE	584.09
			EXTRA DUTY SVC-POLICE	355.53
	Vendor Total	**1,173.04**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**11,192.14**		
RIVERSIDE COUNTY SHERIFF'S DEPT.				
5/17/2010	202570	1,958.04		
			MVFBI-ICEP CHRGS	1,305.36
			MVFBI-ICEP CHRGS	652.68
	Vendor Total	**1,958.04**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**762,001.26**		

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RIVERSIDE RUBBER STAMP & ENGRAVING					
	5/17/2010	202571	60.56		
				DATE STAMP-M&O	54.56
				DATE STAMP-SHIPPING	6.00
	Vendor Total		**60.56**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING			**77.07**		
RIVERSTONE RESIDENTIAL CA, INC					
	5/3/2010	202349	52.93		
				REFUND-BUS LIC OVRPMT	52.93
	Vendor Total		**52.93**		
FYTD for RIVERSTONE RESIDENTIAL CA, INC			**52.93**		
RLZ ENGINEERING					
	5/10/2010	880489	5,254.50		
				TEMP STAFFING SVCS-CAP PROJS	5,254.50
	Vendor Total		**5,254.50**		
FYTD for RLZ ENGINEERING			**135,854.25**		
ROBINSON, JOAQUIN					
	5/3/2010	202350	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for ROBINSON, JOAQUIN			**304.00**		
ROGERS, EUGENE					
	5/3/2010	880451	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**2,868.58**		
ROSS, DAVID T.					
	5/3/2010	880452	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.					
	5/3/2010	880453	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for ROSSON, LOUIS A.			**2,952.93**		

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RUSSELL, MARGARET					
	5/24/2010	202676	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for RUSSELL, MARGARET			**190.00**		
RUSSO, JOHN					
	5/3/2010	880454	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for RUSSO, JOHN			**3,506.03**		
RUTAN & TUCKER, LLP					
	5/24/2010	202677	550.00		
				LEGAL SVCS	550.00
	Vendor Total		**550.00**		
FYTD for RUTAN & TUCKER, LLP			**550.00**		
RYMAX ELECTRIC, INC.					
	5/17/2010	202572	5,610.61		
				TREE LIGHT INSTALL-E7	3,850.00
				TREE LIGHT MAINT-E1	125.00
				TREE LIGHT MAINT-E2	125.00
				TREE LIGHT MAINT-E3	125.00
				TREE LIGHT MAINT-E7	125.00
				TREE LIGHT MAINT-ZN M	125.00
				TREE LIGHT RPRS-E1	385.00
				TREE LIGHT RPRS-E3	580.85
				TREE LIGHT RPRS-E7	169.76
	Vendor Total		**5,610.61**		
FYTD for RYMAX ELECTRIC, INC.			**20,033.41**		
SA ASSOCIATES					
	5/24/2010	880546	9,450.00		
				TEMP STAFFING SVCS-CAP PROJS	9,450.00
	Vendor Total		**9,450.00**		
FYTD for SA ASSOCIATES			**120,562.50**		
SANDOVAL, PATRICK					
	5/17/2010	202573	95.00		
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**95.00**		
FYTD for SANDOVAL, PATRICK			**95.00**		

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SCHINDLER ELEVATOR CORP				
5/3/2010	202351	36.12		
			REFUND-BUS LIC OVRPMT	36.12
Vendor Total		**36.12**		
FYTD for SCHINDLER ELEVATOR CORP		**36.12**		
SCHLECHTER, JOHN A.				
5/3/2010	202352	91.86		
			REFUND-BUS LIC OVRPMT	91.86
Vendor Total		**91.86**		
FYTD for SCHLECHTER, JOHN A.		**91.86**		
SCREENVISION DIRECT				
5/10/2010	202468	2,240.00		
			ADVERTISING SVCS-SPCL DIST	1,044.00
			ADVERTISING SVCS-SPCL DIST	596.00
			ADVERTISING SVCS-SPCL DIST	450.00
			ADVERTISING SVCS-SPCL DIST	150.00
5/24/2010	202678	1,328.00		
			ADVERTISING SVCS-EDD	768.00
			ADVERTISING SVCS-EDD	560.00
Vendor Total		**3,568.00**		
FYTD for SCREENVISION DIRECT		**11,108.00**		
SEAL ELECTRIC, INC				
5/3/2010	202353	23.29		
			REFUND-BUS LIC OVRPMT	23.29
Vendor Total		**23.29**		
FYTD for SEAL ELECTRIC, INC		**23.29**		
SECTRAN SECURITY, INC				
5/3/2010	202354	463.50		
			TRANSPORT SVCS-PARKS	154.50
			TRANSPORT SVCS-TREASURY	154.50
			TRANSPORT SVCS-SPCL DIST	154.50
Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC		**4,635.00**		

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SECURITY LOCK & KEY					
	5/3/2010	880455	144.08		
				DOOR LOCK SVCS-ANML SHLTR	144.08
	5/10/2010	880491	156.31		
				DOOR LOCK SVC-PARKS	156.31
	5/24/2010	880547	167.02		
				CABINET LOCK SVC-MAINT & OPS	105.52
				DOOR LOCK SVC-TOWNGATE PARK	61.50
	Vendor Total		**467.41**		
FYTD for SECURITY LOCK & KEY			**16,545.69**		
SHAH, JAGDISH					
	5/17/2010	880515	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	9,760.00
				TEMP STAFFING SVCS-CAP PROJS	8,600.00
	Vendor Total		**18,360.00**		
FYTD for SHAH, JAGDISH			**203,640.00**		
SHARRETT, SHARON K.					
	5/3/2010	202355	193.36		
				RETIREE MEDICAL BENEFIT	193.36
	Vendor Total		**193.36**		
FYTD for SHARRETT, SHARON K.			**2,041.76**		
SHELDON, STUART H.					
	5/3/2010	202356	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.					
	5/10/2010	202470	70.00		
				FUEL PURCHASE-ANIMAL SVCS	70.00
	5/24/2010	202679	1,685.59		
				FUEL PURCHASE-PW TREE EQUIP.	16.25
				FUEL PURCHASES-PD MOTORCYCLES	1,669.34
	Vendor Total		**1,755.59**		
FYTD for SHELL OIL CO.			**18,640.01**		
SHURTLEFF, JEANNETTE L.					
	5/24/2010	202680	532.00		
				INSTRUCTION SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**3,800.00**		

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SIGMA ENGINEERNG, INC					
	5/10/2010	202471	12,005.00		
				ASBESTOS/LEAD SURVEY	4,400.00
				ASBESTOS/LEAD SURVEY	7,605.00
	Vendor Total		**12,005.00**		
FYTD for SIGMA ENGINEERNG, INC			**12,005.00**		
SIMPLEX GRINNELL, LP					
	5/3/2010	202357	20.66		
				REFUND-BUS LIC OVRPMT	20.66
	Vendor Total		**20.66**		
FYTD for SIMPLEX GRINNELL, LP			**20.66**		
SINGER & COFFIN, APC					
	5/24/2010	880549	7,906.97		
				LEGAL SVCS-SR60/NASON ST PROJ	1,443.75
				LEGAL SVCS-SR60/NASON ST PROJ	6,463.22
	Vendor Total		**7,906.97**		
FYTD for SINGER & COFFIN, APC			**76,958.62**		
SKONBERG, HEATHER ALLISON					
	5/24/2010	202681	1,000.00		
				CONSULTING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for SKONBERG, HEATHER ALLISON			**6,300.00**		
SKY PUBLISHING					
	5/3/2010	202358	8,773.50		
				RECREATION GUIDES	8,773.50
	Vendor Total		**8,773.50**		
FYTD for SKY PUBLISHING			**57,218.00**		
SKY TRAILS MOBILE VILLAGE					
	5/24/2010	202682	18.69		
				REFUND-UT USER TAXES	18.69
	Vendor Total		**18.69**		
FYTD for SKY TRAILS MOBILE VILLAGE			**247.29**		
SLAGERMAN, SUSAN A.					
	5/3/2010	880456	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**4,068.49**		

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SMITH, MARIA A.					
	5/3/2010	880457	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for SMITH, MARIA A.			**1,861.69**		
SMUS, PAULA					
	5/24/2010	202683	61.70		
				MILEAGE REIMBURSEMENT	61.70
	Vendor Total		**61.70**		
FYTD for SMUS, PAULA			**166.42**		
SO - CAL STRUCTURAL STEEL FABRICATION, I					
	5/3/2010	202359	27.00		
				REFUND-BUS LIC OVRPMT	27.00
	Vendor Total		**27.00**		
FYTD for SO - CAL STRUCTURAL STEEL FABRICATION, I			**27.00**		
SO. CALIF SCHOOL OF MUSIC					
	5/10/2010	202472	1,134.00		
				INSTRUCTOR SVCS-GUITAR	270.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	108.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	189.00
				INSTRUCTOR SVCS-PIANO	55.75
				INSTRUCTOR SVCS-PIANO	106.25
	Vendor Total		**1,134.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**11,024.25**		
SOLANO, ALEX					
	5/17/2010	202575	395.00		
				AUDIO VISUAL SVCS-CONF & REC C	395.00
	Vendor Total		**395.00**		
FYTD for SOLANO, ALEX			**1,101.00**		
SOLIS, WENDY					
	5/3/2010	202360	750.00		
				REFUND-RNTL DEP 4/17	750.00
	Vendor Total		**750.00**		
FYTD for SOLIS, WENDY			**750.00**		

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SOSA, JORGE					
	5/10/2010	202473	503.34		
				INSTRUCTOR SVCS-NINPO	96.00
				INSTRUCTOR SVCS-KARATEDO	407.34
	Vendor Total		**503.34**		
FYTD for SOSA, JORGE			**4,107.54**		
SOUTHERN CALIFORNIA EDISON					
	5/3/2010	202361	419.66		
				NEW METER/SVC-KITCHING ST. TS	419.66
	5/3/2010	202363	4,829.54		
				ELECTRICITY	42.22
				ELECTRICITY	678.06
				ELECTRICITY	1,306.54
				ELECTRICITY	113.12
				ELECTRICITY	226.67
				ELECTRICITY	498.82
				ELECTRICITY	661.92
				ELECTRICITY	136.98
				ELECTRICITY	842.94
				ELECTRICITY	161.05
				ELECTRICITY	70.87
				ELECTRICITY	46.23
				ELECTRICITY	44.12
	5/10/2010	202475	4,106.66		
				ELECTRICITY	65.58
				ELECTRICITY	89.64
				ELECTRICITY	20.38
				ELECTRICITY	893.78
				ELECTRICITY	899.94
				ELECTRICITY	443.18
				ELECTRICITY	449.06
				ELECTRICITY	318.32
				ELECTRICITY	21.50
				ELECTRICITY	649.18
				ELECTRICITY	45.19
				ELECTRICITY	149.62
				ELECTRICITY	61.29
	5/17/2010	202577	347.36		
				ELECTRICITY	347.36
	Vendor Total		**9,703.22**		
FYTD for SOUTHERN CALIFORNIA EDISON			**6,749,896.42**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA GAS CO.					
	5/24/2010	202685	5,977.22		
				GAS CHARGES	29.74
				GAS CHARGES	975.30
				GAS CHARGES	2,433.45
				GAS CHARGES	16.35
				GAS CHARGES	73.70
				GAS CHARGES	652.71
				GAS CHARGES	149.05
				GAS CHARGES	50.11
				GAS CHARGES	486.19
				GAS CHARGES	286.88
				GAS CHARGES	143.78
				GAS CHARGES	128.06
				GAS CHARGES	125.78
				GAS CHARGES	240.38
				GAS CHARGES	185.74
	Vendor Total		**5,977.22**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**267,365.01**		
SOUTHERN PET SUPPLIES					
	5/10/2010	880492	256.15		
				MISC SUPPLIES-ANML SVCS	256.15
	Vendor Total		**256.15**		
FYTD for SOUTHERN PET SUPPLIES			**1,773.10**		
SPARKLETTS					
	5/3/2010	202364	4.50		
				WATER SVCS-EMERG OPS	4.50
	5/24/2010	202686	30.70		
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-SUNNYMEAD ELEM	4.50
				WATER SVCS-CREEKSIDE ELEM	8.60
				WATER SVCS-GOLF COURSE	4.50
				WATER SVCS-EMERG OPS	4.50
	Vendor Total		**35.20**		
FYTD for SPARKLETTS			**430.19**		
SPECK, GARY B.					
	5/3/2010	880458	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPECTRUM CARE					
	5/3/2010	880459	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	5/24/2010	880550	12,333.33		
				LANDSCAPE MAINT-E1A	1,793.33
				LANDSCAPE MAINT-E1	10,540.00
	Vendor Total		**24,666.66**		
FYTD for SPECTRUM CARE			**123,407.30**		
SPENCER, MARTHA					
	5/3/2010	880460	194.53		
				RETIREE MEDICAL BENEFIT	194.53
	Vendor Total		**194.53**		
FYTD for SPENCER, MARTHA			**2,415.29**		
SPORTS INNOVATORS					
	5/10/2010	202476	1,995.00		
				SPORTS OFFICIATING SVCS	1,995.00
	Vendor Total		**1,995.00**		
FYTD for SPORTS INNOVATORS			**27,890.00**		
SPRINT/NEXTEL					
	5/17/2010	880516	33.11		
				CELL PH SVC-GTF	33.11
	Vendor Total		**33.11**		
FYTD for SPRINT/NEXTEL			**729.29**		
STANDARD INSURANCE CO					
	5/3/2010	202365	1,652.56		
				SUPPLEMENTAL INSURANCE	1,652.56
	Vendor Total		**1,652.56**		
FYTD for STANDARD INSURANCE CO			**359,149.29**		

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STANLEY CONVERGENT SECURITY SOLUTNS, INC				
5/3/2010	880461	1,606.50		
			MONITORING SVCS-GTF	99.00
			MONITORING SVCS-TECH SVCS	330.00
			MONITORING SVCS-ASES	354.00
			MONITORING SVCS-ANNX #1	207.00
			MONITORING SVCS-ASES	123.00
			MONITORING SVCS-CITY HALL	493.50
5/10/2010	880493	644.55		
			MONITORING SVCS-CONF & REC CTR	301.00
			MONITORING SVCS-CONF & REC CTR	14.00
			MONITORING SVCS-LIBRARY	156.35
			MONITORING SVCS-LIBRARY	173.20
	Vendor Total	**2,251.05**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**28,359.51**		
STATE BOARD OF EQUALIZATION				
5/21/2010	43010	3,930.00		
			SALES & USE TAX 4/1-4/30/10	3,930.00
	Vendor Total	**3,930.00**		
FYTD for STATE BOARD OF EQUALIZATION		**39,848.29**		
STATE DISBURSEMENT UNIT				
5/13/2010	2628	1,137.82		
			CHILD SUPPORT W/H 05/13/10	1,137.82
5/27/2010	2636	1,183.98		
			CHILD SUPPORT W/H 05/27/10	1,183.98
	Vendor Total	**2,321.80**		
FYTD for STATE DISBURSEMENT UNIT		**41,536.30**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF				
5/17/2010	202578	187.50		
			LICENSE RNWL-ERIC LEWIS	187.50
	Vendor Total	**187.50**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**937.50**		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
5/3/2010	202366	2,935.00		
			FINGERPRINTING SVCS-PD	2,920.00
			FINGERPRINTING SVCS-PD	15.00
5/10/2010	202478	980.00		
			BLOOD ALCHL ANLYS-PD	980.00
	Vendor Total	**3,915.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**55,459.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
5/24/2010	202687	167.29		
			REFUND-MV UTILITY	100.02
			REFUND-MV UTILITY	67.27
	Vendor Total	**167.29**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**1,555.82**		
STEEL SYSTEMS ERECTORS				
5/3/2010	202367	88.45		
			REFUND-BUS LIC OVRPMT	88.45
	Vendor Total	**88.45**		
FYTD for STEEL SYSTEMS ERECTORS		**88.45**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
5/24/2010	202688	2,313.12		
			TRANSCRIPTION SVCS-PD	2,313.12
	Vendor Total	**2,313.12**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**34,642.40**		
STEWART TITLE OF CALIFORNIA				
5/12/2010	1005041	14,112.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	14,112.00
5/12/2010	1005051	6,087.00		
			ESCROW DEPOSIT-EASEMENT PURCH.	6,087.00
5/17/2010	1005121	9,597.00		
			ESCROW DEP/APN 475-300-018&019	9,597.00
	Vendor Total	**29,796.00**		
FYTD for STEWART TITLE OF CALIFORNIA		**2,540,007.50**		
STEWART, CLIFFORD				
5/3/2010	880462	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for STEWART, CLIFFORD		**2,247.90**		
STEWART, JONATHAN L.				
5/17/2010	202579	1,007.00		
			REFUND-ANML SVC FEES	1,007.00
	Vendor Total	**1,007.00**		
FYTD for STEWART, JONATHAN L.		**1,007.00**		

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STEWART, LINDA					
	5/10/2010	202479	75.00		
				REFUND-S/N DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for STEWART, LINDA			**75.00**		
STILES ANIMAL REMOVAL, INC.					
	5/3/2010	202368	450.00		
				ANIMAL REMOVAL SVCS	450.00
	Vendor Total		**450.00**		
FYTD for STILES ANIMAL REMOVAL, INC.			**610.00**		
STOP THE VIOLENCE INCREASE THE PEACE FOU					
	5/3/2010	202369	174.27		
				REFUND-BUS LIC OVRPMT	158.88
				REFUND-BUS LIC OVRPMT	1.14
				REFUND-BUS LIC OVRPMT	14.25
	Vendor Total		**174.27**		
FYTD for STOP THE VIOLENCE INCREASE THE PEACE FOU			**174.27**		
STRADLING, YOCCA, CARLSON & RAUTH					
	5/3/2010	202370	10,846.61		
				LEGAL SVCS-EDD	200.06
				LEGAL SVCS-EDD	200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	5,787.43
				LEGAL SVCS-EDD	3,689.79
				LEGAL SVCS-EDD	740.33
				LEGAL SVCS-SPCL DIST	104.00
	5/10/2010	202480	7,604.78		
				LEGAL SVCS-EDD	1,515.79
				LEGAL SVCS-EDD	1,301.08
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	125.00
				LEGAL SVCS-EDD	100.00
				LEGAL SVCS-EDD	385.39
				LEGAL SVCS-EDD	2,977.52
	5/24/2010	202689	21,976.37		
				LEGAL SVCS-EDD	7,392.40
				LEGAL SVCS-EDD	6,309.47
				LEGAL SVCS-EDD	720.00
				LEGAL SVCS-EDD	1,200.00
				LEGAL SVCS-EDD	2,080.00
				LEGAL SVCS-EDD	1,776.00
				LEGAL SVCS-EDD	736.00
				LEGAL SVCS-EDD	1,762.50
	Vendor Total		**40,427.76**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**121,810.54**		

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STREICH, TERRY L.					
	5/3/2010	202371	30.33		
				RETIREE MEDICAL BENEFIT	30.33
	Vendor Total		**30.33**		
FYTD for STREICH, TERRY L.			**610.64**		
STRICKLER ASSOCIATION, THE					
	5/17/2010	202580	7,345.00		
				CONSULTING SVCS-EDD	4,940.00
				CONSULTING SVCS-EDD	2,405.00
	Vendor Total		**7,345.00**		
FYTD for STRICKLER ASSOCIATION, THE			**38,220.00**		
STRICKLER II, JOHN W.					
	5/3/2010	202372	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**2,868.58**		
STUCKEY, HARRIETTE					
	5/17/2010	202581	84.00		
				INSTRUCTOR SVCS-LINE DANCING	67.20
				INSTRUCTOR SVCS-LINE DANCING	16.80
	Vendor Total		**84.00**		
FYTD for STUCKEY, HARRIETTE			**978.60**		
SUNGLASS HUT STORE #4536					
	5/3/2010	202373	57.67		
				REFUND-BUS LIC OVRPMT	57.67
	Vendor Total		**57.67**		
FYTD for SUNGLASS HUT STORE #4536			**57.67**		
SUNNYMEAD ACE HARDWARE					
	5/3/2010	202374	31.50		
				MISC SUPPLIES-PD	15.21
				MISC SUPPLIES-PD	16.29
	5/10/2010	202481	21.93		
				MISC SUPPLIES-POLICE	21.93
	5/17/2010	202582	142.53		
				MISC SUPPLIES-PD	110.69
				MISC SUPPLIES-PD	17.39
				MISC SUPPLIES-PD	14.45
	5/24/2010	202690	22.26		
				MISC SUPPLIES-PD	22.26
	Vendor Total		**218.22**		
FYTD for SUNNYMEAD ACE HARDWARE			**3,734.24**		

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SUPER RX, INC.					
	5/3/2010	202375	0.00		
				REFUND-BUS LIC OVRPMT	83.80
				REFUND-BUS LIC OVRPMT	-83.80
	5/17/2010	202583	83.80		
				REFUND-BUS LIC OVRPMT	83.80
	Vendor Total		**83.80**		
FYTD for SUPER RX, INC.			**83.80**		
SWARTZ, DENNIS					
	5/10/2010	202482	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for SWARTZ, DENNIS			**20.00**		
TARGET SPECIALTY PRODUCTS					
	5/17/2010	880517	11,498.92		
				LNDSCP HERBICIDES	247.82
				LNDSCP HERBICIDES	11,251.10
	Vendor Total		**11,498.92**		
FYTD for TARGET SPECIALTY PRODUCTS			**19,251.10**		
THERMAL-COOL INC.					
	5/10/2010	202483	249.30		
				SVC TO FREEZER @ ANIMAL SHLTR	249.30
	Vendor Total		**249.30**		
FYTD for THERMAL-COOL INC.			**19,099.66**		
THYSSENKRUPP ELEVATOR CORPORATION					
	5/3/2010	202377	45.43		
				REFUND-BUS LIC OVRPMT	45.43
	Vendor Total		**45.43**		
FYTD for THYSSENKRUPP ELEVATOR CORPORATION			**45.43**		
TIME WARNER CABLE					
	5/3/2010	202378	16,719.21		
				FAC. RELOCATION-DAY ST. PROJ	16,719.21
	Vendor Total		**16,719.21**		
FYTD for TIME WARNER CABLE			**16,719.21**		

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T-MOBILE					
	5/3/2010	202376	114.00		
				REFUND-BUS LIC OVRPMT	57.00
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**114.00**		
FYTD for T-MOBILE			**296.00**		
TORRES, REBECCA					
	5/10/2010	202484	260.00		
				PER DIEM-VEH HOMICIDE SEMINAR	260.00
	Vendor Total		**260.00**		
FYTD for TORRES, REBECCA			**580.00**		
TRACSYSTEMS, INC.					
	5/10/2010	202485	3,919.50		
				PHAROS SOFTWARE LIC/SUPPORT	3,919.50
	Vendor Total		**3,919.50**		
FYTD for TRACSYSTEMS, INC.			**3,919.50**		
TRICHE, TARA					
	5/24/2010	202692	1,642.80		
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	66.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	397.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	623.80
				INSTRUCTOR SVCS-HIP HOP DANCE	222.00
				INSTRUCTOR SVCS-INTERMD BALLET	88.80
	Vendor Total		**1,642.80**		
FYTD for TRICHE, TARA			**20,934.60**		
TRI-CITY LINEN SUPPLY, INC.					
	5/3/2010	202379	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/10/2010	202486	113.00		
				LINEN RENTAL	63.00
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	5/17/2010	202584	22.50		
				LINEN RENTAL	22.50
	5/24/2010	202691	50.00		
				LINEN RENTAL FOR CRC	25.00
				LINEN RENTAL FOR CRC	25.00
	Vendor Total		**235.50**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,876.20**		

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TROPICAL PLAZA NURSERY, INC.				
5/10/2010	202487	360.00		
			LNDSCP WORK IN ZONE E-2	360.00
5/17/2010	202585	18,673.63		
			LNDSCP MAINT-ZONE E-2	15,700.00
			LNDSCP MAINT-ZONE E-16	2,217.45
			IRRIG REPAIRS-ZONE E-2	756.18
	Vendor Total	**19,033.63**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**202,285.38**		
TRUGREEN LANDCARE				
5/3/2010	202380	11,904.55		
			LNDSCP MAINT-ZONE E-3	10,038.43
			LNDSCP MAINT-ZONE E-3A	1,676.12
			TRIM TREE-ZONE E-2	190.00
5/17/2010	202586	3,670.00		
			RETAINING WALL-SUNNYMD BL PROJ	1,990.00
			INSTALL 21 TREES-TRACT #19912	1,680.00
5/24/2010	202709	24,578.70		
			STUMP GRIND TREES-ZONE M	300.00
			STUMP GRIND TREES-TRACT 20120	300.00
			INSTALL 18-FT PALM ON KRAMERIA	2,450.00
			LNDSCP MAINT-ZONE M	5,324.89
			LNDSCP MAINT-ZONE DSG1-E	7,403.38
			LNDSCP MAINT-ZONE DSG-2	8,420.43
			REMOVE Y-STRAINER FROM BACKFLW	380.00
	Vendor Total	**40,153.25**		
FYTD for TRUGREEN LANDCARE		**343,170.27**		
TUNTLAND, JAMES				
5/3/2010	880463	251.09		
			RETIREE MEDICAL BENEFIT	251.09
	Vendor Total	**251.09**		
FYTD for TUNTLAND, JAMES		**2,247.90**		
TURBOSCAPE, INC.				
5/3/2010	880464	13,385.00		
			ANNL MULCHING IN ZONE E-4	6,424.80
			ANNL MULCHING IN ZONE DSG-1E	2,409.30
			ANNL MULCHING IN ZONE DSG-2	2,677.00
			ANNL MULCHING IN ZONE E-1	1,338.50
			ANNL MULCHING IN ZONE E-1A	535.40
5/24/2010	880552	9,904.90		
			ANNL MULCHING IN ZONE E-4	535.40
			ANNL MULCHING IN ZONE E-8	5,354.00
			ANNL MULCHING IN ZONE E-15	4,015.50
	Vendor Total	**23,289.90**		
FYTD for TURBOSCAPE, INC.		**32,867.10**		

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TWRITE, INC.					
	5/24/2010	202693	7,841.25		
				CITY WEBSITE MAINTENANCE	7,841.25
	Vendor Total		**7,841.25**		
FYTD for TWRITE, INC.			**19,578.75**		
U.S. HEALTHWORKS MEDICAL GROUP					
	5/24/2010	202694	1,190.00		
				PRE-EMPLOYMENT PHYSICALS	686.00
				PRE-EMPLOYMENT PHYSICALS	414.00
				PRE-EMPLOYMENT PHYSICALS	90.00
	Vendor Total		**1,190.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**16,326.00**		
UNION BANK OF CALIFORNIA					
	5/10/2010	202488	510.00		
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
				STANDBY LOC TRANSFER FEE	170.00
	5/10/2010	202489	729.00		
				INVESTMNT SAFEKEEPING SVCS	729.00
	5/17/2010	202587	170.00		
				STANDBY LOC TRANSFER FEE	170.00
	Vendor Total		**1,409.00**		
FYTD for UNION BANK OF CALIFORNIA			**288,988.49**		
UNITED POWER GENERATION, INC.					
	5/10/2010	202490	233.00		
				EMERG GENERATOR REPAIRS-FS #91	11.40
				EMERG GENERATOR REPAIRS-FS #91	221.60
	5/24/2010	202695	209.00		
				EMERG GENERATOR REPAIRS-FS #2	10.57
				EMERG GENERATOR REPAIRS-FS #2	198.43
	Vendor Total		**442.00**		
FYTD for UNITED POWER GENERATION, INC.			**22,432.66**		
UNITED SITE SERVICES OF CA, INC.					
	5/10/2010	880494	77.33		
				PORTABLE TOILET SVC-GOLF CTR	77.33
	5/17/2010	880518	204.94		
				PORTABLE TOILET SVC-M&O DIV.	97.55
				FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total		**282.27**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,733.92**		

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UNITED STATES TREASURY					
	5/10/2010	202491	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	5/24/2010	202696	50.00		
				PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total		**100.00**		
FYTD for UNITED STATES TREASURY			**5,670.00**		
UNITED WAY OF INLAND VALLEYS					
	5/10/2010	202492	667.18		
				UNITED WAY CONTRIBUTIONS	667.18
	5/24/2010	202697	667.18		
				UNITED WAY CONTRIBUTIONS	-2.31
				UNITED WAY CONTRIBUTIONS	2.31
				UNITED WAY CONTRIBUTIONS	667.18
	Vendor Total		**1,334.36**		
FYTD for UNITED WAY OF INLAND VALLEYS			**19,498.26**		
URBAN CROSSROADS, INC.					
	5/3/2010	202381	6,600.00		
				MV TRAFFIC MODEL UPDATE SVCS	1,327.50
				MV TRAFFIC MODEL UPDATE SVCS	5,272.50
	Vendor Total		**6,600.00**		
FYTD for URBAN CROSSROADS, INC.			**17,465.00**		
VA CONSULTING, INC.					
	5/10/2010	202493	17,527.24		
				AUTO MALL IMPRVMNTS PROJ SVCS	7,200.00
				AUTO MALL IMPRVMNTS PROJ SVCS	10,327.24
	5/24/2010	202698	2,255.40		
				AUTO MALL IMPRVMNTS PROJ SVCS	2,255.40
	Vendor Total		**19,782.64**		
FYTD for VA CONSULTING, INC.			**291,846.35**		

City of Moreno Valley

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For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY					
	5/3/2010	880465	2,440.00		
				TENT/FUMIGATE UTILITY FLD OFFC	2,440.00
	5/10/2010	880495	1,205.00		
				PEST CNTRL-PUB SFTY BLDG	75.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-FAC HOBBY SHOP/MARB	45.00
				PEST CNTRL-STARS BLDG AT MARB	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				PEST CNTRL-TRANSP TRLR	45.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CONF & REC CTR	75.00
				PEST CNTRL-GOLF CTR PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
	Vendor Total		**3,645.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**18,920.00**		
VALADEZ, RICHARD					
	5/3/2010	202382	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VALADEZ, RICHARD			**20.00**		
VALLEY CITIES/ GONZALES FENCE INC					
	5/10/2010	202494	2,680.00		
				INSTALL FENCE-PIGEON PASS RD	475.00
				INSTALL FENCE-PIGEON PASS RD	1,830.00
				FENCE-PIGEON PASS/SUNNYMD	375.00
	Vendor Total		**2,680.00**		
FYTD for VALLEY CITIES/ GONZALES FENCE INC			**13,955.00**		
VALLEY PARTY RENTALS					
	5/3/2010	202383	75.63		
				REFUND-BUS LIC OVRPMT	75.63
	Vendor Total		**75.63**		
FYTD for VALLEY PARTY RENTALS			**75.63**		

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For Period 5/1/2010 through 5/31/2010

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VAS ASSOCIATES, INC.					
	5/24/2010	880553	18,360.00		
				TEMP STAFFING SVCS-CAP PROJS	18,360.00
	Vendor Total		**18,360.00**		
FYTD for VAS ASSOCIATES, INC.			**203,085.00**		
VERIZON					
	5/17/2010	202588	1,718.78		
				BACKBONE CHRGS	1,718.78
	Vendor Total		**1,718.78**		
FYTD for VERIZON			**18,551.63**		
VERIZON CALIFORNIA					
	5/10/2010	202495	327.63		
				PHONE LISTING CHARGE	286.68
				PHONE LISTING CHARGE	40.95
	5/17/2010	202589	170.28		
				PHONE LISTING CHARGE	170.28
	Vendor Total		**497.91**		
FYTD for VERIZON CALIFORNIA			**100,798.00**		
VICTOR MEDICAL CO					
	5/10/2010	202496	973.31		
				ANIMAL MEDICAL SUPPLIES	973.31
	Vendor Total		**973.31**		
FYTD for VICTOR MEDICAL CO			**13,550.36**		
VIGIL, ERNEST					
	5/3/2010	880466	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLANUEVA, RUBEN & LISA					
	5/10/2010	202497	20.00		
				REFUND-RABIES DEP	20.00
	Vendor Total		**20.00**		
FYTD for VILLANUEVA, RUBEN & LISA			**20.00**		
VISION SERVICE PLAN					
	5/3/2010	880467	4,346.56		
				EMPLOYEE VISION INSURANCE	4,346.56
	Vendor Total		**4,346.56**		
FYTD for VISION SERVICE PLAN			**48,547.77**		

City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VISTA PAINT CORPORATION				
5/17/2010	202590	186.83		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	66.58
			PAINT/SUPPL-GRAFFITI RMVL PRGM	8.25
			PAINT/SUPPL-GRAFFITI RMVL PRGM	112.00
5/24/2010	202699	158.50		
			PAINT FOR GRAFFITI RMVL	158.50
Vendor Total		**345.33**		
FYTD for VISTA PAINT CORPORATION		**12,278.82**		
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
5/10/2010	202498	818.69		
			RENTAL ASSIST SVCS-ADMIN FEES	718.69
			RENTAL ARREARS SVCS-ADMIN FEES	100.00
Vendor Total		**818.69**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		**96,100.92**		
VOLUNTEER CENTER OF RIVERSIDE COUTY				
5/24/2010	202700	750.00		
			REFUND-RNTL DEP 4/28	750.00
Vendor Total		**750.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY		**750.00**		
VOYAGER FLEET SYSTEM, INC.				
5/24/2010	880554	4,036.95		
			CNG FUEL FOR STREET PRGM	2,016.46
			CNG FUEL FOR DRAIN MAINT PRGM	75.02
			CNG FUEL FOR STREET PRGM	1,755.93
			CNG FUEL FOR DRAIN MAINT PRGM	189.54
Vendor Total		**4,036.95**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**21,681.59**		
VULCAN MATERIALS CO, INC.				
5/17/2010	202591	2,119.97		
			ASPHALTIC MATERIAL	2,119.97
5/24/2010	202701	1,473.00		
			ASPHALTIC MATERIAL	163.56
			ASPHALTIC MATERIAL	130.94
			ASPHALTIC MATERIAL	292.39
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	98.31
			ASPHALTIC MATERIAL	196.84
			ASPHALTIC MATERIAL	262.09
			ASPHALTIC MATERIAL	98.97
			ASPHALTIC MATERIAL	131.59
Vendor Total		**3,592.97**		
FYTD for VULCAN MATERIALS CO, INC.		**105,465.05**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAGGONER JR., GLENN C.					
	5/3/2010	880468	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGGONER JR., GLENN C.			**3,506.03**		
WAGNER, GARY D.					
	5/3/2010	880469	315.59		
				RETIREE MEDICAL BENEFIT	315.59
	Vendor Total		**315.59**		
FYTD for WAGNER, GARY D.			**3,490.33**		
WAGONER, ROBERT					
	5/3/2010	202397	360.40		
				RETIREE MEDICAL BENEFIT	360.40
	Vendor Total		**360.40**		
FYTD for WAGONER, ROBERT			**2,085.20**		
WAGY, CARYLON					
	5/3/2010	202385	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WAGY, CARYLON			**3,506.03**		
WALKER, ANTHONY					
	5/3/2010	202386	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WALKER, ANTHONY			**50.00**		
WALKER, DONNA					
	5/3/2010	202387	38.00		
				INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total		**38.00**		
FYTD for WALKER, DONNA			**38.00**		
WASSON, KIRK					
	5/24/2010	880555	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,128.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	5/24/2010	202702	1,244.51		
				STORAGE BIN RENTALS	1,244.51
	Vendor Total		**1,244.51**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**14,584.22**		
WELLS FARGO CORPORATE TRUST					
	5/3/2010	1005011	1,444.67		
				INTEREST ON VARIABLE RATE BOND	1,444.67
	Vendor Total		**1,444.67**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,030,930.10**		
WEST GOVERNMENT SERVICES					
	5/24/2010	202703	500.00		
				"CLEAR" AUTO TRACK SVCS FOR PD	500.00
	Vendor Total		**500.00**		
FYTD for WEST GOVERNMENT SERVICES			**5,000.00**		
WEST GROUP					
	5/24/2010	880556	351.37		
				ONLINE CHRGS-LEGAL INFO	199.09
				LEGAL PUBLICATIONS SUBSCRPTNS	152.28
	Vendor Total		**351.37**		
FYTD for WEST GROUP			**7,907.98**		
WESTERN MUNICIPAL WATER DISTRICT					
	5/24/2010	202704	1,520.72		
				WATER CHRGS-MARB BALLFIELDS	708.72
				WATER CHRGS-MFPCC LNDSCP	756.70
				WATER CHRGS-MFPCC BLDG	55.30
	Vendor Total		**1,520.72**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**22,944.70**		
WHITE'S BIKES					
	5/3/2010	202388	93.73		
				REFUND-BUS LIC OVRPMT	93.73
	Vendor Total		**93.73**		
FYTD for WHITE'S BIKES			**93.73**		
WIELIN, RONALD A.					
	5/3/2010	880471	318.73		
				RETIREE MEDICAL BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for WIELIN, RONALD A.			**3,506.03**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILBURN, YOLANDA					
	5/10/2010	202499	149.98		
				REFUND-PERMIT FEE	149.98
	Vendor Total		**149.98**		
FYTD for WILBURN, YOLANDA			**149.98**		
WILLDAN AND ASSOCIATES					
	5/17/2010	202592	5,580.48		
				PLAN CHECK SVCS	5,580.48
	5/24/2010	202705	3,225.00		
				MORENO BEACH DR WIDENING PROJ	3,225.00
	Vendor Total		**8,805.48**		
FYTD for WILLDAN AND ASSOCIATES			**403,687.78**		
WILLIAMS, COURTNEY					
	5/3/2010	202390	190.00		
				INSTRUCTION SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for WILLIAMS, COURTNEY			**646.00**		
WILLIAMS, JANE L.					
	5/3/2010	202391	122.38		
				RETIREE MEDICAL BENEFIT	122.38
	Vendor Total		**122.38**		
FYTD for WILLIAMS, JANE L.			**1,344.00**		
WINZLER & KELLY CONSULTING ENGINEERS					
	5/24/2010	202706	18,810.00		
				TEMP STAFFING SVCS-CAP PROJS	18,810.00
	Vendor Total		**18,810.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**436,511.18**		
WOMEN'S HEALTH					
	5/3/2010	202392	57.00		
				REFUND-BUS LIC OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for WOMEN'S HEALTH			**57.00**		
WOW PARTY RENTAL, INC.					
	5/20/2010	202600	300.00		
				RENTALS-5/22/10 PUB SFTY FAIR	300.00
	Vendor Total		**300.00**		
FYTD for WOW PARTY RENTAL, INC.			**300.00**		

City of Moreno Valley

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For Period 5/1/2010 through 5/31/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
5/17/2010	202593	8,874.00		
			TUMF RESIDENTIAL FEES	8,874.00
Vendor Total		**8,874.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		**1,124,341.42**		
WRIGHT SEPTIC TANK PUMPING				
5/24/2010	202707	450.00		
			SEPTIC TANK PUMPING-CITY YARD	100.00
			SEPTIC TANK PUMPING-CITY YARD	350.00
Vendor Total		**450.00**		
FYTD for WRIGHT SEPTIC TANK PUMPING		**1,350.00**		
WURM'S JANITORIAL SERVICES, INC.				
5/3/2010	880472	1,440.70		
			JANITORIAL SVCS-TOWNGATE	360.00
			CARPET CLEANING-SR CTR CLASSRM	125.00
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
5/17/2010	880519	22,233.49		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-SUNNYMD ELEM	184.10
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.82
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/24/2010	880557	3,965.70		
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-TOWNGATE	360.00
			JANITORIAL SVCS-CONF & REC CTR	1,630.00
			DAY PORTER SERVICES	1,020.00
Vendor Total		**27,639.89**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**286,027.66**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX					
	5/3/2010	202393	1,115.93		
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,115.93
	5/17/2010	202594	1,216.66		
				COPIER RNTL/MAINT/PRINTS-PARKS	1,216.66
	5/24/2010	202708	1,574.12		
				COPIER RNTL/MAINT-PD	65.00
				COPIER RNTL/MAINT-PD	71.80
				COPIER RNTL/MAINT-PD	59.80
				COPIER RNTL/MAINT/PRNTS-GRPHCS	979.73
				COPIER RNTL/MAINT-GRAPHICS DIV	397.79
	Vendor Total		**3,906.71**		
FYTD for XEROX			**63,769.70**		
ZEE MEDICAL INC					
	5/3/2010	202394	289.05		
				FIRST AID ITEMS FOR KITS	289.05
	Vendor Total		**289.05**		
FYTD for ZEE MEDICAL INC			**289.05**		
ZUMAR INDUSTRIES, INC.					
	5/17/2010	880520	940.03		
				SIGNS FOR TRANSP. DIV.	549.51
				SIGNS FOR TRANSP. DIV.	390.52
	Vendor Total		**940.03**		
FYTD for ZUMAR INDUSTRIES, INC.			**37,651.19**		

Subtotal **1,341,996.10**

GRAND TOTAL **19,967,907.47**

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MV00071254

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\VA Consultant Award Aggreement CC\Increase PO - Design 7-2010.doc

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MV00071260

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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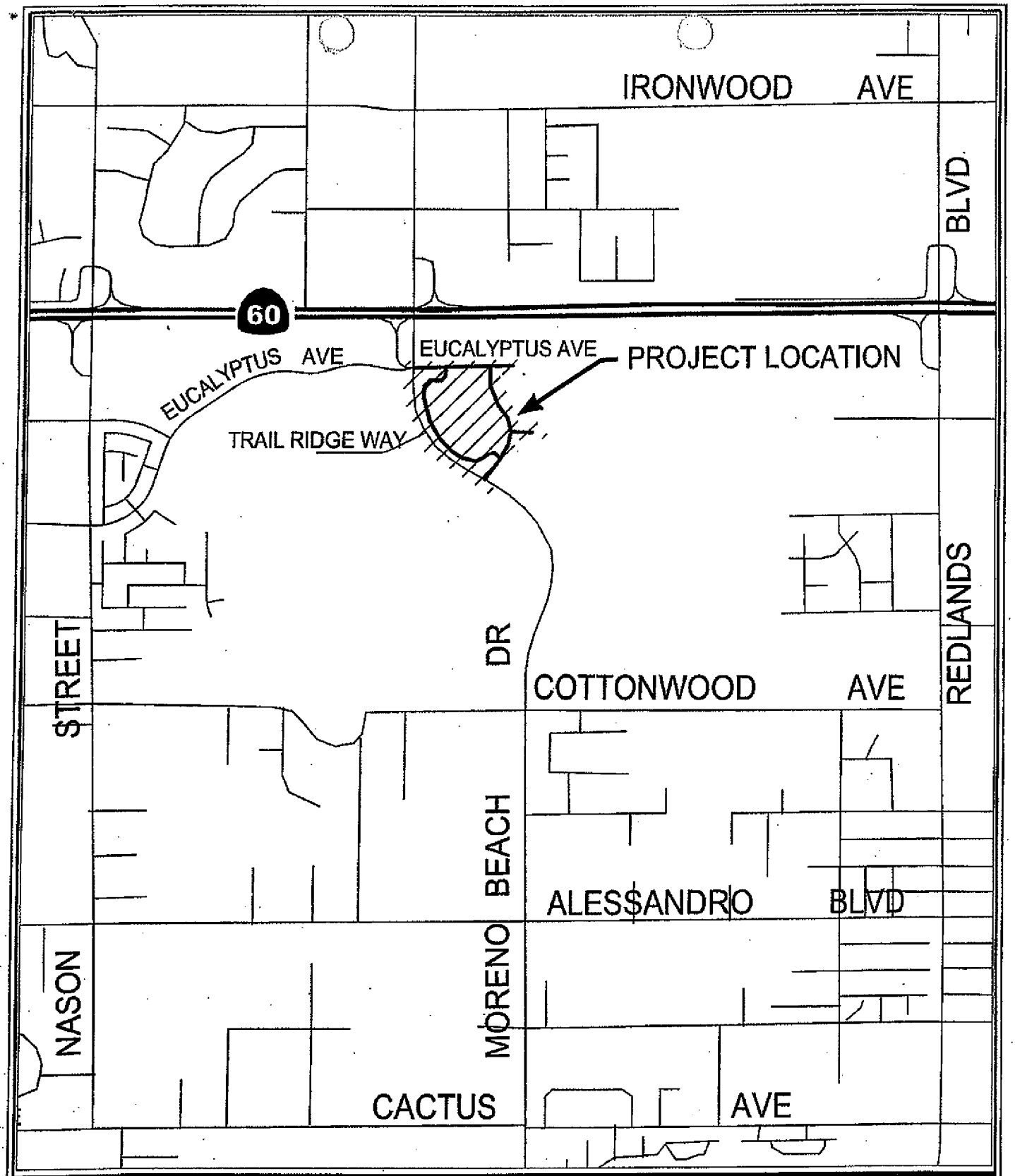

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

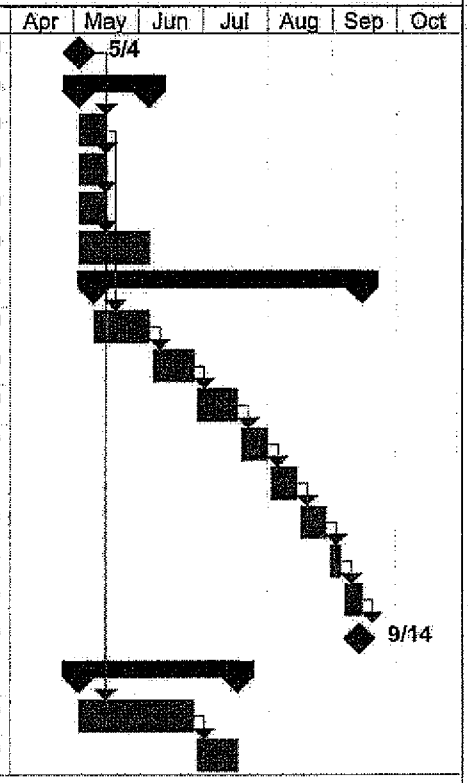

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

SCH01_AutomallFinalDesign.mpp

Page 1

Item No. A.7

MV00071285

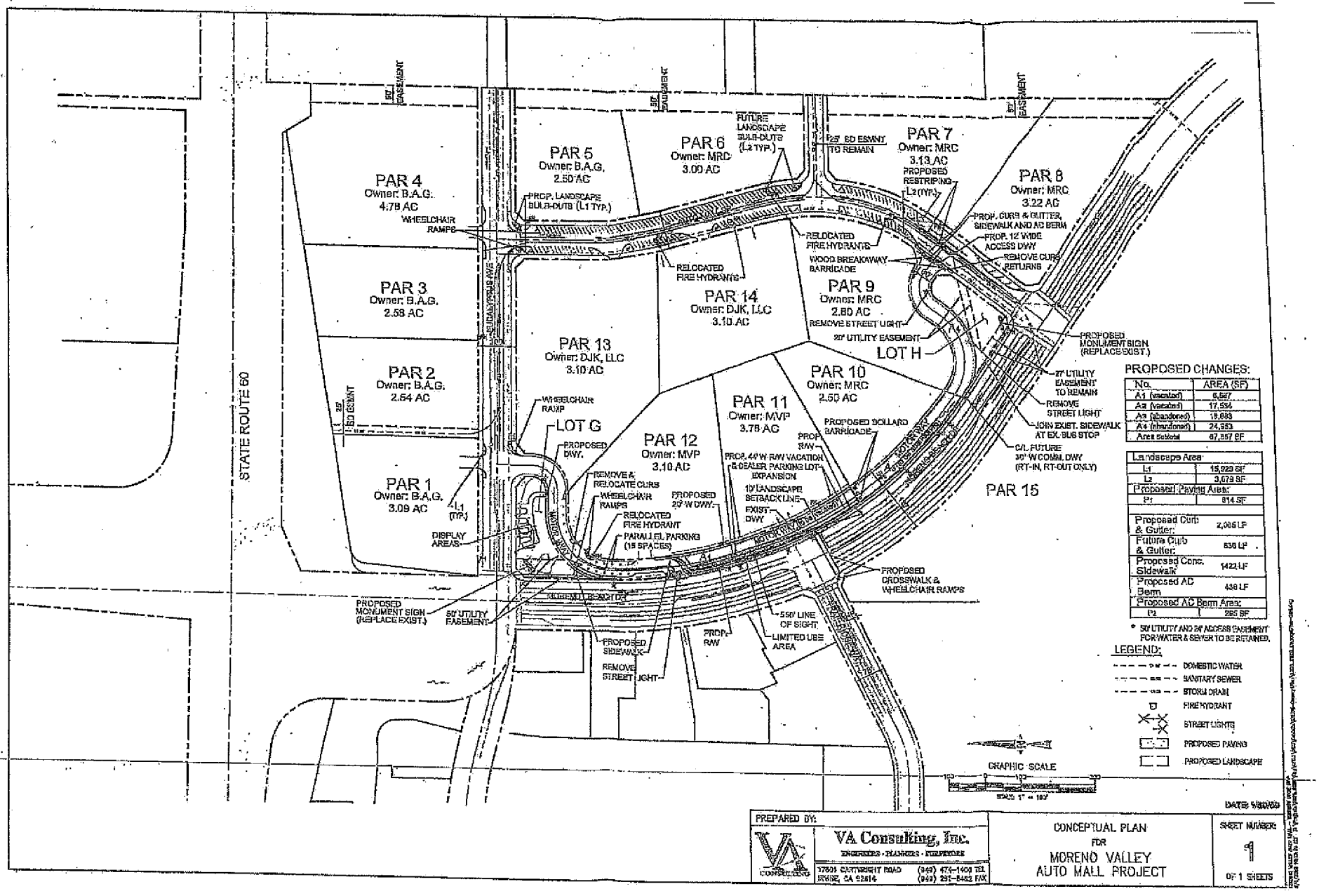
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PARALLEL PARKING (15 SPACES)
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROPOSED SIDEWALK
DISPLAY AREAS
50' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
SCALE: 1" = 100'
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00071290

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

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MV00071292

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SIXTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD
PROJECT NO. 06-50182625-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660.

2. Authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto.

3. Authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties.

BACKGROUND

On June 14, 2005, the City Council adopted Resolution No. 2005-49 and Resolution No. 2005-50 allowing the City to expedite design and construction funding for eight (8) important projects that would otherwise wait several years before adequate funding was available. One of those projects was Ironwood Avenue from Heacock Street to Perris Boulevard and was intended to construct missing street improvements, acquire right of way, and relocate major utilities and storm drains.

On August 22, 2006, the City Council approved the Prioritization of Four (4) 2005 Lease Revenue Bonds Street Improvement Projects, based on price escalation, commitments by the City, and refined cost estimates. The initial scope for the Ironwood Avenue project from Heacock Street to Perris Boulevard was reduced to a paved walkway with minor right of way acquisition and project planning to determine the cost of full widening improvements, from two (2) lanes to four (4) lanes.

On November 28, 2006, the City Council approved the Agreement for Professional Consultant Services with Lim and Nascimento Engineering Corporation (LAN) for the planning of full widening improvements, and design for construction of a paved walkway along Ironwood Avenue from Heacock Street to Perris Boulevard.

On May 27, 2008, the City Council awarded the construction contract for the Ironwood Avenue Sidewalk/Walkway project to Grand Pacific Contractors, Inc. of Corona. This construction was completed and accepted by City Council on January 13, 2009.

On July 8, 2008, the City Council approved the Transportation Uniform Mitigation Fee (TUMF) Program Agreement between the Western Riverside Council of Governments (WRCOG) and the City of Moreno Valley. WRCOG had approved its Central Zone 5-Year Transportation Improvement Program (TIP) on May 5, 2007, which included the Ironwood Avenue Improvements project, which identified specific improvements on this project as eligible for reimbursement by WRCOG.

On July 8, 2008, the City Council approved the Agreement for Professional Consultant Services TUMF-Zonal with LAN for the design of the full widening improvements, environmental, right of way easement, appraisals, and negotiations, and construction support.

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard and the Indian Detention Basin Improvements/Ironwood Avenue Improvements (south side) from Heacock Street to Nita Drive.

On September 1, 2009 the City Council authorized staff to negotiate and acquire the properties needed to widen Ironwood Avenue from Heacock Street to Perris Boulevard. There are twenty-six (26) parcels from which right of way (ROW) is required.

On May 24, 2010, the City Manager approved the Fourth Amendment to Agreement with LAN (the subsidiary) which transferred all services required under the Agreement to AECOM Technical Services, Inc. (AECOM) (the parent company).

A total of five amendments to the agreement for this project have been executed within the Purchase Order contingency amount due to the expanded Consultant's scope of work to include additional improvements to the project, time extensions, and reassignment of contract ownership.

DISCUSSION

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The construction will build missing improvements and add additional lanes. During the full improvement planning process, Transportation Uniform Mitigation Fee (TUMF) program funding became available through the Western Riverside Council of Governments (WRCOG), as well as Development Impact Fee (DIF) funds for the full design and construction of two (2) additional lanes on Ironwood Avenue from Heacock Street to Perris Boulevard.

Design is almost 100% complete and right of way acquisition is underway. Staff requests City Council to authorize the Sixth Amendment to Agreement for Professional Consultant Services with AECOM for additional design, right of way, and environmental services. The additional services will include design of a storm drain pipe extension, engineering support for Southern California Edison's power pole relocation, additional effort in right of way negotiation and closing escrows, and pre-construction environmental services.

ALTERNATIVES

1. Approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will facilitate the construction of needed improvements.*

2. Do not approve the "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc., 1501 Quail Street, Newport Beach, California 92660, do not authorize the City Manager to execute said "Sixth Amendment to Agreement for Professional Consultant Services" with AECOM Technical Services, Inc. in the form attached hereto, and do not authorize a Change Order to increase the Purchase Order with AECOM Technical Services, Inc. for $99,975 (Account No. 415.70227) for additional storm drain design, engineering support for Southern California Edison's power pole relocation, right-of-way, and environmental services when the Sixth Amendment to Agreement for Professional Consultant Services has been signed by all parties. *This alternative will delay the construction of needed improvements.*

FISCAL IMPACT

City Council approved a Purchase Order for LAN on July 8, 2008 in the amount of $637,000 ($579,300 plus 10% contingency) for design services. Due to the need for additional services, a Change Order to increase the Purchase Order by $99,975 is required as part of the Sixth Amendment to the Agreement. There are sufficient funds to increase the Purchase Order. The expiration date of June 31, 2012 will not change with the proposed Sixth Amendment.

The Ironwood Avenue Improvement project is being funded with TUMF (Fund 415), Development Impact Fee (Fund 416), and 2005 Lease Revenue Bonds (Fund 501) monies. The funding for this project is restricted to the Ironwood Avenue capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 - TUMF (Account No. 415.70227)	$3,106,000.00
Fiscal Year 2009/2010 - DIF (Account No. 416.78727)	$1,116,000.00
Fiscal Year 2009/2010 - 501 Lease Revenue Bonds (Account No. 501.82625)	$1,046,000.00
Total Available Funds	**$5,268,000.00**

ESTIMATED DESIGN COST:

Consultant Design Agreement (including 10% contingency)	$637,000.00
Consultant Design Sixth Amendment	**$100,000.00**
Project Administration*	$100,000.00
Total Estimated Design Cost	**$837,000.00**

ESTIMATED RIGHT OF WAY AND UTILITY CONSTRUCTION RELATED EXPENDITURES:

Southern California Edison (SCE) Transmission Pole Relocation	$1,578,000.00
Right of Way Acquisition	$622,000.00
Storm Drain Line H-1A Construction	$2,040,000.00
Total Estimated Project Related Expenditures	**$4,240,000.00**

*City staff will provide Project Administration

ANTICIPATED SCHEDULE:

Complete Right of Way Acquisition	August 2010
Complete Design	October 2010
Complete SCE Power Pole Relocation and Storm Drain Construction	June 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Ironwood Avenue is designated as a four (4) lane minor arterial roadway in the City's adopted circulation plan. The Ironwood Avenue improvement project will construct full street improvements on both sides of Ironwood Avenue from Heacock Street to Perris Boulevard. The Sixth Amendment to Agreement for Professional Consultant Services with AECOM will provide for additional design, right of way, and environmental services.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Sixth Amendment to Agreement for Professional Consultant Services with Exhibits
Attachment "C" – Change Order to the Purchase Order

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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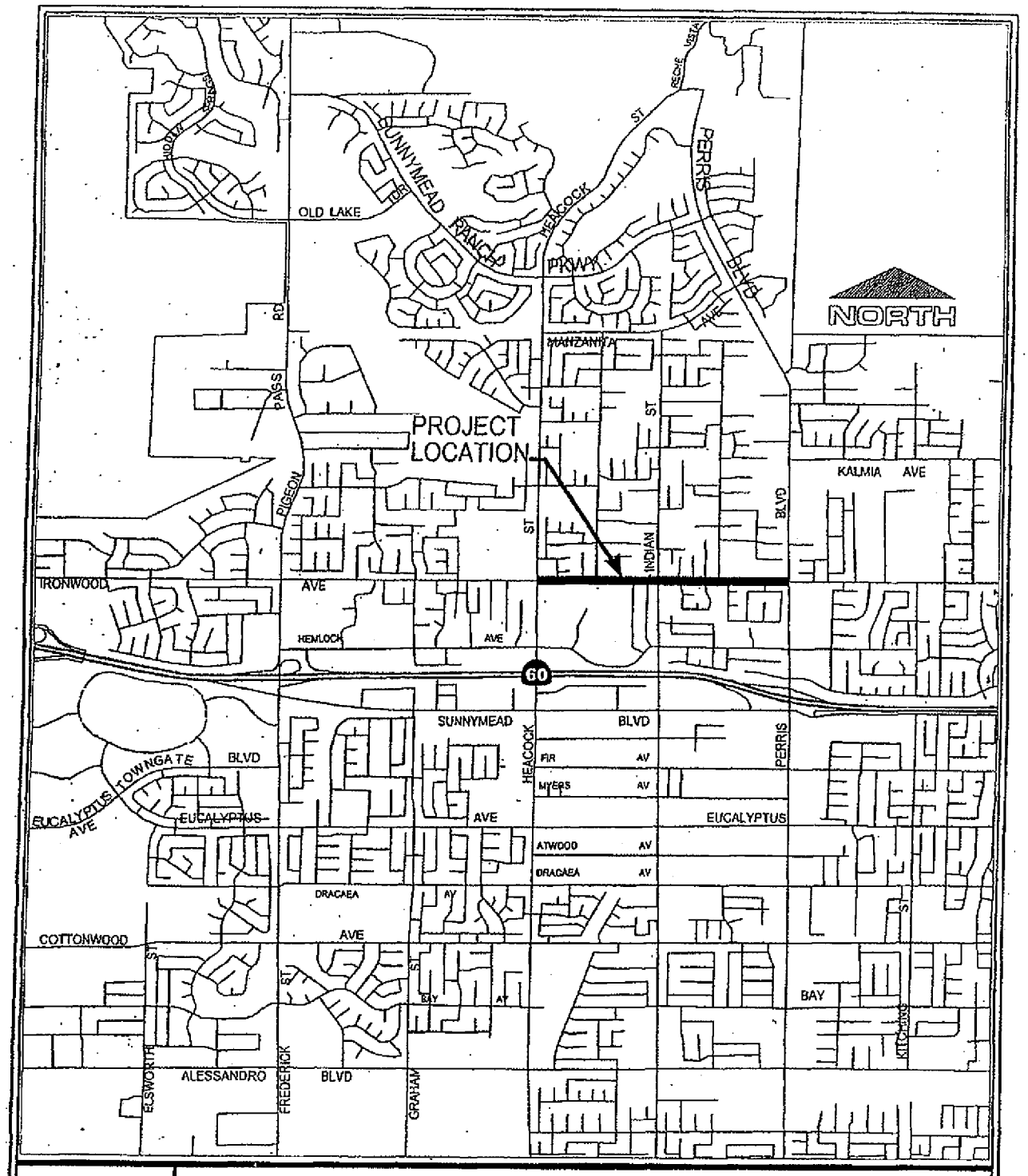

LOCATION MAP

Public Works Department Capital Projects Division	IRONWOOD AVENUE
Scale: None	HEACOCK STREET TO PERRIS BOULEVARD
ATTACHMENT "A"	PROJECT NUMBER 06-50182625

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MV00071300

SIXTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

This Sixth Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and AECOM Technical Services, Inc., a California corporation, hereinafter referred to as "Consultant." This Sixth Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "Agreement for Professional Consultant Services Transportation Uniform Mitigation Fee (TUMF) - Zonal, Project No. 06-50182625-2" hereinafter referred to as "Agreement," dated July 15, 2008.

Whereas, the Consultant is providing consultant design services for Street Improvements on Ironwood Avenue from Heacock Street to Perris Boulevard.

Whereas, the Agreement was amended on November 3, 2008 to increase the scope of work for the professional consultant design services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on February 11, 2009 to increase the scope of work for the professional consultant design services in the Second Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on August 20, 2009 to increase the scope of work for the professional consultant design services in the Third Amendment to Agreement for Professional Consultant Services.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

Whereas, the Agreement was amended on May 24, 2010 to transfer all services required under the Agreement from Lim and Nascimento Engineering Corporation to AECOM Technical Services, Inc. for the professional consultant design services in the Fourth Amendment to Agreement for Professional Consultant Services.

Whereas, the Agreement was amended on _____, 2010 to increase the scope of work for the professional consultant design services in the Fifth Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Sixth Amendment.

Whereas, the Consultant has submitted a Proposal dated May 25, 2010 (Revised June 11, 2010), for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Sixth Amendment" to the Sixth Amendment and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 31, 2012** is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A – Sixth Amendment," entitled "Change Order Request No. 5 – Additional Work and Change of Project Scope, Project No. 06-50182625, Street Improvements for Ironwood Avenue from Heacock Street to Perris Boulevard."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section described in "Exhibit B - Sixth Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $99,975, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in "Exhibit A - Sixth Amendment."

1.5 The total "Not to Exceed" fee for this contract is $736,839.10 ($579,300.00 for the original Agreement, plus $7,679.10 for the First Amendment to Agreement, plus $2,475 for the Second Amendment to Agreement, plus $17,618 for the Third Amendment to Agreement, plus $0 for the Fourth Amendment to Agreement, plus $29,792 for the Fifth Amendment to Agreement, plus $99,975 for the Sixth Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 06-50182625-2

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

AECOM Technical Services, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Sixth Amendment"
"Exhibit B – Sixth Amendment"

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AECOM

May 25, 2010
(Revised June 11, 2010)

City of Moreno Valley
Public Works Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Attention: Mr. Henry Ngo, P.E.

Subject: Change Order Request No. 5 - Additional Work and Change of Project Scope
Project No. 06-50182625
Street Improvements for Ironwood Ave
From Heacock Street to Perris Blvd

Dear Mr. Ngo:

AECOM has been requested by the City of Moreno Valley to provide additional professional services for the Street Improvements for Ironwood Ave (from Heacock Street to Perris Blvd). The additional services are for the tasks requested by the City and which were not identified in the City's original request for proposal (RFP) nor were they included in the authorized scope of work.

These unanticipated efforts have caused us to exceed our available budget for the project. To assure that we will be able to complete the project, we need to request a change order. The additional services requested by the City include:

- Preparing storm drain pipe extension design to 820 feet east of Ironwood Ave/ Hubbard Street
- Additional Right of Way Services and Improvements for Various Buildings
- Environmental - Pre-Construction Nesting Bird Survey
- Additional Design Services for SCE's Power Pole Relocation

SCOPE OF SERVICES

The Scope of Services covered by this change order are as follows:

1. **Prepare Storm Drain Pipe Extension Design to 820 Feet East of Ironwood Ave/Hubbard St**
   AECOM will provide additional lateral pipe extension to 820 feet east of Ironwood Ave/ Hubbard St. The need for the additional storm drain is to eliminate a local drainage deficiency arising from an existing storm drain pipe that runs from Escondido Ct. and

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765
www.aecom.com
T 909-895-0520
F 909-860-1306

"Exhibit A – Sixth Amendment"

out-flows to Ironwood Ave. via an existing parkway drain. The existing parkway drain is not graded to drain completely and causes a flooding problem.

AECOM will also provide the undersidewalk box drain to replace the existing parkway drain outlet to the street as an alternative design solution.

2. **Additional Right of Way Services and Improvements at Various Buildings**
AECOM has been assisting OPC in the pre-planning and coordination of the full take of properties. Some of them subsequently changed to partial takes and we needed to revise the estimate for compensation costs. Other OPC services including Relocation Plan and Relocation Assistance, Property Negotiations, Project Management and Coordination also required AECOM's involvement in additional meetings, coordination and revised plans and estimates. OPC also needed to perform additional Escrow Coordination Services.

   Also, the noise study prepared by Wieland Acoustics through ECORP contained recommendations for noise mitigation options for the house behind the proposed house removal at 11987 Davis Street, for the existing house at 11990 Kilgore and for the existing house at11989 Hubbard Street. The noise mitigation options include construction of block walls and building upgrades. AECOM needed to coordinate with the City, sub-consultants and the owners to provide the final solution for the noise mitigation, including plan changes, additional meetings and cost estimates.

3. **Environmental - Pre-Construction Nesting Bird Survey**
In accordance with the project's Mitigation Measures, and the Migratory Bird Treaty Act (MBTA)/California Department of Fish & Game (CDFG) Game Code Section 3513, ECORP will conduct a pre-construction nesting bird survey within 30 days prior to any grading, tree or brush clearing or trimming, grubbing or other project related ground disturbances that is proposed to occur between February 1 through August 31.

   If no nesting birds are observed during the survey, site preparation and construction activities may begin. If an active bird nest is located, the nest site shall be fenced to a distance recommended by the monitoring biologist. Typically this is a minimum of 300 feet from the nest site in all directions (500 feet is typically recommended by CDFG for raptors), until the juveniles have fled and there has been no evidence of a second attempt at nesting.

4. **Additional Services for SCE's Power Pole Relocation**
AECOM will provide additional services for Southern California Edison's power pole relocation, per City's request.

FEE PROPOSAL

The proposed Not-to-Exceed fee for the above services is **$99,975**. Attached is a breakdown of the costs by the Change Order task.

Please review the proposed scope and fee estimates and process the Change Order No. 5 so that we may proceed with the tasks. Should you have any questions, please do not hesitate to call me at (909) 895-0520.

Very truly yours,

AECOM

Edward Ng, PE
Project Manager
en/td

cc:

Attachment: Fee Estimates

618 N. Diamond Bar Boulevard
Diamond Bar, California 91765

www.aecom.com

T 909-895-0520
F 909-860-1306

COST PROPOSAL

	TOTALS
AECOM.	$39,861
ECORP	$1,204
OPC	$58,909
TOTALS	$99,975

6/13/2010 AECOM

"Exhibit B – Sixth Amendment"

COMPANY:	SCOPE OF WORK	DATE:	REV:
AECOM.	Project Design	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

	FUNCTION	HOURS		RATE	AMOUNT	
1. Storm Drain Design						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	12	@	$115.00	$1,380.00	
Robert Wong	Drainage Engineer	48	@	$115.00	$5,520.00	
Julian Yap	Asst. Engineer	12	@	$85.00	$1,020.00	
Phong Mai	Asst. Engineer	80	@	$85.00	$6,800.00	
					Subtotal	$16,080.00
2. Coordination for Additonal Right-of-Way						
Edward Ng, PE	Project Manager	8	@	$170.00	$1,360.00	
Paul Lau, PE	Project Engineer	24	@	$115.00	$2,760.00	
Julian Yap	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$6,160.00
3. Additional Design Per SCE						
Edward Ng, PE	Project Manager	20	@	$170.00	$3,400.00	
Paul Lau, PE	Project Engineer	30	@	$115.00	$3,450.00	
Julian Yap	Asst. Engineer	32	@	$85.00	$2,720.00	
Phong Mai	Asst. Engineer	24	@	$85.00	$2,040.00	
					Subtotal	$11,610.00
	TOTAL HOURS	322			TOTAL DIRECT LABOR	$33,850.00

MULTIPLIERS

ESCALATION @	(Rate)	
OVERHEAD @	(of Total Direct Labor + Escalation)	
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)	
	TOTAL MULTIPLIERS	

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
Printing			$1.00	
Mileage			$0.55	
			TOTAL OTHER DIRECT EXPENSES	

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
ECORP				$1,204.25
OPC				$58,909.00
KDMM				
			TOTAL OUTSIDE SERVICES	$60,113.25

FEES

OUTSIDE SERVICES ADMIN FI	10.00%	(of Total Outside Services & Outside Services Fees)	$60,113.25
AECOM. @		(of Total Direct Labor + Total Multipliers)	
OUTSIDE SERVICES @	10.00%	(of Total Labor + Total Multiplier for Outside Services	
		TOTAL FEES	$6,011.33
		TOTAL COST	**$39,861.33**

COMPANY:	SCOPE OF WORK	DATE:	REV:
ECORP	Environmental Survey & Permit Application	6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS	RATE	AMOUNT
Scott Taylor	Biology Manager	1	$130.00	$130.00
Anthony Mann	Biologist	10	$80.00	$800.00

TOTAL HOURS 11 — TOTAL DIRECT LABOR $930.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)

TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES ••• Billed at Actual Cost •••

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
digital camera	1	@	$3.50	$3.50
GIS	1	@	$20.00	$20.00
photographs/film	1	@	$3.00	$3.00
cell phone	1	@	$1.00	$1.00
GPS rental	1	@	$10.00	$10.00
Mileage	100	@	$0.51	$50.50
Rental Vehicle	1	@	$30.00	$30.00
aerial photos	1	@	$100.00	$100.00
photocopies b/w	175	@	$0.15	$26.25
photocopies color	30	@	$1.00	$30.00

TOTAL OTHER DIRECT EXPENSES $274.25

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL

TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees)
ECORP @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service

TOTAL FEES

TOTAL COST $1,204.25

COMPANY:	SCOPE OF WORK	DATE:	REV:
OPC		6/13/2010	

PROJECT:
Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5

DIRECT LABOR

PERSONNEL	FUNCTION	HOURS		RATE	AMOUNT
	Principal/Director			$165.00	
	Senior Project Manager	25	@	$135.00	$3,375.00
	Project Manager	130	@	$125.00	$16,250.00
	Senior Acq/Relo Consultant			$115.00	
	Acq/Relo Consultant	233	@	$105.00	$24,465.00
	Project Support	203	@	$73.00	$14,819.00
	TOTAL HOURS	591		TOTAL DIRECT LABOR	$58,909.00

MULTIPLIERS

ESCALATION @	(Rate)
OVERHEAD @	(of Total Direct Labor + Escalation)
PAYROLL ADDITIVES @	(of Total Direct Labor + Escalation)
	TOTAL MULTIPLIERS

OTHER DIRECT EXPENSES *** Billed at Actual Cost ***

ITEM	QUANTITY	UNIT	UNIT COST	AMOUNT
				TOTAL OTHER DIRECT EXPENSES

OUTSIDE SERVICES (w/o fee)

COMPANY	LABOR	MULTIPLIER	EXPENSES	TOTAL
				TOTAL OUTSIDE SERVICES

FEES

OUTSIDE SERVICES ADMIN FEE @	(of Total Outside Services & Outside Services Fees
OPC @	(of Total Direct Labor + Total Multipliers)
OUTSIDE SERVICES @	(of Total Labor + Total Multiplier for Outside Service
	TOTAL FEES
	TOTAL COST $58,909

COMPANY:	SCOPE OF WORK	DATE:	REVISION:
AECOM		6/13/2010	
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5		Project Summary	

AECOM. Summary

	$170.00	$115.00	$115.00	$85.00	$85.00				$170.00	$115.00	#REF!	$85.00			$170.00	$115.00				
Subtotal	36	66	48	68	104															322
Totals	36	66	48	68	104															322

ECORP Summary

	$130.00	$80.00																	
	1	10																	11

OPC Summary

	$165.00	$135.00	$125.00	$115.00	$105.00	$75.00													
		25	130		233	203													591

Summary

Summary

COMPANY: ECORP	SCOPE OF WORK: Environmental Survey & Permit Application	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	1	10																11
1. Ironwood Pre-construction Nesting Bird Survey	1	10																11

COMPANY: AECOM.	SCOPE OF WORK: Project Design	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours	36	66	48	68	104	322
1. Storm drain extension to 820' east of Hubbard St	8	12	48	12	80	160
2. Coordination for Add'l R/W Services & Imp'ts at Various Buildings	8	24		24		56
3. Additional Design Services for SCE	20	30		32	24	106

COMPANY: OPC	SCOPE OF WORK	DATE: 6/13/2010	REVISION:
PROJECT: Ironwood Ave from Heacock St to Perris Blvd - CCO No. 5			

Total Manhours		25	130		233	203												591
1. Pre-planning & Coordination		5	25		20	10												60
2. Relocation Plan & Assistence		5	25		50	10												90
3. Property Negotiations		5	30		116													151
4. Escrow Coordination Services			10		47	183												240
5. Project Management & Coord.		10	40															50

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MV00071316

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/14/10**	**VENDOR NAME:**	AECOM Technical Services, Inc. (formerly LAN)
		VENDOR NO.#	ORIGINAL PO NUMBER
		2064471	35827
	Project Number:	06-50182625-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35827 by $99,975 for additional design, right-of-way, and environmental services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625-2)	$99,975.00

Notes:		**Change Order Sub Total from Above:**	$99,975.00
		Original P.O. and Prior Change OrderAmount:	$637,230.00
		Revised Total Spend:	**$737,205.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	Split Amounts
Requested by:	Henry Ngo & Lee Ann Florez	Date: 06/08/2010			
Divison Manager ($15k)		Date:	100.0%	415.70227.7200	$737,205.00
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$737,205.00

V 1.4

Attachment "C"

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MV00071318

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH PALP INC. DBA EXCEL PAVING COMPANY FOR THE SUNNYMEAD BOULEVARD BEAUTIFICATION AND ENHANCEMENT PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-89280221-2

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221).

2. Authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto.

BACKGROUND

On November 25, 2008 the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract included construction of median beautification, a lighted median sign near Perris Boulevard, landscaping, a color Portland Cement Concrete (PCC) center turn lane, intersection enhancements.

DISCUSSION

Excel started the Stage 2 construction work in May 2009. Currently, Excel is working on the footings and underground electrical components for the median sign.

There were three (3) Contract Change Orders issued to Excel for the Stage 2 contract totaling approximately $202,002.98. These changes included removal, replacement, and repaving of the interface areas adjacent to the newly constructed color PCC walks for a smooth transition removing rutted and uneven surface areas on the side streets. Other changes included necessary traffic safety control measures, removal of buried asphalt materials, removal of buried signal pole footings and unsuitable subgrades, and dumping fees for contaminated materials. The contractual expenditures are still within the City Council authorized Purchase Order amount, however, there are some unresolved claims which may potentially exceed the project's Purchase Order amount. Therefore, staff is requesting City Council approve the $50,000 Change Order to increase Excel's Purchase Order as a contingency to ensure timely payment to the Contractor in accordance with the Public Contract Code in the event the claims are resolved in the Contractor's favor.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will allow for the completion of these needed improvements.*

2. Do not Authorize a Change Order to increase the Purchase Order with PALP Inc. dba Excel Paving Company, in the amount of $50,000 for the Sunnymead Boulevard Beautification and Enhancement Project from Frederick Street to Perris Boulevard (Account No. 892.80221), and do not authorize the City Manager to execute the Change Order to the Purchase Order for PALP Inc. dba Excel Paving Company, in the form attached hereto. *This will delay the needed improvements and incur extra cost to the City.*

FISCAL IMPACT

The Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) by Excel was funded with Lease Revenue Bond funds (fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (fund 892) as budgeted in Fiscal Year 2009/2010. An increase of $50,000 is requested to increase the Purchase Order (No. 37049) for Excel from the project's unencumbered budget in 892.80221 to cover the cost of possible claims. The

funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)	($3,549,000)

Breakdown of Stage 2 Related Work

Contractor (includes contingency)	$2,703,000
Requested increase in PO No. 37049 for Excel	**$50,000**
Consultant Construction Management/Inspection Services (incl. contingency)	$595,000
Geotechnical Services	$32,000
Survey Services	$78,000
Project Administration*	$91,000
Total Amount for Stage 2 Construction	$3,549,000

Remaining Project Balance $379,000

*Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Excel has been constructing the beautification and enhancements improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 2). The improvements have included the median beautification, a lighted median sign near Perris Boulevard, landscaping, a color PCC center turn lane, and intersection enhancements. Due to some unresolved claims, staff is requesting City Council

approve the Change Order to increase Excel's Purchase Order by $50,000 from the unencumbered project budget.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Change Order Form

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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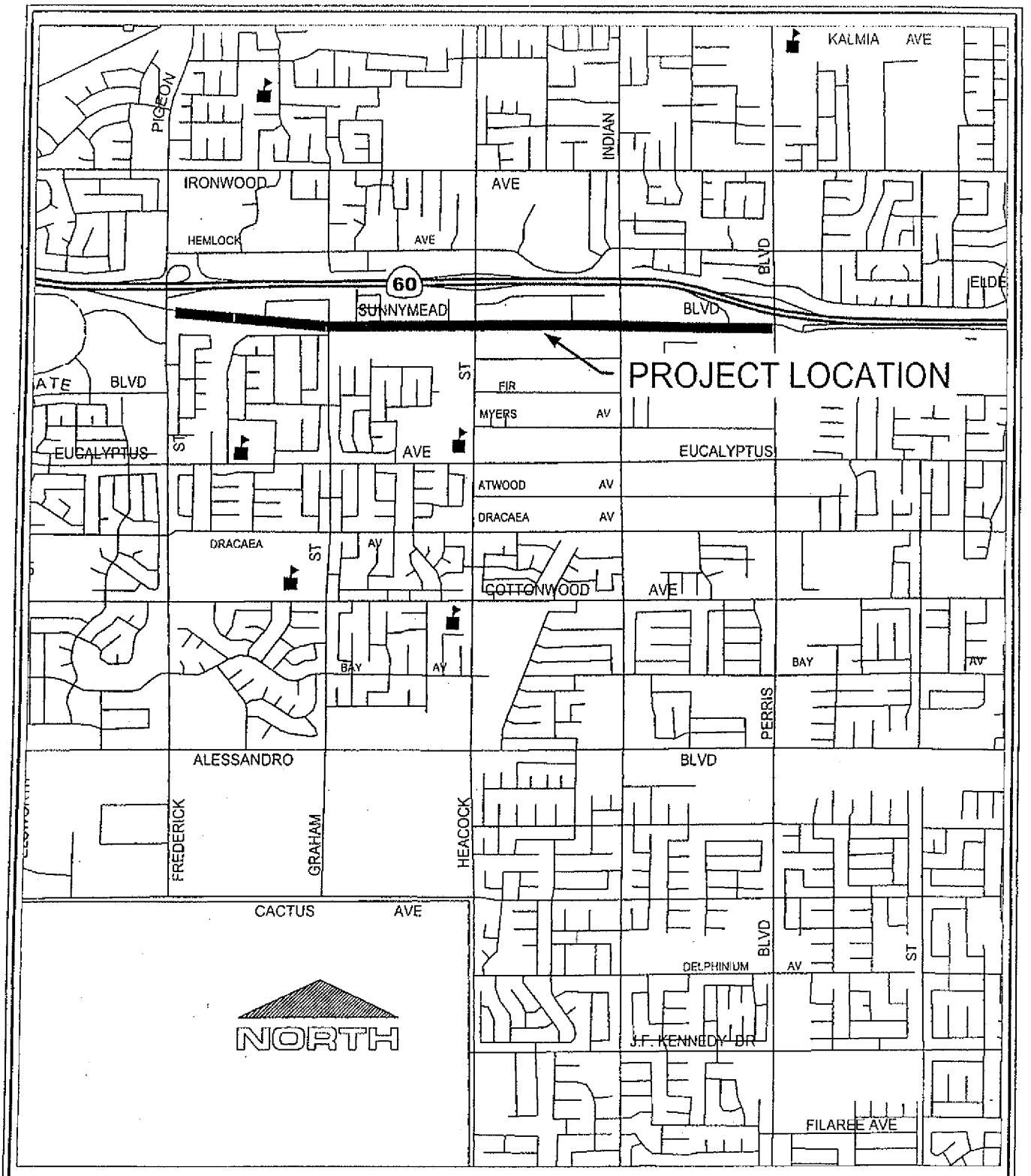

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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MV00071326

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/8/10**	**VENDOR NAME:**	PALP Inc. dba Excel Paving Company
		VENDOR NO.#	ORIGINAL PO NUMBER
		2381898	37049
Project Number:		04-89280221-2	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 37049 by $50,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-2).	$50,000.00

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$756,636.90
		Revised Total Spend:	**$806,636.90**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 06/07/2010			
Divison Manager ($15k)		Date:	100.0%	892.80221.7200	$806,636.90
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$806,636.90

V 1.4

Attachment "B"

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MV00071328

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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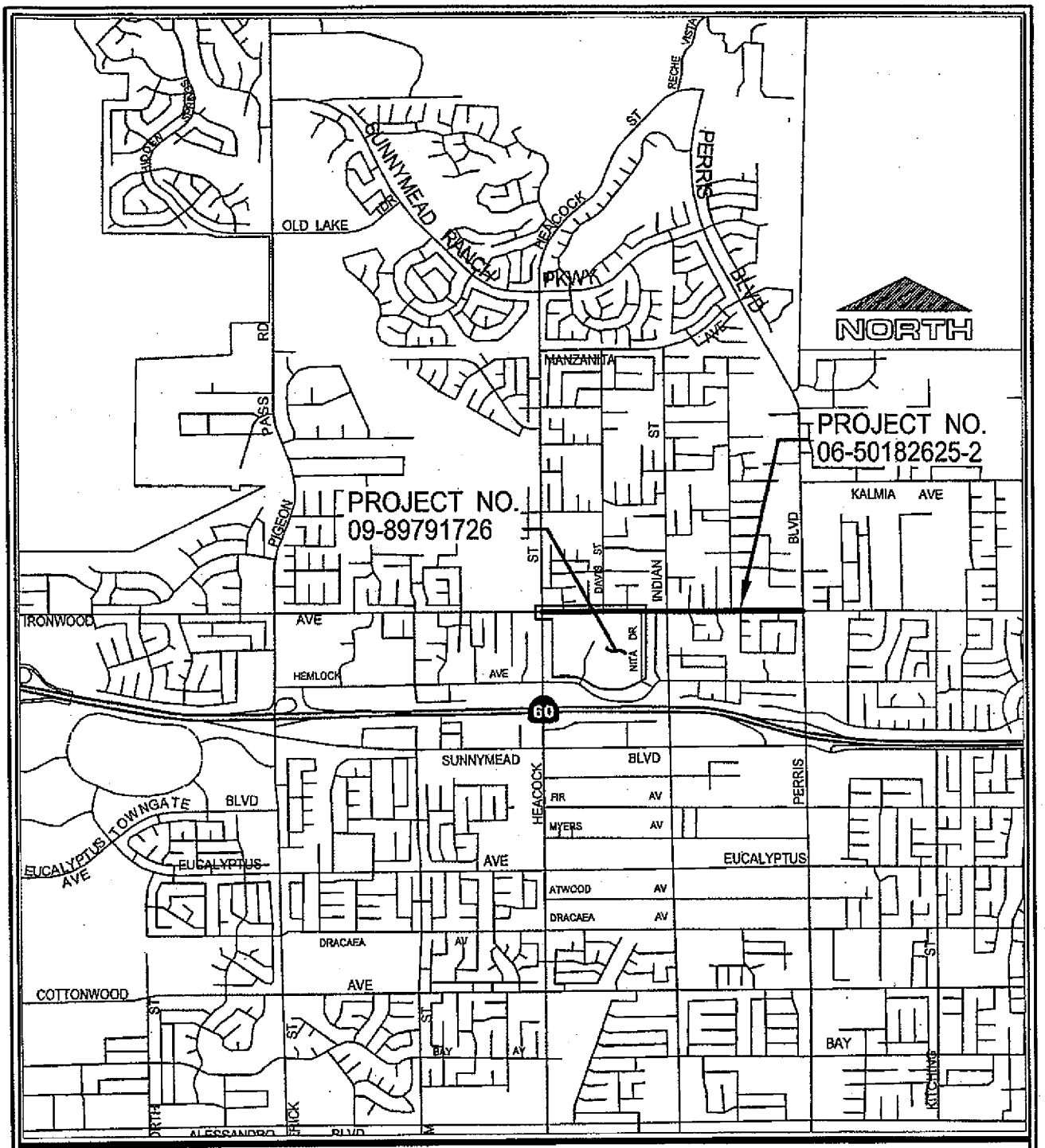

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00071338

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Utility\Sewer & Water - EMWD\Agreement\EMWD Reimb Agreement for IronwoodInd Basin - Draft 6-3-10.doc

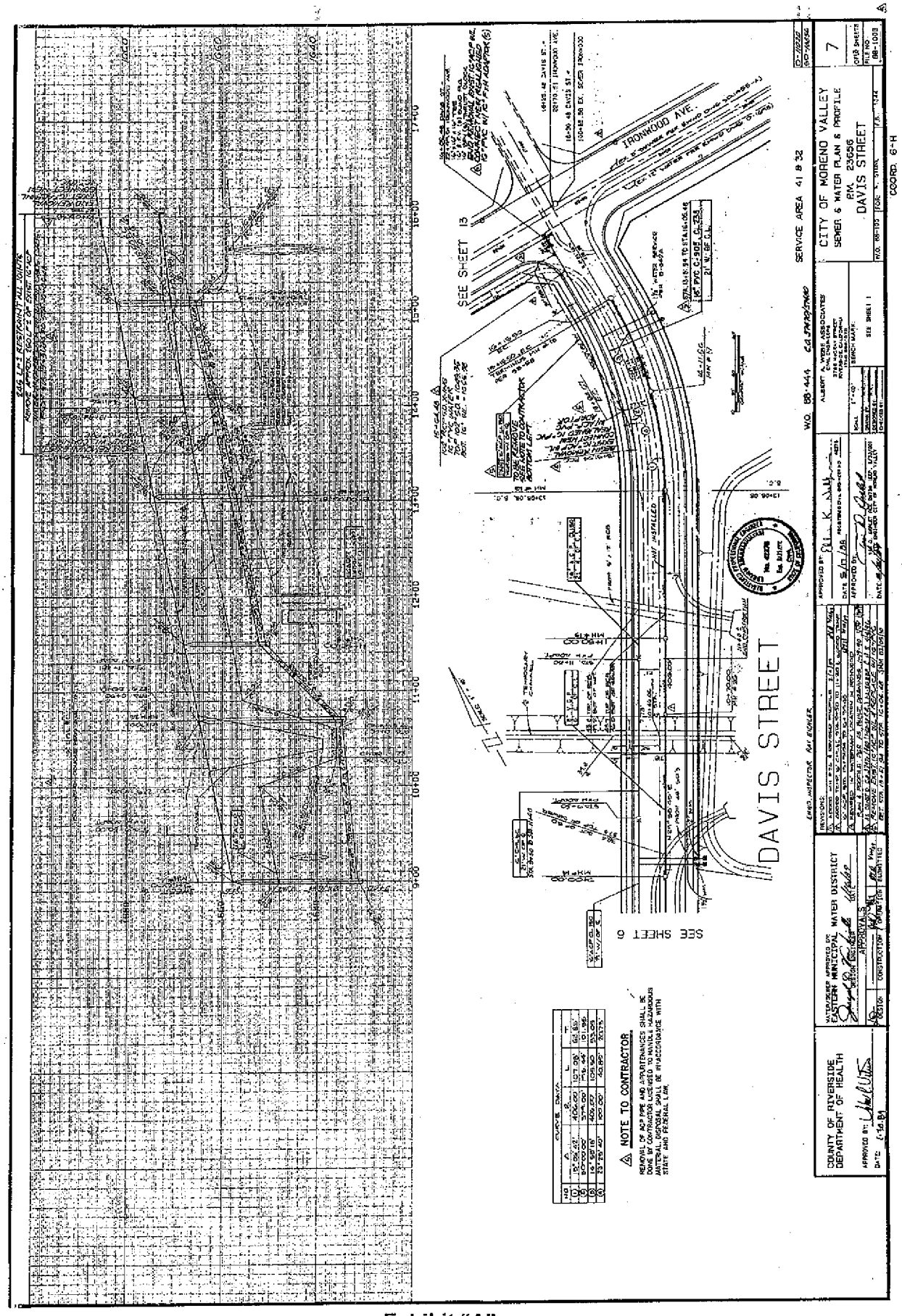
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23656
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

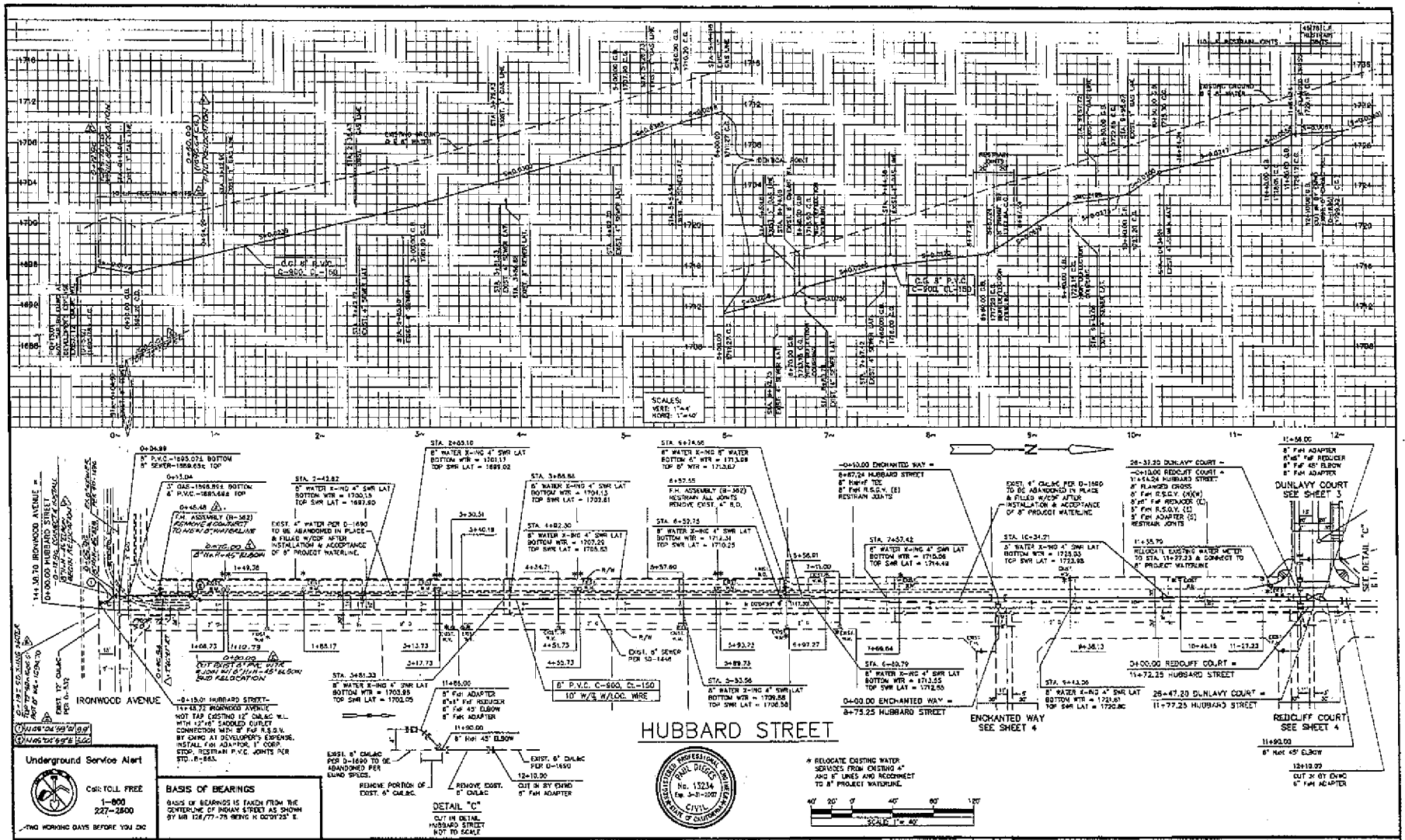

CITY OF MORENO VALLEY APPROVALS	BENCHMARK:	FIRE MARSHALL	PERRIS ENGINEERING	EASTERN MUNICIPAL WATER DISTRICT	CITY OF MORENO VALLEY
FRED KHAN, ASSISTANT CITY ENGINEER R.C.E. 25943 Exp. 12-31-06 — DATE	FD. BRASS CAP STAMPED M-34, S.E. COR. CL. INT. IRONWOOD AVE. AND PERRIS BLVD., N.E. COR. E.M.W.D. CONC. BOOSTER STA. SLAB. ELEV = 1736.722	APPROVED BY: — DATE	1051 DAWOS ROAD PERRIS, CA. 92571 (951) 657-2822 PAUL DIEGES R.C.E. 13234 EXP. 3-31-07 — DATE	APPROVALS: PROJECT ENG. / INSPECTION / MTR. & DRAWING / DIR. OPERATIONS	TRACT 31319 — WATER PLAN AND PROFILE STA. 10+15.01 TO STA. 12+10.00 — HUBBARD STREET

DATE	BY	MARK	REVISIONS
6/1/06	PD	A	SUPERSEDES APPROVED PLAN DATED 3/23/06
7/6/06	L.A.	B	RELOCATE 8" AC BET STA. 0+50 TO STA. 0+80.00

DESIGNED BY: CDT — DRAWN BY: AJP — CHECKED BY: PD

0-31074 — MV 1610

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-584, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EXCEPT GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE PIPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
10. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-861.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-680, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VERIFY SIZES AND DRAWINGS WHEN APPROPRIATE). ADJOINING LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL REPORT AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR ENCHANED UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE LINES. PLANNED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INQUIRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THESE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL ENGINEERS FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS AND SPECIFICATIONS. CONTRACTOR SHALL REVIEW ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEMS	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	20	LF
8" FLX CPLG (AWWA)	2	EA
8" FLX 45° BEND	2	EA
12" FLX 45° BEND	2	EA
12" FLX 45 BEND	2	EA
12" FLX 45° BEND	2	EA
8" FLX CAP	1	EA
12" FLANGE	1	EA
12" FLX REDUCER	1	EA
12" FLX	1	EA
12" FLX TEE	2	EA
12" FLX	2	EA
REMOVE & DISPOSE 12" CMLC WATER LINE	471	LF
CUT EXIST. 12" W/ & HOT TAP 12" CMLC W/	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.A. & ASSEMBLY	1	EA
8" PVC WATER C-900, CL-200 (BEFORE HIGH EMS)	65	LF

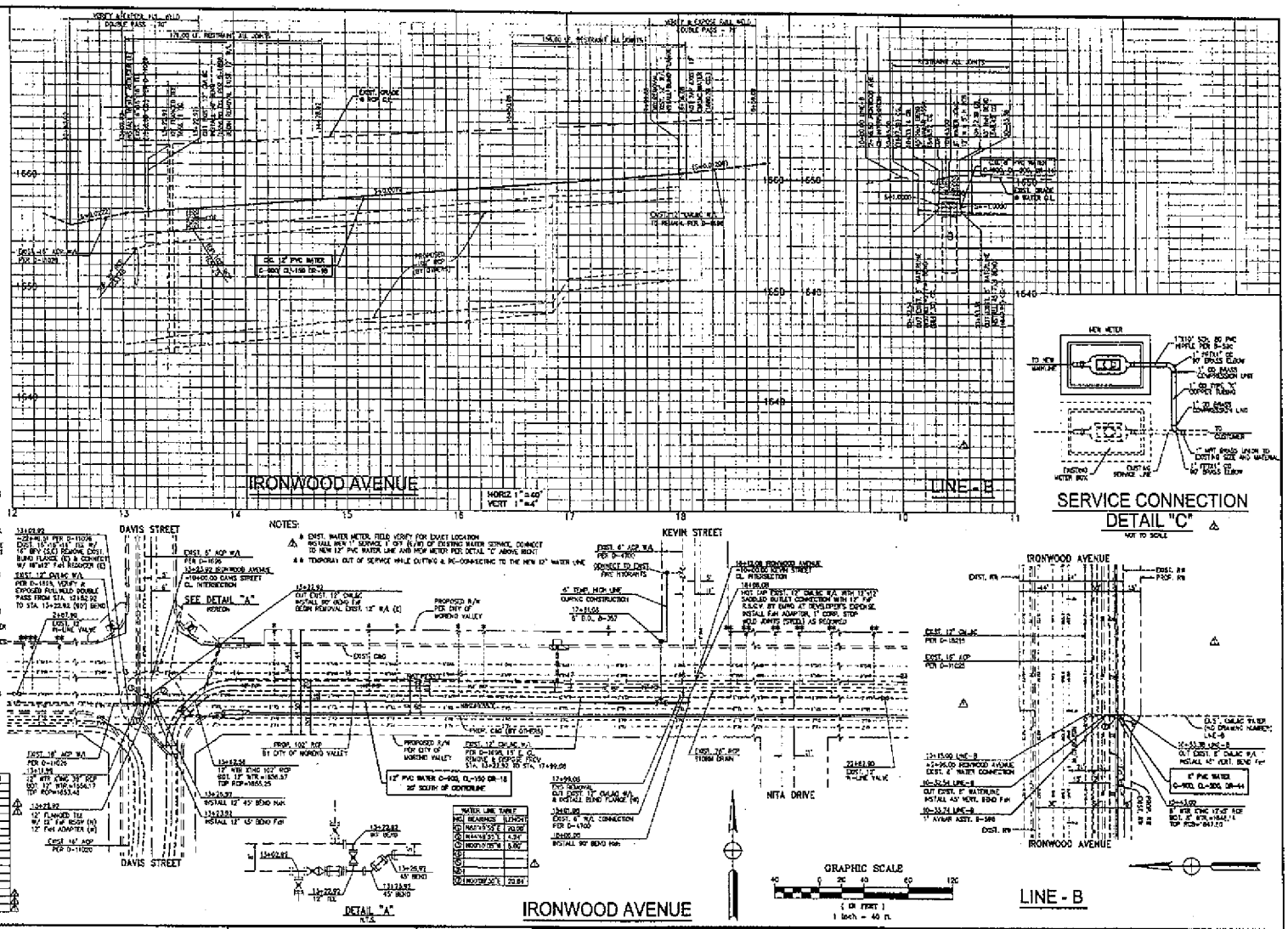

Underground Service Alert
CALL TOLL FREE
1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS					
NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/09	LAW	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/08	CWM	04/13/2009
2	4/30/09	LAW	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/09	CWM	04/13/2009

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-58 F)
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.3' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (U.S. DIA.) STAMPED "M-58 RESET 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: CONSTRUCTION MANAGER — ACCEPTED; MAINTENANCE — ACCEPTED

		DATE
DESIGNED		
DRAWN		
TRACED		
CHECKED		
SUBMITTED		

SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA

12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

W.O.	3
W.A.	41
W.P.	12-747
C.S.	
COVER	
SHT.	1 of 1
D-	41354

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					$24,010
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					$26,411

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	$33,014.00

EXHIBIT "B"

Page 4 of 4

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A PROJECT AGREEMENT WITH OVERLAND, PACIFIC AND CUTLER, INC. FOR VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto.

2. Authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526).

BACKGROUND

On May 29, 2008, the City Manager executed an Agreement for Professional Consultant Services with OPC for On-Call Right of Way services. On December 5, 2008, a purchase order for $70,000 was issued to OPC after they were selected as the most responsive firm to propose for In-House Right of Way Consulting Services to assist the Capital Projects Division with capital improvement projects. City Council approved an increase of $99,000 to the purchase order at its meeting on April 14, 2009.

DISCUSSION

Due to the vacant City staff "Senior Real Property Agent" position, as well as an increase in project related right of way activities, additional resources are necessary.

As a temporary solution to assist in expediting the completion of projects, the Capital Projects Division seeks to extend their Agreement with OPC.

OPC staff has an excellent track record of providing right of way services for budgeted capital improvement projects including, but not limited to, Kitching Street Improvements, Day Street Improvements, Sunnymead Boulevard Rehabilitation, and Lasselle Street Widening Improvements. Over the next twelve months, OPC staff will continue to work on right of way for projects such as the Perris Boulevard from PVSD Lateral "B" to Cactus Avenue Improvements, Perris Boulevard from Ironwood Avenue to Manzanita Avenue, Ironwood Avenue Street Improvements, Heacock Street Bridge Improvements, and other budgeted capital projects as assigned.

OPC provides professional consultant right of way services under an on-call Agreement that expires May 15, 2011. Staff recommends issuing a new purchase order and executing a Project Agreement with OPC for the continuation of their services. The purchase order for $99,000 allows for approximately one (1) additional year of right of way services as provided by the in-house consultant staff. The new purchase order will increase the Agreement to a total not-to-exceed amount of $268,000 ($70,000 for the original purchase order, plus $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

ALTERNATIVES

1. Authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.*

2. Do not authorize the City Manager to execute the Project Agreement for On-Call Professional Consultant Services (Project Agreement) with Overland, Pacific and Cutler, Inc. (OPC) for various projects of the Capital Projects Division in the form attached hereto, and do not authorize a purchase order for OPC, in the amount of $99,000 to continue to provide right of way services for various projects of the Capital Projects Division when the Project Agreement has been signed by all parties (Account No. 416.78526). *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The current purchase order encumbered to account number 897.91724 will be fully expended shortly. Staff recommends that the new purchase order for $99,000 be encumbered to the FY 10/11 Perris Boulevard from PVSD Lateral "B" to Cactus Avenue

Improvements project budget (Account No. 416.78526). As costs are incurred against this purchase order, the expenditures will be transferred to the capital projects for which services were performed. The anticipated associated costs for the purchase order increase will be funded through DIF Arterial Streets (Fund 416), TUMF Capital Projects (Fund 415), 2005 Lease Revenue Bonds (Fund 501), and Measure "A" (Fund 125):

Perris Boulevard from PVSD Lateral "B" to Cactus Avenue (416.78526)	$29,000
Perris Boulevard from Ironwood Avenue to Manzanita Avenue (415.78726)	$28,000
Ironwood Avenue Street Improvements (501.82625)	$18,000
Heacock Street Bridge Improvements (125.66825)	$24,000
Total	**$99,000**

These funds are restricted to Capital Improvement Projects and cannot be utilized for operational activities. There is no impact on the General Fund.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

Due to the need for in-house right of way services on a variety of projects, a purchase order with OPC is necessary to continue the temporary professional staffing services for the Capital Projects Division. Staff recommends that the City Council authorize the execution of the Project Agreement and the issuance of a new purchase order to OPC in the amount of $99,000 for right of way services.

ATTACHMENTS

Attachment "A" – Project Agreement
Attachment "B" – Purchase Requisition

Prepared By:
Lorenz R. Gonzales
Senior Engineer, P.E.

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\hirestaffconsultant\Right of way- OPC\New Project Agreement 4-2010\Staff Report New PO & Project Agreement - OPC 7-2010.doc

PROJECT AGREEMENT FOR ON-CALL
PROFESSIONAL CONSULTANT SERVICES
VARIOUS PROJECTS OF THE CAPITAL PROJECTS DIVISION

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Overland, Pacific and Cutler, Inc., a California corporation, hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has Pre-Qualified Consultant for On-Call Consultant work in an Agreement ("On-Call Agreement") executed on May 29, 2008 for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-Call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-Call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Consultant Real Property and Right of Way Services for Various Projects of the Capital Projects Division (and other Divisions as needed) and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

3. The Consultant's scope of service is for Consultant Real Property and Right of Way

Services for Various Projects of the Capital Projects Division and is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D", attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

Overland, Pacific and Cutler, Inc.

BY: _____

TITLE: PRESIDENT
(President or Vice President)

5/25/10
Date

BY: _____

TITLE: Vice President / Secretary
(Corporate Secretary)

5-25-10
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures:
Exhibit "A" – City Scope of Services
Exhibit "B" – Consultant Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

CITY SCOPE OF SERVICES

Various Capital Improvement projects throughout the year will require Right of Way Services. The following list includes services that may be needed over the course of the contract. The list is not intended to be all-inclusive, as other services may be needed:

- prepare reports and coordinate the preparation of site surveys relating to real property that is required for public purposes
- prepare certificates of acceptance; record documentation at the county, negotiate for purchase, lease, or donation of real property
- prepare contracts, agreements, leases, deeds, re-conveyances, legals, plats, and other instruments used to acquire or vacate interests in real property
- prepare rights of entry
- prepare and acquire temporary construction easements
- estimate the market value of real property and prepare written reports
- analyze title reports, contracts, judgments, court records, and other documents to evaluate the legal status and effect upon title of various liens, restrictions, and encumbrances
- maintain records, databases, maps, deeds, and other documents
- coordinate the hiring of appraisers, including preparation of Request for Proposals, review and rate/rank Proposals, prepare Staff Reports, review appraisals, verify property surveys, plats and legal descriptions
- coordinate eminent domain actions' consult with the City Council and City departments regarding real property matters, and interact with public agencies
- negotiate and acquire temporary construction "rights of way"
- negotiate cellular tower leases
- meet with property owners to discuss and educate them on real property issues pertaining to acquisition and relocation
- assist project managers on real property issues as they relate to their respective capital improvement projects
- perform related duties as assigned
- and provide quality customer service

EXHIBIT "A"

OVERLAND PACIFIC & CUTLER, INC.

2280 Market Street, Suite 340, Riverside, CA 92501
phone: (951)683-2353, fax: (951)683-3901

April 23, 2010

Ms. Kimberly Jester
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

RE: In-House Right of Way Consulting Services 2010

Dear Ms. Jester:

In response to your request, Overland, Pacific & Cutler, Inc. (OPC) is pleased to present the City of Moreno Valley with this brief fee proposal for the continuation of in-house staffing services under our existing Professional On-Call Services Agreement.

OPC is proposing to continue with the existing arrangements and will assign Mr. Michael Green to the City on specified hours and days. Mr. Green will be working at a rate of $105 per hour, Tuesdays and Thursdays, 8:00 AM to 5:00 PM. At 16 hours per week for the year, we estimate the total annual cost to be $87,360. Should the actual hours increase or decrease over the coming year, the estimated cost will adjust accordingly.

Should you have any questions or would like to discuss further, please do not hesitate to call me at (951) 683-2353.

Sincerely,

Overland, Pacific & Cutler, Inc.

Joey Mendoza, SR/WA
Senior Project Manager

Exhibit "B"

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $268,000 ($70,000 for the original purchase order, $99,000 for the change order to the original purchase order, plus $99,000 for the new purchase order).

2. Rates for personnel and services shall be as provided on Exhibit "B" – Consultant Proposal.

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

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MV00071366

TODAY'S DATE:	06/09/10
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Overland Pacific & Cutler, Inc.		
STREET ADDRESS >	100 West Broadway Suite 500		
STREET ADDRESS >			
CITY-STATE-ZIP >	Long Beach CA 90802		
CONTACT NAME >			
PHONE NUMBER >			
E-MAIL ADDRESS >			

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	Professional Consultant Right of Way Services for the Various Projects of the Capital Projects Division.	1	Lump Sum	$99,000.00	$99,000.00		
	Project No. 11-41570125						
	Per Project Agreement dated _____ by the City Manager.						
	The "On-call" Right of Way Services Agreement, First Amendment and Second Amendment with OPC are on file with the Purchasing Division.						

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$99,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Kim Jester / Prem Kumar	Date:			
Division Manager ($15k)	Date:	100.0%	416.78526.7200	$99,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$99,000.00

Purchase Requisition OPC

ATTACHMENT "B"

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MV00071368

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR THE SUNNYMEAD BOULEVARD IMPROVEMENTS PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-89280221

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard.

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto.

3. Authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221).

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney.

BACKGROUND

On December 11, 2007, the City Council approved the Agreement for Professional Consultant Services with Harris & Associates, Inc. (Harris) for Construction Management and Inspection Services for Stage 1 (sidewalk and parkway improvements) and Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $660,000.

On November 25, 2008, the City Council approved the First Amendment to Agreement for Professional Consultant Services with Harris for additional Construction Management and Inspection Services for Stage 2 (median and intersection enhancements) for the Sunnymead Boulevard project in the Purchase Order amount of $265,000.

DISCUSSION

The Sunnymead Boulevard project from Frederick Street to Perris Boulevard has been constructed in two stages. Stage 1 was the Revitalization project for the color sidewalk, ramp and driveway improvements, which include a lighted gateway entry arch, bus shelters, sign monuments, parkway landscaping, Heacock Street intersection improvements, curb, and gutter. Stage 2 was the Beautification and Enhancement project for the street and median improvements, which include a lighted median sign near Perris Boulevard, median landscaping, a color Portland Cement Concrete (PCC) center turn lane, and intersection enhancements.

The Harris scope of services includes construction management for both the Stage 1 sidewalk and parkway improvements, and the Stage 2 median and intersection enhancements. Harris' responsibilities encompass construction management, which includes overseeing the daily construction operations of the contractors' work for compliance with approved plans and applicable City, State and Federal standards. In addition they are responsible for obtaining and reviewing all contractor submittals and contractor payment requests that are to be forwarded to the City for approval. However, the project is not complete and additional services are required. The work still pending includes punch list items pertaining to the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, an increase in Harris' construction management and inspection contract Purchase Order is needed through this Second Amendment to provide for the services necessary to complete the project. The expiration date of February 28, 2011 will not change with the proposed Second Amendment.

ALTERNATIVES

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick

Street to Perris Boulevard, authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative will allow for the completion of needed improvements.*

2. Do not approve the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc., 9445 Fairway View Place, Suite 215, Rancho Cucamonga, CA 91730, to provide additional construction management and inspection services for the Sunnymead Boulevard Project from Frederick Street to Perris Boulevard, do not authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with Harris & Associates, Inc. in the form attached hereto, do not authorize the issuance of a new Purchase Order from unencumbered monies in Fund 892 to Harris & Associates, Inc. in the amount of $176,000 when the "Second Amendment to Agreement for Professional Consultant Services" has been signed by all parties (Account No. 892.80221), and do not authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the "Agreement for Professional Consultant Services" with Harris & Associates, Inc., subject to approval by the City Attorney. *This alternative may delay construction of needed improvements.*

FISCAL IMPACT

The project is funded with Lease Revenue Bond funds (Fund 501), Transportation Enhancement (TE) Federal Grant funds through Measure A funds (Fund 125), and Redevelopment Agency (RDA) funds (Fund 892). The Harris contract was originally funded with Lease Revenue Bond funds, however, staff now requests that the City Council approve a new Purchase Requisition for $176,000 from unencumbered Redevelopment Agency project funds (Fund 892). The funding for this project is restricted to the Sunnymead Boulevard capital improvements and cannot be used for operational activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, and 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Estimated Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Estimated Construction Related Costs for Median/Intersection (Stage 2)	($3,549,000)

Breakdown of Professional Consultant Services with Harris & Associates

Original Agreement for Stage 1 & 2 Construction Management and Inspection Services (w/cont.)	$660,000*	
First Amendment for Stage 2 Construction Management and Inspection Services (w/cont.)	$265,000*	
Second Amendment for Stage 1 and 2 Construction Management and Inspection Services	**$176,000**	**($176,000)**
Total Construction Management and Inspection Services	$1,101,000	

Unencumbered Project Balance	$203,000

* *Costs are already included in Stage 1 & 2 Construction items above*

ANTICIPATED PROJECT SCHEDULE:

Completion of Stage 1 Construction	August 2010
Completion of Stage 2 Construction	October 2010

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts (including home rehabilitation) and neighborhood restoration.

SUMMARY

The Sunnymead Boulevard project is nearing completion. The longer than anticipated construction duration has resulted in the need to increase the contract amount with Harris & Associates, Inc. for construction management services. Therefore, staff is requesting City Council approve the increase to Harris' Purchase Order by $176,000 from the unencumbered project budget in Fund 892.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Second Amendment to Agreement for Professional Consultant Services, Project No. 04-89280221
Attachment "C" – Purchase Requisition

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-2 Median Intersection Improv\CC Reports\071310 Harris 2nd Amendment Staff Report.doc

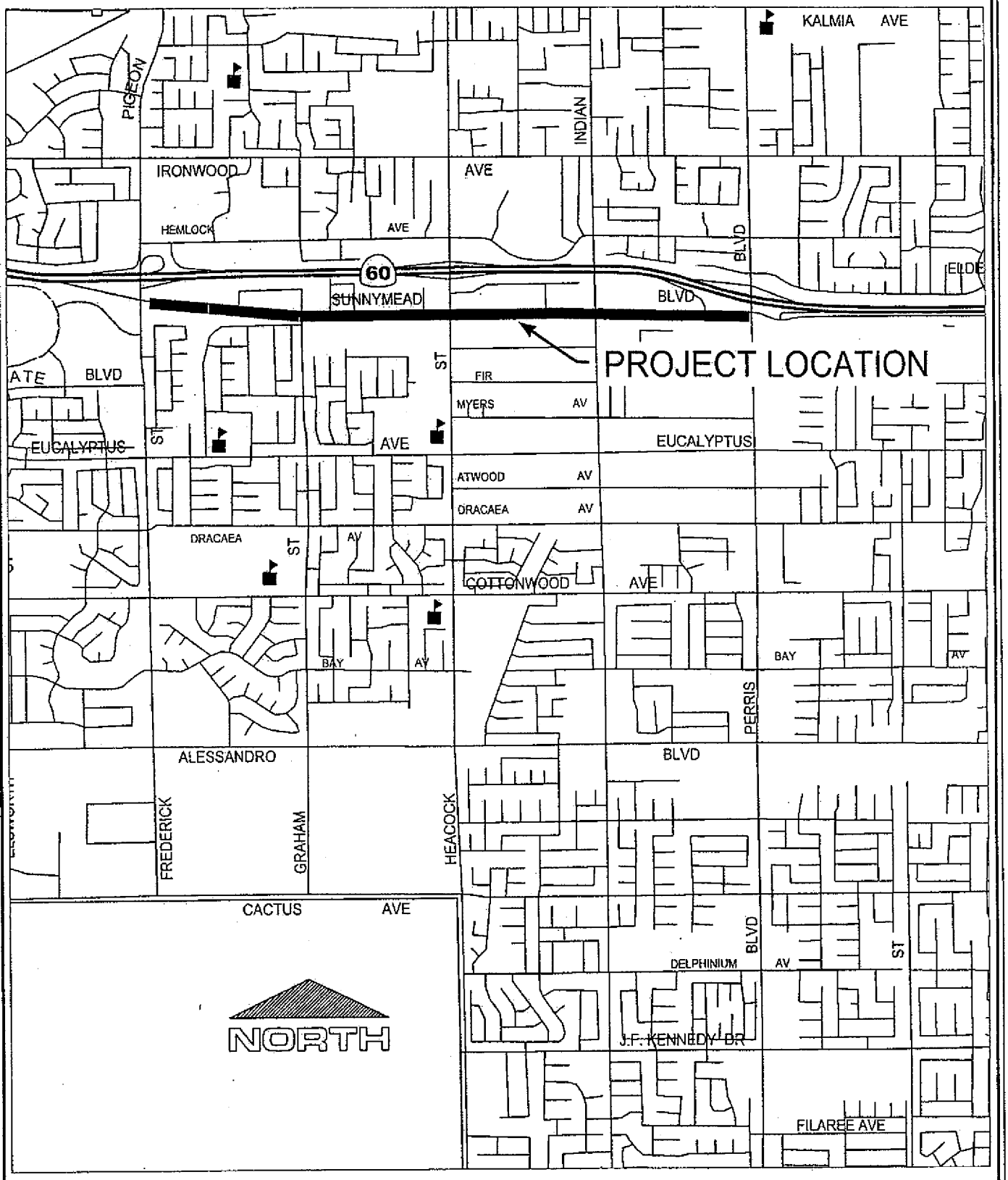

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT "A"

SUNNYMEAD BLVD. BEAUTIFICATION AND ENHANCEMENT
PROJECT NO. 04-89280221-2

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MV00071376

SECOND AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **Harris & Associates, Inc.**, a California corporation, hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated February 6, 2008.

Whereas, the Consultant is providing consultant management and construction inspection services for Sunnymead Boulevard Improvements Project from Frederick Street to Perris Boulevard, Project No. 04-89280221.

Whereas, the Agreement was amended on December 12, 2008 to extend the professional consultant services in the First Amendment to Agreement for Professional Consultant Services.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Second Amendment.

Whereas, the Consultant has submitted a Proposal dated June 7, 2010, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Second Amendment" and is incorporated herein by this reference.

Attachment "B"

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of February 28, 2011 is not extended by this Amendment.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in "Exhibit A -- Second Amendment," entitled "Request for Contract Amendment."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding to the cost proposal section thereof described in "Exhibit B – Second Amendment," entitled "Cost Proposal."

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive an additional "Not-to-Exceed" fee of $176,000, as set forth in the above-referenced Cost Summary, in consideration of the Consultant's performance of the work described in "Exhibit A – Second Amendment."

1.5 The total "Not to Exceed" fee for this contract is $1,016,900 ($600,000 for the original Agreement, plus $240,900 for the First Amendment to Agreement, plus $176,000 for the Second Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 04-89280221

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head

_____
Date

Harris & Associates, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Second Amendment"
"Exhibit B – Second Amendment"

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\Consultant\Inspection-CM\Agreement\7-13-10 2nd Amendment - Harris Associates 06 3 10.DOC

Harris & Associates

Shaping the future, One project at a time℠

June 7, 2010

City of Moreno Valley
Chris Wiberg, P.E. Senior Project Manager
Capital Project Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

RE: Request for Contract Amendment

Mr. Wiberg,

The Sunnymead Boulevard project is pending completion of construction. It is now anticipated that completion of the construction on this project is not expected to occur until October of 2010. Some of the pending items include punch list items for the sidewalks and access ramps, completion of the entry arch, installation of the median sign, which is currently being fabricated, and additional landscaping. Therefore, we are requesting that our current contract be amended to reflect the extended time frame. Please see attached Scope of Work and Cost Proposal for details.

The appropriate level of personnel required for this phase of service will be subject to mutual agreement and the contractor's schedule. Your acknowledgment and acceptance of this request is gratefully appreciated. Should you have any further questions or concerns, please do no hesitate to call.

Sincerely,
Harris & Associates

E. Joseph Shaw
Sr. Construction Manager

"Exhibit A – Second Amendment"

SCOPE OF SERVICES

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

Harris will continue to provide the following services as part of the Scope of Services on an as-requested, as-needed basis:

CONSTRUCTION MANAGEMENT & INSPECTION SERVICES

Construction Administration - Continue to implement procedures for reviewing and processing request for clarifications and interpretations of the Contract Documents; shop drawings, samples and other submittals; contract schedule adjustments; change order proposals; written proposals for substitutions and payment applications.

Reports - Prepare any reports that may be required during the construction phase.

Permits, Bonds and Insurance - Verify required permits, bonds and insurance, have been obtained.

Change Order Preparation - Coordinate contract change orders. Prepare independent cost estimate for contract change orders. Negotiate all contract change orders with the Contractor. Prepare contract change order document for execution by Contractor and City

Construction Schedule - Review each Contractor's Construction Schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents and that it establishes completion dates that comply with the requirements of the Master Schedule.

Progress Payments - Review payment applications submitted by each Contractor and determine whether the amount requested reflects the progress of the Contractor's work.

Photographs - Provide photographic documentation of project site during construction.

"As-Built" Drawings - Finalize one set of contract documents for each project with up-to-date information regarding all addendum, substitutions, clarifications and change orders.

Field Inspection - Provide field inspection, as requested, to verify compliance with the contract documents. Coordinate with City assigned inspection staff.

Surveying – Coordinate needed surveys to verify lines and grades with contract documents.

Traffic Control - Monitor traffic control and public safety plans for compliance with all safety laws and regulations. Review all detour, lane closures, temporary access, signing, delineation and traffic control plans.

Meetings - Coordinate meetings with City and Contractor related to project completion. Prepare meeting notices and prepare and distribute meeting minutes.

Final Inspection and Punchlist - Provide final inspection and prepare list of project construction deficiencies for resolution by Contractor.

Final Payment - Make recommendations regarding Contractor's final progress payment request. Prepare final progress payment report for submission.

Project Closeout - Prepare all documentation needed for project closeout. Deliver project documentation.

COST PROPOSAL

SUNNYMEAD BLVD. PROJECT
PROJECT NO. 04-89280221

Harris & Associates

5 Month Projected Extension of Time	Cost
Construction Management Services	$81,000
Construction Inspection Services	$79,000
Additional Items of Work per City Request	$16,000
Total	**$176,000**

"Exhibit B – Second Amendment"

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MV00071384

TODAY'S DATE:	06/11/10
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Harris & Associates, Inc.		
STREET ADDRESS >	9445 Fairway View Place, Suite 215		
STREET ADDRESS >			
CITY-STATE-ZIP >	Rancho Cucamonga, CA 91730		
CONTACT NAME >	Joe Shaw		
PHONE NUMBER >	909.237.2357		
E-MAIL ADDRESS >	eshaw@harris-assoc.com		

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text (2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF. MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL
	This Second Amendment with Harris & Associates, Inc.	1	Lump Sum	$176,000.00	$176,000.00		
	is providing construction management and inspection						
	services for the Sunnymead Boulevard						
	Improvements Project from Frederick Street to Perris						
	Boulevard, Project No. 04-89280221. The project is not						
	complete due to delays. A new Purchase Order is						
	requested to use unencumbered monies in fund 892.						
	The Second Amendment was signed by the City Manager						
	on _____. Also attached is the current insurance.						
	City Council approved the Purchase Requisition at its						
	meeting on 7/13/10.						

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$176,000.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Christopher L. Wiberg & Lee Ann Florez	Date: 06/11/2010			
Division Manager ($15k)	Date:	100.0%	892.80221.7200	$176,000.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$176,000.00

6-11-10 Purchase Req for Harris.xls

Attachment "C"

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MV00071386

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\CC Reports\071310 Ironwood Day to Barclay-EMWD Reimbursement Agreement.doc

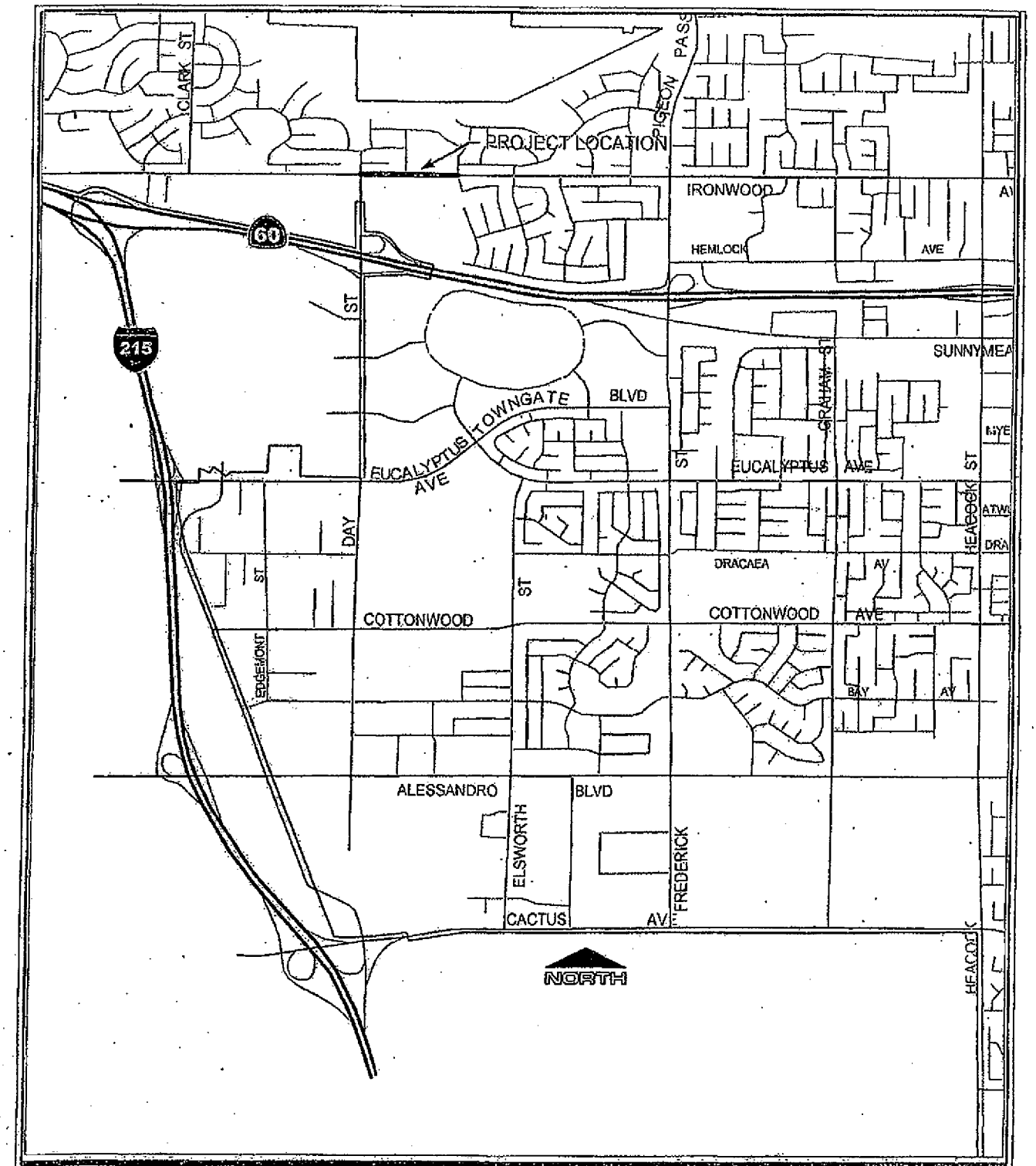

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

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MV00071394

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

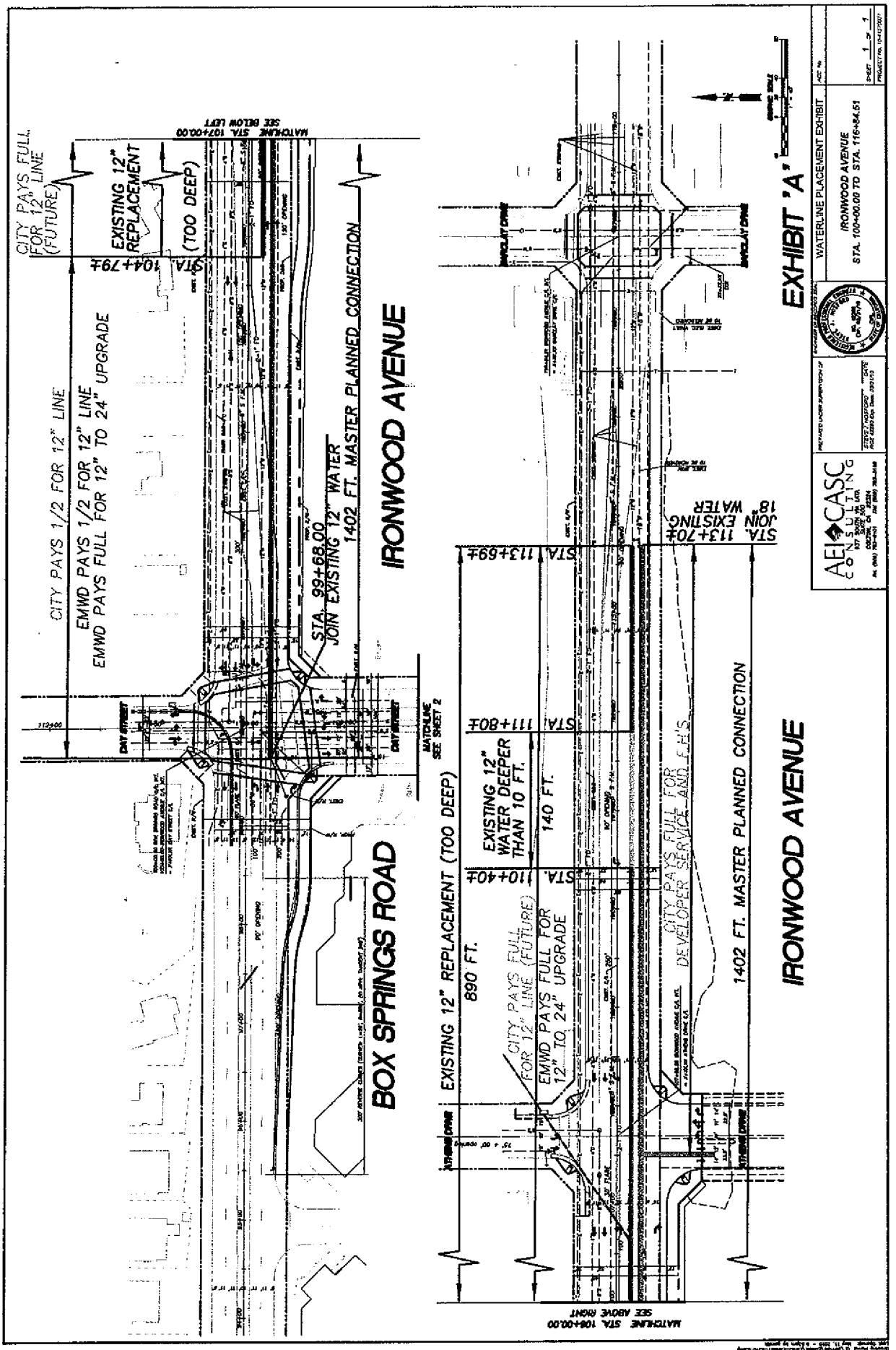
EXHIBIT 'A'
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
WATERLINE PLACEMENT EXHIBIT
AEI CONSULTING
CASC
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT
(TOO DEEP)
STA. 104+79±
CITY PAYS 1/2 FOR 12" LINE
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
STA. 99+68.00
JOIN EXISTING 12" WATER
MATCHLINE STA. 107+00.00
SEE BELOW LEFT
MATCHLINE
SEE SHEET 2
BOX SPRINGS ROAD
STA. 113+69±
STA. 113+70±
JOIN EXISTING 18" WATER
STA. 111+80±
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 110+40±
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
CITY PAYS FULL FOR 12" LINE (FUTURE)
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
1402 FT. MASTER PLANNED CONNECTION
IRONWOOD AVENUE
MATCHLINE STA. 108+00.00
SEE ABOVE RIGHT

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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MV00071404

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE CHANGE ORDERS TO INCREASE THE PURCHASE ORDERS WITH FS CONSTRUCTION FOR THE SIDEWALK IMPROVEMENT PROJECTS ON TEMCO STREET, VOUGHT STREET, BOEING STREET AND MCDONNEL STREET PROJECT NOS. 08-28368428, 08-28368528 AND 08-28368728

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728).

2. Authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto.

3. Authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements.

4. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

5. Authorize the Financial & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects.

BACKGROUND

On December 8, 2009, the City Council awarded a construction contract and authorized the issuance of three (3) Purchase Orders in the total amount of $503,600.00 (the bid amount plus 25% contingency) to FS Construction. The FS Construction contract includes such street improvements as sidewalks, driveways, parkway drains, access ramps, block walls, fences, tree removals, cross gutter, mailboxes, and landscape restoration on both sides of Temco Street, Vought Street, Boeing Street, and McDonnel Street.

The City issued a Notice to Proceed to FS Construction to start the work on March 4, 2010. The length of the contract is one hundred twenty (120) working days. FS Construction anticipates completing the projects by end of June 2010 at the latest.

DISCUSSION

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. The increase in the FS Construction contract is attributed to the additional work and increased bid item work quantities mainly related to the reconstruction of the existing driveways and driveway approaches as part of the sidewalk improvements. During construction, the City worked closely with residents in relocating existing fences, trees, concrete walkways and other hardscape as well as modifying existing driveways and landscape necessary for the construction of new sidewalk and reconstruction of existing driveway approaches. The new sidewalk and driveway approaches, installed per current ADA requirements, resulted in steeper slopes on most of private driveways. As a result, additional work is required to remove and replace larger areas of private driveways to lower the driveway profiles and reduce the steepness of driveway slopes for functionality purposes. In addition, many driveways have deteriorated and required larger removal areas in order to establish a logical and stable concrete slab match line to existing driveway slabs. This has also increased the driveway installation bid item quantities as well as grading and drainage issues. There are also increases in other bid item quantities related to sidewalks, fence relocations, drainage structures, and curb and gutter replacements which contributed to the increase in construction cost.

The additional improvements were necessary for functionality of the driveways and new City improvements. Furthermore, the improvements have enhanced the aesthetic and appearance of the neighborhood as well as the pedestrian and vehicular safety. By utilizing in-house design to reduce design cost along with the favorable construction bid received, there is a net savings in the project's overall cost. Staff is requesting City Council approve the Change Orders to increase FS Construction's Purchase Orders to allow payment to the Contractor.

The construction of sidewalk improvements is to be completed at end of June 2010. Since the City Council will not meet on next two meetings after the July 13 meeting, staff is requesting the City Council to authorize the Public Works Director/City Engineer

to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ALTERNATIVES

1. Authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize Change Orders to increase the Purchase Orders with FS Construction in the total amount of $80,000 for additional work for the Sidewalk Improvement Projects on Temco Street, Vought Street, Boeing Street and McDonnel Street (Account Nos. 283.68428, 283.68528 and 283.68728), do not authorize the City Manager to execute the Change Orders for FS Construction in the forms attached hereto, do not authorize the Public Works Director/City Engineer to accept the work as complete for sidewalk improvements, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, and do not authorize the Finance & Administrative Services Director to release the retention to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the projects. *This alternative will delay payment to the Contractor, delay completion of the improvements, and incur extra cost to the City.*

FISCAL IMPACT

The construction phase of this project is included on Fiscal Year 2009/2010 Capital Improvements Project Budget and is financed by Community Development Block Grant (CDBG) funds (Fund 283). There is no impact to the General Fund.

Staff anticipates that by the time all work is completed by FS Construction, the final contract cost will exceed the Purchase Order total amount issued by approximately $80,000. An increase of $21,000 is requested to increase Purchase Order No. 38859

(Account No. 283.68428). An increase of $30,000 is requested to increase Purchase Order No. 38860 (Account No. 283.68528). And an increase of $29,000 is requested to increase Purchase Order No. 38861 (Account No. 283.68728). The new total amount for three (3) Purchase Orders for FS Construction is $583,600.

AVAILABLE FISCAL YEAR 2009/2010 CONSTRUCTION FUNDS:

Temco Street (Account No. 283.68428)	$259,831
Vought and Boeing Street (Account No. 283.68528)	$355,461
Boeing and McDonnel Street (Account No. 283.68728)	$544,360
Total Available Funds	**$1,159,652**

Breakdown of Construction Related Costs

Construction Contractor (FS Construction) PO's	$503,600
Requested increase in 3 PO's for FS Construction	**$80,000**
Geotechnical Services	$15,800
Survey Services	$47,700
Project Administration*	$120,000
Total Construction Cost	$767,100

Remaining Project Balance in Fund 283 ..... $392,552

* Public Works staff will provide Project Administration and Inspection.

ANTICIPATED PROJECT SCHEDULE:

Construction Started	March 2010
Completion of Construction	June 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

FS Construction has been constructing the sidewalk improvements on Temco Street, Vought Street, Boeing Street, and McDonnel Street and anticipates completing the projects by end of June 2010. The improvements enhance the aesthetic/appearance and pedestrian and vehicular safety for the neighborhood by providing sidewalks, new driveways, new mailboxes and landscape restoration. Due to the increases in bid quantities, staff is requesting City Council approve the Change Order to increase FS Construction's Purchase Orders by a total amount of $80,000 from the available project budget to allow payment to the Contractor. Staff is also requesting the City Council to

authorize the Public Works Director/City Engineer to accept the work as complete, authorize the recordation of the Notice of Completion at the County Recorder, and authorize the release to retention money to FS Construction thirty five (35) calendar days after the date of recordation of the Notice of Completion.

ATTACHMENT

Attachment "A" – Location Map
Attachment "B" – Change Order Forms

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Concurred By:
Michelle Patterson
Redevelopment and Neighborhood
Programs Administrator

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Barry Foster.
Economic Development Director Programs

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\Quang - 08-28368428 - Temco_Vought_Boeing_McDonnel Sidewalks\CC Reports\Increase PO's\07-13-10 Increase POs for FS Construction.doc

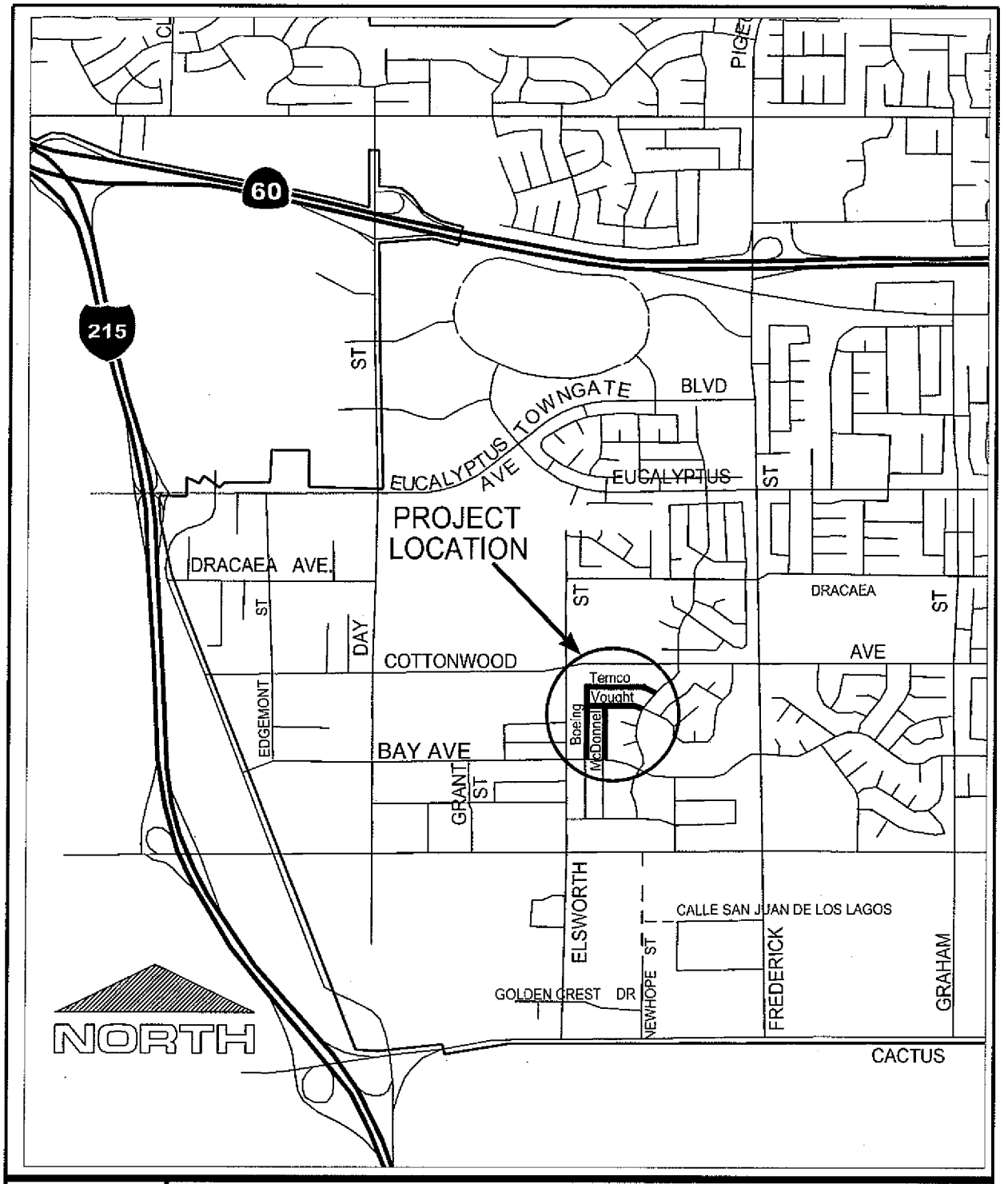

SIDEWALK IMPROVEMENTS PROJECT

Public Works Department
Capital Projects Division

ATTACHMENT A

TEMCO ST., VOUGHT ST. BOEING ST. AND MCDONNEL ST.

LOCATION MAP

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MV00071412

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38859
	Project Number:	08-28368428	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO # 38859 by $19,000.00 for additional work for the Sidewalk Improvements on Temco Street from Boeing Street to Pan Am Boulevard Project No. 08-28368428	$19,000.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$19,000.00
		Original P.O. and Prior Change OrderAmount:	$128,569.00
		Revised Total Spend:	**$147,569.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Sharon Duensing/Quang Nguyen	Date:			
Divison Manager ($15k)	Date:	100.0%	283.68428.7200	$147,569.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$147,569.00

V 1.4

Attachment "B"

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38860
	Project Number:	08-28368528	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38860 by $29,800.00 for additional work for the Sidewalk Improvements on Vought Street from Boeing Street to Pan Am Boulevard and Boeing Street from Vought Street to Temco Street Project No. 08-28368528	$29,800.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$29,800.00
		Original P.O. and Prior Change OrderAmount:	$179,269.00
		Revised Total Spend:	**$209,069.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Sharon Duensing/Quang Nguyen	Date:			
Divison Manager ($15k)	Date:	100.0%	283.68528.7200	$209.069.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$209,069.00

V 1.4

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**6/9/10**	**VENDOR NAME:**	
		VENDOR NO.#	ORIGINAL PO NUMBER
		2413061	38861
	Project Number:	08-28368728	

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Change Order to increase PO #38861 by $26,200.00 for additional work for the Sidewalk Improvements on Boeing Street from Vought Street to Bay Avenue and McDonnel Street from Vought Street to Bay Avenue Project No. 08-28368728	$26,200.00

Notes:	Original Agreement approved by City Council on December 8, 2009.	**Change Order Sub Total from Above:**	$26,200.00
		Original P.O. and Prior Change OrderAmount:	$195,762.00
		Revised Total Spend:	**$221,962.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Sharon Duensing/Quang Nguyen Date:			
Divison Manager ($15k)	Date:	100.0%	283.68728.7200	$221,962.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
Purchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$221,962.00

V 1.4

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MV00071416

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: July 13, 2010

TITLE: ADOPT RESOLUTION NO. 2010-69, APPOINTING DEPUTY CITY ATTORNEY III SUZANNE BRYANT AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 15-17, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-69 appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities 2010 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 15-17, 2010 in San Diego. At this meeting, the League membership will consider and take action on resolutions that establish League policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Staff recommends that the City Council adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Recommended by staff)

2. Do not adopt the proposed resolution appointing Deputy City Attorney III Suzanne Bryant as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (Not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Attorney's Department 2010-11 Operating Budget account 010.22110.6221.

NOTIFICATION

Agenda Publication

ATTACHMENTS/EXHIBITS

Attachment A - Voting Delegate Proposed Resolution
Attachment B - Voting Delegate Form

Prepared By:
Jane Halstead, City Clerk, CMC

Department Head Approval:
Jane Halstead, City Clerk, CMC

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2010 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2010 annual conference and by August 20, 2010, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Deputy City Attorney III Suzanne Bryant will be attending the business meeting on Friday, September 17, 2010 at the San Diego Convention Center in San Diego.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

That Deputy City Attorney III Suzanne Bryant is designated as the Voting Delegate for the City of Moreno Valley at the League of California Cities 2010 Annual Conference in San Diego on September 15-17, 2010.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 20, 2010.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

1400 K Street
Sacramento, CA 95814
PH: (916) 658-8200
FX: (916) 658-8240

CITY CLERK
MORENO VALLEY
RECEIVED
10 JUN 10 PM 2:30

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 20, 2010

June 4, 2010

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 15-17 – San Diego

The League's 2010 Annual Conference is scheduled for September 15-17 in San Diego. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 3:00 p.m., Friday, September 17, at the San Diego Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. Please take care when selecting your city's delegates, as travel and attendance could be an issue for those who observe Yom Kippur.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 20, 2010. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

ATTACHMENT B

-more-

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Jose Convention Center, will be open at the following times: Wednesday, September 15, 9:00 a.m.; Thursday, September 16, 7:30 a.m.; and September 17, 7:30 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 20th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2010 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2010 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes**. In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2010 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 20, 2010. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 20 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter10.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: TRACT MAP 31414 – EXONERATION OF BONDS FOR PUBLIC IMPROVEMENT AGREEMENT

SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY

DEVELOPER – ZAPER, CORP.
7119 INDIANA AVE, SUITE 300
RIVERSIDE, CA 92504

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On August 12, 2004, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31414. The tentative tract map is a proposal to subdivide an approximately 9 acre parcel into 31 single family residential lots.

On October 24, 2006 the City Council for the City of Moreno Valley approved Zaper, Corp.'s agreement and bonds in the amounts of $1,115,000 for the Faithful Performance Bond and $557,500 for the Material and Labor Bond.

Pigeon Pass LLC has purchased Tract 31414 from Zaper Corp. and has provided substitute agreement and bonds. The substitute agreement and bonds were approved by Council on May 25, 2010.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by Zaper, Corp.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

2. Do not authorize the Public Works Director/City Engineer to execute the exoneration of the original Faithful Performance and Material and Labor securities associated with the Tract Map 31414 public improvements.

FISCAL IMPACT

Not applicable

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" – Vicinity Map

Prepared By
Liz Plazola
Senior Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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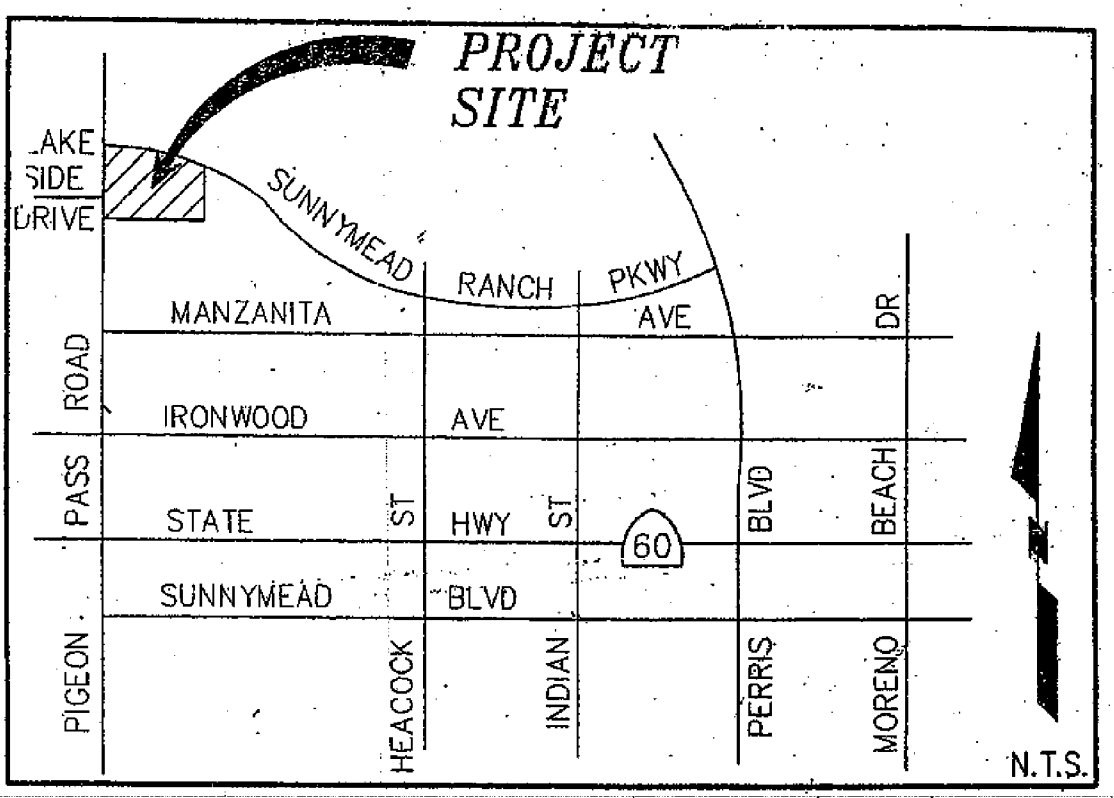

VICINITY MAP

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**TR 31414** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - TR31414 -Exhibit A.doc

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MV00071430

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA04-0215 (TR 33256) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

SOUTH OF STATE ROUTE 60 ON THE NORTH SIDE OF FIR AVENUE, BETWEEN NASON STREET AND MORRISON STREET

DEVELOPER - VALLEY OAK, LP
100 DOVE STREET, SUITE 100
NEWPORT BEACH, CA 92660

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA04-0215.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On December 22, 2005, the Planning Commission of the City of Moreno Valley approved this project. The tentative tract map is a proposal to subdivide 27.8 net acres in the R5 zone into 100 single family residential lots.

On December 12, 2006, the City Council for the City of Moreno Valley approved MVGH 2004, LLC agreement and bonds in the amounts of $3,636,000 for the Faithful Performance Bond and $1,818,000 for the Material and Labor Bond.

Valley Oak, LP has purchased project PA04-0125 from MVGH 2004, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by MVGH 2004, LLC, upon acceptance of the substitution agreement and bonds.

Valley Oak, LP has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $3,636,000 and a Material and Labor Bond in the amount of $1,818,000 issued by Western Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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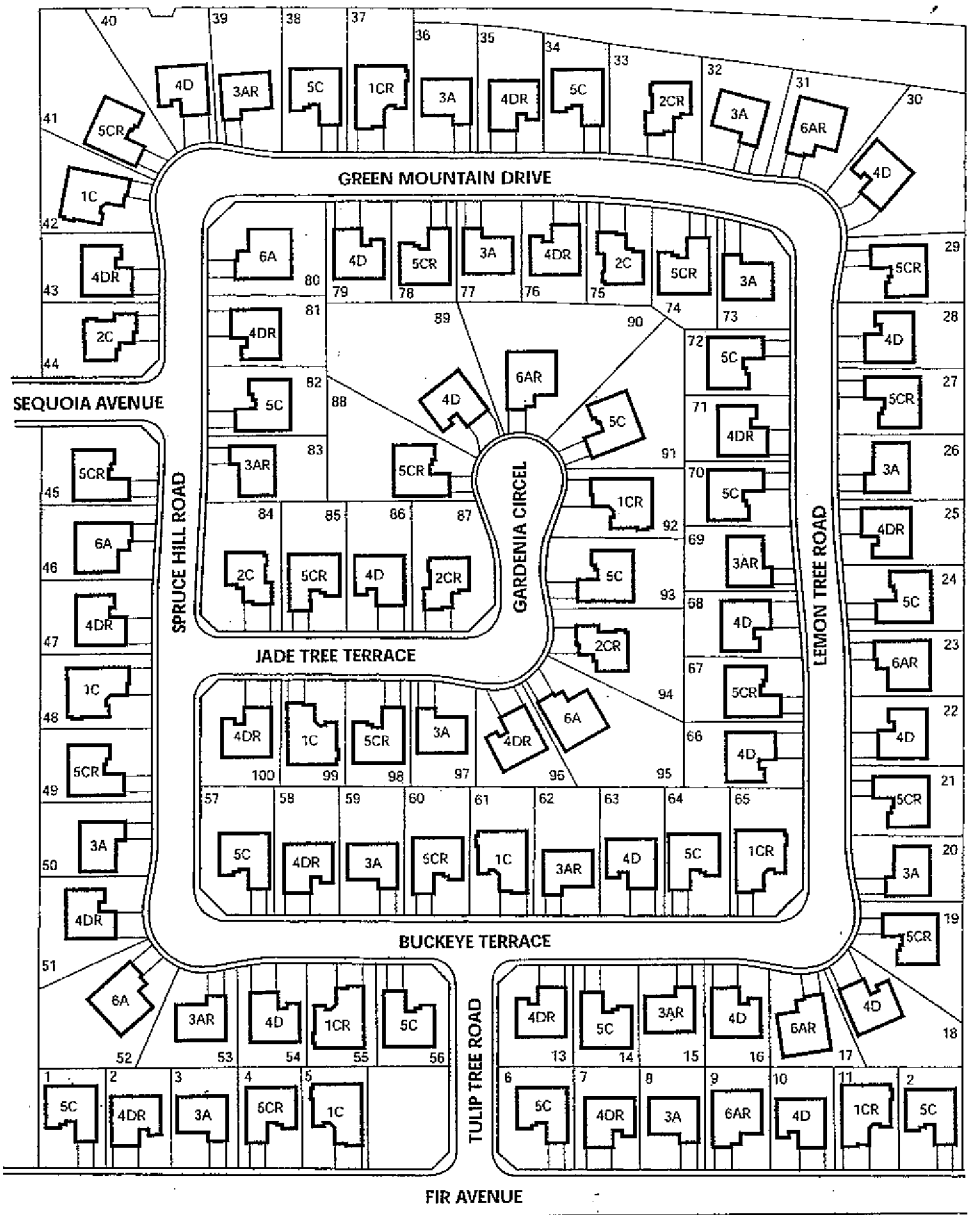

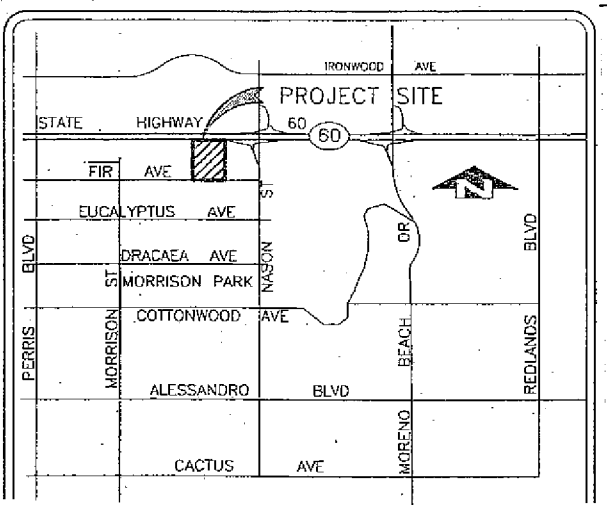

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
EXHIBIT "A"

Tract 33256
VICINITY MAP

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MV00071436

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA04-0215 (TR. 33256)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **Valley Oak, LP,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA04-0215** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **THREE MILLION SIX HUNDRED THIRTY SIX THOUSAND AND NO/100** Dollars (*****$3,636,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Valley Oak, LP
1000 Dove Street, Suite 300
Newport Beach, CA 92660

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

VALLEY OAK, LP:
Developer

BY: _____
Signature

NELSON CHUNG
Print/Type Name

MANAGER
Title

BY: _____
Signature

CHRISTINE CHUNG
Print/Type Name

CFO
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\Boilr - Agreement.doc

ACKNOWLEDGMENT

State of California
County of Orange)

On April 7, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG AND CHRISTINE CHUNG,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00071440

EXHIBIT "A"

ENGINEER'S ESTIMATE

DATE: 03/18/10

PROJECT: Tract 33256

PREPARED BY: Liz Plazola

STREET WORK

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Roadway Excavation			0	C.Y.	16.00	0
A.B. Class II	0.5	Thickness (ft.)				
	151515	S.F.	5492	Ton	16.00	87,879
A.C.	0.3	Thickness (ft.)				
	151515	S.F.	3295	Ton	43.50	143,352
A.B. Class II	0.5	Thickness (ft.)				
	5781	S.F.	210	Ton	16.00	3,353
A.C.	0.35	Thickness (ft.)				
	5781	S.F.	147	Ton	43.50	6,381
A.C. Cap			0	Ton	43.50	0
A.C. Overlay			139	Ton	43.50	6,047
Grind & Pave 0.15'			0	S.F.	2.00	0
Curb and Gutter - 6"			8528	L.F.	12.00	102,336
Curb and Gutter - 8"			0	L.F.	13.00	0
Curb Only - 6"			0	L.F.	9.00	0
Curb Only - 8"			0	L.F.	10.00	0
Cross Gutter and Spandrel			819	S.F.	11.00	9,009
Sidewalk			45100	S.F.	4.00	180,400
Driveway Approach - 6"			14000	S.F.	5.50	77,000
Driveway Approach - 8"			0	S.F.	6.50	0
Alley Approach - 8"			0	S.F.	5.00	0
P.C.C. Paving - 6"			0	S.F.	4.00	0
P.C.C. Paving - 8"			0	S.F.	4.50	0
A.C. Berm - 6"			0	L.F.	10.00	0
A.C. Berm - 8"			0	L.F.	11.00	0
Slurry Seal			642	S.Y.	1.10	706
Redwood Header			0	L.F.	4.00	0
Sawcut			995	L.F.	1.10	1,095
Trench Repaving			0	S.F.	5.00	0
Utility Trench			0	L.F.	5.00	0
Wheelchair Ramp			8	EA.	400.00	3,200
Street Name Sign			9	EA.	425.00	3,825
Stop Sign			4	EA.	200.00	800
Barricade			0	L.F.	45.00	0
Warning Markers - Type L, Type N			0	EA.	50.00	0
Signs and Posts			33	EA.	200.00	6,600
Street Sweeping Sign			0	EA.	200.00	0
Bus Bay			0	EA.	7,500.00	0
Traffic Striping/raised pavement markers			1	L.S.	–	4,625
Traffic Signal			0	EA.	160,000.00	0
Traffic Signal Interconnect			0	L.F.	30.00	0
Walls - Masonry: 6' Maximum			4210	L.F.	45.00	189,450
Walls - Retaining: 6' Maximum			1814	L.F.	70.00	126,980
Landscaping			0	S.F.	5.00	0
Relocate Trees			0	EA.	2,000.00	0
1/2 Alley Apron			0	S.F.	4.50	0
Street Lights (9500 lumen)			27	EA.	3,000.00	81,000
Street Lights (22000 lumen)			0	EA.	3,500.00	0
Adjust M.H. to Grade			0	EA.	550.00	0
Adjust Water Valve to Grade			0	EA.	250.00	0
Erosion Control			28	Ac.	5,500.00	154,000
Cluster Mail Boxes			4	EA.	3,000.00	12,000
Electrical Utility Infrastructure			99	EA.	1,750.00	173,250
Electrical Utility Line Extension			1	L.F.	110.00	
					SUBTOTAL:	1,373,287

Monuments: 115 X 65.00 EA. $7,475

Item No. A.17

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
12" Reinforced Concrete Pipe	0	L.F.	75.00	0
18" Reinforced Concrete Pipe	0	L.F.	80.00	0
24" Reinforced Concrete Pipe	67	L.F.	95.00	6,365
30" Reinforced Concrete Pipe	1036	L.F.	110.00	113,960
36" Reinforced Concrete Pipe	2244	L.F.	125.00	280,500
42" Reinforced Concrete Pipe	0	L.F.	150.00	0
48" Reinforced Concrete Pipe	0	L.F.	175.00	0
54" Reinforced Concrete Pipe	0	L.F.	225.00	0
60" Reinforced Concrete Pipe	0	L.F.	275.00	0
12" HDPE	0	L.F.	38.00	0
18" HDPE	0	L.F.	40.00	0
24" HDPE	0	L.F.	48.00	0
30" HDPE	0	L.F.	55.00	0
36" HDPE	0	L.F.	63.00	0
42" HDPE	0	L.F.	75.00	0
48" HDPE	0	L.F.	83.00	0
54" HDPE	0	L.F.	113.00	0
50" HDPE	0	L.F.	138.00	0
4" PVC SCH. 40	0	L.F.	20.00	0
4" PVC SCH. 80	0	L.F.	25.00	0
6" PVC SCH. 40	0	L.F.	25.00	0
6" PVC SCH. 80	0	L.F.	30.00	0
8" PVC SCH. 40	0	L.F.	30.00	0
8" PVC SCH. 80	0	L.F.	35.00	0
Manhole No. 1	0	EA.	4000.00	0
Manhole No. 2	8	EA.	5000.00	40,000
Manhole No. 3	0	EA.	5700.00	0
Manhole No. 4	3	EA.	6500.00	19,500
24" X 24" Grate basin	0	EA.	2000.00	0
18" X 18" Grate Basin	0	EA.	1500.00	0
6" Wide Strip Basin	0	EA.	2500.00	0
Catch Basin (3.5')	1	EA.	1600.00	1,600
Catch Basin (7')	0	EA.	3800.00	0
Catch Basin (14')	0	EA.	5000.00	0
Catch Basin (21')	0	EA.	6000.00	0
Local Depressions	0	S.F	500.00	0
Grated Catch Basin	0	EA.	3000.00	0
Transition Structure	0	EA.	2500.00	0
Inlet Structure (drop)	4	EA.	1500.00	6,000
Type IX Inlet Structure	0	EA.	1000.00	0
Junction Structure	1	EA.	4500.00	4,500
Headwall	1	EA.	3500.00	3,500
Rip Rap	2	TON	40.00	80
Parkway Drain	0	EA.	2000.00	0
Terrace Drain	0	S.F	5.00	0
Down Drain	0	S.F	5.00	0
Removal/Relocation- Catch Basin	0	EA.	3000.00	0
Outlet Structure	1	EA.	5000.00	5,000
Concrete Collar (to 48")	0	EA.	1100.00	0
Concrete Pipe Slope Anchor	0	EA.	1500.00	0
Reinforced Concrete Structure	0	C.Y.	400.00	0
Under Sidewalk	0	EA.	500.00	0
Curb Outlet	0	EA.	200.00	0
"V" Gutter	0	S.F.	4.00	0
Basin Gravel Pit	1	EA.	3000.00	3,000
			SUBTOTAL:	484,005

EXHIBIT "A"

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

WATER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
20" Water Pipe	0	L.F.	120.00	0
18" Water Pipe	1768	L.F.	90.00	159,120
16" Water Pipe	0	L.F.	60.00	0
12" Water Pipe	807	L.F.	60.00	48,420
10" Water Pipe	0	L.F.	55.00	0
8" Water Pipe	3258	L.F.	50.00	162,900
6" Water Pipe	0	L.F.	40.00	0
4" Water Pipe	0	L.F.	30.00	0
18" Gate Valve	2	EA.	3,600.00	7,200
16" Gate Valve	0	EA.	2,800.00	0
12" Gate Valve	0	EA.	2,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
8" Gate Valve	6	EA.	1,000.00	6,000
6" Gate Valve	0	EA.	800.00	0
4" Gate Valve	0	EA.	600.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
8" Butterfly Valve	0	EA.	800.00	0
6" Butterfly Valve	0	EA.	520.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Fire Hydrants	16	EA.	2,000.00	32,000
6" Super Fire Hydrants	0	EA.	2,200.00	0
Misc. Fittings (Tees, Crosses, Etc.) L/S				
4"	0	EA.	120.00	0
6"	0	EA.	160.00	0
8"	14	EA.	200.00	2,800
10"	0	EA.	240.00	0
12"	0	EA.	750.00	0
Blow Off 6"	2	EA.	1,800.00	3,600
Blow Off 4"	0	EA.	1,600.00	0
Air Vac & Release 2"	4	EA.	2,000.00	8,000
Air Vac & Release 1"	5	EA.	1,800.00	9,000
Meter 2" W/O Service	0	EA.	350.00	0
Meter 1 1/2" W/O Service	0	EA.	270.00	0
Meter 1" W/O Service	0	EA.	150.00	0
Meter 5/8" W/O Service	0	EA.	80.00	0
Service Connections 2"	0	EA.	1,300.00	0
Service Connections 1 1/2"	0	EA.	1,100.00	0
Service Connections 1"	101	EA.	350.00	35,350
Hot Tap 8"	0	EA.	2,500.00	0
Hot Tap Water Service	0	EA.	330.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	2	EA.	650.00	1,300
			SUBTOTAL:	475,690

PROJECT: Tract 33256

DATE: 03/18/10
PREPARED BY: Liz Plazola

SEWER SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
36" V.C. Pipe	0	L.F.	125.00	0
33" V.C. Pipe	0	L.F.	110.00	0
30" V.C. Pipe	0	L.F.	100.00	0
27" V.C. Pipe	0	L.F.	90.00	0
24" V.C. Pipe	0	L.F.	80.00	0
21" V.C. Pipe	0	L.F.	70.00	0
18" V.C. Pipe	0	L.F.	60.00	0
15" V.C. Pipe	0	L.F.	50.00	0
12" V.C. Pipe	0	L.F.	44.00	0
10" V.C. Pipe	0	L.F.	38.00	0
8" V.C. Pipe	4785	L.F.	32.00	153,120
6" V.C. Pipe	0	L.F.	28.00	0
4" V.C. Pipe	3130	L.F.	24.00	75,120
15" SDR - 35	0	L.F.	35.00	0
12" SDR - 35	0	L.F.	33.00	0
10" SDR - 35	0	L.F.	21.00	0
8" SDR - 35	0	L.F.	17.00	0
6" SDR - 35	0	L.F.	13.00	0
4" SDR - 35	0	L.F.	9.00	0
Standard Manhole 48"	17	EA.	2,000.00	34,000
Standard Manhole 48" Extra Depth	0	EA.	2,500.00	0
Standard Manhole 60"	0	EA.	2,800.00	0
Shallow Manhole	0	EA.	2,000.00	0
Tie Into Existing Manhole	1	EA.	1,000.00	1,000
Raise Manhole to Grade	0	EA.	225.00	0
Rechannel Existing Manhole	0	EA.	1,200.00	0
Join Existing 8" Pipe	1	EA.	400.00	400
Join Existing 12" Pipe	0	EA.	600.00	0
Clean-outs	100	EA.	600.00	60,000
Clean Out Lateral	0	EA.	90.00	0
Wyes	100	EA.	90.00	9,000
Pavement Replacement	0	S.F.	3.00	0
Concrete Encasement	0	L.F.	20.00	0
TV Sewer	3435	L.F.	0.50	1,718
Trench Paving	0	S.F.	5.00	0
Backflow Preventors	52	EA.	350.00	18,200
			SUBTOTAL:	352,558

MW 3/18/10

EXHIBIT "A"

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: **Tract 33256**

DATE: **03/18/10**
PREPARED BY: **Liz Plazola**

IMPROVEMENT TYPE:

ROADWORK	:	$1,373,287
STORM DRAIN	:	$484,005
WATER SYSTEM	:	$475,690
SEWER SYSTEM	:	$352,558
SURVEY MONUMENTS	:	$7,475
TOTAL COST OF IMPROVEMENTS:		$2,693,015
35% CONTINGENCY		$942,555
GRAND TOTAL:		$3,635,570

BOND AMOUNT: **$3,636,000**

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MV00071446

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $ 3,636,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium $54,540.00

Surety WESTERN INSURANCE COMPANY A-(N) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to Tract # 33256 which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and WESTERN INSURANCE COMPANY, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of Three Million Six Hundred Thirty Six Thousand and NO/100********** Dollars (**$3,636,000.00** lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By:PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S): By

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT

Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORMS-FP-PUB.DOC (12/96)

RISK MANAGEMENT
Approved

By Date 6/7/10

Item No. A.17

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

NNA1 REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014 NNA1

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

MV00071450

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330919

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day in March, 2010.

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded in Washoe County No: 05-104403-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May, 2010.

Carol B. Ingalls
Secretary

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

Item No. A.17

MV00071452

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY A-(N) CA who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary *Shannon Mussetter, Notary Public*

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2011

(Affix seal in the above blank space)

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MV00071454

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $ 1,818,000.00

Project No. Tract # 33256

Bond No. CWS71439

Premium N/A

Surety WESTERN INSURANCE COMPANY A-(V) CA

Principal Valley Oak, LP

Address 675 West Moana Lane

Address 1000 Dove Street, Suite 100

City/Zip Reno, NV 89509

City/Zip Newport Beach, CA 92660

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and Valley Oak, LP, a California limited partnership **(hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to** Tract # 33256 **, which agreement is hereby referred to and made a part hereof; and,**

WHEREAS, *under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient* payment bond with the City of Moreno Valley to *secure the claims* to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of One Million Eight Hundred Eighteen Thousand and NO/100******* **Dollars (****$1,818,000.00** **), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.**

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, *companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4* of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. Tract # 33256

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 26, 2010.

NAME OF PRINCIPAL: Valley Oak, LP, a California limited partnership
By: PacHome, LLC
Its: General Partner
Company Name

AUTHORIZED SIGNATURE(S):

By:

Name Corinna Ocampo, Authorized Agent **Title**

Name Nelson Chung, Manager **Title**

Name Christine Chung, Manager/CFO **Title**

NAME OF SURETY: WESTERN INSURANCE COMPANY A-(V) CA
Company Name

AUTHORIZED SIGNATURE: Caroline L. Brown
Caroline L. Brown, **ITS ATTORNEY-IN-FACT**

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alonzo 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

U:\LAND\FORMS\BONDFORM\B-ML-PUB.DOC (12/96)

MV00071456

ACKNOWLEDGMENT

State of California
County of Orange)

On June 3, 2010 before me, REBECCA M NGAI, A NOTARY PUBLIC
(insert name and title of the officer)

personally appeared NELSON CHUNG, MANAGER,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

ACKNOWLEDGMENT

State of California
County of Orange)

On May 28, 2010 before me, Rebecca M Ngai a notary public
(insert name and title of the officer)

personally appeared Corinna Ocampo Authorized agent,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of Orange)

On June 2, 2010 before me, Rebecca M Ngai, a notary public
(insert name and title of the officer)

personally appeared Christine Chung, Manager ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA M. NGAI
Commission # 1874076
Notary Public - California
Orange County
My Comm. Expires Jan 17, 2014

Signature _____ (Seal)

WESTERN INSURANCE COMPANY
POWER OF ATTORNEY

330920

KNOW ALL MEN BY THESE PRESENTS: That WESTERN INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Nevada and having its principal office at the City of Reno, in the State of Nevada, does hereby constitute and appoint

Caroline L. Brown

Of the STATE OF NEVADA its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said WESTERN INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary, this 19th day of June, 2006.

WESTERN INSURANCE COMPANY

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

(Signed) By _____ President

(Signed) By Carol B. Ingalls Secretary

STATE OF NEVADA)

SS:

COUNTY OF WASHOE)

On this 19th day of June, 2006, before me personally came DICK L. ROTTMAN, PRESIDENT of the WESTERN INSURANCE COMPANY and CAROL B. INGALLS, SECRETARY of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said DICK L. ROTTMAN and CAROL B. INGALLS were respectively the PRESIDENT and the SECRETARY of the said WESTERN INSURANCE COMPANY, the corporation described in which executed the foregoing Power of Attorney, that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as PRESIDENT and SECRETARY, respectively, of the Company.

My Commission expires the 31st day of March, 2010.

PATRICIA A. LETSON Notary Public - State of Nevada Appointment Recorded In Washoe County No: 06-104433-2 - Expires March 31, 2010

(Signed) Patricia A. Letson Notary Public

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the WESTERN INSURANCE COMPANY on June 19, 2006.

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by person or entities appointed as Attorney(s)-in-Fact pursuant to a Power or Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or a Vice President, jointly with the Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and , unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, CAROL B. INGALLS, Secretary of the WESTERN INSURANCE COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on June 19, 2006 and that this Resolution is in full force and effect.

I, the undersigned Secretary of the WESTERN INSURANCE COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the WESTERN INSURANCE COMPANY on this 26th day of May 2010.

Carol B. Ingalls
Secretary

WESTERN INSURANCE COMPANY INCORPORATED SEAL 1994 STATE OF NEVADA

ALL-PURPOSE ACKNOWLEDGEMENT

State of Nevada)

County of Clark)

On May 26, before me, Shannon Mussetter, Notary Public,

Personally appeared Caroline L. Brown as Attorney-in-Fact
Name(s) of Document Signer(s)

for WESTERN INSURANCE COMPANY who proved to me on
Name of Surety

the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
SHANNON MUSSETTER
No: 07-3985-1
My Appointment Expires July 19, 2

Signature of Notary *Shannon Mussetter, Notary Public*

(Affix seal in the above blank space)

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MV00071462

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: Approval of Resolution and First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Governments (WRCOG) to expand the program to permit funding for water conservation improvements.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

BACKGROUND

On December 8, 2009 the Energy Efficiency and Water Conservation Program ("AB 811 Program") and Implementation Agreement was presented to the City Council by the Public Works Department and approved.

DISCUSSION

The AB 811 Program goal is to offer low interest loans to 13,500 residential and commercial properties in Western Riverside County to install energy efficient projects, such as solar panels, heating and air conditioning systems, lighting control systems, windows, and pool equipment. These loans would be paid back through voluntary contractual annual assessments between WRCOG and property owners within a specified amount of time. Participation in the AB 811 Program is voluntary.

After the City of Moreno Valley entered into the Implementation Agreement with WRCOG, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 of the AB 811 Program to include the ability to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable pavement.

As of July 2010, WRCOG has not received direct funding for the AB 811 Program. Funding for the program is proposed through bond sales and WRCOG expects that to occur in late fall 2010.

ALTERNATIVES

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and adopt Resolution 2010-70 consenting inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *This will allow the City to participate in the WRCOG administered program with minimal impact upon City operations.*

2. Do not authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley and do not adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program. *If the City does not participate in the WRCOG program, there may be additional administrative oversight required to manage a similar program.*

RECOMMENDATION

1. Authorize the Mayor to execute the First Amendment to the Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to implement AB 811;

2. Adopt Resolution 2010-70 consenting to inclusion of properties within the City's incorporated area in WRCOG's contractual assessment program to finance distributed generation renewable energy sources and energy efficiency improvements, including the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

FISCAL IMPACT

There is no fiscal impact to the City of Moreno Valley

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2010-70
2. First Amendment to the Implementation Agreement

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, *AICP*
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT MODIFYING ITS CONSENT TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG) CONTRACTUAL ASSESSMENT PROGRAM TO CONSENT TO THE ADDITION OF WATER EFFICIENCY IMPROVEMENTS TO THE IMPROVEMENTS AUTHORIZED TO BE FINANCED THROUGH SUCH PROGRAM.

WHEREAS, this City Council of the City of Moreno Valley did, by the adoption of Resolution No. 2009-117 ("Resolution Granting Consent"), grant its consent to the inclusion of all properties in the incorporated area with the City in the Western Riverside Council of Governments ("WRCOG") contractual assessment program (the "Program") to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to their properties; and

WHEREAS, WRCOG is proposing to establish and implement the Program pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"); and

WHEREAS, subsequent to the adoption of the Resolution Granting Consent, AB 474 was enacted into law and amended the Act to add water efficiency improvements to the improvements authorized to be financed through a contractual assessment program; and

WHEREAS, WRCOG has proposed to add water efficiency improvements to the improvements authorized to be financed through the Program; and

WHEREAS, this City Council has determined that the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program would be in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council hereby finds and declares that property in the City's incorporated area will be benefited by the ability to finance the installation of water efficiency improvements to their properties and, therefore, this City Council hereby consents to the addition of water efficiency improvements to the improvements authorized to be financed through the WRCOG Program.

ATTACHMENT 1

2. Except as provided paragraph 1 above, all other provisions of the Resolution Granting Consent shall remain in full force and effect.

3. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the WRCOG Executive Committee.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving First Amendment to the Implementation Agreement (the AB 811 Program) with Western Riverside County Council of Government (WRCOG) to expand the program to permit funding for water conservation improvements.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

FIRST AMENDMENT TO IMPLEMENTATION AGREEMENT BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS AND THE CITY OF MORENO VALLEY TO IMPLEMENT AB 811

This First Amendment to Implementation Agreement ("First Amendment") is entered into as of July 13, 2010 between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG"), a joint powers authority formed under Government Code sections 6500 et seq., and City of Moreno Valley ("Member Agency"), a public agency formed under the laws of the State of California. WRCOG and the Member Agency are sometimes collectively referred to in this Agreement as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, WRCOG and Member Agency entered into that certain "Implementation Agreement between the Western Riverside Council of Governments and the City of Moreno Valley to Implement AB 811" (the "Implementation Agreement"); and

WHEREAS, pursuant to the Implementation Agreement, the Parties agreed that WRCOG will undertake proceedings pursuant to the provisions of Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.12) ("Chapter 29") to establish the Program (as defined in the Implementation Agreement) to make contractual assessment financing available to eligible property owners within the jurisdictional boundary of Member Agency to finance installation of distributed generation renewable energy sources or energy efficiency improvements; and

WHEREAS, subsequent to the Parties entering into the Implementation Agreement, the State Legislature, intending to address chronic water needs throughout California by permitting voluntary individual efforts to improve water efficiency, enacted Assembly Bill No. 474 to amend Chapter 29 to authorize Chapter 29 to be used to finance the installation of water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property, including but not limited to, recycled water connections, synthetic turf, cisterns for storm water recovery, and permeable payment; and

WHEREAS, the Parties desire to amend the Implementation Agreement as permitted pursuant to Section 11.9 thereof to enable WRCOG to finance the purchase and installation of such water efficiency improvements as a part of and pursuant to the Program; and

WHEREAS, the Executive Committee has authorized Member Agency to enter into this Agreement.

NOW, THEREFORE, the Parties hereby understand and agree as follows:

AGREEMENT

Section 1: **<u>Amendment to the Implementation Agreement.</u>**

Section 2 of the Implementation Agreement is amended to read as follows:

ATTACHMENT 2

"**Section 2:** **Establishing Eligible Improvements.**

WRCOG shall identify the kinds of public works, distributed generation renewable energy sources, or energy or water efficiency improvements that may be financed ("Eligible Improvements") under the Program."

Section 2: **Effect of this First Amendment on the Other Terms and Provisions of the Implementation Agreement.**

All terms and provisions of the Agreement shall remain in full force and legal effect except as expressly modified by the provisions of this First Amendment.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this First Amendment to be in effect as of the date last signed below.

By: _____ Date: _____
Executive Committee Chair
Western Riverside Council of Governments

By: _____ Date: _____
Mayor
City of Moreno Valley

By: _____ Date: _____
Legal Counsel

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PROJECT PA02-0133 (TR 31089) – SINGLE FAMILY RESIDENTIAL – ACCEPT SUBSTITUTION AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS

NORTH OF IRONWOOD AVENUE BETWEEN KITCHNG STREET AND TUSCOLA STREET

DEVELOPER - BEAZER HOMES HOLDINGS CORP.
1800 IMPERIAL HWY #200
BREA, CA 92821

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the substitution of Agreement for Public Improvements and bonds for project PA02-0133.

2. Authorize the Mayor to execute the agreement in the form attached hereto.

3. Direct the City Clerk to forward the signed agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On September 25, 2003, the Planning Commission of the City of Moreno Valley approved Tentative Tract Map 31089. The tentative tract map is a proposal to subdivide 15.994 acres into 55 single-family residences.

On April 11, 2006, the City Council for the City of Moreno Valley approved DH Moreno Valley I, LLC agreement and bonds in the amount of $2,413,000 for the Faithful Performance Bond and $1,206,500 for the Material and Labor Bond.

Beazer Homes Holdings Corp. has purchased project PA02-0133 from DH Moreno Valley I, LLC and is providing substitute agreement and bonds.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the Faithful Performance Bond and Material and Labor Bond previously submitted by approved DH Moreno Valley I, LLC, upon acceptance of the substitution agreement and bonds.

Beazer Homes Holdings Corp. has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required street improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if the required street improvements are not completed within said timeframe. The public street improvements include but are not limited to: asphalt pavement, curb, gutter, sidewalk, driveway approaches, street lights, wheel chair ramps, electrical, water, storm drain, and sewer. Accompanying the agreement are a Faithful Performance Bond in the amount of $1,025,638 and a Material and Labor Bond in the amount of $512,819 issued by Bond Safeguard Insurance Company.

ALTERNATIVES

Not applicable

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Liz Plazola
Sr. Administrative Assistant

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 PA02-0133 (TR 31089) - Substitution Agree & Bonds.doc

VICINITY MAP (NOT TO SCALE)

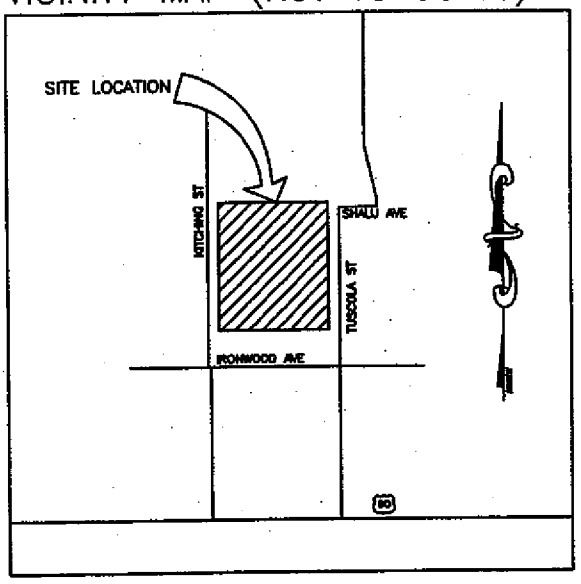

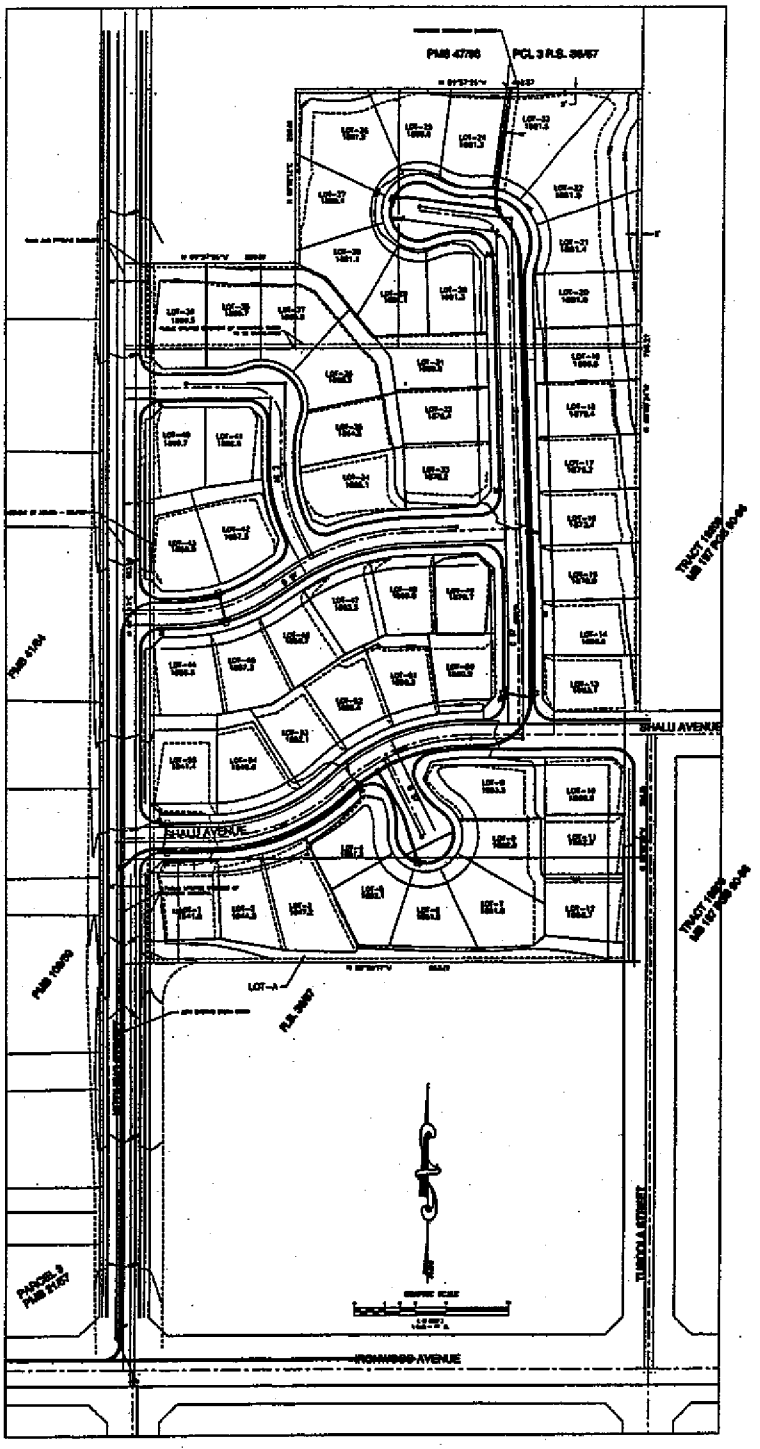

EXHIBIT "A"

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**TRACT 31089** **VICINITY MAP**

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MV00071476

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA02-0133 (TR 31089)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **BEAZER HOMES HOLDING CORP.,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PA02-0133 (TR31089)** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

EXHIBIT "B"

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
Beazer Homes Holding Corp.
1800 Imperial Hwy #200
Brea, CA 92821

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: _____

BEAZER HOMES HOLDING CORP.:
Developer

BY: _____
Signature

Darius Fatakia, P.E.
Vice President-Development
Orange Division
Print/Type Name

_____
Title

BY: _____
Signature

Bryan Bergeron
Development Manager
Orange Division
Print/Type

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Agreement.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange

On May 6, 2010 (Date) before me, Triesha K. Villalta, Notary Public (Here Insert Name and Title of the Officer)
personally appeared Darius Fatakia and Bryan Bergeron, (Name(s) of Signer(s))

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same ~~in his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Triesha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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PA02-0133 (Tract 31089) Estimate of Remaining Improvements

A.C.- Street 1	$38,520
A.C.- Street 2	$113,476
Saw cut (100 LF x 1.50 unit price)	$150
Adjust M.H. to Grade (8 x 800 unit price)	$6,400
Curb and Gutter - 6" (100 LF x 22 unit price)	$2,200
Driveway Approach - 6" (3432 SF x 14.00 unit price)	$48,048
Landscaping (7400 SF x 6 unit price)	$44,400
Erosion Control	$87,450
1" Service Water Connections (27 x 500 unit price)	$13,500
Sub-total	$354,144
Hard Cost Contingency (20%)	$70,829
Soft Cost Contingency (45%)	$159,365
Potential Legal Costs	$200,000
10% Warranty (10% of total bond amount)	$241,300
Total	**$1,025,638**
Original bond amount	$2,413,000

Note:
If you have any questions, please call Liz Plazola at 951.413.3110

4/28/10
Mark W. Sambito, P.E.
Engineering Division Manager

5/6/10
Beazer Homes Holding Corp. Representative

W:\LandDev\Liz\PIA\TR 31089 - ECE Worksheet.xls

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MV00071482

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $1,025,638

Project No. PA02-0133 (TR 31089)

Bond No. 5037572

Premium $30,769

Surety Bond Safeguard Insurance Company A-(V)CA

Principal Beazer Homes Holdings Corp.

Address 900 S. Frontage Road - Suite 250

Address 1800 Imperial Highway, Suite 200

City/Zip Woodridge, IL 60517

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Bond Safeguard Insurance Company A-(V)CA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **ONE MILLION TWENTY FIVE THOUSAND SIX HUNDRED THRITY EIGHT AND NO/100** Dollars (*****$1,025,638.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By

Name — Darius Fatakia, P.E. — Vice President-Development Orange Division — Title

Name — Bryan Bergeron — Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(XV)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

RISK MANAGEMENT
Approved

By — Date 6-17-10

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Faithful Performance Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange }

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darios Fatakia and Brijan Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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POWER OF ATTORNEY AO 30578

Bond Safeguard INSURANCE COMPANY A-(v) CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

Donald D. Buchanan
Secretary

Item No. A.19

MV00071486

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00071488

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $512,819.00

Bond No. 5037572

Surety Bond Safeguard Insurance Company A-(V)CA

Address 900 S. Frontage Road - Suite 250

City/Zip Woodridge, IL 60517

Project No. PA02-0133 (TR 31089)

Premium N/A

Principal Beazer Homes Holdings Corp.

Address 1800 Imperial Highway, Suite 200

City/Zip Brea, CA 92821

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **BEAZER HOMES HOLDINGS CORP.,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA02-0133 (TR 31089)**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **FIVE HUNDRED TWELVE THOUSAND EIGHT HUNDRED NINETEEN AND NO/100** Dollars (*****$512,819.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA02-0133 (TR 31089)

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on June 11, 20 10.

NAME OF PRINCIPAL: Beazer Homes Holdings Corp.
Company Name

AUTHORIZED SIGNATURE(S): By:

Name — Darius Fatakia, P.E. Vice President-Development Orange Division — Title

Name — Bryan Bergeron Development Manager Orange Division — Title

NAME OF SURETY: Bond Safeguard Insurance Company A-(V)CA
Company Name

AUTHORIZED SIGNATURE: Peggy Faust — ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

RISK MANAGEMENT
Approved

M. Alon 6-17-10
By Date

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA02-0133 TR 31089 - Material Labor Bond.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange

On June 15, 2010 (Date) before me, Tricsha K. Villalta, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Darius Fatakia and Brian Bergeron (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

TRICSHA K. VILLALTA
Commission # 1814222
Notary Public - California
Orange County
My Comm. Expires Sep 20, 2012

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tricsha K. Villalta (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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AO 30578

POWER OF ATTORNEY

Bond Safeguard INSURANCE COMPANY A-(V)CA

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: James I. Moore, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, **** Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Joel E. Speckman, Heather A. Beck, Tariese M. Pisciotto **********

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 2,000,000.00 Two million dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY
AN ILLINOIS INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/09

_____
Maureen K. Aye
Notary Public

CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 11th Day of June, 20 10

BOND SAFEGUARD INSURANCE COMPANY
AN ILLINOIS INSURANCE COMPANY

_____
Donald D. Buchanan
Secretary

Item No. A.19

MV00071492

STATE OF ILLINOIS }
} S.S.
COUNTY OF DUPAGE }

On June 11, 2010, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Peggy Faust, known to me to be Attorney-in-Fact of Bond Safeguard Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires on May 13, 2012.

Kelly A. Gardner
Notary Public

OFFICIAL SEAL
KELLY A GARDNER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/13/12

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MV00071494

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RSA
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: RESOLUTION AUTHORIZING THE CITY OF MORENO VALLEY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP"

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt Resolution 2010-71 authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company.

BACKGROUND

The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison and Southern California Gas Company under the auspices of the California Public Utilities Commission. The City of Moreno Valley has participated in the Partnership since 2002. During the most recent Program Cycle, from 2006-2008, the City achieved energy savings of over 710,000 kWh and over 11,000 therms. This amounts to an annual energy cost savings of $116,000 to the Moreno Valley community. Cost effective energy efficiency is the resource of first choice for meeting California's energy needs. Energy efficiency is the least cost, most reliable, and most environmentally sensitive resource, and minimizes our contribution to climate change according to the 2005 CPUC and CEC's Energy Action Plan.

DISCUSSION

The approval of this resolution will allow the City's continued participation in the 2010-2012 Program. Three core initiatives, common to all local government partnerships with SCE and SCG, support the 2010-2012 program as follows:

- Implementation of energy efficiency projects within municipal facilities
- Support activities and policies in alignment with long-term energy efficiency goals of California
- Utility program marketing, education and outreach to the community

The mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

For the past 18 years, The Energy Coalition has been building a model now known as the Community Energy Partnership. The project initially began in 1992 with one city. Later, the Coalition managed an extensive process of community organizing and has evolved into the Community Energy Partnership which consists of seven Southern California cities, the Cities of Corona, Irvine, Santa Monica, Moreno Valley, San Bernardino, Brea, and Santa Clarita.

The City's commitment to this project will be to provide minimal "in-kind" services, i.e., a staff liaison working with The Energy Coalition and facilitating introductions and meetings with key institutions such as community groups.

Staff continues to maintain a strong relationship with The Energy Coalition to identify potential projects where energy-efficiency programs and energy-efficient products are needed and where there are specific opportunities in the City.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The approval of the resolution will benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

2. Do not adopt the proposed Resolution authorizing the City of Moreno Valley to continue to participate in the Community Energy Partnership, an Energy Efficiency Program among Southern California cities, with the Energy Coalition, a California non-profit corporation, Southern California Edison and Southern California Gas Company. *The City would not benefit the City in consumer dollars, support the local economy and provide utility system benefits in the form of reasonably priced, clean and reliable power.*

FISCAL IMPACT

There is no direct fiscal impact. No membership fee or annual dues are required to enter into the Community Energy Partnership, and there are no required fees or dues associated with the Energy Coalition. The Community Energy Partnership's effort is funded through Public Goods Charges collected from customers of both the Southern California Edison Company and the Southern California Gas Company. The California Public Utilities Commission manages the collection of Public Goods Funds and awards the funding to organizations such as the Energy Coalition.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By: Department Head Approval:

Michelle Pierce
Electric Utility Project Coordinator

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
George Hanson
Electric Utility Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010–71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY TO PARTICIPATE IN THE "COMMUNITY ENERGY PARTNERSHIP", AN ENERGY EFFICIENCY PROGRAM AMONG SOUTHERN CALIFORNIA CITIES, WITH THE ENERGY COALITION, A CALIFORNIA NON-PROFIT CORPORATION, SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA GAS COMPANY.

WHEREAS, The Community Energy Partnership is an energy efficiency program funded by California utility ratepayers and administered by Southern California Edison ("SCE") and Southern California Gas Company ("SCG") under the auspices of the California Public Utilities Commission (the "CPUC"); and

WHEREAS, on October 1, 2009, the CPUC in D.09-09-047 authorized certain energy efficiency programs and budgets which include SCE programs and SCG programs to be delivered to California utility customers for the years 2010 through 2012; including the 2010-2012 Community Energy Partnership Program (the "Program"); and

WHEREAS, the City of Moreno Valley (the "City") had previously participated in the 2006-08 Community Energy Partnership Program; and

WHEREAS, the City has entered into the Program, with The Energy Coalition and its implementing partners – SCE and SCG, and the Partner Cities of Brea, Corona, Irvine, Moreno Valley, San Bernardino, Santa Clarita and Santa Monica - having been nominated by the implementing partners to continue its participation in the Program; and

WHEREAS, the mission of the Program is to deliver effective energy efficiency programs that forge positive relationships, motivate communities to reduce environmental impacts and promote sustainable cities; and

WHEREAS, The Energy Coalition, SCE and SCG have demonstrated their ability to work with Southern California municipalities, and with the City since 2002, to successfully implement energy efficiency programs and achieve energy savings for the participating cities and their communities; and

WHEREAS, The Energy Coalition, as facilitating partner in the Community Energy Partnership, bears primary responsibility for project management, performance tracking and implementation of energy efficiency programs and services to populations of the City; and

Attachment 1

WHEREAS, All projects in the City will be coordinated through an appointed City staff liaison to ensure that proposed projects meet the City's intended energy efficiency goals and target City residents, schools and businesses; and

WHEREAS, the City enters into this Resolution with the sole obligations listed therein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City will participate in the Program with The Energy Coalition, SCE and SCG to implement the Program in the City for the 2010-12 program cycle.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - xxx
Date Adopted: July 13, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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MV00071502

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE FOR LASSELLE STREET WIDENING FROM JOHN F. KENNEDY DRIVE TO ALESSANDRO BOULEVARD IMPROVEMENTS PROJECT NO. 06-50182725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509.

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.

3. Authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

4. Accept the improvements into the City's maintained road system.

BACKGROUND

On February 24, 2009, the City Council awarded a construction contract in the amount of $2,909,811.50 to Wheeler Paving, for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements. Two (2) Purchase Orders for a combined amount of $3,491,773.80, inclusive of a 20% contingency, were issued to the Contractor.

DISCUSSION

The Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard improved one-mile long roadway segment to its General Plan width of four (4) travel lanes and turning lanes at key intersections. The work included roadway and rock excavation, curb and gutter and AC pavement for the widened easterly half of the street and construction of a storm drain along Lasselle Street between Cactus Avenue and Alessandro Boulevard. Three traffic signals were upgraded at the John F. Kennedy Drive, Cactus Avenue and Alessandro Boulevard intersections with Lasselle Street, complete with signal interconnect system.

There were two (2) Contract Change Orders for this project. Contract Change Order No. 1 increased the contract total by $214,822.90. Contract Change Order 2 (FINAL) increased the contract total by $10,815.77. The final contract total cost was $3,135,450.26, which did not exceed the $3,491,773.80 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements, constructed by Wheeler Paving, Inc. (Wheeler Paving), 8432 63rd Avenue, Riverside, CA 92509, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Wheeler Paving, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

The project is included in Fiscal Year 2009/2010 Capital Improvement Project Budget. The project construction is funded by $1,058,143 of 2005 Lease Revenue Bonds (Fund 501) and $2,757,886 of Transportation Uniform Mitigation Fee Program (Fund 415). The funding for this project is restricted for transportation projects and cannot be utilized for other activities. There is no impact to the General Fund.

AVAILABLE BUDGET:

Fiscal Year 2009/2010 Budget (Account No. 501.82725)	$1,058,143
Fiscal Year 2009/2010 Budget (Account No. 415.72927)	$2,757,886
Total Fiscal Year 2009/2010 Budget	$3,816,029

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	$3,136,000
Consultant Construction Design Support Services	$60,000
Consultant Construction Geo-technical Services	$105,000
Consultant Construction Survey Services	$80,000
City Inspection, Project Management and Misc. Administration Costs	$266,000
Total Final Construction Related Costs	$3,647,000

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

Wheeler Paving has completed the Lasselle Street Widening from John F. Kennedy Drive to Alessandro Boulevard Improvements project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Wheeler Paving, and accept the improvements into the City's maintained road system.

ATTACHMENTS

Attachment "A" – Location Map

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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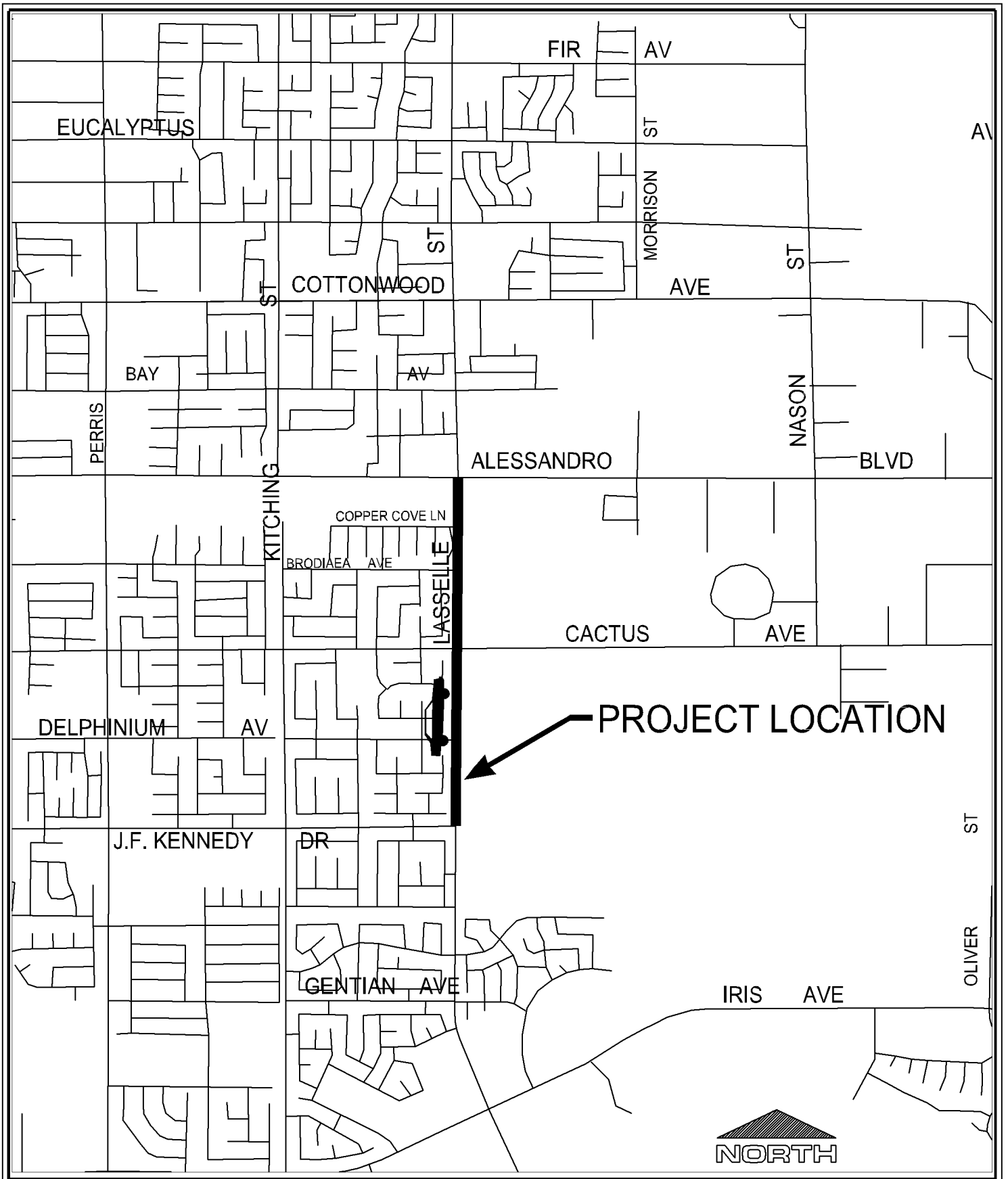

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

LASSELLE STREET WIDENING
FROM JFK DRIVE TO ALESSANDRO BOULEVARD
PROJECT NUMBER 06-50182725

Item No. A.21

MV00071507

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MV00071508

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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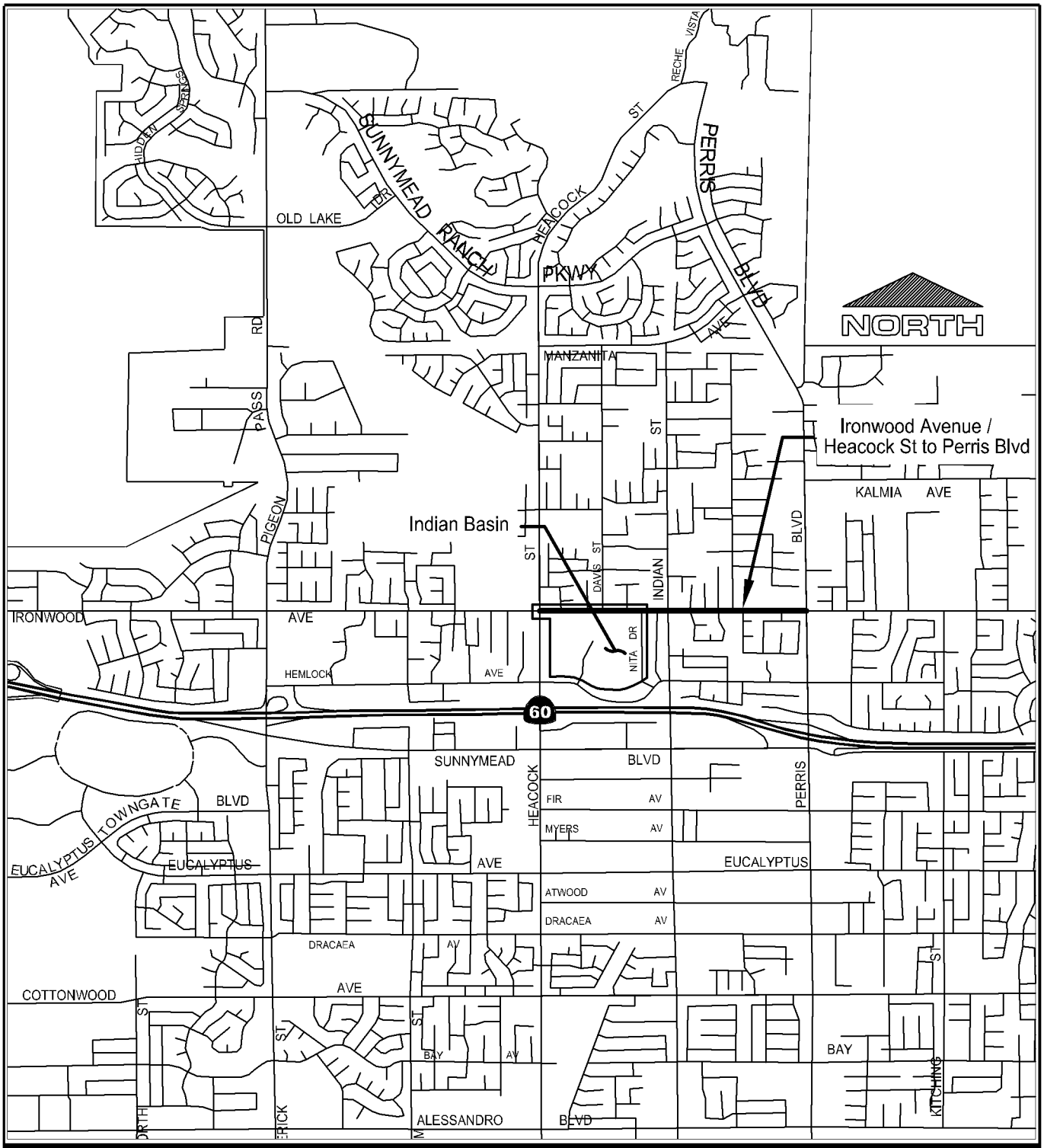

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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MV00071518

AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Construction\Contractor\Agreement\Agreement - Indian Basin.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

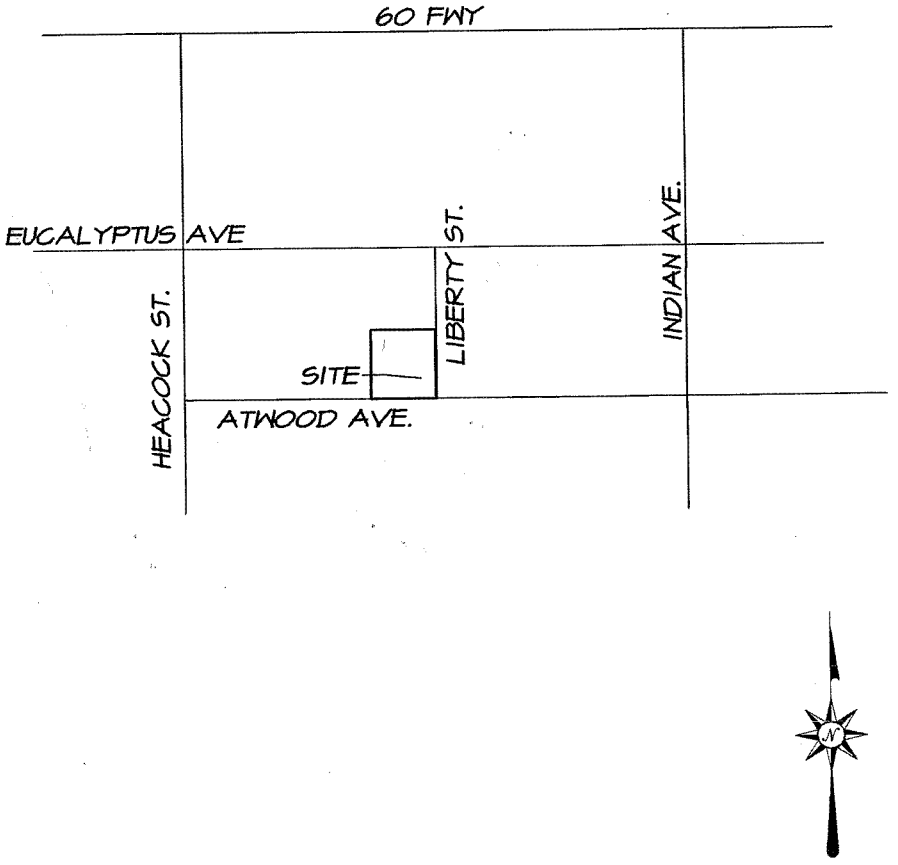

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00071534

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

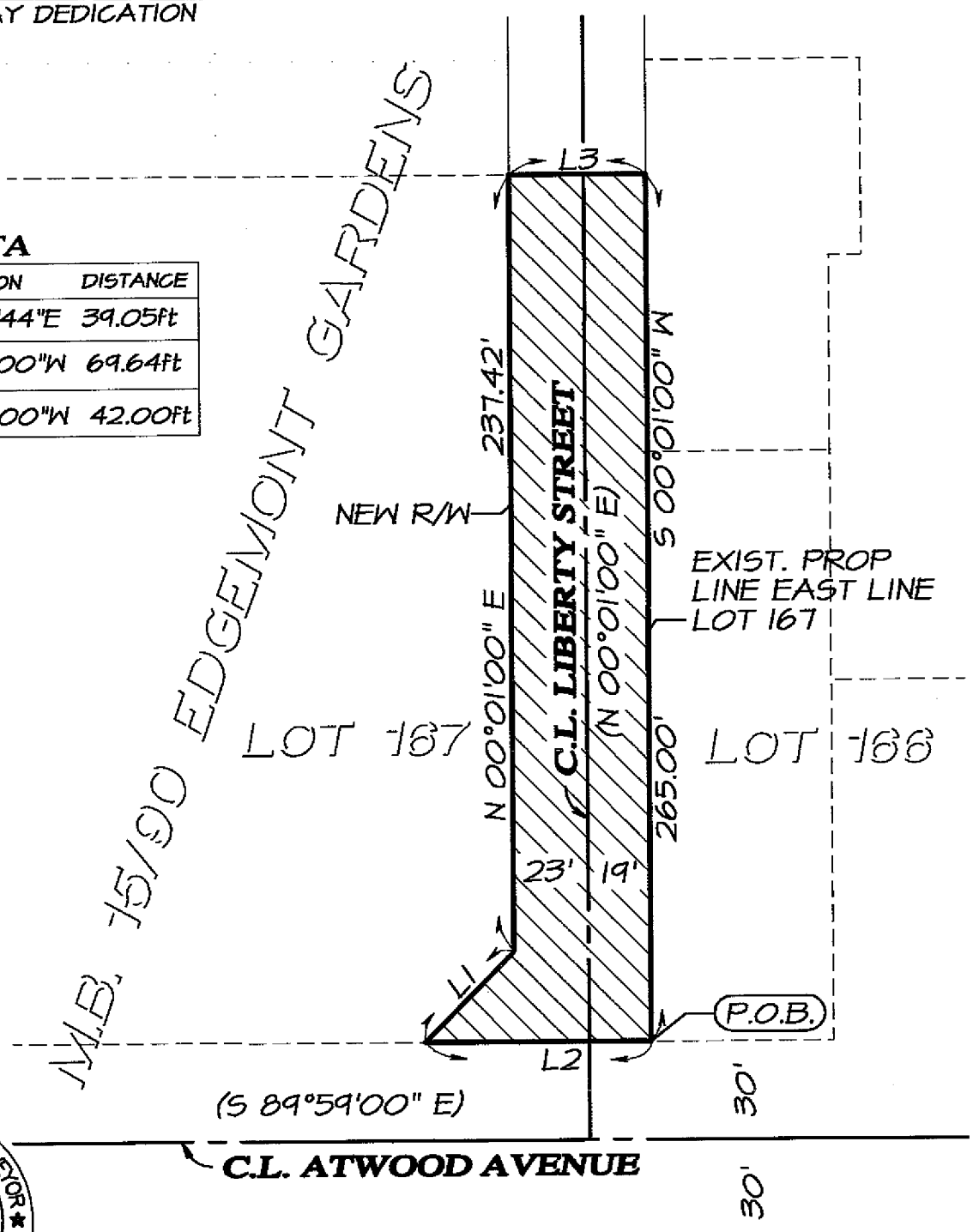

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 2/23/1

SHT. NO. 2
OF 2 SHEET

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MV00071538

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

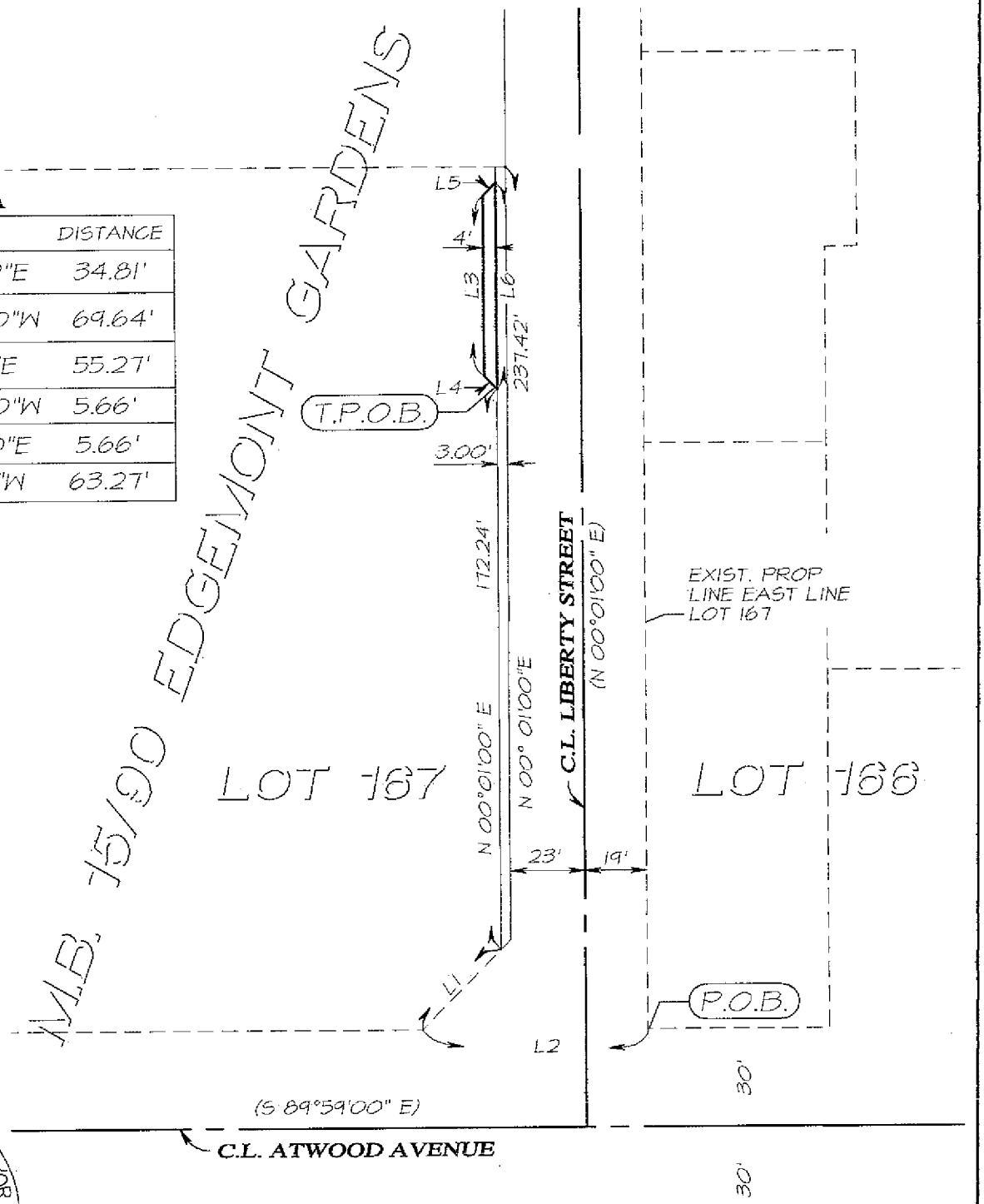

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2
OF 2 SHEET

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MV00071542

Recording requested by and when
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City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

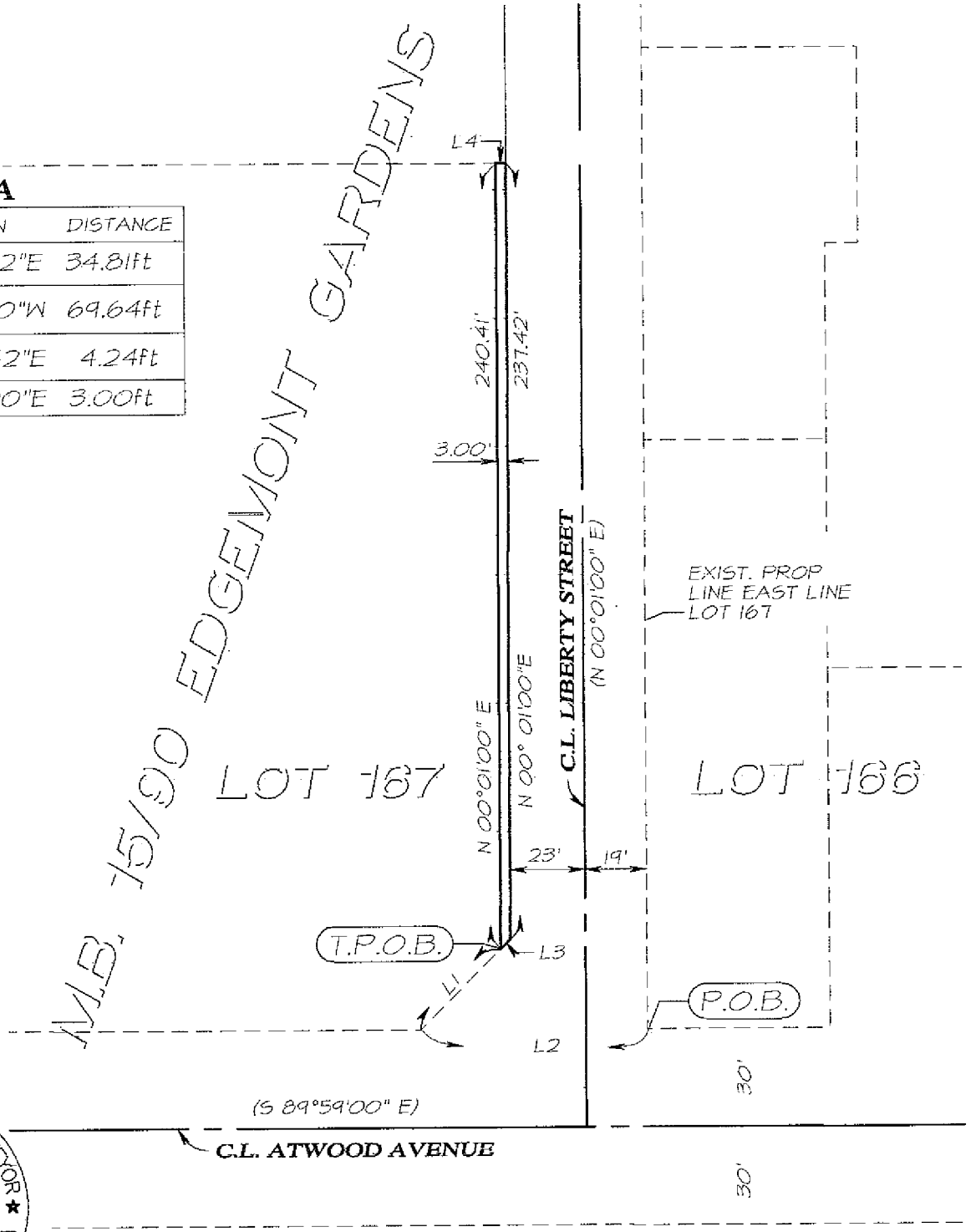

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/

SHT. NO. 2 OF 2 SHEET

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MV00071546

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: FUNDING FOR ELSWORTH STREET UTILITY IMPROVEMENTS AND MVP EV ONSITE UTILITY CONNECTION: COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY AND 2007 LEASE REVENUE BOND FUNDS

RECOMMENDED ACTION

Staff recommends that the Mayor and Members of the City Council:

1) Review and approve the designation of $107,841 in Community Development Block Grant – Recovery funds for the installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center Drive,
2) Return to an undesignated status the commitment of $107,000 in CDBG-R funds from the Participation Agreement with MVP EV, and
3) Secure an appropriation of $107,841 from the 2007 Lease Revenue Bond Funds in support of the Participation Agreement with MVP EV.

BACKGROUND

The City received a Community Development Block Grant - Recovery (CDBG-R) grant for $479,292 under the American Recovery and Reinvestment Act of 2009. The Neighborhood Preservation Division of the Economic Development Department has been tasked with administering the grant. The grant funds are allocated to four activities, plus administration, as follows:

- Employment Creation for Distribution and Manufacturing Business: This activity incentivized Frazee Industries to open a distribution facility in Moreno Valley, creating the required employment for low-to-moderate income persons. Frazee's employee recruitment is underway.

- Employment Creation for Vacant Restaurant Reuse: Incentivizes the attraction of a new restaurateur to a vacant Moreno Valley restaurant facility in exchange for creation of employment for low-to-moderate income persons. Economic Development is actively working with a qualified restaurateur for this funding allocation.
- Utility – Infrastructure Improvement Project: This activity funds the installation of new, environmentally conscious / energy effective utilities. The $107,841 CDBG-R grant activity funded installation of electrical conduit and vaults on Elsworth Street from Goldencrest Drive to Corporate Center. This project was originally funded by the 2007 Lease Revenue Bonds. On December 8, 2009, the City Council awarded the contract for installing four utility line extensions, including the work on Elsworth Street, and construction has been completed.
- Economic Incentive for a Green Business: On November 23, 2009, the City Council approved a participation agreement and committed $107,000 to MVP EV, Inc. to defray the cost of installing on-site electricity connections so that the MVP EV facility can take electric service from Moreno Valley Utility in exchange for qualified employment creation.

The CDBG-R grant regulations require full expenditure by September 30, 2012. However, under the direction of the Office of the Vice President, the Department of Housing and Urban Development (HUD) is strongly encouraging grantee agencies to expend the funds much sooner than the expenditure deadline.

Unfortunately, unforeseen delays in the MVP EV project have prevented the initiation of this business opportunity along with the employment creation and hampered the expedited expenditure of CDBG-R funds for the project's utility connection work. $214,000 of the CDBG-R grant have not yet been spent.

DISCUSSION

At this time, the Economic Development Department seeks City Council approval of the following three funding allocations that will enable the expedited expenditure of CDBG-R funds as well as provide for the future on-site infrastructure connections for MVP EV:

- First, Economic Development proposes to fund the approved CDBG-R allocation for the off-site utility line extension on Elsworth Street immediately.
- Next, staff proposes the reallocation of the CDBG-R funds for the MVP EV Participation Agreement back to an undesignated status for future use consistent with CDBG-R program requirements.
- Finally, staff proposes the appropriation of $107,841 in 2007 Lease Revenue Bond funds originally designated for use on the Elsworth Street utility extension to fund the Participation Agreement with MVP EV at a future date when the facility is ready and the required employee recruitment is completed.

ALTERNATIVES

1. Authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff recommends this alternative.*** *This alternative will fund completed infrastructure, satisfy HUD's expedited expenditure expectations and fund the Participation Agreement with MVP EV.*

2. Decline to authorize the designation of $107,841 in CDBG–R monies for the extension of electrical facilities on Elsworth Street, decline to return to undesignated status the commitment of $107,000 in CDBG-R funds for the MVP EV project, and decline to appropriate $107,841 in 2007 Lease Revenue Bond Funds to defray the cost of connecting the new MVP EV facility to Moreno Valley's electric utility. ***Staff does not recommend this alternative.*** *This alternative will extend and delay CDBG-R expenditures, potentially putting the grant funding at risk of recapture by HUD.*

FISCAL IMPACT

The proposed reallocations facilitate timely expenditure of available CDBG-R and 2007 Lease Revenue Bonds.

The extension of the electric line by Moreno Valley Utility provides energy effective utility service to the MVP EV site and to future development along Elsworth Street.

- The funding for the Utility Infrastructure Improvements will come from CDBG-R.

Fund	Business Unit Name	Amount
199	Utility Infrastructure Improvements 19910.6849.001	$107,841

Move $107,841 in total expenditures for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 to the CDBG-R Utility Infrastructure Improvement Project under Acct#199.19910.6849.001.

- The CDBG-R funding will be released from the MVP EV Participation Agreement and will be available to fund another CDBG-R eligible project.

Fund	Business Unit Name	Amount
199	Economic Incentive for Green & Technology Business CDBG-R 19910.6849.002	$107,841

Return the commitment of $ 107,000 for the MVP EV project to an undesignated status.

- The appropriation for the MVP EV Participation Agreement will come from the 2007 Lease Revenue Bonds.

Fund	Business Unit Name	Amount
602	2007 Lease Revenue Bonds 602.61833.7200	$107,841

Appropriate $ 107,841 in total funding for the MVP EV Facility Project under Acct#602.61840.7200.

Reduce the appropriation for the Goldencrest/Elsworth 12KV Line Project under Acct#602.61833.7200 by $ 107,841.

The proposed fund reallocations have NO impact on the City's General Fund. CDBG-R funding must be used for eligible activities. Funds from the 2007 Lease Revenue Bonds may be used to support on-site electrical utility installation.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

Use of CDBG-R and 2007 Lease Revenue Bond funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

Prepared By:
Michele Patterson
Redevelopment and Neighborhood Programs Administrator

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Chris Vogt
Public Works Director / City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0025/PA09-0043 – APPROVE PROPOSED RESOLUTION, SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD WEST OF MORENO BEACH DRIVE

SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE

DEVELOPER: FRANK & MARIA POZGAJ FAMILY TRUST
P.O. BOX 10
RANCHO MIRAGE, CA 92270

RECOMMENDED ACTION

Staff recommends that the City Council

1. Approve and adopt Resolution No. 2010-72, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive as a condition of approval for PA09-0043.

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

BACKGROUND

This segment of Alessandro Boulevard is currently classified as a Divided Arterial according to the Circulation Plan from the City's General Plan. The existing half-street right-of-way on this portion of Alessandro Boulevard is 60 feet (60'). The City's current Standard Plan for a Divided Arterial only requires a half-street right-of-way of 55 feet

(55'). As a condition of approval for project PA09-0043, a five foot (5') street right-of-way vacation is required, along the project frontage. The conditions of approval require 55 feet (55') of the existing 60 feet (60') of right-of-way on the south side of Alessandro Boulevard for public roadway and utility purposes. No public or utility improvements exist within the remaining southerly five (5') of right-of-way along this portion of Alessandro Boulevard. In accordance with the conditions of approval approved by the Planning Commission on March 11, 2010, the developer/owner, Frank & Maria Pozgaj Family Trust has requested a vacation of this portion of Alessandro Boulevard.

DISCUSSION

PA09-0043 is a Tentative Parcel Map 36262. The five foot (5') area to be vacated on the south side of Alessandro Boulevard is located outside of the tentative parcel map boundary and therefore, cannot be vacated on the final parcel map. The five foot (5') area to be vacated must be vacated by separate instrument. The approved project consists of Tentative Parcel Map 36262 (PA09-0043) and a Plot Plan (PA09-0025). The project is for a 4,000 square-foot convenience store, gas station, and car wash. The project property (APN 486-240-009), is located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. Land Development staff has reviewed the property owner's application along with the legal description and plat for the vacation of the aforementioned portion of Alessandro Boulevard. No public improvements exist and no public money was expended for maintenance of said portion of Alessandro Boulevard. This portion of Alessandro Boulevard is unnecessary for present or prospective public use. The local utility companies have been given written notice of the proposed street vacation. No objections have been received from the utility companies. The City Council's approval to vacate said portion of Alessandro Boulevard would abandon the City's right to said portion.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *The said portion of right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

2. Do not approve and adopt the proposed Resolution, summarily vacating a portion of Alessandro Boulevard, north of APN 486-240-009, located on the south side of Alessandro Boulevard, west of Moreno Beach Drive. *This portion of Alessandro Boulevard would remain as right-of-way for public road and utility purposes; however, the right-of-way is no longer, nor in the future will be, useful for road and public utility easement purposes.*

FISCAL IMPACT

The developer/owner, Frank & Maria Pozgaj Family Trust has paid the City costs associated with the summary vacation proceedings; therefore, there is no fiscal impact to the City.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Notice has been given to the various local utility companies. The public has been notified by publication of agenda.

ATTACHMENTS/EXHIBITS

Attachment 1 - Vicinity Map
Attachment 2 - Proposed Resolution
Attachment 3 - Legal Description
Attachment 4 - Plat

Prepared By
Clement Jimenez
Senior Engineer, P.E.

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0043 Summary Vacation.doc

RESOLUTION NO. 2010-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF ALESSANDRO BOULEVARD, SOUTH SIDE OF ALESSANDRO BOULEVARD, WEST OF MORENO BEACH DRIVE.

WHEREAS, the City Council of the City of Moreno Valley, California, acquired an easement for road and public utility purposes located on the south side of Alessandro Boulevard, west of Moreno Beach Drive; and

WHEREAS, this easement is in excess of that right-of-way required for the existing General Plan classification and said excess is no longer, nor in the future will be, useful for road and public utility easement purposes; and

WHEREAS, no public improvements exist on said portion of right-of-way; and

WHEREAS, no public money was expended for maintenance of said portion of right-of-way,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described is summarily vacated and abandoned:

That portion of Alessandro Boulevard located in the city of Moreno Valley, described as the southernmost five feet (5') of right-of-way on Alessandro Boulevard, north of APN 486-240-009 and north of a portion of Lot 1 in Block 117 per Map No. 1 of Bear Valley and Alessandro Development Company, recorded in Book 11, of Map Books, Page 10, records of the County Recorder's office of San Bernardino County, California described in the attached legal description and illustrated on the plat attached hereto and made a part hereto and marked Exhibits "A" and "B", respectively.

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described portion of Alessandro Boulevard revert to the owner of the underlying fee thereof, free from use as an easement for road and public utility purposes except as noted in Section 1.

Section 3

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

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MV00071558

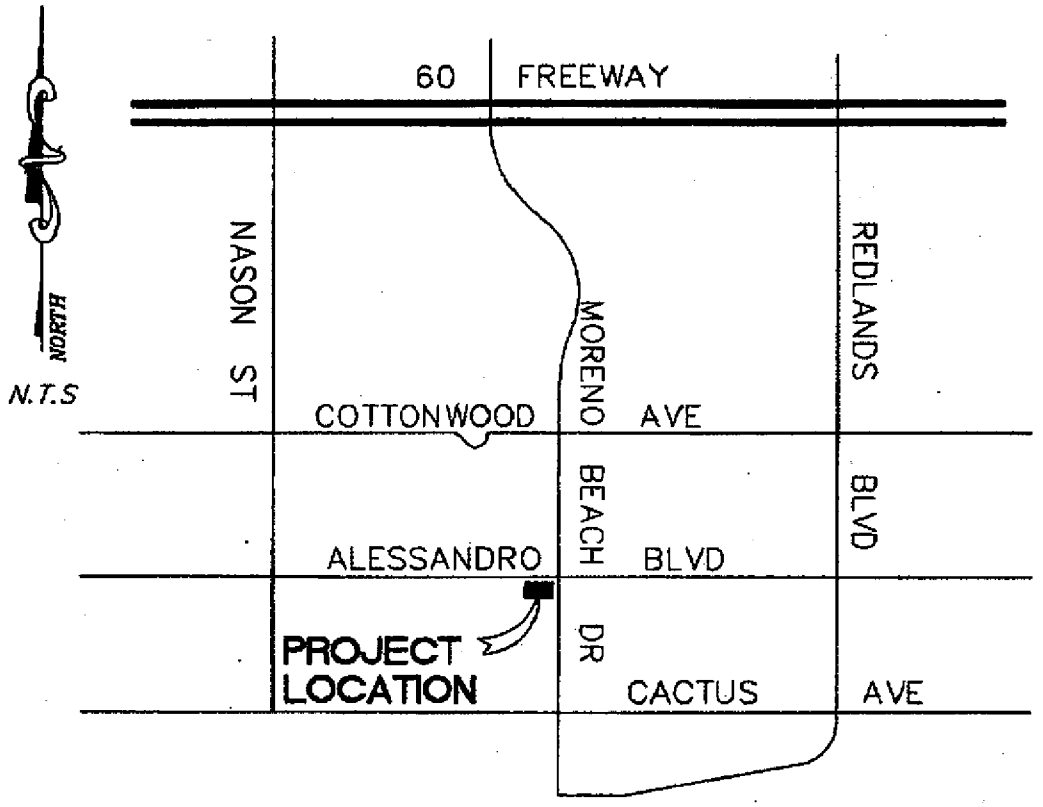

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 2	**PA09-0025/PA09-0043** **VICINITY MAP**

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MV00071560

EXHIBIT "A"
LEGAL DESCRIPTION

ROAD VACATION
ALESSANDRO BOULEVARD

THAT PORTION OF ALESSANDRO BOULEVARD LOCATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 15, T3S, R3W, S.B.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST ONE-HALF OF LOT 1, IN BLOCK 117, PER MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY AS SHOWN IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ALESSANDRO BOULEVARD, HAVING A HALF WIDTH OF 60.00 FEET; THENCE NORTH 00°25'39" EAST, A DISTANCE OF 1.00 FEET TO A POINT ON A LINE 1.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 39.99 FEET; THENCE NORTH 45°26'13" EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 5.66 FEET TO A POINT ON A LINE 5.00 FEET NORTH AND PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 89°33'48" EAST, ALONG SAID PARALLEL LI NE, A DISTANCE OF 71.13 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 70.50 FEET, A RADIAL LINE FROM SAID POINT BEARS SOUTH 00°26'12" WEST; THENCE EASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 17.53 FEET, THROUGH A CENTRAL ANGLE OF 14°15'00" TO THE POINT OF TANGENCY, A RADIAL LINE F ROM SAID POINT BEARS SOUTH 14°41'12" WEST; THENCE SOUTH 75°18'48" EAST, A DIST ANCE OF 11.50 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89°33'48 " WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 143.63 FEET TO THE **POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 498 SQ. FT.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 3

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MV00071562

EXHIBIT "B"
ROAD VACATION

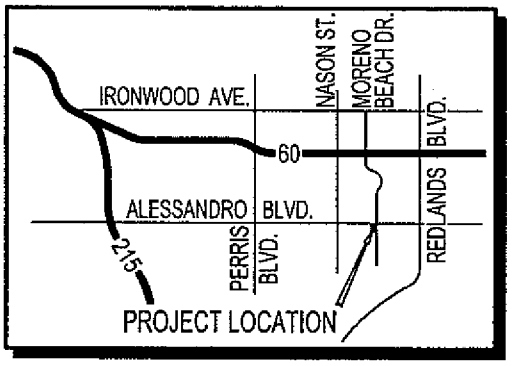

VICINITY MAP
N.T.S.

SCALE: 1"=40'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°25'39"E	1.00'
L2	S89°33'48"E	39.99'
L3	N45°26'13"E	5.66'
L4	S89°33'48"E	71.13'

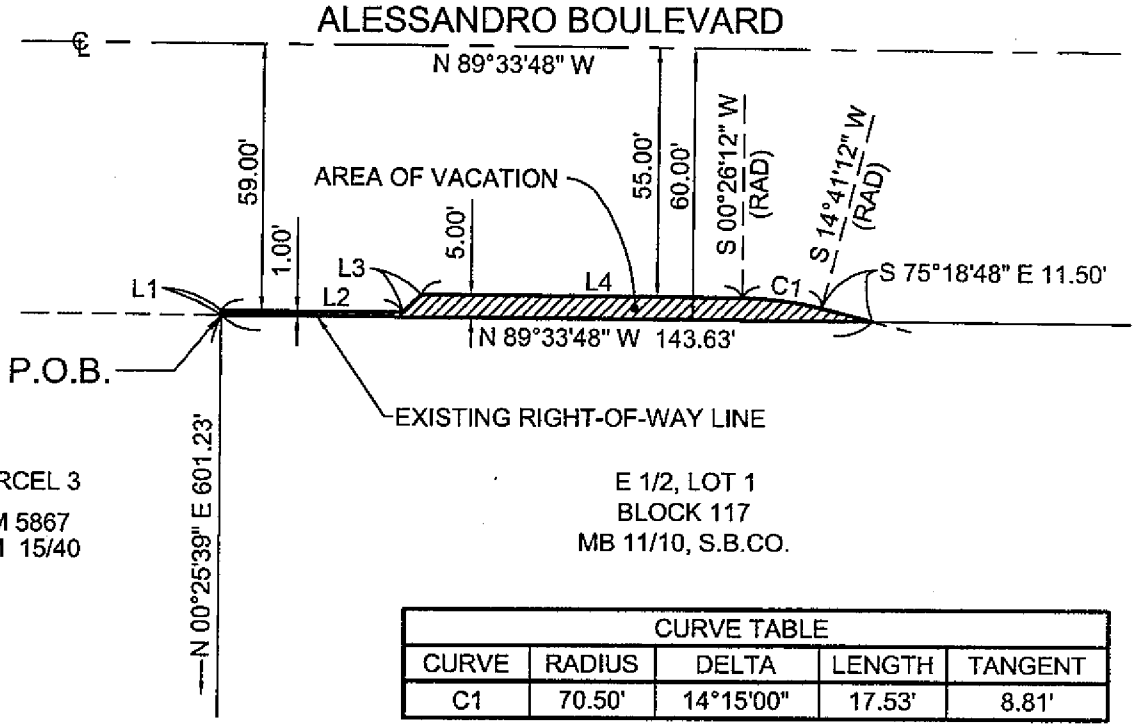

PARCEL 3
PM 5867
P/M 15/40

E 1/2, LOT 1
BLOCK 117
MB 11/10, S.B.CO.

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	70.50'	14°15'00"	17.53'	8.81'

INDICATES VACATION AREA
(± 498 SQ. FT.)

THIS PLAT WAS PREPARED BY ME

LICENSED LAND SURVEYOR
DAVID B. WARREN
EXP. 12/31/11
No. 8244
STATE OF CALIFORNIA

DAVID B. WARREN, L.S. 8244
EXPIRES 12/31/2011

6/22/10
DATE

Attachment 4

Item No. A.25

MV00071563

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MV00071564

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00071566

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Acceptance of Grant Monies from the California Department of Education, Child Development Services, for Child Care Services and Adoption of the Resolution to Certify the Approval of the Governing Board

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $747,338 for Fiscal Year (FY) 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2010-22 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2010/2011.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of

kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the “modified traditional” school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City’s policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $747,338 for FY 2010/2011 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds in the amount of $942,800 are in the FY2010-11 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By
Patty K. Grube
Management Analyst

Department Head Approval
Michael McCarty
Director of Parks and Community Services

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MV00071570

RESOLUTION NO. CSD 2010-22

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2010/11.

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2010/11;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desires to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

William Bopf, Interim City Manager _____

Steve Hargis, Acting Director of Financial & Administrative Services

_____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $747,338 per fiscal year to provide child care services for FY 2010/2011;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-0203, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2010/11.

APPROVED AND ADOPTED this 13th day of July, 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00071574

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER FOR VA CONSULTING, INC. FOR THE MORENO VALLEY AUTO MALL IMPROVEMENTS PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency.

Staff recommends that the Community Redevelopment Agency (RDA):

1. Accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.

3. Authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties (Account No. 897.91725).

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. (VA Consulting) by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. A purchase order was issued in the amount of $187,067 ($155,889 for the original proposal plus 20% contingency amount of $31,178).

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The Auto Mall project consists of two phases – the re-construction of the pylon sign and the street improvements. The construction agreement for the pylon sign was awarded to San Pedro Sign Company by the City Council and the Community Redevelopment Agency at its meeting on June 22, 2010.

Street improvement enhancements and revitalization are integral elements of the final conceptual plan. Recent changes in the Auto Mall ownership and lot line adjustments of the parcels fronting Motor Way will necessitate design revisions to the project's street improvement plans. VA Consulting has been retained to provide professional consultant design services under their current on-call agreement that expires May 1, 2011. An estimated $50,000 increase to VA Consulting's purchase order allows for additional design services and design-related support services. This change order brings the purchase order total to $237,067 ($205,889 plus contingency) which is reflected in the Project Specific Agreement. Staff recommends executing a Project Specific Agreement with VA Consulting for the continuation of their services.

ALTERNATIVES

1. Authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the

Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will allow for much needed improvements.*

2. Do not authorize the City Manager to execute the Project Specific Agreement for Professional Consultant Services Agreement with VA Consulting, Inc. for the Auto Mall Improvements project, in the form attached hereto, and to subsequently assign said Agreement to the Community Redevelopment Agency; do not accept the assignment of the Agreement with VA Consulting, Inc. from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize a change order to increase the purchase order for VA Consulting, Inc., in the amount of $50,000 for additional professional consultant design services when the Project Agreement and Assignment Agreement have been signed by all parties. *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)	$1,742,000
Total Estimated Pylon Sign Related Construction Costs	$890,000
Estimated Additional Design Related Services	$50,000
Remaining Available Balance for Street Improvements	**$802,000**

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:
Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts and neighborhood restoration.

SUMMARY

The street improvement plans are an integral element of the final conceptual plan to rejuvenate Auto Mall. Staff is recommending that the City Council authorize the execution of the Project Agreement with VA Consulting and the Community Redevelopment Agency is requested to accept the assignment of said Agreement and to authorize a change order to the purchase order in the amount of $50,000 for additional design services.

ATTACHMENTS

Attachment "A" – Project Specific Agreement
Attachment "B" – Assignment Agreement
Attachment "C" – Change Order

Prepared By:
Guy Pegan, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00071580

PROJECT SPECIFIC AGREEMENT FOR ON-CALL PROFESSIONAL CONSULTANT SERVICES

This Agreement is made and entered into as of the date signed by the City Manager, by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and VA Consulting, Inc., a California corporation hereinafter described as "Consultant."

RECITALS

WHEREAS, the City has pre-qualified Consultant for on-call consultant work in an Agreement ("On-call Agreement") executed on May 29, 2008, for services hereinafter described as "Project"; and

WHEREAS, the City wishes to engage the services of Consultant for the Project set forth in Exhibit "A".

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

1. The previously executed On-call Agreement between City and Consultant is incorporated herein and made a part of this Agreement as if set forth in full. In the event of a conflict between this Agreement and the On-call Agreement, the most current amendment shall prevail.

2. The City's scope of service is for Professional Consultant Design Services for the Moreno Valley Auto Mall Improvements and is described in detail on Exhibit "A" attached hereto and incorporated herein by this reference.

ATTACHMENT "A"

3. The Consultant's scope of service for Professional Consultant Design Services is described in detail on Exhibit "B" attached hereto and incorporated herein by this reference.

4. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

5. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee in accordance with the payment terms provided in Exhibit "D," attached hereto and incorporated herein by this reference.

6. The Consultant shall commence services upon receipt of written direction to proceed from the City.

7. Consultant shall provide updated insurance documentation, certificates or endorsements unless specifically waived by the City's Risk Manager.

SIGNATURE PAGE FOLLOWS

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

BY:_____
City Manager

_____
Date

VA Consulting, Inc.

BY: _____

Name:_____

TITLE:_____
(President or Vice President)

_____
Date

BY:_____

TITLE:_____
(Corporate Secretary)

_____
Date

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE:_____

Enclosures:
Exhibit "A" – City Request for Proposal/Scope of Services
Exhibit "B" – Consultant Scope of Services/Proposal
Exhibit "C" – City's Responsibility
Exhibit "D" – Terms of Payment

MORENO VALLEY AUTO MALL IMPROVEMENTS

PROJECT NO: 08-89791725

SCOPE OF SERVICES

I. INVITATION

You are hereby invited to submit a Proposal for Professional Consultant Design Services associated with the **Moreno Valley Auto Mall Improvements** as shown on the attached location map.

Three (3) copies (one of the copies shall be unbound and paper clipped) of your proposal shall be submitted no later than **5:00 p.m., Monday, June 23, 2008,** addressed to City of Moreno Valley, Capital Projects Division, 14177 Frederick Street (hand delivery), P.O. Box 88005, Moreno Valley, California 92552-0805 (Mail delivery), **Attention: Reza Zolghadr, Consultant Project Manager.** The unbound copy of the proposal is to have no tabs, holes, perforations, or cardboard inserts, and be suitable for copying with an automatic-feed copy machine.

Note: If choosing <u>not</u> to propose, please contact Mr. Zolghadr within two days after the receipt of the Request for Proposal, to inform him of such intent.

II. GENERAL PROJECT DESCRIPTION

The Moreno Valley Auto Mall is currently comprised of seven Auto dealerships and two vacant parcels. It is the City's objective to reconfigure the traffic circulation at the Mall to entice customers to visit the Mall. The City and the Redevelopment Agency are currently exploring opportunities to increase business opportunities by creating attractive visual displays of dealer products and other aesthetic elements. They will provide the ability for an increased interaction between business owners and prospective customers. As part of this effort the City is hereby seeking proposals for a conceptual plan with alternatives to accomplish the above goals and rejuvenate the Mall.

The project site is bordered by SR 60 on the north and Moreno Beach Drive, on west.

III. PROPOSED BUDGET AND SCHEDULE

The project budget is $1.8 million and the project schedule is as follows:

Conceptual and Preliminary Design.....July 2008 – October 2008
Environmental Document .....October 2008 - March 2009
Final Design/ROW.....December 2008 - April 2009
Construction ..... August 2009 - March 2010

IV. SCOPE OF SERVICES

The City is requesting firms to provide Conceptual, Preliminary and Final Design based on proposed budget and anticipated schedules for the **Moreno Valley Auto Mall Improvements.**

Exhibit "A"

A. PROJECT CONSTRAINTS:

1. Vacation of southerly portion of Motor Way.

2. Vacation of "short-street" segment between Auto Mall Drive and easterly property line, south of Eucalyptus Avenue as shown on the project exhibit.

3. Maintenance of existing and proposed street lights, parkways and medians needs to be clearly identified.

B. PROJECT TASKS AND SUGGESTED ANALYSES NEEDED:

1. Analyze the ingress/egress, realignment, and extension of Trail Ridge Way, easterly to Motor Way from the intersection of Moreno Beach Drive.

2. Analyze and provide a conceptual design, as an interim improvement, the alignment of the proposed east leg of the intersection of Trail Ridge Way and Moreno Beach Drive with the existing southerly driveway entrance to the car dealership on Motor Way. Review all associated landscaping in parkway and medians, existing lighting and develop new lighting concepts.

3. Analyze and provide a conceptual design for the southerly portion of Motor Way to be vacated from its intersection on the south with Auto Mall Drive to the proposed intersection with the Trail Ridge Way realignment, on the north. All affected street improvements within this vacated corridor segment need to be abandoned, demolished and re-graded. Any existing utilities affected by this vacation will be abandoned, retrofitted, or retained in place by easements across said parcels.

4. Analyze and provide a conceptual design for the portion of Motor Way from its northerly intersection with Eucalyptus Avenue to a new fire/emergency vehicle-accessible City standard cul-de-sac constructed at its now south end, just north of the alignment of Trail Ridge Way. Other circulation elements shall also be considered on Motor Way.

5. Analyze and provide a conceptual design for traffic signal system modifications to the existing traffic signal at Trail Ridge Way and Moreno Beach Drive to accommodate these proposed improvements.

6. Analyze entry features/monument signage and vehicle display pads locations at key street intersections and corners throughout the Auto Mall.

7. Analyze other immediate area enhancements that would improve traffic circulation and attract more customers to the Auto Mall.

8. Review the project budget to determine and recommend how best to utilize and prioritize it, including using some funds to provide incentives to attract development of the remaining unused parcels within the mall.

9. The Consultant shall complete planning and traffic studies.

10. Attend and present the development of alternatives, conceptual plans and report to property owners, City Staff, and all stakeholders prior to commencing the work and at various stages to get consensus from all stakeholders.

C. SCOPE OF ENGINEERING SERVICES:

1. GENERAL DESCRIPTION

The Consultant will be required to provide services for preliminary engineering and conceptual plans. These services are described in more detail below. Please be advised that the following in not intended to be complete description of the scope of services; project of this nature do need occasional un-foreseen work, meetings, coordination etc. to meet the stated goal and objectives of the project and as such the Consultant needs to anticipate such work and include it in the proposed not to exceed fee proposal.

Preliminary Engineering:

- Prepare project summary memorandum and conceptual plans with project alternatives and construction estimates.
- Prepare traffic circulation report.
- Collect traffic data, review traffic signal modification with preliminary design for the signal at the intersection of Trail Ridge Way and Moreno Beach Drive.
- Prepare traffic control concept for project.
- Prepare and maintain a project schedule identifying the critical path for the expeditious project completion.

2. RESEARCH OF RECORD INFORMATION

a. The Consultant shall perform general research to secure all the information required to identify, locate, and accurately lay out streets centerline, right-of-way, and other ancillary items that may affect the improvement project.

b. The City will provide copies of available pertinent City records, such as Street Improvement Plans, Striping Plans, Tract and Parcel Maps that the City knowingly has in its possession.

3. MEETINGS

The Consultant shall schedule and attend meetings in the planning phase as follows:

- Kickoff meeting including Sub-Consultants
- Project Development Team (PDT) monthly (or sooner if necessary) progress meetings
- Other meetings as necessary but not limited to stakeholder agencies, field reviews, utilities, and meetings with individuals
- Periodic meetings during construction to provide design clarification when required

The Consultant shall prepare meeting agendas and minutes for all meetings. The minutes shall be distributed to all attendees, invitees, and the City's project manager within three (3) working days after the meeting. The minutes shall include, but not be limited to, list of attendees with phones numbers and e-mail, synopsis of discussion items, any pertinent information, action items, and follow-up to the action items.

4. PROJECT SCHEDULE

The Consultant shall provide a digital version of the project schedule using the Microsoft Project scheduling program, hard copies shall be provided for reports and staff usage.

The project schedule shall be divided into tasks and subtasks in full detail showing their critical path for expeditious project completion.

5. COMPENSATION FOR SERVICES PERFORMED

Please submit an itemized breakdown for the work described herein, in a separate sealed envelope as part of your proposal. Payment will be made on completion of the following deliverables:

a Development of alternatives

b Preparation of conceptual plans and report

6. STATEMENT OF QUALIFICATIONS FOR FINAL DESIGN

Consultant shall submit a Statement of Qualification for preparation of final design to cover the following items of work:

a. Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.

b. Conduct and attend design kick-off meeting with all stakeholders.

c. Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within three (3) working days.

d. Schedule, facilitate, and attend public meetings as necessary.

e. Provide progress reports at a minimum monthly basis.

f. Compose all correspondences to keep the project on schedule.

g. Attend and present the project to City Council and property owners as required by City Staff.

h. Maintain all project files in accordance with the City boiler format or as otherwise directed by the City Program Manager.

i. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services and ensure that the project meets all applicable Federal, State, and local requirements.

j. Oversee and ensure that all measures of the specific project's scope of services are completed in a timely and professional manner with an emphasis on providing the City with a high quality project.

k. Report directly to the City Program Manager and act as a liaison between the City and all project stakeholders in order to accomplish the full project services intended by the City.

l. Oversee and arrange for an independent and timely plan check review, either through in-house appropriate experienced staff of outside sub-consultant, including, but not limited to Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, SWPPP Plan, Appraisal Reports, Legal and Plats, and all documents related to right-of-way acquisition.

m. Ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the Consultant shall be responsible to provide in the course of the work:

- Various City Council Staff Reports.
- Utility correspondence letters and e-mails.
- Federal, State and local correspondence.
- Federal, State, and local documentation required for the project.
- Right-of-way related documents and correspondence.
- Necessary communication and reports to the funding agencies.

n. Arrange and participate in a detailed independent review of the 95% PS&E package, with in-depth field review and biddability, constructability, and claim avoidance emphasis.

o. Coordinate and ensure that all stakeholders and city Divisions and Departments complete plan check of all appropriate project documents.

p. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments.

q. Coordinate and ensure that updates necessary as a result of plan check review are communicated and incorporated.

Reza Zolghadr, P.E.
Consultant Project Manager

Exhibit "A" – Location Maps

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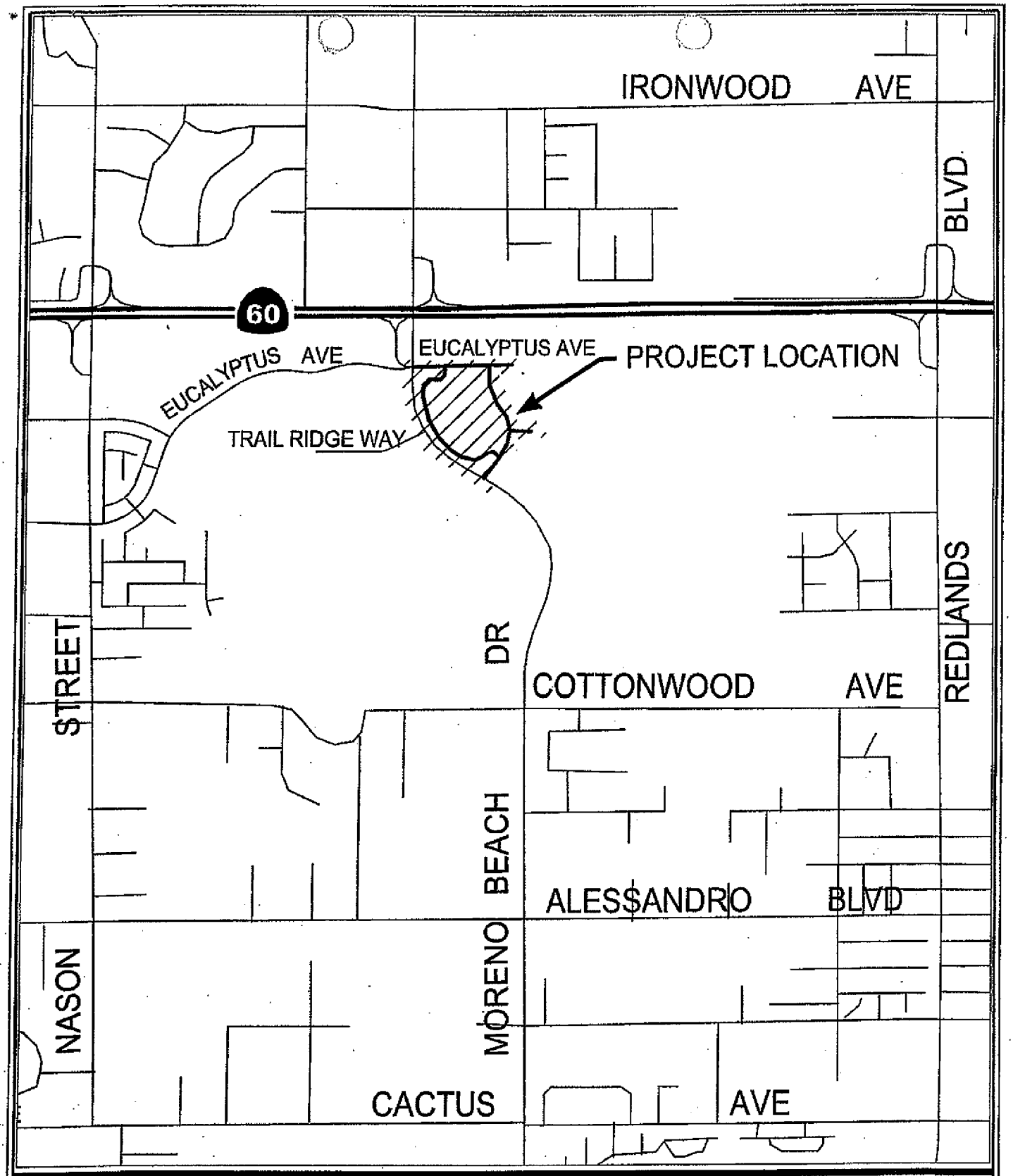

LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. C.3

MV00071589

MORENO VALLEY
WHERE DREAMS SOAR

ADDENDUM NO. 1
TO THE REQUEST FOR SCOPE OF SERVICES
PROJECT NO. 08-89791725
PROFESSIONAL CONSULTANT DESIGN SERVICES
FOR THE MORENO VALLEY
AUTO MALL IMPROVEMENTS

June 18, 2008

TO: PROSPECTIVE PROPOSERS

This Addendum forms a part of the Request for Proposal (RFP) for the above-identified project and modifies the original RFP as noted below. Portions of the RFP, not specifically mentioned by the Addendum, remain in force.

1. Proposal Submittal Date Change:

   The date for submittal of the Moreno Valley Auto Mall Improvements proposal has been extended from June 23, 2008 as referenced in the Request for Proposal, page 1, section I "Invitation", first paragraph shall be modified to read as follows: **"...Proposal shall be submitted no later than Monday, 5:00 p.m., July 7, 2008"**.

All consultants submitting proposals for this project shall acknowledge receipt of and make this addendum no. 1 a part of their proposal.

If you have any questions, please contact me, at 951.818.8419.

Sincerely,

Reza Zolghadr, P.E.
Consultant Project Manager

RZ:dmc

c: File

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CONSULTING

April 7, 2009

Mr. Reza Zolghadr
Consultant Project Manager
City of Moreno Valley
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Zolghadr:

VA Consulting, Inc. (VA) is pleased to submit this revised proposal to provide professional consultant services associated with the final engineering and design of **Moreno Valley Auto Mall Improvements** (Project No. 08-89791725) in response to the City of Moreno Valley (City) request. Your project will benefit from the familiarity and experience the VA Team has with the Conceptual Design of the Auto Mall Improvements. A copy of the Conceptual Plan dated March 4, 2009 is enclosed for reference. This proposal supersedes our proposal submitted on March 17, 2009.

A detailed scope of services is provided in Section I and proposed fees in Section II of this proposal. We will provide our services on a time-and-materials, not-to-exceed basis in accordance with the attached estimated fees and expenses (Exhibit "A") and fee schedule (Exhibit "B").

I. SCOPE OF SERVICES

1. Topographic Survey

VA will provide a topographic survey of the areas of work on Moreno Beach Drive, Eucalyptus Avenue and Auto Mall Drive within the project limits. Control data will be assembled and established for the project area (to include record map monuments for centerline control/right-of-way and City benchmark). This survey will include topographic survey shots for proposed areas of design and 10' outside of those areas. Survey will pick up any visible surface utilities (manholes/inverts, water valves, fire hydrants, catch basins, utility boxes, utility poles, guy wires, vaults, etc.) curb/gutter, driveways, fences, landscape, trees, striping, paving, walks, handicap ramps, walls, adjoining building corners, signage, etc. In areas of longitudinal street reconstruction such as along Motor Way, cross-sections will be taken at 25-foot intervals.

The survey data will be down loaded and compiled to create topographic mapping of the area, including surface features, recovered monumentation, right-of-way,

VA Consulting, Inc.
Corporate Office
Orange County Division
6400 Oak Canyon, Suite 150
Irvine, CA 92618

Phone 949.474.1400
Fax 949.261.8482

Exhibit "B"

adjoining lot lines, assessor parcel numbers, addresses, culture and contours for design purposes. The final map (24" x 36") will be at a scale of 1" = 20' with 1' contours.

2. Legal Descriptions and Exhibits

VA will prepare metes and bounds legal description/plat exhibit for four (4) vacations of Motor Way. This proposal includes reviewing a 6 month current preliminary title report, deeds, easements, and record maps of each affected property and legal description/plat exhibit preparation based on four (4) exhibits. The City will provide all current Title Reports, and will keep an active and open order with the Title Company. Processing of legal description/plat exhibit for vacation is not a part of this proposal.

3. Utility Coordination and Notification

VA will identify all public utilities within the project limits and will assist City staff with utility coordination. VA will prepare utility notifications and will request utility maps. The City will send out all utility verifications and relocation notices. VA will prepare a Utility Base Map depicting all existing utilities found within project limits based on available information, and indicate any proposed utility adjustments or relocations on the construction plans.

4. Traffic Study

VA will prepare a traffic study brief for the project intersections which will include analysis of am and pm peak hour traffic turning movement counts (turning and through) as collected during the preliminary design phase of this project in 2008. The turning movement counts were performed by National Data & Survey Services (NDS) for a typical weekday. VA will analyze the traffic counts and evaluate the level of service at the intersections surrounding the project. Level of service D or better will be maintained for traffic movements through the intersections. VA will identify and provide recommendations in a summary report for traffic signal phasing, lane configurations, and design queues for left and right turn movements at the intersections.

5. Geotechnical Report

The scope of geotechnical services presented in this proposal is developed based on the requirements and guidelines stated in the RFP and Leighton Consulting, Inc. (LCI) past experience with similar projects. The following scope of services is proposed:

- Review of existing geotechnical/geologic maps, reports or other related documents.
- Conduct a field exploration to evaluate subsurface conditions and collect representative soil samples.

- Evaluate the physical soil properties including in-situ moisture and density, maximum dry density, soil Resistance Values (R-Values) of representative soil materials along subject street improvement areas.
- Provide a letter report that includes geotechnical-engineering recommendations and coring logs.
- Post report consultation- Review of project plans and specification during the design process with consideration of geotechnical issues.

A detail description of the proposed field exploration, laboratory testing, engineering (office) studies and reports is discussed further below.

A. Field Exploration

This task includes 1) drilling, sampling and logging of 1-2 hollow stem auger borings to a depth of 5 ft. with a hand auger. The shallow 5-foot boring will be drilled in the area of the proposed street paving; and, 2) drilling, sampling and logging of 2 hollow stem auger borings to a depth of 15 feet with a conventional drill rig at the 2 locations of the proposed monument signs (Lots G and H). All excavated soil borings will be backfilled with soil cuttings and quick set concrete mix, if needed.

Before the start of fieldwork, the exploration locations will be marked out and Underground Service Alert (USA) will be notified so that known public or private underground utilities can be identified. Traffic control will be provided when drilling within the public street in accordance with the W.A.T.C.H manual. An encroachment permit application with a map showing the proposed soil boring and pavement coring locations will be submitted to the City prior to the field exploration.

Identification, handling and treatment of hazardous materials are beyond the scope of the geotechnical engineering services. If such materials are encountered, the City will be notified immediately, and a proposal for handling of such materials will be submitted, if requested.

B. Geotechnical Laboratory Testing

Geotechnical testing on the representative soil samples will be performed to evaluate subgrade soils and aggregate base resistance values (in place moisture content and density tests, R-Value, maximum dry density and optimum moisture content, expansion index as needed).

C. Office Studies and Report

LCI will review the field and laboratory data and perform engineering analyses to develop geotechnical recommendations. The geotechnical report will include the coring logs, laboratory test results, summary of the findings and geotechnical recommendations.

D. Time Schedule

Depending on site access constraints, permitting, weather and exploration equipment availability, field exploration may begin 5 to 10 working days after receipt of an order to proceed and a signed contract. California law requires that Underground Service Alert (USA) be provided at least two working days advanced notice to locate registered utilities in the proposed exploration area, before exploration can begin. LCI anticipates submitting the final report in 4 to 5 weeks after receipt of written authorization to proceed or after obtaining the permit from the City.

The following is assumed:

- LCI is not responsible for damage to unidentified utilities or structures.
- No inclement weather or environmental issues are to preclude drilling.
- Encroachment permit will be provided by the City (at no cost) and the field investigation can be performed during normal weekday daylight-hours.

6. Demolition Plan

VA will prepare a demolition plan at 1"=20' scale on four (4) 24" x 36", "double-stacked" plan sheets showing existing paving, street features, Project site structures, and other elements to be removed and relocated.

7. Street Modification Plans

VA will prepare street plans and profiles at a scale of 1" = 20' horizontal, 1" = 4' vertical (where applicable), for the Project on 24" x 36" sheets for the proposed improvements per the City's approved Conceptual Plan. Plans will show proposed finish grade elevations, sidewalks, finish paving elevations, curb and gutter and wheel chair ramps, as well as construction notes, details and quantities. Plan set to include the following:

(1) Title Sheet;

(1) Detail Sheet; and

(7) Street Modification Plan and Profile Sheets with horizontal control data, vertical design data, hardscape improvements, surface drainage improvements, and applicable construction notes. Included on the Street Modification Plans will be the following:

a. Signage and striping improvements, showing the new striping and pavement markings within the project limits. The plans will also include existing signs and new signs if necessary to meet current California Manual on Uniform Traffic Control Devices (CA MUTCD) standards. The traffic sign work will be based on an inventory of existing signs and an assessment of new project signage upgrade requirements, if any. All

improvements will be based on the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and City standards.

b. Final disposition of miscellaneous utility relocations and adjustments.
c. Details for construction of Lot G display area.

8. Erosion Control Plan

VA will prepare an Erosion Control Plan for the Project work at a scale of 1"= 40' on two (2) 24" x 36" "double-stacked" plan sheets. Erosion Control Plans will be incorporated into the Street Modification Plan set.

9. Landscape and Irrigation Plans

SJA, Inc. will prepare plans for the following areas as delineated on the Conceptual Plan (dated March 4, 2009):

- The easterly parkway of Moreno Beach Drive from Eucalyptus Avenue to Auto Mall Drive;
- Lot G and Lot H; and
- Areas created by new landscape fingers and "bulb out" locations per the plan along Eucalyptus Avenue, Auto Mall Drive, and on Motor Way between the new entry from Moreno Beach Drive and Eucalyptus Avenue.

Included are landscape and irrigation plans consistent with existing landscape and irrigation systems (served by domestic water), attendance at Project Team meetings, and incorporation of City review comments. Prepare Final Construction Documents to the appropriate progress levels (35%, 65%, 95%, and 100%), more specifically described as:

- Prepare final construction documents for circulation to City/agencies;
  - Irrigation Plans and Details;
  - Planting Plans;
  - Planting Details; and
  - Specifications.
- Update Preliminary Estimate of Probable Construction Costs;
- Submit plans for agency submittal (four sets each);
- Revise plans per agency comments / in house plan check; and
- Project development team meetings.

Preliminary or Concept Drawings are not included. The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

10. Lighting Plan

VA's subconsultant, JCA Engineering (JCA), will provide electrical engineering services for the preparation of lighting plans for the project. JCA will perform the following tasks:

- Design of power distribution from existing site service and sub-panels to each new light fixture and devices to meet City's requirements;
- Design relocation of existing tree accent up lighting;
- Design new tree accent up lighting;
- Design of new pedestrian walkway lighting to meet all building codes presently adopted by the authority having jurisdiction, as required;
- Design of monument sign accent up lighting;
- Provide revisions necessary as a part of Building Department review and submit construction documents for bid issue and construction. Respond to requests for information and prepare any addenda as necessary;
- Review all shop drawings relating to the electrical work for compliance with the construction documents;
- Provide structural pole base calculations for walkway poles;
- Provide electrical book specifications; and
- Provide electrical engineer's stamp and signature.

11. Traffic Signal Modification Plan

VA will prepare a traffic signal modification plans using AutoCAD at 1" = 20' scale on one (1) 24 x 36" sheet for signal improvements required for adding a new east-west crosswalk over the southerly leg of the Trail Ridge Way and Moreno Beach Drive intersection. Traffic signal plans will be prepared in accordance with City of Moreno Valley and Caltrans standards. As part of this task, VA will conduct a thorough field inventory of the existing signal improvements at this location to confirm and supplement the as-built plans.

12. Traffic Control Plans

Traffic control plans will be prepared using AutoCAD, at 1" = 40' scale and will follow the guidelines established in the California Manual on Uniform Traffic Control Devices (CA MUTCD). Traffic control plans will be five (5) sheets, "double stacked" with two horizontal layout strips placed on each plan. The plans will show traffic control measures required for the construction of the project including all traffic control devices, temporary lane delineation, and construction signing. VA will make every effort to reduce the impacts of traffic control and lane closures on adjacent properties by implementation of an efficient design that emphasizes public and worker safety and cost-effective construction.

13. Final Quantities and Engineer's Opinion of Probable Construction Costs

VA will prepare final quantity estimates and an engineer's opinion of probable construction costs for the work shown on the plans onsite improvements. The opinion of costs will be prepared once upon first plan check submittal of Project plans, and upon final 100% submittal of plans.

14. Specifications

VA will prepare project specifications for the project work items including Special Provisions (including traffic control and detour information) and Bid Schedule forms in a format consistent with current City projects and boiler plate. Specifications will be provided with the 65% and 100% plan submittals. The specifications will also include requirements for erosion and pollution control during construction. VA will use Standard General Provisions and Construction Contract Agreement documents supplied by the City.

15. Structural Design

VA will prepare a structural design detail and calculations for a typical Lot G and H Monument Sign caisson footing. VA will engage a third party structural engineer to perform a peer review of the design.

16. Project Management

A. Meetings, Coordination and Processing

- VA will report directly to the City Program Manager.
- VA will schedule, facilitate, and attend public meetings as necessary. VA will attend and present the project to City Council and property owners as required by City Staff. Facilitate, coordinate, and oversee the ongoing daily actions required to completely provide the full level of intended services. VA will assist the City in determining if the project meets all applicable Federal, State, and local construction requirements.
- VA will provide coordination services including attendance at project meetings, coordination with design team and consultants under contract to Client, investigate project issues as requested by Client, and will assist Client concerning processing of plans with jurisdictional agencies.
- VA will address plan checks completely for the appropriate project documents. Provide plan check summary update at each plan check level and meet with the City Program Manager to review appropriate plan check redlines/comments, such that updates necessary as a result of plan check review are communicated and incorporated.

B. Project Schedule

- Prepare and maintain a project design schedule identifying the critical path for expeditious project completion.
- Conduct and attend design kick-off meeting.
- Schedule and conduct Project Development Team (PDT) meetings and other necessary meetings; prepare agendas and minutes; and distribute to all applicable entities (not just attendees) within one (1) week.

C. Document Submittal and Plan Information

The plan submittals for each project will comply with City's requirements as stated in the RFP. All project files will be maintained in accordance with the City boiler format or as otherwise directed by the City Program Manager.

- First Submittal: 65% complete geometric plans with survey information, draft Specifications, Preliminary Opinion of Costs and draft Soils Report;
- Second Submittal: 95% complete plans, specifications, and opinion of costs sets;
- Third Submittal: 100% complete plans, specifications, and opinion of costs; and
- Final Submittal: Original Mylar Plans, Specifications, Opinion of Costs, and other Contract Documents in hard copy and electronic format.

D. Project Progress Reporting

- Provide progress reports on a monthly basis by email.

- Oversee all measures of the specific project's scope of services for timely completion and in a professional manner with an emphasis on providing the City with a high quality project.

- Complete all appropriate communication, correspondence, and reports on an ongoing basis in a timely manner to the satisfaction of the City. The following is a list of some, but not necessarily all, of the documents that the VA Team will review and/or provide in the course of the work:
  - Various City Council Staff Reports;
  - Utility correspondence letters and e-mails;
  - Agency correspondence;
  - Right-of-way related documents and correspondence.

- Provide a detailed independent review of the 95% PS&E package by VA's in-house Construction Manager. Include an in-depth field review with biddability, constructability, and claim avoidance emphasis.

- During Plan Check, VA will oversee and arrange for an independent and timely plan check review, through in-house appropriate experienced staff. Review materials may include the Project Summary Memorandum, Geotechnical Report, Traffic Study, Environmental Documents, 35% Plans, 65%, 95%, 100% and final PS&E packages, Legal and Plats, and documents related to right-of-way acquisition/vacation.

During the Final Design Phase, approximately five (5) hours per week for four (4) months, for a total of 77 staff hours has been budgeted for the project management task.

17. Bid Support Services

VA will assist the City in preparation of contract documents for bidding, and attend the pre-bid meeting. VA will be available to respond to questions from bidders, provide clarification of plans and specifications, and prepare addenda as needed to modify or clarify the Contract Documents during the bid phase. VA will also assist the City in evaluating the submitted bids. The budget for this task assumes approximately 40 hours of combined VA staff time.

18. Record Drawings

Upon completion of construction, VA will prepare Record Drawings based on markups provided by the Contractor and City inspector. The budget for this task assumes approximately 32 hours of combined VA staff time. For the landscape plans, another 12 hours is assumed.

<u>Optional Tasks</u>

19. Conceptual Landscape Plan (Lots G & H)

- Meet with client/city to develop program and define scope of work, review conceptual sketches and discuss alternatives
- Prepare conceptual sketches for presentation to client/city.
- Prepare preliminary estimate of probable construction costs based on agreed upon design alternative, and review overall design and estimates with City.
- Refine concept per minor City comments for final review.
- Prepare final color plan suitable for mounting to 30x42 foam core boards.

The following optional services may be provided as requested. Compensation for optional services will be paid per SJA, Inc. hourly billing schedule.

- Water Budgeting Calculations; and
- Water Auditing.

20. Construction Support Services (Civil and Landscape)

    VA will assist the City during the construction phase and will attend the Pre-Construction Meeting. During construction VA will attend periodic (bi-weekly) construction meetings, review shop drawings/submittals, and respond to requests for information (RFI) from the Contractor and the City.

    VA will also perform site visits at major milestones of the completion of construction to observe in general if the work is being performed in substantial conformance with the construction documents. For the civil work, The budget for this task assumes approximately 52 hours of combined VA staff time and a construction duration of approximately (3) three months (13 weeks) beginning in 2009. For the landscape work, another 40 hours is assumed.

21. Legal Description/Exhibit

    VA will prepare legal description/exhibit for vacation of the stubbed street east of Auto Mall Drive and between Parcels 6 and 7. Title Report to be provided by City.

22. Stakeholder Coordination

    VA will assist the City in coordination, notifications, presentations and meetings with Project stakeholders. The budget for this task assumes approximately 30 hours of VA management time.

<u>Assumptions and Exclusions</u>

1. Mapping will be based on available City/County vertical datum and an assumed horizontal control, unless specifically requested otherwise.

2. The project will be designed and constructed as a single phase.

3. The project will not require storm drain pipes 12-inches in diameter and larger.

4. The boundary corners for the site have been established and monumented by others. VA will use record data for establishing the project boundaries and right of ways.

5. Investigation and documentation of "as-built" electrical assumes existing drawings are available. Field investigation is limited to visual observation of panels and overcurrent devices without exposing live parts. City shall furnish licensed electrician, if necessary, to determine panel capacity.

6. The following services are not included in this Scope of Services, but may be provided by VA or sub-consultant per supplemental City authorization:

- Water, sewer, storm drain, or dry utility plans;
- Revisions to work completed or underway due to a change in information or instruction provided to VA by City or revised Agency Policy;
- SWPPP, WQMP and NOI unless specifically included in the Scope;
- Environmental forms or assessment;
- Design of remedial electrical work where existing conditions are in violation of California Electric Code;
- Design or specification for removal of existing or addition of new street lighting or street signal (City to provide for bid, if required);
- Re-establishment of missing survey monumentation;
- Potholing of underground facilities; and
- Obtaining permission to enter upon private properties.

7. Revisions requested by City to VA's agency-approved plans will be billed on a time-and-materials basis, subject to supplemental City authorization.

8. City may set up an account with a blueprint company or may elect to have VA process as a reimbursable expense. VA will surcharge all reimbursable expenses 10% to cover costs of invoicing, processing and carrying charges.

II. PROPOSED FEES

1.	Topographic Survey	$10,820
2.	Legal Descriptions and Exhibits (4 total)	$ 6,896
3.	Utility Coordination and Notification	$ 3,568
4.	Traffic Study	$ 3,900
5.	Geotechnical Report	$ 8,000
6.	Demolition Plan	$ 7,304
7.	Street Modification Plans	$37,676
8.	Erosion Control Plan	$ 4,000
9.	Landscape and Irrigation Plans	$20,500
10.	Lighting Plan	$ 4,000
11.	Traffic Signal Modification Plan	$ 5,600

12. Traffic Control Plans ..... $ 7,500
13. Final Quantities and Engineer's Opinion of Probable Construction Costs .... $ 3,000
14. Specifications ..... $ 4,090
15. Monument Sign Footing Structural Design ..... $ 4,100
16. Project Management $11,100
17. Bid Support Services ..... $ 5,152
18. Record Drawings ..... $ 6,232

Reimbursable Expenses ..... $ 2,451

TOTAL FEES $155,889

Optional Tasks

19. Conceptual Landscaping Plans for Lots G & H ..... $ 5,900
20. Construction Support Services $13,200
21. Legal Description/Exhibit (1 total) ..... $ 2,000
22. Stakeholder Coordination ..... $ 4,800

We appreciate the opportunity to submit this proposal and look forward to being of service to you on this project. Should you have questions, please contact Wayne Richardson or me at (949) 474-1400.

Sincerely,

Max P. Vahid, PE
President and CEO

MPV/cmj

Enclosures: Exhibit "A" - Estimated Fees & Expenses
Exhibit "B" - Fee Schedule
Project Schedule
Conceptual Plan (dated January 30, 2009)

cc: Wayne Richardson; Jeff Wilkerson; Contracts

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EXHIBIT "A"

CITY OF MORENO VALLEY
AUTO MALL FINAL ENGINEERING

ESTIMATED FEES & EXPENSES

Tasks	Description	No of dwgs reports	P/DIR hrs	PM hrs	PE hrs	SDE hrs	DE hrs	2MC hrs	Clerical hrs	VA hrs	VA Fees	Subconsultants hrs	Subconsultants Fees
	FINAL ENGINEERING												
1	Topographic Survey	1	2	6	12		16	30		66	$10,820		
2	Legal Descriptions and Exhibits	4	2	4	24		24			54	$6,896		
3	Utility Coordination and Notification		1	4	16		6			27	$3,568		
4	Traffic Study	1	6	4	17				2	29	$3,900		
5	Geotechnical Report	1	1	2			2		1	6	$800	na	$7,200
6	Demolition Plan	4	2	4	20		32			58	$7,304		
7	Street Modification (and Striping) Plans	9	16	40	60	32	148			296	$37,676		
8	Erosion Control Plan	1	2	4	8		17			31	$4,000		
9	Landscape and Irrigation Plan	2	2	4	4		8		1	19	$2,425	120	$18,075
10	Lighting Plan	1		2			2			4	$500	26	$3,500
11	Traffic Signal Modification	1	8		18		16			42	$5,600		
12	Traffic Control Plans	5	4		34		20			58	$7,500		
13	Opinion of Costs	1	2	4	9		8			23	$3,000		
14	Specifications	1	4	8	16				2	30	$4,090		
15	Monument Sign Footing Structural Design	1	4	17			8			29	$4,100		
16	Project Management (4 mtgs)		4	69					4	77	$11,100		
17	Bid Support Services		2	11	9		16		2	40	$5,152		
18	Record Drawings	9	4	6	4		17		1	32	$4,132	12	$2,100
	TOTAL HOURS		66	189	250	32	340	30	13	921	$122,563	158	
	SUBCONSULTANT TOTAL												$30,875
	REIMBURSABLE EXPENSES										$2,451		
	TOTAL FEES										**$155,889**		
	OPTIONAL ITEMS												
19	Lot G and H Concept Landscaping Plan	1	1	2			2			5	$700	35	$5,200
20	Construction Support Services		4	42			4		2	52	$7,500	40	$5,700
21	Legal Description and Exhibit (ea.)	1	1	5			9			15	$2,000		
22	Stakeholder Coordination		28						2	30	$4,800		
23	Reimbursables for Optional Items@1.5%										$225		
	Rate ($/hr)		$166	$147	$132	$122	$117	$205	$69		$15,225		$10,900

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4/7/2009

EXHIBIT "B"

VA CONSULTING, INC.

FEE SCHEDULE - 2009

Staff Classification

Civil Engineering and Planning Services	Hourly Rate
President	$190
Division President/Division Manager	$173
Sr. Vice President/Vice President/ Exec. Director	$163
Director	$160
Senior Project Manager	$155
Project Manager	$147
Assistant Project Manager	$142
Senior Project Engineer/Senior Design Supervisor/Senior Planner	$137
Project Engineer/Design Supervisor	$132
Senior Design Engineer/Senior Designer	$122
Design Engineer/Planner	$117
Designer	$110
Assistant Engineer/Assistant Planner	$100
Research and Processing Coordinator	$95
Senior CADD Technician	$90
Junior Engineer	$85
CADD Technician	$80
Engineering Intern	$70
Office Support/Clerical	$69

Field Survey and Mapping Services	
Director of Survey and Mapping	$158
Manager of Field Survey	$130
Survey and Mapping Associate	$95
Survey and Mapping Technician	$75
3-Man GPS Crew	$235
2-Man GPS Crew	$205
1-Man GPS Crew	$175

Special Services	
Litigation	$450

Notes:

1. Invoices will be prepared for all services through the end of each calendar month. Invoices are due and payable on presentation.
2. Overtime, when requested by the client, will be surcharged at a rate of 135% of the standard hourly rates. Sundays and holidays will be surcharged at a rate of 170% of the standard hourly rates.
3. Reprographics, messenger service, travel (including lodging and meals), and other direct expenses will be charged at cost plus 10%. The services of outside consultants will be charged at cost plus 15% to cover administration and overhead.
4. In-house reprographics charges: B&W Bond copies $0.66/sq.ft; Color Bond $6.00/sq.ft.
5. Mileage will be billed at standard mileage rates set by IRS. 2009 rates currently listed at $0.55 per mile.

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CITY OF MORENO VALLEY
AUTOMALL FINAL ENGINEERING
PROJECT SCHEDULE

ID	Task Name	Duration	Start	Finish
1	Notice to Proceed / Kick Off Meeting	1 day	Mon 5/4/09	Mon 5/4/09
2	**Preliminary Engineering**	**25 days**	**Mon 5/4/09**	**Fri 6/5/09**
3	Surveying and Topo Mapping	2 wks	Mon 5/4/09	Fri 5/15/09
4	Utility Coordination	2 wks	Mon 5/4/09	Fri 5/15/09
5	Traffic Study	2 wks	Mon 5/4/09	Fri 5/15/09
6	Geotechnical Report	5 wks	Mon 5/4/09	Fri 6/5/09
7	**Improvement Plans**	**91 days**	**Mon 5/11/09**	**Mon 9/14/09**
8	Prepare 35% Submittal (Plans and Estimates)	4 wks	Mon 5/11/09	Fri 6/5/09
9	City Review of 35% Submittal	3 wks	Mon 6/8/09	Fri 6/26/09
10	Prepare 65% Submittal (Plans)	3 wks	Mon 6/29/09	Fri 7/17/09
11	City Review of 65% Submittal	2 wks	Mon 7/20/09	Fri 7/31/09
12	Prepare 90% Submittal (Plans and Specifications)	2 wks	Mon 8/3/09	Fri 8/14/09
13	City Review of 90% Submittal	2 wks	Mon 8/17/09	Fri 8/28/09
14	Prepare 100% Submittal (Plans, Specifications, and Estimates)	1 wk	Mon 8/31/09	Fri 9/4/09
15	City Review of 100% Submittal	6 days	Mon 9/7/09	Mon 9/14/09
16	Plans, Specifications and Estimates Completed	1 day	Mon 9/14/09	Mon 9/14/09
17	**Right-of-Way Engineering**	**55 days**	**Mon 5/4/09**	**Fri 7/17/09**
18	Obtain Title Reports (By City)	8 wks	Mon 5/4/09	Fri 6/26/09
19	Prepare Legal Descriptions and Plats	3 wks	Mon 6/29/09	Fri 7/17/09

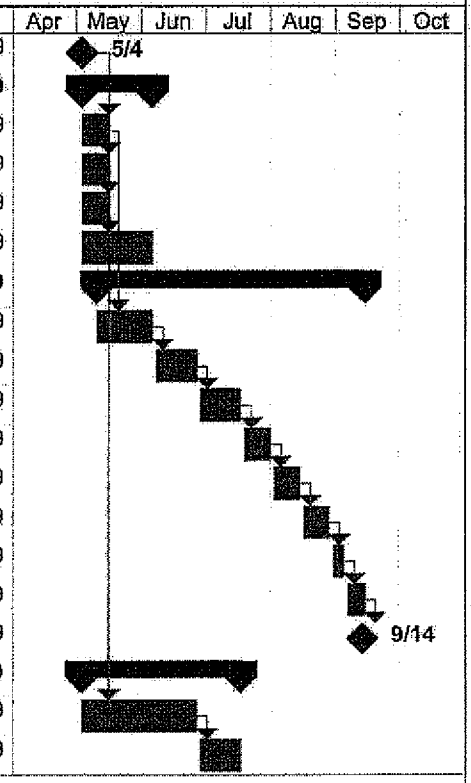

VA Consulting, Inc.
March 9, 2009

Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

SCH01_AutomallFinalDesign.mpp

Page 1

Item No. C.3

MV00071605

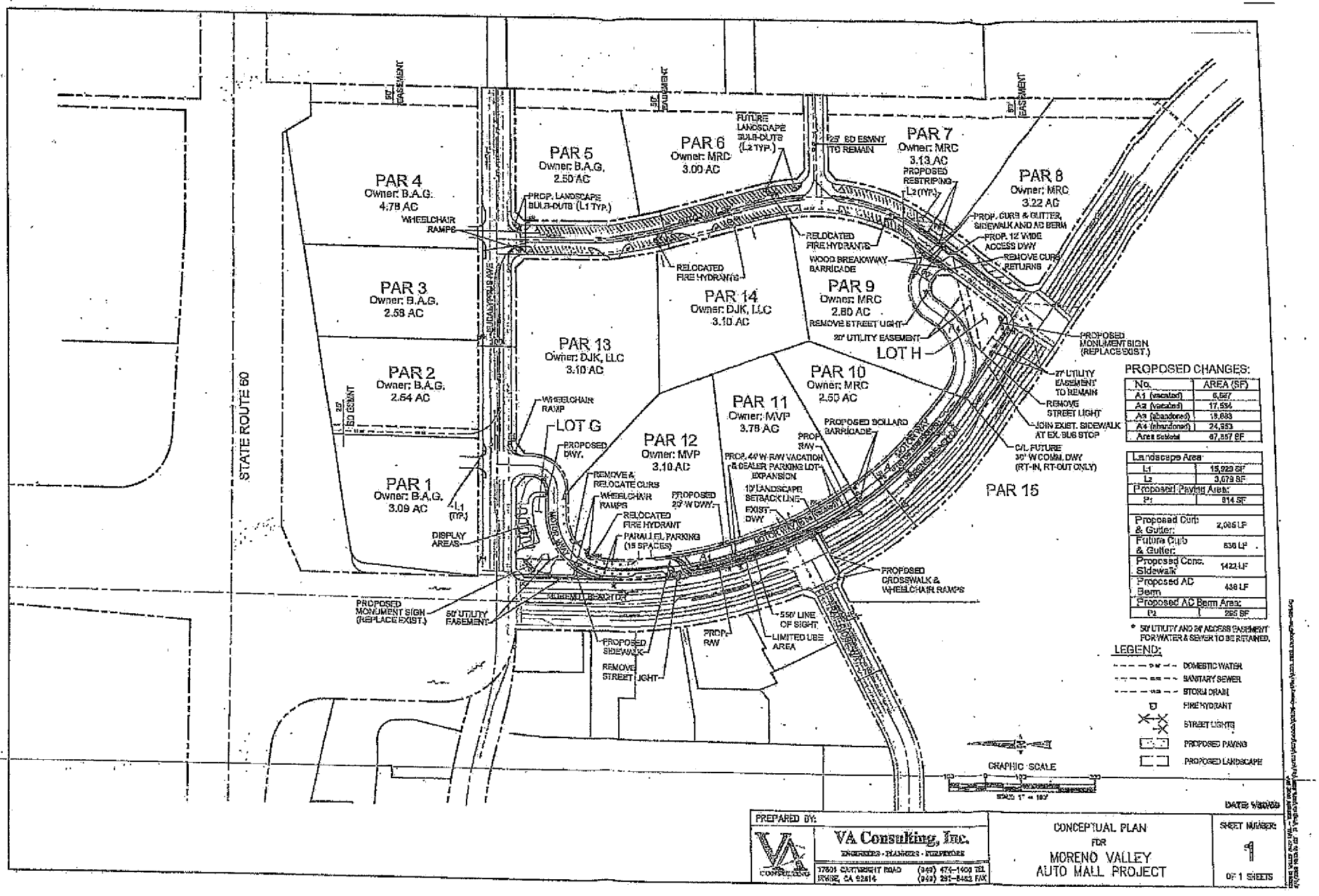
PAR 1
Owner: B.A.G.
3.09 AC
PAR 2
Owner: B.A.G.
2.54 AC
PAR 3
Owner: B.A.G.
2.58 AC
PAR 4
Owner: B.A.G.
4.78 AC
PAR 5
Owner: B.A.G.
2.50 AC
PAR 6
Owner: MRC
3.00 AC
PAR 7
Owner: MRC
3.13 AC
PAR 8
Owner: MRC
3.22 AC
PAR 9
Owner: MRC
2.80 AC
PAR 10
Owner: MRC
2.50 AC
PAR 11
Owner: MVP
3.78 AC
PAR 12
Owner: MVP
3.10 AC
PAR 13
Owner: DJK, LLC
3.10 AC
PAR 14
Owner: DJK, LLC
3.10 AC
PAR 15
LOT G
LOT H
STATE ROUTE 60
BUSINESS PARK AVE
MORENO BEACH DR
WHEELCHAIR RAMPS
PROP. LANDSCAPE BULB-OUTS (L1 TYP.)
FUTURE LANDSCAPE BULB-OUTS (L2 TYP.)
25' SD ESMNT TO REMAIN
PROPOSED RESTRIPING
PROP. CURB & GUTTER, SIDEWALK AND AC BERM
PROP. 12' WIDE ACCESS DWY
REMOVE CURB RETURNS
RELOCATED FIRE HYDRANTS
WOOD BREAKAWAY BARRICADE
REMOVE STREET LIGHT
20' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
27' UTILITY EASEMENT TO REMAIN
REMOVE STREET LIGHT
JOIN EXIST. SIDEWALK AT EX. BUS STOP
C/L FUTURE 30' W COMM. DWY (RT-IN, RT-OUT ONLY)
PROPOSED BOLLARD BARRICADE
PROP. 44' W R/W VACATION & DEALER PARKING LOT EXPANSION
10' LANDSCAPE SETBACK LINE
EXIST. DWY
PROPOSED 20' W DWY
PARALLEL PARKING (15 SPACES)
PROPOSED CROSSWALK & WHEELCHAIR RAMPS
550' LINE OF SIGHT
LIMITED USE AREA
PROPOSED SIDEWALK
DISPLAY AREAS
50' UTILITY EASEMENT
PROPOSED MONUMENT SIGN (REPLACE EXIST.)
PROPOSED CHANGES:
No. | AREA (SF)
A1 (vacated) | 6,647
A2 (vacated) | 17,534
A3 (abandoned) | 18,693
A4 (abandoned) | 24,953
Area Subtotal | 67,827 SF
Landscape Area
L1 | 15,929 SF
L2 | 3,079 SF
Proposed Paving Area:
P1 | 814 SF
Proposed Curb & Gutter: | 2,086 LF
Future Curb & Gutter: | 836 LF
Proposed Conc. Sidewalk | 1423 LF
Proposed AC Berm | 438 LF
Proposed AC Berm Area:
P2 | 265 SF
* 50' UTILITY AND 24' ACCESS EASEMENT FOR WATER & SEWER TO BE RETAINED.
LEGEND:
DOMESTIC WATER
SANITARY SEWER
STORM DRAIN
FIRE HYDRANT
STREET LIGHTS
PROPOSED PAVING
PROPOSED LANDSCAPE
GRAPHIC SCALE
PREPARED BY:
VA Consulting, Inc.
ENGINEERS · PLANNERS · SURVEYORS
17801 CARTWRIGHT ROAD
IRVINE, CA 92614
(949) 474-1900 TEL
(949) 251-8432 FAX
CONCEPTUAL PLAN
FOR
MORENO VALLEY
AUTO MALL PROJECT
SHEET NUMBER:
1
OF 1 SHEETS

CITY - SERVICES TO BE PROVIDED

TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT "C"

TERMS OF PAYMENT

1. This Agreement and Project shall have a Not-to-Exceed Fixed Fee of $237,067.

2. Rates for personnel and services shall be as provided in the attached "Rate Sheet."

3. Tasks shall include, but not be limited to, all Professional Consultant Services necessary to complete the work covered by this Proposal.

4. The City will pay the Consultant for work completed as identified in the Payment Schedule. Work can only commence after a Project Agreement has been executed and the City issues a notice to proceed.

5. Progress payments shall be based on tasks performed as identified in the Payment Schedule. Monthly invoices will specifically identify job title, person-hours, and costs incurred by each task.

6. Sub-categorization of tasks is permitted to better define the task for payment.

7. Reimbursement costs such as mileage, printing, telephone, photographs, postage and delivery, are to be included in the "Not-to-Exceed Fixed Fee."

8. All tasks including labor and reimbursable costs such as mileage, printing, telephone, photographs, postage, and delivery shall have supporting documentation presented at the time payment is requested.

9. The City will pay the Consultant for all acceptable services rendered in accordance with the "Agreement for Professional Consultant Services" and the "Project Agreement."

10. When the Consultant is performing, or is requested to perform, work beyond the scope of service in the "Agreement for Professional Consultant Services" or the "Project Agreement," an "Amendment to the Agreement" will be executed between the City and Consultant.

11. Payment will be based on hourly rate for work completed associated with each applicable task as identified in the scope of work.

12. A resource loaded progress schedule shall be submitted with the proposal. All payments will be made if the Consultant demonstrates adequate progress per the resource loaded schedule.

EXHIBIT "D"

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\Design Phase\Consultant -\Agreement\VA Consulting\Project Specific On-call Agreement - VA Consulting (July 2010).doc

ASSIGNMENT OF PROJECT SPECIFIC AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Project Specific Agreement for the Auto Mall Freeway Improvements Project ("Agreement") with VA Consulting, Inc., hereinafter referred to as "Consultant".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Assignment.

City of Moreno Valley

By: _____
William Bopf
City Manager

Date: _____

VA Consulting, Inc.

By: _____
Name
President

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

Date: _____

Approved as to Legal Form:

_____
Suzanne Bryant
Deputy City Attorney

Date: _____

ATTACHMENT "B"

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MV00071610

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

VENDOR NAME:	VA Consulting, Inc.		
VENDOR NO.#		ORIGINAL PO NUMBER	
TODAY'S DATE:	**6/2/10**	37386	
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase purchase order 37386 by $50,000 for design revisions and design-related construction support services for the Moreno Valley Auto Mall Improvements, Project Number 08-89791725,	$50,000.00
per Project Specific Agreement executed by the City Manager on _____.	
On-Call Agreement with VA Consulting expires on May 15, 2011. The On-Call Civil Engineering Design Services Agreement is on file with the Purchasing Division.	

Notes:		**Change Order Sub Total from Above:**	$50,000.00
		Original P.O. and Prior Change OrderAmount:	$187,067.00
		Revised Total Spend:	**$237,067.00**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).		**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by: Guy Pegan	Date:			
Divison Manager ($15k)	Date:	100.0%		$237,067.00
Department Head ($30K)	Date:			
Financial & Admin. Svcs. Director ($50K)	Date:			
City Manager ($100K)	Date:			
rchasing Manager's Signature:		**100.0%**	Split Allocated Total Spend:	$237,067.00

ATTACHMENT "C"

V 1.4

MV00071611

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MV00071612

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX).

5. Authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements/Ironwood Avenue Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard (Project No. 06-50182625) for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 to provide for the necessary storm drain facilities along Ironwood Avenue.

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, thereby securing the right-of-way needed for the project.

DISCUSSION

The Indian Detention Basin Drainage Improvements, and Ironwood Avenue Improvements project will construct: storm drain Line H along Ironwood Avenue from the Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive. The separately-funded improvements on Ironwood Avenue from Heacock Street to Perris Boulevard (Project No. 06-50182625) will construct missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, relocation of SCE transmission poles, and related work. Due to the size and amount of new storm drain required for both projects, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has approved plans which include all the storm drain work for both projects, consisting of Line H, Line H-1A, and Line H-5. The bid documents contain base bid and additive alternates in order to maximize available funding. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. Through negotiations with EMWD, EMWD has completed plans for inclusion in the City's bid documents.

The "Reimbursement Agreement" identifies the financial responsibilities and other arrangements between the City and the Community Redevelopment Agency, and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line, and related appurtenances. Two of the conflict locations lie within the limits of the Indian Basin Drainage improvement project, and the other two lie within the Ironwood Avenue street improvement project. During the bidding process, EMWD has the option to choose its own contractor to perform the water line work, in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times. Because the water line relocation work encompasses two separate City projects, separate account numbers are required. The water line work is estimated at $245,480 total for both projects. A 20% contingency is added in case adjustments are needed.

The City will advertise, award, and administer the project including construction administration, surveying and materials testing, and will be responsible for any additional costs associated with said work. EMWD will reimburse actual costs to the City.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

There are several residences that are served by the existing water lines. The contractor(s) will notify residences in advance of any interruptions in water service. Local access to the residences will be provided at all times during construction.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No. 414.XXXXX). *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) improvements for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD up to, but not exceeding, the contingency amount of $49,096.00, subject to the approval of the City Attorney, do not authorize the City Manager to appropriate a maximum amount of $109,333.50 ($91,111.25 plus 20% contingency) for EMWD improvements for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive (Account No. 414.XXXXX), and do not authorize the City Manager to appropriate a maximum amount of $185,242.50 ($154,368.75 plus 20% contingency) for EMWD improvements for the Ironwood Avenue street improvements from Heacock Street to Perris Boulevard (Account No.

414.XXXXX). *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The "Reimbursement Agreement" shall have no fiscal impact to the City. In accordance with the terms of the subject "Reimbursement Agreement", EMWD will be responsible for all construction and related costs. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

The "Reimbursement Agreement" totals $245,480 plus a 20% contingency, for a maximum total reimbursement of $294,576. The work encompasses two separate projects. Therefore, the appropriation requested is for two separate Fund 414 accounts, one for Indian Basin in the amount of $109,333.50 ($91,111.25 plus 20% contingency) and one for Ironwood Avenue in the amount of $185,242.50 ($154,368.75 plus 20% contingency).

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The Ironwood Avenue project is funded with 2005 Lease Revenue Bonds (Account No. 501.82625). The funds utilized for these projects are designated for capital improvements for the Indian Basin and Ironwood Improvement projects and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$109,000
EMWD Maximum Deposit (Account No. 414.XXXXX)	$185,000
Total Available Funds	**$4,135,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$130,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
EMWD Water Line Relocation (including contingency)	$295,000
Total Estimated Project Costs	**$3,225,000**

ANTICIPATED SCHEDULE FOR EMWD WATER LINE WORK:

Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

This "Reimbursement Agreement" identifies financial responsibilities, schedules, and other arrangements between the City and EMWD for the relocation of water lines for the Indian Detention Basin Drainage improvements and the Ironwood Avenue street improvements from Heacock Street to Nita Drive. Furthermore, EMWD will deposit 90% of the cost of work in advance of the construction. The remaining 10% will be reimbursed upon completion of the project.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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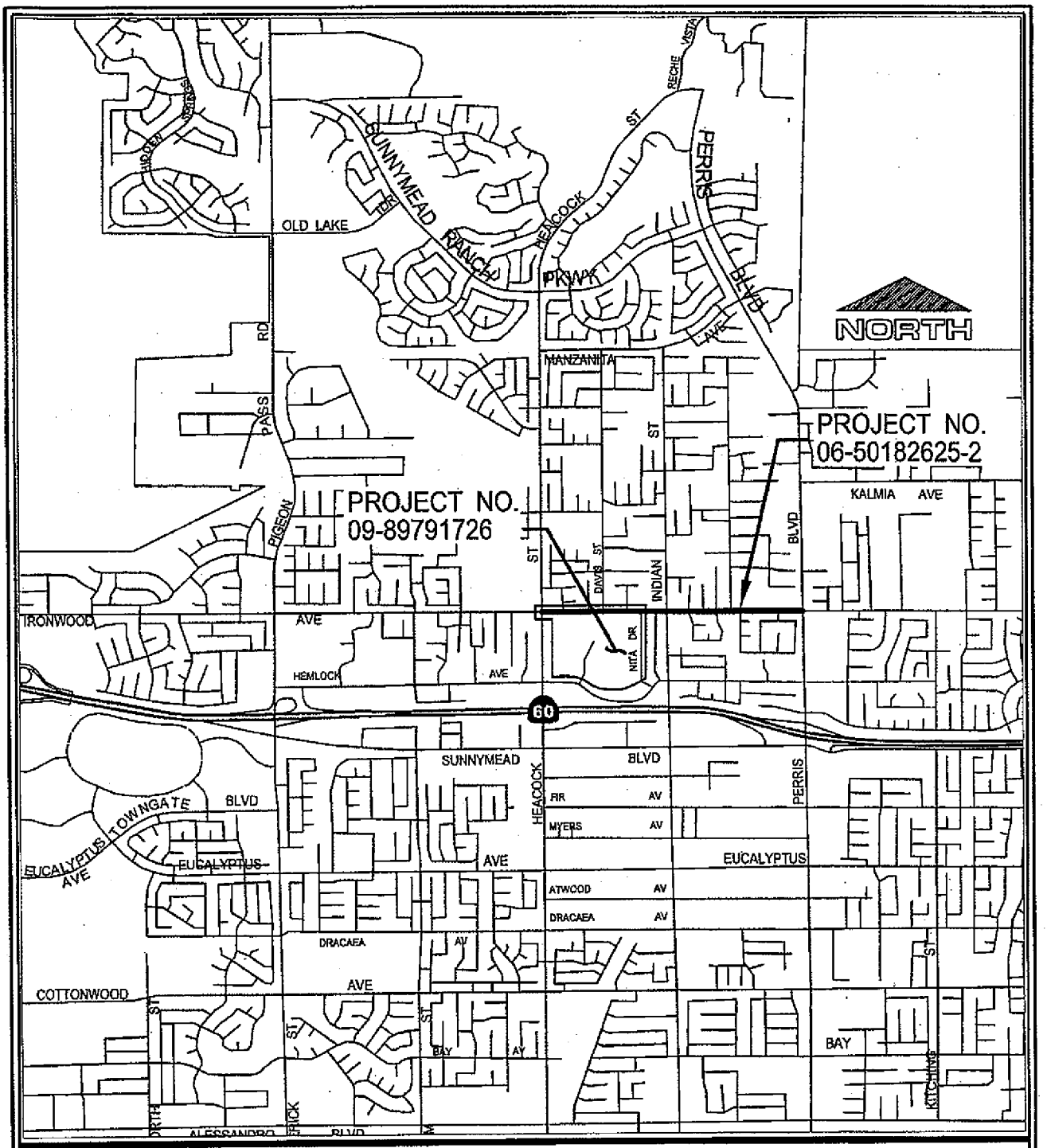

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

CITY OF MORENO VALLEY
DECEMBER 3, 1984

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MV00071622

REIMBURSEMENT AGREEMENT

FOR THE INSTALLATION OF THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) WATER MAINLINES AND SERVICE LINES AND THE REMOVAL OF EXISTING WATER LINES LOCATED WITHIN AND NEAR IRONWOOD AVENUE FROM HEACOCK STREET TO HUBBARD STREET AND IN DAVIS STREET FROM IRONWOOD AVENUE TO THE INDIAN BASIN BY THE CITY OF MORENO VALLEY

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, on May 12, 2010 the City advertised for bids for the Ironwood street improvement project from Heacock Street to Nita Drive, including the installation of Ironwood Avenue Sunnymead Master Drainage Plan (MDP) Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3 located within Ironwood Avenue, Davis Street, and Hubbard Street in the City of Moreno Valley; and

WHEREAS, the City's project will require the relocation of District's existing water lines and related appurtenances at specific locations within the project limits; and

WHEREAS, at the District's request, City will advertise for bids to relocate the water lines and appurtenances at District's expense. Said improvements, hereinafter referred to as the "Project," are shown and depicted on Exhibit "A;" and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

The water main and water service line facilities and associated appurtenances consist of the following, as shown on Exhibit A and listed in Exhibits B and C:

- Relocation of approximately 504 linear feet of an existing 12" water line located in Ironwood Avenue from Davis Street to Kevin Street.

Attachment "B"

- Relocation of approximately 21 linear feet of an existing 8" water line between an existing well south of Ironwood Avenue (on Assessor Parcel Numbers 481-020-011 and 481-020-012) and Ironwood Avenue, approximately 3 linear feet of which lies within a District easement, and 18 linear feet of which lies within Ironwood Avenue. In order to facilitate calculations of actual costs, EMWD will bear full cost of water line relocation and City will bear cost of relocating minor appurtenances, as shown on Exhibits B and C, respectively.

- Relocation of approximately 90 linear feet of an existing 8-inch water line located in Hubbard Street, from Ironwood Avenue to approximately 60 feet north of Ironwood Avenue.

- Relocation of approximately 245 linear feet of an existing 16-inch water line located in and adjacent to Davis Street from Ironwood Avenue to approximately 220 feet south of Ironwood Avenue.

- Related fittings, valves, meters, and services.

- Engineering services (City contract administration, geotechnical testing, inspection service for traffic control, and construction surveying) associated with the construction of District facilities.

- District inspection of District facilities.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

The District shall be solely responsible for costs associated with the installation and removal of said facilities, including related appurtenances, as shown on Exhibit B. The City shall be solely responsible for costs shown on Exhibit C. The District agrees to pay its share, of the construction and construction related costs, which are estimated at **$245,480.00** as shown on **Exhibit B,** attached hereto. In the event additional work becomes necessary to complete District's work or District requests additional work to be performed, the District shall bear full financial responsibility for all costs associated with the additional work.

District may choose to obtain bids from their own approved contractors simultaneously during City's bidding period. If District chooses City's successful bidder for any or all of the work, the District will deposit with the City 90% of the cost for the chosen work, including construction and administrative costs, which represents the District's contribution toward this project as shown in Exhibit "B". City will invoice District the said 90% of the chosen work and District agrees to pay City within 30 calendar days of the date of the invoice. The City will issue a Notice to Proceed to the contractor within sixty (60) days of receipt of the District's deposit.

Upon completion of construction and determination of final costs, City shall notify District of any additional payment owing or refund due. Determination of final costs will be based on actual costs for all work, with the exception of Construction Administration and Inspection for Traffic Control, which will be 10 percent of actual costs. The District or City will make additional payment or refund, as appropriate, within 30 days following City's notification to District of the actual total costs.

Any contract changes to the District's work shall be in writing, executed by the City with the approval of the District. Additional costs owed the contractor as a result of the approved change order shall be invoiced by the City to the District at the time such payment is requested by the contractor. The District will pay the City within thirty (30) calendar days of receipt of the City's invoice.

Neither City nor District will assess permit fees or plan check fees to each other.

3. CONSTRUCTION BIDS AND AWARD.

The construction bid package shall identify City's and District's facilities as separate additive alternates. Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract to include construction of District's facilities. District shall provide written approval to City within eight (8) days of bid opening.

If District chooses not to use City's successful bidder, District shall use District's selected contractor, and so inform City in writing within eight (8) days of bid opening. District agrees to insert a cooperation clause with City's contractor into District's bid documents and District's construction contract.

The District will insert into the District's plans and specifications a specific number of days for testing and acceptance of each of the water line locations listed in Section 1. The specifications will address appropriate consequences of the delay. At a minimum, the District will state that the contractor may request additional working days but no additional compensation.

Whether by City's or District's contractor, District shall, at a minimum, perform all the water line installation and removal work necessary to accommodate the City's awarded work, including City's base bid and awarded additive alternates.

4. CONSTRUCTION TIMELINE.

District shall perform construction of District's facilities concurrently with City's project.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

District will provide the construction plans for District's work. The City shall incorporated District's plans, specifications, and quantities within the City's detailed construction Plans, Specifications, and Cost Estimate. All costs incurred by the City for preparation of City's construction Plans and Specifications will be solely financed by the City. All costs incurred by the District for preparation of District's construction plans, specifications, and cost estimate will be solely financed by the District. In any event, District will prepare as-built drawings for District's facilities and provide to City within 30 calendar days after completion of Project construction.

6. NEPA AND CEQA

The City shall be individually responsible for compliance with the State of California, and the Federal Environmental Acts as these acts pertain to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the City's contractor shall be installed in compliance with the Plans and Specifications approved by the District. All materials furnished by the City's contractor must conform to the District's approved material list. Any and all deviations from said Plans and Specifications must be approved by the District, in writing, prior to being made. Change Orders involving District facilities will not be paid for without the District's prior written approval.

The District shall be responsible to inspect the furnishing and installation of all District facilities and the performance of the involved work by the City's or the District's contractor for compliance with the approved construction Plans and Specifications. It is specifically understood that the District's inspection personnel shall have the authority to enforce the District's construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by the City's contractor in accordance with the District approved Plans and Specifications. All inspection costs incurred by the District will be solely financed by the District. All contract administration and construction administration costs incurred by District will be paid solely by District.

The District will provide reasonably expeditious submittal review and responses and approve change orders in a timely manner (10 working days or less) and will not delay the project construction. Both District and City agree to cooperate with each other to complete the work in an expeditious manner.

The parties agree that coordinating their respective work is critical to avoiding conflicts, delays, and additional costs. The District, City representatives, and their project managers therefore agree to meet weekly during the time the water relocations are underway to discuss the progress and issues. The District and the City shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. If the District chooses District's contractor, the District shall place their contractor under the foregoing notices through their respective contract with the contractor.

The District's inspector shall maintain good communication/coordination between the City and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered the District shall work with said utility company to redesign/resolve the conflicts expeditiously (10 working days or less) in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

The District and the City, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency (RDA) of the City of Moreno Valley, each hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees, of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CITY/DISTRICT TO PROVIDE INSURANCE

For the period during which the City or its contractor(s) controls the job site, the City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the District's officers, employees and agents as additional insured.

The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this general liability policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy."

10. CITY/DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which the City or its contractor(s) control the job site, the City will provide, or cause to be provided, for the entire period of construction, professional services for construction surveying and geotechnical testing services, and City contract administration.

The City will obtain Proposals for professional construction surveying and geotechnical testing services for the water facility relocation work. The District shall approve the Proposals within five (5) working days, prior to the City issuing purchase orders for these services. The District reserves the right to reject any or all Proposals for the water facility work.

The District reserves the right to utilize professional services not under Agreement with the City for the water facility work at District's expense.

All costs for professional construction surveying and geotechnical testing services and City contract administration for water facility relocation work will be solely financed by the District in accord with Section 2.

City and District shall each provide, or cause to be provided, for the entire period of District's work, professional services for project management, design, and plan conformance. Any District changes requiring design services will be paid by District and any City changes requiring design services will be paid by the City.

11. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

12. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

13. NOTICES

All notices under this Agreement shall be sent as follows:

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Margery Lazarus, Senior Engineer, P.E.

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

15. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY
Municipal Corporation

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate - EMWD Costs
Exhibit "C" – Preliminary Engineer's Estimate - City Costs

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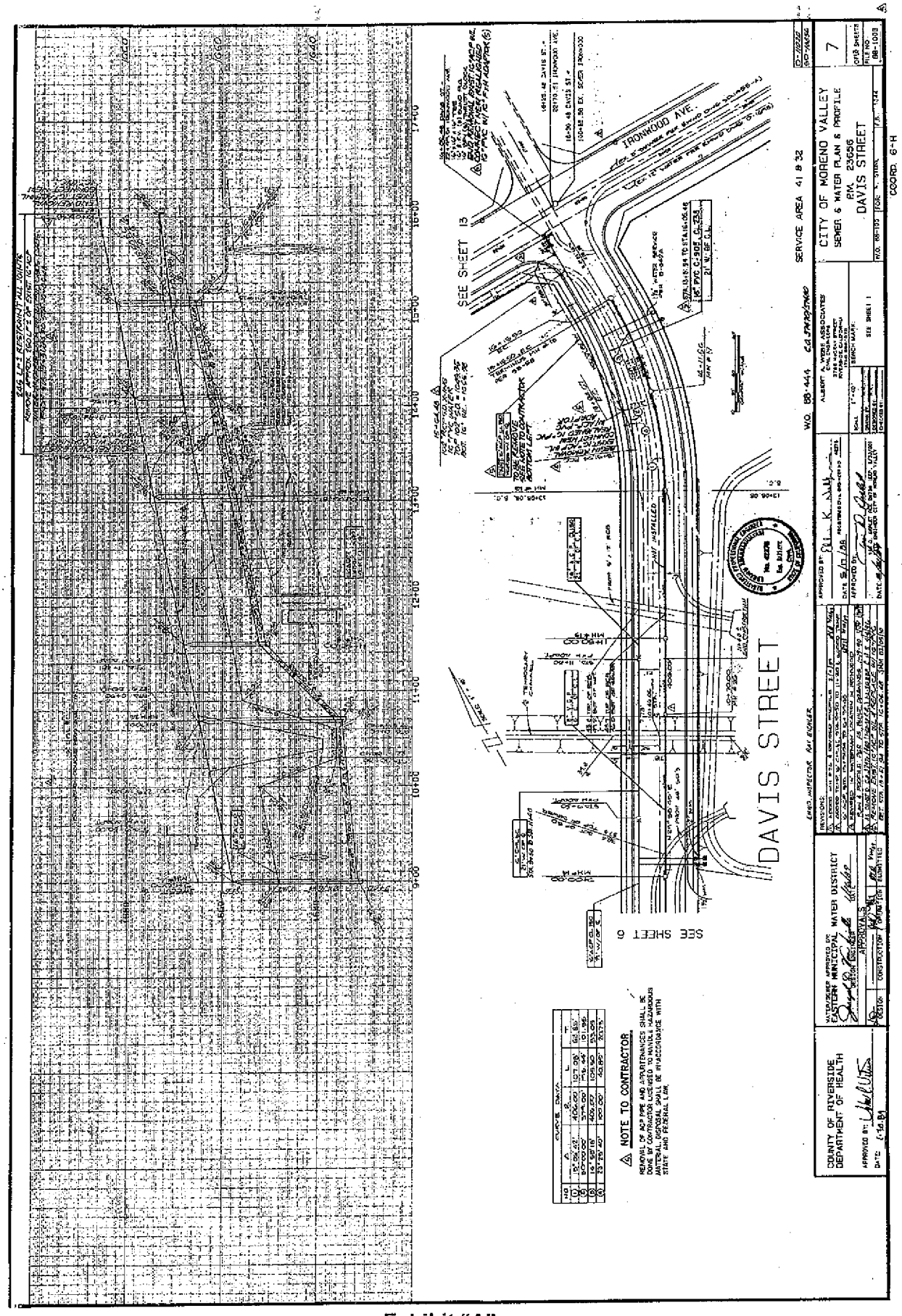
DAVIS STREET
IRONWOOD AVE.
SEE SHEET 13
SEE SHEET 6
CITY OF MORENO VALLEY
SEWER & WATER PLAN & PROFILE
RM. 23656
DAVIS STREET
COUNTY OF RIVERSIDE
DEPARTMENT OF HEALTH
EASTERN MUNICIPAL WATER DISTRICT
NOTE TO CONTRACTOR
SERVICE AREA 41 & 32
COORD. 6-H

Exhibit "A"

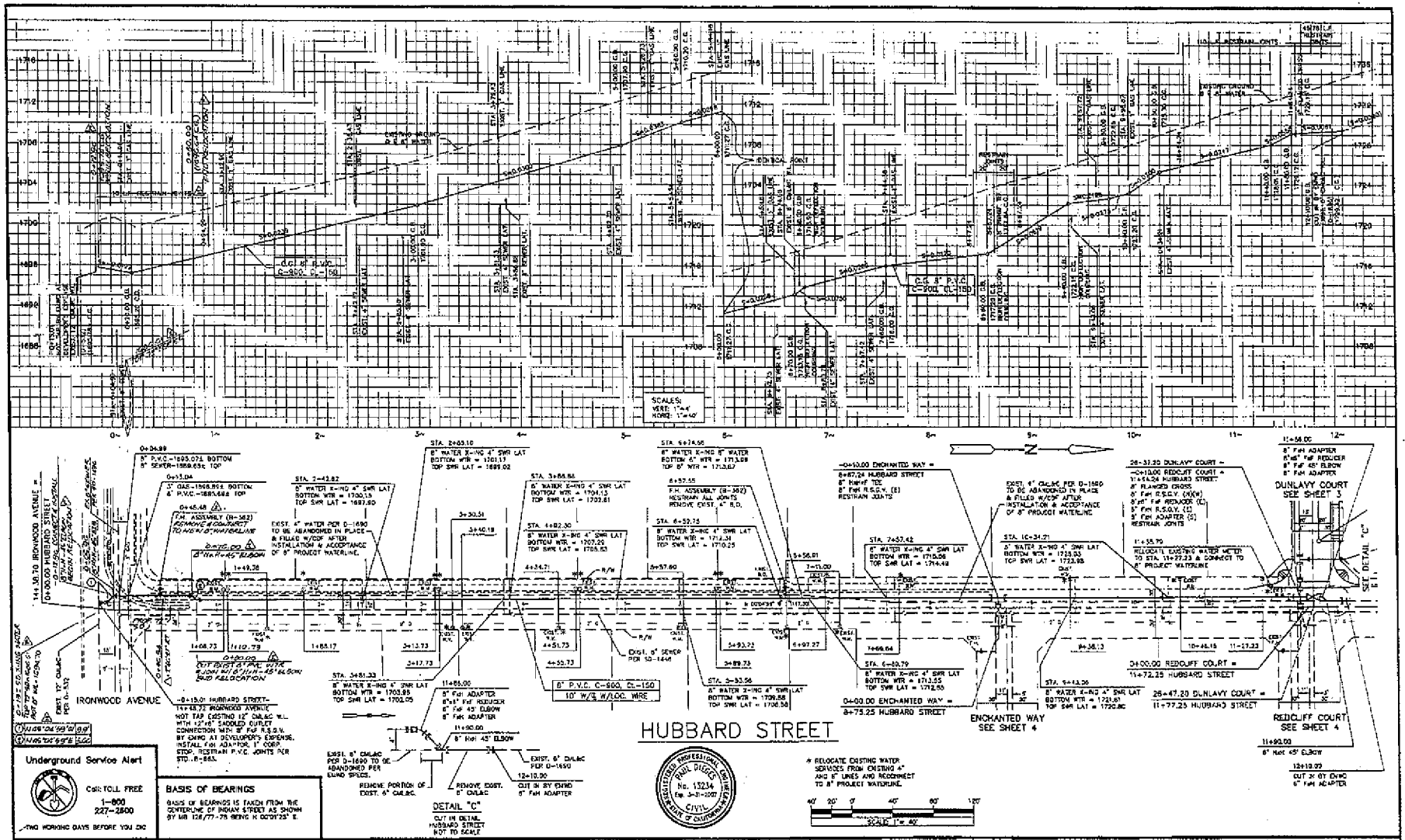

CITY OF MORENO VALLEY APPROVALS	BENCHMARK:	FIRE MARSHALL	PERRIS ENGINEERING	EASTERN MUNICIPAL WATER DISTRICT	CITY OF MORENO VALLEY
PREM KUMAR, ASSISTANT CITY ENGINEER R.C.E. 25943 Exp. 12-31-06 — DATE	FD. BRASS CAP STAMPED M-34, S.E. COR. CL. INT. IRONWOOD AVE. AND PERRIS BLVD., N.E. COR. E.M.W.D. CONC. BOOSTER STA. SLAB. ELEV = 1736.722	APPROVED BY: — DATE	1051 DAWOS ROAD PERRIS, CA. 92571 (951) 657-2822 PAUL DIEGES R.C.E. 13234 EXP. 3-31-07 — DATE	APPROVED BY: EASTERN MUNICIPAL WATER DISTRICT — CHIEF ENGINEER — DATE	TRACT 31319 — WATER PLAN AND PROFILE — STA. 10+15.01 TO STA. 12+10.00 — HUBBARD STREET
CHRIS A. VOSS, PUBLIC WORKS DIRECTOR/CITY ENGINEER R.C.E. 41650 Exp. 9-30-07 — DATE				APPROVALS: PROJECT ENG. / INSPECTION / MTR. & DRAWING / EMD OPERATIONS — NAME / DATE	0-31074 / MV 1610

NO 03-02

WATER CONSTRUCTION NOTES

1. WATER PIPELINE AND APPURTENANT CONSTRUCTION SHALL BE IN ACCORDANCE WITH EMWD STANDARDS AND SPECIFICATIONS.
2. PRIOR TO CONSTRUCTION OF PIPELINE, CONTRACTOR SHALL EXPOSE EXISTING WATER SYSTEM AND VERIFY ITS EXISTING ELEVATION AND LOCATION.
3. AIR VALVE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-584, TYPE "B".
4. WATER SYSTEM PROFILE ELEVATIONS ARE TO BE CENTERLINE EXCEPT GRADES OF PIPE.
5. INSTALL LOCATOR WIRE OVER WATER MAIN PER STD. DWG. S-638.
6. ALL ABANDON PIPELINE IN PLACE SHALL BE FILLED WITH CDF PER EMWD STANDARD & SPECIFICATIONS.
7. ALL DESIGNATED PIPELINE WELD SHALL BE FULL WELD DOUBLE PASS AT EACH PIPE JOINT WITHIN DESIGNATED WELD LENGTH LIMITS.

FOR PVC PIPE SYSTEM

8. BLOW-OFF ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH DWG. B-252.
9. ALL P.V.C. PIPE THROUGH 12 INCH SHALL BE PIPE C-900, CLASS 150, DR-18, EXCEPT WHERE NOTED OTHERWISE. PIPE SHALL CONFORM TO AWWA SPECIFICATIONS.
10. FITTINGS FOR PVC PIPE SHALL BE DUCTILE OR GRAY IRON. FITTINGS SHALL BE FLANGED, BOLTED MECHANICAL JOINTS, OR PUSH-ON JOINTS, AND SHALL BE CEMENT MORTAR LINED AND TAR (SEAL) COATED PER EMWD STANDARDS AND SPECIFICATIONS.
11. ALL DUCTILE OR GRAY IRON FITTINGS SHALL BE POLYETHYLENE ENCASED AT THE TIME OF INSTALLATION PER EMWD STANDARDS AND SPECIFICATIONS.
12. JOINT RESTRAINERS SHALL BE USED ON ALL MAIN LINE PIPE JOINTS WITHIN SPECIFIED LIMITS AND ALL JOINTS OF WATER APPURTENANCE LATERALS OFF MAIN LINE, PER B-861.
13. FOR TEES OUTSIDE OF MAIN LINE JOINT RESTRAINT LIMITS, IN ADDITION TO RESTRAINING JOINTS ON BRANCH SIDE OF TEE, RESTRAIN BOTH RUN-SIDE JOINTS AND INSTALL A FULL 20' LENGTH OF PIPE IN EACH SIDE OF TEE RUN (WHERE POSSIBLE).
14. ALL SERVICE CONNECTIONS SHALL BE 1" SERVICES & 5/8" METERS, UNLESS OTHERWISE NOTED, AND SHALL BE LOCATED AS SHOWN ON THE PLANS AND ADJUSTED AS NECESSARY TO MEET DRIVEWAYS. WATER SERVICE ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH STD. DWG. B-690, TYPE "A", "B" OR "C" (SELECT APPROPRIATE). ENGINEER SHALL VERIFY GRADES AND DRIVEWAYS WHERE APPROPRIATE. ADJACENT LOT METER BOXES SHALL BE PLACED TOGETHER AT PROPERTY LINE.

NOTIFICATIONS

AT LEAST 48 HRS. PRIOR TO COMMENCING CONSTRUCTION,

1. CONTRACTOR SHALL NOTIFY: E.M.W.D. FIELD ENGINEERING DEPT. (951) 928-3777, EXT. 4830
2. ALL PERMIT AGENCIES
   A. CITY OF MORENO VALLEY PUBLIC WORKS DEPARTMENT (951) 413-3108
3. UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600
4. ALL OTHER AFFECTED AGENCIES THAT ARE NOT MEMBER OF USA

ENGINEER'S NOTICE TO CONTRACTORS

THE DISTANCE AND LOCATION OF ANY UNDERGROUND OR ENCHANED UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE APPROXIMATE. THE ENGINEER ASSUMES NO LIABILITY AS TO THE EXACT LOCATION OF SAID LINES NOR FOR UTILITIES OR IRRIGATION LINES WHOSE LOCATION ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY AND IRRIGATION COMPANIES PRIOR TO WORK TO ACCURATELY IDENTIFY THESE LOCATIONS, WHETHER OR NOT SHOWN HEREON, AND IS RESPONSIBLE FOR ANY DAMAGE OR PROTECTION OF THESE UNDER PLACED UTILITY RELOCATIONS MAY BE NECESSARY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CLOSELY COORDINATE HIS ACTIVITIES WITH THOSE OF ALL UTILITY COMPANIES. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA) PHONE 1-800-227-2600 TWO (2) WORKING DAYS PRIOR TO DIGGING. NO CONSTRUCTION PERMIT ISSUED BY PUBLIC WORKS DEPARTMENT SHALL BE VALID INVOLVING UNDERGROUND FACILITIES UNLESS THE APPLICANT HAS AN INDUSTRY IDENTIFICATION NUMBER ISSUED BY U.S.A.

THE ESTIMATED QUANTITY FOR EACH SPECIFIC ITEM OF THE WORK DESIGNATED ON THE PLANS SHALL BE CONSIDERED AS APPROXIMATE ONLY AND NO GUARANTEE IS MADE THAT THE QUANTITIES WHICH CAN BE DETERMINED BY COMPUTATIONS, BASED ON THE DETAILS AND DIMENSIONS SHOWN ON THE PLANS, WILL EQUAL THE ESTIMATED QUANTITIES. THE ESTIMATE OF QUANTITIES IS PROVIDED BY THE ENGINEER ONLY FOR THE CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL MAKE HIS OWN DETERMINATION AND BE RESPONSIBLE FOR HIS OWN CONSTRUCTION QUANTITIES. BEFORE SUBMITTING A BID, ANY ITEM OF WORK, OR PORTION THEREOF, REQUIRED BY THESE PLANS WHICH IS NOT SPECIFICALLY LISTED IN THE ESTIMATE OF QUANTITIES SHALL BE CONSIDERED AS INCLUDED IN THE OTHER ITEMS OF WORK. THESE ITEMS OF WORK SHALL INCLUDE, BUT NOT BE LIMITED TO, ADJUSTING ALL VALVE CANS AND MANHOLES TO FINISHED GRADE.

TOP AND BOTTOM ELEVATION CALL OUT FOR ALL PROPOSED OR EXISTING UTILITIES AND FACILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. WALL ENCROACHES FOR ALL UTILITIES AND FACILITIES PROPOSED OR EXISTING BY INSTALLING CONTRACTOR MAY VARY DUE TO MANUFACTURER'S TYPICALS, AND SPECIFICATIONS. CONTRACTOR SHALL SEPARATE ALL EXISTING AND PROPOSED UTILITY AND FACILITY CROSSING LOCATIONS SHOWN ON THESE PLAN PRIOR TO INSTALLATION TO ENSURE THE TYPE OF THE MATERIAL CHOSEN MEETS THE MINIMUM SEPARATION RECOMMENDATIONS OF THE EASTERN MUNICIPAL WATER DISTRICT STANDARDS AND SPECIFICATIONS.

WATER QUANTITY ESTIMATE

ITEM	QUANTITY	UNIT
12" PVC WATER C-900, CL-150, DR-18	904	LF
8" PVC WATER C-900, CL-150, DR-18	20	LF
8" 22½ DEG. BEND	2	EA
8" 90DEG. 45" BEND	1	EA
12" 45 DEG. BEND	2	EA
12" 22½ DEG. BEND	2	EA
12" 45" BEND	2	EA
8" BLOW OFF	1	EA
12" BLOW OFF	1	EA
12" BLOW OFF	1	EA
12" BLOW OFF	1	EA
12" BLOW OFF	1	EA
12" TEE	3	EA
12" TEE	2	EA
REMOVE & DISPOSE 12" DUCTILE WATER LINE	477	LF
CUT EXIST. 12" W.L. & HOT TAP 12" DUCTILE W/	1	EA
1" WATER SERVICE W/ METER	1	EA
1" W.L. & AIR VENT	1	EA
8" PVC WATER C-900, CL-200 (REF. HIGH EMS)	55	LF

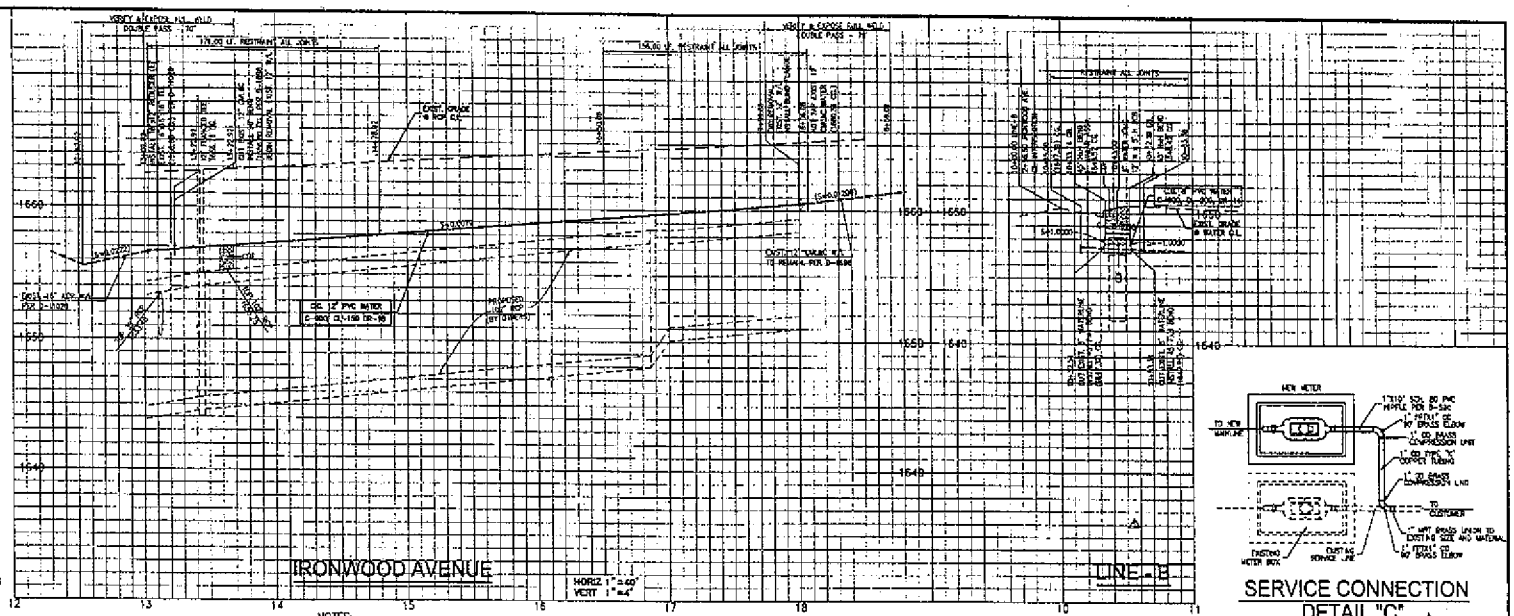

NOTES:

A. EXIST. WATER METER, FIELD VERIFY FOR EXACT LOCATION INSTALL NEW 1" SERVICE, 1" OFF R/W OF EXISTING WATER SERVICE, CONNECT TO NEW 12" PVC WATER LINE AND NEW METER PER DETAIL "C" ABOVE RIGHT

B. TEMPORARY OUT OF SERVICE WHILE CUTTING & RE-CONNECTING TO THE NEW 12" WATER LINE

WATER LINE TABLE		
NO.	BEARINGS	DISTANCE
1	N60°15'55"E	20.00'
2	N44°44'05"E	4.24'
3	N00°15'55"E	8.00'
4		
5		
6		
7		
8	N00°15'55"E	70.84'

Underground Service Alert
CALL TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS					
NO.	DATE	INITIAL	DESCRIPTION	APPROVED	DATE
1	1/8/09	LAW	REVISED LINE-A, SUPERSEDED APPROVED PLAN DATED 11/25/08	CHAN	04/13/2009
2	4/30/09	LAW	ADDED DETAIL "C", SUPERSEDED APPROVED PLAN DATED 4/21/09	CHAN	04/13/2009

DESIGNED | DRAWN | CHECKED

BENCHMARK: ELEV. 1638.55 FEET (NGVD29)
CITY OF MORENO VALLEY BENCH MARK (M-58 F)
BRASS DISK ON TOP OF CONC. HEADWALL ON THE WESTERLY SIDE OF HEACOCK ST., 335' NORTHERLY FROM THE INTERSECTION OF HEACOCK ST. & SUNNYMEAD BLVD.; 250' SOUTHERLY FROM THE EASTBOUND OFF RAMP OF U.S. HWY. 60, 1 EASTERLY OF A 3.5'X0.3' CONC. BALLED CIT. UNDERGROUND CABLE BOX; 2.5' NORTHERLY OF THE FACE OF CURB, 2' SOUTHERLY OF A WATER METER SET IN A 18" DIA. CONC. POST WITH AN ALUMINUM DISK (2.5' DIA.) STAMPED "M-58 RESET 1985".

APPROVED BY:
DIRECTOR OF NEW BUSINESS DEVELOPMENT — DATE
RECOMMENDED:

WATER APPROVED BY:
EASTERN MUNICIPAL WATER DISTRICT
PROJECT MANAGER — DATE
APPROVALS: CONSTRUCTION MANAGER — ACCEPTED; MAINTENANCE MANAGER — ACCEPTED

		DATE
DESIGNED		
DRAWN		
TRACED		
CHECKED		
SUBMITTED		

SCALE AS SHOWN

EASTERN MUNICIPAL WATER DISTRICT
CITY OF MORENO VALLEY, CALIFORNIA

12" & 8" WATER PIPELINE
IRONWOOD AVENUE, LINE - B
PLAN AND PROFILE & NOTES

EL.	3
S.L.	41
W.P.	12-747
C.S.	
COMM.	
SHT.	1 OF 1
D-	41354

EMWD Cost Estimate

PROJECT NAME: Additive Bid 8 - One 8" waterline relocation at Well Site						
Note: Additive Bid #8 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1-8" waterline relocation - connectors to ex Sunnymead Mutual water well						
1	Furnish & Install 8" PVC water C900 CL 200 per EMWD Std 408 with restrain joints	S	21	LF	$70.00	$1,470
2	Cut into ex 8" CML&C waterline & join		2	EA	$4,500.00	$9,000
3	Remove & dispose ex 8" CML&C		21	LF	$18.00	$378
4	Furnish & install locator wire per EMWD Std B-656	S	37	LF	$1.00	$37
5	Furnish & install 1" AV/AR per EMWD Std B-598		1	EA	$4,500.00	$4,500
	TOTAL CONSTRUCTION COST					**$15,385**
	Contingency		10%			$1,539
	CONSTRUCTION COST + CONTINGENCY					**$16,924**

Survey	5%	$846.00
Geotechnical	10%	$1,692.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$1,692.00
	TOTAL	**$21,155.00**

EXHIBIT "B"

Page 1 of 4

PROJECT NAME: Additive Bid 9 - One 16" waterline relocation at Davis St						
Note: Additive Bid #9 shall be bidded together with Base Bid "A"						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
16" waterline relocation at Davis St						
1	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 with restrain joints	S	202	LF	$96.00	$19,392
2	Furnish & Install 16" PVC water C905 CL 235 per EMWD Std 408 no restrain joints	S	43	LF	$76.00	$3,268
3	Connect to existing 16" ACP waterline		1	LS	$5,000.00	$5,000
4	Cut into ex 16" ACP waterline & join		1	LS	$5,000.00	$5,000
5	Replace existing water meter and service per B-590		1	EA	$1,780.00	$1,780
6	Remove & dispose ex 16" ACP per Health Dept Std		253	LF	$64.00	$16,192
7	Furnish & install locator wire per EMWD Std B-656	S	245	LF	$1.00	$245
	TOTAL CONSTRUCTION COST					$50,877
	Contingency		10%			$5,088
	CONSTRUCTION COST + CONTINGENCY					$55,965

Survey	5%	$2,798.00
Geotechnical	10%	$5,597.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$5,597.00
	TOTAL	$69,956.00

EXHIBIT "B"

Page 2 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 10 - 12" waterline relocation - along Ironwood near Kevin

Note: Additive Bid #10 shall be bidded together with Base Bid "B"

Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 12" PVC water C900 CL 200 DR18 per EMWD Std 408 no restrain	S	172	LF	$55.00	$9,460
2	Furnish & Install 12" PVC water C900 CL 200 including restrain joints	S	332	LF	$75.00	$24,900
3	Verify & expose full weld double pass all joints 12" CML&C waterline		122	LF	$11.00	$1,342
4	Cut into ex 12" CML&C waterline & join		1	LS	$4,500.00	$4,500
5	Connect to ex 12" CML&C waterline		1	LS	$4,500.00	$4,500
6	Cut into existing 12" CML&C waterline & blind flange		1	LS	$4,500.00	$4,500
7	Hot tap 12"x12" saddled outlet connection with 12" RSGV	S	1	LS	$4,500.00	$4,500
8	Furnish & install 12" RSGV per EMWD Std B-255		1	EA	$2,300.00	$2,300
9	Furnish & install 16"x12" Reducer		1	EA	$1,000.00	$1,000
10	Furnish & install 12" flange tee		1	EA	$1,000.00	$1,000
11	Replace existing water meters and services per B-590		6	EA	$1,780.00	$10,680
12	Furnish & install 6" BO per EMWD Std B-357		1	EA	$5,000.00	$5,000
13	Remove & dispose existing 12" CML&C		504	LF	$18.00	$9,072
14	Furnish & install locator wire per EMWD Std B-656	S	504	LF	$1.00	$504
15	Temporary highline waterline		1	LS	$5,000.00	$5,000
	TOTAL CONSTRUCTION COST					**$88,258**
	Contingency		10%			$8,826
	CONSTRUCTION COST + CONTINGENCY					**$97,084**

Survey	5%	$4,854.00
Geotechnical	10%	$9,708.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$9,708.00
	TOTAL	**$121,355.00**

EXHIBIT "B"

Page 3 of 4

EMWD Cost Estimate

PROJECT NAME: Additive Bid 11 - 8" waterline relocation at Hubbard St						
Note: Additive Bid #11 shall be bidded together with Additive Bid #7						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
1	Furnish & Install 8" PVC water C900 DR18 per EMWD Std 408 with restrain joints	S	90	LF	$70.00	$6,300
2	Disconnect & connect 6" FH per EMWD Std B-362 from old to new line		1	EA	$7,000.00	$7,000
3	Connect to existing 8" PVC waterline		1	LS	$4,500.00	$4,500
4	Cut into ex. 8" PVC waterline & join		1	LS	$4,500.00	$4,500
5	Remove & dispose ex 8" PVC		90	LF	$18.00	$1,620
6	Furnish & install locator wire per EMWD Std B-656	S	90	LF	$1.00	$90
7						
8						
9						
10						
	TOTAL CONSTRUCTION COST					**$24,010**
	Contingency		10%			$2,401
	CONSTRUCTION COST + CONTINGENCY					**$26,411**

Survey	5%	$1,321.00
Geotechnical	10%	$2,641.00
Construction Administration & Inspection for Traffic Control of EMWD Work	10%	$2,641.00
	TOTAL	**$33,014.00**

EXHIBIT "B"

Page 4 of 4

City Bid Items (Water Line)

City Bid Items (Water Line)

PROJECT NAME: Indian Basin - SD Line H - Final Engineer's Estimate						BASE BID "A"
Note: Base Bid "A" shall be bidded together with Additive Bid #8						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
28	Temporary highline waterline (8" wtr in ADB #8)		1	LS	$5,000	$5,000
	TOTAL CONSTRUCTION COST					$5,000
	Contingency		10%			$500
	CONSTRUCTION COST + CONTINGENCY					$5,500

PROJECT NAME: Indian Basin - Heacock to Nita Street Improvement - Final Engineer's Estimate						BASE BID "B"
Note: Base Bid "B" shall be bidded together with Additive Bid #9 & #10						
Item	Description of Construction Items	Code	Quantity	Unit	Unit Cost	Item Cost
26	Relocate 6" BO per EMWD Std B-357	S	1	EA	$7,000	$7,000
27	Relocate 1" AV/AR per EMWD Std B-598	S	1	EA	$4,500	$4,500
28	Relocate water meter to R/W		3	EA	$2,000	$6,000
	TOTAL CONSTRUCTION COST					$17,500
	Contingency		10%			$1,750
	CONSTRUCTION COST + CONTINGENCY					$19,250

EXHIBIT "C"

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: APPROVE "REIMBURSEMENT AGREEMENT" FOR THE INSTALLATION OF EASTERN MUNICIPAL WATER DISTRICT (EMWD) IMPROVEMENTS FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney.

3. Authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney.

4. Authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction.

BACKGROUND

On May 27, 2008, the City Council and the Community Redevelopment Agency of the City of Moreno Valley awarded the Ironwood Avenue improvements project from Day Street to Barclay Drive, Part 1, Phase 1, only for the 35% design, Planning Application and Environmental Documentation (PA&ED) portion of the contract to AEI-CASC Engineering, Inc. (AEI-CASC).

On February 24, 2009, the City Council awarded Part 1, Phases 2 and 3 of the Ironwood Avenue improvements project from Day Street to Barclay Drive to AEI-CASC for final Plans, Specifications, and Estimate (PS&E).

DISCUSSION

The Ironwood Avenue improvements project from Day Street to Barclay Drive will provide much needed street and related improvements to assist with traffic management enhancements on an important arterial thoroughfare and congested intersection at Day Street. This project utilizes funding from the Redevelopment Agency (RDA) through the 2007 RDA bond issue and qualifies for Transportation Uniform Mitigation Fee (TUMF) programmed funds for Riverside County as administered through the Western Riverside Council of Governments (WRCOG).

AEI-CASC is almost complete with the final plans for Ironwood Avenue from Day Street to Barclay Drive. When constructed, the improvements will include one (1) additional lane plus a right turn lane on the south side of Ironwood Avenue between Day Street and Barclay Drive. The modifications to the intersection of Ironwood Avenue and Day Street will facilitate a smooth transition through the intersection for east and west bound traffic on Ironwood Avenue and Box Springs Road, and improve the flow for northbound traffic turning east off of Day Street onto Ironwood Avenue to enter future development south of Ironwood Avenue at Athens Street. Ironwood Avenue becomes Box Springs Road just west of Day Street. Ironwood Avenue is designated as a minor arterial street with ultimate build-out to four (4) lanes. The Ironwood Avenue street improvements require the construction of a new 24" EMWD waterline.

A "Reimbursement Agreement" has been drafted to identify the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project and connecting to an existing 12" waterline within Day Street. The City will also install a 12" stub-out waterline from the 24" waterline at Athens Street. The cost sharing between the City and EMWD at this time is advantageous to both agencies because it will avoid damaging the new street if the needed waterline installation is delayed to a later time. Constructing the waterline during the street improvements work will also result in a cost savings and reduce the disruption to traffic. The City's share of the cost for the waterline is estimate at $237,755 due to the impacts of the City's street improvement project. Concurrently, EMWD feels it is an opportune time to upsize their existing waterline and their estimated share of the

cost is $150,096, which will be deposited with the City. If the final cost varies from that, EMWD will reimburse the City for the actual costs. The City will advertise, award, and administer the project including construction administration, surveying, and materials testing, and will be responsible for any additional costs associated with said work.

EMWD's Board of Directors is concurrently reviewing and approving the agreement due to the desire of both parties to meet the aggressive schedule. Staff requests the City Manager have the authority to make any changes (subject to approval of the City Attorney) to the agreement that may be requested by EMWD. Staff requests approval of a funding amount for the project for an amount not to exceed $273,418 ($237,755 plus 15% contingency) related to the City's share of the cost of the waterline. Staff also requests that the Public Works Director/City Engineer be authorized to execute any amendments to the agreement with EMWD not to exceed the 15% contingency amount of $35,663. Since the "Reimbursement Agreement" exceeds $100,000, approval from the City Council is necessary.

ALTERNATIVES

1. Approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement Agreement" to fund the waterline construction. *This alternative allows the City to complete the project on schedule.*

2. Do not approve the "Reimbursement Agreement" for the installation of the Eastern Municipal Water District (EMWD) 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley to execute the "Reimbursement Agreement" in the form attached hereto upon concurrence by EMWD, and authorize the City Manager to approve any changes that may be requested, subject to the approval of the City Attorney, do not authorize the Public Works Director/City Engineer to execute any subsequent related amendments to the agreement with EMWD, subject to the approval of the City Attorney, and do not authorize the City Manager to appropriate the amount of the EMWD deposit in Fund 414, after the revenue is received from EMWD per the "Reimbursement

Agreement" to fund the waterline construction. *This alternative will result in delaying the construction of the Ironwood Avenue Improvements.*

FISCAL IMPACT

In accordance with the terms of the subject "Reimbursement Agreement," EMWD will deposit funds to pay for its portion of the waterline being upsized and relocated within Ironwood Avenue. The City will deposit the amount of the EMWD reimbursement into Fund 414, after the revenue is received from EMWD.

The Ironwood Avenue improvements from Day Street to Barclay Drive is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91727). The funds utilized for this project are designated for capital improvements for the Ironwood Avenue improvements project and cannot be used for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91727)	$2,812,000
EMWD Deposit (pending execution of "Reimbursement Agreement")	$150,000
Total Available Funds	**$2,962,000**

TOTAL ESTIMATED PROJECT RELATED COSTS:

Design Costs	$506,000
Construction Costs	$1,712,000
Administrative Costs*	$81,000
SCE Costs	$32,000
SAWA In-lieu Fees	$33,000
EMWD Water Line Relocation (City & EMWD portions)	$388,000
Total Estimated Project Costs	**$2,752,000**

** Staff will provide project related administrative services.*

Total Remaining Budget Amount $210,000

ANTICIPATED SCHEDULE FOR IRONWOOD AVENUE:

Advertise	July 2010
Start Construction	September 2010
Finish Construction	February 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City, the Community Redevelopment Agency, and EMWD for the construction of 1402 linear feet of new 24" waterline for the Ironwood Avenue Street improvements project from Day Street to Barclay Drive. EMWD will deposit its portion of the cost prior to the start of construction.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – "Reimbursement Agreement"

Prepared By:
Christopher L. Wiberg
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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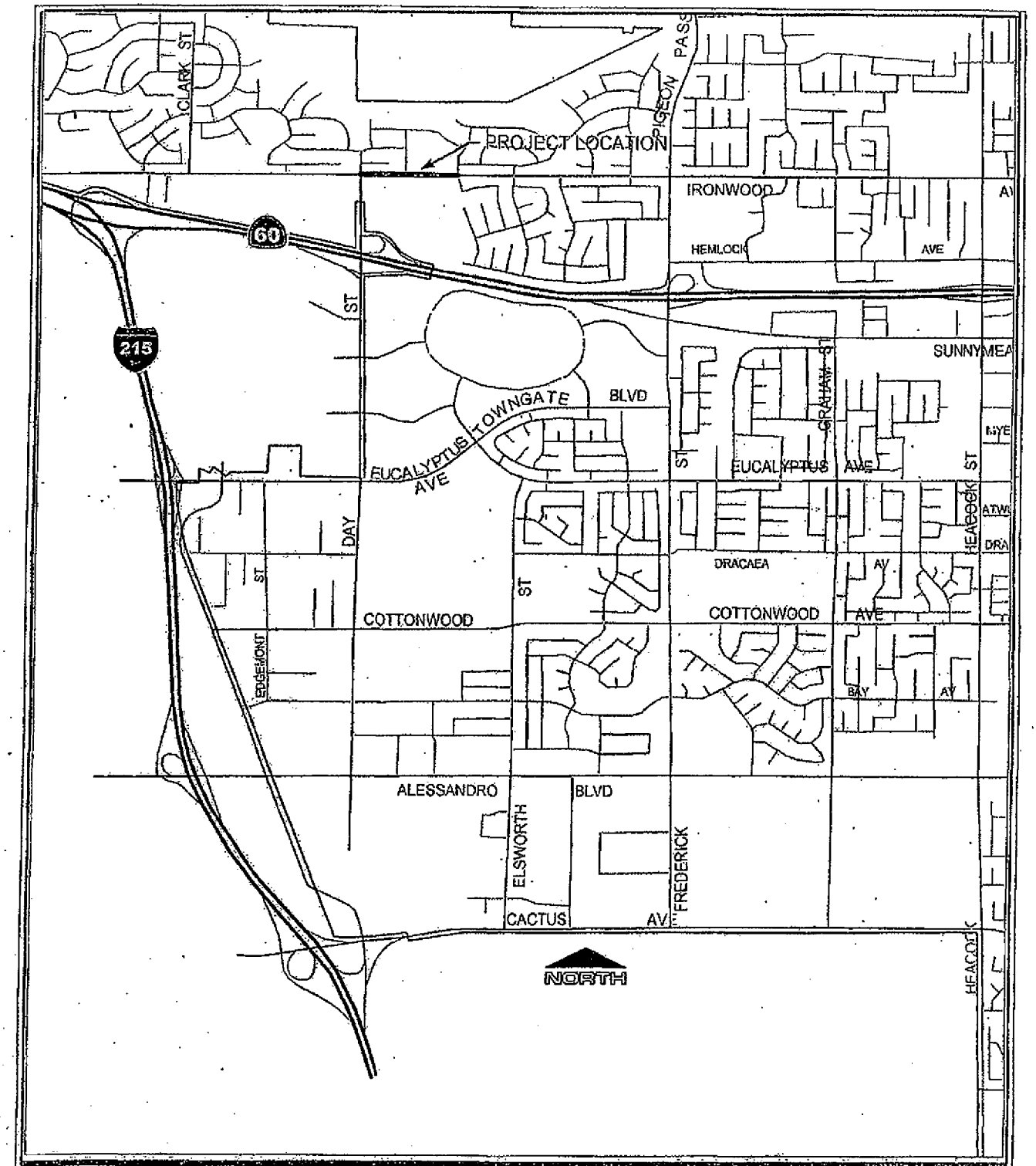

LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

Ironwood Avenue Improvements,
From Day Street to Barclay Drive
Project No. 10-41570027

Item No. C.5

MV00071645

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MV00071646

REIMBURSEMENT AGREEMENT
RELOCATION OF WATERLINE
WITHIN IRONWOOD AVENUE

This Agreement is made and entered into as of the date signed by the City Manager and Executive Director, by and between EASTERN MUNICIPAL WATER DISTRICT, a public agency (hereinafter "District"), and the CITY OF MORENO VALLEY, a municipal corporation, along with the COMMUNITY REDEVELOPMENT AGENCY of the City of Moreno Valley, a municipal corporation (hereinafter "City").

RECITALS

WHEREAS, in July 2010 the City intends to solicit bids for the Ironwood Avenue Improvements from Day Street to Barclay Drive in the City of Moreno Valley; and

WHEREAS, the City's project would include construction of a 24" waterline as an extension of the District's existing 18" waterline which is located on the easterly end of the project and extends west to Day Street.

WHEREAS, the City will advertise for bids to construct the 24" waterline as part of the City's Ironwood Avenue improvements. City's share in the costs of the 24" waterline is the upsized costs of the waterline from 12" to 24". The City's share shall also includes construction of the 12" waterline stub-out off the 24" waterline to service the development to the south of Ironwood at the Athens Street intersection. Said waterline improvements, hereinafter referred to as the "Project" are shown and depicted on Exhibit "A"; and

WHEREAS, the purpose of this Agreement is to set forth financial and other terms and conditions associated with the construction of the Project by City.

NOW, THEREFORE, in consideration of the above recited premises, together with the mutual covenants herein contained, it is mutually agreed as follows:

AGREEMENT

1. DESCRIPTION OF WORK.

City shall be responsible for its share of the construction cost of the Project, the preliminary cost estimate of which is $237,755 as shown on attached Exhibit "B." The work consists of the following:

- Constructing approximately 1402 linear feet of new 24" waterline between the existing 18" waterline located on the east end of the project at approximate Station 113 + 70 running west and connecting to an existing 12" waterline within Day Street at approximate Station 99 + 68, and construction

Attachment "B"

of approximately sixty-four (64) linear feet of a new 12" waterline at Athens Street to serve as a stub-out waterline to provide water services to the future development on the south side of Ironwood Avenue.

2. FINANCIAL OBLIGATIONS AND RESPONSIBILITIES.

- City shall pay for the Project design costs.
- City/District shall share equally in the Project construction surveying and geotechnical construction services costs as related to waterline improvements.
- District shall be responsible to reimburse City for the District's fair share of the cost of the 24" waterline as shown in Exhibit "B."
- Neither City nor District will assess permit fees to each other.

District agrees to pay City the lump sum amount of $150,096 within 45 days of receipt of City's invoice if City's low bid construction contract for said work is within 10% of the total value shown on Exhibit "B." If the City's low bid construction contract is not within 10% of the total value shown in Exhibit "B," the reimbursement amount will be adjusted by the percent (%) difference between the total value in Exhibit "B" and the total cost of the actual low bid.

3. CONSTRUCTION BIDS AND AWARD.

Upon receipt of the bids and acceptance of the lowest responsive, responsible bid, City shall notify District of its identified portion of the construction costs and, upon approval by District, in writing, authorize City to award the contract. District shall notify City of its decision no later than ten (10) days after District's receipt of bid selection from City.

4. CONSTRUCTION TIMELINE.

City anticipates completing construction of the Project within 120 working days and prior to February 2011.

5. CONSTRUCTION PLANS AND SPECIFICATIONS.

City will provide the construction plans and technical specifications for the District's review and approval for the waterline improvements. District will provide City with the waterline technical specifications and standard drawings for use in the contract document. City will provide as-built drawings to district within 30 calendar days after completion of Project construction.

6. CEQA

City shall be individually responsible for compliance with the State of California, Environmental Act as pertains to the entire improvement project.

7. CONSTRUCTION AND INSPECTION RESPONSIBILITIES

All District facilities furnished, constructed, and installed by the Contractor shall be installed in strict compliance with the Plans and Specifications approved by District. All materials furnished by the Contractor must conform to District's approved material list. Any and all deviations from said Plans and Specifications must be approved by City/District, in writing, prior to being made.

The performance of the involved waterline work by the Contractor for compliance with the approved Construction Plans and Specifications shall be to the approval of the District. It is specifically understood that District's inspection, surveying, and material testing personnel shall have the authority to enforce District's waterline construction Plans and Specifications for the involved facilities, which authority shall include the authority to require that any and all unacceptable materials, workmanship and/or installation be replaced, repaired or corrected by City's contractor without cost to either City or District. All contract administration and construction administration costs incurred by City will be shared by District.

City and District shall provide reasonably expeditious submittal review and responses to requests for information in a timely manner (10 working days or less). Both City and District agree to cooperate with each other to complete the project in an expeditious manner.

The parties agree that coordinating their respective projects is critical to avoiding conflicts, delays, and additional costs. The City, District representatives, and their project managers therefore agree to meet on a bi-weekly basis to discuss the progress and issues surrounding the projects and construction schedules. The City and the District shall discuss in advance who should attend the meetings, how often additional meetings should occur (may vary at different stages of the project), and provide ample notification to allow for attendance of all required individuals. The City shall place their respective contractor under the foregoing notices through their respective contract with the contractor.

The City's inspector shall maintain good communication/coordination between the District and the Contractor to keep all parties informed of the construction activities and any conflicts discovered during construction. If utility conflicts are encountered

the City shall work with said utility company to redesign/resolve the conflicts expeditiously in order to meet the project schedule.

8. RECIPROCAL INDEMNIFICATION

City and the District, hereby agree to indemnify, defend, save and hold harmless the other party and their respective officers, agents, servants and employees of and from any liabilities, claims, demands, suits, action and cause of action arising out of or in any manner connected with any act or omission of such indemnifying party, performed in connection with such party's duties and obligations hereunder.

9. CONTRACTOR TO INDEMNIFY DISTRICT

City's contract with Contractor shall require the Contractor to defend and indemnify the District to the same extent as the coverage provided to the City.

10. CITY TO PROVIDE INSURANCE

For the period during which City or its contractor(s) controls the job site, City will require that the contractor shall provide, for the entire period of construction, a policy of Workers' Compensation Insurance and Comprehensive General Liability Insurance with coverage broad enough to include the contractual obligation it may have under the construction contract and having a combined single limit of liability in the amount of $2,000,000 covering the City of Moreno Valley, Eastern Municipal Water District, the Moreno Valley Community Services District (CSD), and the Community Redevelopment Agency of the City of Moreno Valley (RDA) and City/District's officers, employees and agents as additional insured.

11. DISTRICT TO PROVIDE PROFESSIONAL SERVICES

For the period during which City or its Contractor controls the job site, District shall provide, or cause to be provided, for the entire period of construction, professional services for project management and plan conformance. Any City changes requiring design services will be shared by District/City.

City reserves the right to utilize professional services not under Agreement with District for the water facility work without cost to District.

12. SUCCESSORS AND ASSIGNS

This Agreement shall inure to the benefit of and be binding on each of the parties and their successors and assigns.

13. EFFECTIVE DATE

This Agreement shall become effective upon acceptance hereof by City and District and by execution by their respective authorized representatives.

14. RESCISSION

In the event said improvements are constructed by a developer prior to construction by City, this Agreement between City and District shall be rescinded.

15. NOTICES

All notices under this Agreement shall be sent as follows:

CITY: City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805
ATTN: Christopher L. Wiberg, Senior Engineer, P.E.

EMWD: Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
ATTN: Severino Mendoza, Senior Civil Engineer

Either party may change its address for notices by notifying the other party. All notices given at the most recent address specified shall be deemed to have been properly given.

16. PRIOR RIGHTS

District's existing 12" waterline was constructed under a grant of easement recorded on February 26, 1973 in Book 1973, Page 33598 of Official Records of Riverside County. One new 24" waterline shall be constructed within the District's existing waterline easement and which exists within the City's right-of-way of Ironwood Avenue. It is the intent of this agreement to acknowledge, transfer and preserve District's historical rights onto the new 24" waterline.

That portion of the 24" waterline to which prior rights apply is delineated as the "Prior Rights Line" on District drawing "D-3414," attached hereto and made a part hereof as Exhibit "A." The Prior Rights Line is located 15 feet south of the Ironwood Avenue (previously called Lawless Road) center line between Ironwood Avenue

Station 158+69.13 to Station 141+84.56. As described and shown on Exhibit "A," the newly constructed 24" waterline will be considered to have prior rights over future construction projects within the impaction portion of the City right-of-way of Ironwood Avenue.

17. GENERAL

This Agreement contains the entire agreement between the parties with respect to the matters herein provided for and may only be amended by a subsequent written Agreement executed by all parties. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single Agreement.

Attachments: Exhibit "A" – Draft Project Plans
Exhibit "B" – Preliminary Engineer's Estimate

SIGNATURE PAGE TO FOLLOW:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date indicated above.

CITY OF MORENO VALLEY

By: _____
City Manager

Dated: _____

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Anthony J. Pack, General Manager

Dated: _____

COMMUNITY REDEVELOPMENT AGENCY

By: _____
Executive Director

Dated: _____

ATTEST:

_____
Rosemarie V. Howell, Board Secretary

APPROVED AS TO FORM:

_____
City Attorney

W:\CapProj\CapProj\PROJECTS\Chris - 09-89280127 Ironwood-Day St to Barclay\Utility\Water -\Agreement EMWD-CITY\EMWD Reimbursement Agreement - Ironwood 6-8-10.doc

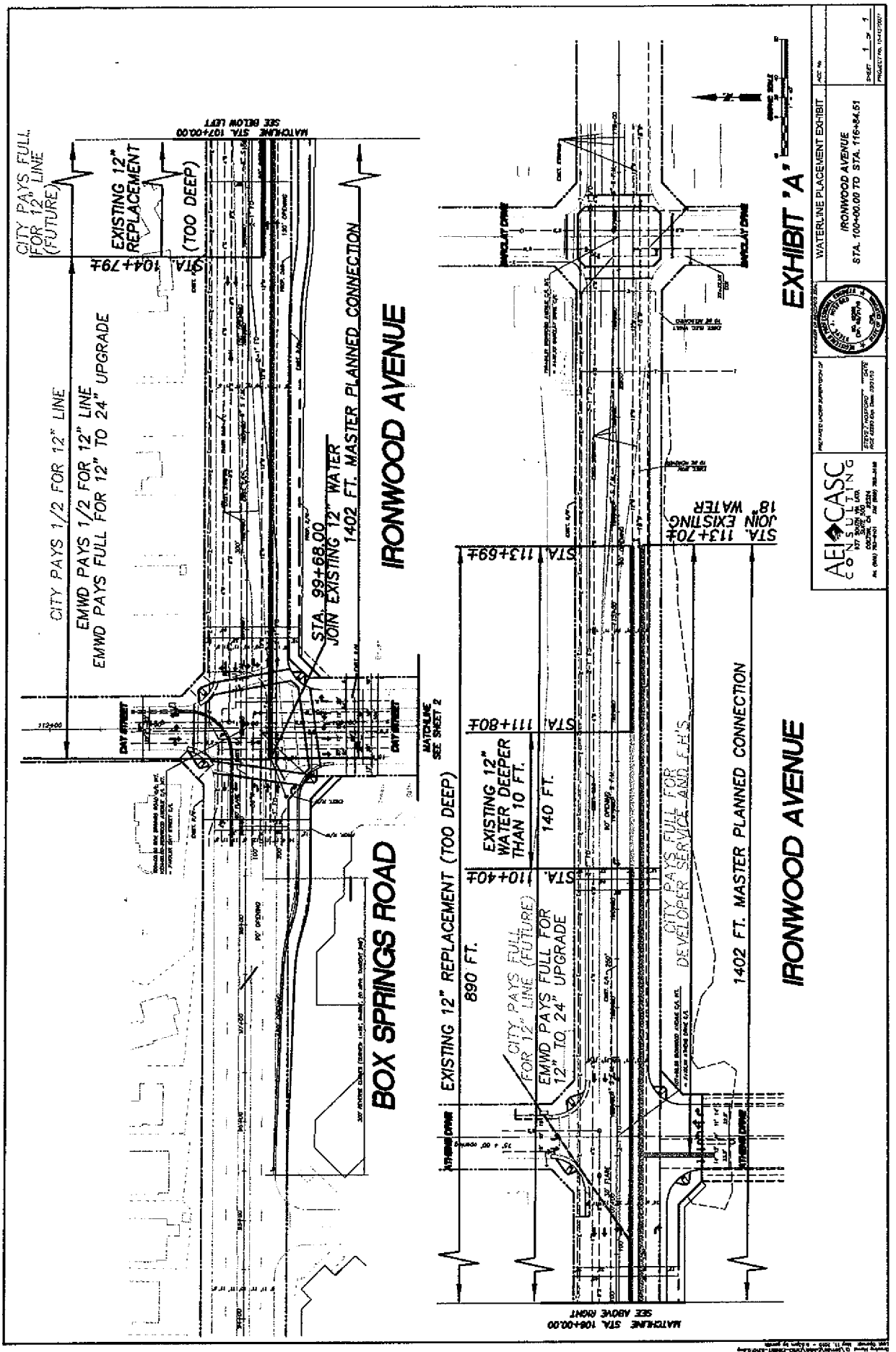
EXHIBIT 'A'
WATERLINE PLACEMENT EXHIBIT
IRONWOOD AVENUE
STA. 100+00.00 TO STA. 116+84.51
AEI CONSULTING
CASC
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
CITY PAYS FULL FOR DEVELOPER SERVICE AND F.H.'S
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
890 FT.
EXISTING 12" WATER DEEPER THAN 10 FT.
140 FT.
STA. 110+40±
STA. 111+80±
STA. 113+69±
STA. 113+70± JOIN EXISTING 18" WATER
MATCHLINE STA. 106+00.00 SEE ABOVE RIGHT
BOX SPRINGS ROAD
IRONWOOD AVENUE
1402 FT. MASTER PLANNED CONNECTION
STA. 99+68.00 JOIN EXISTING 12" WATER
EMWD PAYS 1/2 FOR 12" LINE
EMWD PAYS FULL FOR 12" TO 24" UPGRADE
CITY PAYS 1/2 FOR 12" LINE
CITY PAYS FULL FOR 12" LINE (FUTURE)
EXISTING 12" REPLACEMENT (TOO DEEP)
STA. 104+79±
MATCHLINE STA. 107+00.00 SEE BELOW LEFT
MATCHLINE SEE SHEET 2

Exhibit "A"

Exhibit B
Cost Sharing Estimate

		Calculations	Moreno Valley Share	EMWD Share	Total
	The existing 12" Water Service Line (890 lf)				
Item 1	City's adjusted cost toward the 24" waterline improvement for the replacement costs of the existing 12" waterline within the limits that are too deep to be maintained by the District.		$150,260	$0	
	The Proposed 24" Transmission Line (1402 feet)				
Item 2	City & EMWD share the cost by paying half for extending the 12" an additional 512 feet (1402 - 890 = 512), even though a 24" transmission line is to be constructed.	($268,874 - $150,260) / 2	$59,307	$59,307	
Item 3	City's cost include the full amount for sixty four feet of 12" water line connecting to the 24" line in Ironwood Avenue at Athens Drive that servces the future development to the south and includes applicable fire hydrants.		$28,188	$0	
Item 4	EMWD pays the full amount of increasing the pipe size from 12" to 24"	$359,663 - $268,874		$90,789	
	Total Waterline Construction Cost		$237,755	$150,096	$387,851

Exhibit "B"

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council and the Community Redevelopment Agency:

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder.

2. Authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency.

3. Authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties.

4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney.

5. Re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin).

6. Re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

BACKGROUND

In November 2007 the Community Redevelopment Agency issued a Series A tax allocation bond issuance in the amount of $41.7 million to finance a variety of capital projects. One of the projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement Project. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008, the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements, and Ironwood Avenue Street Improvements, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services for the Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009, the City Council adopted a Mitigated Negative Declaration for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009, the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way, and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

On January 12, 2010, the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a 15-foot wide portion of property along the south side of Ironwood Avenue (APN 481-020-024) needed for the construction of Line H and the widening of Ironwood Avenue, thereby securing all the right-of-way needed for the project.

On May 12, 2010, the project was advertised for construction bids.

On June 8, 2010, the City Council authorized the execution of the Agreement Regarding Proposed Stream or Lake Alteration and the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation.

On July 13, 2010, the City Council is requested to approve the Reimbursement Agreement for the Eastern Municipal Water District improvements. The proposed storm drains conflict with EMWD's facilities at four separate locations along Ironwood Avenue and Davis Street. The "Reimbursement Agreement" identifies the financial responsibilities and contractual relationship between the City and EMWD for relocation of two 8-inch water lines, one 12-inch water line, and one 16-inch water line. The City Council is also requested to appropriate sufficient monies into Fund 414 to set-aside EMWD revenue for the relocations.

DISCUSSION

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct, at a minimum, street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, Storm Drain Line H-1A from the Davis Street/Ironwood Avenue intersection to the Indian Detention Basin, and minor clearing for SCE poles at selected locations on the north side of Ironwood Avenue between Heacock Street and Perris Boulevard.

To maximize available funding, four Base Bid schedules, and eleven Additive Bid Alternate schedules were included in the bid documents. The Base Bid schedules consisted of: Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing. The Additive Bid Alternate schedules consist of: Storm Drain Line H-1A Station 15+31 to 18+37 (Additive Bid Alternate "1"), street lights (Additive Bid Alternate "2"), Ironwood Avenue sidewalk from bus bay to Davis Street (Additive Bid Alternate "3"), Ironwood Avenue sidewalk from Davis Street to Station 19+70 (Additive Bid Alternate "4"), Storm Drain Line H-1A Station 27+53 to 32+00 (Additive Bid Alternate "5"), Storm Drain Line H-1A Station 32+00 to 37+00 (Additive Bid Alternate "6"), Storm Drain Line H-1A Station 37+00 to 41+63 (Additive Bid Alternate "7"), 8-inch PVC water line east of Heacock Street (Additive Bid Alternate "8"), 16-inch PVC water line (Additive Bid Alternate "9"), 12-inch PVC water line (Additive Bid Alternate "10"), and 8-inch PVC water line at Hubbard Street (Additive Bid Alternate "11").

In accordance with the EMWD Reimbursement Agreement, during the bidding process, EMWD has the option to choose its own contractor to perform the water line work

(additive bid alternates 8-11), in order to maximize available EMWD funds. Whether the City's or EMWD's contractor performs the water line work, the respective bid documents include a provision for cooperation between the two contractors, and the work will be done at the same time. Both the City and EMWD will benefit by the relocation of the water lines concurrently with the storm drain work, because the majority of work lies within the traveled way of Ironwood Avenue, and work at a specific location within the street would be done at one time instead of two separate times.

Formal bidding procedures have been followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 1:30 p.m. on June 15, 2010, for the subject project. *Five* (5) bids were received as follows:

1. Riverside Construction Company, Riverside $3,834,353.20
2. H & H General Contractors, Inc., Highland..... $4,137,032.00
3. Norstar Plumbing and Engineering, Inc., Alta Loma..... $4,496,817.00
4. Erreca's Inc., Lakeside $4,713,070.60
5. KEC Engineering, Corona .....non-responsive

Engineer's Estimate $4,125,000.00

Staff has reviewed the lowest bid received by Riverside Construction Company, Inc. and finds it to be the lowest responsible bidder. Riverside Construction Company, Inc. possesses a valid California License in good standing and has provided a bid bond as its required bid security. No outstanding problems were identified through a review of the references submitted by Riverside Construction Company, Inc.

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid items and Additive Bid Alternate items, as stipulated in the bid documents.

Based on available budget, City staff is recommending contract award of all Base Bid items and Additive Bid Alternate Nos. 1, and 5-11. The identified base and additive items will complete Storm Drain Line H, Ironwood Avenue widening, Storm Drain Line H-1A Station 10+00 to 15+31, and pole clearing, as well as Storm Drain Line H-1A Station 15+31 to 18+37, Storm Drain Line H-1A Station 27+53 to 32+00, Storm Drain Line H-1A Station 32+00 to 37+00, Storm Drain Line H-1A Station 37+00 to 41+63, and all water line relocations. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive.

The Contractor will notify, and provide safe ingress and egress to all potentially affected property owners about the construction, as well as law enforcement, the Fire Department, Waste Management of the Inland Empire, the postal service, the school district, and other affected entities. The Contractor is required to keep one lane open in each direction on Ironwood Avenue and provide driveway access to residents at all times. The traffic control plan has been approved by the City Traffic Engineer. Due to

construction, local streets along Ironwood Avenue may be restricted temporarily to right-in/right-out traffic.

ALTERNATIVES

1. Award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative allows the City to complete the project on schedule.*

2. Do not award the construction contract for the Indian Detention Basin Drainage Improvements, and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive to Riverside Construction Company, Inc., the lowest responsible bidder, do not authorize the City Manager, as City Manager and acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute a contract with Riverside Construction Company, Inc. in the form attached hereto, on behalf of the City and the Community Redevelopment Agency, do not authorize the issuance of a Purchase Order to Riverside Construction Company, Inc. in the amount of $4,124,375.14 ($3,749,431.95 plus 10% contingency) when the contract has been signed by all parties, do not authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract with Riverside Construction Company, Inc. up to but not exceeding the contingency amount of $374,943.19, subject to the approval of the City Attorney, do not re-appropriate $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and do not re-appropriate $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). *This alternative will result in delaying the construction of the Indian Basin and Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements are being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625) and Development Impact Fee monies (Account No. 416.78727). Staff is requesting that the City's budget for this project be amended by re-appropriating $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin). On July 13, 2010 the City Council is requested to appropriate a maximum of $295,000 into Fund 414 to set-aside EMWD revenue for Additive Bid Alternate Nos. 8-11.

Sufficient funds are available to award all Base Bid Items and Additive Bid Alternate Nos. 1, and 5-11. These funds have been allocated for these projects and cannot be utilized for operational activities. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Fiscal Year 2009/2010 (Account No. 416.78727)	$1,116,000
Requested Re-Appropriation from Day Street (Account No. 987.91724)	$180,000
Requested Re-Appropriation from Nason Bridge (Account No. 897.91728)	$585,000
EMWD Water Line Facilities Costs (Account No. 414.XXXXX)	$295,000
Total Available Funds	**$6,017,000**

ESTIMATED COSTS:

Design Costs – Fiscal Year 2009/2010 (Account No. 897.91726)	$370,000
Design/ROW Costs – Fiscal Year 2009/2010 (Account No. 501.82625)	$780,000
Design Costs – Fiscal Year 2009/2010 (Account No. 416.78727)	$156,000
Contractor Construction Costs (includes 10% contingency)	$4,124,000
Construction Design Support Services	$100,000
Construction Geotechnical Services	$90,000
Construction Survey Services	$55,000
Project Administration and City Inspection*	$190,000
Mitigation Cost	$149,000
Total Estimated Project Related Costs	**$6,014,000**

*Public Works staff will provide Project Administration and primary inspection services. Additional consultant inspection support will be provided for supplemental inspection.

ANTICIPATED SCHEDULE:

Begin Construction	August 2010
Complete Construction	April 2011

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The Indian Basin, Appurtenant Storm Drain and Miscellaneous Street Improvements Project will construct Storm Drain Line H along Ironwood Avenue from the Ironwood Avenue/Heacock Street intersection to the Davis Street/Ironwood Avenue intersection, then southerly in Davis Street to the Indian Detention Basin. The project will also construct related street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive, portions of missing Storm Drain Line H-1A in Ironwood Avenue, pole clearing at selected locations on the north side of Ironwood Avenue, and water line relocations in Ironwood Avenue from Heacock Street to Hubbard Street. This will complete all storm drain work in Ironwood Avenue from Heacock Street to Hubbard Street, as well as the widening of Ironwood Avenue from Heacock Street to Nita Drive. The City Council and the Community Redevelopment Agency are requested to approve the award of the construction contract to Riverside Construction Company, Inc. and the re-appropriation of $180,000 from Account No. 897.91724 (Day Street Improvements) to Account No. 897.91726 (Indian Detention Basin), and $585,000 from Account No. 897.91728 (Nason Bridge Overcrossing) to Account No. 897.91726 (Indian Detention Basin).

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement with Riverside Construction Company, Inc.

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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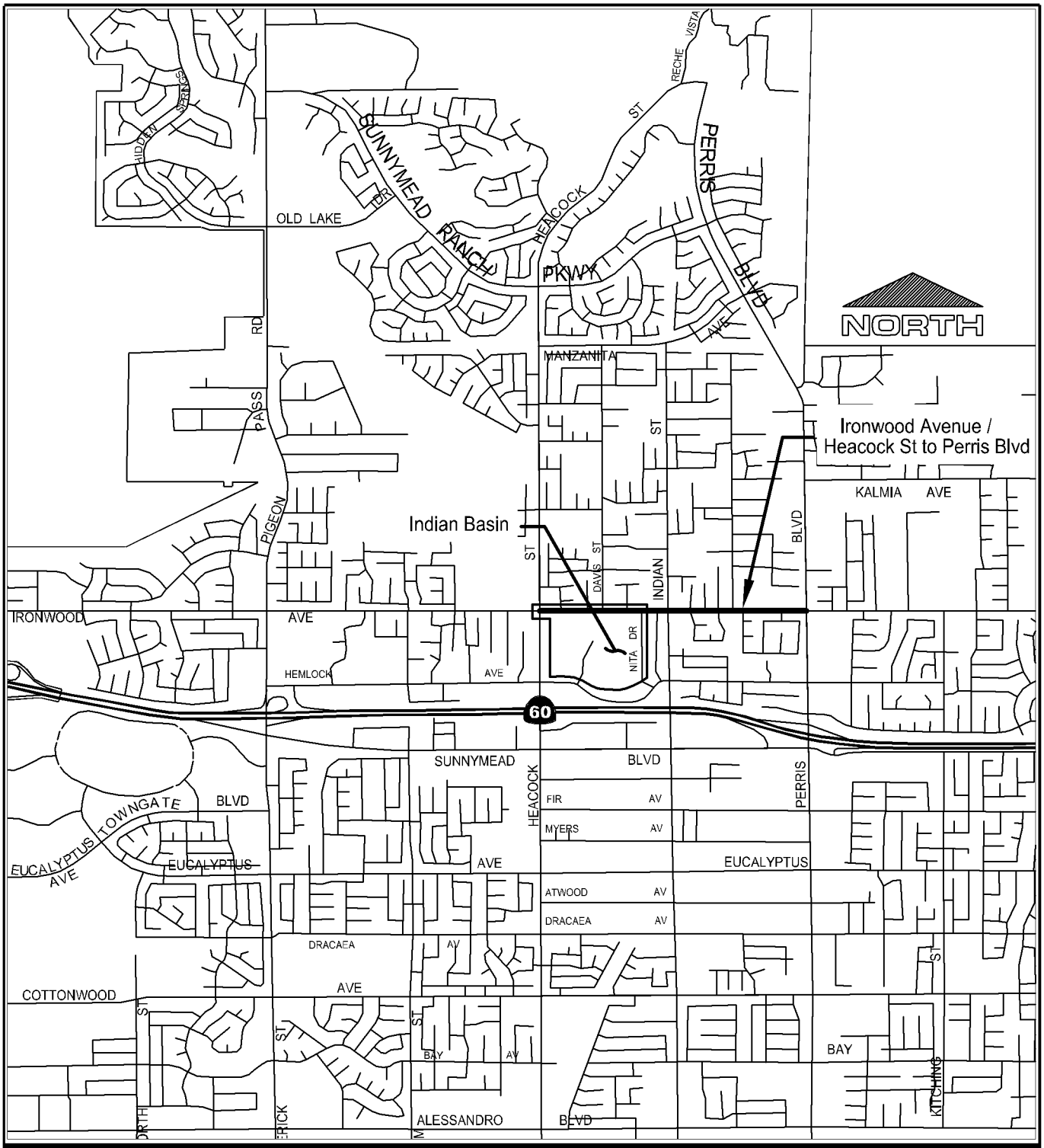

LOCATION MAP

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

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AGREEMENT

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

THIS Agreement, made and entered into as of the date signed by the City Manager and Executive Director, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, and the Community Redevelopment Agency of the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Riverside Construction Company, Inc.** hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
   a. Any and all Contract Change Orders issued after execution of this Agreement
   b. Addenda Nos. 1 & 2 inclusive, issued prior to the opening of the Bids
   c. The bound Bid Documents
   d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
   e. The project Plans
   f. The Standard Plans
   g. The Standard Specifications
   h. Reference Specifications, all of which are essential parts of this Agreement
   i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Bid Documents for this project, the Bid Documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the **Base Bid Schedules A-D** and **Additive Bid Alternate Nos. 1, and 5-11** in the sum total amount of **$3,749,431.95,** subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Bid Documents therefore and the requirements of the Engineer under them.

Attachment "B"

4. The Contractor hereby agrees to order materials pursuant to this Agreement within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Agreement within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within **one hundred seventy (170) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by Additive Bid Alternatives and/or subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Agreement is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $750.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement, and extension thereof, and for a one (1) year warranty period, General Liability, Automobile Liability, and Worker's Compensation Insurance with such coverage limits as described in this Agreement. The Contractor shall name as additional insured, City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, the Eastern Municipal Water District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Western Riverside Council of Governments, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the agreement price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Agreement pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Agreement fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Agreement is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Agreement in a form which is substantially similar to the Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), the Eastern Municipal Water District (EMWD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, and Western Riverside Council of Governments (WRCOG), its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers,

agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, EMWD, RCFC&WCD, the County of Riverside, and WRCOG, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Agreement.

16. The effective date of this Agreement shall be the date of the Award of Agreement by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NOS. 06-50182625 & 09-89791726

CITY OF MORENO VALLEY,
Municipal Corporation

BY: _____
City Manager

Date: _____

COMMUNITY REDEVELOPMENT AGENCY
Municipal Corporation

BY: _____
Executive Director

Date: _____

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:
(if contract exceeds $15,000)

_____
Public Works Director/City Engineer

_____
Date

_____
Economic Development Director

_____
Date

RIVERSIDE CONSTRUCTION COMPANY, INC.

License No./
Classification: _____

Expiration Date: _____

Federal I.D. No.: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

BOND NO. _____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NOS. 06-50182625 & 09-89791726

IRONWOOD AVENUE STREET AND STORM DRAIN IMPROVEMENTS
Street Improvements from Heacock Street to Nita Drive, and Sunnymead Master Drainage Plan Line H Stage 4, Line H-1A Stage 2, and Line H-5 Stage 3, from Heacock Street to Hubbard Street

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Riverside Construction Company, Inc.,** as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager and Executive Director, and identified as **Project Nos. 06-50182625 & 09-89791726**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

LABOR AND MATERIALS PAYMENT BOND
PROJECT NOS. 06-50182625 & 09-89791726

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20____.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____20____

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

W:\CapProj\CapProj\PROJECTS\Marge - 89791726 - Indian Basin\Construction\Contractor\Agreement\Agreement - Indian Basin.doc

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and Members of the City Council; and Mayor and City Council, acting in their respective capacities as the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA09-0006 – APPROVE THE OFFERS OF DEDICATION AND EASEMENT DEED, FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO THE CITY OF MORENO VALLEY, LOCATED ON LIBERTY STREET NORTH OF ATWOOD AVENUE

DEVELOPER – COMMUNITY HOMES INC.
1720 S. MOUNTAIN VIEW AVENUE
LOMA LINDA, CA 92354

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley:

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of Atwood Avenue

2. Direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 23, 2009 the Moreno Valley Planning Commission approved project PA09-0006. This project will be a 15 unit affordable housing project on 1.57 acres located on the northwest corner of Atwood Avenue and Liberty Street to house special needs individuals and senior citizens. The property owner is the Community Redevelopment Agency of the City of Moreno Valley. The developer is California Housing Foundation and the General Contractor is New Heights Construction.

The Conditions of Approval require that the developer record offers of dedication for highway purposes and an easement deed for pedestrian access on Liberty Street north of Atwood Avenue.

DISCUSSION

The developer is required to dedicate 4 feet of right-of-way around the driveway at the proposed project entrance and to dedicate the entire street right-of-way along the project frontage of Liberty Street north of Atwood Avenue including the corner cut back area at the northwest corner of Atwood Avenue and Liberty Street. In addition, a 3-foot easement is required for pedestrian access purposes along the west side of Liberty Street in order accommodate a public sidewalk. The offers of dedication and easement deed are necessary in order to construct public improvements along the project frontage, thereby, matching the existing street improvements immediately to the north of the project. The required street improvements will benefit the public by increasing vehicular and pedestrian circulation. Once the offers of dedication and easement deed are executed by the City Manager, the documents will be forwarded to the City Engineer to execute the Acceptance Certificates as authorized by Resolution 94-5.

ALTERNATIVES

1. Authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement on Liberty Street north of Atwood Avenue and to direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

2. Do not authorize the City Manager, in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Offers of Dedication and execute the Easement Deed on Liberty Street north of

Atwood Avenue and do not direct the City Clerk to forward the Offers of Dedication and Easement Deed to the City Engineer to execute the Acceptance Certificates.

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Publication of the agenda

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Offer of Dedication for right-of-way on Liberty Street

Attachment 3 – Offer of Dedication for 4 feet of right-of-way for pedestrian access purposes around the driveway approach on Liberty Street

Attachment 4 – Easement Deed for a 3-foot easement for pedestrian access purposes on Liberty Street

Prepared By
Mark Westover
Associate Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Clement Jimenez, P.E.
Senior Engineer

Concurred By
Barry Foster, Economic Development Director
Public Works Director/City Engineer

Concurred By
Mark Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA09-0006_Dedications_Easement.doc

VICINITY MAP
N.T.S.

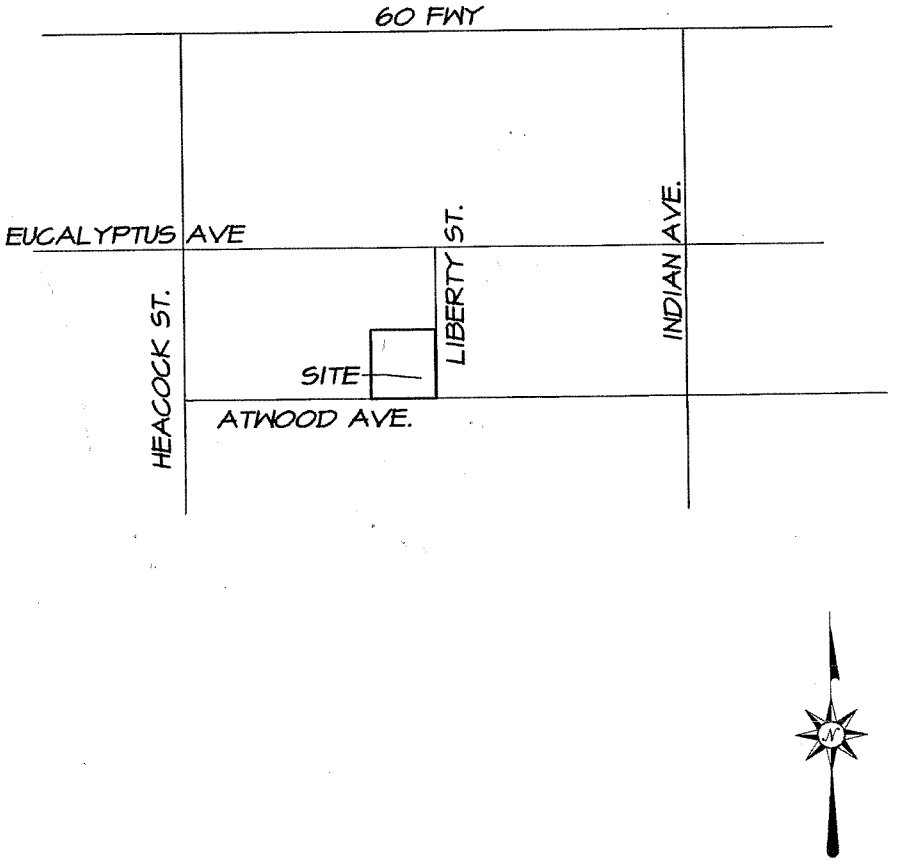

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Attachment 1	**PA09-0006** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00071682

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "2"

Rev 04/2008

EXHIBIT "A"
RIGHT OF WAY DEDICATION
LIBERTY STREET AND
CORNER CUT BACK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE);

THENCE NORTH 45°04'44" EAST A DISTANCE OF 39.05 FEET TO A POINT ON A LINE PARALLEL WITH AND 23.00 FEET WEST OF CENTERLINE OF LIBERTY STREET;

THENCE NORTH 00°01'00" EAST A DISTANCE OF 237.42 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 42.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 167;

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 265.00 FEET ALONG THE EAST LINE OF SAID LOT 167 TO THE **TRUE POINT OF BEGININNG.**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh 4/28/10
PAUL T. WELSH
L.S. NO. 5205
EXPIRES 6/30/11

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

RIGHT OF WAY DEDICATION

LINE DATA

#	DIRECTION	DISTANCE
L1	N45°04'44"E	39.05ft
L2	N89°59'00"W	69.64ft
L3	N89°59'00"W	42.00ft

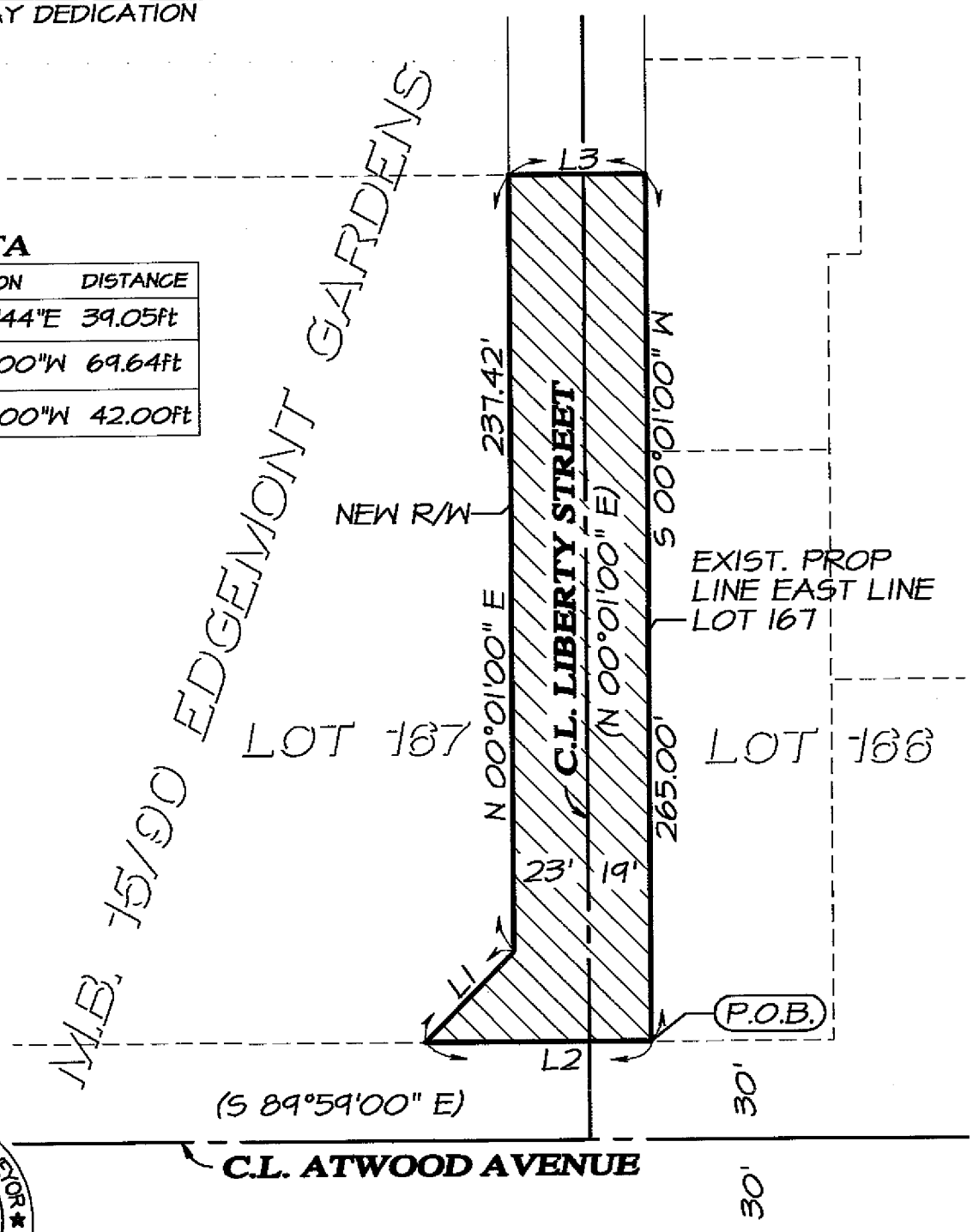

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

Paul T. Welsh 5/20/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 2/23/10

SHT. NO. 2
OF 2 SHEET

Item No. C.7

MV00071685

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MV00071686

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

OFFER OF DEDICATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably offer(s) to DEDICATE to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement and right of way, subject to the completion of improvements, for public highway purposes, including public utility and public service facilities over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "3"

Rev 04/2008

EXHIBIT A

FOUR-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS BEHIND DRIVEWAY APPROACH

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'42" EAST A DISTANCE OF 34.81 FEET

THENCE NORTH 00°01'00" EAST A DISTANCE OF 172.24 FEET TO THE **TRUE POINT OF BEGINNING**

THENCE NORTH 44°59'00" WEST A DISTANCE OF 5.66 FEET.

THENCE NORTH 00°01'00" EAST A DISTANCE OF 55.27 FEET

THENCE NORTH 45°01'00" EAST A DISTANCE OF 5.66 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 63.27 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81'
L2	N89 59'00"W	69.64'
L3	N0 01'00"E	55.27'
L4	N44 59'00"W	5.66'
L5	N45 01'00"E	5.66'
L6	S0 01'00"W	63.27'

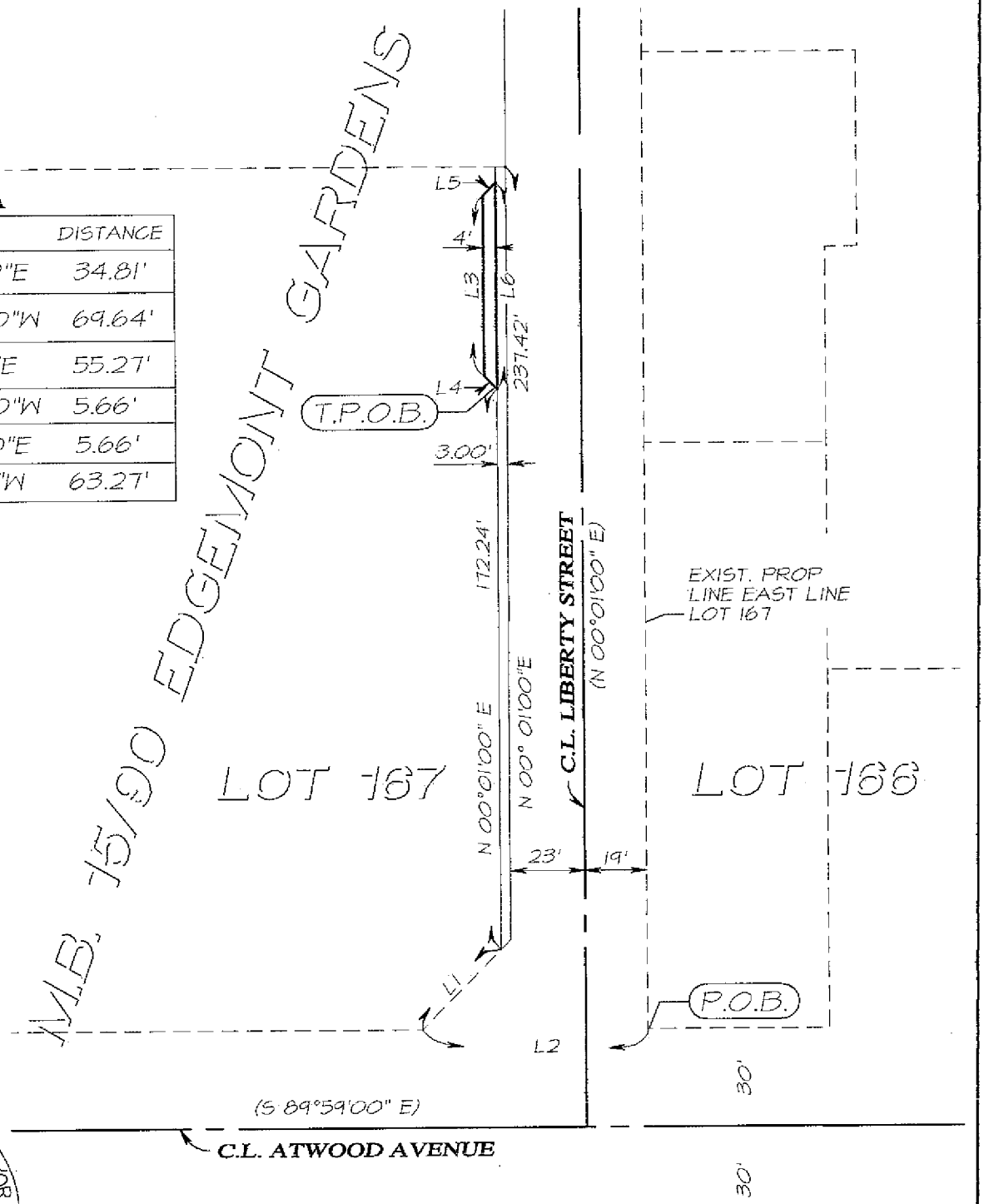

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
PAUL T. WELSH DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/10

SHT. NO. 2
OF 2 SHEET

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MV00071690

Recording requested by and when
recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 482-020-056

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.

Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

GRANTOR(S) hereby irrevocably convey(s) to the CITY OF MORENO VALLEY, a municipal corporation, for themselves, successors or assigns a perpetual easement, subject to the completion of improvements, for public pedestrian access purposes, over, under, upon, across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

All as described in the attached legal description and illustrated on the plats attached hereto and marked Exhibits "A" and "B", respectively.

Community Redevelopment Agency
of the City of Moreno Valley

By: _____
BONNIE FLICKINGER, Chairperson

Date _____

ATTESTS:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

Date _____ (SEAL)

ATTACHMENT "4"

Rev 04/2008

EXHIBIT A

THREE-FOOT RIGHT-OF-WAY DEDICATION FOR PEDESTRIAN ACCESS FOR SIDEWALK

BEING A PORTION OF LOT 167 OF EDGEMONT GARDENS, IN THE COUNTY OF RIVERSIDE , STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 15, PAGE 90 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 167;

THENCE NORTH 89°59'00" WEST A DISTANCE OF 69.64 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ATWOOD AVE. (60.00 WIDE)

THENCE NORTH 45°04'44" EAST A DISTANCE OF 34.81 FEET TO **TRUE POINT OF BEGINNING**

THENCE NORTH 00°01'00" EAST A DISTANCE OF 240.41 FEET;

THENCE SOUTH 89°59'00" EAST A DISTANCE OF 3.00 FEET

THENCE SOUTH 00°01'00" WEST A DISTANCE OF 237.42 FEET

THENCE SOUTH 45°04'44" WEST A DISTANCE OF 4.24 FEET TO THE **TRUE POINT OF BEGINNING**

PREPARED UNDER MY SUPERVISION

Paul T. Welsh

PAUL T. WELSH
L.S. No. 5205
EXPIRES 6/30/11

DATE SIGNED: 4/28/10

LICENSED LAND SURVEYOR
PAUL T. WELSH
No. 5205
STATE OF CALIFORNIA

EXHIBIT "B"

LINE DATA

#	DIRECTION	DISTANCE
L1	N45 04'42"E	34.81ft
L2	N89 59'00"W	69.64ft
L3	N45 04'42"E	4.24ft
L4	S89 59'00"E	3.00ft

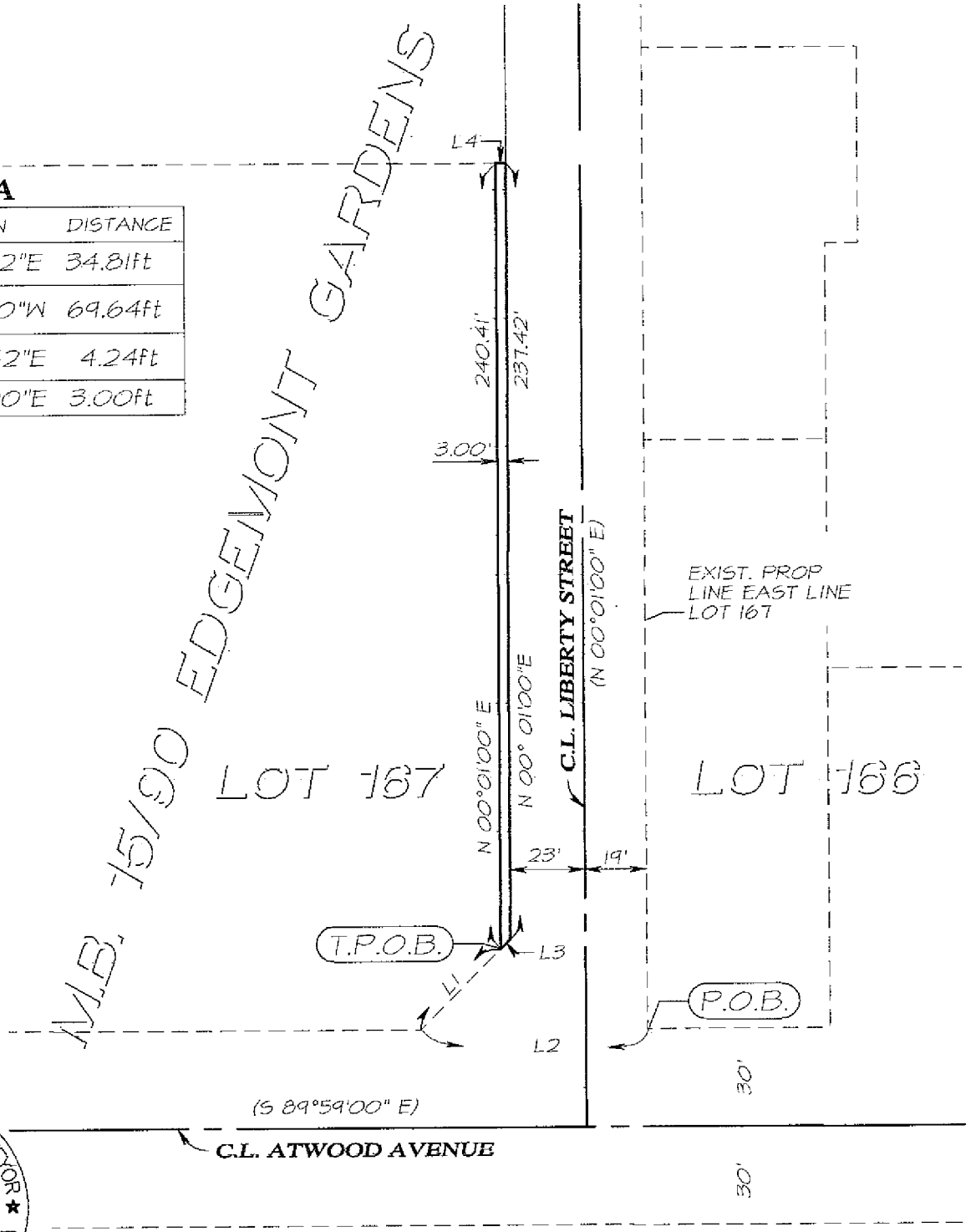

LICENSED LAND SURVEYOR
PAUL T. WELSH
LS 5205
Expires: 6/30/11
STATE OF CALIFORNIA

PAUL T. WELSH 6/3/10
DATE:

SCALE: 1"=50'

LEGEND

PROP. DEDICATION
EXIST. CENTER LINE
EXIST. RIGHT OF WAY
RECORD MAP DATA ( )

MASSARO & WELSH
CIVIL ENGINEERS LAND SURVEYORS
1572 N. WATERMAN AVENUE, SUITE 5
SAN BERNARDINO, CA 92404
(909) 883-9355 TELEPHONE
(909) 889-9490 FAX

OWNER:
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
MORENO VALLEY SENIOR HOUSING INC.
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

DRAWN BY: R.W.
CHECKED BY: P.W.
DATE: 4/28/1

SHT. NO. 2
OF 2 SHEET

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MV00071694

MINUTES - REGULAR MEETING OF JUNE 22, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MV00071696

APPROVALS	
BUDGET OFFICER	Caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the public hearing:

1. Direct the City Clerk to tabulate the returned ballots for the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018;

2. Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet;

3. Receive and file with the City Clerk's office the accepted CSD Official Tally Sheet; and

4. If approved, authorize and impose the proposed increase in the CSD Zone D annual charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

BACKGROUND

The CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels

receiving the service. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	FY 2009/10 CSD Zone D Annual Charge*	Proposed 2010/11 CSD Zone D Annual Charge*
12773	$80.00	$121.00
19210	$68.00	$112.00
19937	$107.10	$157.00
20404	$97.00	$178.00
20579	$57/$106.10/$158.10	$144.00
20718	$139.10	$234.00
21113	$57.00	$89.00
21333	$208.20	$345.00
21597	$295.20	$473.00
22889	$186.00	$313.00
28882	$103.10	$179.00
31257	$1,050.00	$1,414.00
31269-1	$295.20	$355.00
32018	$68.00	$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the approved CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, or if there is a tie, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Conduct the Public Hearing**, tabulate the ballots, verify and accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing**, tabulate the ballots, verify or accept the results of the mail ballot proceedings for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 for the proposed increase in the CSD Zone D annual charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program**.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation
The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

Fourteen Zone D tracts are being balloted to seek approval for an increase in the CSD Zone D annual charge. The action before the CSD Board is to accept public comments and tabulate the returned ballots for the balloted tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 12773
Attachment 2: Sample mail ballot packet for Tract 19210
Attachment 3: Sample mail ballot packet for Tract 19937
Attachment 4: Sample mail ballot packet for Tract 20404
Attachment 5: Sample mail ballot packet for Tract 20579
Attachment 6: Sample mail ballot packet for Tract 20718
Attachment 7: Sample mail ballot packet for Tract 21113
Attachment 8: Sample mail ballot packet for Tract 21333
Attachment 9: Sample mail ballot packet for Tract 21597
Attachment 10: Sample mail ballot packet for Tract 22889
Attachment 11: Sample mail ballot packet for Tract 28882
Attachment 12: Sample mail ballot packet for Tract 31257
Attachment 13: Sample mail ballot packet for Tract 31269-1
Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\Stfrpt Zone D PH 07.13.10.doc

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MV00071702

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $41.00 annual increase per parcel, which is equivalent to a $3.42 increase per month. The increase will adjust the annual charge from $80.00 to $121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of $121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\12773\Tract 12773 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 12773

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 12773:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 12773 is $121.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $80.00 to $121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

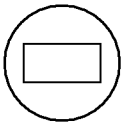

A circle around the box **and/or** associated clause; or

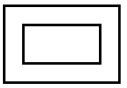

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($80.00*160 parcels)	$ 12,800.00		
Total Revenue Generated Annually		**$ 12,800.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,876.72		
Vandalism	-		
Electricity (Southern California Edison)	540.95		
Water (Eastern Municipal Water District)	1,755.14		
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20		
Landscaping Equipment and Personnel	7,696.62		
Total Direct Costs	**$ 16,696.63**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 105.95		
Special Districts Administration	972.05		
City Administration	1,522.21		
Total Indirect Costs	**$ 2,600.21**		
Total Expenditures		**$ 19,296.84**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,496.84)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$50.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$80.00
2009-2010	$80.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

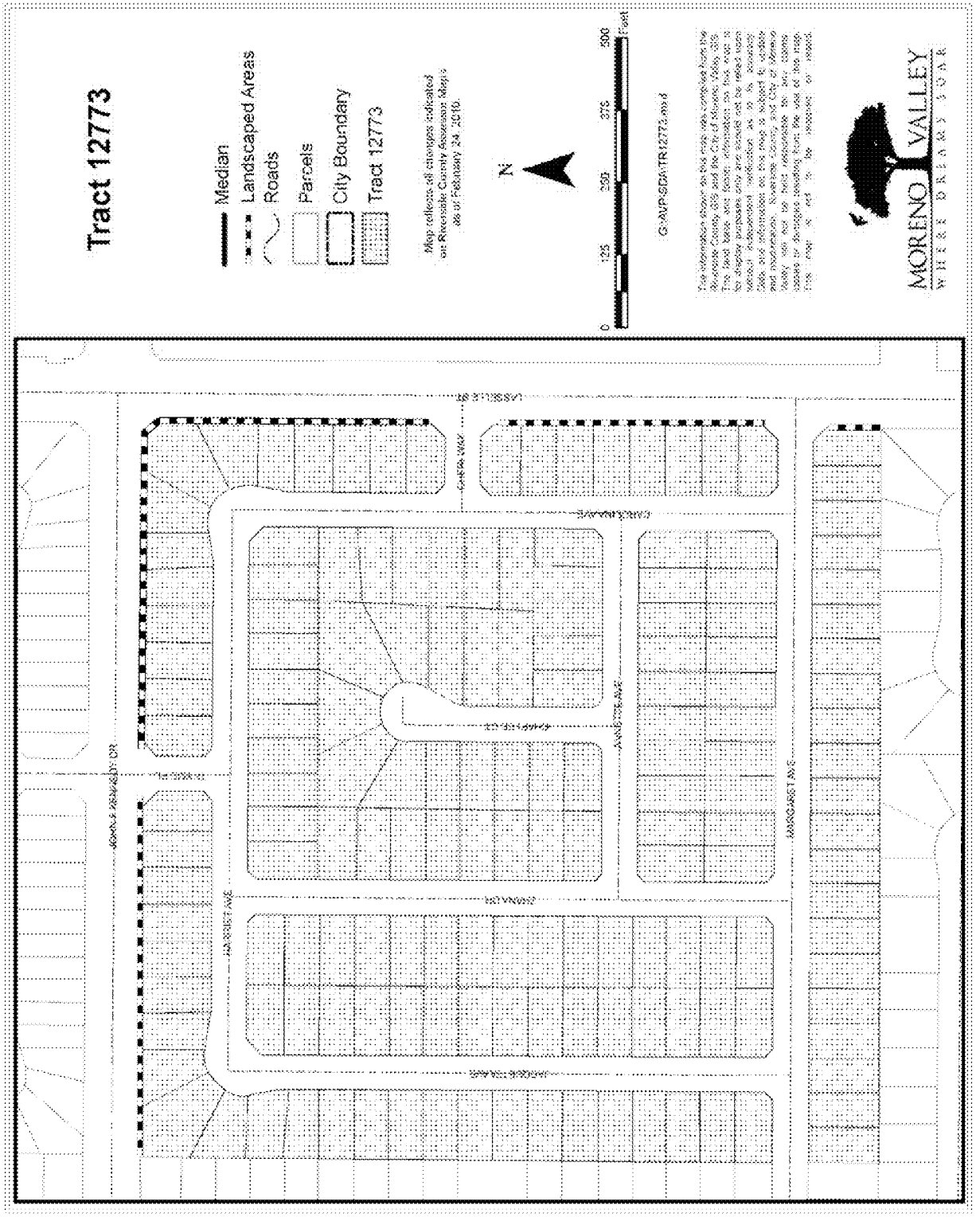
Tract 12773
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 12773
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0
125
250
375
500
Feet
G:\AVP-SDA\TR12773.mxd
MORENO VALLEY

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $44.00 annual increase per parcel, which is equivalent to a $3.67 increase per month. The increase will adjust the annual charge from $68.00 to $112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of $112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\19210\Tract 19210 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19210

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19210:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19210 is $112.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

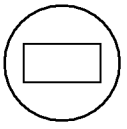

A circle around the box **and/or** associated clause; or

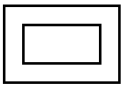

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68.00*122 parcels)	$ 8,296.00		
Total Revenue Generated Annually		**$ 8,296.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 2,603.04		
Vandalism	6.65		
Electricity (Southern California Edison)	535.78		
Water (Eastern Municipal Water District)	1,257.08		
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05		
Landscaping Equipment and Personnel	5,432.60		
Total Direct Costs	**$ 11,785.20**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 64.82		
Special Districts Administration	686.11		
City Administration	1,074.44		
Total Indirect Costs	**$ 1,825.37**		
Total Expenditures		**$ 13,610.57**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,314.57)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210

TAX YEAR	PARCEL CHARGE
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

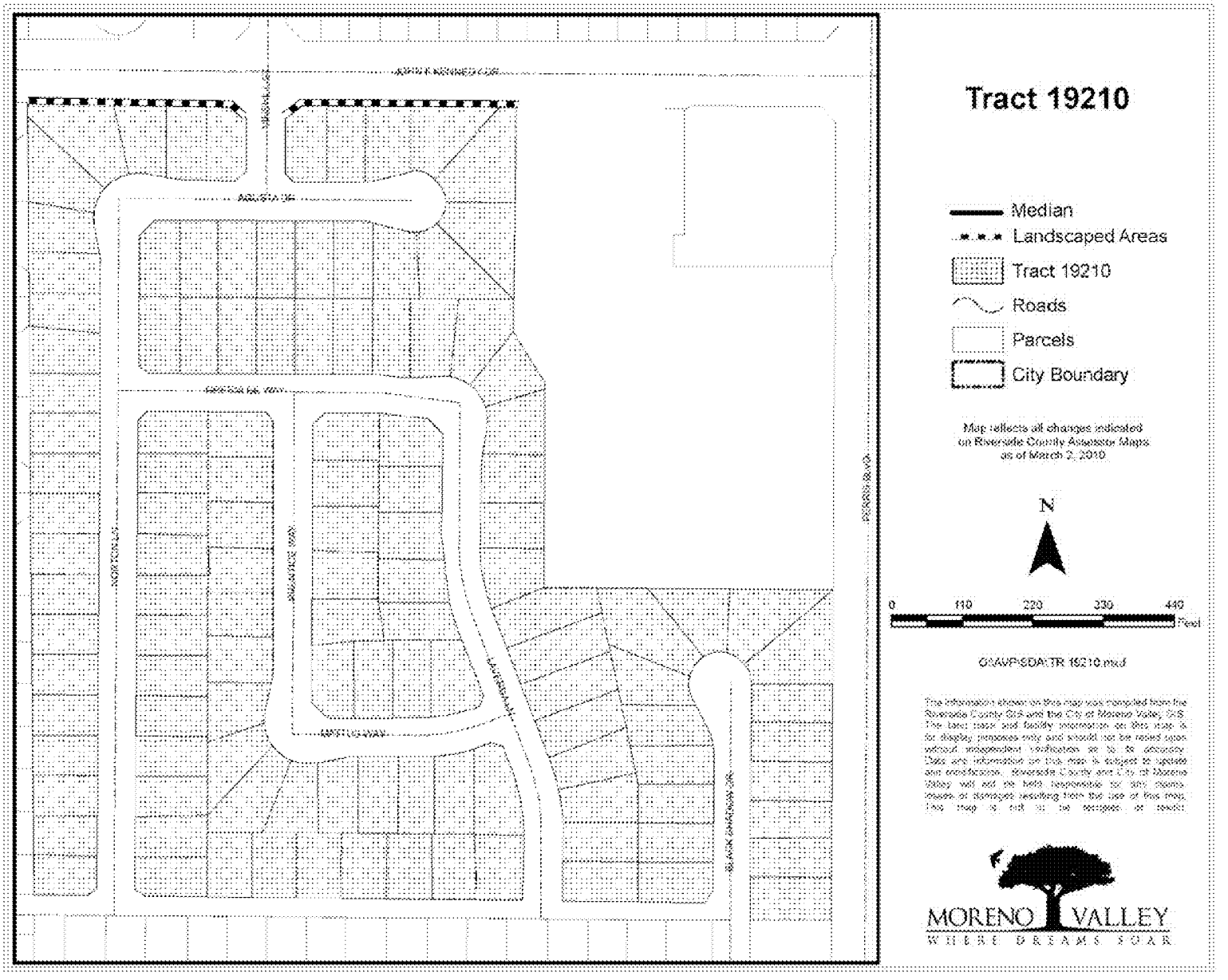
Tract 19210
Median
Landscaped Areas
Tract 19210
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010
N
0
110
220
330
440
Feet
G:\AVP\SDA\TR 19210.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3460
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $49.90 annual increase per parcel, which is equivalent to a $4.16 increase per month. The increase will adjust the annual charge from $107.10 to $157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of $157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 19937

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 19937:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 19937 is $157.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $107.10 to $157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

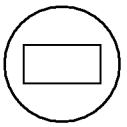

A circle around the box **and/or** associated clause; or

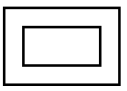

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($107.10*163 parcels)	$ 17,457.30		
Total Revenue Generated Annually		**$ 17,457.30**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,865.96		
Vandalism	31.07		
Electricity (Southern California Edison)	268.89		
Water (Eastern Municipal Water District)	3,016.28		
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68		
Landscaping Equipment and Personnel	10,188.49		
Total Direct Costs	**$ 22,102.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 140.17		
Special Districts Administration	1,286.76		
City Administration	2,015.04		
Total Indirect Costs	**$ 3,441.97**		
Total Expenditures		**$ 25,544.34**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,087.04)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$70.00
2002-2003	$71.00
2003-2004	$71.00
2004-2005	$72.00
2005-2006	$75.00
2006-2007	$100.00
2007-2008	$103.00
2008-2009	$107.00
2009-2010	$107.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

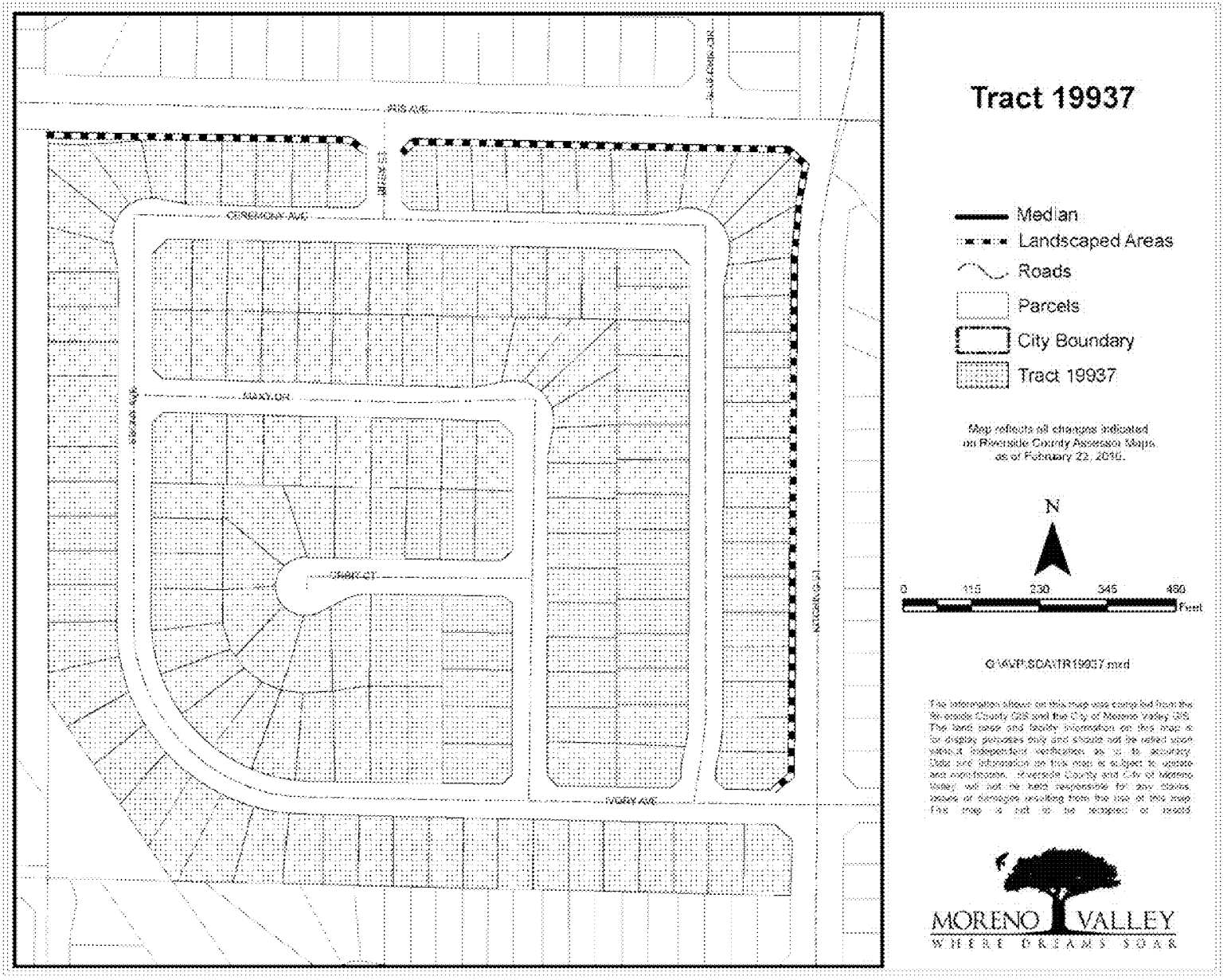
Tract 19937
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 19937
Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.
N
0
115
230
345
460
Feet
G:\AVP\SCA\TR19937.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $81.00 increase per parcel, which is equivalent to a $6.75 increase per month. The increase will adjust the annual charge from $97.00 to $178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of $178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20404

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20404:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20404 is $178.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $97.00 to $178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

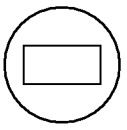

A circle around the box **<u>and/or</u>** associated clause; or

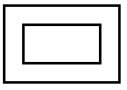

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($97*238 parcels)	$ 23,086.00		
Total Revenue Generated Annually		**$ 23,086.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 10,147.56		
Vandalism	8.73		
Electricity (Southern California Edison)	1,116.84		
Water (Eastern Municipal Water District)	4,912.86		
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73		
Landscaping Equipment and Personnel	16,857.03		
Total Direct Costs	**$ 36,568.75**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 111.69		
Special Districts Administration	2,128.97		
City Administration	3,333.92		
Total Indirect Costs	**$ 5,574.58**		
Total Expenditures		**$ 42,143.33**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (19,057.33)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$83.00
2002-2003	$85.00
2003-2004	$88.00
2004-2005	$90.00
2005-2006	$94.00*
2006-2007	$94.00
2007-2008	$94.00
2008-2009	$97.00
2009-2010	$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of $105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

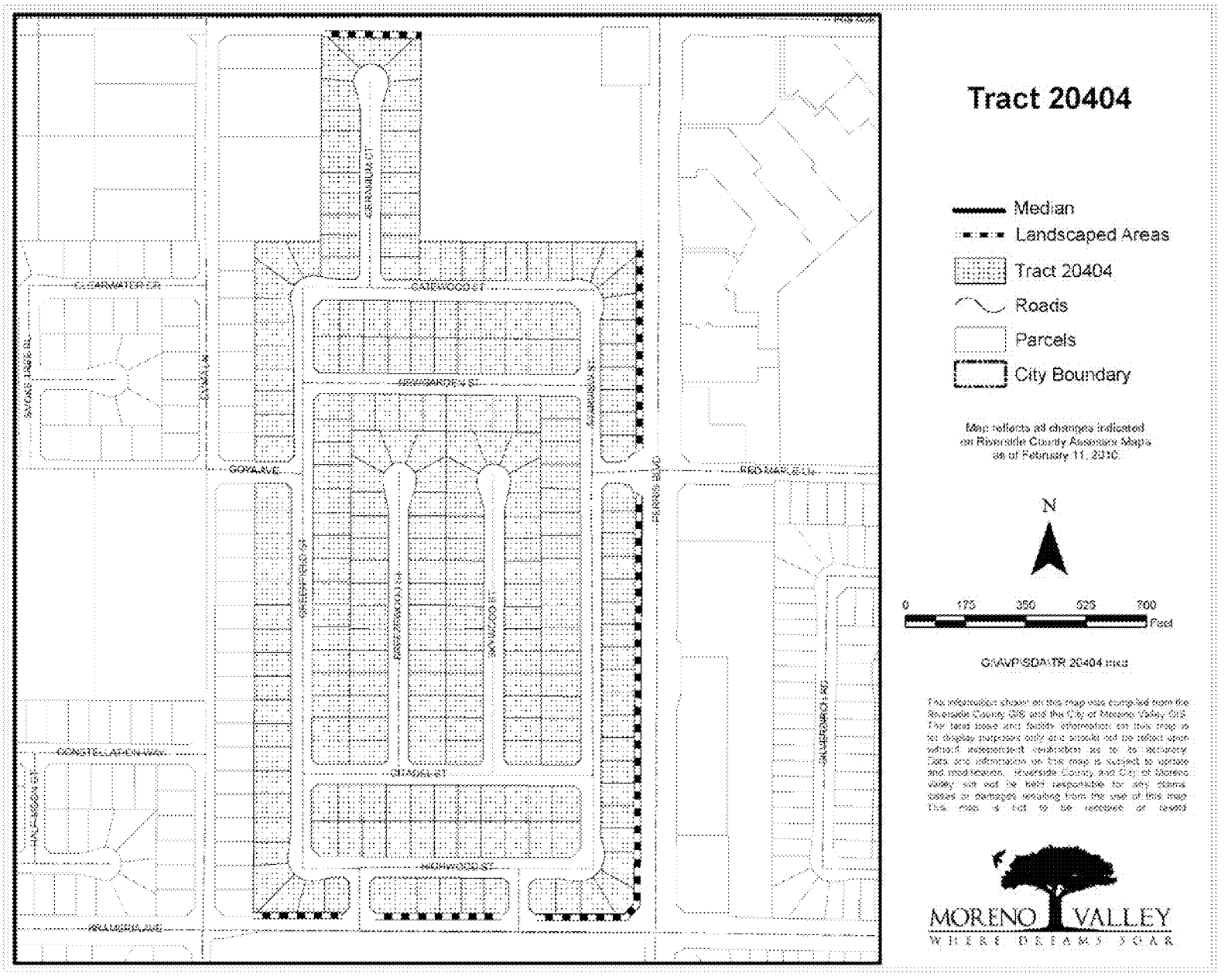
Tract 20404
Median
Landscaped Areas
Tract 20404
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0 175 350 525 700
Feet
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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The tax base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be reproduced or resold.
MORENO VALLEY
WHERE DREAMS SOAR
GATEWOOD ST
SPRINGBROOK ST
GOYA AVE
RED MAPLE LN
PERRIS BLVD
ORCHARD VIEW DR
SKYWOOD ST
CITADEL ST
HIGHWOOD ST
CONSTELLATION WAY
HALLOWEEN ST
FRANKLIN AVE
CLEARWATER LN
SAVONA TRACE DR
GRUBER CIR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalikar
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an $87.00 increase per parcel, which is equivalent to a $7.25 increase per month. The increase will adjust the annual charge from $57.00 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

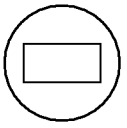

A circle around the box **<u>and/or</u>** associated clause; or

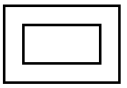

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*100 parcels)	$ 5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)	530.50		
2009/10 Parcel Charge ($158.10*6 parcels)	948.60		
Total Revenue Generated Annually		**$ 7,179.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,835.60		
Vandalism	1.90		
Electricity (Southern California Edison)	275.70		
Water (Eastern Municipal Water District)	2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51		
Landscaping Equipment and Personnel	9,219.46		
Total Direct Costs	**$ 20,001.37**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 98.56		
Special Districts Administration	1,164.51		
City Administration	1,823.59		
Total Indirect Costs	**$ 3,086.66**		
Total Expenditures		**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

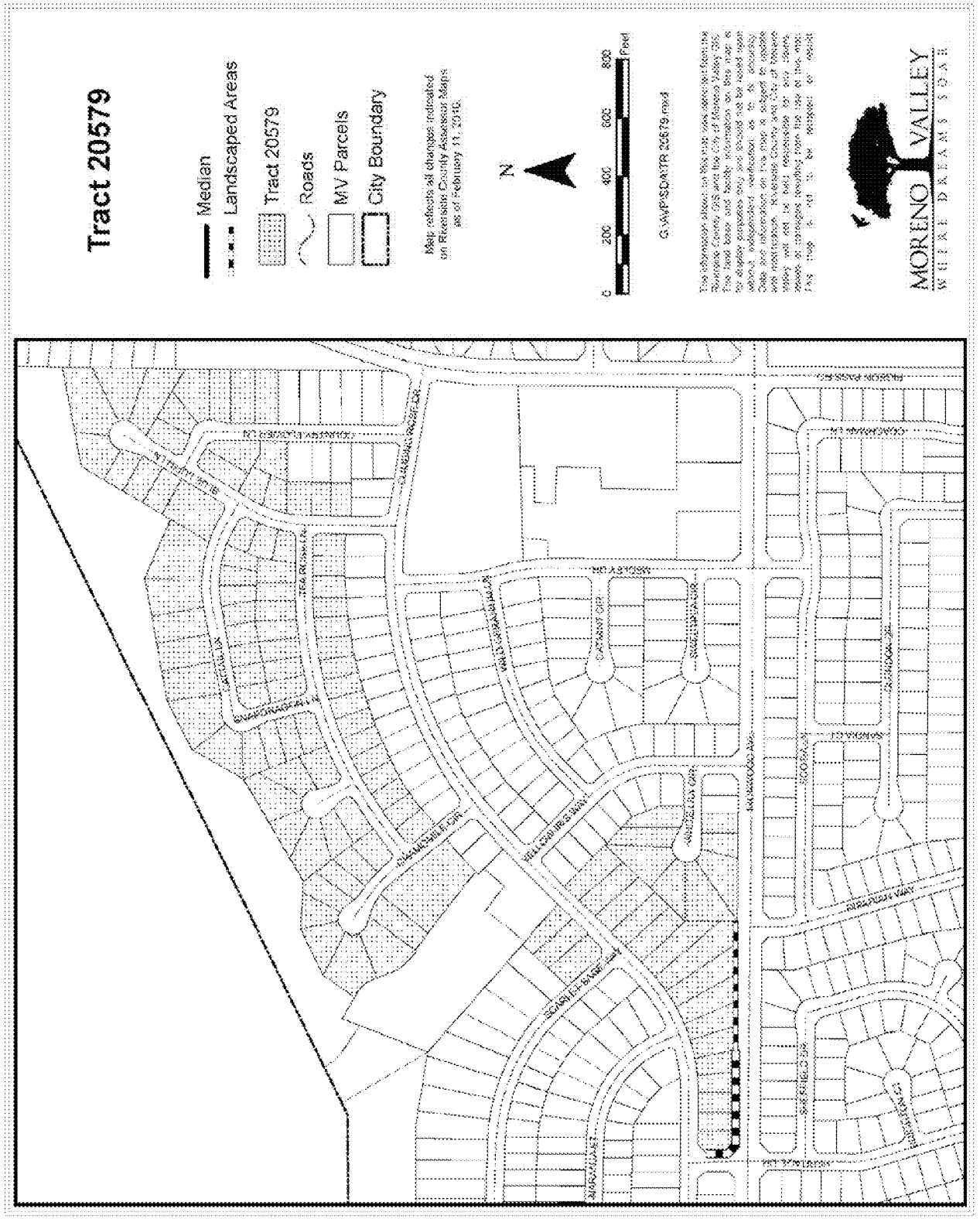
Tract 20579
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Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
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Feet
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $37.90 increase per parcel, which is equivalent to a $3.16 increase per month. The increase will adjust the annual charge from $106.10 to $144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $106.10 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

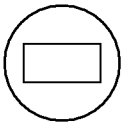

A circle around the box <u>and/or</u> associated clause; or

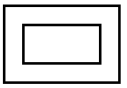

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
2009/10 Parcel Charge ($57*100 parcels)	$	5,700.00		
2009/10 Parcel Charge ($106.10*5 parcels)		530.50		
2009/10 Parcel Charge ($158.10*6 parcels)		948.60		
Total Revenue Generated Annually			**$ 7,179.10**	
Estimated Expenditures:				
Direct Costs:				
Base Maintenance Contract	$	5,835.60		
Vandalism		1.90		
Electricity (Southern California Edison)		275.70		
Water (Eastern Municipal Water District)		2,874.20		
Repair and Replacement/Miscellaneous Direct Expenses		1,794.51		
Landscaping Equipment and Personnel		9,219.46		
Total Direct Costs	**$**	**20,001.37**		
Indirect Costs:				
Miscellaneous Indirect Expenses	$	98.56		
Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$ 23,088.03**	
Operating Shortfall (Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

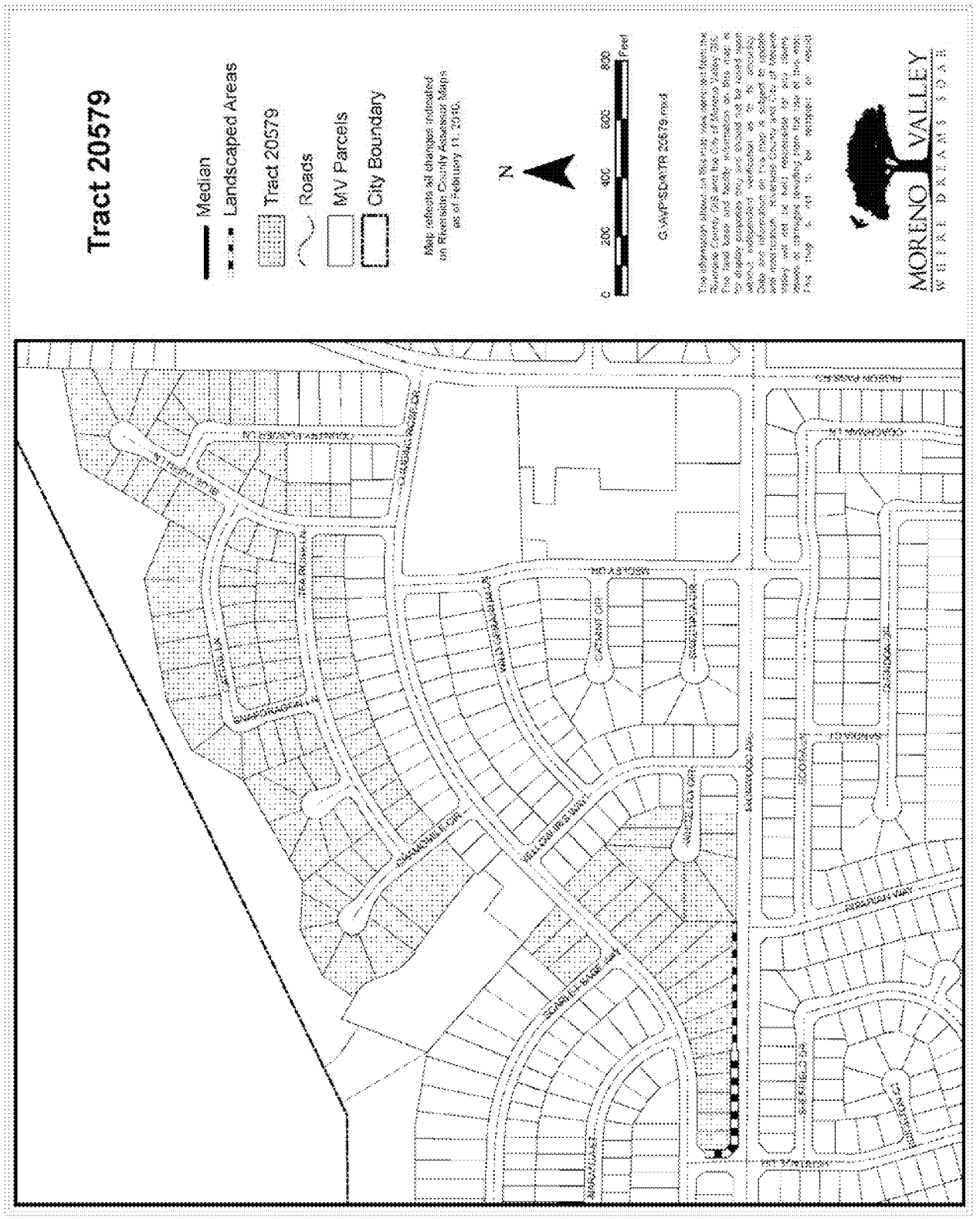
Tract 20579
Median
Landscaped Areas
Tract 20579
Roads
MV Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.
N
0
200
400
600
800
Feet
G:\MVP\SDA\TR 20579.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of $144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a $14.10 decrease in your annual charge, which is equivalent to a $1.18 decrease per month. The change will adjust your annual charge from $158.10 to $144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of $144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\20579\Tract 20579c packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20579

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20579:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is $144.00 per parcel. The proposed charge will result in a $14.10 decrease in your annual charge.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

Llame al 951.413.3480 para obtener información en Español.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of $144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

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   If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from $158.00 to $144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

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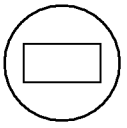

A circle around the box **and/or** associated clause; or

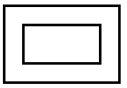

A square or rectangle around the box **and/or** associated clause.

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS

Revenues:				
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Direct Costs:				
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Indirect Costs:				
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Special Districts Administration		1,164.51		
City Administration		1,823.59		
Total Indirect Costs	**$**	**3,086.66**		
Total Expenditures			**$**	**23,088.03**
Operating Shortfall				
(Total Revenue less Total Expenditures)				**$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00/$90.00/$135.00
2002-2003	$57.00/$90.00/$135.00
2003-2004	$57.00/$90.00/$135.00
2004-2005	$57.00/$90.00/$135.00
2005-2006	$57.00/$94.00/$141.00
2006-2007	$57.00/$98.00/$147.00
2007-2008	$57.00/$101.00/$151.00
2008-2009	$57.00/$106.00/$158.00
2009-2010	$57.00/$106.10/$158.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

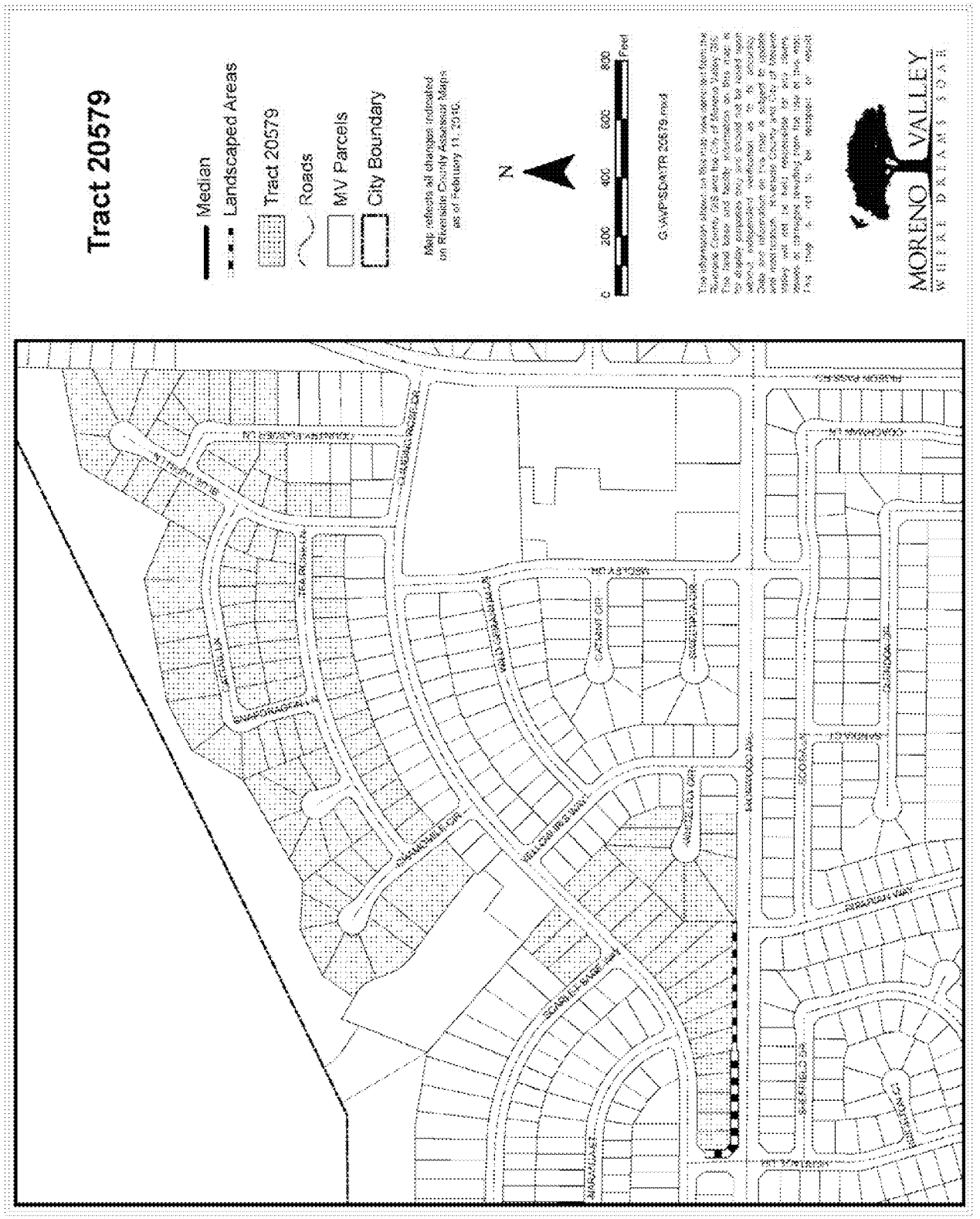
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MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $94.90 increase per parcel, which is equivalent to a $7.91 increase per month. The increase will adjust the annual charge from $139.10 to $234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of $234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 20718

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 20718:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 20718 is $234.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $139.10 to $234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

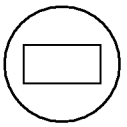

A circle around the box **and/or** associated clause; or

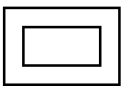

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($139.10*104 parcels)	$ 14,466.40		
Total Revenue Generated Annually		**$ 14,466.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 6,459.60		
Vandalism	11.12		
Electricity (Southern California Edison)	268.81		
Water (Eastern Municipal Water District)	1,964.78		
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39		
Landscaping Equipment and Personnel	9,701.74		
Total Direct Costs	**$ 21,046.44**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 119.08		
Special Districts Administration	1,225.29		
City Administration	1,918.78		
Total Indirect Costs	**$ 3,263.15**		
Total Expenditures		**$ 24,309.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (9,843.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$71.00
2002-2003	$71.00
2003-2004	$96.00
2004-2005	$96.00
2005-2006	$100.00
2006-2007	$129.00
2007-2008	$133.00
2008-2009	$139.00
2009-2010	$139.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

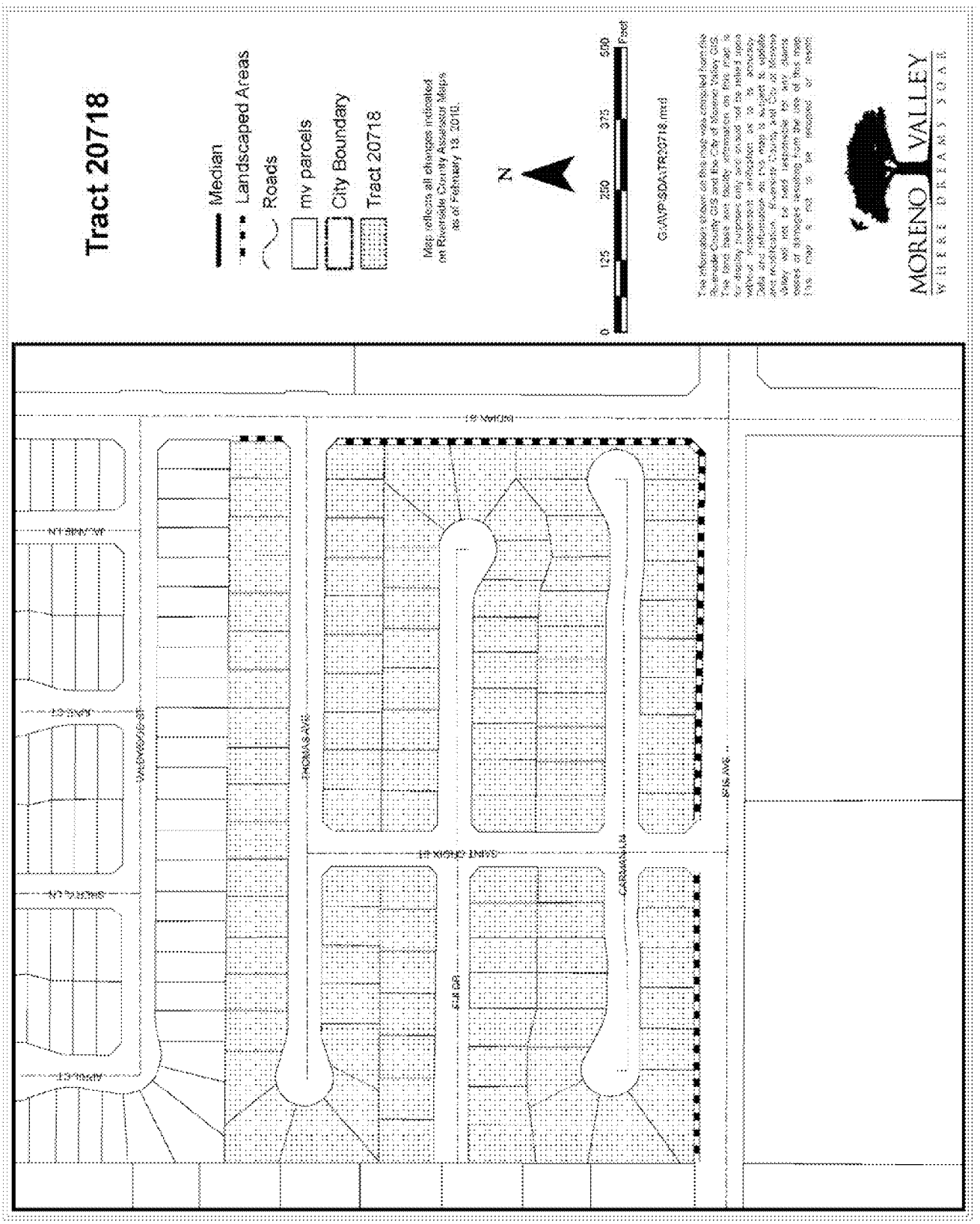
Tract 20718
Median
Landscaped Areas
Roads
my parcels
City Boundary
Tract 20718
Map reflects all changes indicated on Riverside County Assessor Maps as of February 13, 2010.
N
0
125
250
375
500
Feet
G:\AVP\SDA\TR20718.mxd
MORENO VALLEY
WHERE DREAMS SOAR
THOMAS AVE
CARMANITA
BIRCH AVE

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $32.00 increase per parcel, which is equivalent to a $2.67 increase per month. The increase will adjust the annual charge from $57.00 to $89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of $89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21113

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21113:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21113 is $89.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $57.00 to $89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

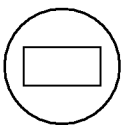

A circle around the box **and/or** associated clause; or

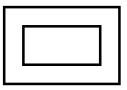

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($57*166 parcels)	$ 9,462.00		
Total Revenue Generated Annually		**$ 9,462.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,425.76		
Vandalism	156.29		
Electricity (Southern California Edison)	177.29		
Water (Eastern Municipal Water District)	1,201.43		
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40		
Landscaping Equipment and Personnel	5,872.65		
Total Direct Costs	**$ 12,739.82**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 68.95		
Special Districts Administration	741.69		
City Administration	1,161.47		
Total Indirect Costs	**$ 1,972.11**		
Total Expenditures		**$ 14,711.93**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$57.00
2004-2005	$57.00
2005-2006	$57.00
2006-2007	$57.00
2007-2008	$57.00
2008-2009	$57.00
2009-2010	$57.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

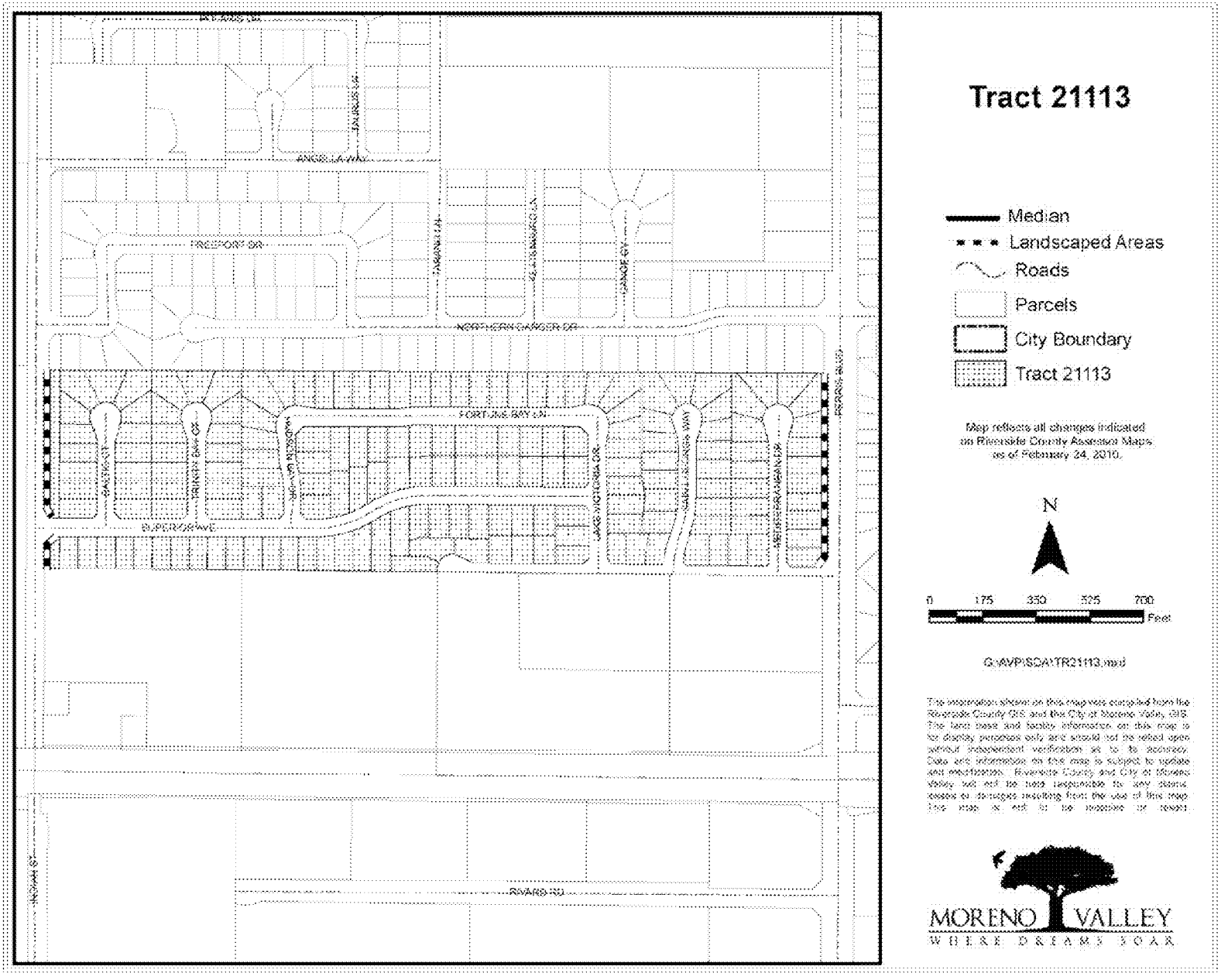
Tract 21113
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21113
Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.
N
0 175 350 525 700
Feet
G:\AVP\SCA\TR21113.mxd
MORENO VALLEY
WHERE DREAMS SOAR
FREEPORT DR
NORTHERN CARGO DR
FORTUNE BAY LN
SUPERIOR AVE
LAKE VICTORIA DR
PERRIS BLVD
RIVARD RD

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $136.80 increase per parcel, which is equivalent to an $11.40 increase per month. The increase will adjust the annual charge from $208.20 to $345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of $345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21333

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21333:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21333 is $345.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $208.20 to $345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

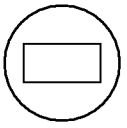

A circle around the box **<u>and/or</u>** associated clause; or

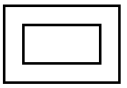

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($208.20*127 parcels)	$ 26,441.40		
Total Revenue Generated Annually		**$ 26,441.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 15,303.60		
Vandalism	53.86		
Electricity (Southern California Edison)	268.23		
Water (Eastern Municipal Water District)	3,645.01		
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59		
Landscaping Equipment and Personnel	17,461.27		
Total Direct Costs	**$ 37,879.56**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 182.27		
Special Districts Administration	2,205.29		
City Administration	3,453.43		
Total Indirect Costs	**$ 5,840.99**		
Total Expenditures		**$ 43,720.55**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (17,279.15)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$190.00
2002-2003	$190.00
2003-2004	$190.00
2004-2005	$193.00
2005-2006	$201.00
2006-2007	$208.00
2007-2008	$208.00
2008-2009	$208.00
2009-2010	$208.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

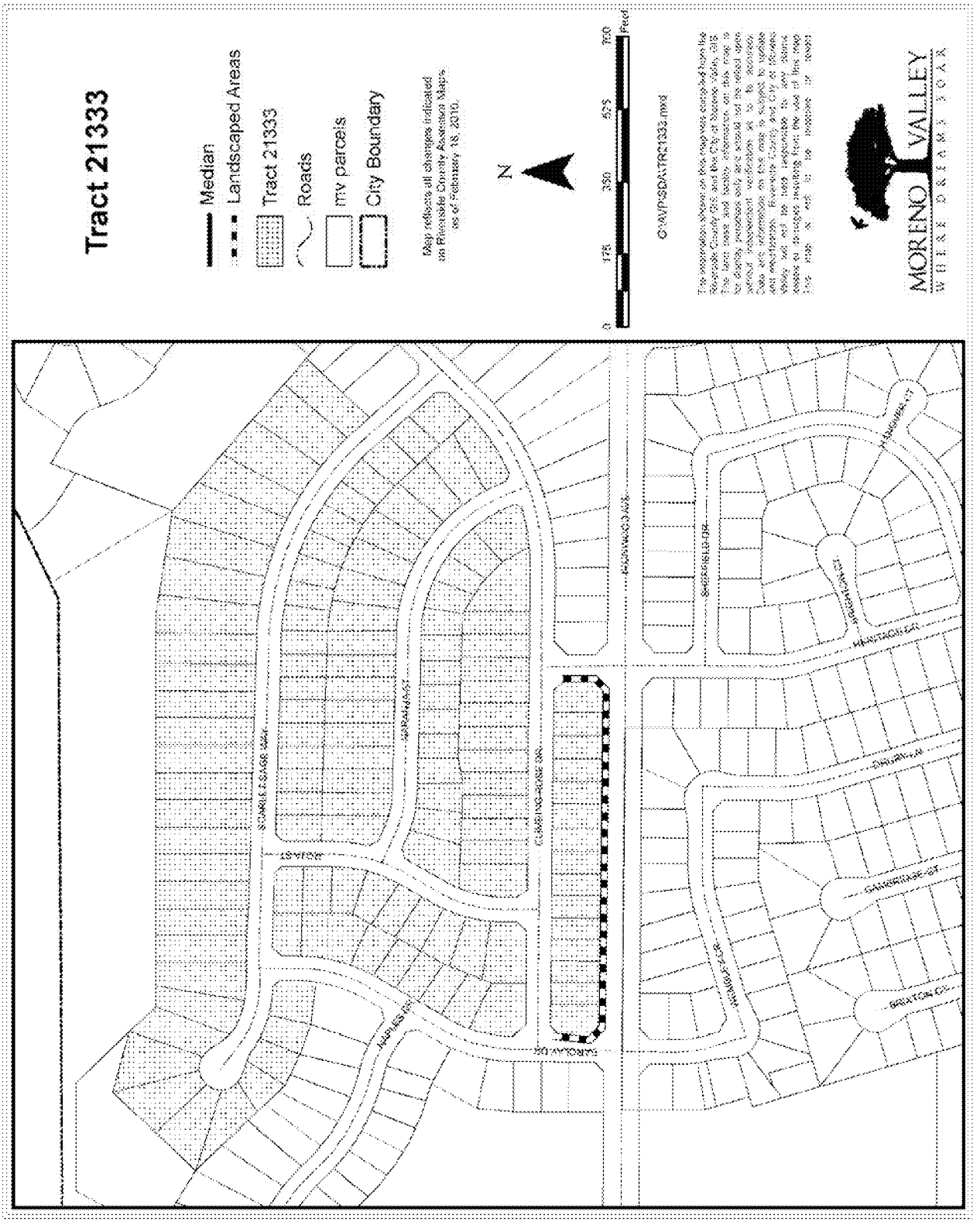
Tract 21333
Median
Landscaped Areas
Tract 21333
Roads
mv parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
175
350
525
700
Feet
G:\MVPSDA\TRC21333.mxd
MORENO VALLEY
WHERE DREAMS SOAR
SCARLETSTONE WAY
ASHFORD ST
NAPLES ST
CARROLLTON DR
CHRISTINE ROSE DR
HEACOCK ST
SHOSHONE DR
HIAWATHA CT
HIAWATHA DR
DRURY LN
SANDRIDGE ST
BRATON CT

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $177.80 increase per parcel, which is equivalent to a $14.82 increase per month. The increase will adjust the annual charge from $295.20 to $473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of $473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 21597

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 21597:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 21597 is $473.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

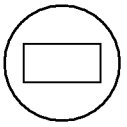

A circle around the box **<u>and/or</u>** associated clause; or

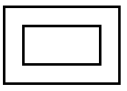

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*75 parcels)	$ 22,140.00		
Total Revenue Generated Annually		**$ 22,140.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 9,330.96		
Vandalism	6.49		
Electricity (Southern California Edison)	270.70		
Water (Eastern Municipal Water District)	5,070.67		
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53		
Landscaping Equipment and Personnel	14,141.52		
Total Direct Costs	**$ 30,677.87**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 141.52		
Special Districts Administration	1,786.02		
City Administration	2,796.86		
Total Indirect Costs	**$ 4,724.40**		
Total Expenditures		**$ 35,402.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (13,262.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597

TAX YEAR	PARCEL CHARGE
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$237.00
2002-2003	$242.00
2003-2004	$242.00
2004-2005	$246.00
2005-2006	$257.00
2006-2007	$257.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

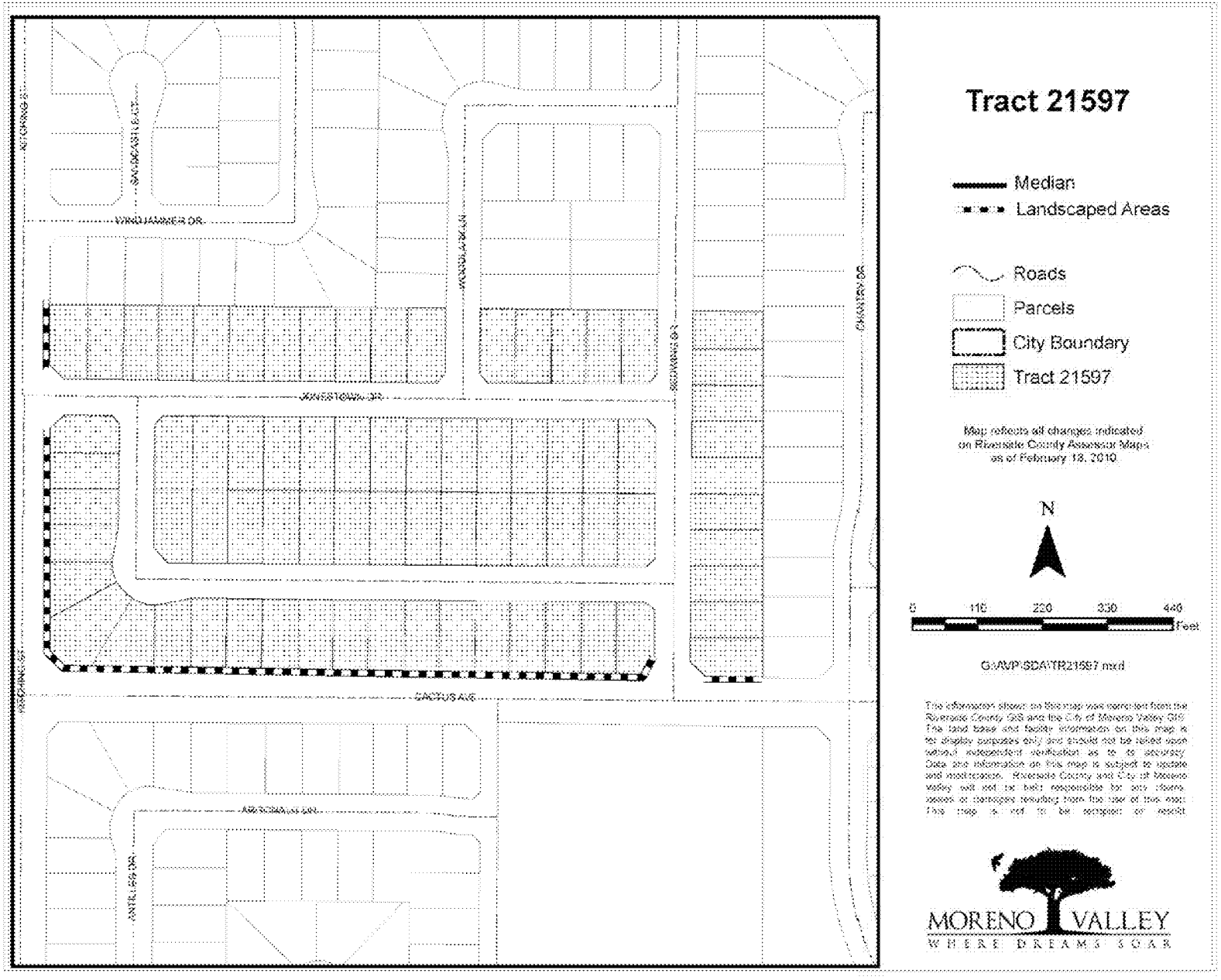
Tract 21597
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 21597
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010
N
0
110
220
330
440
Feet
G:\MP\SDA\TR21597.mxd
MORENO VALLEY
WHERE DREAMS SOAR

Tel: 951.413.3480
Fax: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 Frederick Street, Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $127.00 increase per parcel, which is equivalent to a $10.58 increase per month. The increase will adjust the annual charge from $186.00 to $313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of $313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\22889\Tract 22889 packet.doc

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 22889

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 22889:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 22889 is $313.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $186.00 to $313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

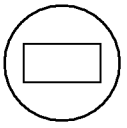

A circle around the box **<u>and/or</u>** associated clause; or

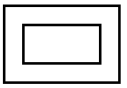

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($186*56 parcels)	$ 10,416.00		
Total Revenue Generated Annually		**$ 10,416.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 4,615.80		
Vandalism	33.51		
Electricity (Southern California Edison)	403.17		
Water (Eastern Municipal Water District)	1,917.76		
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86		
Landscaping Equipment and Personnel	6,992.88		
Total Direct Costs	**$ 15,169.98**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 58.61		
Special Districts Administration	883.17		
City Administration	1,383.03		
Total Indirect Costs	**$ 2,324.81**		
Total Expenditures		**$ 17,494.79**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,078.79)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889

TAX YEAR	PARCEL CHARGE
1988-1989	$50.00
1989-1990	$55.00
1990-1991	$55.00
1991-1992	$56.00
1992-1993	$56.00
1993-1994	$57.00
1994-1995	$57.00
1995-1996	$57.00
1996-1997	$57.00
1997-1998	$57.00
1998-1999	$57.00
1999-2000	$57.00
2000-2001	$57.00
2001-2002	$57.00
2002-2003	$57.00
2003-2004	$186.00
2004-2005	$186.00
2005-2006	$186.00
2006-2007	$186.00
2007-2008	$186.00
2008-2009	$186.00
2009-2010	$186.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

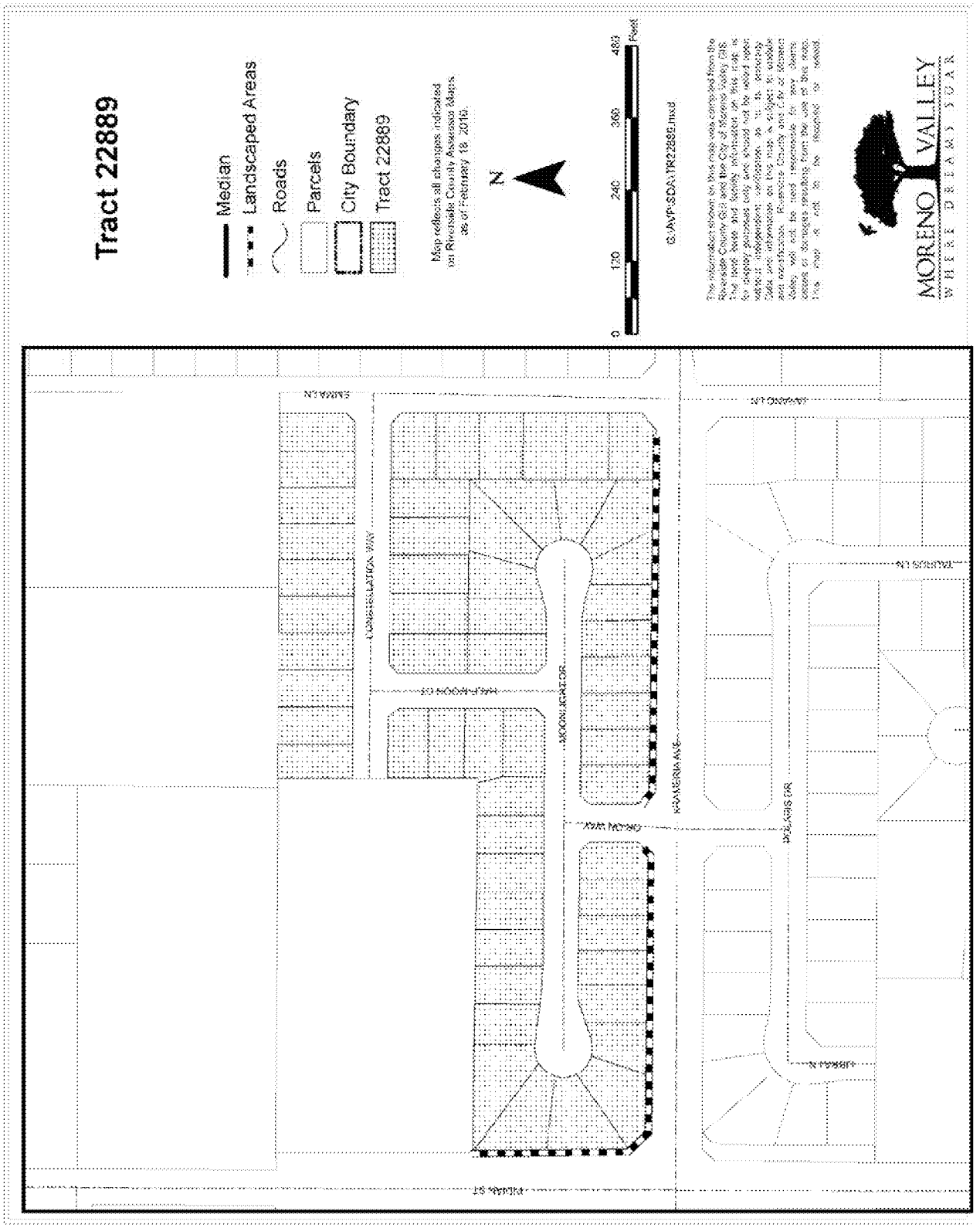
Tract 22889
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 22889
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2019.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR22889.mxd
MORENO VALLEY
WHERE DREAMS SOAR
N MORENO
CONSTELLATION WAY
MOON ROCK DR
KOA MERIDIA AVE
DOLOMITE DR
PLUMA ST

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $75.90 increase per parcel, which is equivalent to a $6.33 increase per month. The increase will adjust the annual charge from $103.10 to $179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of $179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 28882

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13 , 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 28882:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 28882 is $179.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $103.10 to $179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

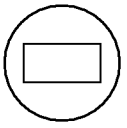

A circle around the box **<u>and/or</u>** associated clause; or

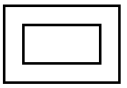

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($103.10*111 parcels)	$ 11,444.10		
Total Revenue Generated Annually		**$ 11,444.10**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 5,892.00		
Vandalism	-		
Electricity (Southern California Edison)	269.94		
Water (Eastern Municipal Water District)	1,997.50		
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09		
Landscaping Equipment and Personnel	7,885.19		
Total Direct Costs	**$ 17,105.72**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 112.99		
Special Districts Administration	995.87		
City Administration	1,559.51		
Total Indirect Costs	**$ 2,668.37**		
Total Expenditures		**$ 19,774.09**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882

TAX YEAR	PARCEL CHARGE
1999-2000	$70.00
2000-2001	$70.00
2001-2002	$70.00
2002-2003	$74.00
2003-2004	$77.00
2004-2005	$78.00
2005-2006	$80.00
2006-2007	$96.00
2007-2008	$99.00
2008-2009	$103.00
2009-2010	$103.10

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

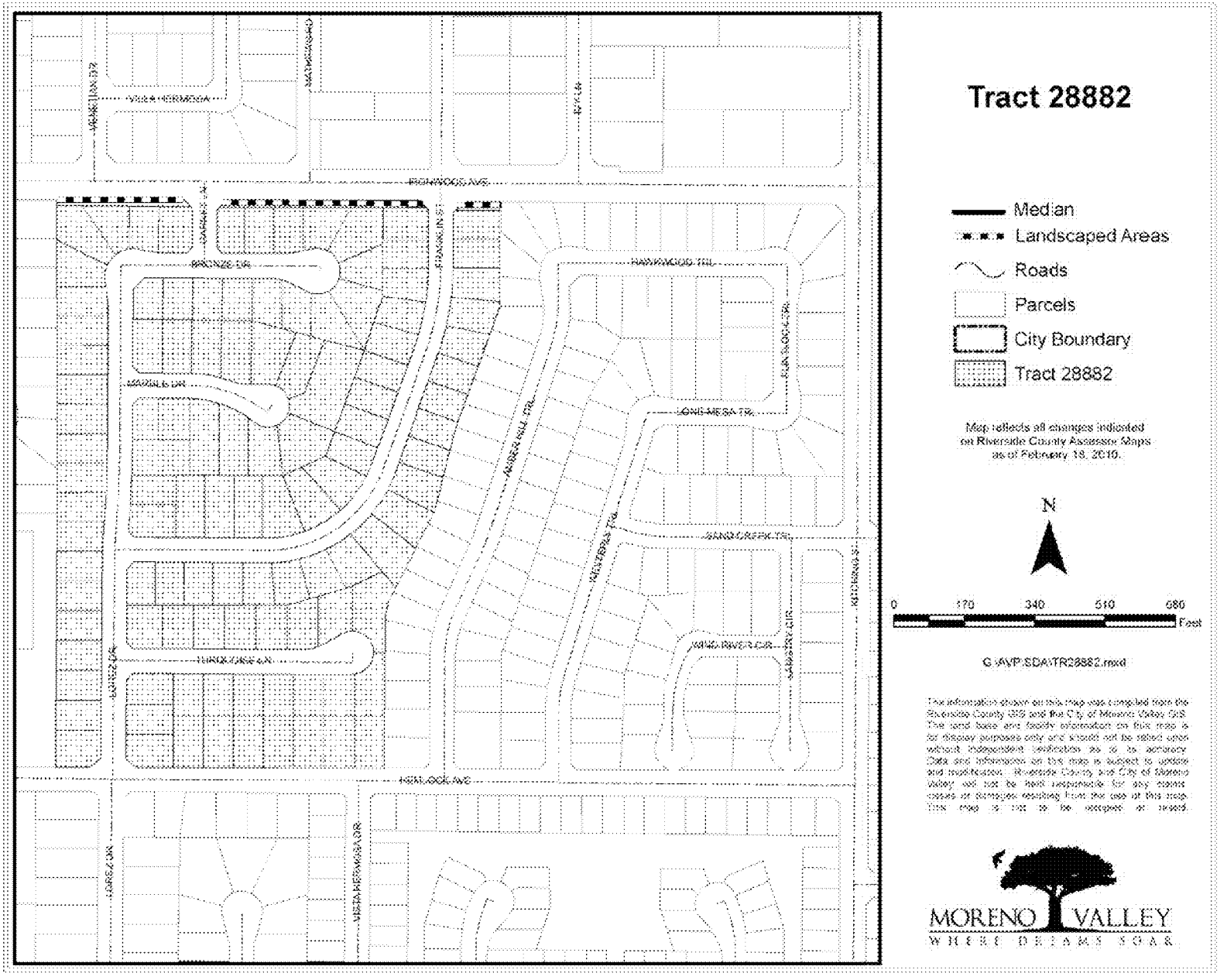
Tract 28882
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 28882
Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.
N
0
170
340
510
680
Feet
G:\AVP\SDA\TR28882.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $364 increase per parcel, which is equivalent to a $30.33 increase per month. The increase will adjust the annual charge from $1,050 to $1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of $1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31257

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
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LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31257:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31257 is $1,414 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

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V. SUMMARY OF BALLOT PROCEEDINGS

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BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

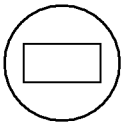

A circle around the box **<u>and/or</u>** associated clause; or

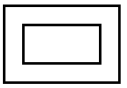

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

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CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($1050*17 parcels)	$ 17,850.00		
Total Revenue Generated Annually		**$ 17,850.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 7,493.40		
Vandalism	1.05		
Electricity (Southern California Edison)	283.93		
Water (Eastern Municipal Water District)	2,607.36		
Repair and Replacement/Miscellaneous Direct Expenses	846.60		
Landscaping Equipment and Personnel	9,605.65		
Total Direct Costs	**$ 20,837.99**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 70.36		
Special Districts Administration	1,213.15		
City Administration	1,899.77		
Total Indirect Costs	**$ 3,183.28**		
Total Expenditures		**$ 24,021.27**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257

TAX YEAR	PARCEL CHARGE
2006-2007	$1,050
2007-2008	$1,050
2008-2009	$1,050
2009-2010	$1,050

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

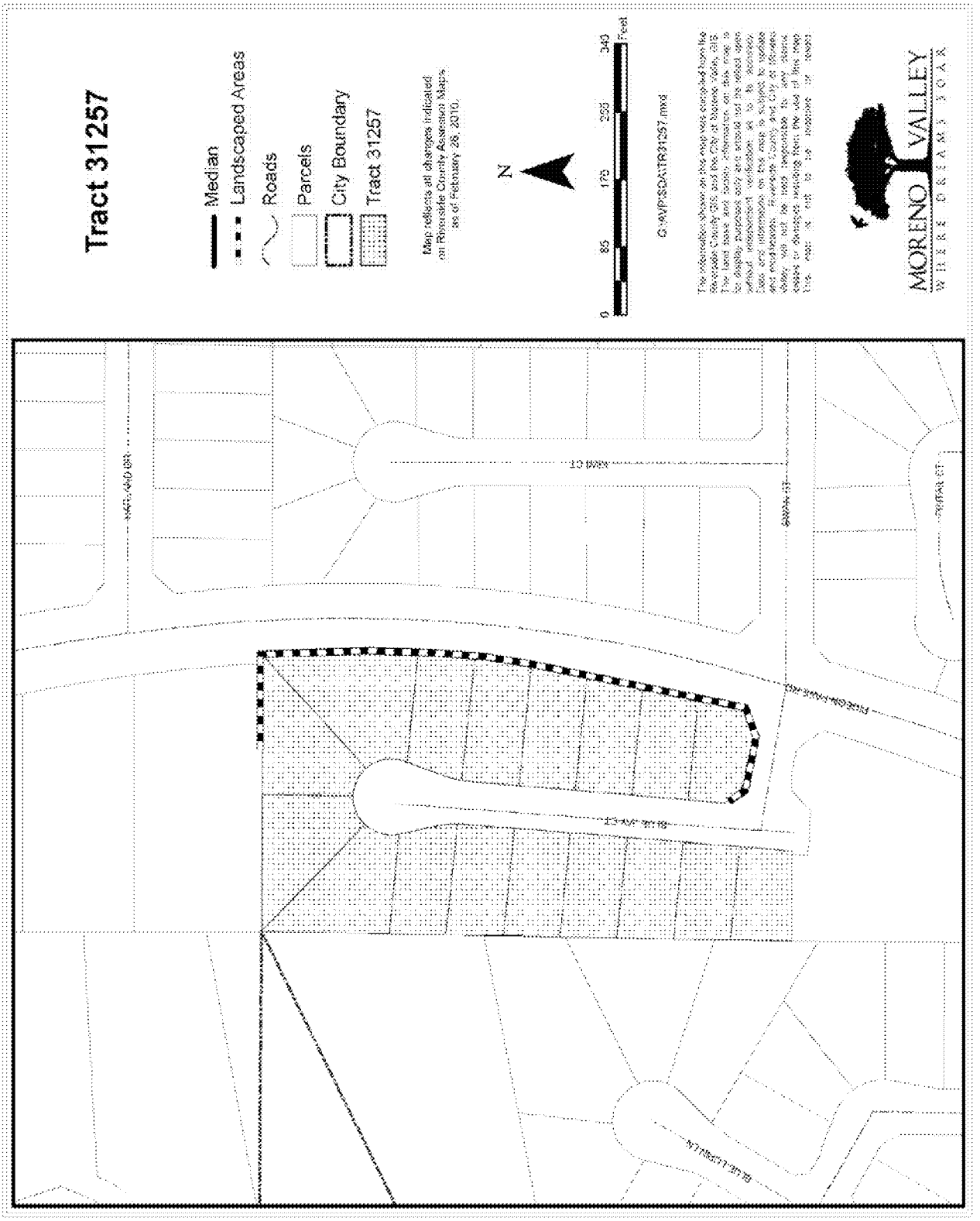
Tract 31257
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 31257
Map reflects all changes indicated on Riverside County Assessed Maps as of February 28, 2010.
N
0
85
170
255
340
Feet
G:\GIS\PSD\TR31257.mxd
MORENO VALLEY
WHERE DREAMS SOAR

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $59.80 increase per parcel, which is equivalent to a $4.98 increase per month. The increase will adjust the annual charge from $295.20 to $355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of $355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 31269-1

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 31269-1:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 31269-1 is $355.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary of the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $295.20 to $355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

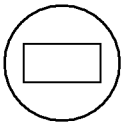

A circle around the box **and/or** associated clause; or

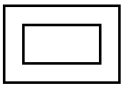

A square or rectangle around the box **and/or** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($295.20*107 parcels)	$ 31,586.40		
Total Revenue Generated Annually		**$ 31,586.40**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 12,277.44		
Vandalism	366.44		
Electricity (Southern California Edison)	531.81		
Water (Eastern Municipal Water District)	2,279.93		
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36		
Landscaping Equipment and Personnel	15,116.97		
Total Direct Costs	**$ 32,793.95**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 202.65		
Special Districts Administration	1,909.21		
City Administration	2,989.78		
Total Indirect Costs	**$ 5,101.64**		
Total Expenditures		**$ 37,895.59**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (6,309.19)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1

TAX YEAR	PARCEL CHARGE
2005-2006	$295.00
2006-2007	$295.00
2007-2008	$295.00
2008-2009	$295.00
2009-2010	$295.20

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

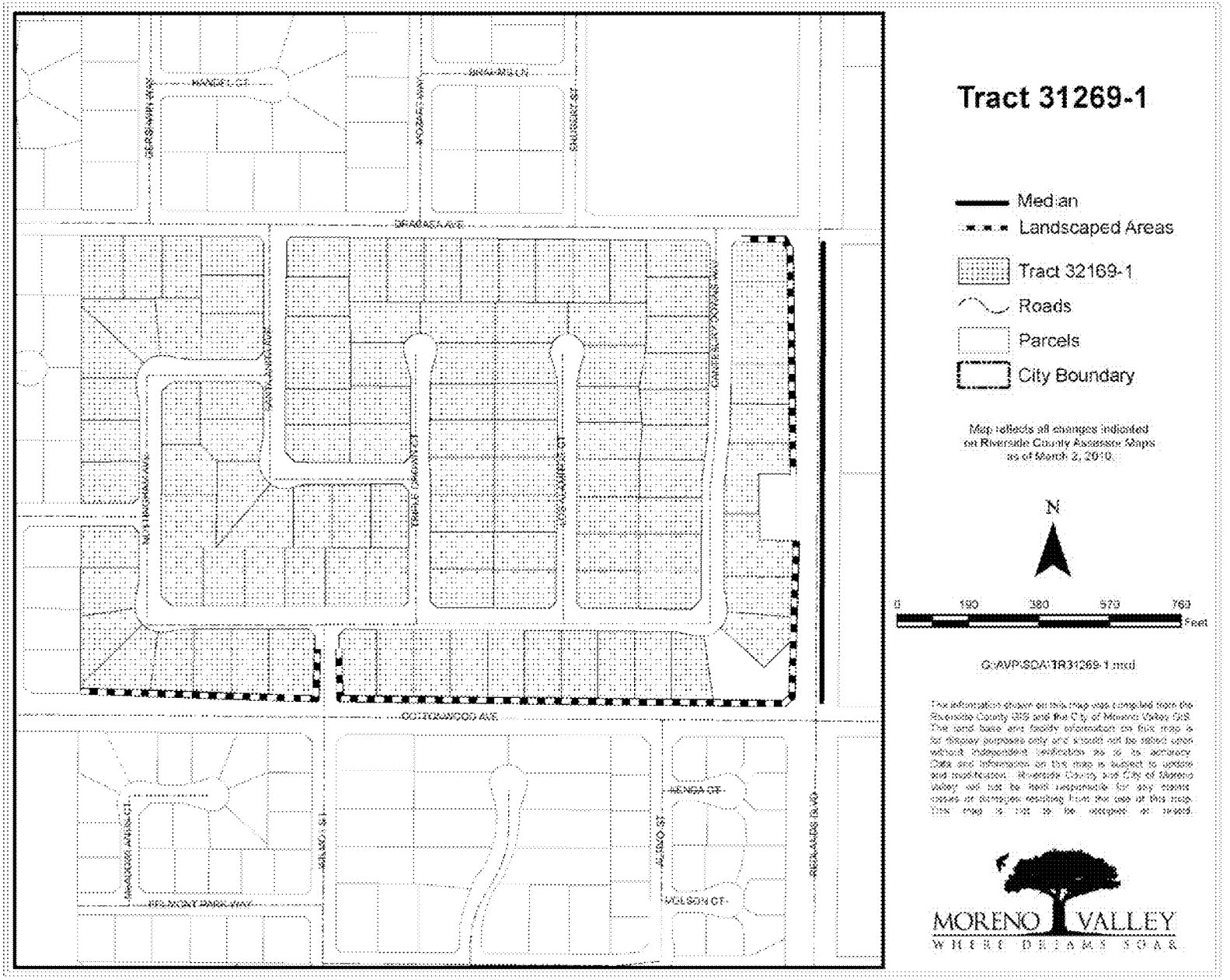
Tract 31269-1
Median
Landscaped Areas
Tract 32169-1
Roads
Parcels
City Boundary
Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.
N
0
190
380
570
760
Feet
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MORENO VALLEY
WHERE DREAMS SOAR
HANDEL CT
BRAMASLN
BRAMASCA AVE
COTTONWOOD AVE
HENDA CT
ALESIO ST
WELSON CT
FRUITWOOD PARK WAY
RIVERSIDE BLVD

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a $92.00 annual increase per parcel, which is equivalent to a $7.67 increase per month. The increase will adjust the annual charge from $68.00 to $160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of $160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

Chris A. Vogt, P.E.
Public Works Director/City Engineer

Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE FOR TRACT 32018

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING	***TUESDAY, June 22, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, July 13, 2010*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL COUNCIL CHAMBER 14177 FREDERICK STREET MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. **Name of the Charge for Tract 32018:**

   CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. **CSD Zone D Annual Parcel Charge for Tract 32018 is $160.00 per parcel**. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is $1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

2. **Sign your name** on the ballot. *Ballots received without signature(s) will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballot in a sealed envelope to the Secretary to the CSD Board of Directors' office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

4. Ballot(s) must be **received** by the Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**

   Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

   If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from $68.00 to $160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

   If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

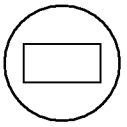

A circle around the box **<u>and/or</u>** associated clause; or

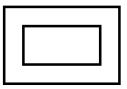

A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS

Revenues:			
2009/10 Parcel Charge ($68*77 parcels)	$ 5,236.00		
Total Revenue Generated Annually		**$ 5,236.00**	
Estimated Expenditures:			
Direct Costs:			
Base Maintenance Contract	$ 3,174.60		
Vandalism	-		
Electricity (Southern California Edison)	286.67		
Water (Eastern Municipal Water District)	1,859.30		
Repair and Replacement/Miscellaneous Direct Expenses	417.70		
Landscaping Equipment and Personnel	4,907.24		
Total Direct Costs	**$ 10,645.51**		
Indirect Costs:			
Miscellaneous Indirect Expenses	$ 35.88		
Special Districts Administration	619.76		
City Administration	970.54		
Total Indirect Costs	**$ 1,626.18**		
Total Expenditures		**$ 12,271.69**	
Operating Shortfall (Total Revenue less Total Expenditures)			**$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018

TAX YEAR	PARCEL CHARGE
2005-2006	$34.00
2006-2007	$34.00
2007-2008	$68.00
2008-2009	$68.00
2009-2010	$68.00

COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) SERVICE LEVELS			
DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

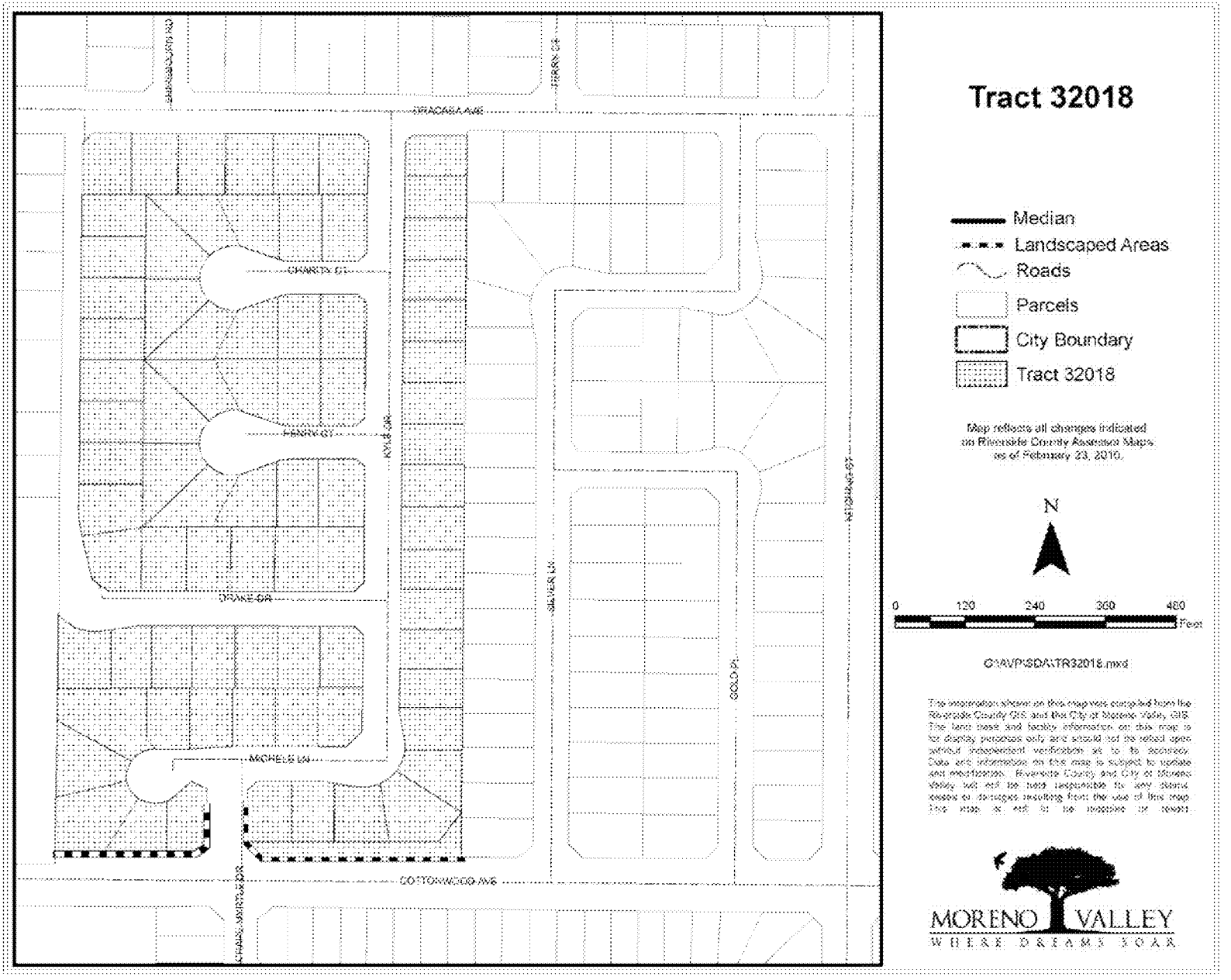
Tract 32018
Median
Landscaped Areas
Roads
Parcels
City Boundary
Tract 32018
Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.
N
0
120
240
360
480
Feet
G:\AVP\SDA\TR32018.mxd
MORENO VALLEY
WHERE DREAMS SOAR
ACACIA AVE
CHARITY CT
FERRY CT
KYLE DR
DIANE DR
MICHELS LN
COTTONWOOD AVE
SILVER LN
GOLD PL
HEADING CT

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: July 13, 2010

TITLE: A PUBLIC HEARING REGARDING A GENERAL PLAN AMENDMENT (PA06-0185) AND CHANGE OF ZONE (PA06-0184) TO CHANGE THE LAND USE FROM BUSINESS PARK (BP) TO RESIDENTIAL 5 (R5), TENTATIVE TRACT MAP 34748 (PA06-0183); A PROPOSAL FOR A 135 SINGLE-FAMILY RESIDENTIAL LOT SUBDIVISION ON 40 ACRES, AND A VARIANCE (P09-102) COVERING RETAINING WALLS ON FOUR LOTS (LOT NUMBERS 37, 38, 39 AND 40) THAT ARE OVER THREE FEET IN HEIGHT. THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE. APPLICANT IS RADOS TENANTS IN COMMON

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its May 13, 2010 meeting approved Planning Commission Resolution No. 2010-9, recommending by a 5-0-2 vote that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance); and approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

The Planning Commission referred back to the original review, thanked the applicant for addressing the concerns of the neighbors and noted the lack of a large public attendance. There were two speakers from the public at the meeting. One stated support for the project and second had some concerns with the past flooding on the project site. Land Development was able to address the questions related to drainage and flooding.

BACKGROUND

The project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on

September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

Land Use Change

Applications for a General Plan Amendment and Zone Change have been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the Residential Single-Family 10 (RS-10) and Residential 5 (R5) zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the Residential Single-Family 10 (RS-10) zone to the east and north. There is an existing Residential 5 (R5) tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family

residential use. The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

ALTERNATIVES

1. The City Council could deny one the projects. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

As stated previously, the General Plan Amendment applications associated with the three projects included in this report have been linked and combined into a single City Council resolution because state law (Government Code Section 65358) does not allow any mandatory element of a general plan to be amended more frequently than four

times during any calendar year. Each amendment, however, may include more than one change to the General Plan. The General Plan Amendment action proposed by this project is the second amendment to the General Plan Land Use Element for calendar year 2010.

NOTIFICATION

Notice of the City Council public hearing of the public notice, appeared in the *Press Enterprise* newspaper on June 22, 2010, posted on the affected property, and mailed to all surrounding property owners of record within 300 feet of the affected property.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. **ADOPT** a Negative Declaration for applications for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2010-73 approving PA06-0185, thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps as attached to the Resolution as Exhibit A;

3. **INTRODUCE** Ordinance No. 813 approving a Zone Change (PA06-0184) from Business Park (BP) to Residential 5 (R5), based on the findings in the Ordinance, and the revised Zoning Atlas page as attached to the ordinance as Exhibit A;

4. **APPROVE** Resolution No. 2010-74 approving Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ATTACHMENTS

1. Public Hearing Notice
2. Proposed Resolution for General Plan Amendment (PA06-0185)
3. Proposed Ordinance for Zone Change (PA06-0184)
4. Proposed Resolution for Tentative Tract Map No. 34748 (PA06-0183) and Variance (P09-102) with Conditions of Approval attached as Exhibit A
5. Planning Commission Staff Report dated May 13, 2010 (excluding exhibits)
6. Planning Commission Minutes for May 13, 2010

7. Negative Declaration/Initial Study
8. Aerial Photograph
9. Reduced Copy of Tentative Tract Map 34748

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Interim Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Notice of
PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map No. 34748)
P09-102 (Variance)

APPLICANT: Rados Tenants in Common

OWNER: Rados Tenants in Common

REPRESENTATIVE: Albert A. Webb Associates

LOCATION: SEC of Heacock Street and Gentian Avenue

PROPOSAL: Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

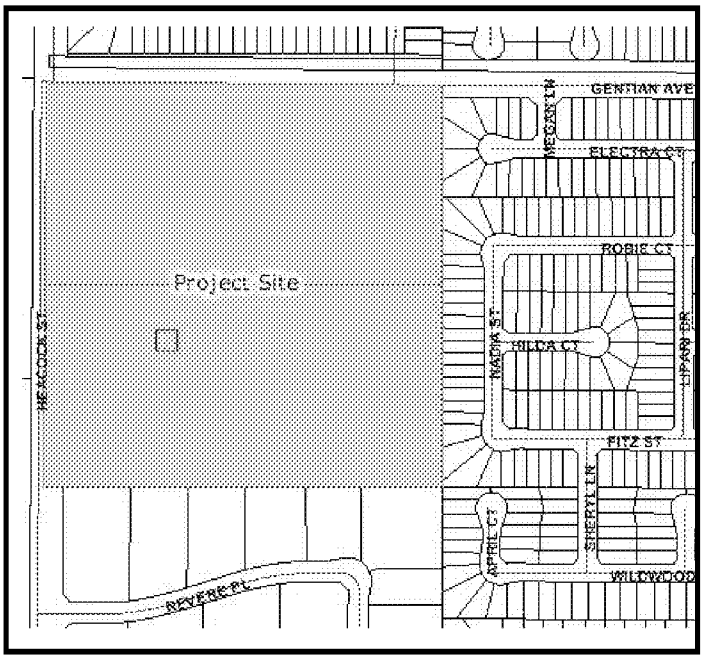

LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: July 13, 2010 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: (951) 413-3225

ATTACHMENT 1

Item No. E.2

MV00071869

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MV00071870

RESOLUTION NO. 2010-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT (PA06-0185) TO CHANGE THE LAND USE DESIGNATION FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE.

WHEREAS, the applicant, Rados Tenants in Common, has filed an application for approval of PA06-0185, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes about 40 acres of Business Park (BP) land use to Residential 5 (R5) land use as described in the title of this resolution and the attached Exhibit A. This General Plan Amendment is being processed concurrently with a Zone Change (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA06-0185 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA06-0185). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA06-0185 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

Section 3

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0185:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

   Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This subject property is not within the boundaries of the City of Moreno Valley Redevelopment Project Area.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0185, thereby establishing General Plan Land Use as described in the Resolution, and the revised General Plan map attached to the Resolution as Exhibit A .

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00071874

GENERAL PLAN AMENDMENT

Application No. PA06-0185
RESOLUTION NO. 2010- xx

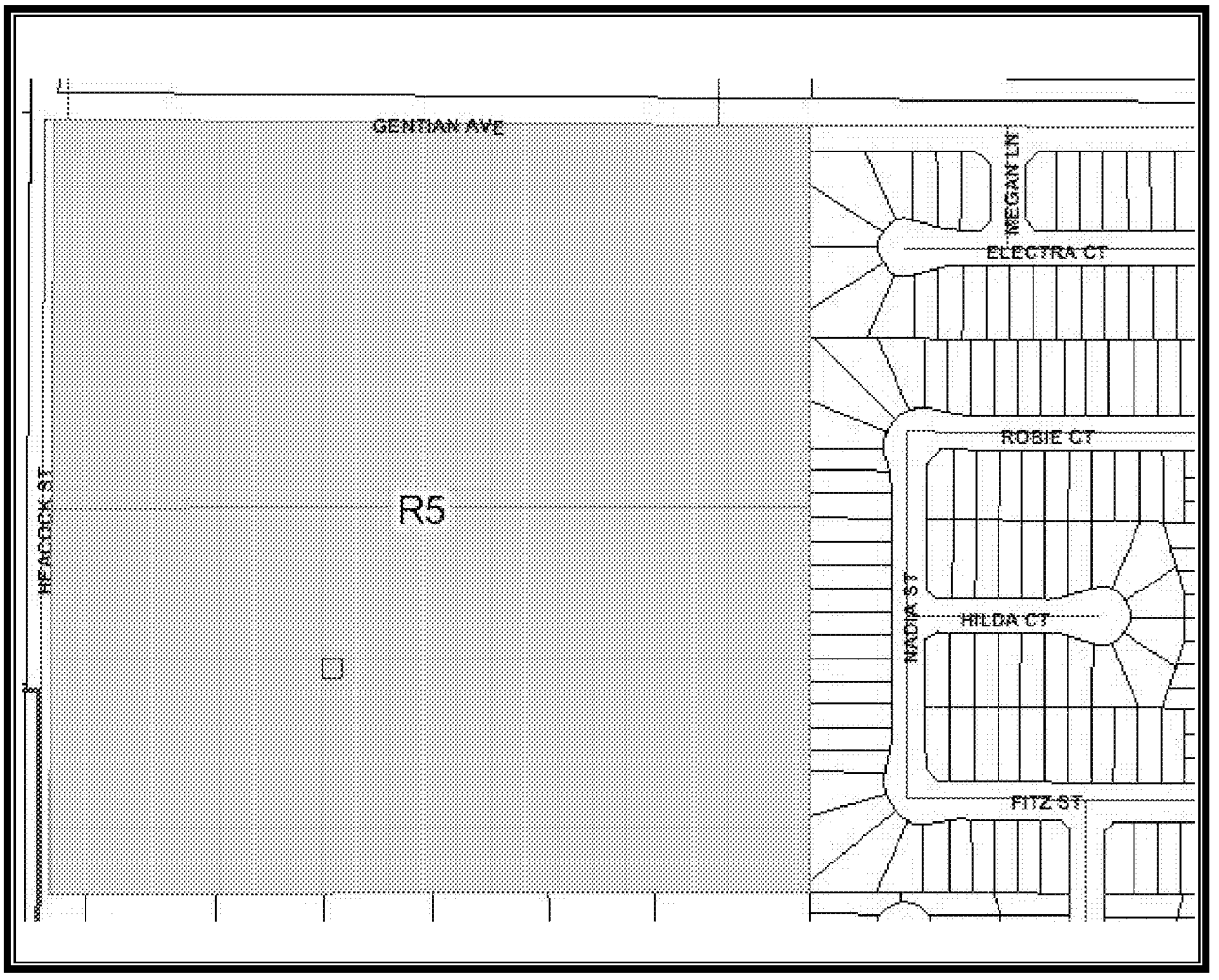

ADOPTED

EFFECTIVE_____

N

LEGEND

R5

R5

Exhibit A

Item No. E.2

MV00071875

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MV00071876

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA06-0184 (ZONE CHANGE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 40 ACRES FROM BUSINESS PARK TO RESIDENTIAL 5 (R5) FOR THE APPROXIMATELY 40 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026, LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 126 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Change (PA06-0184).

1.4. An Initial Study has been completed for PA06-0184 (Zone Change). Based upon the Initial Study, a determination has been made that, as designed and conditioned, this project will not result in the potential for significant impacts to the environment. Therefore, adoption of a Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 125 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on July 13, 2010, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This project is comprised of four applications, a General Plan Amendment (PA06-0185), Change of Zone (PA06-0184), Tentative Tract Map (PA06-0183) and a Variance (P09-102), which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

ATTACHMENT 3

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips that the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

Since the proposed General Plan Amendment is less intensive then the current General Plan, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

   FACT: The project site is not within a specific plan area.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Business Park (BP) to Residential 5 (R5) is consistent with the purposes and intent of Title 9.

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts a Zone Change to change to the zoning districts from Business Park (BP) to Residential 5 (R5) for the approximately 40 acres located at the southeast corner of Heacock Street and Gentian Avenue, subject to the revised zoning designations depicted in the attached Exhibit A.

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00071880

CHANGE OF ZONE

Application No. PA06-0184
ADOPTED BY ORDINANCE NO. xx

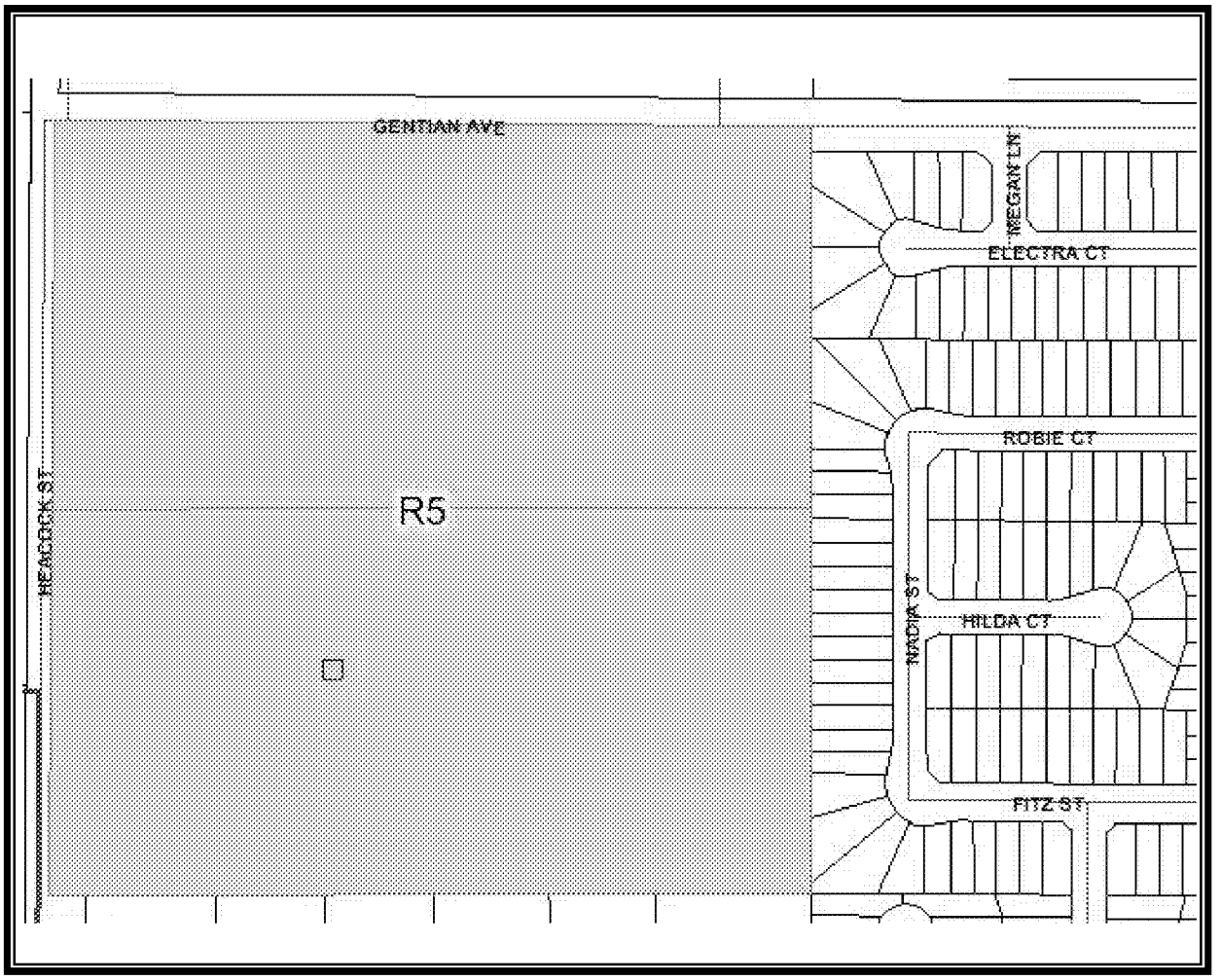

ADOPTED

EFFECTIVE_____

N

LEGEND
R5

R5

EXHIBIT A

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MV00071882

RESOLUTION NO. 2010-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34748 (PA06-0183) AND VARIANCE (P09-102). THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF HEACOCK STREET AND GENTIAN AVENUE (ASSESSOR'S PARCEL NUMBERS 485-230-025 AND 485-230-026).

Section 1:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA06-0183:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. That the proposed land division is consistent with applicable general and specific plans;

   FACT: This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

   The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

   With approval of the General Plan Amendment, the proposed project is consistent with the General Plan designation of Residential 5 (R5). With approval of the Change of Zone, the project is consistent with the Residential 5 (R5) zoning district.

2. That the site of the proposed land division is physically suitable for the type of development;

   FACT: The project site current land use designation is Business Park (BP). This project proposes to change the General Plan and zoning designation from Business Park (BP) to Residential 5 (R5). The project is located is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land

uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4 (135 single-family lots on 40 acres).

3. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

FACT: The proposed Tentative Tract Map 34748 will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

FACT: The proposed project would not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the surrounding. As conditioned, the proposed land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the parcels. There are no known hazardous conditions associated with the property, the design of the land division or type of improvements.

5. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

FACT: There are no existing easements on the subject site acquired by the public for access through or use of the property.

6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and

FACT: The size, configuration and orientation of the lots in this land division allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 2:

WHEREAS, the applicant, Rados Tenants in Common, has filed applications for approval of PA06-0183 (Tentative Tract Map) and P09-102 (Variance) for the proposed development of a 40 acre/135 lots single family subdivision. The project site is located southeast of Gentian Avenue and Heacock Street. A General Plan Amendment (PA06-0185) is being processed concurrently along with a Change of Zone (PA06-0184).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with applications PA06-0183 and P09-102 as described above and a Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on May 13, 2010, the Planning Commission of the City of Moreno Valley held a meeting to consider a 135 lot single-family subdivision project including applications PA06-0183 (Tentative Parcel Map 34748) and P09-102 (Variance). At said meeting, the Planning Commission recommended approval of PA06-0183 and P09-102 to the City Council, and;

WHEREAS, on July 13, 2010, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO P09-102:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

   FACT: The parcels does meets the minimum square footage requirement of the Residential 5 (R5) and are consistent with the General Plan, its goals, objectives, policies and programs.

   Approval of the variance is required in order to approve the proposed Tentative Tract Map. The variance request covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and located on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges.

2. There exist exceptional circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply generally to other properties in the vicinity and under the same zoning classification.

   FACT: The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10% and would not grant the applicant any special privileges.

3. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other owners in the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

4. Approval of this Variance does not constitute the granting of a special privilege inconsistent with the limitations on other properties within the vicinity and under the same zoning classification.

   FACT: This project is an infill site that when development will be similar to surrounding residential and business park uses. The approval of the variance application (P09-102) would not grant the applicant any special privileges. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

5. Approval of the variance is not detrimental to the public health, safety or welfare and is not materially injurious to properties or improvements in the vicinity.

FACT: The proposed project (four applications) will not adversely affect the public health, safety or general welfare. An Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

6. The granting of a variance is consistent with the objectives and policies of the general plan and the intent of the title.

   FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and Uniform Building Code. The variance complies with all other provisions of the General Plan and applicable development standards outlined in the Municipal Code.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2010-_____ approving PA06-0183 and P09-102; subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this 13th day of July 2010.

_____
Bonnie Flickinger, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00071890

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
PA06-0185 -TENTATIVE TRACT MAP 34748
AND P09-102 - VARIANCE
A.P.N.: 485-230-025 and 485-230-026

Approval Date: **July 13, 2010**
Expiration Date: **July 13, 2013**

The following conditions are attached for the following departments:

X Planning (P), including School District (S), Post Office (PO), Building (B)
X Police (PD)
X Fire Prevention Bureau (F)
X Public Works, Land Development (LD)
X Public Works, Special Districts (SD)
X Public Works – Transportation (TE)
X Moreno Valley Utilities

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire Code
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and Specs
UBC - Uniform Building Code

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. (BP) Enhanced architectural treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.

P8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

PRIOR TO GRADING

P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P10. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P11. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a six (6) foot high solid decorative block perimeter wall with pilasters and a cap along the western side of Lot 49 and the southern property line of the water quality basin and extended detention basin. A six (6) foot high solid decorative tubular steel fencing with pilasters and a cap along all street frontages of the water quality basin and extended detention basin.**

P15. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:**

A. A solid decorative block wall with pilasters and a cap is required along the perimeter of the tract adjacent to any right of way or reverse frontage location and along any right of way within the interior of the tract (all corner lots).

P17. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO RECORDATION OF FINAL MAP

P18. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

PRIOR TO BUILDING PERMIT

P19. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P20. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

P21. **(BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO CERTIFICATE OF OCCUPANCY

P22. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

P23. **(CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)**

P24. **(CO) For a basin maintained by an HOA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the HOA or other private entity.**

VARIANCE

P25. **(P09-102) Lot Numbers 37, 38, 39 and 40 have been approved to have retaining walls higher than the maximum three feet height allowed when on a property line. The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.**

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B-2 Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B-3 All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B-4 (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

FIRE PREVENTION BUREAU

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel ways. Minimum fire flow shall be _1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 508.3 MVMC 8.36.050 and 8.36.100 Section E).

F3. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F4. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F5. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F6. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F7. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F9. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F11. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F12. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F13. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F14. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F16. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F18. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F19. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F20. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F21. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F22. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F23. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F24. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F25. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F26. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F27. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F28. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F29. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA06-0183 / TTM 34748 –135 Single Family Residential Homes
APNs 485-230-025 and 485-230-026

Note: **All Special Conditions are in** Bold **lettering and follow the standard conditions.**

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD10. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association. The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD13. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD14. (G) Upon approval of the tentative tract map by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD15. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD16. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD17. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD18. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department.

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public

notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal.

LD22. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD23. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD24. (GPA) Prior to the approval of a grading plan, the developer shall comply with the rules and regulations of FEMA and City Ordinance 8.12.190 for development within a flood hazard area (defined as Zones A, AE, AH, A0 and A99).

a. For developments required to submit a CLOMR/LOMR, the City requires the following prepared by a licensed civil engineer or land surveyor:

   i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
   ii. Prior to issuance of a grading permit, a Conditional Letter of Map Revision (CLOMR) including Base Flood Elevation (BFE) shall be approved by the City.
   iii. Prior to issuance of individual building permits, an elevation certificate.
   iv. Prior to issuance of first building permit, submittal of Letter of Map Revision (LOMR) package with appropriate fees to FEMA unless otherwise approved by the City Engineer.
   v. Prior to issuance of individual certificate of occupancy, a final elevation certificate. Developer acknowledges and agrees to disclose that owners of lots in the flood plain may need to pay flood insurance until such time LOMR is approved.

vi. Prior to ninety percent reduction of public improvement securities, a LOMR approved by FEMA shall be submitted to the City.

b. For developments less required to submit a CLOMR-F/LOMR-F, the City requires the following prepared by a licensed civil engineer or land surveyor:

i. Prior to issuance of a grading permit, a Floodplain Development Permit (available from the City).
ii. A CLOMR-F (residential structures) unless otherwise approved by the City Engineer.
iii. Determination of BFE. Machinery and equipment servicing the structures shall be designed to be located above the BFE. For habitable structures, the lowest floor must be certified to be a minimum of one foot above the BFE; non-residential structures must be additionally dry floodproofed; for qualified non-habitable structures, the lowest floor must be wet floodproofed to one foot minimum above BFE.
iv. Prior to issuance of individual building permits, an elevation certificate shall be approved by the City.
v. Prior to issuance of first building permit for residential structures, submittal of LOMR-F package with appropriate fees to FEMA, unless otherwise approved by the City Engineer.
vi. Prior to issuance of individual certificate of occupancy, a final elevation/floodproof certificate (dependent on type of structure(s)).
vii. Prior to ninety percent reduction of public improvement securities, a LOMR-F approved by FEMA shall be submitted to the City.

LD25. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD26. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD27. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD28. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD29. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD30. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD31. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD32. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.

LD33. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD34. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD35. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD36. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD37. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD38. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD39. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD40. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD41. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD42. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD43. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD44. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD45. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD46. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD47. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD48. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD49. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD50. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD51. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved

means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD52. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD53. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD54. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD55. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD56. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD57. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD58. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.

d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled.

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD59. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD60. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD61. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD62. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD63. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD64. (CO) Prior to issuance of a certificate of occupancy or building final for residential projects, the last 20% or last 5 units (whichever is greater, unless as otherwise determined by the City Engineer) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD65. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD66. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.

g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

Prior to Acceptance of Streets into the City Maintained Road System

LD67. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD68. Prior to final map approval, the map shall show the following:

a. A 69.5-foot street right-of-way dedication on the east side of Heacock Street along this project's west frontage to ensure a (construction) centerline to east right-of-way distance of 50 feet for a Modified Arterial, City Standard 104A.

b. A 44-foot street right-of-way dedication on the south side of Gentian Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 44 feet for a Minor Arterial, City Standard 105A.

c. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 66 feet for a Collector, City Standard 107, for Streets "A", "M" and "N", as shown on the Tentative Map.

d. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 60 feet for a General Local Street, City Standard 108A, for Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", as shown on the Tentative Map.

e. The appropriate street right-of-way dedications within the tract to ensure a right-of-way distance of 56 feet for a Short Local Street, City Standard 108B, for Streets "I" and "J", as shown on the Tentative Map.

f. The appropriate street right-of-way dedication for a cul-de-sac at the terminus of Street "I" and Street "J", per City Standard Plan 123.

g. The appropriate street right-of-way dedication for a knuckle at each knuckle location as shown on the Tentative Map, per City Standard Plan 122.

h. Corner cutback right-of-way dedications per City Standard 208.

i. Landscape easements along the Heacock Street and Gentian Avenue frontage, 10 feet and 6 feet in width, respectively, or as directed by the City's Planning and Special Districts Divisions.

LD69. Prior to final map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. Heacock Street, Modified Arterial, City Standard 104A Modified (89.5-foot RW / 76-foot CC) shall be constructed to full width, along the entire project's west frontage. A 69.5-foot right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (east side only), drainage structures, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps, curb returns, metal beam guard rail behind the west curb as directed by the City's Transportation Division, relocation and/or adjustment of existing utility appurtenances, and dry and wet utilities. All Heacock Street improvements shall be consistent with the Heacock Street design per the City's Capital Improvement Project (CIP) for the Heacock Street Widening Project.

b. Gentian Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to half-width plus an additional 12 feet north of the centerline, along the entire project's north frontage. A 44-foot right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary offsite improvement transition/joins to existing conditions, streetlights, pedestrian ramps,

curb returns, relocation and/or adjustment of existing utility appurtances, and dry and wet utilities.

c. Streets "A", "M" and "N", Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

d. Streets "B", "C", "D", "E", "F", "G", "H", "K" and "L", General Local Street, City Standard 108A (60-foot RW / 40-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

e. Streets "I" and "J", Short Local Street, City Standard 108B (56-foot RW / 36-foot CC) shall be constructed to full-width, within the tract's boundary, as shown on the Tentative Map. The appropriate right-of-way dedications shall be shown on the final map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, any necessary drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements during design plan check. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

g. The developer shall install all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. The developer shall install storm drain improvements per the Tentative Map, these conditions of approval, and

as approved by the City Engineer. Any required trenching shall be repaired per City Standard 602.

LD70. Prior to final map approval, Lots A and B shall be designated as a water quality basin and an extended detention basin, respectively, and retained by the developer. All basins shall be maintained by a homeowner's association.

LD71. Prior to rough grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction, including easements. Drainage improvements may include, but not be limited to, an in-tract storm drain system including a detention basin and a downstream offsite storm drain connection conveying the tract's exiting runoff within Heacock Street south to existing Line B-18 at Revere Place. Final sizing and design details shall be approved during design plan check.

LD72. Prior to rough grading plan approval, the plans and the submitted drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies. The extended detention basin shown as Lot "B" of the Tentative Map, is an acceptable solution to mitigating the project's post-developed increased runoff, as long as the final drainage study demonstrates that the post development runoff does not exceed pre-developed runoff for any storm even. The adjacent existing Heacock Channel, Sunnymead ADP Line B, is already currently overcapacity which floods the surrounding streets and properties during large storm events. In no way shall this project's development contribute further to the existing problem.

LD73. Prior to rough grading plan approval, the grading plans shall clearly demonstrate, with detail, the proper function and design of the water quality basin (shown as Lot A on the tentative tract map). The design of the basin shall conform to City guidelines as found on the City's website. The water quality basin design, including inlet/outlet/overflow/maintenance access locations, shall be designed per the approval of the City engineer. (http://www.moreno-valley.ca.us/city_hall/forms.shtml#wqmp)

LD74. Prior to rough grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins, both Lots "A" and "B", and an emergency escape at any sump catch basin location. This might include, but not be limited to, over-sizing the catch basin inlets, providing an approved emergency overflow path, or other method as approved by the City Engineer during the design/plan check stage. The developer is responsible for securing any necessary on-site or off-site drainage easements as required for emergency overflow.

LD75. Prior to rough grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100-year floodzone (Zone A). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application Form MT-1, as well as all City Ordinance 8.12.190 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan approval. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for CLOMR-F / LOMR-F requirements. Website: http://www.fema.gov/ Ph: 1-877-336-2627 A copy of all items requested by FEMA shall also be submitted to the City as reference and for review, as required. The grading plans shall plot the flood limits after the proposed fill.

LD76. Prior to rough grading plan approval, the developer shall submit for review and approval a final soils report including site grading recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD75.

LD77. Prior to grading or improvement plan approval, as appropriate, the plans and final drainage study shall include detailed drainage improvement design, including sizing and location. Due to the possible shallow in-tract street grade(s) (See LD78), additional storm drain inlets shall be installed, as may be required by the City Engineer. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD78. Prior to improvement plan approval, the plans shall show the streets designed per City design standards and these conditions of approval. Per the Tentative Map, the streets are shown at a longitudinal slope of less than 1.0%. 1.0% is the minimum street slope, per City standards. If, during design plan check, the design engineer demonstrates that 1.0% minimum is not achievable, and as approved by the City Engineer, a street slope of less than

1.0% may be approved. If slopes of less than 1.0% are approved, the design engineer shall attempt a slope as close to 1.0% as possible, but never less than 0.65%.

LD79. The site design proposed for this project is acceptable given the current proposed treatment devices. However, if the treatment BMP devices change in future F-WQMP submittals, a re-review of the site design acceptability will apply.

LD80. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD81. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD82. The Applicant has proposed to incorporate the use of a water quality basin system. Final design details of the systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD83. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition C; therefore, the condition must be addressed in the F-WQMP.

LD84. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the applicant is prepared to implement all non-structural BMPs included in the FWQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748-135 lots)
APNs: 485-230-025 and -026
02.18.10 Revised

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA06-0183**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the **Special Districts Division of the Public Works Department at 951.413.3480**. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone D**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone D**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space

maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-4 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-5 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Recordation of Final Map

SD-6 (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the following options shall be selected:

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

SD-7 (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent

to record final map 90 days prior to City Council action authorizing recordation of the map. (California Government Code)

SD-8 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges and maintenance for residential street lighting. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone B** (Residential Street Lighting), and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the residential streetlights; or
c. Establish an endowment to cover future maintenance costs for the residential streetlights.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-9 (R) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Moreno Valley Community Services District extensive parkway/median landscape program maintenance for **Zone D**, and pay all associated costs with the ballot process; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

SD-10 *Residential* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and

enhancements, remediation and/or replacement, the developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-11 (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-12 (R) Easements for reverse frontage parkway and slope landscape areas abutting **Heacock St.** shall be **10ft** or to top of parkway facing slope, whichever is greater and **Gentian Ave.** shall be **6ft** or to top of parkway facing slope, whichever is greater, as depicted on TTM dated **January 2010**. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD-13 (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD-14 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD-15 (BP) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Building Permit for the **101st dwelling** unit for this tract.

Prior to Certificate of Occupancy

SD-16 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-17 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map. Please forward to:

City of Moreno Valley
Special Districts
14325 Frederick Street, Suite 9
P.O. Box 88005
Moreno Valley, CA 92552-0805

SD-18 (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
PA06-0183/0184/0185

TTM 34748, Change of Zone, and GPA for 135 residential lots located on the southeast corner of Heacock Street and Gentian Avenue.

Note: All Special conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. Knuckles shall be designed and constructed per City Standard Plan No. 122.

TE4. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE5. Heacock Street is classified as a modified Arterial (100' RW/76' CC) per City Standard Plan No. 104A (modified as necessary). Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE6. Gentian Avenue is designated as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. 105A. Traffic Signal Interconnect shall be installed along Gentian Avenue per City Standard Plan No. 421. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO GRADING PERMIT

TE7. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in condition TE12 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. The driveways shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 117.

TE9. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 and 126 at the time of preparation of final grading, landscape, and street improvements.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection at Heacock Street and Gentian Avenue to provide the following (including any Metal Beam Guard Railing per City Standard deemed necessary by the City Engineer):

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersection:

- **Heacock Street at Gentian Avenue**

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE14. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE15. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signal identified in TE13. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE16. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE12 per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA06-0183 (TTM 34748), PA06-0184 (CZ) and PA06-0185 (GPA)
APN: 485-230-025 and 485-230-026

PUBLIC WORKS DEPARTMENT

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in **bold** lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for project(s) **PA06-0183, PA06-0184, PA06-0185, P09-102**; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from **Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department at 951.413.3487**. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the

approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

PLANNING COMMISSION
STAFF REPORT

Case(s):	PA06-0185 (General Plan Amendment) PA06-0184 (Change of Zone) PA06-0183 (Tentative Tract Map No. 34748) P09-102 (Variance)
Date:	May 13, 2010
Applicant:	Rados Tenants in Common
Representative:	Albert A. Webb Associates
Location:	Southeast corner of Heacock Street and Gentian Avenue
Council District:	4
Recommendation:	Approval

SUMMARY

This item includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

ATTACHMENT 5

Project Overview

This project is comprised of four applications, a General Plan Amendment, Change of Zone, Tentative Tract Map and a Variance, which are being processed concurrently. The site of the proposed project is located at the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026).

The project is located within an area that currently has the Business Park (BP) General Plan land use designation and zoning designation. With approval of the General Plan Amendment and Change of Zone applications, the project will be consistent with the Residential 5 (R5) zoning designation. The Residential 5 (R5) zoning district allows up to 5 dwelling units per acre and the project's density is 3.4.

Background

A larger scale project was presented to the Planning Commission by the same applicant in July 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock Street between Gentian and Iris Avenues in the Business Park and Industrial zoning districts. The industrial park, which was a permitted use, was to include three warehouse distribution buildings totaling 1,493,562 square feet.

The July 29, 2004, public hearing was well attended with a total of twenty seven (27) people speaking, most raising concerns over the potential air quality, noise and traffic impacts of the proposed development. Most of the speakers felt that these potential impacts could not be mitigated and therefore believed that the proposed project would be incompatible with their adjacent neighborhoods. Following the public comments, the Planning Commission approved the proposed development by a vote of 4-0 with three absent.

The project was subsequently assumed for jurisdiction by Councilmember Bonnie Flickinger and the project was then scheduled for a City Council public hearing on September 28, 2004. The City Council public hearing was again well attended by neighboring property owners who spoke in opposition of the project. Concerns raised at the public hearing were similar to those presented to the Planning Commission in July 2004. Following the public comments, the City Council denied the project by a vote of 5-0.

Subsequent to Council's action, the applicant sued the City for denying the project. A settlement agreement was entered into by the applicant and the City as result of that litigation. The terms of the agreement allowed the applicant to submit a revised version of the project for review at no cost. The applicant submitted two separate projects: a single-family residential tract on the northern half of the prior proposed site and a smaller industrial complex project (PA07-0035) on the southern half.

General Plan Amendment

An application for a General Plan Amendment has been submitted in order to change the land use designation from Business Park (BP) to Residential 5 (R5).

Zone Change

An application for a Zone Change has also been submitted in order to change the zoning designation from Business Park (BP) to Residential 5 (R5).

Tentative Tract Map

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan Amendment (PA06-0185) and Zone Change (PA06-0184) are required to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide and develop the site for single-family residential use. Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet.

Variance

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height and on a property line. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%. The variance is required to meet drainage provisions for the development due to an elevation constraint at the connection point to an existing storm drain line in Heacock Street.

Site/Surrounding Area

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north. There is an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from

23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

Access/Parking

Primary access to the proposed tract will be from proposed Street "M" and "N" off of Heacock Street in the west and Street "A" off of Gentian Avenue in the north. Interior streets provide circulation throughout the tract.

Each lot, when developed, will be required to meet the parking standards for a single-family residence, which requires a minimum two (2) car garage to meet the off-street parking requirements of the Municipal Code. Additional permitted parking would be located within oversized garages, driveways and along public residential streets.

Design

The design of the proposed single-family residential lot tract is in conformance with the Residential 5 District (R5) zone design standards of the City. Tentative Tract Map Number 34748, as proposed, will subdivide the 40 acres into 135 single-family residential lots. The lot sizes will range from 7,200 square feet to 12,576 square feet. The average lot size for the tract is around 8,200 square feet. The density for this tract is 3.4 dwelling units per acre.

There are two lettered lots within the project, located in the southwest corner of the proposed tract. Lot "A" is a required water quality detention basin (46,863 square feet). Lot "B" is an extended detention basin (26,539 square feet). A landscape easement, in addition to standard right-of-way, is required to provide enough room to screen the water quality detention basin along Heacock Street as well as proposed Street "K", "N" and "L".

This review and approval process only involves a tentative tract map application for the new subdivision. The future single-family homes for the tract will be reviewed under a separate administrative process. At that time, staff will ensure that the proposed residential units meet the City's design standards.

The walls and fences for this tract are conditioned to be consistent with the provisions for walls and fences within the City's Municipal Code. Decorative block walls are required in the street side yards of all corner lots. Wood fences are permitted for all interior side yards and rear yards not visible from the public right-of-way.

REVIEW PROCESS

The application for the project was submitted on December 21, 2006, and was initially reviewed by staff at the February 6th, 2007, Pre-Project Review Staff Committee (PRSC) meeting. Subsequently, staff has been working with the applicant's representative on a series of revisions to the plan.

ENVIRONMENTAL

The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site.

The majority of the property is covered by low-growing vegetation since the site has been previously disturbed in the past by various activities such as grading, weed abatement and development activities.

A review of the FEMA maps for this area indicated that the project site is located outside of the 100-year flood plain.

Based upon review of the Cultural Resources Inventory prepared for the City of Moreno Valley by the Archaeological Research Unit of the University of California in October 1987, there are no known archaeological resources on the site.

The Transportation Engineering Division (TED) staff has reviewed and approved the revised traffic impact analysis dated September 26, 2007 for the proposed residential project. The traffic analysis notes that the Business Park (BP) land use/zoning district includes such uses as general light industrial, warehousing, and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park (BP) to Residential 5 (R5) would reduce the number of trips.

With consideration given to the preceding information, an Initial Study has been completed for the proposed project. Based upon the Initial Study, a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Negative Declaration is recommended.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no inquiries in response to the noticing for this project.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2010-9, and thereby:

1. **RECOMMEND** that the City Council adopt a Negative Declaration for PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance) in that this project, as conditioned, will not result in significant environmental impacts; and

2. **RECOMMEND** that the City Council approve PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map) and P09-102 (Variance).

Prepared by:	Approved by:
Claudia Manrique Associate Planner	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2010-9 with Conditions of Approval attached as Exhibit A
3. Negative Declaration
4. Initial Study
5. Land Use Map
6. Aerial Photograph
7. Tentative Tract Map 34748

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MV00071940

700 PUBLIC HEARING ITEMS

710

PA06-0185	**General Plan Amendment**
PA06-0184	**Change of Zone**
PA06-0183	**Tentative Tract Map No. 34748**
P09-102	**Variance**

CHAIR MARZOEKI – May I have the Staff Report please?

ASSOCIATE PLANNER MANRIQUE – Good evening I'm Claudia Manrique the Case Planner. The site of the proposed location of the project is the southeast corner of Heacock Street and Gentian Avenue.

For some quick background information; a larger scale project was presented to the Planning Commission by the same Applicant back in July of 2004. The first proposal was for an industrial park to be developed on approximately 73 acres of vacant land located on the east side of Heacock, between Gentian down to Iris in the Business Park and Industrial Zoning Districts. The project was approved by the Planning Commission and later denied at Council. A settlement agreement was entered into by the Applicant and the City. The terms of the agreement allowed the Applicant to submit a revised version of the project. The Applicant submitted two separate projects; the single-family residential tract that is before you and a smaller industrial complex project PA07-0035 on the southern half which was approved earlier this year.

The General Plan Amendment has been submitted in order to change the land use designation from Business Park to Residential 5.

The Zone Change that has been submitted will do the same, from Business Park to Residential 5.

Tentative Tract Map No. 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. Approval of the General Plan and Zone Change are required to allow this. Lot sizes of the tract will range from 7200 square foot to 12,576 square feet. The average lot size of the tract is around 8200 square feet. The density of this tract is 3.4 dwelling units per acre.

The Variance being proposed will cover the retaining walls on four lots; Lots Number 37, 38, 39 and 40, which have retaining walls over the three maximum allowed when located on the property line. The Variance is required to meet drainage provisions for the development due to elevation constraints at the connection point of an existing storm drain along Heacock Street.

The site is currently zoned Business Park and is located in an area located that includes a mix of industrial uses within the Moreno Valley Industrial Area Plan and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west, existing tract homes in the RS-10 zone to the east and north and an existing R5 tract to the southeast corner of the site. Land uses to the south include vacant Industrial zoned land located within the Moreno Valley Industrial Area Plan.

The site is currently vacant and is in an area of the Riverside County Integrated Plan and has been identified for having a potential for Burrowing Owl Habitat. A Habitat Assessment was prepared in September of 2006. No owls were observed on site. The project has been conditioned to complete a pre-construction survey for owls prior to any disturbance of the site.

The Staff Report unfortunately had a minor error about the location of the flood plain. The current Federal Emergency Management Acts or FEMA indicates a small section of the site is in the flood plain along the western boundary. On the Tract Map it is the area highlighted in the darker gray. The project has been conditioned by Public Works to delineate the flood plain zones on the grading plans and to demonstrate on the plans that any building finished floor elevations shall be a one foot minimum above the 100 year flood plain and also meet other requirements of FEMA.

The Transportation Engineering Division staff have reviewed and approved the revised traffic impact analysis. It found that the Business Park Zone includes uses such as general light industrial, warehousing and manufacturing, which would generate more trips than the proposed residential use. Therefore approving the General Plan Amendment and Change of Zone from Business Park to R5 would reduce the number of trips.

Based upon the Initial Study a determination has been made that the proposed project will not result in the potential for significant impacts to the environment. Public Notice was sent to all property owners within 300 feet of the project as well as posted on site and printed in the newspaper. As of today, I received two phone calls regarding the project. They both wanted to know what was going to be developed and if there was a builder already picked out for the tract, which to my knowledge there is not.
Staff recommends that the Planning Commission takes the following action:
Approve Resolution No. 2010-9 thereby recommending that the City Council adopt a Negative Declaration for PA06-0185, 0184 and 0183 and P09-102 in that this project as conditioned will not result in significant environmental impacts and recommend that City Council approves the project.

I would also like to note that there were two changes to the conditions from the Land Development Department. Thank you.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Good evening members of the Planning Commission and Chair Marzoeki. I'd like to make a further change to the green sheet, Condition of Approval LD69. The first reference to an 89 ½ foot right-of-way should remain at 89 ½. That is the number within the parenthesis. The 89 ½ basically designates the total right-of-way width for the street. It is in the third line where 89 ½ is referenced that should be changed to 69 ½. That statement is made with reference to the right-of-way dedication that the developer has to make. There is currently 20 feet of right-of-way on the west side of the street, so this developer only needs to dedicate 69 ½ feet. That's it; thank you.

CHAIR MARZOEKI – Thank you. Do we have any questions of Staff?

COMMISSIONER DE JONG – The first one is just for basic information. We all know that Rados submitted this project as an industrial project several years ago and I'm just curious what prompted the change to residential. Is it the very fact that they got turned down?

PLANNING OFFICIAL TERELL – Well you can talk to the Applicant, but I don't know if it was because they got turned down but based on that process this looked like a more viable use at that time and actually I think based on the economics of the time when this was resubmitted, it looked more viable from that standpoint also; residential versus industrial use was financially feasible.

COMMISSIONER DE JONG – Well hopefully the Applicant will address that question. Also, how will the properties that bisect the flood plain be addressed; not the ones that are completed in the flood plain, but the ones that bisect them.

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, Clement Jimenez from Land Development. The lots that are in the shaded gray area there are currently in flood zone. The developer is conditioned to submit to the City and also to FEMA a Clomar, based on fill and that's basically a conditional letter of map revision based on fill. What that will achieve is it will elevate the pad elevations and ultimately the finished floor elevations so that all of the pads in the shaded area will be located outside of the current flooding limits and this will have to be done prior to a grading permit. Now prior to issuance of a building permit or occupancy, the developer will have to submit a letter of map revisions based on fill and that's actually a letter from the Federal Emergency Management Agency stating that the Clomar (conditional letter of map revision) has been reviewed by them; has been approved by them and that the grading as-built plans reflect that the pads that are currently in the shaded area will be located outside of the flooding area because the pads will be elevated to a certain height.

COMMISSIONER DE JONG – So even some property that is half in and half out of that, it would still be forced to be raised?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Right, any portion of the property that is within the shaded area will have to be elevated.

COMMISSIONER DE JONG – Is the 100 year flood plain?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes it is

COMMISSIONER DE JONG – Thank you

CHAIR MARZOEKI – Are there any other questions of Staff? Seeing none, I will open up the Public Testimony Portion and call the Applicant forward. Please state your name and address for the record.

APPLICANT BROWN – Good evening, my name is Les Brown. My address is 2002 East McFadden, Suite 200, Santa Ana, California.

CHAIR MARZOEKI – Do you have something to say about the project?

APPLICANT BROWN – Very little actually. This is a fairly simple project... 135 residential lots, with the smallest being about 7200 square feet and the largest is about 12,500. It is the result quite literally, years of discussion with the City as to how to get through the various issues presented by this site for residential development. I think the summary by Staff more or less speaks for itself and if there are any questions from any of the Commissioners, I will be happy to try and address them.

CHAIR MARZOEKI – Okay, go ahead

COMMISSIONER GELLER – So you concur with all the Conditions of Approval including all the amendments as amended?

APPLICANT BROWN – Yes, we accept all the Conditions of Approval.

CHAIR MARZOEKI – And that's it, okay. Did you want ask about why the residential?

COMMISSIONER DE JONG – He sort of touched on that but okay. Can you clarify then sir why Rados chose to change the project from Industrial to Residential?

APPLICANT BROWN – After discussions with both citizens and both City Staff, it appeared that a residential development would be much more acceptable to both and frankly given the way the market is developing now, it appears now to be a fairly decent choice. I have great hopes for this project.

COMMISSIONER DE JONG – Okay, easy enough, thank you

CHAIR MARZOEKI – Are there any other questions for the Applicant? Okay I do have one Speaker Slip, so I can call you back up after that if we need to... Deanna Reader...

SPEAKER READER – My name is Deanna Reader and you'll notice that when I marked that, I didn't mark for or against, mainly because I had more questions than anything else and mainly my point is planning is important. You have all these residences and then you have a little street and then it is commercial, which is originally what he was going to do was put a building where a building was zoned to go, but my point is there shouldn't have been any houses west of Indian. You know that area there instead of being houses could have been Business Park and then he could have done the Industrial that would have made more sense and that's why planning is so important. I've read all the stuff and in fact I have read the entire case and the court over this, so I sympathize with Rados to a certain degree, the problem here is how do you fix stupid and I'm not saying on your part because you approved what was supposed to be there, however it was the before you. My point is on some of these things where we make variances that don't make sense, we shouldn't. Thank you.

CHAIR MARZOEKI – Thank you.

PLANNING OFFICIAL TERELL – As a point of clarification, all the surrounding development was actually approved under the County zoning that was in place when the City incorporated, so the early City Councils looked at creating employment in the City and that's why they zoned the areas further south for industrial and these areas actually were zoned Business Park by the County and the City carried those over because of the adjacency to the Air Base. Fortunately over the last 20 or so years the planes that fly or when the Air Force Reserve flying become quieter, that allowed this particular site to even be considered for residential because now the noise contours are even below the levels that... well they are below the levels which residential can occur.

CHAIR MARZOEKI – Okay, thank you for that clarification. Would you like to come back up and say anything else?

APPLICANT BROWN – No thank you

CHAIR MARZOEKI – Okay, well with that I don't have any more Speaker Slips so... Well bring it on up.... Terry Braem. Okay come on up.

SPEAKER BRAEM – My name is Terry Braem. I live at 15450 Tiffin Court just adjacent to that area that we are talking about in this project. To answer your question Mr. De Jong, you asked why this was changed from Light Industrial to Residential. I can tell you back in the day and I was very involved with the project that Rados wanted to do. All the residents were against that project. No one wanted a huge warehouse or Light Industrial in the first place. Everybody

lobbied to have it changed to a residential area because 50 percent of the area is residential and no one wanted any type of trucks moving in and out of that area. If you follow south of Iris down in that area, it is almost an area that is prime for Light Industrial use and I noticed on the planning between Iris and the other street that is still zoned for Light Industrial. I don't understand why that should be still industrial when the whole area should be residential. Now that is the first note when you asked to answer your question. The second one is a huge concern because I have lived in that area for over 20 years; that area floods bad. I don't know how... just these recent past storms, Heacock and Iris was completely closed off because there was so much water in that area, so I'm not sure how drainage would work. It would have to be very creative in draining that area. I've been in that area to the point where that whole field was a lake, so you would have to be very cautious when it rains in that area because it is very, very bad, so I would suggest that whole area that is going to be residential is going to have to be built up.

COMMISSIONER DE JONG – Thank you

SPEAKER BRAEM - Are there any questions?

CHAIR MARZOEKI – Thank you

COMMISSIONER DE JONG – I appreciate it

PLANNING OFFICIAL TERELL – Yeah just a point of clarification... The property to the south has an approved industrial project on it but it is a mixture. It has a row of small buildings under 50,000 square feet, kind of similar to the buildings across the street from the City Hall, so that's the buffer between the residential and the industrial and there is one relatively small by current standards, but large warehouse building that has been approved for the property that the Speaker was referencing, but there is a buffer. It doesn't go directly from Residential to Industrial; there is a row of multi-tenant buildings in between that provide an adequate transition to this project and to the existing residential to the east and then you get to the Industrial.

CHAIR MARZOEKI – Okay, thank you. We have one more Speaker Slip.

COMMISSIONER DE JONG – Can we have Clement comment on the drainage?

CHAIR MARZOEKI – Oh sure

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Hi, good evening again. With respect to the drainage/flooding problem at the intersection of Heacock and Iris, the City is aware that there is a flooding problem there; however the developer cannot be conditioned to fix an existing public flooding problem. They can be conditioned to not increase or add to the problem and

therefore the project has been conditioned to add a detention basin as you'll note on either Lot A or Lot B on the exhibit. One basin is for water quality and the other one is strictly for detaining the difference between pre-emptive post development flow, so the amount of the flow that runs out of the project site will be equal to or less the amount of flow that currently leaves the site and that is what we can condition the developer to do. Now I know that Riverside County Flood Control District is working with March JPA on a project and a study and I think it is still very preliminary in the planning stages to improve Heacock Channel which runs along to the west side of Heacock Street and only that improvement will ultimately solve the problem at the intersection of Heacock and Iris and it is a very big project and very expensive project, but it is something that is being planned for currently by other agencies.

COMMISSIONER DE JONG – So Clement in your opinion, the raised pads in the flood area and the retention basins is adequate enough to deal with this problem?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Yes, the houses will not flood. The streets may flood a little bit especially on Heacock Street but depending on the elevations of the streets within the interior site of the tract, they probably will not flood and the engineer is here. He can speak to the flooding on the interior streets but the pads themselves will not flood because they will have to be elevated and FEMA will review the grading plan and the revised flood plain limits to ensure that no flooding will occur on the houses.

COMMISSIONER DE JONG – Is it FEMA's requirement to have one foot or 12 inches raised up?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It is both... It is actually a City Ordinance. Our City Municipal Code requires that residential units finished floor elevation to be raised one foot above the water surface elevation of a 100 year flood plain.

COMMISSIONER DE JONG – Where does this 12 inch come from? Is this just the City's standard or is it FEMA?

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – It's actually pretty common in other cities and it is a FEMA requirement as well. Other cities have that same one foot criterion.

COMMISSIONER DE JONG – Okay thank you

CHAIR MARZOEKI – Is that it?

COMMISSIONER DE JONG – That's it for now.

CHAIR MARZOEKI - I have one more Speaker Slip. I'm not sure if you are speaking on this item or not but Douglas Whitney. Okay, so this one is for Item 730. Okay, so I don't have any other Speaker Slips unless the Applicant wants to comes back up and address anything. No, okay, we will close the Public Testimony portion of this item and open it up to Commissioner Comments.

COMMISSIONER GELLER – I get the feeling I was the only one here during the original hearings. Were you here?

CHAIR MARZOEKI – No, I was here

COMMISSIONER GELLER – Like I say, I know this has dragged on for years and years and years and I'm glad they reached an accord with the City and I know the bottom line is though the City couldn't approve anything without going through the whole process. I certainly don't see anything wrong what is proposed to go here and clearly the surrounding residents seem to have less issue with this than they did with the other project. But so anyway, I think we should send it on its way so they can get started after all these years.

CHAIR MARZOEKI - Thank you

COMMISSIONER DE JONG – I agree one hundred percent. I'm glad to see this project is coming forward with an equitable solution to the site. I like the street layout. I like the big curved layout. We are not just talking about regular squares and rectangles, but a nice curved street I think is refreshing and I'm satisfied with how City Engineering is dealing with the flooding, so I will also vote to pass this along.

CHAIR MARZOEKI – Thank you. Any comments?

COMMISSIONER SALAS – I have no comments

CHAIR MARZOEKI – Okay

COMMISSIONER BAKER – I'm okay

CHAIR MARZOEKI – Okay. Does anybody want to make a motion?

COMMISSIONER DE JONG – I'll make a motion

CHAIR MARZOEKI – Okay

COMMISSIONER DE JONG – I move that the Planning Commission **APPROVE** Resolution No. 2010-9 and thereby:

1. **ADOPT** a Negative Declaration for PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance, in that this project as conditioned will not result in significant environmental impacts; and,
2. **APPROVE** PA06-0185 General Plan Amendment, PA06-0184 Change of Zone, PA06-0183 Tentative Tract Map and P09-102 Variance as modified.

COMMISSIONER GELLER – Second

CHAIR MARZOEKI – We have a motion and a second. Is there any discussion? All those in favor

Opposed – 0

Motion carries 5 – 0 – 2, with two absent (Vice Chair Riechers and Commissioner Dozier)

CHAIR MARZOEKI – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action.

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MV00071950

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA06-0185 (General Plan Amendment), PA06-0184 (Change of Zone), PA06-0183 (Tentative Tract Map 34748) and P09-102 (Variance)
PROJECT APPLICANT: Rados Tenants in Common **TELEPHONE NUMBER:** (714) 835-4612
PROJECT LOCATION: Southeast corner of Heacock Street and Gentian Avenue
PROJECT DESCRIPTION: The project includes four applications, which are being processed concurrently. Tentative Tract Map 34748 is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan and Zone Change to change the land use from Business Park (BP) to Residential 5 (R5). Lot sizes will range from 7,200 square feet to 12,576 square feet. The proposed variance covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[X] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE: 7/13/2010

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____	BY: City Council

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: PA06-0185 (General Plan Amendment)
PA06-0184 (Change of Zone)
PA06-0183 (Tentative Tract Map 34748)
P09-102 (Variance)

2. Lead Agency Name and Address: City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

3. Contact Person and Phone Number: Claudia Manrique, Associate Planner
(951) 413-3225

4. Project Location: Southeast corner of Heacock Street and Gentian Avenue

5. Project Sponsor's Name and Address: Rados Tenants in Common
2002 McFadden Avenue, Ste. #200
Santa Ana, CA 92705

6. General Plan Designation: Current: Business Park (BP)
Proposed: Residential 5 (R5)

7. Zoning: Current: Business Park (BP)
Proposed: Residential 5 (R5)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue (Assessor's Parcel Numbers 485-230-025 and 485-230-026). Lot sizes for this tract map will range from 7200 square feet to 12,576 square feet. The site is undeveloped with no significant vegetation noted on the site. Approval of Tentative Tract Map 34748 is contingent upon City Council adoption of the change in land use from Business Park (BP) to Residential 5 (R5).

The proposed variance (P09-102) covers retaining walls on four lots (Lot Numbers 37, 38, 39 and 40) that are over three feet in height. The City of Moreno Valley's Municipal Code states in Chapter 9.08.070 that "Retaining walls within any side yard or rear yard shall not exceed six feet in height, except where they are located on the boundary between two residential parcels, in which case they shall not exceed three feet in height." The four lots have proposed 3.2 ft and 3.4 ft high retaining walls along the rear property boundaries, which is below the maximum allowable increase of 10%.

No blue line stream was noted on the Sunnymead, CA USGS Topographical Quadrangle Map, which pertains to this site. On-site drainage for this property appears to flow from northeast to southwest the across the surface of the site. A riparian area or a condensed vegetated area to support threatened or endangered species was not evident at the site. Therefore, it is not anticipated that the project will result in a potential for significant impacts to Fish and Wildlife resources.

Based on review of the Cultural Resources Inventory for the City of Moreno Valley, (October 1987), there are no known archaeological resources on the site. The tentative tract will also be conditioned to cease excavation or construction activities if archaeological, paleontological or historical resources are uncovered at the project site. Work in the affected area will cease immediately and the applicant shall consult with a qualified person with appropriate expertise regarding mitigation measures to preserve or record the find.

There are no historic buildings on the site. Therefore, based upon the design of the tentative tract map and the conditions of approval, there will be no impact to scenic resources by development of the proposed project.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. To the southeast corner of the site is an existing R5 tract. Land uses to the south include vacant Industrial zoned land located within SP #208.

Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue.

Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

An encroachment permit from the Riverside County Flood Control and Water Conservation District will be required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
The project site is not located in an area identified in the General Plan as an aesthetic resource or a significant visual resource. The project site is located at the northern limits of the Moreno Valley Industrial Area Plan (SP #208) in an area that is comprised of industrial land uses adjacent to residential land uses. The future residential structures will be designed and conditioned will assure a design standard that will not have a substantial adverse effect on the scenic vista of the area.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
There are no trees, rock outcroppings or historic buildings on the site. There are no state scenic highways in the vicinity of the site. The site has been disked over the years for weed abatement. As designed and conditioned, the project will not substantially damage scenic resources.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
The project is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. This project is consistent with existing land uses and as designed (with General Plan Amendment and Change of Zone) will not substantially degrade the existing visual character or quality of the site and its surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
As the site is currently vacant, the proposed residential project may create additional light and glare. With regard to indirect impacts, the types of land uses allowed under the General Plan Amendment and zoning would be expected to generate similar or less of an impact on spillover lighting than the office uses under the current General Plan.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The site is not designated as prime farmland on the State Important Farmland Map.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed warehouse facility does not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
There is no immediate surrounding agricultural land use designation, or any proposed according to the General Plan. The proposed warehouse facility will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections, or evaluation of assumed emissions. The existing 2007 AQMP was developed based on SCAG (Southern California Association of Governments) population projections for the region. The population projections made by SCAG are based on existing and planned land uses as set forth in the various general plans of local governmental jurisdictions within the region. The proposed residential project will have less impact on air quality than the original land use designation of Business Park (BP) that has been in place for the last several iterations of the regional population projections and the AQMP.				

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
The project as proposed includes a Zone Change from Business Park (BP) to Residential R5 (R5). The change in land use is consistent with the City's the General Plan. The project is located within the jurisdiction of the South Coast Air Quality Management District. The project would not obstruct implementation of the South Coast Air Quality Management Plan.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
As a residential project, the development would not be expected to produce significant concentrations of pollutants on-site except during construction. Standard conditions of approval provide mitigation from construction related dust products. The nearest sensitive receptors include existing single-family residences to the north, northeast, southwest and east of the proposed project. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposal would have no direct impact in creating objectionable odors. Any residential development projects under the proposed designations would be required to mitigate or address objectionable odors.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
The project site is comprised of two individual parcels totaling 40 acres at the SEC corner of Heacock Street and Gentian Avenue. The site is currently vacant and is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. A habitat assessment for burrowing owl was prepared on September 25, 2006 by Ecological Sciences, Inc. No burrowing owls were observed on the site during the habitat assessment. Several potentially suitable ground squirrel burrows were noted on the site. However, monitoring of the site during peak activity times did not reveal the presence of burrowing owl on or directly adjacent to the project site. The project has been conditioned to complete a pre-construction survey for burrowing owl prior to any disturbance of the site. The project site has been disturbed in the past through disking for weed abatement and illegal dumping. Therefore, the proposed project will result in less than significant impacts to Fish and Wildlife resources.				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
There is no stream on the site and no riparian habitat or other sensitive natural community on the site. The project site is located across the street from Line B, which is an open channel located on the west side of Heacock Street. The project also fronts along Line B-19, which is located within Iris Avenue. Improvements related to the project that would impact Line B-19, are limited to a point of connection into the existing underground storm line. Prior to completing such work, the developer is conditioned to work with the Riverside County Flood Control District to acquire any required permits. Therefore, this project will have a less than significant impact on riparian habitat or other sensitive natural communities.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The site is vacant and has been disturbed through routine disking for weed abatement. There are no federally protected wetland areas such as a marsh or vernal pool evident at the site. In addition, a riparian area and condensed vegetation to support threatened or endangered species was not evident at the site. Therefore, the development of this project will not have a substantial adverse effect on federally protected wetlands.				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
This site is an urbanized area with existing development to the north, east and west (March Air Reserves Base). Burrowing owl, which was initially identified by Riverside County as having the potential of occurring on the site was not observed during site surveys, so it is unlikely that the proposed project will directly impact sensitive species. There are no known migratory fish or wildlife species or migratory wildlife corridors, on or near the project site.				

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
The proposed project will not conflict with any General Plan or local policies pertaining to the protection of biological resources				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The MSHCP fee is currently $1938.00 per lot.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Based upon inspection of the project site and review of the Cultural Resources Inventory for the City of Moreno Valley, (Archeological Research Unit, University of California, Riverside, October 1987), there are no known archaeological resources on the site. There are no historical structures existing on the site. There are no known paleontological or unique geological features on the site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
The proposed residential project would not have a direct impact on creating geologic concerns. The proposed plan does not increase the exposure of residences that might be exposed to groundshaking, since residences are not proposed as part of the plan. In addition, the site is not within an Alquist-Priolo zone, or other designated fault hazard zone. According to the City's environmental information, the project site is not on, or close to, any known earthquake fault. There is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
The nearest fault is the San Jacinto fault system, which is located about 16 miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current development codes.				
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?			X	
This site is not near or adjacent to the mountainside areas. The site is flat, and landslides will not be an issue. There is no potentially significant impact from landslides.				

(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
The geologic unit or soil is not known to be unstable based on current resources. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
According to the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
The project will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley is currently in the process of preparing a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. This project was submitted in December 2006 and the environmental review started in November 2009 before the greenhouse gas emissions section was added to the Initial Study Checklist, therefore the City has chosen to rely on a qualitative analysis. Tentative Tract Map 34748 (PA06-0183) is a proposal for a 135 single-family residential lot subdivision on 40 acres. This project includes a General Plan (PA06-0185) and Zone Change (PA06-0184) to change the land use from Business Park (BP) to Residential 5 (R5) in order to subdivide two vacant parcels on the southeast corner of Heacock Street and Gentian Avenue. A Traffic Impact Analysis Final Review was completed for the project in October 2007. The report noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
The project would not be in conflict with an applicable plan for reducing the emissions of greenhouse gases as there are no adopted plans for the purpose of reducing greenhouse gases in effect at the time of this Initial Study.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	

The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
The proposed project, a 135 single-family residential lot subdivision on 40 acres, will not create a significant hazard to the public or the environment. There will be no known hazardous materials associated with the development of the site. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
The project site is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is not within an airport land use plan. The project as designed and conditioned will not result in a safety hazard for people living in the project area.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. The proposed residential tract has been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Site Design and Source Control best management practices (BMP) are used throughout the project. Treatment BMPs must be selected and implemented which are medium to highly effective in treating pollutants of concern. The applicant has proposed to incorporate the use of multiple filtration systems as the treatment BMP. The treatment control BMP is acceptable as the conceptual treatment subject to certain conditions including in-situ percolation/infiltration test results. Although this approach is acceptable in concept with the Preliminary WQMP, final sizing and specifications based on support calculations and design details will be provided in the Final WQMP at the post entitlement stage. Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
The Eastern Municipal Water District (EMWD) would provide the proposed project with water supplies as opposed to utilizing individual water wells. Water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for prevention substantial erosion. The site is within the 100-year flood plain. However, there is no streambed or river on the project site, so the project will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				X
A river or streambed were not evident on the site. Runoff patterns will not be altered to the result of flooding on or off-site.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
f) Otherwise substantially degrade water quality?			X	
All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the project is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that a small section of the site is in a flood zone (along the western boundary). The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
An inspection of the site shows no evidence of concentrated drainage. The current Federal Emergency Management maps (FEMA) maps indicate that the site is in a flood zone. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

The site is within a 100-year flood plain as shown on the FEMA maps, but it is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. The project has been conditioned by Public Works delineate the flood zone limits on the grading plans and to demonstrate on the plans that any building finished floor elevation shall be a 1-foot minimum above the 100-year base flood elevation. Additionally, prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. As designed and conditioned, this project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X
The project is currently zoned Business Park and is located in an area that includes a mix of industrial land uses within the Moreno Valley Industrial Area Plan (SP #208) and existing tract homes in the RS-10 and R5 zones. Land uses include the March Air Reserve Base to the west and existing tract homes in the RS-10 zone to the east and north. Land uses to the south include vacant Industrial zoned land located within SP #208. Directly south of the proposed map is an approved industrial complex project (PA07-0035) that includes six industrial buildings to be constructed on six separate parcels located along Revere Place and Concord Way. The buildings range in size from 23,700-square feet to 47,160-square feet. The complex also includes a 409,598 square feet warehouse distribution facility (PA07-0039 for Building #7), to be located on 19.14-acres located at the northeast corner of Heacock Street and Iris Avenue. Further to the south (SEC of Iris Avenue and Heacock Street) is an approved industrial warehouse complex project (PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156), which includes four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). To the southeast (SWC of Iris Avenue and Indian Street) is an approved industrial complex project (PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) with one building totaling 1,560,046 sq ft.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
There are no conflicts associated with any land use plans. The proposed project is consistent with the site's proposed zoning of Residential 5 (R5) and the City's General Plan.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	
The proposed project is located within the boundaries of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP). Also, the City is participating in the Multiple Species Habitat Conservation Plan (MSHCP), a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. The project is not within any of the (MSHCP) criteria areas, PQP land, or any special survey areas. A burrowing owl survey assessment was completed for this site with no owls observed on the site. There is no riparian, riverine, or vernal pool (fairy shrimp) habitat on the project site. The project as designed and conditioned is consistent with the MSHCP and will have not conflict with the MSHCP or SKR HCP. The SKR Habitat plan will require a fee of $500.00 per acre to be paid by the developer to assist in setting aside established protection areas for said habitat. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan. The fee is currently $1938.00 per lot.				
XI. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	
The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site. No mineral deposits have been identified in the General Plan, consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan. Therefore, no significant impacts would occur.				
XII. **NOISE.** Would the project result in:				

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
Development of the project may result in ground-borne vibrations or noise generated infrequently through the construction phase. However, this type of effect would be temporary and infrequent and is not expected to occur during project operation.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, no significant impacts would occur. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of land uses in the adjacent area as proposed by the General Plan Update and less than the permanent noises associated with the Office use currently established at this site. Therefore, the project as proposed would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
The project is located across the street from the March Air Reserve Base but outside the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This is an overlay district that restricts land use on properties located to the north and south of the runway of March Air Reserve Base. The AICUZ includes elements that address noise zones and accident potential zones. The project site is located outside the mapped noise contours associated with aircraft operations at the MARB airfield, indicating noise exposure due to aircraft operations in less than 60 decibels (CNEL). This is well below the accepted noise exposure level for industrial uses. March JPA identified that the project is restricted by FAA Part 77, which limits building heights in this area to 85-feet. The project as proposed has a maximum height of 36-feet and will not be in conflict with height restrictions from adjacent March Air Reserve Base.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
As the site is considered an industrial site, with population and housing growth opportunities indirectly related, the project will be planned consistent with the Citywide plan.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site.				

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
There are no existing residences on the site. The project will not displace any residents.				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
b) Police protection?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
c) Schools?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
d) Parks?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
e) Other public facilities?			X	
There will be an incremental increase in the demand for new or altered public services including library, city hall, and city yard facilities. These facilities would be needed with or without the project. Environmental review has already been done for the proposed library as part of the future city hall complex.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
The General Plan Amendment and Change of Zone would have no direct impact on recreational facilities. Development within the project area will be required to pay development impact fees for residential uses. Part of the residential fees will go towards recreation facilities within the City of Moreno Valley.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
A traffic study was required to review the proposed General Plan amendment and change of zone. The report completed in October 2007 noted that the site is currently zoned for Business Park. Assuming uses such as general light industrial, warehousing, and manufacturing, the Business Park use would be anticipated to generate more trips than the proposed residential use. With the approval of the General Plan amendment and change of zone, the project will consistent with the existing general plan, circulation plan and land use designation of Residential 5 (R5) and the zoning district of R5, and would not conflict with any applicable plans, ordinances or policies.				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

The project is consistent with the most current Riverside County Congestion Management Plan and the requirements included within the traffic study. The October 2007 traffic study found that the existing Business Park (BP) zoning would generate more trips than the proposed residential use.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that will result in substantial safety risks?			X	
The project is located across the street from March Air Reserve Base but outside of the boundaries of the Air Installation Compatibility Use Overlay District (AICUZ). This project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
As designed, the project will not result in hazards. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
The project has been designed in a manner consistent with City standards. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities or decrease the safety performance of such facilities.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The project would not exceed the existing or planned capacity of the Moreno Water Reclamation Facility.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
The project will not require or result in the construction of unplanned storm water drainage facilities or expansion of existing facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
This project was determined to not be a project of regional significance per CEQA guidelines, so the preparation of a Water Supply Assessment was not required.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
EMWD, the wastewater treatment provider, has adequate capacity to serve the project in addition to the provider's existing commitments. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: EIR for the General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
The General Plan Amendment and Change of Zone itself has no direct impacts on solid waste. There is adequate in landfills to accommodate the future development.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. All future projects will comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. There are no historic structures on the site, and there will be no impact to historic resources. The project will not eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of a tentative tract map that would result in no substantial adverse health effects on human beings.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
This project will not create any impacts, that when viewed in connection with existing land uses, and other recently approved projects, would be considered cumulatively considerable. It is not expected that the proposed project would result in incremental effects. The analysis in this Initial Study demonstrates that the proposed project cumulative impacts would be less than significant.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project consists of a General Plan Amendment, Change of Zone and a tract map. The project as designed and conditioned will not cause substantial adverse effects on human beings, either directly or indirectly for the reasons described in this checklist/initial study.				

Aerial Photograph

PA06-0183, 0184, 0185 and P09-102

ty of Moreno Valley
-177 Frederick Street
oreno Valley, CA 92553

CLAIMER: The information shown on this map was compiled from the Riverside unty GIS and the City of Moreno Valley GIS. The land base and facility information on this o is for display purposes only and should not be relied upon without independent verification o its accuracy. Riverside County and City of Moreno Valley will not be held responsible any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY

ATTACHMENT 8

Item No. E.2

MV00071967

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MV00071968

IN THE CITY OF MORENO VALLEY, STATE OF CALIFORNIA

TENTATIVE TRACT MAP NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

JANUARY 2010

OWNER/DEVELOPER:
THE RADOS COMPANIES
2002 E. MCFADDEN AVE.
SANTA ANA, CA 92705
PHONE (714) 835-4612

ENGINEER/REP.:
ALBERT A. WEBB ASSOCIATES
3788 MCCRAY STREET
RIVERSIDE, CA 92506
(951) 686-1070

ASSESSOR'S PARCEL NO:
486-230-025, 026

ACREAGE:
GROSS: 40.27 ACRES
NET: 26.71 ACRES

ZONING DATA:
EXISTING GENERAL PLAN: B-P
EXISTING ZONE: BP (BUSINESS PARK)
PROPOSED GENERAL PLAN: R-5
PROPOSED ZONE: R-5 (7,200 SQ. FT. MINIMUM)

LAND USE:
EXISTING: VACANT (UNDEVELOPED)
PROPOSED: SINGLE FAMILY RESIDENTIAL
EXISTING SURROUNDING LAND USE: SINGLE FAMILY RESIDENTIAL/VACANT
PROPOSED MINIMUM LOT SIZES: 7,200 SQ. FT.

LEGAL DESCRIPTION:
LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

COMMUNITY SERVIES DIRSTRICT:
NOT WITHIN A COMMUNITY SERVICES DISTRICT

SCHOOL:
MORENO VALLEY UNIFIED SCHOOL DISTRICT
25634 ALESSANDRO BOULEVARD
MORENO VALLEY, CA 92553
PH (909) 485-5600

UTILITIES:

WATER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE:
VERIZON
(800) 483-4000

ELECTRIC:
MORENO VALLEY ELECTRIC UTILITY
14325 FREDERICK STREET, SUITE 9
MORENO VALLEY, CA 92553
(951) 413-3500

TV:
TIME WARNER
12125 DAY STREET #A 203
MORENO VALLEY, CA 92557
(951) 275-9022

GAS:
SOUTHERN CALIFORNIA GAS
1981 W. LUGONIA AVE
REDLANDS, CA 92374
(800) 427-2200

TRASH:
WASTE MANAGEMENT INLAND EMPIRE
800 SOUTH TEMESCAL
CORONA, CA 92879
(800) 423-9986

STORM DRAIN:
R.C.F.C.D. (AND CITY)
1995 MARKET STREET
RIVERSIDE, CA 92501
(951) 955-1200

SEWER:
EMWD
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TOPOGRAPHY SOURCE:
RIVERSIDE COUNTY FLOOD CONTROL

GENERAL NOTES:

1. TOTAL NUMBER OF RESIDENTIAL LOTS: 135 AND 2 LETTERED LOTS
2. PROJECT DENSITY: 3.3 GROSS DU/AC 5.0 NET DU/AC.
3. THIS PROJECT IS NOT SUBJECT TO LIQUEFACTION.
4. APPLICANT REQUESTS THE RIGHT TO FILE MULTIPLE MAPS UNDER SECTION 66456-1 OF THE MAP ACT.
5. ALL SLOPES ARE 2:1 EXCEPT WHERE NOTED ON PLANS
6. THERE ARE NO KNOWN EXISTING WELLS ON THE PROPERTY OR WITHIN 200' OF THE PROJECT.
7. THERE ARE NO KNOWN EXISTING DWELLINGS, BUILDINGS OR OTHER STRUCTURES ON THE PROPERTY.
8. FEMA FLOOD ZONE DESIGNATION - ZONE A. ALL LOTS SHALL BE LOCATED OUTSIDE OF FLOOD PLAIN.
9. CORNER CUTBACKS SHALL BE DESIGNED PER CITY STANDARD NO 208
10. KNUCKLES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO. 122
11. CUL-DE-SACS SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARD NO 123/124

STREET GRADE NOTE:
A PROPOSED LONGITUDINAL STREET SLOPE OF LESS THAN 1.0% MAY BE APPROVED ONLY WHEN ENGINEERING DESIGN SHOWS THAT LOCAL DRAINAGE PROVISIONS ARE ADEQUATE AND STEEPER GRADIENTS CANNOT BE OBTAINED, AS SUPPORTED BY A SUBMITTED ENGINEERED DESIGN AND APPROVED BY THE CITY ENGINEER. UNDER NO CIRCUMSTANCES SHALL THE STREET SLOPE BE FLATTER THAN 0.65%".

LEGEND

100 EXIST. CONTOUR	W B" WATER LINE
PROPERTY LINE	W EXIST. WATER LINE
2% STREET GRADE	S 8" SEWERLINE
STREET CENTERLINE	S EXIST. SEWER LINE
PROP. R/W	DRAINAGE LINE
EXIST. R/W	EXIST. FLOOD LIMIT
TOP OF SLOPE	EXISTING FLOOD ZONE
TOE OF SLOPE	PROP FLOOD LIMIT
DECORATIVE BLOCK /RETAINING WALL	DECORATIVE BLOCK WALL

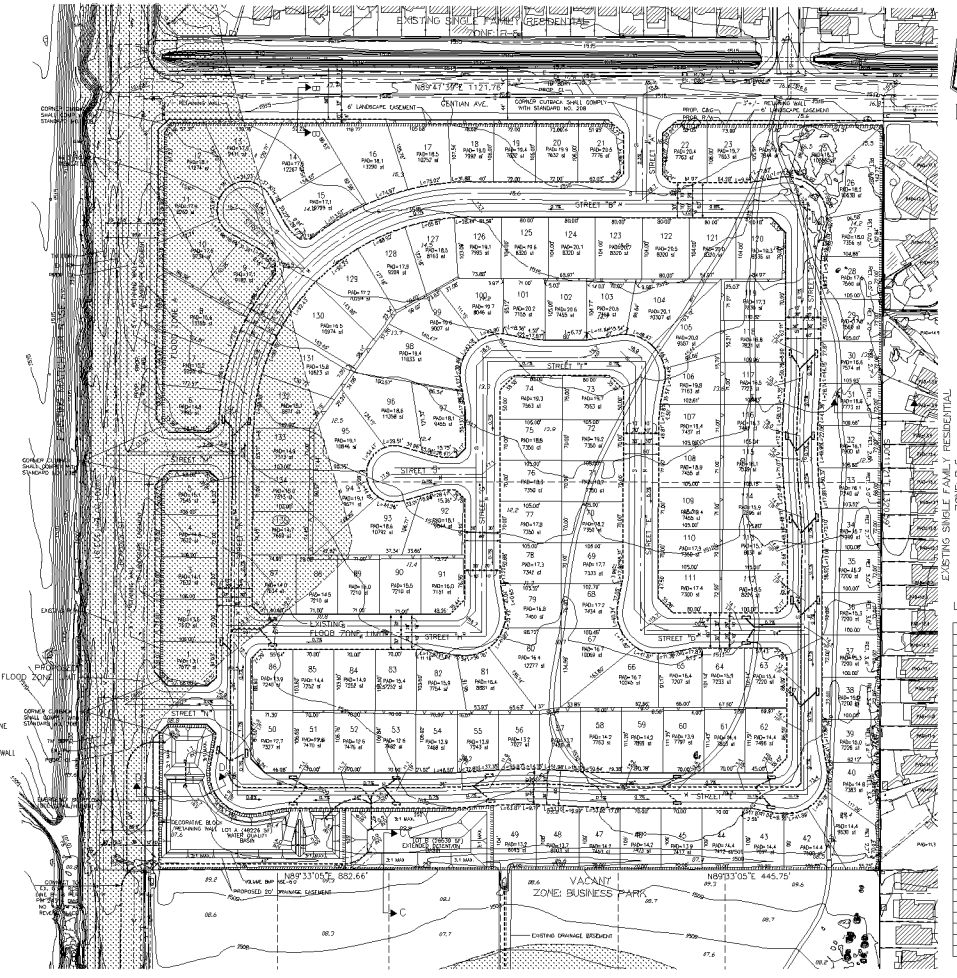

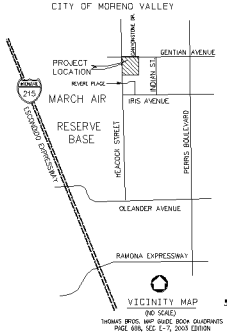

VICINITY MAP
(NO SCALE)
THOMAS BROS. MAP GUIDE 2003 COORDINATES PAGE 699, SEC E-7, 2003 EDITION

GRAPHIC SCALE 1" = 100'
0 100 200 300

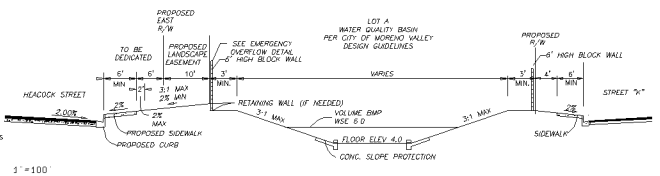

SECTION D
(NOT TO SCALE)

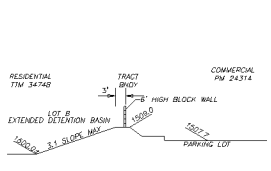

SECTION C
(NOT TO SCALE)

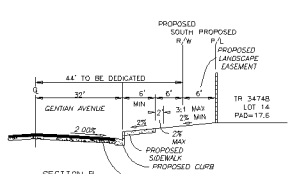

SECTION B
(NOT TO SCALE)

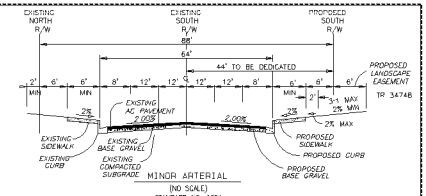

MINOR ARTERIAL
(NO SCALE)
STANDARD NO. 105A
(GENTIAN AVENUE)

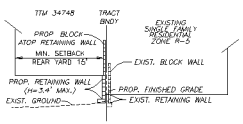

SECTION A
(NOT TO SCALE)

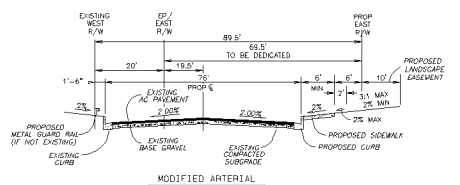

MODIFIED ARTERIAL
(NO SCALE)
STANDARD NO. 104A
(HEACOCK AVE)

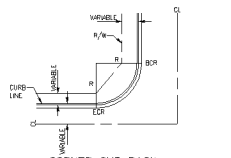

CORNER CUT-BACK
(NO SCALE)
SOUTHEAST CORNER OF HEACOCK ST. AND GENTIAN AVE.
STANDARD NO. 208

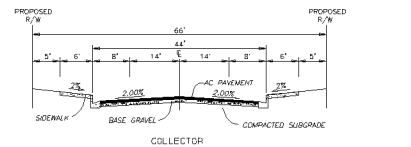

COLLECTOR
(NO SCALE)
STANDARD NO. 107
(STREETS "K", "M" AND "N")
* ALL IMPROVEMENTS ARE PROPOSED

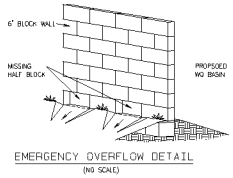

EMERGENCY OVERFLOW DETAIL
(NO SCALE)
SOUTHWEST CORNER OF TTM 34748
PARALLELL TO HEACOCK STREET

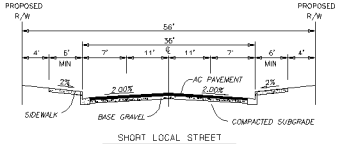

SHORT LOCAL STREET
(NO SCALE)
STANDARD NO. 108B
(STREETS "J" AND "J")
* ALL IMPROVEMENTS ARE PROPOSED

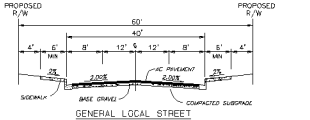

GENERAL LOCAL STREET
(NO SCALE)
STANDARD NO. 108A
(STREETS "B", "C", "D", "E", "F", "G", "H", "K" AND "L")
* ALL IMPROVEMENTS ARE PROPOSED

LOT SUMMARY TABLE

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
LOT 1	7572	LOT 30	7574	LOT 59	7899	LOT 88	7218	LOT 117	7723
LOT 2	7632	LOT 31	7773	LOT 60	7797	LOT 89	7218	LOT 118	7821
LOT 3	7632	LOT 32	7800	LOT 61	7805	LOT 90	7218	LOT 119	7835
LOT 4	7632	LOT 33	7240	LOT 62	7496	LOT 91	7151	LOT 120	8536
LOT 5	7545	LOT 34	7199	LOT 63	7220	LOT 92	9644	LOT 121	8320
LOT 6	7595	LOT 35	7200	LOT 64	7233	LOT 93	10792	LOT 122	8320
LOT 7	8256	LOT 36	7200	LOT 65	7207	LOT 94	9671	LOT 123	8320
LOT 8	13185	LOT 37	7200	LOT 66	10245	LOT 95	10846	LOT 124	8320
LOT 9	9182	LOT 38	7200	LOT 67	10069	LOT 96	11358	LOT 125	8320
LOT 10	8734	LOT 39	7226	LOT 68	7434	LOT 97	9455	LOT 126	7995
LOT 11	8262	LOT 40	7383	LOT 69	7333	LOT 98	11833	LOT 127	8163
LOT 12	11274	LOT 41	9630	LOT 70	7350	LOT 99	9007	LOT 128	9289
LOT 13	9411	LOT 42	7500	LOT 71	7350	LOT 100	8046	LOT 129	10294
LOT 14	12287	LOT 43	7097	LOT 72	7350	LOT 101	7158	LOT 130	10974
LOT 15	10799	LOT 44	7412	LOT 73	7583	LOT 102	7455	LOT 131	10623
LOT 16	13290	LOT 45	7417	LOT 74	7563	LOT 103	7468	LOT 132	8671
LOT 17	10252	LOT 46	7423	LOT 75	7350	LOT 104	10307	LOT 133	7313
LOT 18	7992	LOT 47	7453	LOT 76	7350	LOT 105	9557	LOT 134	7313
LOT 19	7632	LOT 48	8003	LOT 77	7350	LOT 106	7163	LOT 134	7313
LOT 20	7632	LOT 49	8093	LOT 78	7342	LOT 107	7437	LOT 135	7669
LOT 21	7776	LOT 50	7327	LOT 79	7450	LOT 108	7455	LOT A	48226
LOT 22	7763	LOT 51	7470	LOT 80	12277	LOT 109	7458	LOT B	28539
LOT 23	7653	LOT 52	7476	LOT 81	6881	LOT 110	7358		
LOT 24	7844	LOT 53	7482	LOT 82	7754	LOT 111	7300		
LOT 25	10355	LOT 54	7466	LOT 83	7252	LOT 112	8276		
LOT 26	10638	LOT 55	7243	LOT 84	7252	LOT 113	8631		
LOT 27	7356	LOT 56	7027	LOT 85	7252	LOT 114	7896		
LOT 28	7560	LOT 57	7426	LOT 86	7240	LOT 115	7539		
LOT 29	7560	LOT 58	7763	LOT 87	7534	LOT 116	7492		

REVISIONS	DATE	BY
REVISED PER CITY COMMENTS	06-12-06	STANTEC
REVISED PER CITY COMMENTS	02-06-07	STANTEC
REVISED PER CITY COMMENTS	08-06-07	STANTEC
REVISED STREET "N" ENTERANCE GRADING FOR BASIN G "C", "E" & "L" STREET	10-27-08	WEBB
REVISED PER CITY COMMENTS	11-25-08	WEBB
REVISED PER CITY COMMENTS	01-28-10	WEBB
REVISED PER CITY COMMENTS	03-02-10	WEBB
REVISED PER CITY COMMENTS	03-18-10	WEBB

PA06-0183

REGISTERED PROFESSIONAL ENGINEER JASON K. ABSHER NO. C71508 EXP. 12-31-11 CIVIL STATE OF CALIFORNIA

TENTATIVE MAP

TRACT NO. 34748

LOTS 20 AND 21 IN BLOCK 3 OF THE RIVERSIDE ALFALFA ACRES, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CA

SCALE: 1" = 100'	ALBERT A. WEBB ASSOCIATES	CIVIL ENGINEERS 3788 MCCRAY ST. RIVERSIDE CA. 92506 (951) 686-1070	W.O. 09-0117
DATE: 3/2/10			SHEET 1
DESIGNED: SRK			OF 1 SHEETS
CHECKED: JKA			
RLIN CK REF:	FILE: G:\2009\09-0117\DWG&PRO\Design\09-0117TM.pro		DWG. NO. 09-0117TM.PRO
P.B.:	PLOT DATE: 3/18/2010		

ATTACHMENT 9

Item No. E.2

MV00071969

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MV00071970

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairman and Members of the Board of Directors of the Community Redevelopment Agency of the City of Moreno Valley

FROM: Barry Foster, Economic Development Department Director

AGENDA DATE: July 13, 2010

TITLE: PUBLIC HEARING FOR THE REVIEW OF THE 2010-2015 IMPLEMENTATION PLAN OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the Chairperson and Members of the Board of Directors of the Community Redevelopment Agency (RDA) of the City of Moreno Valley:

1) Conduct a public hearing for the review of the 2010-2015 Implementation Plan and
2) Approve the proposed 2010-2015 Implementation Plan.

BACKGROUND

Section 33490 (c) of the California Health and Safety Code mandates redevelopment agencies to adopt an Implementation Plan (Plan) that specifies planned and achieved goals and objectives for a five-year period, as well as discuss how each activity will address the blighted conditions in the Project Area as identified by the Redevelopment Plan. The Plan for the next five year period from 2010 though 2015 must now be considered for approval.

Prior to formal adoption of the Plan, the RDA is required to hold a public hearing to evaluate the progress in meeting the Plan's objectives and proposed activities. While the Plan is not intended to restrict the RDA's ability to embark on projects other than those specifically identified in the Plan, it provides a framework for undertaking redevelopment activities.

DISCUSSION

The Implementation Plan for the period July 1, 2010 to June 30, 2015 is intended to be a blueprint for the RDA's activities for the next five years. The document identifies projects and programs to be implemented, along with continuing agreements already in place that must be administered. As required by California Redevelopment law, an emphasis is placed on past and future RDA activities and expenditures related to the creation of affordable housing opportunities.

ALTERNATIVES

1. Conduct a public hearing and consider comments for the review and approval of the 2010-2015 Implementation Plan. **Staff recommends this alternative** *because it will satisfy State Redevelopment compliance requirements and help advance Redevelopment Agency efforts in Moreno Valley.*

2. Do not conduct a public hearing and do not approve the 2010-2015 Implementation Plan. **Staff does not recommend this alternative** *because it will result in noncompliance with State requirements and hinder Redevelopment Agency efforts in Moreno Valley.*

FISCAL IMPACT

The proposed Implementation Plan for the RDA provides for a specified program of activities during its five-year term. All specified projects and programs must be approved by separate annual budget action. The funds and expenditures discussed in the Plan strictly apply to the Redevelopment Agency budget and have no impact on the City's General Fund. The Redevelopment Agency's FY 09-10 Budget and accompanying 5-year projections are the basis for the financial assumptions identified in the proposed Implementation Plan.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION
Use of RDA funds will enhance the City's ability to create a stable revenue base and fiscal policies that will support essential City improvements and services.

2. PUBLIC SAFETY
Many of the proposed RDA projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. POSITIVE ENVIRONMENT
A positive environment for the development of Moreno Valley's future will be created through a variety of community-based RDA programs and projects.

4. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS
RDA programs will help to preserve, rehabilitate and improve existing neighborhoods.

NOTIFICATION

Notices of the public hearing were placed in the local paper and at four locations in the Redevelopment Project Area. The document was available for public review during regular business hours at the Economic Development Department.

ATTACHMENTS/EXHIBITS

ATTACHMENT A – Implementation Plan for the Period July 2010-June 2015

Prepared By:
Keyneica Jones
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Department Director

Concurred By:
Michele Patterson
Redevelopment and Neighborhood
Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00071974

IMPLEMENTATION PLAN

For the period July 1, 2010 – June 30, 2015

Community Redevelopment Agency of the City of Moreno Valley

Adopted: July 13, 2010

Attachment A

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VI. GENERAL RDA ACTIVITIES ____ 12

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD ____ 13

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS ____ 21

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD ____ 22

X. IMPLEMENTATION PLAN ADMINISTRATION ____ 33

I. INTRODUCTION

In 1993, the State Legislature amended Redevelopment Law ("Law") to require all redevelopment agencies to prepare and adopt five year Implementation Plans (Section 33490 of the Health & Safety Code). Moreno Valley's Redevelopment Agency (RDA) must adopt an updated Implementation Plan (Plan) prior to June 30, 2010 after a public hearing has been held. The Plan outlines the RDA's debt service, economic development, affordable housing, and capital projects and programs for the FY 2010/11 through FY 2014/15 planning period. The five-year term of the updated Plan for the Moreno Valley Redevelopment Project Area begins on July 1, 2010, and ends on June 30, 2015.

The updated Plan reviews the goals, objectives, and general RDA activities that were approved when the Redevelopment Project Area (Project Area) was adopted in 1987. Previously adopted agreements, which may obligate a portion of the RDA's revenues during the five-year term of the Plan, are described in later sections of the document. The Plan outlines programs and projects proposed for the next five years, as well as describes how they are intended to address existing blighted conditions in the Project Area.

The amount of the housing set-aside, the allocation of resources to construct or substantially rehabilitate moderate, low and very low income housing units, and the inclusionary housing percentages (Sections 33334.2, 33334.4, 33334.6 and 33413) are also addressed by the Plan. These requirements form the basis for an annual housing program for the Plan.

The RDA shall conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing the Redevelopment Plan and Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012, and June 30, 2013.

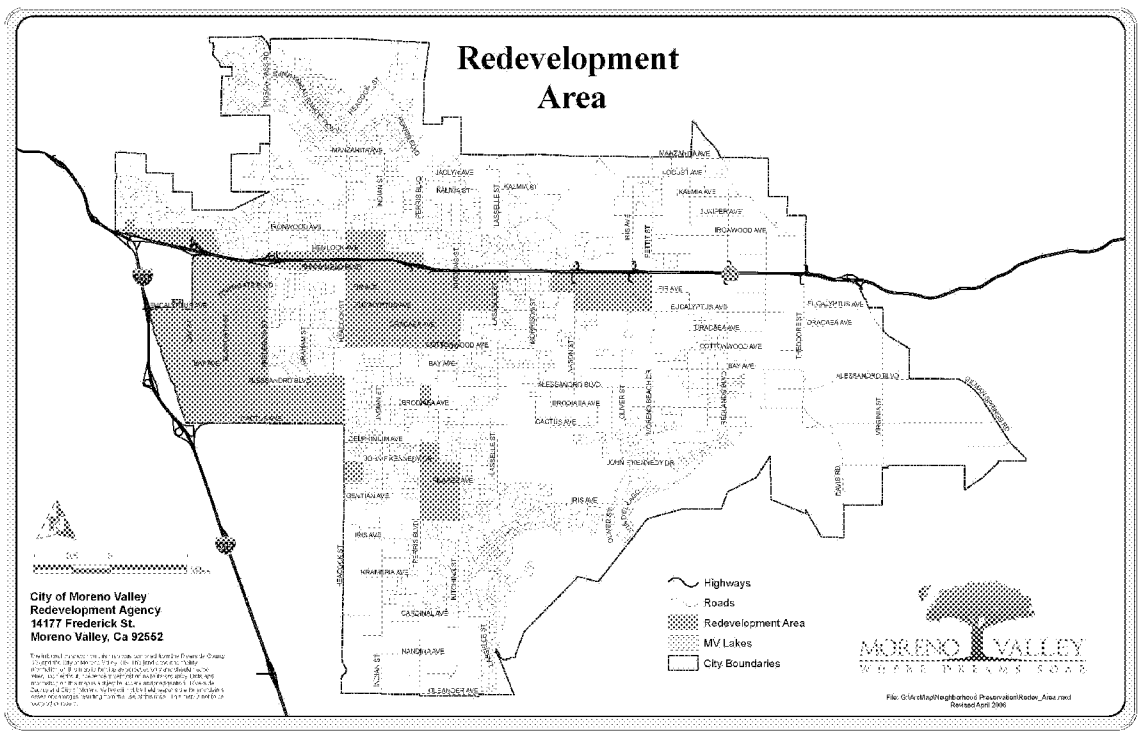

II. LEGAL REQUIREMENTS

The Community Redevelopment Agency of the City of Moreno Valley (RDA) issued the first Implementation Plan in 1999. This Plan is the RDA's third and covers the planning period of FY 2010/11 to FY 2014/15. The RDA is required to conduct a public hearing during the Plan's five-year term and hear testimony of all interested parties for the purpose of reviewing its Redevelopment Plan, Implementation Plan and evaluating the progress of the redevelopment project(s). The hearing must take place in the time period between July 1, 2012 and June 30, 2013.

Notice of the public hearing on the Plan must be published pursuant to Section 6063 of the Government Code and also posted in at least four permanent places within the project area for a period of three weeks. Publication and posting must be completed not less than 10 days prior to the date set for hearing.

Notices of the public hearing regarding the adoption of this Plan have been posted at the following locations in the project area:

- Senior Community Center, 25075 Fir Avenue
- Moreno Valley Conference and Recreation Center, 14075 Frederick Street
- City Corporate Yard, 15670 Perris Boulevard
- City Hall, 14177 Frederick Street

(a) Assembly Bill 1290 Requirements

Assembly Bill 1290 (AB 1290) added Section 33490 to the Health and Safety Code. This section requires agencies to produce Plans every five years, beginning in 1994. Section 33490 has been amended numerous times since its original adoption. In accordance with this section, the Plan must contain the following, if applicable to the RDA:

<u>Redevelopment Requirements</u>

- Specific goals and objectives for each project area.
- Specific programs, including potential projects for each project area
- Explanation of how the goals and objectives, programs, and expenditures will eliminate blight within the project area.

<u>Housing Requirements</u>

An explanation of how the goals, objectives, and programs will achieve the required housing production as well as a description the Low and Moderate Housing Set-Aside Fund (Housing Funds) expenditures. This description must include a detailed annual Plan for each of the five years covered so that performance may be measured. Additionally, the following must be included:

- The amount of money available in the Housing Fund, the amount of money expected to be deposited during the next five years and how those annual deposits to the Housing Fund will be spent.
- The estimated number of units to be provided over the next five to ten years to meet the RDA's 15 percent inclusionary housing requirements, if applicable.
- The number of qualifying very low, low, and moderate-income units that have been produced in the project area, and the number of additional units that will be required to meet the inclusionary housing requirements.
- The number of units that will be developed by the RDA, if any, including the number of units that the RDA will make available for very low, low and moderate-income households.
- If a planned public improvement or development project will result in destruction of existing affordable housing, an identification of proposed locations for their replacement will be required (Health and Safety Code Section 334313)
- The affordable housing production plan (Health and Safety Code Section 33413(b)(4).

(b) Assembly Bill 637 Requirements

Assembly Bill 637 ("AB 637") created additional housing requirements on redevelopment agencies. It eliminated the sunset for most of the provisions in AB 1290 which had been in effect since January 1, 1994. AB 1290 contained a number of modifications to the inclusionary housing production requirements contained in Section 33413(b) of the Health and Safety Code. The issues addressed by AB 637 include:

- Targeting Housing Funds to the different income and age groups.
- Replacing 100 percent of removed or destroyed affordable units instead of 75 percent
- Maintaining a list of those persons displaced, who are to be given priority in the replacement housing plan.
- Regulating how and where Housing Funds may be used for onsite or offsite improvements.
- Increasing covenants from 10 to 45 years in the case of owner occupied units, and from 15 to 55 years in the case of rental housing.

The RDA is required to spend the Housing Fund in at least the proportion of the total housing need for the income groups as determined for the City pursuant to Section 65584 of the government Code (Regional Housing Needs Assessment). In addition, the RDA shall expend, over the duration of each Redevelopment Plan period, the Housing Fund to assist housing the low income population under 65 years of age in relation to the total low income population of the community as reported by the United States Census Bureau.

In accordance with Section 33490(a)(2)(A)(iii) of the Law, the first time period to implement the requirements for targeting of Housing Funds is on or before December 31, 2014, and each ten years thereafter.

(c) Senate Bill 701 Requirements

Senate Bill 701 clarifies how AB 637 is to be implemented. The RDA will have until 2014 to comply with the legal requirements outline in AB 637.

(d) Labor Code Section 1720, Prevailing Wages

The California Legislature amended Labor Code Section 1720 et seq. to require payment of prevailing wages for private improvements that are financially assisted by the RDA or the City whether for commercial, industrial, office, or housing uses. There is a very limited exception that applies to the construction or rehabilitation affordable housing assisted by redevelopment agencies using housing set-aside funds as the only source of public funding for the development. In order to qualify for the exception, there can be no other federal or state assistance or mortgage credit certificates or state or federal low income housing credits.

III. GENERAL BACKGROUND AND RDA HISTORY

The City of Moreno Valley spans 50 square miles and is located in the western portion of Riverside County. Moreno Valley is easily accessible by Highway 60 (the Moreno Valley Freeway) and Interstate 215. Surrounded by the cities of Riverside and Perris, scenic Lake Perris and March Air Reserve Base, Moreno Valley is the second largest city in Riverside County. The City lies in the heart of Southern California's Inland Empire, the two county area comprised of Riverside and San Bernardino counties.

The Moreno Valley RDA provides assistance to projects and activities within the 4,676-acre project area. RDA funding of eligible projects comes from area-wide property tax increment and Tax Allocation Bonds ("TABs"). The RDA uses these revenues to fund economic development activities, installation of general infrastructure to improve the project area, and in the preservation and expansion of affordable housing in the community.

The following table outlines, as required by Section 33490(a)(5) of the Law, the Project Area's main benchmarks and time limits.

Moreno Valley Redevelopment Project Area General Information and Time Limits	
Tax Increment Limit	$ 821.2 million
RDA Establishment Date	December 10, 1985
Plan Adoption Date	December 29, 1987
Deadline to Establish Indebtedness	December 29, 2007
Acreage	4,676 or 14.6% of the City
Land Use	Residential, Commercial & Industrial
Deadline to Receive Tax Increment / Pay Indebtedness	December 29, 2038

IV. RDA GOALS AND OBJECTIVES

The RDA adopted the Redevelopment Plan for the Moreno Valley Redevelopment Project ("Plan") on December 29, 1987. The Plan included the following goals and objectives:

(a) The elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal redevelopment laws.

(b) The promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity. An important objective will be the development of a regional mall within the Project Area and the creation of a regional public transportation center and facilities, auto center, and freeway frontage roads.

(c) The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles, appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from new conditions and restrictions shall be first reviewed by the Project Area Committee ("PAC") before final action can be taken.

(d) Consideration must be given to maximizing the tax base provided by the locational advantages of freeways. Interchanges should be added and upgraded to meet the new demands placed upon them by the new business corridors and surface streets.

(e) Consideration must be given to the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area. Undue hardships resulting from the above stated conditions shall be first reviewed by the existing PAC before final action can be taken.

(f) The Redevelopment Plan shall make provisions for increased revenues to the City of Moreno Valley. These plans shall not negatively impact the fiscal solvency of the City.

(g) The Redevelopment Plan shall make provisions for the creation and development of local job opportunities and the preservation and expansion of the City's existing employment base.

(h) Consideration must be given to: the improvement of certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area.

(i) Consideration must be given to the improvement of the community's supply of housing (inside the Project Area), including opportunities for low and moderate-income households. One objective would be the development of housing for senior citizens, and a second objective would offer centers for child care of all ages. Useable and improved park land should be easily, and safely accessible to these residents.

(j) Consideration must be given to providing increased revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails.

(k) Consideration must be given to: the Redevelopment Plan shall not adopt land uses incompatible with the surrounding areas.

Redevelopment of the Project Area pursuant to this Plan and the above goals and objectives will attain the purposes of the California Redevelopment Law by:

(a) Eliminating areas suffering from economic dislocation and disuse.

(b) Replanning, redesign and/or redevelopment of areas that are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance.

(c) Protecting and promoting sound development and redevelopment of blighted areas and general welfare of the citizens of the city by remedying such injurious conditions through the employment of appropriate means.

(d) Installing new or replacing existing public improvements, facilities and utilities in areas that are currently inadequately served with regard to such improvements, facilities and utilities.

(e) Other means as determined appropriate by the RDA.

V. BLIGHT IN THE PROJECT AREA

The redevelopment tools contained in the Law are granted for use in a project area in order to eliminate and prevent the prevalence of blighting conditions. A blighted area is one that necessitates the creation of a redevelopment project area because the combination of conditions in an area constitute a burden on the community and cannot be alleviated by private enterprise, governmental action, or both. Section 33031 of the Law defines blight as follows:

Physical Conditions that Cause Blight

- Unsafe, unhealthy and/or deteriorated buildings - Structures in which it is unsafe or unhealthy for people to live or work. Deferred maintenance that results in serious dilapidation and deterioration, faulty or inadequate utilities, serious building code violations, and construction that is vulnerable to serious damage from seismic or geologic hazards.
- Physical conditions that substantially hinder the economic viability, use of lots and/or buildings – These conditions may be caused by buildings or substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards.
- Incompatible land uses – Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project Area.
- Lots of irregular shape, inadequate size and under multiple ownerships – The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and of developments that are held in multiple ownership.

Economic Conditions that Cause Blight:

- Depreciated, stagnant and/or impaired property values – Depreciated or stagnant property values or impaired investments, including, but not limited to, properties containing hazardous waste that requires the use of RDA authority as specified in Article 12.5 (commencing with Section 33459 of the Law).
- High business turnovers and vacancies, low lease rates, abandoned buildings and vacant lots – Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots.
- Lack of neighborhood commercial facilities – A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, banks and other lending institutions.
- Overcrowding – Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph “overcrowding” means exceeding the standard reference in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.
- Excess numbers of bars, liquor stores and/or adult businesses – An excess of these establishments can result in significant public health, safety, or welfare problems.

- High crime rates – A high crime rate that constitutes a serious threat to the public safety and welfare of Project Area residents.

(a) Blighting Conditions Present in the Project Area

Physical Blight Conditions Present in the Project Area

The RDA has been actively addressing the conditions of physical blight identified in the initial report to Council at Project Area adoption and when the Plan was amended. However, some physical blight remains. The remaining blighting conditions in the Project Area include deteriorated buildings that are considered unsafe and unhealthy for persons to live or work in due to serious building code violations, long-term neglect, or faulty or inadequate construction, parcels of irregular shape and / or inadequate size that hinder redevelopment, and inadequate public infrastructure (i.e. remaining need for flood control facilities and street improvements).

Economic Blight Conditions Present in the Project Area

Similarly, the RDA has been actively addressing conditions of economic blight initially identified at Project Area adoption and when the Plan was amended. Again, some economic blight remains. Conditions of economic blight that the RDA continues to address include depreciated or stagnant property values / low lease rates, high business turnover, excess numbers of liquor licenses, and pockets of crime.

VI. GENERAL RDA ACTIVITIES

The Redevelopment Plan proposed the following activities to assist in the elimination and prevention of the spread of blight and blighting influences, and to strengthen the economic base of the Project Area and the community:

(a) Promoting and encouraging participation in the redevelopment process by owners and occupants of properties located in the Project Area, consistent with this Plan and rules adopted by the RDA Board.

(b) Acquisition of real property subject to the limitations contained in Section 308 of the Redevelopment Plan.

(c) Management of property under the ownership and control of the RDA.

(d) Relocation assistance to displaced occupants of property acquired in the Project Area.

(e) Demolition or removal of buildings and improvements.

(f) Installation, construction, expansion, addition, extraordinary maintenance or re-construction of streets, utilities, and other public facilities and improvements.

(g) Disposition of property for uses in accordance with this Plan.

(h) Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan.

(i) Rehabilitation of structures and improvements by present owners, their successors, and the RDA.

(j) Rehabilitation, development or construction of low and moderate income housing within the Project and / or the City.

(k) Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Plan.

VII. ACTIVITIES COMPLETED IN THE PREVIOUS PLANNING PERIOD

(a) Debt Service on Existing RDA Obligations

Since its inception in 1987, the RDA has entered into a number of agreements, which provide long term financial assistance based on the achievement of specific project milestones. The following section identifies the projects and continuing obligations related to these existing approved agreements.

- Conference and Recreation Center Financing: The agreement provides for the acquisition of the Conference and Recreation Center from the City by the RDA for $11,503,946, paid for through twenty annual debt service payments that gradually increase from $250,000 to $438,377 in year 2024.
- Cooperation Agreement with Riverside County: This Agreement provides for the RDA to share Project Area property tax increment with the County of Riverside. All of the property tax increment between $7 million and $12 million per year, up to a maximum of $75 million will be paid to the County to assist in the financing of the new Riverside County Regional Medical Center (RCRMC).
- Cooperation Agreement with the Riverside County Flood Control District: This Agreement provides for the RDA to share property tax increment with Riverside County Flood Control District (RCFCD) from the entire Project Area in excess of $12 million per year.
- Moreno Valley Auto Mall Owner Participation Agreement: This Agreement provided for the development of the Moreno Valley Auto Mall by subsidizing the annual infrastructure bond payments of several dealerships. All Auto Mall property and sales tax increment is pledged to defray bond payments.
- Moreno Valley Mall Owner Participation Agreement: This agreement provided for the construction of the Moreno Valley Mall, and specifically assisted in the development of three of the four department store anchors, for a total of $13 million. This investment was advanced by the project developer and is being repaid from excess property tax increment from the TownGate area (available after payments on the TownGate Agreement – discussed in #1 above) plus half of the sales tax increment from the Mall.
- Price Company (Costco) Owner Participation Agreement: This Agreement provided for the development of a Price Club/Costco warehouse store in the Project Area. Approximately $2.4 million in land write-down and development fee assistance is being repaid from a portion of the sales tax increment created by the project.
- Public Safety Building Lease Revenue Bonds: The City issued Lease Revenue Bonds in 1997 to construct the public safety building. The RDA makes annual payments of $150,000 toward the annual $405,000 debt service, until the total obligation of $3,450,000 is repaid in FY 2021/22.
- Sunnymead Blvd. Lease Revenue Bonds: The RDA issued Lease Revenue Bonds in 2005 in the amount of $9.1 million to construct improvements related to the Sunnymead Blvd. Beautification Project. The annual debt service of $600,000 to repays the bond debt.

- TownGate Specific Plan Owner Participation Agreement: This Agreement provided for the installation of infrastructure throughout the commercial portion of the TownGate Specific Plan, financed at a cost of approximately $21 million in Mello-Roos bonds. The RDA pledged the net tax increment revenues from the commercial and residential portions of the TownGate area towards the repayment of the bonds. The RDA continued to pay the debt service on the bonds during the previous planning period.

(b) 2007 Tax Allocation Bonds

In November 2007, the RDA issued $41.6 million in Series A- Bonds to fund a variety of important capital projects in Moreno Valley that will improve traffic circulation, upgrade important infrastructure, and enhance the overall quality of life in the community. Initially, projects identified for funding included:

▪ Library	$22.0 million
▪ Fire Station at Cottonwood/Indian	$6.5 million
▪ Park at Cottonwood/Indian	$5.0 million
▪ Day Street Improvements	$3.0 million
▪ Auto Mall Upgrades	$2.0 million
▪ Indian Basin Improvements	$3.1 million

In December 2008, in recognition of current economic challenges and the City's inability to fund operations at new facilities, the RDA Board approved reallocation of funds for the Library to the SR 60 overcrossing at Nason St. for $21.5 million and the street improvements on Ironwood and Barclay streets.

(c) Economic Development Activities

The staffing for the Economic Development Department (EDD) is partially funded by the Redevelopment Agency. EDD promotes the City of Moreno Valley as a place to do business to respond to economic conditions that cause blight. Specifically, Economic Development facilitates development of employment opportunities and dynamic retail centers to increase assessed valuations, increase sales tax revenues, and enhance Moreno Valley's image as a community that offers its residents and businesses an unsurpassed quality of life. To accomplish these goals, Economic Development seeks to attract new businesses and encourages expansion of existing Moreno Valley companies through an array of strategies that include marketing, site selection, ombudsman service, and business support services.

As a significant portion of the commercial, industrial and retail zoned land in Moreno Valley is located within the redevelopment project area, Economic Development staff spent a majority of their time working on projects that are eliminating blighting conditions within the project area

Marketing

Though many of the activities were funded by City General Fund, RDA supported EDD staff salaries as they performed the following marketing activities supporting business attraction and retention activities:

- Regional Cooperation: Participated in the Inland Empire Economic Partnership (IEEP). EDD participated in business attraction events and submitted responses to new business leads distributed by IEEP.
- Advertising: EDD placed advertisements in nationally-recognized and local publications in the real estate/retail/site selection industries with a business focus.
- Tradeshows / Event Sponsorships: EDD enhanced the City's regional and national visibility by participating in tradeshows.
- Website: EDD developed a site selection website that provides a tool for businesses or consultants to use when exploring Moreno Valley business locations, improving the rate of shared information between the City, site selectors, and real estate brokers.
- Brochures: EDD created marketing materials including the Community Profile, the Retail Opportunities Guide, the Office and Industrial Opportunities Guide, the New Development Map and monthly summary. These materials were distributed at various business attraction events, plus electronic files were made available on the City's website.
- Shop Moreno Valley: As part of a community effort to promote the benefits of shopping locally and pursuing economic recovery by supporting local business, EDD partnered with the Chambers of Commerce to create a SHOP MOVAL awareness campaign.
- Development Sign Program: EDD implemented a new public relations program that included the placement of eighteen attractively-designed, reusable development signs to announce the arrival of new businesses and development projects.

Business Attraction

Economic Development staff provided ombudsman support in the form of fast-tracking entitlement and plan check reviews and advocacy for projects located in the Project Area.

Commercial Projects in the Project Area:

- Moreno Valley Mall: Staff facilitated review and resolution of issues for the Mall expansion through the addition of a fifth anchor, Harkins Theatres, an upscale 16-stadium theater with approximately 3,500 seats, plus seven restaurant/retail pads. General Growth Properties completed more than 300,000 sq. ft. of renovations and the addition of many new retail stores.

- Moreno Valley Plaza: EDD assisted the shopping center owners with the attraction of Superior Super Warehouse to occupy a vacant grocery store anchor space.
- Cactus Commerce Center: Construction was completed on this 16,000 sq. ft. two-story retail and office use building near Cactus and Elsworth.
- Moreno Beach Plaza: EDD provided permitting assistance to this 350,000 sq. ft. center, which added the grocery component to the Wal-Mart Supercenter and completed construction of an 86,500 sq. ft. Phase II.
- Elsworth Plaza: EDD provided marketing assistance to this 30,000 sq. ft. project near the southwest corner of Alessandro Blvd. and Elsworth St.
- Fresh and Easy: Fresh and Easy Neighborhood Markets continued to expand in Moreno Valley. EDD provided continual assistance resolving development issues through the construction phase of four new stores. Three of the four stores are located in or across the street from the Project Area.
- Stoneridge Towne Centre: EDD provided comprehensive assistance resolving development issues for this 579,295 sq. ft. commercial center including anchors SuperTarget, Kohl's, Best Buy, and OfficeMax, and several popular restaurants: Chili's and Bob's Big Boy.
- TownGate Center / Plaza: EDD executed intergovernmental agency and lease agreements with the County of Riverside and the Fritz Duda Company, which completed tenant improvements for a new Employment Resource Center. Ombudsman assistance was new tenants to expedite Certificates of Occupancy process. Staff negotiated with Burlington Coat Factory on an incentivized participation agreement to bring the company to the vacant former Mervyn's space.
- TownGate Crossing: EDD assisted this 237,000 sq. ft. shopping center anchored by Lowe's with the opening of Sports Authority. EDD staff worked to attract 99 Cents Stores, which reoccupied the vacant former Circuit City building.
- TownGate Promenade: EDD provided ombudsman service to this 200,000 sq. ft. shopping center, serving as project advocate to resolve planning and permit processing issues related developing two hotels (Ayres Hotel and Hampton Inn), an expansion of Costco, and several new restaurants: Mimi's Café, Panda Express, and Applebees.
- TownGate Square: EDD assisted this mixed-use development by supporting negotiations between the commercial developer and landowner to acquire adjacent property for future expansion.
- TownGate Square: EDD assisted this 136,000 sq. ft. mixed-use development for opening of Winco Foods and Portillo's, a 7,500 sq. ft. restaurant, along with assisting in approval of an Owner Participation Agreement for the relocation of Robertson's Ready Mix' operation.

Office Projects in the Project Area:

- Jacobs Development: EDD provided ombudsman service to this 10 acre mixed use project.
- Moreno Valley Professional Village: EDD provided ombudsman services to developer Aardex in the design, permitting, and tenanting of the seven building, 130,000 sq. ft. project.
- Olivewood Plaza: Economic Development staff is working with the developer to attract tenant(s) to this 23,000 sq. ft. office project.

Industrial Projects in the Project Area:

- Centerpointe Business Park: EDD provided assistance for this 12 building, 2.6 million sq. ft. industrial park with new projects for Minka Lighting, the U.S. Postal Service, RedMed, and Frazee Paint.
- United Natural Foods Inc. EDD facilitated entitlement and plan check for this 613,000 sq. ft. manufacturing/distribution facility.
- Gateway Business Park: EDD provided ombudsman services for this 34 industrial condo project.
- Veteran's Way Business Park: Economic Development assisted this 10-building industrial project.
- BAS Recycling: EDD provided extensive interdepartmental and interagency support during the entitlement and construction phases of the 66,000 sq. ft. facility.
- Robertson's Ready Mix: EDD is assisting this long time Moreno Valley business in relocating and expanding to a new facility within the Project Area.

Hospitality Projects in the Project Area:

Economic Development facilitated review and resolution of development issues to the following proposed hotels in the Project Area:

- Ayres Suites: 127-guest room project began construction. EDD provided assistance with resolving development and permitting issues hotel opened in June 2010.
- Hampton Inn & Suites: 115-guest room hotel opened in April 2009. Provided assistance with resolving development and permitting issues.
- Holiday Inn Express: Renovation and upgrade of the 151 guest room hotel in 2009/10.
- La Quinta Inn & Suites: 58-guest room hotel opened in May 2010 when construction was completed.
- Sleep Inn Suites: Proposed three-story, 74-guest room hotel is undergoing the entitlement process.

Business Retention

In addition to attracting new businesses to the Project Area, EDD pursued several business retention efforts.

- Business Roundtable: EDD conducted regular meetings between Moreno Valley businesses, the Chambers of Commerce, the City's Executive Team, and the Mayor to encourage dialogue and build relationships.
- Business Visitation: EDD strengthened business retention efforts by holding one-on-one meetings with major employers and top sales tax producing businesses within the Project Area.
- Chambers of Commerce: EDD provided financial support to Moreno Valley's three chambers of commerce in exchange for their provision of services to the business community.

(d) Capital Projects

- Day Street Widening (Cottonwood to Alessandro): This project includes widening, sidewalk, curb, and gutter to reduce traffic congestion and improve vehicular and pedestrian safety. Project design was completed in FY 2009/10. Construction will commence in FY 2010/11.
- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for storm drain line improvements on the most westerly end of the Project Area. Project design has been completed. However, the project has not moved into the construction phase due to revenue shortfall because of the Supplemental Education Revenue Augmentation Funding shift to the State of California.
- Sunnymead Boulevard Street Improvements: This comprehensive street beautification project is currently nearing completion. Eastern Municipal Water District completed a major pipeline replacement project and the RDA funded enhancements including: landscaping, colored driveways/sidewalks, decorative intersection treatments, decorative signage, banners and 17 new bus shelters.
- Aqueduct Bikeway Landscaping Project: This project constructed a 1/2 mile of landscaped trails in aqueduct right-of-way, connecting neighborhoods to schools, parks, and employment/shopping centers.
- Conference and Recreation Center: The RDA financed the construction of a community gymnasium, conference and recreation facility. The center also provides child care facilities and includes a small park.
- Graham Street Improvement Project: This project provided sidewalks, curb, and gutters to a portion of Graham Street in the Project Area.
- Alessandro Boulevard Improvements (Grant St. to Elsworth St.): The project widened this major arterial and provided missing sidewalk, curb, gutter, etc. along the Centerpointe Industrial Area and the Civic Center complex, located in the Project Area.
- Pepper Street Improvements: The project relocated conflicting water meters and service lines, plus constructed ADA access ramps and full street improvements in the Project Area. Project design was completed using RDA

funds, while the construction was funded via Community Development Block Grant (CDBG).

(e) Affordable Housing Activities

Over the period of 2005-2010, the RDA expended Housing Set-aside dollars to fund affordable housing activities, allocated by income category as described below:

RDA Expenditures by Income Category* Previous Implementation Plan Period (2005-2010)	
Extremely Low Income	$450,553
Very Low Income	$2,338,961
Low Income	$4,468,513
Moderate Income	$3,856,212
Total Set-aside Expenditures	**$ 11,114,239**

*note: *Only dollars spend on projects that reached completion are included in this calculation. The list of projects described under the Multi-family Rental Program includes all developments that received assistance from 2005-2010, regardless of completion.*

- Homebuyer Assistance Program (HAP): The HAP program provided downpayment assistance to low- and moderate-income families for home purchases.
- Ownership Housing Development: The RDA provided $562,000 from the Housing Set-aside Fund for land acquisition and construction. Developed housing was targeted for low and very low income households.

  The RDA partnered with the City, which was awarded a Youthbuild grant from HUD of $400,000. RDA entered into an Affordable Housing Agreement with Moreno Valley Youthbuild, Inc. for the construction of two single family homes. Moreno Valley Youthbuild constructed houses while training high school and college aged youths in the construction trades.

- Multi-family Rental Program: The RDA negotiated partnerships with affordable housing developers to provide "gap" financing for the development of new multi-family rental housing. Assisted housing is made affordable to very low, low, and moderate-income families. Specific multi-family rental projects that received assistance from the RDA during the 2005 – 2010 Planning Period are listed on the next page. Some of the projects are already complete, while others are still under development.

PROJECT NAME	PROJECT ADDRESS	FUNDS CONTRIBUTED	COVENANT EFFECTIVE DATE	TOTAL UNITS	UNITS WITH COVENANTS	LENGTH OF AFFORDABILITY (IN YEARS)	UNITS TOWARD INCLUSIONARY HOUSING *	RDA AREA (Y/N)
Alessandro & Day	Alessandro & Day	$ 4,848,184	to be determined	224	222	to be determined	222	Y
Bay Family Apts	Bay Avenue	$ 755,000	07/11/2006	61	60	56	60	Y
Cottonwood Place, III	Cottonwood Ave.	$ 1,663,000	12/14/2006	58	57	55	28.5	N
RHDC-Adrienne IV	Adrienne Ave.	$ 1,299,832	03/27/2007	8	8	56	8	Y
Cottonwood Place, IV	Cottonwood Ave.	$ 750,000	05/07/2007	46	45	55	22.5	N
Oakwood Apts	Perris Blvd.	$ 3,000,000	under construction	241	240	55	240	Y
Rancho Dorado North	John F Kennedy Dr	$ 1,500,000	under construction	71	70	56	70	Y
Rancho Dorado South	John F Kennedy Dr	$ 3,500,000	RDA funds committed, pending tax credits	79	78	to be determined	78	Y
RHDC-Sheila I & II	Perris Blvd. / Sheila St.	$ 6,233,407	08/10/2007 / 02/07/2008	16	16	56	16	Y
Perris Isle-Senior Project	Perris Blvd.	$ 413,000	11/05/2009	189	148	56	148	Y
TOTALS- COMPLETED UNITS		**$ 23,962,423**		**769**	**722**		**671**	

VIII. RDA REVENUE AND EXPENDITURE PROJECTIONS

In July of 2009, the California Legislature enacted ABX4-26 Section 33690(a)(1)(A) which provides for a Supplemental Educational Revenue Augmentation Funds (SERAF) to be established in a county treasury. California Redevelopment agencies are collectively mandated to shift $1.7 billion into the SERAF in fiscal year 2009-2010. Due to claims that this requirement violates the State Constitution, the California Redevelopment Agency (CRA) and local cities sued the State to maintain these funds within their agencies. Unfortunately, the CRA did not prevail in this law suit and in May 2010 the Moreno Valley RDA paid $5,258,237 for its FY 2009-2010 SERAF obligation. Further, for fiscal year 2010-2011, the RDA's share of SERAF take is another $1,081,579. Fortunately, the RDA had fund balance available to pay the SERAF. Many other California redevelopment agencies were required to borrow from other funding sources to make their SERAF payments. Unfortunately, Moreno Valley's payment of the SERAF significantly diminishes the RDA fund balance and severely restricts the programs and projects that the RDA will be able to implement during the next five year period.

CITY OF MORENO VALLEY REDEVELOPMENT AGENCY
2010 - 2015 REVENUE AND EXPENDITURES

GENERAL TAX INCREMENT FUNDS	FY 2009-10	1 FY 2010-11	2 FY 2011-12	3 FY 2012-13	4 FY 2013-14	5 FY 2014-15	TOTAL
BEGINNING CASH BALANCE	$ 10,645,115	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 10,645,115
REVENUES							
TAX INCREMENT REVENUE	$ 20,633,115	$ 18,345,902	$ 17,959,340	$ 17,959,340	$ 18,318,527	$ 18,868,083	$ 112,084,307
OTHER REVENUE	$ 1,924,100	$ 1,722,525	$ 1,746,950	$ 1,771,965	$ 1,797,584	$ 1,823,822	$ 10,786,946
TOTAL REVENUE	$ 22,557,215	$ 20,068,427	$ 19,706,290	$ 19,731,305	$ 20,116,111	$ 20,691,905	$ 122,871,253
TOTAL FUNDS AVAILABLE	$ 33,202,330	$ 23,816,542	$ 21,341,528	$ 20,831,407	$ 20,725,978	$ 20,948,180	$ 133,516,367
EXPENDITURES/FEES							
PASS THROUGHS	$ 10,705,203	$ 9,497,133	$ 9,299,737	$ 9,311,593	$ 9,517,825	$ 9,827,192	$ 58,158,683
HOUSING SETASIDE (20%)	$ 3,907,042	$ 3,436,699	$ 3,354,737	$ 3,349,994	$ 3,416,994	$ 3,521,971	$ 20,987,437
DEBT SERVICE	$ 6,610,323	$ 6,457,119	$ 6,525,217	$ 6,558,036	$ 6,585,475	$ 6,611,777	$ 39,347,947
COUNTY ADMIN FEES	$ 241,602	200,000	202,000	204,020	206,060	208,121	$ 1,262,803
ADMIN AND PROF SVS	$ 841,224	$ 586,552	$ 614,449	$ 632,882	$ 651,868	$ 671,425	$ 4,009,400
CAPITAL IMPRVMNTS	$ 1,888,584	$ 912,217	$ 245,286	$ 165,015	$ 91,488	$ 38,441	$ 3,341,023
SERAF	$ 5,258,237	$ 1,081,579					$ 6,339,816
TOTAL EXPENDITURES	$ 29,454,215	$ 22,181,304	$ 20,241,436	$ 20,221,540	$ 20,469,702	$ 20,878,927	$ 133,447,114
ENDING CASH BALANCE	$ 3,748,115	$ 1,635,238	$ 1,100,102	$ 609,867	$ 256,276	$ 69,253	$ 69,253

IX. PLANNED RDA ACTIVITIES FOR 2010-2015 PLANNING PERIOD

Based on the funding projections for the five-year period described on the previous page, after allowing the obligations identified earlier, the RDA proposes to continue the general and housing programs and projects identified in the following discussion. Due to the differing regulations governing the use of RDA funds, the discussion is divided into programs and projects supported by the RDA's General Fund and the Housing Set-aside fund.

(a) Existing RDA Obligations

As described in Section VII "Activities Completed In The Previous Planning Period," the RDA has entered into a number of agreements to which provide long term financial assistance to certain projects. The following projects represent continuing obligations in the next Planning Period.

- *2007 Tax Allocation Bonds Debt Service*
- *County of Riverside Cooperation Agreement Passthrough*
- *Conference and Recreation Center Debt Service*
- *Moreno Valley Auto Mall Owner Participation Agreement*
- *Moreno Valley Mall Owner Participation Agreement*
- *Moreno Valley Unified School District Passthrough*
- *Price Company (Costco) Owner Participation Agreement*
- *Public Safety Financing Lease Revenue Bonds Debt Service*
- *Riverside County Flood Control and Water Conservation District Cooperation Agreement*
- *Sunnymead Blvd Lease Revenue Bonds Debt Service*
- *TownGate Specific Plan Owner Participation Agreement*

(b) Economic Development Activities

Supported by the RDA for a portion of staffing, the Economic Development Department will continue implementing the Business Attraction and Retention activities listed below (as previously described on pages 10-14):

Marketing

- Advertising
- Tradeshows/Event Sponsorships
- Website
- Shop Moreno Valley
- Development Sign Program

Business Attraction

Economic Development will continue to support the development of new business in the Project Area and throughout the City.

Business Retention

- Business Roundtable
- Business Visitation
- Chambers of Commerce

(c) Capital Projects

Unfortunately, due to the impact of making the Supplemental Educational Revenue Augmentation Fund payment to the State of California in FY 2009/10 and 2010/11, funding capital projects is extremely limited. However, progress will continue on the capital projects funded by the 2007 RDA Tax Allocation Bonds ("TABs" - for which RDA debt service payments will be made).

RDA Capital Projects – if revenues improve so that funds become available

- Storm Drain Line LL (Old 215 Rd. to Dracaea): This project provides for construction of storm drain line improvements along the Old 215 Rd. and Dracaea St., located on the most westerly end of the project area.

Projects Funded by the 2007 RDA Tax Allocation Bonds

- Fire Station 107 (Morrison Park): This new fire station will provide improved emergency response services to the new commercial and residential development in the Project Area. The estimated project cost is $6.3 million.
- Ironwood Street Improvements (Day to Barclay): This project will construct curb, gutter, sidewalk, traffic signals, and storm drain improvements on the south side of Ironwood Avenue from Day St. to Barclay Dr. and include traffic signal and inter-related improvements on Day St. at the Canyon Springs Plaza entrance and on Ironwood at Athens. Total project cost is estimated at $3 million.
- Day Street Improvements (Alessandro to Cottonwood): This project will widen the street and install sidewalk, curb, and gutter in the stretch of Day St. between Cottonwood Ave. and Alessandro Blvd. Total estimated project cost is $3 million.
- Auto Mall Street Upgrades: Since its completion in 1996, the Moreno Valley Auto Mall has seen no major improvements. In line with the RDA goal to prevent the loss of commercial sales activity in the Project Area, the project will complete roadway improvements and a new comprehensive signage program upgrade. The total estimated project cost is $2 million.
- Indian Basin Improvements: This project will upgrade a storm water detention basin on RDA property at the Festival Shopping Center. The basin is needed

to collect and slow flood waters thereby protecting the surrounding neighborhoods to the southeast. Improvements will include the installation of inlet and outlet storm drain facilities and some street improvements on the south side of Ironwood Avenue between Heacock St. and Nita Dr. The total estimated project cost is $3.1 million.

- Nason Bridge: The project will replace the existing SR-60/Nason St. two-lane bridge with a four-lane bridge, complete the Nason St. improvements, install a sound wall along Elder Ave., and construct associated work. The estimated RDA costs for the project is $18 million.
- Edgemont Water Phase I: If adequate savings are achieved in the construction of the projects listed above, this project will construct Phase I of the water system improvements in the Box Springs Mutual Water Company territory, including upgrading the water services, fire hydrants, and the inter-connection with Western Municipal Water District, plus approximately 11,300 linear feet of 12 inch and 16 inch main in the following segments:
  Cottonwood Ave.: from 400 feet westerly of Old 215 Frontage Rd. to Day St.;
  Old 215 Frontage Rd.: from Alessandro Blvd. to Dracaea Ave.;
  Dracaea Ave.: from Old 215 Frontage Rd. to Day St.;
  Easement from Dracaea Ave. to the existing reservoir; and
  Alessandro Blvd: from Old 215 Frontage Rd. to Day St.
  The total estimated project cost is $2.4 million.

(d) Affordable Housing

Housing Set-Aside Fund

State Redevelopment Law requires redevelopment agencies to dedicate 20% of tax increment revenues received annually to the development or retention of housing affordable to income-qualified residents. This allocation of funds is known as the Housing Set-aside program. No findings have been made to reduce or defer Moreno Valley's Housing Set-aside amount.

When providing affordable housing units, State law defines different levels of affordability based on a household's percentage of income in relation to the area median income for the region. For Moreno Valley, the region for which area median income is calculated includes Riverside and San Bernardino Counties. Below are definitions of the various affordability levels:

Definitions of Affordability Levels	
Extremely Low Income	30% and below of Area Median Income
Very Low Income	31%-50% of Area Median Income
Low Income	51%-80% of Area Median Income
Moderate Income	81%-120% of Area Median Income

The unaudited, estimated funding amount that will be available in the Housing Set-aside fund at the beginning of this plan on July 1, 2010 is $5,838,907. Over the five-year term of the Plan, an additional $17,441,125 in Housing Set-aside funds are projected to be allocated by the RDA General Fund. The RDA estimates the annual deposits to the fund as summarized below:

Estimated Amounts to be Deposited into the Housing Set-aside Fund 2010-2015	
Fiscal Year	Amount
FY 10/11	$3,495,778
FY 11/12	$3,412,639
FY 12/13	$3,425,121
FY 13/14	$3,498,023
FY 14/15	$3,609,564
Total Funds Available	$17,441,125

Source: FY 2009-2010 Redevelopment Agency Budget

- **Housing Set-aside Funds Distribution**

By Income Restrictions

Health and Safety Code Section 33334.4 requires the RDA to spend the monies in the Housing Set-aside fund to provide housing for persons of low and very low income in at least the same proportion as the total number of housing units needed for those income groups as indicated in the Regional Housing Needs Assessment for Moreno Valley.

According to the final Regional Housing Needs Assessment ("RHNA") allocation plan, the housing for very low and low income households represents 40.8% of the City's total housing need for the 2008-2014 RHNA planning period. The table on the following page shows the projected fair share allocation of RHNA units for the different income groups.

Income Category	Housing Need	Percentage of Total Housing Need	Percentage of Affordable Housing Need	Projected Expenditures by Income Category
Very Low Income	1,809	24%	41%	$7,150,861
Low Income	1,241	17%	28%	$4,883,515
Moderate Income	1,360	18%	31%	$5,406,749
Total Affordable Housing Need	**4,407**	**59%**	**100%**	**$ 17,441,125**
Above Moderate Income	3,064	41%		
Total Housing Need	**7,474**	**100%**		

As a result of the RHNA housing unit need distribution, the RDA is required to spend 41% of its Housing Set-aside funds on very low income households, plus 28% and 31% on low and moderate income households, respectively. The required RDA Housing Set-aside expenditures will occur through the promotion of existing programs, creation of new projects and investments in larger projects where several funding sources are required. The intent will be to assist very low, low, and moderate income families to attain affordable housing within the Project Area in accordance with the prescribed percent allocations, as described in the estimated Expenditure Projections below.

Projected Annual RDA Expenditures
By Income Category
Implementation Plan Period: 2010-2015

Income	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total
Very Low	$1,432,579	$1,398,508	$1,403,623	$1,433,499	$1,479,209	$7,147,418
Low	$982,816	$959,442	$962,951	$983,447	$1,014,806	$4,903,461
Moderate	$1,080,383	$1,054,689	$1,058,547	$1,081,077	$1,115,549	$5,390,246
Total	**$3,495,778**	**$3,412,639**	**$3,425,121**	**$3,498,023**	**$3,609,564**	**$17,441,125**

By Age Restrictions

The RDA will comply with the requirements under Health and Safety Code Section 33334.4(b) to further ensure equitable distribution of Housing Set-

aside monies among the community. The code section requires each RDA to expend over the duration of each Redevelopment Plan, the monies in the Housing Set-aside fund to assist housing that is available to all persons *regardless of age* in at least the same proportion as the population under age 65 years bears to the total population of the community (as reported in the most recent U.S. Census).

According to Census 2000, 94.51% of the City's population is under the age of 65. To exercise proper proportionality, the RDA must ensure that 94.51% of the Housing Set-aside fund is dedicated to providing affordable housing that is not age restricted.

- **RDA Affordability Requirements**

In compliance with AB 701, all redevelopment agencies are required to describe how requirements related to housing affordability covenants and allowable uses for set-aside funds will be fulfilled.

Effective in 2002, to fulfill requirements under 33413(a) and 33413(b), State law extended the required covenant period to 55 years for rental projects and 45 years for ownership projects. In the past, the RDA entered into agreements with developers and non-profits that included units containing to affordability periods that range from 20-55 years, based on the existing statutes at the time of agreement and the amount of RDA assistance. The RDA now mandates 55-year covenants and has established a disclosure policy. The new affordability covenants are explained thoroughly as a state mandated requirement associated with affordable housing projects. The covenant period is explained verbally during negotiation meetings, re-explained as part of all acceptance documents, and spelled out clearly within the affordable housing agreement, once one is negotiated.

- **Planned Affordable Housing Programs and Projects**

The RDA's Housing Set-aside Fund is the primary local financial resource available for the community's affordable housing stock.

The projected costs for housing activities have been derived from the extensive data and analysis provided in the Strategy. The specific schedule for the implementation of the various housing programs and projects is included in the Annual Housing Program at the end of this report.

The following list includes programs and projects to be funded from the RDA's Housing Set-aside funds (some of which have been detailed earlier in this document). The programs and projects are intended to assist in the implementation of the RDA's Affordable Housing Strategy.

Home Improvement Loan Program (HILP): This program offers income-qualified owner-occupied Moreno Valley homeowners a $40,000 maximum loan with a 3% annual interest rate. The program is intended to upgrade

existing deteriorated and dilapidated housing in the Project Area and surrounding community. Payments plus interest are deferred for twenty years or until the owner sells or ceases to occupy the property. In addition, the loans are deferred to ensure that the cost of property upgrades does not result in the displacement of existing owner-occupants. The loan is designed for homeowners who have equity in the property to provide collateral for the loan and have multiple repairs and improvements to make such as upgrading existing electrical and plumbing, paint, roof replacement and other interior and exterior repairs.

The loans are repaid, with interest, upon the sale or refinancing of the homes. Additional funding has been available from federal HOME grant monies.

Homeowner Assistance for Minor Repairs (HAMR): This program provides a $7,500 maximum loan with a 3% to 5% annual interest rate for income-qualified owner-occupied Moreno Valley homeowners. Loan payments are amortized over ten years. This program is designed for homeowners who need minor repairs and for those that have less equity in the property.

Homebuyer Assistance Program (HAP): The HAP provides financial assistance to low and moderate-income families to use in purchasing their first home. The objective of the HAP is to promote neighborhood stabilization and revitalization within the City limits. Assistance is in the form of a 30-year, zero-interest, deferred payment loan and may be used for down payments associated with a home purchase. The amount of assistance depends on the buyers income and the purchase price of the home. Homebuyers are eligible to receive up to 20% of the purchase price in assistance, depending on the amount needed to complete the purchase.

Mobilehome Grant Program (MHGP): This program provides grants of up to $10,000 for the rehabilitation of mobile homes owned and occupied by very low income households. Rehabilitation of health and safety code issues is prioritized. Limited general property improvements are also permitted. Additional funding for the program has been provided from federal HOME grant monies.

The program upgrade existing deteriorated and dilapidated manufactured housing in the Project Area and surrounding community. Rather than loans, grants are used due to the very low incomes of the households served and the difficulty in placing liens on mobilehomes.

Multi-family Rental Program: Through this program, the RDA partners with affordable housing developers to provide “gap” financing for the creation of new multi-family rental housing. Five specific multi-family rental projects (listed on page 32) are already anticipated for development and are scheduled for completion during the 2010 – 2015 Planning Period.

Ownership Housing Development: The project would continue the development of single family housing on one or more properties owned by the

RDA. Housing developed would be targeted for low and very low income households. The project is intended to increase the supply of affordable owner occupied housing available to under served segments of the community. Additional funding has been available from federal HOME grant monies.

Exterior Beautification Program – Marilyn Street Project: This project will address the exterior deferred maintenance of an entire neighborhood located in the Project Area, revitalizing the full neighborhood at once, eliminating blight and maximizing the visual impact gained by completing exterior improvements on several homes simultaneously. In 2007, Marilyn St. was selected as a suitable neighborhood. The project would repair such items as exterior paint, fencing, landscaping, irrigation systems, tree trimming and\or removal, etc.

- **Housing Replacement**

The RDA does not anticipate the removal or relocation of any low or moderate income housing units during the five-year Plan period in conjunction with redevelopment projects financially assisted or undertaken by the RDA. Should removal occur, within four years of the removal, the RDA will directly or through contractual means rehabilitate, develop, or construct an equal number of replacement housing units with the same or greater number of bedrooms as the removed units which shall be made available at an affordable housing cost, as defined in State law.

"Affordable housing cost" calculations are based on benchmark housing sizes. If the replacement housing is being leveraged strictly with RDA funding, the term adjusted for household size appropriate to the unit, is defined as one plus the number of bedrooms in the unit. Every effort will be made to ensure that the replacement housing units will be available at a cost affordable to the same income level as very low, low or moderate income households displaced from the removed units (Section 33413).

- **Inclusionary Housing Requirement**

State law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of all the housing developed and rehabilitated in the redevelopment area is available at an affordable housing cost to low and moderate income households. This requirement, also known as the redevelopment inclusionary requirement, applies to the total number of housing units developed and rehabilitated during the five-year Plan Period and not to each individual rehabilitation, development, or construction project. The inclusionary units must be available at an affordable housing cost for at least the remaining term of the redevelopment plan. The specific redevelopment inclusionary requirements are as follows:

(1) Units developed by the RDA: At least 30 percent of all new or rehabilitated dwelling units developed by the RDA must be available at affordable housing cost to persons of low and moderate income. Also,

not less than 50 percent of those units are to be available at affordable cost to persons of very low income.

(2) Units developed within the Project Area: For all new or rehabilitated dwelling units developed by public or private entities or persons other than the RDA within a 10-year period, at least 15 percent of those units are to be available at costs affordable to persons of very low, low or moderate income. Not less than 40 percent of those units are to be available to very low income households.

The inclusionary requirements must be met within each ten-year period of the Redevelopment Plan.

Current Production

Since the Project Area and Redevelopment Plan were first adopted in 1987, an estimated 3,797 residential units have been constructed or substantially rehabilitated in the Project Area. Based on the number of constructed and substantially rehabilitated units, the RDA's inclusionary housing obligation from plan adoption through the 2005-2010 Implementation Plan period is 570 units (3,797 x 15%) affordable to households earning very low, low, or moderate incomes. Of this amount, 228 units (570 x 40%) must be affordable for households earning at the very low income level.

The RDA has exceeded State requirements for inclusionary housing through the 2005-2010 Plan period. A total of 660 units with covenants that provide long-term affordability can be counted towards the RDA's production requirements. The table below summarizes the RDA's accomplishments in providing affordable housing.

Redevelopment Agency
Affordable Housing Production with Covenants
Through 2005-2010

	Units In the Project Area	Units Outside the Project Area*	Total Production for Inclusionary Housing Requirement*
Extremely Low	6	9	15
Very Low	332	95	427
Low	162	16.5	178.5
Moderate	12	27.5	39.5
Totals	**512**	**148**	**660**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Projected Production

The RDA anticipates the creation of an additional 751 privately-funded units over the next five years, which would generate inclusionary requirements for 46 very low income units and an additional 68 very-low, low, or moderate

income RDA-funded units. Combined, the privately-funded housing development will generate the inclusionary housing requirement of 114 affordable units.

Over the next five years in the Project Area, the housing projects and programs identified in this plan are estimated to exceed this requirement by providing 610 new, substantially rehabilitated, or price restricted housing units (see below). Note that negotiations are underway regarding the mix of affordability levels for one project of 222 units located in the Project Area. Of the additional 388 units with established affordability levels, 60 will be available to households earning extremely low incomes, 137 will be occupied by very low income families, and 191 by low income families during the five-year term of the plan. These units will be located in the project area.

Redevelopment Agency Estimated Affordable Housing Construction with Covenants 2010-2015			
Affordability Level of Units	Units In the Project Area	Units Outside the Project Area*	Total Estimated Production for Inclusionary Housing Requirement*
Extremely Low	60	0	60
Very Low	137	0	137
Low	191	0	191
Moderate	0	0	0
Subtotals	**388**	**0**	**388**
Additional Units w/Affordability Level to be determined	**222**	**0**	**222**
Totals	**610**	**0**	**610**

* Units outside the project area are counted as one half towards the inclusionary housing requirement

Over the next ten years (2010-2020), it is anticipated that approximately 1,919 housing units will be constructed or substantially rehabilitated in the Project Area. This will create an inclusionary housing production requirement of 288 units (i.e. 1,919 x 15%). The RDA will ensure that a minimum of 40% (i.e. 116) of these units are affordable to very low income households.

Over the life of the Redevelopment Plan, which concludes on December 31, 2028, it is anticipated that approximately 7,585 housing units will be constructed or substantially rehabilitated in the Project Area (see the table on the next page). As a result, the RDA's total inclusionary affordable housing production requirement would be 1,138 units (7585 x 15% = 1,138). The RDA will ensure that a minimum of 40% of these units (456) are affordable to very low income households. The RDA does not anticipate the purchase or direct ownership of any housing units during the life of the Redevelopment Plan.

Number of New or Substantially Rehabilitated Housing Units Produced and Expected in the Redevelopment Project Area 1987-2028	
YRS 1987-2005	1,349
YRS 2005-2010	2,448
YRS 2010-2015	751
YRS 2015-2020	1,168
YRS 2020-2028	1,869
TOTAL	**7,585**

- **Annual Housing Plan**

The specific schedule for the implementation of the various housing programs and projects are outlined (by fiscal year) below:

***Projected Schedule* of Assisted Housing Units, by Program or Project** *Implementation Plan Period: 2010-2015*						
PROGRAMS & PROJECTS	**FY 10-11 (Year One)**	**FY 11-12 (Year Two)**	**FY 12-13 (Year Three)**	**FY 13-14 (Year Four)**	**FY 14-15 (Year Five)**	***TOTALS***
Home Improvement Loan Program (HILP)	*4*	*4*	*4*	*4*	*4*	***20***
Homeowner Assistance for Minor Repairs (HAMR)	*1*	*1*	*1*	*1*	*1*	***5***
Homebuyer Assistance Program (HAP)	*3*	*3*	*3*	*3*	*3*	***15***
Mobilehome Rehabilitation Grant Program (MHGP)	*10*	*10*	*10*	*10*	*10*	***50***
Multi-family Housing Development						
Alessandro & Day			*56*	*56*	*55*	***167***
Oakwood Apts	*240*					***240***
Rancho Dorado North	*70*					***70***
Rancho Dorado South		*78*				***78***
FY TOTALS	***328***	***96***	***74***	***74***	***73***	***645***

X. IMPLEMENTATION PLAN ADMINISTRATION

This Implementation Plan covers the RDA activities in the Project Area from July 1, 2010 through June 30, 2015.

The RDA will be responsible for conducting the projects and programs described in this Implementation Plan. Administration of the Implementation Plan will be performed by the Neighborhood Preservation Division of the City's Economic Development Department.

(a) Implementation Plan Review

The RDA will conduct a public hearing and accept public comments from all interested parties regarding the adopted Redevelopment Plan and the five-year Implementation Plan. The public hearing will be conducted no sooner than two years and no later than three years from the adoption of this Implementation Plan. Notice of the public hearing to review the Redevelopment and Implementation Plans will be published pursuant to Section 6063 of the Government Code and posted in at least four permanent places within the Project Area for a period of at least three weeks. Publication and posting of the notice will be completed not less than 10 days prior to the date set for the hearing.

(b) Implementation Plan Amendment

This Implementation Plan may be amended from time to time after holding a public hearing on the proposed amendment.

(c) Financial Commitments are Subject to the Availability of Funds

The RDA and the City use a variety of funding sources for implementing each Redevelopment Plan. Although the sources of revenue to be utilized by the RDA are generally reliable from year to year, such funds are subject to legislative, program, or policy changes that could reduce the amount or availability of the funding sources upon which the RDA relies.

(d) Monitoring of Affordable Housing

The RDA is required to monitor any housing made affordable to individuals and families of low or moderate-income. As part of this monitoring, the RDA will requires owners or managers of affordable housing units to submit an annual report to the RDA. The annual reports will include the rental rate, the income, and the family size for each unit's tenants/owners.

Section 33418(b) of the Redevelopment Law requires information obtained by the RDA from owners and managers of affordable housing must be included in any reports required by law to be submitted to the California Housing and Community Development Department ("HCD") or the State Controller. In addition, Section 33418(c) required the RDA to adequately fund its monitoring activities as needed to ensure compliance with applicable laws and agreements related to affordable units.

(e) Redevelopment Plan / Conflicts

If there is a conflict between this Implementation Plan and any other City or RDA plan or policy, the Redevelopment Plan shall control.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Chairperson and Members of the Community Redevelopment Agency Board of the City of Moreno Valley

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT FOR AN AFFORDABLE HOUSING DEVELOPMENT AT THE NORTHEAST CORNER OF ALESSANDRO BOULEVARD AND DAY STREET

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board approve the Third Amended and Restated Negotiation Agreement to extend the term of the existing Negotiation Agreement between the Community Redevelopment Agency Board of the City of Moreno Valley (RDA) and Palm Desert Development Company (PDDC) for an affordable housing development project to be situated at the northeast corner of Alessandro Boulevard and Day Street.

BACKGROUND

The Redevelopment Agency (RDA) acquired approximately eight acres of property at the northeast corner of Alessandro Boulevard and Day Street for the purpose of developing an affordable housing project and childcare facility. The blighted property is situated at the gateway to the City and was considered suitable for redevelopment into a quality affordable housing project.

After a thorough selection process, PDDC was selected by the RDA Board as the affordable housing developer. On May 26, 2009, the RDA Board of Directors approved a Negotiation Agreement (Agreement) to assist with formulating the partnership for a future project, to refine conceptual plans, and to establish an exclusive period of time for PDDC and the RDA to finalize the major business points for the development of the affordable housing project for the purposes of drafting the Disposition and Development Agreement (DDA).

DISCUSSION

PDDC and City staff have been engaged in ongoing negotiations in the efforts to draft a DDA for the proposed project. While the negotiations have been continual, it will be necessary to extend the current term of the Negotiation Agreement which expires August 11, 2010 and the new effective of the Negotiation Agreement date shall be August 12, 2010. The current economy, reduced tax credit availability, and an increased difficulty in securing tax credit financing for affordable housing projects, has prompted PDDC to re-evaluate the project. As a result of competitive tax credit environment, the project phasing shall be modified from a 225-unit, two phase project to a 225-unit, four phase project. Since changes are being proposed to the project, an extension is required to provide the additional time needed to finalize the drafting of the DDA.

Given PDDC's experience and expertise with securing tax credits, along with the current tax credit environment, PDDC suggests that a smaller number of units per phase will enhance the project's scoring and ability to secure a tax credit allocation in the extremely competitive tax credit market that currently exists.

The project changes as proposed by PDDC will require additional time for a new phasing plan and financial review. To properly assess the fiscal feasibility of the project, an analysis of the revised project pro forma reflecting the four phases will have to be obtained from an independent economist. The analysis will be used by staff to evaluate the overall viability of the development as a four phase project.

Upon completion of the pro forma analysis and further evaluation, the drafting of the DDA will be finalized. Staff recommends the extension of the Negotiation Agreement an additional sixty days through October 11 to provide the time for the additional work.

ALTERNATIVES

1. Approve the Third Amended and Restated Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff recommends this alternative as it extends the time allowed to finalize the drafting of the Development and Disposition Agreement.

2. Decline to approve the extension of time for the Negotiation Agreement between the Community Redevelopment Agency of the City of Moreno Valley and Palm Desert Development Company.

   Staff does not recommend this alternative because it would not provide the time needed to finalize the DDA and would hinder the planning for the future affordable housing project.

FISCAL IMPACT

This action does not impose any fiscal impact to the City. The terms and financial considerations for the project would be part of a future Disposition and Development Agreement and subject to full and complete consideration of the RDA Board at a later time.

SUMMARY

The RDA acquired approximately eight acres of undeveloped property at the northeast corner of Alessandro Boulevard and Day Street for the development of a future affordable housing project and childcare facility. Palm Desert Development Company was selected as the affordable housing developer and the RDA Board of Directors approved a Negotiation Agreement with PDDC for the project. Given the climate of the tax credit financing market and other extenuating factors additional time is needed to continue the negotiation of the terms of the project and drafting a Disposition and Development Agreement. Staff is recommending the approval of a Third Amended and Restated Negotiation Agreement.

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

ATTACHMENT A: Draft Third Amended Negotiation Agreement

Prepared By:
Shanikqua Freeman
Housing Program Coordinator

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs Administrator

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00072012

THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT

THIS THIRD AMENDED AND RESTATED NEGOTIATION AGREEMENT (the "Agreement") is made and entered into as of August 12, 2010 (the "Date of Agreement"), by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**, a public agency corporate and politic ("Agency") and **PALM DESERT DEVELOPMENT COMPANY**, a California corporation (the "Developer") (the Developer and the Agency are collectively referred to herein as the "Parties").

RECITALS

The following recitals are a substantive part of this Agreement.

A. The Developer previously informed the Agency that the Developer is interested in developing a housing project, to include: approximately 200-225 rental dwelling units available at affordable rents, weighted to very low income households and without age restrictions (the "Basic Development Concept") on certain property (the "Property") as shown on the Map which is attached hereto as Exhibit "A" and incorporated herein.

B. In connection therewith, the Parties previously entered into an agreement, entitled "Negotiation Agreement", dated as of May 26, 2009 (herein, the "May Agreement"), an "Amended and Restated Negotiation Agreement" of the May Agreement, dated November 23, 2009, (herein, the "November Agreement") and a "Second Amended and Restated Negotiation Agreement, of the November Agreement, dated April 13, 2010, (herein, the "April Agreement").

C. As of the Date of Agreement, title to the Property is held by the Agency.

D. Based upon its review to date, and although design, price, rent and financial structure have not been determined, the Developer believes that development of the Basic Development Concept is probably feasible and that any financing proposed to be obtained by the Developer is obtainable. Accordingly, the Agency is entering into this Agreement and is thereby affording the Developer the valuable opportunity to negotiate for development of the Property for a limited period of time as set forth herein.

E. Based partly upon (i) the interest of the Developer, (ii) assurances by the Developer that the Developer and/or its joint venturers are experienced in the development and operation of high quality affordable residential projects, (iii) the desirability of accomplishing the development, if feasible, of affordable rental housing and other new facilities (together, the "Facilities"), and (iv) the contention of the Developer that the proposed development can be accomplished on a basis that provides a fair and reasonable return to both Parties, the Parties mutually desire to enter into discussions concerning possible development of the Property generally consistent with the Basic Development Concept.

F. The Parties intend that during and for the period of negotiations set forth herein (the "Negotiation Period") each will perform certain actions and responsibilities under this Agreement.

NOW, THEREFORE, the Parties mutually agree as follows:

ATTACHMENT A

1. **Agreement to Negotiate**.

(a) Required Actions.

(1) Within sixty (60) days from the Date of Agreement, Developer shall submit to the Agency a "Final Development Concept Package," consisting of the following:

(a) a well-articulated development proposal describing with specificity the Facilities, including all development activities proposed to be undertaken (the "Proposed Development");

(b) a statement of qualifications of the Developer and its joint venture partners (if not earlier submitted), including experience as developer and operator of affordable housing communities;

(c) a detailed enumeration of estimated development costs, including construction and non-construction costs. This shall include a detailed estimate of project income (using rents conforming to Health and Safety Code Sections 33334.2 and 50053) and a financial statement and pro forma statement of project return, including both construction and operating pro formas. A detailed estimate of development costs, including construction and non-construction costs, shall be included;

(d) a detailed description of the proposed method of construction and permanent financing and proposed credit enhancement, including a description of the terms and conditions of all such financing, and the identification of and terms of provision of any credit enhancement. It is contemplated that all there will be private financing of the facilities to be developed on the Property. If any economic participation toward the project is proposed to be borne by the Agency and/or the City of Moreno Valley (the "City"), this shall be clearly delineated in the proposal. Included in the submittal by the Developer shall be a copy of any materials proposed to be submitted to any agency involved in the allocation of tax credits and/or bonds;

(e) a list of financial references;

(f) final identification of the proposed property manager and proposed architect;

(g) a proposed construction and operating pro forma which identifies all sources and uses of funds including without limitation design of the Facilities and supporting infrastructure and which uses rents conforming to Sections 33334.2 and 50053 of the California Health and Safety Code;

(h) a proposed timeline which includes the submittal for any required allocation for tax credits and/or bonds;

(i) a well-defined development proposal and site plan describing the Proposed Development using schematic drawings, and which depicts in detail the proposed design and configuration of the Facilities and which includes a description of how the Developer intends to coordinate operations, development and access with a child care facility anticipated to be developed by a third party on land adjacent to the Property; and

(j) a timeline which includes a proposed construction schedule of development.

(2) The Developer shall bear the cost for its performance under this Agreement.

(3) The Agency and the Developer will continue to negotiate toward the execution within such period of a DDA for the sale or lease of the Property and with respect to the development (the "Development") and use of the Property. If a DDA is signed, it shall supersede this Negotiation Agreement.

(b) Term. The term of the Negotiation Period shall be for sixty (60) days. As of the sixtieth (60th) day after the Date of Agreement, this Agreement shall automatically terminate unless this Agreement has been mutually extended by the Agency and the Developer. The Executive Director is authorized to administratively extend the Negotiation Period once only for a period of his discretion not to exceed sixty (60) days; any such extension shall be made in writing prior to expiration of the Negotiation Period to be effective. If such an administrative is granted, then the Negotiation Period shall end and this agreement shall automatically terminate, unless extended by action by the Agency Board.

(c) Agreement to Negotiate. The Agency (by and through its staff and consultants) and Developer agree that for the term of the Negotiation Period (whether said period expires or is earlier terminated by the provisions herein) each party shall negotiate diligently and in good faith to carry out its obligations under this Agreement. The Developer acknowledges that the Agency holds title to the Property. The Developer expressly agrees and acknowledges that its rights pursuant to this Agreement are subject to and based upon compliance by the Developer with this Agreement (including without limitation the making of all submittals required pursuant to this Agreement, in short conformity with this Agreement).

(d) Supplemental Progress Reports. In addition to the information required in Section 1 above, for so long as this Agreement remains in effect Developer agrees to make weekly oral progress reports and monthly written reports to the Executive Director or his designated representative of the Agency advising the Agency on all matters and all studies being made.

2. No Predetermination of Agency or City Discretion. The Parties agree and acknowledge that nothing in this Agreement in any respect does or shall be construed to affect or prejudge the exercise of the Agency's or the City's discretion. The Developer acknowledges in this regard that the feasibility of the Developer's proposal has not been determined, and further that, at the discretion of the City's Planning Director, an environmental impact report will be prepared and circulated for comment by the City in connection with the consideration of the sale and development of the Property. Further, nothing in this Agreement in any respect does or shall be construed to affect or prejudge the Agency's or the City's discretion to consider, negotiate, or undertake the disposition and/or development of any portion of the Property, or shall affect the Agency's or the City's compliance with the laws, rules, and regulations governing land uses, environmental review, or disposition of the Property.

3. Environmental and Other Requirements. Certain state and local environmental requirements (including, but without limitation, the California Environmental Quality Act of 1970, Public Resources Code Section 21000, *et seq.*) may be applicable to the Proposed Development.

Pursuant to such requirements, certain environmental documents may be required to be prepared and certified for the Proposed Development. The Agency, by this Agreement, undertakes no obligation to pay any costs associated with such environmental documents and to supply data and information both to determine the impact of the development on the environment and to assist in the preparation of any necessary environmental documents.

4. Costs and Expenses. Except as otherwise provided in this Agreement, each party shall be responsible for its own costs and expenses in connection with any activities and negotiations undertaken in connection with the performance of its obligations under this Agreement.

5. No Change in Developer or its Constituent Members. The Developer shall within sixty (60) days of this Agreement make full disclosure to the Agency of all pertinent information concerning the Developer, including any joint venture partners. The qualifications of the Developer are of particular interest to the Agency. Consequently, no person or entity, whether a voluntary or involuntary successor of Developer, shall acquire any rights or powers under this Agreement nor shall the Developer assign all or any part of this Agreement without the prior written approval of the Agency, which approval the Agency may grant, withhold, condition, or deny at its sole and absolute discretion. Any other purported transfer, voluntarily or by operation of law, shall be absolutely null and void and shall confer no rights whatsoever upon any purported assignee or transferee.

6. Lead Negotiators. The Executive Director, or his designee, shall be the lead negotiator for the Agency with respect to the subject matter of this Agreement; provided, however, that the Agency, reserves its rights to consider and approve or disapprove the proposed DDA. Danavon L. Horn and James Jernigan shall be the lead negotiator(s) for the Developer with respect to the subject matter of this Agreement.

7. Non-Discrimination. Developer shall not discriminate against nor segregate, any person, or group of persons on account of sex, race, color, marital status, religion, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall the Developer establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land.

8. Address for Notices. Any notices pursuant to this Agreement shall be in writing and sent (i) by Federal Express (or other established express delivery service which maintains delivery records), (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the following addresses:

To Agency: COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, California 92552-0805
Attention: Economic Development Director

To Developer: PALM DESERT DEVELOPMENT COMPANY
Attention: Danavon L. Horn, President
P.O. Box 3958
Palm Desert, California 92261

9. Default. Failure by either party to perform one or more of its duties as provided in this Agreement shall constitute an event of default under this Agreement. The non-defaulting party shall give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default.

10. Remedies for Breach of Agreement. In the event of an uncured default under this Agreement, the sole remedy of the nondefaulting party shall be to terminate this Agreement. Following such termination, neither party shall have any further rights, remedies or obligations under this Agreement. Neither party shall have any liability to the other for monetary damages or specific performance for the breach of this Agreement, or failure to reach agreement on a DDA, and each party hereby waives and releases any such rights or claims it may otherwise have at law or at equity. Furthermore, the Developer knowingly agrees that it shall have no right to specific performance for conveyance of, nor to claim any right of title or interest in the Property or any portion thereof.

11. Termination. This Agreement shall: (i) automatically terminate at the time(s) set forth in Section 1(b) above, and (ii) terminate prior to the time(s) set forth in Section 1(b) above in the event the Developer shall fail to perform its obligations hereunder to the reasonable satisfaction of the Executive Director; provided that prior to termination under part (ii) of this paragraph 11, the Agency shall provide the Developer with notice of any failure to perform and ten (10) days in which to cure. In addition, the parties agree that if either party shall determine that it is infeasible to proceed with the Basic Development Concept or if the development of the Property, consistent with such Basic Development Concept, does not appear to either party to be economically sound and feasible, either party may, upon ten (10) days' written notice to the other party, terminate this Agreement. Upon termination of this Agreement, whether upon expiration of the Negotiation Period or otherwise, both Parties knowingly agree that neither Party shall have any further rights or remedies to the other and the Developer shall have no rights in respect to the Property.

12. Time of Essence. Time is of the essence of every portion of this Agreement in which time is a material part. During the Negotiation Period the time periods set forth in this Agreement for the performance obligations hereunder shall apply and commence upon a complete submittal of the applicable information or occurrence of an applicable event. In no event shall an incomplete submittal by the Developer trigger any of the Agency's obligations of review, approval and/or performance hereunder; provided, however that the Agency shall notify the Developer of an incomplete submittal as soon as is practicable and in no event later than the applicable time set forth for the Agency's action on the particular item in question. Thus, the parties agree that the requirements hereunder may occur and be completed in a shorter time frame than set forth herein.

13. Real Estate Commissions. The Agency shall not be liable for any real estate commission or brokerage fees which may arise with respect to this Agreement or the Property.

14. Developer Not an Agent. The Developer is not an agent of the Agency or the City.

15. Press Releases. The Developer agrees to discuss any press releases with the Executive Director prior to disclosure in order to assure accuracy and consistency of the information.

16. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties or their

predecessors in interest with respect to all or any part of the subject matter hereof (including without limitation the May Agreement, November Agreement and April Agreement).

17. Agreement Does Not Constitute Development Approval. The Agency reserves final discretion and approval as to any DDA and all proceedings and decisions in connection therewith. This Agreement shall not be construed as a grant of development rights or land use entitlements to construct the Proposed Development or any other project. All design, architectural, and building plans for the Proposed Development shall be subject to the review and approval of the Agency and the City. By its execution of this Agreement, the Agency is not committing itself to or agreeing to undertake the disposition of the Property or other real property to the Developer, or any other acts or activities requiring the subsequent independent exercise of discretion by the Agency, the City, or any agency or department thereof.

18. Governing Law. This Agreement shall be construed in accordance with the laws of the State of California.

19. Implementation of Agreement. The Agency shall maintain authority to implement this Agreement through the Executive Director (or his or her duly authorized representative). The Executive Director shall have the authority to issue interpretations, waive provisions, and/or enter into certain amendments of this Agreement on behalf of the Agency so long as such actions do not materially or substantially change the uses or concept of the Proposed Development, or add to the costs or risks incurred or to be incurred by the Agency as specified herein, and such interpretations, waivers and/or amendments may include extensions of time to perform. All other materials and/or substantive interpretations, waivers, or amendments shall require the collective consideration, action and written consent of the governing board of the Agency.

NOW THEREFORE, the Parties have executed this Negotiation Agreement as of the date and year first set forth above.

AGENCY:

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, a public body corporate and politic

By: _____
William L. Bopf
Its: Interim Executive Director

APPROVED AS TO FORM:

_____
City Attorney

DEVELOPER:

PALM DESERT DEVELOPMENT COMPANY, a California corporation

By: _____
Danavan L. Horn
Its: CEO

EXHIBIT "A"

MAP

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council; and
Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: July 13, 2010

TITLE: Amendments to Chapter 11.40 of the City of Moreno Valley Municipal Code, Ordinance No. 741 and Ordinance No. CSD 52, Relating to the Carrying of Blank Shooting Pistols and the Shooting of Blanks at the Moreno Valley Equestrian Center

RECOMMENDED ACTION

Staff recommends:

1. That the City Council introduce Ordinance No. 814, an Ordinance of the City of Moreno Valley amending, Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, and

2. That the Board of Directors for the Moreno Valley Community Services District introduce Ordinance No. CSD 54, an Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, amending Section 5e of Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Parks and Recreation Commission took action to recommend amendment of Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center, at their special meeting of June 3, 2010 (5 Ayes, 2 Noes, 0 Absent).

BACKGROUND

Chapter 11.40 of the Moreno Valley Municipal Code establishing rules for the use of parks and recreation facilities, was enacted by ordinance on March 15, 1988, and amended in July 1990, January 2004 and April, 2007. Similar ordinances were adopted simultaneously by the Moreno Valley Community Services District. Staff is proposing that these codes be further amended to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

At a special meeting on May 13, 2010, the Parks and Recreation Commissioners were presented the proposed amendment to the ordinance and were asked to consider a motion on the amendment. Upon review and discussion, a motion was made and recommended by the Commission to continue the item so additional revisions to the wording based upon the City Attorney's review and approval could be made. The revisions were completed and approved by the City Attorney and the item was placed on the agenda for a Parks and Recreation Commission special meeting on June 3, 2010.

At the special meeting on June 3, 2010, the Parks and Recreation Commissioners concurred with the proposed amendment, asking staff to accept their recommendation to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center. Staff has prepared the attached amendments to Ordinance Chapter 11.40, Ordinance No. 741 and Ordinance No. CSD 52, to allow the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center.

DISCUSSION

Although the Moreno Valley Equestrian Center (MVEC) is used daily by local equestrians and dog park patrons on a walk-in basis, reserved use including the receipt of reservation fees, needs to increase. In essence, the City simply cannot continue to subsidize facilities that, at a minimum, should be raising enough funds to maintain the facility. As such, staff has been encouraged to reach out to any organization that may wish to utilize the MVEC. One such organization is the Roy Rogers Rangers (RRR).

RRR was formed in 2001 to promote the sport of mounted shooting. Mounted shooting is one of the nation's fastest-growing equestrian sports. The sport combines the elements of exhibition shooting, barrel racing, pole bending, and reining; all done while using two .45 caliber single-action revolvers, loaded with 5 rounds each of specially prepared black powder blanks to shoot 10 balloon targets set in a random pattern called a "stage." Mounted shooters are timed through the stage determining raw time plus any penalties incurred. The contestant with the fastest overall time wins.

The following bullet points summarize the desired use of the MVEC by the RRR. The bullet points are from the attached information sheet of desired activities from the RRR:

- 20 events per year (schedule as follows)
- Set up: 8:00 a.m.
- Begin shooting: 9:00 a.m.
- End shooting: 5:00 p.m.
- Tear down: 5:00 p.m. to 7:00 p.m.
- 5 beginner practices held on Saturdays. 10-12 participants. 350 blanks per practice.
- 12 monthly practices held on Sundays. 25-40 participants. 1600 blanks per practice.
- 3 competition events held Fridays, Saturdays and Sundays. 25-60 participants each day. Fridays: 400 blanks per event. Saturdays: 2,400 blanks per event. Sundays: 2,400 blanks per event.

The proposed amendment incorporates regulations that are applicable to the City of Moreno Valley, specifically Section 11.40.050(D) of the City Municipal Code that allows the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. In addition, the type of use that will be allowed by the proposed amendment falls under City's Municipal Code in Chapter 11.80 Noise Regulation, Section E. Exemptions, Item No. 7: *"Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space or other publicly owned property."* The RRR event is an organized sporting event and therefore the event is exempt from the City's noise ordinance. Other non sporting event shooting would still be subject to the City's noise ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Introduce the new ordinances for adoption. The ordinances would take effect thirty one days after adoption.

2. Direct staff to make changes to ordinances and return to City Council on a later date with revised ordinances.

3. Take no action.

FISCAL IMPACT

The impact to expenditures will be minimal. The cost to change the park rules signage at the MVEC along with installation is anticipated to be under $300. The impact to revenue will be an increase of revenue for each reserved use. Per the adopted fee schedule, the fees for these types of events would be $125 per day with a $25 water

key deposit and a refundable $300 security deposit. Total annual revenue will vary depending on paid reservations received.

CITY COUNCIL GOALS

1. Revenue Diversification and Preservation
2. Positive Environment

SUMMARY

Reserved use including the receipt of reservation fees needs to increase at the Moreno Valley Equestrian Center. By encouraging reserved usage, staff believes City subsidy of this facility may be eliminated, the area will be utilized by many more people, and non-resident users will bring additional revenue to the City in other ways. The proposed amendment relating to the carrying of blank shooting pistols and the shooting of blanks at the Moreno Valley Equestrian Center should allow the Parks and Community Services Director to approve, disapprove or modify each requested use at the departmental level using existing reservation forms. The impact to revenue will be an increase of revenue for each reserved use. Total annual revenue will vary depending on paid reservations received.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

Attachment 1: Proposed City Council Ordinance
Attachment 2: Proposed CSD Ordinance
Attachment 3: Information Regarding the Roy Rogers Rangers Program

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY OF MORENO VALLEY AMENDING, SECTION 11.40.040 OF CHAPTER 11.40 OF TITLE 11 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley ordains as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Section 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code is amended in its entirety to read as follows:

"**11.40.040 Regulations.** Unless specifically provided otherwise in this Chapter, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the City Council.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the City Council.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris

promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzine, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting

within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

SECTION 2. EFFECT OF ENACTMENT:

2.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

3.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

4.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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MV00072034

ORDINANCE NO. CSD 54

AN ORDINANCE OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 5e OF ORDINANCE NO. CSD 52, RELATING TO THE CARRYING OF BLANK SHOOTING PISTOLS AND THE SHOOTING OF BLANKS AT THE MORENO VALLEY EQUESTRIAN CENTER

The City Council of the City of Moreno Valley, acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, does ordain as follows:

1.1 AMENDMENT: Section 5. Regulations of CSD Ordinance No. CSD 52 is amended in its entirety to read as follows:

"SECTION 5. REGULATIONS:

Unless specifically provided otherwise in this Ordinance, the following regulations shall apply in all parks and recreation facilities:

a. Operation of Vehicles and Bicycles.

1. Roads for Public Use. The provisions of the California Vehicle Code are applicable in all parks upon any way or place, which is publicly maintained and open to the use of the public for vehicular travel. Violations of said vehicle code within a park shall be enforced and prosecuted in accordance with the provisions thereof. The City Traffic Engineer is hereby authorized and directed, on the account of the District, to post appropriate signs advising of the vehicular travel restrictions in force within a particular park when duly authorized to do so by action of the Board of Directors.

2. Operation of Vehicles and Bicycles. No person shall drive or otherwise operate a vehicle in a park, and no person shall ride a bicycle (as defined in the California Vehicle Code) in a park, upon any surface other than those maintained and open to the public for purposes of vehicular travel or parking. Vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time by the Director. This provision does not apply to any vehicle being used for authorized District business, or to any police or other emergency vehicles performing an authorized mission, nor to a vehicle, which is within a park pursuant to written permission of the Director. Neither does this provision apply to any electrically driven wheelchair carrying a physically incapacitated person.

b. Solicitation Prohibited. No person shall practice, carry on, conduct, or solicit for, any trade, service, occupation, business, or profession in any park, or sell or offer for sale therein or thereon any merchandise, article, or anything whatsoever. This Section shall not apply to any person acting pursuant to a contract with the District or under an authorization duly granted by the Director pursuant to standards and criteria approved by the Board of Directors.

c. Prohibition of Animals in Parks. No person shall cause, permit, or allow any animal owned or possessed by him, or any animal in the custody or control of such person, to be present in any park except:

1. Equine animals being led or ridden under reasonable control upon a bridle path or trail authorized and provided for such purpose;

2. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

3. Dogs or cats when caged, or when led by a cord or chain not more than six feet long, or when confined within the interior of a vehicle;

4. Service animals which have been specially trained and are being used by blind or disabled persons to aid and guide them in their movements;

5. Small pets which are kept on the person of the possessor at all times;

6. In connection with activities authorized by the Director and when in accordance with all conditions attached to such authorization;

7. Fowl or animals turned loose at the direction or with the written permission of the Director.

8. Exceptions. The requirement for a dog to be on-leash while in a public park shall not apply to the following:

(a) Any dog used by a law enforcement agency.

(b) A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.

(c) A dog within a posted "leash optional" area of the park as designated by the Director, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to

maintain proper control over such dog nor shall this Subsection be construed as relieving such person from liability for any damages arising out of his or her dog's action while using the leash optional area.

d. Responsibility of Animal Owner.

1. Each person who owns, or who has custody, possession, or control of an animal within a park shall collect, pick up, and remove all fecal matter and debris promptly after it has been deposited or left behind by said animal in or upon a park. This Subsection shall not apply to guide dogs for blind or disabled persons.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area, which is not over the age of four months, vaccinated for rabies and wearing a currently valid issued dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog of any breed in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided herein and his or her agreement to protect, indemnify, defend, and hold harmless the District/City and its officers and employees from any claim, injury or damage arising from or in connection with use.

e. Prohibition of Firearms, Weapons, and Fireworks.

1. No person shall carry or discharge any firecracker, rocket, torpedo, or other type of explosive, or carry or discharge any air gun, rifle, pistol, sling shot, bow and arrow, or any similar device or weapon including firearm, knife (as defined in the Penal Code as a illegal weapon), etc., within or into a park; nor shall any person carry into or use any other object within a park with the intent of disturbing the peace of any person by means of noise or otherwise.

2. This prohibition shall not apply to the engaging in or traveling to target practice conducted in accordance with appropriate standards of safety at an archery, skeet, or target range authorized and provided by the district for such purpose; nor shall this prohibition apply to law enforcement personnel acting within the scope of their official duties.

3. This prohibition shall not apply to the use of non-projectile firearms at the Moreno Valley Equestrian Center for practice, exhibition, or competition related to re-enactment programs or events authorized through the issuance of a formal permit pursuant to Section 11.40.050(D) of this Code.

4. Any device carried into or used within a park in violation of this provision is subject to confiscation by any law enforcement officer or duly authorized district employee and, in the event thereof, shall be thereafter disposed of in accordance with law, including without limitation any applicable district regulations.

f. Damaging Property Prohibited. No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus, or property, or pluck, pull up, cut, take, or remove any shrub, bush, plant, or flower, or mark or write upon, paint, or deface in any matter any building, monument, fence, bench, or other structure within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment or contract.

g. Damaging Land Prohibited. No person shall cut or remove any wood, turf, grass, soil, rock, sand, gravel, or fertilizer from a park or from any place within a park. This prohibition shall not apply to any employee or contractor of the District or of the City acting within the scope of such employment of contract.

h. Water. No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, or stream within or into a park, except at such place or places authorized and provided by the District for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a foundation, pond, lake, stream, or reservoir within a park.

i. Hazardous Waste: No person shall discharge any form of hazardous waste including flammable liquids, toxic chemicals, caustic substances, poisons, motor oil, lye, benzene, chloride, or any other material that could be a hazard to a person, animal or property, in any park.

j. Fires. No person shall make or kindle a fire within a park except in stoves or other facilities specifically provided for such purpose. No fire shall be lit or maintained within a park between the hours of 10:00 p.m. and 8:00 a.m. of the next succeeding day, except by written permission of the Director.

k. Prohibited Presence. No person shall tent, camp, lodge, or otherwise be present in any park after 10:00 p.m. or before 8:00 a.m. except when lawfully in attendance at an event approved by the Director.

l. Littering, Waste Liquids and Refuse. No person shall dispose of dishwater or other waste liquids or dispose of any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal.

m. Gambling. No person shall play or bet at or against any game in a park, which game is played, conducted, dealt or carried on with cards, dice, or other device, for money, chips, shells, credit, or any other thing of or redeemable for value, nor maintain or exhibit any gambling table or other instruments of gambling or gaming within a park. This prohibition shall not apply to simulated gambling games or to bingo games when conducted by a non-profit organization during fund-raising events pursuant to a permit issued by the Director pursuant to Section 5 of this Ordinance and in compliance with all other applicable law.

n. Prohibited Activities. No person shall play or engage in model airplane flying, driving of golf balls, or any activity of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose.

o. Disturbing the Peace. No person shall indulge in riotous, boisterous, threatening, or indecent conduct, or abusive, threatening, profane, or indecent language, within a park in such a manner as to disturb the public peace or to materially disrupt the quiet enjoyment of such park or of nearby properties by any other person who is lawfully present.

p. Advertising Matter. Except as authorized in writing by the Director, or except in performance of an official duty, no person shall post, place, or erect any bill, notice, paper, or advertising device or matter of any kind within a park.

q. Meetings. No person shall hold any meeting, service, concert, exercise, parade or exhibition requiring a Special Events permit under Chapter 11.38 of this Code

without obtaining and complying with such permit. This Subsection shall not be construed to deprive any person of a right protected by state or federal law or constitution.

r. Protection of Animals. No person shall hunt, frighten, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, animal control officers, District employees, or District contractors acting within the scope of their official duties or contract obligations, or residents attempting to catch household pets.

s. Use of Restroom. No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex. This Subsection shall not apply to children accompanied by their parent or guardian.

t. Use of Bicycles in Parks.

1. Except as set forth in Section 2, no person shall ride any bicycle within a park except at or on a place specifically authorized and provided for such purpose. While elsewhere within a park, bicycles shall be dismounted and pushed when moving from place to place.

2. If bicycle riding is authorized, users are required to wear safety gear such as helmet, kneepads, wrist guards, elbow pads or other required equipment for the authorized use of such activity as required by law.

u. Use of Skate Park.

1. No person shall use the skate park at times other than those established by the District as the hours of operation;

2. No person shall use the skate park areas for uses other than skateboarding, skating and BMX bike riding;

3. No person shall use the skate park without wearing the required safety equipment, including a helmet, elbow pads, and knee pads;

4. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle provided, and failure to do so shall be grounds for expulsion from the skate park;

5. No person shall skate or ride on the curbs, sidewalks, fences, railings and/or driveways of the District/City-owned areas surrounding the skateboarding/skating surface;

6. No person shall skate or ride in a reckless manner with disregard for the safety of persons or property in the skate park;

7. No glass containers are allowed in the designated skateboarding/skating areas. Food and drink are allowed in designated areas only;

8. No additional obstacles may be placed in the designated skateboarding/skating areas;

9. No person shall use the skate park if a hazardous condition exists, including, but not limited to, inclement weather conditions, or significant cracks, breaks or other irregularities in the skating surface of the skateboard/skating areas;

10. BMX bikes will be permitted only during designated sessions under supervision of concessionaire or District staff.

v. Amplified Sound in Parks. No person shall cause the amplification of sound within a park if the noise level caused thereby exceeds 60 decibels from all channels of equipment used, except pursuant to a permit issued by the Director, and in compliance with the following conditions:

1. The location of each grandstand and gathering, and the position of each loudspeaker shall be as specified in writing by the Director so as to cause the least amount of disturbance to other persons, both within and without the park;

2. Amplified sounds shall not exceed 60 decibels at a point 50 feet in front of the midpoint of a straight line between any two-loudspeaker installations.

w. Use of Alcohol in Parks. No person shall enter, be in or remain in a park owned, operated or controlled by the City or District, while under the influence of any alcoholic beverage or while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage, unless a formal permit is granted by the City Manager pursuant to Ordinance CSD-8. Such permit shall be obtained, and the fee as established by resolution of the City Council therefor paid, regardless of the size of the gathering or assembly which desires the privilege of using park area to drink beer, wine or other intoxicating beverage.

x. Use or Sale of Narcotics and Illegal Drugs in Parks. No person shall enter, be in or remain in any park owned, operated or controlled by the City or District, while in possession of, transporting, purchasing, selling, giving away or consuming any narcotics or illegal drugs, except possession of or consumption of prescription medication by the person for whom it was prescribed.

y. Washing or Repairing Cars. No person shall engage in the washing, cleaning, repairing, renovating or painting of any vehicle within a park, except those emergency repairs immediately necessary to render such vehicle safe may be made.

z. Speed Limits. No person shall drive a vehicle within a park other than in a reasonable and prudent manner but in no case to exceed 15 miles per hour.

aa. Parking. No person shall park any vehicle within a park except for the duration of his or her visit to such park. No person shall leave or park any motor vehicle, on any driveway, or at any other place, except at such place or places as are designated for vehicle parking.

bb. Smoking in Parks.

1. No person shall smoke within a park owned, operated or controlled by the City or District except in an area designated and posted as available for smoking at or on the grounds of a recreation center by direction of the Parks and Community Services Director.

2. No person shall dispose of any cigarette, cigar or other tobacco product or any part thereof in a park except in a designated waste disposal container.

3. Violations and Penalties. Any person who violates any provision of this section by smoking in a park is guilty of an infraction and, upon conviction thereof, shall be punished in accordance with Chapter 1.10 Civil Citations, of the Moreno Valley Municipal Code."

2.1 EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the Board of Directors which addresses the same subject addressed herein.

3.1 NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the Secretary of the District shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

4.1 EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor of the City of Moreno Valley, acting in the capacity as the President of the Moreno Valley Community Services District

ATTEST:

_____
City Clerk of the City of Moreno Valley acting in the capacity as Secretary of the Moreno Valley Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity as General Counsel of the Moreno Valley Community Services District

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MV00072044

ROY ROGER RANGERS - PRACTICES, EVENTS, CLINICS
PROPOSED HOURS OF OPERATION FOR ALL EVENTS:

SET UP – 8AM
BEGIN SHOOTING – 9AM
END SHOOTING – 5PM
TEAR DOWN 5-7PM

NUMBER OF EVENTS:

5 BEGINNERS TRAINING CLINICS ANNUALLY (SATURDAY) –
10-12 IN ATTENDANCE – CLINIC IS USUALLY HELD ON SATURDAY –
FOLLOWED BY A MONTHLY PRACTICE THE NEXT DAY
Usually 350 rounds fired; total of 15 minutes of shooting accomplished randomly over the hours of operation

12 MONTHLY PRACTICES (SUNDAY) – 25-40 IN ATTENDANCE; 4 turns each

Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 40 riders = 3200 seconds or 54 minutes of shooting over the hours of operation.
A rider goes every 2 minutes and we take breaks.

If we have 40 riders shooting 40 rounds each = 1600 rounds
Total of 54 minutes total shooting done in 20 second increments during the eight hours of operation.

3 COMPETITION EVENTS (Friday, Saturday, Sunday) – 25-60 IN ATTENDANCE

Friday – warm up day – 20 riders shoot 10 rounds each 20 second turn X 2 turns = 40 seconds X 20 riders = 800 seconds or 14 minutes shooting over hours of operation.

20 riders shooting 20 rounds each = 400 rounds shot in 20 second increments during the hours of operation; total of 14 minutes of shooting

Saturday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Sunday – competition day – 60 Riders shoot 10 rounds each 20 second turn X 4 turns = 80 seconds X 60 riders = 4800 seconds or 80 minutes of shooting over the hours of operation A rider goes every 2 minutes and we take breaks.

60 riders shooting 4 rounds each = 2400 rounds shot in 20 second increments during the hours of operation; total of 80 minutes of shooting

Attachment 3

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MV00072046

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: July 13, 2010

TITLE: PARTICIPATION AGREEMENT WITH PACIFIC WINGS INC.

RECOMMENDED ACTION

Staff recommends approval of a Participation Agreement with Pacific Wings Inc. to assist in the development of a Buffalo Wild Wings Grill & Bar as part of the CDBG-Recovery program.

BACKGROUND

The economy has been in a down cycle for the last few years and it has created challenges for shopping center owners with vacancies of anchor retail and key restaurant locations. The TownGate area is an important retail and restaurant business area for the City of Moreno Valley. City staff is committed to addressing vacancies and creating new employment opportunities in the TownGate shopping areas with available stimulus funding from the Federal government. The City's adopted CDBG-Recovery (CDBG-R) program has earmarked $107,841 in available funding for the start-up of a new restaurant operation in the TownGate area.

Buffalo Wild Wings Grill & Bar (BWW's) is a restaurant company, based in Minneapolis Minnesota that has proven successful with its popular restaurant concept that combines a full menu experience— including its famous buffalo chicken wings with 14 signature sauces, along with providing a relaxed entertainment environment through its popular sports bar theme. During the past 29 years, BWW"s has developed over 650 restaurant locations in 43 states. In California, BWW's is expanding through owner-operator Franchise Agreements. Presently, there are nearby Buffalo Wild Wings locations in Rancho Cucamonga, Murrieta, Eastvale-Mira Loma and a soon to open restaurant in Corona. Moreno Valley staff has pursued a BWW's location for the past few years and believe it will be a great addition to the local restaurant scene.

DISCUSSION

The Buffalo Wild Wings Franchisee for the Moreno Valley/Redlands/San Bernardino area is Pacific Wings Inc., which is a partnership of two individuals with restaurant experience in the Chicago area and now residing part-time in Southern California. Pacific Wings Inc. will develop a number of BWW's locations in the next few years, but have selected Moreno Valley as their first BWW's restaurant in Southern California.

Pacific Wings Inc. has chosen a location in Moreno Valley-- next to Sports Authority store in the TownGate Crossing center as their initial BWW's restaurant. BWW's Corporation has approved the location, along with conceptual plans for the Moreno Valley restaurant in TownGate Crossing. A Letter of Intent (LOI) has been executed between Pacific Wings Inc. and the Fritz Duda Co.—the owner of TownGate Crossing. With the LOI executed, the parties have negotiated and drafted a lease document with execution expected by mid July. An application and supporting documents have been submitted to the City's Planning staff for the processing of an Amended Plot Plan of the new BWW's restaurant operation. The new 5,126 S.F, BWW's restaurant will also include two patio spaces totaling 1,250 S.F., along with constructing new refrigeration cooler/storage space at the rear of the restaurant. The new BWW's restaurant will offer total seating for 280 in the restaurant, bar and patio areas. Everyone hopes for a late 2010 opening of the new BWW's restaurant in Moreno Valley.

A Participation Agreement has been drafted to spell out the contracturual requirements for the CDBG-R funding assistance. The major terms and conditions of the Participation Agreement include the following:

- Pacific Wings Inc. shall execute a binding lease and open a new Buffalo Wild Wings Grill & Bar in TownGate Crossing.
- Pacific Wings Inc. shall establish Moreno Valley as the point of sale per California Board of Equalization requirements for the operation of the new Buffalo Wild Wing's restaurant.
- Pacific Wings Inc. shall agree to create employment opportunities for low and moderate income persons consistent with CDBG requirements, including creating 4 new full-time (or part-time equivalent) jobs at the new restaurant operation.
- Pacific Wings Inc. shall agree to a one-year covenant period of operating the new restaurant in Moreno Valley.
- Upon satisfaction of the conditions stated above, the City shall provide Pacific Wings Inc. with a payment of $107,841 from the CDBG-R program.

ALTERNATIVES

1. Approve the Participation Agreement with Pacific Wings Inc, thereby supporting the City's assistance in the development of the new Buffalo Wild Wings restaurant.

2. Reject or pursue modification of the terms of the Participation Agreement. Supporting this alternative would hinder the timing or ability to open the new restaurant in TownGate.

FISCAL IMPACT

Funding for the Participation Agreement in the amount of $107,841 shall be from the City's CDBG-R program.

Fund	Business Unit Name	Amount
199	19910.6849.003 CDBG-R Economic Incentive for Restaurant Development	$107,841

Funding for the Participation Agreement will have NO impact on the City's General Fund. Sales tax for the City from the new Buffalo Wild Wings restaurant is estimated at $30,000 to $40,000 annually and the new restaurant operation is expected to employ 100 to 110 people.

SUMMARY

The City's CDBG-R program contains a funding allocation of $107,841 for the creation of new restaurants in the TownGate area. The new Buffalo Wild Wings (BWW's) restaurant, to be situated in TownGate Crossing qualifies for funding through the CDBG-R program. The new BWW's restaurant will not only create a new and popular restaurant concept for the area, but also help stimulate the local economy by filling a building vacancy, producing new sales tax revenue for the City, and most importantly creating new employment opportunities.

ATTACHMENTS/EXHIBITS

ATTACHMENT 1: Participation Agreement

Prepared By:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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MV00072050

PARTICIPATION AGREEMENT

By and Between the

CITY OF MORENO VALLEY

and

PACIFIC WINGS, INC.
a California corporation

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Attachment No. 2 Annual Compliance Report
Attachment No. 3 Roles to Ensure Low to Moderate Income Benefit
Attachment No. 4 Summary of HUD Requirements for CDBG Economic Development Activities
Attachment No. 5 Operator Certificate
Attachment No. 6 Schedule of Performance

PARTICIPATION AGREEMENT

This **PARTICIPATION AGREEMENT** (the "Agreement") is entered into as of July 13, 2010, by and between the **CITY OF MORENO VALLEY**, a municipal corporation (the "City"), and **PACIFIC WINGS, INC.,** a California corporation (the "Operator").

RECITALS

The following recitals are a substantive part of this Agreement:

A. In furtherance of the objectives of the Housing and Community Development Act of 1974, as amended (the "Act") as well as regulations promulgated thereunder, the Operator and the City desire that the Operator open a sports bar and restaurant facility within the TownGate Area (the "TownGate Area") operating under the trade name Buffalo Wild Wings Grill and Bar and that, as part of Operator's activities, a minimum number of full time (or composite full time) jobs, starting at not less than four (4) employees, be created within the City to be held by or made available to low- or moderate-income persons.

B. Operator through the operation of the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar within the TownGate Area will help stimulate the local economy and address the goals and obligations of the City's CDBG-Recovery Program as approved by the Department of Housing and Urban Development ("HUD").

C. Operator has determined a suitable location within the TownGate Area for a sports bar and restaurant facility to be operated under the trade name Buffalo Wild Wings Grill and Bar.

D. Operator has been provided with, has reviewed and agreed that its receipt of payments from the City under this Agreement is subject to the "Annual Compliance Report" (Attachment No. 2 to this Agreement), the "CDBG Regulations", as defined below and as amplified by the "Roles to Ensure Low and Moderate Income Benefit" (Attachment No. 3 to this Agreement) and "Summary of HUD Requirements for CDBG Economic Development Activities" (Attachment No. 4 to this Agreement), and the remainder of this Agreement.

E. The City is authorized to undertake activities and expend moneys pursuant to and in implementation of the CDBG Regulations.

F. The operations as required to be accomplished under this Agreement are in the vital and best interest of the City and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws.

NOW, THEREFORE, the City and the Operator hereby agree as follows:

100. DEFINITIONS.

"*Adverse Litigation*" means any litigation (including without limitation the filing of a claim) concerning (i) the Agreement, (ii) the subject matter of the Agreement, or (iii) the land use approvals, zoning classifications, or environmental process with respect to the Designated Site, the Agreement, or the activities to be undertaken by the Operator under the Agreement, which, in the opinion of

Operator or City, will have a material adverse effect on the ability of either party to perform its obligations under this Agreement or to realize the intended benefits of this Agreement.

"*Agreement*" means this Participation Agreement by and between the City and the Operator.

"Annual Compliance Report" means a report to be provided once a year by the Operator (as of March 1, commencing March 1, 2011, for the preceding calendar year or portion thereof) in the form of Attachment No. 2.

"*Annual Period*" means that three hundred sixty five (365) day period commencing as of the Opening and ending the day prior to the anniversary of the Opening, and each succeeding three hundred sixty five (365) day period (or for a leap year, a three hundred sixty six (366) day period).

"Authorizing Business Entity" means The Fritz Duda Company, a California corporation.

"*Best Knowledge*" is defined in Section 208.1 hereof.

"*Certificate Condition*" is defined in Section 401.2 hereof.

"*City*" means the City of Moreno Valley, a municipal corporation.

"*City Manager*" means the City Manager of the City or his designee.

"City Payment" means the payment of the Payment Amount by the City in accordance with the terms of this Agreement.

"CDBG Regulations" means those regulations (concerning Community Development Block Grants) set forth at 24 CFR 570, including without limitation those regulations referenced therein.

"*Conditions Precedent to Payment*" is defined in Section 403 hereof.

"*Conforming Activities*" means the operation of a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the trade name Buffalo Wild Wings Grill and Bar.

"Conforming Facility" means a building consisting of not less than five thousand one hundred (5,100) square feet gross leasable area and adjacent parking spaces (or rights to use such spaces) as required by the City in connection with its customary planning process which includes improvements sufficient for the conduct of Conforming Activities, which improvements are to be located at the Designated Site in conformity with the Site Plan of the Buffalo Wild Wings Facility.

"*Continuous Operation Condition*" is defined in Section 401.2 hereof.

"*County*" shall mean the County of Riverside, California.

"*Date of Agreement*" means July 13, 2010.

"*Deadline*" means the ninetieth (90th) day following the Date of Agreement.

"*Default*" means the failure of a party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and opportunity to cure, as set forth in Section 601 hereof.

"*Designated Site*" means a parcel of land within the TownGate Area to be designated by Operator as provided in Section 401 of this Agreement.

"Designated Trade Name" means "Buffalo Wild Wings Grill and Bar" or another trade name that is approved by the City in its discretion.

"*Fee Condition*" is defined in Section 401.2.

"*Governmental Requirements*" means each and every law, ordinance, statute, code, rule, regulation, order, and decree of the United States, the state, the County, the City, or any other political subdivision in which the Designated Site is located, and of any other political subdivision, agency, or instrumentality exercising jurisdiction over the Operator or the Designated Site.

"Improvements" means all improvements present on the Designated Site as of the Date of Agreement or thereafter undertaken on the Designated Site.

"Municipal Code" means the City of Moreno Valley Municipal Code.

"*Notice*" shall mean a notice in the form prescribed by Section 601 hereof.

"Opening" means the opening for business of a sports bar and restaurant facility consisting of not less than five thousand one hundred (5,100) square feet gross leasable area operating under the Designated Trade Name.

"*Operating Covenant Period*" means a twelve (12) month period commencing with the later of (i) the Opening or (ii) the time set forth in the Schedule of Performance for the scheduled Opening.

"*Operator*" means Pacific Wings, Inc., a California corporation.

"Operator Certificate" means Attachment No. 5 to this Agreement.

"*Payment Amount*" or "*Maximum Payment Amount*" means the sum of One Hundred Seven Thousand Eight Hundred Forty One Dollars ($107,841.00).

"*Performance Conditions*" means all of the following: the Fee Condition; the Indemnification Condition; the Certificate Condition; the Continuous Operation Condition; and the Annual Report Condition. Each of the foregoing "Conditions" as so enumerated within this definition of Performance Conditions is defined in Section 401.2 hereof.

"Qualifying Employee(s)" is defined as follows: the number of persons constituting Qualifying Employees during any Annual Period shall equal the sum of (i) the number of "Full Time Employees" for such Annual Period plus (ii) the number of "Composite Full Time Employees" for such Annual Period, calculated in accordance with the following:

(a) In order to qualify as a Full Time Employee of Operator for the applicable Annual Period, a person must be a salaried or hourly employee who is employed at the Designated Site not less than forty (40) hours per week for not less than fifty (50) weeks, with such fifty two (52) week calculation to be inclusive of vacations, holidays, disability leaves required pursuant to state law, sick leave and similar benefits generally afforded employees generally deemed to be full time employees by prevailing community standards during the corresponding Annual Period. An employee who is terminated during any Annual Period, and the employee who replaces such terminated employee in such position, shall be aggregated for purposes of the foregoing calculation. The Operator shall provide substantiation to the City Manager (or his designee) as to replacement of terminated employees, and the City Manager (or his designee) shall in good faith review whether the employees involved are countable for purpose of the foregoing calculation.

(b) For purposes of this Agreement, one Composite Full Time Employee shall be deemed to exist for each two thousand (2,000) hours worked per Annual Period, not inclusive of vacations, holidays, disability leaves, sick leaves, or similar benefits, performed by part time employees (other than qualifying Full Time Employees), contract employees, independent contractors, or temporary personnel (collectively, "Part Time Employees") at the Designated Site.

Hours worked in one Annual Period shall be countable only with respect to that Annual Period and cannot be carried forward or carried back to be applied as to a different Annual Period.

"*Required Period*" means that period commencing as of the Date of Agreement and continuing until the first (1st) anniversary of the Opening.

"*Schedule of Performance*" means that Schedule setting forth the times by which each action must be completed pursuant to this Agreement, as set forth in Attachment No. 6, attached hereto and incorporated herein.

"Site Plan of the Buffalo Wild Wings Facility" means Attachment No. 1.

"*Special Fund*" means a fund or account that City will maintain and which will be funded only with moneys granted by the United States Government under the Act (and, particularly, under the CDBG program).

"Targeted Income Groups" means very low-, low- and moderate-income households (as defined under Health and Safety Code Sections 50105, 50079.5 and 50093) residing in the City. Data changes annually concerning the income limits for such households; figures will be available from the City within a reasonable time following receipt of request therefor from the Operator.

200. REPRESENTATIONS AND WARRANTIES.

201. **City Representations**. City represents and warrants to Operator as follows:

(a) **Authority**. City is a municipal corporation organized and existing under the laws of the State of California, which has been authorized to transact business pursuant to action of the City Council. The City has full right, power and lawful authority to execute, perform, and deliver this Agreement, and the execution, performance, and delivery of this Agreement by City has been fully authorized by all requisite actions on the part of City. The parties who have executed this Agreement on behalf of City are authorized to bind City by their signatures hereto.

(b) **No Conflict**. To the best of City's knowledge, City's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which City is a party or by which it is bound.

(c) **No City Bankruptcy**. City is not the subject of a bankruptcy proceeding.

202. **Operator Representations**. Operator represents and warrants to City as follows:

(a) **Authority**. Operator is a duly organized California corporation that is authorized to do business in California and is in good standing under the laws of the State of California. Operator has full right, power and lawful authority to purchase or lease and accept possession of property within the TownGate Area, including the Designated Site and undertake all obligations as provided herein and the execution, performance and delivery of this Agreement by Operator has been fully authorized by all requisite actions on the part of the Operator in conformance with the Governmental Requirements. The parties who have executed this Agreement on behalf of Operator are authorized to bind Operator by their signatures hereto.

(b) **Litigation**. To the best of Operator's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings pending against Operator, or affecting its ability to acquire ownership of or a leasehold interest as to the Designated Site or any portion thereof, at law or in equity before any court or governmental agency, domestic or foreign, which in any way would have a material effect on Operator's ability to perform its obligations under this Agreement.

(c) **No Conflict**. To the best of Operator's knowledge, Operator's execution, delivery, and performance of its obligations under this Agreement will not constitute a default or a breach under any contract, agreement or order to which Operator is a party or by which it is bound.

(d) **No Operator Bankruptcy**. Operator is not the subject of a bankruptcy proceeding.

(e) **Operator Experience; Sophisticated Party**. The Operator is a sophisticated party, with substantial experience in the acquisition, development, obtaining financing for, and the operation of franchised restaurant facilities, and with the negotiation, review, and preparation of agreements and other documents in connection with such activities. The Operator is familiar with and has reviewed all laws and regulations pertaining to the operation of a Conforming Facility under this Agreement, as well as the Summary of HUD Basic Requirements for CDBG Economic Development Activities.

300. OPERATION IN CONFORMITY WITH LAW; INSURANCE AND INDEMNITY.

301. **Indemnity**. The Operator shall defend (by counsel satisfactory to City), indemnify and save and hold harmless City and its officers, contractors, agents and employees from and against all claims, damages, demands, actions, losses, liabilities, costs and expenses including, without limitation, attorneys' fees and court costs (all of the foregoing are collectively, "Claims") to the extent arising from or relating to: (i) Operator's breach of this Agreement; (ii) a Claim, demand or cause of action that any person has or asserts against Operator; (iii) any act or omission of Operator, any contractor, subcontractor or material supplier, engineer, architect or other person retained or

employed by Operator with respect to the Designated Site; or (v) Operator's ownership, occupancy or use of the Designated Site; provided, however, that the indemnification obligations provided in this Section 301 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator. Operator's obligations under this Section 304 shall survive the termination of this Agreement.

If the Operator defaults under the terms of this Agreement and such default remains uncured after the City has given Operator written notice thereof as set forth in Section 500, the Operator agrees to reimburse the City immediately upon written demand for all costs reasonably incurred by the City (including the reasonable fees and expenses of attorneys, accountants, appraisers and other consultants, whether the same are independent contractors or employees of City) in connection with the enforcement of the Agreement, including the attachments thereto, and all related matters including the following: (a) the City's commencement of, appearance in, or defense of any action or proceeding purporting to affect the rights or obligations of the parties to this Agreement, and (b) all claims, demands, causes of action, liabilities, losses, commissions and other costs against which the City is indemnified under this Agreement.

The Operator shall indemnify the City from any real estate commissions or brokerage fees which may arise from this Agreement or the Designated Site. The Operator agrees to hold the City harmless from any claim by any broker, agent or finder in connection with this Agreement, the activities by the Operator and/or the Designated Site.

Operator agrees that no displacement of another person or business shall be effected in connection with the selection of a Designated Site by the Operator or Operator's siting of a store at the Designated Site. Operator agrees to and shall defend, indemnify and hold harmless City from and against any claim, loss, suit or demand in connection with any claim for relocation assistance based upon the displacement of a person or business from the Designated Site occurring prior to and in connection with the selection of the Designated Site by the Operator.

302. **Compliance With Laws**. Operator shall carry out the design, construction and development of improvements, if any, and the conduct of uses on the Designated Site in conformity with all applicable laws, including without limitation the Act, City zoning and development standards, building, plumbing, mechanical and electrical codes, and all applicable disabled and handicapped access requirements, including without limitation the Americans With Disabilities Act, 42 U.S.C. Section 12101, *et seq.,* Government Code Section 4450, *et seq.,* Government Code Section 11135, *et seq.,* and the Unruh Civil Rights Act, and Civil Code Section 51, *et seq,* and, to the extent applicable, Labor Code Section 1720(b)(3) and all Governmental Requirements. The City makes no representations or warranties whatsoever with respect to the applicability of the foregoing prevailing wage and public works requirements, and the Operator shall make its own determination as to such applicability. Operator shall indemnify City for any liability associated with the payment of prevailing wages for any work on the Designated Site.

The Operator does hereby and shall indemnify and hold City harmless from and against any and all claims, demands, causes of action, obligations, damages, liabilities, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by City to the extent arising out of Operator's compliance with or failure to comply with applicable laws, including all applicable federal and state labor standards including without limitation the requirements of Labor Code Section 1720; provided, however, that the indemnification obligations provided in this

Section 302 shall not apply to any claim to the extent arising out of the negligent acts or omissions of City and not caused or contributed to by the Operator.

Before commencement of construction of any improvement upon the Designated Site or otherwise within the corporate limits of the City, Operator shall, at its own expense, secure or cause to be secured any and all land use and other entitlements, permits, and approvals which may be required for such improvements by the City or any other governmental agency affected by or having jurisdiction over such construction or work. Operator shall, without limitation, apply for and secure, and pay when due all costs, charges and fees associated therewith, all permits and fees required by the City, County of Riverside, and other governmental agencies with jurisdiction over such improvements. Execution of this Agreement does not constitute the granting of or a commitment to obtain or to assist in obtaining any required land use entitlements, or approvals required by the City. Operator's obligations under this Agreement including without limitation acquisition (by purchase or lease) and, if applicable, the making of improvements at the Designated Site is expressly conditioned upon the issuance of each permit required by the City, County of Riverside or other governmental agencies and the grant of all approvals and entitlements required for development of the Designated Site as contemplated under this Agreement.

303. **Insurance**. Prior to the disbursement of any moneys by the City to the Operator and continuing throughout the Operating Covenant Period, the Operator shall maintain at Operator's sole expense (or, if Operator is leasing the Designated Site, the lessor may provide) the following policies of insurance in form and substance reasonably satisfactory to the City:

(i) workers' compensation insurance and any other insurance required by law in connection with construction, if any, performed on the Designated Site (to be in effect only while work is being performed on the Designated Site);

(ii) fire and hazard "all risk" insurance covering 100% of the replacement cost of the improvements at the Designated Site in the event of fire, lightning, windstorm, vandalism, earthquake, malicious mischief and all other risks normally covered by "all risk" coverage policies in the area where the Designated Site is located (including loss by flood if the Designated Site is in an area designated as subject to the danger of flood);

(iii) public liability insurance in no event less than $2,000,000 for "single occurrence;"

(iv) property damage insurance in no event less than $2,000,000; and

All such insurance shall provide that it may not be canceled or materially modified without 30 days prior written notice to City. The policies required under subparagraph (b) shall designate City as an additional insured and loss payee. City shall be an additional insured in the policies required under subparagraph (d). Certificates of insurance for the above policies (and/or original policies, if required by City) and endorsements shall be delivered to City from time to time within 10 days after demand therefor. No less than thirty (30) days prior to the expiration of each policy, Operator shall deliver to City evidence of renewal or replacement of such policy reasonably satisfactory to the City Manager.

(b) Coverage provided hereunder by Operator shall be primary insurance and not be contributing with any insurance maintained by City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of the City. All policies shall be written by good and solvent insurers qualified to do business in California and shall have a policyholder's rating of A or better in the most recent edition of "Best's Key Rating Guide -- Property and Casualty." The required certificate shall be furnished by Operator at the time set forth herein. The Operator's obligation to maintain insurance under this Section 303 may be satisfied by appropriate amendment, rider or endorsement to any blanket policy or policies carried by the Operator (or policies or amendments, riders or endorsements by a lessor, if the Operator is leasing the Designated Site), and the Operator shall have the option to include a self-insured deductible for which it shall assume full responsibility so long as the Operator maintains a combined net worth of Fifty Million Dollars ($50,000,000.00).

(c) The Operator hereby waives all rights to recover against City (or any officer, employee, agent or representative of City) for any loss incurred by Operator from any cause insured against or required by this Agreement to be insured against; provided, however, that this waiver of subrogation shall not be effective with respect to any insurance policy if the coverage thereunder would be materially reduced or impaired as a result. Operator shall use its best efforts to obtain only policies which permit the foregoing waiver of subrogation.

304. **Nondiscrimination in Employment; Efforts to Employ Persons of Targeted Income Groups**. The Operator certifies and agrees that all persons employed or applying for employment by it, its affiliates, subsidiaries, or holding companies are and will be treated equally by it without regard to, or because of race, color, religion, ancestry, national origin, sex, sexual orientation, age, pregnancy, childbirth or related medical condition, medical condition (cancer related) or physical or mental disability.

Operator shall recruit and use best efforts to maximize the hiring of personnel for its sports bar and restaurant facility to be established under this Agreement in the TownGate Area from members of the Targeted Income Groups.

305. **Taxes and Assessments**. Throughout the Operating Covenant Period, Operator shall pay (or the Authorizing Business Entity or lessor shall pay) prior to delinquency all ad valorem real estate taxes and assessments on the Designated Site. Operator shall remove or shall have caused to be removed any levy or attachment made on the Designated Site or any part thereof which is owned or leased by Operator, or assure the satisfaction thereof within a reasonable time, but in no event to exceed sixty (60) days. The Operator shall additionally defend, indemnify, and hold harmless the City from and against any taxes, assessments, mechanic's liens, claims of materialmen and suppliers, or other claims by private parties to the extent arising out of (a) activities undertaken by the Operator or (b) the Designated Site.

400. CONSIDERATION FOR AGREEMENT; CITY CONTINGENT PAYMENTS.

401. **Operator Consideration**.

401.1 **Timing for Satisfaction of Conditions**. As consideration for the City to enter into this Agreement, the Operator agrees to satisfy the Conditions Precedent to Payment by the time established therefor in the Schedule of Performance, and to annually thereafter satisfy the Performance Conditions on a continuous basis throughout the Operating Covenant Period. The

Operator further agrees to operate, maintain and use the Designated Site in conformity with this Agreement. The Operator assumes all responsibility for any costs to perform under this Agreement.

Within thirty (30) days after the Conditions Precedent to Payment have been satisfied (immediately following the approval of this Agreement), as such satisfaction is determined in good faith by the City Manager, City will disburse to Operator from moneys in the Special Fund the Payment Amount.

401.2 **Performance Conditions**. Operator shall continuously operate Conforming Activities in a Conforming Facility commencing with the Opening and continuing throughout the Operating Covenant Period. In addition to the foregoing, Operator shall use diligent efforts to recruit and hire as employees members of the Targeted Income Groups, and shall cooperate with the City in connection therewith. The obligations as set forth in this paragraph shall hereinafter be referred to as the "Continuous Operation Condition."

The performance by the Operator shall additionally include: (i) the satisfaction of the Conditions Precedent to Payment; (ii) the payment in full of all City fees and/or business licenses payable in respect to the operation of the Conforming Activities (the "Fee Condition"); (iii) provision of defense, indemnification, assumption of responsibility for, and provision of insurance as required pursuant to Sections 303 and 304 of this Agreement (the "Indemnification Condition"); and (iv) filing of the Annual Compliance Report for the corresponding calendar year by the time set forth therefor herein (the "Annual Report Condition"). The Operator shall, as provided in this Agreement, provide its certification in connection with the satisfaction of the foregoing Conditions in the form of the Operator Certificate, and thereafter on an annual basis, on that date which precedes by thirty (30) days the last date of each Annual Period, the Operator shall so submit the Operator Certificate until the last day of the Required Period, and during such period shall provide such additional information with respect to any of such matters as the City Manager or his designee shall reasonably determine to be necessary or convenient in connection with the review of the Operator Certificate(s) (the "Certificate Condition"). All of the Conditions set forth in this Section 401.2 together constitute the Performance Conditions.

402. **City Contingent Financial Participation**. Payment of the Payment Amount shall be subject to satisfaction of the Conditions Precedent to Payment and, to the extent applicable as of payment of the Payment Amount, the Performance Conditions have been and remain satisfied as of the time such payment is otherwise due and payable; the City shall disburse to the Operator the City Payment following the Opening within thirty (30) calendar days after the City Manager receives satisfactory substantiation that the Conditions Precedent to Payment (including, to the extent applicable as of the payment of the Payment Amount, the Payment Conditions) have been satisfied. The source of payments and the obligation to make payment shall be moneys in the Special Fund; provided that City may provide payment from any other City funding source deemed appropriate by City. Payment by the City is subject to the reasonable satisfaction of the City Manager that the Conditions Precedent to Payment were satisfied and that there are no uncured defaults which occur prior to the making of payment. Operator Certificates shall be submitted to the City to the attention of its City Manager at the address set forth in Section 701 hereof. No interest shall accumulate as to any amounts which are or may become payable to the Operator.

The City shall not provide any moneys pursuant to this Agreement other than those payments provided for in this Section 402. Further, no pledge is made or lien priority established by this Section 402.

403. **Conditions Precedent to Payment**. The City shall pay the Payment Amount to Operator within thirty (30) calendar days following the date on which all of the following conditions precedent have been and remain satisfied:

(a) the Operator provides to the City Manager evidence reasonably satisfactory to the City Manager that: (i) Operator has entered into a binding agreement with the franchisor of the trade name Buffalo Wild Wings Grill and Bar, and a lease agreement with the Authorizing Business Entity to operate a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar; (ii) Operator has acquired real property within the TownGate Area or has entered into a lease of existing, improved premises that constitutes a Conforming Facility for a term of not less than twelve (12) months; (iii) the Opening of a Conforming Facility has occurred within the TownGate Area with the approval of the Authorizing Business Entity operating under the Designated Trade Name; (iv) Operator has made diligent efforts to recruit and hire as its employees members of Targeted Income Groups; and (v) Operator employs at the Designated Site not less than four (4) Qualifying Employees;

(b) Operator delivers to the City Manager or his designee a certificate substantially in the form of the Operator Certificate, duly executed with the attachments prescribed pursuant to this Agreement;

(c) all property taxes, assessments and business license fees for or with respect to the Designated Site have been paid and are not delinquent;

(d) there exists no Default, as defined in Section 601 of this Agreement; and

(e) Operator has delivered to City all documents, instruments, policies, and forms of evidence or other materials required to be provided to City hereunder and as may be reasonably requested by City under the terms of this Agreement

(f) Operator provides evidence reasonably satisfactory to the City Manager demonstrating that the Conforming Facility is operating on the Designated Site in conformance with this Agreement using the Designated Trade Name;

The foregoing conditions lettered (a) to (g), inclusive, shall collectively constitute the "Conditions Precedent to Payment."

The Operator agrees that, in the event the Operator ceases to operate the Conforming Activities on the Designated Site during the Operating Covenant Period, or if this Agreement is terminated by the City based upon the default or failure to satisfy conditions by the Operator, then no additional or future payments shall be made by the City pursuant to Section 402 of this Agreement.

404. **Brokers**. The City shall not be liable for any real estate commissions or brokerage fees which may arise herefrom. The Operator represents and warrants that it has not engaged the services of any agents, brokers, or finders in connection with this Agreement, and assumes all responsibility for any remuneration payable to any agents, brokers, or finders in connection with this Agreement.

500. COVENANTS AND RESTRICTIONS.

501. **Use Covenants**. The Operator will use the Conforming Facility as a sports bar and restaurant in a Conforming Facility under the trade name Buffalo Wild Wings Grill and Bar, which is a sit-down restaurant facility improved in a manner usual and customary for restaurants doing business under the Designated Trade Name. The Operator shall operate on the Designated Site only Conforming Activities, which shall include a physical facility which includes improvements conforming in all respects to all applicable regulations of federal, state and local agencies regulating the establishment or operations of such facilities. The Operator covenants and agrees that the Operator and any successors and assignees, shall on a continuous basis throughout the Operating Covenant Period: (i) devote the Designated Site to the uses specified in this Section 501 of this Agreement; (ii) operate on the Designated Site a Business devoted to the operation of Conforming Activities under the Designated Trade Name and (iii) execute and deliver to the City an Operator Certificate prior to each payment by the City.

The Operator shall carry out all of its undertakings pursuant to this Agreement in conformity with all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations. The Operator covenants to operate on the Designated Site only Conforming Activities for a period of not less than the Required Period; this covenant is made for the benefit of the City.

In addition, Operator covenants that there shall be no discrimination contrary to the Summary of HUD Federal Requirements for CDBG Economic Development Activities or the CDBG Regulations.

In addition, continuing throughout the remainder of the Required Period, all uses conducted on the Designated Site, including, without limitation, all activities undertaken by the Operator pursuant to this Agreement, shall be Conforming Activities and shall conform to all applicable provisions of the Municipal Code. The Operator on behalf of itself and its successors, assigns, and each successor in interest to the Designated Site or any part thereof, hereby covenants and agrees:

(a) To use, devote, and maintain the Designated Site and each part thereof, for the purposes and the uses specified in the Municipal Code of the City, all applicable laws, the Summary of HUD Federal Requirements for CDBG Economic Development Activities and the CDBG Regulations.

(b) To maintain the improvements and landscaping on the Designated Site in conformity to all applicable laws and to keep the Designated Site free from any accumulation of debris and waste materials (or, if Operator leases the Designated Site, to provide such maintenance or require that the lessor provide such maintenance).

(c) To operate on the Designated Site only Conforming Activities.

600. DEFAULTS AND REMEDIES.

601. **Default Remedies**. Subject to the extensions of time set forth in Section 702 of this Agreement, failure by any party to perform any action or covenant required by this Agreement within the time periods provided herein following notice and failure to cure as described hereafter, constitutes a "Default" under this Agreement. A party claiming a Default shall give written notice of

Default to the other parties specifying the Default complained of. Except as otherwise expressly provided in this Agreement, the claimant shall not institute any proceeding against any other party, and the other party shall not be in Default if such party within thirty (30) days from receipt of such notice immediately, with due diligence, commences to cure, correct or remedy such failure or delay and shall complete such cure, correction or remedy with diligence. In the event of the Operator's Default of the operating covenant, the sole remedy of the City shall be suspension or at City's election to terminate payment of the amounts payable to Operator under this Agreement and/or to seek recovery of amounts previously paid.

602. **Institution of Legal Actions**. In addition to any other rights or remedies and subject to the restrictions otherwise set forth in this Agreement, any party may institute an action at law or equity to seek specific performance of the terms of this Agreement, or to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Riverside, State of California.

603. **Termination by the Operator**. The Operator shall not have the right to terminate this Agreement, except as otherwise specified in this Section 603. Upon the City's Default of its obligations under this Agreement and failure to cure such Default within the time specified in Section 601, then, subject to the provisions of Section 602 above, this Agreement and any rights hereunder shall, at the option of the Operator, be terminated by Operator by Notice thereof to the City. Operator shall also have the option to terminate this Agreement on or before September 1, 2010 (unless such date is extended by mutual consent of the parties), if on or before September 1, 2010 (or the date as extended by mutual consent of the parties): (i) Operator is unable to acquire title or a leasehold interest in the Designated Site; or (ii) the City fails to make one or more payments as provided under this Agreement. From the date of Notice of Termination of this Agreement by Operator to the City and thereafter, this Agreement shall be deemed terminated and there shall be no further rights or obligations between the parties.

604. **Termination by City**. In the event that, prior to the time established in the Schedule of Performance for the satisfaction of the Conditions Precedent to Payment:

(a) Operator (or any successor in interest) assigns this Agreement or any rights herein or with respect to the Designated Site to any third party other than an Affiliate in violation of this Agreement and fails to cure such default within the time set forth in Section 601 hereof; or

(b) Operator does not fulfill one or more of the Conditions Precedent to Payment in accordance with the Schedule of Performance and such failure is not caused by City; or

(c) On or before the Deadline, Adverse Litigation is pending; or

(d) Operator is otherwise in default of this Agreement and fails to cure such default within the time set forth in Section 601 hereof;

then this Agreement and any rights of the Operator or any assignee or transferee with respect to or arising out of the Agreement, shall, at the option of City, be terminated by City by Notice thereof to the Operator. From the date of the Notice of termination of this Agreement by City to the Operator

and thereafter this Agreement shall be deemed terminated, and there shall be no further rights or obligations between the parties, except that City may pursue any remedies it has hereunder.

605. **Acceptance of Service of Process**. In the event that any legal action is commenced against the City, service of process on the City shall be made by personal service upon the City Clerk or in such other manner as may be provided by law. In the event that any legal action is commenced against the Operator, service of process on the Operator shall be made in such manner as may be provided by law and shall be effective whether served inside or outside of California.

606. **Rights and Remedies Are Cumulative**. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are cumulative, and the exercise by a party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by another party.

607. **Inaction Not a Waiver of Default**. Any failures or delays by either party in asserting any of its rights and remedies as to any Default shall not operate as a waiver of any Default or of any such rights or remedies, or deprive either such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

608. **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

700. GENERAL PROVISIONS.

701. **Notices, Demands and Communications Between the Parties**. Any approval, disapproval, demand, document or other notice ("Notice") which a party hereto may desire to give to another party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, or (iii) mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below, or at any other address as that party may later designate by Notice.

To City:	City of Moreno Valley 14177 Frederick Street P.O. Box 88005 Moreno Valley, California 92552-0805 Attention: Economic Development Director
To Operator:	Pacific Wings, Inc. Attention: Anthony Prokos 28076 Paseo Hacienda San Juan Capistrano, California 92675

Any written notice, demand or communication shall be deemed received immediately upon receipt; provided, however, that refusal to accept delivery after reasonable attempts thereto shall constitute receipt. Any notices attempted to be delivered to an address from which the receiving party has moved without notice shall be deemed to be effective on the fifth (5th) day from the date of the attempted delivery or deposit in the United States mail.

702. **Enforced Delay; Extension of Times of Performance**. In addition to specific provisions of this Agreement, performance by any party hereunder shall not be deemed to be in Default, and all performance and other dates specified in this Agreement shall be extended, where delays or Defaults are due to: war; insurrection; riots; floods; earthquakes; fires; casualties; acts of God; acts or omissions of another party, or acts or failures to act of the City or any other public or governmental agency or entity. Notwithstanding anything to the contrary in this Agreement, an extension of time for any such cause shall be for the period of the enforced delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of the commencement of the cause. Times of performance under this Agreement may also be extended in writing by the mutual agreement of City and Operator. The City Manager shall have the authority to approve on behalf of City, extensions of time not to exceed a cumulative total of one hundred eighty (180) days. Notwithstanding any provision of this Agreement to the contrary, the Operator is not entitled pursuant to this Section 702 to an extension of time to perform because of the failure to obtain any approvals of third parties for sales or exchanges of property or the failure of Operator to open a Conforming Facility within the TownGate Area; and no rights with respect to entitlements as to any property or with respect to agreements, if any, with City as to other properties.

703. **Transfers of Interest in Agreement or of Designated Site**. The qualifications and identity of the Operator are of particular concern to the City. It is because of those qualifications and identity that the City has entered into this Agreement with the Operator. For the period commencing upon the Date of Agreement and until the end of the Operating Covenant Period, no voluntary or involuntary successor in interest of the Operator shall acquire any rights or powers under this Agreement, nor shall the Operator make any total or partial sale, transfer, conveyance, assignment, subdivision, refinancing or lease of the whole or any part of the Designated Site or the development thereon without prior written approval of City, except as expressly set forth in this Section 703. Provided that in the event of a transfer that has not been approved in writing by the City, the sole remedy of the City shall be suspension or at City's election termination of payments otherwise required to be made by City pursuant to this Agreement. City shall not unreasonably withheld its consent to the assignment by Operator hereunder of its rights under this Agreement to any entity which controls, is controlled by, or is under common control with Operator ("Affiliate"); provided that in no event shall Operator be released of its obligations hereunder.

704. **Provision of Information; Inspection of Books and Records**. The City shall have the right at all reasonable times during the Required Period to inspect the books and records of the Operator as reasonably necessary to determine compliance with this Agreement; the Operator agrees to make such records available to the City as deemed reasonably necessary by the City, at least annually and additional upon request therefor by the City, to verify compliance with the terms of this Agreement.

705. **Non-Liability of Officials and Employees of City**. No member, official, officer or employee of the City shall be personally liable to the Operator, or any successor in interest, in the

event of any Default or breach by the City or for any amount which may become due to the Operator or their respective successors, or on any obligations under the terms of this Agreement.

706. **Relationship Between City and Operator**. It is hereby acknowledged that the relationship between the City and the Operator is not that of a partnership or joint venture and that City and the Operator shall not be deemed or construed for any purpose to be the agent of the other (excepting that the Operator shall each be deemed to be the agent for the other). Accordingly, except as expressly provided in this Agreement, including the Attachments hereto, the City shall not have any rights, powers, duties or obligations with respect to the Designated Site.

707. **City Approvals and Actions**. Whenever a reference is made herein to an action or approval to be undertaken by the City, the City Manager is authorized to act on behalf of the City unless specifically provided otherwise or the law otherwise requires.

708. **Counterparts**. This Agreement may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement. This Agreement is executed in three (3) originals, each of which is deemed to be an original.

709. **Integration**. This Agreement contains the entire understanding between the parties relating to the transaction contemplated by this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged in this Agreement and shall be of no further force or effect. Each party is entering this Agreement based solely upon the representations set forth herein and upon such party's own independent investigation of any and all facts such party deems material. This Agreement includes pages 1 through 17 and Attachment Nos. 1 through 6, which Attachments are attached hereto and incorporated herein by reference, which constitute the entire understanding and agreement of the parties, notwithstanding any previous negotiations or agreements between the parties or their predecessors in interest with respect to all or any part of the subject matter hereof.

710. **Interpretation; Titles and Captions**. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The word "including" shall be construed as if followed by the words "without limitation." This Agreement shall be interpreted as though prepared jointly and equally by both parties. Titles and captions are for convenience of reference only and do not define, describe, or limit the scope or the intent of this Agreement or of any of its terms. References to section numbers are to sections in this Agreement, unless expressly stated otherwise.

711. **No Waiver**. A waiver by any party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

712. **Modifications**. Any alteration, change, or modification of or to this Agreement, in order to become effective, shall be made in writing signed on behalf of each party.

713. **Severability**. If any term, provision, condition, or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to

persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

714. **Computation of Time**. The time in which any act is to be done under this Agreement is computed by excluding the first day (such as the day escrow opens), and including the last day, unless the last day is a holiday or Saturday or Sunday, and then that day is also excluded. The term "holiday" shall mean all holidays as specified in Section 6700 and 6701 of the California Government Code. If any act is to be done by a particular time during a day, that time shall be Pacific Time Zone time.

715. **Legal Advice**. Each party represents and warrants to the other the following: it has carefully read this Agreement, and in signing this Agreement, it does so with full knowledge of any right which they may have; it has received legal advice from its legal counsel as to the matters set forth in this Agreement, or has knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement, and it has freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other party, or their respective agents, employees, or attorneys, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

716. **Time of Essence**. Time is expressly made of the essence with respect to the performance by the City and the Operator of each and every obligation and condition of this Agreement.

717. **Time for Acceptance of Agreement by City**. This Agreement, when executed by the Operator and delivered to City, must be authorized, executed and delivered by the City on or before thirty (30) days after signing and delivery of this Agreement by the Operator or this Agreement shall be void, except to the extent that the Operator shall consent in writing to a further extension of time for the authorization, execution and delivery of this Agreement.

718. **No Third Party Beneficiaries**. Nothing herein is intended to create any third party beneficiaries to this Agreement, and no person or entity other than the City and the Operator, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

WITNESS WHEREOF, the City and the Operator have signed this Agreement on the respective dates set forth below to be effective as of the Date of Agreement.

CITY:

CITY OF MORENO VALLEY,
a municipal corporation

By:_____
William L. Bopf, Interim City Manager

ATTEST:

_____
Jane Halstead, City Clerk

Approved as to Form:

_____
Robert Hansen
City Attorney

OPERATOR

PACIFIC WINGS, INC.,
a California corporation

By:_____
Anthony Prokos

Its: _____

ATTACHMENT NO. 1

SITE PLAN OF THE BUFFALO WILD WINGS FACILITY

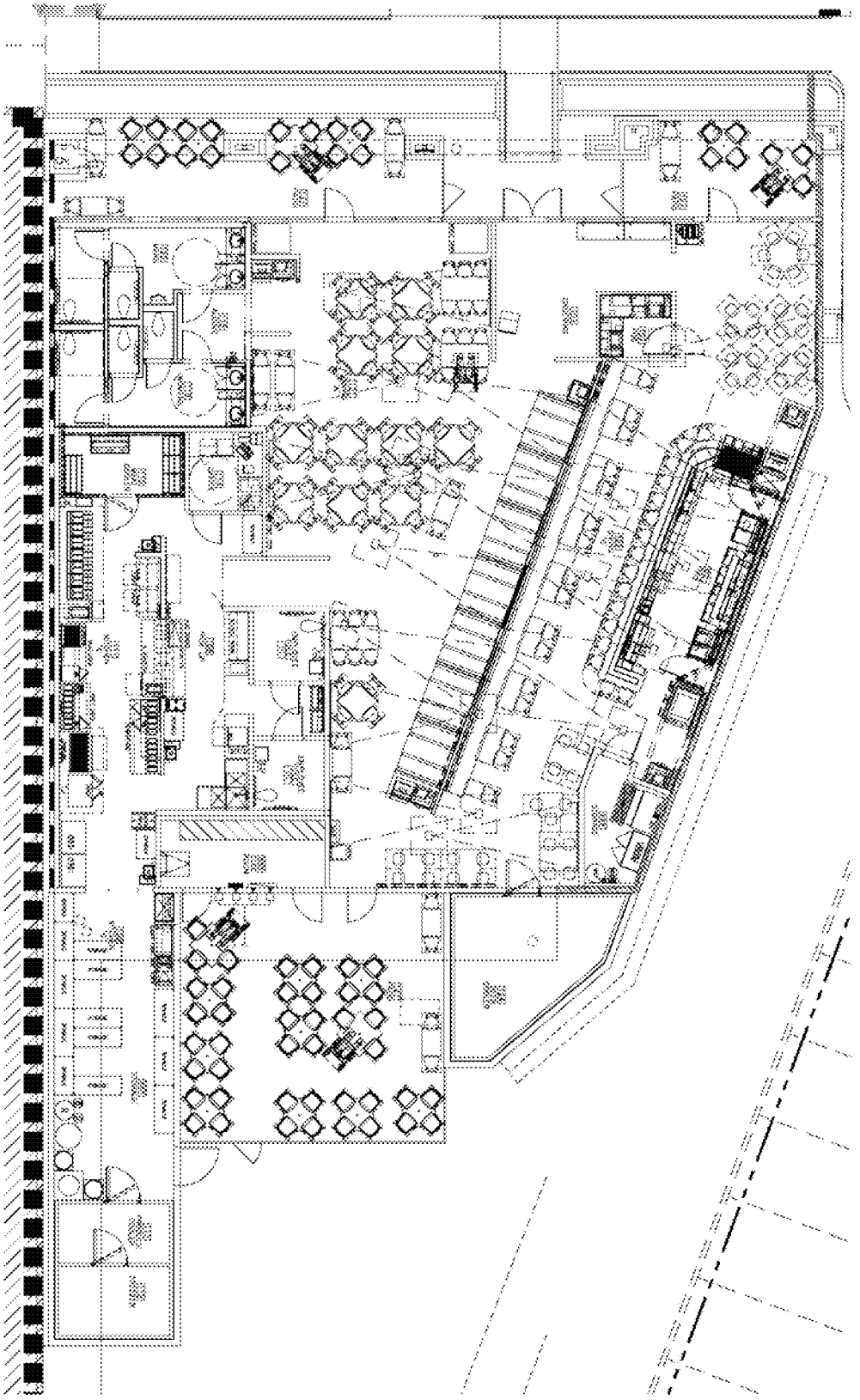

ATTACHMENT NO. 2
ANNUAL COMPLIANCE REPORT
YEAR ENDING ____

Activity:	**Moreno Valley Business Incentive Program**
Per Agreement Between:	City of Moreno Valley and Pacific Wings, Inc.
Agreement Originating:	**2010 (CDBG-R Program Year 2010/11)**
Current Date (mo/day/yr):	
Contact Person Name:	**Title:**
Contact Mailing Address:	
	Contact E-mail:
Contact Telephone:	**Contact Fax:**
Funding Source(s):	☒ **CDBG** ☐ **HOME** ☐ **RDA** ☐ **HOME & RDA** ☒ **Other - CDBG-R**
Assistance Extended:	Year 1: $107,841 (CDBG-R)

Per Federal laws as agreed to in the Participation Agreement referenced above, the following data must be reported annually to the Dept. of Housing and Urban Development (HUD) via the City of Moreno Valley's Economic Development Department. Please complete and return to the City by requested date.

Required Reporting Data	
No. of jobs to created or retained - **Minimum 4 full time jobs or full time equivalents**	_____
Percentage of the jobs to be created or made available to Low-to-Moderate (L/M) persons	**100%**
No. of Low-to-Moderate (L/M) jobs actually created or retained over reporting period	_____

LOW / MODERATE INCOME: The income table below is intended for use by the Participating Business when qualifying an applicant / employee as low-to-moderate (L/M) income. For each applicant's / employee's family size, indicate if previous income was more than or less than the amount listed. Insert the word 'Less or 'More' as applicable in the Low/Moderate Income column below.

Annual Income Level	**Number of Persons In Household/Family**							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
2009 Low -to-Moderate Incomes	$37,300	$42,650	$47,950	$53,300	$57,550	$61,850	$66,100	$70,350

(An updated table shall be provided annually as new income limits are issued each year by the Department of Housing and Urban Development (HUD)

	Employee Name (Last name, First Initial)	**Job type Ft or p/t (enter # hrs)**	**Job Category* Select category from below**	**Paid health Benefits (Y or N)**	**Low/Moderate Income Was previous income more or less than amount listed above?**	**Race / Ethnicity of employee****	**Previously unemployed (Y or N)**
EX	EXAMPLE EMPLOYEE: JOHN SMITH	FT	6 (Craft Workers)	Y	Less	1 (White)	N
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

***JOB CATEGORIES (Insert appropriate number in Job Category column)**:

1)	Officials and Managers	4)	Sales	7)	Operatives (semi-skilled)
2)	Professional	5)	Office and Clerical	8)	Laborers (unskilled)
3)	Technicians	6)	Craft Workers (skilled)	9)	Service Workers

****RACE CATEGORIES (Insert appropriate number in Race Category column)**:

ND) Not Disclosed	3) Asian	6) American Indian / Alaskan Native & White	9) American Indian / Alaskan Native & Black/African American
1) White	4) American Indian/ Alaskan Native	7) Asian & White	10) Other Multi-Racial – Category used for reporting individual responses that are not included in any of the categories listed above
2) Black / African American	5) Native Hawaiian / Other Pacific Islander	8) Black / African American & White	

ATTACHMENT NO. 3

ROLES TO ENSURE LOW-TO-MODERATE INCOME BENEFIT

This is a federally funded Economic Development project. As such, the Office of Housing and Urban Development (HUD) requires that each party to the Agreement agree to undertake certain roles to ensure that the jobs created/retained will benefit low-to-moderate (L/M) income persons.

Actions required by each party are:

The City of Moreno Valley:

- Shall provide a summary of HUD Federal Requirements for CDBG Economic Development activities for informational purposes and as a reference document.
- Shall be available to provide guidance and answer questions to ensure clarity and understanding of HUD's requirements.
- Will specify exactly what needs to be in the reported annually. See Attachment 2.
- Will collect the Compliance Report Form, review the form, and provide written feedback within 30 days of receipt. The City's written response may contain suggestions or list adjustments if necessary to meet the requirements as provided in the Agreement.
- Will identify L/M census tracts (census tracts where 70% of residents are low income) and Enterprise Zones where business may target (or market) their employee search. Maps will be provided.
- Shall define 'reasonable distance' as within 1.5 miles of an applicant's residence for the employer/business to use when determining if L/M applicant has adequate access to transportation to job site.
- Will provide an updated annual income table each year to be used by the business in determining if an individual seeking employment qualifies as low-to-moderate income.

The Business/Employer:

- Shall accept the HUD Federal Requirements for CDBG Economic Development activities and retain a copy for informational and reference purposes.
- Shall seek guidance from City and ask questions as needed in order to ensure clarity and understanding of HUD's requirements.
- Will submit a completed 'Annual Compliance Report Form' each year as required.
- Will implement suggestions and adjustments as recommended by the City via letter within 60 days of receipt of City response letter.
- Refer to map of L/M census tracts and Enterprise Zones when identifying where to conduct marketing of employment opportunities.
- Cooperate with the City of Moreno Valley Employment Resource Center to pre-screen for L/M income applicants. Completion of L/M verification shall be done through the Agency if possible (this includes having applicants complete any self-certification documents).
- Require use a notarized jurat along with L/M self-certification document.
- Provide copies of marketing materials, advertisements, want ads, etc. including publication dates, name of publisher to document job marketing efforts in areas pre-determined to be 'low-to-moderate income'.
- If an applicant falls into the "presumed L/M income" category, this will need to be documented by referencing the census block number or Enterprise Zone of where the applicant resides directly on the application and again within the required reports to the City.

ATTACHMENT NO. 4

SUMMARY OF HUD FEDERAL REQUIREMENTS FOR CDBG ECONOMIC DEVELOPMENT ACTIVITIES

Activity: Moreno Valley Business Incentive Program

Code of Federal Regulation References: 18A ED Technical Assistance. Section 570.203 Section 105 (c) (1) and Section 570.208 (a) (4)

Number of Jobs to be created: For individual economic development projects, CDBG-Department of Housing and Urban Development (HUD) and the City shall require creation of 1 full time equivalent permanent job per every $35,000 in CDBG assistance. In this case, four (4) jobs minimum AND 51% of the jobs the activity creates must be either held by or made available to Low-to-Moderate (L/M) income persons.

Term of Job: Jobs must be formally categorized as permanent. See definition of 'qualifying employee' on page 3 of Agreement. All newly created jobs are also subject to a 'turn over' stipulations.

The Low-to-Moderate (L/M) Income Standards: The following is required to meet the Low-to-Moderate (L/M) income standards.
Fifty-one percent or more of the jobs created must either:
(a) be 'held by' L/M income persons at the time CDBG assistance is provided and/or
(b) for jobs not held by L/M income persons, documentation must prove the job was 'made available' to L/M income person.
(c) for jobs not known to be held by L/M income persons will be turned over to low/moderate income persons within 2 years. This would involve the business to take action to ensure that such a job, upon turnover, will be either taken by or made available to a L/M income person in a manner similar to that pertaining to a newly created job.

The business must maintain sufficient documentation indicating that at least 51 % of the jobs will be 'held by' or 'made available' to L/M income persons.
A job is considered 'held by' the L/M income person if the hired employee is proven to earn a household income not to exceed 120% of the area median income for Riverside County adjusted for the person's family size. An income table providing area median incomes by household size is provided as an attachment to this Agreement.
A job is 'made available' to a L/M person when: (1) no special skills, experience, or education beyond high school is required to fill such a job or the business agrees to hire an unqualified person and provide training, and (2) the assisted business takes actions to ensure that low-to-moderate income persons received "first consideration "for filling the jobs.

Principals involved in 'First Consideration'
(1) The business must use a hiring practice that under usual circumstances would result in over 51% of L/M income persons interviewed for applicable jobs being hired,
(2) the business must seriously consider a sufficient number of low-to-moderate income job applicants to give reasonable opportunity to fill the position with such a person, and
(3) the distance from residence and availability of transportation to the job site must be reasonable before a particular low-to-moderate income person may be considered a serious applicant for the job.

Presumed L/M Income Status
A business may presume a person to be L/M income if the person resides within a census tract (or Block numbering area) that either has:
(a) at least 70% residents who are L/M income persons or
(b) meets the criteria related to enterprise zones.

Enterprise Zones
In order to qualify as an Enterprise Zone, the census tract or block numbering area must either: (a) be part of a federally designated Enterprise Zone or Enterprise Community or (b) meet 100% of the following:

- have a poverty rate of 20% as determined by the most recent decennial census information,
- not include any portion of a central business district, as the term is used in the most recent Census of Retail Trade, unless the tract/BNA has a poverty rate of at least 30% as determined by the most recent decennial census information,
- evidence pervasive poverty and general distress by meeting at least one of the following standards:
  All block groups in the census tracts have poverty rates of 20%; the specific activity being undertaken is located in a block group that has a poverty rate of at least 20% or upon the request of the business; HUD determines that the census tract/BNA exhibits other objectively determinable signs of general distress such as high incidence of crime, narcotics use, homelessness or substantial population decline.

Policies in Counting Jobs
It will be necessary to determining the percentage of jobs that benefit L/M income persons. When preparing to calculate this number, the following policies apply:
(a) Convert part time jobs to full time equivalents (i.e., a job that will require only working half time will count as half a job),
(b) Only permanent jobs may be counted, not temporary
(c) Seasonal jobs are considered to be permanent for CDBG purposes only if the season is long enough for the job to be considered as the employees principal occupation
(d) All permanent jobs created or retained in this project must be counted even if the project has multiple funding sources of funds; and
(e) Jobs indirectly created or retained by an assisted activity may not be counted.

Documenting Income
Documenting that a particular applicant/employee family income was L/M income may include any of the following:

- Evidence that the employee/applicant was a referral from a state, county, or local employment agency or other entity that has agreed to refer individuals whom they have determined to be L/M income based on HUD's Federal criteria. These entities must maintain records showing the basis upon which they determined that the person was L/M income, which they agree to make available for grantee or Federal inspection.

  A written certification signed and dated by the employee/applicant indicating his/her family size and total income as necessary to determine whether the person is a member of a L/M income family at the time the certification is made. The certification may either show the actual size and income of the family or contain a statement that the annualized family income is below the Section 8 low-income limit for the applicable family size. The form must include a statement that the person making the certification is aware that the information being provided is subject to verification by the local or Federal government.

- Evidence that the employee/applicant has qualified for assistance under another program with income qualification criteria at least as restrictive as those used by this program (e.g. referrals from Public Housing or welfare Agency). The Joint Training Partnership Act (JTPA) Program has income standards that are acceptable for this purpose, except for referrals under the JTPA Title III program for dislocated workers.

- Evidence that the person may be presumed to be L/M income. See definitions.

Record Maintenance
Program records will document jobs actually created and retained, whether the job was 'held by,' 'taken by,' or 'made available' to L/M income person, and the full-time equivalency status of each job.

Records in respect to jobs created and 'held by' must show:
A listing by job title of the specific job to be created, a listing by job title of the job filled, the name and income status of the person who filled each position, and the full time equivalency status of the jobs.

Where a job was not originally taken by a L/M income person but the business nevertheless wants credit based on the job being 'made available' to L/M income person, the record must show: The title and description of the job 'made available', and the full time equivalent status of the job at the time, the prerequisites for the job, special skills or education required for the job, if any, and the business commitment to provide needed training for such jobs (and the training that the business provided to the L/M income person hired) and how 'first consideration' was given to the L/M income person for the job such as the name of the person(s) interviewed for the job and the date of the interview and the income status of the person interviewed.

Records in respect to jobs retained and 'held by' must show:
A listing by job title of the permanent job retained, those jobs known to be held by L/M income persons at the time CDBG assistance was provided and the full time equivalency status of the jobs, and information on the family size and annual income of each such L/M person.

Records in respect to jobs retained and 'turned over' must show:
Identification of any of the retained jobs projected to become available to L/M income persons through turn over within two years of the time CDBG assistance is provided, the basis upon which the job was determined to be likely to turn over within two years following the CDBG assistance, the date the job actually turned over, the name and income status of the person who filled the vacancy, if the person who took the job was not L/M income but the claim is that the job was nevertheless made available to L/M income person, records equivalent to those described above to substantiate the 'available to' claim and information on the family size and annual income of each such L/M income person hired.

For more information or clarification regarding the requirements for a specific CDBG Economic Development Activity, contact the CDBG administrators in the Economic Development Department of the City of Moreno Valley.

Economic Development Dept.
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, Ca 92552-0805

Phone 951-413-3450
Fax: 951-413-3459

E-mail: np@moval.org
Website:www.moval.org

ATTACHMENT NO. 5

OPERATOR CERTIFICATE

(Operator Letterhead)
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552-0805

Attn: City Manager

With respect to that certain Participation Agreement (the "Agreement") by Pacific Wings, Inc., a California corporation (the "Operator") and the City of Moreno Valley, a municipal corporation (the "City") dated as of July 13, 2010, the undersigned, on behalf of the Operator, hereby certify to City that, as of the date of this Operator Certificate (with capitalized terms herein having the same meanings as set forth in the Agreement):

The undersigned as Operator under the Agreement does hereby state, declare, certify, represent and warrant to the City, its officers, agents and employees as follows:

1. Operator has reviewed, executed and is familiar with the terms of the Agreement. All capitalized terms herein shall have the meanings established therefor in the Agreement.

2. The Agreement is in full force and effect and shall remain in full force and effect.

3. The Operator has satisfied all of and is not in default of any of: the Certificate Condition; the Fee Condition; the Continuous Operation Condition; or the Indemnification Condition. The Operator remakes its covenant to operate for the annual period for which this Operator Certificate is given.

4. The representations and warranties of Operator contained in the Agreement are true and correct as of the Date of Certificate.

5. No Event of Default by Operator has occurred under the Agreement which continues uncured beyond the expiration of the applicable grace or cure period.

6. Operator has not, prior to the Date of Certificate transferred the Agreement, its rights as to the Designated Site, or any rights of Operator therein contrary to Section 703 of the Agreement.

7. Operator is operating and in good standing as a California corporation.

8. Operator remakes to City each and every representation and/or warranty made to City under the Agreement.

9. A report setting forth in detail the recruitment efforts of Operator and the numbers of jobs, both full time and part time, at the Designated Site by Operator are attached as Exhibit A and as provided in Attachment No. 2 to the Agreement hereto, including an enumeration of the jobs held by members of Targeted Income Groups.

10. As of the submittal of this Operator Certificate, the Operator has satisfied the Conditions Precedent to Payment.

Operator executes this Operator Certificate for the benefit and protection of the City with full knowledge that the City is relying on this Operator Certificate in disbursing moneys to the Operator.

IN WITNESS WHEREOF, the undersigned, as Operator, has executed this Operator Certificate as of the date first written above.

PACIFIC WINGS, a California Corporation

Dated: _____ _____

Its: _____

Exhibit A to Attachment No. 5

Report for the Annual Period ending as of _____, 20__:

Total Full Time Employees employed at Designated Site: _____
Total number of Fulltime Employees from Targeted Income Groups: _____

Other employees at Designated Site: _____
Other employees that are from Targeted Income Groups: _____

Total Composite Full Time Employees: _____
Composite Full Time Employees from Targeted Income Groups: _____

Cumulative total, Qualifying Employees: _____
Qualifying Employees from Targeted Income Groups: _____

Supporting data: [to be attached and submitted with Operator Certificate]

ATTACHMENT NO. 6

SCHEDULE OF PERFORMANCE

For the purposes of this Schedule of Performance, the "Date of Agreement" is July 13, 2010. The City Manager may extend by not more than one hundred twenty (120) days the time under this Schedule of Performance by which any obligation of the Operator shall be performed.

1.	**Operator Establishes Location at the Designated Site.** The Operator acquires title to or enters into a lease with respect to the Designated Site, along with executed and binding agreement with the Authorizing Business Entity for operation of a Conforming Facility and provides proof thereof to the City.	On or before August 2, 2010.
2.	**Operator provides improvements and upgrade documentation.** The Operator provides City with satisfactory documentation of equipment, restaurant improvements and utility needs for facility improvements sufficient for the site to constitute a Conforming Facility (including approval by the Authorizing Business Entity).	On or before February 1, 2011.
3.	**Operator opens at Designated Site.** The Operator opens and provides proof thereof to the City.	On or before February 15, 2011.
4.	**The Operator Satisfies Conditions Precedent to Payment.** The Operator satisfies the Conditions Precedent to Payment and provides proof thereof to the City.	On or before March 17, 2011.

APPROVALS	
BUDGET OFFICER	C.a.f.
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE AGREEMENT AND SECURITY FOR THE REDLANDS ELECTRICAL AND ROUGH GRADING RELATED TO THE INSTALLATION OF THE REDLANDS SEWER IMPROVEMENTS ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Agreement and Bond Securities for the Redlands Electrical Improvements and Rough Grading related to the installation of the Redlands sewer improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Agreement in the form attached hereto contingent upon the developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading related to the installation of the Redlands sewer improvements within Redlands Boulevard are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Electrical and rough grading associated with the installation of the Redlands sewer improvements improvements.

DISCUSSION

The Conditions of Approval for this project require that the developer provide surety for the required electrical and rough grading associated with the installation of the Redlands sewer improvements.

The developer has completed and submitted a Public Improvement Agreement and bond securities for the electrical and rough grading associated with the Redlands sewer improvements. The developer has provided City staff with a separate bond for each of the two tasks noted within the agreement and agrees to perform and complete all of the required electrical installation and rough grading associated with the installation of the Redlands sewer improvements within twenty-four (24) months of the date the agreement is executed. The Public Works Director/City Engineer may execute any future amendments to the agreement, subject to City Attorney approval, if the required electrical and rough grading associated with the Redlands sewer improvements are not completed within said timeframe. The backbone electrical and rough grading associated with the Redlands sewer improvements are within Redlands Boulevard approximately from Alessandro Boulevard to Eucalyptus Avenue and include but are not limited to: installation of electrical conduit, wires, transformers and/or other electrical system appurtenances as well as rough grading associated with the installation of the Redlands sewer main and manholes.

Accompanying the agreement is a Faithful Performance Bond in the amount of $515,000 and a Material & Labor Bond in the amount of $257,500 for the electrical and a Faithful Performance Bond in the amount of $273,000 and a Material & Labor Bond in the amount of $136,500 for the rough grading submitted by Safeco Insurance Company of America. Given the present economy as well as the size and uniqueness of the project, allowing the use of multiple partial reductions seems appropriate.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A-1" - Vicinity Map for Limits of Electrical Work
Exhibit "A-2" - Vicinity Map for Limits of Rough Grading Work
Exhibit "B" - Agreement for Redlands Electrical and Rough Grading associated with the installation of the Redlands Sewer Improvements
Exhibit "C" - Faithful Performance Bond for Electrical Work
Exhibit "D" - Material and Labor Bond for Electrical Work
Exhibit "E" - Faithful Performance Bond for Rough Grading Work
Exhibit "F" - Material and Labor Bond for Rough Grading Work

Prepared By
Mark W. Sambito, P.E. .
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Redlands Electrical PIA.doc

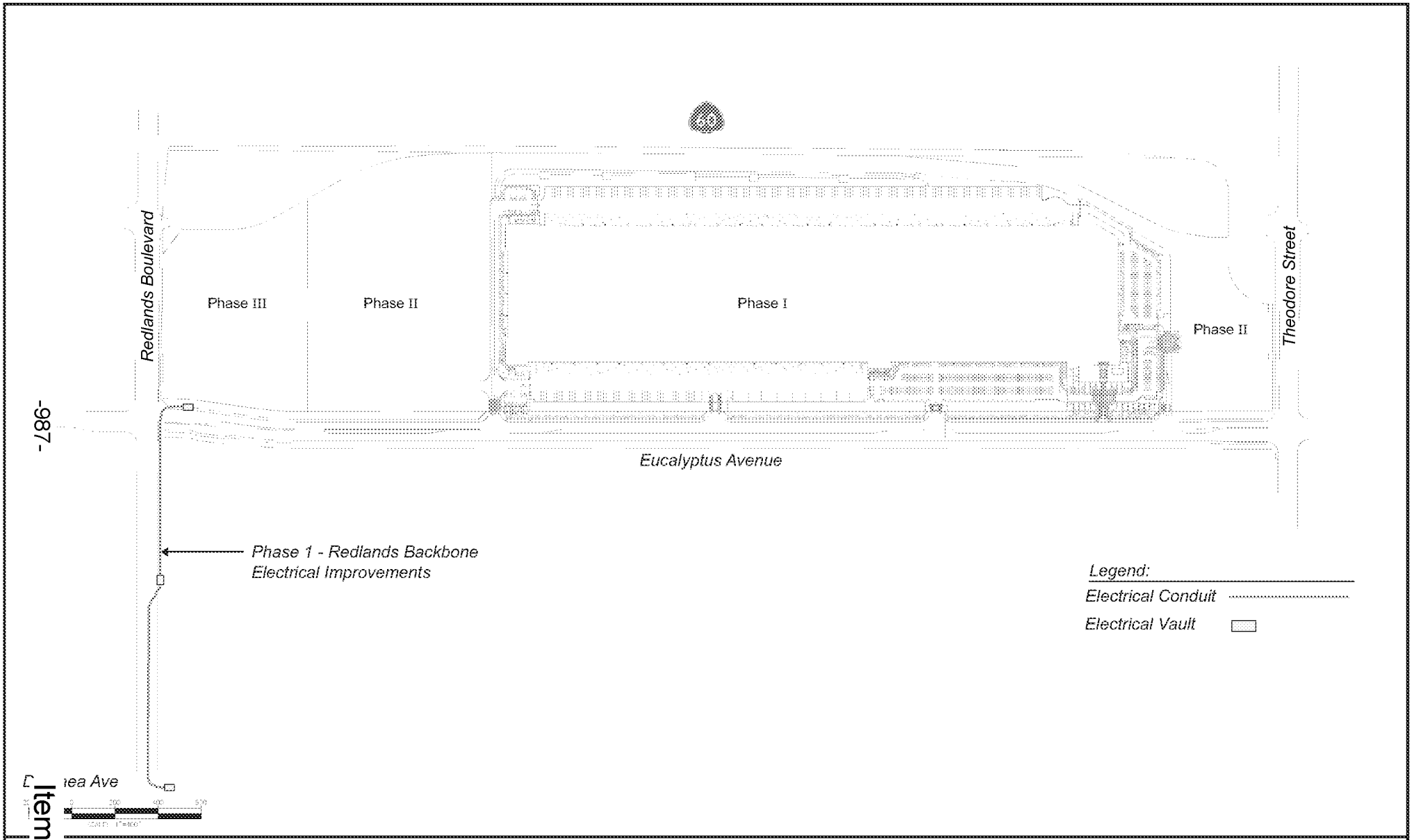

July 1, 2010

Redlands - Electrical Conduit

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

P:\Hig irview Corporate Park\Legals\PIA Exhibits\Redlands-Electrical

Exhibit "A-1"

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MV00072086

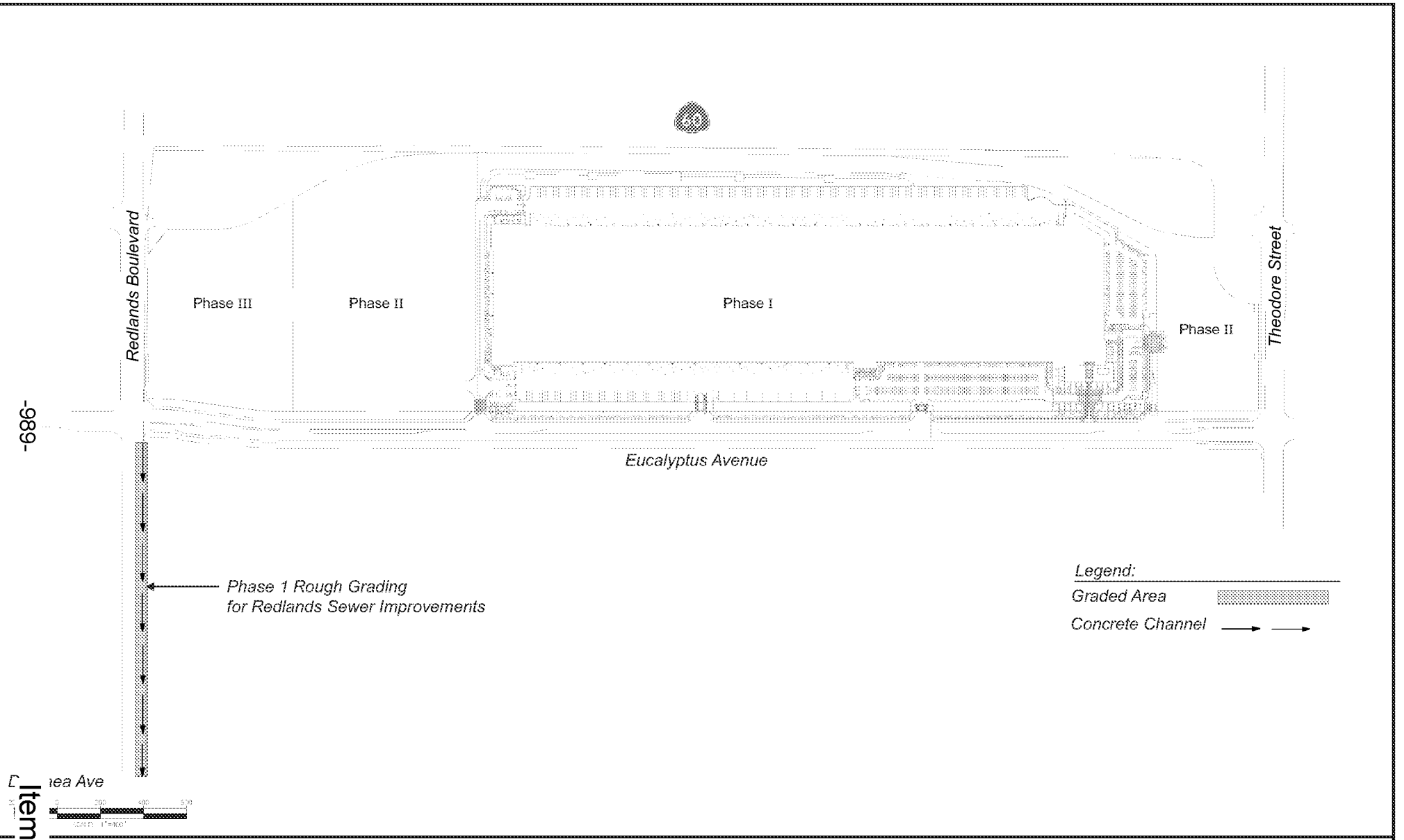

July 1, 2010

Redlands - Grading and Drainage

Highland Fairview Corporate Park
Rancho Belago, Ca 92555

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Exhibit "A-2"

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MV00072088

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR A PORTION OF PHASE 1PUBLIC IMPROVEMENTS FOR REDLANDS BACKBONE ELECTRICAL IMPROVEMENTS AND ROUGH GRADING ASSOCIATED WITH REDLANDS SEWER PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley , State of California , hereinafter called City, and **HF Logistics-SKX T1, LLC** herein after called Developer, on the date the City signs this agreement..

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the sewer improvements along Redlands Boulevard which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66262.5, Government Code.

Redlands Boulevard – Phase I Backbone Electrical Improvement Plans (A-1)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-1 and location map labeled Exhibit B-1 attached hereto, is the sum of FIVE HUNDRED FIFTEEN THOUSAND AND NO/100 Dollars (*****$515,000.00 *****).

Redlands Boulevard – Phase I Rough Grading Associated with Installation of the Redlands Sewer Improvements (A-2)
The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A-2 and location map labeled Exhibit B-2 attached hereto, is the sum of TWO HUNDRED SEVENTY-THREE THOUSAND AND NO/100 Dollars (*****$273,000.00 *****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performan

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the Improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the Improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A-1 and A-2) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities. Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: Iddo Benzeevi
Signature

Iddo Benzeevi
Print/Type Name

President & Chief Executive Officer
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATES OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Redlands Electrical and Grading Improvements.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 7/6/10 (Date) before me, Lorinne J. Phillips, Notary Public (Here Insert Name and Title of the Officer)

personally appeared Iddo Benzeevi (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/her~~/their~~ authorized capacity(~~ies~~), and that by his/her~~/their~~ signature(~~s~~) on the instrument the person(s)~~,~~ or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Lorinne J. Phillips (Signature of Notary Public)

LORINNE J. PHILLIPS
COMM #1866955
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My Commission Expires October 2, 2013
MSC1

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AGREEMENT PH. I. REDLANDS BACKBONE ELEC

Document Date: NONE AT THIS TIME Number of Pages: 14

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: IDDO BENZEEVI	Signer's Name: _____
☑ Corporate Officer — Title(s): PRES. & CEO	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - DIF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Street Work - TUMF						
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
Roadway Excavation			0	C.Y.	29.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	33.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	80.00	0
					SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

DATE: 06/22/10

PROJECT: Rough Grade for Installation of Sewer in Redlands
Rough Grading

PREPARED BY: Patrick Revere

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Rough Grading				
Mobilization	1	LS	5,000.00	5,000
Excavate Channel	290	CY	1.50	435
Export	0	CY	5.00	0
Import	4670	CY	5.00	23,350
			ROUGH GRADING SUBTOTAL:	28,785

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

ROUGH GRADING (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Erosion Control				
Loose Rock Rip-Rap	0	Ton	60.00	0
Desilting Basin w/ Riser	0	E.A.	5,500.00	0
Fiber Roll	0	L.F.	2.20	0
Stabilized Construction Entrance	0	E.A.	3,000.00	0
Gravel Bags	1200	E.A.	1.90	2,280
Bonded Fiber Matrix Mulch	4	AC	2,000.00	7,400
			EROSION CONTROL SUBTOTAL:	9,680

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer In Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	9	L.F.	160.00	1,440
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	0	L.F.	180.00	0
36" Reinforced Concrete Pipe	126	L.F.	190.00	23,940
39" Reinforced Concrete Pipe	0	L.F.	200.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
66" Reinforced Concrete Pipe	0	L.F.	375.00	0
72" Reinforced Concrete Pipe	0	L.F.	414.00	0
78" Reinforced Concrete Pipe	0	L.F.	459.00	0
84" Reinforced Concrete Pipe	0	L.F.	505.00	0
90" Reinforced Concrete Pipe	0	L.F.	557.00	0
96" Reinforced Concrete Pipe	0	L.F.	613.00	0
102" Reinforced Concrete Pipe	0	L.F.	671.00	0
108" Reinforced Concrete Pipe	0	L.F.	724.00	0
114" Reinforced Concrete Pipe	0	L.F.	785.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
8' X 10' Reinforced Concrete Box	0	C.Y.	1200.00	0
8' X 12' Reinforced Concrete Box	0	C.Y.	1400.00	0
2 - 72" Reinforced Concrete Pipe	0	L.F.	840.00	0
3 - 4' X 2' Reinforced Concrete Pipe	0	L.F.	461.00	0
2' X 4' Reinforced Concrete Box	33	L.F.	150.00	4,950
Manholes				
Manhole No. 1	0	EA.	5000.00	0
Manhole No. 2	1	EA.	7200.00	7,200
Manhole No. 3	0	EA.	8500.00	0
Manhole No. 4	0	EA.	10000.00	0
	0		0.00	0
Catch Basins				
Catch Basin (3.5')	0	EA.	3100.00	0
Catch Basin (7')	0	EA.	5500.00	0
Catch Basin (10')	0	EA.	6700.00	0
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21') (Dif St-Perris Blvd)	0	EA.	12500.00	0
Local Depressions	0	EA.	535.00	0
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	EA.	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	0	EA.	5000.00	0
Grated Catch Basin	0	EA.	6000.00	0
Headwall	3	EA.	5500.00	16,500

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	0	EA.	6500.00	0
Type IX Inlet Structure	0	EA.	2500.00	0
Inlet Structure (drop)	1	EA.	4000.00	4,000
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Concrete Collar (Grater than 48")	0	EA.	5000.00	0
Modified Junction Structure	0	EA.	15000.00	0
End Cap	0	EA.	1000.00	0
Drains				
Terrace Drain	0	S.F.	10.00	0
Down Drain	0	S.F.	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	12385	S.F.	10.00	123,850
"V" Ditch Transition	50	S.F.	10	500
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
Manhole Shaft	0		6000.00	0
Access Opening	0		15000.00	0
			SUBTOTAL:	188,360

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0	L.F.	25.00	0
6" PVC C-900	0	L.F.	30.00	0
8" PVC C-900	0	L.F.	35.00	0
10" PVC C-900	0	L.F.	40.00	0
12" PVC C-900	0	L.F.	55.00	0
16" PVC C-900	0	L.F.	90.00	0
18" PVC C-900	0	L.F.	135.00	0
20" PVC C-900	0	L.F.	180.00	0
	0	L.F.	0	0
Valves - Water System				
4" Gate Valve	0	EA.	715.00	0
6" Gate Valve	0	EA.	830.00	0
8" Gate Valve	0	EA.	1,340.00	0
10" Gate Valve	0	EA.	1,500.00	0
12" Gate Valve	0	EA.	2,300.00	0
16" Gate Valve	0	EA.	6,270.00	0
18" Gate Valve	0	EA.	14,300.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	990.00	0
10" Butterfly Valve	0	EA.	1,200.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,400.00	0
2" Air Vac Release	0	EA.	4,000.00	0
2" Backflow Preventor, Pad & Cover	0	EA.	4,300.00	0
4" Blow Off	0	EA.	3,500.00	0
6" Blow Off	0	EA.	4,000.00	0
	0		0.00	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	0	EA.	4,000.00	0
6" Super Fire Hydrants	0	EA.	4,500.00	0
	0		0.00	0
Services Connections				
1" Service	0	EA.	800.00	0
1" Service w 5/8" meter	0	EA.	2,000.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		0.00	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		0.00	0
Water Meters - Water System				
5/8" Meter	0		230.00	0
1" Meter	0		320.00	0
1 1/2" Meter	0		420.00	0
2" Meter	0		525.00	0
Adjust Water Meter Box	0		235.00	0
	0		0.00	0
Hot Tap Connections - Water System				
6" Hot Tap	0	EA.	1,750.00	0
8" Hot Tap	0	EA.	2,200.00	0
12" Hot Tap	0	EA.	3,150.00	0
Hot Tap Service Clamp	0	EA.	1,000.00	
Water Service	0	EA.	330.00	0
	0		0.00	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Meter Box to Grade	0	EA.	150.00	0
	0		0.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

PROJECT: Rough Grade for Installation of Sewer in Redlands

DATE: 06/22/10
PREPARED BY: Patrick Revere

PUBLIC SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		0.00	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	730.00	0
Clean Out Lateral	0	EA.	200.00	0
	0		0.00	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,140.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,300.00	0
Adjust Manhole to Grade	0	EA.	630.00	0
Tie Into Existing Manhole	0	EA.	2,100.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	1,500.00	0
Join Existing 12" Pipe	0	EA.	2,000.00	0
	0			0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.20	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
			SUBTOTAL:	0

EXHIBIT "A-____"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT:	Rough Grade for Installation of Sewer in Redlands	DATE:	06/22/10
		PREPARED BY:	Patrick Revere

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK	:	$0
ROUGH GRADING	:	$28,785
EROSION CONTROL	:	$9,680
MORENO VALLEY UTILITIES	:	$0
WATER QUALITY BASIN	:	$0
TRANSPORTATION ENGINEERING	:	$0
STORM DRAIN SYSTEM	:	$188,380
WATER SYSTEM	:	$0
SEWER SYSTEM	:	$0
TRAFFIC IMPROVEMENTS	:	$0
BONDABLE WORK (not plan checked)	:	$0
TOTAL COST (VALUE) OF IMPROVEMENTS:		$226,845
+20% CONTINGENCY:		$45,369
GRAND TOTAL:		$272,214

BOND AMOUNT: $273,000

REGISTERED PROFESSIONAL ENGINEER
PATRICK F. REVERE
No. 62921
Exp. 6-30-12
CIVIL
STATE OF CALIFORNIA

Highland Fairview Corporate Park
Preliminary Dry Utility
Engineer's Estimate
Redlands Blvd

TRENCHING	QTY		UNIT COST	TOTAL
Provide and Install:				
Trench - Electric Only (Includes all saw cut, removals, shading, backfill, and surface restoration)	2,878	ft	$ 32.00	$ 92,096.00
Concrete Encasement (Full)	2,878	ft	$ 16.00	$ 46,048.00
TRENCHING SUB-TOTAL				$ 138,144.00

ELECTRIC CONDUIT & SUBSTRUCTURES	QTY		UNIT COST	TOTAL
Provide and Install:				
Transformer Pad RPM 48"x54"	1	ea	$ 1,600.00	$ 1,600.00
6'X7'X12' Vault (w 12" grade ring)	3	ea	$ 18,450.00	$ 55,350.00
5'X10'X7' PME	1	ea	$ 10,200.00	$ 10,200.00
Capacitor Pad 66" x 72"	1	ea	$ 1,600.00	$ 1,600.00
Grounding/Racking and Miscellaneous Materials	6	ea	$ 625.00	$ 3,750.00
1-5" Conduit DB100	12,192	ft	$ 3.50	$ 42,672.00
1-4" Conduit DB100	3,041	ft	$ 3.15	$ 9,579.15
1-3" Conduit DB100	474	ft	$ 2.80	$ 1,327.20
1-2" Conduit DB100	44	ft	$ 2.35	$ 103.40
1-1 1/2" Conduit DB100	134	ft	$ 1.95	$ 261.30
SUBTOTAL - ELECTRIC CONDUIT & SUBSTRUCTURES				$ 126,443.05

ELECTRIC CABLING (12KV DISTRIBUTION)	QTY		UNIT COST	TOTAL
Provide and Install:				
PME-10 Switch	1	ea	$ 19,000.00	$ 19,000.00
600AMP Dead End w/Test Point	9	ea	$ 430.00	$ 3,870.00
600AMP TEE'S (Elbow w/ 200AMP Tap)	9	ea	$ 690.00	$ 6,210.00
600A 2W Splice, 15KV w/200A Tap	6	ea	$ 690.00	$ 4,140.00
600A 2W Splice, 15KV	3	ea	$ 570.00	$ 1,710.00
3-1/C 1000 XLP-PEJ, 15KV, 220MIL	7,241	ft	$ 28.00	$ 202,748.00
SUBTOTAL - ELECTRIC CABLE (12KV DISTRIBUTION)				$ 237,678.00
Total Estimate				$ 502,265.05

The City of Moreno Valley and Highland Fairview have mutually agreed to use $515,000 as an estimate for bonding purposes.

REGISTERED PROFESSIONAL ENGINEER
PATRICE DALE NADEAU
No. 18997
Exp. 12-31-10
CIVIL
STATE OF CALIFORNIA

7/1/10
Butsko Utility Design, Inc.
EP

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FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 515,000	Project No.	PA07-0090
Bond No.	6711630	Premium	$9,270
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 515,000 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** FIVE HUNDRED FIFTEEN THOUSAND & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:

DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 257,500

Bond No. 6711630

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ELECTRICAL IMPROVEMENTS

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$257,500.00***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** TWO HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 273,000	Project No.	PA07-0090
Bond No.	6711631	Premium	$4,914
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,

REDLANDS ROUGH GRADING

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 273,000 **.00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** TWO HUNDRED SEVENTY-THREE THOUSAND & NO/100 DOLLARS.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "E"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 136,500

Bond No. 6711631

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Address 330 N. BRAND BOULEVARD, SUITE 500

City/Zip GLENDALE, CA 91203

Project No. PA07-0090

Premium INCLUDED IN PERFORMANCE BOND

Principal HF Logistics-SKX T1, LLC

Address 14225 Corporate Way

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,
REDLANDS ROUGH GRADING

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$136,500.00 ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** ONE HUNDRED THIRTY-SIX THOUSAND FIVE HUNDRED & NO/100 DOLLARS

Exhibit "F"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

CONTRACTOR'S COPY

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: July 13, 2010

TITLE: PA07-0090 – ACCEPT THE SUBSTITUTION AGREEMENT AND REPLACEMENT BONDS FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK

BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET

DEVELOPER: HF LOGISTICS – SKX T1, LLC
14425 CORPORATE WAY
MORENO VALLEY, CA 92553

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Substitution Agreement and replacement bonds for the Line 'F' Storm Drain Improvements associated with the Highland Fairview Logistics Corporate Park.

2. Authorize the Mayor to execute the Substitution Agreement and the replacement bonds in the form attached hereto contingent upon the Developer providing the City with the fully executed original bonding certificates and approval of the same from the Risk Management Division.

3. Direct the City Clerk to forward the signed Substitution Agreement to the County Recorder's Office for recordation.

4. Authorize the Public Works Director/City Engineer to exonerate the cash security previously placed into an escrow account and submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

5. Authorize the Public Works Director/City Engineer to execute any future time extensions, amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 15, 2009, the Planning Commission of the City of Moreno Valley denied Tentative Parcel Map 35629.

On February 10, 2009, the City Council of the City of Moreno Valley approved Master Plot Plan No. PA07-0090 and Tentative Parcel Map 35629 and accepted phase-specific Conditions of Approval. The tentative parcel map is a proposal to subdivide the 158-acre site into four parcels, one for establishment of a logistics warehouse development and three for future development. The master plot plan provides for establishment of a business park development consisting of four buildings, internal circulation, parking and various site amenities. Tract Map 35629 was conditionally approved requiring construction of the Redlands Sewer improvements.

On June 8, 2010, the City Council for the City of Moreno Valley approved HF Logistics – SKX T1, LLC agreement and cash security in the amounts of $6,813,595 for Faithful Performance and $3,406,797.50 for Material and Labor.

HF Logistics – SKX T1, LLC is exercising their right to substitute the type of security with the approval of the City Attorney and the City Engineer, and are providing substitute agreement and bonds for the Line 'F' storm drain improvements.

DISCUSSION

Staff is requesting the City Engineer be authorized to exonerate the cash security for Faithful Performance and Material and Labor previously submitted by HF Logistics – SKX T1, LLC, upon acceptance of the substitution agreement and bonds.

HF Logistics – SKX T1, LLC has submitted the substitute Agreement for Public Improvements and bonds for City Council approval. The developer has agreed to perform and complete all of the required storm drain improvements within twenty-four (24) months of the date the agreement is executed. The City Engineer is authorized to execute any future amendments to the agreement, subject to City Attorney approval, if

the required street improvements are not completed within said timeframe. The public storm drain improvements include but are not limited to inlet structures, headwalls, wingwalls, catch basins, laterals, and main storm drain lines to be maintained by the City of Moreno Valley and Riverside County Flood Control and Water Conservation District (RCFC & WCD). Accompanying the agreement are a Faithful Performance Bond in the amount of $6,813,595 and a Material and Labor Bond in the amount of $3,406,797.50 issued by Western Insurance Company.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit “A” - Vicinity Map
Exhibit “B” - Agreement for Public Improvements
Exhibit “C” - Faithful Performance Bond
Exhibit “D” - Material and Labor Bond

Prepared By
Mark W. Sambito, P.E..
Engineering Division Manager

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\7-13-10 - PA07-0090 - PM 35629 - H.F. Security Substitution for Line F.doc

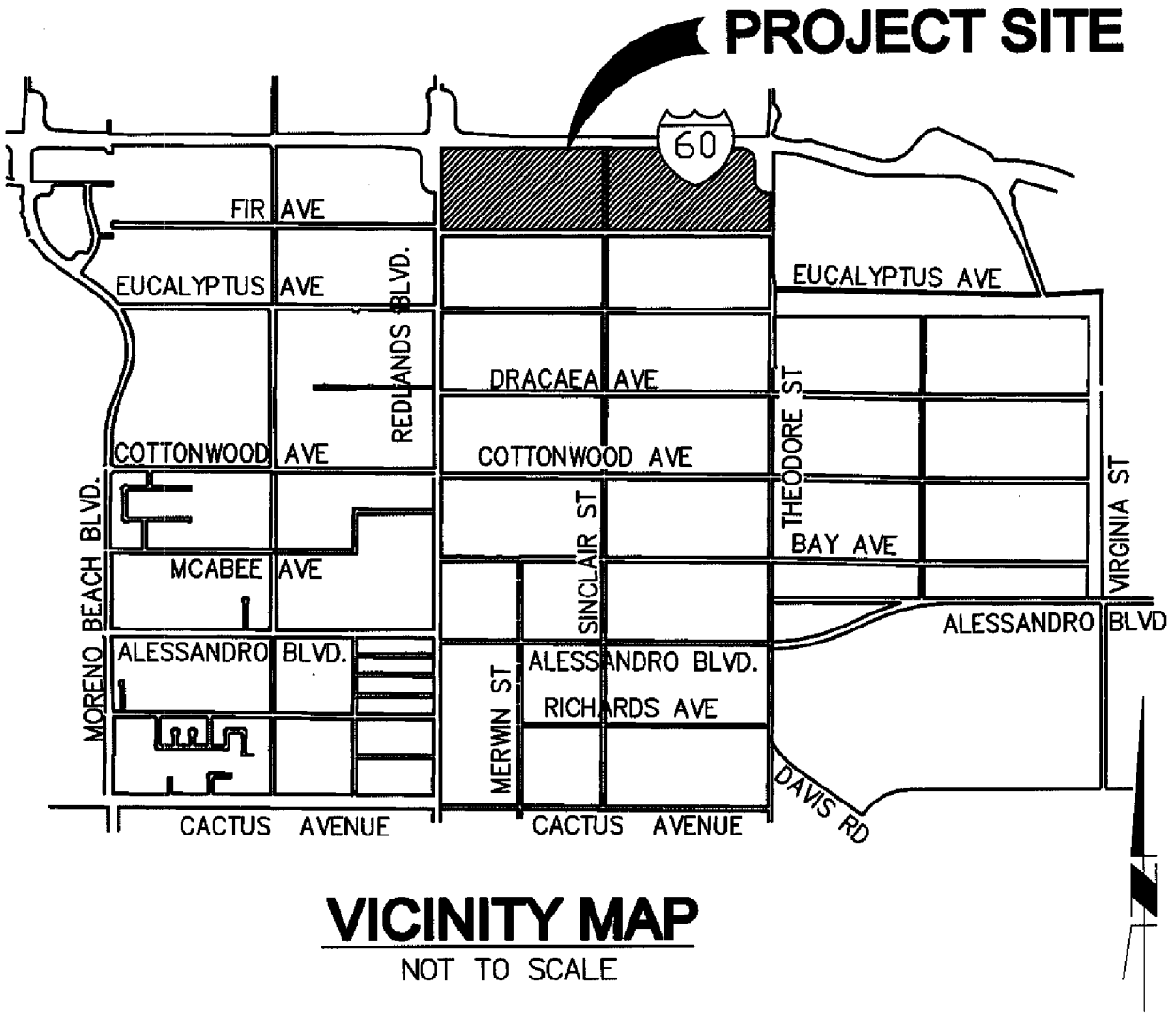

VICINITY MAP

NOT TO SCALE

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT** Exhibit "A"	**PA07-0090** **LOCATION MAP**

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc

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MV00072116

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103

This space for Recorder's use only.

AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR LINE F STORM DRAIN IMPROVEMENTS
PROJECT NO. PA07-0090 (TENTATIVE PARCEL MAP 35629)

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **HF LOGISTICS-SKX T1, LLC**, hereinafter called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, known as **PA07-0090 (Tentative Parcel Map 35629)** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for the Line F Storm Drain Improvements which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto and made part of this Agreement by this reference, is the sum of **SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100** Dollars (*****$6,813,595.00*****).

SECOND: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any security guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Developer, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

Exhibit "B"

FOURTH: The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work for Improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bond(s) with good and sufficient sureties or increase the amounts of said bond or bond(s), or both, within ten (10) days after being notified by the City Engineer that the amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required Improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at anytime during the term of this agreement, subject to approval of the City Engineer and City Attorney. As this project is very unique in both the size and the timing of construction activities, as well as being considered eligible for Time and Material (T&M) fee collection, it has been determined by the City Engineer that the project may receive incremental reductions to each of the securities ensuring the construction of the associated public improvements. At twenty percent (20%) completion, forty percent (40%) completion, sixty percent (60%) completion and eighty percent (80%) completion of the public improvements as measured by the dollar value of said improvements as set forth in the Engineer's Preliminary Estimate of Cost and associated unit costs (Exhibit A) and upon written request by the Developer for a partial reduction of the security, the bonding company shall be instructed by the City Engineer in writing to reduce an amount in the bond not to exceed twenty percent (20 %) increments of the original amount established for the bond, provided that all such work has been reviewed, verified, inspected and approved by the City Engineer, Land Development engineering staff and applicable City inspectors. The remaining percentage of the bond securing the estimated cost of labor and materials shall be released to the Developer no sooner than 90 days after acceptance of the improvements by the City. After one hundred percent (100%) completion of the public improvements and formal acceptance of the improvements by the City Council, ten percent (10%) of the original bond amount for the faithful performance shall be retained until expiration of the twelve (12) month warranty period pursuant to Government Code Section 66499 to secure required warranty work.

EIGHTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

NINTH It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the security or securities, Developer further agrees to maintain the aforesaid securities in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Developer:
HF LOGISTICS-SKX T1, LLC,
14225 Corporate Way
Moreno Valley, California 92553

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: _____

HF LOGISTICS-SKX T1, LLC:
Developer

BY: _____
Signature

_____
Print/Type Name

_____
Title

BY: _____
Signature

_____
Print/Type Name

_____
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

W:\LandDev\MANAGEMENT ASSISTANT\Agreement Bond Packets\PA07-0090 - PIA for Line F Storm Drain Improvements HF071310.doc

WARREN D. WILLIAMS
General Manager-Chief Engineer

RECEIVED
MAY 1 1 2010
PW/LAND DEVELOPMENT

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
131064

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RECEIVED
MAY 1 1 2010
PW/LAND DEVELOPMENT

May 3, 2010

Mr. Chris A. Vogt
Public Works Director/City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, CA 92552

Dear Mr. Vogt:

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

Please find below a detailed construction cost estimate of the drainage facilities associated with the above-referenced project for which the City and District assume inspection and maintenance responsibility.

The estimated cost of these facilities is $6,813,595.00 and shall be the basis upon which the District shall collect field inspection fees per the provisions of Section 17.1 of the County of Riverside Subdivision Ordinance 460 and Fee Ordinance 671.6. The developer/engineer shall pay the appropriate inspection fee to the District prior to scheduling a pre-construction meeting.

Bonding Estimate – Moreno MDP Line F, D, D-5 and D-6

Item	Unit	City of Moreno Valley	Flood Control District Quantity	Unit Cost	City of Moreno Valley	Flood Control District Facilities
24-inch RCP	LF	2,611	0	$98	$255,878	$ 0
30-inch RCP	LF	200	0	$114	22,800	0
36-inch RCP	LF	1,890	0	$131	247,590	0
42-inch RCP	LF	0	1493	$204	0	304,572
48-inch RCP	LF	17	890	$235	3,995	209,150
72-inch RCP	LF	0	372	$376	0	139,872
Inlet type IX	EA	6	0	$500	3,000	0
Caltrans Type D93A Inlet	EA	4	0	$500	2,000	0
Local Depression	EA	8		$2,500	20,000	0
Catch Basin W=7'	EA	7		$3,000	21,000	0
Manhole No. 1	EA	11		$5,000	55,000	0
Manhole No. 2	EA	0	9	$5,600	0	50,400
Manhole No. 4	EA	0	8	$6,500	0	52,000
Manhole Safety Ledge	EA	0	8	$2,000	0	16,000
J.S. No. 1	EA	0	4	$6,500	0	26,000

Mr. Chris Vogt: -2- May 3, 2010

Re: Parcel Map 35629 Bonding Estimate
Moreno MDP Line F, D, D-5 and D-6
Account 137-0-3-74961

J.S. No. 2	EA	0	1	$6,500	0	6,500
J.S. No. 3	EA	2	0	$5,450	10,900	0
J. S. No. 4	EA	2	3	$5,000	10,000	15,000
M.H No. 1	EA	1		$4,350	4,350	0
Bulkhead	CY	8	0	$150	1,200	0
Pipe bulkhead	EA	0	0	$200	0	0
RCB	CY	0	3,765	$591	0	2,225,115
Wingwall	CY	0	55	$590	0	32,450
Compacted Fill	CY	0	60,105	$3	0	195,341
Riprap	CY	0	3,547	$100	0	354,700
Head/End/Wing Walls	EA	20		$409	8,180	0
RCB Excavation	CY	0	79,255	$16	0	1,283,931
Structural Backfill	CY	0	6,833	$10	0	71,063
Pipe Swing Gate	EA	0	1	$1,000	0	1,000
Class 2 Base 3" Thick	SF	0	38,175	$1	0	26,723
Fencing	LF	0	88	$16	0	1,408
Cutoff Wall	LF	0	65	$14	0	878
				Subtotal	$665,893	$5,012,102
				20% Contingencies	$133,179	$1,002,420
				Total Cost	$799,072	$6,014,523
				Inspection Fee = 3% of Bond Cost	$23,972	$180,436
				Total fees due	$23,972	$180,436

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

MDJ 5/6/10

REGISTERED PROFESSIONAL ENGINEER
MEKBIB DEGAGA
NO. 52203
Exp. 12-31-2010
CIVIL
STATE OF CALIFORNIA

c: Highland Fairview
Attn: Brian Hixson
RBF Consulting
Attn: Patrick Revere
cc: Henry Olivo
Art Diaz
Sharon Johnson

MD:blj

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MV00072122

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

CONTRACTOR'S COPY

Public Improvements	$ 6,813,595	Project No.	PA07-0090
Bond No.	6711629	Premium	$122,645
Surety	SAFECO INSURANCE COMPANY OF AMERICA	Principal	HF Logistics-SKX T1, LLC
Address	330 N. BRAND BOULEVARD, SUITE 500	Address	14225 Corporate Way
City/Zip	GLENDALE, CA 91203	City/Zip	Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090,** which agreement is hereby referred to and made a part hereof; and,
LINE F STORM DRAIN IMPROVEMENTS

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and SAFECO INSURANCE COMPANY OF AMERICA, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of ** **AND NO/100** Dollars (***$ 6,813,595 .00***), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents. ** SIX MILLION EIGHT HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY-FIVE & NO/100 DOLLARS

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Exhibit "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PA07-0090

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Faithful Performance Bond.DOC

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

CONTRACTOR'S COPY

Public Improvements $ 3,046,797.50

Project No. PA07-0090

Bond No. 6711629

Premium INCLUDED IN PERFORMANCE BOND

Surety SAFECO INSURANCE COMPANY OF AMERICAN

Principal HF Logistics-SKX T1, LLC

Address 330 N. BRAND BOULEVARD, SUITE 500

Address 14225 Corporate Way

City/Zip GLENDALE, CA 91203

City/Zip Moreno Valley, CA 92553

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **HF Logistics-SKX T1, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PA07-0090**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ** Dollars (***$ ** ***), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

** THREE MILLION FOUR HUNDRED SIX THOUSAND SEVEN HUNDRED NINETY-SEVEN & 50/100 DOLLARS ($3,406,797.50)

Exhibit "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PA07-0090

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on JULY 6, 20 10.

NAME OF PRINCIPAL: HF Logistics-SKX T1, LLC
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE(S): By:

Name Title

Name Title

NAME OF SURETY: SAFECO INSURANCE COMPANY OF AMERICA
Company Name

CONTRACTOR'S COPY

AUTHORIZED SIGNATURE:
DAVID L. CULBERTSON ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date:

City Attorney
City of Moreno Valley

W:\LandDev\Liz\PIA\HF Phase 1 Agree\Boiler - Material Labor Bond.DOC

MORENO VALLEY
CITY MANAGER'S OFFICE

MEMORANDUM

To: Mayor Flickinger and Members of the City Council

From: William L. Bopf, Interim City Manager

Date: July 8, 2010

Subject: Council Agenda - July 13, 2010, Item G-6

Two Councilmembers have requested that the Limited Foundation Permit action taken at the June 22, 2010 Council meeting be considered for Amendment. As late as 4:00 p.m. Thursday, July 8, 2010, Staff was completing its review of conditions that might be required to be satisfied before the issuance of the Limited Foundation Permit. Since the review was completed after the posting of the agenda, Staff has not prepared the customary staff report.

However, Staff has extensively reviewed the Council action of June 22, 2010. As a result of that review Staff has determined that the items now listed on the attached Exhibit "C" do not have to be satisfied before the issuance of the Limited Foundation Permit. Except as noted with respect to the payment of school fees.

If the majority of the Council wishes to amend their previous action, the attached Agreement and Proposed Motion are submitted for your use.

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MV00072128

Proposed Motion:

Amend the action taken by the City Council on June 22, 2010, approving and accepting Highland Fairview's Covenant to Hold as One Parcel subject to certain conditions. The City Council hereby amends its action taken on June 22, 2010 as follows:

1. The terms and conditions are amended to provide that, prior to issuance of a limited purpose building permit for foundation, slab and pouring of wall panels only, Highland Fairview shall comply with all conditions of approval for issuance of a building permit except as follows, which excepted conditions shall be complied with as provided for in applicable City Council Resolutions, Approval and/or Recording of the final Parcel Map, or issuance of the general building permit, whichever is applicable. The excepted conditions are:

    a. Final approval and recording of the Parcel Map,

    b. Public Improvement Agreements and security for same for any public improvement occurring solely on private property owned or controlled by Highland Fairview,

    c. Payment of DIF and TUMF are deferred until issuance of any temporary, conditional or unconditional certificate of occupancy for the Skechers building as provided for in City Council Resolutions 2009-37 and 2009-38,

    d. Payment of MSHCP fees,

    e. Approval of Building Plans for vertical construction,

    f. Public Drainage easements,

    g. Slope easements,

    h. Reciprocal Access easements,

    i. Spreading Basin easement,

    j. Off-site easements,

    k. Median Landscape Plans approval,

    l. Final Trail Plan approval,

    m. Site Lighting Plan,

    n. Title 24 Plans,

o. Solar Panels for Phase 1 Office,

p. Payment of School fees, contingent upon Highland Fairview providing the City with written agreement from the Moreno Valley Unified School District for deferral of school fees until issuance of the general building permit, or

q. Fire Access Plan.

2. All other terms, conditions and actions pursuant to this matter taken by the City Council on June 22, 2010, shall remain unchanged and in full force and effect.

LIMITED PURPOSE BUILDING PERMIT ISSUANCE AGREEMENT

This limited purpose building permit issuance agreement (this "Agreement") is made at Moreno Valley, California, as of June 22, 2010, between the CITY OF MORENO VALLEY, a California general law city (the "City"), on the one hand, and HF LOGISTICS-SKX T1, LLC, a Delaware limited liability company ("HF"), on the other hand, with the respect to the following facts:

A. HF is the sole owner of approximately 83 acres located in the City which currently consists of 11 legal lots (the "building site") and which is currently entitled to be improved with a single building containing approximately 1,820,000 sq. ft (the "building") which will be constructed over portions of nine of the existing lots. The building site is shown on Exhibit A.

B. The building site will become a single parcel, Parcel 1 of Parcel Map 35629 (the "Parcel Map"), upon final approval and recordation of the Parcel Map.

C. HF desires the City to issue a limited purpose building permit allowing HF to begin construction of the building's foundation and slab and to pour and construct, but not erect, walls only prior to the recordation of the Parcel Map and the consolidation of the 11 existing lots into a single legal parcel.

D. HF agrees to assume all risks associated with the issuance of the limited purpose building permit for the construction of the building's foundation and slab and the pouring and construction, but not the erection, of the building's walls (the "limited purpose building permit") and agrees to secure the City with additional commitments to further protect the City included hereinbelow.

E. On June 22, 2010, the City Council authorized the acceptance of the covenant and agreement to hold property as one parcel and to enter into an agreement providing for the issuance of the limited purpose building permit subject to certain terms and conditions included hereinbelow.

THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Prior to issuance of the limited purpose building permit, HF shall record a covenant and agreement to hold property as one single parcel in the form of Exhibit B.

2. Prior to issuance of the limited purpose building permit, HF shall provide the City with written documentation to the City's satisfaction that all parcels, which are the subject matter of the covenant, are owned by HF.

3. Prior to issuance of the limited purpose building permit, HF shall submit separate foundation, slab, and wall panel building plans to City for approval, which plans must be approved by City prior to issuance of the limited purpose building permit.

4. Prior to issuance of the limited purpose building permit, HF shall comply with all conditions of approval for issuance of a building permit except for the final approval and recording of the Parcel Map, Public Improvement Agreements and security for those improvements occurring solely on private property, and those conditions specifically deferred until issuance of the general building permit as set forth in Exhibit C. The City's Building

Official shall have the discretion to interpret any condition not listed on Exhibit C to determine whether it must be satisfied prior to issuance of the limited purpose building permit.

5. Prior to issuance of the limited purpose building permit, HF shall satisfy all conditions for final approval of the Parcel Map other than those relating to (a) the preparation, approval or recordation of the final Parcel Map, (b) Public Improvement Agreements and security for those improvements occurring solely on private property, and (c) those conditions specifically deferred until issuance of the general building permit as set forth in Exhibit C. HF hereby acknowledges that all such public improvement agreements and the required security for those improvements occurring solely on private property shall be executed and posted prior to final approval of the Parcel Map.

6. Prior to commencement of construction of, and the issuance of any required permits for, public improvements to be constructed in any public right-of-way or on public property, HF shall execute public improvement agreements and provide the required security for any such public improvement. HF hereby acknowledges that all such public improvement agreements and the required security shall be executed and posted prior to final approval of the Parcel Map if not accomplished sooner pursuant to this agreement.

7. Prior to issuance of the limited purpose building permit, HF shall execute an encroachment and removal agreement, in the form of Exhibit D, requiring HF, at its own expense, to remove any improvements constructed in public rights-of way or on public property if the limited purpose building permit expires and the City so requests.

8. Prior to issuance of the limited purpose building permit, HF shall have relocated or removed all easements encumbering the area under the building or have provided the City with written permission from easement holders authorizing HF to build over the easements.

9. HF agrees and acknowledges that the Parcel Map shall receive final approval by the City and be recorded in the Riverside County Recorder's Office before 12:01 a.m. on October 21, 2010.

10. HF agrees and acknowledges that the limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010 if the Parcel Map has not been recorded in the Riverside County Recorder's Office.

11. HF agrees and acknowledges that all construction shall immediately cease by 12:01 a.m. on October 21, 2010, upon expiration of the limited purpose building permit if the final Parcel Map has not been recorded.

12. If the limited purpose building permit expires as a result of the failure to record the final Parcel Map by 12:01 a.m. on October 21, 2010, HF shall be required to obtain a new building permit after the final Parcel Map has been recorded.

13. Neither this Agreement, the limited purpose building permit, nor the time in which to record the final Parcel Map in order to maintain the limited purpose building permit in effect, shall be extended beyond 12:01 a.m. on October 21, 2010.

14. HF shall remove all improvements and construction related materials from the project site, and shall restore the project site to its pre-construction condition, upon the expiration of the limited purpose building permit if ordered to do so by any court.

15. HF hereby expressly waives any claims of vested rights that it might otherwise have if the limited purpose building permit is suspended or terminated regardless of the extent of HF's reliance on its issuance and expressly acknowledges that the limited purpose building permit allows only the construction of the building's foundation and slab and the pouring and construction, but not the erection, of the building's walls.

16. HF hereby expressly waives any rights it might otherwise have for any recourse against the City in any way connected to the issuance of the limited purpose building permit.

17. HF shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul the issuance of the limited purpose building permit. In any claim, action or proceeding against the City arising out of this agreement, or for the issuance of the limited purpose building permit, the City shall be entitled to recover from HF the actual expenditures for its attorneys' fees and all costs including, but not limited to, expert witness fees, in addition to any other relief to which it may be entitled.

18. The parties to this Agreement shall act in good faith and shall take all further actions reasonably necessary to effectuate the letter and the spirit of this Agreement.

19. This Agreement and all rights and obligations arising out of it shall be construed in accordance with the laws of the State of California.

20. Any litigation arising out of this Agreement shall be conducted only in the Riverside County Superior Court.

21. This Agreement is entered into solely for the benefit of the parties hereto. Other than the parties hereto, no third party shall be entitled, directly or indirectly, to base any claim, or to have any right arising from, or related to, this Agreement.

22. This Agreement contains the entire agreement and understanding between the parties and supersedes and replaces all prior negotiations or proposed agreements, written or oral. Each of the parties hereto acknowledges that no other party, nor the agents nor the attorneys for any party, has made any promise, representation or warranty whatsoever, express or implied, not contained herein, to induce the execution of this Agreement and acknowledges that this Agreement has not been executed in reliance upon any promise, representation or warranty not contained herein.

23. This Agreement may not be amended except in a writing signed by all the parties hereto.

24. Each individual signing this Agreement represents and warrants that he or she has been authorized to do so by proper action of the party on whose behalf he or she has signed.

25. This Agreement may be signed in one or more counterparts and, when all parties have signed the original or a counterpart, such counterparts, whether originals, facsimiles or e-mail attachments, together shall constitute one original document.

July ___, 2010

THE CITY OF MORENO VALLEY (the "City")
a California general law city

By: _____
Bonnie Flickinger, Mayor

Attest:

_____
Jane Halstead, City Clerk

Approved as to form:

_____
Robert L. Hansen, City Attorney

July ___, 2010

HF LOGISTICS-SKX T1, LLC ("HF")
a Delaware limited liability company

By: HF Logistics-SKX, LLC
a Delaware limited liability company,
its sole member

By: HF Logistics I, LLC
a Delaware limited liability company,
its managing member

By:_____
Iddo Benzeevi, President and Chief
Executive Officer

EXHIBIT "C"

CONDITIONS OF APPROVAL WHICH NEED NOT BE SATISFIED PRIOR TO THE ISSUANCE OF THE LIMITED PURPOSE BUILDING PERMIT

(all Tentative Parcel Map and Plot Plan conditions are to be satisfied prior to approval and recordation of the Parcel Map and issuance of the building permit allowing vertical construction of the building)

TPM 35629	Plot Plan PA07-0091	Description
P-23, SD-9	P-19, SD-5	DIF[1], TUMF[2], MSHCP Fees
B-1	B-1	Building Plans for vert. construction
LD8	LD8	Public Drainage Easements
LD22		Slope Easement
LD69		Reciprocal Access Easements
LD75	LD64	Spreading Basin Easement
LD76	LD65	Off-Site Easements
SD-10	SD-10	Median Landscape Approval
Parks (h)	Parks(h)	Final Trail Plan Approval
	P18	Site Lighting Plan
	P87	Title 24 Plans
	P89	Solar Panels for Phase 1 Office
	S1	Payment of School Fees[3]
	F4, F6-F11, F23	Interim Fire Access Plan

[1] DIF has been deferred until issuance of the Certificate of Occupancy pursuant to City Council Resolution 2009-37.
[2] TUMF has been deferred until issuance of the Certificate of Occupancy pursuant to City Council Resolution 2009-38.
[3] Deferral contingent upon written agreement from the Moreno Valley Unified School District agreeing to this deferral.

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CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010

2. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
June 22, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Batey

INVOCATION – Council Member Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Michelle Dawson	Acting Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

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Mayor Flickinger announced that the revised ordinance (Item A13) was distributed to the City Council and copies are available for the public, and that Item C4 (Notice of Completion) should be listed as Item B5.

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments; there being none, public comments were closed.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of $12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

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Recommendation:
Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM B.5) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and

3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and

2. Approve Resolution 2010-58 adopting the 2010 Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:
Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE $110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the $110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the $110,266 Allocation

A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of $106,008, subject to the approval of the City Attorney.

A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of:

Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

   a. Petaluma Avenue between Napa Valley and Morrison Street;
   b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
   c. Lakeport Drive at Cottonwood Avenue;

d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for $250,125 ($217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and

3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

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Agreement.

A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:
Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for

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CSD Zone A for twelve months, and;
b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.

   a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
   b. Frederick Street between Centerpointe Drive and Cactus Avenue;
   c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
   d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
   e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
   f. Atlantic Circle east of Frederick Street;
   g. Brabham Street between Frederick Street and Andretti Street;
   h. TownGate Boulevard between Frederick Street and Heritage Way;
   i. Bay Avenue between Kristina Court and Courage Street;
   j. Alessandro Boulevard between Chagall Court and Elsworth Street;
   k. Alessandro Boulevard between Joy Street and Cactus Avenue;
   l. Resource Way between Frederick Street and Corporate Way;
   m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
   n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
   o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
   p. New Hope between Veterans Way and Elsworth; and
   q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00

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a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

a. Petaluma Avenue between Napa Valley and Morrison Street;
b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
c. Lakeport Drive at Cottonwood Avenue;
d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
e. Rockport Drive between Yuba Pass Road and Morrison Street;
f. Dracaea Avenue between Morrison Street and Nason Street;
g. Letterman Street at Cottonwood Avenue;
h. Athletics Drive at Cottonwood Avenue; and
j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

B.5 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works

MV00072149

Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of $812,724 ($706,716 for the Base Bid and Additive Alternate "A" plus $106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2 by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

MV00072150

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at $84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at $13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

President Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Board Member Richard A. Stewart, s/Vice President Robin N. Hastings
Approved by a 5–0 vote.

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

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Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and

2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - None

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported the following:
1. Moreno Valley Physicians Group (about 102 physicians practicing at the Moreno Valley Community Hospital) has joined March HealthCare and is partnering with other medical groups, including Riverside Medical Clinic and St. Bernardine Hospital - glad that Moreno Valley doctors will be close to their patients
2. Fresh & Easy Neighborhood Market grocery chain is buying both their supporting businesses, Wild Rocket Foods and 2 Sisters Food Group, providing fresh vegetables, produce and meat, to support expansion of its facility

Council Member Stewart announced that the Public Improvements Agreement and Security for the Highland Fairview Skechers off-side sewer improvements on Redlands Boulevard came to the attention of the Council after posting of the agenda, and there is a need to take action.

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The item requires a two-thirds vote to be placed on the agenda.

Motion to add the item to the agenda by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Motion failed by a 3-2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Bonnie Flickinger opposed.

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:
Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

Mayor Flickinger opened the agenda item for public comments, which were received from Iddo Benzeevi, Susan Gilchrist, Kenneth Bley (representing Highland Fairview), Pete Bleckert and Deanna Reeder.

Motion to waive the attorney-client privilege to discuss the risks inherent to this decision (issues discussed with the City Attorney during Closed Session) by m/Mayor Bonnie Flickinger, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Motion to approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the conditions listed below by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a 3–2 vote, Mayor Pro Tem Robin N. Hastings and Mayor Flickinger opposed.

Approve and accept Highland Fairview's Covenant to Hold as One Parcel subject to the following conditions:

1. The covenant is amended to state that it is for the issuance of a limited purpose building permit for commencement of construction of the foundation and slab and the poring of wall panels only, which

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permit shall automatically expire on October 20, 2010, if the final parcel map is not recorded prior to that date;

2. That Highland Fairview agrees in writing in the covenant or other recordable agreement to the following terms and conditions prior to issuance of the limited purpose building permit:

   a. The parcels which are the subject matter of the covenant be owned by the same entity,

   b. Separate foundation, slab and wall panel building plans be submitted and approved,

   c. Compliance with all conditions of approval for the issuance of a building permit except recording of the final map,

   d. Compliance with all requirements for recording the final map except for actual final map approval and recordation, and Public Improvement Agreements and security for same for any public improvements not occurring in the public right-of-way or on public property,

   e. All Public Improvement Agreements for improvements that will be undertaken in the public right-of-way or on public property pursuant to the limited purpose building permit have been executed and the required security has been posted prior to the commencement of actual public improvement construction,

   f. The final lot configuration be shown on the map that is being processed,

   g. The covenant to hold property as one parcel be recorded,

   h. The holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements,

   i. Execution of an encroachment and removal agreement,

   j. The City is only issuing a limited purpose building permit for foundation, slab and the pouring of wall panels only. The erection of any walls is specifically prohibited under this limited permit.

   k. The final parcel map shall be recorded before 12:01 a.m. on October 21, 2010,

l. The limited purpose building permit shall automatically expire at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

m. All construction pursuant to the limited purpose building permit shall cease at 12:01 a.m. on October 21, 2010, if the final parcel map has not been recorded,

n. It (Highland Fairview) will be solely responsible for removal of any improvements and restoration of the site to its pre-construction condition if ordered by any court,

o. It and its partners waive any and all recourse against the City which may arise out of this action,

p. Neither the agreement, nor the time for recordation of the final parcel map will be extended beyond October 20, 2010,

q. It will defend and indemnify the City for all judgments, costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab, and pouring of walls, and

r. Any other terms and conditions the City Manager and City Attorney deem legally necessary to implement the agreement and the purposes of this action.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

President Flickinger opened the agenda item for public comments; there being none, public comments were closed.

No action required.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or

2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to make the following appointments by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina Approved by a vote of 5-0.

Accessibility Appeals Board
Two (2) terms expiring June 30, 2013
Physically Challenged Representative
Lawrence Baird
Nina Hiers

Arts Commission
One (1) term expiring June 30, 2013
Eric von Mizener

Environmental and Historical Preservation Board
Two (2) terms expiring June 30, 2013
Jan Beyers
Naeem M. Qureshi

Library Commission
One *(1) term expiring June 30, 2013*
Sharon B. Clements

Parks and Recreation Commission
Three (3) terms expiring June 30, 2013
James C. Baker II
Juanita M. Barnes
Virgil Chancy

Recreational Trails Board
Two (2) terms expiring June 30, 2013

MV00072156

Jackie LeSan
Kim M. Nelson

Senior Citizens' Board
Three (3) terms expiring June 30, 2013
Sara W. Anderson
Vonzetta Fielding
Delanna Townsend

Traffic Safety Commission
Two (2) terms expiring June 30, 2013
Miguel Arciniega
Frank D. Pavlik

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."

2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

   Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

   Resolution No. 2010-61

   A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed

MV00072157

Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a 5–0 vote.

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

Chairperson Flickinger opened the agenda item for public comments;

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there being none, public comments were closed.

Motion to Approve by m/Agency Member William H. Batey II, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
   Approved by a 5–0 vote.

2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

   Resolution No. 2010-64

   A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

   Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

   Approved by a 5–0 vote.

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN (CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Pete Bleckert and Deanna Reeder.

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal

Year 2010-11;

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart

Approved by a 5–0 vote.

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice President Robin N. Hastings, s/Board Member Richard A. Stewart

Approved by a 5–0 vote.

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

Motion to Approve by m/Vice Chairperson Robin N. Hastings, s/Agency Member Richard A. Stewart

Approved by a 5–0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:
1) Ballot measure to prevent state's raid of local funds qualified for the November ballot - encouraged everybody to support it, as about $5 million was taken from the Moreno Valley Redevelopment Agency this year; a lot of improvements could have been done with this money
2) MVTV-3 won a first place award from the regional peer group, the California and Arizona chapter of the national organization. Bob Lorch won first place for "You Spray, You Pay" anti-graffiti removal program, and Rob Roseen won second and third place for "News Center." Commended staff for this successful program
3) Housing prices are up and unemployment for May was down - good news
4) Moreno Valley restaurants reported sales picking up in fall 2009 and remaining solid through 2010
5) The Neighborhood Preservation staff has obligated 84% of the $11.3 million grant funding as opposed to the national average of 52%. The City's partners have acquired $5.3 million worth of single-family homes - 28 homes are being rehabilitated. Moreno Valley may be eligible for additional NSP funding in the near future. Commended Barry Foster and staff for this successful project. It is one of the leaders in the country
6) Youth Opportunity Center - Arbor E&T has entered into a lease of a vacant building on 22275 Alessandro and Grant. When the Center opens in the fall, it will employ six people and serve 150 youth in the community
7) The library has initiated a summer reading program and added a database online entitled Career Transitions, which will serve as a resource for persons seeking employment
8) Schedules and sign ups for recreational activities are listed on the Moreno Valley Web site
11) Information about 4th of July celebration is posted on the Web site
12) Expressed his appreciation for Steve Elam, Interim Financial & Administrative Services Director, who came out of his retirement to help the City. This is his last council meeting

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

MV00072162

H.4 RESOLUTIONS - NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Susan Gilchrist
1) Submitted a copy of her letter to Parks & Facilities Manager Steve Kupsak and a copy of Parks and Recreation Commission staff report regarding Equestrian Center; commented on the accuracy of information contained in the report

Deanna Reeder
1) Asked if any council member recused himself/herself from Closed Session Item #5, City Manager Recruitment, while in Closed Session

Pamela Lowell
1) Acknowledged Fire and Police Department staff for the fast response and help during her husband's illness; her husband, an Air Force disabled veteran, passed away this year; very grateful for support and comfort and proud of the City
2) Thanked military veterans for their service; thanks to them we can enjoy many freedoms, including freedom of speech

James Dudley
1) About 12,563 late mail-in primary ballots that may not be counted because of late delivery
2) Maintenance of medians
3) Condition of roads
4) Expressed he is proud of the City

Pete Bleckert
1) Thanked Council for voting for the Highland Fairview project to move forward
2) Equestrian Center

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Molina
1) Condolences to Ms. Lowell for her loss
2) Would like to bring back issue of Cottonwood Park on Cottonwood and Indian
3) Thanked staff and residents for being patient with the progress of the project

Council Member Stewart
1) Reported on a lady claiming that her child was killed by a drunk driver in Moreno Valley and asking for money for burial; while he was checking with the Police Chief, the lady disappeared; it's sad that people will do that; warned residents about the fraud and advised to be aware and to question suspicious solicitations

MV00072163

2) Commended staff for the hard work assisting the developer of the Skechers project; the project is moving along; the City is not giving any financial support for it, but by speeding up the process, the City was able to give the proponents a financial advantage
3) Inquired about the requirement of lowering buildings along 60 Freeway by 25 feet
4) Inquired about changing zoning of the property to the south of the project from residential to business park to be a transition/buffer to light industrial along the freeway
5) Regarding budget - glad that we had reserve to reduce deficit and that the Fire, Police and other public safety units were pretty much preserved

Mayor Pro Tem Hastings
1) Attended annual Rally Round the Flag at March Field Air Museum with Council Member Stewart and Mayor Flickinger - it was a very nice event in commemoration of the Flag Day with an outstanding performance of Moreno Valley Master Chorale. Encouraged everyone to attend it next year; the event is open to the public
2) Responded to a speaker's comments regarding 12,000 mail-in ballots that were left at Moreno Valley distribution postal center after deadline and may not be counted - explained the process of routing the mail-in votes; Riverside County is still investigating this issue
3) League of California Cities' initiative to protect local money from the State's taking - asked residents to educate themselves on this and other initiatives
4) Addressed an incident of loose horses in traffic on Redlands Blvd. and horses hit by a car; this is tragic for everyone; asked residents to call Animal Control to report any animal loose or abandoned to prevent animals from being killed
5) Will participate in July 13 meeting from Kentucky via teleconference

Council Member Batey
1) Thanked Ms. Lowell for publicly acknowledging public safety employees who responded to her calls. It's important for the public to know that they have dedicated professionals to handle any situation that may arise. Her husband will be missed
2) Fresh & Easy will be open by the end of the year; a lot of good stuff is happening that will help our economy in the long run
3) Will not be able to attend 4th of July celebration because of work schedule
4) Thanked Mr. Dudley and Ms. Lowell for showing/expressing City pride; it's nice to hear positive
5) Wished everybody a safe 4th of July

Mayor Flickinger
1) Concurred with Mayor Pro Tem Hastings about effectiveness of the Rally Round the Flag event; very entertaining and informative
2) Thanked Steve Elam for the great job; he will be missed
3) Responded to speaker's question - all five Council Members are participating in the City Manager's recruitment
4) No meeting is scheduled for the next Tuesday (5th Tuesday of the month); the next televised Council meeting is scheduled for July 13, which will be the last

MV00072164

meeting before Council recess
5) July 3 & 4 celebration will include a parade in the morning on July 3 and the celebration at the Morrison Park in the afternoon on July 4 - another opportunity to wear red, white and blue

There being no further business to conduct, the meeting was adjourned to Closed Session at 9:06 p.m. by unanimous informal consent.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*
Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:40 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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MV00072166

AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 8, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session
First Tuesday of each month – 6:00 p.m.
City Council Study Sessions
Third Tuesday of each month – 6:00 p.m.
City Council Meetings
Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator, at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member
Richard A. Stewart, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

2. "Saved by the Helmet" Award Presentation to Luryn Hills

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

4. "Spotlight on Moreno Valley Business"

MV00072168

AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 8, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Barry E. Knight, Celebration Worship Center C.O.G.I.C.

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE AGENDA WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

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separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:

That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California,

Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

   Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

   Resolution No. 2010-38

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

   Resolution No. 2010-39

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1

(Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2010-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2010-41

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

   Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

   Resolution No. 2010-43

   A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

   Resolution No. 2010-44

   A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:
Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

Resolution No. 2010-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement

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No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges

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for Moreno Valley

A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Vallley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR

FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

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Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

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E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

   Resolution No. CSD 2010-09

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

   Resolution No. CSD 2010-10

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

   Resolution No. CSD 2010-11

   A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

   Resolution No. CSD 2010-12

   A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the

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Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of fhe City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone

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M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a

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general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the

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City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

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Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

   Ordinance No. 812

   An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

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2. Consider the Interim City Manager's proposed budget balancing plan.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:
Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE 'F' STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Recommendation: That the City Council:

1. Accept the Agreement for Line 'F' Storm Drain Security;

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;

3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

MV00072186

PUBLIC COMMENTS ON ANY SUBJECT NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

3 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

4 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

MV00072188

a) a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

MV00072189

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
May 25, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing University of California Riverside (UCR) Women's Basketball Team

2. Proclamation Recognizing National Public Works Week - Above, Below and All Around You

3. Proclamation Recognizing Mental Health Month – May 2010

4. Recognition of Vista Heights Middle School – California State History Day Winners

5. "Spotlight on Moreno Valley Business"

MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

REGULAR MEETING – 6:30 PM
May 25, 2010

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:47 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member William H. Batey II

INVOCATION - Reverend Joven Junio, St. Christopher Catholic Church

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
Ernie Baker	Lieutenant
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Mike McCarty	Parks & Community Service
John Ruiz	Interim Human Resources Director

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Motion to Continue Agenda Item G7 by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a voice vote of 5-0.

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A14).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 5-18, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR MARCH, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2010-34, approving the Check Register for the month of March, 2010 in the amount of $67,977,881.05.

Resolution No. 2010-34

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of March, 2010

A.5 APPROVAL OF AMENDMENT NO.1 TO AGREEMENT TO FORM THE LAKE ELSINORE AND CANYON LAKE TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE (Report of: Public Works Department)

Recommendation:

1. Approve Amendment No. 1 to Agreement to Form the Lake Elsinore and Canyon Lake TMDL Task Force approved as to form by the City Attorney

2. Authorize the Mayor to execute Amendment No. 1 to Agreement

3. Authorize the Public Works Director/City Engineer to execute future amendments to the Agreement

4. Direct the City Clerk to attest to the Mayor's signature and transmit the executed Amendment No. 1 to Agreement to the Santa Ana Watershed Project Authority

A.6 APPROVE AND AUTHORIZE CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON STREET OVERCROSSING - PROJECT NO. 07-41570024 (Report of: Public Works Department)

Recommendation:

1. Approve the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California for the construction phase of the SR-60/Nason Street Overcrossing project;

2. Authorize the City Manager to execute the "Construction Cooperative Agreement (District Agreement No. 08-1463)" with the State of California; and

3. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement (District Agreement No. 08-1463)," if needed, subject to the approval of the City Attorney.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL, STREET AND STORM DRAIN IMPROVEMENTS FOR STATE ROUTE 60 EASTBOUND RAMPS AND REDLANDS BOULEVARD - PROJECT NO. 06-12566625 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Traffic Signal, Street and Storm Drain Improvements for State Route 60 Eastbound Ramps and Redlands Boulevard, which was constructed by Murrieta Development Company, Inc., 42540 Rio Nedo Road, Temecula, CA 92590;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

3. Authorize the Financial and Administrative Services Director to release the retention to Murrieta Development Company, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and

4. Accept the improvements into the City's maintained road system.

A.8 PA04-0016 – RESIDENTIAL - ACCEPT AGREEMENT AND IRREVOCABLE LETTERS OF CREDIT FOR PUBLIC IMPROVEMENTS, SOUTHEAST CORNER OF PIGEON PASS ROAD AND SUNNYMEAD RANCH PARKWAY - DEVELOPER: PIGEON PASS, LLC, UPLAND, CA 91786 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Irrevocable Letters of Credit for Public Improvements for PA04-0016;

2. Authorize the Mayor to execute the agreement;

3. Direct the City Clerk to forward the signed agreement to the County Recorder's office for recordation; and

4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED MARCH 31, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.10 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM C. 3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue to Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879, the lowest responsible bidder;

2. Authorize the City Manager to execute the contract with Hillcrest Contracting, Inc., and to subsequently assign said contract to the Community Redevelopment Agency;

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Hillcrest Contracting, Inc. up to, but not exceeding, the contingency amount of $249,470.71, subject to the approval of the City Attorney;

4. Authorize a full road closure of Day Street from Alessandro Boulevard to Cottonwood Avenue, including adjacent side streets, as necessary, for the construction of roadway improvements from June 2010 to December 2010; and

5. Authorize the Public Works Director/City Engineer to allow for an additional 60 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A.11 APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE ACQUISITION OF APN 475-272-054 FOR THE IRONWOOD AVENUE WIDENING PROJECT FROM HEACOCK STREET TO PERRIS BOULEVARD - PROJECT NO. 06-50182625-2 (Report of: Public Works Department)

Recommendation:

1. Approve the Agreement for Conveyance of Property for the acquisition of APN 475-272-054 for the Ironwood Avenue Widening Project from Heacock Street to Perris Boulevard;

2. Authorize a Purchase Order in the amount of $124,500 plus escrow fees when the Agreement has been signed by all parties (Account No. 415.70227);

3. Authorize the City Manager to execute the Agreement upon concurrence by the property owners and authorize the City Manager to approve any changes, subject to the approval of the City Attorney; and

4. Authorize the Financial and Administrative Services Director to wire transfer funds into escrow in the amount of the acquisition price of $124,500 plus the escrow fees for the acquisition of APN 475-272-054.

A.12 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2010 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2010 Pavement Resurfacing Project to Hardy & Harper, Inc., 1312 East Warner Avenue, Santa Ana, CA 92705, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with Hardy & Harper, Inc.;

3. Authorize the issuance of a Purchase Order to Hardy & Harper, Inc. in the amount of $1,304,600.00 (bid amount $1,186,000.00 plus 10% contingency of $118,600.00) when the contract has been signed by all parties (Account Nos. 225.68722 and 226.79728); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with Hardy & Harper, Inc., up to but not to exceed the Purchase Order contingency of $118,600.00.

A.14 CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT IN ENCO UTILITY SERVICES MORENO VALLEY, LLC, V. CITY OF MORENO VALLEY - CASE NO. RIC478023 (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation:

Review and approve the Settlement Agreement in ENCO Utility Services Moreno Valley, LLC v. City of Moreno Valley, Case No. RIC478023 (Attachment 1), and authorize the Mayor to sign the agreement in behalf of the City.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

C.3 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR DAY STREET ROADWAY IMPROVEMENTS FROM ALESSANDRO BOULEVARD TO COTTONWOOD AVENUE PROJECT NO. 02-89266920 (ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. That the Community Redevelopment Agency accept the assignment of the contract with Hillcrest Contracting, Inc. from the City;

2. Authorize the City Manager, acting in his capacity as the Executive Director for the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to Hillcrest Contracting, Inc. in the amount of $1,912,608.76 ($1,663,138.05 for the bid amount plus 15% contingency) for Day Street Roadway Improvements from Alessandro Boulevard to Cottonwood Avenue (Account No. 897.91724).

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MAY 11, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

Motion to Approve Joint Consent Calendar Items A1 – D2, except Items

A13 and A15, which were pulled for separate discussion/action. Motion by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 5-0.

AGENDA ORDER

G.5 PARTICIPATION AGREEMENT WITH MOSS BROS. AUTOGROUP (Report of: Economic Development Department)

Council Member Richard A. Stewart stated due to a business relationship with his law office with other auto dealers, other than Moss Bros., he would abstain from participating, discussing or voting on Item G5, and he would be absent from the dais until completed.

Council Member Richard A. Stewart recused himself due to a business relationship.

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Moss, Deanna Reeder, and Pete Bleckert.

Recommendation: That the RDA:

Adopt Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup.

Resolution RDA No. 2010-02

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California adopting Resolution RDA No. 2010-02, approving and authorizing a Participation Agreement with Moss Bros. Autogroup

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 4-0-1, Council Member Richard A. Stewart recused.

Council Member Richard A. Stewart returned to the Dias at 7:24 p.m.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2010-11 (CONTINUED FROM MAY 11, 2010) (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year (FY) 2010-11; and

2. Adopt Resolution No. 2010-23, approving the Fee Schedule for FY 2010-11.

Resolution No. 2010-23

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2010-11 and Repealing Prior Resolutions that may be in Conflict

Motion to adopt Resolution No. 2010-23 approving the fee schedule for 2010-11 with the changes made tonight, which are 1) projects equal to or in excess of $50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities; this program encompasses all Departments and all fees for projects in the program; 2) fees for non-residents to participate in Recreation Programs will be charged at full cost recovery, which is the Resident Fee plus 30%; 3) subject to confirmation that the Animal Services fee changes do not exceed actual cost recovery, the specific fee changes are for Animal Redemption – a) 1st impound from $20 to $25, 2nd impound from $40 to $50, 3rd Impound from $56 to $75; b) Boarding – Re-inspection Fee from $18 to $50; c) Licensing – Potentially Dangerous/Vicious from $77 to $99 by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina
Approved by a 5–0 vote.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

A.13 RESOLUTION TO JOIN ICLEI AS A FULL MEMBER AND PLEDGE TO TAKE A LEADERSHIP ROLE IN PROMOTING PUBLIC AWARENESS ABOUT THE CAUSES AND IMPACTS OF CLIMATE CHANGE (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation:

Approve Resolution No. 2010-30, thereby agreeing to join (ICLEI) Local Governments for Sustainability and pursue efforts to address goals and objectives of ICLEI

Resolution No. 2010-30

A Resolution of the City Council of the City of Moreno Valley, California, to join ICLEI as a Full Member and Pledge to take a Leadership Role in Promoting Public Awareness about the Causes and Impacts of Climate Change

No action was taken.

A.15 REVISED RESOLUTIONS FOR TWO APPLICATIONS TO MODIFY VARIOUS CONDITIONS OF APPROVAL (P09-038 AND P09-039) FOR THE APPROVED HIGHLAND FAIRVIEW CORPORATE PARK PROJECT TENTATIVE PARCEL MAP NO. 35629 (PA07-0090) AND PLOT PLAN (PA07-0091) INCLUDING THE MODIFICATION OF HIGHWAY 60 LANDSCAPE REQUIREMENTS, THE TIMING AND RESPONSIBILITY FOR AN EASEMENT AND CONSTRUCTION OF A REQUIRED MULTI-USE TRAIL ALONG THE PROJECT FRONTAGE AND FUTURE EUCALYPTUS AVENUE AND VARIOUS PUBLIC WORKS CONDITIONS RELATED TO THE DEDICATION AND IMPROVEMENT OF PUBLIC IMPROVEMENTS. THE PROJECT SITE IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. THE APPLICANT IS HIGHLAND FAIRVIEW PROPERTIES (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, and Susan Gilchrist.

Recommendation:

1. Approve ~~revised~~ Resolution No. 2010-35 for various modifications (PA09-0038) to approved conditions of approval for PA07-0090 (Tentative Parcel Map No. 35629) for the placement of landscape within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution; and

Resolution No. 2010-35

A Resolution of the City Council of the City of Moreno Valley, California recommending approval of modifications of various Conditions of Approval (P09-038) for PA07-0090 (Tentative Parcel Map No. 35629) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

2. Approve ~~revised~~ Resolution No. 2010-36 for various modifications (PA09-0039) to approved conditions of approval for PA07-0091 (Plot Plan) for the placement of an erosion control hydroseed landscape mix within the future Highway 60/Caltrans right of way area, deferral of timing for multi-use trail improvements to Phase 3 and minor changes related to the dedication and construction of public improvements, with findings included within the resolution and modified conditions of approval attached as Exhibits A and B to the resolution.

Resolution No. 2010-36

A Resolution of the City Council of the City of Moreno Valley, California approving various modification of project Conditions of Approval (P09-039) For PA07-0091 (Plot Plan) generally located north of future Eucalyptus Avenue (Fir Avenue) adjacent to and south of Highway 60 between Redlands Boulevard and Theodore Street

Motion to Approve by m/Council Member William H. Batey II, s/Council Member Richard A. Stewart
Approved by a 5–0 vote.

Meeting reconvened after a brief break.

AGENDA ORDER

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Deanna Reeder

1. Vote for Paul Zellerbach and reject Rod Pacheco

Jose Chavez

1. Community Park

Charlene Weddington
1. Careers of members of Trail Seekers
2. Equestrian Park accomplishments

Daryl Terrell
1. Job loss and home foreclosures

Tom Jerele, Sr.
1. Trail Seekers
2. Development Impact Fees
3. June 10 - Free Concert

Pete Bleckert
1. Trail Seekers
2. Red Lights

AGENDA ORDER

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Mayor Pro Tem Robin N. Hastings report on Western Riverside Council of Governments (WRCOG) (Continued from May 11, 2010)

Regarding AB 811 Senator Feinstein put in for $5M and applied to the California Energy Commission for $20M. Out of $110.3M available, only $4.6M came to Southern California, which is where two-thirds of the population is. The Administrative and Finance Committee took it to court, sued the state, and won. The Judge granted all relief requested including a Writ of Mandate ordering the Department of General Services to adjudicate WRCOG's protest, and a permanent injunction prohibiting the distribution of any funds until they have met WRCOG's concerns and answered their protest.

b) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC) (Continued from May 11, 2010)

March Healthcare is moving ahead. It's a $3B project, and it will create 8,200 jobs, and most will be higher end jobs. There will be around 1,100 construction jobs. The demolition of some of the buildings is currently being coordinated. The Discovery Channel is looking at filming a sequential film on the demolition of the hospital. Mr. Russell came in from

Washington, D.C., and during lunch with him mutual concerns and issues were shared. A variety of general aviation plans are moving ahead. Several lawsuits were settled. The demur was sustained on the challenge by Ray Johnson to the expansion of the Fresh and Easy. Washington, D.C. is supporting the Free Trade Zone.

G.2 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE MORENO VALLEY COMMUNITY SERVICES DISTRICT PROPOSED FISCAL YEAR 2010/11 ANNUAL CHARGES (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the proposed fiscal year (FY) 2010/11 annual CSD charges. The proposed charges shall provide funding of maintenance services for parks, recreation, residential street lighting, arterial street lighting, parkway landscaping, high-service-level parkway landscaping, internal parkway landscaping/walls, medians, and Sunnymead Boulevard improvements, as submitted in the Preliminary Annual Levy Report on file in the office of the City Clerk.

No action required.

AGENDA ORDER

G.8 PROPOSED RANCHO BELAGO SIGN PROGRAM (AKA "RANCHO BELAGO COMMUNITY SIGNAGE DESIGN SUBMITTAL) (CONTINUED FROM MAY 11, 2010) (Report of: Community Development Department)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Kathleen Dale, Susan Gilchrist, Darryl Terrell, and Pete Bleckert.

Recommendation: That the City Council:
1. Consider the Rancho Belago Sign Program and take action as deemed appropriate; and

Resolution No. 2010-33

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Rancho Belago Sign Program

Motion to adopt resolution 2010-33 and have the sign design change be brought back to Council for final approval at a future date, and that such sign design shall comply with the legal requirements as well as include the city seal or some other specific Moreno Valley identification, and the redesign will become the template for all communities in the city by m/Council Member Richard A. Stewart, s/Mayor Bonnie Flickinger Approved by a vote of 5-0.

2. Consider appropriating $85,000 from the General Fund—Account Number 00010.66010—toward the manufacture, installation, or maintenance of signs included in the Rancho Belago Sign Program and take action as necessary.

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member William H. Batey II
Approved by a vote of 3-2, Mayor Bonnie Flickinger and Mayor Pro Tem Robin N. Hastings voted no.

A brief recess was held at 9:58 p.m.

AGENDA ORDER

G.3 REPORT TO CONSIDER PUBLIC COMMENTS REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Mayor Flickinger opened the agenda for public comments; there being none, public comments were closed.

Recommendation: That the City Council:
Hold a public meeting to accept public comments regarding the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" proposed Fiscal Year 2010/2011 annual rates.

No action required.

G.4 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Mayor Flickinger opened the agenda item for public comments, which were received by Deanna Reeder.

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and

2. Provide direction to staff regarding the Deficit Reduction Options to be implemented in order to balance the Fiscal Year 2010-11 Operating Budget.

It was agreed the lawsuit settlement will be put against the deficit. The Council unanimously agreed on the BDO Recommendations as follows:

City Council/City Clerk

1. **Defund Assistant City Clerk Position**
2. **Defund Administrative Assistant Position from Council Office.**

City Attorney

1. **Defund Assistant City Attorney Position**

City Manager

1. **Reduce PR/Advertising Budget by 40% in Media and Communications**
2. **Reduce City Manager Contingency to $140,000**
3. **Defund vacant Executive Assistant to the City Manager Position**
4. **Defund Deputy City Manager Position and not Replace with a Sr. Management Analyst Position**

Community Development

1. **In Code/Building and Safety – Revenue Enhancement – Hire two Temp Parking Control Officers to work on Career Employee Furlough Days; Other Miscellaneous Revenue Increases and Reductions**

Economic Development

1. **.6235 – Public Relations: Reduce Advertising, Broker Events, Regional Event Sponsorships, Shop Moreno Valley Campaign**
2. **Consolidating Several Object Codes**
   .6252 – Dues and Subscriptions: Reduced IEEP Membership for City
   .6255 – Other Professional Services
   .6221 – Training and Travel
   .6215 – Communications
   .6231 – Advertising

.6256 – Legal Services
.6310 – Copier Charges
.6311 – Office Supplies
.6321 – Postage and Mail
.6391 – Other Materials

3. **Salaries/Benefits: Reimbursing ED Admin Salaries by 50% of Management Analyst's Salary, Which is Charged to the CDBG for the ERC. Reallocating 10% of the Senior Office Assistant's Salary to HOME Funds to More Accurately Reflect Current Workload**

Financial and Administrative Services

1. **Facilities CIP – Defund City Hall Annex 1 Capital Improvement Project Since the Facility is Not Currently Needed for Staff Expansion**

Fire

1. **Fire Prevention – Suspend Funding for Permit Plus Changes**
2. **Fire Ops – Defund Paramedic Captain Position**
3. **Emergency Ops – Increase CPR Fees from $30 to $65 Per Class**

Human Resources

1. **Workers' Comp – Reduce Workers' Compensation Reserves (Original Fund Balance of $4.5M Less DRO of $1.3 Will Leave a New Balance of $3.2M, Which is Approximately 85% Confidence Level Per Actuarial Review)**
2. **General Liability – Reduce Liability Reserves (Original Fund Balance of $2.0M Less DRO of $80K Will Leave a New Balance of $1.9M, Which is Approximately 85% Confidence Level Per Actuarial Review)**

Public Works

1. **Street Sweeping – Eliminate Contract Sweeping and Create Additional Equipment Operator Position in Lieu of Existing Maintenance Worker II Position Via an Existing Eligibility List From a Recent Internal Recruitment to Replace Contract Sweeping Function**

Discussion will continue to the next Study Session.

G.6 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 11, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

MV00072206

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

Item continued. Approved by a 5-0 vote.

G.7 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code; and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and Adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City's Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Item continued. Approved by a 5-0 vote.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

No report given.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

No comments given.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

a) Agency Representative: William Bopf
Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential Management Employees

a) City Manager Recruitment

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:50 p.m. by unanimous informal consent.

Submitted by:

_____

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

_____

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

MINUTES
May 25, 2010

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of May 19 – June 1, 2010.

Reports on Reimbursable Activities May 19 – June 1, 2010		
Council Member	Date	Meeting
William H. Batey II	5/26/10	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
Bonnie Flickinger	5/26/10	UCR Citizens University Committee
	6/01/10	Moreno Valley Hispanic Chamber of Commerce Adelante
Robin N. Hastings	5/26/10	32nd Annual Law Enforcement Appreciation and Awards Ceremony
Jesse L. Molina		None
Richard A. Stewart		None

Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 8, 2010

TITLE: CONFLICT OF INTEREST CODE – AGENCY REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council, as the code reviewing body of the City of Moreno Valley, direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The California Government Code §87306.5 provides that by no later than July 1 of each even-numbered year, the code reviewing body (City Council) shall direct every local agency, which has adopted a Conflict of Interest Code in accordance with the Political Reform Act of 1974 (Government Code §87100, et. seq.) to review its Conflict of Interest Code and, if a change in its code is necessitated by changed circumstances, submit an amended Conflict of Interest Code in accordance with subdivision (a) of §87302 and §87303 to the code reviewing body.

The code is not effective until approved by the code reviewing body. Within 90 days after receiving any proposed amendments or revisions, the code reviewing body shall do one of the following: (a) approve the proposed code as submitted; (b) revise the proposed code and approve it as revised; or (c) return the proposed code to the agency for revision and resubmission within 60 days. The code reviewing body shall either approve the revised code or revise it and approve it. When an amendment is approved

by the code reviewing body, it will be deemed adopted and will be promulgated by the agency.

Upon review of its code, if no change in the code is required, the local agency head (City Manager) shall submit a written statement to that effect to the code reviewing body no later than October 1 of the same year.

DISCUSSION

Attached to this report are the following documents provided by the Fair Political Practices Commission for each agency's consideration and use:

- Biennial Notice Worksheet
- Overview of Political Reform Act's Conflict of Interest Laws

Upon receipt of any amendments to the Conflict of Interest Code, which may include the addition or deletion of any staff positions in the City, staff will present the appropriate resolutions for Council approval.

ALTERNATIVES

Not applicable. The biennial review by every local government agency of its conflict of interest is a statutory requirement. As code reviewing body, the City Council must direct each local agency, which has adopted such conflict of interest code, to review its code and determine whether any changes are necessary.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Biennial Notice Worksheet
B. Overview of the Political Reform Act's Conflict of Interest Laws

Prepared By
Jane Halstead

Department Head Approval
Jane Halstead

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Local Agency Biennial Notice Worksheet

The following checklist may assist in the review of an agency's conflict-of-interest code. This is only a guide and is not intended to be an exclusive list of issues that may need review.

Does the code contain the following three basic components?

√ Language that incorporates FPPC Reg. 18730 or contains the basic provisions required in Government Code section 87302

√ A list of designated positions whose duties include making or participating in making governmental decisions

√ Disclosure categories specifying financial interests (investments, interests in real property, income, and business positions) that filers in designated positions must disclose

Review the agency's organization chart and duty statements

√ Do positions need to be added or deleted?

√ Is there a need to reclassify disclosure for any positions?

√ Are consultants designated?

√ Do any officials/consultants manage public investments?

√ Amendments needed? Use underline and strikeout to illustrate changes.

Review the minutes of the agency's boards, commissions and committees

√ Are they solely advisory or do they have decision-making authority?

III. ~~PUBLIC WORKS OFFICE~~
MAINTENANCE DIVISION

1. Maintenance Superintendent 2
2. Maintenance Supervisor 2
~~2. Asst. Maintenance Superintendent ..... 2~~
3. Senior Equipment Technician 3
~~4. Equipment Services Technician ..... 3~~

- The Public Works Office became the Maintenance Division.
- The Asst. Maintenance Superintendent was reclassified to Maintenance Supervisor.
- The Equipment Services Technician is a manual position and was deleted.

Other Documentation

√ A review of joint powers agreements, minutes and annual reports may assist in determining whether designated positions and their respective disclosure categories are accurately reflected.

Notification

√ If amendments are needed, notify employees and the public.

EXHIBIT A

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Can I vote?

A Basic Overview Of Public Officials' Obligations Under the Political Reform Act's Conflict-of-Interest Rules

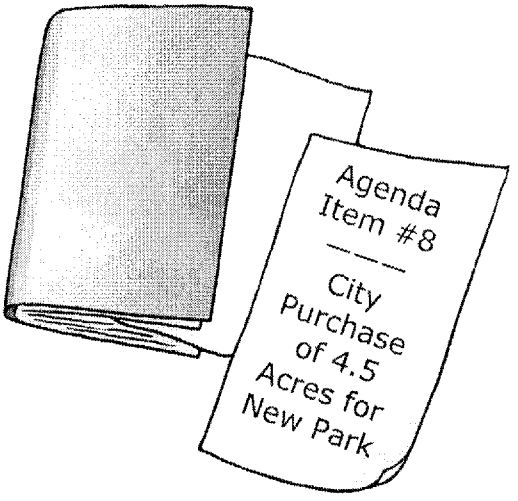

California Fair Political Practices Commission

EXHIBIT B

"My home is near the proposed new shopping mall. Can I vote on the issue at next month's Planning Commission meeting?"

Many of you may have been confronted with such questions. This booklet is offered by the FPPC as a general overview of your obligations under the Political Reform Act's conflict-of-interest rules. Using non-technical terms, the booklet is aimed at helping you understand your obligations at the "big picture" level and to help guide you to more detailed resources.

Stripped of legal jargon:

➢You have a conflict of interest with regard to a particular government decision if it is sufficiently likely that

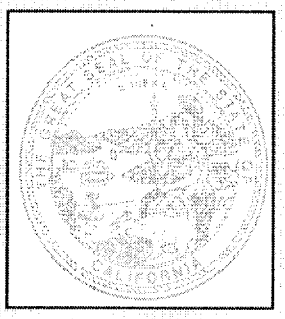

Fair Political Practices Commission

Toll-free Advice Line: 1-866-ASK-FPPC

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the outcome of the decision will have an important impact on your economic interests, **and**

➢a significant portion of your jurisdiction does not also feel the important impact on their economic interests.

The voters who enacted the Political Reform Act by ballot measure in 1974 judged such circumstances to be enough to influence, or to appear to others to influence, your judgment with regard to that decision.

The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise. No one ever has a conflict of interest under the Act "on general principles" or because of personal bias regarding a person or subject. A conflict of interest can only arise from particular kinds of economic interests, which are explained in non-technical terms later in this booklet.

An important note...

You should not rely solely on this booklet to ensure compliance with the Political Reform Act, but should also consult the Act and Commission regulations. The Political Reform Act is set forth at Cal. Gov. Code §§81000-91014, and the Fair Political Practices Commission regulations are contained in Title 2, Division 6 of the California Code of Regulations. Both the Act and regulations are available on the FPPC's web site, http://www.fppc.ca.gov. Persons with obligations under the Act or their authorized representatives are also encouraged to call the FPPC toll-free advice line — **1-866-ASK-FPPC** — as far in advance as possible.

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If you learn to understand these interests and to spot potential problems, the battle is mostly won because you can then seek help on the more technical details of the law from your agency's legal counsel or from the California Fair Political Practices Commission. **The Commission's toll-free advice line is 1-866-ASK-FPPC (1-866-275-3772).**

Under rules adopted by the FPPC, deciding whether you have a financial conflict of interest under the Political Reform Act is an eight-step process. If you methodically think through the steps whenever there may be a problem, you can avoid most — if not all — mistakes. These steps are spelled out and explained in general terms in this booklet.

If you learn nothing else from this booklet, remember these things:

- **This law applies only to financial conflicts of interest; that is, conflicts of interest arising from economic interests.**
- **Whether you have a conflict of interest that disqualifies you depends heavily on the facts of each governmental decision.**
- **The most important proactive step you can take to avoid conflict of interest problems is learning to recognize the economic interests from which conflicts of interest can arise.**

On the next page are the eight steps:

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Eight steps to help you decide

Step One: Are you a "public official" within the meaning of the rules?

Step Two: Are you making, participating in making, or influencing a governmental decision?

Step Three: What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

Step Four: Are your economic interests directly or indirectly involved in the governmental decision?

Step Five: What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

Step Six: The important question: Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

Step Seven: If you have a conflict of interest, does the "public generally" exception apply?

Step Eight: Even if you have a disqualifying conflict of interest, is your participation legally required?

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Next, here is a non-technical explanation of each:

Public Official

Step One — Are you a "public official," within the meaning of the rules?

The Act's conflict-of-interest rules apply to "public officials" as defined in the law. This first step in the analysis is usually a formality — you are probably a public official covered by the rules. If you are an elected official or an employee of a state or local government agency who is designated in your agency's conflict-of-interest code, you are a "public official." If you file a Statement of Economic Interests (Form 700) each year, you are a "public official" under the Act (even if you are not required to file a Form 700, in some cases you may still be considered a public official because the definition covers more than specifically designated employees). The cases that are tougher to determine typically involve consultants, investment managers and advisers, and public-private partnerships. If you have any doubts, contact your agency's legal counsel or the FPPC.

Governmental Decision

Step Two — Are you making, participating in making, or influencing a governmental decision?

The second step in the process is deciding if you are engaging in the kind of conduct regulated by the

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conflict-of-interest rules. The Act's conflict-of-interest rules apply when you:

- ***Make*** a governmental decision (for example, by voting or making an appointment).
- ***Participate*** in making a governmental decision (for example, by giving advice or making recommendations to the decision-maker).
- ***Influence*** a governmental decision (for example, by communicating with the decision-maker).

A good rule of thumb for deciding whether your actions constitute making, participating in making, or influencing a governmental decision is to ask yourself if you are exercising *discretion* or *judgment* with regard to the decision. If the answer is "yes," then your conduct with regard to the decision is very probably covered.

When you have a conflict — Regulation 18702.5 (special rule for section 87200 public officials)

Government Code section 87105 and regulation 18702.5 outline a procedure that public officials specified in section 87200 must follow for disclosure of economic interests when they have a conflict of interest at a public meeting. The full text of this law and regulation may be viewed in the Library and Publications section of the FPPC's website at http://www.fppc.ca.gov.

Public officials specified in section 87200 of the Government Code, such as council members, planning commissioners, and boards of supervisors, must pub-

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licly identify in detail the economic interest that creates the conflict, step down from the dais **and must then leave the room**. This identification must be following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences.

Additionally, the disqualified official may not be counted toward achieving a quorum while the item is being discussed.

The identification of the conflict and economic interest must be made orally and shall be made part of the public record.

Exceptions:

- If the decision is to take place during a closed session, the identification of the economic interest must be made during the public meeting prior to the closed session but is limited to a declaration that the official has a conflict of interest. The economic interest that is the basis for the conflict need not be disclosed. The official may not be present during consideration of the closed session item and may not obtain or review any non-public information regarding the decision.

- A public official is not required to leave the room for an agenda item on the consent calendar provided that the official recuses himself or herself and publicly discloses the economic interest as described above.

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- A public official may speak as a member of the general public only when the economic interest that is the basis for the conflict is a personal economic interest, for example, his or her personal residence or wholly owned business. The official must leave the dais to speak from the same area as the members of the public and may listen to the public discussion of the matter.

Examples:

— The Arroyo City Council is considering widening the street in front of council member Smith's personal residence, which he solely owns. Council member Smith must disclose on the record that his home creates a conflict of interest preventing him from participating in the vote. He must leave the dais but can sit in the public area, speak on the matter as it applies to him and listen to the public discussion.

— Planning Commissioner Garcia is a greater than 10% partner in an engineering firm. The firm represents a client who is an applicant on a project pending before the planning commission. Commissioner Garcia must publicly disclose that the applicant is a source of income to her requiring her recusal. Commissioner Garcia must step down from the dais and leave the room. Since this is not a personal interest that is the basis for the conflict, she ***may not*** *sit in the public area and listen to the discussion.*

— Supervisor Robertson rents a home to a county employee. The county employee is the sub-

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ject of a disciplinary matter in a closed session of the Board of Supervisors. During the open session prior to adjourning to closed session, Supervisor Robertson announces that he must recuse himself from participating in the closed session ***but does not disclose that the reason for his recusal is a source of income nor does he name the county employee that is the source of income to him.*** *He may not attend the closed session or obtain any non-public information from the closed session.*

Economic Interests

Step Three — What are your economic interests? That is, what are the possible sources of a financial conflict of interest?

From a practical point of view, this third step is the most important part of the law for you. The Act's conflict-of-interest provisions apply only to conflicts of interest arising from economic interests. There are six kinds of such economic interests from which conflicts of interest can arise:

- **Business Investment**. You have an economic interest in a business entity in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more.

- **Business Employment or Management.** You have an economic interest in a business entity for which you are a director, officer, partner, trustee, employee, or hold any position of management.

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- **Real Property.** You have an economic interest in real property in which you, your spouse, your registered domestic partner, or your dependent children or anyone acting on your behalf has invested $2,000 or more, and also in certain leasehold interests.

"The most important thing you can do to comply with this law is to learn to recognize the economic interests from which a conflict of interest can arise."

- **Sources of Income.** You have an economic interest in anyone, whether an individual or an organization, from whom you have received (or from whom you have been promised) $500 or more in income within 12 months prior to the decision about which you are concerned. When thinking about sources of income, keep in mind that you have a community property interest in your spouse's or registered domestic partner's income — a person from whom your spouse or registered domestic partner receives income may also be a source of a conflict of interest to you. Also keep in mind that if you, your spouse, your registered domestic partner or your dependent children own 10 percent of more of a business, you are considered to be receiving "pass-through" income from the business's clients. In other words, the business's clients may be considered sources of income to you.

- **Gifts.** You have an economic interest in anyone, whether an individual or an organization, who has

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given you gifts which total $390 or more within 12 months prior to the decision about which you are concerned.

- **Personal Financial Effect.** You have an economic interest in your personal expenses, income, assets, or liabilities, as well as those of your immediate family. This is known as the "personal financial effects" rule. If these expenses, income, assets or liabilities are likely to go up or down by $250 or more in a 12-month period as a result of the governmental decision, then the decision has a "personal financial effect" on you.

On the Statement of Economic Interests (Form 700) you file each year, you disclose many of the economic interests that could cause a conflict of interest for you. However, be aware that not all of the economic interests that may cause a conflict of interest are listed on the Form 700. A good example is your home. It is common for a personal residence to be the economic interest that triggers a conflict of interest even though you are not required to disclose your home on the Form 700.

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Directly or Indirectly Involved?

Step Four — Are your economic interests directly or indirectly involved in the governmental decision?

An economic interest which is directly involved in — and therefore directly affected by — a governmental decision creates a bigger risk of a conflict of interest than does an economic interest which is only indirectly involved in the decision. As a result, the FPPC's conflict-of-interest regulations distinguish between economic interests that are directly involved and interests that are indirectly involved.

Once you have identified your economic interests, you must next decide if they are directly involved in the governmental decision about which you are concerned. The FPPC has established specific rules for determining whether each kind of economic interest is directly or indirectly involved in a governmental decision.

The details of these rules are beyond the scope of this guide. In general, however, an economic interest is directly involved if it is the subject of the governmental decision. For example, if the interest is real property, and the decision is about building a donut shop down the block from the property, then the interest is directly involved. If the interest is a business, and the decision is whether to grant a license for which the business has applied, the interest is directly involved.

These are just examples; you should contact your agency counsel, the FPPC and the specific regulations

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if you have questions as each case arises. Note also that the next step in the analysis — applying the right standard to determine whether an impact is material — depends in part on whether the interest is directly or indirectly involved. The regulations — Sections 18704 through 18704.5 — and other helpful information can be found on the FPPC's web site, http://www.fppc.ca.gov.

Materiality (Importance)

Step Five — What kinds of financial impacts on your economic interests are considered important enough to trigger a conflict of interest?

At the heart of deciding whether you have a conflict of interest is a prediction: Is it sufficiently likely that the governmental decision will have a material financial effect on your economic interests? As used here, the word "material" is akin to the term "important." You will have a conflict of interest only if it is reasonably foreseeable that the governmental decision will have an important impact on your economic interests.

The FPPC has adopted rules for deciding what kinds of financial effects are important enough to trigger a conflict of interest. These rules are called "materiality standards," that is, they are the standards that should be used for judging what kinds of financial impacts resulting from governmental decisions are considered material or important.

There are too many of these rules to review in detail in this booklet. Again, you can seek advice for your

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"Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them."

-- California Political Reform Act of 1974

agency counsel or the FPPC. However, to understand the rules at a "big picture" level, remember these facts:

- If the economic interest is directly involved in the governmental decision, the standard or threshold for deeming a financial impact to be material is stricter (i.e. lower). This is because an economic interest that is directly involved in a governmental decision presents a bigger conflict-of-interest risk for the public official who holds the interest.

- On the other hand, if the economic interest is not directly involved, the materiality standard is more lenient because the indirectly involved interest presents a lesser danger of a conflict of interest.

- There are different sets of standards for the different types of economic interests. That is, there is one set of materiality standards for business entities, another set for real property interests, and so on.

- The rules vary by the size and situation of the economic interest. For example, a moment's thought will tell you that a $20,000 impact resulting from a governmental decision may be crucial to a small business, but may be a drop in the bucket for a big corporation. For example, the materiality standards

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distinguish between large and small businesses, between real property which is close or far from property which is the subject of the decision.

Does a Conflict of Interest Result?

Step Six — Is it substantially likely that the governmental decision will result in one or more of the materiality standards being met for one or more of your economic interests?

As already mentioned in the introduction, the heart of the matter is deciding whether it is sufficiently likely that the outcome of the decision will have an important impact on your economic interests.

What does "sufficiently likely" mean? Put another way, how "likely" is "likely enough?" The Political Reform Act uses the words "reasonably foreseeable." The FPPC has interpreted these words to mean "substantially likely." Generally speaking, the likelihood need not be a certainty, but it must be more than merely possible.

A concrete way to think about this is to ask yourself the following question: Is it substantially likely that one of the materiality standards I identified in step five will be met as a result of the government decision? Step six calls for a factual determination, not necessarily a legal one. Also, an agency may sometimes segment (break down into separate decisions) a decision to allow participation by an official if certain conditions are

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met. Therefore, you should always look at your economic interest and how it fits into the entire factual picture surrounding the decision.

"Public Generally" Exception

Step Seven — If you have a conflict of interest, does the "public generally" exception apply?

Now that you have determined that you will have a conflict of interest for a particular decision, you should see if the exceptions in Step 7 and Step 8 permit you to participate anyway. Not all conflicts of interest prevent you from lawfully taking part in the government decision at hand. Even if you otherwise have a conflict of interest, you are not disqualified from the decision if the "public generally" exception applies.

This exception exists because you are less likely to be biased by a financial impact when a significant part of the community has economic interests that are substantially likely to feel essentially the same impact from a governmental decision that your economic interests are likely to feel. If you can show that a significant segment of your jurisdiction has an economic interest that feels a financial impact which is substantially similar to the impact on your economic interest, then the exception applies.

The "public generally" exception must be considered with care. You may not just assume that it applies. There are specific rules for identifying the specific seg-

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ments of the general population with which you may compare your economic interest, and specific rules for deciding whether the financial impact is substantially similar. Again, contact your agency counsel, the FPPC and the specific rules for advice and details. The regulations outlining the steps to apply the "public generally" exception can be found on the FPPC website at http://www.fppc.ca.gov under regulations 18707-18707.9.

Are you required to participate?

Step Eight — Even if you have a disqualifying conflict of interest, is your participation legally required?

In certain rare circumstances, you may be called upon to take part in a decision despite the fact that you have a disqualifying conflict of interest. This "legally required participation" rule applies only in certain very specific circumstances in which your government agency would be paralyzed, unable to act. You are most strongly encouraged to seek advice from your agency legal counsel or the FPPC before you act under this rule.

Conclusion

Generally speaking, here are the keys to meeting your obligations under the Political Reform Act's conflict-of-interest laws:

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- Know the purpose of the law, which is to prevent biases, actual and apparent, which result from the financial interests of the decision-makers.

- Learn to spot potential trouble early. Understand which of your economic interests could give rise to a conflict of interest.

- Understand the "big picture" of the rules. For example, know why the rules distinguish between directly and indirectly involved interests, and why the public generally exception exists.

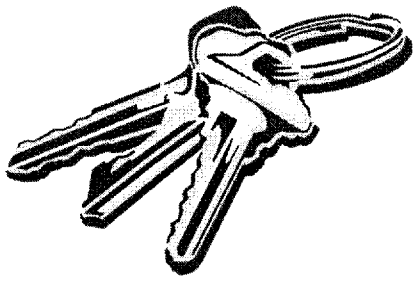

- Realize the importance of the facts. Deciding whether you have a disqualifying conflict of interest depends just as much — if not more — on the facts of your particular situation as it does on the law.

- Don't try to memorize all of the specific conflict-of-interest rules. The rules are complex, and the penalties for violating them are significant. Learn to understand the "big picture." You'll then be able to look up or ask about the particular rules you need to apply to any given case.

- Don't be afraid to ask for advice. It is available from your agency's legal counsel and from the FPPC.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of the Moreno Valley Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt Resolution No. 2010-37 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11, on file in the office of the City Treasurer.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

The City of Moreno Valley Community Facilities District No. 2 (Auto Mall) ("CFD No. 2") formation permitted a bonded indebtedness in an amount not to exceed $14,700,000. The sale of bonds in June 1989 financed infrastructure improvements and acquisition. Except for funds set aside for traffic signal construction at the eastbound off ramp of State Route 60 and Moreno Beach Dr., the improvements were declared complete in 1993, and the excess improvement funds were used to retire $2,805,000 in bonds in December 1993. The traffic signal construction was completed June 14, 1996, and the remaining funds were used to call $95,000 in bonds on June 2, 1997.

There were special tax payment delinquencies on eleven (11) parcels within CFD No. 2. Landmark Land Company of California failed to remit their payments starting with the April 10, 1994 through December 10, 1999 installments on nine parcels. Foreclosure proceedings began in May 1994. The foreclosure was delayed due to bankruptcy proceedings against Oak Tree Federal Savings Bank, Landmark Land Company's parent corporation. On February 7, 1997, a judicial foreclosure sale was held at the Riverside County Courthouse. No bids were received for the properties. In addition to the nine Landmark Land Company delinquencies, the Federal Deposit Insurance Corporation (FDIC) failed to make the April 10, 1997, through December 10, 1999, payments on two (2) parcels.

The bonds defaulted on December 1999, requiring City staff to work with the current auto dealerships and professional consultants to resolve the delinquencies by refinancing the outstanding debt and providing for the acquisition of the nonperforming parcels by new property owners.

On January 25, 2000, a Settlement Agreement, as developed through a combined effort of City staff, the Auto Mall dealerships, and professional consultants, was approved by the City Council. The City Council adopted the Amended and Restated Agreement on March 7, 2000. These agreements provided for the refinancing of the CFD No. 2 Special Tax Bonds and restructuring of the special taxes, remedied the Event of Default on December 1, 1999, reduced and discharged the delinquent ad valorem taxes and special taxes, provided for the disposition of the nonperforming parcels, facilitated development of the nonperforming parcels, established a defined interpretation of the calculation of special tax, and settled all claims. In March 2000, the City formed Community Facilities District No. 3 ("CFD No. 3") for the purpose of restructuring the special tax and issuing bonds to refinance CFD No. 2. On April 5, 2000, $8,075,000 of CFD No. 3 bonds were sold to refinance the outstanding CFD No. 2 bonds. At formation of CFD No. 3, the rate and method of apportionment ("RMA") established a maximum special tax rate that could be levied against properties within CFD No. 3.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 2 was established to finance the capital costs for public improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were sold to provide the funding for acquisition of these improvements. Only properties benefiting from the improvements had annual special tax levies placed on the property tax roll to repay the bonded indebtedness. CFD No. 3 Special Tax Bonds, Series 2000 (the "Bonds"), were issued to refinance the CFD No. 2 bonds. Due to these factors, CFD No. 3 is exempt from the provisions of Proposition 218. Subsequent increases if required, not addressed in the March 7, 2000, CFD Report, will be subject to a two-thirds voter approval by the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the RMA required to cover the special tax requirement for CFD No. 3, as submitted in the Special Tax

Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The maximum special tax rates are based upon the assigned zone and development status for each parcel within CFD No. 3, as determined by the timing of the building permit. Developed parcels are those parcels that have a building permit issued prior to January of the current year. For each fiscal year following 2000/01, the Maximum Special Tax rates shall increase by an amount equal to 2% of the Maximum Special Tax in effect for the prior fiscal year. The Maximum Special Tax applicable to each parcel, or portion thereof, shall be obtained by multiplying the taxable acreage for the parcel or portion thereof by the appropriate maximum special tax rate for the parcel's assigned zone as shown within the table below.

Community Facilities District No. 3 (Auto Mall Refinancing) MAXIMUM SPECIAL TAX RATES BY LAND USE CLASSIFICATION FOR FISCAL YEAR 2010/11		
Zone	Developed Property	Undeveloped Property
A	NA*	NA*
B	$14,628/Taxable Acres	$7,905/Taxable Acres
C	$9,751/Taxable Acres	$3,279/Taxable Acres

Based upon the application of the RMA, properties located within Zone A of CFD No. 3 are not taxable after FY 2009/10.

The special tax levy is applied only to those taxable parcels within the boundaries of CFD No. 3 and will be collected on the annual tax bills prepared by the County of Riverside. The debt service shall be paid from a combination of CFD special taxes and Redevelopment tax increment and limited project specific sales tax.

ALTERNATIVES

1. Approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 3 Bonds.*

2. Do not approve and adopt the proposed resolution to implement the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 3 Bonds. Bond reserves cover the shortfall and/or the payments to the bondholders to prevent an event of default. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the CFD No. 3 property owner's 2010/11 tax bill. The amounts of the individual charges are reported in the Annual Special Tax Report on file in the office of the City Treasurer. **The funds collected through the CFD No. 3 are restricted funds, which may only be used to pay the debt service for CFD No. 3.** There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment and sales tax revenues, as defined in various Participation Agreements, may offset the special tax.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 3 bonded indebtedness shall be collected in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 3, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service of CFD No. 3, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer.

NOTIFICATION

Not Applicable

ATTACHMENTS/EXHIBITS

Exhibit A — A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 3

Exhibit B — Boundary Map of CFD No. 3

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 2000-27 ("Resolution") approving the form of the Bond Indenture ("Indenture") terms and conditions pertaining to the issuance of the Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) Special Tax Bond, Series 2000 in the amount of $8,075,000 of the; and,

WHEREAS, the City has prepared and submitted the Annual Special Tax Report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District, which is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 3 as set forth in the Report and herby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

Resolution No. 2010-__
Date Adopted: _____

Exhibit A

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare}

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

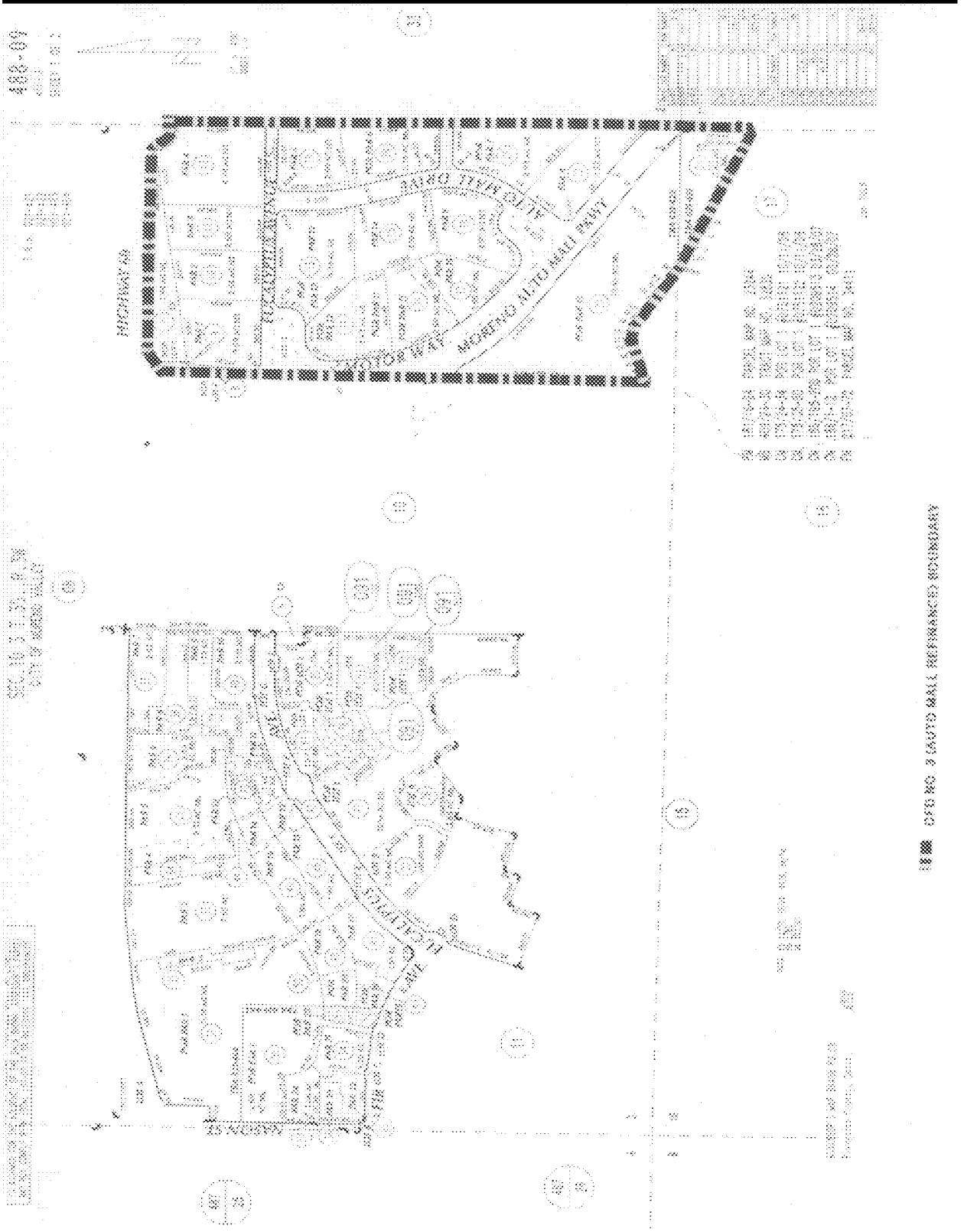
MORENO HIGH SCHOOL
TRACT 31777
MORENO HIGH SCHOOL

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

1 Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1; and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1 was authorized to issue bonds. In April 1988, the Series A Bonds were sold in the amount of $9,000,000 to finance Phase I improvements. The Series B Bonds were sold in August 1991 in the amount of $12,000,000 to fund the remaining improvements within CFD No. 87-1.

In May of 1994, the legislative body of CFD No. 87-1 approved the issuance of the Special Tax Refunding Series A ($14,170,000) and Series B ($8,530,000) Bonds, which were sold on June 24, 1994. These bonds are collectively known as the "Prior Bonds".

In October of 2007, the legislative body of CFD No. 87-1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 (Towngate) Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the Prior Bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 was established to finance the capital costs for roadway improvements, including grading, paving, sewers, sidewalks, landscaping, etc. Bonds were issued to provide funding for these improvements. Only commercial properties within the CFD No. 87-1 are subject to the annual special tax to repay the bonded indebtedness. Subsequent increases in the special tax, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum special tax rate for CFD No. 87-1 is $11,500 per net acre. This amount is uniformly applied to developed property and may only be applied to undeveloped property if the maximum special tax levy on the developed property is insufficient to cover the annual special tax requirement.

The special tax will be levied per parcel and collected on the annual property tax bills, which are prepared by the County of Riverside. Only taxable parcels within the boundaries of CFD No. 87-1 shall be subject to the special tax. The total special tax requirement will be funded through a combination of CFD No. 87-1 special tax, TownGate Specific Plan Area tax increment as provided by the Redevelopment Agency, and excess Reserve Fund interest earnings.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Annual Accountability Report in compliance with

California Government Code Sections 53410 and 53411 ("Code Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with Fiscal Year (FY) 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Annual Special Tax and Bond Accountability Report which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information, as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval would allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there would be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting viability of future bond sales. Failure to file the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the FY 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1. **Funds collected through CFD No. 87-1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1.** The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer.

There are no general fund expenditures involved with this special tax obligation. Specific uses of parcel Redevelopment tax increment, as defined in various Owner Participation Agreements, may offset the special taxes. No single family residential property is affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to repay the CFD No. 87-1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1, shall have an opportunity to consider implementing the RMA to provide the payment of annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1. The other report approves the special tax levy and reporting requirements for CFD No. 87-1 Improvement Area No. 1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1
Exhibit C	Boundary Map for CFD No. 87-1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 88-13 establishing the terms and conditions pertaining to the issuance of the $9,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Special Tax Bonds, Series "A" ("1988 Bonds"); and, adopted Resolution No. 91-90 establishing the terms and conditions pertaining to the issuance of the $12,000,000 City of Moreno Valley Towngate Community Facilities District No. 87-1 Special Tax Bonds, Series "B" ("1991 Bonds"); and,

WHEREAS, the District, did previously adopt Resolution No. 94-28, which established the terms and conditions pertaining to the issuance of the City of Moreno Valley Community Facilities District No. 87-1 (Towngate) $14,170,000 Special Tax Refunding Bonds, Series A ("1994 Series A Bonds") and $8,330,000 Special Tax Refunding Bonds, Series B ("1994 Series B Bond") (collectively, the "Prior Bonds"); and,

WHEREAS, the legislative body of the District determined that it would be prudent in the management of the fiscal affairs of the District to proceed with issuing bonds for the purpose of refunding the Prior Bonds; and,

WHEREAS, this legislative body, approved Resolution No. 2007-119 to authorize the issuance of 2007 Special Tax Refunding Bonds for CFD No. 87-1, which were sold on November 29, 2007, at $10,665,000; and,

WHEREAS, this legislative body approved the Bond Indenture to establish the terms and conditions pertaining to the issuance of the 2007 Special Tax Refunding Bonds; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 87-1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this day _____ of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2010-39

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF AN ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file a report with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the report in compliance with the above mentioned Government Code Sections, and that a copy of the Annual Accountability Report is on file in the office of the City Treasurer for review by the public upon request.

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APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

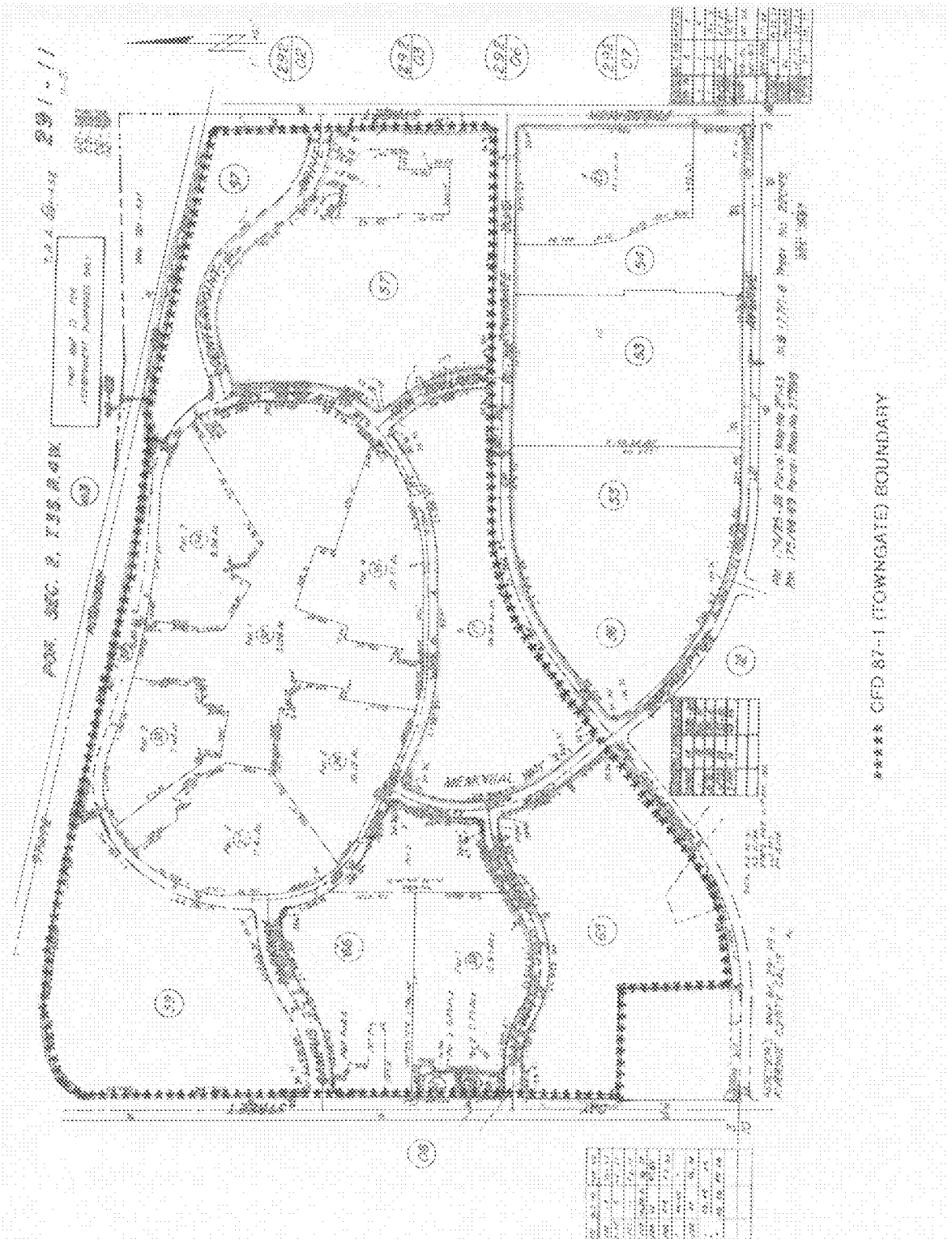

Exhibit C

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

1) Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

2 Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not Applicable.

BACKGROUND

As part of the formation proceedings, CFD No. 87-1, Improvement Area No. 1 was authorized to issue bonds. On March 23, 1993, the Moreno Valley City Council approved Resolution No. 93-16 to authorize the issuance of $5,000,000 in bonds for

CFD No. 87-1 Improvement Area No. 1, which were sold on June 24, 1994. The bonds contained a capitalized interest component, which precluded the necessity to levy a Special Tax for 1993/94; therefore, fiscal year (FY) 1994/95 was the first year for a Special Tax levy.

In October of 2007, the legislative body of CFD No. 87-1 Improvement Area No. 1 adopted Resolution Nos. 2007-119 and 2007-120 to authorize the issuance of 2007 Special Tax Refunding Bonds ("Bonds") for CFD No. 87-1 and CFD No. 87-1 Improvement Area No. 1. On November 29, 2007, $10,665,000 of CFD No. 87-1 Bonds and $4,075,000 of CFD No. 87-1 Improvement Area No. 1 Bonds were sold. The issuance of the Bonds accomplished a net reduction in debt service requirements from the refunded bonds as a result of receiving favorable interest rates. Construction and acquisition of public improvements within CFD No. 87-1 Improvement Area No. 1 have been completed for more than a decade.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. CFD No. 87-1 Improvement Area No. 1 was established to finance the acquisition, construction, and/or installation of public facilities, which include sewer and water improvements, traffic signals, freeway ramps and land for a detention basin. Bonds were issued to provide funding for these improvements. Only commercial properties within the District are subject to an annual special tax to repay the bonded indebtedness. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds voter approval of the property owners.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to meet the special tax requirement for CFD No. 87-1 Improvement Area No.1, as submitted in the Special Tax Report on file in the office of the City Treasurer. Detailed within the Annual Special Tax Report is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement. The special taxes for CFD 87-1 Improvement Area No. 1 shall be levied at a uniform rate per taxable acre on all parcels within each of two tax rate areas. Tax Rate Area 1 consists of approximately 80.15 net taxable acres, which is responsible for 59% of the special tax levy up to the maximum special tax rate of $4,450 per taxable acre. Tax Rate Area 2 is responsible for 41% of the special tax levy up to a maximum special tax rate of $3,850 per taxable acre.

The special tax will be levied per parcel and collected on the annual property tax bills as prepared by the County of Riverside. The special tax levy is applied only to those parcels within the boundaries of CFD No. 87-1 Improvement Area No. 1.

Additionally, City Council is being asked to approve and adopt a resolution to approve the submittal of the CFD 87-1 Improvement Area No. 1 Annual Accountability Report in compliance with California Government Code Sections 53410 and 53411 ("Code

Sections"). Sales of local bonds require the chief fiscal officer of the issuing local agency to file a report with its governing body at least once a year ("Annual Accountability Report"). Beginning with FY 2008/09, and every year thereafter, Special Districts shall include the requirements of this Annual Accountability Report as part of the CFD 87-1 Improvement Area No. 1 Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer. The Annual Accountability Report provides the following information as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification that the bond proceeds are being utilized for the purposes identified in the CFD formation and bond financing documents, which includes creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

ALTERNATIVES

1. Approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and approve the submittal of the Annual Accountability Report in compliance with the Code Sections, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. *This approval will allow collection of funds necessary to pay the annual debt service on CFD No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Refunding Bonds and comply with state reporting requirements.*

2. Do not approve and adopt the proposed resolutions to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1 and the Annual Accountability Report, as submitted in the Annual Special Tax and Bond Accountability Report, in compliance with the Code Sections, on file in the office of the City Treasurer. *If the collection of the special taxes are not approved, there will be a shortage of funds necessary to pay the annual debt service on CFD No. 87-1 Improvement Area No. 1 Special Tax Refunding Bonds. Bond reserves would be used to cover the shortfall and a technical default would occur. Default to bondholders may significantly impact the City of Moreno Valley's reputation in the bond market, thereby, possibly affecting the viability of future bond sales. Filing of the Annual Accountability Report is a legal requirement, which would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 tax bill for each of the taxable parcels within the boundary of CFD No. 87-1 Improvement Area No. 1. **The funds collected through the CFD No. 87-1, Improvement Area No. 1 are restricted funds, which may only be used to pay the debt service for CFD No. 87-1,**

Improvement Area No. 1. The amounts of the individual charges are reported in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are no general fund expenditures involved with this special tax obligation. The property within the CFD No. 87-1 Improvement Area No. 1 boundary is commercial; therefore, there are no residential properties affected by this special tax levy. There is no fiscal impact associated with filing a report in compliance with the Code Sections.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

Special taxes necessary to repay the CFD No. 87-1 Improvement Area No. 1 bonded indebtedness shall be collected and accounted for in accordance with the provisions outlined within the RMA and the Bond Indenture.

SUMMARY

City Council, acting in their capacity as the legislative body of the Moreno Valley CFD No. 87-1 Improvement Area No. 1, shall have an opportunity to consider implementing the RMA to provide the payment of the annual debt service for the Bonds, as submitted in the Annual Special Tax and Bond Accountability Report on file in the office of the City Treasurer. There are two similar reports on the agenda tonight. This report approves the special tax levy and reporting of the Code Sections for CFD No. 87-1 Improvement Area No. 1. The other one approves the special tax levy and reporting requirements for CFD No. 87-1.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A	A proposed resolution to accept and approve the Annual Special Tax Report for FY 2010/11 for CFD No. 87-1 Improvement Area No. 1
Exhibit B	A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1
Exhibit C	Boundary Map CFD No. 87-1 Improvement Area No.1

Prepared By
Sharon Sharp
Senior Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

RESOLUTION NO. 2010-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, formed Community Facilities District No. 87-1 Improvement Area No. 1 ("District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Resolution No. 93-16 approving the Bond Indenture terms and conditions pertaining to the issuance of the $5,000,000 City of Moreno Valley Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 Special Tax Bonds; and,

WHEREAS, on October 27, 2007, the legislative body adopted Resolution No. 2007-120, which authorized the issuance of Special Tax Refunding Bonds for the District to accomplish a net reduction in the debt service requirement, and approved the Bond Indenture terms and conditions pertaining to the issuance of $4,075,000 for Community Facilities District No. 87-1 Improvement Area No. 1; and,

WHEREAS, an annual special tax report ("Report") for fiscal year ("FY") 2010/11, which fully sets forth all information concerning the District is on file in the office of the City Treasurer and is incorporated herein by this reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, on file in the Office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No 87-1 Improvement Area No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the tax.

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00072260

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2010-41

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 87-1 IMPROVEMENT AREA NO. 1

WHEREAS, Government Code §53410 requires that on or after January 1, 2001, any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

MV00072262

APPROVED AND ADOPTED this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

MV00072263

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00072264

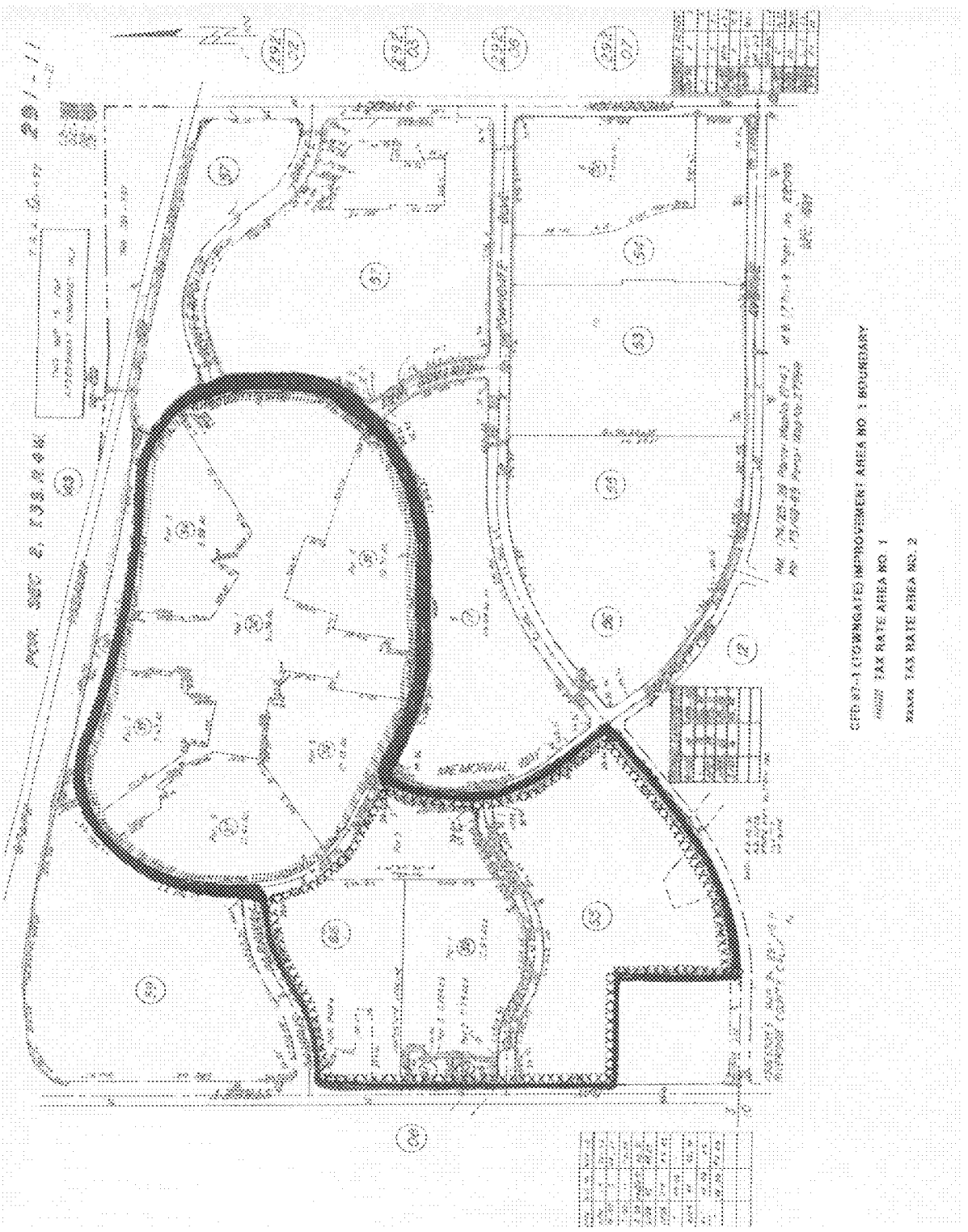

Exhibit C

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Fixed Charges\County Submission\2010-11\Prop 218 Stfrpt 6.8.10.doc

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

ATTACHMENT 1

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00072271

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00072274

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	WB

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 5

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

1. Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

BACKGROUND

Community Facilities District No. 5 ("CFD No. 5" or "District") consists of Stoneridge Towne Centre, which is zoned for commercial/retail use. The site, located at the northeast corner of the Nason Street and Fir Avenue, is approximately 64 gross acres, of which 33 are net taxable acres.

On October 25, 2005, City Council adopted Resolution No. 2005-104 to form CFD No. 5 to finance the capital costs related to the Stoneridge Towne Centre commercial development for street improvements (Nason Street, Dracaea Avenue, Eucalyptus Avenue, and Fir Avenue), traffic signals, water, sewer, drainage, and electrical improvements.

California Government Code Sections 53410 and 53411 ("Code Sections") state that any local bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures that include, but are not limited to, the chief fiscal officer of the issuing local agency filing an Annual Accountability Report with its governing body at least once a year. The Annual Accountability Report shall contain the specific purpose of the bonds, both the amount of funds collected and expended, and the status of any project required or authorized to be funded as identified in the statement indicating the specific purpose of the bonds.

DISCUSSION

Each year during the term of the debt, an Annual Special Tax Report must be approved by the City Council to provide funds for the annual debt service requirements. Detailed within the Annual Special Tax Report are the total annual debt service, administrative requirements, and the calculation of the special tax levy, as per the rate and method of apportionment ("RMA"), to meet the FY 2010/11 special tax requirement. The FY 2010/11 Annual Special Tax Report is on file with the City Treasurer.

The maximum annual special tax for developed and undeveloped property has been established by the RMA at $10,652.00 per acre for FY 2006/07. Per the RMA, the maximum annual special tax shall be increased by an amount equal to two percent (2%) each fiscal year in order to meet the annual special tax requirement. The maximum special tax rate for FY 2010/11 is $11,530 per acre. Subsequent increases, not addressed in the RMA, will be subject to a two-thirds voter approval of the property owners. The County of Riverside collects the special tax levy per taxable parcel, not exempted, on the annual property tax bills.

The special tax is applied only to those taxable parcels within the District boundaries, excluding parcels not subject to the special tax, which includes parcels owned by Target Corp and Kohls Dept Stores, Inc. that prepaid their special tax obligation. The CFD No.5 debt service is calculated based on a total acreage of 33.

The CFD No. 5 Annual Accountability Report provides the following accountability measure as required by the Code Sections:

a) A statement indicating the specific purpose of the bonds;
b) Verification of the satisfaction of the requirement that the proceeds are being applied only to the specific purposes identified to the CFD formation and bond financing documents. This includes the creation of an account into which the bond proceeds were deposited upon bond issuance;
c) The amount of funds collected and expended; and
d) The status of the project.

The Annual Special Tax Report and the Annual Accountability Report have been consolidated into the Annual Special Tax and Bond Accountability Report, which is on file in the office of the City Treasurer.

ALTERNATIVES

1. **Approve and adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *Approval of the resolutions will allow for the collection of the special taxes necessary to cover the annual debt service of CFD No. 5 and ensure reporting compliance with the Code Sections.*

2. **Do not approve or adopt the proposed resolutions:** 1) to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 5 and 2) to approve the submittal of the Annual Accountability Report for CFD No. 5. *If the special tax levy was not approved, there may be a shortage of funds necessary to cover the annual debt service of CFD No. 5. Not approving the Annual Accountability Report would be a violation of the Code Sections.*

FISCAL IMPACT

The fiscal impact will be a special tax applied to the 2010/11 Riverside County property tax bill for those parcels subject to the special tax. **The special tax levied on properties within the boundaries of CFD No. 5 can only be used to cover the annual special tax requirement for the District. There is no fiscal impact on the General Fund associated with the annual debt service or for the submittal of the Annual Special Tax and Bond Accountability Report for CFD No. 5.**

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to cover the annual debt service for CFD No. 5 shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 5, per the RMA, required to cover the special tax requirement of CFD No. 5, as submitted in the Annual Special Tax Report on file in the office of the City Treasurer. Also being considered is the approval and submittal of the Annual Accountability Report for CFD No. 5.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Annual Special Tax Report

EXHIBIT B A proposed resolution to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 5

EXHIBIT C Boundary Map of CFD No. 5

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 5 Stoneridge\Administration\Annual Reports\2010-11\staff report and resolutions\CFD 5 10_11 levy - Staff Report.doc

RESOLUTION NO. 2010-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 5 ("CFD No. 5" or "District") pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 701 ("Ordinance") to authorize a levy of a special tax within CFD No. 5; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual debt service of Community Facilities District No. 5 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District, excluding parcels not subject to the special tax.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

RESOLUTION NO. 2010-44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 OF THE CITY OF MORENO VALLEY, APPROVING THE SUBMITTAL OF THE ANNUAL ACCOUNTABILITY REPORT IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 53410 and 53411 FOR COMMUNITY FACILITIES DISTRICT NO. 5

WHEREAS, Government Code §53410 requires that on or after January 1, 2001 any bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency shall provide accountability measures; and,

WHEREAS, Government Code §54311 requires the chief fiscal officer of the issuing local agency to file an Annual Accountability Report ("Report") with its governing body no later than January 1, 2001, and at least once a year thereafter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE that the City of Moreno Valley submits the Report in compliance with the above mentioned Government Code Sections, and that the Report shall remain on file in the office of the City Treasurer for review by the public upon request.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00072288

64/20

CITY

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 5 OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

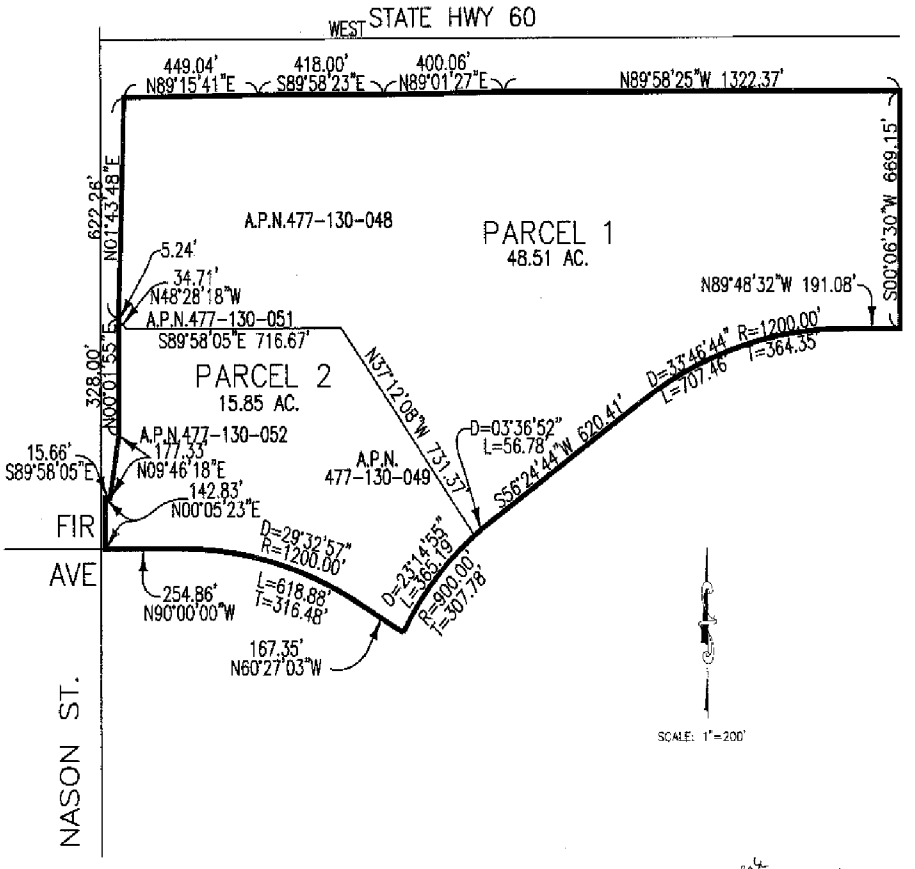

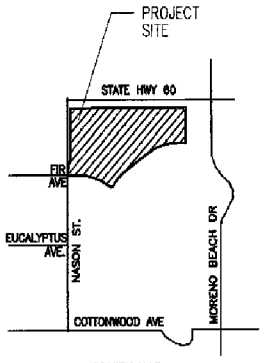

VICINITY MAP
NO SCALE

LEGEND

DISTRICT BOUNDARY

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 20th DAY OF September 2005.

CITY CLERK OF THE CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 5 CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, AT A REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE 13th DAY OF September 2005, BY ITS RESOLUTION No. 2005-78

CITY CLERK OF THE CITY OF MORENO VALLEY

FILED THIS 22nd DAY OF September 2005, AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 64 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS PAGE NOS. 20 THROUGH — AS INSTRUMENT NO. 2005-0785291 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF RIVERSIDE

FEE $ 7.—

REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

PROPOSED BOUNDARY MAP

Community Facilities District No. 5
of the City of Moreno Valley
County of Riverside, California

Sheet 1 OF 1

HARRIS & ASSOCIATES
34 Executive Park, Suite 150
Irvine, CA 92614
(949) 655-3900 • FAX (949) 855-3895

04/22/05

G:\Moreno Valley\CFD's\Map\CFD No 5 - Stoneridge Ranch.dwg

MV00072289

64/20

CITY

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 5 OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

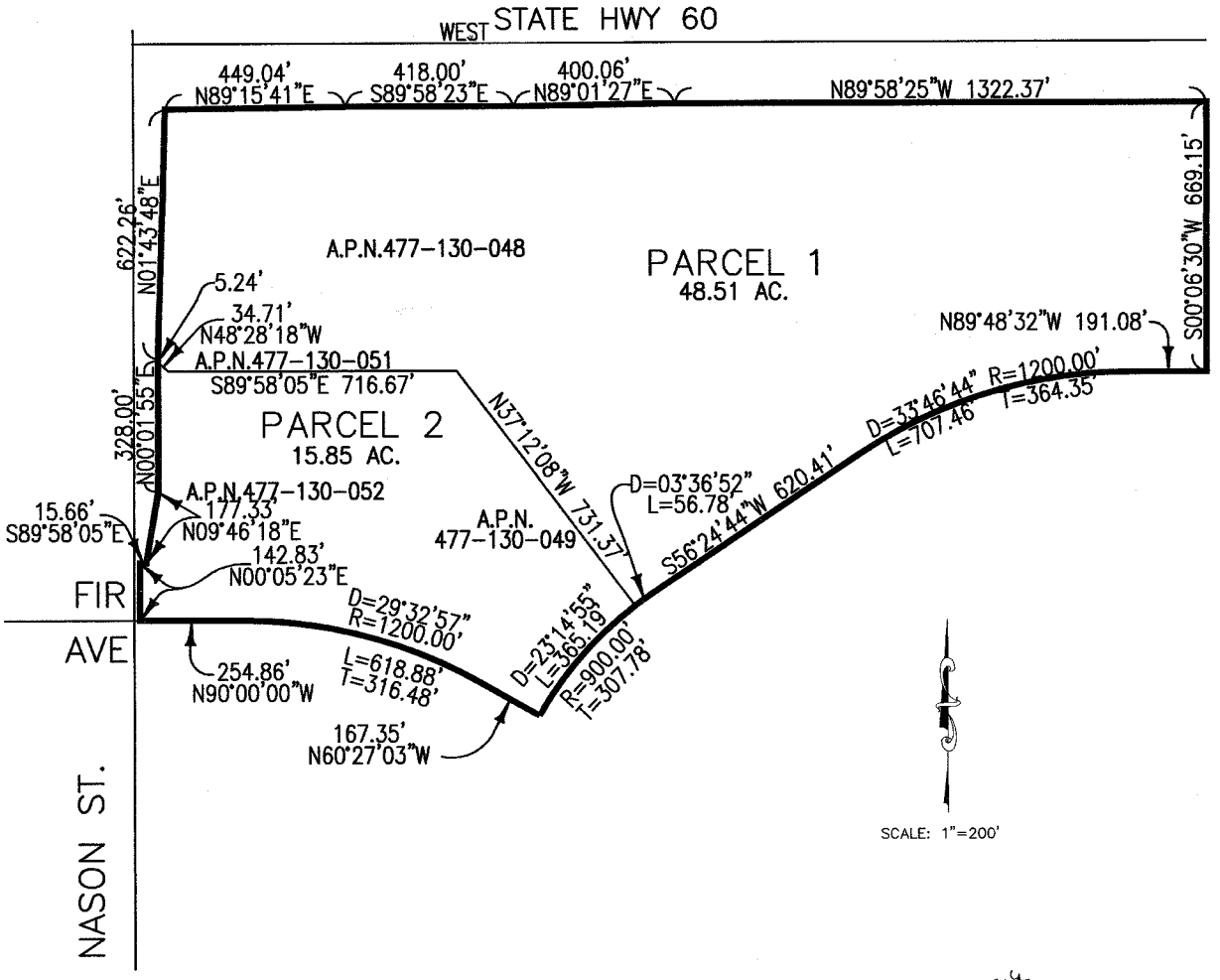

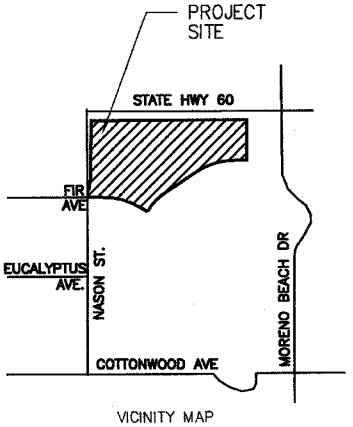

VICINITY MAP
NO SCALE

LEGEND

DISTRICT BOUNDARY

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS 20th DAY OF September 2005.

Marcia Ayars
CITY CLERK OF THE CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 5 CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY: AT A REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE 13th DAY OF September, 2005. BY ITS RESOLUTION No. 2005-78.

Marcia Ayars
CITY CLERK OF THE CITY OF MORENO VALLEY

FILED THIS 22nd DAY OF September, 2005. AT THE HOUR OF 8 O'CLOCK A.M. IN BOOK 64 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS PAGE NOS. 20 THROUGH — AS INSTRUMENT NO. 2005-0789529 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF RIVERSIDE

FEE $ 7.—

REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

PROPOSED BOUNDARY MAP

Community Facilities District No. 5
of the City of Moreno Valley
County of Riverside, California

Sheet 1 OF 1

HARRIS & ASSOCIATES
34 Executive Park, Suite 150
Irvine, CA 92614
(949) 655-3900 ● FAX (949) 655-3995

04/22/05

Q:\Moreno Valley\CFD#5\Map\CFD No 5 – Stoneridge Ranch.dwg

MV00072290

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as the Legislative Body of Moreno Valley Community Facilities District No. 4—Maintenance

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4—MAINTENANCE FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance ("CFD No. 4—M") approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding CFD No. 4—M.

BACKGROUND

Centerpointe Business Park is an industrial development area, which is generally located north of Cactus Avenue, south of Alessandro Boulevard, east of Frederick Street, and west of Heacock Street. As a condition of development, stormwater and detention basin improvements were constructed to accommodate water runoff and detention for new and future developments within the industrial development area and adjoining properties.

On October 25, 2005, City Council adopted Resolution No. 2005-97 to form and establish CFD No. 4—M, to provide stormwater facilities maintenance, and to authorize the collection of a special tax against all nonexempt property within the Centerpointe Business Park industrial development, including adjacent properties that may in the future be annexed into CFD No. 4—M. Maintenance, as defined in the resolution to form CFD No. 4—M includes, but is not limited to, the provisions of all labor, materials, administration, equipment, utilities, and incidental expenses necessary to provide maintenance of the stormwater facilities. To fund the cost of maintenance, all

nonexempt properties within the boundaries of CFD No. 4—M shall be subject to an annual special tax levy.

DISCUSSION

The City Council shall have the opportunity to consider implementing the rate and method of apportionment of the special tax ("RMA") required to cover the special tax requirement for CFD No. 4—M, as submitted in the special tax report on file in the office of the City Treasurer. Detailed within the annual special tax report ("Report") is the calculation of the special tax levy as per the RMA to meet the FY 2010/11 special tax requirement.

The maximum annual special tax for each assessor's parcel of developed and undeveloped property, as established by the RMA, shall be increased each fiscal year thereafter, beginning in July 2007, by an amount equal to the Engineering News-Record Building Cost Index ("BCI") for the City of Los Angeles, measured as of the end of the calendar year. The BCI for calendar year 2009 did not increase so the maximum special tax for FY 2010/11 will remain at $0.00853 per square foot of land area. The special tax levy shall be applied proportionately on each parcel of developed and undeveloped property within the boundaries of CFD No. 4—M at up to 100% of the applicable maximum annual special tax. The special tax levy per parcel will be collected on the Riverside County property tax bill. However, the special tax levy for the United States Postal Service, assessor parcel number 297-170-071, shall be hand billed.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *This approval will allow collection of the special taxes necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report for FY 2010/11 for Community Facilities District No. 4—M. *If the special tax levy was not approved, there may be a shortage of funds necessary to fund ongoing administrative and maintenance costs associated with stormwater and detention basin facilities to service the properties within the boundaries of CFD No. 4—M.*

FISCAL IMPACT

The fiscal impact for CFD No. 4—M will be a levy of a special tax applied to the property owner's FY 2010/11 tax bill or a hand bill for tax-exempt properties. **The special tax levied on properties within the boundaries of CFD No. 4—M can only be used to cover the annual special tax requirement for the district. There is no impact on**

the General Fund regarding the levy of the special tax for CFD No. 4—M. Properties within the boundaries of CFD No. 4—M consist of commercial and industrial developments; residential properties are not affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
Special taxes necessary to fund CFD No. 4—M services shall be collected in accordance with the provisions outlined within the RMA.

SUMMARY

The City Council shall have an opportunity to consider implementing the levy for CFD No. 4—M, per the RMA, to provide ongoing administrative and maintenance services for the stormwater and detention basin improvements.

EXHIBITS

EXHIBIT A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No. 4—M

EXHIBIT B Boundary Map of CFD No. 4—M

EXHIBIT C Future Annexation Area Map of CFD No. 4—M

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 4—Maintenance\Administration\Annual Report\2010-11\staff report and resolution\Staff_Report for CFD No 4—M annual report.doc

RESOLUTION NO. 2010-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 4-MAINTENANCE

WHEREAS, the CITY COUNCIL of the CITY OF MORENO VALLEY, CALIFORNIA, did form Community Facilities District No. 4-Maintenance ("CFD No. 4-M" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the legislative body did adopt Ordinance No. 697 ("Ordinance") approving the rate and method of apportionment of special taxes ("RMA") to authorize a levy of a special taxes within CFD No. 4-M; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 4-M as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

PROPOSED BOUNDARY OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

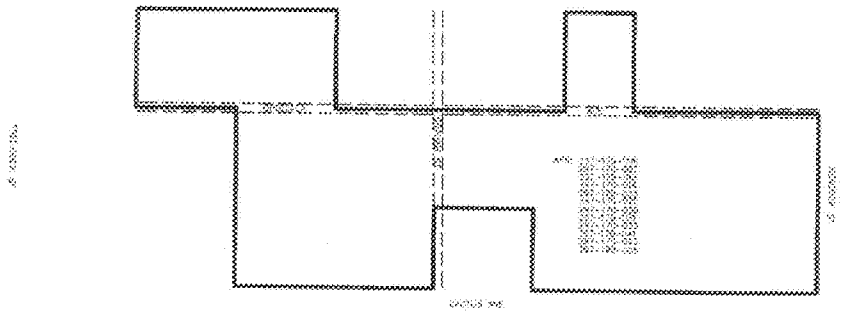

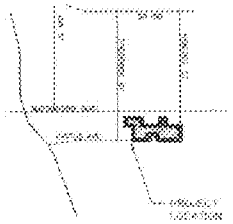

PROPOSED BOUNDARY MAP

Proposed Boundary of
Community Facilities District No. 4–Maintenance
of the City of Moreno Valley
County of Riverside, California

Sheet 1 of 2

EXHIBIT B

FUTURE ANNEXATION AREA OF

COMMUNITY FACILITIES DISTRICT No. 4 – MAINTENANCE OF THE CITY OF MORENO VALLEY

COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

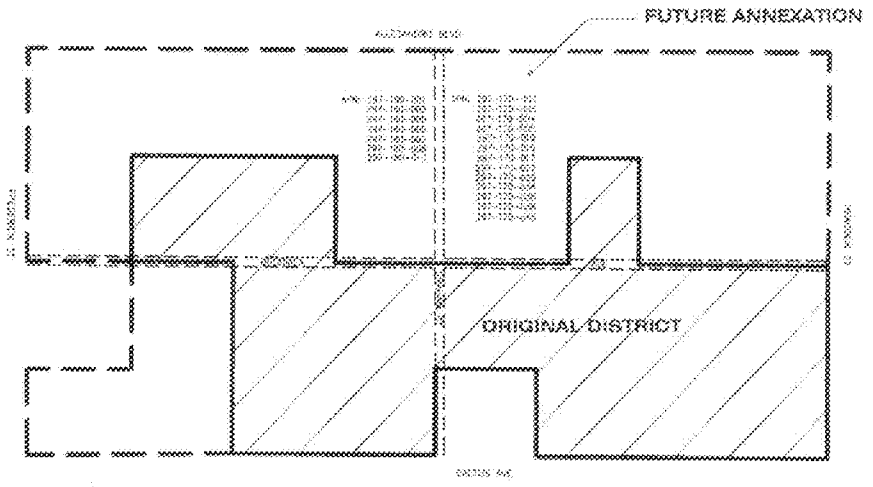

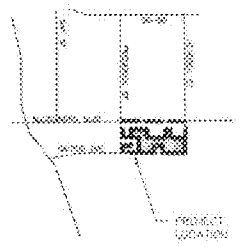

PROPOSED BOUNDARY MAP

Future annexation area of
Community Facilities District No. 4-Maintenance
of the City of Moreno Valley
County of Riverside, California

EXHIBIT C

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - COMMERCIAL – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center and drug store located at the southeast corner of Iris Avenue and Perris Boulevard that was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, and storm drain. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $538,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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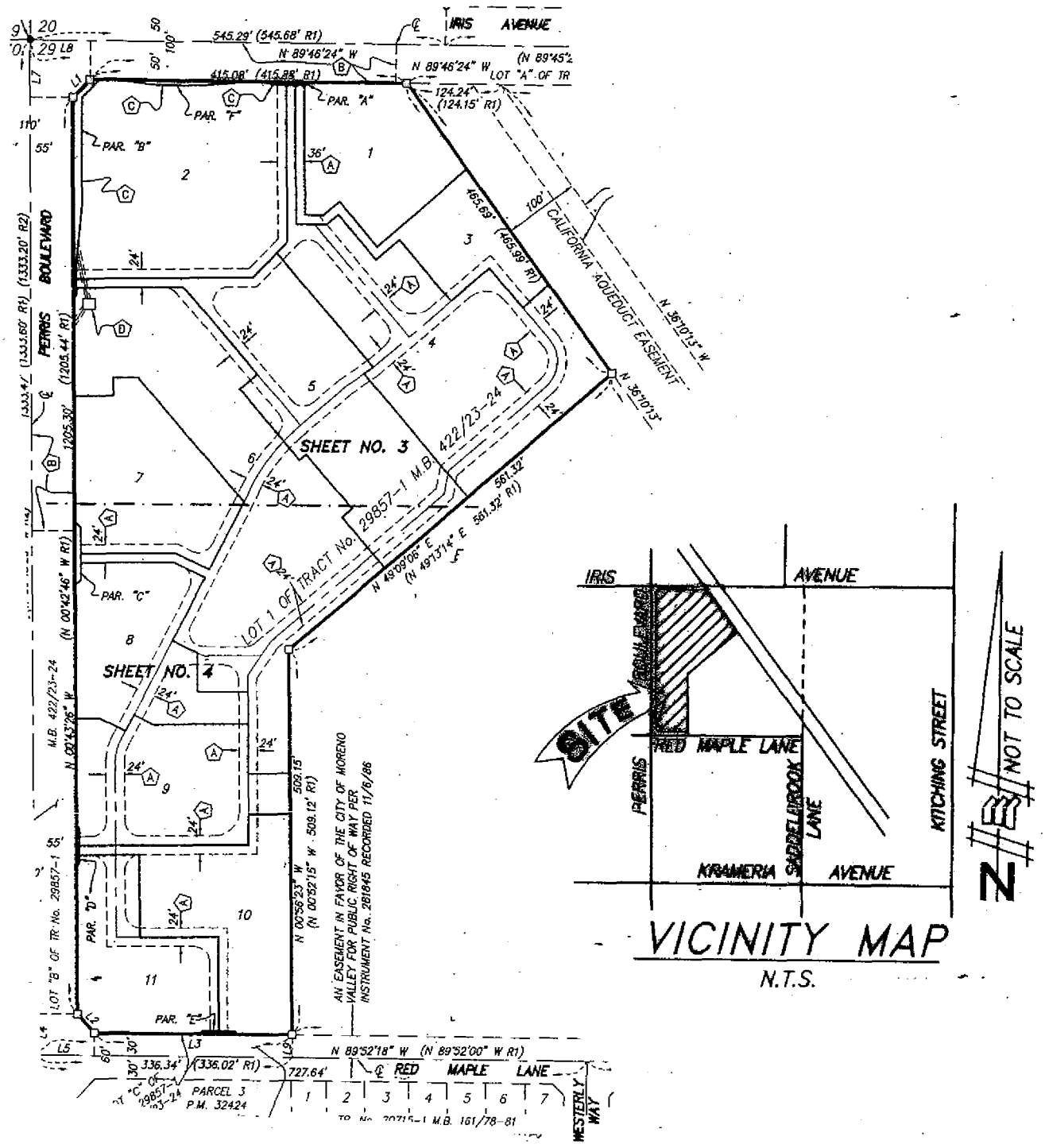

CITY OF MORENO VALLEY **PUBLIC WORKS - LAND DEVELOPMENT**	**PARCEL MAP 33726** **VICINITY MAP**

W:\LAND\FORMS\VICINITY MAP.doc (01/04) **EXHIBIT "A"**

MV00072303

RESOLUTION NO. 2010-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - COMMERCIAL, AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Corporation on the portion of Iris Avenue and Perris Boulevard associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Commercial, and accept the portion of Iris Avenue and Perris Boulevard associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Commercial are complete, and the portion of Iris Avenue and Perris Boulevard associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PARCEL MAP 33726 - STORM DRAIN – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – IRIS PARTNERS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
2005 WINSTON COURT
UPLAND, CA 91784

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system.

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Parcel Map 33726 is a retail center located on Red Maple Lane, east of Perris Boulevard that was conditionally approved requiring installation of storm drain facilities on Red Maple Lane. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $294,000 issued by Developers Surety and Indemnity Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and

Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES. Fund 121 is restricted to the construction and maintenance of streets and roadways. Fund 125 is restricted for transportation projects only for the purposes of construction, maintenance and operation of streets and roadways. The County Service Area (CSA) levy collected from property owners support current NPDES Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management program).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

Prepared By
Anitra N. Holt
Management Analyst

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\6-8-10 - PM 33726 Storm Drain - 90% Bond Reduction.doc

EXHIBIT "A"

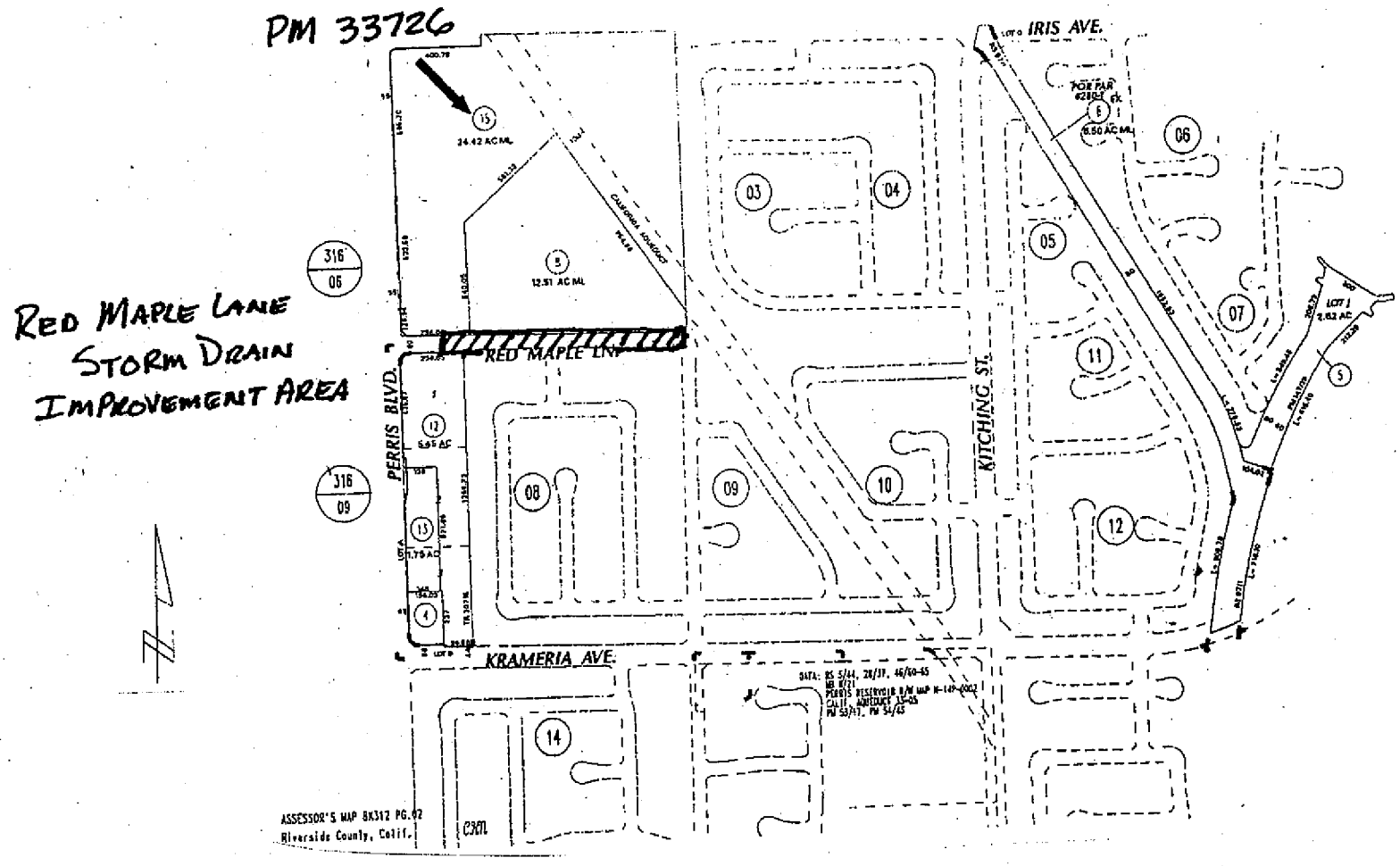

CITY OF MORENO VALLEY
PUBLIC WORKS – LAND DEVELOPMENT

PM 33726 STORM DRAIN
VICINITY MAP

MV00072310

RESOLUTION NO. 2010-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PARCEL MAP 33726 - STORM DRAIN, AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Iris Partners, LLC, a California Limited Liability Company on the portion of Red Maple Lane associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within Parcel Map 33726 - Storm Drain, and accept the portion of Red Maple Lane associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within Parcel Map 33726 - Storm Drain are complete, and the portion of Red Maple Lane associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 8, 2010

TITLE: ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE

RECOMMENDED ACTION

Staff recommends that the City Council review and approve the annual Agreements for Services with two of the local chambers of commerce – the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

BACKGROUND

A chamber of commerce provides the important role of acting as a liaison between city government and the business community. A local chamber of commerce can help enhance a city's economic development efforts by actively working with the business community on a variety of retention and business support activities.

In Moreno Valley, there are three chambers of commerce – the Moreno Valley Chamber of Commerce (MVCC), the Moreno Valley Hispanic Chamber of Commerce (MVHCC), and the Moreno Valley Black Chamber of Commerce (MVBCC). City funding, through an annual Agreement of Services, has been provided in exchange for the chambers performing a variety of specified business outreach services and special programs that improve the overall business climate in Moreno Valley.

The MVCC started receiving annual funding of $24,000 from the City in FY 1999/2000 (in the mid to late 1990's the MVCC worked with the City on a number of specific projects, but had not established annual funding arrangements). The MVHCC obtained $6,000 in annual funding from the City starting in FY 2000/01. The difference in funding level between the two Chamber's was in recognition of the MVCC's larger membership and the many special programs the MVCC performed including being the liaison with March ARB, co-sponsoring the Leadership Moreno Valley program, preparing a City

Map, operating a City Visitor Information Center at the Moreno Valley Mall, and managing the Master Community Calendar of Events. In FY 2000/01, the City formalized its relationship with the MVCC and the MVHCC by entering into an annual contract – an Agreement for Services. This is a common practice for cities and chambers in California. In FY 2005/06, the City entered into an annual Agreement for Services with the MVBCC with an established funding amount of $6,000.

DISCUSSION

In FY 2009/10, the City of Moreno Valley provided the following financial contributions to the three Chambers of Commerce:

Chamber	Annual Contribution
Moreno Valley Chamber of Commerce	$24,000 plus two complimentary 5-hour ballroom rentals.
Moreno Valley Black Chamber of Commerce	$5,500 plus two complimentary 5-hour ballroom rentals. (Please note the Moreno Valley Black Chamber Board of Directors voted to decline participation in the ERC program citing that their non-profit Foundation has a similar program staffed by their volunteers. They consented to deducting $500.00 from their annual compensation.)
Moreno Valley Hispanic Chamber of Commerce	$6,000 plus two complimentary 5-hour ballroom rentals.

Four years ago, the City increased overall funding to the three chambers by providing two complimentary uses of the Conference and Recreation Center (CRC) for programs. The use of the City facilities improves the quality of programs and enhances the marketing of the CRC.

Before moving forward with renewing contracts for FY 2010/11, the Economic Development Department staff met with executives from each of the respective Chambers to discuss their respective scopes of work and identify opportunities for the Chambers to further cooperate in working together to enhance business services and business opportunities in the community. Because of the challenging economic times, emphasis is being placed on the implementation of a “Shop Moreno Valley” program by the City, along with support by each Chamber. The proposed changes to the scopes of work for each chamber are similar (please refer to Exhibits A, B, and C for the full text of each chamber’s scope of work, including highlighted changes from FY 2009/10):

On May 27, 2010, City staff was informed that the Board of Directors of the Moreno Valley Black Chamber of Commerce (MVBCC) has decided not to pursue a renewal of its Agreement with the City for FY 2010/11. In taking this action, the MVBCC stated it will continue to help the City and the other two chambers with the Business Roundtable and Joint Mixers if it desires the MVBCC’s participation.

ALTERNATIVES

1. Approve the renewal of the Agreement for Services with the two chambers (MVCC and MVHCC) as proposed per the established funding levels.

   Staff recommends this alternative because the renewal of the Agreements as proposed properly compensates each chamber commensurate with their respective proposed scopes of work.

2. Reject the renewal of the Agreements and direct staff to pursue changes to the Agreement for Services.

FISCAL IMPACT

As part of the FY 2010/11 Agreements for Services, City staff recommends adopting the following "Schedule of Compensation" for services rendered. This type of format clearly spells out the service delivery established through the contractual relationship between the City and the respective chambers of commerce. The funding source for these services will be from FY 2010/11 Budget, Account No. 010.21110.6255, Economic Development, Other Professional Services.

Chambers of Commerce Compensation

	TYPE OF SERVICE	MVCC	MVHCC
☐	Basic Business Support and Retention Services	$8,000*	$2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage master Community Calendar)	12,500**	N/A
☐	Proposed Cooperative Programs (Shop Moreno Valley)	500	500
	Total	**$24,000**	**$6,000**

**Note: MVCC's compensation is higher because of a larger membership base.*

***Note: MVCC performs a variety of other programs that benefit the business community and enhance the overall economic development efforts of the City.*

CITY COUNCIL GOALS

Positive Environment: Create a possible environment for the development of Moreno Valley's future.

SUMMARY

The City contracts with the chambers of commerce for business support services. Through the Agreements for Services, the City shall compensate the Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce for a variety of specified services.

ATTACHMENTS/EXHIBITS

Exhibit A: Proposed Agreement and Scope of Services for the Moreno Valley Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Exhibit B: Proposed Agreement and Scope of Services for the Moreno Valley Hispanic Chamber of Commerce, including proposed FY 2009/10 to FY 2010/11 changes.

Prepared By:
Denise Bagley
Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~, 2010 by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments in advance of each calendar quarter to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $24,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and

Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in FY ~~2009-10~~ 2010-11. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each quarter.

Exhibit A

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director	~~Executive Director~~ President
Economic Development Department	Moreno Valley Chamber of Commerce
City of Moreno Valley	~~22500 Town Circle, Suite 2090~~
P. O. Box 88005	12625 Frederick Street, E-2
Moreno Valley, CA 92552-0805	Moreno Valley, CA 92553

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber Executive Director as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant

to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and al losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement, or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000

shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior

to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

MORENO VALLEY

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

CITY OF MORENO VALLEY	CHAMBER OF COMMERCE
By: _____	By: _____
Title: _____	Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement
Approved Certificate of Workers' Compensation Insurance

Exhibit A
Moreno Valley Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1 The Moreno Valley Chamber of Commerce ("Chamber") will continue to sponsor and operate Wake-Up Moreno Valley.

Article 2 The Chamber will assist the City in its relationship with March Air Reserve Base and keep the City informed of the activities of the Military Affairs Committee.

Article 3 The Chamber will serve as an information source for businesses seeking opportunities in Moreno Valley, as well as functioning as a visitor and information center.

Article 4 Chamber will provide a personal welcome to new businesses and offer assistance in contacting governmental agencies.

Article 5 Chamber will assist the City Economic Development staff in business retention and small business legislative support; including active participation and coordination of the Business Roundtable, Leadership Moreno Valley, and the Economic Development Department Business Visitation Programs.

Article 6 Chamber will create and maintain a master community calendar as part of their Special Events function and keep the City advised on a monthly basis. Included with this calendar will be the specific events and activities of the other local Chambers of Commerce.

Article 7 The Chamber will maintain their ongoing committees and the services provided through those committees.

Article 8 Chamber will continue to provide maps of the city, including any updating as necessary.

~~Article 9 Chamber will provide City a complete roster of dues paying members including names and addresses annually.~~

~~Article 10 Chamber will have a membership performance goal of increasing membership by 10% in one year.~~

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Article 11 Chamber shall cooperate with the Moreno Valley Hispanic and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one of the three annual Mega Mixers.

Article 12 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in bi-monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 13 Chamber shall participate with the Moreno Valley Hispanic Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 14 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 15 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 16 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 17 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

AGREEMENT FOR SERVICES FY ~~2009-10~~ 2010/11
Moreno Valley Chamber of Commerce

Exhibit B
Moreno Valley Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 8,000
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
☐	Existing Expanded Program Items (March ARB liaison, Visitor Info Center, Leadership Moreno Valley, Map, and manage a Master Community Calendar)	12,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Programs: Shop Moreno Valley Campaign ~~Employment Resource Center~~	 2,000 ~~500~~
	Total	**$ 24,000**

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/11/2009

PRODUCER
CS&S/ASSOCIATED PRODUCERS INSURANCE
PO BOX 946580
Maitland, FL 32794-6580
1-877-724-2669

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: American Casualty Co of Reading, PA	20427 A(XV) CA
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
MORENO VALLEY CHAMBER OF COMMERCE
12625 Frederick Street, Ste E-3
Moreno Valley, CA 92553

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	2091080061 ✓	12/22/09	12/22/10	EACH OCCURRENCE	$ 1,000,000 ✓
		[X] COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000 ✓
		[ ] CLAIMS MADE [X] OCCUR				MED EXP (Any one person)	$ 10,000 ✓
						PERSONAL & ADV INJURY	$ 1,000,000 ✓
						GENERAL AGGREGATE	$ 2,000,000 ✓
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	$ 2,000,000 ✓
		[ ] POLICY [ ] PRO-JECT [X] LOC					
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		[ ] ANY AUTO					
		[ ] ALL OWNED AUTOS				BODILY INJURY (Per person)	$
		[ ] SCHEDULED AUTOS					
		[ ] HIRED AUTOS				BODILY INJURY (Per accident)	$
		[ ] NON-OWNED AUTOS					
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		[ ] ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$
		[ ] OCCUR [ ] CLAIMS MADE				AGGREGATE	$
							$
		[ ] DEDUCTIBLE					$
		[ ] RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				[ ] WC STATUTORY LIMITS [ ] OTHER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER				[ ] WC STATUTORY LIMITS [ ] OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$

RISK MANAGEMENT
Approved
M. Alonzo 11-23-09
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Certificate Holder is named as Owner/Lessee/Contractor (A)

CERTIFICATE HOLDER
The City of Moreno Valley; Moreno Valley Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Ronald J. Gabel

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IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

CNA Small Business Service Center
PO Box 946580
Maitland, FL 32794-6580

000008

The City of Moreno Valley; Moreno Valley
Community(See Endt)
14177 FREDERICK STREET
MORENO VALLEY, CA 92552

0000300000000000000111090307

SB-300120-A
(Ed. 01/06)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization: EFFECTIVE 12/22/2009 TO 12/22/2010 CNP 2091080061
THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
14177 FREDERICK STREET, MORENO VALLEY, CA 92552
* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

Effective: 12/22/08 to 12/22/09

Moreno Valley Chamber of Commerce - Pol # 2091080061

BUSINESSOWNERS LIABILITY COVERAGE FORM

SCHEDULE*

Name Of Person Or Organization:
City of Moreno Valley **Moreno Valley Community Services District,** **Redevelopment Agency of the City of Moreno Valley** **14177 Frederick St., Moreno Valley, CA 92552**
* Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph **C. Who Is An Insured:**

4. Any person or organization shown in the Schedule is also an insured, but only with respect to liability arising out of your ongoing operations performed for that insured.

POLICYHOLDER · ·Y SK

STATE COMPENSATION INSURANCE FUND

NR-5 (CA)

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 05-01-2009

GROUP:
POLICY NUMBER: 1344343-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 05-01-2010
05-01-2009/05-01-2010

CITY OF MORENO VALLEY SK
P.O. BOX 88005 , 14177 FREDERICK STRE
MORENO VALLEY CA 92552-0805

This is to certify that we have issued a valid Workers' Compensation Insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 days advance written notice to the employer.

We will also give you 30 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Mearry — AUTHORIZED REPRESENTATIVE

Janet Frank — PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #2065 ENTITLED CERTIFICATE HOLDERS' NOTICE EFFECTIVE 05-01-2004 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

RISK MANAGEMENT
Approved

M. Alloy — By
5-5-09 — Date

EMPLOYER

MORENO VALLEY CHAMBER OF COMMERCE, A SK
NON-PROFIT CORP.
22500 TOWN CIR STE 2080
MORENO VALLEY CA 92553

M0409

PRINTED : 04-17-2009

(REV.2-05)

CITY OF MORENO VALLEY
AGREEMENT FOR SERVICES

This Agreement is made and entered into as of the 1st day of July ~~2009~~ 2010, by and between the CITY OF MORENO VALLEY, a municipal corporation of the State of California, hereinafter referred to as "the City", and MORENO VALLEY HISPANIC CHAMBER OF COMMERCE, hereinafter referred to as "the Chamber", and

WITNESSETH AS FOLLOWS:

1. RECITALS:

   (a) The City desires to retain the Chamber on the basis set forth herein to perform the services described in Exhibit A attached hereto and hereby incorporated by reference.

   (b) The Chamber is ready, willing, and able to supply such services; and

2. SCOPE OF SERVICES: Under the direction of the Economic Development Director, or other designee of the City Manager, the Chamber shall provide said services as more specifically described in Exhibit A attached hereto and incorporated herein by this reference. During the period of the Agreement, the City, through the Economic Development Director, may revise the scope of services by meeting and consulting with the Chamber.

3. CONDITIONS:

   (a) Upon prior approval and request of the City Manager and his or her designee, the Chamber shall work during such hours as may be necessary to provide the approved and requested services. The Chamber may determine when such hours will be worked, and may vary such hours from time to time within the Chamber's sole discretion, provided that the goals and objectives of the City are not thereby impeded or disrupted.

   (b) During the term of this Agreement, the Chamber shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of the Chamber's duties under this Agreement.

4. COMPENSATION: For services rendered pursuant to this Agreement, payment of grant monies shall be made quarterly in equal payments to the Chamber for the services identified in Exhibit A, Scope of Services and initialed in Exhibit B, Menu of Services, not to exceed $6,000 annually. Payment shall be made upon receipt of an invoice. Allowance shall also be provided to Chamber for the complimentary rental of the City of Moreno Valley Conference and Recreation Center Ballroom for the installation dinner and one additional event of the Chamber's choice, value not to exceed two five-hour events in ~~FY 2009/10~~ FY 2010/2011. The allowance will not eliminate Chamber's obligation to pay any deposits, cleaning fees, equipment rentals, etc. that may be required. The Chamber shall also receive a complimentary business license list each

quarter.

Exhibit B

5. TERMS OF AGREEMENT: This Agreement shall commence as of July 1, ~~2009~~ 2010 and continue through June 30, ~~2010~~ 2011, unless terminated by either party as provided in Section 6 below. The term of this Agreement may be renegotiated upon mutual consent of the parties.

6. TERMINATION: This Agreement may be terminated at any time by either party hereto without fault on the part of the other party. Notice of termination shall be given in writing and may be delivered personally or by mail as follows:

CITY	**CHAMBER**
Economic Development Director Economic Development Department City of Moreno Valley P. O. Box 88005 Moreno Valley, CA 92552-0805	President, Moreno Valley Hispanic Chamber of Commerce P.O. Box 246 Moreno Valley, CA 92556

7. INDEPENDENT CONTRACTOR: It is understood and agreed that the Chamber and any subcontractors hired by the Chamber are, and at all times shall be, independent contractors and nothing contained herein shall be construed as making the Chamber or any individual whose compensation for services is paid by the Chamber, an agent or employee of the City, or authorizing the Chamber to create or assume any obligation or liability for or on behalf of the City.

8. ADMINISTRATION OF CONTRACT:

   (a) City hereby appoints the Economic Development Department Director, or his or her designee, as the City representative in the administration of this Agreement.

   (b) The Chamber hereby appoints the Chamber President as the Chamber's representative in the administration of this Agreement.

9. TIME: The Chamber shall devote such time to the performance of services pursuant to this Agreement as may be necessary for satisfactory and timely performance of the Chamber's obligations pursuant to this Agreement.

10. INDEMNIFICATION AND HOLD HARMLESS. The Chamber agrees to protect, defend, indemnify, and hold the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, and their employees, agents, officers, and volunteers free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character occurring or in any way in connection with or arising, directly or indirectly, out of this Agreement, including injury to the Chamber's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Agreement,

or are caused or claim to be caused by the negligent acts of the Chamber, its agents or employees, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, the Community Redevelopment Agency of the City of Moreno Valley, the Moreno Valley Community Services District, their agents or employees.

11. INSURANCE:

Insurance Requirements. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

General Liability: The Chamber agrees to procure and maintain general liability insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Chamber or any person acting for the Chamber or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any persons caused directly or indirectly by or from acts or activities of the Chamber or any person acting for the Chamber or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence
Property Damage	$ 500,000 per occurrence

A combined single limit for bodily injury and property damage liability of $2,000,000 shall be considered equivalent to the above minimum limits. The amounts of such insurance shall not be deemed a limitation of the Chamber's agreement to save and hold the City harmless, and if the City becomes liable for an amount in excess of the insurance, the Chamber will save and hold the City harmless from the whole thereof. The coverage(s) provided pursuant to this Agreement shall be primary insurance and not contributory with any other insurance.

Workers' Compensation: The Chamber or any subcontractors hired by the Chamber shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Chamber and the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Chamber or the Chamber's subcontractor in the course of carrying out the Agreement.

MV00072335

Evidence of Insurance: One or more Certificates of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

"Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley ("RDA"), and the Moreno Valley Community Services District ("CSD"), their officers, employees, directors, agents, and volunteers are included as additional insured under this policy and the coverage(s) provided under this policy shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents, under any third party liability policy."

Notice to City, Insurance Coverage Change: The terms of the insurance policy or policies issued to provide the above insurance coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Chamber shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

12. EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this Agreement, the Chamber will not unlawfully discriminate against subcontractor, employee or applicant for employment because of race, color, age, religion, sex, national origin, or physical handicap. The Chamber will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, age, religion, sex, national origin, or physical handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Chamber agrees to post in conspicuous places, available to employees and applicants for employment, notice setting forth the provisions of this non-discrimination clause. The Chamber will, in all solicitations or advertisements for employees placed by or on behalf of the Chamber, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or physical handicap. The Chamber will cause the foregoing provisions to be inserted in all subcontractors for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contract or subcontracts for standard commercial supplies or raw materials.

13. CHAMBER NOT AGENT: Except as City may specify in writing, the Chamber shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. The Chamber shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

14. ASSIGNMENT PROHIBITED: No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

15. ATTORNEY'S FEES: In the event that it becomes necessary for either party to this Agreement to bring a lawsuit or other litigation to enforce any of the provisions of this Agreement, a court of competent jurisdiction may determine and fix reasonable attorney's fees to be paid the prevailing party in the litigation. The venue of any such lawsuit or other litigation may, at the option of the City, be laid in Riverside County, California, and the parties waive any right to change of venue.

IN WITNESS WHEREOF, the City and the Chamber have caused this Agreement to be executed as of the day and date first above written.

CITY OF MORENO VALLEY

By: _____

Title: _____

Date: _____

MORENO VALLEY HISPANIC CHAMBER OF COMMERCE

By: _____

Title: _____

APPROVED AS TO FORM:

_____
City Attorney

Attachments:

Approved Certificate(s) of Liability Insurance with Additional Insured Endorsement for the period covered in this Agreement

Approved Certificate of Workers' Compensation Insurance

Moreno Valley Hispanic Chamber of Commerce
SCOPE OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

Article 1: The Moreno Valley Hispanic Chamber of Commerce ("Chamber") will provide participation / sponsorship in the following committees, services, and/or events:

1. ~~Maintain the Chamber Membership Committee~~.
2. Conduct the Cinco de Mayo Fiesta.
3. Participate in the City's Fourth of July Parade/Celebration.
4. Celebrate Hispanic Heritage Month - September.
5. Participate in and support the Sister City Program with San Juan de Los Lagos.
6. Sponsor and operate monthly Adelante! Moreno Valley events and Chamber mixers to support Moreno Valley businesses.
7. Conduct an annual Installation Dinner and Recognition of the outstanding member Business of the Year.
8. Cooperate with the Moreno Valley Chamber of Commerce in their production of a master community calendar by providing logistical information about the Moreno Valley Hispanic Chamber of Commerce's specific events and activities by the 10th day of each month.
9. Support the City of Moreno Valley through operation of the Se Habla Español program, which promotes Moreno Valley's businesses to Spanish-speaking residents.
10. Facilitate Communication between Hispanic Business Owners and the City.
11. ~~Facilitate communication between the Hispanic community and the two school districts~~. Award an annual college scholarship to a Moreno Valley student(s).
12. ~~Partner with Small Business Administration and other governmental agencies that provide business seminars for Hispanic businesses.~~
13. Continue to operate as point of contact for businesses seeking relocation to Moreno Valley.
14. Assist the City Economic Development staff with business retention and small business legislative support; including active participation and coordination of the Business Roundtable, and the Economic Development Department's Business Visitation Program.

The City encourages the three chambers to work in a cooperative manner on a variety of programs aimed at enhancing the business climate in Moreno Valley including the following ~~new~~ activities:

Article 2 Chamber shall cooperate with the Moreno Valley and Moreno Valley Black Chambers of Commerce to conduct three Mega Mixers annually. The City shall fund one annual Mega Mixer.

AGREEMENT FOR SERVICES FY ~~09/10~~ 2010/11
Moreno Valley Hispanic Chamber of Commerce

Article 3 Chamber will increase responsibility and accountability for participation in conducting the Business Roundtable program, including participating in monthly meetings to strategize on invitees for Business Roundtable events.

~~Article 4 Chamber shall participate with the Moreno Valley Chamber of Commerce in a cooperative annual Business Expo/Job Fair/Small Business Administration (SBA) event. The City shall coordinate the event and host it at the Conference and Recreation Center. (CRC Ballroom will be provided at no cost to the Chamber.)~~

~~Article 5 Chamber shall cooperate with the City in the promotion and operation of an Employment Resource Center including promotion to the community and providing volunteers to assist with facility staffing.~~

Article 6 Chamber shall assist the City in promoting the importance of shopping local businesses to residents through a "Shop Moreno Valley Program". The Chamber may develop and tailor their specific program for implementation utilizing the art work provided by the City.

Article 7 Chamber shall designate the City as a major sponsor and/or corporate sponsor with recognition on all sponsor literature and publications.

Article 8 Chamber shall grant the City one position on the Board of Directors or the Corporate board. Any fees related to the designation of these positions are to be included as part of the City's financial commitment.

Exhibit B
Moreno Valley Hispanic Chamber of Commerce
MENU OF SERVICES
July ~~2009~~ 2010 to June ~~2010~~ 2011

	TYPE OF SERVICE	Compensation
☐	Basic Business Support and Retention Services	$ 2,500
☐	Participation in 3 Mega Mixers/Business Roundtable Program	1,500
~~☐~~	~~Business Expo/Loan Fair~~	~~1,000~~
☐	Proposed Cooperative Program: Shop Moreno Valley Program ~~Workforce Development Employment Center)~~	~~500~~ 2,000 ~~500~~
	Total	**$ 6,000**

ACORD® CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/15/2010

PRODUCER
MARSHALL C. SCOTT STATE FARM INSURANCE
23020 ATLANTIC CIRCLE
MORENO VALLEY, CA 92553

THIS CERTIFICATE IS ISSUED AS MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A:	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
THE MORENO VALLEY HISPANIC CHAMBER OF COMMERCE
P.O. BOX 246
MORENO VALLEY, CA 92556-0246

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY	92-XC-2752-9	12/14/2009	12/14/2010	EACH OCCURRENCE	$ 2,000,000
		X COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	$
		CLAIMS MADE / OCCUR				MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$
						GENERAL AGGREGATE	$ 4,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC				PRODUCTS - COMP/OP AGG	$ 4,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		ANY AUTO					
		ALL OWNED AUTOS				BODILY INJURY (Per person)	$
		SCHEDULED AUTOS					
		HIRED AUTOS				BODILY INJURY (Per accident)	$
		NON-OWNED AUTOS					
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$
		OCCUR / CLAIMS MADE				AGGREGATE	$
							$
		DEDUCTIBLE					$
		RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS / OTHER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

RISK MANAGEMENT
Approved
M. Alonzo 3/15/10
By Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
LOCATION OF OPERATION: 23020 ATLANTIC CIRCLE, MORENO VALLEY, CA 92553, DEDUCTIBLE: $500
DESCRIPTION OF OPERATIONS: MONTHLY BOARD OF DIRECTORS MEETING AND ALL OTHER MVHCC ACTIVITIES HELD AT RIVERSIDE COUNTY REGIONAL MEDICAL CENTER
ADDL INSURED: THE COUNTY OF RIVERSIDE, ITS AGENCIES, DISTRICTS, SPECIAL DISTRICTS, AND DEPARTMENTS, THEIR RESPECTIVE DIRECTORS, OFFICERS, BOARD OF SUPERVISORS, EMPLOYEES, ELECTED OR APPOINTED OFFICIALS, AGENTS OR REPRESENTATIVES, 26520 CACTUS AVE., MORENO VALLEY, CA 92555

CERTIFICATE HOLDER

ADDL INSURED: The Community Redevelopement Agency of the City of Moreno Valley Services District
14075 Frederick st Moreno Valley Ca 92553

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

The registration notices indicate ownership of the marks by their respective owners

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FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

By Date 5-10-10

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6494
(5/91)

ADDITIONAL INSURED ENDORSEMENT
Managers or Lessors of Premises

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Person or Organization:
CITY OF MORENO VALLEY, MORENO
VALLEY COMMUNITY SERVICE
DISTRICT COMM REDEVLOPMENT
AGENCY OF MORENO VALLEY
PO BOX 88005
MORENO VALLEY CA 92552-0805

RISK MANAGEMENT
Approved

M. Alonzo 5-10-10
By Date

Designation of Premises:
23020 ATLANTIC CIR, MORENO VALLEY CA 92553-5911

WHO IS AN INSURED, under SECTION II DESIGNATION OF INSURED, is amended to include as an insured the person or organization shown above, but only with respect to their liability arising out of the ownership, maintenance or use of the premises leased to you and designated above.

This insurance does not apply to:

1. any occurrence which takes place after you cease to be a tenant in that premises; or
2. structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown above.

FE-6494
(5/91)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

M. Alonso 5-10-10
By Date

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

☐ **SECTION I.** This applies only to **COVERAGE A - BUILDINGS.**

☐ **SECTION I.** This applies only to **COVERAGE B - BUSINESS PERSONAL PROPERTY.**

Description of Property

☒ **SECTION II.** This applies only to **COVERAGE L - BUSINESS LIABILITY** and **COVERAGE M - MEDICAL PAYMENTS** and then only with respect to the ownership, maintenance or use of the premises designated above and operations necessary or incidental thereto. These SECTION II coverages do not apply to:

1. structural alterations or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

FE-6320
(7/88)

ADDITIONAL INSURED ENDORSEMENT
DESIGNATED PREMISES ONLY

Policy No.: 92-XC-2752-9

Named Insured:
THE MORENO VALLEY HISPANIC
CHAMBER OF COMMERCE
PO BOX 246
MORENO VALLEY CA 92556-0246

Name of Additional Insured:
THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
SERVICES DISTRIC
14075 FREDERICK ST
MORENO VALLEY CA 92553-9057

Address of Additional Insured:

Interest of Additional Insured:
SPECIAL EVENT

RISK MANAGEMENT
Approved

Location of Premises:
23020 ATLANTIC CIR MORENO VALLEY CA

M. Allen 5-10-10
By Date

The word "insured", wherever used in this policy, also includes the designated person or organization named above as Additional Insured under the provisions of the policy Sections shown below as applicable by an "X" to the extent indicated.

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☐ **SECTION I.** This applies only to **COVERAGE B - BUSINESS PERSONAL PROPERTY.**

Description of Property

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1. structural alterations or new construction performed by or on behalf of the designated person or organization;
2. **personal injury** caused by the designated person or organization;
3. liability the designated person or organization assumed under a contract; or
4. **products-completed operations hazard** arising out of goods or inventory which are not sold or distributed by you or arising out of the manufacturing or packaging of such goods or inventory.

All other provisions of the policy apply.

FE-6320
(7/88)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E. Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND ADOPT THE PROPOSED RESOLUTION TO AUTHORIZE THE EXECUTION OF PROGRAM SUPPLEMENTAL AGREEMENT NO. 025-N TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIPL 5441 (046), HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve and adopt Resolution No. 48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

BACKGROUND

In 2008, the Transportation Engineering Division successfully applied for HSIP funds to retrofit 117 signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment. This equipment allows fire trucks, police vehicles, and ambulances to pre-empt traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

On August 26, 2008, Caltrans District 8 announced the release of the HSIP (cycle 2) list of approved projects for FFY 2007/08 and 2008/2009. The list contained 173 projects totaling more than $67 million of federal safety funds. The list was waiting to be programmed into the Federal Transportation Improvement Program (FTIP)

On February 10, 2009, the City received notification from Southern California Association of Government (SCAG) that the above HSIP (cycle 2) list of approved projects for FY 2007/08 and 2008/2009 were programmed in the FTIP.

The approved Emergency Vehicle Pre-emption (EVP) equipment project is for $1,000,000 and requires local match funding of 10%. This includes the total estimated cost of preliminary engineering and construction.

On April 13, 2010, the City received authorization from the Department of Transportation to proceed with the preliminary engineering for the project.

DISCUSSION

One aspect of the HSIP program is to assist local agencies with providing safer routes for emergency vehicles traveling through signalized intersections. Emergency vehicle pre-emption systems aid public safety by: 1) Reducing the need for emergency vehicles to run red lights when responding to emergencies; 2) Stopping traffic in conflicting directions while allowing traffic to proceed in the same direction, thereby clearing a path for the emergency vehicle; and 3) Reducing response time to incidents. Studies have shown potential reduction in response times in the range of 14% to 23%.

To receive $18,900 in federal reimbursement for preliminary engineering, the Program Supplement Agreement must be fully executed and have an authorizing resolution that clearly identifies the project and the Official authorized to execute the agreement.

ALTERNATIVES

1. Approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will allow the City to receive the Highway Safety Improvement Program reimbursement for the project preliminary engineering.*

2. Do not approve and adopt the proposed Resolution, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State

Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP), and do not authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement program (HSIP). *This alternative will prohibit the City from receiving any Highway Safety Improvement Program reimbursement.*

FISCAL IMPACT

Program Supplement Agreement No. 025-N, to the Administering Agency-State Agreement for the preliminary engineering for Emergency Vehicle Pre-emption (EVP) equipment, will provide for reimbursement of up to $18,900 in federal funds. The program requires local match funding of 10%. The total cost of preliminary engineering is estimated at $21,000. Local matching funds for this grant are included in the Public Works CIP budget for FY 09/10.

The City will be required to use its own funds to complete this project and then receive progress reimbursement during each phase of the project. The City will use Development Impact Fee (DIF) Account No. 417.79129 funds for the project. This is approved funding for FY 09/10. The funding for this project is restricted for transportation projects and cannot be utilized for other activities. **There is no impact to the General Fund.**

ANTICIPATED PROJECT SCHEDULE:

Prepare Required Documents for Preliminary Engineering ..... August 2010

Design completion ..... September 2010

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

Develop a variety of city revenue sources and policies to create a stable revenue base and fiscal policies to support essential city services, regardless of economic climate.

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

NOTIFICATION

Publication of the Agenda

ATTACHMENTS

Attachment "A" – Proposed Resolution
Attachment "B" - Location Map
Attachment "C" - Program Supplement No. 0000

Prepared By
Alan Kashefi, P.E.
Senior Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Eric Lewis, P.E., T.E.
City Traffic Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF PROGRAM SUPPLEMENT NO. 025-N, TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5441R FOR FEDERAL-AID PROJECT NO. HSIP 5441 (046) BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION, AND THE CITY OF MORENO VALLEY, FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)

WHEREAS, the HSIP program allows government agencies to apply for grants in an effort to retrofit existing signalized intersections with Emergency Vehicle Pre-emption (EVP) equipment to allow fire trucks, police vehicles, and ambulances to cause traffic signals to turn green for them as they approach, allowing for faster and safer response to incidents.

WHEREAS, it appears to be in the City's best interest to apply for such funding; and

WHEREAS, 117 existing signalized intersections throughout the City are eligible to receive federal grant funding, up to a maximum of $18,900, for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment through the Highway Safety Improvement Program; and

WHEREAS, the City of Moreno Valley will be reimbursed up to a maximum of $18,900 in federal funds for the preliminary engineering of Emergency Vehicle Pre-emption (EVP) equipment; and

WHEREAS, the City of Moreno Valley will contribute local match funding of 10%; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: Program Supplement Agreement 025-N to Administering Agency-State Agreement No. 08-5441R for Federal Funded Projects between the State of California, acting by and through the Department of Transportation, and the City of Moreno Valley, provides funding for the individual project and said program Supplement Agreement No. 025-N is hereby approved. The Public Works Director/City Engineer shall execute the same on behalf of the City.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

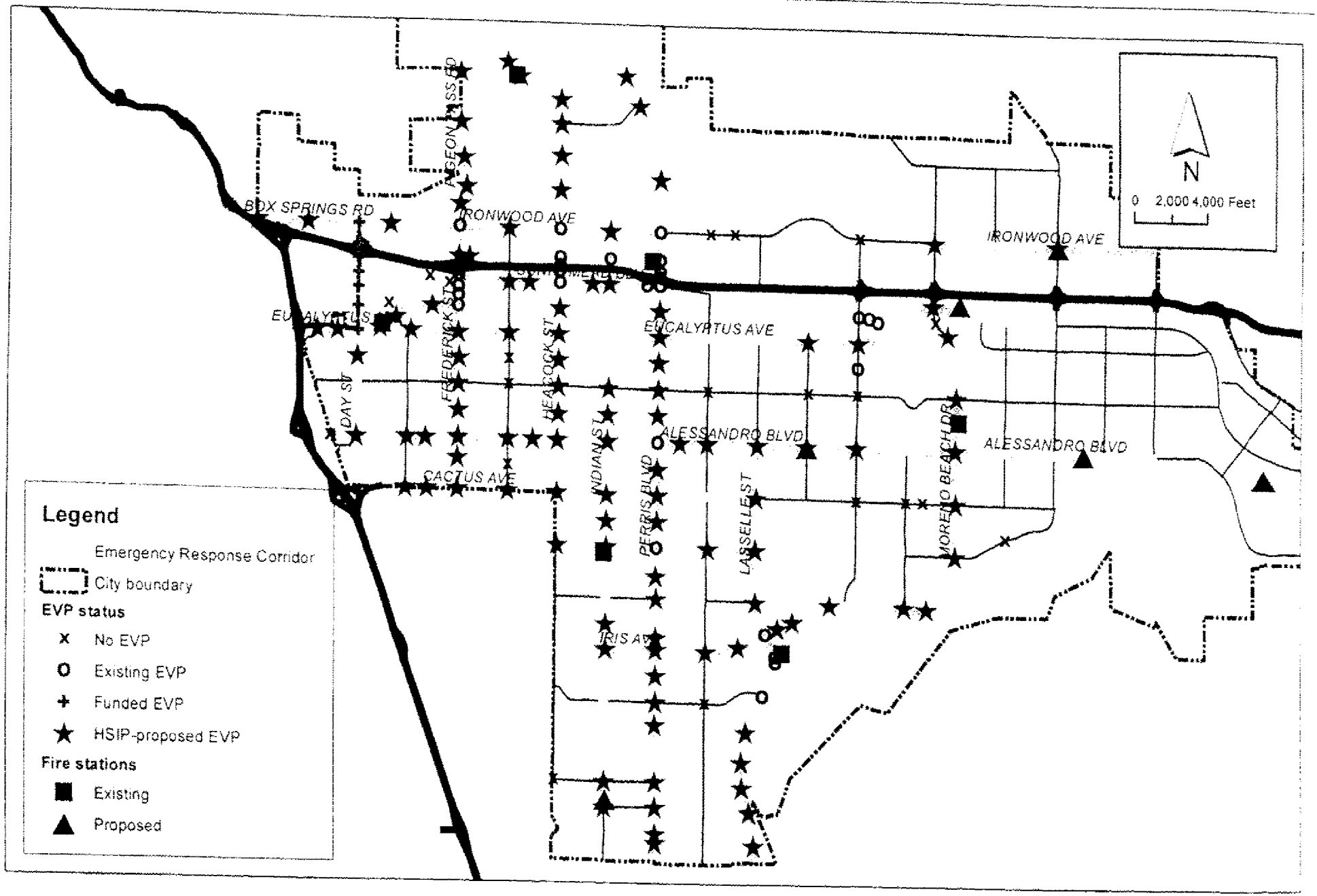

City of Moreno Valley
HSIP Grant Application
Proposed EVP Locations

Attachment "B"

MV00072353

PROGRAM SUPPLEMENT NO. N025
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 08-5441R

Date: April [illegible], 2010
Location: 08-RIV-0-MORV
Project Number: HSIPL-5441(006)
E.A. Number: 08-925157

This Program Supplement hereby incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 05-29-07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. approved by the Administering Agency on (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by State of any funds derived from sources noted below obligated to this project, the Administering Agency accepts and will comply with the Special covenants or Remarks setforth on the following pages.

PROJECT LOCATION:
At 117 signalized intersections in Moreno Valley

TYPE OF WORK: Emergency vehicle pre-emption system

LENGTH: 0 (MILES)

Estimated Cost	Federal Funds		Matching Funds		
	LS30		LOCAL		OTHER
$21,000.00		$18,900.00	$2,100.00	$0.00	$0.00

CITY OF MORENO VALLEY

By _____

Date _____

Attest _____

Title _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer [illegible] Date 4/23/10 $18,900.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT
1	2009	2660-102-890	2009-2010	20.30.010.550	C	262042	892-F	18,900.00

Attachment C

SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

2. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

3. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

   If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

   ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

4. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is

MV00072355

SPECIAL COVENANTS OR REMARKS

incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

5. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

6. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award or with submittal of the ADMINISTERING AGENCY's first invoice for the construction contract, whichever is earlier.

   Failure to do so will cause a delay in the State processing invoices for the construction phase.
   Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

7. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

   ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to

MV00072356

SPECIAL COVENANTS OR REMARKS

the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the DistrictLocal Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

MV00072357

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE
PROJECT NO. 09-89791726

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney.

2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive.

3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350.

BACKGROUND

On October 23, 2007 the Community Redevelopment Agency was authorized to issue Series A tax allocation bonds (the "Series A Bonds") in an amount not to exceed $55 million to finance projects. One of the Series A projects authorized by the City Council is the Indian Detention Basin Storm Drain Improvement and Street Improvement

Project. This bond funded project must be completed in an expeditious manner in order to meet stipulated expenditure targets within specific timeframes established by the IRS for tax-exempt financing. The Indian Detention Basin is situated on City owned land bounded by Ironwood Avenue, Davis Street and the Festival Shopping Center (see Attachment "A" – Location Map). The goal of the project is to provide the necessary infrastructure improvements to the Indian Detention Basin and installation of inlet and outlet storm drain facilities and street improvements along the south side of Ironwood Avenue between Heacock Street and Nita Drive to protect the surrounding area and neighborhoods that are currently within a Federal Emergency Management Agency (FEMA) mapped flood plain area.

On July 8, 2008 the City Council approved an Agreement for Professional Consultant Services for the Indian Detention Basin, Drainage Improvements and Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, with Lim And Nascimento Engineering Corporation (LAN), to provide planning and engineering services. On July 8, 2008, City Council also approved a separate Agreement for Professional Consultant Services with LAN for Ironwood Avenue Improvements from Heacock Street to Perris Boulevard for street improvements on Ironwood Avenue easterly of the area covered by the Indian Basin project. The respective scopes of work included storm drain alignment alternatives analysis for Lines H, H-1A, and H-5 consistent with the Sunnymead Area Drainage Plan (ADP).

On March 24, 2009 the City Council adopted a Mitigated Negative Declaration (MND) for both projects, including the preferred alignment of Lines H, H-1A, and H-5 (necessary storm drain facilities along Ironwood Avenue).

On September 8, 2009 the City Council approved the Fourth Amendment to Agreement for additional design, right-of-way and environmental services with LAN. The additional services included adjustment of storm drain and lateral alignments to avoid utility conflicts as requested by utility companies, and evaluating the proposed improvements using additive alternate scenarios in order to maximize available funding and minimize potential traffic disruption during construction.

In October 2009, environmental permit applications were prepared and submitted to the United States Army Corps of Engineers, California Department of Fish and Game (CDFG), and the California Regional Water Quality Control Board. The submittal of applications initiated the permit negotiation process with the three resource agencies.

On January 12, 2010 the City Council approved the Property Conveyance Agreement with Moreno Valley Festival, Ltd. to convey a portion of right-of-way along the north side of Ironwood Avenue to allow for the preferred alignment to construct Line H and the widening of Ironwood Avenue, completing the acquisition of all necessary right-of-way for the improvements.

On May 13, 2010 CDFG issued the Agreement Regarding Proposed Stream or Lake Alteration for City signature.

The project is currently being advertised for construction bids with a scheduled bid opening date of June 15, 2010.

DISCUSSION

The Indian Detention Basin Drainage Improvements and Ironwood Avenue Street Improvements on the south side only from Heacock Street to Nita Drive will construct: storm drain Line H along Ironwood Avenue from Davis Street/Ironwood Avenue intersection to Heacock Street, and associated laterals, and missing street improvements on the south side of Ironwood Avenue from Heacock Street to Nita Drive.

The improvements on Ironwood Avenue from Heacock Street to Perris Boulevard will construct: missing street improvements along both the north and south sides of Ironwood Avenue from Heacock Street to Perris Boulevard excepting the south side from Heacock Street to Nita Drive, storm drain Lines H-1A and H-5, traffic signal modifications for the intersections of Indian Street at Ironwood Avenue, and Perris Boulevard at Ironwood Avenue, street lights, right-of-way acquisition, and relocation of Southern California Edison (SCE) transmission poles.

The City is required to mitigate permanent and temporary impacts resulting from this project as part of the project MND approved by City Council on March 24, 2009. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, CDFG, and California Regional Water Quality Control Board. The City Council is requested to authorize the Public Works Director to execute the Agreement Regarding Proposed Stream or Lake Alteration, as well as any amendments, subject to approval of the City Attorney. This agreement with CDFG is required as part of the environmental mitigation for the project. As a result of negotiations with the resource agencies, the resulting CDFG agreement stipulates that the City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at a pre-approved CDFG location. Upon payment of the mitigation fee, the resource agencies concurrence to proceed with construction is achieved. The SAWA, a CDFG sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts.

SAWA has provided an estimate of $148,500, based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 10% is included in the event of adjustments. This action is necessary at this time in order to obtain final permits, keep the project on-schedule, and avoid starting construction during the rainy season.

ALTERNATIVES

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the

Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative allows the City to complete the project on schedule.*

2. Do not authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney, do not authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for $163,350 ($148,500 plus 10% contingency of $14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive, and do not authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order amount of $163,350. *This alternative will result in delaying the construction of the Indian Basin Improvements and the Ironwood Avenue Improvements.*

FISCAL IMPACT

The Indian Basin Project is being funded with 2007 RDA Tax Allocation Bonds (Account No. 897.91726). The project is also partially funded with 2005 Lease Revenue Bonds (Account No. 501.82625). These funds utilized for this project are designated for capital improvements only. There is no impact to the General Fund.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 (Account No. 897.91726)	$2,795,000
Fiscal Year 2009/2010 (Account No. 501.82625)	$1,046,000
Total Available Funds	**$3,841,000**

ESTIMATED PROJECT COSTS:

Total Estimated Fiscal Year 2009/2010 Design Phase Costs	$64,000
Total Estimated Construction Phase Costs (Line H and Ironwood Avenue Widening)	$2,800,000
SAWA In-Lieu Fees	$163,000
Total Estimated Project Costs	**$3,027,000**

ANTICIPATED SCHEDULE:

Complete Design and Permitting	April 2010
Advertise	May 2010
Start Construction	August 2010
Finish Construction	March 2011

It is critical to conform to the above listed schedule to avoid the rainy season window due to the nature of these flood control improvements, otherwise, the project may be deferred by approximately 5-6 months.

CITY COUNCIL GOALS

PUBLIC SAFETY:
Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

SUMMARY

The City is required to mitigate permanent and temporary impacts resulting from this project. Impacts are to streambed and associated areas regulated by the U.S. Army Corps of Engineers, California Department of Fish and Game, and California Regional Water Quality Control Board. As a result of negotiations with the resource agencies, CDFG requires the City to provide funds to SAWA in order to mitigate for the environmental impacts at project site. Signature on the Agreement Regarding Proposed Stream or Lake Alteration and demonstration of payment of mitigation fee to SAWA will allow project construction to proceed.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement Regarding Proposed Stream or Lake Alteration

Prepared By:
Margery A. Lazarus
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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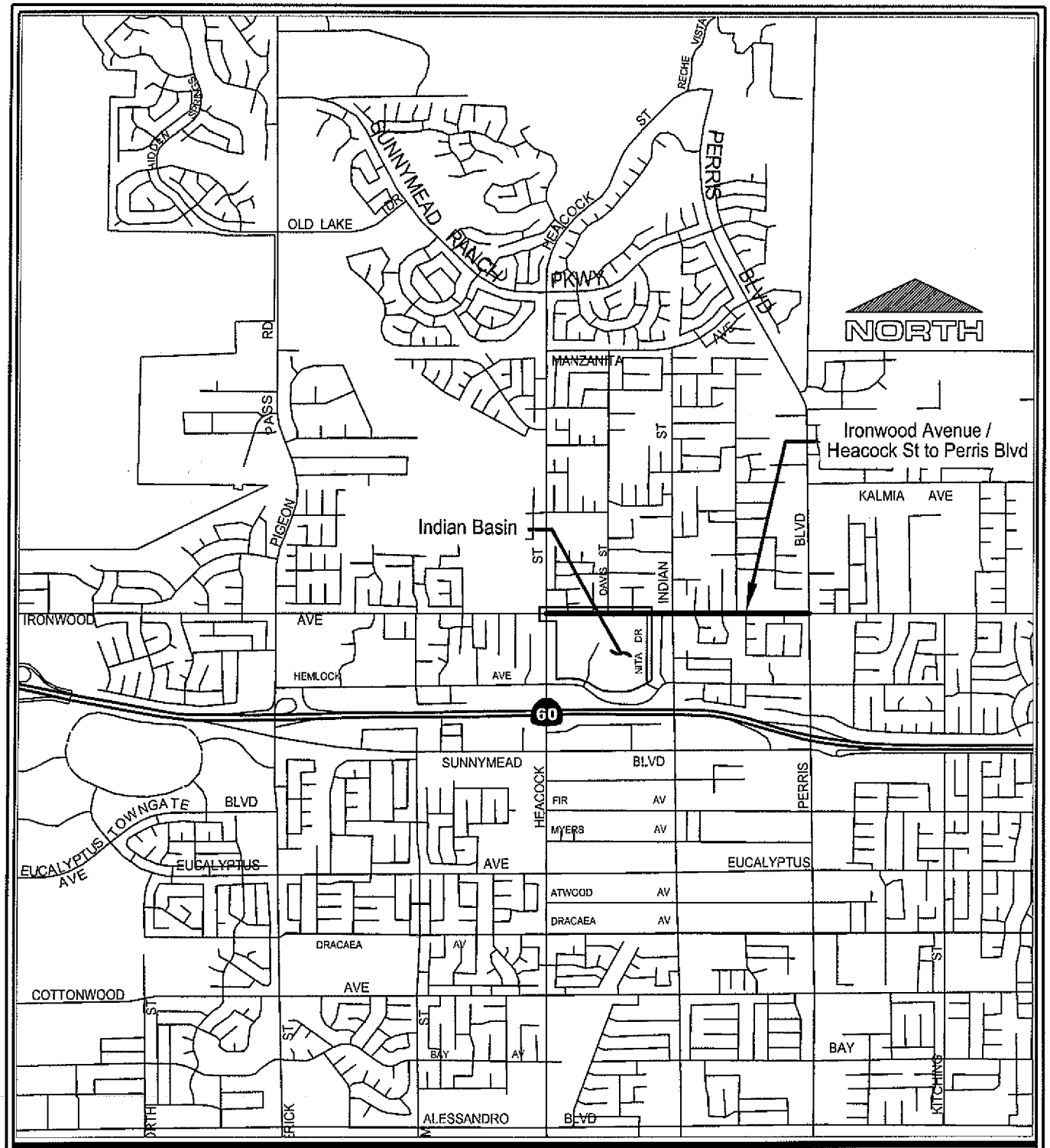

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	IRONWOOD AVE IMPROVEMENTS FROM HEACOCK ST TO PERRIS BLVD PROJECT NUMBER 06-50182625-2
Scale: None	INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS AND IRONWOOD AVE FROM HEACOCK ST TO NITA DR (SOUTH SIDE) PROJECT NUMBER 09-89791726
ATTACHMENT "A"	

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
Phone (909) 484-0459
Fax (909) 481-2945

Notification No. 1600-2009-0115-R6 (Revision 2) May 13, 2010

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereafter called the **Department**, and the City of Moreno Valley, represented by Ms. Margery Lazarus, 14177 Frederick Street, City of Moreno Valley, State of California, 92552, Phone (951) 413-3133, hereafter called the **Permittee**, is as follows:

WHEREAS, pursuant to Section 1602 of the California Fish and Game Code, the Permittee, on the 27th day of October 2009, notified the Department that to develop the Ironwood Avenue and Indian Detention Basin Improvements Project, they intend to divert or obstruct the natural flow of, or change the bed, channel, or bank of, or use material from the streambed of the following waters: **Bale Creek**, an **Unnamed Creek**, and **Indian Detention Basin**, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, City of Moreno Valley, County of Riverside, Township 3 South, Range 3 West, Section 6, Sunnymead, California USGS Quadrangle.

WHEREAS, the Department (represented by Ms. Anna Milloy) has determined that such construction may substantially adversely affect those existing fish and wildlife resources within the creeks and basin, referenced above in paragraph 2 of this page, including songbirds, raptors, other birds, reptiles, mammals, amphibians, plants and all other fish and wildlife resources, including that riparian vegetation which provides habitat for such species, in the area.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife resources during the **Permittee's** work. The Permittee hereby agrees to accept the following measures/conditions as part of the proposed work.

If the Permittee's work changes from that stated in the notification specified above, this Agreement is no longer valid and a new notification shall be submitted to the Department. Failure to comply with the provisions of this Agreement and with other pertinent code sections, including but not limited to Fish and Game Code Sections 1602, 5650, 5652, 5937, and 5948, may result in prosecution.

Nothing in this Agreement authorizes the Permittee to trespass on any land or property, nor does it relieve the Permittee of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated Agreement does not constitute Department endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This Agreement becomes **effective the date of Department's signature and terminates on May 13, 2012,** for construction of the proposed project only. This Agreement shall remain in effect for that time necessary to satisfy the terms/conditions of this Agreement. Any provisions of the agreement may be amended at any time provided such amendment is agreed to in writing by both parties. Mutually approved amendments become part of the original agreement and are subject to all previously negotiated provisions. The Permittee may request one extension of the agreement period. The extension shall be requested prior to the termination date of the agreement.

Attachment "B"

1. The following provisions constitute the limit of activities agreed to and resolved by this Agreement. The signing of this Agreement does not imply that the Permittee is precluded from doing other activities at the site. However, activities not specifically agreed to and resolved by this Agreement shall be subject to separate notification pursuant to Fish and Game Code Sections 1600 et seq.

Project/Site Description

2. The project site is located within Bale Creek, an Unnamed Creek, and Indian Detention Basin, all tributaries to the Perris Valley Storm Drain and the San Jacinto River, north of Hemlock Avenue and the Festival at Moreno Valley Shopping Center, east of Heaock Street, south of Ironwood Avenue, west of Nita Drive and residential development, in the City of Moreno Valley, County of Riverside. For the Ironwood Avenue and Indian Detention Basin Improvements Project, the Permittee is proposing to make improvements to Ironwood Avenue on the north side from Heacock Street to Perris Boulevard, and on the south side from Heacock Street to Indian Avenue. The project will also include improvements to the local storm drain systems, Lines H and H-1A, which drain into the existing Indian Detention Basin. Lines H and H-1A will be extended to the intersection of Ironwood Avenue and Davis Street, and directed south to Indian Detention Basin over the Unnamed Creek, which will be permanently filled and used as a maintenance road for the basin. A small portion of Bale Creek will also be filled in association with the extension of Line H. Impacts to the Indian Detention Basin include the installation of a concrete and riprap outlet structure where Lines H and H-1A will enter the basin and construction of the maintenance road and an access ramp into the basin. The project will temporarily impact 0.26 acres of jurisdictional areas, consisting of 0.17 acres of riparian habitat and 0.08 acres of streambed. The project will permanently impact 0.48 acres of jurisdictional areas, consisting of 0.04 acres of wetland habitat, 0.41 acres of riparian habitat, and 0.02 acres of streambed. Total project impacts of 0.74 acres of jurisdictional areas are authorized under this Agreement.

3. The Permittee shall not impact more than 0.74 acres of Departmental jurisdictional areas. If impacts to drainages or riparian habitat exceed that authorized in Condition 2 of the Agreement, the Permittee shall mitigate at a minimum 5:1 replacement-to-impact ratio for the impacts beyond those previously authorized by this Agreement and submit a new lake or streambed alteration notification for the entire project. All mitigation shall be approved by the Department.

Mitigation, Monitoring, and Reporting

4. To mitigate for project impacts, the Applicant shall provide sufficient funds to the Santa Ana Watershed Association (SAWA) for the active removal of **no less than 1.98 acres** of Tamarisk (*Tamarix* spp.) and other nonnative plant species within the San Jacinto River. A report shall be submitted to the Department annually (by SAWA), documenting the progress of the enhancement site. Photos of the enhancement site shall be included in the annual reports. The funding provided to SAWA shall include the cost of the initial removal, and monitoring, maintenance, and reporting of the enhancement site for a minimum of five years. **Prior to the initiation of any project activities in jurisdictional areas and within 90 days of signing this Agreement**, the Applicant shall submit to the Department for review and approval written documentation certifying the contribution of funds to SAWA for the enhancement effort.

5. An annual report shall be submitted by SAWA to the Department for a minimum of five years following initial Tamarisk and nonnative plant removal. At a minimum, this report shall include the following information: (1) information regarding Tamarisk and nonnative plant removal, including: (a) the methods used for removal, (b) the amount removed and/or treated, (c) the frequency and timing of removal and treatment, (d) disposal specifics, and (e) a summary of the general successes and failures or failure of the nonnative removal plan; and (2) information regarding native plant species recruitment, including: (a) the types of native plants recruited, including species' names, and (b) the amount of native plants recruited by

species. The report shall also include wildlife species observed at the enhancement site during monitoring surveys including sensitive species and/or listed species. Photos from designated photo stations shall be included. The first annual report is due to the Department **no later than June 1, 2011**.

Site Access

6. The Department reserves the right to enter the project site at any time to ensure compliance with the terms and conditions of this Agreement. The Permittee herein grants to Department employees and/or their consultants (accompanied by a Department employee) the right to enter the project site at any time, to ensure compliance with the terms and conditions of this Agreement and/or to determine the impacts of the project on wildlife and aquatic resources and/or their habitats.

Verification of Compliance

7. The Department shall verify compliance with protective measures to ensure the accuracy of the Permittee's mitigation, monitoring, and reporting efforts. The Department may, at its sole discretion, review relevant documents maintained by the Permittee, interview the Permittee's employees and agents, inspect the work site, and take other actions to assess compliance with or the effectiveness of protective measures in this Agreement.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

8. The issuance of this Agreement does not authorize the take of any state and/or federally listed threatened, endangered, or fully protected species. Additionally, it does not infer that the project is consistent with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) or that the project is a Biologically Equivalent or Superior Preservation Alternative. If modifications to the project are necessary to meet MSHCP requirements because the project is found during the MSHCP review process to be inconsistent with the MSHCP and/or the Western Riverside County Regional Conservation Authority (RCA) and/or Wildlife Agencies (Department and/or U.S. Fish and Wildlife Service) do not agree the project is a Biologically Equivalent or Superior Preservation Alternative, then a request for an amendment to this Agreement will be required.

Burrowing Owl Mitigation Measures

9. To avoid direct take of burrowing owls, a qualified biologist shall conduct burrowing owl preconstruction surveys of the project site following the 1993 Burrowing Owl Consortium Guidelines (BOCG). Surveys shall be conducted no later than 30 days prior to initiation of project activities. If owls are found onsite, no disturbance shall occur within 300 feet of the occupied burrow during the nesting season (March 1 through August 31). Owls may be passively relocated (following BOCG) outside the breeding season by a qualified biologist. A relocation plan shall be submitted to the Department for review and approval.

Notification to the California Natural Diversity Database

10. If any sensitive species are observed on or in proximity to the project site, or during project surveys, the Permittee shall submit California Natural Diversity Data Base (CNDDB) forms and maps to the CNDDB within five working days of the sightings, and provide the regional Department office with copies of the CNDDB forms and survey maps. The CNDDB form is available online at: www.dfg.ca.gov/whdab/pdfs/natspec.pdf. **This information shall be mailed within five days to:** California Department of Fish and Game Natural Diversity Data Base, 1807 13th Street, Suite 202, Sacramento, CA 95814, Phone (916) 324-3812. A copy of this information shall also be mailed within five days to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

MV00072367

Project Construction

11. The Permittee shall not remove vegetation from the project site from March 15 to September 15 to avoid impacts to nesting birds. If project construction cannot be avoided during the period of March 15 through September 15, the Permittee shall have a qualified biologist survey all potential nesting vegetation within the project site for nesting birds, prior to commencing project activities (including construction and/or site preparation). Surveys shall be conducted once a day for five days at the appropriate time of day during the breeding season and surveys shall end no more than three days prior to vegetation removal and/or disturbance. Documentation of surveys and findings shall be submitted to the Department for review and concurrence prior to conducting project activities. If no nesting birds were observed and concurrence was received from the Department, project activities may begin. If an active bird nest is located, the nest site shall be fenced a minimum of 200 feet (500 feet for Least Bell's vireo, Southwestern willow flycatcher, and/or raptors) in all directions, and this area shall not be disturbed until after September 15 and until the nest becomes inactive. If threatened or endangered species are observed in the area, no work shall occur during the breeding season (March 15 through September 15) to avoid direct or indirect (noise) take of listed species.

12. Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory non-game birds (as listed under the Migratory Bird Treaty Act).

13. A qualified biologist shall be onsite to monitor all activities that result in the clearing or grading of sensitive habitat as well as grading, excavation, and/or other ground-disturbing activities in jurisdictional areas. The Permittee shall flag the limits of grading and the jurisdictional areas, perform necessary surveys, and take photographs during the construction process, as required by this Agreement. The biological monitor is required to halt construction activities if threatened or endangered species are identified and notify the appropriate agencies immediately.

Lighting Impacts

14. No lighting, except that in existence or required for public safety shall be allowed to impact jurisdictional areas, and the lighting and fencing for infrastructure adjacent to jurisdictional areas shall be designed or reviewed by a qualified biologist to allow wildlife to move within the open space and conserved areas without hindrance.

Setbacks from Jurisdictional Areas

15. The Department recommends the use of native plants to the greatest extent feasible in the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels. The Permittee shall not plant, seed, or otherwise introduce invasive nonnative plant species to the landscaped areas adjacent to and/or near the mitigation/open space areas and within or adjacent to stream channels (minimum 100 foot setback from open space areas and 150 foot setback from stream channels and wetland/riparian mitigation sites). Invasive nonnative plant species not to be used include those species listed on the "California Invasive Plant Inventory, February 2006" and the "February 2007 Inventory Update", (which are updates to Lists A & B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999"). This list includes: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, bush lupine, sweet alyssum, English ivy, French broom, Scotch broom, Spanish broom, and pepperweed. A copy of the complete list can be obtained by contacting the California Invasive Plant Council by phone at (510) 843-3902, at their website at www.cal-ipc.org, or by email at info@cal-ipc.org.

MV00072368

16. The Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.

17. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance.

18. Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.

19. Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by the Permittee or any party working under contract or with the permission of the Permittee, shall be removed immediately.

20. No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any lake, streambed, or flowing stream.

21. No equipment maintenance shall be done within or near any lake, streambed, or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.

22. The Permittee shall notify the Department, in writing, at least five (5) days prior to initiation of project activities in jurisdictional areas as noted in Condition 2 above, and at least five (5) days prior to completion of project activities in jurisdictional areas as noted in Condition 2 above. Notification shall be mailed to the Department of Fish and Game Region 6, 4665 Lampson Avenue, Suite J, Los Alamitos, CA 90720, **ATTN: Streambed Team. Please reference SAA # 1600-2009-0115-R6.**

23. The Permittee shall **provide a copy of this Agreement to all contractors, subcontractors, and project supervisors. Copies of the Agreement shall be readily available at work sites at all times during periods of active work** and must be presented to any Department personnel, or personnel from another agency upon demand.

Change of Conditions

24. The Permittee shall notify the Department of any change of conditions to the project, the jurisdictional impacts, or the mitigation efforts, if the conditions at the site of a proposed project change in a manner which increases or decreases the risk that a fish or wildlife resource may be substantially adversely affected by the proposed project. The notifying report shall be provided to the Department no later than seven (7) days after the change of conditions is identified. As used here, change of condition refers to the processes, procedures, and methods of operation of a project, the biological and physical characteristics of a project area, or the laws or regulations pertinent to the project as defined below.

MV00072369

A. Biological conditions: a change in biological conditions includes, but is not limited to the following: 1) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, not previously known to occur in the area; or 2) the presence of a fish or wildlife resource within or adjacent to the project area, whether native or nonnative, for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

B. Physical conditions: a change in physical conditions includes, but is not limited to the following: 1) a change in the morphology of a river, stream, or lake, such as the lowering of a bed or scouring of a bank, or changes in stream form and configuration caused by flooding; 2) the movement of a river or stream channel to a different location; 3) a reduction of or other change in riparian vegetation on the bed, channel, or bank of a river, stream, or lake, or 4) changes to the hydrologic regime such as fluctuations in the timing or volume of water flows in a river or stream.

C. Legal conditions: a change in legal conditions includes, but is not limited to the following: a change in Regulations, Statutory Law, a Judicial or Court decision, or the listing of a species for which the status has changed to endangered, rare, or threatened, as defined in Section 15380 of Title 14 of the California Code of Regulations.

Extension of Agreement

25. The term of this Agreement shall not exceed five years in accordance with Fish and Game Code Section 1605. The Permittee may request one (1) extension of this Agreement prior to its termination for a period up to five (5) years, subject to Department approval. The extension request and fees shall be submitted to the Department's Region 6 Office at the above address. If the Permittee fails to request the extension prior to the agreement's termination then the Permittee shall submit a new notification with fees and required information to the Department. Any activities conducted under an expired agreement are a violation of Fish and Game Code Section 1600 et seq.

Suspension of Permit

26. The Department reserves the right to suspend or revoke this Agreement, after giving notice to the Permittee, if the Department determines that the Permittee has breached any of the terms or conditions of this Agreement, or for other reasons, including but not limited to the following:

A. The Department determines that the information provided by the Permittee in support of the notification/agreement is incomplete or inaccurate;

B. The Department obtains new information that was not known to it in preparing the terms and conditions of the agreement;

C. The project or project activities as described in the notification/agreement have changed; or

D. The conditions affecting fish and wildlife resources change or the Department determines that project activities will result in a substantial adverse effect on the environment.

MV00072370

Concurrence (1600-2009-0115-R6)

In WITNESS WHEREOF, the parties below have executed this Lake or Streambed Alteration Agreement Number 1600-2009-0115-R6 (Revision 2) as indicated below:

Date	City of Moreno Valley Chris A. Vogt, P.E. Public Works Director/ City Engineer	**City of Moreno Valley** **Represented by Ms. Margery Lazarus**
Date		**Ms. Kimberly Nicol** **Deputy Regional Manager** **Department of Fish and Game** **Inland Deserts Region**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

BACKGROUND

On July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges for the City of Moreno Valley's Electric Utility, or Moreno Valley Utility (MVU). Electric Rule 12 entitled "Rates and Optional Rates" of that document states that the rates to be charged by and paid to the City's utility for electric service will be the rates legally in effect and on file with the Electric Utility Division, Department of Public Works. At its meeting on December 9, 2003, the City Council approved Ordinances 650 and 651 providing for the establishment and adjustment of electric rates by resolution.

DISCUSSION

Consistent with Ordinances 650 and 651, the resolution considered in this action amends MVU's Electric Rates. A complete copy of the proposed *Electric Rates* document is available for review in the Public Works Department, Electric Utility Division office. To ensure the City's rates are just and reasonable and to ensure that the City's rates are set at a level sufficient to cover the utility's costs, it will be necessary for the City Council to approve an adjustment of the rates that MVU charge customers for service from time to time. Due to the structure of MVU's rates, the customer's usage

will ultimately determine the impact of this proposed rate adjustment on their monthly billings.

For example, the proposed rate adjustments considered in this council action will affect a residential customer who uses 600 kWh in a month differently than a customer who uses 1,000 kWh in a month. The proposed rate changes considered in the council action will result in an increase of MVU's rate schedules for both the summer season and winter season. Pursuant to MVU's rates, the summer season begins at 12:00am on the first Sunday in June and continues until 12:00am on the first Sunday in October. The winter season begins at 12:00am on the first Sunday in October, and continues until 12:00am on the first Sunday in June of the following year. Generally speaking, there are four months in the summer season, and eight months in the winter season.

If the City Council approves the proposed rate adjustments, the average MVU residential customer taking service under Schedule A who uses 600 kWh per month will experience an increase in their bill of 0.4% in summer, and an increase of 6.83% in winter. This results in an increase of $0.32 for each summer bill, and a $6.47 increase for each of the winter season's bills. Similarly, an MVU residential customer who uses 1,000 kWh per month will experience a decrease of 7.97% in the summer season, and an increase of 14.84% in the winter season. This results in a $12.93 increase in the customer's monthly bill for summer, and an increase of $27.67 per month for each month of the winter season.

If the City Council approves the proposed rate adjustments, the average MVU small commercial customer taking service under Schedule B who uses 2,978 kWh per month will experience an increase of 5.2% for each month of the summer season, and an 8.0% increase for each month of the winter season. The average MVU large commercial customer taking service under Schedule C who uses 24,531 kWh per month with a demand of 100kW will experience an increase of 4.0% in summer and a decrease of 8.99% in winter. The average MVU large commercial, time-of-use customer taking service under Schedule TOU-LGS who uses 386,896 kWh per month with a demand of 865 kW in summer, and who uses 392,333 kWh per month with a demand of 666 kW in winter, will experience an increase of 3.8% in summer and an increase of 8.8% in winter. Schedule TC-1, MVU's rates for traffic controllers, will increase by 7.6%. MVU's current street light rate schedule (Schedule SL) will increase 2.1% and 2.7% for 9,500 and 22,000 lumen lamps, respectively.

If approved by the City Council, these changes will become effective at 12:00 a.m. on June 9, 2010.

Pursuant to Section 5 of the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City is obligated to adjust its rates from time to time so that the City's electric rates remain roughly equivalent to the otherwise applicable investor owned utility rate schedules. This council action will also true up MVU's rates to comply with this obligation. If adopted, the net impact upon MVU customers will be an increase in rates.

ALTERNATIVES

1. Approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *The amendment of the Electric Rates will allow the City's utility to recover its costs for service, and to offer competitive rates.*

2. Do not approve proposed resolution amending the Electric Rates for Moreno Valley Utility as on file in the Electric Utility Division, Public Works Department. *This would restrict the City's utility in its ability to recover utility costs, and also its ability to offer competitive rates.*

FISCAL IMPACT

As rates are adjusted, revenues will reflect the adjustments. Utility revenues will increase slightly if the proposed changes are adopted by City Council. These funds are restricted for Moreno Valley Utility purposes.

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.

POSITIVE ENVIRONMENT:
The proposed rate adjustments ensures timely changes to the rates of the City's utility, and helps to create a positive environment for economic development within the community. The City of Moreno Valley will offer competitive rates and will help the City create new, well paying jobs.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Proposed Resolution

Prepared By: George Hanson
Electric Utility Division Manager

Department Head Approval: Chris A. Vogt, P. E
Public Works Director/City Engineer

Concurred By: Darcy Ramirez
Senior Financial Analyst

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\Electric Utility\Administration - Finance\Staff Reports\2010 SR's\SR - Rate and Rules Adjustments 8Jun2010.doc

RESOLUTION NO. 2010-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES, AND ELECTRIC SERVICE RULES, FEES, AND CHARGES FOR MORENO VALLEY UTILITY

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in the document. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council hereby adopts the amended Moreno Valley Utility Electric Rates and Electric Service Rules, Fees, and Charges as on file in the Public Works Department and City Clerk's Office.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

Attachment 1

Resolution No. 2010 - XXX
Date Adopted: June 8, 2010

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD
PROJECT NO. 04-8928022-1

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125).

2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto.

BACKGROUND

On February 26, 2008, the City Council awarded the Sunnymead Boulevard Revitalization Project (Stage 1) construction contract and authorized the issuance of a Purchase Order in the amount of $5,286,234.80 (the bid amount plus 10% contingency) to Environmental Construction, Inc. (ECI). The ECI contract includes infrastructure improvements and aesthetic enhancements such as a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns.

On November 25, 2008, the City Council awarded the Sunnymead Boulevard Beautification and Enhancement Project (Stage 2) construction contract and authorized

the issuance of a Purchase Order in the amount of $2,702,636.90 (the bid amount plus 10% contingency) to PALP Inc. dba Excel Paving Company (Excel). The Excel contract includes raised medians, color concrete center turn-lanes, median landscaping, and concrete intersection pavement.

DISCUSSION

The Stage 1 construction work with ECI started in May 2008 and is currently winding down to completion in August 2010. ECI is currently working on the gateway entry arch. Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because all the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. The total requested Change Order increase to the Purchase Order is $195,000. Meanwhile the City and Contractor are working together to resolve several construction claims issues.

The increase in the ECI contract is attributed to the overall value added scope of work augmentation resulting from additional bid item work quantities and the current six Contract Change Orders (CCOs) issued on this project. These CCOs include the widening of the intersection corners at the Sunnymead Boulevard and Heacock Street intersection to enhance turning movements for larger vehicles and commercial trucks while making it safer for pedestrians. This modification required a new traffic signal, poles, signal heads, and service cabinet. Altering the intersection also resulted in the need to install a handrail at the east sidewalk entrance at Bancomer Bank to meet Americans with Disabilities Act (ADA) requirements. ADA requirements also necessitated the installation of truncated domes at each of the intersection curb access ramps. In addition, storm drain improvements and catch basins were constructed near the intersection of Indian Avenue and Sunnymead Boulevard to minimize the intermittent flooding problem at that location. The former City Manager also ordered the re-design of the gateway arch and parkway monument signs resulting in a higher valued gateway arch structure and monument signs with enhanced features and improved continuity throughout the boulevard.

The added improvements enhanced the aesthetic and functional value of the Sunnymead Boulevard project. Despite the fact that the cost of the project went up, the final product provided a superior value for the investment, improved public safety, and enhanced the appearance of the Boulevard. Due to the value added improvements instituted as part of the CCOs and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order.

ALTERNATIVES

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and authorize the City Manager to execute

the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will allow payment to the Contractor and completion of the improvements.*

2. Do not authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of $195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125), and do not authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc., in the form attached hereto. *This alternative will delay payment to the contractor, delay completion of the improvements and incur extra cost to the City.*

FISCAL IMPACT

The Stage 1 project by ECI was funded with Lease Revenue Bond funds (Fund 501) as budgeted for Fiscal Year 2009/2010.

Staff anticipates that by the time all work is completed, the final contract cost will exceed the Purchase Order amount issued by approximately 3% which is approximately $165,000. Because the work is not yet completed, staff is recommending an additional contingency amount of $30,000 for possible unforeseen work items. An increase of $195,000 is requested to increase Purchase Order No. 35442 for ECI from the project's unencumbered budget in 501.82125 to cover the remaining contractual expenditures. The funding for this project is restricted to Sunnymead Boulevard capital improvements and cannot be used for other activities. There is no impact to the General Fund.

OVERALL PROJECT FINANCIAL STATUS:

Total Budget Appropriation Fiscal Year 2001/2002 to Fiscal Year 2009/2010 (Funds 892, 501, 125)	$12,138,000
Total Estimated Design Related Costs	($1,912,000)
Total Est. Construction Related Costs for Sidewalk/Parkway (Stage 1)	($6,298,000)
Total Est. Construction Related Costs for Median/Intersection (Stage 2)	($3,499,000)

Breakdown of Stage 1 Related Work

Contractor (includes contingency) (501.82125)	$5,286,000
Requested increase in PO No. 35442 for ECI	**$195,000**
Consultant Construction Management/Inspection Services (includes contingency)	$330,000
Geotechnical Services	$65,000
Survey Services	$70,000
Project Administration*	$352,000
Total Amount for Stage 1 Construction	$6,298,000

Remaining Combined Project Balance in Funds 892, 501, and 125 ..... $429,000

* Public Works staff will provide Project Administration.

ANTICIPATED PROJECT SCHEDULE:
Completion of Stage 1 Construction.....August 2010
Completion of Stage 2 Construction..... October 2010

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the development of Moreno Valley's future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

Environmental Construction, Inc. has been constructing the revitalization improvements on Sunnymead Boulevard from Frederick Street to Perris Boulevard (Stage 1). The improved infrastructure and aesthetic enhancements include a gateway entry arch, decorative bus shelters, intersection parkway sign monuments, parkway landscaping, curbs/gutters, color sidewalks, driveways, intersection curb ramps and curb returns. Due to the value added improvements instituted as part of the Contract Change Orders and bid quantity increases, staff is requesting City Council approve the Change Order to increase ECI's Purchase Order by $195,000 from the unencumbered project budget.

ATTACHMENT

Attachment "A" – Change Order Form

Prepared By:
Christopher Wiberg
Senior Engineer, P.E.

Concurred By:
Barry Foster
Economic Development Director Programs

Concurred By:
Prem Kumar, P.E.
Deputy Public Works Director/
Assistant City Engineer

Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\CapProj\CapProj\PROJECTS\John - 04-89280221 Sunnymead Blvd Revitalization\Construction\04-8920221-1 Sidewalk Parkway Improv\CC Report\060810 pk Staff Rpt Change Order for ECI.doc

CHANGE ORDER FORM

CITY OF MORENO VALLEY, CA

TODAY'S DATE:	**5/27/10**	**VENDOR NAME:**	Environmental Construction, Inc.
		VENDOR NO.#	ORIGINAL PO NUMBER
		2342928	35442
Project Number:			

DESCRIPTION OF NEEDED CHANGE **Note: If text does not fill across the row shorten the text (under 260 characters) and use two or more rows**	**COST** (use negative sign to reduce amount)
Increase PO # 35442 by $195,000 for additional improvements for the Sunnymead Boulevard project from Frederick Street to Perris Boulevard (Project No. 04-89280221-1).	$195,000.00

Notes:		**Change Order Sub Total from Above:**	$195,000.00
		Original P.O. and Prior Change OrderAmount:	$5,286,234.80
		Revised Total Spend:	**$5,481,234.80**

Signatures below are based on the total accumulated expenditure amount of original PO and all subsequent change orders (Revised Total Spend).			**Percentage Split** (to split, fill in % amounts below to equal 100%)	**Business Unit and Expenditure Code** (e.g. 31510.6221.225) **Cannot split between fund numbers**	**Split Amounts**
Requested by:	Chris Wiberg & Lee Ann Florez	Date: 05/27/2010			
Divison Manager ($15k)		Date:	100.0%	501.82125.7200	$5,481,234.80
Department Head ($30K)		Date:			
Financial & Admin. Svcs. Director ($50K)		Date:			
City Manager ($100K)		Date:			
Purchasing Manager's Signature:			**100.0%**	Split Allocated Total Spend:	$5,481,234.80

Attachment "A"

V 1.4

MV00072384

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 8, 2010

TITLE: APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES)

RECOMMENDED ACTION

Staff recommends that the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

BACKGROUND

Memoranda of Understanding (MOU) concerning compensation and other terms and conditions of employment are currently in effect for Fiscal Year (FY) 2009-10 with the three City employee associations: Moreno Valley City Employees Association (MVCEA), Moreno Valley Management Association (MVMA), and Moreno Valley Confidential Management Employees (MVCME). Effective July 1, 2009, each of these MOUs incorporated a new two-tier benefit structure in which new employees' benefit banks would be reduced from $13,629 to $12,000 per year, along with the new employees paying the employee share of the retirement contribution to the California Public Employees' Retirement System (CalPERS).

DISCUSSION

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence, treating the rehire actions as "reinstatements" rather than "new hires". Employees recalled after being laid off are currently reinstated to the same salary and benefits they were receiving prior to the lay-off.

Proposed amendments to the current FY 2009-10 MOUs between the City and the two management associations (MVMA and MVCME) are attached for City Council's consideration. Exhibit "A" is the proposed amendment for the MVMA MOU; Exhibit "B" is the proposed amendment for the MVCME MOU. MVMA and MVCME have approved the amendments for their respective associations. A proposed amendment has also been provided to MVCEA and is currently under consideration by that association. It is in the City's best interest to amend the MOUs with the management associations at this time, rather than waiting for approval from MVCEA for the amendment related to their MOU. Although the proposed amendments relate to the FY 2009-10 MOUs, it is intended that they will also be incorporated in future MOUs.

Following is the text from the FY 2009-10 MOUs with MVMA and MVCME that pertain to the two-tier benefit system:

6. BENEFIT BANK

The benefit bank for employees hired after July 1, 2009 shall be reduced from $13,629 per year to $12,000 per year.

7. PERS EMPLOYEE CONTRIBUTIONS

Employees hired after July 1, 2009 shall pay the employee's portion of CalPERS retirement contributions (currently 8%). These contributions shall be deducted from the employee's bi-weekly pay. In addition, the City will cease paying the Employer Paid Member Contribution (EPMC) for these employees.

The text of the proposed amendments to the MVMA and MVCME MOUs (Exhibit "A" and Exhibit "B") is shown below:

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Approve the proposed amendments to the FY 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

2. Do not approve the proposed amendments.

3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

The fiscal impact of the proposed amendments cannot be determined since it is not known how many former employees may be rehired within one year of their separation. However, it is likely to be very few employees; thus representing a minimal fiscal impact to the City. Offsetting this minimal fiscal impact is the opportunity to rehire an experienced employee who would be able to make an immediate contribution to the organization without any need for training or other orientation. No employees will be rehired unless it is in the City's best interest to do so.

CITY COUNCIL GOALS

None applicable

SUMMARY

The City's workforce has been significantly reduced over the past two years in response to budgetary challenges resulting from the economic recession. In certain instances, it may be in the City's best interest to rehire an employee who had separated, either through retirement or resignation. To facilitate such rehires, it is advantageous to offer the former employees the same benefits as they were receiving prior to their separation; in essence treating the rehire actions as "reinstatements" rather than "new hires". Since a new two-tier benefit system took effect July 1, 2009, it is proposed that amendments to the MOUs with the City's management associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) be approved to provide the same benefits to former employees who are rehired within one year of separation as they were receiving prior to separation. A proposed amendment has also been provided to the Moreno Valley City Employees Association and is currently under consideration by that association.

ATTACHMENTS/EXHIBITS

Exhibit "A" - Amendment to MOU with Moreno Valley Management Association
Exhibit "B" - Amendment to MOU with Moreno Valley Confidential Management Employees

Prepared By:
Steve Elam
Interim Financial & Administrative Services Director

Department Head Approval:
John Ruiz
Interim Human Resources Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

Exhibit "A"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Management Association (MVMA)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

Exhibit "B"

Amendment to Memorandum of Understanding (MOU)
Between the City of Moreno Valley and the
Moreno Valley Confidential Management Employees (MVCME)
Related to Fiscal Year 2009-10

Paragraph 6 (Benefit Bank) and Paragraph 7 (PERS Employee Contributions) are hereby amended as follows:

The above paragraphs relate to new employees. If an employee voluntarily separates from the City and is subsequently re-hired by the City within one calendar year of his/her separation date, the benefit bank will be $13,629 per year and the City will pay the employee's share of CalPERS contributions in the same manner as done prior to the separation.

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. 1.

BACKGROUND

In 1986, CSD Zone A was established to fund park and recreational services. Over the years the cost of providing park maintenance services steadily increased, while the CSD Zone A annual charge of $87.50 per parcel (per Dwelling Unit ["DU"] for apartments) remained fixed since fiscal year ("FY") 1992/93. Rising program costs along with an increase of new residential developments in recent years created a need for additional funding to support the new neighborhood park areas. CSD Zone A funds cannot adequately accommodate the maintenance costs of both existing and newly constructed neighborhood park areas. In an effort to provide for the ongoing maintenance and safety of new neighborhood parks, without jeopardizing CSD Zone A funding for existing park and recreation services, the CSD formed CFD No. 1.

On July 8, 2003, the CSD Board conducted a Public Hearing for the formation of CFD No. 1, approved a resolution to provide for future territory annexation into CFD No. 1 and authorized a special tax levy. The special tax funds public services, such as

ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks accepted by the City of Moreno Valley Parks and Community Services Department for maintenance after District formation in July 2003. FY 2003/04 was the first year for the special tax levy.

Proposition 218, a constitutional initiative known as the Right to Vote on Taxes Act, was approved by California voters in November 1996. Subsequent increases, not addressed in the original CFD Report, will be subject to a two-thirds approval by the property owners within CFD No. 1.

DISCUSSION

The CSD Board shall have the opportunity to consider implementing the rate and method of apportionment of special tax ("RMA") required to cover the special tax requirement of CFD No. 1, as submitted in the Annual Special Tax Report ("Report") on file in the office of the City Treasurer.

Detailed within the Report is the description of the CFD proceedings, identification of participating developments, park projects maintained within the District, description of services, and amount of the special tax to be levied for 2010/11. The maximum special tax rate for FY 2010/11 is $143 per DU; however, the FY 2010/11 CFD No. 1 levy shall be based on projected District expenses and shall not exceed the maximum special tax amount. The 2010/11 CSD Zone A levy of $87.50 per dwelling unit will continue to be collected to support maintenance of existing parks and recreation programs. The special tax levy per residential parcel or per DU for apartments will be collected on the Riverside County property tax bill and is applied only to those parcels, or any portion thereof, annexed into CFD No. 1.

ALTERNATIVES

1. **Approve and adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *This approval will allow collection of monies necessary to fund ongoing maintenance services of CFD No. 1.*

2. **Do not approve or adopt the proposed resolution** to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the RMA required to cover the annual special tax requirement of CFD No. 1. *CSD Zone A funds maintenance and operations of existing park areas, recreation facilities and programs; however, these funds are inadequate to support ongoing maintenance and/or repair of parks, park improvements, and all efforts by Park Rangers that are devoted to the maintenance and safety of the newly constructed neighborhood parks as a result of added residential development. If the CFD No. 1 special tax is not*

authorized to be levied, there will be a shortage of funds to pay for maintenance and Park Ranger costs associated with new neighborhood parks.

FISCAL IMPACT

The fiscal impact will be a levy of a special tax applied to the property owner's 2010/11 Riverside County property tax bill. **The special tax levied on properties within the boundaries of CFD No. 1 can only be used to cover the annual special tax requirement for the District. Collection of the CFD No. 1 special tax reduces the level of CSD Zone A and General Fund support necessary to maintain neighborhood parks.** Properties within CFD No. 1 are new residential developments, which create the need for new neighborhood parks. Neither existing nor new commercial/industrial properties are affected by this special tax levy.

CITY COUNCIL GOALS

Revenue Diversification and Preservation
A special tax necessary to fund CFD No. 1 is collected according to the provisions outlined within the Mello-Roos Community Facilities Act of 1982.

SUMMARY

The CSD Board shall have an opportunity to consider implementing the levy for CFD No. 1, per the RMA, as identified within the Report on file in the office of the City Treasurer.

EXHIBITS

Exhibit A A proposed resolution to accept and approve the Report for FY 2010/11 regarding CFD No.1
Exhibit B Boundary Map CFD No. 1

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

Concurred by:
Mike McCarty
Parks & Community Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Facilities Districts CFD\CFD 1 Neighborhood Parks\Annual Report\2010-11\Staff Report 06.08.10.doc

RESOLUTION NO. CSD 2010-07

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ACCEPTING AND APPROVING THE REPORT FOR FISCAL YEAR 2010/11 REGARDING COMMUNITY FACILITIES DISTRICT NO. 1

WHEREAS, the CITY COUNCIL for the CITY OF MORENO VALLEY, CALIFORNIA, acting in their capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), did form Community Facilities District No.1 ("CFD No. 1" or "District") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California; and,

WHEREAS, following approval by the qualified electors of the District, the CSD Board, acting as the legislative body, did introduce and adopt Ordinance Nos. CSD-40 (Urgency Ordinance) and CSD-41 (an Ordinance of the Moreno Valley Community Services District of the City of Moreno Valley, California) to authorize the levy of a special tax within CFD No. 1; and,

WHEREAS, the CSD Board adopted Resolution No. CSD 2003-26 authorizing annexation of Territory in the future to CFD No. 1; and,

WHEREAS, annexations to CFD No. 1 have been conducted by the Community Services District following formation of the District; and,

WHEREAS, The City has prepared and submitted the Special Tax Report ("Report") for FY 2010/11; and a copy of said Report is on file in the office of the City Treasurer and is incorporated herein by this reference as if fully set forth.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the above recitals are all true and correct.

2. That the Report for FY 2010/11, as on file in the office of the City Treasurer, is hereby approved.

3. That this legislative body hereby authorizes the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover

the annual special tax requirement of CFD No. 1 as set forth in the Report and hereby is levied during FY 2010/11 against the parcels within the District.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, Acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's Office will prepare]

[Note: Any attachments or exhibits to this resolution should follow this jurat.]

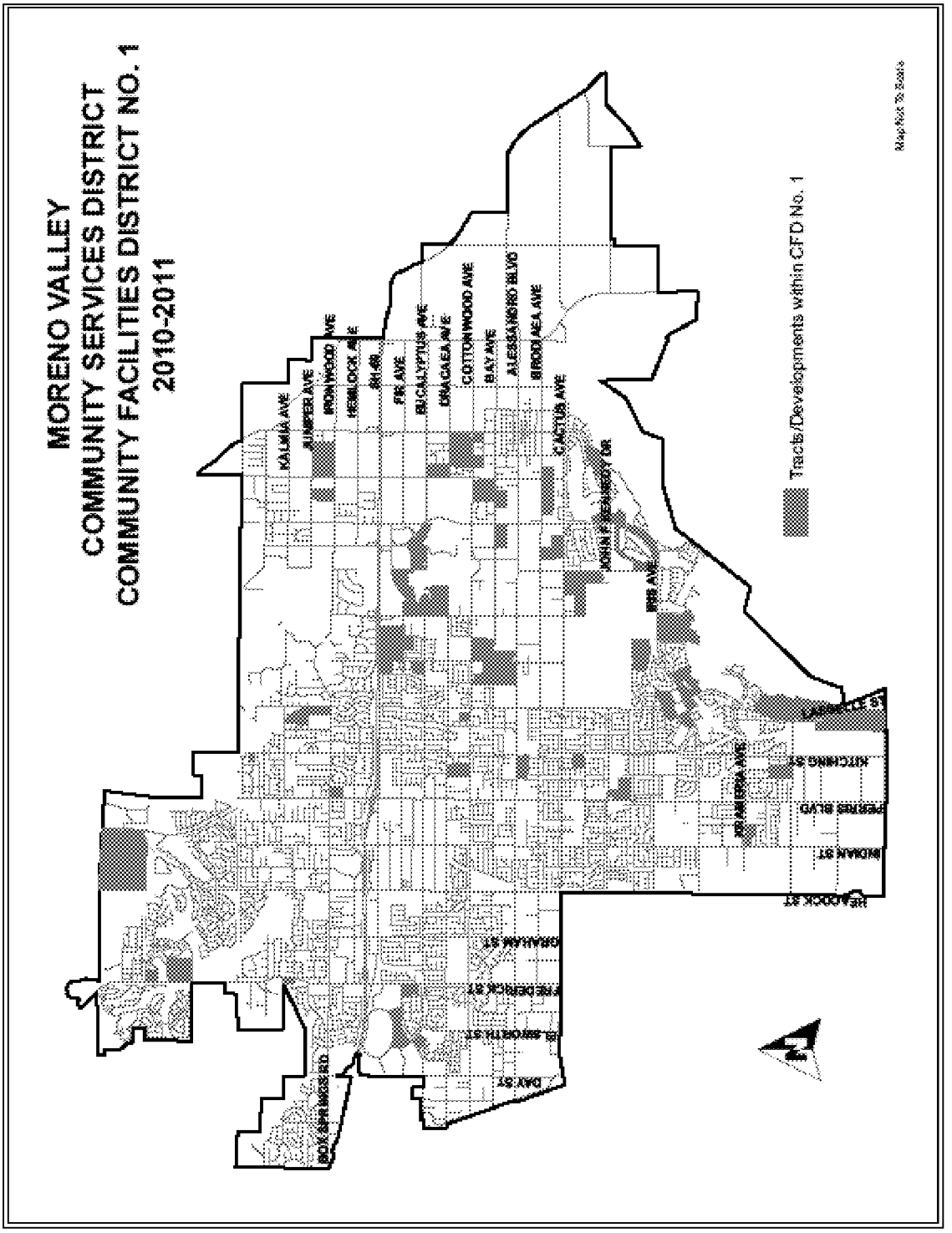
MORENO VALLEY
COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 1
2010-2011
KALMIA AVE
JUNIPER AVE
IRONWOOD AVE
HEMLOCK AVE
ELM
FIR AVE
EUCALYPTUS AVE
DRACAEA AVE
COTTONWOOD AVE
BAY AVE
ALESSANDRO BLVD
BROOD AEA AVE
CACTUS AVE
JOHN F KENNEDY DR
IRIS AVE
LAMBERT ST
KITCHING ST
PERRIS BLVD
INDIAN ST
JOE AMERICA AVE
REDWOOD ST
ORANGE ST
FREDERICK ST
SOUTH ST
DAY ST
BOX SPRINGS RD
Tracts/Developments within CFD No. 1
Map Not To Scale

EXHIBIT B

MORENO VALLEY
COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 1
2010-2011

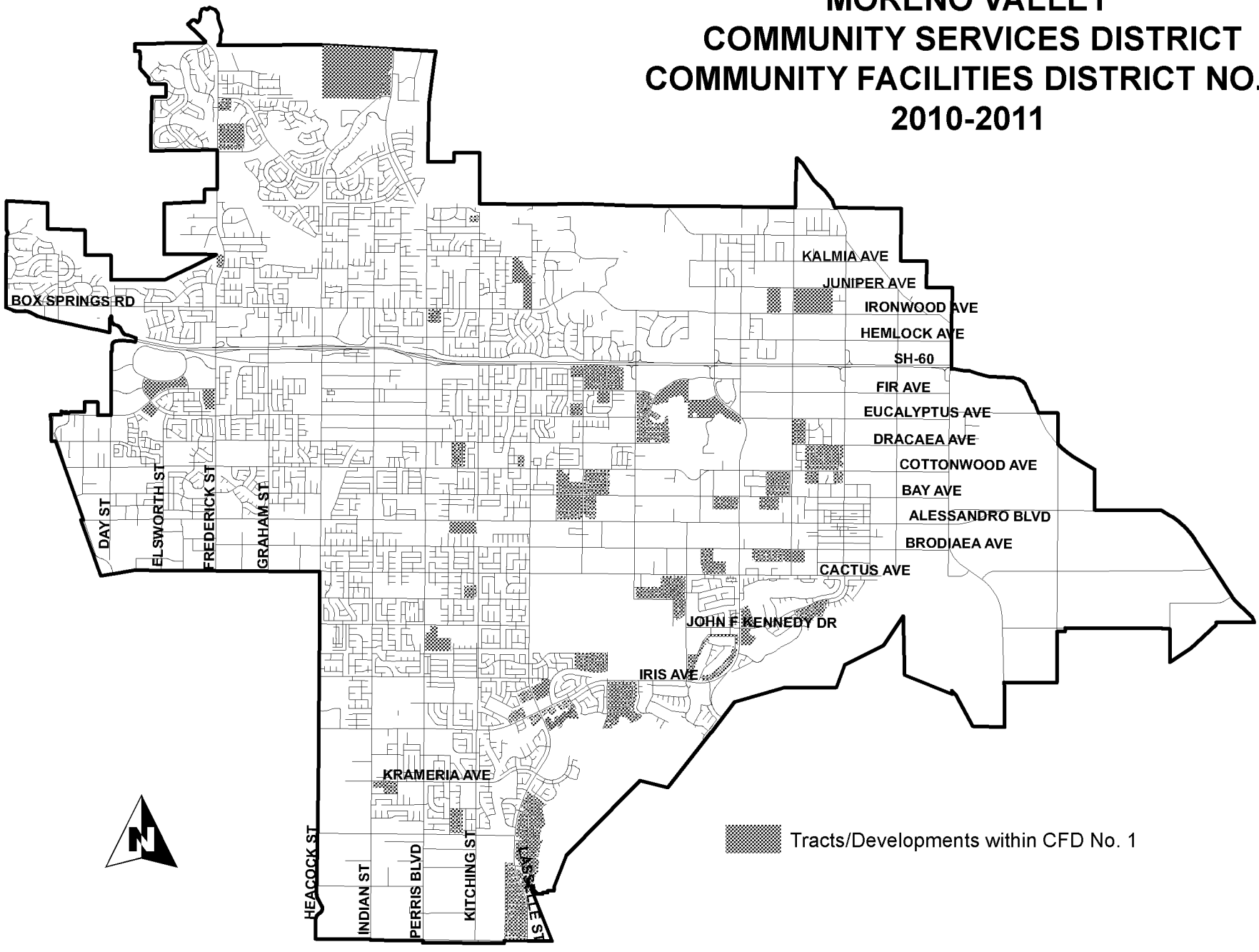

Map Not To Scale

MV00072399

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

2. Staff recommends that the City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

BACKGROUND

Each year Special Districts prepares and sends an electronic report containing the City and the CSD charges, assessments, fees, and/or special taxes ("fixed charges") to the Riverside County Auditor-Controller for placement and collection on the property tax roll. The fixed charges are placed individually on the tax roll for services applicable to each Assessor Parcel Number (APN). The County of Riverside requires that the City/CSD submit a Proposition 218 letter for the funds transmitted for placement and collection on the property tax bill. The Proposition 218 letter (as set forth in Attachments 3 and 4) addresses compliance with Proposition 218 and liability as a result of claims filed by taxpayers against any charge,

assessment, fee and/or special tax placed on the Riverside County property tax roll on behalf of the City or the CSD.

DISCUSSION

Special Districts annually reviews the fixed charges in compliance with Proposition 218 and prepares the fixed charge roll to be sent to the Riverside County Auditor-Controller by August 10, 2010, for placement on the FY 2010/11 property tax roll. The fixed charge roll shall include the following funds ("fixed charge funds"):

Fund No.	Description	Fund No.	Description
68-4271	ZONE A	68-2491	CFD No 1
68-4272	ZONE B	68-2490	CFD No 3
68-4274	ZONE C	68-4292	CFD No 4M
68-4275	ZONE D	68-4293	CFD No 5
68-4276	ZONE E	68-4294	CFD No 7
68-4281	ZONE E-1A	68-2495	CFD No 87-1
68-4284	ZONE E-3A	68-2489	CFD No 87-1 IA1
68-4282	ZONE E-4A	68-2494	NUISANCE
68-4283	ZONE M	68-4290	NPDES
68-4270	ZONE S	68-4277	SOLID WASTE
68-2483	AD 96-1		

ALTERNATIVES

1. **Adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for each City and CSD fixed charge fund. *Authorizing the Mayor/CSD President to sign the Proposition 218 letters for each fund submitted on behalf of the City and the CSD fulfills the County of Riverside's requirement for placement of the fixed charges on the property tax roll.*

2. **Do not adopt the enclosed resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters for FY 2010/11** for submittal to the Riverside County Auditor-Controller. *Not authorizing the Mayor/CSD President to sign the Proposition 218 letters, may prevent submission of the fixed charges to the Riverside County Auditor-Controller for placement on the property tax roll.*

FISCAL IMPACT

The revenue from the fixed charges shall offset costs incurred in providing multiple services to the property owners and shall also provide for the annual debt service payments of outstanding bonds related to assessment and community facilities districts. **Revenue collected from the funds referenced above are restricted for use within each respective fund.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
The revenue derived from the fixed charges allows the CSD to continue supporting and improving the community image, neighborhood pride and cleanliness through services such as: maintenance of parks and recreation areas, streetlights on arterial streets and residential roadways, graffiti removal, parkway landscape maintenance, etc.

Revenue Diversification and Preservation
Complying with the County of Riverside's requirement ensures that the fixed charges are applied to the property tax roll and costs of providing the needed services to the property owners may be paid through the collection of the fixed charges.

SUMMARY

The action before the City Council/CSD Board is to adopt two resolutions authorizing the Mayor/CSD President to sign the Proposition 218 letters to comply with the County of Riverside's requirement for placement of the fixed charges on the property tax roll.

ATTACHMENTS

Attachment 1: City Proposition 218 Letter Resolution
Attachment 2: CSD Proposition 218 Letter Resolution
Attachment 3: Proposition 218 Letter for City Funds
Attachment 4: Proposition 218 Letter for CSD Funds

Prepared by:
Jennifer A. Terry,
Management Analyst

Department Head Approval:
Chris A. Vogt, P.E.,
Public Works Director/City Engineer

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Fixed Charges\County Submission\2010-11\Prop 218 Stfrpt 6.8.10.doc

RESOLUTION NO. 2010-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the City of Moreno Valley ("City") provides or will provide various services within the City through City programs and funding for such services, in part, through, charges, assessments, fees and/or special taxes; and

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the best interests of the City to have said City charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the City Council has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor be given the authorization to sign the Proposition 218 letter which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any charges, assessment, fees, and/or taxes placed on the tax roll for the City by the County.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside's requirement.

2. The City Clerk is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00072405

RESOLUTION NO. CSD 2010-08

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE MAYOR, ACTING AS PRESIDENT OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, TO SIGN THE PROPOSITION 218 LETTER TO BE SENT TO THE COUNTY OF RIVERSIDE AUDITOR-CONTROLLER'S OFFICE

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide various services within the CSD through CSD programs and provides funding for such services, in part, through zones of the CSD and/or subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, Government Code Section 61000 et seq. states that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the CSD Board of Directors ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have said CSD charges, assessments, fees and/or special taxes collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined and hereby does determine that in order to comply with the County of Riverside's requirements, the Mayor, acting as the President of the CSD, be given the authorization to sign the Proposition 218 letter, which is submitted to the Riverside County Auditor-Controller's office along with the charges, assessments, fees, and/or special taxes to be collected on the tax roll; and

WHEREAS, the Proposition 218 letter release the County of Riverside from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessment, fees, charges, or taxes placed on the tax roll for the CSD by the County.

ATTACHMENT 2

NOW, THEREFORE, THE MORENO VALLEY CSD OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The Mayor, acting in the capacity of President of the CSD, is authorized to sign the Proposition 218 letter for fiscal year 2010/11 for the charges, assessments, fees, and/or special taxes to be levied on the tax roll, to comply with the County of Riverside requirement.

2. The Secretary of the CSD is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Riverside County Auditor-Controller's office.

APPROVED AND ADOPTED this 8th day of June 2010.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

MV00072408

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The City of Moreno Valley represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-2483	AD 96-1	68-2489	CFD No. 87-1 IA1
68-2490	CFD No. 3	68-2494	Nuisance
68-4292	CFD No. 4-M	68-4290	NPDES
68-4293	CFD No. 5	68-4277	Solid Waste
68-2495	CFD No. 87-1		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the City of Moreno Valley upon receipt of such roll on or about August 2, 2010 based upon such certification.

The City of Moreno Valley shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the City of Moreno Valley by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 3

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor
City of Moreno Valley

Date

Attested by:

_____

City Clerk
City of Moreno Valley

Robert E. Byrd, CGFM
Riverside County Auditor-Controller
4080 Lemon Street, 11th floor
Riverside, CA 92502

SUBJECT: Compliance with Proposition 218

Dear Mr. Byrd:

The Moreno Valley Community Services District (CSD) represent that the charges associated with the following property tax fund numbers identified on the County Tax Roll are in compliance with the articles of Proposition 218 cited below.

Fund No.	Description	Fund No.	Description
68-4271	CSD Zone A	68-4284	CSD Zone E-3A
68-4272	CSD Zone B	68-4282	CSD Zone E-4A
68-4274	CSD Zone C	68-4283	CSD Zone M
68-4275	CSD Zone D	68-4270	CSD Zone S
68-4276	CSD Zone E	68-2491	CFD No. 1
68-4281	CSD Zone E-1A		

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the CSD upon receipt of such roll on or about August 2, 2010 based upon such certification.

The CSD shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges, or taxes placed on the roll for the CSD by the County.

ARTICLE XIII C. Sec. 2 (c) "*Any general tax imposed, extended or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).*"

ARTICLE XIII D. Sec 5 "*…this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.*"

ATTACHMENT 4

ARTICLE XIII C. Sec. 6 (d) *"Beginning July 1, 1997, all fees or charges shall comply with this section."*

_____ _____

Mayor of the City of Moreno Valley,
acting in the capacity of President of the
Moreno Valley Community Services District

Date

Attested by:

_____

City Clerk,
acting in the capacity of Secretary of the
Moreno Valley Community Services District

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice;

2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

ADVISORY COMMITTEE RECOMMENDATION

Not Applicable

BACKGROUND

The 1972 Federal Clean Water Act requires public agencies to obtain permits to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains and flood control channels. This Act also requires local

agencies to clean urban runoff to the maximum extent practicable (MEP), which has not been defined by the federal or state government.

On October 25, 2002, the Santa Ana Regional Water Quality Control Board (SARWQCB) adopted new requirements the City must implement to remain in compliance. The requirements include a higher-level effort to divert pollutants from entering the drainage system. The service levels require site inspection, discharge monitoring, remedial cleanup efforts, and a higher level of maintenance of the streets and storm drain system before discharging water into the larger storm water collection system.

On June 10, 2003, the City Council approved the "NPDES Regulatory Rate Schedule for New Residential Development." The "NPDES Regulatory Rate Schedule for New Residential Development" was designed to fund NPDES administration and maintenance of water quality ponds and bioswales associated with new single-family residential subdivisions. On January 27, 2004, the City Council authorized the collection of the NPDES regulatory rates for new residential development consisting of single-family dwellings.

On January 10, 2006, the City Council approved the "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development." The "NPDES Regulatory Rate Schedule for New Common Interest, Commercial, Industrial and Quasi-Public Use Development" was designed to fund NPDES public education, administration and monitoring of site design, source control and treatment control best management practices (BMPs) associated with new common interest, commercial, industrial and quasi-public use development.

On January 29, 2010, the SARWQCB issued a new NPDES permit. The new permit continues the 2002 mandates for the higher-level effort to divert pollutants and service levels.

The City Council conducted the Public Meeting on May 26, 2010, to provide an opportunity for the public to address the City Council on the proposed FY 2010/2011 annual NPDES regulatory rates.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments as an incidence of property ownership. The City of Moreno Valley has reviewed Proposition 218 with respect to the NPDES regulatory rate collection process. Based upon this review, it has been determined that the NPDES regulatory rate as currently collected, is in compliance with Proposition 218. Conducting the Public Hearing allows property owners an opportunity to address the City Council regarding the continuation of the "NPDES Regulatory Rate Schedule for New

Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development."

DISCUSSION

The NPDES regulatory rates are necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from benefiting parcels.

Proposed Regulatory Rates

The proposed rates shall be levied against each assessable benefiting parcel of real property that is required to comply with the City's NPDES Storm Water Management Program. The Consumer Price Index (CPI) for Los Angeles, Riverside, and Orange Counties from February 2009 – February 2010 was +1.44%. Due to this small increase, staff recommends the annual rates remain at the same level as FY 2009-10.

The following tables outline the services provided by each level of service, the current annual rates and the proposed annual rates.

Table 1 reflects the annual rates for New Residential Development.

TABLE 1

NPDES Regulatory Rate for New Residential Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Water Quality Pond/Basin Maintenance.	$69.00/Parcel	$69.00/Parcel
LEVEL II-A	Sand Filter Maintenance.	$31.00/Parcel	$31.00/Parcel
LEVEL III	Water Quality Pond/Basin Remediation/Reconstruction.	$60.00/Parcel	$60.00/Parcel
LEVEL IV	Water Quality System Retrofit.	$138.00/Parcel	$138.00/Parcel

Table 2 reflects the annual rates for New Common Interest, Commercial, Industrial and Quasi-Public Use Development.

TABLE 2

NPDES Regulatory Rate for New Common Interest, Commercial, Industrial and Quasi-Public Use Development			
Service Level		**Current Maximum Annual Rate FY 2009/2010**	**Proposed Maximum Annual Rate FY 2010/2011**
LEVEL I	NPDES Administration and overhead.	$35.00/Parcel	$35.00/Parcel
LEVEL II	Storm water and non-storm water runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site storm water compliance site activities; review site-specific technical reports and treatment control BMP maintenance records.	$170.00/Parcel	$170.00/Parcel

ALTERNATIVES

1. Approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the proposed "Resolution, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

2. Do not approve that the City Council conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice and adopt the pro "Resolution, A Resolution of the

City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll." *By not conducting the Public Hearing and adopting the resolution, the County of Riverside ("County") may challenge our ability to place the NPDES rates on the County property tax bill.*

FISCAL IMPACT

Regulatory rate increases (including increases due to inflation) have been approved by the benefiting property owners through the mail ballot proceeding. The inflation factor is based on the percentage change in the Los Angeles-Riverside-Orange County CPI for the prior calendar year. For FY 2010/2011, the percentage change calculated in the area CPI is 1.44%.

For FY 2010/2011 the maximum annual regulatory rate per parcel for single-family residential development is $273 (includes Levels I, II, II-A and IV combined from Table 1). The Level III rate is levied when a water quality pond/basin is taken out of service for remediation/reconstruction thus replaces the Level II rate. Since the Level III rate is less than the Level II rate the maximum rate for residential development cannot be greater than the summation of Levels I, II, II-A and IV. The maximum annual regulatory rate for new common interest, commercial, industrial and quasi-public use development is $205 (includes Levels I and II combined from Table 2).

Approving annual rates less than that proposed by staff may require a decrease in both the level and quality of service from that provided and approved by benefiting property owners in the previous year. The service level provided would be adjusted according to the approved funding level.

The NPDES Regulatory Rate levy collected from property owners supports current NPDES programs as identified herein. Funds collected from the NPDES Regulatory Rate levy are restricted for use only within the Storm Water Management Program.

CITY COUNCIL GOALS

Revenue Diversification and Preservation

The proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" provides a revenue source to fund the federally mandated requirements of the NPDES Storm Water Management Program for these types of development.

Public Facilities and Capital Projects

The revenue collected from the proposed "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" will ensure that all site designs, source controls and treatment controls are properly implemented and maintained.

SUMMARY

The action before City Council is to conduct the Public Hearing, and to adopt the resolution authorizing and approving the levy of the annual NPDES regulatory rates, on certain benefiting properties within the City as submitted in the NPDES Special Levy Report. While state law, after adoption of Proposition 218, does not mandate public hearings to consider charges, rates or fees already in place, such hearings were required under state statutes before adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County collects the rates each year on the property tax bill. The County requires an annual resolution be approved to establish the authority to collect the annual NPDES rate on the tax bill. Approval of the resolution will satisfy the County requirement. The resolution also includes information on compliance with Proposition 218.

NOTIFICATION

- Publication of Agenda

- Newspaper advertising was published on May 5, 2010, with information about the May 25, 2010, Public Meeting and the June 8, 2010, Public Hearing. Additionally, the June 8, 2010, Public Hearing notification was published on May 19, 2010, and again on May 26, 2010.

ATTACHMENTS/EXHIBITS

Attachment "1" – Proposed Resolution

Prepared By
Phuong Hunter
Associate Environmental Engineer

Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Kent Wegelin
Storm Water Program Manager

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-50

A RESOLUTION OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AND APPROVING THE LEVY OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT ON THE COUNTY OF RIVERSIDE PROPERTY TAX ROLL

WHEREAS, as part of the 1972 Federal Clean Water Act, the federal government mandated that public agencies comply with the NPDES program to obtain Permits to discharge storm water runoff into municipally owned drainage facilities; and,

WHEREAS, on January 29, 2010, the Santa Ana Regional Water Quality Control Board issued new requirements that cities must address, regarding the water pollution contained in storm water runoff to remain in compliance with federal mandates; and,

WHEREAS, the City Council introduced Ordinance No. 708, on January 10, 2006, to repeal and reenact Chapter 3.50 of Title 3 of the City of Moreno Valley Municipal Code by relating to the establishment and collection of the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development based on the approved NPDES regulatory rate and authorization of subsequent rate adjustments by resolution; and,

WHEREAS, Sections 5473 through 5473.8 of the California Health and Safety Code provides that such services may be funded, in whole or in part, by rates which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the City; and,

WHEREAS, the City Council, has determined, and hereby does determine, that it is in the interest of the City to have the NPDES regulatory rate on new residential, common interest, commercial, industrial, and quasi-public use development be so collected on the County of Riverside property tax roll; and,

WHEREAS, the City Council has determined that levying a regulatory rate against each assessable parcel of real property that is required to comply with the NPDES Permit program, as hereinafter established, is necessary to fund the costs of the storm water management services for the discharge of storm water runoff into municipally owned drainage facilities for pollution control from these land uses; and,

WHEREAS, the City Council heretofore caused a report to be prepared that identified each parcel of real property, which is subject to the regulatory rate, and has caused notice of said report and of the public hearing thereon to be duly given; and,

WHEREAS, the City Council held a Public Hearing on June 8, 2010, at which time all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any; and,

WHEREAS, on June 8, 2010, the City Council reviewed and considered the NPDES regulatory rate for new residential and common interest, commercial, industrial, and quasi-public use development to fund the federally mandated NPDES program; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council shall authorize collection of the NPDES regulatory rate on the County of Riverside tax bill for federally mandated NPDES requirements to address the discharge of storm water runoff into municipally owned drainage facilities.

2. The maximum rate to be collected for fiscal year (FY) 2010/2011 shall be $273.00 per parcel for new residential development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

3. The maximum rate to be collected for FY 2010/2011 shall be $205.00 per parcel for new common interest, commercial, industrial, and quasi-public-use development, which may be subject to an annual adjustment, if necessary, based on the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics.

4. The NPDES regulatory rate, as herein confirmed, shall be collected on the tax roll at the same time and by the same persons, and in the same manner as, together with and not separately from, general taxes, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties, as provided for in Sections 5473 through 5473.8 of the California Health and Safety Code.

5. The City Council made a finding that collection of the NPDES regulatory rate is in compliance with Proposition 218.

6. The effective date of this Resolution shall be June 8, 2010.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00072424

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council Acting in their Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)

FROM: Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 8, 2010

TITLE: PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; approve and adopt the proposed resolutions:

1. Approve and adopt the proposed Resolution No. CSD 2010-09 (Zone A);
2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B)
3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C)
4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D)
5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E)
6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A)
7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A)
8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A)
9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M)

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Approval of the proposed resolutions will continue the currently approved annual parcel charges and the proposed amount for each charge in fiscal year (FY) 2010/11. Parcel charges help to fund parks and recreational services, residential street lighting, arterial street lighting, maintenance of parkway landscaping, extensive parkway landscaping, internal parkway landscaping/walls, medians, and the improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard, as described in the Preliminary Annual Levy Report on file in the office of the City Clerk.

ADVISORY COMMITTEE RECOMMENDATION

The Parks and Recreation Advisory Committee (PRAC) does not complete a detailed review of the budget for Zone A (Parks and Recreation) before the CSD Board's approval. They make recommendations directly to the CSD Board on major budget issues. There are no formal committee meetings on landscaping and street lighting issues; however, the Hidden Springs Residents' Committee may review charges applicable to their area.

BACKGROUND

The CSD was formed simultaneously with City incorporation to provide a variety of benefit services. Zones within the CSD were established to allocate costs to those parcels that receive proportional benefit from the services provided. Each of the zones represents either a different service or degree of service to particular properties within each zone.

The CSD Board conducted the Public Meeting on May 25, 2010, to provide the first opportunity for the public to address the CSD Board on the annual CSD charges.

Proposition 218

Proposition 218, approved in the November 1996 election as a constitutional amendment, specifically addresses the ability of public agencies to collect taxes, fees, charges, and/or assessments. The City of Moreno Valley has reviewed Proposition 218 with respect to the CSD charge collection process. Based upon this review, it has been determined that the CSD charges as currently collected are in compliance with Proposition 218. Any future charge increases, other than an inflation adjustment that has been approved during a prior mail ballot proceeding, shall require a ballot, which will be conducted as outlined in Proposition 218 and in compliance with the Policy for Conducting Mail Ballot Proceedings adopted by the City Council and the CSD Board on January 22, 2002, as amended on January 24, 2006 and March 24, 2009.

DISCUSSION

The following section lists the zones and summarizes the services provided by the CSD to each zone, along with the proposed and the current year annual charges. No charge increases for the following zones are proposed for FY 2010/11, unless adjusted through the mail ballot proceeding process or a previously authorized inflation adjustment implemented to achieve full-cost recovery. The adjustment for FY 2010/11 is 1.83% and is based on the

percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.

Zone A is authorized to provide park maintenance and recreation services citywide. All properties within the City boundaries are levied this charge to aid with current programs. The proposed FY 2010/11 charge is $87.50 per dwelling unit (residential), nonresidential units (commercial and industrial) and undeveloped parcels. (The current FY 2009/10 charge is $87.50.) The proposed FY 2010/11 levy for Zone A is approximately $5,020,225.00.

Zone B is authorized to provide residential street lighting services to specific residential subdivisions within the zone. The funds collected pay for the monthly energy and maintenance charges. The charge is $23.00 per parcel per year for those properties which were annexed into the zone prior to 1999. Property owners of 7,326 parcels that balloted after 1999 to receive Zone B services and authorized an annual inflation adjustment, shall be charged $24.42 per parcel per year. There are also 65 parcels located south of Ironwood, east of Nason with reduced streetlight services paying $6.00 per parcel.

The CSD is reviewing the Zone B charges and shall be conducting a mail ballot proceeding in September 2010, for a proposed charge increase. If approved, the charge would increase from $23.00 or $24.42 per parcel per year, to $39.00 per parcel per year and would allow for an annual CPI increase, if necessary, to fund the annual cost to provide residential street lighting services. (The current FY 2009/10 charges are $6.00 for reduced streetlight service and $23.00 or $24.00 for standard level streetlight service.) The proposed FY 2010/11 levy for Zone B is approximately $933,637.82, which does not include the proposed increase. If the $39.00 parcel charge is approved, the FY 2010/11 levy is estimated to be $1,565,226.00.

Zone C is authorized to provide arterial street lighting and intersection lighting on major roadways throughout the City. For FY 2010/11, the proposed charge for each parcel in the CSD is $9.00. (The current FY 2009/10 charge is $9.00.) The proposed FY 2010/11 levy for Zone C is approximately $430,713.00.

Zone D is authorized to provide parkway landscape maintenance services to the perimeters and/or entry statements of designated residential tract developments. A listing of the current FY 2009/10 charges per parcel for each tract and the proposed charges for FY 2010/11 are included in the Zone D Resolution. A majority of affected property owners, of certain tracts, approved an inflation adjustment in prior Proposition 218 mail ballot proceedings. An increase shall only be implemented to provide for full-cost recovery. For FY 2010/11, the CPI adjustment shall be applied to 53 tracts as noted on the Zone D Resolution.

The CSD shall be conducting a mail ballot proceeding in July 2010 for an increase to the proposed charges to recover costs for the following tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018. Tracts not approving the proposed increase shall receive a reduced service level of landscape maintenance in accordance with the Zone D Policy guidelines. The proposed FY 2010/11 levy for Zone D is approximately $1,233.742.22, which does not include the Zone D

increases. If the Zone D increases are approved, the estimated parcel charges for Zone D are approximately $1,359,287.04.

Zone E is authorized to provide high-service-level parkway landscape maintenance of extensively landscaped parkway areas adjacent to ten (10) major residential/commercial developments. For FY 2010/11, the CPI charge adjustment shall be applied to Zones E-1, E-2, E-3, E-7, E-14 and E-16. The proposed annual charges for the subzones of Zone E are included in the Zone E Resolution. The proposed FY 2010/11 levy for Zone E is approximately $2,347,678.16.

Zone E-1A is authorized to provide internal parkway landscape/wall maintenance to the Renaissance Park development. The proposed Zone E-1A charge for FY 2010/11 is $77.38 per parcel. (Current FY 2009/10 charge is $76.00.) The total FY 2010/11 levy for Zone E-1A is approximately $43,100.66.

Zone E-3A is authorized to provide internal parkway landscape/wall maintenance to those tracts associated with the Lasselle Powerline Parkway area. The proposed Zone E-3A charge for FY 2010/11 is $67.20 per parcel. (Current FY 2009/10 charge is $66.00.) Total FY 2010/11 levy for Zone E-3A is approximately $31,584.00.

Zone E-4A is authorized to provide internal parkway landscape maintenance to the Daybreak development. The proposed Zone E-4A charge for FY 2010/11 is $109.00. (Current FY 2009/10 charge is $109.00.) The total FY 2010/11 levy for Zone E-4A is approximately $10,791.00.

Zone M is authorized to provide maintenance for improved medians constructed as a condition of approval for commercial/industrial/multifamily developments. Charges for this zone are calculated by determining the proportional obligation for the total median maintenance and administrative costs attributable to the improved median area associated with the affected commercial/industrial/multifamily properties. The FY 2010/11 charge is based on median square footage at an estimated cost of no more than 16.1 cents per square foot per month, which may include an inflation factor. The current FY 2009/10 charges and the proposed FY 2010/11 annual charges for Zone M are included in the Zone M Resolution. The total FY 2010/11 levy for Zone M is approximately $210,696.16.

Zone S is authorized to provide maintenance services to the improvements along Sunnymead Boulevard between Frederick Street and Perris Boulevard. Charges for this zone are calculated by determining the proportional financial obligation, based on front linear footage, of the properties adjacent to the improvements. The Zone S charge for 2010/11 is $2.80 per front linear footage, per year, which may include an inflation factor. The total FY 2010/11 levy for Zone S is approximately $53,295.20, which does not include the Zone S increase. (Current FY 2009/10 charge is $2.75 per front liner footage).

ALTERNATIVES

1. **Conduct a Public Hearing** to approve and adopt the proposed resolutions. *Although not required under Proposition 218, City policy has been to continue holding a Public Hearing. By conducting the Public Hearing on June 8, 2010, property owners shall be given an opportunity to address the CSD Board regarding the continuation of the CSD annual charges for the associated benefit services. Approving CSD Zones B, C, D, E, E-1A, E-3A, E-4A, M and S charges as proposed by staff shall authorize the CSD to continue providing maintenance at the applicable service levels. Approving the proposed charge for CSD Zone A will partially fund park maintenance and recreational services, along with some proposed capital improvements. The County of Riverside requires that resolutions be approved annually to authorize collecting the annual CSD parcel charges on the property tax bills. Approval of these resolutions will satisfy the County requirement.*

2. **Do not conduct the Public Hearing** and do not approve and adopt the resolutions. *Even though a Public Hearing is not required under Proposition 218 for the continuation of the CSD annual charges, City policy has been to continue holding a Public Hearing to allow the public to address the CSD Board. By not adopting the resolutions, the County may challenge the City CSD's ability to place the CSD charges on the County property tax bill.*

FISCAL IMPACT

Property owners pay the CSD annual charges as a part of their property tax bill. Charges, including CPI adjustments, have been approved by the affected property owners through prior proceedings or are part of a current mail ballot proceeding. The annual inflation factor is based on the percentage change in the CPI for the prior calendar year. For FY 2010/11, the CPI adjustment is 1.83%.

CSD Zones B, C, D, E, E-1A, E-3A, E-4A and S annual charges are based on full-cost recovery and program operations that have no effect on the General Fund. Zones A and M charges reduce the General Fund support to provide services for these programs. **The funds collected through the CSD charges for Zones A, B, C, D, E, E-1A, E-3A, E-4A, M and S are restricted funds, which may only be used to pay for costs within each respective CSD Zone.**

Approving charges less than those proposed by staff may require a decrease to both the level and quality of service from that provided during FY 2009/10. The service levels may be adjusted according to the approved funding level.

CITY COUNCIL GOALS

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS
CSD landscape maintenance services help enhance community image, neighborhood pride and cleanliness. Residential properties, which have landscaped parkways and/or medians,

as maintained by the CSD, help to foster a pleasant environment and neighborhood atmosphere. Proper placement of plant materials helps in the prevention of graffiti.

REVENUE DIVERSIFICATION AND PRESERVATION
The CSD annual charges comply with the City's goal of revenue diversification and preservation and are based upon actual costs, which include maintenance and administration. The CSD annual charges support the preservation of the current services provided by the CSD.

PUBLIC FACILITIES
Providing services for parks, streetlights, landscaping, and medians allows for construction and maintenance of public facilities. The CSD maintenance of these important public facilities ensures proper development and preservation of capital resources.

SUMMARY

The actions before the CSD Board are to conduct the Public Hearing, and to approve and adopt the resolutions for the continuation of the currently approved CSD parcel charges and the proposed amount of the charge on certain properties within each of the existing zones as submitted in the Preliminary Annual Levy Report. Since the adoption of Proposition 218 state legislation, public hearings to consider charges or fees already in place are not mandated; such hearings were required under state statutes before the adoption of Proposition 218. City policy has been to continue the past practice as a courtesy to the public.

The County requires resolutions be approved annually to establish the authority to collect the annual CSD parcel charges on the property tax bills. Approval of the resolutions will satisfy the County requirement. The resolutions also include information in compliance with Proposition 218.

NOTIFICATION

On April 15, 2010, the CSD mailed individual notices to property owners of 47,966 parcels.

Newspaper advertising was published on May 3, 2010, for the May 25, 2010 Public Meeting and June 8, 2010 Public Hearing. Additionally, the June 8, 2010 Public Hearing notification was published on May 18, 2010 and May 25, 2010.

ATTACHMENTS

Attachment 1	Proposed Resolution for Zone A
Attachment 2	Proposed Resolution for Zone B
Attachment 3	Proposed Resolution for Zone C
Attachment 4	Proposed Resolution for Zone D
Attachment 5	Proposed Resolution for Zone E
Attachment 6	Proposed Resolution for Zone E-1A
Attachment 7	Proposed Resolution for Zone E-3A
Attachment 8	Proposed Resolution for Zone E-4A

Attachment 9 Proposed Resolution for Zone M
Attachment 10 Proposed Resolution for Zone S

Prepared by:
Sharon Sharp
Senior Management Analyst

Department Head approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred by:
Sue Anne Maxinoski
Special Districts Division Manager

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

W:\SpecialDist\Special Dist Administration\Community Services District CSD\Annual Notice\2010-11\Staff Report\CSD Notice-Report PH Stfrpt v2.doc

RESOLUTION NO. CSD 2010-09

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE A (PARKS AND COMMUNITY SERVICES) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for parks and recreation services within the CSD and provides funding for such services, in part, through CSD Zone A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone A (Parks and Community Services) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone A is a necessary and equitable charge to fund, in part, the furnishing of parks and recreation services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of eighty-seven dollars and fifty cents ($87.50) to defray in part the costs of furnishing parks and recreation services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone A parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and are therefore not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-10

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE B (RESIDENTIAL STREET LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for residential street lighting services within the CSD and provides funding for such services, in part, through CSD Zone B; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone B (Residential Street Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone B is a necessary and equitable charge to fund, in part, the residential street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The charge is hereby approved to be levied at the maximum rate of thirty-nine dollars ($39.00), if and only if said maximum rate is approved by the majority of the property owners in the mail ballot proceeding under Proposition 218 currently scheduled to be concluded at a public hearing scheduled for September 14, 2010. In the event that said maximum rate is not approved by a majority of the property owners in said ballot proceeding, the charge is hereby approved to be levied at the existing and previously approved respective rates of twenty-three dollars ($23.00) and twenty-four dollars ($24.42) as applicable.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone B, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone B is in compliance with Proposition 218.

MV00072437

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00072439

RESOLUTION NO. CSD 2010-11

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE C (ARTERIAL STREET LIGHTING AND INTERSECTION LIGHTING) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides improvements and maintenance for intersection and arterial street lighting services within the CSD and provides funding for such services, in part, through CSD Zone C; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone C (Arterial Street Lighting and Intersection Lighting) services be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone C is a necessary and equitable charge to fund, in part, the arterial and intersection street lighting services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared that identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of nine dollars ($9.00) to defray in part the costs of furnishing arterial and intersection street lighting services within the CSD is hereby approved and adopted.

2. The herein approved service charge is hereby confirmed for each parcel of real property within CSD Zone C, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. That the CSD Board adopted CSD Resolution 97-01, finding that the existing Zone C parcel charges are exempt from the provision of Proposition 218 as long as they are not increased and therefore are not subject to voter ratification at this time.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00072443

RESOLUTION NO. CSD 2010-12

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone D; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone D (Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Adjustment ("CPI") adjustment (if applicable), and application of charge as previously approved by the property owners for each assessable parcel or unit of real property within CSD Zone D is a necessary and equitable charge to fund, in part, the parkway landscape services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing parkway landscape services to the following tracts within the CSD is hereby approved and adopted as follows:

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
10191/18468*	$70.26	
11848*	$85.52	
12305	$57.00	
12608	$0.00	
12773*	$81.46	$121.00
12902*	$73.30	
13576/19080/19081*	$32.58	
13585	$57.00	
14387/12268	$57.00	
15387	$57.00	
15433*	$91.64	
16768*	$65.16	
16769*	$62.10	
16770	$57.00	
17033*	$176.26	
17176	$57.00	
17334	$345.00	
17387	$57.00	
17457*	$80.44	
17867	$57.00	
18283	$57.00	
18512/21322	$82.00	
18784/20906	$177.00	
18930*	$78.40	
19032	$130.00	
19141*	$76.36	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
19142	$57.00	
19143	$57.00	
19208	$74.00	
19210*	$69.24	$112.00
19233	$57.00	
19363	$57.00	
19434	$57.00	
19474	$57.00	
19496*	$65.16	
19500*	$74.32	
19509	$57.00	
19518/18372	$57.00	
19529*	$71.28	
19533	$57.00	
19541*	$94.70	
19551	$96.00	
19675*	$81.46	
19685*	$71.28	
19799	$272.20	
19852	$69.00	
19862*	$150.80	
19912*	$84.50	
19937*	$109.04	$157.00
19957	$69.00	
20030*	$101.92	
20032	$57.00	
20072	$89.00	
20120*	$95.72	
20197	$57.00	
20272	$120.10	
20301	$57.00	
20404*	$98.76	$178.00
20525	$57.00	
20552	$57.00	
20579*	$57.00/$108.40/$160.98	$144.00
20660*	$107.02	
20715	$94.00	
20718*	$141.64	$234.00
20859	$66.00	

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
20869	$57.00	
20941*	$104.98	
21113	$57.00	$89.00
21332*	$97.74	
21333*	$212.00	$345.00
21345*	$116.18	
21597*	$300.60	$473.00
21616*	$377.78	
21737*	$214.04	
21806*	$70.26	
22093	$138.00	
22180	$247.00	
22276	$196.62	
22277*	$269.02	
22371*	$291.42	
22889*	$189.40	$313.00
22999	$67.00	
23046	$183.00	
24721	$57.00	
27251-1	$465.00	
27526*	$163.02	
28882*	$104.98	$179.00
29038*	$61.08	
30027	$201.00	
30967*	$467.38	
31129*	$82.48	
31257*	$1,069.20	$1,414.00
31268*	$184.40	
31269*	$218.92	
31269-1*	$300.60	$355.00
31284	$127.10	
31305	$496.00	
31424*	$218.92	
31591*	$462.70	
31618	$364.00	
32005	$112.00	
32018*	$69.24	$160.00

MV00072447

Zone D (Parkway Landscape Maintenance)
FY 2010/11 Proposed Charges

Tract Number	FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings	Ballot Proceeding Public Hearing July 13, 2010
32625	$1,000.00	
32715	$401.00	
33436	$42.00	
33637	$297.00	
33962	$494.00	
4-Custom Home	$567.00	

Note: *Proposed parcel charges for FY 2010/11 include a CPI adjustment.

In the event that Tracts: 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, or 32018 do not individually approve the maximum balloted charge by the majority of the property owners in the separate mail ballot proceedings under Proposition 218 currently scheduled to be concluded at the public hearing on July 13, 2010, the charges hereby approved will be the FY 2010/11 Proposed Parcel Charges Prior to Results of Mail Ballot Proceedings, as identified above.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone D, as set forth in the report on said charge filed with the Secretary of the District, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone D is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-13

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E (HIGH-SERVICE-LEVEL PARKWAY LANDSCAPE IMPROVEMENT AND MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide high-service-level parkway landscape improvement and maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E and the various subzones thereof; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E (High-service-level Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within the various subzones of Zone E of the CSD is a necessary and equitable charge to fund, in part, the high-service-level parkway landscape improvement and maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the maximum calculated rates set forth below, which includes previously approved CPI adjustments, to defray in part the costs of furnishing high-service-level parkway landscape improvement and maintenance services within the CSD is hereby approved and adopted as follows:

Zone E (High-Service-Level Landscape Maintenance)
FY 2010/11 Proposed Charges

Zone E	Specific Plan or Major Development	Charge Category	FY 2010/11 Proposed Charges
E-1	TownGate	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 34299	$57.02
E-2	Hidden Springs	Per parcel or equivalent dwelling unit	$398.46
E-3	Moreno Valley Ranch - West	Per parcel	$126.36
		Per acre for nonresidential/undeveloped parcels	$505.44
		Per condo unit: Tract 32142	$56.00
		Tract 32143	$53.96
		Tract 32144	$53.96
		Tract 32145	$31.56
		Tract 32146	$30.54
E-4	Moreno Valley Ranch - East	Per parcel	$110.00
		Per acre for nonresidential/undeveloped parcels	$440.00
E-7	Centerpointe	Per acre	$679.80
E-8	Promontory Park	Per condo unit:	$188.00
		Per parcel	$531.00
E-12	Stoneridge Ranch	Per parcel	$397.00
E-14	Mahogany Fields	Per parcel	$277.98
E-15	Celebration	Per parcel	$333.00
E-16	Shadow Mountain	Per parcel	$293.26

2. The herein approved charges are hereby confirmed for each parcel of real property within the various subzones of CSD Zone E, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the service charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00072455

RESOLUTION NO. CSD 2010-14

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-1A (RENAISSANCE PARK – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Renaissance Park walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-1A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 and following of the provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-1A (Renaissance Park Walls/internal Parkway Landscape Maintenance) so collected on the tax roll; and

WHEREAS, the CSD Board has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property, within CSD Zone E-1A is a necessary and equitable charge to fund, in part, the walls/internal parkway landscape maintenance services for Renaissance Park by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of seventy-seven dollars and thirty eight cents ($77.38), which includes previously approved CPI adjustments, to defray in part the costs of furnishing Renaissance Park walls/internal parkway landscape improvement and maintenance services within the CSD, is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-1A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-1A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

MV00072457

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00072459

RESOLUTION NO. CSD 2010-15

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-3A (LASSELLE POWERLINE PARKWAY – WALLS/INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide Lasselle Powerline Parkway walls/internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-3A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including a Consumer Price Index ("CPI") adjustment, and application of charge as previously approved by the property owner for each assessable parcel of real property within CSD Zone E-3A is a necessary and equitable charge to fund, in part, walls/internal parkway landscape maintenance services for the Lasselle Powerline Parkway by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property that is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of the public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of sixty-seven dollars and twenty cents ($67.20), which includes previously approved CPI adjustments for CSD Zone E-3A (Lasselle Powerline Parkway) to defray in part the costs of furnishing walls/internal parkway landscape maintenance services within the CSD is hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-3A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone E-3A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-16

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE E-4A (DAYBREAK DEVELOPMENT – INTERNAL PARKWAY LANDSCAPE MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide internal parkway landscape maintenance services within the CSD and provides funding for such services, in part, through CSD Zone E-4A; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone E-4A (Daybreak Development - Internal Parkway Landscape Maintenance) be so collected on the Riverside County tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone E-4A is a necessary and equitable charge to fund, in part, internal parkway landscape maintenance services for the Daybreak Development by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of one hundred nine dollars ($109.00), which includes previously approved CPI adjustments for Zone E-4A (Daybreak Development) to defray in part the costs of internal parkway landscape maintenance services within the CSD hereby approved and adopted.

2. The herein approved charge is hereby confirmed for each parcel of real property within CSD Zone E-4A, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any service charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone E-4A is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.**]

RESOLUTION NO. CSD 2010-17

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE M (COMMERCIAL/ INDUSTRIAL/MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") provides or will provide commercial/industrial/multifamily improved median maintenance services within the CSD and provides funding for such services, in part, through CSD Zone M; and

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for CSD Zone M (Commercial/industrial/multifamily improved median maintenance) be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI") adjustments, and application of charge as previously approved by the property owners for each assessable commercial/industrial/multifamily property within CSD Zone M is a necessary and equitable charge to fund, in part, the improved median maintenance services by the CSD for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of not more than 16.1 cents per median square foot per month, which includes previously approved CPI adjustments, to defray in part the costs of furnishing commercial/industrial/multifamily improved median maintenance services within the CSD, is hereby approved and adopted as follows:

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
March Commerce Center	27732	297-130-046	$2,047.80
Cactus Commerce Center	24364	297-130-039 297-130-041 297-130-042	$798.00 $1,957.00 $1,610.00
Home Depot	21504	485-220-030	$2,018.24
Havadjia Holdings Inc. - Farmer Boys	21504	485-220-031	$302.72
Perris Blvd. Storage Red Maple Center	PA02-0117	312-020-017 312-020-018 312-020-020	$1,592.16 $1,517.74 $592.22
Ross Distribution Center/Industrial Develop. Int'l.	24128	312-250-046	$3,689.92
Mira Mesa Shopping Center	31034	312-270-036	$2,642.06
CVS Pharmacy	25995-1	485-081-035	$315.98
Alessandro/Kitching Apts.	PA03-0020	484-020-023 484-020-024	$5,958.92 $7,283.02
Moreno Valley Health, LLC	33930	297-140-049 297-140-050 297-140-051 297-140-052	$1,151.82 $1,184.44 $1,317.96 $1,041.74

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
OPT Moreno Valley, LLC	27008	482-700-001	$388.34
		482-700-005	$388.34
CCI Sunnymead MV	P04-168	482-540-030	$403.64
Auto Detail Shop		291-191-024	$342.48
Ridge Property Trust	PA04-0065	297-170-067	$14,629.24
		297-170-069	$10,852.68
		297-170-071	$4,912.08
Panorama Development	PA05-0085	312-360-001	$1,419.96
		312-360-002	$668.26
		312-360-003	$457.52
		312-360-004	$1,603.64
		312-360-005	$1,245.28
		312-360-006	$2,016.12
		312-360-007	$787.72
		312-360-008	$742.64
		312-360-009	$824.92
		312-360-010	$833.92
		312-360-011	$669.40
Commercial Project	TPM 32961	316-210-074	$1,884.70
Bravo Burgers	PA05-0027	263-111-046	$2,324.04
Oakwood Apts	PA04-0010	486-070-004	$2,981.50
		486-070-011	$2,981.50
Moreno Marketplace	PA05-0169	486-250-021	$8,149.44
		486-250-024	$7,867.58
		486-250-025	$281.84
Stoneridge Commercial Centre	34411	488-090-031 to -033	$10,595.40
		488-090-037 to -040	
		488-090-043	
		488-090-047 to -057	
		488-090-064	
		488-090-071	
		488-090-073 to -074	
		488-090-076	
		488-090-082 to -085	

ZONE M
(Commercial/Industrial/Multifamily Median Maintenance)
FY 2010/11 Proposed Charges

Commercial, Industrial, and Multifamily Development	Parcel Map/ Project No.	Assessor Parcel Number (APN)	Proposed FY 2010/11 Charge
Condominium Complex	32756	484-030-020	$619.72
		484-030-022	$619.72
OMP Development	34572	297-150-055	$6,008.86
Perris Senior Apartments	P07-001	479-070-050	$1,614.58
Retail Center Self-Serve Carwash	PA05-0163	297-130-064	$843.98
March Graham Partners	34022	297-170-004	$3,638.96
Palm Desert Dev. Apts	PA08-0013	486-070-007	$517.80
Shepherd of the Valley Church	P08-030	474-120-037	$3,180.26
MV Properties	33152	297-120-002	$981.60
		297-120-003	$710.44
		297-120-016	$5,195.44
D. Ashton Guinn	33152	297-100-007	$1,149.78
		297-120-011	$1,482.08
		297-120-012	$1,482.08
Rite Aid Pharmacy	PA06-0162	478-070-029	$7,554.16
Two-Bldg Commercial Center	PA07-0139	484-020-026	$2,814.32
Highland Fairview	TPM 35629	488-360-008	$4,152.22
		488-360-009	$3,467.92
		488-360-010	$3,467.92
		488-360-011	$6,935.84
		488-360-012	$6,620.56
		488-350-002	$17,601.72
California Drug Consultant		486-280-041	$9,775.68
Delphinium Apartments	PA04-0028	484-242-020	$2,986.60

2. The herein approved charge calculation is hereby confirmed for each parcel of real property within CSD Zone M, as set forth in the report on said charge filed with the CSD Secretary, as such report may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale

and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that CSD Zone M is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passage of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charges to the Auditor of the County of Riverside, together with the certified copy of this Resolution as hereinabove provided.

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

RESOLUTION NO. CSD 2010-18

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CALCULATION OF THE PARCEL CHARGE FOR PROVIDING ZONE S (SUNNYMEAD BOULEVARD MAINTENANCE) SERVICES DURING FISCAL YEAR 2010/2011

WHEREAS, the Moreno Valley Community Services District ("CSD") shall provide maintenance for improvements under construction along Sunnymead Boulevard from Frederick Street to Perris Boulevard; and,

WHEREAS, the Community Services District Law of the State of California, California Government Code Section 61000 et seq. provides that such services may be funded, in whole or in part, by charges which may be collected on the tax roll in the same manner, by the same persons, at the same time as, and together with and not separately from, the general taxes of the CSD; and,

WHEREAS, the City Council, acting in their capacity as President and Members of the Board of Directors CSD ("CSD Board"), has determined, and hereby does determine, that it is in the best interests of the CSD to have its charges for Zone S (Sunnymead Boulevard Maintenance) along from Frederick Street to Perris Boulevard be so collected on the tax roll; and

WHEREAS, the CSD Board, has determined that continuing the calculation, including Consumer Price Index ("CPI"), and application of charge as previously approved by the property owners for each assessable parcel of real property within CSD Zone S is a necessary and equitable charge to fund, in part, the furnishing of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard for Fiscal Year 2010/2011; and

WHEREAS, the CSD Board has heretofore caused a report to be prepared which identifies each parcel of real property which is subject to the charge, and specifies the charge which is to be levied against each such parcel, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the CSD Board has held a said hearing, at which time all persons wishing to be heard were heard, and at which hearing the CSD Board heard and considered all objections and protests, if any; and,

WHEREAS, the CSD Board has reviewed Proposition 218.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The application of the charge at the calculated rate of two dollars and eighty cents ($2.80), per front linear square footage, which may include previously approved CPI, to defray in part the costs of ongoing maintenance for improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard within the CSD is hereby approved and adopted.

2. The herein approved parcel charges calculated is hereby confirmed for each said parcel of real property within CSD Zone S, as set forth in the report on said charge filed with the CSD Secretary, as such may have been modified pursuant to order of the CSD Board duly given.

3. The charges set forth in said report, as herein confirmed, shall be collected on the Riverside County tax roll at the same time and in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the CSD may utilize a direct billing procedure for any charge that cannot be collected on the Riverside County tax roll or may, by resolution, elect to collect the charges at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the charge will attach at 5:00 pm on the date the charge becomes delinquent and interest at 1.5% per month of the delinquent charge will attach on July 1st after the delinquency date and the first of each month thereafter until such charge is paid.

4. The CSD Board made a finding that Zone S is in compliance with Proposition 218.

5. The CSD Secretary is hereby ordered to certify to the passages of this Resolution and to forward a copy hereof, so certified, to the Auditor of the County of Riverside and to the Tax Collector of said County.

6. The CSD Secretary is hereby further ordered to forward a certified copy of the herein confirmed report of charge calculation to the Auditor of the County of Riverside and to the Tax Collector of said County, together with the certified copy of this Resolution as hereinabove provided.

MV00072476

APPROVED AND ADOPTED this _____ day of June 2010.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE: Any attachments or exhibits to this resolution should follow this jurat.]**

MV00072478

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk
Bob Hansen, City Attorney

AGENDA DATE: June 8, 2010

TITLE: GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010 RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES

RECOMMENDED ACTION

Staff recommends that the City Council adopt the following resolutions:

1. Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities; and

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code; and

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010; and

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor; and

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

SUMMARY

Submitted for adoption are six resolutions necessary for calling and giving notice of a general municipal election on November 2, 2010; requesting the Board of Supervisors to consolidate said general municipal election with the statewide general election; and adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters; ordering the submission to the qualified electors of two advisory ballot measures relating to changing from an appointed to an elected mayor; directing the City Attorney to prepare an impartial analysis; and providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

BACKGROUND/DISCUSSION

A general municipal election will be held in the City of Moreno Valley on November 2, 2010 for the purpose of electing, by district, two members of the City Council for one four (4) year term each in Council Districts 2 & 4. In addition, the City Council previously directed that the staff prepare resolutions for the submission to the voters of two advisory ballot measures relating to changing from an appointed to an elected mayor. Originally, the Council had directed that one ballot measure asking two questions be submitted to the voter. The City Clerk's office has been advised by the County Registrar of Voters that the County's election system cannot accommodate multiple questions for one ballot measure and the two questions must be presented as two separate ballot measures. Accordingly, the attached resolutions have been redrafted from those previously presented to the Council to reflect this change. The text of the ballot measures remains the same, except that the information is repeated for each measure and one sentence has been added to clarify the reasons for the two measures as well as address the Council's expressed concern that the public might not

understand that a future election would be required to enact the Directly Elected Mayor system. That sentence reads:

> To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

It appears as a separate paragraph towards the end of the measure text just prior to the actual ballot questions.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

An early estimate from the Registrar's office for the cost of the election is $45,000 – $50,000. The cost may increase due to the Registrar's direction that the two questions comprising the advisory ballot measures must be submitted as separate ballot measures rather than one. The cost of the extra ballot measure is estimated to be $10,000 – 25,000. $70,500 is included in the 2010-11 City Clerk base budget for these activities.

NOTIFICATION

Publication of the agenda.

EXHIBITS

A. Resolution calling and giving notice of the holding of a general municipal election
B. Resolution requesting consolidation with statewide general election
C. Resolution adopting regulations for candidates
D. Resolution ordering the submission to the qualified electors
E. Resolution directing the city attorney to prepare an impartial analysis
F. Resolution providing for the filing of rebuttal arguments
G. Municipal Information Form
H. City Boundary Map

Prepared By
Jane Halstead, City Clerk
Bob Herrick, Special Counsel

Department Head Approval
Jane Halstead, City Clerk
Bob Hansen, City Attorney

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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RESOLUTION NO. 2010-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 2, 2010 for the election of Municipal Officers; and

WHEREAS, the Nomination Period for said Election will be July 12, 2010 through August 5, 2010, during regular office hours as posted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four years.

SECTION 2. That the election called and so ordered hereby shall be held for the purpose of electing City Council members from Council District Two (2) and Council District Four (4), as such districts have heretofore been established and designated by the City Council.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14212 of the Elections Code of the State of California.

SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED and ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

/ar

RESOLUTION NO. 2010-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Moreno Valley, California, called a General Municipal Election to be held on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council.

WHEREAS, it is desirable that such general municipal election be consolidated with the Statewide General Election to be held on the same date, and that within the City, the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of Riverside canvass the returns of said municipal election, and that the elections be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 2, 2010, for the purpose of the election of two (2) members of the City Council of the City of Moreno Valley.

SECTION 2. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the Registrar of Voters of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is hereby requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Moreno Valley, California, recognizes that

additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for such additional costs.

SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors, the Registrar of Voters of the County of Riverside, and with the County Clerk.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS FOR THE ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010

WHEREAS, Section 13307 of the California Elections Code permits the governing body of any local agency to adopt regulations pertaining to charges for handling, packaging, and mailing the candidates' statements in relation to elections for nonpartisan elective offices;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the California Elections Code, each candidate for elective office to be voted for at an election to be held in the City of Moreno Valley, California, on Tuesday, November 2, 2010, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement cannot reference other candidates, their character, qualifications or activities. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers, July 12, 2010 through August 5, 2010, during regular office hours as posted, and until 5:00 p.m. of the next working day after the close of the nomination period.

Pursuant to § 13107 of the California Elections Code, each candidate has to fill out a ballot designation worksheet that supports the use of his/her ballot designation in compliance with the provisions of California Elections Code 13106 and 13107.

SECTION 2. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3. PAYMENT. A candidate filing a candidates' statement for inclusion in the sample ballot shall pay in advance his or her pro rata share for printing, handling and mailing, as a condition of having his or her statement included in the voter's

pamphlet. A deposit of: $450 for Council District Two (2), and $375 for Council District Four (4), must be paid at the time each candidate's statement is filed. Payment of the deposit shall be by cash or by check payable to the City of Moreno Valley. The City Clerk shall bill each candidate for any cost in excess of the deposit or, if the actual cost is found to be less than the deposit, shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. COPY TO CANDIDATE. The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating papers are issued.

SECTION 5. REPEAL OF PRIOR RESOLUTIONS. All previous resolutions establishing council policy on payment for candidates' statements are repealed.

SECTION 6. LIMITED APPLICABILITY. This resolution shall apply only to the election to be held on Tuesday, November 2, 2010 and shall then be repealed.

SECTION 7. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF MORENO VALLEY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 OF TWO ADVISORY BALLOT MEASURES RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR.

WHEREAS, a General Municipal Election will be held on Tuesday, November 2, 2010; and

WHEREAS, the City Council also desires to submit to the voters at the election two advisory ballot measures relating to changing from an appointed to an elected mayor:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the Riverside County Registrar of Voters is directed to add the advisory measure to the ballot for the City of Moreno Valley to the General Municipal Election to be held on Tuesday, November 2, 2010, relating to changing from an appointed to an elected mayor.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following measures in the following form:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following questions:

1. Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

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- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ NO _____

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the election on the proposed measures shall be consolidated with the November 2, 2010 General Election through the County Registrar of Voters and the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Election Code of the State of California

SECTION 5. That the City Clerk shall keep one or more copies of the proposed measures available for public inspection at the office of the City Clerk.

SECTION 6. (a) Notice is hereby given that written arguments, not to exceed three hundred (300) words in length, shall be filed at the office of the City Clerk, 14177 Frederick Street, Post Office Box 88005, Moreno Valley, California, 92552-0805, not later than 5:00 p.m on August 16, 2010..

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(b) Each argument submitted for or against the foregoing measures shall be accompanied by the statement set forth in §9600 of the California Elections Code, must be completed and signed by the author of such argument, and shall comply with the provisions of §§9280 through 9287 of the California Elections Code.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections consolidated through the County Registrar of Voters.

SECTION 8. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. That, except for those services routinely conducted by the City Clerk, delegation is hereby made to the County Elections Department of the powers and duties of the elections officer for the City of Moreno Valley to conduct said election in accordance with all applicable laws and procedures, and the Board of Supervisors of the County of Riverside is hereby requested to authorize said Elections Department to furnish such services; and that the Board of Supervisors is hereby requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the election.

SECTION 10. The City Clerk is hereby ordered to certify to the adoption of this resolution and proclamation, and to file copies hereof, with the Clerk of the Board of Supervisors of the County of Riverside and with the Registrar of Voters of the County of Riverside, and to enter it into the book of original Resolutions.

APPROVED AND ADOPTED this _____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____

City Attorney

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RESOLUTION NO. 2010-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS REGARDING THE ADVISORY BALLOT MEASURE RELATING TO CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010.

WHEREAS, a General Municipal Election is to be held in the City of Moreno Valley, California, on November 2, 2010 at which there will be submitted to the voters the following advisory ballot measures:

Measure 1:

Advisory Ballot Measure re Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters. Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to

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approve a change at a future binding election.

The City Council seeks the advice of the voters on the following question:

Do you support changing to an elected Mayor rather than one appointed by the City Council?	YES _____ _____ NO _____

Measure 2:

Advisory Ballot Measure re Binding Election on Elected Mayor

This measure is advisory only. The results of the vote will not be legally binding.

The City of Moreno Valley is a general law city. The City Manager directs the daily operations of the City. The City Council sets policy for the Manager to follow. The office of Mayor is mostly ceremonial. The Mayor has the same vote as any other Council member.

Currently, the City Council appoints one of its members as Mayor each year. Each Council member represents a district of the City. By tradition, the office of Mayor is rotated among the Council districts. With few exceptions, each District's representative serves as Mayor once every five years.

Under state law, the Mayor could be elected by the voters.

Under an elected Mayor system:

- The voters of all Council districts would elect the Mayor "at large".
- The elected Mayor would have no more power than the Mayor now has. The Mayor would still have one vote as a member of the City Council.
- The number of Council districts would change to four, six or eight. Six is most likely.
- The Mayor would serve either a two- or a four-year term. The voters would decide the term.
- The Mayor could be paid more than the other Council members. The voters could set the Mayor's salary. If not, the City Council would set the salary.

To actually change the system to an elected Mayor, the voters would have to approve a change at a future binding election.

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The City Council seeks the advice of the voters on the following question:

Whether or not you support changing to an elected Mayor, should the City Council call a binding election for voters to decide the issue?	YES _____ _____ NO _____

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does resolve, declare, determine and order as follows:

SECTION 8. That the City Council directs the City Clerk to transmit a copy of the measures to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the Elections Official for the filing of primary arguments.

SECTION 2. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED this ____ day of June, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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RESOLUTION NO. 2010-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES SUBMITTED AT THE NOVEMBER 2, 2010 MUNICIPAL ELECTION

WHEREAS, Election Code §9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections;

NOW THEREFORE, the City Council of the City of Moreno Valley, California, does hereby resolve, determine and order as follows:

SECTION 1. That pursuant to Elections Code §9285, when the City Clerk has selected the arguments for and against each measure which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than 5:00 p.m. on August 26, 2010. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the general election to be held on November 2, 2010, and shall then be repealed.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED this 8th day of June, 2010.

_____
Mayor

ATTEST:

APPROVED AS TO FORM:

_____

_____

City Clerk

City Attorney

Exhibit F

Resolution No. 2010-56
Date Adopted: June 8, 2010